ACTS

OF THE

GENERAL ASSEMBLY

2025 REGULAR SESSION

VOLUME I

VOLUME II

VOLUME III

ACTS

OF THE

GENERAL ASSEMBLY

OF THE

COMMONWEALTH OF VIRGINIA

2025 REGULAR SESSION

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ACTS OF THE GENERAL ASSEMBLY

2025 REGULAR SESSION

CHAPTER 1

An Act to amend and reenact § 2.2-2237.1 of the Code of Virginia, relating to Virginia Economic Development Partnership Authority; operational plan submission.

[H 1567]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2237.1 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-2237.1. Board of directors to develop strategic plan for economic development; marketing plan; operational plan; submission.

A. The Board and the Chief Executive Officer shall develop and update biennially, prior to the start of each of the Commonwealth's biennial budget periods, a strategic plan for specific economic development activities for the Commonwealth as a whole. The strategic plan shall be responsive to the comprehensive economic development policy developed pursuant to § 2.2-205. The strategic plan of the Authority shall, at a minimum, include:

1. The identification of specific goals and objectives for the Authority and the development of quantifiable metrics and performance measures for attaining each such goal and objective;

2. A systematic assessment of how the Authority can best add value in carrying out each of its statutory powers and duties; and

3. Such other information deemed appropriate by the Board to ensure that the Authority fully executes its powers and duties.

B. The Authority shall report annually by November 1 on its strategic plan, any modifications to the strategic plan, and its progress toward meeting the goals and objectives as stated in the strategic plan. The report shall be submitted to the Governor, the Director of the Department of Planning and Budget, the special subcommittee on economic development of the Joint Legislative Audit and Review Commission, and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations.

C. The Board shall include in its strategic planning process the participation of key economic development partners, including state, regional, and local economic development agencies and organizations, rural stakeholders, and international trade organizations.

D. In addition, the Board and the Chief Executive Officer shall develop and update annually prior to the start of the fiscal year:

1. A marketing plan for the Commonwealth as a whole. The marketing plan of the Authority shall, at a minimum, include:

a. Identification of the Authority's specific and measurable marketing goals and the timetable to achieve such goals;

b. Identification of specific marketing activities, including efforts intended to secure economic development opportunities in proximity to high unemployment areas;

c. The resources and staff allocated to such marketing activities; and

d. The development of quantifiable metrics and performance measures for attaining each such goal.

The Authority shall report annually by November 1 on its marketing plan, any modifications to the marketing plan, and its progress toward meeting the goals and objectives as stated in the marketing plan. The report shall be submitted to the Governor, the special subcommittee on economic development of the Joint Legislative Audit and Review Commission, and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations; and

2. An operational plan for carrying out the powers and duties of the Authority. The operational plan of the Authority shall, at a minimum, include:

a. A process to evaluate the Authority's effectiveness in exercising the powers and duties conferred by this article, including the Authority's ability to work with other state, regional, and local economic development organizations and international trade organizations; and

b. A strategy for coordinating with state agencies that administer economic development incentive programs and relevant executive branch committees, councils, authorities, and commissions to maximize the effectiveness of state economic development programs and activities.

The Authority shall report annually by November 1 on its operational plan, any modifications to the operational plan, and its progress toward meeting the goals and objectives as stated in the operational plan. Such report shall contain the

~~audited financial statements of the Authority for the year ending the previous June 30~~ *most recent available audit report from the Auditor of Public Accounts' annual examination of the accounts and books of the Authority pursuant to § 2.2-2242* and shall be submitted to the Governor, the special subcommittee on economic development of the Joint Legislative Audit and Review Commission, and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations.

CHAPTER 2

An Act to amend and reenact § 17.1-515.6 of the Code of Virginia, relating to law-enforcement jurisdiction; Frederick County.

[H 1568]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-515.6 of the Code of Virginia is amended and reenacted as follows:

§ 17.1-515.6. Concurrent law-enforcement jurisdiction over Joint Judicial Center in Winchester.

The Frederick County Sheriff's Department shall have, concurrently with the City of Winchester Police Department, jurisdiction to arrest perpetrators of all offenses committed in or upon the premises, buildings, rooms, or offices of the Joint Judicial Center *or any other building* located in the City of Winchester *that is owned or occupied by Frederick County*.

CHAPTER 3

An Act to amend and reenact § 2.2-309.1 of the Code of Virginia, relating to Office of the State Inspector General; behavioral health and developmental services; required reports.

[H 1578]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-309.1 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-309.1. Additional powers and duties; behavioral health and developmental services.

A. The definitions found in § 37.2-100 shall apply mutatis mutandis to the terms used in this section.

B. In addition to the duties set forth in this chapter, the State Inspector General shall have the following powers and duties to:

1. Provide inspections of and make policy and operational recommendations for state facilities and for providers, including licensed mental health treatment units in state correctional facilities, in order to prevent problems, abuses, and deficiencies in and improve the effectiveness of their programs and services. The State Inspector General shall provide oversight and conduct announced and unannounced inspections of state facilities and of providers, including licensed mental health treatment units in state correctional facilities, on an ongoing basis in response to specific complaints of abuse, neglect, or inadequate care and as a result of monitoring serious incident reports and reports of abuse, neglect, or inadequate care or other information received. The State Inspector General shall conduct unannounced inspections at each state facility at least once annually;

2. Inspect, monitor, and review the quality of services provided in state facilities and by providers as defined in § 37.2-403, including licensed mental health treatment units in state correctional facilities;

3. Access any and all information, including confidential consumer information, related to the delivery of services to consumers in state facilities or served by providers, including licensed mental health treatment units in state correctional facilities. However, the State Inspector General shall not be given access to any proceedings, minutes, records, or reports of providers that are privileged under § 8.01-581.17, except that the State Inspector General shall be given access to any privileged information in state facilities and licensed mental health treatment units in state correctional facilities. All consumer information shall be maintained by the State Inspector General as confidential in the same manner as is required by the agency or provider from which the information was obtained;

4. Keep the General Assembly ~~and~~, the Joint Commission on Health Care*, and the Behavioral Health Commission* fully and currently informed by means of reports required by § 2.2-313 concerning significant problems, abuses, and deficiencies relating to the administration of the programs and services of state facilities and of providers, including licensed mental health treatment units in state correctional facilities, ~~to~~ recommend corrective actions concerning the problems, abuses, and deficiencies, and report on the progress made in implementing the corrective actions;

5. Provide oversight of the Department of Behavioral Health and Developmental Services and community-based providers to identify system-level issues and conditions affecting quality of care and safety and provide recommendations to alleviate such issues and conditions;

6. Implement a program to promote awareness of the complaints line operated by the Office of the State Inspector General among residents of facilities operated by the Department of Behavioral Health and Developmental Services and

persons receiving services from community-based providers regulated by the Department of Behavioral Health and Developmental Services;

7. Review, comment on, and make recommendations about, as appropriate, any reports prepared by the Department of Behavioral Health and Developmental Services and the critical incident data collected by the Department of Behavioral Health and Developmental Services in accordance with regulations adopted under § 37.2-400 to identify issues related to quality of care, seclusion and restraint, medication usage, abuse and neglect, staff recruitment and training, and other systemic issues;

8. As deemed necessary, monitor, review, and comment on regulations adopted by the Board of Behavioral Health and Developmental Services; and

9. Receive reports, information, and complaints from the Commonwealth's designated protection and advocacy system concerning issues related to quality of care provided in state facilities and by providers, including licensed mental health treatment units in state correctional facilities, and conduct independent reviews and investigations.

CHAPTER 4

An Act to amend and reenact § 33.2-1526.4 of the Code of Virginia, relating to Commonwealth Rail Fund; Shortline Railway Preservation and Development Fund.

[H 1603]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 33.2-1526.4 of the Code of Virginia is amended and reenacted as follows:

§ 33.2-1526.4. Commonwealth Rail Fund.

A. The General Assembly declares it to be in the public interest that developing and continuing intercity passenger and freight rail operations and the development of rail infrastructure, rolling stock, and support facilities to support intercity passenger and freight rail service are important elements of a balanced transportation system in the Commonwealth and further declares it to be in the public interest that the retention, maintenance, improvement, and development of intercity passenger and freight rail-related infrastructure improvements and operations are essential to the Commonwealth's continued economic growth, vitality, and competitiveness in national and world markets.

B. There is hereby established in the state treasury a special nonreverting fund to be known as the Commonwealth Rail Fund (the Fund). The Fund shall be established on the books of the Comptroller and shall consist of funds dedicated pursuant to subdivision 3 of § 33.2-1524.1. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely as provided in this section.

C. The amounts dedicated to the Fund pursuant to § 33.2-1524.1 shall be deposited monthly into the Fund. Thereafter, 93 percent shall be distributed to the Virginia Passenger Rail Authority as soon as practicable for use in accordance with the provisions of Article 6 (§ 33.2-287 et seq.) of Chapter 2. The remaining seven percent shall remain in the Fund for the Department of Rail and Public Transportation for planning purposes and for grants for rail projects not administered by the Virginia Passenger Rail Authority. The Department of Rail and Public Transportation may ~~use up to $4 million~~ *use up to 50 percent of its share of the moneys in the Fund* for the purposes of the Shortline Railway Preservation and Development Fund *created* pursuant to § 33.2-1602.

CHAPTER 5

An Act to amend and reenact § 64.2-745.2 of the Code of Virginia, relating to Uniform Trust Code; qualified trustee; definition.

[H 1605]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 64.2-745.2 of the Code of Virginia is amended and reenacted as follows:

§ 64.2-745.2. Definitions; vacancies; right to withdraw.

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

"Independent qualified trustee" means a qualified trustee who is not, and whose actions are not, subject to direction by:

1. The settlor;

2. Any natural person who is not a resident of the Commonwealth;

3. Any entity that is not authorized ~~under Title 6.2 to engage in trust business~~ *by law to act as a trustee* within the Commonwealth;

4. The settlor's spouse;

5. A parent of the settlor;

6. Any issue of the settlor;

7. A sibling of the settlor;

8. An employee of the settlor;

9. A business entity in which the settlor's holdings represent at least 30 percent of the total voting power of all interests entitled to vote;

10. A subordinate employee of the settlor; or

11. A subordinate employee of a business entity in which the settlor is an executive.

"Qualified interest" means a settlor's interest in a qualified self-settled spendthrift trust, to the extent that such interest entitles the settlor to receive distributions of income, principal, or both, in the sole discretion of an independent qualified trustee. A settlor may have a qualified interest in a qualified self-settled spendthrift trust and also have an interest in the same trust that is not a qualified interest, and the rules of § 64.2-747 shall apply to each interest of the settlor in the same trust other than the settlor's qualified interest.

"Qualified self-settled spendthrift trust" means a trust if:

1. The trust is irrevocable;

2. The trust is created during the settlor's lifetime;

3. There is, at all times when distributions could be made to the settlor pursuant to the settlor's qualified interest, at least one beneficiary other than the settlor (i) to whom income may be distributed, if the settlor's qualified interest relates to trust income, (ii) to whom principal may be distributed, if the settlor's qualified interest relates to trust principal, or (iii) to whom both income and principal may be distributed, if the settlor's qualified interest relates to both trust income and principal;

4. The trust has at all times at least one qualified trustee, who may be, but need not be, an independent qualified trustee;

5. The trust instrument expressly incorporates the laws of the Commonwealth to govern the validity, construction, and administration of the trust;

6. The trust instrument includes a spendthrift provision, as defined in § 64.2-743, that restrains both voluntary and involuntary transfer of the settlor's qualified interest; and

7. The settlor does not have the right to disapprove distributions from the trust.

"Qualified trustee" means any person who is a natural person residing within the Commonwealth or a legal entity authorized ~~to engage in trust business~~ *by law to act as a trustee* within the Commonwealth and who maintains or arranges for custody within the Commonwealth of some or all of the property that has been transferred to the trust by the settlor, maintains records within the Commonwealth for the trust on an exclusive or nonexclusive basis, prepares or arranges for the preparation within the Commonwealth of fiduciary income tax returns for the trust, or otherwise materially participates within the Commonwealth in the administration of the trust. A trustee is not a qualified trustee if such trustee's authority to make distributions of income or principal or both are subject to the direction of someone who, were that person a trustee of the trust, would not meet the requirements to be a qualified trustee.

B. A vacancy in the position of qualified trustee that occurs for any reason, whether or not there is then serving another trustee, shall be filled in the following order of priority:

1. By a person eligible to be a qualified trustee and who is designated pursuant to the terms of the trust to act as successor trustee;

2. By a person eligible to be a qualified trustee and who is designated by unanimous agreement of the qualified beneficiaries; or

3. By a person eligible to be a qualified trustee and who is appointed by the court pursuant to §§ 64.2-1405 and 64.2-1406 or pursuant to § 64.2-712.

C. A vacancy in the position of independent qualified trustee that occurs for any reason, whether or not there is then serving another trustee, shall be filled in the following order of priority:

1. By a person eligible to be an independent qualified trustee and who is designated pursuant to the terms of the trust to act as successor trustee;

2. By a person eligible to be an independent qualified trustee and who is designated by unanimous agreement of the qualified beneficiaries; or

3. By a person eligible to be an independent qualified trustee and who is appointed by the court pursuant to §§ 64.2-1405 and 64.2-1406 or pursuant to § 64.2-712.

D. A trust instrument shall not be deemed revocable on account of the inclusion of any one or more of the following rights, powers, and interests:

1. A power of appointment, exercisable by the settlor by will or other written instrument effective only upon the settlor's death, other than a power to appoint to the settlor's estate or the creditors of the settlor's estate;

2. The settlor's qualified interest in the trust;

3. The settlor's right to receive income or principal pursuant to an ascertainable standard;

4. The settlor's potential or actual receipt of income or principal from a charitable remainder unitrust or charitable remainder annuity trust (each within the meaning of § 664(d) of the Internal Revenue Code) and the settlor's right, at any time, and from time to time, to release, in writing delivered to the qualified trustee, all or any part of the settlor's retained interest in such trust;

5. The settlor's receipt each year of a percentage, not to exceed five percent, specified in the trust instrument of the initial value of the trust assets or their value determined from time to time pursuant to the trust instrument;

6. The settlor's right to remove a trustee and to appoint a new trustee;

7. The settlor's potential or actual use of real property held under a personal residence trust (within the meaning of § 2702(c) of the Internal Revenue Code);

8. The settlor's potential or actual receipt or use of a qualified annuity interest (within the meaning of § 2702 of the Internal Revenue Code);

9. The ability of a qualified trustee, whether pursuant to discretion or direction, to pay, after the settlor's death, all or any part of the settlor's debts outstanding at the time of the settlor's death, the expenses of administering the settlor's estate, or any estate inheritance tax imposed on or with respect to the settlor's estate; and

10. A settlor's potential or actual receipt of income or principal to pay, in whole or in part, income taxes due on trust income, or the direct payment of such taxes to the applicable tax authorities, pursuant to a provision in the trust instrument that expressly provides for the direct payment of such taxes or the reimbursement of the settlor for such tax payments.

E. A beneficiary who has the right to withdraw his entire beneficial interest in a trust shall be treated as its settlor to the extent of such withdrawal right, when such right to withdraw has lapsed, been released, or otherwise expired, without regard to the limitations otherwise imposed by subsection B of § 64.2-747.

CHAPTER 6

An Act to amend and reenact § 55.1-2532 of the Code of Virginia, relating to claims to unclaimed property; authority of administrator; emergency.

[H 1606]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-2532 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-2532. Filing claim to property or proceeds of sale of such property.

A. Any person claiming an interest in any property delivered to the Commonwealth under this chapter may file a claim to such property or to the proceeds from the sale of such property on a form prescribed by the administrator. *The administrator shall also be authorized to make payments pursuant to this chapter without having received a claim, provided that (i) the property is cash property, (ii) the apparent owner is a natural person and is the sole owner of such property, (iii) the identity of such apparent owner has been verified by the administrator, and (iv) the amount to be paid does not exceed $5,000.*

B. Notwithstanding any other provision of law, any person claiming an interest in any property delivered to the Commonwealth under this chapter for a reported owner who is deceased shall submit evidence of the claimant's entitlement to payment together with a form prescribed by the administrator. In order of preference, such evidence may include (i) a certificate of qualification as the executor or an order of appointment as the administrator or personal representative of the decedent's estate under the laws of the state of the decedent's domicile; (ii) if applicable, an affidavit authorizing the claimant to be the designated successor under the Virginia Small Estate Act (§ 64.2-600 et seq.), or its equivalent under the laws of the state of the decedent's domicile that names the claimant as the designated successor; or (iii) the order of distribution or the final accounting for a closed estate that reflects payment due in whole or in part to the claimant. When, in the absence of any such evidence, (a) the death of the reported owner occurred at least one year prior to filing the claim and (b) the amount claimed is $25,000 or less, exclusive of any interest owed pursuant to subsection C of § 55.1-2533, the administrator may allow the claimant to submit an affidavit stating the claimant's entitlement to payment in the absence of sufficient documentation, and the administrator may approve the claim in his discretion, returning or paying all or the appropriate share of the deceased owner's property to the claimant. The administrator may pay or deliver all of the deceased owner's property to a claimant who submits the prescribed affidavit evidencing his agreement to receive and distribute the property to the other rightful heirs or beneficiaries and acknowledging his assumption of liability to those beneficiaries or heirs for failure to do so.

C. Notwithstanding any other provision of law, when paying or delivering unclaimed property under subsection B to a claimant who is not authorized to represent the decedent's estate as the personal representative or the designated successor or the equivalent, the administrator is discharged and released to the same extent as if the administrator dealt with the authorized representative or designated successor for the decedent's estate. The administrator shall deny any subsequent claim to the same property. Any person subsequently claiming an equal or superior right to the deceased owner's property whose claim is denied by the administrator for this reason may seek redress from the claimant to whom payment was made.

D. The administrator shall develop and make available a plain English explanation of a person's right to make a claim, in accordance with the provisions of this section, for property delivered to the Commonwealth in cases where the reported owner of the property is deceased. The administrator shall also post such document on the Department of the Treasury's website.

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

CHAPTER 7

An Act to amend and reenact § 2.2-203.2:4 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 20.1 of Title 2.2 an article numbered 8, consisting of a section numbered 2.2-2034.1, relating to Office of Data Governance and Analytics; oversight; Chief Data Officer; duties.

[H 1632]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-203.2:4 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 20.1 of Title 2.2 an article numbered 8, consisting of a section numbered 2.2-2034.1, as follows:

§ 2.2-203.2:4. Chief Data Officer; created; report.

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

"Board" means the Executive Data Board.

"CDO" means the Chief Data Officer of the Commonwealth.

"Commonwealth Data Trust" means a secure, multi-stakeholder data exchange and analytics platform with common rules for data security, privacy, and confidentiality. The Commonwealth Data Trust ~~shall include~~ *includes* data from state, regional, and local governments, from public institutions of higher education, and from any other sources deemed necessary and appropriate.

"Council" means the Data Governance Council.

"Group" means the Data Stewards Group.

"Office" means the Office of Data Governance and Analytics *as created pursuant to § 2.2-2034.1*.

"Open data" means data that is collected by an agency that is not prohibited from being made available to the public by applicable laws or regulations or other restrictions, requirements, or rights associated with such data.

B. ~~There is created in the Office of the Secretary of Administration the Office of Data Governance and Analytics to foster and oversee the effective sharing of data among state, regional, and local public entities and public institutions of higher education, implement effective data governance strategies to maintain data integrity and security, and promote access to Commonwealth data. The purpose of the Office shall be to (i) improve compliance with the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.); (ii) increase access to and sharing of Commonwealth data, including open data, between state, regional and local public entities and public institutions of higher education across all levels of government; (iii) Increase the use of data and data analytics to improve the efficiency and efficacy of government services and improve stakeholder outcomes; and (iv) establish the Commonwealth as a national leader in data-driven policy, evidence-based decision making, and outcome-based performance management.~~

~~C. The Office shall have the following powers and duties:~~

~~1. To support the collection, dissemination, analysis, and proper use of data by state agencies and public entities as defined in the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.);~~

~~2. To facilitate and guide data-sharing efforts between state, regional, and local public entities and public institutions of higher education;~~

~~3. To develop innovative data analysis and intelligence methodologies and best practices to promote data-driven policy making, decision making, research, and analysis;~~

~~4. To manage and administer the Commonwealth Data Trust;~~

~~5. To assist the Chief Data Officer and the Chief Information Officer of the Commonwealth in the development of a comprehensive six-year Commonwealth strategic plan for information technology;~~

~~6. In cooperation with the Chief Information Officer of the Commonwealth, to provide technical assistance to state agencies, local governments, and regional entities to establish and promote data sharing and analytics projects including data storage, data security, privacy, compliance with federal law, the de-identification of data for research purposes, and the appropriate access to and presentation of open data and datasets to the public;~~

~~7. To develop measures and targets related to the performance of the Commonwealths' data governance, sharing, analytics, and intelligence program;~~

~~8. To undertake, identify, coordinate, and oversee studies linking government services to stakeholder outcomes;~~

~~9. To implement a website dedicated to (i) hosting open data from state, regional, and local public entities and public institutions of higher education and (ii) providing links to any other additional open data websites in the Commonwealth;~~

~~10. To provide staff and operational support to the Virginia Data Commission, Executive Data Board, Data Governance Council, and Data Stewards Group;~~

~~11. To apply for and accept grants from the United States government and agencies and instrumentalities thereof and any other source. To those ends, the Office shall have the power to comply with such conditions and execute such agreements as may be necessary or desirable;~~

~~12. To solicit, receive, and consider proposals for funding projects or initiatives from any state or federal agency, local or regional government, public institution of higher education, nonprofit organization, or private person or corporation;~~

~~13. To enter into public-private partnerships and agreements with public institutions of higher education in the Commonwealth to conduct data sharing and analytics projects;~~

~~14. To solicit and accept funds, goods, and in-kind services that are part of any accepted project proposal;~~

~~15. To establish ad hoc committees or project teams to investigate related technology or technical issues and provide results and recommendations for Office action;~~

~~16. To enter into reciprocal data-sharing agreements with state agencies for the purpose of sharing veteran-specific data in order to support data-informed outreach plans for veterans. Such agencies may include the Department of Veterans Services, Department of Corrections, Department of Social Services, Virginia Employment Commission, Department of Small Business and Supplier Diversity, Department of Taxation, and other relevant state agencies that have access to data regarding veterans residing in the Commonwealth; and~~

~~17. To establish such bureaus, sections, or units as the Office deems appropriate to carry out its goals and responsibilities.~~

There is created in the Office of the Secretary of Administration the position of Chief Data Officer of the Commonwealth to ~~oversee the operation of~~ *lead* the Office *of Data Governance and Analytics*. The CDO shall exercise and perform the duties conferred or imposed upon him by law and perform such other duties as may be required by the Governor and the Secretary of Administration. The CDO shall not be considered the custodian of any public records in or derived from the Commonwealth Data Trust. The CDO shall:

1. Establish business rules, guidelines, and best practices for the use of data, including open data, in the Commonwealth. Such rules, guidelines, and best practices shall address, at a minimum, (i) the sharing of data between state, regional, and local public entities and public institutions of higher education, and, when appropriate, private entities; (ii) data storage; (iii) data security; (iv) privacy; (v) compliance with federal law; (vi) the de-identification of data for research purposes; and (vii) the appropriate access to and presentation of open data and datasets to the public;

2. Assist state, regional, and local public entities, public institutions of higher education, and employees thereof, with the application of the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et. seq.) and understanding the applicability of federal laws governing privacy and access to data to the data sharing practices of the Commonwealth;

3. Assist the Chief Information Officer of the Commonwealth with matters related to the creation, storage, and dissemination of data upon request;

4. Encourage and coordinate efforts of state, regional, and local public entities and public institutions of higher education to access and share data, including open data, across all levels of government in an effort to improve the efficiency and efficacy of services, improve outcomes, and promote data-driven policy making, decision making, research, and analysis;

5. Oversee the implementation of a website dedicated to (i) hosting open data from state, regional, and local public entities and public institutions of higher education and (ii) providing links to any other additional open data websites in the Commonwealth;

6. Enter into contracts for the purpose of carrying out the provisions of this section;

7. ~~Rent office space and procure equipment, goods, and services necessary~~ *Obtain from the Virginia Information Technologies Agency office space and human resources, procurement, fiscal, and other administrative support and resources necessary to support the operations of the Office and* to carry out the provisions of this section; and

8. Report on the activities of the Office~~,~~ *and* the Commonwealth Data Trust~~, and the Virginia Data Commission established pursuant to Article 13 (§ 2.2-2558 et seq.) of Chapter 25~~ annually by December 1 to the Governor and the General Assembly.

~~E.~~ *C.* The Commonwealth Data Trust shall be governed by a multi-level governance structure as follows:

1. The Executive Data Board shall consist of the directors or chief executives, or their designees, of executive branch agencies engaged in data sharing and analytics projects with the Commonwealth Data Trust. The CDO shall chair the Board. Members of the Board shall (i) translate the Commonwealth's data-driven policy goals and objectives into performance targets at their respective agencies; (ii) allocate appropriate resources at their respective agencies to support data governance, sharing, and analytics initiatives; and (iii) provide any reports to the Office regarding their respective agencies' data analytics work and implementation of recommendations.

2. The Data Governance Council shall consist of employees of the agencies represented on the Board, selected by the Board members from their respective agencies. The CDO, or his designee, shall chair the Council. The Council shall (i) liaise between state agency operations and the CDO; (ii) advise the CDO on data technology, policy, and governance structure; (iii) administer data governance policies, standards, and best practices, as set by the Board; (iv) oversee data sharing and analytics projects; (v) review open data assets prior to publication; (vi) provide to the Board any reports on the Council's recommendations and work as required by the Board; (vii) develop necessary privacy and ethical standards and policies for Commonwealth Data Trust resources; (viii) monitor the sharing of Commonwealth Data Trust member-contributed data resources; (ix) review and approve new Commonwealth Data Trust-managed data resources; and (x) conduct any other business the CDO deems necessary for Commonwealth Data Trust governance.

3. The Data Stewards Group shall consist of employees from executive branch agencies with technical experience in data management or data analytics. Executive branch agencies shall be encouraged to designate at least one agency data steward to serve on the Group and may designate multiple data stewards as appropriate based upon organizational or data system responsibilities. The Group shall (i) provide the Board and Council with technical subject matter expertise in support of data policies, standards, and best practices; (ii) implement data sharing and analytics projects promoting data accessibility, sharing, and reuse, thereby reducing redundancy across the Commonwealth; (iii) coordinate and resolve

technical stewardship issues for standardized data; (iv) ensure data quality processes and standards are implemented consistently by agencies in the Commonwealth; (v) provide communication and education to data users on the appropriate use, sharing, and protection of the Commonwealth's data assets; (vi) promote the collection and sharing of metadata by registering data assets in the Virginia Data Catalog; (vii) liaise with agency project managers and information technology investment staff to ensure adherence to Commonwealth data standards and data sharing requirements; and (viii) support informed, data-driven decision making through compliance with Commonwealth data policies, standards, and best practices.

~~F.~~ *D.* In carrying out the provisions of this section, the Office shall coordinate and collaborate with, to the fullest extent authorized by federal law and notwithstanding any state law to the contrary, all agencies set forth in subsection A of § 2.2-212 and subsection A of § 2.2-221; any other state, regional, and local public bodies, including community services boards; local law-enforcement agencies; any health and human services-related entity of a political subdivision that receives state funds; public institutions of higher education; and, when appropriate, private entities.

~~G.~~ *E.* The Office shall be considered an agent of any state agency in the executive branch of government that shares information or data with the ~~office~~ *Office*, and shall be an authorized recipient of information under any statutory or administrative law governing the information or data. Interagency data shared pursuant to this section shall not constitute a disclosure or release of information or data under any statutory or administrative law governing the information or data.

~~H.~~ *F.* The Office shall be responsible for overseeing and supporting any workforce development data systems authorized under the Secretary of Labor to ensure the interoperability of the systems, to facilitate data sharing, to identify innovative technology solutions, and to support processes that create data-informed decisions.

Article 8.

Office of Data Governance and Analytics.

§ 2.2-2034.1. Office of Data Governance and Analytics created.

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

"CDO" means the Chief Data Officer of the Commonwealth.

"Commonwealth Data Trust" means a secure, multi-stakeholder data exchange and analytics platform with common rules for data security, privacy, and confidentiality. The Commonwealth Data Trust includes data from state, regional, and local governments, from public institutions of higher education, and from any other sources deemed necessary and appropriate.

"Office" means the Office of Data Governance and Analytics as created in this section.

"Open data" means data that is collected by an agency that is not prohibited from being made available to the public by applicable laws or regulations or other restrictions, requirements, or rights associated with such data.

B. There is created in the Virginia Information Technologies Agency the Office of Data Governance and Analytics to foster and oversee the effective sharing of data among state, regional, and local public entities and public institutions of higher education, implement effective data governance strategies to maintain data integrity and security, and promote access to Commonwealth data. The Office shall be overseen by the Chief Information Officer of the Commonwealth as a part of the Virginia Information Technologies Agency but led in strategy and prioritization by the Chief Data Officer, as established pursuant to § 2.2-203.2:4. The purpose of the Office shall be to (i) improve compliance with the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.); (ii) increase access to and sharing of Commonwealth data, including open data, between state, regional, and local public entities and public institutions of higher education across all levels of government; (iii) increase the use of data and data analytics to improve the efficiency and efficacy of government services and stakeholder outcomes; and (iv) establish the Commonwealth as a national leader in data-driven policy, evidence-based decision making, and outcome-based performance management.

C. The Office shall have the following powers and duties:

1. To support the collection, dissemination, analysis, and proper use of data by state agencies and public entities as defined in the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.);

2. To facilitate and guide data-sharing efforts between state, regional, and local public entities and public institutions of higher education;

3. To develop innovative data analysis and intelligence methodologies and best practices to promote data-driven policy making, decision making, research, and analysis;

4. To manage and administer the Commonwealth Data Trust;

5. To assist the Chief Data Officer and the Chief Information Officer of the Commonwealth in the development of a comprehensive six-year Commonwealth strategic plan for information technology;

6. In cooperation with others in the Virginia Information Technologies Agency, to provide technical assistance to state agencies, local governments, and regional entities to establish and promote data sharing and analytics projects, including data storage, data security, privacy, compliance with federal law, the de-identification of data for research purposes, and the appropriate access to and presentation of open data and datasets to the public;

7. To develop measures and targets related to the performance of the Commonwealth's data governance, sharing, analytics, and intelligence program;

8. To undertake, identify, coordinate, and oversee studies linking government services to stakeholder outcomes;

9. To implement a website dedicated to (i) hosting open data from state, regional, and local public entities and public institutions of higher education and (ii) providing links to any other additional open data websites in the Commonwealth;

10. To provide staff and operational support to the Executive Data Board, Data Governance Council, and Data Stewards Group, the multi-level governance structure established pursuant to § 2.2-203.2:4 that governs the Commonwealth Data Trust;

11. To apply for and accept grants from the United States government and agencies and instrumentalities thereof and any other source. To those ends, the Office shall have the power to comply with such conditions and execute such agreements as may be necessary or desirable;

12. To solicit, receive, and consider proposals for funding projects or initiatives from any state or federal agency, local or regional government, public institution of higher education, nonprofit organization, or private person or corporation;

13. To enter into public-private partnerships and agreements with public institutions of higher education in the Commonwealth to conduct data sharing and analytics projects;

14. To solicit and accept funds, goods, and in-kind services that are part of any accepted project proposal;

15. To establish ad hoc committees or project teams to investigate related technology or technical issues and provide results and recommendations for Office action; and

16. To enter into reciprocal data-sharing agreements with state agencies for the purpose of sharing veteran-specific data in order to support data-informed outreach plans for veterans. Such agencies may include the Department of Veterans Services, Department of Corrections, Department of Social Services, Virginia Employment Commission, Department of Small Business and Supplier Diversity, Department of Taxation, and other relevant state agencies that have access to data regarding veterans residing in the Commonwealth.

CHAPTER 8

An Act to amend and reenact §§ 32.1-325 and 38.2-4319 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 38.2-3418.22, relating to the state plan for medical assistance services and health insurance; pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome.

[H 1641]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-325 and 38.2-4319 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 38.2-3418.22 as follows:

§ 32.1-325. Board to submit plan for medical assistance services to U.S. Secretary of Health and Human Services pursuant to federal law; administration of plan; contracts with health care providers.

A. The Board, subject to the approval of the Governor, is authorized to prepare, amend from time to time, and submit to the U.S. Secretary of Health and Human Services a state plan for medical assistance services pursuant to Title XIX of the United States Social Security Act and any amendments thereto. The Board shall include in such plan:

1. A provision for payment of medical assistance on behalf of individuals, up to the age of 21, placed in foster homes or private institutions by private, nonprofit agencies licensed as child-placing agencies by the Department of Social Services or placed through state and local subsidized adoptions to the extent permitted under federal statute;

2. A provision for determining eligibility for benefits for medically needy individuals which disregards from countable resources an amount not in excess of $3,500 for the individual and an amount not in excess of $3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by (i) the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources and (ii) the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses;

3. A requirement that, in determining eligibility, a home shall be disregarded. For those medically needy persons whose eligibility for medical assistance is required by federal law to be dependent on the budget methodology for Aid to Families with Dependent Children, a home means the house and lot used as the principal residence and all contiguous property. For all other persons, a home shall mean the house and lot used as the principal residence, as well as all contiguous property, as long as the value of the land, exclusive of the lot occupied by the house, does not exceed $5,000. In any case in which the definition of home as provided here is more restrictive than that provided in the state plan for medical assistance services in Virginia as it was in effect on January 1, 1972, then a home means the house and lot used as the principal residence and all contiguous property essential to the operation of the home regardless of value;

4. A provision for payment of medical assistance on behalf of individuals up to the age of 21, who are Medicaid eligible, for medically necessary stays in acute care facilities in excess of 21 days per admission;

5. A provision for deducting from an institutionalized recipient's income an amount for the maintenance of the individual's spouse at home;

6. A provision for payment of medical assistance on behalf of pregnant women which provides for payment for inpatient postpartum treatment in accordance with the medical criteria outlined in the most current version of or an official update to the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of

Obstetricians and Gynecologists or the "Standards for Obstetric-Gynecologic Services" prepared by the American College of Obstetricians and Gynecologists. Payment shall be made for any postpartum home visit or visits for the mothers and the children which are within the time periods recommended by the attending physicians in accordance with and as indicated by such Guidelines or Standards. For the purposes of this subdivision, such Guidelines or Standards shall include any changes thereto within six months of the publication of such Guidelines or Standards or any official amendment thereto;

7. A provision for the payment for family planning services on behalf of women who were Medicaid-eligible for prenatal care and delivery as provided in this section at the time of delivery. Such family planning services shall begin with delivery and continue for a period of 24 months, if the woman continues to meet the financial eligibility requirements for a pregnant woman under Medicaid. For the purposes of this section, family planning services shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions;

8. A provision for payment of medical assistance for high-dose chemotherapy and bone marrow transplants on behalf of individuals over the age of 21 who have been diagnosed with lymphoma, breast cancer, myeloma, or leukemia and have been determined by the treating health care provider to have a performance status sufficient to proceed with such high-dose chemotherapy and bone marrow transplant. Appeals of these cases shall be handled in accordance with the Department's expedited appeals process;

9. A provision identifying entities approved by the Board to receive applications and to determine eligibility for medical assistance, which shall include a requirement that such entities (i) obtain accurate contact information, including the best available address and telephone number, from each applicant for medical assistance, to the extent required by federal law and regulations, and (ii) provide each applicant for medical assistance with information about advance directives pursuant to Article 8 (§ 54.1-2981 et seq.) of Chapter 29 of Title 54.1, including information about the purpose and benefits of advance directives and how the applicant may make an advance directive;

10. A provision for breast reconstructive surgery following the medically necessary removal of a breast for any medical reason. Breast reductions shall be covered, if prior authorization has been obtained, for all medically necessary indications. Such procedures shall be considered noncosmetic;

11. A provision for payment of medical assistance for annual pap smears;

12. A provision for payment of medical assistance services for prostheses following the medically necessary complete or partial removal of a breast for any medical reason;

13. A provision for payment of medical assistance which provides for payment for 48 hours of inpatient treatment for a patient following a radical or modified radical mastectomy and 24 hours of inpatient care following a total mastectomy or a partial mastectomy with lymph node dissection for treatment of disease or trauma of the breast. Nothing in this subdivision shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate;

14. A requirement that certificates of medical necessity for durable medical equipment and any supporting verifiable documentation shall be signed, dated, and returned by the physician, physician assistant, or advanced practice registered nurse and in the durable medical equipment provider's possession within 60 days from the time the ordered durable medical equipment and supplies are first furnished by the durable medical equipment provider;

15. A provision for payment of medical assistance to (i) persons age 50 and over and (ii) persons age 40 and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for one PSA test in a 12-month period and digital rectal examinations, all in accordance with American Cancer Society guidelines. For the purpose of this subdivision, "PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen;

16. A provision for payment of medical assistance for low-dose screening mammograms for determining the presence of occult breast cancer. Such coverage shall make available one screening mammogram to persons age 35 through 39, one such mammogram biennially to persons age 40 through 49, and one such mammogram annually to persons age 50 and over. The term "mammogram" means an X-ray examination of the breast using equipment dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression device, screens, film and cassettes, with an average radiation exposure of less than one rad mid-breast, two views of each breast;

17. A provision, when in compliance with federal law and regulation and approved by the Centers for Medicare & Medicaid Services (CMS), for payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the state plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services;

18. A provision for payment of medical assistance services for liver, heart and lung transplantation procedures for individuals over the age of 21 years when (i) there is no effective alternative medical or surgical therapy available with outcomes that are at least comparable; (ii) the transplant procedure and application of the procedure in treatment of the specific condition have been clearly demonstrated to be medically effective and not experimental or investigational;

(iii) prior authorization by the Department of Medical Assistance Services has been obtained; (iv) the patient selection criteria of the specific transplant center where the surgery is proposed to be performed have been used by the transplant team or program to determine the appropriateness of the patient for the procedure; (v) current medical therapy has failed and the patient has failed to respond to appropriate therapeutic management; (vi) the patient is not in an irreversible terminal state; and (vii) the transplant is likely to prolong the patient's life and restore a range of physical and social functioning in the activities of daily living;

19. A provision for payment of medical assistance for colorectal cancer screening, specifically screening with an annual fecal occult blood test, flexible sigmoidoscopy or colonoscopy, or in appropriate circumstances radiologic imaging, in accordance with the most recently published recommendations established by the American College of Gastroenterology, in consultation with the American Cancer Society, for the ages, family histories, and frequencies referenced in such recommendations;

20. A provision for payment of medical assistance for custom ocular prostheses;

21. A provision for payment for medical assistance for infant hearing screenings and all necessary audiological examinations provided pursuant to § 32.1-64.1 using any technology approved by the United States Food and Drug Administration, and as recommended by the national Joint Committee on Infant Hearing in its most current position statement addressing early hearing detection and intervention programs. Such provision shall include payment for medical assistance for follow-up audiological examinations as recommended by a physician, physician assistant, advanced practice registered nurse, or audiologist and performed by a licensed audiologist to confirm the existence or absence of hearing loss;

22. A provision for payment of medical assistance, pursuant to the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (P.L. 106-354), for certain women with breast or cervical cancer when such women (i) have been screened for breast or cervical cancer under the Centers for Disease Control and Prevention (CDC) Breast and Cervical Cancer Early Detection Program established under Title XV of the Public Health Service Act; (ii) need treatment for breast or cervical cancer, including treatment for a precancerous condition of the breast or cervix; (iii) are not otherwise covered under creditable coverage, as defined in § 2701 (c) of the Public Health Service Act; (iv) are not otherwise eligible for medical assistance services under any mandatory categorically needy eligibility group; and (v) have not attained age 65. This provision shall include an expedited eligibility determination for such women;

23. A provision for the coordinated administration, including outreach, enrollment, re-enrollment and services delivery, of medical assistance services provided to medically indigent children pursuant to this chapter, which shall be called Family Access to Medical Insurance Security (FAMIS) Plus and the FAMIS Plan program in § 32.1-351. A single application form shall be used to determine eligibility for both programs;

24. A provision, when authorized by and in compliance with federal law, to establish a public-private long-term care partnership program between the Commonwealth of Virginia and private insurance companies that shall be established through the filing of an amendment to the state plan for medical assistance services by the Department of Medical Assistance Services. The purpose of the program shall be to reduce Medicaid costs for long-term care by delaying or eliminating dependence on Medicaid for such services through encouraging the purchase of private long-term care insurance policies that have been designated as qualified state long-term care insurance partnerships and may be used as the first source of benefits for the participant's long-term care. Components of the program, including the treatment of assets for Medicaid eligibility and estate recovery, shall be structured in accordance with federal law and applicable federal guidelines;

25. A provision for the payment of medical assistance for otherwise eligible pregnant women during the first five years of lawful residence in the United States, pursuant to § 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111-3);

26. A provision for the payment of medical assistance for medically necessary health care services provided through telemedicine services, as defined in § 38.2-3418.16, regardless of the originating site or whether the patient is accompanied by a health care provider at the time such services are provided. No health care provider who provides health care services through telemedicine services shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.

For the purposes of this subdivision, a health care provider duly licensed by the Commonwealth who provides health care services exclusively through telemedicine services shall not be required to maintain a physical presence in the Commonwealth to be considered an eligible provider for enrollment as a Medicaid provider.

For the purposes of this subdivision, a telemedicine services provider group with health care providers duly licensed by the Commonwealth shall not be required to have an in-state service address to be eligible to enroll as a Medicaid vendor or Medicaid provider group.

For the purposes of this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

27. A provision for the payment of medical assistance for the dispensing or furnishing of up to a 12-month supply of hormonal contraceptives at one time. Absent clinical contraindications, the Department shall not impose any utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished to an amount less than a 12-month supply. Nothing in this subdivision shall be construed to (i) require a provider

to prescribe, dispense, or furnish a 12-month supply of self-administered hormonal contraceptives at one time or (ii) exclude coverage for hormonal contraceptives as prescribed by a prescriber, acting within his scope of practice, for reasons other than contraceptive purposes. As used in this subdivision, "hormonal contraceptive" means a medication taken to prevent pregnancy by means of ingestion of hormones, including medications containing estrogen or progesterone, that is self-administered, requires a prescription, and is approved by the U.S. Food and Drug Administration for such purpose;

28. A provision for payment of medical assistance for remote patient monitoring services provided via telemedicine, as defined in § 38.2-3418.16, for (i) high-risk pregnant persons; (ii) medically complex infants and children; (iii) transplant patients; (iv) patients who have undergone surgery, for up to three months following the date of such surgery; and (v) patients with a chronic or acute health condition who have had two or more hospitalizations or emergency department visits related to such health condition in the previous 12 months when there is evidence that the use of remote patient monitoring is likely to prevent readmission of such patient to a hospital or emergency department. For the purposes of this subdivision, "remote patient monitoring services" means the use of digital technologies to collect medical and other forms of health data from patients in one location and electronically transmit that information securely to health care providers in a different location for analysis, interpretation, and recommendations, and management of the patient. "Remote patient monitoring services" includes monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other patient physiological data, treatment adherence monitoring, and interactive videoconferencing with or without digital image upload;

29. A provision for the payment of medical assistance for provider-to-provider consultations that is no more restrictive than, and is at least equal in amount, duration, and scope to, that available through the fee-for-service program;

30. A provision for payment of the originating site fee to emergency medical services agencies for facilitating synchronous telehealth visits with a distant site provider delivered to a Medicaid member. As used in this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

31. A provision for the payment of medical assistance for targeted case management services for individuals with severe traumatic brain injury;

32. A provision for payment of medical assistance for the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories, as defined by the Department's durable medical equipment program policy, for patients who reside in nursing facilities. Initial purchase or replacement may be contingent upon (i) determination of medical necessity; (ii) requirements in accordance with regulations established through the Department's durable medical equipment program policy; and (iii) exclusive use by the nursing facility resident. Recipients of medical assistance shall not be required to pay any deductible, coinsurance, copayment, or patient costs related to the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories; ~~and~~

33. A provision for payment of medical assistance for remote ultrasound procedures and remote fetal non-stress tests. Such provision shall utilize established CPT codes for these procedures and shall apply when the patient is in a residence or other off-site location from the patient's provider that provides the same standard of care. The provision shall provide for reimbursement only when a provider uses digital technology (i) to collect medical and other forms of health data from a patient and electronically transmit that information securely to a health care provider in a different location for interpretation and recommendation; (ii) that is compliant with the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.); and (iii) that is approved by the U.S. Food and Drug Administration. For fetal non-stress tests under CPT Code 59025, the provision shall provide for reimbursement only if such test (a) is conducted with a place of service modifier for at-home monitoring and (b) uses remote monitoring solutions that are approved by the U.S. Food and Drug Administration for on-label use to monitor fetal heart rate, maternal heart rate, and uterine activity*; and*

34. A provision for payment of medical assistance for the prophylaxis, diagnosis, and treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome. Such provision shall include payment for treatment using antimicrobials, medication, and behavioral therapies to manage neuropsychiatric symptoms, immunomodulating medicines, plasma exchange, and intravenous immunoglobulin therapy. For the purposes of this subdivision:

"Pediatric acute-onset neuropsychiatric syndrome" or "PANS" means a clinically defined disorder characterized by the sudden onset of obsessive-compulsive symptoms (OCD) or eating restrictions, concomitant with acute behavioral deterioration in at least two designated domains. Comorbid PANS symptoms may include anxiety, sensory amplification or motor abnormalities, behavioral regression, deterioration in school performance, mood disorder, urinary symptoms, or sleep disturbances. PANS does not require a known trigger, although it is believed to be triggered by one or more pathogens.

"Pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections" or "PANDAS" means a subset of PANS that has five distinct criteria for diagnosis, including (i) abrupt "overnight" OCD or dramatic, disabling tics; (ii) a relapsing-remitting, episodic symptom course; (iii) young age at onset; (iv) presence of neurologic abnormalities; and (v) temporal association between symptom onset and Group A streptococcal infection. The five criteria of PANDAS are usually accompanied by similar comorbid symptoms as found in PANS.

B. In preparing the plan, the Board shall:

1. Work cooperatively with the State Board of Health to ensure that quality patient care is provided and that the health, safety, security, rights and welfare of patients are ensured.

2. Initiate such cost containment or other measures as are set forth in the appropriation act.

3. Make, adopt, promulgate and enforce such regulations as may be necessary to carry out the provisions of this chapter.

4. Examine, before acting on a regulation to be published in the Virginia Register of Regulations pursuant to § 2.2-4007.05, the potential fiscal impact of such regulation on local boards of social services. For regulations with potential fiscal impact, the Board shall share copies of the fiscal impact analysis with local boards of social services prior to submission to the Registrar. The fiscal impact analysis shall include the projected costs/savings to the local boards of social services to implement or comply with such regulation and, where applicable, sources of potential funds to implement or comply with such regulation.

5. Incorporate sanctions and remedies for certified nursing facilities established by state law, in accordance with 42 C.F.R. § 488.400 et seq., Enforcement of Compliance for Long-Term Care Facilities With Deficiencies.

6. On and after July 1, 2002, require that a prescription benefit card, health insurance benefit card, or other technology that complies with the requirements set forth in § 38.2-3407.4:2 be issued to each recipient of medical assistance services, and shall upon any changes in the required data elements set forth in subsection A of § 38.2-3407.4:2, either reissue the card or provide recipients such corrective information as may be required to electronically process a prescription claim.

C. In order to enable the Commonwealth to continue to receive federal grants or reimbursement for medical assistance or related services, the Board, subject to the approval of the Governor, may adopt, regardless of any other provision of this chapter, such amendments to the state plan for medical assistance services as may be necessary to conform such plan with amendments to the United States Social Security Act or other relevant federal law and their implementing regulations or constructions of these laws and regulations by courts of competent jurisdiction or the United States Secretary of Health and Human Services.

In the event conforming amendments to the state plan for medical assistance services are adopted, the Board shall not be required to comply with the requirements of Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2. However, the Board shall, pursuant to the requirements of § 2.2-4002, (i) notify the Registrar of Regulations that such amendment is necessary to meet the requirements of federal law or regulations or because of the order of any state or federal court, or (ii) certify to the Governor that the regulations are necessitated by an emergency situation. Any such amendments that are in conflict with the Code of Virginia shall only remain in effect until July 1 following adjournment of the next regular session of the General Assembly unless enacted into law.

D. The Director of Medical Assistance Services is authorized to:

1. Administer such state plan and receive and expend federal funds therefor in accordance with applicable federal and state laws and regulations; and enter into all contracts necessary or incidental to the performance of the Department's duties and the execution of its powers as provided by law.

2. Enter into agreements and contracts with medical care facilities, physicians, dentists and other health care providers where necessary to carry out the provisions of such state plan. Any such agreement or contract shall terminate upon conviction of the provider of a felony. In the event such conviction is reversed upon appeal, the provider may apply to the Director of Medical Assistance Services for a new agreement or contract. Such provider may also apply to the Director for reconsideration of the agreement or contract termination if the conviction is not appealed, or if it is not reversed upon appeal.

3. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with any provider who has been convicted of or otherwise pled guilty to a felony, or pursuant to Subparts A, B, and C of 42 C.F.R. Part 1002, and upon notice of such action to the provider as required by 42 C.F.R. § 1002.212.

4. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with a provider who is or has been a principal in a professional or other corporation when such corporation has been convicted of or otherwise pled guilty to any violation of § 32.1-314, 32.1-315, 32.1-316, or 32.1-317, or any other felony or has been excluded from participation in any federal program pursuant to 42 C.F.R. Part 1002.

5. Terminate or suspend a provider agreement with a home care organization pursuant to subsection E of § 32.1-162.13.

For the purposes of this subsection, "provider" may refer to an individual or an entity.

E. In any case in which a Medicaid agreement or contract is terminated or denied to a provider pursuant to subsection D, the provider shall be entitled to appeal the decision pursuant to 42 C.F.R. § 1002.213 and to a post-determination or post-denial hearing in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). All such requests shall be in writing and be received within 15 days of the date of receipt of the notice.

The Director may consider aggravating and mitigating factors including the nature and extent of any adverse impact the agreement or contract denial or termination may have on the medical care provided to Virginia Medicaid recipients. In cases in which an agreement or contract is terminated pursuant to subsection D, the Director may determine the period of exclusion and may consider aggravating and mitigating factors to lengthen or shorten the period of exclusion, and may reinstate the provider pursuant to 42 C.F.R. § 1002.215.

F. When the services provided for by such plan are services which a marriage and family therapist, clinical psychologist, clinical social worker, professional counselor, or clinical nurse specialist is licensed to render in Virginia, the

Director shall contract with any duly licensed marriage and family therapist, duly licensed clinical psychologist, licensed clinical social worker, licensed professional counselor or licensed clinical nurse specialist who makes application to be a provider of such services, and thereafter shall pay for covered services as provided in the state plan. The Board shall promulgate regulations which reimburse licensed marriage and family therapists, licensed clinical psychologists, licensed clinical social workers, licensed professional counselors and licensed clinical nurse specialists at rates based upon reasonable criteria, including the professional credentials required for licensure.

G. The Board shall prepare and submit to the Secretary of the United States Department of Health and Human Services such amendments to the state plan for medical assistance services as may be permitted by federal law to establish a program of family assistance whereby children over the age of 18 years shall make reasonable contributions, as determined by regulations of the Board, toward the cost of providing medical assistance under the plan to their parents.

H. The Department of Medical Assistance Services shall:

1. Include in its provider networks and all of its health maintenance organization contracts a provision for the payment of medical assistance on behalf of individuals up to the age of 21 who have special needs and who are Medicaid eligible, including individuals who have been victims of child abuse and neglect, for medically necessary assessment and treatment services, when such services are delivered by a provider which specializes solely in the diagnosis and treatment of child abuse and neglect, or a provider with comparable expertise, as determined by the Director.

2. Amend the Medallion II waiver and its implementing regulations to develop and implement an exception, with procedural requirements, to mandatory enrollment for certain children between birth and age three certified by the Department of Behavioral Health and Developmental Services as eligible for services pursuant to Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.).

3. Utilize, to the extent practicable, electronic funds transfer technology for reimbursement to contractors and enrolled providers for the provision of health care services under Medicaid and the Family Access to Medical Insurance Security Plan established under § 32.1-351.

4. Require any managed care organization with which the Department enters into an agreement for the provision of medical assistance services to include in any contract between the managed care organization and a pharmacy benefits manager provisions prohibiting the pharmacy benefits manager or a representative of the pharmacy benefits manager from conducting spread pricing with regards to the managed care organization's managed care plans. For the purposes of this subdivision:

"Pharmacy benefits management" means the administration or management of prescription drug benefits provided by a managed care organization for the benefit of covered individuals.

"Pharmacy benefits manager" means a person that performs pharmacy benefits management.

"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a managed care plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.

I. The Director is authorized to negotiate and enter into agreements for services rendered to eligible recipients with special needs. The Board shall promulgate regulations regarding these special needs patients, to include persons with AIDS, ventilator-dependent patients, and other recipients with special needs as defined by the Board.

J. Except as provided in subdivision A 1 of § 2.2-4345, the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not apply to the activities of the Director authorized by subsection I of this section. Agreements made pursuant to this subsection shall comply with federal law and regulation.

K. When the services provided for by such plan are services by a pharmacist, pharmacy technician, or pharmacy intern (i) performed under the terms of a collaborative agreement as defined in § 54.1-3300 and consistent with the terms of a managed care contractor provider contract or the state plan or (ii) related to services and treatment in accordance with § 54.1-3303.1, the Department shall provide reimbursement for such service.

§ 38.2-3418.22. Coverage for pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome.

A. As used in this section:

"Pediatric acute-onset neuropsychiatric syndrome" or "PANS" means a clinically defined disorder characterized by the sudden onset of obsessive-compulsive symptoms (OCD) or eating restrictions, concomitant with acute behavioral deterioration in at least two designated domains. Comorbid PANS symptoms may include anxiety, sensory amplification or motor abnormalities, behavioral regression, deterioration in school performance, mood disorder, urinary symptoms, or sleep disturbances. PANS does not require a known trigger, although it is believed to be triggered by one or more pathogens.

"Pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections" or "PANDAS" means a subset of PANS that has five distinct criteria for diagnosis, including (i) abrupt "overnight" OCD or dramatic, disabling tics; (ii) a relapsing-remitting, episodic symptom course; (iii) young age at onset; (iv) presence of neurologic abnormalities; and (v) temporal association between symptom onset and Group A streptococcal infection. The five criteria of PANDAS are usually accompanied by similar comorbid symptoms as found in PANS.

B. Notwithstanding the provisions of § 38.2-3419 or subdivision A 1 of § 38.2-6506, each insurer proposing to issue individual or group accident and sickness insurance policies providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis; each corporation providing individual or group accident and sickness subscription contracts; and each health maintenance organization providing a health care plan for health care services shall provide

coverage for the prophylaxis, diagnosis, and treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome. Such coverage shall include coverage for treatment using antimicrobials, medication, and behavioral therapies to manage neuropsychiatric symptoms, immunomodulating medicines, plasma exchange, and intravenous immunoglobulin therapy.

C. No insurer, corporation, or organization providing coverage pursuant to this section shall (i) deny or delay the coverage required by this section because the enrollee previously received treatment, including the same or similar treatment, for these conditions or because the enrollee was diagnosed with or received treatment for his condition under a different diagnostic name, including autoimmune encephalopathy; (ii) limit coverage of immunomodulating therapies for the treatment of pediatric acute-onset neuropsychiatric syndrome and pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections in a manner that is inconsistent with the treatment guidelines developed by a consortium convened for the purposes of researching, identifying, and publishing best practice standards for diagnosis and treatment of such syndrome or disorders that are accessible for medical professionals and are based on evidence of positive patient outcomes; (iii) require a trial of therapies that treat only neuropsychiatric symptoms before authorizing coverage of immunomodulating therapies for the treatment of pediatric acute-onset neuropsychiatric syndrome and pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections; or (iv) deny coverage for out-of-state treatment if the service is not available within the Commonwealth.

D. Nothing in this section shall prevent an insurer, corporation, or organization from requesting treatment notes and the anticipated duration of treatment and outcomes.

E. Nothing shall preclude the undertaking of usual and customary procedures, including prior authorization, to determine the appropriateness of, and medical necessity for, treatment of PANDAS and PANS under this section, provided that all such appropriateness and medical necessity determinations are made in the same manner as those determinations are made for the treatment of any other illness, condition, or disorder covered by such policy, contract, or plan.

F. The coverage provided under this section shall not be more restrictive than or separate from coverage provided for any other illness, condition, or disorder for purposes of determining deductibles, benefit year or lifetime durational limits, benefit year or lifetime dollar limits, lifetime episodes or treatment limits, copayment and coinsurance factors, and benefit year maximum for deductibles and copayments and coinsurance factors.

G. The requirements of this section shall apply to all insurance policies, contracts, and plans delivered, issued for delivery, reissued, or extended in the Commonwealth on and after January 1, 2026, or at any time thereafter when any term of the policy, contract, or plan is changed or any premium adjustment is made.

H. This section shall not apply to short-term travel, accident-only, or limited or specified disease policies or contracts, nor to policies or contracts designed for issuance to persons eligible for coverage under Title XVIII of the Social Security Act, known as Medicare, or any other similar coverage under federal governmental plans.

§ 38.2-4319. Statutory construction and relationship to other laws.

A. No provisions of this title except this chapter and, insofar as they are not inconsistent with this chapter, §§ 38.2-100, 38.2-136, 38.2-200, 38.2-203, 38.2-209 through 38.2-213, 38.2-216, 38.2-218 through 38.2-225, 38.2-229, 38.2-232, 38.2-305, 38.2-316, 38.2-316.1, 38.2-316.2, 38.2-322, 38.2-325, 38.2-326, 38.2-400, 38.2-402 through 38.2-413, 38.2-500 through 38.2-515, 38.2-600 through 38.2-629, Chapter 9 (§ 38.2-900 et seq.), §§ 38.2-1016.1 through 38.2-1023, 38.2-1057, and 38.2-1306.1, Article 2 (§ 38.2-1306.2 et seq.), § 38.2-1315.1, and Articles 3.1 (§ 38.2-1316.1 et seq.), 4 (§ 38.2-1317 et seq.), 5 (§ 38.2-1322 et seq.), 5.1 (§ 38.2-1334.3 et seq.), and 5.2 (§ 38.2-1334.11 et seq.) of Chapter 13, Articles 1 (§ 38.2-1400 et seq.), 2 (§ 38.2-1412 et seq.), and 4 (§ 38.2-1446 et seq.) of Chapter 14, Chapter 15 (§ 38.2-1500 et seq.), Chapter 17 (§ 38.2-1700 et seq.), §§ 38.2-1800 through 38.2-1836, 38.2-3401, 38.2-3405, 38.2-3405.1, 38.2-3406.1, 38.2-3407.2 through 38.2-3407.6:1, 38.2-3407.9 through 38.2-3407.20, 38.2-3411, 38.2-3411.2, 38.2-3411.3, 38.2-3411.4, 38.2-3412.1, 38.2-3414.1, 38.2-3418.1 through 38.2-3418.19, 38.2-3418.21, *38.2-3418.22,* 38.2-3419.1, and 38.2-3430.1 through 38.2-3454, Articles 8 (§ 38.2-3461 et seq.) and 9 (§ 38.2-3465 et seq.) of Chapter 34, § 38.2-3500, subdivision 13 of § 38.2-3503, subdivision 8 of § 38.2-3504, §§ 38.2-3514.1, 38.2-3514.2, 38.2-3522.1 through 38.2-3523.4, 38.2-3525, 38.2-3540.1, 38.2-3540.2, 38.2-3541.2, 38.2-3542, and 38.2-3543.2, Article 5 (§ 38.2-3551 et seq.) of Chapter 35, Chapter 35.1 (§ 38.2-3556 et seq.), § 38.2-3610, Chapter 52 (§ 38.2-5200 et seq.), Chapter 55 (§ 38.2-5500 et seq.), Chapter 58 (§ 38.2-5800 et seq.), Chapter 65 (§ 38.2-6500 et seq.), and Chapter 66 (§ 38.2-6600 et seq.) shall be applicable to any health maintenance organization granted a license under this chapter. This chapter shall not apply to an insurer or health services plan licensed and regulated in conformance with the insurance laws or Chapter 42 (§ 38.2-4200 et seq.) except with respect to the activities of its health maintenance organization.

B. For plans administered by the Department of Medical Assistance Services that provide benefits pursuant to Title XIX or Title XXI of the Social Security Act, as amended, no provisions of this title except this chapter and, insofar as they are not inconsistent with this chapter, §§ 38.2-100, 38.2-136, 38.2-200, 38.2-203, 38.2-209 through 38.2-213, 38.2-216, 38.2-218 through 38.2-225, 38.2-229, 38.2-232, 38.2-322, 38.2-325, 38.2-400, 38.2-402 through 38.2-413, 38.2-500 through 38.2-515, and 38.2-600 through 38.2-629, Chapter 9 (§ 38.2-900 et seq.), §§ 38.2-1016.1 through 38.2-1023, 38.2-1057, and 38.2-1306.1, Article 2 (§ 38.2-1306.2 et seq.), § 38.2-1315.1, Articles 3.1 (§ 38.2-1316.1 et seq.), 4 (§ 38.2-1317 et seq.), 5 (§ 38.2-1322 et seq.), 5.1 (§ 38.2-1334.3 et seq.), and 5.2 (§ 38.2-1334.11 et seq.) of Chapter 13, Articles 1 (§ 38.2-1400 et seq.), 2 (§ 38.2-1412 et seq.), and 4 (§ 38.2-1446 et seq.) of Chapter 14, §§ 38.2-3401, 38.2-3405, 38.2-3407.2 through 38.2-3407.5, 38.2-3407.6, 38.2-3407.6:1, 38.2-3407.9, 38.2-3407.9:01, and 38.2-3407.9:02, subsection E of § 38.2-3407.10, §§ 38.2-3407.10:1, 38.2-3407.11, 38.2-3407.11:3, 38.2-3407.13,

38.2-3407.13:1, 38.2-3407.14, 38.2-3411.2, 38.2-3418.1, 38.2-3418.2, 38.2-3418.16, 38.2-3419.1, 38.2-3430.1 through 38.2-3437, and 38.2-3500, subdivision 13 of § 38.2-3503, subdivision 8 of § 38.2-3504, §§ 38.2-3514.1, 38.2-3514.2, 38.2-3522.1 through 38.2-3523.4, 38.2-3525, 38.2-3540.1, 38.2-3540.2, 38.2-3541.2, 38.2-3542, and 38.2-3543.2, Chapter 52 (§ 38.2-5200 et seq.), Chapter 55 (§ 38.2-5500 et seq.), Chapter 58 (§ 38.2-5800 et seq.), Chapter 65 (§ 38.2-6500 et seq.), and Chapter 66 (§ 38.2-6600 et seq.) shall be applicable to any health maintenance organization granted a license under this chapter. This chapter shall not apply to an insurer or health services plan licensed and regulated in conformance with the insurance laws or Chapter 42 (§ 38.2-4200 et seq.) except with respect to the activities of its health maintenance organization.

C. Solicitation of enrollees by a licensed health maintenance organization or by its representatives shall not be construed to violate any provisions of law relating to solicitation or advertising by health professionals.

D. A licensed health maintenance organization shall not be deemed to be engaged in the unlawful practice of medicine. All health care providers associated with a health maintenance organization shall be subject to all provisions of law.

E. Notwithstanding the definition of an eligible employee as set forth in § 38.2-3431, a health maintenance organization providing health care plans pursuant to § 38.2-3431 shall not be required to offer coverage to or accept applications from an employee who does not reside within the health maintenance organization's service area.

F. For purposes of applying this section, "insurer" when used in a section cited in subsections A and B shall be construed to mean and include "health maintenance organizations" unless the section cited clearly applies to health maintenance organizations without such construction.

CHAPTER 9

An Act to amend and reenact §§ 3.02, as amended, and 3.03:1 of Chapter 717 of the Acts of Assembly of 1980, which provided a charter for the City of Chesapeake, relating to elections; filling vacancies.

[H 1645]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.02, as amended, and 3.03:1 of Chapter 717 of the Acts of Assembly of 1980 are amended and reenacted as follows:

§ 3.02. Election of mayor and council members.

(a) On and after July 1, 1985, candidates for the offices of mayor and council member under the provisions of this charter shall be nominated only by petition in the manner prescribed by general law. Elections for the offices of mayor and council member after July 1, 1985, shall be nonpartisan. All terms for mayor and council members shall begin on ~~July~~ *January* 1 next following the date of their election*, or such other date as general law may require if such general law supersedes the provisions of this charter*.

The mayor and all members of council shall be elected for the terms as provided herein, and each shall serve until a successor shall have qualified.

(b) The mayor shall be elected by the qualified voters of the city beginning with the regular councilmanic election in the year 1988, to serve for a term of four years, and successors shall be elected each four years thereafter.

(c) In addition to the mayor, the council shall consist of eight members, who shall serve for terms of four years. At the regular councilmanic election in 1988, three members shall be elected to council for terms of four years, and at the regular councilmanic election in 1990, five members shall be elected to council for terms of four years.

A candidate may run only for mayor or for one of the council seats being voted upon, and cannot be qualified or appear on the ballot for both positions.

In the event any member of council during his or her term of office shall decide to be a candidate for the office of mayor, he or she may be eligible to do so, but shall tender a resignation as a member of council, such resignation to be effective ~~June 30 of such election year~~ *no later than one calendar day prior to the date the next regular term for the office of mayor will begin*. Such resignation shall state the council member's intention to run for the office of mayor and shall require no formal acceptance by the remaining members of council and shall be final and irrevocable as of the date it is tendered.

The remaining term of any council member or members who resign to run for mayor shall be filled at the next succeeding mayoral election by the candidate or candidates for council receiving the next highest vote to those candidates declared elected to the office of council member pursuant to subsection (c) of this section. Such term shall begin on ~~July~~ *January* 1 next following the date of the election*, or such other date as general law may require if such general law supersedes the provisions of this charter*.

§ 3.03:1. Filling vacancies.

Whenever a vacancy occurs in the office of a council member, with the exception of vacancies created by resignation to run for the office of mayor, it shall be filled by the majority vote of the remaining members of the city council within thirty days of such vacancy. The appointee shall be a qualified voter of the city and shall hold office until such time that a successor has been elected and qualified to fill the vacancy. The election of a successor shall be held at the next ensuing general election~~, whether such election be in May or November, whichever is the first to occur~~ *set by general law*; however, if the vacancy occurs within one hundred twenty days of the next ensuing general election, it shall be filled at the second

ensuing general election, ~~whether such election be in May or November~~ *as such general election date is set by general law*. The election shall be ordered by the judges of the circuit court at least sixty days prior to the date for which it is called. No election to fill the vacancy shall be ordered if the general election at which it is to be called is scheduled in the year in which the term expires.

When the vacancy is in the office of mayor, the vice-mayor shall assume all of the duties and powers of the mayor until such time that a mayoral successor has been elected and qualified in the manner set forth above for a council member. That portion of any meeting, as defined in the Virginia Freedom of Information Act, during which there is any discussion or deliberation pertaining to an appointment of a council member shall be open to the public.

CHAPTER 10

An Act to amend and reenact § 3.1, as amended, and §§ 3.2 and 3.3 of Chapter 131 of the Acts of Assembly of 1977, which provided a charter for the Town of Brodnax in Brunswick and Mecklenburg Counties, relating to election of mayor; vacancies on town council.

[H 1669]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 3.1, as amended, and §§ 3.2 and 3.3 of Chapter 131 of the Acts of Assembly of 1977 are amended and reenacted as follows:

§ 3.1. Election, qualification and term of office of councilmen and mayor.

The town of Brodnax shall be governed by a town council composed of seven councilmen and a mayor, all of whom shall be qualified voters of the town, to be elected from the town at large. Any person qualified to vote in the town shall be eligible for the office of councilman or mayor. The mayor and councilmen in office at the time of the passage of this act shall continue in office until the expiration of the terms for which they were elected or until their successors are duly elected and qualified. An election for mayor and councilmen shall be held on the first Tuesday in May, nineteen hundred seventy-eight and on the first Tuesday in May of every second year thereafter and take office on the first day of July succeeding their election, provided that the mayor and councilmen elected the first Tuesday in May, nineteen hundred seventy-eight, shall not take office until September one, nineteen hundred seventy-eight, to serve for terms of one year ten months. Thereafter they shall each serve for a term of two years or until their successors have qualified.

However, beginning in 2009, the election for mayor and councilmen shall be held at the time of the November general election with elected members to take office on the first day of January succeeding their election. The terms of council members in office at the time of the November 2009 election shall end on January 1, 2010. The mayor and the three members of town council receiving the highest number of votes in the November 2009 election shall serve four-year terms. The other four persons elected to town council in November 2009 shall serve two-year terms. Thereafter, all council members shall be elected for four-year terms.

Beginning in 2019, the town shall be governed by a town council composed of five councilmen and a mayor. Three councilmen shall be elected to four-year terms at the November 2019 election, and the mayor and two councilmen shall be elected to four-year terms at the November 2021 election.

Notwithstanding any contrary provisions of this section, the mayor elected in November 2025 shall be elected for a term of two years but thereafter shall be elected for a term of four years.

§ 3.2. Vacancies on council.

Vacancies on the council shall be filled ~~for the unexpired portion of the term from among the qualified voters of the town, by a majority vote of the remaining members of the council~~ *pursuant to the provisions of § 24.2-228 of the Code of Virginia*.

§ 3.3. Vacancy in office of mayor.

A vacancy in the office of mayor shall be filled ~~for the unexpired portion of the term from among the qualified voters of the town, including the members of the council, by a majority vote of the council~~ *pursuant to the provisions of § 24.2-228 of the Code of Virginia*.

CHAPTER 11

An Act to amend and reenact § 2, as amended, of Chapter 7 of Chapter 193 of the Acts of Assembly of 1950, which provided a charter for the City of Martinsville, relating to qualifications of city attorney.

[H 1677]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2, as amended, of Chapter 7 of Chapter 193 of the Acts of Assembly of 1950 is amended and reenacted as follows:

§ 2. Qualifications and appointment of city attorney.

The head of the department of law shall be the city attorney. He shall be an attorney at law or member of a firm of attorneys licensed to practice under the laws of the Commonwealth who shall have actively practiced his profession ~~therein~~ for at least five (5) years ~~immediately~~ preceding appointment as city attorney. The city attorney shall be appointed by the council for an indefinite term.

CHAPTER 12

An Act to amend and reenact § 53.1-231 of the Code of Virginia, relating to Virginia Parole Board; investigation of cases for executive clemency.

[H 1692]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-231 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-231. Investigation of cases for executive clemency by Parole Board.

A. The Virginia Parole Board shall, at the request of the Governor, investigate and report to the Governor on cases in which executive clemency is sought. In any other case in which it believes action on the part of the Governor is proper or in the best interest of the Commonwealth, the Board may investigate and report to the Governor with its recommendations.

B. Upon request by the Virginia Parole Board related to an investigation and report conducted pursuant to this section and except to the extent otherwise permitted by law, all public bodies engaged in criminal law-enforcement activities shall provide copies of the following records:

1. Unredacted criminal investigative files, defined as any documents and information including complaints, court orders, memoranda, notes, incident reports, officers' field summary reports, diagrams, maps, photographs, video recordings, audio recordings, correspondence, narrative reports, witness statements, victim statements, the identification of witnesses and victims and their personal identifying information, prosecution files, photo lineups, and evidence relating to a criminal investigation or prosecution regardless of the juvenile status of the victim, witness, or suspect;

2. An attorney for the Commonwealth's prosecution files;

3. Records of any call for service or other communication to an emergency 911 system or communication with any other equivalent reporting system;

4. Adult and juvenile arrestee photographs taken during the initial intake following the arrest and as part of the routine booking procedure;

5. Information relative to the identity of any individual, to include a juvenile and his personal identifying information, who is arrested and charged, and the status of the charge or arrest; and

6. Sealed presentence investigation reports.

C. Notwithstanding any other provision of law, records of any general district court, juvenile and domestic relations district court, or circuit court and the Department of Forensic Science shall be subject to the provisions of this section.

D. Records requested from any public body engaged in criminal law-enforcement activities, including any court or state or local government agency, pursuant to this section shall be provided to the Virginia Parole Board at no cost.

E. The public body must respond to a request for records made pursuant to this section within 30 working days of receiving the request. If it is not practically possible to provide the requested records or to determine whether they are available within 30 days, such response shall specify the conditions that make a response impossible and the amount of additional time needed to satisfy the request.

F. Records obtained pursuant to the provisions of this section shall be excluded from mandatory public disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) as working papers and correspondence of the Office of the Governor pursuant to subdivision 2 of § 2.2-3705.7.

CHAPTER 13

An Act to amend and reenact § 28.2-314 of the Code of Virginia and to repeal § 28.2-315 of the Code of Virginia, relating to fishing with trawl nets and drag nets; shrimp and horseshoe crab; license fee; penalty.

[H 1697]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 28.2-314 of the Code of Virginia is amended and reenacted as follows:

§ 28.2-314. Trawl nets and drag nets prohibited; exception; license fee; penalty.

~~Except as may be provided in § 28.2-315, it~~ *A. It* is unlawful for any person (i) to take or catch fish, shellfish, or marine organisms with a trawl net, drag net, or similar device drawn through the waters by a vessel, boat, or other craft or (ii) to buy, sell, or offer for sale any fish taken or caught in the waters of the Commonwealth, or under the jurisdiction of the Commonwealth, with a trawl net, drag net, or similar device. *However, the Commission may issue licenses or permits to*

take or catch fish, shellfish, or marine organisms with a trawl net, drag net, or similar device within the three-mile limit of the Virginia Atlantic shoreline for the shrimp and horseshoe crab fisheries.

B. The license or permit fee to fish with a trawl net, drag net, or similar device pursuant to subsection A shall be $100 or as subsequently revised by the Commission pursuant to § 28.2-201 for each boat so employed.

C. A violation of this section is a Class 1 misdemeanor.

2. That § 28.2-315 of the Code of Virginia is repealed.

CHAPTER 14

An Act to amend and reenact § 55.1-2310 of the Code of Virginia, relating to Resale Disclosure Act; resale certificate; responsibility for payment of insurance deductible.

[H 1704]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-2310 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-2310. Resale certificate; form and contents.

A. The association shall include the completed resale certificate form, developed by the ~~common interest community board~~ *Common Interest Community Board* pursuant to subdivision 3 of § 54.1-2350, with supporting documentation set out in the following order:

1. The name, address, and phone numbers of the preparer of the resale certificate and any managing agent of the association;

2. A copy of the governing documents and any rules and regulations of the association;

3. A statement disclosing any restraint on the alienability of the unit for which the resale certificate is being issued;

4. A statement of the amount and payment schedules of assessments and any unpaid assessments currently due and payable to the association;

5. A statement of any other fees due and payable by an owner of the unit;

6. A statement of any other entity or facility to which the owner of the unit being sold may be liable for assessments, fees, or other charges due to the ownership of the unit;

7. A statement of the amount and payment schedule of any approved additional or special assessment and any unpaid additional or special assessment currently due and payable;

8. A statement of any capital expenditures approved by the association for the current and succeeding fiscal years;

9. A statement of the amount of any reserves for capital expenditures and of any portions of those reserves designated by the association for any specified projects;

10. The most recent balance sheet and income and expense statement, if any, of the association;

11. The current operating budget of the association;

12. The current reserve study~~,~~ or a summary of such study;

13. A statement of any unsatisfied judgments against the association and the nature and status of any pending actions in which the association is a party and that could have a material impact on the association, the owners, or the unit being sold;

14. A statement *(i)* describing any insurance coverage provided by the association for the benefit of the owners, including fidelity coverage, and any insurance coverage recommended or required to be obtained by the owners *and (ii) indicating that the governing documents may make an owner responsible for payment of all or part of the deductible when making a claim against such insurance*;

15. A statement as to whether the board has given or received written notice that any existing uses, occupancies, alterations, or improvements in or to the unit being sold or to the limited elements assigned thereto violate any provision of the governing documents or rules and regulations together with copies of any notices provided;

16. A statement as to whether the board has received written notice from a governmental agency of any violation of environmental, health, or building codes with respect to the unit being sold, the limited elements assigned thereto, or any other portion of the common interest community that has not been cured;

17. A copy of any approved minutes of meetings of the board held during the last six months;

18. A copy of any approved or draft minutes of the most recent association meeting;

19. A statement of the remaining term of any leasehold estate affecting a common area or common element, as those terms are defined in §§ 55.1-1800, 55.1-1900, and 55.1-2100, in the common interest community and the provisions governing any extension or renewal of such leasehold;

20. A statement of any limitation in the governing documents on the number or age of persons who may occupy a unit as a dwelling;

21. A statement setting forth any restriction, limitation, or prohibition on the right of an owner to display the flag of the United States, including reasonable restrictions as to the size, time, place, and manner of placement or display of such flag;

22. A statement setting forth any restriction, limitation, or prohibition on the right of an owner to install or use solar energy collection devices on the owner's unit or limited element;

23. A statement setting forth any restriction, limitation, or prohibition on the size, placement, or duration of display of political, for sale, or any other signs on the property;

24. A statement identifying any parking or vehicle restriction, limitation, or prohibition in the governing documents or rules and regulations;

25. A statement setting forth any restriction, limitation, or prohibition on the operation of a home-based business that otherwise complies with all applicable local ordinances;

26. A statement setting forth any restriction, limitation, or prohibition on an owner's ability to rent the unit;

27. In a cooperative, a statement setting forth whether the cooperative association is aware of any statute, regulation, or rule applicable to the cooperative that would affect an owner's ability to deduct real estate taxes and interest paid by the cooperative association for federal income tax purposes;

28. A statement describing any pending sale or encumbrance of common elements;

29. A statement indicating any known project approvals currently in effect issued by secondary mortgage market agencies; and

30. Certification that the association has filed with the Common Interest Community Board the annual report required by law, which certification shall indicate the filing number assigned by the Common Interest Community Board and the expiration date of such filing.

CHAPTER 15

An Act to amend and reenact § 55.1-703 of the Code of Virginia, relating to Virginia Residential Property Disclosure Act; required disclosures for buyer to beware; aircraft noise.

[H 1706]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-703 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-703. Required disclosures for buyer to beware; buyer to exercise necessary due diligence.

A. The owner of the residential real property shall furnish to a purchaser a residential property disclosure statement for the buyer to beware of certain matters that may affect the buyer's decision to purchase such real property. Such statement shall be provided by the Real Estate Board on its website.

B. The residential property disclosure statement provided by the Real Estate Board on its website shall include the following:

1. The owner makes no representations or warranties as to the condition of the real property or any improvements thereon, or with regard to any covenants and restrictions, or any conveyances of mineral rights, as may be recorded among the land records affecting the real property or any improvements thereon, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary, including obtaining a home inspection, as defined in § 54.1-500, a mold assessment conducted by a business that follows the guidelines provided by the U.S. Environmental Protection Agency, and a residential building energy analysis, as defined in § 54.1-1144, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

2. The owner makes no representation with respect to current lot lines or the ability to expand, improve, or add any structures on the property, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary, including obtaining a property survey and contacting the locality to determine zoning ordinances or lot coverage, height, or setback requirements on the property.

3. The owner makes no representations with respect to any matters that may pertain to parcels adjacent to the subject parcel, including zoning classification or permitted uses of adjacent parcels, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary with respect to adjacent parcels in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

4. The owner makes no representations to any matters that pertain to whether the provisions of any historic district ordinance affect the property, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary with respect to any historic district designated by the locality pursuant to § 15.2-2306, including review of (i) any local ordinance creating such district, (ii) any official map adopted by the locality depicting historic districts, and (iii) any materials available from the locality that explain (a) any requirements to alter, reconstruct, renovate, restore, or demolish buildings or signs in the local historic district and (b) the necessity of any local review board or governing body approvals prior to doing any work on a property located in a local historic district, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

5. The owner makes no representations with respect to whether the property contains any resource protection areas established in an ordinance implementing the Chesapeake Bay Preservation Act (§ 62.1-44.15:67 et seq.) adopted by the locality where the property is located pursuant to § 62.1-44.15:74, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary to determine whether the provisions of any such ordinance affect the property, including review of any official map adopted by the locality depicting resource protection areas, in accordance

with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

6. The owner makes no representations with respect to information on any sexual offenders registered under Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, and purchasers are advised to exercise whatever due diligence they deem necessary with respect to such information, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

7. The owner makes no representations with respect to whether the property is within a dam break inundation zone. Such disclosure statement shall advise purchasers to exercise whatever due diligence they deem necessary with respect to whether the property resides within a dam break inundation zone, including a review of any map adopted by the locality depicting dam break inundation zones;

8. The owner makes no representations with respect to the presence of any wastewater system, including the type or size of the wastewater system or associated maintenance responsibilities related to the wastewater system, located on the property, and purchasers are advised to exercise whatever due diligence they deem necessary to determine the presence of any wastewater system on the property and the costs associated with maintaining, repairing, or inspecting any wastewater system, including any costs or requirements related to the pump-out of septic tanks, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

9. The owner makes no representations with respect to any right to install or use solar energy collection devices on the property;

10. The owner makes no representations with respect to whether the property is located in one or more special flood hazard areas, and purchasers are advised to exercise whatever due diligence they deem necessary, including (i) obtaining a flood certification or mortgage lender determination of whether the property is located in one or more special flood hazard areas, (ii) reviewing any map depicting special flood hazard areas, (iii) contacting the Federal Emergency Management Agency (FEMA) or visiting the website for FEMA's National Flood Insurance Program or the Virginia Flood Risk Information website operated by the Department of Conservation and Recreation, and (iv) determining whether flood insurance is required, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract. A flood risk information form, pursuant to the provisions of subsection D, that provides additional information on flood risk and flood insurance is available for download by the Real Estate Board on its website;

11. The owner makes no representations with respect to whether the property is subject to one or more conservation or other easements, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

12. The owner makes no representations with respect to whether the property is subject to a community development authority approved by a local governing body pursuant to Article 6 (§ 15.2-5152 et seq.) of Chapter 51 of Title 15.2, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary in accordance with terms and conditions as may be contained in the real estate purchase contract, including determining whether a copy of the resolution or ordinance has been recorded in the land records of the circuit court for the locality in which the community development authority district is located for each tax parcel included in the district pursuant to § 15.2-5157, but in any event prior to settlement pursuant to such contract;

13. The owner makes no representations with respect to whether the property is located on or near deposits of marine clays (marumsco soils), and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary in accordance with terms and conditions as may be contained in the real estate purchase contract, including consulting public resources regarding local soil conditions and having the soil and structural conditions of the property analyzed by a qualified professional;

14. The owner makes no representations with respect to whether the property is located in a locality classified as Zone 1 or Zone 2 by the U.S. Environmental Protection Agency's (EPA) Map of Radon Zones, and purchasers are advised to exercise whatever due diligence they deem necessary to determine whether the property is located in such a zone, including (i) reviewing the EPA's Map of Radon Zones or visiting the EPA's radon information website; (ii) visiting the Virginia Department of Health's Indoor Radon Program website; (iii) visiting the National Radon Proficiency Program's website; (iv) visiting the National Radon Safety Board's website that lists the Board's certified contractors; and (v) ordering a radon inspection, in accordance with the terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

15. The owner makes no representations with respect to whether the property contains any pipe, pipe or plumbing fitting, fixture, solder, or flux that does not meet the federal Safe Drinking Water Act definition of "lead free" pursuant to 42 U.S.C. § 300g-6, and purchasers are advised to exercise whatever due diligence they deem necessary to determine whether the property contains any pipe, pipe or plumbing fitting, fixture, solder, or flux that does not meet the federal Safe Drinking Water Act definition of "lead free," in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

16. The owner makes no representations with respect to the existence of defective drywall on the property, and purchasers are advised to exercise whatever due diligence they deem necessary to determine whether there is defective drywall on the property, in accordance with terms and conditions as may be contained in the real estate purchase contract,

but in any event prior to settlement pursuant to such contract. For purposes of this subdivision, "defective drywall" means the same as that term is defined in § 36-156.1; ~~and~~

17. The owner makes no representation with respect to the condition or regulatory status of any impounding structure or dam on the property or under the ownership of the common interest community that the owner of the property is required to join, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary to determine the condition, regulatory status, cost of required maintenance and operation, or other relevant information pertaining to the impounding structure or dam, including contacting the Department of Conservation and Recreation or a licensed professional engineer*; and*

18. The owner makes no representations or warranties with respect to the property's proximity to a public use airport nor any noise from aircraft due to the proximity of the property to flight operations. The Federal Aviation Administration is responsible for managing the national airspace system, including aircraft flight paths. Purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary to determine whether a property is within proximity to a flight path or public use airport aircraft noise zone, including contacting (i) the locality or public use airport and reviewing any available maps depicting public use airport aircraft noise zones or (ii) the Department of Aviation or visiting the Department of Aviation's website, where any such maps, if made available by localities or public use airports, shall be accessible to the public.

C. The residential property disclosure statement shall be delivered in accordance with § 55.1-709.

D. The Real Estate Board shall make available on its website a flood risk information form. Such form shall be substantially as follows:

Flood Risk Information Form

The purpose of this information form is to provide property owners and potential property owners with information regarding flood risk. This information form does not determine whether a property owner will be required to purchase a flood insurance policy. That determination is made by the lender providing a loan for the property at the lender's discretion.

Mortgage lenders are mandated under the Flood Disaster Protection Act of 1973 and the National Flood Insurance Reform Act of 1994 to require the purchase of flood insurance by property owners who acquire loans from federally regulated, supervised, or insured financial institutions for the acquisition or improvement of land, facilities, or structures located within or to be located within a Special Flood Hazard Area. A Special Flood Hazard Area (SFHA) is a high-risk area defined as any land that would be inundated by a flood, also known as a base flood, having a one percent chance of occurring in a given year. The lender reviews the current National Flood Insurance Program (NFIP) maps for the community in which the property is located to determine its location relative to the published SFHA and completes the Standard Flood Hazard Determination Form (SFHDF), created by the Federal Emergency Management Agency (FEMA). If the lender determines that the structure is indeed located within a SFHA and the community is participating in the NFIP, the borrower is then notified that flood insurance will be required as a condition of receiving the loan. A similar review and notification are completed whenever a loan is sold on the secondary loan market or when the lender completes a routine review of its mortgage portfolio.

Properties that are not located in a SFHA can still flood. Flood damage is not generally covered by a standard home insurance policy. It is prudent to consider purchasing flood insurance even when flood insurance is not required by a lender. Properties not located in a SFHA may be eligible for a low-cost preferred risk flood insurance policy. Property owners and buyers are encouraged to consult with their insurance agent about flood insurance.

What is a flood? A flood is a general and temporary condition of partial or complete inundation of two or more acres of normally dry land area or of two or more properties, at least one of which is the policyholder's property, from (i) overflow of inland or tidal waters, (ii) unusual and rapid accumulation or runoff of surface waters from any source, (iii) mudflow, or (iv) collapse or subsidence of land along the shore of a lake or similar body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels that result in a flood.

FEMA is required to update Flood Maps every five years. Flood zones for this property may change due to periodic map updates. To determine what flood zone or zones a property is located in a buyer can visit the website for FEMA's National Flood Insurance Program or the Virginia Department of Conservation and Recreation's Flood Risk Information System website.

2. That the Department of Aviation (the Department) shall establish and provide to the Real Estate Board by July 31, 2025, a website address that allows purchasers to access public use airport aircraft noise zone maps that shall (i) meet Federal Aviation Administration airport noise modeling criteria, where applicable, and (ii) show day–night average sound levels. Such maps may be provided to the Department by either a public use airport operator or a locality that has adopted one or more noise overlay zones as an amendment to its zoning map pursuant to § 15.2-2295 of the Code of Virginia.

3. That the Real Estate Board shall provide on the residential property disclosure statement required by the provisions of this act the Department of Aviation's website address where any public use airport aircraft noise zone maps, if made available by localities or public use airports, shall be accessible to the public.

CHAPTER 16

An Act to amend and reenact § 55.1-2310 of the Code of Virginia, relating to Resale Disclosure Act; resale certificate; responsibility for payment of insurance deductible.

[S 808]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-2310 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-2310. Resale certificate; form and contents.

A. The association shall include the completed resale certificate form, developed by the ~~common interest community board~~ *Common Interest Community Board* pursuant to subdivision 3 of § 54.1-2350, with supporting documentation set out in the following order:

1. The name, address, and phone numbers of the preparer of the resale certificate and any managing agent of the association;

2. A copy of the governing documents and any rules and regulations of the association;

3. A statement disclosing any restraint on the alienability of the unit for which the resale certificate is being issued;

4. A statement of the amount and payment schedules of assessments and any unpaid assessments currently due and payable to the association;

5. A statement of any other fees due and payable by an owner of the unit;

6. A statement of any other entity or facility to which the owner of the unit being sold may be liable for assessments, fees, or other charges due to the ownership of the unit;

7. A statement of the amount and payment schedule of any approved additional or special assessment and any unpaid additional or special assessment currently due and payable;

8. A statement of any capital expenditures approved by the association for the current and succeeding fiscal years;

9. A statement of the amount of any reserves for capital expenditures and of any portions of those reserves designated by the association for any specified projects;

10. The most recent balance sheet and income and expense statement, if any, of the association;

11. The current operating budget of the association;

12. The current reserve study~~,~~ or a summary of such study;

13. A statement of any unsatisfied judgments against the association and the nature and status of any pending actions in which the association is a party and that could have a material impact on the association, the owners, or the unit being sold;

14. A statement *(i)* describing any insurance coverage provided by the association for the benefit of the owners, including fidelity coverage, and any insurance coverage recommended or required to be obtained by the owners *and (ii) indicating that the governing documents may make an owner responsible for payment of all or part of the deductible when making a claim against such insurance*;

15. A statement as to whether the board has given or received written notice that any existing uses, occupancies, alterations, or improvements in or to the unit being sold or to the limited elements assigned thereto violate any provision of the governing documents or rules and regulations together with copies of any notices provided;

16. A statement as to whether the board has received written notice from a governmental agency of any violation of environmental, health, or building codes with respect to the unit being sold, the limited elements assigned thereto, or any other portion of the common interest community that has not been cured;

17. A copy of any approved minutes of meetings of the board held during the last six months;

18. A copy of any approved or draft minutes of the most recent association meeting;

19. A statement of the remaining term of any leasehold estate affecting a common area or common element, as those terms are defined in §§ 55.1-1800, 55.1-1900, and 55.1-2100, in the common interest community and the provisions governing any extension or renewal of such leasehold;

20. A statement of any limitation in the governing documents on the number or age of persons who may occupy a unit as a dwelling;

21. A statement setting forth any restriction, limitation, or prohibition on the right of an owner to display the flag of the United States, including reasonable restrictions as to the size, time, place, and manner of placement or display of such flag;

22. A statement setting forth any restriction, limitation, or prohibition on the right of an owner to install or use solar energy collection devices on the owner's unit or limited element;

23. A statement setting forth any restriction, limitation, or prohibition on the size, placement, or duration of display of political, for sale, or any other signs on the property;

24. A statement identifying any parking or vehicle restriction, limitation, or prohibition in the governing documents or rules and regulations;

25. A statement setting forth any restriction, limitation, or prohibition on the operation of a home-based business that otherwise complies with all applicable local ordinances;

26. A statement setting forth any restriction, limitation, or prohibition on an owner's ability to rent the unit;

27. In a cooperative, a statement setting forth whether the cooperative association is aware of any statute, regulation, or rule applicable to the cooperative that would affect an owner's ability to deduct real estate taxes and interest paid by the cooperative association for federal income tax purposes;

28. A statement describing any pending sale or encumbrance of common elements;

29. A statement indicating any known project approvals currently in effect issued by secondary mortgage market agencies; and

30. Certification that the association has filed with the Common Interest Community Board the annual report required by law, which certification shall indicate the filing number assigned by the Common Interest Community Board and the expiration date of such filing.

CHAPTER 17

An Act to amend and reenact § 2.2-309.1 of the Code of Virginia, relating to Office of the State Inspector General; behavioral health and developmental services; required reports.

[S 885]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-309.1 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-309.1. Additional powers and duties; behavioral health and developmental services.

A. The definitions found in § 37.2-100 shall apply mutatis mutandis to the terms used in this section.

B. In addition to the duties set forth in this chapter, the State Inspector General shall have the following powers and duties to:

1. Provide inspections of and make policy and operational recommendations for state facilities and for providers, including licensed mental health treatment units in state correctional facilities, in order to prevent problems, abuses, and deficiencies in and improve the effectiveness of their programs and services. The State Inspector General shall provide oversight and conduct announced and unannounced inspections of state facilities and of providers, including licensed mental health treatment units in state correctional facilities, on an ongoing basis in response to specific complaints of abuse, neglect, or inadequate care and as a result of monitoring serious incident reports and reports of abuse, neglect, or inadequate care or other information received. The State Inspector General shall conduct unannounced inspections at each state facility at least once annually;

2. Inspect, monitor, and review the quality of services provided in state facilities and by providers as defined in § 37.2-403, including licensed mental health treatment units in state correctional facilities;

3. Access any and all information, including confidential consumer information, related to the delivery of services to consumers in state facilities or served by providers, including licensed mental health treatment units in state correctional facilities. However, the State Inspector General shall not be given access to any proceedings, minutes, records, or reports of providers that are privileged under § 8.01-581.17, except that the State Inspector General shall be given access to any privileged information in state facilities and licensed mental health treatment units in state correctional facilities. All consumer information shall be maintained by the State Inspector General as confidential in the same manner as is required by the agency or provider from which the information was obtained;

4. Keep the General Assembly ~~and~~, the Joint Commission on Health Care*, and the Behavioral Health Commission* fully and currently informed by means of reports required by § 2.2-313 concerning significant problems, abuses, and deficiencies relating to the administration of the programs and services of state facilities and of providers, including licensed mental health treatment units in state correctional facilities, ~~to~~ recommend corrective actions concerning the problems, abuses, and deficiencies, and report on the progress made in implementing the corrective actions;

5. Provide oversight of the Department of Behavioral Health and Developmental Services and community-based providers to identify system-level issues and conditions affecting quality of care and safety and provide recommendations to alleviate such issues and conditions;

6. Implement a program to promote awareness of the complaints line operated by the Office of the State Inspector General among residents of facilities operated by the Department of Behavioral Health and Developmental Services and persons receiving services from community-based providers regulated by the Department of Behavioral Health and Developmental Services;

7. Review, comment on, and make recommendations about, as appropriate, any reports prepared by the Department of Behavioral Health and Developmental Services and the critical incident data collected by the Department of Behavioral Health and Developmental Services in accordance with regulations adopted under § 37.2-400 to identify issues related to quality of care, seclusion and restraint, medication usage, abuse and neglect, staff recruitment and training, and other systemic issues;

8. As deemed necessary, monitor, review, and comment on regulations adopted by the Board of Behavioral Health and Developmental Services; and

9. Receive reports, information, and complaints from the Commonwealth's designated protection and advocacy system concerning issues related to quality of care provided in state facilities and by providers, including licensed mental health treatment units in state correctional facilities, and conduct independent reviews and investigations.

CHAPTER 18

An Act to amend and reenact § 28.2-314 of the Code of Virginia and to repeal § 28.2-315 of the Code of Virginia, relating to fishing with trawl nets and drag nets; shrimp and horseshoe crab; license fee; penalty.

[S 933]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 28.2-314 of the Code of Virginia is amended and reenacted as follows:

§ 28.2-314. Trawl nets and drag nets prohibited; exception; license fee; penalty.

~~Except as may be provided in § 28.2-315, it~~ *A. It* is unlawful for any person (i) to take or catch fish, shellfish, or marine organisms with a trawl net, drag net, or similar device drawn through the waters by a vessel, boat, or other craft or (ii) to buy, sell, or offer for sale any fish taken or caught in the waters of the Commonwealth, or under the jurisdiction of the Commonwealth, with a trawl net, drag net, or similar device. *However, the Commission may issue licenses or permits to take or catch fish, shellfish, or marine organisms with a trawl net, drag net, or similar device within the three-mile limit of the Virginia Atlantic shoreline for the shrimp and horseshoe crab fisheries.*

B. The license or permit fee to fish with a trawl net, drag net, or similar device pursuant to subsection A shall be $100 or as subsequently revised by the Commission pursuant to § 28.2-201 for each boat so employed.

C. A violation of this section is a Class 1 misdemeanor.

2. That § 28.2-315 of the Code of Virginia is repealed.

CHAPTER 19

An Act to amend and reenact §§ 3.02, as amended, and 3.03:1 of Chapter 717 of the Acts of Assembly of 1980, which provided a charter for the City of Chesapeake, relating to elections; filling vacancies.

[S 935]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.02, as amended, and 3.03:1 of Chapter 717 of the Acts of Assembly of 1980 are amended and reenacted as follows:

§ 3.02. Election of mayor and council members.

(a) On and after July 1, 1985, candidates for the offices of mayor and council member under the provisions of this charter shall be nominated only by petition in the manner prescribed by general law. Elections for the offices of mayor and council member after July 1, 1985, shall be nonpartisan. All terms for mayor and council members shall begin on ~~July~~ *January* 1 next following the date of their election*, or such other date as general law may require if such general law supersedes the provisions of this charter*.

The mayor and all members of council shall be elected for the terms as provided herein, and each shall serve until a successor shall have qualified.

(b) The mayor shall be elected by the qualified voters of the city beginning with the regular councilmanic election in the year 1988, to serve for a term of four years, and successors shall be elected each four years thereafter.

(c) In addition to the mayor, the council shall consist of eight members, who shall serve for terms of four years. At the regular councilmanic election in 1988, three members shall be elected to council for terms of four years, and at the regular councilmanic election in 1990, five members shall be elected to council for terms of four years.

A candidate may run only for mayor or for one of the council seats being voted upon, and cannot be qualified or appear on the ballot for both positions.

In the event any member of council during his or her term of office shall decide to be a candidate for the office of mayor, he or she may be eligible to do so, but shall tender a resignation as a member of council, such resignation to be effective ~~June 30 of such election year~~ *no later than one calendar day prior to the date the next regular term for the office of mayor will begin*. Such resignation shall state the council member's intention to run for the office of mayor and shall require no formal acceptance by the remaining members of council and shall be final and irrevocable as of the date it is tendered.

The remaining term of any council member or members who resign to run for mayor shall be filled at the next succeeding mayoral election by the candidate or candidates for council receiving the next highest vote to those candidates declared elected to the office of council member pursuant to subsection (c) of this section. Such term shall begin on ~~July~~ *January* 1 next following the date of the election*, or such other date as general law may require if such general law supersedes the provisions of this charter*.

§ 3.03:1. Filling vacancies.

Whenever a vacancy occurs in the office of a council member, with the exception of vacancies created by resignation to run for the office of mayor, it shall be filled by the majority vote of the remaining members of the city council within thirty days of such vacancy. The appointee shall be a qualified voter of the city and shall hold office until such time that a successor has been elected and qualified to fill the vacancy. The election of a successor shall be held at the next ensuing general election~~, whether such election be in May or November, whichever is the first to occur~~ *set by general law*; however, if the vacancy occurs within one hundred twenty days of the next ensuing general election, it shall be filled at the second ensuing general election, ~~whether such election be in May or November~~ *as such general election date is set by general law*. The election shall be ordered by the judges of the circuit court at least sixty days prior to the date for which it is called. No election to fill the vacancy shall be ordered if the general election at which it is to be called is scheduled in the year in which the term expires.

When the vacancy is in the office of mayor, the vice-mayor shall assume all of the duties and powers of the mayor until such time that a mayoral successor has been elected and qualified in the manner set forth above for a council member. That portion of any meeting, as defined in the Virginia Freedom of Information Act, during which there is any discussion or deliberation pertaining to an appointment of a council member shall be open to the public.

CHAPTER 20

An Act to amend and reenact § 55.1-2532 of the Code of Virginia, relating to claims to unclaimed property; authority of administrator; emergency.

[S 996]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-2532 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-2532. Filing claim to property or proceeds of sale of such property.

A. Any person claiming an interest in any property delivered to the Commonwealth under this chapter may file a claim to such property or to the proceeds from the sale of such property on a form prescribed by the administrator. *The administrator shall also be authorized to make payments pursuant to this chapter without having received a claim, provided that (i) the property is cash property, (ii) the apparent owner is a natural person and is the sole owner of such property, (iii) the identity of such apparent owner has been verified by the administrator, and (iv) the amount to be paid does not exceed $5,000.*

B. Notwithstanding any other provision of law, any person claiming an interest in any property delivered to the Commonwealth under this chapter for a reported owner who is deceased shall submit evidence of the claimant's entitlement to payment together with a form prescribed by the administrator. In order of preference, such evidence may include (i) a certificate of qualification as the executor or an order of appointment as the administrator or personal representative of the decedent's estate under the laws of the state of the decedent's domicile; (ii) if applicable, an affidavit authorizing the claimant to be the designated successor under the Virginia Small Estate Act (§ 64.2-600 et seq.), or its equivalent under the laws of the state of the decedent's domicile that names the claimant as the designated successor; or (iii) the order of distribution or the final accounting for a closed estate that reflects payment due in whole or in part to the claimant. When, in the absence of any such evidence, (a) the death of the reported owner occurred at least one year prior to filing the claim and (b) the amount claimed is $25,000 or less, exclusive of any interest owed pursuant to subsection C of § 55.1-2533, the administrator may allow the claimant to submit an affidavit stating the claimant's entitlement to payment in the absence of sufficient documentation, and the administrator may approve the claim in his discretion, returning or paying all or the appropriate share of the deceased owner's property to the claimant. The administrator may pay or deliver all of the deceased owner's property to a claimant who submits the prescribed affidavit evidencing his agreement to receive and distribute the property to the other rightful heirs or beneficiaries and acknowledging his assumption of liability to those beneficiaries or heirs for failure to do so.

C. Notwithstanding any other provision of law, when paying or delivering unclaimed property under subsection B to a claimant who is not authorized to represent the decedent's estate as the personal representative or the designated successor or the equivalent, the administrator is discharged and released to the same extent as if the administrator dealt with the authorized representative or designated successor for the decedent's estate. The administrator shall deny any subsequent claim to the same property. Any person subsequently claiming an equal or superior right to the deceased owner's property whose claim is denied by the administrator for this reason may seek redress from the claimant to whom payment was made.

D. The administrator shall develop and make available a plain English explanation of a person's right to make a claim, in accordance with the provisions of this section, for property delivered to the Commonwealth in cases where the reported owner of the property is deceased. The administrator shall also post such document on the Department of the Treasury's website.

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

CHAPTER 21

An Act to amend and reenact § 2.2-2237.1 of the Code of Virginia, relating to Virginia Economic Development Partnership Authority; operational plan submission.

[S 1089]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2237.1 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-2237.1. Board of directors to develop strategic plan for economic development; marketing plan; operational plan; submission.

A. The Board and the Chief Executive Officer shall develop and update biennially, prior to the start of each of the Commonwealth's biennial budget periods, a strategic plan for specific economic development activities for the Commonwealth as a whole. The strategic plan shall be responsive to the comprehensive economic development policy developed pursuant to § 2.2-205. The strategic plan of the Authority shall, at a minimum, include:

1. The identification of specific goals and objectives for the Authority and the development of quantifiable metrics and performance measures for attaining each such goal and objective;

2. A systematic assessment of how the Authority can best add value in carrying out each of its statutory powers and duties; and

3. Such other information deemed appropriate by the Board to ensure that the Authority fully executes its powers and duties.

B. The Authority shall report annually by November 1 on its strategic plan, any modifications to the strategic plan, and its progress toward meeting the goals and objectives as stated in the strategic plan. The report shall be submitted to the Governor, the Director of the Department of Planning and Budget, the special subcommittee on economic development of the Joint Legislative Audit and Review Commission, and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations.

C. The Board shall include in its strategic planning process the participation of key economic development partners, including state, regional, and local economic development agencies and organizations, rural stakeholders, and international trade organizations.

D. In addition, the Board and the Chief Executive Officer shall develop and update annually prior to the start of the fiscal year:

1. A marketing plan for the Commonwealth as a whole. The marketing plan of the Authority shall, at a minimum, include:

a. Identification of the Authority's specific and measurable marketing goals and the timetable to achieve such goals;

b. Identification of specific marketing activities, including efforts intended to secure economic development opportunities in proximity to high unemployment areas;

c. The resources and staff allocated to such marketing activities; and

d. The development of quantifiable metrics and performance measures for attaining each such goal.

The Authority shall report annually by November 1 on its marketing plan, any modifications to the marketing plan, and its progress toward meeting the goals and objectives as stated in the marketing plan. The report shall be submitted to the Governor, the special subcommittee on economic development of the Joint Legislative Audit and Review Commission, and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations; and

2. An operational plan for carrying out the powers and duties of the Authority. The operational plan of the Authority shall, at a minimum, include:

a. A process to evaluate the Authority's effectiveness in exercising the powers and duties conferred by this article, including the Authority's ability to work with other state, regional, and local economic development organizations and international trade organizations; and

b. A strategy for coordinating with state agencies that administer economic development incentive programs and relevant executive branch committees, councils, authorities, and commissions to maximize the effectiveness of state economic development programs and activities.

The Authority shall report annually by November 1 on its operational plan, any modifications to the operational plan, and its progress toward meeting the goals and objectives as stated in the operational plan. Such report shall contain the ~~audited financial statements of the Authority for the year ending the previous June 30~~ *most recent available audit report from the Auditor of Public Accounts' annual examination of the accounts and books of the Authority pursuant to § 2.2-2242* and shall be submitted to the Governor, the special subcommittee on economic development of the Joint Legislative Audit and Review Commission, and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations.

CHAPTER 22

An Act to amend and reenact § 64.2-745.2 of the Code of Virginia, relating to Uniform Trust Code; qualified trustee; definition.

[S 1116]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 64.2-745.2 of the Code of Virginia is amended and reenacted as follows:

§ 64.2-745.2. Definitions; vacancies; right to withdraw.

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

"Independent qualified trustee" means a qualified trustee who is not, and whose actions are not, subject to direction by:

1. The settlor;

2. Any natural person who is not a resident of the Commonwealth;

3. Any entity that is not authorized ~~under Title 6.2 to engage in trust business~~ *by law to act as a trustee* within the Commonwealth;

4. The settlor's spouse;

5. A parent of the settlor;

6. Any issue of the settlor;

7. A sibling of the settlor;

8. An employee of the settlor;

9. A business entity in which the settlor's holdings represent at least 30 percent of the total voting power of all interests entitled to vote;

10. A subordinate employee of the settlor; or

11. A subordinate employee of a business entity in which the settlor is an executive.

"Qualified interest" means a settlor's interest in a qualified self-settled spendthrift trust, to the extent that such interest entitles the settlor to receive distributions of income, principal, or both, in the sole discretion of an independent qualified trustee. A settlor may have a qualified interest in a qualified self-settled spendthrift trust and also have an interest in the same trust that is not a qualified interest, and the rules of § 64.2-747 shall apply to each interest of the settlor in the same trust other than the settlor's qualified interest.

"Qualified self-settled spendthrift trust" means a trust if:

1. The trust is irrevocable;

2. The trust is created during the settlor's lifetime;

3. There is, at all times when distributions could be made to the settlor pursuant to the settlor's qualified interest, at least one beneficiary other than the settlor (i) to whom income may be distributed, if the settlor's qualified interest relates to trust income, (ii) to whom principal may be distributed, if the settlor's qualified interest relates to trust principal, or (iii) to whom both income and principal may be distributed, if the settlor's qualified interest relates to both trust income and principal;

4. The trust has at all times at least one qualified trustee, who may be, but need not be, an independent qualified trustee;

5. The trust instrument expressly incorporates the laws of the Commonwealth to govern the validity, construction, and administration of the trust;

6. The trust instrument includes a spendthrift provision, as defined in § 64.2-743, that restrains both voluntary and involuntary transfer of the settlor's qualified interest; and

7. The settlor does not have the right to disapprove distributions from the trust.

"Qualified trustee" means any person who is a natural person residing within the Commonwealth or a legal entity authorized ~~to engage in trust business~~ *by law to act as a trustee* within the Commonwealth and who maintains or arranges for custody within the Commonwealth of some or all of the property that has been transferred to the trust by the settlor, maintains records within the Commonwealth for the trust on an exclusive or nonexclusive basis, prepares or arranges for the preparation within the Commonwealth of fiduciary income tax returns for the trust, or otherwise materially participates within the Commonwealth in the administration of the trust. A trustee is not a qualified trustee if such trustee's authority to make distributions of income or principal or both are subject to the direction of someone who, were that person a trustee of the trust, would not meet the requirements to be a qualified trustee.

B. A vacancy in the position of qualified trustee that occurs for any reason, whether or not there is then serving another trustee, shall be filled in the following order of priority:

1. By a person eligible to be a qualified trustee and who is designated pursuant to the terms of the trust to act as successor trustee;

2. By a person eligible to be a qualified trustee and who is designated by unanimous agreement of the qualified beneficiaries; or

3. By a person eligible to be a qualified trustee and who is appointed by the court pursuant to §§ 64.2-1405 and 64.2-1406 or pursuant to § 64.2-712.

C. A vacancy in the position of independent qualified trustee that occurs for any reason, whether or not there is then serving another trustee, shall be filled in the following order of priority:

1. By a person eligible to be an independent qualified trustee and who is designated pursuant to the terms of the trust to act as successor trustee;

2. By a person eligible to be an independent qualified trustee and who is designated by unanimous agreement of the qualified beneficiaries; or

3. By a person eligible to be an independent qualified trustee and who is appointed by the court pursuant to §§ 64.2-1405 and 64.2-1406 or pursuant to § 64.2-712.

D. A trust instrument shall not be deemed revocable on account of the inclusion of any one or more of the following rights, powers, and interests:

1. A power of appointment, exercisable by the settlor by will or other written instrument effective only upon the settlor's death, other than a power to appoint to the settlor's estate or the creditors of the settlor's estate;

2. The settlor's qualified interest in the trust;

3. The settlor's right to receive income or principal pursuant to an ascertainable standard;

4. The settlor's potential or actual receipt of income or principal from a charitable remainder unitrust or charitable remainder annuity trust (each within the meaning of § 664(d) of the Internal Revenue Code) and the settlor's right, at any time, and from time to time, to release, in writing delivered to the qualified trustee, all or any part of the settlor's retained interest in such trust;

5. The settlor's receipt each year of a percentage, not to exceed five percent, specified in the trust instrument of the initial value of the trust assets or their value determined from time to time pursuant to the trust instrument;

6. The settlor's right to remove a trustee and to appoint a new trustee;

7. The settlor's potential or actual use of real property held under a personal residence trust (within the meaning of § 2702(c) of the Internal Revenue Code);

8. The settlor's potential or actual receipt or use of a qualified annuity interest (within the meaning of § 2702 of the Internal Revenue Code);

9. The ability of a qualified trustee, whether pursuant to discretion or direction, to pay, after the settlor's death, all or any part of the settlor's debts outstanding at the time of the settlor's death, the expenses of administering the settlor's estate, or any estate inheritance tax imposed on or with respect to the settlor's estate; and

10. A settlor's potential or actual receipt of income or principal to pay, in whole or in part, income taxes due on trust income, or the direct payment of such taxes to the applicable tax authorities, pursuant to a provision in the trust instrument that expressly provides for the direct payment of such taxes or the reimbursement of the settlor for such tax payments.

E. A beneficiary who has the right to withdraw his entire beneficial interest in a trust shall be treated as its settlor to the extent of such withdrawal right, when such right to withdraw has lapsed, been released, or otherwise expired, without regard to the limitations otherwise imposed by subsection B of § 64.2-747.

CHAPTER 23

An Act to amend and reenact § 2.2-203.2:4 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 20.1 of Title 2.2 an article numbered 8, consisting of a section numbered 2.2-2034.1, relating to Office of Data Governance and Analytics; oversight; Chief Data Officer; duties.

[S 1137]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-203.2:4 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 20.1 of Title 2.2 an article numbered 8, consisting of a section numbered 2.2-2034.1, as follows:

§ 2.2-203.2:4. Chief Data Officer; created; report.

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

"Board" means the Executive Data Board.

"CDO" means the Chief Data Officer of the Commonwealth.

"Commonwealth Data Trust" means a secure, multi-stakeholder data exchange and analytics platform with common rules for data security, privacy, and confidentiality. The Commonwealth Data Trust ~~shall include~~ *includes* data from state, regional, and local governments, from public institutions of higher education, and from any other sources deemed necessary and appropriate.

"Council" means the Data Governance Council.

"Group" means the Data Stewards Group.

"Office" means the Office of Data Governance and Analytics *as created pursuant to § 2.2-2034.1*.

"Open data" means data that is collected by an agency that is not prohibited from being made available to the public by applicable laws or regulations or other restrictions, requirements, or rights associated with such data.

B. ~~There is created in the Office of the Secretary of Administration the Office of Data Governance and Analytics to foster and oversee the effective sharing of data among state, regional, and local public entities and public institutions of~~

~~higher education, implement effective data governance strategies to maintain data integrity and security, and promote access to Commonwealth data. The purpose of the Office shall be to (i) improve compliance with the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.); (ii) increase access to and sharing of Commonwealth data, including open data, between state, regional and local public entities and public institutions of higher education across all levels of government; (iii) Increase the use of data and data analytics to improve the efficiency and efficacy of government services and improve stakeholder outcomes; and (iv) establish the Commonwealth as a national leader in data-driven policy, evidence-based decision making, and outcome-based performance management.~~

~~C. The Office shall have the following powers and duties:~~

~~1. To support the collection, dissemination, analysis, and proper use of data by state agencies and public entities as defined in the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.);~~

~~2. To facilitate and guide data-sharing efforts between state, regional, and local public entities and public institutions of higher education;~~

~~3. To develop innovative data analysis and intelligence methodologies and best practices to promote data-driven policy making, decision making, research, and analysis;~~

~~4. To manage and administer the Commonwealth Data Trust;~~

~~5. To assist the Chief Data Officer and the Chief Information Officer of the Commonwealth in the development of a comprehensive six-year Commonwealth strategic plan for information technology;~~

~~6. In cooperation with the Chief Information Officer of the Commonwealth, to provide technical assistance to state agencies, local governments, and regional entities to establish and promote data sharing and analytics projects including data storage, data security, privacy, compliance with federal law, the de-identification of data for research purposes, and the appropriate access to and presentation of open data and datasets to the public;~~

~~7. To develop measures and targets related to the performance of the Commonwealths' data governance, sharing, analytics, and intelligence program;~~

~~8. To undertake, identify, coordinate, and oversee studies linking government services to stakeholder outcomes;~~

~~9. To implement a website dedicated to (i) hosting open data from state, regional, and local public entities and public institutions of higher education and (ii) providing links to any other additional open data websites in the Commonwealth;~~

~~10. To provide staff and operational support to the Virginia Data Commission, Executive Data Board, Data Governance Council, and Data Stewards Group;~~

~~11. To apply for and accept grants from the United States government and agencies and instrumentalities thereof and any other source. To those ends, the Office shall have the power to comply with such conditions and execute such agreements as may be necessary or desirable;~~

~~12. To solicit, receive, and consider proposals for funding projects or initiatives from any state or federal agency, local or regional government, public institution of higher education, nonprofit organization, or private person or corporation;~~

~~13. To enter into public-private partnerships and agreements with public institutions of higher education in the Commonwealth to conduct data sharing and analytics projects;~~

~~14. To solicit and accept funds, goods, and in-kind services that are part of any accepted project proposal;~~

~~15. To establish ad hoc committees or project teams to investigate related technology or technical issues and provide results and recommendations for Office action;~~

~~16. To enter into reciprocal data-sharing agreements with state agencies for the purpose of sharing veteran-specific data in order to support data-informed outreach plans for veterans. Such agencies may include the Department of Veterans Services, Department of Corrections, Department of Social Services, Virginia Employment Commission, Department of Small Business and Supplier Diversity, Department of Taxation, and other relevant state agencies that have access to data regarding veterans residing in the Commonwealth; and~~

~~17. To establish such bureaus, sections, or units as the Office deems appropriate to carry out its goals and responsibilities.~~

There is created in the Office of the Secretary of Administration the position of Chief Data Officer of the Commonwealth to ~~oversee the operation of~~ *lead* the Office *of Data Governance and Analytics*. The CDO shall exercise and perform the duties conferred or imposed upon him by law and perform such other duties as may be required by the Governor and the Secretary of Administration. The CDO shall not be considered the custodian of any public records in or derived from the Commonwealth Data Trust. The CDO shall:

1. Establish business rules, guidelines, and best practices for the use of data, including open data, in the Commonwealth. Such rules, guidelines, and best practices shall address, at a minimum, (i) the sharing of data between state, regional, and local public entities and public institutions of higher education, and, when appropriate, private entities; (ii) data storage; (iii) data security; (iv) privacy; (v) compliance with federal law; (vi) the de-identification of data for research purposes; and (vii) the appropriate access to and presentation of open data and datasets to the public;

2. Assist state, regional, and local public entities, public institutions of higher education, and employees thereof, with the application of the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et. seq.) and understanding the applicability of federal laws governing privacy and access to data to the data sharing practices of the Commonwealth;

3. Assist the Chief Information Officer of the Commonwealth with matters related to the creation, storage, and dissemination of data upon request;

4. Encourage and coordinate efforts of state, regional, and local public entities and public institutions of higher education to access and share data, including open data, across all levels of government in an effort to improve the efficiency and efficacy of services, improve outcomes, and promote data-driven policy making, decision making, research, and analysis;

5. Oversee the implementation of a website dedicated to (i) hosting open data from state, regional, and local public entities and public institutions of higher education and (ii) providing links to any other additional open data websites in the Commonwealth;

6. Enter into contracts for the purpose of carrying out the provisions of this section;

7. ~~Rent office space and procure equipment, goods, and services necessary~~ *Obtain from the Virginia Information Technologies Agency office space and human resources, procurement, fiscal, and other administrative support and resources necessary to support the operations of the Office and* to carry out the provisions of this section; and

8. Report on the activities of the Office~~,~~ *and* the Commonwealth Data Trust~~, and the Virginia Data Commission established pursuant to Article 13 (§ 2.2-2558 et seq.) of Chapter 25~~ annually by December 1 to the Governor and the General Assembly.

~~E.~~ *C.* The Commonwealth Data Trust shall be governed by a multi-level governance structure as follows:

1. The Executive Data Board shall consist of the directors or chief executives, or their designees, of executive branch agencies engaged in data sharing and analytics projects with the Commonwealth Data Trust. The CDO shall chair the Board. Members of the Board shall (i) translate the Commonwealth's data-driven policy goals and objectives into performance targets at their respective agencies; (ii) allocate appropriate resources at their respective agencies to support data governance, sharing, and analytics initiatives; and (iii) provide any reports to the Office regarding their respective agencies' data analytics work and implementation of recommendations.

2. The Data Governance Council shall consist of employees of the agencies represented on the Board, selected by the Board members from their respective agencies. The CDO, or his designee, shall chair the Council. The Council shall (i) liaise between state agency operations and the CDO; (ii) advise the CDO on data technology, policy, and governance structure; (iii) administer data governance policies, standards, and best practices, as set by the Board; (iv) oversee data sharing and analytics projects; (v) review open data assets prior to publication; (vi) provide to the Board any reports on the Council's recommendations and work as required by the Board; (vii) develop necessary privacy and ethical standards and policies for Commonwealth Data Trust resources; (viii) monitor the sharing of Commonwealth Data Trust member-contributed data resources; (ix) review and approve new Commonwealth Data Trust-managed data resources; and (x) conduct any other business the CDO deems necessary for Commonwealth Data Trust governance.

3. The Data Stewards Group shall consist of employees from executive branch agencies with technical experience in data management or data analytics. Executive branch agencies shall be encouraged to designate at least one agency data steward to serve on the Group and may designate multiple data stewards as appropriate based upon organizational or data system responsibilities. The Group shall (i) provide the Board and Council with technical subject matter expertise in support of data policies, standards, and best practices; (ii) implement data sharing and analytics projects promoting data accessibility, sharing, and reuse, thereby reducing redundancy across the Commonwealth; (iii) coordinate and resolve technical stewardship issues for standardized data; (iv) ensure data quality processes and standards are implemented consistently by agencies in the Commonwealth; (v) provide communication and education to data users on the appropriate use, sharing, and protection of the Commonwealth's data assets; (vi) promote the collection and sharing of metadata by registering data assets in the Virginia Data Catalog; (vii) liaise with agency project managers and information technology investment staff to ensure adherence to Commonwealth data standards and data sharing requirements; and (viii) support informed, data-driven decision making through compliance with Commonwealth data policies, standards, and best practices.

~~F.~~ *D.* In carrying out the provisions of this section, the Office shall coordinate and collaborate with, to the fullest extent authorized by federal law and notwithstanding any state law to the contrary, all agencies set forth in subsection A of § 2.2-212 and subsection A of § 2.2-221; any other state, regional, and local public bodies, including community services boards; local law-enforcement agencies; any health and human services-related entity of a political subdivision that receives state funds; public institutions of higher education; and, when appropriate, private entities.

~~G.~~ *E.* The Office shall be considered an agent of any state agency in the executive branch of government that shares information or data with the ~~office~~ *Office*, and shall be an authorized recipient of information under any statutory or administrative law governing the information or data. Interagency data shared pursuant to this section shall not constitute a disclosure or release of information or data under any statutory or administrative law governing the information or data.

~~H.~~ *F.* The Office shall be responsible for overseeing and supporting any workforce development data systems authorized under the Secretary of Labor to ensure the interoperability of the systems, to facilitate data sharing, to identify innovative technology solutions, and to support processes that create data-informed decisions.

Article 8.

Office of Data Governance and Analytics.

§ 2.2-2034.1. Office of Data Governance and Analytics created.

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

"CDO" means the Chief Data Officer of the Commonwealth.

"Commonwealth Data Trust" means a secure, multi-stakeholder data exchange and analytics platform with common rules for data security, privacy, and confidentiality. The Commonwealth Data Trust includes data from state, regional, and local governments, from public institutions of higher education, and from any other sources deemed necessary and appropriate.

"Office" means the Office of Data Governance and Analytics as created in this section.

"Open data" means data that is collected by an agency that is not prohibited from being made available to the public by applicable laws or regulations or other restrictions, requirements, or rights associated with such data.

B. There is created in the Virginia Information Technologies Agency the Office of Data Governance and Analytics to foster and oversee the effective sharing of data among state, regional, and local public entities and public institutions of higher education, implement effective data governance strategies to maintain data integrity and security, and promote access to Commonwealth data. The Office shall be overseen by the Chief Information Officer of the Commonwealth as a part of the Virginia Information Technologies Agency but led in strategy and prioritization by the Chief Data Officer, as established pursuant to § 2.2-203.2:4. The purpose of the Office shall be to (i) improve compliance with the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.); (ii) increase access to and sharing of Commonwealth data, including open data, between state, regional, and local public entities and public institutions of higher education across all levels of government; (iii) increase the use of data and data analytics to improve the efficiency and efficacy of government services and stakeholder outcomes; and (iv) establish the Commonwealth as a national leader in data-driven policy, evidence-based decision making, and outcome-based performance management.

C. The Office shall have the following powers and duties:

1. To support the collection, dissemination, analysis, and proper use of data by state agencies and public entities as defined in the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.);

2. To facilitate and guide data-sharing efforts between state, regional, and local public entities and public institutions of higher education;

3. To develop innovative data analysis and intelligence methodologies and best practices to promote data-driven policy making, decision making, research, and analysis;

4. To manage and administer the Commonwealth Data Trust;

5. To assist the Chief Data Officer and the Chief Information Officer of the Commonwealth in the development of a comprehensive six-year Commonwealth strategic plan for information technology;

6. In cooperation with others in the Virginia Information Technologies Agency, to provide technical assistance to state agencies, local governments, and regional entities to establish and promote data sharing and analytics projects, including data storage, data security, privacy, compliance with federal law, the de-identification of data for research purposes, and the appropriate access to and presentation of open data and datasets to the public;

7. To develop measures and targets related to the performance of the Commonwealth's data governance, sharing, analytics, and intelligence program;

8. To undertake, identify, coordinate, and oversee studies linking government services to stakeholder outcomes;

9. To implement a website dedicated to (i) hosting open data from state, regional, and local public entities and public institutions of higher education and (ii) providing links to any other additional open data websites in the Commonwealth;

10. To provide staff and operational support to the Executive Data Board, Data Governance Council, and Data Stewards Group, the multi-level governance structure established pursuant to § 2.2-203.2:4 that governs the Commonwealth Data Trust;

11. To apply for and accept grants from the United States government and agencies and instrumentalities thereof and any other source. To those ends, the Office shall have the power to comply with such conditions and execute such agreements as may be necessary or desirable;

12. To solicit, receive, and consider proposals for funding projects or initiatives from any state or federal agency, local or regional government, public institution of higher education, nonprofit organization, or private person or corporation;

13. To enter into public-private partnerships and agreements with public institutions of higher education in the Commonwealth to conduct data sharing and analytics projects;

14. To solicit and accept funds, goods, and in-kind services that are part of any accepted project proposal;

15. To establish ad hoc committees or project teams to investigate related technology or technical issues and provide results and recommendations for Office action; and

16. To enter into reciprocal data-sharing agreements with state agencies for the purpose of sharing veteran-specific data in order to support data-informed outreach plans for veterans. Such agencies may include the Department of Veterans Services, Department of Corrections, Department of Social Services, Virginia Employment Commission, Department of Small Business and Supplier Diversity, Department of Taxation, and other relevant state agencies that have access to data regarding veterans residing in the Commonwealth.

CHAPTER 24

An Act to amend and reenact § 33.2-1526.4 of the Code of Virginia, relating to Commonwealth Rail Fund; Shortline Railway Preservation and Development Fund.

[S 1144]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 33.2-1526.4 of the Code of Virginia is amended and reenacted as follows:

§ 33.2-1526.4. Commonwealth Rail Fund.

A. The General Assembly declares it to be in the public interest that developing and continuing intercity passenger and freight rail operations and the development of rail infrastructure, rolling stock, and support facilities to support intercity passenger and freight rail service are important elements of a balanced transportation system in the Commonwealth and further declares it to be in the public interest that the retention, maintenance, improvement, and development of intercity passenger and freight rail-related infrastructure improvements and operations are essential to the Commonwealth's continued economic growth, vitality, and competitiveness in national and world markets.

B. There is hereby established in the state treasury a special nonreverting fund to be known as the Commonwealth Rail Fund (the Fund). The Fund shall be established on the books of the Comptroller and shall consist of funds dedicated pursuant to subdivision 3 of § 33.2-1524.1. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely as provided in this section.

C. The amounts dedicated to the Fund pursuant to § 33.2-1524.1 shall be deposited monthly into the Fund. Thereafter, 93 percent shall be distributed to the Virginia Passenger Rail Authority as soon as practicable for use in accordance with the provisions of Article 6 (§ 33.2-287 et seq.) of Chapter 2. The remaining seven percent shall remain in the Fund for the Department of Rail and Public Transportation for planning purposes and for grants for rail projects not administered by the Virginia Passenger Rail Authority. The Department of Rail and Public Transportation may ~~use up to $4 million~~ *use up to 50 percent of its share of the moneys in the Fund* for the purposes of the Shortline Railway Preservation and Development Fund *created* pursuant to § 33.2-1602.

CHAPTER 25

An Act to amend and reenact § 55.1-703 of the Code of Virginia, relating to Virginia Residential Property Disclosure Act; required disclosures for buyer to beware; aircraft noise.

[S 1210]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-703 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-703. Required disclosures for buyer to beware; buyer to exercise necessary due diligence.

A. The owner of the residential real property shall furnish to a purchaser a residential property disclosure statement for the buyer to beware of certain matters that may affect the buyer's decision to purchase such real property. Such statement shall be provided by the Real Estate Board on its website.

B. The residential property disclosure statement provided by the Real Estate Board on its website shall include the following:

1. The owner makes no representations or warranties as to the condition of the real property or any improvements thereon, or with regard to any covenants and restrictions, or any conveyances of mineral rights, as may be recorded among the land records affecting the real property or any improvements thereon, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary, including obtaining a home inspection, as defined in § 54.1-500, a mold assessment conducted by a business that follows the guidelines provided by the U.S. Environmental Protection Agency, and a residential building energy analysis, as defined in § 54.1-1144, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

2. The owner makes no representation with respect to current lot lines or the ability to expand, improve, or add any structures on the property, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary, including obtaining a property survey and contacting the locality to determine zoning ordinances or lot coverage, height, or setback requirements on the property.

3. The owner makes no representations with respect to any matters that may pertain to parcels adjacent to the subject parcel, including zoning classification or permitted uses of adjacent parcels, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary with respect to adjacent parcels in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

4. The owner makes no representations to any matters that pertain to whether the provisions of any historic district ordinance affect the property, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary with respect to any historic district designated by the locality pursuant to § 15.2-2306, including review of (i) any local ordinance creating such district, (ii) any official map adopted by the locality depicting historic districts, and (iii) any materials available from the locality that explain (a) any requirements to alter, reconstruct, renovate, restore, or demolish buildings or signs in the local historic district and (b) the necessity of any local review board or governing body approvals prior to doing any work on a property located in a local historic district, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

5. The owner makes no representations with respect to whether the property contains any resource protection areas established in an ordinance implementing the Chesapeake Bay Preservation Act (§ 62.1-44.15:67 et seq.) adopted by the locality where the property is located pursuant to § 62.1-44.15:74, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary to determine whether the provisions of any such ordinance affect the property, including review of any official map adopted by the locality depicting resource protection areas, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

6. The owner makes no representations with respect to information on any sexual offenders registered under Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, and purchasers are advised to exercise whatever due diligence they deem necessary with respect to such information, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

7. The owner makes no representations with respect to whether the property is within a dam break inundation zone. Such disclosure statement shall advise purchasers to exercise whatever due diligence they deem necessary with respect to whether the property resides within a dam break inundation zone, including a review of any map adopted by the locality depicting dam break inundation zones;

8. The owner makes no representations with respect to the presence of any wastewater system, including the type or size of the wastewater system or associated maintenance responsibilities related to the wastewater system, located on the property, and purchasers are advised to exercise whatever due diligence they deem necessary to determine the presence of any wastewater system on the property and the costs associated with maintaining, repairing, or inspecting any wastewater system, including any costs or requirements related to the pump-out of septic tanks, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

9. The owner makes no representations with respect to any right to install or use solar energy collection devices on the property;

10. The owner makes no representations with respect to whether the property is located in one or more special flood hazard areas, and purchasers are advised to exercise whatever due diligence they deem necessary, including (i) obtaining a flood certification or mortgage lender determination of whether the property is located in one or more special flood hazard areas, (ii) reviewing any map depicting special flood hazard areas, (iii) contacting the Federal Emergency Management Agency (FEMA) or visiting the website for FEMA's National Flood Insurance Program or the Virginia Flood Risk Information website operated by the Department of Conservation and Recreation, and (iv) determining whether flood insurance is required, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract. A flood risk information form, pursuant to the provisions of subsection D, that provides additional information on flood risk and flood insurance is available for download by the Real Estate Board on its website;

11. The owner makes no representations with respect to whether the property is subject to one or more conservation or other easements, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

12. The owner makes no representations with respect to whether the property is subject to a community development authority approved by a local governing body pursuant to Article 6 (§ 15.2-5152 et seq.) of Chapter 51 of Title 15.2, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary in accordance with terms and conditions as may be contained in the real estate purchase contract, including determining whether a copy of the resolution or ordinance has been recorded in the land records of the circuit court for the locality in which the community development authority district is located for each tax parcel included in the district pursuant to § 15.2-5157, but in any event prior to settlement pursuant to such contract;

13. The owner makes no representations with respect to whether the property is located on or near deposits of marine clays (marumsco soils), and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary in accordance with terms and conditions as may be contained in the real estate purchase contract, including consulting public resources regarding local soil conditions and having the soil and structural conditions of the property analyzed by a qualified professional;

14. The owner makes no representations with respect to whether the property is located in a locality classified as Zone 1 or Zone 2 by the U.S. Environmental Protection Agency's (EPA) Map of Radon Zones, and purchasers are advised to exercise whatever due diligence they deem necessary to determine whether the property is located in such a zone, including (i) reviewing the EPA's Map of Radon Zones or visiting the EPA's radon information website; (ii) visiting the

Virginia Department of Health's Indoor Radon Program website; (iii) visiting the National Radon Proficiency Program's website; (iv) visiting the National Radon Safety Board's website that lists the Board's certified contractors; and (v) ordering a radon inspection, in accordance with the terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

15. The owner makes no representations with respect to whether the property contains any pipe, pipe or plumbing fitting, fixture, solder, or flux that does not meet the federal Safe Drinking Water Act definition of "lead free" pursuant to 42 U.S.C. § 300g-6, and purchasers are advised to exercise whatever due diligence they deem necessary to determine whether the property contains any pipe, pipe or plumbing fitting, fixture, solder, or flux that does not meet the federal Safe Drinking Water Act definition of "lead free," in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract;

16. The owner makes no representations with respect to the existence of defective drywall on the property, and purchasers are advised to exercise whatever due diligence they deem necessary to determine whether there is defective drywall on the property, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event prior to settlement pursuant to such contract. For purposes of this subdivision, "defective drywall" means the same as that term is defined in § 36-156.1; ~~and~~

17. The owner makes no representation with respect to the condition or regulatory status of any impounding structure or dam on the property or under the ownership of the common interest community that the owner of the property is required to join, and purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary to determine the condition, regulatory status, cost of required maintenance and operation, or other relevant information pertaining to the impounding structure or dam, including contacting the Department of Conservation and Recreation or a licensed professional engineer*; and*

18. The owner makes no representations or warranties with respect to the property's proximity to a public use airport nor any noise from aircraft due to the proximity of the property to flight operations. The Federal Aviation Administration is responsible for managing the national airspace system, including aircraft flight paths. Purchasers are advised to exercise whatever due diligence a particular purchaser deems necessary to determine whether a property is within proximity to a flight path or public use airport aircraft noise zone, including contacting (i) the locality or public use airport and reviewing any available maps depicting public use airport aircraft noise zones or (ii) the Department of Aviation or visiting the Department of Aviation's website, where any such maps, if made available by localities or public use airports, shall be accessible to the public.

C. The residential property disclosure statement shall be delivered in accordance with § 55.1-709.

D. The Real Estate Board shall make available on its website a flood risk information form. Such form shall be substantially as follows:

Flood Risk Information Form

The purpose of this information form is to provide property owners and potential property owners with information regarding flood risk. This information form does not determine whether a property owner will be required to purchase a flood insurance policy. That determination is made by the lender providing a loan for the property at the lender's discretion.

Mortgage lenders are mandated under the Flood Disaster Protection Act of 1973 and the National Flood Insurance Reform Act of 1994 to require the purchase of flood insurance by property owners who acquire loans from federally regulated, supervised, or insured financial institutions for the acquisition or improvement of land, facilities, or structures located within or to be located within a Special Flood Hazard Area. A Special Flood Hazard Area (SFHA) is a high-risk area defined as any land that would be inundated by a flood, also known as a base flood, having a one percent chance of occurring in a given year. The lender reviews the current National Flood Insurance Program (NFIP) maps for the community in which the property is located to determine its location relative to the published SFHA and completes the Standard Flood Hazard Determination Form (SFHDF), created by the Federal Emergency Management Agency (FEMA). If the lender determines that the structure is indeed located within a SFHA and the community is participating in the NFIP, the borrower is then notified that flood insurance will be required as a condition of receiving the loan. A similar review and notification are completed whenever a loan is sold on the secondary loan market or when the lender completes a routine review of its mortgage portfolio.

Properties that are not located in a SFHA can still flood. Flood damage is not generally covered by a standard home insurance policy. It is prudent to consider purchasing flood insurance even when flood insurance is not required by a lender. Properties not located in a SFHA may be eligible for a low-cost preferred risk flood insurance policy. Property owners and buyers are encouraged to consult with their insurance agent about flood insurance.

What is a flood? A flood is a general and temporary condition of partial or complete inundation of two or more acres of normally dry land area or of two or more properties, at least one of which is the policyholder's property, from (i) overflow of inland or tidal waters, (ii) unusual and rapid accumulation or runoff of surface waters from any source, (iii) mudflow, or (iv) collapse or subsidence of land along the shore of a lake or similar body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels that result in a flood.

FEMA is required to update Flood Maps every five years. Flood zones for this property may change due to periodic map updates. To determine what flood zone or zones a property is located in a buyer can visit the website for FEMA's National Flood Insurance Program or the Virginia Department of Conservation and Recreation's Flood Risk Information System website.

2. That the Department of Aviation (the Department) shall establish and provide to the Real Estate Board by July 31, 2025, a website address that allows purchasers to access public use airport aircraft noise zone maps that shall (i) meet Federal Aviation Administration airport noise modeling criteria, where applicable, and (ii) show day–night average sound levels. Such maps may be provided to the Department by either a public use airport operator or a locality that has adopted one or more noise overlay zones as an amendment to its zoning map pursuant to § 15.2-2295 of the Code of Virginia.

3. That the Real Estate Board shall provide on the residential property disclosure statement required by the provisions of this act the Department of Aviation's website address where any public use airport aircraft noise zone maps, if made available by localities or public use airports, shall be accessible to the public.

CHAPTER 26

An Act to amend and reenact §§ 16.1-253.1, 16.1-253.4, 16.1-279.1, 19.2-152.8, 19.2-152.9, and 19.2-152.10 of the Code of Virginia, relating to juvenile respondent in protective order proceeding; other dispositions.

[H 2130]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-253.1, 16.1-253.4, 16.1-279.1, 19.2-152.8, 19.2-152.9, and 19.2-152.10 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-253.1. Preliminary protective orders in cases of family abuse; confidentiality.

A. Upon the filing of a petition alleging that the petitioner is or has been, within a reasonable period of time, subjected to family abuse, or the filing of a written motion requesting a hearing to extend a protective order pursuant to § 16.1-279.1 without alleging that the petitioner is or has been, within a reasonable period of time, subject to family abuse, the court may issue a preliminary protective order against an allegedly abusing person in order to protect the health and safety of the petitioner or any family or household member of the petitioner. The order may be issued in an ex parte proceeding upon good cause shown when the petition is supported by an affidavit or sworn testimony before the judge or intake officer or upon the filing of a written motion requesting a hearing to extend a protective order pursuant to § 16.1-279.1 without alleging that the petitioner is or has been, within a reasonable period of time, subject to family abuse. If an ex parte order is issued without an affidavit or a completed form as prescribed by subsection D of § 16.1-253.4 being presented, the court, in its order, shall state the basis upon which the order was entered, including a summary of the allegations made and the court's findings. Immediate and present danger of family abuse or evidence sufficient to establish probable cause that family abuse has recently occurred shall constitute good cause. Evidence that the petitioner has been subjected to family abuse within a reasonable time and evidence of immediate and present danger of family abuse may be established by a showing that (i) the allegedly abusing person is incarcerated and is to be released from incarceration within 30 days following the petition or has been released from incarceration within 30 days prior to the petition, (ii) the crime for which the allegedly abusing person was convicted and incarcerated involved family abuse against the petitioner, and (iii) the allegedly abusing person has made threatening contact with the petitioner while he was incarcerated, exhibiting a renewed threat to the petitioner of family abuse.

A preliminary protective order may include any one or more of the following conditions to be imposed on the allegedly abusing person:

1. Prohibiting acts of family abuse or criminal offenses that result in injury to person or property.

2. Prohibiting such contacts by the respondent with the petitioner or family or household members of the petitioner as the court deems necessary for the health or safety of such persons.

3. Granting the petitioner possession of the premises occupied by the parties to the exclusion of the allegedly abusing person; however, no such grant of possession shall affect title to any real or personal property.

4. Enjoining the respondent from terminating any necessary utility service to a premises that the petitioner has been granted possession of pursuant to subdivision 3 or, where appropriate, ordering the respondent to restore utility services to such premises.

5. Granting the petitioner and, where appropriate, any other family or household member of the petitioner, exclusive use and possession of a cellular telephone number or electronic device and the password to such device. The court may enjoin the respondent from terminating a cellular telephone number or electronic device before the expiration of the contract term with a third-party provider. The court may enjoin the respondent from using a cellular telephone or other electronic device to locate or surveille the petitioner.

6. Granting the petitioner temporary possession or use of a motor vehicle owned by the petitioner alone or jointly owned by the parties to the exclusion of the allegedly abusing person; however, no such grant of possession or use shall affect title to the vehicle.

7. Requiring that the allegedly abusing person provide suitable alternative housing for the petitioner and any other family or household member and, where appropriate, requiring the respondent to pay deposits to connect or restore necessary utility services in the alternative housing provided.

8. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500.

9. Any other relief necessary for the protection of the petitioner and family or household members of the petitioner.

In addition, if the respondent is a juvenile, the court may, upon its own motion or upon the motion of the attorney or guardian ad litem representing the respondent, enter an order requiring the local board of social services to provide services to the child and family.

B. The court shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court. A copy of a preliminary protective order containing any such identifying information shall be forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the allegedly abusing person in person as provided in § 16.1-264 and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the allegedly abusing person in person as provided in § 16.1-264. Upon service, the agency making service shall enter the date and time of service and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network and make due return to the court. The preliminary order shall specify a date for the full hearing. The hearing shall be held within 15 days of the issuance of the preliminary order, unless the hearing has been continued pursuant to this subsection or court is closed pursuant to § 16.1-69.35 or 17.1-207 and such closure prevents the hearing from being held within such time period, in which case the hearing shall be held on the next day not a Saturday, Sunday, legal holiday, or day on which the court is lawfully closed. If such court is closed pursuant to § 16.1-69.35 or 17.1-207, the preliminary protective order shall remain in full force and effect until it is dissolved by such court, until another preliminary protective order is entered, or until a protective order is entered. If the respondent fails to appear at this hearing because the respondent was not personally served, or if personally served was incarcerated and not transported to the hearing, the court may extend the protective order for a period not to exceed six months. The extended protective order shall be served forthwith on the respondent. However, where the respondent shows good cause, the court may continue the hearing. The preliminary order shall remain in effect until the hearing. Upon request after the order is issued, the clerk shall provide the petitioner with a copy of the order and information regarding the date and time of service. The order shall further specify that either party may at any time file a motion with the court requesting a hearing to dissolve or modify the order. The hearing on the motion shall be given precedence on the docket of the court. Upon petitioner's motion to dissolve the preliminary protective order, a dissolution order may be issued ex parte by the court with or without a hearing. If an ex parte hearing is held, it shall be heard by the court as soon as practicable. If a dissolution order is issued ex parte, the court shall serve a copy of such dissolution order on respondent in conformity with §§ 8.01-286.1 and 8.01-296.

Upon receipt of the return of service or other proof of service pursuant to subsection C of § 16.1-264, the clerk shall forthwith forward an attested copy of the preliminary protective order to the primary law-enforcement agency, and the agency shall forthwith verify and enter any modification as necessary into the Virginia Criminal Information Network as described above. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court.

C. The preliminary order is effective upon personal service on the allegedly abusing person. Except as otherwise provided in § 16.1-253.2, a violation of the order shall constitute contempt of court.

D. In the event that the allegedly abused person is a minor and an emergency protective order was issued pursuant to § 16.1-253.4 for the protection of such minor and the respondent is a parent, guardian, or person standing in loco parentis, the attorney for the Commonwealth or a law-enforcement officer may file a petition on behalf of such minor as his next friend before such emergency protective order expires or within 24 hours of the expiration of such emergency protective order.

E. At a full hearing on the petition, the court may issue a protective order pursuant to § 16.1-279.1 if the court finds that the petitioner has proven the allegation of family abuse by a preponderance of the evidence.

F. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's office, nor any employee of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the person protected by the order or that of the family of such person, except to the extent that disclosure is

(i) required by law or the Rules of the Supreme Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

G. As used in this section, "copy" includes a facsimile copy.

H. No fee shall be charged for filing or serving any petition or order pursuant to this section.

I. Upon issuance of a preliminary protective order, the clerk of the court shall make available to the petitioner information that is published by the Department of Criminal Justice Services for victims of domestic violence or for petitioners in protective order cases.

J. The respondent may be required to notify the court in writing within seven days of any change of residence while the preliminary protective order is in effect, provided that the respondent has been served a copy of such order in accordance with the provisions of this section. Any failure of a respondent to make such required notification shall be punishable by contempt.

§ 16.1-253.4. Emergency protective orders authorized in certain cases; penalty.

A. Any judge of a circuit court, general district court, juvenile and domestic relations district court, or magistrate may issue a written or oral ex parte emergency protective order pursuant to this section in order to protect the health or safety of any person.

B. When a law-enforcement officer or an allegedly abused person asserts under oath to a judge or magistrate, and on that assertion or other evidence the judge or magistrate (i) finds that a warrant for a violation of § 18.2-57.2 has been issued or issues a warrant for violation of § 18.2-57.2 and finds that there is probable danger of further acts of family abuse against a family or household member by the respondent or (ii) finds that reasonable grounds exist to believe that the respondent has committed family abuse and there is probable danger of a further such offense against a family or household member by the respondent, the judge or magistrate shall issue an ex parte emergency protective order, except if the respondent is a minor, an emergency protective order shall not be required, imposing one or more of the following conditions on the respondent:

1. Prohibiting acts of family abuse or criminal offenses that result in injury to person or property;

2. Prohibiting such contacts by the respondent with the allegedly abused person or family or household members of the allegedly abused person, including prohibiting the respondent from being in the physical presence of the allegedly abused person or family or household members of the allegedly abused person, as the judge or magistrate deems necessary to protect the safety of such persons;

3. Granting the family or household member possession of the premises occupied by the parties to the exclusion of the respondent; however, no such grant of possession shall affect title to any real or personal property; and

4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500.

In addition, if the respondent is a juvenile, the court may, upon its own motion or upon the motion of the attorney or guardian ad litem representing the respondent, enter an order requiring the local board of social services to provide services to the child and family.

When the judge or magistrate considers the issuance of an emergency protective order pursuant to clause (i), he shall presume that there is probable danger of further acts of family abuse against a family or household member by the respondent unless the presumption is rebutted by the allegedly abused person.

C. An emergency protective order issued pursuant to this section shall expire at 11:59 p.m. on the third day following issuance. If the expiration occurs on a day that the court is not in session, the emergency protective order shall be extended until 11:59 p.m. on the next day that the juvenile and domestic relations district court is in session. When issuing an emergency protective order under this section, the judge or magistrate shall provide the protected person or the law-enforcement officer seeking the emergency protective order with the form for use in filing petitions pursuant to § 16.1-253.1 and written information regarding protective orders that shall include the telephone numbers of domestic violence agencies and legal referral sources on a form prepared by the Supreme Court. If these forms are provided to a law-enforcement officer, the officer may provide these forms to the protected person when giving the emergency protective order to the protected person. The respondent may at any time file a motion with the court requesting a hearing to dissolve or modify the order issued hereunder. The hearing on the motion shall be given precedence on the docket of the court.

D. A law-enforcement officer may request an emergency protective order pursuant to this section and, if the person in need of protection is physically or mentally incapable of filing a petition pursuant to § 16.1-253.1 or 16.1-279.1, may request the extension of an emergency protective order for an additional period of time not to exceed three days after expiration of the original order. The request for an emergency protective order or extension of an order may be made orally, in person or by electronic means, and the judge of a circuit court, general district court, or juvenile and domestic relations district court or a magistrate may issue an oral emergency protective order. An oral emergency protective order issued pursuant to this section shall be reduced to writing, by the law-enforcement officer requesting the order or the magistrate on a preprinted form approved and provided by the Supreme Court of Virginia. The completed form shall include a statement of the grounds for the order asserted by the officer or the allegedly abused person.

E. The court or magistrate shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court or magistrate. A copy of an emergency protective order issued pursuant to this section containing any such identifying information shall be

forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the respondent and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the respondent. Upon service, the agency making service shall enter the date and time of service and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network and make due return to the court. One copy of the order shall be given to the allegedly abused person when it is issued, and one copy shall be filed with the written report required by subsection D of § 19.2-81.3. The judge or magistrate who issues an oral order pursuant to an electronic request by a law-enforcement officer shall verify the written order to determine whether the officer who reduced it to writing accurately transcribed the contents of the oral order. The original copy shall be filed with the clerk of the juvenile and domestic relations district court within five business days of the issuance of the order. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court. Upon request, the clerk shall provide the allegedly abused person with information regarding the date and time of service.

F. The availability of an emergency protective order shall not be affected by the fact that the family or household member left the premises to avoid the danger of family abuse by the respondent.

G. The issuance of an emergency protective order shall not be considered evidence of any wrongdoing by the respondent.

H. As used in this section, "law-enforcement officer" means (i) any full-time or part-time employee of a police department or sheriff's office which is part of or administered by the Commonwealth or any political subdivision thereof and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic, or highway laws of the Commonwealth; (ii) any member of an auxiliary police force established pursuant to § 15.2-1731; and (iii) any special conservator of the peace who meets the certification requirements for a law-enforcement officer as set forth in § 15.2-1706. Part-time employees are compensated officers who are not full-time employees as defined by the employing police department or sheriff's office.

I. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's office, nor any employee of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the person protected by the order or that of the family of such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

J. As used in this section:

"Copy" includes a facsimile copy.

"Physical presence" includes (i) intentionally maintaining direct visual contact with the petitioner or (ii) unreasonably being within 100 feet from the petitioner's residence or place of employment.

K. No fee shall be charged for filing or serving any petition or order pursuant to this section.

L. Except as provided in § 16.1-253.2, a violation of a protective order issued under this section shall constitute contempt of court.

M. Upon issuance of an emergency protective order, the clerk of court shall make available to the petitioner information that is published by the Department of Criminal Justice Services for victims of domestic violence or for petitioners in protective order cases.

§ 16.1-279.1. Protective order in cases of family abuse.

A. In cases of family abuse, including any case involving an incarcerated or recently incarcerated respondent against whom a preliminary protective order has been issued pursuant to § 16.1-253.1, the court may issue a protective order to protect the health and safety of the petitioner and family or household members of the petitioner. A protective order issued under this section may include any one or more of the following conditions to be imposed on the respondent:

1. Prohibiting acts of family abuse or criminal offenses that result in injury to person or property;

2. Prohibiting such contacts by the respondent with the petitioner or family or household members of the petitioner as the court deems necessary for the health or safety of such persons;

3. Granting the petitioner possession of the residence occupied by the parties to the exclusion of the respondent; however, no such grant of possession shall affect title to any real or personal property;

4. Enjoining the respondent from terminating any necessary utility service to the residence to which the petitioner was granted possession pursuant to subdivision 3 or, where appropriate, ordering the respondent to restore utility services to that residence;

5. Granting the petitioner and, where appropriate, any other family or household member of the petitioner, exclusive use and possession of a cellular telephone number or electronic device and the password to such device. The court may enjoin the respondent from terminating a cellular telephone number or electronic device before the expiration of the contract term with a third-party provider. The court may enjoin the respondent from using a cellular telephone or other electronic device to locate or surveille the petitioner;

6. Granting the petitioner temporary possession or use of a motor vehicle owned by the petitioner alone or jointly owned by the parties to the exclusion of the respondent and enjoining the respondent from terminating any insurance, registration, or taxes on the motor vehicle and directing the respondent to maintain the insurance, registration, and taxes, as appropriate; however, no such grant of possession or use shall affect title to the vehicle;

7. Requiring that the respondent provide suitable alternative housing for the petitioner and, if appropriate, any other family or household member and where appropriate, requiring the respondent to pay deposits to connect or restore necessary utility services in the alternative housing provided;

8. Ordering the respondent to participate in treatment, counseling or other programs as the court deems appropriate;

9. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500; and

10. Any other relief necessary for the protection of the petitioner and family or household members of the petitioner, including a provision for temporary custody or visitation of a minor child.

In addition, if the respondent is a juvenile, the court may, upon its own motion or upon the motion of the attorney or guardian ad litem representing the respondent, enter an order requiring the local board of social services to provide services to the child and family.

A1. If a protective order is issued pursuant to subsection A, the court may also issue a temporary child support order for the support of any children of the petitioner whom the respondent has a legal obligation to support. Such temporary child support order shall terminate upon the determination of support pursuant to § 20-108.1 or upon the termination of such protective order, whichever occurs first.

B. 1. The protective order may be issued for a specified period of time up to a maximum of two years. The protective order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on the last day of the two-year period if no date is specified. Prior to the expiration of the protective order, a petitioner may file a written motion requesting a hearing to extend the order. Proceedings to extend a protective order shall be given precedence on the docket of the court. A written motion requesting a hearing to extend the protective order shall be served as soon as possible on the respondent.

If the petitioner was a family or household member of the respondent at the time the initial protective order was issued, the court may extend the protective order for a period not longer than two years to protect the health and safety of the petitioner or persons who are family or household members of the petitioner at the time the request for an extension is made. The extension of the protective order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on the last day of the two-year period if no date is specified. Nothing herein shall limit the number of extensions that may be requested or issued.

2. Upon the filing of a written motion requesting a hearing to extend the protective order, the court may issue an ex parte preliminary protective order pursuant to § 16.1-253.1 until the extension hearing. The ex parte preliminary protective order shall specify a date for the extension hearing, which shall be held within 15 days of the issuance of the ex parte preliminary protective order and may be held after the expiration of the protective order. If the respondent fails to appear at the extension hearing because the respondent was not personally served, the court shall schedule a new date for the extension hearing and may extend the ex parte preliminary protective order until such new date. The extended ex parte preliminary protective order shall be served as soon as possible on the respondent. If the respondent was personally served, where the petitioner shows by clear and convincing evidence that a continuance is necessary to meet the ends of justice or the respondent shows good cause, the court may continue the extension hearing and such ex parte preliminary protective order shall remain in effect until the extension hearing.

C. A copy of the protective order shall be served on the respondent and provided to the petitioner as soon as possible. The court, including a circuit court if the circuit court issued the order, shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court and shall forthwith forward the attested copy of the protective order containing any such identifying information to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the respondent and due return made to the court. Upon service, the agency making service shall enter the date and time of service and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network and make due return to the court. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the

primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court.

D. Except as otherwise provided in § 16.1-253.2, a violation of a protective order issued under this section shall constitute contempt of court.

E. The court may assess costs and attorney fees against either party regardless of whether an order of protection has been issued as a result of a full hearing.

F. Any judgment, order or decree, whether permanent or temporary, issued by a court of appropriate jurisdiction in another state, the United States or any of its territories, possessions or Commonwealths, the District of Columbia or by any tribal court of appropriate jurisdiction for the purpose of preventing violent or threatening acts or harassment against or contact or communication with or physical proximity to another person, including any of the conditions specified in subsection A, shall be accorded full faith and credit and enforced in the Commonwealth as if it were an order of the Commonwealth, provided reasonable notice and opportunity to be heard were given by the issuing jurisdiction to the person against whom the order is sought to be enforced sufficient to protect such person's due process rights and consistent with federal law. A person entitled to protection under such a foreign order may file the order in any juvenile and domestic relations district court by filing with the court an attested or exemplified copy of the order. Upon such a filing, the clerk shall forthwith forward an attested copy of the order to the primary law-enforcement agency responsible for service and entry of protective orders which shall, upon receipt, enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court may transfer information electronically to the Virginia Criminal Information Network.

Upon inquiry by any law-enforcement agency of the Commonwealth, the clerk shall make a copy available of any foreign order filed with that court. A law-enforcement officer may, in the performance of his duties, rely upon a copy of a foreign protective order or other suitable evidence which has been provided to him by any source and may also rely upon the statement of any person protected by the order that the order remains in effect.

G. Either party may at any time file a written motion with the court requesting a hearing to dissolve or modify the order. Proceedings to dissolve or modify a protective order shall be given precedence on the docket of the court. Upon petitioner's motion to dissolve the protective order, a dissolution order may be issued ex parte by the court with or without a hearing. If an ex parte hearing is held, it shall be heard by the court as soon as practicable. If a dissolution order is issued ex parte, the court shall serve a copy of such dissolution order on respondent in conformity with §§ 8.01-286.1 and 8.01-296.

H. As used in this section:

"Copy" includes a facsimile copy.

"Protective order" includes an initial, modified or extended protective order.

I. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's office, nor any employee of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the person protected by the order or that of the family of such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

J. No fee shall be charged for filing or serving any petition or order pursuant to this section.

K. Upon issuance of a protective order, the clerk of the court shall make available to the petitioner information that is published by the Department of Criminal Justice Services for victims of domestic violence or for petitioners in protective order cases.

L. An appeal of a final protective order issued by a circuit court pursuant to this section shall be given expedited review by the Court of Appeals.

M. The respondent shall be required to notify the court in writing within seven days of any change of residence while the protective order is in effect, provided that the respondent has been served a copy of such order in accordance with the provisions of this section. A violation of this subsection shall be punishable by contempt.

§ 19.2-152.8. Emergency protective orders authorized.

A. Any judge of a circuit court, general district court, juvenile and domestic relations district court or magistrate may issue a written or oral ex parte emergency protective order pursuant to this section in order to protect the health or safety of any person.

B. When a law-enforcement officer or an alleged victim asserts under oath to a judge or magistrate that such person is being or has been subjected to an act of violence, force, or threat and on that assertion or other evidence the judge or magistrate finds that (i) there is probable danger of a further such act being committed by the respondent against the alleged victim or (ii) a petition or warrant for the arrest of the respondent has been issued for any criminal offense resulting from the commission of an act of violence, force, or threat, the judge or magistrate shall issue an ex parte emergency protective order imposing one or more of the following conditions on the respondent:

1. Prohibiting acts of violence, force, or threat or criminal offenses resulting in injury to person or property;

2. Prohibiting such contacts by the respondent with the alleged victim or the alleged victim's family or household members, including prohibiting the respondent from being in the physical presence of the alleged victim or the alleged victim's family or household members, as the judge or magistrate deems necessary to protect the safety of such persons;

3. Such other conditions as the judge or magistrate deems necessary to prevent (i) acts of violence, force, or threat, (ii) criminal offenses resulting in injury to person or property, or (iii) communication or other contact of any kind by the respondent; and

4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500.

In addition, if the respondent is a juvenile, the court may, upon its own motion or upon the motion of the attorney or guardian ad litem representing the respondent, enter an order requiring the local board of social services to provide services to the child and family.

C. An emergency protective order issued pursuant to this section shall expire at 11:59 p.m. on the third day following issuance. If the expiration occurs on a day that the court is not in session, the emergency protective order shall be extended until 11:59 p.m. on the next day that the court which issued the order is in session. The respondent may at any time file a motion with the court requesting a hearing to dissolve or modify the order. The hearing on the motion shall be given precedence on the docket of the court.

D. A law-enforcement officer may request an emergency protective order pursuant to this section and, if the person in need of protection is physically or mentally incapable of filing a petition pursuant to § 19.2-152.9 or 19.2-152.10, may request the extension of an emergency protective order for an additional period of time not to exceed three days after expiration of the original order. The request for an emergency protective order or extension of an order may be made orally, in person or by electronic means, and the judge of a circuit court, general district court, or juvenile and domestic relations district court or a magistrate may issue an oral emergency protective order. An oral emergency protective order issued pursuant to this section shall be reduced to writing, by the law-enforcement officer requesting the order or the magistrate, on a preprinted form approved and provided by the Supreme Court of Virginia. The completed form shall include a statement of the grounds for the order asserted by the officer or the alleged victim of such crime.

E. The court or magistrate shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court or magistrate. A copy of an emergency protective order issued pursuant to this section containing any such identifying information shall be forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the respondent and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the respondent. Upon service, the agency making service shall enter the date and time of service and other appropriate information required into the Virginia Criminal Information Network and make due return to the court. One copy of the order shall be given to the alleged victim of such crime. The judge or magistrate who issues an oral order pursuant to an electronic request by a law-enforcement officer shall verify the written order to determine whether the officer who reduced it to writing accurately transcribed the contents of the oral order. The original copy shall be filed with the clerk of the appropriate district court within five business days of the issuance of the order. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court. Upon request, the clerk shall provide the alleged victim of such crime with information regarding the date and time of service.

F. The issuance of an emergency protective order shall not be considered evidence of any wrongdoing by the respondent.

G. As used in this section, a "law-enforcement officer" means any (i) person who is a full-time or part-time employee of a police department or sheriff's office which is part of or administered by the Commonwealth or any political subdivision thereof and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth and (ii) member of an auxiliary police force established pursuant to § 15.2-1731. Part-time employees are compensated officers who are not full-time employees as defined by the employing police department or sheriff's office.

H. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's office, nor any employee of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the person protected by the order or that of the family of such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

I. As used in this section:

"Copy" includes a facsimile copy.

"Physical presence" includes (i) intentionally maintaining direct visual contact with the petitioner or (ii) unreasonably being within 100 feet from the petitioner's residence or place of employment.

J. No fee shall be charged for filing or serving any petition pursuant to this section.

K. No emergency protective order shall be issued pursuant to this section against a law-enforcement officer for any action arising out of the lawful performance of his duties.

L. Upon issuance of an emergency protective order, the clerk of the court shall make available to the petitioner information that is published by the Department of Criminal Justice Services for victims of domestic violence or for petitioners in protective order cases.

§ 19.2-152.9. Preliminary protective orders.

A. Upon the filing of a petition alleging that (i) the petitioner is or has been, within a reasonable period of time, subjected to an act of violence, force, or threat, or (ii) a petition or warrant has been issued for the arrest of the alleged perpetrator for any criminal offense resulting from the commission of an act of violence, force, or threat, or the filing of a written motion requesting a hearing to extend a protective order pursuant to § 19.2-152.10 without alleging that the petitioner is or has been, within a reasonable period of time, subject to an act of violence, force, or threat, or that a petition or warrant has been issued for the arrest of the alleged perpetrator for any criminal offense resulting from the commission of an act of violence, force, or threat, the court may issue a preliminary protective order against the alleged perpetrator in order to protect the health and safety of the petitioner or any family or household member of the petitioner. The order may be issued in an ex parte proceeding upon good cause shown when the petition is supported by an affidavit or sworn testimony before the judge or intake officer or upon the filing of a written motion requesting a hearing to extend a protective order pursuant to § 19.2-152.10. If an ex parte order is issued without an affidavit or a completed form as prescribed by subsection D of § 19.2-152.8 being presented, the court, in its order, shall state the basis upon which the order was entered, including a summary of the allegations made and the court's findings. Immediate and present danger of any act of violence, force, or threat or evidence sufficient to establish probable cause that an act of violence, force, or threat has recently occurred shall constitute good cause.

A preliminary protective order may include any one or more of the following conditions to be imposed on the respondent:

1. Prohibiting acts of violence, force, or threat or criminal offenses that may result in injury to person or property;

2. Prohibiting such other contacts by the respondent with the petitioner or the petitioner's family or household members as the court deems necessary for the health and safety of such persons;

3. Such other conditions as the court deems necessary to prevent (i) acts of violence, force, or threat, (ii) criminal offenses that may result in injury to person or property, or (iii) communication or other contact of any kind by the respondent; and

4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500.

In addition, if the respondent is a juvenile, the court may, upon its own motion or upon the motion of the attorney or guardian ad litem representing the respondent, enter an order requiring the local board of social services to provide services to the child and family.

B. The court shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court. A copy of a preliminary protective order containing any such identifying information shall be forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the alleged perpetrator in person as provided in § 16.1-264, and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the alleged perpetrator in person as provided in § 16.1-264. Upon service, the agency making service shall enter the date and time of service and other appropriate information required by the Department of State Police into the Virginia Criminal

Information Network and make due return to the court. The preliminary order shall specify a date for the full hearing. The hearing shall be held within 15 days of the issuance of the preliminary order, unless the hearing has been continued pursuant to this subsection or the court is closed pursuant to § 16.1-69.35 or 17.1-207 and such closure prevents the hearing from being held within such time period, in which case the hearing shall be held on the next day not a Saturday, Sunday, legal holiday, or day on which the court is lawfully closed. If such court is closed pursuant to § 16.1-69.35 or 17.1-207, the preliminary protective order shall remain in full force and effect until it is dissolved by such court, until another preliminary protective order is entered, or until a protective order is entered. If the respondent fails to appear at this hearing because the respondent was not personally served, the court may extend the protective order for a period not to exceed six months. The extended protective order shall be served as soon as possible on the respondent. However, where the respondent shows good cause, the court may continue the hearing. The preliminary order shall remain in effect until the hearing. Upon request after the order is issued, the clerk shall provide the petitioner with a copy of the order and information regarding the date and time of service. The order shall further specify that either party may at any time file a motion with the court requesting a hearing to dissolve or modify the order. The hearing on the motion shall be given precedence on the docket of the court. Upon petitioner's motion to dissolve the preliminary protective order, a dissolution order may be issued ex parte by the court with or without a hearing. If an ex parte hearing is held, it shall be heard by the court as soon as practicable. If a dissolution order is issued ex parte, the court shall serve a copy of such dissolution order on respondent in conformity with §§ 8.01-286.1 and 8.01-296.

Upon receipt of the return of service or other proof of service pursuant to subsection C of § 16.1-264, the clerk shall forthwith forward an attested copy of the preliminary protective order to primary law-enforcement agency and the agency shall forthwith verify and enter any modification as necessary into the Virginia Criminal Information Network as described above. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court.

C. The preliminary order is effective upon personal service on the alleged perpetrator. Except as otherwise provided, a violation of the order shall constitute contempt of court.

D. At a full hearing on the petition, the court may issue a protective order pursuant to § 19.2-152.10 if the court finds that the petitioner has proven the allegation that the petitioner is or has been, within a reasonable period of time, subjected to an act of violence, force, or threat by a preponderance of the evidence.

E. No fees shall be charged for filing or serving petitions pursuant to this section.

F. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's office, nor any employee of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the person protected by the order or that of the family of such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

G. As used in this section, "copy" includes a facsimile copy.

H. Upon issuance of a preliminary protective order, the clerk of the court shall make available to the petitioner information that is published by the Department of Criminal Justice Services for victims of domestic violence or for petitioners in protective order cases.

I. The respondent may be required to notify the court in writing within seven days of any change of residence while the preliminary protective order is in effect, provided that the respondent has been served a copy of such order in accordance with the provisions of this section. Any failure of a respondent to make such required notification shall be punishable by contempt.

§ 19.2-152.10. Protective order.

A. The court may issue a protective order pursuant to this chapter to protect the health and safety of the petitioner and family or household members of a petitioner upon (i) the issuance of a petition or warrant for, or a conviction of, any criminal offense resulting from the commission of an act of violence, force, or threat or (ii) a hearing held pursuant to subsection D of § 19.2-152.9. A protective order issued under this section may include any one or more of the following conditions to be imposed on the respondent:

1. Prohibiting acts of violence, force, or threat or criminal offenses that may result in injury to person or property;

2. Prohibiting such contacts by the respondent with the petitioner or family or household members of the petitioner as the court deems necessary for the health or safety of such persons;

3. Any other relief necessary to prevent (i) acts of violence, force, or threat, (ii) criminal offenses that may result in injury to person or property, or (iii) communication or other contact of any kind by the respondent; and

4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500.

In addition, if the respondent is a juvenile, the court may, upon its own motion or upon the motion of the attorney or guardian ad litem representing the respondent, enter an order requiring the local board of social services to provide services to the child and family.

B. 1. Except as provided in subsection C, the protective order may be issued for a specified period of time up to a maximum of two years. The protective order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on the last day of the two-year period if no date is specified. Prior to the expiration of the protective order, a petitioner may file a written motion requesting a hearing to extend the order. Proceedings to extend a protective order shall be given precedence on the docket of the court. A written motion requesting a hearing to extend the protective order shall be served as soon as possible on the respondent.

The court may extend the protective order for a period not longer than two years to protect the health and safety of the petitioner or persons who are family or household members of the petitioner at the time the request for an extension is made. The extension of the protective order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on the last day of the two-year period if no date is specified. Nothing herein shall limit the number of extensions that may be requested or issued.

2. Upon the filing of a written motion requesting a hearing to extend the protective order, the court may issue an ex parte protective order pursuant to § 19.2-152.9 until the extension hearing. The ex parte preliminary protective order shall specify a date for the extension hearing, which shall be held within 15 days of the issuance of the ex parte preliminary protective order and may be held after the expiration of the protective order. If the respondent fails to appear at the extension hearing because the respondent was not personally served, the court shall schedule a new date for the extension hearing and may extend the ex parte protective order until such new date. The extended ex parte protective order shall be served as soon as possible on the respondent. If the respondent was personally served, where the petitioner shows by clear and convincing evidence that a continuance is necessary to meet the ends of justice or the respondent shows good cause, the court may continue the extension hearing and such ex parte protective order shall remain in effect until the extension hearing.

C. Upon conviction for an act of violence as defined in § 19.2-297.1 and upon the request of the victim or of the attorney for the Commonwealth on behalf of the victim, the court may issue a protective order to the victim pursuant to this chapter to protect the health and safety of the victim. The protective order may be issued for any reasonable period of time, including up to the lifetime of the defendant, that the court deems necessary to protect the health and safety of the victim. The protective order shall expire at 11:59 p.m. on the last day specified in the protective order, if any. Upon a conviction for violation of a protective order issued pursuant to this subsection, the court that issued the original protective order may extend the protective order as the court deems necessary to protect the health and safety of the victim. The extension of the protective order shall expire at 11:59 p.m. on the last day specified, if any. Nothing herein shall limit the number of extensions that may be issued.

D. A copy of the protective order shall be served on the respondent and provided to the petitioner as soon as possible. The court, including a circuit court if the circuit court issued the order, shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court and shall forthwith forward the attested copy of the protective order and containing any such identifying information to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the respondent and due return made to the court. Upon service, the agency making service shall enter the date and time of service and other appropriate information required into the Virginia Criminal Information Network and make due return to the court. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court.

E. Except as otherwise provided, a violation of a protective order issued under this section shall constitute contempt of court.

F. The court may assess costs and attorney fees against either party regardless of whether an order of protection has been issued as a result of a full hearing.

G. Any judgment, order or decree, whether permanent or temporary, issued by a court of appropriate jurisdiction in another state, the United States or any of its territories, possessions or Commonwealths, the District of Columbia or by any tribal court of appropriate jurisdiction for the purpose of preventing violent or threatening acts or harassment against or contact or communication with or physical proximity to another person, including any of the conditions specified in subsection A, shall be accorded full faith and credit and enforced in the Commonwealth as if it were an order of the Commonwealth, provided reasonable notice and opportunity to be heard were given by the issuing jurisdiction to the person against whom the order is sought to be enforced sufficient to protect such person's due process rights and consistent with federal law. A person entitled to protection under such a foreign order may file the order in any appropriate district court by filing with the court, an attested or exemplified copy of the order. Upon such a filing, the clerk shall forthwith forward an attested copy of the order to the primary law-enforcement agency responsible for service and entry of protective orders which shall, upon receipt, enter the name of the person subject to the order and other appropriate information required by

the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court may transfer information electronically to the Virginia Criminal Information Network.

Upon inquiry by any law-enforcement agency of the Commonwealth, the clerk shall make a copy available of any foreign order filed with that court. A law-enforcement officer may, in the performance of his duties, rely upon a copy of a foreign protective order or other suitable evidence which has been provided to him by any source and may also rely upon the statement of any person protected by the order that the order remains in effect.

H. Either party may at any time file a written motion with the court requesting a hearing to dissolve or modify the order. Proceedings to modify or dissolve a protective order shall be given precedence on the docket of the court. Upon petitioner's motion to dissolve the protective order, a dissolution order may be issued ex parte by the court with or without a hearing. If an ex parte hearing is held, it shall be heard by the court as soon as practicable. If a dissolution order is issued ex parte, the court shall serve a copy of such dissolution order on respondent in conformity with §§ 8.01-286.1 and 8.01-296.

I. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's office, nor any employee of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the person protected by the order or that of the family of such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

J. No fees shall be charged for filing or serving petitions pursuant to this section.

K. As used in this section:

"Copy" includes a facsimile copy.

"Protective order" includes an initial, modified or extended protective order.

L. Upon issuance of a protective order, the clerk of the court shall make available to the petitioner information that is published by the Department of Criminal Justice Services for victims of domestic violence or for petitioners in protective order cases.

M. An appeal of a final protective order issued by a circuit court pursuant to this section shall be given expedited review by the Court of Appeals.

N. The respondent shall be required to notify the court in writing within seven days of any change of residence while the protective order is in effect, provided that the respondent has been served a copy of such order in accordance with the provisions of this section. A violation of this subsection shall be punishable by contempt.

CHAPTER 27

An Act to amend the Code of Virginia by adding a section numbered 2.2-4311.3, relating to Virginia Public Procurement Act; contract terms inconsistent with Virginia law.

[H 2150]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-4311.3 as follows:

§ 2.2-4311.3. Compliance with state law; contract terms inconsistent with state law.

A. As used in this section, "information technology goods and services" means communications, telecommunications, automated data processing, applications, databases, data networks, management information systems, and other related goods and services.

B. No term or provision in any public contract for the acquisition of information technology goods or services shall be valid or enforceable to the extent that it is in conflict with Virginia law. A public contract containing such a term or provision shall otherwise remain enforceable.

C. Any term or provision in such a public contract that (i) makes the public contract subject to, governed by, or interpreted under the laws of another state or country or (ii) requires or permits any litigation or other dispute resolution proceeding arising from the public contract to be conducted in another state or country shall be void. Such public contract shall instead be deemed to provide for the application of the law of the Commonwealth of Virginia, without regard to such contract's choice of law provisions, and to provide for jurisdiction in the courts of the Commonwealth.

D. The provisions of this section shall only apply to a county, city, town, political subdivision, or public institution of higher education, or to a public body listed as an independent agency in the appropriation act, if its governing body has adopted the provisions of this section as part of its procurement policies and procedures.

2. That the provisions of this act shall apply to any public contract that becomes effective on or after July 1, 2025.

CHAPTER 28

An Act to amend and reenact § 55.1-1200 of the Code of Virginia, relating to Virginia Residential Landlord and Tenant Act; definitions; community land trust.

[H 2151]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-1200 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-1200. Definitions.

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

"Action" means any recoupment, counterclaim, setoff, or other civil action and any other proceeding in which rights are determined, including actions for possession, rent, unlawful detainer, unlawful entry, and distress for rent.

"Application deposit" means any refundable deposit of money, however denominated, including all money intended to be used as a security deposit under a rental agreement, or property, that is paid by a tenant to a landlord for the purpose of being considered as a tenant for a dwelling unit.

"Application fee" means any nonrefundable fee that is paid by a tenant to a landlord or managing agent for the purpose of being considered as a tenant for a dwelling unit.

"Assignment" means the transfer by any tenant of all interests created by a rental agreement.

"Authorized occupant" means a person entitled to occupy a dwelling unit with the consent of the landlord, but who has not signed the rental agreement and therefore does not have the financial obligations as a tenant under the rental agreement.

"Building or housing code" means any law, ordinance, or governmental regulation concerning fitness for habitation or the construction, maintenance, operation, occupancy, use, or appearance of any structure or that part of a structure that is used as a home, residence, or sleeping place by one person who maintains a household or by two or more persons who maintain a common household.

"Commencement date of rental agreement" means the date upon which the tenant is entitled to occupy the dwelling unit as a tenant.

"Community land trust" means a community housing development organization whose ~~(i) corporate membership is open to any adult resident or organization of a particular geographic area specified in the bylaws of the organization and (ii)~~ board of directors ~~includes a majority of members who are elected by the corporate membership and are~~ *is* composed of tenants, corporate members who are not tenants, and any other category of persons specified in the bylaws of the organization and that:

1. Is not sponsored by a for-profit organization;

2. Acquires parcels of land, held in perpetuity, primarily for conveyance under long-term ground leases;

3. Transfers ownership of any structural improvements located on such leased parcels to the tenant; and

4. Retains a preemptive option to purchase any such structural improvement at a price determined by formula that is designed to ensure that the improvement remains affordable to low-income and moderate-income families in perpetuity.

"Damage insurance" means a bond or commercial insurance coverage as specified in the rental agreement to secure the performance by the tenant of the terms and conditions of the rental agreement and to replace all or part of a security deposit.

"Dwelling unit" means a structure or part of a structure that is used as a home or residence by one or more persons who maintain a household, including a manufactured home, as defined in § 55.1-1300.

"Effective date of rental agreement" means the date on which the rental agreement is signed by the landlord and the tenant obligating each party to the terms and conditions of the rental agreement.

"Essential service" includes heat, running water, hot water, electricity, and gas.

"Facility" means something that is built, constructed, installed, or established to perform some particular function.

"Good faith" means honesty in fact in the conduct of the transaction concerned.

"Guest or invitee" means a person, other than the tenant or an authorized occupant, who has the permission of the tenant to visit but not to occupy the premises.

"Interior of the dwelling unit" means the inside of the dwelling unit, consisting of interior walls, floor, and ceiling, that enclose the dwelling unit as conditioned space from the outside air.

"Landlord" means the owner, lessor, or sublessor of the dwelling unit or the building of which such dwelling unit is a part. "Landlord" also includes a managing agent of the premises who fails to disclose the name of such owner, lessor, or sublessor. Such managing agent shall be subject to the provisions of § 16.1-88.03. "Landlord" does not include a community land trust.

"Managing agent" means the person authorized by the landlord to act as the property manager on behalf of the landlord pursuant to the written property management agreement.

"Mold remediation in accordance with professional standards" means mold remediation of that portion of the dwelling unit or premises affected by mold, or any personal property of the tenant affected by mold, performed consistent with guidance documents published by the U.S. Environmental Protection Agency, the U.S. Department of Housing and Urban Development, or the American Conference of Governmental Industrial Hygienists (Bioaerosols: Assessment and Control); Standard and Reference Guides of the Institute of Inspection, Cleaning and Restoration Certification (IICRC) for

Professional Water Damage Restoration and Professional Mold Remediation; or any protocol for mold remediation prepared by an industrial hygienist consistent with such guidance documents.

"Multifamily dwelling unit" means more than one single-family dwelling unit located in a building. However, nothing in this definition shall be construed to apply to any nonresidential space in such building.

"Natural person," wherever the chapter refers to an owner as a "natural person," includes co-owners who are natural persons, either as tenants in common, joint tenants, tenants in partnership, tenants by the entirety, trustees or beneficiaries of a trust, general partnerships, limited liability partnerships, registered limited liability partnerships or limited liability companies, or any other lawful combination of natural persons permitted by law.

"Notice" means notice given in writing by either regular mail or hand delivery, with the sender retaining sufficient proof of having given such notice in the form of a certificate of service confirming such mailing prepared by the sender. However, a person shall be deemed to have notice of a fact if he has actual knowledge of it, he has received a verbal notice of it, or, from all of the facts and circumstances known to him at the time in question, he has reason to know it exists. A person "notifies" or "gives" a notice or notification to another by taking steps reasonably calculated to inform another person, whether or not the other person actually comes to know of it. If notice is given that is not in writing, the person giving the notice has the burden of proof to show that the notice was given to the recipient of the notice.

"Organization" means a corporation, government, governmental subdivision or agency, business trust, estate, trust, partnership, or association; two or more persons having a joint or common interest; any combination thereof; and any other legal or commercial entity.

"Owner" means one or more persons or entities, jointly or severally, including a mortgagee in possession, in whom is vested:

1. All or part of the legal title to the property; or

2. All or part of the beneficial ownership and a right to present use and enjoyment of the premises.

"Person" means any individual, group of individuals, corporation, partnership, business trust, association, or other legal entity, or any combination thereof.

"Premises" means a dwelling unit and the structure of which it is a part, facilities and appurtenances contained therein, and grounds, areas, and facilities held out for the use of tenants generally or whose use is promised to the tenant.

"Processing fee for payment of rent with bad check" means the processing fee specified in the rental agreement, not to exceed $50, assessed by a landlord against a tenant for payment of rent with a check drawn by the tenant on which payment has been refused by the payor bank because the drawer had no account or insufficient funds.

"Readily accessible" means areas within the interior of the dwelling unit available for observation at the time of the move-in inspection that do not require removal of materials, personal property, equipment, or similar items.

"Rent" means all money, other than a security deposit, owed or paid to the landlord under the rental agreement, including prepaid rent paid more than one month in advance of the rent due date.

"Rental agreement" or "lease agreement" means all rental agreements, written or oral, and valid rules and regulations adopted under § 55.1-1228 embodying the terms and conditions concerning the use and occupancy of a dwelling unit and premises.

"Rental application" means the written application or similar document used by a landlord to determine if a prospective tenant is qualified to become a tenant of a dwelling unit.

"Renter's insurance" means insurance coverage specified in the rental agreement that is a combination multi-peril policy containing fire, miscellaneous property, and personal liability coverage insuring personal property located in dwelling units not occupied by the owner.

"Residential tenancy" means a tenancy that is based on a rental agreement between a landlord and a tenant for a dwelling unit.

"Roomer" means a person occupying a dwelling unit that lacks a major bathroom or kitchen facility, in a structure where one or more major facilities are used in common by occupants of the dwelling unit and other dwelling units. "Major facility" in the case of a bathroom means a toilet and either a bath or shower and in the case of a kitchen means a refrigerator, stove, or sink.

"Security deposit" means any refundable deposit of money that is furnished by a tenant to a landlord to secure the performance of the terms and conditions of a rental agreement, as a security for damages to the leased premises, or as a pet deposit. However, such money shall be deemed an application deposit until the commencement date of the rental agreement. "Security deposit" does not include a damage insurance policy or renter's insurance policy, as those terms are defined in § 55.1-1206, purchased by a landlord to provide coverage for a tenant.

"Single-family residence" means a structure, other than a multifamily residential structure, maintained and used as a single dwelling unit, condominium unit, or any other dwelling unit that has direct access to a street or thoroughfare and does not share heating facilities, hot water equipment, or any other essential facility or essential service with any other dwelling unit.

"Sublease" means the transfer by any tenant of any but not all interests created by a rental agreement.

"Tenant" means a person entitled only under the terms of a rental agreement to occupy a dwelling unit to the exclusion of others and includes a roomer. "Tenant" does not include (i) an authorized occupant, (ii) a guest or invitee, or (iii) any person who guarantees or cosigns the payment of the financial obligations of a rental agreement but has no right to occupy a dwelling unit.

"Tenant records" means all information, including financial, maintenance, and other records about a tenant or prospective tenant, whether such information is in written or electronic form or any other medium.

"Utility" means electricity, natural gas, or water and sewer provided by a public service corporation or such other person providing utility services as permitted under § 56-1.2. If the rental agreement so provides, a landlord may use submetering equipment or energy allocation equipment as defined in § 56-245.2 or a ratio utility billing system as defined in § 55.1-1212.

"Visible evidence of mold" means the existence of mold in the dwelling unit that is visible to the naked eye by the landlord or tenant in areas within the interior of the dwelling unit readily accessible at the time of the move-in inspection.

"Written notice" means notice given in accordance with § 55.1-1202, including any representation of words, letters, symbols, numbers, or figures, whether (i) printed in or inscribed on a tangible medium or (ii) stored in an electronic form or any other medium, retrievable in a perceivable form, and regardless of whether an electronic signature authorized by the Uniform Electronic Transactions Act (§ 59.1-479 et seq.) is affixed.

CHAPTER 29

An Act to amend and reenact §§ 3.8 and 3.9 of Chapter 519 of the Acts of Assembly of 2013, which provided a charter for the Town of Richlands in Tazewell County, relating to ordinances; town manager.

[H 2199]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.8 and 3.9 of Chapter 519 of the Acts of Assembly of 2013 are amended and reenacted as follows:

§ 3.8. Ordinances.

A. Except in dealing with questions of parliamentary procedure, the council shall act only by ordinance or resolution, and all ordinances, except ordinances making appropriations or authorizing the contracting of indebtedness or issuance of bonds or other evidence of debt, shall be confined to one subject. Ordinances making appropriations or other obligations and appropriating the money to be raised thereby shall be confined to those subjects respectively.

B. The enacting clause of all ordinances passed by the council shall be: "Be it ordained by the council of the Town of Richlands." No ordinance, unless it be an emergency measure, shall be passed until it has been ~~read~~ *presented* at two regular meetings not less than seven days apart~~, unless the requirement of such reading has been dispensed with by the affirmative vote of four of the members of the council~~. No ordinance or section thereof shall be revised or amended by its title or section number only, but the new ordinance shall contain the entire ordinance, or section as revised or amended. The ayes and nays shall be taken upon the passage of all ordinances or resolutions and entered upon the journal of the proceedings of the council, and every ordinance or resolution shall require, on final passage, the affirmative vote of at least four of the members.

C. All ordinances and resolutions passed by the council shall be in effect from and after 30 days from the date of their passage, except that the council may, by the affirmative vote of two-thirds of its members present, pass emergency measures to take effect at the time indicated therein. Ordinances appropriating money for any emergency may be passed as emergency measures, but no measure providing for the sale or lease of town property, or making a grant, renewal, or extension of a franchise or other special privilege, or regulating the rate to be charged for its service by any public utility, shall be so passed. No measure increasing a tax or license, or providing for any new form of tax, shall be adopted until notice has been published 30 days previous to its passage in a paper of general circulation in the town.

D. Every ordinance or resolution upon its final passage shall be recorded in a book kept for that purpose and shall be authenticated by the signature of the presiding officer and the town clerk.

E. Every member, when present when a question is put, shall vote unless excused by the council. But no member who has any personal or financial interest in the result of any ordinance or resolution before the council shall vote thereon.

§ 3.9. Appointees.

At the first meeting in January following each council election, or as soon thereafter as practicable, the council shall:

1. Appoint a town manager who shall be the administrative and executive head of the municipal government. The town manager shall be chosen by the council without regard to political beliefs and solely upon the basis of his executive and administrative qualifications. At the time of his appointment, the town manager need not be a resident of the town or the Commonwealth but ~~during the tenure of office~~ shall reside within the town *within the contractually stated grace period*. The town manager shall be appointed for an indefinite period and shall hold office during the pleasure of the council. Compensation shall be provided by the council by ordinance or resolution. The town manager may be bonded as the council may deem necessary. During the absence or disability of the town manager or in case of a vacancy, the council may designate some properly qualified person to perform the duties of the office during such absence, disability, or vacancy. No council person shall receive such appointment during the term for which he or she shall have been elected, nor within one year after the expiration of his or her term. Neither the council nor any of the members shall direct or request the appointment, as hereinafter provided, of any person to office by the town manager or by any of the town manager's subordinates. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely

through the town manager, and neither the council nor any member thereof shall give orders to any subordinates of the town manager, either publicly or privately. The town manager shall have the authority duties as follows:

a. To ensure that all laws, ordinances, resolutions, and by-laws of the council are faithfully enforced;

b. To appoint such officers and employees, as the council shall determine and authorize as are necessary for the proper administration of the affairs of the town with the power to discipline and remove any such officer or employee, but the town manager shall report each appointment of any officer having supervisory or administrative authority to the council for confirmation at the next meeting thereof following any such appointment. The chief of police so appointed by the town manager and confirmed by the council shall have the power to discipline subordinates for just cause;

c. To attend all meetings of the council, with the right to take part in the discussion, but having no vote;

d. To recommend to the council for adoption of such measures as the town manager may deem necessary or expedient;

e. To make reports to the council from time to time upon the affairs of the town and to keep the council fully advised of the town's financial condition and its future financial needs;

f. To prepare and submit to the council a tentative budget for the next fiscal year as provided by general law and by this Charter;

g. To make all contracts on behalf of the town pursuant to a resolution or an ordinance of the council and to act as town purchasing agent;

h. To supervise and control all encumbrances, expenditures, and disbursements; to insure that budget appropriations are not exceeded and to appoint, or upon resolution of the council to act as, the town treasurer with the following duties:

(1) To be the collector and custodian of all funds belonging to the town and to deposit such funds in such depositories as may be designated by the council;

(2) To have custody of all investments and invested funds of the town in a fiduciary capacity;

(3) To disburse by check all money payable by the town. If the treasurer is a person other than the town manager, all checks shall be countersigned by the town manager;

(4) To protect the interest of the town by withholding the payment of any claim or demand by any person, firm, or corporation against the town until any indebtedness or other liability due from such person, firm, or corporation shall first have been settled and adjusted; and

(5) To perform such other duties as may be prescribed or requested by council.

2. Appoint a town clerk, who also may be the town manager, for an indefinite term. The town clerk shall receive such compensation as shall be provided by the council by ordinance or resolution and shall have the following duties:

a. To be custodian of the corporate seal;

b. To give notice of council meetings;

c. To keep a journal of council proceedings;

d. To authenticate by the town clerk's signature and record in full in a book kept for the purpose of all ordinances and resolutions; and

e. To perform such other duties as may be prescribed or requested by council.

3. Appoint a town attorney, for an indefinite term who shall be an attorney-at-law licensed to practice under the laws of the Commonwealth. The town attorney shall receive such compensation and fees as shall be provided by the council by ordinance or resolution. The town attorney shall have the following powers and duties:

a. To be legal advisor of the council, the town manager, and all departments, boards, commissions, and agencies of the town, in all matters affecting the interest of the town and shall upon request furnish a written opinion on any question of law involving their respective official powers and duties;

b. To prepare, at the request of the town manager or any member of the council, ordinances for introduction and, at the request of the council or any member thereof, shall examine any ordinance after introduction and render his or her opinion as to the form and legality thereof;

c. To draw or approve all bonds, deeds, leases, contracts, or other instruments to which the town is a party or in which it has an interest; and

d. To represent the town as counsel in any civil case in which it is interested and in criminal cases when so required by the town council.

CHAPTER 30

An Act to amend and reenact §§ 36-142 and 36-150 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 36-139.10, relating to Department of Housing and Community Development reports; consolidation.

[H 2203]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 36-142 and 36-150 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 36-139.10 as follows:

§ 36-139.10. Department of Housing and Community Development consolidated report.

A. As used in this section, "consolidated report" means a report submitted by the Department pursuant to this section in satisfaction of any reporting requirements of §§ 36-139, 36-139.6, 36-140.01, 36-142, 36-150, and 59.1-546.

B. Notwithstanding any other provision of law, the Department shall be deemed to have satisfied the reporting requirements of §§ 36-139, 36-139.6, 36-140.01, 36-142, 36-150, and 59.1-546 by submitting a consolidated report to the Governor and the General Assembly no later than October 1 of each year.

C. Each year, the consolidated report shall include the reports required pursuant to §§ 36-139, 36-140.01, 36-142, 36-150, and 59.1-546 and subsection E.

D. In even-numbered years, in addition to the requirements of subsection C, the consolidated report shall also include the report required pursuant to § 36-139.6.

E. The consolidated report shall include a report on the outcomes associated with closed projects that received a grant from the Virginia Growth and Opportunity Fund as established by § 2.2-2487. This report shall include itemized information that details the project name, the Regional Council, GO Virginia investment type, GO Virginia strategy, program year, date of award, committed match, anticipated project outcomes, and actual project outcomes. The Department shall utilize the information provided in this report to create a public facing performance dashboard to be updated annually that includes individual projects organized by region, total GO Virginia resources committed to the project, anticipated outcomes, and actual outcomes submitted to the Department at the close of the project. This information shall further be disaggregated by year and shall feature all projects receiving GO Virginia grants.

§ 36-142. Creation and management of Fund.

A. There is hereby established in the state treasury a special permanent, nonreverting fund, to be known as the "Virginia Housing Trust Fund." The Fund shall be established on the books of the Comptroller and consist of sums appropriated to the Fund by the General Assembly, all receipts by the Fund from loans made by it to housing sponsors and persons and families of low and moderate income, all income from the investment of moneys held in the Fund, and any other sums designated for deposit to the Fund from any source, public or private. The Fund shall also consist of such other sums as may be made available to it and shall include federal grants solicited and received for the specific purposes of the Fund and all interest and income from investment of the Fund. Any sums remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. All moneys designated for the Fund shall be paid into the state treasury and credited to the Fund.

B. The Department shall:

1. Work in collaboration with the HDA to provide loan origination and servicing activities as needed to carry out the purposes of the Fund. The costs of such services shall be considered an eligible use of the Fund; and

2. Use, through HDA, at least 80 percent of the moneys from the Fund to provide flexible financing for low-interest loans through eligible organizations. Such loans shall be structured to maximize leveraging opportunities. All such funds shall be repaid to the credit of the Fund. Loans may be provided for (i) affordable rental housing to include new construction, rehabilitation, repair, or acquisition of housing to assist low or moderate income citizens, including land and land improvements; (ii) down payment and closing cost assistance for homebuyers; and (iii) short-term, medium-term, and long-term loans to reduce the cost of homeownership and rental housing. Moneys required by the HDA to fund such loans and perform loan closing and disbursement services shall be transferred from the Fund to the HDA.

The Department may use up to 20 percent of the moneys from the Fund to provide grants through eligible organizations for targeted efforts to reduce homelessness, including (a) temporary rental assistance, not to exceed one year; (b) housing stabilization services in permanent supportive housing for homeless individuals and homeless families; (c) mortgage foreclosure counseling targeted at localities with the highest incidence of foreclosure activity; and (d) predevelopment assistance for permanent supportive housing and other long-term housing options for the homeless.

C. The Fund shall be administered and managed by the Department as prescribed in this chapter. In order to carry out the administration and management of the Fund, the Department is granted the power to contract with or employ officers, employees, agents, advisers and consultants, including, without limitation, attorneys, financial advisers, public accountants, engineers and other technical advisers and, the provisions of any other law to the contrary notwithstanding, to determine their duties and compensation without the approval of any other agency or instrumentality. The Department may disburse from the Fund its reasonable costs and expenses incurred in the administration and management of the Fund, including reasonable fees and costs of the HDA.

D. For the purposes of this section, eligible organizations include (i) localities, (ii) local government housing authorities, (iii) regional and statewide housing assistance organizations that provide assistance to low and moderate income or low income citizens of Virginia, and (iv) limited liability companies expressly created for the purpose of owning and operating affordable housing.

E. In any year prior to the expenditure of any general funds appropriated for the Fund for the next succeeding fiscal year, the Department, in conjunction with HDA, shall submit a ~~plan~~ *report* outlining the proposed uses of such funds to the General Assembly. *The report shall also include the impact of the loans and grants previously awarded through the Fund, including (i) the number of affordable rental housing units repaired or newly constructed, (ii) the number of individuals receiving down payments or closing assistance, (iii) the progress and accomplishments in reducing homelessness achieved by the additional support provided through the Fund, and (iv) the progress in expanding permanent supportive housing options.* The ~~plan~~ *report* shall be provided to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations no later than November 1 of each year.

§ 36-150. Reports.

A. On or before December 1 of each year, the Department shall report to the Secretary of Commerce and Trade, the Governor, and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations and on such other matters regarding the Fund as the Department may deem appropriate, including the status of the former Housing Partnership Fund, or other items as may be requested by any of the foregoing persons to whom such report is to be submitted.

B. The Department shall report to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations and the Director of the Department of Planning and Budget by December 1 of each year on the state's homeless programs, including the number of (i) emergency shelter beds, (ii) transitional housing units, (iii) single room occupancy dwellings, (iv) homeless intervention programs, (v) homeless prevention programs, and (vi) homeless individuals supported by the permanent housing state funding on a locality and statewide basis and the accomplishments achieved by the additional state funding provided to the program. The report shall also include the number of Virginians served by these programs, the costs of the programs, and the financial and in-kind support provided by localities and nonprofit groups to these programs. In preparing the report, the Department shall consult with localities and community-based groups.

2. That the provisions of this act shall become effective on January 1, 2026.

CHAPTER 31

An Act to amend and reenact § 16.1-228 of the Code of Virginia, relating to child in need of services; definition.

[H 2260]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-228 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-228. Definitions.

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

"Abused or neglected child" means any child:

1. Whose parents or other person responsible for his care creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon such child a physical or mental injury by other than accidental means, or creates a substantial risk of death, disfigurement or impairment of bodily or mental functions, including, but not limited to, a child who is with his parent or other person responsible for his care either (i) during the manufacture or attempted manufacture of a Schedule I or II controlled substance, or (ii) during the unlawful sale of such substance by that child's parents or other person responsible for his care, where such manufacture, or attempted manufacture or unlawful sale would constitute a felony violation of § 18.2-248;

2. Whose parents or other person responsible for his care neglects or refuses to provide care necessary for his health; however, no child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination shall for that reason alone be considered to be an abused or neglected child. Further, a decision by parents who have legal authority for the child or, in the absence of parents with legal authority for the child, any person with legal authority for the child who refuses a particular medical treatment for a child with a life-threatening condition shall not be deemed a refusal to provide necessary care if (i) such decision is made jointly by the parents or other person with legal authority and the child; (ii) the child has reached 14 years of age and is sufficiently mature to have an informed opinion on the subject of his medical treatment; (iii) the parents or other person with legal authority and the child have considered alternative treatment options; and (iv) the parents or other person with legal authority and the child believe in good faith that such decision is in the child's best interest. No child whose parent or other person responsible for his care allows the child to engage in independent activities without adult supervision shall for that reason alone be considered to be an abused or neglected child, provided that (a) such independent activities are appropriate based on the child's age, maturity, and physical and mental abilities and (b) such lack of supervision does not constitute conduct that is so grossly negligent as to endanger the health or safety of the child. Such independent activities include traveling to or from school or nearby locations by bicycle or on foot, playing outdoors, or remaining at home for a reasonable period of time. Nothing in this subdivision shall be construed to limit the provisions of § 16.1-278.4;

3. Whose parents or other person responsible for his care abandons such child;

4. Whose parents or other person responsible for his care, or an intimate partner of such parent or person, commits or allows to be committed any act of sexual exploitation or any sexual act upon a child in violation of the law;

5. Who is without parental care or guardianship caused by the unreasonable absence or the mental or physical incapacity of the child's parent, guardian, legal custodian, or other person standing in loco parentis;

6. Whose parents or other person responsible for his care creates a substantial risk of physical or mental injury by knowingly leaving the child alone in the same dwelling, including an apartment as defined in § 55.1-2000, with a person to whom the child is not related by blood or marriage and who the parent or other person responsible for his care knows has been convicted of an offense against a minor for which registration is required as a Tier III offender pursuant to § 9.1-902; or

7. Who has been identified as a victim of sex trafficking or severe forms of trafficking as defined in the federal Trafficking Victims Protection Act of 2000, 22 U.S.C. § 7102 et seq., and in the federal Justice for Victims of Trafficking Act of 2015, 42 U.S.C. § 5101 et seq.

If a civil proceeding under this chapter is based solely on the parent having left the child at a hospital or emergency medical services agency, it shall be an affirmative defense that such parent safely delivered the child within 30 days of the child's birth to (i) a hospital that provides 24-hour emergency services, (ii) an attended emergency medical services agency that employs emergency medical services personnel, or (iii) a newborn safety device located at and operated by such hospital or emergency medical services agency. For purposes of terminating parental rights pursuant to § 16.1-283 and placement for adoption, the court may find such a child is a neglected child upon the ground of abandonment.

"Adoptive home" means the place of residence of any natural person in which a child resides as a member of the household and in which he has been placed for the purposes of adoption or in which he has been legally adopted by another member of the household.

"Adult" means a person 18 years of age or older.

"Ancillary crime" or "ancillary charge" means any delinquent act committed by a juvenile as a part of the same act or transaction as, or that constitutes a part of a common scheme or plan with, a delinquent act that would be a felony if committed by an adult.

"Child," "juvenile," or "minor" means a person who is (i) younger than 18 years of age or (ii) for purposes of the Fostering Futures program set forth in Article 2 (§ 63.2-917 et seq.) of Chapter 9 of Title 63.2, younger than 21 years of age and meets the eligibility criteria set forth in § 63.2-919.

"Child in need of services" means (i) a child whose behavior, conduct, or condition presents or results in a serious threat to the well-being and physical safety of the child*; (ii) a child who remains away from or deserts or abandons his family or lawful custodian during one occasion and is demonstratively at risk of coercion, exploitation, abuse, or manipulation or has been lured from his parent or lawful custodian by means of trickery or misrepresentation or under false pretenses;* or ~~(ii)~~ *(iii)* a child under the age of 14 whose behavior, conduct, or condition presents or results in a serious threat to the well-being and physical safety of another person; however, no child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination shall for that reason alone be considered to be a child in need of services, nor shall any child who habitually remains away from or habitually deserts or abandons his family as a result of what the court or the local child protective services unit determines to be incidents of physical, emotional, or sexual abuse in the home be considered a child in need of services for that reason alone.

However, to find that a child falls within these provisions, (a) the conduct complained of must present a clear and substantial danger to the child's life or health or to the life or health of another person; (b) the child or his family is in need of treatment, rehabilitation, or services not presently being received; and (c) the intervention of the court is essential to provide the treatment, rehabilitation, or services needed by the child or his family.

"Child in need of supervision" means:

1. A child who, while subject to compulsory school attendance, is habitually and without justification absent from school, and (i) the child has been offered an adequate opportunity to receive the benefit of any and all educational services and programs that are required to be provided by law and which meet the child's particular educational needs, (ii) the school system from which the child is absent or other appropriate agency has made a reasonable effort to effect the child's regular attendance without success, and (iii) the school system has provided documentation that it has complied with the provisions of § 22.1-258; or

2. A child who, without reasonable cause and without the consent of his parent, lawful custodian or placement authority, remains away from or deserts or abandons his family or lawful custodian on more than one occasion or escapes or remains away without proper authority from a residential care facility in which he has been placed by the court, and (i) such conduct presents a clear and substantial danger to the child's life or health, (ii) the child or his family is in need of treatment, rehabilitation or services not presently being received, and (iii) the intervention of the court is essential to provide the treatment, rehabilitation or services needed by the child or his family.

"Child welfare agency" means a child-placing agency, child-caring institution or independent foster home as defined in § 63.2-100.

"The court" or the "juvenile court" or the "juvenile and domestic relations court" means the juvenile and domestic relations district court of each county or city.

"Delinquent act" means (i) an act designated a crime under the law of the Commonwealth, or an ordinance of any city, county, town, or service district, or under federal law, (ii) a violation of § 18.2-308.7, or (iii) a violation of a court order as provided for in § 16.1-292, but does not include an act other than a violation of § 18.2-308.7, which is otherwise lawful, but is designated a crime only if committed by a child.

"Delinquent child" means a child who has committed a delinquent act or an adult who has committed a delinquent act prior to his eighteenth birthday, except where the jurisdiction of the juvenile court has been terminated under the provisions of § 16.1-269.6.

"Department" means the Department of Juvenile Justice and "Director" means the administrative head in charge thereof or such of his assistants and subordinates as are designated by him to discharge the duties imposed upon him under this law.

"Driver's license" means any document issued under Chapter 3 (§ 46.2-300 et seq.) of Title 46.2, or the comparable law of another jurisdiction, authorizing the operation of a motor vehicle upon the highways.

"Family abuse" means any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's family or household member. Such act includes, but is not limited to, any forceful detention, stalking, criminal sexual assault in violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, or any criminal offense that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury.

"Family or household member" means (i) the person's spouse, whether or not such spouse resides in the same home with the person; (ii) the person's former spouse, whether or not such person resides in the same home with the person; (iii) the person's parents, stepparents, children, stepchildren, brothers, sisters, half-brothers, half-sisters, grandparents, and grandchildren, regardless of whether such persons reside in the same home with the person; (iv) the person's mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law, and sisters-in-law who reside in the same home with the person; (v) any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time; (vi) any individual who cohabits or who, within the previous 12 months, cohabited with the person, and any children of either of them then residing in the same home with the person; or (vii) an individual who is a legal custodian of a juvenile.

"Fictive kin" means persons who are not related to a child by blood or adoption but have an established relationship with the child or his family.

"Foster care services" means the provision of a full range of casework, treatment and community services for a planned period of time to a child who is abused or neglected as defined in § 63.2-100 or in need of services as defined in this section and his family when the child (i) has been identified as needing services to prevent or eliminate the need for foster care placement, (ii) has been placed through an agreement between the local board of social services or a public agency designated by the community policy and management team and the parents or guardians where legal custody remains with the parents or guardians, (iii) has been committed or entrusted to a local board of social services or child welfare agency, (iv) has been placed under the supervisory responsibility of the local board pursuant to § 16.1-293, or (v) is living with a relative participating in the Federal-Funded Kinship Guardianship Assistance program set forth in § 63.2-1305 and developed consistent with 42 U.S.C. § 673 or the State-Funded Kinship Guardianship Assistance program set forth in § 63.2-1306.

"Independent living arrangement" means placement of (i) a child at least 16 years of age who is in the custody of a local board or licensed child-placing agency by the local board or licensed child-placing agency or (ii) a child at least 16 years of age or a person between the ages of 18 and 21 who was committed to the Department of Juvenile Justice immediately prior to placement by the Department of Juvenile Justice, in a living arrangement in which such child or person does not have daily substitute parental supervision.

"Independent living services" means services and activities provided to a child in foster care 14 years of age or older and who has been committed or entrusted to a local board of social services, child welfare agency, or private child-placing agency. "Independent living services" may also mean services and activities provided to a person who (i) was in foster care on his eighteenth birthday and has not yet reached the age of 21 years; (ii) is between the ages of 18 and 21 and who, immediately prior to his commitment to the Department of Juvenile Justice, was in the custody of a local board of social services; or (iii) is a child at least 16 years of age or a person between the ages of 18 and 21 who was committed to the Department of Juvenile Justice immediately prior to placement in an independent living arrangement. "Independent living services" includes counseling, education, housing, employment, and money management skills development and access to essential documents and other appropriate services to help children or persons prepare for self-sufficiency.

"Intake officer" means a juvenile probation officer appointed as such pursuant to the authority of this chapter.

"Jail" or "other facility designed for the detention of adults" means a local or regional correctional facility as defined in § 53.1-1, except those facilities utilized on a temporary basis as a court holding cell for a child incident to a court hearing or as a temporary lock-up room or ward incident to the transfer of a child to a juvenile facility.

"The judge" means the judge or the substitute judge of the juvenile and domestic relations district court of each county or city.

"This law" or "the law" means the Juvenile and Domestic Relations District Court Law embraced in this chapter.

"Legal custody" means (i) a legal status created by court order which vests in a custodian the right to have physical custody of the child, to determine and redetermine where and with whom he shall live, the right and duty to protect, train and discipline him and to provide him with food, shelter, education and ordinary medical care, all subject to any residual parental rights and responsibilities or (ii) the legal status created by court order of joint custody as defined in § 20-107.2.

"Permanent foster care placement" means the place of residence in which a child resides and in which he has been placed pursuant to the provisions of §§ 63.2-900 and 63.2-908 with the expectation and agreement between the placing agency and the place of permanent foster care that the child shall remain in the placement until he reaches the age of majority unless modified by court order or unless removed pursuant to § 16.1-251 or 63.2-1517. A permanent foster care placement may be a place of residence of any natural person or persons deemed appropriate to meet a child's needs on a long-term basis.

"Qualified individual" means a trained professional or licensed clinician who is not an employee of the local board of social services or licensed child-placing agency that placed the child in a qualified residential treatment program and is not

affiliated with any placement setting in which children are placed by such local board of social services or licensed child-placing agency.

"Qualified residential treatment program" means a program that (i) provides 24-hour residential placement services for children in foster care; (ii) has adopted a trauma-informed treatment model that meets the clinical and other needs of children with serious emotional or behavioral disorders, including any clinical or other needs identified through assessments conducted pursuant to clause (viii) of this definition; (iii) employs registered or licensed nursing and other clinical staff who provide care, on site and within the scope of their practice, and are available 24 hours a day, seven days a week; (iv) conducts outreach with the child's family members, including efforts to maintain connections between the child and his siblings and other family; documents and maintains records of such outreach efforts; and maintains contact information for any known biological family and fictive kin of the child; (v) whenever appropriate and in the best interest of the child, facilitates participation by family members in the child's treatment program before and after discharge and documents the manner in which such participation is facilitated; (vi) provides discharge planning and family-based aftercare support for at least six months after discharge; (vii) is licensed in accordance with 42 U.S.C. § 671(a)(10) and accredited by an organization approved by the federal Secretary of Health and Human Services; and (viii) requires that any child placed in the program receive an assessment within 30 days of such placement by a qualified individual that (a) assesses the strengths and needs of the child using an age-appropriate, evidence-based, validated, and functional assessment tool approved by the Commissioner of Social Services; (b) identifies whether the needs of the child can be met through placement with a family member or in a foster home or, if not, in a placement setting authorized by 42 U.S.C. § 672(k)(2), including a qualified residential treatment program, that would provide the most effective and appropriate level of care for the child in the least restrictive environment and be consistent with the short-term and long-term goals established for the child in his foster care or permanency plan; (c) establishes a list of short-term and long-term mental and behavioral health goals for the child; and (d) is documented in a written report to be filed with the court prior to any hearing on the child's placement pursuant to § 16.1-281, 16.1-282, 16.1-282.1, or 16.1-282.2.

"Residual parental rights and responsibilities" means all rights and responsibilities remaining with the parent after the transfer of legal custody or guardianship of the person, including but not limited to the right of visitation, consent to adoption, the right to determine religious affiliation and the responsibility for support.

"Secure facility" or "detention home" means a local, regional or state public or private locked residential facility that has construction fixtures designed to prevent escape and to restrict the movement and activities of children held in lawful custody.

"Shelter care" means the temporary care of children in physically unrestricting facilities.

"State Board" means the State Board of Juvenile Justice.

"Status offender" means a child who commits an act prohibited by law which would not be criminal if committed by an adult.

"Status offense" means an act prohibited by law which would not be an offense if committed by an adult.

"Violent juvenile felony" means any of the delinquent acts enumerated in subsection B or C of § 16.1-269.1 when committed by a juvenile 14 years of age or older.

CHAPTER 32

An Act to amend and reenact § 62.1-256.2 of the Code of Virginia, relating to Eastern Virginia Groundwater Management Advisory Committee; extension of sunset date.

[H 2327]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 62.1-256.2 of the Code of Virginia is amended and reenacted as follows:

§ 62.1-256.2. (Expires July 1, 2025) Eastern Virginia Groundwater Management Advisory Committee established; sunset.

A. The Department of Environmental Quality (the Department) shall establish the Eastern Virginia Groundwater Management Advisory Committee (the Committee) as an advisory committee to assist the State Water Commission and the Department in the management of groundwater in the Eastern Virginia Groundwater Management Area. Members of the Committee shall be appointed by the Director of the Department and shall be composed of nonlegislative citizen members consisting of representatives of industrial and municipal water users; representatives of public and private water providers; developers and representatives from the economic development community; representatives of agricultural, conservation, and environmental organizations; state and federal agency officials; and university faculty and citizens with expertise in water resources-related issues. The Department shall convene the Committee at least four times each fiscal year. Members of the Committee shall receive no compensation for their service and shall not be entitled to reimbursement for expenses incurred in the performance of their duties.

B. During each meeting of the Committee, the Department shall (i) update the Committee on activities pertaining to groundwater management in the Eastern Virginia Groundwater Management Area and (ii) solicit members to present topics and analysis for examination at future meetings. The Committee may develop specific statutory, budgetary, and regulatory

recommendations, as necessary, to enhance the effectiveness of groundwater management in the Eastern Virginia Groundwater Management Area.

C. The Department shall annually report the results of the Committee's examinations and related recommendations, and any responses from the Department, to the State Water Commission, the Governor, and the General Assembly no later than November 1 of each year.

D. The provisions of this section shall expire on July 1, ~~2025~~ *2030*.

CHAPTER 33

An Act to amend and reenact § 4, as amended, of Chapter 131 of the Acts of Assembly of 1964, which provided a charter for the Town of Urbanna in Middlesex County, relating to the mayor.

[H 2332]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 4, as amended, of Chapter 131 of the Acts of Assembly of 1964 is amended and reenacted as follows:

§ 4. Mayor.

The mayor shall be elected for a term of four years, on the November general election date. The mayor so elected shall enter upon the duties of his/her office on the first day of January succeeding his/her election, and remain in office until his/her successor has qualified. The mayor's compensation shall be fixed by the council.

The mayor shall be the chief executive officer of the town. He/she shall have and exercise all power and authority conferred by general law not inconsistent with this charter. He/she shall preside over the meetings of the town council and shall have the same right to speak and vote ~~as members of the town council~~. *The mayor shall be a member of town council and, as such, shall be included in the determination of a quorum.* He/she shall be recognized as the head of the town government for all ceremonial and military purposes. He/she shall perform such other duties consistent with his/her office as may be imposed by the council. He/she shall see that the duties of the various town officers are faithfully performed. He/she, or the person acting as mayor, may sign and deliver such documents or instruments as the council, this charter, or the laws of the Commonwealth shall require or authorize.

CHAPTER 34

An Act to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 22.23, consisting of a section numbered 59.1-284.44, and by repealing Chapter 22.13 (§ 59.1-284.32) of Title 59.1, relating to Current and Mature Semiconductor Technology Grant Fund.

[H 2358]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 22.23, consisting of a section numbered 59.1-284.44, as follows:

CHAPTER 22.23.

CURRENT AND MATURE SEMICONDUCTOR TECHNOLOGY GRANT FUND.

§ 59.1-284.44. Current and Mature Semiconductor Technology Grant Fund.

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

"Capital investment" means an expenditure by or on behalf of a qualified company on or after July 1, 2024, in real property, taxable tangible personal property, or both, at a facility in an eligible locality that is properly chargeable to a capital account or would be so chargeable with a proper election. "Capital investment" includes the purchase or lease of furniture, fixtures, business personal property, machinery and tools, including under an operating lease, and expected building construction and up-fit by or on behalf of a qualified company.

"Eligible locality" means the City of Manassas.

"Facility" means the building, group of buildings, or manufacturing, distribution, and research and development campus, including any related machinery and tools, furniture, fixtures, and equipment, in an eligible locality that is owned, leased, licensed, occupied, or otherwise operated by the qualified company for use in the manufacture of, or research and development for, semiconductors and other electronic devices.

"Fund" means the Current and Mature Semiconductor Technology Grant Fund.

"Grants" means the grant payments from the Fund that are awarded to a qualified company in an aggregate amount not to exceed $70 million. The proceeds of any grants may be used by the qualified company for purposes of paying for or reimbursing the costs of building construction and infrastructure related to the facility.

"Memorandum of understanding" means a performance agreement or related documents to be entered into by a qualified company and the Commonwealth that sets forth the requirements for capital investment and the creation of new full-time jobs by a qualified company to be eligible for grants from the Fund.

"New full-time job" means a job position with full-time employment at the facility as measured at any time following July 1, 2024, for which the annual average wage is at least $104,873 subject to an escalation factor for each year as set forth in the memorandum of understanding, that requires a minimum of 38 hours of an employee's time per week for the entire normal year, consisting of at least 48 weeks, for the qualified company's operations. "New full-time job" shall not include any seasonal or temporary positions and positions created when a job function is shifted from an existing location in the Commonwealth. Any new full-time job must be in addition to 1,380 existing full-time positions at the qualified company's facilities in the eligible locality.

"Qualified company" means a semiconductor manufacturing company, and its affiliates, that manufactures and distributes semiconductors and that between July 1, 2024, and June 30, 2040, is expected to (i) make or cause to be made a capital investment at a facility of at least $2,170,130,850 and (ii) create and maintain at least 340 new full-time jobs at the facility related to, or supportive of, its semiconductor manufacturing, distribution, and research and development functions.

"Secretary" means the Secretary of Commerce and Trade or his designee.

B. There is hereby created in the state treasury a special nonreverting fund to be known as the Current and Mature Semiconductor Technology Grant Fund. The Fund shall be established on the books of the Comptroller. All funds appropriated to the Fund shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used to pay grants pursuant to this chapter. Expenditures and disbursements for grants from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller pursuant to subsection G, but in no event shall the Comptroller draw any warrants to issue checks for grants from the Fund without a specific appropriation authorization from the General Assembly therefor.

C. A qualified company shall be eligible to receive grants each fiscal year beginning with the Commonwealth's fiscal year starting on July 1, 2026, and ending with the Commonwealth's fiscal year starting on July 1, 2040, unless such timeframe is extended in accordance with a memorandum of understanding or bonus grants are earned pursuant to subsection E. Grants paid pursuant to this chapter shall be subject to appropriation by the General Assembly during each such fiscal year and contingent upon a qualified company meeting the requirements set forth in this chapter and the memorandum of understanding for the number of new full-time jobs created and maintained and the amount of capital investment made related to the construction or renovation of a facility. The total aggregate amount of grants payable under this section, in accordance with subsections D and E, shall not exceed $70 million.

D. A qualified company may earn grants under this subsection for progress towards and achievement of pledged capital investment and new full-time jobs. The aggregate amount of grants payable under this section shall not exceed $60 million. Grants are anticipated to be paid in 15 annual fiscal year installments, calculated in accordance with a memorandum of understanding, as follows:

1. $1,395,020 for the Commonwealth's fiscal year beginning July 1, 2026;

2. $5,852,390, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2027;

3. $11,839,430, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2028;

4. $17,702,060, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2029;

5. $22,854,420, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2030;

6. $28,006,780, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2031;

7. $33,159,140, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2032;

8. $36,514,260, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2033;

9. $39,869,380, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2034;

10. $43,224,500, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2035;

11. $46,579,620, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2036;

12. $49,934,740, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2037;

13. $53,289,860, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2038;

14. $56,644,980, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2039; and

15. $60 million, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2040.

E. In addition to any grants authorized pursuant to subsection D, a qualified company may earn bonus grants under this subsection that shall not exceed an aggregate amount of $10 million across all fiscal years. A bonus grant may only be earned pursuant to subdivision 1 or 2, or a combination of both. Bonus grants may be earned by a qualified company by:

1. Creating more than 340 new full-time jobs, to be paid in accordance with the terms of the memorandum of understanding; and

2. Maintaining at least 340 new jobs in fiscal years 2041 through 2045, to be paid in accordance with the terms of the memorandum of understanding.

F. A qualified company applying for a grant installment under this section shall provide an annual report and evidence satisfactory to the Secretary of (i) the aggregate number of new full-time jobs created and maintained as of the last day of the fiscal year, the payroll paid by the qualified company during the fiscal year, and the average annual wage of the new full-time jobs in the fiscal year and (ii) the aggregate amount of capital investment made during the fiscal year, including the extent to which such capital investment was or was not subject to Virginia sales and use tax pursuant to Chapter 6 (§ 58.1-600 et seq.) of Title 58.1. The report and evidence shall be filed with the Secretary in person, by mail, or as otherwise agreed upon in the memorandum of understanding and by no later than October 1 each year following the end of the prior fiscal year upon which such report and such evidence are based.

G. Within 30 days of receiving the report and satisfactory evidence pursuant to subsection F, the Secretary shall certify to the Comptroller and the qualified company the amount of grants to which such qualified company is entitled for payment. Payment of such grants shall be made by check issued by the State Treasurer on warrant of the Comptroller by the end of the calendar year during which the annual report and satisfactory evidence are submitted. The Comptroller shall not draw any warrant to issue checks for grants without a specific appropriation for the same.

H. As a condition of receipt of grants under this section, a qualified company shall make available to the Secretary for inspection, upon request, all documents that are relevant or applicable to determining whether the qualified company has met the requirements for receipt of a grant pursuant to this section and subject to the memorandum of understanding. Any such documents appropriately identified by a qualified company shall be considered confidential and proprietary and shall not be subject to disclosure pursuant to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

2. That Chapter 22.13 (§ 59.1-284.32) of Title 59.1 of the Code of Virginia is repealed.

CHAPTER 35

An Act to authorize the issuance of bonds, in an amount up to $206,085,243 plus financing costs, pursuant to Article X, Section 9 (c) of the Constitution of Virginia, for paying costs of acquiring, constructing, and equipping revenue-producing capital projects at institutions of higher learning of the Commonwealth; to authorize the Treasury Board, by and with the consent of the Governor, to fix the details of such bonds, to provide for the sale of such bonds, and to issue notes to borrow money in anticipation of the issuance of the bonds; to provide for the pledge of the net revenues of such capital projects and the full faith, credit and taxing power of the Commonwealth for the payment of such bonds; to provide that the interest income on such bonds and notes shall be exempt from all taxation by the Commonwealth and any political subdivision thereof; emergency.

[H 2359]

Approved March 18, 2025

Whereas, Article X, Section 9 (c), Constitution of Virginia, provides that the General Assembly may authorize the creation of debt secured by a pledge of net revenues derived from rates, fees or other charges and the full faith and credit of the Commonwealth of Virginia, provided that such debt is created for specific revenue-producing capital projects, including their enlargement or improvement, at, among others, institutions of higher learning of the Commonwealth; and

Whereas, in accordance with Article X, Section 9 (c), Constitution of Virginia, the Governor has certified in writing, filed with the Auditor of Public Accounts, his opinion that the anticipated net revenues of each of the capital projects identified below to be pledged to the payment of the principal of and the interest on that portion of such debt issued for each such project will be sufficient to meet such payments as the same become due and to provide such reserves as may be required by law and that each of the capital projects complies with the requirements of Article X, Section 9 (c), Constitution of Virginia; now therefore,

Be it enacted by the General Assembly of Virginia:

1. *§ 1. Title. This act shall be known and may be cited as the "Commonwealth of Virginia Higher Educational Institutions Bond Act of 2025."*

§ 2. Authorization of bonds and BANs. The Treasury Board is hereby authorized, by and with the consent of the Governor, to sell and issue, pursuant to Article X, Section 9 (c), Constitution of Virginia, at one time or from time to time, bonds of the Commonwealth, to be designated "Commonwealth of Virginia Higher Educational Institutions Bonds, Series ....." in an aggregate principal amount not exceeding $206,085,243, plus amounts needed to fund issuance costs, reserve funds, construction period interest, and other financing expenses. The Treasury Board is further hereby authorized, by and with the consent of the Governor, to borrow money in anticipation of the issuance of bonds by the issuance of bond

anticipation notes (BANs), including BANs issued as commercial paper. The proceeds of such bonds and BANs, excluding amounts needed to fund issuance costs, reserve funds, and other financing expenses, shall be used exclusively for the purpose of providing funds, with any other available funds, for paying all or a portion of the costs of acquiring, constructing, renovating, enlarging, improving, and equipping revenue-producing capital projects at institutions of higher learning of the Commonwealth as follows:

Institution	*Project Title*	*Project Code*	*Amount*
James Madison University	*Construct Student Housing*	*18771*	*$86,085,243*
The College of William & Mary in Virginia	*Construct West Woods Phase 2*	*18766*	*$120,000,000*
Total			*$206,085,243*

§ 3. Application of proceeds. The proceeds, including any premium, of bonds and BANs (except the proceeds of (i) bonds the issuance of which has been anticipated by BANs, (ii) refunding bonds, and (iii) refunding BANs) shall be deposited in a special capital outlay fund in the state treasury and, together with the investment income thereon, shall be disbursed by the State Treasurer for paying costs of the acquisition, construction, renovation, enlargement, improvement, and equipping of the authorized capital projects, including financing costs. The proceeds of (a) bonds the issuance of which has been anticipated by BANs, (b) refunding bonds, and (c) refunding BANs shall be used to pay such BANs, refunded bonds, and refunded BANs.

§ 4. Details, sale of bonds and BANs. Bonds and BANs shall be dated, and may be made redeemable before their maturity or maturities at such price or prices or within such price parameters, all as may be determined by the Treasury Board, by and with the consent of the Governor. Bonds and BANs shall be in such form, shall bear interest at such rate or rates, either at fixed rates or at rates established by formula or other method, and may contain such other provisions, all as determined by the Treasury Board or, when authorized by the Treasury Board, the State Treasurer. The principal of and premium, if any, and the interest on bonds and BANs shall be payable in lawful money of the United States of America. Bonds and BANs may be certificated or uncertificated as determined by the Treasury Board. The Treasury Board may contract for services of such registrars, transfer agents, or other authenticating agents as it deems appropriate to maintain a record of the persons entitled to the bonds and BANs. Bonds and BANs issued in certificated form may be issued under a system of book entry for recording the ownership and transfer of ownership of rights to receive payments on the bonds and BANs. The Treasury Board shall fix the authorized denomination or denominations of the bonds and the place or places of payment of certificated bonds and BANs, which may be at the Office of the State Treasurer or at any bank or trust company within or without the Commonwealth. Bonds shall mature at such time or times not exceeding 30 years from their date or dates, and BANs shall mature at such time or times not exceeding five years from their date or dates.

The Treasury Board may sell bonds and BANs in such manner, by competitive bidding, negotiated sale, or private placement and for such price or within such price parameters as it may determine, by and with the consent of the Governor, to be in the best interest of the Commonwealth.

In the discretion of the Treasury Board, bonds and BANs may be issued at one time or from time to time and may be sold and issued at the same time with other general obligation bonds and BANs, respectively, of the Commonwealth authorized pursuant to Article X, Section 9 (a) (3), (b), and (c) of the Constitution of Virginia, as separate issues or as a combined issue, designated "Commonwealth of Virginia General Obligation Bonds Bond Anticipation Notes, Series .....".

§ 5. Execution of bonds and BANs. Certificated bonds and BANs shall be signed on behalf of the Commonwealth by the Governor and by the State Treasurer, or shall bear their facsimile signatures, and shall bear the lesser seal of the Commonwealth or a facsimile thereof. If the bonds or BANs bear the facsimile signature of the State Treasurer, they shall be signed by such administrative assistant as the State Treasurer shall determine or by such registrar or paying agent as may be designated to sign them by the Treasury Board. If any officer whose signature or facsimile signature appears on any bonds or BANs ceases to be such officer before delivery, such signature or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery, and any bond or BAN may bear the facsimile signature of, or may be signed by, such persons as at the actual time of execution are the proper officers to sign such bond or BAN, although, at the date of such bond or BAN, such persons may not have been such officers.

§ 6. Sources for payment of expenses. All expenses incurred under this act shall be paid from the proceeds of bonds or BANs, from payments made by the institutions for which the capital projects were authorized in § 2 hereof or from any other available funds as the Treasury Board shall determine.

§ 7. Revenues. Each institution of higher learning named above is hereby authorized (i) to fix, revise, charge, and collect rates, fees, and charges for or in connection with the use, occupancy, and services of each capital project mentioned above or the system of which such capital project is a part and (ii) to pledge to the portion of the bonds or BANs issued for such capital project the net revenues resulting from such rates, fees, and charges and remaining after payment of the expenses of operating the project or system, as the case may be. Each such institution is further authorized to create debt service and sinking funds for the payments of the principal of, premium, if any, and interest on the bonds and other reserves required by any agency of the United States of America purchasing the bonds or any portion thereof.

§ 8. Investments and contracts. A. Pending the application of the proceeds of the bonds or BANs (including refunding bonds and BANs) to the purpose for which they have been authorized and the application of funds set aside for the purpose to the payment of bonds or BANs, they may be invested by the State Treasurer in securities that are legal investments under the laws of the Commonwealth for public funds and sinking funds, as the case may be. Whenever the State Treasurer receives interest from the investment of the proceeds of bonds or any BANs, such interest shall become a part of the principal of the bonds or any BANs and shall be used in the same manner as required for principal of the bonds or BANs.

B. The Commonwealth may enter into any contract or other arrangement that is determined to be necessary or appropriate to place the obligation or investment of the Commonwealth, as represented by bonds, BANs, or investments, in whole or in part, on the interest rate, cash flow, or other basis desired by the Commonwealth. Such contract or other arrangement may include, without limitation, contracts commonly known as interest rate swap agreements and futures or contracts providing for payments based on levels of, or changes in, interest rates. These contracts or arrangements may be entered into by the Commonwealth in connection with, or incidental to, entering into, or maintaining any (i) agreement which secures bonds or BANs or (ii) investment, or contract providing for investment, otherwise authorized by law. These contracts and arrangements may contain such payment, security, default, remedy, and other terms and conditions as determined by the Commonwealth, after giving due consideration to the creditworthiness of the counterparty or other obligated party, including any rating by any nationally recognized rating agency, and any other criteria as may be appropriate. The determinations referred to in this subsection may be made by the Treasury Board or any public funds manager with professional investment capabilities duly authorized by the Treasury Board to make such determinations.

C. Any money set aside and pledged to secure payments of bonds, BANs, or any of the contracts entered into pursuant to this section may be invested in accordance with subsection A and may be pledged to and used to service any of the contracts or other arrangements entered into pursuant to subsection B.

§ 9. Security for bonds and BANs. The net revenues of the capital projects set forth above and the full faith and credit of the Commonwealth are hereby irrevocably pledged for the payment of the principal of and the interest on bonds and BANs (unless the Treasury Board, by and with the consent of the Governor, shall provide otherwise) issued under this act. The proceeds of (i) bonds the issuance of which has been anticipated by BANs, (ii) refunding bonds, and (iii) refunding BANs are hereby irrevocably pledged for the payment of principal of and interest and any premium on the BANs or bonds to be paid or redeemed thereby. In the event the net revenues pledged to the payment of the bonds or BANs are insufficient in any fiscal year for the timely payment of the principal of, premium, if any, and interest on the bonds or BANs, where the full faith and credit of the Commonwealth have been pledged, the General Assembly shall appropriate a sum sufficient therefor or the Governor shall direct payment therefor from the general fund revenues of the Commonwealth.

§ 10. Exemption of interest from tax. The bonds and BANs issued under the provisions of this act, their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be free and exempt from taxation by the Commonwealth and by any county, city, or town or other political subdivision thereof. The Treasury Board is authorized to take or refrain from taking any and all actions and to covenant to such effect, and to require the participating institutions to do and to covenant likewise, to the extent that, in the judgment of the Treasury Board, it is appropriate in order that interest on the bonds and BANs may be exempt from federal income tax. Alternatively, interest on bonds and BANs may be made subject to inclusion in gross income of the holders thereof for federal income tax purposes.

§ 11. Refunding bonds and BANs. The Treasury Board is authorized, by and with the consent of the Governor, to sell and issue, at one time or from time to time, refunding bonds and BANs of the Commonwealth, to refund any or all of the bonds and BANs, respectively, issued under this act or otherwise authorized pursuant to Article X, Section 9 (c), Constitution of Virginia. Refunding bonds and BANs may be issued in a principal amount up to the amount necessary to pay at maturity or redeem the bonds and BANs to be refunded and pay all issuance costs and other financing expenses of the refunding. Such refunding bonds and BANs may be issued whether or not the obligations to be refunded are then subject to redemption.

§ 12. Defeasance. Any bond or BAN for which cash or direct obligations of the United States of America shall have been set aside in escrow with the State Treasurer or a bank or trust company, within or without the Commonwealth, shall be deemed no longer outstanding under the applicable authorizing instrument, this act, and Article X, Section 9 (c) or (b), as the case may be, of the Constitution of Virginia.

§ 13. Severability. The provisions of this act or the application thereof to any person or circumstance which are held invalid shall not affect the validity of other provisions or applications of this act which can be given effect without the invalid provisions or applications.

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

CHAPTER 36

An Act to amend and reenact § 18.2-246.6 of the Code of Virginia, relating to cigarette delivery sales; definition.

[H 2370]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-246.6 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-246.6. Definitions.

For purposes of this article:

"Adult" means a person who is at least the legal minimum purchasing age.

"Board" means the Board of Directors of the Virginia Alcoholic Beverage Control Authority.

"Consumer" means an individual who is not permitted as a wholesaler pursuant to § 58.1-1011 or who is not a retailer.

"Cigarette" means the same as that term is defined in § 3.2-4200.

"Delivery sale" means any sale of cigarettes to a consumer in the Commonwealth regardless of whether the seller is located in the Commonwealth where either (i) the purchaser submits the order for such sale by means of a telephonic or other method of voice transmission, the mails or any other delivery service, or the Internet or other online service~~,~~ or (ii) the cigarettes are delivered by use of the mails or a delivery service. A sale of cigarettes not for personal consumption to a person who is a wholesale dealer or retail dealer, as such terms are defined in § 58.1-1000, shall not be a delivery sale. ~~A delivery of cigarettes, not through the mail or by a common carrier, to a consumer performed by the owner, employee or other individual acting on behalf of a retailer authorized to sell such cigarettes shall not be a delivery sale.~~

"Delivery service" means any person who is engaged in the commercial delivery of letters, packages, or other containers.

"Legal minimum purchasing age" is the minimum age at which an individual may legally purchase cigarettes in the Commonwealth.

"Mails" or "mailing" means the shipment of cigarettes through the United States Postal Service.

"Shipping container" means a container in which cigarettes are shipped in connection with a delivery sale.

"Shipping documents" means bills of lading, airbills, or any other documents used to evidence the undertaking by a delivery service to deliver letters, packages, or other containers.

CHAPTER 37

An Act to amend and reenact §§ 8.01-229 and 8.01-244 of the Code of Virginia, relating to death by wrongful act; suspension of limitations.

[H 2387]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-229 and 8.01-244 of the Code of Virginia are amended and reenacted as follows:

§ 8.01-229. Suspension or tolling of statute of limitations; effect of disabilities; effect of death; injunction; prevention of service by defendant; dismissal, nonsuit or abatement; devise for payment of debts; new promises; debts proved in creditors' suits.

A. Disabilities which toll the statute of limitations. -- Except as otherwise specifically provided in §§ 8.01-237, 8.01-241, 8.01-242, 8.01-243, 8.01-243.1 and other provisions of this Code,

1. If a person entitled to bring any action is at the time the cause of action accrues an infant, except if such infant has been emancipated pursuant to Article 15 (§ 16.1-331 et seq.) of Chapter 11 of Title 16.1, or incapacitated, such person may bring it within the prescribed limitation period after such disability is removed; or

2. After a cause of action accrues,

a. If an infant becomes entitled to bring such action, the time during which he is within the age of minority shall not be counted as any part of the period within which the action must be brought except as to any such period during which the infant has been judicially declared emancipated; or

b. If a person entitled to bring such action becomes incapacitated, the time during which he is incapacitated shall not be computed as any part of the period within which the action must be brought, except where a conservator, guardian or committee is appointed for such person in which case an action may be commenced by such conservator, committee or guardian before the expiration of the applicable period of limitation or within one year after his qualification as such, whichever occurs later.

For the purposes of subdivisions 1 and 2, a person shall be deemed incapacitated if he is so adjudged by a court of competent jurisdiction, or if it shall otherwise appear to the court or jury determining the issue that such person is or was incapacitated within the prescribed limitation period.

3. If a convict is or becomes entitled to bring an action against his committee, the time during which he is incarcerated shall not be counted as any part of the period within which the action must be brought.

B. Effect of death of a party. -- The death of a person entitled to bring an action or of a person against whom an action may be brought shall toll the statute of limitations as follows:

1. Death of person entitled to bring a personal action. -- If a person entitled to bring a personal action dies with no such action pending before the expiration of the limitation period for commencement thereof, then an action may be commenced by the decedent's personal representative before the expiration of the limitation period including the limitation period as provided by subdivision E 3 or within one year after his qualification as personal representative, whichever occurs later.

2. Death of person against whom personal action may be brought.

a. If a person against whom a personal action may be brought dies before the commencement of such action and before the expiration of the limitation period for commencement thereof then a claim may be filed against the decedent's estate or an action may be commenced against the decedent's personal representative before the expiration of the applicable limitation period or within one year after the qualification of such personal representative, whichever occurs later.

b. If a person against whom a personal action may be brought dies before suit papers naming such person as defendant have been filed with the court, then such suit papers may be amended to substitute the decedent's personal representative as party defendant before the expiration of the applicable limitation period or within two years after the date such suit papers were filed with the court, whichever occurs later, and such suit papers shall be taken as properly filed.

3. Effect of death on actions for recovery of realty, or a proceeding for enforcement of certain liens relating to realty. -- Upon the death of any person in whose favor or against whom an action for recovery of realty, or a proceeding for enforcement of certain liens relating to realty, may be brought, such right of action shall accrue to or against his successors in interest as provided in Article 2 (§ 8.01-236 et seq.).

4. Accrual of a personal cause of action against the estate of any person subsequent to such person's death. -- If a personal cause of action against a decedent accrues subsequent to his death, an action may be brought against the decedent's personal representative or a claim thereon may be filed against the estate of such decedent before the expiration of the applicable limitation period or within two years after the qualification of the decedent's personal representative, whichever occurs later.

5. Accrual of a personal cause of action in favor of decedent. -- If a person dies before a personal cause of action which survives would have accrued to him, if he had continued to live, then an action may be commenced by such decedent's personal representative before the expiration of the applicable limitation period or within one year after the qualification of such personal representative, whichever occurs later.

6. Delayed qualification of personal representative. -- If there is an interval of more than two years between the death of any person in whose favor or against whom a cause of action has accrued or shall subsequently accrue and the qualification of such person's personal representative, such personal representative shall, for the purposes of this chapter, be deemed to have qualified on the last day of such two-year period.

C. Suspension during injunctions. -- When the commencement of any action is stayed by injunction, the time of the continuance of the injunction shall not be computed as any part of the period within which the action must be brought.

D. Obstruction of filing by defendant. -- When the filing of an action is obstructed by a defendant's (i) filing a petition in bankruptcy or filing a petition for an extension or arrangement under the United States Bankruptcy Act or (ii) using any other direct or indirect means to obstruct the filing of an action, then the time that such obstruction has continued shall not be counted as any part of the period within which the action must be brought.

E. Dismissal, abatement, or nonsuit.

1. Except as provided in subdivision 3, if any action is commenced within the prescribed limitation period and for any cause abates or is dismissed without determining the merits, the time such action is pending shall not be computed as part of the period within which such action may be brought, and another action may be brought within the remaining period.

2. If a judgment or decree is rendered for the plaintiff in any action commenced within the prescribed limitation period and such judgment or decree is arrested or reversed upon a ground which does not preclude a new action for the same cause, or if there is occasion to bring a new action by reason of the loss or destruction of any of the papers or records in a former action which was commenced within the prescribed limitation period, then a new action may be brought within one year after such arrest or reversal or such loss or destruction, but not after.

3. If a plaintiff suffers a voluntary nonsuit as prescribed in § 8.01-380, the statute of limitations with respect to such action shall be tolled by the commencement of the nonsuited action, regardless of whether the statute of limitations is statutory or contractual, and the plaintiff may recommence his action within six months from the date of the order entered by the court, or within the original period of limitation, or within the limitation period as provided by subdivision B 1, whichever period is longer. This tolling provision shall apply irrespective of whether the action is originally filed in a federal or a state court and recommenced in any other court, and shall apply to all actions irrespective of whether they arise under common law or statute.

F. Effect of devise for payment of debts. -- No provision in the will of any testator devising his real estate, or any part thereof, subject to the payment of his debts or charging the same therewith, or containing any other provision for the payment of debts, shall prevent this chapter from operating against such debts, unless it plainly appears to be the testator's intent that it shall not so operate.

G. Effect of new promise in writing.

1. If any person against whom a right of action has accrued on any contract, other than a judgment or recognizance, promises, by writing signed by him or his agent, payment of money on such contract, the person to whom the right has accrued may maintain an action for the money so promised, within such number of years after such promise as it might be maintained if such promise were the original cause of action. An acknowledgment in writing, from which a promise of payment may be implied, shall be deemed to be such promise within the meaning of this subsection.

2. The plaintiff may sue on the new promise described in subdivision 1 or on the original cause of action, except that when the new promise is of such a nature as to merge the original cause of action then the action shall be only on the new promise.

H. Suspension of limitations in creditors' suits. -- When an action is commenced as a general creditors' action, or as a general lien creditors' action, or as an action to enforce a mechanics' lien, the running of the statute of limitations shall be suspended as to debts provable in such action from the commencement of the action, provided they are brought in before the commissioner in chancery under the first reference for an account of debts; but as to claims not so brought in the statute shall continue to run, without interruption by reason either of the commencement of the action or of the order for an account, until a later order for an account, under which they do come in, or they are asserted by petition or independent action.

In actions not instituted originally either as general creditors' actions, or as general lien creditors' actions, but which become such by subsequent proceedings, the statute of limitations shall be suspended by an order of reference for an account of debts or of liens only as to those creditors who come in and prove their claims under the order. As to creditors who come in afterwards by petition or under an order of recommittal, or a later order of reference for an account, the statute shall continue to run without interruption by reason of previous orders until filing of the petition, or until the date of the reference under which they prove their claims, as the case may be.

I. When an action is commenced within a period of 30 days prior to the expiration of the limitation period for commencement thereof and the defending party or parties desire to institute an action as third-party plaintiff against one or more persons not party to the original action, the running of the period of limitation against such action shall be suspended as to such new party for a period of 60 days from the expiration of the applicable limitation period.

J. If any award of compensation by the Workers' Compensation Commission pursuant to Chapter 5 (§ 65.2-500 et seq.) of Title 65.2 is subsequently found void ab initio, other than an award voided for fraudulent procurement of the award by the claimant, the statute of limitations applicable to any civil action upon the same claim or cause of action in a court of this Commonwealth shall be tolled for that period of time during which compensation payments were made.

K. Suspension of limitations during criminal proceedings. -- In any personal action for damages *or action for death by wrongful act pursuant to § 8.01-50*, if a criminal prosecution arising out of the same facts is commenced, the time such prosecution is pending shall not be computed as part of the period within which such a civil action may be brought. For purposes of this subsection, the time during which a prosecution is pending shall be calculated from the date of the issuance of a warrant, summons, or capias, the return or filing of an indictment or information, or the defendant's first appearance in any court as an accused in such a prosecution, whichever date occurs first, until the date of the final judgment or order in the trial court, the date of the final disposition of any direct appeal ~~in state court~~, or the date on which the time for noting an appeal has expired, whichever date occurs last. Thereafter, the civil action may be brought within the remaining period of the statute or within one year, whichever is longer.

If a criminal prosecution is commenced and a grand jury indictment is returned or a grand jury indictment is waived after the period within which a civil action arising out of the same set of facts may be brought, a civil action may be brought within one year of the date of the final judgment or order in the trial court, the date of the final disposition of any direct appeal ~~in state court~~, or the date on which the time for noting an appeal has expired, whichever date occurs last, but no more than 10 years after the date of the crime or two years after the cause of action shall have accrued ~~under § 8.01-249~~, whichever date occurs last.

§ 8.01-244. Actions for wrongful death; limitation.

A. Notwithstanding the provisions of *subsection B of* § 8.01-229 ~~B~~, if a person entitled to bring an action for personal injury dies as a result of such injury with no such action pending before the expiration of the limitations period set forth in § 8.01-243, then an action under § 8.01-50 may be commenced within the time limits specified in subsection B ~~of this section~~ *or as provided in subsection K of § 8.01-229*.

B. Every action under § 8.01-50 shall be brought by the personal representative of the decedent within two years after the death of the injured person. If any such action is brought within such period of two years after such person's death and for any cause abates or is dismissed without determining the merits of such action, the time such action is pending shall not be counted as any part of such period of two years and another action may be brought within the remaining period of such two years as if such former action had not been instituted. However, if a plaintiff suffers a voluntary nonsuit pursuant to § 8.01-380, the nonsuit shall not be deemed an abatement nor a dismissal pursuant to this subsection, and the provisions of subdivision E 3 of § 8.01-229 shall apply to such a nonsuited action.

2. That the provisions of this act shall apply only to causes of action accruing on or after July 1, 2025.

CHAPTER 38

An Act to amend and reenact §§ 18.2-478 and 18.2-479 of the Code of Virginia, relating to escape from jail or custody; penalty.

[H 2406]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-478 and 18.2-479 of the Code of Virginia are amended and reenacted as follows:

§ 18.2-478. Escape from jail or custody by force or violence without setting fire to jail; penalty.

If any person lawfully imprisoned in jail and not tried or sentenced on a criminal offense escapes from jail by force or violence, other than by setting fire thereto, or if any person lawfully in the custody of any ~~police~~ *law-enforcement* officer*, as defined in § 18.2-57,* on a charge of criminal offense escapes from such custody by force or violence, he ~~shall be~~ *is* guilty of a Class 6 felony.

§ 18.2-479. Escape without force or violence or setting fire to jail; penalties.

A. Except as provided in subsection B, any person lawfully confined in jail or lawfully in the custody of any court, officer of the court, or ~~of any~~ law-enforcement officer*, as defined in § 18.2-57,* for violation of his probation or parole or on a charge or conviction of a misdemeanor~~,~~ who escapes, other than by force or violence or by setting fire to the jail, is guilty of a Class 1 misdemeanor.

B. Any person~~,~~ lawfully confined in jail or lawfully in the custody of any court, officer of the court, or ~~of any~~ law-enforcement officer*, as defined in § 18.2-57,* on a charge or conviction of a felony~~,~~ who escapes, other than by force or violence or by setting fire to the jail, is guilty of a Class 6 felony.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 39

An Act to amend and reenact § 54.1-3926 of the Code of Virginia, relating to attorneys; preliminary proof of education required of applicant for Virginia Bar examination.

[H 2431]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3926 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3926. Preliminary proof of education required of applicant.

Before an applicant will be permitted to take any examination under this article, the applicant shall furnish to the Board satisfactory evidence that he has:

1. Satisfactorily completed legal studies amounting to at least five semesters, or the equivalent of at least five semesters on a system other than a semester system, of full-time study at a law school approved by the American Bar Association or the Board;

2. Received a bachelor's*, master's, or doctoral* degree from an ~~accredited baccalaureate~~ institution of higher education *accredited by an accreditor recognized by the U.S. Department of Education* and studied law for three years, consisting of not less than 18 hours per week for at least 40 weeks per year*,* in the office of an attorney practicing in the Commonwealth, whose full time is devoted to the practice of law;

3. Studied law for at least three years partly in a law school approved by the American Bar Association or the Board and partly, for not less than 18 hours per week for at least 40 weeks per year, in the office of an attorney practicing in the Commonwealth whose full time is devoted to the practice of law;

4. Received a bachelor's*, master's, or doctoral* degree from an ~~accredited baccalaureate~~ institution of higher education *accredited by an accreditor recognized by the U.S. Department of Education* and studied law for three years, consisting of not less than 18 hours per week for at least 40 weeks per year, with a retired circuit court judge who served the Commonwealth as a circuit court judge for a minimum of 10 years and who at the time of commencement of the three-year study period was retired for not more than five years; or

5. Completed all degree requirements from a law school not approved by the American Bar Association, including a foreign law school, obtained an LL.M. from a law school approved by the American Bar Association, and been admitted to practice law before the court of last resort in any state or territory of the United States or the District of Columbia.

The attorney in whose office or the judge with whom the applicant intends to study shall be approved by the Board, which shall prescribe reasonable conditions as to the course of study.

CHAPTER 40

An Act to amend and reenact §§ 36-142 and 36-150 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 36-139.10, relating to Department of Housing and Community Development reports; consolidation.

[S 787]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 36-142 and 36-150 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 36-139.10 as follows:

§ 36-139.10. Department of Housing and Community Development consolidated report.

A. As used in this section, "consolidated report" means a report submitted by the Department pursuant to this section in satisfaction of any reporting requirements of §§ 36-139, 36-139.6, 36-140.01, 36-142, 36-150, and 59.1-546.

B. Notwithstanding any other provision of law, the Department shall be deemed to have satisfied the reporting requirements of §§ 36-139, 36-139.6, 36-140.01, 36-142, 36-150, and 59.1-546 by submitting a consolidated report to the Governor and the General Assembly no later than October 1 of each year.

C. Each year, the consolidated report shall include the reports required pursuant to §§ 36-139, 36-140.01, 36-142, 36-150, and 59.1-546 and subsection E.

D. In even-numbered years, in addition to the requirements of subsection C, the consolidated report shall also include the report required pursuant to § 36-139.6.

E. The consolidated report shall include a report on the outcomes associated with closed projects that received a grant from the Virginia Growth and Opportunity Fund as established by § 2.2-2487. This report shall include itemized information that details the project name, the Regional Council, GO Virginia investment type, GO Virginia strategy, program year, date of award, committed match, anticipated project outcomes, and actual project outcomes. The Department shall utilize the information provided in this report to create a public facing performance dashboard to be updated annually that includes individual projects organized by region, total GO Virginia resources committed to the project, anticipated outcomes, and actual outcomes submitted to the Department at the close of the project. This information shall further be disaggregated by year and shall feature all projects receiving GO Virginia grants.

§ 36-142. Creation and management of Fund.

A. There is hereby established in the state treasury a special permanent, nonreverting fund, to be known as the "Virginia Housing Trust Fund." The Fund shall be established on the books of the Comptroller and consist of sums appropriated to the Fund by the General Assembly, all receipts by the Fund from loans made by it to housing sponsors and persons and families of low and moderate income, all income from the investment of moneys held in the Fund, and any other sums designated for deposit to the Fund from any source, public or private. The Fund shall also consist of such other sums as may be made available to it and shall include federal grants solicited and received for the specific purposes of the Fund and all interest and income from investment of the Fund. Any sums remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. All moneys designated for the Fund shall be paid into the state treasury and credited to the Fund.

B. The Department shall:

1. Work in collaboration with the HDA to provide loan origination and servicing activities as needed to carry out the purposes of the Fund. The costs of such services shall be considered an eligible use of the Fund; and

2. Use, through HDA, at least 80 percent of the moneys from the Fund to provide flexible financing for low-interest loans through eligible organizations. Such loans shall be structured to maximize leveraging opportunities. All such funds shall be repaid to the credit of the Fund. Loans may be provided for (i) affordable rental housing to include new construction, rehabilitation, repair, or acquisition of housing to assist low or moderate income citizens, including land and land improvements; (ii) down payment and closing cost assistance for homebuyers; and (iii) short-term, medium-term, and long-term loans to reduce the cost of homeownership and rental housing. Moneys required by the HDA to fund such loans and perform loan closing and disbursement services shall be transferred from the Fund to the HDA.

The Department may use up to 20 percent of the moneys from the Fund to provide grants through eligible organizations for targeted efforts to reduce homelessness, including (a) temporary rental assistance, not to exceed one year; (b) housing stabilization services in permanent supportive housing for homeless individuals and homeless families; (c) mortgage foreclosure counseling targeted at localities with the highest incidence of foreclosure activity; and (d) predevelopment assistance for permanent supportive housing and other long-term housing options for the homeless.

C. The Fund shall be administered and managed by the Department as prescribed in this chapter. In order to carry out the administration and management of the Fund, the Department is granted the power to contract with or employ officers, employees, agents, advisers and consultants, including, without limitation, attorneys, financial advisers, public accountants, engineers and other technical advisers and, the provisions of any other law to the contrary notwithstanding, to determine their duties and compensation without the approval of any other agency or instrumentality. The Department may disburse from the Fund its reasonable costs and expenses incurred in the administration and management of the Fund, including reasonable fees and costs of the HDA.

D. For the purposes of this section, eligible organizations include (i) localities, (ii) local government housing authorities, (iii) regional and statewide housing assistance organizations that provide assistance to low and moderate income or low income citizens of Virginia, and (iv) limited liability companies expressly created for the purpose of owning and operating affordable housing.

E. In any year prior to the expenditure of any general funds appropriated for the Fund for the next succeeding fiscal year, the Department, in conjunction with HDA, shall submit a ~~plan~~ *report* outlining the proposed uses of such funds to the General Assembly. *The report shall also include the impact of the loans and grants previously awarded through the Fund, including (i) the number of affordable rental housing units repaired or newly constructed, (ii) the number of individuals receiving down payments or closing assistance, (iii) the progress and accomplishments in reducing homelessness achieved by the additional support provided through the Fund, and (iv) the progress in expanding permanent supportive housing*

options. The ~~plan~~ *report* shall be provided to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations no later than November 1 of each year.

§ 36-150. Reports.

A. On or before December 1 of each year, the Department shall report to the Secretary of Commerce and Trade, the Governor, and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations and on such other matters regarding the Fund as the Department may deem appropriate, including the status of the former Housing Partnership Fund, or other items as may be requested by any of the foregoing persons to whom such report is to be submitted.

B. The Department shall report to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations and the Director of the Department of Planning and Budget by December 1 of each year on the state's homeless programs, including the number of (i) emergency shelter beds, (ii) transitional housing units, (iii) single room occupancy dwellings, (iv) homeless intervention programs, (v) homeless prevention programs, and (vi) homeless individuals supported by the permanent housing state funding on a locality and statewide basis and the accomplishments achieved by the additional state funding provided to the program. The report shall also include the number of Virginians served by these programs, the costs of the programs, and the financial and in-kind support provided by localities and nonprofit groups to these programs. In preparing the report, the Department shall consult with localities and community-based groups.

2. That the provisions of this act shall become effective on January 1, 2026.

CHAPTER 41

An Act to amend and reenact §§ 18.2-478 and 18.2-479 of the Code of Virginia, relating to escape from jail or custody; penalty.

[S 861]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-478 and 18.2-479 of the Code of Virginia are amended and reenacted as follows:

§ 18.2-478. Escape from jail or custody by force or violence without setting fire to jail; penalty.

If any person lawfully imprisoned in jail and not tried or sentenced on a criminal offense escapes from jail by force or violence, other than by setting fire thereto, or if any person lawfully in the custody of any ~~police~~ *law-enforcement* officer, *as defined in § 18.2-57,* on a charge of criminal offense escapes from such custody by force or violence, he ~~shall be~~ *is* guilty of a Class 6 felony.

§ 18.2-479. Escape without force or violence or setting fire to jail; penalties.

A. Except as provided in subsection B, any person lawfully confined in jail or lawfully in the custody of any court, officer of the court, or ~~of any~~ law-enforcement officer, *as defined in § 18.2-57,* for violation of his probation or parole or on a charge or conviction of a misdemeanor~~,~~ who escapes, other than by force or violence or by setting fire to the jail, is guilty of a Class 1 misdemeanor.

B. Any person~~,~~ lawfully confined in jail or lawfully in the custody of any court, officer of the court, or ~~of any~~ law-enforcement officer, *as defined in § 18.2-57,* on a charge or conviction of a felony~~,~~ who escapes, other than by force or violence or by setting fire to the jail, is guilty of a Class 6 felony.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 42

An Act to amend and reenact §§ 3.8 and 3.9 of Chapter 519 of the Acts of Assembly of 2013, which provided a charter for the Town of Richlands in Tazewell County, relating to ordinances; town manager.

[S 873]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.8 and 3.9 of Chapter 519 of the Acts of Assembly of 2013 are amended and reenacted as follows:

§ 3.8. Ordinances.

A. Except in dealing with questions of parliamentary procedure, the council shall act only by ordinance or resolution, and all ordinances, except ordinances making appropriations or authorizing the contracting of indebtedness or issuance of

bonds or other evidence of debt, shall be confined to one subject. Ordinances making appropriations or other obligations and appropriating the money to be raised thereby shall be confined to those subjects respectively.

B. The enacting clause of all ordinances passed by the council shall be: "Be it ordained by the council of the Town of Richlands." No ordinance, unless it be an emergency measure, shall be passed until it has been ~~read~~ *presented* at two regular meetings not less than seven days apart~~, unless the requirement of such reading has been dispensed with by the affirmative vote of four of the members of the council~~. No ordinance or section thereof shall be revised or amended by its title or section number only, but the new ordinance shall contain the entire ordinance, or section as revised or amended. The ayes and nays shall be taken upon the passage of all ordinances or resolutions and entered upon the journal of the proceedings of the council, and every ordinance or resolution shall require, on final passage, the affirmative vote of at least four of the members.

C. All ordinances and resolutions passed by the council shall be in effect from and after 30 days from the date of their passage, except that the council may, by the affirmative vote of two-thirds of its members present, pass emergency measures to take effect at the time indicated therein. Ordinances appropriating money for any emergency may be passed as emergency measures, but no measure providing for the sale or lease of town property, or making a grant, renewal, or extension of a franchise or other special privilege, or regulating the rate to be charged for its service by any public utility, shall be so passed. No measure increasing a tax or license, or providing for any new form of tax, shall be adopted until notice has been published 30 days previous to its passage in a paper of general circulation in the town.

D. Every ordinance or resolution upon its final passage shall be recorded in a book kept for that purpose and shall be authenticated by the signature of the presiding officer and the town clerk.

E. Every member, when present when a question is put, shall vote unless excused by the council. But no member who has any personal or financial interest in the result of any ordinance or resolution before the council shall vote thereon.

§ 3.9. Appointees.

At the first meeting in January following each council election, or as soon thereafter as practicable, the council shall:

1. Appoint a town manager who shall be the administrative and executive head of the municipal government. The town manager shall be chosen by the council without regard to political beliefs and solely upon the basis of his executive and administrative qualifications. At the time of his appointment, the town manager need not be a resident of the town or the Commonwealth but ~~during the tenure of office~~ shall reside within the town *within the contractually stated grace period*. The town manager shall be appointed for an indefinite period and shall hold office during the pleasure of the council. Compensation shall be provided by the council by ordinance or resolution. The town manager may be bonded as the council may deem necessary. During the absence or disability of the town manager or in case of a vacancy, the council may designate some properly qualified person to perform the duties of the office during such absence, disability, or vacancy. No council person shall receive such appointment during the term for which he or she shall have been elected, nor within one year after the expiration of his or her term. Neither the council nor any of the members shall direct or request the appointment, as hereinafter provided, of any person to office by the town manager or by any of the town manager's subordinates. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the town manager, and neither the council nor any member thereof shall give orders to any subordinates of the town manager, either publicly or privately. The town manager shall have the authority duties as follows:

a. To ensure that all laws, ordinances, resolutions, and by-laws of the council are faithfully enforced;

b. To appoint such officers and employees, as the council shall determine and authorize as are necessary for the proper administration of the affairs of the town with the power to discipline and remove any such officer or employee, but the town manager shall report each appointment of any officer having supervisory or administrative authority to the council for confirmation at the next meeting thereof following any such appointment. The chief of police so appointed by the town manager and confirmed by the council shall have the power to discipline subordinates for just cause;

c. To attend all meetings of the council, with the right to take part in the discussion, but having no vote;

d. To recommend to the council for adoption of such measures as the town manager may deem necessary or expedient;

e. To make reports to the council from time to time upon the affairs of the town and to keep the council fully advised of the town's financial condition and its future financial needs;

f. To prepare and submit to the council a tentative budget for the next fiscal year as provided by general law and by this Charter;

g. To make all contracts on behalf of the town pursuant to a resolution or an ordinance of the council and to act as town purchasing agent;

h. To supervise and control all encumbrances, expenditures, and disbursements; to insure that budget appropriations are not exceeded and to appoint, or upon resolution of the council to act as, the town treasurer with the following duties:

(1) To be the collector and custodian of all funds belonging to the town and to deposit such funds in such depositories as may be designated by the council;

(2) To have custody of all investments and invested funds of the town in a fiduciary capacity;

(3) To disburse by check all money payable by the town. If the treasurer is a person other than the town manager, all checks shall be countersigned by the town manager;

(4) To protect the interest of the town by withholding the payment of any claim or demand by any person, firm, or corporation against the town until any indebtedness or other liability due from such person, firm, or corporation shall first have been settled and adjusted; and

(5) To perform such other duties as may be prescribed or requested by council.

2. Appoint a town clerk, who also may be the town manager, for an indefinite term. The town clerk shall receive such compensation as shall be provided by the council by ordinance or resolution and shall have the following duties:

a. To be custodian of the corporate seal;

b. To give notice of council meetings;

c. To keep a journal of council proceedings;

d. To authenticate by the town clerk's signature and record in full in a book kept for the purpose of all ordinances and resolutions; and

e. To perform such other duties as may be prescribed or requested by council.

3. Appoint a town attorney, for an indefinite term who shall be an attorney-at-law licensed to practice under the laws of the Commonwealth. The town attorney shall receive such compensation and fees as shall be provided by the council by ordinance or resolution. The town attorney shall have the following powers and duties:

a. To be legal advisor of the council, the town manager, and all departments, boards, commissions, and agencies of the town, in all matters affecting the interest of the town and shall upon request furnish a written opinion on any question of law involving their respective official powers and duties;

b. To prepare, at the request of the town manager or any member of the council, ordinances for introduction and, at the request of the council or any member thereof, shall examine any ordinance after introduction and render his or her opinion as to the form and legality thereof;

c. To draw or approve all bonds, deeds, leases, contracts, or other instruments to which the town is a party or in which it has an interest; and

d. To represent the town as counsel in any civil case in which it is interested and in criminal cases when so required by the town council.

CHAPTER 43

An Act to amend and reenact § 18.2-246.6 of the Code of Virginia, relating to cigarette delivery sales; definition.

[S 1067]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-246.6 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-246.6. Definitions.

For purposes of this article:

"Adult" means a person who is at least the legal minimum purchasing age.

"Board" means the Board of Directors of the Virginia Alcoholic Beverage Control Authority.

"Consumer" means an individual who is not permitted as a wholesaler pursuant to § 58.1-1011 or who is not a retailer.

"Cigarette" means the same as that term is defined in § 3.2-4200.

"Delivery sale" means any sale of cigarettes to a consumer in the Commonwealth regardless of whether the seller is located in the Commonwealth where either (i) the purchaser submits the order for such sale by means of a telephonic or other method of voice transmission, the mails or any other delivery service, or the Internet or other online service~~;~~ or (ii) the cigarettes are delivered by use of the mails or a delivery service. A sale of cigarettes not for personal consumption to a person who is a wholesale dealer or retail dealer, as such terms are defined in § 58.1-1000, shall not be a delivery sale. ~~A delivery of cigarettes, not through the mail or by a common carrier, to a consumer performed by the owner, employee or other individual acting on behalf of a retailer authorized to sell such cigarettes shall not be a delivery sale.~~

"Delivery service" means any person who is engaged in the commercial delivery of letters, packages, or other containers.

"Legal minimum purchasing age" is the minimum age at which an individual may legally purchase cigarettes in the Commonwealth.

"Mails" or "mailing" means the shipment of cigarettes through the United States Postal Service.

"Shipping container" means a container in which cigarettes are shipped in connection with a delivery sale.

"Shipping documents" means bills of lading, airbills, or any other documents used to evidence the undertaking by a delivery service to deliver letters, packages, or other containers.

CHAPTER 44

An Act to authorize the issuance of bonds, in an amount up to $206,085,243 plus financing costs, pursuant to Article X, Section 9 (c) of the Constitution of Virginia, for paying costs of acquiring, constructing, and equipping revenue-producing capital projects at institutions of higher learning of the Commonwealth; to authorize the Treasury Board, by and with the consent of the Governor, to fix the details of such bonds, to provide for the sale of such bonds, and to issue notes to borrow money in anticipation of the issuance of the bonds; to provide for the pledge of the net revenues of such capital projects and the full faith, credit and taxing power of the Commonwealth for the payment of

such bonds; to provide that the interest income on such bonds and notes shall be exempt from all taxation by the Commonwealth and any political subdivision thereof; emergency.

[S 1121]

Approved March 18, 2025

Whereas, Article X, Section 9 (c), Constitution of Virginia, provides that the General Assembly may authorize the creation of debt secured by a pledge of net revenues derived from rates, fees or other charges and the full faith and credit of the Commonwealth of Virginia, provided that such debt is created for specific revenue-producing capital projects, including their enlargement or improvement, at, among others, institutions of higher learning of the Commonwealth; and

Whereas, in accordance with Article X, Section 9 (c), Constitution of Virginia, the Governor has certified in writing, filed with the Auditor of Public Accounts, his opinion that the anticipated net revenues of each of the capital projects identified below to be pledged to the payment of the principal of and the interest on that portion of such debt issued for each such project will be sufficient to meet such payments as the same become due and to provide such reserves as may be required by law and that each of the capital projects complies with the requirements of Article X, Section 9 (c), Constitution of Virginia; now therefore,

Be it enacted by the General Assembly of Virginia:

1. *§ 1. Title. This act shall be known and may be cited as the "Commonwealth of Virginia Higher Educational Institutions Bond Act of 2025."*

§ 2. Authorization of bonds and BANs. The Treasury Board is hereby authorized, by and with the consent of the Governor, to sell and issue, pursuant to Article X, Section 9 (c), Constitution of Virginia, at one time or from time to time, bonds of the Commonwealth, to be designated "Commonwealth of Virginia Higher Educational Institutions Bonds, Series ....." in an aggregate principal amount not exceeding $206,085,243, plus amounts needed to fund issuance costs, reserve funds, construction period interest, and other financing expenses. The Treasury Board is further hereby authorized, by and with the consent of the Governor, to borrow money in anticipation of the issuance of bonds by the issuance of bond anticipation notes (BANs), including BANs issued as commercial paper. The proceeds of such bonds and BANs, excluding amounts needed to fund issuance costs, reserve funds, and other financing expenses, shall be used exclusively for the purpose of providing funds, with any other available funds, for paying all or a portion of the costs of acquiring, constructing, renovating, enlarging, improving, and equipping revenue-producing capital projects at institutions of higher learning of the Commonwealth as follows:

Institution	*Project Title*	*Project Code*	*Amount*
James Madison University	*Construct Student Housing*	*18771*	*$86,085,243*
The College of William & Mary in Virginia	*Construct West Woods Phase 2*	*18766*	*$120,000,000*
Total			*$206,085,243*

§ 3. Application of proceeds. The proceeds, including any premium, of bonds and BANs (except the proceeds of (i) bonds the issuance of which has been anticipated by BANs, (ii) refunding bonds, and (iii) refunding BANs) shall be deposited in a special capital outlay fund in the state treasury and, together with the investment income thereon, shall be disbursed by the State Treasurer for paying costs of the acquisition, construction, renovation, enlargement, improvement, and equipping of the authorized capital projects, including financing costs. The proceeds of (a) bonds the issuance of which has been anticipated by BANs, (b) refunding bonds, and (c) refunding BANs shall be used to pay such BANs, refunded bonds, and refunded BANs.

§ 4. Details, sale of bonds and BANs. Bonds and BANs shall be dated, and may be made redeemable before their maturity or maturities at such price or prices or within such price parameters, all as may be determined by the Treasury Board, by and with the consent of the Governor. Bonds and BANs shall be in such form, shall bear interest at such rate or rates, either at fixed rates or at rates established by formula or other method, and may contain such other provisions, all as determined by the Treasury Board or, when authorized by the Treasury Board, the State Treasurer. The principal of and premium, if any, and the interest on bonds and BANs shall be payable in lawful money of the United States of America. Bonds and BANs may be certificated or uncertificated as determined by the Treasury Board. The Treasury Board may contract for services of such registrars, transfer agents, or other authenticating agents as it deems appropriate to maintain a record of the persons entitled to the bonds and BANs. Bonds and BANs issued in certificated form may be issued under a system of book entry for recording the ownership and transfer of ownership of rights to receive payments on the bonds and BANs. The Treasury Board shall fix the authorized denomination or denominations of the bonds and the place or places of payment of certificated bonds and BANs, which may be at the Office of the State Treasurer or at any bank or trust company within or without the Commonwealth. Bonds shall mature at such time or times not exceeding 30 years from their date or dates, and BANs shall mature at such time or times not exceeding five years from their date or dates.

The Treasury Board may sell bonds and BANs in such manner, by competitive bidding, negotiated sale, or private placement and for such price or within such price parameters as it may determine, by and with the consent of the Governor, to be in the best interest of the Commonwealth.

In the discretion of the Treasury Board, bonds and BANs may be issued at one time or from time to time and may be sold and issued at the same time with other general obligation bonds and BANs, respectively, of the Commonwealth authorized pursuant to Article X, Section 9 (a) (3), (b), and (c) of the Constitution of Virginia, as separate issues or as a combined issue, designated "Commonwealth of Virginia General Obligation Bonds Bond Anticipation Notes, Series .....".

§ 5. Execution of bonds and BANs. Certificated bonds and BANs shall be signed on behalf of the Commonwealth by the Governor and by the State Treasurer, or shall bear their facsimile signatures, and shall bear the lesser seal of the Commonwealth or a facsimile thereof. If the bonds or BANs bear the facsimile signature of the State Treasurer, they shall be signed by such administrative assistant as the State Treasurer shall determine or by such registrar or paying agent as may be designated to sign them by the Treasury Board. If any officer whose signature or facsimile signature appears on any bonds or BANs ceases to be such officer before delivery, such signature or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery, and any bond or BAN may bear the facsimile signature of, or may be signed by, such persons as at the actual time of execution are the proper officers to sign such bond or BAN, although, at the date of such bond or BAN, such persons may not have been such officers.

§ 6. Sources for payment of expenses. All expenses incurred under this act shall be paid from the proceeds of bonds or BANs, from payments made by the institutions for which the capital projects were authorized in § 2 hereof or from any other available funds as the Treasury Board shall determine.

§ 7. Revenues. Each institution of higher learning named above is hereby authorized (i) to fix, revise, charge, and collect rates, fees, and charges for or in connection with the use, occupancy, and services of each capital project mentioned above or the system of which such capital project is a part and (ii) to pledge to the portion of the bonds or BANs issued for such capital project the net revenues resulting from such rates, fees, and charges and remaining after payment of the expenses of operating the project or system, as the case may be. Each such institution is further authorized to create debt service and sinking funds for the payments of the principal of, premium, if any, and interest on the bonds and other reserves required by any agency of the United States of America purchasing the bonds or any portion thereof.

§ 8. Investments and contracts. A. Pending the application of the proceeds of the bonds or BANs (including refunding bonds and BANs) to the purpose for which they have been authorized and the application of funds set aside for the purpose to the payment of bonds or BANs, they may be invested by the State Treasurer in securities that are legal investments under the laws of the Commonwealth for public funds and sinking funds, as the case may be. Whenever the State Treasurer receives interest from the investment of the proceeds of bonds or any BANs, such interest shall become a part of the principal of the bonds or any BANs and shall be used in the same manner as required for principal of the bonds or BANs.

B. The Commonwealth may enter into any contract or other arrangement that is determined to be necessary or appropriate to place the obligation or investment of the Commonwealth, as represented by bonds, BANs, or investments, in whole or in part, on the interest rate, cash flow, or other basis desired by the Commonwealth. Such contract or other arrangement may include, without limitation, contracts commonly known as interest rate swap agreements and futures or contracts providing for payments based on levels of, or changes in, interest rates. These contracts or arrangements may be entered into by the Commonwealth in connection with, or incidental to, entering into, or maintaining any (i) agreement which secures bonds or BANs or (ii) investment, or contract providing for investment, otherwise authorized by law. These contracts and arrangements may contain such payment, security, default, remedy, and other terms and conditions as determined by the Commonwealth, after giving due consideration to the creditworthiness of the counterparty or other obligated party, including any rating by any nationally recognized rating agency, and any other criteria as may be appropriate. The determinations referred to in this subsection may be made by the Treasury Board or any public funds manager with professional investment capabilities duly authorized by the Treasury Board to make such determinations.

C. Any money set aside and pledged to secure payments of bonds, BANs, or any of the contracts entered into pursuant to this section may be invested in accordance with subsection A and may be pledged to and used to service any of the contracts or other arrangements entered into pursuant to subsection B.

§ 9. Security for bonds and BANs. The net revenues of the capital projects set forth above and the full faith and credit of the Commonwealth are hereby irrevocably pledged for the payment of the principal of and the interest on bonds and BANs (unless the Treasury Board, by and with the consent of the Governor, shall provide otherwise) issued under this act. The proceeds of (i) bonds the issuance of which has been anticipated by BANs, (ii) refunding bonds, and (iii) refunding BANs are hereby irrevocably pledged for the payment of principal of and interest and any premium on the BANs or bonds to be paid or redeemed thereby. In the event the net revenues pledged to the payment of the bonds or BANs are insufficient in any fiscal year for the timely payment of the principal of, premium, if any, and interest on the bonds or BANs, where the full faith and credit of the Commonwealth have been pledged, the General Assembly shall appropriate a sum sufficient therefor or the Governor shall direct payment therefor from the general fund revenues of the Commonwealth.

§ 10. Exemption of interest from tax. The bonds and BANs issued under the provisions of this act, their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be free and exempt from taxation by the Commonwealth and by any county, city, or town or other political subdivision thereof. The Treasury Board is authorized to take or refrain from taking any and all actions and to covenant to such effect, and to require the participating institutions to do and to covenant likewise, to the extent that, in the judgment of the Treasury Board, it is appropriate in order that interest on the bonds and BANs may be exempt from federal income tax. Alternatively, interest on bonds and BANs may be made subject to inclusion in gross income of the holders thereof for federal income tax purposes.

§ 11. Refunding bonds and BANs. The Treasury Board is authorized, by and with the consent of the Governor, to sell and issue, at one time or from time to time, refunding bonds and BANs of the Commonwealth, to refund any or all of the bonds and BANs, respectively, issued under this act or otherwise authorized pursuant to Article X, Section 9 (c), Constitution of Virginia. Refunding bonds and BANs may be issued in a principal amount up to the amount necessary to pay at maturity or redeem the bonds and BANs to be refunded and pay all issuance costs and other financing expenses of the refunding. Such refunding bonds and BANs may be issued whether or not the obligations to be refunded are then subject to redemption.

§ 12. Defeasance. Any bond or BAN for which cash or direct obligations of the United States of America shall have been set aside in escrow with the State Treasurer or a bank or trust company, within or without the Commonwealth, shall be deemed no longer outstanding under the applicable authorizing instrument, this act, and Article X, Section 9 (c) or (b), as the case may be, of the Constitution of Virginia.

§ 13. Severability. The provisions of this act or the application thereof to any person or circumstance which are held invalid shall not affect the validity of other provisions or applications of this act which can be given effect without the invalid provisions or applications.

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

CHAPTER 45

An Act to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 22.23, consisting of a section numbered 59.1-284.44, and by repealing Chapter 22.13 (§ 59.1-284.32) of Title 59.1, relating to Current and Mature Semiconductor Technology Grant Fund.

[S 1208]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 22.23, consisting of a section numbered 59.1-284.44, as follows:

CHAPTER 22.23.

CURRENT AND MATURE SEMICONDUCTOR TECHNOLOGY GRANT FUND.

§ 59.1-284.44. Current and Mature Semiconductor Technology Grant Fund.

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

"Capital investment" means an expenditure by or on behalf of a qualified company on or after July 1, 2024, in real property, taxable tangible personal property, or both, at a facility in an eligible locality that is properly chargeable to a capital account or would be so chargeable with a proper election. "Capital investment" includes the purchase or lease of furniture, fixtures, business personal property, machinery and tools, including under an operating lease, and expected building construction and up-fit by or on behalf of a qualified company.

"Eligible locality" means the City of Manassas.

"Facility" means the building, group of buildings, or manufacturing, distribution, and research and development campus, including any related machinery and tools, furniture, fixtures, and equipment, in an eligible locality that is owned, leased, licensed, occupied, or otherwise operated by the qualified company for use in the manufacture of, or research and development for, semiconductors and other electronic devices.

"Fund" means the Current and Mature Semiconductor Technology Grant Fund.

"Grants" means the grant payments from the Fund that are awarded to a qualified company in an aggregate amount not to exceed $70 million. The proceeds of any grants may be used by the qualified company for purposes of paying for or reimbursing the costs of building construction and infrastructure related to the facility.

"Memorandum of understanding" means a performance agreement or related documents to be entered into by a qualified company and the Commonwealth that sets forth the requirements for capital investment and the creation of new full-time jobs by a qualified company to be eligible for grants from the Fund.

"New full-time job" means a job position with full-time employment at the facility as measured at any time following July 1, 2024, for which the annual average wage is at least $104,873 subject to an escalation factor for each year as set forth in the memorandum of understanding, that requires a minimum of 38 hours of an employee's time per week for the entire normal year, consisting of at least 48 weeks, for the qualified company's operations. "New full-time job" shall not include any seasonal or temporary positions and positions created when a job function is shifted from an existing location in the Commonwealth. Any new full-time job must be in addition to 1,380 existing full-time positions at the qualified company's facilities in the eligible locality.

"Qualified company" means a semiconductor manufacturing company, and its affiliates, that manufactures and distributes semiconductors and that between July 1, 2024, and June 30, 2040, is expected to (i) make or cause to be made a capital investment at a facility of at least $2,170,130,850 and (ii) create and maintain at least 340 new full-time jobs at the facility related to, or supportive of, its semiconductor manufacturing, distribution, and research and development functions.

"Secretary" means the Secretary of Commerce and Trade or his designee.

B. There is hereby created in the state treasury a special nonreverting fund to be known as the Current and Mature Semiconductor Technology Grant Fund. The Fund shall be established on the books of the Comptroller. All funds appropriated to the Fund shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used to pay grants pursuant to this chapter. Expenditures and disbursements for grants from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller pursuant to subsection G, but in no event shall the Comptroller draw any warrants to issue checks for grants from the Fund without a specific appropriation authorization from the General Assembly therefor.

C. A qualified company shall be eligible to receive grants each fiscal year beginning with the Commonwealth's fiscal year starting on July 1, 2026, and ending with the Commonwealth's fiscal year starting on July 1, 2040, unless such timeframe is extended in accordance with a memorandum of understanding or bonus grants are earned pursuant to subsection E. Grants paid pursuant to this chapter shall be subject to appropriation by the General Assembly during each such fiscal year and contingent upon a qualified company meeting the requirements set forth in this chapter and the memorandum of understanding for the number of new full-time jobs created and maintained and the amount of capital investment made related to the construction or renovation of a facility. The total aggregate amount of grants payable under this section, in accordance with subsections D and E, shall not exceed $70 million.

D. A qualified company may earn grants under this subsection for progress towards and achievement of pledged capital investment and new full-time jobs. The aggregate amount of grants payable under this section shall not exceed $60 million. Grants are anticipated to be paid in 15 annual fiscal year installments, calculated in accordance with a memorandum of understanding, as follows:

1. $1,395,020 for the Commonwealth's fiscal year beginning July 1, 2026;

2. $5,852,390, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2027;

3. $11,839,430, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2028;

4. $17,702,060, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2029;

5. $22,854,420, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2030;

6. $28,006,780, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2031;

7. $33,159,140, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2032;

8. $36,514,260, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2033;

9. $39,869,380, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2034;

10. $43,224,500, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2035;

11. $46,579,620, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2036;

12. $49,934,740, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2037;

13. $53,289,860, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2038;

14. $56,644,980, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2039; and

15. $60 million, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2040.

E. In addition to any grants authorized pursuant to subsection D, a qualified company may earn bonus grants under this subsection that shall not exceed an aggregate amount of $10 million across all fiscal years. A bonus grant may only be earned pursuant to subdivision 1 or 2, or a combination of both. Bonus grants may be earned by a qualified company by:

1. Creating more than 340 new full-time jobs, to be paid in accordance with the terms of the memorandum of understanding; and

2. Maintaining at least 340 new jobs in fiscal years 2041 through 2045, to be paid in accordance with the terms of the memorandum of understanding.

F. A qualified company applying for a grant installment under this section shall provide an annual report and evidence satisfactory to the Secretary of (i) the aggregate number of new full-time jobs created and maintained as of the last day of the fiscal year, the payroll paid by the qualified company during the fiscal year, and the average annual wage of the new full-time jobs in the fiscal year and (ii) the aggregate amount of capital investment made during the fiscal year, including

the extent to which such capital investment was or was not subject to Virginia sales and use tax pursuant to Chapter 6 (§ 58.1-600 et seq.) of Title 58.1. The report and evidence shall be filed with the Secretary in person, by mail, or as otherwise agreed upon in the memorandum of understanding and by no later than October 1 each year following the end of the prior fiscal year upon which such report and such evidence are based.

G. Within 30 days of receiving the report and satisfactory evidence pursuant to subsection F, the Secretary shall certify to the Comptroller and the qualified company the amount of grants to which such qualified company is entitled for payment. Payment of such grants shall be made by check issued by the State Treasurer on warrant of the Comptroller by the end of the calendar year during which the annual report and satisfactory evidence are submitted. The Comptroller shall not draw any warrant to issue checks for grants without a specific appropriation for the same.

H. As a condition of receipt of grants under this section, a qualified company shall make available to the Secretary for inspection, upon request, all documents that are relevant or applicable to determining whether the qualified company has met the requirements for receipt of a grant pursuant to this section and subject to the memorandum of understanding. Any such documents appropriately identified by a qualified company shall be considered confidential and proprietary and shall not be subject to disclosure pursuant to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

2. That Chapter 22.13 (§ 59.1-284.32) of Title 59.1 of the Code of Virginia is repealed.

CHAPTER 46

An Act to amend and reenact § 33.2-232 of the Code of Virginia and to repeal the second and third enactments of Chapter 783 of the Acts of Assembly of 2012, relating to Commissioner of Highways; prequalification program for self-bonding program; certain reports; repealed.

[S 1340]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 33.2-232 of the Code of Virginia is amended and reenacted as follows:

§ 33.2-232. Biennial reports by Commissioner of Highways and the Office of Intermodal Planning and Investment.

A. The Secretary of Transportation shall ensure that the reports required under subsections B and C are provided in writing to the Governor, the General Assembly, and the Commonwealth Transportation Board by the dates specified.

B. The Commissioner of Highways shall provide to each recipient specified in subsection A, no later than November 1 of each even-numbered year, a report, the content of which shall be specified by the Board and shall contain, at a minimum:

1. The methodology used to determine maintenance needs, including an explanation of the transparent methodology used for the allocation of funds from the Highway Maintenance and Operating Fund pursuant to subsection A of § 33.2-352;

2. The methodology approved by the Board for the allocation of funds for state of good repair purposes as defined in § 33.2-369 and, if necessary, an explanation and rationale for any waiver of the cap provided for in subsection B of § 33.2-369;

3. The expenditures from the Highway Maintenance and Operating Program for the past fiscal year by asset class or activity and by construction district as well as the planned expenditure for the current fiscal year;

4. A description of transportation systems management and operations in the Commonwealth and the operating condition of primary and secondary state highways, including location and average duration of incidents;

5. A listing of prioritized pavement and bridge needs based on the priority ranking system developed by the Board pursuant to § 33.2-369 and a description of the priority ranking system;

6. A description of actions taken to improve highway operations within the Commonwealth~~, including the use of funds in the Innovation and Technology Transportation Fund established pursuant to § 33.2-1531~~;

7. The use of funds in the Special Structure Fund established pursuant to § 33.2-1532;

8. The status of the Interstate Operations and Enhancement Program, including, at a minimum, the allocation of revenues for the program, the current and projected performance of each interstate highway corridor, and the anticipated benefits of funded strategies, capital improvements, and services by the interstate highway; and

9. A review of the Department's collaboration with the private sector in delivering services.

C. The Office of Intermodal Planning and Investment of the Secretary of Transportation shall provide to each recipient specified in subsection A, no later than November 1 of each odd-numbered year, a report, the content of which shall be specified by the Board and shall contain, at a minimum:

1. A list of transportation projects approved or modified during the prior fiscal year, including whether each such project was evaluated pursuant to § 33.2-214.1 and the program from which each such project received funding;

2. The results of the most recent project evaluations pursuant to § 33.2-214.1, including a comparison of (i) projects selected for funding with projects not selected for funding, (ii) funding allocated by district and by mode of transportation, and (iii) the size of projects selected for funding;

3. The current performance of the Commonwealth's surface transportation system, the targets for future performance, and the progress toward such targets based on the measures developed pursuant to § 2.2-229;

4. The status of the Virginia Transportation Infrastructure Bank, including the balance in the Bank, funding commitments made over the prior fiscal year, and performance of the current loan portfolio;

5. The status of the Toll Facilities Revolving Account, including the balance in the account, project commitments from the account, repayment schedules, and the performance of the current loan portfolio; and

6. Progress made toward achieving the performance targets established by the Commonwealth Transportation Board.

D. The purpose of the reports required pursuant to this section is to ensure transparency and accountability in the use of transportation funds. Reports required by this section shall be made available to the public on the website of the Commonwealth Transportation Board.

2. That the second and third enactments of Chapter 783 of the Acts of Assembly of 2012 are repealed.

CHAPTER 47

An Act to repeal the second enactment of Chapter 145 of the Acts of Assembly of 2022, relating to license to teach dentistry; foreign dental program graduates; repeal sunset.

[H 1899]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That the second enactment of Chapter 145 of the Acts of Assembly of 2022 is repealed.

CHAPTER 48

An Act to amend and reenact § 54.1-3410.2 of the Code of Virginia, relating to compounding drugs; exceptions for distribution within hospital or health system.

[H 1905]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3410.2 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3410.2. Compounding; pharmacists' authority to compound under certain conditions; labeling and record maintenance requirements.

A. A pharmacist may engage in compounding of drug products when the dispensing of such compounded products is (i) pursuant to valid prescriptions for specific patients and (ii) consistent with the provisions of § 54.1-3303 relating to the issuance of prescriptions and the dispensing of drugs.

Pharmacists shall label all compounded drug products that are dispensed pursuant to a prescription in accordance with this chapter and the Board's regulations, and shall include on the labeling an appropriate beyond-use date as determined by the pharmacist in compliance with USP-NF standards for pharmacy compounding.

B. A pharmacist may also engage in compounding of drug products in anticipation of receipt of prescriptions based on a routine, regularly observed prescribing pattern.

Pharmacists shall label all products compounded prior to dispensing with (i) the name and strength of the compounded medication or a list of the active ingredients and strengths; (ii) the pharmacy's assigned control number that corresponds with the compounding record; (iii) an appropriate beyond-use date as determined by the pharmacist in compliance with USP-NF standards for pharmacy compounding; and (iv) the quantity.

C. In accordance with the conditions set forth in subsections A and B, pharmacists shall not distribute compounded drug products for subsequent distribution or sale to other persons or to commercial entities, including distribution to pharmacies or other entities under common ownership or control with the facility in which such compounding takes place*, except for distribution within health systems under common ownership when the compounded drug products are administered only to patients within the hospital or health system*; however, a pharmacist may distribute to a veterinarian in accordance with federal law.

Compounded products for companion animals, as defined in regulations promulgated by the Board of Veterinary Medicine, and distributed by a pharmacy to a veterinarian for further distribution or sale to his own patients shall be limited to drugs necessary to treat an emergent condition when timely access to a compounding pharmacy is not available as determined by the prescribing veterinarian.

A pharmacist may, however, deliver compounded products dispensed pursuant to valid prescriptions to alternate delivery locations pursuant to § 54.1-3420.2.

A pharmacist may provide a reasonable amount of compounded products to practitioners of medicine, osteopathy, podiatry, or dentistry to administer to their patients, either personally or under their direct and immediate supervision, if there is a critical need to treat an emergency condition, or as allowed by federal law or regulations. A pharmacist may also provide compounded products to practitioners of veterinary medicine for office-based administration to their patients.

Pharmacists who provide compounded products for office-based administration for treatment of an emergency condition or as allowed by federal law or regulations shall label all compounded products distributed to practitioners other

than veterinarians for administration to their patients with (i) the statement "For Administering in Prescriber Practice Location Only"; (ii) the name and strength of the compounded medication or list of the active ingredients and strengths; (iii) the facility's control number; (iv) an appropriate beyond-use date as determined by the pharmacist in compliance with USP-NF standards for pharmacy compounding; (v) the name and address of the pharmacy; and (vi) the quantity.

Pharmacists shall label all compounded products for companion animals, as defined in regulations promulgated by the Board of Veterinary Medicine, and distributed to a veterinarian for either further distribution or sale to his own patient or administration to his own patient with (a) the name and strength of the compounded medication or list of the active ingredients and strengths; (b) the facility's control number; (c) an appropriate beyond-use date as determined by the pharmacist in compliance with USP-NF standards for pharmacy compounding; (d) the name and address of the pharmacy; and (e) the quantity.

D. Pharmacists shall personally perform or personally supervise the compounding process, which shall include a final check for accuracy and conformity to the formula of the product being prepared, correct ingredients and calculations, accurate and precise measurements, appropriate conditions and procedures, and appearance of the final product.

E. Pharmacists shall ensure compliance with USP-NF standards for both sterile and non-sterile compounding.

F. Pharmacists may use bulk drug substances in compounding when such bulk drug substances:

1. Comply with the standards of an applicable United States Pharmacopoeia or National Formulary monograph, if such monograph exists, and the United States Pharmacopoeia chapter on pharmacy compounding; or are drug substances that are components of drugs approved by the FDA for use in the United States; or are otherwise approved by the FDA; or are manufactured by an establishment that is registered by the FDA; and

2. Are distributed by a licensed wholesale distributor or registered nonresident wholesale distributor, or are distributed by a supplier otherwise approved by the Board and the FDA to distribute bulk drug substances if the pharmacist can establish purity and safety by reasonable means, such as lot analysis, manufacturer reputation, or reliability of the source.

G. Pharmacists may compound using ingredients that are not considered drug products in accordance with the USP-NF standards and guidance on pharmacy compounding.

H. Pharmacists shall not engage in the following:

1. The compounding for human use of a drug product that has been withdrawn or removed from the market by the FDA because such drug product or a component of such drug product has been found to be unsafe. However, this prohibition shall be limited to the scope of the FDA withdrawal;

2. The regular compounding or the compounding of inordinate amounts of any drug products that are essentially copies of commercially available drug products. However, this prohibition shall not include (i) the compounding of any commercially available product when there is a change in the product ordered by the prescriber for an individual patient, (ii) the compounding of a commercially manufactured drug only during times when the product is not available from the manufacturer or supplier, (iii) the compounding of a commercially manufactured drug whose manufacturer has notified the FDA that the drug is unavailable due to a current drug shortage, (iv) the compounding of a commercially manufactured drug when the prescriber has indicated in the oral or written prescription for an individual patient that there is an emergent need for a drug that is not readily available within the time medically necessary, or (v) the mixing of two or more commercially available products regardless of whether the end product is a commercially available product; or

3. The compounding of inordinate amounts of any preparation in cases in which there is no observed historical pattern of prescriptions and dispensing to support an expectation of receiving a valid prescription for the preparation. The compounding of an inordinate amount of a preparation in such cases shall constitute manufacturing of drugs.

I. Pharmacists shall maintain records of all compounded drug products as part of the prescription, formula record, formula book, or other log or record. Records may be maintained electronically, manually, in a combination of both, or by any other readily retrievable method.

1. In addition to other requirements for prescription records, records for products compounded pursuant to a prescription order for a single patient where only manufacturers' finished products are used as components shall include the name and quantity of all components, the date of compounding and dispensing, the prescription number or other identifier of the prescription order, the total quantity of finished product, the signature or initials of the pharmacist or pharmacy technician performing the compounding, and the signature or initials of the pharmacist responsible for supervising the pharmacy technician and verifying the accuracy and integrity of compounded products.

2. In addition to the requirements of subdivision I 1, records for products compounded in bulk or batch in advance of dispensing or when bulk drug substances are used shall include: the generic name and the name of the manufacturer of each component or the brand name of each component; the manufacturer's lot number and expiration date for each component or when the original manufacturer's lot number and expiration date are unknown, the source of acquisition of the component; the assigned lot number if subdivided, the unit or package size and the number of units or packages prepared; and the beyond-use date. The criteria for establishing the beyond-use date shall be available for inspection by the Board.

3. A complete compounding formula listing all procedures, necessary equipment, necessary environmental considerations, and other factors in detail shall be maintained where such instructions are necessary to replicate a compounded product or where the compounding is difficult or complex and must be done by a certain process in order to ensure the integrity of the finished product.

4. A formal written quality assurance plan shall be maintained that describes specific monitoring and evaluation of compounding activities in accordance with USP-NF standards. Records shall be maintained showing compliance with

monitoring and evaluation requirements of the plan to include training and initial and periodic competence assessment of personnel involved in compounding, monitoring of environmental controls and equipment calibration, and any end-product testing, if applicable.

J. Practitioners who may lawfully compound drugs for administering or dispensing to their own patients pursuant to §§ 54.1-3301, 54.1-3304, and 54.1-3304.1 shall comply with all provisions of this section and the relevant Board regulations.

K. Every pharmacist-in-charge or owner of a permitted pharmacy or a registered nonresident pharmacy engaging in sterile compounding shall notify the Board of its intention to dispense or otherwise deliver a sterile compounded drug product into the Commonwealth. Upon renewal of its permit or registration, a pharmacy or nonresident pharmacy shall notify the Board of its intention to continue dispensing or otherwise delivering sterile compounded drug products into the Commonwealth. Failure to provide notification to the Board shall constitute a violation of Chapter 33 (§ 54.1-3300 et seq.) or Chapter 34 (§ 54.1-3400 et seq.). The Board shall maintain this information in a manner that will allow the production of a list identifying all such sterile compounding pharmacies.

CHAPTER 49

An Act to amend and reenact §§ 18.2-340.33 and 18.2-340.34:1 of the Code of Virginia, relating to charitable gaming; remuneration for bingo callers and bingo managers.

[H 1920]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-340.33 and 18.2-340.34:1 of the Code of Virginia are amended and reenacted as follows:

§ 18.2-340.33. Prohibited practices.

In addition to those other practices prohibited by this article, the following acts or practices are prohibited:

1. No part of the gross receipts or electronic gaming adjusted gross receipts derived by a qualified organization may be used for any purpose other than (i) gaming expenses; (ii) reasonable and proper business expenses; and (iii) those lawful religious, charitable, community, or educational purposes for which the organization is specifically chartered or organized.

2. Except as provided in § 18.2-340.34:1, no qualified organization shall enter into a contract with or otherwise employ for compensation any person for the purpose of organizing, managing, or conducting any charitable games. However, organizations composed of or for deaf or blind persons may use a part of their gross receipts for costs associated with providing clerical assistance in the management and operation but not the conduct of charitable gaming.

The provisions of this subdivision shall not prohibit the joint operation of bingo games held in accordance with § 18.2-340.29.

3. No person shall pay or receive for use of any premises wholly devoted to the conduct of any charitable games, any consideration in excess of the current fair market rental value of such property. Fair market rental value consideration shall not be based upon or determined by reference to a percentage of the proceeds derived from the operation of any charitable games or to the number of people in attendance at such charitable games.

4. No person shall participate in the management or operation of any charitable game unless such person is and, for a period of at least 30 days immediately preceding such participation, has been a bona fide member of the organization. For any organization that is not composed of members, a person who is not a bona fide member may volunteer in the conduct of a charitable game as long as that person is directly supervised by a bona fide official member of the organization.

The provisions of this subdivision shall not apply to (i) persons employed as clerical assistants by qualified organizations composed of or for deaf or blind persons; (ii) employees of a corporate sponsor of a qualified organization, provided such employees' participation is limited to the management, operation, or conduct of no more than one raffle per year; (iii) the spouse or family member of any such bona fide member of a qualified organization provided at least one bona fide member is present; or (iv) persons employed by a qualified organization authorized to sell pull tabs or seal cards in accordance with § 18.2-340.16, provided (a) such sales are conducted by no more than two on-duty employees and (b) such employees receive no compensation for or based on the sale of the pull tabs or seal cards.

5. No person shall receive any remuneration for participating in the management, operation, or conduct of any charitable game, except that:

a. Persons employed by organizations composed of or for deaf or blind persons may receive remuneration not to exceed $30 per event for providing clerical assistance in the management and operation but not the conduct of charitable games only for such organizations;

b. Persons under the age of 19 who sell raffle tickets for a qualified organization to raise funds for youth activities in which they participate may receive nonmonetary incentive awards or prizes from the organization;

c. Remuneration may be paid to off-duty law-enforcement officers from the jurisdiction in which such bingo games are played for providing uniformed security for such bingo games even if such officer is a member of the sponsoring organization, provided the remuneration paid to such member is in accordance with off-duty law-enforcement personnel work policies approved by the local law-enforcement official and further provided that such member is not otherwise engaged in the management, operation, or conduct of the bingo games of that organization, or to private security services

businesses licensed pursuant to § 9.1-139 providing uniformed security for such bingo games, provided that employees of such businesses shall not otherwise be involved in the management, operation, or conduct of the bingo games of that organization;

d. A member of a qualified organization lawfully participating in the management, operation, or conduct of a bingo game may be provided food and nonalcoholic beverages by such organization for on-premises consumption during the bingo game provided the food and beverages are provided in accordance with Department regulations;

e. Remuneration may be paid to bingo managers or callers who have a current registration certificate issued by the Department in accordance with § 18.2-340.34:1, or who are exempt from such registration requirement. ~~Such~~ *Except as provided for in subdivision f and subsection E of § 18.2-340.34:1, such* remuneration shall not exceed ~~$100~~ *$200* per session; ~~and~~

f. *For services provided on any day designated as a legal holiday pursuant to § 2.2-3300, remuneration shall be paid at a rate not less than one and one-half times the remuneration rate paid pursuant to subdivision e to bingo managers or callers who have a current registration certificate issued by the Department in accordance with § 18.2-340.34:1, or who are exempt from such registration requirement; and*

g. Volunteers of a qualified organization may be reimbursed for their reasonable and necessary travel expenses, not to exceed $50 per session.

6. No landlord shall, at bingo games conducted on the landlord's premises, (i) participate in the conduct, management, or operation of any bingo games; (ii) sell, lease, or otherwise provide for consideration any bingo supplies, including bingo cards, instant bingo cards, or other game pieces; or (iii) require as a condition of the lease or by contract that a particular manufacturer, distributor, or supplier of bingo supplies or equipment be used by the organization.

The provisions of this subdivision shall not apply to any qualified organization conducting bingo games on its own behalf at premises owned by it.

7. No qualified organization shall enter into any contract with or otherwise employ or compensate any member of the organization on account of the sale of bingo supplies or equipment.

8. No organization shall award any bingo prize money or any merchandise valued in excess of the following amounts:

a. No bingo door prize shall exceed $250 for a single door prize or $500 in cumulative door prizes in any one session;

b. No regular bingo or special bingo game prize shall exceed $100. However, up to 10 games per bingo session may feature a regular bingo or special bingo game prize of up to $200;

c. No instant bingo, pull tab, or seal card prize for a single card shall exceed $2,000;

d. Except as provided in this subdivision 8, no bingo jackpot of any nature whatsoever shall exceed $1,000, nor shall the total amount of bingo jackpot prizes awarded in any one session exceed $1,000. Proceeds from the sale of bingo cards and the sheets used for bingo jackpot games shall be accounted for separately from the bingo cards or sheets used for any other bingo games; and

e. No single network bingo prize shall exceed $25,000. Proceeds from the sale of network bingo cards shall be accounted for separately from bingo cards and sheets used for any other bingo game.

9. The provisions of subdivision 8 shall not apply to~~: Any~~ *any* progressive bingo game~~,~~ in which (i) a regular or special prize, not to exceed $100, is awarded on the basis of predetermined numbers or patterns selected at random and (ii) a progressive prize, not to exceed $500 for the initial progressive prize and $5,000 for the maximum progressive prize, is awarded if the predetermined numbers or patterns are covered when a certain number of numbers is called, provided that (a) there are no more than six such games per session per organization, (b) the amount of increase of the progressive prize per session is no more than $200, (c) the bingo cards or sheets used in such games are sold separately from the bingo cards or sheets used for any other bingo games, (d) the organization separately accounts for the proceeds from such sale, and (e) such games are otherwise operated in accordance with the Department's rules of play.

10. No organization shall award any raffle prize valued at more than $100,000.

The provisions of this subdivision shall not apply to a raffle conducted no more than three times per calendar year by a qualified organization qualified as a tax-exempt organization pursuant to § 501(c) of the Internal Revenue Code for a prize consisting of a lot improved by a residential dwelling where 100 percent of the moneys received from such a raffle, less deductions for the fair market value for the cost of acquisition of the land and materials, are donated to lawful religious, charitable, community, or educational organizations specifically chartered or organized under the laws of the Commonwealth and qualified as a § 501(c) tax-exempt organization. No more than one such raffle shall be conducted in any one geographical region of the Commonwealth.

11. No qualified organization composed of or for deaf or blind persons ~~which~~ *that* employs a person not a member to provide clerical assistance in the management and operation but not the conduct of any charitable games shall conduct such games unless it has in force fidelity insurance, as defined in § 38.2-120, written by an insurer licensed to do business in the Commonwealth.

12. No person shall participate in the management or operation of any charitable game if he has ever been convicted of any felony or if he has been convicted of any misdemeanor involving fraud, theft, or financial crimes within the preceding five years. No person shall participate in the conduct of any charitable game if, within the preceding 10 years, he has been convicted of any felony or if, within the preceding five years he has been convicted of any misdemeanor involving fraud, theft, or financial crimes. In addition, no person shall participate in the management, operation, or conduct of any charitable game if that person, within the preceding five years, has participated in the management, operation, or conduct of any

charitable game ~~which~~ *that* was found by the Department or a court of competent jurisdiction to have been operated in violation of state law, local ordinance, or Department regulation.

13. Qualified organizations jointly conducting bingo games pursuant to § 18.2-340.29 shall not circumvent any restrictions and prohibitions ~~which~~ *that* would otherwise apply if a single organization were conducting such games. These restrictions and prohibitions shall include the frequency with which bingo games may be held, the value of merchandise or money awarded as prizes, or any other practice prohibited under this section.

14. A qualified organization shall not purchase any charitable gaming supplies for use in the Commonwealth from any person who is not currently registered with the Department as a supplier pursuant to § 18.2-340.34.

15. Unless otherwise permitted in this article, no part of an organization's charitable gaming gross receipts shall be used for an organization's social or recreational activities.

16. No organization qualified to conduct Texas Hold'em poker tournaments pursuant to § 18.2-340.28:2 shall conduct any Texas Hold'em poker games where the game has no predetermined end time and the players wager actual money or poker chips that have cash value.

§ 18.2-340.34:1. Bingo managers and callers; remuneration; registration; qualification; suspension, revocation, or refusal to renew certificate; exceptions.

A. No person shall receive remuneration as a bingo manager or caller from any qualified organization unless and until such person has made application for and has been issued a registration certificate by the Department. Application for registration shall be made on forms prescribed by the Department and shall be accompanied by a fee in the amount of $75. Each registration certificate shall remain valid for a period of one year from the date of issuance. Application for renewal of a registration certificate shall be accompanied by a fee in the amount of $75 and shall be made on forms prescribed by the Department.

B. As a condition of registration as a bingo manager, the applicant shall (i) have been a bona fide member of the qualified organization for at least 12 consecutive months prior to making application for registration and (ii) be required to complete a reasonable training course developed and conducted by the Department.

As a condition of registration as a bingo caller, the applicant shall be required to complete a reasonable training course developed and conducted by the Department.

The Department may refuse to register any bingo manager or caller who has (a) been convicted of or pleaded nolo contendere to a felony in any state or federal court or has been convicted of any offense which, if committed in the Commonwealth, would be a felony; (b) been convicted of or pleaded nolo contendere to a crime involving gambling; (c) had any license, permit, certificate, or other authority related to activities defined as charitable gaming in the Commonwealth suspended or revoked in the Commonwealth or in any other jurisdiction; or (d) failed to file or has been delinquent in excess of one year in the filing of any tax returns or the payment of any taxes due the Commonwealth.

C. The Department may suspend, revoke, or refuse to renew the registration certificate of any bingo manager or caller for any conduct described in subsection B or for any violation of this article or Department regulations. Before taking any such action, the Department shall give the bingo manager or caller a written statement of the grounds upon which it proposes to take such action and an opportunity to be heard. Every hearing in a contested case shall be conducted in accordance with the Administrative Process Act (§ 2.2-4000 et seq.).

D. The provisions of subsection A requiring registration for bingo callers with the Department shall not apply to a bingo caller for a volunteer fire department or volunteer emergency medical services agency or auxiliary unit thereof that has been recognized in accordance with § 15.2-955 by an ordinance or resolution of the political subdivision where the volunteer fire department or volunteer emergency medical services agency is located as being a part of the safety program of such political subdivision.

E. By October 1, 2029, and annually thereafter, the Department shall adjust the dollar amount of $200 specified in subdivision 5 e of § 18.2-340.33 to reflect the rate of inflation from the previous date that the dollar amount was established, as measured by the Consumer Price Index or other method of measuring the rate of inflation that the Department determines is reliable and generally accepted. The amount of each annual adjustment shall not be less than zero and shall be rounded to the nearest whole dollar.

CHAPTER 50

An Act to amend and reenact § 23.1-1402 of the Code of Virginia, relating to Christopher Newport University Board of Visitors; annual meetings.

[H 1930]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 23.1-1402 of the Code of Virginia is amended and reenacted as follows:

§ 23.1-1402. Meetings; officers; committees.

A. The board shall meet at the University at least ~~four times~~ *once* a year and at such other times as it determines. Special meetings of the board may be called by the rector or any three members. The secretary shall provide notice of any special meeting to each member.

B. Seven members shall constitute a quorum.

C. ~~At the first meeting after July 1 in every even-numbered year, the~~ *The* board shall elect from its membership a rector to preside at its meetings, a vice-rector to preside at its meetings in the absence of the rector, and a secretary to preside at its meetings in the absence of the rector and vice-rector.

D. The board may appoint a pro tempore officer to preside at its meetings in the absence of the rector, vice-rector, and secretary.

E. Vacancies in the offices of rector, vice-rector, and secretary may be filled by the board for the unexpired term.

F. ~~At every regular annual meeting of the board, the~~ *The* board may appoint an executive committee for the transaction of business in the recess of the board, to serve for a period of one year or until the next regular annual meeting.

CHAPTER 51

An Act to provide a new charter for the City of Danville and to repeal Chapter 657 of the Acts of Assembly of 1982, as amended, which provided a charter for the City of Danville.

[H 1971]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1.

CHARTER
FOR THE
CITY OF DANVILLE.

Chapter 1. Incorporation; Charter.

§ 1-1. Creation; general powers.

A. Incorporation. The residents living within the territorial boundaries of the City of Danville, as established by law, are and shall continue to be a body politic and corporate organized pursuant to the laws of the Commonwealth of Virginia as a municipal corporation under the name of the City of Danville and as such shall have perpetual succession.

B. Corporate powers. The City may sue and be sued, may contract and be contracted with, and may have a corporate seal which it may alter at its pleasure. The Council may, in the name and for the use of the City, contract debts, and cause to be issued therefor notes or bonds, in the manner provided by law and subject to the restrictions imposed upon cities by the Constitution and laws of the Commonwealth, including but not limited to the Virginia Public Finance Act.

C. Powers relating to property. The City is hereby vested with the fee simple title to every public street, alley, and public right-of-way within the territorial boundaries of the City. The Council may provide for the protection, management, and use of all real and personal property owned by the City, whether such property is located within or outside the territorial boundaries of the City, and such City property, wherever located and for whatever purpose it is used, is under the police jurisdiction of the City for the purpose of enforcing any law, rule, or policy made pursuant to this power, consistent with law. Any real or personal property owned by the City that is located outside the territorial boundaries of the City and is used by the City consistent with its powers and duties, is exempt from taxation by the government of any locality in which such property is physically located.

D. Police powers. The City is hereby vested with the duty and power to protect the public health, safety, and general welfare within the jurisdiction of the City. To protect the City water supply, the Council may provide for the prevention of pollution of such water supply, including but not limited to the water in the Dan River and any tributary thereof, whether located within or outside the territorial boundaries of the City. Accordingly, the Council may prohibit the introduction of pollutants and other foreign matter therein for a distance of three (3) miles above the territorial boundaries of the City, and may punish any offender by fine, imprisonment, or both, and may enjoin any person from causing such pollution.

E. Statutory powers. The City has and may exercise each and every power which is now or may later be vested in or delegated to cities, to localities generally, or to officers thereof, under the Constitution and laws of the Commonwealth and every other power relating to the conduct of a city government, the exercise of which is not inconsistent with such Constitution and laws, as fully and completely as though each such power is expressly enumerated in this Charter. No enumeration of any specific power in this Charter shall be interpreted as being exclusive, but rather as being in addition to this general grant of powers. The powers herein granted include, but are not limited to, all powers available to cities, localities generally, and officers thereof under Title 15.2 of the Code of Virginia.

§ 1-2. Territorial boundaries.

A. Existing boundaries. The territorial boundaries of the City are and shall continue to be those defined in the Act of the General Assembly approved April 20, 1903, being Chapter 162, at Page 237, of the Virginia Acts of Assembly of 1903, and as enlarged by those court orders and decrees recorded in the land records of the Circuit Court of the City of Danville, Virginia in the following places: Deed Book 74, at Page 264; Deed Book 152, at Page 345; Deed Book 217, at Page 462; Deed Book 247, at Page 98; Deed Book 286, at Page 445; Deed Book 298, at Page 391; Deed Book 307, at Page 479; Deed Book 343, at Page 31; Deed Book 385, at Page 17; Deed Book 396, at Page 611; Deed Book 396, at Page 616; Deed Book 477, at Page 65; Deed Book 503, at Page 27; Deed Book 518, at Page 394; Deed Book 518, at Page 400; Deed Book 518, at Page 406; Deed Book 590, at Page 382; and Deed Book 869, at Page 522.

B. Future boundaries. Any change to the territorial boundaries of the City made after the effective date of this Charter need not be expressly enumerated herein to take effect.

§ 1-3. City officers.

A. Vesting of administration and governance. The administration and governance of the City is vested in the Council of the City of Danville, and in such other boards and officers established by this Charter or by law.

B. Oath of office. Every person elected by the qualified voters of the City or appointed by the Council to any City office, including, but not limited to, any City board or commission created by ordinance, shall take the oath of office required of a State officer by law, prior to assuming such office. Such oath may be administered by any person allowed by law to administer such oath, including, but not limited to, the City Clerk, and a written document certifying the giving of such oath shall be filed with and maintained by the City Clerk.

C. Failure to take oath or give bond. If any person elected or appointed to any City office fails to take the oath or give any required bond by the day of the initial meeting or on which the term begins, then such office shall be deemed vacant, and another election or appointment shall be made for such office in accordance with law.

D. Continuity of office. Whenever any City officer, including, but not limited to, any City board or commission created by ordinance, is elected or appointed for a fixed term, such officer shall continue to hold office until a successor is elected or appointed to such office and satisfies all qualifications to hold such office, consistent with law.

§ 1-4. The Charter.

A. Rules of construction. In the interpretation of this Charter, the following rules of construction are used, unless such interpretation is inconsistent with the clear intention of the Charter:

1. Computation of time and date. Whenever a particular time is referred to in this Charter, the applicable time is Eastern Standard Time or Daylight Saving Time, whichever is in current use and effect in the City on the applicable date. Whenever a particular date is referred to, the applicable date is based upon the Gregorian calendar in a year calculated Anno Domini (A.D.);

2. Number. A word used in the singular includes the plural, and a word used in the plural includes the singular;

3. Tense. A word used in the past or present tense includes the future;

4. Headings. The headings or titles of the several sections and subsections of this Charter are intended as mere catchwords to indicate the contents of the sections and are not part of this Charter;

5. References to law. Any general reference in this Charter to law includes, as applicable, the Constitution and laws of the Commonwealth of Virginia as well as the Charter, ordinances, and other laws of the City, as may be amended from time to time.

B. Severability. If any portion, section, or provision of this Charter is declared unconstitutional, illegal, or otherwise invalid by final order of any court of competent jurisdiction, then to the maximum extent allowed by law, such order shall not be interpreted as invalidating any other portion, section, or provision hereof, and every part of the Charter not expressly affected by such order shall be continued in full and remain in full force and effect.

C. Continuation of existing officers, laws, and contracts. Any City officer, including, but not limited to, the member of any City board or commission created by ordinance, who is elected or appointed for a specified term beginning prior to the effective date of this Charter and whose term has not yet expired upon such effective date shall continue to hold such office until the original term expires. Every City ordinance and resolution and every rule, policy, and order legally made by any City department, board, or officer in force upon the effective date of this Charter is hereby continued in full and remains valid. Every contract and obligation made by the Council or the City government prior to the effective date of this Charter is hereby continued in full and remains a valid and legal obligation of the City, consistent with law. The authority to issue any bond, the issuance of which was legally authorized prior to the effective date of this Charter, shall not lapse, terminate, or be otherwise affected by reason of any provision herein, and any such bond may be sold or issued in accordance with the ordinance authorizing its issuance and with any provision of law in force prior to the effective date of this Charter, or in accordance with this Charter.

Chapter 2. The Council.

§ 2-1. Council composition and membership.

A. Composition. The governing body of the City is the Council, which consists of nine (9) members, who are elected by the qualified voters of the City, at large, to a four (4) year term. Any candidate seeking to be elected to the Council shall be nominated as provided by law.

B. Elections. Each general Council election shall be conducted in accordance with the laws of the Commonwealth. On the first Tuesday after the first Monday in November 2022, there shall be elected by the qualified voters of the City four (4) Council members whose terms shall begin January 1, 2023, and expire January 1, 2027. On the first Tuesday after the first Monday in November 2024, there shall be elected by the qualified voters of the City five (5) Council members whose terms shall begin January 1, 2025, and expire January 1, 2029. Each succeeding two (2) years after 2024, on the first Tuesday after the first Monday in November, there shall be elected four (4) or five (5) Council members, as the case may be, to serve for terms of four (4) years beginning and expiring on January 1, to fill the vacancies caused by the expiration of the previous terms of office. If, subsequent to the adoption of this Charter, the laws of the Commonwealth allow local governing bodies to hold elections in May, then in the next general election that occurs at least one (1) year subsequent to such allowance, Council elections shall instead be conducted in May rather than November and terms shall expire July 1 rather than January 1.

C. Continuing body. The Council is a continuing body and no measure pending before it shall expire or be discontinued due to the expiration of a term of office or a change in Council membership.

D. Ineligibility for other office. No Council member shall, while holding such office and for one (1) year thereafter, be eligible for employment or appointment to any paid office of the City government, provided that the Council is expressly authorized to appoint one (1) of its members to serve as a Commissioner of the Danville Redevelopment and Housing Authority.

§ 2-2. Council vacancies.

A. Filling by appointment. If a vacancy in the Council shall occur in the same year as the expiration of the term, then the vacancy shall be filled for the unexpired term through appointment by the Council. In such case, the Council shall, within forty-five (45) days of the occurrence of the vacancy, appoint an interim replacement to serve until the expiration of the term. No person shall be appointed to fill a vacancy unless such person is a qualified voter of the City and receives the votes of at least a majority of the remaining Council members. If a majority of the remaining Council members are unable to fill the vacancy within forty-five (45) days of the occurrence of the vacancy, such vacancy shall be filled by appointment by a majority of the judges of the Circuit Court, until a special election to fill the vacancy is conducted in accordance with law.

B. Filling by special election. If a vacancy in the Council occurs in a year other than that in which the term expires, then the vacancy shall be filled by special election. In such case, the Council shall, within fifteen (15) days of the occurrence of the vacancy, petition the Circuit Court to issue a writ of election to fill the vacancy. Any special election required by this Section shall be conducted on the date of the earliest general election following the occurrence of the vacancy, unless the occurrence is within ninety (90) days of the earliest general election, in which case the special election shall occur in the following general election. The Council may fill a vacancy with an interim appointment until such time as the vacancy is otherwise filled by special election.

§ 2-3. Council organization.

A. Inaugural meeting. An inaugural meeting of the Council shall take place in the Council chamber in the Municipal Building at twelve o'clock noon (12:00 P.M.) on the first business day of January of each odd-numbered year. The meeting shall be called to order by the City Clerk, or if absent or unable, the City Attorney, who shall administer the oath of office to the newly elected members of the Council. If, subsequent to the adoption of this Charter, the laws of the Commonwealth allow local governing bodies to hold elections in May, then after the first general election that occurs in May, the inaugural meeting of the Council shall instead be conducted in July of each even-numbered year rather than January of each odd-numbered year.

B. Selection of officers. The first item of business at the inaugural meeting shall be the selection of a Mayor and Vice Mayor, and the Council shall not adjourn until a Mayor and Vice Mayor are selected. The Council shall select, by majority vote of all its members a Mayor and a Vice Mayor from among its members for the ensuing two (2) years.

C. Mayor. The Mayor shall act as president of the Council, shall preside at meetings of the Council, and shall perform such other duties consistent with this office as may be required by the Council. The Mayor shall be entitled to vote and speak the same as any other member, but shall possess no veto power. The Mayor shall be recognized as the head of the City government for all official functions and ceremonial purposes, and for purposes of military law, and may use the title of Mayor in any case in which the execution of legal documents, or other necessity arising from law, may so require, provided that this authority shall not be construed as vesting any administrative function or other power of an executive officer under law.

D. Vice Mayor. The Vice Mayor shall, in the absence or inability of the Mayor, perform the duties of Mayor, and if a vacancy shall occur in the office of Mayor, shall become Mayor for the unexpired portion of the term. In the absence or inability of both the Mayor and Vice Mayor from any meeting, the Council shall select an acting Mayor from amongst its members. If a vacancy shall occur in the office of Vice Mayor, the Council shall select, by majority vote of all its members, a Vice Mayor from among its members for the remaining term.

§ 2-4. Council meetings.

A. Quorum. A quorum, consisting of a majority of the whole Council, is required to conduct official business; however, a smaller number of Council members may adjourn meetings if a quorum is not present.

B. Rules of procedure. The Council has the power to adopt its own rules of procedure, subject to the provisions of this Charter. Such rules shall establish the time and location of regular Council meetings, provided that at least one (1) is held in each month. Such rules shall authorize special meetings at the request of the Mayor or any two (2) Council members and shall establish the method of giving notice thereof, consistent with law, and no item of business may be considered at such meeting unless included in the notice or the whole Council is present. No vote taken at a previous meeting shall be rescinded or reconsidered at any special meeting, unless there are at least as many members present at such special meeting as were present when such previous vote was taken.

C. Misconduct. The Council may punish any member for misconduct and may compel the attendance of any member in such manner and under such penalty as may be required by law.

§ 2-5. Legislative powers.

A. Vesting of legislative powers. The Council is hereby vested with full power and authority to exercise each and every legislative power vested in the City, except as otherwise provided in this Charter or by law. The Council may make and enforce any ordinance, rule, and policy it deems necessary or expedient to carry into effect any of its powers and may establish such penalty for the violation thereof, consistent with law.

B. Introduction of laws. Any Council member or committee may introduce an ordinance or resolution at any Council meeting, consistent with any notice required by law.

C. Adoption of laws. No ordinance, resolution, motion, or vote shall be adopted by the Council except at a meeting open to the public and, unless it shall have received the affirmative votes of at least a majority of those members present and voting, excepting any motion to adjourn, recess, or any other similar motion of a purely procedural nature. Any ordinance or resolution may be voted on and passed at the meeting in which it is introduced, except as otherwise provided by law, and shall become effective upon adoption unless otherwise provided by the Council. No ordinance that imposes any tax or appropriates any money exceeding $1,000 shall be adopted, unless it shall have been introduced at a Council meeting at least ten (10) days prior to its final adoption.

D. When ordinance required. Every legislative act of the Council establishing or modifying the compensation of any City officer or employee, making any appropriation, authorizing the borrowing of money, levying a tax, establishing any rule or policy enforceable by a fine or penalty, or placing any burden upon or limiting the use of private property shall be by ordinance.

E. When full majority required. No ordinance that imposes any tax, authorizes the borrowing of any money, or appropriates any amount of money exceeding $500 shall be adopted by the Council, unless it shall have received the affirmative votes of a majority of the whole Council.

F. Authentication. Each ordinance or resolution, upon its final passage, shall be authenticated by the signatures of the Mayor and the City Clerk and permanently recorded with the City Clerk.

§ 2-6. City budget process.

A. Fiscal year. The fiscal year of the City begins on the first day of July and ends on the last day of June.

B. Submission of proposed budget. Each year, the City Manager shall prepare and submit to the Council, for its consideration, a proposed budget for the upcoming fiscal year, based upon detailed estimates provided by City staff according to a classification as nearly uniform as is practicable. The proposed budget shall present such other information as may be required by law or requested by the Council. An initial proposed budget shall be presented to Council at least ninety (90) days prior to the end of the fiscal year, and after receiving input from the Council, a final proposed budget shall be ready for introduction and adoption at a Council meeting at least sixty (60) days prior to the end of the fiscal year.

C. Consideration of proposed budget. A summary of the proposed budget shall be published consistent with law, along with notice of a public hearing for such proposal. After the public hearing, the Council may insert any new item of expenditure or may increase, decrease, or strike out any item of expenditure, provided that no item of expenditure for debt service or that is otherwise required to be included by law may be reduced or stricken out.

D. Adoption of final budget. Prior to the end of each fiscal year, the Council shall adopt an appropriation ordinance based upon the proposed budget and shall levy any tax and fee as is necessary to pay for each appropriation made and any amount required by law to service the City debt. The total amount of City spending shall not exceed the estimated amount of City revenue, except in accordance with this Charter.

Chapter 3. Appointed Offices.

§ 3-1. City Manager.

A. Appointment and qualifications. The Council shall appoint a City Manager for an indefinite term. The City Manager shall be chosen solely on the basis of executive and administrative qualification, with special reference to actual experience in, or knowledge of, accepted practice in respect to the powers and duties of such office. The City Manager need not be a resident of the City or the Commonwealth at the time of appointment, but the City Manager shall reside within the City while holding such office. The City Manager may, with the consent of the Council, designate some properly qualified person to perform the duties of City Manager in case of absence or inability.

B. Duties. The City Manager shall be the chief executive officer of the City, shall keep the Council fully advised as to any present or future need of the City, and shall be responsible to the Council for the proper and efficient administration of the City government and all of its affairs.

C. Powers. In the furtherance of these duties, the City Manager has the power, consistent with law, to:

1. receive notification of and attend every Council meeting, along with the right to take part in the discussion, but having no vote;

2. make reports and recommendations to the Council, as required or deemed advisable;

3. submit to the Council a proposed annual budget with his recommendations, consistent with law, and to execute the budget as adopted;

4. take care that every City law is faithfully executed;

5. make and execute any contract on behalf of the City;

6. exercise supervision and control over each City administrative department and division, and except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager, and neither the Council nor any member thereof shall give any public or private order to any subordinate of the City Manager;

7. receive notification of and attend every meeting of every City board or commission created by ordinance, along with the right to take part in the discussion, but having no vote unless the ordinance creating the same shall expressly authorize such voting power;

8. appoint each City officer and employee, except for those subordinates the City Manager authorizes a department Director responsible to him to appoint for such department, and to remove any such officer or employee, consistent with

law. Neither the Council nor any of its members shall direct the City Manager or any subordinate thereof to appoint or remove any City officer or employee, provided that this Subsection shall not be interpreted as prohibiting any Council member from discussing any appointment or removal with the City Manager; and

9. exercise such other powers as are required by law.

§ 3-2. City Attorney.

A. Appointment and qualifications. The Council shall appoint a City Attorney for an indefinite term. The City Attorney shall be an attorney actively licensed to practice in the Commonwealth.

B. Duties. The City Attorney shall be chief legal advisor of the Council, the City Manager, and each City department, board, and commission in any matter affecting the interests of the City and shall, upon request, provide a written opinion on any question of law involving their respective powers and duties.

C. Powers. In the furtherance of these duties, the City Attorney has the power, consistent with law, to:

1. receive notification of and attend every Council meeting;

2. prepare any ordinance or resolution for introduction and examine any existing ordinance or resolution and provide an official opinion as to its form and legality, upon the request of the City Manager or a member of the Council;

3. exercise management and control over any legal matter involving the City or in which it has an interest and shall represent the City as counsel in any civil case in which it is has an interest and in any criminal case in which the validity of a City law is at issue;

4. initiate and conduct any legal proceeding deemed necessary to protect the interests of the City;

5. draft or approve as to form any deed, lease, contract, bond, or other legal instrument to which the City is a party or in which it has an interest;

6. appoint and remove such Deputy and Assistant City Attorneys and other employees as are authorized by the Council, and may authorize any such Deputy or Assistant City Attorney, or any special counsel, to perform any duty entrusted to the City Attorney by law; and

7. perform such other duties and exercise such other powers as are required by law.

§ 3-3. City Clerk.

A. Appointment and qualifications. The Council shall appoint a City Clerk for an indefinite term. The City Clerk may hold any other office or position in the City government if appointed by the Council or the City Manager.

B. Duties. The City Clerk shall be the clerk of the Council, shall keep the journal of its proceedings, and shall permanently record and maintain each ordinance and resolution it adopts. The Clerk shall make all required public notices upon behalf of the Council and shall notify each person appointed by the Council to a City office of such appointment. The Clerk shall be the custodian of the corporate seal of the City and is authorized to use and authenticate such seal. Any record maintained by the City Clerk is a public record and the Clerk shall make the same available for inspection in accordance with law.

C. Powers. The City Clerk may appoint and remove such Deputy Clerks and other employees as are authorized by the Council and may authorize any such Deputy to perform any duty entrusted to the City Clerk, unless it be some duty that may not be delegated by law. The Clerk shall perform such other duties and exercise such other powers as are required by law.

Chapter 4. Elected Officers.

§ 4-1. Elections for constitutional offices.

A. Application. This Section shall apply to the constitutional offices of City Treasurer, Commissioner of the Revenue, Attorney for the Commonwealth, City Sheriff, and Clerk of the Circuit Court. Each constitutional office identified herein shall be filled by election by the qualified voters of the City. Candidates for any constitutional office shall be nominated as provided by the laws of the Commonwealth, and the laws of the Commonwealth relating to the conduct of elections shall be applicable to the conduct of elections required by this Section. A vacancy in any office identified herein shall be filled as provided by the laws of the Commonwealth.

B. Elections. On the first Tuesday after the first Monday in November 2025, there shall be elected by the qualified voters of the City, a City Treasurer, a Commissioner of the Revenue, an Attorney for the Commonwealth, and a City Sheriff, for a four (4) year term which shall begin January 1, 2026. On the first Tuesday after the first Monday in November 2027, there shall be elected by the qualified voters of the City, a Clerk of the Circuit Court for an eight (8) year term which shall begin January 1, 2028.

§ 4-2. City Treasurer.

A. Duties and powers. The City Treasurer shall be the custodian of all money belonging to the City or coming into its possession. The Treasurer shall select each bank, savings and loan association, and trust company used to keep and preserve such money in, subject to the right of the Council to require that such money on deposit be secured by the pledge of appropriate collateral. The Treasurer shall have custody of any investment and the proceeds thereof belonging to the City or in its possession in a fiduciary capacity, unless otherwise provided by law or the terms of any trust. The Treasurer shall be responsible for the protection, receipt, and delivery of any City bond or note for transfer, registration, and exchange. The Treasurer shall perform such other duties and exercise such other powers as are required of such office by law.

B. Collection of taxes and fees. The City Manager shall assign additional responsibility for the collection of any charge for services performed or provided by the City and any tax, assessment, or other amount due or owed thereto to City staff, consistent with law. Such staff members have every power and duty relating to the enforcement and collection of revenue and other charges which is vested by law in local treasurers.

C. Investment of idle funds. If authorized by the Council, any designated City officer may invest or deposit any idle funds belonging to or in the possession of the City, including but not limited to the proceeds of any bond pending the use of such proceeds for the purpose for which such bond was issued, in any security, investment, or revenue-producing deposit allowed by law.

§ 4-3. Commissioner of the Revenue.

A. Duties and powers. The Commissioner of the Revenue shall perform such duties relating to the assessment of personal property and licenses as are required by the Council, consistent with law. The Commissioner shall provide any report relating to the assessment of personal property and licenses upon the request of the Council or the City Manager and shall exercise such other powers and perform such other duties as are required by law.

B. Assessment of real estate. The assessment of real estate for taxation shall be performed by a City Assessor. The City Assessor shall be appointed with the consent of the City Manager and shall exercise every power and perform every duty vested by law in a commissioner of the revenue or other assessor relating to the assessment of real property.

§ 4-4. Attorney for the Commonwealth.

The Attorney for the Commonwealth shall prosecute any criminal violation of a City law, including upon appeal, and shall perform such other duties and exercise such other powers as are required of such office by law.

§ 4-5. City Sheriff.

The City Sheriff shall perform such duties and exercise such powers as are required of such office by law.

§ 4-6. Clerk of the Circuit Court.

The Clerk of the Circuit Court shall notify each person elected by the qualified voters of the City pursuant to this Charter of such election and shall exercise such other powers and perform such other duties as are required by law.

§ 4-7. School Board.

A. Composition. The School Board of the City is and shall continue to be a body corporate organized pursuant to the laws of the Commonwealth of Virginia under the name of the School Board of the City of Danville. The School Board shall consist of seven (7) members, who shall each be a qualified voter of the City.

B. Elections. Each member of the School Board shall be elected by the qualified voters of the City, at large. Candidates for School Board shall be nominated as provided by the laws of the Commonwealth, and the laws of the Commonwealth relating to the conduct of elections shall be applicable to the conduct of elections required by this Section. Any vacancy occurring in the School Board shall be filled pursuant to the laws of the Commonwealth. On the first Tuesday after the first Monday in November 2022, there shall be elected by the qualified voters of the City three (3) School Board members whose terms shall begin January 1, 2023, and expire January 1, 2027. On the first Tuesday after the first Monday in November 2024, there shall be elected by the qualified voters of the City four (4) School Board members whose terms shall begin January 1, 2025, and expire January 1, 2029. Each succeeding two (2) years after 2024, on the first Tuesday after the first Monday in November, there shall be elected three (3) or four (4) School Board members, as the case may be, to serve for terms of four (4) years beginning and expiring on January 1, to fill the vacancies caused by the expiration of the previous terms of office. If, subsequent to the adoption of this Charter, the laws of the Commonwealth allow local school boards to hold elections in May, then in the next general election that occurs at least one (1) year subsequent to such allowance, School Board elections shall instead be conducted in May rather than November and terms shall expire July 1 rather than January 1.

C. Duties and powers. The School Board is hereby charged with supervision and management of every public school within the City and has and may exercise each and every power and be subject to every limitation which is now or may be later vested in school boards of cities by the laws of the Commonwealth.

2. That Chapter 657 of the Acts of Assembly of 1982, as amended, is repealed.

CHAPTER 52

An Act to amend and reenact § 15.2-2204 of the Code of Virginia, relating to planning and zoning; public notice.

[H 1996]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2204 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2204. Advertisement of plans, ordinances, etc.; joint public hearings; written notice of certain amendments.

A. Plans or ordinances, or amendments thereof, recommended or adopted under the powers conferred by this chapter need not be advertised in full, but may be advertised by reference. Every such advertisement shall identify the place or places within the locality where copies of the proposed plans, ordinances or amendments may be examined.

The local planning commission shall not recommend nor the governing body adopt any plan, ordinance or amendment thereof until notice of intention to do so has been published twice in some newspaper published or having general circulation in the locality, with the first notice appearing no more than 28 days before and the second notice appearing no less than ~~seven~~ *five* days before the date of the meeting referenced in the notice; however, the notice for both the local planning commission and the governing body may be published concurrently. The notice shall specify the time and place of

hearing at which persons affected may appear and present their views. The local planning commission and governing body may hold a joint public hearing after public notice as set forth in this subsection. If a joint hearing is held, then public notice as set forth in this subsection need be given only by the governing body. In any instance in which a locality has submitted a correct and timely notice request to such newspaper and the newspaper fails to publish the notice, or publishes the notice incorrectly, such locality shall be deemed to have met the notice requirements of this subsection so long as the notice was published in the next available edition of a newspaper having general circulation in the locality. After enactment of any plan, ordinance or amendment, further publication thereof shall not be required.

B. When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of 25 or fewer parcels of land, then, in addition to the advertising as required by subsection A, the advertisement shall include the street address or tax map parcel number of the parcels subject to the action. Written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner or owners, their agent or the occupant, of each parcel involved; to the owners, their agent or the occupant, of all abutting property and property immediately across the street or road from the property affected, including those parcels that lie in other localities of the Commonwealth; and, if any portion of the affected property is within a planned unit development, then to such incorporated property owner's associations within the planned unit development that have members owning property located within 2,000 feet of the affected property as may be required by the commission or its agent. However, when a proposed amendment to the zoning ordinance involves a tract of land not less than 500 acres owned by the Commonwealth or by the federal government, and when the proposed change affects only a portion of the larger tract, notice need be given only to the owners of those properties that are adjacent to the affected area of the larger tract. Notice sent by registered or certified mail to the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement. If the hearing is continued, notice shall be remailed. Costs of any notice required under this chapter shall be taxed to the applicant.

When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of more than 25 parcels of land, or a change to the applicable zoning ordinance text regulations that decreases the allowed dwelling unit density of any parcel of land, then, in addition to the advertising as required by subsection A, the advertisement shall include the street address or tax map parcel number of the parcels as well as the approximate acreage subject to the action. For more than 100 parcels of land, the advertisement may instead include a description of the boundaries of the area subject to the changes and a link to a map of the subject area. Written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner, owners, or their agent of each parcel of land involved, provided, however, that written notice of such changes to zoning ordinance text regulations shall not have to be mailed to the owner, owners, or their agent of lots shown on a subdivision plat approved and recorded pursuant to the provisions of Article 6 (§ 15.2-2240 et seq.) where such lots are less than 11,500 square feet. One notice sent by first class mail to the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement, provided that a representative of the local commission shall make affidavit that such mailings have been made and file such affidavit with the papers in the case. Nothing in this subsection shall be construed as to invalidate any subsequently adopted amendment or ordinance because of the inadvertent failure by the representative of the local commission to give written notice to the owner, owners or their agent of any parcel involved.

The governing body may provide that, in the case of a condominium or a cooperative, the written notice may be mailed to the unit owners' association or proprietary lessees' association, respectively, in lieu of each individual unit owner.

Whenever the notices required hereby are sent by an agency, department or division of the local governing body, or their representative, such notices may be sent by first class mail; however, a representative of such agency, department or division shall make affidavit that such mailings have been made and file such affidavit with the papers in the case.

A party's actual notice of, or active participation in, the proceedings for which the written notice provided by this section is required shall waive the right of that party to challenge the validity of the proceeding due to failure of the party to receive the written notice required by this section.

C. When a proposed comprehensive plan or amendment thereto; a proposed change in zoning map classification; or an application for special exception for a change in use or to increase by greater than 50 percent of the bulk or height of an existing or proposed building, but not including renewals of previously approved special exceptions, involves any parcel of land located within one-half mile of a boundary of an adjoining locality of the Commonwealth, then, in addition to the advertising and written notification as required by this section, written notice shall also be given by the local commission, or its representative, at least 10 days before the hearing to the chief administrative officer, or his designee, of such adjoining locality.

D. When (i) a proposed comprehensive plan or amendment thereto, (ii) a proposed change in zoning map classification, or (iii) an application for special exception for a change in use involves any parcel of land located within 3,000 feet of a boundary of a military base, military installation, military airport, excluding armories operated by the Virginia National Guard, or licensed public-use airport then, in addition to the advertising and written notification as required by this section, written notice shall also be given by the local commission, or its representative, at least 30 days before the hearing to the commander of the military base, military installation, military airport, or owner of such public-use airport, and the notice shall advise the military commander or owner of such public-use airport of the opportunity to submit comments or recommendations.

E. The adoption or amendment prior to July 1, 1996, of any plan or ordinance under the authority of prior acts shall not be declared invalid by reason of a failure to advertise or give notice as may be required by such act or by this chapter, provided a public hearing was conducted by the governing body prior to such adoption or amendment. Every action contesting a decision of a locality based on a failure to advertise or give notice as may be required by this chapter shall be filed within 30 days of such decision with the circuit court having jurisdiction of the land affected by the decision. However, any litigation pending prior to July 1, 1996, shall not be affected by the 1996 amendment to this section.

F. Notwithstanding any contrary provision of law, general or special, the City of Richmond may cause such notice to be published in any newspaper of general circulation in the city.

G. When a proposed comprehensive plan or amendment of an existing plan designates or alters previously designated corridors or routes for electric transmission lines of 150 kilovolts or more, written notice shall also be given by the local planning commission, or its representative, at least 10 days before the hearing to each electric utility with a certificated service territory that includes all or any part of such designated electric transmission corridors or routes.

H. When any applicant requesting a written order, requirement, decision, or determination from the zoning administrator, other administrative officer, or a board of zoning appeals that is subject to the appeal provisions contained in § 15.2-2311 or 15.2-2314, is not the owner or the agent of the owner of the real property subject to the written order, requirement, decision or determination, written notice shall be given to the owner of the property within 10 days of the receipt of such request. Such written notice shall be given by the zoning administrator or other administrative officer or, at the direction of the administrator or officer, the requesting applicant shall be required to give the owner such notice and to provide satisfactory evidence to the zoning administrator or other administrative officer that the notice has been given. Written notice mailed to the owner at the last known address of the owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall satisfy the notice requirements of this subsection.

This subsection shall not apply to inquiries from the governing body, planning commission, or employees of the locality made in the normal course of business.

CHAPTER 53

An Act to amend and reenact §§ 8, 9, and 23, as severally amended, of Chapter 216 of the Acts of Assembly of 1952, which provided a charter for the City of Roanoke, relating to director of real estate valuation.

[H 2005]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 8, 9, and 23, as severally amended, of Chapter 216 of the Acts of Assembly of 1952 are amended and reenacted as follows:

§ 8. Officers elective by council; rules; journal of council proceedings; quorum of council.

The council shall elect a city manager, a city clerk, a municipal auditor, ~~and~~ a city attorney, *and a director of real estate valuation,* none of whom need be a resident of the city at the time of their election but who shall take up residence within the city within three months of their election if not already a resident. Unless herein otherwise specifically provided, the council shall also appoint the members of such boards and commissions as are hereafter provided for. Pursuant to § 21 of this charter, the city manager shall appoint a director of finance. All elections by the council shall be viva voce and the vote recorded in the journal of the council. The council may determine its own rules of procedure; may punish its members for misconduct and may compel the attendance of members in such manner and under such penalties as may be prescribed by ordinance. It shall keep a journal of its proceedings. A majority of all of the members of the council shall constitute a quorum to do business, but a smaller number may adjourn from time to time.

Upon a vacancy occurring in any such office the council shall elect a person to fill the unexpired portion of any term created by such vacancy; or, in the council's discretion, it may elect a person as an acting city manager, city clerk, municipal auditor, ~~or~~ city attorney*, or director of real estate valuation* to hold such office for such lesser term and for such compensation as the council shall then determine; and any person so elected shall have, during the term for which he was elected, all of the authority and shall be charged with all of the duties and responsibilities of the office for which he was elected.

§ 9. Elections by council, when held, terms, et cetera.

During the month of September 1974 and during the month of September of every second year thereafter, through and including during the month of September 2014, the council shall elect a city clerk, a director of finance, a municipal auditor, and a city attorney, each of whom shall serve for a term of two years from the first day of October next following the date of their election and until their successor shall have been elected and qualified. However, the term of the director of finance elected in 2014 shall end on July 1, 2015. Thereafter, the director of finance shall be appointed by the city manager pursuant to § 21 of this charter.

During the month of September 2016 and during the month of September of every second year thereafter, the council shall elect a city clerk, a municipal auditor, ~~and~~ a city attorney, *and a director of real estate valuation,* each of whom shall serve a term of two years from the first day of October next following the date of their election and until their successor shall have been elected and qualified.

§ 23. Creation of departments and department heads; deputies and assistants.

The council may by ordinance provide for administrative departments, and when such departments are created may define the functions which such departments are to administer, may provide for the appointment of heads for such departments and define their duties and responsibilities. The council may by ordinance provide for the appointment of one or more assistants or deputies in the offices of the city attorney, the municipal auditor*, the director of real estate valuation,* and the city clerk and may define their duties and responsibilities. Such assistants or deputies, when acting in such official capacity, shall possess all of the power and authority and shall be subject to all of the duties and responsibilities given to or imposed upon their respective superiors under this charter.

CHAPTER 54

An Act to amend and reenact § 5.1-5 of the Code of Virginia, relating to registration of aircraft; fees.

[H 2022]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 5.1-5 of the Code of Virginia is amended and reenacted as follows:

§ 5.1-5. Registration of aircraft.

A. Every resident of the Commonwealth owning a civil aircraft, every nonresident owning a civil aircraft based in the Commonwealth for more than 90 days during any ~~calendar year~~ *12-month period*, and every owner of an aerial application aircraft operating within the Commonwealth or of a civil aircraft operated in the Commonwealth as a for-hire intrastate air carrier shall register such aircraft with the Department before such aircraft is operated in the Commonwealth. Any owner of an unmanned aircraft as defined in § 19.2-60.1 shall not be required to register such aircraft.

B. The Department shall provide for the issuance, expiration, suspension, and revocation of aircraft registration in accordance with regulations promulgated by the Board. For the purposes of the tax imposed pursuant to Chapter 15 (§ 58.1-1500 et seq.) of Title 58.1, including any credit granted pursuant to § 58.1-1504 against such tax, such aircraft registration shall be considered the licensure required by such chapter. The Department shall furnish any necessary forms pursuant to the issuance of ~~such~~ *noncommercial single aircraft* registration and may assess a fee for such issuance not in excess of ~~$5~~ *$30* annually. *The Department may offer multiyear noncommercial single aircraft registrations not to exceed three years. The total fee for two-year registrations shall not exceed $55, and the total fee for three-year registrations shall not exceed $70.* The Department may, in lieu of issuing aircraft registration required by subsection A, issue commercial *single* aircraft *or commercial fleet* registration to air carriers and commercial dealers and issue to noncommercial dealers noncommercial dealer fleet registration, to cover all aircraft owned by such dealers and all aircraft for sale held by dealers on a consignment basis from an aircraft manufacturer. The Department may assess a fee not in excess of ~~$50~~ *$75* annually for any such noncommercial dealer fleet registrations issued*. The Department may offer multiyear noncommercial dealer fleet registrations not to exceed three years. The total fee for two-year registrations shall not exceed $125, and the total fee for three-year registrations shall not exceed $150. The Department may assess* ~~and~~ a fee not in excess of ~~$100~~ *$150* annually for any such commercial fleet registrations issued. *The Department may offer multiyear commercial fleet registrations not to exceed three years. The total fee for two-year registrations shall not exceed $250, and the total fee for three-year registrations shall not exceed $300.* The fee for a commercial single aircraft registration shall not be in excess of ~~$10~~ *$40* annually. *The Department may offer multiyear commercial single aircraft registrations not to exceed three years. The total fee for two-year registrations shall not exceed $70, and the total fee for three-year registrations shall not exceed $95.*

C. Notwithstanding the provisions of subsection A, no aircraft shall be required to be registered if the aircraft is brought into the Commonwealth solely for major maintenance or major repair. An aircraft owner shall provide proof that the aircraft is based at an airport in another state, shown by evidence of a hangar or tie-down lease for a minimum of 12 months prior to the aircraft being brought into the Commonwealth, and proof of the work being performed in the Commonwealth, shown by presentation of invoices that describe such work.

CHAPTER 55

An Act to authorize a boundary line agreement and quitclaim of interest in and to private property and the acceptance of an easement by the Department of Forestry in Cumberland County.

[H 2061]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That in accordance with and as evidence of General Assembly approval, the Department of Forestry (Department) is hereby authorized to enter into a boundary line agreement and an encroachment agreement (together, Agreement) to settle upon a common boundary line with property lying adjacent to Cumberland State Forest (State Forest) situated in the Hamilton District, Cumberland County, Virginia, shown and designated as "TAX MAP 34-3, 14.258 ACRES" (Property) on a plat entitled "COMPILED PLAT SHOWING TWO PARCELS OF LAND LYING ON THE SOUTH LINE OF*

SUGARFORK ROAD, HAMILTON DISTRICT, CUMBERLAND COUNTY, VIRGINIA" prepared by ThomaSurveying, P.C., dated June 19, 2022, and recorded with a deed with the Clerk of the Circuit Court of Cumberland County, Virginia, as Instrument Number 202200924 (Plat), and to address encroachments upon the State Forest. The Department is also authorized to quitclaim and release any interest it may hold in the Property (Quitclaim) to the owners of the Property, Francis Xavier Luevano and Valerie Anne Luevano, and their successors and assigns (Owners). The purpose of this authorization is to conclusively establish the boundary line as shown on the Plat between the Department and the Owners related to the State Forest and the Property.

§ 2. That in accordance with and as evidence of General Assembly approval pursuant to § 10.1-1107 of the Code of Virginia, the Department is hereby authorized to accept, on behalf of the Commonwealth, upon such terms as the Department deems proper and with the approval of the Governor, a perpetual access easement across a portion of the following grantors' (together, Grantors) property in Cumberland County: (i) Stella Watson Chambliss and Rick Matthew Chambliss's property, identified as tax map parcel number 21-A-22; (ii) Weyerhaeuser Company's property, identified as tax map parcel number 21-A-23; and (iii) Wayne Rosson's property, identified as tax map parcel number 21-A-16. Such easement shall be 20 feet in width and consist of approximately three acres in total area, with a portion of the easement to be located on the existing road, while the remaining portion will align in a location agreeable to the Grantors and the Department. The purpose of the conveyance from the Grantors to the Department is to provide a perpetual access easement for ingress and egress from State Route 612 to a portion of the Cumberland State Forest where no express right-of-way exists.

§ 3. The execution of the Agreement, including the Quitclaim, shall be made upon terms the Department deems proper, including reasonable consideration for the conveyance, which may include costs and fees charged in this matter by the Department of General Services and Office of the Attorney General, with the approval of the Department of General Services and the Secretary of Administration, and in a form approved by the Attorney General. The granting and conveying of the perpetual access easement pursuant to § 2.2-1149 of the Code of Virginia shall be made in a form approved by the Attorney General and further approved by the Secretary of Administration at the recommendation of the Department of General Services. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyances.

CHAPTER 56

An Act to amend and reenact § 38.2-401 of the Code of Virginia, relating to Fire Programs Fund; aid to localities; requirement for emergency incidents reporting.

[H 2065]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-401 of the Code of Virginia is amended and reenacted as follows:

§ 38.2-401. Fire Programs Fund.

A. 1. There is hereby established in the state treasury a special nonreverting fund to be known as the Fire Programs Fund, hereinafter referred to as "the Fund." The Fund shall be administered by the Department of Fire Programs under policies and definitions established by the Virginia Fire Services Board. All moneys collected pursuant to the assessment made by the Commission pursuant to subdivision 2 of this subsection shall be paid into the state treasury and credited to the Fund. The Fund shall also consist of any moneys appropriated thereto by the General Assembly and any grants or other moneys received by the Virginia Fire Services Board or Department of Fire Programs for the purposes set forth in this section. Any moneys deposited to or remaining in such Fund during or at the end of each fiscal year or biennium, including interest thereon, shall not revert to the general fund but shall remain in the Fund. Interest earned on all moneys in the Fund and interest earned on moneys held by the Commission pursuant to subdivision 2 of this subsection prior to the deposit of such moneys into the Fund, including interest earned on such moneys during any period when the Commission is reconciling payments from insurers, shall remain in or be deposited into the Fund, as the case may be, and be credited to it. Such interest shall be set aside for fire service purposes in accordance with policies developed by the Virginia Fire Services Board. Notwithstanding any other provision of law to the contrary, policies established by the Virginia Fire Services Board for the administration of the Fund, and any grants provided from the Fund, that are not inconsistent with the purposes set out in this section shall be binding upon any locality that accepts such funds or related grants. The Commission shall be reimbursed from the Fund for all expenses necessary for the administration of this section. The balance of moneys in the Fund shall be allocated periodically as provided in this section. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Executive Director of the Department of Fire Programs (Director) or his designee.

2. The Commission shall annually assess against all licensed insurance companies doing business in the Commonwealth by writing any type of insurance as defined in §§ 38.2-110, 38.2-111, 38.2-126, 38.2-130 and 38.2-131 and those combination policies as defined in § 38.2-1921 that contain insurance as defined in §§ 38.2-110, 38.2-111 and 38.2-126, an assessment in the amount of one percent of the total direct gross premium income for such insurance. Such assessment shall be apportioned, assessed and paid as prescribed by § 38.2-403. In any year in which a company has no

direct gross premium income or in which its direct gross premium income is insufficient to produce at the rate of assessment prescribed by law an amount equal to or in excess of $100, there shall be so apportioned and assessed against such company a contribution of $100.

B. After reserving funds for the Fire Services Grant Program and Dry Fire Hydrant Grant Program pursuant to subsection D, 75 percent of the remaining moneys available for allocation from the Fund shall be allocated to the several counties, cities, and towns of the Commonwealth providing fire service operations to be used for the improvement of volunteer and career fire services in each of the receiving localities. Funds allocated to the counties, cities, and towns pursuant to this subsection shall not be used directly or indirectly to supplant or replace any other funds appropriated by the counties, cities, and towns for fire service operations. Such funds shall be used solely for the purposes of (i) training volunteer or career firefighting personnel in each of the receiving localities; (ii) funding fire prevention and public safety education programs; (iii) constructing, improving, and expanding regional or local fire service training facilities; (iv) purchasing emergency medical care and equipment for fire personnel; (v) payment of personnel costs related to fire and medical training for fire personnel; (vi) purchasing personal protective equipment, vehicles, equipment, and supplies for use in the receiving locality specifically for fire service purposes; or (vii) providing training and education and purchasing products, including personal protective equipment, diesel exhaust removal systems, decontamination equipment, and commercial extractors, that are designed to reduce the incidence of cancer among firefighters. Notwithstanding any other provision of the Code, when localities use such funds to construct, improve, or expand fire service training facilities, fire-related training provided at such training facilities shall be by instructors certified or approved according to policies developed by the Virginia Fire Services Board. Distribution of this 75 percent of the Fund shall be made on the basis of population as provided for in §§ 4.1-116 and 4.1-117; however, no county or city eligible for such funds shall receive less than $10,000, nor eligible town less than $4,000. The Virginia Fire Services Board shall be authorized to exceed allocations of $10,000 for eligible counties and cities and $4,000 for eligible towns, respectively. Allocations to counties, cities, and towns receiving such allocations shall be fair and equitable as set forth in Board policy. Any increases or decreases in such allocations shall be uniform for all localities. In order to remain eligible for such funds, each receiving locality shall report annually to the Department on the use of the funds allocated to it for the previous year ~~and~~, shall provide a completed Fire Programs Fund Disbursement Agreement form*, and shall report, in accordance with the requirements set by the Virginia Fire Services Board, all emergency incidents through the National Emergency Response Information System (NERIS) while sharing such emergency incident data with the Department of Fire Programs in its capacity as state manager of NERIS.* Each receiving locality shall be responsible for certifying the proper use of the funds. If, at the end of any annual reporting period, a satisfactory report and a completed agreement form have not been submitted by a receiving locality, any funds due to that locality for the next year shall not be retained. Such funds shall be added to the 75 percent of the Fund allocated to the counties, cities, and towns of the Commonwealth for improvement of fire services in localities.

C. The remainder of the moneys available for allocation from the Fund shall be used for (i) the purposes of carrying out the powers and duties assigned to the Department of Fire Programs under Chapter 2 (§ 9.1-200) of Title 9.1, which shall include providing funded training and administrative support services for nonfunded training to localities and (ii) the payment of the compensation and costs of expenses of the members of the *Virginia* Fire Services Board in performing their official duties; however, the Fund shall not be used for salaries or operating expenses associated with the Office of the State Fire Marshal.

D. The Fire Services Grant Program is hereby established and will be used as grants to provide regional fire services training facilities, to finance the Virginia Fire Incident Reporting System and to build or repair live fire training structures as determined by the Virginia Fire Services Board. Beginning January 1, 1996, $1 million from the assessments made pursuant to this section shall be distributed each year for the Fire Services Grant Program to be used as herein provided, and $100,000 shall be distributed annually for continuing the statewide Dry Fire Hydrant Grant Program. Moneys allocated pursuant to this subsection shall be used for the purposes stated in this subsection, and for no other purpose. All grants provided from these programs shall be administered by the Department according to the policies established by the Virginia Fire Services Board.

E. Moneys in the Fund shall not be diverted or expended for any purpose not authorized by this section.

F. The Director shall establish written standards for determining the extent to which clients outside the Commonwealth shall be financially responsible for the cost of fire and emergency services training provided by the Department of Fire Programs. Revenues generated by such training shall be retained in the Fire Programs Fund and may be used solely for providing additional funded direct training to members of Virginia's fire and emergency services.

2. That the provisions of this act shall become effective on July 1, 2026.

CHAPTER 57

An Act to amend and reenact §§ 3.2, 3.3, 4.3, and 4.7, as severally amended, of Chapter 29 of the Acts of Assembly of 1992, which provided a charter for the Town of Buchanan in Botetourt County, and to repeal § 5.9 of Chapter 29 of the Acts of Assembly of 1992, relating to town elections; town manager residency requirements; town clerk appointments; Redevelopment and Housing Authority.

[H 2092]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.2, 3.3, 4.3, and 4.7, as severally amended, of Chapter 29 of the Acts of Assembly of 1992 are amended and reenacted as follows:

§ 3.2. Town council: composition, terms of office.

Each member of council shall be an elector of the municipality. The council of the Town of Buchanan shall be elected from the town at large. Council members shall serve for terms of ~~two~~ *four* years.

§ 3.3. Election of council: term of office, mayor and vice-mayor.

~~On the first Tuesday in May, 1992, and every two years thereafter, there shall be elected by the qualified voters of the town, six electors who shall be denominated council members. In addition thereto, the qualified voters shall elect an additional elector who shall be denominated mayor. They shall enter upon the duties of their offices on the first day of July next succeeding their election. Notwithstanding the provisions of this paragraph, effective January 1, 2017, the number of council members shall be four.~~

~~However, in 2016 and 2018, the mayor and four council members shall be elected at the time of the November general election, with terms to commence on January 1 following the election. The mayor and council members who were elected in May, 2014, and whose terms would expire on June 30, 2016, shall continue in office until their successors have been duly elected and have qualified to serve.~~

~~In 2018, the two council members elected at the time of the November general election with the lowest total vote counts shall serve a term of one year to commence on January 1, 2019 and expire on January 1, 2020.~~ Beginning in ~~2019~~ *2024* and every ~~two~~ *four* years thereafter, *the mayor and* two council members shall be elected at the time of the November general election, with terms to commence on January 1 following the election. Beginning in ~~2020~~ *2026* and every ~~two~~ *four* years thereafter, ~~the mayor and~~ two council members shall be elected at the time of the November general election, with terms to commence on January 1 following the election. *The council members who were elected in November, 2023, and whose terms would expire on December 31, 2025, shall continue in office until December 31, 2026, and those who were elected in November, 2024, shall serve a four-year term expiring December 31, 2028.*

~~Council~~ *Beginning in 2025 and every two years thereafter, the newly qualified council* shall elect from their numbers one who shall be denominated vice-mayor, who shall serve in the absence of the mayor.

§ 4.3. Town manager.

There may be a town manager who shall be the executive officer of the town responsible to the town council for the proper administration of the town government. The town manager shall be appointed by council for an indefinite term. At the time of appointment, he or she need not be a resident of the town or of the Commonwealth, but during his or her tenure of office he or she ~~shall~~ *is encouraged to* reside within the town limits *and may reside within a reasonable distance outside the town limits only with the majority approval of the appointing council*.

§ 4.7. Town clerk.

The town manager shall appoint a town clerk, who shall be an employee of the town. The town clerk shall be ~~an employee of the town and shall be~~ clerk of the town council and shall be responsible for maintaining the journal of its proceedings and recording all ordinances and resolutions in the book or books kept for that purpose. The town clerk shall be custodian of the town corporate seal and shall be the officer authorized to use and authenticate it. The town clerk shall perform such other duties and keep such other records as town council and the town manager may require or the general laws of the Commonwealth may require. All records of the office of town clerk shall be public records and open to inspection at all times during regular business hours.

2. That § 5.9 of Chapter 29 of the Acts of Assembly of 1992 is repealed.

CHAPTER 58

An Act to amend and reenact § 38.2-3407.15:2 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 38.2-3407.15:8, relating to health insurance; carrier contracts; required provisions regarding prior authorization for health care services; work group; report.

[H 2099]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-3407.15:2 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 38.2-3407.15:8 as follows:

§ 38.2-3407.15:2. Carrier contracts; required provisions regarding prior authorization for drug benefits.

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

"Carrier" has the same meaning ~~ascribed thereto~~ *as provided* in subsection A of § 38.2-3407.15.

"Prior authorization" means the approval process used by a carrier before certain drug benefits may be provided.

"Provider contract" has the same meaning ~~ascribed thereto~~ *as provided* in subsection A of § 38.2-3407.15.

"Supplementation" means a request communicated by the carrier to the prescriber or his designee~~,~~ for additional information, limited to items specifically requested on the applicable prior authorization request, necessary to approve or deny ~~a prior authorization~~ *such* request.

B. Any provider contract between a carrier and a participating health care provider with prescriptive authority, or its contracting agent, shall contain specific provisions that:

1. Require the carrier to, in a method of its choosing, accept telephonic, facsimile, or electronic submission of prior authorization requests that are delivered from e-prescribing systems, electronic health record systems, and health information exchange platforms that utilize the National Council for Prescription Drug Programs' SCRIPT standards;

2. Require that the carrier communicate to the prescriber or his designee within 24 hours, including weekend hours, of submission of an urgent prior authorization request to the carrier, if submitted telephonically or in an alternate method directed by the carrier, that the request is approved, denied, or requires supplementation;

3. Require that the carrier communicate electronically, telephonically, or by facsimile to the prescriber or his designee, within two business days of submission of a fully completed prior authorization request, that the request is approved, denied, or requires supplementation;

4. Require that the carrier communicate electronically, telephonically, or by facsimile to the prescriber or his designee, within two business days of submission of a properly completed supplementation from the prescriber or his designee, that the request is approved or denied;

5. Require that if a prior authorization request is approved for prescription drugs and such prescription drugs have been scheduled, provided, or delivered to the patient consistent with the authorization, the carrier shall not revoke, limit, condition, modify, or restrict that authorization unless (i) there is evidence that the authorization was obtained based on fraud or misrepresentation; (ii) final actions by the U.S. Food and Drug Administration, other regulatory agencies, or the manufacturer remove the drug from the market, limit its use in a manner that affects the authorization, or communicate a patient safety issue that would affect the authorization alone or in combination with other authorizations; (iii) a combination of drugs prescribed would cause a drug interaction; or (iv) a generic or biosimilar is added to the prescription drug formulary. Nothing in this section shall require a carrier to cover any benefit not otherwise covered or cover a prescription drug if the enrollee is no longer covered by a health plan on the date the prescription drug was scheduled, provided, or delivered;

6. Require that if the prior authorization request is denied, the carrier shall communicate electronically, telephonically, or by facsimile to the prescriber or his designee, within the timeframes established by subdivision 3 or 4, as applicable, the reasons for the denial;

7. Require that prior authorization approved by another carrier be honored, upon the carrier's receipt from the prescriber or his designee of a record demonstrating the previous carrier's prior authorization approval or any written or electronic evidence of the previous carrier's coverage of such drug, at least for the initial 90 days of a member's prescription drug benefit coverage under a new health plan, subject to the provisions of the new carrier's evidence of coverage and any exception listed in subdivision 5;

8. Require that a tracking system be used by the carrier for all prior authorization requests and that the identification information be provided electronically, telephonically, or by facsimile to the prescriber or his designee, upon the carrier's response to the prior authorization request;

9. Require that the carrier's prescription drug formularies, all drug benefits subject to prior authorization by the carrier, all of the carrier's prior authorization procedures, and all prior authorization request forms accepted by the carrier be made available through one central location on the carrier's website and that such information be updated by the carrier within seven days of approved changes;

10. Require a carrier to honor a prior authorization issued by the carrier for a drug, other than an opioid, regardless of changes in dosages of such drug, provided such drug is prescribed consistent with U.S. Food and Drug Administration-labeled dosages;

11. Require a carrier to honor a prior authorization issued by the carrier for a drug regardless of whether the covered person changes plans with the same carrier and the drug is a covered benefit with the current health plan;

12. Require a carrier, when requiring a prescriber to provide supplemental information that is in the covered individual's health record or electronic health record, to identify the specific information required;

13. Require that no prior authorization be required for at least one drug prescribed for substance abuse medication-assisted treatment, provided that (i) the drug is a covered benefit, (ii) the prescription does not exceed the FDA-labeled dosages, and (iii) the drug is prescribed consistent with the regulations of the Board of Medicine;

14. Require that when any carrier has previously approved prior authorization for any drug prescribed for the treatment of a mental disorder listed in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association, no additional prior authorization shall be required by the carrier, provided that (i) the drug is a covered benefit; (ii) the prescription does not exceed the FDA-labeled dosages; (iii) the prescription has been continuously issued for no fewer than three months; and (iv) the prescriber performs an annual review of the patient to evaluate the drug's continued efficacy, changes in the patient's health status, and potential contraindications. Nothing in this subdivision shall prohibit a carrier from requiring prior authorization for any drug that is not listed on its prescription drug formulary at the time the initial prescription for the drug is issued;

15. Require a carrier to honor a prior authorization issued by the carrier for a drug regardless of whether the drug is removed from the carrier's prescription drug formulary after the initial prescription for that drug is issued, provided that the drug and prescription are consistent with the applicable provisions of subdivision 14;

16. Require a carrier, beginning July 1, 2025, notwithstanding the provisions of subdivision 1 or any other provision of this section, to establish and maintain an online process that (i) links directly to all e-prescribing systems and electronic health record systems that utilize the National Council for Prescription Drug Programs SCRIPT standard and the National Council for Prescription Drug Programs Real Time Benefit Standard; (ii) can accept electronic prior authorization requests from a provider; (iii) can approve electronic prior authorization requests (a) for which no additional information is needed by the carrier to process the prior authorization request, (b) for which no clinical review is required, and (c) that meet the carrier's criteria for approval; and (iv) links directly to real-time patient out-of-pocket costs for the office visit, considering copayment and deductible, and (v) otherwise meets the requirements of this section. No carrier shall (a) impose a fee or charge on any person for accessing the online process as required by this subdivision or (b) access, absent provider consent, provider data via the online process other than for the enrollee. No later than July 1, 2024, a carrier shall provide contact information of any third-party vendor or other entity the carrier will use to meet the requirements of this subdivision or the requirements of § 38.2-3407.15:7 to any provider that requests such information. A carrier that posts such contact information on its website shall be considered to have met this requirement; and

17. Require a participating health care provider, beginning July 1, 2025, to ensure that any e-prescribing system or electronic health record system owned by or contracted for the provider to maintain an enrollee's health record has the ability to access, at the point of prescribing, the electronic prior authorization process established by a carrier as required by subdivision 16 and the real-time patient-specific benefit information, including out-of-pocket costs and more affordable medication alternatives made available by a carrier pursuant to § 38.2-3407.15:7. A provider may request a waiver of compliance under this subdivision for undue hardship for a period specified by the appropriate regulatory authority with the Health and Human Resources Secretariat.

C. The Commission shall have no jurisdiction to adjudicate individual controversies arising out of this section.

D. This section shall apply with respect to any contract between a carrier and a participating health care provider~~,~~ or its contracting agent~~,~~ that is entered into, amended, extended, or renewed on or after January 1, 2016.

E. Notwithstanding any law to the contrary, the provisions of this section shall not apply to:

1. Coverages issued pursuant to Title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq. (Medicare), Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq. (Medicaid), Title XXI of the Social Security Act, 42 U.S.C. § 1397aa et seq. (CHIP), 5 U.S.C. § 8901 et seq. (federal employees), or 10 U.S.C. § 1071 et seq. (TRICARE);

2. Accident only, credit or disability insurance, long-term care insurance, TRICARE supplement, Medicare supplement, or workers' compensation coverages;

3. Any dental services plan or optometric services plan as defined in § 38.2-4501; or

4. Any health maintenance organization that (i) contracts with one multispecialty group of physicians who are employed by and are shareholders of the multispecialty group, which multispecialty group of physicians may also contract with health care providers in the community; (ii) provides and arranges for the provision of physician services by such multispecialty group physicians or by such contracted health care providers in the community; and (iii) receives and processes at least 85 percent of prescription drug prior authorization requests in a manner that is interoperable with e-prescribing systems, electronic health records, and health information exchange platforms.

§ 38.2-3407.15:8. Carrier contracts; required provisions regarding prior authorization for health care services.

A. As used in this section:

"Carrier" has the same meaning as provided in subsection A of § 38.2-3407.15.

"Expedited" means, in relation to a health care service or a prior authorization request for a health care service, that the delay of such service could seriously jeopardize the enrollee's life, health, or ability to regain maximum function.

"Health care services" has the same meaning as provided in § 38.2-3407.15, except that as used in this section, "health care services" does not include drugs that are subject to the requirements of § 38.2-3407.15:2.

"Prior authorization" means the approval process used by a carrier before certain health care services may be provided.

"Provider" has the same meaning as provided in § 38.2-3407.10.

"Provider contract" has the same meaning as provided in subsection A of § 38.2-3407.15.

"Standard" means, in relation to a health care service or a prior authorization request for a health care service, that such health care service or prior authorization request is not expedited.

"Supplementation" means a request communicated by the carrier to the provider or his designee for additional information, limited to items specifically requested on the applicable prior authorization request, necessary to approve or deny such request.

B. Any provider contract between a carrier and a participating health care provider or its contracting agent shall contain specific provisions that:

1. Require that the carrier communicate electronically or telephonically to the provider or his designee within 72 hours, including weekend hours, of submission of an expedited prior authorization request to the carrier that the request is approved, denied, or requires supplementation;

2. Require that the carrier communicate electronically or telephonically to the provider or his designee within seven calendar days of submission of a standard prior authorization request to the carrier that the request is approved, denied, or requires supplementation;

3.Where supplementation is required, require the carrier to specify to the provider or his designee the supplementation necessary for the carrier to make a final determination that the request is approved or denied, and following properly completed supplementation from the provider or his designee, require the carrier to approve or deny the request within the timeframes specified in subdivisions 1 and 2;

4. Require that if a prior authorization request is approved for health care services and such health care services have been scheduled or provided to the enrollee consistent with the authorization, the carrier shall not revoke, limit, condition, modify, or restrict that authorization unless (i) the provider requests a change, (ii) there is evidence that the authorization was obtained based on fraud or misrepresentation, or (iii) a final action by a federal regulatory agency or the manufacturer removes an approved health care service from the market, limits its use in a manner impacting the prior authorization, or communicates a patient safety issue that would impact the prior authorization. Nothing in this section shall require a carrier to authorize any health care service if the enrollee is no longer enrolled in the health plan; and

5. Require that if the prior authorization request is denied, the carrier shall communicate electronically or telephonically to the provider or his designee within the timeframes established by subdivision 1 or 2, as applicable, the reasons for the denial.

C. If a carrier requires prior authorization for certain health care services to be covered, the carrier shall make available through one central location on the carrier's publicly accessible website or other electronic application the list of services and codes for which prior authorization is required. A carrier must notify providers at least 30 calendar days in advance of the effective date of any changes to the list of prior authorization requirements and update the publicly accessible list of services and codes for which prior authorization is required by the effective date of any new requirement. All of the carrier's prior authorization procedures and all prior authorization request forms accepted by the carrier shall also be made available and updated by the carrier on the publicly accessible website or other electronic application by the effective date of any new requirements. The carrier shall also indicate the effective date of the prior authorization requirements for each service on the list, including those services where prior authorization is performed by an entity under contract with the carrier, provided, however, that if the prior authorization was already required prior to January 1, 2027, the carrier may indicate an effective date of January 1, 2027.

D. A carrier shall not deny a claim for failure to obtain prior authorization if the prior authorization requirements for the date of service were not posted on the publicly accessible website or other electronic application in accordance with subsection C.

E. Nothing in this section shall prohibit a carrier from removing prior authorization requirements without the 30-day notice period to providers in the event of a pandemic, a natural disaster, or any other emergency situations.

F. Each carrier shall make available by posting on its website no later than March 31 of each year the prior authorization data for prior authorizations covered by this section for the previous calendar year at the health plan level for all metrics required for compliance with federal law and the regulations of the Centers for Medicare and Medicaid Services, including those promulgated under 42 C.F.R. §§ 422.122(c), 438.210(f), 440.230(e)(3), and 457.732(c).

G. Notwithstanding any law to the contrary, no provision of this section shall apply to any health maintenance organization that (i) contracts with a multispecialty group of physicians who are employed by and are shareholders of such multispecialty group, which multispecialty group may also contract with health care providers in the community, and (ii) provides and arranges for the provision of physician services by the physician members of such multispecialty group or by such contracted health care providers.

H. The Commission shall have no jurisdiction to adjudicate individual controversies arising out of this section.

I. Pursuant to the authority granted by § 38.2-223, the Commission may promulgate such rules and regulations as it may deem necessary to implement this section.

2. That the provisions of the first enactment this act shall become effective on January 1, 2027.

3. That the State Corporation Commission's Bureau of Insurance shall establish, in coordination with the Secretary of Health and Human Resources, a work group to (i) monitor anticipated federal developments related to the implementation of requirements to make publicly available information pertaining to prior authorization for health care services consistent with the provisions of § 38.2-3407.15:8 of the Code of Virginia, as created by this act; (ii) assess industry progress and readiness to implement such requirements; and (iii) evaluate policies supporting the effective and efficient adoption of such requirements. The work group shall include relevant stakeholders, including representatives from the Virginia Association of Health Plans, the Virginia Hospital and Healthcare Association, the Medical Society of Virginia, and other parties with an interest in the implementation of transparency requirements for information pertaining to prior authorization for health care services. The work group shall report its findings and recommendations to the Chairs of the Senate Committees on Commerce and Labor and Education and Health and the House Committees on Labor and Commerce and Health and Human Services on or before November 1, 2025.

CHAPTER 59

An Act to amend and reenact §§ 8.01-225, 22.1-274.2, 22.1-274.6, and 54.1-3408 of the Code of Virginia, relating to seizure rescue medications; administration by certain employees; possession by certain students.

[H 2104]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-225, 22.1-274.2, 22.1-274.6, and 54.1-3408 of the Code of Virginia are amended and reenacted as follows:

§ 8.01-225. Persons rendering emergency care, obstetrical services exempt from liability.

A. Any person who:

1. In good faith, renders emergency care or assistance, without compensation, to any ill or injured person (i) at the scene of an accident, fire, or any life-threatening emergency; (ii) at a location for screening or stabilization of an emergency medical condition arising from an accident, fire, or any life-threatening emergency; or (iii) en route to any hospital, medical clinic, or doctor's office, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such care or assistance. For purposes of this subdivision, emergency care or assistance includes the forcible entry of a motor vehicle in order to remove an unattended minor at risk of serious bodily injury or death, provided the person has attempted to contact a law-enforcement officer, as defined in § 9.1-101, a firefighter, as defined in § 65.2-102, emergency medical services personnel, as defined in § 32.1-111.1, or an emergency 911 system, if feasible under the circumstances.

2. In the absence of gross negligence, renders emergency obstetrical care or assistance to a female in active labor who has not previously been cared for in connection with the pregnancy by such person or by another professionally associated with such person and whose medical records are not reasonably available to such person shall not be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care or assistance. The immunity herein granted shall apply only to the emergency medical care provided.

3. In good faith and without compensation, including any emergency medical services provider who holds a valid certificate issued by the Commissioner of Health, administers epinephrine in an emergency to an individual shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if such person has reason to believe that the individual receiving the injection is suffering or is about to suffer a life-threatening anaphylactic reaction.

4. Provides assistance upon request of any police agency, fire department, emergency medical services agency, or governmental agency in the event of an accident or other emergency involving the use, handling, transportation, transmission, or storage of liquefied petroleum gas, liquefied natural gas, hazardous material, or hazardous waste as defined in § 10.1-1400 or regulations of the Virginia Waste Management Board shall not be liable for any civil damages resulting from any act of commission or omission on his part in the course of his rendering such assistance in good faith.

5. Is an emergency medical services provider possessing a valid certificate issued by authority of the State Board of Health who in good faith renders emergency care or assistance, whether in person or by telephone or other means of communication, without compensation, to any injured or ill person, whether at the scene of an accident, fire, or any other place, or while transporting such injured or ill person to, from, or between any hospital, medical facility, medical clinic, doctor's office, or other similar or related medical facility, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care, treatment, or assistance, including but in no way limited to acts or omissions which involve violations of State Department of Health regulations or any other state regulations in the rendering of such emergency care or assistance.

6. In good faith and without compensation, renders or administers emergency cardiopulmonary resuscitation (CPR); cardiac defibrillation, including, but not limited to, the use of an automated external defibrillator (AED); or other emergency life-sustaining or resuscitative treatments or procedures which have been approved by the State Board of Health to any sick or injured person, whether at the scene of a fire, an accident, or any other place, or while transporting such person to or from any hospital, clinic, doctor's office, or other medical facility, shall be deemed qualified to administer such emergency treatments and procedures and shall not be liable for acts or omissions resulting from the rendering of such emergency resuscitative treatments or procedures.

7. Operates an AED at the scene of an emergency, trains individuals to be operators of AEDs, or orders AEDs, shall be immune from civil liability for any personal injury that results from any act or omission in the use of an AED in an emergency where the person performing the defibrillation acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances, unless such personal injury results from gross negligence or willful or wanton misconduct of the person rendering such emergency care.

8. Maintains an AED located on real property owned or controlled by such person shall be immune from civil liability for any personal injury that results from any act or omission in the use in an emergency of an AED located on such property unless such personal injury results from gross negligence or willful or wanton misconduct of the person who maintains the AED or his agent or employee.

9. Is an employee of a school board or of a local health department approved by the local governing body to provide health services pursuant to § 22.1-274 who, while on school property or at a school-sponsored event, (i) renders emergency

care or assistance to any sick or injured person; (ii) renders or administers emergency cardiopulmonary resuscitation (CPR); cardiac defibrillation, including, but not limited to, the use of an automated external defibrillator (AED); or other emergency life-sustaining or resuscitative treatments or procedures that have been approved by the State Board of Health to any sick or injured person; (iii) operates an AED, trains individuals to be operators of AEDs, or orders AEDs; (iv) maintains an AED; or (v) renders care in accordance with a seizure management and action plan pursuant to § 22.1-274.6, shall not be liable for civil damages for ordinary negligence in acts or omissions on the part of such employee while engaged in the acts described in this subdivision.

10. Is a volunteer in good standing and certified to render emergency care by the National Ski Patrol System, Inc., who, in good faith and without compensation, renders emergency care or assistance to any injured or ill person, whether at the scene of a ski resort rescue, outdoor emergency rescue, or any other place or while transporting such injured or ill person to a place accessible for transfer to any available emergency medical system unit, or any resort owner voluntarily providing a ski patroller employed by him to engage in rescue or recovery work at a resort not owned or operated by him, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care, treatment, or assistance, including but not limited to acts or omissions which involve violations of any state regulation or any standard of the National Ski Patrol System, Inc., in the rendering of such emergency care or assistance, unless such act or omission was the result of gross negligence or willful misconduct.

11. Is an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education and is authorized by a prescriber and trained in the administration of insulin and glucagon, who, upon the written request of the parents as defined in § 22.1-1, assists with the administration of insulin or, in the case of a school board employee, with the insertion or reinsertion of an insulin pump or any of its parts pursuant to subsection B of § 22.1-274.01:1 or administers glucagon to a student diagnosed as having diabetes who requires insulin injections during the school day or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if the insulin is administered according to the child's medication schedule or such employee has reason to believe that the individual receiving the glucagon is suffering or is about to suffer life-threatening hypoglycemia. Whenever any such employee is covered by the immunity granted herein, the school board or school employing him shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such insulin or glucagon treatment.

12. Is an employee of a public institution of higher education or a private institution of higher education who is authorized by a prescriber and trained in the administration of insulin and glucagon, who assists with the administration of insulin or administers glucagon to a student diagnosed as having diabetes who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if the insulin is administered according to the student's medication schedule or such employee has reason to believe that the individual receiving the glucagon is suffering or is about to suffer life-threatening hypoglycemia. Whenever any employee is covered by the immunity granted in this subdivision, the institution shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such insulin or glucagon treatment.

13. Is a school nurse, an employee of a school board, an employee of a local governing body, or an employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine and who provides, administers, or assists in the administration of epinephrine to a student believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

14. Is an employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education, or an employee of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a student believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision, the school shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from such administration or assistance.

15. Is an employee of a public institution of higher education or a private institution of higher education who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a student believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision, the institution shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from such administration or assistance.

16. Is an employee of an organization providing outdoor educational experiences or programs for youth who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a participant in the outdoor experience or program for youth believed in good faith to be

having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision, the organization shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from such administration or assistance.

17. Is an employee of a restaurant licensed pursuant to Chapter 3 (§ 35.1-18 et seq.) of Title 35.1, is authorized by a prescriber and trained in the administration of epinephrine, and provides, administers, or assists in the administration of epinephrine to an individual believed in good faith to be having an anaphylactic reaction on the premises of the restaurant at which the employee is employed, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

18. Is an employee of a provider licensed by the Department of Behavioral Health and Developmental Services, or provides services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services, who has been trained in the administration of insulin and glucagon and who administers or assists with the administration of insulin or administers glucagon to a person diagnosed as having diabetes who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia in accordance with § 54.1-3408 shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if the insulin is administered in accordance with the prescriber's instructions or such person has reason to believe that the individual receiving the glucagon is suffering or is about to suffer life-threatening hypoglycemia. Whenever any employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person who provides services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services is covered by the immunity granted herein, the provider shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such insulin or glucagon treatment.

19. Is an employee of a provider licensed by the Department of Behavioral Health and Developmental Services, or provides services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services, who has been trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a person believed in good faith to be having an anaphylactic reaction in accordance with the prescriber's instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

20. In good faith prescribes, dispenses, or administers naloxone or other opioid antagonist used for overdose reversal in an emergency to an individual who is believed to be experiencing or about to experience a life-threatening opiate overdose shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if acting in accordance with the provisions of subsection X or Y of § 54.1-3408 or in his role as a member of an emergency medical services agency.

21. In good faith administers naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose in accordance with the provisions of subsection Z of § 54.1-3408 shall not be liable for any civil damages for any personal injury that results from any act or omission in the administration of naloxone or other opioid antagonist used for overdose reversal, unless such act or omission was the result of gross negligence or willful and wanton misconduct.

22. Is an employee of a school board, school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of injected medications for the treatment of adrenal crisis resulting from a condition causing adrenal insufficiency and who administers or assists in the administration of such medications to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis pursuant to a written order or standing protocol issued by a prescriber within the course of his professional practice and in accordance with the prescriber's instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

23. Is a school nurse, a licensed athletic trainer under contract with a local school division, an employee of a school board, an employee of a local governing body, or an employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers or nebulized albuterol and who provides, administers, or assists in the administration of an albuterol inhaler and a valved holding chamber or nebulized albuterol for a student believed in good faith to be in need of such medication, or is the prescriber of such medication, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

24. Is an employee of a place of public accommodation, as defined in subsection A of § 2.2-3904, who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a person present in the place of public accommodation believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision, the organization shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from such administration or assistance.

25. Is a nurse at an early childhood care and education entity, employee at the entity, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine and who provides,

administers, or assists in the administration of epinephrine to a child believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

26. Is an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education, (iv) a local governing body, or (v) a local health department who is trained in the administration of seizure rescue medications for the treatment of seizures resulting from a condition causing seizures and who administers or assists in the administration of such medications to a student diagnosed with a condition causing seizures when the student is believed to be experiencing or about to experience a seizure in accordance with subsection BB of § 54.1-3408 and pursuant to a written order or standing protocol issued by a prescriber within the course of his professional practice and in accordance with the prescriber's instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

B. Any licensed physician serving without compensation as the operational medical director for an emergency medical services agency that holds a valid license as an emergency medical services agency issued by the Commissioner of Health shall not be liable for any civil damages for any act or omission resulting from the rendering of emergency medical services in good faith by the personnel of such licensed agency unless such act or omission was the result of such physician's gross negligence or willful misconduct.

Any person serving without compensation as a dispatcher for any licensed public or nonprofit emergency medical services agency in the Commonwealth shall not be liable for any civil damages for any act or omission resulting from the rendering of emergency services in good faith by the personnel of such licensed agency unless such act or omission was the result of such dispatcher's gross negligence or willful misconduct.

Any individual, certified by the State Office of Emergency Medical Services as an emergency medical services instructor and pursuant to a written agreement with such office, who, in good faith and in the performance of his duties, provides instruction to persons for certification or recertification as a certified basic life support or advanced life support emergency medical services provider shall not be liable for any civil damages for acts or omissions on his part directly relating to his activities on behalf of such office unless such act or omission was the result of such emergency medical services instructor's gross negligence or willful misconduct.

Any licensed physician serving without compensation as a medical advisor to an E-911 system in the Commonwealth shall not be liable for any civil damages for any act or omission resulting from rendering medical advice in good faith to establish protocols to be used by the personnel of the E-911 service, as defined in § 58.1-1730, when answering emergency calls unless such act or omission was the result of such physician's gross negligence or willful misconduct.

Any licensed physician who directs the provision of emergency medical services, as authorized by the State Board of Health, through a communications device shall not be liable for any civil damages for any act or omission resulting from the rendering of such emergency medical services unless such act or omission was the result of such physician's gross negligence or willful misconduct.

Any licensed physician serving without compensation as a supervisor of an AED in the Commonwealth shall not be liable for any civil damages for any act or omission resulting from rendering medical advice in good faith to the owner of the AED relating to personnel training, local emergency medical services coordination, protocol approval, AED deployment strategies, and equipment maintenance plans and records unless such act or omission was the result of such physician's gross negligence or willful misconduct.

C. Any communications services provider, as defined in § 58.1-647, including mobile service, and any provider of Voice-over-Internet Protocol service, in the Commonwealth shall not be liable for any civil damages for any act or omission resulting from rendering such service with or without charge related to emergency calls unless such act or omission was the result of such service provider's gross negligence or willful misconduct.

Any volunteer engaging in rescue or recovery work at a mine, or any mine operator voluntarily providing personnel to engage in rescue or recovery work at a mine not owned or operated by such operator, shall not be liable for civil damages for acts or omissions resulting from the rendering of such rescue or recovery work in good faith unless such act or omission was the result of gross negligence or willful misconduct. For purposes of this subsection, "Voice-over-Internet Protocol service" or "VoIP service" means any Internet protocol-enabled services utilizing a broadband connection, actually originating or terminating in Internet Protocol from either or both ends of a channel of communication offering real time, multidirectional voice functionality, including, but not limited to, services similar to traditional telephone service.

D. Nothing contained in this section shall be construed to provide immunity from liability arising out of the operation of a motor vehicle.

E. For the purposes of this section, "compensation" shall not be construed to include (i) the salaries of police, fire, or other public officials or personnel who render such emergency assistance; (ii) the salaries or wages of employees of a coal producer engaging in emergency medical services or first aid services pursuant to the provisions of § 45.2-531, 45.2-579, 45.2-863 or 45.2-910; (iii) complimentary lift tickets, food, lodging, or other gifts provided as a gratuity to volunteer members of the National Ski Patrol System, Inc., by any resort, group, or agency; (iv) the salary of any person who (a) owns an AED for the use at the scene of an emergency, (b) trains individuals, in courses approved by the Board of Health, to operate AEDs at the scene of emergencies, (c) orders AEDs for use at the scene of emergencies, or (d) operates an AED at the scene of an emergency; or (v) expenses reimbursed to any person providing care or assistance pursuant to this section.

For the purposes of this section, "emergency medical services provider" shall include a person licensed or certified as such or its equivalent by any other state when he is performing services that he is licensed or certified to perform by such other state in caring for a patient in transit in the Commonwealth, which care originated in such other state.

Further, the public shall be urged to receive training on how to use CPR and an AED in order to acquire the skills and confidence to respond to emergencies using both CPR and an AED.

§ 22.1-274.2. Possession and administration of inhaled asthma medications, epinephrine, glucagon, and seizure rescue medications by certain students or school board employees.

A. Local school boards shall develop and implement policies permitting a student with a diagnosis of asthma or anaphylaxis, or both, to possess and self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be, during the school day, at school-sponsored activities, or while on a school bus or other school property. Such policies shall include, but not be limited to, provisions for:

1. Written consent of the parent, as defined in § 22.1-1, of a student with a diagnosis of asthma or anaphylaxis, or both, that the student may self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be.

2. Written notice from the student's primary care provider or medical specialist, or a licensed physician or licensed advanced practice registered nurse, that (i) identifies the student; (ii) states that the student has a diagnosis of asthma or anaphylaxis, or both, and has approval to self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be, that have been prescribed or authorized for the student; (iii) specifies the name and dosage of the medication, the frequency in which it is to be administered and certain circumstances which may warrant the use of inhaled asthma medications or auto-injectable epinephrine, such as before exercising or engaging in physical activity to prevent the onset of asthma symptoms or to alleviate asthma symptoms after the onset of an asthma episode; and (iv) attests to the student's demonstrated ability to safely and effectively self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be.

3. Development of an individualized health care plan, including emergency procedures for any life-threatening conditions.

4. Consultation with the student's parent before any limitations or restrictions are imposed upon a student's possession and self-administration of inhaled asthma medications and auto-injectable epinephrine, and before the permission to possess and self-administer inhaled asthma medications and auto-injectable epinephrine at any point during the school year is revoked.

5. Self-administration of inhaled asthma medications and auto-injectable epinephrine to be consistent with the purposes of the Virginia School Health Guidelines and the Guidelines for Specialized Health Care Procedure Manuals, which are jointly issued by the Department of Education and the Department of Health.

6. Disclosure or dissemination of information pertaining to the health condition of a student to school board employees to comply with §§ 22.1-287 and 22.1-289 and the federal Family Education Rights and Privacy Act of 1974, as amended, 20 U.S.C. § 1232g, which govern the disclosure and dissemination of information contained in student scholastic records.

B. The permission granted a student with a diagnosis of asthma or anaphylaxis, or both, to possess and self-administer inhaled asthma medications or auto-injectable epinephrine, or both, shall be effective for one school year. Permission to possess and self-administer such medications shall be renewed annually. For the purposes of this section, "one school year" means 365 calendar days.

C. Local school boards shall adopt and implement policies for the possession and administration of epinephrine in every school, to be administered by any school nurse, employee of the school board, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine to any student believed to be having an anaphylactic reaction. Such policies shall require that at least one school nurse, employee of the school board, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine has the means to access at all times during regular school hours any such epinephrine that is stored in a locked or otherwise generally inaccessible container or area.

D. Each local school board shall adopt and implement policies for the possession and administration of undesignated stock albuterol inhalers and valved holding chambers in every public school in the local school division, to be administered by any school nurse, licensed athletic trainer under contract with a local school division, employee of the school board, employee of a local governing body, or employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers for any student believed in good faith to be in need of such medication.

E. Any local school board may adopt and implement policies for the possession and administration of undesignated nasal or injectable glucagon in each public elementary or secondary school in the local school division, provided that such policies are consistent with the guidance outlined in the most recent revision of the Diabetes Management In School: Manual for Unlicensed Personnel published by the Department and include guidance outlining the following:

1. One or more locations in each public elementary or secondary school in the local school division in which doses of such undesignated glucagon shall be stored;

2. The conditions under which doses of such undesignated glucagon shall be stored, replaced, and disposed;

3. The individuals who are authorized to access and administer doses of such undesignated glucagon in an emergency and training requirements for such individuals; and

4. A process for requesting emergency medical services and notifying appropriate personnel immediately after a dose of such undesignated glucagon is administered.

F. Any public elementary or secondary school may maintain a supply of nasal or injectable glucagon in any secure location that is immediately accessible to any school nurse or other employee trained in the administration of nasal and injectable glucagon prescribed to the school by a prescriber, as defined in § 54.1-3401. Any such school shall ensure that such a supply consists of at least two doses. Any school nurse or other authorized employee who is trained in the administration of nasal and injectable glucagon consistent with the guidance outlined in the most recent revision of the Diabetes Management In School: Manual for Unlicensed Personnel published by the Department may administer nasal or injectable glucagon from undesignated inventory with parental consent and if the student's prescribed glucagon is not available on school grounds or has expired.

G. Any school board may accept donations of nasal or injectable glucagon from a wholesale distributor of glucagon or donations of money from any individual to purchase nasal or injectable glucagon for the purpose of maintenance and administration in a public school in the local school division as permitted pursuant to subsection F.

H. Any school board may adopt and implement policies:

1. Permitting any student enrolled in any secondary school in the local school division who has a diagnosis of a condition causing seizures to possess seizure rescue medications during the school day, at school-sponsored activities, or while on a school bus or other school property if (i) the student's parent has submitted a seizure management and action plan in accordance with § 22.1-274.6 that includes written consent of the parent and written approval of the student's primary care provider for such self-possession and (ii) the school nurse has been notified of such self-possession; or

2. For the administration of seizure rescue medications to any student enrolled in any elementary or secondary school in the local school division who has a diagnosis of a condition causing seizures, consistent with the provisions of subsection BB of § 54.1-3408.

§ 22.1-274.6. Seizure management and action plan; training.

A. The parent or guardian of a student with a diagnosed seizure disorder may submit to the local school division a seizure management and action plan developed by the student's treating physician for review by school division employees with whom the student has regular contact. The seizure management and action plan shall (i) identify the health care services the student may receive at school or while participating in a school activity, (ii) identify seizure-related medication prescribed to the student that must be administered in the event of a seizure, *including those administered in compliance with subdivision H 2 of § 22.1-274.2 and subsection BB of § 54.1-3408,* (iii) evaluate the student's ability to manage and understand his seizure disorder, and (iv) be signed by the student's parent or guardian, the student's treating physician, and the school nurse. Each such seizure management and action plan shall state that (a) such plan is separate from any individualized education program (IEP) or Section 504 Plan that is in place for the student and (b) nothing in such plan shall be construed to abrogate any provision of any IEP or Section 504 Plan that is in place for the student.

B. Each local school division shall require all school nurses employed by the division to complete, on a biennial basis, a Board of Education-approved online course of instruction for school nurses regarding treating students with seizures and seizure disorders that includes information about seizure recognition and related first aid. Approved training programs shall be fully consistent with training programs and guidelines developed by the Epilepsy Foundation of America and any successor organization.

C. Each local school division shall require all employees whose duties include regular contact with students to complete, on a biennial basis, a Board of Education-approved online course of instruction for school employees regarding treating students with seizures and seizure disorders that includes information about seizure recognition and related first aid. Approved training programs shall be fully consistent with training programs and guidelines developed by the Epilepsy Foundation of America and any successor organization.

§ 54.1-3408. Professional use by practitioners.

A. A practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine, a licensed advanced practice registered nurse pursuant to § 54.1-2957.01, a licensed certified midwife pursuant to § 54.1-2957.04, a licensed physician assistant pursuant to § 54.1-2952.1, or a TPA-certified optometrist pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32 shall only prescribe, dispense, or administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice. A licensed midwife pursuant to § 54.1-2957.7 shall only obtain, possess, and administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice.

B. The prescribing practitioner's order may be on a written prescription or pursuant to an oral prescription as authorized by this chapter. The prescriber may administer drugs and devices, or he may cause drugs or devices to be administered by:

1. A nurse, physician assistant, or intern under his direction and supervision;

2. Persons trained to administer drugs and devices to patients in state-owned or state-operated hospitals or facilities licensed as hospitals by the Board of Health or psychiatric hospitals licensed by the Department of Behavioral Health and Developmental Services who administer drugs under the control and supervision of the prescriber or a pharmacist;

3. Emergency medical services personnel certified and authorized to administer drugs and devices pursuant to regulations of the Board of Health who act within the scope of such certification and pursuant to an oral or written order or standing protocol;

4. Persons who are employed or engaged at a medical care facility, as defined in § 32.1-3, who have a valid emergency medical services provider certification issued by the Board of Health as a requirement of being employed or engaged at the medical care facility within the scope of such certification, pursuant to an oral or written order or standing protocol to administer drugs and devices at the medical care facility; or

5. A licensed respiratory therapist as defined in § 54.1-2954 who administers by inhalation controlled substances used in inhalation or respiratory therapy.

C. Pursuant to an oral or written order or standing protocol, the prescriber, who is authorized by state or federal law to possess and administer radiopharmaceuticals in the scope of his practice, may authorize a nuclear medicine technologist to administer, under his supervision, radiopharmaceuticals used in the diagnosis or treatment of disease.

D. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize registered nurses and licensed practical nurses to possess (i) epinephrine and oxygen for administration in treatment of emergency medical conditions and (ii) heparin and sterile normal saline to use for the maintenance of intravenous access lines.

Pursuant to the regulations of the Board of Health, certain emergency medical services technicians may possess and administer epinephrine in emergency cases of anaphylactic shock.

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any school nurse, school board employee, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or standing protocol that shall be issued by the local health director within the course of his professional practice, any school nurse, licensed athletic trainer under contract with a local school division, school board employee, employee of a local governing body, or employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers or nebulized albuterol may possess or administer an albuterol inhaler and a valved holding chamber or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education, or any employee of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in the administration of (a) epinephrine may possess and administer epinephrine and (b) albuterol inhalers or nebulized albuterol may possess or administer an albuterol inhaler or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any nurse at an early childhood care and education entity, employee at the entity, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a public institution of higher education or a private institution of higher education who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of an organization providing outdoor educational experiences or programs for youth who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, and in accordance with policies and guidelines established by the Department of Health, such prescriber may authorize any employee of a restaurant licensed pursuant to Chapter 3 (§ 35.1-18 et seq.) of Title 35.1 to possess and administer epinephrine on the premises of the restaurant at which the employee is employed, provided that such person is trained in the administration of epinephrine.

Pursuant to an order issued by the prescriber within the course of his professional practice, an employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services may possess and administer epinephrine, provided such person is authorized and trained in the administration of epinephrine.

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any employee of a place of public accommodation, as defined in subsection A of § 2.2-3904, who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize pharmacists to possess epinephrine and oxygen for administration in treatment of emergency medical conditions.

E. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed physical therapists to possess and administer topical corticosteroids, topical lidocaine, and any other Schedule VI topical drug.

F. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed athletic trainers to possess and administer topical corticosteroids, topical

lidocaine, or other Schedule VI topical drugs; oxygen and IV saline for use in emergency situations; subcutaneous lidocaine for wound closure; epinephrine for use in emergency cases of anaphylactic shock; and naloxone or other opioid antagonist for overdose reversal.

G. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, and in accordance with policies and guidelines established by the Department of Health pursuant to § 32.1-50.2, such prescriber may authorize registered nurses or licensed practical nurses under the supervision of a registered nurse to possess and administer tuberculin purified protein derivative (PPD) in the absence of a prescriber. The Department of Health's policies and guidelines shall be consistent with applicable guidelines developed by the Centers for Disease Control and Prevention for preventing transmission of mycobacterium tuberculosis and shall be updated to incorporate any subsequently implemented standards of the Occupational Safety and Health Administration and the Department of Labor and Industry to the extent that they are inconsistent with the Department of Health's policies and guidelines. Such standing protocols shall explicitly describe the categories of persons to whom the tuberculin test is to be administered and shall provide for appropriate medical evaluation of those in whom the test is positive. The prescriber shall ensure that the nurse implementing such standing protocols has received adequate training in the practice and principles underlying tuberculin screening.

The Health Commissioner or his designee may authorize registered nurses, acting as agents of the Department of Health, to possess and administer, at the nurse's discretion, tuberculin purified protein derivative (PPD) to those persons in whom tuberculin skin testing is indicated based on protocols and policies established by the Department of Health.

H. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administer glucagon to a student diagnosed as having diabetes and who requires insulin injections during the school day or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize the possession and administration of undesignated glucagon as set forth in subsection F of § 22.1-274.2.

Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize an employee of a public institution of higher education or a private institution of higher education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administration of glucagon to a student diagnosed as having diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

Pursuant to a written order issued by the prescriber within the course of his professional practice, such prescriber may authorize an employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services to assist with the administration of insulin or to administer glucagon to a person diagnosed as having diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia, provided such employee or person providing services has been trained in the administration of insulin and glucagon.

I. A prescriber may authorize, pursuant to a protocol approved by the Board of Nursing, the administration of vaccines to adults for immunization, when a practitioner with prescriptive authority is not physically present, by (i) licensed pharmacists, (ii) registered nurses, or (iii) licensed practical nurses under the supervision of a registered nurse. A prescriber acting on behalf of and in accordance with established protocols of the Department of Health may authorize the administration of vaccines to any person by a pharmacist, nurse, or designated emergency medical services provider who holds an advanced life support certificate issued by the Commissioner of Health under the direction of an operational medical director when the prescriber is not physically present. The emergency medical services provider shall provide documentation of the vaccines to be recorded in the Virginia Immunization Information System.

J. A dentist may cause Schedule VI topical drugs to be administered under his direction and supervision by either a dental hygienist or by an authorized agent of the dentist.

Further, pursuant to a written order and in accordance with a standing protocol issued by the dentist in the course of his professional practice, a dentist may authorize a dental hygienist under his general supervision, as defined in § 54.1-2722, or his remote supervision, as defined in subsection E or F of § 54.1-2722, to possess and administer topical oral fluorides, topical oral anesthetics, topical and directly applied antimicrobial agents for treatment of periodontal pocket lesions, and any other Schedule VI topical drug approved by the Board of Dentistry.

In addition, a dentist may authorize a dental hygienist under his direction to administer Schedule VI nitrous oxide and oxygen inhalation analgesia and, to persons 18 years of age or older, Schedule VI local anesthesia.

K. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize registered professional nurses certified as sexual assault nurse examiners-A (SANE-A) under his supervision and when he is not physically present to possess and administer preventive medications for victims of sexual assault as recommended by the Centers for Disease Control and Prevention.

L. This section shall not prevent the administration of drugs by a person who has satisfactorily completed a training program for this purpose approved by the Board of Nursing and who administers such drugs in accordance with a prescriber's instructions pertaining to dosage, frequency, and manner of administration, and in accordance with regulations promulgated by the Board of Pharmacy relating to security and record keeping, when the drugs administered would be normally self-administered by (i) an individual receiving services in a program licensed by the Department of Behavioral Health and Developmental Services; (ii) a resident of the Virginia Rehabilitation Center for the Blind and Vision Impaired; (iii) a resident of a facility approved by the Board or Department of Juvenile Justice for the placement of children in need of services or delinquent or alleged delinquent youth; (iv) a program participant of an adult day center licensed by the Department of Social Services; (v) a resident of any facility authorized or operated by a state or local government whose primary purpose is not to provide health care services; (vi) a resident of a private children's residential facility, as defined in § 63.2-100 and licensed by the Department of Social Services, Department of Education, or Department of Behavioral Health and Developmental Services; or (vii) a student in a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education.

In addition, this section shall not prevent a person who has successfully completed a training program for the administration of drugs via percutaneous gastrostomy tube approved by the Board of Nursing and been evaluated by a registered nurse as having demonstrated competency in administration of drugs via percutaneous gastrostomy tube from administering drugs to a person receiving services from a program licensed by the Department of Behavioral Health and Developmental Services to such person via percutaneous gastrostomy tube. The continued competency of a person to administer drugs via percutaneous gastrostomy tube shall be evaluated semiannually by a registered nurse.

M. Medication aides registered by the Board of Nursing pursuant to Article 7 (§ 54.1-3041 et seq.) of Chapter 30 may administer drugs that would otherwise be self-administered to residents of any assisted living facility licensed by the Department of Social Services. A registered medication aide shall administer drugs pursuant to this section in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; in accordance with regulations promulgated by the Board of Pharmacy relating to security and recordkeeping; in accordance with the assisted living facility's Medication Management Plan; and in accordance with such other regulations governing their practice promulgated by the Board of Nursing.

N. In addition, this section shall not prevent the administration of drugs by a person who administers such drugs in accordance with a physician's instructions pertaining to dosage, frequency, and manner of administration and with written authorization of a parent, and in accordance with school board regulations relating to training, security and record keeping, when the drugs administered would be normally self-administered by a student of a Virginia public school. Training for such persons shall be accomplished through a program approved by the local school boards, in consultation with the local departments of health.

O. In addition, this section shall not prevent the administration of drugs by a person to (i) a child in a child day program as defined in § 22.1-289.02 and regulated by the Board of Education or a local government pursuant to § 15.2-914, or (ii) a student of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education, provided such person (a) has satisfactorily completed a training program for this purpose approved by the Board of Nursing and taught by a registered nurse, a licensed practical nurse, an advanced practice registered nurse, a physician assistant, a doctor of medicine or osteopathic medicine, or a pharmacist; (b) has obtained written authorization from a parent or guardian; (c) administers drugs only to the child identified on the prescription label in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; and (d) administers only those drugs that were dispensed from a pharmacy and maintained in the original, labeled container that would normally be self-administered by the child or student, or administered by a parent or guardian to the child or student.

P. In addition, this section shall not prevent the administration or dispensing of drugs and devices by persons if they are authorized by the State Health Commissioner in accordance with protocols established by the State Health Commissioner pursuant to § 32.1-42.1 when (i) the Governor has declared a disaster or a state of emergency, the United States Secretary of Health and Human Services has issued a declaration of an actual or potential bioterrorism incident or other actual or potential public health emergency, or the Board of Health has made an emergency order pursuant to § 32.1-13 for the purpose of suppressing nuisances dangerous to the public health and communicable, contagious, and infectious diseases and other dangers to the public life and health and for the limited purpose of administering vaccines as an approved countermeasure for such communicable, contagious, and infectious diseases; (ii) it is necessary to permit the provision of needed drugs or devices; and (iii) such persons have received the training necessary to safely administer or dispense the needed drugs or devices. Such persons shall administer or dispense all drugs or devices under the direction, control, and supervision of the State Health Commissioner.

Q. Nothing in this title shall prohibit the administration of normally self-administered drugs by unlicensed individuals to a person in his private residence.

R. This section shall not interfere with any prescriber issuing prescriptions in compliance with his authority and scope of practice and the provisions of this section to a Board agent for use pursuant to subsection G of § 18.2-258.1. Such prescriptions issued by such prescriber shall be deemed to be valid prescriptions.

S. Nothing in this title shall prevent or interfere with dialysis care technicians or dialysis patient care technicians who are certified by an organization approved by the Board of Health Professions or persons authorized for provisional practice pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.), in the ordinary course of their duties in a Medicare-certified renal dialysis facility, from administering heparin, topical needle site anesthetics, dialysis solutions, sterile normal saline solution, and blood volumizers, for the purpose of facilitating renal dialysis treatment, when such administration of medications occurs under the orders of a licensed physician, an advanced practice registered nurse, or a physician assistant and under the immediate and direct supervision of a licensed registered nurse. Nothing in this chapter shall be construed to prohibit a patient care dialysis technician trainee from performing dialysis care as part of and within the scope of the clinical skills instruction segment of a supervised dialysis technician training program, provided such trainee is identified as a "trainee" while working in a renal dialysis facility.

The dialysis care technician or dialysis patient care technician administering the medications shall have demonstrated competency as evidenced by holding current valid certification from an organization approved by the Board of Health Professions pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.).

T. Persons who are otherwise authorized to administer controlled substances in hospitals shall be authorized to administer influenza or pneumococcal vaccines pursuant to § 32.1-126.4.

U. Pursuant to a specific order for a patient and under his direct and immediate supervision, a prescriber may authorize the administration of controlled substances by personnel who have been properly trained to assist a doctor of medicine or osteopathic medicine, provided the method does not include intravenous, intrathecal, or epidural administration and the prescriber remains responsible for such administration.

V. A physician assistant, nurse, dental hygienist, or authorized agent of a doctor of medicine, osteopathic medicine, or dentistry may possess and administer topical fluoride varnish pursuant to an oral or written order or a standing protocol issued by a doctor of medicine, osteopathic medicine, or dentistry.

W. A prescriber, acting in accordance with guidelines developed pursuant to § 32.1-46.02, may authorize the administration of influenza vaccine to minors by a licensed pharmacist, registered nurse, licensed practical nurse under the direction and immediate supervision of a registered nurse, or emergency medical services provider who holds an advanced life support certificate issued by the Commissioner of Health when the prescriber is not physically present.

X. Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, a pharmacist, a health care provider providing services in a hospital emergency department, and emergency medical services personnel, as that term is defined in § 32.1-111.1, may dispense naloxone or other opioid antagonist used for overdose reversal and a person to whom naloxone or other opioid antagonist has been dispensed pursuant to this subsection may possess and administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose. Law-enforcement officers as defined in § 9.1-101, employees of the Department of Forensic Science, employees of the Office of the Chief Medical Examiner, employees of the Department of General Services Division of Consolidated Laboratory Services, employees of the Department of Corrections designated by the Director of the Department of Corrections or designated as probation and parole officers or as correctional officers as defined in § 53.1-1, employees of the Department of Juvenile Justice designated as probation and parole officers or as juvenile correctional officers, employees of regional jails, employees of any state agency, school nurses, local health department employees that are assigned to a public school pursuant to an agreement between the local health department and the school board, school board employees who have completed training and are certified in the administration of an opioid antagonist for overdose reversal by a program administered or authorized by the Department of Health, other school board employees or individuals contracted by a school board to provide school health services, and firefighters may also possess and administer naloxone or other opioid antagonist used for overdose reversal and may dispense naloxone or other opioid antagonist used for overdose reversal pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, any person may possess and administer naloxone or other opioid antagonist used for overdose reversal, other than naloxone in an injectable formulation with a hypodermic needle or syringe, in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Y. Notwithstanding any other law or regulation to the contrary, a person who is acting on behalf of an organization that provides services to individuals at risk of experiencing an opioid overdose or training in the administration of naloxone for

overdose reversal may dispense naloxone, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber and (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health. If the person acting on behalf of an organization dispenses naloxone in an injectable formulation with a hypodermic needle or syringe, he shall first obtain authorization from the Department of Behavioral Health and Developmental Services to train individuals on the proper administration of naloxone by and proper disposal of a hypodermic needle or syringe, and he shall obtain a controlled substance registration from the Board of Pharmacy. The Board of Pharmacy shall not charge a fee for the issuance of such controlled substance registration. The dispensing may occur at a site other than that of the controlled substance registration provided the entity possessing the controlled substances registration maintains records in accordance with regulations of the Board of Pharmacy. No person who dispenses naloxone on behalf of an organization pursuant to this subsection shall charge a fee for the dispensing of naloxone that is greater than the cost to the organization of obtaining the naloxone dispensed. A person to whom naloxone has been dispensed pursuant to this subsection may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

Z. A person who is not otherwise authorized to administer naloxone or other opioid antagonist used for overdose reversal may administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

AA. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of injected medications for the treatment of adrenal crisis resulting from a condition causing adrenal insufficiency to administer such medication to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis. Such authorization shall be effective only when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

BB. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the student's parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education, (iv) a local governing body, or (v) a local health department who is trained in the administration of seizure rescue medications for the treatment of seizures resulting from a condition causing seizures to administer such medications to a student diagnosed with a condition causing seizures when the student is believed to be experiencing or about to experience a seizure. Such authorization shall be effective only when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not capable of reaching the student within the amount of time necessary to effectively perform the administration of the medication.

2. That the Virginia Department of Health shall consult with the Department of Education to update the Virginia School Health Guidelines as such agencies deem necessary to provide proper guidance on the implementation of the provisions of this act.

CHAPTER 60

An Act to amend and reenact § 17.1-802 of the Code of Virginia, relating to membership of Virginia Criminal Sentencing Commission.

[H 2111]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-802 of the Code of Virginia is amended and reenacted as follows:

§ 17.1-802. Membership; terms; compensation and expenses.

A. The Commission shall be composed of ~~17~~ *18* members as follows:

1. Six judges or justices, who may be judges of a circuit court who regularly hear criminal cases or judges or justices of the Supreme Court or the Court of Appeals, to be appointed by the Chief Justice of the Supreme Court of Virginia;

2. One person who is not an active member of the judiciary, to be appointed as Chairman by the Chief Justice of the Supreme Court of Virginia for a term of four years subject to confirmation by the General Assembly. The Chairman shall designate a vice-chairman from among the other members to serve a term commensurate with that of the Chairman;

3. The Chairman of the House Committee for Courts of Justice or his designee who shall be a member of the committee and two persons to be appointed by the Speaker of the House of Delegates;

4. The Chairman of the Senate Committee for Courts of Justice or his designee who shall be a member of the committee and one person to be appointed by the Senate Committee on Rules;

5. Four persons to be appointed by the Governor, at least one of whom shall be a representative of a crime victims' organization or a victim of crime as defined in subsection B of § 19.2-11.01; ~~and~~

6. The Attorney General of Virginia or his designee for a term commensurate with his term of office*; and*

7. The executive director of the Virginia Indigent Defense Commission or his designee.

All members shall be citizens of the Commonwealth.

B. Except for legislative members and gubernatorial appointments, appointments to the Commission made on and after January 1, 2001, shall be for terms of four years. Legislative members shall serve terms coincident with their terms of office. Appointments to the Commission made by the Governor on and after January 1, 2006, shall be for terms of four years. Members initially appointed to the Commission prior to January 1, 1998, may serve no more than three consecutive terms. Members initially appointed on and after January 1, 1998, shall not be eligible to serve more than two consecutive terms except for the Attorney General who shall serve by virtue of his office. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments. The remainder of any term to which a member is appointed to fill a vacancy or the service of an initial term of three years or less shall not constitute a term in determining the member's eligibility for reappointment.

C. Legislative members of the Commission shall receive compensation as provided in § 30-19.12 and nonlegislative citizen members of the Commission shall receive compensation as provided in § 2.2-2813 and all members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Virginia Sentencing Commission.

CHAPTER 61

An Act to amend and reenact § 15.2-907.1 of the Code of Virginia, relating to derelict buildings; civil penalties.

[H 2128]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-907.1 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-907.1. Authority to require removal, repair, etc., of buildings that are declared to be derelict; civil penalty.

Any locality that has a real estate tax abatement program in accordance with this section may, by ordinance, provide that:

1. The owners of property therein shall at such time or times as the governing body may prescribe submit a plan to demolish or renovate any building that has been declared a "derelict building." For purposes of this section, "derelict building" ~~shall mean~~ *means* a residential or nonresidential building or structure, whether or not construction has been completed, that might endanger the public's health, safety, or welfare and for a continuous period in excess of six months, it has been (i) vacant, (ii) boarded up in accordance with the building code, and (iii) not lawfully connected to electric service from a utility service provider or not lawfully connected to any required water or sewer service from a utility service provider.

2. If a building qualifies as a derelict building pursuant to the ordinance, the locality shall notify the owner of the derelict building that the owner is required to submit to the locality a plan, within 90 days, to demolish or renovate the building to address the items that endanger the public's health, safety, or welfare as listed in a written notification provided by the locality. Such plan may be on a form developed by the locality and shall include a proposed time within which the plan will be commenced and completed. The plan may include one or more adjacent properties of the owner, whether or not all of such properties may have been declared derelict buildings. The plan shall be subject to approval by the locality. The locality shall deliver the written notice to the address listed on the real estate tax assessment records of the locality. Written notice sent by first-class mail, with the locality obtaining a U.S. Postal Service Certificate of Mailing shall constitute delivery pursuant to this section.

3. If a locality delivers written notice and the owner of the derelict building has not submitted a plan to the locality within 90 days as provided in subdivision 2, the locality may exercise such remedies as provided in this section or as otherwise provided by law~~; for residential property, such~~. *Such* remedy may include imposition of a civil penalty not exceeding $500 per month until such time as the owner has submitted a plan in accordance with this section; however, the total civil penalty imposed shall not exceed the cost to demolish the derelict building. Any such civil penalty shall be paid into the treasury of the locality.

4. The owner of a building may apply to the locality and request that such building be declared a derelict building for purposes of this section.

5. The locality, upon receipt of the plan to demolish or renovate the building, at the owner's request, shall meet with the owner submitting the plan and provide information to the owner on the land use and permitting requirements for demolition or renovation.

6. If the property owner's plan is to demolish the derelict building, the building permit application of such owner shall be expedited. If the owner has completed the demolition within 90 days of the date of the building permit issuance, the locality shall refund any building and demolition permit fees. This section shall not supersede any ordinance adopted pursuant to § 15.2-2306 relative to historic districts.

7. If the property owner's plan is to renovate the derelict building, and no rezoning is required for the owner's intended use of the property, the site plan or subdivision application and the building permit, as applicable, shall be expedited. The site plan or subdivision fees may be refunded, all or in part, but in no event shall the site plan or subdivision fees exceed the lesser of 50 percent of the standard fees established by the ordinance for site plan or subdivision applications for the proposed use of the property, or $5,000 per property. The building permit fees may be refunded, all or in part, but in no event shall the building permit fees exceed the lesser of 50 percent of the standard fees established by the ordinance for building permit applications for the proposed use of the property, or $5,000 per property.

8. Prior to commencement of a plan to demolish or renovate the derelict building, at the request of the property owner, the real estate assessor shall make an assessment of the property in its current derelict condition. On the building permit application, the owner shall declare the costs of demolition, or the costs of materials and labor to complete the renovation. At the request of the property owner, after demolition or renovation of the derelict building, the real estate assessor shall reflect the fair market value of the demolition costs or the fair market value of the renovation improvements, and reflect such value in the real estate tax assessment records. The real estate tax on an amount equal to the costs of demolition or an amount equal to the increase in the fair market value of the renovations shall be abated for a period of not less than 15 years, and is transferable with the property. The abatement of taxes for demolition shall not apply if the structure demolished is a registered Virginia landmark or is determined by the Department of Historic Resources to contribute to the significance of a registered historic district. However, if the locality has an existing tax abatement program for less than 15 years, as of July 1, 2009, the locality may provide for a tax abatement period of not less than five years.

9. Notwithstanding the provisions of this section, the locality may proceed to make repairs and secure the building under § 15.2-906, or the locality may proceed to abate or remove a nuisance under § 15.2-900. In addition, the locality may exercise such remedies as may exist under the Uniform Statewide Building Code and may exercise such other remedies available under general and special law.

CHAPTER 62

An Act to amend and reenact § 23.1-1402 of the Code of Virginia, relating to Christopher Newport University Board of Visitors; annual meetings.

[S 771]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 23.1-1402 of the Code of Virginia is amended and reenacted as follows:

§ 23.1-1402. Meetings; officers; committees.

A. The board shall meet at the University at least ~~four times~~ *once* a year and at such other times as it determines. Special meetings of the board may be called by the rector or any three members. The secretary shall provide notice of any special meeting to each member.

B. Seven members shall constitute a quorum.

C. ~~At the first meeting after July 1 in every even-numbered year, the~~ *The* board shall elect from its membership a rector to preside at its meetings, a vice-rector to preside at its meetings in the absence of the rector, and a secretary to preside at its meetings in the absence of the rector and vice-rector.

D. The board may appoint a pro tempore officer to preside at its meetings in the absence of the rector, vice-rector, and secretary.

E. Vacancies in the offices of rector, vice-rector, and secretary may be filled by the board for the unexpired term.

F. ~~At every regular annual meeting of the board, the~~ *The* board may appoint an executive committee for the transaction of business in the recess of the board, to serve for a period of one year or until the next regular annual meeting.

CHAPTER 63

An Act to amend and reenact § 5.1-5 of the Code of Virginia, relating to registration of aircraft; fees.

[S 948]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 5.1-5 of the Code of Virginia is amended and reenacted as follows:

§ 5.1-5. Registration of aircraft.

A. Every resident of the Commonwealth owning a civil aircraft, every nonresident owning a civil aircraft based in the Commonwealth for more than 90 days during any ~~calendar year~~ *12-month period*, and every owner of an aerial application aircraft operating within the Commonwealth or of a civil aircraft operated in the Commonwealth as a for-hire intrastate air carrier shall register such aircraft with the Department before such aircraft is operated in the Commonwealth. Any owner of an unmanned aircraft as defined in § 19.2-60.1 shall not be required to register such aircraft.

B. The Department shall provide for the issuance, expiration, suspension, and revocation of aircraft registration in accordance with regulations promulgated by the Board. For the purposes of the tax imposed pursuant to Chapter 15 (§ 58.1-1500 et seq.) of Title 58.1, including any credit granted pursuant to § 58.1-1504 against such tax, such aircraft registration shall be considered the licensure required by such chapter. The Department shall furnish any necessary forms pursuant to the issuance of ~~such~~ *noncommercial single aircraft* registration and may assess a fee for such issuance not in excess of ~~$5~~ *$30* annually. *The Department may offer multiyear noncommercial single aircraft registrations not to exceed three years. The total fee for two-year registrations shall not exceed $55, and the total fee for three-year registrations shall not exceed $70.* The Department may, in lieu of issuing aircraft registration required by subsection A, issue commercial *single* aircraft *or commercial fleet* registration to air carriers and commercial dealers and issue to noncommercial dealers noncommercial dealer fleet registration, to cover all aircraft owned by such dealers and all aircraft for sale held by dealers on a consignment basis from an aircraft manufacturer. The Department may assess a fee not in excess of ~~$50~~ *$75* annually for any such noncommercial dealer fleet registrations issued*. The Department may offer multiyear noncommercial dealer fleet registrations not to exceed three years. The total fee for two-year registrations shall not exceed $125, and the total fee for three-year registrations shall not exceed $150. The Department may assess* ~~and~~ a fee not in excess of ~~$100~~ *$150* annually for any such commercial fleet registrations issued. *The Department may offer multiyear commercial fleet registrations not to exceed three years. The total fee for two-year registrations shall not exceed $250, and the total fee for three-year registrations shall not exceed $300.* The fee for a commercial single aircraft registration shall not be in excess of ~~$10~~ *$40* annually. *The Department may offer multiyear commercial single aircraft registrations not to exceed three years. The total fee for two-year registrations shall not exceed $70, and the total fee for three-year registrations shall not exceed $95.*

C. Notwithstanding the provisions of subsection A, no aircraft shall be required to be registered if the aircraft is brought into the Commonwealth solely for major maintenance or major repair. An aircraft owner shall provide proof that the aircraft is based at an airport in another state, shown by evidence of a hangar or tie-down lease for a minimum of 12 months prior to the aircraft being brought into the Commonwealth, and proof of the work being performed in the Commonwealth, shown by presentation of invoices that describe such work.

CHAPTER 64

An Act to amend and reenact § 17.1-802 of the Code of Virginia, relating to membership of Virginia Criminal Sentencing Commission.

[S 966]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-802 of the Code of Virginia is amended and reenacted as follows:

§ 17.1-802. Membership; terms; compensation and expenses.

A. The Commission shall be composed of ~~17~~ *18* members as follows:

1. Six judges or justices, who may be judges of a circuit court who regularly hear criminal cases or judges or justices of the Supreme Court or the Court of Appeals, to be appointed by the Chief Justice of the Supreme Court of Virginia;

2. One person who is not an active member of the judiciary, to be appointed as Chairman by the Chief Justice of the Supreme Court of Virginia for a term of four years subject to confirmation by the General Assembly. The Chairman shall designate a vice-chairman from among the other members to serve a term commensurate with that of the Chairman;

3. The Chairman of the House Committee for Courts of Justice or his designee who shall be a member of the committee and two persons to be appointed by the Speaker of the House of Delegates;

4. The Chairman of the Senate Committee for Courts of Justice or his designee who shall be a member of the committee and one person to be appointed by the Senate Committee on Rules;

5. Four persons to be appointed by the Governor, at least one of whom shall be a representative of a crime victims' organization or a victim of crime as defined in subsection B of § 19.2-11.01; ~~and~~

6. The Attorney General of Virginia or his designee for a term commensurate with his term of office*; and*

7. The executive director of the Virginia Indigent Defense Commission or his designee.

All members shall be citizens of the Commonwealth.

B. Except for legislative members and gubernatorial appointments, appointments to the Commission made on and after January 1, 2001, shall be for terms of four years. Legislative members shall serve terms coincident with their terms of office. Appointments to the Commission made by the Governor on and after January 1, 2006, shall be for terms of four years. Members initially appointed to the Commission prior to January 1, 1998, may serve no more than three consecutive terms. Members initially appointed on and after January 1, 1998, shall not be eligible to serve more than two consecutive terms except for the Attorney General who shall serve by virtue of his office. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments. The remainder of any term to which a member is appointed to fill a vacancy or the service of an initial term of three years or less shall not constitute a term in determining the member's eligibility for reappointment.

C. Legislative members of the Commission shall receive compensation as provided in § 30-19.12 and nonlegislative citizen members of the Commission shall receive compensation as provided in § 2.2-2813 and all members shall be

reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Virginia Sentencing Commission.

CHAPTER 65

An Act to amend and reenact §§ 8.01-225, 22.1-274.2, 22.1-274.6, and 54.1-3408 of the Code of Virginia, relating to seizure rescue medications; administration by certain employees; possession by certain students.

[S 1036]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-225, 22.1-274.2, 22.1-274.6, and 54.1-3408 of the Code of Virginia are amended and reenacted as follows:

§ 8.01-225. Persons rendering emergency care, obstetrical services exempt from liability.

A. Any person who:

1. In good faith, renders emergency care or assistance, without compensation, to any ill or injured person (i) at the scene of an accident, fire, or any life-threatening emergency; (ii) at a location for screening or stabilization of an emergency medical condition arising from an accident, fire, or any life-threatening emergency; or (iii) en route to any hospital, medical clinic, or doctor's office, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such care or assistance. For purposes of this subdivision, emergency care or assistance includes the forcible entry of a motor vehicle in order to remove an unattended minor at risk of serious bodily injury or death, provided the person has attempted to contact a law-enforcement officer, as defined in § 9.1-101, a firefighter, as defined in § 65.2-102, emergency medical services personnel, as defined in § 32.1-111.1, or an emergency 911 system, if feasible under the circumstances.

2. In the absence of gross negligence, renders emergency obstetrical care or assistance to a female in active labor who has not previously been cared for in connection with the pregnancy by such person or by another professionally associated with such person and whose medical records are not reasonably available to such person shall not be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care or assistance. The immunity herein granted shall apply only to the emergency medical care provided.

3. In good faith and without compensation, including any emergency medical services provider who holds a valid certificate issued by the Commissioner of Health, administers epinephrine in an emergency to an individual shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if such person has reason to believe that the individual receiving the injection is suffering or is about to suffer a life-threatening anaphylactic reaction.

4. Provides assistance upon request of any police agency, fire department, emergency medical services agency, or governmental agency in the event of an accident or other emergency involving the use, handling, transportation, transmission, or storage of liquefied petroleum gas, liquefied natural gas, hazardous material, or hazardous waste as defined in § 10.1-1400 or regulations of the Virginia Waste Management Board shall not be liable for any civil damages resulting from any act of commission or omission on his part in the course of his rendering such assistance in good faith.

5. Is an emergency medical services provider possessing a valid certificate issued by authority of the State Board of Health who in good faith renders emergency care or assistance, whether in person or by telephone or other means of communication, without compensation, to any injured or ill person, whether at the scene of an accident, fire, or any other place, or while transporting such injured or ill person to, from, or between any hospital, medical facility, medical clinic, doctor's office, or other similar or related medical facility, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care, treatment, or assistance, including but in no way limited to acts or omissions which involve violations of State Department of Health regulations or any other state regulations in the rendering of such emergency care or assistance.

6. In good faith and without compensation, renders or administers emergency cardiopulmonary resuscitation (CPR); cardiac defibrillation, including, but not limited to, the use of an automated external defibrillator (AED); or other emergency life-sustaining or resuscitative treatments or procedures which have been approved by the State Board of Health to any sick or injured person, whether at the scene of a fire, an accident, or any other place, or while transporting such person to or from any hospital, clinic, doctor's office, or other medical facility, shall be deemed qualified to administer such emergency treatments and procedures and shall not be liable for acts or omissions resulting from the rendering of such emergency resuscitative treatments or procedures.

7. Operates an AED at the scene of an emergency, trains individuals to be operators of AEDs, or orders AEDs, shall be immune from civil liability for any personal injury that results from any act or omission in the use of an AED in an emergency where the person performing the defibrillation acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances, unless such personal injury results from gross negligence or willful or wanton misconduct of the person rendering such emergency care.

8. Maintains an AED located on real property owned or controlled by such person shall be immune from civil liability for any personal injury that results from any act or omission in the use in an emergency of an AED located on such property

unless such personal injury results from gross negligence or willful or wanton misconduct of the person who maintains the AED or his agent or employee.

9. Is an employee of a school board or of a local health department approved by the local governing body to provide health services pursuant to § 22.1-274 who, while on school property or at a school-sponsored event, (i) renders emergency care or assistance to any sick or injured person; (ii) renders or administers emergency cardiopulmonary resuscitation (CPR); cardiac defibrillation, including, but not limited to, the use of an automated external defibrillator (AED); or other emergency life-sustaining or resuscitative treatments or procedures that have been approved by the State Board of Health to any sick or injured person; (iii) operates an AED, trains individuals to be operators of AEDs, or orders AEDs; (iv) maintains an AED; or (v) renders care in accordance with a seizure management and action plan pursuant to § 22.1-274.6, shall not be liable for civil damages for ordinary negligence in acts or omissions on the part of such employee while engaged in the acts described in this subdivision.

10. Is a volunteer in good standing and certified to render emergency care by the National Ski Patrol System, Inc., who, in good faith and without compensation, renders emergency care or assistance to any injured or ill person, whether at the scene of a ski resort rescue, outdoor emergency rescue, or any other place or while transporting such injured or ill person to a place accessible for transfer to any available emergency medical system unit, or any resort owner voluntarily providing a ski patroller employed by him to engage in rescue or recovery work at a resort not owned or operated by him, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care, treatment, or assistance, including but not limited to acts or omissions which involve violations of any state regulation or any standard of the National Ski Patrol System, Inc., in the rendering of such emergency care or assistance, unless such act or omission was the result of gross negligence or willful misconduct.

11. Is an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education and is authorized by a prescriber and trained in the administration of insulin and glucagon, who, upon the written request of the parents as defined in § 22.1-1, assists with the administration of insulin or, in the case of a school board employee, with the insertion or reinsertion of an insulin pump or any of its parts pursuant to subsection B of § 22.1-274.01:1 or administers glucagon to a student diagnosed as having diabetes who requires insulin injections during the school day or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if the insulin is administered according to the child's medication schedule or such employee has reason to believe that the individual receiving the glucagon is suffering or is about to suffer life-threatening hypoglycemia. Whenever any such employee is covered by the immunity granted herein, the school board or school employing him shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such insulin or glucagon treatment.

12. Is an employee of a public institution of higher education or a private institution of higher education who is authorized by a prescriber and trained in the administration of insulin and glucagon, who assists with the administration of insulin or administers glucagon to a student diagnosed as having diabetes who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if the insulin is administered according to the student's medication schedule or such employee has reason to believe that the individual receiving the glucagon is suffering or is about to suffer life-threatening hypoglycemia. Whenever any employee is covered by the immunity granted in this subdivision, the institution shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such insulin or glucagon treatment.

13. Is a school nurse, an employee of a school board, an employee of a local governing body, or an employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine and who provides, administers, or assists in the administration of epinephrine to a student believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

14. Is an employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education, or an employee of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a student believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision, the school shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from such administration or assistance.

15. Is an employee of a public institution of higher education or a private institution of higher education who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a student believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision, the institution

shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from such administration or assistance.

16. Is an employee of an organization providing outdoor educational experiences or programs for youth who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a participant in the outdoor experience or program for youth believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision, the organization shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from such administration or assistance.

17. Is an employee of a restaurant licensed pursuant to Chapter 3 (§ 35.1-18 et seq.) of Title 35.1, is authorized by a prescriber and trained in the administration of epinephrine, and provides, administers, or assists in the administration of epinephrine to an individual believed in good faith to be having an anaphylactic reaction on the premises of the restaurant at which the employee is employed, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

18. Is an employee of a provider licensed by the Department of Behavioral Health and Developmental Services, or provides services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services, who has been trained in the administration of insulin and glucagon and who administers or assists with the administration of insulin or administers glucagon to a person diagnosed as having diabetes who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia in accordance with § 54.1-3408 shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if the insulin is administered in accordance with the prescriber's instructions or such person has reason to believe that the individual receiving the glucagon is suffering or is about to suffer life-threatening hypoglycemia. Whenever any employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person who provides services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services is covered by the immunity granted herein, the provider shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such insulin or glucagon treatment.

19. Is an employee of a provider licensed by the Department of Behavioral Health and Developmental Services, or provides services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services, who has been trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a person believed in good faith to be having an anaphylactic reaction in accordance with the prescriber's instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

20. In good faith prescribes, dispenses, or administers naloxone or other opioid antagonist used for overdose reversal in an emergency to an individual who is believed to be experiencing or about to experience a life-threatening opiate overdose shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if acting in accordance with the provisions of subsection X or Y of § 54.1-3408 or in his role as a member of an emergency medical services agency.

21. In good faith administers naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose in accordance with the provisions of subsection Z of § 54.1-3408 shall not be liable for any civil damages for any personal injury that results from any act or omission in the administration of naloxone or other opioid antagonist used for overdose reversal, unless such act or omission was the result of gross negligence or willful and wanton misconduct.

22. Is an employee of a school board, school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of injected medications for the treatment of adrenal crisis resulting from a condition causing adrenal insufficiency and who administers or assists in the administration of such medications to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis pursuant to a written order or standing protocol issued by a prescriber within the course of his professional practice and in accordance with the prescriber's instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

23. Is a school nurse, a licensed athletic trainer under contract with a local school division, an employee of a school board, an employee of a local governing body, or an employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers or nebulized albuterol and who provides, administers, or assists in the administration of an albuterol inhaler and a valved holding chamber or nebulized albuterol for a student believed in good faith to be in need of such medication, or is the prescriber of such medication, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

24. Is an employee of a place of public accommodation, as defined in subsection A of § 2.2-3904, who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a person present in the place of public accommodation believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or

omissions resulting from the rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision, the organization shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from such administration or assistance.

25. Is a nurse at an early childhood care and education entity, employee at the entity, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine and who provides, administers, or assists in the administration of epinephrine to a child believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

26. Is an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education, (iv) a local governing body, or (v) a local health department who is trained in the administration of seizure rescue medications for the treatment of seizures resulting from a condition causing seizures and who administers or assists in the administration of such medications to a student diagnosed with a condition causing seizures when the student is believed to be experiencing or about to experience a seizure in accordance with subsection BB of § 54.1-3408 and pursuant to a written order or standing protocol issued by a prescriber within the course of his professional practice and in accordance with the prescriber's instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

B. Any licensed physician serving without compensation as the operational medical director for an emergency medical services agency that holds a valid license as an emergency medical services agency issued by the Commissioner of Health shall not be liable for any civil damages for any act or omission resulting from the rendering of emergency medical services in good faith by the personnel of such licensed agency unless such act or omission was the result of such physician's gross negligence or willful misconduct.

Any person serving without compensation as a dispatcher for any licensed public or nonprofit emergency medical services agency in the Commonwealth shall not be liable for any civil damages for any act or omission resulting from the rendering of emergency services in good faith by the personnel of such licensed agency unless such act or omission was the result of such dispatcher's gross negligence or willful misconduct.

Any individual, certified by the State Office of Emergency Medical Services as an emergency medical services instructor and pursuant to a written agreement with such office, who, in good faith and in the performance of his duties, provides instruction to persons for certification or recertification as a certified basic life support or advanced life support emergency medical services provider shall not be liable for any civil damages for acts or omissions on his part directly relating to his activities on behalf of such office unless such act or omission was the result of such emergency medical services instructor's gross negligence or willful misconduct.

Any licensed physician serving without compensation as a medical advisor to an E-911 system in the Commonwealth shall not be liable for any civil damages for any act or omission resulting from rendering medical advice in good faith to establish protocols to be used by the personnel of the E-911 service, as defined in § 58.1-1730, when answering emergency calls unless such act or omission was the result of such physician's gross negligence or willful misconduct.

Any licensed physician who directs the provision of emergency medical services, as authorized by the State Board of Health, through a communications device shall not be liable for any civil damages for any act or omission resulting from the rendering of such emergency medical services unless such act or omission was the result of such physician's gross negligence or willful misconduct.

Any licensed physician serving without compensation as a supervisor of an AED in the Commonwealth shall not be liable for any civil damages for any act or omission resulting from rendering medical advice in good faith to the owner of the AED relating to personnel training, local emergency medical services coordination, protocol approval, AED deployment strategies, and equipment maintenance plans and records unless such act or omission was the result of such physician's gross negligence or willful misconduct.

C. Any communications services provider, as defined in § 58.1-647, including mobile service, and any provider of Voice-over-Internet Protocol service, in the Commonwealth shall not be liable for any civil damages for any act or omission resulting from rendering such service with or without charge related to emergency calls unless such act or omission was the result of such service provider's gross negligence or willful misconduct.

Any volunteer engaging in rescue or recovery work at a mine, or any mine operator voluntarily providing personnel to engage in rescue or recovery work at a mine not owned or operated by such operator, shall not be liable for civil damages for acts or omissions resulting from the rendering of such rescue or recovery work in good faith unless such act or omission was the result of gross negligence or willful misconduct. For purposes of this subsection, "Voice-over-Internet Protocol service" or "VoIP service" means any Internet protocol-enabled services utilizing a broadband connection, actually originating or terminating in Internet Protocol from either or both ends of a channel of communication offering real time, multidirectional voice functionality, including, but not limited to, services similar to traditional telephone service.

D. Nothing contained in this section shall be construed to provide immunity from liability arising out of the operation of a motor vehicle.

E. For the purposes of this section, "compensation" shall not be construed to include (i) the salaries of police, fire, or other public officials or personnel who render such emergency assistance; (ii) the salaries or wages of employees of a coal producer engaging in emergency medical services or first aid services pursuant to the provisions of § 45.2-531, 45.2-579,

45.2-863 or 45.2-910; (iii) complimentary lift tickets, food, lodging, or other gifts provided as a gratuity to volunteer members of the National Ski Patrol System, Inc., by any resort, group, or agency; (iv) the salary of any person who (a) owns an AED for the use at the scene of an emergency, (b) trains individuals, in courses approved by the Board of Health, to operate AEDs at the scene of emergencies, (c) orders AEDs for use at the scene of emergencies, or (d) operates an AED at the scene of an emergency; or (v) expenses reimbursed to any person providing care or assistance pursuant to this section.

For the purposes of this section, "emergency medical services provider" shall include a person licensed or certified as such or its equivalent by any other state when he is performing services that he is licensed or certified to perform by such other state in caring for a patient in transit in the Commonwealth, which care originated in such other state.

Further, the public shall be urged to receive training on how to use CPR and an AED in order to acquire the skills and confidence to respond to emergencies using both CPR and an AED.

§ 22.1-274.2. Possession and administration of inhaled asthma medications, epinephrine, glucagon, and seizure rescue medications by certain students or school board employees.

A. Local school boards shall develop and implement policies permitting a student with a diagnosis of asthma or anaphylaxis, or both, to possess and self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be, during the school day, at school-sponsored activities, or while on a school bus or other school property. Such policies shall include, but not be limited to, provisions for:

1. Written consent of the parent, as defined in § 22.1-1, of a student with a diagnosis of asthma or anaphylaxis, or both, that the student may self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be.

2. Written notice from the student's primary care provider or medical specialist, or a licensed physician or licensed advanced practice registered nurse, that (i) identifies the student; (ii) states that the student has a diagnosis of asthma or anaphylaxis, or both, and has approval to self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be, that have been prescribed or authorized for the student; (iii) specifies the name and dosage of the medication, the frequency in which it is to be administered and certain circumstances which may warrant the use of inhaled asthma medications or auto-injectable epinephrine, such as before exercising or engaging in physical activity to prevent the onset of asthma symptoms or to alleviate asthma symptoms after the onset of an asthma episode; and (iv) attests to the student's demonstrated ability to safely and effectively self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be.

3. Development of an individualized health care plan, including emergency procedures for any life-threatening conditions.

4. Consultation with the student's parent before any limitations or restrictions are imposed upon a student's possession and self-administration of inhaled asthma medications and auto-injectable epinephrine, and before the permission to possess and self-administer inhaled asthma medications and auto-injectable epinephrine at any point during the school year is revoked.

5. Self-administration of inhaled asthma medications and auto-injectable epinephrine to be consistent with the purposes of the Virginia School Health Guidelines and the Guidelines for Specialized Health Care Procedure Manuals, which are jointly issued by the Department of Education and the Department of Health.

6. Disclosure or dissemination of information pertaining to the health condition of a student to school board employees to comply with §§ 22.1-287 and 22.1-289 and the federal Family Education Rights and Privacy Act of 1974, as amended, 20 U.S.C. § 1232g, which govern the disclosure and dissemination of information contained in student scholastic records.

B. The permission granted a student with a diagnosis of asthma or anaphylaxis, or both, to possess and self-administer inhaled asthma medications or auto-injectable epinephrine, or both, shall be effective for one school year. Permission to possess and self-administer such medications shall be renewed annually. For the purposes of this section, "one school year" means 365 calendar days.

C. Local school boards shall adopt and implement policies for the possession and administration of epinephrine in every school, to be administered by any school nurse, employee of the school board, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine to any student believed to be having an anaphylactic reaction. Such policies shall require that at least one school nurse, employee of the school board, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine has the means to access at all times during regular school hours any such epinephrine that is stored in a locked or otherwise generally inaccessible container or area.

D. Each local school board shall adopt and implement policies for the possession and administration of undesignated stock albuterol inhalers and valved holding chambers in every public school in the local school division, to be administered by any school nurse, licensed athletic trainer under contract with a local school division, employee of the school board, employee of a local governing body, or employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers for any student believed in good faith to be in need of such medication.

E. Any local school board may adopt and implement policies for the possession and administration of undesignated nasal or injectable glucagon in each public elementary or secondary school in the local school division, provided that such policies are consistent with the guidance outlined in the most recent revision of the Diabetes Management In School: Manual for Unlicensed Personnel published by the Department and include guidance outlining the following:

1. One or more locations in each public elementary or secondary school in the local school division in which doses of such undesignated glucagon shall be stored;

2. The conditions under which doses of such undesignated glucagon shall be stored, replaced, and disposed;

3. The individuals who are authorized to access and administer doses of such undesignated glucagon in an emergency and training requirements for such individuals; and

4. A process for requesting emergency medical services and notifying appropriate personnel immediately after a dose of such undesignated glucagon is administered.

F. Any public elementary or secondary school may maintain a supply of nasal or injectable glucagon in any secure location that is immediately accessible to any school nurse or other employee trained in the administration of nasal and injectable glucagon prescribed to the school by a prescriber, as defined in § 54.1-3401. Any such school shall ensure that such a supply consists of at least two doses. Any school nurse or other authorized employee who is trained in the administration of nasal and injectable glucagon consistent with the guidance outlined in the most recent revision of the Diabetes Management In School: Manual for Unlicensed Personnel published by the Department may administer nasal or injectable glucagon from undesignated inventory with parental consent and if the student's prescribed glucagon is not available on school grounds or has expired.

G. Any school board may accept donations of nasal or injectable glucagon from a wholesale distributor of glucagon or donations of money from any individual to purchase nasal or injectable glucagon for the purpose of maintenance and administration in a public school in the local school division as permitted pursuant to subsection F.

H. Any school board may adopt and implement policies:

1. Permitting any student enrolled in any secondary school in the local school division who has a diagnosis of a condition causing seizures to possess seizure rescue medications during the school day, at school-sponsored activities, or while on a school bus or other school property if (i) the student's parent has submitted a seizure management and action plan in accordance with § 22.1-274.6 that includes written consent of the parent and written approval of the student's primary care provider for such self-possession and (ii) the school nurse has been notified of such self-possession; or

2. For the administration of seizure rescue medications to any student enrolled in any elementary or secondary school in the local school division who has a diagnosis of a condition causing seizures, consistent with the provisions of subsection BB of § 54.1-3408.

§ 22.1-274.6. Seizure management and action plan; training.

A. The parent or guardian of a student with a diagnosed seizure disorder may submit to the local school division a seizure management and action plan developed by the student's treating physician for review by school division employees with whom the student has regular contact. The seizure management and action plan shall (i) identify the health care services the student may receive at school or while participating in a school activity, (ii) identify seizure-related medication prescribed to the student that must be administered in the event of a seizure, *including those administered in compliance with subdivision H 2 of § 22.1-274.2 and subsection BB of § 54.1-3408,* (iii) evaluate the student's ability to manage and understand his seizure disorder, and (iv) be signed by the student's parent or guardian, the student's treating physician, and the school nurse. Each such seizure management and action plan shall state that (a) such plan is separate from any individualized education program (IEP) or Section 504 Plan that is in place for the student and (b) nothing in such plan shall be construed to abrogate any provision of any IEP or Section 504 Plan that is in place for the student.

B. Each local school division shall require all school nurses employed by the division to complete, on a biennial basis, a Board of Education-approved online course of instruction for school nurses regarding treating students with seizures and seizure disorders that includes information about seizure recognition and related first aid. Approved training programs shall be fully consistent with training programs and guidelines developed by the Epilepsy Foundation of America and any successor organization.

C. Each local school division shall require all employees whose duties include regular contact with students to complete, on a biennial basis, a Board of Education-approved online course of instruction for school employees regarding treating students with seizures and seizure disorders that includes information about seizure recognition and related first aid. Approved training programs shall be fully consistent with training programs and guidelines developed by the Epilepsy Foundation of America and any successor organization.

§ 54.1-3408. Professional use by practitioners.

A. A practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine, a licensed advanced practice registered nurse pursuant to § 54.1-2957.01, a licensed certified midwife pursuant to § 54.1-2957.04, a licensed physician assistant pursuant to § 54.1-2952.1, or a TPA-certified optometrist pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32 shall only prescribe, dispense, or administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice. A licensed midwife pursuant to § 54.1-2957.7 shall only obtain, possess, and administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice.

B. The prescribing practitioner's order may be on a written prescription or pursuant to an oral prescription as authorized by this chapter. The prescriber may administer drugs and devices, or he may cause drugs or devices to be administered by:

1. A nurse, physician assistant, or intern under his direction and supervision;

2. Persons trained to administer drugs and devices to patients in state-owned or state-operated hospitals or facilities licensed as hospitals by the Board of Health or psychiatric hospitals licensed by the Department of Behavioral Health and Developmental Services who administer drugs under the control and supervision of the prescriber or a pharmacist;

3. Emergency medical services personnel certified and authorized to administer drugs and devices pursuant to regulations of the Board of Health who act within the scope of such certification and pursuant to an oral or written order or standing protocol;

4. Persons who are employed or engaged at a medical care facility, as defined in § 32.1-3, who have a valid emergency medical services provider certification issued by the Board of Health as a requirement of being employed or engaged at the medical care facility within the scope of such certification, pursuant to an oral or written order or standing protocol to administer drugs and devices at the medical care facility; or

5. A licensed respiratory therapist as defined in § 54.1-2954 who administers by inhalation controlled substances used in inhalation or respiratory therapy.

C. Pursuant to an oral or written order or standing protocol, the prescriber, who is authorized by state or federal law to possess and administer radiopharmaceuticals in the scope of his practice, may authorize a nuclear medicine technologist to administer, under his supervision, radiopharmaceuticals used in the diagnosis or treatment of disease.

D. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize registered nurses and licensed practical nurses to possess (i) epinephrine and oxygen for administration in treatment of emergency medical conditions and (ii) heparin and sterile normal saline to use for the maintenance of intravenous access lines.

Pursuant to the regulations of the Board of Health, certain emergency medical services technicians may possess and administer epinephrine in emergency cases of anaphylactic shock.

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any school nurse, school board employee, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or standing protocol that shall be issued by the local health director within the course of his professional practice, any school nurse, licensed athletic trainer under contract with a local school division, school board employee, employee of a local governing body, or employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers or nebulized albuterol may possess or administer an albuterol inhaler and a valved holding chamber or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education, or any employee of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in the administration of (a) epinephrine may possess and administer epinephrine and (b) albuterol inhalers or nebulized albuterol may possess or administer an albuterol inhaler or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any nurse at an early childhood care and education entity, employee at the entity, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a public institution of higher education or a private institution of higher education who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of an organization providing outdoor educational experiences or programs for youth who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, and in accordance with policies and guidelines established by the Department of Health, such prescriber may authorize any employee of a restaurant licensed pursuant to Chapter 3 (§ 35.1-18 et seq.) of Title 35.1 to possess and administer epinephrine on the premises of the restaurant at which the employee is employed, provided that such person is trained in the administration of epinephrine.

Pursuant to an order issued by the prescriber within the course of his professional practice, an employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services may possess and administer epinephrine, provided such person is authorized and trained in the administration of epinephrine.

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any employee of a place of public accommodation, as defined in subsection A of § 2.2-3904, who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize pharmacists to possess epinephrine and oxygen for administration in treatment of emergency medical conditions.

E. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed physical therapists to possess and administer topical corticosteroids, topical lidocaine, and any other Schedule VI topical drug.

F. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed athletic trainers to possess and administer topical corticosteroids, topical lidocaine, or other Schedule VI topical drugs; oxygen and IV saline for use in emergency situations; subcutaneous lidocaine for wound closure; epinephrine for use in emergency cases of anaphylactic shock; and naloxone or other opioid antagonist for overdose reversal.

G. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, and in accordance with policies and guidelines established by the Department of Health pursuant to § 32.1-50.2, such prescriber may authorize registered nurses or licensed practical nurses under the supervision of a registered nurse to possess and administer tuberculin purified protein derivative (PPD) in the absence of a prescriber. The Department of Health's policies and guidelines shall be consistent with applicable guidelines developed by the Centers for Disease Control and Prevention for preventing transmission of mycobacterium tuberculosis and shall be updated to incorporate any subsequently implemented standards of the Occupational Safety and Health Administration and the Department of Labor and Industry to the extent that they are inconsistent with the Department of Health's policies and guidelines. Such standing protocols shall explicitly describe the categories of persons to whom the tuberculin test is to be administered and shall provide for appropriate medical evaluation of those in whom the test is positive. The prescriber shall ensure that the nurse implementing such standing protocols has received adequate training in the practice and principles underlying tuberculin screening.

The Health Commissioner or his designee may authorize registered nurses, acting as agents of the Department of Health, to possess and administer, at the nurse's discretion, tuberculin purified protein derivative (PPD) to those persons in whom tuberculin skin testing is indicated based on protocols and policies established by the Department of Health.

H. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administer glucagon to a student diagnosed as having diabetes and who requires insulin injections during the school day or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize the possession and administration of undesignated glucagon as set forth in subsection F of § 22.1-274.2.

Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize an employee of a public institution of higher education or a private institution of higher education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administration of glucagon to a student diagnosed as having diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

Pursuant to a written order issued by the prescriber within the course of his professional practice, such prescriber may authorize an employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services to assist with the administration of insulin or to administer glucagon to a person diagnosed as having diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia, provided such employee or person providing services has been trained in the administration of insulin and glucagon.

I. A prescriber may authorize, pursuant to a protocol approved by the Board of Nursing, the administration of vaccines to adults for immunization, when a practitioner with prescriptive authority is not physically present, by (i) licensed pharmacists, (ii) registered nurses, or (iii) licensed practical nurses under the supervision of a registered nurse. A prescriber acting on behalf of and in accordance with established protocols of the Department of Health may authorize the administration of vaccines to any person by a pharmacist, nurse, or designated emergency medical services provider who holds an advanced life support certificate issued by the Commissioner of Health under the direction of an operational medical director when the prescriber is not physically present. The emergency medical services provider shall provide documentation of the vaccines to be recorded in the Virginia Immunization Information System.

J. A dentist may cause Schedule VI topical drugs to be administered under his direction and supervision by either a dental hygienist or by an authorized agent of the dentist.

Further, pursuant to a written order and in accordance with a standing protocol issued by the dentist in the course of his professional practice, a dentist may authorize a dental hygienist under his general supervision, as defined in § 54.1-2722, or his remote supervision, as defined in subsection E or F of § 54.1-2722, to possess and administer topical oral fluorides, topical oral anesthetics, topical and directly applied antimicrobial agents for treatment of periodontal pocket lesions, and any other Schedule VI topical drug approved by the Board of Dentistry.

In addition, a dentist may authorize a dental hygienist under his direction to administer Schedule VI nitrous oxide and oxygen inhalation analgesia and, to persons 18 years of age or older, Schedule VI local anesthesia.

K. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize registered professional nurses certified as sexual assault nurse examiners-A (SANE-A) under his supervision and when he is not physically present to possess and administer preventive medications for victims of sexual assault as recommended by the Centers for Disease Control and Prevention.

L. This section shall not prevent the administration of drugs by a person who has satisfactorily completed a training program for this purpose approved by the Board of Nursing and who administers such drugs in accordance with a prescriber's instructions pertaining to dosage, frequency, and manner of administration, and in accordance with regulations promulgated by the Board of Pharmacy relating to security and record keeping, when the drugs administered would be normally self-administered by (i) an individual receiving services in a program licensed by the Department of Behavioral Health and Developmental Services; (ii) a resident of the Virginia Rehabilitation Center for the Blind and Vision Impaired; (iii) a resident of a facility approved by the Board or Department of Juvenile Justice for the placement of children in need of services or delinquent or alleged delinquent youth; (iv) a program participant of an adult day center licensed by the Department of Social Services; (v) a resident of any facility authorized or operated by a state or local government whose primary purpose is not to provide health care services; (vi) a resident of a private children's residential facility, as defined in § 63.2-100 and licensed by the Department of Social Services, Department of Education, or Department of Behavioral Health and Developmental Services; or (vii) a student in a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education.

In addition, this section shall not prevent a person who has successfully completed a training program for the administration of drugs via percutaneous gastrostomy tube approved by the Board of Nursing and been evaluated by a registered nurse as having demonstrated competency in administration of drugs via percutaneous gastrostomy tube from administering drugs to a person receiving services from a program licensed by the Department of Behavioral Health and Developmental Services to such person via percutaneous gastrostomy tube. The continued competency of a person to administer drugs via percutaneous gastrostomy tube shall be evaluated semiannually by a registered nurse.

M. Medication aides registered by the Board of Nursing pursuant to Article 7 (§ 54.1-3041 et seq.) of Chapter 30 may administer drugs that would otherwise be self-administered to residents of any assisted living facility licensed by the Department of Social Services. A registered medication aide shall administer drugs pursuant to this section in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; in accordance with regulations promulgated by the Board of Pharmacy relating to security and recordkeeping; in accordance with the assisted living facility's Medication Management Plan; and in accordance with such other regulations governing their practice promulgated by the Board of Nursing.

N. In addition, this section shall not prevent the administration of drugs by a person who administers such drugs in accordance with a physician's instructions pertaining to dosage, frequency, and manner of administration and with written authorization of a parent, and in accordance with school board regulations relating to training, security and record keeping, when the drugs administered would be normally self-administered by a student of a Virginia public school. Training for such persons shall be accomplished through a program approved by the local school boards, in consultation with the local departments of health.

O. In addition, this section shall not prevent the administration of drugs by a person to (i) a child in a child day program as defined in § 22.1-289.02 and regulated by the Board of Education or a local government pursuant to § 15.2-914, or (ii) a student of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education, provided such person (a) has satisfactorily completed a training program for this purpose approved by the Board of Nursing and taught by a registered nurse, a licensed practical nurse, an advanced practice registered nurse, a physician assistant, a doctor of medicine or osteopathic medicine, or a pharmacist; (b) has obtained written authorization from a parent or guardian; (c) administers drugs only to the child identified on the prescription label in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; and (d) administers only those drugs that were dispensed from a pharmacy and maintained in the original, labeled container that would normally be self-administered by the child or student, or administered by a parent or guardian to the child or student.

P. In addition, this section shall not prevent the administration or dispensing of drugs and devices by persons if they are authorized by the State Health Commissioner in accordance with protocols established by the State Health Commissioner pursuant to § 32.1-42.1 when (i) the Governor has declared a disaster or a state of emergency, the United States Secretary of Health and Human Services has issued a declaration of an actual or potential bioterrorism incident or other actual or potential public health emergency, or the Board of Health has made an emergency order pursuant to § 32.1-13 for the purpose of suppressing nuisances dangerous to the public health and communicable, contagious, and infectious diseases and

other dangers to the public life and health and for the limited purpose of administering vaccines as an approved countermeasure for such communicable, contagious, and infectious diseases; (ii) it is necessary to permit the provision of needed drugs or devices; and (iii) such persons have received the training necessary to safely administer or dispense the needed drugs or devices. Such persons shall administer or dispense all drugs or devices under the direction, control, and supervision of the State Health Commissioner.

Q. Nothing in this title shall prohibit the administration of normally self-administered drugs by unlicensed individuals to a person in his private residence.

R. This section shall not interfere with any prescriber issuing prescriptions in compliance with his authority and scope of practice and the provisions of this section to a Board agent for use pursuant to subsection G of § 18.2-258.1. Such prescriptions issued by such prescriber shall be deemed to be valid prescriptions.

S. Nothing in this title shall prevent or interfere with dialysis care technicians or dialysis patient care technicians who are certified by an organization approved by the Board of Health Professions or persons authorized for provisional practice pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.), in the ordinary course of their duties in a Medicare-certified renal dialysis facility, from administering heparin, topical needle site anesthetics, dialysis solutions, sterile normal saline solution, and blood volumizers, for the purpose of facilitating renal dialysis treatment, when such administration of medications occurs under the orders of a licensed physician, an advanced practice registered nurse, or a physician assistant and under the immediate and direct supervision of a licensed registered nurse. Nothing in this chapter shall be construed to prohibit a patient care dialysis technician trainee from performing dialysis care as part of and within the scope of the clinical skills instruction segment of a supervised dialysis technician training program, provided such trainee is identified as a "trainee" while working in a renal dialysis facility.

The dialysis care technician or dialysis patient care technician administering the medications shall have demonstrated competency as evidenced by holding current valid certification from an organization approved by the Board of Health Professions pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.).

T. Persons who are otherwise authorized to administer controlled substances in hospitals shall be authorized to administer influenza or pneumococcal vaccines pursuant to § 32.1-126.4.

U. Pursuant to a specific order for a patient and under his direct and immediate supervision, a prescriber may authorize the administration of controlled substances by personnel who have been properly trained to assist a doctor of medicine or osteopathic medicine, provided the method does not include intravenous, intrathecal, or epidural administration and the prescriber remains responsible for such administration.

V. A physician assistant, nurse, dental hygienist, or authorized agent of a doctor of medicine, osteopathic medicine, or dentistry may possess and administer topical fluoride varnish pursuant to an oral or written order or a standing protocol issued by a doctor of medicine, osteopathic medicine, or dentistry.

W. A prescriber, acting in accordance with guidelines developed pursuant to § 32.1-46.02, may authorize the administration of influenza vaccine to minors by a licensed pharmacist, registered nurse, licensed practical nurse under the direction and immediate supervision of a registered nurse, or emergency medical services provider who holds an advanced life support certificate issued by the Commissioner of Health when the prescriber is not physically present.

X. Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, a pharmacist, a health care provider providing services in a hospital emergency department, and emergency medical services personnel, as that term is defined in § 32.1-111.1, may dispense naloxone or other opioid antagonist used for overdose reversal and a person to whom naloxone or other opioid antagonist has been dispensed pursuant to this subsection may possess and administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose. Law-enforcement officers as defined in § 9.1-101, employees of the Department of Forensic Science, employees of the Office of the Chief Medical Examiner, employees of the Department of General Services Division of Consolidated Laboratory Services, employees of the Department of Corrections designated by the Director of the Department of Corrections or designated as probation and parole officers or as correctional officers as defined in § 53.1-1, employees of the Department of Juvenile Justice designated as probation and parole officers or as juvenile correctional officers, employees of regional jails, employees of any state agency, school nurses, local health department employees that are assigned to a public school pursuant to an agreement between the local health department and the school board, school board employees who have completed training and are certified in the administration of an opioid antagonist for overdose reversal by a program administered or authorized by the Department of Health, other school board employees or individuals contracted by a school board to provide school health services, and firefighters may also possess and administer naloxone or other opioid antagonist used for overdose reversal and may dispense naloxone or other opioid antagonist used for overdose reversal pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the dispensing of naloxone or other

opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, any person may possess and administer naloxone or other opioid antagonist used for overdose reversal, other than naloxone in an injectable formulation with a hypodermic needle or syringe, in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Y. Notwithstanding any other law or regulation to the contrary, a person who is acting on behalf of an organization that provides services to individuals at risk of experiencing an opioid overdose or training in the administration of naloxone for overdose reversal may dispense naloxone, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber and (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health. If the person acting on behalf of an organization dispenses naloxone in an injectable formulation with a hypodermic needle or syringe, he shall first obtain authorization from the Department of Behavioral Health and Developmental Services to train individuals on the proper administration of naloxone by and proper disposal of a hypodermic needle or syringe, and he shall obtain a controlled substance registration from the Board of Pharmacy. The Board of Pharmacy shall not charge a fee for the issuance of such controlled substance registration. The dispensing may occur at a site other than that of the controlled substance registration provided the entity possessing the controlled substances registration maintains records in accordance with regulations of the Board of Pharmacy. No person who dispenses naloxone on behalf of an organization pursuant to this subsection shall charge a fee for the dispensing of naloxone that is greater than the cost to the organization of obtaining the naloxone dispensed. A person to whom naloxone has been dispensed pursuant to this subsection may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

Z. A person who is not otherwise authorized to administer naloxone or other opioid antagonist used for overdose reversal may administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

AA. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of injected medications for the treatment of adrenal crisis resulting from a condition causing adrenal insufficiency to administer such medication to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis. Such authorization shall be effective only when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

BB. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the student's parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education, (iv) a local governing body, or (v) a local health department who is trained in the administration of seizure rescue medications for the treatment of seizures resulting from a condition causing seizures to administer such medications to a student diagnosed with a condition causing seizures when the student is believed to be experiencing or about to experience a seizure. Such authorization shall be effective only when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not capable of reaching the student within the amount of time necessary to effectively perform the administration of the medication.

2. That the Virginia Department of Health shall consult with the Department of Education to update the Virginia School Health Guidelines as such agencies deem necessary to provide proper guidance on the implementation of the provisions of this act.

CHAPTER 66

An Act to amend and reenact §§ 8, 9, and 23, as severally amended, of Chapter 216 of the Acts of Assembly of 1952, which provided a charter for the City of Roanoke, relating to director of real estate valuation.

[S 1176]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 8, 9, and 23, as severally amended, of Chapter 216 of the Acts of Assembly of 1952 are amended and reenacted as follows:

§ 8. Officers elective by council; rules; journal of council proceedings; quorum of council.

The council shall elect a city manager, a city clerk, a municipal auditor, ~~and~~ a city attorney, *and a director of real estate valuation,* none of whom need be a resident of the city at the time of their election but who shall take up residence within the city within three months of their election if not already a resident. Unless herein otherwise specifically provided, the council

shall also appoint the members of such boards and commissions as are hereafter provided for. Pursuant to § 21 of this charter, the city manager shall appoint a director of finance. All elections by the council shall be viva voce and the vote recorded in the journal of the council. The council may determine its own rules of procedure; may punish its members for misconduct and may compel the attendance of members in such manner and under such penalties as may be prescribed by ordinance. It shall keep a journal of its proceedings. A majority of all of the members of the council shall constitute a quorum to do business, but a smaller number may adjourn from time to time.

Upon a vacancy occurring in any such office the council shall elect a person to fill the unexpired portion of any term created by such vacancy; or, in the council's discretion, it may elect a person as an acting city manager, city clerk, municipal auditor, ~~or~~ city attorney*, or director of real estate valuation* to hold such office for such lesser term and for such compensation as the council shall then determine; and any person so elected shall have, during the term for which he was elected, all of the authority and shall be charged with all of the duties and responsibilities of the office for which he was elected.

§ 9. Elections by council, when held, terms, et cetera.

During the month of September 1974 and during the month of September of every second year thereafter, through and including during the month of September 2014, the council shall elect a city clerk, a director of finance, a municipal auditor, and a city attorney, each of whom shall serve for a term of two years from the first day of October next following the date of their election and until their successor shall have been elected and qualified. However, the term of the director of finance elected in 2014 shall end on July 1, 2015. Thereafter, the director of finance shall be appointed by the city manager pursuant to § 21 of this charter.

During the month of September 2016 and during the month of September of every second year thereafter, the council shall elect a city clerk, a municipal auditor, ~~and~~ a city attorney, *and a director of real estate valuation,* each of whom shall serve a term of two years from the first day of October next following the date of their election and until their successor shall have been elected and qualified.

§ 23. Creation of departments and department heads; deputies and assistants.

The council may by ordinance provide for administrative departments, and when such departments are created may define the functions which such departments are to administer, may provide for the appointment of heads for such departments and define their duties and responsibilities. The council may by ordinance provide for the appointment of one or more assistants or deputies in the offices of the city attorney, the municipal auditor*, the director of real estate valuation,* and the city clerk and may define their duties and responsibilities. Such assistants or deputies, when acting in such official capacity, shall possess all of the power and authority and shall be subject to all of the duties and responsibilities given to or imposed upon their respective superiors under this charter.

CHAPTER 67

An Act to provide a new charter for the City of Danville and to repeal Chapter 657 of the Acts of Assembly of 1982, as amended, which provided a charter for the City of Danville.

[S 1206]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1.

CHARTER
FOR THE
CITY OF DANVILLE.

Chapter 1. Incorporation; Charter.

§ 1-1. Creation; general powers.

A. Incorporation. The residents living within the territorial boundaries of the City of Danville, as established by law, are and shall continue to be a body politic and corporate organized pursuant to the laws of the Commonwealth of Virginia as a municipal corporation under the name of the City of Danville and as such shall have perpetual succession.

B. Corporate powers. The City may sue and be sued, may contract and be contracted with, and may have a corporate seal which it may alter at its pleasure. The Council may, in the name and for the use of the City, contract debts, and cause to be issued therefor notes or bonds, in the manner provided by law and subject to the restrictions imposed upon cities by the Constitution and laws of the Commonwealth, including but not limited to the Virginia Public Finance Act.

C. Powers relating to property. The City is hereby vested with the fee simple title to every public street, alley, and public right-of-way within the territorial boundaries of the City. The Council may provide for the protection, management, and use of all real and personal property owned by the City, whether such property is located within or outside the territorial boundaries of the City, and such City property, wherever located and for whatever purpose it is used, is under the police jurisdiction of the City for the purpose of enforcing any law, rule, or policy made pursuant to this power, consistent with law. Any real or personal property owned by the City that is located outside the territorial boundaries of the City and is used by the City consistent with its powers and duties, is exempt from taxation by the government of any locality in which such property is physically located.

D. Police powers. The City is hereby vested with the duty and power to protect the public health, safety, and general welfare within the jurisdiction of the City. To protect the City water supply, the Council may provide for the prevention of pollution of such water supply, including but not limited to the water in the Dan River and any tributary thereof, whether located within or outside the territorial boundaries of the City. Accordingly, the Council may prohibit the introduction of pollutants and other foreign matter therein for a distance of three (3) miles above the territorial boundaries of the City, and may punish any offender by fine, imprisonment, or both, and may enjoin any person from causing such pollution.

E. Statutory powers. The City has and may exercise each and every power which is now or may later be vested in or delegated to cities, to localities generally, or to officers thereof, under the Constitution and laws of the Commonwealth and every other power relating to the conduct of a city government, the exercise of which is not inconsistent with such Constitution and laws, as fully and completely as though each such power is expressly enumerated in this Charter. No enumeration of any specific power in this Charter shall be interpreted as being exclusive, but rather as being in addition to this general grant of powers. The powers herein granted include, but are not limited to, all powers available to cities, localities generally, and officers thereof under Title 15.2 of the Code of Virginia.

§ 1-2. Territorial boundaries.

A. Existing boundaries. The territorial boundaries of the City are and shall continue to be those defined in the Act of the General Assembly approved April 20, 1903, being Chapter 162, at Page 237, of the Virginia Acts of Assembly of 1903, and as enlarged by those court orders and decrees recorded in the land records of the Circuit Court of the City of Danville, Virginia in the following places: Deed Book 74, at Page 264; Deed Book 152, at Page 345; Deed Book 217, at Page 462; Deed Book 247, at Page 98; Deed Book 286, at Page 445; Deed Book 298, at Page 391; Deed Book 307, at Page 479; Deed Book 343, at Page 31; Deed Book 385, at Page 17; Deed Book 396, at Page 611; Deed Book 396, at Page 616; Deed Book 477, at Page 65; Deed Book 503, at Page 27; Deed Book 518, at Page 394; Deed Book 518, at Page 400; Deed Book 518, at Page 406; Deed Book 590, at Page 382; and Deed Book 869, at Page 522.

B. Future boundaries. Any change to the territorial boundaries of the City made after the effective date of this Charter need not be expressly enumerated herein to take effect.

§ 1-3. City officers.

A. Vesting of administration and governance. The administration and governance of the City is vested in the Council of the City of Danville, and in such other boards and officers established by this Charter or by law.

B. Oath of office. Every person elected by the qualified voters of the City or appointed by the Council to any City office, including, but not limited to, any City board or commission created by ordinance, shall take the oath of office required of a State officer by law, prior to assuming such office. Such oath may be administered by any person allowed by law to administer such oath, including, but not limited to, the City Clerk, and a written document certifying the giving of such oath shall be filed with and maintained by the City Clerk.

C. Failure to take oath or give bond. If any person elected or appointed to any City office fails to take the oath or give any required bond by the day of the initial meeting or on which the term begins, then such office shall be deemed vacant, and another election or appointment shall be made for such office in accordance with law.

D. Continuity of office. Whenever any City officer, including, but not limited to, any City board or commission created by ordinance, is elected or appointed for a fixed term, such officer shall continue to hold office until a successor is elected or appointed to such office and satisfies all qualifications to hold such office, consistent with law.

§ 1-4. The Charter.

A. Rules of construction. In the interpretation of this Charter, the following rules of construction are used, unless such interpretation is inconsistent with the clear intention of the Charter:

1. Computation of time and date. Whenever a particular time is referred to in this Charter, the applicable time is Eastern Standard Time or Daylight Saving Time, whichever is in current use and effect in the City on the applicable date. Whenever a particular date is referred to, the applicable date is based upon the Gregorian calendar in a year calculated Anno Domini (A.D.);

2. Number. A word used in the singular includes the plural, and a word used in the plural includes the singular;

3. Tense. A word used in the past or present tense includes the future;

4. Headings. The headings or titles of the several sections and subsections of this Charter are intended as mere catchwords to indicate the contents of the sections and are not part of this Charter;

5. References to law. Any general reference in this Charter to law includes, as applicable, the Constitution and laws of the Commonwealth of Virginia as well as the Charter, ordinances, and other laws of the City, as may be amended from time to time.

B. Severability. If any portion, section, or provision of this Charter is declared unconstitutional, illegal, or otherwise invalid by final order of any court of competent jurisdiction, then to the maximum extent allowed by law, such order shall not be interpreted as invalidating any other portion, section, or provision hereof, and every part of the Charter not expressly affected by such order shall be continued in full and remain in full force and effect.

C. Continuation of existing officers, laws, and contracts. Any City officer, including, but not limited to, the member of any City board or commission created by ordinance, who is elected or appointed for a specified term beginning prior to the effective date of this Charter and whose term has not yet expired upon such effective date shall continue to hold such office until the original term expires. Every City ordinance and resolution and every rule, policy, and order legally made by any City department, board, or officer in force upon the effective date of this Charter is hereby continued in full and remains

valid. Every contract and obligation made by the Council or the City government prior to the effective date of this Charter is hereby continued in full and remains a valid and legal obligation of the City, consistent with law. The authority to issue any bond, the issuance of which was legally authorized prior to the effective date of this Charter, shall not lapse, terminate, or be otherwise affected by reason of any provision herein, and any such bond may be sold or issued in accordance with the ordinance authorizing its issuance and with any provision of law in force prior to the effective date of this Charter, or in accordance with this Charter.

Chapter 2. The Council.

§ 2-1. Council composition and membership.

A. Composition. The governing body of the City is the Council, which consists of nine (9) members, who are elected by the qualified voters of the City, at large, to a four (4) year term. Any candidate seeking to be elected to the Council shall be nominated as provided by law.

B. Elections. Each general Council election shall be conducted in accordance with the laws of the Commonwealth. On the first Tuesday after the first Monday in November 2022, there shall be elected by the qualified voters of the City four (4) Council members whose terms shall begin January 1, 2023, and expire January 1, 2027. On the first Tuesday after the first Monday in November 2024, there shall be elected by the qualified voters of the City five (5) Council members whose terms shall begin January 1, 2025, and expire January 1, 2029. Each succeeding two (2) years after 2024, on the first Tuesday after the first Monday in November, there shall be elected four (4) or five (5) Council members, as the case may be, to serve for terms of four (4) years beginning and expiring on January 1, to fill the vacancies caused by the expiration of the previous terms of office. If, subsequent to the adoption of this Charter, the laws of the Commonwealth allow local governing bodies to hold elections in May, then in the next general election that occurs at least one (1) year subsequent to such allowance, Council elections shall instead be conducted in May rather than November and terms shall expire July 1 rather than January 1.

C. Continuing body. The Council is a continuing body and no measure pending before it shall expire or be discontinued due to the expiration of a term of office or a change in Council membership.

D. Ineligibility for other office. No Council member shall, while holding such office and for one (1) year thereafter, be eligible for employment or appointment to any paid office of the City government, provided that the Council is expressly authorized to appoint one (1) of its members to serve as a Commissioner of the Danville Redevelopment and Housing Authority.

§ 2-2. Council vacancies.

A. Filling by appointment. If a vacancy in the Council shall occur in the same year as the expiration of the term, then the vacancy shall be filled for the unexpired term through appointment by the Council. In such case, the Council shall, within forty-five (45) days of the occurrence of the vacancy, appoint an interim replacement to serve until the expiration of the term. No person shall be appointed to fill a vacancy unless such person is a qualified voter of the City and receives the votes of at least a majority of the remaining Council members. If a majority of the remaining Council members are unable to fill the vacancy within forty-five (45) days of the occurrence of the vacancy, such vacancy shall be filled by appointment by a majority of the judges of the Circuit Court, until a special election to fill the vacancy is conducted in accordance with law.

B. Filling by special election. If a vacancy in the Council occurs in a year other than that in which the term expires, then the vacancy shall be filled by special election. In such case, the Council shall, within fifteen (15) days of the occurrence of the vacancy, petition the Circuit Court to issue a writ of election to fill the vacancy. Any special election required by this Section shall be conducted on the date of the earliest general election following the occurrence of the vacancy, unless the occurrence is within ninety (90) days of the earliest general election, in which case the special election shall occur in the following general election. The Council may fill a vacancy with an interim appointment until such time as the vacancy is otherwise filled by special election.

§ 2-3. Council organization.

A. Inaugural meeting. An inaugural meeting of the Council shall take place in the Council chamber in the Municipal Building at twelve o'clock noon (12:00 P.M.) on the first business day of January of each odd-numbered year. The meeting shall be called to order by the City Clerk, or if absent or unable, the City Attorney, who shall administer the oath of office to the newly elected members of the Council. If, subsequent to the adoption of this Charter, the laws of the Commonwealth allow local governing bodies to hold elections in May, then after the first general election that occurs in May, the inaugural meeting of the Council shall instead be conducted in July of each even-numbered year rather than January of each odd-numbered year.

B. Selection of officers. The first item of business at the inaugural meeting shall be the selection of a Mayor and Vice Mayor, and the Council shall not adjourn until a Mayor and Vice Mayor are selected. The Council shall select, by majority vote of all its members a Mayor and a Vice Mayor from among its members for the ensuing two (2) years.

C. Mayor. The Mayor shall act as president of the Council, shall preside at meetings of the Council, and shall perform such other duties consistent with this office as may be required by the Council. The Mayor shall be entitled to vote and speak the same as any other member, but shall possess no veto power. The Mayor shall be recognized as the head of the City government for all official functions and ceremonial purposes, and for purposes of military law, and may use the title of Mayor in any case in which the execution of legal documents, or other necessity arising from law, may so require, provided that this authority shall not be construed as vesting any administrative function or other power of an executive officer under law.

D. Vice Mayor. The Vice Mayor shall, in the absence or inability of the Mayor, perform the duties of Mayor, and if a vacancy shall occur in the office of Mayor, shall become Mayor for the unexpired portion of the term. In the absence or inability of both the Mayor and Vice Mayor from any meeting, the Council shall select an acting Mayor from amongst its members. If a vacancy shall occur in the office of Vice Mayor, the Council shall select, by majority vote of all its members, a Vice Mayor from among its members for the remaining term.

§ 2-4. Council meetings.

A. Quorum. A quorum, consisting of a majority of the whole Council, is required to conduct official business; however, a smaller number of Council members may adjourn meetings if a quorum is not present.

B. Rules of procedure. The Council has the power to adopt its own rules of procedure, subject to the provisions of this Charter. Such rules shall establish the time and location of regular Council meetings, provided that at least one (1) is held in each month. Such rules shall authorize special meetings at the request of the Mayor or any two (2) Council members and shall establish the method of giving notice thereof, consistent with law, and no item of business may be considered at such meeting unless included in the notice or the whole Council is present. No vote taken at a previous meeting shall be rescinded or reconsidered at any special meeting, unless there are at least as many members present at such special meeting as were present when such previous vote was taken.

C. Misconduct. The Council may punish any member for misconduct and may compel the attendance of any member in such manner and under such penalty as may be required by law.

§ 2-5. Legislative powers.

A. Vesting of legislative powers. The Council is hereby vested with full power and authority to exercise each and every legislative power vested in the City, except as otherwise provided in this Charter or by law. The Council may make and enforce any ordinance, rule, and policy it deems necessary or expedient to carry into effect any of its powers and may establish such penalty for the violation thereof, consistent with law.

B. Introduction of laws. Any Council member or committee may introduce an ordinance or resolution at any Council meeting, consistent with any notice required by law.

C. Adoption of laws. No ordinance, resolution, motion, or vote shall be adopted by the Council except at a meeting open to the public and, unless it shall have received the affirmative votes of at least a majority of those members present and voting, excepting any motion to adjourn, recess, or any other similar motion of a purely procedural nature. Any ordinance or resolution may be voted on and passed at the meeting in which it is introduced, except as otherwise provided by law, and shall become effective upon adoption unless otherwise provided by the Council. No ordinance that imposes any tax or appropriates any money exceeding $1,000 shall be adopted, unless it shall have been introduced at a Council meeting at least ten (10) days prior to its final adoption.

D. When ordinance required. Every legislative act of the Council establishing or modifying the compensation of any City officer or employee, making any appropriation, authorizing the borrowing of money, levying a tax, establishing any rule or policy enforceable by a fine or penalty, or placing any burden upon or limiting the use of private property shall be by ordinance.

E. When full majority required. No ordinance that imposes any tax, authorizes the borrowing of any money, or appropriates any amount of money exceeding $500 shall be adopted by the Council, unless it shall have received the affirmative votes of a majority of the whole Council.

F. Authentication. Each ordinance or resolution, upon its final passage, shall be authenticated by the signatures of the Mayor and the City Clerk and permanently recorded with the City Clerk.

§ 2-6. City budget process.

A. Fiscal year. The fiscal year of the City begins on the first day of July and ends on the last day of June.

B. Submission of proposed budget. Each year, the City Manager shall prepare and submit to the Council, for its consideration, a proposed budget for the upcoming fiscal year, based upon detailed estimates provided by City staff according to a classification as nearly uniform as is practicable. The proposed budget shall present such other information as may be required by law or requested by the Council. An initial proposed budget shall be presented to Council at least ninety (90) days prior to the end of the fiscal year, and after receiving input from the Council, a final proposed budget shall be ready for introduction and adoption at a Council meeting at least sixty (60) days prior to the end of the fiscal year.

C. Consideration of proposed budget. A summary of the proposed budget shall be published consistent with law, along with notice of a public hearing for such proposal. After the public hearing, the Council may insert any new item of expenditure or may increase, decrease, or strike out any item of expenditure, provided that no item of expenditure for debt service or that is otherwise required to be included by law may be reduced or stricken out.

D. Adoption of final budget. Prior to the end of each fiscal year, the Council shall adopt an appropriation ordinance based upon the proposed budget and shall levy any tax and fee as is necessary to pay for each appropriation made and any amount required by law to service the City debt. The total amount of City spending shall not exceed the estimated amount of City revenue, except in accordance with this Charter.

Chapter 3. Appointed Offices.

§ 3-1. City Manager.

A. Appointment and qualifications. The Council shall appoint a City Manager for an indefinite term. The City Manager shall be chosen solely on the basis of executive and administrative qualification, with special reference to actual experience in, or knowledge of, accepted practice in respect to the powers and duties of such office. The City Manager need

not be a resident of the City or the Commonwealth at the time of appointment, but the City Manager shall reside within the City while holding such office. The City Manager may, with the consent of the Council, designate some properly qualified person to perform the duties of City Manager in case of absence or inability.

B. Duties. The City Manager shall be the chief executive officer of the City, shall keep the Council fully advised as to any present or future need of the City, and shall be responsible to the Council for the proper and efficient administration of the City government and all of its affairs.

C. Powers. In the furtherance of these duties, the City Manager has the power, consistent with law, to:

1. receive notification of and attend every Council meeting, along with the right to take part in the discussion, but having no vote;

2. make reports and recommendations to the Council, as required or deemed advisable;

3. submit to the Council a proposed annual budget with his recommendations, consistent with law, and to execute the budget as adopted;

4. take care that every City law is faithfully executed;

5. make and execute any contract on behalf of the City;

6. exercise supervision and control over each City administrative department and division, and except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager, and neither the Council nor any member thereof shall give any public or private order to any subordinate of the City Manager;

7. receive notification of and attend every meeting of every City board or commission created by ordinance, along with the right to take part in the discussion, but having no vote unless the ordinance creating the same shall expressly authorize such voting power;

8. appoint each City officer and employee, except for those subordinates the City Manager authorizes a department Director responsible to him to appoint for such department, and to remove any such officer or employee, consistent with law. Neither the Council nor any of its members shall direct the City Manager or any subordinate thereof to appoint or remove any City officer or employee, provided that this Subsection shall not be interpreted as prohibiting any Council member from discussing any appointment or removal with the City Manager; and

9. exercise such other powers as are required by law.

§ 3-2. City Attorney.

A. Appointment and qualifications. The Council shall appoint a City Attorney for an indefinite term. The City Attorney shall be an attorney actively licensed to practice in the Commonwealth.

B. Duties. The City Attorney shall be chief legal advisor of the Council, the City Manager, and each City department, board, and commission in any matter affecting the interests of the City and shall, upon request, provide a written opinion on any question of law involving their respective powers and duties.

C. Powers. In the furtherance of these duties, the City Attorney has the power, consistent with law, to:

1. receive notification of and attend every Council meeting;

2. prepare any ordinance or resolution for introduction and examine any existing ordinance or resolution and provide an official opinion as to its form and legality, upon the request of the City Manager or a member of the Council;

3. exercise management and control over any legal matter involving the City or in which it has an interest and shall represent the City as counsel in any civil case in which it is has an interest and in any criminal case in which the validity of a City law is at issue;

4. initiate and conduct any legal proceeding deemed necessary to protect the interests of the City;

5. draft or approve as to form any deed, lease, contract, bond, or other legal instrument to which the City is a party or in which it has an interest;

6. appoint and remove such Deputy and Assistant City Attorneys and other employees as are authorized by the Council, and may authorize any such Deputy or Assistant City Attorney, or any special counsel, to perform any duty entrusted to the City Attorney by law; and

7. perform such other duties and exercise such other powers as are required by law.

§ 3-3. City Clerk.

A. Appointment and qualifications. The Council shall appoint a City Clerk for an indefinite term. The City Clerk may hold any other office or position in the City government if appointed by the Council or the City Manager.

B. Duties. The City Clerk shall be the clerk of the Council, shall keep the journal of its proceedings, and shall permanently record and maintain each ordinance and resolution it adopts. The Clerk shall make all required public notices upon behalf of the Council and shall notify each person appointed by the Council to a City office of such appointment. The Clerk shall be the custodian of the corporate seal of the City and is authorized to use and authenticate such seal. Any record maintained by the City Clerk is a public record and the Clerk shall make the same available for inspection in accordance with law.

C. Powers. The City Clerk may appoint and remove such Deputy Clerks and other employees as are authorized by the Council and may authorize any such Deputy to perform any duty entrusted to the City Clerk, unless it be some duty that may not be delegated by law. The Clerk shall perform such other duties and exercise such other powers as are required by law.

Chapter 4. Elected Officers.

§ 4-1. Elections for constitutional offices.

A. Application. This Section shall apply to the constitutional offices of City Treasurer, Commissioner of the Revenue, Attorney for the Commonwealth, City Sheriff, and Clerk of the Circuit Court. Each constitutional office identified herein shall be filled by election by the qualified voters of the City. Candidates for any constitutional office shall be nominated as provided by the laws of the Commonwealth, and the laws of the Commonwealth relating to the conduct of elections shall be applicable to the conduct of elections required by this Section. A vacancy in any office identified herein shall be filled as provided by the laws of the Commonwealth.

B. Elections. On the first Tuesday after the first Monday in November 2025, there shall be elected by the qualified voters of the City, a City Treasurer, a Commissioner of the Revenue, an Attorney for the Commonwealth, and a City Sheriff, for a four (4) year term which shall begin January 1, 2026. On the first Tuesday after the first Monday in November 2027, there shall be elected by the qualified voters of the City, a Clerk of the Circuit Court for an eight (8) year term which shall begin January 1, 2028.

§ 4-2. City Treasurer.

A. Duties and powers. The City Treasurer shall be the custodian of all money belonging to the City or coming into its possession. The Treasurer shall select each bank, savings and loan association, and trust company used to keep and preserve such money in, subject to the right of the Council to require that such money on deposit be secured by the pledge of appropriate collateral. The Treasurer shall have custody of any investment and the proceeds thereof belonging to the City or in its possession in a fiduciary capacity, unless otherwise provided by law or the terms of any trust. The Treasurer shall be responsible for the protection, receipt, and delivery of any City bond or note for transfer, registration, and exchange. The Treasurer shall perform such other duties and exercise such other powers as are required of such office by law.

B. Collection of taxes and fees. The City Manager shall assign additional responsibility for the collection of any charge for services performed or provided by the City and any tax, assessment, or other amount due or owed thereto to City staff, consistent with law. Such staff members have every power and duty relating to the enforcement and collection of revenue and other charges which is vested by law in local treasurers.

C. Investment of idle funds. If authorized by the Council, any designated City officer may invest or deposit any idle funds belonging to or in the possession of the City, including but not limited to the proceeds of any bond pending the use of such proceeds for the purpose for which such bond was issued, in any security, investment, or revenue-producing deposit allowed by law.

§ 4-3. Commissioner of the Revenue.

A. Duties and powers. The Commissioner of the Revenue shall perform such duties relating to the assessment of personal property and licenses as are required by the Council, consistent with law. The Commissioner shall provide any report relating to the assessment of personal property and licenses upon the request of the Council or the City Manager and shall exercise such other powers and perform such other duties as are required by law.

B. Assessment of real estate. The assessment of real estate for taxation shall be performed by a City Assessor. The City Assessor shall be appointed with the consent of the City Manager and shall exercise every power and perform every duty vested by law in a commissioner of the revenue or other assessor relating to the assessment of real property.

§ 4-4. Attorney for the Commonwealth.

The Attorney for the Commonwealth shall prosecute any criminal violation of a City law, including upon appeal, and shall perform such other duties and exercise such other powers as are required of such office by law.

§ 4-5. City Sheriff.

The City Sheriff shall perform such duties and exercise such powers as are required of such office by law.

§ 4-6. Clerk of the Circuit Court.

The Clerk of the Circuit Court shall notify each person elected by the qualified voters of the City pursuant to this Charter of such election and shall exercise such other powers and perform such other duties as are required by law.

§ 4-7. School Board.

A. Composition. The School Board of the City is and shall continue to be a body corporate organized pursuant to the laws of the Commonwealth of Virginia under the name of the School Board of the City of Danville. The School Board shall consist of seven (7) members, who shall each be a qualified voter of the City.

B. Elections. Each member of the School Board shall be elected by the qualified voters of the City, at large. Candidates for School Board shall be nominated as provided by the laws of the Commonwealth, and the laws of the Commonwealth relating to the conduct of elections shall be applicable to the conduct of elections required by this Section. Any vacancy occurring in the School Board shall be filled pursuant to the laws of the Commonwealth. On the first Tuesday after the first Monday in November 2022, there shall be elected by the qualified voters of the City three (3) School Board members whose terms shall begin January 1, 2023, and expire January 1, 2027. On the first Tuesday after the first Monday in November 2024, there shall be elected by the qualified voters of the City four (4) School Board members whose terms shall begin January 1, 2025, and expire January 1, 2029. Each succeeding two (2) years after 2024, on the first Tuesday after the first Monday in November, there shall be elected three (3) or four (4) School Board members, as the case may be, to serve for terms of four (4) years beginning and expiring on January 1, to fill the vacancies caused by the expiration of the previous terms of office. If, subsequent to the adoption of this Charter, the laws of the Commonwealth allow local school boards to hold elections in May, then in the next general election that occurs at least one (1) year subsequent to such allowance, School Board elections shall instead be conducted in May rather than November and terms shall expire July 1 rather than January 1.

C. Duties and powers. The School Board is hereby charged with supervision and management of every public school within the City and has and may exercise each and every power and be subject to every limitation which is now or may be later vested in school boards of cities by the laws of the Commonwealth.

2. That Chapter 657 of the Acts of Assembly of 1982, as amended, is repealed.

CHAPTER 68

An Act to amend and reenact § 38.2-3407.15:2 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 38.2-3407.15:8, relating to health insurance; carrier contracts; required provisions regarding prior authorization for health care services; work group; report.

[S 1215]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-3407.15:2 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 38.2-3407.15:8 as follows:

§ 38.2-3407.15:2. Carrier contracts; required provisions regarding prior authorization for drug benefits.

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

"Carrier" has the same meaning ~~ascribed thereto~~ *as provided* in subsection A of § 38.2-3407.15.

"Prior authorization" means the approval process used by a carrier before certain drug benefits may be provided.

"Provider contract" has the same meaning ~~ascribed thereto~~ *as provided* in subsection A of § 38.2-3407.15.

"Supplementation" means a request communicated by the carrier to the prescriber or his designee~~,~~ for additional information, limited to items specifically requested on the applicable prior authorization request, necessary to approve or deny ~~a prior authorization~~ *such* request.

B. Any provider contract between a carrier and a participating health care provider with prescriptive authority, or its contracting agent, shall contain specific provisions that:

1. Require the carrier to, in a method of its choosing, accept telephonic, facsimile, or electronic submission of prior authorization requests that are delivered from e-prescribing systems, electronic health record systems, and health information exchange platforms that utilize the National Council for Prescription Drug Programs' SCRIPT standards;

2. Require that the carrier communicate to the prescriber or his designee within 24 hours, including weekend hours, of submission of an urgent prior authorization request to the carrier, if submitted telephonically or in an alternate method directed by the carrier, that the request is approved, denied, or requires supplementation;

3. Require that the carrier communicate electronically, telephonically, or by facsimile to the prescriber or his designee, within two business days of submission of a fully completed prior authorization request, that the request is approved, denied, or requires supplementation;

4. Require that the carrier communicate electronically, telephonically, or by facsimile to the prescriber or his designee, within two business days of submission of a properly completed supplementation from the prescriber or his designee, that the request is approved or denied;

5. Require that if a prior authorization request is approved for prescription drugs and such prescription drugs have been scheduled, provided, or delivered to the patient consistent with the authorization, the carrier shall not revoke, limit, condition, modify, or restrict that authorization unless (i) there is evidence that the authorization was obtained based on fraud or misrepresentation; (ii) final actions by the U.S. Food and Drug Administration, other regulatory agencies, or the manufacturer remove the drug from the market, limit its use in a manner that affects the authorization, or communicate a patient safety issue that would affect the authorization alone or in combination with other authorizations; (iii) a combination of drugs prescribed would cause a drug interaction; or (iv) a generic or biosimilar is added to the prescription drug formulary. Nothing in this section shall require a carrier to cover any benefit not otherwise covered or cover a prescription drug if the enrollee is no longer covered by a health plan on the date the prescription drug was scheduled, provided, or delivered;

6. Require that if the prior authorization request is denied, the carrier shall communicate electronically, telephonically, or by facsimile to the prescriber or his designee, within the timeframes established by subdivision 3 or 4, as applicable, the reasons for the denial;

7. Require that prior authorization approved by another carrier be honored, upon the carrier's receipt from the prescriber or his designee of a record demonstrating the previous carrier's prior authorization approval or any written or electronic evidence of the previous carrier's coverage of such drug, at least for the initial 90 days of a member's prescription drug benefit coverage under a new health plan, subject to the provisions of the new carrier's evidence of coverage and any exception listed in subdivision 5;

8. Require that a tracking system be used by the carrier for all prior authorization requests and that the identification information be provided electronically, telephonically, or by facsimile to the prescriber or his designee, upon the carrier's response to the prior authorization request;

9. Require that the carrier's prescription drug formularies, all drug benefits subject to prior authorization by the carrier, all of the carrier's prior authorization procedures, and all prior authorization request forms accepted by the carrier be made

available through one central location on the carrier's website and that such information be updated by the carrier within seven days of approved changes;

10. Require a carrier to honor a prior authorization issued by the carrier for a drug, other than an opioid, regardless of changes in dosages of such drug, provided such drug is prescribed consistent with U.S. Food and Drug Administration-labeled dosages;

11. Require a carrier to honor a prior authorization issued by the carrier for a drug regardless of whether the covered person changes plans with the same carrier and the drug is a covered benefit with the current health plan;

12. Require a carrier, when requiring a prescriber to provide supplemental information that is in the covered individual's health record or electronic health record, to identify the specific information required;

13. Require that no prior authorization be required for at least one drug prescribed for substance abuse medication-assisted treatment, provided that (i) the drug is a covered benefit, (ii) the prescription does not exceed the FDA-labeled dosages, and (iii) the drug is prescribed consistent with the regulations of the Board of Medicine;

14. Require that when any carrier has previously approved prior authorization for any drug prescribed for the treatment of a mental disorder listed in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association, no additional prior authorization shall be required by the carrier, provided that (i) the drug is a covered benefit; (ii) the prescription does not exceed the FDA-labeled dosages; (iii) the prescription has been continuously issued for no fewer than three months; and (iv) the prescriber performs an annual review of the patient to evaluate the drug's continued efficacy, changes in the patient's health status, and potential contraindications. Nothing in this subdivision shall prohibit a carrier from requiring prior authorization for any drug that is not listed on its prescription drug formulary at the time the initial prescription for the drug is issued;

15. Require a carrier to honor a prior authorization issued by the carrier for a drug regardless of whether the drug is removed from the carrier's prescription drug formulary after the initial prescription for that drug is issued, provided that the drug and prescription are consistent with the applicable provisions of subdivision 14;

16. Require a carrier, beginning July 1, 2025, notwithstanding the provisions of subdivision 1 or any other provision of this section, to establish and maintain an online process that (i) links directly to all e-prescribing systems and electronic health record systems that utilize the National Council for Prescription Drug Programs SCRIPT standard and the National Council for Prescription Drug Programs Real Time Benefit Standard; (ii) can accept electronic prior authorization requests from a provider; (iii) can approve electronic prior authorization requests (a) for which no additional information is needed by the carrier to process the prior authorization request, (b) for which no clinical review is required, and (c) that meet the carrier's criteria for approval; and (iv) links directly to real-time patient out-of-pocket costs for the office visit, considering copayment and deductible, and (v) otherwise meets the requirements of this section. No carrier shall (a) impose a fee or charge on any person for accessing the online process as required by this subdivision or (b) access, absent provider consent, provider data via the online process other than for the enrollee. No later than July 1, 2024, a carrier shall provide contact information of any third-party vendor or other entity the carrier will use to meet the requirements of this subdivision or the requirements of § 38.2-3407.15:7 to any provider that requests such information. A carrier that posts such contact information on its website shall be considered to have met this requirement; and

17. Require a participating health care provider, beginning July 1, 2025, to ensure that any e-prescribing system or electronic health record system owned by or contracted for the provider to maintain an enrollee's health record has the ability to access, at the point of prescribing, the electronic prior authorization process established by a carrier as required by subdivision 16 and the real-time patient-specific benefit information, including out-of-pocket costs and more affordable medication alternatives made available by a carrier pursuant to § 38.2-3407.15:7. A provider may request a waiver of compliance under this subdivision for undue hardship for a period specified by the appropriate regulatory authority with the Health and Human Resources Secretariat.

C. The Commission shall have no jurisdiction to adjudicate individual controversies arising out of this section.

D. This section shall apply with respect to any contract between a carrier and a participating health care provider~~,~~ or its contracting agent~~,~~ that is entered into, amended, extended, or renewed on or after January 1, 2016.

E. Notwithstanding any law to the contrary, the provisions of this section shall not apply to:

1. Coverages issued pursuant to Title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq. (Medicare), Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq. (Medicaid), Title XXI of the Social Security Act, 42 U.S.C. § 1397aa et seq. (CHIP), 5 U.S.C. § 8901 et seq. (federal employees), or 10 U.S.C. § 1071 et seq. (TRICARE);

2. Accident only, credit or disability insurance, long-term care insurance, TRICARE supplement, Medicare supplement, or workers' compensation coverages;

3. Any dental services plan or optometric services plan as defined in § 38.2-4501; or

4. Any health maintenance organization that (i) contracts with one multispecialty group of physicians who are employed by and are shareholders of the multispecialty group, which multispecialty group of physicians may also contract with health care providers in the community; (ii) provides and arranges for the provision of physician services by such multispecialty group physicians or by such contracted health care providers in the community; and (iii) receives and processes at least 85 percent of prescription drug prior authorization requests in a manner that is interoperable with e-prescribing systems, electronic health records, and health information exchange platforms.

§ 38.2-3407.15:8. Carrier contracts; required provisions regarding prior authorization for health care services.

A. As used in this section:

"Carrier" has the same meaning as provided in subsection A of § 38.2-3407.15.

"Expedited" means, in relation to a health care service or a prior authorization request for a health care service, that the delay of such service could seriously jeopardize the enrollee's life, health, or ability to regain maximum function.

"Health care services" has the same meaning as provided in § 38.2-3407.15, except that as used in this section, "health care services" does not include drugs that are subject to the requirements of § 38.2-3407.15:2.

"Prior authorization" means the approval process used by a carrier before certain health care services may be provided.

"Provider" has the same meaning as provided in § 38.2-3407.10.

"Provider contract" has the same meaning as provided in subsection A of § 38.2-3407.15.

"Standard" means, in relation to a health care service or a prior authorization request for a health care service, that such health care service or prior authorization request is not expedited.

"Supplementation" means a request communicated by the carrier to the provider or his designee for additional information, limited to items specifically requested on the applicable prior authorization request, necessary to approve or deny such request.

B. Any provider contract between a carrier and a participating health care provider or its contracting agent shall contain specific provisions that:

1. Require that the carrier communicate electronically or telephonically to the provider or his designee within 72 hours, including weekend hours, of submission of an expedited prior authorization request to the carrier that the request is approved, denied, or requires supplementation;

2. Require that the carrier communicate electronically or telephonically to the provider or his designee within seven calendar days of submission of a standard prior authorization request to the carrier that the request is approved, denied, or requires supplementation;

3.Where supplementation is required, require the carrier to specify to the provider or his designee the supplementation necessary for the carrier to make a final determination that the request is approved or denied, and following properly completed supplementation from the provider or his designee, require the carrier to approve or deny the request within the timeframes specified in subdivisions 1 and 2;

4. Require that if a prior authorization request is approved for health care services and such health care services have been scheduled or provided to the enrollee consistent with the authorization, the carrier shall not revoke, limit, condition, modify, or restrict that authorization unless (i) the provider requests a change, (ii) there is evidence that the authorization was obtained based on fraud or misrepresentation, or (iii) a final action by a federal regulatory agency or the manufacturer removes an approved health care service from the market, limits its use in a manner impacting the prior authorization, or communicates a patient safety issue that would impact the prior authorization. Nothing in this section shall require a carrier to authorize any health care service if the enrollee is no longer enrolled in the health plan; and

5. Require that if the prior authorization request is denied, the carrier shall communicate electronically or telephonically to the provider or his designee within the timeframes established by subdivision 1 or 2, as applicable, the reasons for the denial.

C. If a carrier requires prior authorization for certain health care services to be covered, the carrier shall make available through one central location on the carrier's publicly accessible website or other electronic application the list of services and codes for which prior authorization is required. A carrier must notify providers at least 30 calendar days in advance of the effective date of any changes to the list of prior authorization requirements and update the publicly accessible list of services and codes for which prior authorization is required by the effective date of any new requirement. All of the carrier's prior authorization procedures and all prior authorization request forms accepted by the carrier shall also be made available and updated by the carrier on the publicly accessible website or other electronic application by the effective date of any new requirements. The carrier shall also indicate the effective date of the prior authorization requirements for each service on the list, including those services where prior authorization is performed by an entity under contract with the carrier, provided, however, that if the prior authorization was already required prior to January 1, 2027, the carrier may indicate an effective date of January 1, 2027.

D. A carrier shall not deny a claim for failure to obtain prior authorization if the prior authorization requirements for the date of service were not posted on the publicly accessible website or other electronic application in accordance with subsection C.

E. Nothing in this section shall prohibit a carrier from removing prior authorization requirements without the 30-day notice period to providers in the event of a pandemic, a natural disaster, or any other emergency situations.

F. Each carrier shall make available by posting on its website no later than March 31 of each year the prior authorization data for prior authorizations covered by this section for the previous calendar year at the health plan level for all metrics required for compliance with federal law and the regulations of the Centers for Medicare and Medicaid Services, including those promulgated under 42 C.F.R. §§ 422.122(c), 438.210(f), 440.230(e)(3), and 457.732(c).

G. Notwithstanding any law to the contrary, no provision of this section shall apply to any health maintenance organization that (i) contracts with a multispecialty group of physicians who are employed by and are shareholders of such multispecialty group, which multispecialty group may also contract with health care providers in the community, and (ii) provides and arranges for the provision of physician services by the physician members of such multispecialty group or by such contracted health care providers.

H. The Commission shall have no jurisdiction to adjudicate individual controversies arising out of this section.

I. Pursuant to the authority granted by § 38.2-223, the Commission may promulgate such rules and regulations as it may deem necessary to implement this section.

2. That the provisions of the first enactment this act shall become effective on January 1, 2027.

3. That the State Corporation Commission's Bureau of Insurance shall establish, in coordination with the Secretary of Health and Human Resources, a work group to (i) monitor anticipated federal developments related to the implementation of requirements to make publicly available information pertaining to prior authorization for health care services consistent with the provisions of § 38.2-3407.15:8 of the Code of Virginia, as created by this act; (ii) assess industry progress and readiness to implement such requirements; and (iii) evaluate policies supporting the effective and efficient adoption of such requirements. The work group shall include relevant stakeholders, including representatives from the Virginia Association of Health Plans, the Virginia Hospital and Healthcare Association, the Medical Society of Virginia, and other parties with an interest in the implementation of transparency requirements for information pertaining to prior authorization for health care services. The work group shall report its findings and recommendations to the Chairs of the Senate Committees on Commerce and Labor and Education and Health and the House Committees on Labor and Commerce and Health and Human Services on or before November 1, 2025.

CHAPTER 69

An Act to amend and reenact § 38.2-401 of the Code of Virginia, relating to Fire Programs Fund; aid to localities; requirement for emergency incidents reporting.

[S 1282]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-401 of the Code of Virginia is amended and reenacted as follows:

§ 38.2-401. Fire Programs Fund.

A. 1. There is hereby established in the state treasury a special nonreverting fund to be known as the Fire Programs Fund, hereinafter referred to as "the Fund." The Fund shall be administered by the Department of Fire Programs under policies and definitions established by the Virginia Fire Services Board. All moneys collected pursuant to the assessment made by the Commission pursuant to subdivision 2 of this subsection shall be paid into the state treasury and credited to the Fund. The Fund shall also consist of any moneys appropriated thereto by the General Assembly and any grants or other moneys received by the Virginia Fire Services Board or Department of Fire Programs for the purposes set forth in this section. Any moneys deposited to or remaining in such Fund during or at the end of each fiscal year or biennium, including interest thereon, shall not revert to the general fund but shall remain in the Fund. Interest earned on all moneys in the Fund and interest earned on moneys held by the Commission pursuant to subdivision 2 of this subsection prior to the deposit of such moneys into the Fund, including interest earned on such moneys during any period when the Commission is reconciling payments from insurers, shall remain in or be deposited into the Fund, as the case may be, and be credited to it. Such interest shall be set aside for fire service purposes in accordance with policies developed by the Virginia Fire Services Board. Notwithstanding any other provision of law to the contrary, policies established by the Virginia Fire Services Board for the administration of the Fund, and any grants provided from the Fund, that are not inconsistent with the purposes set out in this section shall be binding upon any locality that accepts such funds or related grants. The Commission shall be reimbursed from the Fund for all expenses necessary for the administration of this section. The balance of moneys in the Fund shall be allocated periodically as provided in this section. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Executive Director of the Department of Fire Programs (Director) or his designee.

2. The Commission shall annually assess against all licensed insurance companies doing business in the Commonwealth by writing any type of insurance as defined in §§ 38.2-110, 38.2-111, 38.2-126, 38.2-130 and 38.2-131 and those combination policies as defined in § 38.2-1921 that contain insurance as defined in §§ 38.2-110, 38.2-111 and 38.2-126, an assessment in the amount of one percent of the total direct gross premium income for such insurance. Such assessment shall be apportioned, assessed and paid as prescribed by § 38.2-403. In any year in which a company has no direct gross premium income or in which its direct gross premium income is insufficient to produce at the rate of assessment prescribed by law an amount equal to or in excess of $100, there shall be so apportioned and assessed against such company a contribution of $100.

B. After reserving funds for the Fire Services Grant Program and Dry Fire Hydrant Grant Program pursuant to subsection D, 75 percent of the remaining moneys available for allocation from the Fund shall be allocated to the several counties, cities, and towns of the Commonwealth providing fire service operations to be used for the improvement of volunteer and career fire services in each of the receiving localities. Funds allocated to the counties, cities, and towns pursuant to this subsection shall not be used directly or indirectly to supplant or replace any other funds appropriated by the counties, cities, and towns for fire service operations. Such funds shall be used solely for the purposes of (i) training volunteer or career firefighting personnel in each of the receiving localities; (ii) funding fire prevention and public safety education programs; (iii) constructing, improving, and expanding regional or local fire service training facilities;

(iv) purchasing emergency medical care and equipment for fire personnel; (v) payment of personnel costs related to fire and medical training for fire personnel; (vi) purchasing personal protective equipment, vehicles, equipment, and supplies for use in the receiving locality specifically for fire service purposes; or (vii) providing training and education and purchasing products, including personal protective equipment, diesel exhaust removal systems, decontamination equipment, and commercial extractors, that are designed to reduce the incidence of cancer among firefighters. Notwithstanding any other provision of the Code, when localities use such funds to construct, improve, or expand fire service training facilities, fire-related training provided at such training facilities shall be by instructors certified or approved according to policies developed by the Virginia Fire Services Board. Distribution of this 75 percent of the Fund shall be made on the basis of population as provided for in §§ 4.1-116 and 4.1-117; however, no county or city eligible for such funds shall receive less than $10,000, nor eligible town less than $4,000. The Virginia Fire Services Board shall be authorized to exceed allocations of $10,000 for eligible counties and cities and $4,000 for eligible towns, respectively. Allocations to counties, cities, and towns receiving such allocations shall be fair and equitable as set forth in Board policy. Any increases or decreases in such allocations shall be uniform for all localities. In order to remain eligible for such funds, each receiving locality shall report annually to the Department on the use of the funds allocated to it for the previous year ~~and~~, shall provide a completed Fire Programs Fund Disbursement Agreement form*, and shall report, in accordance with the requirements set by the Virginia Fire Services Board, all emergency incidents through the National Emergency Response Information System (NERIS) while sharing such emergency incident data with the Department of Fire Programs in its capacity as state manager of NERIS.* Each receiving locality shall be responsible for certifying the proper use of the funds. If, at the end of any annual reporting period, a satisfactory report and a completed agreement form have not been submitted by a receiving locality, any funds due to that locality for the next year shall not be retained. Such funds shall be added to the 75 percent of the Fund allocated to the counties, cities, and towns of the Commonwealth for improvement of fire services in localities.

C. The remainder of the moneys available for allocation from the Fund shall be used for (i) the purposes of carrying out the powers and duties assigned to the Department of Fire Programs under Chapter 2 (§ 9.1-200) of Title 9.1, which shall include providing funded training and administrative support services for nonfunded training to localities and (ii) the payment of the compensation and costs of expenses of the members of the *Virginia* Fire Services Board in performing their official duties; however, the Fund shall not be used for salaries or operating expenses associated with the Office of the State Fire Marshal.

D. The Fire Services Grant Program is hereby established and will be used as grants to provide regional fire services training facilities, to finance the Virginia Fire Incident Reporting System and to build or repair live fire training structures as determined by the Virginia Fire Services Board. Beginning January 1, 1996, $1 million from the assessments made pursuant to this section shall be distributed each year for the Fire Services Grant Program to be used as herein provided, and $100,000 shall be distributed annually for continuing the statewide Dry Fire Hydrant Grant Program. Moneys allocated pursuant to this subsection shall be used for the purposes stated in this subsection, and for no other purpose. All grants provided from these programs shall be administered by the Department according to the policies established by the Virginia Fire Services Board.

E. Moneys in the Fund shall not be diverted or expended for any purpose not authorized by this section.

F. The Director shall establish written standards for determining the extent to which clients outside the Commonwealth shall be financially responsible for the cost of fire and emergency services training provided by the Department of Fire Programs. Revenues generated by such training shall be retained in the Fire Programs Fund and may be used solely for providing additional funded direct training to members of Virginia's fire and emergency services.

2. That the provisions of this act shall become effective on July 1, 2026.

CHAPTER 70

An Act to repeal the second enactment of Chapter 145 of the Acts of Assembly of 2022, relating to license to teach dentistry; foreign dental program graduates; repeal sunset.

[S 1360]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That the second enactment of Chapter 145 of the Acts of Assembly of 2022 is repealed.

CHAPTER 71

An Act to amend and reenact § 54.1-3410.2 of the Code of Virginia, relating to compounding drugs; exceptions for distribution within hospital or health system.

[S 1366]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3410.2 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3410.2. Compounding; pharmacists' authority to compound under certain conditions; labeling and record maintenance requirements.

A. A pharmacist may engage in compounding of drug products when the dispensing of such compounded products is (i) pursuant to valid prescriptions for specific patients and (ii) consistent with the provisions of § 54.1-3303 relating to the issuance of prescriptions and the dispensing of drugs.

Pharmacists shall label all compounded drug products that are dispensed pursuant to a prescription in accordance with this chapter and the Board's regulations, and shall include on the labeling an appropriate beyond-use date as determined by the pharmacist in compliance with USP-NF standards for pharmacy compounding.

B. A pharmacist may also engage in compounding of drug products in anticipation of receipt of prescriptions based on a routine, regularly observed prescribing pattern.

Pharmacists shall label all products compounded prior to dispensing with (i) the name and strength of the compounded medication or a list of the active ingredients and strengths; (ii) the pharmacy's assigned control number that corresponds with the compounding record; (iii) an appropriate beyond-use date as determined by the pharmacist in compliance with USP-NF standards for pharmacy compounding; and (iv) the quantity.

C. In accordance with the conditions set forth in subsections A and B, pharmacists shall not distribute compounded drug products for subsequent distribution or sale to other persons or to commercial entities, including distribution to pharmacies or other entities under common ownership or control with the facility in which such compounding takes place, *except for distribution within health systems under common ownership when the compounded drug products are administered only to patients within the hospital or health system*; however, a pharmacist may distribute to a veterinarian in accordance with federal law.

Compounded products for companion animals, as defined in regulations promulgated by the Board of Veterinary Medicine, and distributed by a pharmacy to a veterinarian for further distribution or sale to his own patients shall be limited to drugs necessary to treat an emergent condition when timely access to a compounding pharmacy is not available as determined by the prescribing veterinarian.

A pharmacist may, however, deliver compounded products dispensed pursuant to valid prescriptions to alternate delivery locations pursuant to § 54.1-3420.2.

A pharmacist may provide a reasonable amount of compounded products to practitioners of medicine, osteopathy, podiatry, or dentistry to administer to their patients, either personally or under their direct and immediate supervision, if there is a critical need to treat an emergency condition, or as allowed by federal law or regulations. A pharmacist may also provide compounded products to practitioners of veterinary medicine for office-based administration to their patients.

Pharmacists who provide compounded products for office-based administration for treatment of an emergency condition or as allowed by federal law or regulations shall label all compounded products distributed to practitioners other than veterinarians for administration to their patients with (i) the statement "For Administering in Prescriber Practice Location Only"; (ii) the name and strength of the compounded medication or list of the active ingredients and strengths; (iii) the facility's control number; (iv) an appropriate beyond-use date as determined by the pharmacist in compliance with USP-NF standards for pharmacy compounding; (v) the name and address of the pharmacy; and (vi) the quantity.

Pharmacists shall label all compounded products for companion animals, as defined in regulations promulgated by the Board of Veterinary Medicine, and distributed to a veterinarian for either further distribution or sale to his own patient or administration to his own patient with (a) the name and strength of the compounded medication or list of the active ingredients and strengths; (b) the facility's control number; (c) an appropriate beyond-use date as determined by the pharmacist in compliance with USP-NF standards for pharmacy compounding; (d) the name and address of the pharmacy; and (e) the quantity.

D. Pharmacists shall personally perform or personally supervise the compounding process, which shall include a final check for accuracy and conformity to the formula of the product being prepared, correct ingredients and calculations, accurate and precise measurements, appropriate conditions and procedures, and appearance of the final product.

E. Pharmacists shall ensure compliance with USP-NF standards for both sterile and non-sterile compounding.

F. Pharmacists may use bulk drug substances in compounding when such bulk drug substances:

1. Comply with the standards of an applicable United States Pharmacopoeia or National Formulary monograph, if such monograph exists, and the United States Pharmacopoeia chapter on pharmacy compounding; or are drug substances that are components of drugs approved by the FDA for use in the United States; or are otherwise approved by the FDA; or are manufactured by an establishment that is registered by the FDA; and

2. Are distributed by a licensed wholesale distributor or registered nonresident wholesale distributor, or are distributed by a supplier otherwise approved by the Board and the FDA to distribute bulk drug substances if the pharmacist can establish purity and safety by reasonable means, such as lot analysis, manufacturer reputation, or reliability of the source.

G. Pharmacists may compound using ingredients that are not considered drug products in accordance with the USP-NF standards and guidance on pharmacy compounding.

H. Pharmacists shall not engage in the following:

1. The compounding for human use of a drug product that has been withdrawn or removed from the market by the FDA because such drug product or a component of such drug product has been found to be unsafe. However, this prohibition shall be limited to the scope of the FDA withdrawal;

2. The regular compounding or the compounding of inordinate amounts of any drug products that are essentially copies of commercially available drug products. However, this prohibition shall not include (i) the compounding of any commercially available product when there is a change in the product ordered by the prescriber for an individual patient, (ii) the compounding of a commercially manufactured drug only during times when the product is not available from the manufacturer or supplier, (iii) the compounding of a commercially manufactured drug whose manufacturer has notified the FDA that the drug is unavailable due to a current drug shortage, (iv) the compounding of a commercially manufactured drug when the prescriber has indicated in the oral or written prescription for an individual patient that there is an emergent need for a drug that is not readily available within the time medically necessary, or (v) the mixing of two or more commercially available products regardless of whether the end product is a commercially available product; or

3. The compounding of inordinate amounts of any preparation in cases in which there is no observed historical pattern of prescriptions and dispensing to support an expectation of receiving a valid prescription for the preparation. The compounding of an inordinate amount of a preparation in such cases shall constitute manufacturing of drugs.

I. Pharmacists shall maintain records of all compounded drug products as part of the prescription, formula record, formula book, or other log or record. Records may be maintained electronically, manually, in a combination of both, or by any other readily retrievable method.

1. In addition to other requirements for prescription records, records for products compounded pursuant to a prescription order for a single patient where only manufacturers' finished products are used as components shall include the name and quantity of all components, the date of compounding and dispensing, the prescription number or other identifier of the prescription order, the total quantity of finished product, the signature or initials of the pharmacist or pharmacy technician performing the compounding, and the signature or initials of the pharmacist responsible for supervising the pharmacy technician and verifying the accuracy and integrity of compounded products.

2. In addition to the requirements of subdivision I 1, records for products compounded in bulk or batch in advance of dispensing or when bulk drug substances are used shall include: the generic name and the name of the manufacturer of each component or the brand name of each component; the manufacturer's lot number and expiration date for each component or when the original manufacturer's lot number and expiration date are unknown, the source of acquisition of the component; the assigned lot number if subdivided, the unit or package size and the number of units or packages prepared; and the beyond-use date. The criteria for establishing the beyond-use date shall be available for inspection by the Board.

3. A complete compounding formula listing all procedures, necessary equipment, necessary environmental considerations, and other factors in detail shall be maintained where such instructions are necessary to replicate a compounded product or where the compounding is difficult or complex and must be done by a certain process in order to ensure the integrity of the finished product.

4. A formal written quality assurance plan shall be maintained that describes specific monitoring and evaluation of compounding activities in accordance with USP-NF standards. Records shall be maintained showing compliance with monitoring and evaluation requirements of the plan to include training and initial and periodic competence assessment of personnel involved in compounding, monitoring of environmental controls and equipment calibration, and any end-product testing, if applicable.

J. Practitioners who may lawfully compound drugs for administering or dispensing to their own patients pursuant to §§ 54.1-3301, 54.1-3304, and 54.1-3304.1 shall comply with all provisions of this section and the relevant Board regulations.

K. Every pharmacist-in-charge or owner of a permitted pharmacy or a registered nonresident pharmacy engaging in sterile compounding shall notify the Board of its intention to dispense or otherwise deliver a sterile compounded drug product into the Commonwealth. Upon renewal of its permit or registration, a pharmacy or nonresident pharmacy shall notify the Board of its intention to continue dispensing or otherwise delivering sterile compounded drug products into the Commonwealth. Failure to provide notification to the Board shall constitute a violation of Chapter 33 (§ 54.1-3300 et seq.) or Chapter 34 (§ 54.1-3400 et seq.). The Board shall maintain this information in a manner that will allow the production of a list identifying all such sterile compounding pharmacies.

CHAPTER 72

An Act to authorize the issuance of special license plates for supporters of the Social Butterflies Foundation bearing the legend LUPUS AWARENESS; fees.

[H 1722]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. Special license plates for supporters of the Social Butterflies Foundation bearing the legend LUPUS AWARENESS; fees.*

A. On receipt of an application and payment of the fee prescribed by this section, and following the provisions of § 46.2-725 of the Code of Virginia other than those relating to the fee for the plates and its disposition, the Commissioner of the Department of Motor Vehicles shall issue to the applicant special license plates for supporters of the Social Butterflies Foundation bearing the legend LUPUS AWARENESS.

B. The annual fee for plates issued pursuant to this section shall be $25 in addition to the prescribed fee for state license plates. For each such $25 fee collected in excess of 1,000 registrations pursuant to this section, $15 shall be paid into the state treasury and credited to a special nonreverting fund known as the Lupus Awareness Fund established within the Department of Accounts. These funds shall be paid annually to the Social Butterflies Foundation and used to support its operation and programs in Virginia. All other fees imposed under the provisions of this section shall be paid to, and received by, the Commissioner of the Department of Motor Vehicles and paid by him into the state treasury and set aside as a special fund to be used to meet the necessary expenses incurred by the Department of Motor Vehicles.

CHAPTER 73

An Act to amend and reenact § 19.2-163 of the Code of Virginia, relating to compensation of court-appointed counsel.

[H 1757]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-163 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-163. Compensation of court-appointed counsel.

Upon submission to the court, for which appointed representation is provided, of a detailed accounting of the time expended for that representation, made within 30 days of the completion of all proceedings in that court, counsel appointed to represent an indigent accused in a criminal case shall be compensated for his services on an hourly basis at a rate set by the Supreme Court of Virginia in a total amount not to exceed the amounts specified in this section, or other such amount as may be provided by law. Such amounts shall be allowed in any case wherein counsel conducts the defense of a single charge against the indigent accused through to its conclusion or a charge of violation of probation at any hearing conducted under § 19.2-306; thereafter, compensation for additional charges against the same accused also conducted by the same counsel shall be allowed on the basis of additional time expended as to such additional charges:

1. In a district court, except as provided in subdivisions 2 and 3, (i) a sum not to exceed $330 or (ii) for a charge of violation of probation for any misdemeanor offense, a sum not to exceed $180, provided that, notwithstanding the foregoing limitation, the court in its discretion and subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia may waive the limitation of fees provided under clause (i) or (ii) up to an additional $120 when the effort expended, the time reasonably necessary for the particular representation, the novelty and difficulty of the issues, or other circumstances warrant such a waiver;

2. For a misdemeanor charge in a district court for a violation of § 18.2-266, 18.2-266.1, 18.2-270, or 46.2-341.24, (i) a sum not to exceed $448 or (ii) for a charge of violation of probation for such a misdemeanor offense, a sum not to exceed $180, provided that, notwithstanding the foregoing limitation, the court in its discretion and subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia may waive the limitation of fees provided under clause (i) or (ii) up to an additional $120 when the effort expended, the time reasonably necessary for the particular representation, the novelty and difficulty of the issues, or other circumstances warrant such a waiver;

3. For a juvenile charge in a district court, (i) a sum not to exceed $680 or (ii) for a charge of violation of probation for any offense, a sum not to exceed $180, provided that, notwithstanding the foregoing limitation, the court in its discretion and subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia may waive the limitation of fees provided under clause (i) or (ii) up to (a) an additional $120 or (b) an additional $650 for an offense that would be a felony if committed by an adult that may be punishable by confinement in the state correctional facility for a period of more than 20 years or a charge of violation of probation for such offense when the effort expended, the time reasonably necessary for the particular representation, the novelty and difficulty of the issues, or other circumstances warrant such a waiver;

4. In a circuit court (i) to defend a Class 1 felony charge, compensation for each appointed attorney in an amount deemed reasonable by the court; (ii) to defend a felony charge that may be punishable by confinement in the state correctional facility for a period of more than 20 years or any felony violation of § 18.2-35, 18.2-36, 18.2-36.1, 18.2-41, 18.2-51, 18.2-67.3, 18.2-79, 18.2-80, 18.2-370, 18.2-370.1, or 18.2-371.1, a sum not to exceed $1,692, provided that, notwithstanding the foregoing limitation, the court in its discretion and subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia may waive the limitation of fees up to an additional $850 when the effort expended, the time reasonably necessary for the particular representation, the novelty and difficulty of the issues, or other circumstances warrant such a waiver; (iii) to defend any other felony charge, except those described in clause (i) or (ii), a sum not to exceed $834, provided that, notwithstanding the foregoing limitation, the court in its discretion and subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia may waive the limitation of fees up to an additional $155 when the effort expended, the time reasonably necessary for the particular representation, the novelty and difficulty of the issues, or other circumstances warrant such a waiver; (iv) for a charge of violation of probation for any felony offense, except Class 1 felonies, a sum not to exceed $445, provided that, notwithstanding the foregoing limitation, the court in its discretion and subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia may waive the limitation of fees up to (a) an additional $850 for a charge of violation of probation for any felony described in clause (ii) or (b) an additional $155 for a charge of violation of probation of any other felony when the effort expended, the time reasonably necessary for the particular representation, the novelty and difficulty of the issues, or other circumstances

warrant such a waiver; (v) to defend a misdemeanor violation of § 18.2-266, 18.2-266.1, 18.2-270, or 46.2-341.24, a sum not to exceed $448 and to defend any other misdemeanor charge punishable by confinement in jail, a sum not to exceed $330; (vi) for a charge of violation of probation for any misdemeanor offense, a sum not to exceed $180; (vii) for a juvenile adjudication appealed from a district court, a sum not to exceed $680; or (viii) for a charge of violation of probation for any juvenile adjudication appealed from a district court, a sum not to exceed $180. In the event any case is required to be retried due to a mistrial for any cause or reversed on appeal, the court may allow an additional fee for each case in an amount not to exceed the amounts allowable in the initial trial. In the event counsel is appointed to defend an indigent charged with a felony that is punishable as a Class 1 felony, each attorney appointed shall continue to receive compensation as provided in this paragraph for defending such a felony, regardless of whether the charge is reduced or amended to a lesser felony, prior to final disposition of the case. In the event counsel is appointed to defend an indigent charged with any other felony, such counsel shall receive compensation as provided in this paragraph for defending such a felony, regardless of whether the charge is reduced or amended to a misdemeanor or lesser felony prior to final disposition of the case in either the district court or circuit court.

Counsel appointed to represent an indigent accused in a criminal case, who are not public defenders, may request an additional waiver exceeding the amounts provided for in this section. The request for any additional amount shall be submitted to the presiding judge, in writing, with a detailed accounting of the time spent and the justification for the additional amount. The presiding judge shall determine, subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia, whether the request for an additional amount is justified in whole or in part, by considering the effort expended and the time reasonably necessary for the particular representation, and, if so, shall forward the request as approved to the chief judge of the circuit court or district court for approval. If the presiding judge determines that the request for an additional amount is not justified in whole or in part, such presiding judge shall provide to the requesting attorney, in writing, the reasons for such determination and shall, if such request has been approved in part, include a copy of such writing when forwarding the request as approved to the chief judge of the circuit court or district court for approval. If the chief judge of the circuit court or district court, upon review of the request as approved, determines, subject to the guidelines issued by the Executive Secretary of the Supreme Court of Virginia, that any part of the request for an additional amount is not justified, such chief judge shall provide to the requesting attorney and to the presiding judge, in writing, the reason for such determination.

If at any time the funds appropriated to pay for waivers under this section become insufficient, the Executive Secretary of the Supreme Court of Virginia shall so certify to the courts and no further waivers shall be approved.

The circuit or district court shall direct the payment of such reasonable expenses incurred by such court-appointed counsel as it deems appropriate under the circumstances of the case. Counsel appointed by the court to represent an indigent charged with repeated violations of the same section of the Code of Virginia, with each of such violations arising out of the same incident, occurrence, or transaction, shall be compensated in an amount not to exceed the fee prescribed for the defense of a single charge, if such offenses are tried as part of the same judicial proceeding. The trial judge shall consider any guidelines established by the Supreme Court but shall have the sole discretion to fix the amount of compensation to be paid counsel appointed by the court to defend a felony charge that is punishable as a Class 1 felony.

The circuit or district court shall direct that the foregoing payments shall be paid out by the Commonwealth, if the defendant is charged with a violation of a statute, or by the county, city, or town, if the defendant is charged with a violation of a county, city, or town ordinance, to the attorney so appointed to defend such person as compensation for such defense.

Counsel representing a defendant charged with a Class 1 felony may submit to the court, on a monthly basis, a statement of all costs incurred and fees charged by him in the case during that month. Whenever the total charges as are deemed reasonable by the court for which payment has not previously been made or requested exceed $1,000, the court may direct that payment be made as otherwise provided in this section.

When such directive is entered upon the order book of the court, the Commonwealth, county, city, or town, as the case may be, shall provide for the payment out of its treasury of the sum of money so specified. If the defendant is convicted, the amount allowed by the court to the attorney appointed to defend him shall be taxed against the defendant as a part of the costs of prosecution and, if collected, the same shall be paid to the Commonwealth, or the county, city, or town, as the case may be. In the event that counsel for the defendant requests a waiver of the limitations on compensation, the court shall assess against the defendant an amount equal to the pre-waiver compensation limit specified in this section for each charge for which the defendant was convicted. An abstract of such costs shall be docketed in the judgment docket and execution lien book maintained by such court. Notwithstanding any provision to the contrary, no person found indigent pursuant to § 19.2-159 *who is represented by either a public defender or court-appointed counsel* shall have fees assessed against him ~~for any amount paid~~ for his legal representation pursuant to this ~~article~~ *chapter* in an amount greater than the amount such defendant would have owed if the assessment took place on or before June 30, 2024.

Any statement submitted by an attorney for payments due him for indigent representation or for representation of a child pursuant to § 16.1-266 shall, after the submission of the statement, be forwarded forthwith by the clerk to the Commonwealth, county, city, or town, as the case may be, responsible for payment. Notwithstanding any provision to the contrary, if the court has determined such child's parents or other persons responsible for his care to be indigent pursuant to § 19.2-159 *and such child was represented by either a public defender or court-appointed counsel*, no fee shall be taxed by the clerk against any such child in an amount greater than the amount the clerk would have taxed against such child if the assessment took place on or before June 30, 2024.

For the purposes of this section, the defense of a case may be considered conducted through to its conclusion and an appointed counsel entitled to compensation for his services in the event an indigent accused fails to appear in court subject to a capias for his arrest or a show cause summons for his failure to appear and remains a fugitive from justice for one year following the issuance of the capias or the summons to show cause, and appointed counsel has appeared at a hearing on behalf of the accused.

Effective July 1, 2007, the Executive Secretary of the Supreme Court of Virginia shall track and report the number and category of offenses charged involving adult and juvenile offenders in cases in which court-appointed counsel is assigned. The Executive Secretary shall also track and report the amounts paid by waiver above the initial cap to court-appointed counsel. The Executive Secretary shall provide these reports to the Governor, members of the House Committee on Appropriations, and members of the Senate Committee on Finance and Appropriations on a quarterly basis.

CHAPTER 74

An Act to amend and reenact § 64.2-701 of the Code of Virginia, relating to Uniform Trust Code; definitions.

[H 1770]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 64.2-701 of the Code of Virginia is amended and reenacted as follows:

§ 64.2-701. Definitions.

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

"Action," with respect to an act of a trustee, includes a failure to act.

"Appointive property" means the property or property interest subject to a power of appointment.

"Ascertainable standard" means a standard relating to an individual's health, education, support, or maintenance within the meaning of § 2041(b)(1)(A) or 2514(c)(1) of the Internal Revenue Code of 1986 and any applicable regulations.

"Authorized fiduciary" means (i) a trustee or other fiduciary, other than a settlor, that has discretion to distribute or direct a trustee to distribute part or all of the income or principal of the first trust to one or more current beneficiaries and that is not (a) a current beneficiary of the first trust or a beneficiary to which the net income or principal of the first trust would be distributed if the first trust were terminated, (b) a trustee of the first trust that may be removed and replaced by a current beneficiary who has the power to remove the existing trustee of the first trust and designate as successor trustee a person that may be a related or subordinate party, as defined in 26 U.S.C. § 672(c), with respect to such current beneficiary, or (c) an individual trustee whose legal obligation to support a beneficiary may be satisfied by distributions of income and principal of the first trust; (ii) a special fiduciary appointed under § 64.2-779.6; or (iii) a special-needs fiduciary under § 64.2-779.10.

"Beneficiary" means a person that (i) has a present or future, vested or contingent, beneficial interest in a trust; (ii) holds a power of appointment over trust property; or (iii) is an identified charitable organization that will or may receive distributions under the terms of the trust.

"Charitable interest" means an interest in a trust that (i) is held by an identified charitable organization and makes the organization a qualified beneficiary; (ii) benefits only charitable organizations and, if the interest were held by an identified charitable organization, would make the organization a qualified beneficiary; or (iii) is held solely for charitable purposes and, if the interest were held by an identified charitable organization, would make the organization a qualified beneficiary.

"Charitable organization" means (i) a person, other than an individual, organized and operated exclusively for charitable purposes or (ii) a government or governmental subdivision, agency, or instrumentality, to the extent that it holds funds exclusively for a charitable purpose.

"Charitable purpose" means the relief of poverty, the advancement of education or religion, the promotion of health, a municipal or other governmental purpose, or another purpose the achievement of which is beneficial to the community.

"Charitable trust" means a trust, or portion of a trust, created for a charitable purpose described in § 64.2-723.

"Conservator" means a person appointed by the court to administer the estate of an adult individual.

"Court" means the court of the Commonwealth having jurisdiction in matters related to trusts.

"Current beneficiary" means a beneficiary that on the date the beneficiary's qualification is determined is a distributee or permissible distributee of trust income or principal. "Current beneficiary" includes the holder of a presently exercisable general power of appointment but does not include a person that is a beneficiary only because the person holds any other power of appointment.

"Decanting power" means the power of an authorized fiduciary under the Uniform Trust Decanting Act (§ 64.2-779.1 et seq.) to distribute property of a first trust to one or more second trusts or to modify the terms of the first trust.

"Directed trustee" means a trustee that is subject to a trust director's power of direction.

"Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

"Environmental law" means a federal, state, or local law, rule, regulation, or ordinance relating to protection of the environment.

"Expanded distributive discretion" means a discretionary power of distribution that is not limited to an ascertainable standard or a reasonably definite standard.

"First trust" means a trust over which an authorized fiduciary may exercise the decanting power.

"First-trust instrument" means the trust instrument for a first trust.

"General power of appointment" means a power of appointment exercisable in favor of a powerholder, the powerholder's estate, a creditor of the powerholder, or a creditor of the powerholder's estate.

"Guardian" means a person appointed by the court to make decisions regarding the support, care, education, health, and welfare of a minor or adult individual. The term does not include a guardian ad litem.

"Guardian of the estate" means a person appointed by the court to administer the estate of a minor.

"Interests of the beneficiaries" means the beneficial interests provided in the terms of the trust.

"Jurisdiction," with respect to a geographic area, includes a state or country.

"Person" means an individual; estate; business or nonprofit entity; government; governmental subdivision, agency, or instrumentality; public corporation; or other legal entity.

"Powerholder" means a person in which a donor creates a power of appointment.

"Power of appointment" means a power that enables a powerholder acting in a nonfiduciary capacity to designate a recipient of an ownership interest in or another power of appointment over the appointive property. "Power of appointment" does not include a power of attorney.

"Power of direction" means a power over a trust granted to a person by the terms of the trust to the extent the power is exercisable while the person is not serving as a trustee. The term includes a power over the investment, management, or distribution of trust property or other matters of trust administration. The term excludes the powers described in subsection A of § 64.2-779.28.

"Power of withdrawal" means a presently exercisable general power of appointment other than a power exercisable by a trustee that is limited by an ascertainable standard, or that is exercisable by another person only upon consent of the trustee or a person holding an adverse interest.

"Presently exercisable power of appointment" means a power of appointment exercisable by the powerholder at the relevant time. "Presently exercisable power of appointment" includes a power of appointment exercisable only after the occurrence of a specified event, the satisfaction of an ascertainable standard, or the passage of a specified time, only after (i) the occurrence of the specified event, (ii) the satisfaction of the ascertainable standard, or (iii) the passage of the specified time. "Presently exercisable power of appointment" does not include a power exercisable only at the powerholder's death.

"Property" means anything that may be the subject of ownership, whether real or personal, legal or equitable, or any interest therein.

"Qualified beneficiary" means a beneficiary who, on the date the beneficiary's qualification is determined, (i) is a distributee or permissible distributee of trust income or principal; (ii) would be a distributee or permissible distributee of trust income or principal if the interests of the distributees described in clause (i) terminated on that date without causing the trust to terminate; or (iii) would be a distributee or permissible distributee of trust income or principal if the trust terminated on that date.

"Reasonably definite standard" means a clearly measurable standard under which a holder of a power of distribution is legally accountable within the meaning of § 674(b)(5)(A) of the Internal Revenue Code of 1986 and any applicable regulations.

"Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

"Revocable," as applied to a trust, means revocable by the settlor without the consent of the trustee or a person holding an adverse interest.

"Second trust" means (i) a first trust after modification, including a restatement of the first trust, under the Uniform Trust Decanting Act (§ 64.2-779.1 et seq.) or (ii) a trust to which a distribution of property from a first trust is or may be made under the Uniform Trust Decanting Act (§ 64.2-779.1 et seq.).

"Second-trust instrument" means the trust instrument for a second trust.

"Settlor," except as otherwise provided in § 64.2-779.22, means a person, including a testator, who creates or contributes property to a trust. If more than one person creates or contributes property to a trust, each person is a settlor of the portion of the trust property attributable to that person's contribution except to the extent another person has the power to revoke or withdraw that portion.

"Sign" means, with present intent to authenticate or adopt a record, (i) to execute or adopt a tangible symbol or (ii) to attach to or logically associate with the record an electronic symbol, sound, or process.

"Spendthrift provision" means a term of a trust that restrains both voluntary and involuntary transfer of a beneficiary's interest.

"State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. The term includes an Indian tribe or band recognized by federal law or formally acknowledged by a state.

"Terms of a trust" means:

1. Except as otherwise provided in subdivision 2, the manifestation of the settlor's intent regarding a trust's provisions as (i) expressed in the trust instrument or (ii) established by other evidence that would be admissible in a judicial proceeding; or

2. The trust's provisions as established, determined, or amended by (i) a trustee or trust director in accordance with applicable law, (ii) court order, or (iii) a nonjudicial settlement agreement under § 64.2-709.

"Trust director" means a person that is granted a power of direction by the terms of a trust to the extent the power is exercisable while the person is not serving as a trustee. The person is a trust director whether or not the terms of the trust refer to the person as a trust director and whether or not the person is a beneficiary or settlor of the trust.

"Trust instrument" means a record ~~executed~~ *signed* by the settlor to create a trust or by any person to create a second trust that contains some or all of the terms of the trust, including any amendments.

"Trustee" includes an original, additional, and successor trustee and a cotrustee.

CHAPTER 75

An Act to amend and reenact §§ 3.2-1100, 3.2-1105, 3.2-1501, 3.2-1502, 3.2-1510, 3.2-1601, 3.2-2401, 3.2-2402, and 3.2-2902 of the Code of Virginia and to repeal Chapter 20 (§§ 3.2-2000 through 3.2-2009) of Title 3.2 of the Code of Virginia, relating to agricultural commodity boards; Agricultural Council; appointment and membership terms; production areas.

[H 1798]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.2-1100, 3.2-1105, 3.2-1501, 3.2-1502, 3.2-1510, 3.2-1601, 3.2-2401, 3.2-2402, and 3.2-2902 of the Code of Virginia are amended and reenacted as follows:

§ 3.2-1100. Diversion of dedicated revenues.

A. The unexpended balances of the following special funds shall not be diverted or expended for any purpose other than each fund's intended purpose. The special funds are:

1. Apple Fund (§ 3.2-1206);
2. Peanut Fund (§ 3.2-1906);
3. Plant Pollination Fund (§ 3.2-2806);
4. Virginia Agricultural Foundation Fund (§ 3.2-2905);
5. Virginia Bright Flue-Cured Tobacco Promotion Fund (§ 3.2-2407);
6. Virginia Cattle Industry Fund (§ 3.2-1305);
7. Virginia Corn Fund (§ 3.2-1411);
8. Virginia Cotton Fund (§ 3.2-1511);
9. Virginia Dark-Fired Tobacco Promotion Fund (§ 3.2-2407.1);
10. Virginia Egg Fund (§ 3.2-1605);
11. Virginia Horse Industry Promotion and Development Fund (§ 3.2-1704);
12. Virginia Marine Products Fund (§ 3.2-2705);
13. Virginia Milk Commission Assessments Fund (§ 3.2-3220);
14. ~~Virginia Pork Industry Fund (§ 3.2-2005);~~
~~15.~~ Virginia Potato Fund (§ 3.2-1810);
~~16.~~ *15.* Virginia Sheep Industry Promotion and Development Fund (§ 3.2-2111);
~~17.~~ *16.* Virginia Small Grains Fund (§ 3.2-2211);
~~18.~~ *17.* Virginia Soybean Fund (§ 3.2-2311); and
~~19.~~ *18.* Virginia Wine Promotion Fund (§ 3.2-3005).

B. No provision of this subtitle shall be construed to give any board the authority to expend funds for legislative or political activity.

§ 3.2-1105. Commodity boards; appointment terms; quorum.

The following provisions apply to each commodity board established pursuant to the provisions of Chapter 12 (§ 3.2-1200 et seq.), Chapter 13 (§ 3.2-1300 et seq.), Chapters ~~16~~ *15* (§ ~~3.2-1600~~ *3.2-1500* et seq.) through 19 (§ 3.2-1900 et seq.), Chapter 21 (§ 3.2-2100 et seq.), or Chapter 24 (§ 3.2-2400 et seq.):

1. The term for each appointment to a commodity board shall be for four years, with the exception of an appointment to fill a vacancy, which shall be for the unexpired term, unless otherwise authorized in this subtitle; and

2. A majority of the members of a commodity board shall constitute a quorum of that commodity board unless otherwise authorized in this subtitle.

§ 3.2-1501. Cotton Board; composition and appointment of members.

The Cotton Board, established by the passage of a referendum held pursuant to Chapter 873 of the Acts of Assembly of 1997, is continued within the Department. The Cotton Board shall be composed of eight members appointed by the Governor, each of whom shall be a resident of Virginia and ~~a producer in Virginia~~ *of whom (i) three shall be producers of cotton in Area I, (ii) two shall be producers of cotton in Area II, and (iii) three shall be producers of cotton in the At-Large*

Area pursuant to the production areas designated in § 3.2-1510. The Governor shall ~~be guided in his~~ *make* appointments from nominations made by the following agricultural organizations: (i) the Virginia Cotton Growers Association, Inc.; (ii) the Virginia Farm Bureau Federation; and (iii) any other *producer* organization ~~within the Commonwealth that is recognized by the U.S. Department of Agriculture as a certified cotton grower organization~~ representing ~~Virginia~~ producers ~~pursuant to guidelines authorized by the Cotton Research and Promotion Act (7 U.S.C. §§ 2101-2118)~~. Each such agricultural organization may nominate producers from each production area. ~~The Governor shall appoint a producer residing in each such production area. If no producer resides in a particular production area, the Governor shall appoint a qualified producer from any other production area.~~ Each agricultural organization shall submit nominations for each available position before the expiration of the member's term for which the nomination is being provided. If said agricultural organizations fail to provide the nominations, the Governor may appoint other nominees that meet the foregoing criteria. ~~Five members of the Cotton Board shall constitute a quorum.~~

§ 3.2-1502. Cotton Board membership terms.

~~The terms for appointments to the Cotton Board shall be for three years. The Governor shall fill any vacancy occurring before the expiration of any term through appointment of a qualified producer for the unexpired term. If possible, such vacancies shall be filled from the production area from which the vacancy occurred.~~ No person may serve more than two consecutive ~~three-year~~ *four-year* terms.

§ 3.2-1510. Production areas designated.

The following production areas are designated for the purposes of this chapter:

Area I: ~~The Cities of Chesapeake, Virginia Beach, and Suffolk~~ *The locality with the highest cotton production in the most recent calendar year according to the records of the Department*;

Area II: ~~Isle of Wight County~~ *The locality with the second highest cotton production in the most recent calendar year according to the records of the Department*; *and*

At-Large Area ~~III~~: ~~Charles City, Henrico, New Kent, Essex, King and Queen, King William, Lancaster, and Northumberland Counties;~~

~~Area IV: Surry and Prince George Counties;~~

~~Area V: Southampton County;~~

~~Area VI: Dinwiddie, Sussex, and Amelia Counties;~~

~~Area VII: Brunswick, Greensville, and Campbell Counties; and~~

~~Area VIII: Accomack and Northampton Counties.~~

~~If the production of cotton occurs in any locality that is not part of a production area as designated in this section, such locality shall be part of the nearest adjacent production area. If there are two or more nearest adjacent production areas, such locality shall be part of that production area that had the lowest cotton production in the most recent calendar year according to the records of the Department~~ *Localities determined to be Area I or Area II or any other locality that produces cotton in the most recent calendar year according to the records of the Department*.

§ 3.2-1601. Egg Board; composition and appointment of members.

The Egg Board is continued within the Department. The Egg Board shall be composed of ~~seven~~ *five* members appointed by the Governor and confirmed in accordance with § 2.2-107 from nominations submitted to him by the Virginia Egg Council*, the Virginia Farm Bureau Federation,* or any other organization that represents persons who are involved in the commercial egg industry in the Commonwealth.

The Virginia Egg Council or other organization shall provide nominations for each available position before the expiration of the member's term for which the nominations are being provided. If the Virginia Egg Council fails to provide nominations for each available position, the Governor may appoint to such available position another person who is involved in the commercial egg industry.

§ 3.2-2401. Tobacco Board; composition and appointment of members.

The Tobacco Board is hereby established within the Department. The Tobacco Board shall consist of ~~nine~~ *eight* members. Each of the ~~six~~ *five* production areas of flue-cured tobacco set out in § 3.2-2402 shall have a representative on the Tobacco Board, *except that Area I shall have two representatives* and ~~three~~ *two* members shall represent, as nearly as possible, each important type 21 dark-fired tobacco-producing section in the Commonwealth. The Governor shall appoint members from nominations made by the Virginia Farm Bureau Federation and other organizations representing bright flue-cured tobacco growers or type 21 dark-fired tobacco growers in tobacco-producing counties. Each member shall be a citizen of the Commonwealth and engaged in producing tobacco in the Commonwealth. If the organizations fail to provide nominations, the Governor may appoint other nominees that meet the foregoing criteria.

§ 3.2-2402. Production areas designated.

A. The following production areas of flue-cured tobacco are designated for the purposes of this chapter:

Area I ~~–~~*: Franklin, Henry, Patrick, and* Pittsylvania ~~County~~ *Counties*;

Area II ~~–~~ ~~Counties of Henry, Patrick, Carroll, Franklin, Bedford, Campbell, and~~*:* Appomattox*, Campbell, Charlotte, Halifax, and Prince Edward Counties*;

Area III ~~–~~ ~~Halifax~~*: Mecklenburg* County;

Area IV ~~–~~ ~~Mecklenburg County~~*: Brunswick and Greensville Counties*; *and*

Area V ~~–~~ ~~Counties of Charlotte,~~*: Amelia, Dinwiddie,* Lunenburg, Prince ~~Edward~~ *George*, Nottoway, ~~Cumberland, Amelia, Powhatan,~~ and ~~Chesterfield; and~~ *Sussex Counties*

~~Area VI – Counties of Brunswick, Dinwiddie, Greensville, Prince George, Sussex, and Southampton and the City of Suffolk~~.

B. If the production of flue-cured tobacco occurs in any locality that is not part of a production area as designated in subsection A, such locality shall be part of an adjacent production area. If there are two or more adjacent production areas, such locality shall be part of that production area that had the lowest flue-cured tobacco production in the most recent calendar year according to the records of the Department.

§ 3.2-2902. Agricultural Council membership terms.

~~The terms for~~ *All* appointments to the Agricultural Council shall ~~run concurrently with the term of the Governor making the appointment, but vacancies occurring before the expiration of term shall be filled for the unexpired term~~ *be for a term of four years. No member of the Agricultural Council, except any ex officio member, shall be eligible to serve more than two consecutive terms, except that any person appointed to fill a vacancy may serve two additional consecutive terms after the term of such vacancy that such person was appointed to fill has expired. Any vacancy in the membership of the Agricultural Council shall be filled by the Governor for the unexpired term.*

2. That Chapter 20 (§§ 3.2-2000 through 3.2-2009) of Title 3.2 of the Code of Virginia is repealed.

3. That the provisions of this act shall not be construed to affect existing appointments to the Cotton Board for any unexpired terms. However, any appointment to the Cotton Board made on or after July 1, 2025, shall be made in accordance with the provisions of §§ 3.2-1501, 3.2-1502, and 3.2-1510 of the Code of Virginia, as amended by this act.

4. That the provisions of this act shall not be construed to affect existing appointments to the Egg Board for any unexpired terms. However, any appointment to the Egg Board made on or after January 17, 2026, shall be made in accordance with the provisions of § 3.2-1601 of the Code of Virginia, as amended by this act.

5. That the unexpired term of any member of the Tobacco Board shall expire on July 1, 2025. Any such member shall be eligible for appointment to the Tobacco Board pursuant to the provisions of §§ 3.2-2401 and 3.2-2402 of the Code of Virginia, as amended by this act.

6. That the provisions of this act shall not be construed to affect existing appointments to the Agricultural Council. However, any appointment to the Agricultural Council made on or after January 17, 2026, shall be made in accordance with the provisions of § 3.2-2902 of the Code of Virginia, as amended by this act, and staggered as follows: eight members shall be appointed for a term to end June 30, 2029, and seven members shall be appointed for a term to end June 30, 2030.

7. That the unexpired term of any member of the Pork Industry Board shall expire on July 1, 2025.

CHAPTER 76

An Act to amend and reenact §§ 2.2-3705.7 and 58.1-4029 of the Code of Virginia, relating to Virginia Lottery; disclosure of identity of winners.

[H 1799]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3705.7 and 58.1-4029 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-3705.7. Exclusions to application of chapter; records of specific public bodies and certain other limited exclusions.

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01.

1. State income, business, and estate tax returns, personal property tax returns, and confidential records held pursuant to § 58.1-3.

2. Working papers and correspondence of the Office of the Governor, the Lieutenant Governor, or the Attorney General; the members of the General Assembly, the Division of Legislative Services, or the Clerks of the House of Delegates or the Senate of Virginia; the mayor or chief executive officer of any political subdivision of the Commonwealth; or the president or other chief executive officer of any public institution of higher education in the Commonwealth. However, no information that is otherwise open to inspection under this chapter shall be deemed excluded by virtue of the fact that it has been attached to or incorporated within any working paper or correspondence. Further, information publicly available or not otherwise subject to an exclusion under this chapter or other provision of law that has been aggregated, combined, or changed in format without substantive analysis or revision shall not be deemed working papers. Nothing in this subdivision shall be construed to authorize the withholding of any resumes or applications submitted by persons who are appointed by the Governor pursuant to § 2.2-106 or 2.2-107.

As used in this subdivision:

"Members of the General Assembly" means each member of the Senate of Virginia and the House of Delegates and their legislative aides when working on behalf of such member.

"Office of the Governor" means the Governor; the Governor's chief of staff, counsel, director of policy, and Cabinet Secretaries; the Assistant to the Governor for Intergovernmental Affairs; and those individuals to whom the Governor has delegated his authority pursuant to § 2.2-104.

"Working papers" means those records prepared by or for a public official identified in this subdivision for his personal or deliberative use.

3. Information contained in library records that can be used to identify (i) both (a) any library patron who has borrowed or accessed material or resources from a library and (b) the material or resources such patron borrowed or accessed or (ii) any library patron under 18 years of age. For the purposes of clause (ii), access shall not be denied to the parent, including a noncustodial parent, or guardian of such library patron.

4. Contract cost estimates prepared for the confidential use of the Department of Transportation in awarding contracts for construction or the purchase of goods or services, and records and automated systems prepared for the Department's Bid Analysis and Monitoring Program.

5. Lists of registered owners of bonds issued by a political subdivision of the Commonwealth, whether the lists are maintained by the political subdivision itself or by a single fiduciary designated by the political subdivision.

6. Information furnished by a member of the General Assembly to a meeting of a standing committee, special committee, or subcommittee of his house established solely for the purpose of reviewing members' annual disclosure statements and supporting materials filed under § 30-110 or of formulating advisory opinions to members on standards of conduct, or both.

7. Customer account information of a public utility affiliated with a political subdivision of the Commonwealth, including the customer's name and service address, but excluding the amount of utility service provided and the amount of money charged or paid for such utility service.

8. Personal information, as defined in § 2.2-3801, (i) filed with the Virginia Housing Development Authority concerning individuals who have applied for or received loans or other housing assistance or who have applied for occupancy of or have occupied housing financed, owned or otherwise assisted by the Virginia Housing Development Authority; (ii) concerning persons participating in or persons on the waiting list for federally funded rent-assistance programs; (iii) filed with any local redevelopment and housing authority created pursuant to § 36-4 concerning persons participating in or persons on the waiting list for housing assistance programs funded by local governments or by any such authority; or (iv) filed with any local redevelopment and housing authority created pursuant to § 36-4 or any other local government agency concerning persons who have applied for occupancy or who have occupied affordable dwelling units established pursuant to § 15.2-2304 or 15.2-2305. However, access to one's own information shall not be denied.

9. Information regarding the siting of hazardous waste facilities, except as provided in § 10.1-1441, if disclosure of such information would have a detrimental effect upon the negotiating position of a governing body or on the establishment of the terms, conditions, and provisions of the siting agreement.

10. Information on the site-specific location of rare, threatened, endangered, or otherwise imperiled plant and animal species, natural communities, caves, and significant historic and archaeological sites if, in the opinion of the public body that has the responsibility for such information, disclosure of the information would jeopardize the continued existence or the integrity of the resource. This exclusion shall not apply to requests from the owner of the land upon which the resource is located.

11. Memoranda, graphics, video or audio tapes, production models, data, and information of a proprietary nature produced by or for or collected by or for the Virginia Lottery relating to matters of a specific lottery game design, development, production, operation, ticket price, prize structure, manner of selecting the winning ticket, manner of payment of prizes to holders of winning tickets, frequency of drawings or selections of winning tickets, odds of winning, advertising, or marketing, where such information not been publicly released, published, copyrighted, or patented. Whether released, published, or copyrighted, all game-related information shall be subject to public disclosure under this chapter upon the first day of sales for the specific lottery game to which it pertains.

12. Information held by the Virginia Retirement System, acting pursuant to § 51.1-124.30, or a local retirement system, acting pursuant to § 51.1-803, or by a local finance board or board of trustees of a trust established by one or more local public bodies to invest funds for post-retirement benefits other than pensions, acting pursuant to Article 8 (§ 15.2-1544 et seq.) of Chapter 15 of Title 15.2, or by the board of visitors of the University of Virginia, acting pursuant to § 23.1-2210, or by the board of visitors of The College of William and Mary in Virginia, acting pursuant to § 23.1-2803, or by the Commonwealth Savers Plan, acting pursuant to § 23.1-704, relating to the acquisition, holding, or disposition of a security or other ownership interest in an entity, where such security or ownership interest is not traded on a governmentally regulated securities exchange, if disclosure of such information would (i) reveal confidential analyses prepared for the board of visitors of the University of Virginia, prepared for the board of visitors of The College of William and Mary in Virginia, prepared by the retirement system, a local finance board or board of trustees, or the Commonwealth Savers Plan, or provided to the retirement system, a local finance board or board of trustees, or the Commonwealth Savers Plan under a promise of confidentiality of the future value of such ownership interest or the future financial performance of the entity and (ii) have an adverse effect on the value of the investment to be acquired, held, or disposed of by the retirement system, a local finance board or board of trustees, the board of visitors of the University of Virginia, the board of visitors of The College of William and Mary in Virginia, or the Commonwealth Savers Plan. Nothing in this subdivision shall be construed

to prevent the disclosure of information relating to the identity of any investment held, the amount invested, or the present value of such investment.

13. Financial, medical, rehabilitative, and other personal information concerning applicants for or recipients of loan funds submitted to or maintained by the Assistive Technology Loan Fund Authority under Chapter 11 (§ 51.5-53 et seq.) of Title 51.5.

14. Information held by the Virginia Commonwealth University Health System Authority pertaining to any of the following: an individual's qualifications for or continued membership on its medical or teaching staffs; proprietary information gathered by or in the possession of the Authority from third parties pursuant to a promise of confidentiality; contract cost estimates prepared for confidential use in awarding contracts for construction or the purchase of goods or services; information of a proprietary nature produced or collected by or for the Authority or members of its medical or teaching staffs; financial statements not publicly available that may be filed with the Authority from third parties; the identity, accounts, or account status of any customer of the Authority; consulting or other reports paid for by the Authority to assist the Authority in connection with its strategic planning and goals; the determination of marketing and operational strategies where disclosure of such strategies would be harmful to the competitive position of the Authority; and information of a proprietary nature produced or collected by or for employees of the Authority, other than the Authority's financial or administrative records, in the conduct of or as a result of study or research on medical, scientific, technical, or scholarly issues, whether sponsored by the Authority alone or in conjunction with a governmental body or a private concern, when such information has not been publicly released, published, copyrighted, or patented. This exclusion shall also apply when such information is in the possession of Virginia Commonwealth University.

15. Information held by the Department of Environmental Quality, the State Water Control Board, the State Air Pollution Control Board, or the Virginia Waste Management Board relating to (i) active federal environmental enforcement actions that are considered confidential under federal law and (ii) enforcement strategies, including proposed sanctions for enforcement actions. Upon request, such information shall be disclosed after a proposed sanction resulting from the investigation has been proposed to the director of the agency. This subdivision shall not be construed to prevent the disclosure of information related to inspection reports, notices of violation, and documents detailing the nature of any environmental contamination that may have occurred or similar documents.

16. Information related to the operation of toll facilities that identifies an individual, vehicle, or travel itinerary, including vehicle identification data or vehicle enforcement system information; video or photographic images; Social Security or other identification numbers appearing on driver's licenses; credit card or bank account data; home addresses; phone numbers; or records of the date or time of toll facility use.

17. Information held by the Virginia Lottery pertaining to (i) the social security number, tax identification number, state sales tax number, home address and telephone number, personal and lottery banking account and transit numbers of a retailer, and financial information regarding the nonlottery operations of specific retail locations and (ii) individual lottery winners, except that a winner's name, hometown, and amount won shall be disclosed. If the value of the prize won by the winner ~~exceeds~~ ~~$10~~ *is $1* million *or greater*, the information described in clause (ii) shall not be disclosed unless the winner consents in writing to such disclosure.

18. Information held by the Board for Branch Pilots relating to the chemical or drug testing of a person regulated by the Board, where such person has tested negative or has not been the subject of a disciplinary action by the Board for a positive test result.

19. Information pertaining to the planning, scheduling, and performance of examinations of holder records pursuant to the Virginia Disposition of Unclaimed Property Act (§ 55.1-2500 et seq.) prepared by or for the State Treasurer or his agents or employees or persons employed to perform an audit or examination of holder records.

20. Information held by the Virginia Department of Emergency Management or a local governing body relating to citizen emergency response teams established pursuant to an ordinance of a local governing body that reveal the name, address, including e-mail address, telephone or pager numbers, or operating schedule of an individual participant in the program.

21. Information held by state or local park and recreation departments and local and regional park authorities concerning identifiable individuals under the age of 18 years. However, nothing in this subdivision shall operate to prevent the disclosure of information defined as directory information under regulations implementing the federal Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, unless the public body has undertaken the parental notification and opt-out requirements provided by such regulations. Access shall not be denied to the parent, including a noncustodial parent, or guardian of such person, unless the parent's parental rights have been terminated or a court of competent jurisdiction has restricted or denied such access. For such information of persons who are emancipated, the right of access may be asserted by the subject thereof. Any parent or emancipated person who is the subject of the information may waive, in writing, the protections afforded by this subdivision. If the protections are so waived, the public body shall open such information for inspection and copying.

22. Information submitted for inclusion in the Statewide Alert Network administered by the Department of Emergency Management that reveal names, physical addresses, email addresses, computer or internet protocol information, telephone numbers, pager numbers, other wireless or portable communications device information, or operating schedules of individuals or agencies, where the release of such information would compromise the security of the Statewide Alert Network or individuals participating in the Statewide Alert Network.

23. Information held by the Judicial Inquiry and Review Commission made confidential by § 17.1-913.

24. Information held by the Virginia Retirement System acting pursuant to § 51.1-124.30, a local retirement system acting pursuant to § 51.1-803 (hereinafter collectively referred to as the retirement system), or the Commonwealth Savers Plan, acting pursuant to § 23.1-704 relating to:

a. Internal deliberations of or decisions by the retirement system or the Commonwealth Savers Plan on the pursuit of particular investment strategies, or the selection or termination of investment managers, prior to the execution of such investment strategies or the selection or termination of such managers, if disclosure of such information would have an adverse impact on the financial interest of the retirement system or the Commonwealth Savers Plan; and

b. Trade secrets provided by a private entity to the retirement system or the Commonwealth Savers Plan if disclosure of such records would have an adverse impact on the financial interest of the retirement system or the Commonwealth Savers Plan.

For the records specified in subdivision b to be excluded from the provisions of this chapter, the entity shall make a written request to the retirement system or the Commonwealth Savers Plan:

(1) Invoking such exclusion prior to or upon submission of the data or other materials for which protection from disclosure is sought;

(2) Identifying with specificity the data or other materials for which protection is sought; and

(3) Stating the reasons why protection is necessary.

The retirement system or the Commonwealth Savers Plan shall determine whether the requested exclusion from disclosure meets the requirements set forth in subdivision b.

Nothing in this subdivision shall be construed to prevent the disclosure of the identity or amount of any investment held or the present value and performance of all asset classes and subclasses.

25. Information held by the Department of Corrections made confidential by former § 53.1-233.

26. Information maintained by the Department of the Treasury or participants in the Local Government Investment Pool (§ 2.2-4600 et seq.) and required to be provided by such participants to the Department to establish accounts in accordance with § 2.2-4602.

27. Personal information, as defined in § 2.2-3801, contained in the Veterans Care Center Resident Trust Funds concerning residents or patients of the Department of Veterans Services Care Centers, except that access shall not be denied to the person who is the subject of the information.

28. Information maintained in connection with fundraising activities by the Veterans Services Foundation pursuant to § 2.2-2716 that reveal the address, electronic mail address, facsimile or telephone number, social security number or other identification number appearing on a driver's license or other document issued under Chapter 3 (§ 46.2-300 et seq.) of Title 46.2 or the comparable law of another jurisdiction, or credit card or bank account data of identifiable donors, except that access shall not be denied to the person who is the subject of the information. Nothing in this subdivision, however, shall be construed to prevent the disclosure of information relating to the amount, date, purpose, and terms of the pledge or donation or the identity of the donor, unless the donor has requested anonymity in connection with or as a condition of making a pledge or donation. The exclusion provided by this subdivision shall not apply to protect from disclosure (i) the identities of sponsors providing grants to or contracting with the foundation for the performance of services or other work or (ii) the terms and conditions of such grants or contracts.

29. Information prepared for and utilized by the Commonwealth's Attorneys' Services Council in the training of state prosecutors or law-enforcement personnel, where such information is not otherwise available to the public and the disclosure of such information would reveal confidential strategies, methods, or procedures to be employed in law-enforcement activities or materials created for the investigation and prosecution of a criminal case.

30. Information provided to the Department of Aviation by other entities of the Commonwealth in connection with the operation of aircraft where the information would not be subject to disclosure by the entity providing the information. The entity providing the information to the Department of Aviation shall identify the specific information to be protected and the applicable provision of this chapter that excludes the information from mandatory disclosure.

31. Information created or maintained by or on the behalf of the judicial performance evaluation program related to an evaluation of any individual justice or judge made confidential by § 17.1-100.

32. Information reflecting the substance of meetings in which (i) individual sexual assault cases are discussed by any sexual assault response team established pursuant to § 15.2-1627.4, (ii) individual child abuse or neglect cases or sex offenses involving a child are discussed by multidisciplinary child sexual abuse response teams established pursuant to § 15.2-1627.5, (iii) individual cases of abuse, neglect, or exploitation of adults as defined in § 63.2-1603 are discussed by multidisciplinary teams established pursuant to §§ 15.2-1627.5 and 63.2-1605, or (iv) individual human trafficking cases are discussed by any human trafficking response team established pursuant to § 15.2-1627.6. The findings of any such team may be disclosed or published in statistical or other aggregated form that does not disclose the identity of specific individuals.

33. Information contained in the strategic plan, marketing plan, or operational plan prepared by the Virginia Economic Development Partnership Authority pursuant to § 2.2-2237.1 regarding target companies, specific allocation of resources and staff for marketing activities, and specific marketing activities that would reveal to the Commonwealth's competitors for economic development projects the strategies intended to be deployed by the Commonwealth, thereby adversely affecting

the financial interest of the Commonwealth. The executive summaries of the strategic plan, marketing plan, and operational plan shall not be redacted or withheld pursuant to this subdivision.

34. Information discussed in a closed session of the Physical Therapy Compact Commission or the Executive Board or other committees of the Commission for purposes set forth in subsection E of § 54.1-3491.

35. Information held by the Commonwealth of Virginia Innovation Partnership Authority (the Authority), an advisory committee of the Authority, or any other entity designated by the Authority, relating to (i) internal deliberations of or decisions by the Authority on the pursuit of particular investment strategies prior to the execution of such investment strategies and (ii) trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), provided by a private entity to the Authority, if such disclosure of records pursuant to clause (i) or (ii) would have an adverse impact on the financial interest of the Authority or a private entity.

36. Personal information provided to or obtained by the Virginia Lottery in connection with the voluntary exclusion program administered pursuant to § 58.1-4015.1.

37. Personal information provided to or obtained by the Virginia Lottery concerning the identity of any person reporting prohibited conduct pursuant to § 58.1-4043.

§ 58.1-4029. Disclosure of identity of winners by the Department.

Except as provided in subsection B of § 58.1-4019, the Department shall not disclose information about the identity of an individual lottery winner if the value of the prize won by the winner ~~exceeds $10~~ *is $1* million *or greater*, unless the winner consents in writing to such disclosure.

CHAPTER 77

An Act to direct the Secretary of Public Safety and Homeland Security, in conjunction with the Secretary of Finance, to evaluate the need for public safety communications infrastructure updates and hardware replacements.

[H 1820]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Secretary of Public Safety and Homeland Security, in conjunction with the Secretary of Finance (the Secretaries), shall evaluate the need for public safety communications infrastructure updates and hardware replacements and the cost of meeting such need. In completing the evaluation, the Secretaries shall consult with the Statewide Interoperability Executive Committee. Such evaluation shall include (i) a review of the current state of public safety communications infrastructure in the Commonwealth, (ii) whether updates to such infrastructure are needed to assist with redundancy and enhanced resiliency during incident response, (iii) the cost of attaining such necessary updates, and (iv) the current availability of state funding sources, including grant and loan programs where updates to public safety communication infrastructure are an allowable use. The Secretaries shall report any findings and recommendations, including possible funding options, to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations no later than December 1, 2025.*

CHAPTER 78

An Act to amend the Code of Virginia by adding in Article 2 of Chapter 1 of Title 28.2 sections numbered 28.2-108.1 and 28.2-108.2 and to repeal §§ 62.1-132.3:3 and 62.1-132.3:4 of the Code of Virginia, relating to Marine Resources Commission; Virginia Waterway Maintenance Grant Program and Fund.

[H 1834]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 2 of Chapter 1 of Title 28.2 sections numbered 28.2-108.1 and 28.2-108.2 as follows:

§ 28.2-108.1. Virginia Waterway Maintenance Fund continued.

From such funds as may be appropriated by the General Assembly and any gifts, grants, or donations from public or private sources, there is hereby continued in the state treasury a special nonreverting, permanent fund to be known as the Virginia Waterway Maintenance Fund (the Fund), to be administered by the Commission. The Fund shall be established on the books of the Comptroller. Any moneys remaining in the Fund at the end of each fiscal year, including interest thereon, shall not revert to the general fund but shall remain in the Fund. Expenditures and disbursements from the Fund, which shall be in the form of grants, shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Commissioner. Moneys in the Fund shall be used solely for the purpose of awarding grants to applicants to the Virginia Waterway Maintenance Grant Program pursuant to § 28.2-108.2.

§ 28.2-108.2. Virginia Waterway Maintenance Grant Program.

A. Once each fiscal year, the Commission shall award a grant of funds to a qualified applicant or applicants to support a dredging project or projects that have been approved by the Commission. The source of the grant funds shall be the

Virginia Waterway Maintenance Fund continued pursuant to § 28.2-108.1. Applicants shall be limited to political subdivisions and the governing bodies of Virginia localities.

B. The Commission shall develop guidelines establishing an application process, procedures for evaluating the feasibility of a proposed dredging project, and procedures for awarding grants. The guidelines and procedures shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq.). The guidelines and procedures shall provide that:

1. The Commission shall evaluate each application to determine its completeness, the sufficiency of its justification for the proposed project, the status of any necessary permits, the adequacy of its project management organization, and the potential beneficial use of dredged materials for the purpose of mitigation of coastal erosion, flooding, or other purposes for the common good.

2. The Commission shall not require any level of matching contributions from the applicant.

3. No award of a grant shall support any dredging project for a solely privately owned marina or dock. However, the Commission may award a grant to a political subdivision or governing body for the dredging of a waterway channel with a bottom that is privately owned if such political subdivision or governing body holds a lease of such bottom with a term of 25 years or more.

4. Prior to receipt of a grant, the applicant shall enter into a memorandum of understanding with the Commission establishing the requirements for the use of the grant funds.

C. Projects for which the Commission may award grant funding include (i) feasibility and cost evaluations, pre-project engineering studies, and project permitting and contracting costs for a waterway project conducted by the Commonwealth; (ii) the state portion of a nonfederal sponsor funding requirement for a federal project, which may include the beneficial use of dredged materials that are not covered by federal funding; (iii) the Commonwealth's maintenance of shallow-draft navigable waterway channel maintenance dredging and the construction and management of areas for the placement of dredged material; and (iv) the beneficial use, for environmental restoration and the mitigation of coastal erosion or flooding, of dredged materials from waterway projects conducted by the Commonwealth.

2. That §§ 62.1-132.3:3 and 62.1-132.3:4 of the Code of Virginia are repealed.

3. That the Marine Resources Commission (the Commission) shall utilize the existing Municipal Dredging Operating Program and Municipal Dredging Operating Agreement adopted by the Virginia Port Authority for the administration of the Municipal Dredge Pilot Program operated by the Middle Peninsula Chesapeake Bay Public Access Authority. The Commission shall also utilize the Fast-Track Permitting Program for Disposal of Dredged Material pursuant to 4VAC20-1340-40 of the Virginia Administrative Code when applicable for dredged material disposal in its implementation of the Virginia Waterway Maintenance Grant Program pursuant to § 28.2-108.2 of the Code of Virginia, as created by this act.

CHAPTER 79

An Act to amend and reenact §§ 46.2-1700, 46.2-1701, 46.2-1701.3, 46.2-1702 through 46.2-1705, and 46.2-1707 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 46.2-1701.3:1, relating to driver training schools; operation and licensure.

[H 1836]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-1700, 46.2-1701, 46.2-1701.3, 46.2-1702 through 46.2-1705, and 46.2-1707 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 46.2-1701.3:1 as follows:

§ 46.2-1700. Definitions.

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

"Behind-the-wheel instructor" means an individual who meets the requirements for licensure under § 46.2-1708 and is employed by a training provider who provides behind-the-wheel training involving the actual operation of a commercial motor vehicle by an entry-level driver on a range or a public road.

"Behind-the-wheel training" means training provided by a licensed behind-the-wheel instructor when an entry-level driver has actual control of the power unit during a driving lesson conducted on a range or on a public road. "Behind-the-wheel training" does not include time an entry-level driver spends observing the operation of a commercial motor vehicle when he is not in control of the vehicle.

"Business records" means documents maintained by a driver training school, including all filed tax returns; Commission filings, if required by Title 13.1; beneficial ownership information filings, if required by 31 C.F.R. § 1010.380; vehicle registration and maintenance records; business licenses; insurance policies; and any documents required pursuant to § 46.2-1710.

"Class A licensee" means a driver training school that provides entry-level driver training in the operation of commercial motor vehicles as defined in § 46.2-341.4.

"Class B licensee" means a driver training school that provides training in the operation of any type of motor vehicle other than motorcycles and commercial motor vehicles as defined in § 46.2-341.4.

"Computer-based driver education course" means the classroom portion of driver education offered by a computer-based driver education provider through the Internet or other electronic means approved by the Department whose content and quality is comparable to that of courses offered in the Commonwealth's public schools.

"Computer-based driver education provider" means a driver training school licensed by the Department in accordance with this chapter to conduct computer-based driver education courses.

"Driver training school" or "school" means a business enterprise conducted by an individual, association, partnership, or corporation, for the education and training of persons, either practically or theoretically or both, to operate or drive motor vehicles, and charging a consideration or tuition for such services. "Driver training school" or "school" does not mean any institution of higher education, school established pursuant to § 46.2-1314, school maintained or classes conducted by employers for their own employees where no fee or tuition is charged, schools or classes owned and operated by or under the authority of bona fide religious institutions, or by the Commonwealth or any political subdivision thereof, training programs for school bus operators established pursuant to § 22.1-181, driver education programs established pursuant to § 22.1-205, or schools accredited by accrediting associations approved by the Department of Education; however, if any such entity or program excluded from the definition of "driver training school" offers driver education and training through a contractual arrangement with another person for consideration, then that other person shall be considered a driver training school subject to the requirements of this chapter.

"Driver training school owner" means (i) any person with an ownership interest in a driver training school and (ii) any person who contributed money or property to establish a driver training school and (a) is the spouse or child of or (b) cohabitates or has cohabited within the previous 12 months with a person with an ownership interest in a driver training school.

"Entry-level driver" means the same as defined in § 46.2-341.4.

"Entry-level driver training" means the same as defined in § 46.2-341.4.

"FMCSA" means the same as defined in § 46.2-341.4.

"Instructor" means any person, whether acting for himself as ~~operator of~~ a driver training school ~~or for such school for compensation~~ *owner or as an employee of a driver training school*, who teaches, conducts classes, gives demonstrations, or supervises persons learning to operate or drive a motor vehicle.

"Key information" means the training provider name, address, phone number, type or types of training offered, training provider status, and any change in state licensure, certification, or accreditation status.

"Ownership interest in a driver training school" means (i) the right to receive 10 percent or more of the annual gross or net sales from such driver training school in a year; (ii) if such driver training school is a partnership, a control or financial interest as a general or limited partner; (iii) if such driver training school is a limited liability company, a control or financial interest as a member or manager; (iv) if such driver training school is an association, membership; or (v) if such driver training school is a closely held corporation, ownership of stock or serving as a director or officer.

"Range" means an area that is free of obstructions, enables the driver to maneuver safely and free from interference from other vehicles and hazards, and has adequate sight lines.

"Theory instruction" means knowledge instruction on the operation of a commercial motor vehicle and related matters provided by a licensed theory instructor through lectures, demonstrations, audio-visual presentations, computer-based instruction, driving simulation devices, online training, or similar means.

"Theory instructor" means an individual who meets the requirements for licensure under § 46.2-1708 and is employed by a training provider and who provides knowledge instruction on the operation of a commercial motor vehicle.

"Training provider" means the same as defined in § 46.2-341.4.

§ 46.2-1701. Licenses required for school and instructor; fees.

No driver training school shall be established or continue operation unless the school obtains from the Commissioner a license authorizing the school to operate within the Commonwealth. *The application for such license shall identify all driver training school owners and separately identify each manager and instructor employed by the driver training school. If such driver training school is an entity required to register with the Commission under Title 13.1, such application shall include evidence of such registration.*

No instructor shall perform the actions enumerated in the definition of "instructor" in § 46.2-1700 unless he obtains from the Commissioner a license authorizing him to act as driving instructor. Such license shall be valid for a period of two years. A nonrefundable license fee of $75 shall be paid to the Department by a person applying for an instructor license. The first license issued to an instructor shall expire on the same date the driver training school's license expires, and the first license fee may be prorated on a monthly basis. Thereafter, the renewal period for the instructor shall match that of the school. *The Commissioner may require instructor applicants to complete training on the administration of any behind-the-wheel examination and may require such applicants to exhibit proficiency in the administration of such examinations.*

The Commissioner shall have authority to set and collect school and instructor licensing fees. All licensing fees collected by the Commissioner under this chapter shall be paid into the state treasury and set aside as a special fund to meet the expenses of the Department of Motor Vehicles.

Upon application of a driver training school licensed in accordance with this chapter, the Commissioner may license such driver training school using criteria established by the Commissioner pursuant to § 46.2-1702 to provide computer-based driver education courses using curricula approved by the Commissioner.

The Commissioner may issue a two-year license to driver training schools, including computer-based driver education providers. A nonrefundable license fee of $150 shall be required with each such application. Such licensing fee shall be in addition to fees permitted under this chapter.

§ 46.2-1701.3. Records to be maintained; certification of classes.

~~All~~ *A. A driver training school shall maintain all* student records*, business records,* and other records, as required by the Department, ~~shall be maintained on the premises of the licensed location~~ *at its established place of business*. The Commissioner may, on written request from a driver training school, permit records to be maintained at a location other than the ~~premises of the licensed location~~ *established place of business* for good cause shown. All records shall be preserved in original form or in film, magnetic, electronic, or optical media, including ~~but not limited to~~ microfilm or microfiche, for a period of three years in a manner that permits systematic retrieval. All records required to be maintained by the provisions of this section or by regulation shall be available to the Commissioner or his agents during regular business hours or at any other reasonable time, as determined by the Commissioner. *A driver training school shall ensure that all student records are stored securely so that only employees of such school can access the records, except as otherwise provided in this section.*

B. The failure of a driver training school to maintain or produce contemporary records that a person completed a course shall create a rebuttable presumption that such person did not complete such course. The Commissioner may require a school to use certificate forms provided by the Department to show completion of a course. The Commissioner may limit the number of certificate forms provided to a driver training school based upon criteria established by the Department, including the number of licensed instructors, the number of vehicles used by the school, and the types of courses taught by the school. The Commissioner may also require that a driver training school submit course completion information electronically in a manner prescribed by the Commissioner.

§ 46.2-1701.3:1. Behind-the-wheel examinations.

The Commissioner may require driver training schools to notify the Department, in a manner prescribed by the Commissioner, of a scheduled behind-the-wheel examination no less than 48 hours prior to administering such examination.

§ 46.2-1702. Certification of driver education courses by Commissioner.

Notwithstanding any other provision of law, the Commissioner shall have the authority to approve as a driver education course satisfying the requirements of § 46.2-334 any course ~~which~~ *that* is offered by any driver training school licensed under the provisions of this chapter if he finds that the course is of comparable content and quality to that offered in the Commonwealth's public schools. In making such finding, the Commissioner shall not require that the instructors of any driver training school meet the certification requirements of teachers in the Commonwealth's public schools.

Any comprehensive community college within the Virginia Community College System shall have the authority to offer the courses required by the Virginia Board of Education to become a certified driver education instructor in Virginia on a not-for-credit basis so long as the courses include the same content and curriculum required by the Department of Education, enabling individuals who complete those courses to then teach driver's education in Virginia driver education training schools upon official certification by the Department of Motor Vehicles. The Virginia Department of Education shall provide the curriculum, content, and other information regarding the courses required to become certified driver education instructors in Virginia to any comprehensive community college within the Virginia Community College System. The content of each course must be accurate and rigorous and must meet the requirements for the Department of Education's Curriculum and Administrative Guide for Driver's Education, which includes the Board of Education's standards of learning.

Except for schools in the Commonwealth's public school system and providers of correspondence courses approved by the Board of Education pursuant to subsection F of § 22.1-205, only those driver training schools that are licensed as computer-based driver education providers shall be authorized to administer computer-based driver education courses, including the parent/student driver education component of the driver education curriculum as established in § 22.1-205. The content and quality of such computer-based driver education courses shall be comparable to that of courses offered in the Commonwealth's public schools. The Commissioner may establish minimum standards for testing students who have enrolled in computer-based driver education courses. Such standards may include (i) requirements for the test site; (ii) verification that the person taking the test is the person enrolled in the course; (iii) verification of the identity of the student using photo identification approved by the Commissioner; and (iv) maintenance of a log containing the name and title of the licensed instructor monitoring the test, the test date, the name of the student taking the test, and the student's time-in and time-out of the test site. Computer-based driver education providers shall not issue a certificate of completion to a student prior to receiving proof of completion of the additional minimum 90-minute parent/student driver education component pursuant to § 22.1-205.

Any driver training school licensed under the provisions of this chapter shall be authorized to provide the 90-minute parent/student driver education component of the driver education curriculum pursuant to § 22.1-205. Only public schools and those driver training schools that are licensed as computer-based driver education providers shall be authorized to administer the parent/student driver education component of the driver education curriculum through a virtual, computer-based program. Completion of such education component shall satisfy the requirement for the additional 90-minute parent/student driver education component so long as there is participation of the student's parent or guardian and the content provided is comparable to that which is offered in the Commonwealth's public schools and emphasizes

(a) parental responsibilities regarding juvenile driver behavior, (b) juvenile driving restrictions pursuant to this Code, (c) the dangers of driving while intoxicated and underage consumption of alcohol, and (d) the dangers of distracted driving.

The Commissioner shall have authority to approve any driver education course offered by any Class A licensee if he finds the course meets the requirements for such courses as set forth in this chapter and as otherwise established by the Department. Class A licensees shall not be permitted to administer behind-the-wheel examinations unless authorized pursuant to § 46.2-326.1. Driver education courses offered by any Class B licensee shall be based on the driver education curriculum currently approved by the Department of Education and the Department.

In addition to programs authorized pursuant to this chapter, the Commissioner may authorize driver training schools to administer programs pursuant to § 46.2-324.1 and subsection B of § 46.2-325.

The Commissioner may accept, in lieu of requirements established by the Department of Education for instructor qualification, (1) 20 years' service with the Virginia Department of State Police by a law-enforcement officer who retired or resigned while in good standing from such Department or ~~(2)(i)~~ *(2) (i)* 20 years' service as a traffic enforcement officer with patrol experience with any local police department by a law-enforcement officer who has been certified by the Virginia Department of Criminal Justice Services pursuant to § 15.2-1706, (ii) who retired or resigned while in good standing from such department, and (iii) who has been certified to teach driver training by the Virginia Department of Criminal Justice Services.

§ 46.2-1703. Authority to promulgate regulations.

The Commissioner may promulgate regulations necessary to (i) enforce the provisions of this chapter, (ii) provide adequate training for students, (iii) protect student and public safety, and (iv) carry out the other provisions of this chapter. These regulations ~~shall~~ *may* include ~~but need not be limited to~~ curriculum requirements, contractual arrangements with students, obligations to students, facilities and equipment, qualifications and other requirements for instructors, *driver training* school ~~ownership~~ *owner or manager* requirements, surety bond requirements, and financial stability of schools.

§ 46.2-1704. Action on applications; hearing on denial.

The Commissioner shall act on any application for a license under this chapter within ~~thirty~~ *30* days after receipt by either granting or denying the application. *The Commissioner shall deny an application when it does not satisfy the requirements of this chapter and any regulations promulgated pursuant to § 46.2-1703, or when the applicant has committed an act prohibited pursuant to subsection A of § 46.2-1707. The Commissioner may deny an application when the applicant was previously granted a license pursuant to § 46.2-1701 and such license was revoked or suspended.* Any applicant denied a license shall, on his written request made within ~~thirty~~ *30* days *of the denial*, be given a hearing at a time and place determined by the Commissioner or his designee. All hearings under this section shall be public and shall be held promptly. The applicant may be represented by counsel. Any applicant denied a license may not apply again for a license for ~~thirty~~ *60* days from the date of denial of the application. *The Commissioner or his designee may, for good cause shown, grant an applicant whose license has expired one or more 30-day extensions.*

§ 46.2-1705. Suspension, revocation, cancellation, or refusal to renew license; limitations on operations; imposition of monetary penalties.

A. Except as otherwise provided in this section, *(i)* no license issued under this chapter shall be suspended, revoked, or cancelled or renewal thereof denied~~,~~*; (ii)* no limitation on operations shall be imposed pursuant to subsection F ~~of this section,~~ and *(iii)* no monetary penalty shall be imposed pursuant to § 46.2-1706, unless the licensee has been furnished a written copy of the complaint against him ~~and~~ *with* the grounds upon which the action is taken and has been offered an opportunity for an administrative hearing to show cause why such action should not be taken.

B. The order suspending, revoking, cancelling, or denying renewal of a license, imposing a limitation on operation, or imposing a monetary penalty, except as otherwise provided in subsection E ~~of this section~~, shall not become effective until the licensee has had 30 days after notice of the opportunity for a hearing to make a written request for such a hearing. If no hearing has been requested within such 30-day period, the order shall become effective and no hearing shall thereafter be held. A timely request for a hearing shall automatically stay operation of the order until after the hearing.

C. Notice of an order suspending, revoking, cancelling or denying renewal of a license, imposing a limitation on operation, or imposing a monetary penalty and advising the licensee of the opportunity for a hearing shall be mailed to the licensee by registered mail to the school address as shown on the licensee's most recent application for license and shall be considered served when mailed.

D. ~~No~~ *A* licensee whose license has been revoked ~~or cancelled or~~ *may reapply for a license after a period to be determined by the Commissioner, not to exceed five years, considering (i) the number and severity of current violations, (ii) the number and severity of past violations, (iii) any past revocations or suspensions, (iv) highway safety concerns, and (v) public safety concerns. No licensee* who has been denied renewal shall apply for a new license within 180 days of such action.

E. Notwithstanding the provisions of subsection B ~~of this section~~, an order suspending, revoking, cancelling, or denying renewal of an instructor license shall be effective immediately if the order is based upon a finding by the Commissioner (i) that the instructor's driving record is such that he is not presently qualified to act as an instructor or (ii) that he is otherwise a danger to the safety of his students or the public. Such finding by the Commissioner shall be based on records of driver's license suspension or revocation, upon records of conviction of serious motor vehicle related offenses punishable as a misdemeanor or felony including driving under the influence or reckless driving, and upon such other criteria as the Commissioner may establish by regulation.

Notice of the order of suspension, revocation, cancellation, or denial shall be in writing and mailed in accordance with subsection C. Upon receipt of a request for a hearing appealing the suspension, revocation, cancellation, or denial, the licensee shall be afforded the opportunity for a hearing as soon as practicable, but in no case later than 30 days from receipt of the hearing request. The order shall remain in effect pending the outcome of the hearing.

F. If the Commissioner makes a finding that the conduct of a licensee is in violation of this chapter or regulations adopted pursuant to this chapter, he may suspend, revoke, cancel, or refuse to renew the license of such licensee or may order the licensee, in accordance with subsections A, B, and C ~~of this section~~, to limit the types of driver education training provided, restrict the use of the licensee's training vehicles, or both. Whenever the Commissioner takes action limiting operations under this subsection, the Commissioner shall require the licensee to post conspicuous notice of the Commissioner's action under this subsection at the same location as the licensee's license was issued under this chapter, as soon as the Commissioner's order becomes effective. Orders of the Commissioner limiting operations and requiring posting of notices shall remain in effect until (i) the time period for the limitations or restriction has expired and the Commissioner makes a finding that the violations causing the imposition of such limitations or restrictions have been remedied by the licensee or (ii) the Commissioner's order is lifted as the result of an appeal under § 46.2-1704 or by a court of competent jurisdiction.

No investigation of a licensee, driver training school owner, or employee of a driver training school shall terminate or abate upon the surrender of a license required pursuant to § 46.2-1701, nor shall any such surrender impair the Commissioner's ability to impose any sanction or remedy authorized pursuant to this chapter.

G. If the Commissioner makes a finding, after conducting a preliminary investigation, that the conduct of a licensee (i) is in violation of this chapter or regulations adopted pursuant to this chapter and (ii) such violation constitutes a danger to public safety, the Commissioner may issue an order suspending the licensee's license to operate a driver training school. Notice of the suspension shall be in writing and mailed in accordance with subsection C ~~of this section~~. Upon receipt of a request for a hearing appealing the suspension, the licensee shall be afforded the opportunity for a hearing as soon as practicable, but in no case later than 30 days from receipt of the hearing request. The suspension shall remain in effect pending the outcome of the hearing.

H. The Commissioner may suspend, revoke, or refuse to renew any license issued pursuant to this chapter for any conduct prohibited pursuant to § 46.2-1707.

§ 46.2-1707. Unlawful acts; prosecution; proceedings in equity.

A. It ~~shall be~~ *is* unlawful for any person to engage in any of the following acts:

1. Practicing as a driver training school or as an instructor without holding a valid license as required by statute or regulation;

2. Making use of any designation provided by statute or regulation to denote a standard of professional or occupational competence without being duly certified or licensed;

3. Performing any act or function ~~which~~ *that* is restricted by statute or regulation to persons holding a driver training school or instructor license or certification~~,~~ without being duly certified or licensed;

4. Materially misrepresenting facts in an application for licensure, certification, or registration*, including applications pursuant to § 46.2-1701*;

5. Willfully refusing to furnish the Department information or records required or requested pursuant to statute or regulation; or

6. Violating any statute or regulation governing the practice of any driver training school or instructor regulated pursuant to this chapter.

Any person who willfully engages in any unlawful act enumerated in this section ~~shall be~~ *is* guilty of a Class 1 misdemeanor. However, the third or any subsequent conviction for violating this section during a 36-month period shall constitute a Class 6 felony.

B. In addition to the provisions of subsection A ~~of this section~~, the Department may institute proceedings in equity to enjoin any person from engaging in any unlawful act enumerated in this section. Such proceedings shall be brought in the name of the Commonwealth in the circuit court of the city or county in which the unlawful act occurred or in which the defendant resides.

CHAPTER 80

An Act to amend and reenact § 58.1-2405 of the Code of Virginia, relating to motor vehicle sales and use tax; abandoned vehicles not sold at auction.

[H 1841]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-2405 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-2405. Basis of tax.

A. In the case of the sale or use of a motor vehicle upon which the pricing information is required by federal law to be posted, the Commissioner may collect the tax upon the basis of the total sale price shown on such document; however, if the

Commissioner is satisfied that the purchaser has paid less than such price, by such evidence as the Commissioner may require, he may assess and collect the tax upon the basis of the sale price so found by him. In no case shall such lesser price include credits for trade-in or any other transaction of such nature.

B. In the case of the sale or use of a motor vehicle which is not a new motor vehicle, the Commissioner may employ such publications, sources of information, and other data as are customarily employed in ascertaining the maximum sale price of such used motor vehicles but in no case shall any credit be allowed for trade-in, prior rental or any other transaction of like nature.

C. In the case of the sale or use of a motor vehicle, which is not a new motor vehicle, between individuals who are not required to be licensed as dealers or salespersons under the provisions of § 46.2-1508, the Commissioner may collect the tax upon the basis of the total sale price as established by such evidence as the Commissioner may require; provided that if such motor vehicle is no more than five years old and is listed in a recognized pricing guide, the total sale price shall not be less than the value listed in such pricing guide for such vehicle, less an allowance of $1,500, unless the purchaser shall execute an affidavit under penalty of perjury stating a lesser total sale price and declaring such sale or use to be a bona fide transaction for full value. In using a recognized pricing guide, the Commissioner shall use the trade-in value specified in such guide, with no additions for optional equipment or subtractions for mileage, so long as uniformly applied for all types of motor vehicles. In no case shall any credit be allowed for trade-in, prior rental, or any other transaction of like nature.

D. In the case of a person who is applying for a title to an abandoned motor vehicle pursuant to § 46.2-1202.2 that (i) is in such person's possession and (ii) did not sell at auction, the Commissioner may employ such publications, sources of information, and other data as are customarily employed in ascertaining the maximum sales price of such motor vehicle.

CHAPTER 81

An Act to amend and reenact § 19.2-243 of the Code of Virginia, relating to limitation on prosecution of felony due to lapse of time after finding of probable cause; exceptions; competency evaluation.

[H 1845]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-243 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-243. Limitation on prosecution of felony due to lapse of time after finding of probable cause; misdemeanors; exceptions.

Where a district court has found that there is probable cause to believe that an adult has committed a felony, the accused, if he is held continuously in custody thereafter, shall be forever discharged from prosecution for such offense if no trial is commenced in the circuit court within five months from the date such probable cause was found by the district court; and if the accused is not held in custody but has been recognized for his appearance in the circuit court to answer for such offense, he shall be forever discharged from prosecution therefor if no trial is commenced in the circuit court within nine months from the date such probable cause was found.

If there was no preliminary hearing in the district court, or if such preliminary hearing was waived by the accused, the commencement of the running of the ~~five~~ *five-month* and ~~nine months~~ *nine-month* periods, respectively, set forth in this section~~,~~ shall be from the date an indictment or presentment is found against the accused.

If an indictment or presentment is found against the accused but he has not been arrested for the offense charged therein, the ~~five~~ *five-month* and ~~nine months~~ *nine-month* periods, respectively, shall commence to run from the date of his arrest thereon.

Where a case is before a circuit court on appeal from a conviction of a misdemeanor or traffic infraction in a district court, the accused shall be forever discharged from prosecution for such offense if the trial de novo in the circuit court is not commenced (i) within five months from the date of the conviction if the accused has been held continuously in custody or (ii) within nine months of the date of the conviction if the accused has been recognized for his appearance in the circuit court to answer for such offense.

The provisions of this section shall not apply to such period of time as the failure to try the accused was caused:

1. By *evaluations or restoration related to* his *competency or* insanity *pursuant to Chapter 11 (§ 19.2-167 et seq.)* or by reason of his confinement in a hospital for care and observation;

2. By the witnesses for the Commonwealth being enticed or kept away, or prevented from attending by sickness or accident;

3. By the granting of a separate trial at the request of a person indicted jointly with others for a felony;

4. By continuance granted on the motion of the accused or his counsel, or by concurrence of the accused or his counsel in such a motion by the attorney for the Commonwealth, or by the failure of the accused or his counsel to make a timely objection to such a motion by the attorney for the Commonwealth, or by reason of his escaping from jail or failing to appear according to his recognizance;

5. By continuance ordered pursuant to subsection I or J of § 18.2-472.1 or subsection C or D of § 19.2-187.1;

6. By the inability of the jury to agree in their verdict; or

7. By a natural disaster, civil disorder, or act of God.

But the time during the pendency of any appeal in any appellate court shall not be included as applying to the provisions of this section.

For the purposes of this section, an arrest on an indictment or warrant or information or presentment is deemed to have occurred only when such indictment, warrant, information, or presentment or the summons or capias to answer such process is served or executed upon the accused and a trial is deemed commenced at the point when jeopardy would attach or when a plea of guilty or nolo contendere is tendered by the defendant. The lodging of a detainer or its equivalent shall not constitute an arrest under this section.

CHAPTER 82

An Act to amend and reenact § 46.2-1025 of the Code of Virginia, relating to amber warning lights; certain department of social services vehicles.

[H 1856]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1025 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1025. Flashing amber, purple, or green warning lights.

A. The following vehicles may be equipped with flashing, blinking, or alternating amber warning lights of types approved by the Superintendent:

1. Vehicles used for the principal purpose of towing or servicing disabled vehicles;

2. Vehicles used in constructing, maintaining, and repairing highways or utilities on or along public highways, or in assisting with the management of roadside and traffic incidents, or performing traffic management services along public highways;

3. Vehicles used for the principal purpose of removing hazardous or polluting substances from state waters and drainage areas on or along public highways, or state vehicles used to perform other state-required environmental activities, provided that the amber lights are not lit while the vehicle is in motion;

4. Vehicles used for servicing automatic teller machines, provided the amber lights are not lit while the vehicle is in motion;

5. Vehicles used in refuse collection, provided the amber lights are lit only when the vehicles are engaged in refuse collection operations;

6. Vehicles used by individuals for emergency snow-removal purposes;

7. Hi-rail vehicles, provided the amber lights are lit only when the vehicles are operated on railroad rails;

8. Fire apparatus and emergency medical services vehicles, provided the amber lights are used in addition to lights permitted under § 46.2-1023 and are so mounted or installed as to be visible from behind the vehicle;

9. Vehicles owned and used by businesses providing security services, provided the amber lights are not lit while the vehicle is being operated on a public highway;

10. Vehicles used to collect and deliver the United States mail, provided the amber lights are lit only when the vehicle is actually engaged in such collection or delivery;

11. Vehicles used to collect and deliver packages weighing less than 150 pounds by a national package delivery company that delivers such packages in all 50 states, provided that the amber lights are lit only when the vehicle is stopped and its operator is engaged in such collection and delivery;

12. Vehicles used to transport petroleum or propane products, provided the amber light is mounted on the rear of the vehicle and is lit when parked while making a delivery of petroleum or propane products, or when the vehicle's back-up lights are lit and its device producing an audible signal when the vehicle is operated in reverse gear, as provided for in § 46.2-1175.1, is in operation;

13. Vehicles used by law-enforcement agency personnel in the enforcement of laws governing motor vehicle parking;

14. Government-owned law-enforcement vehicles, provided the lights are used for the purpose of giving directional warning to vehicular traffic to move one direction or another and are not lit while the vehicle is in motion;

15. Chase vehicles when used to unload a hot air balloon or used to load a hot air balloon after landing, provided the amber lights are not lit while the vehicle is in motion;

16. Vehicles used for farm, agricultural, or horticultural purposes, or any farm tractor;

17. Vehicles owned and used by construction companies operating under Virginia contractors licenses;

18. Vehicles used to lead or provide escorts for bicycle races authorized by the Department of Transportation or the locality in which the race is being conducted;

19. Vehicles used by radio or television stations for remote broadcasts, provided that the amber lights are not lit while the vehicle is in motion;

20. Vehicles used by municipal safety officers in the performance of their official duties. For the purpose of this subdivision, "municipal safety officers" means municipal employees responsible for managing municipal safety programs and ensuring municipal compliance with safety and environmental regulatory mandates;

21. Vehicles used as pace cars, security vehicles, or firefighting vehicles by any speedway or motor vehicle race track, provided that the amber lights are not lit while the vehicle is being operated on a public highway;

22. Vehicles used in patrol work by members of neighborhood watch groups approved by the chief law-enforcement officer of the locality in their assigned neighborhood watch program area, provided that the vehicles are clearly identified as neighborhood watch vehicles, and the amber lights are not lit while the vehicle is in motion;

23. Vehicles that are not tow trucks as defined in § 46.2-100, but are owned or controlled by a towing and recovery business, provided that the amber lights are lit only when the vehicle is being used at a towing and recovery site;

24. Vehicles used or operated by federally licensed amateur radio operators (i) while participating in emergency communications or drills on behalf of federal, state, or local authorities or (ii) while providing communications services to localities for public service events authorized by the Department of Transportation where the event is being conducted;

25. Publicly owned or operated transit buses;

26. Vehicles used for hauling trees, logs, or any other forest products when hauling such products, provided that the amber lights are mounted or installed so as to be visible from behind the vehicle; ~~and~~

27. Vehicles authorized to use amber lights pursuant to § 46.2-1025.1*; and*

28. Vehicles used by a local department of social services to respond to a request for assistance from law-enforcement agency personnel.

B. Except as otherwise provided in this section, such amber lights shall be lit only when performing the functions which qualify them to be equipped with such lights.

C. Vehicles used to lead or provide escorts for funeral processions may use either amber warning lights or purple warning lights, but amber warning lights and purple warning lights shall not simultaneously be used on the same vehicle. The Superintendent of State Police shall develop standards and specifications for purple lights authorized in this subsection.

D. Vehicles used by police, firefighting, or emergency medical services personnel as command centers at the scene of incidents may be equipped with and use green warning lights of a type approved by the Superintendent. Such lights shall not be activated while the vehicle is operating upon the highway.

CHAPTER 83

An Act to amend and reenact § 19.2-243 of the Code of Virginia, relating to limitation on prosecution of felony due to lapse of time after finding of probable cause; certified misdemeanors.

[H 1858]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-243 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-243. Limitation on prosecution of felony due to lapse of time after finding of probable cause; misdemeanors; exceptions.

Where a district court has found that there is probable cause to believe that an adult has committed a felony, the accused, if he is held continuously in custody thereafter, shall be forever discharged from prosecution for such offense if no trial is commenced in the circuit court within five months from the date such probable cause was found by the district court; and if the accused is not held in custody but has been recognized for his appearance in the circuit court to answer for such offense, he shall be forever discharged from prosecution therefor if no trial is commenced in the circuit court within nine months from the date such probable cause was found.

If there was no preliminary hearing in the district court, or if such preliminary hearing was waived by the accused, the commencement of the running of the five and nine months periods, respectively, set forth in this section, shall be from the date an indictment or presentment is found against the accused.

If an indictment or presentment is found against the accused but he has not been arrested for the offense charged therein, the five and nine months periods, respectively, shall commence to run from the date of his arrest thereon.

Where a case is before a circuit court on appeal from a conviction of a misdemeanor or traffic infraction in a district court *or by certification of a misdemeanor pursuant to § 19.2-190.1*, the accused shall be forever discharged from prosecution for such offense if the trial de novo in the circuit court is not commenced (i) within five months from the date of the conviction *or certification* if the accused has been held continuously in custody or (ii) within nine months of the date of the conviction *or certification* if the accused has been recognized for his appearance in the circuit court to answer for such offense.

The provisions of this section shall not apply to such period of time as the failure to try the accused was caused:

1. By his insanity or by reason of his confinement in a hospital for care and observation;

2. By the witnesses for the Commonwealth being enticed or kept away, or prevented from attending by sickness or accident;

3. By the granting of a separate trial at the request of a person indicted jointly with others for a felony;

4. By continuance granted on the motion of the accused or his counsel, or by concurrence of the accused or his counsel in such a motion by the attorney for the Commonwealth, or by the failure of the accused or his counsel to make a timely

objection to such a motion by the attorney for the Commonwealth, or by reason of his escaping from jail or failing to appear according to his recognizance;

5. By continuance ordered pursuant to subsection I or J of § 18.2-472.1 or subsection C or D of § 19.2-187.1;

6. By the inability of the jury to agree in their verdict; or

7. By a natural disaster, civil disorder, or act of God.

But the time during the pendency of any appeal in any appellate court shall not be included as applying to the provisions of this section.

For the purposes of this section, an arrest on an indictment or warrant or information or presentment is deemed to have occurred only when such indictment, warrant, information, or presentment or the summons or capias to answer such process is served or executed upon the accused and a trial is deemed commenced at the point when jeopardy would attach or when a plea of guilty or nolo contendere is tendered by the defendant. The lodging of a detainer or its equivalent shall not constitute an arrest under this section.

CHAPTER 84

An Act to allow the Board of Nursing to waive its regulations related to nursing faculty ratios.

[H 1860]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Board of Nursing (the Board) shall allow nursing education programs in the Commonwealth to apply for a waiver of the student-to-faculty ratios for direct client care in 18VAC90-27-60 and 18VAC90-27-110 of the Virginia Administrative Code. Such waiver shall permit a nursing education program to increase the ratio of students to faculty engaged in direct client care from 10 students per faculty member up to, but not to exceed, 15 students per faculty member. Upon application for such waiver by a nursing education program, the Board shall determine whether the nursing education program has provided supporting evidence of an appropriate implementation plan, demonstrated that the program can safely waive the required ratio in each practice setting for which the waiver is requested, and demonstrated that the waiver would support program needs while maintaining the safety of patients and the public. The Board shall further determine any necessary compliance measures, including review of the clinical program at intervals determined by the Board. The Board may withdraw the waiver based on findings of such reviews and may extend the waiver as many times as the Board deems warranted.*

CHAPTER 85

An Act to amend and reenact §§ 64.2-630 and 64.2-635 of the Code of Virginia, relating to transfer on death deeds; inter vivos deed conveying real property to another; emergency.

[H 1871]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 64.2-630 and 64.2-635 of the Code of Virginia are amended and reenacted as follows:

§ 64.2-630. Revocation by instrument authorized; revocation by act not permitted.

A. Subject to subsection B, an instrument is effective to revoke a recorded transfer on death deed, or any part of it, only if the instrument:

1. Is one of the following:

a. A transfer on death deed that revokes the transfer on death deed or part of the transfer on death deed expressly;

b. A transfer on death deed that names a designated beneficiary that is inconsistent with the designated beneficiary in a prior transfer on death deed;

c. An instrument of revocation that expressly revokes the transfer on death deed or part of the transfer on death deed; or

d. An inter vivos deed that ~~expressly revokes the transfer on death deed or part of the transfer on death deed~~ *conveys real property to another so the transferor is no longer the owner at the time of the transferor's death*.

2. Is acknowledged by the transferor after the acknowledgment of the transfer on death deed being revoked and recorded before the transferor's death in the land records of the clerk's office of the circuit court where the deed is recorded.

B. If a transfer on death deed is made by more than one transferor:

1. Revocation by a transferor does not affect the transfer on death deed as to the interest of another transferor; and

2. A transfer on death deed of joint owners is revoked only if it is revoked by all of the living joint owners.

C. After a transfer on death deed is recorded, it can be revoked only by an effective revocatory instrument recorded prior to the death of the transferor and may not be revoked by a revocatory act taken against or on the original or a copy of the recorded transfer on death deed.

D. This section does not limit the effect of an inter vivos transfer of the property.

§ 64.2-635. Optional form of transfer on death deed.

The following form may be used to create a transfer on death deed. The other sections of this article govern the effect of this or any other instrument used to create a transfer on death deed:

THIS DEED MUST BE RECORDED BEFORE THE DEATH OF THE OWNER(S), OR IT WILL NOT BE EFFECTIVE.

THIS DEED IS EXEMPT FROM RECORDATION TAXES UNDER § 58.1-811(J) OF THE CODE OF VIRGINIA OF 1950, AS AMENDED.

REVOCABLE TRANSFER ON DEATH DEED

THIS REVOCABLE TRANSFER ON DEATH DEED, dated as of the _____ day of _____, is made by TRANSFEROR or TRANSFERORS (the Grantor(s)), whose address is _____.

This Revocable Transfer on Death Deed is made pursuant to the provisions of the Uniform Real Property Transfer on Death Act, Virginia Code § 64.2-621 et seq. In accordance with the provisions of the Uniform Real Property Transfer on Death Act, at my death, I transfer and convey my interest in the below described property to my designated beneficiaries as follows:

PRIMARY BENEFICIARY

I designate _____ as the designated beneficiary of the property if _____ survives me.

ALTERNATE BENEFICIARY -- Optional

If my primary designated beneficiary does not survive me, I designate _____ as my alternate designated beneficiary if my alternate designated beneficiary survives me.

PROPERTY:

The legal description of the real property that shall be transferred at my death pursuant to this Revocable Transfer on Death Deed is as follows:

INSERT LEGAL DESCRIPTION

RIGHT TO REVOKE AND METHOD TO REVOKE DEED:

Before my death, I have the right to revoke this deed.

Under the Uniform Real Property Transfer on Death Act, an instrument is effective to revoke a recorded transfer on death deed, or any part of it, only if the instrument:

1. Is one of the following:

a. A transfer on death deed that revokes the transfer on death deed or part of the transfer on death deed expressly;

b. A transfer on death deed that names a designated beneficiary that is inconsistent with the designated beneficiary in a prior transfer on death deed;

c. An instrument of revocation that expressly revokes the transfer on death deed or part of the transfer on death deed; or

d. An inter vivos deed that ~~expressly revokes the transfer on death deed or part of the transfer on death deed~~ *conveys real property to another so the transferor is no longer the owner at the time of the transferor's death.*

2. Is acknowledged by the transferor after the acknowledgment of the transfer on death deed being revoked and recorded before the transferor's death in the land records of the clerk's office of the circuit court where the deed is recorded.

After this transfer on death deed is recorded, it can be revoked only by an effective revocatory instrument recorded prior to the death of the transferor and may not be revoked by a revocatory act taken against or on the original or a copy of the recorded transfer on death deed.

The execution and recordation of this transfer on death deed does not limit the effect of an inter vivos transfer of the property.

At my death, a beneficiary takes the property subject to all conveyances, encumbrances, assignments, contracts, mortgages, liens, and other interests to which the property is subject at my death.

Witness the following signature and seals:

_____ (SEAL) TRANSFEROR

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me in the City/County of _____, Virginia this _____ day of _____, by TRANSFEROR.

_____ Notary Public

My commission expires: _____

Registration number: _____

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

CHAPTER 86

An Act to amend and reenact § 58.1-3606 of the Code of Virginia, relating to real property tax; exemption by classification.

[H 1896]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-3606 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-3606. Property exempt from taxation by classification.

A. Pursuant to the authority granted in Article X, Section 6 ~~(a)(6)~~ *(a) (6)* of the Constitution of Virginia to exempt property from taxation by classification, the following classes of real and personal property shall be exempt from taxation:

1. Property owned directly or indirectly by the Commonwealth, or any political subdivision thereof.

2. Real property and personal property owned by churches or religious bodies, including (i) an incorporated church or religious body and (ii) a corporation mentioned in § 57-16.1~~,~~ and exclusively occupied or used for religious worship or for the residence of the minister of any church or religious body~~,~~ and such additional adjacent land reasonably necessary for the convenient use of any such property. Real property exclusively used for religious worship shall also include the following: (a) property used for outdoor worship activities; (b) property used for ancillary and accessory purposes as allowed under the local zoning ordinance, the dominant purpose of which is to support or augment the principal religious worship use; and (c) property used as required by federal, state, or local law.

3. Nonprofit private or public burying grounds or cemeteries.

4. Property owned by public libraries, law libraries of local bar associations when the same are used or available for use by a state court or courts or the judge or judges thereof, medical libraries of local medical associations when the same are used or available for use by state health officials, incorporated colleges*,* or other institutions of learning not conducted for profit. This ~~paragraph~~ *subdivision* shall apply only to property primarily used for literary, scientific*,* or educational purposes or purposes incidental thereto and shall not apply to industrial schools ~~which~~ *that* sell their products to other than their own employees or students.

5. Property belonging to and actually and exclusively occupied and used by the Young Men's Christian Associations and similar religious associations, including religious mission boards and associations, orphan or other asylums, reformatories, hospitals*,* and nunneries, conducted not for profit but exclusively as charities (which shall include hospitals operated by nonstock corporations not organized or conducted for profit but which may charge persons able to pay in whole or in part for their care and treatment).

6. Parks or playgrounds held by trustees for the perpetual use of the general public.

7. Buildings with the land they actually occupy~~,~~ and the furniture and furnishings therein belonging to any benevolent or charitable organization and used by it exclusively for lodge purposes or meeting rooms~~,~~ together with such additional adjacent land as may be necessary for the convenient use of the buildings for such purposes.

8. Property of any nonprofit corporation organized to establish and maintain a museum.

B. Property~~,~~ belonging in one of the classes listed in subsection A ~~of this section, which~~ *that* was exempt from taxation on July 1, 1971, shall continue to be exempt from taxation under the rules of statutory construction applicable to exempt property prior to such date. *The property exempted from taxation pursuant to this section shall include the real and personal property of a single member limited liability company whose sole member is an organization classified in subsection A.*

CHAPTER 87

An Act to amend and reenact § 19.2-243 of the Code of Virginia, relating to limitation on prosecution of felony due to lapse of time after finding of probable cause; exceptions; competency evaluation.

[S 804]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-243 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-243. Limitation on prosecution of felony due to lapse of time after finding of probable cause; misdemeanors; exceptions.

Where a district court has found that there is probable cause to believe that an adult has committed a felony, the accused, if he is held continuously in custody thereafter, shall be forever discharged from prosecution for such offense if no trial is commenced in the circuit court within five months from the date such probable cause was found by the district court; and if the accused is not held in custody but has been recognized for his appearance in the circuit court to answer for such offense, he shall be forever discharged from prosecution therefor if no trial is commenced in the circuit court within nine months from the date such probable cause was found.

If there was no preliminary hearing in the district court, or if such preliminary hearing was waived by the accused, the commencement of the running of the ~~five~~ *five-month* and ~~nine months~~ *nine-month* periods, respectively, set forth in this section~~,~~ shall be from the date an indictment or presentment is found against the accused.

If an indictment or presentment is found against the accused but he has not been arrested for the offense charged therein, the ~~five~~ *five-month* and ~~nine months~~ *nine-month* periods, respectively, shall commence to run from the date of his arrest thereon.

Where a case is before a circuit court on appeal from a conviction of a misdemeanor or traffic infraction in a district court, the accused shall be forever discharged from prosecution for such offense if the trial de novo in the circuit court is not commenced (i) within five months from the date of the conviction if the accused has been held continuously in custody or

(ii) within nine months of the date of the conviction if the accused has been recognized for his appearance in the circuit court to answer for such offense.

The provisions of this section shall not apply to such period of time as the failure to try the accused was caused:

1. By *evaluations or restoration related to* his *competency or* insanity *pursuant to Chapter 11 (§ 19.2-167 et seq.)* or by reason of his confinement in a hospital for care and observation;

2. By the witnesses for the Commonwealth being enticed or kept away, or prevented from attending by sickness or accident;

3. By the granting of a separate trial at the request of a person indicted jointly with others for a felony;

4. By continuance granted on the motion of the accused or his counsel, or by concurrence of the accused or his counsel in such a motion by the attorney for the Commonwealth, or by the failure of the accused or his counsel to make a timely objection to such a motion by the attorney for the Commonwealth, or by reason of his escaping from jail or failing to appear according to his recognizance;

5. By continuance ordered pursuant to subsection I or J of § 18.2-472.1 or subsection C or D of § 19.2-187.1;

6. By the inability of the jury to agree in their verdict; or

7. By a natural disaster, civil disorder, or act of God.

But the time during the pendency of any appeal in any appellate court shall not be included as applying to the provisions of this section.

For the purposes of this section, an arrest on an indictment or warrant or information or presentment is deemed to have occurred only when such indictment, warrant, information, or presentment or the summons or capias to answer such process is served or executed upon the accused and a trial is deemed commenced at the point when jeopardy would attach or when a plea of guilty or nolo contendere is tendered by the defendant. The lodging of a detainer or its equivalent shall not constitute an arrest under this section.

CHAPTER 88

An Act to amend and reenact §§ 3.2-1100, 3.2-1105, 3.2-1501, 3.2-1502, 3.2-1510, 3.2-1601, 3.2-2401, 3.2-2402, and 3.2-2902 of the Code of Virginia and to repeal Chapter 20 (§§ 3.2-2000 through 3.2-2009) of Title 3.2 of the Code of Virginia, relating to agricultural commodity boards; Agricultural Council; appointment and membership terms; production areas.

[S 890]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.2-1100, 3.2-1105, 3.2-1501, 3.2-1502, 3.2-1510, 3.2-1601, 3.2-2401, 3.2-2402, and 3.2-2902 of the Code of Virginia are amended and reenacted as follows:

§ 3.2-1100. Diversion of dedicated revenues.

A. The unexpended balances of the following special funds shall not be diverted or expended for any purpose other than each fund's intended purpose. The special funds are:

1. Apple Fund (§ 3.2-1206);
2. Peanut Fund (§ 3.2-1906);
3. Plant Pollination Fund (§ 3.2-2806);
4. Virginia Agricultural Foundation Fund (§ 3.2-2905);
5. Virginia Bright Flue-Cured Tobacco Promotion Fund (§ 3.2-2407);
6. Virginia Cattle Industry Fund (§ 3.2-1305);
7. Virginia Corn Fund (§ 3.2-1411);
8. Virginia Cotton Fund (§ 3.2-1511);
9. Virginia Dark-Fired Tobacco Promotion Fund (§ 3.2-2407.1);
10. Virginia Egg Fund (§ 3.2-1605);
11. Virginia Horse Industry Promotion and Development Fund (§ 3.2-1704);
12. Virginia Marine Products Fund (§ 3.2-2705);
13. Virginia Milk Commission Assessments Fund (§ 3.2-3220);
14. ~~Virginia Pork Industry Fund (§ 3.2-2005);~~
~~15.~~ Virginia Potato Fund (§ 3.2-1810);
~~16.~~ *15.* Virginia Sheep Industry Promotion and Development Fund (§ 3.2-2111);
~~17.~~ *16.* Virginia Small Grains Fund (§ 3.2-2211);
~~18.~~ *17.* Virginia Soybean Fund (§ 3.2-2311); and
~~19.~~ *18.* Virginia Wine Promotion Fund (§ 3.2-3005).

B. No provision of this subtitle shall be construed to give any board the authority to expend funds for legislative or political activity.

§ 3.2-1105. Commodity boards; appointment terms; quorum.

The following provisions apply to each commodity board established pursuant to the provisions of Chapter 12 (§ 3.2-1200 et seq.), Chapter 13 (§ 3.2-1300 et seq.), Chapters ~~16~~ *15* (§ ~~3.2-1600~~ *3.2-1500* et seq.) through 19 (§ 3.2-1900 et seq.), Chapter 21 (§ 3.2-2100 et seq.), or Chapter 24 (§ 3.2-2400 et seq.):

1. The term for each appointment to a commodity board shall be for four years, with the exception of an appointment to fill a vacancy, which shall be for the unexpired term, unless otherwise authorized in this subtitle; and

2. A majority of the members of a commodity board shall constitute a quorum of that commodity board unless otherwise authorized in this subtitle.

§ 3.2-1501. Cotton Board; composition and appointment of members.

The Cotton Board, established by the passage of a referendum held pursuant to Chapter 873 of the Acts of Assembly of 1997, is continued within the Department. The Cotton Board shall be composed of eight members appointed by the Governor, each of whom shall be a resident of Virginia and ~~a producer in Virginia~~ *of whom (i) three shall be producers of cotton in Area I, (ii) two shall be producers of cotton in Area II, and (iii) three shall be producers of cotton in the At-Large Area pursuant to the production areas designated in § 3.2-1510*. The Governor shall ~~be guided in his~~ *make* appointments from nominations made by the following agricultural organizations: (i) the Virginia Cotton Growers Association, Inc.; (ii) the Virginia Farm Bureau Federation; and (iii) any other *producer* organization ~~within the Commonwealth that is recognized by the U.S. Department of Agriculture as a certified cotton grower organization~~ representing ~~Virginia~~ producers ~~pursuant to guidelines authorized by the Cotton Research and Promotion Act (7 U.S.C. §§ 2101-2118)~~. Each such agricultural organization may nominate producers from each production area. ~~The Governor shall appoint a producer residing in each such production area. If no producer resides in a particular production area, the Governor shall appoint a qualified producer from any other production area.~~ Each agricultural organization shall submit nominations for each available position before the expiration of the member's term for which the nomination is being provided. If said agricultural organizations fail to provide the nominations, the Governor may appoint other nominees that meet the foregoing criteria. ~~Five members of the Cotton Board shall constitute a quorum.~~

§ 3.2-1502. Cotton Board membership terms.

~~The terms for appointments to the Cotton Board shall be for three years. The Governor shall fill any vacancy occurring before the expiration of any term through appointment of a qualified producer for the unexpired term. If possible, such vacancies shall be filled from the production area from which the vacancy occurred.~~ No person may serve more than two consecutive ~~three-year~~ *four-year* terms.

§ 3.2-1510. Production areas designated.

The following production areas are designated for the purposes of this chapter:

Area I: ~~The Cities of Chesapeake, Virginia Beach, and Suffolk~~ *The locality with the highest cotton production in the most recent calendar year according to the records of the Department*;

Area II: ~~Isle of Wight County~~ *The locality with the second highest cotton production in the most recent calendar year according to the records of the Department*; *and*

At-Large Area ~~III~~: ~~Charles City, Henrico, New Kent, Essex, King and Queen, King William, Lancaster, and Northumberland Counties;~~

~~Area IV: Surry and Prince George Counties;~~

~~Area V: Southampton County;~~

~~Area VI: Dinwiddie, Sussex, and Amelia Counties;~~

~~Area VII: Brunswick, Greensville, and Campbell Counties; and~~

~~Area VIII: Accomack and Northampton Counties.~~

~~If the production of cotton occurs in any locality that is not part of a production area as designated in this section, such locality shall be part of the nearest adjacent production area. If there are two or more nearest adjacent production areas, such locality shall be part of that production area that had the lowest cotton production in the most recent calendar year according to the records of the Department~~ *Localities determined to be Area I or Area II or any other locality that produces cotton in the most recent calendar year according to the records of the Department*.

§ 3.2-1601. Egg Board; composition and appointment of members.

The Egg Board is continued within the Department. The Egg Board shall be composed of ~~seven~~ *five* members appointed by the Governor and confirmed in accordance with § 2.2-107 from nominations submitted to him by the Virginia Egg Council*, the Virginia Farm Bureau Federation,* or any other organization that represents persons who are involved in the commercial egg industry in the Commonwealth.

The Virginia Egg Council or other organization shall provide nominations for each available position before the expiration of the member's term for which the nominations are being provided. If the Virginia Egg Council fails to provide nominations for each available position, the Governor may appoint to such available position another person who is involved in the commercial egg industry.

§ 3.2-2401. Tobacco Board; composition and appointment of members.

The Tobacco Board is hereby established within the Department. The Tobacco Board shall consist of ~~nine~~ *eight* members. Each of the ~~six~~ *five* production areas of flue-cured tobacco set out in § 3.2-2402 shall have a representative on the Tobacco Board, *except that Area I shall have two representatives* and ~~three~~ *two* members shall represent, as nearly as possible, each important type 21 dark-fired tobacco-producing section in the Commonwealth. The Governor shall appoint members from nominations made by the Virginia Farm Bureau Federation and other organizations representing bright

flue-cured tobacco growers or type 21 dark-fired tobacco growers in tobacco-producing counties. Each member shall be a citizen of the Commonwealth and engaged in producing tobacco in the Commonwealth. If the organizations fail to provide nominations, the Governor may appoint other nominees that meet the foregoing criteria.

§ 3.2-2402. Production areas designated.

A. The following production areas of flue-cured tobacco are designated for the purposes of this chapter:

Area I ~~–~~*: Franklin, Henry, Patrick, and* Pittsylvania ~~County~~ *Counties*;

Area II ~~– Counties of Henry, Patrick, Carroll, Franklin, Bedford, Campbell, and~~*:* Appomattox*, Campbell, Charlotte, Halifax, and Prince Edward Counties*;

Area III ~~– Halifax~~*: Mecklenburg* County;

Area IV ~~– Mecklenburg County~~*: Brunswick and Greensville Counties*; *and*

Area V ~~– Counties of Charlotte,~~*: Amelia, Dinwiddie,* Lunenburg, Prince ~~Edward~~ *George*, Nottoway, ~~Cumberland, Amelia, Powhatan,~~ and ~~Chesterfield; and~~ *Sussex Counties*

~~Area VI – Counties of Brunswick, Dinwiddie, Greensville, Prince George, Sussex, and Southampton and the City of Suffolk~~.

B. If the production of flue-cured tobacco occurs in any locality that is not part of a production area as designated in subsection A, such locality shall be part of an adjacent production area. If there are two or more adjacent production areas, such locality shall be part of that production area that had the lowest flue-cured tobacco production in the most recent calendar year according to the records of the Department.

§ 3.2-2902. Agricultural Council membership terms.

~~The terms for~~ *All* appointments to the Agricultural Council shall ~~run concurrently with the term of the Governor making the appointment, but vacancies occurring before the expiration of term shall be filled for the unexpired term~~ *be for a term of four years. No member of the Agricultural Council, except any ex officio member, shall be eligible to serve more than two consecutive terms, except that any person appointed to fill a vacancy may serve two additional consecutive terms after the term of such vacancy that such person was appointed to fill has expired. Any vacancy in the membership of the Agricultural Council shall be filled by the Governor for the unexpired term*.

2. That Chapter 20 (§§ 3.2-2000 through 3.2-2009) of Title 3.2 of the Code of Virginia is repealed.

3. That the provisions of this act shall not be construed to affect existing appointments to the Cotton Board for any unexpired terms. However, any appointment to the Cotton Board made on or after July 1, 2025, shall be made in accordance with the provisions of §§ 3.2-1501, 3.2-1502, and 3.2-1510 of the Code of Virginia, as amended by this act.

4. That the provisions of this act shall not be construed to affect existing appointments to the Egg Board for any unexpired terms. However, any appointment to the Egg Board made on or after January 17, 2026, shall be made in accordance with the provisions of § 3.2-1601 of the Code of Virginia, as amended by this act.

5. That the unexpired term of any member of the Tobacco Board shall expire on July 1, 2025. Any such member shall be eligible for appointment to the Tobacco Board pursuant to the provisions of §§ 3.2-2401 and 3.2-2402 of the Code of Virginia, as amended by this act.

6. That the provisions of this act shall not be construed to affect existing appointments to the Agricultural Council. However, any appointment to the Agricultural Council made on or after January 17, 2026, shall be made in accordance with the provisions of § 3.2-2902 of the Code of Virginia, as amended by this act, and staggered as follows: eight members shall be appointed for a term to end June 30, 2029, and seven members shall be appointed for a term to end June 30, 2030.

7. That the unexpired term of any member of the Pork Industry Board shall expire on July 1, 2025.

CHAPTER 89

An Act to amend and reenact § 19.2-163 of the Code of Virginia, relating to compensation of court-appointed counsel.

[S 901]

Approved March 18, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-163 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-163. Compensation of court-appointed counsel.

Upon submission to the court, for which appointed representation is provided, of a detailed accounting of the time expended for that representation, made within 30 days of the completion of all proceedings in that court, counsel appointed to represent an indigent accused in a criminal case shall be compensated for his services on an hourly basis at a rate set by the Supreme Court of Virginia in a total amount not to exceed the amounts specified in this section, or other such amount as may be provided by law. Such amounts shall be allowed in any case wherein counsel conducts the defense of a single charge against the indigent accused through to its conclusion or a charge of violation of probation at any hearing conducted under § 19.2-306; thereafter, compensation for additional charges against the same accused also conducted by the same counsel shall be allowed on the basis of additional time expended as to such additional charges:

1. In a district court, except as provided in subdivisions 2 and 3, (i) a sum not to exceed $330 or (ii) for a charge of violation of probation for any misdemeanor offense, a sum not to exceed $180, provided that, notwithstanding the foregoing

limitation, the court in its discretion and subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia may waive the limitation of fees provided under clause (i) or (ii) up to an additional $120 when the effort expended, the time reasonably necessary for the particular representation, the novelty and difficulty of the issues, or other circumstances warrant such a waiver;

2. For a misdemeanor charge in a district court for a violation of § 18.2-266, 18.2-266.1, 18.2-270, or 46.2-341.24, (i) a sum not to exceed $448 or (ii) for a charge of violation of probation for such a misdemeanor offense, a sum not to exceed $180, provided that, notwithstanding the foregoing limitation, the court in its discretion and subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia may waive the limitation of fees provided under clause (i) or (ii) up to an additional $120 when the effort expended, the time reasonably necessary for the particular representation, the novelty and difficulty of the issues, or other circumstances warrant such a waiver;

3. For a juvenile charge in a district court, (i) a sum not to exceed $680 or (ii) for a charge of violation of probation for any offense, a sum not to exceed $180, provided that, notwithstanding the foregoing limitation, the court in its discretion and subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia may waive the limitation of fees provided under clause (i) or (ii) up to (a) an additional $120 or (b) an additional $650 for an offense that would be a felony if committed by an adult that may be punishable by confinement in the state correctional facility for a period of more than 20 years or a charge of violation of probation for such offense when the effort expended, the time reasonably necessary for the particular representation, the novelty and difficulty of the issues, or other circumstances warrant such a waiver;

4. In a circuit court (i) to defend a Class 1 felony charge, compensation for each appointed attorney in an amount deemed reasonable by the court; (ii) to defend a felony charge that may be punishable by confinement in the state correctional facility for a period of more than 20 years or any felony violation of § 18.2-35, 18.2-36, 18.2-36.1, 18.2-41, 18.2-51, 18.2-67.3, 18.2-79, 18.2-80, 18.2-370, 18.2-370.1, or 18.2-371.1, a sum not to exceed $1,692, provided that, notwithstanding the foregoing limitation, the court in its discretion and subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia may waive the limitation of fees up to an additional $850 when the effort expended, the time reasonably necessary for the particular representation, the novelty and difficulty of the issues, or other circumstances warrant such a waiver; (iii) to defend any other felony charge, except those described in clause (i) or (ii), a sum not to exceed $834, provided that, notwithstanding the foregoing limitation, the court in its discretion and subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia may waive the limitation of fees up to an additional $155 when the effort expended, the time reasonably necessary for the particular representation, the novelty and difficulty of the issues, or other circumstances warrant such a waiver; (iv) for a charge of violation of probation for any felony offense, except Class 1 felonies, a sum not to exceed $445, provided that, notwithstanding the foregoing limitation, the court in its discretion and subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia may waive the limitation of fees up to (a) an additional $850 for a charge of violation of probation for any felony described in clause (ii) or (b) an additional $155 for a charge of violation of probation of any other felony when the effort expended, the time reasonably necessary for the particular representation, the novelty and difficulty of the issues, or other circumstances warrant such a waiver; (v) to defend a misdemeanor violation of § 18.2-266, 18.2-266.1, 18.2-270, or 46.2-341.24, a sum not to exceed $448 and to defend any other misdemeanor charge punishable by confinement in jail, a sum not to exceed $330; (vi) for a charge of violation of probation for any misdemeanor offense, a sum not to exceed $180; (vii) for a juvenile adjudication appealed from a district court, a sum not to exceed $680; or (viii) for a charge of violation of probation for any juvenile adjudication appealed from a district court, a sum not to exceed $180. In the event any case is required to be retried due to a mistrial for any cause or reversed on appeal, the court may allow an additional fee for each case in an amount not to exceed the amounts allowable in the initial trial. In the event counsel is appointed to defend an indigent charged with a felony that is punishable as a Class 1 felony, each attorney appointed shall continue to receive compensation as provided in this paragraph for defending such a felony, regardless of whether the charge is reduced or amended to a lesser felony, prior to final disposition of the case. In the event counsel is appointed to defend an indigent charged with any other felony, such counsel shall receive compensation as provided in this paragraph for defending such a felony, regardless of whether the charge is reduced or amended to a misdemeanor or lesser felony prior to final disposition of the case in either the district court or circuit court.

Counsel appointed to represent an indigent accused in a criminal case, who are not public defenders, may request an additional waiver exceeding the amounts provided for in this section. The request for any additional amount shall be submitted to the presiding judge, in writing, with a detailed accounting of the time spent and the justification for the additional amount. The presiding judge shall determine, subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia, whether the request for an additional amount is justified in whole or in part, by considering the effort expended and the time reasonably necessary for the particular representation, and, if so, shall forward the request as approved to the chief judge of the circuit court or district court for approval. If the presiding judge determines that the request for an additional amount is not justified in whole or in part, such presiding judge shall provide to the requesting attorney, in writing, the reasons for such determination and shall, if such request has been approved in part, include a copy of such writing when forwarding the request as approved to the chief judge of the circuit court or district court for approval. If the chief judge of the circuit court or district court, upon review of the request as approved, determines, subject to the guidelines issued by the Executive Secretary of the Supreme Court of Virginia, that any part of the request for an additional amount is not justified, such chief judge shall provide to the requesting attorney and to the presiding judge, in writing, the reason for such determination.

If at any time the funds appropriated to pay for waivers under this section become insufficient, the Executive Secretary of the Supreme Court of Virginia shall so certify to the courts and no further waivers shall be approved.

The circuit or district court shall direct the payment of such reasonable expenses incurred by such court-appointed counsel as it deems appropriate under the circumstances of the case. Counsel appointed by the court to represent an indigent charged with repeated violations of the same section of the Code of Virginia, with each of such violations arising out of the same incident, occurrence, or transaction, shall be compensated in an amount not to exceed the fee prescribed for the defense of a single charge, if such offenses are tried as part of the same judicial proceeding. The trial judge shall consider any guidelines established by the Supreme Court but shall have the sole discretion to fix the amount of compensation to be paid counsel appointed by the court to defend a felony charge that is punishable as a Class 1 felony.

The circuit or district court shall direct that the foregoing payments shall be paid out by the Commonwealth, if the defendant is charged with a violation of a statute, or by the county, city, or town, if the defendant is charged with a violation of a county, city, or town ordinance, to the attorney so appointed to defend such person as compensation for such defense.

Counsel representing a defendant charged with a Class 1 felony may submit to the court, on a monthly basis, a statement of all costs incurred and fees charged by him in the case during that month. Whenever the total charges as are deemed reasonable by the court for which payment has not previously been made or requested exceed $1,000, the court may direct that payment be made as otherwise provided in this section.

When such directive is entered upon the order book of the court, the Commonwealth, county, city, or town, as the case may be, shall provide for the payment out of its treasury of the sum of money so specified. If the defendant is convicted, the amount allowed by the court to the attorney appointed to defend him shall be taxed against the defendant as a part of the costs of prosecution and, if collected, the same shall be paid to the Commonwealth, or the county, city, or town, as the case may be. In the event that counsel for the defendant requests a waiver of the limitations on compensation, the court shall assess against the defendant an amount equal to the pre-waiver compensation limit specified in this section for each charge for which the defendant was convicted. An abstract of such costs shall be docketed in the judgment docket and execution lien book maintained by such court. Notwithstanding any provision to the contrary, no person found indigent pursuant to § 19.2-159 *who is represented by either a public defender or court-appointed counsel* shall have fees assessed against him ~~for any amount paid~~ for his legal representation pursuant to this ~~article~~ *chapter* in an amount greater than the amount such defendant would have owed if the assessment took place on or before June 30, 2024.

Any statement submitted by an attorney for payments due him for indigent representation or for representation of a child pursuant to § 16.1-266 shall, after the submission of the statement, be forwarded forthwith by the clerk to the Commonwealth, county, city, or town, as the case may be, responsible for payment. Notwithstanding any provision to the contrary, if the court has determined such child's parents or other persons responsible for his care to be indigent pursuant to § 19.2-159 *and such child was represented by either a public defender or court-appointed counsel*, no fee shall be taxed by the clerk against any such child in an amount greater than the amount the clerk would have taxed against such child if the assessment took place on or before June 30, 2024.

For the purposes of this section, the defense of a case may be considered conducted through to its conclusion and an appointed counsel entitled to compensation for his services in the event an indigent accused fails to appear in court subject to a capias for his arrest or a show cause summons for his failure to appear and remains a fugitive from justice for one year following the issuance of the capias or the summons to show cause, and appointed counsel has appeared at a hearing on behalf of the accused.

Effective July 1, 2007, the Executive Secretary of the Supreme Court of Virginia shall track and report the number and category of offenses charged involving adult and juvenile offenders in cases in which court-appointed counsel is assigned. The Executive Secretary shall also track and report the amounts paid by waiver above the initial cap to court-appointed counsel. The Executive Secretary shall provide these reports to the Governor, members of the House Committee on Appropriations, and members of the Senate Committee on Finance and Appropriations on a quarterly basis.

CHAPTER 90

An Act to amend and reenact §§ 2.2-2040, 2.2-3705.6, and 2.2-3705.7 of the Code of Virginia, relating to Virginia Freedom of Information Act; exclusions; Department of Workforce Development and Advancement.

[H 2502]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-2040, 2.2-3705.6, and 2.2-3705.7 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-2040. Records and reports.

A. Each workforce development program provider shall keep true and accurate training records containing such information as the Department may prescribe. Such records shall be open to inspection and be subject to being copied by the Department or its authorized representatives at any reasonable time and as often as may be necessary. The Department may require from any workforce development program provider any sworn or unsworn reports, with respect to persons employed by it, that the Department deems necessary for the effective administration of this chapter.

B. Notwithstanding the provisions of subsection A, the Department shall, upon written request, furnish the Virginia Economic Development Partnership Authority (the Authority) such information as it may require to facilitate the administration and enforcement by the Authority of performance agreements with businesses that have received incentive awards. Any information provided to the Authority under this subsection shall be confidential ~~pursuant to 20 C.F.R. Part 603~~ and shall only be disclosed to members of the Authority who are public officials or employees of the Authority for the performance of their official duties. No public official or employee shall disclose any confidential information obtained pursuant to this subsection to nonlegislative citizen members of the Authority or to the public. Any information so provided shall be used by the Authority solely for the purpose of verifying employment and wage claims of those businesses that have received incentive awards.

C. Any information provided to the Department under this section shall be confidential pursuant to § 60.2-114 and 20 C.F.R. Part 603.

§ 2.2-3705.6. Exclusions to application of chapter; proprietary records and trade secrets.

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01.

1. Proprietary information gathered by or for the Virginia Port Authority as provided in § 62.1-132.4 or 62.1-134.1.

2. Financial statements not publicly available filed with applications for industrial development financings in accordance with Chapter 49 (§ 15.2-4900 et seq.) of Title 15.2.

3. Proprietary information, voluntarily provided by private business pursuant to a promise of confidentiality from a public body, used by the public body for business, trade, and tourism development or retention; and memoranda, working papers, or other information related to businesses that are considering locating or expanding in Virginia, prepared by a public body, where competition or bargaining is involved and where disclosure of such information would adversely affect the financial interest of the public body.

4. Information that was filed as confidential under the Toxic Substances Information Act (§ 32.1-239 et seq.), as such Act existed prior to July 1, 1992.

5. Fisheries data that would permit identification of any person or vessel, except when required by court order as specified in § 28.2-204.

6. Confidential financial statements, balance sheets, trade secrets, and revenue and cost projections provided to the Department of Rail and Public Transportation, provided such information is exempt under the federal Freedom of Information Act or the federal Interstate Commerce Act or other laws administered by the Surface Transportation Board or the Federal Railroad Administration with respect to data provided in confidence to the Surface Transportation Board and the Federal Railroad Administration.

7. Proprietary information related to inventory and sales, voluntarily provided by private energy suppliers to the Department of Energy, used by that Department for energy contingency planning purposes or for developing consolidated statistical information on energy supplies.

8. Confidential proprietary information furnished to the Board of Medical Assistance Services or the Medicaid Prior Authorization Advisory Committee pursuant to Article 4 (§ 32.1-331.12 et seq.) of Chapter 10 of Title 32.1.

9. Proprietary, commercial or financial information, balance sheets, trade secrets, and revenue and cost projections provided by a private transportation business to the Virginia Department of Transportation and the Department of Rail and Public Transportation for the purpose of conducting transportation studies needed to obtain grants or other financial assistance under the Transportation Equity Act for the 21st Century (P.L. 105-178) for transportation projects if disclosure of such information is exempt under the federal Freedom of Information Act or the federal Interstate Commerce Act or other laws administered by the Surface Transportation Board or the Federal Railroad Administration with respect to data provided in confidence to the Surface Transportation Board and the Federal Railroad Administration. However, the exclusion provided by this subdivision shall not apply to any wholly owned subsidiary of a public body.

10. Confidential information designated as provided in subsection F of § 2.2-4342 as trade secrets or proprietary information by any person in connection with a procurement transaction or by any person who has submitted to a public body an application for prequalification to bid on public construction projects in accordance with subsection B of § 2.2-4317.

11. a. Memoranda, staff evaluations, or other information prepared by the responsible public entity, its staff, outside advisors, or consultants exclusively for the evaluation and negotiation of proposals filed under the Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq.) or the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.) where (i) if such information was made public prior to or after the execution of an interim or a comprehensive agreement, § 33.2-1820 or 56-575.17 notwithstanding, the financial interest or bargaining position of the public entity would be adversely affected and (ii) the basis for the determination required in clause (i) is documented in writing by the responsible public entity; and

b. Information provided by a private entity to a responsible public entity, affected jurisdiction, or affected local jurisdiction pursuant to the provisions of the Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq.) or the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.) if disclosure of such information would reveal (i) trade secrets of the private entity; (ii) financial information of the private entity, including balance sheets

and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (iii) other information submitted by the private entity where if such information was made public prior to the execution of an interim agreement or a comprehensive agreement, the financial interest or bargaining position of the public or private entity would be adversely affected. In order for the information specified in clauses (i), (ii), and (iii) to be excluded from the provisions of this chapter, the private entity shall make a written request to the responsible public entity:

(1) Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

(2) Identifying with specificity the data or other materials for which protection is sought; and

(3) Stating the reasons why protection is necessary.

The responsible public entity shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial information of the private entity. To protect other information submitted by the private entity from disclosure, the responsible public entity shall determine whether public disclosure prior to the execution of an interim agreement or a comprehensive agreement would adversely affect the financial interest or bargaining position of the public or private entity. The responsible public entity shall make a written determination of the nature and scope of the protection to be afforded by the responsible public entity under this subdivision. Once a written determination is made by the responsible public entity, the information afforded protection under this subdivision shall continue to be protected from disclosure when in the possession of any affected jurisdiction or affected local jurisdiction.

Except as specifically provided in subdivision 11 a, nothing in this subdivision shall be construed to authorize the withholding of (a) procurement records as required by § 33.2-1820 or 56-575.17; (b) information concerning the terms and conditions of any interim or comprehensive agreement, service contract, lease, partnership, or any agreement of any kind entered into by the responsible public entity and the private entity; (c) information concerning the terms and conditions of any financing arrangement that involves the use of any public funds; or (d) information concerning the performance of any private entity developing or operating a qualifying transportation facility or a qualifying project.

For the purposes of this subdivision, the terms "affected jurisdiction," "affected local jurisdiction," "comprehensive agreement," "interim agreement," "qualifying project," "qualifying transportation facility," "responsible public entity," and "private entity" shall mean the same as those terms are defined in the Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq.) or in the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.).

12. Confidential proprietary information or trade secrets, not publicly available, provided by a private person or entity pursuant to a promise of confidentiality to the Virginia Resources Authority or to a fund administered in connection with financial assistance rendered or to be rendered by the Virginia Resources Authority where, if such information were made public, the financial interest of the private person or entity would be adversely affected.

13. Trade secrets or confidential proprietary information that is not generally available to the public through regulatory disclosure or otherwise, provided by a (i) bidder or applicant for a franchise or (ii) franchisee under Chapter 21 (§ 15.2-2100 et seq.) of Title 15.2 to the applicable franchising authority pursuant to a promise of confidentiality from the franchising authority, to the extent the information relates to the bidder's, applicant's, or franchisee's financial capacity or provision of new services, adoption of new technologies or implementation of improvements, where such new services, technologies, or improvements have not been implemented by the franchisee on a nonexperimental scale in the franchise area, and where, if such information were made public, the competitive advantage or financial interests of the franchisee would be adversely affected.

In order for trade secrets or confidential proprietary information to be excluded from the provisions of this chapter, the bidder, applicant, or franchisee shall (a) invoke such exclusion upon submission of the data or other materials for which protection from disclosure is sought, (b) identify the data or other materials for which protection is sought, and (c) state the reason why protection is necessary.

No bidder, applicant, or franchisee may invoke the exclusion provided by this subdivision if the bidder, applicant, or franchisee is owned or controlled by a public body or if any representative of the applicable franchising authority serves on the management board or as an officer of the bidder, applicant, or franchisee.

14. Information of a proprietary or confidential nature furnished by a supplier or manufacturer of charitable gaming supplies to the Department of Agriculture and Consumer Services (i) pursuant to subsection E of § 18.2-340.34 and (ii) pursuant to regulations promulgated by the Commissioner of Agriculture and Consumer Services related to approval of electronic and mechanical equipment.

15. Information related to Virginia apple producer sales provided to the Virginia State Apple Board pursuant to § 3.2-1215.

16. Trade secrets submitted by CMRS providers as defined in § 56-484.12 to the former Wireless Carrier E-911 Cost Recovery Subcommittee created pursuant to former § 56-484.15, relating to the provision of wireless E-911 service.

17. Information relating to a grant or loan application, or accompanying a grant or loan application, to the Commonwealth Health Research Board pursuant to Chapter 5.3 (§ 32.1-162.23 et seq.) of Title 32.1 if disclosure of such information would (i) reveal proprietary business or research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of the applicant.

18. Confidential proprietary information and trade secrets developed and held by a local public body (i) providing telecommunication services pursuant to § 56-265.4:4 and (ii) providing cable television services pursuant to Article 1.1 (§ 15.2-2108.2 et seq.) of Chapter 21 of Title 15.2 if disclosure of such information would be harmful to the competitive position of the locality.

In order for confidential proprietary information or trade secrets to be excluded from the provisions of this chapter, the locality in writing shall (a) invoke the protections of this subdivision, (b) identify with specificity the information for which protection is sought, and (c) state the reasons why protection is necessary. However, the exemption provided by this subdivision shall not apply to any authority created pursuant to the BVU Authority Act (§ 15.2-7200 et seq.).

19. Confidential proprietary information and trade secrets developed by or for a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) to provide qualifying communications services as authorized by Article 5.1 (§ 56-484.7:1 et seq.) of Chapter 15 of Title 56, where disclosure of such information would be harmful to the competitive position of the authority, except that information required to be maintained in accordance with § 15.2-2160 shall be released.

20. Trade secrets or financial information of a business, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, provided to the Department of Small Business and Supplier Diversity as part of an application for certification as a small, women-owned, or minority-owned business in accordance with Chapter 16.1 (§ 2.2-1603 et seq.). In order for such trade secrets or financial information to be excluded from the provisions of this chapter, the business shall (i) invoke such exclusion upon submission of the data or other materials for which protection from disclosure is sought, (ii) identify the data or other materials for which protection is sought, and (iii) state the reasons why protection is necessary.

21. Information of a proprietary or confidential nature disclosed by a carrier to the State Health Commissioner pursuant to §§ 32.1-276.5:1 and 32.1-276.7:1.

22. Trade secrets, including, but not limited to, financial information, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, and revenue and cost projections supplied by a private or nongovernmental entity to the State Inspector General for the purpose of an audit, special investigation, or any study requested by the Office of the State Inspector General in accordance with law.

In order for the information specified in this subdivision to be excluded from the provisions of this chapter, the private or nongovernmental entity shall make a written request to the State Inspector General:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

The State Inspector General shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial information of the private entity. The State Inspector General shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

23. Information relating to a grant application, or accompanying a grant application, submitted to the Tobacco Region Revitalization Commission that would (i) reveal (a) trade secrets, (b) financial information of a grant applicant that is not a public body, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, or (c) research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of the applicant; and memoranda, staff evaluations, or other information prepared by the Commission or its staff exclusively for the evaluation of grant applications. The exclusion provided by this subdivision shall apply to grants that are consistent with the powers of and in furtherance of the performance of the duties of the Commission pursuant to § 3.2-3103.

In order for the information specified in this subdivision to be excluded from the provisions of this chapter, the applicant shall make a written request to the Commission:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data, information or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

The Commission shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets, financial information, or research-related information of the applicant. The Commission shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

24. a. Information held by the Commercial Space Flight Authority relating to rate structures or charges for the use of projects of, the sale of products of, or services rendered by the Authority if disclosure of such information would adversely affect the financial interest or bargaining position of the Authority or a private entity providing the information to the Authority; or

b. Information provided by a private entity to the Commercial Space Flight Authority if disclosure of such information would (i) reveal (a) trade secrets of the private entity; (b) financial information of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or

(c) other information submitted by the private entity and (ii) adversely affect the financial interest or bargaining position of the Authority or private entity.

In order for the information specified in clauses (a), (b), and (c) of subdivision 24 b to be excluded from the provisions of this chapter, the private entity shall make a written request to the Authority:

(1) Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

(2) Identifying with specificity the data or other materials for which protection is sought; and

(3) Stating the reasons why protection is necessary.

The Authority shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial information of the private entity. To protect other information submitted by the private entity from disclosure, the Authority shall determine whether public disclosure would adversely affect the financial interest or bargaining position of the Authority or private entity. The Authority shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

25. Information of a proprietary nature furnished by an agricultural landowner or operator to the Department of Conservation and Recreation, the Department of Environmental Quality, the Department of Agriculture and Consumer Services, or any political subdivision, agency, or board of the Commonwealth pursuant to §§ 10.1-104.7, 10.1-104.8, and 10.1-104.9, other than when required as part of a state or federal regulatory enforcement action.

26. Trade secrets provided to the Department of Environmental Quality pursuant to the provisions of § 10.1-1458. In order for such trade secrets to be excluded from the provisions of this chapter, the submitting party shall (i) invoke this exclusion upon submission of the data or materials for which protection from disclosure is sought, (ii) identify the data or materials for which protection is sought, and (iii) state the reasons why protection is necessary.

27. Information of a proprietary nature furnished by a licensed public-use airport to the Department of Aviation for funding from programs administered by the Department of Aviation or the Virginia Aviation Board, where if such information was made public, the financial interest of the public-use airport would be adversely affected.

In order for the information specified in this subdivision to be excluded from the provisions of this chapter, the public-use airport shall make a written request to the Department of Aviation:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

28. Information relating to a grant, loan, or investment application, or accompanying a grant, loan, or investment application, submitted to the Commonwealth of Virginia Innovation Partnership Authority (the Authority) established pursuant to Article 11 (§ 2.2-2351 et seq.) of Chapter 22, an advisory committee of the Authority, or any other entity designated by the Authority to review such applications, to the extent that such records would (i) reveal (a) trade secrets; (b) financial information of a party to a grant, loan, or investment application that is not a public body, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (c) research-related information produced or collected by a party to the application in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of a party to a grant, loan, or investment application; and memoranda, staff evaluations, or other information prepared by the Authority or its staff, or a reviewing entity designated by the Authority, exclusively for the evaluation of grant, loan, or investment applications, including any scoring or prioritization documents prepared for and forwarded to the Authority.

29. Proprietary information, voluntarily provided by a private business pursuant to a promise of confidentiality from a public body, used by the public body for a solar services or carbon sequestration agreement, where disclosure of such information would (i) reveal (a) trade secrets of the private business; (b) financial information of the private business, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (c) other information submitted by the private business and (ii) adversely affect the financial interest or bargaining position of the public body or private business.

In order for the information specified in clauses (i)(a), (b), and (c) to be excluded from the provisions of this chapter, the private business shall make a written request to the public body:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

30. Information contained in engineering and construction drawings and plans submitted for the sole purpose of complying with the Building Code in obtaining a building permit if disclosure of such information would identify specific trade secrets or other information that would be harmful to the competitive position of the owner or lessee. However, such information shall be exempt only until the building is completed. Information relating to the safety or environmental soundness of any building shall not be exempt from disclosure.

31. Trade secrets, including, but not limited to, financial information, including balance sheets and financial statements that are not generally available to the public through regulatory disclosure or otherwise, and revenue and cost projections

supplied by a private or nongovernmental entity to the Virginia Department of Transportation for the purpose of an audit, special investigation, or any study requested by the Virginia Department of Transportation in accordance with law.

In order for the records specified in this subdivision to be excluded from the provisions of this chapter, the private or nongovernmental entity shall make a written request to the Department:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

The Virginia Department of Transportation shall determine whether the requested exclusion from disclosure is necessary to protect trade secrets or financial records of the private entity. The Virginia Department of Transportation shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

32. Information related to a grant application, or accompanying a grant application, submitted to the Department of Housing and Community Development that would (i) reveal (a) trade secrets, (b) financial information of a grant applicant that is not a public body, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, or (c) research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of the applicant. The exclusion provided by this subdivision shall only apply to grants administered by the Department, the Director of the Department, or pursuant to § 36-139, Article 26 (§ 2.2-2484 et seq.) of Chapter 24, or the Virginia Telecommunication Initiative as authorized by the appropriations act.

In order for the information submitted by the applicant and specified in this subdivision to be excluded from the provisions of this chapter, the applicant shall make a written request to the Department:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data, information, or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

The Department shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or confidential proprietary information of the applicant. The Department shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

33. Financial and proprietary records submitted with a loan application to a locality for the preservation or construction of affordable housing that is related to a competitive application to be submitted to either the U.S. Department of Housing and Urban Development (HUD) or the Virginia Housing Development Authority (VHDA), when the release of such records would adversely affect the bargaining or competitive position of the applicant. Such records shall not be withheld after they have been made public by HUD or VHDA.

34. Information of a proprietary or confidential nature disclosed by a health carrier or pharmacy benefits manager pursuant to § 38.2-3407.15:6, a wholesale distributor pursuant to § 54.1-3436.1, or a manufacturer pursuant to § 54.1-3442.02.

35. Trade secrets, proprietary information, or financial information, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, supplied by an individual or a private or nongovernmental entity to the Fort Monroe Authority for the purpose of complying with the obligations of any lease, easement, license, permit, or other agreement, whether of a commercial or residential real estate nature, pertaining to the use or occupancy of any portion of Fort Monroe.

In order for the records specified in this subdivision to be excluded from the provisions of this chapter, the individual or private or nongovernmental entity shall make a written request to the Fort Monroe Authority:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data, information, or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

36. Information of a proprietary or confidential nature, including trade secrets, employee compensation information, balance sheets and financial statements that are not available to the public through regulatory disclosure or otherwise, and revenue and cost projections supplied by a private or nongovernmental entity to the Department of Workforce Development and Advancement (the Department) for the purpose of sponsoring, implementing, and operating (i) an apprenticeship program approved by the Department or (ii) a similar lawful workforce development or public-private partnership approved by the Department that assists the Department in fulfilling its mission and objectives and whose workforce development initiative could not advance without such exemption, as determined by the Commissioner of the Department and the Secretary of Labor. However, nothing in this subdivision shall be construed to allow the withholding of the name and contact information of a private or nongovernmental entity sponsoring, implementing, or operating the apprenticeship program, the location of the program, the occupations offered by the program, or the terms and conditions of a contract or agreement entered into by such private or nongovernmental entity.

§ 2.2-3705.7. Exclusions to application of chapter; records of specific public bodies and certain other limited exclusions.

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01.

1. State income, business, and estate tax returns, personal property tax returns, and confidential records held pursuant to § 58.1-3.

2. Working papers and correspondence of the Office of the Governor, the Lieutenant Governor, or the Attorney General; the members of the General Assembly, the Division of Legislative Services, or the Clerks of the House of Delegates or the Senate of Virginia; the mayor or chief executive officer of any political subdivision of the Commonwealth; or the president or other chief executive officer of any public institution of higher education in the Commonwealth. However, no information that is otherwise open to inspection under this chapter shall be deemed excluded by virtue of the fact that it has been attached to or incorporated within any working paper or correspondence. Further, information publicly available or not otherwise subject to an exclusion under this chapter or other provision of law that has been aggregated, combined, or changed in format without substantive analysis or revision shall not be deemed working papers. Nothing in this subdivision shall be construed to authorize the withholding of any resumes or applications submitted by persons who are appointed by the Governor pursuant to § 2.2-106 or 2.2-107.

As used in this subdivision:

"Members of the General Assembly" means each member of the Senate of Virginia and the House of Delegates and their legislative aides when working on behalf of such member.

"Office of the Governor" means the Governor; the Governor's chief of staff, counsel, director of policy, and Cabinet Secretaries; the Assistant to the Governor for Intergovernmental Affairs; and those individuals to whom the Governor has delegated his authority pursuant to § 2.2-104.

"Working papers" means those records prepared by or for a public official identified in this subdivision for his personal or deliberative use.

3. Information contained in library records that can be used to identify (i) both (a) any library patron who has borrowed or accessed material or resources from a library and (b) the material or resources such patron borrowed or accessed or (ii) any library patron under 18 years of age. For the purposes of clause (ii), access shall not be denied to the parent, including a noncustodial parent, or guardian of such library patron.

4. Contract cost estimates prepared for the confidential use of the Department of Transportation in awarding contracts for construction or the purchase of goods or services, and records and automated systems prepared for the Department's Bid Analysis and Monitoring Program.

5. Lists of registered owners of bonds issued by a political subdivision of the Commonwealth, whether the lists are maintained by the political subdivision itself or by a single fiduciary designated by the political subdivision.

6. Information furnished by a member of the General Assembly to a meeting of a standing committee, special committee, or subcommittee of his house established solely for the purpose of reviewing members' annual disclosure statements and supporting materials filed under § 30-110 or of formulating advisory opinions to members on standards of conduct, or both.

7. Customer account information of a public utility affiliated with a political subdivision of the Commonwealth, including the customer's name and service address, but excluding the amount of utility service provided and the amount of money charged or paid for such utility service.

8. Personal information, as defined in § 2.2-3801, (i) filed with the Virginia Housing Development Authority concerning individuals who have applied for or received loans or other housing assistance or who have applied for occupancy of or have occupied housing financed, owned or otherwise assisted by the Virginia Housing Development Authority; (ii) concerning persons participating in or persons on the waiting list for federally funded rent-assistance programs; (iii) filed with any local redevelopment and housing authority created pursuant to § 36-4 concerning persons participating in or persons on the waiting list for housing assistance programs funded by local governments or by any such authority; or (iv) filed with any local redevelopment and housing authority created pursuant to § 36-4 or any other local government agency concerning persons who have applied for occupancy or who have occupied affordable dwelling units established pursuant to § 15.2-2304 or 15.2-2305. However, access to one's own information shall not be denied.

9. Information regarding the siting of hazardous waste facilities, except as provided in § 10.1-1441, if disclosure of such information would have a detrimental effect upon the negotiating position of a governing body or on the establishment of the terms, conditions, and provisions of the siting agreement.

10. Information on the site-specific location of rare, threatened, endangered, or otherwise imperiled plant and animal species, natural communities, caves, and significant historic and archaeological sites if, in the opinion of the public body that has the responsibility for such information, disclosure of the information would jeopardize the continued existence or the integrity of the resource. This exclusion shall not apply to requests from the owner of the land upon which the resource is located.

11. Memoranda, graphics, video or audio tapes, production models, data, and information of a proprietary nature produced by or for or collected by or for the Virginia Lottery relating to matters of a specific lottery game design, development, production, operation, ticket price, prize structure, manner of selecting the winning ticket, manner of payment of prizes to holders of winning tickets, frequency of drawings or selections of winning tickets, odds of winning, advertising,

or marketing, where such information not been publicly released, published, copyrighted, or patented. Whether released, published, or copyrighted, all game-related information shall be subject to public disclosure under this chapter upon the first day of sales for the specific lottery game to which it pertains.

12. Information held by the Virginia Retirement System, acting pursuant to § 51.1-124.30, or a local retirement system, acting pursuant to § 51.1-803, or by a local finance board or board of trustees of a trust established by one or more local public bodies to invest funds for post-retirement benefits other than pensions, acting pursuant to Article 8 (§ 15.2-1544 et seq.) of Chapter 15 of Title 15.2, or by the board of visitors of the University of Virginia, acting pursuant to § 23.1-2210, or by the board of visitors of The College of William and Mary in Virginia, acting pursuant to § 23.1-2803, or by the Commonwealth Savers Plan, acting pursuant to § 23.1-704, relating to the acquisition, holding, or disposition of a security or other ownership interest in an entity, where such security or ownership interest is not traded on a governmentally regulated securities exchange, if disclosure of such information would (i) reveal confidential analyses prepared for the board of visitors of the University of Virginia, prepared for the board of visitors of The College of William and Mary in Virginia, prepared by the retirement system, a local finance board or board of trustees, or the Commonwealth Savers Plan, or provided to the retirement system, a local finance board or board of trustees, or the Commonwealth Savers Plan under a promise of confidentiality of the future value of such ownership interest or the future financial performance of the entity and (ii) have an adverse effect on the value of the investment to be acquired, held, or disposed of by the retirement system, a local finance board or board of trustees, the board of visitors of the University of Virginia, the board of visitors of The College of William and Mary in Virginia, or the Commonwealth Savers Plan. Nothing in this subdivision shall be construed to prevent the disclosure of information relating to the identity of any investment held, the amount invested, or the present value of such investment.

13. Financial, medical, rehabilitative, and other personal information concerning applicants for or recipients of loan funds submitted to or maintained by the Assistive Technology Loan Fund Authority under Chapter 11 (§ 51.5-53 et seq.) of Title 51.5.

14. Information held by the Virginia Commonwealth University Health System Authority pertaining to any of the following: an individual's qualifications for or continued membership on its medical or teaching staffs; proprietary information gathered by or in the possession of the Authority from third parties pursuant to a promise of confidentiality; contract cost estimates prepared for confidential use in awarding contracts for construction or the purchase of goods or services; information of a proprietary nature produced or collected by or for the Authority or members of its medical or teaching staffs; financial statements not publicly available that may be filed with the Authority from third parties; the identity, accounts, or account status of any customer of the Authority; consulting or other reports paid for by the Authority to assist the Authority in connection with its strategic planning and goals; the determination of marketing and operational strategies where disclosure of such strategies would be harmful to the competitive position of the Authority; and information of a proprietary nature produced or collected by or for employees of the Authority, other than the Authority's financial or administrative records, in the conduct of or as a result of study or research on medical, scientific, technical, or scholarly issues, whether sponsored by the Authority alone or in conjunction with a governmental body or a private concern, when such information has not been publicly released, published, copyrighted, or patented. This exclusion shall also apply when such information is in the possession of Virginia Commonwealth University.

15. Information held by the Department of Environmental Quality, the State Water Control Board, the State Air Pollution Control Board, or the Virginia Waste Management Board relating to (i) active federal environmental enforcement actions that are considered confidential under federal law and (ii) enforcement strategies, including proposed sanctions for enforcement actions. Upon request, such information shall be disclosed after a proposed sanction resulting from the investigation has been proposed to the director of the agency. This subdivision shall not be construed to prevent the disclosure of information related to inspection reports, notices of violation, and documents detailing the nature of any environmental contamination that may have occurred or similar documents.

16. Information related to the operation of toll facilities that identifies an individual, vehicle, or travel itinerary, including vehicle identification data or vehicle enforcement system information; video or photographic images; Social Security or other identification numbers appearing on driver's licenses; credit card or bank account data; home addresses; phone numbers; or records of the date or time of toll facility use.

17. Information held by the Virginia Lottery pertaining to (i) the social security number, tax identification number, state sales tax number, home address and telephone number, personal and lottery banking account and transit numbers of a retailer, and financial information regarding the nonlottery operations of specific retail locations and (ii) individual lottery winners, except that a winner's name, hometown, and amount won shall be disclosed. If the value of the prize won by the winner exceeds $10 million, the information described in clause (ii) shall not be disclosed unless the winner consents in writing to such disclosure.

18. Information held by the Board for Branch Pilots relating to the chemical or drug testing of a person regulated by the Board, where such person has tested negative or has not been the subject of a disciplinary action by the Board for a positive test result.

19. Information pertaining to the planning, scheduling, and performance of examinations of holder records pursuant to the Virginia Disposition of Unclaimed Property Act (§ 55.1-2500 et seq.) prepared by or for the State Treasurer or his agents or employees or persons employed to perform an audit or examination of holder records.

20. Information held by the Virginia Department of Emergency Management or a local governing body relating to citizen emergency response teams established pursuant to an ordinance of a local governing body that reveal the name, address, including e-mail address, telephone or pager numbers, or operating schedule of an individual participant in the program.

21. Information held by state or local park and recreation departments and local and regional park authorities *or by the Department of Workforce Development and Advancement* concerning identifiable individuals ~~under the age of~~ *younger than* 18 years *of age*. However, nothing in this subdivision shall operate to prevent the disclosure of information defined as directory information under regulations implementing the federal Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, unless the public body has undertaken the parental notification and opt-out requirements provided by such regulations. Access shall not be denied to the parent, including a noncustodial parent, or guardian of such person, unless the parent's parental rights have been terminated or a court of competent jurisdiction has restricted or denied such access. For such information of persons who are emancipated, the right of access may be asserted by the subject thereof. Any parent or emancipated person who is the subject of the information may waive, in writing, the protections afforded by this subdivision. If the protections are so waived, the public body shall open such information for inspection and copying.

22. Information submitted for inclusion in the Statewide Alert Network administered by the Department of Emergency Management that reveal names, physical addresses, email addresses, computer or internet protocol information, telephone numbers, pager numbers, other wireless or portable communications device information, or operating schedules of individuals or agencies, where the release of such information would compromise the security of the Statewide Alert Network or individuals participating in the Statewide Alert Network.

23. Information held by the Judicial Inquiry and Review Commission made confidential by § 17.1-913.

24. Information held by the Virginia Retirement System acting pursuant to § 51.1-124.30, a local retirement system acting pursuant to § 51.1-803 (hereinafter collectively referred to as the retirement system), or the Commonwealth Savers Plan, acting pursuant to § 23.1-704 relating to:

a. Internal deliberations of or decisions by the retirement system or the Commonwealth Savers Plan on the pursuit of particular investment strategies, or the selection or termination of investment managers, prior to the execution of such investment strategies or the selection or termination of such managers, if disclosure of such information would have an adverse impact on the financial interest of the retirement system or the Commonwealth Savers Plan; and

b. Trade secrets provided by a private entity to the retirement system or the Commonwealth Savers Plan if disclosure of such records would have an adverse impact on the financial interest of the retirement system or the Commonwealth Savers Plan.

For the records specified in subdivision b to be excluded from the provisions of this chapter, the entity shall make a written request to the retirement system or the Commonwealth Savers Plan:

(1) Invoking such exclusion prior to or upon submission of the data or other materials for which protection from disclosure is sought;

(2) Identifying with specificity the data or other materials for which protection is sought; and

(3) Stating the reasons why protection is necessary.

The retirement system or the Commonwealth Savers Plan shall determine whether the requested exclusion from disclosure meets the requirements set forth in subdivision b.

Nothing in this subdivision shall be construed to prevent the disclosure of the identity or amount of any investment held or the present value and performance of all asset classes and subclasses.

25. Information held by the Department of Corrections made confidential by former § 53.1-233.

26. Information maintained by the Department of the Treasury or participants in the Local Government Investment Pool (§ 2.2-4600 et seq.) and required to be provided by such participants to the Department to establish accounts in accordance with § 2.2-4602.

27. Personal information, as defined in § 2.2-3801, contained in the Veterans Care Center Resident Trust Funds concerning residents or patients of the Department of Veterans Services Care Centers, except that access shall not be denied to the person who is the subject of the information.

28. Information maintained in connection with fundraising activities by the Veterans Services Foundation pursuant to § 2.2-2716 that reveal the address, electronic mail address, facsimile or telephone number, social security number or other identification number appearing on a driver's license or other document issued under Chapter 3 (§ 46.2-300 et seq.) of Title 46.2 or the comparable law of another jurisdiction, or credit card or bank account data of identifiable donors, except that access shall not be denied to the person who is the subject of the information. Nothing in this subdivision, however, shall be construed to prevent the disclosure of information relating to the amount, date, purpose, and terms of the pledge or donation or the identity of the donor, unless the donor has requested anonymity in connection with or as a condition of making a pledge or donation. The exclusion provided by this subdivision shall not apply to protect from disclosure (i) the identities of sponsors providing grants to or contracting with the foundation for the performance of services or other work or (ii) the terms and conditions of such grants or contracts.

29. Information prepared for and utilized by the Commonwealth's Attorneys' Services Council in the training of state prosecutors or law-enforcement personnel, where such information is not otherwise available to the public and the disclosure of such information would reveal confidential strategies, methods, or procedures to be employed in law-enforcement activities or materials created for the investigation and prosecution of a criminal case.

30. Information provided to the Department of Aviation by other entities of the Commonwealth in connection with the operation of aircraft where the information would not be subject to disclosure by the entity providing the information. The entity providing the information to the Department of Aviation shall identify the specific information to be protected and the applicable provision of this chapter that excludes the information from mandatory disclosure.

31. Information created or maintained by or on the behalf of the judicial performance evaluation program related to an evaluation of any individual justice or judge made confidential by § 17.1-100.

32. Information reflecting the substance of meetings in which (i) individual sexual assault cases are discussed by any sexual assault response team established pursuant to § 15.2-1627.4, (ii) individual child abuse or neglect cases or sex offenses involving a child are discussed by multidisciplinary child sexual abuse response teams established pursuant to § 15.2-1627.5, (iii) individual cases of abuse, neglect, or exploitation of adults as defined in § 63.2-1603 are discussed by multidisciplinary teams established pursuant to §§ 15.2-1627.5 and 63.2-1605, or (iv) individual human trafficking cases are discussed by any human trafficking response team established pursuant to § 15.2-1627.6. The findings of any such team may be disclosed or published in statistical or other aggregated form that does not disclose the identity of specific individuals.

33. Information contained in the strategic plan, marketing plan, or operational plan prepared by the Virginia Economic Development Partnership Authority pursuant to § 2.2-2237.1 regarding target companies, specific allocation of resources and staff for marketing activities, and specific marketing activities that would reveal to the Commonwealth's competitors for economic development projects the strategies intended to be deployed by the Commonwealth, thereby adversely affecting the financial interest of the Commonwealth. The executive summaries of the strategic plan, marketing plan, and operational plan shall not be redacted or withheld pursuant to this subdivision.

34. Information discussed in a closed session of the Physical Therapy Compact Commission or the Executive Board or other committees of the Commission for purposes set forth in subsection E of § 54.1-3491.

35. Information held by the Commonwealth of Virginia Innovation Partnership Authority (the Authority), an advisory committee of the Authority, or any other entity designated by the Authority, relating to (i) internal deliberations of or decisions by the Authority on the pursuit of particular investment strategies prior to the execution of such investment strategies and (ii) trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), provided by a private entity to the Authority, if such disclosure of records pursuant to clause (i) or (ii) would have an adverse impact on the financial interest of the Authority or a private entity.

36. Personal information provided to or obtained by the Virginia Lottery in connection with the voluntary exclusion program administered pursuant to § 58.1-4015.1.

37. Personal information provided to or obtained by the Virginia Lottery concerning the identity of any person reporting prohibited conduct pursuant to § 58.1-4043.

CHAPTER 91

An Act to amend and reenact §§ 1-600 through 1-603, 1-605, 1-606, 1-608, and 45.2-542 of the Code of Virginia, relating to Virginia coordinate systems; federal updates.

[H 2503]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 1-600 through 1-603, 1-605, 1-606, 1-608, and 45.2-542 of the Code of Virginia are amended and reenacted as follows:

§ 1-600. Virginia coordinate systems designated.

The systems of plane coordinates that have been established by the National Ocean Service/National Geodetic Survey or its successors for defining and stating the positions or locations of points on the surface of the earth within the Commonwealth are to be known and designated as the "Virginia Coordinate System of 1927*,*" ~~and~~ the "Virginia Coordinate System of 1983*," and the "Virginia Coordinate System of 2022*."

§ 1-601. North and South Zones.

For the purpose of the use of the Virginia Coordinate System of 1927 ~~and~~, the Virginia Coordinate System of 1983, *and the Virginia Coordinate System of 2022,* the Commonwealth is divided into a "North Zone" and a "South Zone."

The area now included in the following counties and cities shall constitute the North Zone: Arlington, Augusta, Bath, Caroline, Clarke, Culpeper, Fairfax, Fauquier, Frederick, Greene, Highland, King George, Loudoun, Madison, Orange, Page, Prince William, Rappahannock, Rockingham, Shenandoah, Spotsylvania, Stafford, Warren, and Westmoreland Counties and the Cities of Alexandria, Fairfax, Falls Church, Fredericksburg, Harrisonburg, Manassas, Manassas Park, Staunton, Waynesboro, and Winchester.

The area now included in the following counties and cities shall constitute the South Zone: Accomack, Albemarle, Alleghany, Amelia, Amherst, Appomattox, Bedford, Bland, Botetourt, Brunswick, Buchanan, Buckingham, Campbell, Carroll, Charles City, Charlotte, Chesterfield, Craig, Cumberland, Dickenson, Dinwiddie, Essex, Floyd, Fluvanna, Franklin, Giles, Gloucester, Goochland, Grayson, Greensville, Halifax, Hanover, Henrico, Henry, Isle of Wight, James City, King and Queen, King William, Lancaster, Lee, Louisa, Lunenburg, Mathews, Mecklenburg, Middlesex, Montgomery, Nelson,

New Kent, Northampton, Northumberland, Nottoway, Patrick, Pittsylvania, Powhatan, Prince Edward, Prince George, Pulaski, Richmond, Roanoke, Rockbridge, Russell, Scott, Smyth, Southampton, Surry, Sussex, Tazewell, Washington, Wise, Wythe, and York Counties and the Cities of Bristol, Buena Vista, Charlottesville, Chesapeake, Colonial Heights, Covington, Danville, Emporia, Franklin, Galax, Hampton, Hopewell, Lexington, Lynchburg, Martinsville, Newport News, Norfolk, Norton, Petersburg, Poquoson, Portsmouth, Radford, Richmond, Roanoke, Salem, Suffolk, Virginia Beach, and Williamsburg.

§ 1-602. Designation of systems in land description.

A. As established for use in the North Zone, the Virginia Coordinate System of 1927 ~~or~~, the Virginia Coordinate System of 1983*, or the Virginia Coordinate System of 2022* shall be named, and in any land description in which it is used, it shall be designated the "Virginia Coordinate System of 1927, North Zone," ~~or~~ "Virginia Coordinate System of 1983, North Zone*," or "Virginia Coordinate System of 2022, North Zone*."

B. As established for use in the South Zone, the Virginia Coordinate System of 1927 ~~or~~, the Virginia Coordinate System of 1983*, or the Virginia Coordinate System of 2022* shall be named, and in any land description in which it is used, it shall be designated the "Virginia Coordinate System of 1927, South Zone," ~~or~~ "Virginia Coordinate System of 1983, South Zone*," or "Virginia Coordinate System of 2022, South Zone*."

§ 1-603. Plane coordinates used in systems.

The plane coordinates of a point on the earth's surface, to be used in expressing the position or location of such point in the appropriate zone of these systems, shall be expressed in ~~U.S. survey~~ *international* feet and decimals of a foot. One of these distances, to be known as the "x-coordinate," shall give the position in an east-and-west direction; the other, to be known as the "y-coordinate," shall give the position in a north-and-south direction. These coordinates shall be made to depend upon and conform to the coordinate values for the monumented points of the North American Horizontal Geodetic Control Network as published by the National Ocean Service/National Geodetic Survey, or its successors, and whose plane coordinates have been computed on the systems defined in this chapter. Any such station may be used for establishing a survey connection to either Virginia coordinate system.

When converting coordinates in the Virginia Coordinate System of 1983 *or the Virginia Coordinate System of 2022* from meters and decimals of a meter to feet and decimals of a foot, the ~~U.S. survey~~ *International* foot conversion factor (one foot equals ~~1200/3937~~ *0.3048* meters) shall be used. ~~This requirement does not preclude the continued use of the International foot conversion factor (one foot equals 0.3048 meters) in those counties and cities where this factor was in use prior to July 1, 1992.~~ The plat or plan shall contain a statement of the conversion factor used and the coordinate values of a minimum of two project points in feet.

§ 1-605. Definition of systems by National Ocean Service/National Geodetic Survey; adopted.

A. For purposes of more precisely defining the Virginia Coordinate System of 1927, the following definition by the National Ocean Service/National Geodetic Survey is adopted:

The Virginia Coordinate System of 1927, North Zone, is a Lambert conformal projection of the Clarke spheroid of 1896, having standard parallels at north latitudes 38° 02' and 39° 12', along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian 78° 30' west of Greenwich with the parallel 37° 40' north latitude, such origin being given the coordinates: x = 2,000,000~~'~~, and y = 0'.

The Virginia Coordinate System of 1927, South Zone, is a Lambert conformal projection of the Clarke spheroid of 1896, having standard parallels at north latitudes 36° 46' and 37° 58', along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian 78° 30' west of Greenwich with the parallel 36° 20' north latitude, such origin being given the coordinates: x = 2,000,000~~'~~, and y = 0'.

B. For purposes of more precisely defining the Virginia Coordinate System of 1983, the following definition by the National Ocean Service/National Geodetic Survey is adopted:

The Virginia Coordinate System of 1983, North Zone, is a Lambert conformal conic projection based on the North American Datum of 1983, having standard parallels at north latitudes 38° 02' and 39° 12', along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian 78° 30' west of Greenwich and the parallel 37° 40' north latitude, such origin being given the coordinates: x = 3,500,000 meters and y = 2,000,000 meters.

The Virginia Coordinate System of 1983, South Zone, is a Lambert conformal conic projection based on the North American Datum of 1983, having standard parallels at north latitudes 36° 46' and 37° 58', along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian 78° 30' west of Greenwich and the parallel 36° 20' north latitude, such origin being given the coordinates: x = 3,500,000 meters and y = 1,000,000 meters.

C. For purposes of more precisely defining the Virginia Coordinate System of 2022, the following definition by the National Ocean Service/National Geodetic Survey is adopted:

The Virginia Coordinate System of 2022, North Zone, is a Lambert conformal conic, one parallel projection based on the North American Terrestrial Reference Frame of 2022, having one standard parallel at north latitude 38° 36', along which parallel the scale shall be exact. The origin of coordinates is at the intersection of the meridian 78° 15' west of Greenwich and the parallel 38° 36' north latitude, such origin being given the coordinates: x = 457,200 meters and y = 190,500 meters.

The Virginia Coordinate System of 2022, South Zone, is a Lambert conformal conic, one parallel projection based on the North American Terrestrial Reference Frame of 2022, having one standard parallel at north latitude 37° 21', along which parallel the scale shall be 0.999990. The origin of coordinates is at the intersection of the meridian 79° 30' west of

Greenwich and the parallel 37° 21' north latitude, such origin being given the coordinates: x = 685,800 meters and y = 190,500 meters.

§ 1-606. Position of systems.

The position of the Virginia coordinate systems shall be as marked on the ground by triangulation or traverse stations established in conformity with the standards of accuracy and specifications for first-order and second-order geodetic surveying as prepared and published by the Federal Geodetic Control Subcommittee of the Federal Geographic Data Committee of the U.S. Department of Commerce. The geodetic position of stations defining the position of the Virginia Coordinate System of 1927 shall have been rigidly adjusted on the North American Datum of 1927, and the plane coordinates shall have been computed on the Virginia Coordinate System of 1927. The geodetic position of stations defining the position of the Virginia Coordinate System of 1983 shall have been rigidly adjusted on the North American Datum of 1983, and the plane coordinates shall have been computed on the Virginia Coordinate System of 1983. *The geodetic position of stations defining the position of the Virginia Coordinate System of 2022 shall have been rigidly adjusted on the North American Terrestrial Reference Frame of 2022, and the plane coordinates shall have been computed on the Virginia Coordinate System of 2022.* Any such station may be used for establishing a survey connection with the Virginia coordinate systems.

§ 1-608. Limitation on use of name of systems.

The use of the terms "Virginia Coordinate System of 1927," ~~or~~ "Virginia Coordinate System of 1983*," or " Virginia Coordinate System of 2022*" on any map, report of survey, or other document shall be limited to coordinates based on the Virginia coordinate systems as defined in this chapter.

§ 45.2-542. Maps of mines required to be made; contents; extension and preservation; use by Department; release; posting of map.

A. Prior to commencing mining activity, the operator of a coal mine or his agent shall make or cause to be made, unless already made and filed, an accurate map of such mine. Such map shall be submitted to the Chief prior to producing coal at the mine. All maps shall be presented on the Virginia Coordinate System of ~~1983~~ *2022*, South Zone, unless otherwise approved by the Chief. At intervals not to exceed 12 months and when a coal mine is abandoned, the operator shall submit to the Chief copies of an up-to-date map of the entire mine in an electronic format approved by the Chief. The operator shall also submit to the Chief revisions that show directional changes whenever mine projections deviate more than 600 feet from the approved mine map. Only maps in an electronic format shall be accepted unless otherwise approved by the Chief. If there are no changes in the information required to be submitted pursuant to this section at the time an updated map is due, the operator may submit a notice that there are no changes to the map in lieu of submitting an updated map to the Department.

B. Underground coal mine maps shall show:

1. The active workings;

2. All pillared, worked out, and abandoned areas, except as provided in this section;

3. Entries and air courses with the quantity of airflow, direction of airflow indicated by arrows, and ventilation controls;

4. Contour lines of all elevations;

5. Dip of the coalbed;

6. Escapeways;

7. The locations that are known or should be known of (i) adjacent mine workings within 1,000 feet, (ii) mines above or below, and (iii) water pools above;

8. Either producing or abandoned oil and gas wells located within 500 feet of such mine and in any underground area of such mine; and

9. Other information the Chief requires.

Such map shall identify those areas of the mine that have been pillared, worked out, or abandoned that are inaccessible or that cannot be entered safely.

C. Additional information required to be shown on underground coal mine maps includes:

1. The mine name, company name, mine index number, and name of the person responsible for information on the map;

2. The scale and orientation of the map and symbols used on the map;

3. The property or boundary lines of the mine;

4. All known drill holes that penetrate the coalbed being mined;

5. All shaft, slope, drift, and tunnel openings and auger and strip mined areas of the coalbed being mined;

6. The location of all surface mine ventilation fans. The location may be designated on the mine map by symbols;

7. The location of railroad tracks and public highways leading to the mine and mine buildings of a permanent nature with identifying names shown;

8. The location and description of a least two permanent base line points coordinated with the underground and surface mine traverses and the location and description of at least two permanent elevation bench marks used in connection with establishing or referencing mine elevation surveys;

9. The location and elevation of any body of water dammed or held back in any portion of the mine; however, such bodies of water may be shown on overlays or tracings attached to the mine maps used to show contour lines as provided under subdivision 12;

10. The elevations of tops and bottoms of shafts and slopes and the floor at the entrance to drift and tunnel openings;

11. The elevation of the floor at intervals of not more than 200 feet in (i) at least one entry of each working section and main and cross entries; (ii) the last line of open crosscuts of each working section, and main and cross entries before such sections and main and cross entries that are abandoned; and (iii) rooms advancing toward or adjacent to property or boundary lines or adjacent mines; and

12. Contour lines passing through whole number elevations of the coalbed being mined. The spacing of such lines shall not exceed 10-foot elevation levels, except that a broader spacing of contour lines may be approved by the Chief for steeply pitching coalbeds. Contour lines may be placed on overlays or tracings attached to mine maps.

D. Underground coal mine maps submitted to the Chief shall be on a scale of not less than 100 or more than 500 feet to the inch. Mapping of the underground mine works shall be completed by a closed loop survey method of traversing or other equally accurate methods of traversing. All closed loop surveys shall meet a minimum accuracy standard of one part in 5,000. Elevations shall be tied to either the United States Geological Survey or the National Geodetic Survey bench mark system. A registered engineer or licensed land surveyor shall certify that the map of the mine workings is accurate.

E. Underground coal mine maps shall be kept up to date by temporary notations and revised and supplemented at intervals not to exceed six months based on a survey made and certified by a registered engineer or licensed land surveyor who has exercised complete direction and control over the work to which it is affixed. Temporary notations shall include:

1. The location of each working face of each working place;

2. Pillars mined or other such second mining;

3. Permanent ventilation controls constructed or removed, such as seals, overcasts, undercasts, regulators, and permanent stoppings, and the direction of air currents indicated; and

4. Escapeways designated by means of symbols.

F. At underground coal mines, an accurate map of the mine showing clearly all avenues of ingress and egress in case of fire shall be posted in a place accessible to all miners.

G. Surface coal mine maps shall show:

1. The name and address of the mine;

2. The property or boundary lines of the active areas of the mine;

3. Contour lines passing through whole number elevations of the coalbed being mined. The spacing of such lines shall not exceed 25-foot elevation levels, except that a broader spacing of contour lines may be approved by the Chief for steeply pitching coalbeds. The Chief may approve alternate means of delineating seam elevations where multiple seams are being mined. Contour lines may be placed on overlays or tracings attached to mine maps;

4. The general elevation of each coalbed being mined and the general elevation of the surface;

5. Each producing or abandoned gas or oil well or gas transmission line located on the mine property;

6. The location and elevation of any body of water dammed or held back in any portion of the mine; however, such body of water may be shown on overlays or tracings attached to the mine maps;

7. Every prospect drill hole that penetrates a coalbed being mined on the mine property;

8. Every auger or surface-mined area of a coalbed being mined on the mine property together with the line of maximum depth of holes drilled during auger mining operations;

9. All worked out and abandoned areas;

10. The location of railroad tracks and public highways leading to the mine and mine buildings of a permanent nature with identifying names shown;

11. Underground coal mine workings underlying and within 1,000 feet of any active area of the mine;

12. The location and description of at least two permanent baseline points and the location and description of at least two permanent elevation bench marks used in connection with establishing or referencing mine elevation surveys;

13. The scale of the map; and

14. Other information required by the Chief.

H. Surface coal mine maps shall be kept up to date by temporary notations and revised and supplemented at intervals not to exceed six months based on a survey made and certified by a registered engineer or licensed land surveyor who has exercised complete direction and control over the work to which it is affixed. Temporary notations shall include:

1. The location of each working pit;

2. Auger or highwall miner workings; and

3. Other information that might affect the safety of miners, including updates of gas well or gas line locations.

I. Each surface survey shall originate from at least two permanent survey monuments on the mine property located with a minimum accuracy standard of one part in 10,000. The monuments shall be clearly referenced on the mine map. Elevations shall be tied to either the United States Geological Survey or the National Geodetic Survey bench mark system.

J. The original map, or a true copy thereof, shall be left by the operator at the active mine, open at all reasonable times for the examination and use of the mine inspector.

K. Such maps may be used by the Department for the evaluation of the coal resources of the Commonwealth.

L. The map shall be filed and preserved among the records of the Department and copies of such maps shall be made available at a reasonable cost.

M. Any person who has conducted mining operations or prepared mine maps and who has a map or surveying data of any worked out or abandoned underground coal mine shall on request make such map or data available to the Department to copy or reproduce.

2. That the provisions of this act shall become effective upon the official release by the National Oceanic and Atmospheric Administration's National Geodetic Survey of the State Plane Coordinate System of 2022. Old Dominion University, in its capacity as the authorized state agency for Virginia coordinate systems pursuant to Chapter 6 (§ 1-600 et seq.) of Title 1 of the Code of Virginia, as amended by this act, shall certify in writing to the Virginia Code Commission when such contingency has been met.

CHAPTER 92

An Act to amend and reenact § 8.01-341 of the Code of Virginia, relating to exemption from jury service; circuit court clerk; circuit court clerk deputies.

[H 2536]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-341 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-341. Who are exempt from jury service.

The following shall be exempt from serving on juries in civil and criminal cases:

1. The President and Vice President of the United States,

2. The Governor, Lieutenant Governor and Attorney General of the Commonwealth,

3. The members of both houses of Congress,

4. The members of the General Assembly, while in session or during a period when the member would be entitled to a legislative continuance as a matter of right under § 30-5,

5. Licensed practicing attorneys,

6. The judge of any court, members of the State Corporation Commission, members of the Virginia Workers' Compensation Commission, and magistrates,

7. Sheriffs, deputy sheriffs, state police, and police in counties, cities and towns,

8. The superintendent of the penitentiary and his assistants and the persons composing the guard,

9. Superintendents and jail officers, as defined in § 53.1-1, of regional jails,

10. The elected clerk of any circuit court and such clerk's deputies.

CHAPTER 93

An Act to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 22.23, consisting of a section numbered 59.1-284.44, relating to Lithium-ion Battery Separator Manufacturing Grant Fund.

[H 2540]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 22.23, consisting of a section numbered 59.1-284.44, as follows:

CHAPTER 22.23.

LITHIUM-ION BATTERY SEPARATOR MANUFACTURING GRANT FUND.

§ 59.1-284.44. Lithium-Ion Battery Separator Manufacturing Grant Fund.

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

"Capital investment" means an expenditure by or on behalf of a qualified company on or after July 1, 2024, on or for real property, taxable tangible personal property, or both, at a facility in an eligible locality that is properly chargeable to a capital account or would be so chargeable with a proper election under Virginia law. Such term shall include (i) the purchase or lease of furniture, fixtures, business personal property, machinery, and tools, including under an operating lease, and (ii) expected building construction and up-fit by or on behalf of a qualified company.

"Eligible locality" means Pittsylvania County.

"Facility" means the building, group of buildings, or corporate campus, including any related machinery and tools, furniture, fixtures, and business personal property, that is located at or near a qualified company's operations in an eligible locality and is owned, leased, licensed, occupied, or otherwise operated by a qualified company.

"Fund" means the Lithium-Ion Battery Separator Manufacturing Grant Fund.

"Grants" means the grant payments from the Fund that are awarded to a qualified company in an aggregate amount not to exceed $60,597,000. The proceeds of any grants may be used by the qualified company for costs of construction and development of the facility, or any other lawful purpose.

"Memorandum of understanding" means a performance agreement or related document to be entered into by a qualified company, the Commonwealth, and VEDP that sets forth the requirements for capital investment and the creation of new full-time jobs by a qualified company to be eligible for grants from the Fund.

"New full-time job" means a job position for an employee of a qualified company (i) that is principally located at a facility; (ii) for which the average annual wage is at least $45,896, subject to an escalation factor for each year as set forth in the memorandum of understanding; (iii) for which the qualified company provides standard fringe benefits; and (iv) that requires a minimum of either (a) 35 hours of an employee's time per week for the entire normal year of the qualified company's operations, which "normal year" shall consist of at least 48 weeks, or (b) 1,680 hours per year. Seasonal or temporary positions and positions with construction contractors, vendors, suppliers, and similar multiplier or spin-off jobs shall not qualify as new full-time jobs. The Commonwealth may assess compliance with the new full-time job requirements for a qualified company by reference to the new payroll generated by a qualified company if provided for in the memorandum of understanding.

"Qualified company" means a company, including its affiliates, that engages in the manufacture of lithium-ion battery separators and that on and after July 1, 2024, but before July 1, 2045, is expected to (i) make a capital investment of at least $1.3506 billion and (ii) create and maintain at least 2,015 new full-time jobs.

"Secretary" means the Secretary of Commerce and Trade or his designee.

"VEDP" means the Virginia Economic Development Partnership Authority.

B. There is hereby created in the state treasury a special nonreverting fund to be known as the Lithium-Ion Battery Separator Manufacturing Grant Fund. The Fund shall be established on the books of the Comptroller. All funds appropriated to the Fund shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used to pay grants pursuant to this chapter. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller pursuant to subsection F.

C. A qualified company shall be eligible to receive grants each fiscal year expected to begin with the Commonwealth's fiscal year starting on July 1, 2026, and ending with the Commonwealth's fiscal year starting on July 1, 2045, unless such timeframe is extended in accordance with a memorandum of understanding. Grants awarded pursuant to this section shall be subject to appropriation by the General Assembly during each such fiscal year and are contingent on a qualified company meeting the requirements set forth in this chapter and in the memorandum of understanding for the number of new full-time jobs created and maintained and the amount of capital investment made.

D. The aggregate amount of grants payable under this section shall not exceed $60,597,000. Grants are anticipated to be paid in 20 annual fiscal year installments, calculated in accordance with a memorandum of understanding, as follows:

1. $691,545, for the Commonwealth's fiscal year beginning July 1, 2026;

2. $1,558,800, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2027;

3. $3,423,813, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2028;

4. $4,553,857, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2029;

5. $6,928,781, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2030;

6. $11,147,397, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2031;

7. $15,084,768, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2032;

8. $19,253,760, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2033;

9. $22,699,410, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2034;

10. $26,145,060, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2035;

11. $29,590,710, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2036;

12. $33,036,360, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2037;

13. $36,482,010, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2038;

14. $39,927,660, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2039;

15. $43,373,310, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2040;

16. $46,818,960, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2041;

17. $50,264,610, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2042;

18. $53,710,260, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2043;

19. $57,155,910, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2044; and

20. $60,597,000, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2045.

In accordance with the memorandum of understanding, actual grant payment amounts and fiscal years may differ from the schedule in this subsection and may be extended beyond the fiscal year beginning July 1, 2045, but in no event shall the aggregate amount of grant payments across all fiscal years exceed $60,597,000. In addition, in no event shall grants be paid from the Fund for more than 20 consecutive years. Any grants not earned by the end of a 20-year payment period shall be forfeited.

E. A qualified company applying for a grant installment under this section shall provide verifiable documentation satisfactory to the Secretary evidencing (i) the aggregate number of new full-time jobs created and maintained as of the last day of the calendar year preceding the application and (ii) the amount of capital investment made in the calendar year preceding the application. The application and evidence shall be filed with the Secretary in person, by mail, or as otherwise agreed upon in the memorandum of understanding no later than April 1 each year reflecting performance through the last day of the prior calendar year. Failure to meet the filing deadline shall result in a deferral of any scheduled grant installment payment pursuant to subsection D. For such filings made by mail, the postmark cancellation shall govern for purposes of the date of the filing determination.

F. Within 60 days of receiving an application and satisfactory evidence pursuant to subsection E, the Secretary shall certify to the Comptroller and the qualified company the amount of grants to which such qualified company is entitled for payment. Payment of such grants shall be made by check issued by the State Treasurer on warrant of the Comptroller in the Commonwealth's fiscal year following the submission of an application. The Comptroller shall not draw any warrant to issue checks for grants without a specific appropriation for the same.

G. As a condition of receipt of grants under this section, a qualified company shall make available to the Secretary for inspection, upon request, all documents that are relevant or applicable to determining whether the qualified company has met the requirements for receipt of a grant pursuant to this section and subject to the memorandum of understanding. Any such documents appropriately identified by a qualified company shall be considered confidential and proprietary.

CHAPTER 94

An Act to amend and reenact § 54.1-310 of the Code of Virginia, relating to Board for Professional and Occupational Regulation; powers and duties.

[H 2553]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-310 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-310. Powers and duties of Board.

A. The Board shall have the following powers and duties:

1. Provide a means of citizen access to the Department.

2. Provide a means of publicizing the policies and programs of the Department in order to educate the public and elicit public support for Department activities.

3. Monitor the policies and activities of the Department and have the right of access to departmental information.

4. *Review and comment on the budget for the Department.*

5. Advise the Governor*, the General Assembly,* and the Director on matters relating to the regulation *or deregulation* of professions and occupations.

~~5.~~ *6.* Promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) necessary to carry out its responsibilities.

~~6.~~ *7.* Evaluate ~~constantly~~ each profession and occupation in the Commonwealth not otherwise regulated for consideration as to whether such profession or occupation should be regulated and, if so, the degree of regulation that should be imposed. Whenever it determines that the public interest requires that a profession or occupation which is not

regulated by law should be regulated, the Board shall recommend to the General Assembly next convened a regulatory system accompanied by comprehensive regulations necessary to conduct the degree of regulation required.

8. Review each profession and occupation regulated by the Department or regulatory boards within the Department, on a periodic basis, to determine whether it is in the public interest that the Department or appropriate regulatory board should (i) continue to regulate such profession or occupation at its current level of regulation, (ii) regulate such profession or occupation at a different level of regulation, or (iii) no longer regulate such profession or occupation. Whenever the Board determines that it is in the public interest for a profession or occupation to be regulated at a different level of regulation than its current level of regulation or to be deregulated, the Board shall make such recommendation to the General Assembly.

B. Upon the regulation of a profession or occupation as set forth in subsection A, the Board shall have the power and duty to promulgate supplemental regulations necessary to effectuate the purposes and intent of this chapter and to establish regulatory boards to administer the system of regulation and the regulations recommended by the Board and approved by the General Assembly.

CHAPTER 95

An Act to amend and reenact §§ 54.1-828 through 54.1-831, 54.1-833, and 54.1-834 of the Code of Virginia, relating to boxing and wrestling events; license requirements for examining physicians.

[H 2573]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-828 through 54.1-831, 54.1-833, and 54.1-834 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-828. Definitions.

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

"Amateur" means an individual who has never participated in a boxing, martial arts, or professional wrestling event for money, compensation, or reward other than a suitably inscribed memento.

"Boxer" means a person competing in the sport of boxing.

"Boxing" means the contact sport of attack or defense using fists.

"Cable television system" means any facility consisting of a set of closed transmission paths and associated equipment designed to provide video programming to multiple subscribers when subscriber interaction is required to select a specific video program for an access fee established by the cable television system for that specific video program.

"Contractor" means any person who has been recognized by the Director, through a contract pursuant to § 54.1-832, as an appropriate responsible party to provide services to assist the Commonwealth in complying with the provisions of this chapter.

"Department" means the Department of Professional and Occupational Regulation or its successor.

"Director" means the Director of the Department of Professional and Occupational Regulation.

"Event" means any boxing, martial arts, or professional wrestling show that includes one or more bouts, contests, or matches.

~~"Exhibition" means any occurrence in which boxers or martial artists show or display skills without striving to win.~~

"Exhibition bout" means a bout that is part of any martial arts or professional boxing event in which boxers or martial artists show or display skills without a declared winner.

"Manager" means any person who serves as a representative or agent of a boxer, martial artist, or professional wrestler to arrange for his participation in an event.

"Martial artist" means a person competing in the sport of martial arts.

"Martial arts" or "mixed martial arts" means any of several Asian arts of combat or self-defense, alone or in combination, including ~~but not limited to~~ aikido, karate, judo, muay thai, or tae kwon do, usually practiced as sport and which may involve the use of striking weapons.

"Matchmaker" means any person who proposes, selects, arranges for, or in any manner procures specific individuals to be contestants in an event.

"Person" means a natural person, corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, or any other entity.

"Professional" means a person who participates or has ever participated for money, compensation, or reward other than a suitably inscribed memento in any boxing, martial arts, or professional wrestling event.

"Professional wrestler" means any professional participating in professional wrestling.

"Professional wrestling" means an event in which contestants incorporate the sport of wrestling into choreographed performances.

"Promote" or "promotion" means to organize, arrange, publicize, or conduct an event or exhibition *bout* in the Commonwealth.

"Promoter" means any person who undertakes to promote an event or exhibition *bout*.

"Regulant" means any person required by this chapter to obtain a prior authorization from the Department.

"Sanctioning organization" means an entity approved by the Director pursuant to § 54.1-829.1.

"Trainer," "second," or "cut man" means an individual who undertakes to assure the well-being of a boxer or martial artist by providing instruction or advice concerning techniques or strategies of boxing or martial arts, and who may work in the corner with a boxer or martial artist between the rounds of a match to assure his well-being and provide necessary equipment and advice concerning match participation.

"Wrestler" means any person competing or participating as an opponent in wrestling.

"Wrestling" means any of several styles of physical competition in which individuals attempt to subdue or unbalance an opponent, including Greco-Roman, freestyle, grappling, or submission, usually practiced as a sport.

§ 54.1-829. Authorization from Director required; bond; physical examination; emergency medical services vehicles; physician; health insurance.

A. No person shall act as a promoter, matchmaker, trainer, boxer, martial artist, or professional wrestler in the Commonwealth without first having obtained authorization for such activity from the Department or sanctioning organization approved by the Director pursuant to § 54.1-829.1 and such authorization remains in full force and effect.

B. No authorization to act as a promoter shall be granted unless the applicant executes and files with the Department a bond, in such penalty as the Department shall determine through regulation, conditioned on the payment of the fees and penalties imposed by this chapter and for the fulfillment of contracts made with professional contestants in accordance with Department regulations. This subsection shall not apply to a promoter applying to conduct an amateur-only event under the authority of a sanctioning organization approved by the Director pursuant to § 54.1-829.1.

C. Each boxer and martial artist shall, and each professional wrestler may, be examined prior to entering the ring by a physician who has ~~been~~ *held a license to practice medicine for at least three years in any jurisdiction of the United States and who is currently* licensed to practice medicine in the Commonwealth ~~for at least five years~~. The physician shall be ~~appointed by the Department or sanctioning organization~~ *approved by the Director* and shall certify in writing that the contestant's physical condition is such that he is physically able to engage in the contest.

D. No event in which boxers or martial artists are contestants shall be conducted without the continuous presence at ringside of a physician who has ~~been~~ *held a license to practice medicine for at least three years in any jurisdiction of the United States and who is currently* licensed to practice medicine in the Commonwealth ~~for at least five years~~, and unless an emergency medical services vehicle is at the site of the event.

E. No boxer or martial artist shall participate in any event unless covered by a health insurance policy with minimum coverage in an amount determined by Department regulation.

§ 54.1-829.1. Sanctioning organization; amateur martial arts events.

A. No event in which amateur participants compete in martial arts shall be authorized in the Commonwealth unless the amateur event is conducted by a sanctioning organization approved by the Director. Only the results of amateur events conducted by a sanctioning organization in good standing and in compliance with this section shall be recognized for purposes of reporting bout results to a national database or official registry. Every sanctioning organization, insofar as practicable, shall observe and apply the unified rules adopted by the Association of Boxing Commissions. Notwithstanding any other provision of law or regulation, for purposes of amateur martial arts events, weight classes and bout rules governing round length, judging, and scoring shall conform with the Association of Boxing Commissions unified rules.

B. No amateur martial artist shall compete in an event who has:

1. Not attained the age of 18 years;

2. Been knocked out in the 60 days immediately preceding the date of the event;

3. Been technically knocked out in the 30 days preceding the date of the event;

4. Been a contestant in an event consisting of (i) more than six rounds during the 15 days preceding the date of the event or (ii) six or fewer rounds during the seven days preceding the event;

5. Suffered a cerebral hemorrhage or other serious physical injury;

6. Been found to be blind or vision impaired in one or both eyes;

7. Been denied a license or approval to compete by another jurisdiction for medical reasons;

8. Failed to provide negative test results, dated within 180 days preceding the date of the event, for the following: (i) antibodies to the human immunodeficiency virus; (ii) hepatitis B surface antigen (HBsAg); and (iii) antibodies to the hepatitis C virus; or

9. Failed to provide written certification from a licensed physician, dated within 180 days preceding the date of the event, attesting to the contestant's good physical health and absence of any preexisting conditions or observed abnormalities that would prevent participation in the event. The examination performed by the ringside physician at the event pursuant to clause (ii) of subdivision C 3 shall not satisfy this requirement.

C. For each amateur martial arts event, the sanctioning organization shall:

1. Review the records, experience, and consecutive losses for each amateur martial artist prior to each event to determine, to the extent possible, that contestants scheduled to compete are substantially equal in skills and ability;

2. Verify that each amateur martial artist scheduled to compete is covered by health insurance;

3. Appoint a physician *who has held a license to practice medicine for at least three years in any jurisdiction of the United States and who is currently* licensed to practice medicine in the Commonwealth ~~for at least five years~~ to remain at ringside on a continuous basis. Duties of the ringside physician shall include (i) conducting a physical examination of each

referee immediately prior to the event to assure his fitness to act in such capacity, (ii) conducting a physical examination and taking a medical history of each amateur martial artist prior to the contestant's entering the ring and certifying the contestant's physical condition, (iii) signaling the referee immediately in the event that an injury is observed, (iv) rendering immediate medical aid to any amateur martial artist injured during an event, and (v) ensuring that all substances in the possession of seconds, trainers, or cut men are appropriate for use on amateur martial artists during the course of the event;

4. Assign a sufficient number of qualified officials, including locker room inspectors, judges, timekeepers, and referees, to protect the health and safety of amateur martial artists and the public. Duties of the referee shall include (i) providing prefight instructions to the contestants; (ii) ensuring that each amateur martial artist is wearing gloves supplied by the sanctioning organization or event promoter that are in new or good condition, weighing between four and six ounces; (iii) exercising supervision over the conduct of the bout and taking immediate corrective action when necessary; (iv) immediately stopping any bout when, in his judgment, one contestant is outclassed by the other, injured, or otherwise unable to continue safely; (v) striving to perform his duties in a manner that does not impede the fair participation of either contestant; (vi) consulting, when he deems appropriate, with the ringside physician on the advisability of stopping the bout if either contestant appears injured or unable to continue; (vii) counting for knockdowns and knockouts, determining fouls and stopping contests, and immediately stopping any bout if one or both contestants are not putting forth their best effort; and (viii) ensuring the health and well-being of the amateur martial artists to the greatest extent possible; and

5. Require a fully equipped emergency medical services vehicle with a currently trained ambulance crew at the site of every amateur event for its entire duration.

D. Any sanctioning organization seeking approval under this section shall make a written application on a form prescribed by the Director. The application shall be accompanied by a fee of $500. The Director shall annually approve sanctioning organizations whose applications satisfactorily demonstrate evidence of standards and operations in place that are at least as rigorous as and limited to those required by this section. Following an informal fact-finding proceeding conducted pursuant to § 2.2-4019, the Director may withdraw his approval of any sanctioning organization that has failed to comply with this section based on (i) the review of the annual report submitted by the sanctioning organization or (ii) review of a complaint received pursuant to subdivision A 8 of § 54.1-201 or § 54.1-307.1.

E. A sanctioning organization seeking approval from the Director shall provide documented evidence (i) of operation as a business for at least the immediately preceding three years; (ii) of at least five years of experience as a sanctioning organization representing at least two different promotions during such five-year period or that the principal officers have at least eight years of experience working as a referee or head official for an established sanctioning organization without adverse financial or disciplinary action in any jurisdiction; (iii) indicating that none of its officers, employees, or agents, directly or indirectly, has any pecuniary interest in, or holds any position with, any business associated with a promoter or otherwise operates for the sole benefit of a single promoter; and (iv) of assurance that events will be conducted in a fair and impartial manner with avoidance of any impropriety or appearance of impropriety.

F. Each approved sanctioning organization shall submit an annual report to the Director on or before February 1, with a summary of the events conducted for the preceding calendar year. The Director may address any operational or compliance issues with the sanctioning organization consistent with and in furtherance of the objectives of this section. The Director shall not intervene in the internal activities of a sanctioning organization except to the extent necessary to prevent or cure violations of this section or any statute governing the persons or activities regulated pursuant to this chapter.

G. The Commonwealth, the Director, the Department, and any employee or representative shall be indemnified and held harmless from any liability resulting from or caused by a sanctioning organization or persons conducting activities on behalf of such regulant.

§ 54.1-830. Exemptions.

The provisions of this chapter shall not apply to:

1. Amateur wrestling bouts;

2. Amateur ~~exhibitions~~ *exhibition bouts* and the amateur participants therein;

3. Engagements involving amateur martial arts that are conducted by or held under the sponsorship of (i) any elementary or secondary school or public or private institution of higher education located in the Commonwealth, (ii) the Department of Corrections involving inmates of any state correctional institution, or (iii) the United States Olympic Committee; or

4. Amateur boxing.

§ 54.1-831. Powers and duties of the Department.

The Department shall administer and enforce the provisions of this chapter. In addition to the powers and duties otherwise conferred by law, the Director shall have the powers and duties of a regulatory board as contained in §§ 54.1-201 and 54.1-202, and shall have the power and duty to:

1. Promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) which implement the federal Professional Boxing Safety Act of 1996 (15 U.S.C. § 6301 et seq.) and protect the public against incompetent, unqualified, unscrupulous or unfit persons engaging in the activities regulated by this chapter.

The regulations shall include requirements for (i) initial authorization and renewal of the authorization; (ii) authorization and conduct of events; (iii) standards of practice for persons arranging, promoting, conducting, supervising, and participating in events; (iv) grounds for disciplinary actions against regulants; (v) records to be kept and maintained by regulants; (vi) the manner in which fees are to be accounted for and submitted to the Department, provided,

however, that no gate fee shall be required for amateur-only events conducted by a sanctioning organization approved by the Director pursuant to § 54.1-829.1; and (vii) minimum health coverage for injuries sustained in a boxing or martial arts match. The Department shall have direct oversight of professional events to assure the safety and well-being of boxers, martial artists, and professional wrestlers, except that those portions of an event containing amateur bouts shall be conducted under the oversight of a sanctioning organization. Sanctioning organizations shall have sole responsibility for direct oversight of amateur-only events in which martial artists compete.

2. Charge each applicant for authorization and for renewals of authorization a nonrefundable fee subject to the provisions of § 54.1-113 and subdivision A 4 of § 54.1-201. A sanctioning organization shall be subject to the application fee provisions of subsection D of § 54.1-829.1.

3. Conduct investigations to determine the suitability of applicants for authorization and to determine the regulant's compliance with applicable statutes and regulations.

4. Conduct investigations as to whether monopolies, combinations, or other circumstances exist to restrain matches or ~~exhibitions~~ *exhibition bouts* of boxing, martial arts, or professional wrestling anywhere in the Commonwealth. The Attorney General may assist investigations at the request of the Department.

5. Exercise jurisdiction over all boxing, martial arts, and professional wrestling conducted within the Commonwealth by any person, except where otherwise exempted.

§ 54.1-833. Reports; cable television systems; fee on receipts.

A. Each promoter shall furnish to the Department, within ~~twenty-four hours~~ *two weeks* after the completion of each event, a written and verified report on the form provided by the Department showing the number of tickets sold, unsold, and given away and the amount of gross proceeds thereof for such events originating in the Commonwealth, and its total gross receipts from the sale of rights to distribute in any manner such event by any video, telephonic, or other communication method involving the control of electrons or other charge carriers for such live events originating in the Commonwealth. Within the ~~twenty-four-hour~~ *two-week* period, the promoter shall pay to the Department a fee of (i) five percent of the first $100,000 of its total gross receipts~~;~~ and (ii) two and one-half percent of the remainder of its total gross receipts. Records of the promoter shall be subject to audit by the Department.

B. Each cable television system or other multichannel video programming service shall report to the Department in writing the name and address of each person from whom it obtains the rights to provide a live event originating in the Commonwealth.

C. The Department shall hold all license fees in a special fund of the state treasury subject to appropriation of the General Assembly. Payments from this fund shall be made to the contractors for their services on behalf of the Commonwealth. No payment shall exceed the balance of the fund. The Department shall draw from the fund to cover any expenses associated with the provisions of this chapter.

§ 54.1-834. Prohibited activities; penalties.

A. No betting or wagering shall be permitted at an event or exhibition *bout* before, during, or after the event in the building where the event is held.

B. No person shall participate in a sham or fake boxing or martial arts contest. The Department shall have the authority to order, without a hearing, the person controlling the purse to hold the distribution to contestants, promoters, and trainers pending a public hearing by the Department. The Department shall, simultaneously with the issuance of such order to retain the share or purse, institute proceedings for a hearing to determine whether a sham or fake boxing or martial arts contest has occurred.

C. It shall be a Class 1 misdemeanor for any person to violate this section or any statute or regulation governing the persons or activities regulated pursuant to this chapter.

D. The third or any subsequent conviction for violating any provision of this section during a 36-month period shall constitute a Class 6 felony.

CHAPTER 96

An Act to direct the Office of the Executive Secretary of the Supreme Court of Virginia to send notification to guardians ad litem representing juveniles alleged to be a child in need of services or supervision that such attorney should have familiarity with the statutes providing the dispositional alternatives available when a juvenile and domestic relations district court finds that a child is in need of services or supervision.

[H 2596]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Office of the Executive Secretary of the Supreme Court of Virginia shall send notification to attorneys in the Commonwealth who are qualified as of July 1, 2025, for appointment as a guardian ad litem pursuant to § 16.1-266.1 of the Code of Virginia that, if appointed to represent a child who is alleged to be a child in need of services or supervision in accordance with the provisions of § 16.1-266 of the Code of Virginia, such attorney should have familiarity with the statutes providing the dispositional alternatives available when a juvenile and domestic relations district court finds that a child is in need of services or supervision.*

CHAPTER 97

An Act to amend and reenact §§ 27-95 and 27-97 of the Code of Virginia, relating to Statewide Fire Prevention Code Act; counterfeit and unsafe lighters prohibited.

[H 2642]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 27-95 and 27-97 of the Code of Virginia are amended and reenacted as follows:

§ 27-95. Definitions.

As used in this chapter, unless the context or subject matter requires otherwise, the following words or terms shall have the meaning herein ascribed to them:

"Board" means the Board of Housing and Community Development.

"Code provisions" means the provisions of the Fire Prevention Code as adopted and promulgated by the Board, and the amendments thereof as adopted and promulgated from time to time by such Board.

"Counterfeit lighter" means any lighter designed in a way that infringes on the intellectual property rights of any citizen of the United States or any entity that is protected by any federal or state intellectual property law.

"Enforcement agency" means the agency or agencies of any local governing body or the State Fire Marshal charged with the administration or enforcement of the Fire Prevention Code.

"Fire Prevention Code" or "Code" means the Statewide Fire Prevention Code.

"Fire prevention regulation" means any law, rule, resolution, regulation, ordinance or code, general or special, or compilation thereof to safeguard life and property from the hazards of fire or explosion arising from the improper maintenance of life safety and fire prevention and protection materials, devices, systems and structures, and the unsafe storage, handling and use of substances, materials and devices, including explosives and blasting agents, wherever located, heretofore or hereafter enacted or adopted by the Commonwealth or any county or municipality, including departments, boards, bureaus, commissions or other agencies.

"Fire Services Board" means the Virginia Fire Services Board as provided for in § 9.1-202.

"Fireworks" means any firecracker, torpedo, skyrocket, or other substance or object, of whatever form or construction, that contains any explosive or inflammable compound or substance, and is intended, or commonly known as fireworks, and which explodes, rises into the air or travels laterally, or fires projectiles into the air.

"Fireworks operator" or "pyrotechnician" means any person engaged in the design, setup, and firing of any fireworks other than permissible fireworks either inside a building or structure or outdoors.

"Inspection warrant" means an order in writing, made in the name of the Commonwealth, signed by any judge or magistrate whose territorial jurisdiction encompasses the building, structure or premises to be inspected or entered, and directed to a state or local official, commanding him to enter and to conduct any inspection, examination, testing or collection of samples for testing required or authorized by the Virginia Statewide Fire Prevention Code.

"Lighter" means any electrical or mechanical device that operates using any type of fuel, including butane or another liquid fuel, and is typically used to light a cigarette, cigar, or pipe.

"Local government" means the governing body of any city, county or town in this Commonwealth.

"Permissible fireworks" means any fountains that do not emit sparks or other burning effects to a distance greater than five meters (16.4 feet); wheels that do not emit a flame radius greater than one meter (39 inches); crackling devices and flashers or strobes that do not emit sparks or other burning effects to a distance greater than two meters (78.74 inches); and sparkling devices or other fireworks devices that (i) do not explode or produce a report, (ii) do not travel horizontally or vertically under their own power, (iii) do not emit or function as a projectile, (iv) do not produce a continuous flame longer than 20 inches, (v) are not capable of being reloaded, and (vi) if designed to be ignited by a fuse, have a fuse that is protected to resist side ignition and a burning time of not less than four seconds and not more than eight seconds.

"State Fire Marshal" means the State Fire Marshal as provided for by § 9.1-206.

"Unsafe lighter" means (i) a disposable or refillable lighter used for cigarettes, cigars, or pipes that does not comply with ASTM International standard F400-20, as amended from time to time, or (ii) a lighter used for utilities, grills, or fireplaces or a lighting rod or gas match that does not comply with ASTM International standard F2201-20, as amended from time to time.

§ 27-97. Adoption of Fire Prevention Code.

The Board of Housing and Community Development is hereby empowered to adopt and promulgate a Statewide Fire Prevention Code which shall be cooperatively developed with the Fire Services Board pursuant to procedures agreed to by the two Boards. The Fire Prevention Code shall prescribe regulations to be complied with for the protection of life and property from the hazards of fire or explosion and for the handling, storage, sale, and use of fireworks, explosives, or blasting agents, and shall provide for the administration and enforcement of such regulations. The Fire Prevention Code shall require manufacturers of fireworks or explosives, as defined in the Code, to register and report information concerning their manufacturing facilities and methods of operation within the Commonwealth in accordance with regulations adopted by the Board. In addition to conducting criminal background checks pursuant to § 27-97.2, the Board shall also establish regulations for obtaining permits for the manufacturing, storage, handling, use, or sales of fireworks or explosives. In the

enforcement of such regulations, the enforcing agency may issue annual permits for such activities to any state regulated public utility. Such permits shall not apply to the storage, handling, or use of explosives or blasting agents pursuant to the provisions of Title 45.2.

The Fire Prevention Code shall prohibit any person, firm, or corporation from transporting, manufacturing, storing, selling, offering for sale, exposing for sale, or buying, using, igniting, or exploding any fireworks except for those persons, firms, or corporations that manufacture, store, market and distribute fireworks for the sole purpose of fireworks displays permitted by an enforcement agency or by any locality.

The Fire Prevention Code shall supersede fire prevention regulations heretofore adopted by local governments or other political subdivisions. Local governments are hereby empowered to adopt fire prevention regulations that are more restrictive or more extensive in scope than the Fire Prevention Code provided such regulations do not affect the manner of construction, or materials to be used in the erection, alteration, repair, or use of a building or structure, including the voluntary installation of smoke alarms and regulation and inspections thereof in commercial buildings where such smoke alarms are not required under the provisions of the Code. The Fire Prevention Code shall prohibit any person not certified by the State Fire Marshal's Office as a fireworks operator or pyrotechnician to design, set up, or conduct or supervise the design, setup, or conducting of any fireworks display, either inside a building or structure or outdoors and shall require that at least one person holding a valid certification is present at the site where the fireworks display is being conducted. Certification shall not be required for the design, storage, sale, use, conduct, transportation, and set up of permissible fireworks or the supervision thereof or in connection with any fireworks display conducted by a volunteer fire department provided one member of the volunteer fire department holds a valid certification.

In formulating the Fire Prevention Code, the Board shall have due regard for generally accepted standards as recommended by nationally recognized organizations including, but not limited to, standards of the International Code Council, the National Fire Protection Association, and recognized organizations issuing standards for the protection of the public from the hazards of explosives and blasting agents. Such standards shall be based on the companion document to the model building code referenced by the Uniform Statewide Building Code.

The Fire Prevention Code shall require that buildings constructed prior to 1973 be maintained in accordance with state fire and public building regulations in effect prior to March 31, 1986, and that any building which is (i) more than 75 feet or more than six stories high and (ii) used, in whole or in part, as a dormitory to house students by any public or private institution of higher education shall be required to comply with the provisions of § 36-99.3. The Fire Prevention Code shall also require annual fire drills in all buildings having floors used for human occupancy located more than 75 feet above the lowest level of fire department vehicle access. The drills shall be conducted by building staff personnel or the owner of the building in accordance with a plan approved by the appropriate fire official and shall not affect other current occupants. The Board may modify, amend, or repeal any Code provisions as the public interest requires. Any such Code changes shall be developed in cooperation with the Fire Services Board pursuant to procedures agreed to by the two Boards.

The Fire Prevention Code shall prohibit the offering or sale to the public of unsafe lighters or counterfeit lighters regardless of whether such offering or sale is conducted on a retail basis or wholesale basis; however, the Fire Prevention Code shall not prohibit (i) the interstate transportation of counterfeit lighters or unsafe lighters through the Commonwealth or (ii) the storage of counterfeit lighters or unsafe lighters in any distribution center or warehouse located in the Commonwealth, if such distribution center or warehouse is closed to the public and does not distribute or sell such lighters to the public.

CHAPTER 98

An Act to amend and reenact §§ 15.2-1529 and 15.2-1530 of the Code of Virginia, relating to bond requirements for local treasurers.

[H 2658]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-1529 and 15.2-1530 of the Code of Virginia are amended and reenacted as follows:

§ 15.2-1529. Amount of bond of treasurer or director of finance of counties.

Notwithstanding the provisions of §§ 15.2-416, 15.2-541, 15.2-642, 15.2-707 and 15.2-852 requiring the surety bond given by a county treasurer or director of finance to be in an amount of not less than fifteen percent of the amounts to be received annually by such officers, the court or the governing body responsible for fixing the penalty of the bond may in its discretion exclude the amounts to be received for the county from temporary and long-term loans and federal revenue sharing funds when fixing the required minimum bond, and the amount of the bonds to be given shall not exceed the following maximums based on the population of the respective counties unless, for good cause shown, a greater bond is deemed advisable:

1. In counties having a population of not more than 10,000, the bond shall be limited to ~~$300,000~~ *$450,000*.

2. In counties having a population of more than 10,000 but not more than 30,000, the bond shall be limited to ~~$400,000~~ *$600,000*.

3. In counties having a population of more than 30,000 but not more than 50,000, the bond shall be limited to ~~$500,000~~ *$750,000*.

4. In counties having a population of more than 50,000 but not more than 100,000, the bond shall be limited to ~~$750,000~~ *$1,125,000*.

5. In counties having a population of more than 100,000, the bond shall be limited to ~~one million dollars~~ *$1,500,000*.

§ 15.2-1530. Bonds required of treasurers or directors of finance of cities.

Notwithstanding any contrary provision of law, general or special, the penalty of the bond for treasurers or directors of finance of cities shall be not less than fifteen percent of the amount of revenue to be received annually by him but not more than ~~$500,000~~ *$750,000* for treasurers or directors of finance of cities under 100,000 population nor more than ~~$1,500,000~~ *$1,950,000* for treasurers or directors of finance of cities over 100,000.

CHAPTER 99

An Act to amend and reenact § 46.2-1530 of the Code of Virginia, relating to motor vehicle dealers; buyer's order; leased motor vehicles.

[H 2659]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1530 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1530. Buyer's order.

A. Every motor vehicle dealer shall complete~~, in duplicate,~~ a buyer's order for each sale*, lease,* or exchange of a motor vehicle. *A dealer may, but is not required to, use separate buyer's order forms for a sale of a motor vehicle and a lease of a motor vehicle.* A copy of the buyer's order form shall be made available to a prospective buyer *or lessee* during the negotiating phase of a sale *or lease* and prior to any sales *or lease* agreement. ~~The completed original~~ *A copy* shall be retained for a period of five years in accordance with § 46.2-1529, and a duplicate copy shall be delivered to the purchaser *or lessee* at the time of sale*, lease,* or exchange. A buyer's order shall include:

1. The name and address of the person to whom the vehicle was sold*, leased,* or traded.

2. The date of the sale*, lease,* or trade.

3. The name and address of the motor vehicle dealer selling*, leasing,* or trading the vehicle.

4. The make, model year, vehicle identification number and body style of the vehicle.

5. The sale price *or agreed value* of the vehicle.

6. The amount of any cash deposit made by the buyer *or lessee*.

7. A description of any vehicle used as a trade-in and the amount credited the buyer *or lessee* for the trade-in. The description of the trade-in shall be the same as outlined in subdivision 4.

8. The amount of any sales and use tax, title fee, registration fee, purchaser's online systems filing fee, or other fee required by law for which the buyer *or lessee* is responsible and the dealer has collected. Each tax and fee shall be individually listed and identified.

9. The net balance due at settlement.

10. Any item designated as "processing fee," and the amount charged by the dealer, if any, for processing the transaction. As used in this section, processing includes obtaining title and license plates for the purchaser, but does not include any "purchaser's online systems filing fee," as defined in § 46.2-1530.1, or any "dealer's manual transaction fee," as defined in § 46.2-1530.2.

11. Any item designated as "dealer's business license tax," and the amount charged by the dealer, if any.

12. If the dealer delivers to the customer a vehicle purchased by the customer on or after July 1, 2010, that is conditional on dealer-arranged financing, the following notice, printed in bold type no less than 10 point: "IF YOU ARE FINANCING THIS VEHICLE, PLEASE READ THIS NOTICE: YOU ARE PROPOSING TO ENTER INTO A RETAIL INSTALLMENT SALES CONTRACT WITH THE DEALER. PART OF YOUR CONTRACT INVOLVES FINANCING THE PURCHASE OF YOUR VEHICLE. IF YOU ARE FINANCING THIS VEHICLE AND THE DEALER INTENDS TO TRANSFER YOUR FINANCING TO A FINANCE PROVIDER SUCH AS A BANK, CREDIT UNION OR OTHER LENDER, YOUR VEHICLE PURCHASE DEPENDS ON THE FINANCE PROVIDER'S APPROVAL OF YOUR PROPOSED RETAIL INSTALLMENT SALES CONTRACT. IF YOUR RETAIL INSTALLMENT SALES CONTRACT IS APPROVED WITHOUT A CHANGE THAT INCREASES THE COST OR RISK TO YOU OR THE DEALER, YOUR PURCHASE CANNOT BE CANCELLED. IF YOUR RETAIL INSTALLMENT SALES CONTRACT IS NOT APPROVED, THE DEALER WILL NOTIFY YOU VERBALLY OR IN WRITING. YOU CAN THEN DECIDE TO PAY FOR THE VEHICLE IN SOME OTHER WAY OR YOU OR THE DEALER CAN CANCEL YOUR PURCHASE. IF THE SALE IS CANCELLED, YOU NEED TO RETURN THE VEHICLE TO THE DEALER WITHIN 24 HOURS OF VERBAL OR WRITTEN NOTICE IN THE SAME CONDITION IT WAS GIVEN TO YOU, EXCEPT FOR NORMAL WEAR AND TEAR. ANY DOWN PAYMENT OR TRADE-IN YOU GAVE THE DEALER WILL BE RETURNED TO YOU. IF YOU DO NOT RETURN THE VEHICLE WITHIN 24 HOURS OF VERBAL OR WRITTEN NOTICE OF CANCELLATION, THE DEALER MAY LOCATE THE VEHICLE AND TAKE IT BACK WITHOUT FURTHER

NOTICE TO YOU AS LONG AS THE DEALER FOLLOWS THE LAW AND DOES NOT CAUSE A BREACH OF THE PEACE WHEN TAKING THE VEHICLE BACK. IF THE DEALER DOES NOT RETURN YOUR DOWN PAYMENT AND ANY TRADE-IN WHEN THE DEALER GETS THE VEHICLE BACK IN THE SAME CONDITION IT WAS GIVEN TO YOU, EXCEPT FOR NORMAL WEAR AND TEAR, THE DEALER MAY BE LIABLE TO YOU UNDER THE VIRGINIA CONSUMER PROTECTION ACT."

13. *If the dealer uses a separate buyer's order form for a lease of a motor vehicle when delivering to the customer a vehicle leased by the customer that is conditional on dealer-arranged leasing, the following notice, printed in bold type no less than 10 point: "IF YOU ARE LEASING THIS VEHICLE, PLEASE READ THIS NOTICE: YOU ARE PROPOSING TO ENTER INTO A LEASE AGREEMENT WITH THE DEALER. PART OF YOUR CONTRACT INVOLVES FINANCING THE LEASE OF YOUR VEHICLE. IF YOU ARE LEASING THIS VEHICLE AND THE DEALER INTENDS TO TRANSFER YOUR LEASE TO A FINANCE PROVIDER SUCH AS A BANK, CREDIT UNION, OR OTHER LENDER, YOUR VEHICLE LEASE DEPENDS ON THE FINANCE PROVIDER'S APPROVAL OF YOUR PROPOSED LEASE AGREEMENT. IF YOUR LEASE AGREEMENT IS APPROVED WITHOUT A CHANGE THAT INCREASES THE COST OR RISK TO YOU OR THE DEALER, YOUR LEASE CANNOT BE CANCELLED. IF YOUR LEASE AGREEMENT IS NOT APPROVED, THE DEALER WILL NOTIFY YOU VERBALLY OR IN WRITING. YOU CAN THEN DECIDE TO PAY FOR THE VEHICLE IN SOME OTHER WAY OR YOU OR THE DEALER CAN CANCEL YOUR LEASE. IF THE LEASE IS CANCELLED, YOU NEED TO RETURN THE VEHICLE TO THE DEALER WITHIN 24 HOURS OF VERBAL OR WRITTEN NOTICE IN THE SAME CONDITION IT WAS GIVEN TO YOU, EXCEPT FOR NORMAL WEAR AND TEAR. ANY DOWN PAYMENT OR TRADE-IN YOU GAVE THE DEALER WILL BE RETURNED TO YOU. IF YOU DO NOT RETURN THE VEHICLE WITHIN 24 HOURS OF VERBAL OR WRITTEN NOTICE OF CANCELLATION, THE DEALER MAY LOCATE THE VEHICLE AND TAKE IT BACK WITHOUT FURTHER NOTICE TO YOU AS LONG AS THE DEALER FOLLOWS THE LAW AND DOES NOT CAUSE A BREACH OF THE PEACE WHEN TAKING THE VEHICLE BACK. IF THE DEALER DOES NOT RETURN YOUR DOWN PAYMENT AND ANY TRADE-IN WHEN THE DEALER GETS THE VEHICLE BACK IN THE SAME CONDITION IT WAS GIVEN TO YOU, EXCEPT FOR NORMAL WEAR AND TEAR, THE DEALER MAY BE LIABLE TO YOU UNDER THE VIRGINIA CONSUMER PROTECTION ACT."*

14. For sales of used motor vehicles, the disclosure required by § 46.2-1529.1.

Except for trailers and travel trailers, if the transaction does not include a policy of motor vehicle liability insurance, the seller *or lessor* shall stamp or mark on the face of the bill of sale in boldface letters no smaller than 18-point type the following words: "No Liability Insurance Included."

A completed buyer's order when signed by both buyer *or lessee* and seller *or lessor* may constitute a bill of sale.

B. The Board shall approve a buyer's order form and each dealer shall file with each original license application its buyer's order form, on which the processing fee amount is stated.

C. If a processing fee is charged, that fact and the amount of the processing fee shall be disclosed by the dealer. Disclosure shall be by placing a clear and conspicuous sign in the public sales area of the dealership. The sign shall be no smaller than eight and one-half inches by 11 inches and the print shall be no smaller than one-half inch, and in a form as approved by the Board.

D. Except for trailers, if the buyer's order is for a new motor vehicle that had accumulated, at the time of the sale, mileage in excess of 750 miles as a demonstrator or as a result of delivery to a prospective purchaser who never took title to the new motor vehicle and returned it, the vehicle may be sold *or leased* as new, provided the dealer delivers this disclosure in writing on the buyer's order containing type of no smaller than 10 point or in a separate document containing only the disclosure in type of no smaller than 14 point: "Notice: This new motor vehicle has accumulated mileage in excess of 750 miles as the result of use as a demonstrator and/or as the result of delivery to a prior prospective purchaser who never took title to it and who returned it." When delivered as a separate document, this disclosure shall also contain the actual odometer reading for the vehicle and shall be signed by the purchaser *or lessee*.

E. The provisions of this section shall not apply to the sale*, lease,* or exchange of (i) a tractor truck, (ii) a truck having a gross vehicle weight rating of 16,000 pounds or more, or (iii) a semitrailer.

CHAPTER 100

An Act to amend and reenact §§ 15.2-2259 and 15.2-2260 of the Code of Virginia, relating to subdivision ordinance; local approvals.

[H 2660]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-2259 and 15.2-2260 of the Code of Virginia are amended and reenacted:

§ 15.2-2259. Local planning commission to act on proposed plat.

A. 1. Except as otherwise provided in subdivisions 2 and 3, the local planning commission or other agent shall act on any proposed plat within 60 days after it has been officially submitted for approval by either approving or disapproving the plat in writing, and giving with the latter specific reasons therefor. The Commission or agent shall thoroughly review the plat and shall make a good faith effort to identify all deficiencies, if any, with the initial submission. However, if approval of

a feature or features of the plat by a state agency or public authority authorized by state law is necessary, the commission or agent shall forward the plat to the appropriate state agency or agencies for review within ~~10~~ ~~business~~ *five business* days of receipt of such plat. The state agency shall respond in accord with the requirements set forth in § 15.2-2222.1, which shall extend the time for action by the local planning commission or other agent, as set forth in subsection B. Specific reasons for disapproval shall be ~~contained~~ *provided to the applicant* either in a separate document or on the plat itself~~. The reasons for disapproval~~ *and* shall *(i)* identify *all* deficiencies in the plat that ~~cause~~ *caused* the disapproval by ~~reference to~~ *referencing* specific duly adopted ordinances, regulations, or policies and ~~shall~~ *(ii)* identify *all* modifications or corrections as will permit approval of the plat. The local planning commission or other agent shall act on any proposed plat that it has previously disapproved within 45 days after the plat has been ~~modified, corrected and~~ resubmitted for approval.

2. The approval of plats, site plans, and plans of development solely involving parcels of commercial or residential real estate by a local planning commission or other agent shall be governed by subdivision 3 and subsections B, C, and D. For the purposes of this section, the term "commercial" means all real property used for commercial or industrial uses, and the term "residential" means all real property used for single-family or multifamily use.

3. The local planning commission or other agent shall act on any proposed plat, site plan or plan of development within ~~60~~ *40* days after it has been officially submitted for approval by either approving or disapproving the plat in writing, and giving with the latter specific reasons therefor. The local planning commission or other agent shall not delay the official submission of any proposed plat, site plan, or plan of development by requiring presubmission conferences, meetings, or reviews. The Commission or agent shall thoroughly review the plat or plan and shall in good faith identify, to the greatest extent practicable, all deficiencies, if any, with the initial submission. However, if approval of a feature or features of the plat or plan by a state agency or public authority authorized by state law is necessary, the commission or agent shall forward the plat or plan to the appropriate state agency or agencies for review within ~~10~~ ~~business~~ *five business* days of receipt of such plat or plan. The state agency shall respond in accord with the requirements set forth in § 15.2-2222.1, which shall extend the time for action by the local planning commission or other agent, as set forth in subsection B. Specific reasons for disapproval shall be ~~contained~~ *provided to the applicant* either in a separate document or on the plat or plan itself~~. The reasons for disapproval~~ *and* shall *(i)* identify *all* deficiencies in the plat or plan that caused the disapproval by ~~reference to~~ *referencing* specific duly adopted ordinances, regulations, or policies and ~~shall~~ *(ii)* identify, to the greatest extent practicable, modifications or corrections that will permit approval of the plat or plan.

In the review of a resubmitted proposed plat, site plan or plan of development that has been previously disapproved, the local planning commission or other agent shall consider only deficiencies ~~it had~~ identified in its review of the initial submission of the plat or plan that have not been corrected in such resubmission and any deficiencies that arise as a result of the corrections made to address deficiencies identified in the initial submission. In the review of the resubmission of a plat or plan, the local planning commission or other agent shall *(i)* identify all deficiencies with the proposed plat or plan that caused the disapproval by ~~reference to~~ *referencing* specific duly adopted ordinances, regulations, or policies and ~~shall~~ *(ii)* identify *all* modifications or corrections that will permit approval of the plat or plan. Upon the second resubmission of such disapproved plat or plan, the local planning commission or other agent's review shall be limited solely to the previously identified deficiencies that caused its disapproval.

All deficiencies identified during a third or subsequent resubmission of any plat, site plan, or plan of development shall be provided concurrently to the applicant and the director of planning or the equivalent official having supervisory authority over the agent. Within 14 days of receipt, such director or equivalent official shall either:

1. Approve the plat, site plan, or plan of development as submitted;

2. Permit the applicant to address any deficiencies deemed minor by the director or equivalent official, and resubmit the plat, site plan, or plan of development for administrative approval. The director or equivalent official shall complete the administrative approval within seven days of receipt of the resubmission; or

3. Disapprove the resubmission, and identify all deficiencies that caused the disapproval by referencing specific duly adopted ordinances, regulations, or policies and identify all modifications or corrections that will permit approval of the plat, site plan, or plan of development.

The local planning commission or other agent shall act on any proposed plat, site plan or plan of development that it has previously disapproved within ~~45~~ *30* days after the plat or plan has been modified, corrected and resubmitted for approval. The failure of a local planning commission or other agent to approve or disapprove a resubmitted plat or plan within the time periods required by this section shall cause the plat or plan to be deemed approved. *Notwithstanding any other provision of this section, the locality's designated agent, with the concurrence of all applicable local reviewing agencies, may administratively approve any resubmitted site plan or subdivision plat that the designated agent deems to be in compliance with local ordinances and state law.*

Notwithstanding the approval or deemed approval of any proposed plat, site plan or plan of development, any deficiency in any proposed plat or plan, that if left uncorrected, would violate local, state or federal law, regulations, mandatory Department of Transportation engineering and safety requirements, and other mandatory engineering and safety requirements, shall not be considered, treated or deemed as having been approved by the local planning commission or other agent. Should any resubmission include a material revision of infrastructure or physical improvements from the earlier submission or if a material revision in the resubmission creates a new required review by the Virginia Department of Transportation or by a state agency or public authority authorized by state law, then the local planning commission or other

agent's review shall not be limited to only the previously identified deficiencies identified in the prior submittals and may consider deficiencies initially appearing in the resubmission because of such material revision.

B. Any state agency or public authority authorized by state law making a review of a plat forwarded to it under this article, including, without limitation, the Virginia Department of Transportation and authorities authorized by Chapter 51 (§ 15.2-5100 et seq.), shall complete its review within ~~45~~ *30* days of receipt of the plat upon first submission and within ~~45~~ *30* days for any proposed plat that has previously been disapproved, provided, however, that the time periods set forth in § 15.2-2222.1 shall apply to plats triggering the applicability of said section. The Virginia Department of Transportation and authorities authorized by Chapter 51 (§ 15.2-5100 et seq.) shall allow use of public rights-of-way dedicated for public street purposes for placement of utilities by permit when practical and shall not unreasonably deny plat approval. If a state agency or public authority authorized by state law does not approve the plat, it shall comply with the requirements, and be subject to the restrictions, set forth in subsection A, with the exception of the time period therein specified. Upon receipt of the approvals from all state agencies and other agencies, the local agent shall act upon a plat within ~~35~~ *20* days.

C. If the commission or other agent fails to approve or disapprove the plat within ~~60 days after it has been officially submitted for approval, or within 45 days after it has been officially resubmitted after a previous disapproval or within 35 days of receipt of any agency response pursuant to subsection B~~ *the timeframes prescribed in this section*, the subdivider, after ~~10 days'~~ *10 days'* written notice to the commission, or agent, may petition the circuit court for the locality in which the land involved, or the major part thereof, is located, to decide whether the plat should or should not be approved. The court shall give the petition priority on the civil docket, hear the matter expeditiously in accordance with the procedures prescribed in Article 2 (§ 8.01-644 et seq.) of Chapter 25 of Title 8.01 and make and enter an order with respect thereto as it deems proper, which may include directing approval of the plat.

D. If a commission or other agent disapproves a plat and the subdivider contends that the disapproval was not properly based on the ordinance applicable thereto, or was arbitrary or capricious, he may appeal to the circuit court having jurisdiction of such land and the court shall hear and determine the case as soon as may be, provided that his appeal is filed with the circuit court within 60 days of the written disapproval by the commission or other agent.

§ 15.2-2260. Localities may provide for submission of preliminary subdivision plats; how long valid.

A. Nothing in this article shall be deemed to prohibit the local governing body from providing in its ordinance for the mandatory submission of preliminary subdivision plats for tentative approval for plats involving more than 50 lots, provided that any such ordinance provides for the submission of a preliminary subdivision plat for tentative approval at the option of the landowner for plats involving 50 or fewer lots. The local planning commission, or an agent designated by the commission or by the governing body to review preliminary subdivision plats shall complete action on the preliminary subdivision plats within ~~60~~ *45* days of submission. However, if approval of a feature or features of the preliminary subdivision plat by a state agency or public authority authorized by state law is necessary, the commission or agent shall forward the preliminary subdivision plat to the appropriate state agency or agencies for review within ~~10 business~~ *five business* days of receipt of such preliminary subdivision plat.

B. Any state agency or public authority authorized by state law making a review of a preliminary subdivision plat forwarded to it under this section, including, without limitation, the Virginia Department of Transportation and authorities authorized by Chapter 51 (§ 15.2-5100 et seq.), shall complete its review within ~~45~~ *30* days of receipt of the preliminary subdivision plat upon first submission and within ~~45~~ *30* days for any proposed plat that has previously been disapproved, provided, however, that the time period set forth in § 15.2-2222.1 shall apply to plats triggering the applicability of said section. The Virginia Department of Transportation and authorities authorized by Chapter 51 (§ 15.2-5100 et seq.) shall allow use of public rights-of-way for public street purposes for placement of utilities by permit when practical and shall not unreasonably deny plat approval. If a state agency or public authority authorized by state law does not approve the plat, it shall comply with the requirements, and be subject to the restrictions, set forth in subsection A of § 15.2-2259 with the exception of the time period therein specified. Upon receipt of the approvals from all state agencies, the local agent shall act upon a preliminary subdivision plat within ~~35~~ *20* days.

C. If a commission has the responsibility of review of preliminary subdivision plats and conducts a public hearing, it shall act on the plat within ~~45~~ *30* days after receiving approval from all state agencies. If the local agent or commission does not approve the preliminary subdivision plat, the local agent or commission shall *(i)* set forth in writing ~~the reasons for such denial and shall state what corrections or modifications will permit approval by such agent or commission~~ *all deficiencies in the plat that caused the disapproval by referencing to specific duly adopted ordinances, regulations, or policies and (ii) identify modifications or corrections that will permit approval of the plat*. With regard to plats involving commercial or residential property, as those terms are defined in subdivision A 2 of § 15.2-2259, the review process for such plats shall be the same as provided in subdivisions A 2 and A 3 of § 15.2-2259. ~~However, no commission or agent shall be required to approve a preliminary subdivision plat in less than 60 days from the date of its original submission to the commission or agent, and all~~ *All* actions on preliminary subdivision plats shall be completed by the agent or commission and, if necessary, state agencies, within a total of 90 days of submission to the local agent or commission.

D. If the commission or other agent fails to approve or disapprove the preliminary subdivision plat within 90 days after it has been officially submitted for approval, the subdivider after 10 days' written notice to the commission, or agent, may petition the circuit court for the locality in which the land involved, or the major part thereof, is located to enter an order with respect thereto as it deems proper, which may include directing approval of the plat.

E. If a commission or other agent disapproves a preliminary subdivision plat and the subdivider contends that the disapproval was not properly based on the ordinance applicable thereto, or was arbitrary or capricious, he may appeal to the circuit court having jurisdiction of such land and the court shall hear and determine the case as soon as may be, provided that his appeal is filed with the circuit court within 60 days of the written disapproval by the commission or other agent.

F. Once a preliminary subdivision plat is approved, it shall be valid for a period of five years, provided the subdivider (i) submits a final subdivision plat for all or a portion of the property within one year of such approval or such longer period as may be prescribed by local ordinance, and (ii) thereafter diligently pursues approval of the final subdivision plat. "Diligent pursuit of approval" means that the subdivider has incurred extensive obligations or substantial expenses relating to the submitted final subdivision plat or modifications thereto. However, no sooner than three years following such preliminary subdivision plat approval, and upon 90 days' written notice by certified mail to the subdivider, the commission or other agent may revoke such approval upon a specific finding of facts that the subdivider has not diligently pursued approval of the final subdivision plat.

G. Once an approved final subdivision plat for all or a portion of the property is recorded pursuant to § 15.2-2261, the underlying preliminary plat shall remain valid for a period of five years from the date of the latest recorded plat of subdivision for the property. The five year period of validity shall extend from the date of the last recorded plat.

2. That the Virginia Code Commission shall convene a work group to review existing provisions of the Code of Virginia related to the submission, review, and approval of subdivision plats and site plans, including any amendments adopted during the 2025 Session of the General Assembly. The work group shall consist of representatives from the Home Builders Association of Virginia, Virginia Association for Commercial Real Estate, Virginia REALTORS, Virginia Municipal League, Virginia Association of Counties, Virginia Chapter of the American Planning Association, and other relevant stakeholders. The work group shall develop recommendations to (i) organize procedural steps in a clear, logical, and sequential order to enhance ease of reference; (ii) clarify the processes, requirements, and timelines applicable to each type of plat or plan; (iii) standardize terminology to ensure consistency, reduce ambiguity, and minimize misinterpretation; and (iv) identify and eliminate redundant or duplicative provisions to streamline the Code and improve its usability. The Virginia Code Commission shall submit a report to the Chairs of the House Committee on Counties, Cities and Towns and the Senate Committee on Local Government detailing any recommendations of the work group by November 1, 2025.

CHAPTER 101

An Act to amend and reenact § 15.2-4904 of the Code of Virginia, relating to City of Lexington Industrial Development Authority; appointments.

[H 2664]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-4904 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-4904. Directors; qualifications; terms; vacancies; compensation and expenses; quorum; records; certification and distribution of report concerning bond issuance.

A. The authority shall be governed by a board of directors in which all powers of the authority shall be vested and which board shall be composed of seven directors, appointed by the governing body of the locality. The seven directors shall be appointed initially for terms of one, two, three, and four years; two being appointed for one-year terms; two being appointed for two-year terms; two being appointed for three-year terms, and one being appointed for a four-year term. Subsequent appointments shall be for terms of four years, except appointments to fill vacancies, which shall be for the unexpired terms. All terms of office shall be deemed to commence upon the date of the initial appointment to the authority, and thereafter, in accordance with the provisions of the immediately preceding sentence. If at the end of any term of office of any director a successor thereto has not been appointed, then the director whose term of office has expired shall continue to hold office until his successor is appointed and qualified.

Notwithstanding the provisions of this subsection, the board of supervisors of Wise County may appoint eight members to serve on the board of the authority, with terms staggered as agreed upon by the board of supervisors; the board of supervisors of Henrico County may appoint 10 members to serve on the board of the authority, two from each magisterial district, with terms staggered as agreed upon by the board of supervisors; the board of supervisors of Roanoke County may appoint 10 members to serve on the board of the authority, two from each magisterial district, with terms staggered as agreed upon by the board of supervisors; the board of supervisors of Mathews County may appoint from five to seven members to serve on the board of the authority; the town council of the Town of Louisa may appoint from five to seven members to serve on the board of the authority, with terms staggered as agreed upon by the town council; the board of supervisors of King William County may appoint nine members to serve on the board of the authority, with terms staggered as agreed upon by the board of supervisors; the town council of the Town of Saint Paul may appoint 10 members to serve on the board of the authority, with terms staggered as agreed upon by the town council; however, the town council of the Town of Saint Paul may at its option return to a seven-member board by removing the last three members appointed; the board of supervisors of Russell County may appoint nine members, which shall consist of two members from the governing body of

a town that has used its borrowing capacity to borrow $2 million or more for industrial development and such other members as the board of supervisors shall agree upon, with terms staggered as agreed upon by the board of supervisors, and the town council of the Town of South Boston shall appoint two at-large members; Page County may appoint nine members, with one member from each incorporated town, one member from each magisterial district, and one member at-large, with terms staggered as agreed upon by the board of supervisors; Halifax County shall appoint five at-large members to serve on the board of the authority jointly created by the Town of South Boston and Halifax County pursuant to § 15.2-4916, with terms staggered as agreed upon by the governing bodies of the Town of South Boston and Halifax County in the concurrent resolutions creating such authority; the board of supervisors of Goochland County may appoint five members to serve on the board of the authority; the board of supervisors of Powhatan County may appoint five members to serve on the board of the authority; the town council of the Town of Coeburn may appoint five members to serve on the board of the authority, with terms staggered as agreed upon by the town council; the town council of the Town of Kenbridge may appoint five members to serve on the board of the authority, with terms staggered as agreed upon by the town council; the town council of the Town of Victoria may appoint five members to serve on the board of the authority, with terms staggered as agreed upon by the town council; the city council of Suffolk may appoint eight members to serve on the board of the authority, with one member from each of the boroughs and one at-large member, with terms staggered as agreed upon by the city council; *the City of Lexington may appoint from five to seven members to serve on the board of the authority, with terms staggered as agreed upon by the city council;* and the City of Chesapeake may appoint nine members, with terms staggered as agreed upon by the city council; however, in the City of Chesapeake, after July 1, 2017, no member shall serve more than two consecutive terms. Any person who has served more than one and one-half terms as a member of the Chesapeake Economic Development Authority as of July 1, 2017, shall not be eligible for reappointment for another consecutive term. A member of the Chesapeake Economic Development Authority shall serve at the pleasure of the city council of the City of Chesapeake. No Chesapeake Economic Development Authority member shall work for the Authority within one year after serving as a member. The city council of the City of Norfolk may appoint 11 members, with terms staggered as agreed upon by the city council, and the board of supervisors of Louisa County may appoint directors to serve on the board of the authority for terms coincident with members of the board of supervisors.

A member of the board of directors of the authority may be removed from office by the local governing body without limitation in the event that the board member is absent from any three consecutive meetings of the authority or is absent from any four meetings of the authority within any 12-month period or upon unanimous vote of the board of supervisors. In any such event, a successor shall be appointed by the governing body for the unexpired portion of the term of the member who has been removed.

B. Each director shall, upon appointment or reappointment, before entering upon his duties take and subscribe the oath prescribed by § 49-1.

C. No director shall be an officer or employee of the locality except (i) in a town with a population of less than 3,500 where members of the town governing body may serve as directors provided they do not constitute a majority of the board, (ii) in Buchanan County where a constitutional officer who has previously served on the board of directors may serve as a director provided the governing body of such county approves, (iii) in Essex County where the board of supervisors may appoint one employee of the locality to the Economic Development Authority of the County of Essex, (iv) in Frederick County where the board of supervisors may appoint one of its members to the Economic Development Authority of the County of Frederick, Virginia, (v) in Mathews County where the board of supervisors may appoint one employee of the locality to the Economic Development Authority of the County of Mathews, and (vi) in Craig County where the board of supervisors may appoint one of its members to the Economic Development Authority of the County of Craig. Every director shall, at the time of his appointment and thereafter, reside in a locality within which the authority operates or in an adjoining locality. When a director ceases to be a resident of such locality, the director's office shall be vacant and a new director may be appointed for the remainder of the term.

D. The directors shall elect from their membership a chairman, a vice-chairman, and from their membership or not, as they desire, a secretary and a treasurer, or a secretary-treasurer, who shall continue to hold such office until their respective successors are elected. The directors shall receive no salary but may be compensated such amount per regular, special, or committee meeting or per each official representation as may be approved by the appointing authority, not to exceed $200 per meeting or official representation, and shall be reimbursed for necessary traveling and other expenses incurred in the performance of their duties.

E. Except as provided herein, four members of the board of directors shall constitute a quorum of the board for the purposes of conducting its business and exercising its powers and for all other purposes, except that no facilities owned by the authority shall be leased or disposed of in any manner without a majority vote of the members of the board of directors. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the powers and perform all the duties of the board. In the case of the Economic Development Authority of Goochland County, the Economic Development Authority of Powhatan County, the Industrial Development Authority of the Town of Kenbridge, and the Industrial Development Authority of the Town of Victoria, three members of the board of directors shall constitute a quorum of the board for the purposes of conducting its business and exercising its powers and for all other purposes, except that no facilities owned by the authority shall be leased or disposed of in any manner without a majority vote of the members of the board of directors.

F. The board shall keep detailed minutes of its proceedings, which shall be open to public inspection at all times. It shall keep suitable records of its financial transactions and, unless exempted by § 30-140, it shall arrange to have the records audited annually. Copies of each such audit shall be furnished to the governing body of the locality and shall be open to public inspection.

Two copies of the report concerning issuance of bonds required to be filed with the United States Internal Revenue Service shall be certified as true and correct copies by the secretary or assistant secretary of the authority. One copy shall be furnished to the governing body of the locality and the other copy mailed to the Department of Small Business and Supplier Diversity.

CHAPTER 102

An Act to amend and reenact § 54.1-700 of the Code of Virginia, relating to professions and occupations; definition of cosmetology and cosmetologist.

[H 2669]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-700 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-700. Definitions.

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

"Barber" means any person who shaves, shapes or trims the beard; cuts, singes, or dyes the hair or applies lotions thereto; applies, treats or massages the face, neck or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays or other preparations in connection with shaving, cutting or trimming the hair or beard, and practices barbering for compensation and when such services are not performed for the treatment of disease.

"Barbering" means any one or any combination of the following acts, when done on the human body for compensation and not for the treatment of disease, shaving, shaping and trimming the beard; cutting, singeing, or dyeing the hair or applying lotions thereto; applications, treatment or massages of the face, neck or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays, or other preparations in connection with shaving, cutting or trimming the hair or a beard. The term "barbering" shall not apply to the acts described hereinabove when performed by any person in his home if such service is not offered to the public.

"Barber instructor" means any person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of barbering.

"Barbershop" means any establishment or place of business within which the practice of barbering is engaged in or carried on by one or more barbers.

"Board" means the Board for Barbers and Cosmetology.

"Body-piercer" means any person who for remuneration penetrates the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing" means the act of penetrating the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing salon" means any place in which a fee is charged for the act of penetrating the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing school" means a place or establishment licensed by the Board to accept and train students in body-piercing.

"Cosmetologist" means any person who administers ~~cosmetic treatments~~ *hair removal treatments; administers basic facial treatments to enhance or improve the appearance and care of the skin using lotions, oils, cleansers, or other preparations by manual practices only*; manicures or pedicures the nails of any person; arranges, dresses, curls, waves, cuts, shapes, singes, waxes, tweezes~~, shaves~~*, trims*, bleaches, colors, relaxes, straightens, or performs similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances unless such acts as adjusting, combing, or brushing prestyled wigs or hairpieces do not alter the prestyled nature of the wig or hairpiece, and practices cosmetology for compensation. The term "cosmetologist" ~~shall~~ *does* not include hair braiding upon human hair~~,~~ or a wig or hairpiece.

"Cosmetology" includes~~, but is not limited to,~~ the following practices: ~~administering cosmetic treatments;~~ *administering hair removal treatments; administering basic cleansing facial treatments to enhance or improve the appearance and care of the skin, which only includes a cleanse, tone, and application of a mask or moisturizer;* manicuring or pedicuring the nails of any person; arranging, dressing, curling, waving, cutting, shaping, singeing, waxing, tweezing, ~~shaving~~ *trimming*, bleaching, coloring, relaxing, straightening, or similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances, but shall not include hair braiding upon human hair, or a wig or hairpiece, or such acts as adjusting, combing, or brushing prestyled wigs or hairpieces when such acts do not alter the prestyled nature of the wig or hairpiece.

"Cosmetology instructor" means a person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of cosmetology.

"Cosmetology salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein cosmetology is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Esthetician" means a person who engages in the practice of esthetics for compensation.

"Esthetics" includes~~, but is not limited to,~~ the following practices of administering cosmetic treatments to enhance or improve the appearance of the skin: cleansing, toning, performing effleurage or other related movements, stimulating, exfoliating, or performing any other similar procedure on the skin of the human body or scalp by means of cosmetic preparations, treatments, or any nonlaser device, whether by electrical, mechanical, or manual means, for care of the skin; applying make-up or eyelashes to any person, tinting or perming eyelashes and eyebrows, and lightening hair on the body except the scalp; and removing unwanted hair from the body of any person by the use of any nonlaser device, by tweezing, or by use of chemical or mechanical means. However, "esthetics" is not a healing art and shall not include any practice, activity, or treatment that constitutes the practice of medicine, osteopathic medicine, or chiropractic. The terms "healing arts," "practice of medicine," "practice of osteopathic medicine," and "practice of chiropractic" shall mean the same as those terms are defined in § 54.1-2900.

"Esthetics instructor" means a licensed esthetician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of esthetics.

"Esthetics spa" means any commercial establishment, residence, vehicle, or other establishment, place, or event wherein esthetics is offered or practiced on a regular basis for compensation under regulations of the Board.

"Master barber" means a licensed barber who, in addition to the practice of barbering, performs waving, shaping, bleaching, relaxing, or straightening upon human hair; performs similar work on a wig or hairpiece; or performs waxing limited to the scalp.

"Master esthetician" means a licensed esthetician who, in addition to the practice of esthetics, offers to the public for compensation, without the use of laser technology, lymphatic drainage, chemical exfoliation, or microdermabrasion, and who has met such additional requirements as determined by the Board to practice lymphatic drainage, chemical exfoliation with products other than Schedules II through VI controlled substances as defined in the Drug Control Act (§ 54.1-3400 et seq.), and microdermabrasion of the epidermis.

"Nail care" means manicuring or pedicuring natural nails or performing artificial nail services.

"Nail salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein nail care is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Nail school" means a place or establishment licensed by the board to accept and train students in nail care.

"Nail technician" means any person who for compensation manicures or pedicures natural nails, or who performs artificial nail services for compensation, or any combination thereof.

"Nail technician instructor" means a licensed nail technician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of nail care.

"Physical (wax) depilatory" means the wax depilatory product or substance used to remove superfluous hair.

"School of cosmetology" means a place or establishment licensed by the Board to accept and train students and which offers a cosmetology curriculum approved by the Board.

"School of esthetics" means a place or establishment licensed by the Board to accept and train students and which offers an esthetics curriculum approved by the Board.

"Tattoo parlor" means any place in which tattooing is offered or practiced.

"Tattoo school" means a place or establishment licensed by the Board to accept and train students in tattooing.

"Tattooer" means any person who for remuneration practices tattooing.

"Tattooing" means the placing of designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin, including permanent make-up or permanent jewelry, by the aid of needles or any other instrument designed to touch or puncture the skin.

"Wax technician" means any person licensed by the Board who removes hair from the hair follicle using a physical (wax) depilatory or by tweezing.

"Wax technician instructor" means a licensed wax technician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of waxing.

"Waxing" means the temporary removal of superfluous hair from the hair follicle on any area of the human body through the use of a physical (wax) depilatory or by tweezing.

"Waxing salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein waxing is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Waxing school" means a place or establishment licensed by the Board to accept and train students in waxing.

CHAPTER 103

An Act to amend and reenact §§ 59.1-310.7 through 59.1-310.10 of the Code of Virginia, relating to authorized septic system inspectors; minimum requirements.

[H 2671]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 59.1-310.7 through 59.1-310.10 of the Code of Virginia are amended and reenacted as follows:

§ 59.1-310.7. Definitions.

As used in this chapter unless the context requires otherwise:

"~~Accredited~~ *Authorized* septic system inspector" means a person who possesses the qualifications required by the provisions of this chapter.

"Inspection" means an examination of a septic system that is requested by a lending institution, real estate licensee, prospective homebuyer, or other impacted party as a condition of sale, refinancing, or transfer of title and that meets the minimum requirements in subsection B of § 59.1-310.9.

"Person" means an individual, partnership, corporation, association, or other entity.

"Readily accessible" means approachable or enterable for inspection without the risk of damage to any property or alteration of the accessible space, equipment, or opening.

"Septic system" means an onsite ~~method of disposing of sewage when sewers or sewerage facilities are not available and includes septic tanks, septic tank lines and drainage fields or other onsite, residential sewage systems~~ *sewage treatment and disposal system designed to manage, treat, and dispose of wastewater, which may consist of septic tanks, collection piping, distribution devices, treatment units, pumps, and either a dispersal field or an authorized discharge point.*

§ 59.1-310.8. Exceptions.

This chapter shall not be construed to prohibit:

1. The work of an employee or a subordinate of an ~~accredited~~ *authorized* septic system inspector;

2. The practice of any profession or occupation that is regulated by a regulatory board within the Department of Professional and Occupational Regulation or other state agency; or

3. The work of employees of the Department of Health in carrying out their regulatory duties under Chapter 6 (§ 32.1-163 et seq.) of Title 32.1.

§ 59.1-310.9. Requirements for authorized septic system inspectors and minimum requirements for performance of septic system inspections.

A. ~~In order to use the title of "accredited septic system inspector" in connection with any real estate transaction, including refinancings, an applicant shall be accredited by the National Sanitation Foundation or an equivalent national accrediting organization, which accreditation shall include the passage of both a written and practical examination on the principles and practice of septic system inspections.~~

~~In addition, the applicant shall satisfy the following requirements:~~

~~1. Hold a high school diploma or equivalent; and~~

~~2. Have evidence of at least one year of active field experience conducting onsite septic systems inspections or completion of a nationally approved training course.~~

~~B. Any individual~~ *Only individuals* who ~~holds~~ *hold* a valid onsite sewage system operator, onsite sewage system installer, or onsite soil evaluator license pursuant to Chapter 23 (§ 54.1-2300 et seq.) of Title 54.1 shall be authorized to perform a septic system inspection in connection with any real estate transaction, including refinancings.

B. Minimum requirements for septic system inspections shall include the following:

1. Prior to conducting an onsite septic system inspection, the authorized septic system inspector shall provide the client or his representative with a written, signed contract that describes the scope of services and associated costs, obtains permission to perform the inspection, and states that a complete inspection requires pumping the septic tank. The contract shall document the client's decision to decline pumping, if applicable.

2. Authorized septic system inspectors shall inspect and report on all readily accessible and openable components, including septic tanks, pump tanks, distribution devices, treatment units, control panels, and dispersal fields. The inspection shall also include any components specified in the operation permit and any vegetation, grading, or signs of harmful water entry that may impact septic system function.

3. The authorized septic system inspector shall submit a written report to the client within 10 business days of the inspection. The report shall identify all inspected components, specify any components not inspected with reasons for their omission, and document adverse conditions such as defective or damaged components.

4. The report shall describe the consequences of any adverse conditions and recommend further evaluation or observation by licensed professionals as necessary. Authorized septic system inspectors shall (i) report the system size or design capacity in gallons per day or bedroom count based on local health department records, report the advertised bedroom count or design capacity as listed in the multiple listing service or written statement by the property owner, and, if such records are not available, provide recommendations to determine capacity and (ii) determine if the septic system

requires a licensed operator, and the authorized septic system inspector shall refer the client to the local health department for operation and maintenance reports, if applicable.

5. No authorized septic system inspector shall (i) provide pass or fail determinations or graded assessments of functionality or (ii) perform a hydraulic load test to simulate peak daily flows.

6. No authorized septic system inspector shall be required to (i) identify property lines; (ii) offer warranties or guarantees of any kind; (iii) calculate the strength, adequacy, or efficiency of any septic system or component; (iv) operate any system or component that does not respond to normal operating controls; (v) move excessive vegetation, structures, personal items, panels, furniture, equipment, snow, ice, or debris that obstructs access to or visibility of the system and any related components; or (vi) determine the presence or absence of any suspected adverse environmental condition or hazardous substance, including toxins, carcinogens, noise, and contaminants in the building or in the soil, water, and air.

C. An inspection conducted pursuant to this section shall not constitute an evaluation of soil suitability. Observations related to the soil condition at the dispersal field shall be limited to visible signs of saturation, surfacing, or ponding.

§ 59.1-310.10. Penalty for violation.

No person shall use the title "~~accredited~~ *authorized* septic system inspector" or perform a septic system inspection in connection with any real estate transaction unless he meets the requirements of this chapter. Any person who violates the provisions of this chapter is guilty of a Class 3 misdemeanor.

CHAPTER 104

An Act to amend and reenact § 20-24 of the Code of Virginia, relating to penalty for failure to certify record of marriage; persons other than ministers.

[H 2689]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 20-24 of the Code of Virginia is amended and reenacted as follows:

§ 20-24. Penalty for failure to certify record of marriage.

If any minister~~,~~ authorized to celebrate rites of marriage under § 20-23, *or any other person so authorized under § 20-25,* shall fail to comply with § 32.1-267, ~~he~~ *the penalty* shall be ~~subject to forfeit twenty-five dollars~~ *$25*.

CHAPTER 105

An Act to amend and reenact §§ 54.1-2353, 54.1-2354.5, 55.1-1837, and 55.1-1940.1 of the Code of Virginia, relating to common interest communities; termination of certain management contracts; transfer of association books and records.

[H 2750]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2353, 54.1-2354.5, 55.1-1837, and 55.1-1940.1 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2353. Protection of the interests of associations; appointment of receiver for common interest community manager.

A. A common interest community manager owes a fiduciary duty to the associations to which it provides management services with respect to the manager's handling the funds or the records of each association. All funds deposited with the common interest community manager shall be handled in a fiduciary capacity and shall be kept in a separate fiduciary trust account or accounts in an FDIC-insured financial institution separate from the assets of the common interest community manager. The funds shall be the property of the association and shall be segregated for each depository in the records of the common interest community manager in a manner that permits the funds to be identified on an association basis. *The common interest community manager shall transfer and release all funds and close bank accounts maintained on behalf of an association within a reasonable time after termination of the contract for management services without additional cost to the association.*

B. All records having administrative or fiscal value to the association that a common interest community manager holds, maintains, compiles, or generates on behalf of a common interest community are the property of the association. A common interest community manager may retain and dispose of association records in accordance with a policy contained in the contract between the common interest community manager and the association. Within a reasonable time after a written request for any such records, the common interest community manager shall provide copies of the requested records to the association at the association's expense. The common interest community manager shall return all association records that it retains and any originals of legal instruments or official documents that are in the possession of the common interest community manager to the association within a reasonable time after termination of the contract for management services without additional cost to the association. Records maintained in electronic format may be returned in such format.

~~B.~~ *C.* If the Board has reasonable cause to believe that a common interest community manager is unable to properly discharge its fiduciary responsibilities to an association to which it provides management services, the Board may submit an ex parte petition to the circuit court of the city or county wherein the common interest community manager maintains an office or is doing business for the issuance of an order authorizing the immediate inspection by and production to representatives of the petitioner of any records, documents, and physical or other evidence belonging to the subject common interest community manager. The court may issue such order without notice to the common interest community manager if the petition, supported by affidavit of the petitioner and such other evidence as the court may require, shows reasonable cause to believe that such action is required to prevent immediate loss of property of one or more of the associations to which the subject common interest community manager provides management services. The court may also temporarily enjoin further activity by the common interest community manager and take such further action as shall be necessary to conserve, protect, and disburse the funds involved, including the appointment of a receiver. The papers filed with the court pursuant to this subsection shall be placed under seal.

~~C.~~ *D.* If the Board has reasonable cause to believe that a common interest community manager is unable to properly discharge its fiduciary responsibilities to an association to which it provides management services, the Board may file a petition with the circuit court of the county or city wherein the subject common interest community manager maintains an office or is doing business. The petition may seek the following relief: (i) an injunction prohibiting the withdrawal of any bank deposits or the disposition of any other assets belonging to or subject to the control of the subject common interest community manager and (ii) the appointment of a receiver for all or part of the funds or property of the subject common interest community manager. The subject common interest community manager shall be given notice of the time and place of the hearing on the petition and an opportunity to offer evidence. The court, in its discretion, may require a receiver appointed pursuant to this section to post bond, with or without surety. The papers filed with the court under this subsection shall be placed under seal until such time as the court grants an injunction or appoints a receiver. The court may issue an injunction, appoint a receiver, or provide such other relief as the court may consider proper if, after a hearing, the court finds that such relief is necessary or appropriate to prevent loss of property of one or more of the associations to which the subject common interest community manager provides management services.

~~D.~~ *E.* In any proceeding under subsection ~~C~~ *D*, any person or entity known to the Board to be indebted to or having in his possession property, real or personal, belonging to or subject to the control of the subject common interest community manager's business and which property the Board reasonably believes may become part of the receivership assets shall be served with a copy of the petition and notice of the time and place of the hearing.

~~E.~~ *F.* The court shall describe the powers and duties of the receiver in its appointing order, which may be amended from time to time. The receiver shall, unless otherwise ordered by the court in the appointing order, (i) prepare and file with the Board a list of all associations managed by the subject common interest community manager; (ii) notify in writing all of the associations to which the subject common interest community manager provides management services of the appointment and take whatever action the receiver deems appropriate to protect the interests of the associations until such time as the associations have had an opportunity to obtain a successor common interest community manager; (iii) facilitate the transfer of records and information to such successor common interest community manager; (iv) identify and take control of all bank accounts, including without limitation trust and operating accounts, over which the subject common interest community manager had signatory authority in connection with its management business; (v) prepare and submit an accounting of receipts and disbursements and account balances of all funds under the receiver's control for submission to the court within four months of the appointment and annually thereafter until the receivership is terminated by the court; (vi) attempt to collect any accounts receivable related to the subject common interest community manager's business; (vii) identify and attempt to recover any assets wrongfully diverted from the subject common interest community manager's business, or assets acquired with funds wrongfully diverted from the subject common interest community manager's business; (viii) terminate the subject common interest community manager's business; (ix) reduce to cash all of the assets of the subject common interest community manager; (x) determine the nature and amount of all claims of creditors of the subject common interest community manager, including associations to which the subject common interest community manager provided management services; and (xi) prepare and file with the court a report of such assets and claims proposing a plan for the distribution of funds in the receivership to such creditors in accordance with the provisions of subsection ~~F~~ *G*.

~~F.~~ *G.* Upon the court's approval of the receiver's report referenced in subsection ~~E~~ *F*, at a hearing after such notice as the court may require to creditors, the receiver shall distribute the assets of the common interest community manager and funds in the receivership first to clients whose funds were or ought to have been held in a fiduciary capacity by the subject common interest community manager, then to the receiver for fees, costs, and expenses awarded pursuant to subsection ~~G~~ *H*, and thereafter to the creditors of the subject common interest community manager, and then to the subject common interest community manager or its successors in interest.

~~G.~~ *H.* A receiver appointed pursuant to this section shall be entitled, upon proper application to the court in which the appointment was made, to recover an award of reasonable fees, costs, and expenses. If there are not sufficient nonfiduciary funds to pay the award, then the shortfall shall be paid by the Common Interest Community Management Recovery Fund as a cost of administering the Fund pursuant to § 54.1-2354.5, to the extent that the said Fund has funds available. The Fund shall have a claim against the subject common interest community manager for the amount paid.

~~H.~~ *I.* The court may determine whether any assets under the receiver's control should be returned to the subject common interest community manager.

~~I.~~ *J.* If the Board shall find that any common interest community manager is insolvent, that its merger into another common interest community manager is desirable for the protection of the associations to which such common interest community manager provides management services, and that an emergency exists, and, if the board of directors of such insolvent common interest community manager shall approve a plan of merger of such common interest community manager into another common interest community manager, compliance with the requirements of § 13.1-718 shall be dispensed with as to such insolvent common interest community manager and the approval by the Board of such plan of merger shall be the equivalent of approval by the holders of more than two-thirds of the outstanding shares of such insolvent common interest community manager for all purposes of Article 12 (§ 13.1-715.1 et seq.) of Chapter 9 of Title 13.1. If the Board finds that a common interest community manager is insolvent, that the acquisition of its assets by another common interest community manager is in the best interests of the associations to which such common interest community manager provides management services, and that an emergency exists, it may, with the consent of the boards of directors of both common interest community managers as to the terms and conditions of such transfer, including the assumption of all or certain liabilities, enter an order transferring some or all of the assets of such insolvent common interest community manager to such other common interest community manager, and no compliance with the provisions of §§ 13.1-723 and 13.1-724 shall be required, nor shall §§ 13.1-730 through 13.1-741 be applicable to such transfer. In the case either of such a merger or of such a sale of assets, the Board shall provide that prompt notice of its finding of insolvency and of the merger or sale of assets be sent to the stockholders of record of the insolvent common interest community manager for the purpose of providing such shareholders an opportunity to challenge the finding that the common interest community manager is insolvent. The relevant books and records of such insolvent common interest community manager shall remain intact and be made available to such shareholders for a period of 30 days after such notice is sent. The Board's finding of insolvency shall become final if a hearing before the Board is not requested by any such shareholder within such 30-day period. If, after such hearing, the Board finds that such common interest community manager was solvent, it shall rescind its order entered pursuant to this subsection and the merger or transfer of assets shall be rescinded. But if, after such hearing, the Board finds that such common interest community manager was insolvent, its order shall be final.

~~J.~~ *K.* The provisions of this article are declared to be remedial. The purpose of this article is to protect the interests of associations adversely affected by common interest community managers who have breached their fiduciary duty. The provisions of this article shall be liberally administered in order to protect those interests and thereby the public's interest in the quality of management services provided by Virginia common interest community managers.

§ 54.1-2354.5. Common Interest Community Management Recovery Fund.

A. There is hereby created the Common Interest Community Management Recovery Fund, referred to in this section as "the Fund," to be used in the discretion of the Board to protect the interests of associations.

B. Each common interest community manager, at the time of initial application for licensure, and each association filing its first annual report after the effective date shall be assessed $25, which shall be specifically assigned to the Fund. Initial payments may be incorporated in any application fee payment or annual filing fee and transferred to the Fund by the Director within 30 days.

All assessments, except initial assessments, for the Fund shall be deposited within three business days after their receipt by the Director, in one or more federally insured banks, savings and loan associations, or savings banks located in the Commonwealth. Funds deposited in banks, savings institutions, or savings banks in excess of insurance afforded by the Federal Deposit Insurance Corporation or other federal insurance agency shall be secured under the Virginia Security for Public Deposits Act (§ 2.2-4400 et seq.). The deposit of these funds in federally insured banks, savings and loan associations, or savings banks located in the Commonwealth shall not be considered investment of such funds for purposes of this section. Funds maintained by the Director may be invested in securities that are legal investments for fiduciaries under the provisions of § 64.2-1502.

Interest earned on the deposits constituting the Fund shall be used for administering the Fund. The remainder of this interest, at the discretion of the Board, may be transferred to the Common Interest Community Management Information Fund, established pursuant to § 54.1-2354.2, or accrue to the Fund.

C. On and after July 1, 2011, the minimum balance of the Fund shall be $150,000. Whenever the Director determines that the principal balance of the Fund is or will be less than such minimum principal balance, the Director shall immediately inform the Board. At the same time, the Director may recommend that the Board transfer a fixed amount from the Common Interest Community Management Information Fund to the Fund to bring the principal balance of the Fund to the amount required by this subsection. Such transfer shall be considered by the Board within 30 days of the notification of the Director.

D. If any such transfer of funds is insufficient to bring the principal balance of the Fund to the minimum amount required by this section, or if a transfer to the Fund has not occurred, the Board shall assess each association and each common interest community manager, within 30 days of notification by the Director, a sum sufficient to bring the principal balance of the Fund to the required minimum amount. The amount of such assessment shall be allocated among the associations and common interest community managers in proportion to each payor's most recently paid annual assessment, or if an association or common interest community manager has not paid an annual assessment previously, in proportion to the average annual assessment most recently paid by associations or common interest community managers, respectively.

The Board may order an assessment at any time in addition to any required assessment. Assessments made pursuant to this subsection may be issued by the Board (i) after a determination made by it or (ii) at the time of license renewal.

Notice to common interest community managers and the governing boards of associations of these assessments shall be by first-class mail, and payment of such assessments shall be made by first-class mail addressed to the Director within 45 days after the mailing of such notice.

E. If any common interest community manager fails to remit the required payment within 45 days of the mailing, the Director shall notify the common interest community manager by first-class mail at the latest address of record filed with the Board. If no payment has been received by the Director within 30 days after mailing the second notice, the license shall be automatically suspended. The license shall be restored only upon the actual receipt by the Director of the delinquent assessment.

F. If any association fails to remit the required payment within 45 days of the mailing, the Director shall notify the association by first-class mail at the latest address of record filed with the Board. If no payment has been received by the Director within 30 days after mailing the second notice, it shall be deemed a knowing and willful violation of this section by the governing board of the association.

G. At the close of each fiscal year, whenever the balance of the Fund exceeds $5 million, the amount in excess of $5 million shall be transferred to the Virginia Housing Trust Fund established pursuant to Chapter 9 (§ 36-141 et seq.) of Title 36. Except for payments of costs as set forth in this article and transfers pursuant to this subsection, there shall be no transfers out of the Fund, including transfers to the general fund, regardless of the balance of the Fund.

H. A claimant may seek recovery from the Fund subject to the following conditions:

1. A claimant may file a verified claim in writing to the Director for a recovery from the Fund.

2. Upon proper application to the Director, in those cases in which there are not sufficient funds to pay an award of reasonable fees, costs, and expenses to the receiver or to restore all funds that were or ought to have been held in a fiduciary capacity by the subject common interest community manager, the Director shall report to the Board the amount of any shortfall to the extent that there are not sufficient funds (i) to pay any award of fees, costs, and expenses pursuant to subsection ~~G~~ *H* of § 54.1-2353 by the court appointing the receiver; or (ii) to restore all funds that were or ought to have been held in a fiduciary capacity by the subject common interest community manager, as certified by the court appointing the receiver.

3. If the Board finds there has been compliance with the required conditions, the Board shall issue a directive ordering payment of the amount of such shortfall to the claimant from the Fund, provided that in no event shall such payment exceed the balance in the Fund. When the Fund balance is not sufficient to pay the aggregate amount of such shortfall, the Board shall direct that payment be applied first in satisfaction of any award of reasonable fees, costs, and expenses to the receiver and second to restore the funds that were or ought to have been held in a fiduciary capacity by the subject common interest community manager. If the Board has reason to believe that there may be additional claims against the Fund, the Board may withhold any payment from the Fund for a period of not more than one year. After such one-year period, if the aggregate of claims received exceeds the Fund balance, the Fund balance shall be prorated by the Board among the claimants and paid in the above payment order from the Fund in proportion to the amounts of claims remaining unpaid.

4. The Director shall, subject to the limitations set forth in this subsection, pay to the claimant from the Fund such amount as shall be directed by the Board upon the execution and delivery to the Director by such claimant of an assignment to the Board of the claimant's rights on its behalf and on behalf of the associations receiving distributions from the Fund against the common interest community manager to the extent that such rights were satisfied from the Fund.

5. The claimant shall be notified in writing of the findings of the Board. The Board's findings shall be considered a case decision as defined in § 2.2-4001, and judicial review of these findings shall be in accordance with § 2.2-4025 of the Administrative Process Act (§ 2.2-4000 et seq.).

6. Notwithstanding any other provision of law, the Board shall have the right to appeal a decision of any court that is contrary to any distribution recommended or authorized by it.

7. Upon payment by the Director to a claimant from the Fund as provided in this subsection, the Board shall immediately revoke the license of the common interest community manager whose actions resulted in payment from the Fund. The common interest community manager whose license was so revoked shall not be eligible to apply for a license as a common interest community manager until he has repaid in full the amount paid from the Fund on his account, plus interest at the judgment rate of interest from the date of payment from the Fund.

8. Nothing contained in this subsection shall limit the authority of the Board to take disciplinary action against any common interest community manager for any violation of statute or regulation, nor shall the repayment in full by a common interest community manager of the amount paid from the Fund on such common interest community manager's account nullify or modify the effect of any disciplinary proceeding against such common interest community manager for any such violation.

§ 55.1-1837. Termination and duration of certain management contracts.

A management contract that contains an automatic renewal provision may be terminated by the association or the common interest community manager at any time without cause *and without penalty* upon not less than 60 days' written notice.

§ 55.1-1940.1. Termination and duration of certain management contracts.

A management contract that contains an automatic renewal provision may be terminated by the unit owners' association or the common interest community manager at any time without cause *and without penalty* upon not less than 60 days' written notice.

CHAPTER 106

An Act to amend and reenact § 1.2, as amended, and §§ 2.1, 3.1, 3.2, and 4.4 of Chapter 579 of the Acts of Assembly of 1980, which provided a charter for the Town of Ashland in Hanover County, relating to boundaries, town powers, town council, and town officers.

[H 2760]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 1.2, as amended, and §§ 2.1, 3.1, 3.2, and 4.4 of Chapter 579 of the Acts of Assembly of 1980 are amended and reenacted as follows:

§ 1.2. Boundaries.

The boundaries of the town shall be as established by the General Assembly, Acts of Assembly, 1893-1894, and by order of the Circuit Court of Hanover County, Virginia, entered at the May 1932 term in Chancery Order Book No. 20, page 8 and described in such court order and as enlarged by an annexation order entered July 26, 1976, and filed in Chancery Order Book No. 47, page 462 in the clerk's office of the Circuit Court of Hanover County, Virginia, and further shown in Plat Book 31, page 40 in such clerk's office, and as enlarged by an annexation order entered November 30, 1995, and filed in Deed Book 1157, page 191 in the clerk's office of the Circuit Court of Hanover County, Virginia, *and further shown in Plat Book 44, page 120 in such clerk's office, and as reduced by a boundary line adjustment agreement order entered June 13, 2018, and filed in Deed Book 3202, page 2506 in the clerk's office of the Circuit Court of Hanover County, Virginia,* which are made a part hereof and are incorporated herein by reference.

§ 2.1. The town of Ashland shall have all powers that are conferred upon towns under the Constitution of Virginia and other laws of the Commonwealth. All powers set forth in Chapter ~~18 of Title 15.1~~ *11 of Title 15.2* of the Code of Virginia (~~15.1-837~~ *15.2-1100 et seq.)*, as may be amended from time to time, are hereby specifically conferred upon the town of Ashland.

§ 3.1. Council.

A. The town of Ashland shall be governed by a town council, composed of five members, elected at large.

B. The members of council in office at the time of the passage of this act shall continue until the expiration of the terms for which they were elected, or until their successors are duly elected and qualified.

C. ~~In each even-numbered year, on the date specified by general law for municipal elections, a number of councilmen equal to the number of terms expiring during that year that is, three in years divisible by four and two in other even-numbered years shall be elected for terms of four years each. Persons so elected shall qualify and take office on the first day of July following their election. They shall continue to serve until their successors are duly elected, qualify and assume office.~~ *Council members shall serve four-year terms, beginning January 1 following their election, until successors are elected and qualified. Two members will be elected on the first Tuesday following the first Monday of November 2025, with elections every four years thereafter. Three members will be elected on the first Tuesday following the first Monday of November 2027, with elections every four years thereafter.*

D. Any person qualified to vote in the town shall be eligible for the office of ~~councilman~~ *council member*.

E. Vacancies on the council shall be filled ~~for the unexpired term by a majority vote of the remaining members of the council from the electors of the town~~ *in accordance with general law*.

§ 3.2. Mayor and vice-mayor.

A. At its first meeting in ~~July~~ *January*, the council shall elect from among its membership a mayor and a vice-mayor, each for terms of two years.

B. The mayor shall preside at the meeting of the council and shall be recognized as head of the town government for ceremonial purposes and by the Governor for purposes of military law. ~~He~~ *The mayor* shall have a vote as a member of council but shall have no veto power. ~~He~~ *The mayor* shall perform such other duties as may be given ~~him~~ by council not inconsistent with the Constitution of Virginia, general laws of the Commonwealth, or this charter.

C. The vice-mayor shall perform the duties of the mayor whenever the mayor is absent or unable to perform such duties.

D. The positions of mayor and vice-mayor shall be treated as additional duties of members of council and shall not be considered a separate office for purposes of Section 6 of Article VII of the Constitution of Virginia or for any other purpose.

§ 4.4. Town officers.

A. At its organizational meetings held in each even-numbered year, as referred to in § 3.2 A. of this charter, the council shall appoint a town manager who shall serve as the chief administrative officer of the town. *The town manager shall hire such officers and employees as may be necessary for the proper administration of the affairs of the town, with the power to suspend and remove any such officers or employees.*

B. The council may, in its discretion, provide for a town attorney~~, town clerk, town treasurer, chief of police and such other town officers as it deems appropriate. It shall specify which officers shall be appointed by the council and which ones shall be appointed by the town manager. The council shall further provide the terms of each office or whether the officers shall serve at the pleasure of the appointing authority~~ *who reports to the town council.*

C. Each officer shall have such duties not inconsistent with the Constitution, general laws of the Commonwealth or this charter, and shall be paid such compensation as the council may determine.

D. Except for the members of the council, the same person may be appointed to more than one office.

~~E. In accordance with the provisions of § 15.1-796 of the Code of Virginia, there shall not be created in the town the office of town sergeant.~~

CHAPTER 107

An Act to amend and reenact § 54.1-310 of the Code of Virginia, relating to Board for Professional and Occupational Regulation; powers and duties.

[S 1096]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-310 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-310. Powers and duties of Board.

A. The Board shall have the following powers and duties:

1. Provide a means of citizen access to the Department.

2. Provide a means of publicizing the policies and programs of the Department in order to educate the public and elicit public support for Department activities.

3. Monitor the policies and activities of the Department and have the right of access to departmental information.

4. *Review and comment on the budget for the Department.*

5. Advise the Governor*, the General Assembly,* and the Director on matters relating to the regulation *or deregulation* of professions and occupations.

~~5.~~ *6.* Promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) necessary to carry out its responsibilities.

~~6.~~ *7.* Evaluate ~~constantly~~ each profession and occupation in the Commonwealth not otherwise regulated for consideration as to whether such profession or occupation should be regulated and, if so, the degree of regulation that should be imposed. Whenever it determines that the public interest requires that a profession or occupation which is not regulated by law should be regulated, the Board shall recommend to the General Assembly next convened a regulatory system accompanied by comprehensive regulations necessary to conduct the degree of regulation required.

8. Review each profession and occupation regulated by the Department or regulatory boards within the Department, on a periodic basis, to determine whether it is in the public interest that the Department or appropriate regulatory board should (i) continue to regulate such profession or occupation at its current level of regulation, (ii) regulate such profession or occupation at a different level of regulation, or (iii) no longer regulate such profession or occupation. Whenever the Board determines that it is in the public interest for a profession or occupation to be regulated at a different level of regulation than its current level of regulation or to be deregulated, the Board shall make such recommendation to the General Assembly.

B. Upon the regulation of a profession or occupation as set forth in subsection A, the Board shall have the power and duty to promulgate supplemental regulations necessary to effectuate the purposes and intent of this chapter and to establish regulatory boards to administer the system of regulation and the regulations recommended by the Board and approved by the General Assembly.

CHAPTER 108

An Act to amend and reenact §§ 2.2-2040, 2.2-3705.6, and 2.2-3705.7 of the Code of Virginia, relating to Virginia Freedom of Information Act; exclusions; Department of Workforce Development and Advancement.

[S 1107]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-2040, 2.2-3705.6, and 2.2-3705.7 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-2040. Records and reports.

A. Each workforce development program provider shall keep true and accurate training records containing such information as the Department may prescribe. Such records shall be open to inspection and be subject to being copied by the Department or its authorized representatives at any reasonable time and as often as may be necessary. The Department may

require from any workforce development program provider any sworn or unsworn reports, with respect to persons employed by it, that the Department deems necessary for the effective administration of this chapter.

B. Notwithstanding the provisions of subsection A, the Department shall, upon written request, furnish the Virginia Economic Development Partnership Authority (the Authority) such information as it may require to facilitate the administration and enforcement by the Authority of performance agreements with businesses that have received incentive awards. Any information provided to the Authority under this subsection shall be confidential ~~pursuant to 20 C.F.R. Part 603~~ and shall only be disclosed to members of the Authority who are public officials or employees of the Authority for the performance of their official duties. No public official or employee shall disclose any confidential information obtained pursuant to this subsection to nonlegislative citizen members of the Authority or to the public. Any information so provided shall be used by the Authority solely for the purpose of verifying employment and wage claims of those businesses that have received incentive awards.

C. Any information provided to the Department under this section shall be confidential pursuant to § 60.2-114 and 20 C.F.R. Part 603.

§ 2.2-3705.6. Exclusions to application of chapter; proprietary records and trade secrets.

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01.

1. Proprietary information gathered by or for the Virginia Port Authority as provided in § 62.1-132.4 or 62.1-134.1.

2. Financial statements not publicly available filed with applications for industrial development financings in accordance with Chapter 49 (§ 15.2-4900 et seq.) of Title 15.2.

3. Proprietary information, voluntarily provided by private business pursuant to a promise of confidentiality from a public body, used by the public body for business, trade, and tourism development or retention; and memoranda, working papers, or other information related to businesses that are considering locating or expanding in Virginia, prepared by a public body, where competition or bargaining is involved and where disclosure of such information would adversely affect the financial interest of the public body.

4. Information that was filed as confidential under the Toxic Substances Information Act (§ 32.1-239 et seq.), as such Act existed prior to July 1, 1992.

5. Fisheries data that would permit identification of any person or vessel, except when required by court order as specified in § 28.2-204.

6. Confidential financial statements, balance sheets, trade secrets, and revenue and cost projections provided to the Department of Rail and Public Transportation, provided such information is exempt under the federal Freedom of Information Act or the federal Interstate Commerce Act or other laws administered by the Surface Transportation Board or the Federal Railroad Administration with respect to data provided in confidence to the Surface Transportation Board and the Federal Railroad Administration.

7. Proprietary information related to inventory and sales, voluntarily provided by private energy suppliers to the Department of Energy, used by that Department for energy contingency planning purposes or for developing consolidated statistical information on energy supplies.

8. Confidential proprietary information furnished to the Board of Medical Assistance Services or the Medicaid Prior Authorization Advisory Committee pursuant to Article 4 (§ 32.1-331.12 et seq.) of Chapter 10 of Title 32.1.

9. Proprietary, commercial or financial information, balance sheets, trade secrets, and revenue and cost projections provided by a private transportation business to the Virginia Department of Transportation and the Department of Rail and Public Transportation for the purpose of conducting transportation studies needed to obtain grants or other financial assistance under the Transportation Equity Act for the 21st Century (P.L. 105-178) for transportation projects if disclosure of such information is exempt under the federal Freedom of Information Act or the federal Interstate Commerce Act or other laws administered by the Surface Transportation Board or the Federal Railroad Administration with respect to data provided in confidence to the Surface Transportation Board and the Federal Railroad Administration. However, the exclusion provided by this subdivision shall not apply to any wholly owned subsidiary of a public body.

10. Confidential information designated as provided in subsection F of § 2.2-4342 as trade secrets or proprietary information by any person in connection with a procurement transaction or by any person who has submitted to a public body an application for prequalification to bid on public construction projects in accordance with subsection B of § 2.2-4317.

11. a. Memoranda, staff evaluations, or other information prepared by the responsible public entity, its staff, outside advisors, or consultants exclusively for the evaluation and negotiation of proposals filed under the Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq.) or the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.) where (i) if such information was made public prior to or after the execution of an interim or a comprehensive agreement, § 33.2-1820 or 56-575.17 notwithstanding, the financial interest or bargaining position of the public entity would be adversely affected and (ii) the basis for the determination required in clause (i) is documented in writing by the responsible public entity; and

b. Information provided by a private entity to a responsible public entity, affected jurisdiction, or affected local jurisdiction pursuant to the provisions of the Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq.) or the

Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.) if disclosure of such information would reveal (i) trade secrets of the private entity; (ii) financial information of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (iii) other information submitted by the private entity where if such information was made public prior to the execution of an interim agreement or a comprehensive agreement, the financial interest or bargaining position of the public or private entity would be adversely affected. In order for the information specified in clauses (i), (ii), and (iii) to be excluded from the provisions of this chapter, the private entity shall make a written request to the responsible public entity:

(1) Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

(2) Identifying with specificity the data or other materials for which protection is sought; and

(3) Stating the reasons why protection is necessary.

The responsible public entity shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial information of the private entity. To protect other information submitted by the private entity from disclosure, the responsible public entity shall determine whether public disclosure prior to the execution of an interim agreement or a comprehensive agreement would adversely affect the financial interest or bargaining position of the public or private entity. The responsible public entity shall make a written determination of the nature and scope of the protection to be afforded by the responsible public entity under this subdivision. Once a written determination is made by the responsible public entity, the information afforded protection under this subdivision shall continue to be protected from disclosure when in the possession of any affected jurisdiction or affected local jurisdiction.

Except as specifically provided in subdivision 11 a, nothing in this subdivision shall be construed to authorize the withholding of (a) procurement records as required by § 33.2-1820 or 56-575.17; (b) information concerning the terms and conditions of any interim or comprehensive agreement, service contract, lease, partnership, or any agreement of any kind entered into by the responsible public entity and the private entity; (c) information concerning the terms and conditions of any financing arrangement that involves the use of any public funds; or (d) information concerning the performance of any private entity developing or operating a qualifying transportation facility or a qualifying project.

For the purposes of this subdivision, the terms "affected jurisdiction," "affected local jurisdiction," "comprehensive agreement," "interim agreement," "qualifying project," "qualifying transportation facility," "responsible public entity," and "private entity" shall mean the same as those terms are defined in the Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq.) or in the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.).

12. Confidential proprietary information or trade secrets, not publicly available, provided by a private person or entity pursuant to a promise of confidentiality to the Virginia Resources Authority or to a fund administered in connection with financial assistance rendered or to be rendered by the Virginia Resources Authority where, if such information were made public, the financial interest of the private person or entity would be adversely affected.

13. Trade secrets or confidential proprietary information that is not generally available to the public through regulatory disclosure or otherwise, provided by a (i) bidder or applicant for a franchise or (ii) franchisee under Chapter 21 (§ 15.2-2100 et seq.) of Title 15.2 to the applicable franchising authority pursuant to a promise of confidentiality from the franchising authority, to the extent the information relates to the bidder's, applicant's, or franchisee's financial capacity or provision of new services, adoption of new technologies or implementation of improvements, where such new services, technologies, or improvements have not been implemented by the franchisee on a nonexperimental scale in the franchise area, and where, if such information were made public, the competitive advantage or financial interests of the franchisee would be adversely affected.

In order for trade secrets or confidential proprietary information to be excluded from the provisions of this chapter, the bidder, applicant, or franchisee shall (a) invoke such exclusion upon submission of the data or other materials for which protection from disclosure is sought, (b) identify the data or other materials for which protection is sought, and (c) state the reason why protection is necessary.

No bidder, applicant, or franchisee may invoke the exclusion provided by this subdivision if the bidder, applicant, or franchisee is owned or controlled by a public body or if any representative of the applicable franchising authority serves on the management board or as an officer of the bidder, applicant, or franchisee.

14. Information of a proprietary or confidential nature furnished by a supplier or manufacturer of charitable gaming supplies to the Department of Agriculture and Consumer Services (i) pursuant to subsection E of § 18.2-340.34 and (ii) pursuant to regulations promulgated by the Commissioner of Agriculture and Consumer Services related to approval of electronic and mechanical equipment.

15. Information related to Virginia apple producer sales provided to the Virginia State Apple Board pursuant to § 3.2-1215.

16. Trade secrets submitted by CMRS providers as defined in § 56-484.12 to the former Wireless Carrier E-911 Cost Recovery Subcommittee created pursuant to former § 56-484.15, relating to the provision of wireless E-911 service.

17. Information relating to a grant or loan application, or accompanying a grant or loan application, to the Commonwealth Health Research Board pursuant to Chapter 5.3 (§ 32.1-162.23 et seq.) of Title 32.1 if disclosure of such information would (i) reveal proprietary business or research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly

issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of the applicant.

18. Confidential proprietary information and trade secrets developed and held by a local public body (i) providing telecommunication services pursuant to § 56-265.4:4 and (ii) providing cable television services pursuant to Article 1.1 (§ 15.2-2108.2 et seq.) of Chapter 21 of Title 15.2 if disclosure of such information would be harmful to the competitive position of the locality.

In order for confidential proprietary information or trade secrets to be excluded from the provisions of this chapter, the locality in writing shall (a) invoke the protections of this subdivision, (b) identify with specificity the information for which protection is sought, and (c) state the reasons why protection is necessary. However, the exemption provided by this subdivision shall not apply to any authority created pursuant to the BVU Authority Act (§ 15.2-7200 et seq.).

19. Confidential proprietary information and trade secrets developed by or for a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) to provide qualifying communications services as authorized by Article 5.1 (§ 56-484.7:1 et seq.) of Chapter 15 of Title 56, where disclosure of such information would be harmful to the competitive position of the authority, except that information required to be maintained in accordance with § 15.2-2160 shall be released.

20. Trade secrets or financial information of a business, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, provided to the Department of Small Business and Supplier Diversity as part of an application for certification as a small, women-owned, or minority-owned business in accordance with Chapter 16.1 (§ 2.2-1603 et seq.). In order for such trade secrets or financial information to be excluded from the provisions of this chapter, the business shall (i) invoke such exclusion upon submission of the data or other materials for which protection from disclosure is sought, (ii) identify the data or other materials for which protection is sought, and (iii) state the reasons why protection is necessary.

21. Information of a proprietary or confidential nature disclosed by a carrier to the State Health Commissioner pursuant to §§ 32.1-276.5:1 and 32.1-276.7:1.

22. Trade secrets, including, but not limited to, financial information, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, and revenue and cost projections supplied by a private or nongovernmental entity to the State Inspector General for the purpose of an audit, special investigation, or any study requested by the Office of the State Inspector General in accordance with law.

In order for the information specified in this subdivision to be excluded from the provisions of this chapter, the private or nongovernmental entity shall make a written request to the State Inspector General:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

The State Inspector General shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial information of the private entity. The State Inspector General shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

23. Information relating to a grant application, or accompanying a grant application, submitted to the Tobacco Region Revitalization Commission that would (i) reveal (a) trade secrets, (b) financial information of a grant applicant that is not a public body, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, or (c) research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of the applicant; and memoranda, staff evaluations, or other information prepared by the Commission or its staff exclusively for the evaluation of grant applications. The exclusion provided by this subdivision shall apply to grants that are consistent with the powers of and in furtherance of the performance of the duties of the Commission pursuant to § 3.2-3103.

In order for the information specified in this subdivision to be excluded from the provisions of this chapter, the applicant shall make a written request to the Commission:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data, information or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

The Commission shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets, financial information, or research-related information of the applicant. The Commission shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

24. a. Information held by the Commercial Space Flight Authority relating to rate structures or charges for the use of projects of, the sale of products of, or services rendered by the Authority if disclosure of such information would adversely affect the financial interest or bargaining position of the Authority or a private entity providing the information to the Authority; or

b. Information provided by a private entity to the Commercial Space Flight Authority if disclosure of such information would (i) reveal (a) trade secrets of the private entity; (b) financial information of the private entity, including balance sheets

and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (c) other information submitted by the private entity and (ii) adversely affect the financial interest or bargaining position of the Authority or private entity.

In order for the information specified in clauses (a), (b), and (c) of subdivision 24 b to be excluded from the provisions of this chapter, the private entity shall make a written request to the Authority:

(1) Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

(2) Identifying with specificity the data or other materials for which protection is sought; and

(3) Stating the reasons why protection is necessary.

The Authority shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial information of the private entity. To protect other information submitted by the private entity from disclosure, the Authority shall determine whether public disclosure would adversely affect the financial interest or bargaining position of the Authority or private entity. The Authority shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

25. Information of a proprietary nature furnished by an agricultural landowner or operator to the Department of Conservation and Recreation, the Department of Environmental Quality, the Department of Agriculture and Consumer Services, or any political subdivision, agency, or board of the Commonwealth pursuant to §§ 10.1-104.7, 10.1-104.8, and 10.1-104.9, other than when required as part of a state or federal regulatory enforcement action.

26. Trade secrets provided to the Department of Environmental Quality pursuant to the provisions of § 10.1-1458. In order for such trade secrets to be excluded from the provisions of this chapter, the submitting party shall (i) invoke this exclusion upon submission of the data or materials for which protection from disclosure is sought, (ii) identify the data or materials for which protection is sought, and (iii) state the reasons why protection is necessary.

27. Information of a proprietary nature furnished by a licensed public-use airport to the Department of Aviation for funding from programs administered by the Department of Aviation or the Virginia Aviation Board, where if such information was made public, the financial interest of the public-use airport would be adversely affected.

In order for the information specified in this subdivision to be excluded from the provisions of this chapter, the public-use airport shall make a written request to the Department of Aviation:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

28. Information relating to a grant, loan, or investment application, or accompanying a grant, loan, or investment application, submitted to the Commonwealth of Virginia Innovation Partnership Authority (the Authority) established pursuant to Article 11 (§ 2.2-2351 et seq.) of Chapter 22, an advisory committee of the Authority, or any other entity designated by the Authority to review such applications, to the extent that such records would (i) reveal (a) trade secrets; (b) financial information of a party to a grant, loan, or investment application that is not a public body, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (c) research-related information produced or collected by a party to the application in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of a party to a grant, loan, or investment application; and memoranda, staff evaluations, or other information prepared by the Authority or its staff, or a reviewing entity designated by the Authority, exclusively for the evaluation of grant, loan, or investment applications, including any scoring or prioritization documents prepared for and forwarded to the Authority.

29. Proprietary information, voluntarily provided by a private business pursuant to a promise of confidentiality from a public body, used by the public body for a solar services or carbon sequestration agreement, where disclosure of such information would (i) reveal (a) trade secrets of the private business; (b) financial information of the private business, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (c) other information submitted by the private business and (ii) adversely affect the financial interest or bargaining position of the public body or private business.

In order for the information specified in clauses (i)(a), (b), and (c) to be excluded from the provisions of this chapter, the private business shall make a written request to the public body:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

30. Information contained in engineering and construction drawings and plans submitted for the sole purpose of complying with the Building Code in obtaining a building permit if disclosure of such information would identify specific trade secrets or other information that would be harmful to the competitive position of the owner or lessee. However, such information shall be exempt only until the building is completed. Information relating to the safety or environmental soundness of any building shall not be exempt from disclosure.

31. Trade secrets, including, but not limited to, financial information, including balance sheets and financial statements that are not generally available to the public through regulatory disclosure or otherwise, and revenue and cost projections supplied by a private or nongovernmental entity to the Virginia Department of Transportation for the purpose of an audit, special investigation, or any study requested by the Virginia Department of Transportation in accordance with law.

In order for the records specified in this subdivision to be excluded from the provisions of this chapter, the private or nongovernmental entity shall make a written request to the Department:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

The Virginia Department of Transportation shall determine whether the requested exclusion from disclosure is necessary to protect trade secrets or financial records of the private entity. The Virginia Department of Transportation shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

32. Information related to a grant application, or accompanying a grant application, submitted to the Department of Housing and Community Development that would (i) reveal (a) trade secrets, (b) financial information of a grant applicant that is not a public body, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, or (c) research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of the applicant. The exclusion provided by this subdivision shall only apply to grants administered by the Department, the Director of the Department, or pursuant to § 36-139, Article 26 (§ 2.2-2484 et seq.) of Chapter 24, or the Virginia Telecommunication Initiative as authorized by the appropriations act.

In order for the information submitted by the applicant and specified in this subdivision to be excluded from the provisions of this chapter, the applicant shall make a written request to the Department:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data, information, or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

The Department shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or confidential proprietary information of the applicant. The Department shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

33. Financial and proprietary records submitted with a loan application to a locality for the preservation or construction of affordable housing that is related to a competitive application to be submitted to either the U.S. Department of Housing and Urban Development (HUD) or the Virginia Housing Development Authority (VHDA), when the release of such records would adversely affect the bargaining or competitive position of the applicant. Such records shall not be withheld after they have been made public by HUD or VHDA.

34. Information of a proprietary or confidential nature disclosed by a health carrier or pharmacy benefits manager pursuant to § 38.2-3407.15:6, a wholesale distributor pursuant to § 54.1-3436.1, or a manufacturer pursuant to § 54.1-3442.02.

35. Trade secrets, proprietary information, or financial information, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, supplied by an individual or a private or nongovernmental entity to the Fort Monroe Authority for the purpose of complying with the obligations of any lease, easement, license, permit, or other agreement, whether of a commercial or residential real estate nature, pertaining to the use or occupancy of any portion of Fort Monroe.

In order for the records specified in this subdivision to be excluded from the provisions of this chapter, the individual or private or nongovernmental entity shall make a written request to the Fort Monroe Authority:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data, information, or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

36. Information of a proprietary or confidential nature, including trade secrets, employee compensation information, balance sheets and financial statements that are not available to the public through regulatory disclosure or otherwise, and revenue and cost projections supplied by a private or nongovernmental entity to the Department of Workforce Development and Advancement (the Department) for the purpose of sponsoring, implementing, and operating (i) an apprenticeship program approved by the Department or (ii) a similar lawful workforce development or public-private partnership approved by the Department that assists the Department in fulfilling its mission and objectives and whose workforce development initiative could not advance without such exemption, as determined by the Commissioner of the Department and the Secretary of Labor. However, nothing in this subdivision shall be construed to allow the withholding of the name and contact information of a private or nongovernmental entity sponsoring, implementing, or operating the apprenticeship program, the location of the program, the occupations offered by the program, or the terms and conditions of a contract or agreement entered into by such private or nongovernmental entity.

§ 2.2-3705.7. Exclusions to application of chapter; records of specific public bodies and certain other limited exclusions.

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01.

1. State income, business, and estate tax returns, personal property tax returns, and confidential records held pursuant to § 58.1-3.

2. Working papers and correspondence of the Office of the Governor, the Lieutenant Governor, or the Attorney General; the members of the General Assembly, the Division of Legislative Services, or the Clerks of the House of Delegates or the Senate of Virginia; the mayor or chief executive officer of any political subdivision of the Commonwealth; or the president or other chief executive officer of any public institution of higher education in the Commonwealth. However, no information that is otherwise open to inspection under this chapter shall be deemed excluded by virtue of the fact that it has been attached to or incorporated within any working paper or correspondence. Further, information publicly available or not otherwise subject to an exclusion under this chapter or other provision of law that has been aggregated, combined, or changed in format without substantive analysis or revision shall not be deemed working papers. Nothing in this subdivision shall be construed to authorize the withholding of any resumes or applications submitted by persons who are appointed by the Governor pursuant to § 2.2-106 or 2.2-107.

As used in this subdivision:

"Members of the General Assembly" means each member of the Senate of Virginia and the House of Delegates and their legislative aides when working on behalf of such member.

"Office of the Governor" means the Governor; the Governor's chief of staff, counsel, director of policy, and Cabinet Secretaries; the Assistant to the Governor for Intergovernmental Affairs; and those individuals to whom the Governor has delegated his authority pursuant to § 2.2-104.

"Working papers" means those records prepared by or for a public official identified in this subdivision for his personal or deliberative use.

3. Information contained in library records that can be used to identify (i) both (a) any library patron who has borrowed or accessed material or resources from a library and (b) the material or resources such patron borrowed or accessed or (ii) any library patron under 18 years of age. For the purposes of clause (ii), access shall not be denied to the parent, including a noncustodial parent, or guardian of such library patron.

4. Contract cost estimates prepared for the confidential use of the Department of Transportation in awarding contracts for construction or the purchase of goods or services, and records and automated systems prepared for the Department's Bid Analysis and Monitoring Program.

5. Lists of registered owners of bonds issued by a political subdivision of the Commonwealth, whether the lists are maintained by the political subdivision itself or by a single fiduciary designated by the political subdivision.

6. Information furnished by a member of the General Assembly to a meeting of a standing committee, special committee, or subcommittee of his house established solely for the purpose of reviewing members' annual disclosure statements and supporting materials filed under § 30-110 or of formulating advisory opinions to members on standards of conduct, or both.

7. Customer account information of a public utility affiliated with a political subdivision of the Commonwealth, including the customer's name and service address, but excluding the amount of utility service provided and the amount of money charged or paid for such utility service.

8. Personal information, as defined in § 2.2-3801, (i) filed with the Virginia Housing Development Authority concerning individuals who have applied for or received loans or other housing assistance or who have applied for occupancy of or have occupied housing financed, owned or otherwise assisted by the Virginia Housing Development Authority; (ii) concerning persons participating in or persons on the waiting list for federally funded rent-assistance programs; (iii) filed with any local redevelopment and housing authority created pursuant to § 36-4 concerning persons participating in or persons on the waiting list for housing assistance programs funded by local governments or by any such authority; or (iv) filed with any local redevelopment and housing authority created pursuant to § 36-4 or any other local government agency concerning persons who have applied for occupancy or who have occupied affordable dwelling units established pursuant to § 15.2-2304 or 15.2-2305. However, access to one's own information shall not be denied.

9. Information regarding the siting of hazardous waste facilities, except as provided in § 10.1-1441, if disclosure of such information would have a detrimental effect upon the negotiating position of a governing body or on the establishment of the terms, conditions, and provisions of the siting agreement.

10. Information on the site-specific location of rare, threatened, endangered, or otherwise imperiled plant and animal species, natural communities, caves, and significant historic and archaeological sites if, in the opinion of the public body that has the responsibility for such information, disclosure of the information would jeopardize the continued existence or the integrity of the resource. This exclusion shall not apply to requests from the owner of the land upon which the resource is located.

11. Memoranda, graphics, video or audio tapes, production models, data, and information of a proprietary nature produced by or for or collected by or for the Virginia Lottery relating to matters of a specific lottery game design,

development, production, operation, ticket price, prize structure, manner of selecting the winning ticket, manner of payment of prizes to holders of winning tickets, frequency of drawings or selections of winning tickets, odds of winning, advertising, or marketing, where such information not been publicly released, published, copyrighted, or patented. Whether released, published, or copyrighted, all game-related information shall be subject to public disclosure under this chapter upon the first day of sales for the specific lottery game to which it pertains.

12. Information held by the Virginia Retirement System, acting pursuant to § 51.1-124.30, or a local retirement system, acting pursuant to § 51.1-803, or by a local finance board or board of trustees of a trust established by one or more local public bodies to invest funds for post-retirement benefits other than pensions, acting pursuant to Article 8 (§ 15.2-1544 et seq.) of Chapter 15 of Title 15.2, or by the board of visitors of the University of Virginia, acting pursuant to § 23.1-2210, or by the board of visitors of The College of William and Mary in Virginia, acting pursuant to § 23.1-2803, or by the Commonwealth Savers Plan, acting pursuant to § 23.1-704, relating to the acquisition, holding, or disposition of a security or other ownership interest in an entity, where such security or ownership interest is not traded on a governmentally regulated securities exchange, if disclosure of such information would (i) reveal confidential analyses prepared for the board of visitors of the University of Virginia, prepared for the board of visitors of The College of William and Mary in Virginia, prepared by the retirement system, a local finance board or board of trustees, or the Commonwealth Savers Plan, or provided to the retirement system, a local finance board or board of trustees, or the Commonwealth Savers Plan under a promise of confidentiality of the future value of such ownership interest or the future financial performance of the entity and (ii) have an adverse effect on the value of the investment to be acquired, held, or disposed of by the retirement system, a local finance board or board of trustees, the board of visitors of the University of Virginia, the board of visitors of The College of William and Mary in Virginia, or the Commonwealth Savers Plan. Nothing in this subdivision shall be construed to prevent the disclosure of information relating to the identity of any investment held, the amount invested, or the present value of such investment.

13. Financial, medical, rehabilitative, and other personal information concerning applicants for or recipients of loan funds submitted to or maintained by the Assistive Technology Loan Fund Authority under Chapter 11 (§ 51.5-53 et seq.) of Title 51.5.

14. Information held by the Virginia Commonwealth University Health System Authority pertaining to any of the following: an individual's qualifications for or continued membership on its medical or teaching staffs; proprietary information gathered by or in the possession of the Authority from third parties pursuant to a promise of confidentiality; contract cost estimates prepared for confidential use in awarding contracts for construction or the purchase of goods or services; information of a proprietary nature produced or collected by or for the Authority or members of its medical or teaching staffs; financial statements not publicly available that may be filed with the Authority from third parties; the identity, accounts, or account status of any customer of the Authority; consulting or other reports paid for by the Authority to assist the Authority in connection with its strategic planning and goals; the determination of marketing and operational strategies where disclosure of such strategies would be harmful to the competitive position of the Authority; and information of a proprietary nature produced or collected by or for employees of the Authority, other than the Authority's financial or administrative records, in the conduct of or as a result of study or research on medical, scientific, technical, or scholarly issues, whether sponsored by the Authority alone or in conjunction with a governmental body or a private concern, when such information has not been publicly released, published, copyrighted, or patented. This exclusion shall also apply when such information is in the possession of Virginia Commonwealth University.

15. Information held by the Department of Environmental Quality, the State Water Control Board, the State Air Pollution Control Board, or the Virginia Waste Management Board relating to (i) active federal environmental enforcement actions that are considered confidential under federal law and (ii) enforcement strategies, including proposed sanctions for enforcement actions. Upon request, such information shall be disclosed after a proposed sanction resulting from the investigation has been proposed to the director of the agency. This subdivision shall not be construed to prevent the disclosure of information related to inspection reports, notices of violation, and documents detailing the nature of any environmental contamination that may have occurred or similar documents.

16. Information related to the operation of toll facilities that identifies an individual, vehicle, or travel itinerary, including vehicle identification data or vehicle enforcement system information; video or photographic images; Social Security or other identification numbers appearing on driver's licenses; credit card or bank account data; home addresses; phone numbers; or records of the date or time of toll facility use.

17. Information held by the Virginia Lottery pertaining to (i) the social security number, tax identification number, state sales tax number, home address and telephone number, personal and lottery banking account and transit numbers of a retailer, and financial information regarding the nonlottery operations of specific retail locations and (ii) individual lottery winners, except that a winner's name, hometown, and amount won shall be disclosed. If the value of the prize won by the winner exceeds $10 million, the information described in clause (ii) shall not be disclosed unless the winner consents in writing to such disclosure.

18. Information held by the Board for Branch Pilots relating to the chemical or drug testing of a person regulated by the Board, where such person has tested negative or has not been the subject of a disciplinary action by the Board for a positive test result.

19. Information pertaining to the planning, scheduling, and performance of examinations of holder records pursuant to the Virginia Disposition of Unclaimed Property Act (§ 55.1-2500 et seq.) prepared by or for the State Treasurer or his agents or employees or persons employed to perform an audit or examination of holder records.

20. Information held by the Virginia Department of Emergency Management or a local governing body relating to citizen emergency response teams established pursuant to an ordinance of a local governing body that reveal the name, address, including e-mail address, telephone or pager numbers, or operating schedule of an individual participant in the program.

21. Information held by state or local park and recreation departments and local and regional park authorities *or by the Department of Workforce Development and Advancement* concerning identifiable individuals ~~under the age of~~ *younger than* 18 years *of age*. However, nothing in this subdivision shall operate to prevent the disclosure of information defined as directory information under regulations implementing the federal Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, unless the public body has undertaken the parental notification and opt-out requirements provided by such regulations. Access shall not be denied to the parent, including a noncustodial parent, or guardian of such person, unless the parent's parental rights have been terminated or a court of competent jurisdiction has restricted or denied such access. For such information of persons who are emancipated, the right of access may be asserted by the subject thereof. Any parent or emancipated person who is the subject of the information may waive, in writing, the protections afforded by this subdivision. If the protections are so waived, the public body shall open such information for inspection and copying.

22. Information submitted for inclusion in the Statewide Alert Network administered by the Department of Emergency Management that reveal names, physical addresses, email addresses, computer or internet protocol information, telephone numbers, pager numbers, other wireless or portable communications device information, or operating schedules of individuals or agencies, where the release of such information would compromise the security of the Statewide Alert Network or individuals participating in the Statewide Alert Network.

23. Information held by the Judicial Inquiry and Review Commission made confidential by § 17.1-913.

24. Information held by the Virginia Retirement System acting pursuant to § 51.1-124.30, a local retirement system acting pursuant to § 51.1-803 (hereinafter collectively referred to as the retirement system), or the Commonwealth Savers Plan, acting pursuant to § 23.1-704 relating to:

a. Internal deliberations of or decisions by the retirement system or the Commonwealth Savers Plan on the pursuit of particular investment strategies, or the selection or termination of investment managers, prior to the execution of such investment strategies or the selection or termination of such managers, if disclosure of such information would have an adverse impact on the financial interest of the retirement system or the Commonwealth Savers Plan; and

b. Trade secrets provided by a private entity to the retirement system or the Commonwealth Savers Plan if disclosure of such records would have an adverse impact on the financial interest of the retirement system or the Commonwealth Savers Plan.

For the records specified in subdivision b to be excluded from the provisions of this chapter, the entity shall make a written request to the retirement system or the Commonwealth Savers Plan:

(1) Invoking such exclusion prior to or upon submission of the data or other materials for which protection from disclosure is sought;

(2) Identifying with specificity the data or other materials for which protection is sought; and

(3) Stating the reasons why protection is necessary.

The retirement system or the Commonwealth Savers Plan shall determine whether the requested exclusion from disclosure meets the requirements set forth in subdivision b.

Nothing in this subdivision shall be construed to prevent the disclosure of the identity or amount of any investment held or the present value and performance of all asset classes and subclasses.

25. Information held by the Department of Corrections made confidential by former § 53.1-233.

26. Information maintained by the Department of the Treasury or participants in the Local Government Investment Pool (§ 2.2-4600 et seq.) and required to be provided by such participants to the Department to establish accounts in accordance with § 2.2-4602.

27. Personal information, as defined in § 2.2-3801, contained in the Veterans Care Center Resident Trust Funds concerning residents or patients of the Department of Veterans Services Care Centers, except that access shall not be denied to the person who is the subject of the information.

28. Information maintained in connection with fundraising activities by the Veterans Services Foundation pursuant to § 2.2-2716 that reveal the address, electronic mail address, facsimile or telephone number, social security number or other identification number appearing on a driver's license or other document issued under Chapter 3 (§ 46.2-300 et seq.) of Title 46.2 or the comparable law of another jurisdiction, or credit card or bank account data of identifiable donors, except that access shall not be denied to the person who is the subject of the information. Nothing in this subdivision, however, shall be construed to prevent the disclosure of information relating to the amount, date, purpose, and terms of the pledge or donation or the identity of the donor, unless the donor has requested anonymity in connection with or as a condition of making a pledge or donation. The exclusion provided by this subdivision shall not apply to protect from disclosure (i) the identities of sponsors providing grants to or contracting with the foundation for the performance of services or other work or (ii) the terms and conditions of such grants or contracts.

29. Information prepared for and utilized by the Commonwealth's Attorneys' Services Council in the training of state prosecutors or law-enforcement personnel, where such information is not otherwise available to the public and the disclosure of such information would reveal confidential strategies, methods, or procedures to be employed in law-enforcement activities or materials created for the investigation and prosecution of a criminal case.

30. Information provided to the Department of Aviation by other entities of the Commonwealth in connection with the operation of aircraft where the information would not be subject to disclosure by the entity providing the information. The entity providing the information to the Department of Aviation shall identify the specific information to be protected and the applicable provision of this chapter that excludes the information from mandatory disclosure.

31. Information created or maintained by or on the behalf of the judicial performance evaluation program related to an evaluation of any individual justice or judge made confidential by § 17.1-100.

32. Information reflecting the substance of meetings in which (i) individual sexual assault cases are discussed by any sexual assault response team established pursuant to § 15.2-1627.4, (ii) individual child abuse or neglect cases or sex offenses involving a child are discussed by multidisciplinary child sexual abuse response teams established pursuant to § 15.2-1627.5, (iii) individual cases of abuse, neglect, or exploitation of adults as defined in § 63.2-1603 are discussed by multidisciplinary teams established pursuant to §§ 15.2-1627.5 and 63.2-1605, or (iv) individual human trafficking cases are discussed by any human trafficking response team established pursuant to § 15.2-1627.6. The findings of any such team may be disclosed or published in statistical or other aggregated form that does not disclose the identity of specific individuals.

33. Information contained in the strategic plan, marketing plan, or operational plan prepared by the Virginia Economic Development Partnership Authority pursuant to § 2.2-2237.1 regarding target companies, specific allocation of resources and staff for marketing activities, and specific marketing activities that would reveal to the Commonwealth's competitors for economic development projects the strategies intended to be deployed by the Commonwealth, thereby adversely affecting the financial interest of the Commonwealth. The executive summaries of the strategic plan, marketing plan, and operational plan shall not be redacted or withheld pursuant to this subdivision.

34. Information discussed in a closed session of the Physical Therapy Compact Commission or the Executive Board or other committees of the Commission for purposes set forth in subsection E of § 54.1-3491.

35. Information held by the Commonwealth of Virginia Innovation Partnership Authority (the Authority), an advisory committee of the Authority, or any other entity designated by the Authority, relating to (i) internal deliberations of or decisions by the Authority on the pursuit of particular investment strategies prior to the execution of such investment strategies and (ii) trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), provided by a private entity to the Authority, if such disclosure of records pursuant to clause (i) or (ii) would have an adverse impact on the financial interest of the Authority or a private entity.

36. Personal information provided to or obtained by the Virginia Lottery in connection with the voluntary exclusion program administered pursuant to § 58.1-4015.1.

37. Personal information provided to or obtained by the Virginia Lottery concerning the identity of any person reporting prohibited conduct pursuant to § 58.1-4043.

CHAPTER 109

An Act to amend and reenact §§ 1-600 through 1-603, 1-605, 1-606, 1-608, and 45.2-542 of the Code of Virginia, relating to Virginia coordinate systems; federal updates.

[S 1173]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 1-600 through 1-603, 1-605, 1-606, 1-608, and 45.2-542 of the Code of Virginia are amended and reenacted as follows:

§ 1-600. Virginia coordinate systems designated.

The systems of plane coordinates that have been established by the National Ocean Service/National Geodetic Survey or its successors for defining and stating the positions or locations of points on the surface of the earth within the Commonwealth are to be known and designated as the "Virginia Coordinate System of 1927," ~~and~~ the "Virginia Coordinate System of 1983*," and the "Virginia Coordinate System of 2022*."

§ 1-601. North and South Zones.

For the purpose of the use of the Virginia Coordinate System of 1927 ~~and~~, the Virginia Coordinate System of 1983, *and the Virginia Coordinate System of 2022,* the Commonwealth is divided into a "North Zone" and a "South Zone."

The area now included in the following counties and cities shall constitute the North Zone: Arlington, Augusta, Bath, Caroline, Clarke, Culpeper, Fairfax, Fauquier, Frederick, Greene, Highland, King George, Loudoun, Madison, Orange, Page, Prince William, Rappahannock, Rockingham, Shenandoah, Spotsylvania, Stafford, Warren, and Westmoreland Counties and the Cities of Alexandria, Fairfax, Falls Church, Fredericksburg, Harrisonburg, Manassas, Manassas Park, Staunton, Waynesboro, and Winchester.

The area now included in the following counties and cities shall constitute the South Zone: Accomack, Albemarle, Alleghany, Amelia, Amherst, Appomattox, Bedford, Bland, Botetourt, Brunswick, Buchanan, Buckingham, Campbell, Carroll, Charles City, Charlotte, Chesterfield, Craig, Cumberland, Dickenson, Dinwiddie, Essex, Floyd, Fluvanna, Franklin, Giles, Gloucester, Goochland, Grayson, Greensville, Halifax, Hanover, Henrico, Henry, Isle of Wight, James City, King and Queen, King William, Lancaster, Lee, Louisa, Lunenburg, Mathews, Mecklenburg, Middlesex, Montgomery, Nelson, New Kent, Northampton, Northumberland, Nottoway, Patrick, Pittsylvania, Powhatan, Prince Edward, Prince George, Pulaski, Richmond, Roanoke, Rockbridge, Russell, Scott, Smyth, Southampton, Surry, Sussex, Tazewell, Washington, Wise, Wythe, and York Counties and the Cities of Bristol, Buena Vista, Charlottesville, Chesapeake, Colonial Heights, Covington, Danville, Emporia, Franklin, Galax, Hampton, Hopewell, Lexington, Lynchburg, Martinsville, Newport News, Norfolk, Norton, Petersburg, Poquoson, Portsmouth, Radford, Richmond, Roanoke, Salem, Suffolk, Virginia Beach, and Williamsburg.

§ 1-602. Designation of systems in land description.

A. As established for use in the North Zone, the Virginia Coordinate System of 1927 ~~or~~, the Virginia Coordinate System of 1983*, or the Virginia Coordinate System of 2022* shall be named, and in any land description in which it is used, it shall be designated the "Virginia Coordinate System of 1927, North Zone," ~~or~~ "Virginia Coordinate System of 1983, North Zone*," or "Virginia Coordinate System of 2022, North Zone*."

B. As established for use in the South Zone, the Virginia Coordinate System of 1927 ~~or~~, the Virginia Coordinate System of 1983*, or the Virginia Coordinate System of 2022* shall be named, and in any land description in which it is used, it shall be designated the "Virginia Coordinate System of 1927, South Zone," ~~or~~ "Virginia Coordinate System of 1983, South Zone*," or "Virginia Coordinate System of 2022, South Zone*."

§ 1-603. Plane coordinates used in systems.

The plane coordinates of a point on the earth's surface, to be used in expressing the position or location of such point in the appropriate zone of these systems, shall be expressed in ~~U.S. survey~~ *international* feet and decimals of a foot. One of these distances, to be known as the "x-coordinate," shall give the position in an east-and-west direction; the other, to be known as the "y-coordinate," shall give the position in a north-and-south direction. These coordinates shall be made to depend upon and conform to the coordinate values for the monumented points of the North American Horizontal Geodetic Control Network as published by the National Ocean Service/National Geodetic Survey, or its successors, and whose plane coordinates have been computed on the systems defined in this chapter. Any such station may be used for establishing a survey connection to either Virginia coordinate system.

When converting coordinates in the Virginia Coordinate System of 1983 *or the Virginia Coordinate System of 2022* from meters and decimals of a meter to feet and decimals of a foot, the ~~U.S. survey~~ *International* foot conversion factor (one foot equals ~~1200/3937~~ *0.3048* meters) shall be used. ~~This requirement does not preclude the continued use of the International foot conversion factor (one foot equals 0.3048 meters) in those counties and cities where this factor was in use prior to July 1, 1992.~~ The plat or plan shall contain a statement of the conversion factor used and the coordinate values of a minimum of two project points in feet.

§ 1-605. Definition of systems by National Ocean Service/National Geodetic Survey; adopted.

A. For purposes of more precisely defining the Virginia Coordinate System of 1927, the following definition by the National Ocean Service/National Geodetic Survey is adopted:

The Virginia Coordinate System of 1927, North Zone, is a Lambert conformal projection of the Clarke spheroid of 1896, having standard parallels at north latitudes 38° 02' and 39° 12', along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian 78° 30' west of Greenwich with the parallel 37° 40' north latitude, such origin being given the coordinates: x = 2,000,000~~'~~, and y = 0'.

The Virginia Coordinate System of 1927, South Zone, is a Lambert conformal projection of the Clarke spheroid of 1896, having standard parallels at north latitudes 36° 46' and 37° 58', along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian 78° 30' west of Greenwich with the parallel 36° 20' north latitude, such origin being given the coordinates: x = 2,000,000~~'~~, and y = 0'.

B. For purposes of more precisely defining the Virginia Coordinate System of 1983, the following definition by the National Ocean Service/National Geodetic Survey is adopted:

The Virginia Coordinate System of 1983, North Zone, is a Lambert conformal conic projection based on the North American Datum of 1983, having standard parallels at north latitudes 38° 02' and 39° 12', along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian 78° 30' west of Greenwich and the parallel 37° 40' north latitude, such origin being given the coordinates: x = 3,500,000 meters and y = 2,000,000 meters.

The Virginia Coordinate System of 1983, South Zone, is a Lambert conformal conic projection based on the North American Datum of 1983, having standard parallels at north latitudes 36° 46' and 37° 58', along which parallels the scale shall be exact. The origin of coordinates is at the intersection of the meridian 78° 30' west of Greenwich and the parallel 36° 20' north latitude, such origin being given the coordinates: x = 3,500,000 meters and y = 1,000,000 meters.

C. For purposes of more precisely defining the Virginia Coordinate System of 2022, the following definition by the National Ocean Service/National Geodetic Survey is adopted:

The Virginia Coordinate System of 2022, North Zone, is a Lambert conformal conic, one parallel projection based on the North American Terrestrial Reference Frame of 2022, having one standard parallel at north latitude 38° 36', along which parallel the scale shall be exact. The origin of coordinates is at the intersection of the meridian 78° 15' west of

Greenwich and the parallel 38° 36' north latitude, such origin being given the coordinates: x = 457,200 meters and y = 190,500 meters.

The Virginia Coordinate System of 2022, South Zone, is a Lambert conformal conic, one parallel projection based on the North American Terrestrial Reference Frame of 2022, having one standard parallel at north latitude 37° 21', along which parallel the scale shall be 0.999990. The origin of coordinates is at the intersection of the meridian 79° 30' west of Greenwich and the parallel 37° 21' north latitude, such origin being given the coordinates: x = 685,800 meters and y = 190,500 meters.

§ 1-606. Position of systems.

The position of the Virginia coordinate systems shall be as marked on the ground by triangulation or traverse stations established in conformity with the standards of accuracy and specifications for first-order and second-order geodetic surveying as prepared and published by the Federal Geodetic Control Subcommittee of the Federal Geographic Data Committee of the U.S. Department of Commerce. The geodetic position of stations defining the position of the Virginia Coordinate System of 1927 shall have been rigidly adjusted on the North American Datum of 1927, and the plane coordinates shall have been computed on the Virginia Coordinate System of 1927. The geodetic position of stations defining the position of the Virginia Coordinate System of 1983 shall have been rigidly adjusted on the North American Datum of 1983, and the plane coordinates shall have been computed on the Virginia Coordinate System of 1983. *The geodetic position of stations defining the position of the Virginia Coordinate System of 2022 shall have been rigidly adjusted on the North American Terrestrial Reference Frame of 2022, and the plane coordinates shall have been computed on the Virginia Coordinate System of 2022.* Any such station may be used for establishing a survey connection with the Virginia coordinate systems.

§ 1-608. Limitation on use of name of systems.

The use of the terms "Virginia Coordinate System of 1927," ~~or~~ "Virginia Coordinate System of 1983*," or " Virginia Coordinate System of 2022*" on any map, report of survey, or other document shall be limited to coordinates based on the Virginia coordinate systems as defined in this chapter.

§ 45.2-542. Maps of mines required to be made; contents; extension and preservation; use by Department; release; posting of map.

A. Prior to commencing mining activity, the operator of a coal mine or his agent shall make or cause to be made, unless already made and filed, an accurate map of such mine. Such map shall be submitted to the Chief prior to producing coal at the mine. All maps shall be presented on the Virginia Coordinate System of ~~1983~~ *2022*, South Zone, unless otherwise approved by the Chief. At intervals not to exceed 12 months and when a coal mine is abandoned, the operator shall submit to the Chief copies of an up-to-date map of the entire mine in an electronic format approved by the Chief. The operator shall also submit to the Chief revisions that show directional changes whenever mine projections deviate more than 600 feet from the approved mine map. Only maps in an electronic format shall be accepted unless otherwise approved by the Chief. If there are no changes in the information required to be submitted pursuant to this section at the time an updated map is due, the operator may submit a notice that there are no changes to the map in lieu of submitting an updated map to the Department.

B. Underground coal mine maps shall show:

1. The active workings;

2. All pillared, worked out, and abandoned areas, except as provided in this section;

3. Entries and air courses with the quantity of airflow, direction of airflow indicated by arrows, and ventilation controls;

4. Contour lines of all elevations;

5. Dip of the coalbed;

6. Escapeways;

7. The locations that are known or should be known of (i) adjacent mine workings within 1,000 feet, (ii) mines above or below, and (iii) water pools above;

8. Either producing or abandoned oil and gas wells located within 500 feet of such mine and in any underground area of such mine; and

9. Other information the Chief requires.

Such map shall identify those areas of the mine that have been pillared, worked out, or abandoned that are inaccessible or that cannot be entered safely.

C. Additional information required to be shown on underground coal mine maps includes:

1. The mine name, company name, mine index number, and name of the person responsible for information on the map;

2. The scale and orientation of the map and symbols used on the map;

3. The property or boundary lines of the mine;

4. All known drill holes that penetrate the coalbed being mined;

5. All shaft, slope, drift, and tunnel openings and auger and strip mined areas of the coalbed being mined;

6. The location of all surface mine ventilation fans. The location may be designated on the mine map by symbols;

7. The location of railroad tracks and public highways leading to the mine and mine buildings of a permanent nature with identifying names shown;

8. The location and description of a least two permanent base line points coordinated with the underground and surface mine traverses and the location and description of at least two permanent elevation bench marks used in connection with establishing or referencing mine elevation surveys;

9. The location and elevation of any body of water dammed or held back in any portion of the mine; however, such bodies of water may be shown on overlays or tracings attached to the mine maps used to show contour lines as provided under subdivision 12;

10. The elevations of tops and bottoms of shafts and slopes and the floor at the entrance to drift and tunnel openings;

11. The elevation of the floor at intervals of not more than 200 feet in (i) at least one entry of each working section and main and cross entries; (ii) the last line of open crosscuts of each working section, and main and cross entries before such sections and main and cross entries that are abandoned; and (iii) rooms advancing toward or adjacent to property or boundary lines or adjacent mines; and

12. Contour lines passing through whole number elevations of the coalbed being mined. The spacing of such lines shall not exceed 10-foot elevation levels, except that a broader spacing of contour lines may be approved by the Chief for steeply pitching coalbeds. Contour lines may be placed on overlays or tracings attached to mine maps.

D. Underground coal mine maps submitted to the Chief shall be on a scale of not less than 100 or more than 500 feet to the inch. Mapping of the underground mine works shall be completed by a closed loop survey method of traversing or other equally accurate methods of traversing. All closed loop surveys shall meet a minimum accuracy standard of one part in 5,000. Elevations shall be tied to either the United States Geological Survey or the National Geodetic Survey bench mark system. A registered engineer or licensed land surveyor shall certify that the map of the mine workings is accurate.

E. Underground coal mine maps shall be kept up to date by temporary notations and revised and supplemented at intervals not to exceed six months based on a survey made and certified by a registered engineer or licensed land surveyor who has exercised complete direction and control over the work to which it is affixed. Temporary notations shall include:

1. The location of each working face of each working place;

2. Pillars mined or other such second mining;

3. Permanent ventilation controls constructed or removed, such as seals, overcasts, undercasts, regulators, and permanent stoppings, and the direction of air currents indicated; and

4. Escapeways designated by means of symbols.

F. At underground coal mines, an accurate map of the mine showing clearly all avenues of ingress and egress in case of fire shall be posted in a place accessible to all miners.

G. Surface coal mine maps shall show:

1. The name and address of the mine;

2. The property or boundary lines of the active areas of the mine;

3. Contour lines passing through whole number elevations of the coalbed being mined. The spacing of such lines shall not exceed 25-foot elevation levels, except that a broader spacing of contour lines may be approved by the Chief for steeply pitching coalbeds. The Chief may approve alternate means of delineating seam elevations where multiple seams are being mined. Contour lines may be placed on overlays or tracings attached to mine maps;

4. The general elevation of each coalbed being mined and the general elevation of the surface;

5. Each producing or abandoned gas or oil well or gas transmission line located on the mine property;

6. The location and elevation of any body of water dammed or held back in any portion of the mine; however, such body of water may be shown on overlays or tracings attached to the mine maps;

7. Every prospect drill hole that penetrates a coalbed being mined on the mine property;

8. Every auger or surface-mined area of a coalbed being mined on the mine property together with the line of maximum depth of holes drilled during auger mining operations;

9. All worked out and abandoned areas;

10. The location of railroad tracks and public highways leading to the mine and mine buildings of a permanent nature with identifying names shown;

11. Underground coal mine workings underlying and within 1,000 feet of any active area of the mine;

12. The location and description of at least two permanent baseline points and the location and description of at least two permanent elevation bench marks used in connection with establishing or referencing mine elevation surveys;

13. The scale of the map; and

14. Other information required by the Chief.

H. Surface coal mine maps shall be kept up to date by temporary notations and revised and supplemented at intervals not to exceed six months based on a survey made and certified by a registered engineer or licensed land surveyor who has exercised complete direction and control over the work to which it is affixed. Temporary notations shall include:

1. The location of each working pit;

2. Auger or highwall miner workings; and

3. Other information that might affect the safety of miners, including updates of gas well or gas line locations.

I. Each surface survey shall originate from at least two permanent survey monuments on the mine property located with a minimum accuracy standard of one part in 10,000. The monuments shall be clearly referenced on the mine map. Elevations shall be tied to either the United States Geological Survey or the National Geodetic Survey bench mark system.

J. The original map, or a true copy thereof, shall be left by the operator at the active mine, open at all reasonable times for the examination and use of the mine inspector.

K. Such maps may be used by the Department for the evaluation of the coal resources of the Commonwealth.

L. The map shall be filed and preserved among the records of the Department and copies of such maps shall be made available at a reasonable cost.

M. Any person who has conducted mining operations or prepared mine maps and who has a map or surveying data of any worked out or abandoned underground coal mine shall on request make such map or data available to the Department to copy or reproduce.

2. That the provisions of this act shall become effective upon the official release by the National Oceanic and Atmospheric Administration's National Geodetic Survey of the State Plane Coordinate System of 2022. Old Dominion University, in its capacity as the authorized state agency for Virginia coordinate systems pursuant to Chapter 6 (§ 1-600 et seq.) of Title 1 of the Code of Virginia, as amended by this act, shall certify in writing to the Virginia Code Commission when such contingency has been met.

CHAPTER 110

An Act to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 22.23, consisting of a section numbered 59.1-284.44, relating to Lithium-ion Battery Separator Manufacturing Grant Fund.

[S 1207]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 22.23, consisting of a section numbered 59.1-284.44, as follows:

CHAPTER 22.23.

LITHIUM-ION BATTERY SEPARATOR MANUFACTURING GRANT FUND.

§ 59.1-284.44. Lithium-Ion Battery Separator Manufacturing Grant Fund.

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

"Capital investment" means an expenditure by or on behalf of a qualified company on or after July 1, 2024, on or for real property, taxable tangible personal property, or both, at a facility in an eligible locality that is properly chargeable to a capital account or would be so chargeable with a proper election under Virginia law. Such term shall include (i) the purchase or lease of furniture, fixtures, business personal property, machinery, and tools, including under an operating lease, and (ii) expected building construction and up-fit by or on behalf of a qualified company.

"Eligible locality" means Pittsylvania County.

"Facility" means the building, group of buildings, or corporate campus, including any related machinery and tools, furniture, fixtures, and business personal property, that is located at or near a qualified company's operations in an eligible locality and is owned, leased, licensed, occupied, or otherwise operated by a qualified company.

"Fund" means the Lithium-Ion Battery Separator Manufacturing Grant Fund.

"Grants" means the grant payments from the Fund that are awarded to a qualified company in an aggregate amount not to exceed $60,597,000. The proceeds of any grants may be used by the qualified company for costs of construction and development of the facility, or any other lawful purpose.

"Memorandum of understanding" means a performance agreement or related document to be entered into by a qualified company, the Commonwealth, and VEDP that sets forth the requirements for capital investment and the creation of new full-time jobs by a qualified company to be eligible for grants from the Fund.

"New full-time job" means a job position for an employee of a qualified company (i) that is principally located at a facility; (ii) for which the average annual wage is at least $45,896, subject to an escalation factor for each year as set forth in the memorandum of understanding; (iii) for which the qualified company provides standard fringe benefits; and (iv) that requires a minimum of either (a) 35 hours of an employee's time per week for the entire normal year of the qualified company's operations, which "normal year" shall consist of at least 48 weeks, or (b) 1,680 hours per year. Seasonal or temporary positions and positions with construction contractors, vendors, suppliers, and similar multiplier or spin-off jobs shall not qualify as new full-time jobs. The Commonwealth may assess compliance with the new full-time job requirements for a qualified company by reference to the new payroll generated by a qualified company if provided for in the memorandum of understanding.

"Qualified company" means a company, including its affiliates, that engages in the manufacture of lithium-ion battery separators and that on and after July 1, 2024, but before July 1, 2045, is expected to (i) make a capital investment of at least $1.3506 billion and (ii) create and maintain at least 2,015 new full-time jobs.

"Secretary" means the Secretary of Commerce and Trade or his designee.

"VEDP" means the Virginia Economic Development Partnership Authority.

B. There is hereby created in the state treasury a special nonreverting fund to be known as the Lithium-Ion Battery Separator Manufacturing Grant Fund. The Fund shall be established on the books of the Comptroller. All funds appropriated to the Fund shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the

Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used to pay grants pursuant to this chapter. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller pursuant to subsection F.

C. A qualified company shall be eligible to receive grants each fiscal year expected to begin with the Commonwealth's fiscal year starting on July 1, 2026, and ending with the Commonwealth's fiscal year starting on July 1, 2045, unless such timeframe is extended in accordance with a memorandum of understanding. Grants awarded pursuant to this section shall be subject to appropriation by the General Assembly during each such fiscal year and are contingent on a qualified company meeting the requirements set forth in this chapter and in the memorandum of understanding for the number of new full-time jobs created and maintained and the amount of capital investment made.

D. The aggregate amount of grants payable under this section shall not exceed $60,597,000. Grants are anticipated to be paid in 20 annual fiscal year installments, calculated in accordance with a memorandum of understanding, as follows:

1. $691,545, for the Commonwealth's fiscal year beginning July 1, 2026;

2. $1,558,800, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2027;

3. $3,423,813, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2028;

4. $4,553,857, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2029;

5. $6,928,781, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2030;

6. $11,147,397, less the total amount of grants previously awarded pursuant to this subsection, for the Commonwealth's fiscal year beginning July 1, 2031;

7. $15,084,768, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2032;

8. $19,253,760, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2033;

9. $22,699,410, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2034;

10. $26,145,060, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2035;

11. $29,590,710, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2036;

12. $33,036,360, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2037;

13. $36,482,010, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2038;

14. $39,927,660, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2039;

15. $43,373,310, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2040;

16. $46,818,960, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2041;

17. $50,264,610, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2042;

18. $53,710,260, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2043;

19. $57,155,910, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2044; and

20. $60,597,000, less the total amount of grants previously awarded pursuant to this subsection for the Commonwealth's fiscal year beginning July 1, 2045.

In accordance with the memorandum of understanding, actual grant payment amounts and fiscal years may differ from the schedule in this subsection and may be extended beyond the fiscal year beginning July 1, 2045, but in no event shall the aggregate amount of grant payments across all fiscal years exceed $60,597,000. In addition, in no event shall grants be paid from the Fund for more than 20 consecutive years. Any grants not earned by the end of a 20-year payment period shall be forfeited.

E. A qualified company applying for a grant installment under this section shall provide verifiable documentation satisfactory to the Secretary evidencing (i) the aggregate number of new full-time jobs created and maintained as of the last day of the calendar year preceding the application and (ii) the amount of capital investment made in the calendar year preceding the application. The application and evidence shall be filed with the Secretary in person, by mail, or as otherwise agreed upon in the memorandum of understanding no later than April 1 each year reflecting performance through the last

day of the prior calendar year. Failure to meet the filing deadline shall result in a deferral of any scheduled grant installment payment pursuant to subsection D. For such filings made by mail, the postmark cancellation shall govern for purposes of the date of the filing determination.

F. Within 60 days of receiving an application and satisfactory evidence pursuant to subsection E, the Secretary shall certify to the Comptroller and the qualified company the amount of grants to which such qualified company is entitled for payment. Payment of such grants shall be made by check issued by the State Treasurer on warrant of the Comptroller in the Commonwealth's fiscal year following the submission of an application. The Comptroller shall not draw any warrant to issue checks for grants without a specific appropriation for the same.

G. As a condition of receipt of grants under this section, a qualified company shall make available to the Secretary for inspection, upon request, all documents that are relevant or applicable to determining whether the qualified company has met the requirements for receipt of a grant pursuant to this section and subject to the memorandum of understanding. Any such documents appropriately identified by a qualified company shall be considered confidential and proprietary.

CHAPTER 111

An Act to amend and reenact §§ 54.1-828 through 54.1-831, 54.1-833, and 54.1-834 of the Code of Virginia, relating to boxing and wrestling events; license requirements for examining physicians.

[S 1245]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-828 through 54.1-831, 54.1-833, and 54.1-834 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-828. Definitions.

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

"Amateur" means an individual who has never participated in a boxing, martial arts, or professional wrestling event for money, compensation, or reward other than a suitably inscribed memento.

"Boxer" means a person competing in the sport of boxing.

"Boxing" means the contact sport of attack or defense using fists.

"Cable television system" means any facility consisting of a set of closed transmission paths and associated equipment designed to provide video programming to multiple subscribers when subscriber interaction is required to select a specific video program for an access fee established by the cable television system for that specific video program.

"Contractor" means any person who has been recognized by the Director, through a contract pursuant to § 54.1-832, as an appropriate responsible party to provide services to assist the Commonwealth in complying with the provisions of this chapter.

"Department" means the Department of Professional and Occupational Regulation or its successor.

"Director" means the Director of the Department of Professional and Occupational Regulation.

"Event" means any boxing, martial arts, or professional wrestling show that includes one or more bouts, contests, or matches.

~~"Exhibition" means any occurrence in which boxers or martial artists show or display skills without striving to win.~~

"Exhibition bout" means a bout that is part of any martial arts or professional boxing event in which boxers or martial artists show or display skills without a declared winner.

"Manager" means any person who serves as a representative or agent of a boxer, martial artist, or professional wrestler to arrange for his participation in an event.

"Martial artist" means a person competing in the sport of martial arts.

"Martial arts" or "mixed martial arts" means any of several Asian arts of combat or self-defense, alone or in combination, including ~~but not limited to~~ aikido, karate, judo, muay thai, or tae kwon do, usually practiced as sport and which may involve the use of striking weapons.

"Matchmaker" means any person who proposes, selects, arranges for, or in any manner procures specific individuals to be contestants in an event.

"Person" means a natural person, corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, or any other entity.

"Professional" means a person who participates or has ever participated for money, compensation, or reward other than a suitably inscribed memento in any boxing, martial arts, or professional wrestling event.

"Professional wrestler" means any professional participating in professional wrestling.

"Professional wrestling" means an event in which contestants incorporate the sport of wrestling into choreographed performances.

"Promote" or "promotion" means to organize, arrange, publicize, or conduct an event or exhibition *bout* in the Commonwealth.

"Promoter" means any person who undertakes to promote an event or exhibition *bout*.

"Regulant" means any person required by this chapter to obtain a prior authorization from the Department.

"Sanctioning organization" means an entity approved by the Director pursuant to § 54.1-829.1.

"Trainer," "second," or "cut man" means an individual who undertakes to assure the well-being of a boxer or martial artist by providing instruction or advice concerning techniques or strategies of boxing or martial arts, and who may work in the corner with a boxer or martial artist between the rounds of a match to assure his well-being and provide necessary equipment and advice concerning match participation.

"Wrestler" means any person competing or participating as an opponent in wrestling.

"Wrestling" means any of several styles of physical competition in which individuals attempt to subdue or unbalance an opponent, including Greco-Roman, freestyle, grappling, or submission, usually practiced as a sport.

§ 54.1-829. Authorization from Director required; bond; physical examination; emergency medical services vehicles; physician; health insurance.

A. No person shall act as a promoter, matchmaker, trainer, boxer, martial artist, or professional wrestler in the Commonwealth without first having obtained authorization for such activity from the Department or sanctioning organization approved by the Director pursuant to § 54.1-829.1 and such authorization remains in full force and effect.

B. No authorization to act as a promoter shall be granted unless the applicant executes and files with the Department a bond, in such penalty as the Department shall determine through regulation, conditioned on the payment of the fees and penalties imposed by this chapter and for the fulfillment of contracts made with professional contestants in accordance with Department regulations. This subsection shall not apply to a promoter applying to conduct an amateur-only event under the authority of a sanctioning organization approved by the Director pursuant to § 54.1-829.1.

C. Each boxer and martial artist shall, and each professional wrestler may, be examined prior to entering the ring by a physician who has ~~been~~ *held a license to practice medicine for at least three years in any jurisdiction of the United States and who is currently* licensed to practice medicine in the Commonwealth ~~for at least five years~~. The physician shall be ~~appointed by the Department or sanctioning organization~~ *approved by the Director* and shall certify in writing that the contestant's physical condition is such that he is physically able to engage in the contest.

D. No event in which boxers or martial artists are contestants shall be conducted without the continuous presence at ringside of a physician who has ~~been~~ *held a license to practice medicine for at least three years in any jurisdiction of the United States and who is currently* licensed to practice medicine in the Commonwealth ~~for at least five years~~, and unless an emergency medical services vehicle is at the site of the event.

E. No boxer or martial artist shall participate in any event unless covered by a health insurance policy with minimum coverage in an amount determined by Department regulation.

§ 54.1-829.1. Sanctioning organization; amateur martial arts events.

A. No event in which amateur participants compete in martial arts shall be authorized in the Commonwealth unless the amateur event is conducted by a sanctioning organization approved by the Director. Only the results of amateur events conducted by a sanctioning organization in good standing and in compliance with this section shall be recognized for purposes of reporting bout results to a national database or official registry. Every sanctioning organization, insofar as practicable, shall observe and apply the unified rules adopted by the Association of Boxing Commissions. Notwithstanding any other provision of law or regulation, for purposes of amateur martial arts events, weight classes and bout rules governing round length, judging, and scoring shall conform with the Association of Boxing Commissions unified rules.

B. No amateur martial artist shall compete in an event who has:

1. Not attained the age of 18 years;

2. Been knocked out in the 60 days immediately preceding the date of the event;

3. Been technically knocked out in the 30 days preceding the date of the event;

4. Been a contestant in an event consisting of (i) more than six rounds during the 15 days preceding the date of the event or (ii) six or fewer rounds during the seven days preceding the event;

5. Suffered a cerebral hemorrhage or other serious physical injury;

6. Been found to be blind or vision impaired in one or both eyes;

7. Been denied a license or approval to compete by another jurisdiction for medical reasons;

8. Failed to provide negative test results, dated within 180 days preceding the date of the event, for the following: (i) antibodies to the human immunodeficiency virus; (ii) hepatitis B surface antigen (HBsAg); and (iii) antibodies to the hepatitis C virus; or

9. Failed to provide written certification from a licensed physician, dated within 180 days preceding the date of the event, attesting to the contestant's good physical health and absence of any preexisting conditions or observed abnormalities that would prevent participation in the event. The examination performed by the ringside physician at the event pursuant to clause (ii) of subdivision C 3 shall not satisfy this requirement.

C. For each amateur martial arts event, the sanctioning organization shall:

1. Review the records, experience, and consecutive losses for each amateur martial artist prior to each event to determine, to the extent possible, that contestants scheduled to compete are substantially equal in skills and ability;

2. Verify that each amateur martial artist scheduled to compete is covered by health insurance;

3. Appoint a physician *who has held a license to practice medicine for at least three years in any jurisdiction of the United States and who is currently* licensed to practice medicine in the Commonwealth ~~for at least five years~~ to remain at ringside on a continuous basis. Duties of the ringside physician shall include (i) conducting a physical examination of each referee immediately prior to the event to assure his fitness to act in such capacity, (ii) conducting a physical examination and

taking a medical history of each amateur martial artist prior to the contestant's entering the ring and certifying the contestant's physical condition, (iii) signaling the referee immediately in the event that an injury is observed, (iv) rendering immediate medical aid to any amateur martial artist injured during an event, and (v) ensuring that all substances in the possession of seconds, trainers, or cut men are appropriate for use on amateur martial artists during the course of the event;

4. Assign a sufficient number of qualified officials, including locker room inspectors, judges, timekeepers, and referees, to protect the health and safety of amateur martial artists and the public. Duties of the referee shall include (i) providing prefight instructions to the contestants; (ii) ensuring that each amateur martial artist is wearing gloves supplied by the sanctioning organization or event promoter that are in new or good condition, weighing between four and six ounces; (iii) exercising supervision over the conduct of the bout and taking immediate corrective action when necessary; (iv) immediately stopping any bout when, in his judgment, one contestant is outclassed by the other, injured, or otherwise unable to continue safely; (v) striving to perform his duties in a manner that does not impede the fair participation of either contestant; (vi) consulting, when he deems appropriate, with the ringside physician on the advisability of stopping the bout if either contestant appears injured or unable to continue; (vii) counting for knockdowns and knockouts, determining fouls and stopping contests, and immediately stopping any bout if one or both contestants are not putting forth their best effort; and (viii) ensuring the health and well-being of the amateur martial artists to the greatest extent possible; and

5. Require a fully equipped emergency medical services vehicle with a currently trained ambulance crew at the site of every amateur event for its entire duration.

D. Any sanctioning organization seeking approval under this section shall make a written application on a form prescribed by the Director. The application shall be accompanied by a fee of $500. The Director shall annually approve sanctioning organizations whose applications satisfactorily demonstrate evidence of standards and operations in place that are at least as rigorous as and limited to those required by this section. Following an informal fact-finding proceeding conducted pursuant to § 2.2-4019, the Director may withdraw his approval of any sanctioning organization that has failed to comply with this section based on (i) the review of the annual report submitted by the sanctioning organization or (ii) review of a complaint received pursuant to subdivision A 8 of § 54.1-201 or § 54.1-307.1.

E. A sanctioning organization seeking approval from the Director shall provide documented evidence (i) of operation as a business for at least the immediately preceding three years; (ii) of at least five years of experience as a sanctioning organization representing at least two different promotions during such five-year period or that the principal officers have at least eight years of experience working as a referee or head official for an established sanctioning organization without adverse financial or disciplinary action in any jurisdiction; (iii) indicating that none of its officers, employees, or agents, directly or indirectly, has any pecuniary interest in, or holds any position with, any business associated with a promoter or otherwise operates for the sole benefit of a single promoter; and (iv) of assurance that events will be conducted in a fair and impartial manner with avoidance of any impropriety or appearance of impropriety.

F. Each approved sanctioning organization shall submit an annual report to the Director on or before February 1, with a summary of the events conducted for the preceding calendar year. The Director may address any operational or compliance issues with the sanctioning organization consistent with and in furtherance of the objectives of this section. The Director shall not intervene in the internal activities of a sanctioning organization except to the extent necessary to prevent or cure violations of this section or any statute governing the persons or activities regulated pursuant to this chapter.

G. The Commonwealth, the Director, the Department, and any employee or representative shall be indemnified and held harmless from any liability resulting from or caused by a sanctioning organization or persons conducting activities on behalf of such regulant.

§ 54.1-830. Exemptions.

The provisions of this chapter shall not apply to:

1. Amateur wrestling bouts;

2. Amateur ~~exhibitions~~ *exhibition bouts* and the amateur participants therein;

3. Engagements involving amateur martial arts that are conducted by or held under the sponsorship of (i) any elementary or secondary school or public or private institution of higher education located in the Commonwealth, (ii) the Department of Corrections involving inmates of any state correctional institution, or (iii) the United States Olympic Committee; or

4. Amateur boxing.

§ 54.1-831. Powers and duties of the Department.

The Department shall administer and enforce the provisions of this chapter. In addition to the powers and duties otherwise conferred by law, the Director shall have the powers and duties of a regulatory board as contained in §§ 54.1-201 and 54.1-202, and shall have the power and duty to:

1. Promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) which implement the federal Professional Boxing Safety Act of 1996 (15 U.S.C. § 6301 et seq.) and protect the public against incompetent, unqualified, unscrupulous or unfit persons engaging in the activities regulated by this chapter.

The regulations shall include requirements for (i) initial authorization and renewal of the authorization; (ii) authorization and conduct of events; (iii) standards of practice for persons arranging, promoting, conducting, supervising, and participating in events; (iv) grounds for disciplinary actions against regulants; (v) records to be kept and maintained by regulants; (vi) the manner in which fees are to be accounted for and submitted to the Department, provided, however, that no gate fee shall be required for amateur-only events conducted by a sanctioning organization approved by the

Director pursuant to § 54.1-829.1; and (vii) minimum health coverage for injuries sustained in a boxing or martial arts match. The Department shall have direct oversight of professional events to assure the safety and well-being of boxers, martial artists, and professional wrestlers, except that those portions of an event containing amateur bouts shall be conducted under the oversight of a sanctioning organization. Sanctioning organizations shall have sole responsibility for direct oversight of amateur-only events in which martial artists compete.

2. Charge each applicant for authorization and for renewals of authorization a nonrefundable fee subject to the provisions of § 54.1-113 and subdivision A 4 of § 54.1-201. A sanctioning organization shall be subject to the application fee provisions of subsection D of § 54.1-829.1.

3. Conduct investigations to determine the suitability of applicants for authorization and to determine the regulant's compliance with applicable statutes and regulations.

4. Conduct investigations as to whether monopolies, combinations, or other circumstances exist to restrain matches or ~~exhibitions~~ *exhibition bouts* of boxing, martial arts, or professional wrestling anywhere in the Commonwealth. The Attorney General may assist investigations at the request of the Department.

5. Exercise jurisdiction over all boxing, martial arts, and professional wrestling conducted within the Commonwealth by any person, except where otherwise exempted.

§ 54.1-833. Reports; cable television systems; fee on receipts.

A. Each promoter shall furnish to the Department, within ~~twenty-four hours~~ *two weeks* after the completion of each event, a written and verified report on the form provided by the Department showing the number of tickets sold, unsold, and given away and the amount of gross proceeds thereof for such events originating in the Commonwealth, and its total gross receipts from the sale of rights to distribute in any manner such event by any video, telephonic, or other communication method involving the control of electrons or other charge carriers for such live events originating in the Commonwealth. Within the ~~twenty-four-hour~~ *two-week* period, the promoter shall pay to the Department a fee of (i) five percent of the first $100,000 of its total gross receipts~~;~~ and (ii) two and one-half percent of the remainder of its total gross receipts. Records of the promoter shall be subject to audit by the Department.

B. Each cable television system or other multichannel video programming service shall report to the Department in writing the name and address of each person from whom it obtains the rights to provide a live event originating in the Commonwealth.

C. The Department shall hold all license fees in a special fund of the state treasury subject to appropriation of the General Assembly. Payments from this fund shall be made to the contractors for their services on behalf of the Commonwealth. No payment shall exceed the balance of the fund. The Department shall draw from the fund to cover any expenses associated with the provisions of this chapter.

§ 54.1-834. Prohibited activities; penalties.

A. No betting or wagering shall be permitted at an event or exhibition *bout* before, during, or after the event in the building where the event is held.

B. No person shall participate in a sham or fake boxing or martial arts contest. The Department shall have the authority to order, without a hearing, the person controlling the purse to hold the distribution to contestants, promoters, and trainers pending a public hearing by the Department. The Department shall, simultaneously with the issuance of such order to retain the share or purse, institute proceedings for a hearing to determine whether a sham or fake boxing or martial arts contest has occurred.

C. It shall be a Class 1 misdemeanor for any person to violate this section or any statute or regulation governing the persons or activities regulated pursuant to this chapter.

D. The third or any subsequent conviction for violating any provision of this section during a 36-month period shall constitute a Class 6 felony.

CHAPTER 112

An Act to amend and reenact § 16.1-299 of the Code of Virginia, relating to fingerprints, palm prints, and photographs of juveniles.

[S 1261]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-299 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-299. Fingerprints, palm prints, and photographs of juveniles.

A. All duly constituted police authorities having the power of arrest shall ~~take~~ *obtain, electronically when possible,* fingerprints*, palm prints with accompanying distal prints, if available,* and photographs of any juvenile who is taken into custody and charged with a delinquent act an arrest for which, if committed by an adult, is required to be reported to the Central Criminal Records Exchange pursuant to subsection A of § 19.2-390. Whenever fingerprints*, palm prints, or photographs* are taken, they shall be maintained separately from adult records and a copy *containing the document control number (DCN)* shall be filed with the juvenile court on forms provided by the Central Criminal Records Exchange *and a copy shall be submitted, electronically when possible, to the State Police who shall maintain all records received under this*

section in a confidential and secure area within the system in which the record is maintained that is inaccessible from routine use. Such records shall only be accessible by the manager of the records or his designee.

B. If a juvenile of any age (i) is convicted of a felony, (ii) is adjudicated delinquent of an offense that would be a felony if committed by an adult, (iii) has a case involving an offense, which would be a felony if committed by an adult, that is dismissed pursuant to the deferred disposition provisions of § 16.1-278.8, or (iv) is convicted or adjudicated delinquent of any other offense for which a report to the Central Criminal Records Exchange is required by subsection C of § 19.2-390 if the offense were committed by an adult, ~~copies of his fingerprints and~~ a report of the disposition shall be forwarded to the Central Criminal Records Exchange *electronically* and to the jurisdiction making the arrest by the clerk of the court ~~which~~ *that* heard the case.

C. If a petition or warrant is not filed against a juvenile whose fingerprints*, palm prints,* or photographs have been taken in connection with an alleged violation of law, the fingerprint card, all copies of the fingerprints*, all copies of the palm prints,* and all photographs shall be destroyed 60 days after fingerprints were taken. *The police authority, as identified by its originating agency identification (ORI), that obtained the fingerprints, palm prints, or photographs of the juvenile shall notify, electronically when possible, the State Police to destroy the records. The State Police shall destroy such records as soon as possible after receiving the notification.* If a juvenile charged with a delinquent act other than a violent juvenile felony or a crime ancillary thereto is found not guilty, or in any other case resulting in a disposition for which fingerprints are not required to be forwarded to the Central Criminal Records Exchange, the court shall order that the fingerprint card, all copies of the fingerprints*, all copies of the palm prints,* and all photographs be destroyed within six months of the date of disposition of the case *and shall notify the Central Criminal Records Exchange*.

2. That the provisions of § 16.1-299 of the Code of Virginia, as amended by this act, shall become effective on July 1, 2026.

CHAPTER 113

An Act to amend and reenact § 23.1-3127 of the Code of Virginia, relating to Southwest Virginia Higher Education Center Board of Trustees; authority to permit campus security officers to carry firearms in performance of official duties; conditions.

[S 1368]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 23.1-3127 of the Code of Virginia is amended and reenacted as follows:

§ 23.1-3127. Powers of the board.

A. The board has, in addition to its other powers, all the corporate powers given to corporations by the provisions of Title 13.1, except in those cases where, by the express terms of its provisions, it is confined to corporations created under that title. The board may accept, execute, and administer any trust in which it may have an interest under the terms of the instrument creating the trust.

B. The board may establish and administer agreements with (i) public institutions of higher education and private institutions of higher education to provide undergraduate-level and graduate-level instructional programs at the Center and (ii) Virginia Highlands Community College and other public institutions of higher education and private institutions of higher education to provide freshman-level and sophomore-level courses and associate degrees. The board shall seek opportunities to collaborate with local comprehensive community colleges to meet specialized noncredit workforce training needs identified by industry. However, if local community colleges are unable to meet identified industry needs, then the board may seek to collaborate with other education providers or may provide Center-delivered specialized noncredit workforce training independent of local comprehensive community colleges.

C. The board may, on behalf of the Center, apply for, accept, and expend gifts, grants, or donations from public or private sources to enable it to carry out its objectives.

D. Attendant to the authority granted to the board pursuant to § 23.1-3100.1 to establish and maintain a campus security department and to employ campus security personnel therein, the board may permit such campus security personnel to carry firearms in the performance of their official duties, provided that such campus security personnel are qualified in accordance with the provisions of § 9.1-139 to be employed as an armed security officer and are not otherwise prohibited by law from carrying a firearm. If the board so permits such campus security personnel to carry firearms in the performance of their duties, such campus security personnel shall be considered armed security officers, as that term is defined § 9.1-138, who are required to be registered by the Department of Criminal Justice Services pursuant to subsection C of § 9.1-139 and shall comply with all relevant provisions of Article 4 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 and regulations of the Criminal Justice Services Board relating to armed security officers, including any compulsory minimum training standards established by the Criminal Justice Services Board pursuant to subsection A of § 9.1-141.

CHAPTER 114

An Act to amend and reenact §§ 32.1-102.1:3, 32.1-122.07, and 32.1-132 of the Code of Virginia, relating to certificate of public need; exception; critical access hospitals; swing beds.

[H 1552]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-102.1:3, 32.1-122.07, and 32.1-132 of the Code of Virginia are amended and reenacted as follows:

§ 32.1-102.1:3. Medical care facilities and projects for which a certificate is required.

A. The following medical care facilities shall be subject to the provisions of this article:

1. Any facility licensed as a hospital, as defined in § 32.1-123;

2. Any hospital licensed as a provider by the Department of Behavioral Health and Developmental Services in accordance with Article 2 (§ 37.2-403 et seq.) of Chapter 4 of Title 37.2;

3. Any facility licensed as a nursing home, as defined in § 32.1-123;

4. Any intermediate care facility established primarily for the medical, psychiatric, or psychological treatment and rehabilitation of individuals with substance abuse licensed by the Department of Behavioral Health and Developmental Services in accordance with Article 2 (§ 37.2-403 et seq.) of Chapter 4 of Title 37.2;

5. Any intermediate care facility for individuals with developmental disabilities other than an intermediate care facility established for individuals with intellectual disability (ICF/IID) that has not more than 12 beds and is in an area identified as in need of residential services for individuals with intellectual disability in any plan of the Department of Behavioral Health and Developmental Services; and

6. Any specialized center or clinic or that portion of a physician's office developed for the provision of outpatient or ambulatory surgery, cardiac catheterization, computed tomographic (CT) scanning, magnetic resonance imaging (MRI), positron emission tomographic (PET) scanning, radiation therapy, stereotactic radiotherapy other than radiotherapy performed using a linear accelerator or other medical equipment that uses concentrated doses of high-energy X-rays to perform external beam radiation therapy, or proton beam therapy.

B. The following actions undertaken by or on behalf of a medical care facility described in subsection A shall constitute a project for which a certificate of public need is required pursuant to subsection A of § 32.1-102.1:2:

1. Establishment of a medical care facility described in subsection A;

2. An increase in the total number of beds or operating rooms in an existing medical care facility described in subsection A;

3. Relocation of beds from an existing medical care facility described in subsection A to another existing medical care facility described in subsection A;

4. Addition of any new nursing home service at an existing medical care facility described in subsection A;

5. Introduction into an existing medical care facility described in subsection A of any cardiac catheterization, computed tomographic (CT) scanning, magnetic resonance imaging (MRI), medical rehabilitation, neonatal special care, open heart surgery, positron emission tomographic (PET) scanning, psychiatric, organ or tissue transplant service, radiation therapy, stereotactic radiotherapy other than radiotherapy performed using a linear accelerator or other medical equipment that uses concentrated doses of high-energy X-rays to perform external beam radiation therapy, proton beam therapy, or substance abuse treatment when such medical care facility has not provided such service in the previous 12 months;

6. Conversion of beds in an existing medical care facility described in subsection A to medical rehabilitation beds or psychiatric beds;

7. The addition by an existing medical care facility described in subsection A of any new medical equipment for the provision of cardiac catheterization, computed tomographic (CT) scanning, magnetic resonance imaging (MRI), open heart surgery, positron emission tomographic (PET) scanning, radiation therapy, stereotactic radiotherapy other than radiotherapy performed using a linear accelerator or other medical equipment that uses concentrated doses of high-energy X-rays to perform external beam radiation therapy, or proton beam therapy, other than new medical equipment for the provision of such service added to replace existing medical equipment for the provision of such service;

8. Any capital expenditure of $15 million or more, not defined as reviewable in subdivisions 1 through 7, by or on behalf of a medical care facility described in subsection A other than a general hospital. The amounts specified in this subdivision shall be revised annually to reflect inflation using appropriate measures incorporating construction costs and medical inflation. Nothing in this subdivision shall be construed to modify or eliminate the reviewability of any project described in subdivisions 1 through 7 when undertaken by or on behalf of a general hospital; and

9. Conversion in an existing medical care facility described in subsection A of psychiatric inpatient beds approved pursuant to a Request for Applications (RFA) to nonpsychiatric inpatient beds.

C. Notwithstanding the provisions of subsection A, any nursing home affiliated with a facility that, on January 1, 1982, and thereafter, (i) is operated as a nonprofit institution, (ii) is licensed jointly by the Department as a nursing home and by the Department of Social Services as an assisted living facility, and (iii) restricts admissions such that (a) admissions to the facility are only allowed pursuant to the terms of a "life care contract" guaranteeing that the full complement of services offered by the facility is available to the resident as and when needed, (b) admissions to the assisted living facility unit of the

facility are restricted to individuals defined as ambulatory by the Department of Social Services, and (c) admissions to the nursing home unit of the facility are restricted to those individuals who are residents of the assisted living facility unit of the facility shall not be subject to the requirements of this article.

D. Notwithstanding the provisions of subsection B, a certificate of public need shall not be required for the following actions undertaken by or on behalf of a medical care facility described in subsection A:

1. Relocation of up to 10 beds or 10 percent of the beds, whichever is less, (i) from one existing medical care facility described in subsection A to another existing medical care facility described in subsection A at the same site in any two-year period or (ii) in any three-year period, from one existing medical care facility described in subsection A licensed as a nursing home to any other existing medical care facility described in subsection A licensed as a nursing home that is owned or controlled by the same person and located either within the same planning district or within another planning district out of which, during or prior to that three-year period, at least 10 times that number of beds have been authorized by statute to be relocated from one or more medical care facilities described in subsection A located in that other planning district, and at least half of those beds have not been replaced; ~~or~~

2. Use of up to 10 percent of beds as nursing home beds by a medical care facility described in subsection A ~~licensed as a hospital, as provided in § 32.1-132~~*; or*

3. Use of up to 10 beds per day among its inpatient hospital beds as swing beds for the furnishing of services of the type that, if furnished by a nursing home or certified nursing facility, would constitute skilled care services by a medical care facility described in subdivision A 1 that is certified as a critical access hospital by the Centers for Medicare and Medicaid Services pursuant to Title XVIII of the Social Security Act (42 U.S.C. § 1395 et seq.). For purposes of this subdivision, a critical access hospital may calculate the 10-swing-bed per day limitation as an average over the fiscal year of the hospital. In the event the calculation exceeds an average of 10 swing beds in any fiscal year, the critical access hospital shall have the following fiscal year to reduce the fiscal year average to 10 swing beds or below. Any critical access hospital that fails to reduce the fiscal year average to 10 swing beds or below during the second fiscal year shall no longer be able to calculate the 10-swing-bed limitation by averaging on a fiscal year basis and shall calculate the limitation on a daily basis until such time as it has met the 10-swing-bed per day limit for two consecutive fiscal years, at which time averaging may resume. However, no critical access hospital shall have more than 15 swing beds per day for more than five consecutive days. A critical access hospital shall make a good faith effort and so document the efforts made to place each additional patient in a certified nursing facility prior to exceeding the 10-swing-bed per day limit.

E. The Department shall regularly review the types of medical care facilities subject to the provisions of this article and projects for which a certificate is required and provide to the Governor and the General Assembly, at least once every five years, a recommendation related to the continued appropriateness of requiring such types of medical care facilities to be subject to the provisions of this article and such types of projects to be subject to the requirement of a certificate. In developing such recommendations, the Department shall consider, for each type of medical care facility and project, the following criteria:

1. The current and projected future availability of the specific type of medical care facility or project;

2. The current and projected future demand for the specific type of medical care facility or project;

3. The current and projected future rate of utilization of the specific type of medical care facility or project;

4. The current and projected future capacity of existing medical care facilities or projects of that specific type;

5. The anticipated impact of changes in population and demographics, reimbursement structures and rates, and technology on demand for and availability, utilization, and capacity of existing medical care facilities or projects of that specific type;

6. Existing quality, utilization, and other controls applicable to the specific type of medical care facility or project; and

7. Any risk to the health or well-being of the public resulting from inclusion of the specific type of medical care facility or project on such list.

§ 32.1-122.07. Authority of Commissioner for certain health planning activities; rural health plan; designation as a rural hospital.

A. The Commissioner, with the approval of the Board, is authorized to make application for federal funding and to receive and expend such funds in accordance with state and federal regulations.

B. The Commissioner shall administer ~~section~~ *§* 1122 of the ~~United States~~ Social Security Act if the Commonwealth has made an agreement with the ~~United States~~ *U.S.* Secretary of Health and Human Services pursuant to such section.

C. In compliance with the provisions of the Balanced Budget Act of 1997, P.L. 105-33, and any amendments to such provisions, the Commissioner shall submit to the appropriate regional administrator of the Centers for Medicare ~~&~~ *and* Medicaid Services (CMS) an application to establish a Medicare Rural Hospital Flexibility Program in Virginia.

D. The Commissioner shall develop and the Board of Health shall approve a rural health care plan for the Commonwealth to be included with the application to establish a Medicare Rural Hospital Flexibility Program. In cooperation and consultation with the Virginia Hospital and ~~Health Care~~ *Healthcare* Association, the Medical Society of Virginia, representatives of rural hospitals, and experts within the Department of Health on rural health programs, the plan shall be developed and revised as necessary or as required by the provisions of the Balanced Budget Act of 1997, P.L. 105-33, and any amendments to such provisions. In the development of the plan, the Commissioner may also seek the assistance of the regional health planning agencies. The plan shall verify that the Commonwealth is in the process of designating facilities located in Virginia as critical access hospitals, shall note that the Commonwealth wishes to certify

facilities as "necessary providers" of health care in rural areas, and shall describe the process, methodology, and eligibility criteria to be used for such designations or certifications. Virginia's rural health care plan shall reflect local needs and resources and shall, at minimum, include, but need not be limited to, a mechanism for creating one or more rural health networks, ways to encourage rural health service regionalization, and initiatives to improve access to health services, including hospital services, for rural Virginians.

E. Notwithstanding any provisions of this chapter or the Board's regulations to the contrary, the Commissioner shall, in the rural health care plan, (i) use as minimum standards for critical access hospitals, the certification regulations for critical access hospitals promulgated by the Centers for Medicare ~~&~~ *and* Medicaid Services (CMS) pursuant to Title XVIII of the Social Security Act, as amended~~,~~, and (ii) authorize critical access hospitals to utilize *per day* a maximum of ~~ten~~ *10* beds among their inpatient hospital beds as swing beds for the furnishing of services of the type ~~which~~ *that*, if furnished by a nursing home or certified nursing facility, would constitute skilled care services without complying with nursing home licensure requirements or retaining the services of a licensed nursing home administrator. Such hospital shall include, within its plan of care, assurances for the overall well-being of patients occupying such beds. *For purposes of this subsection, a critical access hospital may calculate the 10-swing-bed per day limitation as an average over the fiscal year of the hospital. In the event the calculation exceeds an average of 10 swing beds in any fiscal year, the critical access hospital shall have the following fiscal year to reduce the fiscal year average to 10 swing beds or below. Any critical access hospital that fails to reduce the fiscal year average to 10 swing beds or below during the second fiscal year shall no longer be able to calculate the 10-swing-bed limitation by averaging on a fiscal year basis and shall calculate the limitation on a daily basis until such time as it has met the 10-swing-bed per day limit for two consecutive fiscal years, at which time averaging may resume. However, no critical access hospital shall have more than 15 swing beds per day for more than five consecutive days. A critical access hospital shall make a good faith effort and so document the efforts made to place each additional patient in a certified nursing facility prior to exceeding the 10-swing-bed per day limit.*

F. Nothing herein or set forth in Virginia's rural health care plan shall prohibit any hospital designated as a critical access hospital from leasing the unused portion of its facilities to other health care organizations or reorganizing its corporate structure to facilitate the continuation of the nursing home beds that were licensed to such hospital prior to the designation as a critical access hospital. The health care services delivered by such other health care organizations shall not be construed as part of the critical access hospital's services or license to operate.

G. Any medical care facility licensed as a hospital shall be considered a rural hospital on and after September 30, 2004, pursuant to 42 U.S.C. § 1395ww(d)(8)(E)(ii)(II), if (i) the hospital is located in an area defined as rural by federal statute or regulation; (ii) the Board of Health defines, in regulation, the area in which the hospital is located as a rural health area or the hospital as a rural hospital; or (iii) the hospital was designated, prior to October 1, 2004, as a Medicare-dependent small rural health hospital, as defined in 42 U.S.C. § 1395ww(d)(5)(G)(iv).

§ 32.1-132. Alterations or additions to hospitals and nursing homes; when new license required; use of inpatient hospital beds for furnishing skilled care services.

A. Any person who desires to make any substantial alteration or addition to or any material change in any hospital or nursing home shall, before making such change, alteration, or addition, submit the proposal therefor to the Commissioner for his approval. The Commissioner shall review the proposal to determine compliance with applicable statutes and regulations of the Board and as soon thereafter as reasonably practicable notify the person that the proposal is or is not approved.

B. If any such alteration, addition, or change has the effect of changing the bed capacity or classification of the hospital or nursing home, the licensee shall obtain a new license for the remainder of the license year before beginning operation of additional beds or in the new classification.

C. Notwithstanding any provision of state law to the contrary, any hospital, after sending such written notice as may be required by the Commissioner, may utilize, for a period not to exceed ~~thirty~~ *30* days for any one patient, a maximum of ~~ten~~ *10* percent of its inpatient hospital beds as swing beds for the furnishing of services of the type ~~which~~ *that*, if furnished by a nursing home or certified nursing facility, would constitute skilled care services without complying with nursing home licensure requirements or retaining the services of a licensed nursing home administrator. *If the hospital is certified as a critical access hospital by the Centers for Medicare and Medicaid Services pursuant to Title XVIII of the Social Security Act (42 U.S.C. § 1395 et seq.), the hospital may utilize up to 10 beds per day among its inpatient hospital beds as swing beds for the furnishing of services of the type that, if furnished by a nursing home or certified nursing facility, would constitute skilled care services without complying with nursing home licensure requirements or retaining the services of a licensed nursing home administrator.* Such hospital shall amend its plan of care and implement its plan as amended to ensure the overall well-being of patients occupying such beds. *For purposes of this subsection, a critical access hospital may calculate the 10-swing-bed per day limitation as an average over the fiscal year of the hospital. In the event the calculation exceeds an average of 10 swing beds in any fiscal year, the critical access hospital shall have the following fiscal year to reduce the fiscal year average to 10 swing beds or below. Any critical access hospital that fails to reduce the fiscal year average to 10 swing beds or below during the second fiscal year shall no longer be able to calculate the 10-swing-bed limitation by averaging on a fiscal year basis and shall calculate the limitation on a daily basis until such time as it has met the 10-swing-bed per day limit for two consecutive fiscal years, at which time averaging may resume. However, no critical access hospital shall have more than 15 swing beds per day for more than five consecutive days. A critical access hospital shall make a good faith effort and so document the efforts made to place each additional patient in a certified nursing*

facility prior to exceeding the 10-swing-bed per day limit. Only those hospitals ~~which~~ *that* qualify under § 1883 of Title XVIII and § 1913 of Title XIX of the Social Security Act and are certified as skilled nursing facilities may be reimbursed for such services for Medicare and Medicaid patients.

2. That the State Commissioner of Health shall collect data annually from critical access hospitals that elect to use fiscal year averaging as permitted by the first enactment of this act and make it publicly available.

3. That the provisions of this bill shall expire on July 1, 2028.

CHAPTER 115

An Act to amend and reenact §§ 32.1-274 and 54.1-2810 of the Code of Virginia, relating to funeral directors; requirement to report certain statistics removed.

[H 1571]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-274 and 54.1-2810 of the Code of Virginia are amended and reenacted as follows:

§ 32.1-274. Persons in charge of institutions and funeral directors, etc., to keep records; lists sent to State Registrar.

A. Every person in charge of an institution shall keep a record of personal data concerning each person admitted or confined to such institution. This record shall include such information as required for the certificates of birth, death, and reports of spontaneous fetal death and induced termination of pregnancy required by this chapter. The record shall be made at the time of admission from information provided by the person being admitted or confined, but when it cannot be so obtained, the information shall be obtained from relatives or other persons acquainted with the facts. The name and address of the person providing the information shall be a part of the record.

B. When a dead human body is released or disposed of by an institution, the person in charge of the institution shall keep a record showing the name of the deceased, date of death, the name and address of the person to whom the body is released and the date of removal from the institution, or, if final disposal is by the institution, the date, place, and manner of disposition.

C. A funeral director, embalmer, or other person who removes from the place of death or transports or is in charge of final disposition of a dead body or fetus, in addition to filing any certificate, report or form required by this chapter, shall keep a record which shall identify the body, and such information pertaining to his receipt, removal, and delivery of such body as may be prescribed in regulations adopted by the Board.

D. Not later than the tenth day of the month following the month of occurrence, the administrator of each institution shall cause to be sent to the State Registrar a list showing thereon all births, deaths, and fetal deaths occurring in such institution during the preceding month. Such lists shall be on forms provided by the State Registrar.

E. ~~Not later than the tenth day of the month following the month of occurrence, each funeral director shall send to the State Registrar a list showing thereon all caskets furnished, bodies prepared for disposition and transportation and funerals performed where no casket was furnished by the funeral director during the preceding month. Such lists shall be on forms provided by the State Registrar.~~

~~F.~~ Records maintained under this section shall be retained for a period of not less than ten years and shall be made available for inspection by the State Registrar or his representative upon demand.

§ 54.1-2810. Licensure of funeral establishments.

No person shall conduct, maintain, manage or operate a funeral establishment unless a license for each such establishment has been issued by the Board. No license to operate a funeral establishment shall be issued by the Board unless each such funeral establishment has in charge, full time, a person licensed for the practice of funeral service or a licensed funeral director. Applications for funeral establishment licenses shall be made on forms furnished by the Board and filed by the owner or the registered agent of the corporation with the Board.

Each funeral establishment license shall expire annually at a time prescribed by Board regulation. A license may be renewed within 30 days of its expiration. Upon expiration of the license, the Board shall notify each licensee of the provisions of this section. Renewal of a license after the expiration of the 30-day period shall be in the discretion of the Board.

Violations of any provisions of this chapter or any Board regulations by any person, or an officer, agent or employee with the knowledge or consent of any person operating a funeral establishment shall be considered sufficient cause for suspension or revocation of the funeral establishment license.

An operator of a funeral establishment shall not allow any person licensed for the practice of funeral service to operate out of his funeral establishment unless the licensee is the operator or an employee of the operator of a licensed funeral establishment.

If the manager of the funeral service establishment is unable, for any reason, to exercise adequate supervision, direction, management, and control of the funeral establishment, the owner shall designate any funeral service licensee to serve as a temporary manager and notify the Board in writing within 14 days. If such inability of the manager exceeds 90 days or is expected to exceed 90 days, a new manager shall be designated and registered with the Board. At the

conclusion of the 90-day period for designation of a new manager, a funeral service establishment which has failed to designate a new manager shall not operate as a funeral service establishment.

When licensing funeral establishments, the Board may grant a hardship waiver from the requirement for a full-time manager licensed for the practice of funeral service or licensed as a funeral director, allowing the operation of two funeral establishments having in charge one full-time person licensed for the practice of funeral service or one licensed funeral director who divides his time between the two funeral establishments. Prior to granting a hardship waiver, the Board shall find that (i) the two establishments have been in operation for at least three years; (ii) the combined average number of funeral calls at the two establishments~~, as submitted in monthly reports to the Division of Vital Records and Health Statistics of the Virginia Department of Health,~~ over the previous three years is no more than 135 per year; and (iii) the distance between the two establishments is 50 miles or less.

Prior to granting a renewal of a license granted under a hardship waiver, the Board shall determine whether the requirements for license renewal under such waiver continue to exist.

CHAPTER 116

An Act to amend and reenact § 58.1-3713 of the Code of Virginia, relating to license taxes; local gas road improvement and Virginia Coalfield Economic Development Authority tax; sunset.

[H 1579]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-3713 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-3713. Local gas road improvement and Virginia Coalfield Economic Development Authority tax.

A. In addition to the taxes authorized under § 58.1-3712, any county or city may adopt a license tax on every person engaging in the business of severing gases from the earth. The rate of such tax shall not exceed one percent. The provisions of § 58.1-3712 as they relate to measurement of gross receipts, filing of reports and record keeping shall be applicable to the tax imposed under this section.

The moneys collected for each county or city from the taxes imposed under authority of this section and subsection B of § 58.1-3741 shall be paid into a special fund of such county or city to be called the Coal and Gas Road Improvement Fund of such county or city, and shall be spent for such improvements to public roads as the coal and gas road improvement advisory committee and the governing body of such county or city may determine as provided in subsection B of this section. The county may also, in its discretion, elect to improve city or town roads with its funds if consent of the city or town council is obtained. Such funds shall be in addition to those allocated to such counties from state highway funds which allocations shall not be reduced as a result of any revenues received from the tax imposed hereunder. In those localities that comprise the Virginia Coalfield Economic Development Authority, the tax imposed under this section or subsection B of § 58.1-3741 shall be paid as follows: (i) three-fourths of the revenue shall be paid to the Coal and Gas Road Improvement Fund and used for the purposes set forth herein; however, one-fourth of such revenue may be used to fund the construction of new water or sewer systems and lines and the repair or enhancement of existing water or sewer systems and lines in areas with natural water supplies that are insufficient from the standpoint of quality or quantity, or the construction of natural gas service lines as authorized by § 15.2-2109.3, and (ii) one-fourth of the revenue shall be paid to the Virginia Coalfield Economic Development Fund. Furthermore, with regard to the portion paid to the Coal and Gas Road Improvement Fund, a county or city may provide for an additional one-fourth allocation for the construction of new systems or lines for water, sewer, or natural gas as authorized by § 15.2-2109.3, or the repair or enhancement of existing water, sewer, or natural gas systems or lines in areas with natural water supplies or existing natural gas services that are insufficient from the standpoint of quality or quantity; however, if this option is initiated by a county or city, it must satisfy the requirements set forth in § 58.1-3713.01. Notwithstanding the foregoing limitations regarding revenues used for water systems, sewer systems, or natural gas systems, such revenues designated for water and water systems, sewer systems, or natural gas systems shall be distributed directly to the local public service authority for such purposes instead of the local governing body. Funds in the Coal and Gas Road Improvement Fund used to construct, repair, or enhance natural gas service lines or systems shall not exceed one-fourth of the revenue paid to the Coal and Gas Road Improvement Fund collected from the severance tax imposed upon the severance of natural gas pursuant to this section and may be so used only upon passage of a local ordinance or resolution of the governing body of the applicable county or city providing for the same. Furthermore, with regard to the portion paid to the Coal and Gas Road Improvement Fund, such funds may be used to construct flood mitigation measures that would reduce or prevent flooding of any infrastructure listed in this subsection if the construction, repair, or enhancement of such infrastructure is otherwise permissible under this section.

B. Any county or city imposing the tax authorized in this section or in subsection B of § 58.1-3741 shall establish a Coal and Gas Road Improvement Advisory Committee, to be composed of four members: (i) a member of the governing body of such county or city, appointed by the governing body, (ii) a representative of the Department of Transportation, and (iii) two citizens of such county or city connected with the coal and gas industry, appointed for a term of four years, initially commencing July 1, 1989, by the chief judge of the circuit court.

Such committee shall develop on or before July 1 of each year a plan for improvement of roads during the following fiscal year. Such plan shall have the approval of three members of the committee and shall be submitted to the governing body of the county or city for approval. The governing body may approve or disapprove such plan, but may make no changes without the approval of three members of the committee.

C. No tax shall be imposed under this section on or after January 1, ~~2026~~ *2028*.

CHAPTER 117

An Act to amend and reenact § 54.1-3300.1 of the Code of Virginia, relating to pharmacists; collaborative agreements; drug therapy.

[H 1582]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3300.1 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3300.1. Participation in collaborative agreements; regulations to be promulgated by the Boards of Medicine and Pharmacy.

A. A pharmacist and his designated alternate pharmacists involved directly in patient care may participate with (i) any person licensed to practice medicine, osteopathy, or podiatry together with any person licensed, registered, or certified by a health regulatory board of the Department of Health Professions who provides health care services to patients of such person licensed to practice medicine, osteopathy, or podiatry; (ii) a physician's office as defined in § 32.1-276.3, provided that such collaborative agreement is signed by each physician participating in the collaborative agreement; (iii) any licensed physician assistant working in accordance with the provisions of § 54.1-2951.1; or (iv) any licensed advanced practice registered nurse working in accordance with the provisions of § 54.1-2957, involved directly in patient care in collaborative agreements which authorize cooperative procedures related to treatment using drug therapy, laboratory tests, or medical devices, under defined conditions or limitations, for the purpose of improving patient outcomes for patients who meet the criteria set forth in the collaborative agreement. However, no person licensed to practice medicine, osteopathy, or podiatry, or licensed as an advanced practice registered nurse or physician assistant, shall be required to participate in a collaborative agreement with a pharmacist and his designated alternate pharmacists, regardless of whether a professional business entity on behalf of which the person is authorized to act enters into a collaborative agreement with a pharmacist and his designated alternate pharmacists.

B. A patient who meets the criteria for inclusion in the category of patients whose care is subject to a collaborative agreement and who chooses to not participate in a collaborative procedure shall notify the prescriber of his refusal to participate in such collaborative procedure. A prescriber may elect to have a patient not participate in a collaborative procedure by contacting the pharmacist or his designated alternative pharmacists or by documenting the same on the patient's prescription.

C. Collaborative agreements may include ~~the implementation~~ *prescribing*, modification, continuation, or discontinuation of drug therapy pursuant to written or electronic protocols, provided implementation of drug therapy occurs following diagnosis by the ~~prescriber~~ *licensed physician, podiatrist, advanced practice registered nurse, registered nurse, or physician assistant*; the ordering of laboratory tests; or other patient care management measures related to monitoring or improving the outcomes of drug or device therapy. No such collaborative agreement shall exceed the scope of practice of the respective parties. Any pharmacist who deviates from or practices in a manner inconsistent with the terms of a collaborative agreement shall be in violation of § 54.1-2902; such violation shall constitute grounds for disciplinary action pursuant to §§ 54.1-2400 and 54.1-3316.

D. Collaborative agreements may only be used for conditions which have protocols that are clinically accepted as the standard of care, or are approved by the Boards of Medicine and Pharmacy. The Boards of Medicine and Pharmacy shall jointly develop and promulgate regulations to implement the provisions of this section and to facilitate the development and implementation of safe and effective collaborative agreements between the appropriate practitioners and pharmacists. The regulations shall include guidelines concerning the use of protocols, and a procedure to allow for the approval or disapproval of specific protocols by the Boards of Medicine and Pharmacy if review is requested by a practitioner or pharmacist.

E. ~~Nothing in this section shall be construed to supersede~~ *Notwithstanding* the provisions of ~~§~~ *§§* 54.1-3303 *and 54.1-3408, a pharmacist may prescribe, modify, continue, or discontinue Schedule II through VI controlled substances in accordance with this section.*

F. Prior to a pharmacist prescribing, modifying, continuing, or discontinuing a Schedule II through V controlled substance in accordance with this section, the pharmacist shall submit proof of the signed collaborative practice agreement to the Board and obtain authorization from the Board for such activity.

CHAPTER 118

An Act to amend and reenact §§ 54.1-3446 and 54.1-3452 of the Code of Virginia, relating to Drug Control Act; Schedule I; Schedule IV.

[H 1587]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-3446 and 54.1-3452 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-3446. Schedule I.

The controlled substances listed in this section are included in Schedule I:

1. Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

1-{1-[1-(4-bromophenyl)ethyl]-4-piperidinyl}-1,3-dihydro-2H-benzimidazol-2-one (other name: Brorphine);

1-[2-methyl-4-(3-phenyl-2-propen-1-yl)-1-piperazinyl]-1-butanone (other name: 2-methyl AP-237);

1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine (other name: PEPAP);

1-(4-cinnamyl-2,6-dimethylpiperazin-1-yl)propan-1-one (other name: AP-238);

1-methoxy-3-[4-(2-methoxy-2-phenylethyl)piperazin-1-yl]-1-phenylpropan-2-ol (other name: zipeprol);

1-methyl-4-phenyl-4-propionoxypiperidine (other name: MPPP);

2-(4-ethoxybenzyl)-5-nitro-1-[2-(pyrrolidin-1-yl)ethyl]-1H-benzimidazole (other names: N-pyrrolidino etonitazene, etonitazepyne);

2-[(4-methoxyphenyl)methyl]-N,N-diethyl-5-nitro-1H-benzimidazole-1-ethanamine (other name: Metonitazene);

2-methoxy-N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-acetamide (other name: Methoxyacetyl fentanyl);

3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methyl-benzamide (other name: U-47700);

3,4-dichloro-N-{[1-(dimethylamino)cyclohexyl]methyl}benzamide (other name: AH-7921);

7-[(3-chloro-6-methyl-5,5-dioxo-11H-benzo[c][2,1]benzothiazepin-11-yl)amino]heptanoic acid (other name: Tianeptine);

Acetyl fentanyl (other name: desmethyl fentanyl);

Acetylmethadol;

Allylprodine;

Alphacetylmethadol (except levo-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);

Alphameprodine;

Alphamethadol;

Benzethidine;

Betacetylmethadol;

Betameprodine;

Betamethadol;

Betaprodine;

Clonitazene;

Dextromoramide;

Diampromide;

Diethylthiambutene;

Difenoxin;

Dimenoxadol;

Dimepheptanol;

Dimethylthiambutene;

Dioxaphetylbutyrate;

Dipipanone;

Ethyl N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]carbamate (other name: fentanyl carbamate);

Ethylmethylthiambutene;

Etonitazene;

Etoxeridine;

Furethidine;

Hydroxypethidine;

Ketobemidone;

Levomoramide;

Levophenacylmorphan;

Morpheridine;

MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine);

N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide (other name: Cyclopropyl fentanyl);
N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide (other name: Tetrahydrofuranyl fentanyl);
N-[1-[1-methyl-2-(2-thienyl)ethyl]-4-piperidyl]-N-phenylpropanamide (other name: alpha-methylthiofentanyl);
N-[1-(1-methyl-2-phenylethyl)-4-piperidyl]-N-phenylacetamide (other name: acetyl-alpha-methylfentanyl);
N-{1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl}-N-phenylpropanamide (other name: beta-hydroxythiofentanyl);
N-[1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide (other name: beta-hydroxyfentanyl);
N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]propionanilide (other names: 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine, alpha-methylfentanyl);
N-(2-fluorophenyl)-N-[1-(2-phenylethyl)piperidin-4-yl]prop-2-enamide (other name: ortho-fluoroacryl fentanyl);
N-(2-fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]-propanamide (other names: 2-fluorofentanyl, ortho-fluorofentanyl);
N-(2-fluorophenyl)-2-methyl-N-[1-(2-phenylethyl)piperidin-4-yl]propanamide (other name: ortho-fluoroisobutyryl fentanyl);
N-(2-fluorophenyl)-N-[1-[2-(2-fluorophenyl)ethyl]piperidin-4-yl]propanamide (other names: 2'-fluoro ortho-fluorofentanyl; 2'-fluoro 2-fluorofentanyl);
N-[1-[2-(4-methylphenyl)ethyl]piperidin-4-yl]-N-phenylacetamide (other name: 4'-methyl acetyl fentanyl);
N-ethyl-2-[5-nitro-2-[(4-propan-2-yloxyphenyl)methyl]benzimidazol-1-yl]ethanamine (other name: N-desethyl Isotonitazene);
N,3-diphenyl-N-[1-(2-phenylethyl)piperidin-4-yl]propanamide (other names: beta'-phenyl fentanyl; beta'-phenyl fentanyl; 3-phenylpropanoyl fentanyl);
N-phenyl-N-[1-(2-phenylpropyl)piperidin-4-yl]propanamide (other name: beta-methyl fentanyl);
N-(2-fluorophenyl)-N-[1-(2-phenylethyl)piperidin-4-yl]butanamide (other name: ortho-fluorobutyryl fentanyl; 2-fluorobutyryl fentanyl);
N-(2-methylphenyl)-N-[1-(2-phenylethyl)piperidin-4-yl]acetamide (other names: ortho-methyl acetylfentanyl; 2-methyl acetylfentanyl);
N-(4-methylphenyl)-N-[1-(2-phenylethyl)piperidin-4-yl]propanamide (other names: para-methylfentanyl; 4-methylfentanyl);
N-(4-chlorophenyl)-2-methyl-N-[1-(2-phenylethyl)piperidin-4-yl]propanamide (other name: para-chloroisobutyryl fentanyl);
N-(3-fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]-propanamide (other name: 3-fluorofentanyl);
N-[3-methyl-1-(2-hydroxy-2-phenylethyl)4-piperidyl]-N-phenylpropanamide (other name: beta-hydroxy-3-methylfentanyl);
N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide (other name: 3-methylfentanyl);
N-[3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide (other name: 3-methylthiofentanyl);
N-(4-chlorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]-propanamide (other names: para-chlorofentanyl, 4-chlorofentanyl);
N-(4-fluorophenyl)-2-methyl-N-[1-(2-phenylethyl)-4-piperidinyl]-propanamide (other name: para-fluoroisobutyryl fentanyl);
N-(4-fluorophenyl)-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide (other name: para-fluoro furanyl fentanyl);
N-(4-fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]-butanamide (other name: para-fluorobutyrylfentanyl);
N-(4-fluorophenyl)-N-1-(2-phenylethyl)-4-piperidinyl]-propanamide (other name: para-fluorofentanyl);
N,N-diethyl-2-[2-[(4-fluorophenyl)methyl]-5-nitrobenzimidazol-1-yl] ethanamine (other name: Flunitazene);
N,N-diethyl-2-(2-(4-isopropoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine (other name: Isotonitazene);
N,N-diethyl-2-{[(4-ethoxyphenyl) methyl]-1H-benzimidazol-1-yl}-ethan-1-amine (other names: Etazene, Desnitroetonitazene);
N,N-diethyl-2-[(4-methoxyphenyl)methyl]-1H-benzimidazole-1-ethanamine (other name: Metodesnitazene);
N,N-diethyl-2-[5-nitro-2-(4-propoxybenzyl)-1H-benzimidazol-1-yl]ethanamine (other name: Protonitazene);
N-phenyl-N-[1-(2-phenylmethyl)-4-piperidinyl]-2-furancarboxamide (other name: N-benzyl Furanyl norfentanyl);
N-phenyl-N-(4-piperidinyl)-propanamide (other name: Norfentanyl);
Noracymethadol;
Norlevorphanol;
Normethadone;
Norpipanone;
N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-2-furancarboxamide (other name: Furanyl fentanyl);
N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-2-propenamide (other name: Acryl fentanyl);
N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-butanamide (other name: butyryl fentanyl);
N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-pentanamide (other name: Pentanoyl fentanyl);
N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide (other name: thiofentanyl);
N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]thiophene-2-carboxamide (other name: thiophene fentanyl);
Phenadoxone;

Phenampromide;
Phenomorphan;
Phenoperidine;
Piritramide;
Proheptazine;
Properidine;
Propiram;
Racemoramide;
Tilidine;
Trimeperidine;
N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-1,3-benzodioxole-5-carboxamide (other name: Benzodioxole fentanyl);
3,4-dichloro-N-[2-(diethylamino)cyclohexyl]-N-methylbenzamide (other name: U-49900);
2-methoxy-N-(2-methylphenyl)-N-[1-(2-phenylethyl)piperidin-4-yl]acetamide (other names: ortho-methyl methoxyacetylfentanyl; 2-methyl methoxyacetyl fentanyl);
2-methyl-N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]butanamide (other ~~name~~ *names*: 2-methyl butyryl fentanyl*, alpha'-methyl butyryl fentanyl*);
2-[2-[(4-butoxyphenyl)methyl]-5-nitrobenzimidazol-1-yl]-N,N-diethylethanamine (other name: Butonitazene);
2-(2,4-dichlorophenyl)-N-[2-(dimethylamino)cyclohexyl]-N-methyl acetamide (other name: U-48800);
2-(3,4-dichlorophenyl)-N-[2-(dimethylamino)cyclohexyl]-N-methyl acetamide (other name: U-51754);
2-(4-isopropoxybenzyl)-5-nitro-1-[2-(pyrrolidin-1-yl)ethyl]-1H-benzo[d]imidazole (other name: N-Pyrrolidino Isotonitazene);
N-(2-fluorophenyl)-2-methoxy-N-[1-(2-phenylethyl)-4-piperidinyl]-acetamide (other name: Ocfentanil);
N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)pentanamide (other names: para-fluoro valeryl fentanyl, para-fluoro pentanoyl fentanyl);
N-(4-fluorophenyl)-N-[1-(2-phenylethyl)piperidin-4-yl]acetamide (other name: para-fluoroacetyl fentanyl);
N-(4-methoxyphenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]-butanamide (other name: 4-methoxybutyrylfentanyl);
N-phenyl-2-methyl-N-[1-(2-phenylethyl)-4-piperidinyl]-propanamide (other name: Isobutyryl fentanyl);
N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-cyclopentanecarboxamide (other name: Cyclopentyl fentanyl);
N-phenyl-N-(1-methyl-4-piperidinyl)-propanamide (other name: N-methyl norfentanyl);
N-phenyl-N-(1-propionyl-4-piperidinyl)-propanamide (other name: N-propionyl norfentanyl);
N-[2-(dimethylamino)cyclohexyl]-N-methyl-1,3-benzodioxole-5-carboxamide (other names: 3,4-methylenedioxy U-47700 or 3,4-MDO-U-47700);
N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-2-butenamide (other name: Crotonyl fentanyl);
N-phenyl-N-[4-phenyl-1-(2-phenylethyl)-4-piperidinyl]-propanamide (other name: 4-phenylfentanyl);
N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-benzamide (other names: Phenyl fentanyl, Benzoyl fentanyl);
N-[2-(dimethylamino)cyclohexyl]-N-phenylfuran-2-carboxamide (other name: Furanyl UF-17);
N-[2-(dimethylamino)cyclohexyl]-N-phenylpropionamide (other name: UF-17);
3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-isopropyl-benzamide (other name: Isopropyl U-47700);
5-nitro-2-(4-propoxybenzyl)-1-[2-(pyrrolidin-1-yl)ethyl]-1H-benzo[d]imidazole (other names: N-Pyrrolidino Protonitazene, Protonitazepyne).

2. Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

Acetorphine;
Acetyldihydrocodeine;
Benzylmorphine;
Codeine methylbromide;
Codeine-N-Oxide;
Cyprenorphine;
Desomorphine;
Dihydromorphine;
Drotebanol;
Etorphine;
Heroin;
Hydromorphinol;
Methyldesorphine;
Methyldihydromorphine;
Morphine methylbromide;
Morphine methylsulfonate;
Morphine-N-Oxide;
Myrophine;
Nicocodeine;

Nicomorphine;
Normorphine;
Pholcodine;
Thebacon.

3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following hallucinogenic substances, or which contains any of its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation (for purposes of this subdivision only, the term "isomer" includes the optical, position, and geometric isomers):

Alpha-ethyltryptamine (some trade or other names: Monase; a-ethyl-1H-indole-3-ethanamine; 3-2-aminobutyl] indole; a-ET; AET);

4-Bromo-2,5-dimethoxyphenethylamine (some trade or other names: 2-4-bromo-2,5-dimethoxyphenyl]-1-aminoethane;alpha-desmethyl DOB; 2C-B; Nexus);

3,4-methylenedioxy amphetamine;
5-methoxy-3,4-methylenedioxy amphetamine;
3,4,5-trimethoxy amphetamine;
Alpha-methyltryptamine (other name: AMT);
Bufotenine;
Diethyltryptamine;
Dimethyltryptamine;
4-methyl-2,5-dimethoxyamphetamine;
2,5-dimethoxy-4-ethylamphetamine (DOET);
4-fluoro-N-ethylamphetamine;
2,5-dimethoxy-4-(n)-propylthiophenethylamine (other name: 2C-T-7);
Ibogaine;
5-methoxy-N,N-diisopropyltryptamine (other name: 5-MeO-DIPT);
Lysergic acid diethylamide;
Mescaline;

Parahexyl (some trade or other names: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo [b,d] pyran; Synhexyl);

Peyote;
N-ethyl-3-piperidyl benzilate;
N-methyl-3-piperidyl benzilate;
Psilocybin;
Psilocyn;
Salvinorin A;

2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-a-methylphenethylamine; 2,5-DMA);

3,4-methylenedioxymethamphetamine (MDMA), its optical, positional and geometric isomers, salts and salts of isomers;

3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4 (methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);

N-hydroxy-3,4-methylenedioxyamphetamine (some other names: N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy MDA);

4-bromo-2,5-dimethoxyamphetamine (some trade or other names: 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA);

4-methoxyamphetamine (some trade or other names: 4-methoxy-a-methylphenethylamine; paramethoxyamphetamine; PMA);

Ethylamine analog of phencyclidine (some other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, N-(1-phenylcyclohexyl) ethylamine, cyclohexamine, PCE);

Pyrrolidine analog of phencyclidine (some other names: 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP);

Thiophene analog of phencyclidine (some other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine, TPCP, TCP);

1-1-(2-thienyl)cyclohexyl]pyrrolidine (other name: TCPy);
3,4-methylenedioxypyrovalerone (other name: MDPV);
4-methylmethcathinone (other names: mephedrone, 4-MMC);
3,4-methylenedioxymethcathinone (other name: methylone);
Naphthylpyrovalerone (other name: naphyrone);
4-fluoromethcathinone (other names: flephedrone, 4-FMC);
4-methoxymethcathinone (other names: methedrone; bk-PMMA);
Ethcathinone (other name: N-ethylcathinone);
3,4-methylenedioxyethcathinone (other name: ethylone);
Beta-keto-N-methyl-3,4-benzodioxolylbutanamine (other name: butylone);

N,N-dimethylcathinone (other name: metamfepramone);
Alpha-pyrrolidinopropiophenone (other name: alpha-PPP);
4-methoxy-alpha-pyrrolidinopropiophenone (other name: MOPPP);
3,4-methylenedioxy-alpha-pyrrolidinopropiophenone (other name: MDPPP);
Alpha-pyrrolidinovalerophenone (other name: alpha-PVP);
6,7-dihydro-5H-indeno-(5,6-d)-1,3-dioxol-6-amine (other name: MDAI);
3-fluoromethcathinone (other name: 3-FMC);
4-Ethyl-2,5-dimethoxyphenethylamine (other name: 2C-E);
4-Iodo-2,5-dimethoxyphenethylamine (other name: 2C-I);
4-Methylethcathinone (other name: 4-MEC);
4-Ethylmethcathinone (other name: 4-EMC);
N,N-diallyl-5-methoxytryptamine (other name: 5-MeO-DALT);
Beta-keto-methylbenzodioxolylpentanamine (other names: Pentylone, bk-MBDP);
Alpha-methylamino-butyrophenone (other name: Buphedrone);
Alpha-methylamino-valerophenone (other name: Pentedrone);
3,4-Dimethylmethcathinone (other name: 3,4-DMMC);
4-methyl-alpha-pyrrolidinopropiophenone (other name: MPPP);
4-Iodo-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-benzeneethanamine (other names: 25-I, 25I-NBOMe, 2C-I-NBOMe);
Methoxetamine (other names: MXE, 3-MeO-2-Oxo-PCE);
4-Fluoromethamphetamine (other name: 4-FMA);
4-Fluoroamphetamine (other name: 4-FA);
2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (other name: 2C-D);
2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (other name: 2C-C);
2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (other name: 2C-T-2);
2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (other name: 2C-T-4);
2-(2,5-Dimethoxyphenyl)ethanamine (other name: 2C-H);
2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (other name: 2C-N);
2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (other name: 2C-P);
(2-aminopropyl)benzofuran (other name: APB);
(2-aminopropyl)-2,3-dihydrobenzofuran (other name: APDB);
4-chloro-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-benzeneethanamine (other names: 2C-C-NBOMe, 25C-NBOMe, 25C);
4-bromo-2,5-dimethoxy-N-[(2-methoxyphenyl)methyl]-benzeneethanamine (other names: 2C-B-NBOMe, 25B-NBOMe, 25B);
Acetoxydimethyltryptamine (other names: AcO-Psilocin, AcO-DMT, Psilacetin);
Benocyclidine (other names: BCP, BTCP);
Alpha-pyrrolidinobutiophenone (other name: alpha-PBP);
3,4-methylenedioxy-N,N-dimethylcathinone (other names: Dimethylone, bk-MDDMA);
4-bromomethcathinone (other name: 4-BMC);
4-chloromethcathinone (other name: 4-CMC);
4-Iodo-2,5-dimethoxy-N-[(2-hydroxyphenyl)methyl]-benzeneethanamine (other name: 25I-NBOH);
Alpha-Pyrrolidinohexiophenone (other name: alpha-PHP);
Alpha-Pyrrolidinoheptiophenone (other name: PV8);
5-methoxy-N,N-methylisopropyltryptamine (other name: 5-MeO-MIPT);
Beta-keto-N,N-dimethylbenzodioxolylbutanamine (other names: Dibutylone, bk-DMBDB);
Beta-keto-4-bromo-2,5-dimethoxyphenethylamine (other name: bk-2C-B);
1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-1-pentanone (other name: N-ethylpentylone);
1-[1-(3-methoxyphenyl)cyclohexyl]piperidine (other name: 3-methoxy PCP);
1-[1-(4-methoxyphenyl)cyclohexyl]piperidine (other name: 4-methoxy PCP);
4-Chloroethcathinone (other name: 4-CEC);
3-Methoxy-2-(methylamino)-1-(4-methylphenyl)-1-propanone (other name: Mexedrone);
1-propionyl lysergic acid diethylamide (other name: 1P-LSD);
(2-Methylaminopropyl)benzofuran (other name: MAPB);
1-(1,3-benzodioxol-5-yl)-2-(dimethylamino)-1-pentanone (other names: N,N-Dimethylpentylone, Dipentylone);
1-(4-methoxyphenyl)-2-(pyrrolidin-1-yl)octan-1-one (other name: 4-methoxy-PV9);
3,4-tetramethylene-alpha-pyrrolidinovalerophenone (other name: TH-PVP);
4-allyloxy-3,5-dimethoxyphenethylamine (other name: Allylescaline);
4-Bromo-2,5-dimethoxy-N-[(2-hydroxyphenyl)methyl]-benzeneethanamine (other name: 25B-NBOH);
4-chloro-alpha-methylamino-valerophenone (other name: 4-chloropentedrone);
4-chloro-alpha-Pyrrolidinovalerophenone (other name: 4-chloro-alpha-PVP);

4-fluoro-alpha-Pyrrolidinoheptiophenone (other name: 4-fluoro-PV8);
4-hydroxy-N,N-diisopropyltryptamine (other name: 4-OH-DIPT);
4-methyl-alpha-ethylaminopentiophenone;
4-methyl-alpha-Pyrrolidinohexiophenone (other name: MPHP);
5-methoxy-N,N-dimethyltryptamine (other name: 5-MeO-DMT);
5-methoxy-N-ethyl-N-isopropyltryptamine (other name: 5-MeO-EIPT);
6-ethyl-6-nor-lysergic acid diethylamide (other name: ETH-LAD);
6-allyl-6-nor-lysergic acid diethylamide (other name: AL-LAD);
(N-methyl aminopropyl)-2,3-dihydrobenzofuran (other name: MAPDB);
2-(methylamino)-2-phenyl-cyclohexanone (other name: Deschloroketamine);
2-(ethylamino)-2-phenyl-cyclohexanone (other name: deschloro-N-ethyl-ketamine);
2-methyl-1-(4-(methylthio)phenyl)-2-morpholinopropiophenone (other name: MMMP);
Alpha-ethylaminohexanophenone (other name: N-ethylhexedrone);
N-ethyl-1-(3-methoxyphenyl)cyclohexylamine (other name: 3-methoxy-PCE);
4-fluoro-alpha-pyrrolidinohexiophenone (other name: 4-fluoro-alpha-PHP);
N-ethyl-1,2-diphenylethylamine (other name: Ephenidine);
2,5-dimethoxy-4-chloroamphetamine (other name: DOC);
3,4-methylenedioxy-N-tert-butylcathinone;
Alpha-pyrrolidinoisohexiophenone (other name: alpha-PiHP);
1-[1-(3-hydroxyphenyl)cyclohexyl]piperidine (other name: 3-hydroxy PCP);
4-acetyloxy-N,N-diallyltryptamine (other name: 4-AcO-DALT);
4-hydroxy-N,N-methylisopropyltryptamine (other name: 4-hydroxy-MiPT);
3,4-Methylenedioxy-alpha-pyrrolidinohexanophenone (other name: MDPHP);
5-methoxy-N,N-dibutyltryptamine (other name: 5-methoxy-DBT);
1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-1-butanone (other names: Eutylone, bk-EBDB);
1-(1,3-benzodioxol-5-yl)-2-(butylamino)-1-pentanone (other name: N-butylpentylone);
N-benzyl-3,4-dimethoxyamphetamine (other name: N-benzyl-3,4-DMA);
1-(benzo[d][1,3]dioxol-5-yl)-2-(sec-butylamino)pentan-1-one (other name: N-sec-butyl Pentylone);
1-cyclopropionyl lysergic acid diethylamide (other name: 1cP-LSD);
2-(ethylamino)-1-phenylheptan-1-one (other name: N-ethylheptedrone);
(2-ethylaminopropyl)benzofuran (other name: EAPB);
4-ethyl-2,5-dimethoxy-N-[(2-hydroxyphenyl)methyl]-benzeneethanamine (other name: 25E-NBOH);
2-fluoro-Deschloroketamine (other name: 2-(2-fluorophenyl)-2-(methylamino)-cyclohexanone);
4-hydroxy-N-ethyl-N-propyltryptamine (other name: 4-hydroxy-EPT);
2-(isobutylamino)-1-phenylhexan-1-one (other names: N-Isobutyl Hexedrone, alpha-isobutylaminohexanphenone);
1-(4-methoxyphenyl)-N-methylpropan-2-amine (other names: para-Methoxymethamphetamine, PMMA);
N-ethyl-1-(3-hydroxyphenyl)cyclohexylamine (other name: 3-hydroxy-PCE);
N-heptyl-3,4-dimethoxyamphetamine (other name: N-heptyl-3,4-DMA);
N-hexyl-3,4-dimethoxyamphetamine (other name: N-hexyl-3,4-DMA);
4-fluoro-3-methyl-alpha-pyrrolidinovalerophenone (other name: 4-fluoro-3-methyl-alpha-PVP);
4-fluoro-alpha-methylamino-valerophenone (other name: 4-fluoropentedrone);
N-(1,4-dimethylpentyl)-3,4-dimethoxyamphetamine (other name: N-(1,4-dimethylpentyl)-3,4-DMA);
4,5-methylenedioxy-N,N-diisopropyltryptamine (other name: 4,5-MDO-DiPT);
Alpha-pyrrolidinocyclohexanophenone (other name: alpha-PCYP);
3,4-methylenedioxy-alpha-pyrrolidinoheptiophenone (other name: MDPV8);
4-chloro-alpha-methylaminobutiophenone (other name: 4-chloro Buphedrone);
1-(1,3-benzodioxol-5-yl)-2-(cyclohexylamino)butan-1-one (other names: Cybutylone, N-cyclohexyl Butylone);
1-(1,3-benzodioxol-5-yl)-2-(propylamino)-1-butanone (other names: 3,4-Methylenedioxy-alpha-propylaminobutiophenone; N-propyl butylone);
1-[1-(3-chlorophenyl)cyclohexyl]-piperidine (other names: 3-Chloro Phencyclidine, 3Cl-PCP, 3-chloro PCP);
1-[1-(3-fluorophenyl)cyclohexyl]piperidine (other names: 3-fluoro Phencyclidine, 3F-PCP);
1-(7-methoxy-1,3-benzodioxol-5-yl)propan-2-amine (other names: 5-methoxy-3,4-methylenedioxyamphetamine, 3-methoxy MDA, MMDA);
2-(ethylamino)-1-phenylpentan-1-one (other names: N-ethylpentedrone, alpha-ethylaminopentiophenone);
2-(ethylamino)-2-(2-fluorophenyl)-cyclohexanone (other names: 2-fluoro-2-oxo PCE, 2-fluoro NENDCK);
3,4-methylenedioxy-alpha-cyclohexylaminopropiophenone (other name: Cyputylone);
3,4-methylenedioxy-alpha-cyclohexylmethylaminopropiophenone (other name: 3,4-Methylenedioxy-N,N-cyclohexylmethcathinone);
3,4-methylenedioxy-alpha-isopropylaminobutiophenone (other name: N-isopropyl butylone);
4-chloro-N-butylcathinone (other names: 4-chlorobutylcathinone, para-chloro-N-butylcathinone);
4-hydroxy-N-methyl-N-ethyltryptamine (other names: 4-hydroxy MET, Metocin);

4-methallyloxy-3,5-dimethoxyphenethylamine (other name: Methallylescaline);

Alpha-pyrrolidino-2-phenylacetophenone (other name: alpha-D2PV);

1-(3,5-Dimethoxy-4-propoxyphenyl)-2-propanamine (other names: 4-propoxy-3,5-DMA, 3C-P, 1-(3,5-Dimethoxy-4-propoxyphenyl)propan-2-amine);

2-(5-methoxy-1H-indol-3-yl)ethanamine (other names: 5-methoxytryptamine, 5-MeOT);

1-(1,3-benzodioxol-5-yl)-2-(isobutylamino)-1-pentanone (other name: N-isobutylpentylone);

1-(1,3-benzodioxyl-5-yl)-2-(tert-butylamino)-1-pentanone (other name: N-tert-butyl pentylone);

1-Phenyl-N-propylcyclohexanamine (other names: N-(1-phenylcyclohexyl)propanamine, PCPr);

1-[(4-fluorophenyl)methyl]-4-methylpiperazine (other names: 4-fluoro-MBZP, 4-fluoro methylbenzylpiperazine);

4-fluoro-alpha-pyrrolidinoisohexiophenone (other name: 4-fluoro-alpha-PiHP);

8-bromo-1-methyl-6-pyridin-2-yl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine (other name: pyrazolam).

4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

5-(2-chlorophenyl)-1,3-dihydro-3-methyl-7-nitro-2H-1,4-benzodiazepin-2-one (other name: Meclonazepam);

7-chloro-5-(2-fluorophenyl)-1,3-dihydro-1,4-benzodiazepin-2-one (other name: Norfludiazepam);

Bromazolam;

Clonazolam;

Deschloroetizolam;

Etizolam;

Flualprazolam;

Flubromazepam;

Flubromazolam;

Gamma hydroxybutyric acid (some other names include GHB; gamma hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate);

Mecloqualone;

Methaqualone;

6-(4-chlorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine (other names: 4'-chloro Deschloroalprazolam, 4'Cl-Deschloroalprazolam);

7-bromo-5-phenyl-1,3-dihydro-1,4-benzodiazepin-2-one (other names: Desalkylgidazepam, Bromonordiazepam);

7-chloro-5-(2-chlorophenyl)-1-methyl-3H-1,4-benzodiazepin-2-one (other names: Diclazepam, 2-Chlorodiazepam);

8-bromo-6-(2-chlorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine (other names: Clobromazolam, Phenazolam).

5. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers and salts of isomers:

2-(3-fluorophenyl)-3-methylmorpholine (other name: 3-fluorophenmetrazine);

Aminorex (some trade or other names; aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-dihydro-5-phenyl-2-oxazolamine);

Cathinone (some trade or other names: 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone, 2-aminopropiophenone, norephedrone), and any plant material from which Cathinone may be derived;

Cis-4-methylaminorex (other name: cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);

Ethylamphetamine;

Ethyl phenyl(piperidin-2-yl)acetate (other name: Ethylphenidate);

Fenethylline;

Methcathinone (some other names: 2-(methylamino)-propiophenone; alpha-(methylamino)-propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone; N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR 1432);

N-Benzylpiperazine (some other names: BZP, 1-benzylpiperazine);

N-methyl-1-(thiophen-2-yl)propan-2-amine (other name: methiopropamine);

N,N-dimethylamphetamine (other names: N,N-alpha-trimethyl-benzeneethanamine, N,N-alpha-trimethylphenethylamine);

N-phenyl-N'-(3-(1-phenylpropan-2-yl)-1,2,3-oxadiazol-3-ium-5-yl)carbamimidate (other name: mesocarb);

Methyl 2-(4-fluorophenyl)-2-(2-piperidinyl)acetate (other name: 4-fluoromethylphenidate);

Isopropyl-2-phenyl-2-(2-piperidinyl)acetate (other name: Isopropylphenidate);

2-(3-chlorophenyl)-3-methylmorpholine (other name: 3-chlorophenmetrazine);

4-chloro-N,N-dimethylcathinone;

3,4-methylenedioxy-N-benzylcathinone (other name: BMDP);

4-methylmethamphetamine (other names: N-alpha,4-trimethyl-benzeneethanamine, 4-MMA);

4-methyl-5-(4-methylphenyl)-4,5-dihydro-1,3-oxazol-2-amine (other names: 4,4'-Dimethylaminorex, 4,4'-DMAR);

7-[(10,11-dihydro-5H-dibenzo[a,d]cyclohepten-5-yl)amino]heptanoic acid (other name: amineptine).

6. Any substance that contains one or more cannabimimetic agents or that contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation, and any preparation, mixture, or substance containing, or mixed or infused with, any detectable amount of one or more cannabimimetic agents.

a. "Cannabimimetic agents" includes any substance that is within any of the following structural classes:

2-(3-hydroxycyclohexyl)phenol with substitution at the 5-position of the phenolic ring by alkyl or alkenyl, whether or not substituted on the cyclohexyl ring to any extent;

3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane with substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring to any extent, whether or not substituted on the naphthoyl or naphthyl ring to any extent;

3-(1-naphthoyl)pyrrole with substitution at the nitrogen atom of the pyrrole ring, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted on the naphthoyl ring to any extent;

1-(1-naphthylmethyl)indene with substitution of the 3-position of the indene ring, whether or not further substituted in the indene ring to any extent, whether or not substituted on the naphthyl ring to any extent;

3-phenylacetylindole or 3-benzoylindole with substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the phenyl ring to any extent;

3-cyclopropoylindole with substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring to any extent, whether or not substituted on the cyclopropyl ring to any extent;

3-adamantoylindole with substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring to any extent, whether or not substituted on the adamantyl ring to any extent;

N-(adamantyl)-indole-3-carboxamide with substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring to any extent, whether or not substituted on the adamantyl ring to any extent; and

N-(adamantyl)-indazole-3-carboxamide with substitution at a nitrogen atom of the indazole ring, whether or not further substituted on the indazole ring to any extent, whether or not substituted on the adamantyl ring to any extent.

b. The term "cannabimimetic agents" includes:

5-bromo-N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1H-indazole-3-carboxamide (other name: ADB-5Br-INACA);

5-(1,1-Dimethylheptyl)-2-[3-hydroxycyclohexyl]-phenol (other name: CP 47,497);

5-(1,1-Dimethylhexyl)-2-[3-hydroxycyclohexyl]-phenol (other name: CP 47,497 C6 homolog);

5-(1,1-Dimethyloctyl)-2-[3-hydroxycyclohexyl]-phenol (other name: CP 47,497 C8 homolog);

5-(1,1-Dimethylnonyl)-2-[3-hydroxycyclohexyl]-phenol (other name: CP 47,497 C9 homolog);

1-pentyl-3-(1-naphthoyl)indole (other names: JWH-018, AM-678);

1-butyl-3-(1-naphthoyl)indole (other name: JWH-073);

1-pentyl-3-(2-methoxyphenylacetyl)indole (other name: JWH-250);

1-hexyl-3-(naphthalen-1-oyl)indole (other name: JWH-019);

1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (other name: JWH-200);

(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tet rahydrobenzo[c]chromen-1-ol (other name: HU-210);

1-pentyl-3-(4-methoxy-1-naphthoyl)indole (other name: JWH-081);

1-pentyl-3-(4-methyl-1-naphthoyl)indole (other name: JWH-122);

1-pentyl-3-(2-chlorophenylacetyl)indole (other name: JWH-203);

1-pentyl-3-(4-ethyl-1-naphthoyl)indole (other name: JWH-210);

1-pentyl-3-(4-chloro-1-naphthoyl)indole (other name: JWH-398);

1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (other name: AM-694);

1-((N-methylpiperidin-2-yl)methyl)-3-(1-naphthoyl)indole (other name: AM-1220);

1-(5-fluoropentyl)-3-(1-naphthoyl)indole (other name: AM-2201);

1-[(N-methylpiperidin-2-yl)methyl]-3-(2-iodobenzoyl)indole (other name: AM-2233);

Pravadoline (4-methoxyphenyl)-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone (other name: WIN 48,098);

1-pentyl-3-(4-methoxybenzoyl)indole (other names: RCS-4, SR-19);

1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (other names: RCS-8, SR-18);

1-pentyl-3-(2,2,3,3-tetramethylcyclopropylmethanone)indole (other name: UR-144);

1-(5-fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropylmethanone)indole (other names: XLR-11, 5-fluoro-UR-144);

N-adamantyl-1-fluoropentylindole-3-carboxamide (other name: STS-135);

N-adamantyl-1-pentylindazole-3-carboxamide (other names: AKB48, APINACA);

1-pentyl-3-(1-adamantoyl)indole (other name: AB-001);

(8-quinolinyl)(1-pentylindol-3-yl)carboxylate (other name: PB-22);

(8-quinolinyl)(1-(5-fluoropentyl)indol-3-yl)carboxylate (other name: 5-fluoro-PB-22);

(8-quinolinyl)(1-cyclohexylmethyl-indol-3-yl)carboxylate (other name: BB-22);

N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-5-bromo-1-butylindazole-3-carboxamide (other name: ADB-5'Br-BUTINACA);

N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentylindazole-3-carboxamide (other name: AB-PINACA);

N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)indazole-3-carboxamide (other name: AB-FUBINACA);

1-(5-fluoropentyl)-3-(1-naphthoyl)indazole (other name: THJ-2201);

N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentylindazole-3-carboxamide (other name: ADB-PINACA);

N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide (other name: AB-CHMINACA);

N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)indazole-3-carboxamide (other name: 5-fluoro-AB-PINACA);

N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide (other names: ADB-CHMINACA, MAB-CHMINACA);

Methyl N-[(5-bromo-1H-indazol-3-yl)carbonyl]-3-methyl-valinate (other name: MDMB-5Br-INACA);

Methyl-2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (other name: 5-fluoro-AMB);

1-naphthalenyl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (other name: NM-2201);

1-(4-fluorobenzyl)-3-(2,2,3,3-tetramethylcyclopropylmethanone)indole (other name: FUB-144);

1-(5-fluoropentyl)-3-(4-methyl-1-naphthoyl)indole (other name MAM-2201);

N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-[(4-fluorophenyl)methyl]-1H-indazole-3-carboxamide (other name: ADB-FUBINACA);

Methyl 2-[1-[(4-fluorophenyl)methyl]-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other name: MDMB-FUBINACA);

Methyl 2-[1-(5-fluoropentyl)-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other names: 5-fluoro-ADB, 5-Fluoro-MDMB-PINACA);

Methyl 2-({1-[(4-fluorophenyl)methyl]-1H-indazole-3-carbonyl}amino)-3-methylbutanoate (other names: AMB-FUBINACA, FUB-AMB);

N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (other names: FUB-AKB48, 5F-APINACA);

N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (other name: 5F-AKB48);

N-(adamantanyl)-1-(5-chloropentyl) indazole-3-carboxamide (other name: 5-chloro-AKB48);

Naphthalen-1-yl 1-pentyl-1H-indazole-3-carboxylate (other name: SDB-005);

N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)indole-3-carboxamide (other name: AB-CHMICA);

1-pentyl-N-(phenylmethyl)-1H-indole-3-carboxamide (other name: SDB-006);

Quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (other name: FUB-PB-22);

Methyl N-[1-(cyclohexylmethyl)-1H-indole-3-carbonyl]valinate (other name: MMB-CHMICA);

N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)indazole-3-carboxamide (other name: 5-fluoro-ADB-PINACA);

1-(4-cyanobutyl)-N-(1-methyl-1-phenylethyl)-1H-indazole-3-carboxamide (other name: 4-cyano CUMYL-BUTINACA);

Methyl 2-[1-(5-fluoropentyl)-1H-indole-3-carboxamido]-3,3-dimethylbutanoate (other names: 5-fluoro MDMB-PICA, 5F-MDMB-PICA);

Ethyl 2-({1-[(4-fluorophenyl)methyl]-1H-indazole-3-carbonyl}amino)-3-methylbutanoate (other name: EMB-FUBINACA);

Ethyl-3,3-dimethyl-2-[(1-(pent-4-enylindazole-3-carbonyl)amino]butanoate (other name: EDMB-4en-PINACA);

Methyl 2-[1-4-fluorobutyl)-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other name: 4-fluoro-MDMB-BUTINACA);

1-(5-fluoropentyl)-N-(1-methyl-1-phenylethyl)-1H-indole-3-carboxamide (other name: 5-fluoro CUMYL-PICA);

Methyl 2-[1-(pent-4-enyl)-1H-indazole-3-carboxamindo]-3,3-dimethylbutanoate (other name: MDMB-4en-PINACA);

Methyl 2-({1-[(4-fluorophenyl)methyl]-1H-indole-3-carbonyl}amino)-3-methylbutanoate (other names: MMB-FUBICA, AMB-FUBICA);

Methyl 2-[1-(4-penten-1-yl)-1H-indole-3-carboxamido]-3-methylbutanoate (other names: MMB022, MMB-4en-PICA);

Methyl 2-[1-(5-fluoropentyl)-1H-indole-3-carboxamido]-3-methylbutanoate (other name: MMB 2201);

Methyl 2-[1-(5-fluoropentyl)-1H-indole-3-carboxamido]-3-phenylpropanoate (other name: 5-fluoro-MPP-PICA);

N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-butylindazole-3-carboxamide (other name: ADB-BUTINACA);

N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-chloropentyl)indazole-3-carboxamide (other name: 5-chloro-AB-PINACA);

1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide (other names: 5F-CUMYL-PINACA, 5-fluoro CUMYL-PINACA, CUMYL-5F-PINACA);

1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)pyrrolo[2,3-b]pyridine-3-carboxamide (other name: 5F-CUMYL-P7AICA);

Ethyl 2-[1-(5-fluoropentyl)-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other names: 5F-EDMB-PINACA, 5-fluoro EDMB-PINACA);

Ethyl-2-[1-(5-fluoropentyl)-1H-indazole-3-carboxamido]-3-methylbutanoate (other names: 5-fluoro-EMB-PINACA, 5F-AEB);

Ethyl 2-[1-(5-fluoropentyl)-1H-indole-3-carboxamido]-3-methylbutanoate (other name: 5-fluoro-EMB-PICA);

Ethyl-2-[1-(5-fluoropentyl)-1H-indole-3-carboxamido]-3,3-dimethylbutanoate (other name: 5-fluoro EDMB-PICA);

Methyl 2-[1-(4-fluorobutyl)-1H-indole-3-carboxamido]-3,3-dimethylbutanoate (other name: 4-fluoro-MDMB-BUTICA);

Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate (other names: MDMB-CHMICA, MMB-CHMINACA);

N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(pent-4-enyl)indazole-3-carboxamide (other name: ADB-4en-PINACA);

Ethyl 2-[1-pentyl-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (other name: EDMB-PINACA);

N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-phenethyl-1H-indazole-3-carboxamide (other name: ADB-PHETINACA);

N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indole-3-acetamide (other names: ADB-FUBIATA, AD-18, FUB-ACADB)*;*

Methyl N-(1H-indazol-3-ylcarbonyl)-3-methyl-valinate (other name: MDMB-INACA);

Methyl-2-(1-butyl-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (other name: MDMB-BUTINACA).

§ 54.1-3452. Schedule IV.

The controlled substances listed in this section are included in Schedule IV unless specifically excepted or listed in another schedule:

1. Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

Alfaxalone (5[alpha]-pregnan-3[alpha]-ol-11,20-dione), previously spelled "alphaxalone," including its salts, isomers, and salts of isomers;

Alprazolam;

Barbital;

Brexanolone;

Bromazepam;

Camazepam;

Carisoprodol;

Chloral betaine;

Chloral hydrate;

Chlordiazepoxide;

Clobazam;

Clonazepam;

Clorazepate;

Clotiazepam;

Cloxazolam;

Daridorexant;

Delorazepam;

Diazepam;

Dichloralphenazone;

Estazolam;

Ethchlorvynol;

Ethinamate;

Ethyl loflazepate;

Fludiazepam;

Flunitrazepam;

Flurazepam;

Fospropofol;

Halazepam;

Haloxazolam;

Ketazolam;

Lemborexant;

Loprazolam;

Lorazepam;

Lormetazepam;

Mebutamate;

Medazepam;

Methohexital;

Meprobamate;

Methylphenobarbital;

Midazolam;

Nimetazepam;
Nitrazepam;
Nordiazepam;
Oxazepam;
Oxazolam;
Paraldehyde;
Petrichloral;
Phenobarbital;
Pinazepam;
Prazepam;
Quazepam;
Remimazolam;
Suvorexant ([(7R)-4-(5-chloro-1,3-benzoxazol-2-yl)-7-methyl-1,4-diazepan-1-yl][5-methyl-2- (2H-1, 2, 3-triazol-2-yl)phenyl]methanone), including its salts, isomers, and salts of isomers;
Temazepam;
Tetrazepam;
Triazolam;
Zaleplon;
Zolpidem;
Zopiclone*;*
Zuranolone.

2. Any compound, mixture or preparation which contains any quantity of the following substances including any salts or isomers thereof:

Lorcaserin.

3. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Cathine (+)-norpseudoephedrine;
Diethylpropion;
Fencamfamin;
Fenproprex;
Mazindol;
Mefenorex;
Modafinil;
Phentermine;
Pemoline (including organometallic complexes and chelates thereof);
Pipradrol;
Serdexmethylphenidate;
Sibutramine;
Solriamfetol (2-amino-3-phenylpropyl carbamate);
SPA (-)-1-dimethylamino-1,2-diphenylethane.

4. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane);

Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit;

2-[(dimethylamino) methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers, and salts of such isomers, including tramadol.

5. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including their salts:

Butorphanol (including its optical isomers);
Eluxadoline (including its optical isomers and its salts, isomers, and salts of isomers);
Pentazocine.

6. The Board may except by regulation any compound, mixture, or preparation containing any depressant substance listed in subdivision 1 from the application of all or any part of this chapter if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation is $0 for periods of

imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 119

An Act to amend and reenact § 20-124.6 of the Code of Virginia, relating to access to minor's records; records stored or accessible from a secure website.

[H 1593]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 20-124.6 of the Code of Virginia is amended and reenacted as follows:

§ 20-124.6. Access to minor's records.

A. Notwithstanding any other provision of law, neither parent, regardless of whether such parent has custody, shall be denied access to the academic or health records or records of a child day center or family day home of that parent's minor child*, including any such records that are stored or accessible from a secure website,* unless otherwise ordered by the court for good cause shown or pursuant to subsection B.

B. In the case of health records, access may also be denied if the minor's treating physician, clinical psychologist, clinical social worker, or licensed professional counselor has made a part of the minor's record a written statement that, in the exercise of his professional judgment, the furnishing to or review by the requesting parent of such health records would be reasonably likely to cause substantial harm to the minor or another person. If a health care entity denies a parental request for access to, or copies of, a minor's health record, the health care entity denying the request shall comply with the provisions of subsection F of § 32.1-127.1:03. The minor or his parent, either or both, shall have the right to have the denial reviewed as specified in subsection F of § 32.1-127.1:03 to determine whether to make the minor's health record available to the requesting parent.

C. For the purposes of this section, the terms "health record" or the plural thereof and "health care entity" mean the same as those terms are defined in subsection B of § 32.1-127.1:03~~. The~~ *and the* terms "child day center" and "family day home" mean the same as those terms are defined in § 63.2-100.

CHAPTER 120

An Act to amend the Code of Virginia by adding in Chapter 21 of Title 38.2 a section numbered 38.2-2131, relating to fire insurance; assignment of claims prohibited.

[H 1628]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 21 of Title 38.2 a section numbered 38.2-2131 as follows:

§ 38.2-2131. Assignment of claims prohibited.

A. Consistent with the provisions of § 38.2-2104, no person insured under a fire insurance policy or a fire insurance policy in combination with other coverages shall assign or otherwise transfer, in whole or in part, to any other person the duties, rights, or benefits of the insured under the policy arising from a claim or covered loss without written consent of the insurer.

B. Any contract provision entered in violation of this section shall be void and unenforceable.

C. The provisions of this section shall not be construed to prohibit an insured from:

1. Authorizing or directing payment to, or paying, a person for reasonable services, materials, or any other item that is covered or may be covered under an insurance policy; or

2. Assigning rights to seek damages related to a personal injury or tort case arising from a settlement, verdict, or resulting judgment against the insured that is in excess of the insured's liability insurance coverage, subject to defenses available by law.

D. Notwithstanding the provisions of § 38.2-2123, the provisions of this section shall apply to (i) mutual assessment property and casualty insurers and (ii) mutual insurers and associations organized under the laws of the Commonwealth conducting business only in the Commonwealth and issuing only policies providing for perpetual insurance.

CHAPTER 121

An Act to amend and reenact §§ 16.1-69.48:1, 46.2-300, and 46.2-301 of the Code of Virginia, relating to dismissal of certain traffic violations for proof of compliance with law.

[H 1643]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-69.48:1, 46.2-300, and 46.2-301 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-69.48:1. Fixed fee for misdemeanors, traffic infractions and other violations in district court; additional fees to be added.

A. Assessment of the fees provided for in this section shall be based on (i) an appearance for court hearing in which there has been a finding of guilty; (ii) a written appearance with waiver of court hearing and entry of guilty plea; (iii) for a defendant failing to appear, a trial in his or her absence resulting in a finding of guilty; (iv) an appearance for court hearing in which the court requires that the defendant successfully complete traffic school, a mature driver motor vehicle crash prevention course, or a driver improvement clinic, in lieu of a finding of guilty; (v) a deferral of proceedings pursuant to § 4.1-305, 4.1-1120, 16.1-278.8, 16.1-278.9, 18.2-57.3, 18.2-251, 19.2-298.02, 19.2-303.2, or 19.2-303.6; or (vi) proof of compliance with law under §§ 46.2-104, *46.2-300, 46.2-301,* 46.2-324, 46.2-613, 46.2-646, 46.2-711, 46.2-715, 46.2-716, 46.2-752, 46.2-1000, 46.2-1003, 46.2-1052, 46.2-1053, and 46.2-1158.02.

In addition to any other fee prescribed by this section, a fee of $35 shall be taxed as costs whenever a defendant fails to appear, unless, after a hearing requested by such person, good cause is shown for such failure to appear. No defendant with multiple charges arising from a single incident shall be taxed the applicable fixed fee provided in subsection B, C, or D more than once for a single appearance or trial in absence related to that incident. However, when a defendant who has multiple charges arising from the same incident and who has been assessed a fixed fee for one of those charges is later convicted of another charge that arises from that same incident and that has a higher fixed fee, he shall be assessed the difference between the fixed fee earlier assessed and the higher fixed fee.

A defendant with charges which arise from separate incidents shall be taxed a fee for each incident even if the charges from the multiple incidents are disposed of in a single appearance or trial in absence.

In addition to the fixed fees assessed pursuant to this section, in the appropriate cases, the clerk shall also assess any costs otherwise specifically provided by statute.

B. In misdemeanors tried in district court, except for those proceedings provided for in subsection C, there shall be assessed as court costs a fixed fee of $61. The amount collected, in whole or in part, for the fixed fee shall be apportioned, as provided by law, to the following funds in the fractional amounts designated:

1. Processing fee (General Fund) (.573770);
2. Virginia Crime Victim-Witness Fund (.049180);
3. Regional Criminal Justice Training Academies Fund (.016393);
4. Courthouse Construction/Maintenance Fund (.032787);
5. Criminal Injuries Compensation Fund (.098361);
6. Intensified Drug Enforcement Jurisdiction Fund (.065574);
7. Sentencing/supervision fee (General Fund) (.131148); and
8. Virginia Sexual and Domestic Violence Victim Fund (.032787).

C. In criminal actions and proceedings in district court for a violation of any provision of Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, there shall be assessed as court costs a fixed fee of $136. The amount collected, in whole or in part, for the fixed fee shall be apportioned, as provided by law, to the following funds in the fractional amounts designated:

1. Processing fee (General Fund) (.257353);
2. Virginia Crime Victim-Witness Fund (.022059);
3. Regional Criminal Justice Training Academies Fund (.007353);
4. Courthouse Construction/Maintenance Fund (.014706);
5. Criminal Injuries Compensation Fund (.044118);
6. Intensified Drug Enforcement Jurisdiction Fund (.029412);
7. Drug Offender Assessment and Treatment Fund (.551471);
8. Forensic laboratory fee and sentencing/supervision fee (General Fund) (.058824); and
9. Virginia Sexual and Domestic Violence Victim Fund (.014706).

D. In traffic infractions tried in district court, there shall be assessed as court costs a fixed fee of $51. The amount collected, in whole or in part, for the fixed fee shall be apportioned, as provided by law, to the following funds in the fractional amounts designated:

1. Processing fee (General Fund) (.764706);
2. Virginia Crime Victim-Witness Fund (.058824);
3. Regional Criminal Justice Training Academies Fund (.019608);
4. Courthouse Construction/Maintenance Fund (.039216);
5. Intensified Drug Enforcement Jurisdiction Fund (.078431); and
6. Virginia Sexual and Domestic Violence Victim Fund (.039216).

§ 46.2-300. Driving without license prohibited; penalties.

No person, except those expressly exempted in §§ 46.2-303 through 46.2-308, shall drive any motor vehicle on any highway in the Commonwealth until such person has applied for a driver's license, as provided in this article, satisfactorily passed the examination required by § 46.2-325, and obtained a driver's license, nor unless the license is valid.

A violation of this section is a Class 2 misdemeanor. A second or subsequent violation of this section is a Class 1 misdemeanor.

Upon conviction under this section, the court may suspend the person's privilege to drive for a period not to exceed 90 days.

The court may, in its discretion, dismiss the summons or warrant, where proof of compliance with this section is provided to the court on or before the court date, unless such person was operating a commercial motor vehicle as defined in § 46.2-341.4.

§ 46.2-301. Driving while license, permit, or privilege to drive suspended or revoked.

A. In addition to any other penalty provided by this section, any motor vehicle administratively impounded or immobilized under the provisions of § 46.2-301.1 may, in the discretion of the court, be impounded or immobilized for an additional period of up to 90 days upon conviction of an offender for driving while his driver's license, learner's permit, or privilege to drive a motor vehicle has been (i) suspended or revoked for a violation of § 18.2-36.1, 18.2-51.4, 18.2-266, 18.2-272, or 46.2-341.24 or a substantially similar ordinance or law in any other jurisdiction or (ii) administratively suspended under the provisions of § 46.2-391.2. However, if, at the time of the violation, the offender was driving a motor vehicle owned by another person, the court shall have no jurisdiction over such motor vehicle but may order the impoundment or immobilization of a motor vehicle owned solely by the offender at the time of arrest. All costs of impoundment or immobilization, including removal or storage expenses, shall be paid by the offender prior to the release of his motor vehicle.

B. Except as provided in § 46.2-304, no resident or nonresident (i) whose driver's license, learner's permit, or privilege to drive a motor vehicle has been suspended or revoked or (ii) who has been directed not to drive by any court or by the Commissioner, or (iii) who has been forbidden, as prescribed by operation of any statute of the Commonwealth or a substantially similar ordinance of any county, city or town, to operate a motor vehicle in the Commonwealth shall thereafter drive any motor vehicle or any self-propelled machinery or equipment on any highway in the Commonwealth until the period of such suspension or revocation has terminated or the privilege has been reinstated or a restricted license is issued pursuant to subsection E. For the purposes of this section, the phrase "motor vehicle or any self-propelled machinery or equipment" shall not include mopeds.

C. A violation of subsection B is a Class 1 misdemeanor.

D. Upon a violation of subsection B, the court shall suspend the person's license or privilege to drive a motor vehicle for the same period for which it had been previously suspended or revoked. In the event the person violated subsection B by driving during a period of suspension or revocation which was not for a definite period of time, the court shall suspend the person's license, permit or privilege to drive for an additional period not to exceed 90 days, to commence upon the expiration of the previous suspension or revocation or to commence immediately if the previous suspension or revocation has expired. However, no such suspension shall extend beyond 10 years from the conviction date for such violation of subsection B, unless required by Article 6.1 (§ 46.2-341.1 et seq.).

E. Any person who is otherwise eligible for a restricted license may petition each court that suspended his license pursuant to subsection D for authorization for a restricted license, provided that the period of time for which the license was suspended by the court pursuant to subsection D, if measured from the date of conviction, has expired, even though the suspension itself has not expired. A court may, for good cause shown, authorize the Department of Motor Vehicles to issue a restricted license for any of the purposes set forth in subsection E of § 18.2-271.1. No restricted license shall be issued unless each court that issued a suspension of the person's license pursuant to subsection D authorizes the Department to issue a restricted license. Any restricted license issued pursuant to this subsection shall be in effect until the expiration of any and all suspensions issued pursuant to subsection D, except that it shall automatically terminate upon the expiration, cancellation, suspension, or revocation of the person's license or privilege to drive for any other cause. No restricted license issued pursuant to this subsection shall permit a person to operate a commercial motor vehicle as defined in the Commercial Driver's License Act (§ 46.2-341.1 et seq.). The court shall forward to the Commissioner a copy of its authorization entered pursuant to this subsection, which shall specifically enumerate the restrictions imposed and contain such information regarding the person to whom such a license is issued as is reasonably necessary to identify the person. The court shall also provide a copy of its authorization to the person, who may not operate a motor vehicle until receipt from the Commissioner of a restricted license. A copy of the restricted license issued by the Commissioner shall be carried at all times while operating a motor vehicle.

F. Any person who operates a motor vehicle or any self-propelled machinery or equipment in violation of the terms of a restricted license issued pursuant to subsection E of § 18.2-271.1 is not guilty of a violation of this section but is guilty of a violation of § 18.2-272.

G. The court may, in its discretion and where there have been no prior violations or convictions of this section within the past 10 years, dismiss the summons or warrant, where proof of compliance with this section is provided to the court on or before the court date, unless such person (i) possesses a commercial driver's license or commercial learner's permit, as those terms are defined in § 46.2-341.4, or (ii) was operating a commercial motor vehicle as defined in § 46.2-341.4. Where there has been a prior violation or violations, the court, in its discretion, may dismiss or amend the summons or warrant, where proof of substantial compliance has been provided to the court.

CHAPTER 122

An Act to amend and reenact § 54.1-2105 of the Code of Virginia, relating to Real Estate Board; regulations related to fees charged to a licensee.

[H 1653]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2105 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2105. General powers of Real Estate Board; regulations; educational and experience requirements for licensure.

A. The Board may do all things necessary and convenient for carrying into effect the provisions of this chapter and may promulgate necessary regulations.

B. The Board shall adopt regulations establishing minimum educational requirements as conditions for licensure. Board regulations relating to initial licensure shall include the following requirements:

1. Every applicant for an initial license as a real estate salesperson shall have:

a. At a minimum, a high school diploma or its equivalent; and

b. Completed a course in the principles of real estate that carried an academic credit of at least four semester hours, but not less than 60 hours of classroom, correspondence, or other distance learning instruction, offered by an accredited institution of higher education, high school offering adult distributive education courses, or other school or educational institution offering an equivalent course.

2. Every applicant for an initial license as a real estate broker shall have:

a. At a minimum, a high school diploma or its equivalent; and

b. Completed not less than 12 semester hours of classroom or correspondence or other distance learning instruction in real estate courses offered by an accredited institution of higher education or other school or educational institution offering equivalent courses.

3. Every applicant for a license by reciprocity as a real estate salesperson or real estate broker shall have:

a. Completed a course in the principles of real estate that is comparable in content and duration and scope to that required in subdivision 1 or 12 semester hours of classroom or correspondence or other distance learning instruction in real estate courses that are comparable in content and duration and scope to that required in subdivision 2; and

b. If currently licensed by another state as a real estate salesperson or broker, passed Virginia's examination.

C. The Board may waive any requirement under the regulations relating to education or experience when the broker or salesperson is found to have education or experience equivalent to that required. No regulation imposing educational requirements for initial licensure beyond those specified by law shall apply to any person who was licensed prior to July 1, 1975, and who has been continuously licensed since that time, except that licensure as a salesperson prior to such time shall not exempt a salesperson who seeks to be licensed as a broker from the educational requirements established for brokers.

D. The Board shall establish criteria to ensure that prelicensure and broker licensure courses meet the standards of quality deemed by the Board to be necessary to protect the public interests. For correspondence and other distance learning instruction offered by an approved provider, such criteria may include appropriate testing procedures. The Board may establish procedures to ensure the quality of the courses.

Noncollegiate institutions shall not be authorized to grant collegiate semester hours for academic credit.

The specific content of the real estate courses shall be in real estate brokerage, real estate finance, real estate appraisal, real estate law, and such related subjects as are approved by the Board.

E. The Board may establish criteria delineating the permitted activities of unlicensed individuals employed by, or affiliated as an independent contractor with, real estate licensees or under the supervision of a real estate broker.

F. The Board may take a disciplinary case against a licensee under advisement, defer a finding in such case, and dismiss such action upon terms and conditions set by the Board.

G. Notwithstanding any other provision of law, the Board shall not charge a fee to a licensee for the transfer of such licensee between offices within a licensed real estate firm, including from such firm's primary place of business to one of its branch offices, or from a branch office to another branch office under the same primary place of business.

CHAPTER 123

An Act to amend the Code of Virginia by adding a section numbered 15.2-958.7, relating to local Foundation and Soil Management Fund.

[H 1659]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-958.7 as follows:

§ 15.2-958.7. Local Foundation and Soil Management Fund; grant moneys.

Any locality may by ordinance create a local Foundation and Soil Management Fund consisting of appropriated local moneys for the purpose of granting funds to an owner of private property or a common interest community, as that term is defined in § 54.1-2345, for foundation management and soil settlement repairs on previously developed lands. Grants from such fund shall be used only for (i) the construction, improvement, or repair of a foundation; (ii) soil settlement and compaction control; (iii) foundation failure and soil compaction mitigation and protection measures that are a part of a locality's comprehensive plan to address foundation failure and soil compaction mitigation and protection; or (iv) joint foundation repair and soil compaction mitigation projects. Grants made pursuant to clause (iii) shall, where practicable, prioritize projects that include nature-based practices.

CHAPTER 124

An Act to amend and reenact § 38.2-4809 of the Code of Virginia, relating to surplus lines broker taxes; certain insurance policies.

[H 1682]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-4809 of the Code of Virginia is amended and reenacted as follows:

§ 38.2-4809. Licensees to pay license taxes on insurers.

A. 1. Every licensed surplus lines broker or any person required to be licensed as a surplus lines broker shall be subject to the annual taxes, license taxes, penalties, and other provisions of Article 1 (§ 58.1-2500 et seq.) of Chapter 25 of Title 58.1 on each policy of insurance procured by him during the preceding calendar year with an eligible nonadmitted insurer. For policies effective on or after July 1, 2011, such payments shall be made based on the direct gross premium income derived from policies for insureds whose home state is the Commonwealth.

2. Every surplus lines broker or any person required to be licensed as a surplus lines broker subject to the provisions of this chapter shall, on or before March 1 of 2012 and 2013 report under oath to the Commission, and on or before March 1 of each year thereafter, report under oath to the Department of Taxation, upon the prescribed form, the direct gross premium income derived from policies for insureds whose home state is the Commonwealth during the preceding year ending December 31.

3. Every surplus lines broker or any person required to be licensed as a surplus lines broker failing to file the report required by this section shall be fined $50 for each day's failure to file the report.

4. Upon the failure of any such surplus lines broker or any person required to be licensed as a surplus lines broker to pay the premium license tax within the time required by this section, there shall be added to such tax a penalty of 10 percent of the amount of the tax and interest at a rate equal to the rate of interest established pursuant to § 58.1-15 for the period between the due date and the date of full payment. The Commission or Department of Taxation shall notify the surplus lines broker of all additional amounts owed, and the surplus lines broker shall pay such amounts within 30 days of the date of the notice.

5. Upon good cause shown, the Department of Taxation may accept late payment of the premium license tax exclusive of penalties; however, interest shall be paid on such tax as prescribed in this subsection.

6. If any person overestimates and overpays the annual taxes, the Department of Taxation shall refund the amount of the overpayment to the person. The overpayment shall be refunded out of the state treasury.

B. 1. Each licensed surplus lines broker or any person required to be licensed as a surplus lines broker whose annual premium license tax liability can reasonably be expected to exceed $1,500 shall file a quarterly tax report with the Department of Taxation. Such report shall be in a form prescribed by the Department of Taxation. This report shall be filed no later than 30 calendar days after the end of each calendar quarter. Notwithstanding any provision to the contrary, each such person shall pay the premium license tax owed for the direct gross premiums adjusted for additional and returned premiums shown by each quarterly tax report when such report is filed with the Department of Taxation.

2. No surplus lines broker or any person required to be licensed as a surplus lines broker shall be subject to any penalty or interest pursuant to Title 58.1 as a result of the failure to timely file a quarterly tax report or make the related quarterly payment when the report is filed pursuant to subdivision 1.

C. In addition to other penalties provided by law, any licensed surplus lines broker or any person required to be licensed as a surplus lines broker who willfully fails or refuses to pay the full amount of the tax or assessment required by this chapter, either by himself or through his agents or employees, or who makes a false or fraudulent return with intent to evade the tax or assessment hereby levied, or who makes a false or fraudulent claim for refund shall be guilty of a Class 1 misdemeanor.

D. If any licensed surplus lines broker or any person required to be licensed as a surplus lines broker charges and collects from the insured the taxes and assessments required by this section and § 38.2-4809.1, such person shall be a fiduciary to this Commonwealth for any taxes and assessments owed to this Commonwealth under this chapter.

E. Notwithstanding the provisions of this section and effective for calendar year 2025 and each calendar year thereafter, any surplus lines broker or any person required to be licensed as a surplus lines broker shall not be subject to the

annual taxes, license taxes, penalties, and other provisions of Article 1 (§ 58.1-2500 et seq.) of Chapter 25 of Title 58.1 on any policy of insurance procured by such broker during the preceding calendar year on behalf of a commuter rail system jointly operated by the Northern Virginia Transportation Commission established pursuant to § 33.2-1904 and the Potomac and Rappahannock Transportation District established pursuant to the Transportation District Act (§ 33.2-1900 et seq.).

CHAPTER 125

An Act to amend and reenact § 25.1-204 of the Code of Virginia, relating to eminent domain; documents provided to landowner.

[H 1690]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 25.1-204 of the Code of Virginia is amended and reenacted as follows:

§ 25.1-204. Effort to purchase required; prerequisite to effort to purchase or filing certificate.

A. A condemnor shall not institute proceedings to condemn property until a bona fide but ineffectual effort to purchase from the owner the property sought to be condemned has been made. However, such effort shall not be required if the consent cannot be obtained because one or more of the owners (i) is a person under a disability or is otherwise unable to convey legal title to such property, (ii) is unknown, or (iii) cannot with reasonable diligence be found within this Commonwealth.

B. Such bona fide effort shall include delivery of, or attempt to deliver, a written offer to acquire accompanied by a written statement to the owner that explains the factual basis for the condemnor's offer. The written statement shall include a description of the public use for which it is necessary to acquire the owner's property and shall contain a certification that the acquisition has been reviewed by the condemnor for purposes of complying with § 1-219.1. The written offer shall be made upon the state agency's letterhead and shall be signed by an authorized employee of such state agency.

C. If the condemnor obtains an appraisal of the property pursuant to the provisions of § 25.1-417, such written statement shall include a complete copy of the appraisal of the property upon which such offer is based. If the condemnor obtains more than one appraisal, such written statement shall include a copy of all appraisals obtained prior to making an offer to acquire or initiating negotiations for the real property.

D. Notwithstanding any provision of law to the contrary, a condemnor, prior to making an offer to acquire a fee simple interest in property by purchase or filing a certificate of take or certificate of deposit pursuant to Chapter 3 (§ 25.1-300 et seq.) or § 33.2-1019, shall (i) conduct or cause to be conducted an examination of title to the property in order to ascertain the identity of each owner of such property and to determine the nature and extent of such owner's interests in the property, which examination of title shall be for at least 60 years *and shall be documented in a report showing all matters that affect the current ownership, existing liens, encumbrances, and other matters affecting title as of the date of the title report*; (ii) provide to such owner or owners a copy of the *title* report ~~showing the examination of title~~; and (iii) provide to such owner or owners a copy of all recorded instruments ~~within the 60-year title history of such property, including all deeds of trust, releases, liens, deeds, or other instruments~~ identified in the *title* report.

E. A state agency's acquisition of real property in connection with any programs or projects pursuant to this title or Title 33.2 shall be conducted in accordance with the following provisions:

1. Before making an offer to acquire or initiating any related negotiations for real property, the state agency shall establish an amount which it believes to be just compensation therefor and shall make a prompt offer to acquire the property for the full amount so established. In no event shall such amount be less than the state agency's approved appraisal of the fair market value of such property, if such an appraisal is required, or the current assessed value of such property for real estate tax purposes, unless the property has physically changed in a material and substantial way since the current assessment date such that the real estate tax assessment no longer represents a fair valuation of the property, when the entire parcel for which the assessment is made is to be acquired, whichever is greater. Any decrease or increase in the fair market value of real property prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner, shall be disregarded in determining the compensation for the property. The state agency concerned shall provide the owner of real property to be acquired with a written statement of, and summary of the basis for, the amount it established as just compensation, and, if an appraisal is required or obtained, such written statement and summary shall include a complete copy of all appraisals of the real property to be acquired that the state agency obtained prior to making an offer to acquire or initiating negotiations for the real property. The state agency shall provide its written statement of the amount it established as just compensation on its letterhead, which shall be signed by an authorized employee of such state agency. Where appropriate, the just compensation for the real property acquired and for damages to remaining real property shall be separately stated.

2. No owner shall be required to surrender possession of real property before the state agency pays the agreed purchase price, or deposits with the state court in accordance with applicable law, for the benefit of the owner, (i) an amount not less than the state agency's approved appraisal of the fair market value of such property, if such an appraisal is required, or the current assessed value of such property for real estate tax purposes, unless the property has physically changed in a material

and substantial way since the current assessment date such that the real estate tax assessment no longer represents a fair valuation of the property, when the entire parcel for which the assessment is made is to be acquired, whichever is greater, or (ii) the amount of the award of compensation in the condemnation proceeding for such property.

F. Nothing in this section shall make evidence of tax assessments admissible as proof of value in an eminent domain proceeding.

CHAPTER 126

An Act to amend and reenact §§ 4.1-215 and 4.1-216 of the Code of Virginia, relating to alcoholic beverage control; tied house exceptions.

[H 1703]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 4.1-215 and 4.1-216 of the Code of Virginia are amended and reenacted as follows:

§ 4.1-215. Limitation on manufacturers, bottlers, and wholesalers; exemptions.

A. 1. Unless exempted pursuant to subsection B, no retail license for the sale of alcoholic beverages shall be granted to any (i) manufacturer, bottler, or wholesaler of alcoholic beverages, whether licensed in the Commonwealth or not; (ii) officer or director of any such manufacturer, bottler, or wholesaler; (iii) partnership or corporation, where any partner or stockholder is an officer or director of any such manufacturer, bottler, or wholesaler; (iv) corporation which is a subsidiary of a corporation which owns or has interest in another subsidiary corporation which is a manufacturer, bottler, or wholesaler of alcoholic beverages; or (v) manufacturer, bottler, or wholesaler of alcoholic beverages who has a financial interest in a corporation which has a retail license as a result of a holding company, which owns or has an interest in such manufacturer, bottler, or wholesaler of alcoholic beverages. Nor shall such licenses be granted in any instances where such manufacturer, bottler, or wholesaler and such retailer are under common control, by stock ownership or otherwise.

2. Notwithstanding any other provision of this subtitle, a manufacturer of wine or malt beverages, or two or more of such manufacturers together, whether licensed in the Commonwealth or not, may obtain a banquet license as provided in § 4.1-206.3 upon application to the Board, provided that the event for which a banquet license is obtained is (i) at a place approved by the Board and (ii) conducted for the purposes of featuring and educating the consuming public about wine or malt beverage products. Such manufacturer shall be limited to eight banquet licenses, whether or not jointly obtained, for such events per year without regard to the number of wineries or breweries owned or operated by such manufacturer or by any parent, subsidiary, or company under common control with such manufacturer. Where the event occurs on no more than three consecutive days, a manufacturer need only obtain one such license for the event.

3. Notwithstanding any other provision of this subtitle, a manufacturer of distilled spirits, whether licensed in the Commonwealth or not, may obtain a banquet license for a special event as provided in subdivision D 1 b of § 4.1-206.3 upon application to the Board, provided that such event is (i) at a place approved by the Board and (ii) conducted for the purposes of featuring and educating the consuming public about the manufacturer's spirits products. Such manufacturer shall be limited to no more than eight banquet licenses for such special events per year. Where the event occurs on no more than three consecutive days, a manufacturer need only obtain one such license for the event. Such banquet license shall authorize the manufacturer to sell or give samples of spirits to any person to whom alcoholic beverages may be lawfully sold in designated areas at the special event, provided that (a) no single sample shall exceed one-half ounce per spirits product offered, unless served as a mixed beverage, in which case a single sample may contain up to one and one-half ounces of spirits, and (b) no more than three ounces of spirits may be offered to any patron per day. Nothing in this paragraph shall prohibit such manufacturer from serving such samples as part of a mixed beverage.

B. This section shall not apply to:

1. Corporations operating dining cars, buffet cars, club cars, or boats;

2. Brewery, distillery, or winery licensees engaging in conduct authorized by subdivision A 5 of § 4.1-201;

3. Farm winery licensees engaging in conduct authorized by subdivision 6 of § 4.1-206.1;

4. Manufacturers, bottlers, or wholesalers of alcoholic beverages who do not ~~(i)~~ sell or otherwise furnish, directly or indirectly, alcoholic beverages or other merchandise to persons holding a retail license or banquet license as described in subsection A ~~and (ii) require, by agreement or otherwise, such person to exclude from sale at his establishment alcoholic beverages of other manufacturers, bottlers, or wholesalers~~;

5. Wineries, farm wineries, or breweries engaging in conduct authorized by subsection F of § 4.1-206.3 or § 4.1-209.1 or 4.1-212.1; or

6. One out-of-state winery, not under common control or ownership with any other winery, that is under common ownership or control with one restaurant licensed to sell wine at retail in Virginia, so long as any wine produced by that winery is purchased from a Virginia wholesale wine licensee by the restaurant before it is offered for sale to consumers.

C. The General Assembly finds that it is necessary and proper to require a separation between manufacturing interests, wholesale interests, and retail interests in the production and distribution of alcoholic beverages in order to prevent suppliers from dominating local markets through vertical integration and to prevent excessive sales of alcoholic beverages caused by overly aggressive marketing techniques. The exceptions established by this section to the general prohibition against tied

interests shall be limited to their express terms so as not to undermine the general prohibition and shall therefore be construed accordingly.

§ 4.1-216. Further limitations on manufacturers, bottlers, importers, brokers or wholesalers; ownership interests prohibited; exceptions; prohibited trade practices.

A. As used in this section:

"Broker" means any person, other than a manufacturer or a licensed beer or wine importer, who regularly engages in the business of bringing together sellers and purchasers of alcoholic beverages for resale and arranges for or consummates such transactions with persons in the Commonwealth to whom such alcoholic beverages may lawfully be sold and shipped into the Commonwealth pursuant to the provisions of this subtitle.

"Manufacturer, bottler, importer, broker or wholesaler of alcoholic beverages" includes any officers or directors of any such manufacturer, bottler, importer, broker or wholesaler.

B. Except as provided in this subtitle, no manufacturer, importer, bottler, broker or wholesaler of alcoholic beverages, whether licensed in the Commonwealth or not, shall acquire or hold any financial interest, direct or indirect, (i) in the business for which any retail license is issued or (ii) in the premises where the business of a retail licensee is conducted.

1. Subdivision B (ii) shall not apply so long as such manufacturer, bottler, importer, broker or wholesaler does not sell or otherwise furnish, directly or indirectly, alcoholic beverages or other merchandise to such retail licensee ~~and such retailer is not required by agreement or otherwise to exclude from sale at his establishment alcoholic beverages of other manufacturers, bottlers, importers, brokers or wholesalers~~.

2. Service as a member of the board of directors of a corporation licensed as a retailer, the shares of stock of which are sold to the general public on any national or local stock exchange, shall not be deemed to be a financial interest, direct or indirect, in the business or the premises of the retail licensee.

3. A brewery, winery or subsidiary or affiliate thereof, hereinafter collectively referred to as a financing corporation, may participate in financing the business of a wholesale licensee in the Commonwealth by providing debt or equity capital or both but only if done in accordance with the provisions of this subsection.

a. In order to assist a proposed new owner of an existing wholesale licensee, a financing corporation may provide debt or equity capital, or both, if prior approval of the Board has been obtained pursuant to subdivision 3 b of subsection B. A financing corporation which proposes to provide equity capital shall cause the proposed new owner to form a Virginia limited partnership in which the new owner is the general partner and the financing corporation is a limited partner. If the general partner defaults on any financial obligation to the limited partner, which default has been specifically defined in the partnership agreement, or, if the new owner defaults on its obligation to pay principal and interest when due to the financing corporation as specifically defined in the loan documents, then, and only then, shall such financing corporation be allowed to take title to the business of the wholesale licensee. Notwithstanding any other law to the contrary and provided written notice has been given to the Board within two business days after taking title, the wholesale licensee may be managed and operated by such financing corporation pursuant to the existing wholesale license for a period of time not to exceed 180 days as if the license had been issued in the name of the financing corporation. On or before the expiration of such 180-day period, the financing corporation shall cause ownership of the wholesale licensee's business to be transferred to a new owner. Otherwise, on the 181st day, the license shall be deemed terminated. The financing corporation may not participate in financing the transfer of ownership to the new owner or to any other subsequent owner for a period of twenty years following the effective date of the original financing transaction; except where a transfer takes place before the expiration of the eighth full year following the effective date of the original financing transaction in which case the financing corporation may finance such transfer as long as the new owner is required to return such debt or equity capital within the originally prescribed eight-year period. The financing corporation may exercise its right to take title to, manage and operate the business of, the wholesale licensee only once during such eight-year period.

b. In any case in which a financing corporation proposes to provide debt or equity capital in order to assist in a change of ownership of an existing wholesale licensee, the parties to the transaction shall first submit an application for a wholesale license in the name of the proposed new owner to the Board.

The Board shall be provided with all documents that pertain to the transaction at the time of the license application and shall ensure that the application complies with all requirements of law pertaining to the issuance of wholesale licenses except that if the financing corporation proposes to provide equity capital and thereby take a limited partnership interest in the applicant entity, the financing corporation shall not be required to comply with any Virginia residency requirement applicable to the issuance of wholesale licenses. In addition to the foregoing, the applicant entity shall certify to the Board and provide supporting documentation that the following requirements are met prior to issuance of the wholesale license: (i) the terms and conditions of any debt financing which the financing corporation proposes to provide are substantially the same as those available in the financial markets to other wholesale licensees who will be in competition with the applicant, (ii) the terms of any proposed equity financing transaction are such that future profits of the applicant's business shall be distributed annually to the financing corporation in direct proportion to its percentage of ownership interest received in return for its investment of equity capital, (iii) if the financing corporation proposes to provide equity capital, it shall hold an ownership interest in the applicant entity through a limited partnership interest and no other arrangement and (iv) the applicant entity shall be contractually obligated to return such debt or equity capital to the financing corporation not later than the end of the eighth full year following the effective date of the transaction thereby terminating any ownership interest or right thereto of the financing corporation.

Once the Board has issued a wholesale license pursuant to an application filed in accordance with this subdivision 3 b, any subsequent change in the partnership agreement or the financing documents shall be subject to the prior approval of the Board. In accordance with the previous paragraph, the Board may require the licensee to resubmit certifications and documentation.

c. If a financing corporation wishes to provide debt financing, including inventory financing, but not equity financing, to an existing wholesale licensee or a proposed new owner of an existing wholesale licensee, it may do so without regard to the provisions of subdivisions 3 a and 3 b of subsection B under the following circumstances and subject to the following conditions: (i) in order to secure such debt financing, a wholesale licensee or a proposed new owner thereof may grant a security interest in any of its assets, including inventory, other than the wholesale license itself or corporate stock of the wholesale licensee; in the event of default, the financing corporation may take title to any assets pledged to secure such debt but may not take title to the business of the wholesale licensee and may not manage or operate such business; (ii) debt capital may be supplied by such financing corporation to an existing wholesale licensee or a proposed new owner of an existing wholesale licensee so long as debt capital is provided on terms and conditions which are substantially the same as those available in the financial markets to other wholesale licensees in competition with the wholesale licensee which is being so financed; and (iii) the licensee or proposed new owner shall certify to the Board and provide supporting documentation that the requirements of (i) and (ii) of this subdivision 3 c have been met.

Nothing in this section shall eliminate, affect or in any way modify the requirements of law pertaining to issuance and retention of a wholesale license as they may apply to existing wholesale licensees or new owners thereof which have received debt financing prior to the enactment of this subdivision 3 c.

4. Except for holders of retail licenses issued pursuant to subdivision A 5 of § 4.1-201, brewery licensees may sell beer to retail licensees for resale only under the following conditions: If such brewery or an affiliate or subsidiary thereof has taken title to the business of a wholesale licensee pursuant to the provisions of subdivision 3 a of subsection B, direct sale to retail licensees may be made during the 180-day period of operation allowed under that subdivision. Moreover, the holder of a brewery license may make sales of alcoholic beverages directly to retail licensees for a period not to exceed thirty days in the event that such retail licensees are normally serviced by a wholesale licensee representing that brewery which has been forced to suspend wholesale operations as a result of a natural disaster or other act of God or which has been terminated by the brewery for fraud, loss of license or assignment of assets for the benefit of creditors not in the ordinary course of business.

5. Notwithstanding any provision of this section, including but not limited to those provisions whereby certain ownership or lease arrangements may be permissible, no manufacturer, bottler, importer, broker or wholesaler of alcoholic beverages shall make an agreement, or attempt to make an agreement, with a retail licensee pursuant to which any products sold by a competitor are excluded in whole or in part from the premises on which the retail licensee's business is conducted.

6. Nothing in this section shall prohibit a winery, brewery, or distillery licensee from paying a royalty to a historical preservation entity pursuant to a bona fide intellectual property agreement that (i) authorizes the winery, brewery, or distillery licensee to manufacture wine, beer, or spirits based on authentic historical recipes and identified with brand names owned and trademarked by the historical preservation entity; (ii) provides for royalties to be paid based solely on the volume of wine, beer, or spirits manufactured using such recipes and trademarks, rather than on the sales revenues generated from such wine, beer, or spirits; and (iii) has been approved by the Board.

For purposes of this subdivision, "historical preservation entity" means an entity (a) that is exempt from income taxation under § 501(c)(3) of the Internal Revenue Code; (b) whose declared purposes include the preservation, restoration, and protection of a historic community in the Commonwealth that is the site of at least 50 historically significant houses, shops, and public buildings dating to the eighteenth century; and (c) that owns not more than 12 retail establishments in the Commonwealth for which retail licenses have been issued by the Board.

C. Subject to such exceptions as may be provided by statute or Board regulations, no manufacturer, bottler, importer, broker or wholesaler of alcoholic beverages, whether licensed in the Commonwealth or not, shall sell, rent, lend, buy for or give to any retail licensee, or to the owner of the premises in which the business of any retail licensee is conducted, any (i) money, equipment, furniture, fixtures, property, services or anything of value with which the business of such retail licensee is or may be conducted, or for any other purpose; (ii) advertising materials; and (iii) business entertainment, provided that no transaction permitted under this section or by Board regulation shall be used to require the retail licensee to partially or totally exclude from sale at its establishment alcoholic beverages of other manufacturers or wholesalers.

The provisions of this subsection shall apply to manufacturers, bottlers, importers, brokers and wholesalers selling alcoholic beverages to any governmental instrumentality or employee thereof selling alcoholic beverages at retail within the exterior limits of the Commonwealth, including all territory within these limits owned by or ceded to the United States of America.

The provisions of this subsection shall not apply to any commercial lifestyle center licensee.

CHAPTER 127

An Act to amend and reenact §§ 54.1-1100, 54.1-1119, and 54.1-1123 of the Code of Virginia, relating to Virginia Contractor Transaction Recovery Fund; claim limits; license threshold amounts.

[H 1707]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-1100, 54.1-1119, and 54.1-1123 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-1100. Definitions.

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

"Board" means the Board for Contractors.

"Class A contractors" perform or manage construction, removal, repair, or improvements when (i) the total value referred to in a single contract or project is ~~$120,000~~ *$150,000* or more, or (ii) the total value of all such construction, removal, repair, or improvements undertaken by such person within any 12-month period is ~~$750,000~~ *$1 million* or more.

"Class B contractors" perform or manage construction, removal, repair, or improvements when (i) the total value referred to in a single contract or project is ~~$10,000~~ *$30,000* or more, but less than ~~$120,000~~ *$150,000*, or (ii) the total value of all such construction, removal, repair*,* or improvements undertaken by such person within any 12-month period is ~~$150,000~~ *$250,000* or more, but less than ~~$750,000~~ *$1 million*.

"Class C contractors" perform or manage construction, removal, repair, or improvements when (i) the total value referred to in a single contract or project is over $1,000 but less than ~~$10,000~~ *$30,000*, or (ii) the total value of all such construction, removal, repair, or improvements undertaken by such person within any 12-month period is less than ~~$150,000~~ *$250,000*. The Board shall require a master tradesmen license as a condition of licensure for electrical, plumbing*,* and heating, ventilation*,* and air conditioning contractors.

"Contractor" means any person, that for a fixed price, commission, fee, or percentage undertakes to bid upon, or accepts, or offers to accept, orders or contracts for performing, managing, or superintending in whole or in part, the construction, removal, repair*,* or improvement of any building or structure permanently annexed to real property owned, controlled, or leased by him or another person or any other improvements to such real property. For purposes of this chapter, "improvement" shall include (i) remediation, cleanup, or containment of premises to remove contaminants or (ii) site work necessary to make certain real property usable for human occupancy according to the guidelines established pursuant to § 32.1-11.7.

"Department" means the Department of Professional and Occupational Regulation.

"Designated employee" means the contractor's full-time employee, or a member of the contractor's responsible management, who is at least 18 years of age and who has successfully completed the oral or written examination required by the Board on behalf of the contractor.

"Director" means the Director of the Department of Professional and Occupational Regulation.

"Fire sprinkler contractor" means a contractor that provides for the installation, repair, alteration, addition, testing, maintenance, inspection, improvement, or removal of sprinkler systems using water as a means of fire suppression when annexed to real property. "Fire sprinkler contracting" does not include the installation, repair, or maintenance of other types of fire suppression systems.

"Owner-developer" means any person who, for a third party purchaser, orders or supervises the construction, removal, repair, or improvement of any building or structure permanently annexed to real property owned, controlled, or leased by the owner-developer, or any other improvement to such property and who contracts with a person licensed in accordance with this chapter for the work undertaken.

"Person" means any individual, firm, corporation, association, partnership, joint venture, or other legal entity.

"Value" means fair market value. When improvements are performed or supervised by a contractor, the contract price shall be prima facie evidence of value.

§ 54.1-1119. Assessments by Director; assignment to Fund; minimum balance; notice; penalties; costs of administration.

A. Each initial ~~regulant~~ *contractor applicant*, at the time of application, shall be assessed ~~twenty-five dollars~~ *$25*, which shall be specifically assigned to the Fund. Initial payments may be incorporated in any application fee payment and transferred to the Fund by the Director within ~~thirty~~ *30* days.

All assessments, except initial assessments, for the Fund shall be deposited within three ~~work days~~ *workdays* after their receipt by the Director, in one or more federally insured banks, savings and loan associations*,* or savings banks located in the Commonwealth. Funds deposited in banks, savings institutions*,* or savings banks, to the extent in excess of insurance afforded by the Federal Deposit Insurance Corporation or other federal insurance agency, shall be secured under the Virginia Security for Public Deposits Act (§ 2.2-4400 et seq.). The deposit of these funds in federally insured banks, savings and loan associations*,* or savings banks located in the Commonwealth shall not be considered investment of such funds for purposes of this section. Funds maintained by the Director may be invested in securities that are legal investments for fiduciaries under the provisions of § 64.2-1502.

B. The minimum balance of the Fund shall be $400,000. Whenever the Director determines that the balance of the Fund is or will be less than this minimum balance, the Director shall immediately inform the Board, which shall assess each regulant at the time of his license renewal a sum sufficient to bring the balance of the Fund to an amount of not less than $400,000, when combined with similar assessments of other regulants. No regulant shall be assessed a total amount of more than ~~fifty dollars~~ *$50* during any biennium.

Notice to regulants of these assessments shall be by first-class mail, and payment of such assessments shall be made by first-class mail addressed to the Director within ~~forty-five~~ *45* days after the mailing of the notice to regulants.

C. If any regulant fails to remit the required assessment mailed in accordance with subsection B within ~~forty-five~~ *45* days of such mailing, the Director shall notify such regulant by first-class mail at the latest address of record filed with the Board. If no payment has been received by the Director within ~~thirty~~ *30* days after mailing the second notice, the license of the regulant shall be automatically suspended and shall be restored only upon the actual receipt by the Director of the delinquent assessment.

Interest earned on the deposits constituting the Fund shall be used for administering the Fund. The remainder of this interest may be used for the purposes of providing educational programs about the Uniform Statewide Building Code (§ 36-97 et seq.), for providing education on subjects of benefit to licensees or members of the public relating to contracting, or shall accrue to the Fund.

§ 54.1-1123. Limitations upon recovery from Fund; certain actions not a bar to recovery.

A. The maximum claim of one claimant against the Fund based upon an unpaid judgment arising out of the improper or dishonest conduct of one regulant in connection with a single transaction involving contracting is limited to ~~$20,000~~ *$30,000*, including any amount paid from a contractor's surety bond under § 54.1-1120.1, regardless of the amount of the unpaid judgment of the claimant.

B. The aggregate of claims against the Fund based upon unpaid judgments arising out of the improper or dishonest conduct of any one regulant involving contracting, is limited by the Board to ~~$40,000~~ *$100,000* during any biennium. If a claim has been made against the Fund, and the Board has reason to believe there may be additional claims against the Fund from other transactions involving the same regulant, the Board may withhold any payment(s) from the Fund involving such regulant for a period of not more than one year from the date on which the claimant is awarded in a court of competent jurisdiction in the Commonwealth the final judgment on which his claim against the Fund is based. After this one-year period, if the aggregate of claims against the regulant exceeds ~~$40,000~~ *$100,000*, during a biennium, ~~$40,000~~ *$100,000* shall be prorated by the Board among the claimants and paid from the Fund, less the amount of any applicable contractor's bond, in proportion to the amounts of their judgments against the regulant remaining unpaid. Claims shall be prorated only after any applicable contractor's bond has been exhausted.

C. Excluded from the amount of any unpaid judgment upon which a claim against the Fund is based shall be any sums representing interest, or punitive damages, or any amounts that do not constitute actual monetary loss to the claimants. Such claim against the Fund may include court costs and attorney fees.

D. If, at any time, the amount of the Fund is insufficient to fully satisfy any claims or claim filed with the Board and authorized by this Act, the Board shall pay such claims, claim, or portion thereof to the claimants in the order that the claims were filed with the Board.

E. Failure of a claimant to comply with the provisions of subdivisions B 1 and 2 and subsection C of § 54.1-1120 and the provisions of § 54.1-1124 shall not be a bar to recovery under this Act if the claimant is otherwise entitled to such recovery.

F. The Board shall have the authority to deny any claim which otherwise appears to meet the requirements of the Act if it finds by clear and convincing evidence that the claimant has presented false information or engaged in collusion to circumvent any of the requirements of the Act.

CHAPTER 128

An Act to amend the Code of Virginia by adding in Article 3 of Chapter 5 of Title 18.2 a section numbered 18.2-110.1, relating to mail theft; penalty.

[H 1715]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 3 of Chapter 5 of Title 18.2 a section numbered 18.2-110.1 as follows:

§ 18.2-110.1. Mail theft; penalty.

A. As used in this section:

"Delivery service" means the same as that term is defined in § 18.2-246.6. "Delivery service" does not include the United States Postal Service.

"Mail" means any letter, postal card, parcel, package, bag, or other material, along with its contents, that (i) has postage affixed by the postal customer or a postal service, (ii) has been accepted for delivery by a postal service, (iii) the

postal customer leaves for collection by a postal service, or (iv) a postal service delivers to the postal customer, which has not been retrieved from the mail receptacle.

"Mail receptacle" means a mailbox, post office box, rural box, letter box, lock drawer, or any place or area intended or used by postal customers or a postal service for the collection, deposit, or delivery of mail.

"Postal service" means the United States Postal Service or a delivery service.

B. Any person who (i) knowingly, willfully, and with the intent to deprive, injure, damage, or defraud another (a) takes, destroys, hides, or embezzles mail or (b) obtains any mail by fraud or deception; (ii) buys, receives, conceals, or possesses (a) mail and knows or reasonably should know that the mail was unlawfully taken or obtained; (b) any key he knows or reasonably should know is suited to any lock adopted by the United States Postal Service that provides access to any mail receptacle located in a cluster mailbox unit or other mailbox panel used for the purpose of centralized mail in any neighborhood, including any condominium or apartment complex; or (c) a counterfeit device or key designed to provide access to any lock described in clause (b); or (iii) knowingly, willfully, and with the intent to steal any mail inside damages, opens, removes, injures, vandalizes, or destroys any mail receptacle is guilty of a Class 6 felony.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 129

An Act to amend and reenact § 54.1-2105 of the Code of Virginia, relating to Real Estate Board; regulations related to fees charged to a licensee.

[S 785]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2105 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2105. General powers of Real Estate Board; regulations; educational and experience requirements for licensure.

A. The Board may do all things necessary and convenient for carrying into effect the provisions of this chapter and may promulgate necessary regulations.

B. The Board shall adopt regulations establishing minimum educational requirements as conditions for licensure. Board regulations relating to initial licensure shall include the following requirements:

1. Every applicant for an initial license as a real estate salesperson shall have:

a. At a minimum, a high school diploma or its equivalent; and

b. Completed a course in the principles of real estate that carried an academic credit of at least four semester hours, but not less than 60 hours of classroom, correspondence, or other distance learning instruction, offered by an accredited institution of higher education, high school offering adult distributive education courses, or other school or educational institution offering an equivalent course.

2. Every applicant for an initial license as a real estate broker shall have:

a. At a minimum, a high school diploma or its equivalent; and

b. Completed not less than 12 semester hours of classroom or correspondence or other distance learning instruction in real estate courses offered by an accredited institution of higher education or other school or educational institution offering equivalent courses.

3. Every applicant for a license by reciprocity as a real estate salesperson or real estate broker shall have:

a. Completed a course in the principles of real estate that is comparable in content and duration and scope to that required in subdivision 1 or 12 semester hours of classroom or correspondence or other distance learning instruction in real estate courses that are comparable in content and duration and scope to that required in subdivision 2; and

b. If currently licensed by another state as a real estate salesperson or broker, passed Virginia's examination.

C. The Board may waive any requirement under the regulations relating to education or experience when the broker or salesperson is found to have education or experience equivalent to that required. No regulation imposing educational requirements for initial licensure beyond those specified by law shall apply to any person who was licensed prior to July 1, 1975, and who has been continuously licensed since that time, except that licensure as a salesperson prior to such time shall not exempt a salesperson who seeks to be licensed as a broker from the educational requirements established for brokers.

D. The Board shall establish criteria to ensure that prelicensure and broker licensure courses meet the standards of quality deemed by the Board to be necessary to protect the public interests. For correspondence and other distance learning instruction offered by an approved provider, such criteria may include appropriate testing procedures. The Board may establish procedures to ensure the quality of the courses.

Noncollegiate institutions shall not be authorized to grant collegiate semester hours for academic credit.

The specific content of the real estate courses shall be in real estate brokerage, real estate finance, real estate appraisal, real estate law, and such related subjects as are approved by the Board.

E. The Board may establish criteria delineating the permitted activities of unlicensed individuals employed by, or affiliated as an independent contractor with, real estate licensees or under the supervision of a real estate broker.

F. The Board may take a disciplinary case against a licensee under advisement, defer a finding in such case, and dismiss such action upon terms and conditions set by the Board.

G. Notwithstanding any other provision of law, the Board shall not charge a fee to a licensee for the transfer of such licensee between offices within a licensed real estate firm, including from such firm's primary place of business to one of its branch offices, or from a branch office to another branch office under the same primary place of business.

CHAPTER 130

An Act to amend and reenact §§ 4.1-215 and 4.1-216 of the Code of Virginia, relating to alcoholic beverage control; tied house exceptions.

[S 834]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 4.1-215 and 4.1-216 of the Code of Virginia are amended and reenacted as follows:

§ 4.1-215. Limitation on manufacturers, bottlers, and wholesalers; exemptions.

A. 1. Unless exempted pursuant to subsection B, no retail license for the sale of alcoholic beverages shall be granted to any (i) manufacturer, bottler, or wholesaler of alcoholic beverages, whether licensed in the Commonwealth or not; (ii) officer or director of any such manufacturer, bottler, or wholesaler; (iii) partnership or corporation, where any partner or stockholder is an officer or director of any such manufacturer, bottler, or wholesaler; (iv) corporation which is a subsidiary of a corporation which owns or has interest in another subsidiary corporation which is a manufacturer, bottler, or wholesaler of alcoholic beverages; or (v) manufacturer, bottler, or wholesaler of alcoholic beverages who has a financial interest in a corporation which has a retail license as a result of a holding company, which owns or has an interest in such manufacturer, bottler, or wholesaler of alcoholic beverages. Nor shall such licenses be granted in any instances where such manufacturer, bottler, or wholesaler and such retailer are under common control, by stock ownership or otherwise.

2. Notwithstanding any other provision of this subtitle, a manufacturer of wine or malt beverages, or two or more of such manufacturers together, whether licensed in the Commonwealth or not, may obtain a banquet license as provided in § 4.1-206.3 upon application to the Board, provided that the event for which a banquet license is obtained is (i) at a place approved by the Board and (ii) conducted for the purposes of featuring and educating the consuming public about wine or malt beverage products. Such manufacturer shall be limited to eight banquet licenses, whether or not jointly obtained, for such events per year without regard to the number of wineries or breweries owned or operated by such manufacturer or by any parent, subsidiary, or company under common control with such manufacturer. Where the event occurs on no more than three consecutive days, a manufacturer need only obtain one such license for the event.

3. Notwithstanding any other provision of this subtitle, a manufacturer of distilled spirits, whether licensed in the Commonwealth or not, may obtain a banquet license for a special event as provided in subdivision D 1 b of § 4.1-206.3 upon application to the Board, provided that such event is (i) at a place approved by the Board and (ii) conducted for the purposes of featuring and educating the consuming public about the manufacturer's spirits products. Such manufacturer shall be limited to no more than eight banquet licenses for such special events per year. Where the event occurs on no more than three consecutive days, a manufacturer need only obtain one such license for the event. Such banquet license shall authorize the manufacturer to sell or give samples of spirits to any person to whom alcoholic beverages may be lawfully sold in designated areas at the special event, provided that (a) no single sample shall exceed one-half ounce per spirits product offered, unless served as a mixed beverage, in which case a single sample may contain up to one and one-half ounces of spirits, and (b) no more than three ounces of spirits may be offered to any patron per day. Nothing in this paragraph shall prohibit such manufacturer from serving such samples as part of a mixed beverage.

B. This section shall not apply to:

1. Corporations operating dining cars, buffet cars, club cars, or boats;

2. Brewery, distillery, or winery licensees engaging in conduct authorized by subdivision A 5 of § 4.1-201;

3. Farm winery licensees engaging in conduct authorized by subdivision 6 of § 4.1-206.1;

4. Manufacturers, bottlers, or wholesalers of alcoholic beverages who do not ~~(i)~~ sell or otherwise furnish, directly or indirectly, alcoholic beverages or other merchandise to persons holding a retail license or banquet license as described in subsection A ~~and (ii) require, by agreement or otherwise, such person to exclude from sale at his establishment alcoholic beverages of other manufacturers, bottlers, or wholesalers~~;

5. Wineries, farm wineries, or breweries engaging in conduct authorized by subsection F of § 4.1-206.3 or § 4.1-209.1 or 4.1-212.1; or

6. One out-of-state winery, not under common control or ownership with any other winery, that is under common ownership or control with one restaurant licensed to sell wine at retail in Virginia, so long as any wine produced by that winery is purchased from a Virginia wholesale wine licensee by the restaurant before it is offered for sale to consumers.

C. The General Assembly finds that it is necessary and proper to require a separation between manufacturing interests, wholesale interests, and retail interests in the production and distribution of alcoholic beverages in order to prevent suppliers from dominating local markets through vertical integration and to prevent excessive sales of alcoholic beverages caused by overly aggressive marketing techniques. The exceptions established by this section to the general prohibition against tied interests shall be limited to their express terms so as not to undermine the general prohibition and shall therefore be construed accordingly.

§ 4.1-216. Further limitations on manufacturers, bottlers, importers, brokers or wholesalers; ownership interests prohibited; exceptions; prohibited trade practices.

A. As used in this section:

"Broker" means any person, other than a manufacturer or a licensed beer or wine importer, who regularly engages in the business of bringing together sellers and purchasers of alcoholic beverages for resale and arranges for or consummates such transactions with persons in the Commonwealth to whom such alcoholic beverages may lawfully be sold and shipped into the Commonwealth pursuant to the provisions of this subtitle.

"Manufacturer, bottler, importer, broker or wholesaler of alcoholic beverages" includes any officers or directors of any such manufacturer, bottler, importer, broker or wholesaler.

B. Except as provided in this subtitle, no manufacturer, importer, bottler, broker or wholesaler of alcoholic beverages, whether licensed in the Commonwealth or not, shall acquire or hold any financial interest, direct or indirect, (i) in the business for which any retail license is issued or (ii) in the premises where the business of a retail licensee is conducted.

1. Subdivision B (ii) shall not apply so long as such manufacturer, bottler, importer, broker or wholesaler does not sell or otherwise furnish, directly or indirectly, alcoholic beverages or other merchandise to such retail licensee ~~and such retailer is not required by agreement or otherwise to exclude from sale at his establishment alcoholic beverages of other manufacturers, bottlers, importers, brokers or wholesalers~~.

2. Service as a member of the board of directors of a corporation licensed as a retailer, the shares of stock of which are sold to the general public on any national or local stock exchange, shall not be deemed to be a financial interest, direct or indirect, in the business or the premises of the retail licensee.

3. A brewery, winery or subsidiary or affiliate thereof, hereinafter collectively referred to as a financing corporation, may participate in financing the business of a wholesale licensee in the Commonwealth by providing debt or equity capital or both but only if done in accordance with the provisions of this subsection.

a. In order to assist a proposed new owner of an existing wholesale licensee, a financing corporation may provide debt or equity capital, or both, if prior approval of the Board has been obtained pursuant to subdivision 3 b of subsection B. A financing corporation which proposes to provide equity capital shall cause the proposed new owner to form a Virginia limited partnership in which the new owner is the general partner and the financing corporation is a limited partner. If the general partner defaults on any financial obligation to the limited partner, which default has been specifically defined in the partnership agreement, or, if the new owner defaults on its obligation to pay principal and interest when due to the financing corporation as specifically defined in the loan documents, then, and only then, shall such financing corporation be allowed to take title to the business of the wholesale licensee. Notwithstanding any other law to the contrary and provided written notice has been given to the Board within two business days after taking title, the wholesale licensee may be managed and operated by such financing corporation pursuant to the existing wholesale license for a period of time not to exceed 180 days as if the license had been issued in the name of the financing corporation. On or before the expiration of such 180-day period, the financing corporation shall cause ownership of the wholesale licensee's business to be transferred to a new owner. Otherwise, on the 181st day, the license shall be deemed terminated. The financing corporation may not participate in financing the transfer of ownership to the new owner or to any other subsequent owner for a period of twenty years following the effective date of the original financing transaction; except where a transfer takes place before the expiration of the eighth full year following the effective date of the original financing transaction in which case the financing corporation may finance such transfer as long as the new owner is required to return such debt or equity capital within the originally prescribed eight-year period. The financing corporation may exercise its right to take title to, manage and operate the business of, the wholesale licensee only once during such eight-year period.

b. In any case in which a financing corporation proposes to provide debt or equity capital in order to assist in a change of ownership of an existing wholesale licensee, the parties to the transaction shall first submit an application for a wholesale license in the name of the proposed new owner to the Board.

The Board shall be provided with all documents that pertain to the transaction at the time of the license application and shall ensure that the application complies with all requirements of law pertaining to the issuance of wholesale licenses except that if the financing corporation proposes to provide equity capital and thereby take a limited partnership interest in the applicant entity, the financing corporation shall not be required to comply with any Virginia residency requirement applicable to the issuance of wholesale licenses. In addition to the foregoing, the applicant entity shall certify to the Board and provide supporting documentation that the following requirements are met prior to issuance of the wholesale license: (i) the terms and conditions of any debt financing which the financing corporation proposes to provide are substantially the same as those available in the financial markets to other wholesale licensees who will be in competition with the applicant,

(ii) the terms of any proposed equity financing transaction are such that future profits of the applicant's business shall be distributed annually to the financing corporation in direct proportion to its percentage of ownership interest received in return for its investment of equity capital, (iii) if the financing corporation proposes to provide equity capital, it shall hold an ownership interest in the applicant entity through a limited partnership interest and no other arrangement and (iv) the applicant entity shall be contractually obligated to return such debt or equity capital to the financing corporation not later than the end of the eighth full year following the effective date of the transaction thereby terminating any ownership interest or right thereto of the financing corporation.

Once the Board has issued a wholesale license pursuant to an application filed in accordance with this subdivision 3 b, any subsequent change in the partnership agreement or the financing documents shall be subject to the prior approval of the Board. In accordance with the previous paragraph, the Board may require the licensee to resubmit certifications and documentation.

c. If a financing corporation wishes to provide debt financing, including inventory financing, but not equity financing, to an existing wholesale licensee or a proposed new owner of an existing wholesale licensee, it may do so without regard to the provisions of subdivisions 3 a and 3 b of subsection B under the following circumstances and subject to the following conditions: (i) in order to secure such debt financing, a wholesale licensee or a proposed new owner thereof may grant a security interest in any of its assets, including inventory, other than the wholesale license itself or corporate stock of the wholesale licensee; in the event of default, the financing corporation may take title to any assets pledged to secure such debt but may not take title to the business of the wholesale licensee and may not manage or operate such business; (ii) debt capital may be supplied by such financing corporation to an existing wholesale licensee or a proposed new owner of an existing wholesale licensee so long as debt capital is provided on terms and conditions which are substantially the same as those available in the financial markets to other wholesale licensees in competition with the wholesale licensee which is being so financed; and (iii) the licensee or proposed new owner shall certify to the Board and provide supporting documentation that the requirements of (i) and (ii) of this subdivision 3 c have been met.

Nothing in this section shall eliminate, affect or in any way modify the requirements of law pertaining to issuance and retention of a wholesale license as they may apply to existing wholesale licensees or new owners thereof which have received debt financing prior to the enactment of this subdivision 3 c.

4. Except for holders of retail licenses issued pursuant to subdivision A 5 of § 4.1-201, brewery licensees may sell beer to retail licensees for resale only under the following conditions: If such brewery or an affiliate or subsidiary thereof has taken title to the business of a wholesale licensee pursuant to the provisions of subdivision 3 a of subsection B, direct sale to retail licensees may be made during the 180-day period of operation allowed under that subdivision. Moreover, the holder of a brewery license may make sales of alcoholic beverages directly to retail licensees for a period not to exceed thirty days in the event that such retail licensees are normally serviced by a wholesale licensee representing that brewery which has been forced to suspend wholesale operations as a result of a natural disaster or other act of God or which has been terminated by the brewery for fraud, loss of license or assignment of assets for the benefit of creditors not in the ordinary course of business.

5. Notwithstanding any provision of this section, including but not limited to those provisions whereby certain ownership or lease arrangements may be permissible, no manufacturer, bottler, importer, broker or wholesaler of alcoholic beverages shall make an agreement, or attempt to make an agreement, with a retail licensee pursuant to which any products sold by a competitor are excluded in whole or in part from the premises on which the retail licensee's business is conducted.

6. Nothing in this section shall prohibit a winery, brewery, or distillery licensee from paying a royalty to a historical preservation entity pursuant to a bona fide intellectual property agreement that (i) authorizes the winery, brewery, or distillery licensee to manufacture wine, beer, or spirits based on authentic historical recipes and identified with brand names owned and trademarked by the historical preservation entity; (ii) provides for royalties to be paid based solely on the volume of wine, beer, or spirits manufactured using such recipes and trademarks, rather than on the sales revenues generated from such wine, beer, or spirits; and (iii) has been approved by the Board.

For purposes of this subdivision, "historical preservation entity" means an entity (a) that is exempt from income taxation under § 501(c)(3) of the Internal Revenue Code; (b) whose declared purposes include the preservation, restoration, and protection of a historic community in the Commonwealth that is the site of at least 50 historically significant houses, shops, and public buildings dating to the eighteenth century; and (c) that owns not more than 12 retail establishments in the Commonwealth for which retail licenses have been issued by the Board.

C. Subject to such exceptions as may be provided by statute or Board regulations, no manufacturer, bottler, importer, broker or wholesaler of alcoholic beverages, whether licensed in the Commonwealth or not, shall sell, rent, lend, buy for or give to any retail licensee, or to the owner of the premises in which the business of any retail licensee is conducted, any (i) money, equipment, furniture, fixtures, property, services or anything of value with which the business of such retail licensee is or may be conducted, or for any other purpose; (ii) advertising materials; and (iii) business entertainment, provided that no transaction permitted under this section or by Board regulation shall be used to require the retail licensee to partially or totally exclude from sale at its establishment alcoholic beverages of other manufacturers or wholesalers.

The provisions of this subsection shall apply to manufacturers, bottlers, importers, brokers and wholesalers selling alcoholic beverages to any governmental instrumentality or employee thereof selling alcoholic beverages at retail within the exterior limits of the Commonwealth, including all territory within these limits owned by or ceded to the United States of America.

The provisions of this subsection shall not apply to any commercial lifestyle center licensee.

CHAPTER 131

An Act to amend and reenact § 20-124.6 of the Code of Virginia, relating to access to minor's records; records stored or accessible from a secure website.

[S 846]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 20-124.6 of the Code of Virginia is amended and reenacted as follows:

§ 20-124.6. Access to minor's records.

A. Notwithstanding any other provision of law, neither parent, regardless of whether such parent has custody, shall be denied access to the academic or health records or records of a child day center or family day home of that parent's minor child*, including any such records that are stored or accessible from a secure website,* unless otherwise ordered by the court for good cause shown or pursuant to subsection B.

B. In the case of health records, access may also be denied if the minor's treating physician, clinical psychologist, clinical social worker, or licensed professional counselor has made a part of the minor's record a written statement that, in the exercise of his professional judgment, the furnishing to or review by the requesting parent of such health records would be reasonably likely to cause substantial harm to the minor or another person. If a health care entity denies a parental request for access to, or copies of, a minor's health record, the health care entity denying the request shall comply with the provisions of subsection F of § 32.1-127.1:03. The minor or his parent, either or both, shall have the right to have the denial reviewed as specified in subsection F of § 32.1-127.1:03 to determine whether to make the minor's health record available to the requesting parent.

C. For the purposes of this section, the terms "health record" or the plural thereof and "health care entity" mean the same as those terms are defined in subsection B of § 32.1-127.1:03~~. The~~ *and the* terms "child day center" and "family day home" mean the same as those terms are defined in § 63.2-100.

CHAPTER 132

An Act to amend the Code of Virginia by adding in Article 3 of Chapter 5 of Title 18.2 a section numbered 18.2-110.1, relating to mail theft; penalty.

[S 939]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 3 of Chapter 5 of Title 18.2 a section numbered 18.2-110.1 as follows:

§ 18.2-110.1. Mail theft; penalty.

A. As used in this section:

"Delivery service" means the same as that term is defined in § 18.2-246.6. "Delivery service" does not include the United States Postal Service.

"Mail" means any letter, postal card, parcel, package, bag, or other material, along with its contents, that (i) has postage affixed by the postal customer or a postal service, (ii) has been accepted for delivery by a postal service, (iii) the postal customer leaves for collection by a postal service, or (iv) a postal service delivers to the postal customer, which has not been retrieved from the mail receptacle.

"Mail receptacle" means a mailbox, post office box, rural box, letter box, lock drawer, or any place or area intended or used by postal customers or a postal service for the collection, deposit, or delivery of mail.

"Postal service" means the United States Postal Service or a delivery service.

B. Any person who (i) knowingly, willfully, and with the intent to deprive, injure, damage, or defraud another (a) takes, destroys, hides, or embezzles mail or (b) obtains any mail by fraud or deception; (ii) buys, receives, conceals, or possesses (a) mail and knows or reasonably should know that the mail was unlawfully taken or obtained; (b) any key he knows or reasonably should know is suited to any lock adopted by the United States Postal Service that provides access to any mail receptacle located in a cluster mailbox unit or other mailbox panel used for the purpose of centralized mail in any neighborhood, including any condominium or apartment complex; or (c) a counterfeit device or key designed to provide access to any lock described in clause (b); or (iii) knowingly, willfully, and with the intent to steal any mail inside damages, opens, removes, injures, vandalizes, or destroys any mail receptacle is guilty of a Class 6 felony.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of

$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 133

An Act to amend and reenact §§ 54.1-1100, 54.1-1119, and 54.1-1123 of the Code of Virginia, relating to Virginia Contractor Transaction Recovery Fund; claim limits; license threshold amounts.

[S 1059]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-1100, 54.1-1119, and 54.1-1123 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-1100. Definitions.

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

"Board" means the Board for Contractors.

"Class A contractors" perform or manage construction, removal, repair, or improvements when (i) the total value referred to in a single contract or project is ~~$120,000~~ *$150,000* or more, or (ii) the total value of all such construction, removal, repair, or improvements undertaken by such person within any 12-month period is ~~$750,000~~ *$1 million* or more.

"Class B contractors" perform or manage construction, removal, repair, or improvements when (i) the total value referred to in a single contract or project is ~~$10,000~~ *$30,000* or more, but less than ~~$120,000~~ *$150,000*, or (ii) the total value of all such construction, removal, repair*,* or improvements undertaken by such person within any 12-month period is ~~$150,000~~ *$250,000* or more, but less than ~~$750,000~~ *$1 million*.

"Class C contractors" perform or manage construction, removal, repair, or improvements when (i) the total value referred to in a single contract or project is over $1,000 but less than ~~$10,000~~ *$30,000*, or (ii) the total value of all such construction, removal, repair, or improvements undertaken by such person within any 12-month period is less than ~~$150,000~~ *$250,000*. The Board shall require a master tradesmen license as a condition of licensure for electrical, plumbing*,* and heating, ventilation*,* and air conditioning contractors.

"Contractor" means any person, that for a fixed price, commission, fee, or percentage undertakes to bid upon, or accepts, or offers to accept, orders or contracts for performing, managing, or superintending in whole or in part, the construction, removal, repair*,* or improvement of any building or structure permanently annexed to real property owned, controlled, or leased by him or another person or any other improvements to such real property. For purposes of this chapter, "improvement" shall include (i) remediation, cleanup, or containment of premises to remove contaminants or (ii) site work necessary to make certain real property usable for human occupancy according to the guidelines established pursuant to § 32.1-11.7.

"Department" means the Department of Professional and Occupational Regulation.

"Designated employee" means the contractor's full-time employee, or a member of the contractor's responsible management, who is at least 18 years of age and who has successfully completed the oral or written examination required by the Board on behalf of the contractor.

"Director" means the Director of the Department of Professional and Occupational Regulation.

"Fire sprinkler contractor" means a contractor that provides for the installation, repair, alteration, addition, testing, maintenance, inspection, improvement, or removal of sprinkler systems using water as a means of fire suppression when annexed to real property. "Fire sprinkler contracting" does not include the installation, repair, or maintenance of other types of fire suppression systems.

"Owner-developer" means any person who, for a third party purchaser, orders or supervises the construction, removal, repair, or improvement of any building or structure permanently annexed to real property owned, controlled, or leased by the owner-developer, or any other improvement to such property and who contracts with a person licensed in accordance with this chapter for the work undertaken.

"Person" means any individual, firm, corporation, association, partnership, joint venture, or other legal entity.

"Value" means fair market value. When improvements are performed or supervised by a contractor, the contract price shall be prima facie evidence of value.

§ 54.1-1119. Assessments by Director; assignment to Fund; minimum balance; notice; penalties; costs of administration.

A. Each initial ~~regulant~~ *contractor applicant*, at the time of application, shall be assessed ~~twenty-five dollars~~ *$25*, which shall be specifically assigned to the Fund. Initial payments may be incorporated in any application fee payment and transferred to the Fund by the Director within ~~thirty~~ *30* days.

All assessments, except initial assessments, for the Fund shall be deposited within three ~~work days~~ *workdays* after their receipt by the Director, in one or more federally insured banks, savings and loan associations*,* or savings banks located in the Commonwealth. Funds deposited in banks, savings institutions*,* or savings banks, to the extent in excess of insurance afforded by the Federal Deposit Insurance Corporation or other federal insurance agency, shall be secured under the Virginia Security for Public Deposits Act (§ 2.2-4400 et seq.). The deposit of these funds in federally insured banks, savings and loan associations*,* or savings banks located in the Commonwealth shall not be considered investment of such funds for

purposes of this section. Funds maintained by the Director may be invested in securities that are legal investments for fiduciaries under the provisions of § 64.2-1502.

B. The minimum balance of the Fund shall be $400,000. Whenever the Director determines that the balance of the Fund is or will be less than this minimum balance, the Director shall immediately inform the Board, which shall assess each regulant at the time of his license renewal a sum sufficient to bring the balance of the Fund to an amount of not less than $400,000, when combined with similar assessments of other regulants. No regulant shall be assessed a total amount of more than ~~fifty dollars~~ *$50* during any biennium.

Notice to regulants of these assessments shall be by first-class mail, and payment of such assessments shall be made by first-class mail addressed to the Director within ~~forty-five~~ *45* days after the mailing of the notice to regulants.

C. If any regulant fails to remit the required assessment mailed in accordance with subsection B within ~~forty-five~~ *45* days of such mailing, the Director shall notify such regulant by first-class mail at the latest address of record filed with the Board. If no payment has been received by the Director within ~~thirty~~ *30* days after mailing the second notice, the license of the regulant shall be automatically suspended and shall be restored only upon the actual receipt by the Director of the delinquent assessment.

Interest earned on the deposits constituting the Fund shall be used for administering the Fund. The remainder of this interest may be used for the purposes of providing educational programs about the Uniform Statewide Building Code (§ 36-97 et seq.), for providing education on subjects of benefit to licensees or members of the public relating to contracting, or shall accrue to the Fund.

§ 54.1-1123. Limitations upon recovery from Fund; certain actions not a bar to recovery.

A. The maximum claim of one claimant against the Fund based upon an unpaid judgment arising out of the improper or dishonest conduct of one regulant in connection with a single transaction involving contracting is limited to ~~$20,000~~ *$30,000*, including any amount paid from a contractor's surety bond under § 54.1-1120.1, regardless of the amount of the unpaid judgment of the claimant.

B. The aggregate of claims against the Fund based upon unpaid judgments arising out of the improper or dishonest conduct of any one regulant involving contracting, is limited by the Board to ~~$40,000~~ *$100,000* during any biennium. If a claim has been made against the Fund, and the Board has reason to believe there may be additional claims against the Fund from other transactions involving the same regulant, the Board may withhold any payment(s) from the Fund involving such regulant for a period of not more than one year from the date on which the claimant is awarded in a court of competent jurisdiction in the Commonwealth the final judgment on which his claim against the Fund is based. After this one-year period, if the aggregate of claims against the regulant exceeds ~~$40,000~~ *$100,000*, during a biennium, ~~$40,000~~ *$100,000* shall be prorated by the Board among the claimants and paid from the Fund, less the amount of any applicable contractor's bond, in proportion to the amounts of their judgments against the regulant remaining unpaid. Claims shall be prorated only after any applicable contractor's bond has been exhausted.

C. Excluded from the amount of any unpaid judgment upon which a claim against the Fund is based shall be any sums representing interest, or punitive damages, or any amounts that do not constitute actual monetary loss to the claimants. Such claim against the Fund may include court costs and attorney fees.

D. If, at any time, the amount of the Fund is insufficient to fully satisfy any claims or claim filed with the Board and authorized by this Act, the Board shall pay such claims, claim, or portion thereof to the claimants in the order that the claims were filed with the Board.

E. Failure of a claimant to comply with the provisions of subdivisions B 1 and 2 and subsection C of § 54.1-1120 and the provisions of § 54.1-1124 shall not be a bar to recovery under this Act if the claimant is otherwise entitled to such recovery.

F. The Board shall have the authority to deny any claim which otherwise appears to meet the requirements of the Act if it finds by clear and convincing evidence that the claimant has presented false information or engaged in collusion to circumvent any of the requirements of the Act.

CHAPTER 134

An Act to amend the Code of Virginia by adding in Chapter 21 of Title 38.2 a section numbered 38.2-2131, relating to fire insurance; assignment of claims prohibited.

[S 1154]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 21 of Title 38.2 a section numbered 38.2-2131 as follows:

§ 38.2-2131. Assignment of claims prohibited.

A. Consistent with the provisions of § 38.2-2104, no person insured under a fire insurance policy or a fire insurance policy in combination with other coverages shall assign or otherwise transfer, in whole or in part, to any other person the duties, rights, or benefits of the insured under the policy arising from a claim or covered loss without written consent of the insurer.

B. Any contract provision entered in violation of this section shall be void and unenforceable.

C. The provisions of this section shall not be construed to prohibit an insured from:

1. Authorizing or directing payment to, or paying, a person for reasonable services, materials, or any other item that is covered or may be covered under an insurance policy; or

2. Assigning rights to seek damages related to a personal injury or tort case arising from a settlement, verdict, or resulting judgment against the insured that is in excess of the insured's liability insurance coverage, subject to defenses available by law.

D. Notwithstanding the provisions of § 38.2-2123, the provisions of this section shall apply to (i) mutual assessment property and casualty insurers and (ii) mutual insurers and associations organized under the laws of the Commonwealth conducting business only in the Commonwealth and issuing only policies providing for perpetual insurance.

CHAPTER 135

An Act to amend and reenact §§ 32.1-102.1:3, 32.1-122.07, and 32.1-132 of the Code of Virginia, relating to certificate of public need; exception; critical access hospitals; swing beds.

[S 1177]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-102.1:3, 32.1-122.07, and 32.1-132 of the Code of Virginia are amended and reenacted as follows:

§ 32.1-102.1:3. Medical care facilities and projects for which a certificate is required.

A. The following medical care facilities shall be subject to the provisions of this article:

1. Any facility licensed as a hospital, as defined in § 32.1-123;

2. Any hospital licensed as a provider by the Department of Behavioral Health and Developmental Services in accordance with Article 2 (§ 37.2-403 et seq.) of Chapter 4 of Title 37.2;

3. Any facility licensed as a nursing home, as defined in § 32.1-123;

4. Any intermediate care facility established primarily for the medical, psychiatric, or psychological treatment and rehabilitation of individuals with substance abuse licensed by the Department of Behavioral Health and Developmental Services in accordance with Article 2 (§ 37.2-403 et seq.) of Chapter 4 of Title 37.2;

5. Any intermediate care facility for individuals with developmental disabilities other than an intermediate care facility established for individuals with intellectual disability (ICF/IID) that has not more than 12 beds and is in an area identified as in need of residential services for individuals with intellectual disability in any plan of the Department of Behavioral Health and Developmental Services; and

6. Any specialized center or clinic or that portion of a physician's office developed for the provision of outpatient or ambulatory surgery, cardiac catheterization, computed tomographic (CT) scanning, magnetic resonance imaging (MRI), positron emission tomographic (PET) scanning, radiation therapy, stereotactic radiotherapy other than radiotherapy performed using a linear accelerator or other medical equipment that uses concentrated doses of high-energy X-rays to perform external beam radiation therapy, or proton beam therapy.

B. The following actions undertaken by or on behalf of a medical care facility described in subsection A shall constitute a project for which a certificate of public need is required pursuant to subsection A of § 32.1-102.1:2:

1. Establishment of a medical care facility described in subsection A;

2. An increase in the total number of beds or operating rooms in an existing medical care facility described in subsection A;

3. Relocation of beds from an existing medical care facility described in subsection A to another existing medical care facility described in subsection A;

4. Addition of any new nursing home service at an existing medical care facility described in subsection A;

5. Introduction into an existing medical care facility described in subsection A of any cardiac catheterization, computed tomographic (CT) scanning, magnetic resonance imaging (MRI), medical rehabilitation, neonatal special care, open heart surgery, positron emission tomographic (PET) scanning, psychiatric, organ or tissue transplant service, radiation therapy, stereotactic radiotherapy other than radiotherapy performed using a linear accelerator or other medical equipment that uses concentrated doses of high-energy X-rays to perform external beam radiation therapy, proton beam therapy, or substance abuse treatment when such medical care facility has not provided such service in the previous 12 months;

6. Conversion of beds in an existing medical care facility described in subsection A to medical rehabilitation beds or psychiatric beds;

7. The addition by an existing medical care facility described in subsection A of any new medical equipment for the provision of cardiac catheterization, computed tomographic (CT) scanning, magnetic resonance imaging (MRI), open heart surgery, positron emission tomographic (PET) scanning, radiation therapy, stereotactic radiotherapy other than radiotherapy performed using a linear accelerator or other medical equipment that uses concentrated doses of high-energy X-rays to perform external beam radiation therapy, or proton beam therapy, other than new medical equipment for the provision of such service added to replace existing medical equipment for the provision of such service;

8. Any capital expenditure of $15 million or more, not defined as reviewable in subdivisions 1 through 7, by or on behalf of a medical care facility described in subsection A other than a general hospital. The amounts specified in this subdivision shall be revised annually to reflect inflation using appropriate measures incorporating construction costs and medical inflation. Nothing in this subdivision shall be construed to modify or eliminate the reviewability of any project described in subdivisions 1 through 7 when undertaken by or on behalf of a general hospital; and

9. Conversion in an existing medical care facility described in subsection A of psychiatric inpatient beds approved pursuant to a Request for Applications (RFA) to nonpsychiatric inpatient beds.

C. Notwithstanding the provisions of subsection A, any nursing home affiliated with a facility that, on January 1, 1982, and thereafter, (i) is operated as a nonprofit institution, (ii) is licensed jointly by the Department as a nursing home and by the Department of Social Services as an assisted living facility, and (iii) restricts admissions such that (a) admissions to the facility are only allowed pursuant to the terms of a "life care contract" guaranteeing that the full complement of services offered by the facility is available to the resident as and when needed, (b) admissions to the assisted living facility unit of the facility are restricted to individuals defined as ambulatory by the Department of Social Services, and (c) admissions to the nursing home unit of the facility are restricted to those individuals who are residents of the assisted living facility unit of the facility shall not be subject to the requirements of this article.

D. Notwithstanding the provisions of subsection B, a certificate of public need shall not be required for the following actions undertaken by or on behalf of a medical care facility described in subsection A:

1. Relocation of up to 10 beds or 10 percent of the beds, whichever is less, (i) from one existing medical care facility described in subsection A to another existing medical care facility described in subsection A at the same site in any two-year period or (ii) in any three-year period, from one existing medical care facility described in subsection A licensed as a nursing home to any other existing medical care facility described in subsection A licensed as a nursing home that is owned or controlled by the same person and located either within the same planning district or within another planning district out of which, during or prior to that three-year period, at least 10 times that number of beds have been authorized by statute to be relocated from one or more medical care facilities described in subsection A located in that other planning district, and at least half of those beds have not been replaced; ~~or~~

2. Use of up to 10 percent of beds as nursing home beds by a medical care facility described in subsection A ~~licensed as a hospital, as provided in § 32.1-132~~*; or*

3. Use of up to 10 beds per day among its inpatient hospital beds as swing beds for the furnishing of services of the type that, if furnished by a nursing home or certified nursing facility, would constitute skilled care services by a medical care facility described in subdivision A 1 that is certified as a critical access hospital by the Centers for Medicare and Medicaid Services pursuant to Title XVIII of the Social Security Act (42 U.S.C. § 1395 et seq.). For purposes of this subdivision, a critical access hospital may calculate the 10-swing-bed per day limitation as an average over the fiscal year of the hospital. In the event the calculation exceeds an average of 10 swing beds in any fiscal year, the critical access hospital shall have the following fiscal year to reduce the fiscal year average to 10 swing beds or below. Any critical access hospital that fails to reduce the fiscal year average to 10 swing beds or below during the second fiscal year shall no longer be able to calculate the 10-swing-bed limitation by averaging on a fiscal year basis and shall calculate the limitation on a daily basis until such time as it has met the 10-swing-bed per day limit for two consecutive fiscal years, at which time averaging may resume. However, no critical access hospital shall have more than 15 swing beds per day for more than five consecutive days. A critical access hospital shall make a good faith effort and so document the efforts made to place each additional patient in a certified nursing facility prior to exceeding the 10-swing-bed per day limit.

E. The Department shall regularly review the types of medical care facilities subject to the provisions of this article and projects for which a certificate is required and provide to the Governor and the General Assembly, at least once every five years, a recommendation related to the continued appropriateness of requiring such types of medical care facilities to be subject to the provisions of this article and such types of projects to be subject to the requirement of a certificate. In developing such recommendations, the Department shall consider, for each type of medical care facility and project, the following criteria:

1. The current and projected future availability of the specific type of medical care facility or project;

2. The current and projected future demand for the specific type of medical care facility or project;

3. The current and projected future rate of utilization of the specific type of medical care facility or project;

4. The current and projected future capacity of existing medical care facilities or projects of that specific type;

5. The anticipated impact of changes in population and demographics, reimbursement structures and rates, and technology on demand for and availability, utilization, and capacity of existing medical care facilities or projects of that specific type;

6. Existing quality, utilization, and other controls applicable to the specific type of medical care facility or project; and

7. Any risk to the health or well-being of the public resulting from inclusion of the specific type of medical care facility or project on such list.

§ 32.1-122.07. Authority of Commissioner for certain health planning activities; rural health plan; designation as a rural hospital.

A. The Commissioner, with the approval of the Board, is authorized to make application for federal funding and to receive and expend such funds in accordance with state and federal regulations.

B. The Commissioner shall administer ~~section~~ *§* 1122 of the ~~United States~~ Social Security Act if the Commonwealth has made an agreement with the ~~United States~~ *U.S.* Secretary of Health and Human Services pursuant to such section.

C. In compliance with the provisions of the Balanced Budget Act of 1997, P.L. 105-33, and any amendments to such provisions, the Commissioner shall submit to the appropriate regional administrator of the Centers for Medicare ~~&~~ *and* Medicaid Services (CMS) an application to establish a Medicare Rural Hospital Flexibility Program in Virginia.

D. The Commissioner shall develop and the Board of Health shall approve a rural health care plan for the Commonwealth to be included with the application to establish a Medicare Rural Hospital Flexibility Program. In cooperation and consultation with the Virginia Hospital and ~~Health Care~~ *Healthcare* Association, the Medical Society of Virginia, representatives of rural hospitals, and experts within the Department of Health on rural health programs, the plan shall be developed and revised as necessary or as required by the provisions of the Balanced Budget Act of 1997, P.L. 105-33, and any amendments to such provisions. In the development of the plan, the Commissioner may also seek the assistance of the regional health planning agencies. The plan shall verify that the Commonwealth is in the process of designating facilities located in Virginia as critical access hospitals, shall note that the Commonwealth wishes to certify facilities as "necessary providers" of health care in rural areas, and shall describe the process, methodology, and eligibility criteria to be used for such designations or certifications. Virginia's rural health care plan shall reflect local needs and resources and shall, at minimum, include, but need not be limited to, a mechanism for creating one or more rural health networks, ways to encourage rural health service regionalization, and initiatives to improve access to health services, including hospital services, for rural Virginians.

E. Notwithstanding any provisions of this chapter or the Board's regulations to the contrary, the Commissioner shall, in the rural health care plan, (i) use as minimum standards for critical access hospitals, the certification regulations for critical access hospitals promulgated by the Centers for Medicare ~~&~~ *and* Medicaid Services (CMS) pursuant to Title XVIII of the Social Security Act, as amended~~:~~*,* and (ii) authorize critical access hospitals to utilize *per day* a maximum of ~~ten~~ *10* beds among their inpatient hospital beds as swing beds for the furnishing of services of the type ~~which~~ *that*, if furnished by a nursing home or certified nursing facility, would constitute skilled care services without complying with nursing home licensure requirements or retaining the services of a licensed nursing home administrator. Such hospital shall include, within its plan of care, assurances for the overall well-being of patients occupying such beds. *For purposes of this subsection, a critical access hospital may calculate the 10-swing-bed per day limitation as an average over the fiscal year of the hospital. In the event the calculation exceeds an average of 10 swing beds in any fiscal year, the critical access hospital shall have the following fiscal year to reduce the fiscal year average to 10 swing beds or below. Any critical access hospital that fails to reduce the fiscal year average to 10 swing beds or below during the second fiscal year shall no longer be able to calculate the 10-swing-bed limitation by averaging on a fiscal year basis and shall calculate the limitation on a daily basis until such time as it has met the 10-swing-bed per day limit for two consecutive fiscal years, at which time averaging may resume. However, no critical access hospital shall have more than 15 swing beds per day for more than five consecutive days. A critical access hospital shall make a good faith effort and so document the efforts made to place each additional patient in a certified nursing facility prior to exceeding the 10-swing-bed per day limit.*

F. Nothing herein or set forth in Virginia's rural health care plan shall prohibit any hospital designated as a critical access hospital from leasing the unused portion of its facilities to other health care organizations or reorganizing its corporate structure to facilitate the continuation of the nursing home beds that were licensed to such hospital prior to the designation as a critical access hospital. The health care services delivered by such other health care organizations shall not be construed as part of the critical access hospital's services or license to operate.

G. Any medical care facility licensed as a hospital shall be considered a rural hospital on and after September 30, 2004, pursuant to 42 U.S.C. § 1395ww(d)(8)(E)(ii)(II), if (i) the hospital is located in an area defined as rural by federal statute or regulation; (ii) the Board of Health defines, in regulation, the area in which the hospital is located as a rural health area or the hospital as a rural hospital; or (iii) the hospital was designated, prior to October 1, 2004, as a Medicare-dependent small rural health hospital, as defined in 42 U.S.C. § 1395ww(d)(5)(G)(iv).

§ 32.1-132. Alterations or additions to hospitals and nursing homes; when new license required; use of inpatient hospital beds for furnishing skilled care services.

A. Any person who desires to make any substantial alteration or addition to or any material change in any hospital or nursing home shall, before making such change, alteration*,* or addition, submit the proposal therefor to the Commissioner for his approval. The Commissioner shall review the proposal to determine compliance with applicable statutes and regulations of the Board and as soon thereafter as reasonably practicable notify the person that the proposal is or is not approved.

B. If any such alteration, addition*,* or change has the effect of changing the bed capacity or classification of the hospital or nursing home, the licensee shall obtain a new license for the remainder of the license year before beginning operation of additional beds or in the new classification.

C. Notwithstanding any provision of state law to the contrary, any hospital, after sending such written notice as may be required by the Commissioner, may utilize, for a period not to exceed ~~thirty~~ *30* days for any one patient, a maximum of ~~ten~~ *10* percent of its inpatient hospital beds as swing beds for the furnishing of services of the type ~~which~~ *that*, if furnished by a nursing home or certified nursing facility, would constitute skilled care services without complying with nursing home licensure requirements or retaining the services of a licensed nursing home administrator. *If the hospital is certified as a critical access hospital by the Centers for Medicare and Medicaid Services pursuant to Title XVIII of the Social Security Act*

(42 U.S.C. § 1395 et seq.), the hospital may utilize up to 10 beds per day among its inpatient hospital beds as swing beds for the furnishing of services of the type that, if furnished by a nursing home or certified nursing facility, would constitute skilled care services without complying with nursing home licensure requirements or retaining the services of a licensed nursing home administrator. Such hospital shall amend its plan of care and implement its plan as amended to ensure the overall well-being of patients occupying such beds. *For purposes of this subsection, a critical access hospital may calculate the 10-swing-bed per day limitation as an average over the fiscal year of the hospital. In the event the calculation exceeds an average of 10 swing beds in any fiscal year, the critical access hospital shall have the following fiscal year to reduce the fiscal year average to 10 swing beds or below. Any critical access hospital that fails to reduce the fiscal year average to 10 swing beds or below during the second fiscal year shall no longer be able to calculate the 10-swing-bed limitation by averaging on a fiscal year basis and shall calculate the limitation on a daily basis until such time as it has met the 10-swing-bed per day limit for two consecutive fiscal years, at which time averaging may resume. However, no critical access hospital shall have more than 15 swing beds per day for more than five consecutive days. A critical access hospital shall make a good faith effort and so document the efforts made to place each additional patient in a certified nursing facility prior to exceeding the 10-swing-bed per day limit.* Only those hospitals ~~which~~ *that* qualify under § 1883 of Title XVIII and § 1913 of Title XIX of the Social Security Act and are certified as skilled nursing facilities may be reimbursed for such services for Medicare and Medicaid patients.

2. That the State Commissioner of Health shall collect data annually from critical access hospitals that elect to use fiscal year averaging as permitted by the first enactment of this act and make it publicly available.

3. That the provisions of this bill shall expire on July 1, 2028.

CHAPTER 136

An Act to amend and reenact § 38.2-4809 of the Code of Virginia, relating to surplus lines broker taxes; certain insurance policies.

[S 1269]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-4809 of the Code of Virginia is amended and reenacted as follows:

§ 38.2-4809. Licensees to pay license taxes on insurers.

A. 1. Every licensed surplus lines broker or any person required to be licensed as a surplus lines broker shall be subject to the annual taxes, license taxes, penalties, and other provisions of Article 1 (§ 58.1-2500 et seq.) of Chapter 25 of Title 58.1 on each policy of insurance procured by him during the preceding calendar year with an eligible nonadmitted insurer. For policies effective on or after July 1, 2011, such payments shall be made based on the direct gross premium income derived from policies for insureds whose home state is the Commonwealth.

2. Every surplus lines broker or any person required to be licensed as a surplus lines broker subject to the provisions of this chapter shall, on or before March 1 of 2012 and 2013 report under oath to the Commission, and on or before March 1 of each year thereafter, report under oath to the Department of Taxation, upon the prescribed form, the direct gross premium income derived from policies for insureds whose home state is the Commonwealth during the preceding year ending December 31.

3. Every surplus lines broker or any person required to be licensed as a surplus lines broker failing to file the report required by this section shall be fined $50 for each day's failure to file the report.

4. Upon the failure of any such surplus lines broker or any person required to be licensed as a surplus lines broker to pay the premium license tax within the time required by this section, there shall be added to such tax a penalty of 10 percent of the amount of the tax and interest at a rate equal to the rate of interest established pursuant to § 58.1-15 for the period between the due date and the date of full payment. The Commission or Department of Taxation shall notify the surplus lines broker of all additional amounts owed, and the surplus lines broker shall pay such amounts within 30 days of the date of the notice.

5. Upon good cause shown, the Department of Taxation may accept late payment of the premium license tax exclusive of penalties; however, interest shall be paid on such tax as prescribed in this subsection.

6. If any person overestimates and overpays the annual taxes, the Department of Taxation shall refund the amount of the overpayment to the person. The overpayment shall be refunded out of the state treasury.

B. 1. Each licensed surplus lines broker or any person required to be licensed as a surplus lines broker whose annual premium license tax liability can reasonably be expected to exceed $1,500 shall file a quarterly tax report with the Department of Taxation. Such report shall be in a form prescribed by the Department of Taxation. This report shall be filed no later than 30 calendar days after the end of each calendar quarter. Notwithstanding any provision to the contrary, each such person shall pay the premium license tax owed for the direct gross premiums adjusted for additional and returned premiums shown by each quarterly tax report when such report is filed with the Department of Taxation.

2. No surplus lines broker or any person required to be licensed as a surplus lines broker shall be subject to any penalty or interest pursuant to Title 58.1 as a result of the failure to timely file a quarterly tax report or make the related quarterly payment when the report is filed pursuant to subdivision 1.

C. In addition to other penalties provided by law, any licensed surplus lines broker or any person required to be licensed as a surplus lines broker who willfully fails or refuses to pay the full amount of the tax or assessment required by this chapter, either by himself or through his agents or employees, or who makes a false or fraudulent return with intent to evade the tax or assessment hereby levied, or who makes a false or fraudulent claim for refund shall be guilty of a Class 1 misdemeanor.

D. If any licensed surplus lines broker or any person required to be licensed as a surplus lines broker charges and collects from the insured the taxes and assessments required by this section and § 38.2-4809.1, such person shall be a fiduciary to this Commonwealth for any taxes and assessments owed to this Commonwealth under this chapter.

E. Notwithstanding the provisions of this section and effective for calendar year 2025 and each calendar year thereafter, any surplus lines broker or any person required to be licensed as a surplus lines broker shall not be subject to the annual taxes, license taxes, penalties, and other provisions of Article 1 (§ 58.1-2500 et seq.) of Chapter 25 of Title 58.1 on any policy of insurance procured by such broker during the preceding calendar year on behalf of a commuter rail system jointly operated by the Northern Virginia Transportation Commission established pursuant to § 33.2-1904 and the Potomac and Rappahannock Transportation District established pursuant to the Transportation District Act (§ 33.2-1900 et seq.).

CHAPTER 137

An Act to amend and reenact § 58.1-609.10 of the Code of Virginia, relating to sales and use tax exemption; aircraft components.

[H 1729]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-609.10 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-609.10. Miscellaneous exemptions.

The tax imposed by this chapter or pursuant to the authority granted in §§ 58.1-605 and 58.1-606 shall not apply to the following:

1. Artificial or propane gas, firewood, coal or home heating oil used for domestic consumption. "Domestic consumption" means the use of artificial or propane gas, firewood, coal or home heating oil by an individual purchaser for other than business, commercial or industrial purposes. The Tax Commissioner shall establish by regulation a system for use by dealers in classifying individual purchases for domestic or nondomestic use based on the principal usage of such gas, wood, coal or oil. Any person making a nondomestic purchase and paying the tax pursuant to this chapter who uses any portion of such purchase for domestic use may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for a refund of the tax paid on the domestic use portion.

2. An occasional sale, as defined in § 58.1-602. A nonprofit organization that is eligible to be granted an exemption on its purchases pursuant to § 58.1-609.11, and that is otherwise eligible for the exemption pursuant to this subdivision, shall be exempt pursuant to this subdivision on its sales of (i) food, prepared food and meals and (ii) tickets to events that include the provision of food, prepared food and meals, so long as such sales take place on fewer than 24 occasions in a calendar year.

3. Tangible personal property for future use by a person for taxable lease or rental as an established business or part of an established business, or incidental or germane to such business, including a simultaneous purchase and taxable leaseback.

4. Delivery of tangible personal property outside the Commonwealth for use or consumption outside of the Commonwealth. Delivery of goods destined for foreign export to a factor or export agent shall be deemed to be delivery of goods for use or consumption outside of the Commonwealth.

5. Tangible personal property purchased with food coupons issued by the U.S. Department of Agriculture under the Food Stamp Program or drafts issued through the Virginia Special Supplemental Food Program for Women, Infants, and Children.

6. Tangible personal property purchased for use or consumption in the performance of maintenance and repair services at Nuclear Regulatory Commission-licensed nuclear power plants located outside the Commonwealth.

7. Beginning July 1, 1997, and ending July 1, 2006, a professional's provision of original, revised, edited, reformatted or copied documents, including but not limited to documents stored on or transmitted by electronic media, to its client or to third parties in the course of the professional's rendition of services to its clientele.

8. School lunches sold and served to pupils and employees of schools and subsidized by government; school textbooks sold by a local board or authorized agency thereof; and school textbooks sold for use by students attending a college or other institution of learning, when sold (i) by such institution of learning or (ii) by any other dealer, when such textbooks have been certified by a department or instructor of such institution of learning as required textbooks for students attending courses at such institution.

9. Medicines, drugs, hypodermic syringes, artificial eyes, contact lenses, eyeglasses, eyeglass cases, and contact lens storage containers when distributed free of charge, all solutions or sterilization kits or other devices applicable to the wearing or maintenance of contact lenses or eyeglasses when distributed free of charge, and hearing aids dispensed by or

sold on prescriptions or work orders of licensed physicians, dentists, optometrists, ophthalmologists, opticians, audiologists, hearing aid dealers and fitters, advanced practice registered nurses, physician assistants, and veterinarians; controlled drugs purchased for use by a licensed physician, optometrist, licensed advanced practice registered nurse, or licensed physician assistant in his professional practice, regardless of whether such practice is organized as a sole proprietorship, partnership, or professional corporation, or any other type of corporation in which the shareholders and operators are all licensed physicians, optometrists, licensed advanced practice registered nurses, or licensed physician assistants engaged in the practice of medicine, optometry, or nursing; medicines and drugs purchased for use or consumption by a licensed hospital, nursing home, clinic, or similar corporation not otherwise exempt under this section; and samples of prescription drugs and medicines and their packaging distributed free of charge to authorized recipients in accordance with the federal Food, Drug, and Cosmetic Act (21 U.S.C.A. § 301 et seq., as amended).

10. Wheelchairs and parts therefor, braces, crutches, prosthetic devices, orthopedic appliances, catheters, urinary accessories, other durable medical equipment and devices, and related parts and supplies specifically designed for those products; and insulin and insulin syringes, and equipment, devices or chemical reagents that may be used by a diabetic to test or monitor blood or urine, when such items or parts are purchased by or on behalf of an individual for use by such individual. Durable medical equipment is equipment that (i) can withstand repeated use, (ii) is primarily and customarily used to serve a medical purpose, (iii) generally is not useful to a person in the absence of illness or injury, and (iv) is appropriate for use in the home.

11. Drugs and supplies used in hemodialysis and peritoneal dialysis.

12. Special equipment installed on a motor vehicle when purchased by an individual with a disability to enable such individual to operate the motor vehicle.

13. Special typewriters and computers and related parts and supplies specifically designed for those products used by individuals with disabilities to communicate when such equipment is prescribed by a licensed physician.

14. a. (i) Any nonprescription drugs and proprietary medicines purchased for the cure, mitigation, treatment, or prevention of disease in human beings and (ii) any samples of nonprescription drugs and proprietary medicines distributed free of charge by the manufacturer, including packaging materials and constituent elements and ingredients.

b. The terms "nonprescription drugs" and "proprietary medicines" shall be defined pursuant to regulations promulgated by the Department of Taxation. The exemption authorized in this subdivision shall not apply to cosmetics.

15. Tangible personal property withdrawn from inventory and donated to (i) an organization exempt from taxation under § 501(c)(3) of the Internal Revenue Code or (ii) the Commonwealth, any political subdivision of the Commonwealth, or any school, agency, or instrumentality thereof.

16. Tangible personal property purchased by nonprofit churches that are exempt from taxation under § 501(c)(3) of the Internal Revenue Code, or whose real property is exempt from local taxation pursuant to the provisions of § 58.1-3606, for use (i) in religious worship services by a congregation or church membership while meeting together in a single location and (ii) in the libraries, offices, meeting or counseling rooms or other rooms in the public church buildings used in carrying out the work of the church and its related ministries, including kindergarten, elementary and secondary schools. The exemption for such churches shall also include baptistries; bulletins, programs, newspapers and newsletters that do not contain paid advertising and are used in carrying out the work of the church; gifts including food for distribution outside the public church building; food, disposable serving items, cleaning supplies and teaching materials used in the operation of camps or conference centers by the church or an organization composed of churches that are exempt under this subdivision and which are used in carrying out the work of the church or churches; and property used in caring for or maintaining property owned by the church including, but not limited to, mowing equipment; and building materials installed by the church, and for which the church does not contract with a person or entity to have installed, in the public church buildings used in carrying out the work of the church and its related ministries, including, but not limited to worship services; administrative rooms; and kindergarten, elementary, and secondary schools.

17. Medical products and supplies, which are otherwise taxable, such as bandages, gauze dressings, incontinence products and wound-care products, when purchased by a Medicaid recipient through a Department of Medical Assistance Services provider agreement.

18. Beginning July 1, 2007, and ending July 1, 2012, multifuel heating stoves used for heating an individual purchaser's residence. "Multifuel heating stoves" are stoves that are capable of burning a wide variety of alternative fuels, including, but not limited to, shelled corn, wood pellets, cherry pits, and olive pits.

19. Fabrication of animal meat, grains, vegetables, or other foodstuffs when the purchaser (i) supplies the foodstuffs and they are consumed by the purchaser or his family, (ii) is an organization exempt from taxation under § 501(c)(3) or (c)(4) of the Internal Revenue Code, or (iii) donates the foodstuffs to an organization exempt from taxation under § 501(c)(3) or (c)(4) of the Internal Revenue Code.

20. Beginning July 1, 2018, and ending July 1, ~~2025~~ *2030*, parts, engines, and supplies used for maintaining, repairing, or reconditioning aircraft or any aircraft's avionics system, engine, or component parts. This exemption shall not apply to tools and other equipment not attached to or that does not become a part of the aircraft. For purposes of this subdivision, "aircraft" shall include both manned and unmanned systems. However, for manned systems, "aircraft" shall include only aircraft with a maximum takeoff weight of at least 2,400 pounds.

21. A gun safe with a selling price of $1,500 or less. For purposes of this subdivision, "gun safe" means a safe or vault that is (i) commercially available, (ii) secured with a digital or dial combination locking mechanism or biometric locking

mechanism, and (iii) designed for the storage of a firearm or of ammunition for use in a firearm. "Gun safe" does not include a glass-faced cabinet. Any discount, coupon, or other credit offered by the retailer or a vendor of the retailer to reduce the final price to the customer shall be taken into account in determining the selling price for purposes of this exemption.

22. Beginning July 1, 2022, and ending July 1, 2025, prescription medicines and drugs purchased by veterinarians and administered or dispensed to patients within a veterinarian-client-patient relationship as defined in § 54.1-3303.

CHAPTER 138

An Act to amend and reenact § 16.1-277.02 of the Code of Virginia, relating to petitions for relief of care and custody of a child; investigation by local department of social services; Office of the Children's Ombudsman work group; report.

[H 1733]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-277.02 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-277.02. Petition for relief of care and custody.

A. Requests for petitions for relief of the care and custody of a child shall be referred initially to the local department of social services for investigation and the provision of services, if appropriate, in accordance with the provisions of § 63.2-319 or Chapter 15 (§ 63.2-1500 et seq.) of Title 63.2. *The local department of social services shall, as part of its investigation, (i) refer the parent to the local family assessment and planning team and (ii) create a written report regarding the history of the child and family. A referral to the local family assessment and planning team in accordance with clause (i) shall not interfere with or delay any proceeding or hearing related to the petition unless the court determines that any recommendations made by or information gathered from the family assessment and planning team is necessary for the court to make a final disposition in the matter.* Upon the filing of a petition for relief of a child's care and custody pursuant to subdivision A 4 of § 16.1-241, the court shall appoint a guardian ad litem to represent the child in accordance with the provisions of § 16.1-266, and shall schedule the matter for a hearing on the petition. Such hearing on the petition may include partial or final disposition of the matter. The court shall provide notice of the hearing and a copy of the petition to the following, each of whom shall be a party entitled to participate in the proceeding:

1. The child, if he is 12 years of age or older;

2. The guardian ad litem for the child;

3. The child's parents, custodian or other person standing in loco parentis to the child. No such notification shall be required, however, if the judge certifies on the record that the identity of the parent is not reasonably ascertainable. An affidavit of the mother that the identity of the father is not reasonably ascertainable shall be sufficient evidence of this fact, provided there is no other evidence before the court which would refute such an affidavit. The hearing on the petition shall be held pursuant to this section although a parent fails to appear and is not represented by counsel, provided personal or substituted service was made on the parent, or the court determines that such person cannot be found, after reasonable effort, or in the case of a person who is without the Commonwealth, the person cannot be found or his post office address cannot be ascertained after reasonable effort. However, in the case of a hearing to grant a petition for permanent relief of custody and terminate a parent's residual parental rights, notice to the parent whose rights may be affected shall be provided in accordance with the provisions of §§ 16.1-263 and 16.1-264; and

4. The local board of social services. Upon receiving notice of the hearing pursuant to this section, the local board of social services shall investigate the matter and provide services, as appropriate, in accordance with the provisions of § 63.2-319 or Chapter 15 (§ 63.2-1500 et seq.) of Title 63.2.

B. At the hearing, the local board of social services, the child, the child's parents, guardian, legal custodian or other person standing in loco parentis and any other family or household member of the child to whom notice was given shall have the right to confront and cross-examine all adverse witnesses and evidence and to present evidence on their own behalf.

C. At the conclusion of the hearing on the petition, the court shall make a finding, based upon a preponderance of the evidence, whether there is good cause shown for the petitioner's desire to be relieved of the child's care and custody, unless the petition seeks permanent relief of custody and termination of parental rights. If the petition seeks permanent relief of custody and termination of parental rights, the court shall make a finding, based upon clear and convincing evidence, whether termination of parental rights is in the best interest of the child. If the court makes either of these findings, the court may enter:

1. A preliminary protective order pursuant to § 16.1-253;

2. An order that requires the local board of social services to provide services to the family as required by law;

3. An order that is consistent with any of the dispositional alternatives pursuant to § 16.1-278.3; or

4. Any combination of these orders.

Any such order transferring legal custody of the child shall be made in accordance with the provisions of subdivision A 5 of § 16.1-278.2 and shall be subject to the provisions of subsection C1. This order shall include, but need not be limited to, the following findings: (i) that there is no less drastic alternative to granting the requested relief; and (ii) that reasonable efforts have been made to prevent removal and that continued placement in the home would be contrary

to the welfare of the child, if the order transfers legal custody of the child to a local board of social services. Any order terminating residual parental rights shall be accompanied by an order continuing or granting custody to a local board of social services or to a licensed child-placing agency or granting custody or guardianship to a person with a legitimate interest. Such an order continuing or granting custody to a local board of social services or to a licensed child-placing agency shall indicate whether that board or agency shall have the authority to place the child for adoption and consent thereto. At any time subsequent to the transfer of legal custody of the child pursuant to this section, a birth parent or parents of the child and the pre-adoptive parent or parents may enter into a written post-adoption contact and communication agreement in accordance with the provisions of § 16.1-283.1 and Article 1.1 (§ 63.2-1220.2 et seq.) of Chapter 12 of Title 63.2. The court shall not require a written post-adoption contact and communication agreement as a precondition to entry of an order in any case involving the child.

The court shall schedule a subsequent hearing within 60 days of the hearing held pursuant to this section: (a) to enter a final order of disposition pursuant to § 16.1-278.3 or (b) if the child is placed in foster care, for review of the foster care plan filed pursuant to § 16.1-281. If a party is required to be present at the subsequent hearing, and (1) is present at the hearing on the petition, the party shall be given notice of the date set for the subsequent hearing; (2) if not present, shall be summoned as provided in § 16.1-263.

C1. Any order transferring temporary custody of the child to a person with a legitimate interest pursuant to subsection C shall be entered only upon a finding, based upon a preponderance of the evidence, that such person is one who (i) is found by the court to be willing and qualified to receive and care for the child; (ii) is willing to have a positive, continuous relationship with the child; and (iii) is willing and has the ability to protect the child from abuse and neglect. The court's order transferring temporary custody to a person with a legitimate interest should further provide for compliance with any preliminary protective order entered on behalf of the child in accordance with the provisions of § 16.1-253; and, as appropriate, ongoing provision of social services to the child and the child's custodian; and court review of the child's placement with such person with a legitimate interest. Any final order transferring custody of the child to a person with a legitimate interest pursuant to this section shall, in addition, be entered only after an investigation as directed by the court and upon a finding, stated in the court's order, that such person is one who satisfies clauses (i), (ii), and (iii) and is committed to providing a permanent, suitable home for the child.

D. The local board or licensed child-placing agency to which authority is given to place the child for adoption and consent thereto after an order terminating parental rights is entered pursuant to this section shall file a written Adoption Progress Report with the juvenile court on the progress being made to place the child in an adoptive home. The report shall be filed with the court every six months from the date of the final order terminating parental rights until a final order of adoption is entered on behalf of the child in the circuit court. At the conclusion of the hearing at which termination of parental rights is ordered and authority is given to the local board or licensed child-placing agency to place the child for adoption, the juvenile court shall schedule a date by which the board or agency shall file the first Adoption Progress Report required by this section. A copy of the Adoption Progress Report shall be sent by the court to the guardian ad litem for the child. The court may schedule a hearing on the report with or without the request of a party.

2. That the Department of Social Services shall, in collaboration with the Virginia League of Social Services Executives, create a template for the written report that the local department of social services is required to create pursuant to § 16.1-277.02 of the Code of Virginia, as amended by this act, as a part of its investigation prior to a proceeding. The template for the written report shall include (i) a complete background of the child and family, including medical and mental health history, legal history, educational history, and any information from providers in these fields; (ii) the exploration of all relatives and fictive kin; and (iii) information on what services are being or have been offered or provided to the child and the family, including the potential effectiveness of a family partnership meeting.

3. That the Office of the Children's Ombudsman shall convene a work group to determine the factors a court should consider for good cause shown to grant a petitioner's petition for relief of care and custody of a child. The work group shall also explore the potential benefits and considerations of raising the standard of evidence for granting temporary relief of custody from the current standard of preponderance of the evidence to clear and convincing evidence. The work group shall be composed of judges of juvenile and domestic relations district courts, a representative from the Office of the Executive Secretary of the Supreme Court of Virginia, one or more representatives from the Department of Social Services, representatives from local departments of social services and court services units, and other relevant stakeholders. The Office of the Children's Ombudsman shall submit a report of the work group's findings and recommendations to the Chairs of the House and Senate Committees for Courts of Justice and the Virginia Commission on Youth by November 1, 2025.

4. That the provisions of § 16.1-277.02 of the Code of Virginia, as amended by this act, shall become effective on January 1, 2026.

CHAPTER 139

An Act to amend and reenact § 44-117 of the Code of Virginia, relating to Virginia state militia; officers of certain educational institutions; Randolph-Macon Academy.

[H 1740]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 44-117 of the Code of Virginia is amended and reenacted as follows:

§ 44-117. Officers of Virginia Military Institute, the Virginia Women's Institute for Leadership at Mary Baldwin College, the Fishburne Military School, the Massanutten Military Academy, the Randolph-Macon Academy, and Virginia Polytechnic Institute and State University to be officers of militia.

The officers of the Virginia Military Institute, the Virginia Women's Institute for Leadership at Mary Baldwin College, the Fishburne Military School, the Massanutten Military Academy, *the Randolph-Macon Academy,* and the Commandant of Cadets and Assistant Commandants of Cadets of the Virginia Polytechnic Institute and State University shall be commissioned officers of the Virginia militia, unorganized, and subject to the orders of the Governor and the same rules and regulations as to discipline provided for other commissioned officers of the military organizations of the Commonwealth. The Governor is authorized and directed to issue commissions to the professors, assistant professors and other officers of the Virginia Military Institute, the Fishburne Military School, the Massanutten Military Academy, *the Randolph-Macon Academy,* and the Virginia Women's Institute for Leadership at Mary Baldwin College, according to the rank prescribed by those institutions; and to the Commandant of Cadets and Assistant Commandants of Cadets of the Virginia Polytechnic Institute and State University. Such persons shall be eligible to receive and to continue to hold such commissions, regardless of age, for so long as they continue to be officers, professors or assistant professors of the Virginia Military Institute, the Virginia Women's Institute for Leadership at Mary Baldwin College, the Fishburne Military School, the Massanutten Military Academy, *the Randolph-Macon Academy,* or the Commandant of Cadets or Assistant Commandants of Cadets of Virginia Polytechnic Institute and State University. The governing boards of each institution shall recommend to the Governor the rank to which such eligible persons shall be commissioned, but the following determination of such rank shall be made by the Governor. Commissions in such militia issued such persons by the Governor shall not entitle any person holding the same to any pay or emolument by reason thereof unless he be assigned to duty by order of the Governor with the Virginia National Guard; and in such event, the rank of such officer shall be relatively inferior to that of all other officers of the same grade in the Virginia National Guard.

CHAPTER 140

An Act to amend and reenact § 1-208.1 of the Code of Virginia, relating to carbon-free energy or clean energy; fusion energy; definitions.

[H 1779]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 1-208.1 of the Code of Virginia is amended and reenacted as follows:

§ 1-208.1. Carbon-free energy; clean energy.

A. "Carbon-free energy" or "clean energy" includes electric energy generated from a source that does not emit carbon dioxide into the atmosphere during the process of generating the electric energy, including electric energy generated by the conversion of sunlight, wind, falling water, wave motion, tides, geothermal*, fusion energy,* or nuclear energy.

B. As used in this section, "fusion energy" means the energy generated through the process of fusing together atomic nuclei.

CHAPTER 141

An Act to amend the Code of Virginia by adding a section numbered 22.1-274.7, relating to students with disabilities; individualized education programs; individualized accommodations and supports during emergency situations and evacuations.

[H 1806]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-274.7 as follows:

§ 22.1-274.7. Students with disabilities; individualized education programs; individualized accommodations and supports during emergency situations and evacuations.

A. If deemed appropriate by the individualized education program (IEP) team, which includes the parent, the IEP implemented for a public school student with a disability in accordance with the federal Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., with the exception of such students who have been placed in private day or residential school settings, may contain language addressing individualized accommodations and supports for the student during emergency situations and evacuations. In developing such language, IEP teams should be supported by the school administration. Additionally, for initial IEPs, the IEP team shall discuss whether or not the student requires such accommodations and supports.

B. The Department shall provide guidance to local school divisions on how to support IEP teams for the consideration of specific supports required for students with disabilities, including students with mobility impairments, during emergency situations given the unique context of their disabilities in the educational setting. Such guidance shall include information relevant for IEP teams and applicable to Section 504 committees as determined appropriate.

CHAPTER 142

An Act to amend and reenact §§ 3.2-4709, 58.1-609.2, and 58.1-1707 of the Code of Virginia and to repeal Article 3 (§§ 3.2-4738 through 3.2-4752) of Chapter 47 of Title 3.2 of the Code of Virginia, relating to dealers in agricultural produce.

[H 1837]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.2-4709, 58.1-609.2, and 58.1-1707 of the Code of Virginia are amended and reenacted as follows:

§ 3.2-4709. Definitions.

As used in this article, unless the context requires a different meaning:

"Auction market," "livestock auction market," "livestock sales ring," "livestock auction," or "livestock auction ring" means a place or establishment operated for compensation or profit as a private or public market, consisting of pens, or other enclosures, and their appurtenances, in which livestock are received, held for sale or where livestock is sold or offered for sale either privately or at public auction.

"Commission merchant" means any person~~,~~ who~~:~~ (i) operates an auction market; (ii) receives farm products for sale on commission or contracts with the producer for farm products sold on commission or for a fee; (iii) accepts in trust from the producer for the purpose of sale; (iv) sells or offers for sale on commission; (v) solicits consignments of any kind of farm products; or (vi) handles the account of or as an agent of the producer any kind of farm products. No person shall be deemed to be an agent of the producer unless a specific price has been agreed upon by both parties before shipment or delivery by the producer for resale.

"Commission merchant" ~~shall~~ *does* not include~~:~~ (i) any cooperative corporation or association that is subject to the provisions of Article 2 (§ 13.1-312 et seq.) of Chapter 3 of Title 13.1; (ii) any association or organization of farmers, including produce exchanges, not incorporated under or subject to the provisions of Article 2 (§ 13.1-312 et seq.) of Chapter 3 of Title 13.1, organized and maintained by farmers for mutual help in the marketing of their produce and not for profit; (iii) any person buying vegetables, viticulture, or horticultural farm products for the purpose of reselling these products in dried, canned, or other preserved form; (iv) the sale of farm produce at public auction by a licensed auctioneer, acting as the agent of another to whom such farm produce is consigned; (v) the sale by sheriffs and other officers and fiduciaries and court officials; (vi) seed sold at retail; or (vii) persons licensed pursuant to the provisions ~~of Article 3 (§ 3.2-4738 et seq.) of this chapter~~ *under the federal Perishable Agricultural Commodities Act (7 U.S.C. § 499a et seq.)*.

"Farm produce" or "farm products" means horticultural, viticulture, forestry, dairy, livestock, poultry, bee, and other products ordinarily produced on farms.

"Licensee" means any person who has been granted a license to operate, conduct, or carry on the business of a commission merchant.

§ 58.1-609.2. Agricultural exemptions.

The tax imposed by this chapter or pursuant to the authority granted in §§ 58.1-605 and 58.1-606 shall not apply to the following:

1. Commercial feeds; seeds; plants; fertilizers; liming materials; breeding and other livestock; semen; breeding fees; baby chicks; turkey poults; rabbits; quail; llamas; bees; agricultural chemicals; fuel for drying or curing crops; baler twine; containers for fruit and vegetables; farm machinery; medicines and drugs sold to a veterinarian provided they are used or consumed directly in the care, medication, and treatment of agricultural production animals or for resale to a farmer for direct use in producing an agricultural product for market; tangible personal property, except for structural construction materials to be affixed to real property owned or leased by a farmer, necessary for use in agricultural production for market and sold to or purchased by a farmer or contractor; and agricultural supplies provided the same are sold to and purchased by farmers for use in agricultural production, which also includes beekeeping and fish, quail, rabbit and worm farming for market.

2. Every agricultural commodity or kind of seafood sold or distributed by any person to any other person who purchases not for direct consumption but for the purpose of acquiring raw products for use or consumption in the process of

preparing, finishing, or manufacturing such agricultural or seafood commodity for the ultimate retail consumer trade, except when such agricultural or seafood commodity is actually sold or distributed as a marketable or finished product to the ultimate consumer. "Agricultural commodity," for the purposes of this subdivision, means horticultural, poultry, and farm products, livestock and livestock products, and products derived from bees and beekeeping.

3. Livestock and livestock products, poultry and poultry products, and farm and agricultural products, when produced by the farmer and used or consumed by him and the members of his family.

4. Machinery, tools, equipment, materials or repair parts therefor or replacement thereof; fuel or supplies; and fishing boats, marine engines installed thereon or outboard motors used thereon, and all replacement or repair parts in connection therewith; provided the same are sold to and purchased by watermen for use by them in extracting fish, bivalves or crustaceans from waters for commercial purposes.

5. Machinery or tools or repair parts therefor or replacements thereof, fuel, power, energy or supplies, and cereal grains and other feed ingredients, including, but not limited to, drugs, vitamins, minerals, nonprotein nitrogen, and other supplements or additives, used directly in making feed for sale or resale. Making of feed shall include the mixing of liquid ingredients.

6. Machinery or tools and repair parts therefor or replacements thereof, fuel, power, energy or supplies, used directly in the harvesting of forest products for sale or for use as a component part of a product to be sold. Harvesting of forest products shall include all operations prior to the transport of the harvested product used for (i) removing timber or other forest products from the harvesting site, (ii) complying with environmental protection and safety requirements applicable to the harvesting of forest products, (iii) obtaining access to the harvesting site, and (iv) loading cut timber or other forest products onto highway vehicles for transportation to storage or processing facilities.

7. ~~Agricultural produce, as defined in § 3.2-4738~~ *Fruits, vegetables*, and eggs, as described in § 3.2-5305, raised and sold by an individual at local farmers markets and roadside stands, when such individual's annual income from such sales does not exceed $2,500.

8. The following property used directly in producing agricultural products for market in an indoor, closed, controlled-environment commercial agricultural facility:

a. Internal components or materials, whether or not they are affixed to real property, required (i) to create, support, and maintain the necessary growing environment for plants, including towers for growing plants; conveyances for moving such towers; and insulation, partitions, and cladding; (ii) for lighting systems; (iii) for heating, cooling, humidification, dehumidification, and air circulation systems; and (iv) for watering and water treatment systems;

b. External components, machinery, and equipment required (i) for heating, cooling, humidification, dehumidification, and air circulation systems; (ii) for utility upgrades and related distribution infrastructure; and (iii) for creating, supporting, and maintaining the necessary growing environment for plants; and

c. Structural components of (i) insulation, partitions, or cladding used in indoor vertical farming to create and maintain the necessary growing environment for plants or (ii) translucent or transparent elements, including windows, walls, and roofs, that allow sunlight in greenhouses to create and maintain the necessary growing environment for plants.

For purposes of this subdivision, "indoor, closed, controlled-environment commercial agricultural facility" ~~shall include~~ *includes* indoor vertical farming or a greenhouse, regardless of whether the greenhouse is affixed to real property and, "agricultural products" ~~shall include~~ *includes* any horticultural, floricultural, viticulture, or other farm crops. However, the exemption provided by this subdivision shall not apply to property used in producing cannabis or any derivative of cannabis.

§ 58.1-1707. Tax levied.

A. There is hereby levied and imposed upon every person in the Commonwealth engaged in business as a manufacturer, wholesaler, distributor or retailer of products enumerated in § 58.1-1708 an annual litter tax of $20 for each establishment from which such business is conducted. However, the tax under this subsection shall not be imposed on an individual who raises and sells ~~agricultural produce, as defined in § 3.2-4738, and~~ *fruits or vegetables or* an individual who sells eggs, as described in § 3.2-5305, in local farmers markets or at roadside stands, provided that his annual income from such sales does not exceed $1,000~~,~~ and that any container he provides to hold purchased items has been previously used.

B. In addition to the tax levied in subsection A, each person engaged in business as a manufacturer, wholesaler, distributor, or retailer of products enumerated in category 2, 4, or 5 of § 58.1-1708 shall pay an additional annual litter tax of $30 for each establishment from which such business is conducted. However, the tax under this subsection shall not be imposed on an individual who raises and sells ~~agricultural produce, as defined in § 3.2-4738, and~~ *fruits or vegetables or* an individual who sells eggs, as described in § 3.2-5305, in local farmers markets or at roadside stands, provided that his annual income from such sales does not exceed $1,000~~,~~ and that any container he provides to hold purchased items has been previously used.

C. For purposes of the tax levied in this section, a vending machine shall not be deemed a separate establishment. Any person engaged in the business of selling goods, wares, and merchandise through the use of coin-operated vending machines shall pay an annual litter tax only with respect to each establishment from which goods, wares, or merchandise are stored, kept, or assembled for purposes of supplying such vending machines.

2. That Article 3 (§§ 3.2-4738 through 3.2-4752) of Chapter 47 of Title 3.2 of the Code of Virginia is repealed.

CHAPTER 143

An Act to amend and reenact §§ 16.1-241, 16.1-278.15, and 20-124.1 of the Code of Virginia, relating to person with a legitimate interest; parent whose rights have previously been terminated; custody and visitation.

[H 1854]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-241, 16.1-278.15, and 20-124.1 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-241. Jurisdiction; consent for abortion.

The judges of the juvenile and domestic relations district court elected or appointed under this law shall be conservators of the peace within the corporate limits of the cities and the boundaries of the counties for which they are respectively chosen and within one mile beyond the limits of such cities and counties. Except as hereinafter provided, each juvenile and domestic relations district court shall have, within the limits of the territory for which it is created, exclusive original jurisdiction, and within one mile beyond the limits of said city or county, concurrent jurisdiction with the juvenile court or courts of the adjoining city or county, over all cases, matters and proceedings involving:

A. The custody, visitation, support, control or disposition of a child:

1. Who is alleged to be abused, neglected, in need of services, in need of supervision, a status offender, or delinquent except where the jurisdiction of the juvenile court has been terminated or divested;

2. Who is abandoned by his parent or other custodian or who by reason of the absence or physical or mental incapacity of his parents is without parental care and guardianship;

2a. Who is at risk of being abused or neglected by a parent or custodian who has been adjudicated as having abused or neglected another child in the care of the parent or custodian;

3. Whose custody, visitation or support is a subject of controversy or requires determination. In such cases jurisdiction shall be concurrent with and not exclusive of courts having equity jurisdiction, except as provided in § 16.1-244;

4. Who is the subject of an entrustment agreement entered into pursuant to § 63.2-903 or 63.2-1817 or whose parent or parents for good cause desire to be relieved of his care and custody;

5. Where the termination of residual parental rights and responsibilities is sought. In such cases jurisdiction shall be concurrent with and not exclusive of courts having equity jurisdiction, as provided in § 16.1-244;

6. Who is charged with a traffic infraction as defined in § 46.2-100; or

7. Who is alleged to have refused to take a blood test in violation of § 18.2-268.2.

In any case in which the juvenile is alleged to have committed a violent juvenile felony enumerated in subsection B of § 16.1-269.1, and for any charges ancillary thereto, the jurisdiction of the juvenile court shall be limited to conducting a preliminary hearing to determine if there is probable cause to believe that the juvenile committed the act alleged and that the juvenile was 16 years of age or older at the time of the commission of the alleged offense, and any matters related thereto. In any case in which the juvenile is alleged to have committed a violent juvenile felony enumerated in subsection C of § 16.1-269.1, and for all charges ancillary thereto, if the attorney for the Commonwealth has given notice as provided in subsection C of § 16.1-269.1, the jurisdiction of the juvenile court shall be limited to conducting a preliminary hearing to determine if there is probable cause to believe that the juvenile committed the act alleged and that the juvenile was 16 years of age or older at the time of the commission of the alleged offense, and any matters related thereto. A determination by the juvenile court following a preliminary hearing pursuant to subsection B or C of § 16.1-269.1 to certify a charge to the grand jury shall divest the juvenile court of jurisdiction over the charge and any ancillary charge. In any case in which a transfer hearing is held pursuant to subsection A of § 16.1-269.1, if the juvenile court determines to transfer the case, jurisdiction of the juvenile court over the case shall be divested as provided in § 16.1-269.6.

In all other cases involving delinquent acts, and in cases in which an ancillary charge remains after a violent juvenile felony charge has been dismissed or a violent juvenile felony has been reduced to a lesser offense not constituting a violent juvenile felony, the jurisdiction of the juvenile court shall not be divested unless there is a transfer pursuant to subsection A of § 16.1-269.1.

The authority of the juvenile court to adjudicate matters involving the custody, visitation, support, control or disposition of a child shall not be limited to the consideration of petitions filed by a mother, father or legal guardian but shall include petitions filed at any time by any party with a legitimate interest therein. A party with a legitimate interest shall be broadly construed and shall include, but not be limited to, grandparents, step-grandparents, stepparents, former stepparents, blood relatives and family members. A party with a legitimate interest shall not include any person (i) whose parental rights have been terminated by court order, either voluntarily or involuntarily, *except for purposes of this title, as otherwise provided by this paragraph;* (ii) whose interest in the child derives from or through a person whose parental rights have been terminated by court order, either voluntarily or involuntarily, including, but not limited to, grandparents, stepparents, former stepparents, blood relatives and family members, if the child subsequently has been legally adopted, except where a final order of adoption is entered pursuant to § 63.2-1241~~,~~*;* or (iii) who has been convicted of a violation of subsection A of § 18.2-61, § 18.2-63, subsection B of § 18.2-366, or an equivalent offense of another state, the United States, or any foreign jurisdiction, when the child who is the subject of the petition was conceived as a result of such violation. The authority of the juvenile court to consider a petition involving the custody of a child shall not be proscribed or limited where the child

has previously been awarded to the custody of a local board of social services. *For purposes of this title, a party with a legitimate interest shall also include a parent whose rights previously had been terminated, provided that the child whose custody or visitation is at issue (a) is at least 14 years of age; (b) has had a permanency goal previously achieved by adoption; (c) has had his adoptive parents die or, pursuant to § 16.1-277.02, each of such child's adoptive parents has permanently been relieved of custody of such child and each adoptive parent has had his parental rights terminated; and (d) is in the custody of a local board of social services, and provided that the parent whose rights had previously been terminated has (1) complied with the terms of any written post-adoption contact and communication agreement entered into pursuant to Article 1.1 (§ 63.2-1220.2 et seq.) of Chapter 12 of Title 63.2 and (2) maintained a positive, continuous relationship with the child since termination.*

A1. Making specific findings of fact required by state or federal law to enable a child to apply for or receive a state or federal benefit. For the purposes of this subsection only, when the court has obtained jurisdiction over the case of any child, the court may continue to exercise its jurisdiction until such person reaches 21 years of age, for the purpose of entering findings of fact or amending past orders, to include findings of fact necessary for the person to petition the federal government for status as a special immigrant juvenile, as defined by 8 U.S.C. § 1101(a)(27)(J).

B. The admission of minors for inpatient treatment in a mental health facility in accordance with the provisions of Article 16 (§ 16.1-335 et seq.) and the involuntary admission of a person with mental illness or judicial certification of eligibility for admission to a training center for persons with intellectual disability in accordance with the provisions of Chapter 8 (§ 37.2-800 et seq.) of Title 37.2. Jurisdiction of the involuntary admission and certification of adults shall be concurrent with the general district court.

C. Except as provided in subsections D and H, judicial consent to such activities as may require parental consent may be given for a child who has been separated from his parents, guardian, legal custodian or other person standing in loco parentis and is in the custody of the court when such consent is required by law.

D. Judicial consent for emergency surgical or medical treatment for a child who is neither married nor has ever been married, when the consent of his parent, guardian, legal custodian or other person standing in loco parentis is unobtainable because such parent, guardian, legal custodian or other person standing in loco parentis (i) is not a resident of the Commonwealth, (ii) has his whereabouts unknown, (iii) cannot be consulted with promptness, reasonable under the circumstances, or (iv) fails to give such consent or provide such treatment when requested by the judge to do so.

E. Any person charged with deserting, abandoning or failing to provide support for any person in violation of law.

F. Any parent, guardian, legal custodian or other person standing in loco parentis of a child:

1. Who has been abused or neglected;

2. Who is the subject of an entrustment agreement entered into pursuant to § 63.2-903 or 63.2-1817 or is otherwise before the court pursuant to subdivision A 4; or

3. Who has been adjudicated in need of services, in need of supervision, or delinquent, if the court finds that such person has by overt act or omission induced, caused, encouraged or contributed to the conduct of the child complained of in the petition.

G. Petitions filed by or on behalf of a child or such child's parent, guardian, legal custodian or other person standing in loco parentis for the purpose of obtaining treatment, rehabilitation or other services that are required by law to be provided for that child or such child's parent, guardian, legal custodian or other person standing in loco parentis. Jurisdiction in such cases shall be concurrent with and not exclusive of that of courts having equity jurisdiction as provided in § 16.1-244.

H. Judicial consent to apply for a work permit for a child when such child is separated from his parents, legal guardian or other person standing in loco parentis.

I. The prosecution and punishment of persons charged with ill-treatment, abuse, abandonment or neglect of children or with any violation of law that causes or tends to cause a child to come within the purview of this law, or with any other offense against the person of a child. In prosecution for felonies over which the court has jurisdiction, jurisdiction shall be limited to determining whether or not there is probable cause.

J. All offenses in which one family or household member is charged with an offense in which another family or household member is the victim and all offenses under § 18.2-49.1.

In prosecution for felonies over which the court has jurisdiction, jurisdiction shall be limited to determining whether or not there is probable cause. Any objection based on jurisdiction under this subsection shall be made before a jury is impaneled and sworn in a jury trial or, in a nonjury trial, before the earlier of when the court begins to hear or receive evidence or the first witness is sworn, or it shall be conclusively waived for all purposes. Any such objection shall not affect or be grounds for challenging directly or collaterally the jurisdiction of the court in which the case is tried.

K. Petitions filed by a natural parent, whose parental rights to a child have been voluntarily relinquished pursuant to a court proceeding, to seek a reversal of the court order terminating such parental rights. No such petition shall be accepted, however, after the child has been placed in the home of adoptive parents.

L. Any person who seeks spousal support after having separated from his spouse. A decision under this subdivision shall not be res judicata in any subsequent action for spousal support in a circuit court. A circuit court shall have concurrent original jurisdiction in all causes of action under this subdivision.

M. Petitions filed for the purpose of obtaining an order of protection pursuant to § 16.1-253.1, 16.1-253.4, or 16.1-279.1, and all petitions filed for the purpose of obtaining an order of protection pursuant to § 19.2-152.8, 19.2-152.9, or 19.2-152.10 if either the alleged victim or the respondent is a juvenile.

N. Any person who escapes or remains away without proper authority from a residential care facility in which he had been placed by the court or as a result of his commitment to the Virginia Department of Juvenile Justice.

O. Petitions for emancipation of a minor pursuant to Article 15 (§ 16.1-331 et seq.).

P. Petitions for enforcement of administrative support orders entered pursuant to Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2, or by another state in the same manner as if the orders were entered by a juvenile and domestic relations district court upon the filing of a certified copy of such order in the juvenile and domestic relations district court.

Q. Petitions for a determination of parentage pursuant to Chapter 3.1 (§ 20-49.1 et seq.) of Title 20. A circuit court shall have concurrent original jurisdiction to the extent provided for in § 20-49.2.

R. [Repealed.]

S. Petitions filed by school boards against parents pursuant to §§ 16.1-241.2 and 22.1-279.3.

T. Petitions to enforce any request for information or subpoena that is not complied with or to review any refusal to issue a subpoena in an administrative appeal regarding child abuse and neglect pursuant to § 63.2-1526.

U. Petitions filed in connection with parental placement adoption consent hearings pursuant to § 63.2-1233. Such proceedings shall be advanced on the docket so as to be heard by the court within 10 days of filing of the petition, or as soon thereafter as practicable so as to provide the earliest possible disposition.

V. Petitions filed for the purpose of obtaining the court's assistance with the execution of consent to an adoption when the consent to an adoption is executed pursuant to the laws of another state and the laws of that state provide for the execution of consent to an adoption in the court of the Commonwealth.

W. Petitions filed by a juvenile seeking judicial authorization for a physician to perform an abortion if a minor elects not to seek consent of an authorized person.

After a hearing, a judge shall issue an order authorizing a physician to perform an abortion, without the consent of any authorized person, if he finds that (i) the minor is mature enough and well enough informed to make her abortion decision, in consultation with her physician, independent of the wishes of any authorized person, or (ii) the minor is not mature enough or well enough informed to make such decision, but the desired abortion would be in her best interest.

If the judge authorizes an abortion based on the best interests of the minor, such order shall expressly state that such authorization is subject to the physician or his agent giving notice of intent to perform the abortion; however, no such notice shall be required if the judge finds that such notice would not be in the best interest of the minor. In determining whether notice is in the best interest of the minor, the judge shall consider the totality of the circumstances; however, he shall find that notice is not in the best interest of the minor if he finds that (a) one or more authorized persons with whom the minor regularly and customarily resides is abusive or neglectful and (b) every other authorized person, if any, is either abusive or neglectful or has refused to accept responsibility as parent, legal guardian, custodian or person standing in loco parentis.

The minor may participate in the court proceedings on her own behalf, and the court may appoint a guardian ad litem for the minor. The court shall advise the minor that she has a right to counsel and shall, upon her request, appoint counsel for her.

Notwithstanding any other provision of law, the provisions of this subsection shall govern proceedings relating to consent for a minor's abortion. Court proceedings under this subsection and records of such proceedings shall be confidential. Such proceedings shall be given precedence over other pending matters so that the court may reach a decision promptly and without delay in order to serve the best interests of the minor. Court proceedings under this subsection shall be heard and decided as soon as practicable but in no event later than four days after the petition is filed.

An expedited confidential appeal to the circuit court shall be available to any minor for whom the court denies an order authorizing an abortion without consent or without notice. Any such appeal shall be heard and decided no later than five days after the appeal is filed. The time periods required by this subsection shall be subject to subsection B of § 1-210. An order authorizing an abortion without consent or without notice shall not be subject to appeal.

No filing fees shall be required of the minor at trial or upon appeal.

If either the original court or the circuit court fails to act within the time periods required by this subsection, the court before which the proceeding is pending shall immediately authorize a physician to perform the abortion without consent of or notice to an authorized person.

Nothing contained in this subsection shall be construed to authorize a physician to perform an abortion on a minor in circumstances or in a manner that would be unlawful if performed on an adult woman.

A physician shall not knowingly perform an abortion upon an unemancipated minor unless consent has been obtained or the minor delivers to the physician a court order entered pursuant to this section and the physician or his agent provides such notice as such order may require. However, neither consent nor judicial authorization nor notice shall be required if the minor declares that she is abused or neglected and the attending physician has reason to suspect that the minor may be an abused or neglected child as defined in § 63.2-100 and reports the suspected abuse or neglect in accordance with § 63.2-1509; or if there is a medical emergency, in which case the attending physician shall certify the facts justifying the exception in the minor's medical record.

For purposes of this subsection:

"Authorization" means the minor has delivered to the physician a notarized, written statement signed by an authorized person that the authorized person knows of the minor's intent to have an abortion and consents to such abortion being performed on the minor.

"Authorized person" means (i) a parent or duly appointed legal guardian or custodian of the minor or (ii) a person standing in loco parentis, including, but not limited to, a grandparent or adult sibling with whom the minor regularly and customarily resides and who has care and control of the minor. Any person who knows he is not an authorized person and who knowingly and willfully signs an authorization statement consenting to an abortion for a minor is guilty of a Class 3 misdemeanor.

"Consent" means that (i) the physician has given notice of intent to perform the abortion and has received authorization from an authorized person, or (ii) at least one authorized person is present with the minor seeking the abortion and provides written authorization to the physician, which shall be witnessed by the physician or an agent thereof. In either case, the written authorization shall be incorporated into the minor's medical record and maintained as a part thereof.

"Medical emergency" means any condition which, on the basis of the physician's good faith clinical judgment, so complicates the medical condition of the pregnant minor as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay will create a serious risk of substantial and irreversible impairment of a major bodily function.

"Notice of intent to perform the abortion" means that (i) the physician or his agent has given actual notice of his intention to perform such abortion to an authorized person, either in person or by telephone, at least 24 hours previous to the performance of the abortion or (ii) the physician or his agent, after a reasonable effort to notify an authorized person, has mailed notice to an authorized person by certified mail, addressed to such person at his usual place of abode, with return receipt requested, at least 72 hours prior to the performance of the abortion.

"Perform an abortion" means to interrupt or terminate a pregnancy by any surgical or nonsurgical procedure or to induce a miscarriage as provided in § 18.2-72, 18.2-73, or 18.2-74.

"Unemancipated minor" means a minor who has not been emancipated by (i) entry into a valid marriage entered into prior to July 1, 2024, or lawfully entered into in another state or country prior to being domiciled in the Commonwealth, even though the marriage may have been terminated by dissolution; (ii) active duty with any of the Armed Forces of the United States; (iii) willingly living separate and apart from his or her parents or guardian, with the consent or acquiescence of the parents or guardian; or (iv) entry of an order of emancipation pursuant to Article 15 (§ 16.1-331 et seq.).

X. Petitions filed pursuant to Article 17 (§ 16.1-349 et seq.) relating to standby guardians for minor children.

Y. Petitions involving minors filed pursuant to § 32.1-45.1 relating to obtaining a blood specimen or test results.

Z. Petitions filed pursuant to § 16.1-283.3 for review of voluntary agreements for continuation of services and support for persons who meet the eligibility criteria for the Fostering Futures program set forth in § 63.2-919.

The ages specified in this law refer to the age of the child at the time of the acts complained of in the petition.

Notwithstanding any other provision of law, no fees shall be charged by a sheriff for the service of any process in a proceeding pursuant to subdivision A 3, except as provided in subdivision A 6 of § 17.1-272, or subsection B, D, M, or R.

Notwithstanding the provisions of § 18.2-71, any physician who performs an abortion in violation of subsection W shall be guilty of a Class 3 misdemeanor.

Upon certification by the juvenile and domestic relations district court of any felony charge and ancillary misdemeanor charge committed by an adult or when an appeal of a conviction or adjudication of delinquency of an offense in the juvenile and domestic relations district court is noted, jurisdiction as to such charges shall vest in the circuit court, unless such case is reopened pursuant to § 16.1-133.1; a final judgment, order, or decree is modified, vacated, or suspended pursuant to Supreme Court of Virginia Rule 1:1; or the appeal has been withdrawn in the juvenile and domestic relations district court within 10 days pursuant to § 16.1-133.

§ 16.1-278.15. Custody or visitation, child or spousal support generally.

A. In cases involving the custody, visitation or support of a child pursuant to subdivision A 3 of § 16.1-241, the court may make any order of disposition to protect the welfare of the child and family as may be made by the circuit court. The parties to any petition where a child whose custody, visitation, or support is contested shall show proof that they have attended within the 12 months prior to their court appearance or that they shall attend within 45 days thereafter an educational seminar or other like program conducted by a qualified person or organization approved by the Office of the Executive Secretary of the Supreme Court of Virginia. The court may require the parties to attend such seminar or program in uncontested cases only if the court finds good cause. The seminar or other program shall be a minimum of four hours in length and shall address the effects of separation or divorce on children, parenting responsibilities, options for conflict resolution and financial responsibilities. Once a party has completed one educational seminar or other like program, the required completion of additional programs shall be at the court's discretion. Parties under this section shall include natural or adoptive parents of the child, or any person with a legitimate interest as defined in § 20-124.1. The fee charged a party for participation in such program shall be based on the party's ability to pay; however, no fee in excess of $50 may be charged. Whenever possible, before participating in mediation or alternative dispute resolution to address custody, visitation or support, each party shall have attended the educational seminar or other like program. The court may grant an exemption from attendance of such program for good cause shown or if there is no program reasonably available. Other than statements or admissions by a party admitting criminal activity or child abuse or neglect, no statement or admission by a party in such seminar or program shall be admissible into evidence in any subsequent proceeding. If support is ordered for a child, the order shall also provide that support will continue to be paid for a child over the age of 18 who is (i) a full-time high school student, (ii) not self-supporting, and (iii) living in the home of the parent seeking or receiving child support, until the child reaches the age of 19 or graduates from high school, whichever occurs first. The court may also order that

support be paid or continue to be paid for any child over the age of 18 who is (a) severely and permanently mentally or physically disabled, and such disability existed prior to the child reaching the age of 18 or the age of 19 if the child met the requirements of clauses (i), (ii), and (iii); (b) unable to live independently and support himself; and (c) residing in the home of the parent seeking or receiving child support. Upon request of either party, the court may also order that support payments be made to a special needs trust or an ABLE savings trust account as defined in § 23.1-700.

B. In any case involving the custody or visitation of a child, the court may award custody upon petition to any party with a legitimate interest therein, including, but not limited to, grandparents, stepparents, former stepparents, blood relatives and family members. *For purposes of this section, a party with a legitimate interest shall also include a parent whose rights previously had been terminated, provided that the child whose custody or visitation is at issue (i) is at least 14 years of age; (ii) has had a permanency goal previously achieved by adoption; (iii) has had his adoptive parents die or, pursuant to § 16.1-277.02, each of such child's adoptive parents has permanently been relieved of custody of such child and each adoptive parent has had his parental rights terminated; and (iv) is in the custody of a local board of social services, and provided that the parent whose rights had previously been terminated has (a) complied with the terms of any written post-adoption contact and communication agreement entered into pursuant to Article 1.1 (§ 63.2-1220.2 et seq.) of Chapter 12 of Title 63.2 and (b) maintained a positive, continuous relationship with the child since termination.* The term "legitimate interest" shall be broadly construed to accommodate the best interest of the child. The authority of the juvenile court to consider a petition involving the custody of a child shall not be proscribed or limited where the custody of the child has previously been awarded to a local board of social services.

C. In any determination of support obligation under this section, the support obligation as it becomes due and unpaid creates a judgment by operation of law. Such judgment becomes a lien against real estate only when docketed in the county or city where such real estate is located. Nothing herein shall be construed to alter or amend the process of attachment of any lien on personal property.

D. Orders entered prior to July 1, 2008, shall not be deemed void or voidable solely because the petition or motion that resulted in the order was completed, signed and filed by a nonattorney employee of the Department of Social Services.

E. In cases involving charges for desertion, abandonment or failure to provide support by any person in violation of law, disposition shall be made in accordance with Chapter 5 (§ 20-61 et seq.) of Title 20.

F. In cases involving a spouse who seeks spousal support after having separated from his spouse, the court may enter any appropriate order to protect the welfare of the spouse seeking support.

G. In any case or proceeding involving the custody or visitation of a child, the court shall consider the best interest of the child, including the considerations for determining custody and visitation set forth in Chapter 6.1 (§ 20-124.1 et seq.) of Title 20.

G1. In any case or proceeding involving the custody or visitation of a child, as to a parent, the court may, in its discretion, use the phrase "parenting time" to be synonymous with the term "visitation."

H. In any proceeding before the court for custody or visitation of a child, the court may order a custody or a psychological evaluation of any parent, guardian, legal custodian or person standing in loco parentis to the child, if the court finds such evaluation would assist it in its determination. The court may enter such orders as it deems appropriate for the payment of the costs of the evaluation by the parties.

I. When deemed appropriate by the court in any custody or visitation matter, the court may order drug testing of any parent, guardian, legal custodian or person standing in loco parentis to the child. The court may enter such orders as it deems appropriate for the payment of the costs of the testing by the parties.

J. In any custody or visitation case or proceeding wherein an order prohibiting a party from picking the child up from school is entered pursuant to this section, the court shall order a party to such case or proceeding to provide a copy of such custody or visitation order to the school at which the child is enrolled within three business days of such party's receipt of such custody or visitation order.

If a custody determination affects the school enrollment of the child subject to such custody order and prohibits a party from picking the child up from school, the court shall order a party to provide a copy of such custody order to the school at which the child will be enrolled within three business days of such party's receipt of such order. Such order directing a party to provide a copy of such custody or visitation order shall further require such party, upon any subsequent change in the child's school enrollment, to provide a copy of such custody or visitation order to the new school at which the child is subsequently enrolled within three business days of such enrollment.

If the court determines that a party is unable to deliver the custody or visitation order to the school, such party shall provide the court with the name of the principal and address of the school, and the court shall cause the order to be mailed by first class mail to such school principal.

Nothing in this section shall be construed to require any school staff to interpret or enforce the terms of such custody or visitation order.

§ 20-124.1. Definitions.

As used in this chapter:

"Joint custody" means (i) joint legal custody where both parents retain joint responsibility for the care and control of the child and joint authority to make decisions concerning the child even though the child's primary residence may be with only one parent, (ii) joint physical custody where both parents share physical and custodial care of the child, or (iii) any combination of joint legal and joint physical custody which the court deems to be in the best interest of the child.

"Person with a legitimate interest" shall be broadly construed and includes, but is not limited to, grandparents, step-grandparents, stepparents, former stepparents, blood relatives and family members provided any such party has intervened in the suit or is otherwise properly before the court. The term shall be broadly construed to accommodate the best interest of the child. A party with a legitimate interest shall not include any person (i) whose parental rights have been terminated by court order, either voluntarily or involuntarily, *except for purposes of this title, as otherwise provided by this definition;* (ii) whose interest in the child derives from or through a person whose parental rights have been terminated, either voluntarily or involuntarily, including but not limited to grandparents, stepparents, former stepparents, blood relatives and family members, if the child subsequently has been legally adopted, except where a final order of adoption is entered pursuant to § 63.2-1241~~,~~; or (iii) who has been convicted of a violation of subsection A of § 18.2-61, § 18.2-63, subsection B of § 18.2-366, or an equivalent offense of another state, the United States, or any foreign jurisdiction, when the child who is the subject of the petition was conceived as a result of such violation. *For purposes of this title, a "person with a legitimate interest" shall also include a parent whose rights previously had been terminated, provided that the child whose custody or visitation is at issue (a) is at least 14 years of age; (b) has had a permanency goal previously achieved by adoption; (c) has had his adoptive parents die or, pursuant to § 16.1-277.02, each of such child's adoptive parents has permanently been relieved of custody of such child and each adoptive parent has had his parental rights terminated; and (d) is in the custody of a local board of social services, and provided that the parent whose rights had previously been terminated has (1) complied with the terms of any written post-adoption contact and communication agreement entered into pursuant to Article 1.1 (§ 63.2-1220.2 et seq.) of Chapter 12 of Title 63.2 and (2) maintained a positive, continuous relationship with the child since termination.*

"Sole custody" means that one person retains responsibility for the care and control of a child and has primary authority to make decisions concerning the child.

CHAPTER 144

An Act to amend and reenact §§ 2.2-106, 22.1-305.2, 22.1-365, 23.1-201, 23.1-202, 23.1-203, 23.1-215, 23.1-222, 23.1-306, 23.1-610.1, 23.1-627.3, 23.1-637, 23.1-701, 23.1-903.4, 23.1-909, 23.1-1201, 23.1-1239, 23.1-3117, 23.1-3121, 23.1-3126, 23.1-3136, 30-359, 32.1-122.7:1, and 59.1-284.37 of the Code of Virginia, relating to State Council of Higher Education for Virginia; renaming Director as Executive Director.

[H 1878]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-106, 22.1-305.2, 22.1-365, 23.1-201, 23.1-202, 23.1-203, 23.1-215, 23.1-222, 23.1-306, 23.1-610.1, 23.1-627.3, 23.1-637, 23.1-701, 23.1-903.4, 23.1-909, 23.1-1201, 23.1-1239, 23.1-3117, 23.1-3121, 23.1-3126, 23.1-3136, 30-359, 32.1-122.7:1, and 59.1-284.37 of the Code of Virginia are amended and reenacted as follows:

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

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

1. Executive Director of the Virginia Port Authority;
2. *Executive* Director of the State Council of Higher Education for Virginia;
3. Executive Director of the Department of Wildlife Resources;
4. Executive Director of the Jamestown-Yorktown Foundation;
5. Executive Director of the Motor Vehicle Dealer Board;
6. Librarian of Virginia;
7. Administrator of the Commonwealth's Attorneys' Services Council;
8. Executive Director of the Virginia Housing Development Authority; and
9. Executive Director of the Board of Accountancy.

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

B. As part of the confirmation process for each administrative head and Secretary, the Secretary of the Commonwealth shall provide copies of the resumes and statements of economic interests filed pursuant to § 2.2-3117 to the chairs of the House of Delegates and Senate Committees on Privileges and Elections. For appointments made before January 1, copies shall be provided to the chairs within 30 days of the appointment or by January 7 whichever time is earlier; and for appointments made after January 1 through the regular session of that year, copies shall be provided to the chairs within seven days of the appointment. Each appointee shall be available for interviews by the Committees on Privileges and Elections or other applicable standing committee. For the purposes of this section and § 2.2-107, there shall be a joint subcommittee of the House of Delegates and Senate Committees on Privileges and Elections consisting of five members of the House Committee and three members of the Senate Committee appointed by the respective chairs of the committees to review the resumes and statements of economic interests of gubernatorial appointees. The members of the House of

Delegates shall be appointed in accordance with the principles of proportional representation contained in the Rules of the House of Delegates. No appointment confirmed by the General Assembly shall be subject to challenge by reason of a failure to comply with the provisions of this subsection pertaining to the confirmation process.

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

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

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

§ 22.1-305.2. Advisory Board on Teacher Education and Licensure.

There is hereby established the Advisory Board on Teacher Education and Licensure (the Advisory Board), which shall consist of three legislative members to be appointed as follows: two members of the House of Delegates to be appointed by the Speaker of the House of Delegates, one member of the Senate to be appointed by the Senate Committee on Rules, and 21 nonlegislative citizen members to be appointed by the Board of Education. Ten nonlegislative citizen members of the Advisory Board shall be classroom teachers, with at least the following representation: three elementary school teachers, three middle school teachers, and three high school teachers. Three nonlegislative citizen members of the Advisory Board shall be school administrators, one of whom shall be a school principal, one of whom shall be a division superintendent, and one of whom shall be a school personnel administrator. Four nonlegislative citizen members of the Advisory Board shall be faculty members in teacher preparation programs in public or private institutions of higher education, who may represent the arts and sciences. One nonlegislative citizen member of the Advisory Board shall be a member of a school board. One nonlegislative citizen member of the Advisory Board shall be a member of a parent-teacher association. One nonlegislative citizen member of the Advisory Board shall be a representative of the business community, and one nonlegislative citizen member shall be a citizen at large. The Chancellor of the Virginia Community College System or his designee shall serve as an ex officio member of the Advisory Board. The Superintendent of Public Instruction or his designee and the *Executive* Director of the State Council of Higher Education for Virginia or his designee shall serve as nonvoting ex officio members of the Advisory Board.

The Superintendent of Public Instruction shall designate a staff liaison to coordinate the activities of the Advisory Board. The Advisory Board shall meet five times per year or upon the request of its chairman or the Board of Education. The Advisory Board shall annually elect a chairman from its membership. Nonlegislative citizen members are not entitled to compensation for their services. Legislative members of the Advisory Board shall be compensated as provided in § 30-19.12. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as members of the Advisory Board as provided in §§ 2.2-2813 and 2.2-2825. The funding for the costs of compensation and expenses of the members shall be provided by the Department of Education.

The nonlegislative citizen members of the Advisory Board shall be appointed for three-year terms. Legislative members shall serve terms coincident with their terms of office. No person may be appointed to serve for more than two consecutive terms. Members shall hold office after expiration of their terms until their successors are duly appointed. Appointments to fill vacancies of members, other than by expiration of a term, shall be for the unexpired terms. Such vacancies shall be filled in the same manner as the original appointments.

The Advisory Board shall advise the Board of Education and submit recommendations on policies applicable to the qualifications, examination, licensure, and regulation of school personnel, including (i) revocation, suspension, denial, cancellation, reinstatement, and renewals of licensure; (ii) fees for processing applications; (iii) standards for the approval of preparation programs; (iv) reciprocal approval of preparation programs; (v) strategies for helping school divisions more effectively recruit and retain licensed teachers; and (vi) other related matters as the Board of Education may request or the Advisory Board may deem necessary. The final authority for licensure of school personnel shall remain with the Board of Education.

§ 22.1-365. Membership; terms; quorum; meetings.

A. The Board shall have a total membership of 16 members that shall consist of 10 nonlegislative citizen members and six ex officio members. Nonlegislative citizen members to be appointed by the Governor shall represent or have STEM experience with the public and private sector, industry partners, environmental organizations, and both formal and informal STEM educational organizations. The Director of the Science Museum of Virginia, the Superintendent of Public Instruction, and the *Executive* Director of the State Council of Higher Education for Virginia, or their designees, shall serve ex officio with full voting privileges. The Secretary of Education; the Director of Diversity, Equity, and Inclusion for the Commonwealth; and the Chief Workforce Development Officer for the Commonwealth, or their designees, shall serve ex officio without voting privileges. Nonlegislative citizen members of the Board shall be citizens of the Commonwealth.

B. ex officio members of the Board shall serve terms coincident with their terms of office. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed. After the initial staggering of terms, nonlegislative citizen members shall be appointed for a term of four years. No nonlegislative citizen member shall serve more than two

consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

C. The Board shall elect a chairman and vice-chairman from among its membership. A majority of the members shall constitute a quorum. The meetings of the Board shall be held at the call of the chairman or whenever the majority of the members so request.

§ 23.1-201. Student advisory committee.

A. The *Executive* Director of the Council shall appoint a student advisory committee consisting of students enrolled in public institutions of higher education and accredited private institutions of higher education whose primary purpose is to provide collegiate or graduate education and not to provide religious training. Appointments shall be made in a manner to ensure broad student representation from among such institutions.

B. Members shall serve for terms of one year. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Members may be reappointed to serve subsequent or consecutive terms.

C. The *Executive* Director of the Council shall ensure that at least one member of the student advisory committee is reappointed each year. The student advisory committee shall elect a chairman from among its members.

D. The student advisory committee shall meet at least twice annually and advise the *Executive* Director of the Council regarding such matters as may come before it.

§ 23.1-202. Employment of Executive Director and other personnel.

The Council shall appoint and employ ~~a director~~ *an Executive Director* who shall be the chief executive officer of the Council and employ such other personnel as may be required to assist it in the exercise of its powers and duties.

§ 23.1-203. Duties of Council.

The Council shall:

1. Develop a statewide strategic plan that (i) reflects the goals set forth in subsection A of § 23.1-1002 or (ii) once adopted, reflects the goals and objectives developed pursuant to subdivision B 5 of § 23.1-309 for higher education in the Commonwealth, identifies a coordinated approach to such state and regional goals, and emphasizes the future needs for higher education in the Commonwealth at both the undergraduate and the graduate levels and the mission, programs, facilities, and location of each of the existing institutions of higher education, each public institution's six-year plan, and such other matters as the Council deems appropriate. The Council shall revise such plan at least once every six years and shall submit such recommendations as are necessary for the implementation of the plan to the Governor and the General Assembly.

2. Review and approve or disapprove any proposed change in the statement of mission of any public institution of higher education and define the mission of all newly created public institutions of higher education. The Council shall report such approvals, disapprovals, and definitions to the Governor and the General Assembly at least once every six years. No such actions shall become effective until 30 days after adjournment of the session of the General Assembly next following the filing of such a report. Nothing in this subdivision shall be construed to authorize the Council to modify any mission statement adopted by the General Assembly or empower the Council to affect, either directly or indirectly, the selection of faculty or the standards and criteria for admission of any public institution of higher education, whether relating to academic standards, residence, or other criteria. Faculty selection and student admission policies shall remain a function of the individual public institutions of higher education.

3. Study any proposed escalation of any public institution of higher education to a degree-granting level higher than that level to which it is presently restricted and submit a report and recommendation to the Governor and the General Assembly relating to the proposal. The study shall include the need for and benefits or detriments to be derived from the escalation. No such institution shall implement any such proposed escalation until the Council's report and recommendation have been submitted to the General Assembly and the General Assembly approves the institution's proposal.

4. Review and approve or disapprove all enrollment projections proposed by each public institution of higher education. The Council's projections shall be organized numerically by level of enrollment and shall be used solely for budgetary, fiscal, and strategic planning purposes. The Council shall develop estimates of the number of degrees to be awarded by each public institution of higher education and include those estimates in its reports of enrollment projections. The student admissions policies for such institutions and their specific programs shall remain the sole responsibility of the individual governing boards but all baccalaureate public institutions of higher education shall adopt dual admissions policies with comprehensive community colleges as required by § 23.1-907.

5. Review and approve or disapprove all new undergraduate or graduate academic programs that any public institution of higher education proposes.

6. Review and require the discontinuance of any undergraduate or graduate academic program that is presently offered by any public institution of higher education when the Council determines that such academic program is (i) nonproductive in terms of the number of degrees granted, the number of students served by the program, the program's effectiveness, and budgetary considerations or (ii) supported by state funds and unnecessarily duplicative of academic programs offered at other public institutions of higher education. The Council shall make a report to the Governor and the General Assembly with respect to the discontinuance of any such academic program. No such discontinuance shall become effective until 30 days after the adjournment of the session of the General Assembly next following the filing of such report.

7. Review and approve or disapprove the establishment of any department, school, college, branch, division, or extension of any public institution of higher education that such institution proposes to establish, whether located on or off

the main campus of such institution. If any organizational change is determined by the Council to be proposed solely for the purpose of internal management and the institution's curricular offerings remain constant, the Council shall approve the proposed change. Nothing in this subdivision shall be construed to authorize the Council to disapprove the establishment of any such department, school, college, branch, division, or extension established by the General Assembly.

8. Review the proposed closure of any academic program in a high demand or critical shortage area, as defined by the Council, by any public institution of higher education and assist in the development of an orderly closure plan, when needed.

9. Develop a uniform, comprehensive data information system designed to gather all information necessary to the performance of the Council's duties. The system shall include information on admissions, enrollment, self-identified students with documented disabilities, personnel, programs, financing, space inventory, facilities, and such other areas as the Council deems appropriate. When consistent with the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.), the Virginia Unemployment Compensation Act (§ 60.2-100 et seq.), and applicable federal law, the Council, acting solely or in partnership with the Virginia Department of Education or the Virginia Employment Commission, may contract with private entities to create de-identified student records in which all personally identifiable information has been removed for the purpose of assessing the performance of institutions and specific programs relative to the workforce needs of the Commonwealth.

10. In cooperation with public institutions of higher education, develop guidelines for the assessment of student achievement. Each such institution shall use an approved program that complies with the guidelines of the Council and is consistent with the institution's mission and educational objectives in the development of such assessment. The Council shall report each institution's assessment of student achievement in the revisions to the Commonwealth's statewide strategic plan for higher education.

11. In cooperation with the appropriate state financial and accounting officials, develop and establish uniform standards and systems of accounting, recordkeeping, and statistical reporting for public institutions of higher education.

12. Review biennially and approve or disapprove all changes in the inventory of educational and general space that any public institution of higher education proposes and report such approvals and disapprovals to the Governor and the General Assembly. No such change shall become effective until 30 days after the adjournment of the session of the General Assembly next following the filing of such report.

13. Visit and study the operations of each public institution of higher education at such times as the Council deems appropriate and conduct such other studies in the field of higher education as the Council deems appropriate or as may be requested by the Governor or the General Assembly.

14. Provide advisory services to each accredited nonprofit private institution of higher education whose primary purpose is to provide collegiate or graduate education and not to provide religious training or theological education on academic, administrative, financial, and space utilization matters. The Council may review and advise on joint activities, including contracts for services between public institutions of higher education and such private institutions of higher education or between such private institutions of higher education and any agency or political subdivision of the Commonwealth.

15. Adopt such policies and regulations as the Council deems necessary to implement its duties established by state law. Each public institution of higher education shall comply with such policies and regulations.

16. Issue guidelines consistent with the provisions of the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g), requiring public institutions of higher education to release a student's academic and disciplinary record to a student's parent.

17. Require each institution of higher education formed, chartered, or established in the Commonwealth after July 1, 1980, to ensure the preservation of student transcripts in the event of institutional closure or revocation of approval to operate in the Commonwealth. An institution may ensure the preservation of student transcripts by binding agreement with another institution of higher education with which it is not corporately connected or in such other way as the Council may authorize by regulation. In the event that an institution closes or has its approval to operate in the Commonwealth revoked, the Council, through its ~~director~~ *Executive Director*, may take such action as is necessary to secure and preserve the student transcripts until such time as an appropriate institution accepts all or some of the transcripts. Nothing in this subdivision shall be deemed to interfere with the right of a student to his own transcripts or authorize disclosure of student records except as may otherwise be authorized by law.

18. Require the development and submission of articulation, dual admissions, and guaranteed admissions agreements between associate-degree-granting and baccalaureate public institutions of higher education.

19. Provide periodic updates of base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies for each public institution of higher education.

20. Develop, pursuant to the provisions of § 23.1-907, guidelines for articulation, dual admissions, and guaranteed admissions agreements, including guidelines related to a one-year Uniform Certificate of General Studies Program and a one-semester Passport Program to be offered at each comprehensive community college. The guidelines developed pursuant to this subdivision shall be developed in consultation with all public institutions of higher education in the Commonwealth, the Department of Education, and the Virginia Association of School Superintendents and shall ensure standardization, quality, and transparency in the implementation of the programs and agreements. At the discretion of the Council, private institutions of higher education eligible for tuition assistance grants may also be consulted.

21. Cooperate with the Board of Education in matters of interest to both public elementary and secondary schools and public institutions of higher education, particularly in connection with coordination of the college admission requirements, coordination of teacher training programs with the public school programs, and the Board of Education's Six-Year Educational Technology Plan for Virginia. The Council shall encourage public institutions of higher education to design programs that include the skills necessary for the successful implementation of such Plan.

22. Advise and provide technical assistance to the Brown v. Board of Education Scholarship Committee in the implementation and administration of the Brown v. Board of Education Scholarship Program pursuant to Chapter 34.1 (§ 30-231.01 et seq.) of Title 30.

23. Insofar as possible, seek the cooperation and utilize the facilities of existing state departments, institutions, and agencies in carrying out its duties.

24. Serve as the coordinating council for public institutions of higher education.

25. Serve as the planning and coordinating agency for all postsecondary educational programs for all health professions and occupations and make recommendations, including those relating to financing, for providing adequate and coordinated educational programs to produce an appropriate supply of properly trained personnel. The Council may conduct such studies as it deems appropriate in furtherance of the requirements of this subdivision. All state departments and agencies shall cooperate with the Council in the execution of its responsibilities under this subdivision.

26. Carry out such duties as the Governor may assign to it in response to agency designations requested by the federal government.

27. Insofar as practicable, preserve the individuality, traditions, and sense of responsibility of each public institution of higher education in carrying out its duties.

28. Insofar as practicable, seek the assistance and advice of each public institution of higher education in fulfilling its duties and responsibilities.

29. Administer the Virginia Longitudinal Data System as a multiagency partnership for the purposes of developing educational, health, social service, and employment outcome data; improving the efficacy of state services; and aiding decision making.

30. Assist the Department of Education with collecting and compiling information for distribution to high school students that assist such students in making more informed decisions about post-high-school educational and training opportunities pursuant to § 22.1-206.2.

§ 23.1-215. Authority of the Council; regulations; standards for postsecondary schools; delegation of authority to Executive Director.

A. The Council shall adopt, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), such regulations as may be necessary to implement the provisions of this article, including (i) procedures by which a postsecondary school may apply for Council approval to confer degrees in the Commonwealth; (ii) measures designed to ensure that all postsecondary schools that are subject to the provisions of this article meet the minimal standards established pursuant to subsection B; (iii) protections for students pursuing postsecondary education opportunities in postsecondary schools subject to the provisions of this article; and (iv) information to assist persons who rely on postsecondary degrees or certificates to judge the competence of individuals in receipt of such degrees or certificates.

B. The Council shall establish minimal standards for postsecondary schools that include standards for faculty preparation and experience, educational programs, physical plants, additional locations, finances, guaranty instruments, advertising and publications, maintenance of student records, personnel qualifications, student services, the method for collecting and refunding tuition and fees, library resources and services, organization and administration, changes of ownership or control, procedures for student admission and graduation, agent or solicitor requirements, consistency of a postsecondary school's stated purpose with the proposed offerings, reporting requirements, and any other relevant standards or requirements adopted by an accrediting agency recognized by the U.S. Department of Education.

C. The Council shall prescribe the manner, conditions, and language to be used by a postsecondary school or agent of such school to disclose or advertise that the postsecondary school has received certification from the Council to offer postsecondary programs in the Commonwealth.

D. The Council may establish separate certification criteria for various postsecondary school classifications.

E. The Council may grant to its ~~director~~ *Executive Director* the authority to take specific actions on its behalf in furtherance of the provisions of this article.

§ 23.1-222. Emergency actions.

A. The Council may, by regulation, authorize its ~~director~~ *Executive Director* to take immediate action on its behalf in any instance in which a postsecondary school holding certification to operate in the Commonwealth is the subject of an adverse action by the U.S. Department of Education or the postsecondary school's accrediting agency. When such adverse action threatens a disruption of the operation of the postsecondary school and exposes students to a loss of course or degree credit or financial loss, the ~~director~~ *Executive Director* may:

1. Suspend new enrollment in specified programs or degree levels or all programs and degree levels that have been approved by the Council;

2. Require the postsecondary school to provide a guaranty instrument in the amount necessary to cover the refund of unearned tuition to all students enrolled at the time of the action; or

3. Take such other actions as may be necessary to protect the rights of currently enrolled or future students.

B. At its next regularly scheduled meeting, the Council shall either ratify the ~~directors'~~ *Executive Director's* action or take such other actions as it deems necessary.

§ 23.1-306. Public institutions of higher education; six-year plans; institutional partnership performance agreements.

A. The governing board of each public institution of higher education shall (i) develop and adopt biennially in odd-numbered years and amend or affirm biennially in even-numbered years a six-year plan for the institution; (ii) submit a preliminary version of such plan to the Council, the General Assembly, the Governor, and the Chairmen of the House Committee on Appropriations, the House Committee on Education, the Senate Committee on Education and Health, and the Senate Committee on Finance and Appropriations no later than July 1 of each odd-numbered year; and (iii) submit preliminary amendments to or a preliminary affirmation of each such plan to the Council, the General Assembly, the Governor, and the Chairmen of the House Committee on Appropriations, the House Committee on Education, the Senate Committee on Education and Health, and the Senate Committee on Finance and Appropriations no later than July 1 of each even-numbered year. Each such preliminary plan and preliminary amendment to or preliminary affirmation of such plan shall include a report of the institution's active contributions to efforts to stimulate the economic development of the Commonwealth, the area in which the institution is located, and, for those institutions subject to a management agreement set forth in Article 4 (§ 23.1-1004 et seq.) of Chapter 10, the areas that lag behind the Commonwealth in terms of income, employment, and other factors. Each such preliminary plan and preliminary amendment to or preliminary affirmation of such plan shall be submitted as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports. No such preliminary plan, amendments, or affirmation shall be posted on the General Assembly's website.

B. The Secretary of Finance, the Secretary of Education, the Director of the Department of Planning and Budget, the *Executive* Director of the Council, the Staff Director of the House Committee on Appropriations, and the Staff Director of the Senate Committee on Finance and Appropriations, or their designees, shall review each institution's preliminary plan, amendments, or affirmation and provide comments to the institution on such plan, amendments, or affirmation by September 1 of the relevant year. Each institution shall respond to any such comments by October 1 of that year and submit a finalized version of such plan, amendments, or affirmation to the Council, the General Assembly, the Governor, and the Chairmen of the House Committee on Appropriations, the House Committee on Education, the Senate Committee on Education and Health, and the Senate Committee on Finance and Appropriations no later than December 1 of that year. Each such finalized version shall be submitted as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

C. Each plan shall be structured in accordance with, and be consistent with, the objective and purposes of this chapter set forth in § 23.1-301 and the criteria developed pursuant to § 23.1-309 and shall be in a form and manner prescribed by the Council, in consultation with the Secretary of Finance, the Secretary of Education, the Director of the Department of Planning and Budget, the *Executive* Director of the Council, the Staff Director of the House Committee on Appropriations, and the Staff Director of the Senate Committee on Finance and Appropriations, or their designees.

D. Each six-year plan shall (i) address the institution's academic, financial, and enrollment plans, including the number of Virginia and non-Virginia students, for the six-year period; (ii) indicate the planned use of any projected increase in general fund, tuition, or other nongeneral fund revenues; (iii) be based upon any assumptions provided by the Council, following consultation with the Department of Planning and Budget and the staffs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, for funding relating to state general fund support pursuant to §§ 23.1-303, 23.1-304, and 23.1-305 and subdivision 9; (iv) be aligned with the institution's six-year enrollment projections; and (v) include:

1. Financial planning reflecting the institution's anticipated level of general fund, tuition, and other nongeneral fund support for each year of the next biennium;

2. The institution's anticipated annual tuition and educational and general fee charges required by (i) degree level and (ii) domiciliary status, as provided in § 23.1-307;

3. Plans for providing financial aid to help mitigate the impact of tuition and fee increases on low-income and middle-income students and their families as described in subdivision 9, including the projected mix of grants and loans;

4. Degree conferral targets for undergraduate Virginia students;

5. Plans for optimal year-round use of the institution's facilities and instructional resources;

6. Plans for the development of an instructional resource-sharing program with other public institutions of higher education and private institutions of higher education;

7. Plans with regard to any other incentives set forth in § 23.1-305 or any other matters the institution deems appropriate;

8. The identification of (i) new programs or initiatives including quality improvements and (ii) institution-specific funding based on particular state policies or institution-specific programs, or both, as provided in subsection C of § 23.1-307; and

9. An institutional student financial aid commitment that, in conjunction with general funds appropriated for that purpose, provides assistance to students from both low-income and middle-income families and takes into account the

information and recommendations resulting from the review of federal and state financial aid programs and institutional practices conducted pursuant to subdivisions B 2 and C 1 of § 23.1-309.

E. In developing such plans, each public institution of higher education shall consider potential future impacts of tuition increases on the Commonwealth Savers Plan and ABLE Savings Trust Accounts (§ 23.1-700 et seq.) and shall discuss such potential impacts with the Commonwealth Savers Plan. The chief executive officer of the Commonwealth Savers Plan shall provide to each institution the Plan's assumptions underlying the contract pricing of the program.

F. 1. In conjunction with the plans included in the six-year plan as set forth in subsection D, each public institution of higher education, Richard Bland College, and the Virginia Community College System may submit one innovative proposal with clearly defined performance measures, including any request for necessary authority or support from the Commonwealth, for a performance pilot. If the General Assembly approves the proposed performance pilot, it shall include approval language in the general appropriation act. A performance pilot shall advance the objectives of this chapter by addressing innovative requests related to college access, affordability, cost predictability, enrollment management subject to specified commitments regarding undergraduate in-state student enrollment, alternative tuition and fee structures and affordable pathways to degree attainment, internships and work study, employment pathways for undergraduate Virginia students, strategic talent development, state or regional economic development, pathways to increase timely degree completion, or other priorities set out in the general appropriation act.

2. A performance pilot may include or constitute an institutional partnership performance agreement, which shall be set forth in a memorandum of understanding that includes mutually dependent commitments by the institution, the Commonwealth, and identified partners, if any, related to one or more of the priorities set forth in subdivision 1 or set forth in a general appropriation act. No such institutional partnership performance agreement shall create a legally enforceable obligation of the Commonwealth.

3. No more than six performance pilots shall be approved in a single session of the General Assembly.

4. Development and approval of any performance pilot proposal shall proceed in tandem with consideration of the institution's six-year plan, as follows:

a. An institution that intends to propose a performance pilot shall communicate that intention as early as practicable, but not later than April 1 of the year in which the performance pilot will be proposed, to the reviewers listed in subsection B, the co-chairmen of the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education, and the Governor. In developing a proposed performance pilot, the institution shall consider the Commonwealth's educational and economic policies and priorities, including those reflected in the Virginia Plan for Higher Education issued by the Council, the economic development policy developed pursuant to § 2.2-205, the strategic plan developed pursuant to § 2.2-2237.1, relevant regional economic growth and diversification plans prepared by regional councils pursuant to the Virginia Growth and Opportunity Act (§ 2.2-2484 et seq.), and any additional guidance provided by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education and the Governor.

b. An institution that submits a performance pilot shall include the one innovative proposal with clearly defined performance measures, and any corresponding authority and support requested from the Commonwealth, with its submission of the preliminary version of its six-year plan pursuant to clause (ii) of subsection A or with its preliminary amendment or affirmation submission pursuant to clause (iii) of subsection A.

c. The reviewers listed in subsection B, or their designees, shall review and comment on any proposed performance pilot in accordance with the six-year plan review and comment process established in subsection B and may expedite such review and comment process to facilitate the executive and legislative budget process or for other reasons. No later than October 15 of the relevant year, the reviewers shall communicate to the Governor and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations their recommendations regarding each performance pilot proposal. Such recommendations shall include the reviewers' comments regarding how the proposed performance pilots, individually and collectively, support the strategic educational and economic policies of the Commonwealth.

d. Each performance pilot proposal shall include evidence of its approval by the institution's governing board and, if accepted, shall be referenced in the general appropriation act.

§ 23.1-610.1. Veteran Student Transition Grant Fund and Program.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Veteran Student Transition Grant Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of providing grants through the Veteran Student Transition Grant Program established pursuant to subsection B. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the ~~director~~ *Executive Director* of the Council.

B. The Council shall establish the Veteran Student Transition Grant Program (the Program) for the purpose of providing grants through the Veteran Student Transition Grant Fund established in subsection A on a competitive basis to a public institution of higher education, private institution of higher education eligible to participate in the Tuition Assistance Grant Program pursuant to § 23.1-628, or group of such institutions that proposes a new and innovative program or research

project relating to improving the transition of veteran students from military to higher education or from higher education to the civilian workforce.

C. The Council shall administer the Program and shall establish such guidelines and procedures as it deems necessary for the administration of the Program, including guidelines and procedures for grant applications, awards, and renewals.

§ 23.1-627.3. New Economy Workforce Credential Grant Fund and Program established; administration.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the New Economy Workforce Credential Grant Fund. The Fund shall be established on the books of the Comptroller. All moneys appropriated by the General Assembly, and from any other sources, public or private, shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of disbursing moneys to eligible institutions for the award of grants pursuant to the Program. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the ~~director~~ *Executive Director* of the Council.

B. There is hereby established a New Economy Workforce Credential Grant Program for the purpose of disbursing moneys from the Fund to eligible institutions for the award of grants to benefit students pursuant to this article.

C. The Council shall administer the Program and shall carry out the goals and purposes of the Program set forth in this article. In administering the Program, the Council (i) shall require eligible institutions to provide student-specific data and make final decisions on any dispute between eligible institutions and grant recipients; (ii) shall undertake periodic assessments of the overall success of the Program and recommend modifications, interventions, and other actions based on such assessment; and (iii) may adopt such regulations for the administration of the Program as it deems necessary and appropriate.

D. The Council shall instruct the Comptroller to annually disburse moneys to eligible institutions on a first-come, first-served basis as eligible students enroll in noncredit workforce training programs, giving priority to noncredit workforce training programs in high-demand fields in which employer demand is currently unmet by the available workforce. No more than one-quarter of the moneys in the Fund shall be disbursed annually to any eligible institution. The Council shall set forth the procedure by which eligible institutions shall notify the Council when eligible students enroll in noncredit workforce training programs identified by the governing board of the eligible institution pursuant to subsection E.

E. The Office of Education and Labor Market Alignment, in consultation with the Virginia Board of Workforce Development, shall establish the high-demand fields for which noncredit workforce training programs may be offered pursuant to the Program. The governing board of each eligible institution shall determine the noncredit workforce training programs offered pursuant to the Program.

§ 23.1-637. Virginia Guaranteed Assistance Fund.

There is created in the state treasury a special nonreverting fund to be known as the Virginia Guaranteed Assistance Fund (the Fund). The Fund shall be established on the books of the Comptroller. All moneys as may be appropriated by the General Assembly and any gifts, donations, grants, bequests, or other moneys as may be received for the purposes of the Fund shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be paid to any public institution of higher education on behalf of students who have been awarded grants pursuant to the provisions of § 23.1-638. Any moneys remaining in the Fund shall be credited to the account of the Council. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the ~~director~~ *Executive Director* of the Council.

§ 23.1-701. Plan established; moneys; governing board.

A. To enhance the accessibility and affordability of higher education for all citizens of the Commonwealth, and assist families and individuals to save for qualified disability expenses, the Commonwealth Savers Plan is established as a body politic and corporate and an independent agency of the Commonwealth.

B. Moneys of the Plan that are contributions to savings trust accounts made pursuant to this chapter, except as otherwise authorized or provided in this chapter, shall be deposited as soon as practicable in a separate account or separate accounts in banks or trust companies organized under the laws of the Commonwealth, national banking associations, federal home loan banks, or, to the extent permitted by law, savings institutions organized under the laws of the Commonwealth or the United States. The savings program moneys in such accounts shall be paid out on checks, drafts payable on demand, electronic wire transfers, or other means authorized by officers or employees of the Plan.

C. All other moneys of the Plan, including payments received pursuant to prepaid tuition contracts, bequests, endowments, grants from the United States government or its agencies or instrumentalities, and any other available public or private sources of funds shall be first deposited in the state treasury in a special nonreverting fund (the Fund). Such moneys shall then be deposited as soon as practicable in a separate account or separate accounts in banks or trust companies organized under the laws of the Commonwealth, national banking associations, federal home loan banks, or, to the extent permitted by law, savings institutions organized under the laws of the Commonwealth or the United States. Benefits relating to prepaid tuition contracts and Plan operating expenses shall be paid from the Fund. Any moneys remaining in the Fund at the end of a biennium shall not revert to the general fund but shall remain in the Fund. Interest and income earned from the investment of such funds shall remain in the Fund and be credited to it.

D. The Plan may maintain an independent disbursement system for the disbursement of prepaid tuition contract benefits and, in connection with such system, open and maintain a separate account or separate accounts in banks or trust companies organized under the laws of the Commonwealth, national banking associations, federal home loan banks, or, to the extent permitted by law, savings institutions organized under the laws of the Commonwealth or the United States. Such independent disbursement system and any related procedures shall be subject to review and approval by the State Comptroller. Nothing in this subsection shall be construed to relieve the Plan of its duty to provide prepaid tuition contract benefit transactions to the Commonwealth's system of general accounting maintained by the State Comptroller pursuant to § 2.2-802.

E. The Plan shall be administered by an 11-member board that consists of (i) the ~~director~~ *Executive Director* of the Council or his designee, the Chancellor of the Virginia Community College System or his designee, the State Treasurer or his designee, and the State Comptroller or his designee, all of whom shall serve ex officio with voting privileges, and (ii) seven nonlegislative citizen members, four of whom shall be appointed by the Governor, one of whom shall be appointed by the Senate Committee on Rules, two of whom shall be appointed by the Speaker of the House of Delegates, and all of whom shall have significant experience in finance, accounting, law, investment management, higher education, or disability advocacy. In addition, at least one of the nonlegislative citizen members shall have expertise in the management and administration of private defined contribution retirement plans.

F. Members appointed to the board shall serve terms of four years. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. No member appointed to the board shall serve more than two consecutive four-year terms; however, a member appointed to serve an unexpired term is eligible to serve two consecutive four-year terms immediately succeeding such unexpired term.

G. ex officio members of the board shall serve terms coincident with their terms of office.

H. Members of the board shall receive no compensation but shall be reimbursed for actual expenses incurred in the performance of their duties.

I. The board shall elect from its membership a chairman and a vice-chairman annually.

J. A majority of the members of the board shall constitute a quorum.

§ 23.1-903.4. Innovative Internship Fund and Program.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Innovative Internship Fund (the Fund). The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of the Innovative Internship Program established pursuant to subsection B. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the *Executive* Director of the Council.

B. There is hereby established the Innovative Internship Program (the Program). The purpose of the Program is to expand paid or credit-bearing student internship and other work-based learning opportunities in collaboration with Virginia employers. The Program comprises institutional grants and a statewide initiative to facilitate the readiness of students, employers, and institutions of higher education to participate in internship and other work-based learning opportunities.

1. In administering the statewide initiative, the Council shall (i) engage stakeholders from business and industry, secondary and higher education, economic development, and state agencies and entities that are successfully engaging employers or successfully operating internship programs; (ii) explore strategies in Virginia and elsewhere on successful institutional, regional, statewide or sector-based internship programs; (iii) gather data on current institutional internship practices, scale, and outcomes; (iv) develop internship readiness educational resources, delivery methods, certification procedures, and outreach and awareness activities for employer partners, students, and institutional career development personnel; (v) pursue shared services or other efficiency initiatives, including technological solutions; and (vi) create a process to track key measures of performance.

2. The Council shall establish eligibility criteria, including requirements for matching funds, for institutional grants. Such grants shall be used to accomplish one or more of the following goals: (i) support state or regional workforce needs; (ii) support initiatives to attract and retain talent in the Commonwealth; (iii) support research and research commercialization in sectors and clusters targeted for development; (iv) support regional economic growth and diversification plans; (v) enhance the job readiness of students; (vi) enhance higher education affordability and timely completion for Virginia students; or (vii) further the objectives of increasing the tech talent pipeline.

3. The Council shall partner with the Office of Education and Labor Market Alignment to collect and utilize data that includes the gaps that are most significant in hindering the Commonwealth from achieving the goals listed in subdivision 2. The Council and the Office of Education and Labor Market Alignment shall identify, at minimum: (i) state or regional workforce needs for which the lack of work-based learning opportunities is negatively impacting the success of regional economic growth and diversification plans and (ii) degree programs, the graduates of which describe themselves as underemployed, that would benefit from incorporating work-based learning into the curriculum. The Council and the Office of Education and Labor Market Alignment shall use the needs and degree programs identified in this subdivision to collaboratively determine priorities for: (a) using the portion of student financial aid authorized by the budget to be awarded as grants to students participating in work-based learning; (b) redesigning of curricula at public institutions of higher

education; (c) garnering regional support and services to ensure the readiness of students and employers; (d) awarding grants to institutions of higher education to ensure their readiness to support students through detailed planning and implementation of best practices for scaling work-based learning; (e) providing or raising funds to provide matching funds so that students with limited resources, who have traditionally participated in the Program at lower rates, may intern at small Virginia-based employers; and (f) enhancing data collection and analysis.

§ 23.1-909. Combined cooperative degree program.

A. The Secretary of Education and the ~~director~~ *Executive Director* of the Council, in consultation with each public institution of higher education and nonprofit private institution of higher education, shall develop a plan to establish and advertise a cooperative degree program whereby any undergraduate student enrolled at any public institution of higher education or nonprofit private institution of higher education may complete, through the use of online courses at any such institution, the course credit requirements to receive a degree at a tuition cost not to exceed $4,000, or the lowest cost that is achievable, per academic year.

B. No later than October 1, 2016, the Secretary of Education and the ~~director~~ *Executive Director* of the Council shall report to the Chairmen of the House Committee on Appropriations, the House Committee on Education, the Senate Committee on Finance and Appropriations, and the Senate Committee on Education and Health on the progress made toward developing a cooperative degree program plan pursuant to this section.

§ 23.1-1201. Virginia College Building Authority established.

A. The Virginia College Building Authority is established as a public body corporate and a political subdivision, agency, and instrumentality of the Commonwealth. The Authority is vested with the powers, rights, and duties conferred in this chapter.

B. The Authority shall consist of the State Treasurer, the State Comptroller, the Director of the Department of Planning and Budget, and the *Executive* Director of the Council, all of whom shall serve ex officio, and seven additional members appointed by the Governor, subject to confirmation by the General Assembly. Each member shall serve at the pleasure of the Governor. Appointed members shall serve for a term of four years. ex officio members shall serve terms coincident with their terms of office. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. No appointed member shall serve more than two consecutive terms.

C. The Governor shall appoint one member as chairman who shall serve a two-year term. No member is eligible to serve more than two consecutive terms as chairman. The chairman shall be the chief executive officer of the Authority and shall receive such compensation as the Governor determines. No ex officio member is eligible to serve as chairman.

D. The Authority shall elect one appointed member as vice-chairman, who shall exercise the powers of the chairman in the absence of the chairman.

E. The Authority shall elect a treasurer, a secretary, and an assistant secretary to perform the duties and functions commonly performed by such officers. All such officers, except the secretary and the assistant secretary, shall be selected from members of the Authority. The secretary and the assistant secretary may receive such compensation as the Authority provides.

F. Each appointed member of the Authority and the secretary and the assistant secretary shall execute a surety bond in such penal sum as shall be determined by the Attorney General to be (i) conditioned upon the faithful performance of the duties of his office, (ii) executed by a surety company authorized to transact business in the Commonwealth as surety, (iii) approved by the Attorney General, and (iv) filed in the office of the Secretary of the Commonwealth.

G. Six members of the Authority shall constitute a quorum for the transaction of all business of the Authority.

§ 23.1-1239. Definitions.

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

"Designated reviewers" means the Secretaries of Education and Finance, the director of the Department of Planning and Budget, the ~~director~~ *Executive Director* of the Council, the president of the Virginia Economic Development Partnership, and the staff directors of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, or their designees.

"Eligible degree" means a new bachelor's or master's degree, or a certificate issued by a baccalaureate public institution of higher education in association with a bachelor's degree, in the field of computer science, computer engineering, or other closely related fields of study, or that otherwise aligns with traded-sector, technology-focused growth opportunities identified by the Virginia Economic Development Partnership Authority.

"Fund" means the Tech Talent Investment Fund.

"Grant" means a grant paid from the Tech Talent Investment Fund.

"Memorandum of understanding" means the negotiated instrument entered into by a qualified institution and the Commonwealth, regardless of whether the terms of the memorandum of understanding are encompassed or included within any other institutional partnership or performance agreement required by law. A memorandum of understanding shall contain criteria for eligible degrees, eligible expenses, and degree production goals for a period ending in 2039.

"New bachelor's and master's degrees" means the awarding of eligible degrees produced by a qualified institution to meet the degree production goals set forth in a qualified institution's memorandum of understanding.

"Qualified institution" means (i) any associate-degree-granting public institution of higher education, as defined in § 23.1-100, that has a transfer plan that culminates in an eligible degree and (ii) any baccalaureate public institution of higher education, as defined in § 23.1-100.

§ 23.1-3117. Board of trustees.

A. The Authority shall be governed by a 19-member board of trustees (the board) as follows: two members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; one member of the Senate, to be appointed by the Senate Committee on Rules; the *Executive* Director of the Council or his designee; the Chancellor of the Virginia Community College System or his designee; the presidents of James Madison University, Old Dominion University, Radford University, the University of Virginia, Virginia Commonwealth University, Virginia Polytechnic Institute and State University, Virginia State University, and Virginia Western Community College or their designees; the Director of Total Action for Progress (TAP) This Valley Works; and five nonlegislative citizen members representing business and industry in the Roanoke Valley to be appointed by the Governor. Nonlegislative citizen members of the board shall be citizens of the Commonwealth and residents of the Roanoke region.

B. The legislative members, the *Executive* Director of the Council, the Chancellor of the Virginia Community College System, the Director of TAP This Valley Works, and the presidents of the named institutions of higher education or their designees shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for terms of four years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

No nonlegislative citizen member shall serve more than two consecutive four-year terms; however, a member appointed to serve an unexpired term is eligible to serve two consecutive four-year terms immediately succeeding such unexpired term.

C. Nonlegislative citizen members are not entitled to compensation for their services. Legislative members of the board shall receive such compensation as provided in § 30-19.12. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties in the work of the Authority as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Authority.

D. The board shall elect a chairman and a vice-chairman from among its membership and may establish bylaws as necessary.

§ 23.1-3121. Board of trustees.

A. The Center shall be governed by a board of trustees (the board) consisting of 15 members as follows: two members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; one member of the Senate to be appointed by the Senate Committee on Rules; the *Executive* Director of the Council or his designee; the Chancellor of the Virginia Community College System or his designee; the presidents of Longwood University, Danville Community College, and Southside Virginia Community College or their designees; and seven nonlegislative citizen members to be appointed by the Governor, including two members of the Southern Virginia Higher Education Foundation, one superintendent of a local school division located in the Southside region, and four representatives of business and industry. The Speaker of the House of Delegates may appoint an alternate for one delegate appointed to the board. The alternate shall serve a term coincident with the term of the delegate and has the power to act in his absence. The Senate Committee on Rules may appoint an alternate for the senator appointed to the board. The alternate shall serve a term coincident with the term of the senator and may act in his absence.

Nonlegislative citizen members of the board shall be chosen from among residents of the Southside region of the Commonwealth and shall be citizens of the Commonwealth. However, an individual who does not reside in the Southside region may serve as a representative of business and industry if he either (i) owns a business headquartered or otherwise operating in the Southside region or (ii) serves as a member of the board of directors or senior management of a business headquartered or otherwise operating in the Southside region.

B. Legislative members and the representatives of the Council, the System, and the named institutions of higher education shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for terms of four years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

No nonlegislative citizen member is eligible to serve more than two consecutive four-year terms; however, a member appointed to serve an unexpired term is eligible to serve two consecutive four-year terms immediately succeeding such unexpired term.

C. Nonlegislative citizen members are not entitled to compensation for their services. Legislative members of the board shall be compensated as provided in § 30-19.12. All members of the board shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties in the work of the Center as provided in §§ 2.2-2813 and 2.2-2825. The funding for the costs of compensation and expenses of the members shall be provided by the Center.

D. The board shall elect a chairman and a vice-chairman from among its membership.

§ 23.1-3126. Board of trustees.

A. The Center shall be governed by a board of trustees (the board), consisting of 23 members as follows: four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate to be appointed by the Senate Committee on Rules; the *Executive* Director of the Council or his designee; the Chancellor of the Virginia Community College System or his designee; the chief executive officers of Virginia Polytechnic Institute and State

University, Radford University, the University of Virginia, the University of Virginia's College at Wise, Old Dominion University, Emory and Henry College, Virginia Commonwealth University, and Virginia Highlands Community College or their designees; and seven nonlegislative citizen members to be appointed by the Governor who represent Southwest Virginia public education and area business and industry, including one division superintendent, one public school teacher, two business and industry leaders, one representative of the technology industry, one representative of the tourism industry, and one representative of the health care industry.

Nonlegislative citizen members of the board shall be chosen from among residents of the Southwest region of the Commonwealth and shall be citizens of the Commonwealth.

B. Legislative members and the representatives of the Council, the System, and the named institutions of higher education shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for terms of four years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

No nonlegislative citizen member is eligible to serve more than two consecutive four-year terms; however, a member appointed to serve an unexpired term is eligible to serve two consecutive four-year terms immediately succeeding such unexpired term.

C. Nonlegislative citizen members are not entitled to compensation for their services. Legislative members of the board shall be compensated as provided in § 30-19.12. All members of the board shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties in the work of the Center as provided in §§ 2.2-2813 and 2.2-2825. The funding for the costs of compensation and expenses of the members shall be provided by the Center.

D. The board shall elect a chairman and a vice-chairman from among its membership.

§ 23.1-3136. Board of Trustees.

A. The Authority shall be governed by a Board of Trustees (the Board) that has a total membership of 19 members that shall consist of four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Rules; three nonlegislative citizen members to be appointed by the Governor; one nonlegislative citizen member to be appointed by the board of visitors of George Mason University; one nonlegislative citizen member to be appointed by the board of visitors of Old Dominion University; one nonlegislative citizen member to be appointed by the State Board; one nonlegislative citizen member to be appointed by the board of visitors of James Madison University, and five members who shall serve ex officio with voting privileges, consisting of the President of George Mason University or his designee, the President of Old Dominion University or his designee, the President of James Madison University or his designee, the Chancellor of the Virginia Community College System or his designee, and the *Executive* Director of the Council. Nonlegislative citizen members of the Authority shall be citizens of the Commonwealth.

B. Legislative and ex officio members of the Board shall serve terms coincident with their terms of office.

C. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed.

D. After the initial staggering of terms, nonlegislative citizen members shall be appointed for a term of four years.

E. No House member shall serve more than four consecutive two-year terms, no Senate member shall serve more than two consecutive four-year terms, and no nonlegislative citizen member shall serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

F. The Board shall elect a chairman and vice-chairman from among its membership. A majority of the members shall constitute a quorum. The meetings of the Board shall be held at the call of the chairman or whenever the majority of the members so request.

G. Legislative members of the Board shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Authority.

H. George Mason University, Old Dominion University, and the System shall provide staff support to the Authority and the Board. All agencies of the Commonwealth shall provide assistance to the Board, upon request.

§ 30-359. Intercollegiate Athletics Review Commission; purpose; membership; terms; compensation and expenses.

A. As used in this chapter, "Commission" means the Intercollegiate Athletics Review Commission.

B. The Commission is established as an advisory commission in the legislative branch of state government. The purpose of the Commission is to review the plan and financing recommendations of the board of visitors of any public institution of higher education in the Commonwealth relating to the institution adding a major intercollegiate athletics program such as football or basketball or changing the division level of any of its existing intercollegiate athletics programs as set forth in subsection I of § 23.1-1309.

C. The Commission shall consist of eleven members as follows: the chair of the House Committee on Appropriations, or his designee, and three members of the House Committee on Appropriations appointed by the chair and the chair of the

Senate Committee on Finance and Appropriations, or his designee, and two members of the Senate Committee on Finance and Appropriations appointed by the chair. In addition, the Auditor of Public Accounts, the Secretary of Education, the Secretary of Finance, and the *Executive* Director of the State Council of Higher Education for Virginia shall serve as ex officio, nonvoting members of the Commission.

D. Members shall serve terms coincident with their terms of office. Vacancies for unexpired terms shall be filled in the same manner as the original appointments.

E. The members of the Commission shall elect a chairman and vice-chairman annually. A majority of the voting members of the Commission shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

F. Members of the Commission shall receive such compensation and reimbursement of expenses as provided in the general appropriation act.

§ 32.1-122.7:1. Board of Directors of the Virginia Health Workforce Development Authority.

The Virginia Health Workforce Development Authority (the Authority) shall be governed by a Board of Directors. The Board of Directors shall have a total membership of 19 members that shall consist of three legislative members, nine nonlegislative citizen members, and seven ex officio members. Members shall be appointed as follows: two members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; one member of the Senate, to be appointed by the Senate Committee on Rules; and nine nonlegislative citizen members, three of whom shall be representatives of health professional educational or training programs, five of whom shall be health professionals or employers or representatives of health professionals, and one of whom shall be a representative of community health, to be appointed by the Governor. The Commissioner of Health, the Chancellor of the Virginia Community College System, the Director of the Department of Health Professions, the Director of the Department of Workforce Development and Advancement, the *Executive* Director of the State Council of Higher Education for Virginia, the Chairman of the House Committee on Appropriations, and the Chairman of the Senate Committee on Finance and Appropriations or their designees shall serve ex officio with voting privileges. Members appointed by the Governor shall be citizens of the Commonwealth.

Legislative members and ex officio members shall serve terms coincident with their terms of office. All appointments of nonlegislative citizen members shall be for two-year terms following the initial staggering of terms. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative and citizen members may be reappointed; however, no citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's term limit. Vacancies shall be filled in the same manner as the original appointments.

The Board of Directors shall elect a chairman and vice-chairman annually from among its members. A majority of the members of the Board of Directors shall constitute a quorum.

The Board of Directors shall report biennially on the activities and recommendations of the Authority to the Secretary of Health and Human Resources, the Secretary of Education, the Secretary of Commerce and Trade, the Secretary of Labor, the State Board of Health, the State Council of Higher Education for Virginia, the Joint Commission on Health Care, the Chairman of the House Committee on Appropriations, the Chairman of the Senate Committee on Finance and Appropriations, the Governor, and the General Assembly. In any reporting period where state general funds are appropriated to the Authority, the report shall include a detailed summary of how state general funds were expended.

The accounts and records of the Authority showing the receipt and disbursement of funds from whatever source derived shall be in a form prescribed by the Auditor of Public Accounts. The Auditor of Public Accounts, or his legally authorized representative, shall examine the accounts of the Authority as determined necessary by the Auditor of Public Accounts. The cost of such audit shall be borne by the Authority.

§ 59.1-284.37. Resources for public institutions of higher education.

A. To support the needs of a qualified company, and other manufacturers and companies engaged in research and development in and near a qualified county, up to $2,525,000 shall be made available to a comprehensive community college and a baccalaureate public institution of higher education in or near an eligible county. Subject to appropriation, such funds are expected to be available in the Commonwealth's fiscal years beginning July 1, 2020, through July 1, 2024, as follows:

1. $730,000 for the Commonwealth's fiscal year beginning July 1, 2020;
2. $493,750 for the Commonwealth's fiscal year beginning July 1, 2021;
3. $493,750 for the Commonwealth's fiscal year beginning July 1, 2022;
4. $493,750 for the Commonwealth's fiscal year beginning July 1, 2023; and
5. $313,750 for the Commonwealth's fiscal year beginning July 1, 2024.

B. Funds awarded pursuant to this section shall be used for (i) enhanced soft-skilled training; (ii) collaboration to ensure an effective workforce development program; (iii) equipment, maintenance, and personnel needs for bioscience training and education; and (iv) increased educational opportunities in science, technology, engineering, and math.

C. Decisions regarding the application and awarding of funds shall be determined annually by the Secretary of Commerce and Trade, upon the recommendation of the President and Chief Executive Officer of VEDP, the Chancellor of the Virginia Community College System or his designee, and the *Executive* Director of the State Council of Higher Education for Virginia or his designee. Such officials may request from applicant institutions, and base decisions upon,

annual reports from such institutions setting forth proposals regarding how such funds would be spent and reviewing how awarded funds have been spent.

CHAPTER 145

An Act to amend the Code of Virginia by adding a section numbered 22.1-215.3, relating to children with disabilities; annual individualized education program planning process; dual enrollment courses; certain parental notice required; model notice.

[H 1892]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-215.3 as follows:

§ 22.1-215.3. Annual individualized education program planning process; dual enrollment courses; certain parental notice required; model notice.

A. The Board shall develop and make available to each local school board a model parental notice of students with disabilities' rights and obligations relating to dual enrollment courses, including detailed information on the process for ensuring that any student with disabilities enrolled in dual enrollment courses is receiving both a free and appropriate public education pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.) as a student enrolled in a public high school and the necessary educational accommodations pursuant to the federal Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.) as a student enrolled in a comprehensive community college.

B. During the annual individualized education program (IEP) planning process prior to any year in which a child with a disability who is enrolled at a public high school is entering the eleventh grade or twelfth grade, the IEP team shall provide to the parent of such student written notice of the student's rights and obligations relating to dual enrollment courses, consistent with the model notice made available by the Board pursuant to subsection A, including detailed information on the process for ensuring that the student is receiving both a free and appropriate public education pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.) as a student enrolled in a public high school and the necessary educational accommodations pursuant to the federal Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.) as a student enrolled in a comprehensive community college.

CHAPTER 146

An Act to amend and reenact § 54.1-3700 of the Code of Virginia, relating to Board of Social Work; Board of Counseling; master's social worker; scope of practice; qualified mental health professional-trainee; regulations.

[H 1897]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3700 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3700. Definitions.

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

"Administration" means the process of attaining the objectives of an organization through a system of coordinated and cooperative efforts to make social service programs effective instruments for the amelioration of social conditions and for the solution of social problems.

"Baccalaureate social worker" means a person who*, consistent with such person's education and training,* engages in the practice of social work under the supervision of a master's social worker and provides basic generalist services, including casework management and supportive services and consultation and education.

"Board" means the Board of Social Work.

"Casework" means both direct treatment, with an individual or several individuals, and intervention in the situation on the client's behalf with the objectives of meeting the client's needs, helping the client deal with the problem with which he is confronted, strengthening the client's capacity to function productively, lessening his distress, and enhancing his opportunities and capacities for fulfillment.

"Casework management and supportive services" means assessment of presenting problems and perceived needs, referral services, policy interpretation, data gathering, planning, advocacy, and coordination of services.

"Clinical social worker" means a social worker who, by education and experience, is professionally qualified at the autonomous practice level to provide direct diagnostic, preventive and treatment services where functioning is threatened or affected by social and psychological stress or health impairment.

"Consultation and education" means program consultation in social work to agencies, organizations, or community groups; academic programs and other training such as staff development activities, seminars, and workshops using social work principles and theories of social work education.

"Group work" means helping people, in the realization of their potential for social functioning, through group experiences in which the members are involved with common concerns and in which there is agreement about the group's purpose, function, and structure.

"Master's social worker" means a person who*, consistent with such person's education and training,* engages in the practice of social work and provides non-clinical, generalist services, ~~including~~ staff supervision and management*, and clinical services under the supervision of a licensed clinical social worker*.

"Planning and community organization" means helping organizations and communities analyze social problems and human needs; planning to assist organizations and communities in organizing for general community development; and improving social conditions through the application of social planning, resource development, advocacy, and social policy formulation.

"Practice of social work" means rendering or offering to render to individuals, families, groups, organizations, governmental units, or the general public service which is guided by special knowledge of social resources, social systems, human capabilities, and the part conscious and unconscious motivation play in determining behavior. Any person regularly employed by a licensed hospital or nursing home who offers or renders such services in connection with his employment in accordance with patient care policies or plans for social services adopted pursuant to applicable regulations when such services do not include group, marital or family therapy, psychosocial treatment or other measures to modify human behavior involving child abuse, newborn intensive care, emotional disorders or similar issues, shall not be deemed to be engaged in the "practice of social work." Subject to the foregoing, the disciplined application of social work values, principles and methods includes, but is not restricted to, casework management and supportive services, casework, group work, planning and community organization, administration, consultation and education, and research.

"Research" means the application of systematic procedures for the purpose of developing, modifying, and expanding knowledge of social work practice which can be communicated and verified.

"Social worker" means a person trained to provide service and action to effect changes in human behavior, emotional responses, and the social conditions by the application of the values, principles, methods, and procedures of the profession of social work.

2. That the Board of Social Work shall promulgate regulations to allow master's social workers to engage in clinical services under the supervision of a licensed clinical social worker.

3. That the Board of Counseling (the Board) shall amend its regulations to state that a licensed baccalaureate social worker shall not be required to (i) register with the Board or (ii) fulfill any additional training or education requirements in order to serve as a qualified mental health professional-trainee.

4. That the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services shall amend their regulations to (i) deem the services provided by a licensed baccalaureate social worker to be equivalent to the services provided by a qualified mental health professional-trainee and (ii) provide licensed baccalaureate social workers with reimbursement for such services at a rate comparable to the rate that is provided to qualified mental health professional-trainees.

5. That the Department of Medical Assistance Services (the Department) shall seek federal authority through any necessary waivers and state plan for medical assistance services amendments under Titles XIX and XXI of the Social Security Act to (i) deem the services provided by a licensed baccalaureate social worker to be equivalent to the services provided by a qualified mental health professional-trainee and (ii) provide licensed baccalaureate social workers with reimbursement for such services at a rate comparable to the rate that is provided to qualified mental health professional-trainees. The Department shall have the authority to implement these changes prior to completion of any regulatory process to effect such change.

CHAPTER 147

An Act to amend and reenact § 32.1-325 of the Code of Virginia, relating to Department of Medical Assistance Services; state plan for medical assistance services; rapid whole genome sequencing; emergency.

[H 1900]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-325 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-325. Board to submit plan for medical assistance services to U.S. Secretary of Health and Human Services pursuant to federal law; administration of plan; contracts with health care providers.

A. The Board, subject to the approval of the Governor, is authorized to prepare, amend from time to time, and submit to the U.S. Secretary of Health and Human Services a state plan for medical assistance services pursuant to Title XIX of the United States Social Security Act and any amendments thereto. The Board shall include in such plan:

1. A provision for payment of medical assistance on behalf of individuals, up to the age of 21, placed in foster homes or private institutions by private, nonprofit agencies licensed as child-placing agencies by the Department of Social Services or placed through state and local subsidized adoptions to the extent permitted under federal statute;

2. A provision for determining eligibility for benefits for medically needy individuals which disregards from countable resources an amount not in excess of $3,500 for the individual and an amount not in excess of $3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by (i) the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources and (ii) the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses;

3. A requirement that, in determining eligibility, a home shall be disregarded. For those medically needy persons whose eligibility for medical assistance is required by federal law to be dependent on the budget methodology for Aid to Families with Dependent Children, a home means the house and lot used as the principal residence and all contiguous property. For all other persons, a home shall mean the house and lot used as the principal residence, as well as all contiguous property, as long as the value of the land, exclusive of the lot occupied by the house, does not exceed $5,000. In any case in which the definition of home as provided here is more restrictive than that provided in the state plan for medical assistance services in Virginia as it was in effect on January 1, 1972, then a home means the house and lot used as the principal residence and all contiguous property essential to the operation of the home regardless of value;

4. A provision for payment of medical assistance on behalf of individuals up to the age of 21, who are Medicaid eligible, for medically necessary stays in acute care facilities in excess of 21 days per admission;

5. A provision for deducting from an institutionalized recipient's income an amount for the maintenance of the individual's spouse at home;

6. A provision for payment of medical assistance on behalf of pregnant women which provides for payment for inpatient postpartum treatment in accordance with the medical criteria outlined in the most current version of or an official update to the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists or the "Standards for Obstetric-Gynecologic Services" prepared by the American College of Obstetricians and Gynecologists. Payment shall be made for any postpartum home visit or visits for the mothers and the children which are within the time periods recommended by the attending physicians in accordance with and as indicated by such Guidelines or Standards. For the purposes of this subdivision, such Guidelines or Standards shall include any changes thereto within six months of the publication of such Guidelines or Standards or any official amendment thereto;

7. A provision for the payment for family planning services on behalf of women who were Medicaid-eligible for prenatal care and delivery as provided in this section at the time of delivery. Such family planning services shall begin with delivery and continue for a period of 24 months, if the woman continues to meet the financial eligibility requirements for a pregnant woman under Medicaid. For the purposes of this section, family planning services shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions;

8. A provision for payment of medical assistance for high-dose chemotherapy and bone marrow transplants on behalf of individuals over the age of 21 who have been diagnosed with lymphoma, breast cancer, myeloma, or leukemia and have been determined by the treating health care provider to have a performance status sufficient to proceed with such high-dose chemotherapy and bone marrow transplant. Appeals of these cases shall be handled in accordance with the Department's expedited appeals process;

9. A provision identifying entities approved by the Board to receive applications and to determine eligibility for medical assistance, which shall include a requirement that such entities (i) obtain accurate contact information, including the best available address and telephone number, from each applicant for medical assistance, to the extent required by federal law and regulations, and (ii) provide each applicant for medical assistance with information about advance directives pursuant to Article 8 (§ 54.1-2981 et seq.) of Chapter 29 of Title 54.1, including information about the purpose and benefits of advance directives and how the applicant may make an advance directive;

10. A provision for breast reconstructive surgery following the medically necessary removal of a breast for any medical reason. Breast reductions shall be covered, if prior authorization has been obtained, for all medically necessary indications. Such procedures shall be considered noncosmetic;

11. A provision for payment of medical assistance for annual pap smears;

12. A provision for payment of medical assistance services for prostheses following the medically necessary complete or partial removal of a breast for any medical reason;

13. A provision for payment of medical assistance which provides for payment for 48 hours of inpatient treatment for a patient following a radical or modified radical mastectomy and 24 hours of inpatient care following a total mastectomy or a partial mastectomy with lymph node dissection for treatment of disease or trauma of the breast. Nothing in this subdivision shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate;

14. A requirement that certificates of medical necessity for durable medical equipment and any supporting verifiable documentation shall be signed, dated, and returned by the physician, physician assistant, or advanced practice registered nurse and in the durable medical equipment provider's possession within 60 days from the time the ordered durable medical equipment and supplies are first furnished by the durable medical equipment provider;

15. A provision for payment of medical assistance to (i) persons age 50 and over and (ii) persons age 40 and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for one PSA test in a 12-month period and digital rectal examinations, all in accordance with American Cancer Society

guidelines. For the purpose of this subdivision, "PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen;

16. A provision for payment of medical assistance for low-dose screening mammograms for determining the presence of occult breast cancer. Such coverage shall make available one screening mammogram to persons age 35 through 39, one such mammogram biennially to persons age 40 through 49, and one such mammogram annually to persons age 50 and over. The term "mammogram" means an X-ray examination of the breast using equipment dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression device, screens, film and cassettes, with an average radiation exposure of less than one rad mid-breast, two views of each breast;

17. A provision, when in compliance with federal law and regulation and approved by the Centers for Medicare & Medicaid Services (CMS), for payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the state plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services;

18. A provision for payment of medical assistance services for liver, heart and lung transplantation procedures for individuals over the age of 21 years when (i) there is no effective alternative medical or surgical therapy available with outcomes that are at least comparable; (ii) the transplant procedure and application of the procedure in treatment of the specific condition have been clearly demonstrated to be medically effective and not experimental or investigational; (iii) prior authorization by the Department of Medical Assistance Services has been obtained; (iv) the patient selection criteria of the specific transplant center where the surgery is proposed to be performed have been used by the transplant team or program to determine the appropriateness of the patient for the procedure; (v) current medical therapy has failed and the patient has failed to respond to appropriate therapeutic management; (vi) the patient is not in an irreversible terminal state; and (vii) the transplant is likely to prolong the patient's life and restore a range of physical and social functioning in the activities of daily living;

19. A provision for payment of medical assistance for colorectal cancer screening, specifically screening with an annual fecal occult blood test, flexible sigmoidoscopy or colonoscopy, or in appropriate circumstances radiologic imaging, in accordance with the most recently published recommendations established by the American College of Gastroenterology, in consultation with the American Cancer Society, for the ages, family histories, and frequencies referenced in such recommendations;

20. A provision for payment of medical assistance for custom ocular prostheses;

21. A provision for payment for medical assistance for infant hearing screenings and all necessary audiological examinations provided pursuant to § 32.1-64.1 using any technology approved by the United States Food and Drug Administration, and as recommended by the national Joint Committee on Infant Hearing in its most current position statement addressing early hearing detection and intervention programs. Such provision shall include payment for medical assistance for follow-up audiological examinations as recommended by a physician, physician assistant, advanced practice registered nurse, or audiologist and performed by a licensed audiologist to confirm the existence or absence of hearing loss;

22. A provision for payment of medical assistance, pursuant to the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (P.L. 106-354), for certain women with breast or cervical cancer when such women (i) have been screened for breast or cervical cancer under the Centers for Disease Control and Prevention (CDC) Breast and Cervical Cancer Early Detection Program established under Title XV of the Public Health Service Act; (ii) need treatment for breast or cervical cancer, including treatment for a precancerous condition of the breast or cervix; (iii) are not otherwise covered under creditable coverage, as defined in § 2701 (c) of the Public Health Service Act; (iv) are not otherwise eligible for medical assistance services under any mandatory categorically needy eligibility group; and (v) have not attained age 65. This provision shall include an expedited eligibility determination for such women;

23. A provision for the coordinated administration, including outreach, enrollment, re-enrollment and services delivery, of medical assistance services provided to medically indigent children pursuant to this chapter, which shall be called Family Access to Medical Insurance Security (FAMIS) Plus and the FAMIS Plan program in § 32.1-351. A single application form shall be used to determine eligibility for both programs;

24. A provision, when authorized by and in compliance with federal law, to establish a public-private long-term care partnership program between the Commonwealth of Virginia and private insurance companies that shall be established through the filing of an amendment to the state plan for medical assistance services by the Department of Medical Assistance Services. The purpose of the program shall be to reduce Medicaid costs for long-term care by delaying or eliminating dependence on Medicaid for such services through encouraging the purchase of private long-term care insurance policies that have been designated as qualified state long-term care insurance partnerships and may be used as the first source of benefits for the participant's long-term care. Components of the program, including the treatment of assets for Medicaid eligibility and estate recovery, shall be structured in accordance with federal law and applicable federal guidelines;

25. A provision for the payment of medical assistance for otherwise eligible pregnant women during the first five years of lawful residence in the United States, pursuant to § 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111-3);

26. A provision for the payment of medical assistance for medically necessary health care services provided through telemedicine services, as defined in § 38.2-3418.16, regardless of the originating site or whether the patient is accompanied by a health care provider at the time such services are provided. No health care provider who provides health care services through telemedicine services shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.

For the purposes of this subdivision, a health care provider duly licensed by the Commonwealth who provides health care services exclusively through telemedicine services shall not be required to maintain a physical presence in the Commonwealth to be considered an eligible provider for enrollment as a Medicaid provider.

For the purposes of this subdivision, a telemedicine services provider group with health care providers duly licensed by the Commonwealth shall not be required to have an in-state service address to be eligible to enroll as a Medicaid vendor or Medicaid provider group.

For the purposes of this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

27. A provision for the payment of medical assistance for the dispensing or furnishing of up to a 12-month supply of hormonal contraceptives at one time. Absent clinical contraindications, the Department shall not impose any utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished to an amount less than a 12-month supply. Nothing in this subdivision shall be construed to (i) require a provider to prescribe, dispense, or furnish a 12-month supply of self-administered hormonal contraceptives at one time or (ii) exclude coverage for hormonal contraceptives as prescribed by a prescriber, acting within his scope of practice, for reasons other than contraceptive purposes. As used in this subdivision, "hormonal contraceptive" means a medication taken to prevent pregnancy by means of ingestion of hormones, including medications containing estrogen or progesterone, that is self-administered, requires a prescription, and is approved by the U.S. Food and Drug Administration for such purpose;

28. A provision for payment of medical assistance for remote patient monitoring services provided via telemedicine, as defined in § 38.2-3418.16, for (i) high-risk pregnant persons; (ii) medically complex infants and children; (iii) transplant patients; (iv) patients who have undergone surgery, for up to three months following the date of such surgery; and (v) patients with a chronic or acute health condition who have had two or more hospitalizations or emergency department visits related to such health condition in the previous 12 months when there is evidence that the use of remote patient monitoring is likely to prevent readmission of such patient to a hospital or emergency department. For the purposes of this subdivision, "remote patient monitoring services" means the use of digital technologies to collect medical and other forms of health data from patients in one location and electronically transmit that information securely to health care providers in a different location for analysis, interpretation, and recommendations, and management of the patient. "Remote patient monitoring services" includes monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other patient physiological data, treatment adherence monitoring, and interactive videoconferencing with or without digital image upload;

29. A provision for the payment of medical assistance for provider-to-provider consultations that is no more restrictive than, and is at least equal in amount, duration, and scope to, that available through the fee-for-service program;

30. A provision for payment of the originating site fee to emergency medical services agencies for facilitating synchronous telehealth visits with a distant site provider delivered to a Medicaid member. As used in this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

31. A provision for the payment of medical assistance for targeted case management services for individuals with severe traumatic brain injury;

32. A provision for payment of medical assistance for the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories, as defined by the Department's durable medical equipment program policy, for patients who reside in nursing facilities. Initial purchase or replacement may be contingent upon (i) determination of medical necessity; (ii) requirements in accordance with regulations established through the Department's durable medical equipment program policy; and (iii) exclusive use by the nursing facility resident. Recipients of medical assistance shall not be required to pay any deductible, coinsurance, copayment, or patient costs related to the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories; ~~and~~

33. A provision for payment of medical assistance for remote ultrasound procedures and remote fetal non-stress tests. Such provision shall utilize established CPT codes for these procedures and shall apply when the patient is in a residence or other off-site location from the patient's provider that provides the same standard of care. The provision shall provide for reimbursement only when a provider uses digital technology (i) to collect medical and other forms of health data from a

patient and electronically transmit that information securely to a health care provider in a different location for interpretation and recommendation; (ii) that is compliant with the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.); and (iii) that is approved by the U.S. Food and Drug Administration. For fetal non-stress tests under CPT Code 59025, the provision shall provide for reimbursement only if such test (a) is conducted with a place of service modifier for at-home monitoring and (b) uses remote monitoring solutions that are approved by the U.S. Food and Drug Administration for on-label use to monitor fetal heart rate, maternal heart rate, and uterine activity*; and*

34. A provision for payment of medical assistance for rapid whole genome sequencing for children three years of age or younger who are receiving inpatient hospital services in an intensive care unit. For the purposes of this subdivision, "rapid whole genome sequencing" is defined as an investigation of the entire human genome to identify disease-causing genetic changes that returns preliminary positive results within seven days and final results within 15 days from the date of receipt of the sample by the lab performing the test. "Rapid whole genome sequencing" includes patient-only whole genome sequencing and duo and trio whole genome sequencing of the patient and biological parent or parents.

B. In preparing the plan, the Board shall:

1. Work cooperatively with the State Board of Health to ensure that quality patient care is provided and that the health, safety, security, rights and welfare of patients are ensured.

2. Initiate such cost containment or other measures as are set forth in the appropriation act.

3. Make, adopt, promulgate and enforce such regulations as may be necessary to carry out the provisions of this chapter.

4. Examine, before acting on a regulation to be published in the Virginia Register of Regulations pursuant to § 2.2-4007.05, the potential fiscal impact of such regulation on local boards of social services. For regulations with potential fiscal impact, the Board shall share copies of the fiscal impact analysis with local boards of social services prior to submission to the Registrar. The fiscal impact analysis shall include the projected costs/savings to the local boards of social services to implement or comply with such regulation and, where applicable, sources of potential funds to implement or comply with such regulation.

5. Incorporate sanctions and remedies for certified nursing facilities established by state law, in accordance with 42 C.F.R. § 488.400 et seq., Enforcement of Compliance for Long-Term Care Facilities With Deficiencies.

6. On and after July 1, 2002, require that a prescription benefit card, health insurance benefit card, or other technology that complies with the requirements set forth in § 38.2-3407.4:2 be issued to each recipient of medical assistance services, and shall upon any changes in the required data elements set forth in subsection A of § 38.2-3407.4:2, either reissue the card or provide recipients such corrective information as may be required to electronically process a prescription claim.

C. In order to enable the Commonwealth to continue to receive federal grants or reimbursement for medical assistance or related services, the Board, subject to the approval of the Governor, may adopt, regardless of any other provision of this chapter, such amendments to the state plan for medical assistance services as may be necessary to conform such plan with amendments to the United States Social Security Act or other relevant federal law and their implementing regulations or constructions of these laws and regulations by courts of competent jurisdiction or the United States Secretary of Health and Human Services.

In the event conforming amendments to the state plan for medical assistance services are adopted, the Board shall not be required to comply with the requirements of Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2. However, the Board shall, pursuant to the requirements of § 2.2-4002, (i) notify the Registrar of Regulations that such amendment is necessary to meet the requirements of federal law or regulations or because of the order of any state or federal court, or (ii) certify to the Governor that the regulations are necessitated by an emergency situation. Any such amendments that are in conflict with the Code of Virginia shall only remain in effect until July 1 following adjournment of the next regular session of the General Assembly unless enacted into law.

D. The Director of Medical Assistance Services is authorized to:

1. Administer such state plan and receive and expend federal funds therefor in accordance with applicable federal and state laws and regulations; and enter into all contracts necessary or incidental to the performance of the Department's duties and the execution of its powers as provided by law.

2. Enter into agreements and contracts with medical care facilities, physicians, dentists and other health care providers where necessary to carry out the provisions of such state plan. Any such agreement or contract shall terminate upon conviction of the provider of a felony. In the event such conviction is reversed upon appeal, the provider may apply to the Director of Medical Assistance Services for a new agreement or contract. Such provider may also apply to the Director for reconsideration of the agreement or contract termination if the conviction is not appealed, or if it is not reversed upon appeal.

3. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with any provider who has been convicted of or otherwise pled guilty to a felony, or pursuant to Subparts A, B, and C of 42 C.F.R. Part 1002, and upon notice of such action to the provider as required by 42 C.F.R. § 1002.212.

4. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with a provider who is or has been a principal in a professional or other corporation when such corporation has been convicted of or otherwise pled guilty to any violation of § 32.1-314, 32.1-315, 32.1-316, or 32.1-317, or any other felony or has been excluded from participation in any federal program pursuant to 42 C.F.R. Part 1002.

5. Terminate or suspend a provider agreement with a home care organization pursuant to subsection E of § 32.1-162.13.

For the purposes of this subsection, "provider" may refer to an individual or an entity.

E. In any case in which a Medicaid agreement or contract is terminated or denied to a provider pursuant to subsection D, the provider shall be entitled to appeal the decision pursuant to 42 C.F.R. § 1002.213 and to a post-determination or post-denial hearing in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). All such requests shall be in writing and be received within 15 days of the date of receipt of the notice.

The Director may consider aggravating and mitigating factors including the nature and extent of any adverse impact the agreement or contract denial or termination may have on the medical care provided to Virginia Medicaid recipients. In cases in which an agreement or contract is terminated pursuant to subsection D, the Director may determine the period of exclusion and may consider aggravating and mitigating factors to lengthen or shorten the period of exclusion, and may reinstate the provider pursuant to 42 C.F.R. § 1002.215.

F. When the services provided for by such plan are services which a marriage and family therapist, clinical psychologist, clinical social worker, professional counselor, or clinical nurse specialist is licensed to render in Virginia, the Director shall contract with any duly licensed marriage and family therapist, duly licensed clinical psychologist, licensed clinical social worker, licensed professional counselor or licensed clinical nurse specialist who makes application to be a provider of such services, and thereafter shall pay for covered services as provided in the state plan. The Board shall promulgate regulations which reimburse licensed marriage and family therapists, licensed clinical psychologists, licensed clinical social workers, licensed professional counselors and licensed clinical nurse specialists at rates based upon reasonable criteria, including the professional credentials required for licensure.

G. The Board shall prepare and submit to the Secretary of the United States Department of Health and Human Services such amendments to the state plan for medical assistance services as may be permitted by federal law to establish a program of family assistance whereby children over the age of 18 years shall make reasonable contributions, as determined by regulations of the Board, toward the cost of providing medical assistance under the plan to their parents.

H. The Department of Medical Assistance Services shall:

1. Include in its provider networks and all of its health maintenance organization contracts a provision for the payment of medical assistance on behalf of individuals up to the age of 21 who have special needs and who are Medicaid eligible, including individuals who have been victims of child abuse and neglect, for medically necessary assessment and treatment services, when such services are delivered by a provider which specializes solely in the diagnosis and treatment of child abuse and neglect, or a provider with comparable expertise, as determined by the Director.

2. Amend the Medallion II waiver and its implementing regulations to develop and implement an exception, with procedural requirements, to mandatory enrollment for certain children between birth and age three certified by the Department of Behavioral Health and Developmental Services as eligible for services pursuant to Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.).

3. Utilize, to the extent practicable, electronic funds transfer technology for reimbursement to contractors and enrolled providers for the provision of health care services under Medicaid and the Family Access to Medical Insurance Security Plan established under § 32.1-351.

4. Require any managed care organization with which the Department enters into an agreement for the provision of medical assistance services to include in any contract between the managed care organization and a pharmacy benefits manager provisions prohibiting the pharmacy benefits manager or a representative of the pharmacy benefits manager from conducting spread pricing with regards to the managed care organization's managed care plans. For the purposes of this subdivision:

"Pharmacy benefits management" means the administration or management of prescription drug benefits provided by a managed care organization for the benefit of covered individuals.

"Pharmacy benefits manager" means a person that performs pharmacy benefits management.

"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a managed care plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.

I. The Director is authorized to negotiate and enter into agreements for services rendered to eligible recipients with special needs. The Board shall promulgate regulations regarding these special needs patients, to include persons with AIDS, ventilator-dependent patients, and other recipients with special needs as defined by the Board.

J. Except as provided in subdivision A 1 of § 2.2-4345, the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not apply to the activities of the Director authorized by subsection I of this section. Agreements made pursuant to this subsection shall comply with federal law and regulation.

K. When the services provided for by such plan are services by a pharmacist, pharmacy technician, or pharmacy intern (i) performed under the terms of a collaborative agreement as defined in § 54.1-3300 and consistent with the terms of a managed care contractor provider contract or the state plan or (ii) related to services and treatment in accordance with § 54.1-3303.1, the Department shall provide reimbursement for such service.

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

CHAPTER 148

An Act to amend and reenact §§ 64.2-309, 64.2-310, 64.2-311, 64.2-508, 64.2-528, 64.2-600, 64.2-601, 64.2-602, 64.2-609, 64.2-732, 64.2-1104, 64.2-1302, 64.2-1313, 64.2-1411, 64.2-1502, 64.2-1802, 64.2-1905, 64.2-1906, 64.2-2017, 64.2-2020, 64.2-2023, and 64.2-2026 of the Code of Virginia, relating to wills, trusts, and fiduciaries; Consumer Price Index adjustments.

[H 1912]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 64.2-309, 64.2-310, 64.2-311, 64.2-508, 64.2-528, 64.2-600, 64.2-601, 64.2-602, 64.2-609, 64.2-732, 64.2-1104, 64.2-1302, 64.2-1313, 64.2-1411, 64.2-1502, 64.2-1802, 64.2-1905, 64.2-1906, 64.2-2017, 64.2-2020, 64.2-2023, and 64.2-2026 of the Code of Virginia are amended and reenacted as follows:

§ 64.2-309. Family allowance.

A. In addition to any other right or allowance under this article, upon the death of a decedent who was domiciled in the Commonwealth, the surviving spouse and minor children whom the decedent was obligated to support are entitled to a reasonable allowance in money out of the estate for their maintenance during the period of administration, which allowance shall not continue for longer than one year if the estate is inadequate to discharge all allowed claims. The family allowance may be paid as a lump sum not to exceed ~~$24,000~~ *$30,000*, or in periodic installments not to exceed ~~$2,000~~ *$2,500* per month for one year. It is payable to the surviving spouse for the use of the surviving spouse and minor children or, if there is no surviving spouse, to the person having the care and custody of the minor children. If any minor child is not living with the surviving spouse, the family allowance may be made partially to the spouse and partially to the person having the care and custody of the child, as their needs may appear. If there are no minor children, the allowance is payable to the surviving spouse.

B. The family allowance has priority over all claims against the estate.

C. The family allowance is in addition to any benefit or share passing to the surviving spouse or minor children by the will of the decedent, by intestate succession, or by way of elective share.

D. The death of any person entitled to a family allowance terminates the person's right to any allowance not yet paid.

§ 64.2-310. Exempt property.

A. In addition to any other right or allowance under this article, the surviving spouse of a decedent who was domiciled in the Commonwealth is entitled from the estate to value not exceeding ~~$20,000~~ *$25,000* in excess of any security interests therein in household furniture, automobiles, furnishings, appliances, and personal effects. If there is no surviving spouse, the minor children of the decedent are entitled in equal shares to such property of the same value. If the value of the exempt property selected in excess of any security interests therein is less than ~~$20,000~~ *$25,000*, or if there is not ~~$20,000~~ *$25,000* worth of exempt property in the estate, the spouse or minor children are entitled to other assets of the estate, if any, to the extent necessary to make up the ~~$20,000~~ *$25,000* value.

B. The right to exempt property and other assets of the estate needed to make up a deficiency of exempt property has priority over all claims against the estate, except the family allowance.

C. The right to exempt property is in addition to any benefit or share passing to the surviving spouse or minor children by the will of the decedent, by intestate succession, or by way of elective share.

§ 64.2-311. Homestead allowance.

A. In addition to any other right or allowance under this article, a surviving spouse of a decedent who was domiciled in the Commonwealth is entitled to a homestead allowance of ~~$20,000~~ *$25,000*. If there is no surviving spouse, each minor child of the decedent is entitled to a homestead allowance amounting to ~~$20,000~~ *$25,000*, divided by the number of minor children.

B. The homestead allowance has priority over all claims against the estate, except the family allowance and the right to exempt property.

C. The homestead allowance is in lieu of any share passing to the surviving spouse or minor children by the decedent's will or by intestate succession; provided, however, if the amount passing to the surviving spouse and minor children by the decedent's will or by intestate succession is less than ~~$20,000~~ *$25,000*, then the surviving spouse or minor children are entitled to a homestead allowance in an amount that when added to the property passing to the surviving spouse and minor children by the decedent's will or by intestate succession, equals the sum of ~~$20,000~~ *$25,000*.

D. If the surviving spouse claims and receives an elective share of the decedent's estate under §§ 64.2-302 through 64.2-307, the surviving spouse shall not have the benefit of any homestead allowance. If the surviving spouse claims and receives an elective share of the decedent's estate under Article 1.1 (§ 64.2-308.1 et seq.), the homestead allowance shall be in addition to any benefit or share passing to the surviving spouse by way of elective share.

§ 64.2-508. Written notice of probate, qualification, and entitlement to copies of inventories, accounts, and reports to be provided to certain parties.

A. Except as otherwise provided in this section, a personal representative of a decedent's estate, including an administrator appointed pursuant to § 64.2-454, or a proponent of a decedent's will when there is no qualification shall

provide written notice of qualification or probate, and notice of entitlement to copies of wills, inventories, accounts, and reports, to the following persons:

1. The surviving spouse of the decedent, if any;

2. All heirs at law of the decedent, whether or not there is a will;

3. All living and ascertained beneficiaries under the will of the decedent, including those who may take under § 64.2-418, and beneficiaries of any trust created by the will; and

4. All living and ascertained beneficiaries under any will of the decedent previously probated in the same court.

B. Notice under subsection A need not be provided to the following persons:

1. A personal representative or proponent of the will;

2. Any person who has signed a waiver of right to receive notice;

3. Any person to whom a summons has been issued pursuant to § 64.2-446;

4. Any person who is the subject of a conservatorship, guardianship, or committeeship, if notice is provided to his conservator, guardian, or committee;

5. Any beneficiary of a trust, other than a trust created by the decedent's will, if notice is provided to the trustee of the trust;

6. Any heir or beneficiary who survived the decedent but is deceased at the time of qualification or probate, and such person's successors in interest, if notice is provided to such person's personal representative;

7. Any minor for whom no guardian has been appointed, if notice is provided to his parent or person in loco parentis;

8. Any beneficiary of a pecuniary bequest or of a bequest of tangible personal property, provided in either case the beneficiary is not an heir at law and the value of the bequest is not in excess of ~~$5,000~~ *$10,000*; and

9. Any unborn or unascertained persons.

C. The notice shall include the following information:

1. The name and date of death of the decedent;

2. The name, address, and telephone number of a personal representative or a proponent of a will;

3. The mailing address of the clerk of the court in which the personal representative qualified or the will was probated;

4. A statement as follows: "This notice does not mean that you will receive any money or property";

5. A statement as follows: "If personal representatives qualified on this estate, unless otherwise specifically exempted under Virginia law, they are required by law to file an inventory with the commissioner of accounts within four months after they qualify in the clerk's office, to file an account within 16 months of their qualification, and to file additional accounts within 16 months from the date of their last account period until the estate is settled. If you make written request therefor to the personal representatives, they must mail copies of these documents (not including any supporting vouchers, but including a copy of the decedent's will) to you at the same time the inventory or account is filed with the commissioner of accounts unless (i) you would take only as an heir at law in a case where all of the decedent's probate estate is disposed of by will or (ii) your gift has been satisfied in full before the time of such filing. Your written request may be made at any time; it may relate to one specific filing or to all filings to be made by the personal representative, but it will not be effective for filings made prior to its receipt by a personal representative. A copy of your request may be sent to the commissioner of accounts with whom the filings will be made. After the commissioner of accounts has completed work on an account filed by a personal representative, the commissioner files it and a report thereon in the clerk's office of the court wherein the personal representative qualified. If you make written request therefor to the commissioner before this filing, the commissioner must mail a copy of this report and any attachments (excluding the account) to you on or before the date that they are filed in the clerk's office"; and

6. The mailing address of the commissioner of accounts with whom the inventory and accounts must be filed by the personal representatives, if they are required.

D. Within 30 days after the date of qualification or admission of the will to probate, a personal representative or proponent of the will shall forward notice by delivery or by first-class mail, postage prepaid, to the persons entitled to notice at their last known address.

E. Failure to give the notice required by this section shall not (i) affect the validity of the probate of a decedent's will or (ii) render any person required to give notice, who has acted in good faith, liable to any person entitled to receive notice. In determining the limitation period for any rights that may commence upon or accrue by reason of such probate or qualification in favor of any entitled person, the time that elapses from the date that notice should have been given to the date that notice is given shall not be counted, unless the person required to give notice could not determine the name and address of the entitled person after the exercise of reasonable diligence.

F. The personal representative or proponent of the will shall record within four months in the clerk's office where the will is recorded an affidavit stating (i) the names and addresses of the persons to whom he has mailed or delivered notice and when the notice was mailed or delivered to each or (ii) that no notice was required to be given to any person. The commissioner of accounts shall not approve any settlement filed by a personal representative until the affidavit described in this subsection has been recorded. If the personal representative of an estate or the proponent of a will is unable to determine the name and address of any person to whom notice is required after the exercise of reasonable diligence, a statement to that effect in the required affidavit shall be sufficient for purposes of this subsection. Notwithstanding the foregoing provisions, any person having an interest in an estate may give the notice required by this section and record the affidavit described in this subsection. If this subsection has not been complied with within four months after qualification, the commissioner of

accounts shall issue, through the sheriff or other proper officer, a summons to such fiduciary requiring him to comply, and if the fiduciary does not comply, the commissioner shall enforce the filing of the affidavit in the manner set forth in § 64.2-1215.

G. The form of the notice to be given pursuant to this section, which shall contain appropriate instructions regarding its use, shall be provided to each clerk of the circuit court by the Office of the Executive Secretary of the Supreme Court and each clerk shall provide copies of such form to the proponents of a will or those qualifying on an estate.

§ 64.2-528. Order in which debts and demands of decedents to be paid.

When the assets of the decedent in his personal representative's possession are not sufficient to satisfy all debts and demands against him, they shall be applied to the payment of such debts and demands in the following order:

1. Costs and expenses of administration;

2. The allowances provided in Article 2 (§ 64.2-309 et seq.) of Chapter 3;

3. Funeral expenses not to exceed ~~$4,000~~ *$5,000*;

4. Debts and taxes with preference under federal law;

5. Medical and hospital expenses of the last illness of the decedent, including compensation of persons attending him not to exceed ~~$2,150~~ *$4,000* for each hospital and nursing home and ~~$425~~ *$550* for each person furnishing services or goods;

6. Debts and taxes due the Commonwealth;

7. Debts due as trustee for persons under disabilities; as receiver or commissioner under decree of court of the Commonwealth; as personal representative, guardian, conservator, or committee when the qualification was in the Commonwealth; and for moneys collected by anyone to the credit of another and not paid over, regardless of whether or not a bond has been executed for the faithful performance of the duties of the party so collecting such funds;

8. Debts for child support arrearages;

9. Debts and taxes due localities and municipal corporations of the Commonwealth; and

10. All other claims.

No preference shall be given in the payment of any claim over any other claim of the same class, and a claim due and payable shall not be entitled to a preference over a claim not due.

§ 64.2-600. Definitions.

For the purposes of this article, the following definitions apply:

"Designated successor" means one or more successors who are designated pursuant to subdivision A 7 of § 64.2-601.

"Person" means any individual, corporation, business trust, fiduciary, estate, trust, partnership, limited liability company, association, joint venture, government, governmental subdivision, agency, or instrumentality, public corporation, or any other legal or commercial entity.

"Small asset" means any indebtedness owed to or any asset belonging or presently distributable to the decedent, other than real property, having a value, on the date of the decedent's death, of no more than ~~$50,000~~ *$75,000*. A small asset includes any bank account, savings institution account, credit union account, brokerage account, security, deposit, tax refund, overpayment, item of tangible personal property, or an instrument evidencing a debt, obligation, stock, or chose in action.

"Successor" means any person, other than a creditor, who is entitled under the decedent's will or the laws of intestacy to part or all of a small asset.

§ 64.2-601. Payment or delivery of small asset by affidavit.

A. Any person having possession of a small asset shall pay or deliver the small asset to the designated successor of the decedent upon being presented an affidavit made by all of the known successors stating:

1. That the value of the decedent's entire personal probate estate as of the date of the decedent's death, wherever located, does not exceed ~~$50,000~~ *$75,000*;

2. That at least 60 days have elapsed since the decedent's death;

3. That no application for the appointment of a personal representative is pending or has been granted in any jurisdiction;

4. That the decedent's will, if any, was duly probated;

5. That the claiming successor is entitled to payment or delivery of the small asset, and the basis upon which such entitlement is claimed;

6. The names and addresses of all successors, to the extent known;

7. The name of each successor designated to receive payment or delivery of the small asset on behalf of all successors; and

8. That the designated successor shall have a fiduciary duty to safeguard and promptly pay or deliver the small asset as required by the laws of the Commonwealth.

B. The designated successor may discharge his fiduciary duty to promptly pay or deliver the small asset to a successor who is, or is reasonably believed to be, incapacitated or under a legal disability, by paying or delivering the asset directly to the incapacitated or disabled successor or applying it for such successor's benefit, or by:

1. Paying it to such successor's conservator or, if no conservator exists, guardian;

2. Paying it to such successor's custodian under the Virginia Uniform Transfers to Minors Act (§ 64.2-1900 et seq.) or custodial trustee under the Uniform Custodial Trust Act (§ 64.2-900 et seq.), and, for that purpose, creating a custodianship or custodial trust;

3. If the designated successor does not know of a conservator, guardian, custodian, or custodial trustee, paying it to an adult relative or other person having legal or physical care or custody of such successor to be expended on such successor's behalf; or

4. Managing it as a separate fund on such successor's behalf, subject to such successor's continuing right to withdraw the asset.

C. Any successor may be represented and bound under virtual representation provisions of §§ 64.2-714, 64.2-716, and 64.2-717 with respect to affidavits required and designations of persons to receive payment or delivery of a small asset under this article.

D. A transfer agent of any security, upon the surrender of the certificates, if any, evidencing the security, shall change the registered ownership on the books of a corporation from the decedent to the designated successor upon the presentation of an affidavit as provided in subsection A.

E. Upon the presentation of an affidavit as provided in subsection A, the designated successor may endorse or negotiate any small asset that is a check, draft, or other negotiable instrument that is payable to the decedent or the decedent's estate. Notwithstanding the provisions of §§ 8.3A-403, 8.3A-417, and 8.3A-420, a financial institution accepting such check, draft, or other negotiable instrument presented for deposit in such manner is discharged from all claims for the amount accepted.

§ 64.2-602. Payment or delivery of small asset valued at $35,000 or less without affidavit.

A. Notwithstanding the provisions of § 64.2-601, any person having possession of a small asset valued at ~~$25,000~~ *$35,000* or less may pay or deliver the small asset to any successor provided that:

1. At least 60 days have elapsed since the decedent's death; and

2. No application for the appointment of a personal representative is pending or has been granted in any jurisdiction.

B. The designated successor shall have a fiduciary duty to safeguard and promptly pay or deliver the small asset as required by the laws of the Commonwealth to the other successors, if any.

§ 64.2-609. Money and personal property belonging to nonresident decedents.

A. When any person, at the time of his death domiciled outside of the Commonwealth, owned stocks, bonds, securities, money, or tangible personal property located in the Commonwealth or was entitled to any debts, choses in action, or tangible personal property in the Commonwealth, the person, firm, or corporation holding such stocks, bonds, securities, money, debts, tangible personal property, and choses in action shall retain such assets for 90 days from the death of such decedent. After the 90-day period, the person, firm, or corporation shall pay over or deliver on demand such portion of the assets for which the person, firm, or corporation has received no legal notice of any lien or encumbrance to an executor, administrator, or other personal representative, qualified according to the laws of the decedent's domicile if the value of such assets in the Commonwealth is, to the knowledge of the person holding or owing such assets, less than ~~$25,000~~ *$35,000*. When the value of such stocks, bonds, securities, money, debts, tangible personal property, and choses in action is ~~$25,000~~ *$35,000* or more, the holder may pay or deliver such assets to an executor, administrator, or other personal representative, qualified in accordance with the law of the decedent's domicile, 30 days after the holder gives public notice of his intention to make such a transfer by publication thereof once a week for four successive weeks in a newspaper of general circulation in the city, town, or county wherein the holder resides or has his principal place of business, provided that at the time of such payment or delivery, the holder has no actual notice of the appointment of a personal representative for such decedent in the Commonwealth and has received no legal notice of any lien or encumbrance upon such assets.

B. This section shall be construed as providing, as to the payment of money and the delivery of personal property belonging to nonresident decedents or their estates, optional methods of procedure in addition to those otherwise permitted or provided by law, including a comparable law of the state in which the nonresident decedents were domiciled, and shall not as to such matters add any limitations or restrictions to existing law.

§ 64.2-732. Modification or termination of uneconomic trust.

A. After notice to the qualified beneficiaries, the trustee of a trust consisting of trust property having a total value less than ~~$100,000~~ *$250,000* may terminate the trust without court approval if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration. Notice required by this section shall be sent in accordance with § 64.2-707.

B. The court may modify or terminate a trust or remove the trustee and appoint a different trustee if it determines that the value of the trust property is insufficient to justify the cost of administration.

C. Upon termination of a trust under this section, the trustee shall distribute the trust property in a manner consistent with the purposes of the trust and may simultaneously utilize the provisions of § 64.2-779.

D. This section does not apply to an easement for conservation or preservation.

E. Expenses incurred by the trustee incident to the termination of a trust pursuant to this section shall be paid by the trust estate.

§ 64.2-1104. Release or modification of restrictions on management, investment, or purpose.

A. If the donor consents in a record, an institution may release or modify, in whole or in part, a restriction contained in a gift instrument on the management, investment, or purpose of an institutional fund. A release or modification may not allow a fund to be used for a purpose other than a charitable purpose of the institution.

B. The court, upon application of an institution, may modify a restriction contained in a gift instrument regarding the management or investment of an institutional fund if the restriction has become impracticable or wasteful, if it impairs the management or investment of the fund, or if, because of circumstances not anticipated by the donor, a modification of a restriction will further the purposes of the fund. The institution shall notify the Attorney General of the application, and the Attorney General shall be given an opportunity to be heard. To the extent practicable, any modification shall be made in accordance with the donor's probable intention.

C. If a particular charitable purpose or restriction contained in a gift instrument on the use of an institutional fund becomes unlawful, impracticable, impossible to achieve, or wasteful, the court, upon application of an institution, may modify the purpose of the fund or the restriction on the use of the fund in a manner consistent with the charitable purposes expressed in the gift instrument. The institution shall notify the Attorney General of the application, and the Attorney General shall be given an opportunity to be heard.

D. If an institution determines that a restriction contained in a gift instrument on the management, investment, or purpose of an institutional fund is unlawful, impracticable, impossible to achieve, or wasteful, the institution, without application to the court but with the consent of the Attorney General, may modify the purpose of the fund or the restriction on the use of the fund in a manner consistent with the charitable purposes expressed in the gift instrument if the fund subject to the restriction has a total value of less than ~~$250,000~~ *$375,000*.

E. If an institution determines that a restriction contained in a gift instrument on the management, investment, or purpose of an institutional fund is unlawful, impracticable, impossible to achieve, or wasteful, the institution, 60 days after notification to the Attorney General, may release or modify the restriction, in whole or part, if:

1. The institutional fund subject to the restriction has a total value of less than ~~$50,000~~ *$75,000*;

2. More than 20 years have elapsed since the fund was established; and

3. The institution uses the property in a manner consistent with the charitable purposes expressed in the gift instrument.

§ 64.2-1302. Waiver of inventory and settlement for certain estates.

When a decedent's personal estate passing by testate or intestate succession does not exceed ~~$25,000~~ *$35,000* in value and an heir, beneficiary, or creditor whose claim exceeds the value of the estate seeks qualification, the clerk of the circuit court shall waive the inventory under § 64.2-1300 and the settlement under § 64.2-1206. This section shall not apply if the decedent died owning any real estate over which the person seeking qualification would have the power of sale.

§ 64.2-1313. Exhibition of accounts when sum does not exceed certain amount.

If the principal sum held by any fiduciary mentioned in § 64.2-1206 does not exceed ~~$25,000~~ *$35,000*, the fiduciary shall exhibit his accounts before the commissioner of accounts within the appropriate time period provided in §§ 64.2-1305, 64.2-1306, and 64.2-1307. Thereafter, the commissioner of accounts may permit the fiduciary to exhibit his accounts every three years, which permission may be revoked by the commissioner of accounts on his own motion or upon request of any interested person. The provisions of this section shall apply to any case in which the corpus of the estate in the hands of the fiduciary has been reduced to ~~$25,000~~ *$35,000* or less although it formerly exceeded that amount. Any fiduciary exhibiting his accounts in accordance with the provisions of this section shall be entitled to compensation for his services.

§ 64.2-1411. When fiduciary may qualify without security; requirements for issuance of certificates of qualification; payments.

A. Any circuit court or circuit court clerk, having jurisdiction to appoint personal representatives, guardians, conservators, and committees, may, in his discretion, *allow such fiduciary to qualify by giving bond without surety (i) in the case of a guardian of a minor or conservator,* when there are no assets or the asset or amount coming into the possession of the ~~personal representative,~~ guardian of a minor~~,~~ *or* conservator~~, or committee~~ does not exceed $25,000~~, allow the personal representative, guardian, conservator, or committee to qualify by giving bond without surety~~ *or (ii) in the case of any other such fiduciary, when there are no assets or the asset or amount coming into such fiduciary's possession does not exceed $35,000.*

B. Any personal representative or trustee serving jointly with a bank or trust company that is exempted from giving surety on its bond under § 6.2-1003 shall, unless the court directs otherwise, also be exempt from giving surety.

C. If a fiduciary qualifies pursuant to subsection A, the court or clerk shall issue one or more certificates of qualification pursuant to this section for administration of an estate, guardianship, conservatorship, or committeeship that does not exceed a cumulative total of ~~$25,000~~ *the applicable amount prescribed by subsection A*. Each such certificate shall specify that the maximum amount of estate, guardianship, conservatorship, or committeeship assets that may be collected pursuant to that certificate shall not exceed ~~$25,000~~ *the applicable amount prescribed by subsection A*. Each such certificate shall:

1. Be titled "Qualification Certificate for Small Asset Estate";

2. State in a prominent position on the front of such certificate that any person may pay or deliver to the fiduciary named in the certificate any asset belonging, owed, or distributable to the specified deceased person, incapacitated ward, or minor having a value, on the date of payment or delivery, of no more than ~~$25,000~~ *the applicable amount prescribed by subsection A*. Assets held in a safe deposit box shall not be counted toward such ~~$25,000~~ ~~limit~~ *applicable amount*, and the

lessor of a safe deposit box shall not be deemed to know of, and shall have no obligation to determine, the presence or value of any asset in a safe deposit box;

3. State that the certificate (i) may only be used once, (ii) is not effective if it does not have an impression seal of the court clerk and therefore photocopies of the certificate are not effective, and (iii) must be retained by the payor; and

4. Bear the impression seal of the court clerk.

D. Upon being presented with a certificate of qualification issued pursuant to subsection C, any person may pay or deliver to the fiduciary named in such certificate any asset belonging, owed, or distributable to the specified deceased person, incapacitated ward, or minor having a value, on the date of payment, of no more than ~~$25,000~~ *the applicable amount prescribed by subsection A*. The payor shall retain possession of such certificate. Assets held in a safe deposit box shall not be counted toward such ~~$25,000 limit~~ *applicable amount*, and the lessor of a safe deposit box shall not be deemed to know of, and shall have no obligation to determine, the presence or value of any asset in a safe deposit box. Any person that makes such payment or delivery upon presentation of a certificate of qualification issued pursuant to subsection C is discharged and released from any or all claims or liabilities for such payment or delivery. Such payor is not required to see the application of such payment or delivery or to inquire into the assets paid or delivered by other parties to a fiduciary that qualifies pursuant to subsection A. A person presented with a certificate of qualification issued pursuant to subsection C shall not be liable for, or subject to, any claims, damages, fines or penalties for paying or distributing assets the person believed in good faith to have a value of ~~$25,000~~ *such applicable amount* or less or for the failure to pay or deliver assets the person believed in good faith to have a value of more than ~~$25,000~~ *such applicable amount*.

E. A court clerk shall not be liable for any misrepresentations of a personal representative, guardian, conservator, or committee with regard to whether the estate qualifies for the small asset estate exemption under this section or for the performance of any of the clerk's duties under this section, except in the case of the clerk's gross negligence or intentional misconduct.

§ 64.2-1502. In what securities fiduciaries may invest; definitions.

A. As used in this section:

"Fiduciary" has the same meaning as provided in § 8.01-2 and also includes an attorney-in-fact or agent acting for a principal under a written power of attorney, a custodian under § 64.2-1911, and a custodial trustee under § 64.2-906.

"National rating service" means Standard & Poor's Corporation, Moody's Investors Service, Inc., Duff and Phelps, Inc., Fitch Investors Corporation, and any successor to the rating business of any of them.

B. Notwithstanding any other provision of law designating as legal investments for fiduciaries the bonds, notes, obligations, or other evidences of indebtedness issued by a governmental entity or political subdivision of the Commonwealth, including but not limited to agencies, authorities, commissions, districts, boards, or local governments, and except as specifically provided in § 2.2-4519, fiduciaries, whether individual or corporate, shall, except as limited in subsection E, be conclusively presumed to have been prudent in investing the funds held by them in a fiduciary capacity in only the following securities:

1. Obligations of the Commonwealth, its agencies and political subdivisions. The following obligations:

a. Bonds, notes, and other evidences of indebtedness of the Commonwealth and securities unconditionally guaranteed as to the payment of principal and interest by the Commonwealth;

b. Revenue bonds, revenue notes, or other evidences of revenue indebtedness issued by agencies or authorities of the Commonwealth upon which there is no default; and

c. Bonds, notes, and other evidences of indebtedness of any county, city, town, district, authority, or other public body in the Commonwealth upon which there is no default provided that such bonds, notes, and other evidences of indebtedness are (i) direct legal obligations of the public body, for the payment of which the public body has pledged its full faith and credit and unlimited taxing power, or (ii) unconditionally guaranteed as to the payment of principal and interest by the public body.

In every case referred to in this subdivision, such bonds, notes, or other evidences of indebtedness shall be rated in one of the two highest rating categories of at least one national rating service and not rated in a category lower than the two highest rating categories of any national rating service. Determination of an obligation's rating in one of the two highest rating categories shall be made without regard to any refinement or gradation of such rating category by numerical or other modifier. In addition, the remaining maturity of such bonds, notes, or other evidences of indebtedness shall not be greater than five years.

2. Obligations of the United States. Bonds, notes, and other obligations of the United States and securities unconditionally guaranteed as to the payment of principal and interest by the United States with a remaining maturity not greater than five years, except in the case of savings bonds, which may have a longer maturity. The obligations enumerated in this subdivision may be held directly or in the form of repurchase agreements collateralized by such obligations or in the form of securities of any open-end or closed-end management type investment company or investment trust registered under the federal Investment Company Act of 1940, provided that the portfolio of such investment company or investment trust is limited to such obligations or repurchase agreements collateralized by such obligations, or securities of other such investment companies or investment trusts whose portfolios are so restricted.

3. Savings accounts, time deposits, or certificates of deposit. Savings accounts, time deposits, or certificates of deposit in any bank, savings bank, trust company, savings and loan association, or credit union authorized to do business in the Commonwealth, but only to the extent that such accounts, deposits, or certificates are fully insured by the Federal Deposit

Insurance Corporation or any successor federal agency or by the National Credit Union Share Insurance Fund or any successor to it.

C. Notwithstanding the provisions of this section, investments listed in § 2.2-4519 as in effect prior to July 1, 1992, which continue to be held on July 1, 1992, shall be subject to § 64.2-781, and any reference to the Virginia "legal list" or to § 2.2-4519 or any predecessor statute contained in a will, trust, or other instrument that was irrevocable on June 30, 1992, shall be construed to refer to such section as in effect on June 30, 1992, or at such earlier time as may be specified in the controlling document, absent an expression of intent to the contrary contained in such document.

D. The permissible investments specified in subsection B are not exclusive and shall not be construed to limit a fiduciary's investments as permitted pursuant to the Uniform Prudent Investor Act (§ 64.2-780 et seq.).

E. The presumption under subsection B shall apply to (i) a fiduciary only for a calendar year in which the value of the intangible personal property under the fiduciary's control or management does not exceed ~~$100,000~~ *$135,000* at the beginning of such year or (ii) a fiduciary who, on motion for good cause shown, has obtained express authorization from the court having jurisdiction over the fiduciary for the presumption under subsection B to apply.

§ 64.2-1802. Parental duty of support; limited authority of commissioner of accounts.

A commissioner of accounts for the jurisdiction where a guardian qualifies may authorize the same distributions under the same circumstances as the circuit court may authorize under subsection A of § 64.2-1801, except that (i) the total distributions authorized in any one year shall not exceed ~~$5,000~~ *$7,000* and (ii) the commissioner of accounts shall, in his report to the court on the guardian's next accounting, explain the necessity for the distributions so authorized. The provisions of subsection B of § 64.2-1801 shall not apply to proceedings under this section, but the commissioner shall give five days' written notice of the scheduled hearing date to any minor who is 14 years of age or older. The commissioner of accounts shall not charge a fee in excess of $100 for such hearing.

§ 64.2-1905. Other transfer by fiduciary.

A. Subject to subsection C, a personal representative or trustee may make an irrevocable transfer to an adult or trust company as custodian for the benefit of a minor pursuant to § 64.2-1908 in the absence of a will or under a will or trust that does not contain an authorization to do so.

B. Subject to subsection C, a conservator may make an irrevocable transfer to an adult or trust company as custodian for the benefit of the minor pursuant to § 64.2-1908.

C. A transfer under either subsection A or B may be made only if (i) the personal representative, trustee, or conservator considers the transfer to be in the best interest of the minor, (ii) the transfer is not prohibited by or inconsistent with provisions of the applicable will, trust agreement, or other governing instrument, and (iii) the transfer is authorized by the court if it exceeds ~~$25,000~~ *$35,000* in value or is made by a conservator.

§ 64.2-1906. Transfer by obligor.

A. Subject to subsections B and C, a person not subject to § 64.2-1904 or who holds property of or owes a liquidated debt to a minor not having a conservator may make an irrevocable transfer to a custodian for the benefit of the minor pursuant to § 64.2-1908.

B. If a person having the right to do so under § 64.2-1902 has nominated a custodian under that section to receive the custodial property, the transfer shall be made to that person.

C. If no custodian has been nominated under § 64.2-1902, or all persons so nominated as custodian die before the transfer or are unable, decline, or are ineligible to serve, a transfer under this section may be made to an adult member of the minor's family or to a trust company unless the property exceeds ~~$25,000~~ *$35,000* in value, in which event the transfer may be made if authorized by the court.

§ 64.2-2017. Payments from U.S. Department of Veterans Affairs.

Monthly payments of pension, compensation, insurance, or other benefits from the U.S. Department of Veterans Affairs made to a trustee or other fiduciary shall be considered as income and not principal, but the accumulation of such monthly payments received by a trustee or other fiduciary and in his possession at the end of the accounting year may be carried over as principal and converted into the corpus of the estate when the accumulation amounts to ~~$2,000~~ *$3,000* or more.

§ 64.2-2020. Annual reports by guardians.

A. Within six months from the date of qualification, a guardian appointed pursuant to § 64.2-2009 shall file an initial annual report reflecting the first four months of guardianship since qualification with the local department of social services for the jurisdiction where the incapacitated person then resides. After such initial annual report has been filed, the second and subsequent annual reports for each succeeding 12-month period shall be due within four months from the last day of the 12-month period covered by the previous annual report. The annual report shall be on a form prepared by the Office of the Executive Secretary of the Supreme Court and shall be accompanied by a filing fee of $5. To the extent practicable, the annual report shall be formatted in a manner to encourage standardized and detailed responses from guardians. The local department shall retain the fee in the jurisdiction where the fee is collected for use in the provision of services to adults in need of protection. Within 60 days of receipt of the annual report, the local department shall file a copy of the annual report with the clerk of the circuit court that appointed the guardian, to be placed with the court papers pertaining to the guardianship case. Twice each year the local department shall file with the clerk of the circuit court a list of all guardians who are more than 90 days delinquent in filing an annual report as required by this section. If the guardian is also a conservator, a settlement of accounts shall also be filed with the commissioner of accounts as provided in § 64.2-1305.

B. The annual report to the local department of social services shall include:

1. A description of the current mental, physical, and social condition of the incapacitated person, including any change in diagnosis or assessment of any such condition of such incapacitated person by any medical provider since the last report;

2. A description of the incapacitated person's living arrangements during the reported period, including a specific assessment of the adequacy of such living arrangement;

3. The medical, educational, vocational, social, recreational, and any other professional services and activities provided to the incapacitated person and the guardian's opinion as to the adequacy of the incapacitated person's care. The information required by this subdivision shall include (i) the specific names of the medical providers that have treated the incapacitated person and a description of the frequency or number of times the incapacitated person was seen by such providers; (ii) the date and location of and reason for any hospitalization of such incapacitated person; and (iii) a description of the educational, vocational, social, and recreational activities in which such incapacitated person participated;

4. A statement of whether the guardian agrees with the current treatment or habilitation plan;

5. A statement of whether the incapacitated person has been an alleged victim in a report of abuse, neglect, or exploitation made pursuant to Article 2 (§ 63.2-1603 et seq.) of Chapter 16 of Title 63.2, to the extent known, and whether there are any other indications of abuse, neglect, or exploitation of such incapacitated person;

6. A recommendation as to the need for continued guardianship and any recommended changes in the scope of the guardianship;

7. The name of any persons whose access to communicate, visit, or interact with the incapacitated person has been restricted and the reasons for such restriction;

8. A self-assessment by the guardian as to whether he feels he is able to continue to carry out the powers and duties imposed upon him by § 64.2-2019 and as specified in the court's order of appointment pursuant to § 64.2-2009;

9. A statement as to whether the guardian and any skilled professional retained by such guardian to perform guardianship duties on behalf of the guardian have completed the training required by subsection E1 of § 64.2-2019;

10. Unless the incapacitated person resides with the guardian, a statement of the frequency and nature of any (i) in-person visits from the guardian with the incapacitated person over the course of the previous year and (ii) visits over the course of the previous year from a designee who is directly supervised or contracted by the guardian, including the name of the designee performing such visit. If any visit described in this section is made virtually, the guardian shall include such information in the annual report;

11. If no visit is made within a 120-day period, the guardian shall describe any challenges or limitations in completing such visit;

12. A general description of the activities taken on by the guardian for the benefit of the incapacitated person during the past year;

13. Any other information deemed necessary by the Office of the Executive Secretary of the Supreme Court of Virginia or the Department for Aging and Rehabilitative Services to understand the condition, treatment, and well-being of the incapacitated person;

14. Any other information useful in the opinion of the guardian; and

15. The compensation requested and the reasonable and necessary expenses incurred by the guardian.

The guardian shall certify by signing under oath that the information contained in the annual report is true and correct to the best of his knowledge. If a guardian makes a false entry or statement in the annual report, he shall be subject to a civil penalty of not more than ~~$500~~ *$600*. Such penalty shall be collected by the attorney for the Commonwealth or the county or city attorney, and the proceeds shall be deposited into the general fund.

C. If the local department of social services files notice that the annual report has not been timely filed in accordance with subsection A with the clerk of the circuit court, the court may issue a summons or rule to show cause why the guardian has failed to file such annual report.

§ 64.2-2023. Estate planning.

A. In the order appointing a conservator entered pursuant to § 64.2-2009 or in a separate proceeding brought on petition, the court may for good cause shown authorize a conservator to (i) make gifts from income and principal of the incapacitated person's estate not necessary for the incapacitated person's maintenance to those persons to whom the incapacitated person would, in the judgment of the court, have made gifts if he had been of sound mind, (ii) disclaim property as provided in Chapter 26 (§ 64.2-2600 et seq.), or (iii) create a revocable or irrevocable trust on behalf of an incapacitated person with terms approved by the court or transfer assets of an incapacitated person or an incapacitated person's estate to a trust.

B. In a proceeding under this section, a guardian ad litem shall be appointed to represent the interest of the incapacitated person. Notice of a proceeding under this section shall be given pursuant to Chapter 8 (§ 8.01-285 et seq.) of Title 8.01 and the Rules of Supreme Court of Virginia to: (i) the incapacitated person and the incapacitated person's spouse and children, (ii) all beneficiaries named in any known will of the incapacitated person, (iii) the incapacitated person's intestate heirs determined as if the incapacitated person had died intestate on the date of the filing of the petition, and (iv) all other interested persons. The court may authorize the hearing to proceed without notice to any person who would not be substantially affected by the proceedings. For the purposes of this section, the beneficiaries and intestate heirs shall be deemed possessed of inchoate property rights. Unless otherwise represented, a minor, incapacitated, or unborn individual, or a person whose identity or location is unknown and not reasonably ascertainable, may with the approval of the court be

represented and bound by another having a substantially identical interest with respect to the will proceeding under this section, but only to the extent that there is no conflict of interest between the representative and the person represented.

C. The court shall determine the amounts, recipients, and proportions of any gifts of the estate, the advisability of any disclaimer, whether good cause exists to create a trust or transfer assets, and whether to approve the trust terms after considering (i) the size and composition of the estate; (ii) the nature and probable duration of the incapacity; (iii) the effect of the gifts, disclaimers, trusts, or transfers on the estate's financial ability to meet the incapacitated person's foreseeable health, medical care, and maintenance needs; (iv) the incapacitated person's estate plan and the effect of the gifts, disclaimers, trusts, or transfers on the estate plan; (v) prior patterns of assistance or gifts to the proposed donees; (vi) the tax effect of the proposed gifts, disclaimers, trusts, or transfers; (vii) the effect of any transfer of assets or disclaimer on the establishment or retention of eligibility for medical assistance services; (viii) whether to require, during the lifetime of the incapacitated person, that the trustee of any trust created or funded pursuant to this section post bond, with or without surety, or provide an accounting as set forth in § 64.2-1305; and (ix) other factors that the court may deem relevant.

D. A commissioner of accounts for the jurisdiction where a conservator qualifies may authorize the same gifts under the same circumstances as the circuit court may authorize under subsection C, except that (i) the total gifts authorized in a calendar year shall not exceed ~~$25,000~~ *$35,000* and (ii) the commissioner shall report to the court his determination based upon consideration of clauses (i) through (ix) set forth in subsection C. The provisions of subsection B shall not apply to proceedings before the commissioner, but the commissioner shall give reasonable written notice of the scheduled hearing date to any person who would be substantially affected by the proceedings. The commissioner may provide notice to a minor by mail to the duly qualified guardian of the minor or, if none exists, a custodial parent of the minor who is also not the conservator.

E. If the gifts by the conservator under clause (i) of subsection A do not exceed ~~$150~~ *$200* to each donee in a calendar year and do not exceed a total of ~~$750~~ *$1,000* in a calendar year, the conservator may make such gifts without a hearing under this section, the appointment of a guardian ad litem, or giving notice to any person. Prior to the making of such a gift, the conservator shall consider clauses (i) through (ix) set forth in subsection C and shall also find that the incapacitated person has shown a history of giving the same or a similar gift to a specific donee for the previous three years prior to the appointment of the conservator.

F. The conservator may transfer assets of an incapacitated person or an incapacitated person's estate into an irrevocable trust where the transfer has been designated solely for burial of the incapacitated person or spouse of the incapacitated person in accordance with conditions set forth in subdivision A 2 of § 32.1-325. The conservator also may contractually bind an incapacitated person or an incapacitated person's estate by executing a preneed funeral contract, described in Chapter 28 (§ 54.1-2800 et seq.) of Title 54.1, for the benefit of the incapacitated person.

G. A conservator may exercise the incapacitated person's power to revoke or amend a trust or to withdraw or demand distribution of trust assets only with the approval of the court for good cause shown, unless the trust instrument expressly provides otherwise.

§ 64.2-2026. Surrender of incapacitated person's estate.

A. If the incapacitated person is restored to capacity, the fiduciary shall surrender the incapacitated person's estate or that portion for which he is accountable to the incapacitated person.

B. If the incapacitated person dies prior to being restored to capacity, the fiduciary shall surrender the real estate to the incapacitated person's heirs or devisees and the personal estate to his executors or administrators. If, at the time of the death of the incapacitated person, (i) the value of the personal estate in the custody of the fiduciary is ~~$25,000~~ *$35,000* or less, (ii) a personal representative has not qualified within 60 days of the incapacitated person's death, and (iii) the fiduciary does not anticipate that anyone will qualify, the fiduciary may pay the balance of the incapacitated person's estate to the incapacitated person's surviving spouse or, if there is no surviving spouse, to the distributees of the incapacitated person or other persons entitled thereto, including any person or entity entitled to payment for funeral or burial services provided. The distribution shall be noted in the fiduciary's final accounting submitted to the commissioner of accounts.

CHAPTER 149

An Act to amend and reenact §§ 2.2-3705.5 and 37.2-308.1 of the Code of Virginia, relating to the acute psychiatric bed registry; Bed Registry Advisory Council; patient privacy and data security; Virginia Freedom of Information Act exemption.

[H 1937]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3705.5 and 37.2-308.1 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-3705.5. Exclusions to application of chapter; health and social services records.

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01.

1. Health records, except that such records may be personally reviewed by the individual who is the subject of such records, as provided in subsection F of § 32.1-127.1:03.

Where the person who is the subject of health records is confined in a state or local correctional facility, the administrator or chief medical officer of such facility may assert such confined person's right of access to the health records if the administrator or chief medical officer has reasonable cause to believe that such confined person has an infectious disease or other medical condition from which other persons so confined need to be protected. Health records shall only be reviewed and shall not be copied by such administrator or chief medical officer. The information in the health records of a person so confined shall continue to be confidential and shall not be disclosed by the administrator or chief medical officer of the facility to any person except the subject or except as provided by law.

Where the person who is the subject of health records is under the age of 18, his right of access may be asserted only by his guardian or his parent, including a noncustodial parent, unless such parent's parental rights have been terminated, a court of competent jurisdiction has restricted or denied such access, or a parent has been denied access to the health record in accordance with § 20-124.6. In instances where the person who is the subject thereof is an emancipated minor, a student in a public institution of higher education, or is a minor who has consented to his own treatment as authorized by § 16.1-338 or 54.1-2969, the right of access may be asserted by the subject person.

For the purposes of this chapter, statistical summaries of incidents and statistical data concerning abuse of individuals receiving services compiled by the Commissioner of Behavioral Health and Developmental Services shall be disclosed. No such summaries or data shall include any information that identifies specific individuals receiving services.

2. Applications for admission to examinations or for licensure and scoring records maintained by the Department of Health Professions or any board in that department on individual licensees or applicants; information required to be provided to the Department of Health Professions by certain licensees pursuant to § 54.1-2506.1; information held by the Health Practitioners' Monitoring Program Committee within the Department of Health Professions that identifies any practitioner who may be, or who is actually, impaired to the extent that disclosure is prohibited by § 54.1-2517; and information relating to the prescribing and dispensing of covered substances to recipients and any abstracts from such information that are in the possession of the Prescription Monitoring Program (Program) pursuant to Chapter 25.2 (§ 54.1-2519 et seq.) of Title 54.1 and any material relating to the operation or security of the Program.

3. Reports, documentary evidence, and other information as specified in §§ 51.5-122 and 51.5-184 and Chapter 1 (§ 63.2-100 et seq.) of Title 63.2 and information and statistical registries required to be kept confidential pursuant to Chapter 1 (§ 63.2-100 et seq.) of Title 63.2.

4. Investigative notes; proprietary information not published, copyrighted or patented; information obtained from employee personnel records; personally identifiable information regarding residents, clients or other recipients of services; other correspondence and information furnished in confidence to the Department of Education in connection with an active investigation of an applicant or licensee pursuant to Chapter 14.1 (§ 22.1-289.02 et seq.) of Title 22.1; other correspondence and information furnished in confidence to the Department of Social Services in connection with an active investigation of an applicant or licensee pursuant to Chapters 17 (§ 63.2-1700 et seq.) and 18 (§ 63.2-1800 et seq.) of Title 63.2; and information furnished to the Office of the Attorney General in connection with an investigation or litigation pursuant to Article 19.1 (§ 8.01-216.1 et seq.) of Chapter 3 of Title 8.01 and Chapter 9 (§ 32.1-310 et seq.) of Title 32.1. However, nothing in this subdivision shall prevent the disclosure of information from the records of completed investigations in a form that does not reveal the identity of complainants, persons supplying information, or other individuals involved in the investigation.

5. Information collected for the designation and verification of trauma centers and other specialty care centers within the Statewide Emergency Medical Services System and Services pursuant to Article 2.1 (§ 32.1-111.1 et seq.) of Chapter 4 of Title 32.1.

6. Reports and court documents relating to involuntary admission required to be kept confidential pursuant to § 37.2-818.

7. Information acquired (i) during a review of any child death conducted by the State Child Fatality Review Team established pursuant to § 32.1-283.1 or by a local or regional child fatality review team to the extent that such information is made confidential by § 32.1-283.2; (ii) during a review of any death conducted by a family violence fatality review team to the extent that such information is made confidential by § 32.1-283.3; (iii) during a review of any adult death conducted by the Adult Fatality Review Team to the extent made confidential by § 32.1-283.5 or by a local or regional adult fatality review team to the extent that such information is made confidential by § 32.1-283.6; (iv) by a local or regional overdose fatality review team to the extent that such information is made confidential by § 32.1-283.7; (v) during a review of any death conducted by the Maternal Mortality Review Team to the extent that such information is made confidential by § 32.1-283.8; or (vi) during a review of any death conducted by the Developmental Disabilities Mortality Review Committee to the extent that such information is made confidential by § 37.2-314.1.

8. Patient level data collected by the Board of Health and not yet processed, verified, and released, pursuant to § 32.1-276.9, to the Board by the nonprofit organization with which the Commissioner of Health has contracted pursuant to § 32.1-276.4.

9. Information relating to a grant application, or accompanying a grant application, submitted to the Commonwealth Neurotrauma Initiative Advisory Board pursuant to Article 12 (§ 51.5-178 et seq.) of Chapter 14 of Title 51.5 that would (i) reveal (a) medical or mental health records or other data identifying individual patients or (b) proprietary business or

research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of the applicant.

10. Any information copied, recorded, or received by the Commissioner of Health in the course of an examination, investigation, or review of a managed care health insurance plan licensee pursuant to §§ 32.1-137.4 and 32.1-137.5, including books, records, files, accounts, papers, documents, and any or all computer or other recordings.

11. Records of the Virginia Birth-Related Neurological Injury Compensation Program required to be kept confidential pursuant to § 38.2-5002.2.

12. Information held by the State Health Commissioner relating to the health of any person subject to an order of quarantine or an order of isolation pursuant to Article 3.02 (§ 32.1-48.05 et seq.) of Chapter 2 of Title 32.1. However, nothing in this subdivision shall be construed to prevent the disclosure of statistical summaries, abstracts, or other information in aggregate form.

13. The names and addresses or other contact information of persons receiving transportation services from a state or local public body or its designee under Title II of the Americans with Disabilities Act, (42 U.S.C. § 12131 et seq.) or funded by Temporary Assistance for Needy Families (TANF) created under § 63.2-600.

14. Information held by certain health care committees and entities that may be withheld from discovery as privileged communications pursuant to § 8.01-581.17.

15. Data and information specified in § 37.2-308.01 relating to proceedings provided for in Article 16 (§ 16.1-335 et seq.) of Chapter 11 of Title 16.1 and Chapter 8 (§ 37.2-800 et seq.) of Title 37.2.

16. Records of and information held by the Smartchart Network Program required to be kept confidential pursuant to § 32.1-372.

17. Information submitted to the acute psychiatric bed registry pursuant to § 37.2-308.1.

§ 37.2-308.1. Acute psychiatric bed registry.

A. The Department shall develop and administer a web-based acute psychiatric bed registry to collect, aggregate, and display information about available acute beds in public and private inpatient psychiatric facilities and public and private residential crisis stabilization units to facilitate the identification and designation of facilities for the temporary detention and treatment of individuals who meet the criteria for temporary detention pursuant to § 37.2-809.

B. The acute psychiatric bed registry created pursuant to subsection A shall:

1. Include descriptive information for every public and private inpatient psychiatric facility and every public and private residential crisis stabilization unit in the Commonwealth, including contact information for the facility or unit;

2. Provide real-time information about the number of beds available at each facility or unit and, for each available bed, the type of patient that may be admitted, the level of security provided, and any other information that may be necessary to allow employees or designees of community services boards and employees of inpatient psychiatric facilities or public and private residential crisis stabilization units to identify appropriate facilities for detention and treatment of individuals who meet the criteria for temporary detention; and

3. Allow employees and designees of community services boards, employees of inpatient psychiatric facilities or public and private residential crisis stabilization units, and health care providers as defined in § 8.01-581.1 working in an emergency room of a hospital or clinic or other facility rendering emergency medical care to perform searches of the registry to identify available beds that are appropriate for the detention and treatment of individuals who meet the criteria for temporary detention.

C. *Data collected through the acute psychiatric bed registry shall be exclusively utilized for the purposes of appropriate placement of individuals in need of psychiatric care. No access to individual or aggregated data collected through the acute psychiatric bed registry shall be granted except as approved by the Advisory Council pursuant to subsection G.*

D. Every state facility, community services board, behavioral health authority, and private inpatient provider licensed by the Department shall participate in the acute psychiatric bed registry established pursuant to subsection A and shall designate such employees as may be necessary to submit information for inclusion in the acute psychiatric bed registry and serve as a point of contact for addressing requests for information related to data reported to the acute psychiatric bed registry.

~~D.~~ *E.* Every state facility, community services board, behavioral health authority, and private inpatient provider licensed by the Department shall update information included in the acute psychiatric bed registry whenever there is a change in bed availability for the facility, board, authority, or provider or, if no change in bed availability has occurred, at least daily.

~~E.~~ *F.* The Commissioner may enter into a contract with a private entity for the development and administration of the acute psychiatric bed registry established pursuant to subsection A. *Such contract shall include provisions for the protection of patient privacy and data security pursuant to state and federal law and regulations, including the federal Health Insurance Portability and Accountability Act (42 U.S.C. § 1320d et seq.).*

G. The Commissioner shall create the Bed Registry Advisory Council (the Advisory Council), which shall consist of representatives from the Department, the Virginia Hospital and Healthcare Association, the Virginia College of Emergency Physicians, and the Virginia Association of Community Services Boards; two representatives from hospitals or health systems; two emergency physician representatives, and two representatives from community services boards. The Advisory

Council shall advise the Commissioner and the third-party contractor regarding the establishment and operation of the acute psychiatric bed registry established pursuant to subsection A; changes to the acute psychiatric bed registry; outcome measures, including reports developed by the contractor; details on methods used to extract, transform, and load data; and efforts to protect patient privacy and data security. The Commissioner shall also require the Advisory Council to review and approve requests for access to data in the acute psychiatric bed registry. The Commissioner shall ensure that (i) all data approvals are consistent with the purposes of the acute psychiatric bed registry pursuant to subsection A; (ii) all data approvals comply with applicable state and federal privacy laws and state and federal laws regarding the exchange of confidential health care data; and (iii) all releases of data collected through the acute psychiatric bed registry are approved by the Advisory Council. The Advisory Council may approve the release of routine or frequent data reports one time, as long as there are no substantial changes to the request.

H. Information submitted to the acute psychiatric bed registry that identifies specific individuals receiving services shall be confidential pursuant to state and federal confidentiality laws and regulations, including the federal Health Insurance Portability and Accountability Act (42 U.S.C. § 1320d et seq.) and shall be exempt from disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

CHAPTER 150

An Act to direct the boards within the Department of Professional and Occupational Regulation to develop regulations to provide a pathway to licensure for individuals with equivalent qualifications from another country.

[H 1940]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the regulatory boards within the Department of Professional and Occupational Regulation (the Department) shall develop regulations to provide a pathway to licensure or certification for individuals with equivalent qualifications from another country. Such regulations shall include the following requirements for issuing a license or certification:*

1. Applicants shall provide documentation demonstrating (i) United States citizenship, (ii) permanent residency, or (iii) a valid work visa along with proof that the applicant has submitted a petition for permanent residency status;

2. The regulatory boards within the Department shall include a method for awarding partial or full credit toward any training and education requirements;

3. The regulatory boards within the Department may use professional credential verification services; and

4. The regulatory boards within the Department may only issue a license or certification pursuant to such regulations upon receipt of satisfactory documentation of the requisite education, training, and proof of licensure in accordance with board standards and requirements, or any other criteria the board deems necessary to protect the health, safety, and welfare of the public.

§ 2. The regulatory boards within the Department shall ensure that applicants that are licensed in accordance with the regulations promulgated pursuant to this act are subject to the same examination requirements as other applicants for initial licensure in a given profession or occupation.

CHAPTER 151

An Act to amend the Code of Virginia by adding a section numbered 45.2-1032.1, relating to Abandoned Mine Land Grant Retention Fund established.

[H 1948]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 45.2-1032.1 as follows:

§ 45.2-1032.1. Abandoned Mine Land Grant Retention Fund.

There is hereby created in the state treasury a special nonreverting fund to be known as the Abandoned Mine Land Grant Retention Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller and shall be administered by the Director. All eligible designated funds received under § 40701 of the federal Infrastructure Investment and Jobs Act, P.L. 117-58, shall be paid into the state treasury and credited to the Fund and shall be the sole source for the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purpose of carrying out the activities described in § 40701(c) of the federal Infrastructure Investment and Jobs Act, P.L. 117-58. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director.

CHAPTER 152

An Act to amend and reenact § 58.1-609.10 of the Code of Virginia, relating to sales and use tax exemption; aircraft components.

[S 942]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-609.10 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-609.10. Miscellaneous exemptions.

The tax imposed by this chapter or pursuant to the authority granted in §§ 58.1-605 and 58.1-606 shall not apply to the following:

1. Artificial or propane gas, firewood, coal or home heating oil used for domestic consumption. "Domestic consumption" means the use of artificial or propane gas, firewood, coal or home heating oil by an individual purchaser for other than business, commercial or industrial purposes. The Tax Commissioner shall establish by regulation a system for use by dealers in classifying individual purchases for domestic or nondomestic use based on the principal usage of such gas, wood, coal or oil. Any person making a nondomestic purchase and paying the tax pursuant to this chapter who uses any portion of such purchase for domestic use may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for a refund of the tax paid on the domestic use portion.

2. An occasional sale, as defined in § 58.1-602. A nonprofit organization that is eligible to be granted an exemption on its purchases pursuant to § 58.1-609.11, and that is otherwise eligible for the exemption pursuant to this subdivision, shall be exempt pursuant to this subdivision on its sales of (i) food, prepared food and meals and (ii) tickets to events that include the provision of food, prepared food and meals, so long as such sales take place on fewer than 24 occasions in a calendar year.

3. Tangible personal property for future use by a person for taxable lease or rental as an established business or part of an established business, or incidental or germane to such business, including a simultaneous purchase and taxable leaseback.

4. Delivery of tangible personal property outside the Commonwealth for use or consumption outside of the Commonwealth. Delivery of goods destined for foreign export to a factor or export agent shall be deemed to be delivery of goods for use or consumption outside of the Commonwealth.

5. Tangible personal property purchased with food coupons issued by the U.S. Department of Agriculture under the Food Stamp Program or drafts issued through the Virginia Special Supplemental Food Program for Women, Infants, and Children.

6. Tangible personal property purchased for use or consumption in the performance of maintenance and repair services at Nuclear Regulatory Commission-licensed nuclear power plants located outside the Commonwealth.

7. Beginning July 1, 1997, and ending July 1, 2006, a professional's provision of original, revised, edited, reformatted or copied documents, including but not limited to documents stored on or transmitted by electronic media, to its client or to third parties in the course of the professional's rendition of services to its clientele.

8. School lunches sold and served to pupils and employees of schools and subsidized by government; school textbooks sold by a local board or authorized agency thereof; and school textbooks sold for use by students attending a college or other institution of learning, when sold (i) by such institution of learning or (ii) by any other dealer, when such textbooks have been certified by a department or instructor of such institution of learning as required textbooks for students attending courses at such institution.

9. Medicines, drugs, hypodermic syringes, artificial eyes, contact lenses, eyeglasses, eyeglass cases, and contact lens storage containers when distributed free of charge, all solutions or sterilization kits or other devices applicable to the wearing or maintenance of contact lenses or eyeglasses when distributed free of charge, and hearing aids dispensed by or sold on prescriptions or work orders of licensed physicians, dentists, optometrists, ophthalmologists, opticians, audiologists, hearing aid dealers and fitters, advanced practice registered nurses, physician assistants, and veterinarians; controlled drugs purchased for use by a licensed physician, optometrist, licensed advanced practice registered nurse, or licensed physician assistant in his professional practice, regardless of whether such practice is organized as a sole proprietorship, partnership, or professional corporation, or any other type of corporation in which the shareholders and operators are all licensed physicians, optometrists, licensed advanced practice registered nurses, or licensed physician assistants engaged in the practice of medicine, optometry, or nursing; medicines and drugs purchased for use or consumption by a licensed hospital, nursing home, clinic, or similar corporation not otherwise exempt under this section; and samples of prescription drugs and medicines and their packaging distributed free of charge to authorized recipients in accordance with the federal Food, Drug, and Cosmetic Act (21 U.S.C.A. § 301 et seq., as amended).

10. Wheelchairs and parts therefor, braces, crutches, prosthetic devices, orthopedic appliances, catheters, urinary accessories, other durable medical equipment and devices, and related parts and supplies specifically designed for those products; and insulin and insulin syringes, and equipment, devices or chemical reagents that may be used by a diabetic to test or monitor blood or urine, when such items or parts are purchased by or on behalf of an individual for use by such individual. Durable medical equipment is equipment that (i) can withstand repeated use, (ii) is primarily and customarily

used to serve a medical purpose, (iii) generally is not useful to a person in the absence of illness or injury, and (iv) is appropriate for use in the home.

11. Drugs and supplies used in hemodialysis and peritoneal dialysis.

12. Special equipment installed on a motor vehicle when purchased by an individual with a disability to enable such individual to operate the motor vehicle.

13. Special typewriters and computers and related parts and supplies specifically designed for those products used by individuals with disabilities to communicate when such equipment is prescribed by a licensed physician.

14. a. (i) Any nonprescription drugs and proprietary medicines purchased for the cure, mitigation, treatment, or prevention of disease in human beings and (ii) any samples of nonprescription drugs and proprietary medicines distributed free of charge by the manufacturer, including packaging materials and constituent elements and ingredients.

b. The terms "nonprescription drugs" and "proprietary medicines" shall be defined pursuant to regulations promulgated by the Department of Taxation. The exemption authorized in this subdivision shall not apply to cosmetics.

15. Tangible personal property withdrawn from inventory and donated to (i) an organization exempt from taxation under § 501(c)(3) of the Internal Revenue Code or (ii) the Commonwealth, any political subdivision of the Commonwealth, or any school, agency, or instrumentality thereof.

16. Tangible personal property purchased by nonprofit churches that are exempt from taxation under § 501(c)(3) of the Internal Revenue Code, or whose real property is exempt from local taxation pursuant to the provisions of § 58.1-3606, for use (i) in religious worship services by a congregation or church membership while meeting together in a single location and (ii) in the libraries, offices, meeting or counseling rooms or other rooms in the public church buildings used in carrying out the work of the church and its related ministries, including kindergarten, elementary and secondary schools. The exemption for such churches shall also include baptistries; bulletins, programs, newspapers and newsletters that do not contain paid advertising and are used in carrying out the work of the church; gifts including food for distribution outside the public church building; food, disposable serving items, cleaning supplies and teaching materials used in the operation of camps or conference centers by the church or an organization composed of churches that are exempt under this subdivision and which are used in carrying out the work of the church or churches; and property used in caring for or maintaining property owned by the church including, but not limited to, mowing equipment; and building materials installed by the church, and for which the church does not contract with a person or entity to have installed, in the public church buildings used in carrying out the work of the church and its related ministries, including, but not limited to worship services; administrative rooms; and kindergarten, elementary, and secondary schools.

17. Medical products and supplies, which are otherwise taxable, such as bandages, gauze dressings, incontinence products and wound-care products, when purchased by a Medicaid recipient through a Department of Medical Assistance Services provider agreement.

18. Beginning July 1, 2007, and ending July 1, 2012, multifuel heating stoves used for heating an individual purchaser's residence. "Multifuel heating stoves" are stoves that are capable of burning a wide variety of alternative fuels, including, but not limited to, shelled corn, wood pellets, cherry pits, and olive pits.

19. Fabrication of animal meat, grains, vegetables, or other foodstuffs when the purchaser (i) supplies the foodstuffs and they are consumed by the purchaser or his family, (ii) is an organization exempt from taxation under § 501(c)(3) or (c)(4) of the Internal Revenue Code, or (iii) donates the foodstuffs to an organization exempt from taxation under § 501(c)(3) or (c)(4) of the Internal Revenue Code.

20. Beginning July 1, 2018, and ending July 1, ~~2025~~ *2030*, parts, engines, and supplies used for maintaining, repairing, or reconditioning aircraft or any aircraft's avionics system, engine, or component parts. This exemption shall not apply to tools and other equipment not attached to or that does not become a part of the aircraft. For purposes of this subdivision, "aircraft" shall include both manned and unmanned systems. However, for manned systems, "aircraft" shall include only aircraft with a maximum takeoff weight of at least 2,400 pounds.

21. A gun safe with a selling price of $1,500 or less. For purposes of this subdivision, "gun safe" means a safe or vault that is (i) commercially available, (ii) secured with a digital or dial combination locking mechanism or biometric locking mechanism, and (iii) designed for the storage of a firearm or of ammunition for use in a firearm. "Gun safe" does not include a glass-faced cabinet. Any discount, coupon, or other credit offered by the retailer or a vendor of the retailer to reduce the final price to the customer shall be taken into account in determining the selling price for purposes of this exemption.

22. Beginning July 1, 2022, and ending July 1, 2025, prescription medicines and drugs purchased by veterinarians and administered or dispensed to patients within a veterinarian-client-patient relationship as defined in § 54.1-3303.

CHAPTER 153

An Act to direct the boards within the Department of Professional and Occupational Regulation to develop regulations to provide a pathway to licensure for individuals with equivalent qualifications from another country.

[S 1188]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the regulatory boards within the Department of Professional and Occupational Regulation (the Department) shall develop regulations to provide a pathway to licensure or certification for individuals with equivalent qualifications from another country. Such regulations shall include the following requirements for issuing a license or certification:*

1. Applicants shall provide documentation demonstrating (i) United States citizenship, (ii) permanent residency, or (iii) a valid work visa along with proof that the applicant has submitted a petition for permanent residency status;

2. The regulatory boards within the Department shall include a method for awarding partial or full credit toward any training and education requirements;

3. The regulatory boards within the Department may use professional credential verification services; and

4. The regulatory boards within the Department may only issue a license or certification pursuant to such regulations upon receipt of satisfactory documentation of the requisite education, training, and proof of licensure in accordance with board standards and requirements, or any other criteria the board deems necessary to protect the health, safety, and welfare of the public.

§ 2. The regulatory boards within the Department shall ensure that applicants that are licensed in accordance with the regulations promulgated pursuant to this act are subject to the same examination requirements as other applicants for initial licensure in a given profession or occupation.

CHAPTER 154

An Act to amend and reenact § 1-208.1 of the Code of Virginia, relating to carbon-free energy or clean energy; fusion energy; definitions.

[S 1338]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 1-208.1 of the Code of Virginia is amended and reenacted as follows:

§ 1-208.1. Carbon-free energy; clean energy.

A. "Carbon-free energy" or "clean energy" includes electric energy generated from a source that does not emit carbon dioxide into the atmosphere during the process of generating the electric energy, including electric energy generated by the conversion of sunlight, wind, falling water, wave motion, tides, geothermal*, fusion energy,* or nuclear energy.

B. As used in this section, "fusion energy" means the energy generated through the process of fusing together atomic nuclei.

CHAPTER 155

An Act to amend and reenact § 16.1-277.02 of the Code of Virginia, relating to petitions for relief of care and custody of a child; investigation by local department of social services; Office of the Children's Ombudsman work group; report.

[S 1372]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-277.02 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-277.02. Petition for relief of care and custody.

A. Requests for petitions for relief of the care and custody of a child shall be referred initially to the local department of social services for investigation and the provision of services, if appropriate, in accordance with the provisions of § 63.2-319 or Chapter 15 (§ 63.2-1500 et seq.) of Title 63.2. *The local department of social services shall, as part of its investigation, (i) refer the parent to the local family assessment and planning team and (ii) create a written report regarding the history of the child and family. A referral to the local family assessment and planning team in accordance with clause (i) shall not interfere with or delay any proceeding or hearing related to the petition unless the court determines that any recommendations made by or information gathered from the family assessment and planning team is necessary for the court to make a final disposition in the matter.* Upon the filing of a petition for relief of a child's care and custody pursuant to subdivision A 4 of § 16.1-241, the court shall appoint a guardian ad litem to represent the child in accordance with the provisions of § 16.1-266, and shall schedule the matter for a hearing on the petition. Such hearing on the petition may include partial or final disposition of the matter. The court shall provide notice of the hearing and a copy of the petition to the following, each of whom shall be a party entitled to participate in the proceeding:

1. The child, if he is 12 years of age or older;

2. The guardian ad litem for the child;

3. The child's parents, custodian or other person standing in loco parentis to the child. No such notification shall be required, however, if the judge certifies on the record that the identity of the parent is not reasonably ascertainable. An affidavit of the mother that the identity of the father is not reasonably ascertainable shall be sufficient evidence of this fact, provided there is no other evidence before the court which would refute such an affidavit. The hearing on the petition shall

be held pursuant to this section although a parent fails to appear and is not represented by counsel, provided personal or substituted service was made on the parent, or the court determines that such person cannot be found, after reasonable effort, or in the case of a person who is without the Commonwealth, the person cannot be found or his post office address cannot be ascertained after reasonable effort. However, in the case of a hearing to grant a petition for permanent relief of custody and terminate a parent's residual parental rights, notice to the parent whose rights may be affected shall be provided in accordance with the provisions of §§ 16.1-263 and 16.1-264; and

4. The local board of social services. Upon receiving notice of the hearing pursuant to this section, the local board of social services shall investigate the matter and provide services, as appropriate, in accordance with the provisions of § 63.2-319 or Chapter 15 (§ 63.2-1500 et seq.) of Title 63.2.

B. At the hearing, the local board of social services, the child, the child's parents, guardian, legal custodian or other person standing in loco parentis and any other family or household member of the child to whom notice was given shall have the right to confront and cross-examine all adverse witnesses and evidence and to present evidence on their own behalf.

C. At the conclusion of the hearing on the petition, the court shall make a finding, based upon a preponderance of the evidence, whether there is good cause shown for the petitioner's desire to be relieved of the child's care and custody, unless the petition seeks permanent relief of custody and termination of parental rights. If the petition seeks permanent relief of custody and termination of parental rights, the court shall make a finding, based upon clear and convincing evidence, whether termination of parental rights is in the best interest of the child. If the court makes either of these findings, the court may enter:

1. A preliminary protective order pursuant to § 16.1-253;

2. An order that requires the local board of social services to provide services to the family as required by law;

3. An order that is consistent with any of the dispositional alternatives pursuant to § 16.1-278.3; or

4. Any combination of these orders.

Any such order transferring legal custody of the child shall be made in accordance with the provisions of subdivision A 5 of § 16.1-278.2 and shall be subject to the provisions of subsection C1. This order shall include, but need not be limited to, the following findings: (i) that there is no less drastic alternative to granting the requested relief; and (ii) that reasonable efforts have been made to prevent removal and that continued placement in the home would be contrary to the welfare of the child, if the order transfers legal custody of the child to a local board of social services. Any order terminating residual parental rights shall be accompanied by an order continuing or granting custody to a local board of social services or to a licensed child-placing agency or granting custody or guardianship to a person with a legitimate interest. Such an order continuing or granting custody to a local board of social services or to a licensed child-placing agency shall indicate whether that board or agency shall have the authority to place the child for adoption and consent thereto. At any time subsequent to the transfer of legal custody of the child pursuant to this section, a birth parent or parents of the child and the pre-adoptive parent or parents may enter into a written post-adoption contact and communication agreement in accordance with the provisions of § 16.1-283.1 and Article 1.1 (§ 63.2-1220.2 et seq.) of Chapter 12 of Title 63.2. The court shall not require a written post-adoption contact and communication agreement as a precondition to entry of an order in any case involving the child.

The court shall schedule a subsequent hearing within 60 days of the hearing held pursuant to this section: (a) to enter a final order of disposition pursuant to § 16.1-278.3 or (b) if the child is placed in foster care, for review of the foster care plan filed pursuant to § 16.1-281. If a party is required to be present at the subsequent hearing, and (1) is present at the hearing on the petition, the party shall be given notice of the date set for the subsequent hearing; (2) if not present, shall be summoned as provided in § 16.1-263.

C1. Any order transferring temporary custody of the child to a person with a legitimate interest pursuant to subsection C shall be entered only upon a finding, based upon a preponderance of the evidence, that such person is one who (i) is found by the court to be willing and qualified to receive and care for the child; (ii) is willing to have a positive, continuous relationship with the child; and (iii) is willing and has the ability to protect the child from abuse and neglect. The court's order transferring temporary custody to a person with a legitimate interest should further provide for compliance with any preliminary protective order entered on behalf of the child in accordance with the provisions of § 16.1-253; and, as appropriate, ongoing provision of social services to the child and the child's custodian; and court review of the child's placement with such person with a legitimate interest. Any final order transferring custody of the child to a person with a legitimate interest pursuant to this section shall, in addition, be entered only after an investigation as directed by the court and upon a finding, stated in the court's order, that such person is one who satisfies clauses (i), (ii), and (iii) and is committed to providing a permanent, suitable home for the child.

D. The local board or licensed child-placing agency to which authority is given to place the child for adoption and consent thereto after an order terminating parental rights is entered pursuant to this section shall file a written Adoption Progress Report with the juvenile court on the progress being made to place the child in an adoptive home. The report shall be filed with the court every six months from the date of the final order terminating parental rights until a final order of adoption is entered on behalf of the child in the circuit court. At the conclusion of the hearing at which termination of parental rights is ordered and authority is given to the local board or licensed child-placing agency to place the child for adoption, the juvenile court shall schedule a date by which the board or agency shall file the first Adoption Progress Report

required by this section. A copy of the Adoption Progress Report shall be sent by the court to the guardian ad litem for the child. The court may schedule a hearing on the report with or without the request of a party.

2. That the Department of Social Services shall, in collaboration with the Virginia League of Social Services Executives, create a template for the written report that the local department of social services is required to create pursuant to § 16.1-277.02 of the Code of Virginia, as amended by this act, as a part of its investigation prior to a proceeding. The template for the written report shall include (i) a complete background of the child and family, including medical and mental health history, legal history, educational history, and any information from providers in these fields; (ii) the exploration of all relatives and fictive kin; and (iii) information on what services are being or have been offered or provided to the child and the family, including the potential effectiveness of a family partnership meeting.

3. That the Office of the Children's Ombudsman shall convene a work group to determine the factors a court should consider for good cause shown to grant a petitioner's petition for relief of care and custody of a child. The work group shall also explore the potential benefits and considerations of raising the standard of evidence for granting temporary relief of custody from the current standard of preponderance of the evidence to clear and convincing evidence. The work group shall be composed of judges of juvenile and domestic relations district courts, a representative from the Office of the Executive Secretary of the Supreme Court of Virginia, one or more representatives from the Department of Social Services, representatives from local departments of social services and court services units, and other relevant stakeholders. The Office of the Children's Ombudsman shall submit a report of the work group's findings and recommendations to the Chairs of the House and Senate Committees for Courts of Justice and the Virginia Commission on Youth by November 1, 2025.

4. That the provisions of § 16.1-277.02 of the Code of Virginia, as amended by this act, shall become effective on January 1, 2026.

CHAPTER 156

An Act to amend and reenact §§ 2.2-3705.5 and 37.2-308.1 of the Code of Virginia, relating to the acute psychiatric bed registry; Bed Registry Advisory Council; patient privacy and data security; Virginia Freedom of Information Act exemption.

[S 1439]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3705.5 and 37.2-308.1 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-3705.5. Exclusions to application of chapter; health and social services records.

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01.

1. Health records, except that such records may be personally reviewed by the individual who is the subject of such records, as provided in subsection F of § 32.1-127.1:03.

Where the person who is the subject of health records is confined in a state or local correctional facility, the administrator or chief medical officer of such facility may assert such confined person's right of access to the health records if the administrator or chief medical officer has reasonable cause to believe that such confined person has an infectious disease or other medical condition from which other persons so confined need to be protected. Health records shall only be reviewed and shall not be copied by such administrator or chief medical officer. The information in the health records of a person so confined shall continue to be confidential and shall not be disclosed by the administrator or chief medical officer of the facility to any person except the subject or except as provided by law.

Where the person who is the subject of health records is under the age of 18, his right of access may be asserted only by his guardian or his parent, including a noncustodial parent, unless such parent's parental rights have been terminated, a court of competent jurisdiction has restricted or denied such access, or a parent has been denied access to the health record in accordance with § 20-124.6. In instances where the person who is the subject thereof is an emancipated minor, a student in a public institution of higher education, or is a minor who has consented to his own treatment as authorized by § 16.1-338 or 54.1-2969, the right of access may be asserted by the subject person.

For the purposes of this chapter, statistical summaries of incidents and statistical data concerning abuse of individuals receiving services compiled by the Commissioner of Behavioral Health and Developmental Services shall be disclosed. No such summaries or data shall include any information that identifies specific individuals receiving services.

2. Applications for admission to examinations or for licensure and scoring records maintained by the Department of Health Professions or any board in that department on individual licensees or applicants; information required to be provided to the Department of Health Professions by certain licensees pursuant to § 54.1-2506.1; information held by the Health Practitioners' Monitoring Program Committee within the Department of Health Professions that identifies any practitioner who may be, or who is actually, impaired to the extent that disclosure is prohibited by § 54.1-2517; and

information relating to the prescribing and dispensing of covered substances to recipients and any abstracts from such information that are in the possession of the Prescription Monitoring Program (Program) pursuant to Chapter 25.2 (§ 54.1-2519 et seq.) of Title 54.1 and any material relating to the operation or security of the Program.

3. Reports, documentary evidence, and other information as specified in §§ 51.5-122 and 51.5-184 and Chapter 1 (§ 63.2-100 et seq.) of Title 63.2 and information and statistical registries required to be kept confidential pursuant to Chapter 1 (§ 63.2-100 et seq.) of Title 63.2.

4. Investigative notes; proprietary information not published, copyrighted or patented; information obtained from employee personnel records; personally identifiable information regarding residents, clients or other recipients of services; other correspondence and information furnished in confidence to the Department of Education in connection with an active investigation of an applicant or licensee pursuant to Chapter 14.1 (§ 22.1-289.02 et seq.) of Title 22.1; other correspondence and information furnished in confidence to the Department of Social Services in connection with an active investigation of an applicant or licensee pursuant to Chapters 17 (§ 63.2-1700 et seq.) and 18 (§ 63.2-1800 et seq.) of Title 63.2; and information furnished to the Office of the Attorney General in connection with an investigation or litigation pursuant to Article 19.1 (§ 8.01-216.1 et seq.) of Chapter 3 of Title 8.01 and Chapter 9 (§ 32.1-310 et seq.) of Title 32.1. However, nothing in this subdivision shall prevent the disclosure of information from the records of completed investigations in a form that does not reveal the identity of complainants, persons supplying information, or other individuals involved in the investigation.

5. Information collected for the designation and verification of trauma centers and other specialty care centers within the Statewide Emergency Medical Services System and Services pursuant to Article 2.1 (§ 32.1-111.1 et seq.) of Chapter 4 of Title 32.1.

6. Reports and court documents relating to involuntary admission required to be kept confidential pursuant to § 37.2-818.

7. Information acquired (i) during a review of any child death conducted by the State Child Fatality Review Team established pursuant to § 32.1-283.1 or by a local or regional child fatality review team to the extent that such information is made confidential by § 32.1-283.2; (ii) during a review of any death conducted by a family violence fatality review team to the extent that such information is made confidential by § 32.1-283.3; (iii) during a review of any adult death conducted by the Adult Fatality Review Team to the extent made confidential by § 32.1-283.5 or by a local or regional adult fatality review team to the extent that such information is made confidential by § 32.1-283.6; (iv) by a local or regional overdose fatality review team to the extent that such information is made confidential by § 32.1-283.7; (v) during a review of any death conducted by the Maternal Mortality Review Team to the extent that such information is made confidential by § 32.1-283.8; or (vi) during a review of any death conducted by the Developmental Disabilities Mortality Review Committee to the extent that such information is made confidential by § 37.2-314.1.

8. Patient level data collected by the Board of Health and not yet processed, verified, and released, pursuant to § 32.1-276.9, to the Board by the nonprofit organization with which the Commissioner of Health has contracted pursuant to § 32.1-276.4.

9. Information relating to a grant application, or accompanying a grant application, submitted to the Commonwealth Neurotrauma Initiative Advisory Board pursuant to Article 12 (§ 51.5-178 et seq.) of Chapter 14 of Title 51.5 that would (i) reveal (a) medical or mental health records or other data identifying individual patients or (b) proprietary business or research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of the applicant.

10. Any information copied, recorded, or received by the Commissioner of Health in the course of an examination, investigation, or review of a managed care health insurance plan licensee pursuant to §§ 32.1-137.4 and 32.1-137.5, including books, records, files, accounts, papers, documents, and any or all computer or other recordings.

11. Records of the Virginia Birth-Related Neurological Injury Compensation Program required to be kept confidential pursuant to § 38.2-5002.2.

12. Information held by the State Health Commissioner relating to the health of any person subject to an order of quarantine or an order of isolation pursuant to Article 3.02 (§ 32.1-48.05 et seq.) of Chapter 2 of Title 32.1. However, nothing in this subdivision shall be construed to prevent the disclosure of statistical summaries, abstracts, or other information in aggregate form.

13. The names and addresses or other contact information of persons receiving transportation services from a state or local public body or its designee under Title II of the Americans with Disabilities Act, (42 U.S.C. § 12131 et seq.) or funded by Temporary Assistance for Needy Families (TANF) created under § 63.2-600.

14. Information held by certain health care committees and entities that may be withheld from discovery as privileged communications pursuant to § 8.01-581.17.

15. Data and information specified in § 37.2-308.01 relating to proceedings provided for in Article 16 (§ 16.1-335 et seq.) of Chapter 11 of Title 16.1 and Chapter 8 (§ 37.2-800 et seq.) of Title 37.2.

16. Records of and information held by the Smartchart Network Program required to be kept confidential pursuant to § 32.1-372.

17. Information submitted to the acute psychiatric bed registry pursuant to § 37.2-308.1.

§ 37.2-308.1. Acute psychiatric bed registry.

A. The Department shall develop and administer a web-based acute psychiatric bed registry to collect, aggregate, and display information about available acute beds in public and private inpatient psychiatric facilities and public and private residential crisis stabilization units to facilitate the identification and designation of facilities for the temporary detention and treatment of individuals who meet the criteria for temporary detention pursuant to § 37.2-809.

B. The acute psychiatric bed registry created pursuant to subsection A shall:

1. Include descriptive information for every public and private inpatient psychiatric facility and every public and private residential crisis stabilization unit in the Commonwealth, including contact information for the facility or unit;

2. Provide real-time information about the number of beds available at each facility or unit and, for each available bed, the type of patient that may be admitted, the level of security provided, and any other information that may be necessary to allow employees or designees of community services boards and employees of inpatient psychiatric facilities or public and private residential crisis stabilization units to identify appropriate facilities for detention and treatment of individuals who meet the criteria for temporary detention; and

3. Allow employees and designees of community services boards, employees of inpatient psychiatric facilities or public and private residential crisis stabilization units, and health care providers as defined in § 8.01-581.1 working in an emergency room of a hospital or clinic or other facility rendering emergency medical care to perform searches of the registry to identify available beds that are appropriate for the detention and treatment of individuals who meet the criteria for temporary detention.

C. *Data collected through the acute psychiatric bed registry shall be exclusively utilized for the purposes of appropriate placement of individuals in need of psychiatric care. No access to individual or aggregated data collected through the acute psychiatric bed registry shall be granted except as approved by the Advisory Council pursuant to subsection G.*

D. Every state facility, community services board, behavioral health authority, and private inpatient provider licensed by the Department shall participate in the acute psychiatric bed registry established pursuant to subsection A and shall designate such employees as may be necessary to submit information for inclusion in the acute psychiatric bed registry and serve as a point of contact for addressing requests for information related to data reported to the acute psychiatric bed registry.

~~D.~~ *E.* Every state facility, community services board, behavioral health authority, and private inpatient provider licensed by the Department shall update information included in the acute psychiatric bed registry whenever there is a change in bed availability for the facility, board, authority, or provider or, if no change in bed availability has occurred, at least daily.

~~E.~~ *F.* The Commissioner may enter into a contract with a private entity for the development and administration of the acute psychiatric bed registry established pursuant to subsection A. *Such contract shall include provisions for the protection of patient privacy and data security pursuant to state and federal law and regulations, including the federal Health Insurance Portability and Accountability Act (42 U.S.C. § 1320d et seq.).*

G. The Commissioner shall create the Bed Registry Advisory Council (the Advisory Council), which shall consist of representatives from the Department, the Virginia Hospital and Healthcare Association, the Virginia College of Emergency Physicians, and the Virginia Association of Community Services Boards; two representatives from hospitals or health systems; two emergency physician representatives, and two representatives from community services boards. The Advisory Council shall advise the Commissioner and the third-party contractor regarding the establishment and operation of the acute psychiatric bed registry established pursuant to subsection A; changes to the acute psychiatric bed registry; outcome measures, including reports developed by the contractor; details on methods used to extract, transform, and load data; and efforts to protect patient privacy and data security. The Commissioner shall also require the Advisory Council to review and approve requests for access to data in the acute psychiatric bed registry. The Commissioner shall ensure that (i) all data approvals are consistent with the purposes of the acute psychiatric bed registry pursuant to subsection A; (ii) all data approvals comply with applicable state and federal privacy laws and state and federal laws regarding the exchange of confidential health care data; and (iii) all releases of data collected through the acute psychiatric bed registry are approved by the Advisory Council. The Advisory Council may approve the release of routine or frequent data reports one time, as long as there are no substantial changes to the request.

H. Information submitted to the acute psychiatric bed registry that identifies specific individuals receiving services shall be confidential pursuant to state and federal confidentiality laws and regulations, including the federal Health Insurance Portability and Accountability Act (42 U.S.C. § 1320d et seq.) and shall be exempt from disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

CHAPTER 157

An Act to amend and reenact § 32.1-325 of the Code of Virginia, relating to Department of Medical Assistance Services; state plan for medical assistance services; rapid whole genome sequencing; emergency.

[S 1461]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-325 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-325. Board to submit plan for medical assistance services to U.S. Secretary of Health and Human Services pursuant to federal law; administration of plan; contracts with health care providers.

A. The Board, subject to the approval of the Governor, is authorized to prepare, amend from time to time, and submit to the U.S. Secretary of Health and Human Services a state plan for medical assistance services pursuant to Title XIX of the United States Social Security Act and any amendments thereto. The Board shall include in such plan:

1. A provision for payment of medical assistance on behalf of individuals, up to the age of 21, placed in foster homes or private institutions by private, nonprofit agencies licensed as child-placing agencies by the Department of Social Services or placed through state and local subsidized adoptions to the extent permitted under federal statute;

2. A provision for determining eligibility for benefits for medically needy individuals which disregards from countable resources an amount not in excess of $3,500 for the individual and an amount not in excess of $3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by (i) the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources and (ii) the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses;

3. A requirement that, in determining eligibility, a home shall be disregarded. For those medically needy persons whose eligibility for medical assistance is required by federal law to be dependent on the budget methodology for Aid to Families with Dependent Children, a home means the house and lot used as the principal residence and all contiguous property. For all other persons, a home shall mean the house and lot used as the principal residence, as well as all contiguous property, as long as the value of the land, exclusive of the lot occupied by the house, does not exceed $5,000. In any case in which the definition of home as provided here is more restrictive than that provided in the state plan for medical assistance services in Virginia as it was in effect on January 1, 1972, then a home means the house and lot used as the principal residence and all contiguous property essential to the operation of the home regardless of value;

4. A provision for payment of medical assistance on behalf of individuals up to the age of 21, who are Medicaid eligible, for medically necessary stays in acute care facilities in excess of 21 days per admission;

5. A provision for deducting from an institutionalized recipient's income an amount for the maintenance of the individual's spouse at home;

6. A provision for payment of medical assistance on behalf of pregnant women which provides for payment for inpatient postpartum treatment in accordance with the medical criteria outlined in the most current version of or an official update to the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists or the "Standards for Obstetric-Gynecologic Services" prepared by the American College of Obstetricians and Gynecologists. Payment shall be made for any postpartum home visit or visits for the mothers and the children which are within the time periods recommended by the attending physicians in accordance with and as indicated by such Guidelines or Standards. For the purposes of this subdivision, such Guidelines or Standards shall include any changes thereto within six months of the publication of such Guidelines or Standards or any official amendment thereto;

7. A provision for the payment for family planning services on behalf of women who were Medicaid-eligible for prenatal care and delivery as provided in this section at the time of delivery. Such family planning services shall begin with delivery and continue for a period of 24 months, if the woman continues to meet the financial eligibility requirements for a pregnant woman under Medicaid. For the purposes of this section, family planning services shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions;

8. A provision for payment of medical assistance for high-dose chemotherapy and bone marrow transplants on behalf of individuals over the age of 21 who have been diagnosed with lymphoma, breast cancer, myeloma, or leukemia and have been determined by the treating health care provider to have a performance status sufficient to proceed with such high-dose chemotherapy and bone marrow transplant. Appeals of these cases shall be handled in accordance with the Department's expedited appeals process;

9. A provision identifying entities approved by the Board to receive applications and to determine eligibility for medical assistance, which shall include a requirement that such entities (i) obtain accurate contact information, including the best available address and telephone number, from each applicant for medical assistance, to the extent required by federal law and regulations, and (ii) provide each applicant for medical assistance with information about advance directives pursuant to Article 8 (§ 54.1-2981 et seq.) of Chapter 29 of Title 54.1, including information about the purpose and benefits of advance directives and how the applicant may make an advance directive;

10. A provision for breast reconstructive surgery following the medically necessary removal of a breast for any medical reason. Breast reductions shall be covered, if prior authorization has been obtained, for all medically necessary indications. Such procedures shall be considered noncosmetic;

11. A provision for payment of medical assistance for annual pap smears;

12. A provision for payment of medical assistance services for prostheses following the medically necessary complete or partial removal of a breast for any medical reason;

13. A provision for payment of medical assistance which provides for payment for 48 hours of inpatient treatment for a patient following a radical or modified radical mastectomy and 24 hours of inpatient care following a total mastectomy or a

partial mastectomy with lymph node dissection for treatment of disease or trauma of the breast. Nothing in this subdivision shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate;

14. A requirement that certificates of medical necessity for durable medical equipment and any supporting verifiable documentation shall be signed, dated, and returned by the physician, physician assistant, or advanced practice registered nurse and in the durable medical equipment provider's possession within 60 days from the time the ordered durable medical equipment and supplies are first furnished by the durable medical equipment provider;

15. A provision for payment of medical assistance to (i) persons age 50 and over and (ii) persons age 40 and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for one PSA test in a 12-month period and digital rectal examinations, all in accordance with American Cancer Society guidelines. For the purpose of this subdivision, "PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen;

16. A provision for payment of medical assistance for low-dose screening mammograms for determining the presence of occult breast cancer. Such coverage shall make available one screening mammogram to persons age 35 through 39, one such mammogram biennially to persons age 40 through 49, and one such mammogram annually to persons age 50 and over. The term "mammogram" means an X-ray examination of the breast using equipment dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression device, screens, film and cassettes, with an average radiation exposure of less than one rad mid-breast, two views of each breast;

17. A provision, when in compliance with federal law and regulation and approved by the Centers for Medicare & Medicaid Services (CMS), for payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the state plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services;

18. A provision for payment of medical assistance services for liver, heart and lung transplantation procedures for individuals over the age of 21 years when (i) there is no effective alternative medical or surgical therapy available with outcomes that are at least comparable; (ii) the transplant procedure and application of the procedure in treatment of the specific condition have been clearly demonstrated to be medically effective and not experimental or investigational; (iii) prior authorization by the Department of Medical Assistance Services has been obtained; (iv) the patient selection criteria of the specific transplant center where the surgery is proposed to be performed have been used by the transplant team or program to determine the appropriateness of the patient for the procedure; (v) current medical therapy has failed and the patient has failed to respond to appropriate therapeutic management; (vi) the patient is not in an irreversible terminal state; and (vii) the transplant is likely to prolong the patient's life and restore a range of physical and social functioning in the activities of daily living;

19. A provision for payment of medical assistance for colorectal cancer screening, specifically screening with an annual fecal occult blood test, flexible sigmoidoscopy or colonoscopy, or in appropriate circumstances radiologic imaging, in accordance with the most recently published recommendations established by the American College of Gastroenterology, in consultation with the American Cancer Society, for the ages, family histories, and frequencies referenced in such recommendations;

20. A provision for payment of medical assistance for custom ocular prostheses;

21. A provision for payment for medical assistance for infant hearing screenings and all necessary audiological examinations provided pursuant to § 32.1-64.1 using any technology approved by the United States Food and Drug Administration, and as recommended by the national Joint Committee on Infant Hearing in its most current position statement addressing early hearing detection and intervention programs. Such provision shall include payment for medical assistance for follow-up audiological examinations as recommended by a physician, physician assistant, advanced practice registered nurse, or audiologist and performed by a licensed audiologist to confirm the existence or absence of hearing loss;

22. A provision for payment of medical assistance, pursuant to the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (P.L. 106-354), for certain women with breast or cervical cancer when such women (i) have been screened for breast or cervical cancer under the Centers for Disease Control and Prevention (CDC) Breast and Cervical Cancer Early Detection Program established under Title XV of the Public Health Service Act; (ii) need treatment for breast or cervical cancer, including treatment for a precancerous condition of the breast or cervix; (iii) are not otherwise covered under creditable coverage, as defined in § 2701 (c) of the Public Health Service Act; (iv) are not otherwise eligible for medical assistance services under any mandatory categorically needy eligibility group; and (v) have not attained age 65. This provision shall include an expedited eligibility determination for such women;

23. A provision for the coordinated administration, including outreach, enrollment, re-enrollment and services delivery, of medical assistance services provided to medically indigent children pursuant to this chapter, which shall be

called Family Access to Medical Insurance Security (FAMIS) Plus and the FAMIS Plan program in § 32.1-351. A single application form shall be used to determine eligibility for both programs;

24. A provision, when authorized by and in compliance with federal law, to establish a public-private long-term care partnership program between the Commonwealth of Virginia and private insurance companies that shall be established through the filing of an amendment to the state plan for medical assistance services by the Department of Medical Assistance Services. The purpose of the program shall be to reduce Medicaid costs for long-term care by delaying or eliminating dependence on Medicaid for such services through encouraging the purchase of private long-term care insurance policies that have been designated as qualified state long-term care insurance partnerships and may be used as the first source of benefits for the participant's long-term care. Components of the program, including the treatment of assets for Medicaid eligibility and estate recovery, shall be structured in accordance with federal law and applicable federal guidelines;

25. A provision for the payment of medical assistance for otherwise eligible pregnant women during the first five years of lawful residence in the United States, pursuant to § 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111-3);

26. A provision for the payment of medical assistance for medically necessary health care services provided through telemedicine services, as defined in § 38.2-3418.16, regardless of the originating site or whether the patient is accompanied by a health care provider at the time such services are provided. No health care provider who provides health care services through telemedicine services shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.

For the purposes of this subdivision, a health care provider duly licensed by the Commonwealth who provides health care services exclusively through telemedicine services shall not be required to maintain a physical presence in the Commonwealth to be considered an eligible provider for enrollment as a Medicaid provider.

For the purposes of this subdivision, a telemedicine services provider group with health care providers duly licensed by the Commonwealth shall not be required to have an in-state service address to be eligible to enroll as a Medicaid vendor or Medicaid provider group.

For the purposes of this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

27. A provision for the payment of medical assistance for the dispensing or furnishing of up to a 12-month supply of hormonal contraceptives at one time. Absent clinical contraindications, the Department shall not impose any utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished to an amount less than a 12-month supply. Nothing in this subdivision shall be construed to (i) require a provider to prescribe, dispense, or furnish a 12-month supply of self-administered hormonal contraceptives at one time or (ii) exclude coverage for hormonal contraceptives as prescribed by a prescriber, acting within his scope of practice, for reasons other than contraceptive purposes. As used in this subdivision, "hormonal contraceptive" means a medication taken to prevent pregnancy by means of ingestion of hormones, including medications containing estrogen or progesterone, that is self-administered, requires a prescription, and is approved by the U.S. Food and Drug Administration for such purpose;

28. A provision for payment of medical assistance for remote patient monitoring services provided via telemedicine, as defined in § 38.2-3418.16, for (i) high-risk pregnant persons; (ii) medically complex infants and children; (iii) transplant patients; (iv) patients who have undergone surgery, for up to three months following the date of such surgery; and (v) patients with a chronic or acute health condition who have had two or more hospitalizations or emergency department visits related to such health condition in the previous 12 months when there is evidence that the use of remote patient monitoring is likely to prevent readmission of such patient to a hospital or emergency department. For the purposes of this subdivision, "remote patient monitoring services" means the use of digital technologies to collect medical and other forms of health data from patients in one location and electronically transmit that information securely to health care providers in a different location for analysis, interpretation, and recommendations, and management of the patient. "Remote patient monitoring services" includes monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other patient physiological data, treatment adherence monitoring, and interactive videoconferencing with or without digital image upload;

29. A provision for the payment of medical assistance for provider-to-provider consultations that is no more restrictive than, and is at least equal in amount, duration, and scope to, that available through the fee-for-service program;

30. A provision for payment of the originating site fee to emergency medical services agencies for facilitating synchronous telehealth visits with a distant site provider delivered to a Medicaid member. As used in this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

31. A provision for the payment of medical assistance for targeted case management services for individuals with severe traumatic brain injury;

32. A provision for payment of medical assistance for the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories, as defined by the Department's durable medical equipment program policy, for patients who reside in nursing facilities. Initial purchase or replacement may be contingent upon (i) determination of medical necessity; (ii) requirements in accordance with regulations established through the Department's durable medical equipment program policy; and (iii) exclusive use by the nursing facility resident. Recipients of medical assistance shall not be required to pay any deductible, coinsurance, copayment, or patient costs related to the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories; ~~and~~

33. A provision for payment of medical assistance for remote ultrasound procedures and remote fetal non-stress tests. Such provision shall utilize established CPT codes for these procedures and shall apply when the patient is in a residence or other off-site location from the patient's provider that provides the same standard of care. The provision shall provide for reimbursement only when a provider uses digital technology (i) to collect medical and other forms of health data from a patient and electronically transmit that information securely to a health care provider in a different location for interpretation and recommendation; (ii) that is compliant with the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.); and (iii) that is approved by the U.S. Food and Drug Administration. For fetal non-stress tests under CPT Code 59025, the provision shall provide for reimbursement only if such test (a) is conducted with a place of service modifier for at-home monitoring and (b) uses remote monitoring solutions that are approved by the U.S. Food and Drug Administration for on-label use to monitor fetal heart rate, maternal heart rate, and uterine activity*; and*

34. A provision for payment of medical assistance for rapid whole genome sequencing for children three years of age or younger who are receiving inpatient hospital services in an intensive care unit. For the purposes of this subdivision, "rapid whole genome sequencing" is defined as an investigation of the entire human genome to identify disease-causing genetic changes that returns preliminary positive results within seven days and final results within 15 days from the date of receipt of the sample by the lab performing the test. "Rapid whole genome sequencing" includes patient-only whole genome sequencing and duo and trio whole genome sequencing of the patient and biological parent or parents.

B. In preparing the plan, the Board shall:

1. Work cooperatively with the State Board of Health to ensure that quality patient care is provided and that the health, safety, security, rights and welfare of patients are ensured.

2. Initiate such cost containment or other measures as are set forth in the appropriation act.

3. Make, adopt, promulgate and enforce such regulations as may be necessary to carry out the provisions of this chapter.

4. Examine, before acting on a regulation to be published in the Virginia Register of Regulations pursuant to § 2.2-4007.05, the potential fiscal impact of such regulation on local boards of social services. For regulations with potential fiscal impact, the Board shall share copies of the fiscal impact analysis with local boards of social services prior to submission to the Registrar. The fiscal impact analysis shall include the projected costs/savings to the local boards of social services to implement or comply with such regulation and, where applicable, sources of potential funds to implement or comply with such regulation.

5. Incorporate sanctions and remedies for certified nursing facilities established by state law, in accordance with 42 C.F.R. § 488.400 et seq., Enforcement of Compliance for Long-Term Care Facilities With Deficiencies.

6. On and after July 1, 2002, require that a prescription benefit card, health insurance benefit card, or other technology that complies with the requirements set forth in § 38.2-3407.4:2 be issued to each recipient of medical assistance services, and shall upon any changes in the required data elements set forth in subsection A of § 38.2-3407.4:2, either reissue the card or provide recipients such corrective information as may be required to electronically process a prescription claim.

C. In order to enable the Commonwealth to continue to receive federal grants or reimbursement for medical assistance or related services, the Board, subject to the approval of the Governor, may adopt, regardless of any other provision of this chapter, such amendments to the state plan for medical assistance services as may be necessary to conform such plan with amendments to the United States Social Security Act or other relevant federal law and their implementing regulations or constructions of these laws and regulations by courts of competent jurisdiction or the United States Secretary of Health and Human Services.

In the event conforming amendments to the state plan for medical assistance services are adopted, the Board shall not be required to comply with the requirements of Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2. However, the Board shall, pursuant to the requirements of § 2.2-4002, (i) notify the Registrar of Regulations that such amendment is necessary to meet the requirements of federal law or regulations or because of the order of any state or federal court, or (ii) certify to the Governor that the regulations are necessitated by an emergency situation. Any such amendments that are in conflict with the Code of Virginia shall only remain in effect until July 1 following adjournment of the next regular session of the General Assembly unless enacted into law.

D. The Director of Medical Assistance Services is authorized to:

1. Administer such state plan and receive and expend federal funds therefor in accordance with applicable federal and state laws and regulations; and enter into all contracts necessary or incidental to the performance of the Department's duties and the execution of its powers as provided by law.

2. Enter into agreements and contracts with medical care facilities, physicians, dentists and other health care providers where necessary to carry out the provisions of such state plan. Any such agreement or contract shall terminate upon

conviction of the provider of a felony. In the event such conviction is reversed upon appeal, the provider may apply to the Director of Medical Assistance Services for a new agreement or contract. Such provider may also apply to the Director for reconsideration of the agreement or contract termination if the conviction is not appealed, or if it is not reversed upon appeal.

3. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with any provider who has been convicted of or otherwise pled guilty to a felony, or pursuant to Subparts A, B, and C of 42 C.F.R. Part 1002, and upon notice of such action to the provider as required by 42 C.F.R. § 1002.212.

4. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with a provider who is or has been a principal in a professional or other corporation when such corporation has been convicted of or otherwise pled guilty to any violation of § 32.1-314, 32.1-315, 32.1-316, or 32.1-317, or any other felony or has been excluded from participation in any federal program pursuant to 42 C.F.R. Part 1002.

5. Terminate or suspend a provider agreement with a home care organization pursuant to subsection E of § 32.1-162.13.

For the purposes of this subsection, "provider" may refer to an individual or an entity.

E. In any case in which a Medicaid agreement or contract is terminated or denied to a provider pursuant to subsection D, the provider shall be entitled to appeal the decision pursuant to 42 C.F.R. § 1002.213 and to a post-determination or post-denial hearing in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). All such requests shall be in writing and be received within 15 days of the date of receipt of the notice.

The Director may consider aggravating and mitigating factors including the nature and extent of any adverse impact the agreement or contract denial or termination may have on the medical care provided to Virginia Medicaid recipients. In cases in which an agreement or contract is terminated pursuant to subsection D, the Director may determine the period of exclusion and may consider aggravating and mitigating factors to lengthen or shorten the period of exclusion, and may reinstate the provider pursuant to 42 C.F.R. § 1002.215.

F. When the services provided for by such plan are services which a marriage and family therapist, clinical psychologist, clinical social worker, professional counselor, or clinical nurse specialist is licensed to render in Virginia, the Director shall contract with any duly licensed marriage and family therapist, duly licensed clinical psychologist, licensed clinical social worker, licensed professional counselor or licensed clinical nurse specialist who makes application to be a provider of such services, and thereafter shall pay for covered services as provided in the state plan. The Board shall promulgate regulations which reimburse licensed marriage and family therapists, licensed clinical psychologists, licensed clinical social workers, licensed professional counselors and licensed clinical nurse specialists at rates based upon reasonable criteria, including the professional credentials required for licensure.

G. The Board shall prepare and submit to the Secretary of the United States Department of Health and Human Services such amendments to the state plan for medical assistance services as may be permitted by federal law to establish a program of family assistance whereby children over the age of 18 years shall make reasonable contributions, as determined by regulations of the Board, toward the cost of providing medical assistance under the plan to their parents.

H. The Department of Medical Assistance Services shall:

1. Include in its provider networks and all of its health maintenance organization contracts a provision for the payment of medical assistance on behalf of individuals up to the age of 21 who have special needs and who are Medicaid eligible, including individuals who have been victims of child abuse and neglect, for medically necessary assessment and treatment services, when such services are delivered by a provider which specializes solely in the diagnosis and treatment of child abuse and neglect, or a provider with comparable expertise, as determined by the Director.

2. Amend the Medallion II waiver and its implementing regulations to develop and implement an exception, with procedural requirements, to mandatory enrollment for certain children between birth and age three certified by the Department of Behavioral Health and Developmental Services as eligible for services pursuant to Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.).

3. Utilize, to the extent practicable, electronic funds transfer technology for reimbursement to contractors and enrolled providers for the provision of health care services under Medicaid and the Family Access to Medical Insurance Security Plan established under § 32.1-351.

4. Require any managed care organization with which the Department enters into an agreement for the provision of medical assistance services to include in any contract between the managed care organization and a pharmacy benefits manager provisions prohibiting the pharmacy benefits manager or a representative of the pharmacy benefits manager from conducting spread pricing with regards to the managed care organization's managed care plans. For the purposes of this subdivision:

"Pharmacy benefits management" means the administration or management of prescription drug benefits provided by a managed care organization for the benefit of covered individuals.

"Pharmacy benefits manager" means a person that performs pharmacy benefits management.

"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a managed care plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.

I. The Director is authorized to negotiate and enter into agreements for services rendered to eligible recipients with special needs. The Board shall promulgate regulations regarding these special needs patients, to include persons with AIDS, ventilator-dependent patients, and other recipients with special needs as defined by the Board.

J. Except as provided in subdivision A 1 of § 2.2-4345, the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not apply to the activities of the Director authorized by subsection I of this section. Agreements made pursuant to this subsection shall comply with federal law and regulation.

K. When the services provided for by such plan are services by a pharmacist, pharmacy technician, or pharmacy intern (i) performed under the terms of a collaborative agreement as defined in § 54.1-3300 and consistent with the terms of a managed care contractor provider contract or the state plan or (ii) related to services and treatment in accordance with § 54.1-3303.1, the Department shall provide reimbursement for such service.

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

CHAPTER 158

An Act to amend and reenact § 22.1-177 of the Code of Virginia, relating to public school buses; display of advertising; hiring of school bus drivers in the local school division.

[H 1993]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-177 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-177. School buses; regulations; decals, posters, and stickers; type; sale and transfer.

A. The Board may make regulations relating to the construction, design, operation, equipment, and color of public school buses and shall have the authority to issue an order prohibiting the operation on public streets and highways of any public school bus that does not comply with such regulations. Any such order shall be enforced by the Department of State Police.

B. Local school boards may, notwithstanding any regulation to the contrary, display *(i)* decals *(a)* depicting the flag of the United States on the sides and rear of school buses as long as any such decal ~~does not obstruct the name of the school division or the number of the school bus and~~ is no larger than 100 square inches~~. In addition, local school boards may, notwithstanding any regulation to the contrary, display decals~~ *or (b)* relating to school bus safety *and (ii) decals, posters, and stickers on the sides and rear of school buses advertising the hiring of school bus drivers in the local school division*. Local school ~~divisions~~ *boards* shall be responsible for the cost of ~~the~~ *such* decals*, posters, and stickers*. ~~Such~~ *No such* decal*, poster, or sticker* shall ~~not~~ obstruct the name of the school division or the number of the school bus.

C. No regulation of the Board shall unreasonably limit the authority of any local school division to purchase and use school buses using compressed natural gas or other alternative fuels or convert its school buses to use compressed natural gas or other alternative fuels.

D. Any local school board may, notwithstanding any regulation to the contrary, sell or transfer any of its school buses to another school division or purchase a used school bus from another school division or a school bus dealer as long as the school bus (i) conforms to the specifications relating to construction and design effective in the Commonwealth on the date of manufacture; (ii) has a valid Virginia State Police inspection; and (iii) has not reached the end of its useful life according to the school bus replacement schedule utilized by the Department ~~of Education~~ as required by the general appropriation act.

CHAPTER 159

An Act to amend the Code of Virginia by adding a section numbered 53.1-116.2:1, relating to regional correctional facilities; investigation of acts of violence; report to law-enforcement agency; policies.

[H 2105]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 53.1-116.2:1 as follows:

§ 53.1-116.2:1. Jail superintendents to report certain acts of violence occurring within regional correctional facilities to law-enforcement agency; policies.

A. The jail superintendent of any regional correctional facility shall promptly report to the primary local law-enforcement agency in the jurisdiction where such correctional facility is located or to the Department of State Police any act of violence, as defined in § 19.2-297.1, that occurs within such correctional facility.

B. Each regional correctional facility shall adopt a policy setting forth the procedures for the investigation of such acts of violence and the respective roles and responsibilities of the jail superintendent of such correctional facility and the law-enforcement agency to which such report is made. Each regional correctional facility shall provide a copy of such policy to the State Board of Local and Regional Jails prior to January 1 each year, beginning on January 1, 2026.

CHAPTER 160

An Act to amend and reenact § 19.2-386.5 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 22.2 of Title 19.2 a section numbered 19.2-386.36, relating to seizure of property used in connection with or derived from financial exploitation of vulnerable adults.

[H 2120]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-386.5 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 22.2 of Title 19.2 a section numbered 19.2-386.36 as follows:

§ 19.2-386.5. Release of seized property.

At any time prior to the filing of an information, the attorney for the Commonwealth in the county or city in which the property has been seized pursuant to Chapter 22.2 (§ 19.2-386.15 et seq.) or other provision under the Code may, in his discretion, upon the payment of costs incident to the custody of the seized property, return the seized property to an owner or lien holder, without requiring that the owner or lien holder post bond as provided in § 19.2-386.6, if he believes the property is properly exempt from forfeiture pursuant to § 19.2-386.8.

At any time after the filing of an answer or upon default, on motion of the attorney for the Commonwealth or a vulnerable adult, the court may order the return of property to the vulnerable adult upon a showing that the property is the subject of a violation of § 18.2-178.1 or traceable to such a violation and is properly exempt from forfeiture pursuant to § 19.2-386.8.

Any property seized and returned pursuant to § 19.2-386.36 shall not require the payment of costs or the posting of a bond.

§ 19.2-386.36. Seizure of moneys or other assets of value in connection with or derived from financial exploitation of vulnerable adults.

All money, equipment, motor vehicles, and other personal and real property of any kind or character that is (i) the subject of a violation of § 18.2-178.1, including all moneys or other property, real or personal, traceable to such a violation, together with any interest or profits derived from the investment of such money or other property, or (ii) used in substantial connection with such a violation shall be subject to lawful seizure. Real property shall not be subject to seizure unless the minimum prescribed punishment for the violation is a term of imprisonment of not less than 12 months.

All seizures and forfeitures under this section shall be governed by Chapter 22.1 (§ 19.2-386.1 et seq.), and the procedures specified therein shall apply, mutatis mutandis, except that an action against any property subject to seizure under the provisions of this section may be commenced by the filing of an information in the clerk's office of the circuit court by the guardian, adult protective agent, or representative of the vulnerable adult, who may for good cause shown, upon motion to the court in which the information is filed, act and stand in the place of the attorney for the Commonwealth for the enforcement of such action. A hearing on a motion by a vulnerable adult pursuant to this section shall be scheduled on an expedited basis and given priority over other civil matters before the court. In addition to existing procedures for service of process, such service may be satisfied by certified mail, return receipt requested.

Notwithstanding any provision of Chapter 22.1 (§ 19.2-386.1 et seq.) to the contrary, money, equipment, motor vehicles, and other personal and real property seized in the course of the investigation or prosecution for such offense shall be returned to the vulnerable adult or his estate pursuant to § 19.2-386.5 and shall be returned upon a plea of guilty or a finding of facts sufficient for guilt for a violation of § 18.2-178.1.

CHAPTER 161

An Act to amend and reenact § 16.1-279.1 of the Code of Virginia, relating to protective orders in cases of family abuse; maximum time valid.

[H 2123]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-279.1 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-279.1. Protective order in cases of family abuse.

A. In cases of family abuse, including any case involving an incarcerated or recently incarcerated respondent against whom a preliminary protective order has been issued pursuant to § 16.1-253.1, the court may issue a protective order to protect the health and safety of the petitioner and family or household members of the petitioner. A protective order issued under this section may include any one or more of the following conditions to be imposed on the respondent:

1. Prohibiting acts of family abuse or criminal offenses that result in injury to person or property;

2. Prohibiting such contacts by the respondent with the petitioner or family or household members of the petitioner as the court deems necessary for the health or safety of such persons;

3. Granting the petitioner possession of the residence occupied by the parties to the exclusion of the respondent; however, no such grant of possession shall affect title to any real or personal property;

4. Enjoining the respondent from terminating any necessary utility service to the residence to which the petitioner was granted possession pursuant to subdivision 3 or, where appropriate, ordering the respondent to restore utility services to that residence;

5. Granting the petitioner and, where appropriate, any other family or household member of the petitioner, exclusive use and possession of a cellular telephone number or electronic device and the password to such device. The court may enjoin the respondent from terminating a cellular telephone number or electronic device before the expiration of the contract term with a third-party provider. The court may enjoin the respondent from using a cellular telephone or other electronic device to locate or surveille the petitioner;

6. Granting the petitioner temporary possession or use of a motor vehicle owned by the petitioner alone or jointly owned by the parties to the exclusion of the respondent and enjoining the respondent from terminating any insurance, registration, or taxes on the motor vehicle and directing the respondent to maintain the insurance, registration, and taxes, as appropriate; however, no such grant of possession or use shall affect title to the vehicle;

7. Requiring that the respondent provide suitable alternative housing for the petitioner and, if appropriate, any other family or household member and where appropriate, requiring the respondent to pay deposits to connect or restore necessary utility services in the alternative housing provided;

8. Ordering the respondent to participate in treatment, counseling or other programs as the court deems appropriate;

9. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500; and

10. Any other relief necessary for the protection of the petitioner and family or household members of the petitioner, including a provision for temporary custody or visitation of a minor child.

A1. If a protective order is issued pursuant to subsection A, the court may also issue a temporary child support order for the support of any children of the petitioner whom the respondent has a legal obligation to support. Such temporary child support order shall terminate upon the determination of support pursuant to § 20-108.1 or upon the termination of such protective order, whichever occurs first.

B. 1. The protective order may be issued for a specified period of time up to a maximum of two years. *However, if the court finds, based upon evidence presented, that the respondent has been subject to a previous order issued within 10 years pursuant to this section, the protective order may be issued for a specified period of time up to a maximum of four years.* The protective order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on the last day of the two-year *or four-year* period if no date is specified. Prior to the expiration of the protective order, a petitioner may file a written motion requesting a hearing to extend the order. Proceedings to extend a protective order shall be given precedence on the docket of the court. A written motion requesting a hearing to extend the protective order shall be served as soon as possible on the respondent.

If the petitioner was a family or household member of the respondent at the time the initial protective order was issued, the court may extend the protective order for a period not longer than two years*, regardless of whether such order was initially issued for a period of time up to a maximum of two years or four years,* to protect the health and safety of the petitioner or persons who are family or household members of the petitioner at the time the request for an extension is made. The extension of the protective order shall expire at 11:59 p.m. on the last day specified or at 11:59 p.m. on the last day of the two-year period if no date is specified. Nothing herein shall limit the number of extensions that may be requested or issued.

2. Upon the filing of a written motion requesting a hearing to extend the protective order, the court may issue an ex parte preliminary protective order pursuant to § 16.1-253.1 until the extension hearing. The ex parte preliminary protective order shall specify a date for the extension hearing, which shall be held within 15 days of the issuance of the ex parte preliminary protective order and may be held after the expiration of the protective order. If the respondent fails to appear at the extension hearing because the respondent was not personally served, the court shall schedule a new date for the extension hearing and may extend the ex parte preliminary protective order until such new date. The extended ex parte preliminary protective order shall be served as soon as possible on the respondent. If the respondent was personally served, where the petitioner shows by clear and convincing evidence that a continuance is necessary to meet the ends of justice or the respondent shows good cause, the court may continue the extension hearing and such ex parte preliminary protective order shall remain in effect until the extension hearing.

C. A copy of the protective order shall be served on the respondent and provided to the petitioner as soon as possible. The court, including a circuit court if the circuit court issued the order, shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court and shall forthwith forward the attested copy of the protective order containing any such identifying information to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith upon the respondent and due return made to the court. Upon service, the

agency making service shall enter the date and time of service and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network and make due return to the court. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court.

D. Except as otherwise provided in § 16.1-253.2, a violation of a protective order issued under this section shall constitute contempt of court.

E. The court may assess costs and attorney fees against either party regardless of whether an order of protection has been issued as a result of a full hearing.

F. Any judgment, order or decree, whether permanent or temporary, issued by a court of appropriate jurisdiction in another state, the United States or any of its territories, possessions or Commonwealths, the District of Columbia or by any tribal court of appropriate jurisdiction for the purpose of preventing violent or threatening acts or harassment against or contact or communication with or physical proximity to another person, including any of the conditions specified in subsection A, shall be accorded full faith and credit and enforced in the Commonwealth as if it were an order of the Commonwealth, provided reasonable notice and opportunity to be heard were given by the issuing jurisdiction to the person against whom the order is sought to be enforced sufficient to protect such person's due process rights and consistent with federal law. A person entitled to protection under such a foreign order may file the order in any juvenile and domestic relations district court by filing with the court an attested or exemplified copy of the order. Upon such a filing, the clerk shall forthwith forward an attested copy of the order to the primary law-enforcement agency responsible for service and entry of protective orders which shall, upon receipt, enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Where practical, the court may transfer information electronically to the Virginia Criminal Information Network.

Upon inquiry by any law-enforcement agency of the Commonwealth, the clerk shall make a copy available of any foreign order filed with that court. A law-enforcement officer may, in the performance of his duties, rely upon a copy of a foreign protective order or other suitable evidence which has been provided to him by any source and may also rely upon the statement of any person protected by the order that the order remains in effect.

G. Either party may at any time file a written motion with the court requesting a hearing to dissolve or modify the order. Proceedings to dissolve or modify a protective order shall be given precedence on the docket of the court. Upon petitioner's motion to dissolve the protective order, a dissolution order may be issued ex parte by the court with or without a hearing. If an ex parte hearing is held, it shall be heard by the court as soon as practicable. If a dissolution order is issued ex parte, the court shall serve a copy of such dissolution order on respondent in conformity with §§ 8.01-286.1 and 8.01-296.

H. As used in this section:

"Copy" includes a facsimile copy.

"Protective order" includes an initial, modified or extended protective order.

I. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's office, nor any employee of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the person protected by the order or that of the family of such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

J. No fee shall be charged for filing or serving any petition or order pursuant to this section.

K. Upon issuance of a protective order, the clerk of the court shall make available to the petitioner information that is published by the Department of Criminal Justice Services for victims of domestic violence or for petitioners in protective order cases.

L. An appeal of a final protective order issued by a circuit court pursuant to this section shall be given expedited review by the Court of Appeals.

M. The respondent shall be required to notify the court in writing within seven days of any change of residence while the protective order is in effect, provided that the respondent has been served a copy of such order in accordance with the provisions of this section. A violation of this subsection shall be punishable by contempt.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 162

An Act to amend and reenact § 2.2-5101 of the Code of Virginia, relating to Virginia Investment Performance Grants.

[H 2179]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-5101 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-5101. Virginia investment performance grants.

A. For purposes of this section, "Grant" means a Virginia Investment Performance Grant awarded pursuant to this section and paid from the Investment Performance Grant subfund of the Fund.

B. Subject to the appropriation by the General Assembly of sufficient moneys to the Investment Performance Grant subfund, any eligible manufacturer or research and development service not eligible for a major eligible employer grant under § 2.2-5102 shall be eligible to apply for a Grant.

C. The Partnership shall establish an application process by which eligible manufacturers and research and development services may apply for a Grant. An application for a Grant payment shall not be approved until the Partnership has verified that the required capital investment, and if applicable, job creation, has been completed.

D. *1.* The amount of the Grant that an eligible manufacturer or research and development service shall be eligible to receive shall be determined by the Secretary, based on the recommendation of the Partnership, and contingent upon approval by the Governor. The determination of the appropriate amount of a Grant shall be based on guidelines that establish criteria for correlating the amount of a Grant to the relative value to the Commonwealth of the eligible investment. For the purpose of any Grant award determination that includes a job creation requirement, the eligible manufacturer or research and development service shall pay an average wage, excluding fringe benefits, that is no less than the prevailing average wage for such new jobs.

2. Notwithstanding the provisions of subdivision 1, in localities with (i) an annual unemployment rate for the most recent calendar year for which such data is available that is greater than the final statewide average unemployment rate for that calendar year and (ii) a poverty rate for the most recent calendar year for which such data is available that exceeds the statewide average poverty rate for that year, a grant or loan may be awarded from the Partnership pursuant to this section if the average wage paid by the eligible manufacturer or research and development service, excluding fringe benefits, is no less than 85 percent of the prevailing average wage.

3. For projects in localities described in subdivision 2, the Partnership may award a grant or loan for a project paying less than 85 percent of the prevailing average wage, but still providing customary employee benefits, only if the Governor has made a written finding that the economic circumstances in the area are sufficiently distressed such that assistance to the locality to attract the project is nonetheless justified. Sufficient distress may be based upon high unemployment, underemployment, or negative economic conditions in the locality. However, the minimum private investment and number of new jobs required to be created as set forth in this chapter shall still be a condition of eligibility for an award from the Fund. Such written finding shall promptly be provided to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations.

E. The Partnership shall assist the Secretary in developing objective guidelines to be used in awarding Grants. No Grant shall be awarded until the Secretary has provided copies of such guidelines for review to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations. The preparation of the guidelines shall be exempt from the requirements of Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act. The guidelines shall require determinations regarding the amount of Grants to address:

1. The number of new jobs, if any, created by the capital investment;

2. The average wages paid for the new jobs and the amount by which such wages exceed the prevailing average wage of the locality;

3. The extent to which the capital investment produces (i) measurable increases in capacity, productivity, or both; (ii) measurable decreases in the production of flawed product; or (iii) measurable advances in knowledge, research, or the application of research findings for the creation of new or significantly improved products or processes that support manufacturing;

4. The amount of the capital investment;

5. The net present value of benefits to Virginia;

6. The amount of other incentives offered by the Commonwealth and the locality; and

7. The importance of the manufacturing or research and development facility to the economy of the locality or region.

The guidelines shall also address the eligibility of manufacturers or research and development services that make a capital investment in phases over a period of years, and limits on eligibility for multiple Grants by the same manufacturer or research and development service within stated periods of time.

F. At no time shall the aggregate amount of Grants payable in any fiscal year exceed $7 million.

G. Any eligible manufacturer or research and development service shall be eligible to receive a Grant in five equal, annual installments beginning in the first year after completion and verification of the capital investment and any pledged employment. No Grant awarded pursuant to this section to an eligible manufacturer or research and development service

shall exceed $5 million in total, and no annual payment to any eligible manufacturer or research and development service shall exceed $1 million.

CHAPTER 163

An Act to amend and reenact §§ 46.2-100, 46.2-316, 46.2-436, 46.2-439, 46.2-441, 46.2-706, and 46.2-707 through 46.2-709 of the Code of Virginia, relating to Department of Motor Vehicles; proof of financial responsibility in the future.

[H 2205]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-100, 46.2-316, 46.2-436, 46.2-439, 46.2-441, 46.2-706, and 46.2-707 through 46.2-709 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-100. Definitions.

As used in this title, unless the context requires a different meaning:

"All-terrain vehicle" means a motor vehicle having three or more wheels that is powered by a motor and is manufactured for off-highway use. "All-terrain vehicle" does not include four-wheeled vehicles commonly known as "go-carts" that have low centers of gravity and are typically used in racing on relatively level surfaces, nor does the term include any riding lawn mower.

"Antique motor vehicle" means every motor vehicle, as defined in this section, which was actually manufactured or designated by the manufacturer as a model manufactured in a calendar year not less than 25 years prior to January 1 of each calendar year and is owned solely as a collector's item.

"Antique trailer" means every trailer or semitrailer, as defined in this section, that was actually manufactured or designated by the manufacturer as a model manufactured in a calendar year not less than 25 years prior to January 1 of each calendar year and is owned solely as a collector's item.

"Autocycle" means a three-wheeled motor vehicle that has a steering wheel and seating that does not require the operator to straddle or sit astride and is manufactured to comply with federal safety requirements for motorcycles. Except as otherwise provided, an autocycle shall not be deemed to be a motorcycle.

"Automobile transporter" means any tractor truck, lowboy, vehicle, or combination, including vehicles or combinations that transport motor vehicles on their power unit, designed and used exclusively for the transportation of motor vehicles or used to transport cargo or general freight on a backhaul pursuant to the provisions of 49 U.S.C. § 31111(a)(1).

"Bicycle" means a device propelled solely by human power, upon which a person may ride either on or astride a regular seat attached thereto, having two or more wheels in tandem, including children's bicycles, except a toy vehicle intended for use by young children. For purposes of Chapter 8 (§ 46.2-800 et seq.), a bicycle shall be a vehicle while operated on the highway.

"Bicycle lane" means that portion of a roadway designated by signs and/or pavement markings for the preferential use of bicycles, electric power-assisted bicycles, motorized skateboards or scooters, and mopeds.

"Business district" means the territory contiguous to a highway where 75 percent or more of the property contiguous to a highway, on either side of the highway, for a distance of 300 feet or more along the highway, is occupied by land and buildings actually in use for business purposes.

"Camping trailer" means every vehicle that has collapsible sides and contains sleeping quarters but may or may not contain bathing and cooking facilities and is designed to be drawn by a motor vehicle.

"Cancel" or "cancellation" means that the document or privilege cancelled has been annulled or terminated because of some error, defect, or ineligibility, but the cancellation is without prejudice and reapplication may be made at any time after cancellation.

"Chauffeur" means every person employed for the principal purpose of driving a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property.

"Circular intersection" means an intersection that has an island, generally circular in design, located in the center of the intersection, where all vehicles pass to the right of the island. Circular intersections include roundabouts, rotaries, and traffic circles.

"Commission" means the State Corporation Commission.

"Commissioner" means the Commissioner of the Department of Motor Vehicles of the Commonwealth.

"Converted electric vehicle" means any motor vehicle, other than a motorcycle or autocycle, that has been modified subsequent to its manufacture to replace an internal combustion engine with an electric propulsion system. Such vehicles shall retain their original vehicle identification number, line-make, and model year. A converted electric vehicle shall not be deemed a "reconstructed vehicle" as defined in this section unless it has been materially altered from its original construction by the removal, addition, or substitution of new or used essential parts other than those required for the conversion to electric propulsion.

"Crosswalk" means that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

"Decal" means a device to be attached to a license plate that validates the license plate for a predetermined registration period.

"Department" means the Department of Motor Vehicles of the Commonwealth.

"Disabled parking license plate" means a license plate that displays the international symbol of access in the same size as the numbers and letters on the plate and in a color that contrasts with the background.

"Disabled veteran" means a veteran who (i) has either lost, or lost the use of, a leg, arm, or hand; (ii) is blind; or (iii) is permanently and totally disabled as certified by the U.S. Department of Veterans Affairs. A veteran shall be considered blind if he has a permanent impairment of both eyes to the following extent: central visual acuity of 20/200 or less in the better eye, with corrective lenses, or central visual acuity of more than 20/200, if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than 20 degrees in the better eye.

"Driver's license" means any license, including a commercial driver's license as defined in the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.) and a driver privilege card issued pursuant to § 46.2-328.3, issued under the laws of the Commonwealth authorizing the operation of a motor vehicle.

"Electric personal assistive mobility device" means a self-balancing two-nontandem-wheeled device that is designed to transport only one person and powered by an electric propulsion system that limits the device's maximum speed to 15 miles per hour or less. For purposes of Chapter 8 (§ 46.2-800 et seq.), an electric personal assistive mobility device shall be a vehicle when operated on a highway.

"Electric power-assisted bicycle" means a vehicle that travels on not more than three wheels in contact with the ground and is equipped with (i) pedals that allow propulsion by human power, (ii) a seat for the use of the rider, and (iii) an electric motor with an input of no more than 750 watts. Electric power-assisted bicycles shall be classified as follows:

1. "Class one" means an electric power-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour;

2. "Class two" means an electric power-assisted bicycle equipped with a motor that may be used exclusively to propel the bicycle and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; and

3. "Class three" means an electric power-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

For the purposes of Chapter 8 (§ 46.2-800 et seq.), an electric power-assisted bicycle shall be a vehicle when operated on a highway.

"Essential parts" means all integral parts and body parts, the removal, alteration, or substitution of which will tend to conceal the identity of a vehicle.

"Farm tractor" means every motor vehicle designed and used as a farm, agricultural, or horticultural implement for drawing plows, mowing machines, and other farm, agricultural, or horticultural machinery and implements, including self-propelled mowers designed and used for mowing lawns.

"Farm utility vehicle" means a vehicle that is powered by a motor and is designed for off-road use and is used as a farm, agricultural, or horticultural service vehicle, generally having four or more wheels, bench seating for the operator and a passenger, a steering wheel for control, and a cargo bed. "Farm utility vehicle" does not include pickup or panel trucks, golf carts, low-speed vehicles, or riding lawn mowers.

"Federal safety requirements" means applicable provisions of 49 U.S.C. § 30101 et seq. and all administrative regulations and policies adopted pursuant thereto.

"Financial responsibility" means the ability to respond in damages for liability thereafter incurred arising out of the ownership, maintenance, use, or operation of a motor vehicle, in the amounts provided for in § 46.2-472.

"Financial responsibility in the future" means the future ability to respond to damages for liability incurred arising out of the ownership, maintenance, use, or operation of a motor vehicle in the amounts provided for in §§ 46.2-316 and 46.2-472.

"Foreign market vehicle" means any motor vehicle originally manufactured outside the United States, which was not manufactured in accordance with 49 U.S.C. § 30101 et seq. and the policies and regulations adopted pursuant to that Act, and for which a Virginia title or registration is sought.

"Foreign vehicle" means every motor vehicle, trailer, or semitrailer that is brought into the Commonwealth otherwise than in the ordinary course of business by or through a manufacturer or dealer and that has not been registered in the Commonwealth.

"Golf cart" means a self-propelled vehicle that is designed to transport persons playing golf and their equipment on a golf course.

"Governing body" means the board of supervisors of a county, council of a city, or council of a town, as context may require.

"Gross weight" means the aggregate weight of a vehicle or combination of vehicles and the load thereon.

"Highway" means the entire width between the boundary lines of every way or place open to the use of the public for purposes of vehicular travel in the Commonwealth, including the streets and alleys, and, for law-enforcement purposes, (i) the entire width between the boundary lines of all private roads or private streets that have been specifically designated "highways" by an ordinance adopted by the governing body of the county, city, or town in which such private roads or streets are located and (ii) the entire width between the boundary lines of every way or place used for purposes of vehicular travel on any property owned, leased, or controlled by the United States government and located in the Commonwealth.

"Intersection" means (i) the area embraced within the prolongation or connection of the lateral curblines or, if none, then the lateral boundary lines of the roadways of two highways that join one another at, or approximately at, right angles, or the area within which vehicles traveling on different highways joining at any other angle may come in conflict; (ii) where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection, in the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection; or (iii) for purposes only of authorizing installation of traffic-control devices, every crossing of a highway or street at grade by a pedestrian crosswalk.

"Lane-use control signal" means a signal face displaying indications to permit or prohibit the use of specific lanes of a roadway or to indicate the impending prohibition of such use.

"Law-enforcement officer" means any officer authorized to direct or regulate traffic or to make arrests for violations of this title or local ordinances authorized by law. For the purposes of access to law-enforcement databases regarding motor vehicle registration and ownership only, "law-enforcement officer" also includes city and county commissioners of the revenue and treasurers, together with their duly designated deputies and employees, when such officials are actually engaged in the enforcement of §§ 46.2-752, 46.2-753, and 46.2-754 and local ordinances enacted thereunder.

"License plate" means a device containing letters, numerals, or a combination of both, attached to a motor vehicle, trailer, or semitrailer to indicate that the vehicle is properly registered with the Department.

"Light" means a device for producing illumination or the illumination produced by the device.

"Low-speed vehicle" means any four-wheeled electrically powered or gas-powered vehicle, except a motor vehicle or low-speed vehicle that is used exclusively for agricultural or horticultural purposes or a golf cart, whose maximum speed is greater than 20 miles per hour but not greater than 25 miles per hour and is manufactured to comply with safety standards contained in Title 49 of the Code of Federal Regulations, § 571.500.

"Manufactured home" means a structure subject to federal regulation, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. "Manufactured home" does not include a park model recreational vehicle, which is a vehicle that is (i) designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use; (ii) not permanently affixed to real property for use as a permanent dwelling; (iii) built on a single chassis mounted on wheels; and (iv) certified by the manufacturer as complying with the American National Standards Institute (ANSI) A119.5 Park Model Recreational Vehicle Standard.

"Military surplus motor vehicle" means a multipurpose or tactical vehicle that was manufactured by or under the direction of the United States Armed Forces for off-road use and subsequently authorized for sale to civilians. "Military surplus motor vehicle" does not include specialized mobile equipment as defined in § 46.2-700, trailers, or semitrailers.

"Moped" means every vehicle that travels on not more than three wheels in contact with the ground that (i) has a seat that is no less than 24 inches in height, measured from the middle of the seat perpendicular to the ground; (ii) has a gasoline, electric, or hybrid motor that (a) displaces 50 cubic centimeters or less or (b) has an input of 1500 watts or less; (iii) is power-driven, with or without pedals that allow propulsion by human power; and (iv) is not operated at speeds in excess of 35 miles per hour. "Moped" does not include an electric power-assisted bicycle or a motorized skateboard or scooter. For purposes of this title, a moped shall be a motorcycle when operated at speeds in excess of 35 miles per hour. For purposes of Chapter 8 (§ 46.2-800 et seq.), a moped shall be a vehicle while operated on a highway.

"Motor-driven cycle" means every motorcycle that has a gasoline engine that (i) displaces less than 150 cubic centimeters; (ii) has a seat less than 24 inches in height, measured from the middle of the seat perpendicular to the ground; and (iii) has no manufacturer-issued vehicle identification number.

"Motor home" means every private motor vehicle with a normal seating capacity of not more than 10 persons, including the driver, designed primarily for use as living quarters for human beings.

"Motor vehicle" means every vehicle as defined in this section that is self-propelled or designed for self-propulsion except as otherwise provided in this title. Any structure designed, used, or maintained primarily to be loaded on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office, or commercial space shall be considered a part of a motor vehicle. Except as otherwise provided, for the purposes of this title, any device herein defined as a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, motorized skateboard or scooter, moped, or personal delivery device shall be deemed not to be a motor vehicle.

"Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground and is capable of traveling at speeds in excess of 35 miles per hour. "Motorcycle" does not include any "autocycle," "electric

personal assistive mobility device," "electric power-assisted bicycle," "farm tractor," "golf cart," "moped," "motorized skateboard or scooter," "utility vehicle," or "wheelchair or wheelchair conveyance" as defined in this section.

"Motorized skateboard or scooter" means every vehicle, regardless of the number of its wheels in contact with the ground, that (i) is designed to allow an operator to sit or stand, (ii) has no manufacturer-issued vehicle identification number, (iii) is powered in whole or in part by an electric motor, (iv) weighs less than 100 pounds, and (v) has a speed of no more than 20 miles per hour on a paved level surface when powered solely by the electric motor. "Motorized skateboard or scooter" includes vehicles with or without handlebars but does not include electric personal assistive mobility devices or electric power-assisted bicycles.

"Nonresident" means every person who is not domiciled in the Commonwealth, except: (i) any foreign corporation that is authorized to do business in the Commonwealth by the State Corporation Commission shall be a resident of the Commonwealth for the purpose of this title; in the case of corporations incorporated in the Commonwealth but doing business outside the Commonwealth, only such principal place of business or branches located within the Commonwealth shall be dealt with as residents of the Commonwealth; (ii) a person who becomes engaged in a gainful occupation in the Commonwealth for a period exceeding 60 days shall be a resident for the purposes of this title except for the purposes of Chapter 3 (§ 46.2-300 et seq.); (iii) a person, other than (a) a nonresident student as defined in this section or (b) a person who is serving a full-time church service or proselyting mission of not more than 36 months and who is not gainfully employed, who has actually resided in the Commonwealth for a period of six months, whether employed or not, or who has registered a motor vehicle, listing an address in the Commonwealth in the application for registration, shall be deemed a resident for the purposes of this title, except for the purposes of the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.).

"Nonresident student" means every nonresident person who is enrolled as a full-time student in an accredited institution of learning in the Commonwealth and who is not gainfully employed.

"Off-road motorcycle" means every motorcycle designed exclusively for off-road use by an individual rider with not more than two wheels in contact with the ground. Except as otherwise provided in this chapter, for the purposes of this chapter off-road motorcycles shall be deemed to be "motorcycles."

"Operation or use for rent or for hire, for the transportation of passengers, or as a property carrier for compensation," and "business of transporting persons or property" mean any owner or operator of any motor vehicle, trailer, or semitrailer operating over the highways in the Commonwealth who accepts or receives compensation for the service, directly or indirectly; but these terms do not mean a "truck lessor" as defined in this section and do not include persons or businesses that receive compensation for delivering a product that they themselves sell or produce, where a separate charge is made for delivery of the product or the cost of delivery is included in the sale price of the product, but where the person or business does not derive all or a substantial portion of its income from the transportation of persons or property except as part of a sales transaction.

"Operator" or "driver" means every person who either (i) drives or is in actual physical control of a motor vehicle on a highway or (ii) is exercising control over or steering a vehicle being towed by a motor vehicle.

"Owner" means a person who holds the legal title to a vehicle; however, if a vehicle is the subject of an agreement for its conditional sale or lease with the right of purchase on performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or if a mortgagor of a vehicle is entitled to possession, then the conditional vendee or lessee or mortgagor shall be the owner for the purpose of this title. In all such instances when the rent paid by the lessee includes charges for services of any nature or when the lease does not provide that title shall pass to the lessee on payment of the rent stipulated, the lessor shall be regarded as the owner of the vehicle, and the vehicle shall be subject to such requirements of this title as are applicable to vehicles operated for compensation. A "truck lessor" as defined in this section shall be regarded as the owner, and his vehicles shall be subject to such requirements of this title as are applicable to vehicles of private carriers.

"Passenger car" means every motor vehicle other than a motorcycle or autocycle designed and used primarily for the transportation of no more than 10 persons, including the driver.

"Payment device" means any credit card as defined in 15 U.S.C. § 1602 (k) or any "accepted card or other means of access" set forth in 15 U.S.C. § 1693a (1). For the purposes of this title, this definition shall also include a card that enables a person to pay for transactions through the use of value stored on the card itself.

"Personal delivery device" means a powered device operated primarily on sidewalks and crosswalks and intended primarily for the transport of property on public rights-of-way that does not exceed 500 pounds, excluding cargo, and is capable of navigating with or without the active control or monitoring of a natural person. Notwithstanding any other provision of law, a personal delivery device shall not be considered a motor vehicle or a vehicle.

"Personal delivery device operator" means an entity or its agent that exercises direct physical control or monitoring over the navigation system and operation of a personal delivery device. For the purposes of this definition, "agent" means a person not less than 16 years of age charged by an entity with the responsibility of navigating and operating a personal delivery device. "Personal delivery device operator" does not include (i) an entity or person who requests the services of a personal delivery device to transport property or (ii) an entity or person who only arranges for and dispatches the requested services of a personal delivery device.

"Pickup or panel truck" means (i) every motor vehicle designed for the transportation of property and having a registered gross weight of 7,500 pounds or less or (ii) every motor vehicle registered for personal use, designed to transport

property on its own structure independent of any other vehicle, and having a registered gross weight in excess of 7,500 pounds but not in excess of 10,000 pounds.

"Private road or driveway" means every way in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

"Reconstructed vehicle" means every vehicle of a type required to be registered under this title materially altered from its original construction by the removal, addition, or substitution of new or used essential parts. Such vehicles, at the discretion of the Department, shall retain their original vehicle identification number, line-make, and model year. Except as otherwise provided in this title, this definition shall not include a "converted electric vehicle" as defined in this section.

"Replica vehicle" means every vehicle of a type required to be registered under this title not fully constructed by a licensed manufacturer but either constructed or assembled from components. Such components may be from a single vehicle, multiple vehicles, a kit, parts, or fabricated components. The kit may be made up of "major components" as defined in § 46.2-1600, a full body, or a full chassis, or a combination of these parts. The vehicle shall resemble a vehicle of distinctive name, line-make, model, or type as produced by a licensed manufacturer or manufacturer no longer in business and is not a reconstructed or specially constructed vehicle as herein defined.

"Residence district" means the territory contiguous to a highway, not comprising a business district, where 75 percent or more of the property abutting such highway, on either side of the highway, for a distance of 300 feet or more along the highway consists of land improved for dwelling purposes, or is occupied by dwellings, or consists of land or buildings in use for business purposes, or consists of territory zoned residential or territory in residential subdivisions created under Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2.

"Revoke" or "revocation" means that the document or privilege revoked is not subject to renewal or restoration except through reapplication after the expiration of the period of revocation.

"Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder. A highway may include two or more roadways if divided by a physical barrier or barriers or an unpaved area.

"Safety zone" means the area officially set apart within a roadway for the exclusive use of pedestrians and that is protected or is so marked or indicated by plainly visible signs.

"School bus" means any motor vehicle, other than a station wagon, automobile, truck, or commercial bus, which is: (i) designed and used primarily for the transportation of pupils to and from public, private or religious schools, or used for the transportation of individuals with mental or physical disabilities to and from a sheltered workshop; (ii) painted yellow and bears the words "School Bus" in black letters of a specified size on front and rear; and (iii) is equipped with warning devices prescribed in § 46.2-1090. A yellow school bus may have a white roof provided such vehicle is painted in accordance with regulations promulgated by the Department of Education.

"Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests on or is carried by another vehicle.

"Shared-use path" means a bikeway that is physically separated from motorized vehicular traffic by an open space or barrier and is located either within the highway right-of-way or within a separate right-of-way. Shared-use paths may also be used by pedestrians, skaters, users of wheel chairs or wheel chair conveyances, joggers, and other nonmotorized users and personal delivery devices.

"Shoulder" means that part of a highway between the portion regularly traveled by vehicular traffic and the lateral curbline or ditch.

"Sidewalk" means the portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.

"Snowmobile" means a self-propelled vehicle designed to travel on snow or ice, steered by skis or runners, and supported in whole or in part by one or more skis, belts, or cleats.

"Special construction and forestry equipment" means any vehicle which is designed primarily for highway construction, highway maintenance, earth moving, timber harvesting or other construction or forestry work and which is not designed for the transportation of persons or property on a public highway.

"Specially constructed vehicle" means any vehicle that was not originally constructed under a distinctive name, make, model, or type by a generally recognized manufacturer of vehicles and not a reconstructed vehicle as herein defined.

"Stinger-steered automobile or watercraft transporter" means an automobile or watercraft transporter configured as a semitrailer combination wherein the fifth wheel is located on a drop frame behind and below the rearmost axle of the power unit.

"Superintendent" means the Superintendent of the Department of State Police of the Commonwealth.

"Suspend" or "suspension" means that the document or privilege suspended has been temporarily withdrawn, but may be reinstated following the period of suspension unless it has expired prior to the end of the period of suspension.

"Tow truck" means a motor vehicle for hire (i) designed to lift, pull, or carry another vehicle by means of a hoist or other mechanical apparatus and (ii) having a manufacturer's gross vehicle weight rating of at least 10,000 pounds. "Tow truck" also includes vehicles designed with a ramp on wheels and a hydraulic lift with a capacity to haul or tow another vehicle, commonly referred to as "rollbacks." "Tow truck" does not include any "automobile or watercraft transporter," "stinger-steered automobile or watercraft transporter," or "tractor truck" as those terms are defined in this section.

"Towing and recovery operator" means a person engaged in the business of (i) removing disabled vehicles, parts of vehicles, their cargoes, and other objects to facilities for repair or safekeeping and (ii) restoring to the highway or other

location where they either can be operated or removed to other locations for repair or safekeeping vehicles that have come to rest in places where they cannot be operated.

"Toy vehicle" means any motorized or propellant-driven device that has no manufacturer-issued vehicle identification number that is designed or used to carry any person or persons, on any number of wheels, bearings, glides, blades, runners, or a cushion of air. "Toy vehicle" does not include electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, motorized skateboards or scooters, or motorcycles, nor does it include any nonmotorized or nonpropellant-driven devices such as bicycles, roller skates, or skateboards.

"Tractor truck" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached thereto.

"Traffic control device" means a sign, signal, marking, or other device used to regulate, warn, or guide traffic placed on, over, or adjacent to a street, highway, private road open to public travel, pedestrian facility, or shared-use path by authority of a public agency or official having jurisdiction, or in the case of a private road open to public travel, by authority of the private owner or private official having jurisdiction.

"Traffic infraction" means a violation of law punishable as provided in § 46.2-113, which is neither a felony nor a misdemeanor.

"Traffic lane" or "lane" means that portion of a roadway designed or designated to accommodate the forward movement of a single line of vehicles.

"Trailer" means every vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle, including manufactured homes.

"Truck" means every motor vehicle designed to transport property on its own structure independent of any other vehicle and having a registered gross weight in excess of 7,500 pounds. "Truck" does not include any pickup or panel truck.

"Truck lessor" means a person who holds the legal title to any motor vehicle, trailer, or semitrailer that is the subject of a bona fide written lease for a term of one year or more to another person, provided that: (i) neither the lessor nor the lessee is a common carrier by motor vehicle or restricted common carrier by motor vehicle or contract carrier by motor vehicle as defined in § 46.2-2000; (ii) the leased motor vehicle, trailer, or semitrailer is used exclusively for the transportation of property of the lessee; (iii) the lessor is not employed in any capacity by the lessee; (iv) the operator of the leased motor vehicle is a bona fide employee of the lessee and is not employed in any capacity by the lessor; and (v) a true copy of the lease, verified by affidavit of the lessor, is filed with the Commissioner.

"Utility vehicle" means a motor vehicle that is (i) designed for off-road use, (ii) powered by a motor, and (iii) used for general maintenance, security, agricultural, or horticultural purposes. "Utility vehicle" does not include riding lawn mowers.

"Vehicle" means every device in, on or by which any person or property is or may be transported or drawn on a highway, except personal delivery devices and devices moved by human power or used exclusively on stationary rails or tracks. For the purposes of Chapter 8 (§ 46.2-800 et seq.), bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, motorized skateboards or scooters, and mopeds shall be vehicles while operated on a highway.

"Watercraft transporter" means any tractor truck, lowboy, vehicle, or combination, including vehicles or combinations that transport watercraft on their power unit, designed and used exclusively for the transportation of watercraft.

"Wheel chair or wheel chair conveyance" means a chair or seat equipped with wheels, typically used to provide mobility for persons who, by reason of physical disability, are otherwise unable to move about as pedestrians. "Wheel chair or wheel chair conveyance" includes both three-wheeled and four-wheeled devices. So long as it is operated only as provided in § 46.2-677, a self-propelled wheel chair or self-propelled wheel chair conveyance shall not be considered a motor vehicle.

§ 46.2-316. Persons convicted or found not innocent of certain offenses; requirement of proof of financial responsibility in the future for certain offenses.

A. The Department shall not issue a driver's license or learner's permit to any resident or nonresident person while his license or other privilege to drive is suspended or revoked because of his conviction, or finding of not innocent in the case of a juvenile, or forfeiture of bail upon the following charges of offenses committed in violation of either a law of the Commonwealth or a valid local ordinance or of any federal law or law of any other state or any valid local ordinance of any other state:

1. Voluntary or involuntary manslaughter resulting from the operation of a motor vehicle.

2. Perjury, the making of a false affidavit to the Department under any law requiring the registration of motor vehicles or regulating their operation on the highways, or the making of a false statement in any application for a driver's license.

3. Any crime punishable as a felony under the motor vehicle laws or any felony in the commission of which a motor vehicle is used.

4. Violation of the provisions of § 18.2-51.4, pertaining to maiming while under the influence, § 18.2-266, pertaining to driving while under the influence of intoxicants or drugs, or of § 18.2-272, pertaining to driving while the driver's license has been forfeited for a conviction, or finding of not innocent in the case of a juvenile, under §§ 18.2-51.4, 18.2-266 or § 18.2-272, or for violation of the provisions of any federal law or law of any other state or any valid local ordinance similar to §§ 18.2-51.4, 18.2-266 or § 18.2-272.

5. Failure of a driver of a motor vehicle, involved in an accident resulting in death or injury to another person, to stop and disclose his identity at the scene of the accident.

6. On a charge of operating or permitting the operation, for the second time, of a passenger automobile for the transportation of passengers for rent or for hire, without having first obtained a license for the privilege as provided in § 46.2-694.

B. Except as provided in subsection C, the Department shall not issue a driver's license or learner's permit to any person convicted of a crime ~~mentioned~~ *set forth* in subsection A of this section for a ~~further~~ period of three years after he otherwise becomes entitled to a license or permit ~~until~~ *unless* he ~~proves~~ *furnishes proof of financial responsibility in the future* to the Commissioner *as provided in § 46.2-439 proving* his ability to respond in damages as provided in Article 15 (§ 46.2-435 et seq.) of Chapter 3 ~~of this title~~ or any other law of the Commonwealth ~~requiring proof of financial responsibility~~.

C. In addition to the prohibition on licensure set forth in subsection A, the Department shall not issue or reinstate a driver's license or learner's permit to any person convicted of a violation set forth in subdivision A 4 for a period of three years after he otherwise becomes entitled to a license or permit ~~until~~ *unless* he furnishes proof of financial responsibility in the future *as provided in § 46.2-439* under a motor vehicle liability insurance policy that satisfies the requirements of § 46.2-472 except that the limits of coverage exclusive of interest and costs, with respect to each motor vehicle insured under the policy, shall be not less than double the minimum limits set forth in ~~subdivision A 3 of~~ § 46.2-472 for bodily injury or death of one person in any one accident, for bodily injury to or death of two or more persons in any one accident, and for injury to or destruction of property of others in any one accident.

§ 46.2-436. Methods of proving financial responsibility.

Proof of financial responsibility when required under this chapter may be given by proof that:

1. A policy or policies of motor vehicle liability insurance have been obtained and are in full force;

2. A bond has been duly executed;

3. A deposit has been made of money or securities; or

4. A self-insurance certificate has been filed, all as provided in this chapter.

Such proof shall be presented to the Department in a form prescribed by the Commissioner.

§ 46.2-439. Proof of financial responsibility in the future.

Proof of financial responsibility~~, when requested,~~ *in the future* shall be made by filing with the Commissioner the written certificate of any insurance carrier authorized to do business in the Commonwealth, certifying that there is in effect a motor vehicle liability policy for the benefit of the person required to furnish proof of financial responsibility~~. This~~ *in the future. Such certificate shall be an American Association of Motor Vehicle Administrators Uniform Financial Responsibility Form (SR-22), or Virginia Uniform Financial Responsibility Form (FR-44), depending on the circumstances. Such* certificate shall give its effective date and the effective date of the policy *and shall be submitted in a form prescribed by the Commissioner*.

§ 46.2-441. Nonresident may file proof of financial responsibility in the future from insurance company or other state-authorized entity providing insurance.

Notwithstanding the requirement of §§ 46.2-439 and 46.2-440, a nonresident required to file proof of ~~future~~ financial responsibility *in the future* under this chapter may ~~file~~ *give* proof of ~~future~~ financial responsibility *in the future by filing with the Commissioner the written certificate* of an insurance company or other state-authorized entity providing insurance and authorized or licensed to do business in the nonresident's state of residence as long as such proof of ~~future~~ financial responsibility *in the future* is in ~~the~~ amounts equal to those required by ~~§~~ *§§ 46.2-316 and* 46.2-472. *Such certificate shall be an American Association of Motor Vehicle Administrators Uniform Financial Responsibility Form (SR-22), or Virginia Uniform Financial Responsibility Form (FR-44), depending on the circumstances. Such certificate shall give its effective date and the effective date of the policy and shall be submitted in a form prescribed by the Commissioner.*

§ 46.2-706. Proof of insurance required of applicants for registration of motor vehicles; verification of insurance; suspension of driver's license, registration certificates, and license plates for certain violations.

A. Every person applying for registration of a motor vehicle shall, under the penalties set forth in § 46.2-707, execute and furnish to the Commissioner his certificate that the motor vehicle is an insured motor vehicle as defined in § 46.2-705, or that the Commissioner has issued to its owner, in accordance with § 46.2-368, a certificate of self-insurance applicable to the vehicle sought to be registered. The Commissioner, or his duly authorized agent, may verify that the motor vehicle is properly insured by comparing owner and vehicle identification information on file at the Department of Motor Vehicles with liability information on the owner and vehicle transmitted to the Department by any insurance company licensed to do business in the Commonwealth as provided in § 46.2-706.1. If no record of liability insurance is found, the Department may require the motor vehicle owner to verify insurance in a method prescribed by the Commissioner.

B. The refusal or neglect of any owner within 30 days to submit the liability insurance information when required by the Commissioner or his duly authorized agent, or the electronic notification by the insurance company or surety company that the policy or bond named in the certificate of insurance is not in effect, shall require the Commissioner to suspend any driver's license and all registration certificates and license plates issued to the owner of the motor vehicle until the person (i) has paid to the Commissioner a noncompliance fee of $600 to be disposed of as provided for in § 46.2-710 and (ii) furnishes proof of financial responsibility ~~for~~ *in* the future in the manner prescribed in Article 15 (§ 46.2-435 et seq.) of Chapter 3. No order of suspension required by this section shall become effective until the Commissioner has offered the person an opportunity for an administrative hearing to show cause why the order should not be enforced. Notice of the opportunity for an administrative hearing may be included in the order of suspension. Any request for an administrative

hearing made by such person must be received by the Department within 180 days of the issuance date of the order of suspension unless the person presents to the Department evidence of military service as defined by the federal Servicemembers Civil Relief Act (50 U.S.C. § 3901 et seq.), incarceration, commitment, hospitalization, or physical presence outside the United States at the time the order of suspension was issued. When three years have elapsed from the effective date of the suspension required in this section, the Commissioner may relieve the person of the requirement of furnishing proof of ~~future~~ financial responsibility *in the future*.

C. The Commissioner shall suspend the driver's license and all registration certificates and license plates of any person on receiving a record of his conviction of a violation of any provisions of § 46.2-707, but the Commissioner shall dispense with the suspension when the person is convicted for a violation of § 46.2-707 and the Department's records show conclusively that the motor vehicle was insured prior to the date and time of the alleged offense.

D. The Commissioner may dispense with a suspension for a violation of this section or § 46.2-708 if the person determined to have committed the violation provides to the Commissioner proof that conclusively shows that the motor vehicle in question was insured at the time the Department initiated insurance monitoring under this section or § 46.2-706.1 or at the time of a violation of § 46.2-708.

§ 46.2-707. Operation of uninsured vehicle; false evidence of insurance; penalty.

Any person who owns an uninsured motor vehicle (i) licensed in the Commonwealth, (ii) subject to registration in the Commonwealth, or (iii) displaying temporary license plates provided for in § 46.2-1558 who operates or permits the operation of that motor vehicle is guilty of a Class 3 misdemeanor.

Any person who is the operator of such an uninsured motor vehicle and not the titled owner and who knows that such motor vehicle is uninsured is guilty of a Class 3 misdemeanor.

The Commissioner or his duly authorized agent, having reason to believe that a motor vehicle is being operated or has been operated on any specified date, may require the owner of such motor vehicle to verify insurance in a method prescribed by the Commissioner as provided for by § 46.2-706. The refusal or neglect of the owner to provide such verification shall be prima facie evidence that the motor vehicle was an uninsured motor vehicle at the time of such operation.

Any person who falsely verifies insurance to the Commissioner or gives false evidence that a motor vehicle sought to be registered is an insured motor vehicle, shall be guilty of a Class 3 misdemeanor.

However, the foregoing portions of this section shall not be applicable if it is established that the owner had good cause to believe and did believe that such motor vehicle was an insured motor vehicle, in which event the provisions of § 46.2-609 shall be applicable.

Any person who owns an uninsured motor vehicle (i) licensed in the Commonwealth, (ii) subject to registration in the Commonwealth, or (iii) displaying temporary license plates provided for in § 46.2-1558 shall immediately surrender the vehicle's license plates to the Department, unless the vehicle's registration has been deactivated as provided by § 46.2-646.1. Any person who fails to immediately surrender his vehicle's license plates as required by this section is guilty of a Class 3 misdemeanor.

Abstracts of records of conviction, as defined in this title, of any violation of any of the provisions of this section shall be forwarded to the Commissioner as prescribed by § 46.2-383.

The Commissioner shall suspend the driver's license and all registration certificates and license plates of any titled owner of an uninsured motor vehicle upon receiving a record of his conviction of a violation of any provisions of this section, and he shall not thereafter reissue the driver's license and the registration certificates and license plates issued in the name of such person until such person pays a noncompliance fee of $600 to be disposed of as provided for in § 46.2-710 and furnishes proof of ~~future~~ financial responsibility *in the future* as prescribed by Article 15 (§ 46.2-435 et seq.) of Chapter 3. However, when three years have elapsed from the date of the suspension herein required, the Commissioner may relieve such person of the requirement of furnishing proof of ~~future~~ financial responsibility *in the future*. When such suspension results from a conviction for presenting or causing to be presented to the Commissioner false verification as to whether a motor vehicle is an insured motor vehicle or false evidence that any motor vehicle sought to be registered is insured, then the Commissioner shall not thereafter reissue the driver's license and the registration certificates and license plates issued in the name of such person so convicted for a period of 180 days from the date of such order of suspension, and only then when all other provisions of law have been complied with by such person.

The Commissioner shall suspend the driver's license of any person who is the operator but not the titled owner of a motor vehicle upon receiving a record of his conviction of a violation of any provisions of this section and he shall not thereafter reissue the driver's license until 30 days from the date of such order of suspension.

§ 46.2-707.1. Noncompliance fee payment plan.

A. The Department may establish a noncompliance fee payment plan to allow individuals to pay the fees for a motor vehicle determined to be uninsured as prescribed in § 46.2-706, 46.2-707, or 46.2-708. Notwithstanding §§ 46.2-706, 46.2-707, and 46.2-708, an individual 18 years of age or older whose driver's license and vehicle registration have been suspended pursuant to § 46.2-706, 46.2-707, or 46.2-708 may apply to the Department to enter into a payment plan agreement with a duration of no more than three years from the agreement date, referred to in this section as the "payment plan period."

B. To be eligible to enter into the payment plan, the individual must (i) have one or more outstanding suspensions of driving privileges pursuant to the provisions of § 46.2-706, 46.2-707, or 46.2-708 and have no other outstanding

suspensions or revocations; (ii) meet all other conditions for reinstatement of driving privileges; and (iii) have not defaulted twice on the same uninsured motor vehicle payment plan agreement.

C. An eligible individual who pays a $25 administrative fee when entering into a payment plan agreement or when reentering into a payment plan agreement with the Department, and pays the reinstatement fee pursuant to §§ 46.2-333.1 and 46.2-411, if required, shall be eligible to have his driving privileges reinstated by the Department.

D. The amount and frequency of each payment and the duration of the payment plan shall be described in the payment plan agreement signed by the Department and the individual. Payments may be made in person, online, by telephone, or by mail. The full fee must be paid in no more than three years from the agreement date; however, an individual may repay the balance of the fee at any time during the payment plan period with no penalty.

E. If an individual defaults on the payment plan agreement, the Commissioner shall suspend the driver's license and all registration certificates and license plates issued to the owner of the motor vehicle determined to be uninsured. Such driver's license, registration certificates, and license plates shall remain suspended until the individual pays the balance of the fee applicable to his offense as prescribed in § 46.2-706, 46.2-707, or 46.2-708 and furnishes proof of ~~future~~ financial responsibility *in the future* as prescribed by Article 15 (§ 46.2-435 et seq.) of Chapter 3. An individual is in default if he (i) pays an installment payment late as defined in the payment plan agreement or (ii) fails to make an installment payment as agreed to in the payment plan agreement. If an individual is in default and is ineligible to reenter the payment plan, full payment of the balance of the fee shall be due as agreed to in the payment plan agreement. The Commissioner may extend the due date of any installment payment for not more than 30 days if the Department is unable to process an installment payment due to circumstances beyond its control.

F. When all fees are paid, the individual shall continue to furnish proof of financial responsibility *in the future* pursuant to Article 15 (§ 46.2-435 et seq.) of Chapter 3 and § 46.2-709.

G. Installment payments of the fee with respect to the motor vehicle determined to be uninsured shall be disposed of pursuant to § 46.2-710. The administrative fee shall be paid to the Commissioner and deposited into the state treasury account set aside in a special fund to be used to meet the necessary expenses incurred by the Department.

§ 46.2-708. Suspension of driver's license and registration when uninsured motor vehicle is involved in reportable accident; hearing prior to suspension.

When it appears to the Commissioner from the records of his office or from a report submitted by an insurance company licensed to do business in the Commonwealth that an uninsured motor vehicle as defined in § 46.2-705, subject to registration in the Commonwealth, is involved in a reportable accident in the Commonwealth resulting in death, injury, or property damage, the Commissioner shall, in addition to enforcing the applicable provisions of Article 13 (§ 46.2-417 et seq.) of Chapter 3, suspend such owner's driver's license and all of his license plates and registration certificates until such person has complied with Article 13 of Chapter 3 and has paid to the Commissioner a noncompliance fee of $600, to be disposed of as provided by § 46.2-710, with respect to the motor vehicle involved in the accident and furnishes proof of ~~future~~ financial responsibility *in the future* in the manner prescribed in Article 15 (§ 46.2-435 et seq.) of Chapter 3. However, no order of suspension required by this section shall become effective until the Commissioner has offered the person an opportunity for an administrative hearing to show cause why the order should not be enforced. Notice of the opportunity for an administrative hearing may be included in the order of suspension. Any request for an administrative hearing made by such person must be received by the Department within 180 days of the issuance date of the order of suspension unless the person presents to the Department evidence of military service as defined by the federal Servicemembers Civil Relief Act (50 U.S.C. § 3901 et seq.), incarceration, commitment, hospitalization, or physical presence outside the United States at the time the order of suspension was issued.

However, when three years have elapsed from the effective date of the suspension herein required, the Commissioner may relieve such person of the requirement of furnishing proof of ~~future~~ financial responsibility *in the future*. The presentation by a person subject to the provisions of this section of a certificate of insurance, executed by an agent or representative of an insurance company qualified to do business in this Commonwealth, showing that on the date and at the time of the accident the vehicle was an insured motor vehicle as herein defined shall be sufficient bar to the suspension provided for in this section.

§ 46.2-709. Requiring other proof of financial responsibility in the future; suspended driver's license, registration certificate and license plates to be returned to Commissioner; Commissioner may take possession thereof.

Whenever any proof of financial responsibility *in the future* filed by any person as required by this article no longer fulfills the purpose for which *it is* required, the Commissioner shall require other proof of financial responsibility *in the future* as required by this article and shall suspend such person's driver's license, registration certificates, and license plates and decals pending the furnishing of proof as required.

Any person whose driver's license or registration certificates, or license plates and decals have been suspended as provided in this article and have not been reinstated shall immediately return every such license, registration certificate, and set of license plates and decals held by him to the Commissioner. Any person failing to comply with this requirement shall be guilty of a traffic infraction and upon conviction thereof shall be punished as provided in § 46.2-113.

The Commissioner is authorized to take possession of any license, registration certificate, or set of license plates and decals on their suspension under the provisions of this chapter or to direct any police officer to take possession of and return them to the office of the Commissioner.

CHAPTER 164

An Act to amend the Code of Virginia by adding sections numbered 22.1-288.3 and 63.2-912.1, relating to school board employees; records; redaction of foster parent's address upon written request.

[H 2226]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 22.1-288.3 and 63.2-912.1 as follows:

§ 22.1-288.3. Records; redaction of foster parent's address upon written request.

Notwithstanding any other provision of law to the contrary, upon written request of a foster parent of an enrolled student, a school board employee shall redact the address of the foster parent prior to providing to the student's parent any record containing such address.

§ 63.2-912.1. Notification of certain rights of foster parents of public school students.

At the time that a child is placed in foster care, each local department of social services shall, if applicable, notify the foster parents of their right to make a written request as set forth in § 22.1-288.3.

CHAPTER 165

An Act to amend and reenact § 64.2-778 of the Code of Virginia, relating to Uniform Trust Code; specific powers of trustee.

[H 2243]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 64.2-778 of the Code of Virginia is amended and reenacted as follows:

§ 64.2-778. Specific powers of trustee.

A. Without limiting the authority conferred by § 64.2-777, a trustee may:

1. Collect trust property and accept or reject additions to the trust property from a settlor or any other person;

2. Acquire or sell property, for cash or on credit, at public or private sale;

3. Exchange, partition, or otherwise change the character of trust property;

4. Deposit trust money in an account in a regulated financial service institution;

5. Borrow money, with or without security, and mortgage or pledge trust property for a period within or extending beyond the duration of the trust;

6. With respect to an interest in a proprietorship, partnership, limited liability company, business trust, corporation, or other form of business or enterprise, continue the business or other enterprise and take any action that may be taken by shareholders, members, or property owners, including merging, dissolving, or otherwise changing the form of business organization or contributing additional capital;

7. With respect to stocks or other securities, exercise the rights of an absolute owner, including the right to:

a. Vote, or give proxies to vote, with or without power of substitution, or enter into or continue a voting trust agreement;

b. Hold a security in the name of a nominee or in other form without disclosure of the trust so that title may pass by delivery;

c. Pay calls, assessments, and other sums chargeable or accruing against the securities, and sell or exercise stock subscription or conversion rights; ~~and~~

d. Deposit the securities with a depository or other regulated financial service institution; *and*

e. Consent directly or through a committee or other agent to the merger, consolidation, reorganization, readjustment of capital or financial structure, lease, sale, dissolution, or liquidation of a business enterprise and elect whether to participate as a member of a class in any litigation involving securities;

8. With respect to an interest in real property, construct, or make ordinary or extraordinary repairs to, alterations to, or improvements in, buildings or other structures, demolish improvements, raze existing or erect new party walls or buildings, subdivide or develop land, dedicate land to public use or grant public or private easements, ~~and~~ make or vacate plats and adjust boundaries*, and make contracts, licenses, leases, conveyances, or grants of every nature and kind with respect to crops, gravel, sand, oil, gas, timber and forest products, other usufruct rights, or natural resources, and other benefits or incidents of the real property*;

9. Enter into a lease for any purpose as lessor or lessee, including a lease or other arrangement for exploration and removal of natural resources, with or without the option to purchase or renew, for a period within or extending beyond the duration of the trust;

10. Grant an option involving a sale, lease, or other disposition of trust property or acquire an option for the acquisition of property, including an option exercisable beyond the duration of the trust, and exercise an option so acquired;

11. Insure the property of the trust against damage or loss and insure the trustee, the trustee's agents, and beneficiaries against liability arising from the administration of the trust;

12. Abandon or decline to administer property of no value or of insufficient value to justify its collection or continued administration;

13. With respect to possible liability for violation of environmental law:

a. Inspect or investigate property the trustee holds or has been asked to hold, or property owned or operated by an organization in which the trustee holds or has been asked to hold an interest, for the purpose of determining the application of environmental law with respect to the property;

b. Take action to prevent, abate, or otherwise remedy any actual or potential violation of any environmental law affecting property held directly or indirectly by the trustee, whether taken before or after the assertion of a claim or the initiation of governmental enforcement;

c. Decline to accept property into trust or disclaim any power with respect to property that is or may be burdened with liability for violation of environmental law;

d. Compromise claims against the trust that may be asserted for an alleged violation of environmental law; and

e. Pay the expense of any inspection, review, abatement, or remedial action to comply with environmental law;

14. Pay or contest any claim, settle a claim by or against the trust, and release, in whole or in part, a claim belonging to the trust;

15. Pay taxes, assessments, compensation of the trustee and of employees and agents of the trust, and other expenses incurred in the administration of the trust;

16. Exercise elections with respect to federal, state, and local taxes*, including considering discretionary distributions to a beneficiary as being made from capital gains realized during the year*;

17. Select a mode of payment under any employee benefit or retirement plan, annuity, or life insurance payable to the trustee, exercise rights thereunder, including exercise of the right to indemnification for expenses and against liabilities, and take appropriate action to collect the proceeds;

18. Make loans out of trust property, including loans to a beneficiary on terms and conditions the trustee considers to be fair and reasonable under the circumstances, and the trustee has a lien on future distributions for repayment of those loans;

19. Pledge trust property to guarantee loans made ~~by~~*:*

a. By others to the beneficiary; *or*

b. To any proprietorship, partnership, limited liability company, business trust, corporation, venture, agricultural operation, or other form of business or enterprise in which the trust or any beneficiary has a direct or an indirect ownership interest;

20. *Guarantee loans made to any:*

a. Beneficiary; or

b. Proprietorship, partnership, limited liability company, business trust, corporation, venture, agricultural operation, or other form of business or enterprise in which the trust or any beneficiary has a direct or an indirect ownership interest;

21. Appoint a trustee to act in another jurisdiction with respect to trust property located in the other jurisdiction, confer upon the appointed trustee all of the powers and duties of the appointing trustee, require that the appointed trustee furnish security, and remove any trustee so appointed;

~~21.~~ *22.* Pay an amount distributable to a beneficiary who is under a legal disability or who the trustee reasonably believes is incapacitated, by paying it directly to the beneficiary or applying it for the beneficiary's benefit, or by:

a. Paying it to the beneficiary's conservator or, if the beneficiary does not have a conservator, the beneficiary's guardian;

b. Paying it to the beneficiary's custodian under the Uniform Transfers to Minors Act (§ 64.2-1900 et seq.) or custodial trustee under the Uniform Custodial Trust Act (§ 64.2-900 et seq.), and, for that purpose, creating a custodianship or custodial trust;

c. If the trustee does not know of a conservator, guardian, custodian, or custodial trustee, paying it to an adult relative or other person having legal or physical care or custody of the beneficiary, to be expended on the beneficiary's behalf; or

d. Managing it as a separate fund on the beneficiary's behalf, subject to the beneficiary's continuing right to withdraw the distribution;

~~22.~~ *23.* On distribution of trust property or the division or termination of a trust, make distributions in divided or undivided interests, allocate particular assets in proportionate or disproportionate shares, value the trust property for those purposes, and adjust for resulting differences in valuation*, and to distribute trust property in kind or in cash, or partially in kind and partially in cash, in divided or undivided interests*;

~~23.~~ *24.* Resolve a dispute concerning the interpretation of the trust or its administration by mediation, arbitration, or other procedure for alternative dispute resolution;

~~24.~~ *25.* Prosecute or defend an action, claim, or judicial proceeding in any jurisdiction to protect trust property and the trustee in the performance of the trustee's duties;

~~25.~~ *26.* Sign and deliver contracts and other instruments that are useful to achieve or facilitate the exercise of the trustee's powers; ~~and~~

~~26.~~ *27.* On termination of the trust, exercise ~~the~~ *all of the powers otherwise exercisable by the trustee during the administration of the trust, including, without limitation, investment powers, the power to sell assets, the powers pursuant to*

subdivision 23, and any additional powers appropriate to wind up the administration of the trust and distribute the trust property to the persons entitled to it*; and*

28. Form a corporation or other entity and transfer, assign, and convey to such corporation or entity all or part of the trust property in exchange for stock, securities, or obligations of such corporation or entity, and continue to hold such stock and securities and obligations.

B. Any reference in a trust instrument incorporating the powers authorized under § 64.2-105 shall not be construed to limit powers a trustee may exercise pursuant to this section, unless the settlor expressly states in the trust instrument that such reference should be so construed.

CHAPTER 166

An Act to amend and reenact §§ 32.1-127.01, 32.1-134.1, 32.1-134.4, and 32.1-135 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 32.1-27.3, relating to nursing homes; sanctions; civil penalty.

[H 2253]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-127.01, 32.1-134.1, 32.1-134.4, and 32.1-135 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 32.1-27.3 as follows:

§ 32.1-27.3. Sanctions; civil penalty.

A. Notwithstanding any other provision of law, the Commissioner may impose sanctions in accordance with this section on any nursing home that is licensed pursuant to Chapter 5 (§ 32.1-123 et seq.) in response to findings made during a state licensure inspection conducted within the previous 24 months and for which such findings have been communicated to the nursing home within 14 business days of the survey end date for:

1. Violating any order of or refusing, failing, or neglecting to comply with any order of the Board or Commissioner, or violating any provision of Chapter 5 (§ 32.1-123 et seq.) or of any applicable regulation promulgated pursuant to Chapter 5 (§ 32.1-123 et seq.); or

2. Permitting, aiding, or abetting the commission of any illegal act during the provision of health care services delivered by such nursing home.

B. No sanctions under this section shall be imposed for violations deemed more severe than a level 2 deficiency under the Centers for Medicare and Medicaid Services deficiency severity definitions under federal law.

C. The sanctions that the Commissioner may impose pursuant to subsection A shall include the following:

1. Placing on probation any license issued pursuant to Chapter 5 (§ 32.1-123 et seq.); and

2. Imposing a civil penalty not to exceed $500 per violation per day, capped at $10,000 for a series of related incidents of noncompliance. Any civil penalties collected by the Commissioner pursuant to this subdivision shall be paid to the Nursing Scholarship and Loan Repayment Fund established pursuant to § 54.1-3011.2 to be used for the nursing scholarship and loan repayment program for nurses who agree to perform a period of service in a Commonwealth long-term care facility established pursuant to subsection B of § 32.1-122.6:01.

D. A nursing home sanctioned by the Commissioner pursuant to subsection C shall retain responsibility for the health, safety, and welfare of any person under such nursing home's care, including the timely transfer or relocation of any persons under such nursing home's care as may be deemed necessary by the Commissioner.

1. Prior to imposing sanctions pursuant to subsection C, the Commissioner shall first require the submission of and compliance with a plan of correction. Such plan of correction shall include mandated training for the nursing home's employees, with all costs borne by the facility, when the Commissioner concludes that the lack of training has led directly to noncompliance.

2. Upon expiration of the initial plan of correction, the Commissioner may extend the time period for the plan of correction or may impose sanctions pursuant to subsection C.

E. The Commissioner shall impose a sanction pursuant to subsection C only after the person subject to such disciplinary action is provided reasonable notice and an opportunity to be heard within no fewer than 30 days from the day of such notice by the Commissioner's presiding officer in accordance with § 2.2-4019. Such sanction may be in addition to any penalty imposed by law for the violation for which such sanction is imposed.

1. All requests for an opportunity to be heard following a notice of the imposition of such sanction shall be received in writing within 15 days of the date of receipt of such notice.

2. All administrative proceedings under this section shall be separate from the regulatory office of the Department that conducted the inspection, investigation, examination, or review.

3. The adjudication officer shall provide a recommendation to the Commissioner, including findings of fact, conclusions, and appropriate disciplinary action.

4. The Commissioner may affirm, modify, or reverse such recommendation and shall issue a final case decision.

5. Any person aggrieved by the final case decision of the Commissioner to impose disciplinary action is entitled to judicial review in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

F. If a nursing home has been sanctioned by the Centers for Medicare and Medicaid Services for conduct that also subjects the nursing home to sanctions pursuant to subsection A, the Commissioner shall not issue a sanction under this section. If the Centers for Medicare and Medicaid Services fail to issue a sanction to a nursing home in the Commonwealth for conduct described in subsection A within 60 days, the Commissioner may issue a sanction under this section if he determines that issuing such sanction is necessary to protect the public health and welfare or the health and safety of the nursing home's clients. In the event the Centers for Medicare and Medicaid Services issue a sanction on a violation for which the Commissioner has issued a sanction pursuant to this section, the sanction issued by the Commissioner shall be nullified with any civil penalty imposed refunded to the nursing home within 60 days.

G. If a license of any nursing home issued pursuant to Chapter 5 (§ 32.1-123 et seq.) is revoked, a new license may be issued by the Commissioner after:

1. Satisfactory evidence is submitted to him that the conditions upon which revocation was based have been corrected; and

2. Proper inspection has been made and compliance with all provisions of Chapter 5 (§ 32.1-123 et seq.) and applicable state and federal laws and regulations hereunder has been obtained.

H. The Board shall promulgate regulations to implement the provisions of this section that include:

1. Criteria for when the imposition of sanctions or initiation of court proceedings as specified in § 32.1-27, 32.1-27.1, or a combination thereof are appropriate in order to ensure prompt correction of violations involving noncompliance with requirements of any order of the Board or Commissioner or any provision of or regulation promulgated pursuant to Chapter 5 (§ 32.1-123 et seq.);

2. Criteria for the imposition of sanctions;

3. A schedule of civil penalties, which shall be uniform for each type of specific violation;

4. Procedures for the imposition of sanctions consistent with the Administrative Process Act (§ 2.2-4000 et seq.); and

5. Provisions for the prompt notification of the Department of Medical Assistance Services whenever any license is revoked or suspended for the purpose of terminating or suspending the applicable Medicaid provider agreement.

§ 32.1-127.01. Regulations to authorize certain disciplinary actions and guidelines.

The regulations established pursuant to § 32.1-127 shall authorize the Commissioner to initiate court proceedings against nursing homes and certified nursing facilities, except for facilities or units certified as facilities for individuals with intellectual disability. Such proceedings may be initiated by themselves or in conjunction with the ~~administrative~~ sanctions provided in ~~§~~ *§§ 32.1-27.3 and* 32.1-135.

The Board shall promulgate guidelines for the Commissioner to determine when the imposition of ~~administrative~~ sanctions or initiation of court proceedings as specified in § 32.1-27.1, or both, are appropriate in order to ensure prompt correction of violations involving noncompliance with requirements of state or federal law or regulation as discovered on any inspection conducted by the Department of Health pursuant to the provisions of this article or the provisions of Title XVIII or Title XIX of the Social Security Act or as discovered on any inspection conducted by the Department of Medical Assistance Services pursuant to Title XIX of the Social Security Act.

§ 32.1-134.1. When denial, etc., to duly licensed physician of staff membership or professional privileges improper.

It shall be an improper practice for the governing body of a hospital ~~which~~ *that* has ~~twenty-five~~ *25* beds or more and ~~which~~ *that* is required by state law to be licensed to refuse or fail to act within ~~sixty~~ *60* days of a completed application for staff membership or professional privileges or deny or withhold from a duly licensed physician staff membership or professional privileges in such hospital, or to exclude or expel a physician from staff membership in such hospital or curtail, terminate or diminish in any way a physician's professional privileges in such hospital, without stating in writing the reason or reasons therefor, a copy of which shall be provided to the physician. If the reason or reasons stated are unrelated to standards of patient care, patient welfare, violation of the rules and regulations of the institution or staff, the objectives or efficient operations of the institution, or the character or competency of the applicant, or misconduct in any hospital, it shall be deemed an improper practice.

Any physician licensed in ~~this~~ *the* Commonwealth to practice medicine who is aggrieved by any violation of this section shall have the right to seek an injunction from the circuit court of the city or county in which the hospital alleged to have violated this section is located prohibiting any such further violation. The provisions of this section shall not be deemed to impair or affect any other right or remedy~~;~~, provided that a violation of this section shall not constitute a violation of the provisions of this article for the purposes of ~~§~~ *§§ 32.1-27.3 and* 32.1-135.

§ 32.1-134.4. Right of podiatrists or advanced practice registered nurses to injunction.

Any licensed podiatrist or certified nurse midwife licensed as an advanced practice registered nurse in Virginia who is aggrieved by any violation of § 32.1-134.2 or ~~§~~ 32.1-134.3 shall have the right to seek an injunction from the circuit court of the city or county in which the hospital alleged to have committed the violation is located, prohibiting any further such violation. The provisions of this section shall not be deemed to impair or affect any other right or remedy. A violation of this section, however, shall not constitute a violation of the provisions of this article for the purposes of § *32.1-27.3 or* 32.1-135.

§ 32.1-135. Revocation or suspension of license or certification of hospital or certified nursing facility; restriction or prohibition of new admissions to certified nursing facility.

A. In accordance with applicable regulations of the Board, the Commissioner *may* (i) ~~may~~ restrict or prohibit new admissions to any nursing home or certified nursing facility, ~~or~~ (ii) ~~may~~ petition the court to impose a civil penalty against

any nursing home or certified nursing facility or to appoint a receiver for such nursing home or certified nursing facility, or both, or (iii) ~~may~~ revoke the certification or ~~may~~ revoke or suspend the license of a hospital or nursing home or the certification of any certified nursing facility for violation of any provision of this article or Article 2 (§ 32.1-138 et seq.) ~~of this chapter~~ or of any applicable regulation promulgated under this chapter or for permitting, aiding, or abetting the commission of any illegal act in the hospital or nursing home.

All appeals from notice of imposition of administrative sanctions shall be received in writing within ~~fifteen~~ *15* days of the date of receipt of such notice. The provisions of the Administrative Process Act (§ 2.2-4000 et seq.) shall be applicable to such appeals.

B. If a license or certification is revoked as herein provided, a new license or certification may be issued by the Commissioner after satisfactory evidence is submitted to him that the conditions upon which revocation was based have been corrected and after proper inspection has been made and compliance with all provisions of this article and applicable state and federal law and regulations hereunder has been obtained.

C. Suspension of a license shall in all cases be for an indefinite time. The Commissioner may completely or partially restore a suspended license or certificate when he determines that the conditions upon which suspension was based have been completely or partially corrected and that the interests of the public will not be jeopardized by resumption of operation. No additional service charges shall be required for restoring such license.

2. That the State Board of Health shall promulgate regulations to implement the provisions of this act in accordance with the provisions of this act. The State Board of Health may begin promulgating such regulations on July 1, 2025.

3. That the State Health Commissioner shall not impose any sanction authorized by this act until regulations are promulgated by the Board of Health.

CHAPTER 167

An Act to amend and reenact §§ 33.2-1204, 33.2-1214, and 33.2-1215 of the Code of Virginia and to repeal §§ 33.2-1205, 33.2-1206, and 33.2-1207 of the Code of Virginia, relating to outdoor advertising in sight of public highways; license fees.

[H 2254]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 33.2-1204, 33.2-1214, and 33.2-1215 of the Code of Virginia are amended and reenacted as follows:

§ 33.2-1204. Excepted signs, advertisements, and advertising structures.

The following signs and advertisements, if securely attached to real property or advertising structures, and the advertising structures or parts thereof upon which they are posted or displayed are excepted from all the provisions of this article except those enumerated in §§ 33.2-1202~~, 33.2-1205,~~ and 33.2-1208, subdivisions 2 through 12 of § 33.2-1216, and §§ 33.2-1217, 33.2-1224, and 33.2-1227:

1. Advertisements securely attached to a place of business or residence and no more than 10 advertising structures, with a combined total area of such advertisements and advertising structures, exclusive of the area occupied by the name of the business, owner, or lessee, of no more than 500 square feet, erected or maintained, or caused to be erected or maintained, by the owner or lessee of such place of business or residence, within 250 feet of such place of business or residence or located on the real property of such place of business or residence and relating solely to merchandise, services, or entertainment sold, produced, manufactured, or furnished at such place of business or residence;

2. Signs erected or maintained, or caused to be erected or maintained, on any farm by the owner or lessee of such farm and relating solely to farm produce, merchandise, services, or entertainment sold, produced, manufactured, or furnished on such farm;

3. Signs upon real property posted or displayed by the owner, or by the authority of the owner, stating that the property upon which the sign is located, or a part of such property, is for sale or rent or stating any data pertaining to such property and its appurtenances and the name and address of the owner and the agent of such owner;

4. Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of his official or directed duties or by trustees under deeds of trust, deeds of assignment, or other similar instruments;

5. Notwithstanding the provisions of § 33.2-1224, danger or precautionary signs relating to the premises or signs warning of the condition of or dangers of travel on a highway erected or authorized by the Commissioner of Highways; forest fire warning signs erected under authority of the State Forester; and signs, notices, or symbols erected by the United States government under the direction of the U.S. Forest Service;

6. Notwithstanding the provisions of § 33.2-1224, notices of any telephone company, telegraph company, railroad, bridges, ferries, or other transportation company necessary in the discretion of the Commissioner of Highways for the safety of the public or for the direction of the public to such utility or to any place to be reached by it;

7. Signs, notices, or symbols for the information of aviators as to location, direction, and landings and conditions affecting safety in aviation erected or authorized by the Commissioner of Highways;

8. Signs of 16 square feet or less and bearing an announcement of any locality, or historic place, museum, or shrine situated in the Commonwealth advertising itself or local industries, meetings, buildings, or attractions, provided such signs are maintained wholly at public expense or at the expense of such historic place, museum, or shrine;

9. Signs or notices of two square feet or less placed at a junction of two or more highways in the primary state highway system denoting only the distance or direction of a church, residence, or place of business, provided such signs or notices do not exceed a reasonable number in the discretion of the Commissioner of Highways;

10. Signs or notices erected or maintained upon property giving the name of the owner, lessee, or occupant of the premises;

11. Advertisements and advertising structures within the corporate limits of cities and towns, except as specified in § 33.2-1202;

12. Notwithstanding the provisions of § 33.2-1224, historical markers erected by duly constituted and authorized public authorities;

13. Notwithstanding the provisions of § 33.2-1224, highway markers and signs erected or caused to be erected by the Commissioner of Highways or the Board or other authorities in accordance with law;

14. Signs erected upon property warning the public against hunting, fishing, or trespassing thereon;

15. Notwithstanding the provisions of § 33.2-1224, signs erected by Red Cross authorities relating to Red Cross Emergency Stations, with authority hereby expressly given for the erection and maintenance of such signs upon the right-of-way of all highways in the Commonwealth at such locations as may be approved by the Commissioner of Highways;

16. Signs advertising agricultural products and horticultural products, or either, when such products are produced by the person who erects and maintains the signs, provided that restriction of the location and number of such signs shall be in the sole discretion of the Commissioner of Highways;

17. Signs advertising only the name, time, and place of bona fide agricultural, county, district, or state fairs, together with announcements of related special events that do not consume more than 50 percent of the display area of such signs, provided the person who posts the signs or causes them to be posted shall post a cash bond as may be prescribed by the Commissioner of Highways adequate to reimburse the Commonwealth for the actual cost of removing such signs that are not removed within 30 days after the last day of the fair so advertised;

18. Signs of no more than eight square feet, or one sign structure containing more than one sign of no more than eight square feet, that denote only the name of a civic service club or church, location and directions for reaching same, and time of meeting of such organization, provided such signs or notices do not exceed a reasonable number as determined by the Commissioner of Highways;

19. Notwithstanding the provisions of § 33.2-1224, signs containing advertisements or notices that have been authorized by a county and that are securely affixed to a public transit passenger shelter that is owned by that county, provided that no advertisement shall be placed within the right-of-way of the Interstate System, National Highway System, or federal-aid primary system of highways in violation of federal law. The prohibition in subdivision 7 of § 33.2-1216 against placing signs within 15 feet of the nearest edge of the pavement of any highway shall not apply to such signs. The Commissioner of Highways may require the removal of any particular sign located on such a shelter as provided in this subdivision if, in his judgment, such sign constitutes a safety hazard; and

20. ~~Notwithstanding the provisions of § 33.2-1205, signs~~ *Signs* containing advertisements or notices that have been authorized by a county and that are located on public park property or school property that is owned by that county, provided that no advertisement or notice is visible from the main traveled way of the National Highway System in violation of federal law.

§ 33.2-1214. Transfer of permits to successor concerns.

Any ~~license or~~ permit issued pursuant to this article may be transferred to any person that acquires as a successor the business of the person for whom such ~~license or~~ permit was issued.

§ 33.2-1215. Identification of advertising structure or advertisement.

The Commissioner of Highways shall require that each advertising structure and each advertisement not posted or displayed on an advertising structure bear an identification number furnished by the Commissioner of Highways and, if erected, maintained, or displayed by a ~~licensed~~ *permitted* outdoor advertiser, also bear its name. The Commissioner of Highways shall make suitable provisions for the details thereof.

2. That §§ 33.2-1205, 33.2-1206, and 33.2-1207 of the Code of Virginia are repealed.

CHAPTER 168

An Act to amend and reenact §§ 54.1-2522.1, as it is currently effective and as it shall become effective, and 54.1-3321 of the Code of Virginia, relating to Prescription Monitoring Program; requirements of practitioners; pharmacy technicians; training programs.

[H 2307]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2522.1, as it is currently effective and as it shall become effective, and 54.1-3321 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2522.1. (Effective until July 1, 2027) Requirements of practitioners.

A. Any prescriber who is licensed in the Commonwealth to treat human patients and is authorized pursuant to §§ 54.1-3303 and 54.1-3408 to issue a prescription for a covered substance shall be registered with the Prescription Monitoring Program by the Department of Health Professions.

B. A prescriber registered with the Prescription Monitoring Program or a person to whom he has delegated authority to access information in the possession of the Prescription Monitoring Program pursuant to § 54.1-2523.2 shall, at the time of initiating a new course of treatment to a human patient that includes the prescribing of opioids anticipated at the onset of treatment to last more than seven consecutive days, request information from the Director for the purpose of determining what, if any, other covered substances are currently prescribed to the patient. In addition, any prescriber ~~who holds a special identification number from the Drug Enforcement Administration authorizing the prescribing~~ of controlled substances approved for use in opioid addiction therapy shall, prior to or as a part of execution of a treatment agreement with the patient, request information from the Director for the purpose of determining what, if any, other covered substances the patient is currently being prescribed. Nothing in this section shall prohibit prescribers from making additional periodic requests for information from the Director as may be required by routine prescribing practices.

C. A prescriber shall not be required to meet the provisions of subsection B if:

1. The opioid is prescribed to a patient currently receiving hospice or palliative care;

2. The opioid is prescribed to a patient during an inpatient hospital admission or at discharge;

3. The opioid is prescribed to a patient in a nursing home or a patient in an assisted living facility that uses a sole source pharmacy;

4. The opioid is prescribed to a patient for pain management related to sickle cell anemia;

5. The Prescription Monitoring Program is not operational or available due to temporary technological or electrical failure or natural disaster; or

6. The prescriber is unable to access the Prescription Monitoring Program due to emergency or disaster and documents such circumstances in the patient's medical record.

D. Prior to issuing a written certification for the use of cannabis oil in accordance with § 4.1-1601, a practitioner shall request information from the Director for the purpose of determining what, if any, other covered substances have been dispensed to the patient.

§ 54.1-2522.1. (Effective July 1, 2027) Requirements of practitioners.

A. Any prescriber who is licensed in the Commonwealth to treat human patients and is authorized pursuant to §§ 54.1-3303 and 54.1-3408 to issue a prescription for a covered substance shall be registered with the Prescription Monitoring Program by the Department of Health Professions.

B. Prescribers registered with the Prescription Monitoring Program shall, at the time of initiating a new course of treatment to a human patient that includes the prescribing of benzodiazepine or an opiate anticipated at the onset of treatment to last more than 90 consecutive days, request information from the Director for the purpose of determining what, if any, other covered substances are currently prescribed to the patient. In addition, any prescriber ~~who holds a special identification number from the Drug Enforcement Administration authorizing the prescribing~~ of controlled substances approved for use in opioid addiction therapy shall, prior to or as a part of execution of a treatment agreement with the patient, request information from the Director for the purpose of determining what, if any, other covered substances the patient is currently being prescribed. Nothing in this section shall prohibit prescribers from making additional periodic requests for information from the Director as may be required by routine prescribing practices.

C. The Secretary of Health and Human Resources may identify and publish a list of benzodiazepines or opiates that have a low potential for abuse by human patients. Prescribers who prescribe such identified benzodiazepines or opiates shall not be required to meet the provisions of subsection B. In addition, a prescriber shall not be required to meet the provisions of subsection B if the course of treatment arises from pain management relating to dialysis, cancer treatments, or sickle cell anemia.

D. Prior to issuing a written certification for the use of cannabis oil in accordance with § 4.1-1601, a practitioner shall request information from the Director for the purpose of determining what, if any, other covered substances have been dispensed to the patient.

§ 54.1-3321. Registration of pharmacy technicians.

A. No person shall perform the duties of a pharmacy technician without first being registered as a pharmacy technician with the Board. Upon being registered with the Board as a pharmacy technician, the following tasks may be performed:

1. The entry of prescription information and drug history into a data system or other record keeping system;

2. The preparation of prescription labels or patient information;

3. The removal of the drug to be dispensed from inventory;

4. The counting, measuring, or compounding of the drug to be dispensed;

5. The packaging and labeling of the drug to be dispensed and the repackaging thereof;

6. The stocking or loading of automated dispensing devices or other devices used in the dispensing process;

7. The acceptance of refill authorization of a prescription for a Schedule III through Schedule VI drug and clarification of quantity or refills for a prescription issued for a Schedule VI drug from a prescriber or his authorized agent, so long as there is no other change to the original prescription;

8. The acceptance of an electronic transfer of a refill for a Schedule VI drug upon order of the pharmacist-in-charge or pharmacist on duty if the refill is not an on-hold prescription;

9. Under the supervision of a pharmacist, meaning the supervising pharmacist is at the same physical location of the technician or pharmacy intern, and consistent with the requirements of § 54.1-3303.1, administration of the following drugs and devices to persons three years of age or older as set forth in regulations of the Board: vaccines included on the Immunization Schedule published by the Centers for Disease Control and Prevention and vaccines for COVID-19; and

10. The performance of any other task restricted to pharmacy technicians by the Board's regulations.

B. To be registered as a pharmacy technician, a person shall submit:

1. An application and fee specified in regulations of the Board;

2. Evidence that he has successfully completed a training program that is (i) an accredited training program, including an accredited training program operated through the Department of Education's Career and Technical Education program or approved by the Board~~, or~~*;* (ii) *recognized by the Pharmacy Technician Certification Board or the National Healthcareer Association; or (iii)* operated through a federal agency or branch of the military; and

3. Evidence that he has successfully passed a national certification examination administered by the Pharmacy Technician Certification Board or the National Healthcareer Association.

C. The Board shall promulgate regulations establishing requirements for:

1. Issuance of a registration as a pharmacy technician to a person who, prior to the effective date of such regulations, (i) successfully completed or was enrolled in a Board-approved pharmacy technician training program or (ii) passed a national certification examination required by the Board but did not complete a Board-approved pharmacy technician training program;

2. Issuance of a registration as a pharmacy technician to a person who (i) has previously practiced as a pharmacy technician in another U.S. jurisdiction and (ii) has passed a national certification examination required by the Board; and

3. Evidence of continued competency as a condition of renewal of a registration as a pharmacy technician.

D. The Board shall waive the initial registration fee for a pharmacy technician applicant who works as a pharmacy technician exclusively in a free clinic pharmacy. A person registered pursuant to this subsection shall be issued a limited-use registration. A pharmacy technician with a limited-use registration shall not perform pharmacy technician tasks in any setting other than a free clinic pharmacy. The Board shall also waive renewal fees for such limited-use registrations. A pharmacy technician with a limited-use registration may convert to an unlimited registration by paying the current renewal fee.

E. Any person registered as a pharmacy technician prior to the effective date of regulations implementing the provisions of this section shall not be required to comply with the requirements of subsection B in order to maintain or renew registration as a pharmacy technician.

F. A pharmacy technician trainee enrolled in a training program for pharmacy technicians described in subdivision B 2 may engage in the acts set forth in subsection A for the purpose of obtaining practical experience required for completion of the training program, so long as such activities are directly monitored by a supervising pharmacist.

G. To be registered as a pharmacy technician trainee, a person shall submit an application and a fee specified in regulations of the Board. Such registration shall only be valid while the person is enrolled in a pharmacy technician training program described in subsection B and actively progressing toward completion of such program. A registration card issued pursuant to this section shall be invalid and shall be returned to the Board if such person fails to enroll in a pharmacy technician training program described in subsection B.

H. A pharmacy intern may perform the duties set forth for pharmacy technicians in subsection A when registered with the Board for the purpose of gaining the practical experience required to apply for licensure as a pharmacist.

I. A registered nurse or licensed practical nurse practicing at an opioid treatment program pharmacy may perform the duties set forth for pharmacy technicians in subsection A, provided that all take-home medication doses are verified for accuracy by a pharmacist prior to dispensing.

CHAPTER 169

An Act to amend and reenact § 10.1-1618 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 16 of Title 10.1 a section numbered 10.1-1623, relating to Virginia Recreational Facilities Authority; authority to dissolve.

[H 2321]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-1618 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 16 of Title 10.1 a section numbered 10.1-1623 as follows:

§ 10.1-1618. Title to property.

The Authority may acquire title to property in its own name or in the name of the Commonwealth for and on behalf of the Authority. In the event *that* the Authority ceases to operate its projects and to promote the purposes stated in § 10.1-1601 or is dissolved, the title to real property held by the Authority shall transfer to the ~~Commonwealth and be administered by the Department of Conservation and Recreation~~ *locality in which the majority of such property is located*; ~~provided~~ however, in the event that an environmental audit of any real property or interest therein, or portion of such property, to be transferred pursuant to this section discloses any environmental liability or violation of law or regulation, present or contingent, the ~~Governor~~ *locality* may reject the transfer of any portion of such property ~~which he~~ *that it* determines to be environmentally defective.

§ 10.1-1623. Dissolution of Authority; disposition of property.

A. Notwithstanding any contrary provision of this chapter, whenever the Board determines by resolution that it is in the best interest of those served by the Authority to divest itself of property owned by the Authority, the Authority may transfer all such property to the locality in which the majority of such property is located.

B. Whenever the Board determines by resolution that (i) the purposes for which the Authority was formed have been substantially complied with, (ii) all property of the Authority has been transferred pursuant to this chapter, and (iii) all bonds therefor issued and all obligations theretofore incurred by the Authority have been fully paid or adequate provisions have been made for the payment, the Board may dissolve itself upon a majority vote of the Board.

CHAPTER 170

An Act to amend and reenact § 19.2-160.1 of the Code of Virginia, relating to appointment of counsel for accused; felonies punishable by a mandatory minimum term of confinement for life.

[H 2322]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-160.1 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-160.1. Appointment of counsel in Class 1 felony cases or cases involving a felony punishable by a mandatory minimum term of confinement for life.

A. In any case in which an indigent defendant is charged with a Class 1 felony *or any felony punishable by a mandatory minimum term of confinement for life* in a jurisdiction in which a public defender office is established, the court shall, upon request for the appointment of counsel and in the absence of a conflict, appoint such public defender office to represent the defendant. Upon motion of the attorney from a public defender office, the judge of the circuit court shall appoint a competent, qualified, and experienced attorney from the list maintained by the Indigent Defense Commission pursuant to § 19.2-163.01 to serve as co-counsel.

If the public defender notifies the court of a conflict and withdraws from representation, and the court had appointed one additional counsel to assist the public defender's office, then upon the withdrawal of the public defender's office the court shall appoint one additional competent, qualified, and experienced attorney from the list maintained by the Indigent Defense Commission pursuant to § 19.2-163.01 to serve as co-counsel for the defendant.

B. In any case in which an indigent defendant is charged with a Class 1 felony *or any felony punishable by a mandatory minimum term of confinement for life* in a jurisdiction in which there is no public defender, upon request for the appointment of counsel, the court shall appoint two competent, qualified, and experienced attorneys~~,~~ from the list maintained by the Indigent Defense Commission pursuant to § 19.2-163.01 to serve as co-counsels for the defendant.

CHAPTER 171

An Act to amend and reenact § 15.2-2204 of the Code of Virginia, relating to notice of land use actions.

[H 2330]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2204 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2204. Advertisement of plans, ordinances, etc.; joint public hearings; written notice of certain amendments.

A. Plans or ordinances, or amendments thereof, recommended or adopted under the powers conferred by this chapter need not be advertised in full, but may be advertised by reference. Every such advertisement shall identify the place or places within the locality where copies of the proposed plans, ordinances or amendments may be examined.

The local planning commission shall not recommend nor the governing body adopt any plan, ordinance or amendment thereof until notice of intention to do so has been published twice in some newspaper published or having general circulation in the locality, with the first notice appearing no more than 28 days before and the second notice appearing no less than seven days before the date of the meeting referenced in the notice; however, the notice for both the local planning commission and the governing body may be published concurrently. The notice shall specify the time and place of hearing

at which persons affected may appear and present their views. The local planning commission and governing body may hold a joint public hearing after public notice as set forth in this subsection. If a joint hearing is held, then public notice as set forth in this subsection need be given only by the governing body. In any instance in which a locality has submitted a correct and timely notice request to such newspaper and the newspaper fails to publish the notice, or publishes the notice incorrectly, such locality shall be deemed to have met the notice requirements of this subsection so long as the notice was published in the next available edition of a newspaper having general circulation in the locality. After enactment of any plan, ordinance or amendment, further publication thereof shall not be required.

B. When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of 25 or fewer parcels of land, then, in addition to the advertising as required by subsection A, the advertisement shall include the street address or tax map parcel number of the parcels subject to the action. Written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner or owners, their agent or the occupant, of each parcel involved; to the owners, their agent or the occupant, of all abutting property and property immediately across the street or road from the property affected, including those parcels that lie in other localities of the Commonwealth; and, if any portion of the affected property is within a planned unit development, then to such incorporated property owner's associations within the planned unit development that have members owning property located within 2,000 feet of the affected property as may be required by the commission or its agent. However, when a proposed amendment to the zoning ordinance involves a tract of land not less than 500 acres owned by the Commonwealth or by the federal government, and when the proposed change affects only a portion of the larger tract, notice need be given only to the owners of those properties that are adjacent to the affected area of the larger tract. ~~Notice~~ *One notice* sent by registered ~~or~~*,* certified*, or first-class* mail to the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement*, provided that a representative of the local planning commission shall make affidavit that such mailings have been made and file such affidavit with the papers in the case*. If the hearing is continued, notice shall be remailed. Costs of any notice required under this chapter shall be taxed to the applicant.

When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of more than 25 parcels of land, or a change to the applicable zoning ordinance text regulations that decreases the allowed dwelling unit density of any parcel of land, then, in addition to the advertising as required by subsection A, the advertisement shall include the street address or tax map parcel number of the parcels as well as the approximate acreage subject to the action. For more than 100 parcels of land, the advertisement may instead include a description of the boundaries of the area subject to the changes and a link to a map of the subject area. Written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner, owners, or their agent of each parcel of land involved, provided, however, that written notice of such changes to zoning ordinance text regulations shall not have to be mailed to the owner, owners, or their agent of lots shown on a subdivision plat approved and recorded pursuant to the provisions of Article 6 (§ 15.2-2240 et seq.) where such lots are less than 11,500 square feet. One notice sent by ~~first class~~ *first-class* mail to the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement, provided that a representative of the local *planning* commission shall make affidavit that such mailings have been made and file such affidavit with the papers in the case. Nothing in this subsection shall be construed as to invalidate any subsequently adopted amendment or ordinance because of the inadvertent failure by the representative of the local *planning* commission to give written notice to the owner, owners*,* or their agent of any parcel involved.

The governing body may provide that, in the case of a condominium or a cooperative, the written notice may be mailed to the unit owners' association or proprietary lessees' association, respectively, in lieu of each individual unit owner.

Whenever the notices required hereby are sent by an agency, department*,* or division of the local governing body, or their representative, such notices may be sent by ~~first class~~ *first-class* mail; however, a representative of such agency, department*,* or division shall make affidavit that such mailings have been made and file such affidavit with the papers in the case.

A party's actual notice of, or active participation in, the proceedings for which the written notice provided by this section is required shall waive the right of that party to challenge the validity of the proceeding due to failure of the party to receive the written notice required by this section.

C. When a proposed comprehensive plan or amendment thereto; a proposed change in zoning map classification; or an application for special exception for a change in use or to increase by greater than 50 percent of the bulk or height of an existing or proposed building, but not including renewals of previously approved special exceptions, involves any parcel of land located within one-half mile of a boundary of an adjoining locality of the Commonwealth, then, in addition to the advertising and written notification as required by this section, written notice shall also be given by the local *planning* commission, or its representative, at least 10 days before the hearing to the chief administrative officer, or his designee, of such adjoining locality.

D. When (i) a proposed comprehensive plan or amendment thereto, (ii) a proposed change in zoning map classification, or (iii) an application for special exception for a change in use involves any parcel of land located within 3,000 feet of a boundary of a military base, military installation, military airport, excluding armories operated by the Virginia National Guard, or licensed public-use airport then, in addition to the advertising and written notification as required by this section, written notice shall also be given by the local *planning* commission, or its representative, at least

30 days before the hearing to the commander of the military base, military installation, military airport, or owner of such public-use airport, and the notice shall advise the military commander or owner of such public-use airport of the opportunity to submit comments or recommendations.

E. The adoption or amendment prior to July 1, 1996, of any plan or ordinance under the authority of prior acts shall not be declared invalid by reason of a failure to advertise or give notice as may be required by such act or by this chapter, provided a public hearing was conducted by the governing body prior to such adoption or amendment. Every action contesting a decision of a locality based on a failure to advertise or give notice as may be required by this chapter shall be filed within 30 days of such decision with the circuit court having jurisdiction of the land affected by the decision. However, any litigation pending prior to July 1, 1996, shall not be affected by the 1996 amendment to this section.

F. Notwithstanding any contrary provision of law, general or special, the City of Richmond may cause such notice to be published in any newspaper of general circulation in the city.

G. When a proposed comprehensive plan or amendment of an existing plan designates or alters previously designated corridors or routes for electric transmission lines of 150 kilovolts or more, written notice shall also be given by the local planning commission, or its representative, at least 10 days before the hearing to each electric utility with a certificated service territory that includes all or any part of such designated electric transmission corridors or routes.

H. When any applicant requesting a written order, requirement, decision, or determination from the zoning administrator, other administrative officer, or a board of zoning appeals that is subject to the appeal provisions contained in § 15.2-2311 or 15.2-2314, is not the owner or the agent of the owner of the real property subject to the written order, requirement, decision or determination, written notice shall be given to the owner of the property within 10 days of the receipt of such request. Such written notice shall be given by the zoning administrator or other administrative officer or, at the direction of the administrator or officer, the requesting applicant shall be required to give the owner such notice and to provide satisfactory evidence to the zoning administrator or other administrative officer that the notice has been given. Written notice mailed to the owner at the last known address of the owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall satisfy the notice requirements of this subsection.

This subsection shall not apply to inquiries from the governing body, planning commission, or employees of the locality made in the normal course of business.

CHAPTER 172

An Act to amend and reenact § 22.1-289.030 of the Code of Virginia, relating to Superintendent of Public Instruction; programs providing instructional experience in horse riding; exemption from licensure.

[H 2419]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-289.030 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-289.030. Exemptions from licensure.

A. The following programs are not child day programs and shall not be required to be licensed:

1. A program of instructional experience in a single focus, such as, but not limited to, computer science, archaeology, sport clinics, or music, if children under the age of six do not attend at all and if no child is allowed to attend for more than 25 days in any three-month period commencing with enrollment. This exemption does not apply if children merely change their enrollment to a different focus area at a site offering a variety of activities and such children's attendance exceeds 25 days in a three-month period.

2. Programs of instructional or recreational activities wherein no child under age six attends for more than six hours weekly with no class or activity period to exceed one and one-half hours, and no child six years of age or above attends for more than six hours weekly when school is in session or 12 hours weekly when school is not in session. Competition, performances, and exhibitions related to the instructional or recreational activity shall be excluded when determining the hours of program operation.

3. Instructional programs offered by private schools that serve school-age children and that satisfy compulsory attendance laws or provide services under the Individuals with Disabilities Education Act, as amended, and programs of school-sponsored extracurricular activities that are focused on single interests such as, but not limited to, music, sports, drama, civic service, or foreign language.

4. Instructional programs offered by public schools that serve preschool-age children, satisfy compulsory attendance laws, or provide services under the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.), as amended, and programs of school-sponsored extracurricular activities that are focused on single interests such as, but not limited to, music, sports, drama, civic service, or foreign language.

5. Early intervention programs for children eligible under Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431 et seq.), as amended, wherein no child attends for more than a total of six hours per week.

6. Practice or competition in organized competitive sports leagues.

7. Programs of religious instruction, such as Sunday schools, vacation Bible schools, Bar Mitzvah or Bat Mitzvah classes, and nurseries offered by religious institutions and provided for the duration of specified religious services or related activities to allow parents or guardians or their designees who are on site to attend such religious services and activities.

8. A program of instructional or athletic experience operated during the summer months by, and as an extension of, an accredited private elementary, middle, or high school program as set forth in § 22.1-19 and administered by the Virginia Council for Private Education.

9. Programs providing instructional experience in horse riding, provided that (i) such a program is taught (a) by an adult with a recognized certification in horse riding instruction and (b) to fewer than 12 children at any time, (ii) at least one adult actively supervises no more than three children at any time during such a program, and (iii) the majority of programming for any such program relates to horse riding and equine activities.

B. The following child day programs shall not be required to be licensed:

1. A child day center that has obtained an exemption pursuant to § 22.1-289.031.

2. A program where, by written policy given to and signed by a parent or guardian, school-age children are free to enter and leave the premises without permission. A program that would qualify for this exemption except that it assumes responsibility for the supervision, protection, and well-being of several children with disabilities who are mainstreamed shall not be subject to licensure.

3. A program that operates no more than a total of 20 program days in the course of a calendar year, provided that programs serving children under age six operate no more than two consecutive weeks without a break of at least a week.

4. Child-minding services that are not available for more than three hours per day for any individual child offered on site in commercial or recreational establishments if the parent or guardian (i) can be contacted and can resume responsibility for the child's supervision within 30 minutes and (ii) is receiving or providing services or participating in activities offered by the establishment.

5. A certified preschool or nursery school program operated by an accredited private school as set forth in § 22.1-19 and administered by the Virginia Council for Private Education that complies with the provisions of § 22.1-289.032.

6. A program of recreational activities offered by local governments, staffed by local government employees, and attended by school-age children. Such programs shall be subject to safety and supervisory standards established by the local government offering the program.

7. A program offered by a local school division, operated for no more than four hours per day on full instructional days or for more than four hours per day on shortened instructional days or noninstructional days, staffed by local school division employees, and attended by children who are at least three years of age and are enrolled in public school or a preschool program within such school division. Such programs shall be subject to safety and supervisory standards established by the local school division offering the program.

8. Child-minding services offered by a business on the premises of the business to no more than four children under the age of 13 at any given time and for no more than eight hours per day, provided that the parent or guardian of every child receiving care is an employee of the business who is on the premises of the business and can resume responsibility for the child's supervision within 30 minutes upon request.

9. A program offered by a private school accredited by and in good standing with the Virginia Council for Private Education, operated for no more than four hours per day, staffed by the accredited private school's employees, and attended by school-age children who are enrolled in the accredited private school. Such programs shall be subject to safety and supervisory standards established by the Virginia Council for Private Education.

10. A child day program that (i) serves only dependent children of military personnel and (ii) (a) is located on a military base or federal property or (b) is certified as a family child care provider by a branch of the Armed Forces of the United States. Any branch of the Armed Forces of the United States or its agent, including an installation commander of a military base on which a child day program is located, may assume responsibility for approving or determining which children may be served by the program that is so exempted from licensure.

C. Child day programs that are exempt from licensure pursuant to subsection B, except for child day programs that are exempt from licensure pursuant to subdivision B 1 or 5, shall:

1. File with the Superintendent annually and prior to beginning operation of a child day program a statement indicating the intent to operate a child day program, identifying the specific provision of this section relied upon for exemption from licensure, and certifying that the child day program has disclosed in writing to the parents or guardians of the children in the program the fact that it is exempt from licensure;

2. Report to the Superintendent all incidents involving serious physical injury to or death of children attending the child day program. Reports of serious physical injuries, which shall include any physical injuries that require an emergency referral to an offsite health care professional or treatment in a hospital, shall be submitted annually. Reports of deaths shall be submitted no later than one business day after the death occurred; and

3. Post in a visible location on the premises notice that the child day program is operating as a program exempt from licensure with basic health and safety requirements but has no direct oversight by the Department.

D. Child day programs that are exempt from licensure pursuant to subsection B, except for child day programs that are exempt from licensure pursuant to subdivision B 1, 5, 6, or 7 shall:

1. Have a person trained and certified in first aid and cardiopulmonary resuscitation present at the child day program whenever children are present or at any other location in which children attending the child day program are present;

2. Maintain daily attendance records that document the arrival and departure of all children;

3. Have an emergency preparedness plan in place;

4. Comply with all applicable laws and regulations governing transportation of children; and

5. Comply with all safe sleep guidelines recommended by the American Academy of Pediatrics.

E. The Superintendent shall inspect child day programs that are exempt from licensure pursuant to subsection B to determine compliance with the provisions of this section only upon receipt of a complaint, except as otherwise provided by law.

F. Family day homes that are members of a licensed family day system shall not be required to obtain a license from the Superintendent.

CHAPTER 173

An Act to amend and reenact § 46.2-606 of the Code of Virginia, relating to Department of Motor Vehicles; incorrect vehicle title or registration address.

[H 2423]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-606 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-606. Notice of change of address or incorrect address.

A. Whenever any person who has applied for or obtained the registration or title to a vehicle moves from the address shown in his application, registration card or certificate of title, he shall notify the Department of his change of address within 30 days.

B. *The owner or lessee of any real property in the Commonwealth may notify the Department if the address of such real property is used for the titling or registration of a vehicle that does not belong to any owner, lessee, or resident of such real property. The Department shall (i) attempt to notify the vehicle owner of such report of an incorrect address on the vehicle registration or certificate of title and (ii) conduct a search as authorized pursuant to subsection C for an updated mailing address. If the Department is unable to identify the correct address for the owner of such vehicle, the Department may revoke the registration, registration card, license plates, and decals issued for such vehicle.*

C. The Department may contract with the United States Postal Service or an authorized agent to use the National Change of Address System for the purpose of obtaining current address information for a person whose name appears in customer records maintained by the Department. If the Department receives information from the National Change of Address System indicating that a person whose name appears in a Department record has submitted a permanent change of address to the Postal Service, the Department may then update its records with the mailing address obtained from the National Change of Address System.

~~C.~~ *D.* Anyone failing to comply with ~~this section~~ *the provisions of subsection A* may be charged a fee of $5, to be used to cover the Department's expenses. Notwithstanding the foregoing provision of this subsection, no fee shall be imposed on any person whose address is obtained from the National Change of Address System.

CHAPTER 174

An Act to amend and reenact § 23.1-3127 of the Code of Virginia, relating to Southwest Virginia Higher Education Center Board of Trustees; authority to permit campus security officers to carry firearms in performance of official duties; conditions.

[H 2441]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 23.1-3127 of the Code of Virginia is amended and reenacted as follows:

§ 23.1-3127. Powers of the board.

A. The board has, in addition to its other powers, all the corporate powers given to corporations by the provisions of Title 13.1, except in those cases where, by the express terms of its provisions, it is confined to corporations created under that title. The board may accept, execute, and administer any trust in which it may have an interest under the terms of the instrument creating the trust.

B. The board may establish and administer agreements with (i) public institutions of higher education and private institutions of higher education to provide undergraduate-level and graduate-level instructional programs at the Center and (ii) Virginia Highlands Community College and other public institutions of higher education and private institutions of higher education to provide freshman-level and sophomore-level courses and associate degrees. The board shall seek opportunities to collaborate with local comprehensive community colleges to meet specialized noncredit workforce training needs identified by industry. However, if local community colleges are unable to meet identified industry needs, then the

board may seek to collaborate with other education providers or may provide Center-delivered specialized noncredit workforce training independent of local comprehensive community colleges.

C. The board may, on behalf of the Center, apply for, accept, and expend gifts, grants, or donations from public or private sources to enable it to carry out its objectives.

D. Attendant to the authority granted to the board pursuant to § 23.1-3100.1 to establish and maintain a campus security department and to employ campus security personnel therein, the board may permit such campus security personnel to carry firearms in the performance of their official duties, provided that such campus security personnel are qualified in accordance with the provisions of § 9.1-139 to be employed as an armed security officer and are not otherwise prohibited by law from carrying a firearm. If the board so permits such campus security personnel to carry firearms in the performance of their duties, such campus security personnel shall be considered armed security officers, as that term is defined § 9.1-138, who are required to be registered by the Department of Criminal Justice Services pursuant to subsection C of § 9.1-139 and shall comply with all relevant provisions of Article 4 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 and regulations of the Criminal Justice Services Board relating to armed security officers, including any compulsory minimum training standards established by the Criminal Justice Services Board pursuant to subsection A of § 9.1-141.

CHAPTER 175

An Act to amend and reenact § 16.1-299 of the Code of Virginia, relating to fingerprints, palm prints, and photographs of juveniles.

[H 2472]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-299 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-299. Fingerprints, palm prints, and photographs of juveniles.

A. All duly constituted police authorities having the power of arrest shall ~~take~~ *obtain, electronically when possible,* fingerprints*, palm prints with accompanying distal prints, if available,* and photographs of any juvenile who is taken into custody and charged with a delinquent act an arrest for which, if committed by an adult, is required to be reported to the Central Criminal Records Exchange pursuant to subsection A of § 19.2-390. Whenever fingerprints*, palm prints, or photographs* are taken, they shall be maintained separately from adult records and a copy *containing the document control number (DCN)* shall be filed with the juvenile court on forms provided by the Central Criminal Records Exchange *and a copy shall be submitted, electronically when possible, to the State Police who shall maintain all records received under this section in a confidential and secure area within the system in which the record is maintained that is inaccessible from routine use. Such records shall only be accessible by the manager of the records or his designee*.

B. If a juvenile of any age (i) is convicted of a felony, (ii) is adjudicated delinquent of an offense that would be a felony if committed by an adult, (iii) has a case involving an offense, which would be a felony if committed by an adult, that is dismissed pursuant to the deferred disposition provisions of § 16.1-278.8, or (iv) is convicted or adjudicated delinquent of any other offense for which a report to the Central Criminal Records Exchange is required by subsection C of § 19.2-390 if the offense were committed by an adult, ~~copies of his fingerprints and~~ a report of the disposition shall be forwarded to the Central Criminal Records Exchange *electronically* and to the jurisdiction making the arrest by the clerk of the court ~~which~~ *that* heard the case.

C. If a petition or warrant is not filed against a juvenile whose fingerprints*, palm prints,* or photographs have been taken in connection with an alleged violation of law, the fingerprint card, all copies of the fingerprints*, all copies of the palm prints,* and all photographs shall be destroyed 60 days after fingerprints were taken. *The police authority, as identified by its originating agency identification (ORI), that obtained the fingerprints, palm prints, or photographs of the juvenile shall notify, electronically when possible, the State Police to destroy the records. The State Police shall destroy such records as soon as possible after receiving the notification.* If a juvenile charged with a delinquent act other than a violent juvenile felony or a crime ancillary thereto is found not guilty, or in any other case resulting in a disposition for which fingerprints are not required to be forwarded to the Central Criminal Records Exchange, the court shall order that the fingerprint card, all copies of the fingerprints*, all copies of the palm prints,* and all photographs be destroyed within six months of the date of disposition of the case *and shall notify the Central Criminal Records Exchange*.

2. That the provisions of § 16.1-299 of the Code of Virginia, as amended by this act, shall become effective on July 1, 2026.

CHAPTER 176

An Act to amend and reenact § 10.1-1618 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 16 of Title 10.1 a section numbered 10.1-1623, relating to Virginia Recreational Facilities Authority; authority to dissolve.

[S 796]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-1618 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 16 of Title 10.1 a section numbered 10.1-1623 as follows:

§ 10.1-1618. Title to property.

The Authority may acquire title to property in its own name or in the name of the Commonwealth for and on behalf of the Authority. In the event *that* the Authority ceases to operate its projects and to promote the purposes stated in § 10.1-1601 or is dissolved, the title to real property held by the Authority shall transfer to the ~~Commonwealth and be administered by the Department of Conservation and Recreation~~ *locality in which the majority of such property is located*; ~~provided~~ however, in the event that an environmental audit of any real property or interest therein, or portion of such property, to be transferred pursuant to this section discloses any environmental liability or violation of law or regulation, present or contingent, the ~~Governor~~ *locality* may reject the transfer of any portion of such property ~~which he~~ *that it* determines to be environmentally defective.

§ 10.1-1623. Dissolution of Authority; disposition of property.

A. Notwithstanding any contrary provision of this chapter, whenever the Board determines by resolution that it is in the best interest of those served by the Authority to divest itself of property owned by the Authority, the Authority may transfer all such property to the locality in which the majority of such property is located.

B. Whenever the Board determines by resolution that (i) the purposes for which the Authority was formed have been substantially complied with, (ii) all property of the Authority has been transferred pursuant to this chapter, and (iii) all bonds therefor issued and all obligations theretofore incurred by the Authority have been fully paid or adequate provisions have been made for the payment, the Board may dissolve itself upon a majority vote of the Board.

CHAPTER 177

An Act to amend and reenact §§ 46.2-100, 46.2-316, 46.2-436, 46.2-439, 46.2-441, 46.2-706, and 46.2-707 through 46.2-709 of the Code of Virginia, relating to Department of Motor Vehicles; proof of financial responsibility in the future.

[S 959]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-100, 46.2-316, 46.2-436, 46.2-439, 46.2-441, 46.2-706, and 46.2-707 through 46.2-709 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-100. Definitions.

As used in this title, unless the context requires a different meaning:

"All-terrain vehicle" means a motor vehicle having three or more wheels that is powered by a motor and is manufactured for off-highway use. "All-terrain vehicle" does not include four-wheeled vehicles commonly known as "go-carts" that have low centers of gravity and are typically used in racing on relatively level surfaces, nor does the term include any riding lawn mower.

"Antique motor vehicle" means every motor vehicle, as defined in this section, which was actually manufactured or designated by the manufacturer as a model manufactured in a calendar year not less than 25 years prior to January 1 of each calendar year and is owned solely as a collector's item.

"Antique trailer" means every trailer or semitrailer, as defined in this section, that was actually manufactured or designated by the manufacturer as a model manufactured in a calendar year not less than 25 years prior to January 1 of each calendar year and is owned solely as a collector's item.

"Autocycle" means a three-wheeled motor vehicle that has a steering wheel and seating that does not require the operator to straddle or sit astride and is manufactured to comply with federal safety requirements for motorcycles. Except as otherwise provided, an autocycle shall not be deemed to be a motorcycle.

"Automobile transporter" means any tractor truck, lowboy, vehicle, or combination, including vehicles or combinations that transport motor vehicles on their power unit, designed and used exclusively for the transportation of motor vehicles or used to transport cargo or general freight on a backhaul pursuant to the provisions of 49 U.S.C. § 31111(a)(1).

"Bicycle" means a device propelled solely by human power, upon which a person may ride either on or astride a regular seat attached thereto, having two or more wheels in tandem, including children's bicycles, except a toy vehicle

intended for use by young children. For purposes of Chapter 8 (§ 46.2-800 et seq.), a bicycle shall be a vehicle while operated on the highway.

"Bicycle lane" means that portion of a roadway designated by signs and/or pavement markings for the preferential use of bicycles, electric power-assisted bicycles, motorized skateboards or scooters, and mopeds.

"Business district" means the territory contiguous to a highway where 75 percent or more of the property contiguous to a highway, on either side of the highway, for a distance of 300 feet or more along the highway, is occupied by land and buildings actually in use for business purposes.

"Camping trailer" means every vehicle that has collapsible sides and contains sleeping quarters but may or may not contain bathing and cooking facilities and is designed to be drawn by a motor vehicle.

"Cancel" or "cancellation" means that the document or privilege cancelled has been annulled or terminated because of some error, defect, or ineligibility, but the cancellation is without prejudice and reapplication may be made at any time after cancellation.

"Chauffeur" means every person employed for the principal purpose of driving a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property.

"Circular intersection" means an intersection that has an island, generally circular in design, located in the center of the intersection, where all vehicles pass to the right of the island. Circular intersections include roundabouts, rotaries, and traffic circles.

"Commission" means the State Corporation Commission.

"Commissioner" means the Commissioner of the Department of Motor Vehicles of the Commonwealth.

"Converted electric vehicle" means any motor vehicle, other than a motorcycle or autocycle, that has been modified subsequent to its manufacture to replace an internal combustion engine with an electric propulsion system. Such vehicles shall retain their original vehicle identification number, line-make, and model year. A converted electric vehicle shall not be deemed a "reconstructed vehicle" as defined in this section unless it has been materially altered from its original construction by the removal, addition, or substitution of new or used essential parts other than those required for the conversion to electric propulsion.

"Crosswalk" means that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

"Decal" means a device to be attached to a license plate that validates the license plate for a predetermined registration period.

"Department" means the Department of Motor Vehicles of the Commonwealth.

"Disabled parking license plate" means a license plate that displays the international symbol of access in the same size as the numbers and letters on the plate and in a color that contrasts with the background.

"Disabled veteran" means a veteran who (i) has either lost, or lost the use of, a leg, arm, or hand; (ii) is blind; or (iii) is permanently and totally disabled as certified by the U.S. Department of Veterans Affairs. A veteran shall be considered blind if he has a permanent impairment of both eyes to the following extent: central visual acuity of 20/200 or less in the better eye, with corrective lenses, or central visual acuity of more than 20/200, if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than 20 degrees in the better eye.

"Driver's license" means any license, including a commercial driver's license as defined in the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.) and a driver privilege card issued pursuant to § 46.2-328.3, issued under the laws of the Commonwealth authorizing the operation of a motor vehicle.

"Electric personal assistive mobility device" means a self-balancing two-nontandem-wheeled device that is designed to transport only one person and powered by an electric propulsion system that limits the device's maximum speed to 15 miles per hour or less. For purposes of Chapter 8 (§ 46.2-800 et seq.), an electric personal assistive mobility device shall be a vehicle when operated on a highway.

"Electric power-assisted bicycle" means a vehicle that travels on not more than three wheels in contact with the ground and is equipped with (i) pedals that allow propulsion by human power, (ii) a seat for the use of the rider, and (iii) an electric motor with an input of no more than 750 watts. Electric power-assisted bicycles shall be classified as follows:

1. "Class one" means an electric power-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour;

2. "Class two" means an electric power-assisted bicycle equipped with a motor that may be used exclusively to propel the bicycle and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; and

3. "Class three" means an electric power-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

For the purposes of Chapter 8 (§ 46.2-800 et seq.), an electric power-assisted bicycle shall be a vehicle when operated on a highway.

"Essential parts" means all integral parts and body parts, the removal, alteration, or substitution of which will tend to conceal the identity of a vehicle.

"Farm tractor" means every motor vehicle designed and used as a farm, agricultural, or horticultural implement for drawing plows, mowing machines, and other farm, agricultural, or horticultural machinery and implements, including self-propelled mowers designed and used for mowing lawns.

"Farm utility vehicle" means a vehicle that is powered by a motor and is designed for off-road use and is used as a farm, agricultural, or horticultural service vehicle, generally having four or more wheels, bench seating for the operator and a passenger, a steering wheel for control, and a cargo bed. "Farm utility vehicle" does not include pickup or panel trucks, golf carts, low-speed vehicles, or riding lawn mowers.

"Federal safety requirements" means applicable provisions of 49 U.S.C. § 30101 et seq. and all administrative regulations and policies adopted pursuant thereto.

"Financial responsibility" means the ability to respond in damages for liability thereafter incurred arising out of the ownership, maintenance, use, or operation of a motor vehicle, in the amounts provided for in § 46.2-472.

"Financial responsibility in the future" means the future ability to respond to damages for liability incurred arising out of the ownership, maintenance, use, or operation of a motor vehicle in the amounts provided for in §§ 46.2-316 and 46.2-472.

"Foreign market vehicle" means any motor vehicle originally manufactured outside the United States, which was not manufactured in accordance with 49 U.S.C. § 30101 et seq. and the policies and regulations adopted pursuant to that Act, and for which a Virginia title or registration is sought.

"Foreign vehicle" means every motor vehicle, trailer, or semitrailer that is brought into the Commonwealth otherwise than in the ordinary course of business by or through a manufacturer or dealer and that has not been registered in the Commonwealth.

"Golf cart" means a self-propelled vehicle that is designed to transport persons playing golf and their equipment on a golf course.

"Governing body" means the board of supervisors of a county, council of a city, or council of a town, as context may require.

"Gross weight" means the aggregate weight of a vehicle or combination of vehicles and the load thereon.

"Highway" means the entire width between the boundary lines of every way or place open to the use of the public for purposes of vehicular travel in the Commonwealth, including the streets and alleys, and, for law-enforcement purposes, (i) the entire width between the boundary lines of all private roads or private streets that have been specifically designated "highways" by an ordinance adopted by the governing body of the county, city, or town in which such private roads or streets are located and (ii) the entire width between the boundary lines of every way or place used for purposes of vehicular travel on any property owned, leased, or controlled by the United States government and located in the Commonwealth.

"Intersection" means (i) the area embraced within the prolongation or connection of the lateral curblines or, if none, then the lateral boundary lines of the roadways of two highways that join one another at, or approximately at, right angles, or the area within which vehicles traveling on different highways joining at any other angle may come in conflict; (ii) where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection, in the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection; or (iii) for purposes only of authorizing installation of traffic-control devices, every crossing of a highway or street at grade by a pedestrian crosswalk.

"Lane-use control signal" means a signal face displaying indications to permit or prohibit the use of specific lanes of a roadway or to indicate the impending prohibition of such use.

"Law-enforcement officer" means any officer authorized to direct or regulate traffic or to make arrests for violations of this title or local ordinances authorized by law. For the purposes of access to law-enforcement databases regarding motor vehicle registration and ownership only, "law-enforcement officer" also includes city and county commissioners of the revenue and treasurers, together with their duly designated deputies and employees, when such officials are actually engaged in the enforcement of §§ 46.2-752, 46.2-753, and 46.2-754 and local ordinances enacted thereunder.

"License plate" means a device containing letters, numerals, or a combination of both, attached to a motor vehicle, trailer, or semitrailer to indicate that the vehicle is properly registered with the Department.

"Light" means a device for producing illumination or the illumination produced by the device.

"Low-speed vehicle" means any four-wheeled electrically powered or gas-powered vehicle, except a motor vehicle or low-speed vehicle that is used exclusively for agricultural or horticultural purposes or a golf cart, whose maximum speed is greater than 20 miles per hour but not greater than 25 miles per hour and is manufactured to comply with safety standards contained in Title 49 of the Code of Federal Regulations, § 571.500.

"Manufactured home" means a structure subject to federal regulation, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. "Manufactured home" does not include a park model recreational vehicle, which is a vehicle that is (i) designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use; (ii) not permanently affixed to real property for use as a permanent dwelling; (iii) built on a single chassis mounted on

wheels; and (iv) certified by the manufacturer as complying with the American National Standards Institute (ANSI) A119.5 Park Model Recreational Vehicle Standard.

"Military surplus motor vehicle" means a multipurpose or tactical vehicle that was manufactured by or under the direction of the United States Armed Forces for off-road use and subsequently authorized for sale to civilians. "Military surplus motor vehicle" does not include specialized mobile equipment as defined in § 46.2-700, trailers, or semitrailers.

"Moped" means every vehicle that travels on not more than three wheels in contact with the ground that (i) has a seat that is no less than 24 inches in height, measured from the middle of the seat perpendicular to the ground; (ii) has a gasoline, electric, or hybrid motor that (a) displaces 50 cubic centimeters or less or (b) has an input of 1500 watts or less; (iii) is power-driven, with or without pedals that allow propulsion by human power; and (iv) is not operated at speeds in excess of 35 miles per hour. "Moped" does not include an electric power-assisted bicycle or a motorized skateboard or scooter. For purposes of this title, a moped shall be a motorcycle when operated at speeds in excess of 35 miles per hour. For purposes of Chapter 8 (§ 46.2-800 et seq.), a moped shall be a vehicle while operated on a highway.

"Motor-driven cycle" means every motorcycle that has a gasoline engine that (i) displaces less than 150 cubic centimeters; (ii) has a seat less than 24 inches in height, measured from the middle of the seat perpendicular to the ground; and (iii) has no manufacturer-issued vehicle identification number.

"Motor home" means every private motor vehicle with a normal seating capacity of not more than 10 persons, including the driver, designed primarily for use as living quarters for human beings.

"Motor vehicle" means every vehicle as defined in this section that is self-propelled or designed for self-propulsion except as otherwise provided in this title. Any structure designed, used, or maintained primarily to be loaded on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office, or commercial space shall be considered a part of a motor vehicle. Except as otherwise provided, for the purposes of this title, any device herein defined as a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, motorized skateboard or scooter, moped, or personal delivery device shall be deemed not to be a motor vehicle.

"Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground and is capable of traveling at speeds in excess of 35 miles per hour. "Motorcycle" does not include any "autocycle," "electric personal assistive mobility device," "electric power-assisted bicycle," "farm tractor," "golf cart," "moped," "motorized skateboard or scooter," "utility vehicle," or "wheelchair or wheelchair conveyance" as defined in this section.

"Motorized skateboard or scooter" means every vehicle, regardless of the number of its wheels in contact with the ground, that (i) is designed to allow an operator to sit or stand, (ii) has no manufacturer-issued vehicle identification number, (iii) is powered in whole or in part by an electric motor, (iv) weighs less than 100 pounds, and (v) has a speed of no more than 20 miles per hour on a paved level surface when powered solely by the electric motor. "Motorized skateboard or scooter" includes vehicles with or without handlebars but does not include electric personal assistive mobility devices or electric power-assisted bicycles.

"Nonresident" means every person who is not domiciled in the Commonwealth, except: (i) any foreign corporation that is authorized to do business in the Commonwealth by the State Corporation Commission shall be a resident of the Commonwealth for the purpose of this title; in the case of corporations incorporated in the Commonwealth but doing business outside the Commonwealth, only such principal place of business or branches located within the Commonwealth shall be dealt with as residents of the Commonwealth; (ii) a person who becomes engaged in a gainful occupation in the Commonwealth for a period exceeding 60 days shall be a resident for the purposes of this title except for the purposes of Chapter 3 (§ 46.2-300 et seq.); (iii) a person, other than (a) a nonresident student as defined in this section or (b) a person who is serving a full-time church service or proselyting mission of not more than 36 months and who is not gainfully employed, who has actually resided in the Commonwealth for a period of six months, whether employed or not, or who has registered a motor vehicle, listing an address in the Commonwealth in the application for registration, shall be deemed a resident for the purposes of this title, except for the purposes of the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.).

"Nonresident student" means every nonresident person who is enrolled as a full-time student in an accredited institution of learning in the Commonwealth and who is not gainfully employed.

"Off-road motorcycle" means every motorcycle designed exclusively for off-road use by an individual rider with not more than two wheels in contact with the ground. Except as otherwise provided in this chapter, for the purposes of this chapter off-road motorcycles shall be deemed to be "motorcycles."

"Operation or use for rent or for hire, for the transportation of passengers, or as a property carrier for compensation," and "business of transporting persons or property" mean any owner or operator of any motor vehicle, trailer, or semitrailer operating over the highways in the Commonwealth who accepts or receives compensation for the service, directly or indirectly; but these terms do not mean a "truck lessor" as defined in this section and do not include persons or businesses that receive compensation for delivering a product that they themselves sell or produce, where a separate charge is made for delivery of the product or the cost of delivery is included in the sale price of the product, but where the person or business does not derive all or a substantial portion of its income from the transportation of persons or property except as part of a sales transaction.

"Operator" or "driver" means every person who either (i) drives or is in actual physical control of a motor vehicle on a highway or (ii) is exercising control over or steering a vehicle being towed by a motor vehicle.

"Owner" means a person who holds the legal title to a vehicle; however, if a vehicle is the subject of an agreement for its conditional sale or lease with the right of purchase on performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or if a mortgagor of a vehicle is entitled to possession, then the conditional vendee or lessee or mortgagor shall be the owner for the purpose of this title. In all such instances when the rent paid by the lessee includes charges for services of any nature or when the lease does not provide that title shall pass to the lessee on payment of the rent stipulated, the lessor shall be regarded as the owner of the vehicle, and the vehicle shall be subject to such requirements of this title as are applicable to vehicles operated for compensation. A "truck lessor" as defined in this section shall be regarded as the owner, and his vehicles shall be subject to such requirements of this title as are applicable to vehicles of private carriers.

"Passenger car" means every motor vehicle other than a motorcycle or autocycle designed and used primarily for the transportation of no more than 10 persons, including the driver.

"Payment device" means any credit card as defined in 15 U.S.C. § 1602 (k) or any "accepted card or other means of access" set forth in 15 U.S.C. § 1693a (1). For the purposes of this title, this definition shall also include a card that enables a person to pay for transactions through the use of value stored on the card itself.

"Personal delivery device" means a powered device operated primarily on sidewalks and crosswalks and intended primarily for the transport of property on public rights-of-way that does not exceed 500 pounds, excluding cargo, and is capable of navigating with or without the active control or monitoring of a natural person. Notwithstanding any other provision of law, a personal delivery device shall not be considered a motor vehicle or a vehicle.

"Personal delivery device operator" means an entity or its agent that exercises direct physical control or monitoring over the navigation system and operation of a personal delivery device. For the purposes of this definition, "agent" means a person not less than 16 years of age charged by an entity with the responsibility of navigating and operating a personal delivery device. "Personal delivery device operator" does not include (i) an entity or person who requests the services of a personal delivery device to transport property or (ii) an entity or person who only arranges for and dispatches the requested services of a personal delivery device.

"Pickup or panel truck" means (i) every motor vehicle designed for the transportation of property and having a registered gross weight of 7,500 pounds or less or (ii) every motor vehicle registered for personal use, designed to transport property on its own structure independent of any other vehicle, and having a registered gross weight in excess of 7,500 pounds but not in excess of 10,000 pounds.

"Private road or driveway" means every way in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

"Reconstructed vehicle" means every vehicle of a type required to be registered under this title materially altered from its original construction by the removal, addition, or substitution of new or used essential parts. Such vehicles, at the discretion of the Department, shall retain their original vehicle identification number, line-make, and model year. Except as otherwise provided in this title, this definition shall not include a "converted electric vehicle" as defined in this section.

"Replica vehicle" means every vehicle of a type required to be registered under this title not fully constructed by a licensed manufacturer but either constructed or assembled from components. Such components may be from a single vehicle, multiple vehicles, a kit, parts, or fabricated components. The kit may be made up of "major components" as defined in § 46.2-1600, a full body, or a full chassis, or a combination of these parts. The vehicle shall resemble a vehicle of distinctive name, line-make, model, or type as produced by a licensed manufacturer or manufacturer no longer in business and is not a reconstructed or specially constructed vehicle as herein defined.

"Residence district" means the territory contiguous to a highway, not comprising a business district, where 75 percent or more of the property abutting such highway, on either side of the highway, for a distance of 300 feet or more along the highway consists of land improved for dwelling purposes, or is occupied by dwellings, or consists of land or buildings in use for business purposes, or consists of territory zoned residential or territory in residential subdivisions created under Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2.

"Revoke" or "revocation" means that the document or privilege revoked is not subject to renewal or restoration except through reapplication after the expiration of the period of revocation.

"Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder. A highway may include two or more roadways if divided by a physical barrier or barriers or an unpaved area.

"Safety zone" means the area officially set apart within a roadway for the exclusive use of pedestrians and that is protected or is so marked or indicated by plainly visible signs.

"School bus" means any motor vehicle, other than a station wagon, automobile, truck, or commercial bus, which is: (i) designed and used primarily for the transportation of pupils to and from public, private or religious schools, or used for the transportation of individuals with mental or physical disabilities to and from a sheltered workshop; (ii) painted yellow and bears the words "School Bus" in black letters of a specified size on front and rear; and (iii) is equipped with warning devices prescribed in § 46.2-1090. A yellow school bus may have a white roof provided such vehicle is painted in accordance with regulations promulgated by the Department of Education.

"Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests on or is carried by another vehicle.

"Shared-use path" means a bikeway that is physically separated from motorized vehicular traffic by an open space or barrier and is located either within the highway right-of-way or within a separate right-of-way. Shared-use paths may also

be used by pedestrians, skaters, users of wheel chairs or wheel chair conveyances, joggers, and other nonmotorized users and personal delivery devices.

"Shoulder" means that part of a highway between the portion regularly traveled by vehicular traffic and the lateral curbline or ditch.

"Sidewalk" means the portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.

"Snowmobile" means a self-propelled vehicle designed to travel on snow or ice, steered by skis or runners, and supported in whole or in part by one or more skis, belts, or cleats.

"Special construction and forestry equipment" means any vehicle which is designed primarily for highway construction, highway maintenance, earth moving, timber harvesting or other construction or forestry work and which is not designed for the transportation of persons or property on a public highway.

"Specially constructed vehicle" means any vehicle that was not originally constructed under a distinctive name, make, model, or type by a generally recognized manufacturer of vehicles and not a reconstructed vehicle as herein defined.

"Stinger-steered automobile or watercraft transporter" means an automobile or watercraft transporter configured as a semitrailer combination wherein the fifth wheel is located on a drop frame behind and below the rearmost axle of the power unit.

"Superintendent" means the Superintendent of the Department of State Police of the Commonwealth.

"Suspend" or "suspension" means that the document or privilege suspended has been temporarily withdrawn, but may be reinstated following the period of suspension unless it has expired prior to the end of the period of suspension.

"Tow truck" means a motor vehicle for hire (i) designed to lift, pull, or carry another vehicle by means of a hoist or other mechanical apparatus and (ii) having a manufacturer's gross vehicle weight rating of at least 10,000 pounds. "Tow truck" also includes vehicles designed with a ramp on wheels and a hydraulic lift with a capacity to haul or tow another vehicle, commonly referred to as "rollbacks." "Tow truck" does not include any "automobile or watercraft transporter," "stinger-steered automobile or watercraft transporter," or "tractor truck" as those terms are defined in this section.

"Towing and recovery operator" means a person engaged in the business of (i) removing disabled vehicles, parts of vehicles, their cargoes, and other objects to facilities for repair or safekeeping and (ii) restoring to the highway or other location where they either can be operated or removed to other locations for repair or safekeeping vehicles that have come to rest in places where they cannot be operated.

"Toy vehicle" means any motorized or propellant-driven device that has no manufacturer-issued vehicle identification number that is designed or used to carry any person or persons, on any number of wheels, bearings, glides, blades, runners, or a cushion of air. "Toy vehicle" does not include electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, motorized skateboards or scooters, or motorcycles, nor does it include any nonmotorized or nonpropellant-driven devices such as bicycles, roller skates, or skateboards.

"Tractor truck" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached thereto.

"Traffic control device" means a sign, signal, marking, or other device used to regulate, warn, or guide traffic placed on, over, or adjacent to a street, highway, private road open to public travel, pedestrian facility, or shared-use path by authority of a public agency or official having jurisdiction, or in the case of a private road open to public travel, by authority of the private owner or private official having jurisdiction.

"Traffic infraction" means a violation of law punishable as provided in § 46.2-113, which is neither a felony nor a misdemeanor.

"Traffic lane" or "lane" means that portion of a roadway designed or designated to accommodate the forward movement of a single line of vehicles.

"Trailer" means every vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle, including manufactured homes.

"Truck" means every motor vehicle designed to transport property on its own structure independent of any other vehicle and having a registered gross weight in excess of 7,500 pounds. "Truck" does not include any pickup or panel truck.

"Truck lessor" means a person who holds the legal title to any motor vehicle, trailer, or semitrailer that is the subject of a bona fide written lease for a term of one year or more to another person, provided that: (i) neither the lessor nor the lessee is a common carrier by motor vehicle or restricted common carrier by motor vehicle or contract carrier by motor vehicle as defined in § 46.2-2000; (ii) the leased motor vehicle, trailer, or semitrailer is used exclusively for the transportation of property of the lessee; (iii) the lessor is not employed in any capacity by the lessee; (iv) the operator of the leased motor vehicle is a bona fide employee of the lessee and is not employed in any capacity by the lessor; and (v) a true copy of the lease, verified by affidavit of the lessor, is filed with the Commissioner.

"Utility vehicle" means a motor vehicle that is (i) designed for off-road use, (ii) powered by a motor, and (iii) used for general maintenance, security, agricultural, or horticultural purposes. "Utility vehicle" does not include riding lawn mowers.

"Vehicle" means every device in, on or by which any person or property is or may be transported or drawn on a highway, except personal delivery devices and devices moved by human power or used exclusively on stationary rails or tracks. For the purposes of Chapter 8 (§ 46.2-800 et seq.), bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, motorized skateboards or scooters, and mopeds shall be vehicles while operated on a highway.

"Watercraft transporter" means any tractor truck, lowboy, vehicle, or combination, including vehicles or combinations that transport watercraft on their power unit, designed and used exclusively for the transportation of watercraft.

"Wheel chair or wheel chair conveyance" means a chair or seat equipped with wheels, typically used to provide mobility for persons who, by reason of physical disability, are otherwise unable to move about as pedestrians. "Wheel chair or wheel chair conveyance" includes both three-wheeled and four-wheeled devices. So long as it is operated only as provided in § 46.2-677, a self-propelled wheel chair or self-propelled wheel chair conveyance shall not be considered a motor vehicle.

§ 46.2-316. Persons convicted or found not innocent of certain offenses; requirement of proof of financial responsibility in the future for certain offenses.

A. The Department shall not issue a driver's license or learner's permit to any resident or nonresident person while his license or other privilege to drive is suspended or revoked because of his conviction, or finding of not innocent in the case of a juvenile, or forfeiture of bail upon the following charges of offenses committed in violation of either a law of the Commonwealth or a valid local ordinance or of any federal law or law of any other state or any valid local ordinance of any other state:

1. Voluntary or involuntary manslaughter resulting from the operation of a motor vehicle.

2. Perjury, the making of a false affidavit to the Department under any law requiring the registration of motor vehicles or regulating their operation on the highways, or the making of a false statement in any application for a driver's license.

3. Any crime punishable as a felony under the motor vehicle laws or any felony in the commission of which a motor vehicle is used.

4. Violation of the provisions of § 18.2-51.4, pertaining to maiming while under the influence, § 18.2-266, pertaining to driving while under the influence of intoxicants or drugs, or of § 18.2-272, pertaining to driving while the driver's license has been forfeited for a conviction, or finding of not innocent in the case of a juvenile, under §§ 18.2-51.4, 18.2-266 or § 18.2-272, or for violation of the provisions of any federal law or law of any other state or any valid local ordinance similar to §§ 18.2-51.4, 18.2-266 or § 18.2-272.

5. Failure of a driver of a motor vehicle, involved in an accident resulting in death or injury to another person, to stop and disclose his identity at the scene of the accident.

6. On a charge of operating or permitting the operation, for the second time, of a passenger automobile for the transportation of passengers for rent or for hire, without having first obtained a license for the privilege as provided in § 46.2-694.

B. Except as provided in subsection C, the Department shall not issue a driver's license or learner's permit to any person convicted of a crime ~~mentioned~~ *set forth* in subsection A of this section for a ~~further~~ period of three years after he otherwise becomes entitled to a license or permit ~~until~~ *unless* he ~~proves~~ *furnishes proof of financial responsibility in the future* to the Commissioner *as provided in § 46.2-439 proving* his ability to respond in damages as provided in Article 15 (§ 46.2-435 et seq.) of Chapter 3 ~~of this title~~ or any other law of the Commonwealth ~~requiring proof of financial responsibility~~.

C. In addition to the prohibition on licensure set forth in subsection A, the Department shall not issue or reinstate a driver's license or learner's permit to any person convicted of a violation set forth in subdivision A 4 for a period of three years after he otherwise becomes entitled to a license or permit ~~until~~ *unless* he furnishes proof of financial responsibility in the future *as provided in § 46.2-439* under a motor vehicle liability insurance policy that satisfies the requirements of § 46.2-472 except that the limits of coverage exclusive of interest and costs, with respect to each motor vehicle insured under the policy, shall be not less than double the minimum limits set forth in ~~subdivision A 3 of~~ § 46.2-472 for bodily injury or death of one person in any one accident, for bodily injury to or death of two or more persons in any one accident, and for injury to or destruction of property of others in any one accident.

§ 46.2-436. Methods of proving financial responsibility.

Proof of financial responsibility when required under this chapter may be given by proof that:

1. A policy or policies of motor vehicle liability insurance have been obtained and are in full force;

2. A bond has been duly executed;

3. A deposit has been made of money or securities; or

4. A self-insurance certificate has been filed, all as provided in this chapter.

Such proof shall be presented to the Department in a form prescribed by the Commissioner.

§ 46.2-439. Proof of financial responsibility in the future.

Proof of financial responsibility~~, when requested,~~ *in the future* shall be made by filing with the Commissioner the written certificate of any insurance carrier authorized to do business in the Commonwealth, certifying that there is in effect a motor vehicle liability policy for the benefit of the person required to furnish proof of financial responsibility~~. This~~ *in the future. Such certificate shall be an American Association of Motor Vehicle Administrators Uniform Financial Responsibility Form (SR-22), or Virginia Uniform Financial Responsibility Form (FR-44), depending on the circumstances. Such* certificate shall give its effective date and the effective date of the policy *and shall be submitted in a form prescribed by the Commissioner*.

§ 46.2-441. Nonresident may file proof of financial responsibility in the future from insurance company or other state-authorized entity providing insurance.

Notwithstanding the requirement of §§ 46.2-439 and 46.2-440, a nonresident required to file proof of ~~future~~ financial responsibility *in the future* under this chapter may ~~file~~ *give* proof of ~~future~~ financial responsibility *in the future by filing with the Commissioner the written certificate* of an insurance company or other state-authorized entity providing insurance and authorized or licensed to do business in the nonresident's state of residence as long as such proof of ~~future~~ financial responsibility *in the future* is in ~~the~~ amounts equal to those required by ~~§~~ *§§ 46.2-316 and* 46.2-472. *Such certificate shall be an American Association of Motor Vehicle Administrators Uniform Financial Responsibility Form (SR-22), or Virginia Uniform Financial Responsibility Form (FR-44), depending on the circumstances. Such certificate shall give its effective date and the effective date of the policy and shall be submitted in a form prescribed by the Commissioner.*

§ 46.2-706. Proof of insurance required of applicants for registration of motor vehicles; verification of insurance; suspension of driver's license, registration certificates, and license plates for certain violations.

A. Every person applying for registration of a motor vehicle shall, under the penalties set forth in § 46.2-707, execute and furnish to the Commissioner his certificate that the motor vehicle is an insured motor vehicle as defined in § 46.2-705, or that the Commissioner has issued to its owner, in accordance with § 46.2-368, a certificate of self-insurance applicable to the vehicle sought to be registered. The Commissioner, or his duly authorized agent, may verify that the motor vehicle is properly insured by comparing owner and vehicle identification information on file at the Department of Motor Vehicles with liability information on the owner and vehicle transmitted to the Department by any insurance company licensed to do business in the Commonwealth as provided in § 46.2-706.1. If no record of liability insurance is found, the Department may require the motor vehicle owner to verify insurance in a method prescribed by the Commissioner.

B. The refusal or neglect of any owner within 30 days to submit the liability insurance information when required by the Commissioner or his duly authorized agent, or the electronic notification by the insurance company or surety company that the policy or bond named in the certificate of insurance is not in effect, shall require the Commissioner to suspend any driver's license and all registration certificates and license plates issued to the owner of the motor vehicle until the person (i) has paid to the Commissioner a noncompliance fee of $600 to be disposed of as provided for in § 46.2-710 and (ii) furnishes proof of financial responsibility ~~for~~ *in* the future in the manner prescribed in Article 15 (§ 46.2-435 et seq.) of Chapter 3. No order of suspension required by this section shall become effective until the Commissioner has offered the person an opportunity for an administrative hearing to show cause why the order should not be enforced. Notice of the opportunity for an administrative hearing may be included in the order of suspension. Any request for an administrative hearing made by such person must be received by the Department within 180 days of the issuance date of the order of suspension unless the person presents to the Department evidence of military service as defined by the federal Servicemembers Civil Relief Act (50 U.S.C. § 3901 et seq.), incarceration, commitment, hospitalization, or physical presence outside the United States at the time the order of suspension was issued. When three years have elapsed from the effective date of the suspension required in this section, the Commissioner may relieve the person of the requirement of furnishing proof of ~~future~~ financial responsibility *in the future*.

C. The Commissioner shall suspend the driver's license and all registration certificates and license plates of any person on receiving a record of his conviction of a violation of any provisions of § 46.2-707, but the Commissioner shall dispense with the suspension when the person is convicted for a violation of § 46.2-707 and the Department's records show conclusively that the motor vehicle was insured prior to the date and time of the alleged offense.

D. The Commissioner may dispense with a suspension for a violation of this section or § 46.2-708 if the person determined to have committed the violation provides to the Commissioner proof that conclusively shows that the motor vehicle in question was insured at the time the Department initiated insurance monitoring under this section or § 46.2-706.1 or at the time of a violation of § 46.2-708.

§ 46.2-707. Operation of uninsured vehicle; false evidence of insurance; penalty.

Any person who owns an uninsured motor vehicle (i) licensed in the Commonwealth, (ii) subject to registration in the Commonwealth, or (iii) displaying temporary license plates provided for in § 46.2-1558 who operates or permits the operation of that motor vehicle is guilty of a Class 3 misdemeanor.

Any person who is the operator of such an uninsured motor vehicle and not the titled owner and who knows that such motor vehicle is uninsured is guilty of a Class 3 misdemeanor.

The Commissioner or his duly authorized agent, having reason to believe that a motor vehicle is being operated or has been operated on any specified date, may require the owner of such motor vehicle to verify insurance in a method prescribed by the Commissioner as provided for by § 46.2-706. The refusal or neglect of the owner to provide such verification shall be prima facie evidence that the motor vehicle was an uninsured motor vehicle at the time of such operation.

Any person who falsely verifies insurance to the Commissioner or gives false evidence that a motor vehicle sought to be registered is an insured motor vehicle, shall be guilty of a Class 3 misdemeanor.

However, the foregoing portions of this section shall not be applicable if it is established that the owner had good cause to believe and did believe that such motor vehicle was an insured motor vehicle, in which event the provisions of § 46.2-609 shall be applicable.

Any person who owns an uninsured motor vehicle (i) licensed in the Commonwealth, (ii) subject to registration in the Commonwealth, or (iii) displaying temporary license plates provided for in § 46.2-1558 shall immediately surrender the vehicle's license plates to the Department, unless the vehicle's registration has been deactivated as provided by § 46.2-646.1.

Any person who fails to immediately surrender his vehicle's license plates as required by this section is guilty of a Class 3 misdemeanor.

Abstracts of records of conviction, as defined in this title, of any violation of any of the provisions of this section shall be forwarded to the Commissioner as prescribed by § 46.2-383.

The Commissioner shall suspend the driver's license and all registration certificates and license plates of any titled owner of an uninsured motor vehicle upon receiving a record of his conviction of a violation of any provisions of this section, and he shall not thereafter reissue the driver's license and the registration certificates and license plates issued in the name of such person until such person pays a noncompliance fee of $600 to be disposed of as provided for in § 46.2-710 and furnishes proof of ~~future~~ financial responsibility *in the future* as prescribed by Article 15 (§ 46.2-435 et seq.) of Chapter 3. However, when three years have elapsed from the date of the suspension herein required, the Commissioner may relieve such person of the requirement of furnishing proof of ~~future~~ financial responsibility *in the future*. When such suspension results from a conviction for presenting or causing to be presented to the Commissioner false verification as to whether a motor vehicle is an insured motor vehicle or false evidence that any motor vehicle sought to be registered is insured, then the Commissioner shall not thereafter reissue the driver's license and the registration certificates and license plates issued in the name of such person so convicted for a period of 180 days from the date of such order of suspension, and only then when all other provisions of law have been complied with by such person.

The Commissioner shall suspend the driver's license of any person who is the operator but not the titled owner of a motor vehicle upon receiving a record of his conviction of a violation of any provisions of this section and he shall not thereafter reissue the driver's license until 30 days from the date of such order of suspension.

§ 46.2-707.1. Noncompliance fee payment plan.

A. The Department may establish a noncompliance fee payment plan to allow individuals to pay the fees for a motor vehicle determined to be uninsured as prescribed in § 46.2-706, 46.2-707, or 46.2-708. Notwithstanding §§ 46.2-706, 46.2-707, and 46.2-708, an individual 18 years of age or older whose driver's license and vehicle registration have been suspended pursuant to § 46.2-706, 46.2-707, or 46.2-708 may apply to the Department to enter into a payment plan agreement with a duration of no more than three years from the agreement date, referred to in this section as the "payment plan period."

B. To be eligible to enter into the payment plan, the individual must (i) have one or more outstanding suspensions of driving privileges pursuant to the provisions of § 46.2-706, 46.2-707, or 46.2-708 and have no other outstanding suspensions or revocations; (ii) meet all other conditions for reinstatement of driving privileges; and (iii) have not defaulted twice on the same uninsured motor vehicle payment plan agreement.

C. An eligible individual who pays a $25 administrative fee when entering into a payment plan agreement or when reentering into a payment plan agreement with the Department, and pays the reinstatement fee pursuant to §§ 46.2-333.1 and 46.2-411, if required, shall be eligible to have his driving privileges reinstated by the Department.

D. The amount and frequency of each payment and the duration of the payment plan shall be described in the payment plan agreement signed by the Department and the individual. Payments may be made in person, online, by telephone, or by mail. The full fee must be paid in no more than three years from the agreement date; however, an individual may repay the balance of the fee at any time during the payment plan period with no penalty.

E. If an individual defaults on the payment plan agreement, the Commissioner shall suspend the driver's license and all registration certificates and license plates issued to the owner of the motor vehicle determined to be uninsured. Such driver's license, registration certificates, and license plates shall remain suspended until the individual pays the balance of the fee applicable to his offense as prescribed in § 46.2-706, 46.2-707, or 46.2-708 and furnishes proof of ~~future~~ financial responsibility *in the future* as prescribed by Article 15 (§ 46.2-435 et seq.) of Chapter 3. An individual is in default if he (i) pays an installment payment late as defined in the payment plan agreement or (ii) fails to make an installment payment as agreed to in the payment plan agreement. If an individual is in default and is ineligible to reenter the payment plan, full payment of the balance of the fee shall be due as agreed to in the payment plan agreement. The Commissioner may extend the due date of any installment payment for not more than 30 days if the Department is unable to process an installment payment due to circumstances beyond its control.

F. When all fees are paid, the individual shall continue to furnish proof of financial responsibility *in the future* pursuant to Article 15 (§ 46.2-435 et seq.) of Chapter 3 and § 46.2-709.

G. Installment payments of the fee with respect to the motor vehicle determined to be uninsured shall be disposed of pursuant to § 46.2-710. The administrative fee shall be paid to the Commissioner and deposited into the state treasury account set aside in a special fund to be used to meet the necessary expenses incurred by the Department.

§ 46.2-708. Suspension of driver's license and registration when uninsured motor vehicle is involved in reportable accident; hearing prior to suspension.

When it appears to the Commissioner from the records of his office or from a report submitted by an insurance company licensed to do business in the Commonwealth that an uninsured motor vehicle as defined in § 46.2-705, subject to registration in the Commonwealth, is involved in a reportable accident in the Commonwealth resulting in death, injury, or property damage, the Commissioner shall, in addition to enforcing the applicable provisions of Article 13 (§ 46.2-417 et seq.) of Chapter 3, suspend such owner's driver's license and all of his license plates and registration certificates until such person has complied with Article 13 of Chapter 3 and has paid to the Commissioner a noncompliance fee of $600, to be disposed of as provided by § 46.2-710, with respect to the motor vehicle involved in the accident and furnishes proof of

~~future~~ financial responsibility *in the future* in the manner prescribed in Article 15 (§ 46.2-435 et seq.) of Chapter 3. However, no order of suspension required by this section shall become effective until the Commissioner has offered the person an opportunity for an administrative hearing to show cause why the order should not be enforced. Notice of the opportunity for an administrative hearing may be included in the order of suspension. Any request for an administrative hearing made by such person must be received by the Department within 180 days of the issuance date of the order of suspension unless the person presents to the Department evidence of military service as defined by the federal Servicemembers Civil Relief Act (50 U.S.C. § 3901 et seq.), incarceration, commitment, hospitalization, or physical presence outside the United States at the time the order of suspension was issued.

However, when three years have elapsed from the effective date of the suspension herein required, the Commissioner may relieve such person of the requirement of furnishing proof of ~~future~~ financial responsibility *in the future*. The presentation by a person subject to the provisions of this section of a certificate of insurance, executed by an agent or representative of an insurance company qualified to do business in this Commonwealth, showing that on the date and at the time of the accident the vehicle was an insured motor vehicle as herein defined shall be sufficient bar to the suspension provided for in this section.

§ 46.2-709. Requiring other proof of financial responsibility in the future; suspended driver's license, registration certificate and license plates to be returned to Commissioner; Commissioner may take possession thereof.

Whenever any proof of financial responsibility *in the future* filed by any person as required by this article no longer fulfills the purpose for which *it is* required, the Commissioner shall require other proof of financial responsibility *in the future* as required by this article and shall suspend such person's driver's license, registration certificates, and license plates and decals pending the furnishing of proof as required.

Any person whose driver's license or registration certificates, or license plates and decals have been suspended as provided in this article and have not been reinstated shall immediately return every such license, registration certificate, and set of license plates and decals held by him to the Commissioner. Any person failing to comply with this requirement shall be guilty of a traffic infraction and upon conviction thereof shall be punished as provided in § 46.2-113.

The Commissioner is authorized to take possession of any license, registration certificate, or set of license plates and decals on their suspension under the provisions of this chapter or to direct any police officer to take possession of and return them to the office of the Commissioner.

CHAPTER 178

An Act to amend and reenact § 2.2-5101 of the Code of Virginia, relating to Virginia Investment Performance Grants.

[S 1231]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-5101 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-5101. Virginia investment performance grants.

A. For purposes of this section, "Grant" means a Virginia Investment Performance Grant awarded pursuant to this section and paid from the Investment Performance Grant subfund of the Fund.

B. Subject to the appropriation by the General Assembly of sufficient moneys to the Investment Performance Grant subfund, any eligible manufacturer or research and development service not eligible for a major eligible employer grant under § 2.2-5102 shall be eligible to apply for a Grant.

C. The Partnership shall establish an application process by which eligible manufacturers and research and development services may apply for a Grant. An application for a Grant payment shall not be approved until the Partnership has verified that the required capital investment, and if applicable, job creation, has been completed.

D. *1.* The amount of the Grant that an eligible manufacturer or research and development service shall be eligible to receive shall be determined by the Secretary, based on the recommendation of the Partnership, and contingent upon approval by the Governor. The determination of the appropriate amount of a Grant shall be based on guidelines that establish criteria for correlating the amount of a Grant to the relative value to the Commonwealth of the eligible investment. For the purpose of any Grant award determination that includes a job creation requirement, the eligible manufacturer or research and development service shall pay an average wage, excluding fringe benefits, that is no less than the prevailing average wage for such new jobs.

2. Notwithstanding the provisions of subdivision 1, in localities with (i) an annual unemployment rate for the most recent calendar year for which such data is available that is greater than the final statewide average unemployment rate for that calendar year and (ii) a poverty rate for the most recent calendar year for which such data is available that exceeds the statewide average poverty rate for that year, a grant or loan may be awarded from the Partnership pursuant to this section if the average wage paid by the eligible manufacturer or research and development service, excluding fringe benefits, is no less than 85 percent of the prevailing average wage.

3. For projects in localities described in subdivision 2, the Partnership may award a grant or loan for a project paying less than 85 percent of the prevailing average wage, but still providing customary employee benefits, only if the Governor

has made a written finding that the economic circumstances in the area are sufficiently distressed such that assistance to the locality to attract the project is nonetheless justified. Sufficient distress may be based upon high unemployment, underemployment, or negative economic conditions in the locality. However, the minimum private investment and number of new jobs required to be created as set forth in this chapter shall still be a condition of eligibility for an award from the Fund. Such written finding shall promptly be provided to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations.

E. The Partnership shall assist the Secretary in developing objective guidelines to be used in awarding Grants. No Grant shall be awarded until the Secretary has provided copies of such guidelines for review to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations. The preparation of the guidelines shall be exempt from the requirements of Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act. The guidelines shall require determinations regarding the amount of Grants to address:

1. The number of new jobs, if any, created by the capital investment;

2. The average wages paid for the new jobs and the amount by which such wages exceed the prevailing average wage of the locality;

3. The extent to which the capital investment produces (i) measurable increases in capacity, productivity, or both; (ii) measurable decreases in the production of flawed product; or (iii) measurable advances in knowledge, research, or the application of research findings for the creation of new or significantly improved products or processes that support manufacturing;

4. The amount of the capital investment;

5. The net present value of benefits to Virginia;

6. The amount of other incentives offered by the Commonwealth and the locality; and

7. The importance of the manufacturing or research and development facility to the economy of the locality or region.

The guidelines shall also address the eligibility of manufacturers or research and development services that make a capital investment in phases over a period of years, and limits on eligibility for multiple Grants by the same manufacturer or research and development service within stated periods of time.

F. At no time shall the aggregate amount of Grants payable in any fiscal year exceed $7 million.

G. Any eligible manufacturer or research and development service shall be eligible to receive a Grant in five equal, annual installments beginning in the first year after completion and verification of the capital investment and any pledged employment. No Grant awarded pursuant to this section to an eligible manufacturer or research and development service shall exceed $5 million in total, and no annual payment to any eligible manufacturer or research and development service shall exceed $1 million.

CHAPTER 179

An Act to amend and reenact § 2.2-2240.2:1 of the Code of Virginia, relating to Virginia Business Ready Sites Program Fund; eligible site for site development grant.

[S 1275]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2240.2:1 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-2240.2:1. Virginia Business Ready Sites Program Fund.

A. As used in this section:

"Eligible site" means a site suitable to be marketed for industrial or commercial economic development purposes, as determined by the Authority. For a site development grant, an "eligible site" shall meet, or be determined by the Authority to be expected to meet, each of the following criteria: (i) the site is at least 100 contiguous acres, or it is a brownfield, as defined in § 10.1-1230; (ii) the site has parcels zoned for industrial or commercial uses; and (iii) the site is publicly owned, or if the site is under private ownership, there is an option agreement or other documentation of a commitment by the private owner to a competitive sales price, to permit access to the site for site assessment, and to market the site for industrial or commercial economic development purposes. The Authority may determine a site of at least 50 contiguous acres to be an eligible site if such site meets the criteria in clauses (ii) and (iii) and such site (a) is located in Region 1 or 2, (b) is located in a locality or region in which topographic or environmental factors constrain the availability of viable sites for economic development, (c) presents a unique economic development opportunity based on infrastructure, logistics, or other distinguishable features of the site, or (d) creates an economic development opportunity not currently available in the regional inventory of economic development sites. *The Authority may determine a site of at least 25 contiguous acres to be an eligible site if such site is located in a locality with an area of 35 square miles of land area or less.* For a site characterization grant, an "eligible site" means any site of at least 25 acres that is suitable for potential industrial or commercial development.

"Fund" means the Virginia Business Ready Sites Program Fund established under subsection B.

"Industrial employment" means total Virginia employment for the most recent calendar year for which data is available, in the manufacturing (NAICS 31-33) or warehousing and storage (NAICS 493110) industries, as published by the U.S. Bureau of Labor Statistics' Quarterly Census of Employment and Wages.

"Region" means a region designated by the Virginia Growth and Opportunity Board under § 2.2-2484.

"Site characterization grant" means a grant to ascertain and designate a site's level of development as outlined in the Virginia Business Ready Sites Program Fund guidelines.

"Site development grant" means a grant to further develop a site for marketing to economic development projects as outlined in the Virginia Business Ready Sites Program Fund guidelines.

B. There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Business Ready Sites Program Fund. The Fund shall be established on the books of the Comptroller. All moneys appropriated by the General Assembly for the Fund, and from any other sources, public or private, shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund.

C. Moneys in the Fund shall be used to provide site characterization grants and site development grants for eligible sites for the purpose of creating and maintaining a portfolio of project-ready sites to promote economic development in all regions of the Commonwealth. Such grants shall be awarded on a competitive basis in accordance with the procedures of subsection D.

D. 1. The Governor shall award grants from the Fund only to political subdivisions of the Commonwealth.

2. The Authority shall establish guidelines, procedures, and objective criteria for the award and distribution of grants from the Fund. The preparation of the guidelines shall be exempt from the requirements of Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act.

3. To qualify to receive a grant from the Fund, a grant recipient shall enter into a performance agreement with the Authority that contains, at a minimum, provisions for disbursement of the grant, use of the proceeds, reporting, and repayment obligations in the event that the recipient fails to meet the terms of the performance agreement. Any repayment of grant funds required by such performance agreement shall be paid into the state treasury and credited to the Fund.

4. Any grant awarded from the Fund shall require matching funds as described in the guidelines established under subdivision 2.

E. The Authority shall report annually by November 1 on grant awards and expenditures from the Fund. The report shall include total appropriations made or transferred to the Fund, total grants awarded, total expenditures from the Fund, cash balances, and balances available for future commitments. The Authority shall prepare the report required by this subsection in conjunction with the reports required under § 2.2-2237.1.

F. The Auditor of Public Accounts or his authorized representative shall audit the accounts of the Fund in accordance with generally accepted auditing standards as determined necessary by the Auditor of Public Accounts. The cost of such audit services shall be borne by the Fund.

CHAPTER 180

An Act to amend and reenact §§ 32.1-127.01, 32.1-134.1, 32.1-134.4, and 32.1-135 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 32.1-27.3, relating to nursing homes; sanctions; civil penalty.

[S 1383]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-127.01, 32.1-134.1, 32.1-134.4, and 32.1-135 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 32.1-27.3 as follows:

§ 32.1-27.3. Sanctions; civil penalty.

A. Notwithstanding any other provision of law, the Commissioner may impose sanctions in accordance with this section on any nursing home that is licensed pursuant to Chapter 5 (§ 32.1-123 et seq.) in response to findings made during a state licensure inspection conducted within the previous 24 months and for which such findings have been communicated to the nursing home within 14 business days of the survey end date for:

1. Violating any order of or refusing, failing, or neglecting to comply with any order of the Board or Commissioner, or violating any provision of Chapter 5 (§ 32.1-123 et seq.) or of any applicable regulation promulgated pursuant to Chapter 5 (§ 32.1-123 et seq.); or

2. Permitting, aiding, or abetting the commission of any illegal act during the provision of health care services delivered by such nursing home.

B. No sanctions under this section shall be imposed for violations deemed more severe than a level 2 deficiency under the Centers for Medicare and Medicaid Services deficiency severity definitions under federal law.

C. The sanctions that the Commissioner may impose pursuant to subsection A shall include the following:

1. Placing on probation any license issued pursuant to Chapter 5 (§ 32.1-123 et seq.); and

2. Imposing a civil penalty not to exceed $500 per violation per day, capped at $10,000 for a series of related incidents of noncompliance. Any civil penalties collected by the Commissioner pursuant to this subdivision shall be paid to the Nursing Scholarship and Loan Repayment Fund established pursuant to § 54.1-3011.2 to be used for the nursing scholarship and loan repayment program for nurses who agree to perform a period of service in a Commonwealth long-term care facility established pursuant to subsection B of § 32.1-122.6:01.

D. A nursing home sanctioned by the Commissioner pursuant to subsection C shall retain responsibility for the health, safety, and welfare of any person under such nursing home's care, including the timely transfer or relocation of any persons under such nursing home's care as may be deemed necessary by the Commissioner.

1. Prior to imposing sanctions pursuant to subsection C, the Commissioner shall first require the submission of and compliance with a plan of correction. Such plan of correction shall include mandated training for the nursing home's employees, with all costs borne by the facility, when the Commissioner concludes that the lack of training has led directly to noncompliance.

2. Upon expiration of the initial plan of correction, the Commissioner may extend the time period for the plan of correction or may impose sanctions pursuant to subsection C.

E. The Commissioner shall impose a sanction pursuant to subsection C only after the person subject to such disciplinary action is provided reasonable notice and an opportunity to be heard within no fewer than 30 days from the day of such notice by the Commissioner's presiding officer in accordance with § 2.2-4019. Such sanction may be in addition to any penalty imposed by law for the violation for which such sanction is imposed.

1. All requests for an opportunity to be heard following a notice of the imposition of such sanction shall be received in writing within 15 days of the date of receipt of such notice.

2. All administrative proceedings under this section shall be separate from the regulatory office of the Department that conducted the inspection, investigation, examination, or review.

3. The adjudication officer shall provide a recommendation to the Commissioner, including findings of fact, conclusions, and appropriate disciplinary action.

4. The Commissioner may affirm, modify, or reverse such recommendation and shall issue a final case decision.

5. Any person aggrieved by the final case decision of the Commissioner to impose disciplinary action is entitled to judicial review in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

F. If a nursing home has been sanctioned by the Centers for Medicare and Medicaid Services for conduct that also subjects the nursing home to sanctions pursuant to subsection A, the Commissioner shall not issue a sanction under this section. If the Centers for Medicare and Medicaid Services fail to issue a sanction to a nursing home in the Commonwealth for conduct described in subsection A within 60 days, the Commissioner may issue a sanction under this section if he determines that issuing such sanction is necessary to protect the public health and welfare or the health and safety of the nursing home's clients. In the event the Centers for Medicare and Medicaid Services issue a sanction on a violation for which the Commissioner has issued a sanction pursuant to this section, the sanction issued by the Commissioner shall be nullified with any civil penalty imposed refunded to the nursing home within 60 days.

G. If a license of any nursing home issued pursuant to Chapter 5 (§ 32.1-123 et seq.) is revoked, a new license may be issued by the Commissioner after:

1. Satisfactory evidence is submitted to him that the conditions upon which revocation was based have been corrected; and

2. Proper inspection has been made and compliance with all provisions of Chapter 5 (§ 32.1-123 et seq.) and applicable state and federal laws and regulations hereunder has been obtained.

H. The Board shall promulgate regulations to implement the provisions of this section that include:

1. Criteria for when the imposition of sanctions or initiation of court proceedings as specified in § 32.1-27, 32.1-27.1, or a combination thereof are appropriate in order to ensure prompt correction of violations involving noncompliance with requirements of any order of the Board or Commissioner or any provision of or regulation promulgated pursuant to Chapter 5 (§ 32.1-123 et seq.);

2. Criteria for the imposition of sanctions;

3. A schedule of civil penalties, which shall be uniform for each type of specific violation;

4. Procedures for the imposition of sanctions consistent with the Administrative Process Act (§ 2.2-4000 et seq.); and

5. Provisions for the prompt notification of the Department of Medical Assistance Services whenever any license is revoked or suspended for the purpose of terminating or suspending the applicable Medicaid provider agreement.

§ 32.1-127.01. Regulations to authorize certain disciplinary actions and guidelines.

The regulations established pursuant to § 32.1-127 shall authorize the Commissioner to initiate court proceedings against nursing homes and certified nursing facilities, except for facilities or units certified as facilities for individuals with intellectual disability. Such proceedings may be initiated by themselves or in conjunction with the ~~administrative~~ sanctions provided in ~~§~~ *§§ 32.1-27.3 and* 32.1-135.

The Board shall promulgate guidelines for the Commissioner to determine when the imposition of ~~administrative~~ sanctions or initiation of court proceedings as specified in § 32.1-27.1, or both, are appropriate in order to ensure prompt correction of violations involving noncompliance with requirements of state or federal law or regulation as discovered on any inspection conducted by the Department of Health pursuant to the provisions of this article or the provisions of

Title XVIII or Title XIX of the Social Security Act or as discovered on any inspection conducted by the Department of Medical Assistance Services pursuant to Title XIX of the Social Security Act.

§ 32.1-134.1. When denial, etc., to duly licensed physician of staff membership or professional privileges improper.

It shall be an improper practice for the governing body of a hospital ~~which~~ *that* has ~~twenty-five~~ *25* beds or more and ~~which~~ *that* is required by state law to be licensed to refuse or fail to act within ~~sixty~~ *60* days of a completed application for staff membership or professional privileges or deny or withhold from a duly licensed physician staff membership or professional privileges in such hospital, or to exclude or expel a physician from staff membership in such hospital or curtail, terminate or diminish in any way a physician's professional privileges in such hospital, without stating in writing the reason or reasons therefor, a copy of which shall be provided to the physician. If the reason or reasons stated are unrelated to standards of patient care, patient welfare, violation of the rules and regulations of the institution or staff, the objectives or efficient operations of the institution, or the character or competency of the applicant, or misconduct in any hospital, it shall be deemed an improper practice.

Any physician licensed in ~~this~~ *the* Commonwealth to practice medicine who is aggrieved by any violation of this section shall have the right to seek an injunction from the circuit court of the city or county in which the hospital alleged to have violated this section is located prohibiting any such further violation. The provisions of this section shall not be deemed to impair or affect any other right or remedy~~;~~*,* provided that a violation of this section shall not constitute a violation of the provisions of this article for the purposes of ~~§~~ *§§ 32.1-27.3 and* 32.1-135.

§ 32.1-134.4. Right of podiatrists or advanced practice registered nurses to injunction.

Any licensed podiatrist or certified nurse midwife licensed as an advanced practice registered nurse in Virginia who is aggrieved by any violation of § 32.1-134.2 or ~~§~~ 32.1-134.3 shall have the right to seek an injunction from the circuit court of the city or county in which the hospital alleged to have committed the violation is located, prohibiting any further such violation. The provisions of this section shall not be deemed to impair or affect any other right or remedy. A violation of this section, however, shall not constitute a violation of the provisions of this article for the purposes of § *32.1-27.3 or* 32.1-135.

§ 32.1-135. Revocation or suspension of license or certification of hospital or certified nursing facility; restriction or prohibition of new admissions to certified nursing facility.

A. In accordance with applicable regulations of the Board, the Commissioner *may* (i) ~~may~~ restrict or prohibit new admissions to any nursing home or certified nursing facility, ~~or~~ (ii) ~~may~~ petition the court to impose a civil penalty against any nursing home or certified nursing facility or to appoint a receiver for such nursing home or certified nursing facility, or both, or (iii) ~~may~~ revoke the certification or ~~may~~ revoke or suspend the license of a hospital or nursing home or the certification of any certified nursing facility for violation of any provision of this article or Article 2 (§ 32.1-138 et seq.) ~~of this chapter~~ or of any applicable regulation promulgated under this chapter or for permitting, aiding, or abetting the commission of any illegal act in the hospital or nursing home.

All appeals from notice of imposition of administrative sanctions shall be received in writing within ~~fifteen~~ *15* days of the date of receipt of such notice. The provisions of the Administrative Process Act (§ 2.2-4000 et seq.) shall be applicable to such appeals.

B. If a license or certification is revoked as herein provided, a new license or certification may be issued by the Commissioner after satisfactory evidence is submitted to him that the conditions upon which revocation was based have been corrected and after proper inspection has been made and compliance with all provisions of this article and applicable state and federal law and regulations hereunder has been obtained.

C. Suspension of a license shall in all cases be for an indefinite time. The Commissioner may completely or partially restore a suspended license or certificate when he determines that the conditions upon which suspension was based have been completely or partially corrected and that the interests of the public will not be jeopardized by resumption of operation. No additional service charges shall be required for restoring such license.

2. That the State Board of Health shall promulgate regulations to implement the provisions of this act in accordance with the provisions of this act. The State Board of Health may begin promulgating such regulations on July 1, 2025.

3. That the State Health Commissioner shall not impose any sanction authorized by this act until regulations are promulgated by the Board of Health.

CHAPTER 181

An Act to amend and reenact §§ 32.1-272, 32.1-273, 46.2-328.3, 46.2-332, 46.2-333.1, 46.2-335, 46.2-345, 46.2-345.2, and 46.2-345.3 of the Code of Virginia, relating to homeless youth; fees; certain government documents.

[H 1617]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-272, 32.1-273, 46.2-328.3, 46.2-332, 46.2-333.1, 46.2-335, 46.2-345, 46.2-345.2, and 46.2-345.3 of the Code of Virginia are amended and reenacted as follows:

§ 32.1-272. Certified copies of vital records; other copies.

A. In accordance with § 32.1-271 and the regulations adopted pursuant thereto, the State Registrar or a district health department shall, upon receipt of a written request, issue a certified copy of any vital record in the custody of the State Registrar or of a part thereof.

The Commissioner of the Department of Motor Vehicles shall be authorized to issue a certified copy of a birth, death, marriage, or divorce vital record, or a part thereof, in the custody of the State Registrar.

Such vital records in the State Registrar's custody may be in the form of originals, photoprocessed reproductions or data filed by electronic means.

Each copy issued shall show the date of registration. Any copy issued from a record marked "delayed" or "amended," except a record amended pursuant to subsection F of this section or subsection E of § 32.1-269, shall be similarly marked and show the effective date.

Certified copies may be issued by county and city registrars only while the original record is in their possession, except that at the option of the county or city registrar true and complete copies of death certificates may be retained and certified copies of such records may be issued by the county or city registrar.

B. A certified copy of a vital record or any part thereof issued in accordance with subsection A shall be considered for all purposes the same as the original and shall be prima facie evidence of the facts therein stated, provided that the evidentiary value of a vital record filed more than one year after the event or a vital record which has been amended shall be determined by the judicial or administrative body or official before whom the certificate is offered as evidence.

C. The federal agency responsible for national vital statistics may be furnished such copies or other data from the system of vital records as it may require for national statistics if such federal agency shares in the cost of collecting, processing and transmitting such data. Such data may be used for research and medical investigations of public health importance. No other use of such data shall be made by the federal agency unless authorized by the State Registrar.

D. Other federal, state and local, public or private agencies or persons in the conduct of their official duties may, upon request and payment of a reasonable fee, be furnished copies or other data from the system of vital records for statistical or administrative purposes upon such terms or conditions as may be prescribed by the Board. Such copies or other data shall not be used for purposes other than those for which they were requested unless so authorized by the State Registrar.

In promulgating regulations relating to the terms or conditions for public or private agencies or persons obtaining copies of death certificates in the conduct of their official duties, the Board shall include within its definition of "legal representative" (i) any attorney licensed to practice law in Virginia, upon presentation of his bar number and evidence of need to obtain such copy; and (ii) any funeral director or funeral service licensee licensed to practice by the Board of Funeral Directors and Embalmers, upon presentation of evidence to so practice and evidence of being in charge of final disposition of the registrant's dead human remains or cremains or evidence of need to obtain such copy.

E. No person shall prepare or issue any certificate which purports to be an original or certified copy of a vital record except as authorized in this chapter or regulations adopted hereunder.

F. Certified copies of birth records filed before July 1, 1960, containing statements of racial designation on the reverse thereof shall be issued without such statement as a part of the certification; nor for this purpose solely shall such certification be marked "amended."

Any American Indian or Native American whose certified copy of a birth record filed before July 1, 1960, contains a racial designation that is incorrect may obtain, without paying a fee, one certified copy of his birth record from which such incorrect racial designation has been removed. Such certification shall not be marked "amended" solely for this reason.

G. With the increased fees to be charged for vital records and the additional deposits to the Vital Statistics Automation Fund, the Board of Health shall establish, within the district health departments, a statewide system for decentralizing certification of vital records, when such records are prepared or issued from data in the custody of the State Registrar and the Board of Health. Such system shall include the Department of Motor Vehicles pursuant to the authorization in subsection A.

H. Any homeless youth, as described in subdivision A 7 of § 22.1-3, may obtain, without paying a fee, a certified copy of his birth record.

§ 32.1-273. Fees for certified copies, searches of files, etc.; disposition.

A. The Board shall prescribe the fee, not to exceed $12, for a certified copy of a vital record or for a search of the files or records when no copy is made and may establish a reasonable fee schedule related to its cost for information or other data provided for research, statistical or administrative purposes. Whenever any veteran or his survivor requires a certified copy of a vital record to obtain service-connected benefits, one copy of such record shall be provided directly to the U.S. Department of Veterans Affairs upon their request and one copy shall be provided to the veteran or his surviving spouse, upon request. Upon request of the surviving spouse of a veteran, the funeral director or funeral service licensee providing funeral services for the veteran may obtain one certified copy of the death certificate for service-connected benefits. No charge shall be imposed upon a veteran or his survivor for a copy related to obtaining service-connected benefits.

B. Fees collected under this section by the State Registrar shall be transmitted to the Comptroller for deposit. Two dollars of each fee collected by the State Registrar shall be deposited by the Comptroller into the Vital Statistics Automation Fund established pursuant to § 32.1-273.1 for so long as shall be authorized. Ten dollars of each fee shall be credited to a special fund to be appropriated by the General Assembly, as it deems necessary, for the purpose of carrying out the provisions of this chapter. When the Vital Statistics Automation System is completed, no further deposits into the fund shall

be made and all fees collected under this section not credited to the special fund created by this subsection shall be deposited into the general fund of the state treasury.

C. The Department of Motor Vehicles shall collect a fee of $12 for each certified copy of a vital record that it issues and shall transmit all such fees to the State Registrar on a monthly basis to ensure that the State Registrar recovers all costs associated with the issuance of certified copies of vital records at Department of Motor Vehicles facilities. In addition, for each certified copy of a vital record that it issues, the Department of Motor Vehicles shall collect a processing fee of $2 as provided in § 46.2-205.2.

D. Fees collected under this section by county and city registrars shall be deposited in the general fund of the county or city except that counties or cities operating health departments pursuant to the provisions of § 32.1-31 shall forward all such fees to the Department for deposit in the cooperative local health services fund.

E. Fees assessed against local departments of social services for furnished copies of vital records as needed to administer public assistance and social services programs, as defined in § 63.2-100, shall be payable on a quarterly basis.

F. No fees shall be assessed against homeless youth, as described in subdivision A 7 of § 22.1-3, for a furnished copy of a vital record.

§ 46.2-328.3. Driver privilege cards and permits.

A. Upon application of any person who does not meet the requirements for a driver's license or permit under subsection A or B of § 46.2-328.1, the Department may issue to the applicant a driver privilege card or permit if the Department determines that the applicant (i) has reported income and deductions from Virginia sources, as defined in § 58.1-302, or been claimed as a dependent, on an individual income tax return filed with the Commonwealth in the preceding 12 months and (ii) is not in violation of the insurance requirements set forth in Article 8 (§ 46.2-705 et seq.) of Chapter 6.

B. Driver privilege cards and permits shall confer the same privileges and shall be subject to the same provisions of this title as driver's licenses and permits issued under this chapter, unless otherwise provided, and shall be subject to the following conditions and exceptions:

1. The front of a driver privilege card or permit shall be identical in appearance to a driver's license or permit that is not a REAL ID credential and the back of the card or permit shall be identical in appearance to the restriction on the back of a limited-duration license, permit, or special identification card;

2. An applicant for a driver privilege card or permit shall not be eligible for a waiver of any part of the driver examination provided under § 46.2-325;

3. An applicant for a driver privilege card or permit shall not be required to present proof of legal presence in the United States;

4. A driver privilege card or permit shall expire on the applicant's second birthday following the date of issuance;

5. The fee for an original driver privilege card or permit shall be $50*, except no such fee shall be assessed against homeless youth, as described in subdivision A 7 of § 22.1-3*. The Department may issue, upon application by the holder of a valid, unexpired card or permit issued under this section, and upon payment of a fee of $50, another driver privilege card or permit that shall be valid for a period of two years from the date of issuance. The amount paid by an applicant for a driver privilege card or other document issued pursuant to this chapter shall be considered privileged information for the purposes of § 46.2-208. No applicant shall be required to provide proof of compliance with clauses (i) and (ii) of subsection A for a reissued, renewed, or duplicate card or permit; and

6. Any information collected pursuant to this section that is not otherwise collected by the Department or required for the issuance of any other driving credential issued pursuant to the provisions of this chapter and any information regarding restrictions in the Department's records related to the issuance of a credential issued pursuant to this section shall be considered privileged. Notwithstanding the provisions of § 46.2-208, such information shall not be released except upon request by the subject of the information, the parent of a minor who is the subject of the information, the guardian of the subject of the information, or the authorized representative of the subject of the information, or pursuant to a court order.

C. The Department shall not release the following information relating to the issuance of a driver privilege card or permit, except upon request by the subject of the information, the parent of a minor who is the subject of the information, the guardian of the subject of the information, or the authorized representative of the subject of the information, or pursuant to a court order, (i) proof documents submitted for the purpose of obtaining a driver privilege card or permit, (ii) the information in the Department's records indicating the type of proof documentation that was provided, or (iii) applications.

The Department shall release only to any federal, state, or local governmental entity, local government group self-insurance pool, law-enforcement officer, attorney for the Commonwealth, or court, or the authorized agent of any of the foregoing, information related to the issuance of a driver privilege card or permit, the release of which is not otherwise prohibited by this section, that is required for a requester to carry out the requester's official functions if the requester provides the individual's name and other sufficient identifying information contained on the individual's record. Any such release shall be in accordance with the requirements of § 46.2-208.

§ 46.2-332. Fees.

A. The fee for each driver's license other than a commercial driver's license shall be $2.40 per year*, except no such fee shall be assessed against homeless youth, as described in subdivision A 7 of § 22.1-3*. This fee shall not apply to driver privilege cards or permits issued under § 46.2-328.3. If the license is a commercial driver's license or seasonal restricted commercial driver's license, the fee shall be $6 per year. For any one or more driver's license endorsements or classifications, except a motorcycle classification, there shall be an additional fee of $1 per year; for a motorcycle

classification, there shall be an additional fee of $2 per year. For any and all driver's license classifications, there shall be an additional fee of $1 per year. For any revalidation of a seasonal restricted commercial driver's license, the fee shall be $5. A fee of $10 shall be charged to extend the validity period of a driver's license pursuant to subsection B of § 46.2-221.2.

B. An applicant who is younger than 18 years of age who does not successfully complete the knowledge portion of the driver's license examination shall not be permitted to take the knowledge portion more than once in 15 days.

C. A fee of $50 shall be charged each time an applicant for a commercial driver's license fails to keep a scheduled skills test appointment, unless such applicant cancels his appointment with the assigned driver's license examiner at least 24 hours in advance of the scheduled appointment. The Commissioner may, on a case-by-case basis, waive such fee for good cause shown. All such fees shall be paid by the Commissioner into the state treasury and set aside as a special fund to be used to meet the necessary expenses incurred by the Department.

D. If the applicant for a driver's license is an employee of the Commonwealth, or of any county, city, or town who drives a motorcycle or a commercial motor vehicle solely in the line of his duty, he shall be exempt from the additional fee otherwise assessable for a motorcycle classification or a commercial motor vehicle endorsement. The Commissioner may prescribe the forms as may be requisite for completion by persons claiming exemption from additional fees imposed by this section.

E. No additional fee above $2.40 per year shall be assessed for the driver's license or commercial driver's license required for the operation of a school bus.

F. One dollar and 50 cents of all fees collected for each original or renewal driver's license, other than a driver privilege card issued under § 46.2-328.3, shall be paid into the driver education fund of the state treasury and expended as provided by law. Unexpended funds from the driver education fund shall be retained in the fund and be available for expenditure in ensuing years as provided therein.

G. All fees for motorcycle classifications shall be distributed as provided in § 46.2-1191.

H. This section shall supersede conflicting provisions of this chapter.

§ 46.2-333.1. Surcharges on certain fees of Department; disposition of proceeds.

Notwithstanding any contrary provision of this chapter, there are hereby imposed, in addition to other fees imposed by this chapter, the following surcharges in the following amounts:

1. For the issuance of any driver's license other than a commercial driver's license, or a driver privilege card issued under § 46.2-328.3, $1.60 per year of validity of the license*, except no such fee shall be imposed on homeless youth, as described in subdivision A 7 of § 22.1-3*;

2. For the issuance of any commercial driver's license, $1 per year of validity of the license;

3. For the reissuance or replacement of any driver's license, $5; and

4. For the reinstatement of any driver's license, $15.

All surcharges collected by the Department under this section shall be paid into the state treasury and shall be set aside as a special fund to be used to support the operation and activities of the Department's customer service centers.

§ 46.2-335. Learner's permits; fees; certification required.

A. The Department, on receiving from any Virginia resident over the age of 15 years and six months an application for a learner's permit or motorcycle learner's permit, may, subject to the applicant's satisfactory documentation of meeting the requirements of this chapter and successful completion of the written or automated knowledge and vision examinations and, in the case of a motorcycle learner's permit applicant, the automated motorcycle test, issue a permit entitling the applicant, while having the permit in his immediate possession, to drive a motor vehicle or, if the application is made for a motorcycle learner's permit, a motorcycle, on the highways, when accompanied by any licensed driver 21 years of age or older or by his parent or legal guardian, or by a brother, sister, half-brother, half-sister, step-brother, or step-sister 18 years of age or older. The accompanying person shall be (i) alert, able to assist the driver, and actually occupying a seat beside the driver or, for motorcycle instruction, providing immediate supervision from a separate accompanying motor vehicle and (ii) lawfully permitted to operate the motor vehicle or accompanying motorcycle at that time.

The Department shall not, however, issue a learner's permit or motorcycle learner's permit to any minor applicant required to provide evidence of compliance with the compulsory school attendance law set forth in Article 1 (§ 22.1-254 et seq.) of Chapter 14 of Title 22.1, unless such applicant is in good academic standing or, if not in such standing or submitting evidence thereof, whose parent or guardian, having custody of such minor, provides written authorization for the minor to obtain a learner's permit or motorcycle learner's permit, which written authorization shall be obtained on forms provided by the Department and indicating the Commonwealth's interest in the good academic standing and regular school attendance of such minors. Any minor providing proper evidence of the solemnization of his marriage or a certified copy of a court order of emancipation shall not be required to provide the certification of good academic standing or any written authorization from his parent or guardian to obtain a learner's permit or motorcycle learner's permit.

Such permit, except a motorcycle learner's permit, shall be valid until the holder thereof either is issued a driver's license as provided for in this chapter or no longer meets the qualifications for issuance of a learner's permit as provided in this section. Motorcycle learner's permits shall be valid for 12 months. When a motorcycle learner's permit expires, the permittee may, upon submission of an application, payment of the application fee, and successful completion of the examinations, be issued another motorcycle learner's permit valid for 12 months.

Any person 25 years of age or older who is eligible to receive an operator's license in Virginia, but who is required, pursuant to § 46.2-324.1, to be issued a learner's permit for 60 days prior to his first behind-the-wheel exam, may be issued

such learner's permit even though restrictions on his driving privilege have been ordered by a court. Any such learner's permit shall be subject to the restrictions ordered by the court.

B. No driver's license shall be issued to any such person who is less than 18 years old unless, while holding a learner's permit, he has driven a motor vehicle for at least 45 hours, at least 15 of which were after sunset, as certified by his parent, foster parent, or legal guardian unless the person is married or otherwise emancipated. Such certification shall be on a form provided by the Commissioner and shall contain the following statement:

"It is illegal for anyone to give false information in connection with obtaining a driver's license. This certification is considered part of the driver's license application, and anyone who certifies to a false statement may be prosecuted. I certify that the statements made and the information submitted by me regarding this certification are true and correct."

Such form shall also include the driver's license or Department of Motor Vehicles-issued identification card number of the person making the certification.

C. No learner's permit shall authorize its holder to operate a motor vehicle with more than one passenger who is less than 21 years old, except when participating in a driver education program approved by the Department of Education or a course offered by a driver training school licensed by the Department. This passenger limitation, however, shall not apply to the members of the driver's family or household as defined in subsection B of § 46.2-334.01.

D. No learner's permit shall authorize its holder to operate a motor vehicle between midnight and four o'clock a.m.

E. A violation of subsection C or D shall not constitute negligence, be considered in mitigation of damages of whatever nature, be admissible in evidence or be the subject of comment by counsel in any action for the recovery of damages arising out of the operation, ownership, or maintenance of a motor vehicle, nor shall anything in this subsection change any existing law, rule, or procedure pertaining to any such civil action.

F. The provisions of §§ 46.2-323 and 46.2-334 relating to evidence and certification of Virginia residence and, in the case of persons of school age, compliance with the compulsory school attendance law shall apply, mutatis mutandis, to applications for learner's permits and motorcycle learner's permits issued under this section.

G. For persons qualifying for a driver's license through driver education courses approved by the Department of Education or courses offered by driver training schools licensed by the Department, the application for the learner's permit shall be used as the application for the driver's license.

H. The Department shall charge a fee of $3 for each learner's permit and motorcycle learner's permit issued under this section*, except no such fee shall be charged for homeless youth, as described in subdivision A 7 of § 22.1-3*. Fees for issuance of learner's permits shall be paid into the driver education fund of the state treasury; fees for issuance of motorcycle learner's permits, other than permits issued under § 46.2-328.3, shall be paid into the state treasury and credited to the Motorcycle Rider Safety Training Program Fund created pursuant to § 46.2-1191. It is unlawful for any person, after having received a learner's permit, to drive a motor vehicle without being accompanied by a licensed driver as provided in the foregoing provisions of this section; however, a learner's permit other than a motorcycle learner's permit, accompanied by documentation verifying that the driver is at least 16 years and three months old and has successfully completed an approved driver's education course, signed by the minor's parent, guardian, legal custodian or other person standing in loco parentis, shall constitute a temporary driver's license for the purpose of driving unaccompanied by a licensed driver 18 years of age or older, if all other requirements of this chapter have been met. Such temporary driver's license shall only be valid until the driver has received his permanent license pursuant to § 46.2-336.

I. Nothing in this section shall be construed to permit the issuance of a learner's permit entitling a person to drive a commercial motor vehicle, except as provided by the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.).

J. The following limitations shall apply to operation of motorcycles by all persons holding motorcycle learner's permits:

1. The operator shall wear an approved safety helmet as provided in § 46.2-910.

2. Operation shall be under the immediate supervision of a person licensed to operate a motorcycle who is 21 years of age or older.

3. No person other than the operator shall occupy the motorcycle.

K. Any violation of this section is punishable as a Class 2 misdemeanor.

§ 46.2-345. Issuance of special identification cards; fee; confidentiality; penalties.

A. On the application of any person who is a resident of the Commonwealth, the parent of any such person who is under the age of 18, or the legal guardian of any such person, the Department shall issue a special identification card to the person, provided that:

1. Application is made on a form prescribed by the Department and includes the applicant's full legal name; year, month, and date of birth; social security number; sex; and residence address. Applicants shall be permitted to choose between "male," "female," or "non-binary" when designating the applicant's sex on the application form;

2. The applicant presents, when required by the Department, proof of identity, legal presence, residency, and social security number or non-work authorized status;

3. The Department is satisfied that the applicant needs an identification card or the applicant shows he has a bona fide need for such a card; and

4. The applicant does not hold a driver's license, commercial driver's license, temporary driver's permit, learner's permit, motorcycle learner's permit, or special identification card without a photograph.

Persons 70 years of age or older may exchange a valid Virginia driver's license for a special identification card at no fee. Special identification cards subsequently issued to such persons shall be subject to the regular fees for special identification cards.

B. The fee for the issuance of an original, duplicate, reissue, or renewal special identification card is $2 per year, with a $10 minimum fee*, except no such fee shall be assessed against homeless youth, as described in subdivision A 7 of § 22.1-3*. Persons 21 years old or older may be issued a scenic special identification card for an additional fee of $5.

C. Every special identification card shall expire on the applicant's birthday at the end of the period of years for which a special identification card has been issued. At no time shall any special identification card be issued for less than three nor more than eight years, except under the provisions of subsection B of § 46.2-328.1 and except that those cards issued to children under the age of 15 shall expire on the child's sixteenth birthday. Notwithstanding these limitations, the Commissioner may extend the validity period of an expiring card if (i) the Department is unable to process an application for renewal due to circumstances beyond its control, (ii) the extension has been authorized under a directive from the Governor, and (iii) the card was not issued as a temporary special identification card under the provisions of subsection B of § 46.2-328.1. However, in no event shall the validity period be extended more than 90 days per occurrence of such conditions. Any special identification card issued to a person required to register pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 shall expire on the applicant's birthday in years which the applicant attains an age equally divisible by five. For each person required to register pursuant to Chapter 9 of Title 9.1, the Department may not waive the requirement that each such person shall appear for each renewal or the requirement to obtain a photograph in accordance with subsection C of § 46.2-323.

D. A special identification card issued under this section may be similar in size, shape, and design to a driver's license, and include a photograph of its holder, but the card shall be readily distinguishable from a driver's license and shall clearly state that it does not authorize the person to whom it is issued to drive a motor vehicle. Every applicant for a special identification card shall appear in person before the Department to apply for a renewal, duplicate or reissue unless specifically permitted by the Department to apply in another manner.

E. Special identification cards, for persons at least 15 years old but less than 21 years old, shall be immediately and readily distinguishable from those issued to persons 21 years old or older. Distinguishing characteristics shall include unique design elements of the document and descriptors within the photograph area to identify persons who are at least 15 years old but less than 21 years old. These descriptors shall include the month, day, and year when the person will become 21 years old.

F. Special identification cards for persons under age 15 shall bear a full face photograph. The special identification card issued to persons under age 15 shall be readily distinguishable from a driver's license and from other special identification cards issued by the Department. Such cards shall clearly indicate that it does not authorize the person to whom it is issued to drive a motor vehicle.

G. Unless otherwise prohibited by law, a valid Virginia driver's license shall be surrendered upon application for a special identification card without the applicant's having to present proof of legal presence as required by § 46.2-328.1 if the Virginia driver's license is unexpired and it has not been revoked, suspended, or cancelled. The special identification card shall be considered a reissue and the expiration date shall be the last day of the month of the surrendered driver's license's month of expiration.

H. Any personal information, as identified in § 2.2-3801, which is retained by the Department from an application for the issuance of a special identification card is confidential and shall not be divulged to any person, association, corporation, or organization, public or private, except to the legal guardian or the attorney of the applicant or to a person, association, corporation, or organization nominated in writing by the applicant, his legal guardian, or his attorney. This subsection shall not prevent the Department from furnishing the application or any information thereon to any law-enforcement agency.

I. Any person who uses a false or fictitious name or gives a false or fictitious address in any application for an identification card or knowingly makes a false statement or conceals a material fact or otherwise commits a fraud in any such application shall be guilty of a Class 2 misdemeanor. However, where the name or address is given, or false statement is made, or fact is concealed, or fraud committed, with the intent to purchase a firearm or where the identification card is obtained for the purpose of committing any offense punishable as a felony, a violation of this section shall constitute a Class 4 felony.

J. The Department shall utilize the various communications media throughout the Commonwealth to inform Virginia residents of the provisions of this section and to promote and encourage the public to take advantage of its provisions.

K. The Department shall electronically transmit application information to the Department of State Police, in a format approved by the State Police, for comparison with information contained in the Virginia Criminal Information Network and National Crime Information Center Convicted Sexual Offender Registry Files, at the time of issuance of a special identification card. Whenever it appears from the records of the State Police that a person has failed to comply with the duty to register, reregister, or verify his registration information pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, the State Police shall promptly investigate and, if there is probable cause to believe a violation has occurred, obtain a warrant or assist in obtaining an indictment charging a violation of § 18.2-472.1 in the jurisdiction in which the person made application for the special identification card.

L. When requested by the applicant, the applicant's parent if the applicant is a minor, or the applicant's guardian, and upon presentation of a signed statement by a licensed physician confirming the applicant's condition, the Department shall

indicate on the applicant's special identification card that the applicant has any condition listed in subsection K of § 46.2-342 or that the applicant is blind or vision impaired.

M. The Department shall establish a method by which an applicant for an original, reissued, or renewed special identification card may indicate his blood type. If the applicant chooses to indicate his blood type, the Department shall make a notation of this designation on his special identification card and in his record. Such notation on the special identification card shall only be used by emergency medical services agencies in providing emergency medical support. Upon written request of the license holder or his legal guardian to have the designation removed, the Department shall issue the special identification card without such designation upon the payment of applicable fees.

Notwithstanding any other provision of law, the Department shall not disclose any data collected pursuant to this subsection except to the subject of the information and by designation on the special identification card. Nothing herein shall require the Department to verify any information provided for the designation. No action taken by any person, whether private citizen or public officer or employee, with regard to any blood type designation displayed on a special identification card, shall create a warranty of the reliability or accuracy of the document or electronic image, nor shall it create any liability on the part of the Commonwealth or of any department, office, or agency or of any officer, employee, or agent thereof.

§ 46.2-345.2. Issuance of special identification cards without photographs; fee; confidentiality; penalties.

A. On the application of any person with a sincerely held religious belief prohibiting the taking of a photograph who is a resident of the Commonwealth and who is at least 15 years of age, the Department shall issue a special identification card without a photograph to the person, provided that:

1. Application is made on a form prescribed by the Department and includes the applicant's full legal name; year, month, and date of birth; social security number; sex; and residence address. Applicants shall be permitted to choose between "male," "female," or "non-binary" when designating the applicant's sex on the application form;

2. The applicant presents, when required by the Department, proof of identity, legal presence, residency, and social security number or non-work authorized status;

3. The applicant presents an approved and signed U.S. Department of the Treasury Internal Revenue Service (IRS) Form 4029 or if such applicant is a minor, the applicant's parent or legal guardian presents an approved and signed IRS Form 4029; and

4. The applicant does not hold a driver's license, commercial driver's license, temporary driver's permit, learner's permit, motorcycle learner's permit, or special identification card.

B. The fee for the issuance of an original, duplicate, reissue, or renewal special identification card without a photograph is $2 per year, with a $10 minimum fee*, except no such fee shall be assessed against homeless youth, as described in subdivision A 7 of § 22.1-3*.

C. Every special identification card without a photograph shall expire on the applicant's birthday at the end of the period of years for which a special identification card without a photograph has been issued. At no time shall any special identification card without a photograph be issued for more than eight years. Notwithstanding these limitations, the Commissioner may extend the validity period of an expiring card if (i) the Department is unable to process an application for re-issue due to circumstances beyond its control or (ii) the extension has been authorized under a directive from the Governor. However, in no event shall the validity period be extended more than 90 days per occurrence of such conditions.

D. A special identification card without a photograph issued under this section may be similar in size, shape, and design to a driver's license and shall not include a photograph of its holder. The card shall be readily distinguishable from a driver's license and shall clearly state that federal limits apply, that the card is not valid identification to vote, and that the card does not authorize the person to whom it is issued to drive a motor vehicle. Every applicant for a special identification card without a photograph shall appear in person before the Department to apply for a duplicate or reissue unless specifically permitted by the Department to apply in another manner.

E. Unless otherwise prohibited by law, a valid Virginia driver's license or special identification card shall be surrendered for a special identification card without a photograph without the applicant's having to present proof of legal presence as required by § 46.2-328.1 if the Virginia driver's license or special identification card is unexpired and has not been revoked, suspended, or canceled. The special identification card without a photograph shall be considered a reissue, and the expiration date shall be the last day of the month of the surrendered driver's license's or special identification card's month of expiration.

F. Any personal information, as identified in § 2.2-3801, that is retained by the Department from an application for the issuance of a special identification card without a photograph is confidential and shall not be divulged to any person, association, corporation, or organization, public or private, except to the legal guardian or the attorney of the applicant or to a person, association, corporation, or organization nominated in writing by the applicant, his legal guardian, or his attorney. This subsection shall not prevent the Department from furnishing the application or any information thereon to any law-enforcement agency.

G. Any person who uses a false or fictitious name or gives a false or fictitious address in any application for a special identification card without a photograph or knowingly makes a false statement or conceals a material fact or otherwise commits a fraud in any such application is guilty of a Class 2 misdemeanor. However, where the special identification card without a photograph is obtained for the purpose of committing any offense punishable as a felony, a violation of this section shall constitute a Class 4 felony.

H. When requested by the applicant, the applicant's parent if the applicant is a minor, or the applicant's guardian, and upon presentation of a signed statement by a licensed physician confirming the applicant's condition, the Department shall indicate on the applicant's special identification card without a photograph that the applicant has any condition listed in subsection K of § 46.2-342.

I. The Department shall establish a method by which an applicant for an original, reissued, or renewed special identification card without a photograph may indicate his blood type. If the applicant chooses to indicate his blood type, the Department shall make a notation of this designation on his special identification card without a photograph and in his record. Such notation on the special identification card without a photograph shall only be used by emergency medical services agencies in providing emergency medical support. Upon written request of the license holder or his legal guardian to have the designation removed, the Department shall issue the special identification card without a photograph without such designation upon the payment of applicable fees.

Notwithstanding any other provision of law, the Department shall not disclose any data collected pursuant to this subsection except to the subject of the information and by designation on the special identification card without a photograph. Nothing herein shall require the Department to verify any information provided for the designation. No action taken by any person, whether private citizen or public officer or employee, with regard to any blood type designation displayed on a special identification card without a photograph, shall create a warranty of the reliability or accuracy of the document or electronic image, nor shall it create any liability on the part of the Commonwealth or of any department, office, or agency or of any officer, employee, or agent thereof.

J. Unless the Code specifies that a photograph is required, a special identification card without a photograph shall be treated as a special identification card.

§ 46.2-345.3. Issuance of identification privilege cards; fee; confidentiality; penalties.

A. Upon application of any person who does not hold a status that is eligible for a special identification card under subsections A and B of § 46.2-328.1, the parent of any such person who is under the age of 18, or the legal guardian of any such person, the Department may issue an identification privilege card to any resident of the Commonwealth, provided that:

1. Application is made on a form prescribed by the Department;

2. The applicant presents, when required by the Department, proof of identity, residency, and social security number or individual taxpayer identification number;

3. The Department determines that the applicant has reported income and deductions from Virginia sources, as defined in § 58.1-302, or has been claimed as a dependent, on an individual income tax return filed with the Commonwealth in the preceding 12 months; and

4. The applicant does not hold a credential issued under this chapter.

Persons 70 years of age or older may exchange a valid Virginia driver privilege card for an identification privilege card at no fee. Identification privilege cards subsequently issued to such persons shall be subject to the regular fees for identification privilege cards.

B. The fee for the issuance of an original, duplicate, reissue, or renewal identification privilege card is $25*, except no such fee shall be assessed against homeless youth, as described in subdivision A 7 of § 22.1-3*. The amount paid by an applicant for an identification privilege card shall be considered privileged information for the purposes of § 46.2-208.

C. An original identification privilege card shall expire on the applicant's fourth birthday following the date of issuance. Duplicate, reissue, or renewal identification privilege cards shall be valid for a period of four years from the date of issuance. No applicant shall be required to provide proof of compliance with subdivision A 3 for a duplicate, reissue, or renewal identification privilege card. Those cards issued to children under the age of 15 shall expire on the child's sixteenth birthday.

Notwithstanding the provisions of this subsection, the Commissioner may extend the validity period of an expiring card if (i) the Department is unable to process an application for renewal due to circumstances beyond its control and (ii) the extension has been authorized under a directive from the Governor. However, in no event shall the validity period be extended more than 90 days per occurrence of such conditions.

D. An identification privilege card issued under this section may be similar in size, shape, and design to a driving credential and include a photograph of its holder, but the card shall be readily distinguishable from a driving credential and shall clearly state that it does not authorize the person to whom it is issued to drive a motor vehicle. Every applicant for an identification privilege card shall appear in person before the Department to apply for a renewal, duplicate, or reissue unless specifically permitted by the Department to apply in another manner. The front of an identification privilege card shall be identical in appearance to a special identification card issued under § 46.2-345, and the back of the card shall be identical in appearance to the restriction on the back of a limited-duration special identification card.

E. Identification privilege cards, for persons at least 15 years old but younger than 21 years old, shall be immediately and readily distinguishable from those issued to persons 21 years old or older. Distinguishing characteristics shall include unique design elements of the credential and descriptors within the photograph area to identify persons who are at least 15 years old but younger than 21 years old. These descriptors shall include the month, day, and year when the person will become 21 years old.

F. Identification privilege cards for persons under age 15 shall bear a full-face photograph. The identification card issued to persons under age 15 shall be readily distinguishable from a driving credential and from other identification cards

issued by the Department. Such cards shall clearly indicate that it does not authorize the person to whom it is issued to drive a motor vehicle.

G. Any information collected pursuant to this section that is not otherwise collected by the Department or required for the issuance of any other special identification card issued pursuant to the provisions of this chapter and any information regarding restrictions in the Department's records related to the issuance of a credential issued pursuant to this section shall be considered privileged. Notwithstanding the provisions of § 46.2-208, such information shall not be released except upon request by the subject of the information, the parent of a minor who is the subject of the information, the guardian of the subject of the information, or the authorized representative of the subject of the information or pursuant to a court order.

The Department shall release to any federal, state, or local governmental entity, local government group self-insurance pool, law-enforcement officer, attorney for the Commonwealth, or court, or the authorized agent of any of the foregoing, information related to the issuance of an identification privilege card, the release of which is not otherwise prohibited by this section, that is required for a requester to carry out the requester's official functions if the requester provides the individual's name and other sufficient identifying information contained on the individual's record. Any such release shall be in accordance with the requirements of § 46.2-208.

H. Any person who uses a false or fictitious name or gives a false or fictitious address in any application for an identification privilege card or knowingly makes a false statement or conceals a material fact or otherwise commits a fraud in any such application is guilty of a Class 2 misdemeanor. However, where the name or address is given, or false statement is made, or fact is concealed, or fraud committed, for the purpose of committing any offense punishable as a felony, a violation of this section shall constitute a Class 4 felony.

I. When requested by the applicant, the applicant's parent if the applicant is a minor, or the applicant's guardian, and upon presentation of a signed statement by a licensed physician confirming the applicant's condition, the Department shall indicate on the applicant's identification privilege card that the applicant has any condition listed in subsection K of § 46.2-342 or that the applicant is blind or vision impaired.

J. The Department shall establish a method by which an applicant for an original, reissued, or renewed identification privilege card may indicate his blood type. If the applicant chooses to indicate his blood type, the Department shall make a notation of this designation on his identification privilege card and in his record. Such notation on the special identification card shall only be used by emergency medical services agencies in providing emergency medical support. Upon written request of the license holder or his legal guardian to have the designation removed, the Department shall issue the identification privilege card without such designation upon the payment of applicable fees.

Notwithstanding any other provision of law, the Department shall not disclose any data collected pursuant to this subsection except to the subject of the information and by designation on the identification privilege card. Nothing herein shall require the Department to verify any information provided for the designation. No action taken by any person, whether private citizen or public officer or employee, with regard to any blood type designation displayed on an identification privilege card, shall create a warranty of the reliability or accuracy of the document or electronic image, nor shall it create any liability on the part of the Commonwealth or of any department, office, or agency or of any officer, employee, or agent thereof.

K. Unless the context of the Code provides otherwise, an identification privilege card shall be treated as a special identification card.

CHAPTER 182

An Act to amend and reenact §§ 8.01-413 and 32.1-127.1:03 of the Code of Virginia, relating to health care records; fees; certain requests by a patient or his attorney.

[H 1629]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-413 and 32.1-127.1:03 of the Code of Virginia are amended and reenacted as follows:

§ 8.01-413. Certain copies of health care provider's health records of patient admissible; right of patient, his attorney and authorized insurer to copies of such health records; subpoena; damages, costs and attorney fees.

A. In any case where the health records of a health care provider for any patient in a hospital or institution for the treatment of physical or mental illness are admissible or would be admissible as evidence, any typewritten copy, photograph, photostatted copy, or microphotograph or printout or other hard copy generated from computerized or other electronic storage, microfilm, or other photographic, mechanical, electronic, imaging, or chemical storage process thereof shall be admissible as evidence in any court of the Commonwealth in like manner as the original, if the printout or hard copy or microphotograph or photograph is properly authenticated by the employees having authority to release or produce the original health records.

Any health care provider whose health records relating to any such patient are subpoenaed for production as provided by law may comply with the subpoena by a timely mailing to the clerk issuing the subpoena or in whose court the action is pending properly authenticated copies, photographs or microphotographs in lieu of the originals. The court whose clerk issued the subpoena or, in the case of an attorney-issued subpoena, in which the action is pending, may, after notice to such

health care provider, enter an order requiring production of the originals, if available, of any stored health records whose copies, photographs or microphotographs are not sufficiently legible.

Except as provided in subsection G, the party requesting the subpoena duces tecum or on whose behalf an attorney-issued subpoena duces tecum was issued shall be liable for the reasonable charges of the health care provider for the service of maintaining, retrieving, reviewing, preparing, copying, and mailing the items produced pursuant to subsections B2, B3, B4, and B6, as applicable.

B. Copies of health records, including an audit trail of any additions, deletions, or revisions to the health record, if specifically requested, shall be furnished within 30 days of receipt of such request to the patient, his attorney, his executor or administrator, or an authorized insurer upon such patient's, attorney's, executor's, administrator's, or authorized insurer's written request, which request shall comply with the requirements of subsection E of § 32.1-127.1:03. If a health care provider is unable to provide such health records within 30 days of receipt of such request, such provider shall notify the requester of such health records in writing of the reason for the delay and shall have no more than 30 days after the date of such written notice to comply with such request.

However, copies of a patient's health records shall not be furnished to such patient when the patient's treating physician, clinical psychologist, clinical social worker, or licensed professional counselor in the exercise of professional judgment, has made a part of the patient's health records a written statement that in his opinion the furnishing to or review by the patient of such health records would be reasonably likely to endanger the life or physical safety of the patient or another person, or that such health records make reference to a person, other than a health care provider, and the access requested would be reasonably likely to cause substantial harm to such referenced person. In any such case, if requested by the patient or his attorney or authorized insurer, such health records shall be furnished within 30 days of the date of such request to the patient's attorney or authorized insurer, rather than to the patient.

If the health records are not provided to the patient in accordance with this section, then, if requested by the patient, the health care provider denying the request shall comply with the patient's request to either (i) provide a copy of the health records to a physician, clinical psychologist, clinical social worker, or licensed professional counselor of the patient's choice whose licensure, training, and experience, relative to the patient's condition, are at least equivalent to that of the treating physician, clinical psychologist, clinical social worker, or licensed professional counselor upon whose opinion the denial is based, who shall, at the patient's expense, make a judgment as to whether to make the health records available to the patient or (ii) designate a physician, clinical psychologist, clinical social worker, or licensed professional counselor whose licensure, training, and experience, relative to the patient's condition, are at least equivalent to that of the treating physician, clinical psychologist, clinical social worker, or licensed professional counselor upon whose opinion the denial is based and who did not participate in the original decision to deny the patient's request for his health records, who shall, at the expense of the provider denying access to the patient, review the health records and make a judgment as to whether to make the health records available to the patient. In either such event, the health care provider denying the request shall comply with the judgment of the reviewing physician, clinical psychologist, clinical social worker, or licensed professional counselor.

Except as provided in subsection G, a reasonable charge may be made by the health care provider maintaining the health records for the cost of the services relating to the maintenance, retrieval, review, and preparation of the copies of the health records, pursuant to subsections B2, B3, B4, and B6, as applicable. Any health care provider receiving such a request from a patient's attorney or authorized insurer shall require a writing signed by the patient confirming the attorney's or authorized insurer's authority to make the request, which shall comply with the requirements of subsection G of § 32.1-127.1:03, and shall accept a photocopy, facsimile, or other copy of the original signed by the patient as if it were an original.

B1. A health care provider shall produce the health records in either paper, hard copy, or electronic format, as requested by the requester. If the health care provider does not maintain the items being requested in an electronic format and does not have the capability to produce such items in an electronic format, such items shall be produced in paper or other hard copy format.

B2. When the health records requested pursuant to subsection B1 are produced in paper or hard copy format from records maintained in (i) paper or other hard copy format or (ii) electronic storage, a health care provider may charge the requester a reasonable fee not to exceed $0.50 per page for up to 50 pages and $0.25 per page thereafter for such copies, $1 per page for hard copies from microfilm or other micrographic process, and a fee for search and handling not to exceed $20, plus all postage and shipping costs.

B3. When the health records requested pursuant to subsection B1 are produced in electronic format from health records maintained in electronic storage, a health care provider may charge the requester a reasonable fee not to exceed $0.37 per page for up to 50 pages and $0.18 per page thereafter for such copies and a fee for search and handling not to exceed $20, plus all postage and shipping costs. Except as provided in subsection B4, the total amount charged to the requester for health records produced in electronic format pursuant to this subsection, including any postage and shipping costs and any search and handling fee, shall not exceed $160 for any request made on or after July 1, 2021, plus the reasonable costs to produce an audit trail of the health records, if specifically requested.

B4. When any portion of health records requested to be produced in electronic format is stored in paper or other hard copy format at the time of the request and not otherwise maintained in electronic storage, a health care provider may charge a fee pursuant to subsection B2 for the production of such portion, and such production of such portion is not subject to any limitations set forth in subsection B3, whether such portion is produced in paper or other hard copy format or converted to

electronic format as requested by the requester. Any other portion otherwise maintained in electronic storage shall be produced electronically. The total search and handling fee shall not exceed $20 for any production made pursuant to this subsection where the production contains both health records in electronic format and health records in paper or other hard copy format.

B5. Upon request, a patient's account balance or itemized listing of charges maintained by a health care provider shall be supplied at no cost up to three times every 12 months to either the patient or the patient's attorney.

B6. When the record requested is an X-ray series or study or other imaging study and is requested to be produced electronically, a health care provider may charge the requester a reasonable fee, which shall not exceed $25 per X-ray series or study or other imaging study, and a fee for search and handling, which shall not exceed $10, plus all postage and shipping costs. When an X-ray series or study or other imaging study is requested to be produced in hard copy format, or when a health care provider does not maintain such X-ray series or study or other imaging study being requested in an electronic format or does not have the capability to produce such X-ray series or study or other imaging study in an electronic format, a health care provider may charge the requester a reasonable fee, which may include a fee for search and handling not to exceed $10 and the actual cost of supplies for and labor of copying the requested X-ray series or study or other imaging study, plus all postage and shipping costs.

B7. *A health care provider shall provide one free copy of a patient's medical records stored or maintained in an electronic health record (EHR) per calendar year if requested by a patient or his attorney for the purpose of supporting a claim or appeal under Title II, XVI, XVIII, or XIX of the Social Security Act, 38 U.S.C. § 101 et seq., or under any federal or state financial needs-based benefit program, provided that the request is supported by a reasonable amount of documentation, including evidence of representation in the Social Security disability courts such as the Social Security Administration Appointment of Representative form or a notice of or request for a hearing, regarding such purpose. Any additional requests for medical records in the same calendar year are subject to a reasonable fee for the production of the records. No fees shall be charged if no medical records are found in response to the request.*

B8. Upon request by the patient, or his attorney, of health records as to the cost to produce such health records, a health care provider shall inform the patient, or his attorney, of the most cost-effective method to produce such a request pursuant to subsection B2, B3, B4, ~~or~~ B6, *or B7* as applicable.

~~B8.~~ *B9.* Production of health records to the patient, or his attorney, requested pursuant to this section shall not be withheld or delayed solely on the grounds of nonpayment for such health records.

C. Upon the failure of any health care provider to comply with any written request made in accordance with subsection B within the period of time specified in that subsection and within the manner specified in subsections E and F of § 32.1-127.1:03, the patient, his attorney, his executor or administrator, or authorized insurer may cause a subpoena duces tecum to be issued. The subpoena may be issued (i) upon filing a request therefor with the clerk of the circuit court wherein any eventual suit would be required to be filed, and upon payment of the fees required by subdivision A 18 of § 17.1-275, and fees for service or (ii) by the patient's attorney in a pending civil case in accordance with § 8.01-407 without payment of the fees established in subdivision A 23 of § 17.1-275.

A sheriff shall not be required to serve an attorney-issued subpoena that is not issued at least five business days prior to the date production of the record is desired.

No subpoena duces tecum for health records shall set a return date by which the health care provider must comply with such subpoena earlier than 15 days from the date of the subpoena, except by order of a court or administrative agency for good cause shown. When a court or administrative agency orders that health records be disclosed pursuant to a subpoena duces tecum earlier than 15 days from the date of the subpoena, a copy of such order shall accompany such subpoena.

As to a subpoena duces tecum issued with at least a 15-day return date, if no motion to quash is filed within 15 days of the issuance of the subpoena, the party requesting the subpoena duces tecum or the party on whose behalf the subpoena was issued shall certify to the subpoenaed health care provider that (a) the time for filing a motion to quash has elapsed and (b) no such motion was filed. Upon receipt of such certification, the subpoenaed health care provider shall comply with the subpoena duces tecum by returning the specified health records by either (1) the return date on the subpoena or (2) five days after receipt of such certification, whichever is later.

The subpoena shall direct the health care provider to produce and furnish copies of the health records to the requester or clerk, who shall then make the same available to the patient, his attorney, or his authorized insurer.

If the court finds that a health care provider willfully refused to comply with a written request made in accordance with subsection B, either (A) by failing over the previous six-month period to respond to a second or subsequent written request, properly submitted to the health care provider in writing with complete required information, without good cause or (B) by imposing a charge in excess of the reasonable expense of making the copies and processing the request for health records, the court may award damages for all expenses incurred by the patient or authorized insurer to obtain such copies, including a refund of fees if payment has been made for such copies, court costs, and reasonable attorney fees.

If the court further finds that such subpoenaed health records, subpoenaed pursuant to this subsection, or requested health records, requested pursuant to subsection B, are not produced for a reason other than compliance with § 32.1-127.1:03 or an inability to retrieve or access such health records, as communicated in writing to the subpoenaing party or requester within the time period required by subsection B, such subpoenaing party or requester shall be entitled to a rebuttable presumption that expenses and attorney fees related to the failure to produce such health records shall be awarded by the court.

D. The provisions of this section shall apply to any health care provider whose office is located within or outside the Commonwealth if the records pertain to any patient who is a party to a cause of action in any court in the Commonwealth, and shall apply only to requests made by the patient, his attorney, his executor or administrator, or any authorized insurer, in anticipation of litigation or in the course of litigation.

E. As used in this section, "health care provider" has the same meaning as provided in § 32.1-127.1:03 and includes an independent medical copy retrieval service contracted to provide the service of retrieving, reviewing, and preparing such copies for distribution. As used in this section, "health record" has the same meaning as provided in § 32.1-127.1:03.

F. Notwithstanding the authorization to admit as evidence health records in the form of microphotographs, prescription dispensing records maintained in or on behalf of any pharmacy registered or permitted in the Commonwealth shall only be stored in compliance with §§ 54.1-3410, 54.1-3411 and 54.1-3412.

G. The provisions of this section governing fees that may be charged by a health care provider whose records are subpoenaed or requested pursuant to this section shall not apply in the case of any request by a patient for a copy of his own health records, which shall be governed by subsection J of § 32.1-127.1:03. This subsection shall not be construed to affect other provisions of state or federal statute, regulation or any case decision relating to charges by health care providers for copies of health records requested by any person other than a patient when requesting his own health records pursuant to subsection J of § 32.1-127.1:03.

§ 32.1-127.1:03. Health records privacy.

A. There is hereby recognized an individual's right of privacy in the content of his health records. Health records are the property of the health care entity maintaining them, and, except when permitted or required by this section or by other provisions of state law, no health care entity, or other person working in a health care setting, may disclose an individual's health records.

Pursuant to this subsection:

1. Health care entities shall disclose health records to the individual who is the subject of the health record, including an audit trail of any additions, deletions, or revisions to the health record, if specifically requested, except as provided in subsections E and F and subsection B of § 8.01-413.

2. Health records shall not be removed from the premises where they are maintained without the approval of the health care entity that maintains such health records, except in accordance with a court order or subpoena consistent with subsection C of § 8.01-413 or with this section or in accordance with the regulations relating to change of ownership of health records promulgated by a health regulatory board established in Title 54.1.

3. No person to whom health records are disclosed shall redisclose or otherwise reveal the health records of an individual, beyond the purpose for which such disclosure was made, without first obtaining the individual's specific authorization to such redisclosure. This redisclosure prohibition shall not, however, prevent (i) any health care entity that receives health records from another health care entity from making subsequent disclosures as permitted under this section and the federal Department of Health and Human Services regulations relating to privacy of the electronic transmission of data and protected health information promulgated by the United States Department of Health and Human Services as required by the Health Insurance Portability and Accountability Act (HIPAA) (42 U.S.C. § 1320d et seq.) or (ii) any health care entity from furnishing health records and aggregate or other data, from which individually identifying prescription information has been removed, encoded or encrypted, to qualified researchers, including, but not limited to, pharmaceutical manufacturers and their agents or contractors, for purposes of clinical, pharmaco-epidemiological, pharmaco-economic, or other health services research.

4. Health care entities shall, upon the request of the individual who is the subject of the health record, disclose health records to other health care entities, in any available format of the requester's choosing, as provided in subsection E.

B. As used in this section:

"Agent" means a person who has been appointed as an individual's agent under a power of attorney for health care or an advance directive under the Health Care Decisions Act (§ 54.1-2981 et seq.).

"Certification" means a written representation that is delivered by hand, by first-class mail, by overnight delivery service, or by facsimile if the sender obtains a facsimile-machine-generated confirmation reflecting that all facsimile pages were successfully transmitted.

"Guardian" means a court-appointed guardian of the person.

"Health care clearinghouse" means, consistent with the definition set out in 45 C.F.R. § 160.103, a public or private entity, such as a billing service, repricing company, community health management information system or community health information system, and "value-added" networks and switches, that performs either of the following functions: (i) processes or facilitates the processing of health information received from another entity in a nonstandard format or containing nonstandard data content into standard data elements or a standard transaction; or (ii) receives a standard transaction from another entity and processes or facilitates the processing of health information into nonstandard format or nonstandard data content for the receiving entity.

"Health care entity" means any health care provider, health plan or health care clearinghouse.

"Health care provider" means those entities listed in the definition of "health care provider" in § 8.01-581.1, except that state-operated facilities shall also be considered health care providers for the purposes of this section. Health care provider shall also include all persons who are licensed, certified, registered or permitted or who hold a multistate licensure privilege

issued by any of the health regulatory boards within the Department of Health Professions, except persons regulated by the Board of Funeral Directors and Embalmers or the Board of Veterinary Medicine.

"Health plan" means an individual or group plan that provides, or pays the cost of, medical care. "Health plan" includes any entity included in such definition as set out in 45 C.F.R. § 160.103.

"Health record" means any written, printed or electronically recorded material maintained by a health care entity in the course of providing health services to an individual concerning the individual and the services provided. "Health record" also includes the substance of any communication made by an individual to a health care entity in confidence during or in connection with the provision of health services or information otherwise acquired by the health care entity about an individual in confidence and in connection with the provision of health services to the individual.

"Health services" means, but shall not be limited to, examination, diagnosis, evaluation, treatment, pharmaceuticals, aftercare, habilitation or rehabilitation and mental health therapy of any kind, as well as payment or reimbursement for any such services.

"Individual" means a patient who is receiving or has received health services from a health care entity.

"Individually identifying prescription information" means all prescriptions, drug orders or any other prescription information that specifically identifies an individual.

"Parent" means a biological, adoptive or foster parent.

"Psychotherapy notes" means comments, recorded in any medium by a health care provider who is a mental health professional, documenting or analyzing the contents of conversation during a private counseling session with an individual or a group, joint, or family counseling session that are separated from the rest of the individual's health record. "Psychotherapy notes" does not include annotations relating to medication and prescription monitoring, counseling session start and stop times, treatment modalities and frequencies, clinical test results, or any summary of any symptoms, diagnosis, prognosis, functional status, treatment plan, or the individual's progress to date.

C. The provisions of this section shall not apply to any of the following:

1. The status of and release of information governed by §§ 65.2-604 and 65.2-607 of the Virginia Workers' Compensation Act;

2. Except where specifically provided herein, the health records of minors;

3. The release of juvenile health records to a secure facility or a shelter care facility pursuant to § 16.1-248.3; or

4. The release of health records to a state correctional facility pursuant to § 53.1-40.10 or a local or regional correctional facility pursuant to § 53.1-133.03.

D. Health care entities may, and, when required by other provisions of state law, shall, disclose health records:

1. As set forth in subsection E, pursuant to the written authorization of (i) the individual or (ii) in the case of a minor, (a) his custodial parent, guardian or other person authorized to consent to treatment of minors pursuant to § 54.1-2969 or (b) the minor himself, if he has consented to his own treatment pursuant to § 54.1-2969, or (iii) in emergency cases or situations where it is impractical to obtain an individual's written authorization, pursuant to the individual's oral authorization for a health care provider or health plan to discuss the individual's health records with a third party specified by the individual;

2. In compliance with a subpoena issued in accord with subsection H, pursuant to a search warrant or a grand jury subpoena, pursuant to court order upon good cause shown or in compliance with a subpoena issued pursuant to subsection C of § 8.01-413. Regardless of the manner by which health records relating to an individual are compelled to be disclosed pursuant to this subdivision, nothing in this subdivision shall be construed to prohibit any staff or employee of a health care entity from providing information about such individual to a law-enforcement officer in connection with such subpoena, search warrant, or court order;

3. In accord with subsection F of § 8.01-399 including, but not limited to, situations where disclosure is reasonably necessary to establish or collect a fee or to defend a health care entity or the health care entity's employees or staff against any accusation of wrongful conduct; also as required in the course of an investigation, audit, review or proceedings regarding a health care entity's conduct by a duly authorized law-enforcement, licensure, accreditation, or professional review entity;

4. In testimony in accordance with §§ 8.01-399 and 8.01-400.2;

5. In compliance with the provisions of § 8.01-413;

6. As required or authorized by law relating to public health activities, health oversight activities, serious threats to health or safety, or abuse, neglect or domestic violence, relating to contagious disease, public safety, and suspected child or adult abuse reporting requirements, including, but not limited to, those contained in §§ 16.1-248.3, 32.1-36, 32.1-36.1, 32.1-40, 32.1-41, 32.1-127.1:04, 32.1-276.5, 32.1-283, 32.1-283.1, 32.1-320, 37.2-710, 37.2-839, 53.1-40.10, 53.1-133.03, 54.1-2400.6, 54.1-2400.7, 54.1-2400.9, 54.1-2403.3, 54.1-2506, 54.1-2966, 54.1-2967, 54.1-2968, 54.1-3408.2, 63.2-1509, and 63.2-1606;

7. Where necessary in connection with the care of the individual;

8. In connection with the health care entity's own health care operations or the health care operations of another health care entity, as specified in 45 C.F.R. § 164.501, or in the normal course of business in accordance with accepted standards of practice within the health services setting; however, the maintenance, storage, and disclosure of the mass of prescription dispensing records maintained in a pharmacy registered or permitted in Virginia shall only be accomplished in compliance with §§ 54.1-3410, 54.1-3411, and 54.1-3412;

9. When the individual has waived his right to the privacy of the health records;

10. When examination and evaluation of an individual are undertaken pursuant to judicial or administrative law order, but only to the extent as required by such order;

11. To the guardian ad litem and any attorney representing the respondent in the course of a guardianship proceeding of an adult patient who is the respondent in a proceeding under Chapter 20 (§ 64.2-2000 et seq.) of Title 64.2;

12. To the guardian ad litem and any attorney appointed by the court to represent an individual who is or has been a patient who is the subject of a commitment proceeding under § 19.2-169.6, Article 5 (§ 37.2-814 et seq.) of Chapter 8 of Title 37.2, Article 16 (§ 16.1-335 et seq.) of Chapter 11 of Title 16.1, or a judicial authorization for treatment proceeding pursuant to Chapter 11 (§ 37.2-1100 et seq.) of Title 37.2;

13. To a magistrate, the court, the evaluator or examiner required under Article 16 (§ 16.1-335 et seq.) of Chapter 11 of Title 16.1 or § 37.2-815, a community services board or behavioral health authority or a designee of a community services board or behavioral health authority, or a law-enforcement officer participating in any proceeding under Article 16 (§ 16.1-335 et seq.) of Chapter 11 of Title 16.1, § 19.2-169.6, or Chapter 8 (§ 37.2-800 et seq.) of Title 37.2 regarding the subject of the proceeding, and to any health care provider evaluating or providing services to the person who is the subject of the proceeding or monitoring the person's adherence to a treatment plan ordered under those provisions. Health records disclosed to a law-enforcement officer shall be limited to information necessary to protect the officer, the person, or the public from physical injury or to address the health care needs of the person. Information disclosed to a law-enforcement officer shall not be used for any other purpose, disclosed to others, or retained;

14. To the attorney and/or guardian ad litem of a minor who represents such minor in any judicial or administrative proceeding, if the court or administrative hearing officer has entered an order granting the attorney or guardian ad litem this right and such attorney or guardian ad litem presents evidence to the health care entity of such order;

15. With regard to the Court-Appointed Special Advocate (CASA) program, a minor's health records in accord with § 9.1-156;

16. To an agent appointed under an individual's power of attorney or to an agent or decision maker designated in an individual's advance directive for health care or for decisions on anatomical gifts and organ, tissue or eye donation or to any other person consistent with the provisions of the Health Care Decisions Act (§ 54.1-2981 et seq.);

17. To third-party payors and their agents for purposes of reimbursement;

18. As is necessary to support an application for receipt of health care benefits from a governmental agency or as required by an authorized governmental agency reviewing such application or reviewing benefits already provided or as necessary to the coordination of prevention and control of disease, injury, or disability and delivery of such health care benefits pursuant to § 32.1-127.1:04;

19. Upon the sale of a medical practice as provided in § 54.1-2405; or upon a change of ownership or closing of a pharmacy pursuant to regulations of the Board of Pharmacy;

20. In accord with subsection B of § 54.1-2400.1, to communicate an individual's specific and immediate threat to cause serious bodily injury or death of an identified or readily identifiable person;

21. Where necessary in connection with the implementation of a hospital's routine contact process for organ donation pursuant to subdivision B 4 of § 32.1-127;

22. In the case of substance abuse records, when permitted by and in conformity with requirements of federal law found in 42 U.S.C. § 290dd-2 and 42 C.F.R. Part 2;

23. In connection with the work of any entity established as set forth in § 8.01-581.16 to evaluate the adequacy or quality of professional services or the competency and qualifications for professional staff privileges;

24. If the health records are those of a deceased or mentally incapacitated individual to the personal representative or executor of the deceased individual or the legal guardian or committee of the incompetent or incapacitated individual or if there is no personal representative, executor, legal guardian or committee appointed, to the following persons in the following order of priority: a spouse, an adult son or daughter, either parent, an adult brother or sister, or any other relative of the deceased individual in order of blood relationship;

25. For the purpose of conducting record reviews of inpatient hospital deaths to promote identification of all potential organ, eye, and tissue donors in conformance with the requirements of applicable federal law and regulations, including 42 C.F.R. § 482.45, (i) to the health care provider's designated organ procurement organization certified by the United States Health Care Financing Administration and (ii) to any eye bank or tissue bank in Virginia certified by the Eye Bank Association of America or the American Association of Tissue Banks;

26. To the Office of the State Inspector General pursuant to Chapter 3.2 (§ 2.2-307 et seq.) of Title 2.2;

27. To an entity participating in the activities of a local health partnership authority established pursuant to Article 6.1 (§ 32.1-122.10:001 et seq.) of Chapter 4, pursuant to subdivision 1;

28. To law-enforcement officials by each licensed emergency medical services agency, (i) when the individual is the victim of a crime or (ii) when the individual has been arrested and has received emergency medical services or has refused emergency medical services and the health records consist of the prehospital patient care report required by § 32.1-116.1;

29. To law-enforcement officials, in response to their request, for the purpose of identifying or locating a suspect, fugitive, person required to register pursuant to § 9.1-901 of the Sex Offender and Crimes Against Minors Registry Act, material witness, or missing person, provided that only the following information may be disclosed: (i) name and address of the person, (ii) date and place of birth of the person, (iii) social security number of the person, (iv) blood type of the person,

(v) date and time of treatment received by the person, (vi) date and time of death of the person, where applicable, (vii) description of distinguishing physical characteristics of the person, and (viii) type of injury sustained by the person;

30. To law-enforcement officials regarding the death of an individual for the purpose of alerting law enforcement of the death if the health care entity has a suspicion that such death may have resulted from criminal conduct;

31. To law-enforcement officials if the health care entity believes in good faith that the information disclosed constitutes evidence of a crime that occurred on its premises;

32. To the State Health Commissioner pursuant to § 32.1-48.015 when such records are those of a person or persons who are subject to an order of quarantine or an order of isolation pursuant to Article 3.02 (§ 32.1-48.05 et seq.) of Chapter 2;

33. To the Commissioner of the Department of Labor and Industry or his designee by each licensed emergency medical services agency when the records consist of the prehospital patient care report required by § 32.1-116.1 and the patient has suffered an injury or death on a work site while performing duties or tasks that are within the scope of his employment;

34. To notify a family member or personal representative of an individual who is the subject of a proceeding pursuant to Article 16 (§ 16.1-335 et seq.) of Chapter 11 of Title 16.1 or Chapter 8 (§ 37.2-800 et seq.) of Title 37.2 of information that is directly relevant to such person's involvement with the individual's health care, which may include the individual's location and general condition, when the individual has the capacity to make health care decisions and (i) the individual has agreed to the notification, (ii) the individual has been provided an opportunity to object to the notification and does not express an objection, or (iii) the health care provider can, on the basis of his professional judgment, reasonably infer from the circumstances that the individual does not object to the notification. If the opportunity to agree or object to the notification cannot practicably be provided because of the individual's incapacity or an emergency circumstance, the health care provider may notify a family member or personal representative of the individual of information that is directly relevant to such person's involvement with the individual's health care, which may include the individual's location and general condition if the health care provider, in the exercise of his professional judgment, determines that the notification is in the best interests of the individual. Such notification shall not be made if the provider has actual knowledge the family member or personal representative is currently prohibited by court order from contacting the individual;

35. To a threat assessment team established by a local school board pursuant to § 22.1-79.4, by a public institution of higher education pursuant to § 23.1-805, or by a private nonprofit institution of higher education; and

36. To a regional emergency medical services council pursuant to § 32.1-116.1, for purposes limited to monitoring and improving the quality of emergency medical services pursuant to § 32.1-111.3.

Notwithstanding the provisions of subdivisions 1 through 35, a health care entity shall obtain an individual's written authorization for any disclosure of psychotherapy notes, except when disclosure by the health care entity is (i) for its own training programs in which students, trainees, or practitioners in mental health are being taught under supervision to practice or to improve their skills in group, joint, family, or individual counseling; (ii) to defend itself or its employees or staff against any accusation of wrongful conduct; (iii) in the discharge of the duty, in accordance with subsection B of § 54.1-2400.1, to take precautions to protect third parties from violent behavior or other serious harm; (iv) required in the course of an investigation, audit, review, or proceeding regarding a health care entity's conduct by a duly authorized law-enforcement, licensure, accreditation, or professional review entity; or (v) otherwise required by law.

E. Health care records required to be disclosed pursuant to this section shall be made available electronically only to the extent and in the manner authorized by the federal Health Information Technology for Economic and Clinical Health Act (P.L. 111-5) and implementing regulations and the Health Insurance Portability and Accountability Act (42 U.S.C. § 1320d et seq.) and implementing regulations. Notwithstanding any other provision to the contrary, a health care entity shall not be required to provide records in an electronic format requested if (i) the electronic format is not reasonably available without additional cost to the health care entity, (ii) the records would be subject to modification in the format requested, or (iii) the health care entity determines that the integrity of the records could be compromised in the electronic format requested. Requests for copies of or electronic access to health records shall (a) be in writing, dated and signed by the requester; (b) identify the nature of the information requested; and (c) include evidence of the authority of the requester to receive such copies or access such records, and identification of the person to whom the information is to be disclosed; and (d) specify whether the requester would like the records in electronic format, if available, or in paper format. The health care entity shall accept a photocopy, facsimile, or other copy of the original signed by the requester as if it were an original. Within 30 days of receipt of a request for copies of or electronic access to health records, the health care entity shall do one of the following: (1) furnish such copies of or allow electronic access to the requested health records to any requester authorized to receive them in electronic format if so requested; (2) inform the requester if the information does not exist or cannot be found; (3) if the health care entity does not maintain a record of the information, so inform the requester and provide the name and address, if known, of the health care entity who maintains the record; or (4) deny the request (A) under subsection F, (B) on the grounds that the requester has not established his authority to receive such health records or proof of his identity, or (C) as otherwise provided by law. Procedures set forth in this section shall apply only to requests for health records not specifically governed by other provisions of state law.

F. Except as provided in subsection B of § 8.01-413, copies of or electronic access to an individual's health records shall not be furnished to such individual or anyone authorized to act on the individual's behalf when the individual's treating physician, clinical psychologist, clinical social worker, or licensed professional counselor has made a part of the individual's record a written statement that, in the exercise of his professional judgment, the furnishing to or review by the individual of such health records would be reasonably likely to endanger the life or physical safety of the individual or another person, or

that such health record makes reference to a person other than a health care provider and the access requested would be reasonably likely to cause substantial harm to such referenced person. If any health care entity denies a request for copies of or electronic access to health records based on such statement, the health care entity shall inform the individual of the individual's right to designate, in writing, at his own expense, another reviewing physician, clinical psychologist, clinical social worker, or licensed professional counselor whose licensure, training and experience relative to the individual's condition are at least equivalent to that of the physician, clinical psychologist, clinical social worker, or licensed professional counselor upon whose opinion the denial is based. The designated reviewing physician, clinical psychologist, clinical social worker, or licensed professional counselor shall make a judgment as to whether to make the health record available to the individual.

The health care entity denying the request shall also inform the individual of the individual's right to request in writing that such health care entity designate, at its own expense, a physician, clinical psychologist, clinical social worker, or licensed professional counselor, whose licensure, training, and experience relative to the individual's condition are at least equivalent to that of the physician, clinical psychologist, clinical social worker, or licensed professional counselor upon whose professional judgment the denial is based and who did not participate in the original decision to deny the health records, who shall make a judgment as to whether to make the health record available to the individual. The health care entity shall comply with the judgment of the reviewing physician, clinical psychologist, clinical social worker, or licensed professional counselor. The health care entity shall permit copying and examination of the health record by such other physician, clinical psychologist, clinical social worker, or licensed professional counselor designated by either the individual at his own expense or by the health care entity at its expense.

Any health record copied for review by any such designated physician, clinical psychologist, clinical social worker, or licensed professional counselor shall be accompanied by a statement from the custodian of the health record that the individual's treating physician, clinical psychologist, clinical social worker, or licensed professional counselor determined that the individual's review of his health record would be reasonably likely to endanger the life or physical safety of the individual or would be reasonably likely to cause substantial harm to a person referenced in the health record who is not a health care provider.

Further, nothing herein shall be construed as giving, or interpreted to bestow the right to receive copies of, or otherwise obtain access to, psychotherapy notes to any individual or any person authorized to act on his behalf.

G. A written authorization to allow release of an individual's health records shall substantially include the following information:

AUTHORIZATION TO RELEASE CONFIDENTIAL HEALTH RECORDS

Individual's Name _____

Health Care Entity's Name _____

Person, Agency, or Health Care Entity to whom disclosure is to be made

_____

Information or Health Records to be disclosed

_____

Purpose of Disclosure or at the Request of the Individual

_____

As the person signing this authorization, I understand that I am giving my permission to the above-named health care entity for disclosure of confidential health records. I understand that the health care entity may not condition treatment or payment on my willingness to sign this authorization unless the specific circumstances under which such conditioning is permitted by law are applicable and are set forth in this authorization. I also understand that I have the right to revoke this authorization at any time, but that my revocation is not effective until delivered in writing to the person who is in possession of my health records and is not effective as to health records already disclosed under this authorization. A copy of this authorization and a notation concerning the persons or agencies to whom disclosure was made shall be included with my original health records. I understand that health information disclosed under this authorization might be redisclosed by a recipient and may, as a result of such disclosure, no longer be protected to the same extent as such health information was protected by law while solely in the possession of the health care entity.

This authorization expires on (date) or (event) _____

Signature of Individual or Individual's Legal Representative if Individual is Unable to Sign

_____

Relationship or Authority of Legal Representative

_____

Date of Signature _____

H. Pursuant to this subsection:

1. Unless excepted from these provisions in subdivision 9, no party to a civil, criminal or administrative action or proceeding shall request the issuance of a subpoena duces tecum for another party's health records or cause a subpoena duces tecum to be issued by an attorney unless a copy of the request for the subpoena or a copy of the attorney-issued subpoena is provided to the other party's counsel or to the other party if pro se, simultaneously with filing the request or issuance of the subpoena. No party to an action or proceeding shall request or cause the issuance of a subpoena duces tecum for the health records of a nonparty witness unless a copy of the request for the subpoena or a copy of the attorney-issued

subpoena is provided to the nonparty witness simultaneously with filing the request or issuance of the attorney-issued subpoena.

No subpoena duces tecum for health records shall set a return date earlier than 15 days from the date of the subpoena except by order of a court or administrative agency for good cause shown. When a court or administrative agency directs that health records be disclosed pursuant to a subpoena duces tecum earlier than 15 days from the date of the subpoena, a copy of the order shall accompany the subpoena.

Any party requesting a subpoena duces tecum for health records or on whose behalf the subpoena duces tecum is being issued shall have the duty to determine whether the individual whose health records are being sought is pro se or a nonparty.

In instances where health records being subpoenaed are those of a pro se party or nonparty witness, the party requesting or issuing the subpoena shall deliver to the pro se party or nonparty witness together with the copy of the request for subpoena, or a copy of the subpoena in the case of an attorney-issued subpoena, a statement informing them of their rights and remedies. The statement shall include the following language and the heading shall be in boldface capital letters:

NOTICE TO INDIVIDUAL

The attached document means that (insert name of party requesting or causing issuance of the subpoena) has either asked the court or administrative agency to issue a subpoena or a subpoena has been issued by the other party's attorney to your doctor, other health care providers (names of health care providers inserted here) or other health care entity (name of health care entity to be inserted here) requiring them to produce your health records. Your doctor, other health care provider or other health care entity is required to respond by providing a copy of your health records. If you believe your health records should not be disclosed and object to their disclosure, you have the right to file a motion with the clerk of the court or the administrative agency to quash the subpoena. If you elect to file a motion to quash, such motion must be filed within 15 days of the date of the request or of the attorney-issued subpoena. You may contact the clerk's office or the administrative agency to determine the requirements that must be satisfied when filing a motion to quash and you may elect to contact an attorney to represent your interest. If you elect to file a motion to quash, you must notify your doctor, other health care provider(s), or other health care entity, that you are filing the motion so that the health care provider or health care entity knows to send the health records to the clerk of court or administrative agency in a sealed envelope or package for safekeeping while your motion is decided.

2. Any party filing a request for a subpoena duces tecum or causing such a subpoena to be issued for an individual's health records shall include a Notice in the same part of the request in which the recipient of the subpoena duces tecum is directed where and when to return the health records. Such notice shall be in boldface capital letters and shall include the following language:

NOTICE TO HEALTH CARE ENTITIES

A COPY OF THIS SUBPOENA DUCES TECUM HAS BEEN PROVIDED TO THE INDIVIDUAL WHOSE HEALTH RECORDS ARE BEING REQUESTED OR HIS COUNSEL. YOU OR THAT INDIVIDUAL HAS THE RIGHT TO FILE A MOTION TO QUASH (OBJECT TO) THE ATTACHED SUBPOENA. IF YOU ELECT TO FILE A MOTION TO QUASH, YOU MUST FILE THE MOTION WITHIN 15 DAYS OF THE DATE OF THIS SUBPOENA.

YOU MUST NOT RESPOND TO THIS SUBPOENA UNTIL YOU HAVE RECEIVED WRITTEN CERTIFICATION FROM THE PARTY ON WHOSE BEHALF THE SUBPOENA WAS ISSUED THAT THE TIME FOR FILING A MOTION TO QUASH HAS ELAPSED AND THAT:

NO MOTION TO QUASH WAS FILED; OR

ANY MOTION TO QUASH HAS BEEN RESOLVED BY THE COURT OR THE ADMINISTRATIVE AGENCY AND THE DISCLOSURES SOUGHT ARE CONSISTENT WITH SUCH RESOLUTION.

IF YOU RECEIVE NOTICE THAT THE INDIVIDUAL WHOSE HEALTH RECORDS ARE BEING REQUESTED HAS FILED A MOTION TO QUASH THIS SUBPOENA, OR IF YOU FILE A MOTION TO QUASH THIS SUBPOENA, YOU MUST SEND THE HEALTH RECORDS ONLY TO THE CLERK OF THE COURT OR ADMINISTRATIVE AGENCY THAT ISSUED THE SUBPOENA OR IN WHICH THE ACTION IS PENDING AS SHOWN ON THE SUBPOENA USING THE FOLLOWING PROCEDURE:

PLACE THE HEALTH RECORDS IN A SEALED ENVELOPE AND ATTACH TO THE SEALED ENVELOPE A COVER LETTER TO THE CLERK OF COURT OR ADMINISTRATIVE AGENCY WHICH STATES THAT CONFIDENTIAL HEALTH RECORDS ARE ENCLOSED AND ARE TO BE HELD UNDER SEAL PENDING A RULING ON THE MOTION TO QUASH THE SUBPOENA. THE SEALED ENVELOPE AND THE COVER LETTER SHALL BE PLACED IN AN OUTER ENVELOPE OR PACKAGE FOR TRANSMITTAL TO THE COURT OR ADMINISTRATIVE AGENCY.

3. Upon receiving a valid subpoena duces tecum for health records, health care entities shall have the duty to respond to the subpoena in accordance with the provisions of subdivisions 4, 5, 6, 7, and 8.

4. Except to deliver to a clerk of the court or administrative agency subpoenaed health records in a sealed envelope as set forth, health care entities shall not respond to a subpoena duces tecum for such health records until they have received a certification as set forth in subdivision 5 or 8 from the party on whose behalf the subpoena duces tecum was issued.

If the health care entity has actual receipt of notice that a motion to quash the subpoena has been filed or if the health care entity files a motion to quash the subpoena for health records, then the health care entity shall produce the health records, in a securely sealed envelope, to the clerk of the court or administrative agency issuing the subpoena or in whose court or administrative agency the action is pending. The court or administrative agency shall place the health records under

seal until a determination is made regarding the motion to quash. The securely sealed envelope shall only be opened on order of the judge or administrative agency. In the event the court or administrative agency grants the motion to quash, the health records shall be returned to the health care entity in the same sealed envelope in which they were delivered to the court or administrative agency. In the event that a judge or administrative agency orders the sealed envelope to be opened to review the health records in camera, a copy of the order shall accompany any health records returned to the health care entity. The health records returned to the health care entity shall be in a securely sealed envelope.

5. If no motion to quash is filed within 15 days of the date of the request or of the attorney-issued subpoena, the party on whose behalf the subpoena was issued shall have the duty to certify to the subpoenaed health care entity that the time for filing a motion to quash has elapsed and that no motion to quash was filed. Any health care entity receiving such certification shall have the duty to comply with the subpoena duces tecum by returning the specified health records by either the return date on the subpoena or five days after receipt of the certification, whichever is later.

6. In the event that the individual whose health records are being sought files a motion to quash the subpoena, the court or administrative agency shall decide whether good cause has been shown by the discovering party to compel disclosure of the individual's health records over the individual's objections. In determining whether good cause has been shown, the court or administrative agency shall consider (i) the particular purpose for which the information was collected; (ii) the degree to which the disclosure of the records would embarrass, injure, or invade the privacy of the individual; (iii) the effect of the disclosure on the individual's future health care; (iv) the importance of the information to the lawsuit or proceeding; and (v) any other relevant factor.

7. Concurrent with the court or administrative agency's resolution of a motion to quash, if subpoenaed health records have been submitted by a health care entity to the court or administrative agency in a sealed envelope, the court or administrative agency shall: (i) upon determining that no submitted health records should be disclosed, return all submitted health records to the health care entity in a sealed envelope; (ii) upon determining that all submitted health records should be disclosed, provide all the submitted health records to the party on whose behalf the subpoena was issued; or (iii) upon determining that only a portion of the submitted health records should be disclosed, provide such portion to the party on whose behalf the subpoena was issued and return the remaining health records to the health care entity in a sealed envelope.

8. Following the court or administrative agency's resolution of a motion to quash, the party on whose behalf the subpoena duces tecum was issued shall have the duty to certify in writing to the subpoenaed health care entity a statement of one of the following:

a. All filed motions to quash have been resolved by the court or administrative agency and the disclosures sought in the subpoena duces tecum are consistent with such resolution; and, therefore, the health records previously delivered in a sealed envelope to the clerk of the court or administrative agency will not be returned to the health care entity;

b. All filed motions to quash have been resolved by the court or administrative agency and the disclosures sought in the subpoena duces tecum are consistent with such resolution and that, since no health records have previously been delivered to the court or administrative agency by the health care entity, the health care entity shall comply with the subpoena duces tecum by returning the health records designated in the subpoena by the return date on the subpoena or five days after receipt of certification, whichever is later;

c. All filed motions to quash have been resolved by the court or administrative agency and the disclosures sought in the subpoena duces tecum are not consistent with such resolution; therefore, no health records shall be disclosed and all health records previously delivered in a sealed envelope to the clerk of the court or administrative agency will be returned to the health care entity;

d. All filed motions to quash have been resolved by the court or administrative agency and the disclosures sought in the subpoena duces tecum are not consistent with such resolution and that only limited disclosure has been authorized. The certification shall state that only the portion of the health records as set forth in the certification, consistent with the court or administrative agency's ruling, shall be disclosed. The certification shall also state that health records that were previously delivered to the court or administrative agency for which disclosure has been authorized will not be returned to the health care entity; however, all health records for which disclosure has not been authorized will be returned to the health care entity; or

e. All filed motions to quash have been resolved by the court or administrative agency and the disclosures sought in the subpoena duces tecum are not consistent with such resolution and, since no health records have previously been delivered to the court or administrative agency by the health care entity, the health care entity shall return only those health records specified in the certification, consistent with the court or administrative agency's ruling, by the return date on the subpoena or five days after receipt of the certification, whichever is later.

A copy of the court or administrative agency's ruling shall accompany any certification made pursuant to this subdivision.

9. The provisions of this subsection have no application to subpoenas for health records requested under § 8.01-413, or issued by a duly authorized administrative agency conducting an investigation, audit, review or proceedings regarding a health care entity's conduct.

The provisions of this subsection shall apply to subpoenas for the health records of both minors and adults.

Nothing in this subsection shall have any effect on the existing authority of a court or administrative agency to issue a protective order regarding health records, including, but not limited to, ordering the return of health records to a health care entity, after the period for filing a motion to quash has passed.

A subpoena for substance abuse records must conform to the requirements of federal law found in 42 C.F.R. Part 2, Subpart E.

I. Health care entities may testify about the health records of an individual in compliance with §§ 8.01-399 and 8.01-400.2.

J. ~~If~~ *Except as provided by subsection B7 of § 8.01-413, if* an individual requests a copy of his health record from a health care entity, the health care entity may impose a reasonable cost-based fee, which shall include only the cost of supplies for and labor of copying the requested information, postage when the individual requests that such information be mailed, and preparation of an explanation or summary of such information as agreed to by the individual. For the purposes of this section, "individual" shall subsume a person with authority to act on behalf of the individual who is the subject of the health record in making decisions related to his health care.

K. Nothing in this section shall prohibit a health care provider who prescribes or dispenses a controlled substance required to be reported to the Prescription Monitoring Program established pursuant to Chapter 25.2 (§ 54.1-2519 et seq.) of Title 54.1 to a patient from disclosing information obtained from the Prescription Monitoring Program and contained in a patient's health care record to another health care provider when such disclosure is related to the care or treatment of the patient who is the subject of the record.

L. An authorization for the disclosure of health records executed pursuant to this section shall remain in effect until (i) the authorization is revoked in writing and delivered to the health care entity maintaining the record that is subject to the authorization by the person who executed the authorization, (ii) any expiration date set forth in the authorization, or (iii) the health care entity maintaining the record becomes aware of any expiration event described in the authorization, whichever occurs first. However, any revocation of an authorization for the disclosure of health records executed pursuant to this section shall not be effective to the extent that the health care entity maintaining the record has disclosed health records prior to delivery of such revocation in reliance upon the authorization or as otherwise provided pursuant to 45 C.F.R. § 164.508. A statement in an authorization for the disclosure of health records pursuant to this section that the information to be used or disclosed is "all health records" is a sufficient description for the disclosure of all health records of the person maintained by the health care provider to whom the authorization was granted. If a health care provider receives a written revocation of an authorization for the disclosure of health records in accordance with this subsection, a copy of such written revocation shall be included in the person's original health record maintained by the health care provider.

An authorization for the disclosure of health records executed pursuant to this section shall, unless otherwise expressly limited in the authorization, be deemed to include authorization for the person named in the authorization to assist the person who is the subject of the health record in accessing health care services, including scheduling appointments for the person who is the subject of the health record and attending appointments together with the person who is the subject of the health record.

CHAPTER 183

An Act to amend and reenact § 8.01-581.16 of the Code of Virginia, relating to civil immunity; health care professionals; professional programs related to career fatigue and wellness.

[H 1636]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-581.16 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-581.16. Civil immunity for members of or consultants to certain boards or committees.

A. Every member of, or health care professional consultant to, any committee, board, group, commission or other entity shall be immune from civil liability for any act, decision, omission, or utterance done or made in performance of his duties while serving as a member of or consultant to such committee, board, group, commission or other entity that functions primarily to review, evaluate, or make recommendations on (i) the duration of patient stays in health care facilities; (ii) the professional services furnished with respect to the medical, dental, psychological, podiatric, chiropractic, veterinary, or optometric necessity for such services; (iii) the purpose of promoting the most efficient use or monitoring the quality of care of available health care facilities and services, or of emergency medical services agencies and services; (iv) the adequacy or quality of professional services; (v) the competency and qualifications for professional staff privileges; (vi) the reasonableness or appropriateness of charges made by or on behalf of health care facilities; (vii) patient safety, including entering into contracts with patient safety organizations, provided that such committee, board, group, commission, or other entity has been established pursuant to federal or state law or regulation, the requirements of a national accrediting organization granted authority by the Centers for Medicare and Medicaid Services to assure compliance with Medicare conditions of participation pursuant to § 1865 of Title XVIII of the Social Security Act (42 U.S.C. § 1395bb), or guidelines approved or adopted by a statewide or local association representing health care providers licensed in the Commonwealth pursuant to clause (iii)(f) of subsection B of § 8.01-581.17, or established and duly constituted by one or more public or licensed private hospitals, health systems, community services boards, or behavioral health authorities, or with a governmental agency, and provided further that such act, decision, omission, or utterance is not done or made in bad faith or with malicious intent.

B. Every member of, or health care professional consultant to, any committee, board, group, commission, or other entity that functions primarily to (i) review, evaluate, or make recommendations on a professional program to address issues related to career fatigue and wellness or (ii) arrange for or provide outpatient health care related to career fatigue and wellness for *(a)* health care professionals licensed, registered, or certified by ~~the Boards of Dentistry, Medicine, Nursing, or Pharmacy~~ *a board of the Department of Health Professions as enumerated by § 54.1-2503*~~,~~ or ~~in~~ *(b)* students enrolled in a *graduate* school ~~of dentistry, dental hygiene, medicine, osteopathic medicine, nursing, or pharmacy~~ *or professional program, the completion of which is a prerequisite for licensure, registration, or certification by a board of the Department of Health Professions,* located in the Commonwealth, that is established or contracted for by a statewide association, that is exempt under 26 U.S.C. § 501(c)(6) of the Internal Revenue Code, and that primarily represents health care professionals licensed to practice dentistry, dental hygiene, medicine, or osteopathic medicine in multiple specialties, shall be immune from civil liability for any act, decision, omission, or utterance done or made in performance of his duties while serving as a member of or consultant to such committee, board, group, commission, or other entity. No active participant in a professional program described in this subsection shall be employed or engaged by such professional program or have a financial ownership interest in such professional program.

CHAPTER 184

An Act to amend and reenact §§ 54.1-2900 and 54.1-2963 of the Code of Virginia, relating to vitamins, minerals, and food supplements; practice of chiropractic; definition.

[H 1646]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2900 and 54.1-2963 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2900. Definitions.

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

"Acupuncturist" means an individual approved by the Board to practice acupuncture. This is limited to "licensed acupuncturist" which means an individual other than a doctor of medicine, osteopathy, chiropractic or podiatry who has successfully completed the requirements for licensure established by the Board (approved titles are limited to: Licensed Acupuncturist, Lic.Ac., and L.Ac.).

"Advanced practice registered nurse" means a certified nurse midwife, certified registered nurse anesthetist, clinical nurse specialist, or nurse practitioner who is jointly licensed by the Boards of Medicine and Nursing pursuant to § 54.1-2957, has completed an advanced graduate-level education program in a specialty category of nursing, and has passed a national certifying examination for that specialty.

"Auricular acupuncture" means the subcutaneous insertion of sterile, disposable acupuncture needles in predetermined, bilateral locations in the outer ear.

"Birth control" means contraceptive methods that are approved by the U.S. Food and Drug Administration. "Birth control" shall not be considered abortion for the purposes of Title 18.2.

"Board" means the Board of Medicine.

"Certified nurse midwife" means an advanced practice registered nurse who is certified in the specialty of nurse midwifery and who is jointly licensed by the Boards of Medicine and Nursing as an advanced practice registered nurse pursuant to § 54.1-2957.

"Certified registered nurse anesthetist" means an advanced practice registered nurse who is certified in the specialty of nurse anesthesia, who is jointly licensed by the Boards of Medicine and Nursing as an advanced practice registered nurse pursuant to § 54.1-2957, and who practices under the supervision of a doctor of medicine, osteopathy, podiatry, or dentistry but is not subject to the practice agreement requirement described in § 54.1-2957.

"Clinical nurse specialist" means an advanced practice registered nurse who is certified in the specialty of clinical nurse specialist and who is jointly licensed by the Boards of Medicine and Nursing as an advanced practice registered nurse pursuant to § 54.1-2957.

"Collaboration" means the communication and decision-making process among health care providers who are members of a patient care team related to the treatment of a patient that includes the degree of cooperation necessary to provide treatment and care of the patient and includes (i) communication of data and information about the treatment and care of a patient, including the exchange of clinical observations and assessments, and (ii) development of an appropriate plan of care, including decisions regarding the health care provided, accessing and assessment of appropriate additional resources or expertise, and arrangement of appropriate referrals, testing, or studies.

"Consultation" means communicating data and information, exchanging clinical observations and assessments, accessing and assessing additional resources and expertise, problem-solving, and arranging for referrals, testing, or studies.

"Genetic counselor" means a person licensed by the Board to engage in the practice of genetic counseling.

"Healing arts" means the arts and sciences dealing with the prevention, diagnosis, treatment and cure or alleviation of human physical or mental ailments, conditions, diseases, pain or infirmities.

"Licensed certified midwife" means a person who is licensed as a certified midwife by the Boards of Medicine and Nursing.

"Medical malpractice judgment" means any final order of any court entering judgment against a licensee of the Board that arises out of any tort action or breach of contract action for personal injuries or wrongful death, based on health care or professional services rendered, or that should have been rendered, by a health care provider, to a patient.

"Medical malpractice settlement" means any written agreement and release entered into by or on behalf of a licensee of the Board in response to a written claim for money damages that arises out of any personal injuries or wrongful death, based on health care or professional services rendered, or that should have been rendered, by a health care provider, to a patient.

"Nurse practitioner" means an advanced practice registered nurse, other than an advanced practice registered nurse licensed by the Boards of Medicine and Nursing in the category of certified nurse midwife, certified registered nurse anesthetist, or clinical nurse specialist, who is jointly licensed by the Boards of Medicine and Nursing pursuant to § 54.1-2957.

"Occupational therapy assistant" means an individual who has met the requirements of the Board for licensure and who works under the supervision of a licensed occupational therapist to assist in the practice of occupational therapy.

"Patient care team" means a multidisciplinary team of health care providers actively functioning as a unit with the management and leadership of one or more patient care team physicians for the purpose of providing and delivering health care to a patient or group of patients.

"Patient care team physician" means a physician who is actively licensed to practice medicine in the Commonwealth, who regularly practices medicine in the Commonwealth, and who provides management and leadership in the care of patients as part of a patient care team.

"Patient care team podiatrist" means a podiatrist who is actively licensed to practice podiatry in the Commonwealth, who regularly practices podiatry in the Commonwealth, and who provides management and leadership in the care of patients as part of a patient care team.

"Physician assistant" means a health care professional who has met the requirements of the Board for licensure as a physician assistant.

"Practice of acupuncture" means the stimulation of certain points on or near the surface of the body by the insertion of needles to prevent or modify the perception of pain or to normalize physiological functions, including pain control, for the treatment of certain ailments or conditions of the body and includes the techniques of electroacupuncture, cupping, and moxibustion. The practice of acupuncture does not include the use of physical therapy, chiropractic, or osteopathic manipulative techniques; the use or prescribing of any drugs, medications, serums or vaccines; or the procedure of the five needle auricular acupuncture protocol (5NP) as exempted in § 54.1-2901.

"Practice of athletic training" means the prevention, recognition, evaluation, and treatment of injuries or conditions related to athletic or recreational activity that requires physical skill and utilizes strength, power, endurance, speed, flexibility, range of motion or agility or a substantially similar injury or condition resulting from occupational activity immediately upon the onset of such injury or condition; and subsequent treatment and rehabilitation of such injuries or conditions, including in an inpatient or outpatient setting, under the direction of the patient's physician or under the direction of any doctor of medicine, osteopathy, chiropractic, podiatry, or dentistry, while using heat, light, sound, cold, electricity, exercise or mechanical or other devices.

"Practice of behavior analysis" means the design, implementation, and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including the use of direct observation, measurement, and functional analysis of the relationship between environment and behavior.

"Practice of chiropractic" means the adjustment of the 24 movable vertebrae of the spinal column, and assisting nature for the purpose of normalizing the transmission of nerve energy, but does not include the use of surgery, obstetrics, osteopathy, or the administration or prescribing of any drugs, medicines, serums, or vaccines. "Practice of chiropractic" includes (i) requesting, receiving, and reviewing a patient's medical and physical history, including information related to past surgical and nonsurgical treatment of the patient and controlled substances prescribed to the patient, and (ii) documenting in a patient's record information related to the condition and symptoms of the patient, the examination and evaluation of the patient made by the doctor of chiropractic, and treatment provided to the patient by the doctor of chiropractic. *"Practice of chiropractic" further includes recommending or directing patients on the use of vitamins, minerals, or food supplements.* "Practice of chiropractic" also includes performing the physical examination of an applicant for a commercial driver's license or commercial learner's permit pursuant to § 46.2-341.12 if the practitioner has (a) applied for and received certification as a medical examiner pursuant to 49 C.F.R. Part 390, Subpart D and (b) registered with the National Registry of Certified Medical Examiners.

"Practice of genetic counseling" means (i) obtaining and evaluating individual and family medical histories to assess the risk of genetic medical conditions and diseases in a patient, his offspring, and other family members; (ii) discussing the features, history, diagnosis, environmental factors, and risk management of genetic medical conditions and diseases; (iii) ordering genetic laboratory tests and other diagnostic studies necessary for genetic assessment; (iv) integrating the results with personal and family medical history to assess and communicate risk factors for genetic medical conditions and diseases; (v) evaluating the patient's and family's responses to the medical condition or risk of recurrence and providing client-centered counseling and anticipatory guidance; (vi) identifying and utilizing community resources that provide

medical, educational, financial, and psychosocial support and advocacy; and (vii) providing written documentation of medical, genetic, and counseling information for families and health care professionals.

"Practice of licensed certified midwifery" means the provision of primary health care for preadolescents, adolescents, and adults within the scope of practice of a certified midwife established in accordance with the Standards for the Practice of Midwifery set by the American College of Nurse-Midwives, including (i) providing sexual and reproductive care and care during pregnancy and childbirth, postpartum care, and care for the newborn for up to 28 days following the birth of the child; (ii) prescribing of pharmacological and non-pharmacological therapies within the scope of the practice of midwifery; (iii) consulting or collaborating with or referring patients to such other health care providers as may be appropriate for the care of the patients; and (iv) serving as an educator in the theory and practice of midwifery.

"Practice of medicine or osteopathic medicine" means the prevention, diagnosis, and treatment of human physical or mental ailments, conditions, diseases, pain, or infirmities by any means or method.

"Practice of occupational therapy" means the therapeutic use of occupations for habilitation and rehabilitation to enhance physical health, mental health, and cognitive functioning and includes the evaluation, analysis, assessment, and delivery of education and training in basic and instrumental activities of daily living; the design, fabrication, and application of orthoses (splints); the design, selection, and use of adaptive equipment and assistive technologies; therapeutic activities to enhance functional performance; vocational evaluation and training; and consultation concerning the adaptation of physical, sensory, and social environments.

"Practice of podiatry" means the prevention, diagnosis, treatment, and cure or alleviation of physical conditions, diseases, pain, or infirmities of the human foot and ankle, including the medical, mechanical and surgical treatment of the ailments of the human foot and ankle, but does not include amputation of the foot proximal to the transmetatarsal level through the metatarsal shafts. Amputations proximal to the metatarsal-phalangeal joints may only be performed in a hospital or ambulatory surgery facility accredited by an organization listed in § 54.1-2939. The practice includes the diagnosis and treatment of lower extremity ulcers; however, the treatment of severe lower extremity ulcers proximal to the foot and ankle may only be performed by appropriately trained, credentialed podiatrists in an approved hospital or ambulatory surgery center at which the podiatrist has privileges, as described in § 54.1-2939. The Board of Medicine shall determine whether a specific type of treatment of the foot and ankle is within the scope of practice of podiatry.

"Practice of radiologic technology" means the application of ionizing radiation to human beings for diagnostic or therapeutic purposes.

"Practice of respiratory care" means the (i) administration of pharmacological, diagnostic, and therapeutic agents related to respiratory care procedures necessary to implement a treatment, disease prevention, pulmonary rehabilitative, or diagnostic regimen prescribed by a practitioner of medicine or osteopathic medicine; (ii) transcription and implementation of the written or verbal orders of a practitioner of medicine or osteopathic medicine pertaining to the practice of respiratory care; (iii) observation and monitoring of signs and symptoms, general behavior, general physical response to respiratory care treatment and diagnostic testing, including determination of whether such signs, symptoms, reactions, behavior or general physical response exhibit abnormal characteristics; and (iv) implementation of respiratory care procedures, based on observed abnormalities, or appropriate reporting, referral, respiratory care protocols or changes in treatment pursuant to the written or verbal orders by a licensed practitioner of medicine or osteopathic medicine or the initiation of emergency procedures, pursuant to the Board's regulations or as otherwise authorized by law. The practice of respiratory care may be performed in any clinic, hospital, skilled nursing facility, private dwelling or other place deemed appropriate by the Board in accordance with the written or verbal order of a practitioner of medicine or osteopathic medicine and shall be performed under qualified medical direction.

"Practice of surgical assisting" means the performance of significant surgical tasks, including manipulation of organs, suturing of tissue, placement of hemostatic agents, injection of local anesthetic, harvesting of veins, implementation of devices, and other duties as directed by a licensed doctor of medicine, osteopathy, or podiatry under the direct supervision of a licensed doctor of medicine, osteopathy, or podiatry.

"Qualified medical direction" means, in the context of the practice of respiratory care, having readily accessible to the respiratory therapist a licensed practitioner of medicine or osteopathic medicine who has specialty training or experience in the management of acute and chronic respiratory disorders and who is responsible for the quality, safety, and appropriateness of the respiratory services provided by the respiratory therapist.

"Radiologic technologist" means an individual, other than a licensed doctor of medicine, osteopathy, podiatry, or chiropractic or a dentist licensed pursuant to Chapter 27 (§ 54.1-2700 et seq.), who (i) performs, may be called upon to perform, or is licensed to perform a comprehensive scope of diagnostic or therapeutic radiologic procedures employing ionizing radiation and (ii) is delegated or exercises responsibility for the operation of radiation-generating equipment, the shielding of patient and staff from unnecessary radiation, the appropriate exposure of radiographs, the administration of radioactive chemical compounds under the direction of an authorized user as specified by regulations of the Department of Health, or other procedures that contribute to any significant extent to the site or dosage of ionizing radiation to which a patient is exposed.

"Radiologic technologist, limited" means an individual, other than a licensed radiologic technologist, dental hygienist, or person who is otherwise authorized by the Board of Dentistry under Chapter 27 (§ 54.1-2700 et seq.) and the regulations pursuant thereto, who performs diagnostic radiographic procedures employing equipment that emits ionizing radiation that is limited to specific areas of the human body.

"Radiologist assistant" means an individual who has met the requirements of the Board for licensure as an advanced-level radiologic technologist and who, under the direct supervision of a licensed doctor of medicine or osteopathy specializing in the field of radiology, is authorized to (i) assess and evaluate the physiological and psychological responsiveness of patients undergoing radiologic procedures; (ii) evaluate image quality, make initial observations, and communicate observations to the supervising radiologist; (iii) administer contrast media or other medications prescribed by the supervising radiologist; and (iv) perform, or assist the supervising radiologist to perform, any other procedure consistent with the guidelines adopted by the American College of Radiology, the American Society of Radiologic Technologists, and the American Registry of Radiologic Technologists.

"Respiratory care" means the practice of the allied health profession responsible for the direct and indirect services, including inhalation therapy and respiratory therapy, in the treatment, management, diagnostic testing, control, and care of patients with deficiencies and abnormalities associated with the cardiopulmonary system under qualified medical direction.

"Surgical assistant" means an individual who has met the requirements of the Board for licensure as a surgical assistant and who works under the direct supervision of a licensed doctor of medicine, osteopathy, or podiatry.

§ 54.1-2963. Selling vitamins or food supplements in connection with a practice of the healing arts; chiropractor recommending vitamins, minerals, or food supplements.

A. The Board shall have authority to promulgate regulations regulating the sale of vitamins or food supplements by any practitioner of the healing arts from the office in which he practices.

B. A chiropractor may recommend or direct patients on the use of vitamins, minerals, or food supplements, provided that the rationale for such recommendation is (i) documented in a patient's record and (ii) based on a reasonable expectation that the use of such vitamins, minerals, or food supplements will result in a favorable patient outcome, including preventive practices, and that a greater benefit will be achieved than that which can be expected without such use. Such chiropractor shall not sell, dispense, or recommend vitamins, minerals, or food supplements for use if such use will negatively impact any of the patient's existing medical conditions.

CHAPTER 185

An Act to amend and reenact § 40.1-100 of the Code of Virginia, relating to Board for Barbers and Cosmetology; employment prohibition exceptions; children 16 years of age or older.

[H 1667]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 40.1-100 of the Code of Virginia is amended and reenacted as follows:

§ 40.1-100. Certain employment prohibited or limited.

A. No child under 18 years of age shall be employed, permitted, or suffered to work:

1. In any mine, quarry, tunnel, underground scaffolding work; in or about any plant or establishment manufacturing or storing explosives or articles containing explosive components; or in any occupation involving exposure to radioactive substances or to ionizing radiations, including X-ray equipment;

2. At operating or assisting to operate any grinding, abrasive, polishing, or buffing machine, any power-driven metal forming, punching, or shearing machine, any power-driven bakery machine, any power-driven paper products machine, any circular saw, band saw, or guillotine shear, or any power-driven woodworking machine;

3. In oiling or assisting in oiling, wiping, and cleaning any such machinery;

4. In any capacity in preparing any composition in which dangerous or poisonous chemicals are used;

5. In any capacity in the manufacturing of paints, colors, white lead, or brick tile or kindred products, in any place where goods of alcoholic content are manufactured, bottled, or sold for consumption on the premises, except in places (i) licensed pursuant to subdivision 6 of § 4.1-206.1, provided that a child employed at the premises shall not serve or dispense in any manner alcoholic beverages or (ii) where the sale of alcoholic beverages is merely incidental to the main business actually conducted, or to deliver alcoholic goods;

6. In any capacity in or about excavation, demolition, roofing, wrecking, or shipbreaking operations;

7. As a driver or a helper on an automobile, truck, or commercial vehicle; however, children who are at least 17 years of age may drive automobiles or trucks on public roadways if:

a. The automobile or truck does not exceed 6,000 pounds gross vehicle weight, the vehicle is equipped with seat belts for the driver and any passengers, and the employer requires the employee to use the seatbelts when driving the automobile or truck;

b. Driving is restricted to daylight hours;

c. The employee has a valid state license for the type of driving involved and has no record of any moving violations at the time of hire;

d. The employee has successfully completed a state-approved driver education course;

e. The driving does not involve (i) the towing of vehicles; (ii) route deliveries or route sales; (iii) the transportation for hire of property, goods, or passengers; (iv) urgent, time-sensitive deliveries; or (v) the transporting at any time of more than three passengers, including the employees of the employer;

f. The driving performed by the employee does not involve more than two trips away from the primary place of employment in any single day for the purpose of delivering goods of the employee's employer to a customer;

g. The driving performed by the employee does not involve more than two trips away from the primary place of employment in any single day for the purpose of transporting passengers, other than employees of the employer;

h. The driving takes place within a 30-mile radius of the employee's place of employment; and

i. The driving is only occasional and incidental to the employee's employment and involves no more than one third of the employee's work time in any workday and no more than 20 percent work time in any workweek;

8. In logging or sawmilling or in any lath mill, shingle mill, or cooperage-stock mill or in any occupation involving slaughtering, meatpacking, processing, or rendering;

9. In any occupation determined and declared hazardous by rules and regulations promulgated by the Commissioner of Labor and Industry, except as otherwise provided in subsection D.

Notwithstanding the provisions of this section, children 16 years of age or older who are serving a voluntary apprenticeship as provided in Article 3 (§ 2.2-2043 et seq.) of Chapter 20.2 of Title 2.2 may be employed in any occupation in accordance with rules and regulations promulgated by the Commissioner.

B. Except as part of a regular work-training program in accordance with §§ 40.1-88 and 40.1-89, no child under 16 years of age shall be employed, permitted, or suffered to work:

1. In any manufacturing or mechanical establishment; in any commercial cannery; in the operation of any automatic passenger or freight elevator; in any dance studio; in any hospital, nursing home, clinic, or other establishment providing care for resident patients as a laboratory helper, therapist, orderly, or nurse's aide; in the service of any veterinarian while treating farm animals or horses; in any warehouse; in processing work in any laundry or dry cleaning establishment; in any undertaking establishment or funeral home; in any curb service restaurant; in hotel and motel room service; in any brick, coal, or lumber yard or ice plant; or in ushering in theaters. Children 14 years of age or older may be engaged in office work of a clerical nature in bona fide office rooms in the above types of establishments.

2. In any scaffolding work or construction trade; in any outdoor theater, cabaret, carnival, fair, floor show, pool hall, club, or roadhouse; or as a lifeguard at a beach.

C. Children 14 years of age or older may be employed by dry cleaning or laundry establishments in branch stores where no processing is done on the premises and in hospitals, nursing homes, and clinics where they may be engaged in kitchen work, tray service, or room and hall cleaning. Children 14 years of age or older may be employed in bowling alleys completely equipped with automatic pin setters, but not in or about such machines, and in soda fountains, restaurants, and hotel and motel food service departments. Children 14 years of age or older may work as gatekeepers and in concessions at swimming pools and may be employed by concessionaires operating on beaches where their duties and work pertain to the handling and distribution of beach chairs, umbrellas, floats, and other similar or related beach equipment.

D. Notwithstanding any other provision of this chapter:

1. Children age 16 years or older employed on farms, in gardens, or in orchards may operate, assist in operating, or otherwise perform work involving a truck, excluding a tractor trailer, or farm vehicle, as defined in § 46.2-1099, in their employment;

2. Children age 14 years or older employed on farms, in gardens, or in orchards may perform work as a helper on a truck or commercial vehicle in their employment, while engaged in such work exclusively on a farm, in a garden, or in an orchard;

3. Children age 16 years or older may participate in all activities of a volunteer fire company; however, any such child shall not enter a burning structure or a structure that contains burning materials prior to obtaining certification under National Fire Protection Association 1001, level one, firefighter standards, pursuant to the provisions of clause (i) of subsection A of § 40.1-79.1, except where entry into a structure that contains burning materials is during training necessary to attain certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs;

4. Children age 16 years or older ~~who are registered apprentices as provided in Article 3 (§ 2.2-2043 et seq.) of Chapter 20.2 of Title 2.2~~ may serve in a barbershop or cosmetology salon licensed by the Board for Barbers and Cosmetology in accordance with regulations of the Board for Barbers and Cosmetology*, provided that:*

a. The child is an apprentice registered in accordance with Article 3 (§ 2.2-2043 et seq.) of Chapter 20.2 of Title 2.2;

b. The child is employed in a work-training program as provided in § 40.1-89, which is administered in accordance with the rules and regulations promulgated by the Board of Education; or

c. The child has obtained a cosmetology or barber license from the Board for Barbers and Cosmetology.

CHAPTER 186

An Act to direct the Board of Education to amend its regulations relating to the accreditation requirements for professional education programs in Virginia to provide an alternative for certain programs.

[H 1674]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Board of Education shall amend its regulations in 8VAC20-543-20, relating to accreditation requirements for professional education programs in the Commonwealth, to require the Department of Education to provide an alternative to the requirement to obtain and maintain national accreditation from the Council for the Accreditation of Educator Preparation to any professional education program that (i) leads to an endorsement set forth in 8VAC20-543-610 and 8VAC20-543-620 and (ii) has a secured specialty area accreditation from a specialized accrediting agency recognized by the U.S. Secretary of Education or the Council for Higher Education Accreditation.*

CHAPTER 187

An Act to amend and reenact § 22.1-289.02 of the Code of Virginia, relating to early childhood care and education; publicly funded providers; exclusions.

[H 1685]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-289.02 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-289.02. Definitions.

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

"Child day center" means a child day program offered to (i) two or more children under the age of 13 in a facility that is not the residence of the provider or of any of the children in care or (ii) 13 or more children at any location.

"Child day program" means a regularly operating service arrangement for children where, during the absence of a parent or guardian, a person or organization has agreed to assume responsibility for the supervision, protection, and well-being of a child under the age of 13 for less than a 24-hour period.

"Early childhood care and education entity" means a child day center, family day home, or family day system serving children under the age of five.

"Family day home" means a child day program offered in the residence of the provider or the home of any of the children in care for one through 12 children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation. The provider of a licensed or registered family day home shall disclose to the parents or guardians of children in their care the percentage of time per week that persons other than the provider will care for the children. Family day homes serving five through 12 children, exclusive of the provider's own children and any children who reside in the home, shall be licensed. However, no family day home shall care for more than four children under the age of two, including the provider's own children and any children who reside in the home, unless the family day home is licensed or voluntarily registered. However, a family day home where the children in care are all related to the provider by blood or marriage shall not be required to be licensed.

"Family day system" means any person who approves family day homes as members of its system; who refers children to available family day homes in that system; and who, through contractual arrangement, may provide central administrative functions including, but not limited to, training of operators of member homes; technical assistance and consultation to operators of member homes; inspection, supervision, monitoring, and evaluation of member homes; and referral of children to available health and social services.

"Head Start provider" means a public or private, nonprofit or for-profit organization or agency, including any community-based organization, as such term is defined in 20 U.S.C. § 7801, to which a grantee has delegated all or part of the responsibility of the grantee for operating a Head Start program.

"Publicly funded provider" means any (i) educational program provided by a school division or local government to children between birth and age five or (ii) child day program that receives state or federal funds in support of its operations that serves three or more unrelated children. "Publicly funded provider" does not include any program for which the sole source of public funding is the federal Child and Adult Care Food Program (CACFP) administered by the U.S. Department of Agriculture Food and Nutrition Service *or any program for which the sole source of public funding is financial assistance for military child care pursuant to 10 U.S.C. § 1798 and that is accredited by a U.S. Department of Defense-approved national accrediting body*.

"Registered family day home" means any family day home that has met the standards for voluntary registration for such homes pursuant to regulations adopted by the Board and that has obtained a certificate of registration from the Superintendent.

2. That any program that receives financial assistance for military child care pursuant to 10 U.S.C. § 1798 and is accredited by a U.S. Department of Defense-approved national accrediting body and is thereby excluded from the definition of "publicly funded provider" pursuant to § 22.1-289.02 of the Code of Virginia, as amended by this act, shall subsequently be considered a publicly funded provider if each child for whom such program receives such financial assistance for military child care either disenrolls from or ages out of such program.

CHAPTER 188

An Act to amend and reenact § 58.1-609.10 of the Code of Virginia, relating to retail sales and use tax; exemption for prescription medicine and drugs purchased by veterinarians; sunset.

[H 1698]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-609.10 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-609.10. Miscellaneous exemptions.

The tax imposed by this chapter or pursuant to the authority granted in §§ 58.1-605 and 58.1-606 shall not apply to the following:

1. Artificial or propane gas, firewood, coal or home heating oil used for domestic consumption. "Domestic consumption" means the use of artificial or propane gas, firewood, coal or home heating oil by an individual purchaser for other than business, commercial or industrial purposes. The Tax Commissioner shall establish by regulation a system for use by dealers in classifying individual purchases for domestic or nondomestic use based on the principal usage of such gas, wood, coal or oil. Any person making a nondomestic purchase and paying the tax pursuant to this chapter who uses any portion of such purchase for domestic use may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for a refund of the tax paid on the domestic use portion.

2. An occasional sale, as defined in § 58.1-602. A nonprofit organization that is eligible to be granted an exemption on its purchases pursuant to § 58.1-609.11, and that is otherwise eligible for the exemption pursuant to this subdivision, shall be exempt pursuant to this subdivision on its sales of (i) food, prepared food and meals and (ii) tickets to events that include the provision of food, prepared food and meals, so long as such sales take place on fewer than 24 occasions in a calendar year.

3. Tangible personal property for future use by a person for taxable lease or rental as an established business or part of an established business, or incidental or germane to such business, including a simultaneous purchase and taxable leaseback.

4. Delivery of tangible personal property outside the Commonwealth for use or consumption outside of the Commonwealth. Delivery of goods destined for foreign export to a factor or export agent shall be deemed to be delivery of goods for use or consumption outside of the Commonwealth.

5. Tangible personal property purchased with food coupons issued by the U.S. Department of Agriculture under the Food Stamp Program or drafts issued through the Virginia Special Supplemental Food Program for Women, Infants, and Children.

6. Tangible personal property purchased for use or consumption in the performance of maintenance and repair services at Nuclear Regulatory Commission-licensed nuclear power plants located outside the Commonwealth.

7. Beginning July 1, 1997, and ending July 1, 2006, a professional's provision of original, revised, edited, reformatted or copied documents, including but not limited to documents stored on or transmitted by electronic media, to its client or to third parties in the course of the professional's rendition of services to its clientele.

8. School lunches sold and served to pupils and employees of schools and subsidized by government; school textbooks sold by a local board or authorized agency thereof; and school textbooks sold for use by students attending a college or other institution of learning, when sold (i) by such institution of learning or (ii) by any other dealer, when such textbooks have been certified by a department or instructor of such institution of learning as required textbooks for students attending courses at such institution.

9. Medicines, drugs, hypodermic syringes, artificial eyes, contact lenses, eyeglasses, eyeglass cases, and contact lens storage containers when distributed free of charge, all solutions or sterilization kits or other devices applicable to the wearing or maintenance of contact lenses or eyeglasses when distributed free of charge, and hearing aids dispensed by or sold on prescriptions or work orders of licensed physicians, dentists, optometrists, ophthalmologists, opticians, audiologists, hearing aid dealers and fitters, advanced practice registered nurses, physician assistants, and veterinarians; controlled drugs purchased for use by a licensed physician, optometrist, licensed advanced practice registered nurse, or licensed physician assistant in his professional practice, regardless of whether such practice is organized as a sole proprietorship, partnership, or professional corporation, or any other type of corporation in which the shareholders and operators are all licensed physicians, optometrists, licensed advanced practice registered nurses, or licensed physician assistants engaged in the practice of medicine, optometry, or nursing; medicines and drugs purchased for use or consumption by a licensed hospital, nursing home, clinic, or similar corporation not otherwise exempt under this section; and samples of prescription drugs and medicines and their packaging distributed free of charge to authorized recipients in accordance with the federal Food, Drug, and Cosmetic Act (21 U.S.C.A. § 301 et seq., as amended).

10. Wheelchairs and parts therefor, braces, crutches, prosthetic devices, orthopedic appliances, catheters, urinary accessories, other durable medical equipment and devices, and related parts and supplies specifically designed for those products; and insulin and insulin syringes, and equipment, devices or chemical reagents that may be used by a diabetic to test or monitor blood or urine, when such items or parts are purchased by or on behalf of an individual for use by such individual. Durable medical equipment is equipment that (i) can withstand repeated use, (ii) is primarily and customarily

used to serve a medical purpose, (iii) generally is not useful to a person in the absence of illness or injury, and (iv) is appropriate for use in the home.

11. Drugs and supplies used in hemodialysis and peritoneal dialysis.

12. Special equipment installed on a motor vehicle when purchased by an individual with a disability to enable such individual to operate the motor vehicle.

13. Special typewriters and computers and related parts and supplies specifically designed for those products used by individuals with disabilities to communicate when such equipment is prescribed by a licensed physician.

14. a. (i) Any nonprescription drugs and proprietary medicines purchased for the cure, mitigation, treatment, or prevention of disease in human beings and (ii) any samples of nonprescription drugs and proprietary medicines distributed free of charge by the manufacturer, including packaging materials and constituent elements and ingredients.

b. The terms "nonprescription drugs" and "proprietary medicines" shall be defined pursuant to regulations promulgated by the Department of Taxation. The exemption authorized in this subdivision shall not apply to cosmetics.

15. Tangible personal property withdrawn from inventory and donated to (i) an organization exempt from taxation under § 501(c)(3) of the Internal Revenue Code or (ii) the Commonwealth, any political subdivision of the Commonwealth, or any school, agency, or instrumentality thereof.

16. Tangible personal property purchased by nonprofit churches that are exempt from taxation under § 501(c)(3) of the Internal Revenue Code, or whose real property is exempt from local taxation pursuant to the provisions of § 58.1-3606, for use (i) in religious worship services by a congregation or church membership while meeting together in a single location and (ii) in the libraries, offices, meeting or counseling rooms or other rooms in the public church buildings used in carrying out the work of the church and its related ministries, including kindergarten, elementary and secondary schools. The exemption for such churches shall also include baptistries; bulletins, programs, newspapers and newsletters that do not contain paid advertising and are used in carrying out the work of the church; gifts including food for distribution outside the public church building; food, disposable serving items, cleaning supplies and teaching materials used in the operation of camps or conference centers by the church or an organization composed of churches that are exempt under this subdivision and which are used in carrying out the work of the church or churches; and property used in caring for or maintaining property owned by the church including, but not limited to, mowing equipment; and building materials installed by the church, and for which the church does not contract with a person or entity to have installed, in the public church buildings used in carrying out the work of the church and its related ministries, including, but not limited to worship services; administrative rooms; and kindergarten, elementary, and secondary schools.

17. Medical products and supplies, which are otherwise taxable, such as bandages, gauze dressings, incontinence products and wound-care products, when purchased by a Medicaid recipient through a Department of Medical Assistance Services provider agreement.

18. Beginning July 1, 2007, and ending July 1, 2012, multifuel heating stoves used for heating an individual purchaser's residence. "Multifuel heating stoves" are stoves that are capable of burning a wide variety of alternative fuels, including, but not limited to, shelled corn, wood pellets, cherry pits, and olive pits.

19. Fabrication of animal meat, grains, vegetables, or other foodstuffs when the purchaser (i) supplies the foodstuffs and they are consumed by the purchaser or his family, (ii) is an organization exempt from taxation under § 501(c)(3) or (c)(4) of the Internal Revenue Code, or (iii) donates the foodstuffs to an organization exempt from taxation under § 501(c)(3) or (c)(4) of the Internal Revenue Code.

20. Beginning July 1, 2018, and ending July 1, 2025, parts, engines, and supplies used for maintaining, repairing, or reconditioning aircraft or any aircraft's avionics system, engine, or component parts. This exemption shall not apply to tools and other equipment not attached to or that does not become a part of the aircraft. For purposes of this subdivision, "aircraft" shall include both manned and unmanned systems. However, for manned systems, "aircraft" shall include only aircraft with a maximum takeoff weight of at least 2,400 pounds.

21. A gun safe with a selling price of $1,500 or less. For purposes of this subdivision, "gun safe" means a safe or vault that is (i) commercially available, (ii) secured with a digital or dial combination locking mechanism or biometric locking mechanism, and (iii) designed for the storage of a firearm or of ammunition for use in a firearm. "Gun safe" does not include a glass-faced cabinet. Any discount, coupon, or other credit offered by the retailer or a vendor of the retailer to reduce the final price to the customer shall be taken into account in determining the selling price for purposes of this exemption.

22. Beginning July 1, 2022, and ending July 1, ~~2025,~~ *2028,* prescription medicines and drugs purchased by veterinarians and administered or dispensed to patients within a veterinarian-client-patient relationship as defined in § 54.1-3303.

CHAPTER 189

An Act to amend the Code of Virginia by adding a section numbered 22.1-274.7, relating to school boards; bleeding control programs; bleeding control kits.

[H 1700]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-274.7 as follows:

§ 22.1-274.7. School boards; bleeding control programs; bleeding control kits.

A. As used in this section, "bleeding control kit" means a first aid response kit that (i) contains at least (a) one tourniquet endorsed by the Committee on Tactical Combat Casualty Care of the federal Defense Health Agency, (b) one compression bandage, (c) one bleeding control bandage, (d) one pair of protective gloves and one marker, (e) one pair of scissors, and (f) one set of instructional documents developed by the Stop the Bleed national awareness campaign of the U.S. Department of Homeland Security or the American College of Surgeons' Committee on Trauma and (ii) may contain other tourniquets and bandages similar to those described in clause (i) and any additional items that are approved by local law enforcement or first responders, can adequately treat a traumatic injury involving bleeding, and can be stored in a readily available kit.

B. With such funds as may be provided by the General Assembly for such purpose pursuant to the general appropriation act, each school board shall develop and implement a bleeding control program in each public elementary and secondary school in the local school division whereby the school board:

1. Requires bleeding control kits to be placed in each public elementary and secondary school building in locations designated by the division safety official or local first responders as being easily accessible;

2. Includes bleeding control kits in the emergency plans of the local school division and each public elementary and secondary school therein, including the presentation and use of such kits in all drills and emergencies;

3. Requires annual inspection of bleeding control kit inventories to ensure that materials, supplies, and equipment contained in the bleeding control kit are not expired and the replacement of any expired materials, supplies, and equipment as necessary; and

4. Requires each bleeding control kit to be restocked after each use and any materials, supplies, and equipment to be replaced as necessary to ensure that the kit contains all required materials, supplies, and equipment.

CHAPTER 190

An Act to amend and reenact §§ 51.1-1150, 51.1-1153, 51.1-1161, and 51.1-1169 of the Code of Virginia, relating to Virginia Retirement System; disability benefits; emergency dispatchers.

[H 1705]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 51.1-1150, 51.1-1153, 51.1-1161, and 51.1-1169 of the Code of Virginia are amended and reenacted as follows:

§ 51.1-1150. Definitions.

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

"Act" means the Virginia Workers' Compensation Act (§ 65.2-100 et seq.).

"Company" means an insurance company issuing a long-term disability insurance policy purchased by the Board pursuant to this chapter.

"Continuous service" means an uninterrupted period of service as a participating employee with the same employer.

"Disability" means a partial disability or total disability.

"Disability benefit" means income replacement payments payable to a participating employee under a short-term or long-term disability benefit program pursuant to this chapter. Disability benefits do not include benefits payable under the Act.

"Eligible employee" means a person who is (i) not eligible for the disability program pursuant to Chapter 11 (§ 51.1-1100 et seq.) and (ii) participating in the hybrid retirement program described in § 51.1-169. *"Eligible employee" also includes an eligible dispatcher.*

"Eligible dispatcher" means a person who (i) is employed by a locality participating in the retirement system pursuant to Article 5 (§ 51.1-130 et seq.) of Chapter 1 as a full-time salaried dispatcher for a public safety answering point as defined in § 56-484.12 and (ii) is not participating in the hybrid retirement program described in § 51.1-169.

"Partial disability" means a disability that exists during the first 24 months following the occurrence or commencement of an illness or injury when an employee is earning less than 80 percent of his predisability earnings and, as a result of an injury or illness, is (i) able to perform one or more, but not all, of the essential job functions of his own job on an active employment or a part-time basis; or (ii) able to perform all of the essential job functions of his own job only on a part-time basis.

"Participating employee" means any eligible employee required to participate in the program.

"Program" means the program providing short-term disability and long-term disability benefits for participating employees established pursuant to this chapter.

"Service" means a period of service as a participating employee.

"Total disability" means a disability that exists (i) during the first 24 months following the occurrence or commencement of an illness or injury if an employee is unable to perform all of his essential job functions or (ii) after 24 months following the occurrence or commencement of an illness or injury if an employee is unable to perform any job

for which he is reasonably qualified based on his training or experience and earning less than 80 percent of his predisability earnings.

"Work-related injury" means an injury, as such term is defined in § 65.2-101, to a participating employee for which benefits are payable under the Act and the employer for purposes of the Act is the Commonwealth or other political subdivision through which the participating employee became eligible for the program.

In addition to the definitions listed in this section, the definitions listed in § 51.1-124.3 shall, as the context requires, apply to this chapter except as otherwise provided.

§ 51.1-1153. Participation in the program.

A. *1.* All eligible employees shall become participants in this program, provided, however, that the governing body of an employer may adopt a resolution on or before January 1, 2014, which shall be submitted to the Board, requesting that its eligible employees not participate in the program because the employer has or will establish, and continue to maintain, comparable disability coverage for such eligible employees. The election by the governing body of an employer not to participate in this program shall be irrevocable. The employer need not consider the provisions of § 51.1-1178 when determining the comparability of its disability coverage to this program. As the context requires, the term "participating employee" includes the employees of an employer electing not to participate in the program under this subdivision.

2. Beginning July 1, 2026, eligible dispatchers shall become participants in the program. Such participation shall be subject to the limitations described in § 51.1-1179, and the locality employing such eligible dispatchers shall provide the costs required for funding participation in the program pursuant to § 51.1-1183. However, if a locality made an irrevocable election not to participate in the program pursuant to subdivision 1, such dispatchers shall not become participants in the program but shall become participants in the comparable disability coverage established and maintained by the locality. An eligible dispatcher who is a participant in the program or in the disability coverage provided by a locality electing not to participate in the program shall not be eligible for disability retirement benefits pursuant to § 51.1-156.

3. Notwithstanding the provisions of subdivision 2, an eligible dispatcher shall not become a participant in the program or in the disability coverage provided by a locality electing not to participate in the program but shall remain subject to the provisions governing disability retirement if the eligible dispatcher was (i) awarded disability retirement benefits pursuant to § 51.1-156 prior to July 1, 2026, and continued to receive such disability retirement benefits on or after July 1, 2026, or (ii) employed on June 30, 2025, and on July 1, 2025, and made an irrevocable election no later than March 31, 2026, to remain covered by disability retirement benefits pursuant to § 51.1-156. If an election is not made by March 31, 2026, such eligible dispatcher shall be deemed to have elected to become a participant in the program or in the comparable disability coverage provided by the locality.

B. The effective date of participation in the program for participating employees shall be their first day of employment or the effective date of their participation in the hybrid retirement program described in § 51.1-169, whichever is later. *The effective date of participation for eligible dispatchers shall be July 1, 2026, or their first date of employment, whichever is later.*

C. Notwithstanding any provision to the contrary, no participating employee shall receive benefits under Article 2 (§ 51.1-1154 et seq.) until the participating employee completes one year of continuous service.

D. Eligibility for participation in the program shall terminate upon the earliest to occur of an employee's (i) termination of employment or (ii) death. Eligibility for participation in the program shall be suspended during periods that an employee is placed on nonpay status, including leave without pay, if such nonpay status is due to suspension pending investigation or outcome of employment-related court or disciplinary action.

§ 51.1-1161. Cessation of disability benefits; service retirement.

A. Disability benefits shall cease to be paid to a participating employee upon the first to occur of the following:

1. The end of the period of disability coverage as provided in subsection D of § 51.1-1155 or subsection D of § 51.1-1157;

2. The date of death of the participating employee;

3. The date that the participating employee attains normal retirement age; or

4. The effective date of the participating full-time employee's service retirement under the hybrid retirement program described in § 51.1-169 *or, in the case of an eligible dispatcher, the effective date of the eligible dispatcher's service retirement under any provision of this title.*

Notwithstanding the foregoing, an employee who is approved for disability benefits (i) at age 60 through 64 shall be eligible for five years of disability benefits, (ii) at age 65 through 68 shall be eligible for disability benefits to age 70, and (iii) at age 69 or older shall be eligible for disability benefits for one year. The eligibility periods include short-term disability and long-term disability.

B. A participating full-time employee receiving disability benefits who is a vested member of the retirement system, including the hybrid retirement program described in § 51.1-169, shall be eligible for service retirement under any provision of this title for which the employee is otherwise eligible. Such employee shall be authorized to elect any option for the payment of his retirement allowance provided under subsection A of § 51.1-165 for which the employee is otherwise eligible.

C. The average final compensation of any participating full-time employee taking a service retirement under any provision of this title shall be equal to his creditable compensation on the date of the commencement of the disability

increased by an amount recommended by the program actuary and approved by the Board, from the date of the commencement of the disability to the date of retirement.

D. The creditable service of a participating full-time employee taking service retirement pursuant to this section shall include periods during which the employee received disability benefits.

§ 51.1-1169. Cessation of supplemental disability benefits; service retirement.

A. Supplemental disability benefits shall cease to be paid to a participating employee upon the first to occur of the following:

1. The end of the period of supplemental disability coverage as provided in subsection E of § 51.1-1163 or subsection E of § 51.1-1165;

2. The date of death of the participating employee;

3. On the date the employee attains normal retirement age; or

4. The effective date of the participating full-time employee's service retirement under the hybrid retirement program described in § 51.1-169 *or, in the case of an eligible dispatcher, the effective date of the eligible dispatcher's service retirement under any provision of this title*.

Notwithstanding the foregoing, an employee who is approved for supplemental disability benefits (i) at age 60 through 64 shall be eligible for five years of supplemental disability benefits, (ii) at age 65 through 68 shall be eligible for supplemental disability benefits to age 70, and (iii) at age 69 or older shall be eligible for supplemental disability benefits for one year. The eligibility periods include supplemental short-term disability and supplemental long-term disability.

B. Upon the cessation of benefits payable under the Act, a participating full-time employee may take service retirement under any provision of this title for which the employee is otherwise eligible, including the hybrid retirement program described in § 51.1-169. Such employee shall be authorized to elect any option for the payment of his retirement allowance provided under subsection A of § 51.1-165.

C. The employee's average final compensation shall be equal to his creditable compensation on the date of the commencement of the disability increased by an amount recommended by the actuary of the Virginia Retirement System, and approved by the Board, from the date of the commencement of the disability to the date of retirement.

D. The creditable service of a participating full-time employee taking service retirement pursuant to this section shall include periods during which the employee received supplemental disability benefits, provided that such creditable service shall not include periods for which (i) the employee received supplemental short-term disability benefits, (ii) the employer did not report such creditable service to the retirement system, and (iii) the employee did not purchase such creditable service.

CHAPTER 191

An Act to amend and reenact § 18.2-67.9 of the Code of Virginia, relating to testimony by child victims and witnesses using two-way closed-circuit television or other securely encrypted two-way audio and video technology; standard.

[H 1728]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-67.9 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-67.9. Testimony by child victims and witnesses using two-way closed-circuit television or other securely encrypted two-way audio and video technology.

A. The provisions of this section shall apply to an alleged victim who was 14 years of age or younger at the time of the alleged offense and is 16 years of age or younger at the time of the trial and to a witness who is 14 years of age or younger at the time of the trial.

In any criminal proceeding, including preliminary hearings, involving an alleged offense against a child, relating to a violation of the laws pertaining to kidnapping pursuant to Article 3 (§ 18.2-47 et seq.) of Chapter 4, criminal sexual assault pursuant to Article 7 (§ 18.2-61 et seq.) of Chapter 4, commercial sex trafficking or prostitution offenses pursuant to Article 3 (§ 18.2-346 et seq.) of Chapter 8, or family offenses pursuant to Article 4 (§ 18.2-362 et seq.) of Chapter 8, or involving an alleged murder of a person of any age, the attorney for the Commonwealth or the defendant may apply for an order from the court that the testimony of the alleged victim or a child witness be taken in a room outside the courtroom and be televised by two-way closed-circuit television *or other securely encrypted two-way audio and video technology*. The party seeking such order shall apply for the order at least ~~seven~~ *14* days before the trial date or at least seven days before such other preliminary proceeding to which the order is to apply.

B. The court may order that the testimony of the child be taken by *two-way* closed-circuit television *or other securely encrypted two-way audio and video technology* as provided in subsection A if it finds that the child is unavailable to testify in open court in the presence of the defendant, the jury, the judge, and the public, for any of the following reasons:

1. The child's persistent refusal to testify despite judicial requests to do so;

2. The child's substantial inability to communicate about the offense; or

3. ~~The substantial likelihood~~ *The court's finding, by clear and convincing evidence*, based upon expert opinion testimony, that the child will suffer ~~severe~~ *at least moderate* emotional trauma ~~from so~~ *that is more than nervousness or*

excitement or some reluctance to testify as a result of testifying *in the defendant's presence and not in the courtroom generally and where such trauma would impair the child's ability to communicate*.

Any ruling on the child's unavailability under this subsection shall be supported by the court with findings on the record or with written findings in a court not of record.

C. In any proceeding in which *two-way* closed-circuit television *or other securely encrypted two-way audio and video technology* is used to receive testimony, the attorney for the Commonwealth and the defendant's attorney shall be present in the room with the child, and the child shall be subject to direct and cross-examination. The only other persons allowed to be present in the room with the child during his testimony shall be those persons necessary to operate the *two-way* closed-circuit equipment *or other securely encrypted two-way audio and video technology* and any other person whose presence is determined by the court to be necessary to the welfare and well-being of the child.

D. The child's testimony shall be transmitted by *two-way* closed-circuit television *or other securely encrypted two-way audio and video technology* into the courtroom for the defendant, jury, judge, and public to view. The defendant shall be provided with a means of private, contemporaneous communication with his attorney during the testimony.

E. Notwithstanding any other provision of law, none of the cost of the two-way closed-circuit television *or other securely encrypted two-way audio and video technology* shall be assessed against the defendant.

CHAPTER 192

An Act to convene a work group to review the local license tax deduction in Virginia for receipts attributable to out-of-state business; report.

[H 1743]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Taxation shall convene a work group to review the local license tax deduction in Virginia for receipts attributable to out-of-state business, including a review of (i) current policy and methodology of the deduction set forth in subdivision B 2 of § 58.1-3732 of the Code of Virginia; (ii) any constitutional or case law concerns regarding the existing laws governing such deduction; (iii) any potential impact on local government revenue as a result of determining such deduction based upon receipts subject to a net income tax or gross receipts tax in another state or foreign jurisdiction and alternatives to phase in any such potential impact; (iv) the potential administrative complexities or benefits for taxpayers and the support structure necessary to verify across local jurisdictions the applicable tax deduction and to enforce compliance; and (v) any impact to such deduction from other existing provisions of law. The work group shall consist of individuals with experience in local license tax compliance and enforcement, including representatives of the Virginia Municipal League, the Virginia Association of Counties, the Commissioners of the Revenue Association of Virginia, the Virginia Society of Certified Public Accountants, the Council on State Taxation, the Virginia Chamber of Commerce, and any other key business tax representatives as determined by the Department of Taxation. The Department of Taxation shall submit a report of the findings and recommendations, if any, of the work group to the Joint Subcommittee on Tax Policy and to the Chairs of the Senate Committee on Finance and Appropriations and the House Committees on Finance and Appropriations by October 1, 2025.*

CHAPTER 193

An Act to amend and reenact § 15.2-6019 of the Code of Virginia, relating to Southwest Regional Recreation Authority; directors.

[H 1756]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-6019 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-6019. Meetings; decisions of Authority; compensation.

The board shall meet quarterly, unless a special meeting is called by its chairman. A majority of the Authority shall constitute a quorum. Decisions of the Authority shall require a quorum and shall be in accordance with voting procedures established by the Authority.

The board shall prescribe, amend, and repeal bylaws and rules governing the manner in which the business of the Authority is conducted and shall review and approve an annual budget. The board ~~shall~~ *may* appoint an executive director to act as its chief executive officer, to serve at the will and pleasure of the board. The board~~, acting through its executive director,~~ may employ *directors and* any other personnel considered necessary and may appoint counsel and legal staff for the Authority and retain such temporary engineering, financial, and other consultants or technicians as may be required for any special study or survey consistent with the provisions of this chapter. The ~~executive director~~ *Authority's directors* shall carry out plans to implement the provisions of this chapter and to exercise those powers enumerated in the bylaws. The

~~executive director~~ *Authority's directors* shall prepare annually a budget to be submitted to the board for its review and approval.

All costs incidental to the administration of the Authority, including office expenses, personal services expense, and current expense, shall be paid in accordance with guidelines issued by the board from funds accruing to the Authority.

All expenses incurred in carrying out the provisions of this chapter shall be payable solely from funds provided under this chapter, and no liability or obligation may be incurred by the Authority under this chapter beyond the extent to which moneys have been provided under the authority of this chapter.

CHAPTER 194

An Act to amend and reenact § 53.1-140.1 of the Code of Virginia, relating to Department of Corrections; Department of Workforce Development and Advancement; post-release job search assistance services.

[H 1759]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-140.1 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-140.1. Department to provide services.

A. The Department shall ensure that educational, vocational, counseling, substance abuse, rehabilitative, and reentry services are available at all probation and parole offices.

B. The Department shall work with the Department of Workforce Development and Advancement to provide post-release job search assistance services to assist individuals in finding employment upon release from incarceration and refer such individuals to case management services where eligible from such funds as are available. The Department of Workforce Development and Advancement shall coordinate implementation and delivery of such post-release job search assistance services with Virginia Workforce System partners, including local workforce development boards.

CHAPTER 195

An Act for the relief of Marvin Leon Grimm, Jr., relating to compensation for wrongful incarceration; murder, sodomy by force, and abduction with the intent to defile; sex offender registry.

[H 1776]

Approved March 21, 2025

Whereas, Marvin Leon Grimm, Jr., (Mr. Grimm) spent nearly five decades in prison for crimes he did not commit, and an additional four years after release from prison under highly restrictive parole and sex offender registry conditions that imposed onerous barriers to his reentry to society; and

Whereas, on November 22, 1975, three-year old CH was last seen by his mother at 1:30 p.m. headed into a wooded area behind their family's apartment complex, which was the same complex where Mr. Grimm resided; and

Whereas, CH's mother reported him missing to the Richmond Police Department at 2:40 p.m.; and

Whereas, Richmond police officers knocked on Mr. Grimm's apartment door at 2:45 p.m. and asked Mr. Grimm where CH's family resided; and

Whereas, the Richmond community instantly mobilized to help officers find CH with 250 to 300 individuals searching the woods and small ponds in the area; and

Whereas, CH was not found until four days later on November 26, 1975, when a gardener found his body in the James River, nearly a nine-mile drive from his home; and

Whereas, newspaper and media reporting of the discovery of the body included several photographs of the location where the body was found as well as a detailed map of the location; and

Whereas, the medical examiner conducted an autopsy of CH and reported observing "tenacious mucoid secretions" in the back of CH's throat that contained "spermatozoa" and concluded that CH died from forced oral sodomy after choking to death on ejaculate; and

Whereas, the medical examiner also performed a postmortem toxicology test that revealed high amounts of alcohol, acetaminophen, and the prescription muscle relaxant chlorzoxazone in CH's blood, liver, and stomach; and

Whereas, Richmond police officers went weeks without any leads or suspects; and

Whereas, although no evidence linked Mr. Grimm to the crime, Richmond police officers picked up Mr. Grimm on December 16, 1975, at 4:40 p.m. after a nine-hour work shift and brought him in for questioning; and

Whereas, Richmond police officers were aware of the medical examiner's theory of asphyxiation by oral sodomy and of the toxicology findings of the presence of high amounts of alcohol, acetaminophen, and the prescription muscle relaxant chlorzoxazone in CH's blood and organs; and

Whereas, Richmond police officers aggressively interrogated Mr. Grimm for an unrecorded 10 hours using coercive tactics; and

Whereas, although the death penalty was not available for the crimes with which Mr. Grimm was ultimately charged, Richmond police officers threatened Mr. Grimm with the death penalty; and

Whereas, Mr. Grimm was 20 years old and especially vulnerable to coercive interrogation techniques due to his youth and susceptible personality traits, including lasting anxiety and depression after witnessing the death of his crewmates during his service in the U.S. Navy; and

Whereas, at 2:20 a.m., after Mr. Grimm had been awake for over 24 hours, Richmond police officers turned on a tape recorder and Mr. Grimm, only through suggestive prompting by the police officers, provided a narrative that fit the officers' theory of the case, specifically that Mr. Grimm abducted CH and forced CH to perform oral sex, CH began choking and passed out, and Mr. Grimm drove to the edge of the James River and threw CH's body into the water; and

Whereas, Mr. Grimm's false confession was missing key details of the crime, including any reference to the alcohol and drugs found in CH's system, and provided no material new information that would be known only to the perpetrator; and

Whereas, following the confession, Richmond police officers executed a search warrant and recovered several hairs from Mr. Grimm's car and from a coat in his apartment, a towel from Mr. Grimm's car, and a torn shoe from his apartment; and

Whereas, the forensic scientist performed hair microscopy on the hairs and concluded that eight of the hairs were consistent with CH; and

Whereas, the forensic scientist concluded that the towel retrieved from Mr. Grimm's car contained seminal fluid; and

Whereas, the Commonwealth tested Mr. Grimm's torn shoe for soil and debris to support Mr. Grimm's presence at the James River riverbank; and

Whereas, on January 28, 1976, exculpatory shoe and soil testing evidence became available to the Commonwealth that revealed no soil deposits or leaves from the riverbank on Mr. Grimm's shoe; and

Whereas, the Commonwealth withheld this exculpatory evidence from Mr. Grimm and the court until it was uncovered by the Attorney General's Office during its investigation in 2023; and

Whereas, on March 10, 1976, Mr. Grimm was persuaded to plead guilty to murder, sodomy by force, and abduction with the intent to defile in exchange for the Commonwealth purporting to agree not to seek the death penalty in this case even though Virginia did not permit the death penalty for those crimes; and

Whereas, three days before Mr. Grimm's guilty plea hearing, significant exculpatory serology evidence became available to the Commonwealth that should have resulted in all of the charges being dropped that the Commonwealth intentionally ignored; and

Whereas, on March 12, 1976, the forensic scientist's serology analysis of the oral swabs from CH's autopsy confirmed that the secretions on the swabs were Type O; and

Whereas, the Commonwealth was aware that Mr. Grimm was Type A and could not have been the secretor of Type O secretions; and

Whereas, on March 15, 1976, the circuit court heard the Commonwealth's evidence against Mr. Grimm, including the confession and forensic evidence of the hairs, swabs, and towel indicating the presence of seminal fluid; and

Whereas, the Commonwealth intentionally ignored and buried the exculpatory serology evidence at the evidentiary hearing and instead solicited testimony from the medical examiner that the report that contained the new serology was of no significance; and

Whereas, the Commonwealth also introduced Mr. Grimm's torn shoe to corroborate the false confession but intentionally excluded the exculpatory shoe and soil testing; and

Whereas, the Commonwealth never presented testimony to the Court at the hearing about the high levels of alcohol and drugs in CH's stomach or whether that played any part in CH's death; and

Whereas, after hearing the forensic evidence and testimony, the circuit court accepted Mr. Grimm's guilty plea on all three counts and sentenced him to life in prison on the murder and abduction charges, plus 10 years on the sodomy charge; and

Whereas, Mr. Grimm began his term of imprisonment where he spent his first five years in solitary confinement because the crime made him a prison pariah; and

Whereas, Mr. Grimm immediately began pursuing his exoneration; and

Whereas, when the sexual offender registry was first created in 2001, the Commonwealth forced Mr. Grimm to register at that time even while he was confined as a prisoner of the Commonwealth; and

Whereas, Mr. Grimm secured the assistance of the Innocence Project beginning in 2007 and secured the assistance of Arnold & Porter Kaye Scholer LLP in 2017 to investigate his case; and

Whereas, DNA testing in 2012 and 2023 determined that the eight hairs found in Mr. Grimm's car and on his coat did not belong to CH and, in fact, belonged to six different people; and

Whereas, DNA testing and modern microscopy in 2002, 2012, and 2013 determined there was no sperm present on the oral swabs or on the towel and the DNA testing excluded Mr. Grimm as the source from all DNA recovered on the oral swabs, and all DNA profiles recovered matched CH's own DNA; and

Whereas, a new toxicology analysis concluded it would have taken 90 to 150 minutes for CH's blood alcohol content to reach the 0.12% level found at autopsy, making it impossible for Mr. Grimm to commit the crime within the 75-minute window of time available from when CH was reported missing at 1:30 p.m. and when Mr. Grimm answered the officers' knock at his door at 2:45 p.m.; and

Whereas, Mr. Grimm was denied parole 26 times; and

Whereas, Mr. Grimm was released from prison on April 3, 2020, placed on parole, and required to continue to be registered a sexual offender and required to wear an ankle bracelet, and to have his phone and computer monitored on a 24/7 basis at his own expense; and

Whereas, Mr. Grimm pursued a writ of actual innocence in the Virginia Court of Appeals on April 28, 2023; and

Whereas, current Attorney General Jason Miyares investigated Mr. Grimm's case and determined that Mr. Grimm is innocent of the crimes for which he was convicted, had been wrongfully convicted, and should be entitled to a writ of actual innocence; and

Whereas, the Virginia Court of Appeals granted Mr. Grimm's petition and issued a writ of actual innocence based on nonbiological and biological evidence, vacating his convictions on June 18, 2024, pursuant to § 19.2-327.13 of the Code of Virginia; and

Whereas, Mr. Grimm, as a result of his wrongful incarceration, lost more than 49 years of his freedom and countless life experiences and opportunities, including family relations, the opportunity to further his education, and the opportunity to earn potential income from gainful employment during his years of incarceration; and

Whereas, because Mr. Grimm was incarcerated at such an early age for nearly all of his adult life, he was not able to generate a sufficient work record to qualify for any Social Security or Medicare benefits; and

Whereas, Mr. Grimm was required to register as a sex offender for a period of more than 23 years from June 6, 2001, through June 18, 2024; and

Whereas, Mr. Grimm has struggled to rebuild his life due to the strong stigma of his wrongful conviction for violent crimes against a child and due further to the stringent conditions of parole and sex offender registry requirements; and

Whereas, many job training programs and promising employment opportunities have not been available due to these limitations; and

Whereas, Mr. Grimm has been restricted from living in certain areas, subject to strict curfews, subject to travel limitations, including the ability to visit family members who resided outside the Commonwealth, and was prohibited from being in the vicinity of certain public facilities; and

Whereas, many of Mr. Grimm's family relations were shattered, including with his own son who was born 10 days before Mr. Grimm's arrest and whom Mr. Grimm only met once; and

Whereas, Mr. Grimm's family members were vilified by the Richmond community, including their neighbors and friends; and

Whereas, Mr. Grimm's sisters were forced to relocate to different schools due to the stigma of Mr. Grimm's conviction; and

Whereas, the trauma of Mr. Grimm's wrongful conviction led one of Mr. Grimm's sisters into a fatal drug addiction and another into a lifelong need for psychiatric therapy; and

Whereas, Mr. Grimm's conviction resulting in 49 years of imprisonment and sexual offender registration is the longest wrongful conviction in Virginia history, and the second longest wrongful conviction in the country; and

Whereas, Mr. Grimm is a Vietnam-era veteran with no prior criminal record until he was wrongfully convicted at the age of 20; and

Whereas, 96 percent of Mr. Grimm's expected adult life was spent wrongfully incarcerated; and

Whereas, the court record clearly demonstrates that the Commonwealth (i) intentionally and wrongfully fabricated evidence that was used to obtain the wrongful conviction by withholding, ignoring, and misrepresenting exculpatory evidence demonstrating that Mr. Grimm was innocent and (ii) then intentionally, willfully, and continuously suppressed or withheld evidence establishing the innocence of Mr. Grimm; and

Whereas, had Richmond and Commonwealth officials not intentionally withheld exonerating evidence, intentionally mischaracterized evidence, and intentionally and falsely threatened the death penalty, which was in fact unavailable, Mr. Grimm would not have been charged with or convicted of these horrific crimes and would not have suffered for nearly five decades with shame, humiliation, and loss of liberty as a convicted child rapist and murderer; and

Whereas, Mr. Grimm has no other means to obtain adequate relief except by action of this body; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That there is hereby appropriated from the general fund of the state treasury the sum of an amount to be provided in the appropriation act for the relief of Marvin Leon Grimm, Jr., to be paid by check issued by the State Treasurer on warrant of the Comptroller in accordance with the provisions of Article 18.2 (§ 8.01-195.10 et. seq.) of Chapter 3 of Title 8.01 of the Code of Virginia.*

2. That the provisions of § 8.01-195.12 of the Code of Virginia shall apply to any compensation awarded under this act.

CHAPTER 196

An Act to amend and reenact § 53.1-140.1 of the Code of Virginia, relating to Department of Corrections; Department of Workforce Development and Advancement; post-release job search assistance services.

[S 877]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-140.1 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-140.1. Department to provide services.

A. The Department shall ensure that educational, vocational, counseling, substance abuse, rehabilitative, and reentry services are available at all probation and parole offices.

B. The Department shall work with the Department of Workforce Development and Advancement to provide post-release job search assistance services to assist individuals in finding employment upon release from incarceration and refer such individuals to case management services where eligible from such funds as are available. The Department of Workforce Development and Advancement shall coordinate implementation and delivery of such post-release job search assistance services with Virginia Workforce System partners, including local workforce development boards.

CHAPTER 197

An Act to amend and reenact §§ 54.1-2900 and 54.1-2963 of the Code of Virginia, relating to vitamins, minerals, and food supplements; practice of chiropractic; definition.

[S 1015]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2900 and 54.1-2963 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2900. Definitions.

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

"Acupuncturist" means an individual approved by the Board to practice acupuncture. This is limited to "licensed acupuncturist" which means an individual other than a doctor of medicine, osteopathy, chiropractic or podiatry who has successfully completed the requirements for licensure established by the Board (approved titles are limited to: Licensed Acupuncturist, Lic.Ac., and L.Ac.).

"Advanced practice registered nurse" means a certified nurse midwife, certified registered nurse anesthetist, clinical nurse specialist, or nurse practitioner who is jointly licensed by the Boards of Medicine and Nursing pursuant to § 54.1-2957, has completed an advanced graduate-level education program in a specialty category of nursing, and has passed a national certifying examination for that specialty.

"Auricular acupuncture" means the subcutaneous insertion of sterile, disposable acupuncture needles in predetermined, bilateral locations in the outer ear.

"Birth control" means contraceptive methods that are approved by the U.S. Food and Drug Administration. "Birth control" shall not be considered abortion for the purposes of Title 18.2.

"Board" means the Board of Medicine.

"Certified nurse midwife" means an advanced practice registered nurse who is certified in the specialty of nurse midwifery and who is jointly licensed by the Boards of Medicine and Nursing as an advanced practice registered nurse pursuant to § 54.1-2957.

"Certified registered nurse anesthetist" means an advanced practice registered nurse who is certified in the specialty of nurse anesthesia, who is jointly licensed by the Boards of Medicine and Nursing as an advanced practice registered nurse pursuant to § 54.1-2957, and who practices under the supervision of a doctor of medicine, osteopathy, podiatry, or dentistry but is not subject to the practice agreement requirement described in § 54.1-2957.

"Clinical nurse specialist" means an advanced practice registered nurse who is certified in the specialty of clinical nurse specialist and who is jointly licensed by the Boards of Medicine and Nursing as an advanced practice registered nurse pursuant to § 54.1-2957.

"Collaboration" means the communication and decision-making process among health care providers who are members of a patient care team related to the treatment of a patient that includes the degree of cooperation necessary to provide treatment and care of the patient and includes (i) communication of data and information about the treatment and care of a patient, including the exchange of clinical observations and assessments, and (ii) development of an appropriate plan of care, including decisions regarding the health care provided, accessing and assessment of appropriate additional resources or expertise, and arrangement of appropriate referrals, testing, or studies.

"Consultation" means communicating data and information, exchanging clinical observations and assessments, accessing and assessing additional resources and expertise, problem-solving, and arranging for referrals, testing, or studies.

"Genetic counselor" means a person licensed by the Board to engage in the practice of genetic counseling.

"Healing arts" means the arts and sciences dealing with the prevention, diagnosis, treatment and cure or alleviation of human physical or mental ailments, conditions, diseases, pain or infirmities.

"Licensed certified midwife" means a person who is licensed as a certified midwife by the Boards of Medicine and Nursing.

"Medical malpractice judgment" means any final order of any court entering judgment against a licensee of the Board that arises out of any tort action or breach of contract action for personal injuries or wrongful death, based on health care or professional services rendered, or that should have been rendered, by a health care provider, to a patient.

"Medical malpractice settlement" means any written agreement and release entered into by or on behalf of a licensee of the Board in response to a written claim for money damages that arises out of any personal injuries or wrongful death, based on health care or professional services rendered, or that should have been rendered, by a health care provider, to a patient.

"Nurse practitioner" means an advanced practice registered nurse, other than an advanced practice registered nurse licensed by the Boards of Medicine and Nursing in the category of certified nurse midwife, certified registered nurse anesthetist, or clinical nurse specialist, who is jointly licensed by the Boards of Medicine and Nursing pursuant to § 54.1-2957.

"Occupational therapy assistant" means an individual who has met the requirements of the Board for licensure and who works under the supervision of a licensed occupational therapist to assist in the practice of occupational therapy.

"Patient care team" means a multidisciplinary team of health care providers actively functioning as a unit with the management and leadership of one or more patient care team physicians for the purpose of providing and delivering health care to a patient or group of patients.

"Patient care team physician" means a physician who is actively licensed to practice medicine in the Commonwealth, who regularly practices medicine in the Commonwealth, and who provides management and leadership in the care of patients as part of a patient care team.

"Patient care team podiatrist" means a podiatrist who is actively licensed to practice podiatry in the Commonwealth, who regularly practices podiatry in the Commonwealth, and who provides management and leadership in the care of patients as part of a patient care team.

"Physician assistant" means a health care professional who has met the requirements of the Board for licensure as a physician assistant.

"Practice of acupuncture" means the stimulation of certain points on or near the surface of the body by the insertion of needles to prevent or modify the perception of pain or to normalize physiological functions, including pain control, for the treatment of certain ailments or conditions of the body and includes the techniques of electroacupuncture, cupping, and moxibustion. The practice of acupuncture does not include the use of physical therapy, chiropractic, or osteopathic manipulative techniques; the use or prescribing of any drugs, medications, serums or vaccines; or the procedure of the five needle auricular acupuncture protocol (5NP) as exempted in § 54.1-2901.

"Practice of athletic training" means the prevention, recognition, evaluation, and treatment of injuries or conditions related to athletic or recreational activity that requires physical skill and utilizes strength, power, endurance, speed, flexibility, range of motion or agility or a substantially similar injury or condition resulting from occupational activity immediately upon the onset of such injury or condition; and subsequent treatment and rehabilitation of such injuries or conditions, including in an inpatient or outpatient setting, under the direction of the patient's physician or under the direction of any doctor of medicine, osteopathy, chiropractic, podiatry, or dentistry, while using heat, light, sound, cold, electricity, exercise or mechanical or other devices.

"Practice of behavior analysis" means the design, implementation, and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including the use of direct observation, measurement, and functional analysis of the relationship between environment and behavior.

"Practice of chiropractic" means the adjustment of the 24 movable vertebrae of the spinal column, and assisting nature for the purpose of normalizing the transmission of nerve energy, but does not include the use of surgery, obstetrics, osteopathy, or the administration or prescribing of any drugs, medicines, serums, or vaccines. "Practice of chiropractic" includes (i) requesting, receiving, and reviewing a patient's medical and physical history, including information related to past surgical and nonsurgical treatment of the patient and controlled substances prescribed to the patient, and (ii) documenting in a patient's record information related to the condition and symptoms of the patient, the examination and evaluation of the patient made by the doctor of chiropractic, and treatment provided to the patient by the doctor of chiropractic. *"Practice of chiropractic" further includes recommending or directing patients on the use of vitamins, minerals, or food supplements.* "Practice of chiropractic" also includes performing the physical examination of an applicant for a commercial driver's license or commercial learner's permit pursuant to § 46.2-341.12 if the practitioner has (a) applied for and received certification as a medical examiner pursuant to 49 C.F.R. Part 390, Subpart D and (b) registered with the National Registry of Certified Medical Examiners.

"Practice of genetic counseling" means (i) obtaining and evaluating individual and family medical histories to assess the risk of genetic medical conditions and diseases in a patient, his offspring, and other family members; (ii) discussing the features, history, diagnosis, environmental factors, and risk management of genetic medical conditions and diseases; (iii) ordering genetic laboratory tests and other diagnostic studies necessary for genetic assessment; (iv) integrating the results with personal and family medical history to assess and communicate risk factors for genetic medical conditions and diseases; (v) evaluating the patient's and family's responses to the medical condition or risk of recurrence and providing client-centered counseling and anticipatory guidance; (vi) identifying and utilizing community resources that provide medical, educational, financial, and psychosocial support and advocacy; and (vii) providing written documentation of medical, genetic, and counseling information for families and health care professionals.

"Practice of licensed certified midwifery" means the provision of primary health care for preadolescents, adolescents, and adults within the scope of practice of a certified midwife established in accordance with the Standards for the Practice of Midwifery set by the American College of Nurse-Midwives, including (i) providing sexual and reproductive care and care during pregnancy and childbirth, postpartum care, and care for the newborn for up to 28 days following the birth of the

child; (ii) prescribing of pharmacological and non-pharmacological therapies within the scope of the practice of midwifery; (iii) consulting or collaborating with or referring patients to such other health care providers as may be appropriate for the care of the patients; and (iv) serving as an educator in the theory and practice of midwifery.

"Practice of medicine or osteopathic medicine" means the prevention, diagnosis, and treatment of human physical or mental ailments, conditions, diseases, pain, or infirmities by any means or method.

"Practice of occupational therapy" means the therapeutic use of occupations for habilitation and rehabilitation to enhance physical health, mental health, and cognitive functioning and includes the evaluation, analysis, assessment, and delivery of education and training in basic and instrumental activities of daily living; the design, fabrication, and application of orthoses (splints); the design, selection, and use of adaptive equipment and assistive technologies; therapeutic activities to enhance functional performance; vocational evaluation and training; and consultation concerning the adaptation of physical, sensory, and social environments.

"Practice of podiatry" means the prevention, diagnosis, treatment, and cure or alleviation of physical conditions, diseases, pain, or infirmities of the human foot and ankle, including the medical, mechanical and surgical treatment of the ailments of the human foot and ankle, but does not include amputation of the foot proximal to the transmetatarsal level through the metatarsal shafts. Amputations proximal to the metatarsal-phalangeal joints may only be performed in a hospital or ambulatory surgery facility accredited by an organization listed in § 54.1-2939. The practice includes the diagnosis and treatment of lower extremity ulcers; however, the treatment of severe lower extremity ulcers proximal to the foot and ankle may only be performed by appropriately trained, credentialed podiatrists in an approved hospital or ambulatory surgery center at which the podiatrist has privileges, as described in § 54.1-2939. The Board of Medicine shall determine whether a specific type of treatment of the foot and ankle is within the scope of practice of podiatry.

"Practice of radiologic technology" means the application of ionizing radiation to human beings for diagnostic or therapeutic purposes.

"Practice of respiratory care" means the (i) administration of pharmacological, diagnostic, and therapeutic agents related to respiratory care procedures necessary to implement a treatment, disease prevention, pulmonary rehabilitative, or diagnostic regimen prescribed by a practitioner of medicine or osteopathic medicine; (ii) transcription and implementation of the written or verbal orders of a practitioner of medicine or osteopathic medicine pertaining to the practice of respiratory care; (iii) observation and monitoring of signs and symptoms, general behavior, general physical response to respiratory care treatment and diagnostic testing, including determination of whether such signs, symptoms, reactions, behavior or general physical response exhibit abnormal characteristics; and (iv) implementation of respiratory care procedures, based on observed abnormalities, or appropriate reporting, referral, respiratory care protocols or changes in treatment pursuant to the written or verbal orders by a licensed practitioner of medicine or osteopathic medicine or the initiation of emergency procedures, pursuant to the Board's regulations or as otherwise authorized by law. The practice of respiratory care may be performed in any clinic, hospital, skilled nursing facility, private dwelling or other place deemed appropriate by the Board in accordance with the written or verbal order of a practitioner of medicine or osteopathic medicine and shall be performed under qualified medical direction.

"Practice of surgical assisting" means the performance of significant surgical tasks, including manipulation of organs, suturing of tissue, placement of hemostatic agents, injection of local anesthetic, harvesting of veins, implementation of devices, and other duties as directed by a licensed doctor of medicine, osteopathy, or podiatry under the direct supervision of a licensed doctor of medicine, osteopathy, or podiatry.

"Qualified medical direction" means, in the context of the practice of respiratory care, having readily accessible to the respiratory therapist a licensed practitioner of medicine or osteopathic medicine who has specialty training or experience in the management of acute and chronic respiratory disorders and who is responsible for the quality, safety, and appropriateness of the respiratory services provided by the respiratory therapist.

"Radiologic technologist" means an individual, other than a licensed doctor of medicine, osteopathy, podiatry, or chiropractic or a dentist licensed pursuant to Chapter 27 (§ 54.1-2700 et seq.), who (i) performs, may be called upon to perform, or is licensed to perform a comprehensive scope of diagnostic or therapeutic radiologic procedures employing ionizing radiation and (ii) is delegated or exercises responsibility for the operation of radiation-generating equipment, the shielding of patient and staff from unnecessary radiation, the appropriate exposure of radiographs, the administration of radioactive chemical compounds under the direction of an authorized user as specified by regulations of the Department of Health, or other procedures that contribute to any significant extent to the site or dosage of ionizing radiation to which a patient is exposed.

"Radiologic technologist, limited" means an individual, other than a licensed radiologic technologist, dental hygienist, or person who is otherwise authorized by the Board of Dentistry under Chapter 27 (§ 54.1-2700 et seq.) and the regulations pursuant thereto, who performs diagnostic radiographic procedures employing equipment that emits ionizing radiation that is limited to specific areas of the human body.

"Radiologist assistant" means an individual who has met the requirements of the Board for licensure as an advanced-level radiologic technologist and who, under the direct supervision of a licensed doctor of medicine or osteopathy specializing in the field of radiology, is authorized to (i) assess and evaluate the physiological and psychological responsiveness of patients undergoing radiologic procedures; (ii) evaluate image quality, make initial observations, and communicate observations to the supervising radiologist; (iii) administer contrast media or other medications prescribed by the supervising radiologist; and (iv) perform, or assist the supervising radiologist to perform, any other procedure consistent

with the guidelines adopted by the American College of Radiology, the American Society of Radiologic Technologists, and the American Registry of Radiologic Technologists.

"Respiratory care" means the practice of the allied health profession responsible for the direct and indirect services, including inhalation therapy and respiratory therapy, in the treatment, management, diagnostic testing, control, and care of patients with deficiencies and abnormalities associated with the cardiopulmonary system under qualified medical direction.

"Surgical assistant" means an individual who has met the requirements of the Board for licensure as a surgical assistant and who works under the direct supervision of a licensed doctor of medicine, osteopathy, or podiatry.

§ 54.1-2963. Selling vitamins or food supplements in connection with a practice of the healing arts; chiropractor recommending vitamins, minerals, or food supplements.

A. The Board shall have authority to promulgate regulations regulating the sale of vitamins or food supplements by any practitioner of the healing arts from the office in which he practices.

B. A chiropractor may recommend or direct patients on the use of vitamins, minerals, or food supplements, provided that the rationale for such recommendation is (i) documented in a patient's record and (ii) based on a reasonable expectation that the use of such vitamins, minerals, or food supplements will result in a favorable patient outcome, including preventive practices, and that a greater benefit will be achieved than that which can be expected without such use. Such chiropractor shall not sell, dispense, or recommend vitamins, minerals, or food supplements for use if such use will negatively impact any of the patient's existing medical conditions.

CHAPTER 198

An Act to amend and reenact § 40.1-100 of the Code of Virginia, relating to Board for Barbers and Cosmetology; employment prohibition exceptions; children 16 years of age or older.

[S 1228]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 40.1-100 of the Code of Virginia is amended and reenacted as follows:

§ 40.1-100. Certain employment prohibited or limited.

A. No child under 18 years of age shall be employed, permitted, or suffered to work:

1. In any mine, quarry, tunnel, underground scaffolding work; in or about any plant or establishment manufacturing or storing explosives or articles containing explosive components; or in any occupation involving exposure to radioactive substances or to ionizing radiations, including X-ray equipment;

2. At operating or assisting to operate any grinding, abrasive, polishing, or buffing machine, any power-driven metal forming, punching, or shearing machine, any power-driven bakery machine, any power-driven paper products machine, any circular saw, band saw, or guillotine shear, or any power-driven woodworking machine;

3. In oiling or assisting in oiling, wiping, and cleaning any such machinery;

4. In any capacity in preparing any composition in which dangerous or poisonous chemicals are used;

5. In any capacity in the manufacturing of paints, colors, white lead, or brick tile or kindred products, in any place where goods of alcoholic content are manufactured, bottled, or sold for consumption on the premises, except in places (i) licensed pursuant to subdivision 6 of § 4.1-206.1, provided that a child employed at the premises shall not serve or dispense in any manner alcoholic beverages or (ii) where the sale of alcoholic beverages is merely incidental to the main business actually conducted, or to deliver alcoholic goods;

6. In any capacity in or about excavation, demolition, roofing, wrecking, or shipbreaking operations;

7. As a driver or a helper on an automobile, truck, or commercial vehicle; however, children who are at least 17 years of age may drive automobiles or trucks on public roadways if:

a. The automobile or truck does not exceed 6,000 pounds gross vehicle weight, the vehicle is equipped with seat belts for the driver and any passengers, and the employer requires the employee to use the seatbelts when driving the automobile or truck;

b. Driving is restricted to daylight hours;

c. The employee has a valid state license for the type of driving involved and has no record of any moving violations at the time of hire;

d. The employee has successfully completed a state-approved driver education course;

e. The driving does not involve (i) the towing of vehicles; (ii) route deliveries or route sales; (iii) the transportation for hire of property, goods, or passengers; (iv) urgent, time-sensitive deliveries; or (v) the transporting at any time of more than three passengers, including the employees of the employer;

f. The driving performed by the employee does not involve more than two trips away from the primary place of employment in any single day for the purpose of delivering goods of the employee's employer to a customer;

g. The driving performed by the employee does not involve more than two trips away from the primary place of employment in any single day for the purpose of transporting passengers, other than employees of the employer;

h. The driving takes place within a 30-mile radius of the employee's place of employment; and

i. The driving is only occasional and incidental to the employee's employment and involves no more than one third of the employee's work time in any workday and no more than 20 percent work time in any workweek;

8. In logging or sawmilling or in any lath mill, shingle mill, or cooperage-stock mill or in any occupation involving slaughtering, meatpacking, processing, or rendering;

9. In any occupation determined and declared hazardous by rules and regulations promulgated by the Commissioner of Labor and Industry, except as otherwise provided in subsection D.

Notwithstanding the provisions of this section, children 16 years of age or older who are serving a voluntary apprenticeship as provided in Article 3 (§ 2.2-2043 et seq.) of Chapter 20.2 of Title 2.2 may be employed in any occupation in accordance with rules and regulations promulgated by the Commissioner.

B. Except as part of a regular work-training program in accordance with §§ 40.1-88 and 40.1-89, no child under 16 years of age shall be employed, permitted, or suffered to work:

1. In any manufacturing or mechanical establishment; in any commercial cannery; in the operation of any automatic passenger or freight elevator; in any dance studio; in any hospital, nursing home, clinic, or other establishment providing care for resident patients as a laboratory helper, therapist, orderly, or nurse's aide; in the service of any veterinarian while treating farm animals or horses; in any warehouse; in processing work in any laundry or dry cleaning establishment; in any undertaking establishment or funeral home; in any curb service restaurant; in hotel and motel room service; in any brick, coal, or lumber yard or ice plant; or in ushering in theaters. Children 14 years of age or older may be engaged in office work of a clerical nature in bona fide office rooms in the above types of establishments.

2. In any scaffolding work or construction trade; in any outdoor theater, cabaret, carnival, fair, floor show, pool hall, club, or roadhouse; or as a lifeguard at a beach.

C. Children 14 years of age or older may be employed by dry cleaning or laundry establishments in branch stores where no processing is done on the premises and in hospitals, nursing homes, and clinics where they may be engaged in kitchen work, tray service, or room and hall cleaning. Children 14 years of age or older may be employed in bowling alleys completely equipped with automatic pin setters, but not in or about such machines, and in soda fountains, restaurants, and hotel and motel food service departments. Children 14 years of age or older may work as gatekeepers and in concessions at swimming pools and may be employed by concessionaires operating on beaches where their duties and work pertain to the handling and distribution of beach chairs, umbrellas, floats, and other similar or related beach equipment.

D. Notwithstanding any other provision of this chapter:

1. Children age 16 years or older employed on farms, in gardens, or in orchards may operate, assist in operating, or otherwise perform work involving a truck, excluding a tractor trailer, or farm vehicle, as defined in § 46.2-1099, in their employment;

2. Children age 14 years or older employed on farms, in gardens, or in orchards may perform work as a helper on a truck or commercial vehicle in their employment, while engaged in such work exclusively on a farm, in a garden, or in an orchard;

3. Children age 16 years or older may participate in all activities of a volunteer fire company; however, any such child shall not enter a burning structure or a structure that contains burning materials prior to obtaining certification under National Fire Protection Association 1001, level one, firefighter standards, pursuant to the provisions of clause (i) of subsection A of § 40.1-79.1, except where entry into a structure that contains burning materials is during training necessary to attain certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs;

4. Children age 16 years or older ~~who are registered apprentices as provided in Article 3 (§ 2.2-2043 et seq.) of Chapter 20.2 of Title 2.2~~ may serve in a barbershop or cosmetology salon licensed by the Board for Barbers and Cosmetology in accordance with regulations of the Board for Barbers and Cosmetology*, provided that:*

a. The child is an apprentice registered in accordance with Article 3 (§ 2.2-2043 et seq.) of Chapter 20.2 of Title 2.2;

b. The child is employed in a work-training program as provided in § 40.1-89, which is administered in accordance with the rules and regulations promulgated by the Board of Education; or

c. The child has obtained a cosmetology or barber license from the Board for Barbers and Cosmetology.

CHAPTER 199

An Act to amend and reenact § 58.1-609.10 of the Code of Virginia, relating to retail sales and use tax; exemption for prescription medicine and drugs purchased by veterinarians; sunset.

[S 1369]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-609.10 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-609.10. Miscellaneous exemptions.

The tax imposed by this chapter or pursuant to the authority granted in §§ 58.1-605 and 58.1-606 shall not apply to the following:

1. Artificial or propane gas, firewood, coal or home heating oil used for domestic consumption. "Domestic consumption" means the use of artificial or propane gas, firewood, coal or home heating oil by an individual purchaser for other than business, commercial or industrial purposes. The Tax Commissioner shall establish by regulation a system for use by dealers in classifying individual purchases for domestic or nondomestic use based on the principal usage of such gas, wood, coal or oil. Any person making a nondomestic purchase and paying the tax pursuant to this chapter who uses any portion of such purchase for domestic use may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for a refund of the tax paid on the domestic use portion.

2. An occasional sale, as defined in § 58.1-602. A nonprofit organization that is eligible to be granted an exemption on its purchases pursuant to § 58.1-609.11, and that is otherwise eligible for the exemption pursuant to this subdivision, shall be exempt pursuant to this subdivision on its sales of (i) food, prepared food and meals and (ii) tickets to events that include the provision of food, prepared food and meals, so long as such sales take place on fewer than 24 occasions in a calendar year.

3. Tangible personal property for future use by a person for taxable lease or rental as an established business or part of an established business, or incidental or germane to such business, including a simultaneous purchase and taxable leaseback.

4. Delivery of tangible personal property outside the Commonwealth for use or consumption outside of the Commonwealth. Delivery of goods destined for foreign export to a factor or export agent shall be deemed to be delivery of goods for use or consumption outside of the Commonwealth.

5. Tangible personal property purchased with food coupons issued by the U.S. Department of Agriculture under the Food Stamp Program or drafts issued through the Virginia Special Supplemental Food Program for Women, Infants, and Children.

6. Tangible personal property purchased for use or consumption in the performance of maintenance and repair services at Nuclear Regulatory Commission-licensed nuclear power plants located outside the Commonwealth.

7. Beginning July 1, 1997, and ending July 1, 2006, a professional's provision of original, revised, edited, reformatted or copied documents, including but not limited to documents stored on or transmitted by electronic media, to its client or to third parties in the course of the professional's rendition of services to its clientele.

8. School lunches sold and served to pupils and employees of schools and subsidized by government; school textbooks sold by a local board or authorized agency thereof; and school textbooks sold for use by students attending a college or other institution of learning, when sold (i) by such institution of learning or (ii) by any other dealer, when such textbooks have been certified by a department or instructor of such institution of learning as required textbooks for students attending courses at such institution.

9. Medicines, drugs, hypodermic syringes, artificial eyes, contact lenses, eyeglasses, eyeglass cases, and contact lens storage containers when distributed free of charge, all solutions or sterilization kits or other devices applicable to the wearing or maintenance of contact lenses or eyeglasses when distributed free of charge, and hearing aids dispensed by or sold on prescriptions or work orders of licensed physicians, dentists, optometrists, ophthalmologists, opticians, audiologists, hearing aid dealers and fitters, advanced practice registered nurses, physician assistants, and veterinarians; controlled drugs purchased for use by a licensed physician, optometrist, licensed advanced practice registered nurse, or licensed physician assistant in his professional practice, regardless of whether such practice is organized as a sole proprietorship, partnership, or professional corporation, or any other type of corporation in which the shareholders and operators are all licensed physicians, optometrists, licensed advanced practice registered nurses, or licensed physician assistants engaged in the practice of medicine, optometry, or nursing; medicines and drugs purchased for use or consumption by a licensed hospital, nursing home, clinic, or similar corporation not otherwise exempt under this section; and samples of prescription drugs and medicines and their packaging distributed free of charge to authorized recipients in accordance with the federal Food, Drug, and Cosmetic Act (21 U.S.C.A. § 301 et seq., as amended).

10. Wheelchairs and parts therefor, braces, crutches, prosthetic devices, orthopedic appliances, catheters, urinary accessories, other durable medical equipment and devices, and related parts and supplies specifically designed for those products; and insulin and insulin syringes, and equipment, devices or chemical reagents that may be used by a diabetic to test or monitor blood or urine, when such items or parts are purchased by or on behalf of an individual for use by such individual. Durable medical equipment is equipment that (i) can withstand repeated use, (ii) is primarily and customarily used to serve a medical purpose, (iii) generally is not useful to a person in the absence of illness or injury, and (iv) is appropriate for use in the home.

11. Drugs and supplies used in hemodialysis and peritoneal dialysis.

12. Special equipment installed on a motor vehicle when purchased by an individual with a disability to enable such individual to operate the motor vehicle.

13. Special typewriters and computers and related parts and supplies specifically designed for those products used by individuals with disabilities to communicate when such equipment is prescribed by a licensed physician.

14. a. (i) Any nonprescription drugs and proprietary medicines purchased for the cure, mitigation, treatment, or prevention of disease in human beings and (ii) any samples of nonprescription drugs and proprietary medicines distributed free of charge by the manufacturer, including packaging materials and constituent elements and ingredients.

b. The terms "nonprescription drugs" and "proprietary medicines" shall be defined pursuant to regulations promulgated by the Department of Taxation. The exemption authorized in this subdivision shall not apply to cosmetics.

15. Tangible personal property withdrawn from inventory and donated to (i) an organization exempt from taxation under § 501(c)(3) of the Internal Revenue Code or (ii) the Commonwealth, any political subdivision of the Commonwealth, or any school, agency, or instrumentality thereof.

16. Tangible personal property purchased by nonprofit churches that are exempt from taxation under § 501(c)(3) of the Internal Revenue Code, or whose real property is exempt from local taxation pursuant to the provisions of § 58.1-3606, for use (i) in religious worship services by a congregation or church membership while meeting together in a single location and (ii) in the libraries, offices, meeting or counseling rooms or other rooms in the public church buildings used in carrying out the work of the church and its related ministries, including kindergarten, elementary and secondary schools. The exemption for such churches shall also include baptistries; bulletins, programs, newspapers and newsletters that do not contain paid advertising and are used in carrying out the work of the church; gifts including food for distribution outside the public church building; food, disposable serving items, cleaning supplies and teaching materials used in the operation of camps or conference centers by the church or an organization composed of churches that are exempt under this subdivision and which are used in carrying out the work of the church or churches; and property used in caring for or maintaining property owned by the church including, but not limited to, mowing equipment; and building materials installed by the church, and for which the church does not contract with a person or entity to have installed, in the public church buildings used in carrying out the work of the church and its related ministries, including, but not limited to worship services; administrative rooms; and kindergarten, elementary, and secondary schools.

17. Medical products and supplies, which are otherwise taxable, such as bandages, gauze dressings, incontinence products and wound-care products, when purchased by a Medicaid recipient through a Department of Medical Assistance Services provider agreement.

18. Beginning July 1, 2007, and ending July 1, 2012, multifuel heating stoves used for heating an individual purchaser's residence. "Multifuel heating stoves" are stoves that are capable of burning a wide variety of alternative fuels, including, but not limited to, shelled corn, wood pellets, cherry pits, and olive pits.

19. Fabrication of animal meat, grains, vegetables, or other foodstuffs when the purchaser (i) supplies the foodstuffs and they are consumed by the purchaser or his family, (ii) is an organization exempt from taxation under § 501(c)(3) or (c)(4) of the Internal Revenue Code, or (iii) donates the foodstuffs to an organization exempt from taxation under § 501(c)(3) or (c)(4) of the Internal Revenue Code.

20. Beginning July 1, 2018, and ending July 1, 2025, parts, engines, and supplies used for maintaining, repairing, or reconditioning aircraft or any aircraft's avionics system, engine, or component parts. This exemption shall not apply to tools and other equipment not attached to or that does not become a part of the aircraft. For purposes of this subdivision, "aircraft" shall include both manned and unmanned systems. However, for manned systems, "aircraft" shall include only aircraft with a maximum takeoff weight of at least 2,400 pounds.

21. A gun safe with a selling price of $1,500 or less. For purposes of this subdivision, "gun safe" means a safe or vault that is (i) commercially available, (ii) secured with a digital or dial combination locking mechanism or biometric locking mechanism, and (iii) designed for the storage of a firearm or of ammunition for use in a firearm. "Gun safe" does not include a glass-faced cabinet. Any discount, coupon, or other credit offered by the retailer or a vendor of the retailer to reduce the final price to the customer shall be taken into account in determining the selling price for purposes of this exemption.

22. Beginning July 1, 2022, and ending July 1, ~~2025~~ *2028*, prescription medicines and drugs purchased by veterinarians and administered or dispensed to patients within a veterinarian-client-patient relationship as defined in § 54.1-3303.

CHAPTER 200

An Act to amend and reenact §§ 2.2-438, 2.2-441, 2.2-445, and 2.2-446 of the Code of Virginia, relating to Office of the Children's Ombudsman; foster youth's right to receive information.

[H 1777]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-438, 2.2-441, 2.2-445, and 2.2-446 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-438. Definitions.

As used in this chapter, unless context requires another meaning:

"Abused or neglected child" means the same as that term is defined in § 63.2-100.

"Administrative act" includes an action, omission, decision, recommendation, practice, or other procedure of the Department, a local department, a children's residential facility, or a child-placing agency with respect to a particular child related to adoption, foster care, or protective services.

"Central registry" means the system maintained at the Department of Social Services pursuant to § 63.2-1515.

"Child" means an individual ~~under the~~ *who is (i) younger than the* age of 18 *or (ii) for purposes of the Fostering Futures program established pursuant to Article 2 (§ 63.2-917 et seq.) of Chapter 9 of Title 63.2, younger than the age of 21 and meets the eligibility criteria set forth in § 63.2-919*.

"Child-placing agency" means (i) any person who places children in foster homes, adoptive homes, or independent living arrangements pursuant to § 63.2-1819; (ii) a local board that places children in foster homes or adoptive homes pursuant to §§ 63.2-900, 63.2-903, and 63.2-1221; or (iii) an entity that assists parents with the process of delegating parental and legal custodial powers of their children pursuant to Chapter 10 (§ 20-166 et seq.) of Title 20. "Child-placing agency" does not include the persons to whom such parental or legal custodial powers are delegated pursuant to Chapter 10 (§ 20-166 et seq.) of Title 20. Officers, employees, or agents of the Commonwealth or any locality thereof, acting within the scope of their authority as such, who serve as or maintain a child-placing agency shall not be required to be licensed.

"Children's Ombudsman" or "Ombudsman" means the individual appointed to head the Office of the Children's Ombudsman under § 2.2-439.

"Children's residential facility" means the same as that term is defined in § 63.2-100.

"Child-serving agency" means (i) a state agency that provides services to children, including the Department of Behavioral Health and Developmental Services, the Department of Education, the Department of Health, the Department of Juvenile Justice, the Department of Social Services, and the Office of Children's Services, and (ii) a local entity that provides services to children and that receives funding from a state agency under clause (i). "Child-serving agency" does not include any law-enforcement agency.

"Complainant" means an individual who makes a complaint pursuant to § 2.2-441.

"Department" means the Department of Social Services.

"Foster care" means care provided to a child by a foster parent, children's residential facility, or group home licensed or approved by the Department under Chapter 9 (§ 63.2-900) of Title 63.2; care provided to a child in a relative's home under a court order; or any other care provided at the time the child's custody has been given to a government agency.

"Law-enforcement agency" means any crime victim and witness assistance program whose funding is provided in whole or in part by grants administered by the Department of Criminal Justice Services pursuant to § 9.1-104, any state or local police or sheriff's department, any office of an attorney for the Commonwealth, or the Office of the Attorney General.

"Local department" means the local department of social services of any county or city in the Commonwealth.

"Office" means the Office of the Children's Ombudsman established under § 2.2-439.

§ 2.2-441. Individuals making complaint to Children's Ombudsman.

A. Any of the following individuals may make a complaint to the Ombudsman with respect to a particular child, alleging that an administrative act is contrary to law, rule, or policy; imposed without an adequate statement of reason; or based on irrelevant, immaterial, or erroneous grounds:

1. The child, if the child is able to articulate a complaint*, in accordance with the provisions of subsection A of § 2.2-446*;

2. A biological parent of the child;

3. A foster parent of the child;

4. An adoptive parent or a prospective adoptive parent of the child;

5. A legally appointed guardian of the child;

6. A guardian ad litem for the child;

7. A relative of the child or any person with a legitimate interest as defined in § 20-124.1;

8. A Virginia legislator;

9. An individual required to report that a child is alleged to be an abused or neglected child under § 63.2-1509; and

10. An attorney for any individual described in subdivisions 1 through 7.

B. Any individual may submit a complaint to the Ombudsman. The Ombudsman has the sole discretion and authority to determine if a complaint falls within the Ombudsman's duties and powers to investigate and if a complaint involves an administrative act. The Ombudsman may initiate an investigation upon receipt of a complaint from an individual not meeting the definition of complainant. An individual not meeting the definition of complainant is not entitled to receive information under this chapter as if such individual is a complainant. The individual is entitled to receive the recommendations of the Ombudsman and the Department or local department's response to the recommendations of the Ombudsman in accordance with state and federal law. During the course of an investigation, the Ombudsman may refer a case to a child-serving agency if the Ombudsman determines that such agency received a complaint on the case but did not conduct an investigation. If the Ombudsman refers a case to a child-serving agency, such agency shall conduct an investigation of the case or provide notice to the Ombudsman explaining why an investigation was not conducted or what alternative steps may have been taken to address the situation. If an investigation has been conducted, the child-serving agency shall report the results to the Ombudsman.

§ 2.2-445. Department and child-placing agency; duties; information to be provided to biological parent, adoptive parent, or foster parent; access to departmental computer networks.

A. The Department or local department, a children's residential facility, and a child-placing agency shall do all of the following:

1. Upon the Ombudsman's request, grant the Ombudsman or the Office access to all information, records, and documents in the possession of the Department or local department, children's residential facility, or child-placing agency that the Ombudsman considers relevant and necessary in an investigation.

2. Assist the Ombudsman or the Office to obtain the necessary releases of those documents that are specifically restricted.

3. Upon the Ombudsman's request, provide the Ombudsman or the Office with progress reports concerning the administrative processing of a complaint.

4. Upon the Ombudsman's request, provide the Ombudsman or the Office the information requested under subdivision 1 or notification within 10 business days after the request that the Department or local department has determined that release of the information would violate federal or state law.

5. Upon the Ombudsman's request, grant access and provide consent to interview children in foster care who are the subject of or the complainant in an investigation.

B. The Department or local department, a children's residential facility, and a child-placing agency shall provide *the Office's contact information along with* information *regarding the provisions of this chapter* to a biological parent, prospective adoptive parent, or foster parent ~~regarding the provisions of this chapter~~.

The Department or local department, a children's residential facility, and a child-placing agency shall also provide the Office's contact information along with information regarding the provisions of this chapter to any child in foster care age 12 or older upon the opening of a foster care case for such child. If a child turns the age of 12 while in foster care, such child shall be provided the information required by this paragraph on or about his twelfth birthday. Each such child shall receive such required notification annually as long as such child remains in foster care.

C. The Ombudsman and the Office shall have access, in the Ombudsman's own office, to departmental computer networks pertaining to protective services, foster care, adoption, juvenile delinquency, and the central registry, unless otherwise prohibited by state or federal law or if the release of the information to the Ombudsman would jeopardize federal funding. The cost of implementing this subsection shall be negotiated among the Office and the custodians of such networks.

§ 2.2-446. Confidentiality of record of Children's Ombudsman; disclosure; limitations; release of certain information.

A. All statements, documentation, and other evidence received or maintained by the Office or its agents in connection with complaints made to or investigations undertaken pursuant to the Ombudsman's powers enumerated in § 2.2-442 shall be confidential and not subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) and are not discoverable in legal proceedings. If the Ombudsman identifies action or inaction by the state through its agencies or services that failed to protect children, the Ombudsman shall provide any findings and recommendations to the agency affected by those findings and to the General Assembly upon request, and may provide those findings and recommendations to the complainant, to the extent consistent with state or federal law. The Ombudsman shall not disclose any information that impairs the rights of the child or the child's parents or guardians.

If the child is the complainant, the Ombudsman need not gain the consent of the Department or local department, the children's residential facility, the child-placing agency, or the foster parent or guardian of the child or other person having custody or care of the child to receive information from or communicate with the child.

B. Unless otherwise part of the public record, the Office shall not release any of the following confidential information to the general public:

1. Records relating to a mental health evaluation or treatment of a parent or child;

2. Records relating to the evaluation or treatment of a substance abuse-related disorder of a parent or child;

3. Records relating to a medical diagnosis or treatment of a parent or child;

4. Records relating to domestic violence-related services and sexual assault services provided to a parent or child; or

5. Records relating to educational services provided to a parent or child.

C. Notwithstanding subsection B, if the Ombudsman determines that disclosure of confidential information is necessary to identify, prevent, or respond to the abuse or neglect of a child, the Ombudsman may disclose such information to the Department or local department, a court, a law-enforcement agency, or a prosecuting attorney investigating a report of known or suspected abuse or neglect of a child. The Ombudsman shall not release the address, telephone number, or other information regarding the whereabouts of a victim or suspected victim of domestic violence unless ordered to by a court.

D. Except as provided in subsection C, the Ombudsman shall not disclose information relating to an ongoing law-enforcement investigation or an ongoing child protective services investigation. The Ombudsman may release the results of its investigation to a complainant, or an individual not meeting the definition of complainant, if the Ombudsman receives notification of and determines that releasing the results of its investigation is not related to and will not interfere with an ongoing law-enforcement investigation or ongoing child protective services investigation.

E. The Ombudsman shall not disclose the identity of an individual making a complaint alleging that a child is an abused or neglected child unless that individual's written permission is obtained first or a court has ordered the Ombudsman to release such information.

F. The Ombudsman may release an individual's identity who makes an intentionally false report alleging that a child is an abused or neglected child, subject to other laws relating to such disclosure.

CHAPTER 201

An Act to amend and reenact § 22.1-227.1 of the Code of Virginia, relating to public middle and high schools; establishment of career and technical education student organizations; certain exclusions.

[H 1783]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-227.1 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-227.1. Career and technical education.

A. The Board shall incorporate into career and technical education the Standards of Learning for mathematics, science, English, and social studies, including history, and other subject areas as may be appropriate. The Board may also authorize, in its regulations for accrediting public schools in Virginia, the substitution of industry certification and state licensure examinations for Standards of Learning assessments for the purpose of awarding credit for career and technical education courses, where appropriate.

B. The Board shall also develop a plan for increasing the number of students receiving industry certification and state licensure as part of their career and technical education. The plan shall include an annual goal for school divisions. Where there is an accepted national industry certification for career and technical education instructional personnel and programs for automotive technology, such certification shall be mandatory.

C. With such funds as may be appropriated for such purpose, there shall be established, within the Department, a unit of specialists in career and technical education. The unit shall (i) assist in developing and revising local career and technical curriculum to integrate the Standards of Learning, (ii) provide professional development for career and technical instructional personnel to improve the quality of career and technical education, (iii) conduct site visits to the schools providing career and technical education, and (iv) seek the input of business and industry representatives regarding the content and direction of career and technical education programs in the public schools of the Commonwealth.

D. The Board shall develop guidelines for the establishment of High School to Work Partnerships, hereafter referred to as "Partnerships," between public high schools and local businesses to create opportunities for high school students to (i) participate in an apprenticeship, internship, or job shadow program in a variety of trades and skilled labor positions or (ii) tour local businesses and meet with owners and employees. These guidelines shall include a model waiver form to be used by high schools and local businesses in connection with Partnership programs to protect both the students and the businesses from liability.

Each local school board may establish Partnerships or delegate the authority to establish Partnerships to the local school division's career and technical education administrator or his designee, in collaboration with the school counselor office of each public high school in the school division, and shall educate high school students about opportunities available through such Partnerships.

Students who miss a partial or full day of school while participating in Partnership programs shall not be counted as absent for the purposes of calculating average daily membership, but each local school board shall develop policies and procedures for students to make up missed work and may determine the maximum number of school days per academic year that a student may spend participating in a Partnership program.

E. Each public middle school and high school, regardless of whether such school offers career and technical education courses, may establish career and technical education student organizations*, except in the case of any such organization that is established as a federally chartered corporation pursuant to an act of Congress*.

CHAPTER 202

An Act to amend and reenact § 22.1-217.2 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 23.1-401.3, relating to public institutions of higher education; policies; individuals with disabilities; postsecondary transition planning and services; documentation or evidence; report.

[H 1805]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-217.2 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 23.1-401.3 as follows:

§ 22.1-217.2. Special education transition planning and materials.

A. The Superintendent ~~of Public Instruction~~ shall make available special education transition materials for students and parents to be used during a student's annual Individualized Education Program meeting as required by the State Board of Education Regulations Governing Special Education Programs for Children with Disabilities in Virginia (8VAC20-81-118 and 20 U.S.C. § 1400 et seq.) and direct local school divisions to use the material to the fullest extent possible. Such materials shall be prepared and updated as necessary by the Department ~~of Education~~ and shall include information

describing services that can be provided in the least restrictive environment possible and the purpose and use of temporary guardianship, limited guardianship, and guardianship, as those terms are defined in § 64.2-2000.

B. Any individualized education program (IEP) meeting for any student with a disability that is held for the purpose of postsecondary transition planning and the consideration of needed postsecondary transition services shall include, consistent with the guidance documents relating to postsecondary transition planning and services developed by the Department pursuant to subdivisions 1 and 4 of § 22.1-214.4, consideration and documentation of any information relating to such student's needed postsecondary transition services that may be necessary or relevant to coordinating and facilitating the successful and efficient transition of such student from secondary school to an institution of higher education.

§ 23.1-401.3. Individuals with disabilities; documentation or evidence; accommodations.

A. Each public institution of higher education shall adopt a policy that makes any of the following documentation or evidence that is submitted by an enrolled or admitted student sufficient to establish that the student is an individual with a disability:

1. Documentation that the individual has had an individualized education program (IEP) in accordance with the federal Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq. The public institution of higher education may request additional documentation from such an individual if (i) the IEP was not in effect immediately prior to the date on which the individual graduated from or was otherwise no longer enrolled in high school or (ii) the IEP is otherwise not sufficient to establish that such individual is an individual with disability pursuant to the federal Americans with Disabilities Act, 42 U.S.C. § 12131 et seq. Any IEP shall be deemed sufficient to establish that such individual is an individual with a disability under the federal Americans with Disabilities Act that includes (a) information on the nature of the individual's physical or mental impairment; (b) a documented history or record of such physical or mental impairment, including documentation of an evaluation that has been completed or updated no more than three years prior to such individual's application for admission to the institution; and (c) an explanation of substantial limitations experienced by such individual as a result of such disability and the related accommodations needed by such individual;

2. Documentation of the individual's disability due to service in the Armed Forces of the United States or the Commonwealth; and

3. Any other documentation or evidence that the institution deems appropriate for such purpose.

B. In the event that a student's disability or need for accommodations has not been properly documented and additional time is needed to conduct the process by which the public institution of higher education determines eligibility for accommodations, the public institution of higher education shall grant such student provisional or temporary accommodations while such determination process continues.

C. Each policy adopted pursuant to subsection A shall include a transparent and explicit process by which the institution determines eligibility for accommodations for an individual with a disability. Each public institution of higher education shall disseminate information about such process to students, including all new students, to the parents of students as appropriate, and to faculty in accessible formats and make such information available in a conspicuous and publicly accessible manner, including on the institution's website.

2. That the State Council of Higher Education for Virginia (the Council) shall, in consultation with representatives of public institutions of higher education and public secondary schools in the Commonwealth, (i) study the quality and consistency of transition individualized education programs (IEPs) developed and implemented for students with disabilities across the Commonwealth that are dedicated to establishing the postsecondary transition services needed by students with disabilities (transition IEPs) or contain sections that are dedicated to establishing the postsecondary transition services needed by students with disabilities (transition sections) and (ii) make recommendations on strategies for improving the standardization of transition IEPs or transition sections contained in IEPs to help facilitate the timely provision of transition services and accommodations for students with disabilities by public institutions of higher education across the Commonwealth. The Council shall submit to the Senate Committee on Education and Health and the House Committee on Education by November 1, 2025, a report on its findings and recommendations.

CHAPTER 203

An Act to amend and reenact § 28.2-1207 of the Code of Virginia, relating to Marine Resources Commission; encroachment on subaqueous beds; permitting requirements.

[H 1810]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 28.2-1207 of the Code of Virginia is amended and reenacted as follows:

§ 28.2-1207. Authority to approve permits for encroachment on subaqueous beds; notice.

A. Any application for a permit to trespass upon or over or encroach upon subaqueous beds which are the Commonwealth's property may be approved by the Commissioner or his authorized representative if the application meets the requirements of §§ 28.2-1205 and 28.2-1206 and the following criteria are satisfied:

1. The total value of the project does not exceed ~~$500,000~~ *$1,000,000; however, such total value shall be updated every five years by the Commissioner using the Consumer Price Index and published on the Commission's website*;

2. The application is not protested by any citizen or objected to by any state agency; and

3. The project for which the permit is sought will not require any other permit from the Commission.

B. If the permit application is for a shore erosion control project recommended by the soil and water conservation district in which the project is to be located and the criteria listed in subsection A of this section are satisfied, the Commission may, after giving notice of the application to the Virginia Institute of Marine Science, approve the application without giving notice to or awaiting the approval of any other state agency.

C. The Commission shall, in conjunction with affected state and federal agencies, develop an expedited process for issuing general permits for activities that are intended to improve water quality such as bioengineered streambank projects and livestock stream crossings, and for activities required during emergencies in which a determination has been made that there is a threat to public or private property, or to the health and safety of the public. The development of the general permit shall be exempt from Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act.

D. The Commission shall, in conjunction with affected state and federal agencies, develop an expedited process for issuing a permit for emergency activities intended to restore sand to any publicly owned beach damaged by sand erosion. Such erosion shall have been caused by a discrete, identifiable weather event or sequence of events that threatened public or private property or public health and safety and was the subject of a declaration of emergency by the Governor or the governing body of the locality in which the project is located. The development of the permit shall be exempt from Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act.

CHAPTER 204

An Act to amend and reenact §§ 9.1-101, as it is currently effective and as it shall become effective, 9.1-400, 9.1-400.1, 9.1-401, and 9.1-402 through 9.1-404 of the Code of Virginia, relating to Line of Duty Act; campus police officers; private police officers.

[H 1815]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-101, as it is currently effective and as it shall become effective, 9.1-400, 9.1-400.1, 9.1-401, and 9.1-402 through 9.1-404 of the Code of Virginia are amended and reenacted as follows:

§ 9.1-101. (For contingent expiration date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Definitions.

As used in this chapter or in Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, unless the context requires a different meaning:

"Administration of criminal justice" means performance of any activity directly involving the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders or the collection, storage, and dissemination of criminal history record information.

"Board" means the Criminal Justice Services Board.

"Conviction data" means information in the custody of any criminal justice agency relating to a judgment of conviction, and the consequences arising therefrom, in any court.

"Correctional status information" means records and data concerning each condition of a convicted person's custodial status, including probation, confinement, work release, study release, escape, or termination of custody through expiration of sentence, parole, pardon, or court decision.

"Criminal history record information" means records and data collected by criminal justice agencies on adult individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal charges, and any disposition arising therefrom. The term shall not include juvenile record information which is controlled by Chapter 11 (§ 16.1-226 et seq.) of Title 16.1, criminal justice intelligence information, criminal justice investigative information, or correctional status information.

"Criminal justice agency" means (i) a court or any other governmental agency or subunit thereof which as its principal function performs the administration of criminal justice and any other agency or subunit thereof which performs criminal justice activities, but only to the extent that it does so; (ii) for the purposes of Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, any private corporation or agency which, within the context of its criminal justice activities, employs special conservators of the peace appointed under Chapter 2 (§ 19.2-12 et seq.) of Title 19.2, provided that (a) such private corporation or agency requires its officers or special conservators to meet compulsory training standards established by the Criminal Justice Services Board and submits reports of compliance with the training standards and (b) the private corporation or agency complies with the provisions of Article 3 (§ 9.1-126 et seq.), but only to the extent that the private corporation or agency so designated as a criminal justice agency performs criminal justice activities; and (iii) the Office of the Attorney General, for all criminal justice activities otherwise permitted under clause (i) and for the purpose of performing duties required by the Civil Commitment of Sexually Violent Predators Act (§ 37.2-900 et seq.).

"Criminal justice agency" includes any program certified by the Commission on VASAP pursuant to § 18.2-271.2.

"Criminal justice agency" includes the Department of Criminal Justice Services.

"Criminal justice agency" includes the Virginia Criminal Sentencing Commission.

"Criminal justice agency" includes the Virginia State Crime Commission.

"Criminal justice information system" means a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation, or dissemination of criminal history record information. The operations of the system may be performed manually or by using electronic computers or other automated data processing equipment.

"Department" means the Department of Criminal Justice Services.

"Dissemination" means any transfer of information, whether orally, in writing, or by electronic means. The term shall not include access to the information by officers or employees of a criminal justice agency maintaining the information who have both a need and right to know the information.

"Law-enforcement officer" means any full-time or part-time employee of a police department or sheriff's office which is a part of or administered by the Commonwealth or any political subdivision thereof, or any full-time or part-time employee of a private police department, and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth, and shall include any (i) special agent of the Virginia Alcoholic Beverage Control Authority; (ii) police agent appointed under the provisions of § 56-353; (iii) officer of the Virginia Marine Police; (iv) conservation police officer who is a full-time sworn member of the enforcement division of the Department of Wildlife Resources; (v) investigator who is a sworn member of the security division of the Virginia Lottery; (vi) conservation officer of the Department of Conservation and Recreation commissioned pursuant to § 10.1-115; (vii) full-time sworn member of the enforcement division of the Department of Motor Vehicles appointed pursuant to § 46.2-217; (viii) animal protection police officer employed under § 15.2-632 or 15.2-836.1; (ix) campus police officer appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1; (x) member of the investigations unit designated by the State Inspector General pursuant to § 2.2-311 to investigate allegations of criminal behavior affecting the operations of a state or nonstate agency; (xi) employee with internal investigations authority designated by the Department of Corrections pursuant to subdivision 11 of § 53.1-10 or by the Department of Juvenile Justice pursuant to subdivision A 7 of § 66-3; (xii) private police officer employed by a private police department; or (xiii) person designated as a sworn unit investigator by the Attorney General pursuant to subsection A of § 32.1-320.1. Part-time employees are those compensated officers who are not full-time employees as defined by the employing police department, sheriff's office, or private police department.

"Private police department" means any police department, other than a department that employs police agents under the provisions of § 56-353, that employs private police officers operated by an entity authorized by statute or an act of assembly to establish a private police department or such entity's successor in interest, provided it complies with the requirements set forth herein. No entity is authorized to operate a private police department or represent that it is a private police department unless such entity has been authorized by statute or an act of assembly or such entity is the successor in interest of an entity that has been authorized pursuant to this section, provided it complies with the requirements set forth herein. The authority of a private police department shall be limited to real property owned, leased, or controlled by the entity and, if approved by the local chief of police or sheriff, any contiguous property; such authority shall not supersede the authority, duties, or jurisdiction vested by law with the local police department or sheriff's office including as provided in §§ 15.2-1609 and 15.2-1704. The chief of police or sheriff who is the chief local law-enforcement officer shall enter into a memorandum of understanding with the private police department that addresses the duties and responsibilities of the private police department and the chief law-enforcement officer in the conduct of criminal investigations. Private police departments and private police officers shall be subject to and comply with the Constitution of the United States; the Constitution of Virginia; the laws governing municipal police departments, including the provisions of §§ 9.1-600, 15.2-1705 through 15.2-1708, 15.2-1719, 15.2-1721, 15.2-1721.1, and 15.2-1722; and any regulations adopted by the Board that the Department designates as applicable to private police departments. ~~Any person employed as a private police officer pursuant to this section shall meet all requirements, including the minimum compulsory training requirements, for law-enforcement officers pursuant to this chapter. A private police officer is not entitled to benefits under the Line of Duty Act (§ 9.1-400 et seq.) or under the Virginia Retirement System, is not a "qualified law enforcement officer" or "qualified retired law enforcement officer" within the meaning of the federal Law Enforcement Officers Safety Act, 18 U.S.C. § 926B et seq., and shall not be deemed an employee of the Commonwealth or any locality.~~ An authorized private police department may use the word "police" to describe its sworn officers and may join a regional criminal justice academy created pursuant to Article 5 (§ 15.2-1747 et seq.) of Chapter 17 of Title 15.2. Any private police department in existence on January 1, 2013, that was not otherwise established by statute or an act of assembly and whose status as a private police department was recognized by the Department at that time is hereby validated and may continue to operate as a private police department as may such entity's successor in interest, provided it complies with the requirements set forth herein.

"Private police officer" means a law-enforcement officer who is employed by a private police department that has entered into a memorandum of understanding with a police department or sheriff's office and who may exercise the power and duties conferred by law upon such police officers on real property owned, leased, or controlled by the employing entity and, if approved by the local chief of police or sheriff, any contiguous property. Any person employed as a private police officer pursuant to this section shall meet all requirements, including the minimum compulsory training requirements, for law-enforcement officers pursuant to this chapter. A private police officer is not entitled to benefits under the Virginia Retirement System, is not a "qualified law enforcement officer" or "qualified retired law enforcement officer" within the

meaning of the federal Law Enforcement Officers Safety Act, 18 U.S.C. § 926B et seq., and shall not be deemed an employee of the Commonwealth or any locality.

"School resource officer" means a certified law-enforcement officer hired by the local law-enforcement agency to provide law-enforcement and security services to Virginia public elementary and secondary schools.

"School security officer" means an individual who is employed by the local school board or a private or religious school for the singular purpose of maintaining order and discipline, preventing crime, investigating violations of the policies of the school board or the private or religious school, and detaining students violating the law or the policies of the school board or the private or religious school on school property, school buses, or at school-sponsored events and who is responsible solely for ensuring the safety, security, and welfare of all students, faculty, staff, and visitors in the assigned school.

"Unapplied criminal history record information" means information pertaining to criminal offenses submitted to the Central Criminal Records Exchange that cannot be applied to the criminal history record of an arrested or convicted person (i) because such information is not supported by fingerprints or other accepted means of positive identification or (ii) due to an inconsistency, error, or omission within the content of the submitted information.

§ 9.1-101. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Definitions.

As used in this chapter or in Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, unless the context requires a different meaning:

"Administration of criminal justice" means performance of any activity directly involving the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders or the collection, storage, and dissemination of criminal history record information.

"Board" means the Criminal Justice Services Board.

"Conviction data" means information in the custody of any criminal justice agency relating to a judgment of conviction, and the consequences arising therefrom, in any court.

"Correctional status information" means records and data concerning each condition of a convicted person's custodial status, including probation, confinement, work release, study release, escape, or termination of custody through expiration of sentence, parole, pardon, or court decision.

"Criminal history record information" means records and data collected by criminal justice agencies on adult individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal charges, and any disposition arising therefrom. The term shall not include juvenile record information which is controlled by Chapter 11 (§ 16.1-226 et seq.) of Title 16.1, criminal justice intelligence information, criminal justice investigative information, or correctional status information.

"Criminal justice agency" means (i) a court or any other governmental agency or subunit thereof which as its principal function performs the administration of criminal justice and any other agency or subunit thereof which performs criminal justice activities, but only to the extent that it does so; (ii) for the purposes of Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, any private corporation or agency which, within the context of its criminal justice activities, employs special conservators of the peace appointed under Chapter 2 (§ 19.2-12 et seq.) of Title 19.2, provided that (a) such private corporation or agency requires its officers or special conservators to meet compulsory training standards established by the Criminal Justice Services Board and submits reports of compliance with the training standards and (b) the private corporation or agency complies with the provisions of Article 3 (§ 9.1-126 et seq.), but only to the extent that the private corporation or agency so designated as a criminal justice agency performs criminal justice activities; and (iii) the Office of the Attorney General, for all criminal justice activities otherwise permitted under clause (i) and for the purpose of performing duties required by the Civil Commitment of Sexually Violent Predators Act (§ 37.2-900 et seq.).

"Criminal justice agency" includes any program certified by the Commission on VASAP pursuant to § 18.2-271.2.

"Criminal justice agency" includes the Department of Criminal Justice Services.

"Criminal justice agency" includes the Virginia Criminal Sentencing Commission.

"Criminal justice agency" includes the Virginia State Crime Commission.

"Criminal justice information system" means a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation, or dissemination of criminal history record information. The operations of the system may be performed manually or by using electronic computers or other automated data processing equipment.

"Department" means the Department of Criminal Justice Services.

"Dissemination" means any transfer of information, whether orally, in writing, or by electronic means. The term shall not include access to the information by officers or employees of a criminal justice agency maintaining the information who have both a need and right to know the information.

"Law-enforcement officer" means any full-time or part-time employee of a police department or sheriff's office which is a part of or administered by the Commonwealth or any political subdivision thereof, or any full-time or part-time employee of a private police department, and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth, and shall include any (i) special agent of the Virginia Alcoholic Beverage Control Authority; (ii) police agent appointed under the provisions of § 56-353; (iii) officer of the Virginia Marine Police; (iv) conservation police officer who is a full-time sworn member of the enforcement division of the Department of Wildlife Resources; (v) investigator who is a sworn member of the security division of the Virginia

Lottery; (vi) conservation officer of the Department of Conservation and Recreation commissioned pursuant to § 10.1-115; (vii) full-time sworn member of the enforcement division of the Department of Motor Vehicles appointed pursuant to § 46.2-217; (viii) animal protection police officer employed under § 15.2-632 or 15.2-836.1; (ix) campus police officer appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1; (x) member of the investigations unit designated by the State Inspector General pursuant to § 2.2-311 to investigate allegations of criminal behavior affecting the operations of a state or nonstate agency; (xi) employee with internal investigations authority designated by the Department of Corrections pursuant to subdivision 11 of § 53.1-10 or by the Department of Juvenile Justice pursuant to subdivision A 7 of § 66-3; (xii) private police officer employed by a private police department; or (xiii) person designated as a sworn unit investigator by the Attorney General pursuant to subsection A of § 32.1-320.1. Part-time employees are those compensated officers who are not full-time employees as defined by the employing police department, sheriff's office, or private police department.

"Private police department" means any police department, other than a department that employs police agents under the provisions of § 56-353, that employs private police officers operated by an entity authorized by statute or an act of assembly to establish a private police department or such entity's successor in interest, provided it complies with the requirements set forth herein. No entity is authorized to operate a private police department or represent that it is a private police department unless such entity has been authorized by statute or an act of assembly or such entity is the successor in interest of an entity that has been authorized pursuant to this section, provided it complies with the requirements set forth herein. The authority of a private police department shall be limited to real property owned, leased, or controlled by the entity and, if approved by the local chief of police or sheriff, any contiguous property; such authority shall not supersede the authority, duties, or jurisdiction vested by law with the local police department or sheriff's office including as provided in §§ 15.2-1609 and 15.2-1704. The chief of police or sheriff who is the chief local law-enforcement officer shall enter into a memorandum of understanding with the private police department that addresses the duties and responsibilities of the private police department and the chief law-enforcement officer in the conduct of criminal investigations. Private police departments and private police officers shall be subject to and comply with the Constitution of the United States; the Constitution of Virginia; the laws governing municipal police departments, including the provisions of §§ 9.1-600, 15.2-1705 through 15.2-1708, 15.2-1719, 15.2-1721, 15.2-1721.1, and 15.2-1722; and any regulations adopted by the Board that the Department designates as applicable to private police departments. ~~Any person employed as a private police officer pursuant to this section shall meet all requirements, including the minimum compulsory training requirements, for law-enforcement officers pursuant to this chapter. A private police officer is not entitled to benefits under the Line of Duty Act (§ 9.1-400 et seq.) or under the Virginia Retirement System, is not a "qualified law enforcement officer" or "qualified retired law enforcement officer" within the meaning of the federal Law Enforcement Officers Safety Act, 18 U.S.C. § 926B et seq., and shall not be deemed an employee of the Commonwealth or any locality.~~ An authorized private police department may use the word "police" to describe its sworn officers and may join a regional criminal justice academy created pursuant to Article 5 (§ 15.2-1747 et seq.) of Chapter 17 of Title 15.2. Any private police department in existence on January 1, 2013, that was not otherwise established by statute or an act of assembly and whose status as a private police department was recognized by the Department at that time is hereby validated and may continue to operate as a private police department as may such entity's successor in interest, provided it complies with the requirements set forth herein.

"Private police officer" means a law-enforcement officer who is employed by a private police department that has entered into a memorandum of understanding with a police department or sheriff's office and who may exercise the power and duties conferred by law upon such police officers on real property owned, leased, or controlled by the employing entity and, if approved by the local chief of police or sheriff, any contiguous property. Any person employed as a private police officer pursuant to this section shall meet all requirements, including the minimum compulsory training requirements, for law-enforcement officers pursuant to this chapter. A private police officer is not entitled to benefits under the Virginia Retirement System, is not a "qualified law enforcement officer" or "qualified retired law enforcement officer" within the meaning of the federal Law Enforcement Officers Safety Act, 18 U.S.C. § 926B et seq., and shall not be deemed an employee of the Commonwealth or any locality.

"School resource officer" means a certified law-enforcement officer hired by the local law-enforcement agency to provide law-enforcement and security services to Virginia public elementary and secondary schools.

"School security officer" means an individual who is employed by the local school board or a private or religious school for the singular purpose of maintaining order and discipline, preventing crime, investigating violations of the policies of the school board or the private or religious school, and detaining students violating the law or the policies of the school board or the private or religious school on school property, school buses, or at school-sponsored events and who is responsible solely for ensuring the safety, security, and welfare of all students, faculty, staff, and visitors in the assigned school.

"Sealing" means (i) restricting dissemination of criminal history record information contained in the Central Criminal Records Exchange, including any records relating to an arrest, charge, or conviction, in accordance with the purposes set forth in § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134 and (ii) prohibiting dissemination of court records related to an arrest, charge, or conviction, unless such dissemination is authorized by a court order for one or more of the purposes set forth in § 19.2-392.13.

"Unapplied criminal history record information" means information pertaining to criminal offenses submitted to the Central Criminal Records Exchange that cannot be applied to the criminal history record of an arrested or convicted person

(i) because such information is not supported by fingerprints or other accepted means of positive identification or (ii) due to an inconsistency, error, or omission within the content of the submitted information.

§ 9.1-400. Title of chapter; definitions.

A. This chapter shall be known and designated as the Line of Duty Act.

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

"Beneficiary" means the spouse of a deceased person and such persons as are entitled to take under the will of a deceased person if testate, or as his heirs at law if intestate.

"Contributing nonprofit private institution of higher education" means a nonprofit private institution of higher education, as defined in § 23.1-100, that has (i) established a campus police department pursuant to § 23.1-810 and (ii) made an irrevocable election to provide the benefits under this chapter and to fund the cost by participating in the Fund.

"Contributing private police department" means a private police department that has made an irrevocable election to provide the benefits under this chapter and to fund the cost by participating in the Fund.

"Deceased person" means any individual whose death occurs on or after April 8, 1972, in the line of duty as the direct or proximate result of the performance of his duty, including the presumptions under §§ 27-40.1, 27-40.2, 51.1-813, 65.2-402, and 65.2-402.1 if his position is covered by the applicable statute, as *(i)* a law-enforcement officer of the Commonwealth or any of its political subdivisions, except employees designated pursuant to § 53.1-10 to investigate allegations of criminal behavior affecting the operations of the Department of Corrections, employees designated pursuant to § 66-3 to investigate allegations of criminal behavior affecting the operations of the Department of Juvenile Justice, and members of the investigations unit of the State Inspector General designated pursuant to § 2.2-311 to investigate allegations of criminal behavior affecting the operations of a state or nonstate agency; *(ii)* a correctional officer as defined in § 53.1-1; *(iii)* a jail officer; *(iv)* a regional jail or jail farm superintendent; *(v)* a sheriff, deputy sheriff, or city sergeant or deputy city sergeant of the City of Richmond; *(vi)* a police chaplain; *(vii)* a member of any fire company or department or emergency medical services agency that has been recognized by an ordinance or a resolution of the governing body of any county, city, or town of the Commonwealth as an integral part of the official safety program of such county, city, or town, including a person with a recognized membership status with such fire company or department who is enrolled in a Fire Service Training course offered by the Virginia Department of Fire Programs or any fire company or department training required in pursuit of qualification to become a certified firefighter; *(viii)* a member of any fire company providing fire protection services for facilities of the Virginia National Guard or the Virginia Air National Guard; *(ix)* a member of the Virginia National Guard or the Virginia Defense Force while such member is serving in the Virginia National Guard or the Virginia Defense Force on official state duty or federal duty under Title 32 of the United States Code; ~~any~~ *(x) a* special agent of the Virginia Alcoholic Beverage Control Authority; ~~any~~ *(xi) a* regular or special conservation police officer who receives compensation from a county, city, or town or from the Commonwealth appointed pursuant to the provisions of § 29.1-200; ~~any~~ *(xii) a* commissioned forest warden appointed under the provisions of § 10.1-1135; ~~any~~ *(xiii) a* member or employee of the Virginia Marine Resources Commission granted the power of arrest pursuant to § 28.2-900; ~~any~~ *(xiv) a* Department of Emergency Management hazardous materials officer~~,~~*, and* any other employee of the Department of Emergency Management who is performing official duties of the agency, when those duties are related to a major disaster or emergency, as defined in § 44-146.16, that has been or is later declared to exist under the authority of the Governor in accordance with § 44-146.28; ~~any~~ *(xv) an* employee of any county, city, or town performing official emergency management or emergency services duties in cooperation with the Department of Emergency Management, when those duties are related to a major disaster or emergency, as defined in § 44-146.16, that has been or is later declared to exist under the authority of the Governor in accordance with § 44-146.28 or a local emergency, as defined in § 44-146.16, declared by a local governing body; ~~any~~ *(xvi) a* nonfirefighter regional hazardous materials emergency response team member; ~~any~~ *(xvii) a* conservation officer of the Department of Conservation and Recreation commissioned pursuant to § 10.1-115; ~~or~~ ~~any~~ *(xviii) a* full-time sworn member of the enforcement division of the Department of Motor Vehicles appointed pursuant to § 46.2-217*; (xix) a campus police officer employed by a contributing nonprofit private institution of higher education; or (xx) a private police officer employed by a contributing private police department*.

"Disabled person" means any individual who has been determined to be mentally or physically incapacitated so as to prevent the further performance of his duties at the time of his disability where such incapacity is likely to be permanent, and whose incapacity occurs in the line of duty as the direct or proximate result of the performance of his duty, including the presumptions under §§ 27-40.1, 27-40.2, 51.1-813, 65.2-402, and 65.2-402.1 if his position is covered by the applicable statute, in any position listed in the definition of deceased person in this section. "Disabled person" does not include any individual who has been determined to be no longer disabled pursuant to subdivision A 2 of § 9.1-404. "Disabled person" includes any state employee included in the definition of a deceased person who was disabled on or after January 1, 1966.

"Eligible dependent" for purposes of continued health insurance pursuant to § 9.1-401 means the natural or adopted child or children of a deceased person or disabled person or of a deceased or disabled person's eligible spouse, provided that any such natural child is born as the result of a pregnancy that occurred prior to, or no later than six months after, the time of the employee's death or disability and that any such adopted child is (i) adopted prior to, or no later than six months after, the time of the employee's death or disability or (ii) adopted more than six months after the employee's death or disability if the adoption is pursuant to a preadoptive agreement entered into prior to, or no later than six months after, the death or disability. Notwithstanding the foregoing, "eligible dependent" shall also include the natural or adopted child or children of a deceased person or disabled person born as the result of a pregnancy or adoption that occurred after the time of the

employee's death or disability, but prior to July 1, 2017. Eligibility will continue until the end of the year in which the eligible dependent reaches age 26 or when the eligible dependent ceases to be eligible based on the Virginia Administrative Code or administrative guidance as determined by the Department of Human Resource Management.

"Eligible spouse" for purposes of continued health insurance pursuant to § 9.1-401 means the spouse of a deceased person or a disabled person at the time of the death or disability. Eligibility will continue until the eligible spouse dies, ceases to be married to a disabled person, or in the case of the spouse of a deceased person, dies, remarries on or after July 1, 2017, or otherwise ceases to be eligible based on the Virginia Administrative Code or administrative guidance as determined by the Department of Human Resource Management.

"Employee" means any person who would be covered or whose spouse, dependents, or beneficiaries would be covered under the benefits of this chapter if the person became a disabled person or a deceased person.

"Employer" means (i) the employer of a person who is a covered employee or (ii) in the case of a volunteer who is a member of any fire company or department or rescue squad described in the definition of "deceased person," the county, city, or town that by ordinance or resolution recognized such fire company or department or rescue squad as an integral part of the official safety program of such locality.

"Fund" means the Line of Duty Death and Health Benefits Trust Fund established pursuant to § 9.1-400.1.

"Line of duty" means any action the deceased or disabled person was obligated or authorized to perform by rule, regulation, condition of employment or service, or law.

"LODA Health Benefit Plans" means the separate health benefits plans established pursuant to § 9.1-401.

"Nonparticipating employer" means any employer that is a political subdivision of the Commonwealth that elected to directly fund the cost of benefits provided under this chapter and not participate in the Fund.

"Participating employer" means any employer that is a state agency or is a political subdivision of the Commonwealth that did not make an election to become a nonparticipating employer.

"Private police officer" means the same as that term is defined in § 9.1-101.

"Private police department" means the same as that term is defined in § 9.1-101.

"VRS" means the Virginia Retirement System.

C. Nothing in this chapter shall be construed as applying to any nonprofit private institution of higher education, as defined in § 23.1-100, that is not a contributing nonprofit private institution of higher education or any private police department that is not a contributing private police department.

§ 9.1-400.1. Line of Duty Death and Health Benefits Trust Fund.

A. There is hereby established a permanent and perpetual fund to be known as the Line of Duty Death and Health Benefits Trust Fund, consisting of such moneys as may be appropriated by the General Assembly~~,~~*;* contributions or reimbursements from participating and nonparticipating employers, *from contributing nonprofit private institutions of higher education, and from contributing private police departments;* gifts, bequests, endowments, or grants from the United States government or its agencies or instrumentalities~~,~~*;* net income from the investment of moneys held in the Fund~~,~~*;* and any other available sources of funds, public and private. Any moneys remaining in the Fund at the end of a biennium shall not revert to the general fund but shall remain in the Fund. Interest and income earned from the investment of such moneys shall remain in the Fund and be credited to it. The moneys in the Fund shall be (i) deemed separate and independent trust funds, (ii) segregated and accounted for separately from all other funds of the Commonwealth, and (iii) administered solely in the interests of the persons who are covered under the benefits provided pursuant to this chapter. Deposits to and assets of the Fund shall not be subject to the claims of creditors.

B. The Virginia Retirement System shall invest, reinvest, and manage the assets of the Fund as provided in § 51.1-124.39 and shall be reimbursed from the Fund for such activities as provided in that section.

C. The Fund shall be used to provide the benefits under this chapter related to disabled persons, deceased persons, eligible dependents, and eligible spouses on behalf of participating employers*, contributing nonprofit private institutions of higher education, and contributing private police departments* and to pay related administrative costs.

D. Each participating employer*, contributing nonprofit private institution of higher education, and contributing private police department* shall make annual contributions to the Fund and provide information as determined by VRS. The amount of the contribution for each participating employer*, contributing nonprofit private institution of higher education, and contributing private police department* shall be determined on a current disbursement basis in accordance with the provisions of this section. For purposes of establishing contribution amounts for participating employers, a member of any fire company or department or rescue squad that has been recognized by an ordinance or a resolution of the governing body of any locality of the Commonwealth as an integral part of the official safety program of such locality shall be considered part of the locality served by the company, department, or rescue squad. If a company, department, or rescue squad serves more than one locality, the affected localities shall determine the basis and apportionment of the required covered payroll and contributions for each company, department, or rescue squad.

If any participating employer*, contributing nonprofit private institution of higher education, or contributing private police department* fails to remit contributions or other fees or costs associated with the Fund, VRS shall inform the State Comptroller and the affected participating employer*, contributing nonprofit private institution of higher education, or contributing private police department* of the delinquent amount. In calculating the delinquent amount, VRS may impose an interest rate of one percent per month of delinquency. The State Comptroller shall forthwith transfer such delinquent amount, plus interest, from any moneys otherwise distributable to such participating employer. *In the case of a contributing*

nonprofit private institution of higher education or a contributing private police department, VRS may employ reasonable methods to collect the delinquent amount, including the procedures set forth in the Virginia Debt Collection Act (§ 2.2-4800 et seq.).

§ 9.1-401. Continued health insurance coverage for disabled persons, eligible spouses, and eligible dependents.

A. Disabled persons, eligible spouses, and eligible dependents shall be afforded continued health insurance coverage as provided in this section, the cost of which shall be paid by the nonparticipating employer to the Department of Human Resource Management or from the Fund on behalf of a participating employer*, contributing nonprofit private institution of higher education, or contributing private police department*, as applicable. If any disabled person or eligible spouse is receiving the benefits described in this section and would otherwise qualify for the health insurance credit described in Chapter 14 (§ 51.1-1400 et seq.) of Title 51.1, the amount of such credit shall be deposited into the Line of Duty Death and Health Benefits Trust Fund or paid to the nonparticipating employer, as applicable, from the health insurance credit trust fund, in a manner prescribed by VRS.

B. 1. The continued health insurance coverage provided by this section for all disabled persons, eligible spouses, and eligible dependents shall be through separate plans, referred to as the LODA Health Benefits Plans (the Plans), administered by the Department of Human Resource Management. The Plans shall comply with all applicable federal and state laws and shall be modeled upon state employee health benefits program plans. Funding of the Plans' reserves and contingency shall be provided through a line of credit, the amount of which shall be based on an actuarially determined estimate of liabilities. The Department of Human Resource Management shall be reimbursed for health insurance premiums and all reasonable costs incurred and associated, directly and indirectly, in performing the duties pursuant to this section (i) from the Line of Duty Death and Health Benefits Trust Fund for costs related to disabled persons, deceased persons, eligible dependents, and eligible spouses on behalf of participating employers*, contributing nonprofit private institutions of higher education, and contributing private police departments* and (ii) from a nonparticipating employer for premiums and costs related to disabled persons, deceased persons, eligible dependents, and eligible spouses for which the nonparticipating employer is responsible. If any nonparticipating employer fails to remit such premiums and costs, the Department of Human Resource Management shall inform the State Comptroller and the affected nonparticipating employer of the delinquent amount. In calculating the delinquent amount, the Department of Human Resource Management may impose an interest rate of one percent per month of delinquency. The State Comptroller shall forthwith transfer such delinquent amount, plus interest, from any moneys otherwise distributable to such nonparticipating employer.

2. In the event that temporary health care insurance coverage is needed for disabled persons, eligible spouses, and eligible dependents during the period of transition into the LODA Health Benefits Plans, the Department of Human Resource Management is authorized to acquire and provide temporary transitional health insurance coverage. The type and source of the transitional health plans shall be within the sole discretion of the Department of Human Resource Management. Transitional coverage for eligible dependents shall comply with the eligibility criteria of the transitional plans until enrollment in the LODA Health Benefits Plan can be completed.

C. 1. a. Except as provided in subdivision 2 and any other law, continued health insurance coverage in any LODA Health Benefits Plans shall not be provided to any person (i) whose coverage under the Plan is based on a deceased person's death or a disabled person's disability occurring on or after July 1, 2017 and (ii) who is eligible for Medicare due to age.

b. Coverage in the LODA Health Benefits Plans shall also cease for any person upon his death.

2. The provisions of subdivision 1 a shall not apply to any disabled person who is eligible for Medicare due to disability under Social Security Disability Insurance or a Railroad Retirement Board Disability Annuity. The Department of Human Resource Management may provide such disabled person coverage under a LODA Health Benefits Plan that is separate from the plan for other persons.

3. Continued health insurance under this section shall also terminate upon the disabled person's return to full duty in any position listed in the definition of deceased person in § 9.1-400. Such disabled person shall promptly notify the participating or nonparticipating employer, *the contributing nonprofit private institution of higher education, or the contributing private police department and* VRS~~,~~ and the Department of Human Resource Management upon his return to work.

4. Such continued health insurance shall be suspended for the Plan year following a calendar year in which the disabled person whose coverage under the Plan is based on a disability occurring on or after July 1, 2017, has earned income in an amount equal to or greater than the salary of the position held by the disabled person at the time of disability, indexed annually based upon the annual increases in the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor. Such suspension shall cease the Plan year following a calendar year in which the disabled person has not earned such amount of income. The disabled person shall notify the participating or nonparticipating employer, *the contributing nonprofit private institution of higher education, or the contributing private police department and* VRS~~,~~ and the Department of Human Resource Management no later than March 1 of the year following any year in which he earns income of such amount~~,~~ and *shall* notify the participating or nonparticipating employer, *the contributing nonprofit private institution of higher education, or the contributing private police department and* VRS~~,~~ and the Department of Human Resource Management when he no longer is earning such amount. Upon request, a disabled person shall provide VRS and the Department of Human Resource Management with documentation of earned income.

§ 9.1-402. Payments to beneficiaries of certain deceased law-enforcement officers, firefighters, etc., and retirees.

A. The beneficiary of a deceased person whose death occurred on or before December 31, 2005, while in the line of duty as the direct or proximate result of the performance of his duty shall be entitled to receive the sum of $75,000, which shall be paid by the nonparticipating employer or from the Fund on behalf of a participating employer*, a contributing nonprofit private institution of higher education, or a contributing private police department*, as applicable, in gratitude for and in recognition of his sacrifice on behalf of the people of the Commonwealth.

B. The beneficiary of a deceased person whose death occurred on or after January 1, 2006, while in the line of duty as the direct or proximate result of the performance of his duty shall be entitled to receive the sum of $100,000, which shall be paid by the nonparticipating employer*, the contributing nonprofit private institution of higher education, or the contributing private police department* or from the Fund on behalf of a participating employer, as applicable, in gratitude for and in recognition of his sacrifice on behalf of the people of the Commonwealth.

C. Subject to the provisions of § 27-40.1, 27-40.2, 51.1-813, or 65.2-402, if the deceased person's death (i) arose out of and in the course of his employment or (ii) was within five years from his date of retirement, his beneficiary shall be entitled to receive the sum of $25,000 or, if the deceased person's death occurred on or after January 1, 2025, $75,000, which shall be paid by the nonparticipating employer or from the Fund on behalf of a participating employer*, a contributing nonprofit private institution of higher education, or a contributing private police department*, as applicable. *For a campus police officer employed by a contributing nonprofit private institution of higher education or a private police officer employed by a contributing private police department, such officer's date of retirement shall be determined by VRS in consultation with the contributing nonprofit private institution of higher education or the contributing private police department, respectively.*

§ 9.1-402.1. Payments for burial expenses.

It is the intent of the General Assembly that expeditious payments for burial expenses be made for deceased persons whose death is determined to be a direct and proximate result of their performance in the line of duty as defined by the Line of Duty Act. Upon the approval of VRS, at the request of the family of a person who may be subject to the line of duty death benefits, payments shall be made to a funeral service provider for burial and transportation costs by the nonparticipating employer or from the Fund on behalf of a participating employer*, a contributing nonprofit private institution of higher education, or a contributing private police department*, as applicable. These payments would be advanced from the death benefit that would be due to the beneficiary of the deceased person if it is determined that the person qualifies for line of duty coverage. Expenses advanced under this provision shall not exceed the coverage amounts outlined in § 65.2-512. In the event *that* a determination is made that the death is not subject to the line of duty benefits *(i) in the case of an employer that is a state agency or political subdivision of the Commonwealth*, VRS or other Virginia governmental retirement fund of which the deceased is a member will deduct from benefit payments otherwise due to be paid to the beneficiaries of the deceased payments previously paid for burial and related transportation expenses and return such funds to the nonparticipating employer or to the Fund on behalf of a participating employer, as applicable*, and (ii) in the case of a contributing nonprofit private institution of higher education or a contributing private police department, VRS (a) will deduct from benefit payments otherwise due to be paid to the beneficiaries of the deceased payments previously paid for burial and related transportation expenses and return such funds to the Fund and (b) may employ reasonable methods, including the procedures set forth in the Virginia Debt Collection Act (§ 2.2-4800 et seq.), to recover from the deceased person's estate any payments previously paid for burial and related transportation expenses and return such funds to the Fund*. The Virginia Retirement System shall have the right to file a claim with the Virginia Workers' Compensation Commission against any employer to recover burial and related transportation expenses advanced under this provision.

§ 9.1-403. Claim for payment; costs.

A. Every beneficiary, disabled person or his spouse, or dependent of a deceased or disabled person shall present his claim to the chief officer, or his designee, of the employer for which the disabled or deceased person last worked on forms to be provided by VRS. Upon receipt of a claim, the chief officer or his designee shall forward the claim to VRS within seven days. The Virginia Retirement System shall determine eligibility for benefits under this chapter. The Virginia Retirement System may request assistance in obtaining information necessary to make an eligibility determination from the Department of State Police. The Department of State Police shall take action to conduct the investigation as expeditiously as possible. The Department of State Police shall be reimbursed from the Fund or the nonparticipating employer, as applicable, for the cost of searching for and obtaining information requested by VRS. The Virginia Retirement System shall be reimbursed for the reasonable costs incurred for making eligibility determinations by nonparticipating employers or from the Fund on behalf of participating employers*, contributing nonprofit private institutions of higher education, or contributing private police departments*, as applicable. If any nonparticipating employer fails to reimburse VRS for reasonable costs incurred in making an eligibility determination, VRS shall inform the State Comptroller and the affected nonparticipating employer of the delinquent amount. In calculating the delinquent amount, VRS may impose an interest rate of one percent per month of delinquency. The State Comptroller shall forthwith transfer such delinquent amount, plus interest, from any moneys otherwise distributable to such nonparticipating employer.

B. 1. Within 10 business days of being notified by an employee, or an employee's representative, that such employee is permanently and totally disabled due to a work-related injury suffered in the line of duty, the agency or department employing the employee shall provide him with information about the continued health insurance coverage provided under this chapter and the process for initiating a claim. The employer shall assist in filing a claim, unless such assistance is waived by the employee or the employee's representative.

2. Within 10 business days of having knowledge that a deceased person's surviving spouse, dependents, or beneficiaries may be entitled to benefits under this chapter, the employer for which the deceased person last worked shall provide the surviving spouse, dependents, or beneficiaries, as applicable, with information about the benefits provided under this chapter and the process for initiating a claim. The employer shall assist in filing a claim, unless such assistance is waived by the surviving spouse, dependents, or beneficiaries.

C. Within 30 days of receiving a claim pursuant to subsection A, an employer may submit to VRS any evidence that could assist in determining the eligibility of a claim. However, when the claim involves a presumption under § 65.2-402 or 65.2-402.1, VRS shall provide an employer additional time to submit evidence as is necessary not to exceed nine months from the date the employer received a claim pursuant to subsection A. Any such evidence submitted by the employer shall be included in the agency record for the claim.

§ 9.1-404. Order of the Virginia Retirement System.

A. 1. The Virginia Retirement System shall make an eligibility determination within 45 days of receiving all necessary information for determining eligibility for a claim filed under § 9.1-403. The Virginia Retirement System may use a medical board pursuant to § 51.1-124.23 in determining eligibility. If benefits under this chapter are due, VRS shall notify the nonparticipating employer, which shall provide the benefits within 15 days of such notice, or VRS shall pay the benefits from the Fund on behalf of the participating employer*, contributing nonprofit private institution of higher education, or contributing private police department* within 15 days of the determination, as applicable. The payments shall be retroactive to the first date that the disabled person was no longer eligible for health insurance coverage subsidized by his employer.

2. Two years after an individual has been determined to be a disabled person, VRS may require the disabled person to renew the determination through a process established by VRS. If a disabled person refuses to submit to the determination renewal process described in this subdivision, then benefits under this chapter shall cease for the individual, any eligible dependents, and an eligible spouse until the individual complies. If such individual does not comply within six months from the date of the initial request for a renewed determination, then benefits under this chapter shall permanently cease for the individual, any eligible dependents, and an eligible spouse. If VRS issues a renewed determination that an individual is no longer a disabled person, then benefits under this chapter shall permanently cease for the individual, any eligible dependents, and an eligible spouse. If VRS issues a renewed determination that an individual remains a disabled person, then VRS may require the disabled person to renew the determination five years after such renewed determination through a process established by VRS. The Virginia Retirement System may require the disabled person to renew the determination at any time if VRS has information indicating that the person may no longer be disabled.

3. For any medical review conducted for the purpose of making an eligibility determination pursuant to this section, VRS shall require such review to be conducted by a licensed health practitioner. For purposes of this section, "licensed health practitioner" means a person licensed to practice medicine or osteopathic medicine pursuant to the provisions of Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1, a person licensed to practice nursing pursuant to the provisions of Chapter 30 (§ 54.1-3000 et seq.) of Title 54.1, or a person licensed to practice psychology pursuant to the provisions of Chapter 36 (§ 54.1-3600 et seq.) of Title 54.1. "Licensed health practitioner" includes a person issued a comparable license, as determined by VRS, by the District of Columbia or a state that is contiguous to the Commonwealth.

B. The Virginia Retirement System shall be reimbursed for all reasonable costs incurred and associated, directly and indirectly, in performing the duties pursuant to this chapter (i) from the Line of Duty Death and Health Benefits Trust Fund for costs related to disabled persons, deceased persons, eligible dependents, and eligible spouses on behalf of participating employers*, contributing nonprofit private institutions of higher education, and contributing private police departments* and (ii) from a nonparticipating employer for premiums and costs related to disabled persons, deceased persons, eligible dependents, and eligible spouses for which the nonparticipating employer is responsible.

C. The Virginia Retirement System may develop policies and procedures necessary to carry out the provisions of this chapter.

2. That any nonprofit private institution of higher education, as defined in § 23.1-100 of the Code of Virginia, that has established a campus police department pursuant to § 23.1-810 of the Code of Virginia or any private police department established on or before the effective date of this act shall elect whether it will be a contributing nonprofit private institution of higher education or a contributing private police department, respectively, under the Line of Duty Act (§ 9.1-400 et seq. of the Code of Virginia), as amended by this act, in the manner and on such forms as prescribed by the Virginia Retirement System within 180 days of the effective date of this act. Any nonprofit private institution of higher education that establishes a campus police department or any private police department established on or after the effective date of this act shall elect whether it will be a contributing nonprofit private institution of higher education or a contributing private police department, respectively, under the Line of Duty Act (§ 9.1-400 et seq. of the Code of Virginia), as amended by this act, in the manner and on such forms as prescribed by the Virginia Retirement System within 180 days of the establishment of the campus police department or private police department. Any election made pursuant to this enactment shall be irrevocable and a nonprofit private institution of higher education or private police department that does not make an election within the time period set forth in this enactment shall be deemed to have made an irrevocable election that such institution's campus police officers or such private police department's private police officers will not be covered by the Line of Duty Act (§ 9.1-400 et seq. of the Code of Virginia), as amended by this act.

3. That the provisions of this act shall apply only to campus police officers employed by a contributing nonprofit private institution of higher education and private police officers, as defined in § 9.1-400 of the Code of Virginia, as amended by this act, whose death or disability occurred on or after the effective date of such institution's or private police department's irrevocable election to fund the cost of benefits under the Line of Duty Act (§ 9.1-400 et seq. of the Code of Virginia), as amended by this act, and to participate in the Line of Duty Death and Health Benefits Trust Fund, established pursuant to § 9.1-400.1 of the Code of Virginia, as amended by this act.
4. That each contributing nonprofit private institution of higher education and contributing private police department shall pay its pro rata share of the initial costs to implement this act, as determined by the Virginia Retirement System.

CHAPTER 205

An Act to amend and reenact § 15.2-958.3 of the Code of Virginia, relating to C-PACE financing programs.

[H 1819]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:
1. That § 15.2-958.3 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-958.3. Commercial Property Assessed Clean Energy (C-PACE) financing programs.

A. As used in this section:

"Eligible improvements" means any of the following improvements made to eligible properties:

1. Energy efficiency improvements;
2. Water efficiency and safe drinking water improvements;
3. Renewable energy improvements;
4. Resiliency improvements;
5. Stormwater management improvements;
6. Environmental remediation improvements; and
7. Electric vehicle infrastructure improvements.

A program administrator may include in its C-PACE loan program guide or other administrative documentation definitions, interpretations, and examples of these categories of eligible improvements.

"Eligible properties" means all assessable commercial real estate located within the Commonwealth, with all buildings located or to be located thereon, whether vacant or occupied, whether improved or unimproved, and regardless of whether such real estate is currently subject to taxation by the locality~~, other than a residential dwelling with~~. *"Eligible properties" are eligible for the C-PACE loan program and may include multifamily properties with no* fewer than five ~~dwelling~~ units ~~or a condominium as defined in § 55.1-2000 used for residential purposes. Common~~*, common* areas of real estate owned by a cooperative or a property owners' association ~~described in Subtitle IV (~~*as defined in* § 55.1-1800 ~~et seq.) of Title 55.1~~ that have a separate real property tax identification number*, and commercial condominiums as defined in § 55.1-1900. Residential real estate with fewer than five units is not* ~~are~~ eligible ~~properties. Eligible properties shall be eligible to participate in~~ *for* the C-PACE loan program.

"Program administrator" means a third party that is contracted for professional services to administer a C-PACE loan program.

"Property owner" means the fee simple owner of eligible property or the lessee under a long-term ground lease of eligible property, including a property that is owned by a public or private entity. To be eligible for a C-PACE loan (i) the term of the C-PACE loan shall not exceed the remaining term of the ground lease, (ii) there shall be no ground lease provisions or other circumstances that would prevent the property owner from participating in the C-PACE loan program, (iii) the fee simple owner shall consent to the C-PACE loan, and (iv) the fee simple owner and the lessee under a long-term ground lease shall comply with the requirements of the C-PACE loan program, including the program guide.

"Resiliency improvement" means an improvement that increases the capacity of a structure or infrastructure to withstand or recover from natural disasters, the effects of climate change, and attacks and accidents, including, but not limited to:

1. Flood mitigation or the mitigation of the impacts of flooding;
2. Inundation adaptation;
3. Natural or nature-based features and living shorelines, as defined in § 28.2-104.1;
4. Enhancement of fire or wind resistance;
5. Microgrids;
6. Energy storage; and
7. Enhancement of the resilience capacity of a natural system, structure, or infrastructure.

B. Any locality may, by ordinance, authorize contracts to provide C-PACE loans (loans) for the initial acquisition, installation, and refinancing of eligible improvements located on eligible properties by free and willing property owners of such eligible properties. The ordinance may refer to the mode of financing as Commercial Property Assessed Clean Energy (C-PACE) financing and shall include but not be limited to the following:

1. The kinds of eligible improvements that qualify for loans;

2. The proposed arrangement for such C-PACE loan program (loan program), including (i) a statement concerning the source of funding for the C-PACE loan; (ii) the time period during which contracting property owners would repay the C-PACE loan; and (iii) the method of apportioning all or any portion of the costs incidental to financing, administration, and collection of the C-PACE loan among the parties to the C-PACE transaction;

3. (i) A minimum dollar amount that may be financed with respect to an eligible property; (ii) if a locality or other public body is originating the loans, a maximum aggregate dollar amount that may be financed with respect to loans originated by the locality or other public body, and (iii) provisions that the loan program may approve a loan application submitted within ~~two~~ *three* years of the locality's issuance of a certificate of occupancy or other evidence that eligible improvements comply substantially with the plans and specifications previously approved by the locality and that such loan may refinance or reimburse the property owner for the total costs of such eligible improvements;

4. In the case of a loan program described in clause (ii) of subdivision 3, a method for setting requests from owners of eligible properties for financing in priority order in the event that requests appear likely to exceed the authorization amount of the loan program. Priority shall be given to those requests from owners of eligible properties who meet established income or assessed property value eligibility requirements;

5. Identification of a local official authorized to enter into contracts on behalf of the locality. A locality may contract with a program administrator to administer such loan program;

6. Identification of any fee that the locality intends to impose on the property owner requesting to participate in the loan program to offset the cost of administering the loan program. The fee may be assessed as a program fee paid by the property owner requesting to participate in the program; and

7. A draft contract specifying the terms and conditions proposed by the locality.

C. The locality may combine the loan payments required by the contracts with billings for water or sewer charges, real property tax assessments, or other billings; in such cases, the locality may establish the order in which loan payments will be applied to the different charges. The locality may not combine its billings for loan payments required by a contract authorized pursuant to this section with billings of another locality or political subdivision, including an authority operating pursuant to Chapter 51 (§ 15.2-5100 et seq.), unless such locality or political subdivision has given its consent by duly adopted resolution or ordinance. The locality may, either by ordinance or its program guide, delegate the billing; collection, including enforcement; and remittance of C-PACE loan payments to a third party.

D. The locality shall offer private lending institutions the opportunity to participate in local C-PACE loan programs established pursuant to this section.

E. In order to secure the loan authorized pursuant to this section, the locality shall place a voluntary special assessment lien equal in value to the loan against any property where such eligible improvements are being installed. The locality may bundle or package said loans for transfer to private lenders in such a manner that would allow the voluntary special assessment liens to remain in full force to secure the loans. The placement of a voluntary special assessment lien shall not require a new assessment on the value of the real property that is being improved under the loan program.

F. A voluntary special assessment lien imposed on real property under this section:

1. Shall have the same priority status as a property tax lien against real property, except that such voluntary special assessment lien shall have priority over any previously recorded mortgage or deed of trust lien only if (i) a written subordination agreement, in a form and substance acceptable to each prior lienholder in its sole and exclusive discretion, is executed by the holder of each mortgage or deed of trust lien on the property and recorded with the special assessment lien in the land records where the property is located, and (ii) evidence that the property owner is current on payments on loans secured by a mortgage or deed of trust lien on the property and on property tax payments, that the property owner is not insolvent or in bankruptcy proceedings, and that the title of the benefited property is not in dispute is submitted to the locality prior to recording of the special assessment lien;

2. Shall run with the land, and that portion of the assessment under the assessment contract that has not yet become due is not eliminated by foreclosure of a property tax lien;

3. May be enforced by the local government in the same manner that a property tax lien against real property is enforced by the local government. A local government shall be entitled to recover costs and expenses, including attorney fees, in a suit to collect a delinquent installment of an assessment in the same manner as in a suit to collect a delinquent property tax; and

4. May incur interest and penalties for delinquent installments of the assessment in the same manner as delinquent property taxes.

G. Prior to the enactment of an ordinance pursuant to this section, a public hearing shall be held at which interested persons may object to or inquire about the proposed loan program or any of its particulars. The public hearing shall be published twice, with the first notice appearing no more than 28 days before and the second notice appearing no less than seven days before the hearing, in a newspaper of general circulation in the locality.

H. The Department of Energy shall serve as a statewide sponsor for a loan program that meets the requirements of this section. The Department of Energy shall engage a private program administrator through a competitive selection process to develop the statewide loan program. A locality, ~~in~~ *by* its adoption or amendment of its C-PACE ordinance described in subsection B, may opt into the statewide C-PACE loan program sponsored by the Department of Energy~~, and such action~~

~~shall not require the locality to undertake~~ *without undertaking* any competitive procurement process*, provided that the locality agrees to execute a locality agreement within 30 days after the adoption or amendment of its C-PACE ordinance*.

CHAPTER 206

An Act to amend and reenact § 8.01-217 of the Code of Virginia, relating to application for change of name; person required to register on the Sex Offender and Crimes Against Minors Registry; victim notification.

[H 1846]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-217 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-217. How name of person may be changed.

A. Any person desiring to change his own name, or that of his child or ward, may apply therefor to the circuit court of the county or city in which the person whose name is to be changed resides, or if no place of abode exists, such person may apply to any circuit court which shall consider such application if it finds that good cause exists therefor under the circumstances alleged. An incarcerated person may apply to the circuit court of the county or city in which such person is incarcerated. In case of a minor who has no living parent or guardian, the application may be made by his next friend. In case of a minor who has both parents living, the parent who does not join in the application shall be served with reasonable notice of the application pursuant to § 8.01-296 and, should such parent object to the change of name, a hearing shall be held to determine whether the change of name is in the best interest of the minor. It shall not be necessary to effect service upon any parent who files an answer to the application. If, after application is made on behalf of a minor and an ex parte hearing is held thereon, the court finds by clear and convincing evidence that such notice would present a serious threat to the health and safety of the applicant, the court may waive such notice.

B. Every application shall be under oath and shall include the place of residence of the applicant, the names of both parents, including the maiden name of his mother, the date and place of birth of the applicant, the applicant's felony conviction record, if any, whether the applicant is a person for whom registration with the Sex Offender and Crimes Against Minors Registry is required pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, whether the applicant is presently incarcerated or a probationer with any court, and if the applicant has previously changed his name, his former name or names.

C. On any such application and hearing, if such be demanded, the court, shall, unless the evidence shows that the change of name is sought for a fraudulent purpose or would otherwise infringe upon the rights of others or, in a case involving a minor, that the change of name is not in the best interest of the minor, order a change of name.

D. No application shall be accepted by a court for a change of name of a probationer, person for whom registration with the Sex Offender and Crimes Against Minors Registry is required pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, or incarcerated person unless the court finds that good cause exists for consideration of such application under the reasons alleged in the application for the requested change of name. If the court accepts the application, the court shall mail or deliver a copy of the application to the attorney for the Commonwealth for the jurisdiction where the application was filed and the attorney for the Commonwealth for any jurisdiction in the Commonwealth where a conviction occurred that resulted in the applicant's probation, registration with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, or incarceration. The attorney for the Commonwealth where the application was filed shall be entitled to respond and represent the interests of the Commonwealth by filing a response within 30 days after the mailing or delivery of a copy of the application. *The attorney for the Commonwealth shall make a reasonable effort to provide notice to the victim of the offense for which such person was required to register with the Sex Offender and Crimes Against Minors Registry or such victim's immediate family member if the victim has died. Such victim or immediate family member may appear personally or by counsel to address the court or may provide a written statement regarding the reasons the court should deny such application for a change of name.* The court shall conduct a hearing on the application and may order a change of name if, after receiving and considering evidence concerning the circumstances regarding the requested change of name, the court determines that the change of name (i) would not frustrate a legitimate law-enforcement purpose, (ii) is not sought for a fraudulent purpose, and (iii) would not otherwise infringe upon the rights of others. Such order shall contain written findings stating the court's basis for granting the order.

E. The provisions of subsection D are jurisdictional and any order granting a change of name pursuant to subsection D that fails to comply with any provision of subsection D is void ab initio. The attorney for the Commonwealth for the jurisdiction where such an application was filed has the authority to bring an independent action at any time to have such order declared void. If the attorney for the Commonwealth brings an independent action to have the order declared void, notice of the action shall be served upon the person who was granted a change of name who shall have 30 days after service to respond. If the person whose name was changed files a response objecting to having the order declared void, the court shall hold a hearing. If an order granting a change of name is declared void pursuant to this subsection, or if a person is convicted of perjury pursuant to § 18.2-434 for unlawfully changing his name pursuant to § 18.2-504.1 based on conduct that violates this section, the clerk of the court entering the order or the order of conviction shall transmit a certified copy of the order to (i) the State Registrar of Vital Records, (ii) the Department of Motor Vehicles, (iii) the State Board of Elections,

(iv) the Central Criminal Records Exchange, and (v) any agency or department of the Commonwealth that has issued a license to the person where such license utilizes the person's changed name, if known to the court and identified in the court order.

F. The order shall contain no identifying information other than the applicant's former name or names, new name, and current address. The clerk of the court shall spread the order upon the current deed book in his office, index it in both the old and new names, and transmit a certified copy of the order and the application to the State Registrar of Vital Records and the Central Criminal Records Exchange. Transmittal of a copy of the order and the application to the State Registrar of Vital Records and the Central Criminal Records Exchange shall not be required of a person who changed his ~~or her~~ former name by reason of marriage and who makes application to resume a former name pursuant to § 20-121.4.

G. If the applicant shall show cause to believe that in the event his change of name should become a public record, a serious threat to the health or safety of the applicant or his immediate family would exist, the chief judge of the circuit court may waive the requirement that the application be under oath or the court may order the record sealed and direct the clerk not to spread and index any orders entered in the cause, and a certified copy shall not be transmitted to the State Registrar of Vital Records or the Central Criminal Records Exchange. At such time as a name change order is received by the State Registrar of Vital Records, for a person born in the Commonwealth, together with a proper request and payment of required fees, the Registrar shall issue certifications of the amended birth record which do not reveal the former name or names of the applicant unless so ordered by a court of competent jurisdiction. Such certifications shall not be marked "amended" and show the effective date as provided in § 32.1-272. Such order shall set forth the date and place of birth of the person whose name is changed, the full names of his parents, including the maiden name of the mother and, if such person has previously changed his name, his former name or names.

CHAPTER 207

An Act to amend and reenact § 18.2-186.4:1 of the Code of Virginia, relating to publication of personal information of retired or former law-enforcement officers.

[H 1874]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-186.4:1 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-186.4:1. Internet publication of personal information of certain public officials.

A. The Commonwealth shall not publish on the Internet the personal information of any public official if a court has, pursuant to subsection B, ordered that the official's personal information is prohibited from publication and the official has made a demand in writing to the Commonwealth, accompanied by the order of the court, that the Commonwealth not publish such information.

B. Any public official may petition a circuit court for an order prohibiting the publication on the Internet, by the Commonwealth, of the official's personal information. The petition shall set forth the specific reasons that the official seeks the order. The court shall issue such an order only if it finds that (i) there exists a threat to the official or a person who resides with him that would result from publication of the information or (ii) the official has demonstrated a reasonable fear of a risk to his safety or the safety of someone who resides with him that would result from publication of the information on the Internet.

C. If the Commonwealth publishes the public official's personal information on the Internet prior to receipt of a written demand by the official under subsection A or E, it shall remove the information from publication on the Internet within 48 hours of receipt of the written demand.

D. A written demand made by any public official pursuant to this section shall be effective for four years as follows:

1. For a law-enforcement officer, if the officer remains continuously employed as a law-enforcement officer throughout the four-year period; ~~and~~

2. For an attorney for the Commonwealth, if such public official continuously serves throughout the four-year period*; and*

3. For a retired or former law-enforcement officer, if such public official was retired or ended his service as a law-enforcement officer within four years of filing the petition.

E. The Commonwealth shall not publish on the Internet the personal information of any active or retired federal or Virginia justice, judge, or magistrate who has made a demand in writing to the Commonwealth that the Commonwealth not publish such information. A written demand made pursuant to this subsection shall be effective until such demand is rescinded in writing by such judge, justice, or magistrate.

F. For purposes of this section:

"Commonwealth" means any agency or political subdivision of the Commonwealth of Virginia.

"Law-enforcement officer" means the same as that term is defined in § 9.1-101, 5 U.S.C. § 8331(20), excluding officers whose duties relate to detention as defined in 5 U.S.C. § 8331(20), and any other federal officer or agent who is credentialed with the authority to enforce federal law.

"Personal information" means home address, home telephone numbers, personal cell phone numbers, or personal email address.

"Publication" and "publishes" means intentionally communicating personal information to, or otherwise making personal information available to, and accessible by, the general public through the Internet or other online service.

"Public official" means any law-enforcement officer*, retired or former law-enforcement officer,* or attorney for the Commonwealth.

"Retired or former law-enforcement officer" means any person who was employed as a law-enforcement officer as that term is defined in § 9.1-101; has retired from law enforcement or has ended his service as a law-enforcement officer; *and is in good standing with no pending investigations or disciplinary actions.*

G. No provision of this section shall apply to lists of registered voters and persons who voted, voter registration records, or lists of absentee voters prepared or provided under Title 24.2.

CHAPTER 208

An Act to amend and reenact §§ 16.1-253.1, 16.1-253.2, 18.2-60.4, and 19.2-152.9 of the Code of Virginia, relating to protective orders; Military Protective Orders.

[H 1882]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-253.1, 16.1-253.2, 18.2-60.4, and 19.2-152.9 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-253.1. Preliminary protective orders in cases of family abuse; confidentiality.

A. Upon the filing of a petition alleging that the petitioner is or has been, within a reasonable period of time, subjected to family abuse, or the filing of a written motion requesting a hearing to extend a protective order pursuant to § 16.1-279.1 without alleging that the petitioner is or has been, within a reasonable period of time, subject to family abuse, the court may issue a preliminary protective order against an allegedly abusing person in order to protect the health and safety of the petitioner or any family or household member of the petitioner. The order may be issued in an ex parte proceeding upon good cause shown when the petition is supported by an affidavit or sworn testimony before the judge or intake officer*, upon evidence of a Military Protective Order issued by a commanding officer in the Armed Forces of the United States, the Virginia National Guard, or the National Guard of any other state in favor of the petitioner or petitioner's family or household members,* or upon the filing of a written motion requesting a hearing to extend a protective order pursuant to § 16.1-279.1 without alleging that the petitioner is or has been, within a reasonable period of time, subject to family abuse. If an ex parte order is issued without an affidavit or a completed form as prescribed by subsection D of § 16.1-253.4 being presented, the court, in its order, shall state the basis upon which the order was entered, including a summary of the allegations made and the court's findings. Immediate and present danger of family abuse or evidence sufficient to establish probable cause that family abuse has recently occurred shall constitute good cause. *Any Military Protective Order issued between the parties shall only be admissible or considered as evidence in accordance with the Code of Virginia, the Rules of Evidence of the Supreme Court of Virginia, or relevant Virginia case law.*

Evidence that the petitioner has been subjected to family abuse within a reasonable time and evidence of immediate and present danger of family abuse may be established by a showing that (i) the allegedly abusing person is incarcerated and is to be released from incarceration within 30 days following the petition or has been released from incarceration within 30 days prior to the petition, (ii) the crime for which the allegedly abusing person was convicted and incarcerated involved family abuse against the petitioner, and (iii) the allegedly abusing person has made threatening contact with the petitioner while he was incarcerated, exhibiting a renewed threat to the petitioner of family abuse.

A preliminary protective order may include any one or more of the following conditions to be imposed on the allegedly abusing person:

1. Prohibiting acts of family abuse or criminal offenses that result in injury to person or property.

2. Prohibiting such contacts by the respondent with the petitioner or family or household members of the petitioner as the court deems necessary for the health or safety of such persons.

3. Granting the petitioner possession of the premises occupied by the parties to the exclusion of the allegedly abusing person; however, no such grant of possession shall affect title to any real or personal property.

4. Enjoining the respondent from terminating any necessary utility service to a premises that the petitioner has been granted possession of pursuant to subdivision 3 or, where appropriate, ordering the respondent to restore utility services to such premises.

5. Granting the petitioner and, where appropriate, any other family or household member of the petitioner, exclusive use and possession of a cellular telephone number or electronic device and the password to such device. The court may enjoin the respondent from terminating a cellular telephone number or electronic device before the expiration of the contract term with a third-party provider. The court may enjoin the respondent from using a cellular telephone or other electronic device to locate or surveille the petitioner.

6. Granting the petitioner temporary possession or use of a motor vehicle owned by the petitioner alone or jointly owned by the parties to the exclusion of the allegedly abusing person; however, no such grant of possession or use shall affect title to the vehicle.

7. Requiring that the allegedly abusing person provide suitable alternative housing for the petitioner and any other family or household member and, where appropriate, requiring the respondent to pay deposits to connect or restore necessary utility services in the alternative housing provided.

8. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500.

9. Any other relief necessary for the protection of the petitioner and family or household members of the petitioner.

B. The court shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court. A copy of a preliminary protective order containing any such identifying information shall be forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the allegedly abusing person in person as provided in § 16.1-264 and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the allegedly abusing person in person as provided in § 16.1-264. Upon service, the agency making service shall enter the date and time of service and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network and make due return to the court. The preliminary order shall specify a date for the full hearing. The hearing shall be held within 15 days of the issuance of the preliminary order, unless the hearing has been continued pursuant to this subsection or court is closed pursuant to § 16.1-69.35 or 17.1-207 and such closure prevents the hearing from being held within such time period, in which case the hearing shall be held on the next day not a Saturday, Sunday, legal holiday, or day on which the court is lawfully closed. If such court is closed pursuant to § 16.1-69.35 or 17.1-207, the preliminary protective order shall remain in full force and effect until it is dissolved by such court, until another preliminary protective order is entered, or until a protective order is entered. If the respondent fails to appear at this hearing because the respondent was not personally served, or if personally served was incarcerated and not transported to the hearing, the court may extend the protective order for a period not to exceed six months. The extended protective order shall be served forthwith on the respondent. However, where the respondent shows good cause, the court may continue the hearing. The preliminary order shall remain in effect until the hearing. Upon request after the order is issued, the clerk shall provide the petitioner with a copy of the order and information regarding the date and time of service. The order shall further specify that either party may at any time file a motion with the court requesting a hearing to dissolve or modify the order. The hearing on the motion shall be given precedence on the docket of the court. Upon petitioner's motion to dissolve the preliminary protective order, a dissolution order may be issued ex parte by the court with or without a hearing. If an ex parte hearing is held, it shall be heard by the court as soon as practicable. If a dissolution order is issued ex parte, the court shall serve a copy of such dissolution order on respondent in conformity with §§ 8.01-286.1 and 8.01-296.

Upon receipt of the return of service or other proof of service pursuant to subsection C of § 16.1-264, the clerk shall forthwith forward an attested copy of the preliminary protective order to the primary law-enforcement agency, and the agency shall forthwith verify and enter any modification as necessary into the Virginia Criminal Information Network as described above. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court.

C. The preliminary order is effective upon personal service on the allegedly abusing person. Except as otherwise provided in § 16.1-253.2, a violation of the order shall constitute contempt of court.

D. In the event that the allegedly abused person is a minor and an emergency protective order was issued pursuant to § 16.1-253.4 for the protection of such minor and the respondent is a parent, guardian, or person standing in loco parentis, the attorney for the Commonwealth or a law-enforcement officer may file a petition on behalf of such minor as his next friend before such emergency protective order expires or within 24 hours of the expiration of such emergency protective order.

E. At a full hearing on the petition, the court may issue a protective order pursuant to § 16.1-279.1 if the court finds that the petitioner has proven the allegation of family abuse by a preponderance of the evidence.

F. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's office, nor any employee of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the person protected by the order or that of the family of such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

G. As used in this section, "copy" includes a facsimile copy.

H. No fee shall be charged for filing or serving any petition or order pursuant to this section.

I. Upon issuance of a preliminary protective order, the clerk of the court shall make available to the petitioner information that is published by the Department of Criminal Justice Services for victims of domestic violence or for petitioners in protective order cases.

J. The respondent may be required to notify the court in writing within seven days of any change of residence while the preliminary protective order is in effect, provided that the respondent has been served a copy of such order in accordance with the provisions of this section. Any failure of a respondent to make such required notification shall be punishable by contempt.

§ 16.1-253.2. Violation of provisions of protective orders; penalty.

A. In addition to any other penalty provided by law, any person who violates any provision of a protective order issued pursuant to § 16.1-253.1, 16.1-253.4, 16.1-278.14, or 16.1-279.1 or subsection B of § 20-103, when such violation involves a provision of the protective order that prohibits such person from (i) going or remaining upon land, buildings, or premises; (ii) further acts of family abuse; or (iii) committing a criminal offense, or which prohibits contacts by the respondent with the allegedly abused person or family or household members of the allegedly abused person as the court deems appropriate, is guilty of a Class 1 misdemeanor. The punishment for any person convicted of a second offense of violating a protective order, when the offense is committed within five years of the prior conviction and when either the instant or prior offense was based on an act or threat of violence, shall include a mandatory minimum term of confinement of 60 days. Any person convicted of a third or subsequent offense of violating a protective order, when the offense is committed within 20 years of the first conviction and when either the instant or one of the prior offenses was based on an act or threat of violence is guilty of a Class 6 felony and the punishment shall include a mandatory minimum term of confinement of six months. The mandatory minimum terms of confinement prescribed for violations of this section shall be served consecutively with any other sentence.

B. In addition to any other penalty provided by law, any person who, while knowingly armed with a firearm or other deadly weapon, violates any provision of a protective order with which he has been served issued pursuant to § 16.1-253.1, 16.1-253.4, 16.1-278.14, or 16.1-279.1 or subsection B of § 20-103 is guilty of a Class 6 felony.

C. If the respondent commits an assault and battery upon any party protected by the protective order resulting in bodily injury to the party or stalks any party protected by the protective order in violation of § 18.2-60.3, he is guilty of a Class 6 felony. Any person who violates such a protective order by furtively entering the home of any protected party while the party is present, or by entering and remaining in the home of the protected party until the party arrives, is guilty of a Class 6 felony, in addition to any other penalty provided by law.

D. Upon conviction of any offense hereunder for which a mandatory minimum term of confinement is not specified, the person shall be sentenced to a term of confinement and in no case shall the entire term imposed be suspended. Upon conviction, the court shall, in addition to the sentence imposed, enter a protective order pursuant to § 16.1-279.1 for a specified period not exceeding two years from the date of conviction.

E. A violation of this section may be prosecuted in the jurisdiction where the protective order was issued, in any county, city, or town where any act constituting the violation of the protective order occurred, or in the jurisdiction where the party protected by the protective order resided at the time of such violation.

F. Upon a violation of this section, if a Military Protective Order issued by a commanding officer in the Armed Forces of the United States, the Virginia National Guard, or the National Guard of any other state against a person under such officer's command and registered in the National Crime Information Center (NCIC) has been issued against the same defendant, the law-enforcement officer or agency shall inform the military law-enforcement officer or agency that entered the Military Protective Order into the NCIC or the commanding officer who issued the Military Protective Order of such violation telephonically, in writing, via email, via text, or by any other routine means of interagency communication.

§ 18.2-60.4. Violation of protective orders; penalty.

A. Any person who violates any provision of a protective order issued pursuant to § 19.2-152.8, 19.2-152.9, or 19.2-152.10 is guilty of a Class 1 misdemeanor. Conviction hereunder shall bar a finding of contempt for the same act. The punishment for any person convicted of a second offense of violating a protective order, other than a protective order issued pursuant to subsection C of § 19.2-152.10, when the offense is committed within five years of the prior conviction and when either the instant or prior offense was based on an act or threat of violence, shall include a mandatory minimum term of confinement of 60 days. Any person convicted of a third or subsequent offense of violating a protective order, other than a protective order issued pursuant to subsection C of § 19.2-152.10, when the offense is committed within 20 years of the first conviction and when either the instant or one of the prior offenses was based on an act or threat of violence, is guilty of a Class 6 felony and the punishment shall include a mandatory minimum term of confinement of six months. The mandatory minimum terms of confinement prescribed for violations of this section shall be served consecutively with any other sentence.

B. In addition to any other penalty provided by law, any person who, while knowingly armed with a firearm or other deadly weapon, violates any provision of a protective order with which he has been served issued pursuant to § 19.2-152.8, 19.2-152.9, or 19.2-152.10, other than a protective order issued pursuant to subsection C of § 19.2-152.10, is guilty of a Class 6 felony.

C. If the respondent commits an assault and battery upon any party protected by the protective order, other than a protective order issued pursuant to subsection C of § 19.2-152.10, resulting in bodily injury to the party or stalks any party protected by the protective order in violation of § 18.2-60.3, he is guilty of a Class 6 felony. Any person who violates such a protective order, other than a protective order issued pursuant to subsection C of § 19.2-152.10, by furtively entering the home of any protected party while the party is present, or by entering and remaining in the home of the protected party until the party arrives, is guilty of a Class 6 felony, in addition to any other penalty provided by law.

D. Upon conviction of any offense hereunder for which a mandatory minimum term of confinement is not specified, the person shall be sentenced to a term of confinement and in no case shall the entire term imposed be suspended.

E. Upon conviction, the court shall, in addition to the sentence imposed, enter a protective order pursuant to § 19.2-152.10 for a specified period not exceeding two years from the date of conviction.

F. A violation of this section may be prosecuted in the jurisdiction where the protective order was issued, in any county, city, or town where any act constituting the violation of the protective order occurred, or in the jurisdiction where the party protected by the protective order resided at the time of such violation.

G. Upon a violation of this section, if a Military Protective Order issued by a commanding officer in the Armed Forces of the United States, the Virginia National Guard, or the National Guard of any other state against a person under such officer's command and registered in the National Crime Information Center (NCIC) has been issued against the same defendant, the law-enforcement officer or agency shall inform the military law-enforcement officer or agency that entered the Military Protective Order into the NCIC or the commanding officer who issued the Military Protective Order of such violation telephonically, in writing, via email, via text, or by any other routine means of interagency communication.

§ 19.2-152.9. Preliminary protective orders.

A. Upon the filing of a petition alleging that (i) the petitioner is or has been, within a reasonable period of time, subjected to an act of violence, force, or threat, or (ii) a petition or warrant has been issued for the arrest of the alleged perpetrator for any criminal offense resulting from the commission of an act of violence, force, or threat, or the filing of a written motion requesting a hearing to extend a protective order pursuant to § 19.2-152.10 without alleging that the petitioner is or has been, within a reasonable period of time, subject to an act of violence, force, or threat, or that a petition or warrant has been issued for the arrest of the alleged perpetrator for any criminal offense resulting from the commission of an act of violence, force, or threat, the court may issue a preliminary protective order against the alleged perpetrator in order to protect the health and safety of the petitioner or any family or household member of the petitioner. The order may be issued in an ex parte proceeding upon good cause shown when the petition is supported by an affidavit or sworn testimony before the judge or intake officer*, upon evidence of a Military Protective Order issued by a commanding officer in the Armed Forces of the United States, the Virginia National Guard, or the National Guard of any other state in favor of the petitioner or petitioner's family or household members,* or upon the filing of a written motion requesting a hearing to extend a protective order pursuant to § 19.2-152.10. If an ex parte order is issued without an affidavit or a completed form as prescribed by subsection D of § 19.2-152.8 being presented, the court, in its order, shall state the basis upon which the order was entered, including a summary of the allegations made and the court's findings. Immediate and present danger of any act of violence, force, or threat or evidence sufficient to establish probable cause that an act of violence, force, or threat has recently occurred shall constitute good cause. *Any Military Protective Order issued between the parties shall only be admissible or considered as evidence in accordance with the Code of Virginia, the Rules of Evidence of the Supreme Court of Virginia, or relevant Virginia case law.*

A preliminary protective order may include any one or more of the following conditions to be imposed on the respondent:

1. Prohibiting acts of violence, force, or threat or criminal offenses that may result in injury to person or property;

2. Prohibiting such other contacts by the respondent with the petitioner or the petitioner's family or household members as the court deems necessary for the health and safety of such persons;

3. Such other conditions as the court deems necessary to prevent (i) acts of violence, force, or threat, (ii) criminal offenses that may result in injury to person or property, or (iii) communication or other contact of any kind by the respondent; and

4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500.

B. The court shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court. A copy of a preliminary protective order containing any such identifying information shall be forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on

the alleged perpetrator in person as provided in § 16.1-264, and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the alleged perpetrator in person as provided in § 16.1-264. Upon service, the agency making service shall enter the date and time of service and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network and make due return to the court. The preliminary order shall specify a date for the full hearing. The hearing shall be held within 15 days of the issuance of the preliminary order, unless the hearing has been continued pursuant to this subsection or the court is closed pursuant to § 16.1-69.35 or 17.1-207 and such closure prevents the hearing from being held within such time period, in which case the hearing shall be held on the next day not a Saturday, Sunday, legal holiday, or day on which the court is lawfully closed. If such court is closed pursuant to § 16.1-69.35 or 17.1-207, the preliminary protective order shall remain in full force and effect until it is dissolved by such court, until another preliminary protective order is entered, or until a protective order is entered. If the respondent fails to appear at this hearing because the respondent was not personally served, the court may extend the protective order for a period not to exceed six months. The extended protective order shall be served as soon as possible on the respondent. However, where the respondent shows good cause, the court may continue the hearing. The preliminary order shall remain in effect until the hearing. Upon request after the order is issued, the clerk shall provide the petitioner with a copy of the order and information regarding the date and time of service. The order shall further specify that either party may at any time file a motion with the court requesting a hearing to dissolve or modify the order. The hearing on the motion shall be given precedence on the docket of the court. Upon petitioner's motion to dissolve the preliminary protective order, a dissolution order may be issued ex parte by the court with or without a hearing. If an ex parte hearing is held, it shall be heard by the court as soon as practicable. If a dissolution order is issued ex parte, the court shall serve a copy of such dissolution order on respondent in conformity with §§ 8.01-286.1 and 8.01-296.

Upon receipt of the return of service or other proof of service pursuant to subsection C of § 16.1-264, the clerk shall forthwith forward an attested copy of the preliminary protective order to primary law-enforcement agency and the agency shall forthwith verify and enter any modification as necessary into the Virginia Criminal Information Network as described above. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court.

C. The preliminary order is effective upon personal service on the alleged perpetrator. Except as otherwise provided, a violation of the order shall constitute contempt of court.

D. At a full hearing on the petition, the court may issue a protective order pursuant to § 19.2-152.10 if the court finds that the petitioner has proven the allegation that the petitioner is or has been, within a reasonable period of time, subjected to an act of violence, force, or threat by a preponderance of the evidence.

E. No fees shall be charged for filing or serving petitions pursuant to this section.

F. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's office, nor any employee of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the person protected by the order or that of the family of such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

G. As used in this section, "copy" includes a facsimile copy.

H. Upon issuance of a preliminary protective order, the clerk of the court shall make available to the petitioner information that is published by the Department of Criminal Justice Services for victims of domestic violence or for petitioners in protective order cases.

I. The respondent may be required to notify the court in writing within seven days of any change of residence while the preliminary protective order is in effect, provided that the respondent has been served a copy of such order in accordance with the provisions of this section. Any failure of a respondent to make such required notification shall be punishable by contempt.

CHAPTER 209

An Act to amend and reenact § 47.1-13.1 of the Code of Virginia, relating to notarial acts.

[H 1889]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 47.1-13.1 of the Code of Virginia is amended and reenacted as follows:

§ 47.1-13.1. Notarial powers outside the Commonwealth for use in the Commonwealth.

A. *As used in this section, "notarial act" means an act, whether performed with respect to a tangible or electronic document, that a notary public commissioned in the Commonwealth may perform under the laws and regulations of the Commonwealth.*

B. Notarial acts may be performed outside the Commonwealth for use in the Commonwealth with the same effect as if performed by a notary public of the Commonwealth by the following persons authorized pursuant to the laws and regulations of other governments in addition to any other person authorized by the laws and regulations of the Commonwealth:

1. A notary public authorized to perform notarial acts under the laws of that jurisdiction;

2. A judge, clerk, or deputy clerk of any court of record in the place in which the notarial act is performed;

3. An officer of the foreign service of the United States, a consular agent, or any other person authorized by regulation of the United States Department of State to perform notarial acts in the place in which the act is performed;

4. A commissioned officer in active service with the armed forces of the United States and any other person authorized by regulation of the armed forces to perform notarial acts if the notarial act is performed for one of the following or his dependents: a merchant seaman of the United States, a member of the armed forces of the United States, or any other person serving with or accompanying the armed forces of the United States; or

5. Any person authorized to perform acts in the place in which the act is performed.

~~B.~~ *C.* A document notarized outside the Commonwealth by a notary public or other person referenced in subsection ~~A which~~ *B that* appears on its face to be properly notarized shall be presumed to have been notarized properly in accordance with the laws and regulations of the jurisdiction in which the document was notarized.

CHAPTER 210

An Act to amend and reenact § 37.2-809, as it is currently effective, of the Code of Virginia, relating to involuntary temporary detention orders; definition of "psychiatric emergency department."

[H 1895]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 37.2-809, as it is currently effective, of the Code of Virginia is amended and reenacted as follows:

§ 37.2-809. (Expires July 1, 2026) Involuntary temporary detention; issuance and execution of order.

A. For the purposes of this section:

"Certified evaluator" means (i) an individual with an educational attainment of a master's or doctoral degree with an associated professional license; (ii) a licensed professional counselor, licensed clinical social worker, licensed marriage and family therapist, licensed clinical psychologist, or psychiatrist; or (iii) a licensed psychiatric nurse practitioner, psychiatric physician assistant, psychiatric clinical nurse specialist, doctor of medicine, or doctor of osteopathy, who are not emergency department providers. A certified evaluator shall (a) be employed or contracted by a hospital with a psychiatric emergency department in the City of Hampton and such hospital shall be responsible for all costs associated with the hiring, training, and supervision of the certified evaluators, including salary, fringe benefits, and overhead costs; (b) be skilled in the assessment and treatment of mental illness; (c) have completed a training and certification program approved by the Department; (d) have received a prescreener orientation presentation developed by the Department in consultation with the Virginia Association of Community Services Boards, which shall include information on determining the least restrictive treatment available for the person being evaluated pursuant to subsection G of § 37.2-817.01; (e) be able to provide an independent examination of the person; (f) not be related by blood or marriage to the person being evaluated; (g) have no financial interest in the admission, treatment, or denial of admission of the person being evaluated; (h) have no investment interest in the facility detaining or admitting the person under this article; (i) only be permitted to conduct in-person evaluations on site at participating hospitals; and (j) only be permitted to conduct a temporary detention order evaluation in lieu of an employee or designee of the local community services board if the person subject to the temporary detention order evaluation is located in a hospital with a psychiatric emergency department in the City of Hampton.

"Designee of the local community services board" means an examiner designated by the local community services board who (i) is skilled in the assessment and treatment of mental illness, (ii) has completed a certification program approved by the Department, (iii) is able to provide an independent examination of the person, (iv) is not related by blood or marriage to the person being evaluated, (v) has no financial interest in the admission or treatment of the person being evaluated, (vi) has no investment interest in the facility detaining or admitting the person under this article, and (vii) except for employees of state hospitals and of the U.S. Department of Veterans Affairs, is not employed by the facility.

"Employee" means an employee of the local community services board who is skilled in the assessment and treatment of mental illness and has completed a certification program approved by the Department.

"Investment interest" means the ownership or holding of an equity or debt security, including shares of stock in a corporation, interests or units of a partnership, bonds, debentures, notes, or other equity or debt instruments.

"Psychiatric emergency department" means a facility that (i) is a separate and secure environment operating under the authority of a hospital with emergency department services licensed by the Department of Health, (ii) provides immediate access to psychiatric and psychological care, (iii) is ~~adjacent to a facility~~ licensed by the Department *or the Department of Health*, ~~and~~ (iv) provides medical care, case management, discharge planning, and bridge psychiatric services post-discharge as needed*, and (v) complies with subdivision B 2 of § 32.1-127*.

B. A magistrate shall issue, upon the sworn petition of any responsible person, treating physician, or upon his own motion and only after an evaluation conducted in-person or by means of a two-way electronic video and audio communication system as authorized in § 37.2-804.1 by an employee or a designee of the local community services board or after an in-person evaluation conducted by a certified evaluator to determine whether the person meets the criteria for temporary detention, a temporary detention order if it appears from all evidence readily available, including any recommendation from a physician, clinical psychologist, clinical social worker, or licensed professional counselor treating the person, that the person (i) has a mental illness and that there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (b) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs; (ii) is in need of hospitalization or treatment; and (iii) is unwilling to volunteer or incapable of volunteering for hospitalization or treatment. The magistrate shall also consider, if available, (a) information provided by the person who initiated emergency custody and (b) the recommendations of any treating or examining physician licensed in Virginia either verbally or in writing prior to rendering a decision. Any temporary detention order entered pursuant to this section shall provide for the disclosure of medical records pursuant to § 37.2-804.2. This subsection shall not preclude any other disclosures as required or permitted by law.

C. When considering whether there is probable cause to issue a temporary detention order, the magistrate may, in addition to the petition, consider (i) the recommendations of any treating or examining physician, psychologist, clinical social worker, or licensed professional counselor licensed in Virginia, if available, (ii) any past actions of the person, (iii) any past mental health treatment of the person, (iv) any relevant hearsay evidence, (v) any medical records available, (vi) any affidavits submitted, if the witness is unavailable and it so states in the affidavit, and (vii) any other information available that the magistrate considers relevant to the determination of whether probable cause exists to issue a temporary detention order.

D. A magistrate may issue a temporary detention order without an emergency custody order proceeding. A magistrate may issue a temporary detention order without a prior evaluation pursuant to subsection B if (i) the person has been personally examined within the previous 72 hours by an employee or a designee of the local community services board or a certified evaluator or (ii) there is a significant physical, psychological, or medical risk to the person or to others associated with conducting such evaluation.

E. An employee or a designee of the local community services board or a certified evaluator shall determine the facility of temporary detention in accordance with the provisions of § 37.2-809.1 for all persons detained pursuant to this section. An employee or designee of the local community services board or a certified evaluator may change the facility of temporary detention and may designate an alternative facility for temporary detention at any point during the period of temporary detention if it is determined that the alternative facility is a more appropriate facility for temporary detention of the person given the specific security, medical, or behavioral health needs of the person. In cases in which the facility of temporary detention is changed following transfer of custody to an initial facility of temporary custody, transportation of the person to the alternative facility of temporary detention shall be provided in accordance with the provisions of § 37.2-810. The initial facility of temporary detention shall be identified on the preadmission screening report and indicated on the temporary detention order; however, if an employee or designee of the local community services board or the certified evaluator designates an alternative facility, that employee or designee or certified evaluator shall provide written notice forthwith, on a form developed by the Executive Secretary of the Supreme Court of Virginia, to the clerk of the issuing court of the name and address of the alternative facility. Subject to the provisions of § 37.2-809.1, if a facility of temporary detention cannot be identified by the time of the expiration of the period of emergency custody pursuant to § 37.2-808, the person shall be detained in a state facility for the treatment of persons with mental illness and such facility shall be indicated on the temporary detention order. Except as provided in § 37.2-811 for inmates requiring hospitalization in accordance with subdivision A 2 of § 19.2-169.6, the person shall not be detained in a jail or other place of confinement for persons charged with criminal offenses. Except as provided in § 37.2-811 for inmates requiring hospitalization in accordance with subdivision A 2 of § 19.2-169.6 or in subsection C of § 37.2-813 for persons prior to transfer to the facility of temporary detention, the person shall remain in the custody of law enforcement until either (i) the person is detained within a secure facility or (ii) custody has been accepted by the appropriate personnel designated by either the initial facility of temporary detention identified in the temporary detention order or by the alternative facility of temporary detention designated by the employee or designee of the local community services board or the certified evaluator pursuant to this subsection. The person detained or in custody pursuant to this section shall be given a written summary of the temporary detention procedures and the statutory protections associated with those procedures.

F. 1. Any facility caring for a person placed with it pursuant to a temporary detention order is authorized to provide emergency medical and psychiatric services within its capabilities when the facility determines that the services are in the best interests of the person within its care. The costs incurred as a result of the hearings and by the facility in providing services during the period of temporary detention shall be paid and recovered pursuant to § 37.2-804. The maximum costs

reimbursable by the Commonwealth pursuant to this section shall be established by the State Board of Medical Assistance Services based on reasonable criteria. The State Board of Medical Assistance Services shall, by regulation, establish a reasonable rate per day of inpatient care for temporary detention.

2. Participating hospitals with psychiatric emergency departments in the City of Hampton shall report at the end of each calendar year to the Chairmen of the Senate Committees on Education and Health and Finance and Appropriations, the House Committees on Appropriations and Health and Human Services, and the Behavioral Health Commission and the Commissioner of Behavioral Health and Developmental Services the following information: (i) the length of time between when a person who is the subject of an emergency custody order pursuant to § 37.2-808 arrives at the psychiatric emergency department of a participating hospital and when the temporary detention order evaluation is completed and (ii) the number of (a) admissions, (b) psychiatric emergency department visits, (c) temporary detention order evaluations completed, (d) temporary detention orders executed, (e) individuals under temporary detention admitted to the participating hospital, and (f) individuals transferred from the psychiatric emergency department of the participating hospital to a state facility.

3. Participating hospitals with psychiatric emergency departments in the City of Hampton shall report monthly to the Commissioner of Behavioral Health and Developmental Services the number of (i) crisis evaluations conducted each month; (ii) temporary detention orders executed as a result of such evaluations and the percentage of evaluations such temporary detention orders represent by payor type; (iii) reportable events associated with such temporary detention orders and the percentage of temporary detention orders that such reportable events represent; (iv) reportable events (a) involving loss of custody, (b) with and without an emergency custody order, (c) with a temporary detention order executed subsequently, (d) in which the individual subsequently became engaged in outpatient treatment, (e) in which the individual did not become engaged in treatment services, and (f) involving medical treatment; and (v) other events. Such participating hospitals shall include in their monthly report the facility where each patient, classified by payor type, is placed for any temporary detention order that is executed based on their evaluation.

G. The employee or the designee of the local community services board or the certified evaluator who is conducting the evaluation pursuant to this section shall determine, prior to the issuance of the temporary detention order, the insurance status of the person. Where coverage by a third party payor exists, the facility seeking reimbursement under this section shall first seek reimbursement from the third party payor. The Commonwealth shall reimburse the facility only for the balance of costs remaining after the allowances covered by the third party payor have been received.

H. The duration of temporary detention shall be sufficient to allow for completion of the examination required by § 37.2-815, preparation of the preadmission screening report required by § 37.2-816, and initiation of mental health treatment to stabilize the person's psychiatric condition to avoid involuntary commitment where possible, but shall not exceed 72 hours prior to a hearing. If the 72-hour period herein specified terminates on a Saturday, Sunday, legal holiday, or, if the individual has been admitted to a facility of temporary detention, day or part of a day on which the clerk's office is lawfully closed, the person may be detained, as herein provided, until the close of business on the next day that is not a Saturday, Sunday, legal holiday, or, if the individual has been admitted to a facility of temporary detention, day or part of a day on which the clerk's office is lawfully closed. The person may be released, pursuant to § 37.2-813, before the 72-hour period herein specified has run.

I. If a temporary detention order is not executed within 24 hours of its issuance, or within a shorter period as is specified in the order, the order shall be void and shall be returned unexecuted to the office of the clerk of the issuing court or, if the office is not open, to any magistrate serving the jurisdiction of the issuing court. Subsequent orders may be issued upon the original petition within 96 hours after the petition is filed. However, a magistrate must again obtain the advice of an employee or a designee of the local community services board or a certified evaluator prior to issuing a subsequent order upon the original petition. Any petition for which no temporary detention order or other process in connection therewith is served on the subject of the petition within 96 hours after the petition is filed shall be void and shall be returned to the office of the clerk of the issuing court.

J. The Executive Secretary of the Supreme Court of Virginia shall establish and require that a magistrate, as provided by this section, be available seven days a week, 24 hours a day, for the purpose of performing the duties established by this section. Each community services board shall provide to each general district court and magistrate's office within its service area a list of its employees and designees who are available to perform the evaluations required herein. The employer of any certified evaluator shall provide to each general district court and magistrate's office within its service area a list of its employees and designees who are available to perform the evaluations required herein.

K. For purposes of this section, a health care provider, including any certified evaluator or designee of a local community services board or behavioral health authority, shall not be required to encrypt any email containing information or medical records provided to a magistrate unless there is reason to believe that a third party will attempt to intercept the email.

L. If the employee or designee of the community services board or the certified evaluator who is conducting the evaluation pursuant to this section recommends that the person should not be subject to a temporary detention order, such employee or designee or certified evaluator shall (i) inform the petitioner, the person who initiated emergency custody if such person is present, and an onsite treating physician of his recommendation; (ii) promptly inform such person who initiated emergency custody that the community services board or certified evaluator will facilitate communication between the person and the magistrate if the person disagrees with recommendations of the employee or designee of the community services board or certified evaluator who conducted the evaluation and the person who initiated emergency custody so

requests; and (iii) upon prompt request made by the person who initiated emergency custody, arrange for such person who initiated emergency custody to communicate with the magistrate as soon as is practicable and prior to the expiration of the period of emergency custody. The magistrate shall consider any information provided by the person who initiated emergency custody and any recommendations of the treating or examining physician and the employee or designee of the community services board or certified evaluator who conducted the evaluation and consider such information and recommendations in accordance with subsection B in making his determination to issue a temporary detention order. The person who is the subject of emergency custody shall remain in the custody of law enforcement or a designee of law enforcement and shall not be released from emergency custody until communication with the magistrate pursuant to this subsection has concluded and the magistrate has made a determination regarding issuance of a temporary detention order.

M. For purposes of this section, "person who initiated emergency custody" means any person who initiated the issuance of an emergency custody order pursuant to § 37.2-808 or a law-enforcement officer who takes a person into custody pursuant to subsection G of § 37.2-808.

N. In any case in which a person subject to an evaluation pursuant to this section is receiving services in a hospital emergency department, the treating physician or his designee and the employee or designee of the local community services board or certified evaluator shall disclose to each other relevant information pertaining to the individual's treatment in the emergency department. The (i) certified evaluator conducting the evaluation pursuant to subsection B of § 37.2-808 and the provisions of this section or (ii) hospital emergency department and treating physician or other health care provider designated by the physician shall allow a family member or legal guardian of the individual subject to evaluation who is present, and who may provide support and supportive decision-making, to be present with the individual unless the individual objects or the certified evaluator or treating physician determines that the presence of any such person would create a medical, clinical, or safety risk to the patient or health care provider or interferes with patient care. No provision of this section shall delay the process of the patient receiving treatment.

CHAPTER 211

An Act to amend the Code of Virginia by adding a section numbered 2.2-2320.3, relating to Virginia Sports Tourism Grant Program established work group; report.

[H 1901]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-2320.3 as follows:

§ 2.2-2320.3. Virginia Sports Tourism Grant Program; report.

A. As used in this section:

"Program" means the Virginia Sports Tourism Grant Program.

"Sports tourism activity" means a youth, collegiate, or other sporting event (i) that is competitively bid; (ii) that attracts a majority of its participating athletes from outside of the Commonwealth to a sports venue or other similar facility or location capable of hosting such event; and (iii) where such venue, facility, or location is located in the Commonwealth.

"Sports tourism activity sponsor" includes a convention and visitors bureau, chamber of commerce, sports and entertainment authority, sports commission, nonprofit sports support organization, or political subdivision of the Commonwealth, or any department thereof, that provides a venue for or hosts sports tourism activity. Such term does not include any sports tourism activity sponsors outside of the Commonwealth.

B. There is hereby established the Virginia Sports Tourism Grant Program for the purpose of providing grants to develop and attract sports tourism activities to the Commonwealth. The Authority shall award grants exclusively to sports tourism activity sponsors to attract such sports tourism activities to the Commonwealth. As a condition of applying for a grant pursuant to this section, an applicant shall enter into a performance agreement with the Authority that shall include provisions for disbursement of the grant, use of the grant proceeds, reporting responsibilities, and repayment obligations in the event of a failure to satisfy the performance obligations of such agreement. Any repayment of grant funds required by such performance agreement shall be paid into the state treasury.

C. The Authority shall establish guidelines, procedures, and objective criteria for the award and distribution of grants by the Program. The preparation of the guidelines shall be exempt from the requirements of Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act. Such guidelines shall include requirements for a mandatory supplemental funding match in an amount equivalent to any grant awarded by the Program.

D. The Authority shall report by November 1 of each year on any grant awards and expenditures. The report shall include total grants awarded. The Authority shall prepare the report required by this subsection in conjunction with the reports required under § 2.2-2237.1.

2. That the Virginia Tourism Authority shall convene a work group of representatives from major sporting venues, local or regional sports and entertainment authorities or departments, and hotel and lodging, restaurant and retail, and other tourism stakeholders to develop recommended guidelines for grants from the Virginia Sports Tourism Grant Program (the Program) pursuant to § 2.2-2320.3 of the Code of Virginia, as created by this act. The guidelines shall establish criteria for approving eligible major events, eligible sports tourism activity sponsors, eligible sports

tourism activities, verifiable performance metrics, grant match requirements, and eligible uses of grants awarded by the Program. The work group shall complete its work by October 31, 2025, and shall provide a report on any recommended guidelines to the Chairs of the Senate Committee on Finance and Appropriations and the House Committee on Appropriations.

CHAPTER 212

An Act to amend the Code of Virginia by adding a section numbered 22.1-207.4:3, relating to public elementary and secondary schools; nutritional standards for school meals and other foods; certain color additives prohibited.

[H 1910]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-207.4:3 as follows:

§ 22.1-207.4:3. Nutritional standards for school meals and other foods; certain color additives prohibited.

A. As used in this section:

"Color additive" means any material not exempted pursuant to 21 U.S.C. § 321(t)(1) that is a dye, pigment, or other substance made by a process of synthesis or similar artifice, or extracted, isolated, or otherwise derived, with or without intermediate or final change of identity, from a vegetable, animal, mineral, or other source and that when added or applied to a food, drug, or cosmetic, or to the human body or any part thereof, is capable of imparting color thereto.

"Competitive food" means the same as that term is defined in § 22.1-207.4.

B. No public elementary or secondary school shall offer or make available to any student any food served as a part of a school meal or any competitive food that contains any of the following color additives:

1. FD&C Blue No. 1 (CAS Reg. No. 3844-45-9);

2. FD&C Blue No. 2 (CAS Reg. No. 860-22-0);

3. FD&C Green No. 3 (CAS Reg. No. 2353-45-9);

4. FD&C Red No. 3 (CAS Reg. No. 16423-68-0);

5. FD&C Red No. 40 (CAS Reg. No. 25956-17-6);

6. FD&C Yellow No. 5 (CAS Reg. No. 1934-21-0); or

7. FD&C Yellow No. 6 (CAS Reg. No. 2783-94-0).

C. The Board shall amend its nutritional guidelines for competitive foods promulgated pursuant to § 22.1-207.4 in accordance with the provisions of this section.

2. That the provisions of this act shall become effective on July 1, 2027.

CHAPTER 213

An Act to amend and reenact §§ 8.01-195.11 and 8.01-195.13 of the Code of Virginia, relating to compensation for wrongful incarceration; compensation for certain intentional acts.

[H 1914]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-195.11 and 8.01-195.13 of the Code of Virginia are amended and reenacted as follows:

§ 8.01-195.11. Compensation for wrongful incarceration.

A. 1. Any person who is convicted of a felony by a county or city circuit court of the Commonwealth and is wrongfully incarcerated for such felony may be awarded compensation for each year of incarceration, or portion thereof. The amount of compensation per year shall be $55,000, adjusted on July 1 of each fiscal year by the year-over-year percentage increase in the Chained Consumer Price Index for All Urban Consumers (C-CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, or any predecessor or successor index. Calculations made pursuant to this section shall be made by the State Treasurer and rounded up to the nearest dollar.

2. For compensation awarded pursuant to this section on or after January 1, 2024, a wrongfully incarcerated person who is awarded compensation pursuant to subdivision 1 shall also receive not less than $30,000, adjusted on July 1 of each fiscal year by the year-over-year percentage increase in the Chained Consumer Price Index for all Urban Consumers (C-CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, or any predecessor or successor index, for each year or fraction thereof (i) of imprisonment after being sentenced to death or (ii) that such person was required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 *after release from incarceration*.

B. Any compensation computed pursuant to subsection A and approved by the General Assembly shall be paid by the Comptroller by his warrant on the State Treasurer in favor of the person found to have been wrongfully incarcerated. The person wrongfully incarcerated shall be paid a lump sum.

C. In addition to the compensation awarded pursuant to subsection A, the General Assembly shall pay to the person wrongfully incarcerated the amount of any unreimbursed fine, fee, court cost, or restitution imposed and paid and reasonable attorney fees and costs incurred to receive an award pursuant to this section. The wrongfully incarcerated person may also be awarded other nonmonetary relief sought, including counseling, housing assistance, employment assistance, health care and dental care, and personal financial literacy assistance, as appropriate.

D. Any person who is convicted of a felony by a county or city circuit court of the Commonwealth and is wrongfully incarcerated for such felony shall receive a transition assistance grant of $15,000 to be paid from the Criminal Fund, which amount shall be deducted from any award received pursuant to subsection B, within 30 days of receipt of the written request for the disbursement of the transition assistance grant to the Executive Secretary of the Supreme Court of Virginia. Payment of the transition assistance grant from the Criminal Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Executive Secretary of the Supreme Court of Virginia. In addition, such person shall be entitled to receive reimbursement up to $10,000 for tuition for career and technical training within the Virginia Community College System contingent upon successful completion of the training. Reimbursement for tuition shall be provided by the comprehensive community college at which the career or technical training was completed.

E. If an individual eligible for compensation and benefits under this section is deceased, the individual's estate has standing to be compensated under this section.

§ 8.01-195.13. Compensation for certain intentional acts.

A. In any matter resulting in compensation for wrongful incarceration pursuant to this article, if a court of competent jurisdiction over the matter determines, or the court record clearly demonstrates, that the Commonwealth or any agency, instrumentality, officer or employee, or political subdivision thereof (i) intentionally and wrongfully fabricated evidence that was used to obtain the wrongful conviction in such manner and (ii) intentionally, willfully, and continuously suppressed or withheld evidence establishing the innocence of the person wrongfully incarcerated, including ~~but not limited to~~ suppression or withholding of evidence to the Governor for the purpose of clemency, the Commonwealth may compensate the person wrongfully incarcerated for such intentional acts. Such amount shall be in addition to any compensation awarded pursuant to § 8.01-195.11 and may be up to or equal to the amount of such compensation. The additional compensation shall be added to any amount awarded pursuant to § 8.01-195.11, and the total compensation shall be paid pursuant to subsection B of § 8.01-195.11. Nothing provided in this section shall be interpreted to supplant, revoke, or supersede any other provision of this article applicable to the award of compensation for wrongful incarceration, and the additional compensation shall be subject to any conditions set forth in this article.

B. *1.* Any compensation awarded pursuant to this article that includes the additional compensation for intentional acts as set forth in subsection A shall not become effective and payable by the Commonwealth unless and until ~~(i)~~ the person wrongfully incarcerated executes the release and waiver pursuant to subsection B of § 8.01-195.12 ~~and (ii) the instrumentality, or political subdivision thereof, employing any individual committing the intentional acts set forth in clauses (i) and (ii) of subsection A enters into an agreement with the person wrongfully incarcerated requiring such instrumentality or political subdivision to compensate the person with a sum at least equal to the total compensation provided pursuant to § 8.01-195.11 and this section~~.

2. a. In the event that (i) any compensation awarded pursuant to this article includes the additional compensation for intentional acts as set forth in subsection A; (ii) such award has become effective and payable by the Commonwealth pursuant to subdivision 1; and (iii) the instrumentality, or political subdivision thereof, employed any individual committing any of the intentional acts set forth in clauses (i) and (ii) of subsection A, then the person wrongfully incarcerated shall be compensated by such instrumentality, or political subdivision thereof, with a sum at least equal to the total compensation provided pursuant to § 8.01-195.11 and this section.

b. If it is established to the satisfaction of the Governor that the instrumentality, or political subdivision thereof, fails to compensate the person wrongfully incarcerated pursuant to subdivision a, the Governor shall immediately make an order directing the Comptroller to withhold all further payment to the instrumentality, or political subdivision thereof, of all funds, or of any part of them, appropriated and payable by the Commonwealth to the instrumentality, or political subdivision thereof, for any and all purposes, until such compensation is paid to the person.

CHAPTER 214

An Act to amend and reenact §§ 6.2-1523.1, 6.2-2001, 18.2-516, 19.2-10.1, 19.2-56, and 19.2-389 of the Code of Virginia, to amend the Code of Virginia by adding in Title 6.2 a chapter numbered 19.1, consisting of sections numbered 6.2-1922 through 6.2-1957, and to repeal Chapter 19 (§§ 6.2-1900 through 6.2-1921) of Title 6.2 of the Code of Virginia, relating to financial institutions; regulation of money transmitters; penalty.

[H 1942]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 6.2-1523.1, 6.2-2001, 18.2-516, 19.2-10.1, 19.2-56, and 19.2-389 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Title 6.2 a chapter numbered 19.1, consisting of sections numbered 6.2-1922 through 6.2-1957, as follows:

§ 6.2-1523.1. Access partners.

A. Notwithstanding the provisions of §§ 6.2-1501 and 6.2-1518, a licensee may use the services of one or more access partners, provided that all of the following conditions are met:

1. All loans made in connection with an access partner comply with the requirements of this chapter.

2. The licensee maintains a written agreement with each access partner. The written agreement shall (i) require the access partner to comply with this section and all rules adopted under this section regarding the activities of access partners; (ii) give the Commission access to the access partner's books and records pertaining to the access partner's operations under the agreement with the licensee in accordance with § 6.2-1533 and authority to examine the access partner pursuant to § 6.2-1531; (iii) prohibit the access partner from charging or accepting any fees or compensation in connection with a loan from any person, other than what the licensee pays to the access partner under the terms of the contract; and (iv) require the access partner to keep written records sufficient to ensure compliance with this chapter, including records of all loan disbursements and loan payments for at least three years.

3. A licensee shall conduct a due diligence review of all access partners. The due diligence shall include a review of the access partner's financial soundness and legal compliance and the criminal history of the access partner and its employees. A licensee shall be responsible for implementing and maintaining a reasonable risk-based supervision program to monitor its access partners. The licensee shall provide to the Commission any information relating to the access partners as the Commissioner prescribes. Such information shall be provided in a form and manner as prescribed by the Commissioner.

4. The services of an access partner shall be limited to (i) distributing written materials or providing written factual information about loans that has been prepared or authorized in writing by the licensee; (ii) explaining the loan application process to prospective borrowers or assisting applicants to complete a loan application according to procedures the licensee approves; (iii) processing credit applications provided by the licensee, which applications shall clearly state that the licensee is the lender and disclose the licensee's contact information and how to submit complaints to the Commission; (iv) communicating with the licensee or the applicant about the status of applications; (v) obtaining the borrower's signature on documents prepared by the licensee and delivering final documents to the borrower; (vi) disbursing loan proceeds or receiving loan payments, provided the access partner provides a plain and complete written receipt at the time each disbursement or payment is made; and (vii) operating electronic access points through which a prospective borrower may directly access the website of the licensee to apply for a loan.

5. An access partner shall not (i) provide counseling or advice to a borrower or prospective borrower with respect to any loan term; (ii) provide loan-related marketing material that has not previously been approved by the licensee; (iii) negotiate a loan term between a licensee and a prospective borrower; (iv) offer information pertaining to a single prospective borrower to more than one licensee, except that if a licensee has declined to offer a loan to a prospective borrower in writing the access partner may offer information pertaining to that borrower to another licensee with whom it has an access partner agreement; or (v) offer information pertaining to any prospective borrower to any person or entity other than a licensee operating under this chapter, subject to clause (iv).

6. A licensee shall apply any payment a borrower makes to an access partner as of the date on which the payment is received by the access partner.

7. A licensee shall not (i) hold a borrower liable for a failure or delay by an access partner in transmitting a payment to the licensee; (ii) knowingly conduct business with an access partner that has solicited or accepted fees or compensation in connection with a licensee's loan other than what is specified in the written agreement described in subdivision 2; or (iii) directly or indirectly pass on to a borrower any fee or other compensation that a licensee pays to an access partner in connection with such borrower's loan.

B. A licensee shall be responsible for any act of its access partner if such act would violate any provision of this chapter.

C. The Commission may (i) bar a licensee that violates any part of this chapter from using the services of specified access partners, or access partners generally; (ii) subject a licensee to disciplinary action for any violation of this chapter committed by a contracted access partner; or (iii) bar any person who violates the requirements of this chapter from performing services pursuant to this chapter generally or at particular locations.

D. The Commission shall have the authority to conduct investigation and examination of access partners, provided the scope of any investigation or examination shall be limited to those books, accounts, records, documents, materials, and matters reasonably necessary to determine compliance with this chapter.

E. An access partner location shall not be considered an office for purposes of § 6.2-1508.1.

F. An access partner shall not be required to be licensed under ~~Chapter 19 (§ 6.2-1900 et seq.)~~ *Chapter 19.1 (§ 6.2-1922 et seq.)* to provide the services of an access partner described in subdivision A 4.

CHAPTER 19.1.

MONEY TRANSMITTERS.

§ 6.2-1922. Definitions.

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

"Authorized delegate" means a person a licensee designates to engage in money transmission on behalf of the licensee.

"Average daily money transmission liability" means the amount of a person's outstanding money transmission obligations in the Commonwealth at the end of each day in a given period of time, added together, and divided by the total number of days in the given period of time. For purposes of calculating average daily money transmission liability under

this chapter for any person required to do so, the given period of time shall be the quarters ending March 31, June 30, September 30, and December 31.

"Bank Secrecy Act" means the federal Bank Secrecy Act (31 U.S.C. § 5311 et seq.) and its implementing regulations.

"Closed loop stored value" means stored value that is redeemable by the issuer only for goods or services provided by the issuer or its affiliate or franchisees of the issuer or its affiliate, except to the extent required by applicable law to be redeemable in cash for its cash value.

"Control" means the power to (i) vote, directly or indirectly, at least 25 percent of the outstanding voting shares or voting interests of a licensee, applicant, or person in control of a licensee or applicant; (ii) elect or appoint a majority of key individuals or executive officers, managers, directors, trustees, or other persons exercising managerial authority of a person in control of a licensee or applicant; or (iii) exercise, directly or indirectly, a controlling influence over the management or policies of a licensee, applicant, or person in control of a licensee or applicant. A person shall be presumed to exercise a controlling influence when the person holds the power to vote, directly or indirectly, at least 10 percent of the outstanding voting shares or voting interests of a licensee, applicant, or person in control of a licensee or applicant. Such presumption is rebuttable if the person is a passive investor. For purposes of determining the percentage of a person controlled by any other person, the person's interest shall be aggregated with the interest of any other immediate family member, including the person's spouse, parents, children, siblings, mothers-in-law and fathers-in law, sons-in-law and daughters-in-law, brothers-in-law and sisters-in-law, and any other person who shares such person's home.

"Eligible rating" means a credit rating of any of the three highest rating categories provided by an eligible rating service, whereby each category may include rating category modifiers such as "plus" or "minus" for S&P, or the equivalent for any other eligible rating service. Long-term credit ratings shall be deemed eligible if the rating is equal to A- or higher by S&P, or the equivalent from any other eligible rating service. Short-term credit ratings shall be deemed eligible if the rating is equal to or higher than A-2 or SP-2 by S&P, or the equivalent from any other eligible rating service. In the event that ratings differ among eligible rating services, the highest rating shall apply when determining whether a security bears an eligible rating.

"Eligible rating service" means any Nationally Recognized Statistical Rating Organization (NRSRO), as defined by the U.S. Securities and Exchange Commission, and any other organization designated by the Commission by regulation or order.

"Federally insured depository financial institution" means a bank, credit union, savings and loan association, trust company, savings association, savings bank, industrial bank, or industrial loan company organized under the laws of the United States or any state of the United States, when such bank, credit union, savings and loan association, trust company, savings association, savings bank, industrial bank, or industrial loan company has federally insured deposits.

"Group of persons acting in concert" means two or more persons knowingly acting together with a common goal of jointly acquiring control of a licensee whether or not pursuant to an express agreement.

"In the Commonwealth" means at a physical location within the Commonwealth for a transaction requested in person. For a transaction requested electronically or by phone, the provider of money transmission shall determine if the person requesting the transaction is in the Commonwealth by relying on other information provided by the person regarding the location of the individual's residential address or a business entity's principal place of business or other physical address location, and any records associated with the person that the provider of money transmission may have that indicate such location, including an address associated with an account.

"Individual" means a natural person.

"Key individual" means any individual ultimately responsible for establishing or directing policies and procedures of the licensee or applicant, such as an executive officer, manager, director, or trustee.

"Licensee" means a person licensed under this chapter.

"Material litigation" means litigation that, according to generally accepted accounting principles, is significant to a person's financial health and would be required to be disclosed in the person's annual audited financial statements, report to shareholders, or similar records.

"Monetary value" means a medium of exchange, whether or not redeemable in money.

"Money" means a medium of exchange that is authorized or adopted by the United States or a foreign government. The term includes a monetary unit of account established by an intergovernmental organization or by agreement between two or more governments. Notwithstanding the foregoing, "money" does not include virtual currency.

"Money transmission" means (i) selling or issuing payment instruments to a person located in the Commonwealth, (ii) selling or issuing stored value to a person located in the Commonwealth, or (iii) receiving money for transmission from a person located in the Commonwealth. "Money transmission" includes payroll processing services and does not include the provision solely of online or telecommunications services or network access.

"MSB-accredited state" means a state agency or a division, department, or instrumentality thereof that is accredited by the Conference of State Bank Supervisors and Money Transmitter Regulators Association for money transmission licensing and supervision.

"Multistate licensing process" means any agreement entered into by and among state regulators relating to coordinated processing of applications for money transmission licenses, applications for the acquisition of control of a licensee, control determinations, or notice and information requirements for a change of key individuals.

"Nationwide Multistate Licensing System and Registry" or "NMLS" means the licensing and registration system operated by the State Regulatory Registry LLC.

"Outstanding money transmission obligations" means (i) any payment instrument or stored value issued or sold by the licensee to a person located in the United States or reported as sold by an authorized delegate of the licensee to a person that is located in the United States that has not yet been paid or refunded by or for the licensee, or escheated in accordance with applicable abandoned property laws or (ii) any money received for transmission by the licensee or an authorized delegate in the United States from a person located in any state that has not been received by the payee or refunded to the sender, or escheated in accordance with applicable abandoned property laws.

"Passive investor" means a person that (i) does not have the power to elect a majority of key individuals or executive officers, managers, directors, trustees, or other persons exercising managerial authority of a person in control of a licensee; (ii) is not employed by and does not have any managerial duties of the licensee or person in control of a licensee; (iii) does not have the power to exercise, directly or indirectly, a controlling influence over the management or policies of a licensee or person in control of a licensee; and (iv) attests to clauses (i), (ii), and (iii) in a form and in a medium prescribed by the Commission or commits to the passivity characteristics of (i), (ii), and (iii) in a written document.

"Payment instrument" means a written or electronic check, draft, money order, traveler's check, or other written or electronic instrument for the transmission or payment of money or monetary value, whether or not negotiable. "Payment instrument" does not include stored value or any instrument that (i) is redeemable by the issuer only for goods or services provided by the issuer or its affiliate or franchisees of the issuer or its affiliate, except to the extent required by applicable law to be redeemable in cash for its cash value or (ii) is not sold to the public but issued and distributed as part of a loyalty, rewards, or promotional program.

"Payroll processing services" means receiving money for transmission pursuant to a contract with a person to deliver wages or salaries, make payment of payroll taxes to state and federal agencies, make payments relating to employee benefit plans, or make distributions of other authorized deductions from wages or salaries. "Payroll processing services" does not include an employer performing payroll processing services on its own behalf or on behalf of its affiliate, or a professional employment organization subject to regulation under other applicable state law.

"Person" means any individual, general partnership, limited partnership, limited liability company, corporation, trust, association, joint stock corporation, or other corporate entity identified by the Commission.

"Receiving money for transmission" or "money received for transmission" means receiving money or monetary value in the United States for transmission within or outside the United States by electronic or other means.

"Stored value" means monetary value representing a claim against the issuer evidenced by an electronic or digital record, and that is intended and accepted for use as a means of redemption for money or monetary value, or payment for goods or services. "Stored value" includes prepaid access, as that term is defined by 31 C.F.R. § 1010.100. Notwithstanding the foregoing, the term "stored value" does not include a payment instrument or closed loop stored value, or stored value not sold to the public but issued and distributed as part of a loyalty, rewards, or promotional program.

"Tangible net worth" means the aggregate assets of a licensee excluding all intangible assets, less liabilities, as determined in accordance with generally accepted accounting principles.

"Virtual currency" means a digital representation of value that is (i) used as a medium of exchange, unit of account, or store of value and (ii) not money, whether or not denominated in money. Notwithstanding the foregoing, "virtual currency" does not include (a) a transaction in which a merchant grants, as part of an affinity or rewards program, value that cannot be taken from or exchanged with the merchant for money, bank credit, or virtual currency or (b) a digital representation of value issued by or on behalf of a publisher and used solely within an online game, game platform, or family of games sold by the same publisher or offered on the same game platform.

§ 6.2-1923. Exemptions.

The provisions of this chapter shall not apply to:

1. An operator of a payment system, to the extent that it provides processing, clearing, or settlement services between or among persons exempted by this section, or licensees, in connection with wire transfers, credit card transactions, debit card transactions, stored-value transactions, automated clearing house transfers, or similar funds transfers.

2. A person appointed as an agent of a payee to collect and process a payment from a payor to the payee for goods or services, other than money transmission itself, provided to the payor by the payee, provided that (i) there exists a written agreement between the payee and the agent directing the agent to collect and process payments from payors on the payee's behalf; (ii) the payee holds the agent out to the public as accepting payments for goods or services on the payee's behalf; and (iii) payment for the goods and services is treated as received by the payee upon receipt by the agent so that the payor's obligation is extinguished and there is no risk of loss to the payor if the agent fails to remit the funds to the payee.

3. A person that acts as an intermediary by processing payments between an entity that has directly incurred an outstanding money transmission obligation to a sender and the sender's designated recipient, provided that the entity (i) is properly licensed or exempt from licensing requirements under this chapter; (ii) provides a receipt, electronic record, or other written confirmation to the sender identifying the entity as the provider of money transmission in the transaction; and (iii) bears sole responsibility to satisfy the outstanding money transmission obligation to the sender, including the obligation to make the sender whole in connection with any failure to transmit the funds to the sender's designated recipient.

4. The United States or any department, agency, or instrumentality thereof, or its agent.

5. Money transmission by the United States Postal Service or by an agent of the United States Postal Service.

6. A state, county, city, or any other governmental agency or governmental subdivision or instrumentality of a state, or its agent.

7. A federally insured depository financial institution, bank holding company, office of an international banking corporation, foreign bank that establishes a federal branch pursuant to the federal International Bank Act (12 U.S.C. § 3102 et seq.), corporation organized pursuant to the federal Bank Service Company Act (12 U.S.C. § 1861 et seq.), or corporation organized under the federal Edge Act (12 U.S.C. § 611 et seq.).

8. An electronic funds transfer of governmental benefits for a federal, state, county, or governmental agency by a contractor on behalf of the United States or a department, agency, or instrumentality thereof, or on behalf of a state, county, or governmental subdivision, agency, or instrumentality thereof.

9. A board of trade designated as a contract market under the federal Commodity Exchange Act (7 U.S.C. § 1 et seq.) or a person that, in the ordinary course of business, provides clearance and settlement services for a board of trade to the extent of its operation as or for such a board.

10. A registered futures commission merchant under the federal commodities laws to the extent of its operation as such a merchant.

11. A person registered as a securities broker-dealer under federal or state securities laws to the extent of its operation as such a broker-dealer.

12. An individual employed by a licensee, authorized delegate, or any person exempted from the licensing requirements of this chapter when acting within the scope of employment and under the supervision of the licensee, authorized delegate, or exempted person as an employee and not as an independent contractor.

13. A person expressly appointed as a third-party service provider to or agent of an entity exempt under subdivision 7 solely to the extent that (i) such service provider or agent is engaging in money transmission on behalf of and pursuant to a written agreement with the exempt entity that sets forth the specific functions that the service provider or agent is to perform and (ii) the exempt entity assumes all risk of loss and all legal responsibility for satisfying the outstanding money transmission obligations owed to purchasers and holders of the outstanding money transmission obligations upon receipt of the purchaser's or holder's money or monetary value by the service provider or agent.

14. Any private security services business, licensed under § 9.1-139, that transports or offers to transport money.

15. A person appointed as an agent of a payor for purposes of providing payroll processing services for which the agent would otherwise need to be licensed, provided that (i) there is a written agreement between the payor and the agent that directs the agent to provide payroll processing services on the payor's behalf; (ii) the payor holds the agent out to employees and other payees as providing payroll processing services on the payor's behalf; and (iii) the payor's obligation to a payee, including an employee or any other party entitled to receive funds via the payroll processing services provided by the agent, shall not be extinguished if the agent fails to remit the funds to the payee.

§ 6.2-1924. Implementation.

A. In order to carry out the purposes of this chapter, the Commission may:

1. Enter into agreements or relationships with other government officials or federal and state regulatory agencies and regulatory associations in order to improve efficiencies and reduce regulatory burden by standardizing methods or procedures, and sharing resources, records, or related information obtained under this chapter;

2. Use, hire, contract, or employ analytical systems, methods, or software to examine or investigate any person subject to this chapter;

3. Accept, from other state or federal government agencies or officials, licensing, examination, or investigation reports made by such other state or federal government agencies or officials; and

4. Accept audit reports made by an independent certified public accountant or other qualified third-party auditor for an applicant or licensee and incorporate the audit report in any report of examination or investigation.

B. In addition to the authority provided elsewhere in this chapter, the Commission shall have the broad administrative authority to administer, interpret, and enforce this chapter and to recover the cost of administering and enforcing this chapter by imposing and collecting proportionate and equitable fees and costs associated with applications, examinations, investigations, and other actions required to achieve the purpose of this chapter.

§ 6.2-1925. Regulations.

The Commission shall adopt such regulations as it deems appropriate to effect the purposes of this chapter. Before adopting any such regulation, the Commission shall give reasonable notice of its content and shall afford interested parties an opportunity to be heard, in accordance with the Commission's Rules.

§ 6.2-1926. Supervision.

A. The Commission may conduct an examination or investigation of a licensee or authorized delegate or otherwise take independent action authorized by this chapter or by a regulation adopted or order issued under this chapter as reasonably necessary or appropriate to administer and enforce this chapter, regulations implementing this chapter, and other applicable law, including the Bank Secrecy Act and the federal U.S.A. Patriot Act of 2001 (49 U.S.C. § 5103a et seq.). The Commission may:

1. Conduct an examination or investigation either on site or off site as the Commission may reasonably require;

2. Conduct an examination or investigation in conjunction with an examination or investigation conducted by representatives of other state agencies or agencies of another state or of the federal government;

3. Accept the examination or investigation report of an agency of another state or of the federal government, or a report prepared by an independent accounting firm, which on being accepted is considered for all purposes as an official report of the Commission; and

4. Examine or investigate under oath a key individual or employee of a licensee or authorized delegate and require the person to produce records regarding any matter related to the condition and business of the licensee or authorized delegate.

B. A licensee or authorized delegate shall provide, and the Commission shall have full and complete access to, all records the Commission may reasonably require to conduct a complete examination. The records shall be provided at the location and in the format specified by the Commission, provided that the Commission may utilize multistate record production standards and examination procedures when such standards and procedures will reasonably achieve the requirements of this section.

C. Unless otherwise directed by the Commission, a licensee shall pay all costs reasonably incurred in connection with an examination of the licensee or the licensee's authorized delegates.

§ 6.2-1927. Networked supervision.

A. To efficiently and effectively administer and enforce this chapter and to minimize regulatory burden, the Commission is authorized and encouraged to participate in multistate supervisory processes established between states and coordinated through the Conference of State Bank Supervisors, the Money Transmitter Regulators Association, and affiliates and successors thereof for all licensees that hold licenses in the Commonwealth and other states. As a participant in multistate supervision, the Commission may:

1. Cooperate, coordinate, and share information with other state and federal regulators;

2. Enter into written cooperation, coordination, or information-sharing contracts or agreements with organizations whose membership is made up of state or federal governmental agencies; and

3. Cooperate, coordinate, and share information with organizations whose membership is made up of state or federal governmental agencies, provided that the organizations agree in writing to maintain the confidentiality and security of the shared information.

B. The Commission shall not waive, and nothing in this section shall constitute a waiver of, the Commission's authority to conduct an examination or investigation or otherwise take independent action authorized by this chapter or a regulation adopted or order issued under this chapter to enforce compliance with applicable state or federal law.

C. A joint examination or investigation, or acceptance of an examination or investigation report, shall not waive an examination assessment provided for in this chapter.

§ 6.2-1928. Relationship to federal law.

A. In the event state money transmission jurisdiction is conditioned on a federal law, any inconsistencies between a provision of this chapter and the federal law governing money transmission shall be governed by the applicable federal law to the extent of the inconsistency.

B. In the event of any inconsistencies between this chapter and a federal law that governs pursuant to subsection A, the Commission may provide interpretive guidance that identifies the inconsistency and identifies the appropriate means of compliance with federal law.

§ 6.2-1929. License required.

A. No person shall engage in the business of money transmission or advertise, solicit, or hold itself out as providing money transmission unless the person is licensed under this chapter.

B. No person that is an authorized delegate of a person licensed under this chapter acting within the scope of authority conferred by a written contract with the licensee shall be required to be licensed under this chapter.

C. A license issued under § 6.2-1933 is not transferable or assignable.

§ 6.2-1930. Consistent state licensing.

A. In order to establish consistent licensing between the Commonwealth and other states, the Commission may (i) implement all licensing provisions of this chapter in a manner that is consistent with other states that have adopted similar provisions or multistate licensing processes and (ii) participate in nationwide protocols for licensing cooperation and coordination among state regulators provided that such protocols are consistent with this chapter.

B. In order to fulfill the purposes of this chapter, the Commission may establish relationships or contracts with NMLS or other entities designated by NMLS to enable the Commission to (i) collect and maintain records, (ii) coordinate multistate licensing processes and supervision processes, (iii) collect and process fees, and (iv) facilitate communication between the Commonwealth and licensees or other persons subject to this chapter. In establishing such contracts, the Commission shall not be subject to the Virginia Public Procurement Act (§ 2.2-4300 et seq.).

C. The Commission may utilize NMLS for all aspects of this chapter, including license applications, applications for acquisitions of control, surety bonds, reporting, criminal history background checks, credit checks, fee processing, and examinations.

D. The Commission may utilize NMLS forms, processes, and functionalities in accordance with this chapter. In the event NMLS does not provide functionality, forms, or processes for a provision of this chapter, the Commission may strive to implement the requirements in a manner that facilitates uniformity with respect to licensing, supervision, reporting, and regulation of licensees that are licensed in multiple jurisdictions.

E. Every person required to be licensed under this chapter shall register with NMLS and be subject to such registration and renewal requirements as may be established by NMLS, in addition to any requirements of this chapter.

§ 6.2-1931. Application for license.

A. Applicants for a license, which shall be entities, shall apply in a form and in a medium as prescribed by the Commission. Each such form shall contain content as set forth in regulation, instruction, or procedure of the Commission and may be changed or updated by the Commission in accordance with applicable law in order to carry out the purposes of this chapter and maintain consistency with NMLS licensing standards and practices. The application shall include, as applicable:

1. The legal name and business address of the applicant and any fictitious or trade name used by the applicant in conducting its business;

2. A list of (i) any material litigation in which the applicant or any person in control of the applicant that is not an individual has been the subject of or involved in during the 10-year period preceding the submission of the application and (ii) criminal convictions of the applicant and each person in control of the applicant that is not an individual;

3. A description of any money transmission previously provided by the applicant and the money transmission that the applicant seeks to provide under this chapter;

4. A list of the applicant's proposed authorized delegates and the locations where the applicant and its authorized delegates propose to engage in money transmission;

5. A list of other states in which the applicant is licensed to engage in money transmission and any license revocations, suspensions, or other disciplinary action taken against the applicant in another state;

6. Information concerning any bankruptcy or receivership proceedings affecting the applicant or a person in control of the applicant;

7. A sample form of contract for authorized delegates;

8. A sample form of payment instrument or stored value;

9. The name and address of any federally insured depository financial institution through which the applicant plans to conduct money transmission;

10. The date of the applicant's incorporation or formation and jurisdiction of incorporation or formation;

11. A certificate of good standing from the jurisdiction in which the applicant is incorporated or formed, provided that such jurisdiction furnishes certificates of good standing;

12. A brief description of the structure or organization of the applicant, including any parents or subsidiaries of the applicant, and whether any parents or subsidiaries are publicly traded;

13. The legal name and any fictitious or trade name of each key individual and person in control of the applicant;

14. All business and residential addresses, and the employment history, as applicable, in the 10-year period preceding the submission of the application of each key individual and person in control of the applicant;

15. A copy of audited financial statements of the applicant for the most recent fiscal year and for the two-year period preceding the submission of the application;

16. A certified copy of unaudited financial statements of the applicant for the most recent fiscal quarter;

17. If the applicant is a publicly traded corporation, a copy of the most recent report filed with the U. S. Securities and Exchange Commission under § 13 of the federal Securities Exchange Act of 1934;

18. If the applicant is a wholly owned subsidiary of (i) a corporation publicly traded in the United States, a copy of audited financial statements for the parent corporation for the most recent fiscal year or a copy of the parent corporation's most recent report filed under § 13 of the federal Securities Exchange Act of 1934, or (ii) a corporation publicly traded outside the United States, a copy of similar documentation filed with the regulator of the parent corporation's domicile outside the United States;

19. The name and address of the applicant's registered agent in the Commonwealth; and

20. Any other information the Commission reasonably requires with respect to the applicant and all key individuals and persons in control of the applicant.

B. A nonrefundable application fee of $1,000 shall accompany an application for a license under this section.

C. If any material information provided in connection with an application changes during the investigation period, the applicant shall immediately notify the Commission.

§ 6.2-1932. Information required for certain individuals.

A. Any individual in control of a licensee or applicant, any individual that seeks to acquire control of a licensee, and each key individual shall furnish to the Commission through NMLS the following items:

1. The individual's fingerprints for submission to the Federal Bureau of Investigation for purposes of a national criminal history background check unless the person currently resides outside of the United States and has resided outside of the United States for the last 10 years.

2. Personal history and experience in a form and in a medium prescribed by the Commission, including (i) information enabling the Commission to obtain an independent credit report from a consumer reporting agency unless the individual does not have a social security number, in which case this requirement shall be waived; (ii) information related to any criminal convictions or pending charges; and (iii) information related to any regulatory or administrative action and any civil litigation involving claims of fraud, misrepresentation, conversion, mismanagement of funds, breach of fiduciary duty, or breach of contract.

B. If an individual referenced in subsection A has resided outside of the United States at any time in the last 10 years, the individual shall also cause an investigative background report to be prepared by an independent search firm. The

individual shall pay for the cost of such report, and the report shall be sent directly by the search firm to the Commission. At a minimum, the search firm shall (i) demonstrate that it has sufficient knowledge and resources and employs accepted and reasonable methodologies to conduct the research of the background report and (ii) not be affiliated with or have an interest with the individual it is researching. At a minimum, the investigative background report shall be written in the English language and shall contain the following: (a) if available in the individual's current jurisdiction of residency, a comprehensive credit report, or any equivalent information obtained or generated by the independent search firm to accomplish such report, including a search of the court data in the countries, provinces, states, cities, towns, and other areas where the individual resided and worked; (b) criminal records information for the past 10 years, including felonies, misdemeanors, or similar convictions for violations of law in the countries, provinces, states, cities, towns, and other areas where the individual resided and worked; (c) employment history; (d) media history, including an electronic search of national and local publications, wire services, and business applications; and (e) financial services-related regulatory history, including money transmission, securities, banking, insurance, and mortgage-related industries.

§ 6.2-1933. Issuance of license.

A. When the Commission determines that an application is complete, the Commission shall promptly notify the applicant in a record of the date on which the application is determined to be complete, and shall approve or deny the application within 120 days after the completion date. If the application is not approved or denied within 120 days after the completion date, the application shall be deemed approved and the license shall take effect as of the first business day after expiration of the 120-day period. The Commission may for good cause extend the application period.

B. A determination by the Commission that an application is complete and is accepted for processing means only that the application, on its face, appears to include all of the items, including the criminal background check response from the Federal Bureau of Investigation, and address all of the matters that are required and is not an assessment of the substance of the application or of the sufficiency of the information provided.

C. When an application is filed and considered complete under this section, the Commission shall investigate the financial condition and responsibility, financial and business experience, competence, character, and general fitness of the applicant, each key individual, and each person in control of the applicant. The Commission may conduct an on-site investigation of the applicant, the reasonable cost of which the applicant shall pay. The Commission shall issue a license to an applicant if the Commission finds that (i) the applicant, each key individual, and each person in control of the applicant have complied with §§ 6.2-1931 and 6.2-1932; (ii) the applicant meets the requirements in §§ 6.2-1950, 6.2-1951, and 6.2-1952; and (iii) the financial condition and responsibility, financial and business experience, competence, character, and general fitness of the applicant and the competence, experience, character, and general fitness of the key individuals and persons in control of the applicant indicate that it is in the interest of the public to permit the applicant to engage in money transmission.

D. If an applicant avails itself or is otherwise subject to a multistate licensing process, (i) the Commission may accept the investigation results of a lead investigative state for the purpose of subsection C if the Commission finds that the lead investigative state has sufficient staffing, expertise, and minimum standards or (ii) if the Commonwealth is a lead investigative state, the Commission may investigate the applicant pursuant to subsection C and the timeframes established by agreement through the multistate licensing process, provided, however, that in no case shall such timeframe be noncompliant with the application period established in subsection A.

E. The Commission shall issue a formal written notice of the denial of a license application within 30 days of the decision to deny the application. The Commission shall set forth in the notice of denial the specific reasons for the denial of the application. An applicant whose application is denied by the Commission under this subsection may appeal in accordance with applicable law.

F. The initial license term shall begin on the day the application is approved. The license shall expire on December 31 of the year in which the license term began, unless the initial license date is between November 1 and December 31, in which instance the initial license term shall run through December 31 of the following year.

§ 6.2-1934. License renewal.

A. A license issued under this chapter shall be renewed annually. An annual renewal fee of $750 shall be paid no more than 60 days before the license expiration. The renewal term shall be for a period of one year and shall begin on January 1 of each year after the initial license term and shall expire on December 31 of the year the renewal term begins.

B. A licensee shall submit a renewal report with the renewal fee, in a form and in a medium prescribed by the Commission. The renewal report shall state or contain a description of each material change in information submitted by the licensee in its original license application that has not been reported to the Commission.

C. The Commission for good cause may grant an extension of the expiration date.

D. The Commission may utilize NMLS to process license renewals provided that such functionality is consistent with this section.

§ 6.2-1935. Maintenance of license.

If a licensee does not continue to meet the qualifications or satisfy the requirements that apply to an applicant for a new money transmission license, the Commission may suspend or revoke the licensee's license in accordance with the procedures established by this chapter or other applicable state law for such suspension or revocation.

§ 6.2-1936. Acquisition of control.

A. Any person, or group of persons acting in concert, seeking to acquire control of a licensee shall obtain the written approval of the Commission prior to acquiring control. An individual shall not be deemed to acquire control of a licensee and shall not be subject to the provisions of this section solely because that individual becomes a key individual.

B. A person, or group of persons acting in concert, seeking to acquire control of a licensee shall, in cooperation with the licensee, submit (i) an application in a form and in a medium prescribed by the Commission and (ii) a nonrefundable fee of $1,000 with the request for approval.

C. Upon request, the Commission may permit a licensee or the person, or group of persons acting in concert, to submit some or all information required by the Commission without using NMLS.

D. The application required by subsection B shall include the items required by § 6.2-1932 for any new key individuals that have not previously completed the requirements of § 6.2-1932 for a licensee.

E. When the Commission determines that an application is complete, the Commission shall promptly notify the applicant in a record of the date on which the application was determined to be complete and shall approve or deny the application within 60 days after the completion date. If the application is not approved or denied within 60 days after the completion date, the application shall be deemed approved and the person, or group of persons acting in concert, may acquire control. The Commission may for good cause extend the application period.

F. A determination by the Commission that an application is complete and is accepted for processing means only that the application, on its face, appears to include all of the items and address all of the matters that are required and is not an assessment of the substance of the application or of the sufficiency of the information provided.

G. If any material information provided in connection with an application changes during the investigation period, the applicant shall immediately notify the Commission.

H. When an application is filed and considered complete under subsection E, the Commission shall investigate the financial condition and responsibility, financial and business experience, competence, character, and general fitness of (i) the person, or group of persons acting in concert, seeking to acquire control and (ii) each key individual and person in control of such person or group of persons acting in concert. The Commission shall approve an acquisition of control if the Commission finds that:

1. The requirements of subsections B and D have been met, as applicable; and

2. The financial condition and responsibility, financial and business experience, competence, character, and general fitness of the person, or group of persons acting in concert, seeking to acquire control, and the competence, experience, character, and general fitness of the proposed new key individuals and persons that would be in control of the licensee after the acquisition of control indicate that it is in the public interest to permit the person, or group of persons acting in concert, to control the licensee.

I. If an applicant invokes or is otherwise subject to a multistate licensing process, (i) the Commission may accept the investigation results of a lead investigative state for the purpose of subsection H if the Commission finds that the lead investigative state has sufficient staffing, expertise, and minimum standards or (ii) if the Commonwealth is a lead investigative state, the Commission may investigate the applicant pursuant to subsection H and the timeframes established by agreement through the multistate licensing process.

J. The Commission shall issue a formal written notice of the denial of an application to acquire control within 30 days of the decision to deny the application. The Commission shall set forth in the notice of denial the specific reasons for the denial of the application. An applicant whose application is denied by the Commission may appeal in accordance with applicable law.

K. The requirements of subsections A and B do not apply to any of the following:

1. A person that acts as a proxy for the sole purpose of voting at a designated meeting of the shareholders or holders of voting shares or voting interests of a licensee or a person in control of a licensee;

2. A person that acquires control of a licensee by devise or descent;

3. A person that acquires control of a licensee as (i) a personal representative, custodian, guardian, conservator, or trustee or (ii) an officer appointed by a court of competent jurisdiction or by operation of law;

4. A person that is exempt under subdivision A 7 of § 6.2-1923;

5. A person that the Commission determines is not subject to subsection A based on the public interest;

6. A public offering of securities of a licensee or a person in control of a licensee; or

7. An internal reorganization of a person in control of the licensee where the ultimate person in control of the licensee remains the same.

L. Persons described in subdivisions K 2, 3, 4, 6, and 7 shall notify the Commission within 15 days after the acquisition of control.

M. The requirements of subsections A and B do not apply to a person that has complied with and received approval to engage in money transmission under this chapter or was identified as a person in control in a prior application filed with and approved by the Commission under this chapter or by an MSB-accredited state pursuant to a multistate licensing process, provided that:

1. The person has not had a license revoked or suspended or controlled a licensee that has had a license revoked or suspended while the person was in control of the licensee in the previous five years;

2. If the person is a licensee, the Commission finds that the person is well-managed and has received at least a satisfactory rating for compliance at its most recent examination by an MSB-accredited state if such rating was given;

3. The licensee to be acquired is projected to meet the requirements of §§ 6.2-1950, 6.2-1951, and 6.2-1952 beginning on the date the acquisition of control is completed, and if the person acquiring control is a licensee, that licensee is also projected to meet the requirements of §§ 6.2-1950, 6.2-1951, and 6.2-1952 beginning on the date the acquisition of control is completed;

4. The licensee to be acquired will not implement any material changes to its business plan as a result of the acquisition of control, and if the person acquiring control is a licensee, that licensee also will not implement any material changes to its business plan as a result of the acquisition of control; and

5. The person notifies the Commission of the acquisition in cooperation with the licensee and attests to subdivisions 1 through 4 in a form and in a medium prescribed by the Commission.

If such notice is not disapproved within 30 days after the date on which the notice was determined to be complete, the notice shall be deemed approved.

N. Before filing an application for approval to acquire control of a licensee, a person may request in writing a determination from the Commission as to whether the person would be considered a person in control of a licensee upon consummation of a proposed transaction. If the Commission determines that the person would not be a person in control of a licensee, the person and transaction is not subject to the requirements of subsections A and B.

O. If a multistate licensing process includes a determination pursuant to subsection N or the equivalent law of another state and a person invokes or is otherwise subject to the multistate licensing process, (i) the Commission may accept the control determination of a lead investigative state if the Commission finds that the lead investigative state has sufficient staffing, expertise, and minimum standards or (ii) if the Commonwealth is a lead investigative state, the Commission may investigate the person using the timeframes established by agreement through the multistate licensing process.

P. If any person acquires an ownership interest in a licensee without obtaining prior approval from the Commission as required by this section, the Commission may for good cause shown order such person to divest himself or itself of such ownership interest.

Q. The Commission shall not enter an order requiring divestiture pursuant to subsection P until it has given the person 21 days' notice in writing of the reasons for the proposed divestiture and has given the person an opportunity to introduce evidence and be heard. The notice shall be sent by certified mail to such person and shall state with particularity the grounds for the contemplated action. Within 14 days of mailing the notice, the person named therein may file with the clerk of the Commission a written request for a hearing. If a hearing is requested, the Commission shall not require divestiture except based upon findings made at such hearing.

§ 6.2-1937. Change of key individual; notice and required information.

A. A licensee adding or replacing any key individual shall (i) provide notice in a manner prescribed by the Commission within 15 days after the effective date of the key individual's appointment and (ii) cause the new key individual to provide the items required by § 6.2-1932 within 45 days after the effective date.

B. Within 90 days after the date on which the notice provided pursuant to subsection A was determined by the Commission to be complete, the Commission may investigate the key individual and issue a notice of disapproval of a key individual if the competence, experience, character, or integrity of the individual is not in the best interests of the public or the customers of the licensee to permit the individual to be a key individual of such licensee.

C. A notice of disapproval shall contain a statement of the basis for disapproval and shall be sent to the licensee and the disapproved individual. A licensee may appeal a notice of disapproval in accordance with applicable law.

D. If the notice provided pursuant to subsection A is not disapproved within 90 days after the date on which the notice was determined to be complete, the key individual shall be deemed approved.

E. If a multistate licensing process includes a key individual notice review and disapproval process and the licensee avails itself or is otherwise subject to the multistate licensing process, (i) the Commission may accept the determination of a lead investigative state if the Commission finds that the lead investigative state has sufficient staffing, expertise, and minimum standards or (ii) if the Commonwealth is a lead investigative state, the Commission may investigate the key individual using the timeframes established by agreement through the multistate licensing process notwithstanding the timeframes prescribed in subsections B and D.

§ 6.2-1938. Report of condition.

A. Each licensee shall submit to the Commission a report of condition within 45 days after the end of every calendar quarter, or within any extended time as the Commission may prescribe.

B. The report of condition shall include:

1. Financial information at the licensee level;

2. Nationwide and state-specific money transmission transaction information for every jurisdiction in the United States where the licensee is licensed to engage in money transmission;

3. A permissible investments report;

4. Transaction destination country reporting for money received for transmission, if applicable; and

5. Any other information the Commission reasonably requires with respect to the licensee. The Commission is authorized and encouraged to allow or require licensees to utilize NMLS for the submission of the report required by this section.

C. The information required by subdivision B 4 shall only be included in a report of condition submitted within 45 days after the end of the fourth calendar quarter.

§ 6.2-1939. Audited financials.

A. Each licensee shall, within 90 days after the end of each fiscal year, or within any extended time as the Commission may prescribe, file with the Commission:

1. Its audited financial statements for the fiscal year prepared in accordance with generally accepted accounting principles; and

2. Any other information as the Commission may reasonably require.

B. The audited financial statements shall be prepared by an independent certified public accountant.

C. The audited financial statements shall include or be accompanied by a certificate of opinion of the independent certified public accountant or independent public accountant that is satisfactory in form and content to the Commission. If the certificate of opinion is qualified, the Commission may require the licensee to take any action as the Commission may find necessary to enable the independent certified public accountant or independent public accountant to remove the qualification.

§ 6.2-1940. Authorized delegate reporting.

Each licensee shall submit to the Commission a report of its authorized delegates within 45 days after the end of every calendar quarter. The report shall contain such information as may be prescribed by the Commission about all authorized delegates that were under contract with the licensee at any point during the calendar quarter. The Commission is authorized and encouraged to allow or require licensees to utilize NMLS for the submission of such reports provided that such functionality is consistent with the requirements of this section.

§ 6.2-1941. Reports of certain events.

A. A licensee shall file a report with the Commission within one business day after the licensee has reason to know of the occurrence of any of the following events:

1. The filing of a petition by or against the licensee under the United States Bankruptcy Code (11 U.S.C. § 101 et seq.) for bankruptcy or reorganization;

2. The filing of a petition by or against the licensee for receivership, the commencement of any other judicial or administrative proceeding for its dissolution or reorganization, or the making of a general assignment for the benefit of its creditors;

3. The commencement of a proceeding to revoke or suspend its license or other authority to operate in another jurisdiction; or

4. Such other events as the Commission may prescribe by regulation.

B. A licensee shall file a report with the Commission within three business days after the licensee has reason to know of the occurrence of any of the following events:

1. An indictment, charge, or conviction of the licensee or of a key individual or person in control of the licensee for a felony;

2. An indictment, charge, or conviction of an authorized delegate for a felony; or

3. Such other events as the Commission may prescribe by regulation.

§ 6.2-1942. Reports required by federal law.

A licensee and its authorized delegates shall comply with all federal currency reporting, record keeping, and suspicious activity reporting requirements as set forth in the Bank Secrecy Act and other federal laws pertaining to money laundering. The timely filing of a complete and accurate report required by this section with the appropriate federal agency is deemed compliant with the requirements of this section.

§ 6.2-1943. Records.

A. A licensee shall maintain the following records for determining its compliance with this chapter for at least three years:

1. A record of each outstanding money transmission obligation sold;

2. A general ledger posted at least monthly containing all asset, liability, capital, income, and expense accounts;

3. Bank statements and bank reconciliation records;

4. Records of outstanding money transmission obligations;

5. Records of each money transmission obligation paid within the three-year period;

6. A list of the last known names and addresses of all of the licensee's authorized delegates; and

7. Any other records the Commission reasonably requires by regulation.

B. The items specified in subsection A shall be maintained in written or electronic form.

C. Records specified in subsection A may be maintained outside the Commonwealth if they are made accessible to the Commission on seven business days' written notice.

D. All records maintained by the licensee as required in this section are open to inspection by the Commission pursuant to § 6.2-1926.

E. Each licensee shall maintain policies and procedures sufficient for it to comply with this chapter and all other laws and regulations applicable to the conduct of its licensed business.

§ 6.2-1944. Relationship between licensee and authorized delegate; prohibited activities.

A. As used in this section, "remit" means (i) to make direct payments of money to a licensee or its representative authorized to receive money or (ii) to deposit money in a bank account specified by the licensee.

B. Before a licensee conducts business through an authorized delegate or allows a person to act as the licensee's authorized delegate, the licensee shall:

1. Adopt, and update as necessary, written policies and procedures reasonably designed to ensure that the licensee's authorized delegates comply with applicable state and federal law;

2. Enter into a written contract that complies with subsection D; and

3. Conduct a reasonable risk-based background investigation sufficient for the licensee to determine whether the authorized delegate has complied and will likely comply with applicable state and federal law.

C. The licensee's authorized delegates shall operate in full compliance with applicable state and federal law, and the licensee shall be responsible for implementing and maintaining a reasonable risk-based supervision program to monitor its authorized delegates.

D. The written contract required by subsection B shall be signed by the licensee and the authorized delegate and, at a minimum, shall:

1. Designate the person signing the contract as the licensee's authorized delegate with the authority to conduct money transmission on behalf of the licensee;

2. Set forth the nature and scope of the relationship between the licensee and the authorized delegate and the respective rights and responsibilities of the parties;

3. Require the authorized delegate to fully comply with all applicable state and federal laws and regulations;

4. Require the authorized delegate to remit and handle money in accordance with the terms of the contract between the licensee and the authorized delegate;

5. Impose a trust on money and monetary value net of fees received for money transmission for the benefit of the licensee;

6. Require the authorized delegate to prepare and maintain records as required by this chapter or regulations implementing this chapter, or as reasonably required by the Commission;

7. Acknowledge that the authorized delegate consents to examination or investigation by the Commission;

8. State that the licensee is subject to regulation by the Commission and that, as part of that regulation, the Commission may require the licensee to revoke an authorized delegate designation; and

9. Acknowledge receipt of the written policies and procedures required under subdivision B 1.

E. If the licensee's license is suspended, revoked, surrendered, or expired, the licensee shall, within five business days, provide documentation to the Commission that the licensee has notified all authorized delegates of the licensee whose names are in a record filed with the Commission of the suspension, revocation, surrender, or expiration of its license. Upon suspension, revocation, surrender, or expiration of the license, all authorized delegates shall immediately cease to provide money transmission on behalf of the licensee.

F. An authorized delegate of a licensee shall hold in trust for the benefit of the licensee all money net of fees received from money transmission. If any authorized delegate commingles any funds received from money transmission with any other funds or property owned or controlled by the authorized delegate, all commingled funds and other property shall be considered held in trust in favor of the licensee in an amount equal to the amount of money net of fees received from money transmission.

G. An authorized delegate shall not use a subdelegate or otherwise designate or appoint another person to conduct money transmission on behalf of a licensee.

H. No person shall engage in the business of money transmission on behalf of a person not licensed under this chapter or exempt pursuant to § 6.2-1923. A person that engages in such activity provides money transmission to the same extent as a person required to be licensed under this chapter and shall be jointly and severally liable with the unlicensed and nonexempt person.

§ 6.2-1945. Timely transmission.

A. Every licensee shall forward all money received for transmission in accordance with the terms of the agreement between the licensee and the sender unless the licensee has a reasonable belief or a reasonable basis to believe that the sender may be a victim of fraud or that a crime or violation of law or regulation has occurred, is occurring, or may occur.

B. If a licensee fails to forward money received for transmission in accordance with this section, the licensee shall respond to inquiries by the sender with the reason for the failure unless providing a response would violate a state or federal law or regulation.

§ 6.2-1946. Refunds.

A. Every licensee shall refund to the sender within 10 days of receipt of the sender's written request for a refund of any or all money received for transmission unless any of the following occurs:

1. The money has been forwarded within 10 days of the date on which the money was received for transmission;

2. Instructions have been given committing an equivalent amount of money to the person designated by the sender within 10 days of the date on which the money was received for transmission;

3. The agreement between the licensee and the sender instructs the licensee to forward the money at a time that is beyond 10 days of the date on which the money was received for transmission. If funds have not yet been forwarded in accordance with the terms of the agreement between the licensee and the sender, the licensee shall issue a refund in accordance with the other provisions of this section;

4. The refund is requested for a transaction that the licensee has not completed based on a reasonable belief or a reasonable basis to believe that a crime or violation of law or regulation has occurred, is occurring, or may occur; or

5. The refund request does not enable the licensee to identify (i) the sender's name and the sender's address or telephone number or (ii) the particular transaction to be refunded in the event the sender has multiple transactions outstanding.

B. The provisions of subsection A shall not apply to (i) money received for transmission subject to the federal Remittance Rule (12 C.F.R. Part 1005, Subpart B) or (ii) money received for transmission pursuant to a written agreement between the licensee and payee to process payments for goods or services provided by the payee.

§ 6.2-1947. Receipts.

A. As used in this section, "receipt" means a paper, electronic, or other written confirmation of money received for transmission.

B. Every licensee or its authorized delegate shall provide the sender a receipt for money received for transmission. The receipt shall contain, as applicable:

1. The name of the sender;

2. The name of the designated recipient;

3. The date of the transaction;

4. The unique transaction or identification number;

5. The name of the licensee, the licensee's NMLS Unique ID number, the licensee's business address, and the licensee's customer service telephone number;

6. The amount of money to be transmitted in United States dollars;

7. Any fee charged by the licensee to the sender for the transaction; and

8. Any taxes collected by the licensee from the sender for the transaction.

C. For a transaction conducted in person, the receipt may be provided electronically if the sender requests or agrees to receive an electronic receipt. For a transaction conducted electronically or by phone, a receipt shall be provided electronically. All electronic receipts shall be provided by email or in another retainable form. The receipt shall be in English and in the language principally used by the licensee or authorized delegate, if other than English, to advertise, solicit, or negotiate a transaction.

D. The provisions of this section shall not apply to (i) money received for transmission subject to the federal Remittance Rule (12 C.F.R. Part 1005, Subpart B); (ii) money received for transmission that is not primarily for personal, family, or household purposes; (iii) money received for transmission pursuant to a written agreement between the licensee and a payee to process payments for goods or services provided by the payee; or (iv) payroll processing services.

§ 6.2-1948. Notice.

Every licensee or authorized delegate shall include on a receipt or disclose on the licensee's website and mobile application the phone number and website of the Commission and a statement that the licensee's customers can contact the Commission with complaints about the licensee's money transmission services.

§ 6.2-1949. Payroll processing services.

A. A licensee that provides payroll processing services shall:

1. Issue reports to customers detailing customer payroll obligations in advance of the payroll funds being deducted from an account; and

2. Make available worker paystubs or equivalent statements to workers.

B. The provisions of subsection A shall not apply to a licensee providing payroll processing services where the licensee's customer designates the intended recipients to the licensee and is responsible for satisfying the requirement in subdivision A 2.

§ 6.2-1950. Net worth.

A. A licensee shall maintain at all times a tangible net worth in an amount not less than the following:

1. For a licensee with total assets in an amount not greater than $100 million, the greater of $100,000 or three percent of the value of the licensee's total assets.

2. For a licensee with total assets in an amount greater than $100 million and not greater than $1 billion, the sum of $3 million and two percent of the additional assets in excess of $100 million.

3. For a licensee with total assets in an amount greater than $1 billion, the sum of $21 million and 0.5 percent of the additional assets in excess of $1 billion.

B. Tangible net worth shall be demonstrated at initial application and thereafter in a manner prescribed by the Commission.

§ 6.2-1951. Surety bond.

A. An applicant for a money transmission license shall provide, and a licensee at all times shall maintain, security consisting of a surety bond, in a form satisfactory to the Commission, or, with the Commission's approval, a deposit instead of a bond in accordance with this section.

B. The minimum amount of the required security shall be:

1. The greater of $100,000 or an amount equal to 100 percent of the applicant's or licensee's average daily money transmission liability in the Commonwealth calculated for the most recent quarter, up to a maximum of $1 million; or

2. $100,000 in the event that the applicant's or licensee's tangible net worth exceeds 10 percent of total assets.

C. An applicant or licensee that maintains a bond of $1 million pursuant to subdivision B 1 or $100,000 pursuant to subdivision B 2 shall not be required to calculate its average daily money transmission liability in the Commonwealth for purposes of this section.

D. An applicant or licensee may exceed the required security amount, including pursuant to subdivision A 5 of § 6.2-1953.

E. The security device required by this section shall remain in place for five years after a licensee ceases money transmission activities. The Commission may permit the security device to be reduced or eliminated prior to that time to the extent the amount of such licensee's outstanding money transmission transactions are reduced. The Commission may also permit any licensee to substitute a letter of credit, or such other form of security device as may be acceptable to the Commission, for the security device in place at the time the licensee ceases money transmission activities.

F. A surety bond shall remain effective until cancellation, which may occur only after 90 days' written notice to the Commission. Cancellation does not affect the rights of any claimant for any liability incurred or accrued during the period for which the bond was in force.

§ 6.2-1952. Maintenance of permissible investments.

A. A licensee shall maintain at all times permissible investments that have a market value computed in accordance with generally accepted accounting principles of not less than the aggregate amount of all of its outstanding money transmission obligations in all states.

B. Except for permissible investments enumerated in subsection A of § 6.2-1953, the Commission, with respect to any licensee, may by regulation or order limit the extent to which a specific investment within a class of permissible investments may be considered a permissible investment if the specific investment represents undue risk to customers that is not reflected in the market value of the investment.

C. Permissible investments, even if commingled with other assets of the licensee, shall be deemed to be held in trust for the benefit of the purchasers and holders of the licensee's outstanding money transmission obligations in the event of insolvency, the filing of a petition by or against the licensee under the United States Bankruptcy Code (11 U.S.C. § 101 et seq.) for bankruptcy or reorganization, the filing of a petition by or against the licensee for receivership, the commencement of any other judicial or administrative proceeding for its dissolution or reorganization, or an action by a creditor against the licensee who is not a beneficiary of this statutory trust. No permissible investments impressed with a trust pursuant to this subsection shall be subject to attachment, levy of execution, or sequestration by order of any court, except when for a beneficiary of this statutory trust.

D. Upon the establishment of a statutory trust in accordance with subsection C or when any funds are drawn on a letter of credit pursuant to subdivision A 4 of § 6.2-1953, the Commission shall notify the applicable regulator of each state in which the licensee is licensed to engage in money transmission, if any, of the establishment of the trust or the funds drawn on the letter of credit, as applicable. Notice shall be deemed given if provided pursuant to a multistate agreement or through NMLS. Funds drawn on a letter of credit, and any other permissible investments held in trust for the benefit of the purchasers and holders of the licensee's outstanding money transmission obligations, shall be deemed to be held in trust for the benefit of such purchasers and holders on a pro rata and equitable basis in accordance with statutes pursuant to which permissible investments are required to be held in the Commonwealth and other states, as applicable. Any statutory trust established hereunder shall be terminated upon extinguishment of all of the licensee's outstanding money transmission obligations.

E. The Commission by regulation or by order may allow other types of investments that the Commission determines are of sufficient liquidity and quality to be a permissible investment. The Commission is authorized to participate in efforts with other state regulators to determine whether other types of investments are of sufficient liquidity and quality to be a permissible investment.

§ 6.2-1953. Permissible investments.

A. The following investments are permissible under § 6.2-1952:

1. Cash, including demand deposits, savings deposits, and funds in such accounts held for the benefit of the licensee's customers in a federally insured depository financial institution, and cash equivalents including ACH items in transit to the licensee and ACH items or international wires in transit to a payee, cash in transit via armored car, cash in smart safes, cash in licensee-owned locations, debit card-funded or credit card-funded transmission receivables owed by any bank, or money market mutual funds rated "AAA" by S&P, or the equivalent from any eligible rating service.

2. Certificates of deposit or senior debt obligations of an insured depository institution, as defined in the Federal Deposit Insurance Act (12 U.S.C. § 1811 et seq.) or as defined under the Federal Credit Union Act (12 U.S.C. § 1751 et seq.).

3. An obligation of the United States or a commission, agency, or instrumentality thereof; an obligation that is guaranteed fully as to principal and interest by the United States; or an obligation of a state or a governmental subdivision, agency, or instrumentality thereof.

4. The full drawable amount of an irrevocable standby letter of credit for which the stated beneficiary is the Commission that stipulates that the beneficiary need only draw a sight draft under the letter of credit and present it to obtain funds up to the letter of credit amount within seven days of presentation of the items required by subdivision c.

a. Such letter of credit shall:

(1) Be issued by a federally insured depository financial institution, a foreign bank that is authorized under federal law to maintain a federal agency or federal branch office in a state or states, or a foreign bank that is authorized under state law to maintain a branch in a state that:

(a) Bears an eligible rating or whose parent company bears an eligible rating; and

(b) Is regulated, supervised, and examined by United States federal or state authorities having regulatory authority over banks, credit unions, and trust companies;

(2) Be irrevocable, unconditional, and indicate that it is not subject to any condition or qualifications outside of the letter of credit;

(3) Not reference any other agreements, documents, or entities, or otherwise provide for any security interest in the licensee; and

(4) Contain an issue date and expiration date, and expressly provide for automatic extension, without a written amendment, for an additional period of one year from the initial expiration date and each successive expiration date, unless the issuer of the letter of credit notifies the Commission in writing by certified or registered mail or courier mail or other receipted means at least 60 days prior to any expiration date that the irrevocable letter of credit will not be extended.

b. In the event of any notice of expiration or nonextension of a letter of credit issued under subdivision a (4), the licensee shall be required to demonstrate to the satisfaction of the Commission, at least 15 days prior to expiration, that the licensee will maintain permissible investments in accordance with subsection A of § 6.2-1952 upon the expiration of the letter of credit. If the licensee is not able to do so, the Commission may draw on the letter of credit in an amount up to the amount necessary for the licensee to comply with subsection A of § 6.2-1952. Any such draw shall be offset against the licensee's outstanding money transmission obligations. The drawn funds shall be held in trust by the Commission or the Commission's designated agent, to the extent authorized by law, as agent for the benefit of the purchasers and holders of the licensee's outstanding money transmission obligations.

c. The letter of credit shall provide that the issuer of the letter of credit will honor, at sight, a presentation made by the beneficiary to the issuer of the following documents on or prior to the expiration date of the letter of credit:

(1) The original letter of credit including any amendments; and

(2) A written statement from the beneficiary stating that any of the following events have occurred:

(a) The filing of a petition by or against the licensee under the United States Bankruptcy Code (11 U.S.C. § 101 et seq.) for bankruptcy or reorganization;

(b) The filing of a petition by or against the licensee for receivership, or the commencement of any other judicial or administrative proceeding for its dissolution or reorganization;

(c) The seizure of assets of a licensee by any state pursuant to an emergency order issued in accordance with applicable law, on the basis of an action, violation, or condition that has caused or is likely to cause the insolvency of the licensee; or

(d) The beneficiary has received notice of expiration or nonextension of a letter of credit and the licensee failed to demonstrate to the satisfaction of the beneficiary that the licensee will maintain permissible investments in accordance with subsection A of § 6.2-1952 upon the expiration or nonextension of the letter of credit.

d. The Commission may designate an agent to serve on the Commission's behalf as beneficiary to a letter of credit so long as the agent and letter of credit meet any requirements established by the Commission. The Commission's agent may serve as agent for multiple licensing authorities for a single irrevocable letter of credit if the proceeds of the drawable amount for the purposes of this subdivision A 4 are assigned to the Commission.

e. The Commission may participate in multistate processes designed to facilitate the issuance and administration of letters of credit, including the use of services provided by the NMLS and State Regulatory Registry LLC.

5. The amount of the surety bond that exceeds the amount required by § 6.2-1951.

B. Unless permitted by the Commission by regulation or by order to exceed the limit as set forth herein, the following investments are permissible under § 6.2-1952 to the extent specified:

1. Receivables that are payable to a licensee from its authorized delegates in the ordinary course of business that are less than seven calendar days old, up to 50 percent of the aggregate value of the licensee's total permissible investments.

2. Of the receivables permissible under subdivision 1, receivables that are payable to a licensee from a single authorized delegate in the ordinary course of business shall not exceed 10 percent of the aggregate value of the licensee's total permissible investments.

3. The following investments are permissible up to 20 percent per category and combined up to 50 percent of the aggregate value of the licensee's total permissible investments:

a. A short-term, up to six months, investment bearing an eligible rating;

b. Commercial paper bearing an eligible rating;

c. A bill, note, bond, or debenture bearing an eligible rating;

d. United States tri-party repurchase agreements collateralized at 100 percent or more with United States government or agency securities, municipal bonds, or other securities bearing an eligible rating;

e. Money market mutual funds rated less than "AAA" and equal to or higher than "A-" by S&P, or the equivalent from any other eligible rating service; and

f. A mutual fund or other investment fund composed solely and exclusively of one or more permissible investments listed in subdivisions A 1, 2, and 3.

4. Cash, including demand deposits, savings deposits, and funds in such accounts held for the benefit of the licensee's customers, at foreign depository institutions are permissible up to 10 percent of the aggregate value of the licensee's total permissible investments if the licensee has received a satisfactory rating in its most recent examination and the foreign depository institution:

a. Has an eligible rating;

b. Is registered under the Foreign Account Tax Compliance Act;

c. Is not located in any country subject to sanctions from the Office of Foreign Asset Control; and

d. Is not located in a high-risk or noncooperative jurisdiction as designated by the Financial Action Task Force.

§ 6.2-1954. Suspension or revocation of license.

A. The Commission may suspend or revoke a license issued under this chapter upon any of the following grounds:

1. The licensee violates any provisions of this chapter or a regulation adopted or an order issued under this chapter or violates any other law or regulation applicable to the conduct of the licensee's business;

2. The licensee does not cooperate with an examination or investigation by the Commission;

3. The licensee has engaged or is engaging in fraud, misrepresentation, deceit, or gross negligence;

4. An authorized delegate of the licensee (i) is convicted of a violation of a state or federal money laundering statute, (ii) violates any provisions of this chapter or a regulation adopted or an order issued under this chapter, or (iii) violates any other law or regulation applicable to the conduct of the licensee's business;

5. Any ground for denial of a license under this chapter;

6. The licensee has engaged or is engaging in an unsafe or unsound practice;

7. The licensee is insolvent, suspends payment of its obligations, or makes a general assignment for the benefit of its creditors;

8. The licensee does not remove an authorized delegate after the Commission issues and serves upon the licensee a final order including a finding that the authorized delegate has violated this chapter;

9. The Commission reasonably determines that (i) the licensee may be unable to perform its obligations or (ii) the licensee has willfully failed without reasonable cause to pay or provide for the payment of any of its obligations;

10. Entry of a federal or state administrative order against the licensee for violation of any law or regulation applicable to the conduct of its business;

11. Failure to pay any fee imposed by this chapter; or

12. Such other grounds as the Commission may prescribe by regulation.

B. In determining whether a licensee is engaging in an unsafe or unsound practice, the Commission may consider the volume and condition of the licensee's money transmission business, the magnitude of any loss, the gravity of any violation of this chapter, the previous conduct of the person involved, and any other factors that the Commission deems relevant.

C. For the purposes of this section, acts of any key individual or person in control of a licensee shall be deemed acts of the licensee.

D. The Commission shall not revoke or suspend a license issued under this chapter upon any of the grounds set forth in this section until it has given the licensee 21 days' notice in writing of the reasons for the proposed revocation or suspension and has given the licensee an opportunity to introduce evidence and be heard. The notice shall be sent by certified mail to the principal place of business of such licensee or other address authorized under § 12.1-19.1 and shall state with particularity the grounds for the contemplated action. Within 14 days of mailing the notice, the person or persons named therein may file with the clerk of the Commission a written request for a hearing. If a hearing is requested, the Commission shall not revoke or suspend the license except based upon findings made at such hearing. The hearing shall be conducted in accordance with the Commission's Rules.

§ 6.2-1955. Civil penalties.

The Commission may impose a civil penalty not exceeding $2,500 upon any person licensed or required to be licensed under this chapter who the Commission determines has violated any of the provisions of this chapter or any other law or regulation applicable to the conduct of the person's business. For the purposes of this section, each separate violation shall be subject to the civil penalty herein prescribed. In the case of a violation of § 6.2-1929, each money transmission transaction shall constitute a separate violation.

§ 6.2-1956. Cease and desist orders.

A. If the Commission determines that (i) any person has violated any provision of this chapter or any regulation adopted hereunder or (ii) a licensee is engaging in one or more unsafe or unsound practices, the Commission may, upon 21 days' notice in writing, order such person to cease and desist from such practices and to comply with the provisions of this chapter. The notice shall be sent by certified mail to the principal place of business of such person or other address authorized under § 12.1-19.1 and shall state the grounds for the contemplated action. Within 14 days of mailing the notice, the person or persons named therein may file with the clerk of the Commission a written request for a hearing. The Commission may enforce compliance with any such order issued under this section by imposition and collection of such fines and penalties as may be prescribed by law.

B. The Commission may, pursuant to the procedures set forth in subsection A, order a licensee to cease and desist from allowing an authorized delegate to engage in money transmission on the licensee's behalf upon any of the following grounds:

1. The authorized delegate violated this chapter or a regulation adopted or an order issued under this chapter or violated any other law or regulation applicable to the conduct of the licensee's business;

2. The authorized delegate did not cooperate with an examination or investigation by the Commission;

3. The authorized delegate engaged in fraud, misrepresentation, deceit, or gross negligence;

4. The authorized delegate has been convicted of a violation of a state or federal money laundering statute;

5. The competence, experience, character, or general fitness of the authorized delegate indicates that it is not in the public interest to permit the authorized delegate to engage in money transmission; or

6. The authorized delegate is engaging in an unsafe or unsound practice. In determining whether the authorized delegate is engaging in an unsafe or unsound practice, the Commission may consider the volume and condition of the licensee's money transmission business, the magnitude of any loss, the gravity of any violation of this chapter, the previous conduct of the person involved, and any other factors that the Commission deems relevant.

C. When, in the opinion of the Commission, immediate action is required to protect the public interest, a cease and desist order may be issued immediately without a prior hearing. In such cases, the Commission shall make a hearing available to the person on an expedited basis.

D. If required to conserve the assets of a licensee or protect the public interest, the Commission may order a licensee and its authorized delegates to cease and desist from selling or issuing payment instruments or stored value or receiving additional money for transmission.

E. The Commission shall have jurisdiction to enter and enforce a cease and desist order against any person, regardless of whether such person is present in the Commonwealth, who directly or indirectly (i) sells or issues payment instruments or stored value to any person located in the Commonwealth or (ii) receives money from such persons.

§ 6.2-1957. Criminal penalty.

Any person required by this chapter to have a license who engages in the business of money transmission without first being licensed as required by § 6.2-1929 is guilty of a Class 1 misdemeanor.

§ 6.2-2001. License requirement; exceptions.

A. No person shall engage in the business of providing or offering to provide a DMP to any consumer, whether or not the person has an office, facility, agent, or other physical presence in the Commonwealth, unless such person obtains from the Commission a license issued pursuant to this chapter. The provisions of this chapter shall not apply to any bank, savings institution, or credit union, or to a person licensed to practice law in the Commonwealth.

B. This chapter shall be construed by the Commission to promote sound personal financial advice and management, and protect against financial loss consumers who place money or control of their funds or credit into the custody of an agency for transmission to such consumers' creditors.

C. A person licensed under this chapter is not required to be licensed as a money transmitter under ~~Chapter 19 (§ 6.2-1900 et seq.)~~ *Chapter 19.1 (§ 6.2-1922 et seq.)*, if the person's money transmission activities are limited to providing debt pooling and distribution services in accordance with this chapter.

§ 18.2-516. Prohibition of illegal money transmitting.

A. Any person who controls, manages, or owns all or part of an enterprise, engaged in money transmission as defined in § ~~6.2-1900~~ *6.2-1922*, and transmits money, which he knows or should have known was derived from or traceable to racketeering activity, is guilty of a Class 6 felony.

B. All property, real or personal, including money, used in substantial connection with, intended for use in the course of, or traceable to, conduct in violation of any provision of subsection A is subject to civil forfeiture to the Commonwealth. The forfeiture proceeding shall be conducted pursuant to the provisions of Chapter 22.1 (§ 19.2-386.1 et seq.) of Title 19.2.

§ 19.2-10.1. Subpoena duces tecum for obtaining records concerning banking and credit cards.

A. A financial institution as defined in § 6.2-604, money transmitter as defined in § ~~6.2-1900~~ *6.2-1922*, or commercial businesses providing credit history or credit reports; or an issuer as defined in § 6.2-424 shall disclose a record or other information pertaining to a customer, to a law-enforcement officer pursuant to a subpoena duces tecum issued pursuant to this section.

1. In order to obtain such records, the law-enforcement official shall provide a statement of the facts documenting the reasons that the records or other information sought are relevant to a legitimate law-enforcement inquiry, relating to a named person or persons, to the attorney for the Commonwealth. A court shall issue a subpoena duces tecum upon motion of the Commonwealth only if the court finds that there is probable cause to believe that a crime has been committed and to believe the records sought or other information sought, including electronic data and electronic communications, are relevant to a legitimate law-enforcement inquiry into that offense. The court may issue a subpoena duces tecum under this section regardless of whether any criminal charges have been filed.

2. A court issuing an order pursuant to this section, on a motion made promptly by the financial institution or credit card issuer, or enterprise may quash or modify the subpoena duces tecum, if the information or records requested are unusually voluminous in nature or compliance with such subpoena duces tecum would otherwise cause an undue burden on such provider.

B. No cause of action shall lie in any court against a financial institution or credit card issuer, or enterprise, its officers, employees, agents, or other specified persons for providing information, facilities, or assistance in accordance with the terms of a subpoena duces tecum under this section.

C. Upon issuance of a subpoena duces tecum under this section, the statement shall be temporarily sealed by the court upon application of the attorney for the Commonwealth for good cause shown in an ex parte proceeding. Any individual arrested and claiming to be aggrieved by the order may move the court for the unsealing of the statement, and the burden of proof with respect to continued sealing shall be upon the Commonwealth.

D. Any and all records received by law enforcement pursuant to this section shall be utilized only for a reasonable amount of time and only for a legitimate law-enforcement purpose. Upon the completion of the investigation the records shall be submitted to the court by the attorney for the Commonwealth along with a proposed order requiring the records to be sealed. Upon entry of such order, the court shall seal the records in accordance with the requirements contained in subsection C.

§ 19.2-56. To whom search warrant directed; what it shall command; warrant to show date and time of issuance; copy of affidavit to be part of warrant and served therewith; warrants not executed within 15 days.

A. The judge, magistrate, or other official authorized to issue criminal warrants shall issue a search warrant only if he finds from the facts or circumstances recited in the affidavit that there is probable cause for the issuance thereof.

Every search warrant shall be directed (i) to the sheriff, sergeant, or any policeman of the county, city, or town in which the place to be searched is located; (ii) to any law-enforcement officer or agent employed by the Commonwealth and vested with the powers of sheriffs and police; or (iii) jointly to any such sheriff, sergeant, policeman, or law-enforcement officer or agent and an agent, special agent, or officer of the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco, Firearms and Explosives of the U.S. Department of Justice, the United States Naval Criminal Investigative Service, the United States Army Criminal Investigation Division, the United States Air Force Office of Special Investigations, or the U.S. Department of Homeland Security or any inspector, law-enforcement official, or police personnel of the United States Postal Service or the U.S. Drug Enforcement Administration. The warrant shall (a) name the affiant, (b) recite the offense or the identity of the person to be arrested for whom a warrant or process for arrest has been issued in relation to which the search is to be made, (c) name or describe the place to be searched, (d) describe the property or person to be searched for, and (e) recite that the magistrate has found probable cause to believe that the property or person constitutes evidence of a crime (identified in the warrant) or tends to show that a person (named or described therein) has committed or is committing a crime or that the person to be arrested for whom a warrant or process for arrest has been issued is located at the place to be searched.

The warrant shall command that the place be forthwith searched and that the objects or persons described in the warrant, if found there, be seized. An inventory shall be produced before a court having jurisdiction of the offense or over the person to be arrested for whom a warrant or process for arrest has been issued in relation to which the warrant was issued as provided in § 19.2-57.

Any such warrant as provided in this section shall be executed by the policeman or other law-enforcement officer or agent into whose hands it shall come or be delivered. If the warrant is directed jointly to a sheriff, sergeant, policeman, or law-enforcement officer or agent of the Commonwealth and a federal agent or officer as otherwise provided in this section, the warrant may be executed jointly or by the policeman, law-enforcement officer, or agent into whose hands it is delivered. No other person may be permitted to be present during or participate in the execution of a warrant to search a place except (1) the owners and occupants of the place to be searched when permitted to be present by the officer in charge of the conduct of the search and (2) persons designated by the officer in charge of the conduct of the search to assist or provide expertise in the conduct of the search.

Any search warrant for records or other information pertaining to a subscriber to, or customer of, an electronic communication service or remote computing service, whether a domestic corporation or foreign corporation, that is transacting or has transacted any business in the Commonwealth, to be executed upon such service provider may be executed within or outside the Commonwealth by hand, United States mail, commercial delivery service, facsimile, or other electronic means upon the service provider. Notwithstanding the provisions of § 19.2-57, the officer executing a warrant pursuant to this paragraph shall endorse the date of execution thereon and shall file the warrant, with the inventory attached (or a notation that no property was seized) and the accompanying affidavit, unless such affidavit was made by voice or videotape recording, within three days after the materials ordered to be produced are received by the officer from the service provider. The return shall be made in the circuit court clerk's office for the jurisdiction wherein the warrant was (A) executed, if executed within the Commonwealth, and a copy of the return shall also be delivered to the clerk of the circuit court of the county or city where the warrant was issued or (B) issued, if executed outside the Commonwealth. Saturdays, Sundays, or any federal or state legal holiday shall not be used in computing the three-day filing period.

Electronic communication service or remote computing service providers, whether a foreign or domestic corporation, shall also provide the contents of electronic communications pursuant to a search warrant issued under this section and § 19.2-70.3 using the same process described in the preceding paragraph.

Notwithstanding the provisions of § 19.2-57, any search warrant for records or other information pertaining to a customer of a financial institution as defined in § 6.2-604, money transmitter as defined in § ~~6.2-1900~~ *6.2-1922*, commercial business providing credit history or credit reports, or issuer as defined in § 6.2-424 may be executed within the Commonwealth by hand, United States mail, commercial delivery service, facsimile, or other electronic means upon the financial institution, money transmitter, commercial business providing credit history or credit reports, or issuer. The officer executing such warrant shall endorse the date of execution thereon and shall file the warrant, with the inventory attached (or a notation that no property was seized) and the accompanying affidavit, unless such affidavit was made by voice or

videotape recording, within three days after the materials ordered to be produced are received by the officer from the financial institution, money transmitter, commercial business providing credit history or credit reports, or issuer. The return shall be made in the circuit court clerk's office for the jurisdiction wherein the warrant was executed. Saturdays, Sundays, or any federal or state legal holiday shall not be used in computing the three-day filing period. For the purposes of this section, the warrant will be considered executed in the jurisdiction where the entity on which the warrant is served is located.

Every search warrant shall contain the date and time it was issued. However, the failure of any such search warrant to contain the date and time it was issued shall not render the warrant void, provided that the date and time of issuing of said warrant is established by competent evidence.

The judge, magistrate, or other official authorized to issue criminal warrants shall attach a copy of the affidavit required by § 19.2-54, which shall become a part of the search warrant and served therewith. However, this provision shall not be applicable in any case in which the affidavit is made by means of a voice or videotape recording or where the affidavit has been sealed pursuant to § 19.2-54.

Any search warrant not executed within 15 days after issuance thereof shall be returned to, and voided by, the officer who issued such search warrant.

B. No law-enforcement officer shall seek, execute, or participate in the execution of a no-knock search warrant. A search warrant for any place of abode authorized under this section shall require that a law-enforcement officer be recognizable and identifiable as a uniformed law-enforcement officer and provide audible notice of his authority and purpose reasonably designed to be heard by the occupants of such place to be searched prior to the execution of such search warrant.

After entering and securing the place to be searched and prior to undertaking any search or seizure pursuant to the search warrant, the executing law-enforcement officer shall give a copy of the search warrant and affidavit to the person to be searched or the owner of the place to be searched or, if the owner is not present, to at least one adult occupant of the place to be searched. If the place to be searched is unoccupied by an adult, the executing law-enforcement officer shall leave a copy of the search warrant and affidavit in a conspicuous place within or affixed to the place to be searched.

Search warrants authorized under this section for the search of any place of abode shall be executed by initial entry of the abode only in the daytime hours between 8:00 a.m. and 5:00 p.m. unless (i) a judge or a magistrate, if a judge is not available, authorizes the execution of such search warrant at another time for good cause shown by particularized facts in an affidavit or (ii) prior to the issuance of the search warrant, law-enforcement officers lawfully entered and secured the place to be searched and remained at such place continuously.

A law-enforcement officer shall make reasonable efforts to locate a judge before seeking authorization to execute the warrant at another time, unless circumstances require the issuance of the warrant after 5:00 p.m., pursuant to the provisions of this subsection, in which case the law-enforcement officer may seek such authorization from a magistrate without first making reasonable efforts to locate a judge. Such reasonable efforts shall be documented in an affidavit and submitted to a magistrate when seeking such authorization.

Any evidence obtained from a search warrant executed in violation of this subsection shall not be admitted into evidence for the Commonwealth in any prosecution.

C. For the purposes of this section:

"Foreign corporation" means any corporation or other entity, whose primary place of business is located outside of the boundaries of the Commonwealth, that makes a contract or engages in a terms of service agreement with a resident of the Commonwealth to be performed in whole or in part by either party in the Commonwealth, or a corporation that has been issued a certificate of authority pursuant to § 13.1-759 to transact business in the Commonwealth. The making of the contract or terms of service agreement or the issuance of a certificate of authority shall be considered to be the agreement of the foreign corporation or entity that a search warrant or subpoena, which has been properly served on it, has the same legal force and effect as if served personally within the Commonwealth.

"Properly served" means delivery of a search warrant or subpoena by hand, by United States mail, by commercial delivery service, by facsimile or by any other manner to any officer of a corporation or its general manager in the Commonwealth, to any natural person designated by it as agent for the service of process, or if such corporation has designated a corporate agent, to any person named in the latest annual report filed pursuant to § 13.1-775.

§ 19.2-389. Dissemination of criminal history record information.

A. Criminal history record information shall be disseminated, whether directly or through an intermediary, only to:

1. Authorized officers or employees of criminal justice agencies, as defined by § 9.1-101, for purposes of the administration of criminal justice and the screening of an employment application or review of employment by a criminal justice agency with respect to its own employees or applicants, and dissemination to the Virginia Parole Board, pursuant to this subdivision, of such information on all state-responsible inmates for the purpose of making parole determinations pursuant to subdivisions 1, 2, 3, 4, and 6 of § 53.1-136 shall include collective dissemination by electronic means every 30 days. For purposes of this subdivision, criminal history record information includes information sent to the Central Criminal Records Exchange pursuant to §§ 37.2-819 and 64.2-2014 when disseminated to any full-time or part-time employee of the State Police, a police department or sheriff's office that is a part of or administered by the Commonwealth or any political subdivision thereof, and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth for the purposes of the administration of criminal justice;

2. Such other individuals and agencies that require criminal history record information to implement a state or federal statute or executive order of the President of the United States or Governor that expressly refers to criminal conduct and contains requirements or exclusions expressly based upon such conduct, except that information concerning the arrest of an individual may not be disseminated to a noncriminal justice agency or individual if an interval of one year has elapsed from the date of the arrest and no disposition of the charge has been recorded and no active prosecution of the charge is pending;

3. Individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement which shall specifically authorize access to data, limit the use of data to purposes for which given, and ensure the security and confidentiality of the data;

4. Individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency that shall specifically authorize access to data, limit the use of data to research, evaluative, or statistical purposes, and ensure the confidentiality and security of the data;

5. Agencies of state or federal government that are authorized by state or federal statute or executive order of the President of the United States or Governor to conduct investigations determining employment suitability or eligibility for security clearances allowing access to classified information;

6. Individuals and agencies where authorized by court order or court rule;

7. Agencies of any political subdivision of the Commonwealth, public transportation companies owned, operated or controlled by any political subdivision, and any public service corporation that operates a public transit system owned by a local government for the conduct of investigations of applicants for employment, permit, or license whenever, in the interest of public welfare or safety, it is necessary to determine under a duly enacted ordinance if the past criminal conduct of a person with a conviction record would be compatible with the nature of the employment, permit, or license under consideration;

7a. Commissions created pursuant to the Transportation District Act of 1964 (§ 33.2-1900 et seq.) of Title 33.2 and their contractors, for the conduct of investigations of individuals who have been offered a position of employment whenever, in the interest of public welfare or safety and as authorized in the Transportation District Act of 1964, it is necessary to determine if the past criminal conduct of a person with a conviction record would be compatible with the nature of the employment under consideration;

8. Public or private agencies when authorized or required by federal or state law or interstate compact to investigate (i) applicants for foster or adoptive parenthood or (ii) any individual, and the adult members of that individual's household, with whom the agency is considering placing a child or from whom the agency is considering removing a child due to abuse or neglect, on an emergency, temporary, or permanent basis pursuant to §§ 63.2-901.1 and 63.2-1505, subject to the restriction that the data shall not be further disseminated to any party other than a federal or state authority or court as may be required to comply with an express requirement of law;

9. To the extent permitted by federal law or regulation, public service companies as defined in § 56-1, for the conduct of investigations of applicants for employment when such employment involves personal contact with the public or when past criminal conduct of an applicant would be incompatible with the nature of the employment under consideration;

10. The appropriate authority for purposes of granting citizenship and for purposes of international travel, including, but not limited to, issuing visas and passports;

11. A person requesting a copy of his own criminal history record information as defined in § 9.1-101 at his cost, except that criminal history record information shall be supplied at no charge to a person who has applied to be a volunteer with (i) a Virginia affiliate of Big Brothers/Big Sisters of America; (ii) a volunteer fire company; (iii) the Volunteer Emergency Families for Children; (iv) any affiliate of Prevent Child Abuse, Virginia; (v) any Virginia affiliate of Compeer; or (vi) any board member or any individual who has been offered membership on the board of a Crime Stoppers, Crime Solvers or Crime Line program as defined in § 15.2-1713.1;

12. Administrators and board presidents of and applicants for licensure or registration as a child welfare agency as defined in § 63.2-100 for dissemination to the Commissioner of Social Services' representative pursuant to § 63.2-1702 for the conduct of investigations with respect to employees of and volunteers at such facilities, caretakers, and foster and adoptive parent applicants of private child-placing agencies, pursuant to §§ 63.2-1719, 63.2-1720, and 63.2-1721, subject to the restriction that the data shall not be further disseminated by the facility or agency to any party other than the data subject, the Commissioner of Social Services' representative or a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination; however, nothing in this subdivision shall be construed to prohibit the Commissioner of Social Services' representative from issuing written certifications regarding the results of a background check that was conducted before July 1, 2021, in accordance with subsection J of § 22.1-289.035 or § 22.1-289.039;

13. The Department of Social Services for the purpose of screening individuals as a condition of licensure, employment, volunteering, or providing services on a regular basis in a licensed child welfare agency pursuant to §§ 63.2-1721 and 63.2-1726 or foster or adoptive home approved by a child-placing agency pursuant to § 63.2-901.1;

14. The school boards of the Commonwealth for the purpose of screening individuals who are offered or who accept public school employment and those current school board employees for whom a report of arrest has been made pursuant to § 19.2-83.1;

15. The Virginia Lottery for the conduct of investigations as set forth in the Virginia Lottery Law (§ 58.1-4000 et seq.) and casino gaming as set forth in Chapter 41 (§ 58.1-4100 et seq.) of Title 58.1, and the Department of Agriculture and

Consumer Services for the conduct of investigations as set forth in Article 1.1:1 (§ 18.2-340.15 et seq.) of Chapter 8 of Title 18.2;

16. Licensed nursing homes, hospitals and home care organizations for the conduct of investigations of applicants for compensated employment in licensed nursing homes pursuant to § 32.1-126.01, hospital pharmacies pursuant to § 32.1-126.02, and home care organizations pursuant to § 32.1-162.9:1, subject to the limitations set out in subsection E;

17. Licensed assisted living facilities and licensed adult day centers for the conduct of investigations of applicants for compensated employment in licensed assisted living facilities and licensed adult day centers pursuant to § 63.2-1720, subject to the limitations set out in subsection F;

18. The Virginia Alcoholic Beverage Control Authority for the conduct of investigations as set forth in § 4.1-103.1;

19. The State Board of Elections and authorized officers and employees thereof and general registrars appointed pursuant to § 24.2-110 in the course of conducting necessary investigations with respect to voter registration, limited to any record of felony convictions;

20. The Commissioner of Behavioral Health and Developmental Services (the Commissioner) or his designees for individuals who are committed to the custody of or being evaluated by the Commissioner pursuant to §§ 19.2-168.1, 19.2-169.1, 19.2-169.2, 19.2-169.5, 19.2-169.6, 19.2-182.2, 19.2-182.3, 19.2-182.8, and 19.2-182.9 where such information may be beneficial for the purpose of placement, evaluation, treatment, or discharge planning;

21. Any alcohol safety action program certified by the Commission on the Virginia Alcohol Safety Action Program for (i) interventions with first offenders under § 18.2-251 or (ii) services to offenders under § 18.2-51.4, 18.2-266, or 18.2-266.1;

22. Residential facilities for juveniles regulated or operated by the Department of Social Services, the Department of Education, or the Department of Behavioral Health and Developmental Services for the purpose of determining applicants' fitness for employment or for providing volunteer or contractual services;

23. The Department of Behavioral Health and Developmental Services and facilities operated by the Department for the purpose of determining an individual's fitness for employment pursuant to departmental instructions;

24. Pursuant to § 22.1-296.3, the governing boards or administrators of private elementary or secondary schools which are accredited pursuant to § 22.1-19 or a private organization coordinating such records information on behalf of such governing boards or administrators pursuant to a written agreement with the Department of State Police;

25. Public institutions of higher education and nonprofit private institutions of higher education for the purpose of screening individuals who are offered or accept employment;

26. Members of a threat assessment team established by a local school board pursuant to § 22.1-79.4, by a public institution of higher education pursuant to § 23.1-805, or by a private nonprofit institution of higher education, for the purpose of assessing or intervening with an individual whose behavior may present a threat to safety; however, no member of a threat assessment team shall redisclose any criminal history record information obtained pursuant to this section or otherwise use any record of an individual beyond the purpose that such disclosure was made to the threat assessment team;

27. Executive directors of community services boards or the personnel director serving the community services board for the purpose of determining an individual's fitness for employment, approval as a sponsored residential service provider, permission to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver, or permission for any person under contract with the community services board to serve in a direct care position on behalf of the community services board pursuant to §§ 37.2-506, 37.2-506.1, and 37.2-607;

28. Executive directors of behavioral health authorities as defined in § 37.2-600 for the purpose of determining an individual's fitness for employment, approval as a sponsored residential service provider, permission to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver, or permission for any person under contract with the behavioral health authority to serve in a direct care position on behalf of the behavioral health authority pursuant to §§ 37.2-506, 37.2-506.1, and 37.2-607;

29. The Commissioner of Social Services for the purpose of locating persons who owe child support or who are alleged in a pending paternity proceeding to be a putative father, provided that only the name, address, demographics and social security number of the data subject shall be released;

30. Authorized officers or directors of agencies licensed pursuant to Article 2 (§ 37.2-403 et seq.) of Chapter 4 of Title 37.2 by the Department of Behavioral Health and Developmental Services for the purpose of determining if any applicant who accepts employment in any direct care position or requests approval as a sponsored residential service provider, permission to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver, or permission for any person under contract with the provider to serve in a direct care position has been convicted of a crime that affects his fitness to have responsibility for the safety and well-being of individuals with mental illness, intellectual disability, or substance abuse pursuant to §§ 37.2-416, 37.2-416.1, 37.2-506, 37.2-506.1, and 37.2-607;

31. The Commissioner of the Department of Motor Vehicles, for the purpose of evaluating applicants for and holders of a motor carrier certificate or license subject to the provisions of Chapters 20 (§ 46.2-2000 et seq.) and 21 (§ 46.2-2100 et seq.) of Title 46.2;

32. The Chairman of the Senate Committee for Courts of Justice or the Chairman of the House Committee for Courts of Justice for the purpose of determining if any person being considered for election to any judgeship has been convicted of a crime;

33. Heads of state agencies in which positions have been identified as sensitive for the purpose of determining an individual's fitness for employment in positions designated as sensitive under Department of Human Resource Management policies developed pursuant to § 2.2-1201.1;

34. The Office of the Attorney General, for all criminal justice activities otherwise permitted under subdivision A 1 and for purposes of performing duties required by the Civil Commitment of Sexually Violent Predators Act (§ 37.2-900 et seq.);

35. Shipyards, to the extent permitted by federal law or regulation, engaged in the design, construction, overhaul, or repair of nuclear vessels for the United States Navy, including their subsidiary companies, for the conduct of investigations of applications for employment or for access to facilities, by contractors, leased laborers, and other visitors;

36. Any employer of individuals whose employment requires that they enter the homes of others, for the purpose of screening individuals who apply for, are offered, or have accepted such employment;

37. Public agencies when and as required by federal or state law to investigate (i) applicants as providers of adult foster care and home-based services or (ii) any individual with whom the agency is considering placing an adult on an emergency, temporary, or permanent basis pursuant to § 63.2-1601.1, subject to the restriction that the data shall not be further disseminated by the agency to any party other than a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination, subject to limitations set out in subsection G;

38. The Department of Medical Assistance Services, or its designee, for the purpose of screening individuals who, through contracts, subcontracts, or direct employment, volunteer, apply for, are offered, or have accepted a position related to the provision of transportation services to enrollees in the Medicaid Program or the Family Access to Medical Insurance Security (FAMIS) Program, or any other program administered by the Department of Medical Assistance Services;

39. The State Corporation Commission for the purpose of investigating individuals who are current or proposed members, senior officers, directors, and principals of an applicant or person licensed under Chapter 16 (§ 6.2-1600 et seq.), Chapter ~~19 (§ 6.2-1900 et seq.)~~ *19.1 (§ 6.2-1922 et seq.)*, or Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2. Notwithstanding any other provision of law, if an application is denied based in whole or in part on information obtained from the Central Criminal Records Exchange pursuant to Chapter 16, 19, or 26 of Title 6.2, the Commissioner of Financial Institutions or his designee may disclose such information to the applicant or its designee;

40. The Department of Professional and Occupational Regulation for the purpose of investigating individuals for initial licensure pursuant to § 54.1-2106.1;

41. The Department for Aging and Rehabilitative Services and the Department for the Blind and Vision Impaired for the purpose of evaluating an individual's fitness for various types of employment and for the purpose of delivering comprehensive vocational rehabilitation services pursuant to Article 11 (§ 51.5-170 et seq.) of Chapter 14 of Title 51.5 that will assist the individual in obtaining employment;

42. Bail bondsmen, in accordance with the provisions of § 19.2-120;

43. The State Treasurer for the purpose of determining whether a person receiving compensation for wrongful incarceration meets the conditions for continued compensation under § 8.01-195.12;

44. The Department of Education or its agents or designees for the purpose of screening individuals seeking to enter into a contract with the Department of Education or its agents or designees for the provision of child care services for which child care subsidy payments may be provided;

45. The Department of Juvenile Justice to investigate any parent, guardian, or other adult members of a juvenile's household when completing a predispositional or postdispositional report required by § 16.1-273 or a Board of Juvenile Justice regulation promulgated pursuant to § 16.1-233;

46. The State Corporation Commission, for the purpose of screening applicants for insurance licensure under Chapter 18 (§ 38.2-1800 et seq.) of Title 38.2;

47. Administrators and board presidents of and applicants for licensure or registration as a child day program or family day system, as such terms are defined in § 22.1-289.02, for dissemination to the Superintendent of Public Instruction's representative pursuant to § 22.1-289.013 for the conduct of investigations with respect to employees of and volunteers at such facilities pursuant to §§ 22.1-289.034 through 22.1-289.037, subject to the restriction that the data shall not be further disseminated by the facility or agency to any party other than the data subject, the Superintendent of Public Instruction's representative, or a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination; however, nothing in this subdivision shall be construed to prohibit the Superintendent of Public Instruction's representative from issuing written certifications regarding the results of prior background checks in accordance with subsection J of § 22.1-289.035 or § 22.1-289.039;

48. The National Center for Missing and Exploited Children for the purpose of screening individuals who are offered or accept employment or will be providing volunteer or contractual services with the National Center for Missing and Exploited Children;

49. The Executive Director or investigators of the Board of Accountancy for the purpose of the enforcement of laws relating to the Board of Accountancy in accordance with § 54.1-4407; and

50. Other entities as otherwise provided by law.

Upon an ex parte motion of a defendant in a felony case and upon the showing that the records requested may be relevant to such case, the court shall enter an order requiring the Central Criminal Records Exchange to furnish the

defendant, as soon as practicable, copies of any records of persons designated in the order on whom a report has been made under the provisions of this chapter.

Notwithstanding any other provision of this chapter to the contrary, upon a written request sworn to before an officer authorized to take acknowledgments, the Central Criminal Records Exchange, or the criminal justice agency in cases of offenses not required to be reported to the Exchange, shall furnish a copy of conviction data covering the person named in the request to the person making the request; however, such person on whom the data is being obtained shall consent in writing, under oath, to the making of such request. A person receiving a copy of his own conviction data may utilize or further disseminate that data as he deems appropriate. In the event no conviction data is maintained on the data subject, the person making the request shall be furnished at his cost a certification to that effect.

B. Use of criminal history record information disseminated to noncriminal justice agencies under this section shall be limited to the purposes for which it was given and may not be disseminated further, except as otherwise provided in subdivision A 47.

C. No criminal justice agency or person shall confirm the existence or nonexistence of criminal history record information for employment or licensing inquiries except as provided by law.

D. Criminal justice agencies shall establish procedures to query the Central Criminal Records Exchange prior to dissemination of any criminal history record information on offenses required to be reported to the Central Criminal Records Exchange to ensure that the most up-to-date disposition data is being used. Inquiries of the Exchange shall be made prior to any dissemination except in those cases where time is of the essence and the normal response time of the Exchange would exceed the necessary time period. A criminal justice agency to whom a request has been made for the dissemination of criminal history record information that is required to be reported to the Central Criminal Records Exchange may direct the inquirer to the Central Criminal Records Exchange for such dissemination. Dissemination of information regarding offenses not required to be reported to the Exchange shall be made by the criminal justice agency maintaining the record as required by § 15.2-1722.

E. Criminal history information provided to licensed nursing homes, hospitals and to home care organizations pursuant to subdivision A 16 shall be limited to the convictions on file with the Exchange for any offense specified in §§ 32.1-126.01, 32.1-126.02, and 32.1-162.9:1.

F. Criminal history information provided to licensed assisted living facilities and licensed adult day centers pursuant to subdivision A 17 shall be limited to the convictions on file with the Exchange for any offense specified in § 63.2-1720.

G. Criminal history information provided to public agencies pursuant to subdivision A 37 shall be limited to the convictions on file with the Exchange for any offense set forth in clause (i) of the definition of barrier crime in § 19.2-392.02.

H. Upon receipt of a written request from an employer or prospective employer, the Central Criminal Records Exchange, or the criminal justice agency in cases of offenses not required to be reported to the Exchange, shall furnish at the employer's cost a copy of conviction data covering the person named in the request to the employer or prospective employer making the request, provided that the person on whom the data is being obtained has consented in writing to the making of such request and has presented a photo-identification to the employer or prospective employer. In the event no conviction data is maintained on the person named in the request, the requesting employer or prospective employer shall be furnished at his cost a certification to that effect. The criminal history record search shall be conducted on forms provided by the Exchange.

I. Nothing in this section shall preclude the dissemination of a person's criminal history record information pursuant to the rules of court for obtaining discovery or for review by the court.

2. That Chapter 19 (§§ 6.2-1900 through 6.2-1921) of Title 6.2 of the Code of Virginia is repealed.

3. That any person licensed under the provisions of Chapter 19 (§ 6.2-1900 et seq.) of Title 6.2 of the Code of Virginia, as repealed by this act, on June 30, 2026, shall be deemed to be licensed under the provisions of Chapter 19.1 (§ 6.2-1922 et seq.) of Title 6.2 of the Code of Virginia, as created by this act, as of the effective date of this act. Such persons shall be subject to provisions of Chapter 19.1 (§ 6.2-1922 et seq.) of Title 6.2 of the Code of Virginia, as created by this act.

4. That any regulation adopted by the State Corporation Commission under Chapter 19 (§ 6.2-1900 et seq.) of Title 6.2 of the Code of Virginia, as repealed by this act, that is in effect on June 30, 2026, shall continue in effect under Chapter 19.1 (§ 6.2-1922 et seq.) of Title 6.2 of the Code of Virginia, as created by this act, to the extent it is not in conflict with the provisions of this act and shall be deemed to be a regulation adopted under Chapter 19.1 (§ 6.2-1922 et seq.) of Title 6.2 of the Code of Virginia, as created by this act.

5. That the repeal of Chapter 19 (§ 6.2-1900 et seq.) of Title 6.2 of the Code of Virginia shall not affect the validity, enforceability, or legality of any agreement or any right established or accrued under any such agreement that existed prior to such repeal.

6. That any violation of Chapter 19 (§ 6.2-1900 et seq.) of Title 6.2 of the Code of Virginia, as repealed by this act, or of any regulation adopted thereunder that occurred prior to July 1, 2026, by a person licensed or required to be licensed under Chapter 19 (§ 6.2-1900 et seq.) of Title 6.2 of the Code of Virginia, as repealed by this act, shall be deemed to be a violation of Chapter 19.1 (§ 6.2-1922 et seq.) of Title 6.2, as created by this act, or a regulation adopted thereunder.

7. That the repeal of Chapter 19 (§ 6.2-1900 et seq.) of Title 6.2 of the Code of Virginia shall not affect any (i) act, omission, violation committed, order entered, penalty incurred, or right established or accrued prior to July 1, 2026, or (ii) investigation, examination, proceeding, prosecution, or other action that commenced prior to July 1, 2026.

8. That the provisions of this act shall become effective on July 1, 2026.

CHAPTER 215

An Act to amend and reenact § 18.2-186.4:1 of the Code of Virginia, relating to publication of personal information of retired or former law-enforcement officers.

[S 781]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-186.4:1 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-186.4:1. Internet publication of personal information of certain public officials.

A. The Commonwealth shall not publish on the Internet the personal information of any public official if a court has, pursuant to subsection B, ordered that the official's personal information is prohibited from publication and the official has made a demand in writing to the Commonwealth, accompanied by the order of the court, that the Commonwealth not publish such information.

B. Any public official may petition a circuit court for an order prohibiting the publication on the Internet, by the Commonwealth, of the official's personal information. The petition shall set forth the specific reasons that the official seeks the order. The court shall issue such an order only if it finds that (i) there exists a threat to the official or a person who resides with him that would result from publication of the information or (ii) the official has demonstrated a reasonable fear of a risk to his safety or the safety of someone who resides with him that would result from publication of the information on the Internet.

C. If the Commonwealth publishes the public official's personal information on the Internet prior to receipt of a written demand by the official under subsection A or E, it shall remove the information from publication on the Internet within 48 hours of receipt of the written demand.

D. A written demand made by any public official pursuant to this section shall be effective for four years as follows:

1. For a law-enforcement officer, if the officer remains continuously employed as a law-enforcement officer throughout the four-year period; ~~and~~

2. For an attorney for the Commonwealth, if such public official continuously serves throughout the four-year period*; and*

3. For a retired or former law-enforcement officer, if such public official was retired or ended his service as a law-enforcement officer within four years of filing the petition.

E. The Commonwealth shall not publish on the Internet the personal information of any active or retired federal or Virginia justice, judge, or magistrate who has made a demand in writing to the Commonwealth that the Commonwealth not publish such information. A written demand made pursuant to this subsection shall be effective until such demand is rescinded in writing by such judge, justice, or magistrate.

F. For purposes of this section:

"Commonwealth" means any agency or political subdivision of the Commonwealth of Virginia.

"Law-enforcement officer" means the same as that term is defined in § 9.1-101, 5 U.S.C. § 8331(20), excluding officers whose duties relate to detention as defined in 5 U.S.C. § 8331(20), and any other federal officer or agent who is credentialed with the authority to enforce federal law.

"Personal information" means home address, home telephone numbers, personal cell phone numbers, or personal email address.

"Publication" and "publishes" means intentionally communicating personal information to, or otherwise making personal information available to, and accessible by, the general public through the Internet or other online service.

"Public official" means any law-enforcement officer*, retired or former law-enforcement officer,* or attorney for the Commonwealth.

"Retired or former law-enforcement officer" means any person who was employed as a law-enforcement officer as that term is defined in § 9.1-101; has retired from law enforcement or has ended his service as a law-enforcement officer; and is in good standing with no pending investigations or disciplinary actions.

G. No provision of this section shall apply to lists of registered voters and persons who voted, voter registration records, or lists of absentee voters prepared or provided under Title 24.2.

CHAPTER 216

An Act to amend the Code of Virginia by adding a section numbered 2.2-2320.3, relating to Virginia Sports Tourism Grant Program established; work group; report.

[S 927]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-2320.3 as follows:

§ 2.2-2320.3. Virginia Sports Tourism Grant Program; report.

A. As used in this section:

"Program" means the Virginia Sports Tourism Grant Program.

"Sports tourism activity" means a youth, collegiate, or other sporting event (i) that is competitively bid; (ii) that attracts a majority of its participating athletes from outside of the Commonwealth to a sports venue or other similar facility or location capable of hosting such event; and (iii) where such venue, facility, or location is located in the Commonwealth.

"Sports tourism activity sponsor" includes a convention and visitors bureau, chamber of commerce, sports and entertainment authority, sports commission, nonprofit sports support organization, or political subdivision of the Commonwealth, or any department thereof, that provides a venue for or hosts sports tourism activity. Such term does not include any sports tourism activity sponsors outside of the Commonwealth.

B. There is hereby established the Virginia Sports Tourism Grant Program for the purpose of providing grants to develop and attract sports tourism activities to the Commonwealth. The Authority shall award grants exclusively to sports tourism activity sponsors to attract such sports tourism activities to the Commonwealth. As a condition of applying for a grant pursuant to this section, an applicant shall enter into a performance agreement with the Authority that shall include provisions for disbursement of the grant, use of the grant proceeds, reporting responsibilities, and repayment obligations in the event of a failure to satisfy the performance obligations of such agreement. Any repayment of grant funds required by such performance agreement shall be paid into the state treasury.

C. The Authority shall establish guidelines, procedures, and objective criteria for the award and distribution of grants by the Program. The preparation of the guidelines shall be exempt from the requirements of Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act. Such guidelines shall include requirements for a mandatory supplemental funding match in an amount equivalent to any grant awarded by the Program.

D. The Authority shall report by November 1 of each year on any grant awards and expenditures. The report shall include total grants awarded. The Authority shall prepare the report required by this subsection in conjunction with the reports required under § 2.2-2237.1.

2. That the Virginia Tourism Authority shall convene a work group of representatives from major sporting venues, local or regional sports and entertainment authorities or departments, and hotel and lodging, restaurant and retail, and other tourism stakeholders to develop recommended guidelines for grants from the Virginia Sports Tourism Grant Program (the Program) pursuant to § 2.2-2320.3 of the Code of Virginia, as created by this act. The guidelines shall establish criteria for approving eligible major events, eligible sports tourism activity sponsors, eligible sports tourism activities, verifiable performance metrics, grant match requirements, and eligible uses of grants awarded by the Program. The work group shall complete its work by October 31, 2025, and shall provide a report on any recommended guidelines to the Chairs of the Senate Committee on Finance and Appropriations and the House Committee on Appropriations.

CHAPTER 217

An Act to amend and reenact §§ 16.1-253.1, 16.1-253.2, 18.2-60.4, and 19.2-152.9 of the Code of Virginia, relating to protective orders; Military Protective Orders.

[S 957]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-253.1, 16.1-253.2, 18.2-60.4, and 19.2-152.9 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-253.1. Preliminary protective orders in cases of family abuse; confidentiality.

A. Upon the filing of a petition alleging that the petitioner is or has been, within a reasonable period of time, subjected to family abuse, or the filing of a written motion requesting a hearing to extend a protective order pursuant to § 16.1-279.1 without alleging that the petitioner is or has been, within a reasonable period of time, subject to family abuse, the court may issue a preliminary protective order against an allegedly abusing person in order to protect the health and safety of the petitioner or any family or household member of the petitioner. The order may be issued in an ex parte proceeding upon good cause shown when the petition is supported by an affidavit or sworn testimony before the judge or intake officer*, upon evidence of a Military Protective Order issued by a commanding officer in the Armed Forces of the United States, the*

Virginia National Guard, or the National Guard of any other state in favor of the petitioner or petitioner's family or household members, or upon the filing of a written motion requesting a hearing to extend a protective order pursuant to § 16.1-279.1 without alleging that the petitioner is or has been, within a reasonable period of time, subject to family abuse. If an ex parte order is issued without an affidavit or a completed form as prescribed by subsection D of § 16.1-253.4 being presented, the court, in its order, shall state the basis upon which the order was entered, including a summary of the allegations made and the court's findings. Immediate and present danger of family abuse or evidence sufficient to establish probable cause that family abuse has recently occurred shall constitute good cause. *Any Military Protective Order issued between the parties shall only be admissible or considered as evidence in accordance with the Code of Virginia, the Rules of Evidence of the Supreme Court of Virginia, or relevant Virginia case law.*

Evidence that the petitioner has been subjected to family abuse within a reasonable time and evidence of immediate and present danger of family abuse may be established by a showing that (i) the allegedly abusing person is incarcerated and is to be released from incarceration within 30 days following the petition or has been released from incarceration within 30 days prior to the petition, (ii) the crime for which the allegedly abusing person was convicted and incarcerated involved family abuse against the petitioner, and (iii) the allegedly abusing person has made threatening contact with the petitioner while he was incarcerated, exhibiting a renewed threat to the petitioner of family abuse.

A preliminary protective order may include any one or more of the following conditions to be imposed on the allegedly abusing person:

1. Prohibiting acts of family abuse or criminal offenses that result in injury to person or property.

2. Prohibiting such contacts by the respondent with the petitioner or family or household members of the petitioner as the court deems necessary for the health or safety of such persons.

3. Granting the petitioner possession of the premises occupied by the parties to the exclusion of the allegedly abusing person; however, no such grant of possession shall affect title to any real or personal property.

4. Enjoining the respondent from terminating any necessary utility service to a premises that the petitioner has been granted possession of pursuant to subdivision 3 or, where appropriate, ordering the respondent to restore utility services to such premises.

5. Granting the petitioner and, where appropriate, any other family or household member of the petitioner, exclusive use and possession of a cellular telephone number or electronic device and the password to such device. The court may enjoin the respondent from terminating a cellular telephone number or electronic device before the expiration of the contract term with a third-party provider. The court may enjoin the respondent from using a cellular telephone or other electronic device to locate or surveille the petitioner.

6. Granting the petitioner temporary possession or use of a motor vehicle owned by the petitioner alone or jointly owned by the parties to the exclusion of the allegedly abusing person; however, no such grant of possession or use shall affect title to the vehicle.

7. Requiring that the allegedly abusing person provide suitable alternative housing for the petitioner and any other family or household member and, where appropriate, requiring the respondent to pay deposits to connect or restore necessary utility services in the alternative housing provided.

8. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500.

9. Any other relief necessary for the protection of the petitioner and family or household members of the petitioner.

B. The court shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court. A copy of a preliminary protective order containing any such identifying information shall be forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the allegedly abusing person in person as provided in § 16.1-264 and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the allegedly abusing person in person as provided in § 16.1-264. Upon service, the agency making service shall enter the date and time of service and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network and make due return to the court. The preliminary order shall specify a date for the full hearing. The hearing shall be held within 15 days of the issuance of the preliminary order, unless the hearing has been continued pursuant to this subsection or court is closed pursuant to § 16.1-69.35 or 17.1-207 and such closure prevents the hearing from being held within such time period, in which case the hearing shall be held on the next day not a Saturday, Sunday, legal holiday, or day on which the court is lawfully closed. If such court is closed pursuant to § 16.1-69.35 or

17.1-207, the preliminary protective order shall remain in full force and effect until it is dissolved by such court, until another preliminary protective order is entered, or until a protective order is entered. If the respondent fails to appear at this hearing because the respondent was not personally served, or if personally served was incarcerated and not transported to the hearing, the court may extend the protective order for a period not to exceed six months. The extended protective order shall be served forthwith on the respondent. However, where the respondent shows good cause, the court may continue the hearing. The preliminary order shall remain in effect until the hearing. Upon request after the order is issued, the clerk shall provide the petitioner with a copy of the order and information regarding the date and time of service. The order shall further specify that either party may at any time file a motion with the court requesting a hearing to dissolve or modify the order. The hearing on the motion shall be given precedence on the docket of the court. Upon petitioner's motion to dissolve the preliminary protective order, a dissolution order may be issued ex parte by the court with or without a hearing. If an ex parte hearing is held, it shall be heard by the court as soon as practicable. If a dissolution order is issued ex parte, the court shall serve a copy of such dissolution order on respondent in conformity with §§ 8.01-286.1 and 8.01-296.

Upon receipt of the return of service or other proof of service pursuant to subsection C of § 16.1-264, the clerk shall forthwith forward an attested copy of the preliminary protective order to the primary law-enforcement agency, and the agency shall forthwith verify and enter any modification as necessary into the Virginia Criminal Information Network as described above. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court.

C. The preliminary order is effective upon personal service on the allegedly abusing person. Except as otherwise provided in § 16.1-253.2, a violation of the order shall constitute contempt of court.

D. In the event that the allegedly abused person is a minor and an emergency protective order was issued pursuant to § 16.1-253.4 for the protection of such minor and the respondent is a parent, guardian, or person standing in loco parentis, the attorney for the Commonwealth or a law-enforcement officer may file a petition on behalf of such minor as his next friend before such emergency protective order expires or within 24 hours of the expiration of such emergency protective order.

E. At a full hearing on the petition, the court may issue a protective order pursuant to § 16.1-279.1 if the court finds that the petitioner has proven the allegation of family abuse by a preponderance of the evidence.

F. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's office, nor any employee of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the person protected by the order or that of the family of such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

G. As used in this section, "copy" includes a facsimile copy.

H. No fee shall be charged for filing or serving any petition or order pursuant to this section.

I. Upon issuance of a preliminary protective order, the clerk of the court shall make available to the petitioner information that is published by the Department of Criminal Justice Services for victims of domestic violence or for petitioners in protective order cases.

J. The respondent may be required to notify the court in writing within seven days of any change of residence while the preliminary protective order is in effect, provided that the respondent has been served a copy of such order in accordance with the provisions of this section. Any failure of a respondent to make such required notification shall be punishable by contempt.

§ 16.1-253.2. Violation of provisions of protective orders; penalty.

A. In addition to any other penalty provided by law, any person who violates any provision of a protective order issued pursuant to § 16.1-253.1, 16.1-253.4, 16.1-278.14, or 16.1-279.1 or subsection B of § 20-103, when such violation involves a provision of the protective order that prohibits such person from (i) going or remaining upon land, buildings, or premises; (ii) further acts of family abuse; or (iii) committing a criminal offense, or which prohibits contacts by the respondent with the allegedly abused person or family or household members of the allegedly abused person as the court deems appropriate, is guilty of a Class 1 misdemeanor. The punishment for any person convicted of a second offense of violating a protective order, when the offense is committed within five years of the prior conviction and when either the instant or prior offense was based on an act or threat of violence, shall include a mandatory minimum term of confinement of 60 days. Any person convicted of a third or subsequent offense of violating a protective order, when the offense is committed within 20 years of the first conviction and when either the instant or one of the prior offenses was based on an act or threat of violence is guilty of a Class 6 felony and the punishment shall include a mandatory minimum term of confinement of six months. The mandatory minimum terms of confinement prescribed for violations of this section shall be served consecutively with any other sentence.

B. In addition to any other penalty provided by law, any person who, while knowingly armed with a firearm or other deadly weapon, violates any provision of a protective order with which he has been served issued pursuant to § 16.1-253.1, 16.1-253.4, 16.1-278.14, or 16.1-279.1 or subsection B of § 20-103 is guilty of a Class 6 felony.

C. If the respondent commits an assault and battery upon any party protected by the protective order resulting in bodily injury to the party or stalks any party protected by the protective order in violation of § 18.2-60.3, he is guilty of a Class 6 felony. Any person who violates such a protective order by furtively entering the home of any protected party while the party is present, or by entering and remaining in the home of the protected party until the party arrives, is guilty of a Class 6 felony, in addition to any other penalty provided by law.

D. Upon conviction of any offense hereunder for which a mandatory minimum term of confinement is not specified, the person shall be sentenced to a term of confinement and in no case shall the entire term imposed be suspended. Upon conviction, the court shall, in addition to the sentence imposed, enter a protective order pursuant to § 16.1-279.1 for a specified period not exceeding two years from the date of conviction.

E. A violation of this section may be prosecuted in the jurisdiction where the protective order was issued, in any county, city, or town where any act constituting the violation of the protective order occurred, or in the jurisdiction where the party protected by the protective order resided at the time of such violation.

F. Upon a violation of this section, if a Military Protective Order issued by a commanding officer in the Armed Forces of the United States, the Virginia National Guard, or the National Guard of any other state against a person under such officer's command and registered in the National Crime Information Center (NCIC) has been issued against the same defendant, the law-enforcement officer or agency shall inform the military law-enforcement officer or agency that entered the Military Protective Order into the NCIC or the commanding officer who issued the Military Protective Order of such violation telephonically, in writing, via email, via text, or by any other routine means of interagency communication.

§ 18.2-60.4. Violation of protective orders; penalty.

A. Any person who violates any provision of a protective order issued pursuant to § 19.2-152.8, 19.2-152.9, or 19.2-152.10 is guilty of a Class 1 misdemeanor. Conviction hereunder shall bar a finding of contempt for the same act. The punishment for any person convicted of a second offense of violating a protective order, other than a protective order issued pursuant to subsection C of § 19.2-152.10, when the offense is committed within five years of the prior conviction and when either the instant or prior offense was based on an act or threat of violence, shall include a mandatory minimum term of confinement of 60 days. Any person convicted of a third or subsequent offense of violating a protective order, other than a protective order issued pursuant to subsection C of § 19.2-152.10, when the offense is committed within 20 years of the first conviction and when either the instant or one of the prior offenses was based on an act or threat of violence, is guilty of a Class 6 felony and the punishment shall include a mandatory minimum term of confinement of six months. The mandatory minimum terms of confinement prescribed for violations of this section shall be served consecutively with any other sentence.

B. In addition to any other penalty provided by law, any person who, while knowingly armed with a firearm or other deadly weapon, violates any provision of a protective order with which he has been served issued pursuant to § 19.2-152.8, 19.2-152.9, or 19.2-152.10, other than a protective order issued pursuant to subsection C of § 19.2-152.10, is guilty of a Class 6 felony.

C. If the respondent commits an assault and battery upon any party protected by the protective order, other than a protective order issued pursuant to subsection C of § 19.2-152.10, resulting in bodily injury to the party or stalks any party protected by the protective order in violation of § 18.2-60.3, he is guilty of a Class 6 felony. Any person who violates such a protective order, other than a protective order issued pursuant to subsection C of § 19.2-152.10, by furtively entering the home of any protected party while the party is present, or by entering and remaining in the home of the protected party until the party arrives, is guilty of a Class 6 felony, in addition to any other penalty provided by law.

D. Upon conviction of any offense hereunder for which a mandatory minimum term of confinement is not specified, the person shall be sentenced to a term of confinement and in no case shall the entire term imposed be suspended.

E. Upon conviction, the court shall, in addition to the sentence imposed, enter a protective order pursuant to § 19.2-152.10 for a specified period not exceeding two years from the date of conviction.

F. A violation of this section may be prosecuted in the jurisdiction where the protective order was issued, in any county, city, or town where any act constituting the violation of the protective order occurred, or in the jurisdiction where the party protected by the protective order resided at the time of such violation.

G. Upon a violation of this section, if a Military Protective Order issued by a commanding officer in the Armed Forces of the United States, the Virginia National Guard, or the National Guard of any other state against a person under such officer's command and registered in the National Crime Information Center (NCIC) has been issued against the same defendant, the law-enforcement officer or agency shall inform the military law-enforcement officer or agency that entered the Military Protective Order into the NCIC or the commanding officer who issued the Military Protective Order of such violation telephonically, in writing, via email, via text, or by any other routine means of interagency communication.

§ 19.2-152.9. Preliminary protective orders.

A. Upon the filing of a petition alleging that (i) the petitioner is or has been, within a reasonable period of time, subjected to an act of violence, force, or threat, or (ii) a petition or warrant has been issued for the arrest of the alleged perpetrator for any criminal offense resulting from the commission of an act of violence, force, or threat, or the filing of a written motion requesting a hearing to extend a protective order pursuant to § 19.2-152.10 without alleging that the petitioner is or has been, within a reasonable period of time, subject to an act of violence, force, or threat, or that a petition or warrant has been issued for the arrest of the alleged perpetrator for any criminal offense resulting from the commission of an act of violence, force, or threat, the court may issue a preliminary protective order against the alleged perpetrator in order

to protect the health and safety of the petitioner or any family or household member of the petitioner. The order may be issued in an ex parte proceeding upon good cause shown when the petition is supported by an affidavit or sworn testimony before the judge or intake officer*, upon evidence of a Military Protective Order issued by a commanding officer in the Armed Forces of the United States, the Virginia National Guard, or the National Guard of any other state in favor of the petitioner or petitioner's family or household members,* or upon the filing of a written motion requesting a hearing to extend a protective order pursuant to § 19.2-152.10. If an ex parte order is issued without an affidavit or a completed form as prescribed by subsection D of § 19.2-152.8 being presented, the court, in its order, shall state the basis upon which the order was entered, including a summary of the allegations made and the court's findings. Immediate and present danger of any act of violence, force, or threat or evidence sufficient to establish probable cause that an act of violence, force, or threat has recently occurred shall constitute good cause. *Any Military Protective Order issued between the parties shall only be admissible or considered as evidence in accordance with the Code of Virginia, the Rules of Evidence of the Supreme Court of Virginia, or relevant Virginia case law.*

A preliminary protective order may include any one or more of the following conditions to be imposed on the respondent:

1. Prohibiting acts of violence, force, or threat or criminal offenses that may result in injury to person or property;

2. Prohibiting such other contacts by the respondent with the petitioner or the petitioner's family or household members as the court deems necessary for the health and safety of such persons;

3. Such other conditions as the court deems necessary to prevent (i) acts of violence, force, or threat, (ii) criminal offenses that may result in injury to person or property, or (iii) communication or other contact of any kind by the respondent; and

4. Granting the petitioner the possession of any companion animal as defined in § 3.2-6500 if such petitioner meets the definition of owner in § 3.2-6500.

B. The court shall forthwith, but in all cases no later than the end of the business day on which the order was issued, enter and transfer electronically to the Virginia Criminal Information Network the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court. A copy of a preliminary protective order containing any such identifying information shall be forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders. Upon receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the alleged perpetrator in person as provided in § 16.1-264, and due return made to the court. However, if the order is issued by the circuit court, the clerk of the circuit court shall forthwith forward an attested copy of the order containing the respondent's identifying information and the name, date of birth, sex, and race of each protected person provided to the court to the primary law-enforcement agency providing service and entry of protective orders and upon receipt of the order, the primary law-enforcement agency shall enter the name of the person subject to the order and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the order shall be served forthwith on the alleged perpetrator in person as provided in § 16.1-264. Upon service, the agency making service shall enter the date and time of service and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network and make due return to the court. The preliminary order shall specify a date for the full hearing. The hearing shall be held within 15 days of the issuance of the preliminary order, unless the hearing has been continued pursuant to this subsection or the court is closed pursuant to § 16.1-69.35 or 17.1-207 and such closure prevents the hearing from being held within such time period, in which case the hearing shall be held on the next day not a Saturday, Sunday, legal holiday, or day on which the court is lawfully closed. If such court is closed pursuant to § 16.1-69.35 or 17.1-207, the preliminary protective order shall remain in full force and effect until it is dissolved by such court, until another preliminary protective order is entered, or until a protective order is entered. If the respondent fails to appear at this hearing because the respondent was not personally served, the court may extend the protective order for a period not to exceed six months. The extended protective order shall be served as soon as possible on the respondent. However, where the respondent shows good cause, the court may continue the hearing. The preliminary order shall remain in effect until the hearing. Upon request after the order is issued, the clerk shall provide the petitioner with a copy of the order and information regarding the date and time of service. The order shall further specify that either party may at any time file a motion with the court requesting a hearing to dissolve or modify the order. The hearing on the motion shall be given precedence on the docket of the court. Upon petitioner's motion to dissolve the preliminary protective order, a dissolution order may be issued ex parte by the court with or without a hearing. If an ex parte hearing is held, it shall be heard by the court as soon as practicable. If a dissolution order is issued ex parte, the court shall serve a copy of such dissolution order on respondent in conformity with §§ 8.01-286.1 and 8.01-296.

Upon receipt of the return of service or other proof of service pursuant to subsection C of § 16.1-264, the clerk shall forthwith forward an attested copy of the preliminary protective order to primary law-enforcement agency and the agency shall forthwith verify and enter any modification as necessary into the Virginia Criminal Information Network as described above. If the order is later dissolved or modified, a copy of the dissolution or modification order shall also be attested, forwarded forthwith to the primary law-enforcement agency responsible for service and entry of protective orders, and upon

receipt of the order by the primary law-enforcement agency, the agency shall forthwith verify and enter any modification as necessary to the identifying information and other appropriate information required by the Department of State Police into the Virginia Criminal Information Network as described above and the order shall be served forthwith and due return made to the court.

C. The preliminary order is effective upon personal service on the alleged perpetrator. Except as otherwise provided, a violation of the order shall constitute contempt of court.

D. At a full hearing on the petition, the court may issue a protective order pursuant to § 19.2-152.10 if the court finds that the petitioner has proven the allegation that the petitioner is or has been, within a reasonable period of time, subjected to an act of violence, force, or threat by a preponderance of the evidence.

E. No fees shall be charged for filing or serving petitions pursuant to this section.

F. Neither a law-enforcement agency, the attorney for the Commonwealth, a court nor the clerk's office, nor any employee of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the person protected by the order or that of the family of such person, except to the extent that disclosure is (i) required by law or the Rules of the Supreme Court, (ii) necessary for law-enforcement purposes, or (iii) permitted by the court for good cause.

G. As used in this section, "copy" includes a facsimile copy.

H. Upon issuance of a preliminary protective order, the clerk of the court shall make available to the petitioner information that is published by the Department of Criminal Justice Services for victims of domestic violence or for petitioners in protective order cases.

I. The respondent may be required to notify the court in writing within seven days of any change of residence while the preliminary protective order is in effect, provided that the respondent has been served a copy of such order in accordance with the provisions of this section. Any failure of a respondent to make such required notification shall be punishable by contempt.

CHAPTER 218

An Act to amend and reenact § 37.2-809, as it is currently effective, of the Code of Virginia, relating to involuntary temporary detention orders; definition of "psychiatric emergency department."

[S 1094]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 37.2-809, as it is currently effective, of the Code of Virginia is amended and reenacted as follows:

§ 37.2-809. (Expires July 1, 2026) Involuntary temporary detention; issuance and execution of order.

A. For the purposes of this section:

"Certified evaluator" means (i) an individual with an educational attainment of a master's or doctoral degree with an associated professional license; (ii) a licensed professional counselor, licensed clinical social worker, licensed marriage and family therapist, licensed clinical psychologist, or psychiatrist; or (iii) a licensed psychiatric nurse practitioner, psychiatric physician assistant, psychiatric clinical nurse specialist, doctor of medicine, or doctor of osteopathy, who are not emergency department providers. A certified evaluator shall (a) be employed or contracted by a hospital with a psychiatric emergency department in the City of Hampton and such hospital shall be responsible for all costs associated with the hiring, training, and supervision of the certified evaluators, including salary, fringe benefits, and overhead costs; (b) be skilled in the assessment and treatment of mental illness; (c) have completed a training and certification program approved by the Department; (d) have received a prescreener orientation presentation developed by the Department in consultation with the Virginia Association of Community Services Boards, which shall include information on determining the least restrictive treatment available for the person being evaluated pursuant to subsection G of § 37.2-817.01; (e) be able to provide an independent examination of the person; (f) not be related by blood or marriage to the person being evaluated; (g) have no financial interest in the admission, treatment, or denial of admission of the person being evaluated; (h) have no investment interest in the facility detaining or admitting the person under this article; (i) only be permitted to conduct in-person evaluations on site at participating hospitals; and (j) only be permitted to conduct a temporary detention order evaluation in lieu of an employee or designee of the local community services board if the person subject to the temporary detention order evaluation is located in a hospital with a psychiatric emergency department in the City of Hampton.

"Designee of the local community services board" means an examiner designated by the local community services board who (i) is skilled in the assessment and treatment of mental illness, (ii) has completed a certification program approved by the Department, (iii) is able to provide an independent examination of the person, (iv) is not related by blood or marriage to the person being evaluated, (v) has no financial interest in the admission or treatment of the person being evaluated, (vi) has no investment interest in the facility detaining or admitting the person under this article, and (vii) except for employees of state hospitals and of the U.S. Department of Veterans Affairs, is not employed by the facility.

"Employee" means an employee of the local community services board who is skilled in the assessment and treatment of mental illness and has completed a certification program approved by the Department.

"Investment interest" means the ownership or holding of an equity or debt security, including shares of stock in a corporation, interests or units of a partnership, bonds, debentures, notes, or other equity or debt instruments.

"Psychiatric emergency department" means a facility that (i) is a separate and secure environment operating under the authority of a hospital with emergency department services licensed by the Department of Health, (ii) provides immediate access to psychiatric and psychological care, (iii) is ~~adjacent to a facility~~ licensed by the Department *or the Department of Health*, ~~and~~ (iv) provides medical care, case management, discharge planning, and bridge psychiatric services post-discharge as needed*, and (v) complies with subdivision B 2 of § 32.1-127*.

B. A magistrate shall issue, upon the sworn petition of any responsible person, treating physician, or upon his own motion and only after an evaluation conducted in-person or by means of a two-way electronic video and audio communication system as authorized in § 37.2-804.1 by an employee or a designee of the local community services board or after an in-person evaluation conducted by a certified evaluator to determine whether the person meets the criteria for temporary detention, a temporary detention order if it appears from all evidence readily available, including any recommendation from a physician, clinical psychologist, clinical social worker, or licensed professional counselor treating the person, that the person (i) has a mental illness and that there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (b) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs; (ii) is in need of hospitalization or treatment; and (iii) is unwilling to volunteer or incapable of volunteering for hospitalization or treatment. The magistrate shall also consider, if available, (a) information provided by the person who initiated emergency custody and (b) the recommendations of any treating or examining physician licensed in Virginia either verbally or in writing prior to rendering a decision. Any temporary detention order entered pursuant to this section shall provide for the disclosure of medical records pursuant to § 37.2-804.2. This subsection shall not preclude any other disclosures as required or permitted by law.

C. When considering whether there is probable cause to issue a temporary detention order, the magistrate may, in addition to the petition, consider (i) the recommendations of any treating or examining physician, psychologist, clinical social worker, or licensed professional counselor licensed in Virginia, if available, (ii) any past actions of the person, (iii) any past mental health treatment of the person, (iv) any relevant hearsay evidence, (v) any medical records available, (vi) any affidavits submitted, if the witness is unavailable and it so states in the affidavit, and (vii) any other information available that the magistrate considers relevant to the determination of whether probable cause exists to issue a temporary detention order.

D. A magistrate may issue a temporary detention order without an emergency custody order proceeding. A magistrate may issue a temporary detention order without a prior evaluation pursuant to subsection B if (i) the person has been personally examined within the previous 72 hours by an employee or a designee of the local community services board or a certified evaluator or (ii) there is a significant physical, psychological, or medical risk to the person or to others associated with conducting such evaluation.

E. An employee or a designee of the local community services board or a certified evaluator shall determine the facility of temporary detention in accordance with the provisions of § 37.2-809.1 for all persons detained pursuant to this section. An employee or designee of the local community services board or a certified evaluator may change the facility of temporary detention and may designate an alternative facility for temporary detention at any point during the period of temporary detention if it is determined that the alternative facility is a more appropriate facility for temporary detention of the person given the specific security, medical, or behavioral health needs of the person. In cases in which the facility of temporary detention is changed following transfer of custody to an initial facility of temporary custody, transportation of the person to the alternative facility of temporary detention shall be provided in accordance with the provisions of § 37.2-810. The initial facility of temporary detention shall be identified on the preadmission screening report and indicated on the temporary detention order; however, if an employee or designee of the local community services board or the certified evaluator designates an alternative facility, that employee or designee or certified evaluator shall provide written notice forthwith, on a form developed by the Executive Secretary of the Supreme Court of Virginia, to the clerk of the issuing court of the name and address of the alternative facility. Subject to the provisions of § 37.2-809.1, if a facility of temporary detention cannot be identified by the time of the expiration of the period of emergency custody pursuant to § 37.2-808, the person shall be detained in a state facility for the treatment of persons with mental illness and such facility shall be indicated on the temporary detention order. Except as provided in § 37.2-811 for inmates requiring hospitalization in accordance with subdivision A 2 of § 19.2-169.6, the person shall not be detained in a jail or other place of confinement for persons charged with criminal offenses. Except as provided in § 37.2-811 for inmates requiring hospitalization in accordance with subdivision A 2 of § 19.2-169.6 or in subsection C of § 37.2-813 for persons prior to transfer to the facility of temporary detention, the person shall remain in the custody of law enforcement until either (i) the person is detained within a secure facility or (ii) custody has been accepted by the appropriate personnel designated by either the initial facility of temporary detention identified in the temporary detention order or by the alternative facility of temporary detention designated by the employee or designee of the local community services board or the certified evaluator pursuant to this subsection. The person detained or in custody pursuant to this section shall be given a written summary of the temporary detention procedures and the statutory protections associated with those procedures.

F. 1. Any facility caring for a person placed with it pursuant to a temporary detention order is authorized to provide emergency medical and psychiatric services within its capabilities when the facility determines that the services are in the

best interests of the person within its care. The costs incurred as a result of the hearings and by the facility in providing services during the period of temporary detention shall be paid and recovered pursuant to § 37.2-804. The maximum costs reimbursable by the Commonwealth pursuant to this section shall be established by the State Board of Medical Assistance Services based on reasonable criteria. The State Board of Medical Assistance Services shall, by regulation, establish a reasonable rate per day of inpatient care for temporary detention.

2. Participating hospitals with psychiatric emergency departments in the City of Hampton shall report at the end of each calendar year to the Chairmen of the Senate Committees on Education and Health and Finance and Appropriations, the House Committees on Appropriations and Health and Human Services, and the Behavioral Health Commission and the Commissioner of Behavioral Health and Developmental Services the following information: (i) the length of time between when a person who is the subject of an emergency custody order pursuant to § 37.2-808 arrives at the psychiatric emergency department of a participating hospital and when the temporary detention order evaluation is completed and (ii) the number of (a) admissions, (b) psychiatric emergency department visits, (c) temporary detention order evaluations completed, (d) temporary detention orders executed, (e) individuals under temporary detention admitted to the participating hospital, and (f) individuals transferred from the psychiatric emergency department of the participating hospital to a state facility.

3. Participating hospitals with psychiatric emergency departments in the City of Hampton shall report monthly to the Commissioner of Behavioral Health and Developmental Services the number of (i) crisis evaluations conducted each month; (ii) temporary detention orders executed as a result of such evaluations and the percentage of evaluations such temporary detention orders represent by payor type; (iii) reportable events associated with such temporary detention orders and the percentage of temporary detention orders that such reportable events represent; (iv) reportable events (a) involving loss of custody, (b) with and without an emergency custody order, (c) with a temporary detention order executed subsequently, (d) in which the individual subsequently became engaged in outpatient treatment, (e) in which the individual did not become engaged in treatment services, and (f) involving medical treatment; and (v) other events. Such participating hospitals shall include in their monthly report the facility where each patient, classified by payor type, is placed for any temporary detention order that is executed based on their evaluation.

G. The employee or the designee of the local community services board or the certified evaluator who is conducting the evaluation pursuant to this section shall determine, prior to the issuance of the temporary detention order, the insurance status of the person. Where coverage by a third party payor exists, the facility seeking reimbursement under this section shall first seek reimbursement from the third party payor. The Commonwealth shall reimburse the facility only for the balance of costs remaining after the allowances covered by the third party payor have been received.

H. The duration of temporary detention shall be sufficient to allow for completion of the examination required by § 37.2-815, preparation of the preadmission screening report required by § 37.2-816, and initiation of mental health treatment to stabilize the person's psychiatric condition to avoid involuntary commitment where possible, but shall not exceed 72 hours prior to a hearing. If the 72-hour period herein specified terminates on a Saturday, Sunday, legal holiday, or, if the individual has been admitted to a facility of temporary detention, day or part of a day on which the clerk's office is lawfully closed, the person may be detained, as herein provided, until the close of business on the next day that is not a Saturday, Sunday, legal holiday, or, if the individual has been admitted to a facility of temporary detention, day or part of a day on which the clerk's office is lawfully closed. The person may be released, pursuant to § 37.2-813, before the 72-hour period herein specified has run.

I. If a temporary detention order is not executed within 24 hours of its issuance, or within a shorter period as is specified in the order, the order shall be void and shall be returned unexecuted to the office of the clerk of the issuing court or, if the office is not open, to any magistrate serving the jurisdiction of the issuing court. Subsequent orders may be issued upon the original petition within 96 hours after the petition is filed. However, a magistrate must again obtain the advice of an employee or a designee of the local community services board or a certified evaluator prior to issuing a subsequent order upon the original petition. Any petition for which no temporary detention order or other process in connection therewith is served on the subject of the petition within 96 hours after the petition is filed shall be void and shall be returned to the office of the clerk of the issuing court.

J. The Executive Secretary of the Supreme Court of Virginia shall establish and require that a magistrate, as provided by this section, be available seven days a week, 24 hours a day, for the purpose of performing the duties established by this section. Each community services board shall provide to each general district court and magistrate's office within its service area a list of its employees and designees who are available to perform the evaluations required herein. The employer of any certified evaluator shall provide to each general district court and magistrate's office within its service area a list of its employees and designees who are available to perform the evaluations required herein.

K. For purposes of this section, a health care provider, including any certified evaluator or designee of a local community services board or behavioral health authority, shall not be required to encrypt any email containing information or medical records provided to a magistrate unless there is reason to believe that a third party will attempt to intercept the email.

L. If the employee or designee of the community services board or the certified evaluator who is conducting the evaluation pursuant to this section recommends that the person should not be subject to a temporary detention order, such employee or designee or certified evaluator shall (i) inform the petitioner, the person who initiated emergency custody if such person is present, and an onsite treating physician of his recommendation; (ii) promptly inform such person who initiated emergency custody that the community services board or certified evaluator will facilitate communication between

the person and the magistrate if the person disagrees with recommendations of the employee or designee of the community services board or certified evaluator who conducted the evaluation and the person who initiated emergency custody so requests; and (iii) upon prompt request made by the person who initiated emergency custody, arrange for such person who initiated emergency custody to communicate with the magistrate as soon as is practicable and prior to the expiration of the period of emergency custody. The magistrate shall consider any information provided by the person who initiated emergency custody and any recommendations of the treating or examining physician and the employee or designee of the community services board or certified evaluator who conducted the evaluation and consider such information and recommendations in accordance with subsection B in making his determination to issue a temporary detention order. The person who is the subject of emergency custody shall remain in the custody of law enforcement or a designee of law enforcement and shall not be released from emergency custody until communication with the magistrate pursuant to this subsection has concluded and the magistrate has made a determination regarding issuance of a temporary detention order.

M. For purposes of this section, "person who initiated emergency custody" means any person who initiated the issuance of an emergency custody order pursuant to § 37.2-808 or a law-enforcement officer who takes a person into custody pursuant to subsection G of § 37.2-808.

N. In any case in which a person subject to an evaluation pursuant to this section is receiving services in a hospital emergency department, the treating physician or his designee and the employee or designee of the local community services board or certified evaluator shall disclose to each other relevant information pertaining to the individual's treatment in the emergency department. The (i) certified evaluator conducting the evaluation pursuant to subsection B of § 37.2-808 and the provisions of this section or (ii) hospital emergency department and treating physician or other health care provider designated by the physician shall allow a family member or legal guardian of the individual subject to evaluation who is present, and who may provide support and supportive decision-making, to be present with the individual unless the individual objects or the certified evaluator or treating physician determines that the presence of any such person would create a medical, clinical, or safety risk to the patient or health care provider or interferes with patient care. No provision of this section shall delay the process of the patient receiving treatment.

CHAPTER 219

An Act to amend and reenact §§ 9.1-101, as it is currently effective and as it shall become effective, 9.1-400, 9.1-400.1, 9.1-401, and 9.1-402 through 9.1-404 of the Code of Virginia, relating to Line of Duty Act; campus police officers; private police officers.

[S 1142]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-101, as it is currently effective and as it shall become effective, 9.1-400, 9.1-400.1, 9.1-401, and 9.1-402 through 9.1-404 of the Code of Virginia are amended and reenacted as follows:

§ 9.1-101. (For contingent expiration date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Definitions.

As used in this chapter or in Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, unless the context requires a different meaning:

"Administration of criminal justice" means performance of any activity directly involving the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders or the collection, storage, and dissemination of criminal history record information.

"Board" means the Criminal Justice Services Board.

"Conviction data" means information in the custody of any criminal justice agency relating to a judgment of conviction, and the consequences arising therefrom, in any court.

"Correctional status information" means records and data concerning each condition of a convicted person's custodial status, including probation, confinement, work release, study release, escape, or termination of custody through expiration of sentence, parole, pardon, or court decision.

"Criminal history record information" means records and data collected by criminal justice agencies on adult individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal charges, and any disposition arising therefrom. The term shall not include juvenile record information which is controlled by Chapter 11 (§ 16.1-226 et seq.) of Title 16.1, criminal justice intelligence information, criminal justice investigative information, or correctional status information.

"Criminal justice agency" means (i) a court or any other governmental agency or subunit thereof which as its principal function performs the administration of criminal justice and any other agency or subunit thereof which performs criminal justice activities, but only to the extent that it does so; (ii) for the purposes of Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, any private corporation or agency which, within the context of its criminal justice activities, employs special conservators of the peace appointed under Chapter 2 (§ 19.2-12 et seq.) of Title 19.2, provided that (a) such private corporation or agency requires its officers or special conservators to meet compulsory training standards established by the Criminal Justice Services Board and submits reports of compliance with the training standards and (b) the private corporation or agency complies with the provisions of Article 3 (§ 9.1-126 et seq.), but only to the extent that the private corporation or agency so

designated as a criminal justice agency performs criminal justice activities; and (iii) the Office of the Attorney General, for all criminal justice activities otherwise permitted under clause (i) and for the purpose of performing duties required by the Civil Commitment of Sexually Violent Predators Act (§ 37.2-900 et seq.).

"Criminal justice agency" includes any program certified by the Commission on VASAP pursuant to § 18.2-271.2.

"Criminal justice agency" includes the Department of Criminal Justice Services.

"Criminal justice agency" includes the Virginia Criminal Sentencing Commission.

"Criminal justice agency" includes the Virginia State Crime Commission.

"Criminal justice information system" means a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation, or dissemination of criminal history record information. The operations of the system may be performed manually or by using electronic computers or other automated data processing equipment.

"Department" means the Department of Criminal Justice Services.

"Dissemination" means any transfer of information, whether orally, in writing, or by electronic means. The term shall not include access to the information by officers or employees of a criminal justice agency maintaining the information who have both a need and right to know the information.

"Law-enforcement officer" means any full-time or part-time employee of a police department or sheriff's office which is a part of or administered by the Commonwealth or any political subdivision thereof, or any full-time or part-time employee of a private police department, and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth, and shall include any (i) special agent of the Virginia Alcoholic Beverage Control Authority; (ii) police agent appointed under the provisions of § 56-353; (iii) officer of the Virginia Marine Police; (iv) conservation police officer who is a full-time sworn member of the enforcement division of the Department of Wildlife Resources; (v) investigator who is a sworn member of the security division of the Virginia Lottery; (vi) conservation officer of the Department of Conservation and Recreation commissioned pursuant to § 10.1-115; (vii) full-time sworn member of the enforcement division of the Department of Motor Vehicles appointed pursuant to § 46.2-217; (viii) animal protection police officer employed under § 15.2-632 or 15.2-836.1; (ix) campus police officer appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1; (x) member of the investigations unit designated by the State Inspector General pursuant to § 2.2-311 to investigate allegations of criminal behavior affecting the operations of a state or nonstate agency; (xi) employee with internal investigations authority designated by the Department of Corrections pursuant to subdivision 11 of § 53.1-10 or by the Department of Juvenile Justice pursuant to subdivision A 7 of § 66-3; (xii) private police officer employed by a private police department; or (xiii) person designated as a sworn unit investigator by the Attorney General pursuant to subsection A of § 32.1-320.1. Part-time employees are those compensated officers who are not full-time employees as defined by the employing police department, sheriff's office, or private police department.

"Private police department" means any police department, other than a department that employs police agents under the provisions of § 56-353, that employs private police officers operated by an entity authorized by statute or an act of assembly to establish a private police department or such entity's successor in interest, provided it complies with the requirements set forth herein. No entity is authorized to operate a private police department or represent that it is a private police department unless such entity has been authorized by statute or an act of assembly or such entity is the successor in interest of an entity that has been authorized pursuant to this section, provided it complies with the requirements set forth herein. The authority of a private police department shall be limited to real property owned, leased, or controlled by the entity and, if approved by the local chief of police or sheriff, any contiguous property; such authority shall not supersede the authority, duties, or jurisdiction vested by law with the local police department or sheriff's office including as provided in §§ 15.2-1609 and 15.2-1704. The chief of police or sheriff who is the chief local law-enforcement officer shall enter into a memorandum of understanding with the private police department that addresses the duties and responsibilities of the private police department and the chief law-enforcement officer in the conduct of criminal investigations. Private police departments and private police officers shall be subject to and comply with the Constitution of the United States; the Constitution of Virginia; the laws governing municipal police departments, including the provisions of §§ 9.1-600, 15.2-1705 through 15.2-1708, 15.2-1719, 15.2-1721, 15.2-1721.1, and 15.2-1722; and any regulations adopted by the Board that the Department designates as applicable to private police departments. ~~Any person employed as a private police officer pursuant to this section shall meet all requirements, including the minimum compulsory training requirements, for law-enforcement officers pursuant to this chapter. A private police officer is not entitled to benefits under the Line of Duty Act (§ 9.1-400 et seq.) or under the Virginia Retirement System, is not a "qualified law enforcement officer" or "qualified retired law enforcement officer" within the meaning of the federal Law Enforcement Officers Safety Act, 18 U.S.C. § 926B et seq., and shall not be deemed an employee of the Commonwealth or any locality.~~ An authorized private police department may use the word "police" to describe its sworn officers and may join a regional criminal justice academy created pursuant to Article 5 (§ 15.2-1747 et seq.) of Chapter 17 of Title 15.2. Any private police department in existence on January 1, 2013, that was not otherwise established by statute or an act of assembly and whose status as a private police department was recognized by the Department at that time is hereby validated and may continue to operate as a private police department as may such entity's successor in interest, provided it complies with the requirements set forth herein.

"Private police officer" means a law-enforcement officer who is employed by a private police department that has entered into a memorandum of understanding with a police department or sheriff's office and who may exercise the power

and duties conferred by law upon such police officers on real property owned, leased, or controlled by the employing entity and, if approved by the local chief of police or sheriff, any contiguous property. Any person employed as a private police officer pursuant to this section shall meet all requirements, including the minimum compulsory training requirements, for law-enforcement officers pursuant to this chapter. A private police officer is not entitled to benefits under the Virginia Retirement System, is not a "qualified law enforcement officer" or "qualified retired law enforcement officer" within the meaning of the federal Law Enforcement Officers Safety Act, 18 U.S.C. § 926B et seq., and shall not be deemed an employee of the Commonwealth or any locality.

"School resource officer" means a certified law-enforcement officer hired by the local law-enforcement agency to provide law-enforcement and security services to Virginia public elementary and secondary schools.

"School security officer" means an individual who is employed by the local school board or a private or religious school for the singular purpose of maintaining order and discipline, preventing crime, investigating violations of the policies of the school board or the private or religious school, and detaining students violating the law or the policies of the school board or the private or religious school on school property, school buses, or at school-sponsored events and who is responsible solely for ensuring the safety, security, and welfare of all students, faculty, staff, and visitors in the assigned school.

"Unapplied criminal history record information" means information pertaining to criminal offenses submitted to the Central Criminal Records Exchange that cannot be applied to the criminal history record of an arrested or convicted person (i) because such information is not supported by fingerprints or other accepted means of positive identification or (ii) due to an inconsistency, error, or omission within the content of the submitted information.

§ 9.1-101. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Definitions.

As used in this chapter or in Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, unless the context requires a different meaning:

"Administration of criminal justice" means performance of any activity directly involving the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders or the collection, storage, and dissemination of criminal history record information.

"Board" means the Criminal Justice Services Board.

"Conviction data" means information in the custody of any criminal justice agency relating to a judgment of conviction, and the consequences arising therefrom, in any court.

"Correctional status information" means records and data concerning each condition of a convicted person's custodial status, including probation, confinement, work release, study release, escape, or termination of custody through expiration of sentence, parole, pardon, or court decision.

"Criminal history record information" means records and data collected by criminal justice agencies on adult individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal charges, and any disposition arising therefrom. The term shall not include juvenile record information which is controlled by Chapter 11 (§ 16.1-226 et seq.) of Title 16.1, criminal justice intelligence information, criminal justice investigative information, or correctional status information.

"Criminal justice agency" means (i) a court or any other governmental agency or subunit thereof which as its principal function performs the administration of criminal justice and any other agency or subunit thereof which performs criminal justice activities, but only to the extent that it does so; (ii) for the purposes of Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, any private corporation or agency which, within the context of its criminal justice activities, employs special conservators of the peace appointed under Chapter 2 (§ 19.2-12 et seq.) of Title 19.2, provided that (a) such private corporation or agency requires its officers or special conservators to meet compulsory training standards established by the Criminal Justice Services Board and submits reports of compliance with the training standards and (b) the private corporation or agency complies with the provisions of Article 3 (§ 9.1-126 et seq.), but only to the extent that the private corporation or agency so designated as a criminal justice agency performs criminal justice activities; and (iii) the Office of the Attorney General, for all criminal justice activities otherwise permitted under clause (i) and for the purpose of performing duties required by the Civil Commitment of Sexually Violent Predators Act (§ 37.2-900 et seq.).

"Criminal justice agency" includes any program certified by the Commission on VASAP pursuant to § 18.2-271.2.

"Criminal justice agency" includes the Department of Criminal Justice Services.

"Criminal justice agency" includes the Virginia Criminal Sentencing Commission.

"Criminal justice agency" includes the Virginia State Crime Commission.

"Criminal justice information system" means a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation, or dissemination of criminal history record information. The operations of the system may be performed manually or by using electronic computers or other automated data processing equipment.

"Department" means the Department of Criminal Justice Services.

"Dissemination" means any transfer of information, whether orally, in writing, or by electronic means. The term shall not include access to the information by officers or employees of a criminal justice agency maintaining the information who have both a need and right to know the information.

"Law-enforcement officer" means any full-time or part-time employee of a police department or sheriff's office which is a part of or administered by the Commonwealth or any political subdivision thereof, or any full-time or part-time

employee of a private police department, and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth, and shall include any (i) special agent of the Virginia Alcoholic Beverage Control Authority; (ii) police agent appointed under the provisions of § 56-353; (iii) officer of the Virginia Marine Police; (iv) conservation police officer who is a full-time sworn member of the enforcement division of the Department of Wildlife Resources; (v) investigator who is a sworn member of the security division of the Virginia Lottery; (vi) conservation officer of the Department of Conservation and Recreation commissioned pursuant to § 10.1-115; (vii) full-time sworn member of the enforcement division of the Department of Motor Vehicles appointed pursuant to § 46.2-217; (viii) animal protection police officer employed under § 15.2-632 or 15.2-836.1; (ix) campus police officer appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1; (x) member of the investigations unit designated by the State Inspector General pursuant to § 2.2-311 to investigate allegations of criminal behavior affecting the operations of a state or nonstate agency; (xi) employee with internal investigations authority designated by the Department of Corrections pursuant to subdivision 11 of § 53.1-10 or by the Department of Juvenile Justice pursuant to subdivision A 7 of § 66-3; (xii) private police officer employed by a private police department; or (xiii) person designated as a sworn unit investigator by the Attorney General pursuant to subsection A of § 32.1-320.1. Part-time employees are those compensated officers who are not full-time employees as defined by the employing police department, sheriff's office, or private police department.

"Private police department" means any police department, other than a department that employs police agents under the provisions of § 56-353, that employs private police officers operated by an entity authorized by statute or an act of assembly to establish a private police department or such entity's successor in interest, provided it complies with the requirements set forth herein. No entity is authorized to operate a private police department or represent that it is a private police department unless such entity has been authorized by statute or an act of assembly or such entity is the successor in interest of an entity that has been authorized pursuant to this section, provided it complies with the requirements set forth herein. The authority of a private police department shall be limited to real property owned, leased, or controlled by the entity and, if approved by the local chief of police or sheriff, any contiguous property; such authority shall not supersede the authority, duties, or jurisdiction vested by law with the local police department or sheriff's office including as provided in §§ 15.2-1609 and 15.2-1704. The chief of police or sheriff who is the chief local law-enforcement officer shall enter into a memorandum of understanding with the private police department that addresses the duties and responsibilities of the private police department and the chief law-enforcement officer in the conduct of criminal investigations. Private police departments and private police officers shall be subject to and comply with the Constitution of the United States; the Constitution of Virginia; the laws governing municipal police departments, including the provisions of §§ 9.1-600, 15.2-1705 through 15.2-1708, 15.2-1719, 15.2-1721, 15.2-1721.1, and 15.2-1722; and any regulations adopted by the Board that the Department designates as applicable to private police departments. ~~Any person employed as a private police officer pursuant to this section shall meet all requirements, including the minimum compulsory training requirements, for law-enforcement officers pursuant to this chapter. A private police officer is not entitled to benefits under the Line of Duty Act (§ 9.1-400 et seq.) or under the Virginia Retirement System, is not a "qualified law enforcement officer" or "qualified retired law enforcement officer" within the meaning of the federal Law Enforcement Officers Safety Act, 18 U.S.C. § 926B et seq., and shall not be deemed an employee of the Commonwealth or any locality.~~ An authorized private police department may use the word "police" to describe its sworn officers and may join a regional criminal justice academy created pursuant to Article 5 (§ 15.2-1747 et seq.) of Chapter 17 of Title 15.2. Any private police department in existence on January 1, 2013, that was not otherwise established by statute or an act of assembly and whose status as a private police department was recognized by the Department at that time is hereby validated and may continue to operate as a private police department as may such entity's successor in interest, provided it complies with the requirements set forth herein.

"Private police officer" means a law-enforcement officer who is employed by a private police department that has entered into a memorandum of understanding with a police department or sheriff's office and who may exercise the power and duties conferred by law upon such police officers on real property owned, leased, or controlled by the employing entity and, if approved by the local chief of police or sheriff, any contiguous property. Any person employed as a private police officer pursuant to this section shall meet all requirements, including the minimum compulsory training requirements, for law-enforcement officers pursuant to this chapter. A private police officer is not entitled to benefits under the Virginia Retirement System, is not a "qualified law enforcement officer" or "qualified retired law enforcement officer" within the meaning of the federal Law Enforcement Officers Safety Act, 18 U.S.C. § 926B et seq., and shall not be deemed an employee of the Commonwealth or any locality.

"School resource officer" means a certified law-enforcement officer hired by the local law-enforcement agency to provide law-enforcement and security services to Virginia public elementary and secondary schools.

"School security officer" means an individual who is employed by the local school board or a private or religious school for the singular purpose of maintaining order and discipline, preventing crime, investigating violations of the policies of the school board or the private or religious school, and detaining students violating the law or the policies of the school board or the private or religious school on school property, school buses, or at school-sponsored events and who is responsible solely for ensuring the safety, security, and welfare of all students, faculty, staff, and visitors in the assigned school.

"Sealing" means (i) restricting dissemination of criminal history record information contained in the Central Criminal Records Exchange, including any records relating to an arrest, charge, or conviction, in accordance with the purposes set

forth in § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134 and (ii) prohibiting dissemination of court records related to an arrest, charge, or conviction, unless such dissemination is authorized by a court order for one or more of the purposes set forth in § 19.2-392.13.

"Unapplied criminal history record information" means information pertaining to criminal offenses submitted to the Central Criminal Records Exchange that cannot be applied to the criminal history record of an arrested or convicted person (i) because such information is not supported by fingerprints or other accepted means of positive identification or (ii) due to an inconsistency, error, or omission within the content of the submitted information.

§ 9.1-400. Title of chapter; definitions.

A. This chapter shall be known and designated as the Line of Duty Act.

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

"Beneficiary" means the spouse of a deceased person and such persons as are entitled to take under the will of a deceased person if testate, or as his heirs at law if intestate.

"Contributing nonprofit private institution of higher education" means a nonprofit private institution of higher education, as defined in § 23.1-100, that has (i) established a campus police department pursuant to § 23.1-810 and (ii) made an irrevocable election to provide the benefits under this chapter and to fund the cost by participating in the Fund.

"Contributing private police department" means a private police department that has made an irrevocable election to provide the benefits under this chapter and to fund the cost by participating in the Fund.

"Deceased person" means any individual whose death occurs on or after April 8, 1972, in the line of duty as the direct or proximate result of the performance of his duty, including the presumptions under §§ 27-40.1, 27-40.2, 51.1-813, 65.2-402, and 65.2-402.1 if his position is covered by the applicable statute, as *(i)* a law-enforcement officer of the Commonwealth or any of its political subdivisions, except employees designated pursuant to § 53.1-10 to investigate allegations of criminal behavior affecting the operations of the Department of Corrections, employees designated pursuant to § 66-3 to investigate allegations of criminal behavior affecting the operations of the Department of Juvenile Justice, and members of the investigations unit of the State Inspector General designated pursuant to § 2.2-311 to investigate allegations of criminal behavior affecting the operations of a state or nonstate agency; *(ii)* a correctional officer as defined in § 53.1-1; *(iii)* a jail officer; *(iv)* a regional jail or jail farm superintendent; *(v)* a sheriff, deputy sheriff, or city sergeant or deputy city sergeant of the City of Richmond; *(vi)* a police chaplain; *(vii)* a member of any fire company or department or emergency medical services agency that has been recognized by an ordinance or a resolution of the governing body of any county, city, or town of the Commonwealth as an integral part of the official safety program of such county, city, or town, including a person with a recognized membership status with such fire company or department who is enrolled in a Fire Service Training course offered by the Virginia Department of Fire Programs or any fire company or department training required in pursuit of qualification to become a certified firefighter; *(viii)* a member of any fire company providing fire protection services for facilities of the Virginia National Guard or the Virginia Air National Guard; *(ix)* a member of the Virginia National Guard or the Virginia Defense Force while such member is serving in the Virginia National Guard or the Virginia Defense Force on official state duty or federal duty under Title 32 of the United States Code; ~~any~~ *(x) a* special agent of the Virginia Alcoholic Beverage Control Authority; ~~any~~ *(xi) a* regular or special conservation police officer who receives compensation from a county, city, or town or from the Commonwealth appointed pursuant to the provisions of § 29.1-200; ~~any~~ *(xii) a* commissioned forest warden appointed under the provisions of § 10.1-1135; ~~any~~ *(xiii) a* member or employee of the Virginia Marine Resources Commission granted the power of arrest pursuant to § 28.2-900; ~~any~~ *(xiv) a* Department of Emergency Management hazardous materials officer~~;~~*, and* any other employee of the Department of Emergency Management who is performing official duties of the agency, when those duties are related to a major disaster or emergency, as defined in § 44-146.16, that has been or is later declared to exist under the authority of the Governor in accordance with § 44-146.28; ~~any~~ *(xv) an* employee of any county, city, or town performing official emergency management or emergency services duties in cooperation with the Department of Emergency Management, when those duties are related to a major disaster or emergency, as defined in § 44-146.16, that has been or is later declared to exist under the authority of the Governor in accordance with § 44-146.28 or a local emergency, as defined in § 44-146.16, declared by a local governing body; ~~any~~ *(xvi) a* nonfirefighter regional hazardous materials emergency response team member; ~~any~~ *(xvii) a* conservation officer of the Department of Conservation and Recreation commissioned pursuant to § 10.1-115; ~~or any~~ *(xviii) a* full-time sworn member of the enforcement division of the Department of Motor Vehicles appointed pursuant to § 46.2-217*; (xix) a campus police officer employed by a contributing nonprofit private institution of higher education; or (xx) a private police officer employed by a contributing private police department*.

"Disabled person" means any individual who has been determined to be mentally or physically incapacitated so as to prevent the further performance of his duties at the time of his disability where such incapacity is likely to be permanent, and whose incapacity occurs in the line of duty as the direct or proximate result of the performance of his duty, including the presumptions under §§ 27-40.1, 27-40.2, 51.1-813, 65.2-402, and 65.2-402.1 if his position is covered by the applicable statute, in any position listed in the definition of deceased person in this section. "Disabled person" does not include any individual who has been determined to be no longer disabled pursuant to subdivision A 2 of § 9.1-404. "Disabled person" includes any state employee included in the definition of a deceased person who was disabled on or after January 1, 1966.

"Eligible dependent" for purposes of continued health insurance pursuant to § 9.1-401 means the natural or adopted child or children of a deceased person or disabled person or of a deceased or disabled person's eligible spouse, provided that any such natural child is born as the result of a pregnancy that occurred prior to, or no later than six months after, the time of

the employee's death or disability and that any such adopted child is (i) adopted prior to, or no later than six months after, the time of the employee's death or disability or (ii) adopted more than six months after the employee's death or disability if the adoption is pursuant to a preadoptive agreement entered into prior to, or no later than six months after, the death or disability. Notwithstanding the foregoing, "eligible dependent" shall also include the natural or adopted child or children of a deceased person or disabled person born as the result of a pregnancy or adoption that occurred after the time of the employee's death or disability, but prior to July 1, 2017. Eligibility will continue until the end of the year in which the eligible dependent reaches age 26 or when the eligible dependent ceases to be eligible based on the Virginia Administrative Code or administrative guidance as determined by the Department of Human Resource Management.

"Eligible spouse" for purposes of continued health insurance pursuant to § 9.1-401 means the spouse of a deceased person or a disabled person at the time of the death or disability. Eligibility will continue until the eligible spouse dies, ceases to be married to a disabled person, or in the case of the spouse of a deceased person, dies, remarries on or after July 1, 2017, or otherwise ceases to be eligible based on the Virginia Administrative Code or administrative guidance as determined by the Department of Human Resource Management.

"Employee" means any person who would be covered or whose spouse, dependents, or beneficiaries would be covered under the benefits of this chapter if the person became a disabled person or a deceased person.

"Employer" means (i) the employer of a person who is a covered employee or (ii) in the case of a volunteer who is a member of any fire company or department or rescue squad described in the definition of "deceased person," the county, city, or town that by ordinance or resolution recognized such fire company or department or rescue squad as an integral part of the official safety program of such locality.

"Fund" means the Line of Duty Death and Health Benefits Trust Fund established pursuant to § 9.1-400.1.

"Line of duty" means any action the deceased or disabled person was obligated or authorized to perform by rule, regulation, condition of employment or service, or law.

"LODA Health Benefit Plans" means the separate health benefits plans established pursuant to § 9.1-401.

"Nonparticipating employer" means any employer that is a political subdivision of the Commonwealth that elected to directly fund the cost of benefits provided under this chapter and not participate in the Fund.

"Participating employer" means any employer that is a state agency or is a political subdivision of the Commonwealth that did not make an election to become a nonparticipating employer.

"Private police officer" means the same as that term is defined in § 9.1-101.

"Private police department" means the same as that term is defined in § 9.1-101.

"VRS" means the Virginia Retirement System.

C. Nothing in this chapter shall be construed as applying to any nonprofit private institution of higher education, as defined in § 23.1-100, that is not a contributing nonprofit private institution of higher education or any private police department that is not a contributing private police department.

§ 9.1-400.1. Line of Duty Death and Health Benefits Trust Fund.

A. There is hereby established a permanent and perpetual fund to be known as the Line of Duty Death and Health Benefits Trust Fund, consisting of such moneys as may be appropriated by the General Assembly~~,~~*;* contributions or reimbursements from participating and nonparticipating employers, *from contributing nonprofit private institutions of higher education, and from contributing private police departments;* gifts, bequests, endowments, or grants from the United States government or its agencies or instrumentalities~~,~~*;* net income from the investment of moneys held in the Fund~~,~~*;* and any other available sources of funds, public and private. Any moneys remaining in the Fund at the end of a biennium shall not revert to the general fund but shall remain in the Fund. Interest and income earned from the investment of such moneys shall remain in the Fund and be credited to it. The moneys in the Fund shall be (i) deemed separate and independent trust funds, (ii) segregated and accounted for separately from all other funds of the Commonwealth, and (iii) administered solely in the interests of the persons who are covered under the benefits provided pursuant to this chapter. Deposits to and assets of the Fund shall not be subject to the claims of creditors.

B. The Virginia Retirement System shall invest, reinvest, and manage the assets of the Fund as provided in § 51.1-124.39 and shall be reimbursed from the Fund for such activities as provided in that section.

C. The Fund shall be used to provide the benefits under this chapter related to disabled persons, deceased persons, eligible dependents, and eligible spouses on behalf of participating employers*, contributing nonprofit private institutions of higher education, and contributing private police departments* and to pay related administrative costs.

D. Each participating employer*, contributing nonprofit private institution of higher education, and contributing private police department* shall make annual contributions to the Fund and provide information as determined by VRS. The amount of the contribution for each participating employer*, contributing nonprofit private institution of higher education, and contributing private police department* shall be determined on a current disbursement basis in accordance with the provisions of this section. For purposes of establishing contribution amounts for participating employers, a member of any fire company or department or rescue squad that has been recognized by an ordinance or a resolution of the governing body of any locality of the Commonwealth as an integral part of the official safety program of such locality shall be considered part of the locality served by the company, department, or rescue squad. If a company, department, or rescue squad serves more than one locality, the affected localities shall determine the basis and apportionment of the required covered payroll and contributions for each company, department, or rescue squad.

If any participating employer*, contributing nonprofit private institution of higher education, or contributing private police department* fails to remit contributions or other fees or costs associated with the Fund, VRS shall inform the State Comptroller and the affected participating employer*, contributing nonprofit private institution of higher education, or contributing private police department* of the delinquent amount. In calculating the delinquent amount, VRS may impose an interest rate of one percent per month of delinquency. The State Comptroller shall forthwith transfer such delinquent amount, plus interest, from any moneys otherwise distributable to such participating employer. *In the case of a contributing nonprofit private institution of higher education or a contributing private police department, VRS may employ reasonable methods to collect the delinquent amount, including the procedures set forth in the Virginia Debt Collection Act (§ 2.2-4800 et seq.).*

§ 9.1-401. Continued health insurance coverage for disabled persons, eligible spouses, and eligible dependents.

A. Disabled persons, eligible spouses, and eligible dependents shall be afforded continued health insurance coverage as provided in this section, the cost of which shall be paid by the nonparticipating employer to the Department of Human Resource Management or from the Fund on behalf of a participating employer*, contributing nonprofit private institution of higher education, or contributing private police department*, as applicable. If any disabled person or eligible spouse is receiving the benefits described in this section and would otherwise qualify for the health insurance credit described in Chapter 14 (§ 51.1-1400 et seq.) of Title 51.1, the amount of such credit shall be deposited into the Line of Duty Death and Health Benefits Trust Fund or paid to the nonparticipating employer, as applicable, from the health insurance credit trust fund, in a manner prescribed by VRS.

B. 1. The continued health insurance coverage provided by this section for all disabled persons, eligible spouses, and eligible dependents shall be through separate plans, referred to as the LODA Health Benefits Plans (the Plans), administered by the Department of Human Resource Management. The Plans shall comply with all applicable federal and state laws and shall be modeled upon state employee health benefits program plans. Funding of the Plans' reserves and contingency shall be provided through a line of credit, the amount of which shall be based on an actuarially determined estimate of liabilities. The Department of Human Resource Management shall be reimbursed for health insurance premiums and all reasonable costs incurred and associated, directly and indirectly, in performing the duties pursuant to this section (i) from the Line of Duty Death and Health Benefits Trust Fund for costs related to disabled persons, deceased persons, eligible dependents, and eligible spouses on behalf of participating employers*, contributing nonprofit private institutions of higher education, and contributing private police departments* and (ii) from a nonparticipating employer for premiums and costs related to disabled persons, deceased persons, eligible dependents, and eligible spouses for which the nonparticipating employer is responsible. If any nonparticipating employer fails to remit such premiums and costs, the Department of Human Resource Management shall inform the State Comptroller and the affected nonparticipating employer of the delinquent amount. In calculating the delinquent amount, the Department of Human Resource Management may impose an interest rate of one percent per month of delinquency. The State Comptroller shall forthwith transfer such delinquent amount, plus interest, from any moneys otherwise distributable to such nonparticipating employer.

2. In the event that temporary health care insurance coverage is needed for disabled persons, eligible spouses, and eligible dependents during the period of transition into the LODA Health Benefits Plans, the Department of Human Resource Management is authorized to acquire and provide temporary transitional health insurance coverage. The type and source of the transitional health plans shall be within the sole discretion of the Department of Human Resource Management. Transitional coverage for eligible dependents shall comply with the eligibility criteria of the transitional plans until enrollment in the LODA Health Benefits Plan can be completed.

C. 1. a. Except as provided in subdivision 2 and any other law, continued health insurance coverage in any LODA Health Benefits Plans shall not be provided to any person (i) whose coverage under the Plan is based on a deceased person's death or a disabled person's disability occurring on or after July 1, 2017 and (ii) who is eligible for Medicare due to age.

b. Coverage in the LODA Health Benefits Plans shall also cease for any person upon his death.

2. The provisions of subdivision 1 a shall not apply to any disabled person who is eligible for Medicare due to disability under Social Security Disability Insurance or a Railroad Retirement Board Disability Annuity. The Department of Human Resource Management may provide such disabled person coverage under a LODA Health Benefits Plan that is separate from the plan for other persons.

3. Continued health insurance under this section shall also terminate upon the disabled person's return to full duty in any position listed in the definition of deceased person in § 9.1-400. Such disabled person shall promptly notify the participating or nonparticipating employer, *the contributing nonprofit private institution of higher education, or the contributing private police department and* VRS~~,~~ and the Department of Human Resource Management upon his return to work.

4. Such continued health insurance shall be suspended for the Plan year following a calendar year in which the disabled person whose coverage under the Plan is based on a disability occurring on or after July 1, 2017, has earned income in an amount equal to or greater than the salary of the position held by the disabled person at the time of disability, indexed annually based upon the annual increases in the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor. Such suspension shall cease the Plan year following a calendar year in which the disabled person has not earned such amount of income. The disabled person shall notify the participating or nonparticipating employer, *the contributing nonprofit private institution of higher education, or the contributing private police department and* VRS~~,~~ and the Department of Human Resource

Management no later than March 1 of the year following any year in which he earns income of such amount~~,~~ and *shall* notify the participating or nonparticipating employer, *the contributing nonprofit private institution of higher education, or the contributing private police department and* VRS~~,~~ and the Department of Human Resource Management when he no longer is earning such amount. Upon request, a disabled person shall provide VRS and the Department of Human Resource Management with documentation of earned income.

§ 9.1-402. Payments to beneficiaries of certain deceased law-enforcement officers, firefighters, etc., and retirees.

A. The beneficiary of a deceased person whose death occurred on or before December 31, 2005, while in the line of duty as the direct or proximate result of the performance of his duty shall be entitled to receive the sum of $75,000, which shall be paid by the nonparticipating employer or from the Fund on behalf of a participating employer*, a contributing nonprofit private institution of higher education, or a contributing private police department*, as applicable, in gratitude for and in recognition of his sacrifice on behalf of the people of the Commonwealth.

B. The beneficiary of a deceased person whose death occurred on or after January 1, 2006, while in the line of duty as the direct or proximate result of the performance of his duty shall be entitled to receive the sum of $100,000, which shall be paid by the nonparticipating employer*, the contributing nonprofit private institution of higher education, or the contributing private police department* or from the Fund on behalf of a participating employer, as applicable, in gratitude for and in recognition of his sacrifice on behalf of the people of the Commonwealth.

C. Subject to the provisions of § 27-40.1, 27-40.2, 51.1-813, or 65.2-402, if the deceased person's death (i) arose out of and in the course of his employment or (ii) was within five years from his date of retirement, his beneficiary shall be entitled to receive the sum of $25,000 or, if the deceased person's death occurred on or after January 1, 2025, $75,000, which shall be paid by the nonparticipating employer or from the Fund on behalf of a participating employer*, a contributing nonprofit private institution of higher education, or a contributing private police department*, as applicable. *For a campus police officer employed by a contributing nonprofit private institution of higher education or a private police officer employed by a contributing private police department, such officer's date of retirement shall be determined by VRS in consultation with the contributing nonprofit private institution of higher education or the contributing private police department, respectively.*

§ 9.1-402.1. Payments for burial expenses.

It is the intent of the General Assembly that expeditious payments for burial expenses be made for deceased persons whose death is determined to be a direct and proximate result of their performance in the line of duty as defined by the Line of Duty Act. Upon the approval of VRS, at the request of the family of a person who may be subject to the line of duty death benefits, payments shall be made to a funeral service provider for burial and transportation costs by the nonparticipating employer or from the Fund on behalf of a participating employer*, a contributing nonprofit private institution of higher education, or a contributing private police department*, as applicable. These payments would be advanced from the death benefit that would be due to the beneficiary of the deceased person if it is determined that the person qualifies for line of duty coverage. Expenses advanced under this provision shall not exceed the coverage amounts outlined in § 65.2-512. In the event *that* a determination is made that the death is not subject to the line of duty benefits *(i) in the case of an employer that is a state agency or political subdivision of the Commonwealth*, VRS or other Virginia governmental retirement fund of which the deceased is a member will deduct from benefit payments otherwise due to be paid to the beneficiaries of the deceased payments previously paid for burial and related transportation expenses and return such funds to the nonparticipating employer or to the Fund on behalf of a participating employer, as applicable*, and (ii) in the case of a contributing nonprofit private institution of higher education or a contributing private police department, VRS (a) will deduct from benefit payments otherwise due to be paid to the beneficiaries of the deceased payments previously paid for burial and related transportation expenses and return such funds to the Fund and (b) may employ reasonable methods, including the procedures set forth in the Virginia Debt Collection Act (§ 2.2-4800 et seq.), to recover from the deceased person's estate any payments previously paid for burial and related transportation expenses and return such funds to the Fund*. The Virginia Retirement System shall have the right to file a claim with the Virginia Workers' Compensation Commission against any employer to recover burial and related transportation expenses advanced under this provision.

§ 9.1-403. Claim for payment; costs.

A. Every beneficiary, disabled person or his spouse, or dependent of a deceased or disabled person shall present his claim to the chief officer, or his designee, of the employer for which the disabled or deceased person last worked on forms to be provided by VRS. Upon receipt of a claim, the chief officer or his designee shall forward the claim to VRS within seven days. The Virginia Retirement System shall determine eligibility for benefits under this chapter. The Virginia Retirement System may request assistance in obtaining information necessary to make an eligibility determination from the Department of State Police. The Department of State Police shall take action to conduct the investigation as expeditiously as possible. The Department of State Police shall be reimbursed from the Fund or the nonparticipating employer, as applicable, for the cost of searching for and obtaining information requested by VRS. The Virginia Retirement System shall be reimbursed for the reasonable costs incurred for making eligibility determinations by nonparticipating employers or from the Fund on behalf of participating employers*, contributing nonprofit private institutions of higher education, or contributing private police departments*, as applicable. If any nonparticipating employer fails to reimburse VRS for reasonable costs incurred in making an eligibility determination, VRS shall inform the State Comptroller and the affected nonparticipating employer of the delinquent amount. In calculating the delinquent amount, VRS may impose an interest rate of one percent per month of delinquency. The State Comptroller shall forthwith transfer such delinquent amount, plus interest, from any moneys otherwise distributable to such nonparticipating employer.

B. 1. Within 10 business days of being notified by an employee, or an employee's representative, that such employee is permanently and totally disabled due to a work-related injury suffered in the line of duty, the agency or department employing the employee shall provide him with information about the continued health insurance coverage provided under this chapter and the process for initiating a claim. The employer shall assist in filing a claim, unless such assistance is waived by the employee or the employee's representative.

2. Within 10 business days of having knowledge that a deceased person's surviving spouse, dependents, or beneficiaries may be entitled to benefits under this chapter, the employer for which the deceased person last worked shall provide the surviving spouse, dependents, or beneficiaries, as applicable, with information about the benefits provided under this chapter and the process for initiating a claim. The employer shall assist in filing a claim, unless such assistance is waived by the surviving spouse, dependents, or beneficiaries.

C. Within 30 days of receiving a claim pursuant to subsection A, an employer may submit to VRS any evidence that could assist in determining the eligibility of a claim. However, when the claim involves a presumption under § 65.2-402 or 65.2-402.1, VRS shall provide an employer additional time to submit evidence as is necessary not to exceed nine months from the date the employer received a claim pursuant to subsection A. Any such evidence submitted by the employer shall be included in the agency record for the claim.

§ 9.1-404. Order of the Virginia Retirement System.

A. 1. The Virginia Retirement System shall make an eligibility determination within 45 days of receiving all necessary information for determining eligibility for a claim filed under § 9.1-403. The Virginia Retirement System may use a medical board pursuant to § 51.1-124.23 in determining eligibility. If benefits under this chapter are due, VRS shall notify the nonparticipating employer, which shall provide the benefits within 15 days of such notice, or VRS shall pay the benefits from the Fund on behalf of the participating employer*, contributing nonprofit private institution of higher education, or contributing private police department* within 15 days of the determination, as applicable. The payments shall be retroactive to the first date that the disabled person was no longer eligible for health insurance coverage subsidized by his employer.

2. Two years after an individual has been determined to be a disabled person, VRS may require the disabled person to renew the determination through a process established by VRS. If a disabled person refuses to submit to the determination renewal process described in this subdivision, then benefits under this chapter shall cease for the individual, any eligible dependents, and an eligible spouse until the individual complies. If such individual does not comply within six months from the date of the initial request for a renewed determination, then benefits under this chapter shall permanently cease for the individual, any eligible dependents, and an eligible spouse. If VRS issues a renewed determination that an individual is no longer a disabled person, then benefits under this chapter shall permanently cease for the individual, any eligible dependents, and an eligible spouse. If VRS issues a renewed determination that an individual remains a disabled person, then VRS may require the disabled person to renew the determination five years after such renewed determination through a process established by VRS. The Virginia Retirement System may require the disabled person to renew the determination at any time if VRS has information indicating that the person may no longer be disabled.

3. For any medical review conducted for the purpose of making an eligibility determination pursuant to this section, VRS shall require such review to be conducted by a licensed health practitioner. For purposes of this section, "licensed health practitioner" means a person licensed to practice medicine or osteopathic medicine pursuant to the provisions of Chapter 29 (§ 54.1-2900 et seq.) of Title 54.1, a person licensed to practice nursing pursuant to the provisions of Chapter 30 (§ 54.1-3000 et seq.) of Title 54.1, or a person licensed to practice psychology pursuant to the provisions of Chapter 36 (§ 54.1-3600 et seq.) of Title 54.1. "Licensed health practitioner" includes a person issued a comparable license, as determined by VRS, by the District of Columbia or a state that is contiguous to the Commonwealth.

B. The Virginia Retirement System shall be reimbursed for all reasonable costs incurred and associated, directly and indirectly, in performing the duties pursuant to this chapter (i) from the Line of Duty Death and Health Benefits Trust Fund for costs related to disabled persons, deceased persons, eligible dependents, and eligible spouses on behalf of participating employers*, contributing nonprofit private institutions of higher education, and contributing private police departments* and (ii) from a nonparticipating employer for premiums and costs related to disabled persons, deceased persons, eligible dependents, and eligible spouses for which the nonparticipating employer is responsible.

C. The Virginia Retirement System may develop policies and procedures necessary to carry out the provisions of this chapter.

2. That any nonprofit private institution of higher education, as defined in § 23.1-100 of the Code of Virginia, that has established a campus police department pursuant to § 23.1-810 of the Code of Virginia or any private police department established on or before the effective date of this act shall elect whether it will be a contributing nonprofit private institution of higher education or a contributing private police department, respectively, under the Line of Duty Act (§ 9.1-400 et seq. of the Code of Virginia), as amended by this act, in the manner and on such forms as prescribed by the Virginia Retirement System within 180 days of the effective date of this act. Any nonprofit private institution of higher education that establishes a campus police department or any private police department established on or after the effective date of this act shall elect whether it will be a contributing nonprofit private institution of higher education or a contributing private police department, respectively, under the Line of Duty Act (§ 9.1-400 et seq. of the Code of Virginia), as amended by this act, in the manner and on such forms as prescribed by the Virginia Retirement System within 180 days of the establishment of the campus police department or private police department. Any election made pursuant to this enactment shall be irrevocable and a nonprofit private

institution of higher education or private police department that does not make an election within the time period set forth in this enactment shall be deemed to have made an irrevocable election that such institution's campus police officers or such private police department's private police officers will not be covered by the Line of Duty Act (§ 9.1-400 et seq. of the Code of Virginia), as amended by this act.

3. That the provisions of this act shall apply only to campus police officers employed by a contributing nonprofit private institution of higher education and private police officers, as defined in § 9.1-400 of the Code of Virginia, as amended by this act, whose death or disability occurred on or after the effective date of such institution's or private police department's irrevocable election to fund the cost of benefits under the Line of Duty Act (§ 9.1-400 et seq. of the Code of Virginia), as amended by this act, and to participate in the Line of Duty Death and Health Benefits Trust Fund, established pursuant to § 9.1-400.1 of the Code of Virginia, as amended by this act.

4. That each contributing nonprofit private institution of higher education and contributing private police department shall pay its pro rata share of the initial costs to implement this act, as determined by the Virginia Retirement System.

CHAPTER 220

An Act to amend and reenact § 8.01-217 of the Code of Virginia, relating to application for change of name; person required to register on the Sex Offender and Crimes Against Minors Registry; victim notification.

[S 1157]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-217 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-217. How name of person may be changed.

A. Any person desiring to change his own name, or that of his child or ward, may apply therefor to the circuit court of the county or city in which the person whose name is to be changed resides, or if no place of abode exists, such person may apply to any circuit court which shall consider such application if it finds that good cause exists therefor under the circumstances alleged. An incarcerated person may apply to the circuit court of the county or city in which such person is incarcerated. In case of a minor who has no living parent or guardian, the application may be made by his next friend. In case of a minor who has both parents living, the parent who does not join in the application shall be served with reasonable notice of the application pursuant to § 8.01-296 and, should such parent object to the change of name, a hearing shall be held to determine whether the change of name is in the best interest of the minor. It shall not be necessary to effect service upon any parent who files an answer to the application. If, after application is made on behalf of a minor and an ex parte hearing is held thereon, the court finds by clear and convincing evidence that such notice would present a serious threat to the health and safety of the applicant, the court may waive such notice.

B. Every application shall be under oath and shall include the place of residence of the applicant, the names of both parents, including the maiden name of his mother, the date and place of birth of the applicant, the applicant's felony conviction record, if any, whether the applicant is a person for whom registration with the Sex Offender and Crimes Against Minors Registry is required pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, whether the applicant is presently incarcerated or a probationer with any court, and if the applicant has previously changed his name, his former name or names.

C. On any such application and hearing, if such be demanded, the court, shall, unless the evidence shows that the change of name is sought for a fraudulent purpose or would otherwise infringe upon the rights of others or, in a case involving a minor, that the change of name is not in the best interest of the minor, order a change of name.

D. No application shall be accepted by a court for a change of name of a probationer, person for whom registration with the Sex Offender and Crimes Against Minors Registry is required pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, or incarcerated person unless the court finds that good cause exists for consideration of such application under the reasons alleged in the application for the requested change of name. If the court accepts the application, the court shall mail or deliver a copy of the application to the attorney for the Commonwealth for the jurisdiction where the application was filed and the attorney for the Commonwealth for any jurisdiction in the Commonwealth where a conviction occurred that resulted in the applicant's probation, registration with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, or incarceration. The attorney for the Commonwealth where the application was filed shall be entitled to respond and represent the interests of the Commonwealth by filing a response within 30 days after the mailing or delivery of a copy of the application. *The attorney for the Commonwealth shall make a reasonable effort to provide notice to the victim of the offense for which such person was required to register with the Sex Offender and Crimes Against Minors Registry or such victim's immediate family member if the victim has died. Such victim or immediate family member may appear personally or by counsel to address the court or may provide a written statement regarding the reasons the court should deny such application for a change of name.* The court shall conduct a hearing on the application and may order a change of name if, after receiving and considering evidence concerning the circumstances regarding the requested change of name, the court determines that the change of name (i) would not frustrate a legitimate law-enforcement purpose,

(ii) is not sought for a fraudulent purpose, and (iii) would not otherwise infringe upon the rights of others. Such order shall contain written findings stating the court's basis for granting the order.

E. The provisions of subsection D are jurisdictional and any order granting a change of name pursuant to subsection D that fails to comply with any provision of subsection D is void ab initio. The attorney for the Commonwealth for the jurisdiction where such an application was filed has the authority to bring an independent action at any time to have such order declared void. If the attorney for the Commonwealth brings an independent action to have the order declared void, notice of the action shall be served upon the person who was granted a change of name who shall have 30 days after service to respond. If the person whose name was changed files a response objecting to having the order declared void, the court shall hold a hearing. If an order granting a change of name is declared void pursuant to this subsection, or if a person is convicted of perjury pursuant to § 18.2-434 for unlawfully changing his name pursuant to § 18.2-504.1 based on conduct that violates this section, the clerk of the court entering the order or the order of conviction shall transmit a certified copy of the order to (i) the State Registrar of Vital Records, (ii) the Department of Motor Vehicles, (iii) the State Board of Elections, (iv) the Central Criminal Records Exchange, and (v) any agency or department of the Commonwealth that has issued a license to the person where such license utilizes the person's changed name, if known to the court and identified in the court order.

F. The order shall contain no identifying information other than the applicant's former name or names, new name, and current address. The clerk of the court shall spread the order upon the current deed book in his office, index it in both the old and new names, and transmit a certified copy of the order and the application to the State Registrar of Vital Records and the Central Criminal Records Exchange. Transmittal of a copy of the order and the application to the State Registrar of Vital Records and the Central Criminal Records Exchange shall not be required of a person who changed his ~~or her~~ former name by reason of marriage and who makes application to resume a former name pursuant to § 20-121.4.

G. If the applicant shall show cause to believe that in the event his change of name should become a public record, a serious threat to the health or safety of the applicant or his immediate family would exist, the chief judge of the circuit court may waive the requirement that the application be under oath or the court may order the record sealed and direct the clerk not to spread and index any orders entered in the cause, and a certified copy shall not be transmitted to the State Registrar of Vital Records or the Central Criminal Records Exchange. At such time as a name change order is received by the State Registrar of Vital Records, for a person born in the Commonwealth, together with a proper request and payment of required fees, the Registrar shall issue certifications of the amended birth record which do not reveal the former name or names of the applicant unless so ordered by a court of competent jurisdiction. Such certifications shall not be marked "amended" and show the effective date as provided in § 32.1-272. Such order shall set forth the date and place of birth of the person whose name is changed, the full names of his parents, including the maiden name of the mother and, if such person has previously changed his name, his former name or names.

CHAPTER 221

An Act to amend and reenact § 28.2-1207 of the Code of Virginia, relating to Marine Resources Commission; encroachment on subaqueous beds; permitting requirements.

[S 1169]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 28.2-1207 of the Code of Virginia is amended and reenacted as follows:

§ 28.2-1207. Authority to approve permits for encroachment on subaqueous beds; notice.

A. Any application for a permit to trespass upon or over or encroach upon subaqueous beds which are the Commonwealth's property may be approved by the Commissioner or his authorized representative if the application meets the requirements of §§ 28.2-1205 and 28.2-1206 and the following criteria are satisfied:

1. The total value of the project does not exceed ~~$500,000~~ *$1,000,000; however, such total value shall be updated every five years by the Commissioner using the Consumer Price Index and published on the Commission's website*;

2. The application is not protested by any citizen or objected to by any state agency; and

3. The project for which the permit is sought will not require any other permit from the Commission.

B. If the permit application is for a shore erosion control project recommended by the soil and water conservation district in which the project is to be located and the criteria listed in subsection A of this section are satisfied, the Commission may, after giving notice of the application to the Virginia Institute of Marine Science, approve the application without giving notice to or awaiting the approval of any other state agency.

C. The Commission shall, in conjunction with affected state and federal agencies, develop an expedited process for issuing general permits for activities that are intended to improve water quality such as bioengineered streambank projects and livestock stream crossings, and for activities required during emergencies in which a determination has been made that there is a threat to public or private property, or to the health and safety of the public. The development of the general permit shall be exempt from Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act.

D. The Commission shall, in conjunction with affected state and federal agencies, develop an expedited process for issuing a permit for emergency activities intended to restore sand to any publicly owned beach damaged by sand erosion.

Such erosion shall have been caused by a discrete, identifiable weather event or sequence of events that threatened public or private property or public health and safety and was the subject of a declaration of emergency by the Governor or the governing body of the locality in which the project is located. The development of the permit shall be exempt from Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act.

CHAPTER 222

An Act to amend the Code of Virginia by adding a section numbered 22.1-207.4:3, relating to public elementary and secondary schools; nutritional standards for school meals and other foods; certain color additives prohibited.

[S 1289]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-207.4:3 as follows:

§ 22.1-207.4:3. Nutritional standards for school meals and other foods; certain color additives prohibited.

A. As used in this section:

"Color additive" means any material not exempted pursuant to 21 U.S.C. § 321(t)(1) that is a dye, pigment, or other substance made by a process of synthesis or similar artifice, or extracted, isolated, or otherwise derived, with or without intermediate or final change of identity, from a vegetable, animal, mineral, or other source and that when added or applied to a food, drug, or cosmetic, or to the human body or any part thereof, is capable of imparting color thereto.

"Competitive food" means the same as that term is defined in § 22.1-207.4.

B. No public elementary or secondary school shall offer or make available to any student any food served as a part of a school meal or any competitive food that contains any of the following color additives:

1. FD&C Blue No. 1 (CAS Reg. No. 3844-45-9);

2. FD&C Blue No. 2 (CAS Reg. No. 860-22-0);

3. FD&C Green No. 3 (CAS Reg. No. 2353-45-9);

4. FD&C Red No. 3 (CAS Reg. No. 16423-68-0);

5. FD&C Red No. 40 (CAS Reg. No. 25956-17-6);

6. FD&C Yellow No. 5 (CAS Reg. No. 1934-21-0); or

7. FD&C Yellow No. 6 (CAS Reg. No. 2783-94-0).

C. The Board shall amend its nutritional guidelines for competitive foods promulgated pursuant to § 22.1-207.4 in accordance with the provisions of this section.

2. That the provisions of this act shall become effective on July 1, 2027.

CHAPTER 223

An Act to amend and reenact §§ 2.2-438, 2.2-441, 2.2-445, and 2.2-446 of the Code of Virginia, relating to Office of the Children's Ombudsman; foster youth's right to receive information.

[S 1406]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-438, 2.2-441, 2.2-445, and 2.2-446 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-438. Definitions.

As used in this chapter, unless context requires another meaning:

"Abused or neglected child" means the same as that term is defined in § 63.2-100.

"Administrative act" includes an action, omission, decision, recommendation, practice, or other procedure of the Department, a local department, a children's residential facility, or a child-placing agency with respect to a particular child related to adoption, foster care, or protective services.

"Central registry" means the system maintained at the Department of Social Services pursuant to § 63.2-1515.

"Child" means an individual ~~under~~ ~~the~~ *who is (i) younger than the* age of 18 *or (ii) for purposes of the Fostering Futures program established pursuant to Article 2 (§ 63.2-917 et seq.) of Chapter 9 of Title 63.2, younger than the age of 21 and meets the eligibility criteria set forth in § 63.2-919.*

"Child-placing agency" means (i) any person who places children in foster homes, adoptive homes, or independent living arrangements pursuant to § 63.2-1819; (ii) a local board that places children in foster homes or adoptive homes pursuant to §§ 63.2-900, 63.2-903, and 63.2-1221; or (iii) an entity that assists parents with the process of delegating parental and legal custodial powers of their children pursuant to Chapter 10 (§ 20-166 et seq.) of Title 20. "Child-placing agency" does not include the persons to whom such parental or legal custodial powers are delegated pursuant to Chapter 10 (§ 20-166 et seq.) of Title 20. Officers, employees, or agents of the Commonwealth or any locality thereof, acting within the scope of their authority as such, who serve as or maintain a child-placing agency shall not be required to be licensed.

"Children's Ombudsman" or "Ombudsman" means the individual appointed to head the Office of the Children's Ombudsman under § 2.2-439.

"Children's residential facility" means the same as that term is defined in § 63.2-100.

"Child-serving agency" means (i) a state agency that provides services to children, including the Department of Behavioral Health and Developmental Services, the Department of Education, the Department of Health, the Department of Juvenile Justice, the Department of Social Services, and the Office of Children's Services, and (ii) a local entity that provides services to children and that receives funding from a state agency under clause (i). "Child-serving agency" does not include any law-enforcement agency.

"Complainant" means an individual who makes a complaint pursuant to § 2.2-441.

"Department" means the Department of Social Services.

"Foster care" means care provided to a child by a foster parent, children's residential facility, or group home licensed or approved by the Department under Chapter 9 (§ 63.2-900) of Title 63.2; care provided to a child in a relative's home under a court order; or any other care provided at the time the child's custody has been given to a government agency.

"Law-enforcement agency" means any crime victim and witness assistance program whose funding is provided in whole or in part by grants administered by the Department of Criminal Justice Services pursuant to § 9.1-104, any state or local police or sheriff's department, any office of an attorney for the Commonwealth, or the Office of the Attorney General.

"Local department" means the local department of social services of any county or city in the Commonwealth.

"Office" means the Office of the Children's Ombudsman established under § 2.2-439.

§ 2.2-441. Individuals making complaint to Children's Ombudsman.

A. Any of the following individuals may make a complaint to the Ombudsman with respect to a particular child, alleging that an administrative act is contrary to law, rule, or policy; imposed without an adequate statement of reason; or based on irrelevant, immaterial, or erroneous grounds:

1. The child, if the child is able to articulate a complaint*, in accordance with the provisions of subsection A of § 2.2-446*;

2. A biological parent of the child;

3. A foster parent of the child;

4. An adoptive parent or a prospective adoptive parent of the child;

5. A legally appointed guardian of the child;

6. A guardian ad litem for the child;

7. A relative of the child or any person with a legitimate interest as defined in § 20-124.1;

8. A Virginia legislator;

9. An individual required to report that a child is alleged to be an abused or neglected child under § 63.2-1509; and

10. An attorney for any individual described in subdivisions 1 through 7.

B. Any individual may submit a complaint to the Ombudsman. The Ombudsman has the sole discretion and authority to determine if a complaint falls within the Ombudsman's duties and powers to investigate and if a complaint involves an administrative act. The Ombudsman may initiate an investigation upon receipt of a complaint from an individual not meeting the definition of complainant. An individual not meeting the definition of complainant is not entitled to receive information under this chapter as if such individual is a complainant. The individual is entitled to receive the recommendations of the Ombudsman and the Department or local department's response to the recommendations of the Ombudsman in accordance with state and federal law. During the course of an investigation, the Ombudsman may refer a case to a child-serving agency if the Ombudsman determines that such agency received a complaint on the case but did not conduct an investigation. If the Ombudsman refers a case to a child-serving agency, such agency shall conduct an investigation of the case or provide notice to the Ombudsman explaining why an investigation was not conducted or what alternative steps may have been taken to address the situation. If an investigation has been conducted, the child-serving agency shall report the results to the Ombudsman.

§ 2.2-445. Department and child-placing agency; duties; information to be provided to biological parent, adoptive parent, or foster parent; access to departmental computer networks.

A. The Department or local department, a children's residential facility, and a child-placing agency shall do all of the following:

1. Upon the Ombudsman's request, grant the Ombudsman or the Office access to all information, records, and documents in the possession of the Department or local department, children's residential facility, or child-placing agency that the Ombudsman considers relevant and necessary in an investigation.

2. Assist the Ombudsman or the Office to obtain the necessary releases of those documents that are specifically restricted.

3. Upon the Ombudsman's request, provide the Ombudsman or the Office with progress reports concerning the administrative processing of a complaint.

4. Upon the Ombudsman's request, provide the Ombudsman or the Office the information requested under subdivision 1 or notification within 10 business days after the request that the Department or local department has determined that release of the information would violate federal or state law.

5. Upon the Ombudsman's request, grant access and provide consent to interview children in foster care who are the subject of or the complainant in an investigation.

B. The Department or local department, a children's residential facility, and a child-placing agency shall provide *the Office's contact information along with* information *regarding the provisions of this chapter* to a biological parent, prospective adoptive parent, or foster parent ~~regarding the provisions of this chapter~~.

The Department or local department, a children's residential facility, and a child-placing agency shall also provide the Office's contact information along with information regarding the provisions of this chapter to any child in foster care age 12 or older upon the opening of a foster care case for such child. If a child turns the age of 12 while in foster care, such child shall be provided the information required by this paragraph on or about his twelfth birthday. Each such child shall receive such required notification annually as long as such child remains in foster care.

C. The Ombudsman and the Office shall have access, in the Ombudsman's own office, to departmental computer networks pertaining to protective services, foster care, adoption, juvenile delinquency, and the central registry, unless otherwise prohibited by state or federal law or if the release of the information to the Ombudsman would jeopardize federal funding. The cost of implementing this subsection shall be negotiated among the Office and the custodians of such networks.

§ 2.2-446. Confidentiality of record of Children's Ombudsman; disclosure; limitations; release of certain information.

A. All statements, documentation, and other evidence received or maintained by the Office or its agents in connection with complaints made to or investigations undertaken pursuant to the Ombudsman's powers enumerated in § 2.2-442 shall be confidential and not subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) and are not discoverable in legal proceedings. If the Ombudsman identifies action or inaction by the state through its agencies or services that failed to protect children, the Ombudsman shall provide any findings and recommendations to the agency affected by those findings and to the General Assembly upon request, and may provide those findings and recommendations to the complainant, to the extent consistent with state or federal law. The Ombudsman shall not disclose any information that impairs the rights of the child or the child's parents or guardians.

If the child is the complainant, the Ombudsman need not gain the consent of the Department or local department, the children's residential facility, the child-placing agency, or the foster parent or guardian of the child or other person having custody or care of the child to receive information from or communicate with the child.

B. Unless otherwise part of the public record, the Office shall not release any of the following confidential information to the general public:

1. Records relating to a mental health evaluation or treatment of a parent or child;
2. Records relating to the evaluation or treatment of a substance abuse-related disorder of a parent or child;
3. Records relating to a medical diagnosis or treatment of a parent or child;
4. Records relating to domestic violence-related services and sexual assault services provided to a parent or child; or
5. Records relating to educational services provided to a parent or child.

C. Notwithstanding subsection B, if the Ombudsman determines that disclosure of confidential information is necessary to identify, prevent, or respond to the abuse or neglect of a child, the Ombudsman may disclose such information to the Department or local department, a court, a law-enforcement agency, or a prosecuting attorney investigating a report of known or suspected abuse or neglect of a child. The Ombudsman shall not release the address, telephone number, or other information regarding the whereabouts of a victim or suspected victim of domestic violence unless ordered to by a court.

D. Except as provided in subsection C, the Ombudsman shall not disclose information relating to an ongoing law-enforcement investigation or an ongoing child protective services investigation. The Ombudsman may release the results of its investigation to a complainant, or an individual not meeting the definition of complainant, if the Ombudsman receives notification of and determines that releasing the results of its investigation is not related to and will not interfere with an ongoing law-enforcement investigation or ongoing child protective services investigation.

E. The Ombudsman shall not disclose the identity of an individual making a complaint alleging that a child is an abused or neglected child unless that individual's written permission is obtained first or a court has ordered the Ombudsman to release such information.

F. The Ombudsman may release an individual's identity who makes an intentionally false report alleging that a child is an abused or neglected child, subject to other laws relating to such disclosure.

CHAPTER 224

An Act to require the Department of Education to survey local education agencies on school-based mental and behavioral health services; report.

[H 1947]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Department of Education (the Department) shall survey each local education agency (LEA) in the Commonwealth to determine (i) how public schools governed by such LEA currently grant access to local departments of social services and community services boards and other community-based providers of mental and behavioral health services and (ii) what school-based mental and behavioral health services are made available by such LEA. The*

Department shall utilize the results of and feedback from such survey to inform the continued development and improvement of guidelines for school professionals to support students and families by connecting them with community resources that provide mental and behavioral health services. The Department shall report to the Commission on Youth by November 1, 2025, any findings and recommendations that result from such survey.

CHAPTER 225

An Act to amend and reenact §§ 19.2-368.5, 19.2-368.10, 19.2-368.11:1, and 19.2-368.17 of the Code of Virginia, relating to compensating victims of crime.

[H 1968]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 19.2-368.5, 19.2-368.10, 19.2-368.11:1, and 19.2-368.17 of the Code of Virginia are amended and reenacted as follows:

§ 19.2-368.5. Filing of claims; deferral of proceedings; restitution.

A. A claim may be filed by a person eligible to receive an award, as provided in § 19.2-368.4, or if such person is a minor, by his parent or guardian. In any case in which the person entitled to make a claim is incapacitated, the claim may be filed on his behalf by his guardian, conservator or such other individual authorized to administer his estate.

B. A claim shall be filed by the claimant not later than ~~one year~~ *three years* after the occurrence of the crime upon which such claim is based, or not later than ~~one year~~ *three years* after the death of the victim. However, (i) in cases involving claims made on behalf of a minor or a person who is incapacitated, the provisions of subsection A of § 8.01-229 shall apply to toll the ~~one-year~~ *three-year* period; (ii) in cases involving claims made by a victim against profits of crime held in escrow pursuant to Chapter 21.2 (§ 19.2-368.19 et seq.) ~~of this title~~, the claim shall be filed within five years of the date of the special order of escrow; and (iii) in cases involving claims of sexual abuse of a minor, the claim shall be filed within 10 years after the minor's eighteenth birthday, except for in cases involving claims of sexual abuse of a minor where the conduct constitutes a felony, the passage of time shall not be a barrier to when the victim can file a claim. For good cause shown, the Commission may extend the time for filing for a crime committed on or after July 1, 2001.

In the case of a crime committed on or after July 1, 1977, and before July 1, 2001, for which a claim was not filed in a timely manner, the Commission may, for good cause shown, extend the time for filing if the attorney for the Commonwealth sends written notification to the Commission that the crime is being investigated as a result of newly discovered evidence. For any claim filed pursuant to this paragraph, the Commission shall only consider expenses and loss of earnings that the claimant accrues after the date of newly discovered evidence as stipulated in the written notification by the attorney for the Commonwealth.

C. Claims shall be filed in the office of the Commission in person, by mail, or by electronic means in accordance with standards approved by the Commission. The Commission shall accept for filing all claims submitted by persons eligible under subsection A ~~of this section~~ and alleging the jurisdictional requirements set forth in this chapter and meeting the requirements as to form in the rules and regulations of the Commission.

D. Upon filing of a claim pursuant to this chapter, the Commission shall promptly notify the attorney for the Commonwealth of the jurisdiction wherein the crime is alleged to have occurred*, except when such claim is filed without the crime being reported to law enforcement*. If, within 10 days after such notification, the attorney for the Commonwealth so notified advises the Commission that a criminal prosecution is pending upon the same alleged crime, the Commission shall defer all proceedings under this chapter until such time as such criminal prosecution has been concluded in the circuit court unless notification is received from the attorney for the Commonwealth that no objection is made to a continuation of the investigation and determination of the claim. When such criminal prosecution has been concluded in the circuit court the attorney for the Commonwealth shall promptly so notify the Commission. Nothing in this section shall be construed to mean that the Commission is to defer proceedings upon the filing of an appeal, nor shall this section be construed to limit the authority of the Commission to grant emergency awards as hereinafter provided. Upon awarding a claim pursuant to this chapter, the Commission shall promptly notify the attorney for the Commonwealth of the jurisdiction wherein the crime is alleged to have occurred. If a criminal prosecution occurs regarding the same alleged crime, the attorney for the Commonwealth shall request the court to order restitution. However, neither the lack of a restitution order, nor the failure of the attorney for the Commonwealth to request such an order, shall preclude the Fund from exercising its subrogation rights pursuant to § 19.2-368.15. Any such restitution shall be paid over to the Comptroller for deposit into the Criminal Injuries Compensation Fund to the extent of the amount of the award paid from the Fund.

§ 19.2-368.10. When awards to be made; reporting crime to law enforcement.

No award shall be made unless the Commission finds that:

1. A crime was committed;

2. Such crime directly resulted in an individual becoming a victim as defined in § 19.2-368.2, on whose behalf a claim is filed; and

3. Police *or court* records show that such crime was promptly reported to the proper authorities. In ~~no case may an award be made where the police records show that~~ *determining if* such ~~report~~ *crime* was ~~made more than 120 hours after the~~

~~occurrence of such crime, unless~~ *promptly reported,* the Commission~~, for good cause shown, finds the delay to have been justified~~ *shall consider (i) any police records; (ii) the victim's physical, emotional, mental, and family situation*; *and (iii) the existence of a permanent protective order, issued pursuant to § 16.1-279.1 or 19.2-152.10, for the victim or other persons eligible for awards as identified in § 19.2-368.4 from the person responsible for the qualifying crime*. The provisions of this subdivision shall not apply to claims of sexual abuse.

~~The Commission, upon finding that any claimant or award recipient has not fully cooperated with all law-enforcement agencies, unless the law-enforcement agency certifies that the claimant or award recipient was willing but unable to cooperate due to a good faith belief that such cooperation would have endangered such claimant or award recipient and such claimant or award recipient was not provided with any victim or witness protection services when such protection services were requested by a law-enforcement agency, may deny, reduce, or withdraw any award, as the case may be.~~

§ 19.2-368.11:1. Amount of award.

A. Compensation for Total Loss of Earnings: An award made pursuant to this chapter for total loss of earnings that results directly from incapacity incurred by a crime victim shall be payable during total incapacity to the victim or to such other eligible person, at a weekly compensation rate equal to 66-2/3 percent of the victim's average weekly wages. The victim's average weekly wages shall be determined as provided in § 65.2-101.

B. Compensation for Partial Loss of Earnings: An award made pursuant to this chapter for partial loss of earnings ~~which~~ *that* results directly from incapacity incurred by a crime victim shall be payable during incapacity at a weekly rate equal to 66-2/3 percent of the difference between the victim's average weekly wages before the injury and the weekly wages ~~which~~ *that* the victim is able to earn thereafter. The combined total of actual weekly earnings and compensation for partial loss of earnings shall not exceed $600 per week.

C. Compensation for Loss of Earnings of Parent of Minor Victim: The parent or guardian of a minor crime victim may receive compensation for loss of earnings, calculated as specified in subsections A and B, for time spent obtaining medical treatment for the child and for accompanying the child to, attending or participating in investigative, prosecutorial, judicial, adjudicatory and post-conviction proceedings.

D. Compensation for Dependents of a Victim Who Is Killed: If death results to a victim of crime entitled to benefits, dependents of the victim shall be entitled to compensation in accordance with the provisions of §§ 65.2-512 and 65.2-515 in an amount not to exceed the maximum aggregate payment or the maximum weekly compensation ~~which~~ *that* would have been payable to the deceased victim under this section.

E. Compensation for Unreimbursed Medical Costs, Funeral Expenses, Services, etc.: Awards may also be made on claims or portions of claims based upon the claimant's actual expenses incurred as are determined by the Commission to be appropriate, for (i) unreimbursed medical expenses or indebtedness reasonably incurred for medical expenses; (ii) expenses reasonably incurred in obtaining ordinary and necessary services in lieu of those the victim would have performed, for the benefit of himself and his family, if he had not been a victim of crime; (iii) expenses directly related to funeral or burial, not to exceed $10,000; (iv) expenses attributable to pregnancy resulting from forcible rape; (v) mental health counseling for survivors as defined under subdivisions A 2 and A 4 of § 19.2-368.4, not to exceed $3,500 per claim; (vi) reasonable and necessary moving expenses, not to exceed $2,000, incurred by a victim or survivors as defined under subdivisions A 2 and A 4 of § 19.2-368.4; and (vii) any other reasonable and necessary expenses and indebtedness incurred as a direct result of the injury or death upon which such claim is based, not otherwise specifically provided for. Notwithstanding any other provision of law, a person who is not eligible for an award under subsection A of § 19.2-368.4 who pays expenses directly related to funeral or burial is eligible for reimbursement subject to the limitations of this section.

F. Notwithstanding the provisions of subdivision 3 of § 19.2-368.10, §§ 19.2-368.5, 19.2-368.5:1, 19.2-368.6, 19.2-368.7, and 19.2-368.8, subsection G of this section, and § 19.2-368.16, the Criminal Injuries Compensation Fund shall pay for physical evidence recovery kit examinations conducted on victims of sexual assault. Any individual that submits to and completes a physical evidence recovery kit examination shall be considered to have met the reporting ~~and cooperation~~ requirements of this chapter. Funds paid for physical evidence recovery kit collection shall not be offset against the Fund's maximum allowable award as provided in subsection H. Payments may be subject to negotiated agreements with the provider. Health care providers that complete physical evidence recovery kit examinations may bill the Fund directly subject to the provisions of § 19.2-368.5:2. The Commission shall develop policies for a distinct payment process for physical evidence recovery kit examination expenses as required under subdivision 1 of § 19.2-368.3.

In order for the Fund to consider additional crime-related expenses, victims shall file with the Fund following the provisions of this chapter and Criminal Injuries Compensation Fund policy.

G. Any claim made pursuant to this chapter shall be reduced by the amount of any payments received or to be received as a result of the injury from or on behalf of the person who committed the crime or from any other public or private source, including an emergency award by the Commission pursuant to § 19.2-368.9.

H. To qualify for an award under this chapter, a claim must have a minimum value of $100, and payments for injury or death to a victim of crime, to the victim's dependents or to others entitled to payment for covered expenses, after being reduced as provided in subsection G, shall not exceed $35,000 in the aggregate.

§ 19.2-368.17. Public information program.

The Commission shall establish and conduct a public information program to assure extensive and continuing publicity and public awareness of the provisions of this chapter. The public information program shall include brochures, posters and public service advertisements for television, radio and print media for dissemination to the public of information regarding

the right to compensation for innocent victims of crime, including information on the right to file a claim, the scope of coverage, and the procedures to be utilized incident thereto.

Whenever a crime ~~which~~ *that* directly resulted in personal physical injury to, or death of, an individual is reported ~~within the time required by~~ *pursuant to* § 19.2-368.10, the law-enforcement agency to which the report is made shall make reasonable efforts, where practicable, to notify the victim or other potential claimant in writing on forms prepared by the Commission of his or her possible right to file a claim under this chapter. In any event, no liability or cause of action shall arise from the failure to so notify a victim of crime or other potential claimant.

CHAPTER 226

An Act to direct the State Council of Higher Education for Virginia to evaluate and make recommendations on exempting certain noncredit courses of instruction operated by private and out-of-state postsecondary institutions from requirements related to obtaining and maintaining certification to operate in the Commonwealth; report.

[H 1995]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the State Council of Higher Education for Virginia (the Council) shall evaluate and make recommendations on amending § 23.1-226 of the Code of Virginia relating to certain activities and programs offered by private and out-of-state postsecondary schools that are exempt from the requirements for obtaining and maintaining certification by the Council to operate in the Commonwealth set forth in Article 3 (§ 23.1-213 et seq.) of Chapter 2 of Title 23.1 of the Code of Virginia, to exempt noncredit courses of instruction offered by an entity or organization in accordance with the requirements of a nationally recognized certifying body, including certified Scrum courses and those intended solely to prepare students for certification as project management professionals, provided that no such exempted course of instruction shall exceed the number of hours required by the applicable certifying body. In conducting its evaluation, the Council shall (i) consider the potential benefits exempting such noncredit courses of instruction from such requirements; (ii) consider any unintended or negative consequences that may result from exempting such noncredit courses of instruction from such requirements; (iii) consider how other states certify, regulate, exempt from regulation or certification, or otherwise treat such noncredit courses of instruction; and (iv) make recommendations on whether the provisions of § 23.1-226 of the Code of Virginia should be amended to exempt such noncredit courses of instruction from such requirements or such requirements should otherwise be modified and, if so, on any considerations or concerns that should be taken into account in doing so. The Council shall report its findings and recommendations to the Senate Committees on Finance and Appropriations and Education and Health and the House Committees on Appropriations and Education by November 1, 2025.*

CHAPTER 227

An Act to amend and reenact § 18.2-59.1 of the Code of Virginia, relating to sexual extortion; penalty.

[H 1998]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-59.1 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-59.1. Sexual extortion; penalty.

A. Any person who maliciously threatens in writing, including an electronically transmitted communication producing a visual or electronic message, (i) to disseminate, sell, or publish a videographic or still image, created by any means whatsoever, or (ii) to not delete, remove, or take back a previously disseminated, sold, or published videographic or still image, created by any means whatsoever, that depicts the complaining witness or such complaining witness's family or household member, as defined in § 16.1-228, as totally nude or in a state of undress so as to expose the genitals, pubic area, buttocks, or female breast with the intent to cause the complaining witness to engage in sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, inanimate or animate object sexual penetration, or an act of sexual abuse, as defined in § 18.2-67.10, and thereby engages in sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, inanimate or animate object sexual penetration, or an act of sexual abuse, as defined in § 18.2-67.10, is guilty of a Class 5 felony. However, any adult who violates this section with a person under the age of 18 is guilty of a felony punishable by confinement in a state correctional facility for a term of not less than one nor more than 20 years and by a fine of not more than $100,000.

B. *Any person who maliciously threatens eviction, loss of housing, property damage, or any financial loss with the intent to cause the complaining witness to engage in sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, inanimate or animate object sexual penetration, or an act of sexual abuse, as defined in § 18.2-67.10, and thereby engages in sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, inanimate or animate object sexual penetration, or an act of sexual abuse, as defined in § 18.2-67.10, is guilty of a Class 5 felony. However, any adult who violates this section*

with a person under the age of 15 is guilty of a felony punishable by confinement in a state correctional facility for a term of not less than one nor more than 20 years and by a fine of not more than $100,000.

C. A prosecution pursuant to this section may be in the county, city, or town in which the communication was either made or received.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 228

An Act to amend and reenact §§ 10.1-603.19, 10.1-604.1, 10.1-605, 10.1-605.3, 10.1-606.2, 10.1-606.3, 10.1-607, 10.1-608, 10.1-609, 10.1-612.1, and 10.1-613.6 of the Code of Virginia and to repeal § 10.1-613.2 of the Code of Virginia, relating to Dam Safety, Flood Prevention and Protection Assistance; Dam Safety Act; powers and duties of the Department of Conservation and Recreation; rights and requirements of dam owners; civil penalty.

[H 2000]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 10.1-603.19, 10.1-604.1, 10.1-605, 10.1-605.3, 10.1-606.2, 10.1-606.3, 10.1-607, 10.1-608, 10.1-609, 10.1-612.1, and 10.1-613.6 of the Code of Virginia are amended and reenacted as follows:

§ 10.1-603.19. Purposes for which Fund is to be used; Authority to set terms and conditions of loans.

A. The Director may make grants or loans to any local government for the purpose of assisting the local government in the development and implementation of flood prevention or protection projects, or for flood prevention or protection studies.

B. The Director may expend from the Fund up to $50,000 annually for cost share with federal agencies in flood protection studies of statewide or regional significance.

C. The Director may, in order to protect public safety and welfare, make (i) grants or loans to a local government that owns a dam, to a local government for a dam located within the locality, or to a private entity that owns a dam for the design, repair, and ~~the~~ safety modifications of such a dam if it is identified in a safety report generated pursuant to § 10.1-607 or 10.1-609 and (ii) grants to a local government or private entity for the determination of the hazard classification for impounding structures, dam break analysis, the mapping and digitization of dam break inundation zones, incremental damage analysis, and other engineering requirements, such as emergency action plan development *and inspection reports*.

D. The Director may, in order to reduce dam owner expenses associated with hazard classification, dam break analysis, the mapping and digitization of dam break inundation zones, incremental damage analysis, and other engineering requirements, such as emergency action plan development *and inspection reports*, expend moneys from the Fund to employ staff or to directly contract for these services. The Director may establish a fee to be paid by the dam owner to offset a portion of these services. Such fee shall not exceed 50 percent of the cost incurred by the Department.

E. The Director may, in order to protect people at risk from a dam failure and to assist dam owners, localities, and emergency responders, expend moneys from the Fund to maintain a statewide dam failure early warning system in cooperation with the Department of Emergency Management and the U.S. National Weather Service.

F. The total amount of expenditures for grants in any fiscal year shall not exceed 50 percent of the total noninterest or income deposits made to the Fund during the previous fiscal year, together with the total amount collected in interest or income from the investment of moneys in the Fund from the previous fiscal year as determined at the beginning of the fiscal year.

G. Any grants made from the Fund *pursuant to clause (i) of subsection C* shall require a ~~50~~ *30* percent project match by the applicant. Any loans made from the Fund *for such activities or for engineering requirements needed to complete such activities included in clause (i) of subsection C* shall require a minimum of a 10 percent project match by the applicant.

H. *Any grants made from the Fund pursuant to clause (ii) of subsection C shall require no more than a 10 percent match by the applicant except that the applicant shall be required to provide a minimum of $5,000 of the cost of the project, if funded. The match provided by the applicant may be used to pay the application fees for the necessary impounding structure operation and general permit pursuant to § 10.1-605.3 or maintenance certificate.*

I. Except as otherwise provided in this article, moneys in the Fund shall be used solely to make loans or grants to local governments or private entities to finance or refinance the cost of a project. The local government or private entity to which loans or grants are made, the purposes of the loan or grant, the required match for the specific loan or grant, and the amount of each loan or grant, shall be designated in writing by the Director to the Authority. No loan or grant from the Fund shall exceed the total cost of the project to be financed or the outstanding principal amount of the indebtedness to be refinanced plus reasonable financing expenses. Loans may also be from the Fund, at the Director's discretion, to a local government

that has developed a low-interest loan program to provide loans or other incentives to facilitate the correction of dam or impounding structure deficiencies, as required by the Department, provided that the moneys are to be used only for the program and that the dams or impounding structures to be repaired or upgraded are owned by private entities.

~~I.~~ *J.* Except as otherwise provided in this article, the Authority shall determine the interest rate and terms and conditions of any loan from the Fund, which may vary between different loans and between local governments and private entities to finance or refinance the cost of a project. Each loan shall be evidenced by appropriate bonds or notes of the local government or by the appropriate debt instrument for private entities payable to the Fund. Private entities shall duly authorize an appropriate debt instrument and execute same by their authorized legal representatives. The bonds or notes shall have been duly authorized by the local government and executed by its authorized legal representatives. The Authority may require in connection with any loan from the Fund such documents, instruments, certificates, legal opinions, covenants, conditions, and other information as it may deem necessary or convenient to further the purpose of the loan. In addition to any other terms or conditions that the Authority may establish, the Authority may require, as a condition to making any loan from the Fund, that the local government or private entity receiving the loan covenant to perform any of the following:

1. Establish and collect rents, rates, fees, and charges to produce revenue sufficient to pay all or a specified portion of (i) the costs of operation, maintenance, replacement, renewal, and repairs of the project; (ii) any outstanding indebtedness incurred for the purposes of the project, including the principal of, premium, if any, and interest on the loan from the Fund; and (iii) any amounts necessary to create and maintain any required reserve, including any rate stabilization fund deemed necessary or appropriate by the Authority to offset the need, in whole or part, for future increases in rents, rates, fees, or charges;

2. With respect to local governments, levy and collect ad valorem taxes on all property within the jurisdiction of the local government subject to local taxation sufficient to pay the principal of and premium, if any, and interest on the loan from the Fund to the local government;

3. Create and maintain a special fund or funds for the payment of the principal of, premium, if any, and interest on the loan from the Fund and any other amounts becoming due under any agreement entered into in connection with the loan, or for the operation, maintenance, repair, or replacement of the project or any portions thereof or other property of the borrower, and deposit into any fund or funds amounts sufficient to make any payments on the loan as they become due and payable;

4. Create and maintain other special funds as required by the Authority;

5. Perform other acts otherwise permitted by applicable law to secure payment of the principal of, premium, if any, and interest on the loan from the Fund and to provide for the remedies of the Fund in the event of any default by the borrower in payment of the loan, including, without limitation, any of the following:

a. The conveyance of, or the granting of liens on or security interests in, real and personal property, together with all rights, title and interest therein;

b. The procurement of insurance, guarantees, letters of credit and other forms of collateral, security, liquidity arrangements or credit supports for the loan from any source, public or private, and the payment therefor of premiums, fees, or other charges;

c. The combination of one or more projects, or the combination of one or more projects with one or more other undertakings, facilities, utilities, or systems, for the purpose of operations and financing, and the pledging of the revenues from such combined projects, undertakings, facilities, utilities and systems to secure the loan from the Fund borrower made in connection with such combination or any part or parts thereof;

d. The maintenance, replacement, renewal, and repair of the project; and

e. The procurement of casualty and liability insurance;

6. Obtain a review of the accounting and internal controls from the Auditor of Public Accounts or his legally authorized representatives, as applicable. The Authority may request additional reviews at any time during the term of the loan. In addition, anyone receiving a report in accordance with § 10.1-603.23 may request an additional review as set forth in this section; and

7. Directly offer, pledge, and consent to the Authority to take action pursuant to § 62.1-216.1 to obtain payment of any amounts in default, as applicable.

All local governments or private entities borrowing money from the Fund are authorized to perform any acts, take any action, adopt any proceedings, and make and carry out any contracts that are contemplated by this article. Such contracts need not be identical among all local governments or private entities but may be structured as determined by the Authority according to the needs of the contracting local governments or private entities and the Fund.

Subject to the rights, if any, of the registered owners of any of the bonds of the Authority, the Authority may consent to and approve any modification in the terms of any loan to any local government.

§ 10.1-604.1. Determination of hazard potential classification.

A. The hazard potential classification for an impounding structure shall be determined by one of the following procedures:

1. The owner of an impounding structure that does not currently hold a regular or conditional certificate from the Board *or general permit in accordance with § 10.1-605.3*, or the owner of an impounding structure that is already under certificate *or general permit in accordance with § 10.1-605.3* but the owner believes that a condition has changed downstream of the impounding structure that may reduce its hazard potential classification, may request that the

Department conduct a simplified dam break inundation zone analysis to determine whether the impounding structure has a low hazard potential classification. The owner shall pay 50 percent of the cost of the analysis. If the Department finds that the impounding structure has a low hazard potential classification, the owner shall be eligible for general permit coverage in accordance with § 10.1-605.3. If the Department finds that the impounding structure appears to be a high or significant hazard potential structure, the owner's engineer shall provide further analysis in accordance with § 10.1-606.2 and the criteria set out in the Impounding Structure Regulations (4VAC50-20). The owner may be eligible for grant assistance in accordance with § 10.1-603.19.

2. The owner may propose a hazard potential classification that shall be subject to approval by the Board. To support the proposed hazard classification, an analysis shall be conducted by the owner's engineer and shall comply with the criteria set out in the Impounding Structure Regulations (4VAC50-20). If the engineer finds that the impounding structure has a low hazard potential classification, the owner shall be eligible for general permit coverage in accordance with § 10.1-605.3.

An impounding structure's hazard potential classification's determination shall include an analysis of those hazards created by flood and nonflood dam failures. In conducting the hazard potential classification, the Department or the owner's engineer may utilize an incremental damage analysis. When considering the failure of the impounding structure under a flood condition, such engineers shall only consider those hazards that exceed those created by the flood event.

B. Any owner aggrieved by a decision of the Department regarding his impounding structure shall have the right to judicial review of the final decision pursuant to the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

C. The Board may adopt regulations in accordance with § 10.1-605 to establish a simplified methodology for dam break inundation zone analysis.

§ 10.1-605. Promulgation of regulations by the Board; guidance document.

A. The Board shall adopt regulations to ensure that impounding structures in the Commonwealth are properly and safely constructed, maintained and operated. Dam safety regulations promulgated by the State Water Control Board shall remain in full force until amended in accordance with applicable procedures.

B. The Board's Impounding Structure Regulations shall not require any impounding structure in existence or under a construction permit prior to July 1, 2010, that is currently classified as high hazard, or is subsequently found to be high hazard through reclassification, to upgrade its spillway to pass a rainfall event greater than the maximum recorded within the Commonwealth, which shall be deemed to be 90 percent of the probable maximum precipitation.

1. Such an impounding structure shall be determined to be in compliance with the spillway requirements of the regulations provided that (i) the impounding structure will pass two-thirds of the reduced probable maximum precipitation requirement described in this subsection and (ii) the dam owner certifies annually and by January 15 that such impounding structure meets each of the following conditions:

a. The owner has a current emergency action plan that is approved by the Board and that is developed and updated in accordance with the regulations;

b. The owner has exercised the emergency action plan in accordance with the regulations and conducts a table-top exercise at least once every two years;

c. The Department has verification that both the local ~~organization for~~ emergency management *coordinator* and the Virginia Department of Emergency Management have on file current emergency action plans and updates for the impounding structure;

d. That conditions at the impounding structure are monitored on a daily basis and as dictated by the emergency action plan;

e. The impounding structure is inspected at least annually by a professional engineer and all observed deficiencies are addressed within 120 days of such inspection;

f. The owner has a dam break inundation zone map developed in accordance with the regulations that is acceptable to the Department;

g. The owner is insured in an amount that will substantially cover the costs of downstream property losses to others that may result from a dam failure; and

h. The owner shall post the dam's emergency action plan on his website, or upon the request of the owner, the Department or another state agency responsible for providing emergency management services to citizens agrees to post the plan on its website. If the Department or another state agency agrees to post the plan on its website, the owner shall provide the plan in a format suitable for posting.

2. A dam owner who meets the conditions of subdivisions 1 a through 1 h, but has not provided record drawings to the Department for his impounding structure, shall submit a complete record report developed in accordance with the construction permit requirements of the Impounding Structure Regulations, excluding the required submittal of the record drawings.

3. A dam owner who fails to submit certifications required by subdivisions 1 a through 1 h in a timely fashion shall not enjoy the presumption that such impounding structure is deemed to be in compliance with the spillway requirements of the Board's Impounding Structure Regulations (4VAC50-20).

4. Any dam owner who has submitted the certifications required by subdivisions 1 a through 1 h shall make (i) such certifications, (ii) the emergency action plan required by subdivision 1 a, and (iii) the certificate of insurance required by subdivision 1 g available, upon request and within five business days, to any person. A dam owner may comply with the

requirements of this subdivision by providing the same information on a website and directing the requestor to such website. A dam owner who fails to comply with this subdivision shall be subject to a civil penalty pursuant to § ~~10.1-613.2~~ *10.1-609*.

C. The Board's regulations shall establish an incremental damage analysis procedure that permits the spillway design flood requirement for an impounding structure to be reduced to the level at which dam failure shall not significantly increase downstream hazard to life or property, provided that the spillway design flood requirement shall not be reduced to below the 100-year flood event for high or significant hazard impounding structures, or to below the 50-year flood event for low hazard potential impounding structures.

D. The Board shall consider the impact of limited-use or private roadways with low traffic volume and low public safety risk that are downstream from or across an impounding structure in the determination of the hazard potential classification of an impounding structure.

§ 10.1-605.3. General permit for certain impounding structures.

A. The Board shall develop a general permit for the regulation of low hazard potential impounding structures in accordance with § 10.1-605.

B. The regulations shall include the following:

1. A registration statement requiring:

a. The name and address of the owner;

b. The location of the impounding structure;

c. The height of the impounding structure;

d. The volume of water impounded; ~~and~~

e. *The results of a safety inspection conducted by a licensed professional engineer consistent with § 10.1-607 upon initial application for a permit or, for a newly constructed impounding structure, a complete records report as required in the Impounding Structure Regulations (4VAC50-20-70) for a construction permit; and*

f. A certification from the owner that the impounding structure (i) is classified as low hazard pursuant to a determination by the Department or the owner's professional engineer in accordance with § 10.1-604.1; (ii) is, to the best of his knowledge, properly and safely constructed ~~and~~*; (iii)* currently has no observable deficiencies *or, if deficiencies exist, such deficiencies shall be corrected in a timeframe and manner acceptable by the Department*; and ~~(iii)~~ *(iv)* shall be maintained and operated in accordance with the provisions of the general permit.

2. A spillway design flood requirement of the 100-year flood. When ~~appropriate~~ *no critical infrastructure, as defined in § 44-146.28:2, public highway, or any access to a public utility, as defined in § 56-232, is determined to be within the dam break inundation zone*, the spillway design flood requirement may be reduced to the 50-year flood ~~in accordance with an incremental damage analysis~~ *if approved by the Department*.

3. A simplified emergency preparedness plan that provides:

a. Name and location information for the impounding structure;

b. Name of owner and operator and associated contact information;

c. Contact information for relevant emergency responders;

d. Procedures for notifying downstream property owners or occupants; and

e. Identification of any downstream roadways that would be impacted by a failure.

4. An annual inspection of the impounding structure by the owner. No inspection of the impounding structure by a licensed professional engineer shall be required if the owner certifies at the time of general permit coverage renewal that conditions at the impounding structure and downstream are unchanged.

5. Procedures for seeking and issuing coverage under the general permit.

6. A six-year term of coverage under the general permit after which time the owner shall reapply for coverage by filing a new registration statement. The Board may, by regulation, establish a fee for the processing of registration statements.

C. The owner shall notify the Department immediately of any change in circumstances that would cause the impounding structure to no longer qualify for coverage under the general permit. In the event of a failure or an imminent failure at the impounding structure, the owner shall immediately notify the local emergency ~~services~~ *management* coordinator, the Department of Emergency Management, and the Department. The Department shall take actions in accordance with § 10.1-608 or 10.1-609, depending on the degree of hazard and the imminence of failure caused by the unsafe condition.

D. Failure to comply with the provisions of the general permit may result in penalties assessed in accordance with §§ *10.1-609 and* 10.1-613.1 ~~and 10.1-613.2~~.

E. In order to qualify for the ~~provisions~~ *protections* of § 10.1-606.3, a dam owner eligible for a general permit shall file a dam break inundation *zone* map with *or provide the limits of the inundation study in an acceptable electronic format to* the Department ~~and~~. *The dam owner shall also file such dam break inundation zone map or such limits of the inundation zone in an acceptable electronic format* with the offices with plat and plan approval authority or zoning responsibilities *as designated by the locality and the local emergency management coordinator* as designated by the locality for each locality in which the dam break inundation zone resides in accordance with § 10.1-606.2.

F. ~~If the failure of a low hazard potential impounding structure~~ *The Board may establish reduced minimum performance and maintenance standards in a general permit for a low hazard potential impounding structure that* is not expected to cause loss of human life or economic damage to any property except property owned by the owner~~, the owner~~

~~may follow the special criteria established for certain low hazard impounding structures in the Impounding Structure Regulations (4VAC50-20) in lieu of coverage under the general permit~~ *if such impounding structure fails*.

§ 10.1-606.2. Mapping of dam break inundation zones.

A. An owner of an impounding structure shall prepare a map of the dam break inundation zone *or provide the limits of the dam break inundation zone in an acceptable electronic format* for the impounding structure in accordance with criteria set out in the Virginia Impounding Structure Regulations (4VAC50-20). Existing maps prepared by the locality in accordance with these regulations may be used for this purpose.

B. All maps *or limits of the inundation zone* prepared in accordance with subsection A shall be filed with the Department ~~of Conservation and Recreation and with~~, *the local emergency management coordinator as designated by the locality, and* the offices with plat and plan approval authority or zoning responsibilities as designated by the locality for each locality in which the dam break inundation zone resides.

C. Owners of impounding structures may be eligible for matching grants ~~of up to 50 percent~~ from the Dam Safety, Flood Prevention and Protection Assistance Fund and other sources of funding available to the Director to assist in the development of dam break inundation zone maps and for conducting incremental damage assessments in accordance with the Virginia Impounding Structure Regulations.

D. All properties identified within the dam break inundation zone shall be incorporated by the owner into the dam safety emergency action plan of that impounding structure so as to ensure the proper notification of persons downstream and other affected persons or property owners in the event of an emergency condition at the impounding structure.

§ 10.1-606.3. Requirement for development in dam break inundation zones.

A. For any development proposed within the boundaries of a dam break inundation zone that has been mapped in accordance with § 10.1-606.2, the locality shall, as part of a preliminary plan review pursuant to § 15.2-2260, or as part of a plan review pursuant to § 15.2-2259 if no preliminary review has been conducted, (i) review the dam break inundation zone map *or the limits of the dam break inundation zone* on file with the locality for the affected impounding structure, (ii) notify the dam owner, and (iii) within 10 days forward a request to the Department of Conservation and Recreation to make a determination of the potential impacts of the proposed development on the spillway design flood standards required of the dam. The Department shall notify the dam owner and the locality of its determination within 45 days of the receipt of the request. Upon receipt of the Department's determination, the locality shall complete the review in accordance with § 15.2-2259 or 15.2-2260. If a locality has not received a determination within 45 days of the Department's receipt of the request, the Department shall be deemed to have no comments, and the locality shall complete its review. Such inaction by the Department shall not affect the Board's authority to regulate the impounding structure in accordance with this article.

If the Department determines that the plan of development would change the spillway design flood standards of the impounding structure, the locality shall not permit development as defined in § 15.2-2201 or redevelopment in the dam break inundation zone unless the developer or subdivider agrees to alter the plan of development so that it does not alter the spillway design flood standard required of the impounding structure or he contributes payment to the necessary upgrades to the affected impounding structure pursuant to § 15.2-2243.1.

The developer or subdivider shall provide the dam owner and all affected localities with information necessary for the dam owner to update the dam break inundation zone map to reflect any new development within the dam break inundation zone following completion of the development.

The requirements of this subsection shall not apply to any development proposed downstream of a dam for which a dam break inundation zone map is not on file with *or the limits of the dam break inundation zone have not been provided to* the locality as of the time of the official submission of a development plan to the locality.

B. The locality is authorized to map the dam break inundation zone in accordance with criteria set out in the Virginia Impounding Structure Regulations (4VAC50-20) and recover the costs of such mapping from the owner of an impounding structure for which a dam break inundation zone map is not on file with *or the limits of the dam break inundation zone have not been provided to* the locality and a map has not been prepared by the impounding structure owner.

C. This section shall not be construed to supersede or conflict with the authority granted to the Department of Energy for the regulation of mineral extraction activities in the Commonwealth as set out in Title 45.2. Nothing in this section shall be interpreted to permit the impairment of a vested right in accordance with § 15.2-2307.

§ 10.1-607. Safety inspections.

No one shall maintain a dam which unreasonably threatens the life or property of another. The Board shall cause safety inspections to be made of impounding structures on such schedule as it deems appropriate. The time of the initial inspection and the frequency of reinspection shall depend on such factors as the condition of the structure and its size, type, location and downstream hazard potential. The owners of dams found to have deficiencies which could threaten life or property if not corrected shall take the corrective actions needed to remove such deficiencies within a reasonable time. All safety inspections shall be conducted by or under the supervision of a licensed professional engineer. Each report shall bear the seal and signature of the licensed professional engineer responsible for the inspection. *If required by the Board in response to actions taken pursuant to § 10.1-608 or 10.1-609, each safety inspection report shall include any identified corrective actions, include a plan to implement such actions, and bear the seal and signature of the licensed professional engineer responsible for the inspection.*

The Board shall be responsible for the inspection and reinspection of flood control dams where the maintenance and operation of the dam is the responsibility of a soil and water conservation district and where the permit for operation of the impounding structure is held by such a district.

In response to any action taken pursuant to this section and § 10.1-608, the dam owner shall be responsible for ensuring that (i) the safety inspection of the impounding structure is conducted consistent with this section within 30 days of action being taken and (ii) the safety inspection report is provided to the Department within 30 days after the safety inspection is completed.

§ 10.1-608. Unsafe dams presenting imminent danger.

When the Director ~~finds~~ *determines that* an unsafe dam ~~constituting~~ *constitutes* an imminent danger to life or property, he shall immediately notify the Department of Emergency Management *and the local emergency management coordinator for the locality where the dam is located* and confer with the owner. The owner of a dam found to constitute an imminent danger to life or property shall take immediate corrective action. If the owner does not take appropriate and timely action to correct the danger found, the Governor shall have the authority to take immediate appropriate action, without the necessity for a hearing, to remove the imminent danger. *Upon receiving authority from the Governor to take such immediate appropriate action, the Department shall notify the locality in which the dam is located. If such locality is able and agrees to take appropriate and timely action to minimize the imminent danger on behalf of the Department, the Director may issue an administrative order to the locality defining the actions the locality is authorized to undertake on behalf of the Department and the terms and conditions applicable to the delegated actions.* The Attorney General may bring an action against the owner of the impounding structure for the Commonwealth's expenses in removing the imminent danger. There shall be a lien upon the owner's real estate for the Commonwealth's expenses in removing the imminent danger. The owner may avoid the Commonwealth's costs, and recover any damages, upon proving that the dam was known to be safe at the time such action was taken, and that the owner had provided or offered to immediately provide such proof to the Director before the action complained of was taken. Nothing herein shall in any way limit any authority existing under the Emergency Services and Disaster Law (§ 44-146.13 et seq.).

§ 10.1-609. Unsafe dams presenting nonimminent danger; civil penalty.

A. Within ~~a reasonable time~~ *30 days* after completion of a safety inspection of an impounding structure ~~authorized by~~ *by the dam owner's licensed professional engineer in accordance with* § 10.1-607, ~~the Board shall issue a report to the owner of the impounding structure containing its findings and recommendations for correction of any deficiencies which could threaten life or property if not corrected. Owners who have been issued a report containing recommendations for correction of deficiencies shall undertake to implement the recommendations contained in the report according to the schedule of implementation contained in the report~~ *the owner shall submit to the Board a plan, consistent with regulations adopted pursuant to § 10.1-605, to address the recommendations for correcting any deficiencies found at the impounding structure and shall include a schedule for implementing such recommendations. The Board shall determine if the submitted plan and schedule are sufficient to address the deficiencies*. If an owner fails or refuses to commence or diligently implement the recommendations for correction of deficiencies according to the schedule contained in ~~an issued report~~ *the plan*, the Director shall have the authority to issue an administrative order directing the owner to commence implementation and completion of such recommendations according to the schedule contained in the ~~report~~ *plan* with modifications as appropriate. *Such order may include a civil penalty of up to $500 per day, with the maximum amount not to exceed $25,000. The civil penalty may be in addition to, or in lieu of, any other forfeitures, remedies, or penalties authorized by law. When setting the civil penalty amount, the Director shall consider (i) the nature, duration, and number of previous instances of failure by the dam owner to comply with requirements of law relating to dam safety and the Board's regulations and orders; (ii) the efforts of the dam owner to correct deficiencies or other instances of failure to comply with the requirements of law relating to dam safety and the Board's regulations and orders that are the subject of the proposed penalty; (iii) the cost of carrying out actions required to meet the requirements of this article and the Board's regulations and orders; (iv) the hazard classification of the dam; and (v) any other factors that the Department deems appropriate. The Director shall suspend the civil penalties if the dam owner complies with the administrative order and any conditions in the schedule of compliance contained in such order.*

B. Within ~~thirty~~ *30* days after being served by personal service or by mail with a copy of an order issued pursuant to this section, any owner shall have the right to petition the Board for a hearing. ~~As part of his petition, a dam owner may submit to the Board his own plan, consistent with regulations adopted pursuant to § 10.1-605, to address the recommendations for correction of deficiencies and the schedule of implementation contained in the report. The Board shall determine if the submitted plan and schedule are sufficient to address deficiencies.~~ A timely filed petition shall stay the effect of the administrative order.

The hearing shall be conducted before the Board or a designated member thereof pursuant to § 2.2-4019. The Board shall have the authority to affirm, modify, amend or cancel the administrative order. Any owner aggrieved by a decision of the Board after a hearing shall have the right to judicial review of the final Board decision pursuant to the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

~~B.~~ *C.* The provisions of subsection A of this section notwithstanding, if the Director determines, after the ~~report~~ *plan* is ~~issued~~ *submitted*, that changed circumstances justify reclassifying the deficiencies of an impounding structure as an imminent danger to life or property, the Director may proceed directly under § 10.1-613 for enforcement of his order, and the owner shall have the opportunity to contest the fact based upon which the administrative order was issued.

~~C.~~ *D.* The Director, upon a determination that there is an unsafe condition at an impounding structure, is authorized to cause the lowering or complete draining of such impoundment until the unsafe condition has been corrected at the owner's expense and prior to any authorization to refill.

An owner who fails to comply with the provisions contained in an administrative order of the Department shall be subject to procedures set out in § 10.1-613 and the penalties authorized under ~~§§~~ *§* 10.1-613.1 ~~and 10.1-613.2~~.

E. If any civil penalty has not been paid within 60 days after the Board's final decision or a court order has been served on the owner, the Board shall request the Attorney General to bring a civil action against such owner in an appropriate court for appropriate relief.

F. Civil penalties assessed under this section shall be paid into the Dam Safety, Flood Prevention and Protection Assistance Fund established in § 10.1-603.17 and be used for the administration of the dam safety program, including for the repair and maintenance of impounding structures.

~~D.~~ *G.* No persons, other than those authorized to maintain an impounding structure, shall interfere with the operation of an impounding structure.

§ 10.1-612.1. Temporary stop work order; hearing; injunctive relief.

A. The Director may issue a temporary stop work order on a construction or alteration project if he finds that an owner is constructing or altering a dam without having first obtained the necessary certificate of approval, or if the activities are not in accordance with approved plans and specifications. The order shall include written notice to the owner of the date, time, and location where the owner may appear at a hearing before the Board or a designated member thereof pursuant to § 2.2-4019 to show cause why the temporary order should be vacated. The hearing shall be held within ~~15~~ *30* calendar days of the date of the order, unless the owner consents to a longer period.

B. Following the hearing, the Board may affirm or cancel the temporary order and may issue a final order directing that immediate steps be taken to abate or ameliorate any harm or damage arising from the violation. The owner may seek judicial review of the final decision of the Board pursuant to the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

C. If the violation continues after the Board has issued a final decision and order pursuant to subsection B or a temporary order issued by the Director pursuant to subsection A, the Board may apply for an injunction from the appropriate court. A decision to seek injunctive relief does not preclude other forms of relief, enforcement, or penalties against the owner.

§ 10.1-613.6. Negotiated settlement agreements.

With the consent of any owner of an impounding structure who has allegedly violated or failed, neglected, or refused to obey any regulation or order of the Board, any condition of a permit, or any provision of this chapter, the Board may enter into a negotiated settlement agreement with such owner, so long as the impounding structure or dam is not subject to the provisions of § 10.1-609, to correct deficiencies at the structure according to the schedule of implementation appended to the negotiated settlement agreement and for the payment of civil charges for past alleged violations in specific sums not to exceed the limit specified in § ~~10.1-613.2~~ *10.1-609*. Such civil charges shall be suspended upon compliance with the terms and conditions of the negotiated settlement agreement as determined by the Director. Such civil charges shall be ~~instead of any appropriate civil penalty that could be imposed under § 10.1-613.2 and shall be~~ paid into the Dam Safety, Flood Prevention and Protection Assistance Fund established ~~by Article 1.2 (§ 10.1-603.16 et seq.)~~ *in § 10.1-603.17*.

2. That § 10.1-613.2 of the Code of Virginia is repealed.

CHAPTER 229

An Act to amend and reenact § 22.1-4.1 of the Code of Virginia, relating to street address or route number requirement on certain school admission documents; limitations for certain individuals.

[H 2013]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-4.1 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-4.1. Street addresses required in certain school admission documents.

Documents submitted for admission of any child to public schools in the Commonwealth, except such documents required in accordance with §§ 22.1-3.1 and 22.1-270, shall include the street address or route number of each pupil's residence. If no street address or route number exists for such residence, a post office box number shall be required. *If the pupil or parent participates in the Address Confidentiality Program pursuant to § 2.2-515.2, the street address or route number shall be provided to establish residency but shall not otherwise be made part of the student's educational records.*

If the pupil is a homeless child or youth as defined in subdivision A 7 of § 22.1-3, and for that reason the school division determines, on the basis of the affidavit of the person seeking to enroll the pupil, that a street address, route number, or post office box number cannot be provided, it may accept an address in an alternate form it deems appropriate.

Address information provided under this section shall not be released to any person unless otherwise authorized by law.

CHAPTER 230

An Act to provide a new charter for the Town of Shenandoah in Page County and to repeal Chapter 163 of the Acts of Assembly of 1926, as amended, which provided a charter for the Town of Shenandoah.

[H 2019]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1.

CHARTER
FOR THE
TOWN OF SHENANDOAH.

§ 1. Town incorporated; powers generally.

The Town of Shenandoah, in the County of Page, shall continue to be a town corporate, in the name and style of the Town of Shenandoah and as such shall have and exercise all the powers conferred upon towns by the general laws of the Commonwealth of Virginia concerning towns now in force or that hereafter may be enacted for the government of towns so far as the same are not inconsistent with this act.

§ 2. Boundaries.

The boundaries of the Town shall remain as now established unless changed in accordance with applicable law.

§ 3. Government vested in Town council; composition of council and qualifications of members.

The government of said Town shall be vested in a Town council, which shall be composed of the Mayor and six council members, each of whom shall be a qualified voter within the said Town.

§ 4. Election of Mayor; term of office.

The Mayor shall be elected at large at the November 2026 general election, and every two years thereafter, and shall hold office for two years from the first day of January next succeeding his election.

§ 4.1. Election of council members; term of office.

The Town council shall be a continuing body, and no measure pending before such body shall abate or be discontinued by reason of expiration of the term of office or removal of any or all of the members. The Mayor and council in office at the time of adoption of this charter shall continue in office until the expiration of the terms to which they were elected or until their successors are elected and qualified. Accordingly, at the time of the general election in November of 2026, there will be an election for Mayor and three council positions and, in November 2028, there will be an election for the Mayor and the other three council positions. The terms of council members shall be for four years, beginning on the first day of January next succeeding their election. Council members shall be elected by the locality at large.

§ 5. Officers appointed by council.

The Town council may appoint the following officers, who serve at the pleasure of the council:

(a) Town Manager. The Town Manager shall be responsible to the Town council for the proper administration of all affairs of the Town, for the control and management of all Town departments and property, for the appointment, supervision, discipline, and dismissal of all Town employees (except, with respect to Town council appointed officers, appointment and dismissal shall be by act of the Town council), for the preparation and implementation of an annual budget, and for any other duties as prescribed by the council and is vested with all the powers provided by the general laws of the Commonwealth of Virginia. The Town Manager shall also perform other duties and receive such compensation as the Town council may prescribe. The Town Manager may also hold the position of Town Clerk.

(b) Town Treasurer. The Town Treasurer shall keep the Town's books and accounts and collect all the taxes, revenues, and assessments that may be levied by the council and is vested with all the powers provided by the general laws of the Commonwealth of Virginia. The Town Treasurer shall also perform other duties and receive such compensation as the Town council may prescribe.

(c) Town Clerk. The Town Clerk shall attend the meetings of the council, keep a record of its proceedings, and generally perform such other acts and duties as the council may from time to time prescribe. The Town Clerk shall receive such compensation as the council may prescribe and may also hold the office of Town Treasurer so long as he or she is not a member of the Town council.

(d) Town Attorney. The Town Attorney shall be an attorney at law licensed to practice under the laws of the Commonwealth of Virginia. The Town Attorney shall receive such compensation as may be determined by the council and shall have such duties as prescribed by the council.

(e) Chief of Police. The Chief of Police shall be the head of the Town of Shenandoah Police Department and shall be a law-enforcement officer responsible for the enforcement of the criminal laws and such other duties prescribed by the laws of the Town and the Commonwealth of Virginia. The Chief of Police shall also perform other duties and receive such compensation as the Town council may prescribe. The Chief of Police shall have all powers that are now or may hereafter be provided to law-enforcement officers and police chiefs by the Commonwealth of Virginia.

(f) Other officers. The Town council may appoint such other officers as may be necessary to conduct the business of the Town, prescribe their duties, and fix their compensation.

The Town council may designate a person to act in an interim capacity for any of the foregoing officers during the absence or incapacity of such officer.

All Town officers already in office at the time of the enactment of this charter shall continue until further action of the Town council.

Any officer appointed by the council may be removed at its pleasure. The council may fill any vacancy in any appointed office.

§ 6. Mayor; powers and duties.

The Mayor shall have the following powers and duties:

(a) The Mayor shall see that the bylaws and ordinances of the Town are fully executed and enforced. He shall preside over the meetings of the Town council and shall have the same right to speak therein as members of the Town council but shall not vote except in the case of a tie. He shall be recognized as the head of the Town council and the head of the Town government for all ceremonial purposes. He shall perform such other duties consistent with his office as may be imposed by the council. In times of public danger or emergencies, he may take command of the police and maintain order and enforce laws, and for this purpose may deputize such assistant law-enforcement officers as may be necessary.

(b) The Mayor, or the person acting as Mayor, shall authenticate with his signature every ordinance and resolution adopted by the council, and such documents or instruments as the council, this charter, or the laws of the Commonwealth shall require.

(c) The Mayor shall see that the duties of the various Town officers, agents, and employees are faithfully performed. The Mayor shall have power to investigate their accounts and have access to all of their books and documents in their offices.

§ 7. Salary.

The salary of the Mayor and council members shall be fixed by the Town council.

§ 8. Vice Mayor.

A Vice Mayor shall be elected by a majority of the council at its organizational meeting after the general election of 2026 to a term of two years, and every two years thereafter. The Vice Mayor shall possess the powers and discharge the duties of the Mayor during any period of absence or disability of the Mayor. While serving in the place of the Mayor, the Vice Mayor may vote as a member of the Town council. If the Vice Mayor is also absent or unable to act, the council may choose another council member to possess the powers and discharge the Mayor's duties during the period of the Vice Mayor and Mayor's absence or disability. While serving in the place of the Mayor, such council member may vote as a member of the Town council. The council may provide reasonable compensation to the Vice Mayor or other council member discharging the duties of the Mayor pursuant to this section. Upon the adoption of this charter, the current Vice Mayor of the council shall serve as Vice Mayor until the organizational meeting after the general election of 2026.

§ 9. Public utilities; acquisition, maintenance, etc., of waterworks and other utilities.

The Town shall have the right to maintain, operate, acquire, construct, and keep waterworks and electric plants, and any other plants or property which towns have the right to conduct, maintain, acquire, operate, and construct under the general laws of the Commonwealth of Virginia.

§ 10. Public utilities; appointment of officers; establishment of regulations; fixing of rates.

For the purpose of properly conducting its waterworks, electric plant, and other public works, the council may employ such officers, agents, and employees as it may deem necessary, and fix the compensation of the same; may promulgate and establish such rules and regulations in regard to the use and maintenance of such water, water systems, electric plant, and public works as it thinks best; may fix the rates for the use of water, electricity, et cetera, from its works, and provide for the collection of the same; may change and alter the rates at any time, without notice; and the council shall be the sole judge of the rates to be charged for such service; and the council is granted all the powers which a municipal corporation has in the operation of its public works.

§ 11. Sewers and sewage systems.

The Town may construct, maintain, and operate sewers and sewage systems, and charge for connections therewith and the use thereof such rates as the council may deem proper, and may change the same from time to time without notice. The council may establish and promulgate any rules and regulations in regard to the connection, or continued use thereof, as it may deem proper; may refuse any connection, and disconnect the same if for any reason the connection, or continued use thereof, becomes inimical to the public welfare, or detrimental to the sewage system, or if the charges therefor be unpaid; and may be the sole judge when the same is to be disconnected or when the connection is to be refused.

§ 12. Miscellaneous powers.

(a) Removal or reconstruction of unsafe buildings, etc.; protection of public gatherings.

The Town may regulate the size, height, materials, and construction of buildings, fences, walls, retaining walls, and other structures hereafter erected in such manner as the public safety and conveniences may require; remove or require to be removed or reconstructed any building, structure, or addition thereto, which by reason of dilapidation, defect of structure, or other causes may have become dangerous to life or property, or which may have been erected contrary to law; and enact stringent and efficient laws for securing the safety of persons from fires in halls and buildings used for public assemblies, entertainments, or amusements.

(b) Fees for permits, etc.

The Town may charge and collect fees for permits to use public facilities and for public services and privileges.

(c) Cemeteries.

The Town may provide in or near the Town lands to be used as burial places for the dead; improve and care for the same and the approaches thereto; charge for and regulate the use of ground therein; and provide for the perpetual upkeep and care of any plot or burial lot therein. The Town is authorized to take and receive sums of money by gift, bequest, or otherwise, to be kept or invested, and the income thereof is to be used for the perpetual upkeep and care of the said lot or plat for which the said donation, gift, or bequest shall have been made.

(d) Injunctive relief.

The Town may maintain a suit to restrain by injunction the violation of any ordinance, notwithstanding any punishment that may be provided for the violation of such ordinance.

§ 13. Contractual powers; gifts; grants.

(a) Acquisition of property generally; holding, selling, leasing, etc., Town property.

The Town may acquire, by purchase, gift, devise, condemnation, or otherwise, property, real and personal, or any estate or interest therein, within or without the Town or the Commonwealth of Virginia and for any of the purposes of the Town.

(b) Debts and evidence of indebtedness.

The Town may contract debts, borrow money, and make and issue evidence of indebtedness.

(c) Gifts.

The Town may accept or refuse gifts, donations, bequests, or grants of any kind from any source, absolutely or in trust, which are related to the Town's powers, duties, and functions, or for educational, charitable, or other public purposes, and do all the things and acts necessary to carry out the purposes of such gifts, grants, bequests, and donations, with power to manage, maintain, operate, sell, lease, or otherwise handle or dispose of the same, in accordance with terms and conditions of such gifts, grants, bequests, and donations. The Town shall also have the authority to make appropriations of public funds, of personal property or any real estate, and of donations to any charitable institution or association, located within its respective limits or outside its limits, if such institution or association provides services to residents of the Town.

§ 14. Adoption of ordinances.

All ordinances of the Town must, before becoming effective, be enacted by a majority vote of the council and be approved by the Mayor, and if disapproved by the Mayor, shall become effective only upon the affirmative vote of the council by at least four members thereof entered of record.

§ 15. Council; meetings; quorum.

(a) Regular meetings. The Town council shall by ordinance fix the time of their regular meetings. The council may convene at such additional times as it may deem necessary in accordance with applicable law.

(b) Special meetings. A special meeting may be called by the Mayor or by three or more council members, provided that the Mayor and all council members are notified a reasonable period of time prior to the meeting, or are present, or sign a waiver, which may be signed after the meeting. No business shall be transacted at a special meeting except that for which it is called unless all members of the council are present or sign a waiver, which may be signed after the meeting.

(c) Quorum. Four members of the council shall constitute a quorum for the transaction of business. As the Mayor does not vote, the Mayor's attendance does not count towards the quorum requirement.

(d) Procedural rules. The council may adopt its own rules of order and procedure that govern meetings of the council.

§ 16. Town powers enumerated.

The Town may do all things whatsoever necessary or expedient for promoting or maintaining the general welfare, comfort, education, morals, peace, government, health, trade, commerce, or industries of the Town or its inhabitants; prescribe any penalty for the violation of any Town ordinance, rule, or regulation or of any provisions of this charter, not exceeding the fine or sentence imposed by the laws of the Commonwealth of Virginia; pass and enforce all bylaws, rules, regulations, and ordinances that it may deem necessary for the good order and government of the Town, the management of its property, the conduct of its affairs, and the peace, comfort, convenience, order, morals, health, and protection of its citizens or their property; and do such other things and pass such other laws as may be necessary or proper to carry into full effect any power, authority, capacity, or jurisdiction that is or shall be granted to or vested in said Town, or in the council, court, or offices thereof, or which may be necessarily incident to a municipal corporation.

The Town may compel the abatement and removal of all nuisances within the said Town at the expense of the person or persons causing the same or the owner or occupant of the ground or premises wherein the same may be found, and to require all lands and lots and other premises within the Town to be kept clean and sanitary and free from stagnant water, weeds, filth, and unsightly deposits or make them at the expense of the owners or occupants thereof; to regulate or prevent slaughterhouses or other noisome and offensive business within the Town; and generally to define, prohibit, abate, and suppress and prevent all things detrimental to the health, morals, safety, convenience, and welfare of its inhabitants.

§ 17. Organization and maintenance of volunteer fire department.

The Town council may organize and maintain a volunteer fire department for the purpose of extinguishing fires and protecting the buildings and property located within said Town from destruction by fires and conflagrations, and said council may enact ordinances and regulations for the control and regulation of said fire department.

§ 18. Licensing and regulating shows, circuses, etc.

The council shall have the right to license and regulate the holding and location of shows, circuses, public exhibitions, carnivals, and similar shows or fairs, or prohibit the holding of the same or any of them within the Town.

§ 19. Removal of snow from sidewalks; skating or riding bicycles thereon.

The council shall have the right to require the owners of real estate abutting upon paved or other improved sidewalks to remove the snow therefrom, to prevent skating or riding of bicycles thereon, and all other improper uses thereof, and to punish such violation by fine.

§ 20. Applicability of general laws of the Commonwealth; powers enumerated in charter not exclusive.

The Town council shall have all powers and authority that are now or may hereafter be granted to councils of towns by the general laws of the Commonwealth of Virginia, and the recital of special powers and authorities herein shall not be taken to exclude the exercise of any power and authority granted by the general laws of the Commonwealth of Virginia to town councils, but not herein specified.

§ 21. Ordinances continued in force.

All ordinances now in force in the Town, not inconsistent with this act, shall be and remain in force until altered, amended, or repealed by the Town council.

§ 22. Severability of provisions.

If any clause, sentence, paragraph, or part of this charter shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of said charter, but shall be confined in its operations to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 23. Repealing clause.

All acts and parts of acts in conflict with this charter are hereby repealed, provided, however, that nothing contained in this act shall be construed to invalidate or to in any manner affect the present existing indebtedness and liabilities of the Town, whether evidenced by bonded obligations or otherwise, or to relieve it of any part of its present obligation or liability on account of bond issues, liabilities, or debts of whatsoever nature or kind.

2. That Chapter 163 of the Acts of Assembly of 1926, as amended, is repealed.

CHAPTER 231

An Act to amend and reenact §§ 4.1-227 and 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 4.1-203.2, relating to Department of Criminal Justice Services; alcoholic beverage control retail licensees and employees; training on human trafficking.

[H 2033]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 4.1-227 and 9.1-102 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 4.1-203.2 as follows:

§ 4.1-203.2. Retail licensee and employee training; human trafficking recognition and reporting.

The Authority shall offer a training course to retail licensees and their employees to train such licensees and employees to recognize and report instances of suspected human trafficking. Such training course shall be an online course developed by the Department of Criminal Justice Services pursuant to § 9.1-102 and provided at no cost to retail licensees and their employees or an alternative online or in-person training course approved by the Department of Criminal Justice Services.

§ 4.1-227. Suspension or revocation of licenses; notice and hearings; imposition of penalties.

A. Except for temporary licenses, before the Board may impose a civil penalty against a brewery licensee or suspend or revoke any license, reasonable notice of such proposed or contemplated action shall be given to the licensee in accordance with the provisions of § 2.2-4020 of the Administrative Process Act (§ 2.2-4000 et seq.).

Notwithstanding the provisions of § 2.2-4022, the Board shall, upon written request by the licensee, permit the licensee to inspect and copy or photograph all (i) written or recorded statements made by the licensee or copies thereof or the substance of any oral statements made by the licensee or a previous or present employee of the licensee to any law-enforcement officer, the existence of which is known by the Board and upon which the Board intends to rely as evidence in any adversarial proceeding under this chapter against the licensee, and (ii) designated books, papers, documents, tangible objects, buildings, or places, or copies or portions thereof, that are within the possession, custody, or control of the Board and upon which the Board intends to rely as evidence in any adversarial proceeding under this chapter against the licensee. In addition, any subpoena for the production of documents issued to any person at the request of the licensee or the Board pursuant to § 4.1-103 shall provide for the production of the documents sought within ten working days, notwithstanding anything to the contrary in § 4.1-103.

If the Board fails to provide for inspection or copying under this section for the licensee after a written request, the Board shall be prohibited from introducing into evidence any items the licensee would have lawfully been entitled to inspect or copy under this section.

The action of the Board in suspending or revoking any license or in imposing a civil penalty against the holder of a brewery license shall be subject to judicial review in accordance with the Administrative Process Act. Such review shall extend to the entire evidential record of the proceedings provided by the Board in accordance with the Administrative Process Act. An appeal shall lie to the Court of Appeals from any order of the court. Notwithstanding § 8.01-676.1, the final

judgment or order of the circuit court shall not be suspended, stayed or modified by such circuit court pending appeal to the Court of Appeals. Neither mandamus nor injunction shall lie in any such case.

B. In suspending any license the Board may impose, as a condition precedent to the removal of such suspension or any portion thereof, a requirement that the licensee pay the cost incurred by the Board in investigating the licensee and in holding the proceeding resulting in such suspension, or it may impose and collect such civil penalties as it deems appropriate. In no event shall the Board impose a civil penalty exceeding $2,000 for the first violation occurring within five years immediately preceding the date of the violation or $5,000 for the second violation occurring within five years immediately preceding the date of the second violation. However, if the violation involved selling alcoholic beverages to a person prohibited from purchasing alcoholic beverages or allowing consumption of alcoholic beverages by underage, intoxicated, or interdicted persons, the Board may impose a civil penalty not to exceed $3,000 for the first violation occurring within five years immediately preceding the date of the violation and $6,000 for a second violation occurring within five years immediately preceding the date of the second violation in lieu of such suspension or any portion thereof, or both. The Board may also impose a requirement that the licensee pay for the cost incurred by the Board not exceeding $25,000 in investigating the licensee and in holding the proceeding resulting in the violation in addition to any suspension or civil penalty incurred.

C. Following notice to (i) the licensee of a hearing that may result in the suspension or revocation of his license or (ii) the applicant of a hearing to resolve a contested application, the Board may accept a consent agreement as authorized in subdivision 21 of § 4.1-103. The notice shall advise the licensee or applicant of the option to (a) admit the alleged violation or the validity of the objection; (b) waive any right to a hearing or an appeal under the Virginia Administrative Process Act (§ 2.2-4000 et seq.); and (c)(1) accept the proposed restrictions for operating under the license, (2) accept the period of suspension of the licensed privileges within the Board's parameters, (3) pay a civil penalty in lieu of the period of suspension, or any portion of the suspension as applicable, or (4) proceed to a hearing.

D. In case of an offense by the holder of a brewery license, the Board may (i) require that such holder pay the costs incurred by the Board in investigating the licensee, (ii) suspend or revoke the on-premises privileges of the brewery, and (iii) impose a civil penalty not to exceed $25,000 for the first violation, $50,000 for the second violation, and for the third or any subsequent violation, suspend or revoke such license or, in lieu of any suspension or portion thereof, impose a civil penalty not to exceed $100,000. Such suspension or revocation shall not prohibit the licensee from manufacturing or selling beer manufactured by it to the owners of boats registered under the laws of the United States sailing for ports of call of a foreign country or another state, and to persons outside the Commonwealth.

E. The Board shall, by regulation or written order:

1. Designate those (i) objections to an application or (ii) alleged violations that will proceed to an initial hearing;

2. Designate the violations for which a waiver of a hearing and payment of a civil charge in lieu of suspension may be accepted for a first offense occurring within three years immediately preceding the date of the violation;

3. Provide for a reduction in the length of any suspension and a reduction in the amount of any civil penalty for any retail licensee where the licensee can demonstrate that it provided to its employees alcohol server or seller training certified in advance by the Board*, which training shall include a course developed or approved by the Department of Criminal Justice Services pursuant to § 9.1-102 on recognizing and reporting instances of suspected human trafficking*;

4. Establish a schedule of penalties for such offenses, prescribing the appropriate suspension of a license and the civil charge acceptable in lieu of such suspension; and

5. Establish a schedule of offenses for which any penalty may be waived upon a showing that the licensee has had no prior violations within five years immediately preceding the date of the violation. No waiver shall be granted by the Board, however, for a licensee's willful and knowing violation of this subtitle or Board regulations.

§ 9.1-102. Powers and duties of the Board and the Department.

The Department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to:

1. Adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the administration of this chapter including the authority to require the submission of reports and information by law-enforcement officers within the Commonwealth. Any proposed regulations concerning the privacy, confidentiality, and security of criminal justice information shall be submitted for review and comment to any board, commission, or committee or other body which may be established by the General Assembly to regulate the privacy, confidentiality, and security of information collected and maintained by the Commonwealth or any political subdivision thereof;

2. Establish compulsory minimum training standards subsequent to employment as a law-enforcement officer in (i) permanent positions and (ii) temporary or probationary status and establish the time required for completion of such training. Such compulsory minimum training standards shall include crisis intervention training in accordance with clause (i) of § 9.1-188;

3. Establish minimum training standards and qualifications for certification and recertification for law-enforcement officers serving as field training officers;

4. Establish compulsory minimum curriculum requirements for in-service and advanced courses and programs for schools, whether located in or outside the Commonwealth, which are operated for the specific purpose of training law-enforcement officers;

5. Establish (i) compulsory minimum training standards for law-enforcement officers who utilize radar or an electrical or microcomputer device to measure the speed of motor vehicles as provided in § 46.2-882 and establish the time required for completion of the training and (ii) compulsory minimum qualifications for certification and recertification of instructors who provide such training;

6. [Repealed];

7. Establish compulsory minimum entry-level, in-service and advanced training standards for those persons designated to provide courthouse and courtroom security pursuant to the provisions of § 53.1-120, and to establish the time required for completion of such training;

8. Establish compulsory minimum entry-level, in-service and advanced training standards for deputy sheriffs designated to serve process pursuant to the provisions of § 8.01-293, and establish the time required for the completion of such training;

9. Establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the time required for completion of such training, for persons employed as deputy sheriffs and jail officers by local criminal justice agencies and correctional officers employed by the Department of Corrections under the provisions of Title 53.1. For correctional officers employed by the Department of Corrections, such standards shall include training on the general care of pregnant women, the impact of restraints on pregnant inmates and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant inmates, and the impact of body cavity searches on pregnant inmates;

10. Establish compulsory minimum training standards for all dispatchers employed by or in any local or state government agency, whose duties include the dispatching of law-enforcement personnel. Such training standards shall apply only to dispatchers hired on or after July 1, 1988. Such training shall include training in the identification of, communication with, and facilitation of the safe return of individuals diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and returning them to their caregivers;

11. Establish compulsory minimum training standards for all auxiliary police officers employed by or in any local or state government agency. Such training shall be graduated and based on the type of duties to be performed by the auxiliary police officers. Such training standards shall not apply to auxiliary police officers exempt pursuant to § 15.2-1731;

12. Consult and cooperate with counties, municipalities, agencies of the Commonwealth, other state and federal governmental agencies, and institutions of higher education within or outside the Commonwealth, concerning the development of police training schools and programs or courses of instruction;

13. Approve institutions, curricula and facilities, whether located in or outside the Commonwealth, for school operation for the specific purpose of training law-enforcement officers; but this shall not prevent the holding of any such school whether approved or not;

14. Establish and maintain police training programs through such agencies and institutions as the Board deems appropriate;

15. Establish compulsory minimum qualifications of certification and recertification for instructors in criminal justice training academies approved by the Department;

16. Conduct and stimulate research by public and private agencies which shall be designed to improve police administration and law enforcement;

17. Make recommendations concerning any matter within its purview pursuant to this chapter;

18. Coordinate its activities with those of any interstate system for the exchange of criminal history record information, nominate one or more of its members to serve upon the council or committee of any such system, and participate when and as deemed appropriate in any such system's activities and programs;

19. Conduct inquiries and investigations it deems appropriate to carry out its functions under this chapter and, in conducting such inquiries and investigations, may require any criminal justice agency to submit information, reports, and statistical data with respect to its policy and operation of information systems or with respect to its collection, storage, dissemination, and usage of criminal history record information and correctional status information, and such criminal justice agencies shall submit such information, reports, and data as are reasonably required;

20. Conduct audits as required by § 9.1-131;

21. Conduct a continuing study and review of questions of individual privacy and confidentiality of criminal history record information and correctional status information;

22. Advise criminal justice agencies and initiate educational programs for such agencies with respect to matters of privacy, confidentiality, and security as they pertain to criminal history record information and correctional status information;

23. Maintain a liaison with any board, commission, committee, or other body which may be established by law, executive order, or resolution to regulate the privacy and security of information collected by the Commonwealth or any political subdivision thereof;

24. Adopt regulations establishing guidelines and standards for the collection, storage, and dissemination of criminal history record information and correctional status information, and the privacy, confidentiality, and security thereof necessary to implement state and federal statutes, regulations, and court orders;

25. Operate a statewide criminal justice research center, which shall maintain an integrated criminal justice information system, produce reports, provide technical assistance to state and local criminal justice data system users, and provide analysis and interpretation of criminal justice statistical information;

26. Develop a comprehensive, statewide, long-range plan for strengthening and improving law enforcement and the administration of criminal justice throughout the Commonwealth, and periodically update that plan;

27. Cooperate with, and advise and assist, all agencies, departments, boards and institutions of the Commonwealth, and units of general local government, or combinations thereof, including planning district commissions, in planning, developing, and administering programs, projects, comprehensive plans, and other activities for improving law enforcement and the administration of criminal justice throughout the Commonwealth, including allocating and subgranting funds for these purposes;

28. Define, develop, organize, encourage, conduct, coordinate, and administer programs, projects and activities for the Commonwealth and units of general local government, or combinations thereof, in the Commonwealth, designed to strengthen and improve law enforcement and the administration of criminal justice at every level throughout the Commonwealth;

29. Review and evaluate programs, projects, and activities, and recommend, where necessary, revisions or alterations to such programs, projects, and activities for the purpose of improving law enforcement and the administration of criminal justice;

30. Coordinate the activities and projects of the state departments, agencies, and boards of the Commonwealth and of the units of general local government, or combination thereof, including planning district commissions, relating to the preparation, adoption, administration, and implementation of comprehensive plans to strengthen and improve law enforcement and the administration of criminal justice;

31. Do all things necessary on behalf of the Commonwealth and its units of general local government, to determine and secure benefits available under the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351, 82 Stat. 197), as amended, and under any other federal acts and programs for strengthening and improving law enforcement, the administration of criminal justice, and delinquency prevention and control;

32. Receive, administer, and expend all funds and other assistance available to the Board and the Department for carrying out the purposes of this chapter and the Omnibus Crime Control and Safe Streets Act of 1968, as amended;

33. Apply for and accept grants from the United States government or any other source in carrying out the purposes of this chapter and accept any and all donations both real and personal, and grants of money from any governmental unit or public agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same. Any arrangements pursuant to this section shall be detailed in the annual report of the Board. Such report shall include the identity of the donor, the nature of the transaction, and the conditions, if any. Any moneys received pursuant to this section shall be deposited in the state treasury to the account of the Department. To these ends, the Board shall have the power to comply with conditions and execute such agreements as may be necessary;

34. Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and execution of its powers under this chapter, including but not limited to, contracts with the United States, units of general local government or combinations thereof, in Virginia or other states, and with agencies and departments of the Commonwealth;

35. Adopt and administer reasonable regulations for the planning and implementation of programs and activities and for the allocation, expenditure and subgranting of funds available to the Commonwealth and to units of general local government, and for carrying out the purposes of this chapter and the powers and duties set forth herein;

36. Certify and decertify law-enforcement officers in accordance with §§ 15.2-1706 and 15.2-1707 and provide for a decertification review process in accordance with § 15.2-1708;

37. Establish training standards and publish and periodically update model policies for law-enforcement personnel in the following subjects:

a. The handling of family abuse, domestic violence, sexual assault, and stalking cases, including standards for determining the predominant physical aggressor in accordance with § 19.2-81.3. The Department shall provide technical support and assistance to law-enforcement agencies in carrying out the requirements set forth in subsection A of § 9.1-1301;

b. The identification of, communication with, and facilitation of the safe return of individuals diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an emergency or crisis situation; (v) a reference list of local resources available for individuals

with Alzheimer's disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and returning them to their caregivers;

c. Sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

d. Protocols for local and regional sexual assault and human trafficking response teams;

e. Communication of death notifications;

f. The questioning of individuals suspected of driving while intoxicated concerning the physical location of such individual's last consumption of an alcoholic beverage and the communication of such information to the Virginia Alcoholic Beverage Control Authority;

g. Vehicle patrol duties that embody current best practices for pursuits and for responding to emergency calls;

h. Criminal investigations that embody current best practices for conducting photographic and live lineups;

i. Sensitivity to and awareness of human trafficking offenses and the identification of victims of human trafficking offenses for personnel involved in criminal investigations or assigned to vehicle or street patrol duties;

j. The recognition, prevention, and reporting of human trafficking;

k. Missing children, missing adults, and search and rescue protocol;

l. The handling and use of tear gas or other gases and kinetic impact munitions, as defined in § 19.2-83.3, that embody current best practices for using such items as a crowd control measure or during an arrest or detention of another person; and

m. The use of naloxone or other opioid antagonists to prevent opioid overdose deaths, in coordination with statewide naloxone training programs developed by the Department of Behavioral Health and Developmental Services and the Virginia Department of Health;

38. Establish compulsory training standards for basic training and the recertification of law-enforcement officers to ensure (i) sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability; (ii) training in de-escalation techniques; and (iii) training in the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the law-enforcement officer or another person;

39. Review and evaluate community-policing programs in the Commonwealth, and recommend where necessary statewide operating procedures, guidelines, and standards that strengthen and improve such programs, including sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

40. Establish a Virginia Law-Enforcement Accreditation Center. The Center may, in cooperation with Virginia law-enforcement agencies, provide technical assistance and administrative support, including staffing, for the establishment of voluntary state law-enforcement accreditation standards. The Center may provide accreditation assistance and training, resource material, and research into methods and procedures that will assist the Virginia law-enforcement community efforts to obtain Virginia accreditation status;

41. Promote community policing philosophy and practice throughout the Commonwealth by providing community policing training and technical assistance statewide to all law-enforcement agencies, community groups, public and private organizations and citizens; developing and distributing innovative policing curricula and training tools on general community policing philosophy and practice and contemporary critical issues facing Virginia communities; serving as a consultant to Virginia organizations with specific community policing needs; facilitating continued development and implementation of community policing programs statewide through discussion forums for community policing leaders, development of law-enforcement instructors; promoting a statewide community policing initiative; and serving as a statewide information source on the subject of community policing including, but not limited to periodic newsletters, a website and an accessible lending library;

42. Establish, in consultation with the Department of Education and the Virginia State Crime Commission, compulsory minimum standards for employment and job-entry and in-service training curricula and certification requirements for school security officers, including school security officers described in clause (b) of § 22.1-280.2:1, which training and certification shall be administered by the Virginia Center for School and Campus Safety (VCSCS) pursuant to § 9.1-184. Such training standards shall be specific to the role and responsibility of school security officers and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques such as a physical alternative to restraint; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, and past traumatic experiences; and (viii) student behavioral dynamics, including child and adolescent development and brain research. The Department shall establish an advisory committee consisting of local school board representatives, principals, superintendents, and school security personnel to assist in the development of the standards and certification requirements in this subdivision. The Department shall require any school security officer who carries a firearm in the performance of his

duties to provide proof that he has completed a training course provided by a federal, state, or local law-enforcement agency that includes training in active shooter emergency response, emergency evacuation procedure, and threat assessment;

43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with Article 11 (§ 9.1-185 et seq.);

44. License and regulate bail enforcement agents in accordance with Article 12 (§ 9.1-186 et seq.);

45. In conjunction with the Virginia State Police and the State Compensation Board, advise criminal justice agencies regarding the investigation, registration, and dissemination of information requirements as they pertain to the Sex Offender and Crimes Against Minors Registry Act (§ 9.1-900 et seq.);

46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula, and (iii) certification requirements for campus security officers. Such training standards shall include, but not be limited to, the role and responsibility of campus security officers, relevant state and federal laws, school and personal liability issues, security awareness in the campus environment, and disaster and emergency response. The Department shall provide technical support and assistance to campus police departments and campus security departments on the establishment and implementation of policies and procedures, including but not limited to: the management of such departments, investigatory procedures, judicial referrals, the establishment and management of databases for campus safety and security information sharing, and development of uniform record keeping for disciplinary records and statistics, such as campus crime logs, judicial referrals and Clery Act statistics. The Department shall establish an advisory committee consisting of college administrators, college police chiefs, college security department chiefs, and local law-enforcement officials to assist in the development of the standards and certification requirements and training pursuant to this subdivision;

47. Assess and report, in accordance with § 9.1-190, the crisis intervention team programs established pursuant to § 9.1-187;

48. In conjunction with the Office of the Attorney General, advise law-enforcement agencies and attorneys for the Commonwealth regarding the identification, investigation, and prosecution of human trafficking offenses using the common law and existing criminal statutes in the Code of Virginia;

49. Register tow truck drivers in accordance with § 46.2-116 and carry out the provisions of § 46.2-117;

50. Administer the activities of the Virginia Sexual and Domestic Violence Program Professional Standards Committee by providing technical assistance and administrative support, including staffing, for the Committee;

51. In accordance with § 9.1-102.1, design and approve the issuance of photo-identification cards to private security services registrants registered pursuant to Article 4 (§ 9.1-138 et seq.);

52. In consultation with the State Council of Higher Education for Virginia and the Virginia Association of Campus Law Enforcement Administrators, develop multidisciplinary curricula on trauma-informed sexual assault investigation;

53. In consultation with the Department of Behavioral Health and Developmental Services, develop a model addiction recovery program that may be administered by sheriffs, deputy sheriffs, jail officers, administrators, or superintendents in any local or regional jail. Such program shall be based on any existing addiction recovery programs that are being administered by any local or regional jails in the Commonwealth. Participation in the model addiction recovery program shall be voluntary, and such program may address aspects of the recovery process, including medical and clinical recovery, peer-to-peer support, availability of mental health resources, family dynamics, and aftercare aspects of the recovery process;

54. Establish compulsory minimum training standards for certification and recertification of law-enforcement officers serving as school resource officers. Such training shall be specific to the role and responsibility of a law-enforcement officer working with students in a school environment and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, or past traumatic experiences; and (viii) student behavioral dynamics, including current child and adolescent development and brain research;

55. Establish a model policy for the operation of body-worn camera systems as defined in § 15.2-1723.1 that also addresses the storage and maintenance of body-worn camera system records;

56. Establish compulsory minimum training standards for detector canine handlers employed by the Department of Corrections, standards for the training and retention of detector canines used by the Department of Corrections, and a central database on the performance and effectiveness of such detector canines that requires the Department of Corrections to submit comprehensive information on each canine handler and detector canine, including the number and types of calls and searches, substances searched for and whether or not detected, and the number of false positives, false negatives, true positives, and true negatives;

57. Establish compulsory training standards for basic training of law-enforcement officers for recognizing and managing stress, self-care techniques, and resiliency;

58. Establish guidelines and standards for psychological examinations conducted pursuant to subsection C of § 15.2-1705;

59. Establish compulsory in-service training standards, to include frequency of retraining, for law-enforcement officers in the following subjects: (i) relevant state and federal laws; (ii) awareness of cultural diversity and the potential for bias-based profiling as defined in § 52-30.1; (iii) de-escalation techniques; (iv) working with individuals with disabilities,

mental health needs, or substance use disorders; and (v) the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the law-enforcement officer or another person;

60. Develop a model curriculum and lesson plans for the compulsory minimum entry-level, in-service, and advanced training standards to be employed by criminal justice training academies approved by the Department when conducting training;

61. Adopt statewide professional standards of conduct applicable to all certified law-enforcement officers and certified jail officers and appropriate due process procedures for decertification based on serious misconduct in violation of those standards and provide for a decertification review process in accordance with § 15.2-1708;

62. Establish and administer a waiver process, in accordance with §§ 2.2-5515 and 15.2-1721.1, for law-enforcement agencies to use certain military property. Any waivers granted by the Criminal Justice Services Board shall be published by the Department on the Department's website;

63. Establish compulsory training standards for basic training and the recertification of law-enforcement officers to include crisis intervention training in accordance with clause (ii) of § 9.1-188;

64. Advise and assist the Department of Behavioral Health and Developmental Services, and support local law-enforcement cooperation, with the development and implementation of the Marcus alert system, as defined in § 37.2-311.1, including the establishment of local protocols for law-enforcement participation in the Marcus alert system pursuant to § 9.1-193 and for reporting requirements pursuant to §§ 9.1-193 and 37.2-311.1;

65. Develop an online course to train hotel proprietors and their employees to recognize and report instances of suspected human trafficking;

66. Develop an online course to train unarmed security officers, armed security officers, couriers, security canine handlers, and alarm respondents to recognize and report instances of suspected human trafficking to meet the compulsory minimum, entry-level, and in-service training standards as required by § 9.1-141;

67. Establish standards and procedures for when the Board may grant a petition for reinstatement of certification of a decertified officer pursuant to subsection E of § 15.2-1708;

68. Establish compulsory minimum and in-service training standards for law-enforcement officers on communicating with individuals with an intellectual disability or a developmental disability as defined in § 37.2-100, such as autism spectrum disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, which shall include (i) an overview and behavioral recognition of autism spectrum disorder, (ii) best practices for crisis prevention and de-escalation techniques, (iii) an objective review of any relevant tools and technology available to assist in communication, and (iv) education on law-enforcement agency and community resources for the autism community on future crisis prevention. Such training standards shall be established in consultation with at least one individual with autism spectrum disorder, one family member of an individual with autism spectrum disorder, one specialist who works with individuals with autism spectrum disorder, one representative from the Department of Behavioral Health and Developmental Services, and one representative from a state or local law-enforcement agency; ~~and~~

69. *Develop an online course for the Virginia Alcoholic Beverage Control Authority to offer to retail licensees and their employees to train such licensees and employees to recognize and report instances of suspected human trafficking; and*

70. Perform such other acts as may be necessary or convenient for the effective performance of its duties.

CHAPTER 232

An Act to amend and reenact § 22.1-279.8 of the Code of Virginia, relating to division superintendents and school safety audit committees; annual meetings on school grounds with local law enforcement permitted.

[H 2051]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-279.8 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-279.8. School safety audits and school crisis, emergency management, and medical emergency response plans required.

A. For the purposes of this section, unless the context requires otherwise:

"School crisis, emergency management, and medical emergency response plan" means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, tornadoes, or other severe weather; loss or disruption of power, water, communications or shelter; bus or other accidents; medical emergencies, including cardiac arrest and other life-threatening medical emergencies; student or staff member deaths; explosions; bomb threats; gun, knife or other weapons threats; spills or exposures to hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance or kidnapping of a student; hostage situations; violence on school property or at school activities; incidents involving acts of terrorism; and other incidents posing a serious threat of harm to students, personnel, or facilities. The plan shall include a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § 19.2-11.01. The Department of Criminal Justice Services and the Virginia Criminal Injuries

Compensation Fund shall be the lead coordinating agencies for those individuals determined to be victims, and the plan shall also contain current contact information for both agencies.

"School safety audit" means a written assessment of the safety conditions in each public school to (i) identify and, if necessary, develop solutions for physical safety concerns, including building security issues, and (ii) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses shall include recommendations for structural adjustments, changes in school safety procedures, and revisions to the school board's standards for student conduct.

B. The Virginia Center for School and Campus Safety, in consultation with the Department of Education, shall develop a list of items to be reviewed and evaluated in the school safety audits required by this section. Such items shall include (i) those incidents reported to school authorities pursuant to § 22.1-279.3:1; (ii) a school inspection walk-through using a standardized checklist provided by the Virginia Center for School and Campus Safety, which shall incorporate crime prevention through environmental design principles; and (iii) specific technology systems, including physical security technologies, emergency telecommunication systems, and associated technology including equipment and software.

The Virginia Center for School and Campus Safety shall prescribe a standardized report format for school safety audits, additional reporting criteria, and procedures for report submission, which may include instructions for electronic submission.

Each local school board shall require all schools under its supervisory control to annually conduct school safety audits, as defined in this section, consistent with such list and in collaboration with the chief law-enforcement officer of the locality or his designee. As part of each such audit, the school board shall create a detailed and accurate floor plan for each public school building in the local school division or shall certify that the existing floor plan for each such school is sufficiently detailed and accurate.

The results of such school safety audits shall be made public within 90 days of completion pursuant to this subsection. The local school board shall retain authority to withhold or limit the release of any security plans, walk-through checklists, floor plans, and specific vulnerability assessment components as provided in subdivision 4 of § 2.2-3705.2. The completed walk-through checklist shall be made available to the chief law-enforcement officer of the locality or his designee. Each school shall maintain a copy of the school safety audit, which may exclude such security plans, walk-through checklists, and vulnerability assessment components, within the office of the school principal and shall make a copy of such report available for review upon written request.

Each school shall submit a copy of its school safety audit to the relevant school division superintendent. The division superintendent shall collate and submit all such school safety audits, in the prescribed format and manner of submission, to the Virginia Center for School and Campus Safety and shall make available to the chief law-enforcement officer of the locality the results of such audits for his review and recommendations.

C. The division superintendent shall establish a school safety audit committee to include, if available, representatives of parents, teachers, local ~~law-enforcement~~ *law enforcement*, emergency services agencies, local community services boards, and judicial and public safety personnel. The school safety audit committee shall review the completed school safety audits and submit any plans, as needed, for improving school safety to the division superintendent for submission to the local school board. *The division superintendent or his designee and the school safety audit committee may meet annually on the grounds of any public school in the local school division with the chief law-enforcement officer of the locality or a designee from the local law-enforcement agency to discuss the school safety audit completed for such school.*

D. Each school board shall ensure that every school that it supervises shall develop a written school crisis, emergency management, and medical emergency response plan, consistent with the definition provided in this section, and shall include the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, the executive director of the relevant regional emergency medical services council, and the emergency management official of the locality, or their designees, in the development of such plans. Each school division shall designate an emergency manager. The Department of Education and the Virginia Center for School and Campus Safety shall provide technical assistance to the school divisions of the Commonwealth in the development of the school crisis, emergency management, and medical emergency response plans that describe the components of a medical emergency response plan developed in coordination with local emergency medical services providers, the training of school personnel and students to respond to a life-threatening emergency, and the equipment required for this emergency response. The local school board, the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, the executive director of the relevant regional emergency medical services council, and the emergency management official of the locality, or their designees, shall annually review the written school crisis, emergency management, and medical emergency response plans. The local school board shall have the authority to withhold or limit the review of any security plans and specific vulnerability assessment components as provided in subdivision 4 of § 2.2-3705.2. The local school division superintendent shall certify this review in writing to the Virginia Center for School and Campus Safety no later than August 31 of each year.

Upon consultation with local school boards, division superintendents, the Virginia Center for School and Campus Safety, and the Coordinator of Emergency Management, the Board of Education shall develop, and may revise as it deems necessary, a model school crisis, emergency management, and medical emergency response plan for the purpose of assisting the public schools in the Commonwealth in developing viable, effective crisis, emergency management, and medical emergency response plans. Such model shall set forth recommended effective procedures and means by which parents can

contact the relevant school or school division regarding the location and safety of their school children and by which school officials may contact parents, with parental approval, during a critical event or emergency.

E. Each school board shall ensure that every public school it supervises employs at least one school administrator who has completed, either in-person or online, school safety training for public school personnel conducted by the Virginia Center for School and Campus Safety in accordance with subdivision A 1 of § 9.1-184. However, such requirement shall not apply if such required training is not available online.

F. Each division superintendent shall annually designate an employee in the local school division as the division safety official whose duty is to receive all reports required pursuant to subsection A of § 19.2-83.1 and §§ 19.2-291.1 and 19.2-299.3 and shall include such designation in the collated packet of school safety audits submitted to the Virginia Center for School and Campus Safety pursuant to subsection B. The designation required by this subsection shall include updated contact information for the division safety official, including (i) a current mailing address, (ii) a current working daytime phone number, (iii) a current functional email address, and (iv) a current functional fax number. It shall be the duty of the division superintendent to update contact information required by this subsection within 48 hours of any change to such contact information.

CHAPTER 233

An Act to amend and reenact § 4.1-212.1, as it is currently effective and as it shall become effective, of the Code of Virginia and to repeal the first, second, and fourth enactments of Chapters 105 and 159 of the Acts of Assembly of 2024, relating to alcoholic beverage control; delivery of mixed beverages; repeal.

[H 2058]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 4.1-212.1, as it is currently effective and as it shall become effective, of the Code of Virginia is amended and reenacted as follows:

§ 4.1-212.1. (Effective until July 1, 2026) Delivery of wine and beer; kegs; regulations of Board.

A. Any brewery, winery, or farm winery located within or outside the Commonwealth that is authorized to engage in the retail sale of wine or beer for off-premises consumption may deliver the brands of beer, wine, and farm wine produced by the same brewery, winery, or farm winery in closed containers to consumers within the Commonwealth for personal off-premises consumption.

B. Any person licensed to sell wine and beer at retail for off-premises consumption in the Commonwealth, and who is not a brewery, winery, or farm winery, may deliver the brands of beer, wine, and farm wine it is authorized to sell in closed containers to consumers within the Commonwealth for personal off-premises consumption. Notwithstanding any provision of law to the contrary, such deliveries may be made to (i) a person's vehicle if located in a designated parking area of the licensee's premises where such person has electronically ordered beer, wine, or farm wine in advance of the delivery or (ii) such other locations as may be permitted by Board regulation.

C. Any person located outside the Commonwealth who is authorized to sell wine or beer at retail for off-premises consumption in its state of domicile, and who is not a brewery, winery, or farm winery, may apply for a delivery permit that shall authorize the delivery of any brands of beer, wine, and farm wine it is authorized to sell in its state of domicile, in closed containers, to consumers within the Commonwealth for personal off-premises consumption.

D. Any person licensed to sell mixed beverages at retail for off-premises consumption in the Commonwealth may deliver any mixed beverages it is authorized to sell in closed containers to consumers within the Commonwealth for personal off-premises consumption. Notwithstanding any provision of law to the contrary, such deliveries may be made to (i) a person's vehicle if located in a designated parking area of the licensee's premises where such person has electronically ordered mixed beverages in advance of the delivery or (ii) such other locations as may be permitted by Board regulation.

E. Any distiller that has been appointed as an agent of the Board pursuant to subsection D of § 4.1-119 may deliver to consumers within the Commonwealth for personal consumption any alcoholic beverages the distiller is authorized to sell through organized tasting events in accordance with subsection G of § 4.1-119 and Board regulations. Notwithstanding any provision of law to the contrary, such deliveries may be made to (i) a person's vehicle if located in a designated parking area of the licensee's premises where such person has electronically ordered mixed beverages in advance of the delivery or (ii) such other locations as may be permitted by Board regulation.

F. All deliveries made pursuant to this section shall be to consumers within the Commonwealth for personal consumption only and not for resale. Such deliveries shall be performed by either (i) the owner or any officer, director, shareholder, or employee of the licensee or permittee or (ii) a third party delivery licensee pursuant to § 4.1-212.2. The licensee performing the delivery shall be liable for any administrative violations of this section or § 4.1-304 committed during transport through completion of the delivery. Alcoholic beverages shall not be delivered after 11:00 p.m. or before 6:00 a.m. Only one individual may take possession of the alcoholic beverages during the course of the delivery. No more than four cases of wine nor more than four cases of beer may be delivered at one time to any person in Virginia to whom alcoholic beverages may be lawfully sold, except that the licensee or permittee may deliver more than four cases of wine or more than four cases of beer if he notifies the Authority in writing at least one business day in advance of any such delivery,

which notice contains the name and address of the intended recipient. Except as otherwise provided in this subtitle, alcoholic beverages sold for off-premises consumption or delivered pursuant to this section that are not in the manufacturer's original sealed container shall (a) be enclosed in a container that has no straw holes or other openings and is sealed in a manner that allows a person to readily discern whether the container has been opened or tampered with subsequent to its original closure; (b) display the name of the licensee from which the alcoholic beverages were purchased; (c) be clearly marked with the phrase "contains alcoholic beverages"; (d) in the case of wine, beer, or, if purchased from a mixed beverage restaurant or limited mixed beverage restaurant licensee, mixed beverages, have a maximum volume of 16 ounces per beverage; and (e) during delivery, be stored (1) in the trunk of the vehicle, (2) in an area that is rear of the driver's seat, (3) in a locked container or compartment, or (4) in the case of delivery by bicycle, in a compartment behind the bicyclist.

The Board may adopt such regulations as it reasonably deems necessary to implement the provisions of this section. Such regulations shall include provisions that require (A) the recipient to demonstrate, upon delivery, that he is at least 21 years of age and (B) the recipient to sign an electronic or paper form or other acknowledgement of receipt as approved by the Board.

G. In addition to other applicable requirements set forth in this section, the following provisions shall apply to the sale of mixed beverages for off-premises consumption and the delivery of mixed beverages pursuant to this section:

1. No distiller shall sell for off-premises consumption or deliver more than two mixed beverages at any one time~~, and no mixed beverage restaurant or limited mixed beverage restaurant licensee may sell for off-premises consumption or deliver more than four mixed beverages at any one time~~;

2. All mixed beverages sold for off-premises consumption or delivered by a mixed beverage restaurant or limited mixed beverage restaurant licensee shall contain at least one mixer; and

3. Mixed beverage restaurant and limited mixed beverage restaurant licensees shall serve at least one meal*, as defined pursuant to this subtitle and Board regulations,* with every *off-premises mixed beverage sale. Each meal shall permit up to* two mixed beverages *to be* sold for off-premises consumption or delivered. *In any event, no mixed beverage restaurant or limited mixed beverage restaurant licensee may sell for off-premises consumption or deliver more than four mixed beverages at any one time.*

The Board may summarily revoke a licensee's privileges to sell or deliver mixed beverages for off-premises consumption for noncompliance with the provisions of this section or § 4.1-225 or 4.1-325. Any summary revocation by the Board pursuant to this paragraph (i) shall not be subject to the provisions of § 4.1-227, (ii) shall not be subject to appeal, and (iii) shall become effective upon personal service of the notice of summary revocation to the licensee or upon the fourth business day after such notice is mailed to the licensee's residence or the address listed for the licensed premises on the initial license application.

H. For purposes of §§ 4.1-234 and 4.1-236 and Chapter 6 (§ 58.1-600 et seq.) of Title 58.1, each delivery of wine, beer, or mixed beverages by a licensee or permittee shall constitute a sale in Virginia. The licensee or permittee shall collect the taxes due to the Commonwealth and remit any excise taxes monthly to the Authority and any sales taxes to the Department of Taxation, if such taxes have not already been paid.

I. Any manufacturer or retailer who is licensed to sell wine, beer, or both for off-premises consumption may sell such wine or beer in kegs, subject to any limitations imposed by Board regulation. The Board may impose a fee for keg registration seals. For purposes of this subsection, "keg registration seal" means any document, stamp, declaration, seal, decal, sticker, or device that is approved by the Board, designed to be affixed to kegs, and displays a registration number and such other information as may be prescribed by the Board.

§ 4.1-212.1. (Effective July 1, 2026) Delivery of wine and beer; kegs; regulations of Board.

A. Any brewery, winery, or farm winery located within or outside the Commonwealth that is authorized to engage in the retail sale of wine or beer for off-premises consumption may deliver the brands of beer, wine, and farm wine produced by the same brewery, winery, or farm winery in closed containers to consumers within the Commonwealth for personal off-premises consumption.

B. Any person licensed to sell wine and beer at retail for off-premises consumption in the Commonwealth, and who is not a brewery, winery, or farm winery, may deliver the brands of beer, wine, and farm wine it is authorized to sell in closed containers to consumers within the Commonwealth for personal off-premises consumption. Notwithstanding any provision of law to the contrary, such deliveries may be made to (i) a person's vehicle if located in a designated parking area of the licensee's premises where such person has electronically ordered beer, wine, or farm wine in advance of the delivery or (ii) such other locations as may be permitted by Board regulation.

C. Any person located outside the Commonwealth who is authorized to sell wine or beer at retail for off-premises consumption in its state of domicile, and who is not a brewery, winery, or farm winery, may apply for a delivery permit that shall authorize the delivery of any brands of beer, wine, and farm wine it is authorized to sell in its state of domicile, in closed containers, to consumers within the Commonwealth for personal off-premises consumption.

D. *Any person licensed to sell mixed beverages at retail for off-premises consumption in the Commonwealth may deliver any mixed beverages it is authorized to sell in closed containers to consumers within the Commonwealth for personal off-premises consumption. Notwithstanding any provision of law to the contrary, such deliveries may be made to (i) a person's vehicle if located in a designated parking area of the licensee's premises where such person has electronically ordered mixed beverages in advance of the delivery or (ii) such other locations as may be permitted by Board regulation.*

E. Any distiller that has been appointed as an agent of the Board pursuant to subsection D of § 4.1-119 may deliver to consumers within the Commonwealth for personal consumption any alcoholic beverages the distiller is authorized to sell through organized tasting events in accordance with subsection G of § 4.1-119 and Board regulations. Notwithstanding any provision of law to the contrary, such deliveries may be made to (i) a person's vehicle if located in a designated parking area of the licensee's premises where such person has electronically ordered mixed beverages in advance of the delivery or (ii) such other locations as may be permitted by Board regulation.

F. All such deliveries shall be to consumers within the Commonwealth for personal consumption only and not for resale. ~~All such~~ *Such* deliveries ~~of beer, wine, or farm wine~~ shall be performed by the owner or any officer, director, shareholder, or employee of the licensee or permittee. The licensee performing the delivery shall be liable for any administrative violations of this section or § 4.1-304 committed during transport through completion of the delivery. Alcoholic beverages shall not be delivered after 11:00 p.m. or before 6:00 a.m. Only one individual may take possession of the ~~beer, wine, or farm wine~~ *alcoholic beverages* during the course of the delivery. No more than four cases of wine nor more than four cases of beer may be delivered at one time to any person in Virginia to whom alcoholic beverages may be lawfully sold, except that the licensee or permittee may deliver more than four cases of wine or more than four cases of beer if he notifies the Authority in writing at least one business day in advance of any such delivery, which notice contains the name and address of the intended recipient. Except as otherwise provided in this subtitle, ~~wine or beer~~ *alcoholic beverages* sold for off-premises consumption or delivered pursuant to this section that are not in the manufacturer's original sealed container shall (i) be enclosed in a container that has no straw holes or other openings and is sealed in a manner that allows a person to readily discern whether the container has been opened or tampered with subsequent to its original closure; (ii) display the name of the licensee from which the ~~wine or beer was~~ *alcoholic beverages were* purchased; (iii) be clearly marked with the phrase "contains alcoholic beverages"; (iv) have a maximum volume of 16 ounces per beverage; and (v) during delivery, be stored (a) in the trunk of the vehicle, (b) in an area that is rear of the driver's seat, (c) in a locked container or compartment, or (d) in the case of delivery by bicycle, in a compartment behind the bicyclist.

The Board may adopt such regulations as it reasonably deems necessary to implement the provisions of this section. Such regulations shall include provisions that require (1) the recipient to demonstrate, upon delivery, that he is at least 21 years of age and (2) the recipient to sign an electronic or paper form or other acknowledgement of receipt as approved by the Board.

~~E.~~ *G.* For purposes of §§ 4.1-234 and 4.1-236 and Chapter 6 (§ 58.1-600 et seq.) of Title 58.1, each delivery of wine ~~or~~*,* beer*, or mixed beverages* by a licensee or permittee shall constitute a sale in Virginia. The licensee or permittee shall collect the taxes due to the Commonwealth and remit any excise taxes monthly to the Authority and any sales taxes to the Department of Taxation, if such taxes have not already been paid.

~~F.~~ *H.* Any manufacturer or retailer who is licensed to sell wine, beer, or both for off-premises consumption may sell such wine or beer in kegs, subject to any limitations imposed by Board regulation. The Board may impose a fee for keg registration seals. For purposes of this subsection, "keg registration seal" means any document, stamp, declaration, seal, decal, sticker, or device that is approved by the Board, designed to be affixed to kegs, and displays a registration number and such other information as may be prescribed by the Board.

~~G.~~ *I.* In addition to other applicable requirements set forth in this section, the following provisions shall apply to the sale of mixed beverages for off-premises consumption and the delivery of mixed beverages pursuant to this section:

1. No distiller shall sell for off-premises consumption or deliver more than two mixed beverages at any one time~~, and no mixed beverage restaurant or limited mixed beverage restaurant licensee may sell for off-premises consumption or deliver more than four mixed beverages at any one time~~;

2. All mixed beverages sold for off-premises consumption or delivered by a mixed beverage restaurant or limited mixed beverage restaurant licensee shall contain at least one mixer; and

3. Mixed beverage restaurant and limited mixed beverage restaurant licensees shall serve at least one meal*, as defined pursuant to this subtitle and Board regulations,* with every *off-premises mixed beverage sale. Each meal shall permit up to* two mixed beverages *to be* sold for off-premises consumption or delivered. *In any event, no mixed beverage restaurant or limited mixed beverage restaurant licensee may sell for off-premises consumption or deliver more than four mixed beverages at any one time.*

The Board may summarily revoke a licensee's privileges to sell or deliver mixed beverages for off-premises consumption for noncompliance with the provisions of this section or § 4.1-225 or 4.1-325. Any summary revocation by the Board pursuant to this paragraph (i) shall not be subject to the provisions of § 4.1-227, (ii) shall not be subject to appeal, and (iii) shall become effective upon personal service of the notice of summary revocation to the licensee or upon the fourth business day after such notice is mailed to the licensee's residence or the address listed for the licensed premises on the initial license application.

2. That the first, second, and fourth enactments of Chapters 105 and 159 of the Acts of Assembly of 2024 are repealed.

CHAPTER 234

An Act to amend and reenact §§ 19.2-83.1, 19.2-291.1, 19.2-299.3, and 22.1-279.8 of the Code of Virginia, relating to reports of certain arrests and convictions of school employees; timing; method.

[H 2063]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 19.2-83.1, 19.2-291.1, 19.2-299.3, and 22.1-279.8 of the Code of Virginia are amended and reenacted as follows:

§ 19.2-83.1. Report of arrest of school employees and adult students for certain offenses.

A. Every state official or agency and every sheriff, police officer, or other local law-enforcement officer or conservator of the peace having the power to arrest for a felony, upon arresting a person who is known or discovered by the arresting official to be a full-time, part-time, permanent, or temporary teacher or any other employee in any local school division in the Commonwealth for a felony or a Class 1 misdemeanor or an equivalent offense in another state, shall file a report of such arrest with the division safety official designated pursuant to subsection F of § 22.1-279.8 in the school division in which such person is employed as soon as practicable but no later than 48 hours after such arrest. The contents of the report required pursuant to this subsection shall be utilized by the local school division solely to implement the provisions of subsection B of § 22.1-296.2 and § 22.1-315.

B. The report required pursuant to subsection A shall be transmitted to the division safety official (i) via certified mail, return receipt requested, to the mailing address identified by the division superintendent pursuant to subsection F of § 22.1-279.8 or (ii) via ~~fax and~~ email to the ~~fax number and~~ email address identified by the division superintendent pursuant to subsection F of § 22.1-279.8. Any certified mail return receipt shall be retained in the case file.

C. (Expires July 1, 2027) In the event that the law-enforcement agency has existing access to Virginia Employment Commission records, each arresting official shall request in writing that the Virginia Employment Commission provide the name of the current employer of each person arrested for an offense set forth in § 9.1-902 for purposes of determining whether a report is required pursuant to subsection A.

D. Every state official or agency and every sheriff, police officer, or other local law-enforcement officer or conservator of the peace having the power to arrest for a felony shall file a report, as soon as practicable, with the division superintendent of the school division in which the student is enrolled upon arresting a person who is known or discovered by the arresting official to be a student age 18 or older in any local school division in the Commonwealth for:

1. A firearm offense pursuant to Article 4 (§ 18.2-279 et seq.), 5 (§ 18.2-288 et seq.), 6 (§ 18.2-299 et seq.), 6.1 (§ 18.2-307.1 et seq.), or 7 (§ 18.2-308.1 et seq.) of Chapter 7 of Title 18.2;

2. Homicide, pursuant to Article 1 (§ 18.2-30 et seq.) of Chapter 4 of Title 18.2;

3. Felonious assault and bodily wounding, pursuant to Article 4 (§ 18.2-51 et seq.) of Chapter 4 of Title 18.2;

4. Criminal sexual assault, pursuant to Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2;

5. Manufacture, sale, gift, distribution or possession of Schedule I or II controlled substances, pursuant to Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2;

6. Manufacture, sale or distribution of marijuana pursuant to Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2;

7. Arson and related crimes, pursuant to Article 1 (§ 18.2-77 et seq.) of Chapter 5 of Title 18.2;

8. Burglary and related offenses, pursuant to §§ 18.2-89 through 18.2-93;

9. Robbery pursuant to § 18.2-58;

10. Prohibited criminal street gang activity pursuant to § 18.2-46.2;

11. Recruitment of juveniles for criminal street gang pursuant to § 18.2-46.3;

12. An act of violence by a mob pursuant to § 18.2-42.1; or

13. Abduction of any person pursuant to § 18.2-47 or 18.2-48.

§ 19.2-291.1. Report of conviction of school employees for certain offenses.

A. The clerk of any circuit court or any district court in the Commonwealth shall report to the Superintendent of Public Instruction and the division safety official designated pursuant to subsection F of § 22.1-279.8 in the local school division in which the person is employed a felony conviction of any person known by such clerk to be employed by such local school division as soon as practicable but no later than seven days after the order convicting the defendant is signed.

B. The report required pursuant to subsection A shall be transmitted to the division safety official (i) via certified mail, return receipt requested, to the mailing address identified by the division superintendent pursuant to subsection F of § 22.1-279.8 or (ii) via ~~fax and~~ email to the ~~fax number and~~ email address identified by the division superintendent pursuant to subsection F of § 22.1-279.8. Any certified mail return receipt shall be retained in the case file.

§ 19.2-299.3. Report of arrest and conviction of school employees by probation and parole officers for certain offenses.

A. Any probation and parole officer who is supervising a person employed by a local school division in the Commonwealth, upon discovering that such supervised person has been arrested *for* or convicted of a felony offense or an equivalent offense in another state, shall report such arrest or conviction to the Superintendent of Public Instruction and the

division safety official designated pursuant to subsection F of § 22.1-279.8 in the local school division in which such supervised person is employed as soon as practicable.

B. The report required pursuant to subsection A shall be transmitted to the division safety official (i) via certified mail, return receipt requested, to the mailing address identified by the division superintendent pursuant to subsection F of § 22.1-279.8 or (ii) via ~~fax and~~ email to the ~~fax number and~~ email address identified by the division superintendent pursuant to subsection F of § 22.1-279.8. Any certified mail return receipt shall be retained in the case file.

§ 22.1-279.8. School safety audits and school crisis, emergency management, and medical emergency response plans required.

A. For the purposes of this section, unless the context requires otherwise:

"School crisis, emergency management, and medical emergency response plan" means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, tornadoes, or other severe weather; loss or disruption of power, water, communications or shelter; bus or other accidents; medical emergencies, including cardiac arrest and other life-threatening medical emergencies; student or staff member deaths; explosions; bomb threats; gun, knife or other weapons threats; spills or exposures to hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance or kidnapping of a student; hostage situations; violence on school property or at school activities; incidents involving acts of terrorism; and other incidents posing a serious threat of harm to students, personnel, or facilities. The plan shall include a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § 19.2-11.01. The Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be the lead coordinating agencies for those individuals determined to be victims, and the plan shall also contain current contact information for both agencies.

"School safety audit" means a written assessment of the safety conditions in each public school to (i) identify and, if necessary, develop solutions for physical safety concerns, including building security issues, and (ii) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses shall include recommendations for structural adjustments, changes in school safety procedures, and revisions to the school board's standards for student conduct.

B. The Virginia Center for School and Campus Safety, in consultation with the Department of Education, shall develop a list of items to be reviewed and evaluated in the school safety audits required by this section. Such items shall include (i) those incidents reported to school authorities pursuant to § 22.1-279.3:1; (ii) a school inspection walk-through using a standardized checklist provided by the Virginia Center for School and Campus Safety, which shall incorporate crime prevention through environmental design principles; and (iii) specific technology systems, including physical security technologies, emergency telecommunication systems, and associated technology including equipment and software.

The Virginia Center for School and Campus Safety shall prescribe a standardized report format for school safety audits, additional reporting criteria, and procedures for report submission, which may include instructions for electronic submission.

Each local school board shall require all schools under its supervisory control to annually conduct school safety audits, as defined in this section, consistent with such list and in collaboration with the chief law-enforcement officer of the locality or his designee. As part of each such audit, the school board shall create a detailed and accurate floor plan for each public school building in the local school division or shall certify that the existing floor plan for each such school is sufficiently detailed and accurate.

The results of such school safety audits shall be made public within 90 days of completion pursuant to this subsection. The local school board shall retain authority to withhold or limit the release of any security plans, walk-through checklists, floor plans, and specific vulnerability assessment components as provided in subdivision 4 of § 2.2-3705.2. The completed walk-through checklist shall be made available to the chief law-enforcement officer of the locality or his designee. Each school shall maintain a copy of the school safety audit, which may exclude such security plans, walk-through checklists, and vulnerability assessment components, within the office of the school principal and shall make a copy of such report available for review upon written request.

Each school shall submit a copy of its school safety audit to the relevant school division superintendent. The division superintendent shall collate and submit all such school safety audits, in the prescribed format and manner of submission, to the Virginia Center for School and Campus Safety and shall make available to the chief law-enforcement officer of the locality the results of such audits for his review and recommendations.

C. The division superintendent shall establish a school safety audit committee to include, if available, representatives of parents, teachers, local law-enforcement, emergency services agencies, local community services boards, and judicial and public safety personnel. The school safety audit committee shall review the completed school safety audits and submit any plans, as needed, for improving school safety to the division superintendent for submission to the local school board.

D. Each school board shall ensure that every school that it supervises shall develop a written school crisis, emergency management, and medical emergency response plan, consistent with the definition provided in this section, and shall include the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, the executive director of the relevant regional emergency medical services council, and the emergency management official of the locality, or their designees, in the development of such plans. Each school division shall designate an emergency manager.

The Department of Education and the Virginia Center for School and Campus Safety shall provide technical assistance to the school divisions of the Commonwealth in the development of the school crisis, emergency management, and medical emergency response plans that describe the components of a medical emergency response plan developed in coordination with local emergency medical services providers, the training of school personnel and students to respond to a life-threatening emergency, and the equipment required for this emergency response. The local school board, the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, the executive director of the relevant regional emergency medical services council, and the emergency management official of the locality, or their designees, shall annually review the written school crisis, emergency management, and medical emergency response plans. The local school board shall have the authority to withhold or limit the review of any security plans and specific vulnerability assessment components as provided in subdivision 4 of § 2.2-3705.2. The local school division superintendent shall certify this review in writing to the Virginia Center for School and Campus Safety no later than August 31 of each year.

Upon consultation with local school boards, division superintendents, the Virginia Center for School and Campus Safety, and the Coordinator of Emergency Management, the Board of Education shall develop, and may revise as it deems necessary, a model school crisis, emergency management, and medical emergency response plan for the purpose of assisting the public schools in the Commonwealth in developing viable, effective crisis, emergency management, and medical emergency response plans. Such model shall set forth recommended effective procedures and means by which parents can contact the relevant school or school division regarding the location and safety of their school children and by which school officials may contact parents, with parental approval, during a critical event or emergency.

E. Each school board shall ensure that every public school it supervises employs at least one school administrator who has completed, either in-person or online, school safety training for public school personnel conducted by the Virginia Center for School and Campus Safety in accordance with subdivision A 1 of § 9.1-184. However, such requirement shall not apply if such required training is not available online.

F. Each division superintendent shall annually designate an employee in the local school division as the division safety official whose duty is to receive all reports required pursuant to subsection A of § 19.2-83.1 and §§ 19.2-291.1 and 19.2-299.3 and shall include such designation in the collated packet of school safety audits submitted to the Virginia Center for School and Campus Safety pursuant to subsection B. The designation required by this subsection shall include updated contact information for the division safety official, including (i) a current mailing address, (ii) a current working daytime phone number, *and* (iii) a current functional email address~~, and (iv) a current functional fax number~~. It shall be the duty of the division superintendent to update contact information required by this subsection within 48 hours of any change to such contact information.

CHAPTER 235

An Act to amend and reenact § 2.2-2004 of the Code of Virginia, relating to Department of Veterans Services; powers and duties of Commissioner; identification of incarcerated veterans.

[H 2071]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2004 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-2004. Additional powers and duties of Commissioner.

The Commissioner shall have the following powers and duties related to veterans services:

1. Perform an annual cost-benefit and value analysis of (i) existing programs and services and (ii) new programs and services before establishing and implementing them and report the results of such analysis to the Secretary of Veterans and Defense Affairs;

2. Seek alternative funding sources for the Department's veterans service programs;

3. Cooperate with all relevant entities of the federal government, including~~, but not limited to,~~ the U.S. Department of Veterans Affairs, ~~the~~ U.S. Department of Housing and Urban Development, and ~~the~~ U.S. Department of Labor in matters concerning veterans benefits and services;

4. Appoint a full-time coordinator to collaborate with the Joint Leadership Council of Veterans Service Organizations created in § 2.2-2681 on ways to provide both direct and indirect support of ongoing veterans programs, and to determine and address future veterans needs and concerns;

5. Initiate, conduct, and issue special studies on matters pertaining to veterans needs and priorities, as determined necessary by the Commissioner;

6. Evaluate veterans service efforts, practices, and programs of the agencies, political subdivisions, or other entities and organizations of the government of the Commonwealth and make recommendations to the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly on ways to increase awareness of the services available to veterans or improve veterans services;

7. Assist entities of state government and political subdivisions of the Commonwealth in enhancing their efforts to provide services to veterans, those members of the Virginia National Guard, Virginia residents in the Armed Forces

Reserves who qualify for veteran status, and their immediate family members, including the dissemination of relevant materials and the rendering of technical or other advice;

8. Assist counties, cities, and towns of the Commonwealth in the development, implementation, and review of local veterans services programs as part of the state program and establish as necessary, in consultation with the Board of Veterans Services and the Joint Leadership Council of Veterans Service Organizations, volunteer local and regional advisory committees to assist and support veterans service efforts;

9. Review the activities, roles, and contributions of various entities and organizations to the Commonwealth's veterans services programs and report on or before December 1 of each year in writing to the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly on the status, progress, and prospects of veterans services in the Commonwealth, including performance measures and outcomes of veterans services programs;

10. Recommend to the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly any corrective measures, policies, procedures, plans, and programs to make service to Virginia-domiciled veterans and their eligible spouses, orphans, and dependents as efficient and effective as practicable;

11. Design, implement, administer, and review, in consultation with the Secretary of Veterans and Defense Affairs, special programs or projects needed to promote veterans services in the Commonwealth;

12. Integrate veterans services activities into the framework of economic development activities in general;

13. Manage operational funds using accepted accounting principles and practices in order to provide for a sum sufficient to ensure continued, uninterrupted operations;

14. Engage Department personnel in training and educational activities aimed at enhancing veterans services;

15. Develop a strategic plan to ensure efficient and effective utilization of resources, programs, and services;

16. Certify eligibility for the Virginia Military Survivors and Dependents Education Program and perform other duties related to such Program as outlined in § 23.1-608;

17. Establish and implement a compact with Virginia's veterans, which shall have a goal of making Virginia America's most veteran-friendly state. The compact shall be established in conjunction with the Board of Veterans Services and supported by the Joint Leadership Council of Veterans Service Organizations and shall (i) include specific provisions for technology advances, workforce development, outreach, quality of life enhancement, and other services for veterans and (ii) provide service standards and goals to be attained for each specific provision in clause (i). The provisions of the compact shall be reviewed and updated annually. The Commissioner shall include in the annual report required by this section the progress of veterans services established in the compact*;*

18. Assist the Department of Corrections, sheriffs, and local and regional jails in utilizing the U.S. Department of Veterans Affairs' Veterans Re-Entry Search Services system, with the goal of (i) identifying veterans incarcerated in state prisons and local and regional jails, (ii) helping such veterans prepare for release or reentry, (iii) reducing the rates of recidivism and homelessness, (iv) connecting such veterans to resources to address the challenges of post-traumatic stress disorder, and (v) diverting eligible veterans to treatment dockets. The Department shall coordinate with the Virginia Sheriffs' Association, the Virginia Association of Regional Jails, the Secretary of Veterans and Defense Affairs, the Secretary of Public Safety and Homeland Security, the Office of the Executive Secretary of the Supreme Court, the Department of Criminal Justice Services, the U.S. Department of Veterans Affairs, community partners, district and circuit courts, and other stakeholders as necessary; and

~~18.~~ *19.* Provide the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly with an overview of the activities of the Military Spouse Liaison, as outlined in § 2.2-2002.2, including any legislative recommendations, on or before December 1 of each year.

CHAPTER 236

An Act to amend and reenact § 38.2-3407.15 of the Code of Virginia, relating to health insurance; carrier business practices; method of payment for claims.

[H 2085]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-3407.15 of the Code of Virginia is amended and reenacted as follows:

§ 38.2-3407.15. Ethics and fairness in carrier business practices.

A. As used in this section:

"Carrier," "enrollee," and "provider" shall have the meanings set forth in § 38.2-3407.10; however, a "carrier" shall also include any person required to be licensed under this title which offers or operates a managed care health insurance plan subject to Chapter 58 (§ 38.2-5800 et seq.) or which provides or arranges for the provision of health care services, health plans, networks or provider panels which are subject to regulation as the business of insurance under this title.

"Claim" means any bill, claim, or proof of loss made by or on behalf of an enrollee or a provider to a carrier (or its intermediary, administrator or representative) with which the provider has a provider contract for payment for health care services under any health plan; however, a "claim" shall not include a request for payment of a capitation or a withhold.

"Clean claim" means a claim that does all of the following:

1. Identifies the provider that provided the service with industry-standard identification criteria, including billing and rendering provider names, identification numbers, and address;

2. Identifies the patient with a carrier-assigned identification number so the carrier can verify the patient was an enrollee at the time of service;

3. Identifies the service rendered using an industry-standard system of procedure or service coding, or, if applicable, a methodology required under the provider contract. The claim shall include a complete listing of all relevant diagnoses, procedures, and service codes, as well as any applicable modifiers;

4. Specifies the date and place of service;

5. If prior authorization is required for the services listed in the claim, contains verification that prior authorization was obtained in accordance with the provider contract for those services; and

6. Includes additional documentation specific to the services rendered as required by the carrier in its provider contract.

Notwithstanding the above criteria, a claim shall be considered a clean claim if a carrier has failed timely to notify the person submitting the claim of any defect or impropriety in accordance with this section.

"Health care services" means items or services furnished to any individual for the purpose of preventing, alleviating, curing, or healing human illness, injury or physical disability.

"Health plan" means any individual or group health care plan, subscription contract, evidence of coverage, certificate, health services plan, medical or hospital services plan, accident and sickness insurance policy or certificate, managed care health insurance plan, or other similar certificate, policy, contract or arrangement, and any endorsement or rider thereto, to cover all or a portion of the cost of persons receiving covered health care services, which is subject to state regulation and which is required to be offered, arranged or issued in the Commonwealth by a carrier licensed under this title. Health plan does not mean (i) coverages issued pursuant to Title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq. (Medicare), Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq. (Medicaid) or Title XXI of the Social Security Act, 42 U.S.C. § 1397aa et seq. (CHIP), 5 U.S.C. § 8901 et seq. (federal employees), or 10 U.S.C. § 1071 et seq. (TRICARE); or (ii) accident only, credit or disability insurance, long-term care insurance, TRICARE supplement, Medicare supplement, or workers' compensation coverages.

"Provider contract" means any contract between a provider and a carrier (or a carrier's network, provider panel, intermediary or representative) relating to the provision of health care services.

"Retroactive denial of a previously paid claim" or "retroactive denial of payment" means any attempt by a carrier retroactively to collect payments already made to a provider with respect to a claim by reducing other payments currently owed to the provider, by withholding or setting off against future payments, or in any other manner reducing or affecting the future claim payments to the provider.

B. ~~Subject to subsection K, every~~ *Every* provider contract entered into by a carrier shall contain specific provisions which shall require the carrier to adhere to and comply with the following minimum fair business standards in the processing and payment of claims for health care services:

1. A carrier shall pay any claim within 40 days of receipt of the claim except where the obligation of the carrier to pay a claim is not reasonably clear due to the existence of a reasonable basis supported by specific information available for review by the person submitting the claim that:

a. The claim is determined by the carrier not to be a clean claim due to a good faith determination or dispute regarding (i) the manner in which the claim form was completed or submitted, (ii) the eligibility of a person for coverage, (iii) the responsibility of another carrier for all or part of the claim, (iv) the amount of the claim or the amount currently due under the claim, (v) the benefits covered, or (vi) the manner in which services were accessed or provided; or

b. The claim was submitted fraudulently.

Each carrier shall maintain a written or electronic record of the date of receipt of a claim. The person submitting the claim shall be entitled to inspect such record on request and to rely on that record or on any other admissible evidence as proof of the fact of receipt of the claim, including without limitation electronic or facsimile confirmation of receipt of a claim.

2. A carrier shall, within 30 days after receipt of a claim, notify the person submitting the claim of any defect or impropriety that prevents the carrier from deeming the claim a clean claim and request the information that will be required to process and pay the claim. Upon receipt of the additional information necessary to make the original claim a clean claim, a carrier shall make the payment of the claim in compliance with this section. No carrier may refuse to pay a claim for health care services rendered pursuant to a provider contract which are covered benefits if the carrier fails timely to notify or attempt to notify the person submitting the claim of the matters identified above unless such failure was caused in material part by the person submitting the claims; however, nothing herein shall preclude such a carrier from imposing a retroactive denial of payment of such a claim if permitted by the provider contract unless such retroactive denial of payment of the claim would violate subdivision ~~7~~ *8*. Beginning no later than January 1, 2026, all notifications and information required under this subdivision shall be delivered electronically.

3. Any interest owing or accruing on a claim under § 38.2-3407.1 or 38.2-4306.1, under any provider contract or under any other applicable law, shall, if not sooner paid or required to be paid, be paid, without necessity of demand, at the time the claim is paid or within 60 days thereafter.

4. *A carrier shall notify the provider in the provider contract if the carrier, or entity completing a transaction on behalf of the carrier, uses a payment method that imposes a transaction or processing fee or similar charge on the provider, and*

shall offer the provider an alternative payment method in which the carrier, or entity completing a transaction on behalf of the carrier, does not impose such a fee or similar charge. If the provider elects to accept the alternative payment method and has provided all required information to the carrier to enroll in such alternative method, the carrier shall pay the claim using such alternative payment method.

5. a. Every carrier shall establish and implement reasonable policies to permit any provider with which there is a provider contract (i) to confirm in advance during normal business hours by free telephone or electronic means if available whether the health care services to be provided are medically necessary and a covered benefit and (ii) to determine the carrier's requirements applicable to the provider (or to the type of health care services which the provider has contracted to deliver under the provider contract) for (a) pre-certification or authorization of coverage decisions, (b) retroactive reconsideration of a certification or authorization of coverage decision or retroactive denial of a previously paid claim, (c) provider-specific payment and reimbursement methodology, coding levels and methodology, downcoding, and bundling of claims, and (d) other provider-specific, applicable claims processing and payment matters necessary to meet the terms and conditions of the provider contract, including determining whether a claim is a clean claim. If a carrier routinely, as a matter of policy, bundles or downcodes claims submitted by a provider, the carrier shall clearly disclose that practice in each provider contract. Further, such carrier shall either (1) disclose in its provider contracts or on its website the specific bundling and downcoding policies that the carrier reasonably expects to be applied to the provider or provider's services on a routine basis as a matter of policy or (2) disclose in each provider contract a telephone or facsimile number or e-mail address that a provider can use to request the specific bundling and downcoding policies that the carrier reasonably expects to be applied to that provider or provider's services on a routine basis as a matter of policy. If such request is made by or on behalf of a provider, a carrier shall provide the requesting provider with such policies within 10 business days following the date the request is received.

b. Every carrier shall make available to such providers within 10 business days of receipt of a request, copies of or reasonable electronic access to all such policies which are applicable to the particular provider or to particular health care services identified by the provider. In the event the provision of the entire policy would violate any applicable copyright law, the carrier may instead comply with this subsection by timely delivering to the provider a clear explanation of the policy as it applies to the provider and to any health care services identified by the provider.

~~5.~~ *6.* Every carrier shall pay a claim if the carrier has previously authorized the health care service or has advised the provider or enrollee in advance of the provision of health care services that the health care services are medically necessary and a covered benefit, unless:

a. The documentation for the claim provided by the person submitting the claim clearly fails to support the claim as originally authorized;

b. The carrier's refusal is because (i) another payor is responsible for the payment, (ii) the provider has already been paid for the health care services identified on the claim, (iii) the claim was submitted fraudulently or the authorization was based in whole or material part on erroneous information provided to the carrier by the provider, enrollee, or other person not related to the carrier, or (iv) the person receiving the health care services was not eligible to receive them on the date of service and the carrier did not know, and with the exercise of reasonable care could not have known, of the person's eligibility status; or

c. During the post-service claims process, it is determined that the claim was submitted fraudulently.

~~6.~~ *7.* In the case of an invasive or surgical procedure, if the carrier has previously authorized a health care service as medically necessary and during the procedure the health care provider discovers clinical evidence prompting the provider to perform a less or more extensive or complicated procedure than was previously authorized, then the carrier shall pay the claim, provided that the additional procedures were (i) not investigative in nature, but medically necessary as a covered service under the covered person's benefit plan; (ii) appropriately coded consistent with the procedure actually performed; and (iii) compliant with a carrier's post-service claims process, including required timing for submission to carrier.

~~7.~~ *8.* No carrier shall impose any retroactive denial of a previously paid claim or in any other way seek recovery or refund of a previously paid claim unless the carrier specifies in writing the specific claim or claims for which the retroactive denial is to be imposed or the recovery or refund is sought, the carrier has provided a written explanation of why the claim is being retroactively adjusted, and (i) the original claim was submitted fraudulently, (ii) the original claim payment was incorrect because the provider was already paid for the health care services identified on the claim or the health care services identified on the claim were not delivered by the provider, or (iii) the time which has elapsed since the date of the payment of the original challenged claim does not exceed 12 months. Notwithstanding the provisions of clause (iii), a provider and a carrier may agree in writing that recoupment of overpayments by withholding or offsetting against future payments may occur after such 12-month limit for the imposition of the retroactive denial. A carrier shall notify a provider at least 30 days in advance of any retroactive denial or recovery or refund of a previously paid claim.

Beginning no later than January 1, 2026, all written communications, explanations, notifications, and related provider responses applicable to this subdivision shall be delivered electronically. The electronic method and location for delivery shall be agreed upon by the carrier and provider and included in the provider contract.

~~8.~~ *9.* No provider contract shall fail to include or attach at the time it is presented to the provider for execution (i) the fee schedule, reimbursement policy, or statement as to the manner in which claims will be calculated and paid that is applicable to the provider or to the range of health care services reasonably expected to be delivered by that type of provider on a routine basis and (ii) all material addenda, schedules, and exhibits thereto and any policies (including those referred to

in subdivision ~~4~~ *5*) applicable to the provider or to the range of health care services reasonably expected to be delivered by that type of provider under the provider contract.

~~9.~~ *10.* No amendment to any provider contract or to any addenda, schedule, exhibit or policy thereto (or new addenda, schedule, exhibit, or policy) applicable to the provider (or to the range of health care services reasonably expected to be delivered by that type of provider) shall be effective as to the provider, unless the provider has been provided with the applicable portion of the proposed amendment (or of the proposed new addenda, schedule, exhibit, or policy) at least 60 calendar days before the effective date and the provider has failed to notify the carrier within 30 calendar days of receipt of the documentation of the provider's intention to terminate the provider contract at the earliest date thereafter permitted under the provider contract.

~~10.~~ *11.* In the event that the carrier's provision of a policy required to be provided under subdivision ~~8~~ *9* or ~~9~~ *10* would violate any applicable copyright law, the carrier may instead comply with this section by providing a clear, written explanation of the policy as it applies to the provider.

~~11.~~ *12.* All carriers shall establish, in writing, their claims payment dispute mechanism and shall make this information available to providers. If a carrier's claim denial is overturned following completion of a dispute review, the carrier shall, on the day the decision to overturn is made, consider the claims impacted by such decision as clean claims. All applicable laws related to the payment of a clean claim shall apply to the payments due.

~~12.~~ *13.* Every carrier shall include in its provider contracts a provision that prohibits a provider from discriminating against any enrollee solely due to the enrollee's status as a litigant in pending litigation or a potential litigant due to being involved in a motor vehicle accident. Nothing in this subdivision shall require a health care provider to treat an enrollee who has threatened to make or has made a professional liability claim against the provider or the provider's employer, agents, or employees or has threatened to file or has filed a complaint with a regulatory agency or board against the provider or the provider's employer, agents, or employees.

~~13.~~ *14.* Beginning July 1, 2025, every carrier shall make available through electronic means a way for providers to determine whether an enrollee is covered by a health plan that is subject to the Commission's jurisdiction.

C. A provider shall not file a complaint with the Commission for failure to pay claims in accordance with subdivision B 1 unless:

1. Such provider has made a reasonable effort to confer with the carrier in order to resolve the issues related to all claims that are under dispute. Any request to confer shall be made to the contact listed for such purpose in the provider contract and shall include supporting documentation sufficient for the carrier to identify the claims in question; and

2. At least 30 calendar days have passed from the date of the request provided that the carrier has been responsive to the provider's request to confer. However, if in the judgment of the provider, the carrier has not been responsive to such request, the provider shall not be required to wait at least 30 calendar days to file the complaint.

The provider shall attest in any such complaint that it has satisfied the provisions of this subsection.

D. If the Commission has cause to believe that any provider has engaged in a pattern of potential violations of subdivision B ~~12~~ *13*, with no corrective action, the Commission may submit information to the Board of Medicine or the Commissioner of Health for action. Prior to such submission, the Commission may provide the provider with an opportunity to cure the alleged violations or provide an explanation as to why the actions in questions were not violations. If any provider has engaged in a pattern of potential violations of subdivision B ~~12~~ *13*, with no corrective action, the Board of Medicine or the Commissioner of Health may levy a fine or cost recovery upon the provider and take other action as permitted under its authority. Upon completion of its review of any potential violation submitted by the Commission or initiated directly by an enrollee, the Board of Medicine or the Commissioner of Health shall notify the Commission of the results of the review, including where the violation was substantiated, and any enforcement action taken as a result of a finding of a substantiated violation.

E. Without limiting the foregoing, in the processing of any payment of claims for health care services rendered by providers under provider contracts and in performing under its provider contracts, every carrier subject to regulation by this title shall adhere to and comply with the minimum fair business standards required under subsection B, and the Commission shall have the jurisdiction to determine if a carrier has violated the standards set forth in subsection B by failing to include the requisite provisions in its provider contracts and shall have jurisdiction to determine if the carrier has failed to implement the minimum fair business standards set out in subdivisions B 1 and 2 in the performance of its provider contracts.

F. No carrier shall be in violation of this section if its failure to comply with this section is caused in material part by the person submitting the claim or if the carrier's compliance is rendered impossible due to matters beyond the carrier's reasonable control (such as an act of God, insurrection, strike, fire, or power outages) which are not caused in material part by the carrier.

G. Any provider who suffers loss as the result of a carrier's violation of this section or a carrier's breach of any provider contract provision required by this section shall be entitled to initiate an action to recover actual damages. If the trier of fact finds that the violation or breach resulted from a carrier's gross negligence and willful conduct, it may increase damages to an amount not exceeding three times the actual damages sustained. Notwithstanding any other provision of law to the contrary, in addition to any damages awarded, such provider also may be awarded reasonable attorney fees and court costs. Each claim for payment which is paid or processed in violation of this section or with respect to which a violation of this

section exists shall constitute a separate violation. The Commission shall not be deemed to be a "trier of fact" for purposes of this subsection.

H. No carrier (or its network, provider panel or intermediary) shall terminate or fail to renew the employment or other contractual relationship with a provider, or any provider contract, or otherwise penalize any provider, for invoking any of the provider's rights under this section or under the provider contract.

I. Except where otherwise provided in this section, beginning no later than July 1, 2025, carriers shall deliver provider contracts, related amendments, and notices exclusively to providers in an electronic format other than electronic facsimile. Beginning no later than January 1, 2026, the provider shall submit provider contracts, amendments, and notices to carriers exclusively in an electronic format other than electronic facsimile. The electronic method and location for delivery shall be agreed upon by the carrier and provider and included in the provider contract.

J. This section shall apply only to carriers subject to regulation under this title and shall apply to the carrier and provider, regardless of any vendors, subcontractors, or other entities that have been contracted by the carrier or the provider to perform duties applicable to this section.

K. ~~This section shall apply with respect to provider contracts entered into, amended, extended or renewed on or after July 1, 1999.~~

~~L.~~ Pursuant to the authority granted by § 38.2-223, the Commission may promulgate such rules and regulations as it may deem necessary to implement this section.

~~M.~~ *L.* The Commission shall have no jurisdiction to adjudicate individual controversies arising out of this section.

2. That the provisions of this act shall apply to provider contracts, as defined in § 38.2-3407.15 of the Code of Virginia, as amended by this act, entered into, amended, extended, or renewed after July 1, 2025.

CHAPTER 237

An Act to amend and reenact §§ 2.2-2818, 32.1-325, 38.2-3406.1, and 38.2-3418.7 of the Code of Virginia, relating to health insurance; coverage for prostate cancer screening.

[H 2097]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-2818, 32.1-325, 38.2-3406.1, and 38.2-3418.7 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-2818. Health and related insurance for state employees.

A. The Department of Human Resource Management shall establish a plan, subject to the approval of the Governor, for providing health insurance coverage, including chiropractic treatment, hospitalization, medical, surgical, and major medical coverage, for state employees and retired state employees with the Commonwealth paying the cost thereof to the extent of the coverage included in such plan. The same plan shall be offered to all part-time state employees, but the total cost shall be paid by such part-time employees. The Department of Human Resource Management shall administer this section. The plan chosen shall provide means whereby coverage for the families or dependents of state employees may be purchased. Except for part-time employees, the Commonwealth may pay all or a portion of the cost thereof, and for such portion as the Commonwealth does not pay, the employee, including a part-time employee, may purchase the coverage by paying the additional cost over the cost of coverage for an employee.

Such contribution shall be financed through appropriations provided by law.

B. The plan shall:

1. Include coverage for low-dose screening mammograms for determining the presence of occult breast cancer. Such coverage shall make available one screening mammogram to persons age 35 through 39, one such mammogram biennially to persons age 40 through 49, and one such mammogram annually to persons age 50 and over and may be limited to a benefit of $50 per mammogram subject to such dollar limits, deductibles, and coinsurance factors as are no less favorable than for physical illness generally.

The term "mammogram" shall mean an X-ray examination of the breast using equipment dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression device, screens, film, and cassettes, with an average radiation exposure of less than one rad mid-breast, two views of each breast.

In order to be considered a screening mammogram for which coverage shall be made available under this section:

a. The mammogram shall be (i) ordered by a health care practitioner acting within the scope of his licensure and, in the case of an enrollee of a health maintenance organization, by the health maintenance organization provider; (ii) performed by a registered technologist; (iii) interpreted by a qualified radiologist; and (iv) performed under the direction of a person licensed to practice medicine and surgery and certified by the American Board of Radiology or an equivalent examining body. A copy of the mammogram report shall be sent or delivered to the health care practitioner who ordered it;

b. The equipment used to perform the mammogram shall meet the standards set forth by the Virginia Department of Health in its radiation protection regulations; and

c. The mammography film shall be retained by the radiologic facility performing the examination in accordance with the American College of Radiology guidelines or state law.

2. Include coverage for postpartum services providing inpatient care and a home visit or visits that shall be in accordance with the medical criteria, outlined in the most current version of or an official update to the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists or the "Standards for Obstetric-Gynecologic Services" prepared by the American College of Obstetricians and Gynecologists. Such coverage shall be provided incorporating any changes in such Guidelines or Standards within six months of the publication of such Guidelines or Standards or any official amendment thereto.

3. Include an appeals process for resolution of complaints that shall provide reasonable procedures for the resolution of such complaints and shall be published and disseminated to all covered state employees. The appeals process shall be compliant with federal rules and regulations governing nonfederal, self-insured governmental health plans. The appeals process shall include a separate expedited emergency appeals procedure that shall provide resolution within time frames established by federal law. For appeals involving adverse decisions as defined in § 32.1-137.7, the Department shall contract with one or more independent review organizations to review such decisions. Independent review organizations are entities that conduct independent external review of adverse benefit determinations. The Department shall adopt regulations to assure that the independent review organization conducting the reviews has adequate standards, credentials and experience for such review. The independent review organization shall examine the final denial of claims to determine whether the decision is objective, clinically valid, and compatible with established principles of health care. The decision of the independent review organization shall (i) be in writing, (ii) contain findings of fact as to the material issues in the case and the basis for those findings, and (iii) be final and binding if consistent with law and policy.

Prior to assigning an appeal to an independent review organization, the Department shall verify that the independent review organization conducting the review of a denial of claims has no relationship or association with (i) the covered person or the covered person's authorized representative; (ii) the treating health care provider, or any of its employees or affiliates; (iii) the medical care facility at which the covered service would be provided, or any of its employees or affiliates; or (iv) the development or manufacture of the drug, device, procedure, or other therapy that is the subject of the final denial of a claim. The independent review organization shall not be a subsidiary of, nor owned or controlled by, a health plan, a trade association of health plans, or a professional association of health care providers. There shall be no liability on the part of and no cause of action shall arise against any officer or employee of an independent review organization for any actions taken or not taken or statements made by such officer or employee in good faith in the performance of his powers and duties.

4. Include coverage for early intervention services. For purposes of this section, "early intervention services" means medically necessary speech and language therapy, occupational therapy, physical therapy and assistive technology services and devices for dependents from birth to age three who are certified by the Department of Behavioral Health and Developmental Services as eligible for services under Part H of the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.). Medically necessary early intervention services for the population certified by the Department of Behavioral Health and Developmental Services shall mean those services designed to help an individual attain or retain the capability to function age-appropriately within his environment, and shall include services that enhance functional ability without effecting a cure.

For persons previously covered under the plan, there shall be no denial of coverage due to the existence of a preexisting condition. The cost of early intervention services shall not be applied to any contractual provision limiting the total amount of coverage paid by the insurer to or on behalf of the insured during the insured's lifetime.

5. Include coverage for prescription drugs and devices approved by the United States Food and Drug Administration for use as contraceptives.

6. Not deny coverage for any drug approved by the United States Food and Drug Administration for use in the treatment of cancer on the basis that the drug has not been approved by the United States Food and Drug Administration for the treatment of the specific type of cancer for which the drug has been prescribed, if the drug has been recognized as safe and effective for treatment of that specific type of cancer in one of the standard reference compendia.

7. Not deny coverage for any drug prescribed to treat a covered indication so long as the drug has been approved by the United States Food and Drug Administration for at least one indication and the drug is recognized for treatment of the covered indication in one of the standard reference compendia or in substantially accepted peer-reviewed medical literature.

8. Include coverage for equipment, supplies, and outpatient self-management training and education, including medical nutrition therapy, for the treatment of insulin-dependent diabetes, insulin-using diabetes, gestational diabetes, and noninsulin-using diabetes if prescribed by a health care professional legally authorized to prescribe such items under law. To qualify for coverage under this subdivision, diabetes outpatient self-management training and education shall be provided by a certified, registered, or licensed health care professional.

9. Include coverage for reconstructive breast surgery. For purposes of this section, "reconstructive breast surgery" means surgery performed on and after July 1, 1998, (i) coincident with a mastectomy performed for breast cancer or (ii) following a mastectomy performed for breast cancer to reestablish symmetry between the two breasts. For persons previously covered under the plan, there shall be no denial of coverage due to preexisting conditions.

10. Include coverage for annual pap smears, including coverage, on and after July 1, 1999, for annual testing performed by any FDA-approved gynecologic cytology screening technologies.

11. Include coverage providing a minimum stay in the hospital of not less than 48 hours for a patient following a radical or modified radical mastectomy and 24 hours of inpatient care following a total mastectomy or a partial mastectomy

with lymph node dissection for treatment of breast cancer. Nothing in this subdivision shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate.

12. Include coverage (i) to persons age 50 and over and (ii) to persons age 40 and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for one ~~PSA~~ *prostate-specific antigen* test in a 12-month period and digital rectal examinations~~, all in accordance with American Cancer Society guidelines. For the purpose of this subdivision, "PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen~~.

13. Permit any individual covered under the plan direct access to the health care services of a participating specialist (i) authorized to provide services under the plan and (ii) selected by the covered individual. The plan shall have a procedure by which an individual who has an ongoing special condition may, after consultation with the primary care physician, receive a referral to a specialist for such condition who shall be responsible for and capable of providing and coordinating the individual's primary and specialty care related to the initial specialty care referral. If such an individual's care would most appropriately be coordinated by such a specialist, the plan shall refer the individual to a specialist. For the purposes of this subdivision, "special condition" means a condition or disease that is (i) life-threatening, degenerative, or disabling and (ii) requires specialized medical care over a prolonged period of time. Within the treatment period authorized by the referral, such specialist shall be permitted to treat the individual without a further referral from the individual's primary care provider and may authorize such referrals, procedures, tests, and other medical services related to the initial referral as the individual's primary care provider would otherwise be permitted to provide or authorize. The plan shall have a procedure by which an individual who has an ongoing special condition that requires ongoing care from a specialist may receive a standing referral to such specialist for the treatment of the special condition. If the primary care provider, in consultation with the plan and the specialist, if any, determines that such a standing referral is appropriate, the plan or issuer shall make such a referral to a specialist. Nothing contained herein shall prohibit the plan from requiring a participating specialist to provide written notification to the covered individual's primary care physician of any visit to such specialist. Such notification may include a description of the health care services rendered at the time of the visit.

14. Include provisions allowing employees to continue receiving health care services for a period of up to 90 days from the date of the primary care physician's notice of termination from any of the plan's provider panels. The plan shall notify any provider at least 90 days prior to the date of termination of the provider, except when the provider is terminated for cause.

For a period of at least 90 days from the date of the notice of a provider's termination from any of the plan's provider panels, except when a provider is terminated for cause, a provider shall be permitted by the plan to render health care services to any of the covered employees who (i) were in an active course of treatment from the provider prior to the notice of termination and (ii) request to continue receiving health care services from the provider.

Notwithstanding the provisions of this subdivision, any provider shall be permitted by the plan to continue rendering health services to any covered employee who has entered the second trimester of pregnancy at the time of the provider's termination of participation, except when a provider is terminated for cause. Such treatment shall, at the covered employee's option, continue through the provision of postpartum care directly related to the delivery.

Notwithstanding the provisions of this subdivision, any provider shall be permitted to continue rendering health services to any covered employee who is determined to be terminally ill (as defined under § 1861(dd)(3)(A) of the Social Security Act) at the time of a provider's termination of participation, except when a provider is terminated for cause. Such treatment shall, at the covered employee's option, continue for the remainder of the employee's life for care directly related to the treatment of the terminal illness.

A provider who continues to render health care services pursuant to this subdivision shall be reimbursed in accordance with the carrier's agreement with such provider existing immediately before the provider's termination of participation.

15. Include coverage for patient costs incurred during participation in clinical trials for treatment studies on cancer, including ovarian cancer trials.

The reimbursement for patient costs incurred during participation in clinical trials for treatment studies on cancer shall be determined in the same manner as reimbursement is determined for other medical and surgical procedures. Such coverage shall have durational limits, dollar limits, deductibles, copayments, and coinsurance factors that are no less favorable than for physical illness generally.

For purposes of this subdivision:

"Cooperative group" means a formal network of facilities that collaborate on research projects and have an established NIH-approved peer review program operating within the group. "Cooperative group" includes (i) the National Cancer Institute Clinical Cooperative Group and (ii) the National Cancer Institute Community Clinical Oncology Program.

"FDA" means the Federal Food and Drug Administration.

"Multiple project assurance contract" means a contract between an institution and the federal Department of Health and Human Services that defines the relationship of the institution to the federal Department of Health and Human Services and sets out the responsibilities of the institution and the procedures that will be used by the institution to protect human subjects.

"NCI" means the National Cancer Institute.

"NIH" means the National Institutes of Health.

"Patient" means a person covered under the plan established pursuant to this section.

"Patient cost" means the cost of a medically necessary health care service that is incurred as a result of the treatment being provided to a patient for purposes of a clinical trial. "Patient cost" does not include (i) the cost of nonhealth care services that a patient may be required to receive as a result of the treatment being provided for purposes of a clinical trial, (ii) costs associated with managing the research associated with the clinical trial, or (iii) the cost of the investigational drug or device.

Coverage for patient costs incurred during clinical trials for treatment studies on cancer shall be provided if the treatment is being conducted in a Phase II, Phase III, or Phase IV clinical trial. Such treatment may, however, be provided on a case-by-case basis if the treatment is being provided in a Phase I clinical trial.

The treatment described in the previous paragraph shall be provided by a clinical trial approved by:

a. The National Cancer Institute;

b. An NCI cooperative group or an NCI center;

c. The FDA in the form of an investigational new drug application;

d. The federal Department of Veterans Affairs; or

e. An institutional review board of an institution in the Commonwealth that has a multiple project assurance contract approved by the Office of Protection from Research Risks of the NCI.

The facility and personnel providing the treatment shall be capable of doing so by virtue of their experience, training, and expertise.

Coverage under this subdivision shall apply only if:

(1) There is no clearly superior, noninvestigational treatment alternative;

(2) The available clinical or preclinical data provide a reasonable expectation that the treatment will be at least as effective as the noninvestigational alternative; and

(3) The patient and the physician or health care provider who provides services to the patient under the plan conclude that the patient's participation in the clinical trial would be appropriate, pursuant to procedures established by the plan.

16. Include coverage providing a minimum stay in the hospital of not less than 23 hours for a covered employee following a laparoscopy-assisted vaginal hysterectomy and 48 hours for a covered employee following a vaginal hysterectomy, as outlined in Milliman & Robertson's nationally recognized guidelines. Nothing in this subdivision shall be construed as requiring the provision of the total hours referenced when the attending physician, in consultation with the covered employee, determines that a shorter hospital stay is appropriate.

17. Include coverage for biologically based mental illness.

For purposes of this subdivision, a "biologically based mental illness" is any mental or nervous condition caused by a biological disorder of the brain that results in a clinically significant syndrome that substantially limits the person's functioning; specifically, the following diagnoses are defined as biologically based mental illness as they apply to adults and children: schizophrenia, schizoaffective disorder, bipolar disorder, major depressive disorder, panic disorder, obsessive-compulsive disorder, attention deficit hyperactivity disorder, autism, and drug and alcoholism addiction.

Coverage for biologically based mental illnesses shall neither be different nor separate from coverage for any other illness, condition, or disorder for purposes of determining deductibles, benefit year or lifetime durational limits, benefit year or lifetime dollar limits, lifetime episodes or treatment limits, copayment and coinsurance factors, and benefit year maximum for deductibles and copayment and coinsurance factors.

Nothing shall preclude the undertaking of usual and customary procedures to determine the appropriateness of, and medical necessity for, treatment of biologically based mental illnesses under this option, provided that all such appropriateness and medical necessity determinations are made in the same manner as those determinations made for the treatment of any other illness, condition, or disorder covered by such policy or contract.

18. Offer and make available coverage for the treatment of morbid obesity through gastric bypass surgery or such other methods as may be recognized by the National Institutes of Health as effective for the long-term reversal of morbid obesity. Such coverage shall have durational limits, dollar limits, deductibles, copayments, and coinsurance factors that are no less favorable than for physical illness generally. Access to surgery for morbid obesity shall not be restricted based upon dietary or any other criteria not approved by the National Institutes of Health. For purposes of this subdivision, "morbid obesity" means (i) a weight that is at least 100 pounds over or twice the ideal weight for frame, age, height, and gender as specified in the 1983 Metropolitan Life Insurance tables, (ii) a body mass index (BMI) equal to or greater than 35 kilograms per meter squared with comorbidity or coexisting medical conditions such as hypertension, cardiopulmonary conditions, sleep apnea, or diabetes, or (iii) a BMI of 40 kilograms per meter squared without such comorbidity. As used herein, "BMI" equals weight in kilograms divided by height in meters squared.

19. Include coverage for colorectal cancer screening, specifically screening with an annual fecal occult blood test, flexible sigmoidoscopy or colonoscopy, or in appropriate circumstances radiologic imaging, in accordance with the most recently published recommendations established by the American College of Gastroenterology, in consultation with the American Cancer Society, for the ages, family histories, and frequencies referenced in such recommendations. The coverage for colorectal cancer screening shall not be more restrictive than or separate from coverage provided for any other illness, condition, or disorder for purposes of determining deductibles, benefit year or lifetime durational limits, benefit year or lifetime dollar limits, lifetime episodes or treatment limits, copayment and coinsurance factors, and benefit year maximum for deductibles and copayments and coinsurance factors.

20. On and after July 1, 2002, require that a prescription benefit card, health insurance benefit card, or other technology that complies with the requirements set forth in § 38.2-3407.4:2 be issued to each employee provided coverage pursuant to this section, and shall upon any changes in the required data elements set forth in subsection A of § 38.2-3407.4:2, either reissue the card or provide employees covered under the plan such corrective information as may be required to electronically process a prescription claim.

21. Include coverage for infant hearing screenings and all necessary audiological examinations provided pursuant to § 32.1-64.1 using any technology approved by the United States Food and Drug Administration, and as recommended by the national Joint Committee on Infant Hearing in its most current position statement addressing early hearing detection and intervention programs. Such coverage shall include follow-up audiological examinations as recommended by a physician, a physician assistant, an advanced practice registered nurse, or an audiologist and performed by a licensed audiologist to confirm the existence or absence of hearing loss.

22. Notwithstanding any provision of this section to the contrary, every plan established in accordance with this section shall comply with the provisions of § 2.2-2818.2.

C. Claims incurred during a fiscal year but not reported during that fiscal year shall be paid from such funds as shall be appropriated by law. Appropriations, premiums, and other payments shall be deposited in the employee health insurance fund, from which payments for claims, premiums, cost containment programs, and administrative expenses shall be withdrawn from time to time. The funds of the health insurance fund shall be deemed separate and independent trust funds, shall be segregated from all other funds of the Commonwealth, and shall be invested and administered solely in the interests of the employees and their beneficiaries. Neither the General Assembly nor any public officer, employee, or agency shall use or authorize the use of such trust funds for any purpose other than as provided in law for benefits, refunds, and administrative expenses, including but not limited to legislative oversight of the health insurance fund.

D. For the purposes of this section:

"Peer-reviewed medical literature" means a scientific study published only after having been critically reviewed for scientific accuracy, validity, and reliability by unbiased independent experts in a journal that has been determined by the International Committee of Medical Journal Editors to have met the Uniform Requirements for Manuscripts submitted to biomedical journals. "Peer-reviewed medical literature" does not include publications or supplements to publications that are sponsored to a significant extent by a pharmaceutical manufacturing company or health carrier.

"Standard reference compendia" means:

1. American Hospital Formulary Service — Drug Information;

2. National Comprehensive Cancer Network's Drugs & Biologics Compendium; or

3. Elsevier Gold Standard's Clinical Pharmacology.

"State employee" means state employee as defined in § 51.1-124.3; employee as defined in § 51.1-201; the Governor, Lieutenant Governor and Attorney General; judge as defined in § 51.1-301 and judges, clerks, and deputy clerks of regional juvenile and domestic relations, county juvenile and domestic relations, and district courts of the Commonwealth; interns and residents employed by the School of Medicine and Hospital of the University of Virginia, and interns, residents, and employees of the Virginia Commonwealth University Health System Authority as provided in § 23.1-2415; and employees of the Virginia Alcoholic Beverage Control Authority as provided in § 4.1-101.05.

E. Provisions shall be made for retired employees to obtain coverage under the above plan, including, as an option, coverage for vision and dental care. The Commonwealth may, but shall not be obligated to, pay all or any portion of the cost thereof.

F. Any self-insured group health insurance plan established by the Department of Human Resource Management that utilizes a network of preferred providers shall not exclude any physician solely on the basis of a reprimand or censure from the Board of Medicine, so long as the physician otherwise meets the plan criteria established by the Department.

G. The plan shall include, in each planning district, at least two health coverage options, each sponsored by unrelated entities. No later than July 1, 2006, one of the health coverage options to be available in each planning district shall be a high deductible health plan that would qualify for a health savings account pursuant to § 223 of the Internal Revenue Code of 1986, as amended.

In each planning district that does not have an available health coverage alternative, the Department shall voluntarily enter into negotiations at any time with any health coverage provider who seeks to provide coverage under the plan.

This subsection shall not apply to any state agency authorized by the Department to establish and administer its own health insurance coverage plan separate from the plan established by the Department.

H. Any self-insured group health insurance plan established by the Department of Human Resource Management that includes coverage for prescription drugs on an outpatient basis may apply a formulary to the prescription drug benefits provided by the plan if the formulary is developed, reviewed at least annually, and updated as necessary in consultation with and with the approval of a pharmacy and therapeutics committee, a majority of whose members are actively practicing licensed (i) pharmacists, (ii) physicians, and (iii) other health care providers.

If the plan maintains one or more drug formularies, the plan shall establish a process to allow a person to obtain, without additional cost-sharing beyond that provided for formulary prescription drugs in the plan, a specific, medically necessary nonformulary prescription drug if, after reasonable investigation and consultation with the prescriber, the formulary drug is determined to be an inappropriate therapy for the medical condition of the person. The plan shall act on such requests within one business day of receipt of the request.

Any plan established in accordance with this section shall be authorized to provide for the selection of a single mail order pharmacy provider as the exclusive provider of pharmacy services that are delivered to the covered person's address by mail, common carrier, or delivery service. As used in this subsection, "mail order pharmacy provider" means a pharmacy permitted to conduct business in the Commonwealth whose primary business is to dispense a prescription drug or device under a prescriptive drug order and to deliver the drug or device to a patient primarily by mail, common carrier, or delivery service.

I. Any plan established in accordance with this section requiring preauthorization prior to rendering medical treatment shall have personnel available to provide authorization at all times when such preauthorization is required.

J. Any plan established in accordance with this section shall provide to all covered employees written notice of any benefit reductions during the contract period at least 30 days before such reductions become effective.

K. No contract between a provider and any plan established in accordance with this section shall include provisions that require a health care provider or health care provider group to deny covered services that such provider or group knows to be medically necessary and appropriate that are provided with respect to a covered employee with similar medical conditions.

L. The Department of Human Resource Management shall appoint an Ombudsman to promote and protect the interests of covered employees under any state employee's health plan.

The Ombudsman shall:

1. Assist covered employees in understanding their rights and the processes available to them according to their state health plan.

2. Answer inquiries from covered employees by telephone and electronic mail.

3. Provide to covered employees information concerning the state health plans.

4. Develop information on the types of health plans available, including benefits and complaint procedures and appeals.

5. Make available, either separately or through an existing Internet web site utilized by the Department of Human Resource Management, information as set forth in subdivision 4 and such additional information as he deems appropriate.

6. Maintain data on inquiries received, the types of assistance requested, any actions taken and the disposition of each such matter.

7. Upon request, assist covered employees in using the procedures and processes available to them from their health plan, including all appeal procedures. Such assistance may require the review of health care records of a covered employee, which shall be done only in accordance with the federal Health Insurance Portability and Accountability Act privacy rules. The confidentiality of any such medical records shall be maintained in accordance with the confidentiality and disclosure laws of the Commonwealth.

8. Ensure that covered employees have access to the services provided by the Ombudsman and that the covered employees receive timely responses from the Ombudsman or his representatives to the inquiries.

9. Report annually on his activities to the standing committees of the General Assembly having jurisdiction over insurance and over health and the Joint Commission on Health Care by December 1 of each year.

M. The plan established in accordance with this section shall not refuse to accept or make reimbursement pursuant to an assignment of benefits made to a dentist or oral surgeon by a covered employee.

For purposes of this subsection, "assignment of benefits" means the transfer of dental care coverage reimbursement benefits or other rights under the plan. The assignment of benefits shall not be effective until the covered employee notifies the plan in writing of the assignment.

N. Beginning July 1, 2006, any plan established pursuant to this section shall provide for an identification number, which shall be assigned to the covered employee and shall not be the same as the employee's social security number.

O. Any group health insurance plan established by the Department of Human Resource Management that contains a coordination of benefits provision shall provide written notification to any eligible employee as a prominent part of its enrollment materials that if such eligible employee is covered under another group accident and sickness insurance policy, group accident and sickness subscription contract, or group health care plan for health care services, that insurance policy, subscription contract, or health care plan may have primary responsibility for the covered expenses of other family members enrolled with the eligible employee. Such written notification shall describe generally the conditions upon which the other coverage would be primary for dependent children enrolled under the eligible employee's coverage and the method by which the eligible enrollee may verify from the plan that coverage would have primary responsibility for the covered expenses of each family member.

P. Any plan established by the Department of Human Resource Management pursuant to this section shall provide that coverage under such plan for family members enrolled under a participating state employee's coverage shall continue for a period of at least 30 days following the death of such state employee.

Q. The plan established in accordance with this section that follows a policy of sending its payment to the covered employee or covered family member for a claim for services received from a nonparticipating physician or osteopath shall (i) include language in the member handbook that notifies the covered employee of the responsibility to apply the plan payment to the claim from such nonparticipating provider, (ii) include this language with any such payment sent to the covered employee or covered family member, and (iii) include the name and any last known address of the nonparticipating provider on the explanation of benefits statement.

R. The plan established by the Department of Human Resource Management pursuant to this section shall provide that coverage under such plan for an incapacitated child enrolled under a participating state employee's coverage shall be valid without regard to whether such child lives with the covered employee as a member of the employee's household so long as the child is dependent upon the employee for more than half of the child's financial support and the child is receiving residential support services.

For purposes of this subsection, "incapacitated child" means an adult child who is incapacitated due to a physical or mental health condition that existed prior to the termination of coverage due to such child attaining the limiting age under the plan for eligible children dependents.

S. The Department of Human Resource Management shall report annually, by November 30 of each year, on cost and utilization information for each of the mandated benefits set forth in subsection B, including any mandated benefit made applicable, pursuant to subdivision B 22, to any plan established pursuant to this section. The report shall be in the same detail and form as required of reports submitted pursuant to § 38.2-3419.1, with such additional information as is required to determine the financial impact, including the costs and benefits, of the particular mandated benefit.

§ 32.1-325. Board to submit plan for medical assistance services to U.S. Secretary of Health and Human Services pursuant to federal law; administration of plan; contracts with health care providers.

A. The Board, subject to the approval of the Governor, is authorized to prepare, amend from time to time, and submit to the U.S. Secretary of Health and Human Services a state plan for medical assistance services pursuant to Title XIX of the United States Social Security Act and any amendments thereto. The Board shall include in such plan:

1. A provision for payment of medical assistance on behalf of individuals, up to the age of 21, placed in foster homes or private institutions by private, nonprofit agencies licensed as child-placing agencies by the Department of Social Services or placed through state and local subsidized adoptions to the extent permitted under federal statute;

2. A provision for determining eligibility for benefits for medically needy individuals which disregards from countable resources an amount not in excess of $3,500 for the individual and an amount not in excess of $3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by (i) the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources and (ii) the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses;

3. A requirement that, in determining eligibility, a home shall be disregarded. For those medically needy persons whose eligibility for medical assistance is required by federal law to be dependent on the budget methodology for Aid to Families with Dependent Children, a home means the house and lot used as the principal residence and all contiguous property. For all other persons, a home shall mean the house and lot used as the principal residence, as well as all contiguous property, as long as the value of the land, exclusive of the lot occupied by the house, does not exceed $5,000. In any case in which the definition of home as provided here is more restrictive than that provided in the state plan for medical assistance services in Virginia as it was in effect on January 1, 1972, then a home means the house and lot used as the principal residence and all contiguous property essential to the operation of the home regardless of value;

4. A provision for payment of medical assistance on behalf of individuals up to the age of 21, who are Medicaid eligible, for medically necessary stays in acute care facilities in excess of 21 days per admission;

5. A provision for deducting from an institutionalized recipient's income an amount for the maintenance of the individual's spouse at home;

6. A provision for payment of medical assistance on behalf of pregnant women which provides for payment for inpatient postpartum treatment in accordance with the medical criteria outlined in the most current version of or an official update to the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists or the "Standards for Obstetric-Gynecologic Services" prepared by the American College of Obstetricians and Gynecologists. Payment shall be made for any postpartum home visit or visits for the mothers and the children which are within the time periods recommended by the attending physicians in accordance with and as indicated by such Guidelines or Standards. For the purposes of this subdivision, such Guidelines or Standards shall include any changes thereto within six months of the publication of such Guidelines or Standards or any official amendment thereto;

7. A provision for the payment for family planning services on behalf of women who were Medicaid-eligible for prenatal care and delivery as provided in this section at the time of delivery. Such family planning services shall begin with delivery and continue for a period of 24 months, if the woman continues to meet the financial eligibility requirements for a pregnant woman under Medicaid. For the purposes of this section, family planning services shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions;

8. A provision for payment of medical assistance for high-dose chemotherapy and bone marrow transplants on behalf of individuals over the age of 21 who have been diagnosed with lymphoma, breast cancer, myeloma, or leukemia and have been determined by the treating health care provider to have a performance status sufficient to proceed with such high-dose chemotherapy and bone marrow transplant. Appeals of these cases shall be handled in accordance with the Department's expedited appeals process;

9. A provision identifying entities approved by the Board to receive applications and to determine eligibility for medical assistance, which shall include a requirement that such entities (i) obtain accurate contact information, including the best available address and telephone number, from each applicant for medical assistance, to the extent required by

federal law and regulations, and (ii) provide each applicant for medical assistance with information about advance directives pursuant to Article 8 (§ 54.1-2981 et seq.) of Chapter 29 of Title 54.1, including information about the purpose and benefits of advance directives and how the applicant may make an advance directive;

10. A provision for breast reconstructive surgery following the medically necessary removal of a breast for any medical reason. Breast reductions shall be covered, if prior authorization has been obtained, for all medically necessary indications. Such procedures shall be considered noncosmetic;

11. A provision for payment of medical assistance for annual pap smears;

12. A provision for payment of medical assistance services for prostheses following the medically necessary complete or partial removal of a breast for any medical reason;

13. A provision for payment of medical assistance which provides for payment for 48 hours of inpatient treatment for a patient following a radical or modified radical mastectomy and 24 hours of inpatient care following a total mastectomy or a partial mastectomy with lymph node dissection for treatment of disease or trauma of the breast. Nothing in this subdivision shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate;

14. A requirement that certificates of medical necessity for durable medical equipment and any supporting verifiable documentation shall be signed, dated, and returned by the physician, physician assistant, or advanced practice registered nurse and in the durable medical equipment provider's possession within 60 days from the time the ordered durable medical equipment and supplies are first furnished by the durable medical equipment provider;

15. A provision for payment of medical assistance to (i) persons age 50 and over and (ii) persons age 40 and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for *prostate cancer screening, which includes* one ~~PSA~~ *prostate-specific antigen* test in a 12-month period and digital rectal examinations~~, all in accordance with American Cancer Society guidelines. For the purpose of this subdivision, "PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen~~;

16. A provision for payment of medical assistance for low-dose screening mammograms for determining the presence of occult breast cancer. Such coverage shall make available one screening mammogram to persons age 35 through 39, one such mammogram biennially to persons age 40 through 49, and one such mammogram annually to persons age 50 and over. The term "mammogram" means an X-ray examination of the breast using equipment dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression device, screens, film and cassettes, with an average radiation exposure of less than one rad mid-breast, two views of each breast;

17. A provision, when in compliance with federal law and regulation and approved by the Centers for Medicare & Medicaid Services (CMS), for payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the state plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services;

18. A provision for payment of medical assistance services for liver, heart and lung transplantation procedures for individuals over the age of 21 years when (i) there is no effective alternative medical or surgical therapy available with outcomes that are at least comparable; (ii) the transplant procedure and application of the procedure in treatment of the specific condition have been clearly demonstrated to be medically effective and not experimental or investigational; (iii) prior authorization by the Department of Medical Assistance Services has been obtained; (iv) the patient selection criteria of the specific transplant center where the surgery is proposed to be performed have been used by the transplant team or program to determine the appropriateness of the patient for the procedure; (v) current medical therapy has failed and the patient has failed to respond to appropriate therapeutic management; (vi) the patient is not in an irreversible terminal state; and (vii) the transplant is likely to prolong the patient's life and restore a range of physical and social functioning in the activities of daily living;

19. A provision for payment of medical assistance for colorectal cancer screening, specifically screening with an annual fecal occult blood test, flexible sigmoidoscopy or colonoscopy, or in appropriate circumstances radiologic imaging, in accordance with the most recently published recommendations established by the American College of Gastroenterology, in consultation with the American Cancer Society, for the ages, family histories, and frequencies referenced in such recommendations;

20. A provision for payment of medical assistance for custom ocular prostheses;

21. A provision for payment for medical assistance for infant hearing screenings and all necessary audiological examinations provided pursuant to § 32.1-64.1 using any technology approved by the United States Food and Drug Administration, and as recommended by the national Joint Committee on Infant Hearing in its most current position statement addressing early hearing detection and intervention programs. Such provision shall include payment for medical assistance for follow-up audiological examinations as recommended by a physician, physician assistant, advanced practice registered nurse, or audiologist and performed by a licensed audiologist to confirm the existence or absence of hearing loss;

22. A provision for payment of medical assistance, pursuant to the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (P.L. 106-354), for certain women with breast or cervical cancer when such women (i) have been screened for breast or cervical cancer under the Centers for Disease Control and Prevention (CDC) Breast and Cervical Cancer Early Detection Program established under Title XV of the Public Health Service Act; (ii) need treatment for breast or cervical cancer, including treatment for a precancerous condition of the breast or cervix; (iii) are not otherwise covered under creditable coverage, as defined in § 2701 (c) of the Public Health Service Act; (iv) are not otherwise eligible for medical assistance services under any mandatory categorically needy eligibility group; and (v) have not attained age 65. This provision shall include an expedited eligibility determination for such women;

23. A provision for the coordinated administration, including outreach, enrollment, re-enrollment and services delivery, of medical assistance services provided to medically indigent children pursuant to this chapter, which shall be called Family Access to Medical Insurance Security (FAMIS) Plus and the FAMIS Plan program in § 32.1-351. A single application form shall be used to determine eligibility for both programs;

24. A provision, when authorized by and in compliance with federal law, to establish a public-private long-term care partnership program between the Commonwealth of Virginia and private insurance companies that shall be established through the filing of an amendment to the state plan for medical assistance services by the Department of Medical Assistance Services. The purpose of the program shall be to reduce Medicaid costs for long-term care by delaying or eliminating dependence on Medicaid for such services through encouraging the purchase of private long-term care insurance policies that have been designated as qualified state long-term care insurance partnerships and may be used as the first source of benefits for the participant's long-term care. Components of the program, including the treatment of assets for Medicaid eligibility and estate recovery, shall be structured in accordance with federal law and applicable federal guidelines;

25. A provision for the payment of medical assistance for otherwise eligible pregnant women during the first five years of lawful residence in the United States, pursuant to § 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111-3);

26. A provision for the payment of medical assistance for medically necessary health care services provided through telemedicine services, as defined in § 38.2-3418.16, regardless of the originating site or whether the patient is accompanied by a health care provider at the time such services are provided. No health care provider who provides health care services through telemedicine services shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.

For the purposes of this subdivision, a health care provider duly licensed by the Commonwealth who provides health care services exclusively through telemedicine services shall not be required to maintain a physical presence in the Commonwealth to be considered an eligible provider for enrollment as a Medicaid provider.

For the purposes of this subdivision, a telemedicine services provider group with health care providers duly licensed by the Commonwealth shall not be required to have an in-state service address to be eligible to enroll as a Medicaid vendor or Medicaid provider group.

For the purposes of this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

27. A provision for the payment of medical assistance for the dispensing or furnishing of up to a 12-month supply of hormonal contraceptives at one time. Absent clinical contraindications, the Department shall not impose any utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished to an amount less than a 12-month supply. Nothing in this subdivision shall be construed to (i) require a provider to prescribe, dispense, or furnish a 12-month supply of self-administered hormonal contraceptives at one time or (ii) exclude coverage for hormonal contraceptives as prescribed by a prescriber, acting within his scope of practice, for reasons other than contraceptive purposes. As used in this subdivision, "hormonal contraceptive" means a medication taken to prevent pregnancy by means of ingestion of hormones, including medications containing estrogen or progesterone, that is self-administered, requires a prescription, and is approved by the U.S. Food and Drug Administration for such purpose;

28. A provision for payment of medical assistance for remote patient monitoring services provided via telemedicine, as defined in § 38.2-3418.16, for (i) high-risk pregnant persons; (ii) medically complex infants and children; (iii) transplant patients; (iv) patients who have undergone surgery, for up to three months following the date of such surgery; and (v) patients with a chronic or acute health condition who have had two or more hospitalizations or emergency department visits related to such health condition in the previous 12 months when there is evidence that the use of remote patient monitoring is likely to prevent readmission of such patient to a hospital or emergency department. For the purposes of this subdivision, "remote patient monitoring services" means the use of digital technologies to collect medical and other forms of health data from patients in one location and electronically transmit that information securely to health care providers in a different location for analysis, interpretation, and recommendations, and management of the patient. "Remote patient monitoring services" includes monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other patient physiological data, treatment adherence monitoring, and interactive videoconferencing with or without digital image upload;

29. A provision for the payment of medical assistance for provider-to-provider consultations that is no more restrictive than, and is at least equal in amount, duration, and scope to, that available through the fee-for-service program;

30. A provision for payment of the originating site fee to emergency medical services agencies for facilitating synchronous telehealth visits with a distant site provider delivered to a Medicaid member. As used in this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

31. A provision for the payment of medical assistance for targeted case management services for individuals with severe traumatic brain injury;

32. A provision for payment of medical assistance for the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories, as defined by the Department's durable medical equipment program policy, for patients who reside in nursing facilities. Initial purchase or replacement may be contingent upon (i) determination of medical necessity; (ii) requirements in accordance with regulations established through the Department's durable medical equipment program policy; and (iii) exclusive use by the nursing facility resident. Recipients of medical assistance shall not be required to pay any deductible, coinsurance, copayment, or patient costs related to the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories; and

33. A provision for payment of medical assistance for remote ultrasound procedures and remote fetal non-stress tests. Such provision shall utilize established CPT codes for these procedures and shall apply when the patient is in a residence or other off-site location from the patient's provider that provides the same standard of care. The provision shall provide for reimbursement only when a provider uses digital technology (i) to collect medical and other forms of health data from a patient and electronically transmit that information securely to a health care provider in a different location for interpretation and recommendation; (ii) that is compliant with the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.); and (iii) that is approved by the U.S. Food and Drug Administration. For fetal non-stress tests under CPT Code 59025, the provision shall provide for reimbursement only if such test (a) is conducted with a place of service modifier for at-home monitoring and (b) uses remote monitoring solutions that are approved by the U.S. Food and Drug Administration for on-label use to monitor fetal heart rate, maternal heart rate, and uterine activity.

B. In preparing the plan, the Board shall:

1. Work cooperatively with the State Board of Health to ensure that quality patient care is provided and that the health, safety, security, rights and welfare of patients are ensured.

2. Initiate such cost containment or other measures as are set forth in the appropriation act.

3. Make, adopt, promulgate and enforce such regulations as may be necessary to carry out the provisions of this chapter.

4. Examine, before acting on a regulation to be published in the Virginia Register of Regulations pursuant to § 2.2-4007.05, the potential fiscal impact of such regulation on local boards of social services. For regulations with potential fiscal impact, the Board shall share copies of the fiscal impact analysis with local boards of social services prior to submission to the Registrar. The fiscal impact analysis shall include the projected costs/savings to the local boards of social services to implement or comply with such regulation and, where applicable, sources of potential funds to implement or comply with such regulation.

5. Incorporate sanctions and remedies for certified nursing facilities established by state law, in accordance with 42 C.F.R. § 488.400 et seq., Enforcement of Compliance for Long-Term Care Facilities With Deficiencies.

6. On and after July 1, 2002, require that a prescription benefit card, health insurance benefit card, or other technology that complies with the requirements set forth in § 38.2-3407.4:2 be issued to each recipient of medical assistance services, and shall upon any changes in the required data elements set forth in subsection A of § 38.2-3407.4:2, either reissue the card or provide recipients such corrective information as may be required to electronically process a prescription claim.

C. In order to enable the Commonwealth to continue to receive federal grants or reimbursement for medical assistance or related services, the Board, subject to the approval of the Governor, may adopt, regardless of any other provision of this chapter, such amendments to the state plan for medical assistance services as may be necessary to conform such plan with amendments to the United States Social Security Act or other relevant federal law and their implementing regulations or constructions of these laws and regulations by courts of competent jurisdiction or the United States Secretary of Health and Human Services.

In the event conforming amendments to the state plan for medical assistance services are adopted, the Board shall not be required to comply with the requirements of Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2. However, the Board shall, pursuant to the requirements of § 2.2-4002, (i) notify the Registrar of Regulations that such amendment is necessary to meet the requirements of federal law or regulations or because of the order of any state or federal court, or (ii) certify to the Governor that the regulations are necessitated by an emergency situation. Any such amendments that are in conflict with the Code of Virginia shall only remain in effect until July 1 following adjournment of the next regular session of the General Assembly unless enacted into law.

D. The Director of Medical Assistance Services is authorized to:

1. Administer such state plan and receive and expend federal funds therefor in accordance with applicable federal and state laws and regulations; and enter into all contracts necessary or incidental to the performance of the Department's duties and the execution of its powers as provided by law.

2. Enter into agreements and contracts with medical care facilities, physicians, dentists and other health care providers where necessary to carry out the provisions of such state plan. Any such agreement or contract shall terminate upon conviction of the provider of a felony. In the event such conviction is reversed upon appeal, the provider may apply to the Director of Medical Assistance Services for a new agreement or contract. Such provider may also apply to the Director for reconsideration of the agreement or contract termination if the conviction is not appealed, or if it is not reversed upon appeal.

3. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with any provider who has been convicted of or otherwise pled guilty to a felony, or pursuant to Subparts A, B, and C of 42 C.F.R. Part 1002, and upon notice of such action to the provider as required by 42 C.F.R. § 1002.212.

4. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with a provider who is or has been a principal in a professional or other corporation when such corporation has been convicted of or otherwise pled guilty to any violation of § 32.1-314, 32.1-315, 32.1-316, or 32.1-317, or any other felony or has been excluded from participation in any federal program pursuant to 42 C.F.R. Part 1002.

5. Terminate or suspend a provider agreement with a home care organization pursuant to subsection E of § 32.1-162.13.

For the purposes of this subsection, "provider" may refer to an individual or an entity.

E. In any case in which a Medicaid agreement or contract is terminated or denied to a provider pursuant to subsection D, the provider shall be entitled to appeal the decision pursuant to 42 C.F.R. § 1002.213 and to a post-determination or post-denial hearing in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). All such requests shall be in writing and be received within 15 days of the date of receipt of the notice.

The Director may consider aggravating and mitigating factors including the nature and extent of any adverse impact the agreement or contract denial or termination may have on the medical care provided to Virginia Medicaid recipients. In cases in which an agreement or contract is terminated pursuant to subsection D, the Director may determine the period of exclusion and may consider aggravating and mitigating factors to lengthen or shorten the period of exclusion, and may reinstate the provider pursuant to 42 C.F.R. § 1002.215.

F. When the services provided for by such plan are services which a marriage and family therapist, clinical psychologist, clinical social worker, professional counselor, or clinical nurse specialist is licensed to render in Virginia, the Director shall contract with any duly licensed marriage and family therapist, duly licensed clinical psychologist, licensed clinical social worker, licensed professional counselor or licensed clinical nurse specialist who makes application to be a provider of such services, and thereafter shall pay for covered services as provided in the state plan. The Board shall promulgate regulations which reimburse licensed marriage and family therapists, licensed clinical psychologists, licensed clinical social workers, licensed professional counselors and licensed clinical nurse specialists at rates based upon reasonable criteria, including the professional credentials required for licensure.

G. The Board shall prepare and submit to the Secretary of the United States Department of Health and Human Services such amendments to the state plan for medical assistance services as may be permitted by federal law to establish a program of family assistance whereby children over the age of 18 years shall make reasonable contributions, as determined by regulations of the Board, toward the cost of providing medical assistance under the plan to their parents.

H. The Department of Medical Assistance Services shall:

1. Include in its provider networks and all of its health maintenance organization contracts a provision for the payment of medical assistance on behalf of individuals up to the age of 21 who have special needs and who are Medicaid eligible, including individuals who have been victims of child abuse and neglect, for medically necessary assessment and treatment services, when such services are delivered by a provider which specializes solely in the diagnosis and treatment of child abuse and neglect, or a provider with comparable expertise, as determined by the Director.

2. Amend the Medallion II waiver and its implementing regulations to develop and implement an exception, with procedural requirements, to mandatory enrollment for certain children between birth and age three certified by the Department of Behavioral Health and Developmental Services as eligible for services pursuant to Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.).

3. Utilize, to the extent practicable, electronic funds transfer technology for reimbursement to contractors and enrolled providers for the provision of health care services under Medicaid and the Family Access to Medical Insurance Security Plan established under § 32.1-351.

4. Require any managed care organization with which the Department enters into an agreement for the provision of medical assistance services to include in any contract between the managed care organization and a pharmacy benefits manager provisions prohibiting the pharmacy benefits manager or a representative of the pharmacy benefits manager from conducting spread pricing with regards to the managed care organization's managed care plans. For the purposes of this subdivision:

"Pharmacy benefits management" means the administration or management of prescription drug benefits provided by a managed care organization for the benefit of covered individuals.

"Pharmacy benefits manager" means a person that performs pharmacy benefits management.

"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a managed care plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.

I. The Director is authorized to negotiate and enter into agreements for services rendered to eligible recipients with special needs. The Board shall promulgate regulations regarding these special needs patients, to include persons with AIDS, ventilator-dependent patients, and other recipients with special needs as defined by the Board.

J. Except as provided in subdivision A 1 of § 2.2-4345, the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not apply to the activities of the Director authorized by subsection I of this section. Agreements made pursuant to this subsection shall comply with federal law and regulation.

K. When the services provided for by such plan are services by a pharmacist, pharmacy technician, or pharmacy intern (i) performed under the terms of a collaborative agreement as defined in § 54.1-3300 and consistent with the terms of a managed care contractor provider contract or the state plan or (ii) related to services and treatment in accordance with § 54.1-3303.1, the Department shall provide reimbursement for such service.

§ 38.2-3406.1. Application of requirements that policies offered by small employers include state-mandated health benefits.

A. As used in this section:

"Eligible individual" means an individual who is employed by a small employer and has satisfied applicable waiting period requirements.

"Health insurance coverage" means benefits consisting of coverage for costs of medical care, whether directly, through insurance or reimbursement, or otherwise, and including items and services paid for as medical care under a group policy of accident and sickness insurance, hospital or medical service policy or certificate, hospital or medical service plan contract, or health maintenance organization contract, which coverage is subject to this title or is provided under a plan regulated under the Employee Retirement Income Security Act of 1974.

"Health insurer" means any insurance company that issues accident and sickness insurance policies providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis, a corporation that provides accident and sickness subscription contracts, or any health maintenance organization that provides a health care plan that provides, arranges for, pays for, or reimburses any part of the cost of any health care services, that is licensed to engage in such business in the Commonwealth, and that is subject to the laws of the Commonwealth that regulate insurance within the meaning of § 514(b)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. § 1144(b)(2)).

"Small employer" has the same meaning ascribed to the term in § 38.2-3431.

"State-mandated health benefit" means coverage required under this title or other laws of the Commonwealth to be provided in a policy of accident and sickness insurance or a contract for a health-related condition that (i) includes coverage for specific health care services or benefits; (ii) places limitations or restrictions on deductibles, coinsurance, copayments, or any annual or lifetime maximum benefit amounts; or (iii) includes a specific category of licensed health care practitioners from whom an insured is entitled to receive care. "State-mandated health benefit" includes, without limitation, any coverage, or the offering of coverage, of a benefit or provider pursuant to §§ 38.2-3407.5 through 38.2-3407.6:1, 38.2-3407.9:01, 38.2-3407.9:02, 38.2-3407.11 through 38.2-3407.11:3, 38.2-3407.16, 38.2-3408, 38.2-3411 through 38.2-3414.1, 38.2-3418 through 38.2-3418.14, or § 38.2-4221. For purposes of this article, "state-mandated health benefit" does not include a benefit that is mandated by federal law.

B. Notwithstanding any statute, rule, or regulation to the contrary, and for the purposes of this section, a group accident and sickness insurance policy providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis; a group accident and sickness subscription contract providing health insurance coverage for eligible individuals; and a health care plan that provides, arranges for, pays for, or reimburses any part of the cost of any health care services that is offered, sold, or issued by a health insurer to a small employer:

1. Shall not be required to include coverage, or the offer of coverage, for any state-mandated health benefit, except for:

a. Coverage for mammograms pursuant to § 38.2-3418.1;

b. Coverage for pap smears pursuant to § 38.2-3418.1:2;

c. Coverage for ~~PSA testing~~ *prostate cancer screening* pursuant to § 38.2-3418.7; and

d. Coverage for colorectal cancer screening pursuant to § 38.2-3418.7:1.

2. May include any, or none, of the state-mandated health benefits not otherwise noted in subdivision B 1 as the health insurer and the small employer shall agree.

Notwithstanding any provision of this section to the contrary, if any plan authorized by this section includes and offers health care services covered by the plan that may be legally rendered by a health care provider listed in § 38.2-3408, that plan shall allow for the reimbursement of such covered services when rendered by such provider. Unless otherwise provided in this section, this provision shall not require any benefit be provided as a covered service.

C. Any application and any enrollment form used in connection with coverage under this section shall prominently disclose that the policy, contract, or evidence of coverage is not required to provide state-mandated health benefits, shall prominently disclose any and all state-mandated health benefits that the policy, subscription contract, or evidence of coverage does not provide, and shall clearly describe all eligibility requirements.

D. A policy form, subscription contract, or evidence of coverage issued under this section to a small employer shall prominently disclose any and all state-mandated health benefits that the policy, subscription contract, or evidence of

coverage does not provide. Such disclosure shall also be included in certificate forms or other evidences of coverage furnished to each participant. Health insurers proposing to issue forms providing coverage under this section shall clearly disclose the intended purposes for such policies, contracts, or evidences of coverage when submitting the forms to the Commission for approval in accordance with § 38.2-316.

E. The Commission shall adopt any regulations necessary to implement this section.

F. The provisions of this section shall not apply in any instance in which the provisions of this section are inconsistent or in conflict with a provision of Article 6 (§ 38.2-3438 et seq.) of Chapter 34.

§ 38.2-3418.7. Coverage for prostate cancer screening.

A. Notwithstanding the provisions of § 38.2-3419, each insurer proposing to issue individual or group accident and sickness insurance policies providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis; each corporation providing individual or group accident and sickness subscription contracts; and each health maintenance organization providing a health care plan for health care services shall provide coverage to (i) persons age ~~fifty~~ *50* and over and (ii) persons age ~~forty~~ *40* and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for ~~one PSA test in a twelve-month period and digital rectal examinations, all in accordance with American Cancer Society guidelines~~ *prostate cancer screening* under any such policy, contract, or plan delivered, issued for delivery, or renewed in ~~this~~ *the* Commonwealth on and after July 1, 1998.

B. For the purpose of this section, ~~"PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen~~ *"prostate cancer screening" includes one prostate-specific antigen test in a 12-month period and digital rectal examinations*.

C. *No insurer, corporation, or health maintenance organization shall impose on any person receiving benefits pursuant to this section any deductible, coinsurance, copayment, or other cost-sharing requirement, except to the extent that coverage without cost-sharing would disqualify a high-deductible health benefit plan from eligibility for a health savings account pursuant to 26 U.S.C. § 223.*

D. The provisions of this section shall not apply to (i) short-term travel, accident only, limited or specified disease policies other than cancer policies, (ii) short-term nonrenewable policies of not more than six months' duration, or (iii) policies or contracts designed for issuance to persons eligible for coverage under Title XVIII of the Social Security Act, known as Medicare, or any other similar coverage under state or federal governmental plans.

2. That the provisions of this act shall apply only to contracts, policies, or plans delivered, issued for delivery, or renewed in the Commonwealth on or after January 1, 2026.

CHAPTER 238

An Act to amend and reenact §§ 32.1-123 and 32.1-127, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to hospitals; urine drug screening; fentanyl.

[H 2742]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-123 and 32.1-127, as it is currently effective and as it shall become effective, of the Code of Virginia are amended and reenacted as follows:

§ 32.1-123. Definitions.

As used in this article unless a different meaning or construction is clearly required by the context or otherwise:

"Certified nursing facility" means any skilled nursing facility, skilled care facility, intermediate care facility, nursing or nursing care facility, or nursing home, whether freestanding or a portion of a freestanding medical care facility, that is certified as a Medicare or Medicaid provider, or both, pursuant to § 32.1-137.

"Children's hospital" means a hospital (i) whose inpatients are predominantly under 18 years of age and (ii) which is excluded from the Medicare prospective payment system pursuant to the Social Security Act.

"Class I violation" means failure of a nursing home or certified nursing facility to comply with one or more requirements of state or federal law or regulations which creates a situation that presents an immediate and serious threat to patient health or safety.

"Class II violation" means a pattern of noncompliance by a nursing home or certified nursing facility with one or more federal conditions of participation which indicates delivery of substandard quality of care but does not necessarily create an immediate and serious threat to patient health and safety. Regardless of whether the facility participates in Medicare or Medicaid, the federal conditions of participation shall be the standards for Class II violations.

"Hospital" means any facility licensed pursuant to this article in which the primary function is the provision of diagnosis, of treatment, and of medical and nursing services, surgical or nonsurgical, for two or more nonrelated individuals, including hospitals known by varying nomenclature or designation such as children's hospitals, sanatoriums, sanitariums and general, acute, rehabilitation, chronic disease, short-term, long-term, outpatient surgical, and inpatient or outpatient maternity hospitals.

"Immediate and serious threat" means a situation or condition having a high probability that serious harm or injury to patients could occur at any time, or already has occurred, and may occur again, if patients are not protected effectively from the harm, or the threat is not removed.

"Inspection" means all surveys, inspections, investigations and other procedures necessary for the Department of Health to perform in order to carry out various obligations imposed on the Board or Commissioner by applicable state and federal laws and regulations.

"Nursing home" means any facility or any identifiable component of any facility licensed pursuant to this article in which the primary function is the provision, on a continuing basis, of nursing services and health-related services for the treatment and inpatient care of two or more nonrelated individuals, including facilities known by varying nomenclature or designation such as convalescent homes, skilled nursing facilities or skilled care facilities, intermediate care facilities, extended care facilities and nursing or nursing care facilities.

"Nonrelated" means not related by blood or marriage, ascending or descending or first degree full or half collateral.

"Substandard quality of care" means deficiencies in practices of patient care, preservation of patient rights, environmental sanitation, physical plant maintenance, or life safety which, if not corrected, will have a significant harmful effect on patient health and safety.

"Urine drug screening" means a chemical analysis intended to test patients for the presence of multiple drugs, including cocaine, opioids, and phencyclidine.

§ 32.1-127. (Effective until July 1, 2025) Regulations.

A. The regulations promulgated by the Board to carry out the provisions of this article shall be in substantial conformity to the standards of health, hygiene, sanitation, construction and safety as established and recognized by medical and health care professionals and by specialists in matters of public health and safety, including health and safety standards established under provisions of Title XVIII and Title XIX of the Social Security Act, and to the provisions of Article 2 (§ 32.1-138 et seq.).

B. Such regulations:

1. Shall include minimum standards for (i) the construction and maintenance of hospitals, nursing homes and certified nursing facilities to ensure the environmental protection and the life safety of its patients, employees, and the public; (ii) the operation, staffing and equipping of hospitals, nursing homes and certified nursing facilities; (iii) qualifications and training of staff of hospitals, nursing homes and certified nursing facilities, except those professionals licensed or certified by the Department of Health Professions; (iv) conditions under which a hospital or nursing home may provide medical and nursing services to patients in their places of residence; and (v) policies related to infection prevention, disaster preparedness, and facility security of hospitals, nursing homes, and certified nursing facilities;

2. Shall provide that at least one physician who is licensed to practice medicine in the Commonwealth and is primarily responsible for the emergency department shall be on duty and physically present at all times at each hospital that operates or holds itself out as operating an emergency service;

3. May classify hospitals and nursing homes by type of specialty or service and may provide for licensing hospitals and nursing homes by bed capacity and by type of specialty or service;

4. Shall also require that each hospital establish a protocol for organ donation, in compliance with federal law and the regulations of the Centers for Medicare and Medicaid Services (CMS), particularly 42 C.F.R. § 482.45. Each hospital shall have an agreement with an organ procurement organization designated in CMS regulations for routine contact, whereby the provider's designated organ procurement organization certified by CMS (i) is notified in a timely manner of all deaths or imminent deaths of patients in the hospital and (ii) is authorized to determine the suitability of the decedent or patient for organ donation and, in the absence of a similar arrangement with any eye bank or tissue bank in Virginia certified by the Eye Bank Association of America or the American Association of Tissue Banks, the suitability for tissue and eye donation. The hospital shall also have an agreement with at least one tissue bank and at least one eye bank to cooperate in the retrieval, processing, preservation, storage, and distribution of tissues and eyes to ensure that all usable tissues and eyes are obtained from potential donors and to avoid interference with organ procurement. The protocol shall ensure that the hospital collaborates with the designated organ procurement organization to inform the family of each potential donor of the option to donate organs, tissues, or eyes or to decline to donate. The individual making contact with the family shall have completed a course in the methodology for approaching potential donor families and requesting organ or tissue donation that (a) is offered or approved by the organ procurement organization and designed in conjunction with the tissue and eye bank community and (b) encourages discretion and sensitivity according to the specific circumstances, views, and beliefs of the relevant family. In addition, the hospital shall work cooperatively with the designated organ procurement organization in educating the staff responsible for contacting the organ procurement organization's personnel on donation issues, the proper review of death records to improve identification of potential donors, and the proper procedures for maintaining potential donors while necessary testing and placement of potential donated organs, tissues, and eyes takes place. This process shall be followed, without exception, unless the family of the relevant decedent or patient has expressed opposition to organ donation, the chief administrative officer of the hospital or his designee knows of such opposition, and no donor card or other relevant document, such as an advance directive, can be found;

5. Shall require that each hospital that provides obstetrical services establish a protocol for admission or transfer of any pregnant woman who presents herself while in labor;

6. Shall also require that each licensed hospital develop and implement a protocol requiring written discharge plans for identified, substance-abusing, postpartum women and their infants. The protocol shall require that the discharge plan be discussed with the patient and that appropriate referrals for the mother and the infant be made and documented. Appropriate referrals may include, but need not be limited to, treatment services, comprehensive early intervention services for infants and toddlers with disabilities and their families pursuant to Part H of the Individuals with Disabilities Education Act, 20 U.S.C. § 1471 et seq., and family-oriented prevention services. The discharge planning process shall involve, to the extent possible, the other parent of the infant and any members of the patient's extended family who may participate in the follow-up care for the mother and the infant. Immediately upon identification, pursuant to § 54.1-2403.1, of any substance-abusing, postpartum woman, the hospital shall notify, subject to federal law restrictions, the community services board of the jurisdiction in which the woman resides to appoint a discharge plan manager. The community services board shall implement and manage the discharge plan;

7. Shall require that each nursing home and certified nursing facility fully disclose to the applicant for admission the home's or facility's admissions policies, including any preferences given;

8. Shall require that each licensed hospital establish a protocol relating to the rights and responsibilities of patients which shall include a process reasonably designed to inform patients of such rights and responsibilities. Such rights and responsibilities of patients, a copy of which shall be given to patients on admission, shall be consistent with applicable federal law and regulations of the Centers for Medicare and Medicaid Services;

9. Shall establish standards and maintain a process for designation of levels or categories of care in neonatal services according to an applicable national or state-developed evaluation system. Such standards may be differentiated for various levels or categories of care and may include, but need not be limited to, requirements for staffing credentials, staff/patient ratios, equipment, and medical protocols;

10. Shall require that each nursing home and certified nursing facility train all employees who are mandated to report adult abuse, neglect, or exploitation pursuant to § 63.2-1606 on such reporting procedures and the consequences for failing to make a required report;

11. Shall permit hospital personnel, as designated in medical staff bylaws, rules and regulations, or hospital policies and procedures, to accept emergency telephone and other verbal orders for medication or treatment for hospital patients from physicians, and other persons lawfully authorized by state statute to give patient orders, subject to a requirement that such verbal order be signed, within a reasonable period of time not to exceed 72 hours as specified in the hospital's medical staff bylaws, rules and regulations or hospital policies and procedures, by the person giving the order, or, when such person is not available within the period of time specified, co-signed by another physician or other person authorized to give the order;

12. Shall require, unless the vaccination is medically contraindicated or the resident declines the offer of the vaccination, that each certified nursing facility and nursing home provide or arrange for the administration to its residents of (i) an annual vaccination against influenza and (ii) a pneumococcal vaccination, in accordance with the most recent recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention;

13. Shall require that each nursing home and certified nursing facility register with the Department of State Police to receive notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 within the same or a contiguous zip code area in which the home or facility is located, pursuant to § 9.1-914;

14. Shall require that each nursing home and certified nursing facility ascertain, prior to admission, whether a potential patient is required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, if the home or facility anticipates the potential patient will have a length of stay greater than three days or in fact stays longer than three days;

15. Shall require that each licensed hospital include in its visitation policy a provision allowing each adult patient to receive visits from any individual from whom the patient desires to receive visits, subject to other restrictions contained in the visitation policy including, but not limited to, those related to the patient's medical condition and the number of visitors permitted in the patient's room simultaneously;

16. Shall require that each nursing home and certified nursing facility shall, upon the request of the facility's family council, send notices and information about the family council mutually developed by the family council and the administration of the nursing home or certified nursing facility, and provided to the facility for such purpose, to the listed responsible party or a contact person of the resident's choice up to six times per year. Such notices may be included together with a monthly billing statement or other regular communication. Notices and information shall also be posted in a designated location within the nursing home or certified nursing facility. No family member of a resident or other resident representative shall be restricted from participating in meetings in the facility with the families or resident representatives of other residents in the facility;

17. Shall require that each nursing home and certified nursing facility maintain liability insurance coverage in a minimum amount of $1 million, and professional liability coverage in an amount at least equal to the recovery limit set forth in § 8.01-581.15, to compensate patients or individuals for injuries and losses resulting from the negligent or criminal acts of the facility. Failure to maintain such minimum insurance shall result in revocation of the facility's license;

18. Shall require each hospital that provides obstetrical services to establish policies to follow when a stillbirth, as defined in § 32.1-69.1, occurs that meet the guidelines pertaining to counseling patients and their families and other aspects of managing stillbirths as may be specified by the Board in its regulations;

19. Shall require each nursing home to provide a full refund of any unexpended patient funds on deposit with the facility following the discharge or death of a patient, other than entrance-related fees paid to a continuing care provider as defined in § 38.2-4900, within 30 days of a written request for such funds by the discharged patient or, in the case of the death of a patient, the person administering the person's estate in accordance with the Virginia Small Estates Act (§ 64.2-600 et seq.);

20. Shall require that each hospital that provides inpatient psychiatric services establish a protocol that requires, for any refusal to admit (i) a medically stable patient referred to its psychiatric unit, direct verbal communication between the on-call physician in the psychiatric unit and the referring physician, if requested by such referring physician, and prohibits on-call physicians or other hospital staff from refusing a request for such direct verbal communication by a referring physician and (ii) a patient for whom there is a question regarding the medical stability or medical appropriateness of admission for inpatient psychiatric services due to a situation involving results of a toxicology screening, the on-call physician in the psychiatric unit to which the patient is sought to be transferred to participate in direct verbal communication, either in person or via telephone, with a clinical toxicologist or other person who is a Certified Specialist in Poison Information employed by a poison control center that is accredited by the American Association of Poison Control Centers to review the results of the toxicology screen and determine whether a medical reason for refusing admission to the psychiatric unit related to the results of the toxicology screen exists, if requested by the referring physician;

21. Shall require that each hospital that is equipped to provide life-sustaining treatment shall develop a policy governing determination of the medical and ethical appropriateness of proposed medical care, which shall include (i) a process for obtaining a second opinion regarding the medical and ethical appropriateness of proposed medical care in cases in which a physician has determined proposed care to be medically or ethically inappropriate; (ii) provisions for review of the determination that proposed medical care is medically or ethically inappropriate by an interdisciplinary medical review committee and a determination by the interdisciplinary medical review committee regarding the medical and ethical appropriateness of the proposed health care; and (iii) requirements for a written explanation of the decision reached by the interdisciplinary medical review committee, which shall be included in the patient's medical record. Such policy shall ensure that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 (a) are informed of the patient's right to obtain his medical record and to obtain an independent medical opinion and (b) afforded reasonable opportunity to participate in the medical review committee meeting. Nothing in such policy shall prevent the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 from obtaining legal counsel to represent the patient or from seeking other remedies available at law, including seeking court review, provided that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986, or legal counsel provides written notice to the chief executive officer of the hospital within 14 days of the date on which the physician's determination that proposed medical treatment is medically or ethically inappropriate is documented in the patient's medical record;

22. Shall require every hospital with an emergency department to establish a security plan. Such security plan shall be developed using standards established by the International Association for Healthcare Security and Safety or other industry standard and shall be based on the results of a security risk assessment of each emergency department location of the hospital and shall include the presence of at least one off-duty law-enforcement officer or trained security personnel who is present in the emergency department at all times as indicated to be necessary and appropriate by the security risk assessment. Such security plan shall be based on identified risks for the emergency department, including trauma level designation, overall volume, volume of psychiatric and forensic patients, incidents of violence against staff, and level of injuries sustained from such violence, and prevalence of crime in the community, in consultation with the emergency department medical director and nurse director. The security plan shall also outline training requirements for security personnel in the potential use of and response to weapons, defensive tactics, de-escalation techniques, appropriate physical restraint and seclusion techniques, crisis intervention, and trauma-informed approaches. Such training shall also include instruction on safely addressing situations involving patients, family members, or other persons who pose a risk of harm to themselves or others due to mental illness or substance abuse or who are experiencing a mental health crisis. Such training requirements may be satisfied through completion of the Department of Criminal Justice Services minimum training standards for auxiliary police officers as required by § 15.2-1731. The Commissioner shall provide a waiver from the requirement that at least one off-duty law-enforcement officer or trained security personnel be present at all times in the emergency department if the hospital demonstrates that a different level of security is necessary and appropriate for any of its emergency departments based upon findings in the security risk assessment;

23. Shall require that each hospital establish a protocol requiring that, before a health care provider arranges for air medical transportation services for a patient who does not have an emergency medical condition as defined in 42 U.S.C. § 1395dd(e)(1), the hospital shall provide the patient or his authorized representative with written or electronic notice that the patient (i) may have a choice of transportation by an air medical transportation provider or medically appropriate ground transportation by an emergency medical services provider and (ii) will be responsible for charges incurred for such transportation in the event that the provider is not a contracted network provider of the patient's health insurance carrier or such charges are not otherwise covered in full or in part by the patient's health insurance plan;

24. Shall establish an exemption from the requirement to obtain a license to add temporary beds in an existing hospital or nursing home, including beds located in a temporary structure or satellite location operated by the hospital or nursing home, provided that the ability remains to safely staff services across the existing hospital or nursing home, (i) for a period of no more than the duration of the Commissioner's determination plus 30 days when the Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds or (ii) for a period of no more than the duration of the emergency order entered pursuant to § 32.1-13 or 32.1-20 plus 30 days when the Board, pursuant to § 32.1-13, or the Commissioner, pursuant to § 32.1-20, has entered an emergency order for the purpose of suppressing a nuisance dangerous to public health or a communicable, contagious, or infectious disease or other danger to the public life and health;

25. Shall establish protocols to ensure that any patient scheduled to receive an elective surgical procedure for which the patient can reasonably be expected to require outpatient physical therapy as a follow-up treatment after discharge is informed that he (i) is expected to require outpatient physical therapy as a follow-up treatment and (ii) will be required to select a physical therapy provider prior to being discharged from the hospital;

26. Shall permit nursing home staff members who are authorized to possess, distribute, or administer medications to residents to store, dispense, or administer cannabis oil to a resident who has been issued a valid written certification for the use of cannabis oil in accordance with § 4.1-1601;

27. Shall require each hospital with an emergency department to establish a protocol for the treatment and discharge of individuals experiencing a substance use-related emergency, which shall include provisions for (i) appropriate screening and assessment of individuals experiencing substance use-related emergencies to identify medical interventions necessary for the treatment of the individual in the emergency department and (ii) recommendations for follow-up care following discharge for any patient identified as having a substance use disorder, depression, or mental health disorder, as appropriate, which may include, for patients who have been treated for substance use-related emergencies, including opioid overdose, or other high-risk patients, (a) the dispensing of naloxone or other opioid antagonist used for overdose reversal pursuant to subsection X of § 54.1-3408 at discharge or (b) issuance of a prescription for and information about accessing naloxone or other opioid antagonist used for overdose reversal, including information about accessing naloxone or other opioid antagonist used for overdose reversal at a community pharmacy, including any outpatient pharmacy operated by the hospital, or through a community organization or pharmacy that may dispense naloxone or other opioid antagonist used for overdose reversal without a prescription pursuant to a statewide standing order. Such protocols may also provide for referrals of individuals experiencing a substance use-related emergency to peer recovery specialists and community-based providers of behavioral health services, or to providers of pharmacotherapy for the treatment of drug or alcohol dependence or mental health diagnoses;

28. During a public health emergency related to COVID-19, shall require each nursing home and certified nursing facility to establish a protocol to allow each patient to receive visits, consistent with guidance from the Centers for Disease Control and Prevention and as directed by the Centers for Medicare and Medicaid Services and the Board. Such protocol shall include provisions describing (i) the conditions, including conditions related to the presence of COVID-19 in the nursing home, certified nursing facility, and community, under which in-person visits will be allowed and under which in-person visits will not be allowed and visits will be required to be virtual; (ii) the requirements with which in-person visitors will be required to comply to protect the health and safety of the patients and staff of the nursing home or certified nursing facility; (iii) the types of technology, including interactive audio or video technology, and the staff support necessary to ensure visits are provided as required by this subdivision; and (iv) the steps the nursing home or certified nursing facility will take in the event of a technology failure, service interruption, or documented emergency that prevents visits from occurring as required by this subdivision. Such protocol shall also include (a) a statement of the frequency with which visits, including virtual and in-person, where appropriate, will be allowed, which shall be at least once every 10 calendar days for each patient; (b) a provision authorizing a patient or the patient's personal representative to waive or limit visitation, provided that such waiver or limitation is included in the patient's health record; and (c) a requirement that each nursing home and certified nursing facility publish on its website or communicate to each patient or the patient's authorized representative, in writing or via electronic means, the nursing home's or certified nursing facility's plan for providing visits to patients as required by this subdivision;

29. Shall require each hospital, nursing home, and certified nursing facility to establish and implement policies to ensure the permissible access to and use of an intelligent personal assistant provided by a patient, in accordance with such regulations, while receiving inpatient services. Such policies shall ensure protection of health information in accordance with the requirements of the federal Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d et seq., as amended. For the purposes of this subdivision, "intelligent personal assistant" means a combination of an electronic device and a specialized software application designed to assist users with basic tasks using a combination of natural language processing and artificial intelligence, including such combinations known as "digital assistants" or "virtual assistants";

30. During a declared public health emergency related to a communicable disease of public health threat, shall require each hospital, nursing home, and certified nursing facility to establish a protocol to allow patients to receive visits from a rabbi, priest, minister, or clergy of any religious denomination or sect consistent with guidance from the Centers for Disease Control and Prevention and the Centers for Medicare and Medicaid Services and subject to compliance with any executive order, order of public health, Department guidance, or any other applicable federal or state guidance having the effect of

limiting visitation. Such protocol may restrict the frequency and duration of visits and may require visits to be conducted virtually using interactive audio or video technology. Any such protocol may require the person visiting a patient pursuant to this subdivision to comply with all reasonable requirements of the hospital, nursing home, or certified nursing facility adopted to protect the health and safety of the person, patients, and staff of the hospital, nursing home, or certified nursing facility; ~~and~~

31. Shall require that every hospital that makes health records, as defined in § 32.1-127.1:03, of patients who are minors available to such patients through a secure website shall make such health records available to such patient's parent or guardian through such secure website, unless the hospital cannot make such health record available in a manner that prevents disclosure of information, the disclosure of which has been denied pursuant to subsection F of § 32.1-127.1:03 or for which consent required in accordance with subsection E of § 54.1-2969 has not been provided*; and*

32. Shall require every hospital with an emergency department, when conducting a urine drug screening to assist in diagnosing a patient's condition, to include testing for fentanyl in such urine drug screening.

C. Upon obtaining the appropriate license, if applicable, licensed hospitals, nursing homes, and certified nursing facilities may operate adult day centers.

D. All facilities licensed by the Board pursuant to this article which provide treatment or care for hemophiliacs and, in the course of such treatment, stock clotting factors, shall maintain records of all lot numbers or other unique identifiers for such clotting factors in order that, in the event the lot is found to be contaminated with an infectious agent, those hemophiliacs who have received units of this contaminated clotting factor may be apprised of this contamination. Facilities which have identified a lot that is known to be contaminated shall notify the recipient's attending physician and request that he notify the recipient of the contamination. If the physician is unavailable, the facility shall notify by mail, return receipt requested, each recipient who received treatment from a known contaminated lot at the individual's last known address.

E. Hospitals in the Commonwealth may enter into agreements with the Department of Health for the provision to uninsured patients of naloxone or other opioid antagonists used for overdose reversal.

§ 32.1-127. (Effective July 1, 2025) Regulations.

A. The regulations promulgated by the Board to carry out the provisions of this article shall be in substantial conformity to the standards of health, hygiene, sanitation, construction and safety as established and recognized by medical and health care professionals and by specialists in matters of public health and safety, including health and safety standards established under provisions of Title XVIII and Title XIX of the Social Security Act, and to the provisions of Article 2 (§ 32.1-138 et seq.).

B. Such regulations:

1. Shall include minimum standards for (i) the construction and maintenance of hospitals, nursing homes and certified nursing facilities to ensure the environmental protection and the life safety of its patients, employees, and the public; (ii) the operation, staffing and equipping of hospitals, nursing homes and certified nursing facilities; (iii) qualifications and training of staff of hospitals, nursing homes and certified nursing facilities, except those professionals licensed or certified by the Department of Health Professions; (iv) conditions under which a hospital or nursing home may provide medical and nursing services to patients in their places of residence; and (v) policies related to infection prevention, disaster preparedness, and facility security of hospitals, nursing homes, and certified nursing facilities;

2. Shall provide that at least one physician who is licensed to practice medicine in the Commonwealth and is primarily responsible for the emergency department shall be on duty and physically present at all times at each hospital that operates or holds itself out as operating an emergency service;

3. May classify hospitals and nursing homes by type of specialty or service and may provide for licensing hospitals and nursing homes by bed capacity and by type of specialty or service;

4. Shall also require that each hospital establish a protocol for organ donation, in compliance with federal law and the regulations of the Centers for Medicare and Medicaid Services (CMS), particularly 42 C.F.R. § 482.45. Each hospital shall have an agreement with an organ procurement organization designated in CMS regulations for routine contact, whereby the provider's designated organ procurement organization certified by CMS (i) is notified in a timely manner of all deaths or imminent deaths of patients in the hospital and (ii) is authorized to determine the suitability of the decedent or patient for organ donation and, in the absence of a similar arrangement with any eye bank or tissue bank in Virginia certified by the Eye Bank Association of America or the American Association of Tissue Banks, the suitability for tissue and eye donation. The hospital shall also have an agreement with at least one tissue bank and at least one eye bank to cooperate in the retrieval, processing, preservation, storage, and distribution of tissues and eyes to ensure that all usable tissues and eyes are obtained from potential donors and to avoid interference with organ procurement. The protocol shall ensure that the hospital collaborates with the designated organ procurement organization to inform the family of each potential donor of the option to donate organs, tissues, or eyes or to decline to donate. The individual making contact with the family shall have completed a course in the methodology for approaching potential donor families and requesting organ or tissue donation that (a) is offered or approved by the organ procurement organization and designed in conjunction with the tissue and eye bank community and (b) encourages discretion and sensitivity according to the specific circumstances, views, and beliefs of the relevant family. In addition, the hospital shall work cooperatively with the designated organ procurement organization in educating the staff responsible for contacting the organ procurement organization's personnel on donation issues, the proper review of death records to improve identification of potential donors, and the proper procedures for maintaining potential donors while necessary testing and placement of potential donated organs, tissues, and eyes takes place. This process shall

be followed, without exception, unless the family of the relevant decedent or patient has expressed opposition to organ donation, the chief administrative officer of the hospital or his designee knows of such opposition, and no donor card or other relevant document, such as an advance directive, can be found;

5. Shall require that each hospital that provides obstetrical services establish a protocol for admission or transfer of any pregnant woman who presents herself while in labor;

6. Shall also require that each licensed hospital develop and implement a protocol requiring written discharge plans for identified, substance-abusing, postpartum women and their infants. The protocol shall require that the discharge plan be discussed with the patient and that appropriate referrals for the mother and the infant be made and documented. Appropriate referrals may include, but need not be limited to, treatment services, comprehensive early intervention services for infants and toddlers with disabilities and their families pursuant to Part H of the Individuals with Disabilities Education Act, 20 U.S.C. § 1471 et seq., and family-oriented prevention services. The discharge planning process shall involve, to the extent possible, the other parent of the infant and any members of the patient's extended family who may participate in the follow-up care for the mother and the infant. Immediately upon identification, pursuant to § 54.1-2403.1, of any substance-abusing, postpartum woman, the hospital shall notify, subject to federal law restrictions, the community services board of the jurisdiction in which the woman resides to appoint a discharge plan manager. The community services board shall implement and manage the discharge plan;

7. Shall require that each nursing home and certified nursing facility fully disclose to the applicant for admission the home's or facility's admissions policies, including any preferences given;

8. Shall require that each licensed hospital establish a protocol relating to the rights and responsibilities of patients which shall include a process reasonably designed to inform patients of such rights and responsibilities. Such rights and responsibilities of patients, a copy of which shall be given to patients on admission, shall be consistent with applicable federal law and regulations of the Centers for Medicare and Medicaid Services;

9. Shall establish standards and maintain a process for designation of levels or categories of care in neonatal services according to an applicable national or state-developed evaluation system. Such standards may be differentiated for various levels or categories of care and may include, but need not be limited to, requirements for staffing credentials, staff/patient ratios, equipment, and medical protocols;

10. Shall require that each nursing home and certified nursing facility train all employees who are mandated to report adult abuse, neglect, or exploitation pursuant to § 63.2-1606 on such reporting procedures and the consequences for failing to make a required report;

11. Shall permit hospital personnel, as designated in medical staff bylaws, rules and regulations, or hospital policies and procedures, to accept emergency telephone and other verbal orders for medication or treatment for hospital patients from physicians, and other persons lawfully authorized by state statute to give patient orders, subject to a requirement that such verbal order be signed, within a reasonable period of time not to exceed 72 hours as specified in the hospital's medical staff bylaws, rules and regulations or hospital policies and procedures, by the person giving the order, or, when such person is not available within the period of time specified, co-signed by another physician or other person authorized to give the order;

12. Shall require, unless the vaccination is medically contraindicated or the resident declines the offer of the vaccination, that each certified nursing facility and nursing home provide or arrange for the administration to its residents of (i) an annual vaccination against influenza and (ii) a pneumococcal vaccination, in accordance with the most recent recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention;

13. Shall require that each nursing home and certified nursing facility register with the Department of State Police to receive notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 within the same or a contiguous zip code area in which the home or facility is located, pursuant to § 9.1-914;

14. Shall require that each nursing home and certified nursing facility ascertain, prior to admission, whether a potential patient is required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, if the home or facility anticipates the potential patient will have a length of stay greater than three days or in fact stays longer than three days;

15. Shall require that each licensed hospital include in its visitation policy a provision allowing each adult patient to receive visits from any individual from whom the patient desires to receive visits, subject to other restrictions contained in the visitation policy including, but not limited to, those related to the patient's medical condition and the number of visitors permitted in the patient's room simultaneously;

16. Shall require that each nursing home and certified nursing facility shall, upon the request of the facility's family council, send notices and information about the family council mutually developed by the family council and the administration of the nursing home or certified nursing facility, and provided to the facility for such purpose, to the listed responsible party or a contact person of the resident's choice up to six times per year. Such notices may be included together with a monthly billing statement or other regular communication. Notices and information shall also be posted in a designated location within the nursing home or certified nursing facility. No family member of a resident or other resident representative shall be restricted from participating in meetings in the facility with the families or resident representatives of other residents in the facility;

17. Shall require that each nursing home and certified nursing facility maintain liability insurance coverage in a minimum amount of $1 million, and professional liability coverage in an amount at least equal to the recovery limit set forth in § 8.01-581.15, to compensate patients or individuals for injuries and losses resulting from the negligent or criminal acts of the facility. Failure to maintain such minimum insurance shall result in revocation of the facility's license;

18. Shall require each hospital that provides obstetrical services to establish policies to follow when a stillbirth, as defined in § 32.1-69.1, occurs that meet the guidelines pertaining to counseling patients and their families and other aspects of managing stillbirths as may be specified by the Board in its regulations;

19. Shall require each nursing home to provide a full refund of any unexpended patient funds on deposit with the facility following the discharge or death of a patient, other than entrance-related fees paid to a continuing care provider as defined in § 38.2-4900, within 30 days of a written request for such funds by the discharged patient or, in the case of the death of a patient, the person administering the person's estate in accordance with the Virginia Small Estates Act (§ 64.2-600 et seq.);

20. Shall require that each hospital that provides inpatient psychiatric services establish a protocol that requires, for any refusal to admit (i) a medically stable patient referred to its psychiatric unit, direct verbal communication between the on-call physician in the psychiatric unit and the referring physician, if requested by such referring physician, and prohibits on-call physicians or other hospital staff from refusing a request for such direct verbal communication by a referring physician and (ii) a patient for whom there is a question regarding the medical stability or medical appropriateness of admission for inpatient psychiatric services due to a situation involving results of a toxicology screening, the on-call physician in the psychiatric unit to which the patient is sought to be transferred to participate in direct verbal communication, either in person or via telephone, with a clinical toxicologist or other person who is a Certified Specialist in Poison Information employed by a poison control center that is accredited by the American Association of Poison Control Centers to review the results of the toxicology screen and determine whether a medical reason for refusing admission to the psychiatric unit related to the results of the toxicology screen exists, if requested by the referring physician;

21. Shall require that each hospital that is equipped to provide life-sustaining treatment shall develop a policy governing determination of the medical and ethical appropriateness of proposed medical care, which shall include (i) a process for obtaining a second opinion regarding the medical and ethical appropriateness of proposed medical care in cases in which a physician has determined proposed care to be medically or ethically inappropriate; (ii) provisions for review of the determination that proposed medical care is medically or ethically inappropriate by an interdisciplinary medical review committee and a determination by the interdisciplinary medical review committee regarding the medical and ethical appropriateness of the proposed health care; and (iii) requirements for a written explanation of the decision reached by the interdisciplinary medical review committee, which shall be included in the patient's medical record. Such policy shall ensure that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 (a) are informed of the patient's right to obtain his medical record and to obtain an independent medical opinion and (b) afforded reasonable opportunity to participate in the medical review committee meeting. Nothing in such policy shall prevent the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 from obtaining legal counsel to represent the patient or from seeking other remedies available at law, including seeking court review, provided that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986, or legal counsel provides written notice to the chief executive officer of the hospital within 14 days of the date on which the physician's determination that proposed medical treatment is medically or ethically inappropriate is documented in the patient's medical record;

22. Shall require every hospital with an emergency department to establish a security plan. Such security plan shall be developed using standards established by the International Association for Healthcare Security and Safety or other industry standard and shall be based on the results of a security risk assessment of each emergency department location of the hospital and shall include the presence of at least one off-duty law-enforcement officer or trained security personnel who is present in the emergency department at all times as indicated to be necessary and appropriate by the security risk assessment. Such security plan shall be based on identified risks for the emergency department, including trauma level designation, overall volume, volume of psychiatric and forensic patients, incidents of violence against staff, and level of injuries sustained from such violence, and prevalence of crime in the community, in consultation with the emergency department medical director and nurse director. The security plan shall also outline training requirements for security personnel in the potential use of and response to weapons, defensive tactics, de-escalation techniques, appropriate physical restraint and seclusion techniques, crisis intervention, and trauma-informed approaches. Such training shall also include instruction on safely addressing situations involving patients, family members, or other persons who pose a risk of harm to themselves or others due to mental illness or substance abuse or who are experiencing a mental health crisis. Such training requirements may be satisfied through completion of the Department of Criminal Justice Services minimum training standards for auxiliary police officers as required by § 15.2-1731. The Commissioner shall provide a waiver from the requirement that at least one off-duty law-enforcement officer or trained security personnel be present at all times in the emergency department if the hospital demonstrates that a different level of security is necessary and appropriate for any of its emergency departments based upon findings in the security risk assessment;

23. Shall require that each hospital establish a protocol requiring that, before a health care provider arranges for air medical transportation services for a patient who does not have an emergency medical condition as defined in 42 U.S.C. § 1395dd(e)(1), the hospital shall provide the patient or his authorized representative with written or electronic notice that the patient (i) may have a choice of transportation by an air medical transportation provider or medically appropriate ground

transportation by an emergency medical services provider and (ii) will be responsible for charges incurred for such transportation in the event that the provider is not a contracted network provider of the patient's health insurance carrier or such charges are not otherwise covered in full or in part by the patient's health insurance plan;

24. Shall establish an exemption from the requirement to obtain a license to add temporary beds in an existing hospital or nursing home, including beds located in a temporary structure or satellite location operated by the hospital or nursing home, provided that the ability remains to safely staff services across the existing hospital or nursing home, (i) for a period of no more than the duration of the Commissioner's determination plus 30 days when the Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds or (ii) for a period of no more than the duration of the emergency order entered pursuant to § 32.1-13 or 32.1-20 plus 30 days when the Board, pursuant to § 32.1-13, or the Commissioner, pursuant to § 32.1-20, has entered an emergency order for the purpose of suppressing a nuisance dangerous to public health or a communicable, contagious, or infectious disease or other danger to the public life and health;

25. Shall establish protocols to ensure that any patient scheduled to receive an elective surgical procedure for which the patient can reasonably be expected to require outpatient physical therapy as a follow-up treatment after discharge is informed that he (i) is expected to require outpatient physical therapy as a follow-up treatment and (ii) will be required to select a physical therapy provider prior to being discharged from the hospital;

26. Shall permit nursing home staff members who are authorized to possess, distribute, or administer medications to residents to store, dispense, or administer cannabis oil to a resident who has been issued a valid written certification for the use of cannabis oil in accordance with § 4.1-1601;

27. Shall require each hospital with an emergency department to establish a protocol for the treatment and discharge of individuals experiencing a substance use-related emergency, which shall include provisions for (i) appropriate screening and assessment of individuals experiencing substance use-related emergencies to identify medical interventions necessary for the treatment of the individual in the emergency department and (ii) recommendations for follow-up care following discharge for any patient identified as having a substance use disorder, depression, or mental health disorder, as appropriate, which may include, for patients who have been treated for substance use-related emergencies, including opioid overdose, or other high-risk patients, (a) the dispensing of naloxone or other opioid antagonist used for overdose reversal pursuant to subsection X of § 54.1-3408 at discharge or (b) issuance of a prescription for and information about accessing naloxone or other opioid antagonist used for overdose reversal, including information about accessing naloxone or other opioid antagonist used for overdose reversal at a community pharmacy, including any outpatient pharmacy operated by the hospital, or through a community organization or pharmacy that may dispense naloxone or other opioid antagonist used for overdose reversal without a prescription pursuant to a statewide standing order. Such protocols may also provide for referrals of individuals experiencing a substance use-related emergency to peer recovery specialists and community-based providers of behavioral health services, or to providers of pharmacotherapy for the treatment of drug or alcohol dependence or mental health diagnoses;

28. During a public health emergency related to COVID-19, shall require each nursing home and certified nursing facility to establish a protocol to allow each patient to receive visits, consistent with guidance from the Centers for Disease Control and Prevention and as directed by the Centers for Medicare and Medicaid Services and the Board. Such protocol shall include provisions describing (i) the conditions, including conditions related to the presence of COVID-19 in the nursing home, certified nursing facility, and community, under which in-person visits will be allowed and under which in-person visits will not be allowed and visits will be required to be virtual; (ii) the requirements with which in-person visitors will be required to comply to protect the health and safety of the patients and staff of the nursing home or certified nursing facility; (iii) the types of technology, including interactive audio or video technology, and the staff support necessary to ensure visits are provided as required by this subdivision; and (iv) the steps the nursing home or certified nursing facility will take in the event of a technology failure, service interruption, or documented emergency that prevents visits from occurring as required by this subdivision. Such protocol shall also include (a) a statement of the frequency with which visits, including virtual and in-person, where appropriate, will be allowed, which shall be at least once every 10 calendar days for each patient; (b) a provision authorizing a patient or the patient's personal representative to waive or limit visitation, provided that such waiver or limitation is included in the patient's health record; and (c) a requirement that each nursing home and certified nursing facility publish on its website or communicate to each patient or the patient's authorized representative, in writing or via electronic means, the nursing home's or certified nursing facility's plan for providing visits to patients as required by this subdivision;

29. Shall require each hospital, nursing home, and certified nursing facility to establish and implement policies to ensure the permissible access to and use of an intelligent personal assistant provided by a patient, in accordance with such regulations, while receiving inpatient services. Such policies shall ensure protection of health information in accordance with the requirements of the federal Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d et seq., as amended. For the purposes of this subdivision, "intelligent personal assistant" means a combination of an electronic device and a specialized software application designed to assist users with basic tasks using a combination of natural language processing and artificial intelligence, including such combinations known as "digital assistants" or "virtual assistants";

30. During a declared public health emergency related to a communicable disease of public health threat, shall require each hospital, nursing home, and certified nursing facility to establish a protocol to allow patients to receive visits from a

rabbi, priest, minister, or clergy of any religious denomination or sect consistent with guidance from the Centers for Disease Control and Prevention and the Centers for Medicare and Medicaid Services and subject to compliance with any executive order, order of public health, Department guidance, or any other applicable federal or state guidance having the effect of limiting visitation. Such protocol may restrict the frequency and duration of visits and may require visits to be conducted virtually using interactive audio or video technology. Any such protocol may require the person visiting a patient pursuant to this subdivision to comply with all reasonable requirements of the hospital, nursing home, or certified nursing facility adopted to protect the health and safety of the person, patients, and staff of the hospital, nursing home, or certified nursing facility;

31. Shall require that every hospital that makes health records, as defined in § 32.1-127.1:03, of patients who are minors available to such patients through a secure website shall make such health records available to such patient's parent or guardian through such secure website, unless the hospital cannot make such health record available in a manner that prevents disclosure of information, the disclosure of which has been denied pursuant to subsection F of § 32.1-127.1:03 or for which consent required in accordance with subsection E of § 54.1-2969 has not been provided; ~~and~~

32. Shall require that every hospital where surgical procedures are performed adopt a policy requiring the use of a smoke evacuation system for all planned surgical procedures that are likely to generate surgical smoke. For the purposes of this subdivision, "smoke evacuation system" means smoke evacuation equipment and technologies designed to capture, filter, and remove surgical smoke at the site of origin and to prevent surgical smoke from making ocular contact or contact with a person's respiratory tract*; and*

33. Shall require every hospital with an emergency department, when conducting a urine drug screening to assist in diagnosing a patient's condition, to include testing for fentanyl in such urine drug screening.

C. Upon obtaining the appropriate license, if applicable, licensed hospitals, nursing homes, and certified nursing facilities may operate adult day centers.

D. All facilities licensed by the Board pursuant to this article which provide treatment or care for hemophiliacs and, in the course of such treatment, stock clotting factors, shall maintain records of all lot numbers or other unique identifiers for such clotting factors in order that, in the event the lot is found to be contaminated with an infectious agent, those hemophiliacs who have received units of this contaminated clotting factor may be apprised of this contamination. Facilities which have identified a lot that is known to be contaminated shall notify the recipient's attending physician and request that he notify the recipient of the contamination. If the physician is unavailable, the facility shall notify by mail, return receipt requested, each recipient who received treatment from a known contaminated lot at the individual's last known address.

E. Hospitals in the Commonwealth may enter into agreements with the Department of Health for the provision to uninsured patients of naloxone or other opioid antagonists used for overdose reversal.

2. That the provisions of this act shall become effective on January 1, 2026.

CHAPTER 239

An Act to require the Department of Education to survey local education agencies on school-based mental and behavioral health services; report.

[S 768]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Department of Education (the Department) shall survey each local education agency (LEA) in the Commonwealth to determine (i) how public schools governed by such LEA currently grant access to local departments of social services and community services boards and other community-based providers of mental and behavioral health services and (ii) what school-based mental and behavioral health services are made available by such LEA. The Department shall utilize the results of and feedback from such survey to inform the continued development and improvement of guidelines for school professionals to support students and families by connecting them with community resources that provide mental and behavioral health services. The Department shall report to the Commission on Youth by November 1, 2025, any findings and recommendations that result from such survey.*

CHAPTER 240

An Act to amend and reenact § 4.1-212.1, as it is currently effective and as it shall become effective, of the Code of Virginia and to repeal the first, second, and fourth enactments of Chapters 105 and 159 of the Acts of Assembly of 2024, relating to alcoholic beverage control; delivery of mixed beverages; repeal.

[S 811]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 4.1-212.1, as it is currently effective and as it shall become effective, of the Code of Virginia is amended and reenacted as follows:

§ 4.1-212.1. (Effective until July 1, 2026) Delivery of wine and beer; kegs; regulations of Board.

A. Any brewery, winery, or farm winery located within or outside the Commonwealth that is authorized to engage in the retail sale of wine or beer for off-premises consumption may deliver the brands of beer, wine, and farm wine produced by the same brewery, winery, or farm winery in closed containers to consumers within the Commonwealth for personal off-premises consumption.

B. Any person licensed to sell wine and beer at retail for off-premises consumption in the Commonwealth, and who is not a brewery, winery, or farm winery, may deliver the brands of beer, wine, and farm wine it is authorized to sell in closed containers to consumers within the Commonwealth for personal off-premises consumption. Notwithstanding any provision of law to the contrary, such deliveries may be made to (i) a person's vehicle if located in a designated parking area of the licensee's premises where such person has electronically ordered beer, wine, or farm wine in advance of the delivery or (ii) such other locations as may be permitted by Board regulation.

C. Any person located outside the Commonwealth who is authorized to sell wine or beer at retail for off-premises consumption in its state of domicile, and who is not a brewery, winery, or farm winery, may apply for a delivery permit that shall authorize the delivery of any brands of beer, wine, and farm wine it is authorized to sell in its state of domicile, in closed containers, to consumers within the Commonwealth for personal off-premises consumption.

D. Any person licensed to sell mixed beverages at retail for off-premises consumption in the Commonwealth may deliver any mixed beverages it is authorized to sell in closed containers to consumers within the Commonwealth for personal off-premises consumption. Notwithstanding any provision of law to the contrary, such deliveries may be made to (i) a person's vehicle if located in a designated parking area of the licensee's premises where such person has electronically ordered mixed beverages in advance of the delivery or (ii) such other locations as may be permitted by Board regulation.

E. Any distiller that has been appointed as an agent of the Board pursuant to subsection D of § 4.1-119 may deliver to consumers within the Commonwealth for personal consumption any alcoholic beverages the distiller is authorized to sell through organized tasting events in accordance with subsection G of § 4.1-119 and Board regulations. Notwithstanding any provision of law to the contrary, such deliveries may be made to (i) a person's vehicle if located in a designated parking area of the licensee's premises where such person has electronically ordered mixed beverages in advance of the delivery or (ii) such other locations as may be permitted by Board regulation.

F. All deliveries made pursuant to this section shall be to consumers within the Commonwealth for personal consumption only and not for resale. Such deliveries shall be performed by either (i) the owner or any officer, director, shareholder, or employee of the licensee or permittee or (ii) a third party delivery licensee pursuant to § 4.1-212.2. The licensee performing the delivery shall be liable for any administrative violations of this section or § 4.1-304 committed during transport through completion of the delivery. Alcoholic beverages shall not be delivered after 11:00 p.m. or before 6:00 a.m. Only one individual may take possession of the alcoholic beverages during the course of the delivery. No more than four cases of wine nor more than four cases of beer may be delivered at one time to any person in Virginia to whom alcoholic beverages may be lawfully sold, except that the licensee or permittee may deliver more than four cases of wine or more than four cases of beer if he notifies the Authority in writing at least one business day in advance of any such delivery, which notice contains the name and address of the intended recipient. Except as otherwise provided in this subtitle, alcoholic beverages sold for off-premises consumption or delivered pursuant to this section that are not in the manufacturer's original sealed container shall (a) be enclosed in a container that has no straw holes or other openings and is sealed in a manner that allows a person to readily discern whether the container has been opened or tampered with subsequent to its original closure; (b) display the name of the licensee from which the alcoholic beverages were purchased; (c) be clearly marked with the phrase "contains alcoholic beverages"; (d) in the case of wine, beer, or, if purchased from a mixed beverage restaurant or limited mixed beverage restaurant licensee, mixed beverages, have a maximum volume of 16 ounces per beverage; and (e) during delivery, be stored (1) in the trunk of the vehicle, (2) in an area that is rear of the driver's seat, (3) in a locked container or compartment, or (4) in the case of delivery by bicycle, in a compartment behind the bicyclist.

The Board may adopt such regulations as it reasonably deems necessary to implement the provisions of this section. Such regulations shall include provisions that require (A) the recipient to demonstrate, upon delivery, that he is at least 21 years of age and (B) the recipient to sign an electronic or paper form or other acknowledgement of receipt as approved by the Board.

G. In addition to other applicable requirements set forth in this section, the following provisions shall apply to the sale of mixed beverages for off-premises consumption and the delivery of mixed beverages pursuant to this section:

1. No distiller shall sell for off-premises consumption or deliver more than two mixed beverages at any one time~~, and no mixed beverage restaurant or limited mixed beverage restaurant licensee may sell for off-premises consumption or deliver more than four mixed beverages at any one time~~;

2. All mixed beverages sold for off-premises consumption or delivered by a mixed beverage restaurant or limited mixed beverage restaurant licensee shall contain at least one mixer; and

3. Mixed beverage restaurant and limited mixed beverage restaurant licensees shall serve at least one meal*, as defined pursuant to this subtitle and Board regulations,* with every *off-premises mixed beverage sale. Each meal shall permit up to* two mixed beverages *to be* sold for off-premises consumption or delivered. *In any event, no mixed beverage restaurant or limited mixed beverage restaurant licensee may sell for off-premises consumption or deliver more than four mixed beverages at any one time.*

The Board may summarily revoke a licensee's privileges to sell or deliver mixed beverages for off-premises consumption for noncompliance with the provisions of this section or § 4.1-225 or 4.1-325. Any summary revocation by the Board pursuant to this paragraph (i) shall not be subject to the provisions of § 4.1-227, (ii) shall not be subject to appeal, and (iii) shall become effective upon personal service of the notice of summary revocation to the licensee or upon the fourth business day after such notice is mailed to the licensee's residence or the address listed for the licensed premises on the initial license application.

H. For purposes of §§ 4.1-234 and 4.1-236 and Chapter 6 (§ 58.1-600 et seq.) of Title 58.1, each delivery of wine, beer, or mixed beverages by a licensee or permittee shall constitute a sale in Virginia. The licensee or permittee shall collect the taxes due to the Commonwealth and remit any excise taxes monthly to the Authority and any sales taxes to the Department of Taxation, if such taxes have not already been paid.

I. Any manufacturer or retailer who is licensed to sell wine, beer, or both for off-premises consumption may sell such wine or beer in kegs, subject to any limitations imposed by Board regulation. The Board may impose a fee for keg registration seals. For purposes of this subsection, "keg registration seal" means any document, stamp, declaration, seal, decal, sticker, or device that is approved by the Board, designed to be affixed to kegs, and displays a registration number and such other information as may be prescribed by the Board.

§ 4.1-212.1. (Effective July 1, 2026) Delivery of wine and beer; kegs; regulations of Board.

A. Any brewery, winery, or farm winery located within or outside the Commonwealth that is authorized to engage in the retail sale of wine or beer for off-premises consumption may deliver the brands of beer, wine, and farm wine produced by the same brewery, winery, or farm winery in closed containers to consumers within the Commonwealth for personal off-premises consumption.

B. Any person licensed to sell wine and beer at retail for off-premises consumption in the Commonwealth, and who is not a brewery, winery, or farm winery, may deliver the brands of beer, wine, and farm wine it is authorized to sell in closed containers to consumers within the Commonwealth for personal off-premises consumption. Notwithstanding any provision of law to the contrary, such deliveries may be made to (i) a person's vehicle if located in a designated parking area of the licensee's premises where such person has electronically ordered beer, wine, or farm wine in advance of the delivery or (ii) such other locations as may be permitted by Board regulation.

C. Any person located outside the Commonwealth who is authorized to sell wine or beer at retail for off-premises consumption in its state of domicile, and who is not a brewery, winery, or farm winery, may apply for a delivery permit that shall authorize the delivery of any brands of beer, wine, and farm wine it is authorized to sell in its state of domicile, in closed containers, to consumers within the Commonwealth for personal off-premises consumption.

D. *Any person licensed to sell mixed beverages at retail for off-premises consumption in the Commonwealth may deliver any mixed beverages it is authorized to sell in closed containers to consumers within the Commonwealth for personal off-premises consumption. Notwithstanding any provision of law to the contrary, such deliveries may be made to (i) a person's vehicle if located in a designated parking area of the licensee's premises where such person has electronically ordered mixed beverages in advance of the delivery or (ii) such other locations as may be permitted by Board regulation.*

E. Any distiller that has been appointed as an agent of the Board pursuant to subsection D of § 4.1-119 may deliver to consumers within the Commonwealth for personal consumption any alcoholic beverages the distiller is authorized to sell through organized tasting events in accordance with subsection G of § 4.1-119 and Board regulations. Notwithstanding any provision of law to the contrary, such deliveries may be made to (i) a person's vehicle if located in a designated parking area of the licensee's premises where such person has electronically ordered mixed beverages in advance of the delivery or (ii) such other locations as may be permitted by Board regulation.

F. All such deliveries shall be to consumers within the Commonwealth for personal consumption only and not for resale. ~~All such~~ *Such* deliveries ~~of beer, wine, or farm wine~~ shall be performed by the owner or any officer, director, shareholder, or employee of the licensee or permittee. The licensee performing the delivery shall be liable for any administrative violations of this section or § 4.1-304 committed during transport through completion of the delivery. Alcoholic beverages shall not be delivered after 11:00 p.m. or before 6:00 a.m. Only one individual may take possession of the ~~beer, wine, or farm wine~~ *alcoholic beverages* during the course of the delivery. No more than four cases of wine nor more than four cases of beer may be delivered at one time to any person in Virginia to whom alcoholic beverages may be lawfully sold, except that the licensee or permittee may deliver more than four cases of wine or more than four cases of beer if he notifies the Authority in writing at least one business day in advance of any such delivery, which notice contains the name and address of the intended recipient. Except as otherwise provided in this subtitle, ~~wine or beer~~ *alcoholic beverages* sold for off-premises consumption or delivered pursuant to this section that are not in the manufacturer's original sealed container shall (i) be enclosed in a container that has no straw holes or other openings and is sealed in a manner that allows a person to readily discern whether the container has been opened or tampered with subsequent to its original closure; (ii) display the name of the licensee from which the ~~wine or beer was~~ *alcoholic beverages were* purchased; (iii) be clearly marked with the phrase "contains alcoholic beverages"; (iv) have a maximum volume of 16 ounces per beverage; and (v) during delivery, be stored (a) in the trunk of the vehicle, (b) in an area that is rear of the driver's seat, (c) in a locked container or compartment, or (d) in the case of delivery by bicycle, in a compartment behind the bicyclist.

The Board may adopt such regulations as it reasonably deems necessary to implement the provisions of this section. Such regulations shall include provisions that require (1) the recipient to demonstrate, upon delivery, that he is at least

21 years of age and (2) the recipient to sign an electronic or paper form or other acknowledgement of receipt as approved by the Board.

~~E.~~ *G.* For purposes of §§ 4.1-234 and 4.1-236 and Chapter 6 (§ 58.1-600 et seq.) of Title 58.1, each delivery of wine ~~or~~, beer*, or mixed beverages* by a licensee or permittee shall constitute a sale in Virginia. The licensee or permittee shall collect the taxes due to the Commonwealth and remit any excise taxes monthly to the Authority and any sales taxes to the Department of Taxation, if such taxes have not already been paid.

~~F.~~ *H.* Any manufacturer or retailer who is licensed to sell wine, beer, or both for off-premises consumption may sell such wine or beer in kegs, subject to any limitations imposed by Board regulation. The Board may impose a fee for keg registration seals. For purposes of this subsection, "keg registration seal" means any document, stamp, declaration, seal, decal, sticker, or device that is approved by the Board, designed to be affixed to kegs, and displays a registration number and such other information as may be prescribed by the Board.

~~G.~~ *I.* In addition to other applicable requirements set forth in this section, the following provisions shall apply to the sale of mixed beverages for off-premises consumption and the delivery of mixed beverages pursuant to this section:

1. No distiller shall sell for off-premises consumption or deliver more than two mixed beverages at any one time~~, and no mixed beverage restaurant or limited mixed beverage restaurant licensee may sell for off-premises consumption or deliver more than four mixed beverages at any one time~~;

2. All mixed beverages sold for off-premises consumption or delivered by a mixed beverage restaurant or limited mixed beverage restaurant licensee shall contain at least one mixer; and

3. Mixed beverage restaurant and limited mixed beverage restaurant licensees shall serve at least one meal*, as defined pursuant to this subtitle and Board regulations,* with every *off-premises mixed beverage sale. Each meal shall permit up to* two mixed beverages *to be* sold for off-premises consumption or delivered. *In any event, no mixed beverage restaurant or limited mixed beverage restaurant licensee may sell for off-premises consumption or deliver more than four mixed beverages at any one time.*

The Board may summarily revoke a licensee's privileges to sell or deliver mixed beverages for off-premises consumption for noncompliance with the provisions of this section or § 4.1-225 or 4.1-325. Any summary revocation by the Board pursuant to this paragraph (i) shall not be subject to the provisions of § 4.1-227, (ii) shall not be subject to appeal, and (iii) shall become effective upon personal service of the notice of summary revocation to the licensee or upon the fourth business day after such notice is mailed to the licensee's residence or the address listed for the licensed premises on the initial license application.

2. That the first, second, and fourth enactments of Chapters 105 and 159 of the Acts of Assembly of 2024 are repealed.

CHAPTER 241

An Act to amend and reenact §§ 10.1-603.19, 10.1-604.1, 10.1-605, 10.1-605.3, 10.1-606.2, 10.1-606.3, 10.1-607, 10.1-608, 10.1-609, 10.1-612.1, and 10.1-613.6 of the Code of Virginia and to repeal § 10.1-613.2 of the Code of Virginia, relating to Dam Safety, Flood Prevention and Protection Assistance; Dam Safety Act; powers and duties of the Department of Conservation and Recreation; rights and requirements of dam owners; civil penalty.

[S 857]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 10.1-603.19, 10.1-604.1, 10.1-605, 10.1-605.3, 10.1-606.2, 10.1-606.3, 10.1-607, 10.1-608, 10.1-609, 10.1-612.1, and 10.1-613.6 of the Code of Virginia are amended and reenacted as follows:

§ 10.1-603.19. Purposes for which Fund is to be used; Authority to set terms and conditions of loans.

A. The Director may make grants or loans to any local government for the purpose of assisting the local government in the development and implementation of flood prevention or protection projects, or for flood prevention or protection studies.

B. The Director may expend from the Fund up to $50,000 annually for cost share with federal agencies in flood protection studies of statewide or regional significance.

C. The Director may, in order to protect public safety and welfare, make (i) grants or loans to a local government that owns a dam, to a local government for a dam located within the locality, or to a private entity that owns a dam for the design, repair, and ~~the~~ safety modifications of such a dam if it is identified in a safety report generated pursuant to § 10.1-607 or 10.1-609 and (ii) grants to a local government or private entity for the determination of the hazard classification for impounding structures, dam break analysis, the mapping and digitization of dam break inundation zones, incremental damage analysis, and other engineering requirements*,* such as emergency action plan development *and inspection reports*.

D. The Director may, in order to reduce dam owner expenses associated with hazard classification, dam break analysis, the mapping and digitization of dam break inundation zones, incremental damage analysis, and other engineering requirements*,* such as emergency action plan development *and inspection reports*, expend moneys from the Fund to employ

staff or to directly contract for these services. The Director may establish a fee to be paid by the dam owner to offset a portion of these services. Such fee shall not exceed 50 percent of the cost incurred by the Department.

E. The Director may, in order to protect people at risk from a dam failure and to assist dam owners, localities, and emergency responders, expend moneys from the Fund to maintain a statewide dam failure early warning system in cooperation with the Department of Emergency Management and the U.S. National Weather Service.

F. The total amount of expenditures for grants in any fiscal year shall not exceed 50 percent of the total noninterest or income deposits made to the Fund during the previous fiscal year, together with the total amount collected in interest or income from the investment of moneys in the Fund from the previous fiscal year as determined at the beginning of the fiscal year.

G. Any grants made from the Fund *pursuant to clause (i) of subsection C* shall require a ~~50~~ *30* percent project match by the applicant. Any loans made from the Fund *for such activities or for engineering requirements needed to complete such activities included in clause (i) of subsection C* shall require a minimum of a 10 percent project match by the applicant.

H. *Any grants made from the Fund pursuant to clause (ii) of subsection C shall require no more than a 10 percent match by the applicant except that the applicant shall be required to provide a minimum of $5,000 of the cost of the project, if funded. The match provided by the applicant may be used to pay the application fees for the necessary impounding structure operation and general permit pursuant to § 10.1-605.3 or maintenance certificate.*

I. Except as otherwise provided in this article, moneys in the Fund shall be used solely to make loans or grants to local governments or private entities to finance or refinance the cost of a project. The local government or private entity to which loans or grants are made, the purposes of the loan or grant, the required match for the specific loan or grant, and the amount of each loan or grant, shall be designated in writing by the Director to the Authority. No loan or grant from the Fund shall exceed the total cost of the project to be financed or the outstanding principal amount of the indebtedness to be refinanced plus reasonable financing expenses. Loans may also be from the Fund, at the Director's discretion, to a local government that has developed a low-interest loan program to provide loans or other incentives to facilitate the correction of dam or impounding structure deficiencies, as required by the Department, provided that the moneys are to be used only for the program and that the dams or impounding structures to be repaired or upgraded are owned by private entities.

~~I.~~ *J.* Except as otherwise provided in this article, the Authority shall determine the interest rate and terms and conditions of any loan from the Fund, which may vary between different loans and between local governments and private entities to finance or refinance the cost of a project. Each loan shall be evidenced by appropriate bonds or notes of the local government or by the appropriate debt instrument for private entities payable to the Fund. Private entities shall duly authorize an appropriate debt instrument and execute same by their authorized legal representatives. The bonds or notes shall have been duly authorized by the local government and executed by its authorized legal representatives. The Authority may require in connection with any loan from the Fund such documents, instruments, certificates, legal opinions, covenants, conditions, and other information as it may deem necessary or convenient to further the purpose of the loan. In addition to any other terms or conditions that the Authority may establish, the Authority may require, as a condition to making any loan from the Fund, that the local government or private entity receiving the loan covenant to perform any of the following:

1. Establish and collect rents, rates, fees, and charges to produce revenue sufficient to pay all or a specified portion of (i) the costs of operation, maintenance, replacement, renewal, and repairs of the project; (ii) any outstanding indebtedness incurred for the purposes of the project, including the principal of, premium, if any, and interest on the loan from the Fund; and (iii) any amounts necessary to create and maintain any required reserve, including any rate stabilization fund deemed necessary or appropriate by the Authority to offset the need, in whole or part, for future increases in rents, rates, fees, or charges;

2. With respect to local governments, levy and collect ad valorem taxes on all property within the jurisdiction of the local government subject to local taxation sufficient to pay the principal of and premium, if any, and interest on the loan from the Fund to the local government;

3. Create and maintain a special fund or funds for the payment of the principal of, premium, if any, and interest on the loan from the Fund and any other amounts becoming due under any agreement entered into in connection with the loan, or for the operation, maintenance, repair, or replacement of the project or any portions thereof or other property of the borrower, and deposit into any fund or funds amounts sufficient to make any payments on the loan as they become due and payable;

4. Create and maintain other special funds as required by the Authority;

5. Perform other acts otherwise permitted by applicable law to secure payment of the principal of, premium, if any, and interest on the loan from the Fund and to provide for the remedies of the Fund in the event of any default by the borrower in payment of the loan, including, without limitation, any of the following:

a. The conveyance of, or the granting of liens on or security interests in, real and personal property, together with all rights, title and interest therein;

b. The procurement of insurance, guarantees, letters of credit and other forms of collateral, security, liquidity arrangements or credit supports for the loan from any source, public or private, and the payment therefor of premiums, fees, or other charges;

c. The combination of one or more projects, or the combination of one or more projects with one or more other undertakings, facilities, utilities, or systems, for the purpose of operations and financing, and the pledging of the revenues

from such combined projects, undertakings, facilities, utilities and systems to secure the loan from the Fund borrower made in connection with such combination or any part or parts thereof;

d. The maintenance, replacement, renewal, and repair of the project; and

e. The procurement of casualty and liability insurance;

6. Obtain a review of the accounting and internal controls from the Auditor of Public Accounts or his legally authorized representatives, as applicable. The Authority may request additional reviews at any time during the term of the loan. In addition, anyone receiving a report in accordance with § 10.1-603.23 may request an additional review as set forth in this section; and

7. Directly offer, pledge, and consent to the Authority to take action pursuant to § 62.1-216.1 to obtain payment of any amounts in default, as applicable.

All local governments or private entities borrowing money from the Fund are authorized to perform any acts, take any action, adopt any proceedings, and make and carry out any contracts that are contemplated by this article. Such contracts need not be identical among all local governments or private entities but may be structured as determined by the Authority according to the needs of the contracting local governments or private entities and the Fund.

Subject to the rights, if any, of the registered owners of any of the bonds of the Authority, the Authority may consent to and approve any modification in the terms of any loan to any local government.

§ 10.1-604.1. Determination of hazard potential classification.

A. The hazard potential classification for an impounding structure shall be determined by one of the following procedures:

1. The owner of an impounding structure that does not currently hold a regular or conditional certificate from the Board *or general permit in accordance with § 10.1-605.3*, or the owner of an impounding structure that is already under certificate *or general permit in accordance with § 10.1-605.3* but the owner believes that a condition has changed downstream of the impounding structure that may reduce its hazard potential classification, may request that the Department conduct a simplified dam break inundation zone analysis to determine whether the impounding structure has a low hazard potential classification. The owner shall pay 50 percent of the cost of the analysis. If the Department finds that the impounding structure has a low hazard potential classification, the owner shall be eligible for general permit coverage in accordance with § 10.1-605.3. If the Department finds that the impounding structure appears to be a high or significant hazard potential structure, the owner's engineer shall provide further analysis in accordance with § 10.1-606.2 and the criteria set out in the Impounding Structure Regulations (4VAC50-20). The owner may be eligible for grant assistance in accordance with § 10.1-603.19.

2. The owner may propose a hazard potential classification that shall be subject to approval by the Board. To support the proposed hazard classification, an analysis shall be conducted by the owner's engineer and shall comply with the criteria set out in the Impounding Structure Regulations (4VAC50-20). If the engineer finds that the impounding structure has a low hazard potential classification, the owner shall be eligible for general permit coverage in accordance with § 10.1-605.3.

An impounding structure's hazard potential classification's determination shall include an analysis of those hazards created by flood and nonflood dam failures. In conducting the hazard potential classification, the Department or the owner's engineer may utilize an incremental damage analysis. When considering the failure of the impounding structure under a flood condition, such engineers shall only consider those hazards that exceed those created by the flood event.

B. Any owner aggrieved by a decision of the Department regarding his impounding structure shall have the right to judicial review of the final decision pursuant to the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

C. The Board may adopt regulations in accordance with § 10.1-605 to establish a simplified methodology for dam break inundation zone analysis.

§ 10.1-605. Promulgation of regulations by the Board; guidance document.

A. The Board shall adopt regulations to ensure that impounding structures in the Commonwealth are properly and safely constructed, maintained and operated. Dam safety regulations promulgated by the State Water Control Board shall remain in full force until amended in accordance with applicable procedures.

B. The Board's Impounding Structure Regulations shall not require any impounding structure in existence or under a construction permit prior to July 1, 2010, that is currently classified as high hazard, or is subsequently found to be high hazard through reclassification, to upgrade its spillway to pass a rainfall event greater than the maximum recorded within the Commonwealth, which shall be deemed to be 90 percent of the probable maximum precipitation.

1. Such an impounding structure shall be determined to be in compliance with the spillway requirements of the regulations provided that (i) the impounding structure will pass two-thirds of the reduced probable maximum precipitation requirement described in this subsection and (ii) the dam owner certifies annually and by January 15 that such impounding structure meets each of the following conditions:

a. The owner has a current emergency action plan that is approved by the Board and that is developed and updated in accordance with the regulations;

b. The owner has exercised the emergency action plan in accordance with the regulations and conducts a table-top exercise at least once every two years;

c. The Department has verification that both the local ~~organization for~~ emergency management *coordinator* and the Virginia Department of Emergency Management have on file current emergency action plans and updates for the impounding structure;

d. That conditions at the impounding structure are monitored on a daily basis and as dictated by the emergency action plan;

e. The impounding structure is inspected at least annually by a professional engineer and all observed deficiencies are addressed within 120 days of such inspection;

f. The owner has a dam break inundation zone map developed in accordance with the regulations that is acceptable to the Department;

g. The owner is insured in an amount that will substantially cover the costs of downstream property losses to others that may result from a dam failure; and

h. The owner shall post the dam's emergency action plan on his website, or upon the request of the owner, the Department or another state agency responsible for providing emergency management services to citizens agrees to post the plan on its website. If the Department or another state agency agrees to post the plan on its website, the owner shall provide the plan in a format suitable for posting.

2. A dam owner who meets the conditions of subdivisions 1 a through 1 h, but has not provided record drawings to the Department for his impounding structure, shall submit a complete record report developed in accordance with the construction permit requirements of the Impounding Structure Regulations, excluding the required submittal of the record drawings.

3. A dam owner who fails to submit certifications required by subdivisions 1 a through 1 h in a timely fashion shall not enjoy the presumption that such impounding structure is deemed to be in compliance with the spillway requirements of the Board's Impounding Structure Regulations (4VAC50-20).

4. Any dam owner who has submitted the certifications required by subdivisions 1 a through 1 h shall make (i) such certifications, (ii) the emergency action plan required by subdivision 1 a, and (iii) the certificate of insurance required by subdivision 1 g available, upon request and within five business days, to any person. A dam owner may comply with the requirements of this subdivision by providing the same information on a website and directing the requestor to such website. A dam owner who fails to comply with this subdivision shall be subject to a civil penalty pursuant to § ~~10.1-613.2~~ *10.1-609*.

C. The Board's regulations shall establish an incremental damage analysis procedure that permits the spillway design flood requirement for an impounding structure to be reduced to the level at which dam failure shall not significantly increase downstream hazard to life or property, provided that the spillway design flood requirement shall not be reduced to below the 100-year flood event for high or significant hazard impounding structures, or to below the 50-year flood event for low hazard potential impounding structures.

D. The Board shall consider the impact of limited-use or private roadways with low traffic volume and low public safety risk that are downstream from or across an impounding structure in the determination of the hazard potential classification of an impounding structure.

§ 10.1-605.3. General permit for certain impounding structures.

A. The Board shall develop a general permit for the regulation of low hazard potential impounding structures in accordance with § 10.1-605.

B. The regulations shall include the following:

1. A registration statement requiring:

a. The name and address of the owner;

b. The location of the impounding structure;

c. The height of the impounding structure;

d. The volume of water impounded; ~~and~~

e. *The results of a safety inspection conducted by a licensed professional engineer consistent with § 10.1-607 upon initial application for a permit or, for a newly constructed impounding structure, a complete records report as required in the Impounding Structure Regulations (4VAC50-20-70) for a construction permit; and*

f. A certification from the owner that the impounding structure (i) is classified as low hazard pursuant to a determination by the Department or the owner's professional engineer in accordance with § 10.1-604.1; (ii) is, to the best of his knowledge, properly and safely constructed ~~and~~*; (iii)* currently has no observable deficiencies *or, if deficiencies exist, such deficiencies shall be corrected in a timeframe and manner acceptable by the Department*; and ~~(iii)~~ *(iv)* shall be maintained and operated in accordance with the provisions of the general permit.

2. A spillway design flood requirement of the 100-year flood. When ~~appropriate~~ *no critical infrastructure, as defined in § 44-146.28:2, public highway, or any access to a public utility, as defined in § 56-232, is determined to be within the dam break inundation zone*, the spillway design flood requirement may be reduced to the 50-year flood ~~in accordance with an incremental damage analysis~~ *if approved by the Department*.

3. A simplified emergency preparedness plan that provides:

a. Name and location information for the impounding structure;

b. Name of owner and operator and associated contact information;

c. Contact information for relevant emergency responders;

d. Procedures for notifying downstream property owners or occupants; and

e. Identification of any downstream roadways that would be impacted by a failure.

4. An annual inspection of the impounding structure by the owner. No inspection of the impounding structure by a licensed professional engineer shall be required if the owner certifies at the time of general permit coverage renewal that conditions at the impounding structure and downstream are unchanged.

5. Procedures for seeking and issuing coverage under the general permit.

6. A six-year term of coverage under the general permit after which time the owner shall reapply for coverage by filing a new registration statement. The Board may, by regulation, establish a fee for the processing of registration statements.

C. The owner shall notify the Department immediately of any change in circumstances that would cause the impounding structure to no longer qualify for coverage under the general permit. In the event of a failure or an imminent failure at the impounding structure, the owner shall immediately notify the local emergency ~~services~~ *management* coordinator, the Department of Emergency Management, and the Department. The Department shall take actions in accordance with § 10.1-608 or 10.1-609, depending on the degree of hazard and the imminence of failure caused by the unsafe condition.

D. Failure to comply with the provisions of the general permit may result in penalties assessed in accordance with §§ *10.1-609 and* 10.1-613.1 ~~and 10.1-613.2~~.

E. In order to qualify for the ~~provisions~~ *protections* of § 10.1-606.3, a dam owner eligible for a general permit shall file a dam break inundation *zone* map with *or provide the limits of the inundation study in an acceptable electronic format to* the Department ~~and~~. *The dam owner shall also file such dam break inundation zone map or such limits of the inundation zone in an acceptable electronic format* with the offices with plat and plan approval authority or zoning responsibilities *as designated by the locality and the local emergency management coordinator* as designated by the locality for each locality in which the dam break inundation zone resides in accordance with § 10.1-606.2.

F. ~~If the failure of a low hazard potential impounding structure~~ *The Board may establish reduced minimum performance and maintenance standards in a general permit for a low hazard potential impounding structure that* is not expected to cause loss of human life or economic damage to any property except property owned by the owner~~, the owner may follow the special criteria established for certain low hazard impounding structures in the Impounding Structure Regulations (4VAC50-20) in lieu of coverage under the general permit~~ *if such impounding structure fails.*

§ 10.1-606.2. Mapping of dam break inundation zones.

A. An owner of an impounding structure shall prepare a map of the dam break inundation zone *or provide the limits of the dam break inundation zone in an acceptable electronic format* for the impounding structure in accordance with criteria set out in the Virginia Impounding Structure Regulations (4VAC50-20). Existing maps prepared by the locality in accordance with these regulations may be used for this purpose.

B. All maps *or limits of the inundation zone* prepared in accordance with subsection A shall be filed with the Department ~~of Conservation and Recreation and with~~, *the local emergency management coordinator as designated by the locality, and* the offices with plat and plan approval authority or zoning responsibilities as designated by the locality for each locality in which the dam break inundation zone resides.

C. Owners of impounding structures may be eligible for matching grants ~~of up to 50 percent~~ from the Dam Safety, Flood Prevention and Protection Assistance Fund and other sources of funding available to the Director to assist in the development of dam break inundation zone maps and for conducting incremental damage assessments in accordance with the Virginia Impounding Structure Regulations.

D. All properties identified within the dam break inundation zone shall be incorporated by the owner into the dam safety emergency action plan of that impounding structure so as to ensure the proper notification of persons downstream and other affected persons or property owners in the event of an emergency condition at the impounding structure.

§ 10.1-606.3. Requirement for development in dam break inundation zones.

A. For any development proposed within the boundaries of a dam break inundation zone that has been mapped in accordance with § 10.1-606.2, the locality shall, as part of a preliminary plan review pursuant to § 15.2-2260, or as part of a plan review pursuant to § 15.2-2259 if no preliminary review has been conducted, (i) review the dam break inundation zone map *or the limits of the dam break inundation zone* on file with the locality for the affected impounding structure, (ii) notify the dam owner, and (iii) within 10 days forward a request to the Department of Conservation and Recreation to make a determination of the potential impacts of the proposed development on the spillway design flood standards required of the dam. The Department shall notify the dam owner and the locality of its determination within 45 days of the receipt of the request. Upon receipt of the Department's determination, the locality shall complete the review in accordance with § 15.2-2259 or 15.2-2260. If a locality has not received a determination within 45 days of the Department's receipt of the request, the Department shall be deemed to have no comments, and the locality shall complete its review. Such inaction by the Department shall not affect the Board's authority to regulate the impounding structure in accordance with this article.

If the Department determines that the plan of development would change the spillway design flood standards of the impounding structure, the locality shall not permit development as defined in § 15.2-2201 or redevelopment in the dam break inundation zone unless the developer or subdivider agrees to alter the plan of development so that it does not alter the spillway design flood standard required of the impounding structure or he contributes payment to the necessary upgrades to the affected impounding structure pursuant to § 15.2-2243.1.

The developer or subdivider shall provide the dam owner and all affected localities with information necessary for the dam owner to update the dam break inundation zone map to reflect any new development within the dam break inundation zone following completion of the development.

The requirements of this subsection shall not apply to any development proposed downstream of a dam for which a dam break inundation zone map is not on file with *or the limits of the dam break inundation zone have not been provided to* the locality as of the time of the official submission of a development plan to the locality.

B. The locality is authorized to map the dam break inundation zone in accordance with criteria set out in the Virginia Impounding Structure Regulations (4VAC50-20) and recover the costs of such mapping from the owner of an impounding structure for which a dam break inundation zone map is not on file with *or the limits of the dam break inundation zone have not been provided to* the locality and a map has not been prepared by the impounding structure owner.

C. This section shall not be construed to supersede or conflict with the authority granted to the Department of Energy for the regulation of mineral extraction activities in the Commonwealth as set out in Title 45.2. Nothing in this section shall be interpreted to permit the impairment of a vested right in accordance with § 15.2-2307.

§ 10.1-607. Safety inspections.

No one shall maintain a dam which unreasonably threatens the life or property of another. The Board shall cause safety inspections to be made of impounding structures on such schedule as it deems appropriate. The time of the initial inspection and the frequency of reinspection shall depend on such factors as the condition of the structure and its size, type, location and downstream hazard potential. The owners of dams found to have deficiencies which could threaten life or property if not corrected shall take the corrective actions needed to remove such deficiencies within a reasonable time. All safety inspections shall be conducted by or under the supervision of a licensed professional engineer. Each report shall bear the seal and signature of the licensed professional engineer responsible for the inspection. *If required by the Board in response to actions taken pursuant to § 10.1-608 or 10.1-609, each safety inspection report shall include any identified corrective actions, include a plan to implement such actions, and bear the seal and signature of the licensed professional engineer responsible for the inspection.*

The Board shall be responsible for the inspection and reinspection of flood control dams where the maintenance and operation of the dam is the responsibility of a soil and water conservation district and where the permit for operation of the impounding structure is held by such a district.

In response to any action taken pursuant to this section and § 10.1-608, the dam owner shall be responsible for ensuring that (i) the safety inspection of the impounding structure is conducted consistent with this section within 30 days of action being taken and (ii) the safety inspection report is provided to the Department within 30 days after the safety inspection is completed.

§ 10.1-608. Unsafe dams presenting imminent danger.

When the Director ~~finds~~ *determines that* an unsafe dam ~~constituting~~ *constitutes* an imminent danger to life or property, he shall immediately notify the Department of Emergency Management *and the local emergency management coordinator for the locality where the dam is located* and confer with the owner. The owner of a dam found to constitute an imminent danger to life or property shall take immediate corrective action. If the owner does not take appropriate and timely action to correct the danger found, the Governor shall have the authority to take immediate appropriate action, without the necessity for a hearing, to remove the imminent danger. *Upon receiving authority from the Governor to take such immediate appropriate action, the Department shall notify the locality in which the dam is located. If such locality is able and agrees to take appropriate and timely action to minimize the imminent danger on behalf of the Department, the Director may issue an administrative order to the locality defining the actions the locality is authorized to undertake on behalf of the Department and the terms and conditions applicable to the delegated actions.* The Attorney General may bring an action against the owner of the impounding structure for the Commonwealth's expenses in removing the imminent danger. There shall be a lien upon the owner's real estate for the Commonwealth's expenses in removing the imminent danger. The owner may avoid the Commonwealth's costs, and recover any damages, upon proving that the dam was known to be safe at the time such action was taken, and that the owner had provided or offered to immediately provide such proof to the Director before the action complained of was taken. Nothing herein shall in any way limit any authority existing under the Emergency Services and Disaster Law (§ 44-146.13 et seq.).

§ 10.1-609. Unsafe dams presenting nonimminent danger; civil penalty.

A. Within ~~a reasonable time~~ *30 days* after completion of a safety inspection of an impounding structure ~~authorized by the Board shall issue a report to the owner of the impounding structure containing its findings and recommendations for correction of any deficiencies which could threaten life or property if not corrected. Owners who have been issued a report containing recommendations for correction of deficiencies shall undertake to implement the recommendations contained in the report according to the schedule of implementation contained in the report~~ *by the dam owner's licensed professional engineer in accordance with* § 10.1-607, *the owner shall submit to the Board a plan, consistent with regulations adopted pursuant to § 10.1-605, to address the recommendations for correcting any deficiencies found at the impounding structure and shall include a schedule for implementing such recommendations. The Board shall determine if the submitted plan and schedule are sufficient to address the deficiencies.* If an owner fails or refuses to commence or diligently implement the recommendations for correction of deficiencies according to the schedule contained in ~~an issued report~~ *the plan*, the Director shall have the authority to issue an administrative order directing the owner to commence implementation and completion of such recommendations according to the schedule contained in the ~~report~~ *plan* with modifications as appropriate. *Such order may include a civil penalty of up to $500 per day, with the maximum amount not to exceed $25,000. The civil penalty may be in addition to, or in lieu of, any other forfeitures, remedies, or penalties authorized by law. When setting the civil penalty amount, the Director shall consider (i) the nature, duration, and number of previous instances of*

failure by the dam owner to comply with requirements of law relating to dam safety and the Board's regulations and orders; (ii) the efforts of the dam owner to correct deficiencies or other instances of failure to comply with the requirements of law relating to dam safety and the Board's regulations and orders that are the subject of the proposed penalty; (iii) the cost of carrying out actions required to meet the requirements of this article and the Board's regulations and orders; (iv) the hazard classification of the dam; and (v) any other factors that the Department deems appropriate. The Director shall suspend the civil penalties if the dam owner complies with the administrative order and any conditions in the schedule of compliance contained in such order.

B. Within ~~thirty~~ *30* days after being served by personal service or by mail with a copy of an order issued pursuant to this section, any owner shall have the right to petition the Board for a hearing. ~~As part of his petition, a dam owner may submit to the Board his own plan, consistent with regulations adopted pursuant to § 10.1-605, to address the recommendations for correction of deficiencies and the schedule of implementation contained in the report. The Board shall determine if the submitted plan and schedule are sufficient to address deficiencies.~~ A timely filed petition shall stay the effect of the administrative order.

The hearing shall be conducted before the Board or a designated member thereof pursuant to § 2.2-4019. The Board shall have the authority to affirm, modify, amend or cancel the administrative order. Any owner aggrieved by a decision of the Board after a hearing shall have the right to judicial review of the final Board decision pursuant to the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

~~B.~~ *C.* The provisions of subsection A of this section notwithstanding, if the Director determines, after the ~~report~~ *plan* is ~~issued~~ *submitted*, that changed circumstances justify reclassifying the deficiencies of an impounding structure as an imminent danger to life or property, the Director may proceed directly under § 10.1-613 for enforcement of his order, and the owner shall have the opportunity to contest the fact based upon which the administrative order was issued.

~~C.~~ *D.* The Director, upon a determination that there is an unsafe condition at an impounding structure, is authorized to cause the lowering or complete draining of such impoundment until the unsafe condition has been corrected at the owner's expense and prior to any authorization to refill.

An owner who fails to comply with the provisions contained in an administrative order of the Department shall be subject to procedures set out in § 10.1-613 and the penalties authorized under ~~§§~~ *§* 10.1-613.1 ~~and 10.1-613.2~~.

E. If any civil penalty has not been paid within 60 days after the Board's final decision or a court order has been served on the owner, the Board shall request the Attorney General to bring a civil action against such owner in an appropriate court for appropriate relief.

F. Civil penalties assessed under this section shall be paid into the Dam Safety, Flood Prevention and Protection Assistance Fund established in § 10.1-603.17 and be used for the administration of the dam safety program, including for the repair and maintenance of impounding structures.

~~D.~~ *G.* No persons, other than those authorized to maintain an impounding structure, shall interfere with the operation of an impounding structure.

§ 10.1-612.1. Temporary stop work order; hearing; injunctive relief.

A. The Director may issue a temporary stop work order on a construction or alteration project if he finds that an owner is constructing or altering a dam without having first obtained the necessary certificate of approval, or if the activities are not in accordance with approved plans and specifications. The order shall include written notice to the owner of the date, time, and location where the owner may appear at a hearing before the Board or a designated member thereof pursuant to § 2.2-4019 to show cause why the temporary order should be vacated. The hearing shall be held within ~~15~~ *30* calendar days of the date of the order, unless the owner consents to a longer period.

B. Following the hearing, the Board may affirm or cancel the temporary order and may issue a final order directing that immediate steps be taken to abate or ameliorate any harm or damage arising from the violation. The owner may seek judicial review of the final decision of the Board pursuant to the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

C. If the violation continues after the Board has issued a final decision and order pursuant to subsection B or a temporary order issued by the Director pursuant to subsection A, the Board may apply for an injunction from the appropriate court. A decision to seek injunctive relief does not preclude other forms of relief, enforcement, or penalties against the owner.

§ 10.1-613.6. Negotiated settlement agreements.

With the consent of any owner of an impounding structure who has allegedly violated or failed, neglected, or refused to obey any regulation or order of the Board, any condition of a permit, or any provision of this chapter, the Board may enter into a negotiated settlement agreement with such owner, so long as the impounding structure or dam is not subject to the provisions of § 10.1-609, to correct deficiencies at the structure according to the schedule of implementation appended to the negotiated settlement agreement and for the payment of civil charges for past alleged violations in specific sums not to exceed the limit specified in § ~~10.1-613.2~~ *10.1-609*. Such civil charges shall be suspended upon compliance with the terms and conditions of the negotiated settlement agreement as determined by the Director. Such civil charges shall be ~~instead of any appropriate civil penalty that could be imposed under § 10.1-613.2 and shall be~~ paid into the Dam Safety, Flood Prevention and Protection Assistance Fund established ~~by Article 1.2 (§ 10.1-603.16 et seq.)~~ *in § 10.1-603.17*.

2. That § 10.1-613.2 of the Code of Virginia is repealed.

CHAPTER 242

An Act to amend and reenact § 38.2-3407.15 of the Code of Virginia, relating to health insurance; carrier business practices; method of payment for claims.

[S 925]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-3407.15 of the Code of Virginia is amended and reenacted as follows:

§ 38.2-3407.15. Ethics and fairness in carrier business practices.

A. As used in this section:

"Carrier," "enrollee," and "provider" shall have the meanings set forth in § 38.2-3407.10; however, a "carrier" shall also include any person required to be licensed under this title which offers or operates a managed care health insurance plan subject to Chapter 58 (§ 38.2-5800 et seq.) or which provides or arranges for the provision of health care services, health plans, networks or provider panels which are subject to regulation as the business of insurance under this title.

"Claim" means any bill, claim, or proof of loss made by or on behalf of an enrollee or a provider to a carrier (or its intermediary, administrator or representative) with which the provider has a provider contract for payment for health care services under any health plan; however, a "claim" shall not include a request for payment of a capitation or a withhold.

"Clean claim" means a claim that does all of the following:

1. Identifies the provider that provided the service with industry-standard identification criteria, including billing and rendering provider names, identification numbers, and address;

2. Identifies the patient with a carrier-assigned identification number so the carrier can verify the patient was an enrollee at the time of service;

3. Identifies the service rendered using an industry-standard system of procedure or service coding, or, if applicable, a methodology required under the provider contract. The claim shall include a complete listing of all relevant diagnoses, procedures, and service codes, as well as any applicable modifiers;

4. Specifies the date and place of service;

5. If prior authorization is required for the services listed in the claim, contains verification that prior authorization was obtained in accordance with the provider contract for those services; and

6. Includes additional documentation specific to the services rendered as required by the carrier in its provider contract.

Notwithstanding the above criteria, a claim shall be considered a clean claim if a carrier has failed timely to notify the person submitting the claim of any defect or impropriety in accordance with this section.

"Health care services" means items or services furnished to any individual for the purpose of preventing, alleviating, curing, or healing human illness, injury or physical disability.

"Health plan" means any individual or group health care plan, subscription contract, evidence of coverage, certificate, health services plan, medical or hospital services plan, accident and sickness insurance policy or certificate, managed care health insurance plan, or other similar certificate, policy, contract or arrangement, and any endorsement or rider thereto, to cover all or a portion of the cost of persons receiving covered health care services, which is subject to state regulation and which is required to be offered, arranged or issued in the Commonwealth by a carrier licensed under this title. Health plan does not mean (i) coverages issued pursuant to Title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq. (Medicare), Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq. (Medicaid) or Title XXI of the Social Security Act, 42 U.S.C. § 1397aa et seq. (CHIP), 5 U.S.C. § 8901 et seq. (federal employees), or 10 U.S.C. § 1071 et seq. (TRICARE); or (ii) accident only, credit or disability insurance, long-term care insurance, TRICARE supplement, Medicare supplement, or workers' compensation coverages.

"Provider contract" means any contract between a provider and a carrier (or a carrier's network, provider panel, intermediary or representative) relating to the provision of health care services.

"Retroactive denial of a previously paid claim" or "retroactive denial of payment" means any attempt by a carrier retroactively to collect payments already made to a provider with respect to a claim by reducing other payments currently owed to the provider, by withholding or setting off against future payments, or in any other manner reducing or affecting the future claim payments to the provider.

B. ~~Subject to subsection K, every~~ *Every* provider contract entered into by a carrier shall contain specific provisions which shall require the carrier to adhere to and comply with the following minimum fair business standards in the processing and payment of claims for health care services:

1. A carrier shall pay any claim within 40 days of receipt of the claim except where the obligation of the carrier to pay a claim is not reasonably clear due to the existence of a reasonable basis supported by specific information available for review by the person submitting the claim that:

a. The claim is determined by the carrier not to be a clean claim due to a good faith determination or dispute regarding (i) the manner in which the claim form was completed or submitted, (ii) the eligibility of a person for coverage, (iii) the responsibility of another carrier for all or part of the claim, (iv) the amount of the claim or the amount currently due under the claim, (v) the benefits covered, or (vi) the manner in which services were accessed or provided; or

b. The claim was submitted fraudulently.

Each carrier shall maintain a written or electronic record of the date of receipt of a claim. The person submitting the claim shall be entitled to inspect such record on request and to rely on that record or on any other admissible evidence as proof of the fact of receipt of the claim, including without limitation electronic or facsimile confirmation of receipt of a claim.

2. A carrier shall, within 30 days after receipt of a claim, notify the person submitting the claim of any defect or impropriety that prevents the carrier from deeming the claim a clean claim and request the information that will be required to process and pay the claim. Upon receipt of the additional information necessary to make the original claim a clean claim, a carrier shall make the payment of the claim in compliance with this section. No carrier may refuse to pay a claim for health care services rendered pursuant to a provider contract which are covered benefits if the carrier fails timely to notify or attempt to notify the person submitting the claim of the matters identified above unless such failure was caused in material part by the person submitting the claims; however, nothing herein shall preclude such a carrier from imposing a retroactive denial of payment of such a claim if permitted by the provider contract unless such retroactive denial of payment of the claim would violate subdivision ~~7~~ *8*. Beginning no later than January 1, 2026, all notifications and information required under this subdivision shall be delivered electronically.

3. Any interest owing or accruing on a claim under § 38.2-3407.1 or 38.2-4306.1, under any provider contract or under any other applicable law, shall, if not sooner paid or required to be paid, be paid, without necessity of demand, at the time the claim is paid or within 60 days thereafter.

4. *A carrier shall notify the provider in the provider contract if the carrier, or entity completing a transaction on behalf of the carrier, uses a payment method that imposes a transaction or processing fee or similar charge on the provider, and shall offer the provider an alternative payment method in which the carrier, or entity completing a transaction on behalf of the carrier, does not impose such a fee or similar charge. If the provider elects to accept the alternative payment method and has provided all required information to the carrier to enroll in such alternative method, the carrier shall pay the claim using such alternative payment method.*

5. a. Every carrier shall establish and implement reasonable policies to permit any provider with which there is a provider contract (i) to confirm in advance during normal business hours by free telephone or electronic means if available whether the health care services to be provided are medically necessary and a covered benefit and (ii) to determine the carrier's requirements applicable to the provider (or to the type of health care services which the provider has contracted to deliver under the provider contract) for (a) pre-certification or authorization of coverage decisions, (b) retroactive reconsideration of a certification or authorization of coverage decision or retroactive denial of a previously paid claim, (c) provider-specific payment and reimbursement methodology, coding levels and methodology, downcoding, and bundling of claims, and (d) other provider-specific, applicable claims processing and payment matters necessary to meet the terms and conditions of the provider contract, including determining whether a claim is a clean claim. If a carrier routinely, as a matter of policy, bundles or downcodes claims submitted by a provider, the carrier shall clearly disclose that practice in each provider contract. Further, such carrier shall either (1) disclose in its provider contracts or on its website the specific bundling and downcoding policies that the carrier reasonably expects to be applied to the provider or provider's services on a routine basis as a matter of policy or (2) disclose in each provider contract a telephone or facsimile number or e-mail address that a provider can use to request the specific bundling and downcoding policies that the carrier reasonably expects to be applied to that provider or provider's services on a routine basis as a matter of policy. If such request is made by or on behalf of a provider, a carrier shall provide the requesting provider with such policies within 10 business days following the date the request is received.

b. Every carrier shall make available to such providers within 10 business days of receipt of a request, copies of or reasonable electronic access to all such policies which are applicable to the particular provider or to particular health care services identified by the provider. In the event the provision of the entire policy would violate any applicable copyright law, the carrier may instead comply with this subsection by timely delivering to the provider a clear explanation of the policy as it applies to the provider and to any health care services identified by the provider.

~~5.~~ *6.* Every carrier shall pay a claim if the carrier has previously authorized the health care service or has advised the provider or enrollee in advance of the provision of health care services that the health care services are medically necessary and a covered benefit, unless:

a. The documentation for the claim provided by the person submitting the claim clearly fails to support the claim as originally authorized;

b. The carrier's refusal is because (i) another payor is responsible for the payment, (ii) the provider has already been paid for the health care services identified on the claim, (iii) the claim was submitted fraudulently or the authorization was based in whole or material part on erroneous information provided to the carrier by the provider, enrollee, or other person not related to the carrier, or (iv) the person receiving the health care services was not eligible to receive them on the date of service and the carrier did not know, and with the exercise of reasonable care could not have known, of the person's eligibility status; or

c. During the post-service claims process, it is determined that the claim was submitted fraudulently.

~~6.~~ *7.* In the case of an invasive or surgical procedure, if the carrier has previously authorized a health care service as medically necessary and during the procedure the health care provider discovers clinical evidence prompting the provider to perform a less or more extensive or complicated procedure than was previously authorized, then the carrier shall pay the claim, provided that the additional procedures were (i) not investigative in nature, but medically necessary as a covered

service under the covered person's benefit plan; (ii) appropriately coded consistent with the procedure actually performed; and (iii) compliant with a carrier's post-service claims process, including required timing for submission to carrier.

~~7.~~ *8.* No carrier shall impose any retroactive denial of a previously paid claim or in any other way seek recovery or refund of a previously paid claim unless the carrier specifies in writing the specific claim or claims for which the retroactive denial is to be imposed or the recovery or refund is sought, the carrier has provided a written explanation of why the claim is being retroactively adjusted, and (i) the original claim was submitted fraudulently, (ii) the original claim payment was incorrect because the provider was already paid for the health care services identified on the claim or the health care services identified on the claim were not delivered by the provider, or (iii) the time which has elapsed since the date of the payment of the original challenged claim does not exceed 12 months. Notwithstanding the provisions of clause (iii), a provider and a carrier may agree in writing that recoupment of overpayments by withholding or offsetting against future payments may occur after such 12-month limit for the imposition of the retroactive denial. A carrier shall notify a provider at least 30 days in advance of any retroactive denial or recovery or refund of a previously paid claim.

Beginning no later than January 1, 2026, all written communications, explanations, notifications, and related provider responses applicable to this subdivision shall be delivered electronically. The electronic method and location for delivery shall be agreed upon by the carrier and provider and included in the provider contract.

~~8.~~ *9.* No provider contract shall fail to include or attach at the time it is presented to the provider for execution (i) the fee schedule, reimbursement policy, or statement as to the manner in which claims will be calculated and paid that is applicable to the provider or to the range of health care services reasonably expected to be delivered by that type of provider on a routine basis and (ii) all material addenda, schedules, and exhibits thereto and any policies (including those referred to in subdivision ~~4~~ *5*) applicable to the provider or to the range of health care services reasonably expected to be delivered by that type of provider under the provider contract.

~~9.~~ *10.* No amendment to any provider contract or to any addenda, schedule, exhibit or policy thereto (or new addenda, schedule, exhibit, or policy) applicable to the provider (or to the range of health care services reasonably expected to be delivered by that type of provider) shall be effective as to the provider, unless the provider has been provided with the applicable portion of the proposed amendment (or of the proposed new addenda, schedule, exhibit, or policy) at least 60 calendar days before the effective date and the provider has failed to notify the carrier within 30 calendar days of receipt of the documentation of the provider's intention to terminate the provider contract at the earliest date thereafter permitted under the provider contract.

~~10.~~ *11.* In the event that the carrier's provision of a policy required to be provided under subdivision ~~8~~ *9* or ~~9~~ *10* would violate any applicable copyright law, the carrier may instead comply with this section by providing a clear, written explanation of the policy as it applies to the provider.

~~11.~~ *12.* All carriers shall establish, in writing, their claims payment dispute mechanism and shall make this information available to providers. If a carrier's claim denial is overturned following completion of a dispute review, the carrier shall, on the day the decision to overturn is made, consider the claims impacted by such decision as clean claims. All applicable laws related to the payment of a clean claim shall apply to the payments due.

~~12.~~ *13.* Every carrier shall include in its provider contracts a provision that prohibits a provider from discriminating against any enrollee solely due to the enrollee's status as a litigant in pending litigation or a potential litigant due to being involved in a motor vehicle accident. Nothing in this subdivision shall require a health care provider to treat an enrollee who has threatened to make or has made a professional liability claim against the provider or the provider's employer, agents, or employees or has threatened to file or has filed a complaint with a regulatory agency or board against the provider or the provider's employer, agents, or employees.

~~13.~~ *14.* Beginning July 1, 2025, every carrier shall make available through electronic means a way for providers to determine whether an enrollee is covered by a health plan that is subject to the Commission's jurisdiction.

C. A provider shall not file a complaint with the Commission for failure to pay claims in accordance with subdivision B 1 unless:

1. Such provider has made a reasonable effort to confer with the carrier in order to resolve the issues related to all claims that are under dispute. Any request to confer shall be made to the contact listed for such purpose in the provider contract and shall include supporting documentation sufficient for the carrier to identify the claims in question; and

2. At least 30 calendar days have passed from the date of the request provided that the carrier has been responsive to the provider's request to confer. However, if in the judgment of the provider, the carrier has not been responsive to such request, the provider shall not be required to wait at least 30 calendar days to file the complaint.

The provider shall attest in any such complaint that it has satisfied the provisions of this subsection.

D. If the Commission has cause to believe that any provider has engaged in a pattern of potential violations of subdivision B ~~12~~ *13*, with no corrective action, the Commission may submit information to the Board of Medicine or the Commissioner of Health for action. Prior to such submission, the Commission may provide the provider with an opportunity to cure the alleged violations or provide an explanation as to why the actions in questions were not violations. If any provider has engaged in a pattern of potential violations of subdivision B ~~12~~ *13*, with no corrective action, the Board of Medicine or the Commissioner of Health may levy a fine or cost recovery upon the provider and take other action as permitted under its authority. Upon completion of its review of any potential violation submitted by the Commission or initiated directly by an enrollee, the Board of Medicine or the Commissioner of Health shall notify the Commission of the

results of the review, including where the violation was substantiated, and any enforcement action taken as a result of a finding of a substantiated violation.

E. Without limiting the foregoing, in the processing of any payment of claims for health care services rendered by providers under provider contracts and in performing under its provider contracts, every carrier subject to regulation by this title shall adhere to and comply with the minimum fair business standards required under subsection B, and the Commission shall have the jurisdiction to determine if a carrier has violated the standards set forth in subsection B by failing to include the requisite provisions in its provider contracts and shall have jurisdiction to determine if the carrier has failed to implement the minimum fair business standards set out in subdivisions B 1 and 2 in the performance of its provider contracts.

F. No carrier shall be in violation of this section if its failure to comply with this section is caused in material part by the person submitting the claim or if the carrier's compliance is rendered impossible due to matters beyond the carrier's reasonable control (such as an act of God, insurrection, strike, fire, or power outages) which are not caused in material part by the carrier.

G. Any provider who suffers loss as the result of a carrier's violation of this section or a carrier's breach of any provider contract provision required by this section shall be entitled to initiate an action to recover actual damages. If the trier of fact finds that the violation or breach resulted from a carrier's gross negligence and willful conduct, it may increase damages to an amount not exceeding three times the actual damages sustained. Notwithstanding any other provision of law to the contrary, in addition to any damages awarded, such provider also may be awarded reasonable attorney fees and court costs. Each claim for payment which is paid or processed in violation of this section or with respect to which a violation of this section exists shall constitute a separate violation. The Commission shall not be deemed to be a "trier of fact" for purposes of this subsection.

H. No carrier (or its network, provider panel or intermediary) shall terminate or fail to renew the employment or other contractual relationship with a provider, or any provider contract, or otherwise penalize any provider, for invoking any of the provider's rights under this section or under the provider contract.

I. Except where otherwise provided in this section, beginning no later than July 1, 2025, carriers shall deliver provider contracts, related amendments, and notices exclusively to providers in an electronic format other than electronic facsimile. Beginning no later than January 1, 2026, the provider shall submit provider contracts, amendments, and notices to carriers exclusively in an electronic format other than electronic facsimile. The electronic method and location for delivery shall be agreed upon by the carrier and provider and included in the provider contract.

J. This section shall apply only to carriers subject to regulation under this title and shall apply to the carrier and provider, regardless of any vendors, subcontractors, or other entities that have been contracted by the carrier or the provider to perform duties applicable to this section.

~~K. This section shall apply with respect to provider contracts entered into, amended, extended or renewed on or after July 1, 1999.~~

~~L.~~ Pursuant to the authority granted by § 38.2-223, the Commission may promulgate such rules and regulations as it may deem necessary to implement this section.

~~M.~~ *L.* The Commission shall have no jurisdiction to adjudicate individual controversies arising out of this section.

2. That the provisions of this act shall apply to provider contracts, as defined in § 38.2-3407.15 of the Code of Virginia, as amended by this act, entered into, amended, extended, or renewed after July 1, 2025.

CHAPTER 243

An Act to provide a new charter for the Town of Shenandoah in Page County and to repeal Chapter 163 of the Acts of Assembly of 1926, as amended, which provided a charter for the Town of Shenandoah.

[S 1150]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1.

CHARTER
FOR THE
TOWN OF SHENANDOAH.

§ 1. Town incorporated; powers generally.

The Town of Shenandoah, in the County of Page, shall continue to be a town corporate, in the name and style of the Town of Shenandoah and as such shall have and exercise all the powers conferred upon towns by the general laws of the Commonwealth of Virginia concerning towns now in force or that hereafter may be enacted for the government of towns so far as the same are not inconsistent with this act.

§ 2. Boundaries.

The boundaries of the Town shall remain as now established unless changed in accordance with applicable law.

§ 3. Government vested in Town council; composition of council and qualifications of members.

The government of said Town shall be vested in a Town council, which shall be composed of the Mayor and six council members, each of whom shall be a qualified voter within the said Town.

§ 4. Election of Mayor; term of office.

The Mayor shall be elected at large at the November 2026 general election, and every two years thereafter, and shall hold office for two years from the first day of January next succeeding his election.

§ 4.1. Election of council members; term of office.

The Town council shall be a continuing body, and no measure pending before such body shall abate or be discontinued by reason of expiration of the term of office or removal of any or all of the members. The Mayor and council in office at the time of adoption of this charter shall continue in office until the expiration of the terms to which they were elected or until their successors are elected and qualified. Accordingly, at the time of the general election in November of 2026, there will be an election for Mayor and three council positions and, in November 2028, there will be an election for the Mayor and the other three council positions. The terms of council members shall be for four years, beginning on the first day of January next succeeding their election. Council members shall be elected by the locality at large.

§ 5. Officers appointed by council.

The Town council may appoint the following officers, who serve at the pleasure of the council:

(a) Town Manager. The Town Manager shall be responsible to the Town council for the proper administration of all affairs of the Town, for the control and management of all Town departments and property, for the appointment, supervision, discipline, and dismissal of all Town employees (except, with respect to Town council appointed officers, appointment and dismissal shall be by act of the Town council), for the preparation and implementation of an annual budget, and for any other duties as prescribed by the council and is vested with all the powers provided by the general laws of the Commonwealth of Virginia. The Town Manager shall also perform other duties and receive such compensation as the Town council may prescribe. The Town Manager may also hold the position of Town Clerk.

(b) Town Treasurer. The Town Treasurer shall keep the Town's books and accounts and collect all the taxes, revenues, and assessments that may be levied by the council and is vested with all the powers provided by the general laws of the Commonwealth of Virginia. The Town Treasurer shall also perform other duties and receive such compensation as the Town council may prescribe.

(c) Town Clerk. The Town Clerk shall attend the meetings of the council, keep a record of its proceedings, and generally perform such other acts and duties as the council may from time to time prescribe. The Town Clerk shall receive such compensation as the council may prescribe and may also hold the office of Town Treasurer so long as he or she is not a member of the Town council.

(d) Town Attorney. The Town Attorney shall be an attorney at law licensed to practice under the laws of the Commonwealth of Virginia. The Town Attorney shall receive such compensation as may be determined by the council and shall have such duties as prescribed by the council.

(e) Chief of Police. The Chief of Police shall be the head of the Town of Shenandoah Police Department and shall be a law-enforcement officer responsible for the enforcement of the criminal laws and such other duties prescribed by the laws of the Town and the Commonwealth of Virginia. The Chief of Police shall also perform other duties and receive such compensation as the Town council may prescribe. The Chief of Police shall have all powers that are now or may hereafter be provided to law-enforcement officers and police chiefs by the Commonwealth of Virginia.

(f) Other officers. The Town council may appoint such other officers as may be necessary to conduct the business of the Town, prescribe their duties, and fix their compensation.

The Town council may designate a person to act in an interim capacity for any of the foregoing officers during the absence or incapacity of such officer.

All Town officers already in office at the time of the enactment of this charter shall continue until further action of the Town council.

Any officer appointed by the council may be removed at its pleasure. The council may fill any vacancy in any appointed office.

§ 6. Mayor; powers and duties.

The Mayor shall have the following powers and duties:

(a) The Mayor shall see that the bylaws and ordinances of the Town are fully executed and enforced. He shall preside over the meetings of the Town council and shall have the same right to speak therein as members of the Town council but shall not vote except in the case of a tie. He shall be recognized as the head of the Town council and the head of the Town government for all ceremonial purposes. He shall perform such other duties consistent with his office as may be imposed by the council. In times of public danger or emergencies, he may take command of the police and maintain order and enforce laws, and for this purpose may deputize such assistant law-enforcement officers as may be necessary.

(b) The Mayor, or the person acting as Mayor, shall authenticate with his signature every ordinance and resolution adopted by the council, and such documents or instruments as the council, this charter, or the laws of the Commonwealth shall require.

(c) The Mayor shall see that the duties of the various Town officers, agents, and employees are faithfully performed. The Mayor shall have power to investigate their accounts and have access to all of their books and documents in their offices.

§ 7. Salary.

The salary of the Mayor and council members shall be fixed by the Town council.

§ 8. Vice Mayor.

A Vice Mayor shall be elected by a majority of the council at its organizational meeting after the general election of 2026 to a term of two years, and every two years thereafter. The Vice Mayor shall possess the powers and discharge the duties of the Mayor during any period of absence or disability of the Mayor. While serving in the place of the Mayor, the Vice Mayor may vote as a member of the Town council. If the Vice Mayor is also absent or unable to act, the council may choose another council member to possess the powers and discharge the Mayor's duties during the period of the Vice Mayor and Mayor's absence or disability. While serving in the place of the Mayor, such council member may vote as a member of the Town council. The council may provide reasonable compensation to the Vice Mayor or other council member discharging the duties of the Mayor pursuant to this section. Upon the adoption of this charter, the current Vice Mayor of the council shall serve as Vice Mayor until the organizational meeting after the general election of 2026.

§ 9. Public utilities; acquisition, maintenance, etc., of waterworks and other utilities.

The Town shall have the right to maintain, operate, acquire, construct, and keep waterworks and electric plants, and any other plants or property which towns have the right to conduct, maintain, acquire, operate, and construct under the general laws of the Commonwealth of Virginia.

§ 10. Public utilities; appointment of officers; establishment of regulations; fixing of rates.

For the purpose of properly conducting its waterworks, electric plant, and other public works, the council may employ such officers, agents, and employees as it may deem necessary, and fix the compensation of the same; may promulgate and establish such rules and regulations in regard to the use and maintenance of such water, water systems, electric plant, and public works as it thinks best; may fix the rates for the use of water, electricity, et cetera, from its works, and provide for the collection of the same; may change and alter the rates at any time, without notice; and the council shall be the sole judge of the rates to be charged for such service; and the council is granted all the powers which a municipal corporation has in the operation of its public works.

§ 11. Sewers and sewage systems.

The Town may construct, maintain, and operate sewers and sewage systems, and charge for connections therewith and the use thereof such rates as the council may deem proper, and may change the same from time to time without notice. The council may establish and promulgate any rules and regulations in regard to the connection, or continued use thereof, as it may deem proper; may refuse any connection, and disconnect the same if for any reason the connection, or continued use thereof, becomes inimical to the public welfare, or detrimental to the sewage system, or if the charges therefor be unpaid; and may be the sole judge when the same is to be disconnected or when the connection is to be refused.

§ 12. Miscellaneous powers.

(a) Removal or reconstruction of unsafe buildings, etc.; protection of public gatherings.

The Town may regulate the size, height, materials, and construction of buildings, fences, walls, retaining walls, and other structures hereafter erected in such manner as the public safety and conveniences may require; remove or require to be removed or reconstructed any building, structure, or addition thereto, which by reason of dilapidation, defect of structure, or other causes may have become dangerous to life or property, or which may have been erected contrary to law; and enact stringent and efficient laws for securing the safety of persons from fires in halls and buildings used for public assemblies, entertainments, or amusements.

(b) Fees for permits, etc.

The Town may charge and collect fees for permits to use public facilities and for public services and privileges.

(c) Cemeteries.

The Town may provide in or near the Town lands to be used as burial places for the dead; improve and care for the same and the approaches thereto; charge for and regulate the use of ground therein; and provide for the perpetual upkeep and care of any plot or burial lot therein. The Town is authorized to take and receive sums of money by gift, bequest, or otherwise, to be kept or invested, and the income thereof is to be used for the perpetual upkeep and care of the said lot or plat for which the said donation, gift, or bequest shall have been made.

(d) Injunctive relief.

The Town may maintain a suit to restrain by injunction the violation of any ordinance, notwithstanding any punishment that may be provided for the violation of such ordinance.

§ 13. Contractual powers; gifts; grants.

(a) Acquisition of property generally; holding, selling, leasing, etc., Town property.

The Town may acquire, by purchase, gift, devise, condemnation, or otherwise, property, real and personal, or any estate or interest therein, within or without the Town or the Commonwealth of Virginia and for any of the purposes of the Town.

(b) Debts and evidence of indebtedness.

The Town may contract debts, borrow money, and make and issue evidence of indebtedness.

(c) Gifts.

The Town may accept or refuse gifts, donations, bequests, or grants of any kind from any source, absolutely or in trust, which are related to the Town's powers, duties, and functions, or for educational, charitable, or other public purposes, and do all the things and acts necessary to carry out the purposes of such gifts, grants, bequests, and donations, with power to manage, maintain, operate, sell, lease, or otherwise handle or dispose of the same, in accordance with terms and conditions of such gifts, grants, bequests, and donations. The Town shall also have the authority to make appropriations of public

funds, of personal property or any real estate, and of donations to any charitable institution or association, located within its respective limits or outside its limits, if such institution or association provides services to residents of the Town.

§ 14. Adoption of ordinances.

All ordinances of the Town must, before becoming effective, be enacted by a majority vote of the council and be approved by the Mayor, and if disapproved by the Mayor, shall become effective only upon the affirmative vote of the council by at least four members thereof entered of record.

§ 15. Council; meetings; quorum.

(a) Regular meetings. The Town council shall by ordinance fix the time of their regular meetings. The council may convene at such additional times as it may deem necessary in accordance with applicable law.

(b) Special meetings. A special meeting may be called by the Mayor or by three or more council members, provided that the Mayor and all council members are notified a reasonable period of time prior to the meeting, or are present, or sign a waiver, which may be signed after the meeting. No business shall be transacted at a special meeting except that for which it is called unless all members of the council are present or sign a waiver, which may be signed after the meeting.

(c) Quorum. Four members of the council shall constitute a quorum for the transaction of business. As the Mayor does not vote, the Mayor's attendance does not count towards the quorum requirement.

(d) Procedural rules. The council may adopt its own rules of order and procedure that govern meetings of the council.

§ 16. Town powers enumerated.

The Town may do all things whatsoever necessary or expedient for promoting or maintaining the general welfare, comfort, education, morals, peace, government, health, trade, commerce, or industries of the Town or its inhabitants; prescribe any penalty for the violation of any Town ordinance, rule, or regulation or of any provisions of this charter, not exceeding the fine or sentence imposed by the laws of the Commonwealth of Virginia; pass and enforce all bylaws, rules, regulations, and ordinances that it may deem necessary for the good order and government of the Town, the management of its property, the conduct of its affairs, and the peace, comfort, convenience, order, morals, health, and protection of its citizens or their property; and do such other things and pass such other laws as may be necessary or proper to carry into full effect any power, authority, capacity, or jurisdiction that is or shall be granted to or vested in said Town, or in the council, court, or offices thereof, or which may be necessarily incident to a municipal corporation.

The Town may compel the abatement and removal of all nuisances within the said Town at the expense of the person or persons causing the same or the owner or occupant of the ground or premises wherein the same may be found, and may require all lands and lots and other premises within the Town to be kept clean and sanitary and free from stagnant water, weeds, filth, and unsightly deposits or make them at the expense of the owners or occupants thereof; may regulate or prevent slaughterhouses or other noisome and offensive business within the Town; and generally may define, prohibit, abate, and suppress and prevent all things detrimental to the health, morals, safety, convenience, and welfare of its inhabitants.

§ 17. Organization and maintenance of volunteer fire department.

The Town council may organize and maintain a volunteer fire department for the purpose of extinguishing fires and protecting the buildings and property located within said Town from destruction by fires and conflagrations, and said council may enact ordinances and regulations for the control and regulation of said fire department.

§ 18. Licensing and regulating shows, circuses, etc.

The council shall have the right to license and regulate the holding and location of shows, circuses, public exhibitions, carnivals, and similar shows or fairs, or prohibit the holding of the same or any of them within the Town.

§ 19. Removal of snow from sidewalks; skating or riding bicycles thereon.

The council shall have the right to require the owners of real estate abutting upon paved or other improved sidewalks to remove the snow therefrom, to prevent skating or riding of bicycles thereon, and all other improper uses thereof, and to punish such violation by fine.

§ 20. Applicability of general laws of the Commonwealth; powers enumerated in charter not exclusive.

The Town council shall have all powers and authority that are now or may hereafter be granted to councils of towns by the general laws of the Commonwealth of Virginia, and the recital of special powers and authorities herein shall not be taken to exclude the exercise of any power and authority granted by the general laws of the Commonwealth of Virginia to town councils, but not herein specified.

§ 21. Ordinances continued in force.

All ordinances now in force in the Town, not inconsistent with this act, shall be and remain in force until altered, amended, or repealed by the Town council.

§ 22. Severability of provisions.

If any clause, sentence, paragraph, or part of this charter shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of said charter, but shall be confined in its operations to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 23. Repealing clause.

All acts and parts of acts in conflict with this charter are hereby repealed, provided, however, that nothing contained in this act shall be construed to invalidate or to in any manner affect the present existing indebtedness and liabilities of the Town, whether evidenced by bonded obligations or otherwise, or to relieve it of any part of its present obligation or liability on account of bond issues, liabilities, or debts of whatsoever nature or kind.

2. That Chapter 163 of the Acts of Assembly of 1926, as amended, is repealed.

CHAPTER 244

An Act to amend and reenact §§ 19.2-368.5, 19.2-368.10, 19.2-368.11:1, and 19.2-368.17 of the Code of Virginia, relating to compensating victims of crime.

[S 1200]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 19.2-368.5, 19.2-368.10, 19.2-368.11:1, and 19.2-368.17 of the Code of Virginia are amended and reenacted as follows:

§ 19.2-368.5. Filing of claims; deferral of proceedings; restitution.

A. A claim may be filed by a person eligible to receive an award, as provided in § 19.2-368.4, or if such person is a minor, by his parent or guardian. In any case in which the person entitled to make a claim is incapacitated, the claim may be filed on his behalf by his guardian, conservator or such other individual authorized to administer his estate.

B. A claim shall be filed by the claimant not later than ~~one year~~ *three years* after the occurrence of the crime upon which such claim is based, or not later than ~~one year~~ *three years* after the death of the victim. However, (i) in cases involving claims made on behalf of a minor or a person who is incapacitated, the provisions of subsection A of § 8.01-229 shall apply to toll the ~~one-year~~ *three-year* period; (ii) in cases involving claims made by a victim against profits of crime held in escrow pursuant to Chapter 21.2 (§ 19.2-368.19 et seq.) ~~of this title~~, the claim shall be filed within five years of the date of the special order of escrow; and (iii) in cases involving claims of sexual abuse of a minor, the claim shall be filed within 10 years after the minor's eighteenth birthday, except for in cases involving claims of sexual abuse of a minor where the conduct constitutes a felony, the passage of time shall not be a barrier to when the victim can file a claim. For good cause shown, the Commission may extend the time for filing for a crime committed on or after July 1, 2001.

In the case of a crime committed on or after July 1, 1977, and before July 1, 2001, for which a claim was not filed in a timely manner, the Commission may, for good cause shown, extend the time for filing if the attorney for the Commonwealth sends written notification to the Commission that the crime is being investigated as a result of newly discovered evidence. For any claim filed pursuant to this paragraph, the Commission shall only consider expenses and loss of earnings that the claimant accrues after the date of newly discovered evidence as stipulated in the written notification by the attorney for the Commonwealth.

C. Claims shall be filed in the office of the Commission in person, by mail, or by electronic means in accordance with standards approved by the Commission. The Commission shall accept for filing all claims submitted by persons eligible under subsection A ~~of this section~~ and alleging the jurisdictional requirements set forth in this chapter and meeting the requirements as to form in the rules and regulations of the Commission.

D. Upon filing of a claim pursuant to this chapter, the Commission shall promptly notify the attorney for the Commonwealth of the jurisdiction wherein the crime is alleged to have occurred*, except when such claim is filed without the crime being reported to law enforcement*. If, within 10 days after such notification, the attorney for the Commonwealth so notified advises the Commission that a criminal prosecution is pending upon the same alleged crime, the Commission shall defer all proceedings under this chapter until such time as such criminal prosecution has been concluded in the circuit court unless notification is received from the attorney for the Commonwealth that no objection is made to a continuation of the investigation and determination of the claim. When such criminal prosecution has been concluded in the circuit court the attorney for the Commonwealth shall promptly so notify the Commission. Nothing in this section shall be construed to mean that the Commission is to defer proceedings upon the filing of an appeal, nor shall this section be construed to limit the authority of the Commission to grant emergency awards as hereinafter provided. Upon awarding a claim pursuant to this chapter, the Commission shall promptly notify the attorney for the Commonwealth of the jurisdiction wherein the crime is alleged to have occurred. If a criminal prosecution occurs regarding the same alleged crime, the attorney for the Commonwealth shall request the court to order restitution. However, neither the lack of a restitution order, nor the failure of the attorney for the Commonwealth to request such an order, shall preclude the Fund from exercising its subrogation rights pursuant to § 19.2-368.15. Any such restitution shall be paid over to the Comptroller for deposit into the Criminal Injuries Compensation Fund to the extent of the amount of the award paid from the Fund.

§ 19.2-368.10. When awards to be made; reporting crime to law enforcement.

No award shall be made unless the Commission finds that:

1. A crime was committed;

2. Such crime directly resulted in an individual becoming a victim as defined in § 19.2-368.2, on whose behalf a claim is filed; and

3. Police *or court* records show that such crime was promptly reported to the proper authorities. In ~~no case may an award be made where the police records show that~~ *determining if* such ~~report~~ *crime* was ~~made more than 120 hours after the occurrence of such crime, unless~~ *promptly reported,* the Commission~~, for good cause shown, finds the delay to have been justified~~ *shall consider (i) any police records; (ii) the victim's physical, emotional, mental, and family situation; and (iii) the existence of a permanent protective order, issued pursuant to § 16.1-279.1 or 19.2-152.10, for the victim or other persons*

eligible for awards as identified in § 19.2-368.4 from the person responsible for the qualifying crime. The provisions of this subdivision shall not apply to claims of sexual abuse.

~~The Commission, upon finding that any claimant or award recipient has not fully cooperated with all law-enforcement agencies, unless the law-enforcement agency certifies that the claimant or award recipient was willing but unable to cooperate due to a good faith belief that such cooperation would have endangered such claimant or award recipient and such claimant or award recipient was not provided with any victim or witness protection services when such protection services were requested by a law-enforcement agency, may deny, reduce, or withdraw any award, as the case may be.~~

§ 19.2-368.11:1. Amount of award.

A. Compensation for Total Loss of Earnings: An award made pursuant to this chapter for total loss of earnings that results directly from incapacity incurred by a crime victim shall be payable during total incapacity to the victim or to such other eligible person, at a weekly compensation rate equal to 66-2/3 percent of the victim's average weekly wages. The victim's average weekly wages shall be determined as provided in § 65.2-101.

B. Compensation for Partial Loss of Earnings: An award made pursuant to this chapter for partial loss of earnings ~~which~~ *that* results directly from incapacity incurred by a crime victim shall be payable during incapacity at a weekly rate equal to 66-2/3 percent of the difference between the victim's average weekly wages before the injury and the weekly wages ~~which~~ *that* the victim is able to earn thereafter. The combined total of actual weekly earnings and compensation for partial loss of earnings shall not exceed $600 per week.

C. Compensation for Loss of Earnings of Parent of Minor Victim: The parent or guardian of a minor crime victim may receive compensation for loss of earnings, calculated as specified in subsections A and B, for time spent obtaining medical treatment for the child and for accompanying the child to, attending or participating in investigative, prosecutorial, judicial, adjudicatory and post-conviction proceedings.

D. Compensation for Dependents of a Victim Who Is Killed: If death results to a victim of crime entitled to benefits, dependents of the victim shall be entitled to compensation in accordance with the provisions of §§ 65.2-512 and 65.2-515 in an amount not to exceed the maximum aggregate payment or the maximum weekly compensation ~~which~~ *that* would have been payable to the deceased victim under this section.

E. Compensation for Unreimbursed Medical Costs, Funeral Expenses, Services, etc.: Awards may also be made on claims or portions of claims based upon the claimant's actual expenses incurred as are determined by the Commission to be appropriate, for (i) unreimbursed medical expenses or indebtedness reasonably incurred for medical expenses; (ii) expenses reasonably incurred in obtaining ordinary and necessary services in lieu of those the victim would have performed, for the benefit of himself and his family, if he had not been a victim of crime; (iii) expenses directly related to funeral or burial, not to exceed $10,000; (iv) expenses attributable to pregnancy resulting from forcible rape; (v) mental health counseling for survivors as defined under subdivisions A 2 and A 4 of § 19.2-368.4, not to exceed $3,500 per claim; (vi) reasonable and necessary moving expenses, not to exceed $2,000, incurred by a victim or survivors as defined under subdivisions A 2 and A 4 of § 19.2-368.4; and (vii) any other reasonable and necessary expenses and indebtedness incurred as a direct result of the injury or death upon which such claim is based, not otherwise specifically provided for. Notwithstanding any other provision of law, a person who is not eligible for an award under subsection A of § 19.2-368.4 who pays expenses directly related to funeral or burial is eligible for reimbursement subject to the limitations of this section.

F. Notwithstanding the provisions of subdivision 3 of § 19.2-368.10, §§ 19.2-368.5, 19.2-368.5:1, 19.2-368.6, 19.2-368.7, and 19.2-368.8, subsection G of this section, and § 19.2-368.16, the Criminal Injuries Compensation Fund shall pay for physical evidence recovery kit examinations conducted on victims of sexual assault. Any individual that submits to and completes a physical evidence recovery kit examination shall be considered to have met the reporting ~~and cooperation~~ requirements of this chapter. Funds paid for physical evidence recovery kit collection shall not be offset against the Fund's maximum allowable award as provided in subsection H. Payments may be subject to negotiated agreements with the provider. Health care providers that complete physical evidence recovery kit examinations may bill the Fund directly subject to the provisions of § 19.2-368.5:2. The Commission shall develop policies for a distinct payment process for physical evidence recovery kit examination expenses as required under subdivision 1 of § 19.2-368.3.

In order for the Fund to consider additional crime-related expenses, victims shall file with the Fund following the provisions of this chapter and Criminal Injuries Compensation Fund policy.

G. Any claim made pursuant to this chapter shall be reduced by the amount of any payments received or to be received as a result of the injury from or on behalf of the person who committed the crime or from any other public or private source, including an emergency award by the Commission pursuant to § 19.2-368.9.

H. To qualify for an award under this chapter, a claim must have a minimum value of $100, and payments for injury or death to a victim of crime, to the victim's dependents or to others entitled to payment for covered expenses, after being reduced as provided in subsection G, shall not exceed $35,000 in the aggregate.

§ 19.2-368.17. Public information program.

The Commission shall establish and conduct a public information program to assure extensive and continuing publicity and public awareness of the provisions of this chapter. The public information program shall include brochures, posters and public service advertisements for television, radio and print media for dissemination to the public of information regarding the right to compensation for innocent victims of crime, including information on the right to file a claim, the scope of coverage, and the procedures to be utilized incident thereto.

Whenever a crime ~~which~~ *that* directly resulted in personal physical injury to, or death of, an individual is reported ~~within the time required by~~ *pursuant to* § 19.2-368.10, the law-enforcement agency to which the report is made shall make reasonable efforts, where practicable, to notify the victim or other potential claimant in writing on forms prepared by the Commission of his or her possible right to file a claim under this chapter. In any event, no liability or cause of action shall arise from the failure to so notify a victim of crime or other potential claimant.

CHAPTER 245

An Act to amend and reenact § 2.2-2004 of the Code of Virginia, relating to Department of Veterans Services; powers and duties of Commissioner; identification of incarcerated veterans.

[S 1251]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2004 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-2004. Additional powers and duties of Commissioner.

The Commissioner shall have the following powers and duties related to veterans services:

1. Perform an annual cost-benefit and value analysis of (i) existing programs and services and (ii) new programs and services before establishing and implementing them and report the results of such analysis to the Secretary of Veterans and Defense Affairs;

2. Seek alternative funding sources for the Department's veterans service programs;

3. Cooperate with all relevant entities of the federal government, including~~, but not limited to,~~ the U.S. Department of Veterans Affairs, ~~the~~ U.S. Department of Housing and Urban Development, and ~~the~~ U.S. Department of Labor in matters concerning veterans benefits and services;

4. Appoint a full-time coordinator to collaborate with the Joint Leadership Council of Veterans Service Organizations created in § 2.2-2681 on ways to provide both direct and indirect support of ongoing veterans programs, and to determine and address future veterans needs and concerns;

5. Initiate, conduct, and issue special studies on matters pertaining to veterans needs and priorities, as determined necessary by the Commissioner;

6. Evaluate veterans service efforts, practices, and programs of the agencies, political subdivisions, or other entities and organizations of the government of the Commonwealth and make recommendations to the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly on ways to increase awareness of the services available to veterans or improve veterans services;

7. Assist entities of state government and political subdivisions of the Commonwealth in enhancing their efforts to provide services to veterans, those members of the Virginia National Guard, Virginia residents in the Armed Forces Reserves who qualify for veteran status, and their immediate family members, including the dissemination of relevant materials and the rendering of technical or other advice;

8. Assist counties, cities, and towns of the Commonwealth in the development, implementation, and review of local veterans services programs as part of the state program and establish as necessary, in consultation with the Board of Veterans Services and the Joint Leadership Council of Veterans Service Organizations, volunteer local and regional advisory committees to assist and support veterans service efforts;

9. Review the activities, roles, and contributions of various entities and organizations to the Commonwealth's veterans services programs and report on or before December 1 of each year in writing to the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly on the status, progress, and prospects of veterans services in the Commonwealth, including performance measures and outcomes of veterans services programs;

10. Recommend to the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly any corrective measures, policies, procedures, plans, and programs to make service to Virginia-domiciled veterans and their eligible spouses, orphans, and dependents as efficient and effective as practicable;

11. Design, implement, administer, and review, in consultation with the Secretary of Veterans and Defense Affairs, special programs or projects needed to promote veterans services in the Commonwealth;

12. Integrate veterans services activities into the framework of economic development activities in general;

13. Manage operational funds using accepted accounting principles and practices in order to provide for a sum sufficient to ensure continued, uninterrupted operations;

14. Engage Department personnel in training and educational activities aimed at enhancing veterans services;

15. Develop a strategic plan to ensure efficient and effective utilization of resources, programs, and services;

16. Certify eligibility for the Virginia Military Survivors and Dependents Education Program and perform other duties related to such Program as outlined in § 23.1-608;

17. Establish and implement a compact with Virginia's veterans, which shall have a goal of making Virginia America's most veteran-friendly state. The compact shall be established in conjunction with the Board of Veterans Services and supported by the Joint Leadership Council of Veterans Service Organizations and shall (i) include specific provisions for technology advances, workforce development, outreach, quality of life enhancement, and other services for veterans and

(ii) provide service standards and goals to be attained for each specific provision in clause (i). The provisions of the compact shall be reviewed and updated annually. The Commissioner shall include in the annual report required by this section the progress of veterans services established in the compact*;*

18. Assist the Department of Corrections, sheriffs, and local and regional jails in utilizing the U.S. Department of Veterans Affairs' Veterans Re-Entry Search Services system, with the goal of (i) identifying veterans incarcerated in state prisons and local and regional jails, (ii) helping such veterans prepare for release or reentry, (iii) reducing the rates of recidivism and homelessness, (iv) connecting such veterans to resources to address the challenges of post-traumatic stress disorder, and (v) diverting eligible veterans to treatment dockets. The Department shall coordinate with the Virginia Sheriffs' Association, the Virginia Association of Regional Jails, the Secretary of Veterans and Defense Affairs, the Secretary of Public Safety and Homeland Security, the Office of the Executive Secretary of the Supreme Court, the Department of Criminal Justice Services, the U.S. Department of Veterans Affairs, community partners, district and circuit courts, and other stakeholders as necessary; and

~~18.~~ *19.* Provide the Secretary of Veterans and Defense Affairs, the Governor, and the General Assembly with an overview of the activities of the Military Spouse Liaison, as outlined in § 2.2-2002.2, including any legislative recommendations, on or before December 1 of each year.

CHAPTER 246

An Act to amend and reenact §§ 2.2-2818, 32.1-325, 38.2-3406.1, and 38.2-3418.7 of the Code of Virginia, relating to health insurance; coverage for prostate cancer screening.

[S 1314]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-2818, 32.1-325, 38.2-3406.1, and 38.2-3418.7 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-2818. Health and related insurance for state employees.

A. The Department of Human Resource Management shall establish a plan, subject to the approval of the Governor, for providing health insurance coverage, including chiropractic treatment, hospitalization, medical, surgical, and major medical coverage, for state employees and retired state employees with the Commonwealth paying the cost thereof to the extent of the coverage included in such plan. The same plan shall be offered to all part-time state employees, but the total cost shall be paid by such part-time employees. The Department of Human Resource Management shall administer this section. The plan chosen shall provide means whereby coverage for the families or dependents of state employees may be purchased. Except for part-time employees, the Commonwealth may pay all or a portion of the cost thereof, and for such portion as the Commonwealth does not pay, the employee, including a part-time employee, may purchase the coverage by paying the additional cost over the cost of coverage for an employee.

Such contribution shall be financed through appropriations provided by law.

B. The plan shall:

1. Include coverage for low-dose screening mammograms for determining the presence of occult breast cancer. Such coverage shall make available one screening mammogram to persons age 35 through 39, one such mammogram biennially to persons age 40 through 49, and one such mammogram annually to persons age 50 and over and may be limited to a benefit of $50 per mammogram subject to such dollar limits, deductibles, and coinsurance factors as are no less favorable than for physical illness generally.

The term "mammogram" shall mean an X-ray examination of the breast using equipment dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression device, screens, film, and cassettes, with an average radiation exposure of less than one rad mid-breast, two views of each breast.

In order to be considered a screening mammogram for which coverage shall be made available under this section:

a. The mammogram shall be (i) ordered by a health care practitioner acting within the scope of his licensure and, in the case of an enrollee of a health maintenance organization, by the health maintenance organization provider; (ii) performed by a registered technologist; (iii) interpreted by a qualified radiologist; and (iv) performed under the direction of a person licensed to practice medicine and surgery and certified by the American Board of Radiology or an equivalent examining body. A copy of the mammogram report shall be sent or delivered to the health care practitioner who ordered it;

b. The equipment used to perform the mammogram shall meet the standards set forth by the Virginia Department of Health in its radiation protection regulations; and

c. The mammography film shall be retained by the radiologic facility performing the examination in accordance with the American College of Radiology guidelines or state law.

2. Include coverage for postpartum services providing inpatient care and a home visit or visits that shall be in accordance with the medical criteria, outlined in the most current version of or an official update to the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists or the "Standards for Obstetric-Gynecologic Services" prepared by the American College of Obstetricians

and Gynecologists. Such coverage shall be provided incorporating any changes in such Guidelines or Standards within six months of the publication of such Guidelines or Standards or any official amendment thereto.

3. Include an appeals process for resolution of complaints that shall provide reasonable procedures for the resolution of such complaints and shall be published and disseminated to all covered state employees. The appeals process shall be compliant with federal rules and regulations governing nonfederal, self-insured governmental health plans. The appeals process shall include a separate expedited emergency appeals procedure that shall provide resolution within time frames established by federal law. For appeals involving adverse decisions as defined in § 32.1-137.7, the Department shall contract with one or more independent review organizations to review such decisions. Independent review organizations are entities that conduct independent external review of adverse benefit determinations. The Department shall adopt regulations to assure that the independent review organization conducting the reviews has adequate standards, credentials and experience for such review. The independent review organization shall examine the final denial of claims to determine whether the decision is objective, clinically valid, and compatible with established principles of health care. The decision of the independent review organization shall (i) be in writing, (ii) contain findings of fact as to the material issues in the case and the basis for those findings, and (iii) be final and binding if consistent with law and policy.

Prior to assigning an appeal to an independent review organization, the Department shall verify that the independent review organization conducting the review of a denial of claims has no relationship or association with (i) the covered person or the covered person's authorized representative; (ii) the treating health care provider, or any of its employees or affiliates; (iii) the medical care facility at which the covered service would be provided, or any of its employees or affiliates; or (iv) the development or manufacture of the drug, device, procedure, or other therapy that is the subject of the final denial of a claim. The independent review organization shall not be a subsidiary of, nor owned or controlled by, a health plan, a trade association of health plans, or a professional association of health care providers. There shall be no liability on the part of and no cause of action shall arise against any officer or employee of an independent review organization for any actions taken or not taken or statements made by such officer or employee in good faith in the performance of his powers and duties.

4. Include coverage for early intervention services. For purposes of this section, "early intervention services" means medically necessary speech and language therapy, occupational therapy, physical therapy and assistive technology services and devices for dependents from birth to age three who are certified by the Department of Behavioral Health and Developmental Services as eligible for services under Part H of the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.). Medically necessary early intervention services for the population certified by the Department of Behavioral Health and Developmental Services shall mean those services designed to help an individual attain or retain the capability to function age-appropriately within his environment, and shall include services that enhance functional ability without effecting a cure.

For persons previously covered under the plan, there shall be no denial of coverage due to the existence of a preexisting condition. The cost of early intervention services shall not be applied to any contractual provision limiting the total amount of coverage paid by the insurer to or on behalf of the insured during the insured's lifetime.

5. Include coverage for prescription drugs and devices approved by the United States Food and Drug Administration for use as contraceptives.

6. Not deny coverage for any drug approved by the United States Food and Drug Administration for use in the treatment of cancer on the basis that the drug has not been approved by the United States Food and Drug Administration for the treatment of the specific type of cancer for which the drug has been prescribed, if the drug has been recognized as safe and effective for treatment of that specific type of cancer in one of the standard reference compendia.

7. Not deny coverage for any drug prescribed to treat a covered indication so long as the drug has been approved by the United States Food and Drug Administration for at least one indication and the drug is recognized for treatment of the covered indication in one of the standard reference compendia or in substantially accepted peer-reviewed medical literature.

8. Include coverage for equipment, supplies, and outpatient self-management training and education, including medical nutrition therapy, for the treatment of insulin-dependent diabetes, insulin-using diabetes, gestational diabetes, and noninsulin-using diabetes if prescribed by a health care professional legally authorized to prescribe such items under law. To qualify for coverage under this subdivision, diabetes outpatient self-management training and education shall be provided by a certified, registered, or licensed health care professional.

9. Include coverage for reconstructive breast surgery. For purposes of this section, "reconstructive breast surgery" means surgery performed on and after July 1, 1998, (i) coincident with a mastectomy performed for breast cancer or (ii) following a mastectomy performed for breast cancer to reestablish symmetry between the two breasts. For persons previously covered under the plan, there shall be no denial of coverage due to preexisting conditions.

10. Include coverage for annual pap smears, including coverage, on and after July 1, 1999, for annual testing performed by any FDA-approved gynecologic cytology screening technologies.

11. Include coverage providing a minimum stay in the hospital of not less than 48 hours for a patient following a radical or modified radical mastectomy and 24 hours of inpatient care following a total mastectomy or a partial mastectomy with lymph node dissection for treatment of breast cancer. Nothing in this subdivision shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate.

12. Include coverage (i) to persons age 50 and over and (ii) to persons age 40 and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for one ~~PSA~~ *prostate-specific antigen* test in a 12-month period and digital rectal examinations~~, all in accordance with American Cancer Society guidelines. For the purpose of this subdivision, "PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen~~.

13. Permit any individual covered under the plan direct access to the health care services of a participating specialist (i) authorized to provide services under the plan and (ii) selected by the covered individual. The plan shall have a procedure by which an individual who has an ongoing special condition may, after consultation with the primary care physician, receive a referral to a specialist for such condition who shall be responsible for and capable of providing and coordinating the individual's primary and specialty care related to the initial specialty care referral. If such an individual's care would most appropriately be coordinated by such a specialist, the plan shall refer the individual to a specialist. For the purposes of this subdivision, "special condition" means a condition or disease that is (i) life-threatening, degenerative, or disabling and (ii) requires specialized medical care over a prolonged period of time. Within the treatment period authorized by the referral, such specialist shall be permitted to treat the individual without a further referral from the individual's primary care provider and may authorize such referrals, procedures, tests, and other medical services related to the initial referral as the individual's primary care provider would otherwise be permitted to provide or authorize. The plan shall have a procedure by which an individual who has an ongoing special condition that requires ongoing care from a specialist may receive a standing referral to such specialist for the treatment of the special condition. If the primary care provider, in consultation with the plan and the specialist, if any, determines that such a standing referral is appropriate, the plan or issuer shall make such a referral to a specialist. Nothing contained herein shall prohibit the plan from requiring a participating specialist to provide written notification to the covered individual's primary care physician of any visit to such specialist. Such notification may include a description of the health care services rendered at the time of the visit.

14. Include provisions allowing employees to continue receiving health care services for a period of up to 90 days from the date of the primary care physician's notice of termination from any of the plan's provider panels. The plan shall notify any provider at least 90 days prior to the date of termination of the provider, except when the provider is terminated for cause.

For a period of at least 90 days from the date of the notice of a provider's termination from any of the plan's provider panels, except when a provider is terminated for cause, a provider shall be permitted by the plan to render health care services to any of the covered employees who (i) were in an active course of treatment from the provider prior to the notice of termination and (ii) request to continue receiving health care services from the provider.

Notwithstanding the provisions of this subdivision, any provider shall be permitted by the plan to continue rendering health services to any covered employee who has entered the second trimester of pregnancy at the time of the provider's termination of participation, except when a provider is terminated for cause. Such treatment shall, at the covered employee's option, continue through the provision of postpartum care directly related to the delivery.

Notwithstanding the provisions of this subdivision, any provider shall be permitted to continue rendering health services to any covered employee who is determined to be terminally ill (as defined under § 1861(dd)(3)(A) of the Social Security Act) at the time of a provider's termination of participation, except when a provider is terminated for cause. Such treatment shall, at the covered employee's option, continue for the remainder of the employee's life for care directly related to the treatment of the terminal illness.

A provider who continues to render health care services pursuant to this subdivision shall be reimbursed in accordance with the carrier's agreement with such provider existing immediately before the provider's termination of participation.

15. Include coverage for patient costs incurred during participation in clinical trials for treatment studies on cancer, including ovarian cancer trials.

The reimbursement for patient costs incurred during participation in clinical trials for treatment studies on cancer shall be determined in the same manner as reimbursement is determined for other medical and surgical procedures. Such coverage shall have durational limits, dollar limits, deductibles, copayments, and coinsurance factors that are no less favorable than for physical illness generally.

For purposes of this subdivision:

"Cooperative group" means a formal network of facilities that collaborate on research projects and have an established NIH-approved peer review program operating within the group. "Cooperative group" includes (i) the National Cancer Institute Clinical Cooperative Group and (ii) the National Cancer Institute Community Clinical Oncology Program.

"FDA" means the Federal Food and Drug Administration.

"Multiple project assurance contract" means a contract between an institution and the federal Department of Health and Human Services that defines the relationship of the institution to the federal Department of Health and Human Services and sets out the responsibilities of the institution and the procedures that will be used by the institution to protect human subjects.

"NCI" means the National Cancer Institute.

"NIH" means the National Institutes of Health.

"Patient" means a person covered under the plan established pursuant to this section.

"Patient cost" means the cost of a medically necessary health care service that is incurred as a result of the treatment being provided to a patient for purposes of a clinical trial. "Patient cost" does not include (i) the cost of nonhealth care

services that a patient may be required to receive as a result of the treatment being provided for purposes of a clinical trial, (ii) costs associated with managing the research associated with the clinical trial, or (iii) the cost of the investigational drug or device.

Coverage for patient costs incurred during clinical trials for treatment studies on cancer shall be provided if the treatment is being conducted in a Phase II, Phase III, or Phase IV clinical trial. Such treatment may, however, be provided on a case-by-case basis if the treatment is being provided in a Phase I clinical trial.

The treatment described in the previous paragraph shall be provided by a clinical trial approved by:

a. The National Cancer Institute;

b. An NCI cooperative group or an NCI center;

c. The FDA in the form of an investigational new drug application;

d. The federal Department of Veterans Affairs; or

e. An institutional review board of an institution in the Commonwealth that has a multiple project assurance contract approved by the Office of Protection from Research Risks of the NCI.

The facility and personnel providing the treatment shall be capable of doing so by virtue of their experience, training, and expertise.

Coverage under this subdivision shall apply only if:

(1) There is no clearly superior, noninvestigational treatment alternative;

(2) The available clinical or preclinical data provide a reasonable expectation that the treatment will be at least as effective as the noninvestigational alternative; and

(3) The patient and the physician or health care provider who provides services to the patient under the plan conclude that the patient's participation in the clinical trial would be appropriate, pursuant to procedures established by the plan.

16. Include coverage providing a minimum stay in the hospital of not less than 23 hours for a covered employee following a laparoscopy-assisted vaginal hysterectomy and 48 hours for a covered employee following a vaginal hysterectomy, as outlined in Milliman & Robertson's nationally recognized guidelines. Nothing in this subdivision shall be construed as requiring the provision of the total hours referenced when the attending physician, in consultation with the covered employee, determines that a shorter hospital stay is appropriate.

17. Include coverage for biologically based mental illness.

For purposes of this subdivision, a "biologically based mental illness" is any mental or nervous condition caused by a biological disorder of the brain that results in a clinically significant syndrome that substantially limits the person's functioning; specifically, the following diagnoses are defined as biologically based mental illness as they apply to adults and children: schizophrenia, schizoaffective disorder, bipolar disorder, major depressive disorder, panic disorder, obsessive-compulsive disorder, attention deficit hyperactivity disorder, autism, and drug and alcoholism addiction.

Coverage for biologically based mental illnesses shall neither be different nor separate from coverage for any other illness, condition, or disorder for purposes of determining deductibles, benefit year or lifetime durational limits, benefit year or lifetime dollar limits, lifetime episodes or treatment limits, copayment and coinsurance factors, and benefit year maximum for deductibles and copayment and coinsurance factors.

Nothing shall preclude the undertaking of usual and customary procedures to determine the appropriateness of, and medical necessity for, treatment of biologically based mental illnesses under this option, provided that all such appropriateness and medical necessity determinations are made in the same manner as those determinations made for the treatment of any other illness, condition, or disorder covered by such policy or contract.

18. Offer and make available coverage for the treatment of morbid obesity through gastric bypass surgery or such other methods as may be recognized by the National Institutes of Health as effective for the long-term reversal of morbid obesity. Such coverage shall have durational limits, dollar limits, deductibles, copayments, and coinsurance factors that are no less favorable than for physical illness generally. Access to surgery for morbid obesity shall not be restricted based upon dietary or any other criteria not approved by the National Institutes of Health. For purposes of this subdivision, "morbid obesity" means (i) a weight that is at least 100 pounds over or twice the ideal weight for frame, age, height, and gender as specified in the 1983 Metropolitan Life Insurance tables, (ii) a body mass index (BMI) equal to or greater than 35 kilograms per meter squared with comorbidity or coexisting medical conditions such as hypertension, cardiopulmonary conditions, sleep apnea, or diabetes, or (iii) a BMI of 40 kilograms per meter squared without such comorbidity. As used herein, "BMI" equals weight in kilograms divided by height in meters squared.

19. Include coverage for colorectal cancer screening, specifically screening with an annual fecal occult blood test, flexible sigmoidoscopy or colonoscopy, or in appropriate circumstances radiologic imaging, in accordance with the most recently published recommendations established by the American College of Gastroenterology, in consultation with the American Cancer Society, for the ages, family histories, and frequencies referenced in such recommendations. The coverage for colorectal cancer screening shall not be more restrictive than or separate from coverage provided for any other illness, condition, or disorder for purposes of determining deductibles, benefit year or lifetime durational limits, benefit year or lifetime dollar limits, lifetime episodes or treatment limits, copayment and coinsurance factors, and benefit year maximum for deductibles and copayments and coinsurance factors.

20. On and after July 1, 2002, require that a prescription benefit card, health insurance benefit card, or other technology that complies with the requirements set forth in § 38.2-3407.4:2 be issued to each employee provided coverage pursuant to this section, and shall upon any changes in the required data elements set forth in subsection A of § 38.2-3407.4:2, either

reissue the card or provide employees covered under the plan such corrective information as may be required to electronically process a prescription claim.

21. Include coverage for infant hearing screenings and all necessary audiological examinations provided pursuant to § 32.1-64.1 using any technology approved by the United States Food and Drug Administration, and as recommended by the national Joint Committee on Infant Hearing in its most current position statement addressing early hearing detection and intervention programs. Such coverage shall include follow-up audiological examinations as recommended by a physician, a physician assistant, an advanced practice registered nurse, or an audiologist and performed by a licensed audiologist to confirm the existence or absence of hearing loss.

22. Notwithstanding any provision of this section to the contrary, every plan established in accordance with this section shall comply with the provisions of § 2.2-2818.2.

C. Claims incurred during a fiscal year but not reported during that fiscal year shall be paid from such funds as shall be appropriated by law. Appropriations, premiums, and other payments shall be deposited in the employee health insurance fund, from which payments for claims, premiums, cost containment programs, and administrative expenses shall be withdrawn from time to time. The funds of the health insurance fund shall be deemed separate and independent trust funds, shall be segregated from all other funds of the Commonwealth, and shall be invested and administered solely in the interests of the employees and their beneficiaries. Neither the General Assembly nor any public officer, employee, or agency shall use or authorize the use of such trust funds for any purpose other than as provided in law for benefits, refunds, and administrative expenses, including but not limited to legislative oversight of the health insurance fund.

D. For the purposes of this section:

"Peer-reviewed medical literature" means a scientific study published only after having been critically reviewed for scientific accuracy, validity, and reliability by unbiased independent experts in a journal that has been determined by the International Committee of Medical Journal Editors to have met the Uniform Requirements for Manuscripts submitted to biomedical journals. "Peer-reviewed medical literature" does not include publications or supplements to publications that are sponsored to a significant extent by a pharmaceutical manufacturing company or health carrier.

"Standard reference compendia" means:

1. American Hospital Formulary Service — Drug Information;

2. National Comprehensive Cancer Network's Drugs & Biologics Compendium; or

3. Elsevier Gold Standard's Clinical Pharmacology.

"State employee" means state employee as defined in § 51.1-124.3; employee as defined in § 51.1-201; the Governor, Lieutenant Governor and Attorney General; judge as defined in § 51.1-301 and judges, clerks, and deputy clerks of regional juvenile and domestic relations, county juvenile and domestic relations, and district courts of the Commonwealth; interns and residents employed by the School of Medicine and Hospital of the University of Virginia, and interns, residents, and employees of the Virginia Commonwealth University Health System Authority as provided in § 23.1-2415; and employees of the Virginia Alcoholic Beverage Control Authority as provided in § 4.1-101.05.

E. Provisions shall be made for retired employees to obtain coverage under the above plan, including, as an option, coverage for vision and dental care. The Commonwealth may, but shall not be obligated to, pay all or any portion of the cost thereof.

F. Any self-insured group health insurance plan established by the Department of Human Resource Management that utilizes a network of preferred providers shall not exclude any physician solely on the basis of a reprimand or censure from the Board of Medicine, so long as the physician otherwise meets the plan criteria established by the Department.

G. The plan shall include, in each planning district, at least two health coverage options, each sponsored by unrelated entities. No later than July 1, 2006, one of the health coverage options to be available in each planning district shall be a high deductible health plan that would qualify for a health savings account pursuant to § 223 of the Internal Revenue Code of 1986, as amended.

In each planning district that does not have an available health coverage alternative, the Department shall voluntarily enter into negotiations at any time with any health coverage provider who seeks to provide coverage under the plan.

This subsection shall not apply to any state agency authorized by the Department to establish and administer its own health insurance coverage plan separate from the plan established by the Department.

H. Any self-insured group health insurance plan established by the Department of Human Resource Management that includes coverage for prescription drugs on an outpatient basis may apply a formulary to the prescription drug benefits provided by the plan if the formulary is developed, reviewed at least annually, and updated as necessary in consultation with and with the approval of a pharmacy and therapeutics committee, a majority of whose members are actively practicing licensed (i) pharmacists, (ii) physicians, and (iii) other health care providers.

If the plan maintains one or more drug formularies, the plan shall establish a process to allow a person to obtain, without additional cost-sharing beyond that provided for formulary prescription drugs in the plan, a specific, medically necessary nonformulary prescription drug if, after reasonable investigation and consultation with the prescriber, the formulary drug is determined to be an inappropriate therapy for the medical condition of the person. The plan shall act on such requests within one business day of receipt of the request.

Any plan established in accordance with this section shall be authorized to provide for the selection of a single mail order pharmacy provider as the exclusive provider of pharmacy services that are delivered to the covered person's address by mail, common carrier, or delivery service. As used in this subsection, "mail order pharmacy provider" means a pharmacy

permitted to conduct business in the Commonwealth whose primary business is to dispense a prescription drug or device under a prescriptive drug order and to deliver the drug or device to a patient primarily by mail, common carrier, or delivery service.

I. Any plan established in accordance with this section requiring preauthorization prior to rendering medical treatment shall have personnel available to provide authorization at all times when such preauthorization is required.

J. Any plan established in accordance with this section shall provide to all covered employees written notice of any benefit reductions during the contract period at least 30 days before such reductions become effective.

K. No contract between a provider and any plan established in accordance with this section shall include provisions that require a health care provider or health care provider group to deny covered services that such provider or group knows to be medically necessary and appropriate that are provided with respect to a covered employee with similar medical conditions.

L. The Department of Human Resource Management shall appoint an Ombudsman to promote and protect the interests of covered employees under any state employee's health plan.

The Ombudsman shall:

1. Assist covered employees in understanding their rights and the processes available to them according to their state health plan.

2. Answer inquiries from covered employees by telephone and electronic mail.

3. Provide to covered employees information concerning the state health plans.

4. Develop information on the types of health plans available, including benefits and complaint procedures and appeals.

5. Make available, either separately or through an existing Internet web site utilized by the Department of Human Resource Management, information as set forth in subdivision 4 and such additional information as he deems appropriate.

6. Maintain data on inquiries received, the types of assistance requested, any actions taken and the disposition of each such matter.

7. Upon request, assist covered employees in using the procedures and processes available to them from their health plan, including all appeal procedures. Such assistance may require the review of health care records of a covered employee, which shall be done only in accordance with the federal Health Insurance Portability and Accountability Act privacy rules. The confidentiality of any such medical records shall be maintained in accordance with the confidentiality and disclosure laws of the Commonwealth.

8. Ensure that covered employees have access to the services provided by the Ombudsman and that the covered employees receive timely responses from the Ombudsman or his representatives to the inquiries.

9. Report annually on his activities to the standing committees of the General Assembly having jurisdiction over insurance and over health and the Joint Commission on Health Care by December 1 of each year.

M. The plan established in accordance with this section shall not refuse to accept or make reimbursement pursuant to an assignment of benefits made to a dentist or oral surgeon by a covered employee.

For purposes of this subsection, "assignment of benefits" means the transfer of dental care coverage reimbursement benefits or other rights under the plan. The assignment of benefits shall not be effective until the covered employee notifies the plan in writing of the assignment.

N. Beginning July 1, 2006, any plan established pursuant to this section shall provide for an identification number, which shall be assigned to the covered employee and shall not be the same as the employee's social security number.

O. Any group health insurance plan established by the Department of Human Resource Management that contains a coordination of benefits provision shall provide written notification to any eligible employee as a prominent part of its enrollment materials that if such eligible employee is covered under another group accident and sickness insurance policy, group accident and sickness subscription contract, or group health care plan for health care services, that insurance policy, subscription contract, or health care plan may have primary responsibility for the covered expenses of other family members enrolled with the eligible employee. Such written notification shall describe generally the conditions upon which the other coverage would be primary for dependent children enrolled under the eligible employee's coverage and the method by which the eligible enrollee may verify from the plan that coverage would have primary responsibility for the covered expenses of each family member.

P. Any plan established by the Department of Human Resource Management pursuant to this section shall provide that coverage under such plan for family members enrolled under a participating state employee's coverage shall continue for a period of at least 30 days following the death of such state employee.

Q. The plan established in accordance with this section that follows a policy of sending its payment to the covered employee or covered family member for a claim for services received from a nonparticipating physician or osteopath shall (i) include language in the member handbook that notifies the covered employee of the responsibility to apply the plan payment to the claim from such nonparticipating provider, (ii) include this language with any such payment sent to the covered employee or covered family member, and (iii) include the name and any last known address of the nonparticipating provider on the explanation of benefits statement.

R. The plan established by the Department of Human Resource Management pursuant to this section shall provide that coverage under such plan for an incapacitated child enrolled under a participating state employee's coverage shall be valid without regard to whether such child lives with the covered employee as a member of the employee's household so long as

the child is dependent upon the employee for more than half of the child's financial support and the child is receiving residential support services.

For purposes of this subsection, "incapacitated child" means an adult child who is incapacitated due to a physical or mental health condition that existed prior to the termination of coverage due to such child attaining the limiting age under the plan for eligible children dependents.

S. The Department of Human Resource Management shall report annually, by November 30 of each year, on cost and utilization information for each of the mandated benefits set forth in subsection B, including any mandated benefit made applicable, pursuant to subdivision B 22, to any plan established pursuant to this section. The report shall be in the same detail and form as required of reports submitted pursuant to § 38.2-3419.1, with such additional information as is required to determine the financial impact, including the costs and benefits, of the particular mandated benefit.

§ 32.1-325. Board to submit plan for medical assistance services to U.S. Secretary of Health and Human Services pursuant to federal law; administration of plan; contracts with health care providers.

A. The Board, subject to the approval of the Governor, is authorized to prepare, amend from time to time, and submit to the U.S. Secretary of Health and Human Services a state plan for medical assistance services pursuant to Title XIX of the United States Social Security Act and any amendments thereto. The Board shall include in such plan:

1. A provision for payment of medical assistance on behalf of individuals, up to the age of 21, placed in foster homes or private institutions by private, nonprofit agencies licensed as child-placing agencies by the Department of Social Services or placed through state and local subsidized adoptions to the extent permitted under federal statute;

2. A provision for determining eligibility for benefits for medically needy individuals which disregards from countable resources an amount not in excess of $3,500 for the individual and an amount not in excess of $3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by (i) the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources and (ii) the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses;

3. A requirement that, in determining eligibility, a home shall be disregarded. For those medically needy persons whose eligibility for medical assistance is required by federal law to be dependent on the budget methodology for Aid to Families with Dependent Children, a home means the house and lot used as the principal residence and all contiguous property. For all other persons, a home shall mean the house and lot used as the principal residence, as well as all contiguous property, as long as the value of the land, exclusive of the lot occupied by the house, does not exceed $5,000. In any case in which the definition of home as provided here is more restrictive than that provided in the state plan for medical assistance services in Virginia as it was in effect on January 1, 1972, then a home means the house and lot used as the principal residence and all contiguous property essential to the operation of the home regardless of value;

4. A provision for payment of medical assistance on behalf of individuals up to the age of 21, who are Medicaid eligible, for medically necessary stays in acute care facilities in excess of 21 days per admission;

5. A provision for deducting from an institutionalized recipient's income an amount for the maintenance of the individual's spouse at home;

6. A provision for payment of medical assistance on behalf of pregnant women which provides for payment for inpatient postpartum treatment in accordance with the medical criteria outlined in the most current version of or an official update to the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists or the "Standards for Obstetric-Gynecologic Services" prepared by the American College of Obstetricians and Gynecologists. Payment shall be made for any postpartum home visit or visits for the mothers and the children which are within the time periods recommended by the attending physicians in accordance with and as indicated by such Guidelines or Standards. For the purposes of this subdivision, such Guidelines or Standards shall include any changes thereto within six months of the publication of such Guidelines or Standards or any official amendment thereto;

7. A provision for the payment for family planning services on behalf of women who were Medicaid-eligible for prenatal care and delivery as provided in this section at the time of delivery. Such family planning services shall begin with delivery and continue for a period of 24 months, if the woman continues to meet the financial eligibility requirements for a pregnant woman under Medicaid. For the purposes of this section, family planning services shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions;

8. A provision for payment of medical assistance for high-dose chemotherapy and bone marrow transplants on behalf of individuals over the age of 21 who have been diagnosed with lymphoma, breast cancer, myeloma, or leukemia and have been determined by the treating health care provider to have a performance status sufficient to proceed with such high-dose chemotherapy and bone marrow transplant. Appeals of these cases shall be handled in accordance with the Department's expedited appeals process;

9. A provision identifying entities approved by the Board to receive applications and to determine eligibility for medical assistance, which shall include a requirement that such entities (i) obtain accurate contact information, including the best available address and telephone number, from each applicant for medical assistance, to the extent required by federal law and regulations, and (ii) provide each applicant for medical assistance with information about advance directives pursuant to Article 8 (§ 54.1-2981 et seq.) of Chapter 29 of Title 54.1, including information about the purpose and benefits of advance directives and how the applicant may make an advance directive;

10. A provision for breast reconstructive surgery following the medically necessary removal of a breast for any medical reason. Breast reductions shall be covered, if prior authorization has been obtained, for all medically necessary indications. Such procedures shall be considered noncosmetic;

11. A provision for payment of medical assistance for annual pap smears;

12. A provision for payment of medical assistance services for prostheses following the medically necessary complete or partial removal of a breast for any medical reason;

13. A provision for payment of medical assistance which provides for payment for 48 hours of inpatient treatment for a patient following a radical or modified radical mastectomy and 24 hours of inpatient care following a total mastectomy or a partial mastectomy with lymph node dissection for treatment of disease or trauma of the breast. Nothing in this subdivision shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate;

14. A requirement that certificates of medical necessity for durable medical equipment and any supporting verifiable documentation shall be signed, dated, and returned by the physician, physician assistant, or advanced practice registered nurse and in the durable medical equipment provider's possession within 60 days from the time the ordered durable medical equipment and supplies are first furnished by the durable medical equipment provider;

15. A provision for payment of medical assistance to (i) persons age 50 and over and (ii) persons age 40 and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for *prostate cancer screening, which includes* one ~~PSA~~ *prostate-specific antigen* test in a 12-month period and digital rectal examinations~~, all in accordance with American Cancer Society guidelines. For the purpose of this subdivision, "PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen~~;

16. A provision for payment of medical assistance for low-dose screening mammograms for determining the presence of occult breast cancer. Such coverage shall make available one screening mammogram to persons age 35 through 39, one such mammogram biennially to persons age 40 through 49, and one such mammogram annually to persons age 50 and over. The term "mammogram" means an X-ray examination of the breast using equipment dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression device, screens, film and cassettes, with an average radiation exposure of less than one rad mid-breast, two views of each breast;

17. A provision, when in compliance with federal law and regulation and approved by the Centers for Medicare & Medicaid Services (CMS), for payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the state plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services;

18. A provision for payment of medical assistance services for liver, heart and lung transplantation procedures for individuals over the age of 21 years when (i) there is no effective alternative medical or surgical therapy available with outcomes that are at least comparable; (ii) the transplant procedure and application of the procedure in treatment of the specific condition have been clearly demonstrated to be medically effective and not experimental or investigational; (iii) prior authorization by the Department of Medical Assistance Services has been obtained; (iv) the patient selection criteria of the specific transplant center where the surgery is proposed to be performed have been used by the transplant team or program to determine the appropriateness of the patient for the procedure; (v) current medical therapy has failed and the patient has failed to respond to appropriate therapeutic management; (vi) the patient is not in an irreversible terminal state; and (vii) the transplant is likely to prolong the patient's life and restore a range of physical and social functioning in the activities of daily living;

19. A provision for payment of medical assistance for colorectal cancer screening, specifically screening with an annual fecal occult blood test, flexible sigmoidoscopy or colonoscopy, or in appropriate circumstances radiologic imaging, in accordance with the most recently published recommendations established by the American College of Gastroenterology, in consultation with the American Cancer Society, for the ages, family histories, and frequencies referenced in such recommendations;

20. A provision for payment of medical assistance for custom ocular prostheses;

21. A provision for payment for medical assistance for infant hearing screenings and all necessary audiological examinations provided pursuant to § 32.1-64.1 using any technology approved by the United States Food and Drug Administration, and as recommended by the national Joint Committee on Infant Hearing in its most current position statement addressing early hearing detection and intervention programs. Such provision shall include payment for medical assistance for follow-up audiological examinations as recommended by a physician, physician assistant, advanced practice registered nurse, or audiologist and performed by a licensed audiologist to confirm the existence or absence of hearing loss;

22. A provision for payment of medical assistance, pursuant to the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (P.L. 106-354), for certain women with breast or cervical cancer when such women (i) have been screened for breast or cervical cancer under the Centers for Disease Control and Prevention (CDC) Breast and Cervical

Cancer Early Detection Program established under Title XV of the Public Health Service Act; (ii) need treatment for breast or cervical cancer, including treatment for a precancerous condition of the breast or cervix; (iii) are not otherwise covered under creditable coverage, as defined in § 2701 (c) of the Public Health Service Act; (iv) are not otherwise eligible for medical assistance services under any mandatory categorically needy eligibility group; and (v) have not attained age 65. This provision shall include an expedited eligibility determination for such women;

23. A provision for the coordinated administration, including outreach, enrollment, re-enrollment and services delivery, of medical assistance services provided to medically indigent children pursuant to this chapter, which shall be called Family Access to Medical Insurance Security (FAMIS) Plus and the FAMIS Plan program in § 32.1-351. A single application form shall be used to determine eligibility for both programs;

24. A provision, when authorized by and in compliance with federal law, to establish a public-private long-term care partnership program between the Commonwealth of Virginia and private insurance companies that shall be established through the filing of an amendment to the state plan for medical assistance services by the Department of Medical Assistance Services. The purpose of the program shall be to reduce Medicaid costs for long-term care by delaying or eliminating dependence on Medicaid for such services through encouraging the purchase of private long-term care insurance policies that have been designated as qualified state long-term care insurance partnerships and may be used as the first source of benefits for the participant's long-term care. Components of the program, including the treatment of assets for Medicaid eligibility and estate recovery, shall be structured in accordance with federal law and applicable federal guidelines;

25. A provision for the payment of medical assistance for otherwise eligible pregnant women during the first five years of lawful residence in the United States, pursuant to § 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111-3);

26. A provision for the payment of medical assistance for medically necessary health care services provided through telemedicine services, as defined in § 38.2-3418.16, regardless of the originating site or whether the patient is accompanied by a health care provider at the time such services are provided. No health care provider who provides health care services through telemedicine services shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.

For the purposes of this subdivision, a health care provider duly licensed by the Commonwealth who provides health care services exclusively through telemedicine services shall not be required to maintain a physical presence in the Commonwealth to be considered an eligible provider for enrollment as a Medicaid provider.

For the purposes of this subdivision, a telemedicine services provider group with health care providers duly licensed by the Commonwealth shall not be required to have an in-state service address to be eligible to enroll as a Medicaid vendor or Medicaid provider group.

For the purposes of this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

27. A provision for the payment of medical assistance for the dispensing or furnishing of up to a 12-month supply of hormonal contraceptives at one time. Absent clinical contraindications, the Department shall not impose any utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished to an amount less than a 12-month supply. Nothing in this subdivision shall be construed to (i) require a provider to prescribe, dispense, or furnish a 12-month supply of self-administered hormonal contraceptives at one time or (ii) exclude coverage for hormonal contraceptives as prescribed by a prescriber, acting within his scope of practice, for reasons other than contraceptive purposes. As used in this subdivision, "hormonal contraceptive" means a medication taken to prevent pregnancy by means of ingestion of hormones, including medications containing estrogen or progesterone, that is self-administered, requires a prescription, and is approved by the U.S. Food and Drug Administration for such purpose;

28. A provision for payment of medical assistance for remote patient monitoring services provided via telemedicine, as defined in § 38.2-3418.16, for (i) high-risk pregnant persons; (ii) medically complex infants and children; (iii) transplant patients; (iv) patients who have undergone surgery, for up to three months following the date of such surgery; and (v) patients with a chronic or acute health condition who have had two or more hospitalizations or emergency department visits related to such health condition in the previous 12 months when there is evidence that the use of remote patient monitoring is likely to prevent readmission of such patient to a hospital or emergency department. For the purposes of this subdivision, "remote patient monitoring services" means the use of digital technologies to collect medical and other forms of health data from patients in one location and electronically transmit that information securely to health care providers in a different location for analysis, interpretation, and recommendations, and management of the patient. "Remote patient monitoring services" includes monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other patient physiological data, treatment adherence monitoring, and interactive videoconferencing with or without digital image upload;

29. A provision for the payment of medical assistance for provider-to-provider consultations that is no more restrictive than, and is at least equal in amount, duration, and scope to, that available through the fee-for-service program;

30. A provision for payment of the originating site fee to emergency medical services agencies for facilitating synchronous telehealth visits with a distant site provider delivered to a Medicaid member. As used in this subdivision,

"originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

31. A provision for the payment of medical assistance for targeted case management services for individuals with severe traumatic brain injury;

32. A provision for payment of medical assistance for the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories, as defined by the Department's durable medical equipment program policy, for patients who reside in nursing facilities. Initial purchase or replacement may be contingent upon (i) determination of medical necessity; (ii) requirements in accordance with regulations established through the Department's durable medical equipment program policy; and (iii) exclusive use by the nursing facility resident. Recipients of medical assistance shall not be required to pay any deductible, coinsurance, copayment, or patient costs related to the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories; and

33. A provision for payment of medical assistance for remote ultrasound procedures and remote fetal non-stress tests. Such provision shall utilize established CPT codes for these procedures and shall apply when the patient is in a residence or other off-site location from the patient's provider that provides the same standard of care. The provision shall provide for reimbursement only when a provider uses digital technology (i) to collect medical and other forms of health data from a patient and electronically transmit that information securely to a health care provider in a different location for interpretation and recommendation; (ii) that is compliant with the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.); and (iii) that is approved by the U.S. Food and Drug Administration. For fetal non-stress tests under CPT Code 59025, the provision shall provide for reimbursement only if such test (a) is conducted with a place of service modifier for at-home monitoring and (b) uses remote monitoring solutions that are approved by the U.S. Food and Drug Administration for on-label use to monitor fetal heart rate, maternal heart rate, and uterine activity.

B. In preparing the plan, the Board shall:

1. Work cooperatively with the State Board of Health to ensure that quality patient care is provided and that the health, safety, security, rights and welfare of patients are ensured.

2. Initiate such cost containment or other measures as are set forth in the appropriation act.

3. Make, adopt, promulgate and enforce such regulations as may be necessary to carry out the provisions of this chapter.

4. Examine, before acting on a regulation to be published in the Virginia Register of Regulations pursuant to § 2.2-4007.05, the potential fiscal impact of such regulation on local boards of social services. For regulations with potential fiscal impact, the Board shall share copies of the fiscal impact analysis with local boards of social services prior to submission to the Registrar. The fiscal impact analysis shall include the projected costs/savings to the local boards of social services to implement or comply with such regulation and, where applicable, sources of potential funds to implement or comply with such regulation.

5. Incorporate sanctions and remedies for certified nursing facilities established by state law, in accordance with 42 C.F.R. § 488.400 et seq., Enforcement of Compliance for Long-Term Care Facilities With Deficiencies.

6. On and after July 1, 2002, require that a prescription benefit card, health insurance benefit card, or other technology that complies with the requirements set forth in § 38.2-3407.4:2 be issued to each recipient of medical assistance services, and shall upon any changes in the required data elements set forth in subsection A of § 38.2-3407.4:2, either reissue the card or provide recipients such corrective information as may be required to electronically process a prescription claim.

C. In order to enable the Commonwealth to continue to receive federal grants or reimbursement for medical assistance or related services, the Board, subject to the approval of the Governor, may adopt, regardless of any other provision of this chapter, such amendments to the state plan for medical assistance services as may be necessary to conform such plan with amendments to the United States Social Security Act or other relevant federal law and their implementing regulations or constructions of these laws and regulations by courts of competent jurisdiction or the United States Secretary of Health and Human Services.

In the event conforming amendments to the state plan for medical assistance services are adopted, the Board shall not be required to comply with the requirements of Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2. However, the Board shall, pursuant to the requirements of § 2.2-4002, (i) notify the Registrar of Regulations that such amendment is necessary to meet the requirements of federal law or regulations or because of the order of any state or federal court, or (ii) certify to the Governor that the regulations are necessitated by an emergency situation. Any such amendments that are in conflict with the Code of Virginia shall only remain in effect until July 1 following adjournment of the next regular session of the General Assembly unless enacted into law.

D. The Director of Medical Assistance Services is authorized to:

1. Administer such state plan and receive and expend federal funds therefor in accordance with applicable federal and state laws and regulations; and enter into all contracts necessary or incidental to the performance of the Department's duties and the execution of its powers as provided by law.

2. Enter into agreements and contracts with medical care facilities, physicians, dentists and other health care providers where necessary to carry out the provisions of such state plan. Any such agreement or contract shall terminate upon

conviction of the provider of a felony. In the event such conviction is reversed upon appeal, the provider may apply to the Director of Medical Assistance Services for a new agreement or contract. Such provider may also apply to the Director for reconsideration of the agreement or contract termination if the conviction is not appealed, or if it is not reversed upon appeal.

3. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with any provider who has been convicted of or otherwise pled guilty to a felony, or pursuant to Subparts A, B, and C of 42 C.F.R. Part 1002, and upon notice of such action to the provider as required by 42 C.F.R. § 1002.212.

4. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with a provider who is or has been a principal in a professional or other corporation when such corporation has been convicted of or otherwise pled guilty to any violation of § 32.1-314, 32.1-315, 32.1-316, or 32.1-317, or any other felony or has been excluded from participation in any federal program pursuant to 42 C.F.R. Part 1002.

5. Terminate or suspend a provider agreement with a home care organization pursuant to subsection E of § 32.1-162.13.

For the purposes of this subsection, "provider" may refer to an individual or an entity.

E. In any case in which a Medicaid agreement or contract is terminated or denied to a provider pursuant to subsection D, the provider shall be entitled to appeal the decision pursuant to 42 C.F.R. § 1002.213 and to a post-determination or post-denial hearing in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). All such requests shall be in writing and be received within 15 days of the date of receipt of the notice.

The Director may consider aggravating and mitigating factors including the nature and extent of any adverse impact the agreement or contract denial or termination may have on the medical care provided to Virginia Medicaid recipients. In cases in which an agreement or contract is terminated pursuant to subsection D, the Director may determine the period of exclusion and may consider aggravating and mitigating factors to lengthen or shorten the period of exclusion, and may reinstate the provider pursuant to 42 C.F.R. § 1002.215.

F. When the services provided for by such plan are services which a marriage and family therapist, clinical psychologist, clinical social worker, professional counselor, or clinical nurse specialist is licensed to render in Virginia, the Director shall contract with any duly licensed marriage and family therapist, duly licensed clinical psychologist, licensed clinical social worker, licensed professional counselor or licensed clinical nurse specialist who makes application to be a provider of such services, and thereafter shall pay for covered services as provided in the state plan. The Board shall promulgate regulations which reimburse licensed marriage and family therapists, licensed clinical psychologists, licensed clinical social workers, licensed professional counselors and licensed clinical nurse specialists at rates based upon reasonable criteria, including the professional credentials required for licensure.

G. The Board shall prepare and submit to the Secretary of the United States Department of Health and Human Services such amendments to the state plan for medical assistance services as may be permitted by federal law to establish a program of family assistance whereby children over the age of 18 years shall make reasonable contributions, as determined by regulations of the Board, toward the cost of providing medical assistance under the plan to their parents.

H. The Department of Medical Assistance Services shall:

1. Include in its provider networks and all of its health maintenance organization contracts a provision for the payment of medical assistance on behalf of individuals up to the age of 21 who have special needs and who are Medicaid eligible, including individuals who have been victims of child abuse and neglect, for medically necessary assessment and treatment services, when such services are delivered by a provider which specializes solely in the diagnosis and treatment of child abuse and neglect, or a provider with comparable expertise, as determined by the Director.

2. Amend the Medallion II waiver and its implementing regulations to develop and implement an exception, with procedural requirements, to mandatory enrollment for certain children between birth and age three certified by the Department of Behavioral Health and Developmental Services as eligible for services pursuant to Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.).

3. Utilize, to the extent practicable, electronic funds transfer technology for reimbursement to contractors and enrolled providers for the provision of health care services under Medicaid and the Family Access to Medical Insurance Security Plan established under § 32.1-351.

4. Require any managed care organization with which the Department enters into an agreement for the provision of medical assistance services to include in any contract between the managed care organization and a pharmacy benefits manager provisions prohibiting the pharmacy benefits manager or a representative of the pharmacy benefits manager from conducting spread pricing with regards to the managed care organization's managed care plans. For the purposes of this subdivision:

"Pharmacy benefits management" means the administration or management of prescription drug benefits provided by a managed care organization for the benefit of covered individuals.

"Pharmacy benefits manager" means a person that performs pharmacy benefits management.

"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a managed care plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.

I. The Director is authorized to negotiate and enter into agreements for services rendered to eligible recipients with special needs. The Board shall promulgate regulations regarding these special needs patients, to include persons with AIDS, ventilator-dependent patients, and other recipients with special needs as defined by the Board.

J. Except as provided in subdivision A 1 of § 2.2-4345, the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not apply to the activities of the Director authorized by subsection I of this section. Agreements made pursuant to this subsection shall comply with federal law and regulation.

K. When the services provided for by such plan are services by a pharmacist, pharmacy technician, or pharmacy intern (i) performed under the terms of a collaborative agreement as defined in § 54.1-3300 and consistent with the terms of a managed care contractor provider contract or the state plan or (ii) related to services and treatment in accordance with § 54.1-3303.1, the Department shall provide reimbursement for such service.

§ 38.2-3406.1. Application of requirements that policies offered by small employers include state-mandated health benefits.

A. As used in this section:

"Eligible individual" means an individual who is employed by a small employer and has satisfied applicable waiting period requirements.

"Health insurance coverage" means benefits consisting of coverage for costs of medical care, whether directly, through insurance or reimbursement, or otherwise, and including items and services paid for as medical care under a group policy of accident and sickness insurance, hospital or medical service policy or certificate, hospital or medical service plan contract, or health maintenance organization contract, which coverage is subject to this title or is provided under a plan regulated under the Employee Retirement Income Security Act of 1974.

"Health insurer" means any insurance company that issues accident and sickness insurance policies providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis, a corporation that provides accident and sickness subscription contracts, or any health maintenance organization that provides a health care plan that provides, arranges for, pays for, or reimburses any part of the cost of any health care services, that is licensed to engage in such business in the Commonwealth, and that is subject to the laws of the Commonwealth that regulate insurance within the meaning of § 514(b)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. § 1144(b)(2)).

"Small employer" has the same meaning ascribed to the term in § 38.2-3431.

"State-mandated health benefit" means coverage required under this title or other laws of the Commonwealth to be provided in a policy of accident and sickness insurance or a contract for a health-related condition that (i) includes coverage for specific health care services or benefits; (ii) places limitations or restrictions on deductibles, coinsurance, copayments, or any annual or lifetime maximum benefit amounts; or (iii) includes a specific category of licensed health care practitioners from whom an insured is entitled to receive care. "State-mandated health benefit" includes, without limitation, any coverage, or the offering of coverage, of a benefit or provider pursuant to §§ 38.2-3407.5 through 38.2-3407.6:1, 38.2-3407.9:01, 38.2-3407.9:02, 38.2-3407.11 through 38.2-3407.11:3, 38.2-3407.16, 38.2-3408, 38.2-3411 through 38.2-3414.1, 38.2-3418 through 38.2-3418.14, or § 38.2-4221. For purposes of this article, "state-mandated health benefit" does not include a benefit that is mandated by federal law.

B. Notwithstanding any statute, rule, or regulation to the contrary, and for the purposes of this section, a group accident and sickness insurance policy providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis; a group accident and sickness subscription contract providing health insurance coverage for eligible individuals; and a health care plan that provides, arranges for, pays for, or reimburses any part of the cost of any health care services that is offered, sold, or issued by a health insurer to a small employer:

1. Shall not be required to include coverage, or the offer of coverage, for any state-mandated health benefit, except for:

a. Coverage for mammograms pursuant to § 38.2-3418.1;

b. Coverage for pap smears pursuant to § 38.2-3418.1:2;

c. Coverage for ~~PSA testing~~ *prostate cancer screening* pursuant to § 38.2-3418.7; and

d. Coverage for colorectal cancer screening pursuant to § 38.2-3418.7:1.

2. May include any, or none, of the state-mandated health benefits not otherwise noted in subdivision B 1 as the health insurer and the small employer shall agree.

Notwithstanding any provision of this section to the contrary, if any plan authorized by this section includes and offers health care services covered by the plan that may be legally rendered by a health care provider listed in § 38.2-3408, that plan shall allow for the reimbursement of such covered services when rendered by such provider. Unless otherwise provided in this section, this provision shall not require any benefit be provided as a covered service.

C. Any application and any enrollment form used in connection with coverage under this section shall prominently disclose that the policy, contract, or evidence of coverage is not required to provide state-mandated health benefits, shall prominently disclose any and all state-mandated health benefits that the policy, subscription contract, or evidence of coverage does not provide, and shall clearly describe all eligibility requirements.

D. A policy form, subscription contract, or evidence of coverage issued under this section to a small employer shall prominently disclose any and all state-mandated health benefits that the policy, subscription contract, or evidence of coverage does not provide. Such disclosure shall also be included in certificate forms or other evidences of coverage furnished to each participant. Health insurers proposing to issue forms providing coverage under this section shall clearly

disclose the intended purposes for such policies, contracts, or evidences of coverage when submitting the forms to the Commission for approval in accordance with § 38.2-316.

E. The Commission shall adopt any regulations necessary to implement this section.

F. The provisions of this section shall not apply in any instance in which the provisions of this section are inconsistent or in conflict with a provision of Article 6 (§ 38.2-3438 et seq.) of Chapter 34.

§ 38.2-3418.7. Coverage for prostate cancer screening.

A. Notwithstanding the provisions of § 38.2-3419, each insurer proposing to issue individual or group accident and sickness insurance policies providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis; each corporation providing individual or group accident and sickness subscription contracts; and each health maintenance organization providing a health care plan for health care services shall provide coverage to (i) persons age ~~fifty~~ *50* and over and (ii) persons age ~~forty~~ *40* and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for ~~one PSA test in a twelve-month period and digital rectal examinations, all in accordance with American Cancer Society guidelines~~ *prostate cancer screening* under any such policy, contract, or plan delivered, issued for delivery, or renewed in ~~this~~ *the* Commonwealth on and after July 1, 1998.

B. For the purpose of this section, ~~"PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen~~ *"prostate cancer screening" includes one prostate-specific antigen test in a 12-month period and digital rectal examinations*.

C. *No insurer, corporation, or health maintenance organization shall impose on any person receiving benefits pursuant to this section any deductible, coinsurance, copayment, or other cost-sharing requirement, except to the extent that coverage without cost-sharing would disqualify a high-deductible health benefit plan from eligibility for a health savings account pursuant to 26 U.S.C. § 223.*

D. The provisions of this section shall not apply to (i) short-term travel, accident only, limited or specified disease policies other than cancer policies, (ii) short-term nonrenewable policies of not more than six months' duration, or (iii) policies or contracts designed for issuance to persons eligible for coverage under Title XVIII of the Social Security Act, known as Medicare, or any other similar coverage under state or federal governmental plans.

2. That the provisions of this act shall apply only to contracts, policies, or plans delivered, issued for delivery, or renewed in the Commonwealth on or after January 1, 2026.

CHAPTER 247

An Act to amend and reenact §§ 55.1-2309 and 55.1-2310 of the Code of Virginia, relating to Resale Disclosure Act; resale certificate; prohibition on requiring purchaser's name.

[H 2110]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 55.1-2309 and 55.1-2310 of the Code of Virginia are amended and reenacted as follows:

§ 55.1-2309. Resale certificate; delivery.

A. The seller or the seller's agent shall obtain the resale certificate from the association and provide such resale certificate to the purchaser or the purchaser's agent. This requirement shall not be waived or changed by agreement.

B. Unless exempt pursuant to § 55.1-2317, the association, the association's managing agent, or any third party preparing the resale certificate on behalf of the association shall deliver such resale certificate within 14 days after a written request by a seller or seller's agent. If no resale certificate is delivered within 14 days after such request, the resale certificate shall be deemed unavailable. *No association shall require the seller or the seller's agent to provide the purchaser's name prior to preparing the resale certificate.*

C. The association, association's managing agent, or any third party preparing the resale certificate on behalf of the association shall deliver the resale certificate to the seller, or to such person as the seller may direct, either printed or in a generally accepted electronic format as the seller may request.

D. The information contained in the resale certificate shall be current as of a date specified on the resale certificate. The seller or purchaser may request an updated resale certificate as provided in § 55.1-2311.

§ 55.1-2310. Resale certificate; form and contents.

A. The association shall include the completed resale certificate form, developed by the common interest community board pursuant to subdivision 3 of § 54.1-2350, with supporting documentation set out in the following order:

1. The name, address, and phone numbers of the preparer of the resale certificate and any managing agent of the association;

2. A copy of the governing documents and any rules and regulations of the association;

3. A statement disclosing any restraint on the alienability of the unit for which the resale certificate is being issued;

4. A statement of the amount and payment schedules of assessments and any unpaid assessments currently due and payable to the association;

5. A statement of any other fees due and payable by an owner of the unit;

6. A statement of any other entity or facility to which the owner of the unit being sold may be liable for assessments, fees, or other charges due to the ownership of the unit;

7. A statement of the amount and payment schedule of any approved additional or special assessment and any unpaid additional or special assessment currently due and payable;

8. A statement of any capital expenditures approved by the association for the current and succeeding fiscal years;

9. A statement of the amount of any reserves for capital expenditures and of any portions of those reserves designated by the association for any specified projects;

10. The most recent balance sheet and income and expense statement, if any, of the association;

11. The current operating budget of the association;

12. The current reserve study~~,~~ or a summary of such study;

13. A statement of any unsatisfied judgments against the association and the nature and status of any pending actions in which the association is a party and that could have a material impact on the association, the owners, or the unit being sold;

14. A statement describing any insurance coverage provided by the association for the benefit of the owners, including fidelity coverage, and any insurance coverage recommended or required to be obtained by the owners;

15. A statement as to whether the board has given or received written notice that any existing uses, occupancies, alterations, or improvements in or to the unit being sold or to the limited elements assigned thereto violate any provision of the governing documents or rules and regulations together with copies of any notices provided;

16. A statement as to whether the board has received written notice from a governmental agency of any violation of environmental, health, or building codes with respect to the unit being sold, the limited elements assigned thereto, or any other portion of the common interest community that has not been cured;

17. A copy of any approved minutes of meetings of the board held during the last six months;

18. A copy of any approved or draft minutes of the most recent association meeting;

19. A statement of the remaining term of any leasehold estate affecting a common area or common element, as those terms are defined in §§ 55.1-1800, 55.1-1900, and 55.1-2100, in the common interest community and the provisions governing any extension or renewal of such leasehold;

20. A statement of any limitation in the governing documents on the number or age of persons who may occupy a unit as a dwelling;

21. A statement setting forth any restriction, limitation, or prohibition on the right of an owner to display the flag of the United States, including reasonable restrictions as to the size, time, place, and manner of placement or display of such flag;

22. A statement setting forth any restriction, limitation, or prohibition on the right of an owner to install or use solar energy collection devices on the owner's unit or limited element;

23. A statement setting forth any restriction, limitation, or prohibition on the size, placement, or duration of display of political, for sale, or any other signs on the property;

24. A statement identifying any parking or vehicle restriction, limitation, or prohibition in the governing documents or rules and regulations;

25. A statement setting forth any restriction, limitation, or prohibition on the operation of a home-based business that otherwise complies with all applicable local ordinances;

26. A statement setting forth any restriction, limitation, or prohibition on an owner's ability to rent the unit;

27. In a cooperative, a statement setting forth whether the cooperative association is aware of any statute, regulation, or rule applicable to the cooperative that would affect an owner's ability to deduct real estate taxes and interest paid by the cooperative association for federal income tax purposes;

28. A statement describing any pending sale or encumbrance of common elements;

29. A statement indicating any known project approvals currently in effect issued by secondary mortgage market agencies; and

30. Certification that the association has filed with the Common Interest Community Board the annual report required by law, which certification shall indicate the filing number assigned by the Common Interest Community Board and the expiration date of such filing.

B. No association shall require the purchaser's name to be set out on the completed resale certificate prepared pursuant to the provisions of this chapter.

CHAPTER 248

An Act to amend and reenact § 23.1-611 of the Code of Virginia, relating to public institutions of higher education; student exchange programs; tuition and mandatory fee waivers.

[H 2156]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 23.1-611 of the Code of Virginia is amended and reenacted as follows:

§ 23.1-611. Students from foreign countries; student exchange programs; tuition and fee waivers.

Tuition and mandatory fees may be waived for a student from a foreign country enrolled in a public institution of higher education through a *formalized* student exchange program ~~approved by~~ *between* such institution *and another institution of higher education*, provided that the number of *full-time equivalent inbound* students from a foreign country for whom tuition and mandatory fees has been waived does not exceed during any three-year period the number of *full-time equivalent outbound* students ~~from a foreign country~~ who are enrolled through such student exchange program and who pay full tuition and mandatory fees to the institution.

CHAPTER 249

An Act to amend and reenact § 16.1-69.44 of the Code of Virginia, relating to per diem compensation of a substitute judge of a district court.

[H 2162]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-69.44 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-69.44. Salaries of judges.

Each district court judge shall be paid by the Commonwealth an annual salary ~~which~~ *that* shall be fixed in the general appropriation acts and set at an amount equal to ~~ninety~~ *90* percent of the annual salary fixed by state law for judges of the circuit courts.

Each substitute judge of a district court shall receive for his services a per diem compensation of ~~$200~~ *$350,* except when such judge sits pursuant to the provisions of Title 37.2, in which case compensation shall be limited to that provided in § 37.2-804. The judge replaced may certify that the substitute judge is entitled to ~~$100~~ *$175* if the substitute judge acted in his official capacity for less than a full court docket or served less than four hours. A full-time judge elected to an initial term after January 1, 1974, shall also be prohibited from engaging in the practice of law.

CHAPTER 250

An Act to amend and reenact § 59.1-548 of the Code of Virginia, relating to enterprise zone grant program work group; report.

[H 2163]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 59.1-548 of the Code of Virginia is amended and reenacted as follows:

§ 59.1-548. Enterprise zone real property investment grants.

A. As used in this section:

"Facility" means a complex of buildings, co-located at a single physical location within an enterprise zone, all of which are necessary to facilitate the conduct of the same trade or business. This definition applies to new construction as well as to the rehabilitation and expansion of existing structures.

"Major qualified zone investor" means a qualified zone investor making qualified real property investments in excess of $20 million.

"Mixed use" means a building incorporating residential uses in which a minimum of 30 percent of the useable floor space will be devoted to commercial, office, or industrial use.

"Qualified real property investment" means the amount expended for improvements to rehabilitate, expand, or construct depreciable real property placed in service during the calendar year within an enterprise zone provided that the total amount of such improvements equals or exceeds (i) $100,000 with respect to a single building or a facility in the case of rehabilitation or expansion or (ii) $500,000 with respect to a single building or a facility in the case of new construction. *Such real property may include a child day center as such term is defined in § 22.1-289.02.*

"Qualified real property investment" includes any such expenditure regardless of whether it is considered properly chargeable to a capital account or deductible as a business expense under federal Treasury Regulations.

*"*Qualified real property ~~investments include~~ *investment" includes* expenditures associated with (a) any exterior, interior, structural, mechanical, or electrical improvements necessary to construct, expand, or rehabilitate a building for commercial, industrial, or mixed use; (b) excavations; (c) grading and paving; (d) installing driveways; and (e) landscaping or land improvements. *"*Qualified real property ~~investments shall include~~ *investment" includes*, but *is* not ~~be~~ limited to, costs associated with demolition, carpentry, sheetrock, plaster, painting, ceilings, fixtures, doors, windows, fire suppression systems, roofing, flashing, exterior repair, cleaning, and cleanup.

*"*Qualified real property investment ~~shall~~*" does* not include:

1. The cost of acquiring any real property or building.

2. Other costs including: (i) the cost of furnishings; (ii) any expenditure associated with appraisal, architectural, engineering, surveying, and interior design fees; (iii) loan fees, points, or capitalized interest; (iv) legal, accounting, realtor,

sales and marketing, or other professional fees; (v) closing costs, permits, user fees, zoning fees, impact fees, and inspection fees; (vi) bids, insurance, signage, utilities, bonding, copying, rent loss, or temporary facilities incurred during construction; (vii) utility connection or access fees; (viii) outbuildings; (ix) the cost of any well or septic or sewer system; and (x) roads.

3. The basis of any property: (i) for which a grant under this section was previously provided; (ii) for which a tax credit under § 59.1-280.1 was previously granted; (iii) which was previously placed in service in Virginia by the qualified zone investor, a related party as defined by Internal Revenue Code § 267 (b), or a trade or business under common control as defined by Internal Revenue Code § 52 (b); or (iv) which was previously in service in Virginia and has a basis in the hands of the person acquiring it, determined in whole or in part by reference to the basis of such property in the hands of the person from whom it was acquired or Internal Revenue Code § 1014 (a).

"Qualified zone investor" means an owner or tenant of real property located within an enterprise zone who expands, rehabilitates, or constructs such real property for commercial, industrial, or mixed use. In the case of a tenant, the amounts of qualified zone investment specified in this section shall relate to the proportion of the building or facility for which the tenant holds a valid lease. In the case of an owner of an individual unit within a horizontal property regime, the amounts of qualified zone investments specified in this section shall relate to that proportion of the building for which the owner holds title and not to common elements.

B. *1.* Grants shall be calculated at a rate of 20 percent of the amount of qualified real property investment in excess of $500,000 in the case of the construction of a new building or facility.

Grants shall be calculated at a rate of 20 percent of the amount of qualified real property investment in excess of $100,000 in the case of the rehabilitation or expansion of an existing building or facility.

For any qualified zone investor making $5 million or less in qualified real property investment, a real property investment grant shall not exceed $100,000 within any five-year period for any individual building or facility. For any qualified zone investor making more than $5 million *but not more than $20 million* in qualified real property investment, a real property investment grant shall not exceed $200,000 within any five-year period for any individual building or facility.

2. On and after July 1, 2025, grants to major qualified zone investors shall be calculated at a rate of 25 percent of the amount of qualified real property investment in excess of $500,000 in the case of the construction of a new building or facility.

On and after July 1, 2025, grants to major qualified zone investors shall be calculated at a rate of 25 percent of the amount of qualified real property investment in excess of $100,000 in the case of the rehabilitation or expansion of an existing building or facility.

A real property investment grant to a major qualified zone investor shall not exceed $300,000 within any five-year period for any individual building or facility.

C. A qualified zone investor shall apply for a real property investment grant in the calendar year following the year in which the property was placed in service.

2. That the Department of Housing and Community Development (the Department), in collaboration with the Virginia Economic Development Partnership Authority, shall convene a work group to review the utilization of currently designated enterprise zones and make recommendations on renewals or terminations of such zones. Such work group shall include representatives of the Virginia Economic Developers Association, the Virginia Association of Counties, the Virginia Municipal League, Virginia First Cities, and other interested parties as deemed appropriate by the Department. The work group shall report its findings and recommendations, including specific legislative recommendations to be considered during the 2026 Regular Session of the General Assembly, to the Chairmen of the Senate Committee on Finance and Appropriations and the House Committee on Appropriations by November 1, 2025.

CHAPTER 251

An Act to amend and reenact § 59.1-200, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to Virginia Consumer Protection Act; mold remediation; emergency.

[H 2195]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 59.1-200, as it is currently effective and as it shall become effective, of the Code of Virginia is amended and reenacted as follows:

§ 59.1-200. (Effective until July 1, 2025) Prohibited practices.

A. The following fraudulent acts or practices committed by a supplier in connection with a consumer transaction are hereby declared unlawful:

1. Misrepresenting goods or services as those of another;

2. Misrepresenting the source, sponsorship, approval, or certification of goods or services;

3. Misrepresenting the affiliation, connection, or association of the supplier, or of the goods or services, with another;

4. Misrepresenting geographic origin in connection with goods or services;

5. Misrepresenting that goods or services have certain quantities, characteristics, ingredients, uses, or benefits;

6. Misrepresenting that goods or services are of a particular standard, quality, grade, style, or model;

7. Advertising or offering for sale goods that are used, secondhand, repossessed, defective, blemished, deteriorated, or reconditioned, or that are "seconds," irregulars, imperfects, or "not first class," without clearly and unequivocally indicating in the advertisement or offer for sale that the goods are used, secondhand, repossessed, defective, blemished, deteriorated, reconditioned, or are "seconds," irregulars, imperfects, or "not first class";

8. Advertising goods or services with intent not to sell them as advertised, or with intent not to sell at the price or upon the terms advertised.

In any action brought under this subdivision, the refusal by any person, or any employee, agent, or servant thereof, to sell any goods or services advertised or offered for sale at the price or upon the terms advertised or offered, shall be prima facie evidence of a violation of this subdivision. This paragraph shall not apply when it is clearly and conspicuously stated in the advertisement or offer by which such goods or services are advertised or offered for sale, that the supplier or offeror has a limited quantity or amount of such goods or services for sale, and the supplier or offeror at the time of such advertisement or offer did in fact have or reasonably expected to have at least such quantity or amount for sale;

9. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions;

10. Misrepresenting that repairs, alterations, modifications, or services have been performed or parts installed;

11. Misrepresenting by the use of any written or documentary material that appears to be an invoice or bill for merchandise or services previously ordered;

12. Notwithstanding any other provision of law, using in any manner the words "wholesale," "wholesaler," "factory," or "manufacturer" in the supplier's name, or to describe the nature of the supplier's business, unless the supplier is actually engaged primarily in selling at wholesale or in manufacturing the goods or services advertised or offered for sale;

13. Using in any contract or lease any liquidated damage clause, penalty clause, or waiver of defense, or attempting to collect any liquidated damages or penalties under any clause, waiver, damages, or penalties that are void or unenforceable under any otherwise applicable laws of the Commonwealth, or under federal statutes or regulations;

13a. Failing to provide to a consumer, or failing to use or include in any written document or material provided to or executed by a consumer, in connection with a consumer transaction any statement, disclosure, notice, or other information however characterized when the supplier is required by 16 C.F.R. Part 433 to so provide, use, or include the statement, disclosure, notice, or other information in connection with the consumer transaction;

14. Using any other deception, fraud, false pretense, false promise, or misrepresentation in connection with a consumer transaction;

15. Violating any provision of § 3.2-6509, 3.2-6512, 3.2-6513, 3.2-6513.1, 3.2-6514, 3.2-6515, 3.2-6516, or 3.2-6519 is a violation of this chapter;

16. Failing to disclose all conditions, charges, or fees relating to:

a. The return of goods for refund, exchange, or credit. Such disclosure shall be by means of a sign attached to the goods, or placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the person obtaining the goods from the supplier. If the supplier does not permit a refund, exchange, or credit for return, he shall so state on a similar sign. The provisions of this subdivision shall not apply to any retail merchant who has a policy of providing, for a period of not less than 20 days after date of purchase, a cash refund or credit to the purchaser's credit card account for the return of defective, unused, or undamaged merchandise upon presentation of proof of purchase. In the case of merchandise paid for by check, the purchase shall be treated as a cash purchase and any refund may be delayed for a period of 10 banking days to allow for the check to clear. This subdivision does not apply to sale merchandise that is obviously distressed, out of date, post season, or otherwise reduced for clearance; nor does this subdivision apply to special order purchases where the purchaser has requested the supplier to order merchandise of a specific or unusual size, color, or brand not ordinarily carried in the store or the store's catalog; nor shall this subdivision apply in connection with a transaction for the sale or lease of motor vehicles, farm tractors, or motorcycles as defined in § 46.2-100;

b. A layaway agreement. Such disclosure shall be furnished to the consumer (i) in writing at the time of the layaway agreement, or (ii) by means of a sign placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the consumer, or (iii) on the bill of sale. Disclosure shall include the conditions, charges, or fees in the event that a consumer breaches the agreement;

16a. Failing to provide written notice to a consumer of an existing open-end credit balance in excess of $5 (i) on an account maintained by the supplier and (ii) resulting from such consumer's overpayment on such account. Suppliers shall give consumers written notice of such credit balances within 60 days of receiving overpayments. If the credit balance information is incorporated into statements of account furnished consumers by suppliers within such 60-day period, no separate or additional notice is required;

17. If a supplier enters into a written agreement with a consumer to resolve a dispute that arises in connection with a consumer transaction, failing to adhere to the terms and conditions of such an agreement;

18. Violating any provision of the Virginia Health Club Act, Chapter 24 (§ 59.1-294 et seq.);

19. Violating any provision of the Virginia Home Solicitation Sales Act, Chapter 2.1 (§ 59.1-21.1 et seq.);

20. Violating any provision of the Automobile Repair Facilities Act, Chapter 17.1 (§ 59.1-207.1 et seq.);

21. Violating any provision of the Virginia Lease-Purchase Agreement Act, Chapter 17.4 (§ 59.1-207.17 et seq.);

22. Violating any provision of the Prizes and Gifts Act, Chapter 31 (§ 59.1-415 et seq.);

23. Violating any provision of the Virginia Public Telephone Information Act, Chapter 32 (§ 59.1-424 et seq.);

24. Violating any provision of § 54.1-1505;

25. Violating any provision of the Motor Vehicle Manufacturers' Warranty Adjustment Act, Chapter 17.6 (§ 59.1-207.34 et seq.);

26. Violating any provision of § 3.2-5627, relating to the pricing of merchandise;

27. Violating any provision of the Pay-Per-Call Services Act, Chapter 33 (§ 59.1-429 et seq.);

28. Violating any provision of the Extended Service Contract Act, Chapter 34 (§ 59.1-435 et seq.);

29. Violating any provision of the Virginia Membership Camping Act, Chapter 25 (§ 59.1-311 et seq.);

30. Violating any provision of the Comparison Price Advertising Act, Chapter 17.7 (§ 59.1-207.40 et seq.);

31. Violating any provision of the Virginia Travel Club Act, Chapter 36 (§ 59.1-445 et seq.);

32. Violating any provision of §§ 46.2-1231 and 46.2-1233.1;

33. Violating any provision of Chapter 40 (§ 54.1-4000 et seq.) of Title 54.1;

34. Violating any provision of Chapter 10.1 (§ 58.1-1031 et seq.) of Title 58.1;

35. Using the consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use an alternate number not associated with the consumer's social security number;

36. Violating any provision of Chapter 18 (§ 6.2-1800 et seq.) of Title 6.2;

37. Violating any provision of § 8.01-40.2;

38. Violating any provision of Article 7 (§ 32.1-212 et seq.) of Chapter 6 of Title 32.1;

39. Violating any provision of Chapter 34.1 (§ 59.1-441.1 et seq.);

40. Violating any provision of Chapter 20 (§ 6.2-2000 et seq.) of Title 6.2;

41. Violating any provision of the Virginia Post-Disaster Anti-Price Gouging Act, Chapter 46 (§ 59.1-525 et seq.). For the purposes of this subdivision, "consumer transaction" has the same meaning as provided in § 59.1-526;

42. Violating any provision of Chapter 47 (§ 59.1-530 et seq.);

43. Violating any provision of § 59.1-443.2;

44. Violating any provision of Chapter 48 (§ 59.1-533 et seq.);

45. Violating any provision of Chapter 25 (§ 6.2-2500 et seq.) of Title 6.2;

46. Violating the provisions of clause (i) of subsection B of § 54.1-1115;

47. Violating any provision of § 18.2-239;

48. Violating any provision of Chapter 26 (§ 59.1-336 et seq.);

49. Selling, offering for sale, or manufacturing for sale a children's product the supplier knows or has reason to know was recalled by the U.S. Consumer Product Safety Commission. There is a rebuttable presumption that a supplier has reason to know a children's product was recalled if notice of the recall has been posted continuously at least 30 days before the sale, offer for sale, or manufacturing for sale on the website of the U.S. Consumer Product Safety Commission. This prohibition does not apply to children's products that are used, secondhand or "seconds";

50. Violating any provision of Chapter 44.1 (§ 59.1-518.1 et seq.);

51. Violating any provision of Chapter 22 (§ 6.2-2200 et seq.) of Title 6.2;

52. Violating any provision of § 8.2-317.1;

53. Violating subsection A of § 9.1-149.1;

54. Selling, offering for sale, or using in the construction, remodeling, or repair of any residential dwelling in the Commonwealth, any drywall that the supplier knows or has reason to know is defective drywall. This subdivision shall not apply to the sale or offering for sale of any building or structure in which defective drywall has been permanently installed or affixed;

55. Engaging in fraudulent or improper or dishonest conduct as defined in § 54.1-1118 while engaged in a transaction that was initiated (i) during a declared state of emergency as defined in § 44-146.16 or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is licensed as a contractor in the Commonwealth pursuant to Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1;

56. Violating any provision of Chapter 33.1 (§ 59.1-434.1 et seq.);

57. Violating any provision of § 18.2-178, 18.2-178.1, or 18.2-200.1;

58. Violating any provision of Chapter 17.8 (§ 59.1-207.45 et seq.). For the purposes of this subdivision, "consumer transaction" also includes transactions involving an automatic renewal or continuous service offer by a supplier to a small business, as those terms are defined in § 59.1-207.45;

59. Violating any provision of subsection E of § 32.1-126;

60. Violating any provision of § 54.1-111 relating to the unlicensed practice of a profession licensed under Chapter 11 (§ 54.1-1100 et seq.) or Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1;

61. Violating any provision of § 2.2-2001.5;

62. Violating any provision of Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1;

63. Violating any provision of § 6.2-312;

64. Violating any provision of Chapter 20.1 (§ 6.2-2026 et seq.) of Title 6.2;

65. Violating any provision of Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2;

66. Violating any provision of Chapter 54 (§ 59.1-586 et seq.);

67. Knowingly violating any provision of § 8.01-27.5;

68. Failing to, in accordance with § 59.1-207.46, (i) make available a conspicuous online option to cancel a recurring purchase of a good or service or (ii) with respect to a free trial lasting more than 30 days, notify a consumer of his option to cancel such free trial within 30 days of the end of the trial period to avoid an obligation to pay for the goods or services;

69. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains a synthetic derivative of tetrahydrocannabinol. As used in this subdivision, "synthetic derivative" means a chemical compound produced by man through a chemical transformation to turn a compound into a different compound by adding or subtracting molecules to or from the original compound. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

70. Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

71. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol, unless such substance is (i) contained in child-resistant packaging, as defined in § 4.1-600; (ii) equipped with a label that states, in English and in a font no less than 1/16 of an inch, (a) that the substance contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (b) all ingredients contained in the substance, (c) the amount of such substance that constitutes a single serving, and (d) the total percentage and milligrams of tetrahydrocannabinol included in the substance and the number of milligrams of tetrahydrocannabinol that are contained in each serving; and (iii) accompanied by a certificate of analysis, produced by an independent laboratory that is accredited pursuant to standard ISO/IEC 17025 of the International Organization of Standardization by a third-party accrediting body, that states the tetrahydrocannabinol concentration of the substance or the tetrahydrocannabinol concentration of the batch from which the substance originates. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

72. Manufacturing, offering for sale at retail, or selling at retail an industrial hemp extract, as defined in § 3.2-5145.1, a food containing an industrial hemp extract, or a substance containing tetrahydrocannabinol that depicts or is in the shape of a human, animal, vehicle, or fruit;

73. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol and, without authorization, bears, is packaged in a container or wrapper that bears, or is otherwise labeled to bear the trademark, trade name, famous mark as defined in 15 U.S.C. § 1125, or other identifying mark, imprint, or device, or any likeness thereof, of a manufacturer, processor, packer, or distributor of a product intended for human consumption other than the manufacturer, processor, packer, or distributor that did in fact so manufacture, process, pack, or distribute such substance;

74. Selling or offering for sale a topical hemp product, as defined in § 3.2-4112, that does not include a label stating that the product is not intended for human consumption. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.), (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1, or (iii) apply to topical hemp products that were manufactured prior to July 1, 2023, provided that the person provides documentation of the date of manufacture if requested;

75. Violating any provision of § 59.1-466.8;

76. Violating subsection F of § 36-96.3:1;

77. Selling or offering for sale (i) any kratom product to a person younger than 21 years of age or (ii) any kratom product that does not include a label listing all ingredients and with the following guidance: "This product may be harmful to your health, has not been evaluated by the FDA, and is not intended to diagnose, treat, cure, or prevent any disease." As used in this subdivision, "kratom" means any part of the leaf of the plant Mitragyna speciosa or any extract thereof;

78. Advertising of any ignition interlock system in Virginia by an ignition interlock vendor not approved by the Commission on the Virginia Alcohol Safety Action Program to operate in Virginia; targeted advertising of any ignition interlock system to a person before determination of guilt; and any advertising, whether before or after determination of guilt, without a conspicuous statement that such advertisement is not affiliated with any government agency. For purposes of this subdivision, "ignition interlock system" has the same meaning as ascribed to that term in § 18.2-270.1 and "targeted advertising" has the same meaning ascribed to that term in § 59.1-575 and includes direct mailings to an individual. This provision shall not apply to ignition interlock service vendor ads, pamphlets, or kiosk advertisements approved by the Commission on the Virginia Alcohol Safety Action Program and provided at a Commission-approved location;

79. Failing to disclose the total cost of a good or continuous service, as defined in § 59.1-207.45, to a consumer, including any mandatory fees or charges, prior to entering into an agreement for the sale of any such good or provision of any such continuous service;

80. Violating any provision of the Unfair Real Estate Service Agreement Act (§ 55.1-3200 et seq.);

81. Selling or offering for sale services as a professional mold remediator to be performed upon any residential dwelling without holding a mold remediation certification from ~~the Institute of Inspection, Cleaning and Restoration~~

~~Certification (IICRC)~~ *a nationally or internationally recognized certifying body for mold remediation, and failing to comply with (i) the U.S. Environmental Protection Agency's publication on Mold Remediation in Schools and Commercial Buildings, as revised; (ii) the ANSI/IICRC S520 Standard for Professional Mold Remediation, as revised; or (iii) any other equivalent ANSI-accredited mold remediation standard, when conducting or offering to conduct mold remediation in the Commonwealth*; and

82. Willfully violating any provision of § 59.1-444.4.

B. Nothing in this section shall be construed to invalidate or make unenforceable any contract or lease solely by reason of the failure of such contract or lease to comply with any other law of the Commonwealth or any federal statute or regulation, to the extent such other law, statute, or regulation provides that a violation of such law, statute, or regulation shall not invalidate or make unenforceable such contract or lease.

§ 59.1-200. (Effective July 1, 2025) Prohibited practices.

A. The following fraudulent acts or practices committed by a supplier in connection with a consumer transaction are hereby declared unlawful:

1. Misrepresenting goods or services as those of another;

2. Misrepresenting the source, sponsorship, approval, or certification of goods or services;

3. Misrepresenting the affiliation, connection, or association of the supplier, or of the goods or services, with another;

4. Misrepresenting geographic origin in connection with goods or services;

5. Misrepresenting that goods or services have certain quantities, characteristics, ingredients, uses, or benefits;

6. Misrepresenting that goods or services are of a particular standard, quality, grade, style, or model;

7. Advertising or offering for sale goods that are used, secondhand, repossessed, defective, blemished, deteriorated, or reconditioned, or that are "seconds," irregulars, imperfects, or "not first class," without clearly and unequivocally indicating in the advertisement or offer for sale that the goods are used, secondhand, repossessed, defective, blemished, deteriorated, reconditioned, or are "seconds," irregulars, imperfects, or "not first class";

8. Advertising goods or services with intent not to sell them as advertised, or with intent not to sell at the price or upon the terms advertised.

In any action brought under this subdivision, the refusal by any person, or any employee, agent, or servant thereof, to sell any goods or services advertised or offered for sale at the price or upon the terms advertised or offered, shall be prima facie evidence of a violation of this subdivision. This paragraph shall not apply when it is clearly and conspicuously stated in the advertisement or offer by which such goods or services are advertised or offered for sale, that the supplier or offeror has a limited quantity or amount of such goods or services for sale, and the supplier or offeror at the time of such advertisement or offer did in fact have or reasonably expected to have at least such quantity or amount for sale;

9. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions;

10. Misrepresenting that repairs, alterations, modifications, or services have been performed or parts installed;

11. Misrepresenting by the use of any written or documentary material that appears to be an invoice or bill for merchandise or services previously ordered;

12. Notwithstanding any other provision of law, using in any manner the words "wholesale," "wholesaler," "factory," or "manufacturer" in the supplier's name, or to describe the nature of the supplier's business, unless the supplier is actually engaged primarily in selling at wholesale or in manufacturing the goods or services advertised or offered for sale;

13. Using in any contract or lease any liquidated damage clause, penalty clause, or waiver of defense, or attempting to collect any liquidated damages or penalties under any clause, waiver, damages, or penalties that are void or unenforceable under any otherwise applicable laws of the Commonwealth, or under federal statutes or regulations;

13a. Failing to provide to a consumer, or failing to use or include in any written document or material provided to or executed by a consumer, in connection with a consumer transaction any statement, disclosure, notice, or other information however characterized when the supplier is required by 16 C.F.R. Part 433 to so provide, use, or include the statement, disclosure, notice, or other information in connection with the consumer transaction;

14. Using any other deception, fraud, false pretense, false promise, or misrepresentation in connection with a consumer transaction;

15. Violating any provision of § 3.2-6509, 3.2-6512, 3.2-6513, 3.2-6513.1, 3.2-6514, 3.2-6515, 3.2-6516, or 3.2-6519 is a violation of this chapter;

16. Failing to disclose all conditions, charges, or fees relating to:

a. The return of goods for refund, exchange, or credit. Such disclosure shall be by means of a sign attached to the goods, or placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the person obtaining the goods from the supplier. If the supplier does not permit a refund, exchange, or credit for return, he shall so state on a similar sign. The provisions of this subdivision shall not apply to any retail merchant who has a policy of providing, for a period of not less than 20 days after date of purchase, a cash refund or credit to the purchaser's credit card account for the return of defective, unused, or undamaged merchandise upon presentation of proof of purchase. In the case of merchandise paid for by check, the purchase shall be treated as a cash purchase and any refund may be delayed for a period of 10 banking days to allow for the check to clear. This subdivision does not apply to sale merchandise that is obviously distressed, out of date, post season, or otherwise reduced for clearance; nor does this subdivision apply to special order purchases where the purchaser has requested the supplier to order merchandise of a specific or unusual size, color, or

brand not ordinarily carried in the store or the store's catalog; nor shall this subdivision apply in connection with a transaction for the sale or lease of motor vehicles, farm tractors, or motorcycles as defined in § 46.2-100;

b. A layaway agreement. Such disclosure shall be furnished to the consumer (i) in writing at the time of the layaway agreement, or (ii) by means of a sign placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the consumer, or (iii) on the bill of sale. Disclosure shall include the conditions, charges, or fees in the event that a consumer breaches the agreement;

16a. Failing to provide written notice to a consumer of an existing open-end credit balance in excess of $5 (i) on an account maintained by the supplier and (ii) resulting from such consumer's overpayment on such account. Suppliers shall give consumers written notice of such credit balances within 60 days of receiving overpayments. If the credit balance information is incorporated into statements of account furnished consumers by suppliers within such 60-day period, no separate or additional notice is required;

17. If a supplier enters into a written agreement with a consumer to resolve a dispute that arises in connection with a consumer transaction, failing to adhere to the terms and conditions of such an agreement;

18. Violating any provision of the Virginia Health Club Act, Chapter 24 (§ 59.1-294 et seq.);

19. Violating any provision of the Virginia Home Solicitation Sales Act, Chapter 2.1 (§ 59.1-21.1 et seq.);

20. Violating any provision of the Automobile Repair Facilities Act, Chapter 17.1 (§ 59.1-207.1 et seq.);

21. Violating any provision of the Virginia Lease-Purchase Agreement Act, Chapter 17.4 (§ 59.1-207.17 et seq.);

22. Violating any provision of the Prizes and Gifts Act, Chapter 31 (§ 59.1-415 et seq.);

23. Violating any provision of the Virginia Public Telephone Information Act, Chapter 32 (§ 59.1-424 et seq.);

24. Violating any provision of § 54.1-1505;

25. Violating any provision of the Motor Vehicle Manufacturers' Warranty Adjustment Act, Chapter 17.6 (§ 59.1-207.34 et seq.);

26. Violating any provision of § 3.2-5627, relating to the pricing of merchandise;

27. Violating any provision of the Pay-Per-Call Services Act, Chapter 33 (§ 59.1-429 et seq.);

28. Violating any provision of the Extended Service Contract Act, Chapter 34 (§ 59.1-435 et seq.);

29. Violating any provision of the Virginia Membership Camping Act, Chapter 25 (§ 59.1-311 et seq.);

30. Violating any provision of the Comparison Price Advertising Act, Chapter 17.7 (§ 59.1-207.40 et seq.);

31. Violating any provision of the Virginia Travel Club Act, Chapter 36 (§ 59.1-445 et seq.);

32. Violating any provision of §§ 46.2-1231 and 46.2-1233.1;

33. Violating any provision of Chapter 40 (§ 54.1-4000 et seq.) of Title 54.1;

34. Violating any provision of Chapter 10.1 (§ 58.1-1031 et seq.) of Title 58.1;

35. Using the consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use an alternate number not associated with the consumer's social security number;

36. Violating any provision of Chapter 18 (§ 6.2-1800 et seq.) of Title 6.2;

37. Violating any provision of § 8.01-40.2;

38. Violating any provision of Article 7 (§ 32.1-212 et seq.) of Chapter 6 of Title 32.1;

39. Violating any provision of Chapter 34.1 (§ 59.1-441.1 et seq.);

40. Violating any provision of Chapter 20 (§ 6.2-2000 et seq.) of Title 6.2;

41. Violating any provision of the Virginia Post-Disaster Anti-Price Gouging Act, Chapter 46 (§ 59.1-525 et seq.). For the purposes of this subdivision, "consumer transaction" has the same meaning as provided in § 59.1-526;

42. Violating any provision of Chapter 47 (§ 59.1-530 et seq.);

43. Violating any provision of § 59.1-443.2;

44. Violating any provision of Chapter 48 (§ 59.1-533 et seq.);

45. Violating any provision of Chapter 25 (§ 6.2-2500 et seq.) of Title 6.2;

46. Violating the provisions of clause (i) of subsection B of § 54.1-1115;

47. Violating any provision of § 18.2-239;

48. Violating any provision of Chapter 26 (§ 59.1-336 et seq.);

49. Selling, offering for sale, or manufacturing for sale a children's product the supplier knows or has reason to know was recalled by the U.S. Consumer Product Safety Commission. There is a rebuttable presumption that a supplier has reason to know a children's product was recalled if notice of the recall has been posted continuously at least 30 days before the sale, offer for sale, or manufacturing for sale on the website of the U.S. Consumer Product Safety Commission. This prohibition does not apply to children's products that are used, secondhand or "seconds";

50. Violating any provision of Chapter 44.1 (§ 59.1-518.1 et seq.);

51. Violating any provision of Chapter 22 (§ 6.2-2200 et seq.) of Title 6.2;

52. Violating any provision of § 8.2-317.1;

53. Violating subsection A of § 9.1-149.1;

54. Selling, offering for sale, or using in the construction, remodeling, or repair of any residential dwelling in the Commonwealth, any drywall that the supplier knows or has reason to know is defective drywall. This subdivision shall not apply to the sale or offering for sale of any building or structure in which defective drywall has been permanently installed or affixed;

55. Engaging in fraudulent or improper or dishonest conduct as defined in § 54.1-1118 while engaged in a transaction that was initiated (i) during a declared state of emergency as defined in § 44-146.16 or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is licensed as a contractor in the Commonwealth pursuant to Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1;

56. Violating any provision of Chapter 33.1 (§ 59.1-434.1 et seq.);

57. Violating any provision of § 18.2-178, 18.2-178.1, or 18.2-200.1;

58. Violating any provision of Chapter 17.8 (§ 59.1-207.45 et seq.). For the purposes of this subdivision, "consumer transaction" also includes transactions involving an automatic renewal or continuous service offer by a supplier to a small business, as those terms are defined in § 59.1-207.45;

59. Violating any provision of subsection E of § 32.1-126;

60. Violating any provision of § 54.1-111 relating to the unlicensed practice of a profession licensed under Chapter 11 (§ 54.1-1100 et seq.) or Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1;

61. Violating any provision of § 2.2-2001.5;

62. Violating any provision of Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1;

63. Violating any provision of § 6.2-312;

64. Violating any provision of Chapter 20.1 (§ 6.2-2026 et seq.) of Title 6.2;

65. Violating any provision of Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2;

66. Violating any provision of Chapter 54 (§ 59.1-586 et seq.);

67. Knowingly violating any provision of § 8.01-27.5;

68. Failing to, in accordance with § 59.1-207.46, (i) make available a conspicuous online option to cancel a recurring purchase of a good or service or (ii) with respect to a free trial lasting more than 30 days, notify a consumer of his option to cancel such free trial within 30 days of the end of the trial period to avoid an obligation to pay for the goods or services;

69. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains a synthetic derivative of tetrahydrocannabinol. As used in this subdivision, "synthetic derivative" means a chemical compound produced by man through a chemical transformation to turn a compound into a different compound by adding or subtracting molecules to or from the original compound. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

70. Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

71. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol, unless such substance is (i) contained in child-resistant packaging, as defined in § 4.1-600; (ii) equipped with a label that states, in English and in a font no less than 1/16 of an inch, (a) that the substance contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (b) all ingredients contained in the substance, (c) the amount of such substance that constitutes a single serving, and (d) the total percentage and milligrams of tetrahydrocannabinol included in the substance and the number of milligrams of tetrahydrocannabinol that are contained in each serving; and (iii) accompanied by a certificate of analysis, produced by an independent laboratory that is accredited pursuant to standard ISO/IEC 17025 of the International Organization of Standardization by a third-party accrediting body, that states the tetrahydrocannabinol concentration of the substance or the tetrahydrocannabinol concentration of the batch from which the substance originates. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

72. Manufacturing, offering for sale at retail, or selling at retail an industrial hemp extract, as defined in § 3.2-5145.1, a food containing an industrial hemp extract, or a substance containing tetrahydrocannabinol that depicts or is in the shape of a human, animal, vehicle, or fruit;

73. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol and, without authorization, bears, is packaged in a container or wrapper that bears, or is otherwise labeled to bear the trademark, trade name, famous mark as defined in 15 U.S.C. § 1125, or other identifying mark, imprint, or device, or any likeness thereof, of a manufacturer, processor, packer, or distributor of a product intended for human consumption other than the manufacturer, processor, packer, or distributor that did in fact so manufacture, process, pack, or distribute such substance;

74. Selling or offering for sale a topical hemp product, as defined in § 3.2-4112, that does not include a label stating that the product is not intended for human consumption. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.), (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1, or (iii) apply to topical hemp products that were manufactured prior to July 1, 2023, provided that the person provides documentation of the date of manufacture if requested;

75. Violating any provision of § 59.1-466.8;

76. Violating subsection F of § 36-96.3:1;

77. Selling or offering for sale (i) any kratom product to a person younger than 21 years of age or (ii) any kratom product that does not include a label listing all ingredients and with the following guidance: "This product may be harmful to your health, has not been evaluated by the FDA, and is not intended to diagnose, treat, cure, or prevent any disease." As used in this subdivision, "kratom" means any part of the leaf of the plant Mitragyna speciosa or any extract thereof;

78. Advertising of any ignition interlock system in Virginia by an ignition interlock vendor not approved by the Commission on the Virginia Alcohol Safety Action Program to operate in Virginia; targeted advertising of any ignition interlock system to a person before determination of guilt; and any advertising, whether before or after determination of guilt, without a conspicuous statement that such advertisement is not affiliated with any government agency. For purposes of this subdivision, "ignition interlock system" has the same meaning as ascribed to that term in § 18.2-270.1 and "targeted advertising" has the same meaning ascribed to that term in § 59.1-575 and includes direct mailings to an individual. This provision shall not apply to ignition interlock service vendor ads, pamphlets, or kiosk advertisements approved by the Commission on the Virginia Alcohol Safety Action Program and provided at a Commission-approved location;

79. Failing to disclose the total cost of a good or continuous service, as defined in § 59.1-207.45, to a consumer, including any mandatory fees or charges, prior to entering into an agreement for the sale of any such good or provision of any such continuous service;

80. Violating any provision of the Unfair Real Estate Service Agreement Act (§ 55.1-3200 et seq.);

81. Selling or offering for sale services as a professional mold remediator to be performed upon any residential dwelling without holding a mold remediation certification from ~~the Institute of Inspection, Cleaning and Restoration Certification (IICRC)~~ *a nationally or internationally recognized certifying body for mold remediation, and failing to comply with (i) the U.S. Environmental Protection Agency's publication on Mold Remediation in Schools and Commercial Buildings, as revised; (ii) the ANSI/IICRC S520 Standard for Professional Mold Remediation, as revised; or (iii) any other equivalent ANSI-accredited mold remediation standard, when conducting or offering to conduct mold remediation in the Commonwealth*;

82. Willfully violating any provision of § 59.1-444.4; and

83. Violating any provision of Chapter 23.2 (§ 59.1-293.10 et seq.).

B. Nothing in this section shall be construed to invalidate or make unenforceable any contract or lease solely by reason of the failure of such contract or lease to comply with any other law of the Commonwealth or any federal statute or regulation, to the extent such other law, statute, or regulation provides that a violation of such law, statute, or regulation shall not invalidate or make unenforceable such contract or lease.

2. That an emergency exists and the provisions of the first enactment of this act are in force from its passage.

3. That the Department of Professional and Occupational Regulation (the Department) shall, in consultation with the Virginia Department of Health and mold industry professionals, study the current state of the mold inspection and mold remediation workforce in the Commonwealth utilizing the most up-to-date data available to determine whether there is sufficient evidence that the licensure or certification of mold inspectors and mold remediators would benefit the public health, safety, or welfare and, if so, recommend educational, experiential, or examination requirements for such licensure or certification. The Department shall submit a report on the state of the mold inspection and mold remediation workforce in the Commonwealth to the House Committee on General Laws, the Senate Committee on General Laws and Technology, and the Joint Commission on Administrative Rules by January 1, 2026.

CHAPTER 252

An Act to amend and reenact §§ 46.2-920, 46.2-1023, and 46.2-1030 of the Code of Virginia, relating to flashing red and white warning lights; emergency vehicle exemptions; mine rescue team vehicles.

[H 2211]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-920, 46.2-1023, and 46.2-1030 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-920. Certain vehicles exempt from regulations in certain situations; exceptions and additional requirements.

A. The driver of any emergency vehicle, when such vehicle is being used in the performance of public services, and when such vehicle is operated under emergency conditions, may, without subjecting himself to criminal prosecution:

1. Disregard speed limits, while having due regard for safety of persons and property;

2. Proceed past any steady or flashing red signal, traffic light, stop sign, or device indicating moving traffic shall stop if the speed of the vehicle is sufficiently reduced to enable it to pass a signal, traffic light, or device with due regard to the safety of persons and property;

3. Park or stop notwithstanding the other provisions of this chapter;

4. Disregard regulations governing a direction of movement of vehicles turning in specified directions so long as the operator does not endanger life or property;

5. Pass or overtake, with due regard to the safety of persons and property, another vehicle at any intersection;

6. Pass or overtake with due regard to the safety of persons and property, while en route to an emergency, stopped or slow-moving vehicles, by going to the left of the stopped or slow-moving vehicle either in a no-passing zone or by crossing the highway centerline; or

7. Pass or overtake with due regard to the safety of persons and property, while en route to an emergency, stopped or slow-moving vehicles, by going off the paved or main traveled portion of the roadway on the right. Notwithstanding other provisions of this section, vehicles exempted in this instance will not be required to sound a siren or any device to give automatically intermittent signals.

B. The exemptions granted to emergency vehicles ~~by subsection A~~ in subdivisions ~~A1~~ *A 1*, ~~A3~~ *3*, ~~A4~~ *4*, ~~A5~~ *5*, and ~~A6~~ *6* shall apply only when the operator of such vehicle displays a flashing, blinking, or alternating emergency light or lights as provided in §§ 46.2-1022 and 46.2-1023 and sounds a siren, exhaust whistle, or air horn designed to give automatically intermittent signals, as may be reasonably necessary. The exemption granted under subdivision A 2 shall apply only when the operator of such emergency vehicle displays a flashing, blinking, or alternating emergency light or lights as provided in §§ 46.2-1022 and 46.2-1023 and either (a) sounds a siren, exhaust whistle, or air horn designed to give automatically intermittent signals or (b) slows the vehicle down to a speed reasonable for the existing conditions, yields right-of-way to the driver of another vehicle approaching or entering the intersection from another direction or, if required for safety, brings the vehicle to a complete stop before proceeding with due regard for the safety of persons and property. In addition, the exemptions granted to emergency vehicles by subsection A shall apply only when there is in force and effect for such vehicle either (i) standard motor vehicle liability insurance covering injury or death to any person in the sum of at least $100,000 because of bodily injury to or death of one person in any one accident and, subject to the limit for one person, to a limit of $300,000 because of bodily injury to or death of two or more persons in any one accident, and to a limit of $20,000 because of injury to or destruction of property of others in any one accident or (ii) a certificate of self-insurance issued pursuant to § 46.2-368. Such exemptions shall not, however, protect the operator of any such vehicle from criminal prosecution for conduct constituting reckless disregard of the safety of persons and property. Nothing in this section shall release the operator of any such vehicle from civil liability for failure to use reasonable care in such operation.

C. For the purposes of this section, ~~the term~~ "emergency vehicle" ~~shall mean~~ *means*:

1. Any law-enforcement vehicle operated by or under the direction of a federal, state, or local law-enforcement officer (i) in the chase or apprehension of violators of the law or persons charged with or suspected of any such violation or (ii) in response to an emergency call;

2. Any regional detention center vehicle operated by or under the direction of a correctional officer responding to an emergency call or operating in an emergency situation;

3. Any vehicle used to fight fire, including publicly owned state forest warden vehicles, when traveling in response to a fire alarm or emergency call;

4. Any emergency medical services vehicle designed or used for the principal purpose of providing emergency medical services where human life is endangered;

5. Any Department of Emergency Management vehicle or Office of Emergency Medical Services vehicle, when responding to an emergency call or operating in an emergency situation;

6. Any Department of Corrections vehicle designated by the Director of the Department of Corrections, when (i) responding to an emergency call at a correctional facility, (ii) participating in a drug-related investigation, (iii) pursuing escapees from a correctional facility, or (iv) responding to a request for assistance from a law-enforcement officer;

7. Any vehicle authorized to be equipped with alternating, blinking, or flashing red or red and white secondary warning lights under the provisions of § 46.2-1029.2;

8. Any Virginia National Guard Civil Support Team vehicle when responding to an emergency; ~~and~~

9. Any vehicle operated by the Response and Recovery Coordination Branch of the Washington Metropolitan Area Transit Authority's Office of Emergency Preparedness, when responding to an emergency, provided that the operator of any such vehicle (i) has completed an initial emergency vehicle operators course from an approved course list prepared by the Department of Fire Programs, the Office of Emergency Medical Services, or an equivalent agency and (ii) recertifies as an emergency vehicle operator every two years*; and*

10. Any vehicle operated by a mine rescue team that is certified as a mine rescue team by the Mine Safety and Health Administration under 30 C.F.R. Part 49 when responding to a mine emergency, provided that the operator of any such vehicle (i) has completed an initial emergency vehicle operator course from an approved course list prepared by the Department of Fire Programs, the Office of Emergency Medical Services, or an equivalent agency and (ii) recertifies as an emergency vehicle operator every two years.

D. Any law-enforcement vehicle operated by or under the direction of a federal, state, or local law-enforcement officer may disregard speed limits, while having due regard for safety of persons and property, (i) in testing the accuracy of speedometers of such vehicles, (ii) in testing the accuracy of speed measuring devices specified in § 46.2-882, or (iii) in following another vehicle for the purpose of determining its speed.

E. A Department of Environmental Quality vehicle, while en route to an emergency and with due regard to the safety of persons and property, may overtake and pass stopped or slow-moving vehicles by going off the paved or main traveled portion of the highway on the right or on the left. These Department of Environmental Quality vehicles shall not be required

to sound a siren or any device to give automatically intermittent signals, but shall display red or red and white warning lights when performing such maneuvers.

F. Any law-enforcement vehicle operated by or under the direction of a federal, state, or local law-enforcement officer while conducting a funeral escort, wide-load escort, dignitary escort, or any other escort necessary for the safe movement of vehicles and pedestrians may, without subjecting himself to criminal prosecution:

1. Disregard speed limits, while having due regard for safety of persons and property;

2. Proceed past any steady or flashing red signal, traffic light, stop sign, or device indicating moving traffic shall stop if the speed of the vehicle is sufficiently reduced to enable it to pass a signal, traffic light, or device with due regard for the safety of persons and property;

3. Park or stop notwithstanding the other provisions of this chapter;

4. Disregard regulations governing a direction of movement of vehicles turning in specified directions so long as the operator does not endanger life or property; or

5. Pass or overtake, with due regard for the safety of persons and property, another vehicle.

Notwithstanding other provisions of this section, vehicles exempted in this subsection may sound a siren or any device to give automatically intermittent signals.

§ 46.2-1023. Flashing red or red and white warning lights.

Fire apparatus, forest warden vehicles, emergency medical services vehicles, vehicles of the Department of Emergency Management, vehicles of the Department of Environmental Quality, vehicles of the Virginia National Guard Civil Support Team and the Virginia National Guard Chemical, Biological, Radiological, Nuclear and High Yield Explosive (CBRNE) Enhanced Response Force Package (CERFP) when responding to an emergency, vehicles of county, city, or town Departments of Emergency Management, vehicles of the Office of Emergency Medical Services, animal warden vehicles, vehicles of the Response and Recovery Coordination Branch of the Washington Metropolitan Area Transit Authority's Office of Emergency Preparedness, *vehicles of mine rescue teams that are certified as mine rescue teams by the Mine Safety and Health Administration under 30 C.F.R. Part 49,* and vehicles used by security personnel of the Huntington Ingalls Industries, Bassett-Walker, Inc., the Winchester Medical Center, the National Aeronautics and Space Administration's Wallops Flight Facility, and, within those areas specified in their orders of appointment, by special conservators of the peace and policemen for certain places appointed pursuant to §§ 19.2-13 and 19.2-17 may be equipped with flashing, blinking, or alternating red or red and white combination warning lights of types approved by the Superintendent. Such warning lights may be of types constructed within turn signal housings or motorcycle headlight housings, subject to approval by the Superintendent.

§ 46.2-1030. When lights to be lighted; number of lights to be lighted at any time; use of warning lights.

A. Every vehicle in operation on a highway in the Commonwealth shall display lighted headlights and illuminating devices as required by this article (i) from sunset to sunrise; (ii) during any other time when, because of rain, smoke, fog, snow, sleet, insufficient light, or other unfavorable atmospheric conditions, visibility is reduced to a degree whereby persons or vehicles on the highway are not clearly discernible at a distance of 500 feet; and (iii) whenever windshield wipers are in use as a result of fog, rain, sleet, or snow. The provisions of this subsection, however, shall not apply to instances when windshield wipers are used intermittently in misting rain, sleet, or snow.

B. Not more than four lights used to provide general illumination ahead of the vehicle, including at least two headlights and any other combination of fog lights or other auxiliary lights approved by the Superintendent, shall be lighted at any time. However, motorcycles may be equipped with and use not more than five approved lights in order to provide general illumination ahead of the motorcycle. These limitations shall not preclude the display of warning lights authorized in §§ 46.2-1020 through 46.2-1027, or other lights as may be authorized by the Superintendent.

C. Vehicles equipped with warning lights authorized in §§ 46.2-1020 through 46.2-1027 shall display lighted warning lights as authorized in such sections at all times when responding to emergency calls, responding to traffic incidents, responding to metropolitan transit-related incidents, *responding to mine rescue incidents,* towing disabled vehicles, or constructing, repairing, and maintaining public highways or utilities on or along public highways, except that amber lights on vehicles designed with a ramp on wheels and a hydraulic lift with a capacity to haul or tow another vehicle, commonly referred to as "rollbacks," need not be lit while the vehicle is in motion unless it is actually towing a vehicle.

D. The failure to display lighted headlights and illuminating devices under the conditions set forth in clause (iii) of subsection A shall not constitute negligence per se, nor shall violation of clause (iii) of subsection A constitute a defense to any claim for personal injury or recovery of medical expenses for injuries sustained in a motor vehicle accident.

E. No demerit points shall be assessed for failure to display lighted headlights and illuminating devices during periods of fog, rain, sleet, or snow in violation of clause (iii) of subsection A.

F. No citation for a violation of clause (iii) of subsection A shall be issued unless the officer issuing such citation has cause to stop or arrest the driver of such motor vehicle for the violation of some other provision of this Code or local ordinance relating to the operation, ownership, or maintenance of a motor vehicle or any criminal statute. No law-enforcement officer shall stop a motor vehicle for a violation of this section, except that a law-enforcement officer may stop a vehicle if it displays no lighted headlights during the time periods set forth in subsection A. No evidence discovered or obtained as the result of a stop in violation of this subsection, including evidence discovered or obtained with the operator's consent, shall be admissible in any trial, hearing, or other proceeding.

CHAPTER 253

An Act to amend and reenact § 54.1-2807.01 of the Code of Virginia, relating to funerals; disagreements among next of kin.

[H 2246]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2807.01 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2807.01. When next of kin disagree.

A. In the absence of a designation under § 54.1-2825, when there is a disagreement among a decedent's next of kin concerning the arrangements for his funeral or the disposition of his remains, any of the next of kin may petition the circuit court where the decedent resided at the time of his death to determine which of the next of kin shall have the authority to make arrangements for the decedent's funeral or the disposition of his remains. The court may require notice to and the convening of such of the next of kin as it deems proper.

B. In determining the matter before it, the court shall consider the expressed wishes, if any, of the decedent, the legal and factual relationship between or among the disputing next of kin and between each of the disputing next of kin and the decedent, and any other factor the court considers relevant to determine who should be authorized to make the arrangements for the decedent's funeral or the disposition of his remains.

C. When there is a disagreement among a decedent's next of kin concerning the arrangements for his funeral or the disposition of his remains, at least one of the next of kin shall, within 48 hours of the funeral service establishment receiving the decedent's remains, notify such funeral service establishment of the dispute, at which time the funeral service establishment shall immediately stop making arrangements for the decedent's funeral or for the disposition of the decedent's remains until such time as an agreement is reached by the disputing next of kin or a court of appropriate jurisdiction has ruled on any petition filed by such disputing next of kin. *If, after 30 days of learning of a dispute, the funeral service establishment has not received written notice of agreement among the next of kin or a court order resolving the dispute, the funeral service establishment may proceed with the funeral and disposition arrangements upon authorization from any next of kin or in accordance with § 54.1-2807.02. The funeral service establishment shall not be liable for complying with the provisions of this subsection.*

D. If there is a dispute regarding the identity of any persons who have the right to make arrangements and otherwise be responsible for the decedent's funeral and the disposition of such decedent's remains, a funeral service establishment shall not be liable for refusing to dispose of the decedent's remains or complete the arrangements for the final disposition of such remains until the funeral service establishment receives a court order or written agreement signed by the disputing next of kin that establishes the final disposition of the decedent's remains. If the funeral service establishment retains the decedent's remains for final disposition while any such dispute is pending, the funeral service establishment may embalm or refrigerate and shelter the decedent's body for preservation purposes *pursuant to § 54.1-2811.1* until the dispute is resolved. Any person or persons adjudged or agreed to have the right to make arrangements and otherwise be responsible for the decedent's funeral and the disposition of the decedent's remains shall be responsible for any costs incurred by the funeral service establishment pursuant to this subsection.

CHAPTER 254

An Act to amend and reenact §§ 2.2-4006, 32.1-127, as it is currently effective and as it shall become effective, and 32.1-130 of the Code of Virginia, relating to hospitals and nursing homes; licensure and inspection fees; Hospital and Nursing Home Licensure and Inspection Program Fund established.

[H 2255]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-4006 and 32.1-127, as it is currently effective and as it shall become effective, of the Code of Virginia are amended and reenacted as follows:

§ 2.2-4006. Exemptions from requirements of this article.

A. The following agency actions otherwise subject to this chapter and § 2.2-4103 of the Virginia Register Act shall be exempted from the operation of this article:

1. Agency orders or regulations fixing rates or prices.

2. Regulations that establish or prescribe agency organization, internal practice or procedures, including delegations of authority.

3. Regulations that consist only of changes in style or form or corrections of technical errors. Each promulgating agency shall review all references to sections of the Code of Virginia within their regulations each time a new supplement or replacement volume to the Code of Virginia is published to ensure the accuracy of each section or section subdivision identification listed.

4. Regulations that are:

a. Necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved. However, such regulations shall be filed with the Registrar within 90 days of the law's effective date;

b. Required by order of any state or federal court of competent jurisdiction where no agency discretion is involved; or

c. Necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation, and the Registrar has so determined in writing. Notice of the proposed adoption of these regulations and the Registrar's determination shall be published in the Virginia Register not less than 30 days prior to the effective date of the regulation.

5. Regulations of the Board of Agriculture and Consumer Services adopted pursuant to subsection B of § 3.2-3929 or clause (v) or (vi) of subsection C of § 3.2-3931 after having been considered at two or more Board meetings and one public hearing.

6. Regulations of (i) the regulatory boards served by the Department of Labor and Industry pursuant to Title 40.1 and the Department of Professional and Occupational Regulation or the Department of Health Professions pursuant to Title 54.1 ~~and~~, (ii) the Board of Accountancy*, and (iii) the State Board of Health* that are limited to reducing fees charged to regulants and applicants.

7. The development and issuance of procedural policy relating to risk-based mine inspections by the Department of Energy authorized pursuant to §§ 45.2-560 and 45.2-1149.

8. General permits issued by the (a) State Air Pollution Control Board pursuant to Chapter 13 (§ 10.1-1300 et seq.) of Title 10.1 or (b) State Water Control Board pursuant to the State Water Control Law (§ 62.1-44.2 et seq.), Chapter 24 (§ 62.1-242 et seq.) of Title 62.1 and Chapter 25 (§ 62.1-254 et seq.) of Title 62.1, (c) Virginia Soil and Water Conservation Board pursuant to the Dam Safety Act (§ 10.1-604 et seq.), and (d) the development and issuance of general wetlands permits by the Marine Resources Commission pursuant to subsection B of § 28.2-1307, if the respective Board or Commission (i) provides a Notice of Intended Regulatory Action in conformance with the provisions of § 2.2-4007.01, (ii) following the passage of 30 days from the publication of the Notice of Intended Regulatory Action forms a technical advisory committee composed of relevant stakeholders, including potentially affected citizens groups, to assist in the development of the general permit, (iii) provides notice and receives oral and written comment as provided in § 2.2-4007.03, and (iv) conducts at least one public hearing on the proposed general permit.

9. The development and issuance by the Board of Education of guidelines on constitutional rights and restrictions relating to the recitation of the pledge of allegiance to the American flag in public schools pursuant to § 22.1-202.

10. Regulations of the Board of the Commonwealth Savers Plan adopted pursuant to § 23.1-704.

11. Regulations of the Marine Resources Commission.

12. Regulations adopted by the Board of Housing and Community Development pursuant to (i) Statewide Fire Prevention Code (§ 27-94 et seq.), (ii) the Industrialized Building Safety Law (§ 36-70 et seq.), (iii) the Uniform Statewide Building Code (§ 36-97 et seq.), and (iv) § 36-98.3, provided the Board (a) provides a Notice of Intended Regulatory Action in conformance with the provisions of § 2.2-4007.01, (b) publishes the proposed regulation and provides an opportunity for oral and written comments as provided in § 2.2-4007.03, and (c) conducts at least one public hearing as provided in §§ 2.2-4009 and 36-100 prior to the publishing of the proposed regulations. Notwithstanding the provisions of this subdivision, any regulations promulgated by the Board shall remain subject to the provisions of § 2.2-4007.06 concerning public petitions, and §§ 2.2-4013 and 2.2-4014 concerning review by the Governor and General Assembly.

13. Amendments to regulations of the Board to schedule a substance pursuant to subsection D or E of § 54.1-3443.

14. Waste load allocations adopted, amended, or repealed by the State Water Control Board pursuant to the State Water Control Law (§ 62.1-44.2 et seq.), including but not limited to Article 4.01 (§ 62.1-44.19:4 et seq.) of the State Water Control Law, if the Board (i) provides public notice in the Virginia Register; (ii) if requested by the public during the initial public notice 30-day comment period, forms an advisory group composed of relevant stakeholders; (iii) receives and provides summary response to written comments; and (iv) conducts at least one public meeting. Notwithstanding the provisions of this subdivision, any such waste load allocations adopted, amended, or repealed by the Board shall be subject to the provisions of §§ 2.2-4013 and 2.2-4014 concerning review by the Governor and General Assembly.

15. Regulations of the Workers' Compensation Commission adopted pursuant to § 65.2-605, including regulations that adopt, amend, adjust, or repeal Virginia fee schedules for medical services, provided the Workers' Compensation Commission (i) utilizes a regulatory advisory panel constituted as provided in subdivision F 2 of § 65.2-605 to assist in the development of such regulations and (ii) provides an opportunity for public comment on the regulations prior to adoption.

16. Amendments to the State Health Services Plan adopted by the Board of Health following receipt of recommendations by the State Health Services Task Force pursuant to § 32.1-102.2:1 if the Board (i) provides a Notice of Intended Regulatory Action in accordance with the requirements of § 2.2-4007.01, (ii) provides notice and receives comments as provided in § 2.2-4007.03, and (iii) conducts at least one public hearing on the proposed amendments.

17. Rules of the Workers' Compensation Commission adopted pursuant to subsection A of § 65.2-201 and subsection B of § 65.2-703, provided the Workers' Compensation Commission provides an opportunity for public comment on the rules prior to adoption.

B. Whenever regulations are adopted under this section, the agency shall state as part thereof that it will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision. The effective date of regulations adopted under this section shall be in accordance with the provisions of § 2.2-4015, except in the case of emergency regulations, which shall become effective as provided in subsection B of § 2.2-4012.

C. A regulation for which an exemption is claimed under this section or § 2.2-4002 or 2.2-4011 and that is placed before a board or commission for consideration shall be provided at least two days in advance of the board or commission meeting to members of the public that request a copy of that regulation. A copy of that regulation shall be made available to the public attending such meeting.

§ 32.1-127. (Effective until July 1, 2025) Regulations.

A. The regulations promulgated by the Board to carry out the provisions of this article shall be in substantial conformity to the standards of health, hygiene, sanitation, construction and safety as established and recognized by medical and health care professionals and by specialists in matters of public health and safety, including health and safety standards established under provisions of Title XVIII and Title XIX of the Social Security Act, and to the provisions of Article 2 (§ 32.1-138 et seq.).

B. Such regulations:

1. Shall include minimum standards for (i) the construction and maintenance of hospitals, nursing homes and certified nursing facilities to ensure the environmental protection and the life safety of its patients, employees, and the public; (ii) the operation, staffing and equipping of hospitals, nursing homes and certified nursing facilities; (iii) qualifications and training of staff of hospitals, nursing homes and certified nursing facilities, except those professionals licensed or certified by the Department of Health Professions; (iv) conditions under which a hospital or nursing home may provide medical and nursing services to patients in their places of residence; and (v) policies related to infection prevention, disaster preparedness, and facility security of hospitals, nursing homes, and certified nursing facilities;

2. Shall provide that at least one physician who is licensed to practice medicine in the Commonwealth and is primarily responsible for the emergency department shall be on duty and physically present at all times at each hospital that operates or holds itself out as operating an emergency service;

3. May classify hospitals and nursing homes by type of specialty or service and may provide for licensing hospitals and nursing homes by bed capacity and by type of specialty or service;

4. Shall also require that each hospital establish a protocol for organ donation, in compliance with federal law and the regulations of the Centers for Medicare and Medicaid Services (CMS), particularly 42 C.F.R. § 482.45. Each hospital shall have an agreement with an organ procurement organization designated in CMS regulations for routine contact, whereby the provider's designated organ procurement organization certified by CMS (i) is notified in a timely manner of all deaths or imminent deaths of patients in the hospital and (ii) is authorized to determine the suitability of the decedent or patient for organ donation and, in the absence of a similar arrangement with any eye bank or tissue bank in Virginia certified by the Eye Bank Association of America or the American Association of Tissue Banks, the suitability for tissue and eye donation. The hospital shall also have an agreement with at least one tissue bank and at least one eye bank to cooperate in the retrieval, processing, preservation, storage, and distribution of tissues and eyes to ensure that all usable tissues and eyes are obtained from potential donors and to avoid interference with organ procurement. The protocol shall ensure that the hospital collaborates with the designated organ procurement organization to inform the family of each potential donor of the option to donate organs, tissues, or eyes or to decline to donate. The individual making contact with the family shall have completed a course in the methodology for approaching potential donor families and requesting organ or tissue donation that (a) is offered or approved by the organ procurement organization and designed in conjunction with the tissue and eye bank community and (b) encourages discretion and sensitivity according to the specific circumstances, views, and beliefs of the relevant family. In addition, the hospital shall work cooperatively with the designated organ procurement organization in educating the staff responsible for contacting the organ procurement organization's personnel on donation issues, the proper review of death records to improve identification of potential donors, and the proper procedures for maintaining potential donors while necessary testing and placement of potential donated organs, tissues, and eyes takes place. This process shall be followed, without exception, unless the family of the relevant decedent or patient has expressed opposition to organ donation, the chief administrative officer of the hospital or his designee knows of such opposition, and no donor card or other relevant document, such as an advance directive, can be found;

5. Shall require that each hospital that provides obstetrical services establish a protocol for admission or transfer of any pregnant woman who presents herself while in labor;

6. Shall also require that each licensed hospital develop and implement a protocol requiring written discharge plans for identified, substance-abusing, postpartum women and their infants. The protocol shall require that the discharge plan be discussed with the patient and that appropriate referrals for the mother and the infant be made and documented. Appropriate referrals may include, but need not be limited to, treatment services, comprehensive early intervention services for infants and toddlers with disabilities and their families pursuant to Part H of the Individuals with Disabilities Education Act, 20 U.S.C. § 1471 et seq., and family-oriented prevention services. The discharge planning process shall involve, to the extent possible, the other parent of the infant and any members of the patient's extended family who may participate in the follow-up care for the mother and the infant. Immediately upon identification, pursuant to § 54.1-2403.1, of any substance-abusing, postpartum woman, the hospital shall notify, subject to federal law restrictions, the community services board of the jurisdiction in which the woman resides to appoint a discharge plan manager. The community services board shall implement and manage the discharge plan;

7. Shall require that each nursing home and certified nursing facility fully disclose to the applicant for admission the home's or facility's admissions policies, including any preferences given;

8. Shall require that each licensed hospital establish a protocol relating to the rights and responsibilities of patients which shall include a process reasonably designed to inform patients of such rights and responsibilities. Such rights and responsibilities of patients, a copy of which shall be given to patients on admission, shall be consistent with applicable federal law and regulations of the Centers for Medicare and Medicaid Services;

9. Shall establish standards and maintain a process for designation of levels or categories of care in neonatal services according to an applicable national or state-developed evaluation system. Such standards may be differentiated for various levels or categories of care and may include, but need not be limited to, requirements for staffing credentials, staff/patient ratios, equipment, and medical protocols;

10. Shall require that each nursing home and certified nursing facility train all employees who are mandated to report adult abuse, neglect, or exploitation pursuant to § 63.2-1606 on such reporting procedures and the consequences for failing to make a required report;

11. Shall permit hospital personnel, as designated in medical staff bylaws, rules and regulations, or hospital policies and procedures, to accept emergency telephone and other verbal orders for medication or treatment for hospital patients from physicians, and other persons lawfully authorized by state statute to give patient orders, subject to a requirement that such verbal order be signed, within a reasonable period of time not to exceed 72 hours as specified in the hospital's medical staff bylaws, rules and regulations or hospital policies and procedures, by the person giving the order, or, when such person is not available within the period of time specified, co-signed by another physician or other person authorized to give the order;

12. Shall require, unless the vaccination is medically contraindicated or the resident declines the offer of the vaccination, that each certified nursing facility and nursing home provide or arrange for the administration to its residents of (i) an annual vaccination against influenza and (ii) a pneumococcal vaccination, in accordance with the most recent recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention;

13. Shall require that each nursing home and certified nursing facility register with the Department of State Police to receive notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 within the same or a contiguous zip code area in which the home or facility is located, pursuant to § 9.1-914;

14. Shall require that each nursing home and certified nursing facility ascertain, prior to admission, whether a potential patient is required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, if the home or facility anticipates the potential patient will have a length of stay greater than three days or in fact stays longer than three days;

15. Shall require that each licensed hospital include in its visitation policy a provision allowing each adult patient to receive visits from any individual from whom the patient desires to receive visits, subject to other restrictions contained in the visitation policy including, but not limited to, those related to the patient's medical condition and the number of visitors permitted in the patient's room simultaneously;

16. Shall require that each nursing home and certified nursing facility shall, upon the request of the facility's family council, send notices and information about the family council mutually developed by the family council and the administration of the nursing home or certified nursing facility, and provided to the facility for such purpose, to the listed responsible party or a contact person of the resident's choice up to six times per year. Such notices may be included together with a monthly billing statement or other regular communication. Notices and information shall also be posted in a designated location within the nursing home or certified nursing facility. No family member of a resident or other resident representative shall be restricted from participating in meetings in the facility with the families or resident representatives of other residents in the facility;

17. Shall require that each nursing home and certified nursing facility maintain liability insurance coverage in a minimum amount of $1 million, and professional liability coverage in an amount at least equal to the recovery limit set forth in § 8.01-581.15, to compensate patients or individuals for injuries and losses resulting from the negligent or criminal acts of the facility. Failure to maintain such minimum insurance shall result in revocation of the facility's license;

18. Shall require each hospital that provides obstetrical services to establish policies to follow when a stillbirth, as defined in § 32.1-69.1, occurs that meet the guidelines pertaining to counseling patients and their families and other aspects of managing stillbirths as may be specified by the Board in its regulations;

19. Shall require each nursing home to provide a full refund of any unexpended patient funds on deposit with the facility following the discharge or death of a patient, other than entrance-related fees paid to a continuing care provider as defined in § 38.2-4900, within 30 days of a written request for such funds by the discharged patient or, in the case of the death of a patient, the person administering the person's estate in accordance with the Virginia Small Estates Act (§ 64.2-600 et seq.);

20. Shall require that each hospital that provides inpatient psychiatric services establish a protocol that requires, for any refusal to admit (i) a medically stable patient referred to its psychiatric unit, direct verbal communication between the on-call physician in the psychiatric unit and the referring physician, if requested by such referring physician, and prohibits on-call physicians or other hospital staff from refusing a request for such direct verbal communication by a referring physician and (ii) a patient for whom there is a question regarding the medical stability or medical appropriateness of admission for inpatient psychiatric services due to a situation involving results of a toxicology screening, the on-call

physician in the psychiatric unit to which the patient is sought to be transferred to participate in direct verbal communication, either in person or via telephone, with a clinical toxicologist or other person who is a Certified Specialist in Poison Information employed by a poison control center that is accredited by the American Association of Poison Control Centers to review the results of the toxicology screen and determine whether a medical reason for refusing admission to the psychiatric unit related to the results of the toxicology screen exists, if requested by the referring physician;

21. Shall require that each hospital that is equipped to provide life-sustaining treatment shall develop a policy governing determination of the medical and ethical appropriateness of proposed medical care, which shall include (i) a process for obtaining a second opinion regarding the medical and ethical appropriateness of proposed medical care in cases in which a physician has determined proposed care to be medically or ethically inappropriate; (ii) provisions for review of the determination that proposed medical care is medically or ethically inappropriate by an interdisciplinary medical review committee and a determination by the interdisciplinary medical review committee regarding the medical and ethical appropriateness of the proposed health care; and (iii) requirements for a written explanation of the decision reached by the interdisciplinary medical review committee, which shall be included in the patient's medical record. Such policy shall ensure that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 (a) are informed of the patient's right to obtain his medical record and to obtain an independent medical opinion and (b) afforded reasonable opportunity to participate in the medical review committee meeting. Nothing in such policy shall prevent the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 from obtaining legal counsel to represent the patient or from seeking other remedies available at law, including seeking court review, provided that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986, or legal counsel provides written notice to the chief executive officer of the hospital within 14 days of the date on which the physician's determination that proposed medical treatment is medically or ethically inappropriate is documented in the patient's medical record;

22. Shall require every hospital with an emergency department to establish a security plan. Such security plan shall be developed using standards established by the International Association for Healthcare Security and Safety or other industry standard and shall be based on the results of a security risk assessment of each emergency department location of the hospital and shall include the presence of at least one off-duty law-enforcement officer or trained security personnel who is present in the emergency department at all times as indicated to be necessary and appropriate by the security risk assessment. Such security plan shall be based on identified risks for the emergency department, including trauma level designation, overall volume, volume of psychiatric and forensic patients, incidents of violence against staff, and level of injuries sustained from such violence, and prevalence of crime in the community, in consultation with the emergency department medical director and nurse director. The security plan shall also outline training requirements for security personnel in the potential use of and response to weapons, defensive tactics, de-escalation techniques, appropriate physical restraint and seclusion techniques, crisis intervention, and trauma-informed approaches. Such training shall also include instruction on safely addressing situations involving patients, family members, or other persons who pose a risk of harm to themselves or others due to mental illness or substance abuse or who are experiencing a mental health crisis. Such training requirements may be satisfied through completion of the Department of Criminal Justice Services minimum training standards for auxiliary police officers as required by § 15.2-1731. The Commissioner shall provide a waiver from the requirement that at least one off-duty law-enforcement officer or trained security personnel be present at all times in the emergency department if the hospital demonstrates that a different level of security is necessary and appropriate for any of its emergency departments based upon findings in the security risk assessment;

23. Shall require that each hospital establish a protocol requiring that, before a health care provider arranges for air medical transportation services for a patient who does not have an emergency medical condition as defined in 42 U.S.C. § 1395dd(e)(1), the hospital shall provide the patient or his authorized representative with written or electronic notice that the patient (i) may have a choice of transportation by an air medical transportation provider or medically appropriate ground transportation by an emergency medical services provider and (ii) will be responsible for charges incurred for such transportation in the event that the provider is not a contracted network provider of the patient's health insurance carrier or such charges are not otherwise covered in full or in part by the patient's health insurance plan;

24. Shall establish an exemption from the requirement to obtain a license to add temporary beds in an existing hospital or nursing home, including beds located in a temporary structure or satellite location operated by the hospital or nursing home, provided that the ability remains to safely staff services across the existing hospital or nursing home, (i) for a period of no more than the duration of the Commissioner's determination plus 30 days when the Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds or (ii) for a period of no more than the duration of the emergency order entered pursuant to § 32.1-13 or 32.1-20 plus 30 days when the Board, pursuant to § 32.1-13, or the Commissioner, pursuant to § 32.1-20, has entered an emergency order for the purpose of suppressing a nuisance dangerous to public health or a communicable, contagious, or infectious disease or other danger to the public life and health;

25. Shall establish protocols to ensure that any patient scheduled to receive an elective surgical procedure for which the patient can reasonably be expected to require outpatient physical therapy as a follow-up treatment after discharge is informed that he (i) is expected to require outpatient physical therapy as a follow-up treatment and (ii) will be required to select a physical therapy provider prior to being discharged from the hospital;

26. Shall permit nursing home staff members who are authorized to possess, distribute, or administer medications to residents to store, dispense, or administer cannabis oil to a resident who has been issued a valid written certification for the use of cannabis oil in accordance with § 4.1-1601;

27. Shall require each hospital with an emergency department to establish a protocol for the treatment and discharge of individuals experiencing a substance use-related emergency, which shall include provisions for (i) appropriate screening and assessment of individuals experiencing substance use-related emergencies to identify medical interventions necessary for the treatment of the individual in the emergency department and (ii) recommendations for follow-up care following discharge for any patient identified as having a substance use disorder, depression, or mental health disorder, as appropriate, which may include, for patients who have been treated for substance use-related emergencies, including opioid overdose, or other high-risk patients, (a) the dispensing of naloxone or other opioid antagonist used for overdose reversal pursuant to subsection X of § 54.1-3408 at discharge or (b) issuance of a prescription for and information about accessing naloxone or other opioid antagonist used for overdose reversal, including information about accessing naloxone or other opioid antagonist used for overdose reversal at a community pharmacy, including any outpatient pharmacy operated by the hospital, or through a community organization or pharmacy that may dispense naloxone or other opioid antagonist used for overdose reversal without a prescription pursuant to a statewide standing order. Such protocols may also provide for referrals of individuals experiencing a substance use-related emergency to peer recovery specialists and community-based providers of behavioral health services, or to providers of pharmacotherapy for the treatment of drug or alcohol dependence or mental health diagnoses;

28. During a public health emergency related to COVID-19, shall require each nursing home and certified nursing facility to establish a protocol to allow each patient to receive visits, consistent with guidance from the Centers for Disease Control and Prevention and as directed by the Centers for Medicare and Medicaid Services and the Board. Such protocol shall include provisions describing (i) the conditions, including conditions related to the presence of COVID-19 in the nursing home, certified nursing facility, and community, under which in-person visits will be allowed and under which in-person visits will not be allowed and visits will be required to be virtual; (ii) the requirements with which in-person visitors will be required to comply to protect the health and safety of the patients and staff of the nursing home or certified nursing facility; (iii) the types of technology, including interactive audio or video technology, and the staff support necessary to ensure visits are provided as required by this subdivision; and (iv) the steps the nursing home or certified nursing facility will take in the event of a technology failure, service interruption, or documented emergency that prevents visits from occurring as required by this subdivision. Such protocol shall also include (a) a statement of the frequency with which visits, including virtual and in-person, where appropriate, will be allowed, which shall be at least once every 10 calendar days for each patient; (b) a provision authorizing a patient or the patient's personal representative to waive or limit visitation, provided that such waiver or limitation is included in the patient's health record; and (c) a requirement that each nursing home and certified nursing facility publish on its website or communicate to each patient or the patient's authorized representative, in writing or via electronic means, the nursing home's or certified nursing facility's plan for providing visits to patients as required by this subdivision;

29. Shall require each hospital, nursing home, and certified nursing facility to establish and implement policies to ensure the permissible access to and use of an intelligent personal assistant provided by a patient, in accordance with such regulations, while receiving inpatient services. Such policies shall ensure protection of health information in accordance with the requirements of the federal Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d et seq., as amended. For the purposes of this subdivision, "intelligent personal assistant" means a combination of an electronic device and a specialized software application designed to assist users with basic tasks using a combination of natural language processing and artificial intelligence, including such combinations known as "digital assistants" or "virtual assistants";

30. During a declared public health emergency related to a communicable disease of public health threat, shall require each hospital, nursing home, and certified nursing facility to establish a protocol to allow patients to receive visits from a rabbi, priest, minister, or clergy of any religious denomination or sect consistent with guidance from the Centers for Disease Control and Prevention and the Centers for Medicare and Medicaid Services and subject to compliance with any executive order, order of public health, Department guidance, or any other applicable federal or state guidance having the effect of limiting visitation. Such protocol may restrict the frequency and duration of visits and may require visits to be conducted virtually using interactive audio or video technology. Any such protocol may require the person visiting a patient pursuant to this subdivision to comply with all reasonable requirements of the hospital, nursing home, or certified nursing facility adopted to protect the health and safety of the person, patients, and staff of the hospital, nursing home, or certified nursing facility; ~~and~~

31. Shall require that every hospital that makes health records, as defined in § 32.1-127.1:03, of patients who are minors available to such patients through a secure website shall make such health records available to such patient's parent or guardian through such secure website, unless the hospital cannot make such health record available in a manner that prevents disclosure of information, the disclosure of which has been denied pursuant to subsection F of § 32.1-127.1:03 or for which consent required in accordance with subsection E of § 54.1-2969 has not been provided*; and*

32. Shall establish fees for the issuance, change, or renewal of a hospital or nursing home license to cover the costs of operating the hospital and nursing home licensure and inspection program in a manner that ensures timely completion of inspections as set forth in § 32.1-126. In establishing such fees, the Board shall distribute the costs of operating the hospital

and nursing home licensure and inspection program in an equitable manner across all hospitals or nursing homes and ensure that the amount of such fees shall change no more frequently than annually. Fee changes under this section shall only be initiated if the expenses allocated to the Hospital and Nursing Home Licensure and Inspection Program Fund established under § 32.1-130, plus any state or other funding sources appropriated for the hospital and nursing home licensure and inspection program, are shown to be more than 10 percent greater or less than the annual costs of operating the hospital and nursing home licensure and inspection program in a manner that ensures timely completion of inspections. This analysis shall be conducted separately for hospital fees and nursing home fees, and resulting fee changes shall be established such that fees are sufficient to cover unfunded expenses but not excessive.

C. Upon obtaining the appropriate license, if applicable, licensed hospitals, nursing homes, and certified nursing facilities may operate adult day centers.

D. All facilities licensed by the Board pursuant to this article which provide treatment or care for hemophiliacs and, in the course of such treatment, stock clotting factors, shall maintain records of all lot numbers or other unique identifiers for such clotting factors in order that, in the event the lot is found to be contaminated with an infectious agent, those hemophiliacs who have received units of this contaminated clotting factor may be apprised of this contamination. Facilities which have identified a lot that is known to be contaminated shall notify the recipient's attending physician and request that he notify the recipient of the contamination. If the physician is unavailable, the facility shall notify by mail, return receipt requested, each recipient who received treatment from a known contaminated lot at the individual's last known address.

E. Hospitals in the Commonwealth may enter into agreements with the Department of Health for the provision to uninsured patients of naloxone or other opioid antagonists used for overdose reversal.

§ 32.1-127. (Effective July 1, 2025) Regulations.

A. The regulations promulgated by the Board to carry out the provisions of this article shall be in substantial conformity to the standards of health, hygiene, sanitation, construction and safety as established and recognized by medical and health care professionals and by specialists in matters of public health and safety, including health and safety standards established under provisions of Title XVIII and Title XIX of the Social Security Act, and to the provisions of Article 2 (§ 32.1-138 et seq.).

B. Such regulations:

1. Shall include minimum standards for (i) the construction and maintenance of hospitals, nursing homes and certified nursing facilities to ensure the environmental protection and the life safety of its patients, employees, and the public; (ii) the operation, staffing and equipping of hospitals, nursing homes and certified nursing facilities; (iii) qualifications and training of staff of hospitals, nursing homes and certified nursing facilities, except those professionals licensed or certified by the Department of Health Professions; (iv) conditions under which a hospital or nursing home may provide medical and nursing services to patients in their places of residence; and (v) policies related to infection prevention, disaster preparedness, and facility security of hospitals, nursing homes, and certified nursing facilities;

2. Shall provide that at least one physician who is licensed to practice medicine in the Commonwealth and is primarily responsible for the emergency department shall be on duty and physically present at all times at each hospital that operates or holds itself out as operating an emergency service;

3. May classify hospitals and nursing homes by type of specialty or service and may provide for licensing hospitals and nursing homes by bed capacity and by type of specialty or service;

4. Shall also require that each hospital establish a protocol for organ donation, in compliance with federal law and the regulations of the Centers for Medicare and Medicaid Services (CMS), particularly 42 C.F.R. § 482.45. Each hospital shall have an agreement with an organ procurement organization designated in CMS regulations for routine contact, whereby the provider's designated organ procurement organization certified by CMS (i) is notified in a timely manner of all deaths or imminent deaths of patients in the hospital and (ii) is authorized to determine the suitability of the decedent or patient for organ donation and, in the absence of a similar arrangement with any eye bank or tissue bank in Virginia certified by the Eye Bank Association of America or the American Association of Tissue Banks, the suitability for tissue and eye donation. The hospital shall also have an agreement with at least one tissue bank and at least one eye bank to cooperate in the retrieval, processing, preservation, storage, and distribution of tissues and eyes to ensure that all usable tissues and eyes are obtained from potential donors and to avoid interference with organ procurement. The protocol shall ensure that the hospital collaborates with the designated organ procurement organization to inform the family of each potential donor of the option to donate organs, tissues, or eyes or to decline to donate. The individual making contact with the family shall have completed a course in the methodology for approaching potential donor families and requesting organ or tissue donation that (a) is offered or approved by the organ procurement organization and designed in conjunction with the tissue and eye bank community and (b) encourages discretion and sensitivity according to the specific circumstances, views, and beliefs of the relevant family. In addition, the hospital shall work cooperatively with the designated organ procurement organization in educating the staff responsible for contacting the organ procurement organization's personnel on donation issues, the proper review of death records to improve identification of potential donors, and the proper procedures for maintaining potential donors while necessary testing and placement of potential donated organs, tissues, and eyes takes place. This process shall be followed, without exception, unless the family of the relevant decedent or patient has expressed opposition to organ donation, the chief administrative officer of the hospital or his designee knows of such opposition, and no donor card or other relevant document, such as an advance directive, can be found;

5. Shall require that each hospital that provides obstetrical services establish a protocol for admission or transfer of any pregnant woman who presents herself while in labor;

6. Shall also require that each licensed hospital develop and implement a protocol requiring written discharge plans for identified, substance-abusing, postpartum women and their infants. The protocol shall require that the discharge plan be discussed with the patient and that appropriate referrals for the mother and the infant be made and documented. Appropriate referrals may include, but need not be limited to, treatment services, comprehensive early intervention services for infants and toddlers with disabilities and their families pursuant to Part H of the Individuals with Disabilities Education Act, 20 U.S.C. § 1471 et seq., and family-oriented prevention services. The discharge planning process shall involve, to the extent possible, the other parent of the infant and any members of the patient's extended family who may participate in the follow-up care for the mother and the infant. Immediately upon identification, pursuant to § 54.1-2403.1, of any substance-abusing, postpartum woman, the hospital shall notify, subject to federal law restrictions, the community services board of the jurisdiction in which the woman resides to appoint a discharge plan manager. The community services board shall implement and manage the discharge plan;

7. Shall require that each nursing home and certified nursing facility fully disclose to the applicant for admission the home's or facility's admissions policies, including any preferences given;

8. Shall require that each licensed hospital establish a protocol relating to the rights and responsibilities of patients which shall include a process reasonably designed to inform patients of such rights and responsibilities. Such rights and responsibilities of patients, a copy of which shall be given to patients on admission, shall be consistent with applicable federal law and regulations of the Centers for Medicare and Medicaid Services;

9. Shall establish standards and maintain a process for designation of levels or categories of care in neonatal services according to an applicable national or state-developed evaluation system. Such standards may be differentiated for various levels or categories of care and may include, but need not be limited to, requirements for staffing credentials, staff/patient ratios, equipment, and medical protocols;

10. Shall require that each nursing home and certified nursing facility train all employees who are mandated to report adult abuse, neglect, or exploitation pursuant to § 63.2-1606 on such reporting procedures and the consequences for failing to make a required report;

11. Shall permit hospital personnel, as designated in medical staff bylaws, rules and regulations, or hospital policies and procedures, to accept emergency telephone and other verbal orders for medication or treatment for hospital patients from physicians, and other persons lawfully authorized by state statute to give patient orders, subject to a requirement that such verbal order be signed, within a reasonable period of time not to exceed 72 hours as specified in the hospital's medical staff bylaws, rules and regulations or hospital policies and procedures, by the person giving the order, or, when such person is not available within the period of time specified, co-signed by another physician or other person authorized to give the order;

12. Shall require, unless the vaccination is medically contraindicated or the resident declines the offer of the vaccination, that each certified nursing facility and nursing home provide or arrange for the administration to its residents of (i) an annual vaccination against influenza and (ii) a pneumococcal vaccination, in accordance with the most recent recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention;

13. Shall require that each nursing home and certified nursing facility register with the Department of State Police to receive notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 within the same or a contiguous zip code area in which the home or facility is located, pursuant to § 9.1-914;

14. Shall require that each nursing home and certified nursing facility ascertain, prior to admission, whether a potential patient is required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, if the home or facility anticipates the potential patient will have a length of stay greater than three days or in fact stays longer than three days;

15. Shall require that each licensed hospital include in its visitation policy a provision allowing each adult patient to receive visits from any individual from whom the patient desires to receive visits, subject to other restrictions contained in the visitation policy including, but not limited to, those related to the patient's medical condition and the number of visitors permitted in the patient's room simultaneously;

16. Shall require that each nursing home and certified nursing facility shall, upon the request of the facility's family council, send notices and information about the family council mutually developed by the family council and the administration of the nursing home or certified nursing facility, and provided to the facility for such purpose, to the listed responsible party or a contact person of the resident's choice up to six times per year. Such notices may be included together with a monthly billing statement or other regular communication. Notices and information shall also be posted in a designated location within the nursing home or certified nursing facility. No family member of a resident or other resident representative shall be restricted from participating in meetings in the facility with the families or resident representatives of other residents in the facility;

17. Shall require that each nursing home and certified nursing facility maintain liability insurance coverage in a minimum amount of $1 million, and professional liability coverage in an amount at least equal to the recovery limit set forth

in § 8.01-581.15, to compensate patients or individuals for injuries and losses resulting from the negligent or criminal acts of the facility. Failure to maintain such minimum insurance shall result in revocation of the facility's license;

18. Shall require each hospital that provides obstetrical services to establish policies to follow when a stillbirth, as defined in § 32.1-69.1, occurs that meet the guidelines pertaining to counseling patients and their families and other aspects of managing stillbirths as may be specified by the Board in its regulations;

19. Shall require each nursing home to provide a full refund of any unexpended patient funds on deposit with the facility following the discharge or death of a patient, other than entrance-related fees paid to a continuing care provider as defined in § 38.2-4900, within 30 days of a written request for such funds by the discharged patient or, in the case of the death of a patient, the person administering the person's estate in accordance with the Virginia Small Estates Act (§ 64.2-600 et seq.);

20. Shall require that each hospital that provides inpatient psychiatric services establish a protocol that requires, for any refusal to admit (i) a medically stable patient referred to its psychiatric unit, direct verbal communication between the on-call physician in the psychiatric unit and the referring physician, if requested by such referring physician, and prohibits on-call physicians or other hospital staff from refusing a request for such direct verbal communication by a referring physician and (ii) a patient for whom there is a question regarding the medical stability or medical appropriateness of admission for inpatient psychiatric services due to a situation involving results of a toxicology screening, the on-call physician in the psychiatric unit to which the patient is sought to be transferred to participate in direct verbal communication, either in person or via telephone, with a clinical toxicologist or other person who is a Certified Specialist in Poison Information employed by a poison control center that is accredited by the American Association of Poison Control Centers to review the results of the toxicology screen and determine whether a medical reason for refusing admission to the psychiatric unit related to the results of the toxicology screen exists, if requested by the referring physician;

21. Shall require that each hospital that is equipped to provide life-sustaining treatment shall develop a policy governing determination of the medical and ethical appropriateness of proposed medical care, which shall include (i) a process for obtaining a second opinion regarding the medical and ethical appropriateness of proposed medical care in cases in which a physician has determined proposed care to be medically or ethically inappropriate; (ii) provisions for review of the determination that proposed medical care is medically or ethically inappropriate by an interdisciplinary medical review committee and a determination by the interdisciplinary medical review committee regarding the medical and ethical appropriateness of the proposed health care; and (iii) requirements for a written explanation of the decision reached by the interdisciplinary medical review committee, which shall be included in the patient's medical record. Such policy shall ensure that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 (a) are informed of the patient's right to obtain his medical record and to obtain an independent medical opinion and (b) afforded reasonable opportunity to participate in the medical review committee meeting. Nothing in such policy shall prevent the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 from obtaining legal counsel to represent the patient or from seeking other remedies available at law, including seeking court review, provided that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986, or legal counsel provides written notice to the chief executive officer of the hospital within 14 days of the date on which the physician's determination that proposed medical treatment is medically or ethically inappropriate is documented in the patient's medical record;

22. Shall require every hospital with an emergency department to establish a security plan. Such security plan shall be developed using standards established by the International Association for Healthcare Security and Safety or other industry standard and shall be based on the results of a security risk assessment of each emergency department location of the hospital and shall include the presence of at least one off-duty law-enforcement officer or trained security personnel who is present in the emergency department at all times as indicated to be necessary and appropriate by the security risk assessment. Such security plan shall be based on identified risks for the emergency department, including trauma level designation, overall volume, volume of psychiatric and forensic patients, incidents of violence against staff, and level of injuries sustained from such violence, and prevalence of crime in the community, in consultation with the emergency department medical director and nurse director. The security plan shall also outline training requirements for security personnel in the potential use of and response to weapons, defensive tactics, de-escalation techniques, appropriate physical restraint and seclusion techniques, crisis intervention, and trauma-informed approaches. Such training shall also include instruction on safely addressing situations involving patients, family members, or other persons who pose a risk of harm to themselves or others due to mental illness or substance abuse or who are experiencing a mental health crisis. Such training requirements may be satisfied through completion of the Department of Criminal Justice Services minimum training standards for auxiliary police officers as required by § 15.2-1731. The Commissioner shall provide a waiver from the requirement that at least one off-duty law-enforcement officer or trained security personnel be present at all times in the emergency department if the hospital demonstrates that a different level of security is necessary and appropriate for any of its emergency departments based upon findings in the security risk assessment;

23. Shall require that each hospital establish a protocol requiring that, before a health care provider arranges for air medical transportation services for a patient who does not have an emergency medical condition as defined in 42 U.S.C. § 1395dd(e)(1), the hospital shall provide the patient or his authorized representative with written or electronic notice that the patient (i) may have a choice of transportation by an air medical transportation provider or medically appropriate ground transportation by an emergency medical services provider and (ii) will be responsible for charges incurred for such

transportation in the event that the provider is not a contracted network provider of the patient's health insurance carrier or such charges are not otherwise covered in full or in part by the patient's health insurance plan;

24. Shall establish an exemption from the requirement to obtain a license to add temporary beds in an existing hospital or nursing home, including beds located in a temporary structure or satellite location operated by the hospital or nursing home, provided that the ability remains to safely staff services across the existing hospital or nursing home, (i) for a period of no more than the duration of the Commissioner's determination plus 30 days when the Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds or (ii) for a period of no more than the duration of the emergency order entered pursuant to § 32.1-13 or 32.1-20 plus 30 days when the Board, pursuant to § 32.1-13, or the Commissioner, pursuant to § 32.1-20, has entered an emergency order for the purpose of suppressing a nuisance dangerous to public health or a communicable, contagious, or infectious disease or other danger to the public life and health;

25. Shall establish protocols to ensure that any patient scheduled to receive an elective surgical procedure for which the patient can reasonably be expected to require outpatient physical therapy as a follow-up treatment after discharge is informed that he (i) is expected to require outpatient physical therapy as a follow-up treatment and (ii) will be required to select a physical therapy provider prior to being discharged from the hospital;

26. Shall permit nursing home staff members who are authorized to possess, distribute, or administer medications to residents to store, dispense, or administer cannabis oil to a resident who has been issued a valid written certification for the use of cannabis oil in accordance with § 4.1-1601;

27. Shall require each hospital with an emergency department to establish a protocol for the treatment and discharge of individuals experiencing a substance use-related emergency, which shall include provisions for (i) appropriate screening and assessment of individuals experiencing substance use-related emergencies to identify medical interventions necessary for the treatment of the individual in the emergency department and (ii) recommendations for follow-up care following discharge for any patient identified as having a substance use disorder, depression, or mental health disorder, as appropriate, which may include, for patients who have been treated for substance use-related emergencies, including opioid overdose, or other high-risk patients, (a) the dispensing of naloxone or other opioid antagonist used for overdose reversal pursuant to subsection X of § 54.1-3408 at discharge or (b) issuance of a prescription for and information about accessing naloxone or other opioid antagonist used for overdose reversal, including information about accessing naloxone or other opioid antagonist used for overdose reversal at a community pharmacy, including any outpatient pharmacy operated by the hospital, or through a community organization or pharmacy that may dispense naloxone or other opioid antagonist used for overdose reversal without a prescription pursuant to a statewide standing order. Such protocols may also provide for referrals of individuals experiencing a substance use-related emergency to peer recovery specialists and community-based providers of behavioral health services, or to providers of pharmacotherapy for the treatment of drug or alcohol dependence or mental health diagnoses;

28. During a public health emergency related to COVID-19, shall require each nursing home and certified nursing facility to establish a protocol to allow each patient to receive visits, consistent with guidance from the Centers for Disease Control and Prevention and as directed by the Centers for Medicare and Medicaid Services and the Board. Such protocol shall include provisions describing (i) the conditions, including conditions related to the presence of COVID-19 in the nursing home, certified nursing facility, and community, under which in-person visits will be allowed and under which in-person visits will not be allowed and visits will be required to be virtual; (ii) the requirements with which in-person visitors will be required to comply to protect the health and safety of the patients and staff of the nursing home or certified nursing facility; (iii) the types of technology, including interactive audio or video technology, and the staff support necessary to ensure visits are provided as required by this subdivision; and (iv) the steps the nursing home or certified nursing facility will take in the event of a technology failure, service interruption, or documented emergency that prevents visits from occurring as required by this subdivision. Such protocol shall also include (a) a statement of the frequency with which visits, including virtual and in-person, where appropriate, will be allowed, which shall be at least once every 10 calendar days for each patient; (b) a provision authorizing a patient or the patient's personal representative to waive or limit visitation, provided that such waiver or limitation is included in the patient's health record; and (c) a requirement that each nursing home and certified nursing facility publish on its website or communicate to each patient or the patient's authorized representative, in writing or via electronic means, the nursing home's or certified nursing facility's plan for providing visits to patients as required by this subdivision;

29. Shall require each hospital, nursing home, and certified nursing facility to establish and implement policies to ensure the permissible access to and use of an intelligent personal assistant provided by a patient, in accordance with such regulations, while receiving inpatient services. Such policies shall ensure protection of health information in accordance with the requirements of the federal Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d et seq., as amended. For the purposes of this subdivision, "intelligent personal assistant" means a combination of an electronic device and a specialized software application designed to assist users with basic tasks using a combination of natural language processing and artificial intelligence, including such combinations known as "digital assistants" or "virtual assistants";

30. During a declared public health emergency related to a communicable disease of public health threat, shall require each hospital, nursing home, and certified nursing facility to establish a protocol to allow patients to receive visits from a rabbi, priest, minister, or clergy of any religious denomination or sect consistent with guidance from the Centers for Disease

Control and Prevention and the Centers for Medicare and Medicaid Services and subject to compliance with any executive order, order of public health, Department guidance, or any other applicable federal or state guidance having the effect of limiting visitation. Such protocol may restrict the frequency and duration of visits and may require visits to be conducted virtually using interactive audio or video technology. Any such protocol may require the person visiting a patient pursuant to this subdivision to comply with all reasonable requirements of the hospital, nursing home, or certified nursing facility adopted to protect the health and safety of the person, patients, and staff of the hospital, nursing home, or certified nursing facility;

31. Shall require that every hospital that makes health records, as defined in § 32.1-127.1:03, of patients who are minors available to such patients through a secure website shall make such health records available to such patient's parent or guardian through such secure website, unless the hospital cannot make such health record available in a manner that prevents disclosure of information, the disclosure of which has been denied pursuant to subsection F of § 32.1-127.1:03 or for which consent required in accordance with subsection E of § 54.1-2969 has not been provided; ~~and~~

32. Shall require that every hospital where surgical procedures are performed adopt a policy requiring the use of a smoke evacuation system for all planned surgical procedures that are likely to generate surgical smoke. For the purposes of this subdivision, "smoke evacuation system" means smoke evacuation equipment and technologies designed to capture, filter, and remove surgical smoke at the site of origin and to prevent surgical smoke from making ocular contact or contact with a person's respiratory tract*; and*

33. Shall establish fees for the issuance, change, or renewal of a hospital or nursing home license to cover the costs of operating the hospital and nursing home licensure and inspection program in a manner that ensures timely completion of inspections as set forth in § 32.1-126. In establishing such fees, the Board shall distribute the costs of operating the hospital and nursing home licensure and inspection program in an equitable manner across all hospitals or nursing homes and ensure that the amount of such fees shall change no more frequently than annually. Fee changes under this section shall only be initiated if the expenses allocated to the Hospital and Nursing Home Licensure and Inspection Program Fund established under § 32.1-130, plus any state or other funding sources appropriated for the hospital and nursing home licensure and inspection program, are shown to be more than 10 percent greater or less than the annual costs of operating the hospital and nursing home licensure and inspection program in a manner that ensures timely completion of inspections. This analysis shall be conducted separately for hospital fees and nursing home fees, and resulting fee changes shall be established such that fees are sufficient to cover unfunded expenses but not excessive.

C. Upon obtaining the appropriate license, if applicable, licensed hospitals, nursing homes, and certified nursing facilities may operate adult day centers.

D. All facilities licensed by the Board pursuant to this article which provide treatment or care for hemophiliacs and, in the course of such treatment, stock clotting factors, shall maintain records of all lot numbers or other unique identifiers for such clotting factors in order that, in the event the lot is found to be contaminated with an infectious agent, those hemophiliacs who have received units of this contaminated clotting factor may be apprised of this contamination. Facilities which have identified a lot that is known to be contaminated shall notify the recipient's attending physician and request that he notify the recipient of the contamination. If the physician is unavailable, the facility shall notify by mail, return receipt requested, each recipient who received treatment from a known contaminated lot at the individual's last known address.

E. Hospitals in the Commonwealth may enter into agreements with the Department of Health for the provision to uninsured patients of naloxone or other opioid antagonists used for overdose reversal.

2. That § 32.1-130 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-130. Fees; Hospital and Nursing Home Licensure and Inspection Program Fund.

A. ~~A service charge of $1.50 per patient bed for which the hospital or nursing home is licensed, but not less than $75 nor more than $500, shall be paid for each license upon issuance and renewal. The service charge for a license for a hospital or nursing home which does not provide overnight inpatient care shall be $75.~~

~~B.~~ All ~~service charges~~ *fees* received under the provisions of this article shall be paid into ~~a special fund of the Department~~ *the Hospital and Nursing Home Licensure and Inspection Program Fund established in subsection B* and are appropriated to the Department *solely* for the operation of the hospital and nursing home licensure and inspection program.

B. There is hereby created in the state treasury a special nonreverting fund to be known as the Hospital and Nursing Home Licensure and Inspection Program Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All fees collected pursuant to subsection A shall be paid into the state treasury and credited to the Fund, accounting separately for hospital fee revenue and nursing home fee revenue. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for operating the hospital and nursing home licensure and inspection program administered pursuant to this article. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by Commissioner.

3. That the Board of Health shall promulgate regulations to implement the provisions of the first enactment of this act to be effective within 280 days of its enactment.

4. That the provisions of the second enactment of this act shall not become effective until the Board of Health promulgates regulations to implement the provisions of the first enactment of this act. The Board of Health shall certify in writing to the Code Commission the date upon which such regulations become effective.

CHAPTER 255

An Act to amend and reenact § 46.2-373 of the Code of Virginia, relating to report of motor vehicle accident; damage threshold.

[H 2256]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-373 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-373. Report by law-enforcement official investigating accident.

A. Every law-enforcement officer who in the course of duty investigates a motor vehicle accident resulting in injury to or death of any person or total property damage to an apparent extent of ~~$1,500~~ *$3,000* or more, either at the time of and at the scene of the accident or thereafter and elsewhere, by interviewing participants or witnesses shall, within twenty-four hours after completing the investigation, forward a written report of the accident to the Department. The report shall include the name or names of the insurance carrier or of the insurance agent of the automobile liability policy on each vehicle involved in the accident. A law-enforcement agency may utilize a contracted service provider to forward reports electronically to the Department in compliance with this section and to manage or disseminate copies of such reports to persons identified in, and in a manner consistent with, § 46.2-380, provided such contracted service provider complies with the requirements applicable to an agency in Chapter 38 (§ 2.2-3800 et seq.) of Title 2.2.

B. Any report filed pursuant to subsection A of this section shall include information as to (i) the speed of each vehicle involved in the accident and (ii) the type of vehicles involved in all accidents between passenger vehicles and vehicles or combinations of vehicles used to transport property, and (iii) whether any trucks involved in such accidents were covered or uncovered.

C. The Department shall supply copies of accident reports received under this section to the Commissioner of Highways who shall exercise the authority granted to him under §§ 46.2-870 through 46.2-878 to reduce speed limits where accident frequency or severity or other factors may indicate the course of action to be warranted.

CHAPTER 256

An Act to direct the Bureau of Insurance to study step therapy protocols for health benefit plans; report.

[H 2258]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Bureau of Insurance of the State Corporation Commission (the Bureau) shall study the step therapy protocols for health benefit plans developed pursuant to § 38.2-3407.9:05 of the Code of Virginia by conducting a data call of health carriers that ascertains (i) the aggregate number of step therapy exception requests, acceptances, denials, appeals, and reversals; (ii) the percentages of reversals of step therapy exception request denials; (iii) the time frame for responses, reconsiderations, and final decisions regarding step therapy exception requests; (iv) the number of step therapy protocols that are introduced, revised, or removed each quarter; and (v) data on the specialties of step therapy protocols, such as those used specifically for oncology, rheumatology, ophthalmology, orthopedics, or neurosurgery. The Bureau shall submit an executive summary of the study and a report of its findings and recommendations to the Governor and General Assembly no later than November 1, 2026. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2027 Regular Session of the General Assembly and shall be posted on the General Assembly's website.*

CHAPTER 257

An Act to require certain individuals to be deemed licensed as teachers with an endorsement in special education early childhood (birth-age five years).

[H 2265]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. Notwithstanding 8VAC20-23-540 or any other provision of law or regulation to the contrary, any individual who has been employed in the Commonwealth as a preschool special education teacher licensed with an endorsement in special education – general curriculum K-12 for at least 15 school years shall be deemed licensed as a teacher with an endorsement in special education early childhood (birth-age five years) upon the recommendation of the division superintendent in the school division in which such individual is employed to the Department of Education that such teacher is well-qualified to continue to teach preschool special education in such school division.*

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

CHAPTER 258

An Act to amend the Code of Virginia by adding a section numbered 3.2-5901.2, relating to State Veterinarian; large animal veterinary grant program; report.

[H 2303]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 3.2-5901.2 as follows:

§ 3.2-5901.2. State Veterinarian; large animal veterinary grant program.

A. As used in this section:

"Large animal veterinarian" means a person who is actively engaged in and is licensed to practice veterinary medicine pursuant to Chapter 38 (§ 54.1-3800 et seq.) of Title 54.1 and whose specialties include livestock, poultry, or equine, as that term is defined in § 3.2-6200.

"Program" means the large animal veterinary grant program established by the State Veterinarian pursuant to subsection B.

B. The State Veterinarian shall establish a large animal veterinary grant program to provide grants to increase or stabilize the number of large animal veterinarians practicing in areas of the Commonwealth that have been identified by the State Veterinarian as having a shortage of such veterinarians. The State Veterinarian shall annually select from a pool of applicants no more than four large animal veterinarians to participate in the program.

C. The State Veterinarian, in consultation with the Board of Veterinary Medicine and relevant stakeholders, including the Virginia Farm Bureau Federation, the Virginia Academy of Food Animal Practitioners, and the Virginia Veterinary Medical Association, shall develop criteria for applicants to participate in the program, which shall include:

1. The geographic area of the Commonwealth that an applicant serves or would serve and the need for large animal veterinary services in such area;

2. The number of localities that an applicant serves or would serve;

3. The number of different large animal veterinarian specialties in which an applicant practices; and

4. The percentage of time an applicant devotes to large animal veterinary services.

2. That the State Veterinarian shall establish the large animal veterinary grant program pursuant to § 3.2-5901.2 of the Code of Virginia, as created by this act, no later than July 1, 2026.

3. That the State Veterinarian shall submit a report evaluating the extent to which the large animal veterinary grant program created pursuant to § 3.2-5901.2 of the Code of Virginia, as created by this act, has helped to address the shortage of large animal veterinarians in the Commonwealth. Such report shall be submitted to the Board of Veterinary Medicine and the Chairmen of the Senate Committee on Agriculture, Conservation and Natural Resources and the House Committee on Agriculture, Chesapeake and Natural Resources no later than July 1, 2030.

CHAPTER 259

An Act to amend and reenact § 18.2-264 of the Code of Virginia, relating to inhaling drugs or other noxious chemical substances or causing, etc., others to do so; distribution of nitrous oxide to persons under 18 prohibited; penalties.

[H 2308]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-264 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-264. Inhaling drugs or other noxious chemical substances or causing, etc., others to do so; distribution of nitrous oxide to persons under 18 prohibited; penalties.

A. It is unlawful, except under the direction of a practitioner as defined in § 54.1-3401, for any person deliberately to smell or inhale any drugs or any other noxious chemical substances with the intent to become intoxicated, inebriated, excited, or stupefied or to dull the brain or nervous system.

Any person violating the provisions of this subsection is guilty of a Class 1 misdemeanor.

B. It is unlawful for any person, other than one duly licensed, deliberately to cause, invite, or induce any person to smell or inhale any drugs or any other noxious chemical substances with the intent to intoxicate, inebriate, excite, stupefy, or dull the brain or nervous system of such person.

Any person violating the provisions of this subsection is guilty of a Class 2 misdemeanor.

C. *1. It is unlawful for any person to sell, distribute, or offer to sell or distribute a device that is designed or intended to deliver a gas containing nitrous oxide to any person under 18 years of age for any purpose.*

2. This subsection shall not apply to (i) a device, as described in subdivision 1, for nitrous oxide that is denatured or otherwise rendered unfit for human consumption or (ii) any person or establishment that is (a) solely engaged in the business of selling or distributing catering supplies, food processing equipment, or compressed gases for industrial or medical use or (b) a health care provider as defined in § 32.1-127.1:03.

3. Any person who fails to make diligent inquiry as to whether the person trying to obtain a device as described in subdivision 1 is 18 years of age or older or violates the provisions of this subsection is guilty of a Class 1 misdemeanor.

D. For ~~the~~ purposes of this section~~, "noxious~~*:*

"Diligent inquiry" means a good faith effort to determine the age of a person that includes an examination of any valid photo identification that establishes the identity and age of such person.

"Noxious chemical substances" includes fingernail polish and model airplane glue and chemicals containing any ketones, aldehydes, organic acetates, ether, chlorinated hydrocarbons or vapors, fluorinated hydrocarbons or vapors, *nitrous oxide,* or hydrogenated fluorocarbons.

CHAPTER 260

An Act to direct the Department of Health to develop guidance directing local health districts and local health departments to evaluate and recommend solutions prior to issuing a revocation for a valid onsite sewage system or private well permit.

[H 2309]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Department of Health shall develop guidance directing local health districts and local health departments to evaluate and recommend solutions to problems with a valid onsite sewage system or private well permit prior to issuing a revocation for such valid onsite sewage system or private well permit. Such guidance shall require that, if a revocation for such a permit is issued prior to providing the applicant an opportunity to implement solutions to correct the problem, the local health district or local health department shall include a statement with such revocation indicating the nature of the imminent risk to public health or the environment posed by the onsite sewage system or private well. Such guidance shall provide methods for addressing and resolving common onsite sewage system or private well permitting issues proactively as well as working collaboratively with applicants for such a permit to prevent denials or revocations of such a permit while adhering to existing statutory and regulatory requirements. Nothing contained in this act shall prohibit the revocation of an onsite sewage system or private well permit pursuant to relevant statutes and Board of Health regulations.*

CHAPTER 261

An Act to amend and reenact §§ 17.1-805 and 18.2-374.3 of the Code of Virginia, relating to use of communications system to expose sexual or genital parts to a child; penalty.

[H 2310]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 17.1-805 and 18.2-374.3 of the Code of Virginia are amended and reenacted as follows:

§ 17.1-805. Adoption of initial discretionary sentencing guideline midpoints.

A. The Commission shall adopt an initial set of discretionary felony sentencing guidelines which shall become effective on January 1, 1995. The initial recommended sentencing range for each felony offense shall be determined first, by computing the actual time-served distribution for similarly situated offenders, in terms of their conviction offense and prior criminal history, released from incarceration during the base period of calendar years 1988 through 1992, increased by 13.4 percent, and second, by eliminating from this range the upper and lower quartiles. The midpoint of each initial recommended sentencing range shall be the median time served for the middle two quartiles and subject to the following additional enhancements:

1. The midpoint of the initial recommended sentencing range for first degree murder, second degree murder, rape in violation of § 18.2-61, forcible sodomy, object sexual penetration, and aggravated sexual battery shall be further increased by (i) 125 percent in cases in which the defendant has no previous conviction of a violent felony offense; (ii) 300 percent in cases in which the defendant has previously been convicted of a violent felony offense punishable by a maximum punishment of less than 40 years; or (iii) 500 percent in cases in which the defendant has previously been convicted of a violent felony offense punishable by a maximum punishment of 40 years or more, except that the recommended sentence for a defendant convicted of first degree murder who has previously been convicted of a violent felony offense punishable by a maximum term of imprisonment of 40 years or more shall be imprisonment for life;

2. The midpoint of the initial recommended sentencing range for voluntary manslaughter, robbery, aggravated malicious wounding, malicious wounding, and any burglary of a dwelling house or statutory burglary of a dwelling house or any burglary committed while armed with a deadly weapon or any statutory burglary committed while armed with a deadly weapon shall be further increased by (i) 100 percent in cases in which the defendant has no previous conviction of a violent felony offense, (ii) 300 percent in cases in which the defendant has previously been convicted of a violent felony offense punishable by a maximum term of imprisonment of less than 40 years, or (iii) 500 percent in cases in which the defendant

has previously been convicted of a violent felony offense punishable by a maximum term of imprisonment of 40 years or more;

3. The midpoint of the initial recommended sentencing range for manufacturing, selling, giving, or distributing, or possessing with the intent to manufacture, sell, give, or distribute a Schedule I or II controlled substance, shall be increased by (i) 200 percent in cases in which the defendant has previously been convicted of a violent felony offense punishable by a maximum punishment of less than 40 years or (ii) 400 percent in cases in which the defendant has previously been convicted of a violent felony offense punishable by a maximum term of imprisonment of 40 years or more; and

4. The midpoint of the initial recommended sentencing range for felony offenses not specified in subdivision 1, 2, or 3 shall be increased by 100 percent in cases in which the defendant has previously been convicted of a violent felony offense punishable by a maximum punishment of less than 40 years and by 300 percent in cases in which the defendant has previously been convicted of a violent felony offense punishable by a maximum term of imprisonment of 40 years or more.

B. For purposes of this chapter, previous convictions shall include prior adult convictions and juvenile convictions and adjudications of delinquency based on an offense which would have been at the time of conviction a felony if committed by an adult under the laws of any state, the District of Columbia, or the United States or its territories.

C. For purposes of this chapter, violent felony offenses shall include any felony violation of § 16.1-253.2; solicitation to commit murder under § 18.2-29; any violation of § 18.2-31, 18.2-32, 18.2-32.1, 18.2-32.2, 18.2-33, or 18.2-35; any violation of subsection B of § 18.2-36.1; any violation of § 18.2-40 or 18.2-41; any violation of clause (c)(i) or (ii) of subsection B of § 18.2-46.3; any violation of § 18.2-46.5, 18.2-46.6, or 18.2-46.7; any Class 5 felony violation of § 18.2-47; any felony violation of § 18.2-48, 18.2-48.1, or 18.2-49; any violation of § 18.2-51, 18.2-51.1, 18.2-51.2, 18.2-51.3, 18.2-51.4, 18.2-51.6, 18.2-52, 18.2-52.1, 18.2-53, 18.2-53.1, 18.2-54.1, 18.2-54.2, or 18.2-55; any violation of subsection B of § 18.2-57; any felony violation of § 18.2-57.2; any violation of § 18.2-58 or 18.2-58.1; any felony violation of § 18.2-60.1, 18.2-60.3, or 18.2-60.4; any violation of § 18.2-61, 18.2-64.1, 18.2-67.1, 18.2-67.2, former § 18.2-67.2:1, 18.2-67.3, 18.2-67.5, or 18.2-67.5:1 involving a third conviction of either sexual battery in violation of § 18.2-67.4 or attempted sexual battery in violation of subsection C of § 18.2-67.5; any Class 4 felony violation of § 18.2-63; any violation of subsection A of § 18.2-67.4:1; any violation of subsection A of § 18.2-77; any Class 3 felony violation of § 18.2-79; any Class 3 felony violation of § 18.2-80; any violation of § 18.2-85, 18.2-89, 18.2-90, 18.2-91, 18.2-92, or 18.2-93; any felony violation of § 18.2-152.7; any Class 4 felony violation of § 18.2-153; any Class 4 felony violation of § 18.2-154; any Class 4 felony violation of § 18.2-155; any felony violation of § 18.2-162; any violation of § 18.2-279 involving an occupied dwelling; any felony violation of subsection A or B of § 18.2-280; any violation of § 18.2-281; any felony violation of subsection A of § 18.2-282; any felony violation of § 18.2-282.1; any violation of § 18.2-286.1, 18.2-287.2, 18.2-289, or 18.2-290; any violation of subsection A of § 18.2-300; any felony violation of subsection C of § 18.2-308.1 or § 18.2-308.2; any violation of § 18.2-308.2:1 or subsection M or N of § 18.2-308.2:2; any violation of § 18.2-308.3 or 18.2-312; any former felony violation of § 18.2-346; any felony violation of § 18.2-346.01, 18.2-348, or 18.2-349; any violation of § 18.2-355, 18.2-356, 18.2-357, or 18.2-357.1; any violation of former § 18.2-358; any violation of subsection B of § 18.2-361; any violation of subsection B of § 18.2-366; any violation of § 18.2-368, 18.2-370, or 18.2-370.1; any violation of subsection A of § 18.2-371.1; any felony violation of § 18.2-369 resulting in serious bodily injury or disease; any violation of § 18.2-374.1; any felony violation of § 18.2-374.1:1; any *felony* violation of § 18.2-374.3 or 18.2-374.4; any second or subsequent offense under §§ 18.2-379 and 18.2-381; any felony violation of § 18.2-405 or 18.2-406; any violation of § 18.2-408, 18.2-413, 18.2-414, 18.2-423, 18.2-423.01, 18.2-423.1, 18.2-423.2, or 18.2-433.2; any felony violation of § 18.2-460, 18.2-474.1, or 18.2-477.1; any violation of § 18.2-477, 18.2-478, 18.2-480, 18.2-481, or 18.2-485; any violation of § 37.2-917; any violation of § 52-48; any violation of § 53.1-203; any conspiracy or attempt to commit any offense specified in this subsection, or any substantially similar offense under the laws of any state, the District of Columbia, or the United States or its territories.

§ 18.2-374.3. Use of communications systems to facilitate certain offenses involving children; penalties.

A. As used in ~~subsections C, D, and E~~ *this section*, "use a communications system" means making personal contact or direct contact through any agent or agency, any print medium, the United States mail, any common carrier or communication common carrier, any electronic communications system, the Internet, or any telecommunications, wire, computer network, or radio communications system.

B. It is unlawful for any person to use a communications system, including ~~but not limited to~~ computers or computer networks or bulletin boards, or any other electronic means for the purposes of procuring or promoting the use of a minor for any activity in violation of § 18.2-370 or 18.2-374.1. A violation of this subsection is a Class 6 felony.

C. It is unlawful for any person 18 years of age or older to use a communications system, including ~~but not limited to~~ computers or computer networks or bulletin boards, or any other electronic means, for the purposes of soliciting, with lascivious intent, any person he knows or has reason to believe is a child younger than 15 years of age to knowingly and intentionally:

1. Expose his sexual or genital parts to any child to whom he is not legally married or propose that any such child expose his sexual or genital parts to such person;

2. Propose that any such child feel or fondle his own sexual or genital parts or the sexual or genital parts of such person or propose that such person feel or fondle the sexual or genital parts of any such child;

3. Propose to such child the performance of an act of sexual intercourse, anal intercourse, cunnilingus, fellatio, or anilingus or any act constituting an offense under § 18.2-361; or

4. Entice, allure, persuade, or invite any such child to enter any vehicle, room, house, or other place, for any purposes set forth in the preceding subdivisions.

Any person who violates this subsection is guilty of a Class 5 felony. However, if the person is at least seven years older than the child he knows or has reason to believe is less than 15 years of age, the person shall be punished by a term of imprisonment of not less than five years nor more than 30 years in a state correctional facility, five years of which shall be mandatory minimum term of imprisonment. Any person who commits a second or subsequent violation of this subsection when the person is at least seven years older than the child he knows or has reason to believe is less than 15 years of age shall be punished by a term of imprisonment of not less than 10 years nor more than 40 years, 10 years of which shall be a mandatory minimum term of imprisonment.

D. Any person who uses a communications system, including ~~but not limited to~~ computers or computer networks or bulletin boards, or any other electronic means, for the purposes of soliciting, with lascivious intent, any child he knows or has reason to believe is at least 15 years of age but younger than 18 years of age to knowingly and intentionally commit any of the activities listed in subsection C if the person is at least seven years older than the child is guilty of a Class 5 felony. Any person who commits a second or subsequent violation of this subsection shall be punished by a term of imprisonment of not less than one nor more than 20 years, one year of which shall be a mandatory minimum term of imprisonment.

D1. Any person 18 years of age or older who uses a communications system, including computers or computer networks or bulletin boards, or any other electronic means, with lascivious intent, to expose his sexual or genital parts to any person he knows or has reason to know is a child to whom he is not legally married and such child is 15 years of age or older is guilty of a Class 1 misdemeanor.

E. Any person 18 years of age or older who uses a communications system, including ~~but not limited to~~ computers or computer networks or bulletin boards, or any other electronic means, for the purposes of soliciting any person he knows or has reason to believe is a child younger than 18 years of age for (i) any activity in violation of § 18.2-355 or 18.2-361, (ii) any activity in violation of § 18.2-374.1, or (iii) a violation of § 18.2-374.1:1 is guilty of a Class 5 felony.

CHAPTER 262

An Act to amend the Code of Virginia by adding a section numbered 3.2-5901.2, relating to State Veterinarian; large animal veterinary grant program; report.

[S 921]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 3.2-5901.2 as follows:

§ 3.2-5901.2. State Veterinarian; large animal veterinary grant program.

A. As used in this section:

"Large animal veterinarian" means a person who is actively engaged in and is licensed to practice veterinary medicine pursuant to Chapter 38 (§ 54.1-3800 et seq.) of Title 54.1 and whose specialties include livestock, poultry, or equine, as that term is defined in § 3.2-6200.

"Program" means the large animal veterinary grant program established by the State Veterinarian pursuant to subsection B.

B. The State Veterinarian shall establish a large animal veterinary grant program to provide grants to increase or stabilize the number of large animal veterinarians practicing in areas of the Commonwealth that have been identified by the State Veterinarian as having a shortage of such veterinarians. The State Veterinarian shall annually select from a pool of applicants no more than four large animal veterinarians to participate in the program.

C. The State Veterinarian, in consultation with the Board of Veterinary Medicine and relevant stakeholders, including the Virginia Farm Bureau Federation, the Virginia Academy of Food Animal Practitioners, and the Virginia Veterinary Medical Association, shall develop criteria for applicants to participate in the program, which shall include:

1. The geographic area of the Commonwealth that an applicant serves or would serve and the need for large animal veterinary services in such area;

2. The number of localities that an applicant serves or would serve;

3. The number of different large animal veterinarian specialties in which an applicant practices; and

4. The percentage of time an applicant devotes to large animal veterinary services.

2. That the State Veterinarian shall establish the large animal veterinary grant program pursuant to § 3.2-5901.2 of the Code of Virginia, as created by this act, no later than July 1, 2026.

3. That the State Veterinarian shall submit a report evaluating the extent to which the large animal veterinary grant program created pursuant to § 3.2-5901.2 of the Code of Virginia, as created by this act, has helped to address the shortage of large animal veterinarians in the Commonwealth. Such report shall be submitted to the Board of Veterinary Medicine and the Chairmen of the Senate Committee on Agriculture, Conservation and Natural Resources and the House Committee on Agriculture, Chesapeake and Natural Resources no later than July 1, 2030.

CHAPTER 263

An Act to amend and reenact § 23.1-611 of the Code of Virginia, relating to public institutions of higher education; student exchange programs; tuition and mandatory fee waivers.

[S 1229]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 23.1-611 of the Code of Virginia is amended and reenacted as follows:

§ 23.1-611. Students from foreign countries; student exchange programs; tuition and fee waivers.

Tuition and mandatory fees may be waived for a student from a foreign country enrolled in a public institution of higher education through a *formalized* student exchange program ~~approved by~~ *between* such institution *and another institution of higher education*, provided that the number of *full-time equivalent inbound* students from a foreign country for whom tuition and mandatory fees has been waived does not exceed during any three-year period the number of *full-time equivalent outbound* students ~~from a foreign country~~ who are enrolled through such student exchange program and who pay full tuition and mandatory fees to the institution.

CHAPTER 264

An Act to amend and reenact § 18.2-264 of the Code of Virginia, relating to inhaling drugs or other noxious chemical substances or causing, etc., others to do so; distribution of nitrous oxide to persons under 18 prohibited; penalties.

[S 1361]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-264 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-264. Inhaling drugs or other noxious chemical substances or causing, etc., others to do so; distribution of nitrous oxide to persons under 18 prohibited; penalties.

A. It is unlawful, except under the direction of a practitioner as defined in § 54.1-3401, for any person deliberately to smell or inhale any drugs or any other noxious chemical substances with the intent to become intoxicated, inebriated, excited, or stupefied or to dull the brain or nervous system.

Any person violating the provisions of this subsection is guilty of a Class 1 misdemeanor.

B. It is unlawful for any person, other than one duly licensed, deliberately to cause, invite, or induce any person to smell or inhale any drugs or any other noxious chemical substances with the intent to intoxicate, inebriate, excite, stupefy, or dull the brain or nervous system of such person.

Any person violating the provisions of this subsection is guilty of a Class 2 misdemeanor.

C. *1. It is unlawful for any person to sell, distribute, or offer to sell or distribute a device that is designed or intended to deliver a gas containing nitrous oxide to any person under 18 years of age for any purpose.*

2. This subsection shall not apply to (i) a device, as described in subdivision 1, for nitrous oxide that is denatured or otherwise rendered unfit for human consumption or (ii) any person or establishment that is (a) solely engaged in the business of selling or distributing catering supplies, food processing equipment, or compressed gases for industrial or medical use or (b) a health care provider as defined in § 32.1-127.1:03.

3. Any person who fails to make diligent inquiry as to whether the person trying to obtain a device as described in subdivision 1 is 18 years of age or older or violates the provisions of this subsection is guilty of a Class 1 misdemeanor.

D. For ~~the~~ purposes of this section~~, "noxious~~*:*

"Diligent inquiry" means a good faith effort to determine the age of a person that includes an examination of any valid photo identification that establishes the identity and age of such person.

"Noxious chemical substances" includes fingernail polish and model airplane glue and chemicals containing any ketones, aldehydes, organic acetates, ether, chlorinated hydrocarbons or vapors, fluorinated hydrocarbons or vapors, *nitrous oxide,* or hydrogenated fluorocarbons.

CHAPTER 265

An Act to amend and reenact §§ 2.2-4006, 32.1-127, as it is currently effective and as it shall become effective, and 32.1-130 of the Code of Virginia, relating to hospitals and nursing homes; licensure and inspection fees; Hospital and Nursing Home Licensure and Inspection Program Fund established.

[S 1484]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-4006 and 32.1-127, as it is currently effective and as it shall become effective, of the Code of Virginia are amended and reenacted as follows:

§ 2.2-4006. Exemptions from requirements of this article.

A. The following agency actions otherwise subject to this chapter and § 2.2-4103 of the Virginia Register Act shall be exempted from the operation of this article:

1. Agency orders or regulations fixing rates or prices.

2. Regulations that establish or prescribe agency organization, internal practice or procedures, including delegations of authority.

3. Regulations that consist only of changes in style or form or corrections of technical errors. Each promulgating agency shall review all references to sections of the Code of Virginia within their regulations each time a new supplement or replacement volume to the Code of Virginia is published to ensure the accuracy of each section or section subdivision identification listed.

4. Regulations that are:

a. Necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved. However, such regulations shall be filed with the Registrar within 90 days of the law's effective date;

b. Required by order of any state or federal court of competent jurisdiction where no agency discretion is involved; or

c. Necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation, and the Registrar has so determined in writing. Notice of the proposed adoption of these regulations and the Registrar's determination shall be published in the Virginia Register not less than 30 days prior to the effective date of the regulation.

5. Regulations of the Board of Agriculture and Consumer Services adopted pursuant to subsection B of § 3.2-3929 or clause (v) or (vi) of subsection C of § 3.2-3931 after having been considered at two or more Board meetings and one public hearing.

6. Regulations of (i) the regulatory boards served by the Department of Labor and Industry pursuant to Title 40.1 and the Department of Professional and Occupational Regulation or the Department of Health Professions pursuant to Title 54.1 ~~and~~, (ii) the Board of Accountancy*, and (iii) the State Board of Health* that are limited to reducing fees charged to regulants and applicants.

7. The development and issuance of procedural policy relating to risk-based mine inspections by the Department of Energy authorized pursuant to §§ 45.2-560 and 45.2-1149.

8. General permits issued by the (a) State Air Pollution Control Board pursuant to Chapter 13 (§ 10.1-1300 et seq.) of Title 10.1 or (b) State Water Control Board pursuant to the State Water Control Law (§ 62.1-44.2 et seq.), Chapter 24 (§ 62.1-242 et seq.) of Title 62.1 and Chapter 25 (§ 62.1-254 et seq.) of Title 62.1, (c) Virginia Soil and Water Conservation Board pursuant to the Dam Safety Act (§ 10.1-604 et seq.), and (d) the development and issuance of general wetlands permits by the Marine Resources Commission pursuant to subsection B of § 28.2-1307, if the respective Board or Commission (i) provides a Notice of Intended Regulatory Action in conformance with the provisions of § 2.2-4007.01, (ii) following the passage of 30 days from the publication of the Notice of Intended Regulatory Action forms a technical advisory committee composed of relevant stakeholders, including potentially affected citizens groups, to assist in the development of the general permit, (iii) provides notice and receives oral and written comment as provided in § 2.2-4007.03, and (iv) conducts at least one public hearing on the proposed general permit.

9. The development and issuance by the Board of Education of guidelines on constitutional rights and restrictions relating to the recitation of the pledge of allegiance to the American flag in public schools pursuant to § 22.1-202.

10. Regulations of the Board of the Commonwealth Savers Plan adopted pursuant to § 23.1-704.

11. Regulations of the Marine Resources Commission.

12. Regulations adopted by the Board of Housing and Community Development pursuant to (i) Statewide Fire Prevention Code (§ 27-94 et seq.), (ii) the Industrialized Building Safety Law (§ 36-70 et seq.), (iii) the Uniform Statewide Building Code (§ 36-97 et seq.), and (iv) § 36-98.3, provided the Board (a) provides a Notice of Intended Regulatory Action in conformance with the provisions of § 2.2-4007.01, (b) publishes the proposed regulation and provides an opportunity for oral and written comments as provided in § 2.2-4007.03, and (c) conducts at least one public hearing as provided in §§ 2.2-4009 and 36-100 prior to the publishing of the proposed regulations. Notwithstanding the provisions of this subdivision, any regulations promulgated by the Board shall remain subject to the provisions of § 2.2-4007.06 concerning public petitions, and §§ 2.2-4013 and 2.2-4014 concerning review by the Governor and General Assembly.

13. Amendments to regulations of the Board to schedule a substance pursuant to subsection D or E of § 54.1-3443.

14. Waste load allocations adopted, amended, or repealed by the State Water Control Board pursuant to the State Water Control Law (§ 62.1-44.2 et seq.), including but not limited to Article 4.01 (§ 62.1-44.19:4 et seq.) of the State Water Control Law, if the Board (i) provides public notice in the Virginia Register; (ii) if requested by the public during the initial public notice 30-day comment period, forms an advisory group composed of relevant stakeholders; (iii) receives and provides summary response to written comments; and (iv) conducts at least one public meeting. Notwithstanding the provisions of this subdivision, any such waste load allocations adopted, amended, or repealed by the Board shall be subject to the provisions of §§ 2.2-4013 and 2.2-4014 concerning review by the Governor and General Assembly.

15. Regulations of the Workers' Compensation Commission adopted pursuant to § 65.2-605, including regulations that adopt, amend, adjust, or repeal Virginia fee schedules for medical services, provided the Workers' Compensation Commission (i) utilizes a regulatory advisory panel constituted as provided in subdivision F 2 of § 65.2-605 to assist in the development of such regulations and (ii) provides an opportunity for public comment on the regulations prior to adoption.

16. Amendments to the State Health Services Plan adopted by the Board of Health following receipt of recommendations by the State Health Services Task Force pursuant to § 32.1-102.2:1 if the Board (i) provides a Notice of Intended Regulatory Action in accordance with the requirements of § 2.2-4007.01, (ii) provides notice and receives comments as provided in § 2.2-4007.03, and (iii) conducts at least one public hearing on the proposed amendments.

17. Rules of the Workers' Compensation Commission adopted pursuant to subsection A of § 65.2-201 and subsection B of § 65.2-703, provided the Workers' Compensation Commission provides an opportunity for public comment on the rules prior to adoption.

B. Whenever regulations are adopted under this section, the agency shall state as part thereof that it will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision. The effective date of regulations adopted under this section shall be in accordance with the provisions of § 2.2-4015, except in the case of emergency regulations, which shall become effective as provided in subsection B of § 2.2-4012.

C. A regulation for which an exemption is claimed under this section or § 2.2-4002 or 2.2-4011 and that is placed before a board or commission for consideration shall be provided at least two days in advance of the board or commission meeting to members of the public that request a copy of that regulation. A copy of that regulation shall be made available to the public attending such meeting.

§ 32.1-127. (Effective until July 1, 2025) Regulations.

A. The regulations promulgated by the Board to carry out the provisions of this article shall be in substantial conformity to the standards of health, hygiene, sanitation, construction and safety as established and recognized by medical and health care professionals and by specialists in matters of public health and safety, including health and safety standards established under provisions of Title XVIII and Title XIX of the Social Security Act, and to the provisions of Article 2 (§ 32.1-138 et seq.).

B. Such regulations:

1. Shall include minimum standards for (i) the construction and maintenance of hospitals, nursing homes and certified nursing facilities to ensure the environmental protection and the life safety of its patients, employees, and the public; (ii) the operation, staffing and equipping of hospitals, nursing homes and certified nursing facilities; (iii) qualifications and training of staff of hospitals, nursing homes and certified nursing facilities, except those professionals licensed or certified by the Department of Health Professions; (iv) conditions under which a hospital or nursing home may provide medical and nursing services to patients in their places of residence; and (v) policies related to infection prevention, disaster preparedness, and facility security of hospitals, nursing homes, and certified nursing facilities;

2. Shall provide that at least one physician who is licensed to practice medicine in the Commonwealth and is primarily responsible for the emergency department shall be on duty and physically present at all times at each hospital that operates or holds itself out as operating an emergency service;

3. May classify hospitals and nursing homes by type of specialty or service and may provide for licensing hospitals and nursing homes by bed capacity and by type of specialty or service;

4. Shall also require that each hospital establish a protocol for organ donation, in compliance with federal law and the regulations of the Centers for Medicare and Medicaid Services (CMS), particularly 42 C.F.R. § 482.45. Each hospital shall have an agreement with an organ procurement organization designated in CMS regulations for routine contact, whereby the provider's designated organ procurement organization certified by CMS (i) is notified in a timely manner of all deaths or imminent deaths of patients in the hospital and (ii) is authorized to determine the suitability of the decedent or patient for organ donation and, in the absence of a similar arrangement with any eye bank or tissue bank in Virginia certified by the Eye Bank Association of America or the American Association of Tissue Banks, the suitability for tissue and eye donation. The hospital shall also have an agreement with at least one tissue bank and at least one eye bank to cooperate in the retrieval, processing, preservation, storage, and distribution of tissues and eyes to ensure that all usable tissues and eyes are obtained from potential donors and to avoid interference with organ procurement. The protocol shall ensure that the hospital collaborates with the designated organ procurement organization to inform the family of each potential donor of the option to donate organs, tissues, or eyes or to decline to donate. The individual making contact with the family shall have completed a course in the methodology for approaching potential donor families and requesting organ or tissue donation that (a) is offered or approved by the organ procurement organization and designed in conjunction with the tissue and eye bank community and (b) encourages discretion and sensitivity according to the specific circumstances, views, and beliefs of the relevant family. In addition, the hospital shall work cooperatively with the designated organ procurement organization in educating the staff responsible for contacting the organ procurement organization's personnel on donation issues, the proper review of death records to improve identification of potential donors, and the proper procedures for maintaining potential donors while necessary testing and placement of potential donated organs, tissues, and eyes takes place. This process shall be followed, without exception, unless the family of the relevant decedent or patient has expressed opposition to organ donation, the chief administrative officer of the hospital or his designee knows of such opposition, and no donor card or other relevant document, such as an advance directive, can be found;

5. Shall require that each hospital that provides obstetrical services establish a protocol for admission or transfer of any pregnant woman who presents herself while in labor;

6. Shall also require that each licensed hospital develop and implement a protocol requiring written discharge plans for identified, substance-abusing, postpartum women and their infants. The protocol shall require that the discharge plan be discussed with the patient and that appropriate referrals for the mother and the infant be made and documented. Appropriate

referrals may include, but need not be limited to, treatment services, comprehensive early intervention services for infants and toddlers with disabilities and their families pursuant to Part H of the Individuals with Disabilities Education Act, 20 U.S.C. § 1471 et seq., and family-oriented prevention services. The discharge planning process shall involve, to the extent possible, the other parent of the infant and any members of the patient's extended family who may participate in the follow-up care for the mother and the infant. Immediately upon identification, pursuant to § 54.1-2403.1, of any substance-abusing, postpartum woman, the hospital shall notify, subject to federal law restrictions, the community services board of the jurisdiction in which the woman resides to appoint a discharge plan manager. The community services board shall implement and manage the discharge plan;

7. Shall require that each nursing home and certified nursing facility fully disclose to the applicant for admission the home's or facility's admissions policies, including any preferences given;

8. Shall require that each licensed hospital establish a protocol relating to the rights and responsibilities of patients which shall include a process reasonably designed to inform patients of such rights and responsibilities. Such rights and responsibilities of patients, a copy of which shall be given to patients on admission, shall be consistent with applicable federal law and regulations of the Centers for Medicare and Medicaid Services;

9. Shall establish standards and maintain a process for designation of levels or categories of care in neonatal services according to an applicable national or state-developed evaluation system. Such standards may be differentiated for various levels or categories of care and may include, but need not be limited to, requirements for staffing credentials, staff/patient ratios, equipment, and medical protocols;

10. Shall require that each nursing home and certified nursing facility train all employees who are mandated to report adult abuse, neglect, or exploitation pursuant to § 63.2-1606 on such reporting procedures and the consequences for failing to make a required report;

11. Shall permit hospital personnel, as designated in medical staff bylaws, rules and regulations, or hospital policies and procedures, to accept emergency telephone and other verbal orders for medication or treatment for hospital patients from physicians, and other persons lawfully authorized by state statute to give patient orders, subject to a requirement that such verbal order be signed, within a reasonable period of time not to exceed 72 hours as specified in the hospital's medical staff bylaws, rules and regulations or hospital policies and procedures, by the person giving the order, or, when such person is not available within the period of time specified, co-signed by another physician or other person authorized to give the order;

12. Shall require, unless the vaccination is medically contraindicated or the resident declines the offer of the vaccination, that each certified nursing facility and nursing home provide or arrange for the administration to its residents of (i) an annual vaccination against influenza and (ii) a pneumococcal vaccination, in accordance with the most recent recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention;

13. Shall require that each nursing home and certified nursing facility register with the Department of State Police to receive notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 within the same or a contiguous zip code area in which the home or facility is located, pursuant to § 9.1-914;

14. Shall require that each nursing home and certified nursing facility ascertain, prior to admission, whether a potential patient is required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, if the home or facility anticipates the potential patient will have a length of stay greater than three days or in fact stays longer than three days;

15. Shall require that each licensed hospital include in its visitation policy a provision allowing each adult patient to receive visits from any individual from whom the patient desires to receive visits, subject to other restrictions contained in the visitation policy including, but not limited to, those related to the patient's medical condition and the number of visitors permitted in the patient's room simultaneously;

16. Shall require that each nursing home and certified nursing facility shall, upon the request of the facility's family council, send notices and information about the family council mutually developed by the family council and the administration of the nursing home or certified nursing facility, and provided to the facility for such purpose, to the listed responsible party or a contact person of the resident's choice up to six times per year. Such notices may be included together with a monthly billing statement or other regular communication. Notices and information shall also be posted in a designated location within the nursing home or certified nursing facility. No family member of a resident or other resident representative shall be restricted from participating in meetings in the facility with the families or resident representatives of other residents in the facility;

17. Shall require that each nursing home and certified nursing facility maintain liability insurance coverage in a minimum amount of $1 million, and professional liability coverage in an amount at least equal to the recovery limit set forth in § 8.01-581.15, to compensate patients or individuals for injuries and losses resulting from the negligent or criminal acts of the facility. Failure to maintain such minimum insurance shall result in revocation of the facility's license;

18. Shall require each hospital that provides obstetrical services to establish policies to follow when a stillbirth, as defined in § 32.1-69.1, occurs that meet the guidelines pertaining to counseling patients and their families and other aspects of managing stillbirths as may be specified by the Board in its regulations;

19. Shall require each nursing home to provide a full refund of any unexpended patient funds on deposit with the facility following the discharge or death of a patient, other than entrance-related fees paid to a continuing care provider as defined in § 38.2-4900, within 30 days of a written request for such funds by the discharged patient or, in the case of the death of a patient, the person administering the person's estate in accordance with the Virginia Small Estates Act (§ 64.2-600 et seq.);

20. Shall require that each hospital that provides inpatient psychiatric services establish a protocol that requires, for any refusal to admit (i) a medically stable patient referred to its psychiatric unit, direct verbal communication between the on-call physician in the psychiatric unit and the referring physician, if requested by such referring physician, and prohibits on-call physicians or other hospital staff from refusing a request for such direct verbal communication by a referring physician and (ii) a patient for whom there is a question regarding the medical stability or medical appropriateness of admission for inpatient psychiatric services due to a situation involving results of a toxicology screening, the on-call physician in the psychiatric unit to which the patient is sought to be transferred to participate in direct verbal communication, either in person or via telephone, with a clinical toxicologist or other person who is a Certified Specialist in Poison Information employed by a poison control center that is accredited by the American Association of Poison Control Centers to review the results of the toxicology screen and determine whether a medical reason for refusing admission to the psychiatric unit related to the results of the toxicology screen exists, if requested by the referring physician;

21. Shall require that each hospital that is equipped to provide life-sustaining treatment shall develop a policy governing determination of the medical and ethical appropriateness of proposed medical care, which shall include (i) a process for obtaining a second opinion regarding the medical and ethical appropriateness of proposed medical care in cases in which a physician has determined proposed care to be medically or ethically inappropriate; (ii) provisions for review of the determination that proposed medical care is medically or ethically inappropriate by an interdisciplinary medical review committee and a determination by the interdisciplinary medical review committee regarding the medical and ethical appropriateness of the proposed health care; and (iii) requirements for a written explanation of the decision reached by the interdisciplinary medical review committee, which shall be included in the patient's medical record. Such policy shall ensure that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 (a) are informed of the patient's right to obtain his medical record and to obtain an independent medical opinion and (b) afforded reasonable opportunity to participate in the medical review committee meeting. Nothing in such policy shall prevent the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 from obtaining legal counsel to represent the patient or from seeking other remedies available at law, including seeking court review, provided that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986, or legal counsel provides written notice to the chief executive officer of the hospital within 14 days of the date on which the physician's determination that proposed medical treatment is medically or ethically inappropriate is documented in the patient's medical record;

22. Shall require every hospital with an emergency department to establish a security plan. Such security plan shall be developed using standards established by the International Association for Healthcare Security and Safety or other industry standard and shall be based on the results of a security risk assessment of each emergency department location of the hospital and shall include the presence of at least one off-duty law-enforcement officer or trained security personnel who is present in the emergency department at all times as indicated to be necessary and appropriate by the security risk assessment. Such security plan shall be based on identified risks for the emergency department, including trauma level designation, overall volume, volume of psychiatric and forensic patients, incidents of violence against staff, and level of injuries sustained from such violence, and prevalence of crime in the community, in consultation with the emergency department medical director and nurse director. The security plan shall also outline training requirements for security personnel in the potential use of and response to weapons, defensive tactics, de-escalation techniques, appropriate physical restraint and seclusion techniques, crisis intervention, and trauma-informed approaches. Such training shall also include instruction on safely addressing situations involving patients, family members, or other persons who pose a risk of harm to themselves or others due to mental illness or substance abuse or who are experiencing a mental health crisis. Such training requirements may be satisfied through completion of the Department of Criminal Justice Services minimum training standards for auxiliary police officers as required by § 15.2-1731. The Commissioner shall provide a waiver from the requirement that at least one off-duty law-enforcement officer or trained security personnel be present at all times in the emergency department if the hospital demonstrates that a different level of security is necessary and appropriate for any of its emergency departments based upon findings in the security risk assessment;

23. Shall require that each hospital establish a protocol requiring that, before a health care provider arranges for air medical transportation services for a patient who does not have an emergency medical condition as defined in 42 U.S.C. § 1395dd(e)(1), the hospital shall provide the patient or his authorized representative with written or electronic notice that the patient (i) may have a choice of transportation by an air medical transportation provider or medically appropriate ground transportation by an emergency medical services provider and (ii) will be responsible for charges incurred for such transportation in the event that the provider is not a contracted network provider of the patient's health insurance carrier or such charges are not otherwise covered in full or in part by the patient's health insurance plan;

24. Shall establish an exemption from the requirement to obtain a license to add temporary beds in an existing hospital or nursing home, including beds located in a temporary structure or satellite location operated by the hospital or nursing home, provided that the ability remains to safely staff services across the existing hospital or nursing home, (i) for a period of no more than the duration of the Commissioner's determination plus 30 days when the Commissioner has determined that

a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds or (ii) for a period of no more than the duration of the emergency order entered pursuant to § 32.1-13 or 32.1-20 plus 30 days when the Board, pursuant to § 32.1-13, or the Commissioner, pursuant to § 32.1-20, has entered an emergency order for the purpose of suppressing a nuisance dangerous to public health or a communicable, contagious, or infectious disease or other danger to the public life and health;

25. Shall establish protocols to ensure that any patient scheduled to receive an elective surgical procedure for which the patient can reasonably be expected to require outpatient physical therapy as a follow-up treatment after discharge is informed that he (i) is expected to require outpatient physical therapy as a follow-up treatment and (ii) will be required to select a physical therapy provider prior to being discharged from the hospital;

26. Shall permit nursing home staff members who are authorized to possess, distribute, or administer medications to residents to store, dispense, or administer cannabis oil to a resident who has been issued a valid written certification for the use of cannabis oil in accordance with § 4.1-1601;

27. Shall require each hospital with an emergency department to establish a protocol for the treatment and discharge of individuals experiencing a substance use-related emergency, which shall include provisions for (i) appropriate screening and assessment of individuals experiencing substance use-related emergencies to identify medical interventions necessary for the treatment of the individual in the emergency department and (ii) recommendations for follow-up care following discharge for any patient identified as having a substance use disorder, depression, or mental health disorder, as appropriate, which may include, for patients who have been treated for substance use-related emergencies, including opioid overdose, or other high-risk patients, (a) the dispensing of naloxone or other opioid antagonist used for overdose reversal pursuant to subsection X of § 54.1-3408 at discharge or (b) issuance of a prescription for and information about accessing naloxone or other opioid antagonist used for overdose reversal, including information about accessing naloxone or other opioid antagonist used for overdose reversal at a community pharmacy, including any outpatient pharmacy operated by the hospital, or through a community organization or pharmacy that may dispense naloxone or other opioid antagonist used for overdose reversal without a prescription pursuant to a statewide standing order. Such protocols may also provide for referrals of individuals experiencing a substance use-related emergency to peer recovery specialists and community-based providers of behavioral health services, or to providers of pharmacotherapy for the treatment of drug or alcohol dependence or mental health diagnoses;

28. During a public health emergency related to COVID-19, shall require each nursing home and certified nursing facility to establish a protocol to allow each patient to receive visits, consistent with guidance from the Centers for Disease Control and Prevention and as directed by the Centers for Medicare and Medicaid Services and the Board. Such protocol shall include provisions describing (i) the conditions, including conditions related to the presence of COVID-19 in the nursing home, certified nursing facility, and community, under which in-person visits will be allowed and under which in-person visits will not be allowed and visits will be required to be virtual; (ii) the requirements with which in-person visitors will be required to comply to protect the health and safety of the patients and staff of the nursing home or certified nursing facility; (iii) the types of technology, including interactive audio or video technology, and the staff support necessary to ensure visits are provided as required by this subdivision; and (iv) the steps the nursing home or certified nursing facility will take in the event of a technology failure, service interruption, or documented emergency that prevents visits from occurring as required by this subdivision. Such protocol shall also include (a) a statement of the frequency with which visits, including virtual and in-person, where appropriate, will be allowed, which shall be at least once every 10 calendar days for each patient; (b) a provision authorizing a patient or the patient's personal representative to waive or limit visitation, provided that such waiver or limitation is included in the patient's health record; and (c) a requirement that each nursing home and certified nursing facility publish on its website or communicate to each patient or the patient's authorized representative, in writing or via electronic means, the nursing home's or certified nursing facility's plan for providing visits to patients as required by this subdivision;

29. Shall require each hospital, nursing home, and certified nursing facility to establish and implement policies to ensure the permissible access to and use of an intelligent personal assistant provided by a patient, in accordance with such regulations, while receiving inpatient services. Such policies shall ensure protection of health information in accordance with the requirements of the federal Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d et seq., as amended. For the purposes of this subdivision, "intelligent personal assistant" means a combination of an electronic device and a specialized software application designed to assist users with basic tasks using a combination of natural language processing and artificial intelligence, including such combinations known as "digital assistants" or "virtual assistants";

30. During a declared public health emergency related to a communicable disease of public health threat, shall require each hospital, nursing home, and certified nursing facility to establish a protocol to allow patients to receive visits from a rabbi, priest, minister, or clergy of any religious denomination or sect consistent with guidance from the Centers for Disease Control and Prevention and the Centers for Medicare and Medicaid Services and subject to compliance with any executive order, order of public health, Department guidance, or any other applicable federal or state guidance having the effect of limiting visitation. Such protocol may restrict the frequency and duration of visits and may require visits to be conducted virtually using interactive audio or video technology. Any such protocol may require the person visiting a patient pursuant to this subdivision to comply with all reasonable requirements of the hospital, nursing home, or certified nursing facility

adopted to protect the health and safety of the person, patients, and staff of the hospital, nursing home, or certified nursing facility; ~~and~~

31. Shall require that every hospital that makes health records, as defined in § 32.1-127.1:03, of patients who are minors available to such patients through a secure website shall make such health records available to such patient's parent or guardian through such secure website, unless the hospital cannot make such health record available in a manner that prevents disclosure of information, the disclosure of which has been denied pursuant to subsection F of § 32.1-127.1:03 or for which consent required in accordance with subsection E of § 54.1-2969 has not been provided*; and*

32. Shall establish fees for the issuance, change, or renewal of a hospital or nursing home license to cover the costs of operating the hospital and nursing home licensure and inspection program in a manner that ensures timely completion of inspections as set forth in § 32.1-126. In establishing such fees, the Board shall distribute the costs of operating the hospital and nursing home licensure and inspection program in an equitable manner across all hospitals or nursing homes and ensure that the amount of such fees shall change no more frequently than annually. Fee changes under this section shall only be initiated if the expenses allocated to the Hospital and Nursing Home Licensure and Inspection Program Fund established under § 32.1-130, plus any state or other funding sources appropriated for the hospital and nursing home licensure and inspection program, are shown to be more than 10 percent greater or less than the annual costs of operating the hospital and nursing home licensure and inspection program in a manner that ensures timely completion of inspections. This analysis shall be conducted separately for hospital fees and nursing home fees, and resulting fee changes shall be established such that fees are sufficient to cover unfunded expenses but not excessive.

C. Upon obtaining the appropriate license, if applicable, licensed hospitals, nursing homes, and certified nursing facilities may operate adult day centers.

D. All facilities licensed by the Board pursuant to this article which provide treatment or care for hemophiliacs and, in the course of such treatment, stock clotting factors, shall maintain records of all lot numbers or other unique identifiers for such clotting factors in order that, in the event the lot is found to be contaminated with an infectious agent, those hemophiliacs who have received units of this contaminated clotting factor may be apprised of this contamination. Facilities which have identified a lot that is known to be contaminated shall notify the recipient's attending physician and request that he notify the recipient of the contamination. If the physician is unavailable, the facility shall notify by mail, return receipt requested, each recipient who received treatment from a known contaminated lot at the individual's last known address.

E. Hospitals in the Commonwealth may enter into agreements with the Department of Health for the provision to uninsured patients of naloxone or other opioid antagonists used for overdose reversal.

§ 32.1-127. (Effective July 1, 2025) Regulations.

A. The regulations promulgated by the Board to carry out the provisions of this article shall be in substantial conformity to the standards of health, hygiene, sanitation, construction and safety as established and recognized by medical and health care professionals and by specialists in matters of public health and safety, including health and safety standards established under provisions of Title XVIII and Title XIX of the Social Security Act, and to the provisions of Article 2 (§ 32.1-138 et seq.).

B. Such regulations:

1. Shall include minimum standards for (i) the construction and maintenance of hospitals, nursing homes and certified nursing facilities to ensure the environmental protection and the life safety of its patients, employees, and the public; (ii) the operation, staffing and equipping of hospitals, nursing homes and certified nursing facilities; (iii) qualifications and training of staff of hospitals, nursing homes and certified nursing facilities, except those professionals licensed or certified by the Department of Health Professions; (iv) conditions under which a hospital or nursing home may provide medical and nursing services to patients in their places of residence; and (v) policies related to infection prevention, disaster preparedness, and facility security of hospitals, nursing homes, and certified nursing facilities;

2. Shall provide that at least one physician who is licensed to practice medicine in the Commonwealth and is primarily responsible for the emergency department shall be on duty and physically present at all times at each hospital that operates or holds itself out as operating an emergency service;

3. May classify hospitals and nursing homes by type of specialty or service and may provide for licensing hospitals and nursing homes by bed capacity and by type of specialty or service;

4. Shall also require that each hospital establish a protocol for organ donation, in compliance with federal law and the regulations of the Centers for Medicare and Medicaid Services (CMS), particularly 42 C.F.R. § 482.45. Each hospital shall have an agreement with an organ procurement organization designated in CMS regulations for routine contact, whereby the provider's designated organ procurement organization certified by CMS (i) is notified in a timely manner of all deaths or imminent deaths of patients in the hospital and (ii) is authorized to determine the suitability of the decedent or patient for organ donation and, in the absence of a similar arrangement with any eye bank or tissue bank in Virginia certified by the Eye Bank Association of America or the American Association of Tissue Banks, the suitability for tissue and eye donation. The hospital shall also have an agreement with at least one tissue bank and at least one eye bank to cooperate in the retrieval, processing, preservation, storage, and distribution of tissues and eyes to ensure that all usable tissues and eyes are obtained from potential donors and to avoid interference with organ procurement. The protocol shall ensure that the hospital collaborates with the designated organ procurement organization to inform the family of each potential donor of the option to donate organs, tissues, or eyes or to decline to donate. The individual making contact with the family shall have completed a course in the methodology for approaching potential donor families and requesting organ or tissue donation

that (a) is offered or approved by the organ procurement organization and designed in conjunction with the tissue and eye bank community and (b) encourages discretion and sensitivity according to the specific circumstances, views, and beliefs of the relevant family. In addition, the hospital shall work cooperatively with the designated organ procurement organization in educating the staff responsible for contacting the organ procurement organization's personnel on donation issues, the proper review of death records to improve identification of potential donors, and the proper procedures for maintaining potential donors while necessary testing and placement of potential donated organs, tissues, and eyes takes place. This process shall be followed, without exception, unless the family of the relevant decedent or patient has expressed opposition to organ donation, the chief administrative officer of the hospital or his designee knows of such opposition, and no donor card or other relevant document, such as an advance directive, can be found;

5. Shall require that each hospital that provides obstetrical services establish a protocol for admission or transfer of any pregnant woman who presents herself while in labor;

6. Shall also require that each licensed hospital develop and implement a protocol requiring written discharge plans for identified, substance-abusing, postpartum women and their infants. The protocol shall require that the discharge plan be discussed with the patient and that appropriate referrals for the mother and the infant be made and documented. Appropriate referrals may include, but need not be limited to, treatment services, comprehensive early intervention services for infants and toddlers with disabilities and their families pursuant to Part H of the Individuals with Disabilities Education Act, 20 U.S.C. § 1471 et seq., and family-oriented prevention services. The discharge planning process shall involve, to the extent possible, the other parent of the infant and any members of the patient's extended family who may participate in the follow-up care for the mother and the infant. Immediately upon identification, pursuant to § 54.1-2403.1, of any substance-abusing, postpartum woman, the hospital shall notify, subject to federal law restrictions, the community services board of the jurisdiction in which the woman resides to appoint a discharge plan manager. The community services board shall implement and manage the discharge plan;

7. Shall require that each nursing home and certified nursing facility fully disclose to the applicant for admission the home's or facility's admissions policies, including any preferences given;

8. Shall require that each licensed hospital establish a protocol relating to the rights and responsibilities of patients which shall include a process reasonably designed to inform patients of such rights and responsibilities. Such rights and responsibilities of patients, a copy of which shall be given to patients on admission, shall be consistent with applicable federal law and regulations of the Centers for Medicare and Medicaid Services;

9. Shall establish standards and maintain a process for designation of levels or categories of care in neonatal services according to an applicable national or state-developed evaluation system. Such standards may be differentiated for various levels or categories of care and may include, but need not be limited to, requirements for staffing credentials, staff/patient ratios, equipment, and medical protocols;

10. Shall require that each nursing home and certified nursing facility train all employees who are mandated to report adult abuse, neglect, or exploitation pursuant to § 63.2-1606 on such reporting procedures and the consequences for failing to make a required report;

11. Shall permit hospital personnel, as designated in medical staff bylaws, rules and regulations, or hospital policies and procedures, to accept emergency telephone and other verbal orders for medication or treatment for hospital patients from physicians, and other persons lawfully authorized by state statute to give patient orders, subject to a requirement that such verbal order be signed, within a reasonable period of time not to exceed 72 hours as specified in the hospital's medical staff bylaws, rules and regulations or hospital policies and procedures, by the person giving the order, or, when such person is not available within the period of time specified, co-signed by another physician or other person authorized to give the order;

12. Shall require, unless the vaccination is medically contraindicated or the resident declines the offer of the vaccination, that each certified nursing facility and nursing home provide or arrange for the administration to its residents of (i) an annual vaccination against influenza and (ii) a pneumococcal vaccination, in accordance with the most recent recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention;

13. Shall require that each nursing home and certified nursing facility register with the Department of State Police to receive notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 within the same or a contiguous zip code area in which the home or facility is located, pursuant to § 9.1-914;

14. Shall require that each nursing home and certified nursing facility ascertain, prior to admission, whether a potential patient is required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, if the home or facility anticipates the potential patient will have a length of stay greater than three days or in fact stays longer than three days;

15. Shall require that each licensed hospital include in its visitation policy a provision allowing each adult patient to receive visits from any individual from whom the patient desires to receive visits, subject to other restrictions contained in the visitation policy including, but not limited to, those related to the patient's medical condition and the number of visitors permitted in the patient's room simultaneously;

16. Shall require that each nursing home and certified nursing facility shall, upon the request of the facility's family council, send notices and information about the family council mutually developed by the family council and the

administration of the nursing home or certified nursing facility, and provided to the facility for such purpose, to the listed responsible party or a contact person of the resident's choice up to six times per year. Such notices may be included together with a monthly billing statement or other regular communication. Notices and information shall also be posted in a designated location within the nursing home or certified nursing facility. No family member of a resident or other resident representative shall be restricted from participating in meetings in the facility with the families or resident representatives of other residents in the facility;

17. Shall require that each nursing home and certified nursing facility maintain liability insurance coverage in a minimum amount of $1 million, and professional liability coverage in an amount at least equal to the recovery limit set forth in § 8.01-581.15, to compensate patients or individuals for injuries and losses resulting from the negligent or criminal acts of the facility. Failure to maintain such minimum insurance shall result in revocation of the facility's license;

18. Shall require each hospital that provides obstetrical services to establish policies to follow when a stillbirth, as defined in § 32.1-69.1, occurs that meet the guidelines pertaining to counseling patients and their families and other aspects of managing stillbirths as may be specified by the Board in its regulations;

19. Shall require each nursing home to provide a full refund of any unexpended patient funds on deposit with the facility following the discharge or death of a patient, other than entrance-related fees paid to a continuing care provider as defined in § 38.2-4900, within 30 days of a written request for such funds by the discharged patient or, in the case of the death of a patient, the person administering the person's estate in accordance with the Virginia Small Estates Act (§ 64.2-600 et seq.);

20. Shall require that each hospital that provides inpatient psychiatric services establish a protocol that requires, for any refusal to admit (i) a medically stable patient referred to its psychiatric unit, direct verbal communication between the on-call physician in the psychiatric unit and the referring physician, if requested by such referring physician, and prohibits on-call physicians or other hospital staff from refusing a request for such direct verbal communication by a referring physician and (ii) a patient for whom there is a question regarding the medical stability or medical appropriateness of admission for inpatient psychiatric services due to a situation involving results of a toxicology screening, the on-call physician in the psychiatric unit to which the patient is sought to be transferred to participate in direct verbal communication, either in person or via telephone, with a clinical toxicologist or other person who is a Certified Specialist in Poison Information employed by a poison control center that is accredited by the American Association of Poison Control Centers to review the results of the toxicology screen and determine whether a medical reason for refusing admission to the psychiatric unit related to the results of the toxicology screen exists, if requested by the referring physician;

21. Shall require that each hospital that is equipped to provide life-sustaining treatment shall develop a policy governing determination of the medical and ethical appropriateness of proposed medical care, which shall include (i) a process for obtaining a second opinion regarding the medical and ethical appropriateness of proposed medical care in cases in which a physician has determined proposed care to be medically or ethically inappropriate; (ii) provisions for review of the determination that proposed medical care is medically or ethically inappropriate by an interdisciplinary medical review committee and a determination by the interdisciplinary medical review committee regarding the medical and ethical appropriateness of the proposed health care; and (iii) requirements for a written explanation of the decision reached by the interdisciplinary medical review committee, which shall be included in the patient's medical record. Such policy shall ensure that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 (a) are informed of the patient's right to obtain his medical record and to obtain an independent medical opinion and (b) afforded reasonable opportunity to participate in the medical review committee meeting. Nothing in such policy shall prevent the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 from obtaining legal counsel to represent the patient or from seeking other remedies available at law, including seeking court review, provided that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986, or legal counsel provides written notice to the chief executive officer of the hospital within 14 days of the date on which the physician's determination that proposed medical treatment is medically or ethically inappropriate is documented in the patient's medical record;

22. Shall require every hospital with an emergency department to establish a security plan. Such security plan shall be developed using standards established by the International Association for Healthcare Security and Safety or other industry standard and shall be based on the results of a security risk assessment of each emergency department location of the hospital and shall include the presence of at least one off-duty law-enforcement officer or trained security personnel who is present in the emergency department at all times as indicated to be necessary and appropriate by the security risk assessment. Such security plan shall be based on identified risks for the emergency department, including trauma level designation, overall volume, volume of psychiatric and forensic patients, incidents of violence against staff, and level of injuries sustained from such violence, and prevalence of crime in the community, in consultation with the emergency department medical director and nurse director. The security plan shall also outline training requirements for security personnel in the potential use of and response to weapons, defensive tactics, de-escalation techniques, appropriate physical restraint and seclusion techniques, crisis intervention, and trauma-informed approaches. Such training shall also include instruction on safely addressing situations involving patients, family members, or other persons who pose a risk of harm to themselves or others due to mental illness or substance abuse or who are experiencing a mental health crisis. Such training requirements may be satisfied through completion of the Department of Criminal Justice Services minimum training standards for auxiliary police officers as required by § 15.2-1731. The Commissioner shall provide a waiver from the requirement that at least one off-duty law-enforcement officer or trained security personnel be present at all times in the

emergency department if the hospital demonstrates that a different level of security is necessary and appropriate for any of its emergency departments based upon findings in the security risk assessment;

23. Shall require that each hospital establish a protocol requiring that, before a health care provider arranges for air medical transportation services for a patient who does not have an emergency medical condition as defined in 42 U.S.C. § 1395dd(e)(1), the hospital shall provide the patient or his authorized representative with written or electronic notice that the patient (i) may have a choice of transportation by an air medical transportation provider or medically appropriate ground transportation by an emergency medical services provider and (ii) will be responsible for charges incurred for such transportation in the event that the provider is not a contracted network provider of the patient's health insurance carrier or such charges are not otherwise covered in full or in part by the patient's health insurance plan;

24. Shall establish an exemption from the requirement to obtain a license to add temporary beds in an existing hospital or nursing home, including beds located in a temporary structure or satellite location operated by the hospital or nursing home, provided that the ability remains to safely staff services across the existing hospital or nursing home, (i) for a period of no more than the duration of the Commissioner's determination plus 30 days when the Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds or (ii) for a period of no more than the duration of the emergency order entered pursuant to § 32.1-13 or 32.1-20 plus 30 days when the Board, pursuant to § 32.1-13, or the Commissioner, pursuant to § 32.1-20, has entered an emergency order for the purpose of suppressing a nuisance dangerous to public health or a communicable, contagious, or infectious disease or other danger to the public life and health;

25. Shall establish protocols to ensure that any patient scheduled to receive an elective surgical procedure for which the patient can reasonably be expected to require outpatient physical therapy as a follow-up treatment after discharge is informed that he (i) is expected to require outpatient physical therapy as a follow-up treatment and (ii) will be required to select a physical therapy provider prior to being discharged from the hospital;

26. Shall permit nursing home staff members who are authorized to possess, distribute, or administer medications to residents to store, dispense, or administer cannabis oil to a resident who has been issued a valid written certification for the use of cannabis oil in accordance with § 4.1-1601;

27. Shall require each hospital with an emergency department to establish a protocol for the treatment and discharge of individuals experiencing a substance use-related emergency, which shall include provisions for (i) appropriate screening and assessment of individuals experiencing substance use-related emergencies to identify medical interventions necessary for the treatment of the individual in the emergency department and (ii) recommendations for follow-up care following discharge for any patient identified as having a substance use disorder, depression, or mental health disorder, as appropriate, which may include, for patients who have been treated for substance use-related emergencies, including opioid overdose, or other high-risk patients, (a) the dispensing of naloxone or other opioid antagonist used for overdose reversal pursuant to subsection X of § 54.1-3408 at discharge or (b) issuance of a prescription for and information about accessing naloxone or other opioid antagonist used for overdose reversal, including information about accessing naloxone or other opioid antagonist used for overdose reversal at a community pharmacy, including any outpatient pharmacy operated by the hospital, or through a community organization or pharmacy that may dispense naloxone or other opioid antagonist used for overdose reversal without a prescription pursuant to a statewide standing order. Such protocols may also provide for referrals of individuals experiencing a substance use-related emergency to peer recovery specialists and community-based providers of behavioral health services, or to providers of pharmacotherapy for the treatment of drug or alcohol dependence or mental health diagnoses;

28. During a public health emergency related to COVID-19, shall require each nursing home and certified nursing facility to establish a protocol to allow each patient to receive visits, consistent with guidance from the Centers for Disease Control and Prevention and as directed by the Centers for Medicare and Medicaid Services and the Board. Such protocol shall include provisions describing (i) the conditions, including conditions related to the presence of COVID-19 in the nursing home, certified nursing facility, and community, under which in-person visits will be allowed and under which in-person visits will not be allowed and visits will be required to be virtual; (ii) the requirements with which in-person visitors will be required to comply to protect the health and safety of the patients and staff of the nursing home or certified nursing facility; (iii) the types of technology, including interactive audio or video technology, and the staff support necessary to ensure visits are provided as required by this subdivision; and (iv) the steps the nursing home or certified nursing facility will take in the event of a technology failure, service interruption, or documented emergency that prevents visits from occurring as required by this subdivision. Such protocol shall also include (a) a statement of the frequency with which visits, including virtual and in-person, where appropriate, will be allowed, which shall be at least once every 10 calendar days for each patient; (b) a provision authorizing a patient or the patient's personal representative to waive or limit visitation, provided that such waiver or limitation is included in the patient's health record; and (c) a requirement that each nursing home and certified nursing facility publish on its website or communicate to each patient or the patient's authorized representative, in writing or via electronic means, the nursing home's or certified nursing facility's plan for providing visits to patients as required by this subdivision;

29. Shall require each hospital, nursing home, and certified nursing facility to establish and implement policies to ensure the permissible access to and use of an intelligent personal assistant provided by a patient, in accordance with such regulations, while receiving inpatient services. Such policies shall ensure protection of health information in accordance with the requirements of the federal Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d et seq.,

as amended. For the purposes of this subdivision, "intelligent personal assistant" means a combination of an electronic device and a specialized software application designed to assist users with basic tasks using a combination of natural language processing and artificial intelligence, including such combinations known as "digital assistants" or "virtual assistants";

30. During a declared public health emergency related to a communicable disease of public health threat, shall require each hospital, nursing home, and certified nursing facility to establish a protocol to allow patients to receive visits from a rabbi, priest, minister, or clergy of any religious denomination or sect consistent with guidance from the Centers for Disease Control and Prevention and the Centers for Medicare and Medicaid Services and subject to compliance with any executive order, order of public health, Department guidance, or any other applicable federal or state guidance having the effect of limiting visitation. Such protocol may restrict the frequency and duration of visits and may require visits to be conducted virtually using interactive audio or video technology. Any such protocol may require the person visiting a patient pursuant to this subdivision to comply with all reasonable requirements of the hospital, nursing home, or certified nursing facility adopted to protect the health and safety of the person, patients, and staff of the hospital, nursing home, or certified nursing facility;

31. Shall require that every hospital that makes health records, as defined in § 32.1-127.1:03, of patients who are minors available to such patients through a secure website shall make such health records available to such patient's parent or guardian through such secure website, unless the hospital cannot make such health record available in a manner that prevents disclosure of information, the disclosure of which has been denied pursuant to subsection F of § 32.1-127.1:03 or for which consent required in accordance with subsection E of § 54.1-2969 has not been provided; ~~and~~

32. Shall require that every hospital where surgical procedures are performed adopt a policy requiring the use of a smoke evacuation system for all planned surgical procedures that are likely to generate surgical smoke. For the purposes of this subdivision, "smoke evacuation system" means smoke evacuation equipment and technologies designed to capture, filter, and remove surgical smoke at the site of origin and to prevent surgical smoke from making ocular contact or contact with a person's respiratory tract*; and*

33. Shall establish fees for the issuance, change, or renewal of a hospital or nursing home license to cover the costs of operating the hospital and nursing home licensure and inspection program in a manner that ensures timely completion of inspections as set forth in § 32.1-126. In establishing such fees, the Board shall distribute the costs of operating the hospital and nursing home licensure and inspection program in an equitable manner across all hospitals or nursing homes and ensure that the amount of such fees shall change no more frequently than annually. Fee changes under this section shall only be initiated if the expenses allocated to the Hospital and Nursing Home Licensure and Inspection Program Fund established under § 32.1-130, plus any state or other funding sources appropriated for the hospital and nursing home licensure and inspection program, are shown to be more than 10 percent greater or less than the annual costs of operating the hospital and nursing home licensure and inspection program in a manner that ensures timely completion of inspections. This analysis shall be conducted separately for hospital fees and nursing home fees, and resulting fee changes shall be established such that fees are sufficient to cover unfunded expenses but not excessive.

C. Upon obtaining the appropriate license, if applicable, licensed hospitals, nursing homes, and certified nursing facilities may operate adult day centers.

D. All facilities licensed by the Board pursuant to this article which provide treatment or care for hemophiliacs and, in the course of such treatment, stock clotting factors, shall maintain records of all lot numbers or other unique identifiers for such clotting factors in order that, in the event the lot is found to be contaminated with an infectious agent, those hemophiliacs who have received units of this contaminated clotting factor may be apprised of this contamination. Facilities which have identified a lot that is known to be contaminated shall notify the recipient's attending physician and request that he notify the recipient of the contamination. If the physician is unavailable, the facility shall notify by mail, return receipt requested, each recipient who received treatment from a known contaminated lot at the individual's last known address.

E. Hospitals in the Commonwealth may enter into agreements with the Department of Health for the provision to uninsured patients of naloxone or other opioid antagonists used for overdose reversal.

2. That § 32.1-130 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-130. Fees; Hospital and Nursing Home Licensure and Inspection Program Fund.

A. ~~A service charge of $1.50 per patient bed for which the hospital or nursing home is licensed, but not less than $75 nor more than $500, shall be paid for each license upon issuance and renewal. The service charge for a license for a hospital or nursing home which does not provide overnight inpatient care shall be $75.~~

~~B.~~ All ~~service charges~~ *fees* received under the provisions of this article shall be paid into ~~a special fund of the Department~~ *the Hospital and Nursing Home Licensure and Inspection Program Fund established in subsection B* and are appropriated to the Department *solely* for the operation of the hospital and nursing home licensure and inspection program.

B. There is hereby created in the state treasury a special nonreverting fund to be known as the Hospital and Nursing Home Licensure and Inspection Program Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All fees collected pursuant to subsection A shall be paid into the state treasury and credited to the Fund, accounting separately for hospital fee revenue and nursing home fee revenue. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for operating the hospital and nursing home licensure and inspection program administered pursuant to this article.

Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by Commissioner.

3. That the Board of Health shall promulgate regulations to implement the provisions of the first enactment of this act to be effective within 280 days of its enactment.

4. That the provisions of the second enactment of this act shall not become effective until the Board of Health promulgates regulations to implement the provisions of the first enactment of this act. The Board of Health shall certify in writing to the Code Commission the date upon which such regulations become effective.

CHAPTER 266

An Act to amend and reenact §§ 18.2-265.1 and 54.1-3466 of the Code of Virginia, relating to drug paraphernalia; controlled paraphernalia; drug checking products; exception.

[H 2319]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-265.1 and 54.1-3466 of the Code of Virginia are amended and reenacted as follows:

§ 18.2-265.1. Definition.

As used in this article, ~~the term~~ "drug paraphernalia" means all equipment, products, and materials of any kind which are either designed for use or which are intended by the person charged with violating § 18.2-265.3 for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, strength testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body marijuana or a controlled substance. ~~It~~ *"Drug paraphernalia"* includes, but is not limited to:

1. Kits intended for use or designed for use in planting, propagating, cultivating, growing, or harvesting ~~of~~ marijuana or any species of plant which is a controlled substance or from which a controlled substance can be derived;

2. Kits intended for use or designed for use in manufacturing, compounding, converting, producing, processing, or preparing marijuana or controlled substances;

3. Isomerization devices intended for use or designed for use in increasing the potency of marijuana or any species of plant which is a controlled substance;

4. Testing equipment intended for use or designed for use in identifying or in analyzing the strength or effectiveness of marijuana or controlled substances, other than ~~narcotic testing~~ *drug checking* products used to determine ~~whether a controlled substance contains fentanyl or a fentanyl analog~~ *the presence or concentration of a contaminant that can cause physical harm or death*;

5. Scales and balances intended for use or designed for use in weighing or measuring marijuana or controlled substances;

6. Diluents and adulterants, such as quinine hydrochloride, mannitol, or mannite, intended for use or designed for use in cutting controlled substances;

7. Separation gins and sifters intended for use or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;

8. Blenders, bowls, containers, spoons, and mixing devices intended for use or designed for use in compounding controlled substances;

9. Capsules, balloons, envelopes, and other containers intended for use or designed for use in packaging small quantities of marijuana or controlled substances;

10. Containers and other objects intended for use or designed for use in storing or concealing marijuana or controlled substances;

11. Hypodermic syringes, needles, and other objects intended for use or designed for use in parenterally injecting controlled substances into the human body;

12. Objects intended for use or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:

a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;

b. Water pipes;

c. Carburetion tubes and devices;

d. Smoking and carburetion masks;

e. Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;

f. Miniature cocaine spoons, and cocaine vials;

g. Chamber pipes;

h. Carburetor pipes;

i. Electric pipes;

j. Air-driven pipes;

k. Chillums;

l. Bongs;

m. Ice pipes or chillers.

§ 54.1-3466. Possession or distribution of controlled paraphernalia; definition of controlled paraphernalia; evidence; exceptions.

A. For purposes of this chapter, "controlled paraphernalia" means (i) a hypodermic syringe, needle, or other instrument or implement or combination thereof adapted for the administration of controlled dangerous substances by hypodermic injections under circumstances that reasonably indicate an intention to use such controlled paraphernalia for purposes of illegally administering any controlled drug or (ii) gelatin capsules, glassine envelopes, or any other container suitable for the packaging of individual quantities of controlled drugs in sufficient quantity to and under circumstances that reasonably indicate an intention to use any such item for the illegal manufacture, distribution, or dispensing of any such controlled drug. Evidence of such circumstances shall include, but not be limited to, close proximity of any such controlled paraphernalia to any adulterants or equipment commonly used in the illegal manufacture and distribution of controlled drugs, including, but not limited to, scales, sieves, strainers, measuring spoons, staples and staplers, or procaine hydrochloride, mannitol, lactose, quinine, or any controlled drug, or any machine, equipment, instrument, implement, device, or combination thereof that is adapted for the production of controlled drugs under circumstances that reasonably indicate an intention to use such item or combination thereof to produce, sell, or dispense any controlled drug in violation of the provisions of this chapter. "Controlled paraphernalia" does not include ~~narcotic testing~~ *drug checking* products used to determine ~~whether a controlled substance contains fentanyl or a fentanyl analog~~ *the presence or concentration of a contaminant that can cause physical harm or death*.

B. Except as authorized in this chapter, it is unlawful for any person to possess controlled paraphernalia.

C. Except as authorized in this chapter, it is unlawful for any person to distribute controlled paraphernalia.

D. A violation of this section is a Class 1 misdemeanor.

E. The provisions of this section shall not apply to persons who have acquired possession and control of controlled paraphernalia in accordance with the provisions of this article or to any person who owns or is engaged in breeding or raising livestock, poultry, or other animals to which hypodermic injections are customarily given in the interest of health, safety, or good husbandry; or to hospitals, physicians, pharmacists, dentists, podiatrists, veterinarians, funeral directors and embalmers, persons to whom a permit has been issued, manufacturers, wholesalers, or their authorized agents or employees when in the usual course of their business, if the controlled paraphernalia lawfully obtained continue to be used for the legitimate purposes for which they were obtained.

F. The provisions of this section and of § 18.2-265.3 shall not apply to (i) a person who dispenses naloxone in accordance with the provisions of subsection Y of § 54.1-3408 and who, in conjunction with such dispensing of naloxone, dispenses or distributes hypodermic needles and syringes for injecting such naloxone or (ii) a person who possesses naloxone that has been dispensed in accordance with the provisions of subsection Y of § 54.1-3408 and possesses hypodermic needles and syringes for injecting such naloxone in conjunction with such possession of naloxone.

G. The provisions of this section and of § 18.2-265.3 shall not apply to (i) a person who possesses or distributes controlled paraphernalia on behalf of or for the benefit of a comprehensive harm reduction program established pursuant to § 32.1-45.4 or (ii) a person who possesses controlled paraphernalia obtained from a comprehensive harm reduction program established pursuant to § 32.1-45.4.

CHAPTER 267

An Act to amend and reenact §§ 8.01-268, 8.01-317, 8.01-318, 8.01-623, 58.1-3965, 58.1-3967, 58.1-3968, 58.1-3970.1, 58.1-3973, and 58.1-3974 of the Code of Virginia and to repeal § 8.01-321 of the Code of Virginia, relating to delinquent real estate taxes; procedure for sale of real estate; enforcement of liens; orders of publication.

[H 2362]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-268, 8.01-317, 8.01-318, 8.01-623, 58.1-3965, 58.1-3967, 58.1-3968, 58.1-3970.1, 58.1-3973, and 58.1-3974 of the Code of Virginia are amended and reenacted as follows:

§ 8.01-268. When and how docketed and indexed.

A. No lis pendens or attachment shall bind or affect a subsequent bona fide purchaser of real or personal estate for valuable consideration and without actual notice of such lis pendens or attachment, until and except from the time a memorandum setting forth the title of the cause or attachment, the general object thereof, the court wherein it is pending, the amount of the claim asserted by the plaintiff, a description of the property, the name of the person whose estate is intended to be affected thereby, and in an action to enforce a zoning ordinance a description of the alleged violation, shall be admitted to record in the clerk's office of the circuit court of the county or the city wherein the property is located; or if it be in that part of the City of Richmond lying north of the south bank of the James River and including the islands in such river, in the clerk's office of the Circuit Court, Division I, of such city, or if it be in the part of the City of Richmond lying south of the

south bank of the James River, in the clerk's office of the Circuit Court, Division II, of such city. Clerks of circuit courts are authorized and directed to admit to record memoranda of lis pendens or attachment for actions pending in any court of this Commonwealth, or in any other state, federal, or territorial court. The provisions of this section shall not be construed to mean that any such memoranda heretofore recorded are not properly of record. Such memorandum shall not be deemed to have been recorded unless and until indexed as required by law. A memorandum of lis pendens admitted to record in an action to enforce a zoning ordinance shall expire after 180 days.

B. No memorandum of lis pendens shall be filed unless the action on which the lis pendens is based seeks *(i)* to establish an interest by the filing party in the real property described in the memorandum, *(ii) to sell the real property to enforce a lien for delinquent taxes pursuant to the provisions of Article 4 (§ 58.1-3965 et seq.) of Chapter 39 of Title 58.1 or a docketed judgment lien, (iii) the partition of real property pursuant to Article 9 (§ 8.01-81 et seq.) of Chapter 3 of Title 8.01,* or ~~unless the action on which the lis pendens is based seeks~~ *(iv)* to enforce a zoning ordinance.

§ 8.01-317. What order of publication to state; how published; when publication in newspaper dispensed with; electronic notice.

Except in condemnation actions, every order of publication shall give the abbreviated style of the suit, state briefly its object, and require the defendants, or unknown parties, against whom it is entered to appear and protect their interests on or before the date stated in the order which shall be no sooner than 50 days after entry of the order of publication. Such order of publication shall be published once each week for four successive weeks in such newspaper as the court may prescribe, or, if none be so prescribed, as the clerk may direct, and shall be posted at the front door of the courthouse wherein the court is held; also a copy of such order of publication shall be mailed to each of the defendants at the post office address given in the affidavit required by § 8.01-316. The clerk shall cause copies of the order to be so posted, mailed, and transmitted to the designated newspaper within 20 days after the entry of the order of publication. Upon completion of such publication, the clerk shall file a certificate in the papers of the case that the requirements of this section have been complied with. The court may, in any case where deemed proper, dispense with such publication in a newspaper or may order that appropriate notice be given by electronic means, under such terms and conditions as the court may direct, either in addition to or in lieu of publication in a newspaper, provided that such electronic notice is reasonably calculated, under all circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections. The cost of such publication or notice shall be paid by the petitioner or applicant. *Costs in proceedings to enforce tax liens of a locality shall be recovered according to the provisions of Article 4 (§ 58.1-3965 et seq.) of Chapter 39 of Title 58.1.*

§ 8.01-318. Within what time after publication case tried or heard; no subsequent publication required.

If after an order of publication has been executed, the defendants or unknown parties against whom it is entered shall not appear on or before the date specified in such order, the case may be tried or heard as to them. When the provisions of § 8.01-317~~, or, if applicable, the provisions of § 8.01-321,~~ have been complied with, no other publication or notice shall thereafter be required in any proceeding in court, or before a commissioner, or for the purpose of taking depositions, unless specifically ordered by the court as to such defendants or unknown parties.

§ 8.01-623. Injunction against decree subject to bill of review; limitations to bill of review.

A court allowing a bill of review may award an injunction to the decree to be reviewed. But no bill of review shall be allowed to a final decree, unless it be exhibited within six months next after such decree, except that a person under a disability as defined in § 8.01-2 may exhibit the same within six months after the removal of his ~~or her~~ disability. In no case shall such a bill be filed without the leave of court first obtained, unless it ~~be~~ *is* for error of law apparent upon the face of the record. *Notwithstanding the provisions of this section, no court shall allow a bill of review for a decree entered pursuant to § 58.1-3969 to sell real estate to enforce the lien for delinquent real estate taxes.*

Article 4.

~~Bill in Equity for~~ Sale of Delinquent Tax Lands.

§ 58.1-3965. When land may be sold for delinquent taxes; notice of sale; owner's right of redemption.

A. When any taxes on any real estate in a locality are delinquent on December 31 following the second anniversary of the date on which such taxes have become due, or, in the case of real property upon which is situated (i) any structure that has been condemned by the local building official pursuant to applicable law or ordinance; (ii) any nuisance as that term is defined in § 15.2-900; (iii) any derelict building as that term is defined in § 15.2-907.1; or (iv) any property that has been declared to be blighted as that term is defined in § 36-49.1:1, the first anniversary of the date on which such taxes have become due, such real estate may be sold for the purpose of collecting all delinquent taxes on such property.

However, in a qualifying locality, as defined in § 58.1-3221.6, whenever (a) taxes on any real estate in the locality are delinquent upon the expiration of six months following the date on which such taxes became due and (b) the locality has incurred abatement costs which remain unpaid upon the expiration of six months following the date on which the abatement costs were first incurred, real estate meeting the conditions described in clause (i), (ii), (iii), or (iv) may be sold for the purpose of collecting all delinquent taxes and abatement costs on such property. For the purposes of this section, "abatement costs" means costs incurred by a locality that result from the conditions described in clause (i), (ii), (iii), or (iv).

Upon a finding by the court, on real estate with an assessed value of $100,000 or less in any locality, that ~~(a)~~ *(1)* any taxes on such real estate are delinquent on December 31 following the first anniversary of the date on which such taxes have become due or ~~(b)~~ *(2)* there is a lien on such real estate pursuant to § 15.2-900, 15.2-906, 15.2-907, 15.2-907.1, 15.2-908.1, or 36-49.1:1, which lien remains unpaid on December 31 following the first anniversary of the date on which such lien was recorded, the property shall be deemed subject to sale by public auction pursuant to proper notice under this subsection.

The officer charged with the duty of collecting taxes for the locality wherein the real property lies shall, at least 30 days prior to instituting any judicial proceeding pursuant to this section, send a notice to ~~(1)~~ *(A)* the last known address of the property owner as such owner and address appear in the records of the treasurer~~,~~ ~~(2)~~ *and (B)* the property address if the property address is different from the owner's address and if the real estate is listed with the post office by a numbered and named street address ~~and (3) the last known address of any trustee under any deed of trust, mortgagee under any mortgage and any other lien creditor, if such trustee, mortgagee or lien creditor is not otherwise made a party defendant under § 58.1-3967, advising such property owner, trustee, mortgagee or other lien creditor of the delinquency and the officers' intention to take action~~. Such notice shall advise the taxpayer that the taxpayer may request the treasurer to enter into a payment agreement to permit the payment of the delinquent taxes, interest, and penalties over a period not to exceed 72 months in accordance with the provisions of subsection C. Such officer shall also cause to be published at least once a list of real estate which will be offered for sale under the provisions of this article in a newspaper of general circulation in the locality, at least 30 days prior to the date on which judicial proceedings under the provisions of this article are to be commenced.

The pro rata cost of such publication shall become a part of the tax and together with all other costs, including reasonable attorney fees set by the court and the costs of any title examination conducted in order to comply with the notice requirements imposed by this section, shall be collected if payment is made by the owner in redemption of the real property described therein whether or not court proceedings have been initiated. A notice substantially in the following form shall be sufficient:

Notice

Judicial Sale of Real Property

On ____ (date) proceedings will be commenced under the authority of § 58.1-3965 et seq. of the Code of Virginia to sell the following parcels for payment of delinquent taxes:

(description of properties)

B. The owner of any property listed may redeem it at any time before the date of the sale by paying all accumulated taxes, penalties, reasonable attorney fees, interest and costs thereon, including the pro rata cost of publication hereunder. Partial payment of delinquent taxes, penalties, reasonable attorney fees, interest, or costs shall not be sufficient to redeem the property~~,~~ and shall not operate to suspend, invalidate, or make moot any action for judicial sale brought pursuant to this article.

C. Notwithstanding the provisions of subsection B and of § 58.1-3954, the treasurer or other officer responsible for collecting taxes may suspend any action for sale of the property commenced pursuant to this article (i) upon entering into an agreement with the owner of the real property for the payment of all delinquent amounts in installments over a period that is reasonable under the circumstances, but that in no event shall exceed 72 months, or (ii) upon written notice by an individual, not a party to the action, asserting ownership rights in the property that is the subject of the action arising by virtue of testate or intestate succession, to the treasurer or other officer responsible for collecting taxes. The treasurer or other officer responsible for collecting taxes shall promptly advise the court of such claim and seek leave to add the individual asserting the claim as a party in the action. If the court determines that the individual asserting the claim possesses an ownership interest in the property that is the subject of the action, such individual may, within 30 days of the court's finding, enter into an agreement with the treasurer or other official responsible for collecting taxes for the payment of all delinquent amounts in installments over a period that is reasonable under the circumstances, but that in no event shall exceed 72 months. Any agreement under this subsection shall provide for the payment of current tax obligations as they come due, which payments shall be credited to current tax obligations notwithstanding the provisions of § 58.1-3913 and shall be secured by the lien of the locality pursuant to § 58.1-3340.

D. During the pendency of any installment agreement permitted under subsection C, any proceeding for a sale previously commenced shall not abate, but shall be continued on the docket of the court in which such action is pending. It shall be the duty of the treasurer or other officer responsible for collecting taxes to promptly notify the clerk of such court when obligations arising under such an installment agreement have been fully satisfied. Upon the receipt of such notice, the clerk shall cause the action to be stricken from the docket.

E. In the event the owner of the property or other responsible person defaults upon obligations arising under an installment agreement permitted by subsection C, or during the term of any installment agreement, defaults on any current obligation as it becomes due, such agreement shall be voidable by the treasurer or other officer responsible for collecting taxes upon 15 days' written notice to the signatories of such agreement irrespective of the amount remaining due. Any action for the sale previously commenced pursuant to this article may proceed without any requirement that the notice or advertisement required by subsection A, which had previously been made with respect to such property, be repeated. No owner of property which has been the subject of a defaulted installment agreement shall be eligible to enter into a second installment agreement with respect to the same property within three years of such default.

F. Any corporate, partnership or limited liability officer, as those terms are defined in § 58.1-1813, who willfully fails to pay any tax being enforced by this section, shall, in addition to other penalties provided by law, be liable to a penalty of the amount of the tax not paid, to be assessed and collected in the same manner as such taxes are assessed and collected.

G. During the pendency of the action, the circuit court in which the action is pending may, on its own motion or on the motion of any party, refer the parties to a dispute resolution proceeding pursuant to the provisions of Chapter 20.2 (§ 8.01-576.4 et seq.) of Title 8.01.

H. In any case in which real estate subject to delinquent taxes is situated in two or more jurisdictions, a suit to sell the entirety of the real estate pursuant to this article may be brought in a single jurisdiction provided that (i) taxes are delinquent in all jurisdictions for periods not less than the minimum applicable periods set forth in subsection A and (ii) the treasurer of each jurisdiction within which the property is situated consents to the suit.

The suit shall identify the taxes, penalties, interest, and other charges due in each jurisdiction. The publications and notices required pursuant to this section shall identify each of the jurisdictions in which the property is situated. Upon sale of the property, the order confirming the sale shall provide for the payment of taxes, penalties, interest, and other charges to each jurisdiction, and copies of the order confirming the sale and the deed conveying the property to the purchaser shall be recorded among the land records of the clerk's office of the circuit court for each jurisdiction within which the property that is the subject of the suit is situated. No final order confirming sale shall be entered sooner than 90 days following the provision of notice to parties in accordance with subsection A or, if later, 90 days following the receipt of notice by the treasurer or other official responsible for collecting taxes from an individual, not previously made a party to the action, in accordance with clause (ii) of subsection C.

§ 58.1-3967. How proceedings instituted; parties; procedure generally; title acquired; disposition of surplus proceeds of sale.

Proceedings under this article for the appointment of a special commissioner under § 58.1-3970.1 or the sale of real estate on which county, city, or town taxes are delinquent shall be by ~~bill in equity~~ *a complaint*, filed in the circuit court of the county or city in which such real estate is located, to subject the real estate to the lien for such delinquent taxes.

~~Any party~~ *Except as modified by statute, such proceedings shall be conducted in accordance with any requirements arising from statute or case law for a creditor's equitable claim to effect the sale of real estate to enforce a judgment lien. Any person or entity* with an interest in such real estate, including a lienor ~~or~~, *a* person with a claim of title, ~~but not including a person whose interest in the real estate is secured by~~ *or the beneficiary and trustees under* a deed of trust ~~properly recorded~~, shall ~~file his claim within 90 days after notice of such proceedings. Failure to timely file shall bar any such claims~~ *be named as a party defendant*.

~~Any party who is not otherwise served shall be served by publication pursuant to § 8.01-316.~~ Any ~~person~~ *party* served by publication may petition to have the case reheard~~, but, notwithstanding~~ *pursuant to* § 8.01-322, *but* only for good cause shown, and only within 90 days of entry of the confirmation of sale.

~~All necessary parties shall be made parties defendant. A guardian ad litem shall be appointed for persons under a disability as defined in § 8.01-2, and for all persons proceeded against by an order of publication as parties unknown. The beneficiary or beneficiaries under any deed of trust, security interest or mortgage shall not be deemed necessary parties, provided any trustee under the deed of trust, any mortgagee under the mortgage, and any lien creditor are given notice as prescribed in § 58.1-3965, except that either the beneficiary or beneficiaries, or the trustee or trustees, under any deed of trust, security interest or mortgage securing a financial institution, or any lien creditor that is a financial institution, shall be necessary parties defendant.~~ After filing of suit and a lis pendens, any party who thereafter acquires an interest in the delinquent real estate, including a lienor or party with a claim of title, shall not be deemed a necessary party, but shall be permitted to intervene in the proceedings to file his claim. Failure to file such a claim shall bar any such claim. The title conveyed to the purchaser at the judicial sale shall be held to bar any disabilities of parties defendant, and shall be free of all claims of any creditor, person, or entity, including those claims of beneficiaries under any deed of trust or mortgage, provided that ~~notice was given or the~~ *such* creditor, person, or entity was made a party defendant.

~~Such proceedings shall be held in accordance with the requirements, statutory or arising at common law, relative to effecting the sale of real estate by a creditors' bill in equity to subject real estate to the lien of a judgment creditor, provided that publication, if necessary, shall be as provided by § 8.01-321.~~

In proceedings under this article, the character of the title acquired by the purchaser of such real estate at such sale shall be governed by the principles and rules applicable to the titles of purchases at judicial sales of real estate generally; however nothing herein shall be construed to affect any easements recorded prior to the date of sale.

The former owner~~,~~ *and* his heirs*, devisees, successors,* or assigns of any real estate sold under this article shall be entitled to the surplus received from such sale in excess of the taxes, penalties, interest, reasonable ~~attorneys'~~ *attorney* fees, costs*,* and any liens chargeable thereon. *The burden shall be on the claimant to prove such entitlement.* If no claim for payment of the indebtedness secured by any lien chargeable thereon is made by an unknown beneficiary of such lien, or if no claim for such surplus is made by such former owner~~,~~ *or* his heirs*, devisees, successors,* or assigns~~,~~ within two years after the date of confirmation of such sale, then such amount secured by the lien of the unknown beneficiary, surplus, or both, as applicable, shall be paid by the clerk of the court in which such suit was instituted to the county, city, or town that received proceeds from the sale of the real estate. If a county and a town receive proceeds from the same sale, then such surplus shall be divided between the county and town pro rata based on the relative amount of proceeds received by each. *The circuit court holding excess proceeds under this section may refer the matter to a commissioner in chancery who shall examine and report to the court to whom such extra proceeds should be paid.* Upon request of the former owner, his heirs*, devisees, successors,* or assigns, or unknown beneficiary of any real estate sold under this article, and after a showing of a prior entitlement thereto, the governing body of any county ~~or~~, city ~~which~~*, or town that* has received such surplus funds may~~, in its discretion,~~ grant relief, by ordinance, to such former owner, heir, ~~or~~ *devisee, successor,* assign, or unknown beneficiary and pay over such amount as the governing body may deem appropriate to such former owner, heir, *devisee, successor,* assign, or unknown beneficiary.

§ 58.1-3968. When two or more parcels may be covered by one complaint.

In any proceeding under this article, two or more parcels of real estate may be covered by one ~~bill~~ *complaint* if they were assessed against or are owned by the same party or parties, or if they are assessed against and owned by different parties but each parcel is assessed at a value ~~which~~ *that* does not exceed $100,000.

§ 58.1-3970.1. Appointment of special commissioner to execute title to certain real estate with delinquent taxes or liens to localities.

A. 1. Except as provided in subsection B, in any proceedings under this article for the sale of a parcel or parcels of real estate that meet all of the following: (i) each parcel has delinquent real estate taxes or the locality has a lien against the parcel for removal, repair, or securing of a building or structure; removal of trash, garbage, refuse, or litter; or the cutting of grass, weeds, or other foreign growth; (ii) each parcel has an assessed value of $75,000 or less; and (iii) (a) such taxes and liens, together, including penalty and accumulated interest, exceed 50 percent of the assessed value of the parcel, (b) such taxes alone exceed 25 percent of the assessed value of the parcel, or (c) for parcels containing a structure that is a derelict building, as that term is defined in § 15.2-907.1, such taxes and liens, together, including penalty and accumulated interest, exceed 25 percent of the assessed value of the parcel, the locality may petition the circuit court to appoint a special commissioner to execute the necessary deed or deeds to convey the real estate, in lieu of the sale at public auction, to the locality, to the locality's land bank entity, or to an existing nonprofit entity designated by the locality to carry out the functions of a land bank entity pursuant to § 15.2-7512. After notice as required by this article, service of process, and upon answer filed by the owner or other parties in interest to the ~~bill in equity~~ *complaint*, the court shall allow the parties to present evidence and arguments, ore tenus, prior to the appointment of the special commissioner. Any surplusage accruing to a locality, land bank entity, or existing nonprofit entity as a result of the sale of the parcel or parcels after the receipt of the deed shall be payable to the beneficiaries of any liens against the property and to the former owner~~,~~ *or* his heirs*, devisees, successors,* or assigns in accordance with § 58.1-3967. No deficiency shall be charged against the owner after conveyance to the locality, land bank entity, or existing nonprofit entity.

2. A land bank entity or existing nonprofit entity receiving any parcel pursuant to this section shall either (i) sell the property to a third party in an arms-length transaction or, if the land bank entity or existing nonprofit entity develops the property before selling it, make such sale within a reasonable period of time after completing such development or (ii) if the land bank entity or existing nonprofit entity does not intend to sell the property, pay to the beneficiaries of any liens against the property and to the former owner~~,~~ *or* his heirs*, devisees, successors,* or assigns any amount of surplusage, if any, that would result if the property were sold and the proceeds distributed in accordance with § 58.1-3967. For purposes of this section, "existing nonprofit entity" and "land bank entity" have the same meaning as those terms are defined in § 15.2-7500.

B. For a parcel or parcels of real estate in a locality with a score of 100 or higher on the fiscal stress index, as published by the Department of Housing and Community Development in July 2020, all of the provisions of subsection A shall apply except (i) that the percentage of taxes and liens, together, including penalty and accumulated interest, and the percentage of taxes alone set forth in clauses (iii) (a) and (b) of ~~subsection~~ *subdivision* A *1* shall exceed 35 percent and 15 percent, respectively, of the assessed value of the parcel or parcels or (ii) that the percentage of taxes and liens, together, including penalty and accumulated interest, and the percentage of taxes alone set forth in clauses (iii) (a) and (b) of ~~subsection~~ *subdivision* A *1* shall exceed 20 percent and 10 percent, respectively, of the assessed value of the parcel or parcels, and each parcel has an assessed value of $150,000 or less, provided that under this clause the property is not an occupied dwelling, and the locality enters into an agreement for sale of the parcel to a nonprofit organization to renovate or construct a single-family dwelling on the parcel for sale to a person or persons to reside in the dwelling whose income is below the area median income.

C. For sales by a nonprofit organization pursuant to subsection B, such sales may include either (i) both the land and the structural improvements on a property or (ii) only the structural improvements of a property and not the land the structural improvements are located on. A sale of only the structural improvements is permissible only if (a) the structural improvements are subject to a ground lease with a community land trust, as that term is defined in § 55.1-1200; (b) the structural improvements are subject to a ground lease that has a term of at least 90 years; and (c) the community land trust retains a preemptive option to purchase such structural improvements at a price determined by a formula that is designed to ensure that the improvements remain affordable in perpetuity to low-income and moderate-income families earning less than 120 percent of the area median income, adjusted for family size.

§ 58.1-3973. Certain land purchased in name of Commonwealth to revert to owners, etc., subject to lien of delinquent taxes.

On June 1, 1973, the title to any real estate purchased by the treasurer of any county, city, or town in the name of the Commonwealth pursuant to §§ 58-1067 through 58-1072, which are hereby repealed, and not sold by the treasurer pursuant to such sections shall revert to the former owner ~~or owners~~, or his ~~or their~~ heirs, *devisees,* successors, and assigns, subject to the lien created by § 58.1-3340. The liens of such delinquent taxes shall continue to be recorded in the appropriate clerk's office or other office where such liens are customarily recorded.

§ 58.1-3974. Redemption of land by owner; lien for taxes paid.

Any owner of the real estate described in any notice published pursuant to § 58.1-3965 or any ~~bill in equity~~ *complaint* filed pursuant to this article, or his ~~or their~~ heirs, *devisees,* successors, and assigns, shall have the right to redeem such real estate prior to the date set for a judicial sale thereof by paying into court all taxes, penalties, and interest due with respect to such real estate, including any outstanding taxes, penalties, and interest owed to a town or other concurrent taxing entity,

together with all costs including costs of publication and a reasonable attorney fee set by the court. Any person who has paid any taxes on such real estate shall have a lien thereon for any taxes paid, plus interest at the rate of six percent per year.

2. That § 8.01-321 of the Code of Virginia is repealed.

CHAPTER 268

An Act to amend and reenact §§ 30-58.1, 30-168.3, and 30-343 of the Code of Virginia, relating to Joint Commission on Health Care; duty to study proposed health insurance mandates.

[H 2372]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 30-58.1, 30-168.3, and 30-343 of the Code of Virginia are amended and reenacted as follows:

§ 30-58.1. Powers and duties of Commission.

The Commission shall have the following powers and duties:

1. Make performance reviews of operations of state agencies to ascertain that sums appropriated have been~~,~~ or are being expended for the purposes for which such appropriations were made and to evaluate the effectiveness of programs in accomplishing legislative intent;

2. Study on a continuing basis the operations, practices, and duties of state agencies~~,~~ as they relate to efficiency in the utilization of space, personnel, equipment, and facilities;

3. Make such special studies and reports of the operations and functions of state agencies as it deems appropriate and as may be requested by the General Assembly; *and*

4. ~~Assess, analyze, and evaluate the social and economic costs and benefits of any proposed mandated health insurance benefit or mandated provider that is not included in the essential health benefits required by federal law to be provided under a health care plan, including the mandates' predicted effect on health care coverage premiums and related costs, net costs or savings to the health care system, and other relevant issues, and report its findings with respect to the proposed mandate to the Health Insurance Reform Commission; and~~

~~5.~~ Make such reports on its findings and recommendations at such time and in such manner as the Commission deems proper, submitting same to the agencies concerned, to the Governor, and to the General Assembly. Such reports as are submitted shall relate to the following matters:

a. Ways in which the agencies may operate more economically and efficiently;

b. Ways in which agencies can provide better services to the Commonwealth and to the people; and

c. Areas in which functions of state agencies are duplicative, overlapping, or failing to accomplish legislative objectives or for any other reason should be redefined or redistributed.

§ 30-168.3. Powers and duties of the Commission.

The Commission shall have the following powers and duties:

1. To study and gather information and data to accomplish its purposes as set forth in § 30-168;

2. To study the operations, management, jurisdiction, powers, and interrelationships of any department, board, bureau, commission, authority, or other agency with any direct responsibility for the provision and delivery of health care in the Commonwealth;

3. *To assess, analyze, and evaluate the social and economic costs and benefits, and other relevant issues, of any proposed mandated health insurance benefit or mandated provider that is not included in the essential health benefits required by federal law to be provided under a health care plan and report its findings with respect to the proposed mandate to the Health Insurance Reform Commission;*

4. To examine matters relating to health care services in other states and to consult and exchange information with officers and agencies of other states with respect to health service problems of mutual concern;

~~4.~~ *5.* To maintain offices and hold meetings and functions at any place within the Commonwealth that it deems necessary;

~~5.~~ *6.* To invite other interested parties to sit with the Commission and participate in its deliberations;

~~6.~~ *7.* To appoint a special task force from among the members of the Commission to study and make recommendations on issues related to behavioral health care to the full Commission; and

~~7.~~ *8.* To report its recommendations to the General Assembly and the Governor annually and to make such interim reports as it deems advisable or as may be required by the General Assembly and the Governor.

§ 30-343. Standing committees to request Commission assessment.

A. Whenever a legislative measure containing a mandated health insurance benefit or provider is proposed that is not identical or substantially similar to a legislative measure previously reviewed by the Commission within the three-year period immediately preceding the then-current session of the General Assembly, the Chair of the House Committee on Labor and Commerce or Senate Committee on Commerce and Labor having jurisdiction over the proposal shall (i) request that the Commission assess the proposal and (ii) send a copy of such request to the Bureau of Insurance of the State Corporation Commission (the Bureau). The Commission shall be given a period of 24 months to complete and submit its assessment on each such request. A report summarizing the Commission's assessment shall be forwarded to the ~~Chairman~~

chairman of the standing committee that requested the assessment. For the purposes of this section, "mandated health insurance benefit or provider" has the same meaning as "state-mandated health benefit" provided in § 38.2-3406.1.

B. Upon receipt of a copy of such a request, the Bureau shall prepare an analysis of the extent to which the proposed mandate is currently available under qualified health plans in the Commonwealth and advise the Commission as to whether the applicable agency has determined or would likely determine, in accordance with applicable federal rules, that the proposed mandate exceeds the scope of the essential health benefits. The Bureau's analysis shall be advisory only and not binding upon the Commission, the Bureau, the State Corporation Commission, or any other parties. As used in this section, "applicable agency" means the governmental agency that in accordance with applicable federal rules is responsible for identifying state-mandated benefits that are in addition to the essential health benefits. If the applicable federal rules require an agency of the Commonwealth to identify the state-mandated benefits that are in addition to the essential health benefits but do not identify a specific agency that is responsible for making such identification, the Bureau shall be the applicable agency. Following the Bureau's analysis, the Commission shall determine if the proposed mandate shall be (i) considered as part of an essential health benefits benchmark plan review in accordance with the provisions of § 30-343.1, (ii) assessed jointly by the Bureau and the Joint ~~Legislative Audit and Review~~ Commission *on Health Care* in accordance with subsection C, or (iii) considered in another manner by the Commission.

C. Upon request of the Commission, the Bureau and the Joint ~~Legislative Audit and Review~~ Commission *on Health Care* shall jointly assess the social and financial impact and the medical efficacy of the proposed mandate, which assessment shall include an estimate of the effects of enactment of the proposed mandate on the costs of health coverage in the Commonwealth, including any estimated additional costs that the Commonwealth may be responsible for pursuant to § 1311(d)(3)(B) of the *federal* Patient Protection and Affordable Care Act should the proposed mandate ultimately be determined by the applicable agency to be a benefit that exceeds the scope of the essential health benefits. Upon completion of the assessment by the Bureau and the Joint ~~Legislative Audit and Review~~ Commission *on Health Care*, the Commission may make a recommendation regarding its support of or opposition to the enactment of the proposed mandate. The Commission's recommendation may address whether the proposed mandate should be provided under health care plans offered through a health benefit exchange or outside a health benefit exchange.

The Commission shall be given a period of 24 months to complete and submit its assessment on each such request. A report summarizing the Commission's study shall be forwarded to the Governor and the General Assembly.

D. Whenever a legislative measure containing a mandated health insurance benefit or provider is identical or substantially similar to a legislative measure previously reviewed by the Commission within the three-year period immediately preceding the then-current session of the General Assembly, the standing committee may request the Commission to study the measure as provided in subsection A.

CHAPTER 269

An Act to amend and reenact §§ 32.1-23.4 and 38.2-3407.15:6 of the Code of Virginia, relating to prescription drug price transparency; pharmacy services administrative organizations.

[H 2375]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-23.4 and 38.2-3407.15:6 of the Code of Virginia are amended and reenacted as follows:

§ 32.1-23.4. Prescription drug price transparency; civil penalty.

A. As used in this section~~, "nonprofit~~*:*

"Nonprofit data services organization" means the nonprofit organization with which the Commissioner has negotiated and entered into a contract or agreement for the compilation, storage, analysis, and evaluation of data submitted by health care providers pursuant to § 32.1-276.4.

"Pharmacy services administrative organization" means an entity that provides administrative services to independent pharmacies, including negotiation with pharmacy benefits managers and other entities, to support pharmacies in contracting, compliance, and other operational areas.

B. The Department shall negotiate and enter into a contract or agreement with a nonprofit data services organization to annually collect, compile, and make available on its website publicly available information about prescription drug prices submitted by health carriers ~~and~~, pharmacy benefits managers*, and pharmacy services administrative organizations* pursuant to § 38.2-3407.15:6, wholesale distributors pursuant to § 54.1-3436.1, and manufacturers pursuant to § 54.1-3442.02. Such data and information shall be made available in aggregate in a form and manner that does not disclose or tend to disclose proprietary or confidential information of any health carrier, *pharmacy services administrative organization,* pharmacy benefits manager, wholesale distributor, or manufacturer.

C. A health carrier, *pharmacy services administrative organization,* pharmacy benefits manager, wholesale distributor, or manufacturer that fails to report information required to be reported pursuant to this section or § 38.2-3407.15:6, 54.1-3436.1, or 54.1-3442.02, respectively, shall be subject to a civil penalty not to exceed $2,500 per day from the date on which such reporting is required, to be collected by the Commissioner and deposited into the Literary Fund. However, the

Commissioner may reduce or waive a civil penalty imposed pursuant to this section if he determines that the violation was reasonable or resulting from good cause.

D. The Department shall adopt regulations to implement the provisions of this section, which shall include (i) provisions related to the specification of prescription drugs for the purpose of data collection and procedures for auditing information provided by health carriers, *pharmacy services administrative organizations,* pharmacy benefits managers, wholesale distributors, and manufacturers and (ii) a schedule of civil penalties for failure to report information required pursuant to this section or § 38.2-3407.15:6, 54.1-3436.1, or 54.1-3442.02, which shall be based on the level of severity of the violation.

E. All information submitted by a health carrier*, pharmacy services administrative organization,* or pharmacy benefits manager pursuant to § 38.2-3407.15:6, a wholesale distributor pursuant to § 54.1-3436.1, or a manufacturer pursuant to § 54.1-3442.02 shall be confidential and exempt from disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), except to the extent that such information is included in an aggregated form in the report required pursuant to this section.

§ 38.2-3407.15:6. Prescription drug price transparency.

A. As used in this section:

"Carrier" has the same meaning as set forth in § 38.2-3407.10.

"Health benefit plan" has the same meaning as set forth in § 38.2-3438.

"Manufacturer" has the same meaning as set forth in § 54.1-3401.

"Nonprofit data services organization" has the same meaning as set forth in § 32.1-23.4.

"Pharmacy benefits management" has the same meaning as set forth in § 38.2-3407.15:4.

"Pharmacy benefits manager" has the same meaning as set forth in § 38.2-3407.15:4.

"Pharmacy services administrative organization" has the same meaning as set forth in § 32.1-23.4.

B. Every carrier offering a health benefit plan shall report annually by April 1 to the nonprofit data services organization with which the Department of Health has entered into a contract or agreement pursuant to § 32.1-23.4 the following information on spending on prescription drugs in total, before enrollee cost sharing, for each health benefit plan offered by the carrier in the Commonwealth:

1. For covered outpatient prescription drugs that were prescribed to enrollees during the calendar year, the names of (i) the 25 most frequently prescribed outpatient prescription drugs, (ii) the names of the 25 outpatient prescription drugs covered at the greatest cost, calculated using the total annual spending by such health benefit plan for each outpatient prescription drug covered by the health benefit plan; and (iii) the 25 outpatient prescription drugs that experienced the greatest year-over-year increase in cost, calculated using the total annual spending by such health benefit plan for each outpatient prescription drug covered by the health benefit plan;

2. The percent increase in annual net spending for prescription drugs after accounting for aggregated rebates, discounts, or other reductions in price;

3. The percent increase in premiums that were attributable to each health care service, including prescription drugs;

4. The percentage of specialty drugs with utilization management requirements; and

5. The premium reductions that were attributable to specialty drug utilization management.

C. A report submitted by a carrier pursuant to this section shall not disclose the identity of a specific health benefit plan or the price charged for a specific prescription drug or class of prescription drugs.

D. Every carrier offering a health benefit plan shall require each pharmacy benefits manager with which it enters into a contract for pharmacy benefits management to report annually by April 1 to the nonprofit data services organization with which the Department has entered into a contract or agreement pursuant to § 32.1-23.2 the following information for each drug specified by the Department of Health:

1. The aggregate amount of rebates received by the pharmacy benefits manager;

2. The aggregate amount of rebates distributed to the relevant health benefit plan; and

3. The aggregate amount of rebates passed on to enrollees of each health benefit plan at the point of sale that reduced the enrollees' applicable deductible, copayment, coinsurance, or other cost-sharing amount.

E. *A pharmacy services administrative organization shall, to the extent allowed by law, submit a report annually by April 1 to the nonprofit data services organization with which the Department has entered into a contract or agreement pursuant to § 32.1-23.4. Such report shall include the following information for each prescription drug specified by the Department of Health:*

1. The negotiated reimbursement rate that the pharmacy services administrative organization pays pharmacies for brand, generic, and specialty drugs for each pharmacy benefits manager's pharmacy network;

2. The negotiated reimbursement rate that the pharmacy benefits manager pays the pharmacy services administrative organization for brand, generic, and specialty drugs for each pharmacy benefits manager's pharmacy network; and

3. The schedule of fees charged by the organization to pharmacies.

A pharmacy services administrative organization that solely generates revenue from charging flat service fees to pharmacies and does not charge pharmacies for services based on prescription drug prices or volume shall be exempt from the reporting requirements of this section.

F. A report submitted by a pharmacy benefits manager *or pharmacy services administrative organization* pursuant to subsection D *or E* shall not disclose the identity of a specific health benefit plan or covered person, the price charged for a

specific prescription drug or class of prescription drugs, or the amount of any rebate or fee provided for a specific prescription drug or class of prescription drugs.

CHAPTER 270

An Act to amend and reenact § 54.1-3408.03 of the Code of Virginia, relating to prescription drugs; dispensing of therapeutically equivalent drug products; provisions for return of outdated drugs.

[H 2378]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3408.03 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3408.03. Dispensing of therapeutically equivalent drug product permitted.

A. A pharmacist may dispense a therapeutically equivalent drug product for a prescription that is written for a brand-name drug product unless (i) the prescriber indicates such substitution is not authorized by specifying on the prescription, "brand medically necessary" or (ii) the patient insists on the dispensing of the brand-name drug product.

In the case of an oral prescription, the prescriber's oral dispensing instructions regarding substitution shall be followed.

B. Prescribers using prescription blanks printed in compliance with Virginia law in effect on June 30, 2003, having two check boxes and referencing the Virginia Voluntary Formulary, may indicate, until July 1, 2006, that substitution is not authorized by checking the "Dispense as Written" box. If the "Voluntary Formulary Permitted" box is checked on such prescription blanks or if neither box is checked, a pharmacist may dispense a therapeutically equivalent drug product pursuant to such prescriptions.

C. If the pharmacist dispenses a drug product other than the brand name prescribed, he shall so inform the purchaser and shall indicate, unless otherwise directed by the prescriber, on both his permanent record and the prescription label, the brand name or, in the case of a therapeutically equivalent drug product, the name of the manufacturer or the distributor. Whenever a pharmacist dispenses a therapeutically equivalent drug product pursuant to a prescription written for a brand-name product, the pharmacist shall label the drug with the name of the therapeutically equivalent drug product followed by the words "generic for" and the brand name of the drug for which the prescription was written.

D. When a pharmacist dispenses a drug product other than the drug product prescribed, the dispensed drug product shall be at a lower retail price than that of the drug product prescribed. Such retail price shall not exceed the usual and customary retail price charged by the pharmacist for the dispensed therapeutically equivalent drug product.

E. A therapeutically equivalent drug shall be eligible for dispensing only if the manufacturer has established adequate provisions for the return of outdated drugs, through the distributor or otherwise, by pharmacies. Such provisions shall permit pharmacies to return drugs in both full and partial containers up to six months after the label expiration date for full credit or replacement.

CHAPTER 271

An Act to direct the Virginia Housing Development Authority to convene a technical advisory group to evaluate the prevalence of deed fraud, develop recommendations for the prevention of deed fraud, and develop measures to enhance protections for property owners from such crimes.

[H 2396]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Virginia Housing Development Authority shall convene a technical advisory group to evaluate the prevalence of deed fraud, including notary fraud, seller impersonation, owner impersonation, and fraudulent lien filing; develop recommendations for the prevention of deed fraud; and develop measures to enhance protections for property owners from such crimes. The Department of Housing and Community Development shall provide administrative or technical support to the technical advisory group as necessary. The technical advisory group shall identify any vulnerabilities or deficiencies that exist throughout the real estate transaction process and recommend policy changes to address such vulnerabilities. The technical advisory group shall give consideration to policy proposals, including (i) requiring identity verification processes by notaries, (ii) strengthening safeguards to prevent fraudulent notaries, (iii) enhancing security for public access to land records, (iv) providing consumer and professional education and awareness training, (v) granting local governments and circuit clerks authority with respect to suspected fraudulent documents, (vi) establishing free property alert notification systems within local land record offices, and (vii) establishing an alert notification system to inform notaries when documents containing a notary's name or registration number are submitted for recording. The technical advisory group shall consist of representatives from (a) the Virginia Bankers Association, (b) the Virginia Court Clerks Association, (c) the Community Associations Institute, (d) the Virginia Association for Commercial Real Estate, (e) the Home Builders Association of Virginia, (f) the Virginia Municipal League, (g) a public notary or representative from the Virginia Association of Notaries, (h) the Virginia Land Title Association,*

(i) the Virginia Mortgage Bankers Association, (j) Virginia Realtors, and (k) the Virginia Bar Association Real Estate Council. The technical advisory group shall report its findings and recommendations, including any legislative recommendations, to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology no later than November 1, 2025.

CHAPTER 272

An Act to amend and reenact § 23.1-802 of the Code of Virginia, relating to public institutions of higher education; intercollegiate athletics program coaches; Mental Health First Aid or similar training required.

[H 2420]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 23.1-802 of the Code of Virginia is amended and reenacted as follows:

§ 23.1-802. Student mental health; policies; website resource; training.

A. The governing board of each public institution of higher education shall develop and implement policies that (i) advise students, faculty, and staff, including residence hall staff, of the proper procedures for identifying and addressing the needs of students exhibiting suicidal tendencies or behavior and (ii) provide for training where appropriate. Such policies shall require procedures for notifying the institution's student health or counseling center for the purposes set forth in subdivision B 5 of § 23.1-1303 when a student exhibits suicidal tendencies or behavior.

B. The board of visitors of each baccalaureate public institution of higher education shall develop and implement policies that ensure that after a student suicide, affected students have access to reasonable medical and behavioral health services, including postvention services. For the purposes of this subsection, "postvention services" means services designed to facilitate the grieving or adjustment process, stabilize the environment, reduce the risk of negative behaviors, and prevent suicide contagion.

C. The board of visitors of each baccalaureate public institution of higher education shall establish a written memorandum of understanding with its local community services board or behavioral health authority and with local hospitals and other local mental health facilities in order to expand the scope of services available to students seeking treatment. The memorandum shall designate a contact person to be notified, to the extent allowable under state and federal privacy laws, when a student is involuntarily committed, or when a student is discharged from a facility. The memorandum shall provide for the inclusion of the institution in the post-discharge planning of a student who has been committed and intends to return to campus, to the extent allowable under state and federal privacy laws.

D. Each baccalaureate public institution of higher education shall create and feature on its website a page with information dedicated solely to the mental health resources available to students at the institution.

E. Each resident assistant in a student housing facility at a public institution of higher education shall participate in Mental Health First Aid training or a similar program prior to the commencement of his duties.

F. Each coach of an intercollegiate athletics program at a public institution of higher education shall participate in Mental Health First Aid training or a similar program within one year of the commencement of his duties.

CHAPTER 273

An Act to amend and reenact § 9.1-102 of the Code of Virginia, relating to model policy for law-enforcement officer investigating overdose; notification to prescriber.

[H 2435]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 9.1-102 of the Code of Virginia is amended and reenacted as follows:

§ 9.1-102. Powers and duties of the Board and the Department.

The Department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to:

1. Adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the administration of this chapter including the authority to require the submission of reports and information by law-enforcement officers within the Commonwealth. Any proposed regulations concerning the privacy, confidentiality, and security of criminal justice information shall be submitted for review and comment to any board, commission, or committee or other body which may be established by the General Assembly to regulate the privacy, confidentiality, and security of information collected and maintained by the Commonwealth or any political subdivision thereof;

2. Establish compulsory minimum training standards subsequent to employment as a law-enforcement officer in (i) permanent positions and (ii) temporary or probationary status and establish the time required for completion of such training. Such compulsory minimum training standards shall include crisis intervention training in accordance with clause (i) of § 9.1-188;

3. Establish minimum training standards and qualifications for certification and recertification for law-enforcement officers serving as field training officers;

4. Establish compulsory minimum curriculum requirements for in-service and advanced courses and programs for schools, whether located in or outside the Commonwealth, which are operated for the specific purpose of training law-enforcement officers;

5. Establish (i) compulsory minimum training standards for law-enforcement officers who utilize radar or an electrical or microcomputer device to measure the speed of motor vehicles as provided in § 46.2-882 and establish the time required for completion of the training and (ii) compulsory minimum qualifications for certification and recertification of instructors who provide such training;

6. [Repealed];

7. Establish compulsory minimum entry-level, in-service and advanced training standards for those persons designated to provide courthouse and courtroom security pursuant to the provisions of § 53.1-120, and to establish the time required for completion of such training;

8. Establish compulsory minimum entry-level, in-service and advanced training standards for deputy sheriffs designated to serve process pursuant to the provisions of § 8.01-293, and establish the time required for the completion of such training;

9. Establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the time required for completion of such training, for persons employed as deputy sheriffs and jail officers by local criminal justice agencies and correctional officers employed by the Department of Corrections under the provisions of Title 53.1. For correctional officers employed by the Department of Corrections, such standards shall include training on the general care of pregnant women, the impact of restraints on pregnant inmates and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant inmates, and the impact of body cavity searches on pregnant inmates;

10. Establish compulsory minimum training standards for all dispatchers employed by or in any local or state government agency, whose duties include the dispatching of law-enforcement personnel. Such training standards shall apply only to dispatchers hired on or after July 1, 1988. Such training shall include training in the identification of, communication with, and facilitation of the safe return of individuals diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and returning them to their caregivers;

11. Establish compulsory minimum training standards for all auxiliary police officers employed by or in any local or state government agency. Such training shall be graduated and based on the type of duties to be performed by the auxiliary police officers. Such training standards shall not apply to auxiliary police officers exempt pursuant to § 15.2-1731;

12. Consult and cooperate with counties, municipalities, agencies of the Commonwealth, other state and federal governmental agencies, and institutions of higher education within or outside the Commonwealth, concerning the development of police training schools and programs or courses of instruction;

13. Approve institutions, curricula and facilities, whether located in or outside the Commonwealth, for school operation for the specific purpose of training law-enforcement officers; but this shall not prevent the holding of any such school whether approved or not;

14. Establish and maintain police training programs through such agencies and institutions as the Board deems appropriate;

15. Establish compulsory minimum qualifications of certification and recertification for instructors in criminal justice training academies approved by the Department;

16. Conduct and stimulate research by public and private agencies which shall be designed to improve police administration and law enforcement;

17. Make recommendations concerning any matter within its purview pursuant to this chapter;

18. Coordinate its activities with those of any interstate system for the exchange of criminal history record information, nominate one or more of its members to serve upon the council or committee of any such system, and participate when and as deemed appropriate in any such system's activities and programs;

19. Conduct inquiries and investigations it deems appropriate to carry out its functions under this chapter and, in conducting such inquiries and investigations, may require any criminal justice agency to submit information, reports, and statistical data with respect to its policy and operation of information systems or with respect to its collection, storage, dissemination, and usage of criminal history record information and correctional status information, and such criminal justice agencies shall submit such information, reports, and data as are reasonably required;

20. Conduct audits as required by § 9.1-131;

21. Conduct a continuing study and review of questions of individual privacy and confidentiality of criminal history record information and correctional status information;

22. Advise criminal justice agencies and initiate educational programs for such agencies with respect to matters of privacy, confidentiality, and security as they pertain to criminal history record information and correctional status information;

23. Maintain a liaison with any board, commission, committee, or other body which may be established by law, executive order, or resolution to regulate the privacy and security of information collected by the Commonwealth or any political subdivision thereof;

24. Adopt regulations establishing guidelines and standards for the collection, storage, and dissemination of criminal history record information and correctional status information, and the privacy, confidentiality, and security thereof necessary to implement state and federal statutes, regulations, and court orders;

25. Operate a statewide criminal justice research center, which shall maintain an integrated criminal justice information system, produce reports, provide technical assistance to state and local criminal justice data system users, and provide analysis and interpretation of criminal justice statistical information;

26. Develop a comprehensive, statewide, long-range plan for strengthening and improving law enforcement and the administration of criminal justice throughout the Commonwealth, and periodically update that plan;

27. Cooperate with, and advise and assist, all agencies, departments, boards and institutions of the Commonwealth, and units of general local government, or combinations thereof, including planning district commissions, in planning, developing, and administering programs, projects, comprehensive plans, and other activities for improving law enforcement and the administration of criminal justice throughout the Commonwealth, including allocating and subgranting funds for these purposes;

28. Define, develop, organize, encourage, conduct, coordinate, and administer programs, projects and activities for the Commonwealth and units of general local government, or combinations thereof, in the Commonwealth, designed to strengthen and improve law enforcement and the administration of criminal justice at every level throughout the Commonwealth;

29. Review and evaluate programs, projects, and activities, and recommend, where necessary, revisions or alterations to such programs, projects, and activities for the purpose of improving law enforcement and the administration of criminal justice;

30. Coordinate the activities and projects of the state departments, agencies, and boards of the Commonwealth and of the units of general local government, or combination thereof, including planning district commissions, relating to the preparation, adoption, administration, and implementation of comprehensive plans to strengthen and improve law enforcement and the administration of criminal justice;

31. Do all things necessary on behalf of the Commonwealth and its units of general local government, to determine and secure benefits available under the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351, 82 Stat. 197), as amended, and under any other federal acts and programs for strengthening and improving law enforcement, the administration of criminal justice, and delinquency prevention and control;

32. Receive, administer, and expend all funds and other assistance available to the Board and the Department for carrying out the purposes of this chapter and the Omnibus Crime Control and Safe Streets Act of 1968, as amended;

33. Apply for and accept grants from the United States government or any other source in carrying out the purposes of this chapter and accept any and all donations both real and personal, and grants of money from any governmental unit or public agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same. Any arrangements pursuant to this section shall be detailed in the annual report of the Board. Such report shall include the identity of the donor, the nature of the transaction, and the conditions, if any. Any moneys received pursuant to this section shall be deposited in the state treasury to the account of the Department. To these ends, the Board shall have the power to comply with conditions and execute such agreements as may be necessary;

34. Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and execution of its powers under this chapter, including but not limited to, contracts with the United States, units of general local government or combinations thereof, in Virginia or other states, and with agencies and departments of the Commonwealth;

35. Adopt and administer reasonable regulations for the planning and implementation of programs and activities and for the allocation, expenditure and subgranting of funds available to the Commonwealth and to units of general local government, and for carrying out the purposes of this chapter and the powers and duties set forth herein;

36. Certify and decertify law-enforcement officers in accordance with §§ 15.2-1706 and 15.2-1707 and provide for a decertification review process in accordance with § 15.2-1708;

37. Establish training standards and publish and periodically update model policies for law-enforcement personnel in the following subjects:

a. The handling of family abuse, domestic violence, sexual assault, and stalking cases, including standards for determining the predominant physical aggressor in accordance with § 19.2-81.3. The Department shall provide technical support and assistance to law-enforcement agencies in carrying out the requirements set forth in subsection A of § 9.1-1301;

b. The identification of, communication with, and facilitation of the safe return of individuals diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to physical restraint; (iii) protocols for identifying

and reporting incidents of abuse, neglect, and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and returning them to their caregivers;

c. Sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

d. Protocols for local and regional sexual assault and human trafficking response teams;

e. Communication of death notifications;

f. The questioning of individuals suspected of driving while intoxicated concerning the physical location of such individual's last consumption of an alcoholic beverage and the communication of such information to the Virginia Alcoholic Beverage Control Authority;

g. Vehicle patrol duties that embody current best practices for pursuits and for responding to emergency calls;

h. Criminal investigations that embody current best practices for conducting photographic and live lineups;

i. Sensitivity to and awareness of human trafficking offenses and the identification of victims of human trafficking offenses for personnel involved in criminal investigations or assigned to vehicle or street patrol duties;

j. The recognition, prevention, and reporting of human trafficking;

k. Missing children, missing adults, and search and rescue protocol;

l. The handling and use of tear gas or other gases and kinetic impact munitions, as defined in § 19.2-83.3, that embody current best practices for using such items as a crowd control measure or during an arrest or detention of another person; and

m. The use of naloxone or other opioid antagonists to prevent opioid overdose deaths, in coordination with statewide naloxone training programs developed by the Department of Behavioral Health and Developmental Services and the Virginia Department of Health;

38. Establish compulsory training standards for basic training and the recertification of law-enforcement officers to ensure (i) sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability; (ii) training in de-escalation techniques; and (iii) training in the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the law-enforcement officer or another person;

39. Review and evaluate community-policing programs in the Commonwealth, and recommend where necessary statewide operating procedures, guidelines, and standards that strengthen and improve such programs, including sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

40. Establish a Virginia Law-Enforcement Accreditation Center. The Center may, in cooperation with Virginia law-enforcement agencies, provide technical assistance and administrative support, including staffing, for the establishment of voluntary state law-enforcement accreditation standards. The Center may provide accreditation assistance and training, resource material, and research into methods and procedures that will assist the Virginia law-enforcement community efforts to obtain Virginia accreditation status;

41. Promote community policing philosophy and practice throughout the Commonwealth by providing community policing training and technical assistance statewide to all law-enforcement agencies, community groups, public and private organizations and citizens; developing and distributing innovative policing curricula and training tools on general community policing philosophy and practice and contemporary critical issues facing Virginia communities; serving as a consultant to Virginia organizations with specific community policing needs; facilitating continued development and implementation of community policing programs statewide through discussion forums for community policing leaders, development of law-enforcement instructors; promoting a statewide community policing initiative; and serving as a statewide information source on the subject of community policing including, but not limited to periodic newsletters, a website and an accessible lending library;

42. Establish, in consultation with the Department of Education and the Virginia State Crime Commission, compulsory minimum standards for employment and job-entry and in-service training curricula and certification requirements for school security officers, including school security officers described in clause (b) of § 22.1-280.2:1, which training and certification shall be administered by the Virginia Center for School and Campus Safety (VCSCS) pursuant to § 9.1-184. Such training standards shall be specific to the role and responsibility of school security officers and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques such as a physical alternative to restraint; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, and past traumatic experiences; and (viii) student behavioral dynamics, including child and adolescent development and brain research. The Department shall establish an advisory committee consisting of local school board representatives, principals,

superintendents, and school security personnel to assist in the development of the standards and certification requirements in this subdivision. The Department shall require any school security officer who carries a firearm in the performance of his duties to provide proof that he has completed a training course provided by a federal, state, or local law-enforcement agency that includes training in active shooter emergency response, emergency evacuation procedure, and threat assessment;

43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with Article 11 (§ 9.1-185 et seq.);

44. License and regulate bail enforcement agents in accordance with Article 12 (§ 9.1-186 et seq.);

45. In conjunction with the Virginia State Police and the State Compensation Board, advise criminal justice agencies regarding the investigation, registration, and dissemination of information requirements as they pertain to the Sex Offender and Crimes Against Minors Registry Act (§ 9.1-900 et seq.);

46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula, and (iii) certification requirements for campus security officers. Such training standards shall include, but not be limited to, the role and responsibility of campus security officers, relevant state and federal laws, school and personal liability issues, security awareness in the campus environment, and disaster and emergency response. The Department shall provide technical support and assistance to campus police departments and campus security departments on the establishment and implementation of policies and procedures, including but not limited to: the management of such departments, investigatory procedures, judicial referrals, the establishment and management of databases for campus safety and security information sharing, and development of uniform record keeping for disciplinary records and statistics, such as campus crime logs, judicial referrals and Clery Act statistics. The Department shall establish an advisory committee consisting of college administrators, college police chiefs, college security department chiefs, and local law-enforcement officials to assist in the development of the standards and certification requirements and training pursuant to this subdivision;

47. Assess and report, in accordance with § 9.1-190, the crisis intervention team programs established pursuant to § 9.1-187;

48. In conjunction with the Office of the Attorney General, advise law-enforcement agencies and attorneys for the Commonwealth regarding the identification, investigation, and prosecution of human trafficking offenses using the common law and existing criminal statutes in the Code of Virginia;

49. Register tow truck drivers in accordance with § 46.2-116 and carry out the provisions of § 46.2-117;

50. Administer the activities of the Virginia Sexual and Domestic Violence Program Professional Standards Committee by providing technical assistance and administrative support, including staffing, for the Committee;

51. In accordance with § 9.1-102.1, design and approve the issuance of photo-identification cards to private security services registrants registered pursuant to Article 4 (§ 9.1-138 et seq.);

52. In consultation with the State Council of Higher Education for Virginia and the Virginia Association of Campus Law Enforcement Administrators, develop multidisciplinary curricula on trauma-informed sexual assault investigation;

53. In consultation with the Department of Behavioral Health and Developmental Services, develop a model addiction recovery program that may be administered by sheriffs, deputy sheriffs, jail officers, administrators, or superintendents in any local or regional jail. Such program shall be based on any existing addiction recovery programs that are being administered by any local or regional jails in the Commonwealth. Participation in the model addiction recovery program shall be voluntary, and such program may address aspects of the recovery process, including medical and clinical recovery, peer-to-peer support, availability of mental health resources, family dynamics, and aftercare aspects of the recovery process;

54. Establish compulsory minimum training standards for certification and recertification of law-enforcement officers serving as school resource officers. Such training shall be specific to the role and responsibility of a law-enforcement officer working with students in a school environment and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, or past traumatic experiences; and (viii) student behavioral dynamics, including current child and adolescent development and brain research;

55. Establish a model policy for the operation of body-worn camera systems as defined in § 15.2-1723.1 that also addresses the storage and maintenance of body-worn camera system records;

56. Establish compulsory minimum training standards for detector canine handlers employed by the Department of Corrections, standards for the training and retention of detector canines used by the Department of Corrections, and a central database on the performance and effectiveness of such detector canines that requires the Department of Corrections to submit comprehensive information on each canine handler and detector canine, including the number and types of calls and searches, substances searched for and whether or not detected, and the number of false positives, false negatives, true positives, and true negatives;

57. Establish compulsory training standards for basic training of law-enforcement officers for recognizing and managing stress, self-care techniques, and resiliency;

58. Establish guidelines and standards for psychological examinations conducted pursuant to subsection C of § 15.2-1705;

59. Establish compulsory in-service training standards, to include frequency of retraining, for law-enforcement officers in the following subjects: (i) relevant state and federal laws; (ii) awareness of cultural diversity and the potential for

bias-based profiling as defined in § 52-30.1; (iii) de-escalation techniques; (iv) working with individuals with disabilities, mental health needs, or substance use disorders; and (v) the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the law-enforcement officer or another person;

60. Develop a model curriculum and lesson plans for the compulsory minimum entry-level, in-service, and advanced training standards to be employed by criminal justice training academies approved by the Department when conducting training;

61. Adopt statewide professional standards of conduct applicable to all certified law-enforcement officers and certified jail officers and appropriate due process procedures for decertification based on serious misconduct in violation of those standards and provide for a decertification review process in accordance with § 15.2-1708;

62. Establish and administer a waiver process, in accordance with §§ 2.2-5515 and 15.2-1721.1, for law-enforcement agencies to use certain military property. Any waivers granted by the Criminal Justice Services Board shall be published by the Department on the Department's website;

63. Establish compulsory training standards for basic training and the recertification of law-enforcement officers to include crisis intervention training in accordance with clause (ii) of § 9.1-188;

64. Advise and assist the Department of Behavioral Health and Developmental Services, and support local law-enforcement cooperation, with the development and implementation of the Marcus alert system, as defined in § 37.2-311.1, including the establishment of local protocols for law-enforcement participation in the Marcus alert system pursuant to § 9.1-193 and for reporting requirements pursuant to §§ 9.1-193 and 37.2-311.1;

65. Develop an online course to train hotel proprietors and their employees to recognize and report instances of suspected human trafficking;

66. Develop an online course to train unarmed security officers, armed security officers, couriers, security canine handlers, and alarm respondents to recognize and report instances of suspected human trafficking to meet the compulsory minimum, entry-level, and in-service training standards as required by § 9.1-141;

67. Establish standards and procedures for when the Board may grant a petition for reinstatement of certification of a decertified officer pursuant to subsection E of § 15.2-1708;

68. Establish compulsory minimum and in-service training standards for law-enforcement officers on communicating with individuals with an intellectual disability or a developmental disability as defined in § 37.2-100, such as autism spectrum disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, which shall include (i) an overview and behavioral recognition of autism spectrum disorder, (ii) best practices for crisis prevention and de-escalation techniques, (iii) an objective review of any relevant tools and technology available to assist in communication, and (iv) education on law-enforcement agency and community resources for the autism community on future crisis prevention. Such training standards shall be established in consultation with at least one individual with autism spectrum disorder, one family member of an individual with autism spectrum disorder, one specialist who works with individuals with autism spectrum disorder, one representative from the Department of Behavioral Health and Developmental Services, and one representative from a state or local law-enforcement agency; ~~and~~

69. *Establish a model policy for best practices for law-enforcement officers responding to or investigating an overdose, when prescriber information has been obtained during the course of such response or investigation, to notify the prescriber of any controlled substance found to be in the possession of or believed to have been ingested by the victim that such prescription of a controlled substance was involved in an overdose. Such model policy shall include that a notification to a prescriber of a controlled substance shall not be required if such notification would jeopardize an active law-enforcement investigation; and*

70. Perform such other acts as may be necessary or convenient for the effective performance of its duties.

CHAPTER 274

An Act to amend the Code of Virginia by adding in Article 5 of Chapter 30 of Title 54.1 a section numbered 54.1-3029.2, relating to Interstate Massage Compact.

[H 2448]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 5 of Chapter 30 of Title 54.1 a section numbered 54.1-3029.2 as follows:

§ 54.1-3029.2. Interstate Massage Compact.

The General Assembly hereby enacts, and the Commonwealth of Virginia hereby enters into, the Interstate Massage Compact with any and all states legally joining therein according to its terms, in the form substantially as follows:

INTERSTATE MASSAGE COMPACT.

Article 1. Purpose.

The purpose of this Compact is to reduce the burdens on state governments and to facilitate the interstate practice and regulation of massage therapy with the goal of improving public access to, and the safety of, massage therapy services. Through this Compact, the Member States seek to establish a regulatory framework which provides for a new multistate

licensing program. Through this additional licensing pathway, the Member States seek to provide increased value and mobility to licensed massage therapists in the Member States, while ensuring the provision of safe, competent, and reliable services to the public.

This Compact is designed to achieve the following objectives, and the Member States hereby ratify the same intentions by subscribing hereto:

1. Increase public access to massage therapy services by providing for a multistate licensing pathway;

2. Enhance the Member States' ability to protect the public's health and safety;

3. Enhance the Member States' ability to prevent human trafficking and licensure fraud;

4. Encourage the cooperation of Member States in regulating the multistate practice of massage therapy;

5. Support relocating military members and their spouses;

6. Facilitate and enhance the exchange of licensure, investigative, and disciplinary information between the Member States;

7. Create an Interstate Commission that will exist to implement and administer the Compact;

8. Allow a Member State to hold a licensee accountable, even where that licensee holds a multistate license;

9. Create a streamlined pathway for licensees to practice in Member States, thus increasing the mobility of duly licensed massage therapists; and

10. Serve the needs of licensed massage therapists and the public receiving their services; however,

Nothing in this Compact is intended to prevent a state from enforcing its own laws regarding the practice of massage therapy.

Article 2. Definitions.

As used in this Compact, except as otherwise provided and subject to clarification by the rules of the Commission, the following definitions shall govern the terms herein:

"Active military member" means any person with full-time duty status in the Armed Forces of the United States, including members of the National Guard and Reserve.

"Adverse action" means any administrative, civil, equitable, or criminal action permitted by a Member State's laws that is imposed by a licensing authority or other regulatory body against a licensee, including actions against an individual's authorization to practice, such as revocation, suspension, probation, surrender in lieu of discipline, monitoring of the licensee, limitation of the licensee's practice, or any other encumbrance on licensure affecting an individual's ability to practice massage therapy, including the issuance of a cease and desist order.

"Alternative program" means a non-disciplinary monitoring or prosecutorial diversion program approved by a Member State's licensing authority.

"Authorization to practice" means a legal authorization by a remote state pursuant to a multistate license permitting the practice of massage therapy in that remote state, which shall be subject to the enforcement jurisdiction of the licensing authority in that remote state.

"Background check" means the submission of an applicant's criminal history record information, as further defined in 28 C.F.R. § 20.3(d), as amended, from the Federal Bureau of Investigation and the agency responsible for retaining state criminal records in the applicant's home state.

"Charter Member States" means Member States who have enacted legislation to adopt this Compact where such legislation predates the effective date of this Compact as defined in Article 12.

"Commission" means the government agency whose membership consists of all states that have enacted this Compact, which is known as the Interstate Massage Compact Commission, as defined in Article 8, and which shall operate as an instrumentality of the Member States.

"Compact" means the Interstate Massage Compact.

"Continuing competence" means a requirement, as a condition of license renewal, to provide evidence of participation in, and completion of, educational or professional activities that maintain, improve, or enhance massage therapy fitness to practice.

"Current significant investigative information" means investigative information that a licensing authority, after an inquiry or investigation that complies with a Member State's due process requirements, has reason to believe is not groundless and, if proved true, would indicate a violation of that state's laws regarding the practice of massage therapy.

"Data system" means a repository of information about licensees who hold multistate licenses, which may include but is not limited to license status, investigative information, and adverse actions.

"Disqualifying event" means any event that shall disqualify an individual from holding a multistate license under this Compact, which the Commission may by rule specify.

"Encumbrance" means a revocation or suspension of, or any limitation or condition on, the full and unrestricted practice of massage therapy by a licensing authority.

"Executive Committee" means a group of delegates elected or appointed to act on behalf of, and within the powers granted to them by, the Commission.

"Home state" means the Member State that is a licensee's primary state of residence where the licensee holds an active single-state license.

"Investigative information" means information, records, or documents received or generated by a licensing authority pursuant to an investigation or other inquiry.

"Licensee" means an individual who currently holds a license from a Member State to fully practice massage therapy, whose license is not a student, provisional, temporary, inactive, or other similar status.

"Licensing authority" means a state's regulatory body responsible for issuing massage therapy licenses or otherwise overseeing the practice of massage therapy in that state.

"Massage therapy," "massage therapy services," and the "practice of massage therapy" means the care and services provided by a licensee as set forth in the Member State's statutes and regulations in the state where the services are being provided.

"Member State" means any state that has adopted this Compact.

"Multistate license" means a license that consists of authorizations to practice massage therapy in all remote states pursuant to this Compact, which shall be subject to the enforcement jurisdiction of the licensing authority in a licensee's home state.

"National licensing examination" means a national examination developed by a national association of massage therapy regulatory boards, as defined by Commission rule, that is derived from a practice analysis and is consistent with generally accepted psychometric principles of fairness, validity, and reliability and is administered under secure and confidential examination protocols.

"Remote state" means any Member State, other than the licensee's home state.

"Rule" means any opinion or regulation promulgated by the Commission under this Compact, which shall have the force of law.

"Single-state license" means a current, valid authorization issued by a Member State's licensing authority allowing an individual to fully practice massage therapy, that is not a restricted, student, provisional, temporary, or inactive practice authorization and authorizes practice only within the issuing state.

"State" means a state, territory, possession of the United States, or the District of Columbia.

Article 3. Member State Requirements.

A. To be eligible to join this Compact, and to maintain eligibility as a Member State, a state must:

1. License and regulate the practice of massage therapy;

2. Have a mechanism or entity in place to receive and investigate complaints from the public, regulatory or law-enforcement agencies, or the Commission about licensees practicing in that state;

3. Accept passage of a national licensing examination as a criterion for massage therapy licensure in that state;

4. Require that licensees satisfy educational requirements prior to being licensed to provide massage therapy services to the public in that state;

5. Implement procedures for requiring the background check of applicants for a multistate license, and for the reporting of any disqualifying events, including but not limited to obtaining and submitting, for each licensee holding a multistate license and each applicant for a multistate license, fingerprint or other biometric-based information to the Federal Bureau of Investigation for background checks; receiving the results of the Federal Bureau of Investigation record search on background checks and considering the results of such a background check in making licensure decisions;

6. Have continuing competence requirements as a condition for license renewal;

7. Participate in the data system, including through the use of unique identifying numbers as described herein;

8. Notify the Commission and other Member States, in compliance with the terms of the Compact and rules of the Commission, of any disciplinary action taken by the state against a licensee practicing under a multistate license in that state, or of the existence of investigative information or current significant investigative information regarding a licensee practicing in that state pursuant to a multistate license;

9. Comply with the rules of the Commission;

10. Accept licensees with valid multistate licenses from other member states as established herein;

B. Individuals not residing in a Member State shall continue to be able to apply for a Member State's single-state license as provided under the laws of each Member State. However, the single-state license granted to those individuals shall not be recognized as granting a multistate license for massage therapy in any other Member State;

C. Nothing in this Compact shall affect the requirements established by a Member State for the issuance of a single-state license; and

D. A multistate license issued to a licensee shall be recognized by each remote state as an authorization to practice massage therapy in each remote state.

Article 4. Multistate License Requirements.

A. To qualify for a multistate license under this Compact, and to maintain eligibility for such a license, an applicant must:

1. Hold an active single-state license to practice massage therapy in the applicant's home state;

2. Have completed at least six hundred and twenty-five (625) clock hours of massage therapy education or the substantial equivalent that the Commission may approve by rule.

3. Have passed a national licensing examination or the substantial equivalent which the Commission may approve by rule.

4. Submit to a background check;

5. Have not been convicted or found guilty, or have entered into an agreed disposition, of a felony offense under applicable state or federal criminal law within five (5) years prior to the date of his application, where such a time period

shall not include any time served for the offense, and provided that the applicant has completed any and all requirements arising as a result of any such offense;

6. Have not been convicted or found guilty, or have entered into an agreed disposition, of a misdemeanor offense related to the practice of massage therapy under applicable state or federal criminal law within two (2) years prior to the date of his application, where such a time period shall not include any time served for the offense, and provided that the applicant has completed any and all requirements arising as a result of any such offense;

7. Have not been convicted or found guilty, or have entered into an agreed disposition, of any offense, whether a misdemeanor or a felony, under state or federal law, at any time, relating to any of the following:

a. Kidnapping;

b. Human trafficking;

c. Human smuggling;

d. Sexual battery, sexual assault, or any related offenses; or

e. Any other category of offense which the Commission may by rule designate.

8. Have not previously held a massage therapy license that was revoked by, or surrendered in lieu of discipline, to an applicable licensing authority;

9. Have no history of any adverse action on any occupational or professional license within two (2) years prior to the date of his application; and

10. Pay all required fees.

B. A multistate license granted pursuant to this Compact may be effective for a definite period of time concurrent with the renewal of the home state license.

C. A licensee practicing in a Member State is subject to all scope of practice laws governing massage therapy services in that state.

D. The practice of massage therapy under a multistate license granted pursuant to this Compact will subject the licensee to the jurisdiction of the licensing authority, the courts, and the laws of the Member State in which the massage therapy services are provided.

Article 5. Authority of Interstate Massage Compact Commission Member State Licensing Authorities.

A. Nothing in this Compact, nor any rule of the Commission, shall be construed to limit, restrict, or in any way reduce the ability of a Member State to enact and enforce laws, regulations, or other rules related to the practice of massage therapy in that state, where those laws, regulations, or other rules are not inconsistent with the provisions of this Compact.

B. Nothing in this Compact, nor any rule of the Commission, shall be construed to limit, restrict, or in any way reduce the ability of a Member State to take adverse action against a licensee's single-state license to practice massage therapy in that state.

C. Nothing in this Compact, nor any rule of the Commission, shall be construed to limit, restrict, or in any way reduce the ability of a remote state to take adverse action against a licensee's authorization to practice in that state.

D. Nothing in this Compact, nor any rule of the Commission, shall be construed to limit, restrict, or in any way reduce the ability of a licensee's home state to take adverse action against a licensee's multistate license based upon information provided by a remote state.

E. Insofar as practical, a Member State's licensing authority shall cooperate with the Commission and with each entity exercising independent regulatory authority over the practice of massage therapy according to the provisions of this Compact.

Article 6. Adverse Actions.

A. A licensee's home state shall have exclusive power to impose an adverse action against a licensee's multistate license issued by the home state.

B. A home state may take adverse action on a multistate license based on the investigative information, current significant investigative information, or adverse action of a remote state.

C. A home state shall retain authority to complete any pending investigations of a licensee practicing under a multistate license who changes his home state during the course of such an investigation. the licensing authority shall also be empowered to report the results of such an investigation to the Commission through the data system as described herein.

D. Any Member State may investigate actual or alleged violations of the scope of practice laws in any other Member State for a massage therapist who holds a multistate license.

E. A remote state shall have the authority to:

1. Take adverse actions against a licensee's authorization to practice;

2. Issue cease and desist orders or impose an encumbrance on a licensee's authorization to practice in that state.

3. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses, as well as the production of evidence. Subpoenas issued by a licensing authority in a Member State for the attendance and testimony of witnesses or the production of evidence from another Member State shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings before it. The issuing licensing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located.

4. If otherwise permitted by state law, recover from the affected licensee the costs of investigations and disposition of cases resulting from any adverse action taken against that licensee.

5. Take adverse action against the licensee's authorization to practice in that state based on the factual findings of another Member State.

F. If an adverse action is taken by the home state against a licensee's multistate license or single-state license to practice in the home state, the licensee's authorization to practice in all other Member States shall be deactivated until all encumbrances have been removed from such license. All home state disciplinary orders that impose an adverse action against a licensee shall include a statement that the massage therapist's authorization to practice is deactivated in all Member States during the pendency of the order.

G. If adverse action is taken by a remote state against a licensee's authorization to practice, that adverse action applies to all authorizations to practice in all remote states. A licensee whose authorization to practice in a remote state is removed for a specified period of time is not eligible to apply for a new multistate license in any other state until the specific time for removal of the authorization to practice has passed and all encumbrance requirements are satisfied.

H. Nothing in this Compact shall override a Member State's authority to accept a licensee's participation in an alternative program in lieu of adverse action. A licensee's multistate license shall be suspended for the duration of the licensee's participation in any alternative program.

I. Joint Investigations.

1. In addition to the authority granted to a Member State by its respective scope of practice laws or other applicable state law, a Member State may participate with other Member States in joint investigations of licensees.

2. Member States shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the Compact.

Article 7. Active Military Members and Their Spouses.

Active military members, or their spouses, shall designate a home state where the individual has a current license to practice massage therapy in good standing. The individual may retain his home state designation during any period of service when that individual or his spouse is on active duty assignment.

Article 8. Establishment and Operation of Interstate Massage Compact Commission.

A. The Compact Member States hereby create and establish a joint government agency whose membership consists of all Member States that have enacted the Compact known as the Interstate Massage Compact Commission. The Commission is an instrumentality of the Compact States acting jointly and not an instrumentality of any one state. The Commission shall come into existence on or after the effective date of the Compact as set forth in Article 12.

B. Membership, voting, and meetings.

1. Each Member State shall have and be limited to one (1) delegate selected by that Member State's state licensing authority.

2. The delegate shall be the primary administrative officer of the state licensing authority or his designee.

3. The Commission shall by rule or bylaw establish a term of office for delegates and may by rule or bylaw establish term limits.

4. The Commission may recommend removal or suspension of any delegate from office.

5. A Member State's state licensing authority shall fill any vacancy of its delegate occurring on the Commission within 60 days of the vacancy.

6. Each delegate shall be entitled to one vote on all matters that are voted on by the Commission.

7. The Commission shall meet at least once during each calendar year. Additional meetings may be held as set forth in the bylaws. The Commission may meet by telecommunication, video conference, or other similar electronic means.

C. The Commission shall have the following powers:

1. Establish the fiscal year of the Commission;

2. Establish code of conduct and conflict of interest policies;

3. Adopt rules and bylaws;

4. Maintain its financial records in accordance with the bylaws;

5. Meet and take such actions as are consistent with the provisions of this Compact, the Commission's rules, and the bylaws;

6. Initiate and conclude legal proceedings or actions in the name of the Commission, provided that the standing of any state licensing authority to sue or be sued under applicable law shall not be affected;

7. Maintain and certify records and information provided to a Member State as the authenticated business records of the Commission, and designate an agent to do so on the Commission's behalf;

8. Purchase and maintain insurance and bonds;

9. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a Member State;

10. Conduct an annual financial review;

11. Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the Compact, and establish the Commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

12. Assess and collect fees;

13. Accept any and all appropriate gifts, donations, grants of money, other sources of revenue, equipment, supplies, materials, and services, and receive, utilize, and dispose of the same; provided that at all times the Commission shall avoid any appearance of impropriety or conflict of interest;

14. Lease, purchase, retain, own, hold, improve, or use any property, real, personal, or mixed, or any undivided interest therein;

15. Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

16. Establish a budget and make expenditures;

17. Borrow money;

18. Appoint committees, including standing committees, composed of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this Compact and the bylaws;

19. Accept and transmit complaints from the public, regulatory or law-enforcement agencies, or the Commission, to the relevant Member State(s) regarding potential misconduct of licensees;

20. Elect a chair, vice chair, secretary, and treasurer and such other officers of the Commission as provided in the Commission's bylaws;

21. Establish and elect an Executive Committee, including a chair and a vice chair;

22. Adopt and provide to the Member States an annual report.

23. Determine whether a state's adopted language is materially different from the model Compact language such that the state would not qualify for participation in the Compact; and

24. Perform such other functions as may be necessary or appropriate to achieve the purposes of this Compact.

D. The Executive Committee.

1. The Executive Committee shall have the power to act on behalf of the Commission according to the terms of this Compact. The powers, duties, and responsibilities of the Executive Committee shall include:

a. Overseeing the day-to-day activities of the administration of the Compact including compliance with the provisions of the Compact, the Commission's rules and bylaws, and other such duties as deemed necessary;

b. Recommending to the Commission changes to the rules or bylaws, changes to this Compact legislation, fees charged to Compact Member States, fees charged to licensees, and other fees;

c. Ensuring Compact administration services are appropriately provided, including by contract;

d. Preparing and recommending the budget;

e. Maintaining financial records on behalf of the Commission;

f. Monitoring Compact compliance of Member States and providing compliance reports to the Commission;

g. Establishing additional committees as necessary;

h. Exercise the powers and duties of the Commission during the interim between Commission meetings, except for adopting or amending rules, adopting or amending bylaws, and exercising any other powers and duties expressly reserved to the Commission by rule or bylaw; and

i. Other duties as provided in the rules or bylaws of the Commission.

2. The Executive Committee shall be composed of seven voting members and up to two ex-officio members as follows:

a. The chair and vice chair of the Commission and any other members of the Commission who serve on the Executive Committee shall be voting members of the Executive Committee; and

b. Other than the chair, vice-chair, secretary, and treasurer, the Commission shall elect three voting members from the current membership of the Commission; and

c. The Commission may elect ex-officio, nonvoting members as necessary as follows:

(1) One ex-officio member who is a representative of the national association of state massage therapy regulatory boards; and

(2) One ex-officio member as specified in the Commission's bylaws.

3. The Commission may remove any member of the Executive Committee as provided in the Commission's bylaws.

4. The Executive Committee shall meet at least annually.

a. Executive Committee meetings shall be open to the public, except that the Executive Committee may meet in a closed, non-public session of a public meeting when dealing with any of the matters covered under subdivision F 4.

b. The Executive Committee shall give five business days advance notice of its public meetings, posted on its website and as determined to provide notice to persons with an interest in the public matters the Executive Committee intends to address at those meetings.

5. The Executive Committee may hold an emergency meeting when acting for the Commission to:

a. Meet an imminent threat to public health, safety, or welfare;

b. Prevent a loss of Commission or participating state funds; or

c. Protect public health and safety.

E. The Commission shall adopt and provide to the Member States an annual report.

F. Meetings of the Commission.

1. All meetings of the Commission that are not closed pursuant to this subsection shall be open to the public. Notice of public meetings shall be posted on the Commission's website at least thirty (30) days prior to the public meeting.

2. Notwithstanding subdivision 1, the Commission may convene an emergency public meeting by providing at least twenty-four (24) hours' prior notice on the Commission's website, and any other means as provided in the Commission's

rules, for any of the reasons it may dispense with notice of proposed rulemaking under subsection L of Article 10. The Commission's legal counsel shall certify that one of the reasons justifying an emergency public meeting has been met.

3. Notice of all Commission meetings shall provide the time, date, and location of the meeting, and if the meeting is to be held or accessible via telecommunication, video conference, or other electronic means, the notice shall include the mechanism for access to the meeting.

4. The Commission may convene in a closed, non-public meeting for the Commission to discuss:

a. Non-compliance of a Member State with its obligations under the Compact;

b. The employment, compensation, or discipline or other matters, practices, or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures;

c. Current or threatened discipline of a licensee by the Commission or by a Member State's licensing authority;

d. Current, threatened, or reasonably anticipated litigation;

e. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

f. Accusing any person of a crime or formally censuring any person;

g. Trade secrets or commercial or financial information that is privileged or confidential;

h. Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

i. Investigative records compiled for law-enforcement purposes;

j. Information related to any investigative reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the Compact;

k. Legal advice;

l. Matters specifically exempted from disclosure to the public by federal or Member State law; or

m. Other matters as promulgated by the Commission by rule.

5. If a meeting, or portion of a meeting, is closed, the presiding officer shall state that the meeting will be closed and reference each relevant exempting provision, and such reference shall be recorded in the minutes.

6. The Commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release only by a majority vote of the Commission or order of a court of competent jurisdiction.

G. Financing of the Commission.

1. The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

2. The Commission may accept any and all appropriate sources of revenue, donations, and grants of money, equipment, supplies, materials, and services.

3. The Commission may levy on and collect an annual assessment from each Member State and impose fees on licensees of Member States to whom it grants a multistate license to cover the cost of the operations and activities of the Commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount for Member States shall be allocated based upon a formula that the Commission shall promulgate by rule.

4. The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same, nor shall the Commission pledge the credit of any Member States, except by and with the authority of the Member State.

5. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the financial review and accounting procedures established under its bylaws. All receipts and disbursements of funds handled by the Commission shall be subject to an annual financial review by a certified or licensed public accountant, and the report of the financial review shall be included in and become part of the annual report of the Commission.

H. Qualified immunity, defense, and indemnification.

1. The members, officers, executive director, employees, and representatives of the Commission shall be immune from suit and liability, both personally and in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred, within the scope of Commission employment, duties, or responsibilities, provided that nothing in this subdivision shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person. The procurement of insurance of any type by the Commission shall not in any way compromise or limit the immunity granted hereunder.

2. The Commission shall defend any member, officer, executive director, employee, and representative of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities, or as determined by the Commission that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities, provided that nothing herein shall be construed to prohibit that person from

retaining his own counsel at his own expense, and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The Commission shall indemnify and hold harmless any member, officer, executive director, employee, and representative of the Commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

4. Nothing herein shall be construed as a limitation on the liability of any licensee for professional malpractice or misconduct, which shall be governed solely by any other applicable state laws.

5. Nothing in this Compact shall be interpreted to waive or otherwise abrogate a Member State's state action immunity or state action affirmative defense with respect to antitrust claims under the Sherman Act, Clayton Act, or any other state or federal antitrust or anticompetitive law or regulation.

6. Nothing in this Compact shall be construed to be a waiver of sovereign immunity by the Member States or by the Commission.

Article 9. Data System.

A. The Commission shall provide for the development, maintenance, operation, and utilization of a coordinated database and reporting system.

B. The Commission shall assign each applicant for a multistate license a unique identifier, as determined by the rules of the Commission.

C. Notwithstanding any other provision of state law to the contrary, a Member State shall submit a uniform data set to the data system on all individuals to whom this Compact is applicable as required by the rules of the Commission, including:

1. Identifying information;

2. Licensure data;

3. Adverse actions against a license and information related thereto;

4. Non-confidential information related to alternative program participation, the beginning and ending dates of such participation, and other information related to such participation;

5. Any denial of application for licensure, and the reason(s) for such denial (excluding the reporting of any criminal history record information where prohibited by law);

6. The existence of investigative information;

7. The existence or presence of current significant investigative information; and

8. Other information that may facilitate the administration of this Compact or the protection of the public, as determined by the rules of the Commission.

D. The records and information provided to a Member State pursuant to this Compact or through the data system, when certified by the Commission or an agent thereof, shall constitute the authenticated business records of the Commission and shall be entitled to any associated hearsay exception in any relevant judicial, quasi-judicial or administrative proceedings in a Member State.

E. The existence of current significant investigative information and the existence of investigative information pertaining to a licensee in any Member State will only be available to other Member States.

F. It is the responsibility of the Member States to report any adverse action against a licensee who holds a multistate license and to monitor the database to determine whether adverse action has been taken against such a licensee or license applicant. Adverse action information pertaining to a licensee or license applicant in any Member State will be available to any other Member State.

G. Member States contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

H. Any information submitted to the data system that is subsequently expunged pursuant to federal law or the laws of the Member State contributing the information shall be removed from the data system.

Article 10. Rulemaking.

A. The Commission shall promulgate reasonable rules in order to effectively and efficiently implement and administer the purposes and provisions of the Compact. A rule shall be invalid and have no force or effect only if a court of competent jurisdiction holds that the rule is invalid because the Commission exercised its rulemaking authority in a manner that is beyond the scope and purposes of the Compact, or the powers granted hereunder, or based upon another applicable standard of review.

B. The rules of the Commission shall have the force of law in each Member State, provided however that where the rules of the Commission conflict with the laws of the Member State that establish the Member State's scope of practice as held by a court of competent jurisdiction, the rules of the Commission shall be ineffective in that state to the extent of the conflict.

C. The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this article and the rules adopted thereunder. Rules shall become binding as of the date specified by the Commission for each rule.

D. If a majority of the legislatures of the Member States rejects a rule or portion of a rule, by enactment of a statute or resolution in the same manner used to adopt the Compact within four (4) years of the date of adoption of the rule, then such rule shall have no further force and effect in any Member State or to any state applying to participate in the Compact.

E. Rules shall be adopted at a regular or special meeting of the Commission.

F. Prior to adoption of a proposed rule, the Commission shall hold a public hearing and allow persons to provide oral and written comments, data, facts, opinions, and arguments.

G. Prior to adoption of a proposed rule by the Commission, and at least thirty (30) days in advance of the meeting at which the Commission will hold a public hearing on the proposed rule, the Commission shall provide a notice of proposed rulemaking:

1. On the website of the Commission or other publicly accessible platform;

2. To persons who have requested notice of the Commission's notices of proposed rulemaking; and

3. In such other way(s) as the Commission may by rule specify.

H. The notice of proposed rulemaking shall include:

1. The time, date, and location of the public hearing at which the Commission will hear public comments on the proposed rule and, if different, the time, date, and location of the meeting where the Commission will consider and vote on the proposed rule;

2. If the hearing is held via telecommunication, video conference, or other electronic means, the Commission shall include the mechanism for access to the hearing in the notice of proposed rulemaking;

3. The text of the proposed rule and the reason therefor;

4. A request for comments on the proposed rule from any interested person; and

5. The manner in which interested persons may submit written comments.

I. All hearings will be recorded. A copy of the recording and all written comments and documents received by the Commission in response to the proposed rule shall be available to the public.

J. Nothing in this article shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the Commission at hearings required by this article.

K. The Commission shall, by majority vote of all commissioners, take final action on the proposed rule based on the rulemaking record.

1. The Commission may adopt changes to the proposed rule provided the changes do not enlarge the original purpose of the proposed rule.

2. The Commission shall provide an explanation of the reasons for substantive changes made to the proposed rule as well as reasons for substantive changes not made that were recommended by commenters.

3. The Commission shall determine a reasonable effective date for the rule. Except for an emergency as provided in subsection L, the effective date of the rule shall be no sooner than thirty (30) days after the Commission issuing the notice that it adopted or amended the rule.

L. Upon determination that an emergency exists, the Commission may consider and adopt an emergency rule with 24 hours' notice, provided that the usual rulemaking procedures provided in the Compact and in this article shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately to:

1. Meet an imminent threat to public health, safety, or welfare;

2. Prevent a loss of Commission or Member State funds;

3. Meet a deadline for the promulgation of a rule that is established by federal law or rule; or

4. Protect public health and safety.

M. The Commission or an authorized committee of the Commission may direct revisions to a previously adopted rule for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the Commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the Commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.

N. No Member State's rulemaking requirements shall apply under this Compact.

Article 11. Oversight, Dispute Resolution, and Enforcement.

A. Oversight.

1. The executive and judicial branches of state government in each Member State shall enforce this Compact and take all actions necessary and appropriate to implement the Compact.

2. Venue is proper and judicial proceedings by or against the Commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Commission is located. The Commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct, or any such similar matter.

3. The Commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the Compact and shall have standing to intervene in such a proceeding for all purposes. Failure to provide

the Commission service of process shall render a judgment or order void as to the Commission, this Compact, or promulgated rules.

B. Default, technical assistance, and termination.

1. If the Commission determines that a Member State has defaulted in the performance of its obligations or responsibilities under this Compact or the promulgated rules, the Commission shall provide written notice to the defaulting state. The notice of default shall describe the default, the proposed means of curing the default, and any other action that the Commission may take and shall offer training and specific technical assistance regarding the default.

2. The Commission shall provide a copy of the notice of default to the other Member States.

C. If a state in default fails to cure the default, the defaulting state may be terminated from the Compact upon an affirmative vote of a majority of the delegates of the Member States, and all rights, privileges, and benefits conferred on that state by this Compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

D. Termination of membership in the Compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the Commission to the governor, the majority and minority leaders of the defaulting state's legislature, the defaulting state's state licensing authority and each of the Member States' state licensing authority.

E. a state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

F. Upon the termination of a state's membership from this Compact, that state shall immediately provide notice to all licensees who hold a multistate license within that state of such termination. The terminated state shall continue to recognize all licenses granted pursuant to this Compact for a minimum of one hundred eighty (180) days after the date of said notice of termination.

G. The Commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the Compact, unless agreed upon in writing between the Commission and the defaulting state.

H. The defaulting state may appeal the action of the Commission by petitioning the U.S. District Court for the District of Columbia or the federal district where the Commission has its principal offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorney fees.

I. Dispute resolution.

1. Upon request by a Member State, the Commission shall attempt to resolve disputes related to the Compact that arise among Member States and between Member and non-Member States.

2. The Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

J. Enforcement.

1. The Commission, in the reasonable exercise of its discretion, shall enforce the provisions of this Compact and the Commission's rules.

2. By majority vote as provided by Commission rule, the Commission may initiate legal action against a Member State in default in the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices to enforce compliance with the provisions of the Compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney fees. The remedies herein shall not be the exclusive remedies of the Commission. The Commission may pursue any other remedies available under federal or the defaulting Member State's law.

3. A Member State may initiate legal action against the Commission in the U.S. District Court for the District of Columbia or the federal district where the Commission has its principal offices to enforce compliance with the provisions of the Compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney fees.

4. No individual or entity other than a Member State may enforce this Compact against the Commission.

Article 12. Effective Date, Withdrawal, and Amendment.

A. The Compact shall come into effect on the date on which the Compact statute is enacted into law in the seventh Member State.

1. On or after the effective date of the Compact, the Commission shall convene and review the enactment of each of the Charter Member States to determine if the statute enacted by each such Charter Member State is materially different than the model Compact statute.

a. A Charter Member State whose enactment is found to be materially different from the model Compact statute shall be entitled to the default process set forth in Article 11.

b. If any Member State is later found to be in default, or is terminated or withdraws from the Compact, the Commission shall remain in existence and the Compact shall remain in effect even if the number of Member States should be less than seven (7).

2. Member States enacting the Compact subsequent to the Charter Member States shall be subject to the process set forth in subdivision C 23 of Article 8 to determine if their enactments are materially different from the model Compact statute and whether they qualify for participation in the Compact.

3. All actions taken for the benefit of the Commission or in furtherance of the purposes of the administration of the Compact prior to the effective date of the Compact or the Commission coming into existence shall be considered to be actions of the Commission unless specifically repudiated by the Commission.

4. Any state that joins the Compact shall be subject to the Commission's rules and bylaws as they exist on the date on which the Compact becomes law in that state. Any rule that has been previously adopted by the Commission shall have the full force and effect of law on the day the Compact becomes law in that state.

B. Any Member State may withdraw from this Compact by enacting a statute repealing that state's enactment of the Compact.

1. A Member State's withdrawal shall not take effect until one hundred eighty (180) days after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing state's licensing authority to comply with the investigative and adverse action reporting requirements of this Compact prior to the effective date of withdrawal.

3. Upon the enactment of a statute withdrawing from this Compact, a state shall immediately provide notice of such withdrawal to all licensees within that state. Notwithstanding any subsequent statutory enactment to the contrary, such withdrawing state shall continue to recognize all licenses granted pursuant to this Compact for a minimum of one hundred eighty (180) days after the date of such notice of withdrawal.

C. Nothing contained in this Compact shall be construed to invalidate or prevent any licensure agreement or other cooperative arrangement between a Member State and a non-Member State that does not conflict with the provisions of this Compact.

D. This Compact may be amended by the Member States. No amendment to this Compact shall become effective and binding upon any Member State until it is enacted into the laws of all Member States.

Article 13. Construction and Severability.

A. This Compact and the Commission's rulemaking authority shall be liberally construed so as to effectuate the purposes and the implementation and administration of the Compact. Provisions of the Compact expressly authorizing or requiring the promulgation of rules shall not be construed to limit the Commission's rulemaking authority solely for those purposes.

B. The provisions of this Compact shall be severable and if any phrase, clause, sentence, or provision of this Compact is held by a court of competent jurisdiction to be contrary to the constitution of any Member State, a state seeking participation in the Compact, or of the United States, or the applicability thereof to any government, agency, person, or circumstance is held to be unconstitutional by a court of competent jurisdiction, the validity of the remainder of this Compact and the applicability thereof to any other government, agency, person, or circumstance shall not be affected thereby.

C. Notwithstanding subsection B, the Commission may deny a state's participation in the Compact or, in accordance with the requirements of subsection B of Article 11, terminate a Member State's participation in the Compact, if it determines that a constitutional requirement of a Member State is a material departure from the Compact. Otherwise, if this Compact shall be held to be contrary to the constitution of any Member State, the Compact shall remain in full force and effect as to the remaining Member States and in full force and effect as to the Member State affected as to all severable matters.

Article 14. Consistent Effect and Conflict With Other State Laws.

Nothing herein shall prevent or inhibit the enforcement of any other law of a Member State that is not inconsistent with the Compact.

Any laws, statutes, regulations, or other legal requirements in a Member State in conflict with the Compact are superseded to the extent of the conflict.

All permissible agreements between the Commission and the Member States are binding in accordance with their terms.

2. That any applicant for a multistate license shall pay the costs of performing any background check required by the Interstate Massage Compact, as entered into by this act.

3. Pursuant to Article 12 of § 54.1-3029.2 of the Code of Virginia, as created by this act, the Interstate Massage Compact (the Compact) shall become effective on the date the Compact is enacted by a seventh participating state or upon the effective date of this act, whichever is later.

CHAPTER 275

An Act to amend the Code of Virginia by adding a section numbered 23.1-1303.1, relating to baccalaureate public institutions of higher education; livestreaming, recording, and archiving of boards of visitors meetings; closed sessions; guidelines.

[H 2452]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 23.1-1303.1 as follows:

§ 23.1-1303.1. Livestreaming, recording, and archiving of boards of visitors meetings; closed sessions; guidelines.

A. Each baccalaureate public institution of higher education shall:

1. Provide for the livestreaming of all meetings of its board of visitors, including full board meetings, committee meetings, and subcommittee meetings, in a manner that is accessible to the public in real time; and

2. Ensure that recordings of such meetings (i) are made, archived, and made available to the public within five business days following the conclusion of the meeting; (ii) remain accessible on the institution's official website for no less than five years from the date of the meeting; and (iii) include closed captioning for accessibility and are presented in a format compliant with the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.).

B. Nothing in this section shall be construed to affect the requirements for closed sessions as set forth in §§ 2.2-3711 and 2.2-3712.

C. The Council shall develop and provide to each baccalaureate public institution of higher education guidelines to assist such institutions with complying with the provisions of this section, including recommendations for technology standards and accessibility features.

D. The board of visitors of each baccalaureate public institution of higher education shall include a report on the institution's compliance with the provisions of this section in its annual report submitted pursuant to subdivision B 13 of § 23.1-1303.

2. That the provisions of the first enactment of this act shall not become effective unless reenacted by the 2026 Session of the General Assembly.

3. That the State Council of Higher Education for Virginia, in consultation with the Virginia Freedom of Information Advisory Council and a representative from the Library of Virginia, shall work with the public institutions of higher education in the Commonwealth and with technology experts to develop minimal uniform standards, to the extent practicable, for (i) providing the public with real-time access to the meetings of governing boards of public institutions of higher education and the meetings of committees of such boards, (ii) archiving the recordings of such meetings, and (iii) taking minutes at such meetings. Any such minimal uniform standards shall be implemented by each public institution of higher education in the Commonwealth no later than July 1, 2026, and any statutory or policy changes necessary to effectuate such implementation shall be recommended to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than November 15, 2025.

CHAPTER 276

An Act to amend and reenact § 22.1-253.13:1 of the Code of Virginia, relating to Board of Education; Standards of Learning; incorporation of media literacy and digital citizenship.

[H 2460]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-253.13:1 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-253.13:1. Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives.

A. The General Assembly and the Board believe that the fundamental goal of the public schools of the Commonwealth must be to enable each student to develop the skills that are necessary for success in school, preparation for life, and reaching their full potential. The General Assembly and the Board find that the quality of education is dependent upon the provision of (i) the appropriate working environment, benefits, and salaries necessary to ensure the availability of high-quality instructional personnel; (ii) the appropriate learning environment designed to promote student achievement; (iii) quality instruction that enables each student to become a productive and educated citizen of Virginia and the United States of America; and (iv) the adequate commitment of other resources. In keeping with this goal, the General Assembly shall provide for the support of public education as set forth in Article VIII, § 1 of the Constitution of Virginia.

B. The Board shall establish educational objectives known as the Standards of Learning, which shall form the core of Virginia's educational program, and other educational objectives, which together are designed to ensure the development of the skills that are necessary for success in school and for preparation for life in the years beyond. At a minimum, the Board shall establish Standards of Learning for English, mathematics, science, and history and social science. The Standards of Learning shall not be construed to be regulations as defined in § 2.2-4001.

The Board shall seek to ensure that the Standards of Learning are consistent with a high-quality foundation educational program. The Standards of Learning shall include, but not be limited to, the basic skills of communication (listening, speaking, reading, and writing); computation and critical reasoning, including problem solving and decision making; proficiency in the use of computers and related technology; computer science and computational thinking, including computer coding; and the skills to manage personal finances and to make sound financial decisions.

The English Standards of Learning for reading in kindergarten through grade eight shall align with evidence-based literacy instruction and science-based reading research.

The Standards of Learning in all subject areas shall be subject to regular review and revision to maintain rigor and to reflect a balance between content knowledge and the application of knowledge in preparation for eventual employment and lifelong learning. The Board shall establish a regular schedule, in a manner it deems appropriate, for the review, and revision as may be necessary, of the Standards of Learning in all subject areas. Such review of each subject area shall occur at least once every seven years. Nothing in this section shall be construed to prohibit the Board from conducting such review and revision on a more frequent basis.

To provide appropriate opportunity for input from the general public, teachers, and local school boards, the Board shall conduct public hearings prior to establishing revised Standards of Learning. Thirty days prior to conducting such hearings, the Board shall give notice of the date, time, and place of the hearings to all local school boards and any other persons requesting to be notified of the hearings and publish notice of its intention to revise the Standards of Learning in the Virginia Register of Regulations. Interested parties shall be given reasonable opportunity to be heard and present information prior to final adoption of any revisions of the Standards of Learning.

In addition, the Department shall make available and maintain a website, either separately or through an existing website utilized by the Department, enabling public elementary, middle, and high school educators to submit recommendations for improvements relating to the Standards of Learning, when under review by the Board according to its established schedule, and related assessments required by the Standards of Quality pursuant to this chapter. Such website shall facilitate the submission of recommendations by educators.

School boards shall implement the Standards of Learning or objectives specifically designed for their school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to achieve the educational objectives established by the school division at appropriate age or grade levels. The curriculum adopted by the local school division shall be aligned to the Standards of Learning.

The Board shall include in the Standards of Learning for history and social science the study of contributions to society of diverse people. For the purposes of this subsection, "diverse" includes consideration of disability, ethnicity, race, and gender.

The Board shall include in the Standards of Learning for health instruction in emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator, including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Such instruction shall be based on the current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a program developed by the American Heart Association or the American Red Cross. No teacher who is in compliance with subdivision D 3 of § 22.1-298.1 shall be required to be certified as a trainer of cardiopulmonary resuscitation to provide instruction for non-certification.

The Board shall include in the Standards of Learning for physical and health education for grade nine or 10 research-based hazing prevention instruction, in accordance with the Standards of Learning and curriculum guidelines for research-based hazing prevention instruction developed by the Board pursuant to subsection B of § 22.1-207.

With such funds as are made available for this purpose, the Board shall regularly review and revise the competencies for career and technical education programs to require the full integration of English, mathematics, science, and history and social science Standards of Learning. Career and technical education programs shall be aligned with industry and professional standard certifications, where they exist.

The Board shall establish content standards and curriculum guidelines for courses in career investigation in elementary school, middle school, and high school. Each school board shall (i) require each middle school student to take at least one course in career investigation or (ii) select an alternate means of delivering the career investigation course to each middle school student, provided that such alternative is equivalent in content and rigor and provides the foundation for such students to develop their academic and career plans. Any school board may require (a) such courses in career investigation at the high school level as it deems appropriate, subject to Board approval as required in subsection A of § 22.1-253.13:4, and (b) such courses in career investigation at the elementary school level as it deems appropriate. The Board shall develop and disseminate to each school board career investigation resource materials that are designed to ensure that students have the ability to further explore interest in career and technical education opportunities in middle and high school. In developing such resource materials, the Board shall consult with representatives of career and technical education, industry, skilled trade associations, chambers of commerce or similar organizations, and contractor organizations.

C. Local school boards shall develop and implement a program of instruction for grades K through 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related technology, computer science and computational thinking, including computer coding, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues, and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or training in a career or technical field; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

Local school boards shall also develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk including, but not limited to, those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include components that are research-based.

Any student who achieves a passing score on one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program.

Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit shall be required to attend a remediation program or to participate in another form of remediation. Division superintendents shall require such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs, in accordance with clause (ii) of subsection A of § 22.1-254 and § 22.1-254.01.

Remediation programs shall include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board, or other forms of remediation. Summer school remediation programs or other forms of remediation shall be chosen by the division superintendent to be appropriate to the academic needs of the student. Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition by the school division.

The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation that has been selected by his parent, in consultation with the division superintendent or his designee, and is either (i) conducted by an accredited private school or (ii) a special program that has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such private school remediation program or other special remediation program shall be borne by the student's parent.

The Board shall establish standards for full funding of summer remedial programs that shall include, but not be limited to, the minimum number of instructional hours or the equivalent thereof required for full funding and an assessment system designed to evaluate program effectiveness. Based on the number of students attending and the Commonwealth's share of the per pupil instructional costs, state funds shall be provided for the full cost of summer and other remediation programs as set forth in the appropriation act, provided such programs comply with such standards as shall be established by the Board, pursuant to § 22.1-199.2.

D. Local school boards shall also implement the following:

1. Programs in grades K through three that emphasize developmentally appropriate learning to enhance success.

2. Programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school. Such programs shall include components that are research-based.

3. Career and technical education programs incorporated into the K through 12 curricula that include:

a. Knowledge of careers and all types of employment opportunities, including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;

b. Career exploration opportunities in the middle school grades;

c. Competency-based career and technical education programs that integrate academic outcomes, career guidance, and job-seeking skills for all secondary students. Programs shall be based upon labor market needs and student interest. Career guidance shall include counseling about available employment opportunities and placement services for students exiting school. Each school board shall develop and implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be developed with the input of area business and industry representatives and local comprehensive community colleges and shall be submitted to the Superintendent in accordance with the timelines established by federal law;

d. Annual notice on its website to enrolled high school students and their parents of (i) the availability of the postsecondary education and employment data published by the State Council of Higher Education on its website pursuant to § 23.1-204.1 and (ii) the opportunity for such students to obtain a nationally recognized career readiness certificate at a local public high school, comprehensive community college, or workforce center; and

e. As part of each student's academic and career plan, a list of (i) the top 100 professions in the Commonwealth by median pay and the education, training, and skills required for each such profession and (ii) the top 10 degree programs at institutions of higher education in the Commonwealth by median pay of program graduates. The Department shall annually compile such lists and provide them to each local school board.

4. Educational objectives in middle and high school that emphasize economic education and financial literacy pursuant to § 22.1-200.03.

5. Early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law.

6. Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs.

7. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in these standards. Such students shall be counted in average daily membership (ADM) in accordance with the regulations of the Board.

8. Adult education programs for individuals functioning below the high school completion level. Such programs may be conducted by the school board as the primary agency or through a collaborative arrangement between the school board and other agencies.

9. A plan to make achievements for students who are educationally at risk a divisionwide priority that shall include procedures for measuring the progress of such students.

10. An agreement for postsecondary credit and degree attainment with any comprehensive community college in the Commonwealth specifying the options for students to complete an associate degree, a one-year Uniform Certificate of General Studies, or the Passport Program from a comprehensive community college concurrent with a high school diploma, consistent with the requirements for the College and Career Ready Virginia Program set forth in Article 5.1 (§ 22.1-237.1 et seq.) of Chapter 13. Such agreement shall specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher.

11. A plan to notify students and their parents of the availability of dual enrollment and advanced placement classes; career and technical education programs, including internships, externships, apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based learning experiences; the International Baccalaureate Program and Academic Year Governor's School Programs; the qualifications for enrolling in such classes, programs, and experiences; and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations. This plan shall include notification to students and parents of the College and Career Ready Virginia Program established pursuant to Article 5.1. (§ 22.1-237.1 et seq.) of Chapter 13 and its agreement with a comprehensive community college in the Commonwealth pursuant to subdivision 10 to enable students to complete an associate degree, a one-year Uniform Certificate of General Studies, or the Passport Program concurrent with a high school diploma.

12. Identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs, which programs may include dual language programs whereby such students receive instruction in English and in a second language.

13. Early identification, diagnosis, and assistance for students with mathematics problems and provision of instructional strategies and mathematics practices that benefit the development of mathematics skills for all students.

Local school divisions shall provide algebra readiness intervention services to students in grades six through nine who are at risk of failing the Algebra I end-of-course test, as demonstrated by their individual performance on any diagnostic test that has been approved by the Department. Local school divisions shall report the results of the diagnostic tests to the Department on an annual basis, at a time to be determined by the Superintendent. Each student who receives algebra readiness intervention services will be assessed again at the end of that school year. Funds appropriated for prevention, intervention, and remediation; summer school remediation; at-risk; or algebra readiness intervention services may be used to meet the requirements of this subdivision.

14. Incorporation of art, music, and physical education as a part of the instructional program at the elementary school level.

15. A program of physical activity available to all students in grades kindergarten through five consisting of at least 20 minutes per day or an average of 100 minutes per week during the regular school year and available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year. Such program may include any combination of (i) physical education classes, (ii) extracurricular athletics, (iii) recess, or (iv) other programs and physical activities deemed appropriate by the local school board. Each local school board shall implement such program during the regular school year. Any physical education class offered to students in grades seven and eight shall include at least one hour of personal safety training per school year in each such grade level that is developed and delivered in partnership with the local law-enforcement agency and consists of situational safety awareness training and social media education. Each local school board shall offer to all students in grade nine or 10 a physical education class that includes research-based hazing prevention instruction pursuant to subsection C of § 22.1-207, unless such hazing prevention instruction is provided as part of a separate health education class offered to students in grade nine or 10. Each local school board may accept participation in the Junior Reserve Officers' Training Corps as fulfillment of any physical education requirements applicable to students in grades nine through 12.

16. A program of student services for kindergarten through grade 12 that shall be designed to aid students in their educational, social, and career development.

17. The collection and analysis of data and the use of the results to evaluate and make decisions about the instructional program.

18. A program of instruction in the high school Virginia and U.S. Government course on all information and concepts contained in the civics portion of the U.S. Naturalization Test.

E. From such funds as may be appropriated or otherwise received for such purpose, there shall be established within the Department a unit to (i) conduct evaluative studies; (ii) provide the resources and technical assistance to increase the capacity for school divisions to deliver quality instruction; and (iii) assist school divisions in implementing those programs and practices that will enhance pupil academic performance and improve family and community involvement in the public schools. Such unit shall identify and analyze effective instructional programs and practices and professional development initiatives; evaluate the success of programs encouraging parental and family involvement; assess changes in student outcomes prompted by family involvement; and collect and disseminate among school divisions information regarding

effective instructional programs and practices, initiatives promoting family and community involvement, and potential funding and support sources. Such unit may also provide resources supporting professional development for administrators and teachers. In providing such information, resources, and other services to school divisions, the unit shall give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards of Learning assessments.

F. The Board shall, in collaboration with the Virginia Community College System, Career and Technical Education directors, and industry partners, develop and maintain a current, comprehensive, and uniform list of industry-recognized workforce credentials that students may take as a substitute for certain credits required for graduation pursuant to 8VAC20-131-51 of the Virginia Administrative Code, including industry-recognized workforce credentials that students may take as a substitute for elective credits and industry-recognized workforce credentials completed outside of regular school hours. The Board, in collaboration with the Virginia Community College System, shall ensure that such list reflects the current credit requirements for graduation and the current credentials accepted as substitutes. The Board shall post such list in a publicly accessible location on its website. Each school board shall accept as a substitute for a required credit any credential listed as an accepted substitute for such required credit.

G. Each local school board may enter into agreements for postsecondary course credit, credential, certification, or license attainment, hereinafter referred to as College and Career Access Pathways Partnerships (Partnerships), with comprehensive community colleges or other public institutions of higher education or educational institutions established pursuant to Title 23.1 that offer a career and technical education curriculum. Such Partnerships shall (i) specify the options for students to take courses as part of the career and technical education curriculum that lead to course credit or an industry-recognized credential, certification, or license concurrent with a high school diploma; (ii) specify the credit, credentials, certifications, or licenses available for such courses; (iii) specify the industry-recognized credentials that are accepted as substitutes for certain credits required for high school graduation, consistent with the list developed and maintained by the Board pursuant to subsection F; and (iv) specify available options for students to participate in pre-apprenticeship and apprenticeship programs at comprehensive community colleges concurrent with the pursuit of a high school diploma and receive college credit and high school credit for successful completion of any such program.

H. Each local school board shall provide a program of literacy instruction that is aligned with science-based reading research and provides evidenced-based literacy instruction to students in kindergarten through grade eight and is consistent with the school board's literacy plan as required by subsection B of § 22.1-253.13:6. Pursuant to such program:

1. Each local school board shall provide reading intervention services to students in kindergarten through grade eight who demonstrate substantial deficiencies based on their individual performance on the Standards of Learning reading assessment or a literacy screener provided by the Department. Such reading intervention services shall consist of evidence-based literacy instruction, align with science-based reading research, and be documented for each student in a written student reading plan, consistent with the requirements in subdivision 2 and the list developed by the Department pursuant to subdivision I 2.

2. A reading specialist, in collaboration with the teacher of any student who receives reading intervention services pursuant to subdivision 1, shall develop, oversee implementation of, and monitor student progress on a student reading plan. The parent of each student who receives reading intervention services pursuant to subdivision 1 shall receive notice of and have the opportunity to participate in the development of the student reading plan. Each student reading plan (i) shall follow the Department template created pursuant to subdivision I 3; (ii) shall document such reading intervention services; (iii) shall include, at a minimum, (a) the student's specific, diagnosed reading skill deficiencies as determined or identified by diagnostic assessment data or the literacy screener provided by the Department; (b) the goals and benchmarks for student growth in reading; (c) a description of the specific measures that will be used to evaluate and monitor the student's reading progress; (d) the specific evidence-based literacy instruction that the student will receive; (e) the strategies, resources, and materials that will be provided to the student's parent to support the student to make reading progress; and (f) any additional services the teacher deems available and appropriate to accelerate the student's reading skill development; and (iv) may include the following services for the student: instruction from a reading specialist, trained aide, computer-based reading tutorial program, or classroom teacher with support from an aide, extended instructional time in the school day or school year, or, for students in grades six through eight, a literacy course, in addition to the course required by the Standards of Learning in English, that provides the specific evidence-based literacy instruction identified in the student's reading plan. In accordance with § 22.1-215.2, the parent of each student shall receive notice before services begin and a copy of the student reading plan.

3. Each student who receives such reading intervention services shall be assessed utilizing either the literacy screener provided by the Department or the grade-level reading Standards of Learning assessment again at the end of that school year.

Funds appropriated for prevention, intervention, and remediation, summer school remediation, the at-risk add-on, or early intervention reading may be used to meet the requirements of this subsection.

I. In order to assist local school boards to implement the provisions of subsection H:

1. The Board shall provide guidance on the content of student reading plans;

2. The Department shall develop a list of core literacy curricula for students in kindergarten through grade five and supplemental instruction practices and programs and intervention programs for students in kindergarten through grade eight that consist of evidence-based literacy instruction aligned with science-based reading research. The list shall be approved by the Board;

3. The Department shall develop a template for student reading plans that aligns with the requirements of subsection H;

4. The Department shall develop and implement a plan for the annual collection and public reporting of division-level and school-level literacy data, at a time to be determined by the Superintendent, to include results on the literacy screeners provided by the Department and the reading Standards of Learning assessments; and

5. The Department shall provide free online evidence-based literacy instruction resources that can be accessed by parents and local school boards to support student literacy development at home.

J. As used in this subsection:

"Digital citizenship" means a diverse set of skills related to current technology and social media, including the norms of appropriate, responsible, and healthy behavior.

"Media literacy" means the ability to access, analyze, evaluate, and use media and information. "Media literacy" includes the foundational skills that lead to digital citizenship.

The Board shall consider, during each regularly scheduled revision to the Standards of Learning and any associated curriculum framework, including the Digital Learning Integration Standards of Learning, incorporating media literacy and digital citizenship standards at each grade level.

CHAPTER 277

An Act to amend and reenact §§ 8.01-225, 22.1-274.4:1, 32.1-127, as it is currently effective and as it shall become effective, and 54.1-2722, §§ 54.1-3041 and 54.1-3042, as they shall become effective, and §§ 54.1-3408, 54.1-3466, and 54.1-3467 of the Code of Virginia and to amend and reenact the fourth and fifth enactments of Chapter 284 of the Acts of Assembly of 2024, relating to advanced registered medication aides.

[H 2468]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-225, 22.1-274.4:1, 32.1-127, as it is currently effective and as it shall become effective, and 54.1-2722, §§ 54.1-3041 and 54.1-3042, as they shall become effective, and §§ 54.1-3408, 54.1-3466, and 54.1-3467 of the Code of Virginia are amended and reenacted as follows:

§ 8.01-225. Persons rendering emergency care, obstetrical services exempt from liability.

A. Any person who:

1. In good faith, renders emergency care or assistance, without compensation, to any ill or injured person (i) at the scene of an accident, fire, or any life-threatening emergency; (ii) at a location for screening or stabilization of an emergency medical condition arising from an accident, fire, or any life-threatening emergency; or (iii) en route to any hospital, medical clinic, or doctor's office, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such care or assistance. For purposes of this subdivision, emergency care or assistance includes the forcible entry of a motor vehicle in order to remove an unattended minor at risk of serious bodily injury or death, provided the person has attempted to contact a law-enforcement officer, as defined in § 9.1-101, a firefighter, as defined in § 65.2-102, emergency medical services personnel, as defined in § 32.1-111.1, or an emergency 911 system, if feasible under the circumstances.

2. In the absence of gross negligence, renders emergency obstetrical care or assistance to a female in active labor who has not previously been cared for in connection with the pregnancy by such person or by another professionally associated with such person and whose medical records are not reasonably available to such person shall not be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care or assistance. The immunity herein granted shall apply only to the emergency medical care provided.

3. In good faith and without compensation, including any emergency medical services provider who holds a valid certificate issued by the Commissioner of Health, administers epinephrine in an emergency to an individual shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if such person has reason to believe that the individual receiving the injection is suffering or is about to suffer a life-threatening anaphylactic reaction.

4. Provides assistance upon request of any police agency, fire department, emergency medical services agency, or governmental agency in the event of an accident or other emergency involving the use, handling, transportation, transmission, or storage of liquefied petroleum gas, liquefied natural gas, hazardous material, or hazardous waste as defined in § 10.1-1400 or regulations of the Virginia Waste Management Board shall not be liable for any civil damages resulting from any act of commission or omission on his part in the course of his rendering such assistance in good faith.

5. Is an emergency medical services provider possessing a valid certificate issued by authority of the State Board of Health who in good faith renders emergency care or assistance, whether in person or by telephone or other means of communication, without compensation, to any injured or ill person, whether at the scene of an accident, fire, or any other place, or while transporting such injured or ill person to, from, or between any hospital, medical facility, medical clinic, doctor's office, or other similar or related medical facility, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care, treatment, or assistance, including but in no way limited to acts or omissions which involve violations of State Department of Health regulations or any other state regulations in the rendering of such emergency care or assistance.

6. In good faith and without compensation, renders or administers emergency cardiopulmonary resuscitation (CPR); cardiac defibrillation, including, but not limited to, the use of an automated external defibrillator (AED); or other emergency life-sustaining or resuscitative treatments or procedures which have been approved by the State Board of Health to any sick or injured person, whether at the scene of a fire, an accident, or any other place, or while transporting such person to or from any hospital, clinic, doctor's office, or other medical facility, shall be deemed qualified to administer such emergency treatments and procedures and shall not be liable for acts or omissions resulting from the rendering of such emergency resuscitative treatments or procedures.

7. Operates an AED at the scene of an emergency, trains individuals to be operators of AEDs, or orders AEDs, shall be immune from civil liability for any personal injury that results from any act or omission in the use of an AED in an emergency where the person performing the defibrillation acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances, unless such personal injury results from gross negligence or willful or wanton misconduct of the person rendering such emergency care.

8. Maintains an AED located on real property owned or controlled by such person shall be immune from civil liability for any personal injury that results from any act or omission in the use in an emergency of an AED located on such property unless such personal injury results from gross negligence or willful or wanton misconduct of the person who maintains the AED or his agent or employee.

9. Is an employee of a school board or of a local health department approved by the local governing body to provide health services pursuant to § 22.1-274 who, while on school property or at a school-sponsored event, (i) renders emergency care or assistance to any sick or injured person; (ii) renders or administers emergency cardiopulmonary resuscitation (CPR); cardiac defibrillation, including, but not limited to, the use of an automated external defibrillator (AED); or other emergency life-sustaining or resuscitative treatments or procedures that have been approved by the State Board of Health to any sick or injured person; (iii) operates an AED, trains individuals to be operators of AEDs, or orders AEDs; (iv) maintains an AED; or (v) renders care in accordance with a seizure management and action plan pursuant to § 22.1-274.6, shall not be liable for civil damages for ordinary negligence in acts or omissions on the part of such employee while engaged in the acts described in this subdivision.

10. Is a volunteer in good standing and certified to render emergency care by the National Ski Patrol System, Inc., who, in good faith and without compensation, renders emergency care or assistance to any injured or ill person, whether at the scene of a ski resort rescue, outdoor emergency rescue, or any other place or while transporting such injured or ill person to a place accessible for transfer to any available emergency medical system unit, or any resort owner voluntarily providing a ski patroller employed by him to engage in rescue or recovery work at a resort not owned or operated by him, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care, treatment, or assistance, including but not limited to acts or omissions which involve violations of any state regulation or any standard of the National Ski Patrol System, Inc., in the rendering of such emergency care or assistance, unless such act or omission was the result of gross negligence or willful misconduct.

11. Is an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education and is authorized by a prescriber and trained in the administration of insulin and glucagon, who, upon the written request of the parents as defined in § 22.1-1, assists with the administration of insulin or, in the case of a school board employee, with the insertion or reinsertion of an insulin pump or any of its parts pursuant to subsection B of § 22.1-274.01:1 or administers glucagon to a student diagnosed as having diabetes who requires insulin injections during the school day or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if the insulin is administered according to the child's medication schedule or such employee has reason to believe that the individual receiving the glucagon is suffering or is about to suffer life-threatening hypoglycemia. Whenever any such employee is covered by the immunity granted herein, the school board or school employing him shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such insulin or glucagon treatment.

12. Is an employee of a public institution of higher education or a private institution of higher education who is authorized by a prescriber and trained in the administration of insulin and glucagon, who assists with the administration of insulin or administers glucagon to a student diagnosed as having diabetes who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if the insulin is administered according to the student's medication schedule or such employee has reason to believe that the individual receiving the glucagon is suffering or is about to suffer life-threatening hypoglycemia. Whenever any employee is covered by the immunity granted in this subdivision, the institution shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such insulin or glucagon treatment.

13. Is a school nurse, an employee of a school board, an employee of a local governing body, or an employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine and who provides, administers, or assists in the administration of epinephrine to a student believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

14. Is an employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education, or an employee of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a student believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision, the school shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from such administration or assistance.

15. Is an employee of a public institution of higher education or a private institution of higher education who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a student believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision, the institution shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from such administration or assistance.

16. Is an employee of an organization providing outdoor educational experiences or programs for youth who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a participant in the outdoor experience or program for youth believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision, the organization shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from such administration or assistance.

17. Is an employee of a restaurant licensed pursuant to Chapter 3 (§ 35.1-18 et seq.) of Title 35.1, is authorized by a prescriber and trained in the administration of epinephrine, and provides, administers, or assists in the administration of epinephrine to an individual believed in good faith to be having an anaphylactic reaction on the premises of the restaurant at which the employee is employed, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

18. Is an employee of a provider licensed by the Department of Behavioral Health and Developmental Services, or provides services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services, who has been trained in the administration of insulin and glucagon and who administers or assists with the administration of insulin or administers glucagon to a person diagnosed as having diabetes who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia in accordance with § 54.1-3408 shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if the insulin is administered in accordance with the prescriber's instructions or such person has reason to believe that the individual receiving the glucagon is suffering or is about to suffer life-threatening hypoglycemia. Whenever any employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person who provides services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services is covered by the immunity granted herein, the provider shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such insulin or glucagon treatment.

19. Is an employee of a provider licensed by the Department of Behavioral Health and Developmental Services, or provides services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services, who has been trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a person believed in good faith to be having an anaphylactic reaction in accordance with the prescriber's instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

20. In good faith prescribes, dispenses, or administers naloxone or other opioid antagonist used for overdose reversal in an emergency to an individual who is believed to be experiencing or about to experience a life-threatening opiate overdose shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if acting in accordance with the provisions of subsection ~~X~~ *Y* or ~~Y~~ *Z* of § 54.1-3408 or in his role as a member of an emergency medical services agency.

21. In good faith administers naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose in accordance with the provisions of subsection ~~Z~~ *AA* of § 54.1-3408 shall not be liable for any civil damages for any personal injury that results from any act or omission in the administration of naloxone or other opioid antagonist used for overdose reversal, unless such act or omission was the result of gross negligence or willful and wanton misconduct.

22. Is an employee of a school board, school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of injected medications for the treatment of adrenal crisis resulting from a condition causing adrenal insufficiency and who administers or assists in the administration of such medications to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis pursuant to a written order or standing protocol issued by a prescriber within the course of his

professional practice and in accordance with the prescriber's instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

23. Is a school nurse, a licensed athletic trainer under contract with a local school division, an employee of a school board, an employee of a local governing body, or an employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers or nebulized albuterol and who provides, administers, or assists in the administration of an albuterol inhaler and a valved holding chamber or nebulized albuterol for a student believed in good faith to be in need of such medication, or is the prescriber of such medication, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

24. Is an employee of a place of public accommodation, as defined in subsection A of § 2.2-3904, who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a person present in the place of public accommodation believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision, the organization shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from such administration or assistance.

25. Is a nurse at an early childhood care and education entity, employee at the entity, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine and who provides, administers, or assists in the administration of epinephrine to a child believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

B. Any licensed physician serving without compensation as the operational medical director for an emergency medical services agency that holds a valid license as an emergency medical services agency issued by the Commissioner of Health shall not be liable for any civil damages for any act or omission resulting from the rendering of emergency medical services in good faith by the personnel of such licensed agency unless such act or omission was the result of such physician's gross negligence or willful misconduct.

Any person serving without compensation as a dispatcher for any licensed public or nonprofit emergency medical services agency in the Commonwealth shall not be liable for any civil damages for any act or omission resulting from the rendering of emergency services in good faith by the personnel of such licensed agency unless such act or omission was the result of such dispatcher's gross negligence or willful misconduct.

Any individual, certified by the State Office of Emergency Medical Services as an emergency medical services instructor and pursuant to a written agreement with such office, who, in good faith and in the performance of his duties, provides instruction to persons for certification or recertification as a certified basic life support or advanced life support emergency medical services provider shall not be liable for any civil damages for acts or omissions on his part directly relating to his activities on behalf of such office unless such act or omission was the result of such emergency medical services instructor's gross negligence or willful misconduct.

Any licensed physician serving without compensation as a medical advisor to an E-911 system in the Commonwealth shall not be liable for any civil damages for any act or omission resulting from rendering medical advice in good faith to establish protocols to be used by the personnel of the E-911 service, as defined in § 58.1-1730, when answering emergency calls unless such act or omission was the result of such physician's gross negligence or willful misconduct.

Any licensed physician who directs the provision of emergency medical services, as authorized by the State Board of Health, through a communications device shall not be liable for any civil damages for any act or omission resulting from the rendering of such emergency medical services unless such act or omission was the result of such physician's gross negligence or willful misconduct.

Any licensed physician serving without compensation as a supervisor of an AED in the Commonwealth shall not be liable for any civil damages for any act or omission resulting from rendering medical advice in good faith to the owner of the AED relating to personnel training, local emergency medical services coordination, protocol approval, AED deployment strategies, and equipment maintenance plans and records unless such act or omission was the result of such physician's gross negligence or willful misconduct.

C. Any communications services provider, as defined in § 58.1-647, including mobile service, and any provider of Voice-over-Internet Protocol service, in the Commonwealth shall not be liable for any civil damages for any act or omission resulting from rendering such service with or without charge related to emergency calls unless such act or omission was the result of such service provider's gross negligence or willful misconduct.

Any volunteer engaging in rescue or recovery work at a mine, or any mine operator voluntarily providing personnel to engage in rescue or recovery work at a mine not owned or operated by such operator, shall not be liable for civil damages for acts or omissions resulting from the rendering of such rescue or recovery work in good faith unless such act or omission was the result of gross negligence or willful misconduct. For purposes of this subsection, "Voice-over-Internet Protocol service" or "VoIP service" means any Internet protocol-enabled services utilizing a broadband connection, actually originating or terminating in Internet Protocol from either or both ends of a channel of communication offering real time, multidirectional voice functionality, including, but not limited to, services similar to traditional telephone service.

D. Nothing contained in this section shall be construed to provide immunity from liability arising out of the operation of a motor vehicle.

E. For the purposes of this section, "compensation" shall not be construed to include (i) the salaries of police, fire, or other public officials or personnel who render such emergency assistance; (ii) the salaries or wages of employees of a coal producer engaging in emergency medical services or first aid services pursuant to the provisions of § 45.2-531, 45.2-579, 45.2-863 or 45.2-910; (iii) complimentary lift tickets, food, lodging, or other gifts provided as a gratuity to volunteer members of the National Ski Patrol System, Inc., by any resort, group, or agency; (iv) the salary of any person who (a) owns an AED for the use at the scene of an emergency, (b) trains individuals, in courses approved by the Board of Health, to operate AEDs at the scene of emergencies, (c) orders AEDs for use at the scene of emergencies, or (d) operates an AED at the scene of an emergency; or (v) expenses reimbursed to any person providing care or assistance pursuant to this section.

For the purposes of this section, "emergency medical services provider" shall include a person licensed or certified as such or its equivalent by any other state when he is performing services that he is licensed or certified to perform by such other state in caring for a patient in transit in the Commonwealth, which care originated in such other state.

Further, the public shall be urged to receive training on how to use CPR and an AED in order to acquire the skills and confidence to respond to emergencies using both CPR and an AED.

§ 22.1-274.4:1. Opioid antagonist procurement, placement, maintenance, and administration; staff and faculty training; policies and requirements.

A. Each local school board shall develop a plan, in accordance with subsection ~~X~~ *Y* of § 54.1-3408 and the guidelines developed by the Department of Health in collaboration with the Department of Education, for the procurement, placement, and maintenance in each public elementary and secondary school of a supply of opioid antagonists in an amount equivalent to at least two unexpired doses for the purposes of opioid overdose reversal. Such plan shall provide for the development and implementation of policies and procedures relating to the procurement, placement, and maintenance of such supply of opioid antagonists in each such school, including policies and procedures:

1. Providing for the placement and maintenance in each public elementary and secondary school of a supply of opioid antagonists in an amount equivalent to at least two unexpired doses, including policies and procedures by which each such school shall request a replacement dose of an opioid antagonist any time a dose has expired, is administered for overdose reversal, or is otherwise rendered unusable and by which each such request shall be timely fulfilled;

2. Requiring each such school to inspect its opioid antagonist supply at least annually and maintain a record of the date of inspection, the expiration date on each dose, and, in the event that a dose of such opioid antagonist is administered for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose, the date of such administration; and

3. Relating to the proper and safe storage of such opioid antagonist supply in each such school.

B. Each local school board shall, in accordance with the provisions of subsection ~~X~~ *Y* of § 54.1-3408 and the guidelines developed by the Department of Health in collaboration with the Department of Education, develop policies and procedures relating to the possession and administration of opioid antagonists by any school nurse or employee of the school board who is authorized by a prescriber and trained in the administration of an opioid antagonist to any student, faculty, or staff member who is believed to be experiencing or about to experience a life-threatening opioid overdose, including:

1. Policies requiring each public elementary and secondary school to ensure that at least one employee (i) is authorized by a prescriber and has been trained and is certified in the administration of an opioid antagonist by a program administered or approved by the Department of Health to provide training in opioid antagonist administration and (ii) has the means to access at all times during regular school hours any such opioid antagonist supply that is stored in a locked or otherwise generally inaccessible container or area; and

2. Policies and procedures for (i) partnering with a program administered or approved by the Department of Health to provide training in opioid antagonist administration for the purpose of organizing and providing the training and certification required pursuant to subdivision 1 and (ii) maintaining records of each employee of each such public elementary and secondary school who is trained and certified in the administration of an opioid antagonist pursuant to subdivision 1.

C. Any employee of any public elementary or secondary school, school board, or local health department who, during regular school hours, on school premises, or during a school-sponsored activity, in good faith administers an opioid antagonist for opioid overdose reversal to any individual who is believed to be experiencing or about to experience a life-threatening opioid overdose, regardless of whether such employee was trained in administration of an opioid antagonist pursuant to subsection B, shall be immune from any disciplinary action or civil or criminal liability for any act or omission made in connection with the administration of an opioid antagonist in such incident, unless such act or omission was the result of gross negligence or willful misconduct.

D. Each school board shall adopt and each public elementary and secondary school shall implement policies and procedures in accordance with the provisions of this section. Each school board and each public elementary and secondary school shall, in adopting and implementing the policies set forth in this section, utilize to the fullest extent possible programs offered by the Department of Health for the provision of opioid antagonist administration training and certification and the procurement of opioid antagonists for placement in each public elementary and secondary school.

§ 32.1-127. (Effective until July 1, 2025) Regulations.

A. The regulations promulgated by the Board to carry out the provisions of this article shall be in substantial conformity to the standards of health, hygiene, sanitation, construction and safety as established and recognized by medical and health care professionals and by specialists in matters of public health and safety, including health and safety standards established under provisions of Title XVIII and Title XIX of the Social Security Act, and to the provisions of Article 2 (§ 32.1-138 et seq.).

B. Such regulations:

1. Shall include minimum standards for (i) the construction and maintenance of hospitals, nursing homes and certified nursing facilities to ensure the environmental protection and the life safety of its patients, employees, and the public; (ii) the operation, staffing and equipping of hospitals, nursing homes and certified nursing facilities; (iii) qualifications and training of staff of hospitals, nursing homes and certified nursing facilities, except those professionals licensed or certified by the Department of Health Professions; (iv) conditions under which a hospital or nursing home may provide medical and nursing services to patients in their places of residence; and (v) policies related to infection prevention, disaster preparedness, and facility security of hospitals, nursing homes, and certified nursing facilities;

2. Shall provide that at least one physician who is licensed to practice medicine in the Commonwealth and is primarily responsible for the emergency department shall be on duty and physically present at all times at each hospital that operates or holds itself out as operating an emergency service;

3. May classify hospitals and nursing homes by type of specialty or service and may provide for licensing hospitals and nursing homes by bed capacity and by type of specialty or service;

4. Shall also require that each hospital establish a protocol for organ donation, in compliance with federal law and the regulations of the Centers for Medicare and Medicaid Services (CMS), particularly 42 C.F.R. § 482.45. Each hospital shall have an agreement with an organ procurement organization designated in CMS regulations for routine contact, whereby the provider's designated organ procurement organization certified by CMS (i) is notified in a timely manner of all deaths or imminent deaths of patients in the hospital and (ii) is authorized to determine the suitability of the decedent or patient for organ donation and, in the absence of a similar arrangement with any eye bank or tissue bank in Virginia certified by the Eye Bank Association of America or the American Association of Tissue Banks, the suitability for tissue and eye donation. The hospital shall also have an agreement with at least one tissue bank and at least one eye bank to cooperate in the retrieval, processing, preservation, storage, and distribution of tissues and eyes to ensure that all usable tissues and eyes are obtained from potential donors and to avoid interference with organ procurement. The protocol shall ensure that the hospital collaborates with the designated organ procurement organization to inform the family of each potential donor of the option to donate organs, tissues, or eyes or to decline to donate. The individual making contact with the family shall have completed a course in the methodology for approaching potential donor families and requesting organ or tissue donation that (a) is offered or approved by the organ procurement organization and designed in conjunction with the tissue and eye bank community and (b) encourages discretion and sensitivity according to the specific circumstances, views, and beliefs of the relevant family. In addition, the hospital shall work cooperatively with the designated organ procurement organization in educating the staff responsible for contacting the organ procurement organization's personnel on donation issues, the proper review of death records to improve identification of potential donors, and the proper procedures for maintaining potential donors while necessary testing and placement of potential donated organs, tissues, and eyes takes place. This process shall be followed, without exception, unless the family of the relevant decedent or patient has expressed opposition to organ donation, the chief administrative officer of the hospital or his designee knows of such opposition, and no donor card or other relevant document, such as an advance directive, can be found;

5. Shall require that each hospital that provides obstetrical services establish a protocol for admission or transfer of any pregnant woman who presents herself while in labor;

6. Shall also require that each licensed hospital develop and implement a protocol requiring written discharge plans for identified, substance-abusing, postpartum women and their infants. The protocol shall require that the discharge plan be discussed with the patient and that appropriate referrals for the mother and the infant be made and documented. Appropriate referrals may include, but need not be limited to, treatment services, comprehensive early intervention services for infants and toddlers with disabilities and their families pursuant to Part H of the Individuals with Disabilities Education Act, 20 U.S.C. § 1471 et seq., and family-oriented prevention services. The discharge planning process shall involve, to the extent possible, the other parent of the infant and any members of the patient's extended family who may participate in the follow-up care for the mother and the infant. Immediately upon identification, pursuant to § 54.1-2403.1, of any substance-abusing, postpartum woman, the hospital shall notify, subject to federal law restrictions, the community services board of the jurisdiction in which the woman resides to appoint a discharge plan manager. The community services board shall implement and manage the discharge plan;

7. Shall require that each nursing home and certified nursing facility fully disclose to the applicant for admission the home's or facility's admissions policies, including any preferences given;

8. Shall require that each licensed hospital establish a protocol relating to the rights and responsibilities of patients which shall include a process reasonably designed to inform patients of such rights and responsibilities. Such rights and responsibilities of patients, a copy of which shall be given to patients on admission, shall be consistent with applicable federal law and regulations of the Centers for Medicare and Medicaid Services;

9. Shall establish standards and maintain a process for designation of levels or categories of care in neonatal services according to an applicable national or state-developed evaluation system. Such standards may be differentiated for various

levels or categories of care and may include, but need not be limited to, requirements for staffing credentials, staff/patient ratios, equipment, and medical protocols;

10. Shall require that each nursing home and certified nursing facility train all employees who are mandated to report adult abuse, neglect, or exploitation pursuant to § 63.2-1606 on such reporting procedures and the consequences for failing to make a required report;

11. Shall permit hospital personnel, as designated in medical staff bylaws, rules and regulations, or hospital policies and procedures, to accept emergency telephone and other verbal orders for medication or treatment for hospital patients from physicians, and other persons lawfully authorized by state statute to give patient orders, subject to a requirement that such verbal order be signed, within a reasonable period of time not to exceed 72 hours as specified in the hospital's medical staff bylaws, rules and regulations or hospital policies and procedures, by the person giving the order, or, when such person is not available within the period of time specified, co-signed by another physician or other person authorized to give the order;

12. Shall require, unless the vaccination is medically contraindicated or the resident declines the offer of the vaccination, that each certified nursing facility and nursing home provide or arrange for the administration to its residents of (i) an annual vaccination against influenza and (ii) a pneumococcal vaccination, in accordance with the most recent recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention;

13. Shall require that each nursing home and certified nursing facility register with the Department of State Police to receive notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 within the same or a contiguous zip code area in which the home or facility is located, pursuant to § 9.1-914;

14. Shall require that each nursing home and certified nursing facility ascertain, prior to admission, whether a potential patient is required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, if the home or facility anticipates the potential patient will have a length of stay greater than three days or in fact stays longer than three days;

15. Shall require that each licensed hospital include in its visitation policy a provision allowing each adult patient to receive visits from any individual from whom the patient desires to receive visits, subject to other restrictions contained in the visitation policy including, but not limited to, those related to the patient's medical condition and the number of visitors permitted in the patient's room simultaneously;

16. Shall require that each nursing home and certified nursing facility shall, upon the request of the facility's family council, send notices and information about the family council mutually developed by the family council and the administration of the nursing home or certified nursing facility, and provided to the facility for such purpose, to the listed responsible party or a contact person of the resident's choice up to six times per year. Such notices may be included together with a monthly billing statement or other regular communication. Notices and information shall also be posted in a designated location within the nursing home or certified nursing facility. No family member of a resident or other resident representative shall be restricted from participating in meetings in the facility with the families or resident representatives of other residents in the facility;

17. Shall require that each nursing home and certified nursing facility maintain liability insurance coverage in a minimum amount of $1 million, and professional liability coverage in an amount at least equal to the recovery limit set forth in § 8.01-581.15, to compensate patients or individuals for injuries and losses resulting from the negligent or criminal acts of the facility. Failure to maintain such minimum insurance shall result in revocation of the facility's license;

18. Shall require each hospital that provides obstetrical services to establish policies to follow when a stillbirth, as defined in § 32.1-69.1, occurs that meet the guidelines pertaining to counseling patients and their families and other aspects of managing stillbirths as may be specified by the Board in its regulations;

19. Shall require each nursing home to provide a full refund of any unexpended patient funds on deposit with the facility following the discharge or death of a patient, other than entrance-related fees paid to a continuing care provider as defined in § 38.2-4900, within 30 days of a written request for such funds by the discharged patient or, in the case of the death of a patient, the person administering the person's estate in accordance with the Virginia Small Estates Act (§ 64.2-600 et seq.);

20. Shall require that each hospital that provides inpatient psychiatric services establish a protocol that requires, for any refusal to admit (i) a medically stable patient referred to its psychiatric unit, direct verbal communication between the on-call physician in the psychiatric unit and the referring physician, if requested by such referring physician, and prohibits on-call physicians or other hospital staff from refusing a request for such direct verbal communication by a referring physician and (ii) a patient for whom there is a question regarding the medical stability or medical appropriateness of admission for inpatient psychiatric services due to a situation involving results of a toxicology screening, the on-call physician in the psychiatric unit to which the patient is sought to be transferred to participate in direct verbal communication, either in person or via telephone, with a clinical toxicologist or other person who is a Certified Specialist in Poison Information employed by a poison control center that is accredited by the American Association of Poison Control Centers to review the results of the toxicology screen and determine whether a medical reason for refusing admission to the psychiatric unit related to the results of the toxicology screen exists, if requested by the referring physician;

21. Shall require that each hospital that is equipped to provide life-sustaining treatment shall develop a policy governing determination of the medical and ethical appropriateness of proposed medical care, which shall include (i) a process for obtaining a second opinion regarding the medical and ethical appropriateness of proposed medical care in cases in which a physician has determined proposed care to be medically or ethically inappropriate; (ii) provisions for review of the determination that proposed medical care is medically or ethically inappropriate by an interdisciplinary medical review committee and a determination by the interdisciplinary medical review committee regarding the medical and ethical appropriateness of the proposed health care; and (iii) requirements for a written explanation of the decision reached by the interdisciplinary medical review committee, which shall be included in the patient's medical record. Such policy shall ensure that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 (a) are informed of the patient's right to obtain his medical record and to obtain an independent medical opinion and (b) afforded reasonable opportunity to participate in the medical review committee meeting. Nothing in such policy shall prevent the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 from obtaining legal counsel to represent the patient or from seeking other remedies available at law, including seeking court review, provided that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986, or legal counsel provides written notice to the chief executive officer of the hospital within 14 days of the date on which the physician's determination that proposed medical treatment is medically or ethically inappropriate is documented in the patient's medical record;

22. Shall require every hospital with an emergency department to establish a security plan. Such security plan shall be developed using standards established by the International Association for Healthcare Security and Safety or other industry standard and shall be based on the results of a security risk assessment of each emergency department location of the hospital and shall include the presence of at least one off-duty law-enforcement officer or trained security personnel who is present in the emergency department at all times as indicated to be necessary and appropriate by the security risk assessment. Such security plan shall be based on identified risks for the emergency department, including trauma level designation, overall volume, volume of psychiatric and forensic patients, incidents of violence against staff, and level of injuries sustained from such violence, and prevalence of crime in the community, in consultation with the emergency department medical director and nurse director. The security plan shall also outline training requirements for security personnel in the potential use of and response to weapons, defensive tactics, de-escalation techniques, appropriate physical restraint and seclusion techniques, crisis intervention, and trauma-informed approaches. Such training shall also include instruction on safely addressing situations involving patients, family members, or other persons who pose a risk of harm to themselves or others due to mental illness or substance abuse or who are experiencing a mental health crisis. Such training requirements may be satisfied through completion of the Department of Criminal Justice Services minimum training standards for auxiliary police officers as required by § 15.2-1731. The Commissioner shall provide a waiver from the requirement that at least one off-duty law-enforcement officer or trained security personnel be present at all times in the emergency department if the hospital demonstrates that a different level of security is necessary and appropriate for any of its emergency departments based upon findings in the security risk assessment;

23. Shall require that each hospital establish a protocol requiring that, before a health care provider arranges for air medical transportation services for a patient who does not have an emergency medical condition as defined in 42 U.S.C. § 1395dd(e)(1), the hospital shall provide the patient or his authorized representative with written or electronic notice that the patient (i) may have a choice of transportation by an air medical transportation provider or medically appropriate ground transportation by an emergency medical services provider and (ii) will be responsible for charges incurred for such transportation in the event that the provider is not a contracted network provider of the patient's health insurance carrier or such charges are not otherwise covered in full or in part by the patient's health insurance plan;

24. Shall establish an exemption from the requirement to obtain a license to add temporary beds in an existing hospital or nursing home, including beds located in a temporary structure or satellite location operated by the hospital or nursing home, provided that the ability remains to safely staff services across the existing hospital or nursing home, (i) for a period of no more than the duration of the Commissioner's determination plus 30 days when the Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds or (ii) for a period of no more than the duration of the emergency order entered pursuant to § 32.1-13 or 32.1-20 plus 30 days when the Board, pursuant to § 32.1-13, or the Commissioner, pursuant to § 32.1-20, has entered an emergency order for the purpose of suppressing a nuisance dangerous to public health or a communicable, contagious, or infectious disease or other danger to the public life and health;

25. Shall establish protocols to ensure that any patient scheduled to receive an elective surgical procedure for which the patient can reasonably be expected to require outpatient physical therapy as a follow-up treatment after discharge is informed that he (i) is expected to require outpatient physical therapy as a follow-up treatment and (ii) will be required to select a physical therapy provider prior to being discharged from the hospital;

26. Shall permit nursing home staff members who are authorized to possess, distribute, or administer medications to residents to store, dispense, or administer cannabis oil to a resident who has been issued a valid written certification for the use of cannabis oil in accordance with § 4.1-1601;

27. Shall require each hospital with an emergency department to establish a protocol for the treatment and discharge of individuals experiencing a substance use-related emergency, which shall include provisions for (i) appropriate screening and assessment of individuals experiencing substance use-related emergencies to identify medical interventions necessary for the treatment of the individual in the emergency department and (ii) recommendations for follow-up care following

discharge for any patient identified as having a substance use disorder, depression, or mental health disorder, as appropriate, which may include, for patients who have been treated for substance use-related emergencies, including opioid overdose, or other high-risk patients, (a) the dispensing of naloxone or other opioid antagonist used for overdose reversal pursuant to subsection ~~X~~ *Y* of § 54.1-3408 at discharge or (b) issuance of a prescription for and information about accessing naloxone or other opioid antagonist used for overdose reversal, including information about accessing naloxone or other opioid antagonist used for overdose reversal at a community pharmacy, including any outpatient pharmacy operated by the hospital, or through a community organization or pharmacy that may dispense naloxone or other opioid antagonist used for overdose reversal without a prescription pursuant to a statewide standing order. Such protocols may also provide for referrals of individuals experiencing a substance use-related emergency to peer recovery specialists and community-based providers of behavioral health services, or to providers of pharmacotherapy for the treatment of drug or alcohol dependence or mental health diagnoses;

28. During a public health emergency related to COVID-19, shall require each nursing home and certified nursing facility to establish a protocol to allow each patient to receive visits, consistent with guidance from the Centers for Disease Control and Prevention and as directed by the Centers for Medicare and Medicaid Services and the Board. Such protocol shall include provisions describing (i) the conditions, including conditions related to the presence of COVID-19 in the nursing home, certified nursing facility, and community, under which in-person visits will be allowed and under which in-person visits will not be allowed and visits will be required to be virtual; (ii) the requirements with which in-person visitors will be required to comply to protect the health and safety of the patients and staff of the nursing home or certified nursing facility; (iii) the types of technology, including interactive audio or video technology, and the staff support necessary to ensure visits are provided as required by this subdivision; and (iv) the steps the nursing home or certified nursing facility will take in the event of a technology failure, service interruption, or documented emergency that prevents visits from occurring as required by this subdivision. Such protocol shall also include (a) a statement of the frequency with which visits, including virtual and in-person, where appropriate, will be allowed, which shall be at least once every 10 calendar days for each patient; (b) a provision authorizing a patient or the patient's personal representative to waive or limit visitation, provided that such waiver or limitation is included in the patient's health record; and (c) a requirement that each nursing home and certified nursing facility publish on its website or communicate to each patient or the patient's authorized representative, in writing or via electronic means, the nursing home's or certified nursing facility's plan for providing visits to patients as required by this subdivision;

29. Shall require each hospital, nursing home, and certified nursing facility to establish and implement policies to ensure the permissible access to and use of an intelligent personal assistant provided by a patient, in accordance with such regulations, while receiving inpatient services. Such policies shall ensure protection of health information in accordance with the requirements of the federal Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d et seq., as amended. For the purposes of this subdivision, "intelligent personal assistant" means a combination of an electronic device and a specialized software application designed to assist users with basic tasks using a combination of natural language processing and artificial intelligence, including such combinations known as "digital assistants" or "virtual assistants";

30. During a declared public health emergency related to a communicable disease of public health threat, shall require each hospital, nursing home, and certified nursing facility to establish a protocol to allow patients to receive visits from a rabbi, priest, minister, or clergy of any religious denomination or sect consistent with guidance from the Centers for Disease Control and Prevention and the Centers for Medicare and Medicaid Services and subject to compliance with any executive order, order of public health, Department guidance, or any other applicable federal or state guidance having the effect of limiting visitation. Such protocol may restrict the frequency and duration of visits and may require visits to be conducted virtually using interactive audio or video technology. Any such protocol may require the person visiting a patient pursuant to this subdivision to comply with all reasonable requirements of the hospital, nursing home, or certified nursing facility adopted to protect the health and safety of the person, patients, and staff of the hospital, nursing home, or certified nursing facility; and

31. Shall require that every hospital that makes health records, as defined in § 32.1-127.1:03, of patients who are minors available to such patients through a secure website shall make such health records available to such patient's parent or guardian through such secure website, unless the hospital cannot make such health record available in a manner that prevents disclosure of information, the disclosure of which has been denied pursuant to subsection F of § 32.1-127.1:03 or for which consent required in accordance with subsection E of § 54.1-2969 has not been provided.

C. Upon obtaining the appropriate license, if applicable, licensed hospitals, nursing homes, and certified nursing facilities may operate adult day centers.

D. All facilities licensed by the Board pursuant to this article which provide treatment or care for hemophiliacs and, in the course of such treatment, stock clotting factors, shall maintain records of all lot numbers or other unique identifiers for such clotting factors in order that, in the event the lot is found to be contaminated with an infectious agent, those hemophiliacs who have received units of this contaminated clotting factor may be apprised of this contamination. Facilities which have identified a lot that is known to be contaminated shall notify the recipient's attending physician and request that he notify the recipient of the contamination. If the physician is unavailable, the facility shall notify by mail, return receipt requested, each recipient who received treatment from a known contaminated lot at the individual's last known address.

E. Hospitals in the Commonwealth may enter into agreements with the Department of Health for the provision to uninsured patients of naloxone or other opioid antagonists used for overdose reversal.

§ 32.1-127. (Effective July 1, 2025) Regulations.

A. The regulations promulgated by the Board to carry out the provisions of this article shall be in substantial conformity to the standards of health, hygiene, sanitation, construction and safety as established and recognized by medical and health care professionals and by specialists in matters of public health and safety, including health and safety standards established under provisions of Title XVIII and Title XIX of the Social Security Act, and to the provisions of Article 2 (§ 32.1-138 et seq.).

B. Such regulations:

1. Shall include minimum standards for (i) the construction and maintenance of hospitals, nursing homes and certified nursing facilities to ensure the environmental protection and the life safety of its patients, employees, and the public; (ii) the operation, staffing and equipping of hospitals, nursing homes and certified nursing facilities; (iii) qualifications and training of staff of hospitals, nursing homes and certified nursing facilities, except those professionals licensed or certified by the Department of Health Professions; (iv) conditions under which a hospital or nursing home may provide medical and nursing services to patients in their places of residence; and (v) policies related to infection prevention, disaster preparedness, and facility security of hospitals, nursing homes, and certified nursing facilities;

2. Shall provide that at least one physician who is licensed to practice medicine in the Commonwealth and is primarily responsible for the emergency department shall be on duty and physically present at all times at each hospital that operates or holds itself out as operating an emergency service;

3. May classify hospitals and nursing homes by type of specialty or service and may provide for licensing hospitals and nursing homes by bed capacity and by type of specialty or service;

4. Shall also require that each hospital establish a protocol for organ donation, in compliance with federal law and the regulations of the Centers for Medicare and Medicaid Services (CMS), particularly 42 C.F.R. § 482.45. Each hospital shall have an agreement with an organ procurement organization designated in CMS regulations for routine contact, whereby the provider's designated organ procurement organization certified by CMS (i) is notified in a timely manner of all deaths or imminent deaths of patients in the hospital and (ii) is authorized to determine the suitability of the decedent or patient for organ donation and, in the absence of a similar arrangement with any eye bank or tissue bank in Virginia certified by the Eye Bank Association of America or the American Association of Tissue Banks, the suitability for tissue and eye donation. The hospital shall also have an agreement with at least one tissue bank and at least one eye bank to cooperate in the retrieval, processing, preservation, storage, and distribution of tissues and eyes to ensure that all usable tissues and eyes are obtained from potential donors and to avoid interference with organ procurement. The protocol shall ensure that the hospital collaborates with the designated organ procurement organization to inform the family of each potential donor of the option to donate organs, tissues, or eyes or to decline to donate. The individual making contact with the family shall have completed a course in the methodology for approaching potential donor families and requesting organ or tissue donation that (a) is offered or approved by the organ procurement organization and designed in conjunction with the tissue and eye bank community and (b) encourages discretion and sensitivity according to the specific circumstances, views, and beliefs of the relevant family. In addition, the hospital shall work cooperatively with the designated organ procurement organization in educating the staff responsible for contacting the organ procurement organization's personnel on donation issues, the proper review of death records to improve identification of potential donors, and the proper procedures for maintaining potential donors while necessary testing and placement of potential donated organs, tissues, and eyes takes place. This process shall be followed, without exception, unless the family of the relevant decedent or patient has expressed opposition to organ donation, the chief administrative officer of the hospital or his designee knows of such opposition, and no donor card or other relevant document, such as an advance directive, can be found;

5. Shall require that each hospital that provides obstetrical services establish a protocol for admission or transfer of any pregnant woman who presents herself while in labor;

6. Shall also require that each licensed hospital develop and implement a protocol requiring written discharge plans for identified, substance-abusing, postpartum women and their infants. The protocol shall require that the discharge plan be discussed with the patient and that appropriate referrals for the mother and the infant be made and documented. Appropriate referrals may include, but need not be limited to, treatment services, comprehensive early intervention services for infants and toddlers with disabilities and their families pursuant to Part H of the Individuals with Disabilities Education Act, 20 U.S.C. § 1471 et seq., and family-oriented prevention services. The discharge planning process shall involve, to the extent possible, the other parent of the infant and any members of the patient's extended family who may participate in the follow-up care for the mother and the infant. Immediately upon identification, pursuant to § 54.1-2403.1, of any substance-abusing, postpartum woman, the hospital shall notify, subject to federal law restrictions, the community services board of the jurisdiction in which the woman resides to appoint a discharge plan manager. The community services board shall implement and manage the discharge plan;

7. Shall require that each nursing home and certified nursing facility fully disclose to the applicant for admission the home's or facility's admissions policies, including any preferences given;

8. Shall require that each licensed hospital establish a protocol relating to the rights and responsibilities of patients which shall include a process reasonably designed to inform patients of such rights and responsibilities. Such rights and

responsibilities of patients, a copy of which shall be given to patients on admission, shall be consistent with applicable federal law and regulations of the Centers for Medicare and Medicaid Services;

9. Shall establish standards and maintain a process for designation of levels or categories of care in neonatal services according to an applicable national or state-developed evaluation system. Such standards may be differentiated for various levels or categories of care and may include, but need not be limited to, requirements for staffing credentials, staff/patient ratios, equipment, and medical protocols;

10. Shall require that each nursing home and certified nursing facility train all employees who are mandated to report adult abuse, neglect, or exploitation pursuant to § 63.2-1606 on such reporting procedures and the consequences for failing to make a required report;

11. Shall permit hospital personnel, as designated in medical staff bylaws, rules and regulations, or hospital policies and procedures, to accept emergency telephone and other verbal orders for medication or treatment for hospital patients from physicians, and other persons lawfully authorized by state statute to give patient orders, subject to a requirement that such verbal order be signed, within a reasonable period of time not to exceed 72 hours as specified in the hospital's medical staff bylaws, rules and regulations or hospital policies and procedures, by the person giving the order, or, when such person is not available within the period of time specified, co-signed by another physician or other person authorized to give the order;

12. Shall require, unless the vaccination is medically contraindicated or the resident declines the offer of the vaccination, that each certified nursing facility and nursing home provide or arrange for the administration to its residents of (i) an annual vaccination against influenza and (ii) a pneumococcal vaccination, in accordance with the most recent recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention;

13. Shall require that each nursing home and certified nursing facility register with the Department of State Police to receive notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 within the same or a contiguous zip code area in which the home or facility is located, pursuant to § 9.1-914;

14. Shall require that each nursing home and certified nursing facility ascertain, prior to admission, whether a potential patient is required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, if the home or facility anticipates the potential patient will have a length of stay greater than three days or in fact stays longer than three days;

15. Shall require that each licensed hospital include in its visitation policy a provision allowing each adult patient to receive visits from any individual from whom the patient desires to receive visits, subject to other restrictions contained in the visitation policy including, but not limited to, those related to the patient's medical condition and the number of visitors permitted in the patient's room simultaneously;

16. Shall require that each nursing home and certified nursing facility shall, upon the request of the facility's family council, send notices and information about the family council mutually developed by the family council and the administration of the nursing home or certified nursing facility, and provided to the facility for such purpose, to the listed responsible party or a contact person of the resident's choice up to six times per year. Such notices may be included together with a monthly billing statement or other regular communication. Notices and information shall also be posted in a designated location within the nursing home or certified nursing facility. No family member of a resident or other resident representative shall be restricted from participating in meetings in the facility with the families or resident representatives of other residents in the facility;

17. Shall require that each nursing home and certified nursing facility maintain liability insurance coverage in a minimum amount of $1 million, and professional liability coverage in an amount at least equal to the recovery limit set forth in § 8.01-581.15, to compensate patients or individuals for injuries and losses resulting from the negligent or criminal acts of the facility. Failure to maintain such minimum insurance shall result in revocation of the facility's license;

18. Shall require each hospital that provides obstetrical services to establish policies to follow when a stillbirth, as defined in § 32.1-69.1, occurs that meet the guidelines pertaining to counseling patients and their families and other aspects of managing stillbirths as may be specified by the Board in its regulations;

19. Shall require each nursing home to provide a full refund of any unexpended patient funds on deposit with the facility following the discharge or death of a patient, other than entrance-related fees paid to a continuing care provider as defined in § 38.2-4900, within 30 days of a written request for such funds by the discharged patient or, in the case of the death of a patient, the person administering the person's estate in accordance with the Virginia Small Estates Act (§ 64.2-600 et seq.);

20. Shall require that each hospital that provides inpatient psychiatric services establish a protocol that requires, for any refusal to admit (i) a medically stable patient referred to its psychiatric unit, direct verbal communication between the on-call physician in the psychiatric unit and the referring physician, if requested by such referring physician, and prohibits on-call physicians or other hospital staff from refusing a request for such direct verbal communication by a referring physician and (ii) a patient for whom there is a question regarding the medical stability or medical appropriateness of admission for inpatient psychiatric services due to a situation involving results of a toxicology screening, the on-call physician in the psychiatric unit to which the patient is sought to be transferred to participate in direct verbal communication, either in person or via telephone, with a clinical toxicologist or other person who is a Certified Specialist in

Poison Information employed by a poison control center that is accredited by the American Association of Poison Control Centers to review the results of the toxicology screen and determine whether a medical reason for refusing admission to the psychiatric unit related to the results of the toxicology screen exists, if requested by the referring physician;

21. Shall require that each hospital that is equipped to provide life-sustaining treatment shall develop a policy governing determination of the medical and ethical appropriateness of proposed medical care, which shall include (i) a process for obtaining a second opinion regarding the medical and ethical appropriateness of proposed medical care in cases in which a physician has determined proposed care to be medically or ethically inappropriate; (ii) provisions for review of the determination that proposed medical care is medically or ethically inappropriate by an interdisciplinary medical review committee and a determination by the interdisciplinary medical review committee regarding the medical and ethical appropriateness of the proposed health care; and (iii) requirements for a written explanation of the decision reached by the interdisciplinary medical review committee, which shall be included in the patient's medical record. Such policy shall ensure that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 (a) are informed of the patient's right to obtain his medical record and to obtain an independent medical opinion and (b) afforded reasonable opportunity to participate in the medical review committee meeting. Nothing in such policy shall prevent the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 from obtaining legal counsel to represent the patient or from seeking other remedies available at law, including seeking court review, provided that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986, or legal counsel provides written notice to the chief executive officer of the hospital within 14 days of the date on which the physician's determination that proposed medical treatment is medically or ethically inappropriate is documented in the patient's medical record;

22. Shall require every hospital with an emergency department to establish a security plan. Such security plan shall be developed using standards established by the International Association for Healthcare Security and Safety or other industry standard and shall be based on the results of a security risk assessment of each emergency department location of the hospital and shall include the presence of at least one off-duty law-enforcement officer or trained security personnel who is present in the emergency department at all times as indicated to be necessary and appropriate by the security risk assessment. Such security plan shall be based on identified risks for the emergency department, including trauma level designation, overall volume, volume of psychiatric and forensic patients, incidents of violence against staff, and level of injuries sustained from such violence, and prevalence of crime in the community, in consultation with the emergency department medical director and nurse director. The security plan shall also outline training requirements for security personnel in the potential use of and response to weapons, defensive tactics, de-escalation techniques, appropriate physical restraint and seclusion techniques, crisis intervention, and trauma-informed approaches. Such training shall also include instruction on safely addressing situations involving patients, family members, or other persons who pose a risk of harm to themselves or others due to mental illness or substance abuse or who are experiencing a mental health crisis. Such training requirements may be satisfied through completion of the Department of Criminal Justice Services minimum training standards for auxiliary police officers as required by § 15.2-1731. The Commissioner shall provide a waiver from the requirement that at least one off-duty law-enforcement officer or trained security personnel be present at all times in the emergency department if the hospital demonstrates that a different level of security is necessary and appropriate for any of its emergency departments based upon findings in the security risk assessment;

23. Shall require that each hospital establish a protocol requiring that, before a health care provider arranges for air medical transportation services for a patient who does not have an emergency medical condition as defined in 42 U.S.C. § 1395dd(e)(1), the hospital shall provide the patient or his authorized representative with written or electronic notice that the patient (i) may have a choice of transportation by an air medical transportation provider or medically appropriate ground transportation by an emergency medical services provider and (ii) will be responsible for charges incurred for such transportation in the event that the provider is not a contracted network provider of the patient's health insurance carrier or such charges are not otherwise covered in full or in part by the patient's health insurance plan;

24. Shall establish an exemption from the requirement to obtain a license to add temporary beds in an existing hospital or nursing home, including beds located in a temporary structure or satellite location operated by the hospital or nursing home, provided that the ability remains to safely staff services across the existing hospital or nursing home, (i) for a period of no more than the duration of the Commissioner's determination plus 30 days when the Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds or (ii) for a period of no more than the duration of the emergency order entered pursuant to § 32.1-13 or 32.1-20 plus 30 days when the Board, pursuant to § 32.1-13, or the Commissioner, pursuant to § 32.1-20, has entered an emergency order for the purpose of suppressing a nuisance dangerous to public health or a communicable, contagious, or infectious disease or other danger to the public life and health;

25. Shall establish protocols to ensure that any patient scheduled to receive an elective surgical procedure for which the patient can reasonably be expected to require outpatient physical therapy as a follow-up treatment after discharge is informed that he (i) is expected to require outpatient physical therapy as a follow-up treatment and (ii) will be required to select a physical therapy provider prior to being discharged from the hospital;

26. Shall permit nursing home staff members who are authorized to possess, distribute, or administer medications to residents to store, dispense, or administer cannabis oil to a resident who has been issued a valid written certification for the use of cannabis oil in accordance with § 4.1-1601;

27. Shall require each hospital with an emergency department to establish a protocol for the treatment and discharge of individuals experiencing a substance use-related emergency, which shall include provisions for (i) appropriate screening and assessment of individuals experiencing substance use-related emergencies to identify medical interventions necessary for the treatment of the individual in the emergency department and (ii) recommendations for follow-up care following discharge for any patient identified as having a substance use disorder, depression, or mental health disorder, as appropriate, which may include, for patients who have been treated for substance use-related emergencies, including opioid overdose, or other high-risk patients, (a) the dispensing of naloxone or other opioid antagonist used for overdose reversal pursuant to subsection ~~X~~ *Y* of § 54.1-3408 at discharge or (b) issuance of a prescription for and information about accessing naloxone or other opioid antagonist used for overdose reversal, including information about accessing naloxone or other opioid antagonist used for overdose reversal at a community pharmacy, including any outpatient pharmacy operated by the hospital, or through a community organization or pharmacy that may dispense naloxone or other opioid antagonist used for overdose reversal without a prescription pursuant to a statewide standing order. Such protocols may also provide for referrals of individuals experiencing a substance use-related emergency to peer recovery specialists and community-based providers of behavioral health services, or to providers of pharmacotherapy for the treatment of drug or alcohol dependence or mental health diagnoses;

28. During a public health emergency related to COVID-19, shall require each nursing home and certified nursing facility to establish a protocol to allow each patient to receive visits, consistent with guidance from the Centers for Disease Control and Prevention and as directed by the Centers for Medicare and Medicaid Services and the Board. Such protocol shall include provisions describing (i) the conditions, including conditions related to the presence of COVID-19 in the nursing home, certified nursing facility, and community, under which in-person visits will be allowed and under which in-person visits will not be allowed and visits will be required to be virtual; (ii) the requirements with which in-person visitors will be required to comply to protect the health and safety of the patients and staff of the nursing home or certified nursing facility; (iii) the types of technology, including interactive audio or video technology, and the staff support necessary to ensure visits are provided as required by this subdivision; and (iv) the steps the nursing home or certified nursing facility will take in the event of a technology failure, service interruption, or documented emergency that prevents visits from occurring as required by this subdivision. Such protocol shall also include (a) a statement of the frequency with which visits, including virtual and in-person, where appropriate, will be allowed, which shall be at least once every 10 calendar days for each patient; (b) a provision authorizing a patient or the patient's personal representative to waive or limit visitation, provided that such waiver or limitation is included in the patient's health record; and (c) a requirement that each nursing home and certified nursing facility publish on its website or communicate to each patient or the patient's authorized representative, in writing or via electronic means, the nursing home's or certified nursing facility's plan for providing visits to patients as required by this subdivision;

29. Shall require each hospital, nursing home, and certified nursing facility to establish and implement policies to ensure the permissible access to and use of an intelligent personal assistant provided by a patient, in accordance with such regulations, while receiving inpatient services. Such policies shall ensure protection of health information in accordance with the requirements of the federal Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d et seq., as amended. For the purposes of this subdivision, "intelligent personal assistant" means a combination of an electronic device and a specialized software application designed to assist users with basic tasks using a combination of natural language processing and artificial intelligence, including such combinations known as "digital assistants" or "virtual assistants";

30. During a declared public health emergency related to a communicable disease of public health threat, shall require each hospital, nursing home, and certified nursing facility to establish a protocol to allow patients to receive visits from a rabbi, priest, minister, or clergy of any religious denomination or sect consistent with guidance from the Centers for Disease Control and Prevention and the Centers for Medicare and Medicaid Services and subject to compliance with any executive order, order of public health, Department guidance, or any other applicable federal or state guidance having the effect of limiting visitation. Such protocol may restrict the frequency and duration of visits and may require visits to be conducted virtually using interactive audio or video technology. Any such protocol may require the person visiting a patient pursuant to this subdivision to comply with all reasonable requirements of the hospital, nursing home, or certified nursing facility adopted to protect the health and safety of the person, patients, and staff of the hospital, nursing home, or certified nursing facility;

31. Shall require that every hospital that makes health records, as defined in § 32.1-127.1:03, of patients who are minors available to such patients through a secure website shall make such health records available to such patient's parent or guardian through such secure website, unless the hospital cannot make such health record available in a manner that prevents disclosure of information, the disclosure of which has been denied pursuant to subsection F of § 32.1-127.1:03 or for which consent required in accordance with subsection E of § 54.1-2969 has not been provided; and

32. Shall require that every hospital where surgical procedures are performed adopt a policy requiring the use of a smoke evacuation system for all planned surgical procedures that are likely to generate surgical smoke. For the purposes of this subdivision, "smoke evacuation system" means smoke evacuation equipment and technologies designed to capture, filter, and remove surgical smoke at the site of origin and to prevent surgical smoke from making ocular contact or contact with a person's respiratory tract.

C. Upon obtaining the appropriate license, if applicable, licensed hospitals, nursing homes, and certified nursing facilities may operate adult day centers.

D. All facilities licensed by the Board pursuant to this article which provide treatment or care for hemophiliacs and, in the course of such treatment, stock clotting factors, shall maintain records of all lot numbers or other unique identifiers for such clotting factors in order that, in the event the lot is found to be contaminated with an infectious agent, those hemophiliacs who have received units of this contaminated clotting factor may be apprised of this contamination. Facilities which have identified a lot that is known to be contaminated shall notify the recipient's attending physician and request that he notify the recipient of the contamination. If the physician is unavailable, the facility shall notify by mail, return receipt requested, each recipient who received treatment from a known contaminated lot at the individual's last known address.

E. Hospitals in the Commonwealth may enter into agreements with the Department of Health for the provision to uninsured patients of naloxone or other opioid antagonists used for overdose reversal.

§ 54.1-2722. License; application; qualifications; practice of dental hygiene; report.

A. No person shall practice dental hygiene unless he possesses a current, active, and valid license from the Board of Dentistry. The licensee shall have the right to practice dental hygiene in the Commonwealth for the period of his license as set by the Board, under the direction of any licensed dentist.

B. An application for such license shall be made to the Board in writing and shall be accompanied by satisfactory proof that the applicant (i) is of good moral character, (ii) is a graduate of a dental hygiene program accredited by the Commission on Dental Accreditation and offered by an accredited institution of higher education, (iii) has passed the dental hygiene examination given by the Joint Commission on National Dental Examinations, and (iv) has successfully completed a clinical examination acceptable to the Board.

C. The Board may grant a license to practice dental hygiene to an applicant licensed to practice in another jurisdiction if he (i) meets the requirements of subsection B; (ii) holds a current, unrestricted license to practice dental hygiene in another jurisdiction in the United States; (iii) has not committed any act that would constitute grounds for denial as set forth in § 54.1-2706; and (iv) meets other qualifications as determined in regulations promulgated by the Board.

D. A licensed dental hygienist may, under the direction or general supervision of a licensed dentist and subject to the regulations of the Board, perform services that are educational, diagnostic, therapeutic, or preventive. These services shall not include the establishment of a final diagnosis or treatment plan for a dental patient. Pursuant to subsection ~~V~~ *W* of § 54.1-3408, a licensed dental hygienist may administer topical oral fluorides under an oral or written order or a standing protocol issued by a dentist or a doctor of medicine or osteopathic medicine.

A dentist may also authorize a dental hygienist under his direction to administer Schedule VI nitrous oxide and oxygen inhalation analgesia and, to persons 18 years of age or older, Schedule VI local anesthesia. In its regulations, the Board of Dentistry shall establish the education and training requirements for dental hygienists to administer such controlled substances under a dentist's direction.

For the purposes of this section, "general supervision" means that a dentist has evaluated the patient and prescribed authorized services to be provided by a dental hygienist; however, the dentist need not be present in the facility while the authorized services are being provided.

The Board shall provide for an inactive license for those dental hygienists who hold a current, unrestricted license to practice in the Commonwealth at the time of application for an inactive license and who do not wish to practice in Virginia. The Board shall promulgate such regulations as may be necessary to carry out the provisions of this section, including requirements for remedial education to activate a license.

E. For the purposes of this subsection, "remote supervision" means that a public health dentist has regular, periodic communications with a public health dental hygienist regarding patient treatment, but such dentist may not have conducted an initial examination of the patients who are to be seen and treated by the dental hygienist and may not be present with the dental hygienist when dental hygiene services are being provided.

Notwithstanding any provision of law, a dental hygienist employed by the Virginia Department of Health or the Department of Behavioral Health and Developmental Services who holds a license issued by the Board of Dentistry may provide educational and preventative dental care in the Commonwealth under the remote supervision of a dentist employed by the Department of Health or the Department of Behavioral Health and Developmental Services. A dental hygienist providing such services shall practice pursuant to protocols developed jointly by the Department of Health and the Department of Behavioral Health and Developmental Services for each agency, in consultation with the Virginia Dental Association and the Virginia Dental Hygienists' Association. Such protocols shall be adopted by the Board as regulations.

A report of services provided by dental hygienists employed by the Virginia Department of Health pursuant to such protocol, including their impact upon the oral health of the citizens of the Commonwealth, shall be prepared and submitted annually to the Secretary of Health and Human Resources by the Department of Health, and a report of services provided by dental hygienists employed by the Department of Behavioral Health and Developmental Services shall be prepared and submitted annually to the Secretary of Health and Human Resources by the Department of Behavioral Health and Developmental Services. Nothing in this section shall be construed to authorize or establish the independent practice of dental hygiene.

F. For the purposes of this subsection, "remote supervision" means that a supervising dentist is accessible and available for communication and consultation with a dental hygienist during the delivery of dental hygiene services, but such dentist

may not have conducted an initial examination of the patients who are to be seen and treated by the dental hygienist and may not be present with the dental hygienist when dental hygiene services are being provided.

Notwithstanding any other provision of law, a dental hygienist may practice dental hygiene under the remote supervision of a dentist who holds an active license by the Board and who has a dental practice physically located in the Commonwealth. No dental hygienist shall practice under remote supervision unless he has (i) completed a continuing education course designed to develop the competencies needed to provide care under remote supervision offered by an accredited dental education program or from a continuing education provider approved by the Board and (ii) at least two years of clinical experience, consisting of at least 2,500 hours of clinical experience. A dental hygienist practicing under remote supervision shall have professional liability insurance with policy limits acceptable to the supervising dentist. A dental hygienist shall only practice under remote supervision at a federally qualified health center; charitable safety net facility; free clinic; long-term care facility; elementary or secondary school; Head Start program; mobile dentistry program for adults with developmental disabilities operated by the Department of Behavioral Health and Developmental Services' Office of Integrated Health; or women, infants, and children (WIC) program.

A dental hygienist practicing under remote supervision may (a) obtain a patient's treatment history and consent, (b) perform an oral assessment, (c) perform scaling and polishing, (d) perform all educational and preventative services, (e) take X-rays as ordered by the supervising dentist or consistent with a standing order, (f) maintain appropriate documentation in the patient's chart, (g) administer topical oral fluorides, topical oral anesthetics, topical and directly applied antimicrobial agents for treatment of periodontal pocket lesions, and any other Schedule VI topical drug approved by the Board of Dentistry under an oral or written order or a standing protocol issued by a dentist or a doctor of medicine or osteopathic medicine pursuant to subsection ~~V~~ *W* of § 54.1-3408, and (h) perform any other service ordered by the supervising dentist or required by statute or Board regulation. No dental hygienist practicing under remote supervision shall administer local anesthetic or nitrous oxide.

Prior to providing a patient dental hygiene services, a dental hygienist practicing under remote supervision shall obtain (1) the patient's or the patient's legal representative's signature on a statement disclosing that the delivery of dental hygiene services under remote supervision is not a substitute for the need for regular dental examinations by a dentist and (2) verbal confirmation from the patient that he does not have a dentist of record whom he is seeing regularly.

After conducting an initial oral assessment of a patient, a dental hygienist practicing under remote supervision may provide further dental hygiene services following a written practice protocol developed and provided by the supervising dentist. Such written practice protocol shall consider, at a minimum, the medical complexity of the patient and the presenting signs and symptoms of oral disease.

A dental hygienist practicing under remote supervision shall inform the supervising dentist of all findings for a patient. A dental hygienist practicing under remote supervision may continue to treat a patient for 180 days. After such 180-day period, the supervising dentist, absent emergent circumstances, shall either conduct an examination of the patient or refer the patient to another dentist to conduct an examination. The supervising dentist shall develop a diagnosis and treatment plan for the patient, and either the supervising dentist or the dental hygienist shall provide the treatment plan to the patient. The supervising dentist shall review a patient's records at least once every 10 months.

Nothing in this subsection shall prevent a dental hygienist from practicing dental hygiene under general supervision whether as an employee or as a volunteer.

§ 54.1-3041. (Effective July 1, 2025) Registration required.

A. A medication aide who administers drugs that would otherwise be self-administered to residents in an assisted living facility licensed by the Department of Social Services shall be registered by the Board as a registered medication aide.

B. A medication aide who administers drugs as determined permissible by the Board for administration to *long-term care* residents *who do not have a clinical condition that requires evaluation by a registered nurse or licensed practical nurse for the administration of medications* in a ~~certified~~ nursing ~~facility~~ *home* licensed by the Department of Health shall be registered by the Board as an advanced registered medication aide.

C. An advanced registered medication aide who is registered to administer drugs to residents in a ~~certified~~ nursing ~~facility~~ *home licensed by the Department of Health* shall also be authorized to administer drugs to residents in an assisted living facility.

§ 54.1-3042. (Effective July 1, 2025) Application for registration by competency evaluation.

A. Every applicant for registration as a medication aide by competency evaluation shall pay the required application fee and shall submit written evidence that the applicant:

1. Has not committed any act that would be grounds for discipline or denial of registration under this article;

2. Has successfully completed a staff training program in direct care approved by the Department of Social Services or an approved nurse aide education program;

3. Has successfully completed an education or training program approved by the Board that shall include one of the following:

a. A medication aide education or training program approved by the Board that shall be 68 hours combined classroom instruction and clinical skills practice curriculum, and for an advanced registered medication aide the number of additional hours as determined by the Board; or

b. A nursing education program preparing for registered nurse or practical nurse licensure;

4. Has successfully completed a competency evaluation consisting of both a clinical evaluation of minimal competency and a written examination as specified by the Board; and

5. In the case of medication aides who will administer drugs as determined permissible by the Board for administration to residents in a ~~certified~~ nursing ~~facility~~ *home* licensed by the Department of Health, has successfully completed all educational requirements established by the Board for administering drugs in a ~~certified~~ nursing ~~facility~~ *home licensed by the Department of Health*, which shall reflect the medically complex patient population found in ~~certified~~ nursing ~~facilities~~ *homes licensed by the Department of Health* and the resulting medication regime for that population.

B. The Board shall (i) make the written examination available in both electronic and non-electronic format, (ii) provide sufficient locations for the administration of any written examination required for registration under this section, to ensure adequate access to the written examination for all applicants, (iii) establish a procedure pursuant to which an examination shall be offered at or near the location of an education or training course, upon the request of five or more applicants, provided that the security of the examination and the integrity of the administration of the examination are ensured and that any additional costs are born by the requesting applicants, and (iv) provide written notice to applicants of the results of any competency examination completed by the applicants within seven days of completion of the examination.

C. Any applicant under this section who has provided to the Board evidence of successful completion of the education or training course required for registration may act as a medication aide on a provisional basis for no more than 120 days before successfully completing any required competency evaluation. However, upon notification of failure to successfully complete the written examination after three attempts, an applicant shall immediately cease acting as a medication aide.

D. Any applicant under this section who shall apply by endorsement from any state or the District of Columbia that requires registration of medication aides who has met the requirements of registration in such jurisdiction may be deemed eligible to sit for the competency evaluation required pursuant to this section, subject to approval of the Board.

§ 54.1-3408. Professional use by practitioners.

A. A practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine, a licensed advanced practice registered nurse pursuant to § 54.1-2957.01, a licensed certified midwife pursuant to § 54.1-2957.04, a licensed physician assistant pursuant to § 54.1-2952.1, or a TPA-certified optometrist pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32 shall only prescribe, dispense, or administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice. A licensed midwife pursuant to § 54.1-2957.7 shall only obtain, possess, and administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice.

B. The prescribing practitioner's order may be on a written prescription or pursuant to an oral prescription as authorized by this chapter. The prescriber may administer drugs and devices, or he may cause drugs or devices to be administered by:

1. A nurse, physician assistant, or intern under his direction and supervision;

2. Persons trained to administer drugs and devices to patients in state-owned or state-operated hospitals or facilities licensed as hospitals by the Board of Health or psychiatric hospitals licensed by the Department of Behavioral Health and Developmental Services who administer drugs under the control and supervision of the prescriber or a pharmacist;

3. Emergency medical services personnel certified and authorized to administer drugs and devices pursuant to regulations of the Board of Health who act within the scope of such certification and pursuant to an oral or written order or standing protocol;

4. Persons who are employed or engaged at a medical care facility, as defined in § 32.1-3, who have a valid emergency medical services provider certification issued by the Board of Health as a requirement of being employed or engaged at the medical care facility within the scope of such certification, pursuant to an oral or written order or standing protocol to administer drugs and devices at the medical care facility; or

5. A licensed respiratory therapist as defined in § 54.1-2954 who administers by inhalation controlled substances used in inhalation or respiratory therapy.

C. Pursuant to an oral or written order or standing protocol, the prescriber, who is authorized by state or federal law to possess and administer radiopharmaceuticals in the scope of his practice, may authorize a nuclear medicine technologist to administer, under his supervision, radiopharmaceuticals used in the diagnosis or treatment of disease.

D. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize registered nurses and licensed practical nurses to possess (i) epinephrine and oxygen for administration in treatment of emergency medical conditions and (ii) heparin and sterile normal saline to use for the maintenance of intravenous access lines.

Pursuant to the regulations of the Board of Health, certain emergency medical services technicians may possess and administer epinephrine in emergency cases of anaphylactic shock.

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any school nurse, school board employee, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or standing protocol that shall be issued by the local health director within the course of his professional practice, any school nurse, licensed athletic trainer under contract with a local school division, school board employee, employee of a local governing body, or employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers or nebulized albuterol

may possess or administer an albuterol inhaler and a valved holding chamber or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education, or any employee of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in the administration of (a) epinephrine may possess and administer epinephrine and (b) albuterol inhalers or nebulized albuterol may possess or administer an albuterol inhaler or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any nurse at an early childhood care and education entity, employee at the entity, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a public institution of higher education or a private institution of higher education who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of an organization providing outdoor educational experiences or programs for youth who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, and in accordance with policies and guidelines established by the Department of Health, such prescriber may authorize any employee of a restaurant licensed pursuant to Chapter 3 (§ 35.1-18 et seq.) of Title 35.1 to possess and administer epinephrine on the premises of the restaurant at which the employee is employed, provided that such person is trained in the administration of epinephrine.

Pursuant to an order issued by the prescriber within the course of his professional practice, an employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services may possess and administer epinephrine, provided such person is authorized and trained in the administration of epinephrine.

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any employee of a place of public accommodation, as defined in subsection A of § 2.2-3904, who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize pharmacists to possess epinephrine and oxygen for administration in treatment of emergency medical conditions.

E. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed physical therapists to possess and administer topical corticosteroids, topical lidocaine, and any other Schedule VI topical drug.

F. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed athletic trainers to possess and administer topical corticosteroids, topical lidocaine, or other Schedule VI topical drugs; oxygen and IV saline for use in emergency situations; subcutaneous lidocaine for wound closure; epinephrine for use in emergency cases of anaphylactic shock; and naloxone or other opioid antagonist for overdose reversal.

G. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, and in accordance with policies and guidelines established by the Department of Health pursuant to § 32.1-50.2, such prescriber may authorize registered nurses or licensed practical nurses under the supervision of a registered nurse to possess and administer tuberculin purified protein derivative (PPD) in the absence of a prescriber. The Department of Health's policies and guidelines shall be consistent with applicable guidelines developed by the Centers for Disease Control and Prevention for preventing transmission of mycobacterium tuberculosis and shall be updated to incorporate any subsequently implemented standards of the Occupational Safety and Health Administration and the Department of Labor and Industry to the extent that they are inconsistent with the Department of Health's policies and guidelines. Such standing protocols shall explicitly describe the categories of persons to whom the tuberculin test is to be administered and shall provide for appropriate medical evaluation of those in whom the test is positive. The prescriber shall ensure that the nurse implementing such standing protocols has received adequate training in the practice and principles underlying tuberculin screening.

The Health Commissioner or his designee may authorize registered nurses, acting as agents of the Department of Health, to possess and administer, at the nurse's discretion, tuberculin purified protein derivative (PPD) to those persons in whom tuberculin skin testing is indicated based on protocols and policies established by the Department of Health.

H. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained

in the administration of insulin and glucagon to assist with the administration of insulin or administer glucagon to a student diagnosed as having diabetes and who requires insulin injections during the school day or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize the possession and administration of undesignated glucagon as set forth in subsection F of § 22.1-274.2.

Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize an employee of a public institution of higher education or a private institution of higher education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administration of glucagon to a student diagnosed as having diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

Pursuant to a written order issued by the prescriber within the course of his professional practice, such prescriber may authorize an employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services to assist with the administration of insulin or to administer glucagon to a person diagnosed as having diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia, provided such employee or person providing services has been trained in the administration of insulin and glucagon.

I. A prescriber may authorize, pursuant to a protocol approved by the Board of Nursing, the administration of vaccines to adults for immunization, when a practitioner with prescriptive authority is not physically present, by (i) licensed pharmacists, (ii) registered nurses, or (iii) licensed practical nurses under the supervision of a registered nurse. A prescriber acting on behalf of and in accordance with established protocols of the Department of Health may authorize the administration of vaccines to any person by a pharmacist, nurse, or designated emergency medical services provider who holds an advanced life support certificate issued by the Commissioner of Health under the direction of an operational medical director when the prescriber is not physically present. The emergency medical services provider shall provide documentation of the vaccines to be recorded in the Virginia Immunization Information System.

J. A dentist may cause Schedule VI topical drugs to be administered under his direction and supervision by either a dental hygienist or by an authorized agent of the dentist.

Further, pursuant to a written order and in accordance with a standing protocol issued by the dentist in the course of his professional practice, a dentist may authorize a dental hygienist under his general supervision, as defined in § 54.1-2722, or his remote supervision, as defined in subsection E or F of § 54.1-2722, to possess and administer topical oral fluorides, topical oral anesthetics, topical and directly applied antimicrobial agents for treatment of periodontal pocket lesions, and any other Schedule VI topical drug approved by the Board of Dentistry.

In addition, a dentist may authorize a dental hygienist under his direction to administer Schedule VI nitrous oxide and oxygen inhalation analgesia and, to persons 18 years of age or older, Schedule VI local anesthesia.

K. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize registered professional nurses certified as sexual assault nurse examiners-A (SANE-A) under his supervision and when he is not physically present to possess and administer preventive medications for victims of sexual assault as recommended by the Centers for Disease Control and Prevention.

L. This section shall not prevent the administration of drugs by a person who has satisfactorily completed a training program for this purpose approved by the Board of Nursing and who administers such drugs in accordance with a prescriber's instructions pertaining to dosage, frequency, and manner of administration, and in accordance with regulations promulgated by the Board of Pharmacy relating to security and record keeping, when the drugs administered would be normally self-administered by (i) an individual receiving services in a program licensed by the Department of Behavioral Health and Developmental Services; (ii) a resident of the Virginia Rehabilitation Center for the Blind and Vision Impaired; (iii) a resident of a facility approved by the Board or Department of Juvenile Justice for the placement of children in need of services or delinquent or alleged delinquent youth; (iv) a program participant of an adult day center licensed by the Department of Social Services; (v) a resident of any facility authorized or operated by a state or local government whose primary purpose is not to provide health care services; (vi) a resident of a private children's residential facility, as defined in § 63.2-100 and licensed by the Department of Social Services, Department of Education, or Department of Behavioral Health and Developmental Services; or (vii) a student in a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education.

In addition, this section shall not prevent a person who has successfully completed a training program for the administration of drugs via percutaneous gastrostomy tube approved by the Board of Nursing and been evaluated by a registered nurse as having demonstrated competency in administration of drugs via percutaneous gastrostomy tube from administering drugs to a person receiving services from a program licensed by the Department of Behavioral Health and

Developmental Services to such person via percutaneous gastrostomy tube. The continued competency of a person to administer drugs via percutaneous gastrostomy tube shall be evaluated semiannually by a registered nurse.

M. Medication aides registered by the Board of Nursing pursuant to Article 7 (§ 54.1-3041 et seq.) of Chapter 30 may administer drugs that would otherwise be self-administered to residents of any assisted living facility licensed by the Department of Social Services. A registered medication aide shall administer drugs pursuant to this section in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; in accordance with regulations promulgated by the Board of Pharmacy relating to security and recordkeeping; in accordance with the assisted living facility's Medication Management Plan; and in accordance with such other regulations governing their practice promulgated by the Board of Nursing.

N. *Advanced medication aides registered by the Board of Nursing pursuant to Article 7 (§ 54.1-3041 et seq.) of Chapter 30 may administer drugs that would be administered by a registered medication aide pursuant to subsection M, in addition to drugs determined permissible by the Board of Nursing, in a nursing home licensed by the Department of Health. Advanced medication aides shall administer drugs pursuant to this section in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; in accordance with regulations promulgated by the Board of Pharmacy relating to security and recordkeeping; in accordance with the licensed nursing home's policies and procedures; and in accordance with such other regulations governing their practice promulgated by the Board of Nursing.*

O. In addition, this section shall not prevent the administration of drugs by a person who administers such drugs in accordance with a physician's instructions pertaining to dosage, frequency, and manner of administration and with written authorization of a parent, and in accordance with school board regulations relating to training, security and record keeping, when the drugs administered would be normally self-administered by a student of a Virginia public school. Training for such persons shall be accomplished through a program approved by the local school boards, in consultation with the local departments of health.

~~O.~~ *P.* In addition, this section shall not prevent the administration of drugs by a person to (i) a child in a child day program as defined in § 22.1-289.02 and regulated by the Board of Education or a local government pursuant to § 15.2-914, or (ii) a student of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education, provided such person (a) has satisfactorily completed a training program for this purpose approved by the Board of Nursing and taught by a registered nurse, a licensed practical nurse, an advanced practice registered nurse, a physician assistant, a doctor of medicine or osteopathic medicine, or a pharmacist; (b) has obtained written authorization from a parent or guardian; (c) administers drugs only to the child identified on the prescription label in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; and (d) administers only those drugs that were dispensed from a pharmacy and maintained in the original, labeled container that would normally be self-administered by the child or student, or administered by a parent or guardian to the child or student.

~~P.~~ *Q.* In addition, this section shall not prevent the administration or dispensing of drugs and devices by persons if they are authorized by the State Health Commissioner in accordance with protocols established by the State Health Commissioner pursuant to § 32.1-42.1 when (i) the Governor has declared a disaster or a state of emergency, the United States Secretary of Health and Human Services has issued a declaration of an actual or potential bioterrorism incident or other actual or potential public health emergency, or the Board of Health has made an emergency order pursuant to § 32.1-13 for the purpose of suppressing nuisances dangerous to the public health and communicable, contagious, and infectious diseases and other dangers to the public life and health and for the limited purpose of administering vaccines as an approved countermeasure for such communicable, contagious, and infectious diseases; (ii) it is necessary to permit the provision of needed drugs or devices; and (iii) such persons have received the training necessary to safely administer or dispense the needed drugs or devices. Such persons shall administer or dispense all drugs or devices under the direction, control, and supervision of the State Health Commissioner.

~~Q.~~ *R.* Nothing in this title shall prohibit the administration of normally self-administered drugs by unlicensed individuals to a person in his private residence.

~~R.~~ *S.* This section shall not interfere with any prescriber issuing prescriptions in compliance with his authority and scope of practice and the provisions of this section to a Board agent for use pursuant to subsection G of § 18.2-258.1. Such prescriptions issued by such prescriber shall be deemed to be valid prescriptions.

~~S.~~ *T.* Nothing in this title shall prevent or interfere with dialysis care technicians or dialysis patient care technicians who are certified by an organization approved by the Board of Health Professions or persons authorized for provisional practice pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.), in the ordinary course of their duties in a Medicare-certified renal dialysis facility, from administering heparin, topical needle site anesthetics, dialysis solutions, sterile normal saline solution, and blood volumizers, for the purpose of facilitating renal dialysis treatment, when such administration of medications occurs under the orders of a licensed physician, an advanced practice registered nurse, or a physician assistant and under the immediate and direct supervision of a licensed registered nurse. Nothing in this chapter shall be construed to prohibit a patient care dialysis technician trainee from performing dialysis care as part of and within the scope of the clinical skills instruction segment of a supervised dialysis technician training program, provided such trainee is identified as a "trainee" while working in a renal dialysis facility.

The dialysis care technician or dialysis patient care technician administering the medications shall have demonstrated competency as evidenced by holding current valid certification from an organization approved by the Board of Health Professions pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.).

~~T.~~ *U.* Persons who are otherwise authorized to administer controlled substances in hospitals shall be authorized to administer influenza or pneumococcal vaccines pursuant to § 32.1-126.4.

~~U.~~ *V.* Pursuant to a specific order for a patient and under his direct and immediate supervision, a prescriber may authorize the administration of controlled substances by personnel who have been properly trained to assist a doctor of medicine or osteopathic medicine, provided the method does not include intravenous, intrathecal, or epidural administration and the prescriber remains responsible for such administration.

~~V.~~ *W.* A physician assistant, nurse, dental hygienist, or authorized agent of a doctor of medicine, osteopathic medicine, or dentistry may possess and administer topical fluoride varnish pursuant to an oral or written order or a standing protocol issued by a doctor of medicine, osteopathic medicine, or dentistry.

~~W.~~ *X.* A prescriber, acting in accordance with guidelines developed pursuant to § 32.1-46.02, may authorize the administration of influenza vaccine to minors by a licensed pharmacist, registered nurse, licensed practical nurse under the direction and immediate supervision of a registered nurse, or emergency medical services provider who holds an advanced life support certificate issued by the Commissioner of Health when the prescriber is not physically present.

~~X.~~ *Y.* Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, a pharmacist, a health care provider providing services in a hospital emergency department, and emergency medical services personnel, as that term is defined in § 32.1-111.1, may dispense naloxone or other opioid antagonist used for overdose reversal and a person to whom naloxone or other opioid antagonist has been dispensed pursuant to this subsection may possess and administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose. Law-enforcement officers as defined in § 9.1-101, employees of the Department of Forensic Science, employees of the Office of the Chief Medical Examiner, employees of the Department of General Services Division of Consolidated Laboratory Services, employees of the Department of Corrections designated by the Director of the Department of Corrections or designated as probation and parole officers or as correctional officers as defined in § 53.1-1, employees of the Department of Juvenile Justice designated as probation and parole officers or as juvenile correctional officers, employees of regional jails, employees of any state agency, school nurses, local health department employees that are assigned to a public school pursuant to an agreement between the local health department and the school board, school board employees who have completed training and are certified in the administration of an opioid antagonist for overdose reversal by a program administered or authorized by the Department of Health, other school board employees or individuals contracted by a school board to provide school health services, and firefighters may also possess and administer naloxone or other opioid antagonist used for overdose reversal and may dispense naloxone or other opioid antagonist used for overdose reversal pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, any person may possess and administer naloxone or other opioid antagonist used for overdose reversal, other than naloxone in an injectable formulation with a hypodermic needle or syringe, in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

~~Y.~~ *Z.* Notwithstanding any other law or regulation to the contrary, a person who is acting on behalf of an organization that provides services to individuals at risk of experiencing an opioid overdose or training in the administration of naloxone for overdose reversal may dispense naloxone, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber and (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health. If the person acting on behalf of an organization dispenses naloxone in an injectable formulation with a hypodermic needle or syringe, he shall first obtain authorization from the Department of Behavioral Health and Developmental Services to train individuals on the proper administration of naloxone by and proper disposal of a hypodermic needle or syringe, and he shall obtain a controlled substance registration from the Board of Pharmacy. The Board of Pharmacy shall not charge a fee for the issuance of such controlled substance registration. The dispensing may occur at a site other than that of the controlled substance registration provided the entity possessing the controlled substances registration maintains records in accordance with regulations of the Board of Pharmacy. No person who dispenses naloxone on behalf of an organization pursuant to this subsection shall charge a fee for the dispensing of naloxone that is greater than the cost to the organization of obtaining the naloxone dispensed. A person to whom naloxone has been dispensed pursuant to this subsection may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

~~Z.~~ *AA.* A person who is not otherwise authorized to administer naloxone or other opioid antagonist used for overdose reversal may administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

~~AA.~~ *BB.* Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of injected medications for the treatment of adrenal crisis resulting from a condition causing adrenal insufficiency to administer such medication to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis. Such authorization shall be effective only when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

§ 54.1-3466. Possession or distribution of controlled paraphernalia; definition of controlled paraphernalia; evidence; exceptions.

A. For purposes of this chapter, "controlled paraphernalia" means (i) a hypodermic syringe, needle, or other instrument or implement or combination thereof adapted for the administration of controlled dangerous substances by hypodermic injections under circumstances that reasonably indicate an intention to use such controlled paraphernalia for purposes of illegally administering any controlled drug or (ii) gelatin capsules, glassine envelopes, or any other container suitable for the packaging of individual quantities of controlled drugs in sufficient quantity to and under circumstances that reasonably indicate an intention to use any such item for the illegal manufacture, distribution, or dispensing of any such controlled drug. Evidence of such circumstances shall include, but not be limited to, close proximity of any such controlled paraphernalia to any adulterants or equipment commonly used in the illegal manufacture and distribution of controlled drugs including, but not limited to, scales, sieves, strainers, measuring spoons, staples and staplers, or procaine hydrochloride, mannitol, lactose, quinine, or any controlled drug, or any machine, equipment, instrument, implement, device, or combination thereof that is adapted for the production of controlled drugs under circumstances that reasonably indicate an intention to use such item or combination thereof to produce, sell, or dispense any controlled drug in violation of the provisions of this chapter. "Controlled paraphernalia" does not include narcotic testing products used to determine whether a controlled substance contains fentanyl or a fentanyl analog.

B. Except as authorized in this chapter, it is unlawful for any person to possess controlled paraphernalia.

C. Except as authorized in this chapter, it is unlawful for any person to distribute controlled paraphernalia.

D. A violation of this section is a Class 1 misdemeanor.

E. The provisions of this section shall not apply to persons who have acquired possession and control of controlled paraphernalia in accordance with the provisions of this article or to any person who owns or is engaged in breeding or raising livestock, poultry, or other animals to which hypodermic injections are customarily given in the interest of health, safety, or good husbandry; or to hospitals, physicians, pharmacists, dentists, podiatrists, veterinarians, funeral directors and embalmers, persons to whom a permit has been issued, manufacturers, wholesalers, or their authorized agents or employees when in the usual course of their business, if the controlled paraphernalia lawfully obtained continue to be used for the legitimate purposes for which they were obtained.

F. The provisions of this section and of § 18.2-265.3 shall not apply to (i) a person who dispenses naloxone in accordance with the provisions of subsection ~~Y~~ *Z* of § 54.1-3408 and who, in conjunction with such dispensing of naloxone, dispenses or distributes hypodermic needles and syringes for injecting such naloxone or (ii) a person who possesses naloxone that has been dispensed in accordance with the provisions of subsection ~~Y~~ *Z* of § 54.1-3408 and possesses hypodermic needles and syringes for injecting such naloxone in conjunction with such possession of naloxone.

G. The provisions of this section and of § 18.2-265.3 shall not apply to (i) a person who possesses or distributes controlled paraphernalia on behalf of or for the benefit of a comprehensive harm reduction program established pursuant to § 32.1-45.4 or (ii) a person who possesses controlled paraphernalia obtained from a comprehensive harm reduction program established pursuant to § 32.1-45.4.

§ 54.1-3467. Distribution of hypodermic needles or syringes, gelatin capsules, quinine or any of its salts.

A. Distribution by any method, of any hypodermic needles or syringes, gelatin capsules, quinine or any of its salts, in excess of one-fourth ounce shall be restricted to licensed pharmacists or to others who have received a license or a permit from the Board.

B. Nothing in this section shall prohibit the dispensing or distributing of hypodermic needles and syringes by persons authorized by the State Health Commissioner pursuant to a comprehensive harm reduction program established pursuant to § 32.1-45.4 who are acting in accordance with the standards and protocols of such program for the duration of the declared public health emergency.

C. Nothing in this section shall prohibit the dispensing or distributing of hypodermic needles and syringes by persons authorized to dispense naloxone in accordance with the provisions of subsection ~~Y~~ *Z* of § 54.1-3408 and who, in conjunction with such dispensing of naloxone, dispenses or distributes hypodermic needles and syringes. Nothing in this section shall prohibit the dispensing of hypodermic needles and syringes for the administration of prescribed drugs by prescribers licensed to dispense Schedule VI controlled substances at a nonprofit facility pursuant to § 54.1-3304.1.

D. Notwithstanding the provisions of subsection A, nothing in this section shall prohibit the distribution of hypodermic needles that are designed to be used with a reusable injector pen for the administration of insulin.

2. That the fourth and fifth enactments of Chapter 284 of the Acts of Assembly of 2024 are amended and reenacted as follows:

4. That the Department of Health shall promulgate regulations to authorize medication aides registered by the Board of Nursing (the Board) to administer drugs as determined permissible by the Board for administration to residents in a ~~certified~~ nursing ~~facility~~ *home* licensed by the Department of Health to be effective as of ~~July 1~~ *December 15*, 2025. *Such regulations shall be exempt from the requirements of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).*

5. That the Board of Nursing *and Board of Pharmacy* shall promulgate regulations to implement the provisions of this act to be effective as of ~~July 1~~ *December 15*, 2025. *Such regulations shall be exempt from the requirements of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).*

CHAPTER 278

An Act to amend and reenact § 54.1-3423 of the Code of Virginia, relating to Board of Pharmacy; long-acting injectable or extended-release prescription drugs; correctional facilities.

[H 2473]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3423 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3423. Board to issue registration unless inconsistent with public interest; authorization to conduct research; application and fees.

A. The Board shall register an applicant to manufacture or distribute controlled substances included in Schedules I through V unless it determines that the issuance of that registration would be inconsistent with the public interest. In determining the public interest, the Board shall consider the following factors:

1. Maintenance of effective controls against diversion of controlled substances into other than legitimate medical, scientific, or industrial channels;

2. Compliance with applicable state and local law;

3. Any convictions of the applicant under any federal and state laws relating to any controlled substance;

4. Past experience in the manufacture or distribution of controlled substances, and the existence in the applicant's establishment of effective controls against diversion;

5. Furnishing by the applicant of false or fraudulent material in any application filed under this chapter;

6. Suspension or revocation of the applicant's federal registration to manufacture, distribute, or dispense controlled substances as authorized by federal law; and

7. Any other factors relevant to and consistent with the public health and safety.

B. Registration under subsection A does not entitle a registrant to manufacture and distribute controlled substances in Schedule I or II other than those specified in the registration.

C. Practitioners must be registered to conduct research or laboratory analysis with controlled substances in Schedules II through VI or marijuana. Practitioners registered under federal law to conduct research with Schedule I substances, other than marijuana, may conduct research with Schedule I controlled substances within the Commonwealth upon furnishing the evidence of that federal registration.

D. The Board may register other persons or entities to possess controlled substances listed on Schedules II through VI upon a determination that (i) there is a documented need, (ii) the issuance of the registration is consistent with the public interest, (iii) the possession and subsequent use of the controlled substances complies with applicable state and federal laws and regulations, and (iv) the subsequent storage, use, and recordkeeping of the controlled substances will be under the general supervision of a licensed pharmacist, practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine as specified in the Board's regulations. The Board shall consider, at a minimum, the factors listed in subsection A in determining whether the registration shall be issued. Notwithstanding the exceptions listed in *subsection A of* § 54.1-3422 ~~A~~, the Board may mandate a controlled substances registration for sites maintaining certain types and quantities of Schedules II through VI controlled substances as it may specify in its regulations. The Board shall promulgate regulations related to requirements or criteria for the issuance of such controlled substances registration, storage, security, supervision, and recordkeeping. *Notwithstanding the provisions of this subsection or Board regulations, the Board may register a correctional facility to maintain a floor stock of long-acting injectable or extended-release prescription drugs for the treatment of mental illness or substance use disorder. Such long-acting injectable or extended-release prescription drugs shall be stored in an area accessible only to persons who are licensed to administer such prescription drugs, regardless of whether the prescriber is on site. Each correctional facility shall maintain an ongoing perpetual inventory of all such drugs in Schedules II through V. Such perpetual inventory shall (a) accurately indicate the physical count of each drug on hand at the time the inventory is performed and (b) no less than once per month, include a reconciliation of each drug with a written explanation for any difference between the physical count and the theoretical count.*

E. The Board may register a public or private animal shelter as defined in § 3.2-6500 to purchase, possess, and administer certain Schedules II through VI controlled substances approved by the State Veterinarian for the purpose of euthanizing injured, sick, homeless, and unwanted domestic pets and animals and to purchase, possess, and administer certain Schedule VI drugs and biological products for the purpose of preventing, controlling, and treating certain communicable diseases that failure to control would result in transmission to the animal population in the shelter. Controlled substances used for euthanasia shall be administered only in accordance with protocols established by the State Veterinarian and only by persons trained in accordance with instructions by the State Veterinarian. The list of Schedule VI drugs and biological products used for treatment and prevention of communicable diseases within the shelter shall be determined by the supervising veterinarian of the shelter and the drugs and biological products shall be administered only pursuant to written protocols established or approved by the supervising veterinarian of the shelter and only by persons who have been trained in accordance with instructions established or approved by the supervising veterinarian. The shelter shall maintain a copy of the approved list of drugs and biological products, written protocols for administering, and training records of those persons administering drugs and biological products on the premises of the shelter.

F. The Board may register a facility, as defined in § 37.2-100, that provides crisis stabilization services and is licensed by the Department of Behavioral Health and Developmental Services. Such facility may maintain a stock of Schedules II through VI controlled substances necessary for immediate treatment of patients admitted to such facility, which may be accessed and administered by a person licensed to administer drugs pursuant to a written or oral order of a prescriber in the absence of a prescriber.

G. The Board may register an entity at which a patient is treated by the use of instrumentation and diagnostic equipment through which images and medical records may be transmitted electronically for the purpose of establishing a bona fide practitioner-patient relationship and is prescribed Schedules II through VI controlled substances when such prescribing is in compliance with federal requirements for the practice of telemedicine and the patient is not in the physical presence of a practitioner registered with the U.S. Drug Enforcement Administration. In determining whether the registration shall be issued, the Board shall consider (i) the factors listed in subsection A, (ii) whether there is a documented need for such registration, and (iii) whether the issuance of the registration is consistent with the public interest.

H. Applications for controlled substances registration certificates and renewals thereof shall be made on a form prescribed by the Board and such applications shall be accompanied by a fee in an amount to be determined by the Board.

I. Upon (i) any change in ownership or control of a business, (ii) any change of location of the controlled substances stock, (iii) the termination of authority by or of the person named as the responsible party on a controlled substances registration, or (iv) a change in the supervising practitioner, if applicable, the registrant or responsible party shall immediately surrender the registration. The registrant shall, within 14 days following surrender of a registration, file a new application and, if applicable, name the new responsible party or supervising practitioner.

CHAPTER 279

An Act to amend the Code of Virginia by adding in Chapter 3.1 of Title 62.1 an article numbered 14, consisting of sections numbered 62.1-44.34:34 through 62.1-44.34:38, relating to hazardous substances; hazardous substance facility response plans; civil penalties.

[H 2516]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 3.1 of Title 62.1 an article numbered 14, consisting of sections numbered 62.1-44.34:34 through 62.1-44.34:38, as follows:

Article 14.

Hazardous Substance Facility Response Plans.

§ 62.1-44.34:34. Definitions.

As used in this article, unless the context requires a different meaning:

"Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping, except discharges in compliance with a permit issued by the Board or Department.

"EPA" means the U.S. Environmental Protection Agency.

"Facility" means any development, building, structure, or installation within the Commonwealth that is required to submit a facility response plan pursuant to the EPA's Clean Water Act Hazardous Substances Facility Response Plans pursuant to 40 C.F.R. Part 118.

"Hazardous substance" means any federal Clean Water Act hazardous substance designated in 40 C.F.R. Part 116. "Hazardous substance" does not include oil.

"Oil" means oil of any kind and in any form, including animal fat, vegetable oil, cooking oil, petroleum and any petroleum by-product, fuel oil, lubricating oil, sludge, oil refuse, oil mixed with other wastes that are not a hazardous substance, crude oil, and any other liquid hydrocarbon regardless of specific gravity.

"Operator" means any person that owns, operates, charters, rents, or otherwise exercises control or responsibility for a facility.

§ 62.1-44.34:35. Evidence of hazardous substance facility response plan required.

Any person required to submit a facility response plan pursuant to the EPA's Clean Water Act Hazardous Substance Facility Response Plans shall submit evidence of an EPA-approved facility response plan to the Department within 30 days of approval by the EPA. The facility shall also implement and comply with such plan.

§ 62.1-44.34:36. Reporting of hazardous substance discharge.

Any person discharging or causing or permitting a discharge of a hazardous substance from a facility required to submit evidence of an EPA-approved facility response plan pursuant to § 62.1-44.34:35 where such discharge (i) enters into or upon any land, storm drain system, or state waters within the Commonwealth or (ii) is not contained and may reasonably be expected to enter such land, drain system, or waters, and any operator of a facility from which there is such a discharge, shall immediately upon learning of the discharge notify the following of such discharge: (a) the Director, (b) the local director or coordinator of emergency services appointed pursuant to § 44-146.19 for the political subdivision in which the discharge occurs, (c) the local director or coordinator of emergency services appointed pursuant to § 44-146.19 for any other political subdivision reasonably expected to be affected by the discharge, and (d) the appropriate federal or state authorities. Notice shall be deemed to have been given under this section for any discharge of a hazardous substance to state lands in amounts less than the reportable quantity in 40 C.F.R. Part 117 if the recordkeeping requirements of § 62.1-44.34:37 have been met and the hazardous substance has been addressed in accordance with the EPA-approved facility response plan.

§ 62.1-44.34:37. Recordkeeping and access to records and facilities.

A. All records relating to compliance with the requirements of this article shall be maintained by the operator of a facility at the facility or at an alternate location approved by the Department for a period of at least five years. Such records shall be available for inspection and copying by the Department and shall include all records relating to discharge events or other discharges of hazardous substances from the facility and all supporting documentation for developed facility response plans.

B. A record of all discharges of hazardous substances to state lands in amounts less than the reportable quantity in 40 C.F.R. Part 117 shall be established and maintained for a period of five years in accordance with subsection A.

C. Every operator of a facility shall, upon reasonable notice, permit at reasonable times and under reasonable circumstances, the local director or coordinator of emergency services appointed pursuant to § 44-146.19 for the political subdivision in which the facility is located or of any political subdivision within one mile of the facility to have access to and to copy all information required to be kept in subsections A and B.

D. Any local director or coordinator of emergency services appointed pursuant to § 44-146.19 for the political subdivision in which the facility is located or of any political subdivision within one mile of the facility may enter and inspect any facility at a reasonable time and under reasonable circumstances, provided that in nonemergency situations such local director, coordinator, or a designated agent of such local director or coordinator shall be accompanied by the operator or his designee.

E. The Director may withhold information submitted or obtained pursuant to this section from public disclosure pursuant to (i) an exemption provided under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), (ii) confidentiality claims asserted at the time of submission pursuant to § 62.1-44.21, or (iii) requirements set forth by the U.S. Department of Homeland Security.

§ 62.1-44.34:38. Enforcement; civil penalties.

A. In the event of a (i) violation of any provision of this article or a related regulation or administrative or judicial order or term or condition of approval issued under this article or (ii) failure to comply with a special order issued by the Department pursuant to this section, the Department is authorized to proceed by civil action to obtain an injunction of such violation, to obtain any affirmative equitable relief that is appropriate, and to recover all costs, damages, and civil penalties resulting from such violation or failure to comply. The Department shall be entitled to an award of reasonable attorney fees and costs in any action in which it is a prevailing party.

B. Any person that negligently, willfully, or knowingly (i) discharges or causes to discharge a hazardous substance from a facility or (ii) fails to implement or comply with an EPA-approved facility response plan is subject to a civil penalty of not less than $1,000 nor more than $10,000 for the initial violation and $1,000 per day for each day of such violation thereafter. Any person that fails to report a discharge or willfully or knowingly makes any false statement or representation regarding such discharge as described is subject to a civil penalty of not less than $1,000 nor more than $50,000 for the initial violation and $10,000 for each day of such violation thereafter. Such civil penalties shall be paid into the state treasury and deposited by the State Treasurer into the Virginia Environmental Emergency Response Fund established pursuant to § 10.1-2500.

2. That the Department of Environmental Quality shall develop guidance to implement the provisions of this act.

CHAPTER 280

An Act to amend and reenact § 62.1-44.19:3 of the Code of Virginia, relating to land application of sewage sludge; permit exemptions; sunset.

[H 2517]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 62.1-44.19:3 of the Code of Virginia is amended and reenacted as follows:

§ 62.1-44.19:3. Prohibition on land application, marketing, and distribution of sewage sludge without permit; ordinances; notice requirement; fees.

A. 1. No owner of a sewage treatment works shall land apply, market, or distribute sewage sludge from such treatment works except in compliance with a valid Virginia Pollutant Discharge Elimination System Permit or valid Virginia Pollution Abatement Permit.

2. Sewage sludge shall be treated to meet standards for land application as required by Board regulation prior to delivery at the land application site. No person shall alter the composition of sewage sludge at a site approved for land application of sewage sludge under a Virginia Pollution Abatement Permit or a Virginia Pollutant Discharge Elimination System. Any person who engages in the alteration of such sewage sludge shall be subject to the penalties provided in Article 6 (§ 62.1-44.31 et seq.) ~~of this chapter~~. The addition of lime or deodorants to sewage sludge that has been treated to meet land application standards shall not constitute alteration of the composition of sewage sludge. The Department may authorize public institutions of higher education to conduct scientific research on the composition of sewage sludge that may be applied to land.

3. No person shall contract or propose to contract, with the owner of a sewage treatment works, to land apply, market, or distribute sewage sludge in the Commonwealth, nor shall any person land apply, market, or distribute sewage sludge in the Commonwealth without a current Virginia Pollution Abatement Permit authorizing land application, marketing, or distribution of sewage sludge and specifying the location or locations, and the terms and conditions of such land application, marketing, or distribution. The permit application shall not be complete unless it includes the landowner's written consent to apply sewage sludge on his property.

4. The land disposal of lime-stabilized septage and unstabilized septage is prohibited.

5. Beginning July 1, 2007, no application for a permit or variance to authorize the storage of sewage sludge shall be complete unless it contains certification from the governing body of the locality in which the sewage sludge is to be stored that the storage site is consistent with all applicable ordinances. The governing body shall confirm or deny consistency within 30 days of receiving a request for certification. If the governing body does not so respond, the site shall be deemed consistent.

B. The Board, with the assistance of the Department of Conservation and Recreation and the Department of Health, shall adopt regulations to ensure that (i) sewage sludge permitted for land application, marketing, or distribution is properly treated or stabilized; (ii) land application, marketing, and distribution of sewage sludge is performed in a manner that will protect public health and the environment; and (iii) the escape, flow, or discharge of sewage sludge into state waters~~,~~ in a manner that would cause pollution of state waters, as those terms are defined in § 62.1-44.3, shall be prevented.

C. Regulations adopted by the Board, with the assistance of the Department of Conservation and Recreation and the Department of Health pursuant to subsection B, shall include:

1. Requirements and procedures for the issuance and amendment of permits, including general permits, authorizing the land application, marketing, or distribution of sewage sludge;

2. Procedures for amending land application permits to include additional application sites and sewage sludge types;

3. Standards for treatment or stabilization of sewage sludge prior to land application, marketing, or distribution;

4. Requirements for determining the suitability of land application sites and facilities used in land application, marketing, or distribution of sewage sludge;

5. Required procedures for land application, marketing, and distribution of sewage sludge;

6. Requirements for sampling, analysis, recordkeeping, and reporting in connection with land application, marketing, and distribution of sewage sludge;

7. Provisions for notification of local governing bodies to ensure compliance with §§ 62.1-44.15:3 and 62.1-44.19:3.4;

8. Requirements for site-specific nutrient management plans, which shall be developed by persons certified in accordance with § 10.1-104.2 prior to land application for all sites where sewage sludge is land applied, and approved by the Department of Conservation and Recreation prior to permit issuance under specific conditions, including but not limited to~~,~~ sites operated by an owner or lessee of a Confined Animal Feeding Operation, as defined in subsection A of § 62.1-44.17:1, or Confined Poultry Feeding Operation, as defined in § 62.1-44.17:1.1, sites where the permit authorizes land application more frequently than once every three years at greater than 50 percent of the annual agronomic rate, and other sites based on site-specific conditions that increase the risk that land application may adversely impact state waters;

9. Procedures for the prompt investigation and disposition of complaints concerning land application of sewage sludge, including the requirements that (i) holders of permits issued under this section shall report all complaints received by them to the Department and to the local governing body of the jurisdiction in which the complaint originates~~,~~ and (ii) localities receiving complaints concerning land application of sewage sludge shall notify the Department and the permit holder. The Department shall maintain a searchable electronic database of complaints received during the current and preceding calendar year, which shall include information detailing each complaint and how it was resolved;

10. Procedures for receiving and responding to public comments on applications for permits and for permit amendments authorizing land application at additional sites. Such procedures shall provide that an application for any permit amendments to increase the acreage authorized by the initial permit by 50 percent or more shall be treated as a new application for purposes of public notice and public hearings; and

11. Procedures for addressing administrative, staging, signage, and additional on-site and alternative storage site requirements when routine and on-site storage facility capacity and holding times are anticipated to be exceeded for the purpose of protecting against the release of sewage sludge into state waters, and to account for increased intensity, frequency, and duration of storm events.

D. Prior to issuance of a permit authorizing the land application, marketing, or distribution of sewage sludge, the Department shall consult with, and give full consideration to the written recommendations of the Department of Health and the Department of Conservation and Recreation. Such consultation shall include any public health risks or water quality impacts associated with the permitted activity. The Department of Health and the Department of Conservation and Recreation may submit written comments on proposed permits within 30 days after notification by the Department.

E. Where, because of site-specific conditions, including soil type, identified during the permit application review process, the Department determines that special requirements are necessary to protect the environment or the health, safety, or welfare of persons residing in the vicinity of a proposed land application site, the Department may incorporate in the permit at the time it is issued reasonable special conditions regarding buffering, transportation routes, slope, material source, methods of handling and application, and time of day restrictions exceeding those required by the regulations adopted under this section. Before incorporating any such conditions into the permit, the Department shall provide written notice to the permit applicant, specifying the reasons therefor and identifying the site-specific conditions justifying the additional requirements. The Department shall incorporate into the notice any written requests or recommendations concerning such site-specific conditions submitted by the local governing body where the land application is to take place. The permit applicant shall have at least 14 days in which to review and respond to the proposed conditions.

F. The Board shall adopt regulations prescribing a fee to be charged to all permit holders and persons applying for permits and permit modifications pursuant to this section. All fees collected pursuant to this subsection shall be deposited into the Sludge Management Fund. The fee for the initial issuance of a permit shall be $5,000. The fee for the reissuance, amendment, or modification of a permit for an existing site shall not exceed $1,000 and shall be charged only for permit actions initiated by the permit holder. Fees collected under this section shall be exempt from statewide indirect costs charged and collected by the Department of Accounts and shall not supplant or reduce the general fund appropriation to the Department.

G. There is hereby established in the treasury a special fund to be known as the Sludge Management Fund, hereinafter referred to as the Fund. The fees required by this section and by subsection E of § 62.1-44.16 shall be transmitted to the Comptroller to be deposited into the Fund. The income and principal of the Fund shall be used only and exclusively (i) for the Department's direct and indirect costs associated with the processing of an application to issue, reissue, amend, or modify any permit to land apply, distribute, or market sewage sludge or industrial wastes, the administration and management of the Department's sewage sludge and industrial wastes land application programs, including monitoring and inspecting, and the Department of Conservation and Recreation's costs for implementation of the sewage sludge application program and (ii) to reimburse localities with duly adopted ordinances providing for the testing and monitoring of the land application of sewage sludge or solid or semisolid industrial wastes. The State Treasurer shall be the custodian of the moneys deposited in the Fund. No part of the Fund, either principal or interest earned thereon, shall revert to the general fund of the state treasury.

H. All persons holding or applying for a permit authorizing the land application of sewage sludge shall provide to the Board written evidence of financial responsibility, which shall be available to pay claims for cleanup costs, personal injury, and property damages resulting from the transportation, storage, or land application of sewage sludge. The Board shall, by regulation, establish and prescribe mechanisms for meeting the financial responsibility requirements of this section.

I. Any county, city, or town may adopt an ordinance that provides for the testing and monitoring of the land application of sewage sludge within its political boundaries to ensure compliance with applicable laws and regulations.

J. The Department, upon the timely request of any individual to test the sewage sludge at a specific site, shall collect samples of the sewage sludge at the site prior to the land application and submit such samples to a laboratory. The testing shall include an analysis of the (i) concentration of trace elements, (ii) coliform count, and (iii) pH level. The results of the laboratory analysis shall be (a) furnished to the individual requesting that the test be conducted and (b) reviewed by the Department. The person requesting the test and analysis of the sewage sludge shall pay the costs of sampling, testing, and analysis.

K. At least 100 days prior to commencing land application of sewage sludge at a permitted site, the permit holder shall deliver or cause to be delivered written notification to the chief executive officer or his designee for the local government where the site is located. The notice shall identify the location of the permitted site and the expected sources of the sewage sludge to be applied to the site. This requirement may be satisfied by providing a list of all available permitted sites in the locality at least 100 days prior to commencing the application at any site on the list. This requirement shall not apply to any application commenced prior to October 10, 2005. If the site is located in more than one county, the notice shall be provided to all jurisdictions where the site is located.

L. The permit holder shall deliver or cause to be delivered written notification to the Department at least 14 days prior to commencing land application of sewage sludge at a permitted site. The notice shall identify the location of the permitted site and the expected sources of the sewage sludge to be applied to the site.

M. The Department shall randomly conduct unannounced site inspections while land application of sewage sludge is in progress at a sufficient frequency to determine compliance with the requirements of this section, § 62.1-44.19:3.1, or regulations adopted under those sections.

N. Surface incorporation into the soil of sewage sludge applied to cropland may be required when practicable and compatible with a soil conservation plan meeting the standards and specifications of the U.S. Department of Agriculture Natural Resources Conservation Service.

O. The Board shall develop regulations specifying and providing for extended buffers to be employed for application of sewage sludge (i) to hay, pasture, and forestlands~~;~~ or (ii) to croplands where surface incorporation is not practicable or is incompatible with a soil conservation plan meeting the standards and specifications of the U.S. Department of Agriculture Natural Resources Conservation Service. Such extended buffers may be included by the Department as site specific permit conditions pursuant to subsection E, as an alternative to surface incorporation when necessary to protect odor sensitive receptors as determined by the Department or the local monitor.

P. The Board shall adopt regulations requiring the payment of a fee for the land application of sewage sludge, pursuant to permits issued under this section. The person land applying sewage sludge shall (i) provide advance notice of the estimated fee to the generator of the sewage sludge unless notification is waived, (ii) collect the fee from the generator, and (iii) remit the fee to the Department as provided for by regulation. The fee shall be imposed on each dry ton of sewage sludge that is land applied in the Commonwealth. The regulations shall include requirements and procedures for:

1. Collection of fees by the Department;

2. Deposit of the fees into the Fund; and

3. Disbursement of proceeds by the Department pursuant to subsection G.

Q. The Department, in consultation with the Department of Health, the Department of Conservation and Recreation, the Department of Agriculture and Consumer Services, and the Virginia Cooperative Extension Service, shall establish and implement a program to train persons employed by those local governments that have adopted ordinances, pursuant to this section, to test and monitor the land application of sewage sludge. The program shall include, at a minimum, instruction in: (i) the provisions of the Virginia Biosolids Use Regulations; (ii) land application methods and equipment, including methods and processes for preparation and stabilization of sewage sludge that is land applied; (iii) sampling and chain of custody control; (iv) preparation and implementation of nutrient management plans for land application sites; (v) complaint response and preparation of complaint and inspection reports; (vi) enforcement authority and procedures; (vii) interaction and communication with the public; and (viii) preparation of applications for reimbursement of local monitoring costs disbursed pursuant to subsection G. To the extent feasible, the program shall emphasize in-field instruction and practical training. Persons employed by local governments shall successfully complete such training before the local government may request reimbursement from the Board for testing and monitoring of land application of sewage sludge performed by the person. The completion of training shall not be a prerequisite to the exercise of authority granted to local governments by any applicable provision of law.

The Department may:

1. Charge attendees a reasonable fee to recover the actual costs of preparing course materials and providing facilities and instructors for the program. The fee shall be reimbursable from the Fund established pursuant to this section; and

2. Request and accept the assistance and participation of other state agencies and institutions in preparing and presenting the course of training established by this subsection.

R. Localities, as part of their zoning ordinances, may designate or reasonably restrict the storage of sewage sludge based on criteria directly related to the public health, safety, and welfare of its citizens and the environment. Notwithstanding any contrary provision of law, a locality may by ordinance require that a special exception or a special use permit be obtained to begin the storage of sewage sludge on any property in its jurisdiction, including any area that is zoned as an agricultural district or classification. Such ordinances shall not restrict the storage of sewage sludge on a farm as long as such sludge is being stored (i) solely for land application on that farm and (ii) for a period no longer than 45 days. No person shall apply to the State Health Commissioner or the Department of Environmental Quality for a permit, a variance, or a permit modification authorizing such storage without first complying with all requirements adopted pursuant to this subsection.

S. The permitting requirements of this article shall not apply to any land application of sewage sludge for a research project when such land is owned and operated by an institution of higher education in the Commonwealth. At least 30 days prior to commencing any land application of sewage sludge, the institution of higher education shall notify the Department and the owner of every adjoining property of its intent to land apply such sewage sludge. The institution of higher education shall comply with setback and recordkeeping requirements as outlined in the Virginia Pollution Abatement Permit Regulation (9VAC25-32). As used in this subsection, "institution of higher education" means a public institution of higher education, as that term is defined in § 23.1-100.

2. That the provisions of this act shall expire on July 1, 2030.

CHAPTER 281

An Act to amend and reenact §§ 18.2-265.1 and 54.1-3466 of the Code of Virginia, relating to drug paraphernalia and controlled paraphernalia; drug checking products.

[S 924]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-265.1 and 54.1-3466 of the Code of Virginia are amended and reenacted as follows:

§ 18.2-265.1. Definition.

As used in this article, the term "drug paraphernalia" means all equipment, products, and materials of any kind which are either designed for use or which are intended by the person charged with violating § 18.2-265.3 for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, strength testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body marijuana or a controlled substance. It includes~~, but is not limited to~~:

1. Kits intended for use or designed for use in planting, propagating, cultivating, growing, or harvesting of marijuana or any species of plant which is a controlled substance or from which a controlled substance can be derived;

2. Kits intended for use or designed for use in manufacturing, compounding, converting, producing, processing, or preparing marijuana or controlled substances;

3. Isomerization devices intended for use or designed for use in increasing the potency of marijuana or any species of plant which is a controlled substance;

4. Testing equipment intended for use or designed for use in identifying or in analyzing the strength or effectiveness of marijuana or controlled substances, other than ~~narcotic testing~~ *drug checking* products used to determine ~~whether~~ *the presence or concentration of* a ~~controlled substance contains fentanyl~~ *contaminant that can cause physical harm* or ~~a fentanyl analog~~ *death*;

5. Scales and balances intended for use or designed for use in weighing or measuring marijuana or controlled substances;

6. Diluents and adulterants, such as quinine hydrochloride, mannitol, or mannite, intended for use or designed for use in cutting controlled substances;

7. Separation gins and sifters intended for use or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;

8. Blenders, bowls, containers, spoons, and mixing devices intended for use or designed for use in compounding controlled substances;

9. Capsules, balloons, envelopes, and other containers intended for use or designed for use in packaging small quantities of marijuana or controlled substances;

10. Containers and other objects intended for use or designed for use in storing or concealing marijuana or controlled substances;

11. Hypodermic syringes, needles, and other objects intended for use or designed for use in parenterally injecting controlled substances into the human body;

12. Objects intended for use or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:

a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;

b. Water pipes;

c. Carburetion tubes and devices;

d. Smoking and carburetion masks;

e. Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;

f. Miniature cocaine spoons~~,~~ and cocaine vials;

g. Chamber pipes;

h. Carburetor pipes;

i. Electric pipes;

j. Air-driven pipes;

k. Chillums;

l. Bongs;

m. Ice pipes or chillers.

§ 54.1-3466. Possession or distribution of controlled paraphernalia; definition of controlled paraphernalia; evidence; exceptions.

A. For purposes of this chapter, "controlled paraphernalia" means (i) a hypodermic syringe, needle, or other instrument or implement or combination thereof adapted for the administration of controlled dangerous substances by hypodermic injections under circumstances that reasonably indicate an intention to use such controlled paraphernalia for purposes of

illegally administering any controlled drug or (ii) gelatin capsules, glassine envelopes, or any other container suitable for the packaging of individual quantities of controlled drugs in sufficient quantity to and under circumstances that reasonably indicate an intention to use any such item for the illegal manufacture, distribution, or dispensing of any such controlled drug. Evidence of such circumstances shall include, but not be limited to, close proximity of any such controlled paraphernalia to any adulterants or equipment commonly used in the illegal manufacture and distribution of controlled drugs including~~, but not limited to,~~ scales, sieves, strainers, measuring spoons, staples and staplers, or procaine hydrochloride, mannitol, lactose, quinine, or any controlled drug, or any machine, equipment, instrument, implement, device, or combination thereof that is adapted for the production of controlled drugs under circumstances that reasonably indicate an intention to use such item or combination thereof to produce, sell, or dispense any controlled drug in violation of the provisions of this chapter. "Controlled paraphernalia" does not include ~~narcotic testing~~ *drug checking* products used to determine ~~whether~~ *the presence or concentration of* a ~~controlled substance contains fentanyl~~ *contaminant that can cause physical harm* or ~~a fentanyl analog~~ *death*.

B. Except as authorized in this chapter, it is unlawful for any person to possess controlled paraphernalia.

C. Except as authorized in this chapter, it is unlawful for any person to distribute controlled paraphernalia.

D. A violation of this section is a Class 1 misdemeanor.

E. The provisions of this section shall not apply to persons who have acquired possession and control of controlled paraphernalia in accordance with the provisions of this article or to any person who owns or is engaged in breeding or raising livestock, poultry, or other animals to which hypodermic injections are customarily given in the interest of health, safety, or good husbandry; or to hospitals, physicians, pharmacists, dentists, podiatrists, veterinarians, funeral directors and embalmers, persons to whom a permit has been issued, manufacturers, wholesalers, or their authorized agents or employees when in the usual course of their business, if the controlled paraphernalia lawfully obtained continue to be used for the legitimate purposes for which they were obtained.

F. The provisions of this section and of § 18.2-265.3 shall not apply to (i) a person who dispenses naloxone in accordance with the provisions of subsection Y of § 54.1-3408 and who, in conjunction with such dispensing of naloxone, dispenses or distributes hypodermic needles and syringes for injecting such naloxone or (ii) a person who possesses naloxone that has been dispensed in accordance with the provisions of subsection Y of § 54.1-3408 and possesses hypodermic needles and syringes for injecting such naloxone in conjunction with such possession of naloxone.

G. The provisions of this section and of § 18.2-265.3 shall not apply to (i) a person who possesses or distributes controlled paraphernalia on behalf of or for the benefit of a comprehensive harm reduction program established pursuant to § 32.1-45.4 or (ii) a person who possesses controlled paraphernalia obtained from a comprehensive harm reduction program established pursuant to § 32.1-45.4.

CHAPTER 282

An Act to direct the Virginia Housing Development Authority to convene a technical advisory group to evaluate the prevalence of deed fraud, develop recommendations for the prevention of deed fraud, and develop measures to enhance protections for property owners from such crimes.

[S 1270]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Virginia Housing Development Authority shall convene a technical advisory group to evaluate the prevalence of deed fraud, including notary fraud, seller impersonation, owner impersonation, and fraudulent lien filing; develop recommendations for the prevention of deed fraud; and develop measures to enhance protections for property owners from such crimes. The Department of Housing and Community Development shall provide administrative or technical support to the technical advisory group as necessary. The technical advisory group shall identify any vulnerabilities or deficiencies that exist throughout the real estate transaction process and recommend policy changes to address such vulnerabilities. The technical advisory group shall give consideration to policy proposals, including (i) requiring identity verification processes by notaries, (ii) strengthening safeguards to prevent fraudulent notaries, (iii) enhancing security for public access to land records, (iv) providing consumer and professional education and awareness training, (v) granting local governments and circuit clerks authority with respect to suspected fraudulent documents, (vi) establishing free property alert notification systems within local land record offices, and (vii) establishing an alert notification system to inform notaries when documents containing a notary's name or registration number are submitted for recording. The technical advisory group shall consist of representatives from (a) the Virginia Bankers Association, (b) the Virginia Court Clerks Association, (c) the Community Associations Institute, (d) the Virginia Association for Commercial Real Estate, (e) the Home Builders Association of Virginia, (f) the Virginia Municipal League, (g) a public notary or representative from the Virginia Association of Notaries, (h) the Virginia Land Title Association, (i) the Virginia Mortgage Bankers Association, (j) Virginia Realtors, and (k) the Virginia Bar Association Real Estate Council. The technical advisory group shall report its findings and recommendations, including any legislative recommendations, to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology no later than November 1, 2025.*

CHAPTER 283

An Act to amend and reenact § 54.1-3423 of the Code of Virginia, relating to Board of Pharmacy; long-acting injectable or extended-release prescription drugs; correctional facilities.

[S 1367]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3423 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3423. Board to issue registration unless inconsistent with public interest; authorization to conduct research; application and fees.

A. The Board shall register an applicant to manufacture or distribute controlled substances included in Schedules I through V unless it determines that the issuance of that registration would be inconsistent with the public interest. In determining the public interest, the Board shall consider the following factors:

1. Maintenance of effective controls against diversion of controlled substances into other than legitimate medical, scientific, or industrial channels;

2. Compliance with applicable state and local law;

3. Any convictions of the applicant under any federal and state laws relating to any controlled substance;

4. Past experience in the manufacture or distribution of controlled substances, and the existence in the applicant's establishment of effective controls against diversion;

5. Furnishing by the applicant of false or fraudulent material in any application filed under this chapter;

6. Suspension or revocation of the applicant's federal registration to manufacture, distribute, or dispense controlled substances as authorized by federal law; and

7. Any other factors relevant to and consistent with the public health and safety.

B. Registration under subsection A does not entitle a registrant to manufacture and distribute controlled substances in Schedule I or II other than those specified in the registration.

C. Practitioners must be registered to conduct research or laboratory analysis with controlled substances in Schedules II through VI or marijuana. Practitioners registered under federal law to conduct research with Schedule I substances, other than marijuana, may conduct research with Schedule I controlled substances within the Commonwealth upon furnishing the evidence of that federal registration.

D. The Board may register other persons or entities to possess controlled substances listed on Schedules II through VI upon a determination that (i) there is a documented need, (ii) the issuance of the registration is consistent with the public interest, (iii) the possession and subsequent use of the controlled substances complies with applicable state and federal laws and regulations, and (iv) the subsequent storage, use, and recordkeeping of the controlled substances will be under the general supervision of a licensed pharmacist, practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine as specified in the Board's regulations. The Board shall consider, at a minimum, the factors listed in subsection A in determining whether the registration shall be issued. Notwithstanding the exceptions listed in *subsection A of* § 54.1-3422 ~~A~~, the Board may mandate a controlled substances registration for sites maintaining certain types and quantities of Schedules II through VI controlled substances as it may specify in its regulations. The Board shall promulgate regulations related to requirements or criteria for the issuance of such controlled substances registration, storage, security, supervision, and recordkeeping. *Notwithstanding the provisions of this subsection or Board regulations, the Board may register a correctional facility to maintain a floor stock of long-acting injectable or extended-release prescription drugs for the treatment of mental illness or substance use disorder. Such long-acting injectable or extended-release prescription drugs shall be stored in an area accessible only to persons who are licensed to administer such prescription drugs, regardless of whether the prescriber is on site. Each correctional facility shall maintain an ongoing perpetual inventory of all such drugs in Schedules II through V. Such perpetual inventory shall (a) accurately indicate the physical count of each drug on hand at the time the inventory is performed and (b) no less than once per month, include a reconciliation of each drug with a written explanation for any difference between the physical count and the theoretical count.*

E. The Board may register a public or private animal shelter as defined in § 3.2-6500 to purchase, possess, and administer certain Schedules II through VI controlled substances approved by the State Veterinarian for the purpose of euthanizing injured, sick, homeless, and unwanted domestic pets and animals and to purchase, possess, and administer certain Schedule VI drugs and biological products for the purpose of preventing, controlling, and treating certain communicable diseases that failure to control would result in transmission to the animal population in the shelter. Controlled substances used for euthanasia shall be administered only in accordance with protocols established by the State Veterinarian and only by persons trained in accordance with instructions by the State Veterinarian. The list of Schedule VI drugs and biological products used for treatment and prevention of communicable diseases within the shelter shall be determined by the supervising veterinarian of the shelter and the drugs and biological products shall be administered only pursuant to written protocols established or approved by the supervising veterinarian of the shelter and only by persons who have been trained in accordance with instructions established or approved by the supervising veterinarian. The shelter shall maintain a copy of the approved list of drugs and biological products, written protocols for administering, and training records of those persons administering drugs and biological products on the premises of the shelter.

F. The Board may register a facility, as defined in § 37.2-100, that provides crisis stabilization services and is licensed by the Department of Behavioral Health and Developmental Services. Such facility may maintain a stock of Schedules II through VI controlled substances necessary for immediate treatment of patients admitted to such facility, which may be accessed and administered by a person licensed to administer drugs pursuant to a written or oral order of a prescriber in the absence of a prescriber.

G. The Board may register an entity at which a patient is treated by the use of instrumentation and diagnostic equipment through which images and medical records may be transmitted electronically for the purpose of establishing a bona fide practitioner-patient relationship and is prescribed Schedules II through VI controlled substances when such prescribing is in compliance with federal requirements for the practice of telemedicine and the patient is not in the physical presence of a practitioner registered with the U.S. Drug Enforcement Administration. In determining whether the registration shall be issued, the Board shall consider (i) the factors listed in subsection A, (ii) whether there is a documented need for such registration, and (iii) whether the issuance of the registration is consistent with the public interest.

H. Applications for controlled substances registration certificates and renewals thereof shall be made on a form prescribed by the Board and such applications shall be accompanied by a fee in an amount to be determined by the Board.

I. Upon (i) any change in ownership or control of a business, (ii) any change of location of the controlled substances stock, (iii) the termination of authority by or of the person named as the responsible party on a controlled substances registration, or (iv) a change in the supervising practitioner, if applicable, the registrant or responsible party shall immediately surrender the registration. The registrant shall, within 14 days following surrender of a registration, file a new application and, if applicable, name the new responsible party or supervising practitioner.

CHAPTER 284

An Act to amend and reenact § 38.2-3407.15:2 of the Code of Virginia and the second enactment of Chapters 474 and 475 of the Acts of Assembly of 2023, relating to health insurance; electronic prior authorization; work group; report.

[H 2525]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-3407.15:2 of the Code of Virginia is amended and reenacted as follows:

§ 38.2-3407.15:2. Carrier contracts; required provisions regarding prior authorization.

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

"Carrier" has the same meaning ascribed thereto in subsection A of § 38.2-3407.15.

"Prior authorization" means the approval process used by a carrier before certain drug benefits may be provided.

"Provider contract" has the same meaning ascribed thereto in subsection A of § 38.2-3407.15.

"Supplementation" means a request communicated by the carrier to the prescriber or his designee, for additional information, limited to items specifically requested on the applicable prior authorization request, necessary to approve or deny a prior authorization request.

B. Any provider contract between a carrier and a participating health care provider with prescriptive authority, or its contracting agent, shall contain specific provisions that:

1. Require the carrier to, in a method of its choosing, accept telephonic, facsimile, or electronic submission of prior authorization requests that are delivered from e-prescribing systems, electronic health record systems, and health information exchange platforms that utilize the National Council for Prescription Drug Programs' SCRIPT standards;

2. Require that the carrier communicate to the prescriber or his designee within 24 hours, including weekend hours, of submission of an urgent prior authorization request to the carrier, if submitted telephonically or in an alternate method directed by the carrier, that the request is approved, denied, or requires supplementation;

3. Require that the carrier communicate electronically, telephonically, or by facsimile to the prescriber or his designee, within two business days of submission of a fully completed prior authorization request, that the request is approved, denied, or requires supplementation;

4. Require that the carrier communicate electronically, telephonically, or by facsimile to the prescriber or his designee, within two business days of submission of a properly completed supplementation from the prescriber or his designee, that the request is approved or denied;

5. Require that if a prior authorization request is approved for prescription drugs and such prescription drugs have been scheduled, provided, or delivered to the patient consistent with the authorization, the carrier shall not revoke, limit, condition, modify, or restrict that authorization unless (i) there is evidence that the authorization was obtained based on fraud or misrepresentation; (ii) final actions by the U.S. Food and Drug Administration, other regulatory agencies, or the manufacturer remove the drug from the market, limit its use in a manner that affects the authorization, or communicate a patient safety issue that would affect the authorization alone or in combination with other authorizations; (iii) a combination of drugs prescribed would cause a drug interaction; or (iv) a generic or biosimilar is added to the prescription drug formulary. Nothing in this section shall require a carrier to cover any benefit not otherwise covered or cover a prescription drug if the enrollee is no longer covered by a health plan on the date the prescription drug was scheduled, provided, or delivered;

6. Require that if the prior authorization request is denied, the carrier shall communicate electronically, telephonically, or by facsimile to the prescriber or his designee, within the timeframes established by subdivision 3 or 4, as applicable, the reasons for the denial;

7. Require that prior authorization approved by another carrier be honored, upon the carrier's receipt from the prescriber or his designee of a record demonstrating the previous carrier's prior authorization approval or any written or electronic evidence of the previous carrier's coverage of such drug, at least for the initial 90 days of a member's prescription drug benefit coverage under a new health plan, subject to the provisions of the new carrier's evidence of coverage and any exception listed in subdivision 5;

8. Require that a tracking system be used by the carrier for all prior authorization requests and that the identification information be provided electronically, telephonically, or by facsimile to the prescriber or his designee, upon the carrier's response to the prior authorization request;

9. Require that the carrier's prescription drug formularies, all drug benefits subject to prior authorization by the carrier, all of the carrier's prior authorization procedures, and all prior authorization request forms accepted by the carrier be made available through one central location on the carrier's website and that such information be updated by the carrier within seven days of approved changes;

10. Require a carrier to honor a prior authorization issued by the carrier for a drug, other than an opioid, regardless of changes in dosages of such drug, provided such drug is prescribed consistent with U.S. Food and Drug Administration-labeled dosages;

11. Require a carrier to honor a prior authorization issued by the carrier for a drug regardless of whether the covered person changes plans with the same carrier and the drug is a covered benefit with the current health plan;

12. Require a carrier, when requiring a prescriber to provide supplemental information that is in the covered individual's health record or electronic health record, to identify the specific information required;

13. Require that no prior authorization be required for at least one drug prescribed for substance abuse medication-assisted treatment, provided that (i) the drug is a covered benefit, (ii) the prescription does not exceed the FDA-labeled dosages, and (iii) the drug is prescribed consistent with the regulations of the Board of Medicine;

14. Require that when any carrier has previously approved prior authorization for any drug prescribed for the treatment of a mental disorder listed in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association, no additional prior authorization shall be required by the carrier, provided that (i) the drug is a covered benefit; (ii) the prescription does not exceed the FDA-labeled dosages; (iii) the prescription has been continuously issued for no fewer than three months; and (iv) the prescriber performs an annual review of the patient to evaluate the drug's continued efficacy, changes in the patient's health status, and potential contraindications. Nothing in this subdivision shall prohibit a carrier from requiring prior authorization for any drug that is not listed on its prescription drug formulary at the time the initial prescription for the drug is issued;

15. Require a carrier to honor a prior authorization issued by the carrier for a drug regardless of whether the drug is removed from the carrier's prescription drug formulary after the initial prescription for that drug is issued, provided that the drug and prescription are consistent with the applicable provisions of subdivision 14;

16. Require a carrier, beginning July 1, 2025, notwithstanding the provisions of subdivision 1 or any other provision of this section, to establish and maintain an online process that (i) links directly to all e-prescribing systems and electronic health record systems that utilize the National Council for Prescription Drug Programs SCRIPT standard and the National Council for Prescription Drug Programs Real Time Benefit Standard; (ii) can accept electronic prior authorization requests from a provider; (iii) can approve electronic prior authorization requests (a) for which no additional information is needed by the carrier to process the prior authorization request, (b) for which no clinical review is required, and (c) that meet the carrier's criteria for approval; ~~and~~ (iv) links directly to real-time patient out-of-pocket costs for the ~~office visit~~ *prescription drug*, considering copayment and deductible~~,~~*;* and (v) otherwise meets the requirements of this section. No carrier shall (a) impose a fee or charge on any person for accessing the online process as required by this subdivision or (b) access, absent provider consent, provider data via the online process other than for the enrollee. No later than July 1, 2024, a carrier shall provide contact information of any third-party vendor or other entity the carrier will use to meet the requirements of this subdivision or the requirements of § 38.2-3407.15:7 to any provider that requests such information. A carrier that posts such contact information on its website shall be considered to have met this requirement; and

17. Require a participating health care provider, beginning July 1, 2025, to ensure that any e-prescribing system or electronic health record system owned by or contracted for the provider to maintain an enrollee's health record has the ability to access, at the point of prescribing, the electronic prior authorization process established by a carrier as required by subdivision 16 and the real-time patient-specific benefit information, including out-of-pocket costs and more affordable medication alternatives made available by a carrier pursuant to § 38.2-3407.15:7. A provider may request a waiver of compliance under this subdivision for undue hardship for a period specified by the appropriate regulatory authority with the Health and Human Resources Secretariat.

C. The Commission shall have no jurisdiction to adjudicate individual controversies arising out of this section.

D. This section shall apply with respect to any contract between a carrier and a participating health care provider~~,~~ or its contracting agent~~,~~ that is entered into, amended, extended, or renewed on or after January 1, 2016.

E. Notwithstanding any law to the contrary, the provisions of this section shall not apply to:

1. Coverages issued pursuant to Title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq. (Medicare), Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq. (Medicaid), Title XXI of the Social Security Act, 42 U.S.C. § 1397aa et seq. (CHIP), 5 U.S.C. § 8901 et seq. (federal employees), or 10 U.S.C. § 1071 et seq. (TRICARE);

2. Accident only, credit or disability insurance, long-term care insurance, TRICARE supplement, Medicare supplement, or workers' compensation coverages;

3. Any dental services plan or optometric services plan as defined in § 38.2-4501; or

4. Any health maintenance organization that (i) contracts with one multispecialty group of physicians who are employed by and are shareholders of the multispecialty group, which multispecialty group of physicians may also contract with health care providers in the community; (ii) provides and arranges for the provision of physician services by such multispecialty group physicians or by such contracted health care providers in the community; and (iii) receives and processes at least 85 percent of prescription drug prior authorization requests in a manner that is interoperable with e-prescribing systems, electronic health records, and health information exchange platforms.

2. That the second enactment of Chapters 474 and 475 of the Acts of Assembly of 2023 is amended and reenacted as follows:

2. That the State Corporation Commission's Bureau of Insurance (the Bureau) shall, in coordination with the Secretary of Health and Human Resources, establish a work group to (i) ~~assess progress toward implementing electronic prior authorization and real-time cost benefit information for prescription drugs, as required by this act, including monitoring and evaluating the impact of any state or federal developments; (ii) evaluate and make recommendations to establish a process for electronic prior authorization for surgery and other procedures in order to maximize efficiency and minimize delays; (iii) evaluate and make recommendations to establish an online process for a real-time link at the point of prescribing for any available prescription coupons, and (iv) make recommendations for any additional statutory changes required to facilitate such implementation or to establish such processes~~ *monitor anticipated federal developments related to the implementation of electronic prior authorization for medical items and services, (ii) assess industry progress and readiness to implement electronic prior authorization for medical items and services, and (iii) evaluate policies supporting the effective and efficient adoption of electronic prior authorization for medical items and services*. The work group shall include relevant stakeholders, including representatives from the Virginia Association of Health Plans, the Medical Society of Virginia, the Virginia Hospital and Healthcare Association, the Virginia Pharmacists Association, and other parties with an interest in the underlying technology. The work group shall report its findings and recommendations to the Chairmen of the Senate Committees on Commerce and Labor and Education and Health and the House Committees on ~~Commerce and Energy~~ *Labor and Commerce* and Health~~, Welfare and Institutions~~ *and Human Services* annually by November 1 and shall make its final report by November 1, ~~2025~~ *2028. In its November 1, 2025 report, the work group shall provide a final assessment of progress toward implementing electronic prior authorization and real-time cost benefit information for prescription drugs in the Commonwealth and shall recommend a date by which health carriers and providers shall implement electronic prior authorization for medical items and services.*

CHAPTER 285

An Act to direct the Department of Medical Assistance Services to allow certain crisis stabilization services to be provided in institutions for mental disease.

[H 2534]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Medical Assistance Services (the Department) shall seek necessary federal approvals to remove the prohibition against the use of crisis stabilization services for nonhospitalized individuals in institutions for mental disease. Upon receiving federal approval, the Department shall have the authority to implement such change through agency guidance documents prior to the completion of any regulatory review process and shall promulgate regulations to implement the provisions of such change to be effective within 280 days of receiving federal approval.*

CHAPTER 286

An Act to amend and reenact § 19.2-70.3 of the Code of Virginia, relating to obtaining records concerning electronic communication service or remote computing service without a warrant.

[H 2546]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-70.3 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-70.3. Obtaining records concerning electronic communication service or remote computing service.

A. A provider of electronic communication service or remote computing service, which, for purposes of subdivisions 2, 3, and 4, includes a foreign corporation that provides such services, shall disclose a record or other information pertaining to a subscriber to or customer of such service, excluding the contents of electronic communications and real-time location data, to an investigative or law-enforcement officer only pursuant to:

1. A subpoena issued by a grand jury of a court of the Commonwealth;

2. A search warrant issued by a magistrate, general district court, or circuit court;

3. A court order issued by a circuit court for such disclosure issued as provided in subsection B; or

4. The consent of the subscriber or customer to such disclosure.

B. A court shall issue an order for disclosure under this section only if the investigative or law-enforcement officer shows that there is reason to believe the records or other information sought are relevant and material to an ongoing criminal investigation, or the investigation of any missing child as defined in § 52-32, any missing senior adult as defined in § 52-34.4, an incapacitated person as defined in § 64.2-2000 who meets the definition of a missing senior adult except for the age requirement, or any critically missing adult as defined in § 15.2-1718.2. Upon issuance of an order for disclosure under this section, the order and any written application or statement of facts may be sealed by the court for 90 days for good cause shown upon application of the attorney for the Commonwealth in an ex parte proceeding. The order and any written application or statement of facts may be sealed for additional 90-day periods for good cause shown upon subsequent application of the attorney for the Commonwealth in an ex parte proceeding. A court issuing an order pursuant to this section, on a motion made promptly by the service provider, may quash or modify the order, if the information or records requested are unusually voluminous in nature or compliance with such order would otherwise cause an undue burden on such provider.

C. Except as provided in subsection D or E, a provider of electronic communication service or remote computing service, including a foreign corporation that provides such services, shall disclose the contents of electronic communications or real-time location data to an investigative or law-enforcement officer only pursuant to a search warrant issued by a magistrate, a juvenile and domestic relations district court, a general district court, or a circuit court, based upon complaint on oath supported by an affidavit as required in § 19.2-54, or judicial officer or court of any of the several states of the United States or its territories, or the District of Columbia when the warrant issued by such officer or such court complies with the provisions of subsection G. In the case of a search warrant directed to a foreign corporation, the affidavit shall state that the complainant believes that the records requested are actually or constructively possessed by a foreign corporation that provides electronic communication service or remote computing service within the Commonwealth of Virginia. If satisfied that probable cause has been established for such belief and as required by Chapter 5 (§ 19.2-52 et seq.), the magistrate, the juvenile and domestic relations district court, the general district court, or the circuit court shall issue a warrant identifying those records to be searched for and commanding the person seeking such warrant to properly serve the warrant upon the foreign corporation. A search warrant for real-time location data shall be issued if the magistrate, the juvenile and domestic relations district court, the general district court, or the circuit court is satisfied that probable cause has been established that the real-time location data sought is relevant to a crime that is being committed or has been committed or that an arrest warrant exists for the person whose real-time location data is sought.

D. A provider of electronic communication service or remote computing service, including a foreign corporation that provides such services, shall disclose a record or other information pertaining to a subscriber to or customer of such service, including real-time location data but excluding the contents of electronic communications, to an investigative or law-enforcement officer pursuant to an administrative subpoena issued pursuant to § 19.2-10.2 concerning a violation of § 18.2-374.1 or 18.2-374.1:1, former § 18.2-374.1:2, or § 18.2-374.3 when the information sought is relevant and material to an ongoing criminal investigation.

E. When disclosure of real-time location data *or subscriber data* is not prohibited by federal law, an investigative or law-enforcement officer may obtain real-time location data *or subscriber data* without a warrant in the following circumstances:

1. To respond to the user's call for emergency services;

2. With the informed, affirmative consent of the owner or user of the electronic device concerned if (i) the device is in his possession; (ii) the owner or user knows or believes that the device is in the possession of an employee or agent of the owner or user with the owner's or user's consent; or (iii) the owner or user knows or believes that the device has been taken by a third party without the consent of the owner or user;

3. With the informed, affirmative consent of the legal guardian or next of kin of the owner or user, if reasonably available, if the owner or user is reasonably believed to be deceased, is reported missing, or is unable to be contacted;

4. To locate a child who is reasonably believed to have been abducted or to be missing and endangered; ~~or~~

5. If the investigative or law-enforcement officer reasonably believes that an emergency involving the immediate danger to a person requires the disclosure, without delay, of real-time location data concerning a specific person and that a warrant cannot be obtained in time to prevent the identified danger*; or*

6. If the investigative or law-enforcement officer reasonably believes that (i) an individual or group of individuals has made a credible threat via electronic communication to commit an act of violence upon the property, including the buildings and grounds thereof, of any (a) child day center, as defined in § 22.1-289.02, including any preschool program offered by a publicly funded provider; (b) any preschool or nursery school program certified by the Board of Education pursuant to

§ 22.1-289.032; or (c) public, private, or religious elementary or secondary school, as defined in § 22.1-1, and (ii) a warrant cannot be obtained in time to prevent the identified danger or identify the source of the threat.

No later than three business days after seeking disclosure of real-time location data *or subscriber data* pursuant to this subsection, the investigative or law-enforcement officer seeking the information shall file with the appropriate court a written statement setting forth the facts giving rise to the emergency and the facts as to why the person whose real-time location data *or subscriber data* was sought is believed to be important in addressing the emergency. *No real-time location data or subscriber data obtained pursuant to this subsection shall be admissible in a criminal proceeding unless a judge finds that probable cause for the issuance of a search warrant existed at the time of the search and such data is otherwise admissible, provided that no such data obtained is presented to establish the necessary probable cause.*

F. In order to comply with the requirements of § 19.2-54, any search of the records of a foreign corporation shall be deemed to have been made in the same place wherein the search warrant was issued.

G. A Virginia corporation or other entity that provides electronic communication services or remote computing services to the general public, when properly served with a search warrant and affidavit in support of the warrant, issued by a judicial officer or court of any of the several states of the United States or its territories, or the District of Columbia with jurisdiction over the matter, to produce a record or other information pertaining to a subscriber to or customer of such service, including real-time location data, or the contents of electronic communications, or both, shall produce the record or other information, including real-time location data, or the contents of electronic communications as if that warrant had been issued by a Virginia court. The provisions of this subsection shall only apply to a record or other information, including real-time location data, or contents of electronic communications relating to the commission of a criminal offense that is substantially similar to (i) a violent felony as defined in § 17.1-805, (ii) an act of violence as defined in § 19.2-297.1, (iii) any offense for which registration is required pursuant to § 9.1-902, (iv) computer fraud pursuant to § 18.2-152.3, or (v) identity theft pursuant to § 18.2-186.3. The search warrant shall be enforced and executed in the Commonwealth as if it were a search warrant described in subsection C.

H. The provider of electronic communication service or remote computing service may verify the authenticity of the written reports or records that it discloses pursuant to this section by providing an affidavit from the custodian of those written reports or records or from a person to whom said custodian reports certifying that they are true and complete copies of reports or records and that they are prepared in the regular course of business. When so authenticated, no other evidence of authenticity shall be necessary. The written reports and records, excluding the contents of electronic communications, shall be considered business records for purposes of the business records exception to the hearsay rule.

I. No cause of action shall lie in any court against a provider of a wire or electronic communication service or remote computing service or such provider's officers, employees, agents, or other specified persons for providing information, facilities, or assistance in accordance with the terms of a court order, warrant, administrative subpoena, or subpoena under this section or the provisions of subsection E.

J. A search warrant or administrative subpoena for the disclosure of real-time location data pursuant to this section shall require the provider to provide ongoing disclosure of such data for a reasonable period of time, not to exceed 30 days. A court may, for good cause shown, grant one or more extensions, not to exceed 30 days each.

K. An investigative or law-enforcement officer shall not use any device to obtain electronic communications or collect real-time location data from an electronic device without first obtaining a search warrant authorizing the use of the device if, in order to obtain the contents of such electronic communications or such real-time location data from the provider of electronic communication service or remote computing service, such officer would be required to obtain a search warrant pursuant to this section. However, an investigative or law-enforcement officer may use such a device without first obtaining a search warrant under the circumstances set forth in subsection E. For purposes of subdivision E 5, the investigative or law-enforcement officer using such a device shall be considered to be the possessor of the real-time location data.

L. Upon issuance of any subpoena, search warrant, or order for disclosure issued under this section, upon written certification by the attorney for the Commonwealth that there is a reason to believe that the victim is under the age of 18 and that notification or disclosure of the existence of the subpoena, search warrant, or order will endanger the life or physical safety of an individual, or lead to flight from prosecution, the destruction of or tampering with evidence, the intimidation of potential witnesses, or otherwise seriously jeopardize an investigation, the court may in an ex parte proceeding order a provider of electronic communication service or remote computing service not to disclose for a period of 90 days the existence of the subpoena, search warrant, or order and written application or statement of facts to another person, other than an attorney to obtain legal advice. The nondisclosure order may be renewed for additional 90-day periods for good cause shown upon subsequent application of the attorney for the Commonwealth in an ex parte proceeding. A court issuing an order for disclosure pursuant to this section, on a motion made promptly by the service provider, may quash or modify the order if the information or records requested are unusually voluminous in nature or compliance with such order would otherwise cause an undue burden on such provider.

M. For the purposes of this section:

"Electronic device" means a device that enables access to, or use of, an electronic communication service, remote computing service, or location information service, including a global positioning service or other mapping, locational, or directional information service.

"Foreign corporation" means any corporation or other entity, whose primary place of business is located outside of the boundaries of the Commonwealth, that makes a contract or engages in a terms of service agreement with a resident of the

Commonwealth to be performed in whole or in part by either party in the Commonwealth, or a corporation that has been issued a certificate of authority pursuant to § 13.1-759 to transact business in the Commonwealth. The making of the contract or terms of service agreement or the issuance of a certificate of authority shall be considered to be the agreement of the foreign corporation or entity that a search warrant or subpoena, which has been properly served on it, has the same legal force and effect as if served personally within the Commonwealth.

"Properly served" means delivery of a search warrant or subpoena by hand, by United States mail, by commercial delivery service, by facsimile or by any other manner to any officer of a corporation or its general manager in the Commonwealth, to any natural person designated by it as agent for the service of process, or if such corporation has designated a corporate agent, to any person named in the latest annual report filed pursuant to § 13.1-775.

"Real-time location data" means any data or information concerning the current location of an electronic device that, in whole or in part, is generated, derived from, or obtained by the operation of the device.

"Subscriber data" means the name, address, telephone number, and any other information identifying a subscriber of a communications services provider. "Subscriber data" does not include data or personally identifiable information protected by federal or state law, including viewing history, billing details, Internet usage patterns or data, and any other data protected by federal or state law.

CHAPTER 287

An Act to amend the Code of Virginia by adding in Article 9 of Chapter 14 of Title 8.01 a section numbered 8.01-420.9, relating to subpoenas duces tecum; financial records of nonparty.

[H 2565]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 9 of Chapter 14 of Title 8.01 a section numbered 8.01-420.9 as follows:

§ 8.01-420.9. Subpoena duces tecum; financial records of nonparty.

A. Notwithstanding any other provision of law, when any party in a civil action issues a subpoena duces tecum for the production of (i) records subject to attorney-client privilege or (ii) the financial records of a nonparty account holder, such attorney holding privileged records or nonparty account holder may file a motion to quash or modify such subpoena.

B. Upon receiving a valid subpoena duces tecum for financial records, no commercial business providing credit history or credit reports, issuer as defined in § 6.2-424, financial institution as defined in § 6.2-604, or money transmitter as defined in § 6.2-1900 shall condition compliance with such subpoena upon the payment of any fees for the costs of producing such records, but such commercial business, issuer, financial institution, or money transmitter may impose reasonable charges not to exceed the actual costs incurred in accessing, duplicating, supplying, or searching for the requested records. Nothing in this section shall be construed to create a cause of action against such commercial business, issuer, financial institution, or money transmitter that complies with a subpoena duces tecum.

2. That the Supreme Court of Virginia shall revise the relevant provisions of Rules 4:1 and 4:9A of the Rules of the Supreme Court of Virginia to be consistent with the provisions of this act.

3. That the Boyd-Graves Conference shall conduct a study on whether the Code of Virginia should be further amended to allow a nonparty to file a motion to quash or modify a subpoena duces tecum for other types of records that may be sought by a party in a civil proceeding. The Boyd-Graves Conference shall report any findings of such study to the Chairmen of the Senate and House Committees for Courts of Justice by November 1, 2025.

CHAPTER 288

An Act to amend the Code of Virginia by adding a section numbered 22.1-204.3, relating to Virginia Student Training Employment Pipeline for U.S. Procurement (STEP UP) Program established.

[H 2590]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-204.3 as follows:

§ 22.1-204.3. Virginia Student Training Employment Pipeline for U.S. Procurement (STEP UP) Program established.

The Department, in collaboration with the State Council of Higher Education for Virginia, shall establish and administer the Virginia Student Training Employment Pipeline for U.S. Procurement (STEP UP) Program (the Program) for the purpose of facilitating opportunities for any student enrolled in the eleventh or twelfth grade at a public high school in the Commonwealth or enrolled at a comprehensive community college or historically black college or university in the Commonwealth to enter into an agreement with an entity located in the relevant local school division or region that has a procurement contract with the federal government whereby such entity agrees to provide assistance to the student to obtain,

prior to graduation, any federal security clearance at the public trust or national security level and any other education, training, or credential that is necessary for the student to be prepared for employment with such entity upon graduation in exchange for a commitment from the student to accept and remain in such an employment position for an agreed-upon period of time after graduation. The Department, in consultation with the Virginia Community College System and the State Council of Higher Education for Virginia, shall establish such rules, policies, processes, and procedures as it deems necessary for the proper administration of the Program, including those relating to the facilitation of participation in the Program by qualifying students and entities.

CHAPTER 289

An Act to amend and reenact § 58.1-339.14 of the Code of Virginia, relating to firearm safety device tax credit; defines commercial retailer.

[H 2595]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-339.14 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-339.14. Firearm safety device tax credit.

A. For the purposes of this section:

"Commercial retailer" means a business that sells goods or services to customers in a retail setting and is properly registered as a dealer pursuant to § 58.1-613.

"Eligible transaction" means a transaction in which a taxpayer purchases one or more firearm safety devices from a ~~dealer that is federally licensed pursuant to 18 U.S.C. § 923~~ *commercial retailer*. An "eligible transaction" ~~shall~~ *does* not include the purchase of a firearm.

"Firearm" means any handgun, shotgun, rifle, or other firearm that will or is designed to or may readily be converted to expel single or multiple projectiles by action of an explosion of a combustible material.

"Firearm safety device" means (i) any device that, when installed on a firearm, is designed to prevent the firearm from being operated without first deactivating the device or (ii) a safe, gun safe, gun case, lock box, or other device that is designed to be or can be used to store a firearm and that is designed to be unlocked only by means of a key, a combination, or other similar means.

B. For taxable years beginning on and after January 1, 2024, but before January 1, 2028, a taxpayer shall be allowed a nonrefundable credit against the tax levied pursuant to § 58.1-320 for up to $300 for the cost incurred in the purchase of one or more firearm safety devices in an eligible transaction. A taxpayer shall be allowed only one credit under this section per taxable year. The taxpayer shall submit purchase receipts with the income tax return to verify the amount of purchase price paid for the firearm safety device or firearm safety devices. The aggregate amount of credits allowable under this section shall not exceed $5 million per taxable year. Credits shall be allocated by the Department on a first-come, first-served basis.

C. The amount of the credit that may be claimed in any single taxable year shall not exceed the individual's liability for taxes imposed by this chapter for that taxable year. If the amount of the credit allowed under this section exceeds the individual's tax liability for the taxable year in which the eligible transaction occurred, the amount that exceeds the tax liability may be carried over for credit against the income taxes of the individual in the next five taxable years or until the total amount of the tax credit has been taken, whichever is sooner.

D. The Tax Commissioner shall develop guidelines for claiming the credit provided by this section. Such guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

2. That the provisions of this act shall apply to taxable years beginning on and after January 1, 2025.

CHAPTER 290

An Act to amend and reenact § 63.2-1707 of the Code of Virginia, relating to Department of Social Services; Administrative Process Act; issuance of provisional licenses; exemption from appeal.

[H 2597]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 63.2-1707 of the Code of Virginia is amended and reenacted as follows:

§ 63.2-1707. Issuance or refusal of license; notification; provisional and conditional licenses.

A. Upon completion of his investigation, the Commissioner shall issue an appropriate license to the applicant if (i) the applicant has made adequate provision for such activities, services, and facilities as are reasonably conducive to the welfare of the residents, participants, or children over whom he may have custody or control; (ii) at the time of initial application, the applicant has submitted an operating budget and at least one credit reference; (iii) he is, or the officers and agents of the applicant if it is an association, partnership, limited liability company, or corporation are, of good character and reputation;

and (iv) the applicant and agents comply with the provisions of this subtitle. Otherwise, the license shall be denied. Immediately upon taking final action, the Commissioner shall notify the applicant of such action.

B. Upon completion of the investigation for the renewal of a license, the Commissioner may issue a provisional license to any applicant if the applicant is temporarily unable to comply with all of the licensure requirements. *Corrective action of the applicant, acceptable to the Commissioner and on a schedule determined by the Commissioner, shall be required prior to any appeal of the provisional license issued to an assisted living facility or adult day center, as such terms are defined in § 63.2-100.* The provisional license may be renewed, but the issuance of a provisional license and any renewals thereof shall be for no longer a period than 12 successive months. A copy of the provisional license shall be prominently displayed by the provider at each public entrance of the subject facility and shall be printed in a clear and legible size and style. In addition, the facility shall be required to prominently display next to the posted provisional license a notice that a description of specific violations of licensing standards to be corrected and the deadline for completion of such corrections is available for inspection at the facility and on the facility's website, if applicable.

C. At the discretion of the Commissioner, a conditional license may be issued to an applicant to operate a new facility in order to permit the applicant to demonstrate compliance with licensure requirements. Such conditional license may be renewed, but the issuance of a conditional license and any renewals thereof shall be for no longer a period than six successive months.

CHAPTER 291

An Act to require the Superintendent of Public Instruction to include in a Superintendent's memo an explanation of certain legal obligations relating to disclosure of certain information provided by students in the local school division who receive home instruction.

[H 2598]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. No later than the start of the 2025–2026 school year, the Superintendent of Public Instruction shall include in a Superintendent's memo an explanation of each division superintendent's obligations set forth in subsection G of § 22.1-254.1 of the Code of Virginia.*

CHAPTER 292

An Act to amend the Code of Virginia by adding a section numbered 16.1-69.35:3, relating to chief judges; designation of cases to be heard in the Twelfth Judicial District.

[H 2599]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 16.1-69.35:3 as follows:

§ 16.1-69.35:3. Twelfth Judicial District; chief judges; designation of cases to be heard in Colonial Heights.

The chief judges of the Twelfth Judicial District General District Court and the Twelfth Judicial District Juvenile and Domestic Relations District Court may, in the interest of justice and by order, designate one or more of the courtrooms of the Colonial Heights General District Court or Colonial Heights Juvenile and Domestic Relations District Court as the courtroom or courtrooms in which civil or criminal cases whose proper, preferred, or permissible venue is laid within Chesterfield County are to be tried. With respect to such orders, in case of conflict between the provisions of this section and other provisions outside this section relating to venue in cases heard by the judges of general district courts and juvenile and domestic relations district courts, all such other provisions are hereby superseded.

2. That the provisions of this act shall expire at such time that an additional judge and additional administrative staff are authorized and funded for either or both of the general district and the juvenile and domestic relations district courts in the Twelfth Judicial District and (i) the courthouse building located in Chesterfield County where such additional judge shall preside and such administrative staff shall be employed is expanded or otherwise renovated to provide courtroom and office space for such judge and administrative staff or (ii) alternate courtroom and support space is identified for use by such judge and administrative staff.

3. That the chief judges of the Twelfth Judicial District General District Court and the Twelfth Judicial District Juvenile and Domestic Relations District Court shall not enter any order or take any other action to use the courtrooms of the Colonial Heights General District Court or the Colonial Heights Juvenile and Domestic Relations District Court for any civil or criminal cases whose proper, preferred, or permissible venue is laid within Chesterfield County until the city manager of the City of Colonial Heights and the county administrator of Chesterfield County execute a memorandum of understanding that specifies the terms and conditions for such use of the Colonial Heights courtrooms.

CHAPTER 293

An Act to amend and reenact § 22.1-259 of the Code of Virginia, relating to Department of Education; student attendance data.

[H 2601]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-259 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-259. Teachers to keep daily attendance records.

~~Every~~ *A* teacher in every *public* school in the Commonwealth shall keep an accurate daily record of attendance of all children*, both (i) at the beginning of the school day and (ii) if applicable, for each class period,* in accordance with regulations prescribed by the Board ~~of Education~~. Such record shall, at all times, be open to any officer authorized to enforce the provisions of this article who may inspect or copy the same and shall be admissible in evidence in any prosecution for a violation of this article as prima facie evidence of the facts stated therein.

CHAPTER 294

An Act to permit the dismissal of certain vexatious and repetitive special education due process hearing complaints.

[H 2606]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. If a special education due process hearing officer determines that a due process hearing complaint filed in accordance with subsection B of § 22.1-214 of the Code of Virginia contains substantively the same issues as a previously adjudicated due process hearing complaint and evidences a clear pattern of initiating vexatious and repetitive litigation, the hearing officer may dismiss the complaint. Any party aggrieved by such a dismissal may bring a civil action as set forth in subsection D of § 22.1-214 of the Code of Virginia. Nothing in this act shall be construed to require the dismissal of any complaint or portion thereof that alleges a new claim of noncompliance within the subject matter jurisdiction of the due process hearing officer under applicable law and regulations.*

2. That the provisions of the first enactment of this act shall expire on July 1, 2027.

3. That as part of its study of Virginia's special education dispute resolution system as required pursuant to the tenth enactment of Chapter 468 and the tenth enactment of Chapter 502 of the Acts of Assembly of 2024, the Virginia Commission on Youth shall study and make recommendations on the provisions of the first enactment of this act.

CHAPTER 295

An Act to amend and reenact § 8.01-26 of the Code of Virginia, relating to assignment of causes of action.

[H 2636]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-26 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-26. Assignment of causes of action.

Only those causes of action for damage to real or personal property, whether such damage be direct or indirect, and causes of action ex contractu are assignable. The provisions of this section shall not prohibit any injured party or his estate from making a voluntary assignment of the proceeds or anticipated proceeds of any court award or settlement *(i)* as security for new value given in consideration of such voluntary assignment *or (ii) into a self-settled trust for which the injured party is the beneficiary. Such self-settled trust may also support the charitable purpose of one or more charitable organizations organized and operated pursuant to § 501(c)(3) of the Internal Revenue Code.*

CHAPTER 296

An Act to direct the Department of Education, in collaboration with the Department of Behavioral Health and Developmental Services, to incentivize and facilitate participation in the Mental Health First Aid Program by public school staff and students.

[H 2637]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Department of Education, in collaboration with the Department of Behavioral Health and Developmental Services, shall develop and implement a plan to incentivize and facilitate participation in the Commonwealth Mental Health First Aid Program (the Program), established pursuant to § 37.2-312.2 of the Code of Virginia, by public school staff and students. Such plan shall (i) ensure that training provided pursuant to the Program is offered at several public schools in school divisions across the Commonwealth and at a variety of dates and times, including during and outside of the school day, to provide flexibility and maximize opportunities for participation by public school staff and students; (ii) include strategies for incentivizing or encouraging public school staff and students to participate in such training; (iii) provide for the development and dissemination of informational materials for public school staff and students that (a) describe the Program and the benefits of participating in such training, (b) list the dates, times, and locations at which such training shall be offered, and (c) clearly state that such training provided pursuant to the Program is available at no cost to public school staff or students; and (iv) include any other strategies deemed appropriate or effective for incentivizing participation in or facilitating the provision of such training.*

CHAPTER 297

An Act to amend and reenact § 2.2-208.1 of the Code of Virginia, relating to Commission on Early Childhood Care and Education; members.

[H 2645]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-208.1 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-208.1. Commission on Early Childhood Care and Education.

A. In recognition of the fact that early care and education of young children is linked to academic success and workforce readiness, the Commission on Early Childhood Care and Education (the Commission) is hereby established for the purpose of providing recommendations for and tracking progress on the financing of a comprehensive birth-to-five early childhood care and education system as established in § 22.1-289.03 that provides stable, high-quality early childhood care and education services for families who need them the most, empowers parents with choices that meet their needs and preferences, and supports both school readiness and workforce participation.

B. The Commission shall have a total membership of no fewer than ~~31~~ *32* members that shall consist of nine legislative members, no fewer than ~~18~~ *19* nonlegislative citizen members, and four ex officio members. Members shall be appointed as follows: five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; four members of the Senate to be appointed by the Senate Committee on Rules on the recommendation of the Chair of the Senate Committee on Education and Health; and no fewer than ~~18~~ *19* nonlegislative citizen members to be appointed by the Secretary of Education. The Secretary of Education, upon receiving recommendations for appointments from the Virginia Council for Private Education, the Virginia Child Care Association, the Virginia Head Start Association, the Virginia Alliance for Family Child Care Associations, and the Virginia Chamber of Commerce, shall appoint nonlegislative citizen members to the Commission in a manner that ensures representation from each of the nine Ready Regions identified by the Virginia Early Childhood Foundation (Ready Regions). Nonlegislative citizen members shall include one representative of the Virginia Early Childhood Foundation, one representative of the Virginia Association of School Superintendents, *one representative of the Department of Veterans Services,* one representative of the Virginia Economic Development Partnership, three executive-level representatives of the private business sector who each represent different Ready Regions, one local government representative recommended by the Virginia Association of Counties and the Virginia Municipal League, one administrator from a public early childhood education program, one administrator from a faith-based private early childhood education program, one administrator from a non-faith-based private early childhood education program, one administrator from a Head Start program, one administrator from a family child care program, one representative from an organization advocating for children with disabilities, three parents or guardians of children who are age-eligible or who were recently age-eligible to participate in early childhood care and education in the Commonwealth, one educator from a public early childhood education program, and one educator from a private early childhood education program. The Secretary of Education, the Secretary of Labor, the Superintendent of Public Instruction, and the Commissioner of Social Services, or their designees, shall serve ex officio with voting privileges.

C. The Commission shall have the following powers and duties:

1. Expand access to and the quality of child care in all regions of the Commonwealth;

2. Analyze all existing and potential new opportunities for financing early childhood care and education programs with a focus on outcomes that are verifiable by data;

3. Retain, grow, and strengthen the quality of the Commonwealth's early childhood care and education workforce;

4. Gather and study information and data to accomplish its purposes as set forth in this section;

5. Gather and analyze data on the current and the projected five-year availability, quality, cost, and affordability of early childhood care and education throughout the Commonwealth for children from birth to age five, determine needs and

priorities for early childhood care and education, and develop funding recommendations focused on family choice, access, affordability, and quality, giving due consideration to potential unforeseen impacts of funding and policy changes on the early childhood care and education sector;

6. Annually report on specific expenditures, outcomes, and impact, including the number of children served, demographics, child-level assessment data via the Virginia Kindergarten Readiness Program (VKRP), classroom-level assessment data via the Unified Virginia Quality Birth to Five System (VQB5), teacher turnover and retention data, and parental employment data;

7. Support the development of an integrated early childhood longitudinal data process to capture and link access, quality, and educator data with preschool growth and school readiness outcome data through third grade and facilitate the sharing and use of such data and the seamless integration of the early childhood longitudinal data process with other student longitudinal data systems and processes; and

8. Monitor and support ongoing research and evaluation conducted by the Department of Education, the University of Virginia, and the Virginia Early Childhood Foundation, and any other higher education or research institutions as deemed relevant, to continuously improve the quality of early childhood care and education services in the Commonwealth.

D. One of the most important factors in learning outcomes for young children is exposure to high-quality teacher-student interactions made possible through the hiring, training, and retention of skilled educators who support their growth and learning. In recognizing the importance of strong professional supports and competitive compensation to retaining skilled educators, the Commission shall prioritize financing early childhood care and education services using the Department of Education's cost of quality estimation model. Adoption of this model will ensure that early childhood care and education programs are resourced to attract and retain talented educators and consistently deliver high-quality services, yielding strong school readiness and literacy outcomes for participating young children. As part of this effort, the Commission should consider best practices and innovations in the private and public sector from across the Commonwealth and the country. The Commission should consider different sources of revenue and establish long-term goals and targets for affordable access to quality care and education for all birth-to-five children in the Commonwealth. Based on disparities in school readiness outcomes, the Commission should ensure that all recommendations address the needs of the Commonwealth's most vulnerable children, families, and early childhood educators. The Commission shall review the goals set forth in this subsection and other priorities within the early childhood care and education system and submit no later than October 1 of each year recommendations to the Governor and the Chairmen of the House Committee on Appropriations, the Senate Committee on Finance and Appropriations, the House Committee on Labor and Commerce, the Senate Committee on Commerce and Labor, the House Committee on Education, and the Senate Committee on Education and Health. The Commission shall also post such recommendations on its website in a manner and format that ensure ease of access by interested parents and other members of the public.

E. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All legislative members and nonlegislative citizen members may be reappointed.

F. After the initial staggering of terms, legislative members and nonlegislative citizen members shall be appointed for terms of three years.

G. No legislative member or nonlegislative citizen member shall serve more than two consecutive three-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

H. The Commission shall elect a chairman and vice-chairman from among its membership. The chairman shall be a legislative member. The vice-chairman shall be a nonlegislative citizen member who is an executive-level representative of the private business sector. A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at least four times per year at the call of the chairman or whenever the majority of the members so request.

I. Recommendations and other actions by the Commission shall require an affirmative vote of a majority of the members of the Commission.

J. The Virginia Early Childhood Foundation shall provide for the facilitation of the work of the Commission under the direction of the Secretary of Education or his designee and with the guidance of a steering committee that includes the Secretary of Education, the Secretary of Labor, one legislative member, one executive-level representative of the private business sector, one representative of the Virginia Early Childhood Foundation, and one parent or guardian of a child who is age-eligible or was recently age-eligible to participate in early childhood care and education in the Commonwealth.

K. The chairman may request and access the expertise of additional representatives and organizations relating to the Commission's goals and priorities.

L. The Commission may appoint, employ, and remove an executive director and such other persons as it deems necessary, and determine their duties and fix their salaries or compensation within the amounts appropriated therefor. The Commission may also employ experts who have special knowledge of the issues before it.

M. The Commission may request and shall receive from every department, division, board, bureau, commission, authority, or other agency created by the Commonwealth, or to which the Commonwealth is party, or from any political subdivision of the Commonwealth, cooperation and assistance in the performance of its duties.

CHAPTER 298

An Act to amend and reenact §§ 54.1-2521 and 54.1-2522 of the Code of Virginia, relating to Prescription Monitoring Program; exemptions; licensed narcotic maintenance treatment programs.

[H 2649]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2521 and 54.1-2522 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2521. Reporting requirements.

A. The failure by any person subject to the reporting requirements set forth in this section and the Department's regulations to report the dispensing of covered substances shall constitute grounds for disciplinary action by the relevant health regulatory board.

B. Upon dispensing a covered substance, a dispenser of such covered substance shall report the following information:

1. The recipient's name and address.

2. The recipient's date of birth.

3. The covered substance that was dispensed to the recipient, which, in the case of a cannabis product, shall be listed as the primary cannabinoid of such cannabis product.

4. The quantity of the covered substance that was dispensed.

5. The date of the dispensing.

6. The prescriber's identifier number and, in cases in which the covered substance is a cannabis product, the product's national drug code and the expiration date of the written certification.

7. The dispenser's identifier number.

8. The method of payment for the prescription.

9. Any other non-clinical information that is designated by the Director as necessary for the implementation of this chapter in accordance with the Department's regulations.

10. Any other information specified in regulations promulgated by the Director as required in order for the Prescription Monitoring Program to be eligible to receive federal funds.

C. Except as provided in subdivision ~~7~~ *6* of § 54.1-2522, in cases where the ultimate user of a covered substance is an animal, the dispenser shall report the relevant information required by subsection B for the owner of the animal.

D. The reports required herein shall be made to the Department or its agent within 24 hours or the dispenser's next business day, whichever comes later, and shall be made and transmitted in such manner and format and according to the standards and schedule established in the Department's regulations.

§ 54.1-2522. Reporting exemptions.

The dispensing of covered substances under the following circumstances shall be exempt from the reporting requirements set forth in § 54.1-2521:

1. Dispensing of manufacturers' samples of such covered substances or of covered substances dispensed pursuant to an indigent patient program offered by a pharmaceutical manufacturer.

2. Dispensing of covered substances by a practitioner of the healing arts to his patient in a bona fide medical emergency or when pharmaceutical services are not available.

3. Administering of covered substances.

4. ~~Dispensing of covered substances within an appropriately licensed narcotic maintenance treatment program.~~

~~5.~~ Dispensing of covered substances to inpatients in hospitals or nursing facilities licensed by the Board of Health or facilities that are otherwise authorized by law to operate as hospitals or nursing homes in the Commonwealth.

~~6.~~ *5.* Dispensing of covered substances to inpatients in hospices licensed by the Board of Health.

~~7.~~ *6.* Dispensing of covered substances by veterinarians to animals within the usual course of their professional practice for a course of treatment to last seven days or less or if such covered substance is feline buprenorphine or canine butorphanol.

~~8.~~ *7.* Dispensing of covered substances as otherwise provided in the Department's regulations.

2. That reporting of information relating to the dispensing of a covered substance within an appropriately licensed narcotic maintenance treatment program to the Prescription Monitoring Program shall comply with applicable federal laws and regulations.

3. That the provisions of this act shall become effective on July 1, 2026.

CHAPTER 299

An Act to amend and reenact § 63.2-1707 of the Code of Virginia, relating to Department of Social Services; Administrative Process Act; issuance of provisional licenses; exemption from appeal.

[S 937]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 63.2-1707 of the Code of Virginia is amended and reenacted as follows:

§ 63.2-1707. Issuance or refusal of license; notification; provisional and conditional licenses.

A. Upon completion of his investigation, the Commissioner shall issue an appropriate license to the applicant if (i) the applicant has made adequate provision for such activities, services, and facilities as are reasonably conducive to the welfare of the residents, participants, or children over whom he may have custody or control; (ii) at the time of initial application, the applicant has submitted an operating budget and at least one credit reference; (iii) he is, or the officers and agents of the applicant if it is an association, partnership, limited liability company, or corporation are, of good character and reputation; and (iv) the applicant and agents comply with the provisions of this subtitle. Otherwise, the license shall be denied. Immediately upon taking final action, the Commissioner shall notify the applicant of such action.

B. Upon completion of the investigation for the renewal of a license, the Commissioner may issue a provisional license to any applicant if the applicant is temporarily unable to comply with all of the licensure requirements. *Corrective action of the applicant, acceptable to the Commissioner and on a schedule determined by the Commissioner, shall be required prior to any appeal of the provisional license issued to an assisted living facility or adult day center, as such terms are defined in § 63.2-100.* The provisional license may be renewed, but the issuance of a provisional license and any renewals thereof shall be for no longer a period than 12 successive months. A copy of the provisional license shall be prominently displayed by the provider at each public entrance of the subject facility and shall be printed in a clear and legible size and style. In addition, the facility shall be required to prominently display next to the posted provisional license a notice that a description of specific violations of licensing standards to be corrected and the deadline for completion of such corrections is available for inspection at the facility and on the facility's website, if applicable.

C. At the discretion of the Commissioner, a conditional license may be issued to an applicant to operate a new facility in order to permit the applicant to demonstrate compliance with licensure requirements. Such conditional license may be renewed, but the issuance of a conditional license and any renewals thereof shall be for no longer a period than six successive months.

CHAPTER 300

An Act to amend the Code of Virginia by adding in Article 9 of Chapter 14 of Title 8.01 a section numbered 8.01-420.9, relating to subpoenas duces tecum; financial records of nonparty.

[S 1010]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 9 of Chapter 14 of Title 8.01 a section numbered 8.01-420.9 as follows:

§ 8.01-420.9. Subpoena duces tecum; financial records of nonparty.

A. Notwithstanding any other provision of law, when any party in a civil action issues a subpoena duces tecum for the production of (i) records subject to attorney-client privilege or (ii) the financial records of a nonparty account holder, such attorney holding privileged records or nonparty account holder may file a motion to quash or modify such subpoena.

B. Upon receiving a valid subpoena duces tecum for financial records, no commercial business providing credit history or credit reports, issuer as defined in § 6.2-424, financial institution as defined in § 6.2-604, or money transmitter as defined in § 6.2-1900 shall condition compliance with such subpoena upon the payment of any fees for the costs of producing such records, but such commercial business, issuer, financial institution, or money transmitter may impose reasonable charges not to exceed the actual costs incurred in accessing, duplicating, supplying, or searching for the requested records. Nothing in this section shall be construed to create a cause of action against such commercial business, issuer, financial institution, or money transmitter that complies with a subpoena duces tecum.

2. That the Supreme Court of Virginia shall revise the relevant provisions of Rules 4:1 and 4:9A of the Rules of the Supreme Court of Virginia to be consistent with the provisions of this act.

3. That the Boyd-Graves Conference shall conduct a study on whether the Code of Virginia should be further amended to allow a nonparty to file a motion to quash or modify a subpoena duces tecum for other types of records that may be sought by a party in a civil proceeding. The Boyd-Graves Conference shall report any findings of such study to the Chairmen of the Senate and House Committees for Courts of Justice by November 1, 2025.

CHAPTER 301

An Act to direct the Department of Medical Assistance Services to allow certain crisis stabilization services to be provided in institutions for mental disease.

[S 1304]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Medical Assistance Services (the Department) shall seek necessary federal approvals to remove the prohibition against the use of crisis stabilization services for nonhospitalized individuals in institutions for mental disease. Upon receiving federal approval, the Department shall have the authority to implement such change through agency guidance documents prior to the completion of any regulatory review process and shall promulgate regulations to implement the provisions of such change to be effective within 280 days of receiving federal approval.*

CHAPTER 302

An Act to direct the Department of Education, in collaboration with the Department of Behavioral Health and Developmental Services, to incentivize and facilitate participation in the Mental Health First Aid Program by public school staff and students.

[S 1377]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Department of Education, in collaboration with the Department of Behavioral Health and Developmental Services, shall develop and implement a plan to incentivize and facilitate participation in the Commonwealth Mental Health First Aid Program (the Program), established pursuant to § 37.2-312.2 of the Code of Virginia, by public school staff and students. Such plan shall (i) ensure that training provided pursuant to the Program is offered at several public schools in school divisions across the Commonwealth and at a variety of dates and times, including during and outside of the school day, to provide flexibility and maximize opportunities for participation by public school staff and students; (ii) include strategies for incentivizing or encouraging public school staff and students to participate in such training; (iii) provide for the development and dissemination of informational materials for public school staff and students that (a) describe the Program and the benefits of participating in such training, (b) list the dates, times, and locations at which such training shall be offered, and (c) clearly state that such training provided pursuant to the Program is available at no cost to public school staff or students; and (iv) include any other strategies deemed appropriate or effective for incentivizing participation in or facilitating the provision of such training.*

CHAPTER 303

An Act to amend and reenact § 58.1-339.14 of the Code of Virginia, relating to firearm safety device tax credit; defines commercial retailer.

[S 1389]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-339.14 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-339.14. Firearm safety device tax credit.

A. For the purposes of this section:

"Commercial retailer" means a business that sells goods or services to customers in a retail setting and is properly registered as a dealer pursuant to § 58.1-613.

"Eligible transaction" means a transaction in which a taxpayer purchases one or more firearm safety devices from a ~~dealer that is federally licensed pursuant to 18 U.S.C. § 923~~ *commercial retailer*. An "eligible transaction" ~~shall~~ *does* not include the purchase of a firearm.

"Firearm" means any handgun, shotgun, rifle, or other firearm that will or is designed to or may readily be converted to expel single or multiple projectiles by action of an explosion of a combustible material.

"Firearm safety device" means (i) any device that, when installed on a firearm, is designed to prevent the firearm from being operated without first deactivating the device or (ii) a safe, gun safe, gun case, lock box, or other device that is designed to be or can be used to store a firearm and that is designed to be unlocked only by means of a key, a combination, or other similar means.

B. For taxable years beginning on and after January 1, 2024, but before January 1, 2028, a taxpayer shall be allowed a nonrefundable credit against the tax levied pursuant to § 58.1-320 for up to $300 for the cost incurred in the purchase of one or more firearm safety devices in an eligible transaction. A taxpayer shall be allowed only one credit under this section per taxable year. The taxpayer shall submit purchase receipts with the income tax return to verify the amount of purchase price paid for the firearm safety device or firearm safety devices. The aggregate amount of credits allowable under this section shall not exceed $5 million per taxable year. Credits shall be allocated by the Department on a first-come, first-served basis.

C. The amount of the credit that may be claimed in any single taxable year shall not exceed the individual's liability for taxes imposed by this chapter for that taxable year. If the amount of the credit allowed under this section exceeds the individual's tax liability for the taxable year in which the eligible transaction occurred, the amount that exceeds the tax

liability may be carried over for credit against the income taxes of the individual in the next five taxable years or until the total amount of the tax credit has been taken, whichever is sooner.

D. The Tax Commissioner shall develop guidelines for claiming the credit provided by this section. Such guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

2. That the provisions of this act shall apply to taxable years beginning on and after January 1, 2025.

CHAPTER 304

An Act to amend and reenact § 2.2-208.1 of the Code of Virginia, relating to Commission on Early Childhood Care and Education; members.

[S 1391]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-208.1 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-208.1. Commission on Early Childhood Care and Education.

A. In recognition of the fact that early care and education of young children is linked to academic success and workforce readiness, the Commission on Early Childhood Care and Education (the Commission) is hereby established for the purpose of providing recommendations for and tracking progress on the financing of a comprehensive birth-to-five early childhood care and education system as established in § 22.1-289.03 that provides stable, high-quality early childhood care and education services for families who need them the most, empowers parents with choices that meet their needs and preferences, and supports both school readiness and workforce participation.

B. The Commission shall have a total membership of no fewer than ~~31~~ *32* members that shall consist of nine legislative members, no fewer than ~~18~~ *19* nonlegislative citizen members, and four ex officio members. Members shall be appointed as follows: five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; four members of the Senate to be appointed by the Senate Committee on Rules on the recommendation of the Chair of the Senate Committee on Education and Health; and no fewer than ~~18~~ *19* nonlegislative citizen members to be appointed by the Secretary of Education. The Secretary of Education, upon receiving recommendations for appointments from the Virginia Council for Private Education, the Virginia Child Care Association, the Virginia Head Start Association, the Virginia Alliance for Family Child Care Associations, and the Virginia Chamber of Commerce, shall appoint nonlegislative citizen members to the Commission in a manner that ensures representation from each of the nine Ready Regions identified by the Virginia Early Childhood Foundation (Ready Regions). Nonlegislative citizen members shall include one representative of the Virginia Early Childhood Foundation, one representative of the Virginia Association of School Superintendents, *one representative of the Department of Veterans Services,* one representative of the Virginia Economic Development Partnership, three executive-level representatives of the private business sector who each represent different Ready Regions, one local government representative recommended by the Virginia Association of Counties and the Virginia Municipal League, one administrator from a public early childhood education program, one administrator from a faith-based private early childhood education program, one administrator from a non-faith-based private early childhood education program, one administrator from a Head Start program, one administrator from a family child care program, one representative from an organization advocating for children with disabilities, three parents or guardians of children who are age-eligible or who were recently age-eligible to participate in early childhood care and education in the Commonwealth, one educator from a public early childhood education program, and one educator from a private early childhood education program. The Secretary of Education, the Secretary of Labor, the Superintendent of Public Instruction, and the Commissioner of Social Services, or their designees, shall serve ex officio with voting privileges.

C. The Commission shall have the following powers and duties:

1. Expand access to and the quality of child care in all regions of the Commonwealth;

2. Analyze all existing and potential new opportunities for financing early childhood care and education programs with a focus on outcomes that are verifiable by data;

3. Retain, grow, and strengthen the quality of the Commonwealth's early childhood care and education workforce;

4. Gather and study information and data to accomplish its purposes as set forth in this section;

5. Gather and analyze data on the current and the projected five-year availability, quality, cost, and affordability of early childhood care and education throughout the Commonwealth for children from birth to age five, determine needs and priorities for early childhood care and education, and develop funding recommendations focused on family choice, access, affordability, and quality, giving due consideration to potential unforeseen impacts of funding and policy changes on the early childhood care and education sector;

6. Annually report on specific expenditures, outcomes, and impact, including the number of children served, demographics, child-level assessment data via the Virginia Kindergarten Readiness Program (VKRP), classroom-level assessment data via the Unified Virginia Quality Birth to Five System (VQB5), teacher turnover and retention data, and parental employment data;

7. Support the development of an integrated early childhood longitudinal data process to capture and link access, quality, and educator data with preschool growth and school readiness outcome data through third grade and facilitate the sharing and use of such data and the seamless integration of the early childhood longitudinal data process with other student longitudinal data systems and processes; and

8. Monitor and support ongoing research and evaluation conducted by the Department of Education, the University of Virginia, and the Virginia Early Childhood Foundation, and any other higher education or research institutions as deemed relevant, to continuously improve the quality of early childhood care and education services in the Commonwealth.

D. One of the most important factors in learning outcomes for young children is exposure to high-quality teacher-student interactions made possible through the hiring, training, and retention of skilled educators who support their growth and learning. In recognizing the importance of strong professional supports and competitive compensation to retaining skilled educators, the Commission shall prioritize financing early childhood care and education services using the Department of Education's cost of quality estimation model. Adoption of this model will ensure that early childhood care and education programs are resourced to attract and retain talented educators and consistently deliver high-quality services, yielding strong school readiness and literacy outcomes for participating young children. As part of this effort, the Commission should consider best practices and innovations in the private and public sector from across the Commonwealth and the country. The Commission should consider different sources of revenue and establish long-term goals and targets for affordable access to quality care and education for all birth-to-five children in the Commonwealth. Based on disparities in school readiness outcomes, the Commission should ensure that all recommendations address the needs of the Commonwealth's most vulnerable children, families, and early childhood educators. The Commission shall review the goals set forth in this subsection and other priorities within the early childhood care and education system and submit no later than October 1 of each year recommendations to the Governor and the Chairmen of the House Committee on Appropriations, the Senate Committee on Finance and Appropriations, the House Committee on Labor and Commerce, the Senate Committee on Commerce and Labor, the House Committee on Education, and the Senate Committee on Education and Health. The Commission shall also post such recommendations on its website in a manner and format that ensure ease of access by interested parents and other members of the public.

E. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All legislative members and nonlegislative citizen members may be reappointed.

F. After the initial staggering of terms, legislative members and nonlegislative citizen members shall be appointed for terms of three years.

G. No legislative member or nonlegislative citizen member shall serve more than two consecutive three-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

H. The Commission shall elect a chairman and vice-chairman from among its membership. The chairman shall be a legislative member. The vice-chairman shall be a nonlegislative citizen member who is an executive-level representative of the private business sector. A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at least four times per year at the call of the chairman or whenever the majority of the members so request.

I. Recommendations and other actions by the Commission shall require an affirmative vote of a majority of the members of the Commission.

J. The Virginia Early Childhood Foundation shall provide for the facilitation of the work of the Commission under the direction of the Secretary of Education or his designee and with the guidance of a steering committee that includes the Secretary of Education, the Secretary of Labor, one legislative member, one executive-level representative of the private business sector, one representative of the Virginia Early Childhood Foundation, and one parent or guardian of a child who is age-eligible or was recently age-eligible to participate in early childhood care and education in the Commonwealth.

K. The chairman may request and access the expertise of additional representatives and organizations relating to the Commission's goals and priorities.

L. The Commission may appoint, employ, and remove an executive director and such other persons as it deems necessary, and determine their duties and fix their salaries or compensation within the amounts appropriated therefor. The Commission may also employ experts who have special knowledge of the issues before it.

M. The Commission may request and shall receive from every department, division, board, bureau, commission, authority, or other agency created by the Commonwealth, or to which the Commonwealth is party, or from any political subdivision of the Commonwealth, cooperation and assistance in the performance of its duties.

CHAPTER 305

An Act to amend and reenact §§ 16.1-135, 19.2-125, and 19.2-319 of the Code of Virginia, relating to bail and recognizance; appeal of conviction.

[H 2652]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-135, 19.2-125, and 19.2-319 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-135. Bail and recognizance; papers filed with circuit court.

A person who has been convicted of an offense in a district court and who has noted an appeal, either at the time judgment is rendered or subsequent to its entry, shall be given credit for any bond that he may have posted in the court from which he appeals and shall be treated in accordance with the provisions of Article 1 (§ 19.2-119 et seq.) of Chapter 9 of Title 19.2. ~~Any new bond which may be required~~ *The court shall not require any new bond* for the release of such person pending the appeal ~~shall be given before the judge or the clerk of the district court and treated in accordance with Article 1 of Chapter 9 of Title 19.2; however, if the judge or clerk is not available to take the bond, the bond may be given before a magistrate serving the jurisdiction~~. Whenever an appeal is taken and the ~~ten-day~~ *10-day* period prescribed by § 16.1-133 has expired the papers shall be promptly filed with the clerk of the circuit court.

§ 19.2-125. Release pending appeal from conviction in court not of record.

A person who has been convicted of an offense in a district court and who has noted an appeal shall be given credit for any bond that he may have posted in the court from which he appeals and shall be treated in accordance with the provisions of this article. *The court shall not require any new bond for the release of such person pending the appeal.*

§ 19.2-319. When execution of sentence to be suspended; bail; appeal from denial.

If a person sentenced by a circuit court to confinement in the state correctional facility indicates an intention to apply for a writ of error, the circuit court shall postpone the execution of such sentence for such time as it may deem proper.

In any other criminal case wherein judgment is given by any *circuit* court to which a writ of error lies, and in any case of judgment for any civil or criminal contempt, from which an appeal may be taken or to which a writ of error lies, the *circuit* court giving such judgment may postpone the execution thereof for such time and on such terms as it deems proper.

In any case after conviction if the sentence, or the execution thereof, is suspended in accordance with this section, or for any other cause, the *circuit* court, or the judge thereof, may, and in any case of a misdemeanor shall, set bail in such penalty and for appearance at such time as the nature of the case may require~~;~~*,* provided that~~,~~ if the conviction was for a violent felony as defined in § 19.2-297.1 and the defendant was sentenced to serve a period of incarceration not subject to suspension, then the *circuit* court shall presume, subject to rebuttal, that no condition or combination of conditions of bail will reasonably assure the appearance of the convicted person or the safety of the public.

In any case in which the *circuit* court denies bail, the reason for such denial shall be stated on the record of the case. A writ of error from the Court of Appeals shall lie to any such judgment refusing bail or requiring excessive bail. Upon review by the Court of Appeals, if the decision by the trial court to deny bail is overruled, the Court of Appeals shall either set bail or remand the matter to circuit court for such further action regarding bail as the Court of Appeals directs.

CHAPTER 306

An Act to amend and reenact § 58.1-339.4 of the Code of Virginia, relating to qualified equity and subordinated debt investments tax credit; sunset.

[H 2653]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-339.4 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-339.4. Qualified equity and subordinated debt investments tax credit.

A. As used in this section:

"Commercialization investment" means a qualified investment in a qualified business that was created to commercialize research developed at or in partnership with an institution of higher education.

"Equity" means common stock or preferred stock, regardless of class or series, of a corporation; a partnership interest in a limited partnership; or a membership interest in a limited liability company, which is not required or subject to an option on the part of the taxpayer to be redeemed by the issuer within three years from the date of issuance.

"Qualified business" means a business which (i) has annual gross revenues of no more than $3 million in its most recent fiscal year, (ii) has its principal office or facility in the Commonwealth, (iii) is engaged in business primarily in or does substantially all of its production in the Commonwealth, (iv) has not obtained during its existence more than $3 million in aggregate gross cash proceeds from the issuance of its equity or debt investments (not including commercial loans from chartered banking or savings and loan institutions), and (v) is primarily engaged, or is primarily organized to engage, in the fields of advanced computing, advanced materials, advanced manufacturing, agricultural technologies, biotechnology, electronic device technology, energy, environmental technology, information technology, medical device technology, nanotechnology, or any similar technology-related field determined by regulation by the Department of Taxation to fall under the purview of this section.

"Qualified investment" means a cash investment in a qualified business in the form of equity or subordinated debt; however, an investment shall not be qualified if the taxpayer who holds such investment, or any of such taxpayer's family members, or any entity affiliated with such taxpayer, receives or has received compensation from the qualified business in exchange for services provided to such business as an employee, officer, director, manager, independent contractor or

otherwise in connection with or within one year before or after the date of such investment. For the purposes hereof, reimbursement of reasonable expenses incurred shall not be deemed to be compensation.

"Subordinated debt" means indebtedness of a corporation, general or limited partnership, or limited liability company that (i) by its terms required no repayment of principal for the first three years after issuance; (ii) is not guaranteed by any other person or secured by any assets of the issuer or any other person; and (iii) is subordinated to all indebtedness and obligations of the issuer to national or state-chartered banking or savings and loan institutions.

B. For taxable years beginning on or after January 1, 1999, *but before January 1, 2026,* a taxpayer shall be allowed a credit against the tax levied pursuant to §§ 58.1-320 and 58.1-360 in an amount equal to 50 percent of such taxpayer's qualified investments during such taxable year. No credit shall be allowed to any taxpayer that has committed capital under management in excess of $10 million and engages in the business of making debt or equity investments in private businesses, or to any taxpayer that is allocated a credit as a partner, shareholder, member or owner of an entity that engages in such business.

C. The amount of any credit attributable to a qualified investment by a partnership, electing small business corporation (S corporation), or limited liability company shall be allocated to the individual partners, shareholders, or members, as the case may be, as they may determine.

D. The aggregate amount of the credit for each taxpayer shall not exceed the lesser of (i) the tax imposed for such taxable year or (ii) $50,000. Any credit not usable for the taxable year in which the credit was allowed may be, to the extent usable, carried over for the next 15 succeeding taxable years or until the total amount of the tax credit has been taken, whichever occurs first.

E. The amount of tax credits available under this section for a calendar year shall be $5 million. Of the amount of available credits, one-half of the amount shall be allocated exclusively for credits for commercialization investments. Such allocation of tax credits shall constitute the minimum amount of tax credits to be allocated for commercialization investments. However, if the amount of tax credits requested for commercialization investments is less than one-half of the total amount of credits available under this section, the balance of such credits shall be allocated for qualified investments in any qualified business under this section.

F. Unless the taxpayer transfers the equity received in connection with a qualified investment as a result of (i) the liquidation of the qualified business issuing such equity, (ii) the merger, consolidation or other acquisition of such business with or by a party not affiliated with such business, or (iii) the death of the taxpayer, any taxpayer that fails to hold such equity for at least three full calendar years following the calendar year for which a tax credit for a qualified investment is allocated pursuant to this section shall forfeit both used and unused tax credits and in addition shall pay the Department of Taxation interest on the total allowed credits at the rate of one percent per month, compounded monthly, from the date the tax credits were allocated to the taxpayer. The Department of Taxation shall deposit any amounts received under this subsection into the general fund of the Commonwealth.

G. Prior to December 31, 1998, the Department of Taxation shall promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) (i) establishing procedures for claiming the tax credit provided by this section and (ii) providing for the allocation of tax credits among taxpayers requesting credits in the event the amount of credits for which requests are made exceeds the available amount of credits in any one calendar year. Notwithstanding the foregoing, the Department of Taxation shall permit an application for certification as a qualified business to be filed at any time during the calendar year regardless of when the investment was made during the calendar year.

CHAPTER 307

An Act to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to retail sales and use tax; media-related exemptions; sunset.

[H 2675]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-609.6 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-609.6. Media-related exemptions.

The tax imposed by this chapter or pursuant to the authority granted in §§ 58.1-605 and 58.1-606 shall not apply to the following:

1. Leasing, renting, or licensing of copyright audio or video tapes~~,~~ and films for public exhibition at motion picture theaters or by licensed radio and television stations.

2. (i) Broadcasting equipment and parts and accessories thereto and towers used or to be used by commercial radio and television companies, wired or land-based wireless cable television systems, common carriers or video programmers using an open video system or other video platform provided by telephone common carriers, or concerns that are under the regulation and supervision of the Federal Communications Commission and (ii) amplification, transmission, distribution, and network equipment used or to be used by wired or land-based wireless (a) cable television systems, (b) open video systems, or (c) telephone common carriers.

3. Any publication issued daily~~,~~ or regularly at average intervals not exceeding three months~~,~~ and advertising supplements and any other printed matter ultimately distributed with or as part of such publications; however, newsstand sales of the same are taxable. As used in this subdivision, the term "newsstand sales" shall not include sales of back copies of publications by the publisher or his agent.

4. Catalogs, letters, brochures, reports, and similar printed materials, except administrative supplies, the envelopes, containers, and labels used for packaging and mailing same, and paper furnished to a printer for fabrication into such printed materials, when stored for 12 months or less in the Commonwealth and distributed for use ~~without~~ *outside* the Commonwealth. As used in this subdivision, "administrative supplies" includes~~, but is not limited to,~~ letterhead, envelopes, and other stationery~~;~~ and invoices, billing forms, payroll forms, price lists, time cards, computer cards, and similar supplies. Notwithstanding the provisions of subdivision 5 or the definition of "advertising" contained in § 58.1-602, (i) any advertising business located outside the Commonwealth ~~which~~ *that* purchases printing from a printer within the Commonwealth shall not be deemed the user or consumer of the printed materials when such purchases would have been exempt under this subdivision~~,~~ and (ii) from July 1, 1995, through June 30, 2002, and beginning July 1, 2002, and ending July 1, ~~2025~~ *2028*, any advertising business ~~which~~ *that* purchases printing from a printer within the Commonwealth shall not be deemed the user or consumer of the printed materials when such purchases would have been exempt under subdivision 3 or this subdivision, provided that the advertising agency shall certify to the Tax Commissioner, upon request, that such printed material was distributed outside the Commonwealth and such certification shall be retained as a part of the transaction record and shall be subject to further review by the Tax Commissioner.

5. Advertising as defined in § 58.1-602.

6. Beginning July 1, 1995, and ending July 1, 2027:

a. (i) The lease, rental, license, sale, other transfer, or use of any audio or video tape, film*,* or other audiovisual work where the transferee or user acquires or has acquired the work for the purpose of licensing, distributing, broadcasting, commercially exhibiting*,* or reproducing the work or using or incorporating the work into another such work; (ii) the provision of production services or fabrication in connection with the production of any portion of such audiovisual work, including~~, but not limited to,~~ scriptwriting, photography, sound, musical composition, special effects, animation, adaptation, dubbing, mixing, editing, cutting*,* and provision of production facilities or equipment; or (iii) the transfer or use of tangible personal property, including~~, but not limited to,~~ scripts, musical scores, storyboards, artwork, film, tapes*,* and other media, incident to the performance of such services or fabrication; however, audiovisual works and incidental tangible personal property described in clauses (i) and (iii) shall be subject to tax as otherwise provided in this chapter to the extent of the value of their tangible components prior to their use in the production of any audiovisual work and prior to their enhancement by any production service; and

b. Equipment and parts and accessories thereto used or to be used in the production of such audiovisual works.

7. Beginning July 1, 1998, and ending July 1, 2022, textbooks and other educational materials withdrawn from inventory at book-publishing distribution facilities for free distribution to professors and other individuals who have an educational focus.

CHAPTER 308

An Act to amend and reenact §§ 15.2-912, 54.1-700, 54.1-701, 54.1-703, and 54.1-704.1 through 54.1-706 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 7 of Title 54.1 a section numbered 54.1-707, relating to regulation of ear-piercers and ear-piercing salons and schools; licensure and training requirements.

[H 2680]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-912, 54.1-700, 54.1-701, 54.1-703, and 54.1-704.1 through 54.1-706 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 7 of Title 54.1 a section numbered 54.1-707 as follows:

§ 15.2-912. Regulation of tattoo parlors, body-piercing salons, and ear-piercing salons; definitions; exception.

A. Any locality may by ordinance regulate the sanitary condition of the personnel, equipment*,* and premises of tattoo parlors ~~and~~*,* body-piercing salons*, and ear-piercing salons* and specify procedures for enforcement of compliance with the disease control and disclosure requirements of § 18.2-371.3.

B. For the purposes of this section:

"Body-piercing salon" means any place in which a fee is charged for the act of penetrating the skin to make a hole, mark, or scar, generally permanent in nature. ~~"Body piercing" does not include the use of a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both.~~

"Ear-piercing salon" means any place in which a fee is charged for the act of penetrating the ear by the aid of needles or any other instrument designed to touch or puncture the skin. "Ear-piercing salon" does not include any place in which a fee is charged for the use of a mechanized, pre-sterilized ear-piercing system.

"Tattoo parlor" means any place in which is offered or practiced the placing of designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent

coloration of the skin, including permanent make-up or permanent jewelry, by the aid of needles or any other instrument designed to touch or puncture the skin.

C. This section shall not apply to medical doctors, veterinarians, registered nurses, or any other medical services personnel licensed pursuant to Title 54.1 in *the* performance of their professional duties.

D. Localities requiring regulation of tattoo parlors ~~and piercing~~, *body-piercing* salons, *or ear-piercing salons* by ordinance shall include in such ordinance authorization for unannounced inspections by appropriate personnel of the locality.

§ 54.1-700. Definitions.

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

"Barber" means any person who shaves, shapes or trims the beard; cuts, singes, or dyes the hair or applies lotions thereto; applies, treats or massages the face, neck or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays or other preparations in connection with shaving, cutting or trimming the hair or beard, and practices barbering for compensation and when such services are not performed for the treatment of disease.

"Barbering" means any one or any combination of the following acts, when done on the human body for compensation and not for the treatment of disease, shaving, shaping and trimming the beard; cutting, singeing, or dyeing the hair or applying lotions thereto; applications, treatment or massages of the face, neck or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays, or other preparations in connection with shaving, cutting or trimming the hair or a beard. The term "barbering" shall not apply to the acts described hereinabove when performed by any person in his home if such service is not offered to the public.

"Barber instructor" means any person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of barbering.

"Barbershop" means any establishment or place of business within which the practice of barbering is engaged in or carried on by one or more barbers.

"Board" means the Board for Barbers and Cosmetology.

"Body-piercer" means any person who for remuneration penetrates the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing" means the act of penetrating the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing salon" means any place in which a fee is charged for the act of penetrating the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing school" means a place or establishment licensed by the Board to accept and train students in body-piercing.

"Cosmetologist" means any person who administers cosmetic treatments; manicures or pedicures the nails of any person; arranges, dresses, curls, waves, cuts, shapes, singes, waxes, tweezes, shaves, bleaches, colors, relaxes, straightens, or performs similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances unless such acts as adjusting, combing, or brushing prestyled wigs or hairpieces do not alter the prestyled nature of the wig or hairpiece, and practices cosmetology for compensation. The term "cosmetologist" shall not include hair braiding upon human hair, or a wig or hairpiece.

"Cosmetology" includes, but is not limited to, the following practices: administering cosmetic treatments; manicuring or pedicuring the nails of any person; arranging, dressing, curling, waving, cutting, shaping, singeing, waxing, tweezing, shaving, bleaching, coloring, relaxing, straightening, or similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances, but shall not include hair braiding upon human hair, or a wig or hairpiece, or such acts as adjusting, combing, or brushing prestyled wigs or hairpieces when such acts do not alter the prestyled nature of the wig or hairpiece.

"Cosmetology instructor" means a person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of cosmetology.

"Cosmetology salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein cosmetology is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Ear-piercer" means any person who for remuneration penetrates the ear of a person to make a hole, mark, or scar, generally permanent in nature.

"Ear-piercing" means the act of penetrating the ear of a person to make a hole, mark, or scar, generally permanent in nature.

"Ear-piercing salon" means any place in which a fee is charged for the act of penetrating the ear by the aid of needles or any other instrument designed to touch or puncture the skin.

"Ear-piercing school" means a place or establishment licensed by the Board to accept and train students in ear-piercing.

"Esthetician" means a person who engages in the practice of esthetics for compensation.

"Esthetics" includes, but is not limited to, the following practices of administering cosmetic treatments to enhance or improve the appearance of the skin: cleansing, toning, performing effleurage or other related movements, stimulating, exfoliating, or performing any other similar procedure on the skin of the human body or scalp by means of cosmetic

preparations, treatments, or any nonlaser device, whether by electrical, mechanical, or manual means, for care of the skin; applying make-up or eyelashes to any person, tinting or perming eyelashes and eyebrows, and lightening hair on the body except the scalp; and removing unwanted hair from the body of any person by the use of any nonlaser device, by tweezing, or by use of chemical or mechanical means. However, "esthetics" is not a healing art and shall not include any practice, activity, or treatment that constitutes the practice of medicine, osteopathic medicine, or chiropractic. The terms "healing arts," "practice of medicine," "practice of osteopathic medicine," and "practice of chiropractic" shall mean the same as those terms are defined in § 54.1-2900.

"Esthetics instructor" means a licensed esthetician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of esthetics.

"Esthetics spa" means any commercial establishment, residence, vehicle, or other establishment, place, or event wherein esthetics is offered or practiced on a regular basis for compensation under regulations of the Board.

"Master barber" means a licensed barber who, in addition to the practice of barbering, performs waving, shaping, bleaching, relaxing, or straightening upon human hair; performs similar work on a wig or hairpiece; or performs waxing limited to the scalp.

"Master esthetician" means a licensed esthetician who, in addition to the practice of esthetics, offers to the public for compensation, without the use of laser technology, lymphatic drainage, chemical exfoliation, or microdermabrasion, and who has met such additional requirements as determined by the Board to practice lymphatic drainage, chemical exfoliation with products other than Schedules II through VI controlled substances as defined in the Drug Control Act (§ 54.1-3400 et seq.), and microdermabrasion of the epidermis.

"Nail care" means manicuring or pedicuring natural nails or performing artificial nail services.

"Nail salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein nail care is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Nail school" means a place or establishment licensed by the board to accept and train students in nail care.

"Nail technician" means any person who for compensation manicures or pedicures natural nails, or who performs artificial nail services for compensation, or any combination thereof.

"Nail technician instructor" means a licensed nail technician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of nail care.

"Physical (wax) depilatory" means the wax depilatory product or substance used to remove superfluous hair.

"School of cosmetology" means a place or establishment licensed by the Board to accept and train students and which offers a cosmetology curriculum approved by the Board.

"School of esthetics" means a place or establishment licensed by the Board to accept and train students and which offers an esthetics curriculum approved by the Board.

"Tattoo parlor" means any place in which tattooing is offered or practiced.

"Tattoo school" means a place or establishment licensed by the Board to accept and train students in tattooing.

"Tattooer" means any person who for remuneration practices tattooing.

"Tattooing" means the placing of designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin, including permanent make-up or permanent jewelry, by the aid of needles or any other instrument designed to touch or puncture the skin.

"Wax technician" means any person licensed by the Board who removes hair from the hair follicle using a physical (wax) depilatory or by tweezing.

"Wax technician instructor" means a licensed wax technician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of waxing.

"Waxing" means the temporary removal of superfluous hair from the hair follicle on any area of the human body through the use of a physical (wax) depilatory or by tweezing.

"Waxing salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein waxing is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Waxing school" means a place or establishment licensed by the Board to accept and train students in waxing.

§ 54.1-701. Exemptions.

The provisions of this chapter shall not apply to:

1. Persons authorized by the laws of the Commonwealth to practice medicine and surgery or osteopathy or chiropractic;

2. Registered nurses licensed to practice in the Commonwealth;

3. Persons employed in state or local penal or correctional institutions, rehabilitation centers, sanatoria, or institutions for care and treatment of individuals with mental illness or intellectual disability, or for care and treatment of geriatric patients, as barbers, cosmetologists, wax technicians, nail technicians, estheticians, barber instructors, cosmetology instructors, wax technician instructors, nail technician instructors, or esthetics instructors who practice only on inmates of or patients in such sanatoria or institutions;

4. Persons licensed as funeral directors or embalmers in the Commonwealth;

5. Gratuitous services as a barber, nail technician, cosmetologist, wax technician, tattooer, body-piercer, *ear-piercer,* or esthetician;

6. Students enrolled in an approved school taking a course in barbering, nail care, cosmetology, waxing, tattooing, body-piercing, *ear-piercing,* or esthetics;

7. Persons working in a cosmetology salon whose duties are expressly confined to the blow drying, arranging, dressing, curling, or cleansing of human hair;

8. Apprentices serving in a barbershop, nail salon, waxing salon, cosmetology salon, *ear-piercing salon,* or esthetics spa licensed by the Board in accordance with the Board's regulations;

9. Schools of barbering, nail care, waxing, or cosmetology in public schools; and

10. Persons whose activities are confined solely to applying make-up, including such activities that are ancillary to applying make-up.

§ 54.1-703. License required.

No person shall offer to engage in or engage in barbering, cosmetology, nail care, waxing, tattooing, body-piercing, *ear-piercing,* or esthetics without a valid license issued by the Board, except as provided in § 54.1-701.

§ 54.1-704.1. License required for barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, ear-piercing salon, and esthetics spa.

No individual or entity shall operate a barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, *ear-piercing salon,* or esthetics spa without a valid license issued by the Board.

The provisions of this section shall not apply to a licensed barber, cosmetologist, nail technician, waxing technician, tattooer, body-piercer, *ear-piercer,* or esthetician who does not have an ownership interest in a licensed barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, *ear-piercing salon,* or esthetics spa in which he is employed.

§ 54.1-704.2. License required for schools of barbering, cosmetology, nail care, waxing, tattooing, body-piercing, ear-piercing, or esthetics.

Except as provided in § 54.1-701, no person, firm, or corporation shall operate or attempt to operate a school of barbering, cosmetology, nail care, waxing, tattooing, body-piercing, *ear-piercing,* or esthetics unless licensed by the Board pursuant to its regulations.

§ 54.1-705. Inspections.

A. Inspectors and sanitarians of the State Department of Health, or an affiliated local health department, may inspect each barbershop, cosmetology salon, waxing salon, nail care salon, tattoo parlor, body-piercing salon, *ear-piercing salon,* and esthetics spa in the Commonwealth regularly. Any infractions shall be immediately reported to the Health Department and the Director of the Department of Professional and Occupational Regulation for disciplinary action.

B. The Board may inspect barbershops, barber schools, cosmetology salons and schools, waxing salons and schools, nail care salons and schools, tattoo parlors and schools, body-piercing salons and schools, *ear-piercing salons and schools,* and esthetics spas and schools for compliance with regulations promulgated by the Board.

C. The Board shall specify procedures for enforcement of compliance with the disease control and disclosure requirements of § 18.2-371.3, including unannounced inspections by appropriate personnel.

D. The Board or the Virginia Department of Health, or an affiliated local health department, may regulate the sanitary condition of the personnel, equipment, and premises of tattoo parlors ~~and~~, body-piercing salons*, and ear-piercing salons*.

§ 54.1-706. Different requirements for licensure.

A. The Board shall have the discretion to impose different requirements for licensure for the practice of barbering, cosmetology, nail care, waxing, tattooing, body-piercing, *ear-piercing,* and esthetics.

B. The Board shall issue a license to practice as a master barber in the Commonwealth to:

1. An individual who holds a valid, unexpired license as a barber issued by the Board prior to December 8, 2017; or

2. An applicant who has successfully (i) completed the educational requirements as required by the Board, (ii) completed the experience requirements as required by the Board, and (iii) passed the examination approved by the Board.

C. The Board may develop different classes of ear-piercing licenses.

§ 54.1-707. Training and apprenticeship programs; ear-piercers.

The Board shall develop specific training and apprenticeship programs for ear-piercers to ensure safety and competency.

CHAPTER 309

An Act to amend the Code of Virginia by adding a section numbered 22.1-207.9, relating to school boards; certain advanced or accelerated mathematics opportunities; policies and criteria for enrollment; data reporting.

[H 2686]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-207.9 as follows:

§ 22.1-207.9. Certain advanced or accelerated mathematics opportunities; policies and criteria for enrollment; data reporting.

A. Each school board shall develop and adopt a policy that sets forth the criteria for students in grades five through eight to be eligible to enroll in advanced or accelerated mathematics. Such policy shall, at minimum:

1. Require any student enrolled in the local school division in grades five through eight who earns a scale score on the end-of-year Standards of Learning mathematics assessment that is in the statewide, grade-level upper quartile to be automatically enrolled in advanced or accelerated mathematics during the following school year, provided that such class or course is offered and available;

2. Require that parents be afforded the opportunity to opt their child out of any automatic enrollment otherwise required pursuant to subdivision 1;

3. Establish multiple additional pathways to enrollment in advanced or accelerated mathematics such as teacher recommendations, parental recommendations, student preference, or student aptitude as demonstrated through other means of evaluation such as grades, other standardized testing, portfolios, or observation; and

4. Require that the parents of each student in grades five through eight be annually notified of (i) the criteria and process for enrollment in advanced or accelerated mathematics, including automatic enrollment and parental opt-out, as set forth in the policy; (ii) the importance of middle school mathematics coursework; (iii) the impact of middle school mathematics coursework on the high school mathematics coursework sequence; and (iv) the mathematics courses available within the school division.

B. Each school board shall annually collect and submit to the Department:

1. Division-wide data, data by school, and data by grade level, disaggregated by student subgroup based on gender, race, family income, special education status, English language learner status, and gifted status, on (i) the number and percentage of students in grades five through eight who earned a scale score in the upper quartile on the end-of-year Standards of Learning mathematics assessment and who enrolled in advanced or accelerated mathematics in the following school year, (ii) the number and percentage of students in grades five through eight who earned a scale score in the upper quartile on the end-of-year Standards of Learning mathematics assessment but whose parents exercised the option to exclude the student from advanced or accelerated mathematics in the following school year, and (iii) the number and percentage of students in grades five through eight who did not earn a scale score in the upper quartile on the end-of-year Standards of Learning mathematics assessment but who enrolled in advanced or accelerated mathematics in the following school year; and

2. The end-of-year Standards of Learning mathematics assessment scale score earned in the following school year by each student described in subdivision 1.

C. The Department shall post publicly in an easily accessible location and format on its website all data received pursuant to subsection B.

CHAPTER 310

An Act for the relief of Keshawn Clarence Duffy, relating to claims; compensation for wrongful incarceration.

[H 2691]

Approved March 21, 2025

Whereas, Keshawn Clarence Duffy (Mr. Duffy) was convicted in 2019 in the Circuit Court of the City of Hampton of two counts of the felony offense of forcible sodomy with A.R., the minor son of his then-girlfriend, a crime that he did not commit; and

Whereas, Mr. Duffy was sentenced to life without parole on March 22, 2019; and

Whereas, Mr. Duffy served approximately five years in the custody of the Virginia Department of Corrections; and

Whereas, A.R. testified at Mr. Duffy's trial that Mr. Duffy sexually abused him on multiple occasions; and

Whereas, A.R. recanted his testimony in June 2020; and

Whereas, Mr. Duffy began pursuing exoneration at that time; and

Whereas, Mr. Duffy pursued a writ of actual innocence in the Virginia Court of Appeals on February 8, 2023; and

Whereas, the Virginia Court of Appeals granted Mr. Duffy's petition and issued a writ of actual innocence, vacating his convictions on May 21, 2024, pursuant to Chapter 19.3 (§ 19.2-327.10 et seq.) of Title 19.2 of the Code of Virginia; and

Whereas, Mr. Duffy, as a result of his wrongful incarceration, lost five years of his freedom and countless life experiences and opportunities, including family relations, the opportunity to further his education, and the opportunity to earn potential income from gainful employment during the time of his incarceration; and

Whereas, Mr. Duffy has no other means to obtain adequate relief except by action of this body; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That there is hereby appropriated from the general fund of the state treasury the sum of an amount to be provided in the appropriation act for the relief of Keshawn Clarence Duffy, to be paid by check issued by the State Treasurer on warrant of the Comptroller in accordance with the provisions of Article 18.2 (§ 8.01-195.10 et. seq.) of Chapter 3 of Title 8.01 of the Code of Virginia.*

2. That the provisions of § 8.01-195.12 of the Code of Virginia shall apply to any compensation awarded under this act.

CHAPTER 311

An Act to amend and reenact § 58.1-344.3 of the Code of Virginia, relating to voluntary contributions of refunds requirements; endowment fund of the Board for the Blind and Vision Impaired.

[H 2696]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-344.3 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-344.3. Voluntary contributions of refunds requirements.

A. 1. For taxable years beginning on and after January 1, 2005, all entities entitled to voluntary contributions of tax refunds listed in subsections B and C must have received at least $10,000 in contributions in each of the three previous taxable years for which there is complete data and in which such entity was listed on the individual income tax return.

2. In the event that an entity listed in subsections B and C does not satisfy the requirement in subdivision 1, such entity shall no longer be listed on the individual income tax return.

3. a. The entities listed in subdivisions B 21 and B 22 as well as any other entities in subsections B and C added subsequent to the 2004 Session of the General Assembly shall not appear on the individual income tax return until their addition to the individual income tax return results in a maximum of 25 contributions listed on the return. Such contributions shall be added in the order that they are listed in subsections B and C.

b. Each entity added to the income tax return shall appear on the return for at least three consecutive taxable years before the requirement in subdivision 1 is applied to such entity.

4. The Department of Taxation shall report annually by the first day of each General Assembly Regular Session to the Chairmen of the House Committee on Finance and Senate Committee on Finance and Appropriations the amounts collected for each entity listed under subsections B and C for the three most recent taxable years for which there is complete data. Such report shall also identify the entities, if any, that will be removed from the individual income tax return because they have failed the requirements in subdivision 1, the entities that will remain on the individual income tax return, and the entities, if any, that will be added to the individual income tax return.

B. Subject to the provisions of subsection A, the following entities entitled to voluntary contributions shall appear on the individual income tax return and are eligible to receive tax refund contributions of not less than $1:

1. Nongame wildlife voluntary contribution.

a. All moneys contributed shall be used for the conservation and management of endangered species and other nongame wildlife. "Nongame wildlife" includes protected wildlife, endangered and threatened wildlife, aquatic wildlife, specialized habitat wildlife both terrestrial and aquatic, and mollusks, crustaceans, and other invertebrates under the jurisdiction of the Board of Wildlife Resources.

b. All moneys shall be deposited into a special fund known as the Game Protection Fund and which shall be accounted for as a separate part thereof to be designated as the Nongame Cash Fund. All moneys so deposited in the Nongame Cash Fund shall be used by the Board of Wildlife Resources for the purposes set forth herein.

2. Open space recreation and conservation voluntary contribution.

a. All moneys contributed shall be used by the Department of Conservation and Recreation to acquire land for recreational purposes and preserve natural areas; to develop, maintain, and improve state park sites and facilities; and to provide funds to local public bodies pursuant to the Virginia Outdoor Fund Grants Program.

b. All moneys shall be deposited into a special fund known as the Open Space Recreation and Conservation Fund. The moneys in the fund shall be allocated one-half to the Department of Conservation and Recreation for the purposes stated in subdivision 2 a and one-half to local public bodies pursuant to the Virginia Outdoor Fund Grants Program.

3. Voluntary contribution to political party.

All moneys contributed shall be paid to the State Central Committee of any party that meets the definition of a political party under § 24.2-101 as of July 1 of the previous taxable year. The maximum contribution allowable under this subdivision shall be $25. In the case of a joint return of married individuals, each spouse may designate that the maximum contribution allowable be paid.

4. United States Olympic Committee voluntary contribution.

All moneys contributed shall be paid to the United States Olympic Committee.

5. Housing program voluntary contribution.

a. All moneys contributed shall be used by the Department of Housing and Community Development to provide assistance for emergency, transitional, and permanent housing for the homeless; and to provide assistance to housing for the low-income elderly for the physically or mentally disabled.

b. All moneys shall be deposited into a special fund known as the Virginia Tax Check-off for Housing Fund. All moneys deposited in the fund shall be used by the Department of Housing and Community Development for the purposes set forth in this subdivision. Funds made available to the Virginia Tax Check-off for Housing Fund may supplement but shall not supplant activities of the Virginia Housing Trust Fund established pursuant to Chapter 9 (§ 36-141 et seq.) of Title 36 or those of the Virginia Housing Development Authority.

6. Voluntary contributions to the Department for Aging and Rehabilitative Services.

a. All moneys contributed shall be used by the Department for Aging and Rehabilitative Services for the enhancement of transportation services for the elderly and disabled.

b. All moneys shall be deposited into a special fund known as the Transportation Services for the Elderly and Disabled Fund. All moneys so deposited in the fund shall be used by the Department for Aging and Rehabilitative Services for the enhancement of transportation services for the elderly and disabled. The Department for Aging and Rehabilitative Services shall conduct an annual audit of the moneys received pursuant to this subdivision and shall provide an evaluation of all programs funded pursuant to this subdivision annually to the Secretary of Health and Human Resources.

7. Voluntary contribution to the Community Policing Fund.

a. All moneys contributed shall be used to provide grants to local law-enforcement agencies for the purchase of equipment or the support of services, as approved by the Criminal Justice Services Board, relating to community policing.

b. All moneys shall be deposited into a special fund known as the Community Policing Fund. All moneys deposited in such fund shall be used by the Department of Criminal Justices Services for the purposes set forth herein.

8. Voluntary contribution to promote the arts.

All moneys contributed shall be used by the Virginia Commission for the Arts in its statutory responsibility of promoting the arts in the Commonwealth. All moneys shall be deposited into a special fund known as the Virginia Commission for the Arts Fund.

9. Voluntary contribution to the Historic Resources Fund.

All moneys contributed shall be deposited in the Historic Resources Fund established pursuant to § 10.1-2202.1.

10. Voluntary contribution to the Virginia Foundation for the Humanities and Public Policy.

All moneys contributed shall be paid to the Virginia Foundation for the Humanities and Public Policy. All moneys shall be deposited into a special fund known as the Virginia Humanities Fund.

11. Voluntary contribution to the Center for Governmental Studies.

All moneys contributed shall be paid to the Center for Governmental Studies, a public service and research center of the University of Virginia. All moneys shall be deposited into a special fund known as the Governmental Studies Fund.

12. Voluntary contribution to the Law and Economics Center.

All moneys contributed shall be paid to the Law and Economics Center, a public service and research center of George Mason University. All moneys shall be deposited into a special fund known as the Law and Economics Fund.

13. Voluntary contribution to Children of America Finding Hope.

All moneys contributed shall be used by Children of America Finding Hope (CAFH) in its programs which are designed to reach children with emotional and physical needs.

14. Voluntary contribution to 4-H Educational Centers.

All moneys contributed shall be used by the 4-H Educational Centers throughout the Commonwealth for their (i) educational, leadership, and camping programs and (ii) operational and capital costs. The State Treasurer shall pay the moneys to the Virginia 4-H Foundation in Blacksburg, Virginia.

15. Voluntary contribution to promote organ and tissue donation.

a. All moneys contributed shall be used by the Virginia Transplant Council to assist in its statutory responsibility of promoting and coordinating educational and informational activities as related to the organ, tissue, and eye donation process and transplantation in the Commonwealth of Virginia.

b. All moneys shall be deposited into a special fund known as the Virginia Donor Registry and Public Awareness Fund. All moneys deposited in such fund shall be used by the Virginia Transplant Council for the purposes set forth herein.

16. Voluntary contributions to the Virginia War Memorial division of the Department of Veterans Services and the National D-Day Memorial Foundation.

All moneys contributed shall be used by the Virginia War Memorial division of the Department of Veterans Services and the National D-Day Memorial Foundation in their work through each of their respective memorials. The State Treasurer shall divide the moneys into two equal portions and pay one portion to the Virginia War Memorial division of the Department of Veterans Services and the other portion to the National D-Day Memorial Foundation.

17. Voluntary contribution to the Virginia Federation of Humane Societies.

All moneys contributed shall be paid to the Virginia Federation of Humane Societies to assist in its mission of saving, caring for, and finding homes for homeless animals.

18. Voluntary contribution to the Tuition Assistance Grant Fund.

a. All moneys contributed shall be paid to the Tuition Assistance Grant Fund for use in providing monetary assistance to residents of the Commonwealth who are enrolled in undergraduate or graduate programs in private Virginia colleges.

b. All moneys shall be deposited into a special fund known as the Tuition Assistance Grant Fund. All moneys so deposited in the Fund shall be administered by the State Council of Higher Education for Virginia in accordance with and for the purposes provided under the Tuition Assistance Grant Act (§ 23.1-628 et seq.).

19. Voluntary contribution to the Spay and Neuter Fund.

All moneys contributed shall be paid to the Spay and Neuter Fund for use by localities in the Commonwealth for providing low-cost spay and neuter surgeries through direct provision or contract or each locality may make the funds available to any private, nonprofit sterilization program for dogs and cats in such locality. The Tax Commissioner shall determine annually the total amounts designated on all returns from each locality in the Commonwealth, based upon the

locality that each filer who makes a voluntary contribution to the Fund lists as his permanent address. The State Treasurer shall pay the appropriate amount to each respective locality.

20. Voluntary contribution to the Virginia Commission for the Arts.

All moneys contributed shall be paid to the Virginia Commission for the Arts.

21. Voluntary contribution for the Department of Emergency Management.

All moneys contributed shall be paid to the Department of Emergency Management.

22. Voluntary contribution for the cancer centers in the Commonwealth.

All moneys contributed shall be paid equally to all entities in the Commonwealth that officially have been designated as cancer centers by the National Cancer Institute.

23. Voluntary contribution to the Brown v. Board of Education Scholarship Program Fund.

a. All moneys contributed shall be paid to the Brown v. Board of Education Scholarship Program Fund to support the work of and generate nonstate funds to maintain the Brown v. Board of Education Scholarship Program.

b. All moneys shall be deposited into the Brown v. Board of Education Scholarship Program Fund as established in § 30-231.4.

c. All moneys so deposited in the Fund shall be administered by the State Council of Higher Education in accordance with and for the purposes provided in Chapter 34.1 (§ 30-231.01 et seq.) of Title 30.

24. Voluntary contribution to the Martin Luther King, Jr. Living History and Public Policy Center.

All moneys contributed shall be paid to the Board of Trustees of the Martin Luther King, Jr. Living History and Public Policy Center.

25. Voluntary contribution to the Virginia Caregivers Grant Fund.

All moneys contributed shall be paid to the Virginia Caregivers Grant Fund established pursuant to § 63.2-2202.

26. Voluntary contribution to public library foundations.

All moneys contributed pursuant to this subdivision shall be deposited into the state treasury. The Tax Commissioner shall determine annually the total amounts designated on all returns for each public library foundation and shall report the same to the State Treasurer. The State Treasurer shall pay the appropriate amount to the respective public library foundation.

27. Voluntary contribution to Celebrating Special Children, Inc.

All moneys contributed shall be paid to Celebrating Special Children, Inc. and shall be deposited into a special fund known as the Celebrating Special Children, Inc. Fund.

28. Voluntary contributions to the Department for Aging and Rehabilitative Services.

a. All moneys contributed shall be used by the Department for Aging and Rehabilitative Services for providing Medicare Part D counseling to the elderly and disabled.

b. All moneys shall be deposited into a special fund known as the Medicare Part D Counseling Fund. All moneys so deposited shall be used by the Department for Aging and Rehabilitative Services to provide counseling for the elderly and disabled concerning Medicare Part D. The Department for Aging and Rehabilitative Services shall conduct an annual audit of the moneys received pursuant to this subdivision and shall provide an evaluation of all programs funded pursuant to the subdivision to the Secretary of Health and Human Resources.

29. Voluntary contribution to community foundations.

All moneys contributed pursuant to this subdivision shall be deposited into the state treasury. The Tax Commissioner shall determine annually the total amounts designated on all returns for each community foundation and shall report the same to the State Treasurer. The State Treasurer shall pay the appropriate amount to the respective community foundation. A "community foundation" shall be defined as any institution that meets the membership requirements for a community foundation established by the Council on Foundations.

30. Voluntary contribution to the Virginia Foundation for Community College Education.

a. All moneys contributed shall be paid to the Virginia Foundation for Community College Education for use in providing monetary assistance to Virginia residents who are enrolled in comprehensive community colleges in Virginia.

b. All moneys shall be deposited into a special fund known as the Virginia Foundation for Community College Education Fund. All moneys so deposited in the Fund shall be administered by the Virginia Foundation for Community College Education in accordance with and for the purposes provided under the Community College Incentive Scholarship Program (former § 23-220.2 et seq.).

31. Voluntary contribution to the Middle Peninsula Chesapeake Bay Public Access Authority.

All moneys contributed shall be paid to the Middle Peninsula Chesapeake Bay Public Access Authority to be used for the purposes described in § 15.2-6601.

32. Voluntary contribution to the Breast and Cervical Cancer Prevention and Treatment Fund.

All moneys contributed shall be paid to the Breast and Cervical Cancer Prevention and Treatment Fund established pursuant to § 32.1-368.

33. Voluntary contribution to the Virginia Aquarium and Marine Science Center.

All moneys contributed shall be paid to the Virginia Aquarium and Marine Science Center for use in its mission to increase the public's knowledge and appreciation of Virginia's marine environment and inspire commitment to preserve its existence.

34. Voluntary contribution to the Virginia Capitol Preservation Foundation.

All moneys contributed shall be paid to the Virginia Capitol Preservation Foundation for use in its mission in supporting the ongoing restoration, preservation, and interpretation of the Virginia Capitol and Capitol Square.

35. Voluntary contribution for the Secretary of Veterans and Defense Affairs.

All moneys contributed shall be paid to the Office of the Secretary of Veterans and Defense Affairs for related programs and services.

C. Subject to the provisions of subsection A, the following voluntary contributions shall appear on the individual income tax return and are eligible to receive tax refund contributions or by making payment to the Department if the individual is not eligible to receive a tax refund pursuant to § 58.1-309 or if the amount of such tax refund is less than the amount of the voluntary contribution:

1. Voluntary contribution to the Family and Children's Trust Fund of Virginia.

All moneys contributed shall be paid to the Family and Children's Trust Fund of Virginia.

2. Voluntary Chesapeake Bay restoration contribution.

a. All moneys contributed shall be used to help fund Chesapeake Bay and its tributaries restoration activities in accordance with tributary plans developed pursuant to Article 7 (§ 2.2-215 et seq.) of Chapter 2 of Title 2.2 or the Chesapeake Bay Watershed Implementation Plan submitted by the Commonwealth of Virginia to the U.S. Environmental Protection Agency on November 29, 2010, and any subsequent revisions thereof.

b. The Tax Commissioner shall annually determine the total amount of voluntary contributions and shall report the same to the State Treasurer, who shall credit that amount to a special nonreverting fund to be administered by the Office of the Secretary of Natural and Historic Resources. All moneys so deposited shall be used for the purposes of providing grants for the implementation of tributary plans developed pursuant to Article 7 (§ 2.2-215 et seq.) of Chapter 2 of Title 2.2 or the Chesapeake Bay Watershed Implementation Plan submitted by the Commonwealth of Virginia to the U.S. Environmental Protection Agency on November 29, 2010, and any subsequent revisions thereof.

c. No later than November 1 of each year, the Secretary of Natural and Historic Resources shall submit a report to the House Committee on Agriculture, Chesapeake and Natural Resources; the Senate Committee on Agriculture, Conservation and Natural Resources; the House Committee on Appropriations; the Senate Committee on Finance and Appropriations; and the Virginia delegation to the Chesapeake Bay Commission, describing the grants awarded from moneys deposited in the fund. The report shall include a list of grant recipients, a description of the purpose of each grant, the amount received by each grant recipient, and an assessment of activities or initiatives supported by each grant. The report shall be posted on a website maintained by the Secretary of Natural and Historic Resources, along with a cumulative listing of previous grant awards beginning with awards granted on or after July 1, 2014.

3. Voluntary Jamestown-Yorktown Foundation Contribution.

All moneys contributed shall be used by the Jamestown-Yorktown Foundation for the Jamestown 2007 quadricentennial celebration. All moneys shall be deposited into a special fund known as the Jamestown Quadricentennial Fund. This subdivision shall be effective for taxable years beginning before January 1, 2008.

4. State forests voluntary contribution.

a. All moneys contributed shall be used for the development and implementation of conservation and education initiatives in the state forests system.

b. All moneys shall be deposited into a special fund known as the State Forests System Fund, established pursuant to § 10.1-1119.1. All moneys so deposited in such fund shall be used by the State Forester for the purposes set forth herein.

5. Voluntary contributions to Uninsured Medical Catastrophe Fund.

All moneys contributed shall be paid to the Uninsured Medical Catastrophe Fund established pursuant to § 32.1-324.2, such funds to be used for the treatment of Virginians sustaining uninsured medical catastrophes.

6. Voluntary contribution to local school divisions.

a. All moneys contributed shall be used by a specified local public school foundation as created by and for the purposes stated in § 22.1-212.2:2.

b. All moneys collected pursuant to subdivision 6 a or through voluntary payments by taxpayers designated for a local public school foundation over refundable amounts shall be deposited into the state treasury. The Tax Commissioner shall determine annually the total amounts designated on all returns for each public school foundation and shall report the same to the State Treasurer. The State Treasurer shall pay the appropriate amount to the respective public school foundation.

c. In order for a public school foundation to be eligible to receive contributions under this section, school boards must notify the Department during the taxable year in which they want to participate prior to the deadlines and according to procedures established by the Tax Commissioner.

7. Voluntary contribution to Home Energy Assistance Fund.

All moneys contributed shall be paid to the Home Energy Assistance Fund established pursuant to § 63.2-805, such funds to be used to assist low-income Virginians in meeting seasonal residential energy needs.

8. Voluntary contribution to the Virginia Military Family Relief Fund.

a. All moneys contributed shall be paid to the Virginia Military Family Relief Fund for use in providing assistance to military service personnel on active duty and their families for living expenses including, but not limited to, food, housing, utilities, and medical services.

b. All moneys shall be deposited into a special fund known as the Virginia Military Family Relief Fund, established and administered pursuant to § 44-102.2.

9. Voluntary contribution to the Federation of Virginia Food Banks.

All moneys contributed shall be paid to the Federation of Virginia Food Banks, a Partner State Association of Feeding America. The Federation of Virginia Food Banks shall as soon as practicable make an equitable distribution of all such moneys to the Blue Ridge Area Food Bank, Capital Area Food Bank, Feeding America Southwest Virginia, FeedMore, Inc., Foodbank of Southeastern Virginia and the Eastern Shore, Fredericksburg Area Food Bank, or Virginia Peninsula Foodbank.

The Secretary of Finance may request records or receipts of all distributions by the Federation of Virginia Food Banks of such moneys contributed for purposes of ensuring compliance with the requirements of this subdivision.

10. Voluntary contribution to the endowment fund of the Board for the Blind and Vision Impaired.

All moneys contributed shall be paid to the endowment fund of the Board for use in its mission in providing quality services to assist citizens of the Commonwealth who are blind, vision impaired, or deafblind in achieving their desired level of employment, education, and personal independence.

D. Unless otherwise specified and subject to the requirements in § 58.1-344.2, all moneys collected for each entity in subsections B and C shall be deposited into the state treasury. The Tax Commissioner shall determine annually the total amount designated for each entity in subsections B and C on all individual income tax returns and shall report the same to the State Treasurer, who shall credit that amount to each entity's respective special fund.

CHAPTER 312

An Act to permit certain flexibility in certain local school divisions relating to student transportation.

[H 2720]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. Any school board that governs a school division with a total fall membership enrollment of fewer than 4,500 students may, notwithstanding any other provision of law to the contrary:*

1. Enter into agreements with school boards of contiguous school divisions or comprehensive community colleges to provide student transportation to and from such schools, programs providing dual enrollment for secondary school students at comprehensive community colleges, career and technical education programs, joint and regional schools established pursuant to § 22.1-26 of the Code of Virginia, college partnership laboratory schools established pursuant to § 22.1-349.3 of the Code of Virginia, and school field trips under such terms and conditions as the local school boards deem appropriate and responsible. Such terms may include arrangements relating to cost-sharing, fees, insurance, and liability;

2. Provide or contract with a privately owned and operated entity to provide, for the purpose of transporting students to and from school on a regularly scheduled basis, a vehicle (i) designed to carry between 11 and 15 passengers, provided that such vehicle meets the federal standards set forth in 49 C.F.R. Part 571 for vehicles approved for transporting students to and from school or school-related activities; (ii) designed as a Type A school bus, Type B school bus, or Type C school bus as defined by Board of Education regulations; or (iii) designed for nine passengers or fewer. Any vehicle provided or contracted for the purpose of student transportation under this subdivision shall comply with any applicable state and federal laws and regulations and shall be subject to routine, scheduled inspections and random inspections, as determined by the Department of State Police; or

3. After holding at least one public hearing, adopt a resolution to utilize specialized management companies, transportation network companies, alternative transportation providers, public transportation, carpool coordination services, or private companies to supplement traditional school bus services in order to enhance quality and efficiency.

§ 2. Any entity with which any school board contracts or that any school board utilizes for the purpose of providing or supplementing traditional student transportation services pursuant to subdivision 2 or 3 of § 1 shall be required to meet and comply with any state and federal laws and regulations applicable to traditional student transportation services, including (i) any standards and requirements relating to school bus operator training, hiring, and employment, including any applicable criminal records or background check requirements; (ii) minimum insurance coverage requirements for any vehicles provided or utilized for such purposes; (iii) requirements relating to liability of the school board in the event of any accident, injury, or property damage resulting from the operation of any such vehicle for student transportation purposes; and (iv) any other applicable standards or requirements set forth in law or regulation relating to student transportation safety.

§ 3. Any local school board that chooses to provide for the transportation of students pursuant to § 1 of this act shall report annually to the Department of Education on data relating to student transportation for the local school division for the preceding school year, including information relating to route counts, the number of scheduled students receiving school transportation in the school division, the percentage of students in the school division utilizing school transportation, and the cost of providing such transportation per mile.

§ 4. The Department of Education shall exclude from the re-benchmarking process any additional expenditures relating to school divisions that implement the pilot program in accordance with the provisions of this act when adjusted for inflation.

2. That the provisions of this act shall expire on July 1, 2027.

CHAPTER 313

An Act to amend and reenact § 2.2-2001.2 of the Code of Virginia, relating to Virginia Values Veterans Program; military spouse eligibility.

[H 2736]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2001.2 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-2001.2. Initiatives to reduce unemployment among veterans and military spouses; comprehensive transition program.

A. The Department shall develop a comprehensive program to reduce unemployment among veterans *and military spouses* by assisting businesses to attract, hire, train, and retain veterans *and military spouses*. Such program shall promote strategies for connecting employers to qualified veterans *and military spouses* and include (i) a workforce assessment and training program for participating employers and (ii) a certification process for participating employers with the objective of setting measurable goals for hiring and retaining veterans *and military spouses*.

B. All agencies in the executive branch of state government and all public institutions of higher education shall, to the maximum extent possible, be certified in accordance with this section. Such agencies and institutions may request a certification waiver from the Governor if they can demonstrate that (i) the certification is in conflict with the organization's operating directives or (ii) they have in place an alternative program that meets the requirements of this section.

C. The Department shall take steps to promote awareness among veterans of the acceptance by the regulatory boards within the Department of Professional and Occupational Regulation, the Department of Health Professions, or any board named in Title 54.1 pursuant to § 54.1-118 of the military training, education, or experience of a service member honorably discharged from active military service in the Armed Forces of the United States, to the extent that such training, education, or experience is substantially equivalent to the requirements established by law and regulations of the respective board for the issuance of any license, permit, certificate, or other document, however styled or denominated, required for the practice of any business, profession, or occupation in the Commonwealth.

D. The Department shall develop a comprehensive program to assist military service members, veterans, and their spouses in making a successful transition from military to civilian life in Virginia. The program shall promote strategies and services for connecting transitioning service members, veterans, and *their* spouses to local, regional, state, and federal employment resources in Virginia, including (i) skills and workforce assessments and (ii) internship and apprenticeship programs. Such program shall prioritize assistance to military service members, veterans, and their spouses who (a) have not sought services under any program authorized under the federal Wagner-Peyser Act, 29 U.S.C. § 49 et seq., and available through the Virginia Employment Commission and (b) are not eligible for job counseling, training, and placement services for veterans and spouses under 38 U.S.C. § 4101 et seq.

CHAPTER 314

An Act to amend and reenact § 38.2-3412.1 of the Code of Virginia, relating to health insurance; coverage for mental health and substance abuse disorders; generally accepted standards of care.

[H 2738]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-3412.1 of the Code of Virginia is amended and reenacted as follows:

§ 38.2-3412.1. Coverage for mental health and substance use disorders.

A. As used in this section:

"Adult" means any person who is 19 years of age or older.

"Alcohol or drug rehabilitation facility" means a facility in which a state-approved program for the treatment of alcoholism or drug addiction is provided. The facility shall be either (i) licensed by the State Board of Health pursuant to Chapter 5 (§ 32.1-123 et seq.) of Title 32.1 or by the Department of Behavioral Health and Developmental Services pursuant to Article 2 (§ 37.2-403 et seq.) of Chapter 4 of Title 37.2 or (ii) a state agency or institution.

"Child or adolescent" means any person under the age of 19 years.

"Crisis receiving center" means a community-based facility licensed by the Department of Behavioral Health and Developmental Services to provide short-term assessment, observation, and crisis stabilization services.

"Generally accepted standards of mental health or substance use disorder care" means evidence-based independent standards of care and clinical practice that are generally recognized by health care providers practicing in relevant clinical specialties including child and adolescent psychiatry, adult psychiatry, psychology, clinical sociology, addiction medicine and counseling, and behavioral health treatment. Sources reflecting "generally accepted standards of mental health or substance use disorder care" include peer-reviewed scientific studies and medical literature, consensus guidelines and recommendations of nonprofit health care provider professional associations and specialty societies, and nationally

recognized clinical practice guidelines, including patient placement criteria, service intensity assessment instruments, clinical practice guidelines, guidelines and recommendations of federal government agencies, and drug labeling approved by the U.S. Food and Drug Administration. Nothing in this section shall supersede the standard of care as set forth in § 8.01-581.20.

"Inpatient treatment" means mental health or substance abuse services delivered on a 24-hour per day basis in a hospital, alcohol or drug rehabilitation facility, an intermediate care facility or an inpatient unit of a mental health treatment center.

"Intermediate care facility" means a licensed, residential public or private facility that is not a hospital and that is operated primarily for the purpose of providing a continuous, structured 24-hour per day, state-approved program of inpatient substance abuse services.

"Medically necessary" means, with respect to the treatment of a mental health or substance use disorder, a service or product addressing the specific needs of a patient for the purpose of screening, preventing, diagnosing, managing, or treating such disorder, including minimizing the progression of such disorder, in a manner that is in accordance with generally accepted standards of mental health or substance use disorder care; clinically appropriate in terms of type, frequency, extent, site, and duration; and not defined primarily for the economic benefit of an insurer or purchaser or for the convenience of the patient, treating physician, or other health care provider.

"Medication management visit" means a visit no more than 20 minutes in length with a licensed physician or other licensed health care provider with prescriptive authority for the sole purpose of monitoring and adjusting medications prescribed for mental health or substance abuse treatment.

"Mental health services" or "mental health benefits" means benefits with respect to items or services for mental health conditions as defined under the terms of the health benefit plan. Any condition defined by the health benefit plan as being or as not being a mental health condition shall be defined to be consistent with generally recognized independent standards of current medical practice.

"Mental health treatment center" means a treatment facility organized to provide care and treatment for mental illness through multiple modalities or techniques pursuant to a written plan approved and monitored by a physician, clinical psychologist, or a psychologist licensed to practice in this Commonwealth. The facility shall be (i) licensed by the Commonwealth, (ii) funded or eligible for funding under federal or state law, or (iii) affiliated with a hospital under a contractual agreement with an established system for patient referral.

"Mobile crisis response services" means services licensed by the Department of Behavioral Health and Developmental Services to provide for rapid response to, assessment of, and early intervention for individuals experiencing an acute mental health crisis that are deployed at the location of the individual.

"Network adequacy" means access to services by measure of distance, time, and average length of referral to scheduled visit.

"Outpatient treatment" means mental health or substance abuse treatment services rendered to a person as an individual or part of a group while not confined as an inpatient. Such treatment shall not include services delivered through a partial hospitalization or intensive outpatient program as defined herein.

"Partial hospitalization" means a licensed or approved day or evening treatment program that includes the major diagnostic, medical, psychiatric and psychosocial rehabilitation treatment modalities designed for patients with mental, emotional, or nervous disorders, and alcohol or other drug dependence who require coordinated, intensive, comprehensive and multi-disciplinary treatment. Such a program shall provide treatment over a period of six or more continuous hours per day to individuals or groups of individuals who are not admitted as inpatients. Such term shall also include intensive outpatient programs for the treatment of alcohol or other drug dependence which provide treatment over a period of three or more continuous hours per day to individuals or groups of individuals who are not admitted as inpatients.

"Residential crisis stabilization unit" means a community-based, short-term residential program licensed by the Department of Behavioral Health and Developmental Services to provide short-term assessment, observation, support, and crisis stabilization for individuals who are experiencing an acute mental health crisis.

"Substance abuse services" or "substance use disorder benefits" means benefits with respect to items or services for substance use disorders as defined under the terms of the health benefit plan. Any disorder defined by the health benefit plan as being or as not being a substance use disorder shall be defined to be consistent with generally recognized independent standards of current medical practice.

"Treatment" means services including diagnostic evaluation, medical, psychiatric and psychological care, and psychotherapy for mental, emotional or nervous disorders or alcohol or other drug dependence rendered by a hospital, alcohol or drug rehabilitation facility, intermediate care facility, mental health treatment center, a physician, psychologist, clinical psychologist, licensed clinical social worker, licensed professional counselor, licensed substance abuse treatment practitioner, licensed marriage and family therapist or clinical nurse specialist. Treatment for physiological or psychological dependence on alcohol or other drugs shall also include the services of counseling and rehabilitation as well as services rendered by a state certified alcoholism, drug, or substance abuse counselor or substance abuse counseling assistant, limited to the scope of practice set forth in § 54.1-3507.1 or 54.1-3507.2, respectively, employed by a facility or program licensed to provide such treatment.

B. Except as provided in subsections C and D, group and individual health insurance coverage, as defined in § 38.2-3431, shall provide coverage for mental health and substance use disorder benefits *for children, adolescents, and*

adults. Such benefits shall be in parity with the medical and surgical benefits contained in the coverage in accordance with the federal Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA), P.L. 110-343, even where those requirements would not otherwise apply directly*, and shall apply the definitions of "generally accepted standards of mental health or substance use disorder care" and "medically necessary" provided in subsection A for any determination of medical necessity, prior authorization, or utilization review under such coverage. In conducting utilization review involving decisions within the scope of generally accepted standards of mental health or substance use disorder care, no insurer providing such coverage shall apply criteria that are different from, additional to, conflicting with, or more restrictive than the criteria set forth in such generally accepted standards*. Coverage required under this subsection shall include mobile crisis response services and support and stabilization services provided in a residential crisis stabilization unit or crisis receiving center to the extent that such services are covered in other settings or modalities, regardless of any difference in billing codes.

C. Any grandfathered plan as defined in § 38.2-3438 in the small group market shall either continue to provide benefits in accordance with subsection B or continue to provide coverage for inpatient and partial hospitalization mental health and substance abuse services as follows:

1. Treatment for an adult as an inpatient at a hospital, inpatient unit of a mental health treatment center, alcohol or drug rehabilitation facility or intermediate care facility for a minimum period of 20 days per policy or contract year.

2. Treatment for a child or adolescent as an inpatient at a hospital, inpatient unit of a mental health treatment center, alcohol or drug rehabilitation facility or intermediate care facility for a minimum period of 25 days per policy or contract year.

3. Up to 10 days of the inpatient benefit set forth in subdivisions 1 and 2 of this subsection may be converted when medically necessary at the option of the person or the parent, as defined in § 16.1-336, of a child or adolescent receiving such treatment to a partial hospitalization benefit applying a formula which shall be no less favorable than an exchange of 1.5 days of partial hospitalization coverage for each inpatient day of coverage. An insurance policy or subscription contract described herein that provides inpatient benefits in excess of 20 days per policy or contract year for adults or 25 days per policy or contract year for a child or adolescent may provide for the conversion of such excess days on the terms set forth in this subdivision.

4. The limits of the benefits set forth in this subsection shall not be more restrictive than for any other illness, except that the benefits may be limited as set out in this subsection.

5. This subsection shall not apply to any excepted benefits policy as defined in § 38.2-3431, nor to policies or contracts designed for issuance to persons eligible for coverage under Title XVIII of the Social Security Act, known as Medicare, or any other similar coverage under state or federal governmental plans.

D. Any grandfathered plan as defined in § 38.2-3438 in the small group market shall also either continue to provide benefits in accordance with subsection B or continue to provide coverage for outpatient mental health and substance abuse services as follows:

1. A minimum of 20 visits for outpatient treatment of an adult, child or adolescent shall be provided in each policy or contract year.

2. The limits of the benefits set forth in this subsection shall be no more restrictive than the limits of benefits applicable to physical illness; however, the coinsurance factor applicable to any outpatient visit beyond the first five of such visits covered in any policy or contract year shall be at least 50 percent.

3. For the purpose of this section, medication management visits shall be covered in the same manner as a medication management visit for the treatment of physical illness and shall not be counted as an outpatient treatment visit in the calculation of the benefit set forth herein.

4. For the purpose of this subsection, if all covered expenses for a visit for outpatient mental health or substance abuse treatment apply toward any deductible required by a policy or contract, such visit shall not count toward the outpatient visit benefit maximum set forth in the policy or contract.

5. This subsection shall not apply to any excepted benefits policy as defined in § 38.2-3431, nor to policies or contracts designed for issuance to persons eligible for coverage under Title XVIII of the Social Security Act, known as Medicare, or any other similar coverage under state or federal governmental plans.

E. The requirements of this section shall apply to all insurance policies and subscription contracts delivered, issued for delivery, reissued, renewed, or extended, or at any time when any term of the policy or contract is changed or any premium adjustment made.

F. The provisions of this section shall not apply in any instance in which the provisions of this section are inconsistent or in conflict with a provision of Article 6 (§ 38.2-3438 et seq.) of Chapter 34.

G. The Bureau of Insurance, in consultation with health carriers providing coverage for mental health and substance use disorder benefits pursuant to this section, shall develop reporting requirements regarding denied claims, complaints, appeals, and network adequacy involving such coverage set forth in this section. By November 1 of each year, the Bureau shall compile the information for the preceding year into a report that ensures the confidentiality of individuals whose information has been reported and is written in nontechnical, readily understandable language. The Bureau shall include in the report a summary of all comparative analyses prepared by health carriers pursuant to 42 U.S.C. § 300gg-26(a)(8) that the Bureau requested during the reporting period. This summary shall include the Bureau's explanation of whether the analyses were accepted as compliant, rejected as noncompliant, or are in process of review. For analyses that were

noncompliant, the report shall include the corrective actions that the Bureau required the health carrier to take to come into compliance. The Bureau shall make the report available to the public by, among such other means as the Bureau finds appropriate, posting the reports on the Bureau's website and submit the report to the House Committee on Labor and Commerce and the Senate Committee on Commerce and Labor.

CHAPTER 315

An Act to amend and reenact § 32.1-273 of the Code of Virginia, relating to the Department of Veterans Services; provision of copies of veteran vital records upon request.

[H 2748]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-273 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-273. Fees for certified copies, searches of files, etc.; disposition.

A. The Board shall prescribe the fee, not to exceed $12, for a certified copy of a vital record or for a search of the files or records when no copy is made and may establish a reasonable fee schedule related to its cost for information or other data provided for research, statistical or administrative purposes. Whenever any veteran or his survivor requires a certified copy of a vital record to obtain service-connected benefits, one copy of such record shall be provided directly to the U.S. Department of Veterans Affairs upon their request*, one copy shall be provided to the Department of Veterans Services upon their request,* and one copy shall be provided to the veteran or his surviving spouse~~,~~ upon request. Upon request of the surviving spouse of a veteran, the funeral director or funeral service licensee providing funeral services for the veteran may obtain one certified copy of the death certificate for service-connected benefits. No charge shall be imposed upon a veteran or his survivor for a copy related to obtaining service-connected benefits.

B. Fees collected under this section by the State Registrar shall be transmitted to the Comptroller for deposit. Two dollars of each fee collected by the State Registrar shall be deposited by the Comptroller into the Vital Statistics Automation Fund established pursuant to § 32.1-273.1 for so long as shall be authorized. Ten dollars of each fee shall be credited to a special fund to be appropriated by the General Assembly, as it deems necessary, for the purpose of carrying out the provisions of this chapter. When the Vital Statistics Automation System is completed, no further deposits into the fund shall be made and all fees collected under this section not credited to the special fund created by this subsection shall be deposited into the general fund of the state treasury.

C. The Department of Motor Vehicles shall collect a fee of $12 for each certified copy of a vital record that it issues and shall transmit all such fees to the State Registrar on a monthly basis to ensure that the State Registrar recovers all costs associated with the issuance of certified copies of vital records at Department of Motor Vehicles facilities. In addition, for each certified copy of a vital record that it issues, the Department of Motor Vehicles shall collect a processing fee of $2 as provided in § 46.2-205.2.

D. Fees collected under this section by county and city registrars shall be deposited in the general fund of the county or city except that counties or cities operating health departments pursuant to the provisions of § 32.1-31 shall forward all such fees to the Department for deposit in the cooperative local health services fund.

E. Fees assessed against local departments of social services for furnished copies of vital records as needed to administer public assistance and social services programs, as defined in § 63.2-100, shall be payable on a quarterly basis.

CHAPTER 316

An Act to amend and reenact §§ 16.1-300, 53.1-40.10, and 53.1-133.03 of the Code of Virginia, relating to behavioral health services; exchange of medical and mental health information and records; correctional facilities.

[H 2754]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-300, 53.1-40.10, and 53.1-133.03 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-300. Confidentiality of Department records.

A. The social, medical, psychiatric, and psychological reports and records of children who are or have been (i) before the court, (ii) under supervision, (iii) referred to a court service unit, or (iv) receiving services from a court service unit or who are committed to the Department of Juvenile Justice shall be confidential and shall be open for inspection only to the following:

1. The judge, prosecuting attorney, probation officers and professional staff assigned to serve a court having the child currently before it in any proceeding;

2. Any public agency, child welfare agency, private organization, facility or person who is treating or providing services to the child pursuant to a contract with the Department or pursuant to the Virginia Juvenile Community Crime Control Act as set out in Article 12.1 (§ 16.1-309.2 et seq.);

3. The child's parent, guardian, legal custodian or other person standing in loco parentis and the child's attorney;

4. Any person who has reached the age of majority and requests access to his own records or reports;

5. Any state agency providing funds to the Department of Juvenile Justice and required by the federal government to monitor or audit the effectiveness of programs for the benefit of juveniles which are financed in whole or in part by federal funds;

6. The Department of Social Services or any local department of social services that is providing services or care for, or has accepted a referral for family assessment or investigation and the provision of services in accordance with subsection A of § 16.1-277.02 regarding, a juvenile who is the subject of the record and the Department of Behavioral Health and Developmental Services or any local community services board that is providing treatment, services, or care for a juvenile who is the subject of the record for a purpose relevant to the provision of the treatment, services, or care when these local agencies have entered into a formal agreement with the Department of Juvenile Justice to provide coordinated services to juveniles who are the subject of the records. Prior to making any report or record open for inspection, the court service unit or Department of Juvenile Justice shall determine which reports or records are relevant to the treatment, services, or care of such juvenile and shall limit such inspection to such relevant reports or records. Any local department of social services or local community services board that inspects any social, medical, psychiatric, and psychological reports and records of juveniles in accordance with this subdivision shall not disseminate any information received from such inspection unless such dissemination is expressly required by law;

7. Any other person, agency or institution, including any law-enforcement agency, school administration, or probation office by order of the court, having a legitimate interest in the case, the juvenile, or in the work of the court;

8. Any person, agency, or institution, in any state, having a legitimate interest (i) when release of the confidential information is for the provision of treatment or rehabilitation services for the juvenile who is the subject of the information, (ii) when the requesting party has custody or is providing supervision for a juvenile and the release of the confidential information is in the interest of maintaining security in a secure facility, as defined by § 16.1-228 if the facility is located in Virginia, or as similarly defined by the law of the state in which such facility is located if it is not located in Virginia, or (iii) when release of the confidential information is for consideration of admission to any group home, residential facility, or postdispositional facility, and copies of the records in the custody of such home or facility shall be destroyed if the child is not admitted to the home or facility;

9. Any attorney for the Commonwealth, any pretrial services officer, local community-based probation officer and adult probation and parole officer for the purpose of preparing pretrial investigation, including risk assessment instruments, presentence reports, including those provided in § 19.2-299, discretionary sentencing guidelines worksheets, including related risk assessment instruments, as directed by the court pursuant to subsection C of § 19.2-298.01 or any court-ordered post-sentence investigation report;

10. Any person, agency, organization or institution outside the Department that, at the Department's request, is conducting research or evaluation on the work of the Department or any of its divisions; or any state criminal justice agency that is conducting research, provided that the agency agrees that all information received shall be kept confidential, or released or published only in aggregate form;

11. With the exception of medical, psychiatric, and psychological records and reports, any full-time or part-time employee of the Department of State Police or of a police department or sheriff's office that is a part of or administered by the Commonwealth or any political subdivision thereof, and who is responsible for the enforcement of the penal, traffic, or motor vehicle laws of the Commonwealth, is entitled to any information related to a criminal street gang, including that a person is a member of a criminal street gang as defined in § 18.2-46.1. Information shall be provided by the Department to law enforcement without their request to aid in initiating an investigation or assist in an ongoing investigation of a criminal street gang as defined in § 18.2-46.1. This information may also be disclosed, at the Department's discretion, to a gang task force, provided that the membership (i) consists of only representatives of state or local government or (ii) includes a law-enforcement officer who is present at the time of the disclosure of the information. The Department shall not release the identifying information of a juvenile not affiliated with or involved in a criminal street gang unless that information relates to a specific criminal act. No person who obtains information pursuant to this subdivision shall divulge such information except in connection with gang-activity intervention and prevention, a criminal investigation regarding a criminal street gang as defined in § 18.2-46.1 that is authorized by the Attorney General or by the attorney for the Commonwealth, or in connection with a prosecution or proceeding in court;

12. The Commonwealth's Attorneys' Services Council and any attorney for the Commonwealth, as permitted under subsection B of § 66-3.2;

13. Any state or local correctional facility as defined in § 53.1-1 when such facility has custody of or is providing supervision for a person convicted as an adult who is the subject of the reports and records. The reports and records shall remain confidential and shall be open for inspection only in accordance with this section; ~~and~~

14. *The Department of Medical Assistance Services, for record information covering the period prior to and up to 30 days following release from commitment, for the purposes of providing pre-release services, reentry planning, and post-incarceration placement and services; and*

15. The Office of the Attorney General, for all criminal justice activities otherwise permitted and for purposes of performing duties required by Chapter 9 (§ 37.2-900 et seq.) of Title 37.2.

A designated individual treating or responsible for the treatment of a person may inspect such reports and records as are kept by the Department on such person or receive copies thereof, when the person who is the subject of the reports and records or his parent, guardian, legal custodian or other person standing in loco parentis if the person is under the age of 18, provides written authorization to the Department prior to the release of such reports and records for inspection or copying to the designated individual.

B. The Department may withhold from inspection by a child's parent, guardian, legal custodian or other person standing in loco parentis that portion of the records referred to in subsection A, when the staff of the Department determines, in its discretion, that disclosure of such information would be detrimental to the child or to a third party, provided that the juvenile and domestic relations district court (i) having jurisdiction over the facility where the child is currently placed or (ii) that last had jurisdiction over the child if such child is no longer in the custody or under the supervision of the Department shall concur in such determination.

If any person authorized under subsection A to inspect Department records requests to inspect the reports and records and if the Department withholds from inspection any portion of such record or report pursuant to the preceding provisions, the Department shall (a) inform the individual making the request of the action taken to withhold any information and the reasons for such action; (b) provide such individual with as much information as is deemed appropriate under the circumstances; and (c) notify the individual in writing at the time of the request of his right to request judicial review of the Department's decision. The circuit court (1) having jurisdiction over the facility where the child is currently placed or (2) that had jurisdiction over the original proceeding or over an appeal of the juvenile and domestic relations district court final order of disposition concerning the child if such child is no longer in the custody or under the supervision of the Department shall have jurisdiction over petitions filed for review of the Department's decision to withhold reports or records as provided herein.

§ 53.1-40.10. Exchange of medical and mental health information and records.

A. Whenever a person is committed to a state correctional facility, the following shall be entitled to obtain medical and mental health information and records concerning such person from a health care provider, even when such person does not provide consent or consent is not readily obtainable:

1. The person in charge of the facility, or his designee, when such information and records are necessary (i) for the provision of health care to the person committed, (ii) to protect the health and safety of the person committed or other residents or staff of the facility, or (iii) to maintain the security and safety of the facility. Such information and records may be exchanged among administrative personnel for the facility in which the person is imprisoned as necessary to maintain the security and safety of the facility, its employees, or other prisoners. The information exchanged shall continue to be confidential and disclosure shall be limited to that necessary to ensure the security and safety of the facility.

2. Members of the Parole Board, as specified in § 53.1-138, in order to conduct the investigation required under § 53.1-155.

3. Probation and parole officers for use in parole and probation planning, release, and supervision.

4. Officials within the Department for the purpose of formulating recommendations for treatment and rehabilitative programs; classification, security and work assignments; and determining the necessity for medical, dental, and mental health care, treatment, and programs.

5. Medical and mental health hospitals and facilities, both public and private, including community services boards, for use in planning for and supervision of post-incarceration medical and mental health care, treatment, and programs.

6. The Department for Aging and Rehabilitative Services, *the Department of Medical Assistance Services,* the Department of Social Services, and any local department of social services in the Commonwealth for the purposes of *providing pre-release services,* reentry planning*,* and post-incarceration placement and services.

B. Substance abuse records subject to federal regulations, Confidentiality of Alcohol and Drug Abuse Patient Records, 42 C.F.R. § 2.11 et seq., shall not be subject to the provisions of this section. The disclosure of results of a test for human immunodeficiency virus shall not be permitted except as provided in § 32.1-36.1.

C. The release of medical and mental health information and records to any other agency or individual shall be subject to all regulations promulgated by the Department that govern confidentiality of such records. Medical and mental health information concerning a prisoner that has been exchanged pursuant to this section may be used only as provided herein and shall otherwise remain confidential and protected from disclosure.

D. The Department shall develop policies to improve the exchange of medical and mental health information and records of persons committed to a state correctional facility, including policies to improve access to electronic health records and electronic exchange of information and records for the provision of telemedicine and telepsychiatry.

§ 53.1-133.03. Exchange of medical and mental health information and records.

A. Whenever a person is committed to a local or regional correctional facility, the following shall be entitled to obtain medical and mental health information and records concerning such person from a health care provider, even when such person does not provide consent or consent is not readily obtainable:

1. The person in charge of the facility, or his designee, when such information and records are necessary (i) for the provision of health care to the person committed, (ii) to protect the health and safety of the person committed or other residents or staff of the facility, or (iii) to maintain the security and safety of the facility. Such information and records of any person committed to jail and transferred to another correctional facility may be exchanged among administrative personnel of the correctional facilities involved and of the administrative personnel within the holding facility when there is

reasonable cause to believe that such information is necessary to maintain the security and safety of the holding facility, its employees, or prisoners. The information exchanged shall continue to be confidential and disclosure shall be limited to that necessary to ensure the security and safety of the facility.

2. Members of the Parole Board or its designees, as specified in § 53.1-138, in order to conduct the investigation required under § 53.1-155.

3. Probation and parole officers and local probation officers for use in parole and probation planning, release, and supervision.

4. Officials of the facilities involved and officials within the holding facility for the purpose of formulating recommendations for treatment and rehabilitative programs; classification, security and work assignments; and determining the necessity for medical, dental and mental health care, treatment and other such programs.

5. Medical and mental health hospitals and facilities, both public and private, including community services boards and health departments, for use in treatment while committed to jail or a correctional facility while under supervision of a probation or parole officer.

6. The Department of Medical Assistance Services, the Department of Social Services, and any local department of social services for the purposes of providing pre-release services, reentry planning, and post-incarceration placement and services.

B. Substance abuse records subject to federal regulations, Confidentiality of Alcohol and Drug Abuse Patient Records, 42 C.F.R. § 2.11 et seq., shall not be subject to the provisions of this section. The disclosure of results of a test for human immunodeficiency virus shall not be permitted except as provided in §§ 32.1-36.1 and 32.1-116.3.

C. The release of medical and mental health information and records to any other agency or individual shall be subject to all regulations promulgated by the State Board of Local and Regional Jails that govern confidentiality of such records. Medical and mental health information concerning a prisoner that has been exchanged pursuant to this section may be used only as provided herein and shall otherwise remain confidential and protected from disclosure.

D. Nothing contained in this section shall prohibit the release of records to the Department of Health Professions or health regulatory boards consistent with Subtitle III (§ 54.1-2400 et seq.) of Title 54.1.

E. Except for any information and records not subject to this section or not permitted to be disclosed pursuant to subsection B, any health care provider as defined in § 32.1-127.1:03 who has provided services within the last two years to a person committed to a local or regional correctional facility shall, upon request by the local or regional correctional facility, disclose to the local or regional correctional facility where the person is committed any information necessary to ensure the continuity of care of the person committed. Any health care provider who discloses medical and mental health information and records pursuant to this section shall be immune from civil liability resulting from such disclosure, including any liability under the federal Health Insurance Portability and Accountability Act (42 U.S.C. § 1320d et seq.), absent bad faith or malicious intent.

CHAPTER 317

An Act to amend and reenact §§ 16.1-300, 53.1-40.10, and 53.1-133.03 of the Code of Virginia, relating to behavioral health services; exchange of medical and mental health information and records; correctional facilities.

[S 870]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-300, 53.1-40.10, and 53.1-133.03 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-300. Confidentiality of Department records.

A. The social, medical, psychiatric, and psychological reports and records of children who are or have been (i) before the court, (ii) under supervision, (iii) referred to a court service unit, or (iv) receiving services from a court service unit or who are committed to the Department of Juvenile Justice shall be confidential and shall be open for inspection only to the following:

1. The judge, prosecuting attorney, probation officers and professional staff assigned to serve a court having the child currently before it in any proceeding;

2. Any public agency, child welfare agency, private organization, facility or person who is treating or providing services to the child pursuant to a contract with the Department or pursuant to the Virginia Juvenile Community Crime Control Act as set out in Article 12.1 (§ 16.1-309.2 et seq.);

3. The child's parent, guardian, legal custodian or other person standing in loco parentis and the child's attorney;

4. Any person who has reached the age of majority and requests access to his own records or reports;

5. Any state agency providing funds to the Department of Juvenile Justice and required by the federal government to monitor or audit the effectiveness of programs for the benefit of juveniles which are financed in whole or in part by federal funds;

6. The Department of Social Services or any local department of social services that is providing services or care for, or has accepted a referral for family assessment or investigation and the provision of services in accordance with subsection A of § 16.1-277.02 regarding, a juvenile who is the subject of the record and the Department of Behavioral Health and

Developmental Services or any local community services board that is providing treatment, services, or care for a juvenile who is the subject of the record for a purpose relevant to the provision of the treatment, services, or care when these local agencies have entered into a formal agreement with the Department of Juvenile Justice to provide coordinated services to juveniles who are the subject of the records. Prior to making any report or record open for inspection, the court service unit or Department of Juvenile Justice shall determine which reports or records are relevant to the treatment, services, or care of such juvenile and shall limit such inspection to such relevant reports or records. Any local department of social services or local community services board that inspects any social, medical, psychiatric, and psychological reports and records of juveniles in accordance with this subdivision shall not disseminate any information received from such inspection unless such dissemination is expressly required by law;

7. Any other person, agency or institution, including any law-enforcement agency, school administration, or probation office by order of the court, having a legitimate interest in the case, the juvenile, or in the work of the court;

8. Any person, agency, or institution, in any state, having a legitimate interest (i) when release of the confidential information is for the provision of treatment or rehabilitation services for the juvenile who is the subject of the information, (ii) when the requesting party has custody or is providing supervision for a juvenile and the release of the confidential information is in the interest of maintaining security in a secure facility, as defined by § 16.1-228 if the facility is located in Virginia, or as similarly defined by the law of the state in which such facility is located if it is not located in Virginia, or (iii) when release of the confidential information is for consideration of admission to any group home, residential facility, or postdispositional facility, and copies of the records in the custody of such home or facility shall be destroyed if the child is not admitted to the home or facility;

9. Any attorney for the Commonwealth, any pretrial services officer, local community-based probation officer and adult probation and parole officer for the purpose of preparing pretrial investigation, including risk assessment instruments, presentence reports, including those provided in § 19.2-299, discretionary sentencing guidelines worksheets, including related risk assessment instruments, as directed by the court pursuant to subsection C of § 19.2-298.01 or any court-ordered post-sentence investigation report;

10. Any person, agency, organization or institution outside the Department that, at the Department's request, is conducting research or evaluation on the work of the Department or any of its divisions; or any state criminal justice agency that is conducting research, provided that the agency agrees that all information received shall be kept confidential, or released or published only in aggregate form;

11. With the exception of medical, psychiatric, and psychological records and reports, any full-time or part-time employee of the Department of State Police or of a police department or sheriff's office that is a part of or administered by the Commonwealth or any political subdivision thereof, and who is responsible for the enforcement of the penal, traffic, or motor vehicle laws of the Commonwealth, is entitled to any information related to a criminal street gang, including that a person is a member of a criminal street gang as defined in § 18.2-46.1. Information shall be provided by the Department to law enforcement without their request to aid in initiating an investigation or assist in an ongoing investigation of a criminal street gang as defined in § 18.2-46.1. This information may also be disclosed, at the Department's discretion, to a gang task force, provided that the membership (i) consists of only representatives of state or local government or (ii) includes a law-enforcement officer who is present at the time of the disclosure of the information. The Department shall not release the identifying information of a juvenile not affiliated with or involved in a criminal street gang unless that information relates to a specific criminal act. No person who obtains information pursuant to this subdivision shall divulge such information except in connection with gang-activity intervention and prevention, a criminal investigation regarding a criminal street gang as defined in § 18.2-46.1 that is authorized by the Attorney General or by the attorney for the Commonwealth, or in connection with a prosecution or proceeding in court;

12. The Commonwealth's Attorneys' Services Council and any attorney for the Commonwealth, as permitted under subsection B of § 66-3.2;

13. Any state or local correctional facility as defined in § 53.1-1 when such facility has custody of or is providing supervision for a person convicted as an adult who is the subject of the reports and records. The reports and records shall remain confidential and shall be open for inspection only in accordance with this section; ~~and~~

14. *The Department of Medical Assistance Services, for record information covering the period prior to and up to 30 days following release from commitment, for the purposes of providing pre-release services, reentry planning, and post-incarceration placement and services; and*

15. The Office of the Attorney General, for all criminal justice activities otherwise permitted and for purposes of performing duties required by Chapter 9 (§ 37.2-900 et seq.) of Title 37.2.

A designated individual treating or responsible for the treatment of a person may inspect such reports and records as are kept by the Department on such person or receive copies thereof, when the person who is the subject of the reports and records or his parent, guardian, legal custodian or other person standing in loco parentis if the person is under the age of 18, provides written authorization to the Department prior to the release of such reports and records for inspection or copying to the designated individual.

B. The Department may withhold from inspection by a child's parent, guardian, legal custodian or other person standing in loco parentis that portion of the records referred to in subsection A, when the staff of the Department determines, in its discretion, that disclosure of such information would be detrimental to the child or to a third party, provided that the juvenile and domestic relations district court (i) having jurisdiction over the facility where the child is

currently placed or (ii) that last had jurisdiction over the child if such child is no longer in the custody or under the supervision of the Department shall concur in such determination.

If any person authorized under subsection A to inspect Department records requests to inspect the reports and records and if the Department withholds from inspection any portion of such record or report pursuant to the preceding provisions, the Department shall (a) inform the individual making the request of the action taken to withhold any information and the reasons for such action; (b) provide such individual with as much information as is deemed appropriate under the circumstances; and (c) notify the individual in writing at the time of the request of his right to request judicial review of the Department's decision. The circuit court (1) having jurisdiction over the facility where the child is currently placed or (2) that had jurisdiction over the original proceeding or over an appeal of the juvenile and domestic relations district court final order of disposition concerning the child if such child is no longer in the custody or under the supervision of the Department shall have jurisdiction over petitions filed for review of the Department's decision to withhold reports or records as provided herein.

§ 53.1-40.10. Exchange of medical and mental health information and records.

A. Whenever a person is committed to a state correctional facility, the following shall be entitled to obtain medical and mental health information and records concerning such person from a health care provider, even when such person does not provide consent or consent is not readily obtainable:

1. The person in charge of the facility, or his designee, when such information and records are necessary (i) for the provision of health care to the person committed, (ii) to protect the health and safety of the person committed or other residents or staff of the facility, or (iii) to maintain the security and safety of the facility. Such information and records may be exchanged among administrative personnel for the facility in which the person is imprisoned as necessary to maintain the security and safety of the facility, its employees, or other prisoners. The information exchanged shall continue to be confidential and disclosure shall be limited to that necessary to ensure the security and safety of the facility.

2. Members of the Parole Board, as specified in § 53.1-138, in order to conduct the investigation required under § 53.1-155.

3. Probation and parole officers for use in parole and probation planning, release, and supervision.

4. Officials within the Department for the purpose of formulating recommendations for treatment and rehabilitative programs; classification, security and work assignments; and determining the necessity for medical, dental, and mental health care, treatment, and programs.

5. Medical and mental health hospitals and facilities, both public and private, including community services boards, for use in planning for and supervision of post-incarceration medical and mental health care, treatment, and programs.

6. The Department for Aging and Rehabilitative Services, *the Department of Medical Assistance Services,* the Department of Social Services, and any local department of social services in the Commonwealth for the purposes of *providing pre-release services,* reentry planning*,* and post-incarceration placement and services.

B. Substance abuse records subject to federal regulations, Confidentiality of Alcohol and Drug Abuse Patient Records, 42 C.F.R. § 2.11 et seq., shall not be subject to the provisions of this section. The disclosure of results of a test for human immunodeficiency virus shall not be permitted except as provided in § 32.1-36.1.

C. The release of medical and mental health information and records to any other agency or individual shall be subject to all regulations promulgated by the Department that govern confidentiality of such records. Medical and mental health information concerning a prisoner that has been exchanged pursuant to this section may be used only as provided herein and shall otherwise remain confidential and protected from disclosure.

D. The Department shall develop policies to improve the exchange of medical and mental health information and records of persons committed to a state correctional facility, including policies to improve access to electronic health records and electronic exchange of information and records for the provision of telemedicine and telepsychiatry.

§ 53.1-133.03. Exchange of medical and mental health information and records.

A. Whenever a person is committed to a local or regional correctional facility, the following shall be entitled to obtain medical and mental health information and records concerning such person from a health care provider, even when such person does not provide consent or consent is not readily obtainable:

1. The person in charge of the facility, or his designee, when such information and records are necessary (i) for the provision of health care to the person committed, (ii) to protect the health and safety of the person committed or other residents or staff of the facility, or (iii) to maintain the security and safety of the facility. Such information and records of any person committed to jail and transferred to another correctional facility may be exchanged among administrative personnel of the correctional facilities involved and of the administrative personnel within the holding facility when there is reasonable cause to believe that such information is necessary to maintain the security and safety of the holding facility, its employees, or prisoners. The information exchanged shall continue to be confidential and disclosure shall be limited to that necessary to ensure the security and safety of the facility.

2. Members of the Parole Board or its designees, as specified in § 53.1-138, in order to conduct the investigation required under § 53.1-155.

3. Probation and parole officers and local probation officers for use in parole and probation planning, release, and supervision.

4. Officials of the facilities involved and officials within the holding facility for the purpose of formulating recommendations for treatment and rehabilitative programs; classification, security and work assignments; and determining the necessity for medical, dental and mental health care, treatment and other such programs.

5. Medical and mental health hospitals and facilities, both public and private, including community services boards and health departments, for use in treatment while committed to jail or a correctional facility while under supervision of a probation or parole officer.

6. The Department of Medical Assistance Services, the Department of Social Services, and any local department of social services for the purposes of providing pre-release services, reentry planning, and post-incarceration placement and services.

B. Substance abuse records subject to federal regulations, Confidentiality of Alcohol and Drug Abuse Patient Records, 42 C.F.R. § 2.11 et seq., shall not be subject to the provisions of this section. The disclosure of results of a test for human immunodeficiency virus shall not be permitted except as provided in §§ 32.1-36.1 and 32.1-116.3.

C. The release of medical and mental health information and records to any other agency or individual shall be subject to all regulations promulgated by the State Board of Local and Regional Jails that govern confidentiality of such records. Medical and mental health information concerning a prisoner that has been exchanged pursuant to this section may be used only as provided herein and shall otherwise remain confidential and protected from disclosure.

D. Nothing contained in this section shall prohibit the release of records to the Department of Health Professions or health regulatory boards consistent with Subtitle III (§ 54.1-2400 et seq.) of Title 54.1.

E. Except for any information and records not subject to this section or not permitted to be disclosed pursuant to subsection B, any health care provider as defined in § 32.1-127.1:03 who has provided services within the last two years to a person committed to a local or regional correctional facility shall, upon request by the local or regional correctional facility, disclose to the local or regional correctional facility where the person is committed any information necessary to ensure the continuity of care of the person committed. Any health care provider who discloses medical and mental health information and records pursuant to this section shall be immune from civil liability resulting from such disclosure, including any liability under the federal Health Insurance Portability and Accountability Act (42 U.S.C. § 1320d et seq.), absent bad faith or malicious intent.

CHAPTER 318

An Act to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to retail sales and use tax; media-related exemptions; sunset.

[S 871]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-609.6 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-609.6. Media-related exemptions.

The tax imposed by this chapter or pursuant to the authority granted in §§ 58.1-605 and 58.1-606 shall not apply to the following:

1. Leasing, renting, or licensing of copyright audio or video tapes~~,~~ and films for public exhibition at motion picture theaters or by licensed radio and television stations.

2. (i) Broadcasting equipment and parts and accessories thereto and towers used or to be used by commercial radio and television companies, wired or land-based wireless cable television systems, common carriers or video programmers using an open video system or other video platform provided by telephone common carriers, or concerns that are under the regulation and supervision of the Federal Communications Commission and (ii) amplification, transmission, distribution, and network equipment used or to be used by wired or land-based wireless (a) cable television systems, (b) open video systems, or (c) telephone common carriers.

3. Any publication issued daily~~,~~ or regularly at average intervals not exceeding three months~~,~~ and advertising supplements and any other printed matter ultimately distributed with or as part of such publications; however, newsstand sales of the same are taxable. As used in this subdivision, the term "newsstand sales" shall not include sales of back copies of publications by the publisher or his agent.

4. Catalogs, letters, brochures, reports, and similar printed materials, except administrative supplies, the envelopes, containers, and labels used for packaging and mailing same, and paper furnished to a printer for fabrication into such printed materials, when stored for 12 months or less in the Commonwealth and distributed for use ~~without~~ *outside* the Commonwealth. As used in this subdivision, "administrative supplies" includes~~, but is not limited to,~~ letterhead, envelopes, and other stationery~~;~~ and invoices, billing forms, payroll forms, price lists, time cards, computer cards, and similar supplies. Notwithstanding the provisions of subdivision 5 or the definition of "advertising" contained in § 58.1-602, (i) any advertising business located outside the Commonwealth ~~which~~ *that* purchases printing from a printer within the Commonwealth shall not be deemed the user or consumer of the printed materials when such purchases would have been exempt under this subdivision~~,~~ and (ii) from July 1, 1995, through June 30, 2002, and beginning July 1, 2002, and ending July 1, ~~2025~~ *2028*, any advertising business ~~which~~ *that* purchases printing from a printer within the Commonwealth shall

not be deemed the user or consumer of the printed materials when such purchases would have been exempt under subdivision 3 or this subdivision, provided that the advertising agency shall certify to the Tax Commissioner, upon request, that such printed material was distributed outside the Commonwealth and such certification shall be retained as a part of the transaction record and shall be subject to further review by the Tax Commissioner.

5. Advertising as defined in § 58.1-602.

6. Beginning July 1, 1995, and ending July 1, 2027:

a. (i) The lease, rental, license, sale, other transfer, or use of any audio or video tape, film, or other audiovisual work where the transferee or user acquires or has acquired the work for the purpose of licensing, distributing, broadcasting, commercially exhibiting, or reproducing the work or using or incorporating the work into another such work; (ii) the provision of production services or fabrication in connection with the production of any portion of such audiovisual work, including~~, but not limited to,~~ scriptwriting, photography, sound, musical composition, special effects, animation, adaptation, dubbing, mixing, editing, cutting, and provision of production facilities or equipment; or (iii) the transfer or use of tangible personal property, including~~, but not limited to,~~ scripts, musical scores, storyboards, artwork, film, tapes, and other media, incident to the performance of such services or fabrication; however, audiovisual works and incidental tangible personal property described in clauses (i) and (iii) shall be subject to tax as otherwise provided in this chapter to the extent of the value of their tangible components prior to their use in the production of any audiovisual work and prior to their enhancement by any production service; and

b. Equipment and parts and accessories thereto used or to be used in the production of such audiovisual works.

7. Beginning July 1, 1998, and ending July 1, 2022, textbooks and other educational materials withdrawn from inventory at book-publishing distribution facilities for free distribution to professors and other individuals who have an educational focus.

CHAPTER 319

An Act to amend and reenact § 3.2-6553 of the Code of Virginia, relating to compensation for livestock and poultry killed by dogs.

[S 1000]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 3.2-6553 of the Code of Virginia is amended and reenacted as follows:

§ 3.2-6553. Compensation for livestock and poultry killed by dogs.

Any person who has any livestock or poultry killed or injured by any dog not his own shall be entitled to receive as compensation the fair market value of such livestock or poultry not to exceed ~~$750~~ *$1,000* per animal or ~~$10~~ *$25* per fowl if (i) the claimant has furnished evidence within 60 days of discovery of the quantity and value of the dead or injured livestock and the reasons the claimant believes that death or injury was caused by a dog; (ii) the animal control officer or other officer shall have been notified of the incident within 72 hours of its discovery; and (iii) the claimant first has exhausted his legal remedies against the owner, if known, of the dog doing the damage for which compensation under this section is sought. Exhaustion shall mean a judgment against the owner of the dog upon which an execution has been returned unsatisfied.

Local jurisdictions may by ordinance waive the requirements of clause (ii) or (iii) or both provided that the ordinance adopted requires that the animal control officer has conducted an investigation and that his investigation supports the claim. Upon payment under this section, the local governing body shall be subrogated to the extent of compensation paid to the right of action to the owner of the livestock or poultry against the owner of the dog and may enforce the same in an appropriate action at law.

CHAPTER 320

An Act to amend and reenact § 18.2-271.1 of the Code of Virginia, relating to driving while intoxicated; pre-conviction ignition interlock for certain offenders.

[S 1006]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-271.1 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-271.1. Probation, education, and rehabilitation of person charged or convicted; person convicted under law of another state or federal law.

A. Any person convicted of a first or second offense of § 18.2-266, or any ordinance of a county, city, or town similar to the provisions thereof, or provisions of subsection A of § 46.2-341.24, shall be required by court order, as a condition of probation or otherwise, to enter into and successfully complete an alcohol safety action program in the judicial district in which such charge is brought or in any other judicial district upon such terms and conditions as the court may set forth. However, upon motion of a person convicted of any such offense following an assessment of the person conducted by an

alcohol safety action program, the court, for good cause, may decline to order participation in such a program if the assessment by the alcohol safety action program indicates that intervention is not appropriate for such person. In no event shall such persons be permitted to enter any such program which is not certified as meeting minimum standards and criteria established by the Commission on the Virginia Alcohol Safety Action Program (VASAP) pursuant to this section and to § 18.2-271.2. However, any person charged with a violation of a first or second offense of § 18.2-266, or any ordinance of a county, city, or town similar to the provisions thereof, or provisions of subsection A of § 46.2-341.24, may, at any time prior to trial, enter into an alcohol safety action program in the judicial district in which such charge is brought or in any other judicial district. Any person who enters into such program prior to trial may pre-qualify with the program to have an ignition interlock system installed on any motor vehicle owned or operated by him. ~~However, no ignition interlock company shall install an~~ *and may have such ignition interlock system installed. Any installation period of time accrued by such person prior to trial for the pending charge shall count toward any (i)* ignition interlock ~~system on any such vehicle until~~ *or restricted license period of time ordered by* a court ~~issues to the person a restricted license with the ignition interlock restriction~~ *or (ii) restricted license, suspension, or revocation issued by the Department of Motor Vehicles pursuant to § 46.2-389.*

B. The court shall require the person entering such program under the provisions of this section to pay a fee of no less than $250 but no more than $300. A reasonable portion of such fee, as may be determined by the Commission on VASAP, but not to exceed 10 percent, shall be forwarded monthly to be deposited with the State Treasurer for expenditure by the Commission on VASAP, and the balance shall be held in a separate fund for local administration of driver alcohol rehabilitation programs. Upon a positive finding that the defendant is indigent, the court may reduce or waive the fee. In addition to the costs of the proceeding, fees as may reasonably be required of defendants referred for intervention under any such program may be charged.

C. Upon conviction of a violation of § 18.2-266 or any ordinance of a county, city or town similar to the provisions thereof, or subsection A of § 46.2-341.24, the court shall impose the sentence authorized by § 18.2-270 or 46.2-341.28 and the license revocation as authorized by § 18.2-271. In addition, if the conviction was for a second offense committed within less than 10 years after a first such offense, the court shall order that restoration of the person's license to drive be conditioned upon the installation of an ignition interlock system on each motor vehicle, as defined in § 46.2-100, owned by or registered to the person, in whole or in part, for a period of six months beginning at the end of the three year license revocation, unless such a system has already been installed for six months prior to that time pursuant to a restricted license order under subsection E. Upon a finding that a person so convicted is required to participate in the program described herein, the court shall enter the conviction on the warrant, and shall note that the person so convicted has been referred to such program. The court may then proceed to issue an order in accordance with subsection E, if the court finds that the person so convicted is eligible for a restricted license. If the court finds good cause for a person not to participate in such program or subsequently that such person has violated, without good cause, any of the conditions set forth by the court in entering the program, the court shall dispose of the case as if no program had been entered, in which event the revocation provisions of § 46.2-389 and subsection A of § 46.2-391 shall be applicable to the conviction. The court shall, upon final disposition of the case, send a copy of its order to the Commissioner of the Department of Motor Vehicles. If such order provides for the issuance of a restricted license, the Commissioner of the Department of Motor Vehicles, upon receipt thereof, shall issue a restricted license. The period of time during which the person (i) is prohibited from operating a motor vehicle that is not equipped with an ignition interlock system, (ii) is required to have an ignition interlock system installed on each motor vehicle owned by or registered to the person, in whole or in part, or (iii) is required to use a remote alcohol monitoring device shall be calculated from the date the person is issued a restricted license by the court; however, such period of time shall be tolled upon the expiration of the restricted license issued by the court until such time as the person is issued a restricted license by the Department of Motor Vehicles. Appeals from any such disposition shall be allowed as provided by law. The time within which an appeal may be taken shall be calculated from the date of the final disposition of the case or any motion for rehearing, whichever is later.

D. Any person who has been convicted under the law of another state or the United States of an offense substantially similar to the provisions of § 18.2-266 or subsection A of § 46.2-341.24, and whose privilege to operate a motor vehicle in this Commonwealth is subject to revocation under the provisions of § 46.2-389 and subsection A of § 46.2-391, may petition the general district court of the county or city in which he resides that he be given probation and assigned to a program as provided in subsection A and that, upon entry into such program, he be issued an order in accordance with subsection E. If the court finds that such person would have qualified therefor if he had been convicted in this Commonwealth of a violation of § 18.2-266 or subsection A of § 46.2-341.24, the court may grant the petition and may issue an order in accordance with subsection E as to the period of license suspension or revocation imposed pursuant to § 46.2-389 or subsection A of § 46.2-391. The court (i) shall, as a condition of a restricted license, prohibit such person from operating a motor vehicle that is not equipped with a functioning, certified ignition interlock system for a period of time not to exceed the period of license suspension and restriction, not less than six consecutive months without alcohol-related violations of interlock requirements, and (ii) may, upon request of such person and as a condition of a restricted license, require such person to use a remote alcohol monitoring device in accordance with the provisions of subsection E of § 18.2-270.1. Such order shall be conditioned upon the successful completion of a program by the petitioner. If the court subsequently finds that such person has violated any of the conditions set forth by the court, the court shall dispose of the case as if no program had been entered and shall notify the Commissioner, who shall revoke the person's

license in accordance with the provisions of § 46.2-389 or subsection A of § 46.2-391. A copy of the order granting the petition or subsequently revoking or suspending such person's license to operate a motor vehicle shall be forthwith sent to the Commissioner of the Department of Motor Vehicles. The period of time during which the person (a) is prohibited from operating a motor vehicle that is not equipped with an ignition interlock system or (b) is required to use a remote alcohol monitoring device shall be calculated from the date the person is issued a restricted license by the court; however, such period of time shall be tolled upon the expiration of the restricted license issued by the court until such time as the person is issued a restricted license by the Department of Motor Vehicles.

No period of license suspension or revocation shall be imposed pursuant to this subsection which, when considered together with any period of license suspension or revocation previously imposed for the same offense under the law of another state or the United States, results in such person's license being suspended for a period in excess of the maximum periods specified in this subsection.

E. Except as otherwise provided herein, if a person enters a certified program pursuant to this section, and such person's license to operate a motor vehicle, engine, or train in the Commonwealth has been suspended or revoked, or a person's license to operate a motor vehicle, engine, or train in the Commonwealth has been suspended or revoked pursuant to former § 18.2-259.1 or 46.2-390.1, the court may, in its discretion and for good cause shown, provide that such person be issued a restricted permit to operate a motor vehicle for any of the following purposes: (i) travel to and from his place of employment; (ii) travel to and from an alcohol rehabilitation or safety action program; (iii) travel during the hours of such person's employment if the operation of a motor vehicle is a necessary incident of such employment; (iv) travel to and from school if such person is a student, upon proper written verification to the court that such person is enrolled in a continuing program of education; (v) travel for health care services, including medically necessary transportation of an elderly parent or, as designated by the court, any person residing in the person's household with a serious medical problem upon written verification of need by a licensed health professional; (vi) travel necessary to transport a minor child under the care of such person to and from school, day care, and facilities housing medical service providers; (vii) travel to and from court-ordered visitation with a child of such person; (viii) travel to a screening, evaluation, and education program entered pursuant to § 18.2-251 or subsection H of § 18.2-258.1; (ix) travel to and from court appearances in which he is a subpoenaed witness or a party and appointments with his probation officer and to and from any programs required by the court or as a condition of probation; (x) travel to and from a place of religious worship one day per week at a specified time and place; (xi) travel to and from appointments approved by the Division of Child Support Enforcement of the Department of Social Services as a requirement of participation in an administrative or court-ordered intensive case monitoring program for child support for which the participant maintains written proof of the appointment, including written proof of the date and time of the appointment, on his person; (xii) travel to and from jail to serve a sentence when such person has been convicted and sentenced to confinement in jail and pursuant to § 53.1-131.1 the time to be served is on weekends or nonconsecutive days; (xiii) travel to and from the facility that installed or monitors the ignition interlock in the person's vehicle; (xiv) travel to and from a job interview for which he maintains on his person written proof from the prospective employer of the date, time, and location of the job interview; or (xv) travel to and from the offices of the Virginia Employment Commission for the purpose of seeking employment. However, (a) any such person who is eligible to receive a restricted license as provided in subsection C of § 18.2-270.1 or (b) any such person ordered to use a remote alcohol monitoring device pursuant to subsection E of § 18.2-270.1 who has a functioning, certified ignition interlock system as required by law may be issued a restricted permit to operate a motor vehicle for any lawful purpose. No restricted license issued pursuant to this subsection shall permit any person to operate a commercial motor vehicle as defined in the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.). The court shall order the surrender of such person's license to operate a motor vehicle to be disposed of in accordance with the provisions of § 46.2-398 and shall forward to the Commissioner of the Department of Motor Vehicles a copy of its order entered pursuant to this subsection, which shall specifically enumerate the restrictions imposed and contain such information regarding the person to whom such a permit is issued as is reasonably necessary to identify such person. The court shall also provide a copy of its order to the person so convicted who may operate a motor vehicle on the order until receipt from the Commissioner of the Department of Motor Vehicles of a restricted license, if the order provides for a restricted license for that time period. A copy of such order and, after receipt thereof, the restricted license shall be carried at all times while operating a motor vehicle. Any person who operates a motor vehicle in violation of any restrictions imposed pursuant to this section is guilty of a violation of § 18.2-272. Such restricted license shall be conditioned upon enrollment within 15 days in, and successful completion of, a program as described in subsection A. No restricted license shall be issued during the first four months of a revocation imposed pursuant to subsection B of § 18.2-271 or subsection A of § 46.2-391 for a second offense of the type described therein committed within 10 years of a first such offense. No restricted license shall be issued during the first year of a revocation imposed pursuant to subsection B of § 18.2-271 or subsection A of § 46.2-391 for a second offense of the type described therein committed within five years of a first such offense. No restricted license shall be issued during any revocation period imposed pursuant to subsection C of § 18.2-271 or subsection B of § 46.2-391. Notwithstanding the provisions of § 46.2-411, the fee charged pursuant to § 46.2-411 for reinstatement of the driver's license of any person whose privilege or license has been suspended or revoked as a result of a violation of § 18.2-266, subsection A of § 46.2-341.24 or of any ordinance of a county, city, or town, or of any federal law or the laws of any other state similar to the provisions of § 18.2-266 or subsection A of § 46.2-341.24 shall be $105. Forty dollars of such reinstatement fee shall be retained by the Department of Motor Vehicles as provided in § 46.2-411, $40 shall be transferred to the Commission on VASAP, and $25 shall be transferred to the Commonwealth

Neurotrauma Initiative Trust Fund. Any person who is otherwise eligible to receive a restricted license issued in accordance with this subsection or as otherwise provided by law shall not be required to pay in full his fines and costs, as defined in § 19.2-354.1, before being issued such restricted license.

F. The court shall have jurisdiction over any person entering such program under any provision of this section, or under any provision of § 46.2-392, until such time as the case has been disposed of by either successful completion of the program, or revocation due to ineligibility or violation of a condition or conditions imposed by the court, whichever shall first occur. Revocation proceedings shall be commenced by notice to show cause why the court should not revoke the privilege afforded by this section. Such notice shall be made by first-class mail to the last known address of such person, and shall direct such person to appear before the court in response thereto on a date contained in such notice, which shall not be less than 10 days from the date of mailing of the notice. Failure to appear in response to such notice shall of itself be grounds for revocation of such privilege. Notice of revocation under this subsection shall be sent forthwith to the Commissioner of the Department of Motor Vehicles.

G. For the purposes of this section, any court that has convicted a person of a violation of § 18.2-266, subsection A of § 46.2-341.24, any ordinance of a county, city, or town similar to the provisions of § 18.2-266, or any reckless driving violation under Article 7 (§ 46.2-852 et seq.) of Chapter 8 of Title 46.2 and such person was initially charged with a violation of § 18.2-266, subsection A of § 46.2-341.24, or any ordinance of a county, city, or town similar to the provisions of § 18.2-266 shall have continuing jurisdiction over such person during any period of license revocation related to that conviction, for the limited purposes of (i) referring such person to a certified alcohol safety action program, (ii) providing for a restricted permit for such person in accordance with the provisions of subsection E, and (iii) imposing terms, conditions and limitations for actions taken pursuant to clauses (i) and (ii), whether or not it took either such action at the time of the conviction. This continuing jurisdiction is subject to the limitations of subsection E that provide that no restricted license shall be issued during a revocation imposed pursuant to subsection C of § 18.2-271 or subsection B of § 46.2-391 or during the first four months or first year, whichever is applicable, of the revocation imposed pursuant to subsection B of § 18.2-271 or subsection A of § 46.2-391. The provisions of this subsection shall apply to a person convicted of a violation of § 18.2-266, subsection A of § 46.2-341.24, any ordinance of a county, city, or town similar to the provisions of § 18.2-266, or any reckless driving violation under Article 7 (§ 46.2-852 et seq.) of Chapter 8 of Title 46.2 and such person was initially charged with a violation of § 18.2-266, subsection A of § 46.2-341.24, or any ordinance of a county, city, or town similar to the provisions of § 18.2-266 on, after and at any time prior to July 1, 2003.

H. The State Treasurer, the Commission on VASAP or any city or county is authorized to accept any gifts or bequests of money or property, and any grant, loan, service, payment or property from any source, including the federal government, for the purpose of driver alcohol education. Any such gifts, bequests, grants, loans or payments shall be deposited in the separate fund provided in subsection B.

I. The Commission on VASAP, or any county, city, or town, or any combination thereof, may establish and, if established, shall operate, in accordance with the standards and criteria required by this subsection, alcohol safety action programs in connection with highway safety. Each such program shall operate under the direction of a local independent policy board. Such local independent policy board shall be chosen in accordance with procedures approved and promulgated by the Commission on VASAP. Such procedures shall provide that the board shall endeavor to select one criminal defense attorney who has specialized knowledge in representing persons charged with driving while intoxicated offenses and one local attorney for the Commonwealth to sit on such local independent policy board. Local sitting or retired district court judges who regularly hear or heard cases involving driving under the influence and are familiar with their local alcohol safety action programs may serve on such boards. The Commission on VASAP shall establish minimum standards and criteria for the implementation and operation of such programs and shall establish procedures to certify all such programs to ensure that they meet the minimum standards and criteria stipulated by the Commission. The Commission shall also establish criteria for the administration of such programs for public information activities, for accounting procedures, for the auditing requirements of such programs and for the allocation of funds. Funds paid to the Commonwealth hereunder shall be utilized in the discretion of the Commission on VASAP to offset the costs of state programs and local programs run in conjunction with any county, city or town and costs incurred by the Commission. The Commission shall submit an annual report as to actions taken at the close of each calendar year to the Governor and the General Assembly.

J. Notwithstanding any other provisions of this section or of § 18.2-271, nothing in this section shall permit the court to suspend, reduce, limit, or otherwise modify any disqualification from operating a commercial motor vehicle imposed under the provisions of the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.).

CHAPTER 321

An Act to direct the Department of Social Services to report on the Restaurant Meals Program of the Supplemental Nutrition Assistance Program.

[S 1020]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Social Services shall submit a report to the Governor and the General Assembly on the implementation of the Restaurant Meals Program of the Supplemental Nutrition Assistance Program no later than*

December 1, 2025. Such report shall include (i) the number of restaurants that have applied to participate in the program, (ii) the names and addresses of all restaurants that have been approved to participate, (iii) identified barriers to program expansion and recommendations for alleviating such barriers, and (iv) any other data determined to be relevant to evaluating the program's success or its possible expansion.

CHAPTER 322

An Act to amend and reenact §§ 15.2-912, 54.1-700, 54.1-701, 54.1-703, and 54.1-704.1 through 54.1-706 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 7 of Title 54.1 a section numbered 54.1-707, relating to regulation of ear-piercers and ear-piercing salons and schools; licensure and training requirements.

[S 1419]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-912, 54.1-700, 54.1-701, 54.1-703, and 54.1-704.1 through 54.1-706 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 7 of Title 54.1 a section numbered 54.1-707 as follows:

§ 15.2-912. Regulation of tattoo parlors, body-piercing salons, and ear-piercing salons; definitions; exception.

A. Any locality may by ordinance regulate the sanitary condition of the personnel, equipment*,* and premises of tattoo parlors ~~and~~*,* body-piercing salons*, and ear-piercing salons* and specify procedures for enforcement of compliance with the disease control and disclosure requirements of § 18.2-371.3.

B. For the purposes of this section:

"Body-piercing salon" means any place in which a fee is charged for the act of penetrating the skin to make a hole, mark, or scar, generally permanent in nature. ~~"Body piercing" does not include the use of a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both.~~

"Ear-piercing salon" means any place in which a fee is charged for the act of penetrating the ear by the aid of needles or any other instrument designed to touch or puncture the skin. "Ear-piercing salon" does not include any place in which a fee is charged for the use of a mechanized, pre-sterilized ear-piercing system.

"Tattoo parlor" means any place in which is offered or practiced the placing of designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin, including permanent make-up or permanent jewelry, by the aid of needles or any other instrument designed to touch or puncture the skin.

C. This section shall not apply to medical doctors, veterinarians, registered nurses*,* or any other medical services personnel licensed pursuant to Title 54.1 in *the* performance of their professional duties.

D. Localities requiring regulation of tattoo parlors ~~and piercing~~*, body-piercing* salons*, or ear-piercing salons* by ordinance shall include in such ordinance authorization for unannounced inspections by appropriate personnel of the locality.

§ 54.1-700. Definitions.

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

"Barber" means any person who shaves, shapes or trims the beard; cuts, singes, or dyes the hair or applies lotions thereto; applies, treats or massages the face, neck or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays or other preparations in connection with shaving, cutting or trimming the hair or beard, and practices barbering for compensation and when such services are not performed for the treatment of disease.

"Barbering" means any one or any combination of the following acts, when done on the human body for compensation and not for the treatment of disease, shaving, shaping and trimming the beard; cutting, singeing, or dyeing the hair or applying lotions thereto; applications, treatment or massages of the face, neck or scalp with oils, creams, lotions, cosmetics, antiseptics, powders, clays, or other preparations in connection with shaving, cutting or trimming the hair or a beard. The term "barbering" shall not apply to the acts described hereinabove when performed by any person in his home if such service is not offered to the public.

"Barber instructor" means any person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of barbering.

"Barbershop" means any establishment or place of business within which the practice of barbering is engaged in or carried on by one or more barbers.

"Board" means the Board for Barbers and Cosmetology.

"Body-piercer" means any person who for remuneration penetrates the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing" means the act of penetrating the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing salon" means any place in which a fee is charged for the act of penetrating the skin of a person to make a hole, mark, or scar, generally permanent in nature.

"Body-piercing school" means a place or establishment licensed by the Board to accept and train students in body-piercing.

"Cosmetologist" means any person who administers cosmetic treatments; manicures or pedicures the nails of any person; arranges, dresses, curls, waves, cuts, shapes, singes, waxes, tweezes, shaves, bleaches, colors, relaxes, straightens, or performs similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances unless such acts as adjusting, combing, or brushing prestyled wigs or hairpieces do not alter the prestyled nature of the wig or hairpiece, and practices cosmetology for compensation. The term "cosmetologist" shall not include hair braiding upon human hair, or a wig or hairpiece.

"Cosmetology" includes, but is not limited to, the following practices: administering cosmetic treatments; manicuring or pedicuring the nails of any person; arranging, dressing, curling, waving, cutting, shaping, singeing, waxing, tweezing, shaving, bleaching, coloring, relaxing, straightening, or similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances, but shall not include hair braiding upon human hair, or a wig or hairpiece, or such acts as adjusting, combing, or brushing prestyled wigs or hairpieces when such acts do not alter the prestyled nature of the wig or hairpiece.

"Cosmetology instructor" means a person who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of cosmetology.

"Cosmetology salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein cosmetology is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Ear-piercer" means any person who for remuneration penetrates the ear of a person to make a hole, mark, or scar, generally permanent in nature.

"Ear-piercing" means the act of penetrating the ear of a person to make a hole, mark, or scar, generally permanent in nature.

"Ear-piercing salon" means any place in which a fee is charged for the act of penetrating the ear by the aid of needles or any other instrument designed to touch or puncture the skin.

"Ear-piercing school" means a place or establishment licensed by the Board to accept and train students in ear-piercing.

"Esthetician" means a person who engages in the practice of esthetics for compensation.

"Esthetics" includes, but is not limited to, the following practices of administering cosmetic treatments to enhance or improve the appearance of the skin: cleansing, toning, performing effleurage or other related movements, stimulating, exfoliating, or performing any other similar procedure on the skin of the human body or scalp by means of cosmetic preparations, treatments, or any nonlaser device, whether by electrical, mechanical, or manual means, for care of the skin; applying make-up or eyelashes to any person, tinting or perming eyelashes and eyebrows, and lightening hair on the body except the scalp; and removing unwanted hair from the body of any person by the use of any nonlaser device, by tweezing, or by use of chemical or mechanical means. However, "esthetics" is not a healing art and shall not include any practice, activity, or treatment that constitutes the practice of medicine, osteopathic medicine, or chiropractic. The terms "healing arts," "practice of medicine," "practice of osteopathic medicine," and "practice of chiropractic" shall mean the same as those terms are defined in § 54.1-2900.

"Esthetics instructor" means a licensed esthetician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of esthetics.

"Esthetics spa" means any commercial establishment, residence, vehicle, or other establishment, place, or event wherein esthetics is offered or practiced on a regular basis for compensation under regulations of the Board.

"Master barber" means a licensed barber who, in addition to the practice of barbering, performs waving, shaping, bleaching, relaxing, or straightening upon human hair; performs similar work on a wig or hairpiece; or performs waxing limited to the scalp.

"Master esthetician" means a licensed esthetician who, in addition to the practice of esthetics, offers to the public for compensation, without the use of laser technology, lymphatic drainage, chemical exfoliation, or microdermabrasion, and who has met such additional requirements as determined by the Board to practice lymphatic drainage, chemical exfoliation with products other than Schedules II through VI controlled substances as defined in the Drug Control Act (§ 54.1-3400 et seq.), and microdermabrasion of the epidermis.

"Nail care" means manicuring or pedicuring natural nails or performing artificial nail services.

"Nail salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein nail care is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Nail school" means a place or establishment licensed by the board to accept and train students in nail care.

"Nail technician" means any person who for compensation manicures or pedicures natural nails, or who performs artificial nail services for compensation, or any combination thereof.

"Nail technician instructor" means a licensed nail technician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of nail care.

"Physical (wax) depilatory" means the wax depilatory product or substance used to remove superfluous hair.

"School of cosmetology" means a place or establishment licensed by the Board to accept and train students and which offers a cosmetology curriculum approved by the Board.

"School of esthetics" means a place or establishment licensed by the Board to accept and train students and which offers an esthetics curriculum approved by the Board.

"Tattoo parlor" means any place in which tattooing is offered or practiced.

"Tattoo school" means a place or establishment licensed by the Board to accept and train students in tattooing.

"Tattooer" means any person who for remuneration practices tattooing.

"Tattooing" means the placing of designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin, including permanent make-up or permanent jewelry, by the aid of needles or any other instrument designed to touch or puncture the skin.

"Wax technician" means any person licensed by the Board who removes hair from the hair follicle using a physical (wax) depilatory or by tweezing.

"Wax technician instructor" means a licensed wax technician who has been certified by the Board as having completed an approved curriculum and who meets the competency standards of the Board as an instructor of waxing.

"Waxing" means the temporary removal of superfluous hair from the hair follicle on any area of the human body through the use of a physical (wax) depilatory or by tweezing.

"Waxing salon" means any commercial establishment, residence, vehicle or other establishment, place or event wherein waxing is offered or practiced on a regular basis for compensation and may include the training of apprentices under regulations of the Board.

"Waxing school" means a place or establishment licensed by the Board to accept and train students in waxing.

§ 54.1-701. Exemptions.

The provisions of this chapter shall not apply to:

1. Persons authorized by the laws of the Commonwealth to practice medicine and surgery or osteopathy or chiropractic;

2. Registered nurses licensed to practice in the Commonwealth;

3. Persons employed in state or local penal or correctional institutions, rehabilitation centers, sanatoria, or institutions for care and treatment of individuals with mental illness or intellectual disability, or for care and treatment of geriatric patients, as barbers, cosmetologists, wax technicians, nail technicians, estheticians, barber instructors, cosmetology instructors, wax technician instructors, nail technician instructors, or esthetics instructors who practice only on inmates of or patients in such sanatoria or institutions;

4. Persons licensed as funeral directors or embalmers in the Commonwealth;

5. Gratuitous services as a barber, nail technician, cosmetologist, wax technician, tattooer, body-piercer, *ear-piercer,* or esthetician;

6. Students enrolled in an approved school taking a course in barbering, nail care, cosmetology, waxing, tattooing, body-piercing, *ear-piercing,* or esthetics;

7. Persons working in a cosmetology salon whose duties are expressly confined to the blow drying, arranging, dressing, curling, or cleansing of human hair;

8. Apprentices serving in a barbershop, nail salon, waxing salon, cosmetology salon, *ear-piercing salon,* or esthetics spa licensed by the Board in accordance with the Board's regulations;

9. Schools of barbering, nail care, waxing, or cosmetology in public schools; and

10. Persons whose activities are confined solely to applying make-up, including such activities that are ancillary to applying make-up.

§ 54.1-703. License required.

No person shall offer to engage in or engage in barbering, cosmetology, nail care, waxing, tattooing, body-piercing, *ear-piercing,* or esthetics without a valid license issued by the Board, except as provided in § 54.1-701.

§ 54.1-704.1. License required for barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, ear-piercing salon, and esthetics spa.

No individual or entity shall operate a barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, *ear-piercing salon,* or esthetics spa without a valid license issued by the Board.

The provisions of this section shall not apply to a licensed barber, cosmetologist, nail technician, waxing technician, tattooer, body-piercer, *ear-piercer,* or esthetician who does not have an ownership interest in a licensed barbershop, cosmetology salon, nail care salon, waxing salon, tattoo parlor, body-piercing salon, *ear-piercing salon,* or esthetics spa in which he is employed.

§ 54.1-704.2. License required for schools of barbering, cosmetology, nail care, waxing, tattooing, body-piercing, ear-piercing, or esthetics.

Except as provided in § 54.1-701, no person, firm, or corporation shall operate or attempt to operate a school of barbering, cosmetology, nail care, waxing, tattooing, body-piercing, *ear-piercing,* or esthetics unless licensed by the Board pursuant to its regulations.

§ 54.1-705. Inspections.

A. Inspectors and sanitarians of the State Department of Health, or an affiliated local health department, may inspect each barbershop, cosmetology salon, waxing salon, nail care salon, tattoo parlor, body-piercing salon, *ear-piercing salon,*

and esthetics spa in the Commonwealth regularly. Any infractions shall be immediately reported to the Health Department and the Director of the Department of Professional and Occupational Regulation for disciplinary action.

B. The Board may inspect barbershops, barber schools, cosmetology salons and schools, waxing salons and schools, nail care salons and schools, tattoo parlors and schools, body-piercing salons and schools, *ear-piercing salons and schools,* and esthetics spas and schools for compliance with regulations promulgated by the Board.

C. The Board shall specify procedures for enforcement of compliance with the disease control and disclosure requirements of § 18.2-371.3, including unannounced inspections by appropriate personnel.

D. The Board or the Virginia Department of Health, or an affiliated local health department, may regulate the sanitary condition of the personnel, equipment*,* and premises of tattoo parlors ~~and~~*,* body-piercing salons*, and ear-piercing salons*.

§ 54.1-706. Different requirements for licensure.

A. The Board shall have the discretion to impose different requirements for licensure for the practice of barbering, cosmetology, nail care, waxing, tattooing, body-piercing, *ear-piercing,* and esthetics.

B. The Board shall issue a license to practice as a master barber in the Commonwealth to:

1. An individual who holds a valid, unexpired license as a barber issued by the Board prior to December 8, 2017; or

2. An applicant who has successfully (i) completed the educational requirements as required by the Board, (ii) completed the experience requirements as required by the Board, and (iii) passed the examination approved by the Board.

C. The Board may develop different classes of ear-piercing licenses.

§ 54.1-707. Training and apprenticeship programs; ear-piercers.

The Board shall develop specific training and apprenticeship programs for ear-piercers to ensure safety and competency.

CHAPTER 323

An Act to direct the Department of Behavioral Health and Developmental Services to develop and disseminate best practice educational training for health care providers on how to conduct telehealth visits for patients with disabilities.

[S 1038]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Behavioral Health and Developmental Services shall work with relevant state agencies and stakeholders to develop and disseminate best practice educational training for health care providers on how to conduct telehealth visits for patients with disabilities, including individuals with intellectual and developmental disabilities.*

CHAPTER 324

An Act to amend and reenact § 57-27.1:1 of the Code of Virginia, relating to interment rights; public property.

[S 1055]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 57-27.1:1 of the Code of Virginia is amended and reenacted as follows:

§ 57-27.1:1. Family cemeteries; interment rights of immediate family members and descendants.

A. For purposes of this section:

"Family cemetery" means a private burying ground or cemetery, not operated for profit, that contains a collection of graves of people who descend from the same immediate family and that is exempt from taxation pursuant to Article X, § 6 (a) (3) of the Constitution of Virginia.

"Immediate family member or descendant" means a spouse, child, parent, sibling, grandchild, grandparent, and parent-in-law of a deceased person buried in a family cemetery.

"Interment" means the same as that term is defined in § 54.1-2310.

B. Any immediate family member or descendant of a deceased person who died prior to July 1, 2024, and is buried in an identified family cemetery located on *(i)* private property owned by someone other than such immediate family member or descendant *or (ii) public property owned by a locality or held in trust for such a locality* may petition the circuit court of the county or city wherein the property is located for interment rights upon such property. Those seeking interment rights shall be considered within the existing perimeter of a family cemetery. The perimeter of a family cemetery shall be determined by a survey agreed upon by the petitioner and the property owner. The surveying costs, including the cost of the survey and of preparing the original and one copy of the plat, shall be shared equally by the petitioner and the property owner.

C. Upon satisfactory showing of proof of kinship, the court shall award the immediate family member or descendant interment rights upon such property. Such immediate family member or descendant shall, in addition to the rights provided for in § 57-27.1, have interment rights concerning himself and other immediate family members and descendants. The

immediate family member or descendant may prove kinship to a deceased person buried in the family cemetery by proffering official documentation or evidence of kinship or nonofficial documentation, such as obituaries, family Bibles or other documents with family signatures, journals or letters of the deceased family person, family photographs, or other official or nonofficial documentation deemed by the court to be reliable.

D. The court may order the petitioner to pay the reasonable costs and fees of the ~~private~~ *cemetery* property owner incurred pursuant to an action under this section.

E. The provisions of this section shall not apply to any cemetery, mausoleum, columbarium, or similar interment facility located on the property of any church or religious association, denomination, or body. For purposes of this subsection, the property of any church or religious association, denomination, or body owned or leased by (i) an incorporated church or religious body or corporation, as described in § 57-16.1; (ii) a duly designated ecclesiastical officer; or (iii) a trustee of an unincorporated church or religious body shall be deemed to be owned by such church or religious association, denomination, or body.

F. Nothing in this section shall be construed to prohibit a property owner from petitioning a circuit court for removal of remains from a previously unidentified graveyard or an abandoned family graveyard as permitted by § 57-38.1.

CHAPTER 325

An Act to amend and reenact §§ 32.1-102.1:3, 32.1-102.2, 32.1-102.4, and 32.1-102.6 of the Code of Virginia, relating to relocation, conversion, and addition of beds in medical care facilities; application for certificate of public need; expedited review.

[S 1064]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-102.1:3, 32.1-102.2, 32.1-102.4, and 32.1-102.6 of the Code of Virginia are amended and reenacted as follows:

§ 32.1-102.1:3. Medical care facilities and projects for which a certificate is required.

A. The following medical care facilities shall be subject to the provisions of this article:

1. Any facility licensed as a hospital, as defined in § 32.1-123;

2. Any hospital licensed as a provider by the Department of Behavioral Health and Developmental Services in accordance with Article 2 (§ 37.2-403 et seq.) of Chapter 4 of Title 37.2;

3. Any facility licensed as a nursing home, as defined in § 32.1-123;

4. Any intermediate care facility established primarily for the medical, psychiatric, or psychological treatment and rehabilitation of individuals with substance abuse licensed by the Department of Behavioral Health and Developmental Services in accordance with Article 2 (§ 37.2-403 et seq.) of Chapter 4 of Title 37.2;

5. Any intermediate care facility for individuals with developmental disabilities other than an intermediate care facility established for individuals with intellectual disability (ICF/IID) that has not more than 12 beds and is in an area identified as in need of residential services for individuals with intellectual disability in any plan of the Department of Behavioral Health and Developmental Services; and

6. Any specialized center or clinic or that portion of a physician's office developed for the provision of outpatient or ambulatory surgery, cardiac catheterization, computed tomographic (CT) scanning, magnetic resonance imaging (MRI), positron emission tomographic (PET) scanning, radiation therapy, stereotactic radiotherapy other than radiotherapy performed using a linear accelerator or other medical equipment that uses concentrated doses of high-energy X-rays to perform external beam radiation therapy, or proton beam therapy.

B. The following actions undertaken by or on behalf of a medical care facility described in subsection A shall constitute a project for which a certificate of public need is required pursuant to subsection A of § 32.1-102.1:2:

1. Establishment of a medical care facility described in subsection A;

2. An increase in the total number of beds or operating rooms in an existing medical care facility described in subsection A;

3. Relocation of beds from an existing medical care facility described in subsection A to another existing medical care facility described in subsection A;

4. Addition of any new nursing home service at an existing medical care facility described in subsection A;

5. Introduction into an existing medical care facility described in subsection A of any cardiac catheterization, computed tomographic (CT) scanning, magnetic resonance imaging (MRI), medical rehabilitation, neonatal special care, open heart surgery, positron emission tomographic (PET) scanning, psychiatric, organ or tissue transplant service, radiation therapy, stereotactic radiotherapy other than radiotherapy performed using a linear accelerator or other medical equipment that uses concentrated doses of high-energy X-rays to perform external beam radiation therapy, proton beam therapy, or substance abuse treatment when such medical care facility has not provided such service in the previous 12 months;

6. Conversion of beds in an existing medical care facility described in subsection A to medical rehabilitation beds or psychiatric beds;

7. The addition by an existing medical care facility described in subsection A of any new medical equipment for the provision of cardiac catheterization, computed tomographic (CT) scanning, magnetic resonance imaging (MRI), open heart surgery, positron emission tomographic (PET) scanning, radiation therapy, stereotactic radiotherapy other than radiotherapy performed using a linear accelerator or other medical equipment that uses concentrated doses of high-energy X-rays to perform external beam radiation therapy, or proton beam therapy, other than new medical equipment for the provision of such service added to replace existing medical equipment for the provision of such service;

8. Any capital expenditure of $15 million or more, not defined as reviewable in subdivisions 1 through 7, by or on behalf of a medical care facility described in subsection A other than a general hospital. The amounts specified in this subdivision shall be revised annually to reflect inflation using appropriate measures incorporating construction costs and medical inflation. Nothing in this subdivision shall be construed to modify or eliminate the reviewability of any project described in subdivisions 1 through 7 when undertaken by or on behalf of a general hospital; and

9. Conversion in an existing medical care facility described in subsection A of psychiatric inpatient beds ~~approved pursuant to a Request for Applications (RFA)~~ to nonpsychiatric inpatient beds.

C. Notwithstanding the provisions of subsection A, any nursing home affiliated with a facility that, on January 1, 1982, and thereafter, (i) is operated as a nonprofit institution, (ii) is licensed jointly by the Department as a nursing home and by the Department of Social Services as an assisted living facility, and (iii) restricts admissions such that (a) admissions to the facility are only allowed pursuant to the terms of a "life care contract" guaranteeing that the full complement of services offered by the facility is available to the resident as and when needed, (b) admissions to the assisted living facility unit of the facility are restricted to individuals defined as ambulatory by the Department of Social Services, and (c) admissions to the nursing home unit of the facility are restricted to those individuals who are residents of the assisted living facility unit of the facility shall not be subject to the requirements of this article.

D. Notwithstanding the provisions of subsection B, a certificate of public need shall not be required for the following actions undertaken by or on behalf of a medical care facility described in subsection A:

1. Relocation of up to 10 beds or 10 percent of the beds, whichever is less, (i) from one existing medical care facility described in subsection A to another existing medical care facility described in subsection A at the same site in any two-year period or (ii) in any three-year period, from one existing medical care facility described in subsection A licensed as a nursing home to any other existing medical care facility described in subsection A licensed as a nursing home that is owned or controlled by the same person and located either within the same planning district or within another planning district out of which, during or prior to that three-year period, at least 10 times that number of beds have been authorized by statute to be relocated from one or more medical care facilities described in subsection A located in that other planning district, and at least half of those beds have not been replaced; or

2. Use of up to 10 percent of beds as nursing home beds by a medical care facility described in subsection A licensed as a hospital, as provided in § 32.1-132.

E. The Department shall regularly review the types of medical care facilities subject to the provisions of this article and projects for which a certificate is required and provide to the Governor and the General Assembly, at least once every five years, a recommendation related to the continued appropriateness of requiring such types of medical care facilities to be subject to the provisions of this article and such types of projects to be subject to the requirement of a certificate. In developing such recommendations, the Department shall consider, for each type of medical care facility and project, the following criteria:

1. The current and projected future availability of the specific type of medical care facility or project;

2. The current and projected future demand for the specific type of medical care facility or project;

3. The current and projected future rate of utilization of the specific type of medical care facility or project;

4. The current and projected future capacity of existing medical care facilities or projects of that specific type;

5. The anticipated impact of changes in population and demographics, reimbursement structures and rates, and technology on demand for and availability, utilization, and capacity of existing medical care facilities or projects of that specific type;

6. Existing quality, utilization, and other controls applicable to the specific type of medical care facility or project; and

7. Any risk to the health or well-being of the public resulting from inclusion of the specific type of medical care facility or project on such list.

§ 32.1-102.2. Regulations.

A. The Board shall promulgate regulations that are consistent with this article and:

1. Shall establish concise procedures for the prompt review of applications for certificates consistent with the provisions of this article which may include a structured batching process which incorporates, but is not limited to, authorization for the Commissioner to request proposals for certain projects. In any structured batching process established by the Board, applications, combined or separate, for computed tomographic (CT) scanning, magnetic resonance imaging (MRI), positron emission tomographic (PET) scanning, radiation therapy, stereotactic radiotherapy other than radiotherapy performed using a linear accelerator or other medical equipment that uses concentrated doses of high-energy X-rays to perform external beam radiation therapy, and proton beam therapy shall be considered in the radiation therapy batch. A single application may be filed for a combination of (i) radiation therapy, stereotactic radiotherapy other than radiotherapy performed using a linear accelerator or other medical equipment that uses concentrated doses of high-energy X-rays to

perform external beam radiation therapy, and proton beam therapy and (ii) any or all of the computed tomographic (CT) scanning, magnetic resonance imaging (MRI), and positron emission tomographic (PET) scanning;

2. May classify projects and may eliminate one or more or all of the procedures prescribed in § 32.1-102.6 for different classifications;

3. May provide for exempting from the requirement of a certificate projects determined by the Commissioner, upon application for exemption, to be subject to the economic forces of a competitive market or to have no discernible impact on the cost or quality of health services;

4. May establish a schedule of fees for applications for certificates or registration of a project to be applied to expenses for the administration and operation of the Certificate of Public Need Program;

5. Shall establish an expedited application and review process for any certificate for projects reviewable pursuant to *(i)* subdivision ~~B 8~~ *B 1* of § 32.1-102.1:3 *for the establishment of a new medical care facility described in subdivision A 2 of § 32.1-102.1:3 by an existing medical care facility described in subdivision A 1 or 2 of § 32.1-102.1:3 that has an existing certificate to provide psychiatric services pursuant to subdivision B 6 of § 32.1-102.1:3, provided such new medical care facility is located in the same planning district as the existing medical care facility; (ii) subdivision B 2 of § 32.1-102.1:3 for the addition of psychiatric beds at an existing medical care facility described in subdivision A 1 or 2 of § 32.1-102.1:3 that has an existing certificate to provide psychiatric services pursuant to subdivision B 5 of § 32.1-102.1:3, not to exceed 10 beds or 10 percent of all beds at the medical care facility, whichever is greater, and provided that the applicant has not been awarded a certificate for the addition of psychiatric beds pursuant to this provision in the previous two-year period; (iii) subdivision B 3 of § 32.1-102.1:3 for the relocation of psychiatric beds to an existing medical care facility described in subdivision A 1 or 2 of § 32.1-102.1:3 that has had an existing certificate to introduce a psychiatric service for at least the previous 12 months pursuant to subdivision B 5 of § 32.1-102.1:3 and that is within the same planning district; (iv) and subdivision B 8 of § 32.1-102.1:3*. Regulations establishing the expedited application and review procedure shall include provisions for *(a)* notice and opportunity for public comment on the application for a certificate*, (b) a review cycle that is complete within 90 days, (c) the filing of an expedited application in four batch cycles specifically for expedited applications, (d) the ability of a member of the public to request a public hearing for the expedited application*, and *(e)* criteria pursuant to which an application that would normally undergo the review process would instead undergo the full certificate of public need review process set forth in § 32.1-102.6;

6. Shall establish an exemption from the requirement for a certificate for a project involving a temporary increase in the total number of beds in an existing hospital or nursing home, including a temporary increase in the total number of beds resulting from the addition of beds at a temporary structure or satellite location operated by the hospital or nursing home, provided that the ability remains to safely staff services across the existing hospital or nursing home, (i) for a period of no more than the duration of the Commissioner's determination plus 30 days when the Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds or (ii) for a period of no more than the duration of the emergency order entered pursuant to § 32.1-13 or 32.1-20 plus 30 days when the Board, pursuant to § 32.1-13, or the Commissioner, pursuant to § 32.1-20, has entered an emergency order for the purpose of suppressing a nuisance dangerous to public health or a communicable, contagious, or infectious disease or other danger to the public life and health; and

7. Shall require every medical care facility subject to the requirements of this article, other than a nursing home, that is not a medical care facility for which a certificate with conditions imposed pursuant to subsection B of § 32.1-102.4 has been issued and that provides charity care, as defined in § 32.1-102.1, to annually report the amount of charity care provided.

B. The Board shall promulgate regulations providing for time limitations for schedules for completion and limitations on the exceeding of the maximum capital expenditure amount for all reviewable projects. The Commissioner shall not approve any such extension or excess unless it complies with the Board's regulations. However, the Commissioner may approve a significant change in cost for an approved project that exceeds the authorized capital expenditure by more than 20 percent, provided the applicant has demonstrated that the cost increases are reasonable and necessary under all the circumstances and do not result from any material expansion of the project as approved.

C. The Board shall also promulgate regulations authorizing the Commissioner to condition approval of a certificate on the agreement of the applicant to provide a level of charity care to indigent persons or accept patients requiring specialized care. Such regulations shall include a methodology and formulas for uniform application of, active measuring and monitoring of compliance with, and approval of alternative plans for satisfaction of such conditions. In addition, the Board's licensure regulations shall direct the Commissioner to condition the issuing or renewing of any license for any applicant whose certificate was approved upon such condition on whether such applicant has complied with any agreement to provide a level of charity care to indigent persons or accept patients requiring specialized care. Except in the case of nursing homes, the value of charity care provided to individuals pursuant to this subsection shall be based on the provider reimbursement methodology utilized by the Centers for Medicare and Medicaid Services for reimbursement under Title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq.

D. The Board shall also promulgate regulations to require the registration of a project; for introduction into an existing medical care facility of any new lithotripsy, stereotactic radiosurgery, stereotactic radiotherapy performed using a linear accelerator or other medical equipment that uses concentrated doses of high-energy X-rays to perform external beam radiation therapy, obstetrical, or nuclear imaging services that the facility has never provided or has not provided in the previous 12 months; and for the addition by an existing medical care facility of any medical equipment for lithotripsy,

stereotactic radiosurgery, stereotactic radiotherapy performed using a linear accelerator or other medical equipment that uses concentrated doses of high-energy X-rays to perform external beam radiation therapy, or nuclear imaging services. Replacement of existing equipment for lithotripsy, stereotactic radiosurgery, stereotactic radiotherapy other than radiotherapy performed using a linear accelerator or other medical equipment that uses concentrated doses of high-energy X-rays to perform external beam radiation therapy, or nuclear imaging services shall not require registration. Such regulations shall include provisions for (i) establishing the agreement of the applicant to provide a level of care in services or funds that matches the average percentage of indigent care provided in the appropriate health planning region and to participate in Medicaid at a reduced rate to indigents, (ii) obtaining accreditation from a nationally recognized accrediting organization approved by the Board for the purpose of quality assurance, and (iii) reporting utilization and other data required by the Board to monitor and evaluate effects on health planning and availability of health care services in the Commonwealth.

§ 32.1-102.4. Conditions of certificates; monitoring; revocation of certificates; civil penalties.

A. The Commissioner may, in accordance with regulations of the Board, condition issuance of a certificate on compliance with a schedule for the completion of the proposed project and a maximum capital expenditure amount for the proposed project. The approved schedule and maximum capital expenditure for a proposed project shall be issued together with the certificate. The approved schedule may not be extended and the maximum capital expenditure may not be exceeded without the approval of the Commissioner in accordance with the regulations of the Board. The Commissioner shall not approve an extension for a schedule for completion of any project or the exceeding of the maximum capital expenditure of any project unless such extension or excess complies with the limitations provided in the regulations promulgated by the Board pursuant to § 32.1-102.2.

The Commissioner shall monitor each project to determine its progress and compliance with the approved schedule and with the maximum capital expenditure, and may revoke the certificate for (i) lack of substantial and continuing progress toward completion of the project in accordance with the schedule or (ii) expenditures in excess of the approved maximum capital expenditure for the project.

Any person willfully violating conditions imposed pursuant to this subsection shall be subject to a civil penalty of up to $100 per violation per day until the date of completion of the project which shall be collected by the Commissioner and paid into the Literary Fund.

For the purposes of this subsection, "completion" means conclusion of construction activities necessary for the substantial performance of the contract.

B. The Commissioner shall, pursuant to the regulations of the Board, condition the approval of a certificate upon the agreement of the applicant to provide care to individuals who are eligible for benefits under Title XVIII of the Social Security Act (42 U.S.C. § 1395 et seq.), Title XIX of the Social Security Act (42 U.S.C. § 1396 et seq.), and 10 U.S.C. § 1071 et seq. In addition, the Commissioner shall condition the approval of a certificate upon the agreement of the applicant to (i) provide a specified level of charity care to indigent persons or accept patients requiring specialized care, (ii) facilitate the development and operation of primary and specialty medical care services in designated medically underserved areas of the applicant's service area, or (iii) all of the above. Except in the case of nursing homes, the value of charity care provided to individuals pursuant to this subsection shall be based on the provider reimbursement methodology utilized by the Centers for Medicare and Medicaid Services for reimbursement under Title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq.

Every certificate holder shall develop a financial assistance policy that includes specific eligibility criteria and procedures for applying for charity care, which shall be provided to a patient at the time of admission or discharge or at the time services are provided, included with any billing statements sent to uninsured patients, posted conspicuously in public areas of the medical care facility for which the certificate was issued and posted on a website maintained by the certificate holder.

The certificate holder shall annually provide documentation to the Department demonstrating that the certificate holder has satisfied the conditions of the certificate, including documentation of the amount of charity care provided to patients. If the certificate holder is unable or fails to satisfy the conditions of a certificate, the Department may approve alternative methods to satisfy the conditions pursuant to a plan of compliance, which shall identify a timeframe within which the certificate holder will satisfy the conditions of the certificate, and identify how the certificate holder will satisfy the conditions of the certificate, which may include (a) making direct payments to an organization authorized under a memorandum of understanding with the Department to receive contributions satisfying conditions of a certificate, (b) making direct payments to a private nonprofit foundation that funds basic insurance coverage for indigents authorized under a memorandum of understanding with the Department to receive contributions satisfying conditions of a certificate, or (c) other documented efforts or initiatives to provide primary or specialized care to underserved populations. In cases in which the certificate holder holds more than one certificate with conditions pursuant to this subsection, and the certificate holder is unable to satisfy the conditions of one certificate, such plan of compliance may provide for satisfaction of the conditions on that certificate by providing care at a reduced rate to indigent individuals in excess of the amount required by another certificate issued to the same holder, in an amount approved by the Department provided such care is offered at the same facility. Nothing in the preceding sentence shall prohibit the satisfaction of conditions of more than one certificate among various affiliated facilities or certificates subject to a system-wide or all-inclusive charity care condition established by the Commissioner. In determining whether the certificate holder has met the conditions of the certificate pursuant to a

plan of compliance, only such actions undertaken after issuance of the conditioned certificate shall be counted towards satisfaction of conditions.

Any person refusing, failing, or neglecting to honor such agreement shall be subject to a civil penalty of up to $100 per violation per day until the date of compliance which shall be collected by the Commissioner and paid into the Literary Fund. For the purpose of determining the amount of a civil penalty imposed pursuant to this subsection, the date on which the person began providing services in accordance with the original certificate shall be the date from which the period of noncompliance shall be calculated.

C. *The Commissioner may, pursuant to the regulations of the Board, condition the approval of a certificate for any project to (i) establish a medical care facility pursuant to subdivision A 2 of § 32.1-102.1:3; (ii) introduce a psychiatric service pursuant to subdivision B 5 of § 32.1-102.1:3; or (iii) add psychiatric beds to an existing medical care facility described in subdivision A 1 or 2 of § 32.1-102.1:3 upon the agreement of the applicant to provide care to individuals who are the subject of an involuntary temporary detention under § 37.2-809.*

D. The Commissioner shall (i) review every certificate of public need upon which conditions were imposed pursuant to subsection B at least once every three years to determine whether such conditions continue to be appropriate or should be revised and (ii) notify each certificate holder of his conclusions regarding (a) the appropriateness of conditions imposed on the certificate and whether such conditions should be revised and (b) the process by which the certificate holder may request amendments to conditions imposed on a certificate in accordance with subsection ~~D~~ *E*.

~~D.~~ *E.* Pursuant to regulations of the Board, the Commissioner may accept requests for and approve amendments to conditions of existing certificates related to the provision of care at reduced rates or to patients requiring specialized care or related to the development and operation of primary medical care services in designated medically underserved areas of the certificate holder's service area.

~~E.~~ *F.* In determining whether conditions imposed on a certificate of public need pursuant to subsection B are appropriate for the purposes of subsection ~~C~~ *D* or should be amended in response to a request submitted pursuant to subsection ~~D~~ *E*, the Commissioner shall consider any changes in the circumstances of the certificate holder resulting from changes in the financing or delivery of health care services, including changes to the Commonwealth's program of medical assistance services, and any other specific circumstances of the certificate holder.

§ 32.1-102.6. Administrative procedures.

A. To obtain a certificate for a project, the applicant shall file a completed application for a certificate with the Department and the appropriate regional health planning agency if a regional health planning agency has been designated for that region. Such application shall be filed in accordance with procedures established by the Department. An application submitted for review shall be considered complete when all relevant sections of the application form have responses. The applicant shall provide sufficient information to prove public need for the requested project exists without the addition of supplemental or supporting material at a later date. The Department shall ensure that only data necessary for review of an application is required to be submitted and that the application reflects statutory requirements. Nothing in this section shall prevent the Department from seeking, at its discretion, additional information from the applicant or other sources.

Within 10 calendar days of the date on which the document is received, the Department and the appropriate regional health planning agency, if a regional health planning agency has been designated, shall determine whether the application is complete or not and the Department shall notify the applicant, if the application is not complete, of the information needed to complete the application. If no regional health planning agency is designated for the health planning region in which the project will be located, no filing with a regional health planning agency is required and the Department shall determine if the application is complete and notify the applicant, if the application is not complete, of the information needed to complete the application.

At least 30 calendar days before any person is contractually obligated to acquire an existing medical care facility, the cost of which is $600,000 or more, that person shall notify the Commissioner and the appropriate regional health planning agency, if a regional health planning agency has been designated, of the intent, the services to be offered in the facility, the bed capacity in the facility and the projected impact that the cost of the acquisition will have upon the charges for services to be provided. If clinical services or beds are proposed to be added as a result of the acquisition, the Commissioner may require the proposed new owner to obtain a certificate prior to the acquisition. If no regional health planning agency is designated for the health planning region in which the acquisition will take place, no notification to a regional health planning agency shall be required.

B. For projects proposed in health planning regions with regional planning agencies, the appropriate regional health planning agency shall (i) review each completed application for a certificate within 60 calendar days of the day that begins the appropriate batch review cycle as established by the Board by regulation pursuant to subdivision A 1 of § 32.1-102.2, such cycle not to exceed 190 days in duration; (ii) within 10 calendar days following the start of the review cycle, solicit public comment on such application by posting notice of such application and a summary of the proposed project on a website maintained by the Department; such notice shall include information about how comments may be submitted to the regional health planning agency and the date on which the public comment period shall expire, which shall be no later than 45 calendar days following the date of the public notice; and (iii) in the case of competing applications or in response to a written request by an elected local government representative, a member of the General Assembly, the Commissioner, the applicant, or a member of the public, hold one public hearing on each application in a location in the county or city in which the project is proposed or a contiguous county or city. Prior to any required public hearing, the regional health planning

agency shall notify the local governing bodies in the planning district. At least nine days prior to the public hearing, the regional health planning agency shall cause notice of the public hearing to be published in a newspaper of general circulation in the county or city where the project is proposed to be located. The regional health planning agency shall consider the comments of the local governing bodies in the planning district and all other public comments in making its decision. Such comments shall be part of the record. In no case shall a regional health planning agency hold more than two meetings on any application, one of which shall be the public hearing required pursuant to clause (iii), if any, conducted by the board of the regional health planning agency or a subcommittee of the board. The applicant shall be given the opportunity, prior to the vote by the board of the regional health planning agency or a committee of the agency, if acting for the board, on its recommendation, to respond to any comments made about the project by the regional health planning agency staff, any information in a regional health planning agency staff report, or comments by those voting members of the regional health planning agency board; however, such opportunity shall not increase the 60-calendar-day period designated herein for the regional health planning agency's review unless the applicant or applicants request a specific extension of the regional health planning agency's review period.

The regional health planning agency shall submit its recommendations on each application and its reasons therefor to the Department within 10 calendar days after the completion of its 60-calendar-day review or such other period in accordance with the applicant's request for extension.

If the regional health planning agency has not completed its review within the specified 60 calendar days or such other period in accordance with the applicant's request for extension and submitted its recommendations on the application and the reasons therefor within 10 calendar days after the completion of its review, the Department shall, on the eleventh calendar day after the expiration of the regional health planning agency's review period, proceed as though the regional health planning agency has recommended project approval without conditions or revision.

If no regional health planning agency has been designated for a region, the Department shall (a) within 10 calendar days following the start of the review cycle, solicit public comment on such application by posting notice of such application and a summary of the proposed project on a website maintained by the Department; such notice shall include such information about how comments may be submitted to the Department and the date on which the public comment period shall expire, which shall be no later than 45 calendar days following the date of the public notice, and (b) in the case of competing applications or in response to a written request by an elected local government representative, a member of the General Assembly, the Commissioner, the applicant, or a member of the public, hold one hearing on each application in a location in the county or city in which the project is proposed or a contiguous county or city. Prior to any required hearing, the Department shall notify the local governing bodies in the planning district in which the project is proposed. At least nine days prior to the public hearing, the Department shall cause notice of the public hearing to be published in a newspaper of general circulation in the county or city where the project is proposed to be located. The Department shall consider the comments of the local governing bodies in the planning district and all other public comments in making its decision. Such comments shall be part of the record.

C. After commencement of any public hearing and before a decision is made there shall be no ex parte contacts concerning the subject certificate or its application between (i) any person acting on behalf of the applicant or holder of a certificate or any person opposed to the issuance or in favor of revocation of a certificate of public need and (ii) any person in the Department who has authority to make a determination respecting the issuance or revocation of a certificate of public need, unless the Department has provided advance notice to all parties referred to in clause (i) of the time and place of such proposed contact.

D. The Department shall commence the review of each completed application upon the day which begins the appropriate batch review cycle and simultaneously with the review conducted by the regional health planning agency, if a regional health planning agency has been designated.

A determination whether a public need exists for a project shall be made by the Commissioner within 190 calendar days of the day which begins the appropriate batch cycle.

The 190-calendar-day review period shall begin on the date upon which the application is determined to be complete within the batching process specified in subdivision A 1 of § 32.1-102.2.

If the application is not determined to be complete within 40 calendar days from submission, the application shall be refiled in the next batch for like projects.

The Commissioner shall make determinations in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.) except for those parts of the determination process for which timelines and specifications are delineated in subsection E. Further, if an informal fact-finding conference is determined to be necessary by the Department or is requested by a person seeking good cause standing, the parties to the case shall include only the applicant, any person showing good cause, any third-party payor providing health care insurance or prepaid coverage to five percent or more of the patients in the applicant's service area, and the relevant health planning agency.

E. Upon entry of each completed application or applications into the appropriate batch review cycle:

1. The Department shall establish, for every application, a date between the eightieth and ninetieth calendar days within the 190-calendar-day review period for holding an informal fact-finding conference, if such conference is necessary.

2. The Department shall review every application at or before the seventy-fifth calendar day within the 190-calendar-day review period to determine whether an informal fact-finding conference is necessary.

3. Any person seeking to be made a party to the case for good cause, no later than four days after the Department has completed its review and submitted its recommendation on an application and has transmitted the same to the applicants and to persons who have, prior to the issuance of the report, requested a copy in writing, shall notify the Commissioner, all applicants, and the regional health planning agency, in writing and under oath, stating the grounds for good cause and providing the factual basis therefor.

4. In any case in which an informal fact-finding conference is held, a date shall be established for the closing of the record which shall not be more than 30 calendar days after the date for holding the informal fact-finding conference.

5. In any case in which an informal fact-finding conference is not held, the record shall be closed on the earlier of (i) the date established for holding the informal fact-finding conference or (ii) the date that the Department determines an informal fact-finding conference is not necessary.

6. The provisions of subsection C of § 2.2-4021 notwithstanding, if a determination whether a public need exists for a project is not made by the Commissioner within 45 calendar days of the closing of the record, the Commissioner shall notify the applicant or applicants and any persons seeking to show good cause, in writing, that the application or the application of each shall be deemed approved 25 calendar days after expiration of such 45-calendar-day period, unless the receipt of recommendations from the person performing the hearing officer functions permits the Commissioner to issue his case decision within that 25-calendar-day period. The validity or timeliness of the aforementioned notice shall not, in any event, prevent, delay or otherwise impact the effectiveness of this section.

7. In any case when a determination whether a public need exists for a project is not made by the Commissioner within 70 calendar days after the closing of the record, the application shall be deemed to be approved and the certificate shall be granted.

8. If a determination whether a public need exists for a project is not made by the Commissioner within 45 calendar days of the closing of the record, any applicant who is competing in the relevant batch or who has filed an application in response to the relevant Request For Applications issued pursuant to § 32.1-102.3:2 may, prior to the application being deemed approved, petition for immediate injunctive relief pursuant to § 2.2-4030, naming as respondents the Commissioner and all parties to the case. During the pendency of the proceeding, no applications shall be deemed to be approved. In such a proceeding, the provisions of § 2.2-4030 shall apply.

F. Deemed approvals shall be construed as the Commissioner's case decision on the application pursuant to the Administrative Process Act (§ 2.2-4000 et seq.) and shall be subject to judicial review on appeal as the Commissioner's case decision in accordance with such act.

Any person who has sought to participate in the Department's review of such deemed-to-be-approved application as a person showing good cause who has not received a final determination from the Commissioner concerning such attempt to show good cause shall be deemed to be a person showing good cause for purposes of appeal of the deemed approval of the certificate.

In any appeal of the Commissioner's case decision granting a certificate of public need pursuant to a Request for Applications issued pursuant to § 32.1-102.3:2, the court may require the appellant to file a bond pursuant to § 8.01-676.1, in such sum as shall be fixed by the court for protection of all parties interested in the case decision, conditioned on the payment of all damages and costs incurred in consequence of such appeal.

G. For purposes of this section, "good cause" means that (i) there is significant relevant information not previously presented at and not available at the time of the public hearing, (ii) there have been significant changes in factors or circumstances relating to the application subsequent to the public hearing, or (iii) there is a substantial material mistake of fact or law in the Department staff's report on the application or in the report submitted by the health planning agency.

H. The project review procedures shall provide for separation of the project review manager functions from the hearing officer functions. No person serving in the role of project review manager shall serve as a hearing officer.

I. The applicants, and only the applicants, shall have the authority to extend any of the time periods specified in this section. If all applicants consent to extending any time period in this section, the Commissioner, with the concurrence of the applicants, shall establish a new schedule for the remaining time periods.

J. This section shall not apply to applications for certificates for projects ~~defined in subdivision A 8 of § 32.1-102.1:3~~ *that meet the criteria for the expedited application and review process established in subdivision A 5 of § 32.1-102.2*. Such projects shall be subject to an expedited application and review process developed by the Board in regulation pursuant to ~~subdivision~~ *subdivisions* A 2 *and 5* of § 32.1-102.2.

CHAPTER 326

An Act to amend and reenact § 17.1-327 of the Code of Virginia, relating to retired justices and judges; per diem payments for attendance at mandatory judicial conferences.

[S 1069]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-327 of the Code of Virginia is amended and reenacted as follows:

§ 17.1-327. Payment for services of retired judges; members of the State Corporation Commission and Virginia Workers' Compensation Commission.

A. Any justice, judge, member of the State Corporation Commission, or member of the Virginia Workers' Compensation Commission who is retired under the Judicial Retirement System (§ 51.1-300 et seq.) and who is temporarily recalled to service shall be reimbursed for actual expenses incurred during such service and shall be paid a per diem of $400 for each day he actually sits, exclusive of travel time.

B. Any justice or judge who is retired under the Judicial Retirement System (§ 51.1-300 et seq.) and is eligible for recall pursuant to § 16.1-69.22:1 or 17.1-106 shall be paid a per diem rate as determined by the Office of the Executive Secretary of the Supreme Court of Virginia for attendance at any mandatory judicial conference.

2. That the provisions of the first enactment of this act shall not become effective unless reenacted by the 2026 Session of the General Assembly.

3. That the Office of the Executive Secretary of the Supreme Court of Virginia shall study the provision of an hourly rate of payment for any judge who is retired under the Judicial Retirement System and is eligible for recall pursuant to § 16.1-69.22:1 or 17.1-106 of the Code of Virginia for any time necessarily expended in the discharge of his service when such judge is not actually sitting. The Office of the Executive Secretary of the Supreme Court of Virginia shall report its findings and recommendations to the Chairmen of the Senate and House Committees for Courts of Justice by October 1, 2025.

CHAPTER 327

An Act to amend and reenact §§ 33.2-1524, 33.2-1700, 33.2-1701, 33.2-1708, and 33.2-1709 of the Code of Virginia, relating to transportation; Commonwealth Transportation Special Structures Program Revenue Bond Act of 2025.

[S 1082]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 33.2-1524, 33.2-1700, 33.2-1701, 33.2-1708, and 33.2-1709 of the Code of Virginia are amended and reenacted as follows:

§ 33.2-1524. Commonwealth Transportation Fund.

A. There is hereby created in the Department of the Treasury a special nonreverting fund to be known as the Commonwealth Transportation Fund (the Fund). The Fund shall be established on the books of the Comptroller. Any moneys remaining in the Fund at the end of the year shall not revert to the general fund but shall remain in the Fund. The Fund shall consist of all funds appropriated to the Fund and all funds dedicated to the Fund pursuant to law, including:

1. Revenues pursuant to §§ 58.1-2289 and 58.1-2701;

2. Revenues pursuant to subsections A and G of § 58.1-638 and § 58.1-638.3;

3. Tolls and other revenues derived from the projects financed or refinanced pursuant to this title that are payable into the state treasury and tolls and other revenues derived from other transportation projects, which may include upon the request of the applicable appointed local governing body, as soon as their obligations have been satisfied, such tolls and revenue derived for transportation projects pursuant to the Chesapeake Bay Bridge and Tunnel District and Commission established in Chapter 22 (§ 33.2-2200 et seq.) and to the Richmond Metropolitan Transportation Authority established in Chapter 29 (§ 33.2-2900 et seq.), or if the appointed local governing body requests refunding or advanced refunding by the Board and such refunding or advanced refunding is approved by the General Assembly. Such funds shall be held in separate subaccounts of the Commonwealth Transportation Fund to the extent required by law or the Board;

4. Revenues pursuant to § 58.1-2425;

5. Revenues pursuant to subdivisions A 1 through 12 of § 46.2-694 and §§ 46.2-694.1, 46.2-697, and 46.2-697.2, except where provided elsewhere in such sections and excluding revenues deposited into a special fund for the Department of Motor Vehicles pursuant to § 46.2-686;

6. Revenues pursuant to § 58.1-1741;

7. Revenues pursuant to § 58.1-815.4;

8. Revenues from § 58.1-2249;

9. Such other funds as may be appropriated by the General Assembly from time to time and designated for the Commonwealth Transportation Fund;

10. All interest, dividends, and appreciation that may accrue to the Transportation Trust Fund established pursuant to § 33.2-1524.1 and the Highway Maintenance and Operating Fund established pursuant to § 33.2-1530;

11. All amounts required by contract to be paid over to the Commonwealth Transportation Fund;

12. Concession payments paid to the Commonwealth by a private entity pursuant to the Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq.); and

13. Revenues pursuant to § 58.1-2531.

B. Funds in the Fund shall be distributed as follows:

1. Of the funds from subdivisions A 1, 2, 4 through 8, and 13: (i) 51 percent to the Highway Maintenance and Operating Fund established pursuant to § 33.2-1530 and (ii) 49 percent to the Transportation Trust Fund established pursuant to § 33.2-1524.1;

2. The funds from subdivisions A 3 and 12 shall be deposited into the Transportation Trust Fund established pursuant to § 33.2-1524.1;

3. Of the funds from subdivision A 10: (i) two-thirds shall be deposited in the Virginia Transportation Infrastructure Bank established pursuant to Article 1 (§ 33.2-1500 et seq.) and (ii) one-third shall be deposited into the Transportation Partnership Opportunity Fund established pursuant to § 33.2-1529.1.

C. From funds available pursuant to subsection B, (i) $40 million annually shall be deposited into the Route 58 Corridor Development Fund pursuant to § 33.2-2300, (ii) $40 million annually shall be deposited into the Northern Virginia Transportation District Fund pursuant to § 33.2-2400, and (iii) $80 million annually shall be deposited into the Special Structure Fund pursuant to § 33.2-1532, though the amount deposited shall be adjusted annually based on the *greater of (a) the* change in the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor *or (b) zero*. Such deposits may be made in one or more installments.

§ 33.2-1700. Definitions.

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

"Board" means the Commonwealth Transportation Board, or if the Commonwealth Transportation Board is abolished, any board, commission, or officer succeeding to the principal functions thereof or upon whom the powers given by this chapter to the Board shall be given by law.

"Cost of the project," as applied to a project to be acquired by purchase or by condemnation, includes:

1. The purchase price or the amount of the award;

2. The cost of improvements, financing charges, and interest during any period of disuse before completion of improvements;

3. The cost of traffic estimates and of engineering data;

4. The cost of engineering and legal expenses;

5. The cost of plans, specifications and surveys, and estimates of cost and of revenues; and

6. Other expenses necessary or incident to determining the feasibility or practicability of the enterprises, administrative expenses, and such other expenses as may be necessary or incident to the financing authorized in this chapter and the acquisition of the project and the placing of the project in operation.

"Cost of the project," as applied to a project to be constructed, includes:

1. The cost of construction;

2. The cost of all lands, properties, rights, easements, and franchises acquired that are deemed necessary for such construction;

3. The cost of acquiring by purchase or condemnation any ferry that is deemed by the Board to be competitive with any bridge to be constructed;

4. The cost of all machinery and equipment;

5. The cost of financing charges and interest prior to construction, during construction, and for one year after completion of construction;

6. The cost of traffic estimates and of engineering data;

7. The cost of engineering and legal expenses;

8. The cost of plans, specifications and surveys, estimates of cost and of revenues; and

9. Other expenses necessary or incident to determining the feasibility or practicability of the enterprise, administrative expenses, and such other expenses as may be necessary or incident to the financing authorized in this chapter, the construction of the project, the placing of the project in operation, and the condemnation of property necessary for such construction and operation.

"Improvements" means those repairs to, replacements of, additions to, and betterments of a project acquired by purchase or by condemnation as are deemed necessary to place it in a safe and efficient condition for the use of the public, if such repairs, replacements, additions, and betterments are ordered prior to the sale of any bonds for the acquisition of such project.

"Owner" includes all individuals, incorporated companies, partnerships, societies, and associations having any title or interest in any property rights, easements, or franchises authorized to be acquired by this chapter.

"Project" means any one or more of the following:

1. The York River Bridges, extending from a point within Yorktown in York County or within York County across the York River to Gloucester Point or some point in Gloucester County.

2. The Rappahannock River Bridge, extending from Greys Point, or its vicinity, in Middlesex County, across the Rappahannock River to a point in the vicinity of White Stone, in Lancaster County, or at some other feasible point in the general vicinity of the two respective points.

3. The James River Bridge, from a point at or near Jamestown, in James City County, across the James River to a point in Surry County.

4. The James River, Chuckatuck, and Nansemond River Bridges, together with necessary connecting roads, in the Cities of Newport News and Suffolk and the County of Isle of Wight.

5. The Hampton Roads Bridge-Tunnel or Bridge and Tunnel System, extending from a point or points in the Cities of Newport News and Hampton on the northwest shore of Hampton Roads across Hampton Roads to a point or points in the City of Norfolk or Suffolk on the southeast shore of Hampton Roads.

6. Interstate 264, extending from a point in the vicinity of the intersection of Interstate 64 and U.S. Route 58 at Norfolk to some feasible point between London Bridge and U.S. Route 60.

7. The Henrico-James River Bridge, extending from a point on the eastern shore of the James River in Henrico County to a point on the western shore, between Falling Creek and Bells Road interchanges of Interstate 95; however, the project shall be deemed to include all property, rights, easements, and franchises relating to this project and deemed necessary or convenient for its operation, including its approaches.

8. The limited access highway between the Newport News/Williamsburg International Airport area and the Newport News downtown area, which generally runs parallel to tracks of the Chesapeake and Ohio Railroad.

9. Transportation improvements in the Dulles Corridor, with an eastern terminus of the East Falls Church Metrorail station at Interstate 66 and a western terminus of Virginia Route 772 in Loudoun County, including without limitation the Dulles Toll Road; the Dulles Access Road; outer roadways adjacent or parallel thereto; mass transit, including rail; bus rapid transit; and capacity-enhancing treatments such as high-occupancy vehicle lanes, high-occupancy toll lanes, interchange improvements, commuter parking lots, and other transportation management strategies.

10. Subject to the limitations and approvals of § 33.2-1712, any other highway for a primary highway transportation improvement district or transportation service district that the Board has agreed to finance under a contract with any such district or any other alternative mechanism for generation of local revenues for specific funding of a project satisfactory to the Board, the financing for which is to be secured by Transportation Trust Fund revenues under any appropriation made by the General Assembly for that purpose and payable first from revenues received under such contract or other local funding source; second, to the extent required, from funds appropriated and allocated, pursuant to the highway allocation formula as provided by law, to the highway construction district in which the project is located or to the county or counties in which the project is located; and third, to the extent required from other legally available revenues of the Transportation Trust Fund and from any other available source of funds.

11. The U.S. Route 58 Corridor Development Program projects as defined in §§ 33.2-2300 and 33.2-2301.

12. The Northern Virginia Transportation District Program as defined in §§ 33.2-2400 and 33.2-2401.

13. Any program for highways or mass transit or transportation facilities endorsed by the affected localities, which agree that certain distributions of state recordation taxes will be dedicated and used for the payment of any bonds or other obligations, including interest thereon, the proceeds of which were used to pay the cost of the program. Any such program shall be referred to as a "Transportation Improvement Program."

14. Any project designated by the General Assembly financed in whole or part through the issuance of Commonwealth of Virginia Federal Highway Reimbursement Anticipation Notes.

15. Any project authorized by the General Assembly financed in whole or in part by funds from the Priority Transportation Fund established pursuant to § 33.2-1527 or from the proceeds of bonds whose debt service is paid in whole or in part by funds from such Fund.

16. Any project identified by the Board to be financed in whole or in part through the issuance of Commonwealth of Virginia Federal Transportation Grant Anticipation Revenue Notes.

17. The Interstate 81 Corridor Improvement Program projects as defined in §§ 33.2-3600 and 33.2-3602.

18. Railroad and other infrastructure improvements leading into Washington, D.C., from Virginia and new Metrorail-related improvements to, and serving, the Rosslyn Metrorail station in Arlington County.

19. Any project identified by the Board to be financed in whole or in part through the issuance of Commonwealth of Virginia Special Structures Program Revenue Bonds.

"Revenues" includes tolls and any other moneys received or pledged by the Board pursuant to this chapter, including legally available Transportation Trust Fund revenues and any federal highway reimbursements and any other federal highway assistance received by the Commonwealth.

"Toll project" means a project financed in whole or in part through the issuance of revenue bonds that are secured by toll revenues generated by the project.

"Undertaking" means all of the projects authorized to be acquired or constructed under this chapter.

§ 33.2-1701. General powers of Commonwealth Transportation Board.

The Board may, subject to the provisions of this chapter:

1. Acquire by purchase or by condemnation, construct, improve, operate, and maintain any one or more of the projects mentioned and included in the undertaking as defined in § 33.2-1700;

2. Issue revenue bonds of the Commonwealth to be known and designated as "Commonwealth of Virginia Toll Revenue Bonds," payable from earnings and from any other available sources of funds, to pay the cost of such projects;

3. Subject to the limitations and approvals of § 33.2-1712, issue revenue bonds of the Commonwealth to be known and designated as "Commonwealth of Virginia Transportation Contract Revenue Bonds," secured by Transportation Trust Fund revenues under a payment agreement between the Board and the Treasury Board, subject to their appropriation by the General Assembly and payable first from revenues received pursuant to contracts with a primary highway transportation

improvement district or transportation service district or other local revenue sources for which specific funding of any such bonds may be authorized by law; second, to the extent required, from funds appropriated and allocated, pursuant to the highway allocation formula as provided by law, to the highway construction district in which the project to be financed is located or to the county or counties in which the project to be financed is located; and third, to the extent required, from other legally available revenues of the Transportation Trust Fund and from any other available source of funds;

4. Issue revenue bonds of the Commonwealth to be known and designated as "Commonwealth of Virginia Transportation Revenue Bonds," secured (i) by revenues received from the U.S. Route 58 Corridor Development Fund, subject to their appropriation by the General Assembly; (ii) to the extent required, from revenues legally available from the Transportation Trust Fund; and (iii) to the extent required, from any other legally available funds that have been appropriated by the General Assembly;

5. Issue revenue bonds of the Commonwealth to be known and designated as "Commonwealth of Virginia Transportation Revenue Bonds," secured, subject to their appropriation by the General Assembly, (i) first from revenues received from the Northern Virginia Transportation District Fund; (ii) to the extent required, from funds appropriated and allocated, pursuant to the highway allocation formula as provided by law, to the highway construction district in which the project to be financed is located or to the city or county in which the project to be financed is located; (iii) to the extent required, from legally available revenues of the Transportation Trust Fund; and (iv) from such other funds that may be appropriated by the General Assembly;

6. Issue revenue bonds of the Commonwealth to be known and designated as "Commonwealth of Virginia Transportation Program Revenue Bonds," secured, subject to their appropriation by the General Assembly, (i) first from any revenues received from any Set-aside Fund established by the General Assembly pursuant to § 58.1-816.1; (ii) to the extent required, from revenues received pursuant to any contract with a locality or any alternative mechanism for generation of local revenues for specific funding of a project satisfactory to the Board; (iii) to the extent required, from funds appropriated and allocated, pursuant to the highway allocation formula as provided by law, to the highway construction district in which the project to be financed is located or to the city or county in which the project to be financed is located; (iv) to the extent required, from legally available revenues of the Transportation Trust Fund; and (v) from such other funds that may be appropriated by the General Assembly. No bonds for any project shall be issued under the authority of this subdivision unless such project is specifically included in a bill or resolution passed by the General Assembly;

7. Issue revenue bonds of the Commonwealth to be known and designated as "Commonwealth of Virginia Transportation Program Revenue Bonds," secured, subject to their appropriation by the General Assembly, (i) first from any revenues received from the Commonwealth Transit Capital Fund established by the General Assembly pursuant to § 33.2-1526.2; (ii) to the extent required, from legally available revenues of the Transportation Trust Fund; and (iii) from such other funds that may be appropriated by the General Assembly. No bonds for any project shall be issued under the authority of this subdivision unless such project is specifically included in a bill or resolution passed by the General Assembly;

8. Issue revenue bonds of the Commonwealth to be known and designated as "Commonwealth of Virginia Federal Highway Reimbursement Anticipation Notes," secured, subject to their appropriation by the General Assembly, (i) first from any federal highway reimbursements and any other federal highway assistance received by the Commonwealth; (ii) then, at the discretion of the Board, to the extent required, from legally available revenues of the Transportation Trust Fund; and (iii) then from such other funds, if any, that are designated by the General Assembly for such purpose;

9. Issue revenue bonds of the Commonwealth to be known and designated as "Commonwealth of Virginia Credit Assistance Revenue Bonds," secured, subject to their appropriation by the General Assembly, solely from revenues with respect to or generated by the project being financed thereby and any tolls or other revenues pledged by the Board as security therefor and in accordance with the applicable federal credit assistance authorized with respect to such project by the U.S. Department of Transportation;

10. Issue revenue bonds of the Commonwealth to be known and designated as "Commonwealth of Virginia Transportation Capital Projects Revenue Bonds," secured, subject to their appropriation by the General Assembly, (i) from the revenues deposited into the Priority Transportation Fund established pursuant to § 33.2-1527; (ii) to the extent required, from revenues legally available from the Transportation Trust Fund; and (iii) to the extent required, from any other legally available funds;

11. Issue grant anticipation notes of the Commonwealth from time to time to be known and designated as "Commonwealth of Virginia Federal Transportation Grant Anticipation Revenue Notes," secured, subject to their appropriation by the General Assembly, (i) first from the project-specific reimbursements pursuant to § 33.2-1520; (ii) then, at the discretion of the Board, to the extent required, from legally available revenues of the Transportation Trust Fund; and (iii) then from such other funds, if any, that are designated by the General Assembly for such purpose;

12. Issue revenue bonds of the Commonwealth to be known and designated as "Commonwealth of Virginia Interstate 81 Program Revenue Bonds," secured, subject to appropriation by the General Assembly, by revenues received from the Interstate 81 Corridor Improvement Fund from deposits thereto pursuant to § 58.1-2299.20 derived from the receipt of the regional fuels tax levied pursuant to § 58.1-2295;

13. Fix and collect tolls and other charges for the use of such projects or to refinance the cost of such projects;

14. Construct grade separations at intersections of any projects with public highways, railways, or streets and adjust the lines and grades thereof so as to accommodate the same to the design of such grade separations, the cost of such grade

separations and any damage incurred in adjusting the lines and grades of such highways, railways, or streets to be ascertained and paid by the Board as a part of the cost of the project;

15. Vacate or change the location of any portion of any public highway and reconstruct the same at such new location as the Board deems most favorable for the project and of substantially the same type and in as good condition as the original highway, the cost of such reconstruction and any damage incurred in vacating or changing the location thereof to be ascertained and paid by the Board as a part of the cost of the project. Any public highway vacated or relocated by the Board shall be vacated or relocated in the manner provided by law for the vacation or relocation of public highways, and any damages awarded on account thereof may be paid by the Board as a part of the cost of the project;

16. Make reasonable regulations for the installation, construction, maintenance, repair, renewal, and relocation of pipes, mains, sewers, conduits, cables, wires, towers, poles, and other equipment and appliances, referred to in this subdivision as "public utility facilities," of the Commonwealth and of any locality, political subdivision, public utility, or public service corporation owning or operating the same in, on, along, over, or under the project. Whenever the Board determines that it is necessary that any such public utility facilities should be relocated or removed, the Commonwealth or such locality, political subdivision, public utility, or public service corporation shall relocate or remove the same in accordance with the order of the Board. The cost and expense of such relocation or removal, including the cost of installing such public utility facilities in a new location or locations, the cost of any lands or any rights or interests in lands, and any other rights acquired to accomplish such relocation or removal, shall be ascertained by the Board.

On any toll project, the Board shall pay the cost and expense of relocation or removal as a part of the cost of the project for those public utility facilities owned or operated by the Commonwealth or such locality, political subdivision, public utility, or public service corporation. On all other projects under this chapter, the Board shall pay the cost and expense of relocation or removal as a part of the cost of the project for those public utility facilities owned or operated by the Commonwealth or such locality or political subdivision. The Commonwealth or such locality, political subdivision, public utility, or public service corporation may maintain and operate such public utility facilities with the necessary appurtenances in the new location for as long a period and upon the same terms and conditions as it had the right to maintain and operate such public utility facilities in their former location;

17. Acquire by the exercise of the power of eminent domain any lands, property, rights, rights-of-way, franchises, easements, and other property, including public lands, parks, playgrounds, reservations, highways, or parkways, or parts thereof or rights therein, of any locality or political subdivision, deemed necessary or convenient for the construction or the efficient operation of the project or necessary in the restoration, replacement, or relocation of public or private property damaged or destroyed.

The cost of such projects shall be paid solely from the proceeds of Commonwealth of Virginia Toll or Transportation Contract Revenue Bonds or a combination thereof or from such proceeds and from any grant or contribution that may be made thereto pursuant to the provisions of this chapter;

18. Notwithstanding any provision of this chapter to the contrary, the Board shall be authorized to exercise the powers conferred in this chapter, in addition to its general powers to acquire rights-of-way and to construct, operate, and maintain state highways, with respect to any project that the General Assembly has authorized or may hereafter authorize to be financed in whole or in part through the issuance of bonds of the Commonwealth pursuant to the provisions of Article X, Section 9 (c) of the Constitution of Virginia;

19. Enter into any agreements or take such other actions as the Board determines in connection with applying for or obtaining any federal credit assistance, including without limitation loan guarantees and lines of credit, pursuant to authorization from the U.S. Department of Transportation with respect to any project included in the Commonwealth's long-range transportation plan and the approved State Transportation Improvement Program; ~~and~~

20. Issue revenue bonds of the Commonwealth to be known and designated as "Commonwealth of Virginia Passenger Rail Facilities Bonds," secured, subject to their appropriation by the General Assembly from net revenues resulting from tolls, rates, fees, and charges for or in connection with the use, occupancy, and services of the Transform 66 Inside the Beltway express lanes project and remaining after payment of expenses incurred in operating such project's toll facilities*; and*

21. Issue revenue bonds of the Commonwealth to be known and designated as "Commonwealth of Virginia Special Structures Program Revenue Bonds," secured, subject to their appropriation by the General Assembly, (i) first from revenues received from the Special Structure Fund pursuant to § 33.2-1532; (ii) second and to the extent required, from revenues legally available from the Transportation Trust Fund; and (iii) then to the extent required, from any other legally available funds.

§ 33.2-1708. Revenue bonds.

The Board may provide by resolution, at one time or from time to time, for the issuance of revenue bonds, notes, or other revenue obligations of the Commonwealth for the purpose of paying all or any part of the cost, as defined in § 33.2-1700, of any one or more projects, as defined in § 33.2-1700. The principal or purchase price of, and redemption premium, if any, and interest on such obligations shall be payable solely from the special funds herein provided for such payment. For the purposes of this section, "special funds" includes any funds established for Commonwealth of Virginia Toll Revenue Bonds, Commonwealth of Virginia Transportation Contract Revenue Bonds, Commonwealth of Virginia Transportation Revenue Bonds, Commonwealth of Virginia Interstate 81 Program Revenue Bonds, Commonwealth of Virginia Federal Highway Reimbursement Anticipation Notes, or Commonwealth of Virginia Federal Transportation Grant

Anticipation Revenue Notes, ~~or~~ Commonwealth of Virginia Passenger Rail Facilities Bonds*, or Commonwealth of Virginia Special Structures Program Revenue Bonds*.

§ 33.2-1709. Credit of Commonwealth not pledged.

A. Commonwealth of Virginia Toll Revenue Bonds issued under the provisions of this chapter shall not be deemed to constitute a debt of the Commonwealth or a pledge of the full faith and credit of the Commonwealth, but such bonds shall be payable solely from the funds provided therefor from tolls and revenues pursuant to this chapter, from bond proceeds or earnings thereon, and from any other available sources of funds. All such bonds shall state on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from the special fund provided therefor from tolls and revenues under this chapter, from bond proceeds or earnings thereon, and from any other available sources of funds, and that the full faith and credit of the Commonwealth are not pledged to the payment of the principal or interest of such bonds. The issuance of such revenue bonds under the provisions of this chapter shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment, other than appropriate available funds derived as revenues from tolls and charges under this chapter or derived from bond proceeds or earnings thereon and from any other available sources of funds.

B. Commonwealth of Virginia Transportation Contract Revenue Bonds issued under the provisions of this chapter shall not be deemed to constitute a debt of the Commonwealth or a pledge of the full faith and credit of the Commonwealth, but such bonds shall be payable solely from the funds provided therefor pursuant to this chapter (i) from revenues received pursuant to contracts with a primary highway transportation district or transportation service district or any other alternative mechanism for generation of local revenues for specific funding of a project satisfactory to the Board; (ii) to the extent required, from funds appropriated and allocated, pursuant to the highway allocation formula as provided by law, to the highway construction district in which the project to be financed is located or to the county or counties in which such project is located; (iii) from bond proceeds or earnings thereon; (iv) to the extent required, from other legally available revenues of the Transportation Trust Fund; and (v) from any other available source of funds. All such bonds shall state on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from revenues in clauses (i) and (iii) and that the full faith and credit of the Commonwealth are not pledged to the payment of the principal and interest of such bonds. The issuance of such revenue bonds under the provisions of this chapter shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever or to make any appropriation for their payment, other than to appropriate available funds derived as revenues under this chapter from the sources set forth in clauses (i) and (iii). Nothing in this chapter shall be construed to obligate the General Assembly to make any appropriation of the funds set forth in clause (ii) or (iv) for payment of such bonds.

C. Commonwealth of Virginia Transportation Revenue Bonds issued under the provisions of this chapter shall not be deemed to constitute a debt of the Commonwealth or a pledge of the full faith and credit of the Commonwealth, but such bonds shall be payable solely from the funds provided therefor pursuant to this chapter (i) from revenues received from the U.S. Route 58 Corridor Development Fund established pursuant to § 33.2-2300, subject to their appropriation by the General Assembly; (ii) to the extent required, from revenues legally available from the Transportation Trust Fund; and (iii) to the extent required, from any other legally available funds that may be appropriated by the General Assembly.

D. Commonwealth of Virginia Transportation Revenue Bonds issued under this chapter for Category 1 projects as provided in subdivision 12 of the definition of "project" in § 33.2-1700 shall not be deemed to constitute a debt of the Commonwealth or a pledge of the full faith and credit of the Commonwealth. Such bonds shall be payable solely, subject to their appropriation by the General Assembly, (i) first from revenues received from the Northern Virginia Transportation District Fund established pursuant to § 33.2-2400; (ii) to the extent required, from funds appropriated and allocated, pursuant to the highway allocation formula as provided by law, to the highway construction district in which the project to be financed is located or to the city or county in which the project to be financed is located; (iii) to the extent required, from legally available revenues of the Transportation Trust Fund; and (iv) from such other funds that may be appropriated by the General Assembly.

E. Commonwealth of Virginia Transportation Program Revenue Bonds issued under this chapter for projects defined in subdivision 13 of the definition of "project" in § 33.2-1700 shall not be deemed to constitute a debt of the Commonwealth or a pledge of the full faith and credit of the Commonwealth. Such bonds shall be payable solely, subject to their appropriation by the General Assembly, (i) first from any revenues received from any Set-aside Fund established by the General Assembly pursuant to § 58.1-816.1; (ii) to the extent required, from revenues received pursuant to any contract with a locality or any alternative mechanism for generation of local revenues for specific funding of a project satisfactory to the Board; (iii) to the extent required, from funds appropriated and allocated, pursuant to the highway allocation formula as provided by law, to the highway construction district in which the project to be financed is located or to the city or county in which the project to be financed is located; (iv) to the extent required, from legally available revenues from the Transportation Trust Fund; and (v) from such other funds that may be appropriated by the General Assembly.

F. Commonwealth of Virginia Federal Highway Reimbursement Anticipation Notes issued under this chapter shall not be deemed to constitute a debt of the Commonwealth or a pledge of the full faith and credit of the Commonwealth, but such obligations shall be payable solely, subject to appropriation by the General Assembly, (i) first from any federal highway reimbursements and any other federal highway assistance received by the Commonwealth; (ii) then, at the discretion of the Board, to the extent required, from legally available revenues of the Transportation Trust Fund; and (iii) then, from such other funds, if any, that are designated by the General Assembly for such purpose.

G. Commonwealth of Virginia Transportation Credit Assistance Revenue Bonds issued under the provisions of this chapter shall not be deemed to constitute a debt of the Commonwealth or a pledge of the full faith and credit of the Commonwealth, but such obligations shall be payable solely, subject to appropriation by the General Assembly, from revenues with respect to or generated by the project being financed thereby and any tolls or other revenues pledged by the Board as security therefor and in accordance with the applicable federal credit assistance authorized with respect to such project by the U.S. Department of Transportation.

H. Commonwealth of Virginia Transportation Capital Projects Revenue Bonds issued under the provisions of this chapter for projects as provided in subdivision 15 of the definition of "project" in § 33.2-1700 shall not be deemed to constitute a debt of the Commonwealth or a pledge of the full faith and credit of the Commonwealth, but such bonds shall be payable solely, subject to their appropriation by the General Assembly, (i) from the revenues deposited into the Priority Transportation Fund established pursuant to § 33.2-1527; (ii) to the extent required, from revenues legally available from the Transportation Trust Fund; and (iii) to the extent required, from any other legally available funds.

I. Commonwealth of Virginia Federal Transportation Grant Anticipation Revenue Notes issued under the provisions of Article 4 (§ 33.2-1511 et seq.) of Chapter 15 and this chapter shall not be deemed to constitute a debt of the Commonwealth or a pledge of the full faith and credit of the Commonwealth, but such notes shall be payable solely, subject to their appropriation by the General Assembly, (i) first from the project-specific reimbursements pursuant to § 33.2-1520; (ii) then, at the discretion of the Board, to the extent required, from legally available revenues of the Transportation Trust Fund; and (iii) then from such other funds, if any, that are designated by the General Assembly for such purpose.

J. Commonwealth of Virginia Interstate 81 Program Revenue Bonds issued under the provisions of this chapter shall not be deemed to constitute a debt of the Commonwealth or a pledge of the full faith and credit of the Commonwealth, but such bonds shall be payable solely from the funds provided therefor pursuant to this chapter, subject to their appropriation by the General Assembly, from revenues received from the Interstate 81 Corridor Improvement Fund from deposits thereto pursuant to § 58.1-2299.20 derived from the receipt of the regional fuels tax levied pursuant to § 58.1-2295.

K. Commonwealth of Virginia Passenger Rail Facilities Bonds issued under the provisions of this chapter shall not be deemed to constitute a debt of the Commonwealth or a pledge of the full faith and credit of the Commonwealth but such bonds shall be payable solely from the funds provided therefor from tolls, rates, fees, and charges pursuant to this chapter. All such bonds shall state on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from revenues and funds provided from tolls, rates, fees, and charges pursuant to this chapter and the full faith and credit of the Commonwealth are not pledged to the payment of the principal of and interest on such bonds. The issuance of such revenue bonds under the provisions of this chapter shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatsoever or to make any appropriation for their payment, other than to appropriate available funds from pledged revenues.

L. Commonwealth of Virginia Special Structures Program Revenue Bonds issued under the provisions of this chapter shall not be deemed to constitute a debt of the Commonwealth or a pledge of the full faith and credit of the Commonwealth, but such bonds shall be payable solely from the funds provided therefor pursuant to this chapter, subject to their appropriation by the General Assembly, (i) first from revenues received from the Special Structure Fund pursuant to § 33.2-1532; (ii) second and to the extent required, from revenues legally available from the Transportation Trust Fund; and (iii) then to the extent required, from any other legally available funds.

2. *§ 1. Commonwealth Transportation Special Structures Program Revenue Bond Act of 2025.*

This act shall be known and may be cited as the "Commonwealth Transportation Special Structures Program Revenue Bond Act of 2025."

§ 2. Definitions.

"Act" means the Commonwealth Transportation Special Structures Program Revenue Bond Act of 2025.

"Board" means the Commonwealth Transportation Board established pursuant to Article 1 (§ 33.2-200 et seq.) of Chapter 2 of Title 33.2 of the Code of Virginia.

"Bond" means a bond, a note, a credit facility, an anticipatory borrowing, and any other evidence of indebtedness issued pursuant to the provisions of the Act. A bond may contain any designation appropriate to the debt instrument.

"Bond Act" means the Transportation Development and Revenue Bond Act established pursuant to Chapter 17 (§ 33.2-1700 et seq.) of Title 33.2 of the Code of Virginia and any amendments thereto.

"Fund" means the Special Structure Fund created in § 33.2-1532 of the Code of Virginia.

"Plan" means the plan developed in accordance with § 33.2-374 of the Code of Virginia to implement the Program.

"Program" means the Special Structure Program established in accordance with § 33.2-374 of the Code of Virginia.

§ 3. Authorization of bonds and bond anticipation notes.

The Board is hereby authorized, by and with the consent of the Governor, to issue, pursuant to the provisions of the Bond Act, in one or more series, revenue obligations of the Commonwealth, to be designated "Commonwealth of Virginia Special Structures Program Revenue Bonds, Series .....", in an aggregate principal amount not exceeding $1 billion, exclusive of (i) amounts issued for financing expenses, including any original issue discount, (ii) amounts issued for reserve funds or capitalized interest, and (iii) amounts issued for refunding bonds for debt service savings. Such aggregate principal amount shall not include any pre-project completion interest that may be converted to principal in connection with any federal program borrowing undertaken pursuant to subsection D of § 6. In any single fiscal year, the aggregate principal amount issued shall not exceed $200 million, exclusive of any amounts issued for refunding bonds for debt service savings.

§ 4. The Board shall use the net proceeds of any bonds, including any premium received on the sale thereof, for the exclusive purpose of paying costs incurred or to be incurred in relation to the Plan and the Program. Such costs may include payment of bond interest during and after the construction of transportation improvements, as determined by the Board. Such costs may include expenditures for:

1. Environmental and engineering studies;

2. Acquisition of rights-of-way;

3. Maintenance, rehabilitation, and replacement of special structures in the Commonwealth;

4. Acquisition of real and personal property;

5. Contributions to reserve funds;

6. Any financing expenses; and

7. Any purpose the Board deems necessary to implement the Plan and the Program.

§ 5. The Board shall make proceeds of the bonds available to pay costs for the purposes identified in § 4, or to refund previously issued bonds providing funds to pay for the purposes identified in § 4. The Board may use proceeds of the bonds to make payments to any authority, commission, locality, or other entity of the Commonwealth for purposes of paying such entity's costs related to transportation projects in furtherance of the Program. The Board shall use bond proceeds together with any federal, local, or private funds that may be made available for similar purposes. The Board may use proceeds from the bonds, together with any investment earnings from such bonds, to secure the payment of principal or the purchase price and redemption premium, if any, and interest on the bonds.

§ 6. A. The Board shall determine the terms and structure of each issue of bonds, provided that its determination shall be subject to approval by the Treasury Board in accordance with § 2.2-2416 of the Code of Virginia and any amendments thereto. The bonds of each issue shall:

1. Be dated;

2. Be issued in a principal amount subject to the limitations identified in § 3;

3. Bear interest at a rate or rates, which may be fixed, adjustable, variable, or a combination thereof and which may be determined according to a formula or other method;

4. Mature at a time or times not exceeding 25 years from the date of issue, except as provided in subsection D; and

5. If directed by the Board, be issued under a system of book entry for recording the ownership and transfer of ownership of rights to receive payments of principal or purchase price and redemption premium, if any, and interest on such bonds.

B. The Board may determine that bonds be made subject to purchase or redemption before their maturity or maturities, at such price or prices and under such terms and conditions it deems appropriate. The Board shall:

1. Determine the form of the bonds;

2. Determine whether the bonds are certificated or uncertificated;

3. Fix the authorized denomination of the bonds, provided that interest on the bonds shall be made payable in lawful money of the United States; and

4. Fix the place or places of payment of the bonds' principal, purchase price, redemption premium, if any, and interest, provided that such place may be the office of the State Treasurer or any bank or trust company in the United States.

C. All bonds issued under this Act shall have, as between successive holders, all the qualities and incidents of negotiable instruments under the Commonwealth's negotiable instruments laws.

D. Notwithstanding the maturity limitation prescribed in subdivision A 4, if the Board enters into an agreement with the authorization of the U.S. Department of Transportation pursuant to the provisions of subdivision 19 of § 33.2-1701 of the Code of Virginia, or any successor thereto, any loan, credit facility, or other borrowing that occurs under such agreement, including any advancement under a line of credit or lending program with an individualized prepayment schedule, shall not exceed 25 years from the first scheduled payment of principal. The first scheduled payment of principal shall be not more than five years from the initial advancement of funds under such loan, credit facility, line of credit, or other borrowing.

E. The Board may sell bonds from time to time at public or private sale for such price or prices as it determines to be in the best interest of the Commonwealth. The Board may sell bonds by competitive bidding, negotiated sale, or private placement with private lenders or governmental agencies.

§ 7. A. Any bonds issued pursuant to this Act shall (i) be signed on behalf of the Board by the chairman or vice-chairman of the Board or shall bear the facsimile signature of such officer and (ii) bear the official seal of the Board, which shall be attested to by the manual or facsimile signature of the secretary or assistant secretary of the Board. If a bond bears a facsimile signature pursuant to clause (i), the bond shall be signed by a designee of the Board, who may be an administrative assistant, a registrar, or a paying agent. If an officer who has signed the bond ceases to be an officer before the delivery of such bond, any such signature or facsimile signature of such officer shall be valid and sufficient for all purposes as if such officer had remained an officer until delivery of such bond.

B. If a loan, a line of credit, or other borrowing is not evidenced by a bond, any agreements and instruments as may be necessary to provide evidence of such loan, line of credit, or other borrowing shall be signed on behalf of the Board by the chairman or vice-chairman of the Board. Such agreements and instruments may bear the official seal of the Board. Such agreements and instruments shall be signed by the secretary or assistant secretary of the Board.

§ 8. All expenses incurred under this Act or in connection with any bond issuance shall be paid from the proceeds of such bonds or from any available funds as the Board shall determine.

§ 9. A. The proceeds of the bonds and of any anticipation notes authorized pursuant to this Act shall be placed by the State Treasurer in a special fund in the state treasury or placed with a trustee in accordance with the provisions of § 33.2-1716 of the Code of Virginia and any amendments thereto. Such proceeds shall be disbursed only for the purpose for which such bonds and anticipation notes were issued. Proceeds derived from the sale of bonds authorized by this Act shall first be used to pay anticipation notes, if any were issued in anticipation of the sale of such bonds and renewals of such bonds.

B. Subsection A shall not apply to the proceeds of the bonds when the issuance of such bonds has been anticipated by anticipation notes.

§ 10. The Board may receive any other funds that may be made available to pay costs of projects related to the Plan and the Program and, subject to appropriation by the General Assembly, may make available such funds for the payment of the principal, purchase price, and redemption premium, if any, and interest on bonds authorized under this Act. The Board is authorized to enter into agreements with any department or agency of the Commonwealth or any other party to allow for such funds, and any other funds, to be paid into the state treasury, or to a trustee in accordance with the provisions of § 33.2-1716 of the Code of Virginia and any amendments thereto, to pay a part of the costs of such projects, to pay any costs of issuance, to fund any part of any reserve fund, or to pay the principal or purchase price of, and redemption premium, if any, and interest on the bonds.

§ 11. In connection with the issuance or planned issuance of any bonds, the Board shall establish a fund either in the state treasury with the cooperation of the State Treasurer or with a trustee in accordance with the provisions of § 33.2-1716 of the Code of Virginia and any amendments thereto. Such fund shall (i) secure payments of the bonds and (ii) be used for the payments of such bonds to the credit of which there shall be deposited such amounts, subject to appropriation by the General Assembly, necessary to pay the principal or purchase price of, redemption premium if any, and interest on the bonds, as and when such costs become due and payable. Such costs shall be paid (a) first from revenues received from the Fund pursuant to § 33.2-1532 of the Code of Virginia; (b) second and to the extent required, from revenues legally available from the Transportation Trust Fund; and (c) then to the extent required, from any other legally available funds.

§ 12. The State Treasurer shall invest bond proceeds and moneys in any reserve funds and sinking funds related to bonds in accordance with the provisions of Chapter 18 (§ 2.2-1800 et seq.) of Title 2.2 of the Code of Virginia and any applicable law governing management of funds by a trustee pursuant to § 33.2-1716 of the Code of Virginia, and any amendments thereto.

§ 13. No tax or fee shall be imposed by the Commonwealth, a locality, or any other entity of the Commonwealth on the interest income and profit made on the sale of obligations issued under the provisions of this Act.

§ 14. Any obligation issued under this Act shall be considered a security in which any person and entity identified in § 33.2-1713 of the Code of Virginia may properly and legally invest funds.

§ 15. If any provision of this Act conflicts with a provision of the Bond Act, the provision of this Act shall control.

§ 16. This Act, being necessary for the welfare of the Commonwealth and its inhabitants, shall be liberally construed to effect the purpose of this Act.

§ 17. If any portion of this Act is held unconstitutional by a court of competent jurisdiction, the remaining portions of this Act shall remain in effect.

CHAPTER 328

An Act to amend and reenact §§ 22.1-289.02 and 22.1-289.030 of the Code of Virginia, relating to Board of Education; out-of-school time programs; exemptions from licensure.

[S 1084]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-289.02 and 22.1-289.030 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-289.02. Definitions.

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

"Child day center" means a child day program offered to (i) two or more children under the age of 13 in a facility that is not the residence of the provider or of any of the children in care or (ii) 13 or more children at any location.

"Child day program" means a regularly operating service arrangement for children where, during the absence of a parent or guardian, a person or organization has agreed to assume responsibility for the supervision, protection, and well-being of a child under the age of 13 for less than a 24-hour period.

"Early childhood care and education entity" means a child day center, family day home, or family day system serving children under the age of five.

"Family day home" means a child day program offered in the residence of the provider or the home of any of the children in care for one through 12 children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation. The provider of a licensed or registered

family day home shall disclose to the parents or guardians of children in their care the percentage of time per week that persons other than the provider will care for the children. Family day homes serving five through 12 children, exclusive of the provider's own children and any children who reside in the home, shall be licensed. However, no family day home shall care for more than four children under the age of two, including the provider's own children and any children who reside in the home, unless the family day home is licensed or voluntarily registered. However, a family day home where the children in care are all related to the provider by blood or marriage shall not be required to be licensed.

"Family day system" means any person who approves family day homes as members of its system; who refers children to available family day homes in that system; and who, through contractual arrangement, may provide central administrative functions including, but not limited to, training of operators of member homes; technical assistance and consultation to operators of member homes; inspection, supervision, monitoring, and evaluation of member homes; and referral of children to available health and social services.

"Head Start provider" means a public or private, nonprofit or for-profit organization or agency, including any community-based organization, as such term is defined in 20 U.S.C. § 7801, to which a grantee has delegated all or part of the responsibility of the grantee for operating a Head Start program.

"Out-of-school time program" means a program that (i) serves only school-age children; (ii) operates primarily before or after regular school hours, during the summer, or at times when school is not normally in session; and (iii) is offered for the purpose of promoting expanded childhood learning and enrichment, child and youth development, or educational, recreational, or character-building activities.

"Publicly funded provider" means any (i) educational program provided by a school division or local government to children between birth and age five or (ii) child day program that receives state or federal funds in support of its operations that serves three or more unrelated children. "Publicly funded provider" does not include any program for which the sole source of public funding is the federal Child and Adult Care Food Program (CACFP) administered by the U.S. Department of Agriculture Food and Nutrition Service.

"Registered family day home" means any family day home that has met the standards for voluntary registration for such homes pursuant to regulations adopted by the Board and that has obtained a certificate of registration from the Superintendent.

§ 22.1-289.030. Exemptions from licensure.

A. The following programs are not child day programs and shall not be required to be licensed:

1. A program of instructional experience in a single focus, such as, but not limited to, computer science, archaeology, sport clinics, or music, if children under the age of six do not attend at all and if no child is allowed to attend for more than 25 days in any three-month period commencing with enrollment. This exemption does not apply if children merely change their enrollment to a different focus area at a site offering a variety of activities and such children's attendance exceeds 25 days in a three-month period.

2. Programs of instructional or recreational activities wherein no child under age ~~six~~ *five* attends for more than six hours weekly with no class or activity period to exceed one and one-half hours, and no child ~~six~~ *five* years of age or above attends for more than six hours weekly when school is in session or 12 hours weekly when school is not in session. Competition, performances, and exhibitions related to the instructional or recreational activity shall be excluded when determining the hours of program operation.

3. Instructional programs offered by private schools that serve school-age children and that satisfy compulsory attendance laws or provide services under the Individuals with Disabilities Education Act, as amended, and programs of school-sponsored extracurricular activities that are focused on single interests such as, but not limited to, music, sports, drama, civic service, or foreign language.

4. Instructional programs offered by public schools that serve preschool-age children, satisfy compulsory attendance laws, or provide services under the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.), as amended, and programs of school-sponsored extracurricular activities that are focused on single interests such as, but not limited to, music, sports, drama, civic service, or foreign language.

5. Early intervention programs for children eligible under Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431 et seq.), as amended, wherein no child attends for more than a total of six hours per week.

6. Practice or competition in organized competitive sports leagues.

7. Programs of religious instruction, such as Sunday schools, vacation Bible schools, Bar Mitzvah or Bat Mitzvah classes, and nurseries offered by religious institutions and provided for the duration of specified religious services or related activities to allow parents or guardians or their designees who are on site to attend such religious services and activities.

8. A program of instructional or athletic experience operated during the summer months by, and as an extension of, an accredited private elementary, middle, or high school program as set forth in § 22.1-19 and administered by the Virginia Council for Private Education.

B. The following child day programs shall not be required to be licensed:

1. A child day center that has obtained an exemption pursuant to § 22.1-289.031.

2. A program where, by written policy given to and signed by a parent or guardian, school-age children are free to enter and leave the premises without permission. A program that would qualify for this exemption except that it assumes responsibility for the supervision, protection, and well-being of several children with disabilities who are mainstreamed shall not be subject to licensure.

3. A program that operates no more than a total of 20 program days in the course of a calendar year, provided that programs serving children under age six operate no more than two consecutive weeks without a break of at least a week.

4. Child-minding services that are not available for more than three hours per day for any individual child offered on site in commercial or recreational establishments if the parent or guardian (i) can be contacted and can resume responsibility for the child's supervision within 30 minutes and (ii) is receiving or providing services or participating in activities offered by the establishment.

5. A certified preschool or nursery school program operated by an accredited private school as set forth in § 22.1-19 and administered by the Virginia Council for Private Education that complies with the provisions of § 22.1-289.032.

6. A program of recreational activities offered by local governments, staffed by local government employees, and attended by school-age children. Such programs shall be subject to safety and supervisory standards established by the local government offering the program.

7. A program offered by a local school division, operated for no more than four hours per day on full instructional days or for more than four hours per day on shortened instructional days or noninstructional days, staffed by local school division employees, and attended by children who are at least three years of age and are enrolled in public school or a preschool program within such school division. Such programs shall be subject to safety and supervisory standards established by the local school division offering the program.

8. Child-minding services offered by a business on the premises of the business to no more than four children under the age of 13 at any given time and for no more than eight hours per day, provided that the parent or guardian of every child receiving care is an employee of the business who is on the premises of the business and can resume responsibility for the child's supervision within 30 minutes upon request.

9. A program offered by a private school accredited by and in good standing with the Virginia Council for Private Education, operated for no more than four hours per day, staffed by the accredited private school's employees, and attended by school-age children who are enrolled in the accredited private school. Such programs shall be subject to safety and supervisory standards established by the Virginia Council for Private Education.

10. A child day program that (i) serves only dependent children of military personnel and (ii) (a) is located on a military base or federal property or (b) is certified as a family child care provider by a branch of the Armed Forces of the United States. Any branch of the Armed Forces of the United States or its agent, including an installation commander of a military base on which a child day program is located, may assume responsibility for approving or determining which children may be served by the program that is so exempted from licensure.

11. An out-of-school time program pursuant to § 22.1-289.02 that (i) is affiliated with a national organization with established health and safety requirements; (ii) is in compliance with any health and safety requirements established by the national organization described in clause (i); (iii) has adopted standards and requirements relating to staff training and qualifications that are consistent with the Board's regulations relating to staff training requirements and qualifications; (iv) requires all applicants for employment, employees, applicants to serve as volunteers, and volunteers to undergo a background check in accordance with § 22.1-289.039 and, if applicable, in accordance with the provisions of § 22.1-289.040; and (v) has policies and procedures relating to emergency preparedness and response, child abuse prevention and response, and internal incident reporting and investigation. If there is a conflict between any of the health and safety requirements established by the national organization or any other standards, requirements, policies, or procedures adopted by the out-of-school time program and the Board's regulations, the Board shall conduct an internal review process and consult with the out-of-school time program provider to ensure substantial compliance with the Board's regulations.

C. Child day programs that are exempt from licensure pursuant to subsection B, except for child day programs that are exempt from licensure pursuant to subdivision B 1 ~~or~~, 5*, or 11*, shall:

1. File with the Superintendent annually and prior to beginning operation of a child day program a statement indicating the intent to operate a child day program, identifying the specific provision of this section relied upon for exemption from licensure, and certifying that the child day program has disclosed in writing to the parents or guardians of the children in the program the fact that it is exempt from licensure;

2. Report to the Superintendent all incidents involving serious physical injury to or death of children attending the child day program. Reports of serious physical injuries, which shall include any physical injuries that require an emergency referral to an offsite health care professional or treatment in a hospital, shall be submitted annually. Reports of deaths shall be submitted no later than one business day after the death occurred; and

3. Post in a visible location on the premises notice that the child day program is operating as a program exempt from licensure with basic health and safety requirements but has no direct oversight by the Department.

D. Child day programs that are exempt from licensure pursuant to subsection B, except for child day programs that are exempt from licensure pursuant to subdivision B 1, 5, 6, ~~or~~ 7*, or 11* shall:

1. Have a person trained and certified in first aid and cardiopulmonary resuscitation present at the child day program whenever children are present or at any other location in which children attending the child day program are present;

2. Maintain daily attendance records that document the arrival and departure of all children;

3. Have an emergency preparedness plan in place;

4. Comply with all applicable laws and regulations governing transportation of children; and

5. Comply with all safe sleep guidelines recommended by the American Academy of Pediatrics.

E. The Superintendent shall inspect child day programs that are exempt from licensure pursuant to subsection B to determine compliance with the provisions of this section only upon receipt of a complaint, except as otherwise provided by law.

F. Family day homes that are members of a licensed family day system shall not be required to obtain a license from the Superintendent.

2. That the Superintendent of Public Instruction, in partnership with the Secretary of Education, shall establish a work group to review health and safety expectations for out-of-school time programs, as defined in § 22.1-289.02 of the Code of Virginia, as amended by this act. Specifically, the work group shall make recommendations to (i) reduce regulations while ensuring that all school-age children enrolled in out-of-school time programs are kept healthy and safe; (ii) ensure fairness as it relates to which out-of-school time programs are required to be licensed and which are exempt pursuant to subdivision B 11 of § 22.1-289.030 of the Code of Virginia, as amended by this act; and (iii) implement changes in a way that does not jeopardize services for school-age children enrolled in out-of-school time programs. The work group shall include representatives of school divisions, 21st Century Community Learning Center grantees, private child care providers, the Virginia Partnership for Out-of-School Time, local parks and recreation entities, the YMCA, Communities in Schools, Boys and Girls Clubs, and other organizations that provide out-of-school time programming. The work group shall report its findings and recommendations to the Governor and the Chairmen of the House Committee on Education and the Senate Committee on Education and Health by December 1, 2025.

CHAPTER 329

An Act to amend and reenact § 3.2-6593.2 of the Code of Virginia, relating to animal testing facilities; public notification.

[S 1127]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 3.2-6593.2 of the Code of Virginia is amended and reenacted as follows:

§ 3.2-6593.2. Animal testing facilities; public notification.

A. For the purposes of this section:

"Animal" means any live vertebrate nonhuman species except fish.

"Animal testing facility" means any facility of a state agency or institution of higher education that confines and uses animals for research, education, testing, or other experimental, scientific, or medical purposes. "Animal testing facility" does not include any agricultural operation, as that term is defined in § 3.2-300, or any agricultural education event.

"Animal test method" means a process or procedure that uses animals for research, education, testing, or experimental, scientific, or biomedical purposes.

"Animal Welfare Act" means the federal Animal Welfare Act (7 U.S.C. § 2131 et seq.).

"APHIS" means the U.S. Department of Agriculture Animal and Plant Health Inspection Service.

"Contract testing facility" means any partnership, corporation, association, or other legal relationship that conducts research, education, testing, or experimental, scientific, or biomedical studies on behalf of another entity.

"Critical noncompliance" means an instance of noncompliance that resulted in a serious or adverse effect on the health and well-being of one or more animals, as determined by the U.S. Department of Agriculture Animal and Plant Health Inspection Service.

"Federal facility" means any building or infrastructure used or to be used by the federal government, including any building or infrastructure located on lands owned by the federal government.

"Inspection report" means any report issued by the U.S. Department of Agriculture Animal and Plant Health Inspection Service to an animal testing facility.

B. Any animal testing facility, contract testing facility, or manufacturer that uses an animal test method shall display a link to its annual report (APHIS Form 7023), as submitted to the U.S. Department of Agriculture pursuant to the Animal Welfare Act, on the homepage or landing page of the facility's or manufacturer's website on or before December 1 for the preceding federal fiscal year.

C. Any animal testing facility shall~~,~~ *(i)* within 30 days of receiving ~~an~~ *a U.S. Department of Agriculture* inspection report, make such inspection report publicly available along with any other relevant U.S. Department of Agriculture *final* incident reports, and relevant documents generated ~~from~~ *during or as a result of* internal *or external* reviews *and (ii) within 30 days of receiving any U.S. Department of Agriculture official warning, notice of alleged violation, settlement agreement or stipulation, administrative complaint, decision or order, or any other enforcement record, make such documents publicly available. Any animal testing facility required to make documents publicly available pursuant to this subsection shall do so* by either ~~(i)~~ *(a)* displaying a link to access such *documents* on the homepage or landing page of the animal testing facility's website or ~~(ii)~~ *(b)* if such animal testing facility does not have a website, issuing a press release or other similar publication. *An animal testing facility may redact information contained within such documents in accordance with the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).*

D. If an animal testing facility operated by an institution of higher education in the Commonwealth receives a citation for critical noncompliance under the Animal Welfare Act or regulations adopted thereunder, such animal testing facility shall notify the leadership of such institution of higher education, including the president, dean, and board of visitors or board of trustees.

E. The provisions of this section shall not apply to any federal facility or privately owned licensed veterinary practice.

CHAPTER 330

An Act to amend and reenact § 32.1-127 of the Code of Virginia, relating to nursing homes and certified nursing facilities; professional liability insurance.

[S 1152]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-127 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-127. (Effective July 1, 2025) Regulations.

A. The regulations promulgated by the Board to carry out the provisions of this article shall be in substantial conformity to the standards of health, hygiene, sanitation, construction and safety as established and recognized by medical and health care professionals and by specialists in matters of public health and safety, including health and safety standards established under provisions of Title XVIII and Title XIX of the Social Security Act, and to the provisions of Article 2 (§ 32.1-138 et seq.).

B. Such regulations:

1. Shall include minimum standards for (i) the construction and maintenance of hospitals, nursing homes and certified nursing facilities to ensure the environmental protection and the life safety of its patients, employees, and the public; (ii) the operation, staffing and equipping of hospitals, nursing homes and certified nursing facilities; (iii) qualifications and training of staff of hospitals, nursing homes and certified nursing facilities, except those professionals licensed or certified by the Department of Health Professions; (iv) conditions under which a hospital or nursing home may provide medical and nursing services to patients in their places of residence; and (v) policies related to infection prevention, disaster preparedness, and facility security of hospitals, nursing homes, and certified nursing facilities;

2. Shall provide that at least one physician who is licensed to practice medicine in this Commonwealth shall be on call at all times, though not necessarily physically present on the premises, at each hospital which operates or holds itself out as operating an emergency service;

3. May classify hospitals and nursing homes by type of specialty or service and may provide for licensing hospitals and nursing homes by bed capacity and by type of specialty or service;

4. Shall also require that each hospital establish a protocol for organ donation, in compliance with federal law and the regulations of the Centers for Medicare and Medicaid Services (CMS), particularly 42 C.F.R. § 482.45. Each hospital shall have an agreement with an organ procurement organization designated in CMS regulations for routine contact, whereby the provider's designated organ procurement organization certified by CMS (i) is notified in a timely manner of all deaths or imminent deaths of patients in the hospital and (ii) is authorized to determine the suitability of the decedent or patient for organ donation and, in the absence of a similar arrangement with any eye bank or tissue bank in Virginia certified by the Eye Bank Association of America or the American Association of Tissue Banks, the suitability for tissue and eye donation. The hospital shall also have an agreement with at least one tissue bank and at least one eye bank to cooperate in the retrieval, processing, preservation, storage, and distribution of tissues and eyes to ensure that all usable tissues and eyes are obtained from potential donors and to avoid interference with organ procurement. The protocol shall ensure that the hospital collaborates with the designated organ procurement organization to inform the family of each potential donor of the option to donate organs, tissues, or eyes or to decline to donate. The individual making contact with the family shall have completed a course in the methodology for approaching potential donor families and requesting organ or tissue donation that (a) is offered or approved by the organ procurement organization and designed in conjunction with the tissue and eye bank community and (b) encourages discretion and sensitivity according to the specific circumstances, views, and beliefs of the relevant family. In addition, the hospital shall work cooperatively with the designated organ procurement organization in educating the staff responsible for contacting the organ procurement organization's personnel on donation issues, the proper review of death records to improve identification of potential donors, and the proper procedures for maintaining potential donors while necessary testing and placement of potential donated organs, tissues, and eyes takes place. This process shall be followed, without exception, unless the family of the relevant decedent or patient has expressed opposition to organ donation, the chief administrative officer of the hospital or his designee knows of such opposition, and no donor card or other relevant document, such as an advance directive, can be found;

5. Shall require that each hospital that provides obstetrical services establish a protocol for admission or transfer of any pregnant woman who presents herself while in labor;

6. Shall also require that each licensed hospital develop and implement a protocol requiring written discharge plans for identified, substance-abusing, postpartum women and their infants. The protocol shall require that the discharge plan be discussed with the patient and that appropriate referrals for the mother and the infant be made and documented. Appropriate

referrals may include, but need not be limited to, treatment services, comprehensive early intervention services for infants and toddlers with disabilities and their families pursuant to Part H of the Individuals with Disabilities Education Act, 20 U.S.C. § 1471 et seq., and family-oriented prevention services. The discharge planning process shall involve, to the extent possible, the other parent of the infant and any members of the patient's extended family who may participate in the follow-up care for the mother and the infant. Immediately upon identification, pursuant to § 54.1-2403.1, of any substance-abusing, postpartum woman, the hospital shall notify, subject to federal law restrictions, the community services board of the jurisdiction in which the woman resides to appoint a discharge plan manager. The community services board shall implement and manage the discharge plan;

7. Shall require that each nursing home and certified nursing facility fully disclose to the applicant for admission the home's or facility's admissions policies, including any preferences given;

8. Shall require that each licensed hospital establish a protocol relating to the rights and responsibilities of patients which shall include a process reasonably designed to inform patients of such rights and responsibilities. Such rights and responsibilities of patients, a copy of which shall be given to patients on admission, shall be consistent with applicable federal law and regulations of the Centers for Medicare and Medicaid Services;

9. Shall establish standards and maintain a process for designation of levels or categories of care in neonatal services according to an applicable national or state-developed evaluation system. Such standards may be differentiated for various levels or categories of care and may include, but need not be limited to, requirements for staffing credentials, staff/patient ratios, equipment, and medical protocols;

10. Shall require that each nursing home and certified nursing facility train all employees who are mandated to report adult abuse, neglect, or exploitation pursuant to § 63.2-1606 on such reporting procedures and the consequences for failing to make a required report;

11. Shall permit hospital personnel, as designated in medical staff bylaws, rules and regulations, or hospital policies and procedures, to accept emergency telephone and other verbal orders for medication or treatment for hospital patients from physicians, and other persons lawfully authorized by state statute to give patient orders, subject to a requirement that such verbal order be signed, within a reasonable period of time not to exceed 72 hours as specified in the hospital's medical staff bylaws, rules and regulations or hospital policies and procedures, by the person giving the order, or, when such person is not available within the period of time specified, co-signed by another physician or other person authorized to give the order;

12. Shall require, unless the vaccination is medically contraindicated or the resident declines the offer of the vaccination, that each certified nursing facility and nursing home provide or arrange for the administration to its residents of (i) an annual vaccination against influenza and (ii) a pneumococcal vaccination, in accordance with the most recent recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention;

13. Shall require that each nursing home and certified nursing facility register with the Department of State Police to receive notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 within the same or a contiguous zip code area in which the home or facility is located, pursuant to § 9.1-914;

14. Shall require that each nursing home and certified nursing facility ascertain, prior to admission, whether a potential patient is required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, if the home or facility anticipates the potential patient will have a length of stay greater than three days or in fact stays longer than three days;

15. Shall require that each licensed hospital include in its visitation policy a provision allowing each adult patient to receive visits from any individual from whom the patient desires to receive visits, subject to other restrictions contained in the visitation policy including, but not limited to, those related to the patient's medical condition and the number of visitors permitted in the patient's room simultaneously;

16. Shall require that each nursing home and certified nursing facility shall, upon the request of the facility's family council, send notices and information about the family council mutually developed by the family council and the administration of the nursing home or certified nursing facility, and provided to the facility for such purpose, to the listed responsible party or a contact person of the resident's choice up to six times per year. Such notices may be included together with a monthly billing statement or other regular communication. Notices and information shall also be posted in a designated location within the nursing home or certified nursing facility. No family member of a resident or other resident representative shall be restricted from participating in meetings in the facility with the families or resident representatives of other residents in the facility;

17. Shall require that each nursing home and certified nursing facility maintain*, per facility, non-eroding general* liability insurance coverage in a minimum amount of $1 million *per occurrence*, and professional liability coverage in an amount at least equal to the recovery limit set forth in § 8.01-581.15 *per patient occurrence*, to compensate patients or individuals for injuries and losses resulting from the negligent ~~or criminal~~ acts of the facility. Failure to maintain such minimum insurance *limits under this section* shall result in revocation of the facility's license*. Each nursing home and certified nursing facility shall provide at licensure renewal or have available to the Board proof of the insurance coverages as required by this section*;

18. Shall require each hospital that provides obstetrical services to establish policies to follow when a stillbirth, as defined in § 32.1-69.1, occurs that meet the guidelines pertaining to counseling patients and their families and other aspects of managing stillbirths as may be specified by the Board in its regulations;

19. Shall require each nursing home to provide a full refund of any unexpended patient funds on deposit with the facility following the discharge or death of a patient, other than entrance-related fees paid to a continuing care provider as defined in § 38.2-4900, within 30 days of a written request for such funds by the discharged patient or, in the case of the death of a patient, the person administering the person's estate in accordance with the Virginia Small Estates Act (§ 64.2-600 et seq.);

20. Shall require that each hospital that provides inpatient psychiatric services establish a protocol that requires, for any refusal to admit (i) a medically stable patient referred to its psychiatric unit, direct verbal communication between the on-call physician in the psychiatric unit and the referring physician, if requested by such referring physician, and prohibits on-call physicians or other hospital staff from refusing a request for such direct verbal communication by a referring physician and (ii) a patient for whom there is a question regarding the medical stability or medical appropriateness of admission for inpatient psychiatric services due to a situation involving results of a toxicology screening, the on-call physician in the psychiatric unit to which the patient is sought to be transferred to participate in direct verbal communication, either in person or via telephone, with a clinical toxicologist or other person who is a Certified Specialist in Poison Information employed by a poison control center that is accredited by the American Association of Poison Control Centers to review the results of the toxicology screen and determine whether a medical reason for refusing admission to the psychiatric unit related to the results of the toxicology screen exists, if requested by the referring physician;

21. Shall require that each hospital that is equipped to provide life-sustaining treatment shall develop a policy governing determination of the medical and ethical appropriateness of proposed medical care, which shall include (i) a process for obtaining a second opinion regarding the medical and ethical appropriateness of proposed medical care in cases in which a physician has determined proposed care to be medically or ethically inappropriate; (ii) provisions for review of the determination that proposed medical care is medically or ethically inappropriate by an interdisciplinary medical review committee and a determination by the interdisciplinary medical review committee regarding the medical and ethical appropriateness of the proposed health care; and (iii) requirements for a written explanation of the decision reached by the interdisciplinary medical review committee, which shall be included in the patient's medical record. Such policy shall ensure that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 (a) are informed of the patient's right to obtain his medical record and to obtain an independent medical opinion and (b) afforded reasonable opportunity to participate in the medical review committee meeting. Nothing in such policy shall prevent the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 from obtaining legal counsel to represent the patient or from seeking other remedies available at law, including seeking court review, provided that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986, or legal counsel provides written notice to the chief executive officer of the hospital within 14 days of the date on which the physician's determination that proposed medical treatment is medically or ethically inappropriate is documented in the patient's medical record;

22. Shall require every hospital with an emergency department to establish a security plan. Such security plan shall be developed using standards established by the International Association for Healthcare Security and Safety or other industry standard and shall be based on the results of a security risk assessment of each emergency department location of the hospital and shall include the presence of at least one off-duty law-enforcement officer or trained security personnel who is present in the emergency department at all times as indicated to be necessary and appropriate by the security risk assessment. Such security plan shall be based on identified risks for the emergency department, including trauma level designation, overall volume, volume of psychiatric and forensic patients, incidents of violence against staff, and level of injuries sustained from such violence, and prevalence of crime in the community, in consultation with the emergency department medical director and nurse director. The security plan shall also outline training requirements for security personnel in the potential use of and response to weapons, defensive tactics, de-escalation techniques, appropriate physical restraint and seclusion techniques, crisis intervention, and trauma-informed approaches. Such training shall also include instruction on safely addressing situations involving patients, family members, or other persons who pose a risk of harm to themselves or others due to mental illness or substance abuse or who are experiencing a mental health crisis. Such training requirements may be satisfied through completion of the Department of Criminal Justice Services minimum training standards for auxiliary police officers as required by § 15.2-1731. The Commissioner shall provide a waiver from the requirement that at least one off-duty law-enforcement officer or trained security personnel be present at all times in the emergency department if the hospital demonstrates that a different level of security is necessary and appropriate for any of its emergency departments based upon findings in the security risk assessment;

23. Shall require that each hospital establish a protocol requiring that, before a health care provider arranges for air medical transportation services for a patient who does not have an emergency medical condition as defined in 42 U.S.C. § 1395dd(e)(1), the hospital shall provide the patient or his authorized representative with written or electronic notice that the patient (i) may have a choice of transportation by an air medical transportation provider or medically appropriate ground transportation by an emergency medical services provider and (ii) will be responsible for charges incurred for such transportation in the event that the provider is not a contracted network provider of the patient's health insurance carrier or such charges are not otherwise covered in full or in part by the patient's health insurance plan;

24. Shall establish an exemption from the requirement to obtain a license to add temporary beds in an existing hospital or nursing home, including beds located in a temporary structure or satellite location operated by the hospital or nursing home, provided that the ability remains to safely staff services across the existing hospital or nursing home, (i) for a period of no more than the duration of the Commissioner's determination plus 30 days when the Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds or (ii) for a period of no more than the duration of the emergency order entered pursuant to § 32.1-13 or 32.1-20 plus 30 days when the Board, pursuant to § 32.1-13, or the Commissioner, pursuant to § 32.1-20, has entered an emergency order for the purpose of suppressing a nuisance dangerous to public health or a communicable, contagious, or infectious disease or other danger to the public life and health;

25. Shall establish protocols to ensure that any patient scheduled to receive an elective surgical procedure for which the patient can reasonably be expected to require outpatient physical therapy as a follow-up treatment after discharge is informed that he (i) is expected to require outpatient physical therapy as a follow-up treatment and (ii) will be required to select a physical therapy provider prior to being discharged from the hospital;

26. Shall permit nursing home staff members who are authorized to possess, distribute, or administer medications to residents to store, dispense, or administer cannabis oil to a resident who has been issued a valid written certification for the use of cannabis oil in accordance with § 4.1-1601;

27. Shall require each hospital with an emergency department to establish a protocol for the treatment and discharge of individuals experiencing a substance use-related emergency, which shall include provisions for (i) appropriate screening and assessment of individuals experiencing substance use-related emergencies to identify medical interventions necessary for the treatment of the individual in the emergency department and (ii) recommendations for follow-up care following discharge for any patient identified as having a substance use disorder, depression, or mental health disorder, as appropriate, which may include, for patients who have been treated for substance use-related emergencies, including opioid overdose, or other high-risk patients, (a) the dispensing of naloxone or other opioid antagonist used for overdose reversal pursuant to subsection X of § 54.1-3408 at discharge or (b) issuance of a prescription for and information about accessing naloxone or other opioid antagonist used for overdose reversal, including information about accessing naloxone or other opioid antagonist used for overdose reversal at a community pharmacy, including any outpatient pharmacy operated by the hospital, or through a community organization or pharmacy that may dispense naloxone or other opioid antagonist used for overdose reversal without a prescription pursuant to a statewide standing order. Such protocols may also provide for referrals of individuals experiencing a substance use-related emergency to peer recovery specialists and community-based providers of behavioral health services, or to providers of pharmacotherapy for the treatment of drug or alcohol dependence or mental health diagnoses;

28. During a public health emergency related to COVID-19, shall require each nursing home and certified nursing facility to establish a protocol to allow each patient to receive visits, consistent with guidance from the Centers for Disease Control and Prevention and as directed by the Centers for Medicare and Medicaid Services and the Board. Such protocol shall include provisions describing (i) the conditions, including conditions related to the presence of COVID-19 in the nursing home, certified nursing facility, and community, under which in-person visits will be allowed and under which in-person visits will not be allowed and visits will be required to be virtual; (ii) the requirements with which in-person visitors will be required to comply to protect the health and safety of the patients and staff of the nursing home or certified nursing facility; (iii) the types of technology, including interactive audio or video technology, and the staff support necessary to ensure visits are provided as required by this subdivision; and (iv) the steps the nursing home or certified nursing facility will take in the event of a technology failure, service interruption, or documented emergency that prevents visits from occurring as required by this subdivision. Such protocol shall also include (a) a statement of the frequency with which visits, including virtual and in-person, where appropriate, will be allowed, which shall be at least once every 10 calendar days for each patient; (b) a provision authorizing a patient or the patient's personal representative to waive or limit visitation, provided that such waiver or limitation is included in the patient's health record; and (c) a requirement that each nursing home and certified nursing facility publish on its website or communicate to each patient or the patient's authorized representative, in writing or via electronic means, the nursing home's or certified nursing facility's plan for providing visits to patients as required by this subdivision;

29. Shall require each hospital, nursing home, and certified nursing facility to establish and implement policies to ensure the permissible access to and use of an intelligent personal assistant provided by a patient, in accordance with such regulations, while receiving inpatient services. Such policies shall ensure protection of health information in accordance with the requirements of the federal Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d et seq., as amended. For the purposes of this subdivision, "intelligent personal assistant" means a combination of an electronic device and a specialized software application designed to assist users with basic tasks using a combination of natural language processing and artificial intelligence, including such combinations known as "digital assistants" or "virtual assistants";

30. During a declared public health emergency related to a communicable disease of public health threat, shall require each hospital, nursing home, and certified nursing facility to establish a protocol to allow patients to receive visits from a rabbi, priest, minister, or clergy of any religious denomination or sect consistent with guidance from the Centers for Disease Control and Prevention and the Centers for Medicare and Medicaid Services and subject to compliance with any executive order, order of public health, Department guidance, or any other applicable federal or state guidance having the effect of

limiting visitation. Such protocol may restrict the frequency and duration of visits and may require visits to be conducted virtually using interactive audio or video technology. Any such protocol may require the person visiting a patient pursuant to this subdivision to comply with all reasonable requirements of the hospital, nursing home, or certified nursing facility adopted to protect the health and safety of the person, patients, and staff of the hospital, nursing home, or certified nursing facility;

31. Shall require that every hospital that makes health records, as defined in § 32.1-127.1:03, of patients who are minors available to such patients through a secure website shall make such health records available to such patient's parent or guardian through such secure website, unless the hospital cannot make such health record available in a manner that prevents disclosure of information, the disclosure of which has been denied pursuant to subsection F of § 32.1-127.1:03 or for which consent required in accordance with subsection E of § 54.1-2969 has not been provided; and

32. Shall require each certified nursing facility eligible to participate in the Virginia Medicaid Nursing Facility Value-Based Purchasing (VBP) program, as referenced in Chapter 2 of the Acts of Assembly of 2022, Special Session I, to provide at least 3.08 hours of case mix-adjusted total nurse staffing hours per resident per day on average as determined annually by the Department of Medical Assistance Services for use in the VBP program, utilizing job codes for the calculation of total nurse staffing hours per resident per day following the Centers for Medicare and Medicaid Services (CMS) definitions as of January 1, 2022, used for similar purposes and including certified nursing assistants, licensed practical nurses, and registered nurses. No additional reporting shall be required by a certified nursing facility under this subdivision.

C. Upon obtaining the appropriate license, if applicable, licensed hospitals, nursing homes, and certified nursing facilities may operate adult day care centers.

D. All facilities licensed by the Board pursuant to this article which provide treatment or care for hemophiliacs and, in the course of such treatment, stock clotting factors, shall maintain records of all lot numbers or other unique identifiers for such clotting factors in order that, in the event the lot is found to be contaminated with an infectious agent, those hemophiliacs who have received units of this contaminated clotting factor may be apprised of this contamination. Facilities which have identified a lot that is known to be contaminated shall notify the recipient's attending physician and request that he notify the recipient of the contamination. If the physician is unavailable, the facility shall notify by mail, return receipt requested, each recipient who received treatment from a known contaminated lot at the individual's last known address.

E. Hospitals in the Commonwealth may enter into agreements with the Department of Health for the provision to uninsured patients of naloxone or other opioid antagonists used for overdose reversal.

CHAPTER 331

An Act to amend and reenact § 38.2-2202 of the Code of Virginia, relating to motor vehicle insurance; underinsured motorist coverage; required notice.

[S 1159]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-2202 of the Code of Virginia is amended and reenacted as follows:

§ 38.2-2202. Required notice of optional coverage available.

A. *1.* No new policy for insurance covering liability arising out of the ownership, maintenance, or use of any motor vehicle shall be issued or delivered in the Commonwealth unless there is enclosed with the policy, in boldface type, the following statement:

"IMPORTANT NOTICE*:*

~~IN ADDITION TO THE MINIMUM INSURANCE REQUIRED BY LAW, YOU MAY PURCHASE ADDITIONAL INSURANCE COVERAGE FOR THE NAMED INSURED AND FOR HIS RELATIVES WHO ARE MEMBERS OF HIS HOUSEHOLD WHILE IN OR UPON, ENTERING OR ALIGHTING FROM A MOTOR VEHICLE, OR THROUGH BEING STRUCK BY A MOTOR VEHICLE WHILE NOT OCCUPYING A MOTOR VEHICLE, AND FOR OCCUPANTS OF THE INSURED MOTOR VEHICLE. THE FOLLOWING HEALTH CARE AND DISABILITY BENEFITS ARE AVAILABLE FOR EACH ACCIDENT~~ *In addition to the minimum insurance required by law, you may purchase additional insurance coverage for the named insured and for his relatives who are members of his household while in or upon, entering or alighting from a motor vehicle, or through being struck by a motor vehicle while not occupying a motor vehicle, and for occupants of the insured motor vehicle. The following health care and disability benefits are available for each accident*:

~~1. PAYMENT OF UP TO $2,000 PER PERSON FOR ALL REASONABLE AND NECESSARY EXPENSES FOR MEDICAL, CHIROPRACTIC, HOSPITAL, DENTAL, SURGICAL, PROSTHETIC AND REHABILITATION SERVICES, SERVICES PROVIDED BY AN EMERGENCY MEDICAL SERVICES VEHICLE AS DEFINED IN § 32.1-111.1, AND FUNERAL EXPENSES RESULTING FROM THE ACCIDENT AND INCURRED WITHIN THREE YEARS AFTER THE DATE OF THE ACCIDENT. HOWEVER, IF YOU DO NOT PURCHASE THE $2,000 LIMIT OF COVERAGE, YOU AND THE COMPANY MAY AGREE TO ANY OTHER LIMIT~~ *(a) Payment of up to $2,000 per person for all reasonable and necessary expenses for medical, chiropractic, hospital, dental, surgical, prosthetic and*

rehabilitation services, services provided by an emergency medical services vehicle as defined in § 32.1-111.1 of the Code of Virginia, and funeral expenses resulting from the accident and incurred within three years after the date of the accident. However, if you do not purchase the $2,000 limit of coverage, you and the company may agree to any other limit; ~~AND~~ *and*

~~2. AN AMOUNT EQUAL TO THE LOSS OF INCOME UP TO $100 PER WEEK IF THE INJURED PERSON IS ENGAGED IN AN OCCUPATION FOR WHICH HE RECEIVES COMPENSATION, FROM THE FIRST WORKDAY LOST AS A RESULT OF THE ACCIDENT UP TO THE DATE THE PERSON IS ABLE TO RETURN TO HIS USUAL OCCUPATION. SUCH PAYMENTS ARE LIMITED TO A PERIOD EXTENDING ONE YEAR FROM THE DATE OF THE ACCIDENT~~ *(b) An amount equal to the loss of income up to $100 per week if the injured person is engaged in an occupation for which he receives compensation, from the first workday lost as a result of the accident up to the date the person is able to return to his usual occupation. Such payments are limited to a period extending one year from the date of the accident*.

~~IF YOU DESIRE TO PURCHASE EITHER OR BOTH OF THESE COVERAGES AT AN ADDITIONAL PREMIUM, YOU MAY DO SO BY CONTACTING THE AGENT OR COMPANY THAT ISSUED YOUR POLICY~~ *If you desire to purchase either or both of these coverages at an additional premium, you may do so by contacting the agent or company that issued your policy."*

2. The insurer issuing the policy shall inform the insured by any reasonable means of communication of the approximate premium for the additional coverage.

B. No new policy of insurance covering liability arising out of the ownership, maintenance, or use of any motor vehicle shall be issued or delivered in the Commonwealth unless the following statement, printed in boldface type, is enclosed with the policy:

"IMPORTANT NOTICE*:*

~~YOU ARE ENTITLED TO PURCHASE UNINSURED/UNDERINSURED COVERAGE LIMITS EQUAL TO THE LIABILITY LIMITS ON YOUR MOTOR VEHICLE POLICY. HOWEVER, ANY ONE NAMED INSURED HAS THE RIGHT TO REDUCE THE LIMITS OF THE UNINSURED/UNDERINSURED MOTORIST COVERAGE TO LESS THAN THE LIABILITY LIMITS ON THE POLICY BUT NO LOWER THAN THE FINANCIAL RESPONSIBILITY LIMITS REQUIRED BY § 46.2-472 OF THE CODE OF VIRGINIA. THE INSURER MAY REQUIRE THAT A REQUEST TO REDUCE COVERAGE BE IN WRITING. ONCE ANY ONE NAMED INSURED REDUCES THE POLICY LIMITS FOR UNINSURED/UNDERINSURED MOTORIST COVERAGE BELOW THE POLICYS' LIABILITY LIMITS, THAT ELECTION IS BINDING ON ALL INSUREDS ON THE POLICY. LATER, IF YOU DESIRE TO INCREASE YOUR LIMITS, YOU MUST MAKE A SPECIFIC REQUEST TO YOUR INSURER. YOU MAY WANT TO PUT THIS REQUEST IN WRITING~~ *You are entitled to purchase uninsured/underinsured coverage limits equal to the liability limits on your motor vehicle policy. However, any one named insured has the right to reduce the limits of the uninsured/underinsured motorist coverage to less than the liability limits on the policy but no lower than the financial responsibility limits required by § 46.2-472 of the Code of Virginia. The insurer may require that a request to reduce coverage be in writing. Once any one named insured reduces the policy limits for uninsured/underinsured motorist coverage below the policy's liability limits, that election is binding on all insureds on the policy. Later, if you desire to increase your limits, you must make a specific request to your insurer. You may want to put this request in writing*.

~~BEFORE REDUCING THE LIMITS OF THE UNINSURED/UNDERINSURED MOTORIST COVERAGE, YOU SHOULD CAREFULLY CONSIDER THAT THIS COVERAGE PROVIDES IMPORTANT PROTECTION IN THE EVENT YOU ARE INJURED OR YOUR MOTOR VEHICLE IS DAMAGED DUE TO THE ACTIONS OF AN UNINSURED/UNDERINSURED MOTORIST~~ *Before reducing the limits of the uninsured/underinsured motorist coverage, you should carefully consider that this coverage provides important protection in the event you are injured or your motor vehicle is damaged due to the actions of an uninsured/underinsured motorist."*

C. No policy of insurance covering liability arising out of the ownership, maintenance, or use of any motor vehicle shall be issued, delivered, or renewed after July 1, ~~2023~~ *2025*, in the Commonwealth unless the following statement, printed in boldface type, is enclosed with the policy:

"IMPORTANT NOTICE*:*

~~PREVIOUSLY, YOUR UNDERINSURED MOTORIST COVERAGE PAID DAMAGES DUE TO AN INSURED AFTER ANY CREDIT OF THE BODILY INJURY OR PROPERTY DAMAGE LIABILITY COVERAGE APPLICABLE TO THE INSUREDS' DAMAGES HAD BEEN APPLIED.~~

~~THE LAW HAS BEEN AMENDED TO REQUIRE INSURERS TO PROVIDE UNDERINSURED MOTORIST COVERAGE THAT PAYS ANY DAMAGES DUE TO AN INSURED IN ADDITION TO ANY BODILY INJURY OR PROPERTY DAMAGE LIABILITY THAT IS APPLICABLE TO THE INSUREDS' DAMAGES. THIS CHANGE MAY AFFECT YOUR PREMIUM.~~

~~YOU MAY ELECT TO REFUSE THIS CHANGE IN YOUR UNDERINSURED MOTORIST COVERAGE~~ *Your insurance is required to provide underinsured motorist coverage that pays any damages due to an insured in addition to any bodily injury or property damage liability that is applicable to the insured's damages. You may choose to change the way your underinsured motorist coverage is calculated. Depending on the change, you may reduce the amount of coverage you have and your premium may change. Contact your agent or insurer for additional information*.

~~AN ELECTION TO DECREASE YOUR UNDERINSURED MOTORIST COVERAGE MUST BE IN WRITING. ONCE ANY ONE NAMED INSURED ELECTS TO DECREASE THE UNDERINSURED MOTORIST COVERAGE,~~

~~THAT ELECTION IS BINDING ON ALL INSUREDS ON THE POLICY. LATER, IF YOU DESIRE TO PURCHASE INCREASED UNDERINSURED MOTORIST COVERAGE, YOU MUST MAKE A SPECIFIC REQUEST TO YOUR INSURER. YOU MUST PUT THIS REQUEST IN WRITING~~ *Any request to change how your underinsured motorist coverage is calculated must be in writing. Once any named insured chooses to make such a change in the underinsured motorist coverage, that change is binding on all insureds on the policy. Any later changes you may wish to make to how your underinsured motorist coverage is calculated must also be in writing.*

~~BEFORE ELECTING TO DECREASE YOUR UNDERINSURED MOTORIST COVERAGE, YOU SHOULD CAREFULLY CONSIDER THAT THIS COVERAGE PROVIDES IMPORTANT PROTECTION IN THE EVENT YOU ARE INJURED OR YOUR MOTOR VEHICLE IS DAMAGED DUE TO THE ACTIONS OF AN UNDERINSURED MOTORIST~~ *Before changing how your underinsured motorist coverage is calculated, you should carefully consider that this coverage provides important protection in the event you are injured or your motor vehicle is damaged due to the actions of an underinsured motorist."*

2. That the provisions of this act shall apply only to contracts, policies, or plans delivered, issued for delivery, or renewed in the Commonwealth on or after January 1, 2026.

CHAPTER 332

An Act to amend and reenact § 27-98 of the Code of Virginia, relating to enforcement of Fire Prevention Code; prohibition on permit fees for fire departments and emergency medical services agencies in certain localities.

[S 1248]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 27-98 of the Code of Virginia is amended and reenacted as follows:

§ 27-98. Enforcement of Fire Prevention Code; appeals from decisions of local enforcing agencies; inspection of buildings.

Any local government may enforce the Fire Prevention Code in its entirety or with respect only to those provisions of the Fire Prevention Code relating to open burning, fire lanes, fireworks, and hazardous materials. If a local governing body elects to enforce only those provisions of the Fire Prevention Code relating to open burning, it may do so in all or in any designated geographic areas of its jurisdiction. The State Fire Marshal shall also have the authority, in cooperation with any local governing body, to enforce the Code. The State Fire Marshal shall also have authority to enforce the Code in those jurisdictions in which the local governments do not enforce the Code and may establish such procedures or requirements as may be necessary for the administration and enforcement of the Code in such jurisdictions. In addition, subject to the approval of the Board of Housing and Community Development, the State Fire Marshal may charge a fee to recover the actual cost of administering and enforcing the Code in jurisdictions for which he serves as the enforcement authority. No fee may be charged for the inspection of any school. *The State Fire Marshal shall not charge a fee for the approval and administration of a permit issued pursuant to regulation L.107.11 of 13VAC5-52-70 for explosives, blasting agents, theatrical flame effects, and fireworks to fire departments as defined in § 27-6.1 and emergency medical services agencies as defined in 12VAC5-31-10 in localities with a total population of less than 10,000 as determined by the most recent federal decennial census by the United States Census Bureau. Any such fire departments or emergency medical services agencies shall still fully comply with the provisions of this chapter.* The local governing body of any jurisdiction that enforces the Code may establish such procedures or requirements as may be necessary for the administration and enforcement of the Code. Appeals concerning the application of the Code by the local enforcing agency shall first lie to a local board of appeals and then to the State Building Code Technical Review Board. Appeals from the application of the Code by the State Fire Marshal shall be made directly to the State Building Code Technical Review Board as provided in Article 2 (§ 36-108 et seq.) of Chapter 6 of Title 36. Fees may be levied by the local governing body in order to defray the cost of such enforcement and appeals; however, for the City of Chesapeake no fee charged for the inspection of any place of religious worship designated as Assembly Group A-3 under the Fire Prevention Code shall exceed $50. For purposes of this section, "defray the cost" may include the fair and reasonable costs incurred for such enforcement during normal business hours, but shall not include overtime costs, unless conducted outside of the normal working hours established by the locality. A schedule of such costs shall be adopted by the local governing body in a local ordinance. A locality shall not charge an overtime rate for inspections conducted during the normal business hours established by the locality. Nothing herein shall be construed to prohibit a private entity from conducting such inspections, provided the private entity has been approved to perform such inspections in accordance with the written policy of the fire official for the locality. Any local fire code may provide for an appeal to a local board of appeals. If no local board of appeals exists, the State Building Code Technical Review Board shall hear appeals of any local fire code violation.

CHAPTER 333

An Act to amend and reenact § 54.1-3481 of the Code of Virginia, relating to the unlawful designation as a Doctor of Physical Therapy.

[S 1253]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3481 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3481. Unlawful designation as physical therapist or physical therapist assistant; penalty.

A. It ~~shall be~~ *is* unlawful for any person who is not licensed under this chapter, or whose license has been suspended or revoked or who licensure has lapsed and has not been renewed, to use in conjunction with his name the letters or words *"D.P.T.," "Doctor of Physical Therapy,"* "R.P.T.," "Registered Physical Therapist," "L.P.T.," "Licensed Physical Therapist," "P.T.," "Physical Therapist," "Physio-therapist," ~~"P.T.T.," "Physical Therapy Technician,"~~ "P.T.A.," "Physical Therapist Assistant," "Licensed Physical Therapist Assistant," or to otherwise by letters, words, representations or insignias assert or imply that he is a licensed physical therapist. The title to designate a licensed physical therapist shall be "P.T." The title to designate a physical therapist assistant shall show such fact plainly on its face.

B. No person shall advertise services using the words "physical therapy" or "physiotherapy" unless those services are provided by a physical therapist or physical therapist assistant licensed pursuant to this chapter.

C. A complaint or report of a possible violation of this section by any person who is licensed, certified, registered, or permitted, or who holds a multistate licensure privilege issued by any of the health regulatory boards within the Department of Health Professions shall be referred to the applicable board within the Department for disciplinary action.

D. Nothing in this section shall be construed to restrict or limit the legally authorized scope of practice of any profession licensed, certified, registered, permitted, or recognized under a multistate licensure privilege issued by any of the health regulatory boards within the Department of Health Professions prior to January 1, 2010.

CHAPTER 334

An Act to amend and reenact § 8.01-396.2 of the Code of Virginia, relating to minor witnesses; appointment of guardian ad litem in circuit court.

[S 1277]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-396.2 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-396.2. Minor witness; appointment of guardian ad litem.

A. In any proceeding before a general district court, the court may, if it determines the circumstances so require, appoint a discreet and competent attorney-at-law as guardian ad litem to represent the interests of a minor who is called to testify. It shall be the duty of the court to ensure that the interests of such minor witness are represented and protected.

B. When the guardian ad litem, to the satisfaction of the court, has rendered substantial service in accordance with this section, the court may allow such guardian ad litem reasonable compensation to be paid from the funds appropriated to pay for the compensation of court-appointed counsel according to the rates and procedures set by the Supreme Court of Virginia.

C. If the matter in which a minor witness is called to testify is appealed to a circuit court, such circuit court may continue the appointment of the guardian ad litem or may appoint another discreet and competent attorney-at-law as guardian ad litem.

D. Additionally, a circuit court may appoint a guardian ad litem in accordance with this section when a minor witness is called to testify in any proceeding before the circuit court involving a criminal sexual assault in violation of a provision of Article 7 (§ 18.2-61 et seq.) of Chapter 4, commercial sex trafficking or prostitution pursuant to Article 3 (§ 18.2-346 et seq.) of Chapter 8, or family offenses pursuant to Article 4 (§ 18.2-362 et seq.) of Chapter 8 of Title 18.2.

CHAPTER 335

An Act to require the Task Force on Fentanyl and Heroin Enforcement to meet quarterly.

[S 1278]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Task Force on Fentanyl and Heroin Enforcement shall meet quarterly beginning in July 2025 until such time as the 2025 annual report has been submitted to the Governor and the General Assembly as provided in § 9.1-116.9 of the Code of Virginia.*

CHAPTER 336

An Act to amend and reenact §§ 18.2-340.19, 58.1-4007.3, 58.1-4122.1, and 59.1-369 of the Code of Virginia, relating to gaming; posting of problem gambling helpline information.

[S 1280]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-340.19, 58.1-4007.3, 58.1-4122.1, and 59.1-369 of the Code of Virginia are amended and reenacted as follows:

§ 18.2-340.19. Regulations of the Department.

A. The Department shall adopt regulations that:

1. Require, as a condition of receiving a charitable gaming permit or authorization to conduct electronic gaming, that the applicant use a predetermined percentage of its receipts for those lawful religious, charitable, community, or educational purposes for which the organization is specifically chartered or organized, including (i) those expenses relating to the acquisition, construction, maintenance, or repair of any interest in real property or (ii) expenses related to the rental of real property by an organization as described by subdivision 5, 6, or 7 of the definition of "social organization" in § 18.2-340.16 where such real property is involved in the operation of the organization and used for lawful religious, charitable, community, or educational purposes, as follows:

a. With respect to charitable gaming, other than electronic gaming, a predetermined percentage of its gross receipts.

b. With respect to electronic gaming, a predetermined percentage of its electronic gaming adjusted gross receipts.

2. Specify the conditions under which a complete list of the organization's members who participate in the management, operation, or conduct of charitable gaming may be required in order for the Department to ascertain the percentage of Virginia residents in accordance with subdivision A 3 of § 18.2-340.24.

Membership lists furnished to the Department in accordance with this subdivision shall not be a matter of public record and shall be exempt from disclosure under the provisions of the Freedom of Information Act (§ 2.2-3700 et seq.).

3. Prescribe fees for processing applications for charitable gaming permits and authorizing social organizations to conduct electronic gaming. Such fees may reflect the nature and extent of the charitable gaming activity proposed to be conducted.

4. Establish requirements for the audit of all reports required in accordance with §§ 18.2-340.30 and 18.2-340.30:2.

5. Define electronic and mechanical equipment used in the conduct of charitable gaming. Department regulations shall include capacity for such equipment to provide full automatic daubing as numbers are called. For the purposes of this subdivision, electronic or mechanical equipment for instant bingo, pull tabs, or seal cards shall include such equipment that displays facsimiles of instant bingo, pull tabs, or seal cards and are used solely for the purpose of dispensing or opening such paper or electronic cards, or both; but shall not include (i) devices operated by dropping one or more coins or tokens into a slot and pulling a handle or pushing a button or touchpoint on a touchscreen to activate one to three or more reels marked into horizontal segments by varying symbols, where the predetermined prize amount depends on how and how many of the symbols line up when the rotating reels come to rest, or (ii) other similar devices that display flashing lights or illuminations, or bells, whistles, or other sounds, solely intended to entice players to play. Such regulations shall not prohibit (a) devices that display spinning, rotating, or rolling reels or animations or flashing lights; (b) devices that accept vouchers; (c) the purchase and play of an electronic pull tab with a single press or touch of a button; or (d) the use of multiple video monitors or touchscreens on an electronic gaming device.

6. Prescribe the conditions under which a qualified organization may (i) provide food and nonalcoholic beverages to its members who participate in the management, operation, or conduct of bingo; (ii) permit members who participate in the management, operation, or conduct of bingo to play bingo; and (iii) subject to the provisions of subdivision 12 of § 18.2-340.33, permit nonmembers to participate in the conduct of bingo so long as the nonmembers are under the direct supervision of a bona fide member of the organization during the bingo game.

7. Prescribe the conditions under which a qualified organization may sell raffle tickets for a raffle drawing that will be held outside the Commonwealth pursuant to subsection B of § 18.2-340.26.

8. Prescribe the conditions under which persons who are bona fide members of a qualified organization or a child, above the age of 13 years, of a bona fide member of such organization may participate in the conduct or operation of bingo games.

9. Prescribe the conditions under which a person below the age of 18 years may play bingo, provided that such person is accompanied by his parent or legal guardian.

10. Require all qualified organizations that are subject to Department regulations to post in a conspicuous place in every place where charitable gaming is conducted a sign that bears a toll-free telephone number for ~~"Gamblers Anonymous" or other organization that provides assistance to compulsive gamblers~~ *the National Problem Gambling Helpline*.

11. Require all qualified organizations that are subject to Department regulations to post in a conspicuous place in every place where charitable gaming is conducted a sign that bears the toll-free telephone number and website for the illegal gaming tip line established and administered by the Office of the Gaming Enforcement Coordinator in the Department of

State Police pursuant to § 52-54 for members of the public to report concerns about, or suspected instances of, illegal gaming activities.

12. Prescribe the conditions under which a qualified organization may sell network bingo cards in accordance with § 18.2-340.28:1 and establish a percentage of proceeds derived from network bingo sales to be allocated to (i) prize pools, (ii) the organization conducting the network bingo, and (iii) the network bingo provider. The regulations shall also establish procedures for the retainage and ultimate distribution of any unclaimed prize.

13. Prescribe the conditions under which a qualified organization may manage, operate, or contract with operators of, or conduct Texas Hold'em poker tournaments.

14. Prescribe the conditions under which a qualified organization may lease the premises of a permitted social organization for the purpose of conducting bingo, network bingo, instant bingo, pull tabs, seal cards, and electronic gaming permitted under this article and establish requirements for proper financial reporting of all disbursements, gross receipts, and electronic gaming adjusted gross receipts and payment of all fees required under this article.

B. The Commissioner may, by regulation, approve variations to the card formats for bingo games, provided that such variations result in bingo games that are conducted in a manner consistent with the provisions of this article. Department-approved variations may include bingo games commonly referred to as player selection games and 90-number bingo.

§ 58.1-4007.3. Posting of illegal gaming tip line; problem gambling helpline.

Every licensed lottery sales agent shall post in a conspicuous place in its retail establishment a sign that bears *(i)* the toll-free telephone number and website for the illegal gaming tip line established and administered by the Office of the Gaming Enforcement Coordinator in the Department of State Police pursuant to § 52-54 for members of the public to report concerns about, or suspected instances of, illegal gaming activities *and (ii) the toll-free telephone number for the National Problem Gambling Helpline*.

§ 58.1-4122.1. Posting of illegal gaming tip line; problem gambling helpline.

Every casino gaming operator shall post in a conspicuous place in its casino gaming establishment a sign that bears *(i)* the toll-free telephone number and website for the illegal gaming tip line established and administered by the Office of the Gaming Enforcement Coordinator in the Department of State Police pursuant to § 52-54 for members of the public to report concerns about, or suspected instances of, illegal gaming activities *and (ii) the toll-free telephone number for the National Problem Gambling Helpline*.

§ 59.1-369. Powers and duties of the Commission.

The Commission shall have all powers and duties necessary to carry out the provisions of this chapter and to exercise the control of horse racing as set forth in § 59.1-364. Such powers and duties shall include the following:

1. The Commission is vested with jurisdiction and supervision over all horse racing licensed under the provisions of this chapter including all persons conducting, participating in, or attending any race meeting. It shall employ such persons to be present at race meetings as are necessary to ensure that they are conducted with order and the highest degree of integrity. It may eject or exclude from the enclosure or from any part thereof any person, whether or not he possesses a license or permit, whose conduct or reputation is such that his presence may, in the opinion of the Commission, reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of horse racing.

2. The Commission, its representatives, and employees shall visit, investigate, and have free access to the office, track, facilities, satellite facilities or other places of business of any license or permit holder, and may compel the production of any of the books, documents, records, or memoranda of any license or permit holder for the purpose of satisfying itself that this chapter and its regulations are strictly complied with. In addition, the Commission may require any person granted a permit by the Commission and shall require any person licensed by the Commission, the recognized majority horsemen's group, and the nonprofit industry stakeholder organization recognized by the Commission under this chapter to produce an annual balance sheet and operating statement prepared by a certified public accountant approved by the Commission. The Commission may require the production of any contract to which such person is or may be a party.

3. The Commission shall promulgate regulations and conditions under which horse racing with pari-mutuel wagering shall be conducted in the Commonwealth, and all such other regulations it deems necessary and appropriate to effect the purposes of this chapter, including a requirement that licensees post, in a conspicuous place in every place where pari-mutuel wagering is conducted, (i) a sign that bears a toll-free telephone number for ~~"Gamblers Anonymous" or other organization that provides assistance to compulsive gamblers~~ *the National Problem Gambling Helpline* and (ii) a sign that bears the toll-free number and website for the illegal gaming tip line established and administered by the Office of the Gaming Enforcement Coordinator in the Department of State Police pursuant to § 52-54 for members of the public to report concerns about, or suspected instances of, illegal gaming activities. Such regulations shall include provisions for affirmative action to assure participation by minority persons in contracts granted by the Commission and its licensees. Nothing in this subdivision shall be deemed to preclude private local ownership or participation in any horse racetrack. Such regulations may include penalties for violations. The regulations shall be subject to the Administrative Process Act (§ 2.2-4000 et seq.).

4. The Commission shall promulgate regulations and conditions under which simulcast horse racing shall be conducted at a licensed horse racetrack or satellite facility in the Commonwealth and all such other regulations it deems necessary and appropriate to effect the purposes of this chapter. Such regulations shall include provisions that all simulcast horse racing shall comply with the Interstate Horse Racing Act of 1978 (15 U.S.C. § 3001 et seq.) and shall require the holder of a license to schedule no more than 125 live racing days in the Commonwealth each calendar year; however, the Commission

shall have the authority to alter the required number of live racing days in the event of force majeure. Such regulations shall authorize up to 10 satellite facilities and restrict majority ownership of satellite facilities to an entity licensed by the Commission that is a significant infrastructure limited licensee, or if by August 1, 2015, there is no such licensee or a pending application for such license, then the nonprofit industry stakeholder organization recognized by the Commission may be granted licenses to own or operate satellite facilities. If, however, after the issuance of a license to own or operate a satellite facility to such nonprofit industry stakeholder organization, the Commission grants a license to a significant infrastructure limited licensee pursuant to § 59.1-376, then such limited licensee may own or operate the remaining available satellite facilities authorized in accordance with this subdivision. In no event shall the Commission authorize any such entities to own or operate more than a combined total of 10 satellite facilities. Nothing in this subdivision shall be deemed to preclude private local ownership or participation in any satellite facility. Except as authorized pursuant to subdivision 5, wagering on simulcast horse racing shall take place only at a licensed horse racetrack or satellite facility. For purposes of this subdivision, "force majeure" means an event or events reasonably beyond the ability of the Commission to anticipate and control. "Force majeure" includes acts of God, incidences of terrorism, war or riots, labor strikes or civil disturbances, floods, earthquakes, fire, explosions, epidemics, hurricanes, tornadoes, and governmental actions and restrictions.

5. The Commission shall promulgate regulations and conditions regulating and controlling advance deposit account wagering. Such regulations shall include (i) standards, qualifications, and procedures for the issuance of a license to an entity for the operation of pari-mutuel wagering in the Commonwealth; except that the Commission shall not issue a license to, and shall revoke the license of, an entity that, either directly or through an entity under common control with it, withholds the sale at fair market value to a licensee of simulcast horse racing signals that such entity or an entity under common control with it sells to other racetracks, satellite facilities, or advance deposit account wagering providers located in or outside of the Commonwealth; (ii) provisions regarding access to books, records, and memoranda, and submission to investigations and audits, as authorized by subdivisions 2 and 10; and (iii) provisions regarding the collection of all revenues due to the Commonwealth from the placing of such wagers. No pari-mutuel wager may be made on or with any computer owned or leased by the Commonwealth, or any of its subdivisions, or at any public elementary or secondary school or institution of higher education. The Commission also shall ensure that, except for this method of pari-mutuel wagering, all wagering on simulcast horse racing shall take place only at a licensed horse racetrack or satellite facility.

Nothing in this subdivision shall be construed to limit the Commission's authority as set forth elsewhere in this section.

6. The Commission may issue subpoenas for the attendance of witnesses before it, administer oaths, and compel production of records or other documents and testimony of such witnesses whenever, in the judgment of the Commission, it is necessary to do so for the effectual discharge of its duties.

7. The Commission may compel any person holding a license or permit to file with the Commission such data as shall appear to the Commission to be necessary for the performance of its duties including financial statements and information relative to stockholders and all others with any pecuniary interest in such person. It may prescribe the manner in which books and records of such persons shall be kept.

8. The Commission may enter into arrangements with any foreign or domestic government or governmental agency, for the purposes of exchanging information or performing any other act to better ensure the proper conduct of horse racing.

9. The Commission shall report annually on or before March 1 to the Governor and the General Assembly, which report shall include a financial statement of the operation of the Commission.

10. The Commission may order such audits, in addition to those required by § 59.1-394, as it deems necessary and desirable.

11. The Commission shall upon the receipt of a complaint of an alleged criminal violation of this chapter immediately report the complaint to the Attorney General of the Commonwealth and the State Police for appropriate action.

12. The Commission shall provide for the withholding of the applicable amount of state and federal income tax of persons claiming a prize or pay-off for a winning wager and shall establish the thresholds for such withholdings.

13. The Commission, its representatives and employees may, within the enclosure, stable, or other facility related to the conduct of racing, and during regular or usual business hours, subject any (i) permit holder to personal inspections, including alcohol and drug testing for illegal drugs, inspections of personal property, and inspections of other property or premises under the control of such permit holder and (ii) horse eligible to race at a race meeting licensed by the Commission to testing for substances foreign to the natural horse within the racetrack enclosure or other place where such horse is kept. Any item, document or record indicative of a violation of any provision of this chapter or Commission regulations may be seized as evidence of such violation. All permit holders consent to the searches and seizures authorized by this subdivision, including breath, blood and urine sampling for alcohol and illegal drugs, by accepting the permit issued by the Commission. The Commission may revoke or suspend the permit of any person who fails or refuses to comply with this subdivision or any rules of the Commission. Commission regulations in effect on July 1, 1998, shall continue in full force and effect until modified by the Commission in accordance with law.

14. The Commission shall require the existence of a contract between each licensee and the recognized majority horsemen's group for that licensee. Such contract shall be subject to the approval of the Commission, which shall have the power to approve or disapprove any of its items, including the provisions regarding purses and prizes. Such contracts shall provide that on pools generated by wagering on simulcast horse racing from outside the Commonwealth, (i) for the first $75 million of the total pari-mutuel handle for each breed, the licensee shall deposit funds at the minimum rate of five

percent in the horsemen's purse account, (ii) for any amount in excess of $75 million but less than $150 million of the total pari-mutuel handle for each breed, the licensee shall deposit funds at the minimum rate of six percent in the horsemen's purse account, (iii) for amounts in excess of $150 million for each breed, the licensee shall deposit funds at the minimum rate of seven percent in the horsemen's purse account. Such deposits shall be made in the horsemen's purse accounts of the breed that generated the pools and such deposits shall be made within five days from the date on which the licensee receives wagers. In the absence of the required contract between the licensee and the recognized majority horsemen's group, the Commission may permit wagering to proceed on simulcast horse racing from outside of the Commonwealth, provided that the licensee deposits into the State Racing Operations Fund created pursuant to § 59.1-370.1 an amount equal to the minimum percentage of the total pari-mutuel handles as required in clauses (i), (ii), and (iii) or such lesser amount as the Commission may approve. The deposits shall be made within five days from the date on which the licensee receives wagers. Once a contract between the licensee and the recognized majority horsemen's group is executed and approved by the Commission, the Commission shall transfer these funds to the licensee and the horsemen's purse accounts.

15. Notwithstanding the provisions of § 59.1-391, the Commission may grant provisional limited licenses or provisional unlimited licenses to own or operate racetracks or satellite facilities to an applicant prior to the applicant securing the approval through the local referendum required by § 59.1-391. The provisional licenses issued by the Commission shall only become effective upon the approval of the racetrack or satellite wagering facilities in a referendum conducted pursuant to § 59.1-391 in the jurisdiction in which the racetrack or satellite wagering facility is to be located.

16. The Commission or its representatives shall participate in the Problem Gambling Treatment and Support Advisory Committee established pursuant to § 37.2-304 by the Department of Behavioral Health and Developmental Services to enable collaboration among prevention and treatment providers and operators of legal gaming in the Commonwealth on efforts to reduce the negative effects of problem gambling.

17. The Commission shall promulgate regulations requiring, for each calendar year, any significant infrastructure limited licensee that offers pari-mutuel wagering on historical horse racing to hold at least one live Thoroughbred horse racing day, consisting of not less than eight races per day, for every 100 historical horse racing terminals installed at its significant infrastructure facility together with any satellite facility owned, operated, controlled, managed, or otherwise directly or indirectly affiliated with such licensee. The regulations shall require any such significant infrastructure limited licensee that holds more than one live Thoroughbred horse racing day in accordance with the provisions of this subdivision to hold at least one of those racing days on a weekend. The number of historical horse racing terminals installed at a significant infrastructure facility shall be calculated as of December 31 of the calendar year in question; however, only historical horse racing terminals that are fully operational shall be included in such calculation.

CHAPTER 337

An Act to amend and reenact §§ 2.2-1837, 2.2-3703, 8.01-195.10, 8.01-690, 19.2-353.5, 53.1-1, 53.1-31.1, 53.1-71.1, 53.1-71.2, 53.1-71.4, 53.1-71.5, 53.1-261, 53.1-262, 53.1-263, 53.1-265, and 53.1-266 of the Code of Virginia, relating to state and regional correctional facilities; private management prohibited.

[S 1283]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-1837, 2.2-3703, 8.01-195.10, 8.01-690, 19.2-353.5, 53.1-1, 53.1-31.1, 53.1-71.1, 53.1-71.2, 53.1-71.4, 53.1-71.5, 53.1-261, 53.1-262, 53.1-263, 53.1-265, 53.1-266 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-1837. Risk management plan for public liability.

A. Subject to the approval of the Governor, the Division shall establish a risk management plan, which may be purchased insurance, self-insurance or a combination of self-insurance and purchased insurance to provide:

1. Protection against liability imposed by law for damages resulting from any claim:

a. Made against any state department, agency, institution, board, commission, officer, agent, or employee for acts or omissions of any nature while acting in an authorized governmental or proprietary capacity and in the course and scope of employment or authorization;

b. Made against participants, other than professional counsel, in student disciplinary proceedings at public institutions of higher education for nonmalicious acts or omissions of any nature in the course and scope of participation in the proceedings; or

c. Resulting from an authorized indemnification agreement entered into by a public institution of higher education in the Commonwealth in accordance with this subsection.

A public institution of higher education in the Commonwealth may execute an indemnification agreement if the Governor (i) considers in advance of execution (a) the institution's analysis of the relevant public benefit and risk of liability, (b) the Division's charge to be assessed against the institution for providing insurance or self-insurance coverage for the claims resulting from the indemnification agreement, and (c) the Office of the Attorney General's comments and (ii) determines that execution is necessary to further the public's best interests.

The indemnification agreement shall limit the institution's total liability to a stated dollar amount and shall notify the contractor that the full faith and credit of the Commonwealth are not pledged or committed to payment of the institution's obligation under the agreement. However, no such institution shall be authorized to enter into an indemnification agreement in accordance with this subsection to indemnify any person or entity against damages arising from a sponsored project conducted by such institution. For the purposes of this section, a "sponsored project" is a research, instruction, or service project conducted at a public institution of higher education in the Commonwealth pursuant to a grant, cooperative agreement, or other contract;

2. Protection against tort liability and incidental medical payments arising out of the ownership, maintenance or use of buildings, grounds or properties owned or leased by the Commonwealth or used by state employees or other authorized persons in the course of their employment;

3. For the payment of attorney fees and expenses incurred in defending such persons and entities concerning any claim that (i) arises from their governmental employment or authorization, that (ii) arises from their participation in such student disciplinary proceedings, or (iii) is described in any such indemnification agreement, where the Division is informed by the Attorney General's office that it will not provide a defense due to a conflict or other appropriate reason; and

4. For the payment of attorney fees and expenses awarded to any individual or entity against the Commonwealth, or any department, agency, institution, board, commission, officer, agent, or employee of the Commonwealth for acts or omissions of any nature while acting in an authorized governmental or proprietary capacity, or in reliance upon any constitutional provision, or law of the Commonwealth. It is the obligation of the Division to provide for such indemnification regardless of whether there is a request for or an award of damages associated with the award of such fees and expenses.

a. As a condition of coverage for the payment of attorney fees and expenses, the department, agency, institution, board, commission, officer, agent, or employee of the Commonwealth shall (i) promptly notify the Division of the commencement of any claim, suit, action or other proceeding prior to its settlement, (ii) provide the Division with full nonprivileged information on the matter as requested, and (iii) permit the Division to participate in the investigation of such claim, suit, action or other proceeding. Failure to promptly notify the Division or to reasonably cooperate may, at the Division's discretion, result in no payment or a reduced payment being made.

b. The Division shall set the premium and administrative costs to be paid to it for providing payment of attorney fees and expenses awarded pursuant to this section. The premiums and administrative costs set by the Division shall be payable in the amounts, at the time and in the manner that the Division in its sole discretion requires. Premiums and administrative costs shall be set to best ensure the financial stability of the plan.

B. Any risk management plan established pursuant to this section shall provide for the establishment of a trust fund or contribution to the State Insurance Reserve Trust Fund for the payment of claims covered under the plan. The funds shall be invested as provided in § 2.2-1806 and interest shall be added to the fund as earned. The trust fund shall also provide for payment of administrative costs, contractual costs, and other expenses related to the administration of such plan.

C. The risk management plan for public liability shall be submitted to the Governor for approval prior to implementation.

D. The risk management plan established pursuant to this section shall provide protection against professional liability imposed by law as provided in § 24.2-121, resulting from any claim made against a local electoral board, any of its members, any general registrar, or any employee of or paid deputy to a registrar for acts or omissions of any nature while acting in an authorized governmental or proprietary capacity and in the course and scope of employment or authorization, regardless of whether or not the civil action requests monetary damages, subject to the limitations of the risk management plan.

E. The risk management plan established pursuant to this section shall provide protection against any claim made against any soil and water conservation district, director, officer, agent or employee thereof, (i) arising out of the ownership, maintenance or use of buildings, grounds or properties owned, leased or maintained by any such district or used by district employees or other authorized persons in the course of their employment or (ii) arising out of acts or omissions of any nature while acting in an authorized governmental or proprietary capacity and in the course and scope of employment or authorization.

F. The risk management plan established pursuant to this section shall provide protection against professional liability imposed by law for damages resulting from any claim made against a local school board selection commission or local school board selection commission members for acts or omissions of any nature while acting in an authorized governmental or proprietary capacity and in the course and scope of authorization, subject to the limitations of the risk management plan.

G. The risk management plan established pursuant to this section shall provide coverage for any matter that involves or could involve an action or proceeding against a judge, the nature of which is designed to determine whether discipline or other sanction of the judge for malfeasance or misfeasance is appropriate or to otherwise determine the fitness of the judge to hold office or to continue his employment. No coverage or indemnification shall be made pursuant to this subsection when the Supreme Court of Virginia finds that the judge should be censured or removed from office pursuant to § 10 of Article VI of the Constitution of Virginia or statutes enacted pursuant thereto.

H. The risk management plan established pursuant to this section shall provide protection against claims made against chaplains by persons incarcerated in a state correctional facility~~,~~ *or* a juvenile correctional center, ~~or~~ *including* a facility operated pursuant to the Corrections Private ~~Management~~ *Services* Act (§ 53.1-261 et seq.) arising out of services provided

by the chaplains to such incarcerated persons, regardless of whether such services were provided on a volunteer basis or for compensation. For the purposes of this subsection, chaplains shall include only those persons~~,~~ who, at the time any claim may arise, were acting pursuant to, and in compliance with, an agreement between the chaplain or an organization to which the chaplain belongs~~,~~ and the Department of Corrections, the Department of Juvenile Justice, or an operator of a facility operated pursuant to the Corrections Private ~~Management~~ *Services* Act.

§ 2.2-3703. Public bodies and records to which chapter inapplicable; voter registration and election records; access by persons incarcerated in a state, local, or federal correctional facility.

A. The provisions of this chapter shall not apply to:

1. Petit juries and grand juries;

2. Family assessment and planning teams established pursuant to § 2.2-5207;

3. Sexual assault response teams established pursuant to § 15.2-1627.4 and human trafficking response teams established pursuant to § 15.2-1627.6, except that records relating to (i) protocols and policies of the sexual assault or human trafficking response team and (ii) guidelines for the community's response established by the sexual assault or human trafficking response team shall be public records and subject to the provisions of this chapter;

4. Multidisciplinary child sexual abuse response teams established pursuant to § 15.2-1627.5;

5. The Virginia State Crime Commission; and

6. The records maintained by the clerks of the courts of record, as defined in § 1-212, for which clerks are custodians under § 17.1-242, and courts not of record, as defined in § 16.1-69.5, for which clerks are custodians under § 16.1-69.54, including those transferred for storage, maintenance, or archiving. Such records shall be requested in accordance with the provisions of §§ 16.1-69.54:1 and 17.1-208, as appropriate. However, other records maintained by the clerks of such courts shall be public records and subject to the provisions of this chapter.

B. Public access to voter registration and election records shall be governed by the provisions of Title 24.2 and this chapter. The provisions of Title 24.2 shall be controlling in the event of any conflict.

C. No provision of this chapter or Chapter 21 (§ 30-178 et seq.) of Title 30 shall be construed to afford any rights to any person (i) incarcerated in a state, local*,* or federal correctional facility, whether or not such facility is (a) located in the Commonwealth or (b) operated pursuant to the Corrections Private ~~Management~~ *Services* Act (§ 53.1-261 et seq.) or (ii) civilly committed pursuant to the Sexually Violent Predators Act (§ 37.2-900 et seq.). However, this subsection shall not be construed to prevent such persons from exercising their constitutionally protected rights, including, but not limited to, their right to call for evidence in their favor in a criminal prosecution.

§ 8.01-195.10. Purpose; action by the General Assembly required; definitions.

A. The purpose of this article is to provide directions and guidelines for the compensation of persons who have been wrongfully incarcerated in the Commonwealth. Compensation for wrongful incarceration is governed by Article IV, § 14 of the Constitution of Virginia, which prohibits the General Assembly from granting relief in cases in which the courts or other tribunals may have jurisdiction. No compensation shall be awarded under this article unless the recipient has executed a release and waiver pursuant to subsection B of § 8.01-195.12. The payment and receipt of any compensation for wrongful incarceration shall be contingent upon the General Assembly appropriating funds for that purpose. This article shall not provide an entitlement to compensation for persons wrongfully incarcerated or require the General Assembly to appropriate funds for the payment of such compensation.

B. As used in this article:

"Incarceration" or "incarcerated" means *(i)* confinement in a local or regional correctional facility, juvenile correctional center, state correctional facility, *or* residential detention center~~,~~ or *(ii) confinement in a* facility operated pursuant to the Corrections Private ~~Management~~ *Services* Act (§ 53.1-261 et seq.).

"Wrongful incarceration" or "wrongfully incarcerated" means incarceration for a felony conviction for which the conviction has been vacated pursuant to Chapter 19.2 (§ 19.2-327.2 et seq.) or 19.3 (§ 19.2-327.10 et seq.) of Title 19.2, or the person incarcerated has been granted an absolute pardon for the commission of a crime that he did not commit.

§ 8.01-690. Applicability provisions.

The provisions of this chapter shall apply to all pro se civil actions for money damages brought under the laws of this Commonwealth, or for injunctive, declaratory*,* or mandamus relief, brought by prisoners incarcerated in any state or local correctional facility, ~~or~~ *including a facility* operated pursuant to the Corrections Private ~~Management~~ *Services* Act (§ 53.1-261 et seq.).

§ 19.2-353.5. Interest on fines and costs.

A. For purposes of this section, "incarcerated" or "incarceration" means confinement in a local or regional correctional facility, juvenile correctional facility, state correctional facility, residential detention center, or facility operated pursuant to the Corrections Private ~~Management~~ *Services* Act (§ 53.1-261 et seq.).

B. No interest shall accrue on any fine or costs imposed in a criminal case or in a case involving a traffic infraction (i) for a period of 180 days following the date of the final judgment imposing such fine or costs; (ii) during any period the defendant is incarcerated; and (iii) for a period of 180 days following the date of the defendant's release from incarceration if the sentence includes an active term of incarceration.

C. A person who owes fines and costs on which interest has accrued during a period of incarceration may move any court in which he owes fines and costs to waive the interest that accrued on such fines and costs during such period of incarceration. Upon certification of the period of incarceration by the superintendent, warden, or other official in charge of a

correctional facility on a form developed by the Office of the Executive Secretary of the Supreme Court, such interest shall be waived.

D. In no event shall interest accrue during any period in which a fine, costs, or both a fine and costs are being paid in deferred or installment payments pursuant to an order of the court. Whenever interest on any unpaid fine or costs accrues, it shall accrue at the judgment rate of interest set forth in § 6.2-302.

§ 53.1-1. Definitions.

As used in this title, unless the context requires a different meaning:

"Board" or "State Board" means the State Board of Local and Regional Jails.

"Community correctional facility" means any group home, halfway house or other physically unrestricting facility used for the housing, treatment or care of adult offenders established or operated with funds appropriated to the Department of Corrections from the state treasury and maintained or operated by any political subdivision, combination of political subdivisions or privately operated agency within the Commonwealth.

"Community supervision" means probation, parole, postrelease supervision, programs authorized under the Comprehensive Community Corrections Act for local responsible offenders, and programs authorized under Article 7 (§ 53.1-128 et seq.) of Chapter 3.

"Correctional officer" means a duly sworn employee of the Department of Corrections whose normal duties relate to maintaining immediate control, supervision and custody of prisoners confined in any state correctional facility.

"Department" means the Department of Corrections.

"Deputy sheriff" means a duly sworn officer appointed by a sheriff pursuant to § 15.2-1603 whose normal duties include, but are not limited to, maintaining immediate control, supervision and custody of prisoners confined in any local correctional facility and may include those duties of a jail officer.

"Director" means the Director of the Department of Corrections.

"Jail officer" means a duly sworn employee of a local correctional facility, except for deputy sheriffs, whose normal duties relate to maintaining immediate control, supervision and custody of prisoners confined in any local correctional facility. This definition in no way limits any authority otherwise granted to a duly sworn deputy sheriff whose duties may include those of a jail officer.

"Local correctional facility" means any jail, jail farm or other place used for the detention or incarceration of adult offenders, excluding a lock-up, which is owned, maintained, or operated by any political subdivision or combination of political subdivisions of the Commonwealth. For the purposes of subsection B of § 53.1-68 and §§ 53.1-69, 53.1-69.1, and 53.1-127, "local correctional facility" also includes any facility owned, maintained, or operated by any political subdivision or combination of political subdivisions of the Commonwealth that is used for the detention or incarceration of people pursuant to a contract or third-party contract with the federal government or any agency or contractor thereof.

"Lock-up" means a facility whose primary use is to detain persons for a short period of time as determined by the Board.

"State correctional facility" means any correctional center or correctional field unit used for the incarceration of adult offenders established and operated by the Department of Corrections, or operated ~~under contract pursuant to § 53.1-262. This term shall include~~ *pursuant to the Corrections Private Services Act (§ 53.1-261 et seq.). "State correctional facility" includes* "penitentiary" whenever used in this title or other titles of the Code.

§ 53.1-31.1. Transportation of prisoners.

A. Notwithstanding any other provision of law, the Department shall provide all transportation to and from court for any prisoner in connection with a crime committed within a state correctional facility, ~~or~~ *including* a facility operated pursuant to the Corrections Private ~~Management~~ *Services* Act (§ 53.1-261 et seq.), unless the affected sheriff and the Department agree on other transportation. Auxiliary police forces established under § 15.2-1731 who have met the training requirements of § 9.1-102, with the concurrence of the sheriff or other chief law-enforcement officer as appropriate, are specifically authorized to provide such transportation.

B. Authorized corrections personnel from any other state, the United States, and any political subdivisions thereof who transport a prisoner through the Commonwealth, deliver a prisoner to the Commonwealth, or take custody of a prisoner in the Commonwealth for transport to another jurisdiction are deemed to have lawful custody of such prisoner while in the Commonwealth.

C. Authorized Virginia corrections personnel who have a need to travel with a prisoner through or to another state are authorized to travel through such state and retain authority over such prisoner as allowed by such state.

Article 1.1.

Private ~~Operation of~~ *Services at* Regional Jail Facilities.

§ 53.1-71.1. Private construction, maintenance, etc., of regional jail facility.

A. Any regional jail authority constituted pursuant to Article 3.1 (§ 53.1-95.2 et seq.) or 5 (§ 53.1-105 et seq.) of Chapter 3 of Title 53.1 may contract with a private entity for the financing, site selection, acquisition, construction, maintenance, *or* leasing~~, management, or operation~~ of a regional jail facility.

B. Any project authorized pursuant to subsection A ~~of this section~~ shall be subject to the requirements and limitations set out below:

1. Contracts entered into under the terms of this article shall be with an entity submitting an acceptable response pursuant to a request for proposals. An acceptable response shall be one ~~which~~ *that* meets all the requirements in the request

for proposals. However, no contract for correctional services may be entered into unless the private contractor demonstrates that it has:

a. The qualifications~~,~~ *and* experience ~~and management personnel~~ necessary to carry out the terms of this contract;

b. The financial resources to provide indemnification for liability arising from jail ~~management~~ projects;

c. Evidence of past performance of similar contracts; and

d. The ability to comply with all applicable federal and state constitutional standards; federal, state, and local laws; court orders; and correctional standards.

2. Contracts awarded under the provisions of this article, including contracts for the provision of correctional services or for the lease or use of public lands or buildings for use in the operation of facilities, may be entered into for a period of up to ~~thirty~~ *30* years, subject to the requirements for expenditure of funds by the local governing bodies.

3. No contract for correctional services shall be entered into which would adversely affect the tax-exempt status of obligations issued or to be issued to finance the facility, and unless the following requirements are met:

a. The contractor provides audited financial statements for the previous five years or for each of the years the contractor has been in operation, if fewer than five years, and provides other financial information as requested; and

b. The contractor provides an adequate plan of indemnification, specifically including indemnity for civil rights claims. The indemnification plan shall be adequate to protect the combination of counties or cities and public officials from all claims and losses incurred as a result of the contract. The indemnification plan shall include liability insurance in limits of not less than ~~five~~ *$5* million ~~dollars~~. Nothing herein is intended to deprive a regional jail facility contractor or the combination of counties or cities of the benefits of any law limiting exposure to liability or setting a limit on damages.

4. No contract for correctional services shall be executed unless:

a. The proposed contract has been reviewed and approved by the Board;

b. An appropriation for the services to be provided under the contract has been expressly approved as is otherwise provided by law;

c. The correctional services proposed by the contract are of at least the same quality as those routinely provided by a regional jail facility to similar types of inmates; and

d. An evaluation of the proposed contract demonstrates a cost benefit to the combination of counties or cities when compared to alternative means of providing the services through governmental agencies.

§ 53.1-71.2. Authority of security employees.

Security employees of a regional jail facility contractor *approved by the General Assembly to operate a regional jail facility pursuant to § 53.1-71.4* shall be allowed to use force and shall exercise their powers and authority only while on the grounds of a regional jail facility under the supervision of the regional jail facility contractor, while transporting inmates, and while pursuing escapees from such facilities until such time that the pursuit of the escapees is assumed by state or local law-enforcement agencies. All provisions of law pertaining to custodians of inmates or jail guards or officers shall apply to contractors' security employees.

§ 53.1-71.4. Powers and duties not delegable to contractor.

The regional jail authority issuing the contract shall retain the authority and responsibility for the rules and procedures as they apply to the treatment of prisoners, and no contract for correctional services shall authorize, allow, or imply a delegation of authority or responsibility to a regional jail facility contractor for any of the following:

1. Developing and implementing procedures for calculating inmate release dates;

2. Developing and implementing procedures for calculating and awarding sentence credits;

3. Approving inmates for furlough and work release;

4. Approving the type of work inmates may perform and the wages or sentence credits which may be given the inmates engaging in such work;

5. Granting, denying, or revoking sentence credits;

6. Classifying inmates or placing inmates in less restrictive custody or more restrictive custody;

7. Transferring an inmate; however, the contractor may make written recommendations regarding the transfer of an inmate or inmates;

8. Formulating rules of inmate behavior, violations of which may subject inmates to sanctions; however, the contractor may propose such rules for review and adoption, rejection, or modification as otherwise provided by law or regulation; ~~and~~

9. Disciplining inmates in any manner which requires a discretionary application of rules of inmate behavior or a discretionary imposition of a sanction for violations of such rules*; or*

10. Operating a regional jail facility, including management, custody of inmates, or provision of security; however, the contractor may operate a regional jail facility, including management, custody of inmates, or provision of security, upon approval by the General Assembly.

§ 53.1-71.5. Board to promulgate regulations.

The Board shall make, adopt, and promulgate regulations governing the following aspects of private management and operation of regional jail facilities *approved by the General Assembly pursuant to § 53.1-71.4*:

1. Minimum standards for the construction, equipment, administration, and operation of the facilities; however, the standards shall be at least as stringent as those established for local correctional facilities;

2. Contingency plans for operation of a contractor-operated facility in the event of a termination of the contract;

3. Use of deadly and nondeadly force by regional jail facility contractors' security personnel;

4. Methods of monitoring a contractor-operated facility by an appropriate state or local governmental entity or entities;

5. Public access to a contractor-operated facility; and

6. Such other regulations as may be necessary to carry out the provisions of this article.

CHAPTER 15.

CORRECTIONS PRIVATE ~~MANAGEMENT~~ *SERVICES* ACT.

§ 53.1-261. Definitions.

As used in this chapter*,* unless the context requires ~~otherwise or it is otherwise provided~~ *a different meaning*:

"Correctional services" means the following functions, services*,* and activities when provided within a prison or otherwise:

1. ~~Operation of facilities, including management, custody of inmates and provision of security;~~

~~2.~~ Food services, commissary, medical services, transportation, sanitation*,* or other ancillary services;

~~3.~~ *2.* Development and implementation assistance for classification, management information systems*,* or other information systems or services;

~~4.~~ *3.* Education, training*,* and employment programs;

~~5.~~ *4.* Recreational, religious*,* and other activities; and

~~6.~~ *5.* Counseling, special treatment programs, or other programs for special needs.

"Prison" or "facility" or "prison facility" means any institution operated by or under authority of the Department and shall include, whether obtained by purchase, lease, construction, reconstruction, restoration, improvement, alteration, repair*,* or other means, any physical betterment or improvement related to the housing of inmates or any preliminary plans, studies*,* or surveys relative thereto; land or rights to land; and any furnishings, machines, vehicles, apparatus, or equipment for use in connection with any prison facility.

"Prison contractor" or "contractor" means any entity, including a local government, entering into or offering or proposing to enter into a contractual agreement to provide any correctional services to inmates under the custody of the Commonwealth or federal inmates under the custody of the prison contractor, while in the Commonwealth of Virginia.

§ 53.1-262. State correctional facilities; private contracts.

The Director, subject to the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.), is hereby authorized to enter into contracts with prison contractors for the financing, site selection, acquisition, construction, maintenance, *or* leasing~~, management or operation~~ of prison facilities, or any combination of those services, subject to the *following* requirements and limitations ~~set out below:~~*:*

1. Contracts entered into under the terms of this chapter shall be with an entity submitting an acceptable response pursuant to a request for proposals. An acceptable response shall be one ~~which~~ *that* meets all the requirements in the request for proposals. However, no contract for correctional services may be entered into unless the private contractor demonstrates that it has:

a. The qualifications~~,~~ *and* experience ~~and management personnel~~ necessary to carry out the terms of this contract;

b. The financial resources to provide indemnification for liability arising from prison ~~management~~ projects;

c. Evidence of past performance of similar contracts which shall include the experience of persons in management with such entity and may include the experience of the parent of such entity; and

d. The ability to comply with all applicable federal and state constitutional standards; federal, state, and local laws; court orders; and correctional standards.

2. Contracts awarded under the provisions of this chapter, including contracts for the provision of correctional services or for the lease or use of public lands or buildings for use in the operation of facilities, may be entered into for a period of up to ~~thirty~~ *30* years, subject to the requirements for annual appropriation of funds by the Commonwealth.

3. ~~Contracts awarded under the provisions of this chapter shall, at a minimum, comply with the following:~~

~~a. Provide for internal and perimeter security to protect the public, employees and inmates;~~

~~b. Provide inmates with work or training opportunities while incarcerated; however, the contractor shall not benefit financially from the labor of inmates;~~

~~c. Impose discipline on inmates only in accordance with applicable regulations; and~~

~~d. Provide proper food, clothing, housing and medical care for inmates.~~

~~4.~~ No contract for correctional services shall be entered into unless the following requirements are met:

a. The contractor provides audited financial statements for the previous five years or for each of the years the contractor has been in operation, if fewer than five years, and provides other financial information as requested; and

b. The contractor provides an adequate plan of indemnification, specifically including indemnity for civil rights claims. The indemnification plan shall be adequate to protect the Commonwealth and public officials from all claims and losses incurred as a result of the contract. Nothing herein is intended to deprive a prison contractor or the Commonwealth of the benefits of any law limiting exposure to liability or setting a limit on damages.

~~5.~~ *4.* No contract for correctional services shall be executed by the Director nor shall any funds be expended for the contract unless:

a. The proposed contract complies with any applicable regulations ~~which~~ *that* may be promulgated by the Director ~~pursuant to § 53.1-266~~;

b. An appropriation for the services to be provided under the contract has been expressly approved as is otherwise provided by law;

c. The correctional services proposed by the contract are of at least the same quality as those routinely provided by the Department to similar types of inmates; and

d. An evaluation of the proposed contract demonstrates a cost benefit to the Commonwealth when compared to alternative means of providing the services through governmental agencies.

~~6. A site proposed by a contractor for the construction of a prison facility shall not be subject to the approval procedure set forth in § 53.1-19. However, no contract for the construction and operation of a private correctional facility shall be entered into nor shall any funds be expended for the contract unless the local governing body, by duly adopted resolution, consents to the siting and construction of such facility within the boundaries of the locality.~~

§ 53.1-263. Authority of security employees.

Security employees of a prison contractor *approved by the General Assembly to operate a prison facility pursuant to § 53.1-265* shall be allowed to use force and shall exercise their powers and authority only while on the grounds of an institution under the supervision of the prison contractor, while transporting inmates, while pursuing escapees from such institutions, and while providing inmate security for prisoners at a medical facility in the Commonwealth. All provisions of law pertaining to custodians of inmates, correctional officers, or prison or jail officers, except § 19.2-81.1, shall apply to contractors' security employees.

§ 53.1-265. Powers and duties not delegable to contractor.

No contract for correctional services shall authorize, allow, or imply a delegation of authority or responsibility of the Director to a prison contractor for any of the following:

1. Developing and implementing procedures for calculating inmate release and parole eligibility dates;

2. Developing and implementing procedures for calculating and awarding sentence credits;

3. Approving inmates for furlough and work release;

4. Approving the type of work inmates may perform and the wages or sentence credits ~~which~~ *that* may be given the inmates engaging in such work;

5. Granting, denying, or revoking sentence credits;

6. Classifying inmates or placing inmates in less restrictive custody or more restrictive custody;

7. Transferring an inmate; however, the contractor may make written recommendations regarding the transfer of an inmate or inmates;

8. Formulating rules of inmate behavior, violations of which may subject inmates to sanctions; however, the contractor may propose such rules to the Director for his review and adoption, rejection, or modification as otherwise provided by law or regulation; ~~and~~

9. Disciplining inmates in any manner ~~which~~ *that* requires a discretionary application of rules of inmate behavior or a discretionary imposition of a sanction for violations of such rules*; and*

10. Operating a prison facility, including management, custody of inmates, or provision of security; however, the contractor may operate a prison facility, including management, custody of inmates, or provision of security, upon approval by the General Assembly.

§ 53.1-266. Department shall promulgate regulations.

The Director shall make, adopt and promulgate regulations governing the following aspects of private management and operation of prison facilities *approved by the General Assembly pursuant to § 53.1-265*:

1. Contingency plans for state operation of a contractor-operated facility in the event of a termination of the contract;

2. Use of deadly and nondeadly force by prison contractors' security personnel;

3. Methods of monitoring a contractor-operated facility by the Department;

4. Public access to a contractor-operated facility; and

5. Such other regulations as may be necessary to carry out the provisions of this chapter.

CHAPTER 338

An Act to amend and reenact § 16.1-77 of the Code of Virginia, relating to general district courts; jurisdictional limits.

[S 1291]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-77 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-77. Civil jurisdiction of general district courts; amending amount of claim.

Except as provided in Article 5 (§ 16.1-122.1 et seq.), each general district court shall have, within the limits of the territory it serves, civil jurisdiction as follows:

(1) Exclusive original jurisdiction of ~~(i)~~ any claim to specific personal property or to any debt, fine, or other money, or to damages for breach of contract or for injury done to property, real or personal, *or for any action for injury to person, regardless of theory, and any action for wrongful death as provided for in Article 5 (§ 8.01-50 et seq.) of Chapter 3 of Title 8.01* when the amount of such claim does not exceed $4,500, exclusive of interest and any attorney fees, and concurrent jurisdiction with the circuit courts having jurisdiction in such territory of any such claim when the amount thereof exceeds $4,500 but does not exceed ~~$25,000~~ *$50,000*, exclusive of interest and any attorney fees~~, and (ii) any action~~

~~for injury to person, regardless of theory, and any action for wrongful death as provided for in Article 5 (§ 8.01-50 et seq.) of Chapter 3 of Title 8.01 when the amount of such claim does not exceed $4,500, exclusive of interest and any attorney fees, and concurrent jurisdiction with the circuit courts having jurisdiction in such territory of any such claim when the amount thereof exceeds $4,500 but does not exceed $50,000, exclusive of interest and any attorney fees~~. However, the jurisdictional limit shall not apply with respect to distress warrants under the provisions of § 8.01-130.4, cases involving liquidated damages for violations of vehicle weight limits pursuant to § 46.2-1135, nor cases involving forfeiture of a bond pursuant to § 19.2-143. While a matter is pending in a general district court, upon motion of the plaintiff seeking to increase the amount of the claim, the court shall order transfer of the matter to the circuit court that has jurisdiction over the amended amount of the claim without requiring that the case first be dismissed or that the plaintiff suffer a nonsuit, and the tolling of the applicable statutes of limitations governing the pending matter shall be unaffected by the transfer. Except for good cause shown, no such order of transfer shall issue unless the motion to amend and transfer is made at least 10 days before trial. The plaintiff shall pay filing and other fees as otherwise provided by law to the clerk of the court to which the case is transferred, and such clerk shall process the claim as if it were a new civil action. The plaintiff shall prepare and present the order of transfer to the transferring court for entry, after which time the case shall be removed from the pending docket of the transferring court and the order of transfer placed among its records. The plaintiff shall provide a certified copy of the transfer order to the receiving court.

(2) Jurisdiction to try and decide attachment cases when the amount of the plaintiff's claim does not exceed ~~$25,000~~ *$50,000,* exclusive of interest and any attorney fees.

(3) Jurisdiction of actions of unlawful entry or detainer as provided in Article 13 (§ 8.01-124 et seq.) of Chapter 3 of Title 8.01, and in Chapter 14 (§ 55.1-1400 et seq.) of Title 55.1, and the maximum jurisdictional limits prescribed in subdivision (1) shall not apply to any claim, counter-claim*,* or cross-claim in an unlawful detainer action that includes a claim for damages sustained or rent against any person obligated on the lease or guarantee of such lease.

(4) Except where otherwise specifically provided, all jurisdiction, power*,* and authority over any civil action or proceeding conferred upon any general district court judge or magistrate under or by virtue of any provisions of the Code.

(5) Jurisdiction to try and decide suits in interpleader involving personal or real property where the amount of money or value of the property is not more than the maximum jurisdictional limits of the general district court. However, the maximum jurisdictional limits prescribed in subdivision (1) shall not apply to any claim, counter-claim, or cross-claim in an interpleader action that is limited to the disposition of an earnest money deposit pursuant to a real estate purchase contract. The action shall be brought in accordance with the procedures for interpleader as set forth in § 8.01-364. However, the general district court shall not have any power to issue injunctions. Actions in interpleader may be brought by either the stakeholder or any of the claimants. The initial pleading shall be either by motion for judgment, by warrant in debt, or by other uniform court form established by the Supreme Court of Virginia. The initial pleading shall briefly set forth the circumstances of the claim and shall name as defendant all parties in interest who are not parties plaintiff.

(6) Jurisdiction to try and decide any cases pursuant to § 2.2-3713 of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) or § 2.2-3809 of the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.), for writs of mandamus or for injunctions.

(7) Jurisdiction to try and decide any cases pursuant to § 55.1-1819 of the Property Owners' Association Act (§ 55.1-1800 et seq.) or § 55.1-1959 of the Virginia Condominium Act (§ 55.1-1900 et seq.).

(8) Concurrent jurisdiction with the circuit courts to submit matters to arbitration pursuant to Chapter 21 (§ 8.01-577 et seq.) of Title 8.01 where the amount in controversy is within the jurisdictional limits of the general district court. Any party that disagrees with an order by a general district court granting an application to compel arbitration may appeal such decision to the circuit court pursuant to § 8.01-581.016.

For purposes of this section, the territory served by a county general district court expressly authorized by statute to be established in a city includes the general district court courtroom.

CHAPTER 339

An Act to require the School Health Services Committee to conduct a comprehensive review of a legislative proposal relating to student diabetes medical management plans; report.

[S 1303]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The School Health Services Committee established pursuant to Chapter 64 (§ 30-409 et seq.) of Title 30 of the Code of Virginia shall, in consultation with such interested stakeholders as it deems appropriate, conduct a comprehensive review of the legislative proposal relating to student diabetes medical management plans contained in the amended substitute to Senate Bill 1303 (2025) offered to the House Committee on Education during the 2025 Regular Session of the General Assembly and shall report to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than November 1, 2025, any legislative recommendations that result from such comprehensive review.*

CHAPTER 340

An Act to amend and reenact § 33.2-1915 of the Code of Virginia, relating to transportation district commissions; contracts or agreements.

[S 1317]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 33.2-1915 of the Code of Virginia is amended and reenacted as follows:

§ 33.2-1915. Powers and functions generally.

A. Notwithstanding any other contrary provision of law, a commission shall, except as provided in subsection B, have the following powers and functions:

1. The commission shall prepare the transportation plan for the transportation district and shall revise and amend the plan in accordance with the planning process and procedures specified in Article 7 (§ 33.2-1928 et seq.).

2. The commission may, when a transportation plan is adopted according to Article 7 (§ 33.2-1928 et seq.), construct or acquire, by purchase or lease, the transportation facilities specified in such transportation plan.

3. The commission may enter into agreements or leases with private companies for the operation of its facilities or may operate such facilities itself.

4. The commission may enter into contracts or agreements with *(i)* the counties and cities within the transportation district~~, with~~*; (ii)* counties and cities that adjoin the transportation district and are within the same planning district~~,~~*; (iii) other counties, cities, and towns and commissions when the provision of transit facilities and other modes of transportation will include service to, through, or within such locality or transportation district;* or ~~with~~ *(iv)* other commissions of adjoining transportation districts *or planning districts* to provide, or cause to be provided, transit facilities and service to such counties ~~and~~, cities*, and towns* or to provide transit facilities and other modes of transportation between adjoining transportation districts *or planning district commissions*. Such contracts or agreements, together with any agreements or leases for the operation of such facilities, may be utilized by the transportation district to finance the construction and operation of transportation facilities, and such contracts, agreements, or leases shall inure to the benefit of any creditor of the transportation district.

However, except in any transportation district containing any or all of the Counties of Chesterfield, Hanover, and Henrico or the City of Richmond, being so delegated by the respective local governments, the commission shall not have the power to regulate services provided by taxicabs, either within municipalities or across municipal boundaries, which regulation is expressly reserved to the municipalities within which taxicabs operate. In any transportation district containing any or all of the Counties of Chesterfield, Hanover, and Henrico or the City of Richmond, the commission may, upon proper authority granted by the respective component governments, regulate services provided by taxicabs, either within localities or across county or city boundaries.

B. The Northern Virginia Transportation Commission:

1. Shall not prepare a transportation plan or construct or operate transit facilities, but shall collaborate and cooperate in the manner specified in Article 7 (§ 33.2-1928 et seq.) with an agency in preparing, revising, and amending a transportation plan for such metropolitan area.

2. Shall, according to Article 7 (§ 33.2-1928 et seq.) and in cooperation with the governing bodies of the component governments embraced by the transportation district, formulate the tentative policy and decisions of the transportation district with respect to the planning, design, location, construction, operation, and financing of transportation facilities.

3. May, when a transportation plan applicable to such a transportation district is adopted, enter into contracts or agreements with an agency to contribute to the capital required for the construction or acquisition of transportation facilities and for meeting expenses and obligations in the operations of such facilities.

4. May, when a transportation plan applicable to such transportation district is adopted, enter into contracts or agreements with the counties and cities within the transportation district to provide or cause to be provided transportation facilities and service to such counties and cities.

5. Notwithstanding any other provision in this section to the contrary:

a. May acquire land or any interest therein by purchase, lease, gift, condemnation, or otherwise and provide transportation facilities thereon for use in connection with any transportation service;

b. May acquire land or any interest therein by purchase, lease, gift, condemnation, or otherwise in advance of need for sale or contribution to an agency, for use by that agency in connection with an adopted mass transit plan;

c. May, in accordance with the terms of any grant from or loan by the United States of America or the Commonwealth, or any agency or instrumentality thereof, or when necessary to preserve essential transportation service, acquire transit facilities or any carrier that is subject to the jurisdiction of the Washington Metropolitan Area Transit Commission by acquisition of the capital stock or transit facilities and other assets of any such carrier and shall provide for the performance of transportation by any such carrier or with such transit facilities by contract or lease. However, the contract or lease shall be for a term of no more than one year, renewable for additional terms of similar duration, and, in order to assure acceptable fare levels, may provide for financial assistance by purchase of service, operating subsidies, or otherwise. No such service shall be rendered that will adversely affect transit service rendered by the transit facilities owned or controlled by the agency

or any existing private transit or transportation company. When notified by the agency that it is authorized to perform or cause to be performed transportation services with motor vehicle facilities, the commission, upon request by the agency, shall transfer such capital stock or transit facilities to the agency at a price to be agreed upon; and

d. May prepare a plan for mass transportation services with cities, counties, agencies, authorities, or commissions and may further contract with transportation companies, cities, counties, commissions, authorities, agencies, and departments of the Commonwealth and appropriate agencies of the federal government or governments contiguous to the Commonwealth to provide necessary facilities, equipment, operations and maintenance, access, and insurance pursuant to such plan.

C. The provisions of subdivisions B 1 through 4 and subdivisions B 5 b and c shall not apply (i) to any transportation district that may be established on or after July 1, 1986, and that includes any one or more localities that are located within a metropolitan area, but that were not, on January 1, 1986, members of any other transportation district or (ii) to any locality that, after July 1, 1989, joins a transportation district that was established on or before January 1, 1986. The provisions of this subsection shall apply only to any transportation district or locality that is contiguous to the Northern Virginia Transportation District. Any such district or locality shall be subject to the provisions of subsection A and further may exercise the powers granted by subdivision B 5 a to acquire land or any interest therein by purchase, lease, gift, condemnation, or otherwise and provide transportation facilities thereon for use in connection with any transportation service.

D. Until such time as a commission enters into contracts or agreements with its component governments under the provisions of subdivisions A 4 and B 4 and is receiving revenues thereunder adequate to meet the administrative expenses of the commission after paying or providing for the payment of the obligations arising under said subdivisions, the administrative expenses of the commission shall be borne by the component governments in the manner set forth in this section. The commission annually shall submit to the governing bodies of the component counties and cities a budget of its administrative requirements for the next year.

E. The administrative expenses of the Northern Virginia Transportation Commission, to the extent funds for such expenses are not provided from other sources, shall be allocated among the component governments on the basis of population as reflected by the latest population statistics of the U.S. Census Bureau; however, upon the request of any component government, the commission shall make the allocation upon estimates of population prepared in a manner approved by the commission and by the governing body of the component government making such request. The administrative expenses of the Northern Virginia Transportation Commission, to the extent funds for such expenses are not provided from other sources, shall be allocated among the component governments on the basis of the relative shares of state and federal transit aids allocated by the Commission among its component governments. Such budget shall be limited solely to the administrative expenses of the Commission and shall not include any funds for construction or acquisition of transportation facilities or the performing of transportation service. In addition, the Northern Virginia Transportation Commission annually shall submit to the governing bodies of the component counties and cities a budget of its other expenses and obligations for the ensuing year. Such expenses and obligations shall be borne by the component counties and cities in accordance with prior arrangements made therefor.

F. When a transportation plan has been adopted under subdivision 4 of § 33.2-1929, the commission shall determine the equitable allocation among the component governments of the costs incurred by the district in providing the transportation facilities proposed in the transportation plan and any expenses and obligations from the operation thereof to be borne by each county and city. In making such determinations, the commission shall consider the cost of the facilities located within each county and city, the population of each county and city, the benefits to be derived by each county and city from the proposed transportation service, and all other factors that the commission determines to be relevant. Such determination, however, shall not create a commitment by the counties and cities, and such commitments shall be created only under the contracts or agreements specified in subdivisions A 4 and B 4.

CHAPTER 341

An Act to amend and reenact §§ 54.1-109, 54.1-113, 54.1-2400, 54.1-2409, 54.1-2410, 54.1-2411, 54.1-2412, 54.1-2500, 54.1-2503, 54.1-2505, 54.1-2506, 54.1-2729.2, 54.1-2729.3, 54.1-2731, 54.1-3401, and 54.1-3408 of the Code of Virginia and to repeal §§ 54.1-2409.2 and 54.1-2507 through 54.1-2510 of the Code of Virginia, relating to elimination of Board of Health Professions; transfer of powers and duties.

[S 1363]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-109, 54.1-113, 54.1-2400, 54.1-2409, 54.1-2410, 54.1-2411, 54.1-2412, 54.1-2500, 54.1-2503, 54.1-2505, 54.1-2506, 54.1-2729.2, 54.1-2729.3, 54.1-2731, 54.1-3401, and 54.1-3408 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-109. Reviews and appeals.

Any person who has been aggrieved by any action of the Department of Professional and Occupational Regulation, *the* Department of Health Professions, *the* Board for Professional and Occupational Regulation, ~~Board of Health Professions,~~ any regulatory board within the Departments, or any panel of a health regulatory board convened pursuant to § 54.1-2400

shall be entitled to a review of such action. Appeals from such actions shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

§ 54.1-113. Regulatory boards to adjust fees; certain transfer of moneys collected on behalf of health regulatory boards prohibited.

A. Following the close of any biennium, when the account for any regulatory board within the Department of Professional and Occupational Regulation maintained under § 54.1-308 shows that unspent and unencumbered revenue exceeds $100,000 or 20 percent of the total expenses allocated to the regulatory board for the past biennium, whichever is greater, the regulatory board shall (i) distribute all such excess revenue to current regulants and (ii) reduce the fees levied by it for certification, licensure, registration, or permit and renewal thereof so that the fees are sufficient but not excessive to cover expenses.

B. Following the close of any biennium, when the account for any regulatory board within the Department of Health Professions maintained under § 54.1-2505 shows expenses allocated to it for the past biennium to be more than 10 percent greater or less than moneys collected on behalf of the regulatory board, it shall revise the fees levied by it for certification, licensure, registration, or permit and renewal thereof so that the fees are sufficient but not excessive to cover expenses.

C. Nongeneral funds generated by fees collected on behalf of the health regulatory boards and accounted for and deposited into a special fund by the Director of the Department of Health Professions shall be held exclusively to cover the expenses of the health regulatory boards, the Health Practitioners' Monitoring Program, and the Department ~~and Board~~ of Health Professions and shall not be transferred to any agency other than the Department of Health Professions, except as provided in §§ 54.1-3011.1 and 54.1-3011.2.

§ 54.1-2400. General powers and duties of health regulatory boards.

The general powers and duties of health regulatory boards shall be:

1. To establish the qualifications for registration, certification, licensure, permit, or the issuance of a multistate licensure privilege in accordance with the applicable law ~~which~~ *that* are necessary to ensure competence and integrity to engage in the regulated professions.

2. To examine or cause to be examined applicants for certification, licensure, or registration. Unless otherwise required by law, examinations shall be administered in writing or shall be a demonstration of manual skills.

3. To register, certify, license, or issue a multistate licensure privilege to qualified applicants as practitioners of the particular profession or professions regulated by such board.

4. To establish schedules for renewals of registration, certification, licensure, permit, and the issuance of a multistate licensure privilege.

5. To levy and collect fees for application processing, examination, registration, certification, permitting, or licensure or the issuance of a multistate licensure privilege and renewal that are sufficient to cover all expenses for the administration and operation of the Department of Health Professions~~, the Board of Health Professions,~~ and the health regulatory boards.

6. To promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) that are reasonable and necessary to administer effectively the regulatory system, which shall include provisions for the satisfaction of board-required continuing education for individuals registered, certified, licensed, or issued a multistate licensure privilege by a health regulatory board through delivery of health care services, without compensation, to low-income individuals receiving health services through a local health department or a free clinic organized in whole or primarily for the delivery of those health services. Such regulations shall not conflict with the purposes and intent of this chapter or of Chapter 1 (§ 54.1-100 et seq.) and Chapter 25 (§ 54.1-2500 et seq.).

7. To revoke, suspend, restrict, or refuse to issue or renew a registration, certificate, license, permit, or multistate licensure privilege ~~which~~ *that* such board has authority to issue for causes enumerated in applicable law and regulations.

8. To appoint designees from their membership or immediate staff to coordinate with the Director and the Health Practitioners' Monitoring Program Committee and to implement, as is necessary, the provisions of Chapter 25.1 (§ 54.1-2515 et seq.). Each health regulatory board shall appoint one such designee.

9. To take appropriate disciplinary action for violations of applicable law and regulations~~,~~ and to accept, in their discretion, the surrender of a license, certificate, registration, permit, or multistate licensure privilege in lieu of disciplinary action.

10. To appoint a special conference committee, composed of not less than two members of a health regulatory board or, when required for special conference committees of the Board of Medicine, not less than two members of the Board and one member of the relevant advisory board, or, when required for special conference committees of the Board of Nursing, not less than one member of the Board and one member of the relevant advisory board, to act in accordance with § 2.2-4019 upon receipt of information that a practitioner or permit holder of the appropriate board may be subject to disciplinary action or to consider an application for a license, certification, registration, permit, or multistate licensure privilege in nursing. The special conference committee may (i) exonerate; (ii) reinstate; (iii) place the practitioner or permit holder on probation with such terms as it may deem appropriate; (iv) reprimand; (v) modify a previous order; (vi) impose a monetary penalty pursuant to § 54.1-2401, (vii) deny or grant an application for licensure, certification, registration, permit, or multistate licensure privilege; and (viii) issue a restricted license, certification, registration, permit, or multistate licensure privilege subject to terms and conditions. The order of the special conference committee shall become final 30 days after service of the order unless a written request to the board for a hearing is received within such time. If service of the decision to a party is accomplished by mail, three days shall be added to the 30-day period. Upon receiving a timely written request

for a hearing, the board or a panel of the board shall then proceed with a hearing as provided in § 2.2-4020, and the action of the committee shall be vacated. This subdivision shall not be construed to limit the authority of a board to delegate to an appropriately qualified agency subordinate, as defined in § 2.2-4001, the authority to conduct informal fact-finding proceedings in accordance with § 2.2-4019. The recommendation of such subordinate may be considered by a panel consisting of at least five board members, or, if a quorum of the board is less than five members, consisting of a quorum of the members, convened for the purpose of issuing a case decision. Criteria for the appointment of an agency subordinate shall be set forth in regulations adopted by the board.

11. To convene, at their discretion, a panel consisting of at least five board members or, if a quorum of the board is less than five members, consisting of a quorum of the members to conduct formal proceedings pursuant to § 2.2-4020, decide the case, and issue a final agency case decision. Any decision rendered by majority vote of such panel shall have the same effect as if made by the full board and shall be subject to court review in accordance with the Administrative Process Act. No member who participates in an informal proceeding conducted in accordance with § 2.2-4019 shall serve on a panel conducting formal proceedings pursuant to § 2.2-4020 to consider the same matter.

12. To issue inactive licenses or certificates and promulgate regulations to carry out such purpose. Such regulations shall include, but not be limited to, the qualifications, renewal fees, and conditions for reactivation of licenses or certificates.

13. To meet by telephone conference call to consider settlement proposals in matters pending before special conference committees convened pursuant to this section, or matters referred for formal proceedings pursuant to § 2.2-4020 to a health regulatory board or a panel of the board or to consider modifications of previously issued board orders when such considerations have been requested by either of the parties.

14. To request and accept *a confidential consent agreement, in lieu of disciplinary action,* from a certified, registered, or licensed practitioner; a facility holding a license, certification, registration, or permit; or a person holding a multistate licensure privilege to practice nursing~~, in lieu of disciplinary action, a confidential consent agreement~~. A confidential consent agreement shall be subject to the confidentiality provisions of § 54.1-2400.2 and shall not be disclosed by a practitioner or facility. A confidential consent agreement shall include findings of fact and may include an admission or a finding of a violation. A confidential consent agreement shall not be considered either a notice or order of any health regulatory board, but it may be considered by a board in future disciplinary proceedings. A confidential consent agreement shall be entered into only in cases involving minor misconduct where there is little or no injury to a patient or the public and little likelihood of repetition by the practitioner or facility. A board shall not enter into a confidential consent agreement if there is probable cause to believe the practitioner or facility has (i) demonstrated gross negligence or intentional misconduct in the care of patients or (ii) conducted his practice in such a manner as to be a danger to the health and welfare of his patients or the public. A certified, registered, or licensed practitioner, a facility holding a license, certification, registration, or permit, or a person holding a multistate licensure privilege to practice nursing who has entered into two confidential consent agreements involving a standard of care violation~~,~~ within the 10-year period immediately preceding a board's receipt of the most recent report or complaint being considered~~,~~ shall receive public discipline for any subsequent violation within the 10-year period unless the board finds there are sufficient facts and circumstances to rebut the presumption that the disciplinary action be made public.

15. When a board has probable cause to believe a practitioner is unable to practice with reasonable skill and safety to patients because of excessive use of alcohol or drugs or physical or mental illness, the board, after preliminary investigation by an informal fact-finding proceeding, may direct that the practitioner submit to a mental or physical examination. Failure to submit to the examination shall constitute grounds for disciplinary action. Any practitioner affected by this subsection shall be afforded reasonable opportunity to demonstrate that he is competent to practice with reasonable skill and safety to patients. For the purposes of this subdivision, "practitioner" shall include any person holding a multistate licensure privilege to practice nursing.

§ 54.1-2409. Mandatory suspension or revocation; reinstatement; hearing for reinstatement.

A. Upon receipt of documentation by any court or government agency that a person licensed, certified, or registered by a board within the Department of Health Professions has (i) had his license, certificate, or registration to practice the same profession or occupation revoked or suspended for reasons other than nonrenewal or accepted for surrender in lieu of disciplinary action in another jurisdiction and has not had his license, certificate, or registration to so practice reinstated within that jurisdiction, unless such revocation, suspension, or surrender was based solely on the disciplinary action of a board within the Department or mandatory suspension by the Director of the Department or (ii) been convicted of a felony or has been adjudged incapacitated, the Director shall immediately suspend, without a hearing, the license, certificate, or registration of any person so disciplined, convicted, or adjudged. The Director shall notify such person or his legal guardian, conservator, trustee, committee, or other representative of the suspension in writing to his address on record with the Department. Such notice shall include a copy of the documentation from such court or agency, certified by the Director as the documentation received from such court or agency. Such person shall not have the right to practice within ~~this~~ *the* Commonwealth until his license, certificate, or registration has been reinstated by the ~~Board~~ *relevant board within the Department of Health Professions*.

B. The clerk of any court in which a conviction of a felony or an adjudication of incapacity is made, who has knowledge that a person licensed, certified, or registered by a board within the Department has been convicted or found incapacitated, shall have a duty to report these findings promptly to the Director.

C. When a conviction has not become final, the Director may decline to suspend the license, certificate, or registration until the conviction becomes final if there is a likelihood of injury or damage to the public if the person's services are not available.

D. Any person whose license, certificate, or registration has been suspended as provided in this section may apply to the board for reinstatement of his license, certificate, or registration. Such person shall be entitled to a hearing not later than the next regular meeting of the board after the expiration of 60 days from the receipt of such application, and shall have the right to be represented by counsel and to summon witnesses to testify in his behalf. The ~~Board~~ *board* may consider other information concerning possible violations of Virginia law at such hearing, if reasonable notice is given to such person of the information.

The reinstatement of the applicant's license, certificate, or registration shall require the affirmative vote of three-fourths of the members of the board at the hearing. The board may order such reinstatement without further examination of the applicant, or reinstate the license, certificate, or registration upon such terms and conditions as it deems appropriate.

E. Pursuant to the authority of the Board of Nursing provided in Chapter 30 (§ 54.1-3000 et seq.) ~~of this title~~, the provisions of this section shall apply, mutatis mutandis, to persons holding a multistate licensure privilege to practice nursing.

§ 54.1-2410. Definitions.

As used in this chapter or when referring to the ~~Board~~ *Department* of Health Professions regulatory authority therefor, unless the context requires a different meaning:

~~"Board" means the Board of Health Professions.~~

"Community" means a city or a county.

"Demonstrated need" means (i) there is no facility in the community providing similar services and (ii) alternative financing is not available for the facility~~,~~ or (iii) such other conditions as may be established by ~~Board~~ *Department* regulation.

"Department" means the Department of Health Professions.

"Entity" means any person, partnership, firm, corporation, or other business, including assisted living facilities as defined in § 63.2-100, that delivers health services.

"Group practice" means two or more health care practitioners who are members of the same legally organized partnership, professional corporation, not-for-profit corporation, faculty practice or similar association in which (i) each member provides substantially the full range of services within his licensed or certified scope of practice at the same location as the other members through the use of the organization's office space, facilities, equipment, or personnel; (ii) payments for services received from a member are treated as receipts of the organization; and (iii) the overhead expenses and income from the practice are distributed according to methods previously determined by the members.

"Health services" means any procedures or services related to prevention, diagnosis, treatment, and care rendered by a health care worker, regardless of whether the worker is regulated by the Commonwealth.

"Immediate family member" means the individual's spouse, child, child's spouse, stepchild, stepchild's spouse, grandchild, grandchild's spouse, parent, stepparent, parent-in-law, or sibling.

"Investment interest" means the ownership or holding of an equity or debt security, including, but not limited to, shares of stock in a corporation, interests or units of a partnership, bonds, debentures, notes, or other equity or debt instruments, except investment interests in a hospital licensed pursuant to Article 1 (§ 32.1-123 et seq.) of Chapter 5 of Title 32.1.

"Investor" means an individual or entity directly or indirectly possessing a legal or beneficial ownership interest, including an investment interest.

"Office practice" means the facility or facilities at which a practitioner, on an ongoing basis, provides or supervises the provision of health services to consumers.

"Practitioner" means any individual certified or licensed by any of the health regulatory boards within the Department of Health Professions, except individuals regulated by the Board of Funeral Directors and Embalmers or the Board of Veterinary Medicine.

"Referral" means to send or direct a patient for health services to another health care practitioner or entity outside the referring practitioner's group practice or office practice or to establish a plan of care which requires the provision of any health services outside the referring practitioner's group practice or office practice.

§ 54.1-2411. Prohibited referrals and payments; exceptions.

A. Unless the practitioner directly provides health services within the entity and will be personally involved with the provision of care to the referred patient, or has been granted an exception by the ~~Board~~ *Department* or satisfies the provisions of subsections D or E of this section or of subsections D or E of § 54.1-2413, a practitioner shall not refer a patient for health services to an entity outside the practitioner's office or group practice if the practitioner or any of the practitioner's immediate family members is an investor in such entity.

B. The ~~Board~~ *Department* may grant an exception to the prohibitions in this chapter, and may permit a practitioner to invest in and refer to an entity, regardless of whether the practitioner provides direct services within such entity, if there is a demonstrated need in the community for the entity and all of the following conditions are met:

1. Individuals other than practitioners are afforded a bona fide opportunity to invest in the entity on the same and equal terms as those offered to any referring practitioner;

2. No investor-practitioner is required or encouraged to refer patients to the entity or otherwise generate business as a condition of becoming or remaining an investor;

3. The services of the entity are marketed and furnished to practitioner-investors and other investors on the same and equal terms;

4. The entity does not issue loans or guarantee any loans for practitioners who are in a position to refer patients to such entity;

5. The income on the practitioner's investment is based on the practitioner's equity interest in the entity and is not tied to referral volumes; and

6. The investment contract between the entity and the practitioner does not include any covenant or clause limiting or preventing the practitioner's investment in other entities.

Unless the ~~Board~~ *Department*, the practitioner, or *the* entity requests a hearing, the ~~Board~~ *Department* shall determine whether to grant or deny an exception within 90 days of the receipt of a written request from the practitioner or entity, stating the facts of the particular circumstances and certifying compliance with the conditions required by this subsection. The ~~Board's~~ *Department's* decision shall be a final administrative decision and shall be subject to judicial review pursuant to the Administrative Process Act (§ 2.2-4000 et seq.).

C. When an exception is granted pursuant to subsection B:

1. The practitioner shall disclose his investment interest in the entity to the patient at the time of referral. If alternative entities are reasonably available, the practitioner shall provide the patient with a list of such alternative entities and shall inform the patient of the option to use an alternative entity. The practitioner shall also inform the patient that choosing another entity will not affect his treatment or care;

2. Information on the practitioner's investment shall be provided if requested by any third party payor;

3. The entity shall establish and utilize an internal utilization review program to ensure that practitioner-investors are engaging in appropriate and necessary utilization; and

4. In the event of a conflict of interests between the practitioner's ownership interests and the best interests of any patient, the practitioner shall not make a referral to such entity, but shall make alternative arrangements for the referral.

D. Further, a practitioner may refer patients for health services to a publicly traded entity in which such practitioner has an investment interest~~,~~ without applying for or receiving an exception from the ~~Board,~~ *Department* if all of the following conditions are met:

1. The entity's stock is listed for trading on the New York Stock Exchange or the American Stock Exchange or is a national market system security traded under an automated interdealer quotation system operated by the National Association of Securities Dealers;

2. The entity had, at the end of the corporation's most recent fiscal year, total net assets of at least ~~$50,000,000~~ *$50 million* related to the furnishing of health services;

3. The entity markets and furnishes its services to practitioner-investors and other practitioners on the same and equal terms;

4. All stock of the entity, including the stock of any predecessor privately held company, is one class without preferential treatment as to status or remuneration;

5. The entity does not issue loans or guarantee any loans for practitioners who are in a position to refer patients to such entity;

6. The income on the practitioner's investment is not tied to referral volumes and is based on the practitioner's equity interest in the entity; and

7. The practitioner's investment interest does not exceed ~~one half~~ *one-half* of one percent of the entity's total equity.

E. In addition, a practitioner may refer a patient to such practitioner's immediate family member or such immediate family member's office or group practice for health services if all of the following conditions are met:

1. The health services to be received by the patient referred by the practitioner are within the scope of practice of the practitioner's immediate family member or the treating practitioner within such immediate family member's office or group practice;

2. The practitioner's immediate family member or the treating practitioner within such immediate family member's office or group practice is qualified and duly licensed to provide the health services to be received by the patient referred to the practitioner;

3. The primary purpose of any such referral is to obtain the appropriate professional health services for the patient being referred, which are to be rendered by the referring practitioner's immediate family member or by the treating practitioner within such immediate family member's office or group practice who is qualified and licensed to provide such professional health services; and

4. The primary purpose of the referral shall not be for the provision of designated health services as defined in 42 U.S.C. § 1395nn and the regulations promulgated thereunder.

§ 54.1-2412. Department to administer; powers and duties of Department; penalties for violation.

A. In addition to its other powers and duties, the ~~Board~~ *Department* of Health Professions shall administer the provisions of this chapter.

B. The ~~Board~~ *Department* shall promulgate, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), regulations to:

1. Establish standards, procedures, and criteria which are reasonable and necessary for the effective administration of this chapter;

2. Establish standards, procedures, and criteria for determining compliance with, exceptions to, and violations of the provisions of § 54.1-2411;

3. Establish standards, procedures, and criteria for advising practitioners and entities of the applicability of this chapter to activities and investments;

4. Levy and collect fees for processing requests for exceptions from the prohibitions set forth in this chapter and for authorization to make referrals pursuant to subsection B of § 54.1-2411;

5. Establish standards, procedures, and criteria for review and referral to the appropriate health regulatory board of all reports of investigations of alleged violations of this chapter by practitioners and for investigations and determinations of violations of this chapter by entities;

6. Establish standards, procedures, and criteria for granting exceptions from the prohibitions set forth in this chapter; and

7. Establish such other regulations as may reasonably be needed to administer this chapter.

C. Upon a determination of a violation by the ~~Board~~ *Department*, pursuant to the Administrative Process Act, any entity, other than a practitioner, that presents or causes to be presented a bill or claim for services that the entity knows or has reason to know is prohibited by § 54.1-2411 shall be subject to a monetary penalty of no more than $20,000 per referral, bill, or claim. The monetary penalty may be sued for and recovered in the name of the Commonwealth. All such monetary penalties shall be deposited in the Literary Fund.

D. Any violation of this chapter by a practitioner shall constitute grounds for disciplinary action as unprofessional conduct by the appropriate health regulatory board within the Department of Health Professions. Sanctions for violation of this chapter may include, but are not limited to, the monetary penalty authorized in § 54.1-2401.

§ 54.1-2500. Definitions.

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

~~"Board" means the Board of Health Professions.~~

"Department" means the Department of Health Professions.

"Director" means the Director of the Department of Health Professions.

"Health regulatory board" or "regulatory board" means any board included within the Department of Health Professions as provided in § 54.1-2503.

§ 54.1-2503. Boards within Department.

~~In addition to the Board of Health Professions, the~~ *The* following boards are included within the Department: Board of Audiology and Speech-Language Pathology, Board of Counseling, Board of Dentistry, Board of Funeral Directors and Embalmers, Board of Long-Term Care Administrators, Board of Medicine, Board of Nursing, Board of Optometry, Board of Pharmacy, Board of Physical Therapy, Board of Psychology, Board of Social Work*,* and Board of Veterinary Medicine.

§ 54.1-2505. Powers and duties of Director of Department.

The Director of the Department shall have the following powers and duties:

1. To supervise and manage the Department;

2. To perform or consolidate such administrative services or functions as may assist the operation of the boards;

3. To prepare, approve*,* and submit to the Governor, after consultation with the boards, all requests for appropriations and be responsible for all expenditures pursuant to appropriations;

4. To provide such office facilities as will allow the boards to carry out their duties;

5. To employ personnel as required for the proper performance of the responsibilities of the Department subject to ~~Chapter 29~~ *the Virginia Personnel Act* (§ 2.2-2900 et seq.) ~~of Title 2.2~~ within the limits of appropriations made by law;

6. To receive all complaints made against regulated health care professionals;

7. To develop administrative policies and procedures governing the receipt and recording of complaints;

8. To monitor the status of actions taken under the auspices of the boards regarding complaints until the closure of each case;

9. To provide investigative and such other services as needed by the boards to enforce their respective statutes and regulations;

10. ~~To provide staff to assist in the performance of the duties of the Board of Health Professions;~~

~~11.~~ To collect and account for all fees to be paid into each board and account for and deposit the moneys so collected into a special fund from which the expenses of the health regulatory boards, the Health Practitioners' Monitoring Program, and the Department ~~and Board of Health Professions~~ shall be paid. Such fees shall be held exclusively to cover the expenses of the health regulatory boards, the Health Practitioners' Monitoring Program, and the Department ~~and Board of Health Professions~~ and shall not be transferred to any agency other than the Department ~~of Health Professions~~, except as provided in §§ 54.1-3011.1 and 54.1-3011.2;

~~12.~~ *11.* To make and enter into all contracts and agreements necessary or incidental to the performance of his duties and the execution of his powers, including, but not limited to, contracts with the United States, other states, *and* agencies and governmental subdivisions of the Commonwealth;

~~13.~~ *12.* To accept grants from the United States government, its agencies and instrumentalities, and any other source. The Director shall have the power to comply with conditions and execute agreements as may be necessary, convenient*,* or desirable;

~~14.~~ *13.* To promulgate and revise regulations necessary for the administration of the Department and such regulations as are necessary for the implementation of the Health Practitioners' Monitoring Program pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) ~~of this title~~ and subdivision ~~19 of this section~~ *18*;

~~15.~~ *14.* To report promptly, after consultation with the presiding officer of the appropriate health regulatory board or his designee, to the Attorney General or the appropriate attorney for the Commonwealth any information the Department obtains which, upon appropriate investigation, indicates, in the judgment of the Director, that a person licensed by any of the health regulatory boards has violated any provision of criminal law, including the laws relating to manufacturing, distributing, dispensing, prescribing, or administering drugs other than drugs classified as Schedule VI drugs. When necessary, the Attorney General or the attorney for the Commonwealth shall request that the Department of Health Professions or the Department of State Police conduct any subsequent investigation of such report. Upon request and affidavit from an attorney for the Commonwealth, the Director shall provide documents material to a criminal investigation of a person licensed by a health regulatory board; however, peer review documents shall not be released and shall remain privileged pursuant to § 8.01-581.17. For the purpose of this section, the terms manufacturing, distributing, dispensing, prescribing, or administering drugs shall not include minor administrative or clerical errors ~~which~~ *that* do not affect the inventory of drugs required by ~~Chapter 34~~ *the Drug Control Act* (§ 54.1-3400 et seq.) ~~of this title~~ and do not indicate a pattern of criminal behavior;

~~16.~~ *15.* To keep records of the names and qualifications of registered, certified, or licensed persons;

~~17.~~ *16.* To exercise other powers and perform other duties required of the Director by the Governor;

~~18.~~ *17.* To issue subpoenas in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) for any informal fact finding or formal proceeding within the jurisdiction of the Department or any regulatory board;

~~19.~~ *18.* To establish, and revise as necessary, a health practitioners' monitoring program pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) ~~of this title~~;

~~20.~~ *19.* To establish, and revise as necessary, with such federal funds, grants, or general funds as may be appropriated or made available for this program, the Prescription Monitoring Program pursuant to Chapter 25.2 (§ 54.1-2519 et seq.) ~~of this title~~; ~~and~~

~~21.~~ *20.* To assess a civil penalty against any person who is not licensed by a health regulatory board for failing to report a violation pursuant to § 54.1-2400.6 or ~~§~~ 54.1-2909*;*

21. To evaluate, at the request of the General Assembly, health care professions and occupations in the Commonwealth and to consider whether each such profession or occupation should be regulated and the degree of regulation to be imposed;

22. To receive, review, and forward to the appropriate health regulatory board any departmental investigative reports relating to complaints of violations by practitioners of the Practitioner Self-Referral Act (§ 54.1-2410 et seq.);

23. To determine compliance with, violations of, and grant exceptions to the prohibitions set forth in the Practitioner Self-Referral Act (§ 54.1-2410 et seq.); and

24. To take appropriate actions against entities, other than practitioners, for violations of the Practitioner Self-Referral Act (§ 54.1-2410 et seq.).

§ 54.1-2506. Enforcement of laws by Director and investigative personnel; authority of investigative personnel and Director.

A. The Director and investigative personnel appointed by him shall be sworn to enforce the statutes and regulations pertaining to the Department~~, the Board,~~ and the health regulatory boards and shall have the authority to investigate any violations of those statutes and regulations and to the extent otherwise authorized by law inspect any office or facility operated, owned or employing individuals regulated by any health regulatory board. The Director or his designee shall have the power to subpoena witnesses and to request and obtain patient records, business records, papers, and physical or other evidence in the course of any investigation or to issue subpoenas requiring the production of such evidence. A subpoena issued pursuant to this section may be served by (i) any person authorized to serve process under § 8.01-293, (ii) investigative personnel appointed by the Director, (iii) registered or certified mail or by equivalent commercial parcel delivery service, or (iv) email or facsimile if requested to do so by the recipient. Upon failure of any person to comply with a subpoena duly served, the Director may, pursuant to § 54.1-111, request that the Attorney General or the attorney for the Commonwealth for the jurisdiction in which the recipient of the subpoena resides, is found, or transacts business seek enforcement of the subpoena in such jurisdiction.

B. All investigative personnel shall be vested with the authority to (i) administer oaths or affirmations for the purpose of receiving complaints of violations of this subtitle, (ii) serve and execute any warrant, paper or process issued by any court or magistrate, ~~the Board,~~ the Director or in his absence a designated subordinate, or by any regulatory board under the authority of the Director, (iii) request and receive criminal history information under the provisions of § 19.2-389, and (iv) request and receive social security numbers from practitioners or federal employee identification numbers from facilities.

C. The Director shall have the authority to issue summonses for violations of statutes and regulations governing the unlicensed practice of professions regulated by the Department. The Director may delegate such authority to investigators appointed by him. In the event a person issued such a summons fails or refuses to discontinue the unlawful acts or refuses to give a written promise to appear at the time and place specified in the summons, the investigator may appear before a magistrate or other issuing authority having jurisdiction to obtain a criminal warrant pursuant to § 19.2-72.

§ 54.1-2729.2. Dialysis patient care technician; definition.

"Dialysis patient care technician" or "dialysis care technician" means a person who has obtained certification from an organization approved by the ~~Board~~ *Department* of Health Professions to provide, under the supervision of a licensed practitioner of medicine or a registered nurse, direct care to patients undergoing renal dialysis treatments in a Medicare-certified renal dialysis facility. Such direct care may include, but need not be limited to, the administration of heparin, topical needle site anesthetics, dialysis solutions, sterile normal saline solution, and blood volumizers in accordance with the order of a licensed physician, an advanced practice registered nurse, or a physician assistant. However, a person who has completed a training program in dialysis patient care may engage in provisional practice to obtain practical experience in providing direct patient care under direct and immediate supervision in accordance with § 54.1-3408, until he has taken and received the results of any examination required by a certifying organization approved by the Board or for 24 months from the date of initial practice, whichever occurs sooner.

§ 54.1-2729.3. Prohibition on use of title without holding certification; continuing competency requirements; fees; penalty.

A. No person shall hold himself out to be or advertise or permit to be advertised that he is a dialysis patient care technician or dialysis care technician as defined in this chapter unless such person has obtained certification from an organization approved by the ~~Board~~ *Department* of Health Professions as examining candidates for appropriate competency or technical proficiency to perform as dialysis patient care technicians or dialysis care technicians.

B. The title restrictions provided by this section shall apply to the use of the terms "dialysis patient care technician" and "dialysis care technician" or any other term or combination of terms used alone or in combination with the terms "licensed," "certified," or "registered," as such terms also imply a minimum level of education, training, and competence. A person who is authorized for provisional practice to provide direct patient care while obtaining practical experience shall be identified as a "trainee" while working in a renal dialysis facility.

C. The ~~Board~~ *Department* of Health Professions may require such continuing competency training as it may deem necessary for dialysis patient care technicians or dialysis care technicians.

D. Any person who willfully violates the provisions of this chapter ~~shall be~~ *is* guilty of a Class 3 misdemeanor.

§ 54.1-2731. Prohibited terms; penalty.

A. As used in this section, "nutritional genomics" means the consideration of biochemical or genetic information to evaluate how genetics affect gene function and how genetic variation alters nutrient response, including the study of how dietary and other lifestyle choices influence the function of humans at the molecular, cellular, organismal, and populational levels.

B. No person shall hold himself out to be or advertise or permit to be advertised that such person is a dietitian or nutritionist unless such person:

1. Has (i) received a baccalaureate or higher degree in nutritional sciences, community nutrition, public health nutrition, food and nutrition, dietetics, or human nutrition from a regionally accredited institution of higher education and (ii) satisfactorily completed a program of supervised clinical experience approved by the Commission on Dietetic Registration of the Academy of Nutrition and Dietetics;

2. Has active registration through the Commission on Dietetic Registration of the Academy of Nutrition and Dietetics;

3. Has an active certificate of the Board for Certification of Nutrition Specialists as a Certified Nutrition Specialist;

4. Has an active certification as a Diplomate of the American Clinical Board of Nutrition;

5. Has a current license or certificate as a dietitian or nutritionist issued by another state; or

6. Has the minimum requisite education, training and experience determined by the ~~Board~~ *Department* of Health Professions appropriate for such person to hold himself out to be, or advertise or allow himself to be advertised as, a dietitian or nutritionist.

The restrictions of this section apply to the use of the terms "dietitian" and "nutritionist" as used alone or in any combination with the terms "licensed," "certified," or "registered," as those terms also imply a minimum level of education, training and competence.

C. Any person who meets the requirements set forth in subsection B who receives nutritional genomics testing information shall maintain such information in accordance with applicable federal and state law.

D. A person who does not meet the requirements of subsection B but who (i) has a baccalaureate degree with a major in food and nutrition or dietetics or has equivalent hours of food and nutrition coursework and (ii) has two years of work experience in nutrition or dietetics concurrent with or subsequent to completion of such degree may hold himself out as a dietitian or nutritionist, provided he is employed by or under contract to a government agency and practices solely within the scope of such employment.

E. Any person who willfully violates the provisions of this section is guilty of a Class 3 misdemeanor.

§ 54.1-3401. Definitions.

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

"Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by (i) a practitioner or by his authorized agent and under his direction or (ii) the patient or research subject at the direction and in the presence of the practitioner.

"Advertisement" means all representations disseminated in any manner or by any means, other than by labeling, for the purpose of inducing, or which are likely to induce, directly or indirectly, the purchase of drugs or devices.

"Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. "Agent" does not include a common or contract carrier, public warehouseman, or employee of the carrier or warehouseman.

"Anabolic steroid" means any drug or hormonal substance, chemically and pharmacologically related to testosterone, other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone.

"Animal" means any nonhuman animate being endowed with the power of voluntary action.

"Automated drug dispensing system" means a mechanical or electronic system that performs operations or activities, other than compounding or administration, relating to pharmacy services, including the storage, dispensing, or distribution of drugs and the collection, control, and maintenance of all transaction information, to provide security and accountability for such drugs.

"Biological product" means a virus, therapeutic serum, toxin, antitoxin, vaccine, blood, blood component or derivative, allergenic product, protein other than a chemically synthesized polypeptide, or analogous product, or arsphenamine or any derivative of arsphenamine or any other trivalent organic arsenic compound, applicable to the prevention, treatment, or cure of a disease or condition of human beings.

"Biosimilar" means a biological product that is highly similar to a specific reference biological product, notwithstanding minor differences in clinically inactive compounds, such that there are no clinically meaningful differences between the reference biological product and the biological product that has been licensed as a biosimilar pursuant to 42 U.S.C. § 262(k) in terms of safety, purity, and potency of the product.

"Board" means the Board of Pharmacy.

"Bulk drug substance" means any substance that is represented for use, and that, when used in the compounding, manufacturing, processing, or packaging of a drug, becomes an active ingredient or a finished dosage form of the drug; however, "bulk drug substance" does not include intermediates that are used in the synthesis of such substances.

"Change of ownership" of an existing entity permitted, registered, or licensed by the Board means (i) the sale or transfer of all or substantially all of the assets of the entity or of any corporation that owns or controls the entity; (ii) the creation of a partnership by a sole proprietor, the dissolution of a partnership, or *a* change in partnership composition; (iii) the acquisition or disposal of 50 percent or more of the outstanding shares of voting stock of a corporation owning the entity or of the parent corporation of a wholly owned subsidiary owning the entity, except that this shall not apply to any corporation the voting stock of which is actively traded on any securities exchange or in any over-the-counter market; (iv) the merger of a corporation owning the entity or of the parent corporation of a ~~wholly-owned~~ *wholly owned* subsidiary owning the entity with another business or corporation; or (v) the expiration or forfeiture of a corporation's charter.

"Co-licensed partner" means a person who, with at least one other person, has the right to engage in the manufacturing or marketing of a prescription drug, consistent with state and federal law.

"Compounding" means the combining of two or more ingredients to fabricate such ingredients into a single preparation and includes the mixing, assembling, packaging, or labeling of a drug or device (i) by a pharmacist, or within a permitted pharmacy, pursuant to a valid prescription issued for a medicinal or therapeutic purpose in the context of a bona fide practitioner-patient-pharmacist relationship, or in expectation of receiving a valid prescription based on observed historical patterns of prescribing and dispensing; (ii) by a practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine as an incident to his administering or dispensing, if authorized to dispense, a controlled substance in the course of his professional practice; or (iii) for the purpose of, or as incident to, research, teaching, or chemical analysis and not for sale or for dispensing. The mixing, diluting, or reconstituting of a manufacturer's product drugs for the purpose of administration to a patient, when performed by a practitioner of medicine or osteopathy licensed under Chapter 29 (§ 54.1-2900 et seq.), a person supervised by such practitioner pursuant to subdivision A 6 or 19 of § 54.1-2901, or a person supervised by such practitioner or a licensed advanced practice registered nurse or physician assistant pursuant to subdivision A 4 of § 54.1-2901 shall not be considered compounding.

"Controlled substance" means a drug, substance, or immediate precursor in Schedules I through VI of this chapter. "Controlled substance" does not include distilled spirits, wine, malt beverages, or tobacco as those terms are defined or used in Title 3.2 or Title 4.1. The term "controlled substance" includes a controlled substance analog that has been placed into Schedule I or II by the Board pursuant to the regulatory authority in subsection D of § 54.1-3443.

"Controlled substance analog" means a substance the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II and either (i) which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II or (ii) with respect to a particular person, which such person represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II. "Controlled substance analog" does not include (a) any substance for which there is an approved new drug application as defined under § 505 of the ~~federal~~ *Federal* Food, Drug, and Cosmetic Act (21 U.S.C. § 355) or that is generally recognized as safe and effective pursuant to §§ 501, 502, and 503 of the ~~federal~~ *Federal* Food, Drug, and Cosmetic Act (21 U.S.C. §§ 351, 352, and 353) and 21 C.F.R. Part 330; (b) with respect to a particular person, any substance for which an exemption is in effect for investigational use for that person under § 505 of the ~~federal~~ *Federal* Food, Drug, and Cosmetic Act to the extent that the conduct with respect to that substance is

pursuant to such exemption; or (c) any substance to the extent not intended for human consumption before such an exemption takes effect with respect to that substance.

"DEA" means the Drug Enforcement Administration, U.S. Department of Justice, or its successor agency.

"Deliver" or "delivery" means the actual, constructive, or attempted transfer of any item regulated by this chapter, whether or not there exists an agency relationship, including delivery of a Schedule VI prescription device to an ultimate user or consumer on behalf of a medical equipment supplier by a manufacturer, nonresident manufacturer, wholesale distributor, nonresident wholesale distributor, warehouser, nonresident warehouser, third-party logistics provider, or nonresident third-party logistics provider at the direction of a medical equipment supplier in accordance with § 54.1-3415.1.

"Device" means instruments, apparatus, and contrivances, including their components, parts, and accessories, intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals or to affect the structure or any function of the body of man or animals.

"Dialysis care technician" or "dialysis patient care technician" means an individual who is certified by an organization approved by the ~~Board~~ *Department* of Health Professions pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.) and who, under the supervision of a licensed physician, an advanced practice registered nurse, a physician assistant, or a registered nurse, assists in the care of patients undergoing renal dialysis treatments in a Medicare-certified renal dialysis facility.

"Dialysis solution" means either the commercially available, unopened, sterile solutions whose purpose is to be instilled into the peritoneal cavity during the medical procedure known as peritoneal dialysis, or commercially available solutions whose purpose is to be used in the performance of hemodialysis not to include any solutions administered to the patient intravenously.

"Dispense" means to deliver a drug to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing and administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery. However, "dispensing" does not include the transportation of drugs mixed, diluted, or reconstituted in accordance with this chapter to other sites operated by such practitioner or that practitioner's medical practice for the purpose of administration of such drugs to patients of the practitioner or that practitioner's medical practice at such other sites. For practitioners of medicine or osteopathy, "dispense" includes only the provision of drugs by a practitioner to patients to take with them away from the practitioner's place of practice.

"Dispenser" means a practitioner who dispenses.

"Distribute" means to deliver other than by administering or dispensing a controlled substance.

"Distributor" means a person who distributes.

"Drug" means (i) articles or substances recognized in the official United States Pharmacopoeia National Formulary or official Homeopathic Pharmacopoeia of the United States, or any supplement to any of them; (ii) articles or substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (iii) articles or substances, other than food, intended to affect the structure or any function of the body of man or animals; (iv) articles or substances intended for use as a component of any article specified in clause (i), (ii), or (iii); or (v) a biological product. "Drug" does not include devices or their components, parts, or accessories.

"Drug product" means a specific drug in dosage form from a known source of manufacture, whether by brand or therapeutically equivalent drug product name.

"Electronic prescription" means a written prescription that is generated on an electronic application and is transmitted to a pharmacy as an electronic data file; Schedules II through V prescriptions shall be transmitted in accordance with 21 C.F.R. Part 1300.

"Facsimile (FAX) prescription" means a written prescription or order that is transmitted by an electronic device over telephone lines that sends the exact image to the receiving pharmacy in hard copy form.

"FDA" means the U.S. Food and Drug Administration.

"Immediate precursor" means a substance which the Board of Pharmacy has found to be and by regulation designates as being the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail, or limit manufacture.

"Interchangeable" means a biosimilar that meets safety standards for determining interchangeability pursuant to 42 U.S.C. § 262(k)(4).

"Label" means a display of written, printed, or graphic matter upon the immediate container of any article. A requirement made by or under authority of this chapter that any word, statement, or other information appear on the label shall not be considered to be complied with unless such word, statement, or other information also appears on the outside container or wrapper, if any, of the retail package of such article or is easily legible through the outside container or wrapper.

"Labeling" means all labels and other written, printed, or graphic matter on an article or any of its containers or wrappers, or accompanying such article.

"Manufacture" means the production, preparation, propagation, conversion, or processing of any item regulated by this chapter, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. "Manufacture" does not include compounding.

"Manufacturer" means every person who manufactures, a manufacturer's co-licensed partner, or a repackager.

"Marijuana" means any part of a plant of the genus Cannabis whether growing or not, its seeds, or its resin; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, its resin, or any extract containing one or more cannabinoids. "Marijuana" does not include (i) the mature stalks of such plant, fiber produced from such stalk, or oil or cake made from the seeds of such plant, unless such stalks, fiber, oil, or cake is combined with other parts of plants of the genus Cannabis; (ii) industrial hemp, as defined in § 3.2-4112, that is possessed by a person registered pursuant to subsection A of § 3.2-4115 or his agent; (iii) industrial hemp, as defined in § 3.2-4112, that is possessed by a person who holds a hemp producer license issued by the U.S. Department of Agriculture pursuant to 7 C.F.R. Part 990; (iv) a hemp product, as defined in § 3.2-4112; (v) an industrial hemp extract, as defined in § 3.2-5145.1; or (vi) any substance containing a tetrahydrocannabinol isomer, ester, ether, salt, or salts of such isomer, ester, or ether that has been placed by the Board of Pharmacy into one of the schedules set forth in the Drug Control Act (§ 54.1-3400 et seq.) pursuant to § 54.1-3443.

"Medical equipment supplier" means any person, as defined in § 1-230, engaged in the delivery to the ultimate consumer, pursuant to the lawful order of a practitioner, of hypodermic syringes and needles, medicinal oxygen, Schedule VI controlled devices, those Schedule VI controlled substances with no medicinal properties that are used for the operation and cleaning of medical equipment, solutions for peritoneal dialysis, and sterile water or saline for irrigation.

"Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis: (i) opium, opiates, and any salt, compound, derivative, or preparation of opium or opiates; (ii) any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (i), but not including the isoquinoline alkaloids of opium; (iii) opium poppy and poppy straw; or (iv) coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extraction of coca leaves which do not contain cocaine or ecgonine.

"New drug" means (i) any drug, except a new animal drug or an animal feed bearing or containing a new animal drug, the composition of which is such that such drug is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety and effectiveness of drugs, as safe and effective for use under the conditions prescribed, recommended, or suggested in the labeling, except that such a drug not so recognized shall not be deemed to be a "new drug" if at any time prior to the enactment of this chapter it was subject to the Food and Drugs Act of June 30, 1906, as amended, and if at such time its labeling contained the same representations concerning the conditions of its use, or (ii) any drug, except a new animal drug or an animal feed bearing or containing a new animal drug, the composition of which is such that such drug, as a result of investigations to determine its safety and effectiveness for use under such conditions, has become so recognized, but which has not, otherwise than in such investigations, been used to a material extent or for a material time under such conditions.

"Nuclear medicine technologist" means an individual who holds a current certification with the American Registry of Radiological Technologists or the Nuclear Medicine Technology Certification Board.

"Official compendium" means the official United States Pharmacopoeia National Formulary, official Homeopathic Pharmacopoeia of the United States, or any supplement to any of them.

"Official written order" means an order written on a form provided for that purpose by the U.S. Drug Enforcement Administration, under any laws of the United States making provision therefor, if such order forms are authorized and required by federal law, and if no such order form is provided then on an official form provided for that purpose by the Board of Pharmacy.

"Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability. "Opiate" does not include, unless specifically designated as controlled under Article 4 (§ 54.1-3437 et seq.), the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). "Opiate" does include its racemic and levorotatory forms.

"Opium poppy" means the plant of the species Papaver somniferum L., except the seeds thereof.

"Original package" means the unbroken container or wrapping in which any drug or medicine is enclosed together with label and labeling, put up by or for the manufacturer, wholesaler, or distributor for use in the delivery or display of such article.

"Outsourcing facility" means a facility that is engaged in the compounding of sterile drugs and is currently registered as an outsourcing facility with the U.S. Secretary of Health and Human Services and that complies with all applicable requirements of federal and state law, including the Federal Food, Drug, and Cosmetic Act*, 21 U.S.C. § 301 et seq*.

"Person" means both the plural and singular, as the case demands, and includes an individual, partnership, corporation, association, governmental agency, trust, or other institution or entity.

"Pharmacist-in-charge" means the person who, being licensed as a pharmacist, signs the application for a pharmacy permit and assumes full legal responsibility for the operation of the relevant pharmacy in a manner complying with the laws and regulations for the practice of pharmacy and the sale and dispensing of controlled substances; the "pharmacist-in-charge" shall personally supervise the pharmacy and the pharmacy's personnel as required by § 54.1-3432.

"Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

"Practitioner" means a physician, dentist, licensed advanced practice registered nurse pursuant to § 54.1-2957.01, licensed physician assistant pursuant to § 54.1-2952.1, pharmacist pursuant to § 54.1-3300, TPA-certified optometrist

pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32, veterinarian, scientific investigator, or other person licensed, registered, or otherwise permitted to distribute, dispense, prescribe and administer, or conduct research with respect to a controlled substance in the course of professional practice or research in the Commonwealth.

"Prescriber" means a practitioner who is authorized pursuant to §§ 54.1-3303 and 54.1-3408 to issue a prescription.

"Prescription" means an order for drugs or medical supplies, written or signed or transmitted by word of mouth, telephone, telegraph, or other means of communication to a pharmacist by a duly licensed physician, dentist, veterinarian, or other practitioner authorized by law to prescribe and administer such drugs or medical supplies.

"Prescription drug" means any drug required by federal law or regulation to be dispensed only pursuant to a prescription, including finished dosage forms and active ingredients subject to § 503(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. § 353(b)).

"Production" or "produce" includes the manufacture, planting, cultivation, growing, or harvesting of a controlled substance or marijuana.

"Proprietary medicine" means a completely compounded nonprescription drug in its unbroken, original package which does not contain any controlled substance or marijuana as defined in this chapter and is not in itself poisonous, and which is sold, offered, promoted, or advertised directly to the general public by or under the authority of the manufacturer or primary distributor, under a trademark, trade name, or other trade symbol privately owned, and the labeling of which conforms to the requirements of this chapter and applicable federal law. However, "proprietary medicine" does not include a drug that is only advertised or promoted professionally to licensed practitioners, a narcotic or drug containing a narcotic, a drug that may be dispensed only upon prescription or the label of which bears substantially the statement "Warning — may be habit-forming," or a drug intended for injection.

"Radiopharmaceutical" means any drug that exhibits spontaneous disintegration of unstable nuclei with the emission of nuclear particles or photons and includes any non-radioactive reagent kit or radionuclide generator that is intended to be used in the preparation of any such substance, but does not include drugs such as carbon-containing compounds or potassium-containing salts that include trace quantities of naturally occurring radionuclides. "Radiopharmaceutical" also includes any biological product that is labeled with a radionuclide or intended solely to be labeled with a radionuclide.

"Reference biological product" means the single biological product licensed pursuant to 42 U.S.C. § 262(a) against which a biological product is evaluated in an application submitted to the U.S. Food and Drug Administration for licensure of biological products as biosimilar or interchangeable pursuant to 42 U.S.C. § 262(k).

"Remote dispensing system" means a profile-driven automated drug dispensing system that performs operations or activities relative to the storage, packaging, labeling, or dispensing of medications employing bidirectional audio-visual technology to facilitate pharmacist communication with a patient, authorized agent of the patient, or person licensed to administer drugs, and collects, controls, and maintains all information online. Drugs intended to be administered by the patient or a person not licensed to administer drugs must fully comply with the labeling requirements in §§ 54.1-3410 and 54.1-3463 and Board regulations. Directions for use may only be abbreviated when drugs are administered exclusively by persons licensed to administer drugs.

"Sale" includes barter, exchange, or gift, or offer therefor, and each such transaction made by any person, whether as an individual, proprietor, agent, servant, or employee.

"Tetrahydrocannabinol" means any naturally occurring or synthetic tetrahydrocannabinol, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation and any preparation, mixture, or substance containing, or mixed or infused with, any detectable amount of tetrahydrocannabinol. For the purposes of this definition, "isomer" means the optical, position, and geometric isomers.

"Therapeutically equivalent drug products" means drug products that contain the same active ingredients and are identical in strength or concentration, dosage form, and route of administration and that are classified as being therapeutically equivalent by the U.S. Food and Drug Administration pursuant to the definition of "therapeutically equivalent drug products" set forth in the most recent edition of the Approved Drug Products with Therapeutic Equivalence Evaluations, otherwise known as the "Orange Book."

"Third-party logistics provider" means a person that provides or coordinates warehousing of or other logistics services for a drug or device in interstate commerce on behalf of a manufacturer, wholesale distributor, or dispenser of the drug or device but does not take ownership of the product or have responsibility for directing the sale or disposition of the product.

"Total tetrahydrocannabinol" means the sum, after the application of any necessary conversion factor, of the percentage by weight of tetrahydrocannabinol and the percentage by weight of tetrahydrocannabinolic acid.

"USP-NF" means the current edition of the United States Pharmacopeia-National Formulary.

"Warehouser" means any person, other than a wholesale distributor, manufacturer, or third-party logistics provider, engaged in the business of (i) selling or otherwise distributing prescription drugs or devices to any person who is not the ultimate user or consumer and (ii) delivering Schedule VI prescription devices to the ultimate user or consumer pursuant to § 54.1-3415.1. No person shall be subject to any state or local tax by reason of this definition.

"Wholesale distribution" means (i) distribution of prescription drugs to persons other than consumers or patients and (ii) delivery of Schedule VI prescription devices to the ultimate user or consumer pursuant to § 54.1-3415.1, subject to the exemptions set forth in the federal Drug Supply Chain Security Act.

"Wholesale distributor" means any person other than a manufacturer, a manufacturer's co-licensed partner, a third-party logistics provider, or a repackager that engages in wholesale distribution.

The words "drugs" and "devices" as used in Chapter 33 (§ 54.1-3300 et seq.) and in this chapter do not include surgical or dental instruments, physical therapy equipment, X-ray apparatus, or glasses or lenses for the eyes.

The terms "pharmacist," "pharmacy," and "practice of pharmacy" as used in this chapter have the same meanings as provided in Chapter 33 (§ 54.1-3300 et seq.) unless the context requires a different meaning.

§ 54.1-3408. Professional use by practitioners.

A. A practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine, a licensed advanced practice registered nurse pursuant to § 54.1-2957.01, a licensed certified midwife pursuant to § 54.1-2957.04, a licensed physician assistant pursuant to § 54.1-2952.1, or a TPA-certified optometrist pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32 shall only prescribe, dispense, or administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice. A licensed midwife pursuant to § 54.1-2957.7 shall only obtain, possess, and administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice.

B. The prescribing practitioner's order may be on a written prescription or pursuant to an oral prescription as authorized by this chapter. The prescriber may administer drugs and devices, or he may cause drugs or devices to be administered by:

1. A nurse, physician assistant, or intern under his direction and supervision;

2. Persons trained to administer drugs and devices to patients in state-owned or state-operated hospitals or facilities licensed as hospitals by the Board of Health or psychiatric hospitals licensed by the Department of Behavioral Health and Developmental Services who administer drugs under the control and supervision of the prescriber or a pharmacist;

3. Emergency medical services personnel certified and authorized to administer drugs and devices pursuant to regulations of the Board of Health who act within the scope of such certification and pursuant to an oral or written order or standing protocol;

4. Persons who are employed or engaged at a medical care facility, as defined in § 32.1-3, who have a valid emergency medical services provider certification issued by the Board of Health as a requirement of being employed or engaged at the medical care facility within the scope of such certification, pursuant to an oral or written order or standing protocol to administer drugs and devices at the medical care facility; or

5. A licensed respiratory therapist as defined in § 54.1-2954 who administers by inhalation controlled substances used in inhalation or respiratory therapy.

C. Pursuant to an oral or written order or standing protocol, the prescriber, who is authorized by state or federal law to possess and administer radiopharmaceuticals in the scope of his practice, may authorize a nuclear medicine technologist to administer, under his supervision, radiopharmaceuticals used in the diagnosis or treatment of disease.

D. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize registered nurses and licensed practical nurses to possess (i) epinephrine and oxygen for administration in treatment of emergency medical conditions and (ii) heparin and sterile normal saline to use for the maintenance of intravenous access lines.

Pursuant to the regulations of the Board of Health, certain emergency medical services technicians may possess and administer epinephrine in emergency cases of anaphylactic shock.

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any school nurse, school board employee, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or standing protocol that shall be issued by the local health director within the course of his professional practice, any school nurse, licensed athletic trainer under contract with a local school division, school board employee, employee of a local governing body, or employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers or nebulized albuterol may possess or administer an albuterol inhaler and a valved holding chamber or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education, or any employee of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in the administration of (a) epinephrine may possess and administer epinephrine and (b) albuterol inhalers or nebulized albuterol may possess or administer an albuterol inhaler or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any nurse at an early childhood care and education entity, employee at the entity, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a public institution of higher education or a private institution of higher education who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of an organization providing outdoor educational experiences or programs for youth who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, and in accordance with policies and guidelines established by the Department of Health, such prescriber may authorize any employee of a restaurant licensed pursuant to Chapter 3 (§ 35.1-18 et seq.) of Title 35.1 to possess and administer epinephrine on the premises of the restaurant at which the employee is employed, provided that such person is trained in the administration of epinephrine.

Pursuant to an order issued by the prescriber within the course of his professional practice, an employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services may possess and administer epinephrine, provided such person is authorized and trained in the administration of epinephrine.

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any employee of a place of public accommodation, as defined in subsection A of § 2.2-3904, who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize pharmacists to possess epinephrine and oxygen for administration in treatment of emergency medical conditions.

E. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed physical therapists to possess and administer topical corticosteroids, topical lidocaine, and any other Schedule VI topical drug.

F. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed athletic trainers to possess and administer topical corticosteroids, topical lidocaine, or other Schedule VI topical drugs; oxygen and IV saline for use in emergency situations; subcutaneous lidocaine for wound closure; epinephrine for use in emergency cases of anaphylactic shock; and naloxone or other opioid antagonist for overdose reversal.

G. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, and in accordance with policies and guidelines established by the Department of Health pursuant to § 32.1-50.2, such prescriber may authorize registered nurses or licensed practical nurses under the supervision of a registered nurse to possess and administer tuberculin purified protein derivative (PPD) in the absence of a prescriber. The Department of Health's policies and guidelines shall be consistent with applicable guidelines developed by the Centers for Disease Control and Prevention for preventing transmission of mycobacterium tuberculosis and shall be updated to incorporate any subsequently implemented standards of the Occupational Safety and Health Administration and the Department of Labor and Industry to the extent that they are inconsistent with the Department of Health's policies and guidelines. Such standing protocols shall explicitly describe the categories of persons to whom the tuberculin test is to be administered and shall provide for appropriate medical evaluation of those in whom the test is positive. The prescriber shall ensure that the nurse implementing such standing protocols has received adequate training in the practice and principles underlying tuberculin screening.

The Health Commissioner or his designee may authorize registered nurses, acting as agents of the Department of Health, to possess and administer, at the nurse's discretion, tuberculin purified protein derivative (PPD) to those persons in whom tuberculin skin testing is indicated based on protocols and policies established by the Department of Health.

H. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administer glucagon to a student diagnosed as having diabetes and who requires insulin injections during the school day or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize the possession and administration of undesignated glucagon as set forth in subsection F of § 22.1-274.2.

Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize an employee of a public institution of higher education or a private institution of higher education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administration of glucagon to a student diagnosed as having diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia. Such authorization shall only be effective

when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

Pursuant to a written order issued by the prescriber within the course of his professional practice, such prescriber may authorize an employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services to assist with the administration of insulin or to administer glucagon to a person diagnosed as having diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia, provided such employee or person providing services has been trained in the administration of insulin and glucagon.

I. A prescriber may authorize, pursuant to a protocol approved by the Board of Nursing, the administration of vaccines to adults for immunization, when a practitioner with prescriptive authority is not physically present, by (i) licensed pharmacists, (ii) registered nurses, or (iii) licensed practical nurses under the supervision of a registered nurse. A prescriber acting on behalf of and in accordance with established protocols of the Department of Health may authorize the administration of vaccines to any person by a pharmacist, nurse, or designated emergency medical services provider who holds an advanced life support certificate issued by the Commissioner of Health under the direction of an operational medical director when the prescriber is not physically present. The emergency medical services provider shall provide documentation of the vaccines to be recorded in the Virginia Immunization Information System.

J. A dentist may cause Schedule VI topical drugs to be administered under his direction and supervision by either a dental hygienist or by an authorized agent of the dentist.

Further, pursuant to a written order and in accordance with a standing protocol issued by the dentist in the course of his professional practice, a dentist may authorize a dental hygienist under his general supervision, as defined in § 54.1-2722, or his remote supervision, as defined in subsection E or F of § 54.1-2722, to possess and administer topical oral fluorides, topical oral anesthetics, topical and directly applied antimicrobial agents for treatment of periodontal pocket lesions, and any other Schedule VI topical drug approved by the Board of Dentistry.

In addition, a dentist may authorize a dental hygienist under his direction to administer Schedule VI nitrous oxide and oxygen inhalation analgesia and, to persons 18 years of age or older, Schedule VI local anesthesia.

K. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize registered professional nurses certified as sexual assault nurse examiners-A (SANE-A) under his supervision and when he is not physically present to possess and administer preventive medications for victims of sexual assault as recommended by the Centers for Disease Control and Prevention.

L. This section shall not prevent the administration of drugs by a person who has satisfactorily completed a training program for this purpose approved by the Board of Nursing and who administers such drugs in accordance with a prescriber's instructions pertaining to dosage, frequency, and manner of administration, and in accordance with regulations promulgated by the Board of Pharmacy relating to security and record keeping, when the drugs administered would be normally self-administered by (i) an individual receiving services in a program licensed by the Department of Behavioral Health and Developmental Services; (ii) a resident of the Virginia Rehabilitation Center for the Blind and Vision Impaired; (iii) a resident of a facility approved by the Board or Department of Juvenile Justice for the placement of children in need of services or delinquent or alleged delinquent youth; (iv) a program participant of an adult day center licensed by the Department of Social Services; (v) a resident of any facility authorized or operated by a state or local government whose primary purpose is not to provide health care services; (vi) a resident of a private children's residential facility, as defined in § 63.2-100 and licensed by the Department of Social Services, Department of Education, or Department of Behavioral Health and Developmental Services; or (vii) a student in a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education.

In addition, this section shall not prevent a person who has successfully completed a training program for the administration of drugs via percutaneous gastrostomy tube approved by the Board of Nursing and been evaluated by a registered nurse as having demonstrated competency in administration of drugs via percutaneous gastrostomy tube from administering drugs to a person receiving services from a program licensed by the Department of Behavioral Health and Developmental Services to such person via percutaneous gastrostomy tube. The continued competency of a person to administer drugs via percutaneous gastrostomy tube shall be evaluated semiannually by a registered nurse.

M. Medication aides registered by the Board of Nursing pursuant to Article 7 (§ 54.1-3041 et seq.) of Chapter 30 may administer drugs that would otherwise be self-administered to residents of any assisted living facility licensed by the Department of Social Services. A registered medication aide shall administer drugs pursuant to this section in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; in accordance with regulations promulgated by the Board of Pharmacy relating to security and recordkeeping; in accordance with the assisted living facility's Medication Management Plan; and in accordance with such other regulations governing their practice promulgated by the Board of Nursing.

N. In addition, this section shall not prevent the administration of drugs by a person who administers such drugs in accordance with a physician's instructions pertaining to dosage, frequency, and manner of administration and with written authorization of a parent, and in accordance with school board regulations relating to training, security and record keeping, when the drugs administered would be normally self-administered by a student of a Virginia public school. Training for

such persons shall be accomplished through a program approved by the local school boards, in consultation with the local departments of health.

O. In addition, this section shall not prevent the administration of drugs by a person to (i) a child in a child day program as defined in § 22.1-289.02 and regulated by the Board of Education or a local government pursuant to § 15.2-914, or (ii) a student of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education, provided such person (a) has satisfactorily completed a training program for this purpose approved by the Board of Nursing and taught by a registered nurse, a licensed practical nurse, an advanced practice registered nurse, a physician assistant, a doctor of medicine or osteopathic medicine, or a pharmacist; (b) has obtained written authorization from a parent or guardian; (c) administers drugs only to the child identified on the prescription label in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; and (d) administers only those drugs that were dispensed from a pharmacy and maintained in the original, labeled container that would normally be self-administered by the child or student, or administered by a parent or guardian to the child or student.

P. In addition, this section shall not prevent the administration or dispensing of drugs and devices by persons if they are authorized by the State Health Commissioner in accordance with protocols established by the State Health Commissioner pursuant to § 32.1-42.1 when (i) the Governor has declared a disaster or a state of emergency, the United States Secretary of Health and Human Services has issued a declaration of an actual or potential bioterrorism incident or other actual or potential public health emergency, or the Board of Health has made an emergency order pursuant to § 32.1-13 for the purpose of suppressing nuisances dangerous to the public health and communicable, contagious, and infectious diseases and other dangers to the public life and health and for the limited purpose of administering vaccines as an approved countermeasure for such communicable, contagious, and infectious diseases; (ii) it is necessary to permit the provision of needed drugs or devices; and (iii) such persons have received the training necessary to safely administer or dispense the needed drugs or devices. Such persons shall administer or dispense all drugs or devices under the direction, control, and supervision of the State Health Commissioner.

Q. Nothing in this title shall prohibit the administration of normally self-administered drugs by unlicensed individuals to a person in his private residence.

R. This section shall not interfere with any prescriber issuing prescriptions in compliance with his authority and scope of practice and the provisions of this section to a Board agent for use pursuant to subsection G of § 18.2-258.1. Such prescriptions issued by such prescriber shall be deemed to be valid prescriptions.

S. Nothing in this title shall prevent or interfere with dialysis care technicians or dialysis patient care technicians who are certified by an organization approved by the ~~Board~~ *Department* of Health Professions or persons authorized for provisional practice pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.), in the ordinary course of their duties in a Medicare-certified renal dialysis facility, from administering heparin, topical needle site anesthetics, dialysis solutions, sterile normal saline solution, and blood volumizers, for the purpose of facilitating renal dialysis treatment, when such administration of medications occurs under the orders of a licensed physician, an advanced practice registered nurse, or a physician assistant and under the immediate and direct supervision of a licensed registered nurse. Nothing in this chapter shall be construed to prohibit a patient care dialysis technician trainee from performing dialysis care as part of and within the scope of the clinical skills instruction segment of a supervised dialysis technician training program, provided such trainee is identified as a "trainee" while working in a renal dialysis facility.

The dialysis care technician or dialysis patient care technician administering the medications shall have demonstrated competency as evidenced by holding current valid certification from an organization approved by the ~~Board~~ *Department* of Health Professions pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.).

T. Persons who are otherwise authorized to administer controlled substances in hospitals shall be authorized to administer influenza or pneumococcal vaccines pursuant to § 32.1-126.4.

U. Pursuant to a specific order for a patient and under his direct and immediate supervision, a prescriber may authorize the administration of controlled substances by personnel who have been properly trained to assist a doctor of medicine or osteopathic medicine, provided the method does not include intravenous, intrathecal, or epidural administration and the prescriber remains responsible for such administration.

V. A physician assistant, nurse, dental hygienist, or authorized agent of a doctor of medicine, osteopathic medicine, or dentistry may possess and administer topical fluoride varnish pursuant to an oral or written order or a standing protocol issued by a doctor of medicine, osteopathic medicine, or dentistry.

W. A prescriber, acting in accordance with guidelines developed pursuant to § 32.1-46.02, may authorize the administration of influenza vaccine to minors by a licensed pharmacist, registered nurse, licensed practical nurse under the direction and immediate supervision of a registered nurse, or emergency medical services provider who holds an advanced life support certificate issued by the Commissioner of Health when the prescriber is not physically present.

X. Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, a pharmacist, a health care provider providing services in a hospital emergency department, and emergency medical services personnel, as that term is defined in § 32.1-111.1, may dispense naloxone or other opioid antagonist used for overdose reversal and a person to whom naloxone or other opioid antagonist has been

dispensed pursuant to this subsection may possess and administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose. Law-enforcement officers as defined in § 9.1-101, employees of the Department of Forensic Science, employees of the Office of the Chief Medical Examiner, employees of the Department of General Services Division of Consolidated Laboratory Services, employees of the Department of Corrections designated by the Director of the Department of Corrections or designated as probation and parole officers or as correctional officers as defined in § 53.1-1, employees of the Department of Juvenile Justice designated as probation and parole officers or as juvenile correctional officers, employees of regional jails, employees of any state agency, school nurses, local health department employees that are assigned to a public school pursuant to an agreement between the local health department and the school board, school board employees who have completed training and are certified in the administration of an opioid antagonist for overdose reversal by a program administered or authorized by the Department of Health, other school board employees or individuals contracted by a school board to provide school health services, and firefighters may also possess and administer naloxone or other opioid antagonist used for overdose reversal and may dispense naloxone or other opioid antagonist used for overdose reversal pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, any person may possess and administer naloxone or other opioid antagonist used for overdose reversal, other than naloxone in an injectable formulation with a hypodermic needle or syringe, in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Y. Notwithstanding any other law or regulation to the contrary, a person who is acting on behalf of an organization that provides services to individuals at risk of experiencing an opioid overdose or training in the administration of naloxone for overdose reversal may dispense naloxone, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber and (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health. If the person acting on behalf of an organization dispenses naloxone in an injectable formulation with a hypodermic needle or syringe, he shall first obtain authorization from the Department of Behavioral Health and Developmental Services to train individuals on the proper administration of naloxone by and proper disposal of a hypodermic needle or syringe, and he shall obtain a controlled substance registration from the Board of Pharmacy. The Board of Pharmacy shall not charge a fee for the issuance of such controlled substance registration. The dispensing may occur at a site other than that of the controlled substance registration provided the entity possessing the controlled substances registration maintains records in accordance with regulations of the Board of Pharmacy. No person who dispenses naloxone on behalf of an organization pursuant to this subsection shall charge a fee for the dispensing of naloxone that is greater than the cost to the organization of obtaining the naloxone dispensed. A person to whom naloxone has been dispensed pursuant to this subsection may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

Z. A person who is not otherwise authorized to administer naloxone or other opioid antagonist used for overdose reversal may administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

AA. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of injected medications for the treatment of adrenal crisis resulting from a condition causing adrenal insufficiency to administer such medication to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis. Such authorization shall be effective only when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

2. That §§ 54.1-2409.2 and 54.1-2507 through 54.1-2510 of the Code of Virginia are repealed.

3. That the regulations of the Board of Health Professions shall be administered by the Department of Health Professions and shall remain in full force and effect until the Department of Health Professions promulgates regulations pursuant to this act.

CHAPTER 342

An Act to amend and reenact § 59.1-200, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to Virginia Consumer Protection Act; food labeling.

[S 1376]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 59.1-200, as it is currently effective and as it shall become effective, of the Code of Virginia is amended and reenacted as follows:

§ 59.1-200. (Effective until July 1, 2025) Prohibited practices.

A. The following fraudulent acts or practices committed by a supplier in connection with a consumer transaction are hereby declared unlawful:

1. Misrepresenting goods or services as those of another;

2. Misrepresenting the source, sponsorship, approval, or certification of goods or services;

3. Misrepresenting the affiliation, connection, or association of the supplier, or of the goods or services, with another;

4. Misrepresenting geographic origin in connection with goods or services;

5. Misrepresenting that goods or services have certain quantities, characteristics, ingredients, uses, or benefits;

6. Misrepresenting that goods or services are of a particular standard, quality, grade, style, or model;

7. Advertising or offering for sale goods that are used, secondhand, repossessed, defective, blemished, deteriorated, or reconditioned, or that are "seconds," irregulars, imperfects, or "not first class," without clearly and unequivocally indicating in the advertisement or offer for sale that the goods are used, secondhand, repossessed, defective, blemished, deteriorated, reconditioned, or are "seconds," irregulars, imperfects, or "not first class";

8. Advertising goods or services with intent not to sell them as advertised, or with intent not to sell at the price or upon the terms advertised.

In any action brought under this subdivision, the refusal by any person, or any employee, agent, or servant thereof, to sell any goods or services advertised or offered for sale at the price or upon the terms advertised or offered, shall be prima facie evidence of a violation of this subdivision. This paragraph shall not apply when it is clearly and conspicuously stated in the advertisement or offer by which such goods or services are advertised or offered for sale, that the supplier or offeror has a limited quantity or amount of such goods or services for sale, and the supplier or offeror at the time of such advertisement or offer did in fact have or reasonably expected to have at least such quantity or amount for sale;

9. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions;

10. Misrepresenting that repairs, alterations, modifications, or services have been performed or parts installed;

11. Misrepresenting by the use of any written or documentary material that appears to be an invoice or bill for merchandise or services previously ordered;

12. Notwithstanding any other provision of law, using in any manner the words "wholesale," "wholesaler," "factory," or "manufacturer" in the supplier's name, or to describe the nature of the supplier's business, unless the supplier is actually engaged primarily in selling at wholesale or in manufacturing the goods or services advertised or offered for sale;

13. Using in any contract or lease any liquidated damage clause, penalty clause, or waiver of defense, or attempting to collect any liquidated damages or penalties under any clause, waiver, damages, or penalties that are void or unenforceable under any otherwise applicable laws of the Commonwealth, or under federal statutes or regulations;

13a. Failing to provide to a consumer, or failing to use or include in any written document or material provided to or executed by a consumer, in connection with a consumer transaction any statement, disclosure, notice, or other information however characterized when the supplier is required by 16 C.F.R. Part 433 to so provide, use, or include the statement, disclosure, notice, or other information in connection with the consumer transaction;

14. Using any other deception, fraud, false pretense, false promise, or misrepresentation in connection with a consumer transaction;

15. Violating any provision of § 3.2-6509, 3.2-6512, 3.2-6513, 3.2-6513.1, 3.2-6514, 3.2-6515, 3.2-6516, or 3.2-6519 is a violation of this chapter;

16. Failing to disclose all conditions, charges, or fees relating to:

a. The return of goods for refund, exchange, or credit. Such disclosure shall be by means of a sign attached to the goods, or placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the person obtaining the goods from the supplier. If the supplier does not permit a refund, exchange, or credit for return, he shall so state on a similar sign. The provisions of this subdivision shall not apply to any retail merchant who has a policy of providing, for a period of not less than 20 days after date of purchase, a cash refund or credit to the purchaser's credit card account for the return of defective, unused, or undamaged merchandise upon presentation of proof of purchase. In the case of merchandise paid for by check, the purchase shall be treated as a cash purchase and any refund may be delayed for a period of 10 banking days to allow for the check to clear. This subdivision does not apply to sale merchandise that is obviously distressed, out of date, post season, or otherwise reduced for clearance; nor does this subdivision apply to special order purchases where the purchaser has requested the supplier to order merchandise of a specific or unusual size, color, or

brand not ordinarily carried in the store or the store's catalog; nor shall this subdivision apply in connection with a transaction for the sale or lease of motor vehicles, farm tractors, or motorcycles as defined in § 46.2-100;

b. A layaway agreement. Such disclosure shall be furnished to the consumer (i) in writing at the time of the layaway agreement, or (ii) by means of a sign placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the consumer, or (iii) on the bill of sale. Disclosure shall include the conditions, charges, or fees in the event that a consumer breaches the agreement;

16a. Failing to provide written notice to a consumer of an existing open-end credit balance in excess of $5 (i) on an account maintained by the supplier and (ii) resulting from such consumer's overpayment on such account. Suppliers shall give consumers written notice of such credit balances within 60 days of receiving overpayments. If the credit balance information is incorporated into statements of account furnished consumers by suppliers within such 60-day period, no separate or additional notice is required;

17. If a supplier enters into a written agreement with a consumer to resolve a dispute that arises in connection with a consumer transaction, failing to adhere to the terms and conditions of such an agreement;

18. Violating any provision of the Virginia Health Club Act, Chapter 24 (§ 59.1-294 et seq.);

19. Violating any provision of the Virginia Home Solicitation Sales Act, Chapter 2.1 (§ 59.1-21.1 et seq.);

20. Violating any provision of the Automobile Repair Facilities Act, Chapter 17.1 (§ 59.1-207.1 et seq.);

21. Violating any provision of the Virginia Lease-Purchase Agreement Act, Chapter 17.4 (§ 59.1-207.17 et seq.);

22. Violating any provision of the Prizes and Gifts Act, Chapter 31 (§ 59.1-415 et seq.);

23. Violating any provision of the Virginia Public Telephone Information Act, Chapter 32 (§ 59.1-424 et seq.);

24. Violating any provision of § 54.1-1505;

25. Violating any provision of the Motor Vehicle Manufacturers' Warranty Adjustment Act, Chapter 17.6 (§ 59.1-207.34 et seq.);

26. Violating any provision of § 3.2-5627, relating to the pricing of merchandise;

27. Violating any provision of the Pay-Per-Call Services Act, Chapter 33 (§ 59.1-429 et seq.);

28. Violating any provision of the Extended Service Contract Act, Chapter 34 (§ 59.1-435 et seq.);

29. Violating any provision of the Virginia Membership Camping Act, Chapter 25 (§ 59.1-311 et seq.);

30. Violating any provision of the Comparison Price Advertising Act, Chapter 17.7 (§ 59.1-207.40 et seq.);

31. Violating any provision of the Virginia Travel Club Act, Chapter 36 (§ 59.1-445 et seq.);

32. Violating any provision of §§ 46.2-1231 and 46.2-1233.1;

33. Violating any provision of Chapter 40 (§ 54.1-4000 et seq.) of Title 54.1;

34. Violating any provision of Chapter 10.1 (§ 58.1-1031 et seq.) of Title 58.1;

35. Using the consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use an alternate number not associated with the consumer's social security number;

36. Violating any provision of Chapter 18 (§ 6.2-1800 et seq.) of Title 6.2;

37. Violating any provision of § 8.01-40.2;

38. Violating any provision of Article 7 (§ 32.1-212 et seq.) of Chapter 6 of Title 32.1;

39. Violating any provision of Chapter 34.1 (§ 59.1-441.1 et seq.);

40. Violating any provision of Chapter 20 (§ 6.2-2000 et seq.) of Title 6.2;

41. Violating any provision of the Virginia Post-Disaster Anti-Price Gouging Act, Chapter 46 (§ 59.1-525 et seq.). For the purposes of this subdivision, "consumer transaction" has the same meaning as provided in § 59.1-526;

42. Violating any provision of Chapter 47 (§ 59.1-530 et seq.);

43. Violating any provision of § 59.1-443.2;

44. Violating any provision of Chapter 48 (§ 59.1-533 et seq.);

45. Violating any provision of Chapter 25 (§ 6.2-2500 et seq.) of Title 6.2;

46. Violating the provisions of clause (i) of subsection B of § 54.1-1115;

47. Violating any provision of § 18.2-239;

48. Violating any provision of Chapter 26 (§ 59.1-336 et seq.);

49. Selling, offering for sale, or manufacturing for sale a children's product the supplier knows or has reason to know was recalled by the U.S. Consumer Product Safety Commission. There is a rebuttable presumption that a supplier has reason to know a children's product was recalled if notice of the recall has been posted continuously at least 30 days before the sale, offer for sale, or manufacturing for sale on the website of the U.S. Consumer Product Safety Commission. This prohibition does not apply to children's products that are used, secondhand or "seconds";

50. Violating any provision of Chapter 44.1 (§ 59.1-518.1 et seq.);

51. Violating any provision of Chapter 22 (§ 6.2-2200 et seq.) of Title 6.2;

52. Violating any provision of § 8.2-317.1;

53. Violating subsection A of § 9.1-149.1;

54. Selling, offering for sale, or using in the construction, remodeling, or repair of any residential dwelling in the Commonwealth, any drywall that the supplier knows or has reason to know is defective drywall. This subdivision shall not apply to the sale or offering for sale of any building or structure in which defective drywall has been permanently installed or affixed;

55. Engaging in fraudulent or improper or dishonest conduct as defined in § 54.1-1118 while engaged in a transaction that was initiated (i) during a declared state of emergency as defined in § 44-146.16 or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is licensed as a contractor in the Commonwealth pursuant to Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1;

56. Violating any provision of Chapter 33.1 (§ 59.1-434.1 et seq.);

57. Violating any provision of § 18.2-178, 18.2-178.1, or 18.2-200.1;

58. Violating any provision of Chapter 17.8 (§ 59.1-207.45 et seq.). For the purposes of this subdivision, "consumer transaction" also includes transactions involving an automatic renewal or continuous service offer by a supplier to a small business, as those terms are defined in § 59.1-207.45;

59. Violating any provision of subsection E of § 32.1-126;

60. Violating any provision of § 54.1-111 relating to the unlicensed practice of a profession licensed under Chapter 11 (§ 54.1-1100 et seq.) or Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1;

61. Violating any provision of § 2.2-2001.5;

62. Violating any provision of Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1;

63. Violating any provision of § 6.2-312;

64. Violating any provision of Chapter 20.1 (§ 6.2-2026 et seq.) of Title 6.2;

65. Violating any provision of Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2;

66. Violating any provision of Chapter 54 (§ 59.1-586 et seq.);

67. Knowingly violating any provision of § 8.01-27.5;

68. Failing to, in accordance with § 59.1-207.46, (i) make available a conspicuous online option to cancel a recurring purchase of a good or service or (ii) with respect to a free trial lasting more than 30 days, notify a consumer of his option to cancel such free trial within 30 days of the end of the trial period to avoid an obligation to pay for the goods or services;

69. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains a synthetic derivative of tetrahydrocannabinol. As used in this subdivision, "synthetic derivative" means a chemical compound produced by man through a chemical transformation to turn a compound into a different compound by adding or subtracting molecules to or from the original compound. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

70. Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

71. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol, unless such substance is (i) contained in child-resistant packaging, as defined in § 4.1-600; (ii) equipped with a label that states, in English and in a font no less than 1/16 of an inch, (a) that the substance contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (b) all ingredients contained in the substance, (c) the amount of such substance that constitutes a single serving, and (d) the total percentage and milligrams of tetrahydrocannabinol included in the substance and the number of milligrams of tetrahydrocannabinol that are contained in each serving; and (iii) accompanied by a certificate of analysis, produced by an independent laboratory that is accredited pursuant to standard ISO/IEC 17025 of the International Organization of Standardization by a third-party accrediting body, that states the tetrahydrocannabinol concentration of the substance or the tetrahydrocannabinol concentration of the batch from which the substance originates. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

72. Manufacturing, offering for sale at retail, or selling at retail an industrial hemp extract, as defined in § 3.2-5145.1, a food containing an industrial hemp extract, or a substance containing tetrahydrocannabinol that depicts or is in the shape of a human, animal, vehicle, or fruit;

73. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol and, without authorization, bears, is packaged in a container or wrapper that bears, or is otherwise labeled to bear the trademark, trade name, famous mark as defined in 15 U.S.C. § 1125, or other identifying mark, imprint, or device, or any likeness thereof, of a manufacturer, processor, packer, or distributor of a product intended for human consumption other than the manufacturer, processor, packer, or distributor that did in fact so manufacture, process, pack, or distribute such substance;

74. Selling or offering for sale a topical hemp product, as defined in § 3.2-4112, that does not include a label stating that the product is not intended for human consumption. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.), (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1, or (iii) apply to topical hemp products that were manufactured prior to July 1, 2023, provided that the person provides documentation of the date of manufacture if requested;

75. Violating any provision of § 59.1-466.8;

76. Violating subsection F of § 36-96.3:1;

77. Selling or offering for sale (i) any kratom product to a person younger than 21 years of age or (ii) any kratom product that does not include a label listing all ingredients and with the following guidance: "This product may be harmful to your health, has not been evaluated by the FDA, and is not intended to diagnose, treat, cure, or prevent any disease." As used in this subdivision, "kratom" means any part of the leaf of the plant Mitragyna speciosa or any extract thereof;

78. Advertising of any ignition interlock system in Virginia by an ignition interlock vendor not approved by the Commission on the Virginia Alcohol Safety Action Program to operate in Virginia; targeted advertising of any ignition interlock system to a person before determination of guilt; and any advertising, whether before or after determination of guilt, without a conspicuous statement that such advertisement is not affiliated with any government agency. For purposes of this subdivision, "ignition interlock system" has the same meaning as ascribed to that term in § 18.2-270.1 and "targeted advertising" has the same meaning ascribed to that term in § 59.1-575 and includes direct mailings to an individual. This provision shall not apply to ignition interlock service vendor ads, pamphlets, or kiosk advertisements approved by the Commission on the Virginia Alcohol Safety Action Program and provided at a Commission-approved location;

79. Failing to disclose the total cost of a good or continuous service, as defined in § 59.1-207.45, to a consumer, including any mandatory fees or charges, prior to entering into an agreement for the sale of any such good or provision of any such continuous service;

80. Violating any provision of the Unfair Real Estate Service Agreement Act (§ 55.1-3200 et seq.);

81. Selling or offering for sale services as a professional mold remediator to be performed upon any residential dwelling without holding a mold remediation certification from the Institute of Inspection, Cleaning and Restoration Certification (IICRC); ~~and~~

82. Willfully violating any provision of § 59.1-444.4*; and*

83. Selling any food that is required by the FDA to have a nutrition label that does not meet the requirements of 21 C.F.R. Part 101.

B. Nothing in this section shall be construed to invalidate or make unenforceable any contract or lease solely by reason of the failure of such contract or lease to comply with any other law of the Commonwealth or any federal statute or regulation, to the extent such other law, statute, or regulation provides that a violation of such law, statute, or regulation shall not invalidate or make unenforceable such contract or lease.

§ 59.1-200. (Effective July 1, 2025) Prohibited practices.

A. The following fraudulent acts or practices committed by a supplier in connection with a consumer transaction are hereby declared unlawful:

1. Misrepresenting goods or services as those of another;

2. Misrepresenting the source, sponsorship, approval, or certification of goods or services;

3. Misrepresenting the affiliation, connection, or association of the supplier, or of the goods or services, with another;

4. Misrepresenting geographic origin in connection with goods or services;

5. Misrepresenting that goods or services have certain quantities, characteristics, ingredients, uses, or benefits;

6. Misrepresenting that goods or services are of a particular standard, quality, grade, style, or model;

7. Advertising or offering for sale goods that are used, secondhand, repossessed, defective, blemished, deteriorated, or reconditioned, or that are "seconds," irregulars, imperfects, or "not first class," without clearly and unequivocally indicating in the advertisement or offer for sale that the goods are used, secondhand, repossessed, defective, blemished, deteriorated, reconditioned, or are "seconds," irregulars, imperfects, or "not first class";

8. Advertising goods or services with intent not to sell them as advertised, or with intent not to sell at the price or upon the terms advertised.

In any action brought under this subdivision, the refusal by any person, or any employee, agent, or servant thereof, to sell any goods or services advertised or offered for sale at the price or upon the terms advertised or offered, shall be prima facie evidence of a violation of this subdivision. This paragraph shall not apply when it is clearly and conspicuously stated in the advertisement or offer by which such goods or services are advertised or offered for sale, that the supplier or offeror has a limited quantity or amount of such goods or services for sale, and the supplier or offeror at the time of such advertisement or offer did in fact have or reasonably expected to have at least such quantity or amount for sale;

9. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions;

10. Misrepresenting that repairs, alterations, modifications, or services have been performed or parts installed;

11. Misrepresenting by the use of any written or documentary material that appears to be an invoice or bill for merchandise or services previously ordered;

12. Notwithstanding any other provision of law, using in any manner the words "wholesale," "wholesaler," "factory," or "manufacturer" in the supplier's name, or to describe the nature of the supplier's business, unless the supplier is actually engaged primarily in selling at wholesale or in manufacturing the goods or services advertised or offered for sale;

13. Using in any contract or lease any liquidated damage clause, penalty clause, or waiver of defense, or attempting to collect any liquidated damages or penalties under any clause, waiver, damages, or penalties that are void or unenforceable under any otherwise applicable laws of the Commonwealth, or under federal statutes or regulations;

13a. Failing to provide to a consumer, or failing to use or include in any written document or material provided to or executed by a consumer, in connection with a consumer transaction any statement, disclosure, notice, or other information

however characterized when the supplier is required by 16 C.F.R. Part 433 to so provide, use, or include the statement, disclosure, notice, or other information in connection with the consumer transaction;

14. Using any other deception, fraud, false pretense, false promise, or misrepresentation in connection with a consumer transaction;

15. Violating any provision of § 3.2-6509, 3.2-6512, 3.2-6513, 3.2-6513.1, 3.2-6514, 3.2-6515, 3.2-6516, or 3.2-6519 is a violation of this chapter;

16. Failing to disclose all conditions, charges, or fees relating to:

a. The return of goods for refund, exchange, or credit. Such disclosure shall be by means of a sign attached to the goods, or placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the person obtaining the goods from the supplier. If the supplier does not permit a refund, exchange, or credit for return, he shall so state on a similar sign. The provisions of this subdivision shall not apply to any retail merchant who has a policy of providing, for a period of not less than 20 days after date of purchase, a cash refund or credit to the purchaser's credit card account for the return of defective, unused, or undamaged merchandise upon presentation of proof of purchase. In the case of merchandise paid for by check, the purchase shall be treated as a cash purchase and any refund may be delayed for a period of 10 banking days to allow for the check to clear. This subdivision does not apply to sale merchandise that is obviously distressed, out of date, post season, or otherwise reduced for clearance; nor does this subdivision apply to special order purchases where the purchaser has requested the supplier to order merchandise of a specific or unusual size, color, or brand not ordinarily carried in the store or the store's catalog; nor shall this subdivision apply in connection with a transaction for the sale or lease of motor vehicles, farm tractors, or motorcycles as defined in § 46.2-100;

b. A layaway agreement. Such disclosure shall be furnished to the consumer (i) in writing at the time of the layaway agreement, or (ii) by means of a sign placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the consumer, or (iii) on the bill of sale. Disclosure shall include the conditions, charges, or fees in the event that a consumer breaches the agreement;

16a. Failing to provide written notice to a consumer of an existing open-end credit balance in excess of $5 (i) on an account maintained by the supplier and (ii) resulting from such consumer's overpayment on such account. Suppliers shall give consumers written notice of such credit balances within 60 days of receiving overpayments. If the credit balance information is incorporated into statements of account furnished consumers by suppliers within such 60-day period, no separate or additional notice is required;

17. If a supplier enters into a written agreement with a consumer to resolve a dispute that arises in connection with a consumer transaction, failing to adhere to the terms and conditions of such an agreement;

18. Violating any provision of the Virginia Health Club Act, Chapter 24 (§ 59.1-294 et seq.);

19. Violating any provision of the Virginia Home Solicitation Sales Act, Chapter 2.1 (§ 59.1-21.1 et seq.);

20. Violating any provision of the Automobile Repair Facilities Act, Chapter 17.1 (§ 59.1-207.1 et seq.);

21. Violating any provision of the Virginia Lease-Purchase Agreement Act, Chapter 17.4 (§ 59.1-207.17 et seq.);

22. Violating any provision of the Prizes and Gifts Act, Chapter 31 (§ 59.1-415 et seq.);

23. Violating any provision of the Virginia Public Telephone Information Act, Chapter 32 (§ 59.1-424 et seq.);

24. Violating any provision of § 54.1-1505;

25. Violating any provision of the Motor Vehicle Manufacturers' Warranty Adjustment Act, Chapter 17.6 (§ 59.1-207.34 et seq.);

26. Violating any provision of § 3.2-5627, relating to the pricing of merchandise;

27. Violating any provision of the Pay-Per-Call Services Act, Chapter 33 (§ 59.1-429 et seq.);

28. Violating any provision of the Extended Service Contract Act, Chapter 34 (§ 59.1-435 et seq.);

29. Violating any provision of the Virginia Membership Camping Act, Chapter 25 (§ 59.1-311 et seq.);

30. Violating any provision of the Comparison Price Advertising Act, Chapter 17.7 (§ 59.1-207.40 et seq.);

31. Violating any provision of the Virginia Travel Club Act, Chapter 36 (§ 59.1-445 et seq.);

32. Violating any provision of §§ 46.2-1231 and 46.2-1233.1;

33. Violating any provision of Chapter 40 (§ 54.1-4000 et seq.) of Title 54.1;

34. Violating any provision of Chapter 10.1 (§ 58.1-1031 et seq.) of Title 58.1;

35. Using the consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use an alternate number not associated with the consumer's social security number;

36. Violating any provision of Chapter 18 (§ 6.2-1800 et seq.) of Title 6.2;

37. Violating any provision of § 8.01-40.2;

38. Violating any provision of Article 7 (§ 32.1-212 et seq.) of Chapter 6 of Title 32.1;

39. Violating any provision of Chapter 34.1 (§ 59.1-441.1 et seq.);

40. Violating any provision of Chapter 20 (§ 6.2-2000 et seq.) of Title 6.2;

41. Violating any provision of the Virginia Post-Disaster Anti-Price Gouging Act, Chapter 46 (§ 59.1-525 et seq.). For the purposes of this subdivision, "consumer transaction" has the same meaning as provided in § 59.1-526;

42. Violating any provision of Chapter 47 (§ 59.1-530 et seq.);

43. Violating any provision of § 59.1-443.2;

44. Violating any provision of Chapter 48 (§ 59.1-533 et seq.);

45. Violating any provision of Chapter 25 (§ 6.2-2500 et seq.) of Title 6.2;

46. Violating the provisions of clause (i) of subsection B of § 54.1-1115;

47. Violating any provision of § 18.2-239;

48. Violating any provision of Chapter 26 (§ 59.1-336 et seq.);

49. Selling, offering for sale, or manufacturing for sale a children's product the supplier knows or has reason to know was recalled by the U.S. Consumer Product Safety Commission. There is a rebuttable presumption that a supplier has reason to know a children's product was recalled if notice of the recall has been posted continuously at least 30 days before the sale, offer for sale, or manufacturing for sale on the website of the U.S. Consumer Product Safety Commission. This prohibition does not apply to children's products that are used, secondhand or "seconds";

50. Violating any provision of Chapter 44.1 (§ 59.1-518.1 et seq.);

51. Violating any provision of Chapter 22 (§ 6.2-2200 et seq.) of Title 6.2;

52. Violating any provision of § 8.2-317.1;

53. Violating subsection A of § 9.1-149.1;

54. Selling, offering for sale, or using in the construction, remodeling, or repair of any residential dwelling in the Commonwealth, any drywall that the supplier knows or has reason to know is defective drywall. This subdivision shall not apply to the sale or offering for sale of any building or structure in which defective drywall has been permanently installed or affixed;

55. Engaging in fraudulent or improper or dishonest conduct as defined in § 54.1-1118 while engaged in a transaction that was initiated (i) during a declared state of emergency as defined in § 44-146.16 or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is licensed as a contractor in the Commonwealth pursuant to Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1;

56. Violating any provision of Chapter 33.1 (§ 59.1-434.1 et seq.);

57. Violating any provision of § 18.2-178, 18.2-178.1, or 18.2-200.1;

58. Violating any provision of Chapter 17.8 (§ 59.1-207.45 et seq.). For the purposes of this subdivision, "consumer transaction" also includes transactions involving an automatic renewal or continuous service offer by a supplier to a small business, as those terms are defined in § 59.1-207.45;

59. Violating any provision of subsection E of § 32.1-126;

60. Violating any provision of § 54.1-111 relating to the unlicensed practice of a profession licensed under Chapter 11 (§ 54.1-1100 et seq.) or Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1;

61. Violating any provision of § 2.2-2001.5;

62. Violating any provision of Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1;

63. Violating any provision of § 6.2-312;

64. Violating any provision of Chapter 20.1 (§ 6.2-2026 et seq.) of Title 6.2;

65. Violating any provision of Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2;

66. Violating any provision of Chapter 54 (§ 59.1-586 et seq.);

67. Knowingly violating any provision of § 8.01-27.5;

68. Failing to, in accordance with § 59.1-207.46, (i) make available a conspicuous online option to cancel a recurring purchase of a good or service or (ii) with respect to a free trial lasting more than 30 days, notify a consumer of his option to cancel such free trial within 30 days of the end of the trial period to avoid an obligation to pay for the goods or services;

69. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains a synthetic derivative of tetrahydrocannabinol. As used in this subdivision, "synthetic derivative" means a chemical compound produced by man through a chemical transformation to turn a compound into a different compound by adding or subtracting molecules to or from the original compound. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

70. Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

71. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol, unless such substance is (i) contained in child-resistant packaging, as defined in § 4.1-600; (ii) equipped with a label that states, in English and in a font no less than 1/16 of an inch, (a) that the substance contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (b) all ingredients contained in the substance, (c) the amount of such substance that constitutes a single serving, and (d) the total percentage and milligrams of tetrahydrocannabinol included in the substance and the number of milligrams of tetrahydrocannabinol that are contained in each serving; and (iii) accompanied by a certificate of analysis, produced by an independent laboratory that is accredited pursuant to standard ISO/IEC 17025 of the International Organization of Standardization by a third-party accrediting body, that states the tetrahydrocannabinol concentration of the substance or the tetrahydrocannabinol concentration of the batch from which the substance originates. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

72. Manufacturing, offering for sale at retail, or selling at retail an industrial hemp extract, as defined in § 3.2-5145.1, a food containing an industrial hemp extract, or a substance containing tetrahydrocannabinol that depicts or is in the shape of a human, animal, vehicle, or fruit;

73. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol and, without authorization, bears, is packaged in a container or wrapper that bears, or is otherwise labeled to bear the trademark, trade name, famous mark as defined in 15 U.S.C. § 1125, or other identifying mark, imprint, or device, or any likeness thereof, of a manufacturer, processor, packer, or distributor of a product intended for human consumption other than the manufacturer, processor, packer, or distributor that did in fact so manufacture, process, pack, or distribute such substance;

74. Selling or offering for sale a topical hemp product, as defined in § 3.2-4112, that does not include a label stating that the product is not intended for human consumption. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.), (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1, or (iii) apply to topical hemp products that were manufactured prior to July 1, 2023, provided that the person provides documentation of the date of manufacture if requested;

75. Violating any provision of § 59.1-466.8;

76. Violating subsection F of § 36-96.3:1;

77. Selling or offering for sale (i) any kratom product to a person younger than 21 years of age or (ii) any kratom product that does not include a label listing all ingredients and with the following guidance: "This product may be harmful to your health, has not been evaluated by the FDA, and is not intended to diagnose, treat, cure, or prevent any disease." As used in this subdivision, "kratom" means any part of the leaf of the plant Mitragyna speciosa or any extract thereof;

78. Advertising of any ignition interlock system in Virginia by an ignition interlock vendor not approved by the Commission on the Virginia Alcohol Safety Action Program to operate in Virginia; targeted advertising of any ignition interlock system to a person before determination of guilt; and any advertising, whether before or after determination of guilt, without a conspicuous statement that such advertisement is not affiliated with any government agency. For purposes of this subdivision, "ignition interlock system" has the same meaning as ascribed to that term in § 18.2-270.1 and "targeted advertising" has the same meaning ascribed to that term in § 59.1-575 and includes direct mailings to an individual. This provision shall not apply to ignition interlock service vendor ads, pamphlets, or kiosk advertisements approved by the Commission on the Virginia Alcohol Safety Action Program and provided at a Commission-approved location;

79. Failing to disclose the total cost of a good or continuous service, as defined in § 59.1-207.45, to a consumer, including any mandatory fees or charges, prior to entering into an agreement for the sale of any such good or provision of any such continuous service;

80. Violating any provision of the Unfair Real Estate Service Agreement Act (§ 55.1-3200 et seq.);

81. Selling or offering for sale services as a professional mold remediator to be performed upon any residential dwelling without holding a mold remediation certification from the Institute of Inspection, Cleaning and Restoration Certification (IICRC);

82. Willfully violating any provision of § 59.1-444.4; ~~and~~

83. Violating any provision of Chapter 23.2 (§ 59.1-293.10 et seq.)*; and*

84. Selling any food that is required by the FDA to have a nutrition label that does not meet the requirements of 21 C.F.R. Part 101.

B. Nothing in this section shall be construed to invalidate or make unenforceable any contract or lease solely by reason of the failure of such contract or lease to comply with any other law of the Commonwealth or any federal statute or regulation, to the extent such other law, statute, or regulation provides that a violation of such law, statute, or regulation shall not invalidate or make unenforceable such contract or lease.

CHAPTER 343

An Act to amend and reenact §§ 18.2-270.1 and 18.2-271.1 of the Code of Virginia, relating to ignition interlock system; duration.

[S 1392]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-270.1 and 18.2-271.1 of the Code of Virginia are amended and reenacted as follows:

§ 18.2-270.1. Ignition interlock systems; penalty.

A. For purposes of this section and § 18.2-270.2:

"Commission" means the Commission on VASAP.

"Department" means the Department of Motor Vehicles.

"Ignition interlock system" means a device that (i) connects a motor vehicle ignition system to an analyzer that measures a driver's blood alcohol content; (ii) prevents a motor vehicle ignition from starting if a driver's blood alcohol

content exceeds 0.02 percent; and (iii) is equipped with the ability to perform a rolling retest and to electronically log the blood alcohol content during ignition, attempted ignition, and rolling retest.

"Remote alcohol monitoring device" means an unsupervised mobile testing device with the ability to confirm the location and presence of alcohol in a person and that is capable of scheduled, random, and on-demand tests that provide immediate, or as-requested, results. A testing device may be worn or used by persons ordered by the court to provide measurements of the presence of alcohol in their blood.

"Rolling retest" means a test of the vehicle operator's blood alcohol content required at random intervals during operation of the vehicle, which triggers the sounding of the horn and flashing of lights if (i) the test indicates that the operator has a blood alcohol content which exceeds 0.02 percent or (ii) the operator fails to take the test.

B. In addition to any penalty provided by law for a conviction under § 18.2-51.4 or clauses (i), (ii), or (iv) of § 18.2-266 or a substantially similar ordinance of any county, city, or town, any court of proper jurisdiction shall, as a condition of a restricted license, prohibit an offender from operating a motor vehicle that is not equipped with a functioning, certified ignition interlock system for any period of time not to exceed the period of license suspension and restriction, not less than ~~six~~ *12* consecutive months without alcohol-related violations of the interlock requirements. In addition to any penalty provided by law for a conviction under clauses (iii) or (v) of § 18.2-266 or a substantially similar ordinance of any county, city, or town, any court of proper jurisdiction may, for a first offense, as a condition of a restricted license, prohibit an offender from operating a motor vehicle that is not equipped with a functioning, certified ignition interlock system for any period of time not to exceed the period of license suspension and restriction, not less than ~~six~~ *12* consecutive months without alcohol-related violations of the interlock requirements. The court shall, as a condition of a restricted license for a conviction under § 18.2-51.4, a second or subsequent offense of § 18.2-266 or a substantially similar ordinance of any county, city, or town, or as a condition of license restoration pursuant to subsection C of § 18.2-271.1 or § 46.2-391, require that such a system be installed on each motor vehicle, as defined in § 46.2-100, owned by or registered to the offender, in whole or in part, for any period of time not less than ~~six~~ *12* consecutive months without alcohol-related violations of the interlock requirements. Such condition shall be in addition to any purposes for which a restricted license may be issued pursuant to § 18.2-271.1. Whenever an ignition interlock system is required, the court may order the installation of an ignition interlock system to commence immediately upon conviction. A fee of $20 to cover court and administrative costs related to the ignition interlock system shall be paid by any such offender to the clerk of the court. The court shall require the offender to install an electronic log device with the ignition interlock system on a vehicle designated by the court to measure the blood alcohol content at each attempted ignition and random rolling retest during operation of the vehicle. The offender shall be enrolled in and supervised by an alcohol safety action program pursuant to § 18.2-271.1 and to conditions established by regulation under § 18.2-270.2 by the Commission during the period for which the court has ordered installation of the ignition interlock system. The offender shall be further required to provide to such program, at least quarterly during the period of court ordered ignition interlock installation, a printout from such electronic log indicating the offender's blood alcohol content during such ignitions, attempted ignitions, and rolling retests, and showing attempts to circumvent or tamper with the equipment. The period of time during which the offender (i) is prohibited from operating a motor vehicle that is not equipped with an ignition interlock system or (ii) is required to have an ignition interlock system installed on each motor vehicle owned by or registered to the offender, in whole or in part, shall be calculated from the date the offender is issued a restricted license by the court; however, such period of time shall be tolled upon the expiration of the restricted license issued by the court until such time as the person is issued a restricted license by the Department.

C. However, ~~upon motion of an offender,~~ if (i) a conviction was under § 18.2-266 or a substantially similar ordinance of any county, city, or town; (ii) the conviction was for a first offense; *and* (iii) the offender was an adult at the time of the offense~~; and (iv) the offenders' blood alcohol content was less than 0.15~~, the only restriction of a restricted license that the court shall impose is to prohibit the offender from operating a motor vehicle that is not equipped with a functioning, certified ignition interlock system for not less than 12 consecutive months without alcohol-related violations of the interlock requirements. *Upon motion of an offender, a court may require a minimum of six consecutive months without alcohol-related violations of the interlock requirements if additional restrictions are ordered for the duration of the restricted license.*

D. In any case in which the court requires the installation of an ignition interlock system, the court shall order the offender not to operate any motor vehicle that is not equipped with such a system for the period of time that the interlock restriction is in effect. The clerk of the court shall file with the Department of Motor Vehicles a copy of the order, which shall become a part of the offender's operator's license record maintained by the Department. The Department shall issue to the offender for the period during which the interlock restriction is imposed a restricted license which shall appropriately set forth the restrictions required by the court under this subsection and any other restrictions imposed upon the offender's driving privilege, and shall also set forth any exception granted by the court under subsection I.

E. The court may, upon motion of an offender who is ineligible to receive a restricted license in accordance with subsection C, order that the offender (i) use a remote alcohol monitoring device for a period of time coextensive with the period of time of the prohibition imposed under subsection B and (ii) refrain from alcohol consumption during such period of time. Additionally, upon such motion and pursuant to § 18.2-271.1, the court may issue a restricted license to operate a motor vehicle for any purpose to a person who is prohibited from operating a motor vehicle that is not equipped with a functioning, certified ignition interlock system when such person is ordered to use a remote alcohol monitoring device

pursuant to this subsection and has a functioning, certified ignition interlock system installed on each motor vehicle, as defined in § 46.2-100, owned by or registered to the offender, in whole or in part.

A fee of $20 to cover court and administrative costs related to the remote alcohol monitoring device shall be paid by any such offender to the clerk of the court. The offender shall be enrolled in and supervised by an alcohol safety action program pursuant to § 18.2-271.1 and shall comply with all conditions established by regulation under § 18.2-270.2 by the Commission during the period for which the court has ordered the use of a remote alcohol monitoring device. The offender shall be further required to provide to such program, at least quarterly during the period of time the offender is ordered to use a remote alcohol monitoring device, a copy of the data from such device indicating the offender's blood alcohol content and showing attempts to circumvent or tamper with the device. The period of time during which the offender is required to use a remote alcohol monitoring device shall be calculated from the date the offender is issued a restricted license by the court; however, such period of time shall be tolled upon the expiration of the restricted license issued by the court until such time as the person is issued a restricted license by the Department.

F. The offender shall be ordered to provide the appropriate ASAP program, within 30 days of the effective date of the order of court, proof of the installation of the ignition interlock system, and, if applicable, proof that the offender is using a remote alcohol monitoring device. The Program shall require the offender to have the system and device monitored and calibrated for proper operation at least every 30 days by an entity approved by the Commission under the provisions of § 18.2-270.2 and to demonstrate proof thereof. The offender shall pay the cost of leasing or buying and monitoring and maintaining the ignition interlock system and the remote alcohol monitoring device. Absent good cause shown, the court may revoke the offender's driving privilege for failing to (i) timely install such system or use such device or (ii) have the system or device properly monitored and calibrated.

G. No person shall start or attempt to start a motor vehicle equipped with an ignition interlock system for the purpose of providing an operable motor vehicle to a person who is prohibited under this section from operating a motor vehicle that is not equipped with an ignition interlock system. No person shall tamper with, or in any way attempt to circumvent the operation of, an ignition interlock system that has been installed in the motor vehicle of a person under this section. Except as authorized in subsection I, no person shall knowingly furnish a motor vehicle not equipped with a functioning ignition interlock system to any person prohibited under subsection B from operating any motor vehicle that is not equipped with such system. A violation of this subsection is punishable as a Class 1 misdemeanor. The venue for the prosecution of a violation of this subsection shall be where the offense occurred or the jurisdiction in which the order entered pursuant to subsection B was entered.

H. No person shall tamper with, or in any way attempt to circumvent the operation of, a remote alcohol monitoring device that an offender is ordered to use under this section. A violation of this subsection is punishable as a Class 1 misdemeanor.

Any person who violates this subsection shall have his restricted license issued pursuant to subsection E, as it shall become effective on July 1, 2021, revoked. The court may, in its discretion and for good cause shown, provide that such person be issued a restricted permit to operate a motor vehicle in accordance with the terms of a restricted license issued pursuant to subsection E of § 18.2-271.1.

I. Any person prohibited from operating a motor vehicle under subsection B may, solely in the course of his employment, operate a motor vehicle that is owned or provided by his employer without installation of an ignition interlock system, if the court expressly permits such operation as a condition of a restricted license at the request of the employer; such person shall not be permitted to operate any other vehicle without a functioning ignition interlock system and, in no event, shall such person be permitted to operate a school bus, school vehicle, or a commercial motor vehicle as defined in § 46.2-341.4. This subsection shall not apply if such employer is an entity wholly or partially owned or controlled by the person otherwise prohibited from operating a vehicle without an ignition interlock system.

J. The Commission shall promulgate such regulations and forms as are necessary to implement the procedures outlined in this section.

§ 18.2-271.1. Probation, education, and rehabilitation of person charged or convicted; person convicted under law of another state or federal law.

A. Any person convicted of a first or second offense of § 18.2-266, or any ordinance of a county, city, or town similar to the provisions thereof, or provisions of subsection A of § 46.2-341.24, shall be required by court order, as a condition of probation or otherwise, to enter into and successfully complete an alcohol safety action program in the judicial district in which such charge is brought or in any other judicial district upon such terms and conditions as the court may set forth. However, upon motion of a person convicted of any such offense following an assessment of the person conducted by an alcohol safety action program, the court, for good cause, may decline to order participation in such a program if the assessment by the alcohol safety action program indicates that intervention is not appropriate for such person. In no event shall such persons be permitted to enter any such program which is not certified as meeting minimum standards and criteria established by the Commission on the Virginia Alcohol Safety Action Program (VASAP) pursuant to this section and to § 18.2-271.2. However, any person charged with a violation of a first or second offense of § 18.2-266, or any ordinance of a county, city, or town similar to the provisions thereof, or provisions of subsection A of § 46.2-341.24, may, at any time prior to trial, enter into an alcohol safety action program in the judicial district in which such charge is brought or in any other judicial district. Any person who enters into such program prior to trial may pre-qualify with the program to have an ignition interlock system installed on any motor vehicle owned or operated by him. However, no ignition interlock company

shall install an ignition interlock system on any such vehicle until a court issues to the person a restricted license with the ignition interlock restriction.

B. The court shall require the person entering such program under the provisions of this section to pay a fee of no less than $250 but no more than $300. A reasonable portion of such fee, as may be determined by the Commission on VASAP, but not to exceed 10 percent, shall be forwarded monthly to be deposited with the State Treasurer for expenditure by the Commission on VASAP, and the balance shall be held in a separate fund for local administration of driver alcohol rehabilitation programs. Upon a positive finding that the defendant is indigent, the court may reduce or waive the fee. In addition to the costs of the proceeding, fees as may reasonably be required of defendants referred for intervention under any such program may be charged.

C. Upon conviction of a violation of § 18.2-266 or any ordinance of a county, city or town similar to the provisions thereof, or subsection A of § 46.2-341.24, the court shall impose the sentence authorized by § 18.2-270 or 46.2-341.28 and the license revocation as authorized by § 18.2-271. In addition, if the conviction was for a second offense committed within less than 10 years after a first such offense, the court shall order that restoration of the person's license to drive be conditioned upon the installation of an ignition interlock system on each motor vehicle, as defined in § 46.2-100, owned by or registered to the person, in whole or in part, for a period of ~~six~~ *12 consecutive* months *without alcohol-related violations of the interlock requirements* beginning at the end of the ~~three year~~ *three-year* license revocation, unless such a system has already been installed for ~~six~~ *12 consecutive* months *without alcohol-related violations of the interlock requirements* prior to that time pursuant to a restricted license order under subsection E. Upon a finding that a person so convicted is required to participate in the program described herein, the court shall enter the conviction on the warrant, and shall note that the person so convicted has been referred to such program. The court may then proceed to issue an order in accordance with subsection E, if the court finds that the person so convicted is eligible for a restricted license. If the court finds good cause for a person not to participate in such program or subsequently that such person has violated, without good cause, any of the conditions set forth by the court in entering the program, the court shall dispose of the case as if no program had been entered, in which event the revocation provisions of § 46.2-389 and subsection A of § 46.2-391 shall be applicable to the conviction. The court shall, upon final disposition of the case, send a copy of its order to the Commissioner of the Department of Motor Vehicles. If such order provides for the issuance of a restricted license, the Commissioner of the Department of Motor Vehicles, upon receipt thereof, shall issue a restricted license. The period of time during which the person (i) is prohibited from operating a motor vehicle that is not equipped with an ignition interlock system, (ii) is required to have an ignition interlock system installed on each motor vehicle owned by or registered to the person, in whole or in part, or (iii) is required to use a remote alcohol monitoring device shall be calculated from the date the person is issued a restricted license by the court; however, such period of time shall be tolled upon the expiration of the restricted license issued by the court until such time as the person is issued a restricted license by the Department of Motor Vehicles. Appeals from any such disposition shall be allowed as provided by law. The time within which an appeal may be taken shall be calculated from the date of the final disposition of the case or any motion for rehearing, whichever is later.

D. Any person who has been convicted under the law of another state or the United States of an offense substantially similar to the provisions of § 18.2-266 or subsection A of § 46.2-341.24, and whose privilege to operate a motor vehicle in this Commonwealth is subject to revocation under the provisions of § 46.2-389 and subsection A of § 46.2-391, may petition the general district court of the county or city in which he resides that he be given probation and assigned to a program as provided in subsection A and that, upon entry into such program, he be issued an order in accordance with subsection E. If the court finds that such person would have qualified therefor if he had been convicted in this Commonwealth of a violation of § 18.2-266 or subsection A of § 46.2-341.24, the court may grant the petition and may issue an order in accordance with subsection E as to the period of license suspension or revocation imposed pursuant to § 46.2-389 or subsection A of § 46.2-391. The court (i) shall, as a condition of a restricted license, prohibit such person from operating a motor vehicle that is not equipped with a functioning, certified ignition interlock system for a period of time not to exceed the period of license suspension and restriction, not less than ~~six~~ *12* consecutive months without alcohol-related violations of interlock requirements, and (ii) may, upon request of such person and as a condition of a restricted license, require such person to use a remote alcohol monitoring device in accordance with the provisions of subsection E of § 18.2-270.1. Such order shall be conditioned upon the successful completion of a program by the petitioner. If the court subsequently finds that such person has violated any of the conditions set forth by the court, the court shall dispose of the case as if no program had been entered and shall notify the Commissioner, who shall revoke the person's license in accordance with the provisions of § 46.2-389 or subsection A of § 46.2-391. A copy of the order granting the petition or subsequently revoking or suspending such person's license to operate a motor vehicle shall be forthwith sent to the Commissioner of the Department of Motor Vehicles. The period of time during which the person (a) is prohibited from operating a motor vehicle that is not equipped with an ignition interlock system or (b) is required to use a remote alcohol monitoring device shall be calculated from the date the person is issued a restricted license by the court; however, such period of time shall be tolled upon the expiration of the restricted license issued by the court until such time as the person is issued a restricted license by the Department of Motor Vehicles.

No period of license suspension or revocation shall be imposed pursuant to this subsection which, when considered together with any period of license suspension or revocation previously imposed for the same offense under the law of another state or the United States, results in such person's license being suspended for a period in excess of the maximum periods specified in this subsection.

E. Except as otherwise provided herein, if a person enters a certified program pursuant to this section, and such person's license to operate a motor vehicle, engine, or train in the Commonwealth has been suspended or revoked, or a person's license to operate a motor vehicle, engine, or train in the Commonwealth has been suspended or revoked pursuant to former § 18.2-259.1 or 46.2-390.1, the court may, in its discretion and for good cause shown, provide that such person be issued a restricted permit to operate a motor vehicle for any of the following purposes: (i) travel to and from his place of employment; (ii) travel to and from an alcohol rehabilitation or safety action program; (iii) travel during the hours of such person's employment if the operation of a motor vehicle is a necessary incident of such employment; (iv) travel to and from school if such person is a student, upon proper written verification to the court that such person is enrolled in a continuing program of education; (v) travel for health care services, including medically necessary transportation of an elderly parent or, as designated by the court, any person residing in the person's household with a serious medical problem upon written verification of need by a licensed health professional; (vi) travel necessary to transport a minor child under the care of such person to and from school, day care, and facilities housing medical service providers; (vii) travel to and from court-ordered visitation with a child of such person; (viii) travel to a screening, evaluation, and education program entered pursuant to § 18.2-251 or subsection H of § 18.2-258.1; (ix) travel to and from court appearances in which he is a subpoenaed witness or a party and appointments with his probation officer and to and from any programs required by the court or as a condition of probation; (x) travel to and from a place of religious worship one day per week at a specified time and place; (xi) travel to and from appointments approved by the Division of Child Support Enforcement of the Department of Social Services as a requirement of participation in an administrative or court-ordered intensive case monitoring program for child support for which the participant maintains written proof of the appointment, including written proof of the date and time of the appointment, on his person; (xii) travel to and from jail to serve a sentence when such person has been convicted and sentenced to confinement in jail and pursuant to § 53.1-131.1 the time to be served is on weekends or nonconsecutive days; (xiii) travel to and from the facility that installed or monitors the ignition interlock in the person's vehicle; (xiv) travel to and from a job interview for which he maintains on his person written proof from the prospective employer of the date, time, and location of the job interview; or (xv) travel to and from the offices of the Virginia Employment Commission for the purpose of seeking employment. However, (a) any such person who is eligible to receive a restricted license as provided in subsection C of § 18.2-270.1 or (b) any such person ordered to use a remote alcohol monitoring device pursuant to subsection E of § 18.2-270.1 who has a functioning, certified ignition interlock system as required by law may be issued a restricted permit to operate a motor vehicle for any lawful purpose. No restricted license issued pursuant to this subsection shall permit any person to operate a commercial motor vehicle as defined in the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.). The court shall order the surrender of such person's license to operate a motor vehicle to be disposed of in accordance with the provisions of § 46.2-398 and shall forward to the Commissioner of the Department of Motor Vehicles a copy of its order entered pursuant to this subsection, which shall specifically enumerate the restrictions imposed and contain such information regarding the person to whom such a permit is issued as is reasonably necessary to identify such person. The court shall also provide a copy of its order to the person so convicted who may operate a motor vehicle on the order until receipt from the Commissioner of the Department of Motor Vehicles of a restricted license, if the order provides for a restricted license for that time period. A copy of such order and, after receipt thereof, the restricted license shall be carried at all times while operating a motor vehicle. Any person who operates a motor vehicle in violation of any restrictions imposed pursuant to this section is guilty of a violation of § 18.2-272. Such restricted license shall be conditioned upon enrollment within 15 days in, and successful completion of, a program as described in subsection A. No restricted license shall be issued during the first four months of a revocation imposed pursuant to subsection B of § 18.2-271 or subsection A of § 46.2-391 for a second offense of the type described therein committed within 10 years of a first such offense. No restricted license shall be issued during the first year of a revocation imposed pursuant to subsection B of § 18.2-271 or subsection A of § 46.2-391 for a second offense of the type described therein committed within five years of a first such offense. No restricted license shall be issued during any revocation period imposed pursuant to subsection C of § 18.2-271 or subsection B of § 46.2-391. Notwithstanding the provisions of § 46.2-411, the fee charged pursuant to § 46.2-411 for reinstatement of the driver's license of any person whose privilege or license has been suspended or revoked as a result of a violation of § 18.2-266, subsection A of § 46.2-341.24 or of any ordinance of a county, city, or town, or of any federal law or the laws of any other state similar to the provisions of § 18.2-266 or subsection A of § 46.2-341.24 shall be $105. Forty dollars of such reinstatement fee shall be retained by the Department of Motor Vehicles as provided in § 46.2-411, $40 shall be transferred to the Commission on VASAP, and $25 shall be transferred to the Commonwealth Neurotrauma Initiative Trust Fund. Any person who is otherwise eligible to receive a restricted license issued in accordance with this subsection or as otherwise provided by law shall not be required to pay in full his fines and costs, as defined in § 19.2-354.1, before being issued such restricted license.

F. The court shall have jurisdiction over any person entering such program under any provision of this section, or under any provision of § 46.2-392, until such time as the case has been disposed of by either successful completion of the program, or revocation due to ineligibility or violation of a condition or conditions imposed by the court, whichever shall first occur. Revocation proceedings shall be commenced by notice to show cause why the court should not revoke the privilege afforded by this section. Such notice shall be made by first-class mail to the last known address of such person, and shall direct such person to appear before the court in response thereto on a date contained in such notice, which shall not be less than 10 days from the date of mailing of the notice. Failure to appear in response to such notice shall of itself be

grounds for revocation of such privilege. Notice of revocation under this subsection shall be sent forthwith to the Commissioner of the Department of Motor Vehicles.

G. For the purposes of this section, any court that has convicted a person of a violation of § 18.2-266, subsection A of § 46.2-341.24, any ordinance of a county, city, or town similar to the provisions of § 18.2-266, or any reckless driving violation under Article 7 (§ 46.2-852 et seq.) of Chapter 8 of Title 46.2 and such person was initially charged with a violation of § 18.2-266, subsection A of § 46.2-341.24, or any ordinance of a county, city, or town similar to the provisions of § 18.2-266 shall have continuing jurisdiction over such person during any period of license revocation related to that conviction, for the limited purposes of (i) referring such person to a certified alcohol safety action program, (ii) providing for a restricted permit for such person in accordance with the provisions of subsection E, and (iii) imposing terms, conditions and limitations for actions taken pursuant to clauses (i) and (ii), whether or not it took either such action at the time of the conviction. This continuing jurisdiction is subject to the limitations of subsection E that provide that no restricted license shall be issued during a revocation imposed pursuant to subsection C of § 18.2-271 or subsection B of § 46.2-391 or during the first four months or first year, whichever is applicable, of the revocation imposed pursuant to subsection B of § 18.2-271 or subsection A of § 46.2-391. The provisions of this subsection shall apply to a person convicted of a violation of § 18.2-266, subsection A of § 46.2-341.24, any ordinance of a county, city, or town similar to the provisions of § 18.2-266, or any reckless driving violation under Article 7 (§ 46.2-852 et seq.) of Chapter 8 of Title 46.2 and such person was initially charged with a violation of § 18.2-266, subsection A of § 46.2-341.24, or any ordinance of a county, city, or town similar to the provisions of § 18.2-266 on, after and at any time prior to July 1, 2003.

H. The State Treasurer, the Commission on VASAP or any city or county is authorized to accept any gifts or bequests of money or property, and any grant, loan, service, payment or property from any source, including the federal government, for the purpose of driver alcohol education. Any such gifts, bequests, grants, loans or payments shall be deposited in the separate fund provided in subsection B.

I. The Commission on VASAP, or any county, city, or town, or any combination thereof, may establish and, if established, shall operate, in accordance with the standards and criteria required by this subsection, alcohol safety action programs in connection with highway safety. Each such program shall operate under the direction of a local independent policy board. Such local independent policy board shall be chosen in accordance with procedures approved and promulgated by the Commission on VASAP. Such procedures shall provide that the board shall endeavor to select one criminal defense attorney who has specialized knowledge in representing persons charged with driving while intoxicated offenses and one local attorney for the Commonwealth to sit on such local independent policy board. Local sitting or retired district court judges who regularly hear or heard cases involving driving under the influence and are familiar with their local alcohol safety action programs may serve on such boards. The Commission on VASAP shall establish minimum standards and criteria for the implementation and operation of such programs and shall establish procedures to certify all such programs to ensure that they meet the minimum standards and criteria stipulated by the Commission. The Commission shall also establish criteria for the administration of such programs for public information activities, for accounting procedures, for the auditing requirements of such programs and for the allocation of funds. Funds paid to the Commonwealth hereunder shall be utilized in the discretion of the Commission on VASAP to offset the costs of state programs and local programs run in conjunction with any county, city or town and costs incurred by the Commission. The Commission shall submit an annual report as to actions taken at the close of each calendar year to the Governor and the General Assembly.

J. Notwithstanding any other provisions of this section or of § 18.2-271, nothing in this section shall permit the court to suspend, reduce, limit, or otherwise modify any disqualification from operating a commercial motor vehicle imposed under the provisions of the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.).

CHAPTER 344

An Act to direct the Department of Environmental Quality to promulgate administrative regulations relating to mission-critical affected emergency generators; emergency.

[S 1407]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the State Air Pollution Control Board regulations in 9VAC5-80 and 9VAC5-540 of the Virginia Administrative Code shall allow any affected emergency generator to operate up to 50 hours per year for nonemergency purposes, including planned outages and switch gear and related electrical system testing, so as to be consistent with the U.S. Environmental Protection Agency's National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines pursuant to 40 C.F.R. Part 63 Subpart ZZZZ and New Source Performance Standards pursuant to 40 C.F.R. Part 60 Subparts IIII and JJJJ. For purposes of this act, "affected emergency generator" means any emergency generator, whether or not located on a military installation as defined in § 15.2-2201 of the Code of Virginia, that has been certified to the Department of Environmental Quality by the U.S. Department of Defense or relevant branch of the United Stated Armed Forces as mission-critical and essential to the defense of the United States.*

2. That the provisions of this act shall be incorporated into 9VAC5-80 and 9VAC5-540 of the Virginia Administrative Code by the Department of Environmental Quality, which shall promulgate regulations to implement the provisions

of this act without further action by the State Air Pollution Control Board. Such incorporation and promulgation by the Department of Environmental Quality shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia) and shall become effective upon submission for publication in the Virginia Register of Regulations.

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

CHAPTER 345

An Act to amend and reenact §§ 8.01-301, 19.2-53, and 19.2-56 of the Code of Virginia, relating to domestic corporation or foreign corporation transacting business in Commonwealth; search warrants; service of process; electronic records.

[S 1412]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-301, 19.2-53, and 19.2-56 of the Code of Virginia are amended and reenacted as follows:

§ 8.01-301. How process served on foreign stock or nonstock corporations and foreign limited liability companies generally.

Subject to § 8.01-286.1, service of process on a foreign stock or nonstock corporation or a foreign limited liability company may be effected in the following manner:

1. By personal service on any officer or director or the registered agent of a foreign stock or nonstock corporation that is authorized to do business in the Commonwealth, by personal service on any agent of any such foreign corporation transacting business in the Commonwealth without such authorization, wherever any such officer, director, or agents be found within the Commonwealth, and by personal service on the registered agent of a foreign limited liability company that is registered to do business in the Commonwealth;

2. By substituted service on (i) a foreign stock or nonstock corporation in accordance with §§ 13.1-766 and 13.1-928, respectively, and on a foreign limited liability company in accordance with § 13.1-1018, if any such corporation or limited liability company is authorized or registered to transact business or affairs within the Commonwealth, and (ii) a foreign stock or nonstock corporation in accordance with subsection F of § 13.1-758 and subsection E of § 13.1-920, respectively, and on a foreign limited liability company in accordance with subsection E of § 13.1-1057, if any such corporation or limited liability company is not authorized or registered to transact business within the Commonwealth;

3. By substituted service on a foreign stock or nonstock corporation or foreign limited liability company in accordance with § 8.01-329, or by service in accordance with § 8.01-320, where jurisdiction is authorized under § 8.01-328.1, regardless of whether any such foreign corporation or foreign limited liability company is authorized or registered to transact business within the Commonwealth; or

4. By order of publication in accordance with §§ 8.01-316 and 8.01-317 where jurisdiction in rem or quasi in rem is authorized, regardless of whether the foreign stock or nonstock corporation or foreign limited liability company so served is authorized or registered to transact business within the Commonwealth.

This section does not prescribe the only means, or necessarily the required means, of serving a foreign stock or nonstock corporation or foreign limited liability company.

For the purposes of responding to a subpoena served in the manner prescribed by this section, a foreign corporation transacting business in the Commonwealth that has a registered agent in the Commonwealth shall be deemed to have consented to service.

§ 19.2-53. What may be searched and seized.

A. Search warrants may be issued for the search of or for specified places, things, or persons, and seizure therefrom of the following things as specified in the warrant:

1. Weapons or other objects used in the commission of crime;

2. Articles or things the sale or possession of which is unlawful;

3. Stolen property or the fruits of any crime;

4. Any object, thing, or person, including ~~without limitation,~~ *(i)* documents, *(ii)* books, *(iii)* papers, *(iv)* records, ~~or~~ *(v)* body fluids*, or (vi) electronic records stored within or outside the Commonwealth of a commercial enterprise, whether a domestic corporation or a foreign corporation, that is transacting or has transacted any business in the Commonwealth*, constituting evidence of the commission of crime; or

5. Any person to be arrested for whom a warrant or process for arrest has been issued.

Notwithstanding any other provision in this chapter to the contrary, no search warrant may be issued as a substitute for a witness subpoena.

B. Any search warrant issued for the search and seizure of a computer, computer network, or other device containing electronic or digital information shall be deemed to include the search and seizure of the physical components and the electronic or digital information contained in any such computer, computer network, or other device, except information for which a search warrant is prohibited by § 19.2-60.2.

C. Any search, including the search of the contents of any computer, computer network, or other device conducted pursuant to subsection B, may be conducted in any location and is not limited to the location where the evidence was seized.

§ 19.2-56. To whom search warrant directed; what it shall command; warrant to show date and time of issuance; copy of affidavit to be part of warrant and served therewith; warrants not executed within 15 days.

A. The judge, magistrate, or other official authorized to issue criminal warrants shall issue a search warrant only if he finds from the facts or circumstances recited in the affidavit that there is probable cause for the issuance thereof. *If a search warrant is issued for electronic records of a foreign corporation, as described in § 19.2-53, such affidavit shall state that the complainant believes such records are actually or constructively possessed by such foreign corporation. In order to comply with the requirements of § 19.2-54, any search of the records of a foreign corporation, as described in § 19.2-53, shall be deemed to have been made in the same place where the search warrant was issued.*

Every search warrant shall be directed (i) to the sheriff, sergeant, or any policeman of the county, city, or town in which the place to be searched is located; (ii) to any law-enforcement officer or agent employed by the Commonwealth and vested with the powers of sheriffs and police; or (iii) jointly to any such sheriff, sergeant, policeman, or law-enforcement officer or agent and an agent, special agent, or officer of the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco, Firearms and Explosives of the U.S. Department of Justice, the United States Naval Criminal Investigative Service, the United States Army Criminal Investigation Division, the United States Air Force Office of Special Investigations, or the U.S. Department of Homeland Security or any inspector, law-enforcement official, or police personnel of the United States Postal Service or the U.S. Drug Enforcement Administration. The warrant shall (a) name the affiant, (b) recite the offense or the identity of the person to be arrested for whom a warrant or process for arrest has been issued in relation to which the search is to be made, (c) name or describe the place to be searched, (d) describe the property or person to be searched for, and (e) recite that the magistrate has found probable cause to believe that the property or person constitutes evidence of a crime (identified in the warrant) or tends to show that a person (named or described therein) has committed or is committing a crime or that the person to be arrested for whom a warrant or process for arrest has been issued is located at the place to be searched.

The warrant shall command that the place be forthwith searched and that the objects or persons described in the warrant, if found there, be seized. An inventory shall be produced before a court having jurisdiction of the offense or over the person to be arrested for whom a warrant or process for arrest has been issued in relation to which the warrant was issued as provided in § 19.2-57.

Any such warrant as provided in this section shall be executed by the policeman or other law-enforcement officer or agent into whose hands it shall come or be delivered. If the warrant is directed jointly to a sheriff, sergeant, policeman, or law-enforcement officer or agent of the Commonwealth and a federal agent or officer as otherwise provided in this section, the warrant may be executed jointly or by the policeman, law-enforcement officer, or agent into whose hands it is delivered. No other person may be permitted to be present during or participate in the execution of a warrant to search a place except (1) the owners and occupants of the place to be searched when permitted to be present by the officer in charge of the conduct of the search and (2) persons designated by the officer in charge of the conduct of the search to assist or provide expertise in the conduct of the search.

Any search warrant for records or other information pertaining to a subscriber to, or customer of, an electronic communication service or remote computing service, whether a domestic corporation or foreign corporation, that is transacting or has transacted any business in the Commonwealth, to be executed upon such service provider may be executed within or outside the Commonwealth by hand, United States mail, commercial delivery service, facsimile, or other electronic means upon the service provider. Notwithstanding the provisions of § 19.2-57, the officer executing a warrant pursuant to this paragraph shall endorse the date of execution thereon and shall file the warrant, with the inventory attached (or a notation that no property was seized) and the accompanying affidavit, unless such affidavit was made by voice or videotape recording, within three days after the materials ordered to be produced are received by the officer from the service provider. The return shall be made in the circuit court clerk's office for the jurisdiction wherein the warrant was (A) executed, if executed within the Commonwealth, and a copy of the return shall also be delivered to the clerk of the circuit court of the county or city where the warrant was issued or (B) issued, if executed outside the Commonwealth. Saturdays, Sundays, or any federal or state legal holiday shall not be used in computing the three-day filing period.

Electronic communication service or remote computing service providers, whether a foreign or domestic corporation, shall also provide the contents of electronic communications pursuant to a search warrant issued under this section and § 19.2-70.3 using the same process described in the preceding paragraph.

Any search warrant for electronic records or other information stored outside of the Commonwealth by a commercial enterprise, whether a domestic corporation or a foreign corporation, that is transacting or has transacted any business in the Commonwealth, to be executed upon such commercial enterprise may be executed within or outside the Commonwealth by hand, United States mail, commercial delivery service, facsimile, or other electronic means upon the commercial enterprise. Notwithstanding the provisions of § 19.2-57, the officer executing a warrant pursuant to this paragraph shall endorse the date of execution thereon and shall file the warrant, with the inventory attached (or a notation that no property was seized) and the accompanying affidavit, unless such affidavit was made by voice or videotape recording, within three days after the materials ordered to be produced are received by the officer from the commercial enterprise. The return shall be made in the circuit court clerk's office for the jurisdiction wherein the warrant was (I) executed, if executed within the Commonwealth, and a copy of the return shall also be delivered to the clerk of the circuit court of the county or city where the warrant was issued or (II) issued, if executed outside the Commonwealth. Saturdays, Sundays, or any federal or state legal holiday shall not be used in computing the three-day filing period.

Notwithstanding the provisions of § 19.2-57, any search warrant for records or other information pertaining to a customer of a financial institution as defined in § 6.2-604, money transmitter as defined in § 6.2-1900, commercial business providing credit history or credit reports, or issuer as defined in § 6.2-424 may be executed within the Commonwealth by hand, United States mail, commercial delivery service, facsimile, or other electronic means upon the financial institution, money transmitter, commercial business providing credit history or credit reports, or issuer. The officer executing such warrant shall endorse the date of execution thereon and shall file the warrant, with the inventory attached (or a notation that no property was seized) and the accompanying affidavit, unless such affidavit was made by voice or videotape recording, within three days after the materials ordered to be produced are received by the officer from the financial institution, money transmitter, commercial business providing credit history or credit reports, or issuer. The return shall be made in the circuit court clerk's office for the jurisdiction wherein the warrant was executed. Saturdays, Sundays, or any federal or state legal holiday shall not be used in computing the three-day filing period. For the purposes of this section, the warrant will be considered executed in the jurisdiction where the entity on which the warrant is served is located.

Every search warrant shall contain the date and time it was issued. However, the failure of any such search warrant to contain the date and time it was issued shall not render the warrant void, provided that the date and time of issuing of said warrant is established by competent evidence.

The judge, magistrate, or other official authorized to issue criminal warrants shall attach a copy of the affidavit required by § 19.2-54, which shall become a part of the search warrant and served therewith. However, this provision shall not be applicable in any case in which the affidavit is made by means of a voice or videotape recording or where the affidavit has been sealed pursuant to § 19.2-54.

Any search warrant not executed within 15 days after issuance thereof shall be returned to, and voided by, the officer who issued such search warrant.

B. No law-enforcement officer shall seek, execute, or participate in the execution of a no-knock search warrant. A search warrant for any place of abode authorized under this section shall require that a law-enforcement officer be recognizable and identifiable as a uniformed law-enforcement officer and provide audible notice of his authority and purpose reasonably designed to be heard by the occupants of such place to be searched prior to the execution of such search warrant.

After entering and securing the place to be searched and prior to undertaking any search or seizure pursuant to the search warrant, the executing law-enforcement officer shall give a copy of the search warrant and affidavit to the person to be searched or the owner of the place to be searched or, if the owner is not present, to at least one adult occupant of the place to be searched. If the place to be searched is unoccupied by an adult, the executing law-enforcement officer shall leave a copy of the search warrant and affidavit in a conspicuous place within or affixed to the place to be searched.

Search warrants authorized under this section for the search of any place of abode shall be executed by initial entry of the abode only in the daytime hours between 8:00 a.m. and 5:00 p.m. unless (i) a judge or a magistrate, if a judge is not available, authorizes the execution of such search warrant at another time for good cause shown by particularized facts in an affidavit or (ii) prior to the issuance of the search warrant, law-enforcement officers lawfully entered and secured the place to be searched and remained at such place continuously.

A law-enforcement officer shall make reasonable efforts to locate a judge before seeking authorization to execute the warrant at another time, unless circumstances require the issuance of the warrant after 5:00 p.m., pursuant to the provisions of this subsection, in which case the law-enforcement officer may seek such authorization from a magistrate without first making reasonable efforts to locate a judge. Such reasonable efforts shall be documented in an affidavit and submitted to a magistrate when seeking such authorization.

Any evidence obtained from a search warrant executed in violation of this subsection shall not be admitted into evidence for the Commonwealth in any prosecution.

C. For the purposes of this section:

"Foreign corporation" means any corporation or other entity, whose primary place of business is located outside of the boundaries of the Commonwealth, that makes a contract or engages in a terms of service agreement with a resident of the Commonwealth to be performed in whole or in part by either party in the Commonwealth, or a corporation that has been issued a certificate of authority pursuant to § 13.1-759 to transact business in the Commonwealth. The making of the contract or terms of service agreement or the issuance of a certificate of authority shall be considered to be the agreement of the foreign corporation or entity that a search warrant or subpoena, which has been properly served on it, has the same legal force and effect as if served personally within the Commonwealth.

"Properly served" means delivery of a search warrant or subpoena by hand, by United States mail, by commercial delivery service, by facsimile or by any other manner to any officer of a corporation or its general manager in the Commonwealth, to any natural person designated by it as agent for the service of process, or if such corporation has designated a corporate agent, to any person named in the latest annual report filed pursuant to § 13.1-775.

2. That the provisions of this act are intended to reverse the holding in *Yelp, Inc. v. Hadeed Carpet Cleaning, Inc.*, 289 Va. 426 (2015).

3. That the Joint Commission on Technology and Science and the Virginia State Crime Commission shall (i) review existing statutes on service of process and subpoenas relating to electronic records and (ii) provide recommendations to update such statutes relating to the use of technology in the criminal justice system. Such recommendations shall be made to the General Assembly by November 15, 2025.

CHAPTER 346

An Act to amend and reenact §§ 1.1 and 1.2, § 2.1, as amended, §§ 3.1 through 3.4, § 3.5, as amended, §§ 3.6, 3.7, and 3.8, § 3.9, as amended, §§ 3.10 through 3.20, §§ 4.1 and 4.2, as severally amended, and §§ 4.3 through 5.8 of Chapter 912 of the Acts of Assembly of 1993, which provided a charter for the City of Manassas Park, and to amend Chapter 912 by adding a section numbered 5.7:1, relating to corporate limits; city powers; city council, and city officials.

[S 1444]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 1.1 and 1.2, § 2.1, as amended, §§ 3.1 through 3.4, § 3.5, as amended, §§ 3.6, 3.7, and 3.8, § 3.9, as amended, §§ 3.10 through 3.20, §§ 4.1 and 4.2, as severally amended, and §§ 4.3 through 5.8 of Chapter 912 of the Acts of Assembly of 1993, are amended and reenacted, and that Chapter 912 is amended by adding a section numbered 5.7:1, as follows:

§ 1.1. Municipal corporation continued; name and style; general rights, privileges and authority.

The City of Manassas Park*, Virginia (the "city" or the "City of Manassas Park")*, notwithstanding any other provision of law, shall be and continue to be a municipal corporation under the name and style of the City of Manassas Park, clothed with all the rights, privileges and authority granted it under this ~~charter~~ *Charter* and by the general laws of the Commonwealth of Virginia. The City of Manassas Park shall have perpetual succession, may sue and be sued, contract and be contracted with, and shall have a corporate seal which ~~it~~ *the governing body* may alter at its pleasure.

§ 1.2. Corporate limits.

The corporate limits of the City of Manassas Park, Virginia, shall be the boundaries of the town of Manassas Park, *Virginia,* its predecessor, as ordered in the final decree of the *Prince William* Circuit Court ~~of Prince William County~~ entered on January 21, 1957~~,~~ *and* recorded in Common Law Order Book 17, ~~page~~ *at Page* 429, and as said boundaries ~~were~~ *have been* enlarged by ~~certain~~ *the following* orders of the *Prince William* Circuit Court ~~of Prince William County, sitting as a duly constituted Annexation Court, one~~*:* entered December 31, 1974~~,~~ *and* recorded in Common Law Order Book 67, ~~page 297~~ *at Page 207*, and ~~the other~~ *among the land records of Prince William County, Virginia (the "Land Records") in Deed Book 767, at Page 589;* entered January 31, 1990~~,~~ *and* recorded in Common Law Order Book 130, ~~page~~ *at Page* 1263*; entered May 16, 2000 and recorded in Common Law Order Book 167, at Page 189; entered May 19, 2000 and recorded in Common Law Order Book 167, at Page 83; entered July 29, 2002 and recorded in Common Law Order Book 173, at Page 1253, and among the Land Records as Instrument No. 200208020099418; entered July 11, 2003 and recorded in Common Law Order Book 176, at Page 2056, and among the Land Records as Instrument No. 200307230134028; entered February 25, 2004 and recorded in Common Law Order Book 253, at Page 1979, and among the Land Records as Instrument No. 200403040038301; and entered July 2, 2019 and recorded among the Land Records as Instrument No. 201908020054815*.

In addition to the above, the corporate limits shall include such territory as is otherwise added from time to time to the municipality as provided by law.

§ 2.1. General grant of powers.

Except as may be otherwise provided in this ~~charter~~ *Charter*, all powers of the ~~City~~ *city* and the administration and government of the ~~City~~ *city* shall be vested in the ~~Mayor~~ *mayor* and ~~City Council~~ *city council*, as defined in §§ 3.4 and 3.6, as the ~~Governing Body~~ *governing body*, as defined below, of the City of Manassas Park, and in such boards and officers as are hereafter mentioned, or as may be by law otherwise provided. The powers set forth in the Code of Virginia, and all other powers which are now or may hereafter be conferred upon or delegated to cities under the Constitution and laws of the Commonwealth, are hereby conferred on and vested in the City of Manassas Park, Virginia.

The enumeration of certain powers in this ~~charter~~ *Charter* shall not be construed to impair or diminish any of the rights, powers or authority conferred upon cities or their officers by the general laws of the Commonwealth.

The ~~Governing Body~~ *governing body* shall have, subject to the provisions of this ~~charter~~ *Charter*, the control and management of the fiscal and municipal affairs of the ~~City~~ *city* and make such ordinances and bylaws relating to the same as it shall deem proper and necessary to carry out the following powers, which are hereby vested in it:

A. Eminent domain. The powers of eminent domain as set forth in the Code of Virginia, as amended, are hereby conferred upon the City of Manassas Park with respect to lands and improvements thereon, machinery and equipment for any lawful purpose of the ~~City~~ *city*, including but not limited to, mutatis mutandis, the rights, privileges and obligations set forth in the Code of Virginia, as amended, applicable to the ~~Commonwealth Transportation~~ Commissioner *of Highways* and the Department of Transportation, as set forth in ~~Title 33.1, Chapter 1,~~ Title 15.2 ~~and~~, Title 25, *and Title 33.2,* Chapter ~~1.1~~ *10*, of the ~~1950~~ Code of Virginia*, and all acts amendatory thereof and supplemental thereto,* with respect to all lawful purposes for which the ~~City~~ *city* is permitted to exercise the power of eminent domain.

B. Financial powers. In addition to the powers granted elsewhere in this ~~charter~~ *Charter*, the ~~City~~ *city* shall have the power:

1. To raise by taxes and assessments, as permitted by general law, in the ~~City~~ *city*, such sums of money as the ~~Governing Body~~ *governing body* may deem necessary to pay the debts and defray the expenses of the ~~City~~ *city*. In the event the fees, rents or charges payable for the use and services of any public utility or public service supplied by the City of

Manassas Park for or in connection with any real property shall not be paid when due, interest may be charged on such unpaid balance at the legal rate of interest. Such fees, rents or charges and the interest due thereon shall constitute a lien against such property, ranking on a parity with liens for unpaid town, city or county taxes, and shall also be recoverable by the ~~City~~ *city* in an action at law or a suit in equity. In addition to, but not as a limitation upon, this general grant of power, the ~~City~~ *city* shall have power to ~~levy~~*:*

a. Levy and collect ad valorem taxes on real estate and tangible personal property and machinery and tools; ~~to levy~~

b. Levy and collect taxes for admission to or other charge for public amusement, entertainment, performance, exhibition, sport or athletic event in the ~~City~~ *city*, which taxes may be added to and collected with the price of such admission or other charge; ~~to levy~~

c. Levy and collect taxes on hotel and motel rooms; ~~to levy~~

d. Levy and collect privilege taxes, and local general retail sales and use taxes as provided by law; ~~unless~~

e. Unless prohibited by general law, ~~to~~ require licenses, prohibit the conduct of any business, profession, vocation or calling without such a license, require taxes to be paid on such licenses in respect to all businesses, professions vocations and callings which cannot, in the opinion of the ~~Governing Body~~ *governing body*, be reached by the ad valorem system; and ~~to require~~

f. Require licenses of all owners of vehicles or trailers of all kinds for the privilege of using the streets~~,~~ and other public places of the ~~City~~ *city,* require taxes to be paid on such licenses and prohibit the use of streets, alleys and other public places in the ~~City~~ *city* without such license, ~~said City to have the power to~~*,* require as a condition precedent to the issuance of ~~motor~~ *a* vehicle ~~licenses~~ *license* the exhibiting by the ~~motor~~ vehicle license applicant of adequate proof of the payment of all personal property taxes *and all fines for violation of the city's ordinances governing parking of vehicles* then due and payable to the City of Manassas Park.

2. To impose, levy and collect, in such manner and in an amount permitted by the Code of Virginia, a consumer or subscriber tax upon the amount paid for use of water, gas, electricity, telephone, and any other public utility services, and ~~may~~ *to* provide that such tax shall be added to and collected with bills rendered consumers and subscribers for such services.

C. Grants. The City of Manassas Park shall have the power to receive and accept from any federal, state or private agency, grants of any kind for or in aid of the construction of any project, the procuring or reserving of park land, open spaces, or any recreational facility and to do all such things or make any ~~convenants~~ *covenants* or agreements which may be necessary or required in order to obtain and use such grants. The ~~City~~ *city* may receive and accept aid or contributions from any source or money, property, labor or other things of value, to be held, used and applied only for the purpose for which such grants and contributions may be made.

D. Debts, bonds, notes, etc. ~~Governing Body~~ *The governing body* may, in the name and for the use of the ~~City~~ *city*, contract debts and make and issue, or cause to be made and issued, as evidence thereof, bonds, notes or other obligations, upon the credit of the ~~City~~ *city* or*, in connection with any public utility owned and operated by the city,* solely upon the credit of specific property owned by the ~~City~~ *city* or solely upon the credit of income derived from property used ~~in connection with any public utility owned and operated by the City~~ *by such public utility,* subject to the provisions of the Code of Virginia and the Constitution of Virginia.

1. Pending the issuance and sale of any bonds, notes or other obligations by this ~~charter~~ *Charter* authorized, or in anticipation of the receipt of taxes and revenues of the current fiscal year, it shall be lawful for the ~~City~~ *city* to borrow money temporarily and to issue notes or other evidences of indebtedness therefor, and from time to time to renew such temporary loans or use current funds, to be ultimately repaid from the proceeds of the said bonds, notes or other obligations or from city taxes and revenues, as the case may be, subject to the provisions of the Code of Virginia and the Constitution of Virginia.

2. ~~The credit of the City shall not, directly or indirectly, under any device or pretense whatsoever, be granted to or in aid of any person, firm, association or corporation.~~

~~3.~~ Every ordinance authorizing the issuance of bonds shall specify the purpose or purposes for which they are to be issued, the aggregate amount of the bonds, the terms for which they shall be issued, and the maximum rates of interest to be paid thereon. Any such ordinance may be amended by ordinance at any time before the bonds to be affected by such amendment have been sold; however, if there is omitted from this ~~charter~~ *Charter* any provision essential to the valid authorization, sale, execution and issuance of any bonds of the ~~City~~ *city*, the provisions of general law with reference to similar bonds shall supply said omission.

~~4.~~ *3.* Any bonds issued by the ~~City~~ *city* under this ~~charter~~ *Charter* shall be signed by the ~~Mayor~~ *mayor* and attested by the ~~City Clerk~~ *city clerk*, as defined below, under the ~~Seal~~ *seal* of the ~~City~~ *city*, and shall be made payable in the office of the ~~City Treasurer~~ *city treasurer*, as defined below, or such other place in or out of the Commonwealth as the ~~Council~~ *governing body* may provide in the ordinance authorizing the issuance of the particular bonds. Such bonds shall be advertised by the ~~Mayor~~ *mayor* and sold by the ~~City Treasurer~~ *city treasurer*, or by the ~~City Manager~~ *city manager*, as defined below, as may be provided in such ordinance, under the supervision of the ~~Mayor~~ *mayor*, ~~City Manager~~ *city manager* and ~~City Clerk~~ *city clerk*, and the sale reported to and approved by the ~~Governing Body~~ *governing body*, and the proceeds from said sale shall be paid to the ~~City Treasurer~~ *city treasurer*.

~~5.~~ *4.* So long as there exists any unpaid bonded indebtedness, the ~~Governing Body~~ *governing body* shall set aside, or cause to be set aside, a sufficient portion of the revenues of the ~~City~~ *city* during each fiscal year for the sinking fund

requirement for that year and none of the funds so set aside shall be appropriated or used for any purpose other than the retirement of outstanding bonds and the payment of the interest on same.

E. Public improvements. With the exception of electric utilities, the ~~Governing Body~~ *governing body* shall have the power to construct, maintain, regulate and operate public improvements of all kinds, including municipal and other buildings and structures necessary or appropriate for the use and proper operation of the various departments of the ~~City~~ *city* and the performance of its duties and functions.

F. Waterworks and sewers. The ~~Governing Body~~ *governing body* shall have the power to establish, maintain, and operate waterworks and sewer systems within and without the ~~City~~ *city*; to purchase water therefor; to contract and agree with the owners of any land, springs, wells or water supplies for the use of or purchase thereof; or have same condemned according to law, for the location, extension, or enlargement of the said waterworks, or sewer system, either or both, the pipes connected therewith, and the fixtures or appurtenances thereof; and to protect from injury by ordinance, prescribing adequate penalties, the said waterworks, water supply, sewer systems, pipes, fixtures, and land, or anything connected therewith, whether within or without the limits of the ~~City~~ *city*.

G. Streets, sidewalks and alleyways generally. The ~~Governing Body~~ *governing body* shall have the power to open, extend, widen or narrow, close, lay out, graduate, curb, and pave, and otherwise improve streets, sidewalks, and public alleys in the ~~City~~ *city*, and have them kept in good order and properly lighted. In order to properly light the streets of the ~~City~~ *city*, the ~~Governing Body~~ *governing body* may erect and operate such number of lamps and fixtures thereto belonging as it may deem necessary. It may build bridges in and culverts under streets, and may prevent or remove any structure, obstruction, or encroachment over, or under, or in any street, sidewalk, or alley in the ~~City~~ *city*, and may permit shade trees to be planted along streets. No person shall occupy with his works *or property*, or any appurtenances thereof, the streets, sidewalks, or alleyways of the ~~City~~ *city* without the consent of the ~~Governing Body~~ *governing body*, duly entered upon its records.

1. Removal of street encroachments. In every case where a street in the ~~City~~ *city* has been, or shall be encroached upon by a fence, building or ~~otherwise~~ *other structure or facility*, the ~~Governing Body~~ *governing body* may require the owner to remove the same, and if such removal *shall not* be ~~not~~ made within the time prescribed, it may impose such penalty as it may prescribe by ordinance for each and every day it is allowed to continue thereafter, and may cause the encroachment to be removed, and collect from the owner all reasonable charges therefor, with costs, by the same process that it is hereinafter empowered to collect taxes. Except, in any case where there is a bona fide dispute as to the true boundary line or the location of the true street line, and if passage over such street is not seriously impeded, the same shall first be established and determined by an adjudication of a court of competent jurisdiction in a proceeding instituted by either the ~~City~~ *city* or the property owner for that purpose before the ~~City~~ *city* shall take any steps to remove the said obstruction or encroachment, or to impose a penalty therefor. No encroachment upon any street *or other public property*, however long continued, shall constitute any adverse possession to or confer any rights upon persons claiming thereunder as against the ~~City~~ *city*.

2. Dedication of streets. Dedication of any street, alley, or lane in the ~~City~~ *city* may be made by plat or deed. Any street ~~or~~, alley*, or lane* reserved in the division or subdivision into lots, of any portion of the territory within the corporate limits of the ~~City~~ *city*, by a plan or plot of record, shall be deemed and held to be dedicated to public use, unless it appears by said record that the street ~~or~~, alley*, or lane* so reserved is designated for private use. The ~~Governing Body~~ *governing body* shall have the right to elect, by resolution entered on its minutes whether it will, or will not accept the dedication of any street ~~or~~, alley*, or lane*.

3. Streets, alleys, and lanes previously dedicated for public use in another jurisdiction. Any street, alley, or lane previously dedicated to public use in any other jurisdiction shall automatically be deemed dedicated to public use in the city upon its inclusion in the corporate limits of the city by either annexation or boundary line adjustment.

H. Encumbering streets, sidewalks, etc. The ~~Governing Body~~ *governing body* shall have the power to prevent the encumbering of streets, sidewalks, alleyways, lanes, or bridges throughout the ~~City~~ *city* in any manner whatever.

I. Route and grade of public utilities. The ~~Governing Body~~ *governing body* shall have the power to determine and designate the route and grade of any public utility laid out in the ~~City~~ *city*, which power may be delegated to the appropriate officer of the ~~City~~ *city*.

J. Nuisances, unsafe or unsanitary structures, dangerous and unhealthy businesses, transportation of explosives, garbage, etc., and speed of trains; dangerous buildings.

1. The ~~Governing Body~~ *governing body* shall have the power to ~~require~~*:*

a. Require and compel the abatement and removal of all nuisances within the ~~City~~ *city*, *including but not limited to the removal of weeds from private and public property and snow from sidewalks,* at the expense of the person or persons causing the same, or the owner or owners of the ground whereon the same shall be; ~~to require~~ *and if such nuisance has not been abated and removed after reasonable notice as the governing body may deem appropriate, the city may remove and abate the nuisance and charge and collect the cost thereof from the owner or owners or occupant or occupants of the property affected in any manner provided by law for the collection of state or local taxes, including recording a lien against such property ranking on a parity with liens for unpaid town, city or county taxes, and such costs shall also be recoverable by the city in an action at law or a suit in equity;*

b. Require all lands, lots, and other premises within the ~~City~~ *city* to be kept clean, sightly, sanitary and free from weeds or to make them so at the expense of the owners or occupants thereof; ~~to make~~

c. Make such rules, regulations, orders or ordinances as will protect its citizens from unsafe and unsanitary structures or walls, and to that end it shall have the power to cause to be condemned and taken down any such structure or wall, but no such condemnation shall be made or such structure or wall taken down until the owner thereof, or in the case of an infant or person declared incompetent pursuant to the Code of Virginia, his guardian or committee, is duly summoned before a board or a committee of the ~~Governing Body~~ *governing body* or the full ~~Governing Body~~ *governing body* as charged by the ordinances with such duty, and allowed reasonable opportunity to show cause against such action; ~~to regulate~~

d. Regulate the exercise of any dangerous, offensive or unhealthy business, trade or employment within the ~~City~~ *city*; ~~to regulate~~

e. Regulate the transportation of coal, explosives, garbage and other articles through the streets of the ~~City~~ *city*; ~~to restrain~~ *and*

f. Restrain and regulate the speed *and sound* of locomotive engines and cars upon the railroads within the ~~City~~ *city*.

2. The ~~Governing Body~~ *governing body* may by resolution, duly adopted and recorded, order the repair, wrecking, or removal of any building or structure which has been complained of by the ~~City Manager~~ *city manager* or other authorized agent as a menace to adjoining property or to persons using a public thoroughfare or a public place adjacent to such building or structure; and condemnation shall be made only after such building or structure has been inspected and found unsafe by a committee composed of the ~~City Manager~~ *city manager* or other authorized agent and two reputable builders appointed by the ~~Governing Body~~ *governing body*. If the owner of such menace fails or refuses to repair, wreck, or remove the same within thirty days from the date of written notice from the ~~City Clerk,~~ *city clerk* transmitting such resolution of condemnation, the ~~Governing Body~~ *governing body* may then order the ~~City Manager~~ *city manager* or other authorized agent to repair, wreck, or remove such building or structure, and the cost of such repair, wrecking, or removal by the ~~City Manager~~ *city manager* or other authorized agent shall be a charge against the property on which such menace is located; such costs shall be collectible by due process of law.

K. Accumulations of stagnant water, unwholesome substances, etc., on private grounds; removal; collection of expenses, etc. If any ground in the ~~City~~ *city* shall be subject to be covered with stagnant water, or if the owner or owners~~,~~ *or* occupier or occupiers thereof shall permit any offensive or unwholesome substance to remain or accumulate thereon, the ~~Governing Body~~ *governing body* may cause such grounds to be filled, raised, or drained, or may cause such substance to be covered or to be removed therefrom, and may collect the expense of so doing from the owner or owners~~,~~ *or* occupier or occupiers, or any of them, except in cases where such nuisance is caused by the action of the city authorities or their agents, or by natural causes beyond the control of the owner or occupant, in which case the ~~City~~ *city* shall pay the expense of abating the same, by distress and sale in the same manner in which taxes levied upon real estate for the benefit of the ~~City~~ *city* are authorized to be collected; provided that reasonable notice and opportunity to be heard shall be first given to such owners or their agents. In the case of nonresident owners who have no agent in the ~~City~~ *city*, such notice shall be given by publication at least once a week for not less than two consecutive weeks in any newspaper having general circulation in the ~~City~~ *city*.

L. Establishing fire zones; adoption of building codes, etc.; fire prevention; discharge of fireworks and firearms. The ~~Governing Body~~ *governing body* shall have the power to establish fire zones and regulate the character of buildings which may be erected or restored within same; to regulate and direct the storage of explosives and combustible substances and liquids; to prohibit the discharge of fireworks and firearms within the ~~City~~ *city*, the building of bonfires within the ~~City~~ *city* and the use of candles or lights in barns, stables, warehouses, etc.

M. Franchises. Subject to the provisions of the Code of Virginia, the Constitution of Virginia, and the provisions of this ~~charter~~ *Charter*, the ~~Governing Body~~ *governing body* shall have the power to grant franchises under terms and conditions to be fixed by the ~~Governing Body~~ *governing body*.

N. Diversion of streams. The ~~Governing Body~~ *governing body* shall have the power to divert the channels of creeks and flowing streams and for that purpose to acquire property by condemnation pursuant to the Code of Virginia and this ~~charter~~ *Charter*.

O. Passage of ordinances, etc., to promote general welfare, etc. The ~~Governing Body~~ *governing body* shall have the power to do all things whatsoever necessary or expedient, and to pass all ordinances, resolutions, and bylaws for promoting or maintaining the security, general welfare, comfort, education, morals, peace, *safety,* government, health, trade, commerce and industries of the ~~City~~ *city*, or its inhabitants, not in conflict with the Code of Virginia and the Constitution of Virginia or the Constitution of the United States.

P. Public utilities generally. The ~~Governing Body~~ *governing body* shall have full control and regulation over the public utilities now owned or that may hereafter be acquired by the ~~City~~ *city*, and to this end it shall have full authority to employ from time to time such employees as it deems necessary to properly maintain, conduct and operate the same. The ~~Governing Body~~ *governing body* shall have full authority to incur indebtedness, unless otherwise prohibited by law, whenever the ~~Governing Body~~ *governing body* may deem it necessary for the proper conduct, management and maintenance of the public utilities now owned by the ~~City~~ *city*, or such as may hereafter be acquired by it.

Q. Requiring connection with sewers. The ~~Governing Body~~ *governing body* shall ~~likewise~~ have authority, by ordinance duly enacted, to compel all owners of real estate within the corporate limits of the ~~City~~ *city* to connect with such sewerage pipes or connection as may hereafter be installed or constructed by the ~~City~~ *city*, whenever public health may render necessary such connection, upon such reasonable terms as may be prescribed by the ~~Governing Body~~ *governing body*, together with all other authority necessary to proper maintenance and operation of an effective sewerage system.

R. Special election required for sale of public utilities. The ~~Governing Body~~ *governing body* shall have no authority to sell its public utilities, without first submitting the question of such sale at a special election to be called for that purpose only, to the qualified voters of the City of Manassas Park, which election shall be conducted as now provided by general law governing special elections. The *Prince William* Circuit Court ~~of Prince William County~~ shall order such special election upon the petition of twenty-five percent of the qualified voters of the City of Manassas Park or upon a resolution passed by a majority of the ~~Governing Body of the City~~ *governing body*. For a period of not less than four weeks prior to such special election, the substantial terms of any proposed sale shall be published over the signature of the ~~City Clerk~~ *city clerk*, once a week for four successive weeks in some newspaper having general circulation in the City of Manassas Park. The qualifications of voters in said special election shall be determined by existing statutes governing special elections.

S. Penalty for ordinance violations. Where, by provision of this ~~charter~~ *Charter*, or by general law, the ~~Governing Body~~ *governing body* has the authority to pass ordinances on any subject that it may prescribe a penalty, the penalty for a violation of such ordinances shall not exceed the penalty authorized by general law~~; however, such penalty shall not exceed the penalty authorized in general law~~ for a like offense. Such penalties may be pursued through all avenues available under general law and recovered with the costs in the name of the City of Manassas Park.

§ 3.1. Designation of governing body and municipal officers.

The ~~Governing Body~~ *governing body* of the City of Manassas Park shall consist of the ~~Mayor~~ *mayor* and ~~City Council~~ *city council*. All powers of the City of Manassas Park as a body politic and corporate shall be vested in the ~~Governing Body~~ *governing body*. The municipal officers of the ~~City~~ *city* shall consist of a ~~Mayor~~ *mayor*, six ~~Council Members~~ *council members* (~~"City Council"~~ *collectively, the "city council"*), ~~a City Clerk,~~ a ~~City Treasurer~~ *city treasurer*, a ~~Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue*, *a city clerk,* a ~~City Attorney~~ *city attorney* and a ~~City Manager~~ *city manager* so long as the ~~City~~ *city* shall retain a managerial form of government. The ~~Mayor~~ *mayor*, ~~Council Members~~ *city council members*, ~~City Treasurer~~ *city treasurer* and ~~Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue* shall be elected by qualified voters of the ~~City~~ *city*. The ~~City Manager, City Clerk and City Attorney~~ *city manager, city clerk, and city attorney* shall be appointed by the ~~Governing Body~~ *governing body* as hereinafter provided.

§ 3.2. Mayor and ~~City Council~~ *city council* to have power and authority prescribed by law.

The power and authority of the ~~Mayor~~ *mayor* and ~~City Council~~ *city council* as the ~~Governing Body~~ *governing body* of the City of Manassas Park shall, in addition to those mentioned and authorized by this ~~charter~~ *Charter*, be such as are mentioned and prescribed by law.

§ 3.3. Oath and bond of officers.

All municipal officers of the ~~City~~ *city*, before entering upon the duties of their respective offices, shall be sworn in, pursuant to the laws of the Commonwealth by anyone authorized to administer oaths under the laws of the Commonwealth. If any person elected or appointed to any office in the ~~City~~ *city* shall neglect to take such oath on or before the day on which that person is to enter upon the discharge of the duties of the office, or shall for twenty days after the beginning of the term of office fail to give such bond as may be required of that person by ~~City Council~~ *the governing body*, a vacancy in said office shall then exist.

§ 3.4. Mayor.

A. The ~~Mayor~~ *mayor* shall be elected by popular vote of the qualified voters of the ~~City~~ *city* as provided in this ~~charter~~ *Charter*. The ~~Mayor~~ *mayor* shall preside at the meetings of the ~~City Council~~ *governing body* and perform such other duties as may be prescribed by this ~~charter~~ *Charter*, and as may be imposed by the ~~Governing Body~~ *governing body*, consistent with his office. The ~~Mayor~~ *mayor* shall serve as the chief executive officer of the ~~City~~ *city*, responsible to the ~~Governing Body~~ *governing body* to see that the bylaws, ordinances, acts and resolutions of the ~~Governing Body~~ *governing body* are executed and obeyed faithfully. At no time shall the ~~Mayor~~ *mayor* be authorized to serve concurrently as ~~Mayor~~ *mayor* and ~~City Manager~~ *city manager*, nor shall the ~~Mayor~~ *mayor* be authorized to act as ~~City Manager~~ *city manager* in an interim capacity. The ~~Mayor~~ *mayor* shall not have the authority to veto any action of the ~~Governing Body~~ *governing body*, notwithstanding any other provision in this ~~charter~~ *Charter* or by general law.

B. The ~~Mayor~~ *mayor* shall have the right to vote as a member of the ~~Governing Body~~ *governing body*, and as such shall have all rights, privileges, powers, duties and obligations of a voting member of the ~~Governing Body~~ *governing body*, while performing the duties of ~~Mayor~~ *mayor*.

C. The ~~Mayor~~ *mayor* shall have the power to suspend and the ~~Governing Body~~ *governing body* to remove any city officer appointed by the ~~Governing Body~~ *governing body* for misconduct in office or neglect of duty to be specified in the order of suspension or removal. No removal shall be made without reasonable notice to the officer complained of and an opportunity afforded him to be heard in his defense.

D. The ~~Mayor~~ *mayor* may receive a salary to be fixed by the ~~Governing Body~~ *governing body*, payable in such a manner and at such times as the ~~Governing Body~~ *governing body* may direct.

§ 3.5. Vice-mayor; acting mayor.

A. The ~~Governing Body~~ *governing body* shall biennially, at its first regular meeting in January following the regular municipal election, choose one of its members as vice-mayor. The vice-mayor shall perform the duties of ~~Mayor~~ *mayor* during the ~~Mayor's~~ *mayor's* absence or disability. In the event of the death, removal or resignation of the ~~Mayor~~ *mayor*, the vacancy shall be filled in accordance with general law.

B. Should a member of ~~City Council~~ *city council* be chosen to serve as ~~Mayor~~ *mayor* until the next municipal election, such ~~City Council~~ *city council* seat will be deemed to be vacant upon qualification of the former ~~City Council~~ *city council*

member as ~~Mayor~~ *mayor*. The vacancy thereby created in the ~~City Council~~ *city council* shall be filled by the ~~Governing Body~~ *governing body* as provided in this ~~charter~~ *Charter*.

C. The member of the ~~City Council~~ *city council* who shall be chosen as vice-mayor shall continue to have all rights, privileges, powers, duties and obligations as a member of the ~~Governing Body~~ *governing body* while performing the duties of ~~Mayor~~ *mayor* in the absence or disability of the ~~Mayor of the City~~ *mayor*.

§ 3.6. City ~~Council~~ *council*.

The ~~City Council~~ *city council* shall be composed of six members. They shall be elected by popular vote of the qualified voters of the ~~City~~ *city* as provided in this ~~charter~~ *Charter*.

In the event of the death, removal or resignation of a member of ~~City Council~~ *city council*, the vacancy shall be filled in accordance with general law.

Each member of the ~~City Council~~ *city council* may receive a salary to be fixed by the ~~Governing Body~~ *governing body*, payable at such times and in such manner as the ~~Governing Body~~ *governing body* may direct.

§ 3.7. Governing ~~Body~~ *body*, generally.

A. The ~~Governing Body~~ *governing body* shall establish its own rules of procedure. In addition to the foregoing, the ~~Governing Body~~ *governing body* shall have the following powers:

1. To exercise all powers granted to the City of Manassas Park by general law and this ~~charter~~ *Charter*.

2. To inquire into the official conduct of any office or officer under its control and to investigate the accounts, disbursements, and expenses of any city employee; for these purposes, it may subpoena witnesses, administer oaths, and require the production of books, papers, and other evidence; and in case any witness fails or refuses to obey any such lawful order of the ~~council~~ *governing body*, he shall be deemed guilty of a misdemeanor.

3. To provide for the performance of all the governmental functions in the ~~City~~ *city*, and, to that end, provide for and set up all departments and agencies of government that shall be necessary. Whenever it is not designated in this ~~charter~~ *Charter* what officer or employee of the ~~City~~ *city* shall exercise any power or perform any duty conferred upon or required of the ~~City~~ *city* or any officer thereof by general law, then any such power shall be exercised or duly performed by that officer or employee of the ~~City~~ *city* so designated by ordinance or resolution of the ~~Governing Body~~ *governing body*. Any activity which is not assigned by the provisions of this ~~charter~~ *Charter* to specific departments or agencies of the city government shall be assigned by the ~~Governing Body~~ *governing body* to the appropriate department or agency. The ~~Governing Body~~ *governing body* may further create, abolish, reassign, transfer, or combine any city functions, activities, or departments. The ~~Governing Body~~ *governing body* shall appoint a ~~City Manager~~ *city manager*. The ~~Governing Body~~ *governing body*, in its discretion, may appoint the same person to more than one appointive office; however, said appointments may not result in dual compensation or benefits of any kind*, except in the form of a temporary stipend to be set by the governing body*.

4. To fix a schedule of compensation for all ~~City Officers~~ *city officers* and employees. The ~~Governing Body~~ *governing body* may by ordinance define certain classes of city employees whose salaries shall be set by the ~~Governing Body~~ *governing body*.

5. To prescribe the amount and condition of surety bonds to be required of such officers and employees of the ~~City~~ *city* as the ~~Governing Body~~ *governing body* may designate, not inconsistent with general law.

6. The ~~Governing Body~~ *governing body* may appoint a ~~City Attorney~~ *city attorney*. The ~~City Attorney~~ *city attorney* shall be an attorney licensed to practice under the laws of the Commonwealth and need not be a resident of the City of Manassas Park.

7. To provide for a board of equalization as authorized by the Code of Virginia.

8. ~~To place the control and supervision of the police force of the City under either the Mayor or the City Manager as may appear advisable to the Governing Body.~~

~~9.~~ To take from any officer or employee of the ~~City~~ *city*, whether elected by the voters of the ~~City~~ *city* or appointed by the ~~Governing Body~~ *governing body*, a bond, with surety, to be approved by the ~~Governing Body~~ *governing body*, in such penalty as it may deem proper, payable to the ~~City~~ *city*, with condition for the faithful discharge by the officer or employee of the duties of the designated office.

~~10.~~ *9.* To exercise full police powers, and it shall establish and maintain a police force for the City of Manassas Park with such number of police officers and employees as the ~~Governing Body~~ *governing body* may deem necessary; the head of such force may be known as the ~~Chief of Police~~ *chief of police*. The ~~Chief of Police~~ *chief of police* and the police officers and employees of the police force shall be under the control and supervision of the ~~City Manager~~ *city manager* or ~~Mayor~~ *mayor* as the ~~Governing Body~~ *governing body* may deem expedient. The compensation and terms of office or employment of the ~~Chief of Police~~ *chief of police* and such police officers and employees of the police force shall be fixed and determined by the ~~Governing Body~~ *governing body*. Each member of the police force and the ~~Chief of Police~~ *chief of police* are hereby made and constituted conservators of the peace and endowed with all powers of a constable in criminal cases and all other powers which under the laws of the Commonwealth of Virginia and the ordinances and resolutions of the ~~City~~ *city* may be necessary to enable the police officers to discharge the duties of their offices.

~~11.~~ *10.* To *establish and* maintain a Fire Department for the City of Manassas Park and provide fire-fighting apparatus and equipment for such department, and it may accept for use of the department gifts, grants, or donations in the form of money or equipment which, when made, shall be the property of the ~~City~~ *city* as completely as if purchased and paid for by the ~~City~~ *city*. The ~~Governing Body~~ *governing body* may by ordinance or resolution prescribe such rules and regulations as it may deem necessary regulating the operation of *the* Fire Department and the use of the apparatus, equipment, etc., as herein

provided. The Fire Department may be ~~manned~~ *staffed* by ~~either volunteer firemen or firemen~~ *firefighters and emergency medical technicians* who are *either volunteers or* paid employees of the ~~City~~ *city*. If *the Fire Department is* maintained as a Volunteer Fire Company, the ~~Governing Body~~ *governing body* may grant the members of such company the right to select their own membership and officers subject to the approval of the ~~Governing Body~~ *governing body*. The ~~Governing Body~~ *governing body* may at its discretion add to the Volunteer Fire Company such full-time, or part-time, paid members as may seem advisable to the ~~Governing Body~~ *governing body*.

~~12.~~ *11.* Neither the ~~Governing Body~~ *governing body* nor any of its members shall direct the appointment of any person to or his removal from any office or employment by the ~~City Manager~~ *city manager* or by any of his subordinates except as specifically provided in this ~~charter~~ *Charter*. Except for the purpose of inquiry, the ~~Governing Body~~ *governing body* and its members shall deal with the administrative services solely through the ~~City Manager~~ *city manager*, and neither the ~~Governing Body~~ *governing body* nor any member thereof shall give orders either publicly or privately to any subordinate of the ~~City Manager~~ *city manager*.

B. Except as herein provided, the ~~Governing Body~~ *governing body* shall establish its own rules of procedure.

1. The ~~Governing Body~~ *governing body* shall meet in regular session at least once each month *for at least eleven (11) months of each fiscal year, and shall establish the dates of its regular meetings for each fiscal year by resolution adopted at each annual meeting held in July*.

2. The ~~Governing Body~~ *governing body* shall provide for the calling of special meetings by the ~~Mayor~~ *mayor*, or any three members of the ~~Governing Body~~ *city council*, and shall prescribe the method of giving notice thereof.

3. Except as otherwise provided by law, ordinances, resolutions, motions, and votes shall be adopted only by the affirmative votes of a majority of the quorum of the ~~Governing Body~~ *governing body* present at a regularly scheduled or special meeting open to the public.

C. The ~~Governing Body~~ *governing body* shall have general power over all the officers and employees of the ~~City~~ *city* as provided in this ~~charter~~ *Charter*.

§ 3.8. Quorum; required vote for appropriation of money or levy of taxes or licenses; reconsideration, at special meeting, of matters decided at stated meeting.

Four members of the ~~Governing Body~~ *governing body* shall constitute a quorum for the transaction of business. No ordinance shall be passed or resolution adopted having for its object the appropriation of money in any sum, or the levy of taxes and licenses, except by the ~~concurrence~~ *affirmative vote* of at least four members of the ~~Governing Body~~ *governing body*. No vote or question decided at a stated meeting shall be reconsidered at a special meeting unless all members *present at the stated meeting* are present *at the special meeting*, and ~~four~~ *a majority* of ~~them concur, each having been~~ *the* members of the ~~Governing Body~~ *governing body* who previously voted in favor of the prevailing side during the previous voted decision on the issue in question *concur*.

§ 3.9. Induction of members.

The ~~City Clerk~~ *city clerk* shall administer the oath of office to the duly elected members of ~~City Council~~ *the city council* and the ~~Mayor~~ *mayor* on or before December 31, immediately following their election. In the absence of the ~~City Clerk~~ *city clerk*, the oath may be administered by anyone authorized to administer oaths under the laws of the Commonwealth.

§ 3.10. Meetings generally.

The ~~Governing Body~~ *governing body* shall, by ordinance, fix the time for its stated meetings. Special meetings shall be called by the ~~City Clerk~~ *city clerk* upon written request of the ~~Mayor~~ *mayor*, or any three members of the ~~Governing Body~~ *governing body*; no business shall be transacted at a special meeting but that for which it shall be called, unless the ~~Governing Body~~ *governing body* so agrees by unanimous vote. The meetings of the ~~Governing Body~~ *governing body* shall be open to the public, except when in the judgment of the ~~Governing Body~~ *governing body* the public welfare shall require ~~executive sessions~~ *closed meetings* as provided by law.

§ 3.11. Persons receiving emolument from federal government not barred from holding office.

No person presently receiving any emolument from the federal government shall be barred because of such fact from continuing to serve as an elected officer of the ~~City~~ *city* or to seek reelection and to serve as a member of the ~~Governing Body~~ *governing body* or to serve as a member of any board or commission of the ~~City~~ *city*.

§ 3.12. City ~~Clerk~~ *clerk*.

The ~~Governing Body~~ *governing body* shall appoint a ~~City Clerk~~ *city clerk* for an indefinite term. The ~~City Clerk~~ *city clerk* shall be the clerk of the ~~Governing Body~~ *governing body*, shall keep a journal of its proceedings and shall record all ordinances *and resolutions* in ~~a book~~ *books* kept for that purpose. The ~~City Clerk~~ *city clerk* shall be the custodian of the corporate seal of the ~~City~~ *city* and shall be the officer authorized to use and authenticate said seal. All records in the office of the ~~City Clerk~~ *city clerk* shall be public records and open to inspection at any time during regular business hours*, except as otherwise provided by the laws of the Commonwealth*. The ~~City Clerk~~ *city clerk* shall receive compensation to be fixed by the ~~Governing Body~~ *governing body* and all fees received by the ~~City Clerk~~ *city clerk* shall be paid into the city treasury.

§ 3.13. Election and general powers and duties of ~~Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue* and ~~City Treasurer~~ *city treasurer*; filling of vacancies.

A. By general election every four years, there shall be elected by the qualified voters of the City of Manassas Park a ~~Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue* and a ~~City Treasurer~~ *city treasurer*. In case of a vacancy in the office

of ~~Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue* or ~~City Treasurer~~ *city treasurer*, the vacancy shall be filled in accordance with general law.

B. The ~~City Treasurer and the Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue and the city treasurer* shall have such powers and perform such duties ~~and receive such compensation~~ as are provided by the Constitution of Virginia~~, and, except as are otherwise provided in~~ *and* this ~~charter, as are provided by the provisions of general laws for cities~~ *Charter for the assessment and collection of state and local taxes, levies, and fees and shall receive such compensation as required by law.*

C. The commissioner of the revenue and the city treasurer shall furnish such information as may be deemed advisable by the governing body for the preparation of the city budget and shall cooperate with city officers, employees, and auditors in the annual audit of all city accounts and records, including those of the commissioner of the revenue and the treasurer.

D. The commissioner of the revenue and the city treasurer may each perform such other duties, not inconsistent with his *office, as the governing body may request.*

§ 3.14. Specific duties of ~~City Treasurer~~ *city treasurer*.

The ~~City Treasurer~~ *city treasurer* shall be ~~charged with receiving and paying out all moneys of the City. The City Treasurer shall hold such moneys and/or place same in such depositories as the Governing Body may by resolution direct, and shall pay out such moneys under such conditions and in such manner as the Governing Body by resolution may direct. The City Treasurer shall keep the moneys of the City in the name of the City and shall keep books showing accurately all receipts and disbursements and separate records for the several funds or accounts of the City as may be prescribed by the Governing Body from time to time. The City Treasurers' books shall be open at all reasonable times for inspection as required by law. The City Treasurer is specifically charged with the preparation and delivery of all bills for tax levies and license taxes due the City and the prompt collection of such taxes. Should any tax or taxes become delinquent, the City Treasurer shall promptly proceed to collect the same in such a manner as prescribed by ordinance or law. The City Treasurer shall furnish, in addition to any bond required by the Commonwealth of Virginia, a bond payable to the City of Manassas Park in such amount as the Governing Body may prescribe and conditioned upon the faithful and true performance of all the duties placed upon the City Treasurer by this charter. The City Treasurer shall immediately deliver all such moneys, records and other property in that individuals' possession to his duly appointed or elected successor, and the bonds as herein provided shall remain in force and effect until such moneys, records and property have been so transferred, accounted for, and by audit the funds and property are properly accounted for in the records so transferred.~~ *the city's collecting official, exercising all the powers conferred and performing all the duties imposed by law upon city treasurers for state and local taxes and licenses, including but not limited to:*

1. Collecting and receiving all city taxes, levies, assessments, license taxes, rents, city fees as directed by the governing body, all money due the city from the state, and all taxes, levies, and fees due the state and collected within the city and disbursing the same, using any procedure now or hereafter permitted or prescribed by law.

2. Depositing in legal depositories, maintaining custody of, and disbursing all funds of the city or in the possession of the city, and prudently investing such funds as they are available for investment, under such conditions and in such manner as the governing body may direct from time to time. The city treasurer shall not be liable for any loss sustained of funds so deposited when acting in good faith.

3. Keeping a correct account of all moneys collected, received, deposited, and disbursed by the office of city treasurer pursuant to subdivisions 1 and 2 above, and keeping, subject to the provisions of § 58.1-3 of the Code of Virginia, as the same may be amended from time to time, the books, papers, and moneys pertaining to the office of city treasurer at all times ready for inspection by the attorney for the Commonwealth, the governing body, or as otherwise required by law, and providing, when required by such attorney, governing body, or any judge of a court of record, a statement of accounts and making available the books for all such moneys collected, received, deposited, and disbursed by the office of city treasurer.

4. Furnishing, in addition to any bond required by the Commonwealth of Virginia, a bond payable to the City of Manassas Park in such amount as the governing body may prescribe and conditioned upon the faithful and true performance of all the duties placed upon the city treasurer by this Charter.

5. Performing such other duties, having such other powers, and being liable to such penalties as are now or may hereafter be prescribed by law or ordinance. The city treasurer may also agree to perform other duties consistent with the office of city treasurer.

6. The city treasurer shall immediately deliver all moneys, records, and other property in his possession to his duly elected or appointed successor, and the bonds as herein provided shall remain in force and effect until such moneys, records, and property have been so transferred, accounted for, and by audit the funds and property properly accounted for in the records so transferred.

In performing his duties, the city treasurer shall be entitled to employ such staff as the State Compensation Board authorizes. The city treasurer may designate one or more members of such staff to carry out the duties and obligations of this section as he deems necessary.

§ 3.15. Specific duties of ~~Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue*.

The ~~Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue* shall ~~perform such duties not inconsistent with the laws of the Commonwealth in relation to the assessment of property and licenses as may be required by the Governing Body for the purpose of levying city taxes and licenses. The Commissioner of Revenue shall have power to administer such oaths as may be required by the Governing Body in the assessment of license taxes or other taxes of the City. The Commissioner of Revenue shall make such reports in regard to the assessments of both property and licenses, or either, as may be required by~~

~~the Governing Body. The Commissioner of Revenue shall perform such other duties as may be required by the Governing Body.~~ *be the city's assessing official, exercising all the powers conferred and performing all the duties imposed by law upon commissioners of the revenue, including but not limited to:*

1. Assessing property and licenses as required by law and as directed by the governing body for the purpose of levying taxes and licenses, and administering such oaths as may be required for the same. Notwithstanding the preceding sentence, the city assessor shall assess all real property in the city and shall be appointed by the governing body.

2. Making such reports in regard to the assessment of property and licenses as required by law and as directed by the governing body.

3. Obtaining full and complete state tax returns from every taxpayer in the city who is liable under the law to file such return with him for state taxes assessed by his office. This duty of the commissioner of the revenue to obtain such returns shall in no manner diminish the obligation of the taxpayer to file the required returns without being called upon to do so by the commissioner of the revenue or any other officer.

4. Rendering such taxpayer assistance as may be necessary for the preparation of any state tax return required by law to be filed with his office. The commissioner of the revenue may go to convenient public places within the city for the purpose of receiving state tax returns. Compliance by the commissioner of the revenue with this section shall not relieve him of the duty to obtain state tax returns as required in subdivision 3 above.

5. Advertising, in a newspaper of general circulation in the city, at least once during the seven days prior to the time fixed by law for filing state tax returns without penalty, the location of the commissioner's office, the location of such branch offices as he may establish, and the hours of the day, not less than eight hours each day, during which such office or offices shall be open for business. Such advertisement shall state the time when returns of taxpayers must be filed.

6. Furnishing, in addition to any bond required by the Commonwealth of Virginia, a bond payable to the City of Manassas Park in such amount as the governing body may prescribe and conditioned upon the faithful and true performance of all the duties placed upon the commissioner of the revenue by this Charter.

7. Performing such other duties, having such other powers, and being liable to such penalties as are now or may hereafter be prescribed by law or ordinance. The commissioner of the revenue may also agree to perform other duties consistent with the office of commissioner of the revenue.

In performing his duties, the commissioner of the revenue shall be entitled to employ such staff as the State Compensation Board authorizes. The commissioner of the revenue may designate one or more members of such staff to carry out the duties and obligations of this section as he deems necessary.

§ 3.16. City ~~Attorney~~ *attorney*.

The ~~Governing Body~~ *governing body* shall appoint a duly licensed attorney as ~~City Attorney~~ *city attorney*, who need not reside within the ~~City~~ *city*, the scope of whose duties and whose compensation shall be fixed by the ~~Governing Body~~ *governing body* and who shall serve at the pleasure of the ~~Governing Body~~ *governing body*.

§ 3.17. City ~~Manager~~ *manager*, generally.

A. There shall be a ~~City Manager~~ *city manager* who shall be the administrative officer of the ~~City~~ *city* and shall be responsible to the ~~Governing Body~~ *governing body* for the proper administration of the city government. The ~~City Manager~~ *city manager* shall have no direct responsibility or accountability to the ~~Mayor~~ *mayor* other than as shall be directed by *the governing body consistent with* this ~~charter~~ *Charter* ~~or the direction of the Governing Body~~. The ~~City Manager~~ *city manager* shall serve at the pleasure of the ~~Governing Body~~ *governing body* and shall be appointed for a term acceptable to the ~~Governing Body~~ *governing body* and the ~~City Manager~~ *city manager*. The ~~City Manager~~ *city manager* shall be chosen on the basis of executive and administrative qualifications, with special reference to actual experience in or knowledge of accepted practice in respect to the duties of this office and need not, when appointed, be a resident of the ~~City of Manassas Park or the~~ Commonwealth~~, but during his term of office~~. *Within six months following the commencement of his duties,* the ~~City Manager~~ *city manager* shall reside *in the Commonwealth, either* within the ~~City~~ *city or within thirty miles of the city's corporate limits*. No member of the ~~Governing Body~~ *governing body* shall, during the time for which elected or appointed, be chosen as ~~City Manager~~ *city manager*.

B. The ~~City Manager~~ *city manager* may be suspended by the ~~Mayor~~ *mayor* or ~~Governing Body~~ *governing body* and removed from office by the ~~Governing Body~~ *governing body* for cause. Before the ~~City Manager~~ *city manager* may be suspended or removed, the ~~City Manager~~ *city manager* shall, at the option of the ~~City Manager~~ *city manager*, be given a written statement of the reasons for suspension or removal and the right to be heard concerning the proposed removal at a meeting of the ~~Governing Body~~ *governing body* prior to the final vote on the question of his removal. Pending and during such hearing on removal from office, the ~~Governing Body~~ *governing body* may suspend the ~~City Manager~~ *city manager* from office. The action of the ~~Governing Body~~ *governing body* in suspending or removing the ~~City Manager~~ *city manager* shall be final, it being the intention of this ~~charter~~ *Charter* to vest all authority and fix all responsibility for such suspension or removal in the ~~Governing Body~~ *governing body*. The ~~Mayor~~ *mayor* shall have no direct oversight or power to direct the ~~City Manager~~ *city manager* in matters relating to normal administration of city business, nor shall the ~~Mayor~~ *mayor* have the power to act in the capacity of ~~City Manager~~ *city manager* in the absence of the incumbent.

C. In the case of the absence, disability, death, or resignation of the ~~City Manager~~ *city manager*, the ~~Governing Body~~ *governing body* may by ordinance designate some qualified person to perform the duties of the office during such absence or disability, or until appointment of a successor.

§ 3.18. Duties of the ~~City Manager~~ *city manager*.

It shall be the duty of the ~~City Manager~~ *city manager* to:

1. Supervise the administrative affairs of the ~~City~~ *city*.

2. Make such recommendations to the ~~Governing Body~~ *governing body* concerning the affairs of the ~~City~~ *city* as may seem to him desirable or advisable.

3. Keep the ~~Governing Body~~ *governing body* advised of the financial condition and future needs of the ~~City~~ *city*.

4. Prepare and submit to the ~~Governing Body~~ *governing body* the annual budget estimate and be responsible for its administration after its adoption.

5. Prepare in suitable form for publication and submit to the ~~Governing Body~~ *governing body* not later than its first meeting following December 5 of each year a concise, comprehensive report of the financial transactions and administrative activities of the city government during the fiscal year ending on the preceding June 30 and cause to be printed such number of copies thereof as the ~~Governing Body~~ *governing body* shall direct.

6. Prepare and submit to the ~~Governing Body~~ *governing body* such reports as may be required by that body, including adequate financial and activity reports at each regular meeting of the ~~Governing Body~~ *governing body*.

7. Attend all meetings of the ~~Governing Body~~ *governing body* with the right to speak but not to vote.

8. Perform such other duties as may be prescribed by this ~~charter~~ *Charter* or required of the ~~City Manager~~ *city manager* by order or resolution of the ~~Governing Body~~ *governing body* or which may be required of the chief administrative officer of the ~~City~~ *city*, not inconsistent with this ~~charter~~ *Charter* and the general laws of the Commonwealth other than those duties conferred on the ~~Mayor~~ *mayor* by this ~~charter~~ *Charter*.

§ 3.19. Powers with respect to city personnel.

Except as otherwise provided in this ~~charter~~ *Charter*, the ~~City Manager~~ *city manager* may appoint or employ and ~~he may~~ remove or discharge such officers, employees and assistants as may be necessary to carry on the work in those departments and offices of the ~~City~~ *city* committed to him by *this Charter or by* ordinance *creating such departments or offices*, in all their respective details, in an economical and satisfactory manner. Whenever the interests of the ~~City~~ *city* require, irrespective of any other provisions of this ~~charter~~ *Charter*, the ~~City Manager~~ *city manager* shall have the power and authority to assign employees of any city department, bureau, office or agency, with the exception of *employees of* the school division *and other municipal offices*, to the temporary performance of duties in another city department, bureau, office or agency. The ~~City Manager~~ *city manager* may not remove or discharge appointive city officers; however, he may recommend their removal to the ~~Governing Body~~ *governing body*. The salaries and conditions of employment of employees and assistants shall be recommended by the ~~City Manager~~ *city manager* subject to the approval of the ~~Governing Body~~ *governing body* and as provided in general law. The ~~City Manager's~~ *city manager's* action in all respects shall be subject to review by the ~~Governing Body~~ *governing body*, and he shall be accountable to that ~~Body~~ *body* only.

§ 3.20. Relationship of ~~City Manager~~ *city manager* to boards, commissions, and agencies.

The ~~City Manager~~ *city manager* shall have the right to attend and participate in the proceedings of, but not to vote in, the meetings of all boards, commissions, or agencies created by this ~~charter~~ *Charter* or by ordinance.

§ 4.1. General.

A. The qualified voters of the City of Manassas Park shall elect the ~~Mayor~~ *mayor* and each ~~City Council~~ *city council* member. The ~~Mayor~~ *mayor*, ~~City Council~~ *city council*, ~~Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue,* and ~~City Treasurer~~ *city treasurer* shall be elected at large. The ~~Mayor~~ *mayor*, ~~City Council~~ *city council* members, ~~Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue,* and ~~City Treasurer~~ *city treasurer* each shall be a qualified voter and a resident of the ~~City~~ *city*. Elections for the offices of ~~Mayor~~ *mayor*, ~~City Council~~ *city council*, ~~Commissioner~~ *commissioner* of ~~Revenue~~ *the revenue,* and ~~City Treasurer~~ *city treasurer* shall be in the manner and time provided by general law. ~~Individual citizens of the City of Manassas Park may qualify as a candidate for elective office within the City by being recognized as the nominated candidate of a political party recognized by the State Board of Elections or through petition to the City Board of Elections.~~ *Candidates for the office of mayor, city council members, commissioner of the revenue, and city treasurer shall be qualified voters of the city and shall file their notice of candidacy and be nominated only by petition in the manner prescribed by law for nonparty candidates and not by caucus, primary, convention, or other party-affiliated proceeding,* said petition containing the validated signatures of registered voters of the ~~City of Manassas Park~~ *city* pursuant to the general laws of the Commonwealth. ~~Those citizens seeking elective office must meet state residency requirements as detailed in the general laws of the Commonwealth.~~ *There shall be printed on the ballots used in the election for the office of mayor, city council members, commissioner of the revenue, and city treasurer the names of all candidates who have been so nominated as provided herein and no others.*

B. The general laws of the Commonwealth relating to the conduct of elections, so far as pertinent, shall apply to the conduct of elections. Any member of the ~~Governing Body~~ *governing body* or any member of a board or commission appointed by the ~~Governing Body~~ *governing body* for a specified term may be removed in accordance with general law.

§ 4.2. Mayor and ~~City Council~~ *city council*.

Elections for the mayor and city council members shall take place in even years on the date set for the November general election, with the mayor and three city council members to be elected for *four-year terms in 2024 and every four years thereafter and the remaining three city council members to be elected* for *four-year terms in 2026 and every four years thereafter, said terms to commence on January 1 following the election.* The ~~Mayor~~ *mayor* and ~~City Council~~ *city council* members in office on the effective date of this ~~charter~~ *Charter and thereafter* shall continue to serve in office ~~until July 1,~~ following termination of their respective terms of office~~. Three City Council members shall be elected to four-year terms on~~

~~the first Tuesday in May 1994 and every four years thereafter. The Mayor and three City Council members shall be elected to four-year terms on the first Tuesday in May 1996 and every four years thereafter. The Mayor and members of City Council shall take office on July 1, following their election. The incumbent Mayor and City Council members shall hold office until the duly elected successor has qualified. However, beginning with the elections to be held in 2008, the Mayor and City Council shall be elected at the time set for the November general election to take office on January 1 following their election. The Mayor and members of Council in office on June 30, 2008, shall continue to serve~~ until their duly elected *or appointed* successors have qualified.

§ 4.3. Commissioner of ~~Revenue~~ *the revenue* and ~~City Treasurer~~ *city treasurer*.

~~The Commissioner~~ *Elections for* the *commissioner* of ~~Revenue~~ *the revenue* and ~~City Treasurer~~ *the city treasurer shall take place in odd years on the date set for the November general election, with the commissioner of the revenue and the city treasurer to be elected for four-year terms in 2025 and every four years thereafter, said terms to commence on January 1 following the election. The commissioner of the revenue and the city treasurer* in office on the effective date of this ~~charter~~ *Charter and thereafter* shall continue to serve in office ~~until January 1~~ following termination of their respective terms of office~~. The Commissioner of Revenue and City Treasurer shall be elected to four-year terms of office on the first Tuesday in November and shall take office on January 1, following election. The incumbent Commissioner of Revenue and City Treasurer shall hold office~~ until their duly elected *or appointed* successors have qualified.

§ 5.1. Enforcement of surety bonds.

In all cases where a bond is required of any officer, such bond or bonds shall be with corporate surety and conditioned for the faithful discharge by the officer, or that officer's deputies, assistants, or other subordinates, of the duties imposed by this ~~charter~~ *Charter* and all other ordinances passed in pursuance thereof.

§ 5.2. Officers to hold over until their successors are appointed and qualified.

Whenever, except as otherwise provided in this ~~charter~~ *Charter*, any officer of the ~~City~~ *city* or member of any board or commission is elected or appointed for a fixed term, such officer or member shall continue to hold office until that officer's *or member's* successor ~~is~~ *has been* elected or appointed and qualified.

§ 5.3. Restriction on appointment of city officers.

Whenever any officer of the ~~City~~ *city* or member of any board or commission entitled to receive a salary by virtue of election or appointment to that position voluntarily resigns from that position prior to the expiration of the term of office required by this ~~charter~~ *Charter* or general law, ~~the city~~ *such* officer~~, board~~ or ~~commission~~ member may not subsequently or concurrently be appointed to another city office, board or commission member position entitled to receive compensation or salary*, or to a department director position,* for a period of one year from the effective date of *the* voluntary resignation.

§ 5.4. Validation and ratification of bonds, taxes and contracts.

All bonds issued and sold, all contracts, agreements and obligations made at any time prior to the enactment of this ~~charter~~ *Charter* or any amendment thereto by the ~~Governing Body~~ *governing body* of the City *of Manassas Park*, and the former Town of Manassas Park, not inconsistent with the Constitution of Virginia and general law, all taxes assessed and levied when the ~~City~~ *city* was a town, and when the ~~City~~ *city* was in transition from the status of a town to that of a ~~City~~ *city* of the second class to the effective date of this ~~charter~~ *Charter* and its amendments, are hereby validated, ratified, and confirmed; and all other proceedings authorizing the issuance of bonds, notes, or other obligations of the City of Manassas Park and the former Town of Manassas Park heretofore had are hereby validated, ratified, and confirmed and shall not lapse or terminate or be otherwise affected by reason of any of the provisions contained in this ~~charter~~ *Charter*, and such bonds, notes, or other obligations may be authorized, sold, or issued in accordance with the provisions of law in force prior to the effective date of this ~~charter~~ *Charter* or in accordance with the provisions of this ~~charter~~ *Charter*.

§ 5.5. Continuation of officers and boards.

The present ~~Mayor~~ *mayor*, members of the ~~City Council~~ *city council,* and all other officials~~,~~ *and* board and commission members shall continue to hold office until their successors have been elected or appointed and shall have qualified as provided by this ~~charter~~ *Charter*. The ~~Mayor~~ *mayor* and any member of the ~~City Council~~ *city council* shall be eligible for reelection. All powers and authority conferred by this ~~charter~~ *Charter* shall be effective on the date of this~~ charter's~~ *Charter's* adoption and shall be conferred on the present city officers.

§ 5.6. School division and school board.

The City of Manassas Park shall constitute a separate school division. The school board shall consist of five members, appointed by the ~~Governing Body~~ *governing body*, and the terms are to be for a period of three years.

§ 5.7. Present ordinances and rules and regulations continued in effect.

All ordinances of the City *of Manassas Park* and the former Town of Manassas Park and all rules, regulations and orders legally made by any department, board, commission or officers of the City *of Manassas Park* and the former Town of Manassas Park, in force at the effective date of this ~~charter~~ *Charter*, insofar as they or any portion thereof are not inconsistent therewith, shall remain in force until amended or repealed in accordance with the provisions of this ~~charter~~ *Charter*. No ordinance, petition, or suit adopted or filed by the former Town of Manassas Park shall be invalidated or dismissed by reason of the Town of Manassas Park having become a ~~City~~ *city*.

§ 5.7:1. General usage.

Headings at the beginning of each chapter and section are solely for convenience and are not binding. When not inconsistent with the context, words used in the present tense include the future tense, words in the singular number include

the plural number, and the masculine gender includes the feminine gender, and vice versa. The words "shall" and "will" are mandatory; the word "may" is permissive.

§ 5.8. Severance clause.

If any clause, sentence, paragraph or part of this ~~charter~~ *Charter* shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment, order or decree shall not affect, impair, or invalidate the remainder of ~~said charter~~ *this Charter*, but shall be confined in its operation to the clause, paragraph, or part thereof directly involved in the controversy in which said judgment, order, or decree shall have been ordered.

CHAPTER 347

An Act to amend and reenact § 17.1-905 of the Code of Virginia, relating to Judicial Inquiry and Review Commission; submission of annual report.

[S 1470]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-905 of the Code of Virginia is amended and reenacted as follows:

§ 17.1-905. Annual report.

On or before December 1 of each year, the Commission shall ~~publish~~ *submit to the Chairmen and ranking members of the House and Senate Committees for Courts of Justice* a report detailing the activities of the Commission for the prior year. The report shall include the number of complaints filed with the Commission; the number of complaints originating from attorneys, judges, court employees, or the general public; the number of complaints dismissed based on (i) failure to fall within the jurisdiction of the Commission, (ii) failure to state a violation of the Canons of Judicial Conduct, or (iii) failure of the Commission to reach a conclusion that the Canons were breached; the number of complaints for which the Commission concluded that the Canons of Judicial Conduct were breached; and the number of cases from which the staff or any member of the Commission recused himself due to an actual or possible conflict. The report shall also include (a) the name of any judge who the Commission concluded breached the Canons of Judicial Conduct and took disciplinary action against as a result of such conclusion, if the date on which the Commission reached such conclusion was after the previous annual report was published; (b) the specific Canons of Judicial Conduct breached by such judge; and (c) the disciplinary action taken against such judge by the Commission. *No annual report shall be considered confidential following the submission of such report to the Chairmen of the House and Senate Committees for Courts of Justice. The decision of whether to release such annual report publicly shall be made by the General Assembly.*

CHAPTER 348

An Act to amend and reenact the second enactment of Chapter 357 and the second enactment of Chapter 441 of the Acts of Assembly of 2018, as amended by Chapter 136 of the Acts of Assembly of 2022, relating to definition of public aircraft; sunset.

[S 741]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the second enactment of Chapter 357 and the second enactment of Chapter 441 of the Acts of Assembly of 2018, as amended by Chapter 136 of the Acts of Assembly of 2022, are amended and reenacted as follows:

2. That the provisions of this act shall expire on ~~July 1, 2025~~ *July 1, 2030*.

CHAPTER 349

An Act to amend and reenact §§ 16.1-79 and 16.1-81 of the Code of Virginia, relating to civil actions brought by warrant or motion for judgment.

[S 761]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-79 and 16.1-81 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-79. Actions brought on warrant.

A civil action in a general district court may be brought by warrant directed to the sheriff or to any other person authorized to serve process in such county or city, requiring the person against whom the claim is asserted to appear before the court on a certain day, not exceeding ~~sixty~~ *90* days from the date of service thereof, to answer the complaint of the plaintiff set out in the warrant. After the warrant has been issued and delivered for service it shall not be altered, nor any blank filled, except by order of the court.

§ 16.1-81. Actions brought by motion for judgment.

A civil action in a general district court may be brought by motion for judgment. Such motion shall be in writing, signed by the plaintiff or his attorney, and shall contain a caption setting forth the name of the court and the title of the action, which shall include the names of all parties and the address of each defendant. It shall state the facts on which the plaintiff relies, and shall be sufficient if it clearly informs the defendant or defendants of the true nature of the claim asserted. The motion shall notify the defendant or defendants of the day on which such motion shall be made, which day shall not be more than ~~sixty~~ *90* days from the date of service of the motion.

CHAPTER 350

An Act to amend and reenact §§ 53.1-5 and 53.1-69.1 of the Code of Virginia, relating to State Board of Local and Regional Jails; deaths of inmates in local, regional, and community correctional facilities; reports.

[S 770]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 53.1-5 and 53.1-69.1 of the Code of Virginia are amended and reenacted as follows:

§ 53.1-5. Powers and duties of Board.

The Board shall have the following powers and duties:

1. To develop and establish operational and fiscal standards governing the operation of local, regional, and community correctional facilities;

2. To advise the Governor and Director on matters relating to corrections;

3. To make, adopt and promulgate such rules and regulations as may be necessary to carry out the provisions of this title and other laws of the Commonwealth pertaining to local, regional, and community correctional facilities. The Board, when promulgating regulations and adopting any policy or guidance document related to the enforcement of any minimum standards applicable to local, regional, and community correctional facilities, shall expressly and specifically include such items in its published agenda for meetings of the Board or any of its subcommittees. No standard, policy, or guidance document may be promulgated, amended, or rescinded in entirety or in part without compliance with this article;

4. To ensure the development of programs to educate citizens and elicit public support for the activities of the Department;

5. To develop and implement policies and procedures for the review of the death of any inmate that the Board determines warrants review that occurs in any local, regional, or community correctional facility. Such policies and procedures shall incorporate the Board's authority under § 53.1-6 to ensure the production of evidence necessary to conduct a thorough review of any such death. Notwithstanding any other provision of law, the Board shall adhere to procedures of the Administrative Process Act (§ 2.2-4000 et seq.) in promulgating such policies and procedures;

6. To establish minimum standards for health care services, including medical, dental, pharmaceutical, and behavioral health services, in local, regional, and community correctional facilities and procedures for enforcing such minimum standards, with the advice of and guidance from the Commissioner of Behavioral Health and Developmental Services and State Health Commissioner or their designees. Notwithstanding any other provision of law, the Board shall adhere to procedures of the Administrative Process Act (§ 2.2-4000 et seq.) in promulgating such policies and procedures. Such minimum standards shall require that each local, regional, and community correctional facility submit a standardized quarterly continuous quality improvement report documenting the delivery of health care services, along with any improvements made to those services, to the Board. The Board shall make such reports available to the public on its website. The Board may determine that any local, regional, or community correctional facility that is accredited by the American Correctional Association or National Commission on Correctional Health Care meets such minimum standards solely on the basis of such facility's accreditation status; however, without exception, the requirement that each local, regional, and community correctional facility submit a standardized quarterly continuous quality improvement report to the Board shall be a mandatory minimum standard; and

7. To report annually on or before December 1 to the General Assembly and the Governor on the results of the inspections and audits of local, regional, or community correctional facilities conducted pursuant to § 53.1-68 ~~and the reviews of the deaths of inmates that occur in any local, regional, or community correctional facility conducted pursuant to § 53.1-69.1~~. The report shall include (i) a summary of the results of such inspections~~,~~ *and* audits~~, and reviews~~, including any trends identified by such inspections~~,~~ *and* audits~~, and reviews~~ and the frequency of violations of each standard established for local, regional, or community correctional facilities, and (ii) any recommendations for changes to the standards established for local, regional, or community correctional facilities ~~or the policies and procedures for conducting reviews of the death of inmates~~ to improve the operations, safety, and security of local, regional, or community correctional facilities.

§ 53.1-69.1. Review of death of inmates in local, regional, or community correctional facilities.

A. The Board shall have the power to review the death of any inmate who was incarcerated in a local*, regional, or community* correctional facility at the time of his death in order to determine (i) the circumstances surrounding the inmate's death, including identifying any act or omission by the facility or any employee or agent thereof that may have directly or

indirectly contributed to the inmate's death, and (ii) whether the facility was in compliance with the regulations promulgated by the Board.

B. Any review conducted pursuant to this section shall be conducted in accordance with the policies and procedures for such review developed and implemented by the Board in accordance with subdivision 5 of § 53.1-5. In conducting a review pursuant to this section, the Board may exercise its power under § 53.1-6 to hold and conduct hearings, issue subpoenas, and administer oaths and take testimony thereunder. If the Board determines that it cannot adequately conduct any particular review pursuant to this section because of the conduct by the Board of another ongoing review, the Board may request that the Department assist in the conduct of such review. Department staff conducting a review pursuant to this section shall be considered agents of the Board.

C. If the Board determines during the conduct of any review pursuant to this section that it is necessary to review the operation of an entity other than the local*, regional, or community* correctional facility in order to complete the review, the Board shall request that the Office of the State Inspector General review the operation of such entity if such entity falls within the authority vested in the Office of the State Inspector General pursuant to Chapter 3.2 (§ 2.2-307 et seq.) of Title 2.2. Nothing in this section shall limit the authority of the Office of the State Inspector General to exercise any of the powers and duties set forth in Chapter 3.2 (§ 2.2-307 et seq.) of Title 2.2.

D. Upon completion of any review conducted pursuant to this section, the Board shall prepare a detailed report of the findings of any review, which shall be submitted to the Governor, the Speaker of the House of Delegates, and the President pro tempore of the Senate. Such report may contain recommendations for changes to the minimum standards for the construction, equipment, administration, and operation of local correctional facilities in order to prevent problems, abuses, and deficiencies in and improve the effectiveness of such facilities. In addition, the Board may issue any order authorized under § 53.1-69 to correct any failure by the facility to comply with the Board's regulations. Except as otherwise required by law, the Board shall maintain the confidentiality of any confidential records or information obtained from a facility during the course of a review in accordance with state and federal law.

E. The Board shall publish an annual report ~~summarizing the reviews conducted by the Board within that year. Such report shall include any trends or similarities among the deaths of inmates in local correctional facilities and present recommendations on policy changes to reduce the number of deaths in local correctional facilities. The~~ *that includes the following: (i) a summary of the reviews of the deaths of inmates that occur in any local, regional, or community correctional facility conducted in the prior year pursuant to this section, including any trends or similarities identified by such reviews; (ii) any recommendations for policy changes to reduce the number of inmate deaths; and (iii) any recommendations for changes to the policies and procedures for conducting reviews of the deaths of inmates to improve the operations, safety, and security of local, regional, or community correctional facilities. On or before July 1, 2025, and each July 1 thereafter, the* Board shall publish such report on its website and submit the report to the Governor, the Chairmen of the Senate Committee on Rehabilitation and Social Services ~~and~~*,* the House Committee on Public Safety, ~~the Chair of~~ *and* the House Committee for Courts of Justice, the Speaker of the House of Delegates, and the President pro tempore of the Senate.

CHAPTER 351

An Act to amend and reenact § 30-343.1 of the Code of Virginia, relating to essential health benefits benchmark plan review; stakeholder work group.

[S 774]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 30-343.1 of the Code of Virginia is amended and reenacted as follows:

§ 30-343.1. Review of essential health benefits benchmark plan.

A. As used in this section:

"Bureau" means the Bureau of Insurance of the State Corporation Commission.

"Essential health benefits benchmark plan" or "benchmark plan" has the same meaning as "EHB-benchmark plan" provided in 45 C.F.R. § 156.20.

B. The Commission, in coordination with the Bureau, shall conduct a review of the essential health benefits benchmark plan in 2025 and every five years thereafter in accordance with 45 C.F.R. § 156.111 and this section.

C. Prior to any review year, the Bureau shall convene a ~~workgroup~~ *work group* of relevant stakeholders to discuss and make recommendations regarding any potential changes to the benchmark plan. *Members of the work group shall possess demonstrated and acknowledged expertise in health benefit plan design, actuarial science, population health, patient advocacy, or advocating for or assisting enrollees in individual or small group health coverage. Factors the work group shall consider include (i) coverage denial rates of benefits that are not covered under the current benchmark plan; (ii) the utilization of mandated benefits; (iii) the projected impact of a proposed mandate on the prevalence of medical need, the urgency of such medical need, and any disproportionate disease burden borne by different subpopulations; (iv) the projected cost of each proposed mandate; and (v) other data as determined by the work group.* Additionally, for any referred legislation the Commission has chosen to be considered in the benchmark plan review, the Bureau shall complete an assessment of such legislation that includes an estimate of the effects of including the proposed mandate as part of the

benchmark plan on the costs of health coverage in the Commonwealth. The Bureau shall submit the findings and any recommendations of the ~~workgroup~~ *work group* and any assessments of proposed mandates to the Commission by March 31 of the review year.

D. By June 30 of any review year, the Commission shall determine if an application will be made for a change to the benchmark plan and shall identify any potential benefit changes to the benchmark plan for further analysis. In making its determination and identifying any potential benefit changes, the Commission may consider (i) the findings and recommendations of the ~~workgroup~~ *work group*, (ii) any referred legislation the Commission has chosen to be considered in the benchmark plan review and the Bureau's assessment of such legislation, and (iii) public comment. If the Commission determines that an application will be made for a change to the benchmark plan, the Commission shall identify any potential benefit changes for further analysis.

E. The Bureau shall conduct an actuarial analysis of any benefit changes identified by the Commission and present such analysis to the Commission by September 30 of such review year.

F. By December 31 of any review year, the Commission shall determine which, if any, potential benefit changes shall be included in a new benchmark plan. The Commission shall make a recommendation to the General Assembly in the form of a bill that directs the Bureau to select a new benchmark plan that includes any such changes at the next regular session of the General Assembly.

G. During the review year, the Commission shall conduct public hearings to solicit feedback from consumers and other interested parties regarding any potential benefit changes to the benchmark plan. At least two public hearings shall be held prior to the Commission's determination required by subsection D. If the Commission has determined that an application for a new benchmark plan will be made for a change to the benchmark plan, at least two additional public hearings shall be held prior to selection of a new benchmark plan required by subsection F. Such hearings shall be adequately advertised and planned and shall include an opportunity for the public to participate both in-person and remotely.

H. The Bureau shall establish and maintain a website to convey relevant information to the public related to any benchmark plan review.

CHAPTER 352

An Act to amend and reenact § 30-413 of the Code of Virginia, relating to School Health Services Committee; sunset.

[S 799]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 30-413 of the Code of Virginia is amended and reenacted as follows:

§ 30-413. (Expires July 1, 2025) Sunset.

This chapter shall expire on July 1, ~~2025~~ *2028*.

CHAPTER 353

An Act to amend and reenact § 55.1-2245 of the Code of Virginia, relating to Virginia Real Estate Time-Share Act; recordkeeping by resellers.

[S 807]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-2245 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-2245. Recordkeeping by resellers.

A. If contact information has been obtained by a reseller from any source, including a lead dealer, the reseller and lead dealer shall maintain the following records for a period of five years from the last date of contact between the reseller and the owner:

1. The name; home address; work address, if different; telephone number; *and* email address~~, if any; and a copy of a current government-issued photographic identification (e.g., drivers' license, passport, or military identification card)~~ of the lead dealer who provided the contact information;

2. The date, time, and place of the transaction at which the contact information was obtained, along with the amount of consideration paid and a signed receipt from the lead dealer or copy of a canceled check; and

3. A copy of the contact information obtained in the exact form and media in which received.

B. A reseller shall maintain records for at least five years after each transaction involving resale service including resale transfer agreements and resale purchase agreements.

C. In any civil or criminal action based on a violation of this section, there shall be a presumption that contact information was wrongfully obtained if a reseller or lead dealer fails to produce the records required by this section.

D. Any person who establishes that a reseller or lead dealer wrongfully obtained or wrongfully used contact information with respect to time-share owners or members of an exchange program shall, in addition to any other remedies

that may be available in law or equity, be entitled to recover from such reseller or lead dealer an amount equal to $1,000 for each time-share owner or member about whom contact information was wrongfully obtained or used. The prevailing person in any such action shall also be entitled to recover reasonable attorney fees and costs.

CHAPTER 354

An Act to amend the Code of Virginia by adding a section numbered 63.2-905.6, relating to local department of social services; children in foster care; federal benefits; notice of eligibility.

[S 818]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 63.2-905.6 as follows:

§ 63.2-905.6. Notice of eligibility for certain federal benefits.

If the local department of social services (the local department) serves as representative payee for a child receiving benefits from the Social Security Administration or the U.S. Department of Veterans Affairs, the local department shall provide written notice in person or by certified mail, return receipt requested, that it is acting as the child's representative payee within 30 days after receiving the first benefit payment on behalf of the child to:

1. The child, in an age-appropriate manner, if the child is 12 years of age or older;

2. The child's parent, prior guardian, or prior custodian, or, if there is no legal parent or prior guardian or custodian, the child's next of kin;

3. The guardian ad litem appointed pursuant to § 16.1-266, if applicable; and

4. The counsel appointed for the child pursuant to § 16.1-266, if applicable.

CHAPTER 355

An Act to amend and reenact § 1, as amended, of Article IV of Chapter 634 of the Acts of Assembly of 1976, which provided a charter for the City of Poquoson, relating to powers of city council; removing certain appointed members of board or commission.

[S 836]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 1, as amended, of Article IV of Chapter 634 of the Acts of Assembly of 1976 is amended and reenacted as follows:

Article IV. Powers of the Council.

§ 1. Generally.

All powers of the city and the determination of all matters of policy shall be vested in the council. Except as otherwise provided in this charter, the council shall:

A. Appoint the city manager, the city clerk, and the city attorney.

B. Adopt a city budget.

C. Inquire into the conduct of any office, department, or agency of the city and make investigations as to municipal affairs.

D. Appoint the trustees of the city school division and fill any vacancies thereon.

E. Appoint the members of the Planning Commission, the Board of Zoning Appeals, and the Recreation Commission, and fill any vacancies thereon.

F. Provide, if it so desires, for the creation of a housing authority.

G. Adopt and modify the official map of the city.

H. Pass all ordinances relating to its municipal affairs, subject to the Constitution and general laws of the Commonwealth and of this charter and may from time to time amend, reamend, or repeal any or all of its ordinances for the proper regulation, management, and government of the city and impose fines and penalties for the violation or nonobservance thereof.

I. Compel the attendance of its members and ~~expel~~ *remove* its members for improper behavior and by vote of four-sevenths of the whole council, ~~expel~~ *remove* a member. *Notwithstanding any other provision of general law, any person appointed to a city board or commission by the city council may be removed for improper behavior from such board or commission by a vote of four-sevenths of the whole city council.*

J. Fix salaries and wages of all officers and employees of the city, unless otherwise provided by this charter or by the general laws of the Commonwealth.

K. Require and secure such bonds for any of the city employees as it may deem necessary.

L. Keep a journal of its proceedings, which shall be open to public inspection.

M. Appoint a Board of Architectural Review and designate Architectural Control Districts within commercial, industrial or research/development zoning districts in order to protect and promote the general welfare and to prevent deterioration of the appearance of the city which would tend to create hazards to public health, safety and morals and destroy economic opportunity for the development of business and industry within the city. Such Architectural Control Districts may also be created to include any lot, parcel or area of land which is used for other than single family, detached residences or which is the subject of an application for a use permit or building permit involving any such other use, without regard to its zoning classification. No structure shall be erected, reconstructed, altered or restored within such Architectural Control Districts until approved by the Board of Architectural Review.

The Board of Architectural Review shall consist of five members appointed by majority vote of the city council for terms not to exceed three years. At least one member of the board shall be an architect registered in Virginia, and at least one shall be a member of the Virginia State Bar. All members of the board shall be residents of the city of Poquoson except one architect member who may or may not be a resident of the city of Poquoson. In the event that the one architect member is not a resident of the city of Poquoson, that appointment shall be for a period of one year. The city council shall prepare and publish appropriate standards, rules, regulations and procedures for the operation of the board and to carry out the purposes and objectives herein set forth; however, the city council shall not adopt as part of any such standards a specific architectural style; it shall provide for appeals to the city council from any final decision of the board, which appeal shall stay the board's decision pending the outcome of the appeal before the city council. The city council, on appeal, shall apply the same standards as those established for the board and may affirm, reverse, or modify the decision of the board, in whole or in part. Parties aggrieved by the decision of the city council shall have the right to appeal to the Circuit Court for York County and the City of Poquoson for review by filing a petition within thirty days after the final decision is rendered by the city council. The filing of the said petition shall stay the city council's decision pending the outcome of the appeal to the court. The court may reverse or modify the decision of the city council, in whole or in part, if it finds upon review that the decision of the city council is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion.

The purpose of the Board of Architectural Review shall be to assure that all buildings, structures and landscaping erected in the designated Architectural Control Districts conform to accepted architectural standards for permanent buildings, as contrasted with engineering standards designed to satisfy safety requirements only, and exhibit external characteristics as to material, texture, color, lighting, dimensions, line and mass of demonstrated architectural and aesthetic durability; and to prevent the erection in such district of buildings the external characteristics of which are designed to serve as advertisements or commercial displays or buildings which in terms of human sensibilities or otherwise constitute a reasonably foreseeable detriment to the community.

N. Request, by a resolution duly adopted by an affirmative vote of five members of city council, that the Circuit Court for York County and the City of Poquoson order a referendum election to be held on any question or group of questions as may be stated in the resolution. Such resolution shall state whether the results of the referendum shall be final and binding on the council or be for advisory purposes only. The referendum election shall be conducted and the results ascertained in accordance with general law, but there shall be no right of appeal from or recount of the results of an advisory referendum.

CHAPTER 356

An Act to direct the Department of Housing and Community Development to include broadband access services for mobile health clinics as a priority for broadband nondeployment programs using federal Broadband Equity, Access, and Deployment Program funding.

[S 842]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Housing and Community Development (the Department) shall, as part of the Department's broader initiative to support the development and implementation of programs that support telehealth, include broadband access services for mobile health clinics as a priority for broadband nondeployment programs using federal Broadband Equity, Access, and Deployment Program funding to the extent approved by the National Telecommunications and Information Administration.*

CHAPTER 357

An Act to amend and reenact § 46.2-869 of the Code of Virginia, relating to improper driving as a lesser included offense of reckless driving.

[S 847]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-869 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-869. Improper driving; penalty.

Notwithstanding the foregoing provisions of this article, upon the trial of any person charged with reckless driving where the degree of culpability is slight, *the jury or* the court ~~in its discretion~~ *trying the case without a jury* may find the accused not guilty of reckless driving but guilty of improper driving. However, an attorney for the Commonwealth may reduce a charge of reckless driving to improper driving at any time prior to the court's decision and shall notify the court of such change. Improper driving shall be punishable as a traffic infraction punishable by a fine of not more than $500.

CHAPTER 358

An Act to amend and reenact § 32.1-248.2 of the Code of Virginia, relating to local ordinances for the use of certain rainwater harvesting systems.

[S 851]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-248.2 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-248.2. Use of rainwater and reuse of gray water; regulations.

A. The Board shall adopt regulations regarding the use of gray water and rainwater. The regulations shall (i) describe the conditions under which gray water and rainwater may appropriately be used and for what purposes; (ii) include categories of gray water, such as types of used household water and used water from businesses, that are appropriate for reuse; and (iii) include a definition of gray water that excludes used toilet water. The regulations shall also provide standards for the use of rainwater harvesting systems, including systems that collect rainwater for use by commercial enterprises but do not provide water for human consumption, as defined in § 32.1-167.

Such regulations shall not apply to water not for human consumption, as defined in § 32.1-167, including gray water and rainwater, that is produced and utilized by any facility that is permitted through a Virginia Pollutant Discharge Elimination System permit or General Virginia Pollution Abatement permit.

B. The Department, in conjunction with the Department of Environmental Quality, shall promote the use of rainwater and reuse of gray water as means to reduce fresh water consumption, ease demands on public treatment works and water supply systems, and promote conservation.

C. The Department, in conjunction with the Department of Environmental Quality, shall consider recognizing rainwater as an independent source of fresh water available for use by the residents of the Commonwealth.

D. Existing local ordinances adopted prior to July 1, 2025, governing rainwater harvesting systems shall continue in force; however, in the event of a conflict between a Board regulation and a local ordinance adopted prior to July 1, 2025, the Board regulation shall govern, except when the conflicting local ordinance is more stringent. No locality shall adopt any local ordinance requiring owners of Tier 4 rainwater harvesting systems, as that term is described in the Rainwater Harvesting System Regulations (12VAC5-635), to connect to any municipal water supply or impose any penalty, including condemnation proceedings, on such owner for failing to connect to a municipal water supply. For purposes of this subsection "rainwater harvesting system" means a water system for collecting, storing, potentially treating, and distributing rainwater for the use of water from such system.

CHAPTER 359

An Act to amend and reenact §§ 8.01-20.1, 8.01-50.1, and 16.1-83.1 of the Code of Virginia, relating to medical malpractice; certification of expert witness; written opinion.

[S 892]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-20.1, 8.01-50.1, and 16.1-83.1 of the Code of Virginia are amended and reenacted as follows:

§ 8.01-20.1. Certification of expert witness opinion at time of service of process.

A. Every ~~motion for judgment~~ *complaint*, counter claim, or third party claim in a medical malpractice action, at the time the plaintiff *first* requests service of process upon a defendant, or requests a defendant to accept service of process, shall be deemed a certification that the plaintiff has obtained from an expert witness whom the plaintiff reasonably believes would qualify as an expert witness pursuant to subsection A of § 8.01-581.20 a written opinion signed by the expert witness that~~, based upon a reasonable understanding of the facts, the defendant for whom service of process has been requested deviated from the applicable standard of care and the deviation was a proximate cause of the injuries claimed~~ *states:*

BASED UPON A REASONABLE UNDERSTANDING OF THE FACTS, THE DEFENDANT FOR WHOM SERVICE OF PROCESS HAS BEEN REQUESTED DEVIATED FROM THE APPLICABLE STANDARD OF CARE AND THE DEVIATION WAS A PROXIMATE CAUSE OF THE INJURIES CLAIMED.

No further statement or opinion from the expert witness shall be required for the purposes of this section. The plaintiff may have separate certifications for standard of care and causation. Each defendant who is the subject of an expert witness's certification shall be identified in the certification.

B. This certification is not necessary if the plaintiff, in good faith, alleges a medical malpractice action that asserts a theory of liability where expert testimony is unnecessary because the alleged act of negligence clearly lies within the range of the jury's common knowledge and experience.

C. The certifying expert shall not be required to be an expert witness expected to testify at trial nor shall any defendant be entitled to discover the identity or qualifications of the certifying expert or the nature of the certifying expert's opinions. Should the certifying expert be identified as an expert expected to testify at trial, the opinions and bases therefor shall be discoverable pursuant to Rule 4:1 of the Rules of Supreme Court of Virginia with the exception of the expert's status as a certifying expert.

~~Upon written request of any~~ *D. Within 21 days of an answer being filed by a* defendant *upon whom service of process has been requested*, the plaintiff shall~~, within 10 business days after receipt of such request, provide the~~ *certify to such* defendant ~~with a certification form that affirms~~ that the plaintiff had obtained the necessary certifying expert opinion at the time service was requested or affirms that the plaintiff did not need to obtain a certifying expert witness opinion *by including a statement that reads: THIS IS TO CERTIFY THAT THE PLAINTIFF HAS COMPLIED WITH § 8.01-20.1 OF THE CODE OF VIRGINIA*. The court, upon good cause shown, may conduct an in camera review of the certifying expert opinion obtained by the plaintiff as the court may deem appropriate. If the plaintiff did not obtain a necessary certifying expert opinion at the time the plaintiff requested service of process on a defendant as required under this section, the court shall impose sanctions according to the provisions of § 8.01-271.1 and may dismiss the case with prejudice.

§ 8.01-50.1. Certification of expert witness opinion at time of service of process.

A. Every ~~motion for judgment~~ *complaint*, counter claim, or third party claim in any action pursuant to § 8.01-50 for wrongful death against a health care provider, at the time the plaintiff *first* requests service of process upon a defendant, or requests a defendant to accept service of process, shall be deemed a certification that the plaintiff has obtained from an expert witness whom the plaintiff reasonably believes would qualify as an expert witness pursuant to subsection A of § 8.01-581.20 a written opinion signed by the expert witness that~~, based upon a reasonable understanding of the facts, the defendant for whom service of process has been requested deviated from the applicable standard of care and the deviation was a proximate cause of the injuries claimed~~ *states:*

BASED UPON A REASONABLE UNDERSTANDING OF THE FACTS, THE DEFENDANT FOR WHOM SERVICE OF PROCESS HAS BEEN REQUESTED DEVIATED FROM THE APPLICABLE STANDARD OF CARE AND THE DEVIATION WAS A PROXIMATE CAUSE OF THE INJURIES CLAIMED.

No further statement or opinion from the expert shall be required for the purposes of this section. The plaintiff may have separate certifications for standard of care and causation. Each defendant who is the subject of an expert witness's certification shall be identified in the certification.

B. This certification is not necessary if the plaintiff, in good faith, alleges in his wrongful death action a medical malpractice theory of liability where expert testimony is unnecessary because the alleged act of negligence clearly lies within the range of the jury's common knowledge and experience.

C. The certifying expert shall not be required to be an expert expected to testify at trial nor shall any defendant be entitled to discover the identity or qualifications of the certifying expert or the nature of the certifying expert's opinions. Should the certifying expert be identified as an expert expected to testify at trial, the opinions and bases therefor shall be discoverable pursuant to Rule 4:1 of the Rules of Supreme Court of Virginia with the exception of the expert's status as a certifying expert.

~~Upon written request of any~~ *D. Within 21 days of an answer being filed by a* defendant *upon whom service of process has been requested*, the plaintiff shall~~, within 10 business days after receipt of such request, provide the~~ *certify to such* defendant ~~with a certification form that affirms~~ that the plaintiff had obtained the necessary certifying expert opinion at the time service was requested or affirms that the plaintiff did not need to obtain a certifying expert witness opinion *by including a statement that reads: THIS IS TO CERTIFY THAT THE PLAINTIFF HAS COMPLIED WITH § 8.01-50.1 OF THE CODE OF VIRGINIA*. The court, upon good cause shown, may conduct an in camera review of the certifying expert opinion obtained by the plaintiff as the court may deem appropriate. If the plaintiff did not obtain a necessary certifying expert opinion at the time the plaintiff requested service of process on a defendant as required under this section, the court shall impose sanctions according to the provisions of § 8.01-271.1 and may dismiss the case with prejudice.

§ 16.1-83.1. Certification of expert witness opinion at time of service of process.

A. Every warrant in debt, counter claim, or third party claim in a medical malpractice action, at the time the plaintiff *first* requests service of process upon a defendant, or requests a defendant to accept service of process, shall be deemed a certification that the plaintiff has obtained from an expert whom the plaintiff reasonably believes would qualify as an expert witness pursuant to subsection A of § 8.01-581.20 a written opinion signed by the expert witness that~~, based upon a reasonable understanding of the facts, the defendant for whom service of process has been requested deviated from the applicable standard of care and the deviation was a proximate cause of the injuries claimed~~ *states:*

BASED UPON A REASONABLE UNDERSTANDING OF THE FACTS, THE DEFENDANT FOR WHOM SERVICE OF PROCESS HAS BEEN REQUESTED DEVIATED FROM THE APPLICABLE STANDARD OF CARE AND THE DEVIATION WAS A PROXIMATE CAUSE OF THE INJURIES CLAIMED.

No further statement or opinion from the expert shall be required for the purposes of this section. The plaintiff may have separate certifications for standard of care and causation. Each defendant who is the subject of an expert witness's certification shall be identified in the certification.

B. This certification is not necessary if the plaintiff, in good faith, alleges a medical malpractice action that asserts a theory of liability where expert testimony is unnecessary because the alleged act of negligence clearly lies within the range of the jury's common knowledge and experience.

C. The certifying expert shall not be required to be an expert witness expected to testify at trial nor shall any defendant be entitled to discover the identity or qualifications of the certifying expert or the nature of the certifying expert opinions. Should the certifying expert be identified as an expert expected to testify at trial, the opinions and bases therefor shall be discoverable pursuant to Rule 4:1 of the Rules of Supreme Court of Virginia with the exception of the expert's status as a certifying expert.

~~Upon written request of any~~ *D. Within 21 days of an answer being filed by a* defendant *upon whom service of process has been requested*, the plaintiff shall~~, within 10 business days after receipt of such request, provide the~~ *certify to such* defendant ~~with a certification form that affirms~~ that the plaintiff had obtained the necessary certifying expert opinion at the time service was requested or affirms that the plaintiff did not need to obtain a certifying expert witness opinion *by including a statement that reads: THIS IS TO CERTIFY THAT THE PLAINTIFF HAS COMPLIED WITH § 16.1-83.1 OF THE CODE OF VIRGINIA*. The court, upon good cause shown, may conduct an in camera review of the certifying expert opinion obtained by the plaintiff as the court may deem appropriate. If the plaintiff did not obtain a necessary certifying expert opinion at the time the plaintiff requested service of process on a defendant as required under this section, the court shall impose sanctions according to the provisions of § 8.01-271.1 and may dismiss the case with prejudice.

CHAPTER 360

An Act to amend the Code of Virginia by adding in Article 8 of Chapter 9.3 of Title 24.2 a section numbered 24.2-953.6, relating to campaign finance; appeal of penalties.

[S 945]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 8 of Chapter 9.3 of Title 24.2 a section numbered 24.2-953.6 as follows:

§ 24.2-953.6. Appeal of penalties.

A. Any person or committee shall have the right to appeal a civil penalty assessed to it pursuant to this chapter by filing a petition of appeal with the State Board, on a form prescribed by the State Board, within the 60 days following its actual receipt of written notice of such penalty. The petition shall state the grounds upon which the appeal is being made in addition to any additional information required by the State Board.

B. The appeal shall be adjudicated by the State Board in a public hearing. The State Board shall develop procedures for the conduct of such hearing. At least 10 days prior to such hearing, the State Board shall send notice by certified mail to any person whose petitions of appeal will be reviewed at such hearing. Notice shall include the time, date, and place of the hearing.

Consideration on appeal shall be limited to whether the petition and any supporting documents submitted by the petitioner establish (i) facts of circumstances present within a reasonable amount of time of the filing deadline that made filing or requesting an extension impracticable or (ii) an administrative error in the assessment of the penalty.

C. The State Board shall be authorized to provide relief for good cause shown by the petitioner and found by the Board sufficient to justify the relief requested. Such relief may include forgiveness of all or a portion of an assessed civil penalty, the retroactive extension of a deadline, or other appropriate remedy. Such relief shall not include an exemption from filing a report that is otherwise required to be filed pursuant to this chapter.

D. For each appeal that it hears, the State Board shall issue a written opinion, which shall include the facts put before the State Board, the State Board's decision, and the State Board's rationale for reaching such decision. The State Board's opinion shall be published on the Department of Elections website and a copy of the opinion shall be mailed to the petitioner as notice of the State Board's decision not later than 21 days after the conclusion of the appeal hearing. The decision on appeal shall be final and not subject to further appeal.

E. The time for notifying an attorney for the Commonwealth of a violation of this chapter pursuant to subsection F of § 24.2-946.3 shall be tolled from the time the State Board receives a petition of appeal until notification to the petitioner by the State Board of its decision on such petition.

CHAPTER 361

An Act to amend and reenact § 18.2-57 of the Code of Virginia, relating to assault and battery; sports official; penalty.

[S 986]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-57 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-57. Assault and battery; penalty.

A. Any person who commits a simple assault or assault and battery is guilty of a Class 1 misdemeanor, and if the person intentionally selects the person against whom a simple assault is committed because of his race, religious conviction, gender, disability, gender identity, sexual orientation, color, or ethnic or national origin, the penalty upon conviction shall include a term of confinement of at least six months.

B. However, if a person intentionally selects the person against whom an assault and battery resulting in bodily injury is committed because of his race, religious conviction, gender, disability, gender identity, sexual orientation, color, or ethnic or national origin, the person is guilty of a Class 6 felony, and the penalty upon conviction shall include a term of confinement of at least six months.

C. In addition, if any person commits an assault or an assault and battery against another knowing or having reason to know that such other person is a judge, a magistrate, a law-enforcement officer as defined in subsection ~~G~~ *H*, a correctional officer as defined in § 53.1-1, a person directly involved in the care, treatment, or supervision of inmates in the custody of the Department of Corrections or an employee of a local or regional correctional facility directly involved in the care, treatment, or supervision of inmates in the custody of the facility, a person directly involved in the care, treatment, or supervision of persons in the custody of or under the supervision of the Department of Juvenile Justice, an employee or other individual who provides control, care, or treatment of sexually violent predators committed to the custody of the Department of Behavioral Health and Developmental Services, a firefighter as defined in § 65.2-102, or a volunteer firefighter or any emergency medical services personnel member who is employed by or is a volunteer of an emergency medical services agency or as a member of a bona fide volunteer fire department or volunteer emergency medical services agency, regardless of whether a resolution has been adopted by the governing body of a political subdivision recognizing such firefighters or emergency medical services personnel as employees, engaged in the performance of his public duties anywhere in the Commonwealth, such person is guilty of a Class 6 felony, and, upon conviction, the sentence of such person shall include a mandatory minimum term of confinement of six months.

Nothing in this subsection shall be construed to affect the right of any person charged with a violation of this section from asserting and presenting evidence in support of any defenses to the charge that may be available under common law.

D. In addition, if any person commits a battery against another knowing or having reason to know that such other person is a full-time or part-time employee of any public or private elementary or secondary school and is engaged in the performance of his duties as such, he is guilty of a Class 1 misdemeanor and the sentence of such person upon conviction shall include a sentence of 15 days in jail, two days of which shall be a mandatory minimum term of confinement. However, if the offense is committed by use of a firearm or other weapon prohibited on school property pursuant to § 18.2-308.1, the person shall serve a mandatory minimum sentence of confinement of six months.

E. In addition, any person who commits a battery against another knowing or having reason to know that such individual is a health care provider as defined in § 8.01-581.1 who is engaged in the performance of his duties in a hospital or in an emergency room on the premises of any clinic or other facility rendering emergency medical care is guilty of a Class 1 misdemeanor. The sentence of such person, upon conviction, shall include a term of confinement of 15 days in jail, two days of which shall be a mandatory minimum term of confinement.

F. In addition, any person who commits an assault or an assault and battery against another knowing or having reason to know that such individual is an operator of a vehicle operated by a public transportation service as defined in § 18.2-160.2 who is engaged in the performance of his duties is guilty of a Class 1 misdemeanor. The sentence of such person, upon conviction, shall also prohibit such person from entering or riding in any vehicle operated by the public transportation service that employed such operator for a period of not less than six months as a term and condition of such sentence.

G. *In addition, any person who commits a battery against another knowing or having reason to know that such individual is a sports official for an entity sponsoring an interscholastic or intercollegiate sports event or any person performing services as a sports official for a public entity or a private, nonprofit organization that sponsors an amateur sports event who (i) is engaged in the performance of his duties or (ii) is on the premises of such event prior to engaging in his duties or upon conclusion of his duties is guilty of a Class 1 misdemeanor. The sentence of such person, upon conviction, may also prohibit such person from attending any such sports event operated by the entity or organization that employed such sports official for a period of not less than six months as a term and condition of such sentence.*

H. As used in this section:

"Disability" means a physical or mental impairment that substantially limits one or more of a person's major life activities.

"Hospital" means a public or private institution licensed pursuant to Chapter 5 (§ 32.1-123 et seq.) of Title 32.1 or Article 2 (§ 37.2-403 et seq.) of Chapter 4 of Title 37.2.

"Judge" means any justice or judge of a court of record of the Commonwealth including a judge designated under § 17.1-105, a judge under temporary recall under § 17.1-106, or a judge pro tempore under § 17.1-109, any member of the State Corporation Commission, or of the Virginia Workers' Compensation Commission, and any judge of a district court of the Commonwealth or any substitute judge of such district court.

"Law-enforcement officer" means any full-time or part-time employee of a police department or sheriff's office that is part of or administered by the Commonwealth or any political subdivision thereof who is responsible for the prevention or detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth, any conservation officer

of the Department of Conservation and Recreation commissioned pursuant to § 10.1-115, any special agent of the Virginia Alcoholic Beverage Control Authority, conservation police officers appointed pursuant to § 29.1-200, full-time sworn members of the enforcement division of the Department of Motor Vehicles appointed pursuant to § 46.2-217, and any employee with internal investigations authority designated by the Department of Corrections pursuant to subdivision 11 of § 53.1-10, and such officer also includes jail officers in local and regional correctional facilities, all deputy sheriffs, whether assigned to law-enforcement duties, court services or local jail responsibilities, auxiliary police officers appointed or provided for pursuant to §§ 15.2-1731 and 15.2-1733, auxiliary deputy sheriffs appointed pursuant to § 15.2-1603, police officers of the Metropolitan Washington Airports Authority pursuant to § 5.1-158, and fire marshals appointed pursuant to § 27-30 when such fire marshals have police powers as set out in §§ 27-34.2 and 27-34.2:1.

"School security officer" means the same as that term is defined in § 9.1-101.

"Sports official" includes an umpire, referee, judge, scorekeeper, timekeeper, or other person who is a neutral participant in a sports event.

~~H.~~ *I.* "Simple assault" or "assault and battery" shall not be construed to include the use of, by any school security officer or full-time or part-time employee of any public or private elementary or secondary school while acting in the course and scope of his official capacity, any of the following: (i) incidental, minor or reasonable physical contact or other actions designed to maintain order and control; (ii) reasonable and necessary force to quell a disturbance or remove a student from the scene of a disturbance that threatens physical injury to persons or damage to property; (iii) reasonable and necessary force to prevent a student from inflicting physical harm on himself; (iv) reasonable and necessary force for self-defense or the defense of others; or (v) reasonable and necessary force to obtain possession of weapons or other dangerous objects or controlled substances or associated paraphernalia that are upon the person of the student or within his control.

In determining whether a person was acting within the exceptions provided in this subsection, due deference shall be given to reasonable judgments that were made by a school security officer or full-time or part-time employee of any public or private elementary or secondary school at the time of the event.

CHAPTER 362

An Act to amend and reenact § 2.2-1517 of the Code of Virginia, relating to six-year capital outlay plan and capital funding.

[S 1473]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-1517 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-1517. Agency submission of information.

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

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

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

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

~~E. On the same day that the Governor presents his preliminary report pursuant to § 2.2-813, the Advisory Committee shall meet at a time and place specified by the Secretary of Finance to consider the information provided pursuant to subsection D, as well as a capital outlay project status report, to be prepared by the Director of the Department of General Services, on all active projects that have received any funding, including completed planning estimates, project bids, and project timelines. The Advisory Committee shall submit its evaluations and recommendations regarding capital outlay projects to the Governor and the General Assembly on or before November 1 each year.~~

CHAPTER 363

An Act to direct the Board of Dentistry to convene a work group to assess expedited pathways for licensure for dentists and dental hygienists.

[S 1475]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Board of Dentistry shall convene a work group of stakeholders including the Virginia Dental Association and the Virginia Dental Hygienists' Association to assess expedited pathways for licensure for dentists and dental hygienists and make recommendations on modernizing licensure for the provision of essential preventative and restorative dental care. In conducting its work, the work group shall (i) review the licensure by credentialing statutes governing dentists and the licensure statutes governing dental hygienists and make recommendations on how such statutes can be updated to reflect an expedited pathway for licensure, giving consideration to recent regulatory changes with the licensure by endorsement pathway at the Board of Medicine, and (ii) study options for and make recommendations on a pathway for qualified internationally trained dentists to practice dental hygiene under the supervision of a licensed dentist. The work group shall report its recommendations to the Chairs of the Senate Committee on Education and Health and House Committee on Health and Human Services on or before November 30, 2025.*

CHAPTER 364

An Act to amend and reenact § 22.1-289.01 of the Code of Virginia, relating to public schools; student records and personal information; school service providers and school technology providers; school-issued devices; policies and procedures.

[S 1486]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-289.01 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-289.01. School service providers; school-affiliated entities; school-issued devices; student personal information.

A. For the purposes of this section:

"Elementary and secondary school purposes" means purposes that (i) customarily take place at the direction of an elementary or secondary school, elementary or secondary school teacher, or school division; (ii) aid in the administration of school activities, including instruction in the classroom or at home; administrative activities; and collaboration between students, school personnel, or parents; or (iii) are otherwise for the use and benefit of an elementary or secondary school.

"Machine-readable format" means a structured format that can automatically be read and processed by a computer such as comma-separated values (CSV), Javascript Object Notation (JSON), or Extensible Markup Language (XML). "Machine-readable format" does not include portable document format (PDF).

"Personal profile" does not include account information that is collected and retained by a school service provider and remains under control of a student, parent, or elementary or secondary school.

"School-affiliated entity" means any private entity that provides support to a local school division or a public elementary or secondary school in the Commonwealth. "School-affiliated entity" includes alumni associations, booster clubs, parent-teacher associations, parent-teacher-student associations, parent-teacher organizations, public education foundations, public education funds, and scholarship organizations.

"School-issued device" means any technological hardware or devices that a school board, acting independently or pursuant to a contract with a school technology provider, provides to individual students for their personal use on school property, at home, or both. "School-issued device" includes any laptop, tablet, or other technological device.

"School service" means a website, mobile application, or online service that (i) is designed and marketed primarily for use in elementary or secondary schools; (ii) is used (a) at the direction of teachers or other employees at elementary or secondary schools or (b) by any school-affiliated entity; and (iii) collects and maintains, uses, or shares student personal information. "School service" does not include a website, mobile application, or online service that is (a) used for the purposes of college and career readiness assessment or (b) designed and marketed for use by individuals or entities generally, even if it is also marketed for use in elementary or secondary schools.

"School service provider" means an entity that operates a school service pursuant to a contract with a local school division in the Commonwealth.

"School technology provider" means an entity that provides, pursuant to a contract with a school board in the Commonwealth, any technological hardware or devices intended for student use as school-issued devices.

"Student personal information" means information collected through a school service that identifies a currently or formerly enrolled individual student or is linked to information that identifies a currently or formerly enrolled individual student.

"Targeted advertising" means advertising that is presented to a student and selected on the basis of information obtained or inferred over time from such student's online behavior, use of applications, or sharing of student personal information. "Targeted advertising" does not include advertising (i) that is presented to a student at an online location (a) on the basis of such student's online behavior, use of applications, or sharing of student personal information during his current visit to that online location or (b) in response to that student's request for information or feedback and (ii) for which a student's online activities or requests are not retained over time for the purpose of subsequent advertising.

B. In operating a school service *or providing school-issued devices* pursuant to a contract with a local school division, each school service provider *or school technology provider or, in the case of any school or school board providing any school-issued devices independently, any school board or school* shall:

1. Provide clear and easy-to-understand information about the types of student personal information it collects through any school service *or through providing any school-issued devices* and how it maintains, uses, or shares such student personal information;

2. Maintain a policy for the privacy of student personal information for each school service *or each school-issued device* and provide prominent notice before making material changes to its policy for the privacy of student personal information for the relevant school service *or school-issued devices*;

3. Maintain a comprehensive information security program that is reasonably designed to protect the security, privacy, confidentiality, and integrity of student personal information and makes use of appropriate administrative, technological, and physical safeguards;

4. Facilitate access to and correction of student personal information by each student whose student personal information has been collected, maintained, used, or shared by the school service provider *or school technology provider*, or by such student's parent, either directly or through the student's school or teacher;

5. Collect, maintain, use, and share student personal information only with the consent of the student or, if the student is less than 18 years of age, his parent or for the purposes authorized in the contract between the school division and the school service provider *or school technology provider*;

6. When it collects student personal information directly from the student, obtain the consent of the student or, if the student is less than 18 years of age, his parent before using student personal information in a manner that is inconsistent with its policy for the privacy of student personal information for the relevant school service *or school-issued device*, and when it collects student personal information from an individual or entity other than the student, obtain the consent of the school division before using student personal information in a manner that is inconsistent with its policy for the privacy of student personal information for the relevant school service *or school-issued device*;

7. Require any successor entity or third party with whom it contracts to abide by its policy for the privacy of student personal information and comprehensive information security program before accessing student personal information;

8. Upon the request of the school or school division, delete student personal information within a reasonable period of time after such request unless the student or, if the student is less than 18 years of age, his parent consents to the maintenance of the student personal information by the school service provider; ~~and~~

9. *For any school-issued device that a student returns at the end of the school year or upon request of the school or school division and that shall subsequently be provided to another student, disposed of, donated, or otherwise transferred in ownership to any individual or entity other than the specific student to whom it was issued, delete any student personal information stored in the school-issued device within a reasonable time after such school-issued device is returned and prior to the subsequent provision of such school-issued device to any other student or other transfer in ownership of such school-issued device; and*

10. Provide, *upon request,* either directly to the student or his parent or through the school, access to an electronic copy of such student's personal information in a manner consistent with the functionality of the school service *or school-issued device*. Contracts between local school boards and school service providers *or school technology providers* may require that such electronic copy be in a machine-readable format.

C. In operating a school service *or providing any school-issued devices* pursuant to a contract with a local school division, no school service provider *or school technology provider or, in the case of any school or school board providing any school-issued devices independently, any school board or school* shall knowingly:

1. Use or share any student personal information for the purpose of targeted advertising to students;

2. Use or share any student personal information to create a personal profile of a student other than for elementary and secondary school purposes authorized by the school division, with the consent of the student or, if the student is less than 18 years of age, his parent, or as otherwise authorized in the contract between the school division and the school service provider *or school technology provider*; ~~or~~

3. Sell student personal information, except to the extent that such student personal information is sold to or acquired by a successor entity that purchases, merges with, or otherwise acquires the school service provider *or school technology provider*, subject to the provisions of subdivision B 7*; or*

4. Except as provided in subdivision E 4, use any school-issued device provided pursuant to any such contract, or grant any school board or other entity with the ability to use any school-issued device, to access or monitor (i) location-tracking features; (ii) audio or visual receiving, transmitting, or recording features; or (iii) student interactions, unless such use (a) is limited to a noncommercial, educational, or instructional purpose, to the provision of technical support, or to exam proctoring by a school board employee or a third party pursuant to a contract with the school board and notice of such use is provided in advance or (b) is permitted under a judicial warrant or is necessary to comply with state or federal law.

D. Nothing in this section shall be construed to prohibit school service providers *or school technology providers or, in the case of any school or school board providing any school-issued devices independently, any school board or school* from:

1. Using student personal information for purposes of adaptive learning, personalized learning, or customized education;

2. Using student personal information for maintaining, developing, supporting, improving, or diagnosing ~~the~~ *any* school service;

3. Providing recommendations for employment, school, educational, or other learning purposes within a school service when such recommendation is not determined in whole or in part by payment or other consideration from a third party;

4. Disclosing student personal information to (i) ensure legal or regulatory compliance, (ii) protect against liability, or (iii) protect the security or integrity of its school service; or

5. Disclosing student personal information pursuant to a contract with a service provider, provided that the school service provider*, school technology provider, school board, or school* (i) contractually prohibits the service provider from using any student personal information for any purpose other than providing the contracted service to or on behalf of the school service provider*, school technology provider, school board, or school*, (ii) contractually prohibits the service provider from disclosing any student personal information provided by the school service provider*, school technology provider, school board, or school* to any third party unless such disclosure is permitted by subdivision B 7, and (iii) requires the service provider to comply with the requirements set forth in subsection B and prohibitions set forth in subsection C.

E. Nothing in this section shall be construed to:

1. Impose a duty upon a provider of an electronic store, gateway, marketplace, forum, or means for purchasing or downloading software or applications to review or enforce compliance with this section with regard to any school service provider whose school service is available for purchase or download on such electronic store, gateway, marketplace, forum, or means;

2. Impose liability on an interactive computer service, as that term is defined in 47 U.S.C. § 230(f), for content provided by another individual; ~~or~~

3. Prohibit any student from downloading, exporting, transferring, saving, or maintaining his personal information, data, or documents*; or*

4. Prohibit any school board from requesting or prohibit any provider from granting any school board access to or the ability to monitor school-issued devices to ensure compliance with a school code of conduct or otherwise limit the ability of any school board to use software filters to monitor school-issued devices for certain safety threats, self-harm prevention, or other risk indicators.

F. No school service provider in operation on June 30, 2016, shall be subject to the provisions of this section until such time as the contract to operate a school service is renewed.

CHAPTER 365

An Act to direct the State Air Pollution Control Board to amend its regulations relating to permit exemptions for poultry or swine incinerators to include bovine incinerators; emergency.

[S 1495]

Approved March 21, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the State Air Pollution Control Board shall amend 9VAC5-80-1105 of the Virginia Administrative Code relating to permit exemptions for poultry or swine incinerators to include bovine incinerators.*

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

CHAPTER 366

An Act to amend and reenact § 46.2-301.1 of the Code of Virginia, relating to vehicle operation; unlicensed minor; penalty.

[H 1549]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-301.1 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-301.1. Administrative impoundment of motor vehicle for certain driving while license suspended or revoked offenses; judicial impoundment upon conviction; penalty for permitting violation with one's vehicle.

A. The motor vehicle being driven by any person (i) whose driver's license, learner's permit or privilege to drive a motor vehicle has been suspended or revoked for a violation of § 18.2-51.4 or 18.2-272 or driving while under the influence in violation of § 18.2-266, 46.2-341.24 or a substantially similar ordinance or law in any other jurisdiction; (ii) where such person's license has been administratively suspended under the provisions of § 46.2-391.2; (iii) driving after such person's driver's license, learner's permit or privilege to drive a motor vehicle has been suspended or revoked for unreasonable refusal of tests in violation of § 18.2-268.3, 46.2-341.26:3 or a substantially similar ordinance or law in any other jurisdiction; or (iv) driving without an operator's license in violation of § 46.2-300 having been previously convicted of such offense or a substantially similar ordinance of any county, city, or town or law in any other jurisdiction shall be impounded or immobilized by the arresting law-enforcement officer at the time the person is arrested for driving after his driver's license, learner's permit or privilege to drive has been so revoked or suspended or for driving without an operator's license in

violation of § 46.2-300 having been previously convicted of such offense or a substantially similar ordinance of any county, city, or town or law in any other jurisdiction. The impoundment or immobilization for a violation of clause (i), (ii), or (iii) shall be for a period of 30 days. The period of impoundment or immobilization for a violation of clause (iv) shall be until the offender obtains a valid operator's license pursuant to § 46.2-300 or three days, whichever is less. In the event that the offender obtains a valid operator's license at any time during the three-day impoundment period and presents such license to the court, the court shall authorize the release of the vehicle upon payment of all reasonable costs of impoundment or immobilization to the person holding the vehicle.

The provisions of this section as to the offense described in clause (iv) shall not apply to a person who drives a motor vehicle with no operator's license (a) whose license has been expired for less than one year prior to the offense or (b) who is under 18 years of age at the time of the offense. The arresting officer, acting on behalf of the Commonwealth, shall serve notice of the impoundment upon the arrested person. The notice shall include information on the person's right to petition for review of the impoundment pursuant to subsection B. A copy of the notice of impoundment shall be delivered to the magistrate and thereafter promptly forwarded to the clerk of the general district court of the jurisdiction where the arrest was made. Transmission of the notice may be by electronic means.

At least five days prior to the expiration of the period of impoundment imposed pursuant to this section or § 46.2-301, the clerk shall provide the offender with information on the location of the motor vehicle and how and when the vehicle will be released; however, for a violation of clause (iv), such information shall be provided at the time of arrest.

All reasonable costs of impoundment or immobilization, including removal and storage expenses, shall be paid by the offender prior to the release of his motor vehicle. Notwithstanding the above, where the arresting law-enforcement officer discovers that the vehicle was being rented or leased from a vehicle renting or leasing company, the officer shall not impound the vehicle or continue the impoundment but shall notify the rental or leasing company that the vehicle is available for pickup and shall notify the clerk if the clerk has previously been notified of the impoundment.

B. Any driver who is the owner of the motor vehicle that is impounded or immobilized under subsection A may, during the period of the impoundment, petition the general district court of the jurisdiction in which the arrest was made to review that impoundment. The court shall review the impoundment within the same time period as the court hears an appeal from an order denying bail or fixing terms of bail or terms of recognizance, giving this matter precedence over all other matters on its docket. If the person proves to the court by a preponderance of the evidence that the arresting law-enforcement officer did not have probable cause for the arrest, or that the magistrate did not have probable cause to issue the warrant, the court shall rescind the impoundment. Upon rescission, the motor vehicle shall be released and the Commonwealth shall pay or reimburse the person for all reasonable costs of impoundment or immobilization, including removal or storage costs paid or incurred by him. Otherwise, the court shall affirm the impoundment. If the person requesting the review fails to appear without just cause, his right to review shall be waived.

The court's findings are without prejudice to the person contesting the impoundment or to any other potential party as to any proceedings, civil or criminal, and shall not be evidence in any proceedings, civil or criminal.

C. The owner or co-owner of any motor vehicle impounded or immobilized under subsection A who was not the driver at the time of the violation may petition the general district court in the jurisdiction where the violation occurred for the release of his motor vehicle. The motor vehicle shall be released if the owner or co-owner proves by a preponderance of the evidence that he (i) did not know that the offender's driver's license was suspended or revoked when he authorized the offender to drive such motor vehicle; (ii) did not know that the offender had no operator's license and that the operator had been previously convicted of driving a motor vehicle without an operator's license in violation of § 46.2-300 or a substantially similar ordinance of any county, city, or town or law in any other jurisdiction when he authorized the offender to drive such motor vehicle; or (iii) did not consent to the operation of the motor vehicle by the offender. If the owner proves by a preponderance of the evidence that his immediate family has only one motor vehicle and will suffer a substantial hardship if that motor vehicle is impounded or immobilized for the period of impoundment that otherwise would be imposed pursuant to this section, the court, in its discretion, may release the vehicle after some period of less than such impoundment period.

D. Notwithstanding any provision of this section, a subsequent dismissal or acquittal of the charge of driving without an operator's license or of driving on a suspended or revoked license shall result in an immediate rescission of the impoundment or immobilization provided in subsection A. Upon rescission, the motor vehicle shall be released and the Commonwealth shall pay or reimburse the person for all reasonable costs of impoundment or immobilization, including removal or storage costs, incurred or paid by him.

E. Any person who knowingly authorizes the operation of a motor vehicle by (i) a person he knows has had his driver's license, learner's permit, or privilege to drive a motor vehicle suspended or revoked for any of the reasons set forth in subsection A or (ii) a person who he knows has no operator's license and who he knows has been previously convicted of driving a motor vehicle without an operator's license in violation of § 46.2-300 or a substantially similar ordinance of any county, city, or town or law in any other jurisdiction shall be guilty of a Class 1 misdemeanor. *Any person who knowingly authorizes the operation of a motor vehicle by a minor who he knows has no operator's license or learner's permit or who has a learner's permit but who he knows will operate such motor vehicle in violation of any provision of § 46.2-335 is guilty of Class 1 misdemeanor if such violation results in a motor vehicle accident that causes injury or death to any person, provided that such violation does not otherwise constitute a felony.*

F. Notwithstanding the provisions of this section or § 46.2-301, nothing in this section shall impede or infringe upon a valid lienholder's rights to cure a default under an existing security agreement. Furthermore, such lienholder shall not be liable for any cost of impoundment or immobilization, including removal or storage expenses which may accrue pursuant to the provisions of this section or § 46.2-301. In the event a lienholder repossesses or removes a vehicle from storage pursuant to an existing security agreement, the Commonwealth shall pay all reasonable costs of impoundment or immobilization, including removal and storage expenses, to any person or entity providing such services to the Commonwealth, except to the extent such costs or expenses have already been paid by the offender to such person or entity. Such payment shall be made within seven calendar days after a request is made by such person or entity to the Commonwealth for payment. Nothing herein, however, shall relieve the offender from liability to the Commonwealth for reimbursement or payment of all such reasonable costs and expenses.

CHAPTER 367

An Act to amend and reenact § 17.1-407 of the Code of Virginia, relating to Court of Appeals; procedure on appeal; criminal cases.

[H 1553]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-407 of the Code of Virginia is amended and reenacted as follows:

§ 17.1-407. Procedures on appeal.

A. The notice of appeal in all cases within the jurisdiction of the court shall be filed with the clerk of the trial court or the clerk of the Virginia Workers' Compensation Commission, as appropriate, and a copy of such notice shall be mailed or delivered to all opposing counsel and parties not represented by counsel~~,~~ *and* to the clerk of the Court of Appeals~~, and to the Attorney General in criminal cases~~. The clerk shall endorse thereon the day and year he received it.

B. Appeals pursuant to § 17.1-405 and subsection A of § 17.1-406, other than petitions for appeal by the Commonwealth in criminal cases, are appeals of right. The clerk of the Court of Appeals shall refer each case for which a notice of appeal has been filed to a panel of the court as the court may direct.

C. Each petition for appeal by the Commonwealth in a criminal case shall be referred to one or more judges of the Court of Appeals as the court shall direct. A judge to whom the petition is referred may grant the petition on the basis of the record without the necessity of oral argument. The clerk shall refer each appeal for which a petition has been granted to a panel of the court as the court shall direct.

D. Before a petition for appeal by the Commonwealth is denied, counsel for the Commonwealth shall be entitled to state orally before a panel of the court the reasons why its appeal should be granted. If all of the judges of the panel to whom the petition is referred are of the opinion that the petition ought not be granted, the order denying the appeal shall state the reasons for the denial. Thereafter, no other petition in the matter shall be entertained in the Court of Appeals.

CHAPTER 368

An Act to amend and reenact § 18.2-83 of the Code of Virginia, relating to threats to discharge a firearm within or at buildings or means of transportation; penalties.

[H 1583]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-83 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-83. Threats to bomb, damage, or discharge a firearm within or at buildings or means of transportation; false information as to danger to such buildings, etc.; punishment; venue.

A. Any person (i) who makes and communicates to another by any means any threat to bomb, burn, destroy*, discharge a firearm within or at,* or in any manner damage any place of assembly, building or other structure, or ~~any~~ means of transportation~~,~~ or (ii) who communicates to another, by any means, information, knowing the same to be false, as to the existence of any peril of bombing, burning, destruction*, discharging of a firearm within or at,* or damage to any such place of assembly, building or other structure, or ~~any~~ means of transportation~~,~~ is guilty of a Class 5 felony, provided, however, that if such person is under ~~15~~ *18* years of age, he is guilty of a Class 1 misdemeanor.

B. A violation of this section may be prosecuted either in the jurisdiction from which the communication was made or in the jurisdiction where the communication was received.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of

$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 369

An Act to amend and reenact § 8.01-195.11 of the Code of Virginia and for the relief of Michael Haas, relating to compensation for wrongful inclusion on sex offender registry.

[H 1586]

Approved March 24, 2025

Whereas, Michael Haas (Mr. Haas) was convicted in the Circuit Court of Powhatan County on July 22, 1994, of the felony offenses of forcibly sodomizing his two sons, crimes that he did not commit; and

Whereas, Mr. Haas was sentenced to two terms of life imprisonment, to be served concurrently for such conviction; and

Whereas, Mr. Haas served 23 years and six months in the custody of the Virginia Department of Corrections; and

Whereas, Mr. Haas's sons testified at his trial that he sexually abused them on multiple occasions and forensic evidence presented at the time substantiated such claims; and

Whereas, both of Mr. Haas's sons recanted their accusations of forcible sodomy shortly after the trial and conviction; and

Whereas, Mr. Haas began pursuing exoneration at that time; and

Whereas, Mr. Haas secured the assistance of the Mid-Atlantic Innocence Project beginning in 2014 to investigate his case; and

Whereas, Mr. Haas was released from prison on December 19, 2017, placed on parole, and required to register as a sex offender; and

Whereas, the Mid-Atlantic Innocence Project obtained further recanting affidavits from Mr. Haas's sons and uncovered evidence that his sons were coerced to testify as to the forcible sodomy by their mother and their counselor, rendering their accusations and trial testimony unreliable; and

Whereas, in the time since Mr. Haas's conviction, advances in the field of sexual abuse pediatrics have developed; and

Whereas, under currently accepted sexual abuse pediatric standards, the physical examinations of Mr. Haas's sons evidenced no indicia of abuse; and

Whereas, Mr. Haas pursued a writ of actual innocence in the Court of Appeals on July 30, 2020; and

Whereas, former Attorney General Mark Herring and current Attorney General Jason Miyares both investigated Mr. Haas's case and determined that Mr. Haas is innocent of the crimes for which he was convicted, had been wrongfully convicted, and should be entitled to a writ of actual innocence; and

Whereas, the Court of Appeals granted Mr. Haas's petition and issued a writ of actual innocence based on nonbiological evidence, vacating his convictions on April 19, 2022, pursuant to Chapter 19.3 (§ 19.2-327.10 et seq.) of Title 19.2 of the Code of Virginia; and

Whereas, Mr. Haas, as a result of his wrongful incarceration, lost 23 years and six months of his freedom and countless life experiences and opportunities, including family relations, the opportunity to further his education, and the opportunity to earn potential income from gainful employment during his years of incarceration; and

Whereas, Mr. Haas was awarded compensation for his wrongful incarceration pursuant to Chapter 12 of the Acts of Assembly of 2023; and

Whereas, the General Assembly and Governor approved a change in law during the 2024 Session of the General Assembly to provide additional compensation for individuals who were wrongfully incarcerated and required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 of the Code of Virginia in Chapter 396 of the Acts of Assembly of 2024; and

Whereas, Mr. Haas has no other means to obtain adequate relief for the imposition of a sex offender registration requirement except by action of this body; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-195.11 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-195.11. Compensation for wrongful incarceration.

A. 1. Any person who is convicted of a felony by a county or city circuit court of the Commonwealth and is wrongfully incarcerated for such felony may be awarded compensation for each year of incarceration, or portion thereof. The amount of compensation per year shall be $55,000, adjusted on July 1 of each fiscal year by the year-over-year percentage increase in the Chained Consumer Price Index for All Urban Consumers (C-CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, or any predecessor or successor index. Calculations made pursuant to this section shall be made by the State Treasurer and rounded up to the nearest dollar.

2. For compensation awarded pursuant to this section on or after January 1, ~~2024~~ *2023*, a wrongfully incarcerated person who is awarded compensation pursuant to subdivision 1 shall also receive not less than $30,000, adjusted on July 1 of each fiscal year by the year-over-year percentage increase in the Chained Consumer Price Index for all Urban Consumers (C-CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, or any predecessor or successor index, for each year or fraction thereof (i) of imprisonment after being sentenced to death or (ii) that such person was

required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 *after release from incarceration*.

B. Any compensation computed pursuant to subsection A and approved by the General Assembly shall be paid by the Comptroller by his warrant on the State Treasurer in favor of the person found to have been wrongfully incarcerated. The person wrongfully incarcerated shall be paid a lump sum.

C. In addition to the compensation awarded pursuant to subsection A, the General Assembly shall pay to the person wrongfully incarcerated the amount of any unreimbursed fine, fee, court cost, or restitution imposed and paid and reasonable attorney fees and costs incurred to receive an award pursuant to this section. The wrongfully incarcerated person may also be awarded other nonmonetary relief sought, including counseling, housing assistance, employment assistance, health care and dental care, and personal financial literacy assistance, as appropriate.

D. Any person who is convicted of a felony by a county or city circuit court of the Commonwealth and is wrongfully incarcerated for such felony shall receive a transition assistance grant of $15,000 to be paid from the Criminal Fund, which amount shall be deducted from any award received pursuant to subsection B, within 30 days of receipt of the written request for the disbursement of the transition assistance grant to the Executive Secretary of the Supreme Court of Virginia. Payment of the transition assistance grant from the Criminal Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Executive Secretary of the Supreme Court of Virginia. In addition, such person shall be entitled to receive reimbursement up to $10,000 for tuition for career and technical training within the Virginia Community College System contingent upon successful completion of the training. Reimbursement for tuition shall be provided by the comprehensive community college at which the career or technical training was completed.

E. If an individual eligible for compensation and benefits under this section is deceased, the individual's estate has standing to be compensated under this section.

2. *§ 1. That there is hereby appropriated from the general fund of the state treasury the sum of an amount to be provided in the appropriation act for the relief of Michael Haas, to be paid by check issued by the State Treasurer on warrant of the Comptroller in accordance with the provisions of Article 18.2 (§ 8.01-195.10* et seq.) *of Chapter 3 of Title 8.01 of the Code of Virginia.*

3. That the provisions of § 8.01-195.12 of the Code of Virginia shall apply to any compensation awarded under this act.

CHAPTER 370

An Act to amend and reenact § 54.1-3408 of the Code of Virginia, relating to opioid antagonists; dispensing and administration by person acting on behalf of an organization.

[H 1637]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3408 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3408. Professional use by practitioners.

A. A practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine, a licensed advanced practice registered nurse pursuant to § 54.1-2957.01, a licensed certified midwife pursuant to § 54.1-2957.04, a licensed physician assistant pursuant to § 54.1-2952.1, or a TPA-certified optometrist pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32 shall only prescribe, dispense, or administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice. A licensed midwife pursuant to § 54.1-2957.7 shall only obtain, possess, and administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice.

B. The prescribing practitioner's order may be on a written prescription or pursuant to an oral prescription as authorized by this chapter. The prescriber may administer drugs and devices, or he may cause drugs or devices to be administered by:

1. A nurse, physician assistant, or intern under his direction and supervision;

2. Persons trained to administer drugs and devices to patients in state-owned or state-operated hospitals or facilities licensed as hospitals by the Board of Health or psychiatric hospitals licensed by the Department of Behavioral Health and Developmental Services who administer drugs under the control and supervision of the prescriber or a pharmacist;

3. Emergency medical services personnel certified and authorized to administer drugs and devices pursuant to regulations of the Board of Health who act within the scope of such certification and pursuant to an oral or written order or standing protocol;

4. Persons who are employed or engaged at a medical care facility, as defined in § 32.1-3, who have a valid emergency medical services provider certification issued by the Board of Health as a requirement of being employed or engaged at the medical care facility within the scope of such certification, pursuant to an oral or written order or standing protocol to administer drugs and devices at the medical care facility; or

5. A licensed respiratory therapist as defined in § 54.1-2954 who administers by inhalation controlled substances used in inhalation or respiratory therapy.

C. Pursuant to an oral or written order or standing protocol, the prescriber, who is authorized by state or federal law to possess and administer radiopharmaceuticals in the scope of his practice, may authorize a nuclear medicine technologist to administer, under his supervision, radiopharmaceuticals used in the diagnosis or treatment of disease.

D. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize registered nurses and licensed practical nurses to possess (i) epinephrine and oxygen for administration in treatment of emergency medical conditions and (ii) heparin and sterile normal saline to use for the maintenance of intravenous access lines.

Pursuant to the regulations of the Board of Health, certain emergency medical services technicians may possess and administer epinephrine in emergency cases of anaphylactic shock.

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any school nurse, school board employee, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or standing protocol that shall be issued by the local health director within the course of his professional practice, any school nurse, licensed athletic trainer under contract with a local school division, school board employee, employee of a local governing body, or employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers or nebulized albuterol may possess or administer an albuterol inhaler and a valved holding chamber or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education, or any employee of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in the administration of (a) epinephrine may possess and administer epinephrine and (b) albuterol inhalers or nebulized albuterol may possess or administer an albuterol inhaler or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any nurse at an early childhood care and education entity, employee at the entity, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a public institution of higher education or a private institution of higher education who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of an organization providing outdoor educational experiences or programs for youth who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, and in accordance with policies and guidelines established by the Department of Health, such prescriber may authorize any employee of a restaurant licensed pursuant to Chapter 3 (§ 35.1-18 et seq.) of Title 35.1 to possess and administer epinephrine on the premises of the restaurant at which the employee is employed, provided that such person is trained in the administration of epinephrine.

Pursuant to an order issued by the prescriber within the course of his professional practice, an employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services may possess and administer epinephrine, provided such person is authorized and trained in the administration of epinephrine.

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any employee of a place of public accommodation, as defined in subsection A of § 2.2-3904, who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize pharmacists to possess epinephrine and oxygen for administration in treatment of emergency medical conditions.

E. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed physical therapists to possess and administer topical corticosteroids, topical lidocaine, and any other Schedule VI topical drug.

F. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed athletic trainers to possess and administer topical corticosteroids, topical lidocaine, or other Schedule VI topical drugs; oxygen and IV saline for use in emergency situations; subcutaneous lidocaine for wound closure; epinephrine for use in emergency cases of anaphylactic shock; and naloxone or other opioid antagonist for overdose reversal.

G. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, and in accordance with policies and guidelines established by the Department of Health pursuant to § 32.1-50.2, such prescriber may authorize registered nurses or licensed practical nurses under the supervision of a

registered nurse to possess and administer tuberculin purified protein derivative (PPD) in the absence of a prescriber. The Department of Health's policies and guidelines shall be consistent with applicable guidelines developed by the Centers for Disease Control and Prevention for preventing transmission of mycobacterium tuberculosis and shall be updated to incorporate any subsequently implemented standards of the Occupational Safety and Health Administration and the Department of Labor and Industry to the extent that they are inconsistent with the Department of Health's policies and guidelines. Such standing protocols shall explicitly describe the categories of persons to whom the tuberculin test is to be administered and shall provide for appropriate medical evaluation of those in whom the test is positive. The prescriber shall ensure that the nurse implementing such standing protocols has received adequate training in the practice and principles underlying tuberculin screening.

The Health Commissioner or his designee may authorize registered nurses, acting as agents of the Department of Health, to possess and administer, at the nurse's discretion, tuberculin purified protein derivative (PPD) to those persons in whom tuberculin skin testing is indicated based on protocols and policies established by the Department of Health.

H. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administer glucagon to a student diagnosed as having diabetes and who requires insulin injections during the school day or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize the possession and administration of undesignated glucagon as set forth in subsection F of § 22.1-274.2.

Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize an employee of a public institution of higher education or a private institution of higher education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administration of glucagon to a student diagnosed as having diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

Pursuant to a written order issued by the prescriber within the course of his professional practice, such prescriber may authorize an employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services to assist with the administration of insulin or to administer glucagon to a person diagnosed as having diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia, provided such employee or person providing services has been trained in the administration of insulin and glucagon.

I. A prescriber may authorize, pursuant to a protocol approved by the Board of Nursing, the administration of vaccines to adults for immunization, when a practitioner with prescriptive authority is not physically present, by (i) licensed pharmacists, (ii) registered nurses, or (iii) licensed practical nurses under the supervision of a registered nurse. A prescriber acting on behalf of and in accordance with established protocols of the Department of Health may authorize the administration of vaccines to any person by a pharmacist, nurse, or designated emergency medical services provider who holds an advanced life support certificate issued by the Commissioner of Health under the direction of an operational medical director when the prescriber is not physically present. The emergency medical services provider shall provide documentation of the vaccines to be recorded in the Virginia Immunization Information System.

J. A dentist may cause Schedule VI topical drugs to be administered under his direction and supervision by either a dental hygienist or by an authorized agent of the dentist.

Further, pursuant to a written order and in accordance with a standing protocol issued by the dentist in the course of his professional practice, a dentist may authorize a dental hygienist under his general supervision, as defined in § 54.1-2722, or his remote supervision, as defined in subsection E or F of § 54.1-2722, to possess and administer topical oral fluorides, topical oral anesthetics, topical and directly applied antimicrobial agents for treatment of periodontal pocket lesions, and any other Schedule VI topical drug approved by the Board of Dentistry.

In addition, a dentist may authorize a dental hygienist under his direction to administer Schedule VI nitrous oxide and oxygen inhalation analgesia and, to persons 18 years of age or older, Schedule VI local anesthesia.

K. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize registered professional nurses certified as sexual assault nurse examiners-A (SANE-A) under his supervision and when he is not physically present to possess and administer preventive medications for victims of sexual assault as recommended by the Centers for Disease Control and Prevention.

L. This section shall not prevent the administration of drugs by a person who has satisfactorily completed a training program for this purpose approved by the Board of Nursing and who administers such drugs in accordance with a

prescriber's instructions pertaining to dosage, frequency, and manner of administration, and in accordance with regulations promulgated by the Board of Pharmacy relating to security and record keeping, when the drugs administered would be normally self-administered by (i) an individual receiving services in a program licensed by the Department of Behavioral Health and Developmental Services; (ii) a resident of the Virginia Rehabilitation Center for the Blind and Vision Impaired; (iii) a resident of a facility approved by the Board or Department of Juvenile Justice for the placement of children in need of services or delinquent or alleged delinquent youth; (iv) a program participant of an adult day center licensed by the Department of Social Services; (v) a resident of any facility authorized or operated by a state or local government whose primary purpose is not to provide health care services; (vi) a resident of a private children's residential facility, as defined in § 63.2-100 and licensed by the Department of Social Services, Department of Education, or Department of Behavioral Health and Developmental Services; or (vii) a student in a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education.

In addition, this section shall not prevent a person who has successfully completed a training program for the administration of drugs via percutaneous gastrostomy tube approved by the Board of Nursing and been evaluated by a registered nurse as having demonstrated competency in administration of drugs via percutaneous gastrostomy tube from administering drugs to a person receiving services from a program licensed by the Department of Behavioral Health and Developmental Services to such person via percutaneous gastrostomy tube. The continued competency of a person to administer drugs via percutaneous gastrostomy tube shall be evaluated semiannually by a registered nurse.

M. Medication aides registered by the Board of Nursing pursuant to Article 7 (§ 54.1-3041 et seq.) of Chapter 30 may administer drugs that would otherwise be self-administered to residents of any assisted living facility licensed by the Department of Social Services. A registered medication aide shall administer drugs pursuant to this section in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; in accordance with regulations promulgated by the Board of Pharmacy relating to security and recordkeeping; in accordance with the assisted living facility's Medication Management Plan; and in accordance with such other regulations governing their practice promulgated by the Board of Nursing.

N. In addition, this section shall not prevent the administration of drugs by a person who administers such drugs in accordance with a physician's instructions pertaining to dosage, frequency, and manner of administration and with written authorization of a parent, and in accordance with school board regulations relating to training, security and record keeping, when the drugs administered would be normally self-administered by a student of a Virginia public school. Training for such persons shall be accomplished through a program approved by the local school boards, in consultation with the local departments of health.

O. In addition, this section shall not prevent the administration of drugs by a person to (i) a child in a child day program as defined in § 22.1-289.02 and regulated by the Board of Education or a local government pursuant to § 15.2-914, or (ii) a student of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education, provided such person (a) has satisfactorily completed a training program for this purpose approved by the Board of Nursing and taught by a registered nurse, a licensed practical nurse, an advanced practice registered nurse, a physician assistant, a doctor of medicine or osteopathic medicine, or a pharmacist; (b) has obtained written authorization from a parent or guardian; (c) administers drugs only to the child identified on the prescription label in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; and (d) administers only those drugs that were dispensed from a pharmacy and maintained in the original, labeled container that would normally be self-administered by the child or student, or administered by a parent or guardian to the child or student.

P. In addition, this section shall not prevent the administration or dispensing of drugs and devices by persons if they are authorized by the State Health Commissioner in accordance with protocols established by the State Health Commissioner pursuant to § 32.1-42.1 when (i) the Governor has declared a disaster or a state of emergency, the United States Secretary of Health and Human Services has issued a declaration of an actual or potential bioterrorism incident or other actual or potential public health emergency, or the Board of Health has made an emergency order pursuant to § 32.1-13 for the purpose of suppressing nuisances dangerous to the public health and communicable, contagious, and infectious diseases and other dangers to the public life and health and for the limited purpose of administering vaccines as an approved countermeasure for such communicable, contagious, and infectious diseases; (ii) it is necessary to permit the provision of needed drugs or devices; and (iii) such persons have received the training necessary to safely administer or dispense the needed drugs or devices. Such persons shall administer or dispense all drugs or devices under the direction, control, and supervision of the State Health Commissioner.

Q. Nothing in this title shall prohibit the administration of normally self-administered drugs by unlicensed individuals to a person in his private residence.

R. This section shall not interfere with any prescriber issuing prescriptions in compliance with his authority and scope of practice and the provisions of this section to a Board agent for use pursuant to subsection G of § 18.2-258.1. Such prescriptions issued by such prescriber shall be deemed to be valid prescriptions.

S. Nothing in this title shall prevent or interfere with dialysis care technicians or dialysis patient care technicians who are certified by an organization approved by the Board of Health Professions or persons authorized for provisional practice pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.), in the ordinary course of their duties in a Medicare-certified renal dialysis facility, from administering heparin, topical needle site anesthetics, dialysis solutions, sterile normal saline solution, and blood volumizers, for the purpose of facilitating renal dialysis treatment, when such administration of medications occurs

under the orders of a licensed physician, an advanced practice registered nurse, or a physician assistant and under the immediate and direct supervision of a licensed registered nurse. Nothing in this chapter shall be construed to prohibit a patient care dialysis technician trainee from performing dialysis care as part of and within the scope of the clinical skills instruction segment of a supervised dialysis technician training program, provided such trainee is identified as a "trainee" while working in a renal dialysis facility.

The dialysis care technician or dialysis patient care technician administering the medications shall have demonstrated competency as evidenced by holding current valid certification from an organization approved by the Board of Health Professions pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.).

T. Persons who are otherwise authorized to administer controlled substances in hospitals shall be authorized to administer influenza or pneumococcal vaccines pursuant to § 32.1-126.4.

U. Pursuant to a specific order for a patient and under his direct and immediate supervision, a prescriber may authorize the administration of controlled substances by personnel who have been properly trained to assist a doctor of medicine or osteopathic medicine, provided the method does not include intravenous, intrathecal, or epidural administration and the prescriber remains responsible for such administration.

V. A physician assistant, nurse, dental hygienist, or authorized agent of a doctor of medicine, osteopathic medicine, or dentistry may possess and administer topical fluoride varnish pursuant to an oral or written order or a standing protocol issued by a doctor of medicine, osteopathic medicine, or dentistry.

W. A prescriber, acting in accordance with guidelines developed pursuant to § 32.1-46.02, may authorize the administration of influenza vaccine to minors by a licensed pharmacist, registered nurse, licensed practical nurse under the direction and immediate supervision of a registered nurse, or emergency medical services provider who holds an advanced life support certificate issued by the Commissioner of Health when the prescriber is not physically present.

X. Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, a pharmacist, a health care provider providing services in a hospital emergency department, and emergency medical services personnel, as that term is defined in § 32.1-111.1, may dispense naloxone or other opioid antagonist used for overdose reversal and a person to whom naloxone or other opioid antagonist has been dispensed pursuant to this subsection may possess and administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose. Law-enforcement officers as defined in § 9.1-101, employees of the Department of Forensic Science, employees of the Office of the Chief Medical Examiner, employees of the Department of General Services Division of Consolidated Laboratory Services, employees of the Department of Corrections designated by the Director of the Department of Corrections or designated as probation and parole officers or as correctional officers as defined in § 53.1-1, employees of the Department of Juvenile Justice designated as probation and parole officers or as juvenile correctional officers, employees of regional jails, employees of any state agency, school nurses, local health department employees that are assigned to a public school pursuant to an agreement between the local health department and the school board, school board employees who have completed training and are certified in the administration of an opioid antagonist for overdose reversal by a program administered or authorized by the Department of Health, other school board employees or individuals contracted by a school board to provide school health services, and firefighters may also possess and administer naloxone or other opioid antagonist used for overdose reversal and may dispense naloxone or other opioid antagonist used for overdose reversal pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, any person may possess and administer naloxone or other opioid antagonist used for overdose reversal, other than naloxone in an injectable formulation with a hypodermic needle or syringe, in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Y. Notwithstanding any other law or regulation to the contrary, a person who is acting on behalf of an organization that provides services to individuals at risk of experiencing an opioid overdose or training in the administration of naloxone *or other opioid antagonist* for overdose reversal may dispense naloxone *or other opioid antagonist*, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber and (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health. If the person acting on behalf of an organization dispenses naloxone *or other opioid antagonist* in an injectable formulation with a hypodermic needle or syringe, he shall first obtain authorization from the Department of Behavioral Health and Developmental Services to train individuals on the proper administration of naloxone *or other opioid antagonist* by and proper disposal of a hypodermic needle or syringe, and he shall obtain a controlled substance registration from the Board of Pharmacy. The Board of

Pharmacy shall not charge a fee for the issuance of such controlled substance registration. The dispensing may occur at a site other than that of the controlled substance registration provided the entity possessing the controlled substances registration maintains records in accordance with regulations of the Board of Pharmacy. No person who dispenses naloxone *or other opioid antagonist* on behalf of an organization pursuant to this subsection shall charge a fee for the dispensing of naloxone *or other opioid antagonist* that is greater than the cost to the organization of obtaining the naloxone *or other opioid antagonist* dispensed. A person to whom naloxone *or other opioid antagonist* has been dispensed pursuant to this subsection may possess naloxone *or other opioid antagonist* and may administer naloxone *or other opioid antagonist* to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

Z. A person who is not otherwise authorized to administer naloxone or other opioid antagonist used for overdose reversal may administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

AA. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of injected medications for the treatment of adrenal crisis resulting from a condition causing adrenal insufficiency to administer such medication to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis. Such authorization shall be effective only when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

CHAPTER 371

An Act to direct the State Council of Higher Education for Virginia, in coordination with the Department of Veterans Services, to annually submit a report on eligibility and enrollment data.

[H 1694]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the State Council of Higher Education for Virginia shall, in coordination with the Department of Veterans Services, submit to the Senate Committee on Finance and Appropriations and the House Committee on Appropriations by November 1 of each year a report on (i) the number of individuals who are qualified survivors and dependents, as that term is defined in § 23.1-608 of the Code of Virginia, and have been certified as eligible for participation in the Virginia Military Survivors and Dependents Education Program (the Program) but are not yet admitted to a public institution of higher education in the Commonwealth and (ii) the best available estimate of the total number of qualified survivors and dependents, as that term is defined in § 23.1-608 of the Code of Virginia, who are participating in the Program and enrolled in the fall semester at each public institution of higher education in the Commonwealth.*

CHAPTER 372

An Act to amend the Code of Virginia by adding a section numbered 22.1-271.9, relating to public elementary and secondary schools; cardiac emergency response or emergency action plans required.

[H 1695]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-271.9 as follows:

§ 22.1-271.9. Cardiac emergency response or emergency action plans required.

A. As used in this section:

"Athletic emergency action plan" or "athletic EAP" means an emergency action plan that establishes and details emergency management and response preparations, strategies, and guidelines specifically for emergencies that occur in an athletic setting, including sports-related health emergencies and physical injuries that occur in the course of participating in athletic practices, games, competition, or other events.

"Automated External Defibrillator" or "AED" means a lightweight, portable device that delivers an electric shock through the chest to the heart for the purpose of potentially stopping an irregular heartbeat or arrhythmia and allowing a normal heartbeat rhythm to resume following sudden cardiac arrest.

"Cardiac emergency response plan" or "CERP" means a written document that establishes the specific steps to reduce death from sudden cardiac arrest that occurs on school grounds.

"CPR" means cardiopulmonary resuscitation.

"High-need school" means any public elementary or secondary school (i) at which at least 50 percent of children are eligible to receive free and reduced-price meals; (ii) that participates in the federal Community Eligibility Provision or any

federal, state, or local universal free meals program; or (iii) that is classified as a Title I school pursuant to Title I, Part A of the federal Elementary and Secondary Education Act of 1965, P.L. 89-10, as amended.

"Sudden cardiac arrest" means a condition whereby the heart unexpectedly malfunctions and stops beating and that is likely to lead to death if not treated within minutes.

B. Each public elementary or secondary school shall develop and implement a cardiac emergency response plan or an athletic emergency action plan that addresses the appropriate use of school personnel to respond to incidents involving an individual who is experiencing sudden cardiac arrest or a similar life-threatening emergency (i) while on school grounds and (ii) in the event that such school has an athletic department or organized athletic program, while attending or participating in an athletic practice or event sponsored by such school or conducted as a part of such school's athletic department or organized athletic program. Any public elementary or secondary school that has an athletic department or organized athletic program shall at all times have either a CERP or athletic EAP in place. Each such CERP or athletic EAP shall integrate nationally recognized evidence-based core elements and nationally recognized evidence-based guidelines and shall integrate provisions and guidelines, consistent with relevant law, relating to:

1. Establishing a cardiac emergency response team;

2. Activating such team in response to a sudden cardiac event;

3. Integrating the CERP or athletic EAP into the local community's emergency medical services response protocols in accordance with subsection C;

4. Practicing at least annually responses to sudden cardiac arrest on school grounds through the use of drills;

5. Placing and routinely maintaining AEDs in the school building in accordance with nationally recognized evidence-based guidelines;

6. Placing clearly marked and easily accessible AEDs at each venue where school-sponsored athletic practices or competitions are held;

7. Determining, in accordance with guidelines set by the American Heart Association or other organization focused on emergency cardiovascular care, the placement of any AED in a school building or venue pursuant to subdivisions 5 and 6 and ensuring that any such AED is identified with appropriate signage and is on-site or made available in an unlocked location on school property in a manner such that the AED can be accessed and placed on an individual experiencing sudden cardiac arrest or a similar life-threatening emergency within three minutes;

8. Ensuring training in first aid, CPR, and the use of AEDs by appropriate staff, including school nurses, athletic trainers, and coaches, that follows evidence-based guidelines set forth by the American Heart Association or nationally recognized guidelines focused on emergency cardiovascular care;

9. Disseminating the CERP or athletic EAP to appropriate individuals throughout the school community; and

10. Reviewing, evaluating, and, as necessary, amending the CERP or athletic EAP on an ongoing and annual basis.

C. Public elementary or secondary school officials shall work directly with local emergency service providers to integrate the CERP or athletic EAP into the local community's emergency medical services response protocols.

CHAPTER 373

An Act to amend and reenact § 62 and §§ 63, 64, and 114, as severally amended, of Chapter 34 of the Acts of Assembly of 1918, which provided a charter for the City of Norfolk, relating to division of fire; classified service.

[H 1696]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 62 and §§ 63, 64, and 114, as severally amended, of Chapter 34 of the Acts of Assembly of 1918 are amended and reenacted as follows:

§ 62. Division of fire.

The fire force shall be composed of a chief*, deputy chief,* and of such other officers, firemen and employees as the city manager may determine. The fire chief shall have immediate direction and control of the said force, subject, however, to the supervision of the director of public safety, and to such rules and regulations and orders as the said director may prescribe, and through the fire chief the director of public safety shall promulgate all orders, rules and regulations for the government of the whole force.

The members of the fire force other than the chief *and deputy chief* shall be appointed from the list of eligibles prepared by the civil service commission and in accordance with such rules and regulations as may be prescribed by the said commission; provided, however, that in case of riot, conflagration or emergency, the director of public safety may appoint additional firemen and officers for temporary service who need not be in the classified service.

The chief of the fire department and his assistants are authorized to exercise the powers of police officers while going to, attending or returning from any fire or alarm of fire. The fire chief and each of his assistants shall have issued to him a warrant of appointment signed by the director of public safety, in which the date of his appointment shall be stated, and such warrant shall be his commission. The director of public safety shall prescribe the uniform and badges for the members of the fire force.

Whenever any building in said city shall be on fire it shall be lawful for the chief of the fire department to order and direct such building or any other building which he may deem hazardous and likely to communicate fire to other buildings, or any part of such buildings, to be pulled down or destroyed; and no action shall be maintained against said chief or any person acting under his authority or against the city therefor. But any person interested in the property so destroyed may within one year thereafter apply in writing to the council to assess and pay the damages he has sustained. The council may thereupon pay to the claimant such sum as may be agreed upon between him and the council. If no agreement be effected, such claimant may give to the city attorney of said city ten days' written notice of his intention to apply to the corporation court of said city for the appointment of commissioners to ascertain and assess his said damage. Upon its appearing that such notice has been given, the corporation court of said city shall appoint five disinterested freeholders, residents of said city, any three or more of whom may act, for the purpose of ascertaining and assessing the amount of such damages. Thereupon the said commissioners shall proceed to ascertain and assess the amount of such damages in the same manner as is now or may hereafter be provided by law in the case of taking private property for public use, and the procedure upon the filing of the report of said commissioners shall conform as nearly as may be to the procedure under the statutes of Virginia relating to eminent domain.

§ 63. Supervision in divisions of fire and police.

The chief of police and the fire chief, with the approval of the director of public safety, except as hereinafter provided, shall have the right and power to reprimand, or to suspend, for a given number of days or indefinitely, any of the sworn officers and sworn employees in their respective divisions who may be under their management and control, for incompetence, neglect of duty, immorality, drunkenness, failure to obey orders given by proper authority, or for any other just and reasonable cause. This section does not apply to the deputy chief of police *or the deputy fire chief*, who, like the chief of police and the fire chief, ~~is~~ *are* appointed by and ~~serves~~ *serve* at the will of the city manager. If any such officer or employee be suspended for more than ten days or be suspended indefinitely, the chief of the division concerned shall forthwith certify in writing the fact, together with the cause for such suspension, to the trial board hereinafter provided for, and a copy of such certificate of suspension, and the cause therefor, shall be promptly served on such officer or employee, which service may be by an officer of his division or in the manner prescribed by law for the service of civil process.

Any such officer or employee so suspended may, within ten days after he shall have been so served with such certificate of suspension and the cause therefor, file with said trial board a written request for a hearing upon the accusations so made against him, whereupon said trial board shall, after not less than five days' written notice to such officer or employee, and to the chief of the division by whom he has been suspended, hold and conduct a hearing, which shall be open to the public, upon such accusations, at a time and place to be specified in such notice, and may render judgment thereon. Such judgment, in the event said accusations or any of them are, in the opinion of said trial board, sustained, may be a reprimand, extra duty without extra compensation, suspension for a fixed time, reduction in rank, or dismissal, as to said trial board may seem proper, which judgment shall be final.

Whenever the judgment of the said trial board is that the accusations were not sustained, it may order the reinstatement of such officer or employee in the office or position from which he was suspended. Such order of reinstatement may, in the discretion of said trial board, be retroactive and provide that such officer or employee shall be entitled to compensation for all or part of the time he was so suspended.

In the event any such officer or employee who is suspended for more than ten days or suspended indefinitely shall not file with said trial board a written demand for a hearing as hereinabove provided, the suspension of such officer or employee shall become final, and if the suspension be for an indefinite period, such officer or employee may be discharged by the city manager without a hearing.

The trial board above referred to shall be known as the Norfolk Police-Fire Trial Board, and the members thereof shall be appointed by the council. It shall consist of not less than three nor more than five members, in the discretion of the council, who shall be qualified voters residing in the city, none of whom shall be in any way connected with any other city office. The first appointment of the members of the said trial board shall be for a term of one year commencing July 1, 1950, and all subsequent appointments shall be for consecutive terms of one year. Any member may be appointed for a consecutive term or terms, and any vacancy shall be filled by appointment by the council for the remainder of the unexpired term. The judgment of a majority of the members appointed on said trial board shall control. The members shall receive such compensation as may be provided by council. Each member shall, before entering upon the duties of his office, take and subscribe the oaths provided by § 133 of this Charter for city officers.

The council shall designate one member of said trial board as chairman thereof. The chairman shall have the power to subpoena witnesses, administer oaths and compel the production of any books and papers in connection with any hearing held hereunder by said trial board. Any person refusing or failing to appear and testify or to produce such books and papers, or who shall testify falsely under oath at any hearing held by said trial board, may be proceeded against in the same manner and shall be subject to the same penalties as provided by § 51 of this Charter relating to investigations as to city affairs.

The council shall also designate one member of said trial board as vice-chairman thereof to act in the absence, disability or inability to act of the chairman, and when so acting, the said vice-chairman shall have all the powers herein conferred upon the chairman.

Any such officer or employee against whom accusations are so filed shall have the right to be represented by counsel at any hearing before said trial board. All notices required to be given the trial board may be given to the chairman thereof, or in his absence, to the vice-chairman.

§ 64. Suspension and dismissal of the chief of police, deputy chief of police, ~~and~~ fire chief*, and deputy fire chief*.

The city manager shall have the power to suspend or dismiss the chief of police, the deputy chief of police, ~~and~~ the fire chief*, and the deputy fire chief* at any time, and his action in every such case shall be final; provided that in the event the chief of police, the deputy chief of police, ~~or~~ the fire chief*, or the deputy fire chief* was appointed to such position from the membership of his respective division, he shall, at the time of any such suspension or dismissal, or at any time prior thereto, at his request, be restored to the rank he held in the classified service in such division at the time of his appointment as such chief or deputy chief, without being required to take any examination, subject, however, to the provisions of § 63 of this Charter.

§ 114. Officers exempted from classified service.

Officers who are elected by the people or who are elected or confirmed by the council, pursuant to this charter, members of the school board, the teachers in the public schools and all other persons employed by said school board, heads of the administrative departments of the city, the deputy chief of police, *the deputy fire chief,* assistant city managers, employees who report directly to and whose positions require the personal trust and confidence of the city manager, employees, regardless of their positions, hired and permanently assigned to work for and under the supervision of the constitutional officers of the city or of the circuit court judges of the city, assistant heads of administrative departments, and heads or chiefs of bureaus and divisions within said departments, but not including such positions within the departments of fire and police other than ~~that~~ *those* of the deputy chief of police *and the deputy fire chief*, members of the law department and civil service examiners, shall not be included in such classified service; provided, however, that the council may by ordinance provide that the health officer of said city and such of his trained medical assistants as may be required to give full time to the duties of their positions shall be included in the classified service.

CHAPTER 374

An Act to amend and reenact § 18.2-121.3 of the Code of Virginia, relating to trespass with an unmanned aircraft system; contracted defense facility; penalty.

[H 1726]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-121.3 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-121.3. Trespass with an unmanned aircraft system; penalty.

A. Any person who knowingly and intentionally causes an unmanned aircraft system to (i) enter the property of another and come within 50 feet of a dwelling house (a) to coerce, intimidate, or harass another person or (b) after having been given actual notice to desist, for any other reason; (ii) take off or land in violation of current Federal Aviation Administration Special Security Instructions or UAS Security Sensitive Airspace Restrictions; or (iii) (a) drop any item within the boundaries of or (b) obtain any videographic or still image of any identifiable inmate or resident at any state or local correctional facility, as defined in § 53.1-1, or juvenile correctional center is guilty of a Class 1 misdemeanor.

B. ~~This section~~ *Subsection A* shall not apply to any person who causes an unmanned aircraft system to enter the property as set forth in subsection A if (i) consent is given to the entry by any person with legal authority to consent or by any person who is lawfully present on such property or (ii) such person is authorized by federal regulations to operate an unmanned aircraft system and is operating such system in an otherwise lawful manner and consistent with federal regulations.

C. Notwithstanding the provisions of subsections A and B, any person who knowingly, intentionally, and without authorization causes an unmanned aircraft system to enter the property of and obtains or attempts to obtain any videographic or still image that contains or reveals any controlled technical information located within a contracted defense facility is guilty of a Class 4 felony. Notwithstanding the provisions of § 18.2-146, the owner or operator of a contracted defense facility and its employees shall be immune from criminal prosecution and civil liability as a result of preventing, stopping, deterring, interrupting, or repelling, or attempting to prevent, stop, deter, interrupt, or repel, an unmanned aircraft system from entering the property of such contracted defense facility, or attempting to stop, deter, interrupt, or repel, an unmanned aircraft system that has entered such property, provided that such action does not result in injury to any person.

As used in this subsection:

"Contracted defense facility" means any manufacturing or engineering facility or other related facility where work involving the design, construction, repair, maintenance, modernization, or inactivation of an asset of the U.S. Department of Defense occurs pursuant to a contract issued by the federal government.

"Controlled technical information" means technical information with military or space application that is subject to controls on the access, use, reproduction, modification, performance, display, release, disclosure, or dissemination, excluding information that is lawfully publicly available without restrictions, as defined in clause 252.204-7012 of the Defense Federal Acquisition Regulation Supplement, as amended.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for

periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 375

An Act to amend and reenact §§ 9.1-116.5 and 15.2-1627.6 of the Code of Virginia, relating to Sex Trafficking Response Coordinator; name change.

[H 1734]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-116.5 and 15.2-1627.6 of the Code of Virginia are amended and reenacted as follows:

§ 9.1-116.5. Human Trafficking Response Coordinator; duties; report.

A. There is established within the Department a ~~Sex~~ *Human* Trafficking Response Coordinator (the Coordinator). The Coordinator shall:

1. Create a statewide plan for local and state agencies to identify and respond to victims of ~~sex~~ *human* trafficking;

2. Coordinate the development of standards and guidelines for treatment programs for victims of ~~sex~~ *human* trafficking;

3. Maintain a list of programs that provide treatment or specialized services to victims of ~~sex~~ *human* trafficking and make such list available to law-enforcement agencies, attorneys for the Commonwealth, crime victim and witness assistance programs, the Department of Juvenile Justice, the Department of Social Services, the Department of Education, and school divisions;

4. Oversee the development of a curriculum to be completed by persons convicted of solicitation of prostitution under § 18.2-346.01; and

5. Promote strategies for the education, training, and awareness of ~~sex~~ *human* trafficking and for the reduction of demand for commercial sex.

B. The Coordinator may request and shall receive from every department, division, board, bureau, commission, authority, or other agency created by the Commonwealth, or to which the Commonwealth is a party or any political subdivision thereof, cooperation and assistance in the performance of its duties. The Coordinator may also consult and exchange information with local government agencies and interested stakeholders.

C. The Coordinator shall report annually on or before October 1 to the Governor and the General Assembly. The report shall include a summary of activities for the year and any recommendations to address ~~sex~~ *human* trafficking within the Commonwealth. The Department shall ensure that such report is available to the public.

§ 15.2-1627.6. Coordination of multidisciplinary response to human trafficking.

A. The attorney for the Commonwealth in each political subdivision in the Commonwealth shall coordinate the establishment of a multidisciplinary response to human trafficking as set forth in Article 3 (§ 18.2-346 et seq.) of Chapter 8 of Title 18.2 and hold a meeting, at least annually, to (i) discuss implementation of protocols and policies for human trafficking response teams consistent with those established by the Department of Criminal Justice Services pursuant to subdivision 37 d of § 9.1-102; (ii) establish and review guidelines for the community's response to the various forms of human trafficking, including sex trafficking and labor trafficking; and (iii) review protocols for the trauma-informed, victim-centered collection, preservation, and secure storage of evidence from physical evidence recovery kit examinations consistent with § 19.2-165.1.

B. The following persons or their designees shall be invited to participate in the annual meeting: the attorney for the Commonwealth; a representative of the Virginia Indigent Defense Commission in jurisdictions served by a public defender office; the sheriff; the director of the local sexual assault crisis center providing services in the jurisdiction, if any; the chief of each police department and the chief of each campus police department of any institution of higher education in the jurisdiction, if any; a forensic nurse examiner or other health care provider who performs physical evidence recovery kit examinations in the jurisdiction, if any; a health professional knowledgeable in the treatment of trauma-informed, victim-centered services; a social worker knowledgeable in the needs of immigrant communities; the state ~~Sex~~ *Human* Trafficking Response Coordinator or his designee; a representative from at least one national or local organization that supports victims of human trafficking; at least one survivor of human trafficking; the director of the victim/witness program in the jurisdiction, if any; a division superintendent or his designee from at least one of the local school divisions; and a labor union representative knowledgeable about labor trafficking. In addition, the attorney for the Commonwealth may invite other individuals, or their designees, to participate in the annual meeting, including (i) local health department district directors; (ii) the administrator of each licensed hospital within the jurisdiction; (iii) the director of each health safety net clinic within the jurisdiction, including those clinics created by 42 C.F.R. § 491.1 and the free and charitable clinics; (iv) local administrators in charitable clinics or local hospitals, as well as other health care providers or local nonprofit organizations working with victims of trafficking; and (v) as determined by the attorney for the Commonwealth, any other local health care providers.

C. Attorneys for the Commonwealth are authorized to conduct the human trafficking response team annual meetings using other methods to encourage attendance, including electronic communication means as provided in § 2.2-3708.3.

CHAPTER 376

An Act to amend and reenact § 58.1-3975 of the Code of Virginia, relating to local taxes; nonjudicial sale of tax delinquent real properties; threshold for nonjudicial sale.

[H 1792]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-3975 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-3975. Nonjudicial sale of tax delinquent real properties of minimal size and value.

A. Notwithstanding any other provision of this title, the treasurer or other officer responsible for collecting taxes may sell, at public auction, any parcel of real property that is assessed at ~~$10,000~~ *$15,000* or less, provided that the taxes on such parcel are delinquent on December 31 following the third anniversary of the date on which such taxes have become due.

B. The treasurer or other officer responsible for collecting taxes may in addition sell, at public auction, any parcel of real property that is assessed at more than ~~$10,000~~ *$15,000* but no more than ~~$25,000~~ *$30,000*, provided that the taxes on such parcel are delinquent on December 31 following the third anniversary of the date on which such taxes have become due, it is not subject to a recorded mortgage or deed of trust lien, and such parcel:

1. Is unimproved and measures no more than 43,560 square feet (1.0 acre);

2. Is unimproved and is determined to be unsuitable for building due to the size, shape, zoning, floodway, or other environmental designations of the parcel made by the locality's zoning administrator or other official designated by the locality to administer its zoning ordinance and carry out the duties set forth in subdivision A 4 of § 15.2-2286;

3. Has a structure on it that has been condemned by the local building official pursuant to applicable law or ordinance;

4. Has been declared by the locality a nuisance as that term is defined in § 15.2-900;

5. Contains a derelict building as that term is defined in § 15.2-907.1; or

6. Has been declared by the locality to be blighted as that term is defined in § 36-3.

For purposes of determining the area of any parcel, the area or acreage found in the locality's land book shall be determinative.

C. The treasurer or other duly authorized official responsible for collecting taxes may in addition sell, at public auction, any parcel of real property that is assessed at more than ~~$25,000~~ *$30,000* but no more than $40,000, provided that the taxes on such parcel are delinquent on December 31 following the third anniversary of the date on which such taxes have become due, such parcel is not subject to a recorded mortgage or deed of trust lien, such parcel is within an area designated by the local governing body as an urban redevelopment or revitalization zone, and such parcel is unimproved and measures no more than 21,825 square feet (0.5 acre). For purposes of determining the area of any parcel, the area or acreage found in the locality's land book shall be determinative.

D. At least 30 days prior to conducting a sale under this section, the treasurer or other officer responsible for collecting taxes shall:

1. Send notice by certified or registered mail to the record owner or owners of such property and anyone appearing to have an interest in the property at their last known address as contained in the records of the treasurer or other officer responsible for collecting taxes; and

2. Post notice of such sale at the property location, if such property has frontage on any public or private street, and at the circuit courthouse of the locality.

E. The treasurer or other officer responsible for collecting taxes shall also cause a notice of sale to be published in the legal classified section of a newspaper of general circulation in the locality in which the property is located at least seven days prior to the sale; however, if the annual taxes assessed on the property are less than $500, such notice may be placed, in lieu of publication, on the treasurer's or local government's website beginning at least seven days prior to sale and through the date of sale. The pro rata costs of posting notice, publication, and mailing shall become a part of the tax and shall be collected if payment is made in redemption of such real property.

F. The treasurer or other officer responsible for collecting taxes may advertise and sell multiple parcels at the same time and place pursuant to one notice of sale.

G. The treasurer or other officer responsible for collecting taxes may enter into an agreement with the owner of such parcel for payment over time.

H. The owner of any property, or other interested party, may redeem it at any time prior to the date of the sale by paying all accumulated taxes, penalties, interest, and costs thereon, including reasonable attorney fees. Partial payment of delinquent taxes, penalties, interest, or costs shall be insufficient to redeem the property and shall not operate to suspend, invalidate, or nullify any sale brought pursuant to this section.

I. At the time of sale, the treasurer or other officer responsible for collecting taxes shall sell to the highest bidder at public auction each parcel that has not been redeemed by the owner. Such sale shall be free and clear of the locality's tax lien, but shall not affect easements or other rights of record recorded prior to the date of sale or liens recorded prior to the

date of sale unless the treasurer has given the lienholder written notice of the sale at least 30 days prior to the sale, at the lienholder's address of record and through his registered agent, if any. The treasurer or other officer responsible for collecting taxes shall tender a special warranty deed pursuant to this section to effectuate the conveyance of the parcel to the highest bidder.

J. If the sale proceeds are insufficient to pay the amounts owed in full, the treasurer or other officer responsible for collecting taxes may remove the unpaid taxes from the books and mark the same as satisfied. The sale proceeds shall be applied first to the costs of sale, then to the taxes, penalty, interest, and fees due on the parcel, and thereafter to any other taxes or other charges owed by the former owner to the jurisdiction.

K. Any excess proceeds shall remain the property of the former owner, subject to claims of creditors, and shall be kept by the treasurer or other officer responsible for collecting taxes in an interest-bearing escrow account. If any petition for excess proceeds is made to the treasurer or other officer responsible for collecting taxes under this section, the treasurer or officer holding the funds shall forward the funds to the locality's circuit court clerk to be interpleaded along with a copy of the claim for excess proceeds. A copy of such transmission shall be forwarded to the claimant. The burden of scheduling a hearing with the circuit court on the claim shall be that of the claimant and shall be made within two years of the date of the sale of the property that generated the excess funds. In the event that funds remain with the court two years after the date of the sale, the locality may petition to have the funds distributed to the locality's general fund. If no claim for payment of excess proceeds is made within two years after the date of sale, the treasurer or other responsible officer shall deposit the excess proceeds in the jurisdiction's general fund.

L. If the sale does not produce a successful bidder, the treasurer or other responsible officer shall add the costs of sale incurred by the jurisdiction to the delinquent real estate account.

CHAPTER 377

An Act to designate the bridge on Interstate 264 over South Rosemont Road in Virginia Beach the "Captain Matthew "Chevy" Chiaverotti Memorial Bridge."

[H 1793]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The bridge on Interstate 264 over South Rosemont Road in Virginia Beach is hereby designated the "Captain Matthew "Chevy" Chiaverotti Memorial Bridge." The Department of Transportation shall place and maintain appropriate markers indicating the designation of this bridge. This designation shall not affect any other designation heretofore or hereafter applied to this bridge.*

CHAPTER 378

An Act to amend and reenact § 51.5-44 of the Code of Virginia, relating to rights of persons with disabilities; public places; playgrounds.

[H 1800]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 51.5-44 of the Code of Virginia is amended and reenacted as follows:

§ 51.5-44. Rights of persons with disabilities in public places and places of public accommodation.

A. A person with a disability has the same rights as other persons to the full and free use of the streets, highways, sidewalks, walkways, paths of travel, *public playgrounds,* public buildings, public facilities, public entities, and other public places. For purposes of this section, a "person with a disability" means a person whose disability is unrelated to his ability to utilize and benefit from a place of public accommodation or public service.

B. Each place of public accommodation shall ensure that barriers to accessibility are removed when the removal is readily achievable. To determine whether an action is readily achievable, the following factors shall be considered:

1. The nature and cost of the action needed to remove the barriers;

2. The overall financial resources of the place of public accommodation involved in the action; the number of persons employed at the place of public accommodation; the effect on expenses and resources; legitimate safety requirements that are necessary for safe operation, including crime prevention measures; or the impact otherwise of the action upon the operation of the place of public accommodation;

3. The geographic separateness and the administrative or fiscal relationship of the place of public accommodation in question to any parent corporation or entity;

4. If applicable, the overall financial resources of any parent corporation or entity; the overall size of the parent corporation or entity with respect to the number of its employees or the number, type, and location of its facilities; and

5. If applicable, the type of operation or operations of any parent corporation or entity, including the composition, structure, and functions of the workforce of the parent corporation or entity.

A person with a disability is entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, streetcars, subways, boats or any other public conveyances or modes of transportation, restaurants, hotels, lodging places, places of public accommodation, amusement or resort, public entities including schools, and other places to which the general public is invited subject only to the conditions and limitations established by law and applicable alike to all persons.

C. Each town, city, or county, individually or through transportation district commissions, shall ensure that persons with disabilities have access to the public transportation within its jurisdiction by either (i) use of the same transportation facilities or carriers available to the general public, (ii) provision of paratransit or special transportation services for persons with disabilities, or (iii) both. All persons with disabilities in the jurisdiction's service area who, by reason of their disabilities, are unable to use the service for the general public shall be eligible to use such paratransit or special transportation service. No fee that exceeds the fee charged to the general public shall be charged a person with a disability for the use of the same transportation facilities or carriers available to the general public. Paratransit or special transportation service for persons with disabilities may charge fees to such persons comparable to the fees charged to the general public for similar service in the jurisdiction service area, taking into account especially the type, length, and time of trip. Any variance between special service and regular service fares shall be justifiable in terms of actual differences between the two kinds of service provided.

D. Nothing in this title shall be construed to require retrofitting of any public transit equipment or to require the retrofitting, renovation, or alteration of buildings or places to a degree more stringent than that required by the applicable building code in effect at the time the building permit for such building or place is issued.

E. Every totally or partially blind person shall have the right to be accompanied by a dog in harness trained as a guide dog, every person who is deaf or hard of hearing shall have the right to be accompanied by a dog trained as a hearing dog on a blaze orange leash, and every mobility-impaired or otherwise disabled person shall have the right to be accompanied by a dog trained as a service dog in a harness, backpack, or vest identifying the dog as a trained service dog in any of the places listed in subsection B without being required to pay an extra charge for the dog, provided that he shall be liable for any damage done to the premises or facilities by such dog. The provisions of this section shall apply to persons accompanied by a dog that is in training, at least six months of age, and is (i) in harness, provided such person is an experienced trainer of guide dogs or is conducting continuing training of a guide dog; (ii) on a blaze orange leash, provided such person is an experienced trainer of hearing dogs or is conducting continuing training of a hearing dog; (iii) in a harness, backpack, or vest identifying the dog as a trained service dog, provided such person is an experienced trainer of service dogs or is conducting continuing training of a service dog; (iv) wearing a jacket identifying the recognized guide, hearing, or service dog organization, provided such person is an experienced trainer of the organization identified on the jacket; or (v) the person is part of a three-unit service dog team and is conducting continuing training of a service dog.

CHAPTER 379

An Act to designate the bridge on Adwolfe Road and U.S. Route 11/State Route 660 in Smyth County the "Deputy Hunter D. Reedy Memorial Bridge."

[H 1853]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The bridge on Adwolfe Road and U.S. Route 11/State Route 660 over Interstate 81 in Smyth County is hereby designated the "Deputy Hunter D. Reedy Memorial Bridge." The Department of Transportation shall place and maintain appropriate markers indicating the designation of this bridge. This designation shall not affect any other designation heretofore or hereafter applied to this bridge.*

CHAPTER 380

An Act to amend and reenact §§ 37.2-314, 37.2-416.1, and 37.2-506.1 of the Code of Virginia, relating to barrier crimes; peer recovery specialists; screening requirements.

[H 1877]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 37.2-314, 37.2-416.1, and 37.2-506.1 of the Code of Virginia are amended and reenacted as follows:

§ 37.2-314. Background check required.

A. *As used in this section, "peer recovery specialist" means any person who has completed a peer recovery specialist training course approved by the Department of Behavioral Health and Developmental Services.*

B. As a condition of employment, the Department shall require any applicant who (i) accepts a position of employment at a state facility and was not employed by that state facility prior to July 1, 1996, or (ii) accepts a position with the Department that receives, monitors, or disburses funds of the Commonwealth and was not employed by the Department

prior to July 1, 1996, to submit to fingerprinting and provide personal descriptive information to be forwarded along with the applicant's fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation (FBI) for the purpose of obtaining national criminal history record information regarding the applicant.

~~B.~~ *C.* For purposes of clause (i) of subsection ~~A~~ *B*, the Department shall not hire for compensated employment persons who have been convicted of (i) any offense set forth in clause (i), (ii), or (iii) of the definition of barrier crime in § 19.2-392.02 or (ii) any offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02 (a) in the five years prior to the application date for employment or (b) if such person continues on probation or parole or has failed to pay required court costs for such offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02.

~~C.~~ *D.* Notwithstanding the provisions of subsection ~~B~~ *C*, the Department may hire for compensated employment at an adult substance abuse or mental health treatment program a person who was convicted of any misdemeanor violation of § 18.2-57 or any violation of § 18.2-248, 18.2-250, or 18.2-258.1, except an offense pursuant to subsection H1 or H2 of § 18.2-248, provided that such conviction occurred more than four years prior to the application date for employment.

~~D.~~ *E.* Notwithstanding the provisions of subsection ~~B~~ *C*, the Department may hire for compensated employment at an adult substance abuse or adult mental health treatment program a person who was convicted of any violation of § 18.2-51.3; any misdemeanor violation of § 18.2-56 or 18.2-56.1; any first offense misdemeanor violation of § 18.2-57.2; any violation of § 18.2-60, 18.2-89, 18.2-92, or 18.2-94; any misdemeanor violation of § 18.2-282, 18.2-346, or 18.2-346.01; any offense set forth in clause (iii) of the definition of barrier crime in § 19.2-392.02, except an offense pursuant to subsection H1 or H2 of § 18.2-248; or any substantially similar offense under the laws of another jurisdiction, if the Department determines, based upon a screening assessment, that the criminal behavior was substantially related to the applicant's substance abuse or mental illness and that the person has been successfully rehabilitated and is not a risk to individuals receiving services based on his criminal history background and his substance abuse or mental illness history. In addition, where the employment at an adult substance abuse treatment program is as a peer recovery specialist, the Department may hire any person eligible under this subsection or who was convicted of any offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02 if the Department determines, based upon a screening assessment, that the criminal behavior was substantially related to the person's substance abuse or mental illness and that the person has been successfully rehabilitated and is not a risk to individuals receiving services based on his criminal history background and his substance abuse or mental illness history.

~~For the purposes of this subsection, "peer recovery specialist" means any person who has completed a peer recovery specialist training course approved by the Department of Behavioral Health and Developmental Services.~~

~~E.~~ *F.* The Department and a screening contractor designated by the Department shall screen applicants who meet the criteria set forth in subsection ~~D~~ *E* to assess whether the applicants have been rehabilitated successfully and are not a risk to individuals receiving services based on their criminal history backgrounds and substance abuse or mental illness histories. To be eligible for such screening, the applicant ~~shall~~*:*

1. Shall have completed all prison or jail terms; shall not be under probation or parole supervision; shall have no pending charges in any locality; shall have paid all fines, restitution, and court costs for any prior convictions; and shall have been free of parole or probation for at least five years for all convictions*; or*

2. If the applicant is a peer recovery specialist, shall have completed all prison or jail terms, shall not be under probation or parole supervision, shall have no pending charges in any locality, and shall have been free of parole or probation for at least five years for all convictions.

In addition to any supplementary information the Department or screening contractor may require or the applicant may wish to present, the applicant shall provide to the screening contractor a statement from his most recent probation or parole officer, if any, outlining his period of supervision and a copy of any pre-sentencing or post-sentencing report in connection with the felony conviction. The cost of this screening shall be paid by the applicant, unless the Department decides to pay the cost.

~~F.~~ *G.* The Central Criminal Records Exchange, upon receipt of an applicant's record or notification that no record exists, shall submit a report or record to the state facility or to the Department. If an applicant is denied employment because of information appearing on his criminal history record and the applicant disputes the information upon which the denial was based, the Central Criminal Records Exchange shall, upon written request, furnish to the applicant the procedures for obtaining a copy of the criminal history record from the FBI. The information provided to the state facility or Department shall not be disseminated except as provided in this section.

~~G.~~ *H.* Those applicants listed in clause (i) of subsection ~~A~~ *B* also shall provide to the state facility or Department a copy of information from the central registry maintained pursuant to § 63.2-1515 on any investigation of child abuse or neglect undertaken on them.

~~H.~~ *I.* The Board may adopt regulations to comply with the provisions of this section. Copies of any information received by the state facility or Department pursuant to this section shall be available to the Department and to the applicable state facility but shall not be disseminated further, except as permitted by state or federal law. The cost of obtaining the criminal history record and the central registry information shall be borne by the applicant, unless the Department or state facility decides to pay the cost.

§ 37.2-416.1. Background checks required; adult substance abuse and mental health services.

A. As used in this section:

"Direct care position" means any position that includes responsibility for (i) treatment, case management, health, safety, development, or well-being of an adult receiving substance abuse or mental health services or (ii) immediately supervising a person in a position described in this definition.

"Hire for compensated employment" does not include (i) a promotion from one adult substance abuse or adult mental health treatment position to another such position within the same licensee licensed pursuant to this article or (ii) new employment in an adult substance abuse or adult mental health treatment position in another office or program licensed pursuant to this article if the person employed prior to July 1, 1999, in a licensed program had no convictions in the five years prior to the application date for employment. "Hire for compensated employment" includes (a) a promotion or transfer from an adult substance abuse treatment position to any mental health or developmental services direct care position within the same licensee licensed pursuant to this article or (b) new employment in any mental health or developmental services direct care position in another office or program of the same licensee licensed pursuant to this article for which the person has previously worked in an adult substance abuse treatment position.

"Peer recovery specialist" means any person who has completed a peer recovery specialist training course approved by the Department of Behavioral Health and Developmental Services.

"Provider" means a provider who is licensed pursuant to this article and who provides substance abuse or mental health services to adults.

B. Every provider shall require (i) any applicant who accepts employment in any direct care position and (ii) any person under contract with the provider to serve in a direct care position to submit to fingerprinting and provide personal descriptive information to be forwarded through the Central Criminal Records Exchange to the Federal Bureau of Investigation (FBI) for the purpose of obtaining national criminal history record information regarding the applicant. Except as otherwise provided in subsection C, D, E, or G, no provider shall:

1. Hire for compensated employment any person who has been convicted of (i) any offense set forth in clause (i), (ii), or (iii) of the definition of barrier crime in § 19.2-392.02 or (ii) any offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02 (a) in the five years prior to the application date for employment or (b) if such person continues on probation or parole or has failed to pay required court costs for such offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02; or

2. Allow any person under contract with the provider to serve in a direct care position who has been convicted of (i) any offense set forth in clause (i), (ii), or (iii) of the definition of barrier crime in § 19.2-392.02 or (ii) any offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02 (a) in the five years prior to the application date for employment or (b) if such person continues on probation or parole or has failed to pay required court costs for such offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02.

The Central Criminal Records Exchange, upon receipt of an applicant's record or notification that no record exists, shall submit a report to the requesting authorized officer or director of a provider. If any applicant is denied employment because of information appearing on the criminal history record and the applicant disputes the information upon which the denial was based, the Central Criminal Records Exchange shall, upon written request, furnish to the applicant the procedures for obtaining a copy of the criminal history record from the FBI. The information provided to the authorized officer or director of a provider shall not be disseminated except as provided in this section.

C. Notwithstanding the provisions of subsection B, a provider may hire for compensated employment or permit any person under contract with the provider to serve in a direct care position or permit any person employed by a temporary agency that has entered into a contract with the provider to provide direct care services on behalf of the provider at an adult substance abuse or mental health treatment program a person who was convicted of any misdemeanor violation of § 18.2-57 or any violation of § 18.2-248, 18.2-250, or 18.2-258.1, except an offense pursuant to subsection H1 or H2 of § 18.2-248, provided that such conviction occurred more than four years prior to the application date for employment.

D. Notwithstanding the provisions of subsection B, a provider may hire for compensated employment or permit any person under contract with the provider to serve in a direct care position or permit any person employed by a temporary agency that has entered into a contract with the provider to provide direct care services on behalf of the provider at adult substance abuse or adult mental health treatment programs a person who was convicted of any violation of § 18.2-51.3; any misdemeanor violation of § 18.2-56 or 18.2-56.1; any first offense misdemeanor violation of § 18.2-57.2; any violation of § 18.2-60, 18.2-89, 18.2-92, or 18.2-94; any misdemeanor violation of § 18.2-282, 18.2-346, or 18.2-346.01; any offense set forth in clause (iii) of the definition of barrier crime in § 19.2-392.02, except an offense pursuant to subsections H1 and H2 of § 18.2-248; or any substantially similar offense under the laws of another jurisdiction, if the hiring provider determines, based upon a screening assessment, that the criminal behavior was substantially related to the applicant's substance abuse or mental illness and that the person has been successfully rehabilitated and is not a risk to individuals receiving services based on his criminal history background and his substance abuse or mental illness history. In addition, where the employment at an adult substance abuse treatment program is as a peer recovery specialist, the provider may hire any person eligible under this subsection or who was convicted of any offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02 if the hiring provider determines, based upon a screening assessment, that the criminal behavior was substantially related to the person's substance abuse or mental illness and that the person has been successfully rehabilitated and is not a risk to individuals receiving services based on his criminal history background and his substance abuse or mental illness history.

E. Notwithstanding the provisions of subsection B, a provider may hire for compensated employment or permit any person under contract with the provider to serve in a direct care position or permit any person employed by a temporary agency that has entered into a contract with the provider to provide direct care services on behalf of the provider at adult substance abuse treatment facilities a person who has been convicted of not more than one offense under subsection C of § 18.2-57, or any substantially similar offense under the laws of another jurisdiction, if (i) the person has been granted a simple pardon if the offense was a felony committed in Virginia, or the equivalent if the person was convicted under the laws of another jurisdiction; (ii) more than 10 years have elapsed since the conviction; and (iii) the hiring provider determines, based upon a screening assessment, that the criminal behavior was substantially related to the applicant's substance abuse and that the person has been successfully rehabilitated and is not a risk to individuals receiving services based on his criminal history background and his substance abuse history.

F. The hiring provider and a screening contractor designated by the Department shall screen applicants who meet the criteria set forth in subsections D and E to assess whether the applicants have been rehabilitated successfully and are not a risk to individuals receiving services based on their criminal history backgrounds and substance abuse or mental illness histories. To be eligible for such screening, the applicant ~~shall~~*:*

1. Shall have completed all prison or jail terms, shall not be under probation or parole supervision, shall have no pending charges in any locality, shall have paid all fines, restitution, and court costs for any prior convictions, and shall have been free of parole or probation for at least five years for all convictions*; or*

2. If the applicant is a peer recovery specialist, shall have completed all prison or jail terms, shall not be under probation or parole supervision, shall have no pending charges in any locality, and shall have been free of parole or probation for at least five years for all convictions.

In addition to any supplementary information the provider or screening contractor may require or the applicant may wish to present, the applicant shall provide to the screening contractor a statement from his most recent probation or parole officer, if any, outlining his period of supervision and a copy of any pre-sentencing or post-sentencing report in connection with the felony conviction. The cost of this screening shall be paid by the applicant, unless the licensed provider decides to pay the cost.

G. Notwithstanding the provisions of subsection B, a provider may (i) hire for compensated employment, (ii) approve as a sponsored residential service provider, (iii) permit to enter into a shared living arrangement, or (iv) permit any person under contract with the provider to serve in a direct care position on behalf of the provider or permit any person employed by a temporary agency that has entered into a contract with the provider to provide direct care services on behalf of the provider persons who have been convicted of not more than one misdemeanor offense under § 18.2-57.2, or any substantially similar offense under the laws of another jurisdiction, if 10 years have elapsed following the conviction, unless the person committed the offense while employed in a direct care position. A provider may also approve a person as a sponsored residential service provider if (a) any adult living in the home of an applicant or (b) any person employed by the applicant to provide services in the home in which sponsored residential services are provided has been convicted of not more than one misdemeanor offense under § 18.2-57.2, or any substantially similar offense under the laws of another jurisdiction, if 10 years have elapsed following the conviction, unless the person committed the offense while employed in a direct care position.

H. Every provider shall require, as a condition of employment, approval as a sponsored residential service provider, permission to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver, or permission for any person under contract with the provider to serve in a direct care position, written consent and personal information necessary to obtain a search of the registry of founded complaints of child abuse and neglect that is maintained by the Department of Social Services pursuant to § 63.2-1515.

I. The cost of obtaining the criminal history record and search of the child abuse and neglect registry record shall be borne by the applicant, unless the provider decides to pay the cost.

J. A person who complies in good faith with the provisions of this section shall not be liable for any civil damages for any act or omission in the performance of duties under this section unless the act or omission was the result of gross negligence or willful misconduct.

K. Notwithstanding any other provision of law, a provider that provides services to individuals receiving services under the state plan for medical assistance services or any waiver thereto may disclose to the Department of Medical Assistance Services (i) whether a criminal history background check has been completed for a person described in subsection B for whom a criminal history background check is required and (ii) whether the person described in subsection B is eligible for employment, to provide sponsored residential services, to provide services in the home of a sponsored residential service provider, or to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver.

L. Any person employed by a temporary agency that has entered into a contract with a provider and who will serve in a direct care position on behalf of such provider shall undergo a background check that shall include:

1. A criminal history records check through the Central Criminal Records Exchange pursuant to § 19.2-389; and

2. A search of the central registry maintained pursuant to § 63.2-1515 for any founded complaint of child abuse and neglect.

Except as otherwise provided in subsection C, D, E, or G, no provider shall permit any person employed by a temporary agency that has entered into a contract with the provider to provide direct care services on behalf of the provider

if that person has been convicted of (i) any offense set forth in clause (i), (ii), or (iii) of the definition of barrier crime in § 19.2-392.02 or (ii) any offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02 (a) in the five years prior to the application date for employment or (b) if such person continues on probation or parole or has failed to pay required court costs for such offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02.

§ 37.2-506.1. Background checks required; adult substance abuse and mental health services.

A. As used in this section:

"Direct care position" means any position that includes responsibility for (i) treatment, case management, health, safety, development, or well-being of an adult receiving substance abuse or mental health services or (ii) immediately supervising a person in a position described in this definition.

"Hire for compensated employment" does not include (i) a promotion from one adult substance abuse or adult mental health treatment position to another such position within the same community services board or (ii) new employment in an adult substance abuse or adult mental health treatment position in another office or program of the same community services board if the person employed prior to July 1, 1999, had no convictions in the five years prior to the application date for employment. "Hire for compensated employment" includes (a) a promotion or transfer from an adult substance abuse treatment position to any mental health or developmental services direct care position within the same community services board or (b) new employment in any mental health or developmental services direct care position in another office or program of the same community services board for which the person has previously worked in an adult substance abuse treatment position.

"Peer recovery specialist" means any person who has completed a peer recovery specialist training course approved by the Department of Behavioral Health and Developmental Services.

B. Every community services board shall require (i) any applicant who accepts employment in any direct care position with the community services board and (ii) any person under contract to serve in a direct care position on behalf of the community services board to submit to fingerprinting and provide personal descriptive information to be forwarded through the Central Criminal Records Exchange to the Federal Bureau of Investigation (FBI) for the purpose of obtaining national criminal history record information regarding the applicant. Except as otherwise provided in subsection C, D, E, or G, no community services board shall hire for compensated employment, approve as a sponsored residential service provider, permit to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver, or permit any person under contract to serve in a direct care position on behalf of the community services board persons who have been convicted of (a) any offense set forth in clause (i), (ii), or (iii) of the definition of barrier crime in § 19.2-392.02 or (b) any offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02 (1) in the five years prior to the application date for employment, the application date to be a sponsored residential service provider, or entering into a shared living arrangement or (2) if such person continues on probation or parole or has failed to pay required court costs for such offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02.

The Central Criminal Records Exchange, upon receipt of an applicant's record or notification that no record exists, shall submit a report to the requesting executive director or personnel director of the community services board. If any applicant is denied employment because of information appearing on his criminal history record and the applicant disputes the information upon which the denial was based, the Central Criminal Records Exchange shall, upon written request, furnish to the applicant the procedures for obtaining a copy of the criminal history record from the FBI. The information provided to the executive director or personnel director of any community services board shall not be disseminated except as provided in this section.

C. Notwithstanding the provisions of subsection B, the community services board may hire for compensated employment or permit any person under contract to serve in a direct care position on behalf of the community services board or permit any person employed by a temporary agency that has entered into a contract with the community services board to provide direct care services on behalf of the community services board at an adult substance abuse or mental health treatment program a person who was convicted of any misdemeanor violation of § 18.2-57 or any violation of § 18.2-248, 18.2-250, or 18.2-258.1, except an offense pursuant to subsection H1 or H2 of § 18.2-248, provided that such conviction occurred more than four years prior to the application date for employment.

D. Notwithstanding the provisions of subsection B, the community services board may hire for compensated employment or permit any person under contract to serve in a direct care position on behalf of the community services board or permit any person employed by a temporary agency that has entered into a contract with the community services board to provide direct care services on behalf of the community services board at adult substance abuse or adult mental health treatment programs a person who was convicted of any violation of § 18.2-51.3; any misdemeanor violation of § 18.2-56, 18.2-56.1, or 18.2-57.2; any violation of § 18.2-60, 18.2-89, 18.2-92, or 18.2-94; any misdemeanor violation of § 18.2-282, 18.2-346, or 18.2-346.01; any offense set forth in clause (iii) of the definition of barrier crime in § 19.2-392.02, except an offense pursuant to subsection H1 or H2 of § 18.2-248; or any substantially similar offense under the laws of another jurisdiction, if the hiring community services board determines, based upon a screening assessment, that the criminal behavior was substantially related to the applicant's substance abuse or mental illness and that the person has been successfully rehabilitated and is not a risk to individuals receiving services based on his criminal history background and his substance abuse or mental illness history. In addition, where the employment at an adult substance abuse treatment program is as a peer recovery specialist, the community services board may hire any person eligible under this subsection or who was convicted of any offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02 if the hiring community

services board determines, based upon a screening assessment, that the criminal behavior was substantially related to the person's substance abuse or mental illness and that the person has been successfully rehabilitated and is not a risk to individuals receiving services based on his criminal history background and his substance abuse or mental illness history.

E. Notwithstanding the provisions of subsection B, the community services board may hire for compensated employment or permit any person under contract to serve in a direct care position on behalf of the community services board or permit any person employed by a temporary agency that has entered into a contract with the community services board to provide direct care services on behalf of the community services board at adult substance abuse treatment programs a person who has been convicted of not more than one offense under subsection C of § 18.2-57, or any substantially similar offense under the laws of another jurisdiction, if (i) the person has been granted a simple pardon if the offense was a felony committed in Virginia, or the equivalent if the person was convicted under the laws of another jurisdiction; (ii) more than 10 years have elapsed since the conviction; and (iii) the hiring community services board determines, based upon a screening assessment, that the criminal behavior was substantially related to the applicant's substance abuse and that the person has been successfully rehabilitated and is not a risk to individuals receiving services based on his criminal history background and his substance abuse history.

F. The community services board and a screening contractor designated by the Department shall screen applicants who meet the criteria set forth in subsections D and E to assess whether the applicants have been rehabilitated successfully and are not a risk to individuals receiving services based on their criminal history backgrounds and substance abuse or mental illness histories. To be eligible for such screening, the applicant ~~shall~~*:*

1. Shall have completed all prison or jail terms, shall not be under probation or parole supervision, shall have no pending charges in any locality, shall have paid all fines, restitution, and court costs for any prior convictions, and shall have been free of parole or probation for at least five years for all convictions*; or*

2. If the applicant is a peer recovery specialist, shall have completed all prison or jail terms, shall not be under probation or parole supervision, shall have no pending charges in any locality, and shall have been free of parole or probation for at least five years for all convictions.

In addition to any supplementary information the community services board or screening contractor may require or the applicant may wish to present, the applicant shall provide to the screening contractor a statement from his most recent probation or parole officer, if any, outlining his period of supervision and a copy of any pre-sentencing or post-sentencing report in connection with the felony conviction. The cost of this screening shall be paid by the applicant, unless the board decides to pay the cost.

G. Notwithstanding the provisions of subsection B, a community services board may (i) hire for compensated employment or (ii) permit any person under contract to serve in a direct care position on behalf of the community services board or permit any person employed by a temporary agency that has entered into a contract with the community services board to provide direct care services on behalf of the community services board persons who have been convicted of not more than one misdemeanor offense under § 18.2-57.2, or any substantially similar offense under the laws of another jurisdiction, if 10 years have elapsed following the conviction, unless the person committed the offense while employed in a direct care position.

H. Community services boards also shall require, as a condition of employment or permission for any person under contract to serve in a direct care position on behalf of the community services board, written consent and personal information necessary to obtain a search of the registry of founded complaints of child abuse and neglect that is maintained by the Department of Social Services pursuant to § 63.2-1515.

I. The cost of obtaining the criminal history record and search of the child abuse and neglect registry record shall be borne by the applicant, unless the community services board decides to pay the cost.

J. Notwithstanding any other provision of law, a community services board that provides services to individuals receiving services under the state plan for medical assistance services or any waiver thereto may disclose to the Department of Medical Assistance Services (i) whether a criminal history background check has been completed for a person described in subsection B for whom a criminal history background check is required and (ii) whether the person described in subsection B is eligible for employment.

K. Any person employed by a temporary agency that has entered into a contract with a community services board and who will serve in a direct care position on behalf of such community services board shall undergo a background check that shall include:

1. A criminal history records check through the Central Criminal Records Exchange pursuant to § 19.2-389; and

2. A search of the central registry maintained pursuant to § 63.2-1515 for any founded complaint of child abuse and neglect.

Except as otherwise provided in subsection C, D, E, or G, no community services board shall permit any person employed by a temporary agency that has entered into a contract with the community services board to provide direct care services on behalf of the community services board if that person has been convicted of (i) any offense set forth in clause (i), (ii), or (iii) of the definition of barrier crime in § 19.2-392.02 or (ii) any offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02 (a) in the five years prior to the application date for employment, the application date to be a sponsored residential service provider, or entering into a shared living arrangement or (b) if such person continues on probation or parole or has failed to pay required court costs for such offense set forth in clause (iv) of the definition of barrier crime in § 19.2-392.02.

CHAPTER 381

An Act to amend and reenact § 18.2-121.3 of the Code of Virginia, relating to trespass with an unmanned aircraft system; contracted defense facility; penalty.

[S 757]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-121.3 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-121.3. Trespass with an unmanned aircraft system; penalty.

A. Any person who knowingly and intentionally causes an unmanned aircraft system to (i) enter the property of another and come within 50 feet of a dwelling house (a) to coerce, intimidate, or harass another person or (b) after having been given actual notice to desist, for any other reason; (ii) take off or land in violation of current Federal Aviation Administration Special Security Instructions or UAS Security Sensitive Airspace Restrictions; or (iii) (a) drop any item within the boundaries of or (b) obtain any videographic or still image of any identifiable inmate or resident at any state or local correctional facility, as defined in § 53.1-1, or juvenile correctional center is guilty of a Class 1 misdemeanor.

B. ~~This section~~ *Subsection A* shall not apply to any person who causes an unmanned aircraft system to enter the property as set forth in subsection A if (i) consent is given to the entry by any person with legal authority to consent or by any person who is lawfully present on such property or (ii) such person is authorized by federal regulations to operate an unmanned aircraft system and is operating such system in an otherwise lawful manner and consistent with federal regulations.

C. Notwithstanding the provisions of subsections A and B, any person who knowingly, intentionally, and without authorization causes an unmanned aircraft system to enter the property of and obtains or attempts to obtain any videographic or still image that contains or reveals any controlled technical information located within a contracted defense facility is guilty of a Class 4 felony. Notwithstanding the provisions of § 18.2-146, the owner or operator of a contracted defense facility and its employees shall be immune from criminal prosecution and civil liability as a result of preventing, stopping, deterring, interrupting, or repelling, or attempting to prevent, stop, deter, interrupt, or repel, an unmanned aircraft system from entering the property of such contracted defense facility, or attempting to stop, deter, interrupt, or repel, an unmanned aircraft system that has entered such property, provided that such action does not result in injury to any person.

As used in this subsection:

"Contracted defense facility" means any manufacturing or engineering facility or other related facility where work involving the design, construction, repair, maintenance, modernization, or inactivation of an asset of the U.S. Department of Defense occurs pursuant to a contract issued by the federal government.

"Controlled technical information" means technical information with military or space application that is subject to controls on the access, use, reproduction, modification, performance, display, release, disclosure, or dissemination, excluding information that is lawfully publicly available without restrictions, as defined in clause 252.204-7012 of the Defense Federal Acquisition Regulation Supplement, as amended.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 382

An Act to amend the Code of Virginia by adding a section numbered 22.1-271.9, relating to public elementary and secondary schools; cardiac emergency response or emergency action plans required.

[S 817]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-271.9 as follows:

§ 22.1-271.9. Cardiac emergency response or emergency action plans required.

A. As used in this section:

"Athletic emergency action plan" or "athletic EAP" means an emergency action plan that establishes and details emergency management and response preparations, strategies, and guidelines specifically for emergencies that occur in an athletic setting, including sports-related health emergencies and physical injuries that occur in the course of participating in athletic practices, games, competition, or other events.

"Automated External Defibrillator" or "AED" means a lightweight, portable device that delivers an electric shock through the chest to the heart for the purpose of potentially stopping an irregular heartbeat or arrhythmia and allowing a normal heartbeat rhythm to resume following sudden cardiac arrest.

"Cardiac emergency response plan" or "CERP" means a written document that establishes the specific steps to reduce death from sudden cardiac arrest that occurs on school grounds.

"CPR" means cardiopulmonary resuscitation.

"High-need school" means any public elementary or secondary school (i) at which at least 50 percent of children are eligible to receive free and reduced-price meals; (ii) that participates in the federal Community Eligibility Provision or any federal, state, or local universal free meals program; or (iii) that is classified as a Title I school pursuant to Title I, Part A of the federal Elementary and Secondary Education Act of 1965, P.L. 89-10, as amended.

"Sudden cardiac arrest" means a condition whereby the heart unexpectedly malfunctions and stops beating and that is likely to lead to death if not treated within minutes.

B. Each public elementary or secondary school shall develop and implement a cardiac emergency response plan or an athletic emergency action plan that addresses the appropriate use of school personnel to respond to incidents involving an individual who is experiencing sudden cardiac arrest or a similar life-threatening emergency (i) while on school grounds and (ii) in the event that such school has an athletic department or organized athletic program, while attending or participating in an athletic practice or event sponsored by such school or conducted as a part of such school's athletic department or organized athletic program. Any public elementary or secondary school that has an athletic department or organized athletic program shall at all times have either a CERP or athletic EAP in place. Each such CERP or athletic EAP shall integrate nationally recognized evidence-based core elements and nationally recognized evidence-based guidelines and shall integrate provisions and guidelines, consistent with relevant law, relating to:

1. Establishing a cardiac emergency response team;

2. Activating such team in response to a sudden cardiac event;

3. Integrating the CERP or athletic EAP into the local community's emergency medical services response protocols in accordance with subsection C;

4. Practicing at least annually responses to sudden cardiac arrest on school grounds through the use of drills;

5. Placing and routinely maintaining AEDs in the school building in accordance with nationally recognized evidence-based guidelines;

6. Placing clearly marked and easily accessible AEDs at each venue where school-sponsored athletic practices or competitions are held;

7. Determining, in accordance with guidelines set by the American Heart Association or other organization focused on emergency cardiovascular care, the placement of any AED in a school building or venue pursuant to subdivisions 5 and 6 and ensuring that any such AED is identified with appropriate signage and is on-site or made available in an unlocked location on school property in a manner such that the AED can be accessed and placed on an individual experiencing sudden cardiac arrest or a similar life-threatening emergency within three minutes;

8. Ensuring training in first aid, CPR, and the use of AEDs by appropriate staff, including school nurses, athletic trainers, and coaches, that follows evidence-based guidelines set forth by the American Heart Association or nationally recognized guidelines focused on emergency cardiovascular care;

9. Disseminating the CERP or athletic EAP to appropriate individuals throughout the school community; and

10. Reviewing, evaluating, and, as necessary, amending the CERP or athletic EAP on an ongoing and annual basis.

C. Public elementary or secondary school officials shall work directly with local emergency service providers to integrate the CERP or athletic EAP into the local community's emergency medical services response protocols.

CHAPTER 383

An Act to amend and reenact § 17.1-407 of the Code of Virginia, relating to Court of Appeals; procedure on appeal; criminal cases.

[S 896]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-407 of the Code of Virginia is amended and reenacted as follows:

§ 17.1-407. Procedures on appeal.

A. The notice of appeal in all cases within the jurisdiction of the court shall be filed with the clerk of the trial court or the clerk of the Virginia Workers' Compensation Commission, as appropriate, and a copy of such notice shall be mailed or delivered to all opposing counsel and parties not represented by counsel~~,~~ *and* to the clerk of the Court of Appeals~~, and to the Attorney General in criminal cases~~. The clerk shall endorse thereon the day and year he received it.

B. Appeals pursuant to § 17.1-405 and subsection A of § 17.1-406, other than petitions for appeal by the Commonwealth in criminal cases, are appeals of right. The clerk of the Court of Appeals shall refer each case for which a notice of appeal has been filed to a panel of the court as the court may direct.

C. Each petition for appeal by the Commonwealth in a criminal case shall be referred to one or more judges of the Court of Appeals as the court shall direct. A judge to whom the petition is referred may grant the petition on the basis of the record without the necessity of oral argument. The clerk shall refer each appeal for which a petition has been granted to a panel of the court as the court shall direct.

D. Before a petition for appeal by the Commonwealth is denied, counsel for the Commonwealth shall be entitled to state orally before a panel of the court the reasons why its appeal should be granted. If all of the judges of the panel to whom the petition is referred are of the opinion that the petition ought not be granted, the order denying the appeal shall state the reasons for the denial. Thereafter, no other petition in the matter shall be entertained in the Court of Appeals.

CHAPTER 384

An Act to amend and reenact § 23.1-608 of the Code of Virginia, relating to Virginia Military Survivors and Dependents Education Program; annual report on eligibility and usage required.

[S 961]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 23.1-608 of the Code of Virginia is amended and reenacted as follows:

§ 23.1-608. Virginia Military Survivors and Dependents Education Program; tuition and fee waivers.

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

"Domicile" has the same meaning as provided in § 23.1-500.

"Program" means the Virginia Military Survivors and Dependents Education Program.

"Qualified survivors and dependents" means the spouse or a child between the ages of 16 and 29 (i) of a military service member who, while serving as an active duty member in the Armed Forces of the United States, Reserves of the Armed Forces of the United States, or Virginia National Guard, during military operations against terrorism, on a peacekeeping mission, as a result of a terrorist act, or in any armed conflict, was killed, became missing in action, or became a prisoner of war or (ii) of a veteran who served in the Armed Forces of the United States, Reserves of the Armed Forces of the United States, or Virginia National Guard and, due to such service, has been rated by the U.S. Department of Veterans Affairs as totally and permanently disabled or at least 90 percent permanently disabled and has been discharged or released under conditions other than dishonorable. However, the Commissioner of Veterans Services may certify dependents above the age of 29 in those cases in which extenuating circumstances prevented the dependent child from using his benefits before the age of 30. For purposes of this section, a child who is a stepchild of a deceased military service member described in this section shall receive all benefits described in this section as a child of such military service member if the military service member claimed the stepchild on his tax return or on his Defense Enrollment Eligibility Reporting System while serving on active duty.

B. The Virginia Military Survivors and Dependents Education Program is established for the purpose of waiving tuition and mandatory fees at a public institution of higher education for qualified survivors and dependents who have been admitted to such institution and meet the requirements of subsection C, as certified by the Commissioner of Veterans Services.

C. Admitted qualified survivors and dependents are eligible for a waiver of tuition and mandatory fees pursuant to this section if the military service member who was killed, became missing in action, became a prisoner of war, or is disabled (i) established domicile (a) at the time of entering such active military service or called to active duty as a member of the Reserves of the Armed Forces of the United States or Virginia National Guard; (b) at least five years immediately prior to, or had a physical presence in the Commonwealth for at least five years immediately prior to, the date on which the admission application was submitted by or on behalf of such qualified survivor or dependent for admission to such institution of higher education; or (c) on the date of his death and for at least five years immediately prior to his death or had a physical presence in the Commonwealth on the date of his death and had a physical presence in the Commonwealth for at least five years immediately prior to his death; (ii) in the case of a qualified child, is deceased and the surviving parent, at some time previous to marrying the deceased parent, established domicile for at least five years, or established domicile or had a physical presence in the Commonwealth for at least five years immediately prior to the date on which the admission application was submitted by or on behalf of such child; or (iii) in the case of a qualified spouse, is deceased and the surviving spouse, at some time previous to marrying the deceased spouse, established domicile for at least five years or had a physical presence in the Commonwealth for at least five years prior to the date on which the admission application was submitted by such qualified spouse. In any case under this subsection, the Commissioner of the Department of Veterans Services shall have the authority to consider the domicile or physical presence requirements under clause (i) (c) through the surviving spouse or under clause (iii) through the surviving student if the military service member or surviving spouse dies after having established physical presence within the Commonwealth but before such requirements can be met.

D. The Department of Veterans Services shall disseminate information about the Program to those spouses and dependents who may qualify. The Department of Veterans Services shall coordinate with the U.S. Department of Veterans Affairs to identify veterans and qualified survivors and dependents. The Commissioner of Veterans Services shall include in

the annual report submitted to the Governor and the General Assembly pursuant to § 2.2-2004 an overview of the agency's policies and strategies relating to dissemination of information about the Program and Fund.

E. Each public institution of higher education shall include in its catalog or equivalent publication a statement describing the benefits available pursuant to this section.

F. The Department of Veterans Services and the Council shall coordinate to report no later than December 15 of each year to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations (i) the number of qualified survivors and dependents who have been determined to be eligible for a waiver of tuition and mandatory fees at a public institution of higher education pursuant to the Program but have not yet enrolled at such an institution and (ii) the best available estimate of the number of qualified survivors and dependents who are enrolled at each public institution of higher education with a waiver of tuition and mandatory fees pursuant to the Program as of December 1 of the current fall semester.

CHAPTER 385

An Act to amend and reenact § 62 and §§ 63, 64, and 114, as severally amended, of Chapter 34 of the Acts of Assembly of 1918, which provided a charter for the City of Norfolk, relating to division of fire; classified service.

[S 987]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 62 and §§ 63, 64, and 114, as severally amended, of Chapter 34 of the Acts of Assembly of 1918 are amended and reenacted as follows:

§ 62. Division of fire.

The fire force shall be composed of a chief*, deputy chief,* and of such other officers, firemen and employees as the city manager may determine. The fire chief shall have immediate direction and control of the said force, subject, however, to the supervision of the director of public safety, and to such rules and regulations and orders as the said director may prescribe, and through the fire chief the director of public safety shall promulgate all orders, rules and regulations for the government of the whole force.

The members of the fire force other than the chief *and deputy chief* shall be appointed from the list of eligibles prepared by the civil service commission and in accordance with such rules and regulations as may be prescribed by the said commission; provided, however, that in case of riot, conflagration or emergency, the director of public safety may appoint additional firemen and officers for temporary service who need not be in the classified service.

The chief of the fire department and his assistants are authorized to exercise the powers of police officers while going to, attending or returning from any fire or alarm of fire. The fire chief and each of his assistants shall have issued to him a warrant of appointment signed by the director of public safety, in which the date of his appointment shall be stated, and such warrant shall be his commission. The director of public safety shall prescribe the uniform and badges for the members of the fire force.

Whenever any building in said city shall be on fire it shall be lawful for the chief of the fire department to order and direct such building or any other building which he may deem hazardous and likely to communicate fire to other buildings, or any part of such buildings, to be pulled down or destroyed; and no action shall be maintained against said chief or any person acting under his authority or against the city therefor. But any person interested in the property so destroyed may within one year thereafter apply in writing to the council to assess and pay the damages he has sustained. The council may thereupon pay to the claimant such sum as may be agreed upon between him and the council. If no agreement be effected, such claimant may give to the city attorney of said city ten days' written notice of his intention to apply to the corporation court of said city for the appointment of commissioners to ascertain and assess his said damage. Upon its appearing that such notice has been given, the corporation court of said city shall appoint five disinterested freeholders, residents of said city, any three or more of whom may act, for the purpose of ascertaining and assessing the amount of such damages. Thereupon the said commissioners shall proceed to ascertain and assess the amount of such damages in the same manner as is now or may hereafter be provided by law in the case of taking private property for public use, and the procedure upon the filing of the report of said commissioners shall conform as nearly as may be to the procedure under the statutes of Virginia relating to eminent domain.

§ 63. Supervision in divisions of fire and police.

The chief of police and the fire chief, with the approval of the director of public safety, except as hereinafter provided, shall have the right and power to reprimand, or to suspend, for a given number of days or indefinitely, any of the sworn officers and sworn employees in their respective divisions who may be under their management and control, for incompetence, neglect of duty, immorality, drunkenness, failure to obey orders given by proper authority, or for any other just and reasonable cause. This section does not apply to the deputy chief of police *or the deputy fire chief*, who, like the chief of police and the fire chief, ~~is~~ *are* appointed by and ~~serves~~ *serve* at the will of the city manager. If any such officer or employee be suspended for more than ten days or be suspended indefinitely, the chief of the division concerned shall forthwith certify in writing the fact, together with the cause for such suspension, to the trial board hereinafter provided for,

and a copy of such certificate of suspension, and the cause therefor, shall be promptly served on such officer or employee, which service may be by an officer of his division or in the manner prescribed by law for the service of civil process.

Any such officer or employee so suspended may, within ten days after he shall have been so served with such certificate of suspension and the cause therefor, file with said trial board a written request for a hearing upon the accusations so made against him, whereupon said trial board shall, after not less than five days' written notice to such officer or employee, and to the chief of the division by whom he has been suspended, hold and conduct a hearing, which shall be open to the public, upon such accusations, at a time and place to be specified in such notice, and may render judgment thereon. Such judgment, in the event said accusations or any of them are, in the opinion of said trial board, sustained, may be a reprimand, extra duty without extra compensation, suspension for a fixed time, reduction in rank, or dismissal, as to said trial board may seem proper, which judgment shall be final.

Whenever the judgment of the said trial board is that the accusations were not sustained, it may order the reinstatement of such officer or employee in the office or position from which he was suspended. Such order of reinstatement may, in the discretion of said trial board, be retroactive and provide that such officer or employee shall be entitled to compensation for all or part of the time he was so suspended.

In the event any such officer or employee who is suspended for more than ten days or suspended indefinitely shall not file with said trial board a written demand for a hearing as hereinabove provided, the suspension of such officer or employee shall become final, and if the suspension be for an indefinite period, such officer or employee may be discharged by the city manager without a hearing.

The trial board above referred to shall be known as the Norfolk Police-Fire Trial Board, and the members thereof shall be appointed by the council. It shall consist of not less than three nor more than five members, in the discretion of the council, who shall be qualified voters residing in the city, none of whom shall be in any way connected with any other city office. The first appointment of the members of the said trial board shall be for a term of one year commencing July 1, 1950, and all subsequent appointments shall be for consecutive terms of one year. Any member may be appointed for a consecutive term or terms, and any vacancy shall be filled by appointment by the council for the remainder of the unexpired term. The judgment of a majority of the members appointed on said trial board shall control. The members shall receive such compensation as may be provided by council. Each member shall, before entering upon the duties of his office, take and subscribe the oaths provided by § 133 of this Charter for city officers.

The council shall designate one member of said trial board as chairman thereof. The chairman shall have the power to subpoena witnesses, administer oaths and compel the production of any books and papers in connection with any hearing held hereunder by said trial board. Any person refusing or failing to appear and testify or to produce such books and papers, or who shall testify falsely under oath at any hearing held by said trial board, may be proceeded against in the same manner and shall be subject to the same penalties as provided by § 51 of this Charter relating to investigations as to city affairs.

The council shall also designate one member of said trial board as vice-chairman thereof to act in the absence, disability or inability to act of the chairman, and when so acting, the said vice-chairman shall have all the powers herein conferred upon the chairman.

Any such officer or employee against whom accusations are so filed shall have the right to be represented by counsel at any hearing before said trial board. All notices required to be given the trial board may be given to the chairman thereof, or in his absence, to the vice-chairman.

§ 64. Suspension and dismissal of the chief of police, deputy chief of police, ~~and~~ fire chief*, and deputy fire chief*.

The city manager shall have the power to suspend or dismiss the chief of police, the deputy chief of police, ~~and~~ the fire chief*, and the deputy fire chief* at any time, and his action in every such case shall be final; provided that in the event the chief of police, the deputy chief of police, ~~or~~ the fire chief*, or the deputy fire chief* was appointed to such position from the membership of his respective division, he shall, at the time of any such suspension or dismissal, or at any time prior thereto, at his request, be restored to the rank he held in the classified service in such division at the time of his appointment as such chief or deputy chief, without being required to take any examination, subject, however, to the provisions of § 63 of this Charter.

§ 114. Officers exempted from classified service.

Officers who are elected by the people or who are elected or confirmed by the council, pursuant to this charter, members of the school board, the teachers in the public schools and all other persons employed by said school board, heads of the administrative departments of the city, the deputy chief of police, *the deputy fire chief,* assistant city managers, employees who report directly to and whose positions require the personal trust and confidence of the city manager, employees, regardless of their positions, hired and permanently assigned to work for and under the supervision of the constitutional officers of the city or of the circuit court judges of the city, assistant heads of administrative departments, and heads or chiefs of bureaus and divisions within said departments, but not including such positions within the departments of fire and police other than ~~that~~ *those* of the deputy chief of police *and the deputy fire chief*, members of the law department and civil service examiners, shall not be included in such classified service; provided, however, that the council may by ordinance provide that the health officer of said city and such of his trained medical assistants as may be required to give full time to the duties of their positions shall be included in the classified service.

CHAPTER 386

An Act to amend and reenact § 54.1-3408 of the Code of Virginia, relating to opioid antagonists; dispensing and administration by person acting on behalf of an organization.

[S 1035]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3408 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3408. Professional use by practitioners.

A. A practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine, a licensed advanced practice registered nurse pursuant to § 54.1-2957.01, a licensed certified midwife pursuant to § 54.1-2957.04, a licensed physician assistant pursuant to § 54.1-2952.1, or a TPA-certified optometrist pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32 shall only prescribe, dispense, or administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice. A licensed midwife pursuant to § 54.1-2957.7 shall only obtain, possess, and administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice.

B. The prescribing practitioner's order may be on a written prescription or pursuant to an oral prescription as authorized by this chapter. The prescriber may administer drugs and devices, or he may cause drugs or devices to be administered by:

1. A nurse, physician assistant, or intern under his direction and supervision;

2. Persons trained to administer drugs and devices to patients in state-owned or state-operated hospitals or facilities licensed as hospitals by the Board of Health or psychiatric hospitals licensed by the Department of Behavioral Health and Developmental Services who administer drugs under the control and supervision of the prescriber or a pharmacist;

3. Emergency medical services personnel certified and authorized to administer drugs and devices pursuant to regulations of the Board of Health who act within the scope of such certification and pursuant to an oral or written order or standing protocol;

4. Persons who are employed or engaged at a medical care facility, as defined in § 32.1-3, who have a valid emergency medical services provider certification issued by the Board of Health as a requirement of being employed or engaged at the medical care facility within the scope of such certification, pursuant to an oral or written order or standing protocol to administer drugs and devices at the medical care facility; or

5. A licensed respiratory therapist as defined in § 54.1-2954 who administers by inhalation controlled substances used in inhalation or respiratory therapy.

C. Pursuant to an oral or written order or standing protocol, the prescriber, who is authorized by state or federal law to possess and administer radiopharmaceuticals in the scope of his practice, may authorize a nuclear medicine technologist to administer, under his supervision, radiopharmaceuticals used in the diagnosis or treatment of disease.

D. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize registered nurses and licensed practical nurses to possess (i) epinephrine and oxygen for administration in treatment of emergency medical conditions and (ii) heparin and sterile normal saline to use for the maintenance of intravenous access lines.

Pursuant to the regulations of the Board of Health, certain emergency medical services technicians may possess and administer epinephrine in emergency cases of anaphylactic shock.

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any school nurse, school board employee, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or standing protocol that shall be issued by the local health director within the course of his professional practice, any school nurse, licensed athletic trainer under contract with a local school division, school board employee, employee of a local governing body, or employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers or nebulized albuterol may possess or administer an albuterol inhaler and a valved holding chamber or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education, or any employee of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in the administration of (a) epinephrine may possess and administer epinephrine and (b) albuterol inhalers or nebulized albuterol may possess or administer an albuterol inhaler or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any nurse at an early childhood care and education entity, employee at the entity, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a public institution of higher education or a private institution of higher education who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of an organization providing outdoor educational experiences or programs for youth who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, and in accordance with policies and guidelines established by the Department of Health, such prescriber may authorize any employee of a restaurant licensed pursuant to Chapter 3 (§ 35.1-18 et seq.) of Title 35.1 to possess and administer epinephrine on the premises of the restaurant at which the employee is employed, provided that such person is trained in the administration of epinephrine.

Pursuant to an order issued by the prescriber within the course of his professional practice, an employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services may possess and administer epinephrine, provided such person is authorized and trained in the administration of epinephrine.

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any employee of a place of public accommodation, as defined in subsection A of § 2.2-3904, who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize pharmacists to possess epinephrine and oxygen for administration in treatment of emergency medical conditions.

E. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed physical therapists to possess and administer topical corticosteroids, topical lidocaine, and any other Schedule VI topical drug.

F. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed athletic trainers to possess and administer topical corticosteroids, topical lidocaine, or other Schedule VI topical drugs; oxygen and IV saline for use in emergency situations; subcutaneous lidocaine for wound closure; epinephrine for use in emergency cases of anaphylactic shock; and naloxone or other opioid antagonist for overdose reversal.

G. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, and in accordance with policies and guidelines established by the Department of Health pursuant to § 32.1-50.2, such prescriber may authorize registered nurses or licensed practical nurses under the supervision of a registered nurse to possess and administer tuberculin purified protein derivative (PPD) in the absence of a prescriber. The Department of Health's policies and guidelines shall be consistent with applicable guidelines developed by the Centers for Disease Control and Prevention for preventing transmission of mycobacterium tuberculosis and shall be updated to incorporate any subsequently implemented standards of the Occupational Safety and Health Administration and the Department of Labor and Industry to the extent that they are inconsistent with the Department of Health's policies and guidelines. Such standing protocols shall explicitly describe the categories of persons to whom the tuberculin test is to be administered and shall provide for appropriate medical evaluation of those in whom the test is positive. The prescriber shall ensure that the nurse implementing such standing protocols has received adequate training in the practice and principles underlying tuberculin screening.

The Health Commissioner or his designee may authorize registered nurses, acting as agents of the Department of Health, to possess and administer, at the nurse's discretion, tuberculin purified protein derivative (PPD) to those persons in whom tuberculin skin testing is indicated based on protocols and policies established by the Department of Health.

H. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administer glucagon to a student diagnosed as having diabetes and who requires insulin injections during the school day or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize the possession and administration of undesignated glucagon as set forth in subsection F of § 22.1-274.2.

Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize an employee of a public institution of higher education or a private institution of higher

education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administration of glucagon to a student diagnosed as having diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

Pursuant to a written order issued by the prescriber within the course of his professional practice, such prescriber may authorize an employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services to assist with the administration of insulin or to administer glucagon to a person diagnosed as having diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia, provided such employee or person providing services has been trained in the administration of insulin and glucagon.

I. A prescriber may authorize, pursuant to a protocol approved by the Board of Nursing, the administration of vaccines to adults for immunization, when a practitioner with prescriptive authority is not physically present, by (i) licensed pharmacists, (ii) registered nurses, or (iii) licensed practical nurses under the supervision of a registered nurse. A prescriber acting on behalf of and in accordance with established protocols of the Department of Health may authorize the administration of vaccines to any person by a pharmacist, nurse, or designated emergency medical services provider who holds an advanced life support certificate issued by the Commissioner of Health under the direction of an operational medical director when the prescriber is not physically present. The emergency medical services provider shall provide documentation of the vaccines to be recorded in the Virginia Immunization Information System.

J. A dentist may cause Schedule VI topical drugs to be administered under his direction and supervision by either a dental hygienist or by an authorized agent of the dentist.

Further, pursuant to a written order and in accordance with a standing protocol issued by the dentist in the course of his professional practice, a dentist may authorize a dental hygienist under his general supervision, as defined in § 54.1-2722, or his remote supervision, as defined in subsection E or F of § 54.1-2722, to possess and administer topical oral fluorides, topical oral anesthetics, topical and directly applied antimicrobial agents for treatment of periodontal pocket lesions, and any other Schedule VI topical drug approved by the Board of Dentistry.

In addition, a dentist may authorize a dental hygienist under his direction to administer Schedule VI nitrous oxide and oxygen inhalation analgesia and, to persons 18 years of age or older, Schedule VI local anesthesia.

K. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize registered professional nurses certified as sexual assault nurse examiners-A (SANE-A) under his supervision and when he is not physically present to possess and administer preventive medications for victims of sexual assault as recommended by the Centers for Disease Control and Prevention.

L. This section shall not prevent the administration of drugs by a person who has satisfactorily completed a training program for this purpose approved by the Board of Nursing and who administers such drugs in accordance with a prescriber's instructions pertaining to dosage, frequency, and manner of administration, and in accordance with regulations promulgated by the Board of Pharmacy relating to security and record keeping, when the drugs administered would be normally self-administered by (i) an individual receiving services in a program licensed by the Department of Behavioral Health and Developmental Services; (ii) a resident of the Virginia Rehabilitation Center for the Blind and Vision Impaired; (iii) a resident of a facility approved by the Board or Department of Juvenile Justice for the placement of children in need of services or delinquent or alleged delinquent youth; (iv) a program participant of an adult day center licensed by the Department of Social Services; (v) a resident of any facility authorized or operated by a state or local government whose primary purpose is not to provide health care services; (vi) a resident of a private children's residential facility, as defined in § 63.2-100 and licensed by the Department of Social Services, Department of Education, or Department of Behavioral Health and Developmental Services; or (vii) a student in a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education.

In addition, this section shall not prevent a person who has successfully completed a training program for the administration of drugs via percutaneous gastrostomy tube approved by the Board of Nursing and been evaluated by a registered nurse as having demonstrated competency in administration of drugs via percutaneous gastrostomy tube from administering drugs to a person receiving services from a program licensed by the Department of Behavioral Health and Developmental Services to such person via percutaneous gastrostomy tube. The continued competency of a person to administer drugs via percutaneous gastrostomy tube shall be evaluated semiannually by a registered nurse.

M. Medication aides registered by the Board of Nursing pursuant to Article 7 (§ 54.1-3041 et seq.) of Chapter 30 may administer drugs that would otherwise be self-administered to residents of any assisted living facility licensed by the Department of Social Services. A registered medication aide shall administer drugs pursuant to this section in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; in accordance with regulations promulgated by the Board of Pharmacy relating to security and recordkeeping; in accordance with the assisted living facility's Medication Management Plan; and in accordance with such other regulations governing their practice promulgated by the Board of Nursing.

N. In addition, this section shall not prevent the administration of drugs by a person who administers such drugs in accordance with a physician's instructions pertaining to dosage, frequency, and manner of administration and with written

authorization of a parent, and in accordance with school board regulations relating to training, security and record keeping, when the drugs administered would be normally self-administered by a student of a Virginia public school. Training for such persons shall be accomplished through a program approved by the local school boards, in consultation with the local departments of health.

O. In addition, this section shall not prevent the administration of drugs by a person to (i) a child in a child day program as defined in § 22.1-289.02 and regulated by the Board of Education or a local government pursuant to § 15.2-914, or (ii) a student of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education, provided such person (a) has satisfactorily completed a training program for this purpose approved by the Board of Nursing and taught by a registered nurse, a licensed practical nurse, an advanced practice registered nurse, a physician assistant, a doctor of medicine or osteopathic medicine, or a pharmacist; (b) has obtained written authorization from a parent or guardian; (c) administers drugs only to the child identified on the prescription label in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; and (d) administers only those drugs that were dispensed from a pharmacy and maintained in the original, labeled container that would normally be self-administered by the child or student, or administered by a parent or guardian to the child or student.

P. In addition, this section shall not prevent the administration or dispensing of drugs and devices by persons if they are authorized by the State Health Commissioner in accordance with protocols established by the State Health Commissioner pursuant to § 32.1-42.1 when (i) the Governor has declared a disaster or a state of emergency, the United States Secretary of Health and Human Services has issued a declaration of an actual or potential bioterrorism incident or other actual or potential public health emergency, or the Board of Health has made an emergency order pursuant to § 32.1-13 for the purpose of suppressing nuisances dangerous to the public health and communicable, contagious, and infectious diseases and other dangers to the public life and health and for the limited purpose of administering vaccines as an approved countermeasure for such communicable, contagious, and infectious diseases; (ii) it is necessary to permit the provision of needed drugs or devices; and (iii) such persons have received the training necessary to safely administer or dispense the needed drugs or devices. Such persons shall administer or dispense all drugs or devices under the direction, control, and supervision of the State Health Commissioner.

Q. Nothing in this title shall prohibit the administration of normally self-administered drugs by unlicensed individuals to a person in his private residence.

R. This section shall not interfere with any prescriber issuing prescriptions in compliance with his authority and scope of practice and the provisions of this section to a Board agent for use pursuant to subsection G of § 18.2-258.1. Such prescriptions issued by such prescriber shall be deemed to be valid prescriptions.

S. Nothing in this title shall prevent or interfere with dialysis care technicians or dialysis patient care technicians who are certified by an organization approved by the Board of Health Professions or persons authorized for provisional practice pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.), in the ordinary course of their duties in a Medicare-certified renal dialysis facility, from administering heparin, topical needle site anesthetics, dialysis solutions, sterile normal saline solution, and blood volumizers, for the purpose of facilitating renal dialysis treatment, when such administration of medications occurs under the orders of a licensed physician, an advanced practice registered nurse, or a physician assistant and under the immediate and direct supervision of a licensed registered nurse. Nothing in this chapter shall be construed to prohibit a patient care dialysis technician trainee from performing dialysis care as part of and within the scope of the clinical skills instruction segment of a supervised dialysis technician training program, provided such trainee is identified as a "trainee" while working in a renal dialysis facility.

The dialysis care technician or dialysis patient care technician administering the medications shall have demonstrated competency as evidenced by holding current valid certification from an organization approved by the Board of Health Professions pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.).

T. Persons who are otherwise authorized to administer controlled substances in hospitals shall be authorized to administer influenza or pneumococcal vaccines pursuant to § 32.1-126.4.

U. Pursuant to a specific order for a patient and under his direct and immediate supervision, a prescriber may authorize the administration of controlled substances by personnel who have been properly trained to assist a doctor of medicine or osteopathic medicine, provided the method does not include intravenous, intrathecal, or epidural administration and the prescriber remains responsible for such administration.

V. A physician assistant, nurse, dental hygienist, or authorized agent of a doctor of medicine, osteopathic medicine, or dentistry may possess and administer topical fluoride varnish pursuant to an oral or written order or a standing protocol issued by a doctor of medicine, osteopathic medicine, or dentistry.

W. A prescriber, acting in accordance with guidelines developed pursuant to § 32.1-46.02, may authorize the administration of influenza vaccine to minors by a licensed pharmacist, registered nurse, licensed practical nurse under the direction and immediate supervision of a registered nurse, or emergency medical services provider who holds an advanced life support certificate issued by the Commissioner of Health when the prescriber is not physically present.

X. Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, a pharmacist, a health care provider providing services in a hospital emergency

department, and emergency medical services personnel, as that term is defined in § 32.1-111.1, may dispense naloxone or other opioid antagonist used for overdose reversal and a person to whom naloxone or other opioid antagonist has been dispensed pursuant to this subsection may possess and administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose. Law-enforcement officers as defined in § 9.1-101, employees of the Department of Forensic Science, employees of the Office of the Chief Medical Examiner, employees of the Department of General Services Division of Consolidated Laboratory Services, employees of the Department of Corrections designated by the Director of the Department of Corrections or designated as probation and parole officers or as correctional officers as defined in § 53.1-1, employees of the Department of Juvenile Justice designated as probation and parole officers or as juvenile correctional officers, employees of regional jails, employees of any state agency, school nurses, local health department employees that are assigned to a public school pursuant to an agreement between the local health department and the school board, school board employees who have completed training and are certified in the administration of an opioid antagonist for overdose reversal by a program administered or authorized by the Department of Health, other school board employees or individuals contracted by a school board to provide school health services, and firefighters may also possess and administer naloxone or other opioid antagonist used for overdose reversal and may dispense naloxone or other opioid antagonist used for overdose reversal pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, any person may possess and administer naloxone or other opioid antagonist used for overdose reversal, other than naloxone in an injectable formulation with a hypodermic needle or syringe, in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Y. Notwithstanding any other law or regulation to the contrary, a person who is acting on behalf of an organization that provides services to individuals at risk of experiencing an opioid overdose or training in the administration of naloxone *or other opioid antagonist* for overdose reversal may dispense naloxone *or other opioid antagonist*, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber and (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health. If the person acting on behalf of an organization dispenses naloxone *or other opioid antagonist* in an injectable formulation with a hypodermic needle or syringe, he shall first obtain authorization from the Department of Behavioral Health and Developmental Services to train individuals on the proper administration of naloxone *or other opioid antagonist* by and proper disposal of a hypodermic needle or syringe, and he shall obtain a controlled substance registration from the Board of Pharmacy. The Board of Pharmacy shall not charge a fee for the issuance of such controlled substance registration. The dispensing may occur at a site other than that of the controlled substance registration provided the entity possessing the controlled substances registration maintains records in accordance with regulations of the Board of Pharmacy. No person who dispenses naloxone *or other opioid antagonist* on behalf of an organization pursuant to this subsection shall charge a fee for the dispensing of naloxone *or other opioid antagonist* that is greater than the cost to the organization of obtaining the naloxone *or other opioid antagonist* dispensed. A person to whom naloxone *or other opioid antagonist* has been dispensed pursuant to this subsection may possess naloxone *or other opioid antagonist* and may administer naloxone *or other opioid antagonist* to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

Z. A person who is not otherwise authorized to administer naloxone or other opioid antagonist used for overdose reversal may administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

AA. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of injected medications for the treatment of adrenal crisis resulting from a condition causing adrenal insufficiency to administer such medication to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis. Such authorization shall be effective only when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

CHAPTER 387

An Act to designate the bridge on Adwolfe Road and U.S. Route 11/State Route 660 in Smyth County the "Deputy Hunter D. Reedy Memorial Bridge."

[S 1428]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The bridge on Adwolfe Road and U.S. Route 11/State Route 660 over Interstate 81 in Smyth County is hereby designated the "Deputy Hunter D. Reedy Memorial Bridge." The Department of Transportation shall place and maintain appropriate markers indicating the designation of this bridge. This designation shall not affect any other designation heretofore or hereafter applied to this bridge.*

CHAPTER 388

An Act to amend the Code of Virginia by adding a section numbered 22.1-3.5, relating to public schools; enrollment of certain military children with disabilities; provision of special education services and accommodations.

[H 1880]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-3.5 as follows:

§ 22.1-3.5. Enrollment of certain military children with disabilities; provision of special education services and accommodations.

Whenever a child of a service member parent who enrolls in a school division pursuant to subdivision B 3 of § 22.1-3 is also a child with disabilities, the school board that governs the school division shall, upon receiving the documentation from the service member parent or an official letter from the service member parent's command indicating such service member parent's relocation to such school division, coordinate with the service member parent and such child's previous school division to facilitate the prompt provision of comparable special education services and accommodations based on such child's current Individualized Education Program or Section 504 Plan.

CHAPTER 389

An Act to amend and reenact § 22.1-7.2 of the Code of Virginia, relating to public elementary and secondary schools; enrollment; dependent students of active duty service members; policies.

[H 1881]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-7.2 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-7.2. Enrollment for students residing on a military installation or in military housing.

A. As used in this section, "military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, fort, or other activity under the jurisdiction of the Department of Defense, including any leased facility, that is located in whole or in part within the Commonwealth. "Military installation" does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

B. Any local school board of a school division in which a military installation or other military housing is located shall establish and implement policies to provide for the enrollment to any school of any student residing on a military installation or in military housing within the school division upon the request of his parent if space in the school is available. In developing such policies, a local school board may include any of conditions listed in subsection A of § 22.1-7.1 or any other condition deemed appropriate by the local school board.

C. *Each local school board may establish and implement policies providing for the enrollment of any student who (i) does not reside within such school division and (ii) is the dependent of a parent that is a full-time active duty member of the uniformed services of the United States upon request of such student's parent, provided that:*

1. Space in the school is available;

2. At least one parent of the student has an identification card issued by the U.S. Department of Defense;

3. At least one parent can provide evidence that he will be on active duty status or active duty orders, such that the parent will be temporarily transferred in compliance with official orders to another location in support of combat, a contingency operation, or a natural disaster requiring the use of orders for more than 30 consecutive days; and

4. The student will be residing with a relative of such student who lives in the applicable school division in which such student is seeking enrollment or will be residing in such school division within six months of requesting enrollment in such school division.

Such policies may include any of the conditions listed in subsection A of § 22.1-7.1. Such policies may provide for the denial of any such enrollment request if the school board can demonstrate that it lacks the resources or capacity.

D. A copy of the school division's policies ~~for enrollment for students residing on a military installation or in military housing within the school division~~ *established and implemented pursuant to subsections B and C* shall be posted on the division's website and shall be available to the public upon request.

CHAPTER 390

An Act to amend and reenact §§ 45.2-1101, 45.2-1109, 45.2-1119, 45.2-1200, and 45.2-1203 of the Code of Virginia, relating to Mineral Mine Safety Act; definition of "surface mineral mine"; mine inspectors; certificate renewal; use of cyanide or cyanide compound.

[H 1887]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 45.2-1101, 45.2-1109, 45.2-1119, 45.2-1200, and 45.2-1203 of the Code of Virginia are amended and reenacted as follows:

§ 45.2-1101. Definitions.

As used in the Mineral Mine Safety Act and in regulations adopted under the Act, unless the context requires a different meaning:

"Abandoned area" means the inaccessible area of an underground mine that is sealed or ventilated and in which further mining is not intended.

"Accident" means (i) a death of an individual at a mine; (ii) a serious personal injury; (iii) an entrapment of an individual for more than 30 minutes; (iv) an unplanned inundation of a mine by liquid or gas; (v) an unplanned ignition or explosion of gas or dust; (vi) an unplanned mine fire not extinguished within 30 minutes of discovery; (vii) an unplanned ignition or explosion of a blasting agent or an explosive; (viii) an unplanned roof fall at or above the anchorage zone in active workings where roof bolts are in use, or an unplanned roof or rib fall in active workings that impairs ventilation or impedes passage; (ix) a rock outburst that causes withdrawal of miners or that disrupts regular mining activity for more than one hour; (x) an unstable condition at a water or silt retaining dam or mine refuse pile that requires emergency action in order to prevent failure or causes individuals to evacuate an area, or failure of such retaining dam or refuse pile; (xi) damage to hoisting equipment in a shaft or slope that endangers an individual or interferes with use of the equipment for more than 30 minutes; and (xii) an event at a mine that causes death or serious personal injury to any individual not at a mine at the time the event occurs.

"Active area" means any place in a mine that is ventilated, if underground, and examined regularly.

"Active workings" means any place in a mine where miners are normally required to work or travel.

"Agent" means any person charged by the operator with responsibility for the operation of all or a part of a mine or the supervision of miners in a mine.

"Approved" means, with reference to a device, apparatus, equipment, condition, method, course, or practice, approved in writing by the Director.

"Approved competent person" means a person with more than two years of experience designated by the Department as having the authority to function as a mine foreman even though the person has less than five years of experience. If an approved competent person meets all the criteria for certification as a mine foreman other than the experience criteria, he may perform the duties of a mine foreman except the pre-shift examination.

"Armored cable" means a cable provided with a wrapping of metal, plastic, or other approved material.

"Authorized person" means a person who is assigned by the operator or agent to perform a specific type of duty or to be at a specific location in the mine and is task-trained in accordance with requirements of the federal mine safety law.

"Blower fan" means a fan with tubing used to direct part of a particular circuit of air to a working place.

"Booster fan" means an underground fan installed in conjunction with a main fan to increase the volume of air in one or more circuits.

"Cable" means (i) a stranded conductor, known as single-conductor cable, or (ii) a combination of conductors insulated from one another, known as multiple-conductor cable.

"Certified person" means a person who holds a valid certificate from the Department authorizing him to perform the particular task to which he is assigned.

"Circuit" means a conducting part or a system of conducting parts through which an electric current is intended to flow.

"Circuit breaker" means a device for interrupting a circuit between separable contacts under normal or abnormal conditions.

"Competent person" means a person having abilities and experience that fully qualify him to perform the particular duty to which he is assigned.

"Cross entry" means any entry or set of entries, turned from main entries, from which room entries are turned.

"Division" means the Division of Mineral Mining.

"Experienced surface miner" means a person with more than six months of experience working at a surface mine or the surface area of an underground mine.

"Experienced underground miner" means a person with more than six months of underground mining experience.

"Federal mine safety law" means the Federal Mine Safety and Health Act of 1977 (P.L. 91-173, as amended by P.L. 95-164) and regulations adopted thereunder.

"Fuse" means an overcurrent protective device with a circuit-opening fusible member directly heated and destroyed by the passage of overcurrent through it.

"Ground" means a conducting connection between an electric circuit or electrical equipment and earth or some conducting body that serves in place of earth.

"Grounded" means connected to earth or to some connecting body that serves in place of earth.

"Hazardous condition" means a condition that is likely to cause death or serious personal injury to a person exposed to such condition.

"Imminent danger" means the existence of any condition or practice in a mine that could reasonably be expected to cause death or serious personal injury before such condition or practice can be abated.

"Inactive mine" means a mine (i) at which (a) coal or minerals have not been excavated or processed or (b) work, other than examination by a certified person or emergency work to preserve the mine, has not been performed for a period of 30 days at an underground mine or for a period of 60 days at a surface mine; (ii) for which a valid license is in effect; and (iii) at which reclamation activities have not been completed.

"Independent contractor" means any person who contracts to perform services or construction at a mine.

"Intake air" means air that has not passed through the last active working place of the split or by the unsealed entrance to an abandoned area and by analysis contains at least 19.5 percent oxygen and not more than 0.5 percent carbon dioxide and does not contain a hazardous quantity of flammable gas or a harmful quantity of poisonous gas.

"Interested persons" means members of the mine safety committee and other duly authorized representatives of the employees at a mine, MSHA employees, mine inspectors, and, to the extent required by the Act, any other person.

"Licensed operator" means the operator who has obtained the license for a particular mine under § 45.2-1124.

"Main entry" means the principal entry or set of entries driven through the coal bed or mineral deposit and from which cross entries, room entries, or rooms are turned.

"Mine" means any underground mineral mine or surface mineral mine. Mines that are adjacent to each other and under the same management and that are administered as distinct units are considered separate mines. A site is not considered a mine unless the mineral extracted or excavated from it is offered for sale or exchange or used for any other commercial purpose.

"Mine fire" means an unplanned fire not extinguished within 30 minutes of discovery.

"Mine foreman" means a person who holds a valid certificate of qualification as a foreman issued by the Department.

"Mine inspector" means a public employee assigned by the Director to make mine inspections as required by the Mineral Mine Safety Act or other applicable law.

"Miner" means any individual working in a mineral mine.

"Mineral" means clay, stone, sand, gravel, metalliferous or nonmetalliferous ore, or any other solid material or substance of commercial value excavated in solid form from a natural deposit on or in the earth, exclusive of coal and any mineral that occurs naturally in liquid or gaseous form.

"Mineral mine" means a surface mineral mine or an underground mineral mine.

"Mineral Mine Safety Act" or "the Act" means this chapter and Chapters 14 (§ 45.2-1400 et seq.) and 15 (§ 45.2-1500 et seq.) and includes any regulations adopted thereunder, where applicable.

"Mine Safety and Health Administration" or "MSHA" means the federal Mine Safety and Health Administration.

"Operator" means any person who operates, controls, or supervises a mine or any independent contractor performing services or construction at a mine.

"Panel entry" means a room entry.

"Permissible" means any device, process, equipment, or method classified at any time as permissible by MSHA, when such classification is adopted by the Director. "Permissible" includes, unless otherwise herein expressly stated, any requirement, restriction, exception, limitation, or condition attached to such classification by MSHA.

"Return air" means air that has passed through (i) the last active working place on each split or (ii) an abandoned or worked-out area. No area within a panel shall be deemed abandoned until it is inaccessible or sealed.

"Room entry" means any entry or set of entries from which a room is turned.

"Serious personal injury" means any injury that (i) has a reasonable potential to cause death or (ii) is other than a sprain or strain and requires an admission to a hospital for 24 hours or more for medical treatment.

"Substation" means an electrical installation containing generating or power-conversion equipment and associated electric equipment and parts, such as switchboards, switches, wiring, fuses, circuit breakers, compensators, and transformers.

"Surface mineral mine" means (i) the pit and any other active or inactive area of surface extraction of minerals; (ii) any onsite mill, shop, loadout facility, or related structure appurtenant to the excavation and processing of minerals; (iii) any impoundment, water or silt retaining dam, tailing pond, mine refuse pile, or other area appurtenant to the extraction of minerals from the site; (iv) any onsite surface area for the transportation or storage of minerals excavated at the site;

(v) equipment, machinery, tools, and other property used in, or to be used in, the work of extracting minerals from the site; (vi) any private way or road appurtenant to such area; and (vii) any area used for surface-disturbing exploration, other than by drilling or seismic testing, or for preparation of a site for surface mineral extraction activity. A site shall commence being a surface mineral mine upon the beginning of any surface-disturbing exploration activity other than exploratory drilling or seismic testing and shall cease to be a surface mineral mine upon completion of initial reclamation activities. The surface extraction of a mineral shall not constitute surface mineral mining unless the mineral (a) is extracted for its unique or intrinsic characteristics or (b) requires processing prior to its intended use.

Excavation or grading when conducted solely in aid of onsite farming or construction shall not constitute a surface mineral mine. Such exemption shall not be construed to limit a landowner in a one-time construction or expansion of a farm pond for agricultural irrigation or provision of water for livestock to beneficially reuse the soil or sand, provided that such pond construction or expansion project (1) is a one-time activity on that parcel of land, (2) is completed within one year, (3) results in a pond that is less than three acres in total, and (4) has all necessary permits and local approvals in place before such activity begins.

"Travel way" means a passage, walk, or way regularly used and designated for persons to use in going from one place to another.

"Underground mineral mine" means (i) the working face and any other active or inactive area of underground excavation of minerals; (ii) any underground travel way, shaft, slope, drift, incline, or tunnel connected to such area; (iii) any onsite mill, loadout area, shop, or related facility appurtenant to the excavation and processing of minerals; (iv) any onsite surface area for the transportation or storage of minerals excavated at the site; (v) any impoundment, retention dam, tailing pond, or waste area appurtenant to the excavation of minerals from the site; (vi) equipment, machinery, tools, and other property, on the surface or underground, used in, or to be used in, the excavation of minerals from the site; (vii) any private way or road appurtenant to such area; and (viii) any area used to prepare a site for underground mineral excavation activities. A site commences being an underground mineral mine upon the beginning of any site preparation activity other than exploratory drilling or other exploration activity and ceases to be an underground mineral mine upon completion of initial reclamation activities.

"Work area," as used in Chapter 9 (§ 45.2-900 et seq.), means an area of a mine in production or being prepared for production or an area of a mine that may pose a danger to miners at such area in production or being prepared for production.

"Working face" means any place in a mine in which work of extracting minerals from their natural deposit in the earth is performed during the mining cycle.

"Working place" means the area of an underground mine inby the last open crosscut.

"Working section" means the portion of a mine encompassing all areas from the loading point of a section to and including the working faces.

§ 45.2-1109. Appointment and general qualifications of mine inspectors.

A. Each mine inspector shall be appointed by the Director.

B. Each mine inspector shall ~~(i) be at least 25 years of age; (ii) be of good moral character and temperate habits; (iii) hold a certificate as a mine foreman; and (iv)~~ hold a certificate as a mine inspector issued ~~prior to July 1, 2012, by the Board of Mineral Mining Examiners or on or after July 1, 2012,~~ by the Department *and possess appropriate qualifications as determined by the Director*.

§ 45.2-1119. Renewal of certificates.

The holder of any certificate issued by ~~the Board of Mineral Mining Examiners or~~ the Department, other than a general mineral miner certificate *or a mineral mine inspector certificate*, may renew the certificate by successfully completing the examination for the renewal of such certificate. The Department shall establish requirements for renewal of a certificate in accordance with the procedure set forth in § 45.2-1115. The Department shall notify a certificate holder at least 180 days prior to the expiration of the certificate. Any certificate requiring renewal that is not renewed by the fifth anniversary of its issuance or of a previous renewal is invalid. As a condition to renewal, the holder shall provide the Department with all administrative information reasonably required and pay the examination fee as provided in § 45.2-1117.

§ 45.2-1200. Definitions.

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

"Disturbed land" means the area from which overburden has been removed in any mining operation, plus the area covered by the spoil and refuse, plus any area used in such mining operation, including land used for processing, stockpiling, or settling ponds.

"Division" means the Division of Mineral Mining.

"Mineral" means ore, rock, and any other solid homogeneous crystalline chemical element or compound that results from the inorganic processes of nature other than coal.

"Mining" means the breaking or disturbing of the surface soil or rock in order to facilitate or accomplish the extraction or removal of minerals or any activity constituting all or part of a process for the extraction or removal of minerals so as to make them suitable for commercial, industrial, or construction use. "Mining" does not include (i) any aspect of deep mining that does not have a significant effect on the surface or (ii) excavation or grading when conducted solely in aid of onsite farming or construction. Such exemption in clause (ii) shall not be construed to limit a landowner in a one-time construction or expansion of a farm pond for agricultural irrigation or provision of water for livestock to beneficially reuse the soil or

sand, provided that such pond construction or expansion project (a) is a one-time activity on that parcel of land, (b) is completed within ~~six months~~ *one year*, (c) results in a pond that is less than three acres in total, and (d) has all necessary permits and local approvals in place before such activity begins. Nothing in this section applies to the mining of coal. "Mining" does not include, and this title, chapter, or section shall not be construed to apply to, the process of searching, prospecting, exploring, or investigating for minerals by drilling.

"Mining operation" means any area included in an approved plan of operation.

"Operator" means any individual, corporation or corporation officer, firm, joint venture, partnership, business trust, association, or any other group or combination acting as a unit, or any legal entity that is engaged in mining.

"Orphaned lands" means lands disturbed by surface mining of minerals, other than coal operations, that were not required by law to be reclaimed or that have not been reclaimed.

"Overburden" means all of the earth and other materials that lie above a natural deposit of minerals, ores, rock, or other solid matter and also other materials after removal from their natural deposit in the process of mining.

"Reclamation" means the restoration or conversion of disturbed land to a stable condition that minimizes or prevents adverse disruption and the injurious effects of such disruption and presents an opportunity for further productive use if such use is reasonable.

"Refuse" means all waste soil, rock, mineral tailings, slimes, and other material directly connected with the mine or with the cleaning and preparation of substances mined, including all waste material deposited in the permit area from other sources.

"Spoil" means any overburden or other material removed from its natural state in the process of mining.

§ 45.2-1203. Exemption for restricted mining.

Any operator engaged in mining who disturbs less than one acre of land and removes less than 500 tons of minerals at any particular site is exempt from all mining permit fees, renewal fees, and bond requirements of this chapter if such person intending to engage in such restricted mining submits an application for a permit, a sketch of the mining site, and an operations plan to be adhered to in accordance with §§ 45.2-1205 and 45.2-1206. *A permit shall not be issued for any operational plan that includes the use of cyanide or a cyanide compound in any mineral mining or processing operation.* The Director shall approve the application if he determines that the issuance of the permit will not violate any provision of this chapter.

CHAPTER 391

An Act to amend and reenact §§ 54.1-3222, 54.1-3223, 54.1-3301, and 54.1-3303 of the Code of Virginia, relating to Optometry; TPA-Formulary; TPA-Formulary Committee; dissolution.

[H 1898]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-3222, 54.1-3223, 54.1-3301, and 54.1-3303 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-3222. TPA certification; certification for treatment of diseases or abnormal conditions with therapeutic pharmaceutical agents (TPAs).

TPA certification shall enable an optometrist to prescribe and administer, within his scope of practice, Schedule II controlled substances consisting of hydrocodone in combination with acetaminophen and Schedules III through VI controlled substances and devices as set forth in the Drug Control Act (§ 54.1-3400 et seq.) to treat diseases and abnormal conditions of the human eye and its adnexa as determined by the Board, within the following conditions:

1. Treatment with oral therapeutic pharmaceutical agents shall be limited to (i) analgesics included on Schedule II controlled substances as defined in § 54.1-3448 of the Drug Control Act (§ 54.1-3400 et seq.) consisting of hydrocodone in combination with acetaminophen, and analgesics included on Schedules III through VI, as defined in §§ 54.1-3450 and 54.1-3455 of the Drug Control Act, which are appropriate to alleviate ocular pain and (ii) other Schedule VI controlled substances as defined in § 54.1-3455 of the Drug Control Act appropriate to treat diseases and abnormal conditions of the human eye and its adnexa.

2. Therapeutic pharmaceutical agents shall include topically applied Schedule VI drugs as defined in § 54.1-3455 of the Drug Control Act (§ 54.1-3400 et seq.).

3. Administration of therapeutic pharmaceutical agents by injection shall be limited to the treatment of chalazia by means of injection of a steroid included in Schedule VI controlled substances as set forth in § 54.1-3455 of the Drug Control Act (§ 54.1-3400 et seq.). A TPA-certified optometrist shall provide written evidence to the Board that he has completed a didactic and clinical training course provided by an accredited school or college of optometry that includes training in administration of TPAs by injection prior to administering TPAs by injection pursuant to this subdivision.

4. Treatment of angle closure glaucoma shall be limited to initiation of immediate emergency care.

5. Treatment of infantile or congenital glaucoma shall be prohibited.

6. Treatment through surgery or other invasive modalities shall not be permitted, except as provided in subdivision 3 or for treatment of emergency cases of anaphylactic shock with intramuscular epinephrine.

7. Entities permitted or licensed by the Board of Pharmacy to distribute or dispense drugs, including, but not limited to, wholesale distributors and pharmacists, shall be authorized to supply TPA-certified optometrists with ~~those~~ therapeutic pharmaceutical agents ~~specified by the Board on the TPA-Formulary~~.

§ 54.1-3223. Regulations relating to therapeutic pharmaceutical agents.

~~A.~~ The Board shall promulgate such regulations governing the treatment of diseases and abnormal conditions of the human eye and its adnexa with therapeutic pharmaceutical agents by TPA-certified optometrists as are reasonable and necessary to ensure an appropriate standard of medical care for patients, including, but not limited to, determinations of the diseases and abnormal conditions of the human eye and its adnexa that may be treated by TPA-certified optometrists~~,~~ *and* treatment guidelines~~, and the drugs specified on the TPA-Formulary~~.

~~In order to maintain a current and appropriate list of therapeutic pharmaceuticals on the TPA-Formulary, current and appropriate treatment guidelines, and current and appropriate determinations of diseases and abnormal conditions of the eye and its adnexa that may be treated by TPA-certified optometrists, the Board may, from time to time, amend such regulations.~~ Such regulations *and amendments thereto* shall be exempt from the requirements of the Administrative Process Act (§ 2.2-4000 et seq.), except to any extent that they may be specifically made subject to §§ 2.2-4024, 2.2-4030, and 2.2-4031; the Board's regulations shall, however, comply with § 2.2-4103 of the Virginia Register Act (§ 2.2-4100 et seq.). The Board shall, however, conduct a public hearing prior to making amendments to ~~the TPA-Formulary,~~ the treatment guidelines or the determinations of diseases and abnormal conditions of the eye and its adnexa that may be treated by TPA-certified optometrists. Thirty days prior to conducting such hearing, the Board shall give written notice by mail or electronic means of the date, time, and place of the hearing to all currently TPA-certified optometrists and any other persons requesting to be notified of the hearings and publish notice of its intention to amend the ~~list~~ *regulations* in the Virginia Register of Regulations. During the public hearing, interested parties shall be given reasonable opportunity to be heard and present information prior to final adoption of any ~~TPA-Formulary~~ amendments. Proposed and final amendments ~~of the list~~ shall also be published, pursuant to § 2.2-4031, in the Virginia Register of Regulations. ~~Final amendments to the TPA-Formulary shall become effective upon filing with the Registrar of Regulations. The TPA-Formulary shall be the inclusive list of the therapeutic pharmaceutical agents that a TPA-certified optometrist may prescribe.~~

~~B. To assist in the specification of the TPA-Formulary, there shall be a seven-member TPA-Formulary Committee, as follows: three Virginia TPA-certified optometrists to be appointed by the Board of Optometry, one pharmacist appointed by the Board of Pharmacy from among its licensees, two ophthalmologists appointed by the Board of Medicine from among its licensees, and the chairman who shall be appointed by the Board of Optometry from among its members. The ophthalmologists appointed by the Board of Medicine shall have demonstrated, through professional experience, knowledge of the optometric profession. In the event the Board of Pharmacy or the Board of Medicine fails to make appointments to the TPA-Formulary Committee within 30 days following the Board of Optometry's' requesting such appointments, or within 30 days following any subsequent vacancy, the Board of Optometry shall appoint such members.~~

~~The TPA-Formulary Committee shall recommend to the Board those therapeutic pharmaceutical agents to be included on the TPA-Formulary for the treatment of diseases and abnormal conditions of the eye and its adnexa by TPA-certified optometrists.~~

§ 54.1-3301. Exceptions.

This chapter shall not be construed to:

1. Interfere with any legally qualified practitioner of dentistry, or veterinary medicine or any physician acting on behalf of the Virginia Department of Health or local health departments, in the compounding of his prescriptions or the purchase and possession of drugs as he may require;

2. Prevent any legally qualified practitioner of dentistry, or veterinary medicine or any prescriber, as defined in § 54.1-3401, acting on behalf of the Virginia Department of Health or local health departments, from administering or supplying to his patients the medicines that he deems proper under the conditions of § 54.1-3303 or from causing drugs to be administered or dispensed pursuant to §§ 32.1-42.1 and 54.1-3408, except that a veterinarian shall only be authorized to dispense a compounded drug, distributed from a pharmacy, when (i) the animal is his own patient, (ii) the animal is a companion animal as defined in regulations promulgated by the Board of Veterinary Medicine, (iii) the quantity dispensed is no more than a seven-day supply, (iv) the compounded drug is for the treatment of an emergency condition, and (v) timely access to a compounding pharmacy is not available, as determined by the prescribing veterinarian;

3. Prohibit the sale by merchants and retail dealers of proprietary medicines as defined in Chapter 34 (§ 54.1-3400 et seq.) of this title;

4. Prevent the operation of automated drug dispensing systems in hospitals pursuant to Chapter 34 (§ 54.1-3400 et seq.) of this title;

5. Prohibit the employment of ancillary personnel to assist a pharmacist as provided in the regulations of the Board;

6. Interfere with any legally qualified practitioner of medicine, osteopathy, or podiatry from purchasing, possessing or administering controlled substances to his own patients or providing controlled substances to his own patients in a bona fide medical emergency or providing manufacturers' professional samples to his own patients;

7. Interfere with any legally qualified practitioner of optometry, certified or licensed to use diagnostic pharmaceutical agents, from purchasing, possessing or administering those controlled substances as specified in § 54.1-3221 or interfere with any legally qualified practitioner of optometry certified to prescribe therapeutic pharmaceutical agents from purchasing, possessing, or administering to his own patients those controlled substances as specified in § 54.1-3222 ~~and the~~

~~TPA formulary~~, providing manufacturers' samples of these drugs to his own patients, or dispensing, administering, or selling ophthalmic devices as authorized in § 54.1-3204;

8. Interfere with any physician assistant with prescriptive authority receiving and dispensing to his own patients manufacturers' professional samples of controlled substances and devices that he is authorized, in compliance with the provisions of § 54.1-2952.1, to prescribe according to his practice setting and a written agreement with a physician or podiatrist;

9. Interfere with any licensed advanced practice registered nurse with prescriptive authority receiving and dispensing to his own patients manufacturers' professional samples of controlled substances and devices that he is authorized, in compliance with the provisions of § 54.1-2957.01, to prescribe;

10. Interfere with any legally qualified practitioner of medicine or osteopathy participating in an indigent patient program offered by a pharmaceutical manufacturer in which the practitioner sends a prescription for one of his own patients to the manufacturer, and the manufacturer donates a stock bottle of the prescription drug ordered at no cost to the practitioner or patient. The practitioner may dispense such medication at no cost to the patient without holding a license to dispense from the Board of Pharmacy. However, the container in which the drug is dispensed shall be labeled in accordance with the requirements of § 54.1-3410, and, unless directed otherwise by the practitioner or the patient, shall meet standards for special packaging as set forth in § 54.1-3426 and Board of Pharmacy regulations. In lieu of dispensing directly to the patient, a practitioner may transfer the donated drug with a valid prescription to a pharmacy for dispensing to the patient. The practitioner or pharmacy participating in the program shall not use the donated drug for any purpose other than dispensing to the patient for whom it was originally donated, except as authorized by the donating manufacturer for another patient meeting that manufacturer's requirements for the indigent patient program. Neither the practitioner nor the pharmacy shall charge the patient for any medication provided through a manufacturer's indigent patient program pursuant to this subdivision. A participating pharmacy, including a pharmacy participating in bulk donation programs, may charge a reasonable dispensing or administrative fee to offset the cost of dispensing, not to exceed the actual costs of such dispensing. However, if the patient is unable to pay such fee, the dispensing or administrative fee shall be waived;

11. Interfere with any legally qualified practitioner of medicine or osteopathy from providing controlled substances to his own patients in a free clinic without charge when such controlled substances are donated by an entity other than a pharmaceutical manufacturer as authorized by subdivision 10. The practitioner shall first obtain a controlled substances registration from the Board and shall comply with the labeling and packaging requirements of this chapter and the Board's regulations; or

12. Prevent any pharmacist from providing free health care to an underserved population in Virginia who (i) does not regularly practice pharmacy in Virginia, (ii) holds a current valid license or certificate to practice pharmacy in another state, territory, district or possession of the United States, (iii) volunteers to provide free health care to an underserved area of this Commonwealth under the auspices of a publicly supported all volunteer, nonprofit organization that sponsors the provision of health care to populations of underserved people, (iv) files a copy of the license or certificate issued in such other jurisdiction with the Board, (v) notifies the Board at least five business days prior to the voluntary provision of services of the dates and location of such service, and (vi) acknowledges, in writing, that such licensure exemption shall only be valid, in compliance with the Board's regulations, during the limited period that such free health care is made available through the volunteer, nonprofit organization on the dates and at the location filed with the Board. The Board may deny the right to practice in Virginia to any pharmacist whose license has been previously suspended or revoked, who has been convicted of a felony or who is otherwise found to be in violation of applicable laws or regulations. However, the Board shall allow a pharmacist who meets the above criteria to provide volunteer services without prior notice for a period of up to three days, provided the nonprofit organization verifies that the practitioner has a valid, unrestricted license in another state.

This section shall not be construed as exempting any person from the licensure, registration, permitting and record keeping requirements of this chapter or Chapter 34 of this title.

§ 54.1-3303. Prescriptions to be issued and drugs to be dispensed for medical or therapeutic purposes only.

A. A prescription for a controlled substance may be issued only by a practitioner of medicine, osteopathy, podiatry, dentistry or veterinary medicine who is authorized to prescribe controlled substances, a licensed advanced practice registered nurse pursuant to § 54.1-2957.01, a licensed certified midwife pursuant to § 54.1-2957.04, a licensed physician assistant pursuant to § 54.1-2952.1, or a TPA-certified optometrist pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32.

B. A prescription shall be issued only to persons or animals with whom the practitioner has a bona fide practitioner-patient relationship or veterinarian-client-patient relationship. If a practitioner is providing expedited partner therapy consistent with the recommendations of the Centers for Disease Control and Prevention, then a bona fide practitioner-patient relationship shall not be required.

A bona fide practitioner-patient relationship shall exist if the practitioner has (i) obtained or caused to be obtained a medical or drug history of the patient; (ii) provided information to the patient about the benefits and risks of the drug being prescribed; (iii) performed or caused to be performed an appropriate examination of the patient, either physically or by the use of instrumentation and diagnostic equipment through which images and medical records may be transmitted electronically; and (iv) initiated additional interventions and follow-up care, if necessary, especially if a prescribed drug may have serious side effects. Except in cases involving a medical emergency, the examination required pursuant to clause (iii) shall be performed by the practitioner prescribing the controlled substance, a practitioner who practices in the same group as the practitioner prescribing the controlled substance, or a consulting practitioner.

A practitioner who has established a bona fide practitioner-patient relationship with a patient in accordance with the provisions of this subsection may prescribe Schedule II through VI controlled substances to that patient.

A practitioner who has established a bona fide practitioner-patient relationship with a patient in accordance with the provisions of this subsection may prescribe Schedule II through VI controlled substances to that patient via telemedicine if such prescribing is in compliance with federal requirements for the practice of telemedicine and, in the case of the prescribing of a Schedule II through V controlled substance, the prescriber maintains a practice at a physical location in the Commonwealth or is able to make appropriate referral of patients to a licensed practitioner located in the Commonwealth in order to ensure an in-person examination of the patient when required by the standard of care.

A prescriber may establish a bona fide practitioner-patient relationship for the purpose of prescribing Schedule II through VI controlled substances by an examination through face-to-face interactive, two-way, real-time communications services or store-and-forward technologies when all of the following conditions are met: (a) the patient has provided a medical history that is available for review by the prescriber; (b) the prescriber obtains an updated medical history at the time of prescribing; (c) the prescriber makes a diagnosis at the time of prescribing; (d) the prescriber conforms to the standard of care expected of in-person care as appropriate to the patient's age and presenting condition, including when the standard of care requires the use of diagnostic testing and performance of a physical examination, which may be carried out through the use of peripheral devices appropriate to the patient's condition; (e) the prescriber is actively licensed in the Commonwealth and authorized to prescribe; (f) if the patient is a member or enrollee of a health plan or carrier, the prescriber has been credentialed by the health plan or carrier as a participating provider and the diagnosing and prescribing meets the qualifications for reimbursement by the health plan or carrier pursuant to § 38.2-3418.16; (g) upon request, the prescriber provides patient records in a timely manner in accordance with the provisions of § 32.1-127.1:03 and all other state and federal laws and regulations; (h) the establishment of a bona fide practitioner-patient relationship via telemedicine is consistent with the standard of care, and the standard of care does not require an in-person examination for the purpose of diagnosis; and (i) the establishment of a bona fide practitioner patient relationship via telemedicine is consistent with federal law and regulations and any waiver thereof. Nothing in this paragraph shall apply to (1) a prescriber providing on-call coverage per an agreement with another prescriber or his prescriber's professional entity or employer; (2) a prescriber consulting with another prescriber regarding a patient's care; or (3) orders of prescribers for hospital out-patients or in-patients.

For purposes of this section, a bona fide veterinarian-client-patient relationship is one in which a veterinarian, another veterinarian within the group in which he practices, or a veterinarian with whom he is consulting has assumed the responsibility for making medical judgments regarding the health of and providing medical treatment to an animal as defined in § 3.2-6500, other than an equine as defined in § 3.2-6200, a group of agricultural animals as defined in § 3.2-6500, or bees as defined in § 3.2-4400, and a client who is the owner or other caretaker of the animal, group of agricultural animals, or bees has consented to such treatment and agreed to follow the instructions of the veterinarian. Evidence that a veterinarian has assumed responsibility for making medical judgments regarding the health of and providing medical treatment to an animal, group of agricultural animals, or bees shall include evidence that the veterinarian (A) has sufficient knowledge of the animal, group of agricultural animals, or bees to provide a general or preliminary diagnosis of the medical condition of the animal, group of agricultural animals, or bees; (B) has made an examination of the animal, group of agricultural animals, or bees, either physically or by the use of instrumentation and diagnostic equipment through which images and medical records may be transmitted electronically or has become familiar with the care and keeping of that species of animal or bee on the premises of the client, including other premises within the same operation or production system of the client, through medically appropriate and timely visits to the premises at which the animal, group of agricultural animals, or bees are kept; and (C) is available to provide follow-up care.

C. A prescription shall only be issued for a medicinal or therapeutic purpose in the usual course of treatment or for authorized research. A prescription not issued in the usual course of treatment or for authorized research is not a valid prescription. A practitioner who prescribes any controlled substance with the knowledge that the controlled substance will be used otherwise than for medicinal or therapeutic purposes shall be subject to the criminal penalties provided in § 18.2-248 for violations of the provisions of law relating to the distribution or possession of controlled substances.

D. No prescription shall be filled unless a bona fide practitioner-patient-pharmacist relationship exists. A bona fide practitioner-patient-pharmacist relationship shall exist in cases in which a practitioner prescribes, and a pharmacist dispenses, controlled substances in good faith to a patient for a medicinal or therapeutic purpose within the course of his professional practice.

In cases in which it is not clear to a pharmacist that a bona fide practitioner-patient relationship exists between a prescriber and a patient, a pharmacist shall contact the prescribing practitioner or his agent and verify the identity of the patient and name and quantity of the drug prescribed.

Any person knowingly filling an invalid prescription shall be subject to the criminal penalties provided in § 18.2-248 for violations of the provisions of law relating to the sale, distribution or possession of controlled substances.

E. Notwithstanding any provision of law to the contrary and consistent with recommendations of the Centers for Disease Control and Prevention or the Department of Health, a practitioner may prescribe Schedule VI antibiotics and antiviral agents to other persons in close contact with a diagnosed patient when (i) the practitioner meets all requirements of a bona fide practitioner-patient relationship, as defined in subsection B, with the diagnosed patient and (ii) in the practitioner's professional judgment, the practitioner deems there is urgency to begin treatment to prevent the transmission

of a communicable disease. In cases in which the practitioner is an employee of or contracted by the Department of Health or a local health department, the bona fide practitioner-patient relationship with the diagnosed patient, as required by clause (i), shall not be required.

F. A pharmacist may dispense a controlled substance pursuant to a prescription of an out-of-state practitioner of medicine, osteopathy, podiatry, dentistry, optometry, or veterinary medicine, an advanced practice registered nurse, or a physician assistant authorized to issue such prescription if the prescription complies with the requirements of this chapter and the Drug Control Act (§ 54.1-3400 et seq.).

G. A licensed advanced practice registered nurse who is authorized to prescribe controlled substances pursuant to § 54.1-2957.01 may issue prescriptions or provide manufacturers' professional samples for controlled substances and devices as set forth in the Drug Control Act (§ 54.1-3400 et seq.) in good faith to his patient for a medicinal or therapeutic purpose within the scope of his professional practice.

H. A licensed physician assistant who is authorized to prescribe controlled substances pursuant to § 54.1-2952.1 may issue prescriptions or provide manufacturers' professional samples for controlled substances and devices as set forth in the Drug Control Act (§ 54.1-3400 et seq.) in good faith to his patient for a medicinal or therapeutic purpose within the scope of his professional practice.

I. A TPA-certified optometrist who is authorized to prescribe controlled substances pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32 may issue prescriptions in good faith or provide manufacturers' professional samples to his patients for medicinal or therapeutic purposes within the scope of his professional practice ~~for the drugs specified on the TPA-Formulary, established~~ pursuant to § 54.1-3223, which shall be limited to (i) analgesics included on Schedule II controlled substances as defined in § 54.1-3448 of the Drug Control Act (§ 54.1-3400 et seq.) consisting of hydrocodone in combination with acetaminophen; (ii) oral analgesics included in Schedules III through VI, as defined in §§ 54.1-3450 and 54.1-3455 of the Drug Control Act (§ 54.1-3400 et seq.), which are appropriate to relieve ocular pain; (iii) other oral Schedule VI controlled substances, as defined in § 54.1-3455 of the Drug Control Act, appropriate to treat diseases and abnormal conditions of the human eye and its adnexa; (iv) topically applied Schedule VI drugs, as defined in § 54.1-3455 of the Drug Control Act; and (v) intramuscular administration of epinephrine for treatment of emergency cases of anaphylactic shock.

J. The requirement for a bona fide practitioner-patient relationship shall be deemed to be satisfied by a member or committee of a hospital's medical staff when approving a standing order or protocol for the administration of influenza vaccinations and pneumococcal vaccinations in a hospital in compliance with § 32.1-126.4.

K. Notwithstanding any other provision of law, a prescriber may authorize a registered nurse or licensed practical nurse to approve additional refills of a prescribed drug for no more than 90 consecutive days, provided that (i) the drug is classified as a Schedule VI drug; (ii) there are no changes in the prescribed drug, strength, or dosage; (iii) the prescriber has a current written protocol, accessible by the nurse, that identifies the conditions under which the nurse may approve additional refills; and (iv) the nurse documents in the patient's chart any refills authorized for a specific patient pursuant to the protocol and the additional refills are transmitted to a pharmacist in accordance with the allowances for an authorized agent to transmit a prescription orally or by facsimile pursuant to subsection C of § 54.1-3408.01 and regulations of the Board.

CHAPTER 392

An Act to amend and reenact § 65.2-402 of the Code of Virginia, relating to workers' compensation; throat cancer.

[H 1933]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 65.2-402 of the Code of Virginia is amended and reenacted as follows:

§ 65.2-402. Presumption as to death or disability from respiratory disease, hypertension or heart disease, cancer.

A. Respiratory diseases that cause (i) the death of volunteer or salaried firefighters or Department of Emergency Management hazardous materials officers or (ii) any health condition or impairment of such firefighters or Department of Emergency Management hazardous materials officers resulting in total or partial disability shall be presumed to be occupational diseases, suffered in the line of duty, that are covered by this title unless such presumption is overcome by a preponderance of competent evidence to the contrary.

B. Hypertension or heart disease causing the death of, or any health condition or impairment resulting in total or partial disability of any of the following persons who have completed five years of service in their position as (i) salaried or volunteer firefighters, (ii) members of the State Police Officers' Retirement System, (iii) members of county, city or town police departments, (iv) sheriffs and deputy sheriffs, (v) Department of Emergency Management hazardous materials officers, (vi) city sergeants or deputy city sergeants of the City of Richmond, (vii) Virginia Marine Police officers, (viii) conservation police officers who are full-time sworn members of the enforcement division of the Department of Wildlife Resources, (ix) Capitol Police officers, (x) special agents of the Virginia Alcoholic Beverage Control Authority appointed under the provisions of Chapter 1 (§ 4.1-100 et seq.) of Title 4.1, (xi) for such period that the Metropolitan Washington Airports Authority voluntarily subjects itself to the provisions of this chapter as provided in § 65.2-305, officers

of the police force established and maintained by the Metropolitan Washington Airports Authority, (xii) officers of the police force established and maintained by the Norfolk Airport Authority, (xiii) sworn officers of the police force established and maintained by the Virginia Port Authority, (xiv) campus police officers appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1 and employed by any public institution of higher education, and (xv) salaried or volunteer emergency medical services personnel, as defined in § 32.1-111.1, when such emergency medical services personnel is operating in a locality that has legally adopted a resolution declaring that it will provide one or more of the presumptions under this subsection, shall be presumed to be occupational diseases, suffered in the line of duty, that are covered by this title unless such presumption is overcome by a preponderance of competent evidence to the contrary.

C. Leukemia or pancreatic, prostate, rectal, throat, ovarian, breast, colon, brain, testicular, bladder, or thyroid cancer causing the death of, or any health condition or impairment resulting in total or partial disability of, any of the following persons who have completed five years of service in their position as (i) salaried or volunteer firefighters; (ii) Department of Emergency Management hazardous materials officers; (iii) commercial vehicle enforcement officers or motor carrier safety troopers employed by the Department of State Police; (iv) arson investigators or bomb investigators employed by the Department of State Police; (v) full-time sworn members of the enforcement division of the Department of Motor Vehicles; or (vi) members of the State Police Officers' Retirement System who collect, analyze, or handle hazardous materials, as defined in § 44-146.34, infectious biological substances and radiological agents, as defined in § 18.2-52.1, fentanyl or fentanyl analogs, or methamphetamine, its salts, isomers, or salts of its isomers shall be presumed to be an occupational disease, suffered in the line of duty, that is covered by this title, unless such presumption is overcome by a preponderance of competent evidence to the contrary. For colon, brain, or testicular cancer, the presumption shall not apply for any individual who was diagnosed with such a condition before July 1, 2020. For bladder or thyroid cancer, the presumption shall not apply for any individual who was diagnosed with such a condition before July 1, 2023. *For throat cancer, the presumption shall include cancer that forms in the tissues of the pharynx, larynx, adenoid, tonsil, esophagus, trachea, nasopharynx, oropharynx, or hypopharynx.*

D. The presumptions described in subsections A, B, and C shall only apply if persons entitled to invoke them have, if requested by the private employer, appointing authority or governing body employing them, undergone preemployment physical examinations that (i) were conducted prior to the making of any claims under this title that rely on such presumptions, (ii) were performed by physicians whose qualifications are as prescribed by the private employer, appointing authority or governing body employing such persons, (iii) included such appropriate laboratory and other diagnostic studies as the private employer, appointing authorities or governing bodies may have prescribed, and (iv) found such persons free of respiratory diseases, hypertension, cancer or heart disease at the time of such examinations.

E. Persons making claims under this title who rely on such presumptions shall, upon the request of private employers, appointing authorities or governing bodies employing such persons, submit to physical examinations (i) conducted by physicians selected by such employers, authorities, bodies or their representatives and (ii) consisting of such tests and studies as may reasonably be required by such physicians. However, a qualified physician, selected and compensated by the claimant, may, at the election of such claimant, be present at such examination.

F. Whenever a claim for death benefits is made under this title and the presumptions of this section are invoked, any person entitled to make such claim shall, upon the request of the appropriate private employer, appointing authority or governing body that had employed the deceased, submit the body of the deceased to a postmortem examination as may be directed by the Commission. A qualified physician, selected and compensated by the person entitled to make the claim, may, at the election of such claimant, be present at such postmortem examination.

G. Volunteer law-enforcement chaplains, auxiliary and reserve deputy sheriffs, and auxiliary and reserve police are not included within the coverage of this section.

H. For purposes of this section, "firefighter" includes special forest wardens designated pursuant to § 10.1-1135 and any persons who are employed by or contract with private employers primarily to perform firefighting services.

2. That the provisions of § 65.2-402 of the Code of Virginia, as amended by this act, describing the worker's compensation occupational disease presumption for throat cancer shall only be applicable to a disease diagnosed on and after July 1, 2025.

CHAPTER 393

An Act to amend and reenact § 3.2-3810 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 3.2-3801.1, relating to invasive plant species; retail sales.

[H 1941]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 3.2-3810 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 3.2-3801.1 as follows:

§ 3.2-3801.1. Invasive plants sold by retail establishments; signage requirements.

A. No retail establishment shall sell or offer for retail sale for outdoor use a plant that is an invasive plant species unless such retail establishment posts in a conspicuous manner on the property located in proximity to each invasive plant

display signage identifying such plant as invasive, educating consumers regarding invasive plant species, and encouraging consumers to ask about alternatives. For purposes of this subsection, "invasive plant species" means the following list of plants:

1. Acer platanoides;
2. Akebia quinata;
3. Albizia julibrissin;
4. Arum italicum;
5. Berberis thunbergii;
6. Buddleja davidii;
7. Cenchrus purpurascens;
8. Citrus trifoliata;
9. Clematis terniflora;
10. Egeria densa;
11. Elaeagnus pungens;
12. Euonymus alatus;
13. Euonymus fortunei;
14. Glechoma hederacea;
15. Hedera helix;
16. Iris pseudacorus;
17. Ligustrum sinense;
18. Lonicera fragrantissima;
19. Lysimachia nummularia;
20. Mahonia bealei;
21. Miscanthus sinensis;
22. Morus alba;
23. Murdannia keisak;
24. Myriophyllum aquaticum;
25. Nandina domestica;
26. Oshuna crassipes;
27. Paulownia tomentosa;
28. Perilla frutescens;
29. Phyllostachys aurea;
30. Pyrus calleryana;
31. Rubus phoenicolasius;
32. Securigera varia;
33. Spiraea japonica;
34. Triadica sebifera;
35. Tripidium ravennae;
36. Vinca major;
37. Vinca minor;
38. Wisteria floribunda; and
39. Wisteria sinensis.

B. If the Commissioner finds that a plant for sale for outdoor use that is on the list of invasive plant species in subsection A does not meet the signage requirements of subsection A, the Commissioner shall (i) issue a stop sale order for such plant and (ii) mark or tag such plant in a conspicuous manner. The Commissioner shall give written notice of a finding made under this subsection to the owner, tenant, or person in charge of the retail establishment. A stop sale order issued under this subsection shall remain in effect until the required signage is posted.

§ 3.2-3810. Penalty for violation.

A. The Commissioner may refuse, suspend, or cancel any license upon satisfactory evidence that the applicant or licensee has violated any of the provisions of this chapter or regulations adopted hereunder.

B. ~~Any~~ *Except as provided in § 3.2-3801.1, any* person violating any of the provisions of this chapter or regulations adopted hereunder or interfering in any way with the Commissioner in the discharge of his duties herein is guilty of a Class 1 misdemeanor.

2. That the Commissioner of Agriculture and Consumer Services shall designate, in conjunction with the Virginia Invasive Species Working Group, as designated by § 2.2-220.2 of the Code of Virginia, the format, size, and content of the sign required by subsection A of § 3.2-3801.1 of the Code of Virginia, as created by this act, no later than October 1, 2025. The Commissioner shall take into consideration neighboring states' signage, including format, size, and content. The sign shall also include a QR code and a URL, as those terms are defined in § 23.1-802.1 of the Code of Virginia, that links to the Department of Conservation and Recreation's website showing information about the plants listed in subsection A of § 3.2-3801.1 of the Code of Virginia, as created by this act, that are on the invasive plant species list pursuant to § 10.1-104.6:2 of the Code of Virginia.

3. That the provisions of the first enactment of this act shall become effective on January 1, 2027.

CHAPTER 394

An Act to amend and reenact § 18.2-248 of the Code of Virginia, relating to manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give, or distribute a controlled substance or an imitation controlled substance prohibited; penalties.

[H 1955]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-248 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-248. Manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give, or distribute a controlled substance or an imitation controlled substance prohibited; penalties.

A. Except as authorized in the Drug Control Act (§ 54.1-3400 et seq.), it shall be unlawful for any person to manufacture, sell, give, distribute, or possess with intent to manufacture, sell, give or distribute a controlled substance or an imitation controlled substance.

B. In determining whether any person intends to manufacture, sell, give or distribute an imitation controlled substance, the court may consider, in addition to all other relevant evidence, whether any distribution or attempted distribution of such pill, capsule, tablet or substance in any other form whatsoever included an exchange of or a demand for money or other property as consideration, and, if so, whether the amount of such consideration was substantially greater than the reasonable value of such pill, capsule, tablet or substance in any other form whatsoever, considering the actual chemical composition of such pill, capsule, tablet or substance in any other form whatsoever and, where applicable, the price at which over-the-counter substances of like chemical composition sell.

C. Except as provided in subsection C1, any person who violates this section with respect to a controlled substance classified in Schedule I or II shall upon conviction be imprisoned for not less than five nor more than 40 years and fined not more than $500,000. Upon a second conviction of such a violation, and it is alleged in the warrant, indictment, or information that the person has been before convicted of such an offense or of a substantially similar offense in any other jurisdiction, which offense would be a felony if committed in the Commonwealth, and such prior conviction occurred before the date of the offense alleged in the warrant, indictment, or information, any such person may, in the discretion of the court or jury imposing the sentence, be sentenced to imprisonment for life or for any period not less than five years, three years of which shall be a mandatory minimum term of imprisonment to be served consecutively with any other sentence, and he shall be fined not more than $500,000.

When a person is convicted of a third or subsequent offense under this subsection and it is alleged in the warrant, indictment or information that he has been before convicted of two or more such offenses or of substantially similar offenses in any other jurisdiction which offenses would be felonies if committed in the Commonwealth and such prior convictions occurred before the date of the offense alleged in the warrant, indictment, or information, he shall be sentenced to imprisonment for life or for a period of not less than 10 years, 10 years of which shall be a mandatory minimum term of imprisonment to be served consecutively with any other sentence, and he shall be fined not more than $500,000.

Any person who manufactures, sells, gives, distributes or possesses with the intent to manufacture, sell, give, or distribute the following is guilty of a felony punishable by a fine of not more than $1 million and imprisonment for five years to life, five years of which shall be a mandatory minimum term of imprisonment to be served consecutively with any other sentence:

1. 100 grams or more of a mixture or substance containing a detectable amount of heroin;

2. 500 grams or more of a mixture or substance containing a detectable amount of:

a. Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;

b. Cocaine, its salts, optical and geometric isomers, and salts of isomers;

c. *Cocaine base;*

d. Ecgonine, its derivatives, their salts, isomers, and salts of isomers; or

~~d.~~ *e.* Any compound, mixture, or preparation that contains any quantity of any of the substances referred to in subdivisions 2a through ~~2c~~ *2d*; *or*

3. ~~250 grams or more of a mixture or substance described in subdivisions 2a through 2d that contain cocaine base; or~~

~~4.~~ 10 grams or more of methamphetamine, its salts, isomers, or salts of its isomers or 20 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers.

The mandatory minimum term of imprisonment to be imposed for a violation of this subsection shall not be applicable if the court finds that:

a. The person does not have a prior conviction for an offense listed in subsection C of § 17.1-805;

b. The person did not use violence or credible threats of violence or possess a firearm or other dangerous weapon in connection with the offense or induce another participant in the offense to do so;

c. The offense did not result in death or serious bodily injury to any person;

d. The person was not an organizer, leader, manager, or supervisor of others in the offense, and was not engaged in a continuing criminal enterprise as defined in subsection I; and

e. Not later than the time of the sentencing hearing, the person has truthfully provided to the Commonwealth all information and evidence the person has concerning the offense or offenses that were part of the same course of conduct or of a common scheme or plan, but the fact that the person has no relevant or useful other information to provide or that the Commonwealth already is aware of the information shall not preclude a determination by the court that the defendant has complied with this requirement.

C1. Any person who violates this section with respect to the manufacturing of methamphetamine, its salts, isomers, or salts of its isomers or less than 200 grams of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers shall, upon conviction, be imprisoned for not less than 10 nor more than 40 years and fined not more than $500,000. Upon a second conviction of such a violation, any such person may, in the discretion of the court or jury imposing the sentence, be sentenced to imprisonment for life or for any period not less than 10 years, and be fined not more than $500,000. When a person is convicted of a third or subsequent offense under this subsection and it is alleged in the warrant, indictment, or information that he has been previously convicted of two or more such offenses or of substantially similar offenses in any other jurisdiction, which offenses would be felonies if committed in the Commonwealth and such prior convictions occurred before the date of the offense alleged in the warrant, indictment, or information, he shall be sentenced to imprisonment for life or for a period not less than 10 years, three years of which shall be a mandatory minimum term of imprisonment to be served consecutively with any other sentence and he shall be fined not more than $500,000.

Upon conviction, in addition to any other punishment, a person found guilty of this offense shall be ordered by the court to make restitution, as the court deems appropriate, to any innocent property owner whose property is damaged, destroyed, or otherwise rendered unusable as a result of such methamphetamine production. This restitution shall include the person's or his estate's estimated or actual expenses associated with cleanup, removal, or repair of the affected property. If the property that is damaged, destroyed, or otherwise rendered unusable as a result of such methamphetamine production is property owned in whole or in part by the person convicted, the court shall order the person to pay to the Methamphetamine Cleanup Fund authorized in § 18.2-248.04 the reasonable estimated or actual expenses associated with cleanup, removal, or repair of the affected property or, if actual or estimated expenses cannot be determined, the sum of $10,000. The convicted person shall also pay the cost of certifying that any building that is cleaned up or repaired pursuant to this section is safe for human occupancy according to the guidelines established pursuant to § 32.1-11.7.

D. If such person proves that he gave, distributed or possessed with intent to give or distribute a controlled substance classified in Schedule I or II only as an accommodation to another individual who is not an inmate in a community correctional facility, local correctional facility or state correctional facility as defined in § 53.1-1 or in the custody of an employee thereof, and not with intent to profit thereby from any consideration received or expected nor to induce the recipient or intended recipient of the controlled substance to use or become addicted to or dependent upon such controlled substance, he shall be guilty of a Class 5 felony.

E. If the violation of the provisions of this article consists of the filling by a pharmacist of the prescription of a person authorized under this article to issue the same, which prescription has not been received in writing by the pharmacist prior to the filling thereof, and such written prescription is in fact received by the pharmacist within one week of the time of filling the same, or if such violation consists of a request by such authorized person for the filling by a pharmacist of a prescription which has not been received in writing by the pharmacist and such prescription is, in fact, written at the time of such request and delivered to the pharmacist within one week thereof, either such offense shall constitute a Class 4 misdemeanor.

E1. Any person who violates this section with respect to a controlled substance classified in Schedule III except for an anabolic steroid classified in Schedule III, constituting a violation of § 18.2-248.5, shall be guilty of a Class 5 felony.

E2. Any person who violates this section with respect to a controlled substance classified in Schedule IV shall be guilty of a Class 6 felony.

E3. Any person who proves that he gave, distributed or possessed with the intent to give or distribute a controlled substance classified in Schedule III or IV, except for an anabolic steroid classified in Schedule III, constituting a violation of § 18.2-248.5, only as an accommodation to another individual who is not an inmate in a community correctional facility, local correctional facility or state correctional facility as defined in § 53.1-1 or in the custody of an employee thereof, and not with the intent to profit thereby from any consideration received or expected nor to induce the recipient or intended recipient of the controlled substance to use or become addicted to or dependent upon such controlled substance, is guilty of a Class 1 misdemeanor.

F. Any person who violates this section with respect to a controlled substance classified in Schedule V or Schedule VI or an imitation controlled substance which imitates a controlled substance classified in Schedule V or Schedule VI, shall be guilty of a Class 1 misdemeanor.

G. Any person who violates this section with respect to an imitation controlled substance which imitates a controlled substance classified in Schedule I, II, III, or IV shall be guilty of a Class 6 felony. In any prosecution brought under this subsection, it is not a defense to a violation of this subsection that the defendant believed the imitation controlled substance to actually be a controlled substance.

H. Any person who manufactures, sells, gives, distributes or possesses with the intent to manufacture, sell, give or distribute the following:

1. 1.0 kilograms or more of a mixture or substance containing a detectable amount of heroin;

2. 5.0 kilograms or more of a mixture or substance containing a detectable amount of:

a. Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;

b. Cocaine, its salts, optical and geometric isomers, and salts of isomers;

c. *Cocaine base;*

d. Ecgonine, its derivatives, their salts, isomers, and salts of isomers; or

~~d.~~ *e.* Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subdivisions a through ~~c~~ *d*;

3. ~~2.5 kilograms or more of a mixture or substance described in subdivision 2 which contains cocaine base;~~

~~4.~~ 100 kilograms or more of a mixture or substance containing a detectable amount of marijuana; or

~~5.~~ *4.* 100 grams or more of methamphetamine, its salts, isomers, or salts of its isomers or 200 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers shall be guilty of a felony punishable by a fine of not more than $1 million and imprisonment for 20 years to life, 20 years of which shall be a mandatory minimum sentence. Such mandatory minimum sentence shall not be applicable if the court finds that (i) the person does not have a prior conviction for an offense listed in subsection C of § 17.1-805; (ii) the person did not use violence or credible threats of violence or possess a firearm or other dangerous weapon in connection with the offense or induce another participant in the offense to do so; (iii) the offense did not result in death or serious bodily injury to any person; (iv) the person was not an organizer, leader, manager, or supervisor of others in the offense, and was not engaged in a continuing criminal enterprise as defined in subsection I of this section; and (v) not later than the time of the sentencing hearing, the person has truthfully provided to the Commonwealth all information and evidence the person has concerning the offense or offenses that were part of the same course of conduct or of a common scheme or plan, but the fact that the person has no relevant or useful other information to provide or that the Commonwealth already is aware of the information shall not preclude a determination by the court that the defendant has complied with this requirement.

H1. Any person who was the principal or one of several principal administrators, organizers or leaders of a continuing criminal enterprise shall be guilty of a felony if (i) the enterprise received at least $100,000 but less than $250,000 in gross receipts during any 12-month period of its existence from the manufacture, importation, or distribution of heroin or cocaine or ecgonine or methamphetamine or the derivatives, salts, isomers, or salts of isomers thereof or marijuana or (ii) the person engaged in the enterprise to manufacture, sell, give, distribute or possess with the intent to manufacture, sell, give or distribute the following during any 12-month period of its existence:

1. At least 1.0 kilograms but less than 5.0 kilograms of a mixture or substance containing a detectable amount of heroin;

2. At least 5.0 kilograms but less than 10 kilograms of a mixture or substance containing a detectable amount of:

a. Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;

b. Cocaine, its salts, optical and geometric isomers, and salts of isomers;

c. *Cocaine base;*

d. Ecgonine, its derivatives, their salts, isomers, and salts of isomers; or

~~d.~~ *e.* Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subdivisions a through ~~c~~ *d*;

3. ~~At least 2.5 kilograms but less than 5.0 kilograms of a mixture or substance described in subdivision 2 which contains cocaine base;~~

~~4.~~ At least 100 kilograms but less than 250 kilograms of a mixture or substance containing a detectable amount of marijuana; or

~~5.~~ *4.* At least 100 grams but less than 250 grams of methamphetamine, its salts, isomers, or salts of its isomers or at least 200 grams but less than 1.0 kilograms of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers.

A conviction under this section shall be punishable by a fine of not more than $1 million and imprisonment for 20 years to life, 20 years of which shall be a mandatory minimum sentence.

H2. Any person who was the principal or one of several principal administrators, organizers or leaders of a continuing criminal enterprise if (i) the enterprise received $250,000 or more in gross receipts during any 12-month period of its existence from the manufacture, importation, or distribution of heroin or cocaine or ecgonine or methamphetamine or the derivatives, salts, isomers, or salts of isomers thereof or marijuana or (ii) the person engaged in the enterprise to manufacture, sell, give, distribute or possess with the intent to manufacture, sell, give or distribute the following during any 12-month period of its existence:

1. At least 5.0 kilograms of a mixture or substance containing a detectable amount of heroin;

2. At least 10 kilograms of a mixture or substance containing a detectable amount of:

a. Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;

b. Cocaine, its salts, optical and geometric isomers, and salts of isomers;

c. *Cocaine base;*

d. Ecgonine, its derivatives, their salts, isomers, and salts of isomers; or

~~d.~~ *e.* Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subdivisions a through ~~c~~ *d*;

3. ~~At least 5.0 kilograms of a mixture or substance described in subdivision 2 which contains cocaine base;~~

~~4.~~ At least 250 kilograms of a mixture or substance containing a detectable amount of marijuana; or

~~5.~~ *4.* At least 250 grams of methamphetamine, its salts, isomers, or salts of its isomers or at least 1.0 kilograms of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers shall be guilty of a felony punishable by a fine of not more than $1 million and imprisonment for life, which shall be served with no suspension in whole or in part. Such punishment shall be made to run consecutively with any other sentence. However, the court may impose a mandatory minimum sentence of 40 years if the court finds that the defendant substantially cooperated with law-enforcement authorities.

I. For purposes of this section, a person is engaged in a continuing criminal enterprise if (i) he violates any provision of this section, the punishment for which is a felony and either (ii) such violation is a part of a continuing series of violations of this section which are undertaken by such person in concert with five or more other persons with respect to whom such person occupies a position of organizer, a supervisory position, or any other position of management, and from which such person obtains substantial income or resources or (iii) such violation is committed, with respect to methamphetamine or other controlled substance classified in Schedule I or II, for the benefit of, at the direction of, or in association with any criminal street gang as defined in § 18.2-46.1.

J. Except as authorized in the Drug Control Act (§ 54.1-3400 et seq.), any person who possesses any two or more different substances listed below with the intent to manufacture methamphetamine, methcathinone, or amphetamine is guilty of a Class 6 felony: liquefied ammonia gas, ammonium nitrate, ether, hypophosphorus acid solutions, hypophosphite salts, hydrochloric acid, iodine crystals or tincture of iodine, phenylacetone, phenylacetic acid, red phosphorus, methylamine, methyl formamide, lithium, sodium metal, sulfuric acid, sodium hydroxide, potassium dichromate, sodium dichromate, potassium permanganate, chromium trioxide, methylbenzene, methamphetamine precursor drugs, trichloroethane, or 2-propanone.

K. The term "methamphetamine precursor drug," when used in this article, means a drug or product containing ephedrine, pseudoephedrine, or phenylpropanolamine or any of their salts, optical isomers, or salts of optical isomers.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation is $0 for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 395

An Act to direct the State Corporation Commission to determine whether certain electric utilities are using reasonable classifications of customers.

[H 2084]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. In at least one biennial review proceeding or other appropriate proceeding for a Phase I or Phase II Utility, as those terms are defined in subdivision A 1 of § 56-585.1 of the Code of Virginia, filed after January 1, 2025, but no later than July 1, 2027, the State Corporation Commission (the Commission) shall, under its existing authority, determine whether the Phase I or Phase II Utility is using rates, tolls, charges, or schedules that contain reasonable classifications of customers. In making this determination, the Commission shall consider whether new or separate customer classifications are reasonable.*

CHAPTER 396

An Act to amend and reenact § 18.2-251.03 of the Code of Virginia, relating to arrest and prosecution when experiencing or reporting an overdose or act of sexual violence.

[H 2117]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-251.03 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-251.03. Arrest and prosecution when experiencing or reporting an overdose or act of sexual violence.

A. For purposes of this section~~, "overdose"~~*:*

"Act of sexual violence" means an alleged violation of § 18.2-361, 18.2-370, or 18.2-370.1 or the laws pertaining to criminal sexual assault pursuant to Article 7 (§ 18.2-61 et seq.) of Chapter 4.

"Overdose" means a life-threatening condition resulting from the consumption or use of a controlled substance, alcohol, or any combination of such substances.

B. No individual shall be subject to arrest or prosecution for the unlawful purchase, possession, or consumption of alcohol pursuant to § 4.1-305, unlawful purchase, possession, or consumption of marijuana pursuant to § 4.1-1105.1, possession of a controlled substance pursuant to § 18.2-250, intoxication in public pursuant to § 18.2-388, or possession of controlled paraphernalia pursuant to § 54.1-3466 if:

1. Such individual (i) in good faith, seeks or obtains emergency medical attention (a) for himself, if he is experiencing an overdose, or (b) for another individual, if such other individual is experiencing an overdose; (ii) is experiencing an overdose and another individual, in good faith, seeks or obtains emergency medical attention for such individual, by contemporaneously reporting such overdose to a firefighter, as defined in § 65.2-102, emergency medical services personnel, as defined in § 32.1-111.1, a law-enforcement officer, as defined in § 9.1-101, or an emergency 911 system; or (iii) in good faith, renders emergency care or assistance, including cardiopulmonary resuscitation (CPR) or the administration of naloxone or other opioid antagonist for overdose reversal, to an individual experiencing an overdose while another individual seeks or obtains emergency medical attention in accordance with this subdivision;

2. Such individual remains at the scene of the overdose or at any alternative location to which he or the person requiring emergency medical attention has been transported until a law-enforcement officer responds to the report of an overdose. If no law-enforcement officer is present at the scene of the overdose or at the alternative location, then such individual shall cooperate with law enforcement as otherwise set forth herein;

3. Such individual identifies himself to the law-enforcement officer who responds to the report of the overdose; and

4. The evidence for the prosecution of an offense enumerated in this subsection was obtained as a result of the individual seeking or obtaining emergency medical attention or rendering emergency care or assistance.

C. *No individual shall be subject to arrest or prosecution for the unlawful purchase, possession, or consumption of alcohol pursuant to § 4.1-305, unlawful purchase, possession, or consumption of marijuana pursuant to § 4.1-1105.1, possession of a controlled substance pursuant to § 18.2-250, intoxication in public pursuant to § 18.2-388, or possession of controlled paraphernalia pursuant to § 54.1-3466 if:*

1. Such individual, in good faith, seeks or obtains assistance for himself or another individual from emergency medical services personnel, as defined in § 32.1-111.1, a health care provider, as defined in § 8.01-581.1, or a law-enforcement officer, as defined in § 9.1-101, and seeks to report an act of sexual violence committed against himself or another individual;

2. Such individual identifies himself to the law-enforcement officer who responds to the report of the act of sexual violence; and

3. The evidence for the prosecution of an offense enumerated in this subsection was obtained as a result of the individual seeking or obtaining medical attention, rendering care or assistance, or reporting to law enforcement.

This subsection shall not apply to an individual who is alleged to have committed the act of sexual violence.

D. The provisions of this section shall not apply to any person who seeks or obtains emergency medical attention for himself or another individual, to a person experiencing an overdose *or who has experienced an act of sexual violence* when another individual seeks or obtains emergency medical attention for him, or to a person who renders emergency care or assistance to an individual experiencing an overdose *or who has experienced an act of sexual violence* while another person seeks or obtains emergency medical attention during the execution of a search warrant or during the conduct of a lawful search or a lawful arrest.

~~D.~~ *E.* This section does not establish protection from arrest or prosecution for any individual or offense other than those listed in subsection B *or C. However, any individual immune to arrest or prosecution under this section shall not have his bail, probation, furlough, supervised release, suspended sentence, or parole revoked for the behavior immune from arrest or prosecution under the provisions of this section*.

~~E.~~ *F.* No law-enforcement officer acting in good faith shall be found liable for false arrest if it is later determined that the person arrested was immune from prosecution under this section.

CHAPTER 397

An Act to direct the State Health Services Plan Task Force to develop recommendations for establishing an expedited application and review process for certain projects for which a certificate of public need is required.

[H 2119]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the State Health Commissioner shall direct the State Health Services Plan Task Force (the Task Force) to develop recommendations, including project eligibility criteria, for establishing an expedited application and review process for projects for which a certificate of public need is required that are located in an area that meets at least two of the following criteria: (i) does not have a hospital or health care provider (a) within a 30-mile radius where the population density is estimated to be less than 1,500 residents per square mile or (b) within a 15-mile radius where the population density is estimated to be more than 1,500 residents per square mile; (ii) has less than one primary care physician per*

3,500 residents; or (iii) has an annual poverty rate of at least 20 percent, according to the latest data provided by the U.S. Census Bureau.

CHAPTER 398

An Act to amend and reenact §§ 8.01-45, 8.01-46, and 18.2-417 of the Code of Virginia and to amend the Code of Virginia by adding in Article 7 of Chapter 6 of Title 18.2 a section numbered 18.2-213.3, relating to synthetic digital content; penalty; work group.

[H 2124]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-45, 8.01-46, and 18.2-417 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Article 7 of Chapter 6 of Title 18.2 a section numbered 18.2-213.3 as follows:

§ 8.01-45. Action for insulting words.

A. For purposes of this section:

"Synthetic digital content" means any digital content, including any audio, image, text, or video, that realistically but falsely depicts an individual's appearance, speech, or conduct and is produced by any system or service that (i) incorporates technology that uses data to train statistical models for the purpose of enabling a computer system or service to autonomously perform any task that is normally associated with human intelligence or perception, including visual perception, natural language processing, and speech recognition and (ii) is based on a foundation model.

"Words" includes any synthetic digital content.

B. All words shall be actionable which from their usual construction and common acceptance are construed as insults and tend to violence and breach of the peace.

§ 8.01-46. Justification and mitigation of damages.

In any action for defamation, the defendant may justify by alleging and proving that the words spoken ~~or~~*,* written*, or otherwise represented* were true, and, after notice in writing of his intention to do so, given to the plaintiff at the time of, or for, pleading to such action, may give in evidence, in mitigation of damages, that he made or offered an apology to the plaintiff for such defamation before the commencement of the action, or as soon afterwards as he had an opportunity of doing so in case the action shall have been commenced before there was an opportunity of making or offering such apology. *For purposes of this section, "words" means the same as that term is defined in § 8.01-45.*

§ 18.2-213.3. Use of synthetic digital content in furtherance of crimes involving fraud; penalty.

A. For purposes of this section, "synthetic digital content" means the same as that term is defined in § 8.01-45.

B. It is unlawful for any person to use any synthetic digital content for the purpose of committing any criminal offense prohibited pursuant to this chapter.

C. Violation of this section shall constitute a separate and distinct offense, and any person found guilty thereof is guilty of a Class 1 misdemeanor. Such punishment shall be separate and apart from any punishment received for the commission of the primary criminal offense.

D. Any person who violates this section shall be liable to the individual depicted in the synthetic digital content, who may bring a civil action in district court. The court may award actual damages, reasonable attorney fees, and such other relief as the court determines to be appropriate.

E. Nothing in this section shall be construed to limit or enlarge the protections that 47 U.S.C. § 230 confers on an interactive computer service for content provided by another information content provider, as such terms are defined in 47 U.S.C. § 230.

§ 18.2-417. Slander and libel.

Any person who shall falsely utter and speak, or falsely write and publish, of and concerning any person of chaste character, any words derogatory of such person's character for virtue and chastity, or imputing to such person acts not virtuous and chaste, or who shall falsely utter and speak, or falsely write and publish, of and concerning another person, any words which from their usual construction and common acceptation are construed as insults and tend to violence and breach of the peace or who shall use grossly insulting language to any person of good character or reputation is guilty of a Class 3 misdemeanor. *For purposes of this section, "words" means the same as that term is defined in § 8.01-45.*

The defendant shall be entitled to prove upon trial in mitigation of the punishment, the provocation which induced the libelous or slanderous words, or any other fact or circumstance tending to disprove malice, or lessen the criminality of the offense.

2. That the Attorney General shall convene a work group to study and make recommendations on the current enforcement of laws related to the use of synthetic digital content, as defined in § 8.01-45 of the Code of Virginia, as amended by this act, including deepfakes, and any further action needed to address the issue of such use in fraudulent acts. Such work group shall consist of a representative of the Office of the Attorney General, one member of the Senate and one member of the House of Delegates who are members of the Joint Commission on Technology and Science and who shall be selected by the Chair of the Joint Commission on Technology and Science, the Chief Information Officer of the Commonwealth or his designee, the Superintendent of State Police or his designee, and

any other relevant stakeholders, including technology industry representatives. The work group shall complete its meetings by November 1, 2025, and report its findings and recommendations to the Chairs of the House Committee on Communications, Technology and Innovation, the Senate Committee on General Laws and Technology, and the Joint Commission on Technology and Science no later than the first day of the 2026 Regular Session of the General Assembly.

3. That the provisions of the first enactment of this act shall not become effective unless reenacted by the 2026 Session of the General Assembly.

CHAPTER 399

An Act to amend and reenact § 15.2-2304 of the Code of Virginia, relating to affordable dwelling unit program; City of Falls Church.

[H 2137]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2304 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2304. Affordable dwelling unit ordinances in certain localities.

In furtherance of the purpose of providing affordable shelter for all residents of the Commonwealth, the governing body of any county where the urban county executive form of government or the county manager plan of government is in effect, the Counties of Albemarle and Loudoun, and the Cities of Alexandria, Charlottesville, ~~and~~ Fairfax*, and Falls Church* may by amendment to the zoning ordinances of such locality provide for an affordable housing dwelling unit program. The program shall address housing needs, promote a full range of housing choices, and encourage the construction and continued existence of moderately priced housing by providing for optional increases in density in order to reduce land costs for such moderately priced housing. Any project that is subject to an affordable housing dwelling unit program adopted pursuant to this section shall not be subject to an additional requirement outside of such program to contribute to a county or city housing fund.

Any local ordinance of any other locality providing optional increases in density for provision of low and moderate income housing adopted before December 31, 1988, shall continue in full force and effect.

CHAPTER 400

An Act to amend and reenact § 19.2-60.1 of the Code of Virginia, relating to use of unmanned aircraft systems by public bodies; employees.

[H 2177]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-60.1 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-60.1. Use of unmanned aircraft systems by public bodies; search warrant required.

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

"Unmanned aircraft" means an aircraft that is operated without the possibility of human intervention from within or on the aircraft.

"Unmanned aircraft system" means an unmanned aircraft and associated elements, including communication links, sensing devices, and the components that control the unmanned aircraft.

B. No state or local government department, agency, or instrumentality having jurisdiction over criminal law enforcement or regulatory violations, including but not limited to the Department of State Police, and no department of law enforcement as defined in § 15.2-836 of any county, city, or town shall utilize an unmanned aircraft system except during the execution of a search warrant issued pursuant to this chapter or an administrative or inspection warrant issued pursuant to law.

C. Notwithstanding the prohibition in this section, an unmanned aircraft system may be deployed without a warrant (i) when an Amber Alert is activated pursuant to § 52-34.3; (ii) when a Senior Alert is activated pursuant to § 52-34.6; (iii) when a Blue Alert is activated pursuant to § 52-34.9; (iv) where use of an unmanned aircraft system is determined to be necessary to alleviate an immediate danger to any person; (v) by a law-enforcement officer*, an employee of the Department of State Police, or an employee of a local law-enforcement agency* following an accident where a report is required pursuant to § 46.2-373, to survey the scene of such accident for the purpose of crash reconstruction and record the scene by photographic or video images; (vi) by the Department of Transportation when assisting a law-enforcement officer to prepare a report pursuant to § 46.2-373; (vii) for training exercises related to such uses; (viii) if a person with legal authority consents to the warrantless search; ~~or~~ (ix) by a law-enforcement officer *or an employee of a law-enforcement agency* to (a) aerially survey a primary residence of the subject of the arrest warrant to formulate a plan to execute an existing arrest warrant or capias for a felony offense or (b) locate a person sought for arrest when such person has fled from a

law-enforcement officer and a law-enforcement officer remains in hot pursuit of such person*; or (x) by a law-enforcement officer investigating unmanned aircraft systems surrounding or over property of the federal or state government, public critical infrastructure as defined in § 44-146.28:2, or nongovernment-operated prison or jail facilities*.

D. The warrant requirements of this section shall not apply when such systems are utilized to support the Commonwealth or any locality for purposes other than law enforcement, including damage assessment, traffic assessment, flood stage assessment, and wildfire assessment. Nothing herein shall prohibit use of unmanned aircraft systems for private, commercial, or recreational use or solely for research and development purposes by institutions of higher education and other research organizations or institutions.

E. Evidence obtained through the utilization of an unmanned aircraft system in violation of this section is not admissible in any criminal or civil proceeding.

F. In no case may a weaponized unmanned aircraft system be deployed in the Commonwealth or its use facilitated in the Commonwealth by a state or local government department, agency, or instrumentality or department of law enforcement in the Commonwealth except in operations at the Space Port and Naval/Aegis facilities at Wallops Island. *No weaponized unmanned aircraft systems shall be construed to include such systems designed and used for the purpose of disabling another unmanned aircraft system.*

G. Nothing herein shall apply to the Armed Forces of the United States or the Virginia National Guard while utilizing unmanned aircraft systems during training required to maintain readiness for its federal mission or when facilitating training for other U.S. Department of Defense units.

CHAPTER 401

An Act to amend and reenact § 22.1-205 of the Code of Virginia, relating to school boards; driver education; behind-the-wheel driver training.

[H 2213]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-205 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-205. Driver education programs.

A. The Board of Education shall establish for the public school system a standardized program of driver education in the safe operation of motor vehicles. Such program shall consist of classroom training and behind-the-wheel driver training. However, any student who participates in such a program of driver education shall meet the academic requirements established by the Board, and no student in a course shall be permitted to operate a motor vehicle without a license or other document issued by the Department of Motor Vehicles under Chapter 3 (§ 46.2-300 et seq.) of Title 46.2, or the comparable law of another jurisdiction, authorizing the operation of a motor vehicle upon the highways.

1. The driver education program shall include (i) instruction concerning (a) alcohol and drug abuse; (b) aggressive driving; (c) the dangers of distracted driving and speeding; (d) motorcycle awareness; (e) organ and tissue donor awareness; (f) fuel-efficient driving practices; and (g) traffic stops, including law-enforcement procedures for traffic stops, appropriate actions to be taken by drivers during traffic stops, and appropriate interactions with law-enforcement officers who initiate traffic stops, and (ii) an additional minimum 90-minute parent/student driver education component as part of the classroom portion of the driver education curriculum. However, no student who is (1) at least 18 years of age, (2) an emancipated minor, or (3) an unaccompanied minor who is not in the physical custody of his parent or guardian shall be required to participate in the parent/student driver education component.

2. The parent/student driver education component shall be administered as part of the classroom portion of the driver education curriculum. In Planning District 8, the parent/student driver education component shall be administered in-person. Outside Planning District 8, the parent/student driver education component may be administered either in-person or online by a public school or a driver training school that is licensed as a computer-based driver education provider. The participation of the student's parent or guardian in the parent/student driver education component shall be required in Planning District 8 unless the student is otherwise exempted from participation in the parent/student driver education component pursuant to the provisions of subdivision 1. Outside Planning District 8, the participation of the student's parent or guardian in the parent/student driver education component shall be encouraged, but shall not be required. The program shall emphasize (i) parental responsibilities regarding juvenile driver behavior, (ii) juvenile driving restrictions pursuant to this Code, (iii) the dangers of driving while intoxicated and underage consumption of alcohol, and (iv) the dangers of distracted driving. Such instruction shall be developed by the Department in cooperation with the Virginia Alcohol Safety Action Program, the Department of Health, and the Department of Behavioral Health and Developmental Services, as appropriate. Nothing in this subdivision precludes any school division from including a program of parental involvement as part of a driver education program in addition to the minimum 90-minute parent/student driver education component.

3. Any driver education program shall require a minimum number of miles driven during the behind-the-wheel driver training.

B. The Board shall assist school divisions by preparation, publication and distribution of competent driver education instructional materials to ensure a more complete understanding of the responsibilities and duties of motor vehicle operators.

C. Each school board shall determine whether to offer the program of driver education in the safe operation of motor vehicles and, if offered, whether such program shall be an elective or a required course. *However, in recognition of the fact that behind-the-wheel training is an essential school-to-work skill and a vital step in the pathway to obtaining a driver's license and cultivating well-educated teen drivers, each school board is strongly encouraged to offer as part of its program of driver education behind-the-wheel training either during school hours or before or after school hours, including on weekends.* In addition to the fee approved by the Board of Education pursuant to the appropriation act that allows local school boards to charge a per pupil fee for behind-the-wheel driver education, the Board of Education may authorize a local school board's request to assess a surcharge in order to further recover program costs that exceed state funds distributed through basic aid to school divisions offering driver education programs. Each school board may waive the fee or the surcharge in total or in part for those students it determines cannot pay the fee or surcharge. Only school divisions complying with the standardized program and regulations established by the Board of Education and the provisions of § 46.2-335 shall be entitled to participate in the distribution of state funds appropriated for driver education.

Each school board shall make the 90-minute parent/student driver education component available to all students and their parents or guardians who are in compliance with § 22.1-254.

D. The actual initial driving instruction shall be conducted, with motor vehicles equipped as may be required by regulation of the Board of Education, on private or public property removed from public highways if practicable; if impracticable, then, at the request of the school board, the Commissioner of Highways shall designate a suitable section of road near the school to be used for such instruction. Such section of road shall be marked with signs, which the Commissioner of Highways shall supply, giving notice of its use for driving instruction. Such signs shall be removed at the close of the instruction period. No vehicle other than those used for driver training shall be operated between such signs at a speed in excess of 25 miles per hour. Violation of this limit shall be a Class 4 misdemeanor.

E. The Board of Education may, in its discretion, promulgate regulations for the use and certification of paraprofessionals as teaching assistants in the driver education programs of school divisions.

F. The Board of Education shall approve correspondence courses for the classroom training component of driver education. These correspondence courses shall be consistent in quality with instructional programs developed by the Board for classroom training in the public schools. Students completing the correspondence courses for classroom training, who are eligible to take behind-the-wheel driver training, may receive behind-the-wheel driver training (i) from a public school, upon payment of the required fee, if the school division offers behind-the-wheel driver training and space is available, (ii) from a driver training school licensed by the Department of Motor Vehicles, or (iii) in the case of a home schooling parent or guardian instructing his own child who meets the requirements for home school instruction under § 22.1-254.1 or subdivision B 1 of § 22.1-254, from a behind-the-wheel training course approved by the Board. Nothing herein shall be construed to require any school division to provide behind-the-wheel driver training to nonpublic school students.

CHAPTER 402

An Act to amend and reenact § 19.2-390.01 of the Code of Virginia, relating to use of Virginia crime code in documents for jailable offenses; Virginia Criminal Sentencing Commission.

[H 2236]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-390.01 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-390.01. Use of Virginia crime code references required.

If any criminal warrant, indictment, information, presentment, petition, summons, charging document issued by a magistrate, or dispositional document from a criminal trial, involves a jailable offense, it shall include the Virginia crime code references for the particular offense or offenses covered. When Virginia crime codes are provided on charging and dispositional documents, the Virginia crime codes shall be recorded and stored for adult offenders in *the following*: criminal history computer systems maintained by the State Police; court case management computer systems maintained by the Supreme Court of Virginia; probation and parole case management computer systems maintained by the Department of Corrections and the Virginia Parole Board; pretrial and community-based probation case management computer systems maintained by the Department of Criminal Justice Services; and jail management computer systems maintained by the State Compensation Board. The Department of Juvenile Justice shall record and store Virginia crime codes for particular offenses related to juveniles in case management computer systems.

Virginia crime codes shall only be used to facilitate administration and research~~,~~ and shall not have any legal standing as they relate to a particular offense or offenses.

The Virginia Criminal Sentencing Commission shall develop, maintain, and modify the Virginia crime codes as may be deemed necessary.

2. That nothing in this act shall be construed to authorize the Virginia Criminal Sentencing Commission to develop, maintain, modify, or administer the Virginia crime codes in a manner that would require modifications to any court case management computer systems maintained by the Office of the Executive Secretary of the Supreme Court of Virginia or would require (i) implementation of new procedures or (ii) modifications of existing procedures followed by clerks of court for entering information into such systems. However, the Office of the Executive Secretary and clerks of court shall cooperate with the Virginia Criminal Sentencing Commission as needed to implement changes in law enacted by the General Assembly, and the computer systems maintained by the Office of the Executive Secretary shall continue to record and store Virginia crime codes provided on charging and dispositional documents. Neither the Office of the Executive Secretary nor any clerk of court shall be authorized to develop or modify Virginia crime codes.

CHAPTER 403

An Act to amend and reenact § 18.2-248 of the Code of Virginia, relating to manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give, or distribute a controlled substance or an imitation controlled substance prohibited; penalties.

[S 888]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-248 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-248. Manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give, or distribute a controlled substance or an imitation controlled substance prohibited; penalties.

A. Except as authorized in the Drug Control Act (§ 54.1-3400 et seq.), it shall be unlawful for any person to manufacture, sell, give, distribute, or possess with intent to manufacture, sell, give or distribute a controlled substance or an imitation controlled substance.

B. In determining whether any person intends to manufacture, sell, give or distribute an imitation controlled substance, the court may consider, in addition to all other relevant evidence, whether any distribution or attempted distribution of such pill, capsule, tablet or substance in any other form whatsoever included an exchange of or a demand for money or other property as consideration, and, if so, whether the amount of such consideration was substantially greater than the reasonable value of such pill, capsule, tablet or substance in any other form whatsoever, considering the actual chemical composition of such pill, capsule, tablet or substance in any other form whatsoever and, where applicable, the price at which over-the-counter substances of like chemical composition sell.

C. Except as provided in subsection C1, any person who violates this section with respect to a controlled substance classified in Schedule I or II shall upon conviction be imprisoned for not less than five nor more than 40 years and fined not more than $500,000. Upon a second conviction of such a violation, and it is alleged in the warrant, indictment, or information that the person has been before convicted of such an offense or of a substantially similar offense in any other jurisdiction, which offense would be a felony if committed in the Commonwealth, and such prior conviction occurred before the date of the offense alleged in the warrant, indictment, or information, any such person may, in the discretion of the court or jury imposing the sentence, be sentenced to imprisonment for life or for any period not less than five years, three years of which shall be a mandatory minimum term of imprisonment to be served consecutively with any other sentence, and he shall be fined not more than $500,000.

When a person is convicted of a third or subsequent offense under this subsection and it is alleged in the warrant, indictment or information that he has been before convicted of two or more such offenses or of substantially similar offenses in any other jurisdiction which offenses would be felonies if committed in the Commonwealth and such prior convictions occurred before the date of the offense alleged in the warrant, indictment, or information, he shall be sentenced to imprisonment for life or for a period of not less than 10 years, 10 years of which shall be a mandatory minimum term of imprisonment to be served consecutively with any other sentence, and he shall be fined not more than $500,000.

Any person who manufactures, sells, gives, distributes or possesses with the intent to manufacture, sell, give, or distribute the following is guilty of a felony punishable by a fine of not more than $1 million and imprisonment for five years to life, five years of which shall be a mandatory minimum term of imprisonment to be served consecutively with any other sentence:

1. 100 grams or more of a mixture or substance containing a detectable amount of heroin;

2. 500 grams or more of a mixture or substance containing a detectable amount of:

a. Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;

b. Cocaine, its salts, optical and geometric isomers, and salts of isomers;

c. *Cocaine base;*

d. Ecgonine, its derivatives, their salts, isomers, and salts of isomers; or

~~d.~~ *e.* Any compound, mixture, or preparation that contains any quantity of any of the substances referred to in subdivisions 2a through ~~2c~~ *2d*; *or*

3. ~~250 grams or more of a mixture or substance described in subdivisions 2a through 2d that contain cocaine base; or~~

~~4.~~ 10 grams or more of methamphetamine, its salts, isomers, or salts of its isomers or 20 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers.

The mandatory minimum term of imprisonment to be imposed for a violation of this subsection shall not be applicable if the court finds that:

a. The person does not have a prior conviction for an offense listed in subsection C of § 17.1-805;

b. The person did not use violence or credible threats of violence or possess a firearm or other dangerous weapon in connection with the offense or induce another participant in the offense to do so;

c. The offense did not result in death or serious bodily injury to any person;

d. The person was not an organizer, leader, manager, or supervisor of others in the offense, and was not engaged in a continuing criminal enterprise as defined in subsection I; and

e. Not later than the time of the sentencing hearing, the person has truthfully provided to the Commonwealth all information and evidence the person has concerning the offense or offenses that were part of the same course of conduct or of a common scheme or plan, but the fact that the person has no relevant or useful other information to provide or that the Commonwealth already is aware of the information shall not preclude a determination by the court that the defendant has complied with this requirement.

C1. Any person who violates this section with respect to the manufacturing of methamphetamine, its salts, isomers, or salts of its isomers or less than 200 grams of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers shall, upon conviction, be imprisoned for not less than 10 nor more than 40 years and fined not more than $500,000. Upon a second conviction of such a violation, any such person may, in the discretion of the court or jury imposing the sentence, be sentenced to imprisonment for life or for any period not less than 10 years, and be fined not more than $500,000. When a person is convicted of a third or subsequent offense under this subsection and it is alleged in the warrant, indictment, or information that he has been previously convicted of two or more such offenses or of substantially similar offenses in any other jurisdiction, which offenses would be felonies if committed in the Commonwealth and such prior convictions occurred before the date of the offense alleged in the warrant, indictment, or information, he shall be sentenced to imprisonment for life or for a period not less than 10 years, three years of which shall be a mandatory minimum term of imprisonment to be served consecutively with any other sentence and he shall be fined not more than $500,000.

Upon conviction, in addition to any other punishment, a person found guilty of this offense shall be ordered by the court to make restitution, as the court deems appropriate, to any innocent property owner whose property is damaged, destroyed, or otherwise rendered unusable as a result of such methamphetamine production. This restitution shall include the person's or his estate's estimated or actual expenses associated with cleanup, removal, or repair of the affected property. If the property that is damaged, destroyed, or otherwise rendered unusable as a result of such methamphetamine production is property owned in whole or in part by the person convicted, the court shall order the person to pay to the Methamphetamine Cleanup Fund authorized in § 18.2-248.04 the reasonable estimated or actual expenses associated with cleanup, removal, or repair of the affected property or, if actual or estimated expenses cannot be determined, the sum of $10,000. The convicted person shall also pay the cost of certifying that any building that is cleaned up or repaired pursuant to this section is safe for human occupancy according to the guidelines established pursuant to § 32.1-11.7.

D. If such person proves that he gave, distributed or possessed with intent to give or distribute a controlled substance classified in Schedule I or II only as an accommodation to another individual who is not an inmate in a community correctional facility, local correctional facility or state correctional facility as defined in § 53.1-1 or in the custody of an employee thereof, and not with intent to profit thereby from any consideration received or expected nor to induce the recipient or intended recipient of the controlled substance to use or become addicted to or dependent upon such controlled substance, he shall be guilty of a Class 5 felony.

E. If the violation of the provisions of this article consists of the filling by a pharmacist of the prescription of a person authorized under this article to issue the same, which prescription has not been received in writing by the pharmacist prior to the filling thereof, and such written prescription is in fact received by the pharmacist within one week of the time of filling the same, or if such violation consists of a request by such authorized person for the filling by a pharmacist of a prescription which has not been received in writing by the pharmacist and such prescription is, in fact, written at the time of such request and delivered to the pharmacist within one week thereof, either such offense shall constitute a Class 4 misdemeanor.

E1. Any person who violates this section with respect to a controlled substance classified in Schedule III except for an anabolic steroid classified in Schedule III, constituting a violation of § 18.2-248.5, shall be guilty of a Class 5 felony.

E2. Any person who violates this section with respect to a controlled substance classified in Schedule IV shall be guilty of a Class 6 felony.

E3. Any person who proves that he gave, distributed or possessed with the intent to give or distribute a controlled substance classified in Schedule III or IV, except for an anabolic steroid classified in Schedule III, constituting a violation of § 18.2-248.5, only as an accommodation to another individual who is not an inmate in a community correctional facility, local correctional facility or state correctional facility as defined in § 53.1-1 or in the custody of an employee thereof, and not with the intent to profit thereby from any consideration received or expected nor to induce the recipient or intended recipient of the controlled substance to use or become addicted to or dependent upon such controlled substance, is guilty of a Class 1 misdemeanor.

F. Any person who violates this section with respect to a controlled substance classified in Schedule V or Schedule VI or an imitation controlled substance which imitates a controlled substance classified in Schedule V or Schedule VI, shall be guilty of a Class 1 misdemeanor.

G. Any person who violates this section with respect to an imitation controlled substance which imitates a controlled substance classified in Schedule I, II, III, or IV shall be guilty of a Class 6 felony. In any prosecution brought under this subsection, it is not a defense to a violation of this subsection that the defendant believed the imitation controlled substance to actually be a controlled substance.

H. Any person who manufactures, sells, gives, distributes or possesses with the intent to manufacture, sell, give or distribute the following:

1. 1.0 kilograms or more of a mixture or substance containing a detectable amount of heroin;

2. 5.0 kilograms or more of a mixture or substance containing a detectable amount of:

a. Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;

b. Cocaine, its salts, optical and geometric isomers, and salts of isomers;

c. *Cocaine base;*

d. Ecgonine, its derivatives, their salts, isomers, and salts of isomers; or

~~d.~~ *e.* Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subdivisions a through ~~c~~ *d*;

3. ~~2.5 kilograms or more of a mixture or substance described in subdivision 2 which contains cocaine base;~~

~~4.~~ 100 kilograms or more of a mixture or substance containing a detectable amount of marijuana; or

~~5.~~ *4.* 100 grams or more of methamphetamine, its salts, isomers, or salts of its isomers or 200 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers shall be guilty of a felony punishable by a fine of not more than $1 million and imprisonment for 20 years to life, 20 years of which shall be a mandatory minimum sentence. Such mandatory minimum sentence shall not be applicable if the court finds that (i) the person does not have a prior conviction for an offense listed in subsection C of § 17.1-805; (ii) the person did not use violence or credible threats of violence or possess a firearm or other dangerous weapon in connection with the offense or induce another participant in the offense to do so; (iii) the offense did not result in death or serious bodily injury to any person; (iv) the person was not an organizer, leader, manager, or supervisor of others in the offense, and was not engaged in a continuing criminal enterprise as defined in subsection I of this section; and (v) not later than the time of the sentencing hearing, the person has truthfully provided to the Commonwealth all information and evidence the person has concerning the offense or offenses that were part of the same course of conduct or of a common scheme or plan, but the fact that the person has no relevant or useful other information to provide or that the Commonwealth already is aware of the information shall not preclude a determination by the court that the defendant has complied with this requirement.

H1. Any person who was the principal or one of several principal administrators, organizers or leaders of a continuing criminal enterprise shall be guilty of a felony if (i) the enterprise received at least $100,000 but less than $250,000 in gross receipts during any 12-month period of its existence from the manufacture, importation, or distribution of heroin or cocaine or ecgonine or methamphetamine or the derivatives, salts, isomers, or salts of isomers thereof or marijuana or (ii) the person engaged in the enterprise to manufacture, sell, give, distribute or possess with the intent to manufacture, sell, give or distribute the following during any 12-month period of its existence:

1. At least 1.0 kilograms but less than 5.0 kilograms of a mixture or substance containing a detectable amount of heroin;

2. At least 5.0 kilograms but less than 10 kilograms of a mixture or substance containing a detectable amount of:

a. Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;

b. Cocaine, its salts, optical and geometric isomers, and salts of isomers;

c. *Cocaine base;*

d. Ecgonine, its derivatives, their salts, isomers, and salts of isomers; or

~~d.~~ *e.* Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subdivisions a through ~~c~~ *d*;

3. ~~At least 2.5 kilograms but less than 5.0 kilograms of a mixture or substance described in subdivision 2 which contains cocaine base;~~

~~4.~~ At least 100 kilograms but less than 250 kilograms of a mixture or substance containing a detectable amount of marijuana; or

~~5.~~ *4.* At least 100 grams but less than 250 grams of methamphetamine, its salts, isomers, or salts of its isomers or at least 200 grams but less than 1.0 kilograms of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers.

A conviction under this section shall be punishable by a fine of not more than $1 million and imprisonment for 20 years to life, 20 years of which shall be a mandatory minimum sentence.

H2. Any person who was the principal or one of several principal administrators, organizers or leaders of a continuing criminal enterprise if (i) the enterprise received $250,000 or more in gross receipts during any 12-month period of its existence from the manufacture, importation, or distribution of heroin or cocaine or ecgonine or methamphetamine or the

derivatives, salts, isomers, or salts of isomers thereof or marijuana or (ii) the person engaged in the enterprise to manufacture, sell, give, distribute or possess with the intent to manufacture, sell, give or distribute the following during any 12-month period of its existence:

1. At least 5.0 kilograms of a mixture or substance containing a detectable amount of heroin;

2. At least 10 kilograms of a mixture or substance containing a detectable amount of:

a. Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed;

b. Cocaine, its salts, optical and geometric isomers, and salts of isomers;

c. *Cocaine base;*

d. Ecgonine, its derivatives, their salts, isomers, and salts of isomers; or

~~d.~~ *e.* Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subdivisions a through ~~c~~ *d*;

3. ~~At least 5.0 kilograms of a mixture or substance described in subdivision 2 which contains cocaine base;~~

~~4.~~ At least 250 kilograms of a mixture or substance containing a detectable amount of marijuana; or

~~5.~~ *4.* At least 250 grams of methamphetamine, its salts, isomers, or salts of its isomers or at least 1.0 kilograms of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers shall be guilty of a felony punishable by a fine of not more than $1 million and imprisonment for life, which shall be served with no suspension in whole or in part. Such punishment shall be made to run consecutively with any other sentence. However, the court may impose a mandatory minimum sentence of 40 years if the court finds that the defendant substantially cooperated with law-enforcement authorities.

I. For purposes of this section, a person is engaged in a continuing criminal enterprise if (i) he violates any provision of this section, the punishment for which is a felony and either (ii) such violation is a part of a continuing series of violations of this section which are undertaken by such person in concert with five or more other persons with respect to whom such person occupies a position of organizer, a supervisory position, or any other position of management, and from which such person obtains substantial income or resources or (iii) such violation is committed, with respect to methamphetamine or other controlled substance classified in Schedule I or II, for the benefit of, at the direction of, or in association with any criminal street gang as defined in § 18.2-46.1.

J. Except as authorized in the Drug Control Act (§ 54.1-3400 et seq.), any person who possesses any two or more different substances listed below with the intent to manufacture methamphetamine, methcathinone, or amphetamine is guilty of a Class 6 felony: liquefied ammonia gas, ammonium nitrate, ether, hypophosphorus acid solutions, hypophosphite salts, hydrochloric acid, iodine crystals or tincture of iodine, phenylacetone, phenylacetic acid, red phosphorus, methylamine, methyl formamide, lithium, sodium metal, sulfuric acid, sodium hydroxide, potassium dichromate, sodium dichromate, potassium permanganate, chromium trioxide, methylbenzene, methamphetamine precursor drugs, trichloroethane, or 2-propanone.

K. The term "methamphetamine precursor drug," when used in this article, means a drug or product containing ephedrine, pseudoephedrine, or phenylpropanolamine or any of their salts, optical isomers, or salts of optical isomers.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation is $0 for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 404

An Act to amend and reenact § 65.2-402 of the Code of Virginia, relating to workers' compensation; throat cancer.

[S 920]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 65.2-402 of the Code of Virginia is amended and reenacted as follows:

§ 65.2-402. Presumption as to death or disability from respiratory disease, hypertension or heart disease, cancer.

A. Respiratory diseases that cause (i) the death of volunteer or salaried firefighters or Department of Emergency Management hazardous materials officers or (ii) any health condition or impairment of such firefighters or Department of Emergency Management hazardous materials officers resulting in total or partial disability shall be presumed to be occupational diseases, suffered in the line of duty, that are covered by this title unless such presumption is overcome by a preponderance of competent evidence to the contrary.

B. Hypertension or heart disease causing the death of, or any health condition or impairment resulting in total or partial disability of any of the following persons who have completed five years of service in their position as (i) salaried or volunteer firefighters, (ii) members of the State Police Officers' Retirement System, (iii) members of county, city or town police departments, (iv) sheriffs and deputy sheriffs, (v) Department of Emergency Management hazardous materials officers, (vi) city sergeants or deputy city sergeants of the City of Richmond, (vii) Virginia Marine Police officers, (viii) conservation police officers who are full-time sworn members of the enforcement division of the Department of

Wildlife Resources, (ix) Capitol Police officers, (x) special agents of the Virginia Alcoholic Beverage Control Authority appointed under the provisions of Chapter 1 (§ 4.1-100 et seq.) of Title 4.1, (xi) for such period that the Metropolitan Washington Airports Authority voluntarily subjects itself to the provisions of this chapter as provided in § 65.2-305, officers of the police force established and maintained by the Metropolitan Washington Airports Authority, (xii) officers of the police force established and maintained by the Norfolk Airport Authority, (xiii) sworn officers of the police force established and maintained by the Virginia Port Authority, (xiv) campus police officers appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1 and employed by any public institution of higher education, and (xv) salaried or volunteer emergency medical services personnel, as defined in § 32.1-111.1, when such emergency medical services personnel is operating in a locality that has legally adopted a resolution declaring that it will provide one or more of the presumptions under this subsection, shall be presumed to be occupational diseases, suffered in the line of duty, that are covered by this title unless such presumption is overcome by a preponderance of competent evidence to the contrary.

C. Leukemia or pancreatic, prostate, rectal, throat, ovarian, breast, colon, brain, testicular, bladder, or thyroid cancer causing the death of, or any health condition or impairment resulting in total or partial disability of, any of the following persons who have completed five years of service in their position as (i) salaried or volunteer firefighters; (ii) Department of Emergency Management hazardous materials officers; (iii) commercial vehicle enforcement officers or motor carrier safety troopers employed by the Department of State Police; (iv) arson investigators or bomb investigators employed by the Department of State Police; (v) full-time sworn members of the enforcement division of the Department of Motor Vehicles; or (vi) members of the State Police Officers' Retirement System who collect, analyze, or handle hazardous materials, as defined in § 44-146.34, infectious biological substances and radiological agents, as defined in § 18.2-52.1, fentanyl or fentanyl analogs, or methamphetamine, its salts, isomers, or salts of its isomers shall be presumed to be an occupational disease, suffered in the line of duty, that is covered by this title, unless such presumption is overcome by a preponderance of competent evidence to the contrary. For colon, brain, or testicular cancer, the presumption shall not apply for any individual who was diagnosed with such a condition before July 1, 2020. For bladder or thyroid cancer, the presumption shall not apply for any individual who was diagnosed with such a condition before July 1, 2023. *For throat cancer, the presumption shall include cancer that forms in the tissues of the pharynx, larynx, adenoid, tonsil, esophagus, trachea, nasopharynx, oropharynx, or hypopharynx.*

D. The presumptions described in subsections A, B, and C shall only apply if persons entitled to invoke them have, if requested by the private employer, appointing authority or governing body employing them, undergone preemployment physical examinations that (i) were conducted prior to the making of any claims under this title that rely on such presumptions, (ii) were performed by physicians whose qualifications are as prescribed by the private employer, appointing authority or governing body employing such persons, (iii) included such appropriate laboratory and other diagnostic studies as the private employer, appointing authorities or governing bodies may have prescribed, and (iv) found such persons free of respiratory diseases, hypertension, cancer or heart disease at the time of such examinations.

E. Persons making claims under this title who rely on such presumptions shall, upon the request of private employers, appointing authorities or governing bodies employing such persons, submit to physical examinations (i) conducted by physicians selected by such employers, authorities, bodies or their representatives and (ii) consisting of such tests and studies as may reasonably be required by such physicians. However, a qualified physician, selected and compensated by the claimant, may, at the election of such claimant, be present at such examination.

F. Whenever a claim for death benefits is made under this title and the presumptions of this section are invoked, any person entitled to make such claim shall, upon the request of the appropriate private employer, appointing authority or governing body that had employed the deceased, submit the body of the deceased to a postmortem examination as may be directed by the Commission. A qualified physician, selected and compensated by the person entitled to make the claim, may, at the election of such claimant, be present at such postmortem examination.

G. Volunteer law-enforcement chaplains, auxiliary and reserve deputy sheriffs, and auxiliary and reserve police are not included within the coverage of this section.

H. For purposes of this section, "firefighter" includes special forest wardens designated pursuant to § 10.1-1135 and any persons who are employed by or contract with private employers primarily to perform firefighting services.

2. That the provisions of § 65.2-402 of the Code of Virginia, as amended by this act, describing the worker's compensation occupational disease presumption for throat cancer shall only be applicable to a disease diagnosed on and after July 1, 2025.

CHAPTER 405

An Act to amend and reenact §§ 45.2-1101, 45.2-1109, 45.2-1119, 45.2-1200, and 45.2-1203 of the Code of Virginia, relating to Mineral Mine Safety Act; definition of "surface mineral mine"; mine inspectors; certificate renewal; use of cyanide or cyanide compound.

[S 969]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 45.2-1101, 45.2-1109, 45.2-1119, 45.2-1200, and 45.2-1203 of the Code of Virginia are amended and reenacted as follows:

§ 45.2-1101. Definitions.

As used in the Mineral Mine Safety Act and in regulations adopted under the Act, unless the context requires a different meaning:

"Abandoned area" means the inaccessible area of an underground mine that is sealed or ventilated and in which further mining is not intended.

"Accident" means (i) a death of an individual at a mine; (ii) a serious personal injury; (iii) an entrapment of an individual for more than 30 minutes; (iv) an unplanned inundation of a mine by liquid or gas; (v) an unplanned ignition or explosion of gas or dust; (vi) an unplanned mine fire not extinguished within 30 minutes of discovery; (vii) an unplanned ignition or explosion of a blasting agent or an explosive; (viii) an unplanned roof fall at or above the anchorage zone in active workings where roof bolts are in use, or an unplanned roof or rib fall in active workings that impairs ventilation or impedes passage; (ix) a rock outburst that causes withdrawal of miners or that disrupts regular mining activity for more than one hour; (x) an unstable condition at a water or silt retaining dam or mine refuse pile that requires emergency action in order to prevent failure or causes individuals to evacuate an area, or failure of such retaining dam or refuse pile; (xi) damage to hoisting equipment in a shaft or slope that endangers an individual or interferes with use of the equipment for more than 30 minutes; and (xii) an event at a mine that causes death or serious personal injury to any individual not at a mine at the time the event occurs.

"Active area" means any place in a mine that is ventilated, if underground, and examined regularly.

"Active workings" means any place in a mine where miners are normally required to work or travel.

"Agent" means any person charged by the operator with responsibility for the operation of all or a part of a mine or the supervision of miners in a mine.

"Approved" means, with reference to a device, apparatus, equipment, condition, method, course, or practice, approved in writing by the Director.

"Approved competent person" means a person with more than two years of experience designated by the Department as having the authority to function as a mine foreman even though the person has less than five years of experience. If an approved competent person meets all the criteria for certification as a mine foreman other than the experience criteria, he may perform the duties of a mine foreman except the pre-shift examination.

"Armored cable" means a cable provided with a wrapping of metal, plastic, or other approved material.

"Authorized person" means a person who is assigned by the operator or agent to perform a specific type of duty or to be at a specific location in the mine and is task-trained in accordance with requirements of the federal mine safety law.

"Blower fan" means a fan with tubing used to direct part of a particular circuit of air to a working place.

"Booster fan" means an underground fan installed in conjunction with a main fan to increase the volume of air in one or more circuits.

"Cable" means (i) a stranded conductor, known as single-conductor cable, or (ii) a combination of conductors insulated from one another, known as multiple-conductor cable.

"Certified person" means a person who holds a valid certificate from the Department authorizing him to perform the particular task to which he is assigned.

"Circuit" means a conducting part or a system of conducting parts through which an electric current is intended to flow.

"Circuit breaker" means a device for interrupting a circuit between separable contacts under normal or abnormal conditions.

"Competent person" means a person having abilities and experience that fully qualify him to perform the particular duty to which he is assigned.

"Cross entry" means any entry or set of entries, turned from main entries, from which room entries are turned.

"Division" means the Division of Mineral Mining.

"Experienced surface miner" means a person with more than six months of experience working at a surface mine or the surface area of an underground mine.

"Experienced underground miner" means a person with more than six months of underground mining experience.

"Federal mine safety law" means the Federal Mine Safety and Health Act of 1977 (P.L. 91-173, as amended by P.L. 95-164) and regulations adopted thereunder.

"Fuse" means an overcurrent protective device with a circuit-opening fusible member directly heated and destroyed by the passage of overcurrent through it.

"Ground" means a conducting connection between an electric circuit or electrical equipment and earth or some conducting body that serves in place of earth.

"Grounded" means connected to earth or to some connecting body that serves in place of earth.

"Hazardous condition" means a condition that is likely to cause death or serious personal injury to a person exposed to such condition.

"Imminent danger" means the existence of any condition or practice in a mine that could reasonably be expected to cause death or serious personal injury before such condition or practice can be abated.

"Inactive mine" means a mine (i) at which (a) coal or minerals have not been excavated or processed or (b) work, other than examination by a certified person or emergency work to preserve the mine, has not been performed for a period of 30 days at an underground mine or for a period of 60 days at a surface mine; (ii) for which a valid license is in effect; and (iii) at which reclamation activities have not been completed.

"Independent contractor" means any person who contracts to perform services or construction at a mine.

"Intake air" means air that has not passed through the last active working place of the split or by the unsealed entrance to an abandoned area and by analysis contains at least 19.5 percent oxygen and not more than 0.5 percent carbon dioxide and does not contain a hazardous quantity of flammable gas or a harmful quantity of poisonous gas.

"Interested persons" means members of the mine safety committee and other duly authorized representatives of the employees at a mine, MSHA employees, mine inspectors, and, to the extent required by the Act, any other person.

"Licensed operator" means the operator who has obtained the license for a particular mine under § 45.2-1124.

"Main entry" means the principal entry or set of entries driven through the coal bed or mineral deposit and from which cross entries, room entries, or rooms are turned.

"Mine" means any underground mineral mine or surface mineral mine. Mines that are adjacent to each other and under the same management and that are administered as distinct units are considered separate mines. A site is not considered a mine unless the mineral extracted or excavated from it is offered for sale or exchange or used for any other commercial purpose.

"Mine fire" means an unplanned fire not extinguished within 30 minutes of discovery.

"Mine foreman" means a person who holds a valid certificate of qualification as a foreman issued by the Department.

"Mine inspector" means a public employee assigned by the Director to make mine inspections as required by the Mineral Mine Safety Act or other applicable law.

"Miner" means any individual working in a mineral mine.

"Mineral" means clay, stone, sand, gravel, metalliferous or nonmetalliferous ore, or any other solid material or substance of commercial value excavated in solid form from a natural deposit on or in the earth, exclusive of coal and any mineral that occurs naturally in liquid or gaseous form.

"Mineral mine" means a surface mineral mine or an underground mineral mine.

"Mineral Mine Safety Act" or "the Act" means this chapter and Chapters 14 (§ 45.2-1400 et seq.) and 15 (§ 45.2-1500 et seq.) and includes any regulations adopted thereunder, where applicable.

"Mine Safety and Health Administration" or "MSHA" means the federal Mine Safety and Health Administration.

"Operator" means any person who operates, controls, or supervises a mine or any independent contractor performing services or construction at a mine.

"Panel entry" means a room entry.

"Permissible" means any device, process, equipment, or method classified at any time as permissible by MSHA, when such classification is adopted by the Director. "Permissible" includes, unless otherwise herein expressly stated, any requirement, restriction, exception, limitation, or condition attached to such classification by MSHA.

"Return air" means air that has passed through (i) the last active working place on each split or (ii) an abandoned or worked-out area. No area within a panel shall be deemed abandoned until it is inaccessible or sealed.

"Room entry" means any entry or set of entries from which a room is turned.

"Serious personal injury" means any injury that (i) has a reasonable potential to cause death or (ii) is other than a sprain or strain and requires an admission to a hospital for 24 hours or more for medical treatment.

"Substation" means an electrical installation containing generating or power-conversion equipment and associated electric equipment and parts, such as switchboards, switches, wiring, fuses, circuit breakers, compensators, and transformers.

"Surface mineral mine" means (i) the pit and any other active or inactive area of surface extraction of minerals; (ii) any onsite mill, shop, loadout facility, or related structure appurtenant to the excavation and processing of minerals; (iii) any impoundment, water or silt retaining dam, tailing pond, mine refuse pile, or other area appurtenant to the extraction of minerals from the site; (iv) any onsite surface area for the transportation or storage of minerals excavated at the site; (v) equipment, machinery, tools, and other property used in, or to be used in, the work of extracting minerals from the site; (vi) any private way or road appurtenant to such area; and (vii) any area used for surface-disturbing exploration, other than by drilling or seismic testing, or for preparation of a site for surface mineral extraction activity. A site shall commence being a surface mineral mine upon the beginning of any surface-disturbing exploration activity other than exploratory drilling or seismic testing and shall cease to be a surface mineral mine upon completion of initial reclamation activities. The surface extraction of a mineral shall not constitute surface mineral mining unless the mineral (a) is extracted for its unique or intrinsic characteristics or (b) requires processing prior to its intended use.

Excavation or grading when conducted solely in aid of onsite farming or construction shall not constitute a surface mineral mine. Such exemption shall not be construed to limit a landowner in a one-time construction or expansion of a farm pond for agricultural irrigation or provision of water for livestock to beneficially reuse the soil or sand, provided that such pond construction or expansion project (1) is a one-time activity on that parcel of land, (2) is completed within one year, (3) results in a pond that is less than three acres in total, and (4) has all necessary permits and local approvals in place before such activity begins.

"Travel way" means a passage, walk, or way regularly used and designated for persons to use in going from one place to another.

"Underground mineral mine" means (i) the working face and any other active or inactive area of underground excavation of minerals; (ii) any underground travel way, shaft, slope, drift, incline, or tunnel connected to such area; (iii) any onsite mill, loadout area, shop, or related facility appurtenant to the excavation and processing of minerals; (iv) any onsite surface area for the transportation or storage of minerals excavated at the site; (v) any impoundment, retention dam, tailing pond, or waste area appurtenant to the excavation of minerals from the site; (vi) equipment, machinery, tools, and other property, on the surface or underground, used in, or to be used in, the excavation of minerals from the site; (vii) any private way or road appurtenant to such area; and (viii) any area used to prepare a site for underground mineral excavation activities. A site commences being an underground mineral mine upon the beginning of any site preparation activity other than exploratory drilling or other exploration activity and ceases to be an underground mineral mine upon completion of initial reclamation activities.

"Work area," as used in Chapter 9 (§ 45.2-900 et seq.), means an area of a mine in production or being prepared for production or an area of a mine that may pose a danger to miners at such area in production or being prepared for production.

"Working face" means any place in a mine in which work of extracting minerals from their natural deposit in the earth is performed during the mining cycle.

"Working place" means the area of an underground mine inby the last open crosscut.

"Working section" means the portion of a mine encompassing all areas from the loading point of a section to and including the working faces.

§ 45.2-1109. Appointment and general qualifications of mine inspectors.

A. Each mine inspector shall be appointed by the Director.

B. Each mine inspector shall ~~(i) be at least 25 years of age; (ii) be of good moral character and temperate habits; (iii) hold a certificate as a mine foreman; and (iv)~~ hold a certificate as a mine inspector issued ~~prior to July 1, 2012, by the Board of Mineral Mining Examiners or on or after July 1, 2012,~~ by the Department *and possess appropriate qualifications as determined by the Director*.

§ 45.2-1119. Renewal of certificates.

The holder of any certificate issued by ~~the Board of Mineral Mining Examiners or~~ the Department, other than a general mineral miner certificate *or a mineral mine inspector certificate*, may renew the certificate by successfully completing the examination for the renewal of such certificate. The Department shall establish requirements for renewal of a certificate in accordance with the procedure set forth in § 45.2-1115. The Department shall notify a certificate holder at least 180 days prior to the expiration of the certificate. Any certificate requiring renewal that is not renewed by the fifth anniversary of its issuance or of a previous renewal is invalid. As a condition to renewal, the holder shall provide the Department with all administrative information reasonably required and pay the examination fee as provided in § 45.2-1117.

§ 45.2-1200. Definitions.

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

"Disturbed land" means the area from which overburden has been removed in any mining operation, plus the area covered by the spoil and refuse, plus any area used in such mining operation, including land used for processing, stockpiling, or settling ponds.

"Division" means the Division of Mineral Mining.

"Mineral" means ore, rock, and any other solid homogeneous crystalline chemical element or compound that results from the inorganic processes of nature other than coal.

"Mining" means the breaking or disturbing of the surface soil or rock in order to facilitate or accomplish the extraction or removal of minerals or any activity constituting all or part of a process for the extraction or removal of minerals so as to make them suitable for commercial, industrial, or construction use. "Mining" does not include (i) any aspect of deep mining that does not have a significant effect on the surface or (ii) excavation or grading when conducted solely in aid of onsite farming or construction. Such exemption in clause (ii) shall not be construed to limit a landowner in a one-time construction or expansion of a farm pond for agricultural irrigation or provision of water for livestock to beneficially reuse the soil or sand, provided that such pond construction or expansion project (a) is a one-time activity on that parcel of land, (b) is completed within ~~six months~~ *one year*, (c) results in a pond that is less than three acres in total, and (d) has all necessary permits and local approvals in place before such activity begins. Nothing in this section applies to the mining of coal. "Mining" does not include, and this title, chapter, or section shall not be construed to apply to, the process of searching, prospecting, exploring, or investigating for minerals by drilling.

"Mining operation" means any area included in an approved plan of operation.

"Operator" means any individual, corporation or corporation officer, firm, joint venture, partnership, business trust, association, or any other group or combination acting as a unit, or any legal entity that is engaged in mining.

"Orphaned lands" means lands disturbed by surface mining of minerals, other than coal operations, that were not required by law to be reclaimed or that have not been reclaimed.

"Overburden" means all of the earth and other materials that lie above a natural deposit of minerals, ores, rock, or other solid matter and also other materials after removal from their natural deposit in the process of mining.

"Reclamation" means the restoration or conversion of disturbed land to a stable condition that minimizes or prevents adverse disruption and the injurious effects of such disruption and presents an opportunity for further productive use if such use is reasonable.

"Refuse" means all waste soil, rock, mineral tailings, slimes, and other material directly connected with the mine or with the cleaning and preparation of substances mined, including all waste material deposited in the permit area from other sources.

"Spoil" means any overburden or other material removed from its natural state in the process of mining.

§ 45.2-1203. Exemption for restricted mining.

Any operator engaged in mining who disturbs less than one acre of land and removes less than 500 tons of minerals at any particular site is exempt from all mining permit fees, renewal fees, and bond requirements of this chapter if such person intending to engage in such restricted mining submits an application for a permit, a sketch of the mining site, and an operations plan to be adhered to in accordance with §§ 45.2-1205 and 45.2-1206. *A permit shall not be issued for any operational plan that includes the use of cyanide or a cyanide compound in any mineral mining or processing operation.* The Director shall approve the application if he determines that the issuance of the permit will not violate any provision of this chapter.

CHAPTER 406

An Act to amend and reenact § 15.2-2304 of the Code of Virginia, relating to affordable dwelling unit program; City of Falls Church.

[S 1011]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2304 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2304. Affordable dwelling unit ordinances in certain localities.

In furtherance of the purpose of providing affordable shelter for all residents of the Commonwealth, the governing body of any county where the urban county executive form of government or the county manager plan of government is in effect, the Counties of Albemarle and Loudoun, and the Cities of Alexandria, Charlottesville, ~~and~~ Fairfax*, and Falls Church* may by amendment to the zoning ordinances of such locality provide for an affordable housing dwelling unit program. The program shall address housing needs, promote a full range of housing choices, and encourage the construction and continued existence of moderately priced housing by providing for optional increases in density in order to reduce land costs for such moderately priced housing. Any project that is subject to an affordable housing dwelling unit program adopted pursuant to this section shall not be subject to an additional requirement outside of such program to contribute to a county or city housing fund.

Any local ordinance of any other locality providing optional increases in density for provision of low and moderate income housing adopted before December 31, 1988, shall continue in full force and effect.

CHAPTER 407

An Act to amend and reenact §§ 8.01-45, 8.01-46, and 18.2-417 of the Code of Virginia and to amend the Code of Virginia by adding in Article 7 of Chapter 6 of Title 18.2 a section numbered 18.2-213.3, relating to synthetic digital content; penalty; work group.

[S 1053]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-45, 8.01-46, and 18.2-417 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Article 7 of Chapter 6 of Title 18.2 a section numbered 18.2-213.3 as follows:

§ 8.01-45. Action for insulting words.

A. For purposes of this section:

"Synthetic digital content" means any digital content, including any audio, image, text, or video, that realistically but falsely depicts an individual's appearance, speech, or conduct and is produced by any system or service that (i) incorporates technology that uses data to train statistical models for the purpose of enabling a computer system or service to autonomously perform any task that is normally associated with human intelligence or perception, including visual perception, natural language processing, and speech recognition and (ii) is based on a foundation model.

"Words" includes any synthetic digital content.

B. All words shall be actionable which from their usual construction and common acceptance are construed as insults and tend to violence and breach of the peace.

§ 8.01-46. Justification and mitigation of damages.

In any action for defamation, the defendant may justify by alleging and proving that the words spoken ~~or~~, written*, or otherwise represented* were true, and, after notice in writing of his intention to do so, given to the plaintiff at the time of, or for, pleading to such action, may give in evidence, in mitigation of damages, that he made or offered an apology to the plaintiff for such defamation before the commencement of the action, or as soon afterwards as he had an opportunity of doing so in case the action shall have been commenced before there was an opportunity of making or offering such apology. *For purposes of this section, "words" means the same as that term is defined in § 8.01-45.*

§ 18.2-213.3. Use of synthetic digital content in furtherance of crimes involving fraud; penalty.

A. For purposes of this section, "synthetic digital content" means the same as that term is defined in § 8.01-45.

B. It is unlawful for any person to use any synthetic digital content for the purpose of committing any criminal offense prohibited pursuant to this chapter.

C. Violation of this section shall constitute a separate and distinct offense, and any person found guilty thereof is guilty of a Class 1 misdemeanor. Such punishment shall be separate and apart from any punishment received for the commission of the primary criminal offense.

D. Any person who violates this section shall be liable to the individual depicted in the synthetic digital content, who may bring a civil action in district court. The court may award actual damages, reasonable attorney fees, and such other relief as the court determines to be appropriate.

E. Nothing in this section shall be construed to limit or enlarge the protections that 47 U.S.C. § 230 confers on an interactive computer service for content provided by another information content provider, as such terms are defined in 47 U.S.C. § 230.

§ 18.2-417. Slander and libel.

Any person who shall falsely utter and speak, or falsely write and publish, of and concerning any person of chaste character, any words derogatory of such person's character for virtue and chastity, or imputing to such person acts not virtuous and chaste, or who shall falsely utter and speak, or falsely write and publish, of and concerning another person, any words which from their usual construction and common acceptation are construed as insults and tend to violence and breach of the peace or who shall use grossly insulting language to any person of good character or reputation is guilty of a Class 3 misdemeanor. *For purposes of this section, "words" means the same as that term is defined in § 8.01-45.*

The defendant shall be entitled to prove upon trial in mitigation of the punishment, the provocation which induced the libelous or slanderous words, or any other fact or circumstance tending to disprove malice, or lessen the criminality of the offense.

2. That the Attorney General shall convene a work group to study and make recommendations on the current enforcement of laws related to the use of synthetic digital content, as defined in § 8.01-45 of the Code of Virginia, as amended by this act, including deepfakes, and any further action needed to address the issue of such use in fraudulent acts. Such work group shall consist of a representative of the Office of the Attorney General, one member of the Senate and one member of the House of Delegates who are members of the Joint Commission on Technology and Science and who shall be selected by the Chair of the Joint Commission on Technology and Science, the Chief Information Officer of the Commonwealth or his designee, the Superintendent of State Police or his designee, and any other relevant stakeholders, including technology industry representatives. The work group shall complete its meetings by November 1, 2025, and report its findings and recommendations to the Chairs of the House Committee on Communications, Technology and Innovation, the Senate Committee on General Laws and Technology, and the Joint Commission on Technology and Science no later than the first day of the 2026 Regular Session of the General Assembly.

3. That the provisions of the first enactment of this act shall not become effective unless reenacted by the 2026 Session of the General Assembly.

CHAPTER 408

An Act to amend and reenact §§ 54.1-3222, 54.1-3223, 54.1-3301, and 54.1-3303 of the Code of Virginia, relating to Optometry; TPA-Formulary; TPA-Formulary Committee; dissolution.

[S 1081]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-3222, 54.1-3223, 54.1-3301, and 54.1-3303 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-3222. TPA certification; certification for treatment of diseases or abnormal conditions with therapeutic pharmaceutical agents (TPAs).

TPA certification shall enable an optometrist to prescribe and administer, within his scope of practice, Schedule II controlled substances consisting of hydrocodone in combination with acetaminophen and Schedules III through VI controlled substances and devices as set forth in the Drug Control Act (§ 54.1-3400 et seq.) to treat diseases and abnormal conditions of the human eye and its adnexa as determined by the Board, within the following conditions:

1. Treatment with oral therapeutic pharmaceutical agents shall be limited to (i) analgesics included on Schedule II controlled substances as defined in § 54.1-3448 of the Drug Control Act (§ 54.1-3400 et seq.) consisting of hydrocodone in combination with acetaminophen, and analgesics included on Schedules III through VI, as defined in §§ 54.1-3450 and 54.1-3455 of the Drug Control Act, which are appropriate to alleviate ocular pain and (ii) other Schedule VI controlled substances as defined in § 54.1-3455 of the Drug Control Act appropriate to treat diseases and abnormal conditions of the human eye and its adnexa.

2. Therapeutic pharmaceutical agents shall include topically applied Schedule VI drugs as defined in § 54.1-3455 of the Drug Control Act (§ 54.1-3400 et seq.).

3. Administration of therapeutic pharmaceutical agents by injection shall be limited to the treatment of chalazia by means of injection of a steroid included in Schedule VI controlled substances as set forth in § 54.1-3455 of the Drug Control Act (§ 54.1-3400 et seq.). A TPA-certified optometrist shall provide written evidence to the Board that he has completed a didactic and clinical training course provided by an accredited school or college of optometry that includes training in administration of TPAs by injection prior to administering TPAs by injection pursuant to this subdivision.

4. Treatment of angle closure glaucoma shall be limited to initiation of immediate emergency care.

5. Treatment of infantile or congenital glaucoma shall be prohibited.

6. Treatment through surgery or other invasive modalities shall not be permitted, except as provided in subdivision 3 or for treatment of emergency cases of anaphylactic shock with intramuscular epinephrine.

7. Entities permitted or licensed by the Board of Pharmacy to distribute or dispense drugs, including, but not limited to, wholesale distributors and pharmacists, shall be authorized to supply TPA-certified optometrists with ~~those~~ therapeutic pharmaceutical agents ~~specified by the Board on the TPA-Formulary~~.

§ 54.1-3223. Regulations relating to therapeutic pharmaceutical agents.

~~A.~~ The Board shall promulgate such regulations governing the treatment of diseases and abnormal conditions of the human eye and its adnexa with therapeutic pharmaceutical agents by TPA-certified optometrists as are reasonable and necessary to ensure an appropriate standard of medical care for patients, including, but not limited to, determinations of the diseases and abnormal conditions of the human eye and its adnexa that may be treated by TPA-certified optometrists~~,~~ *and* treatment guidelines~~, and the drugs specified on the TPA-Formulary~~.

~~In order to maintain a current and appropriate list of therapeutic pharmaceuticals on the TPA-Formulary, current and appropriate treatment guidelines, and current and appropriate determinations of diseases and abnormal conditions of the eye and its adnexa that may be treated by TPA-certified optometrists, the Board may, from time to time, amend such regulations.~~ Such regulations *and amendments thereto* shall be exempt from the requirements of the Administrative Process Act (§ 2.2-4000 et seq.), except to any extent that they may be specifically made subject to §§ 2.2-4024, 2.2-4030, and 2.2-4031; the Board's regulations shall, however, comply with § 2.2-4103 of the Virginia Register Act (§ 2.2-4100 et seq.). The Board shall, however, conduct a public hearing prior to making amendments to ~~the TPA-Formulary,~~ the treatment guidelines or the determinations of diseases and abnormal conditions of the eye and its adnexa that may be treated by TPA-certified optometrists. Thirty days prior to conducting such hearing, the Board shall give written notice by mail or electronic means of the date, time, and place of the hearing to all currently TPA-certified optometrists and any other persons requesting to be notified of the hearings and publish notice of its intention to amend the ~~list~~ *regulations* in the Virginia Register of Regulations. During the public hearing, interested parties shall be given reasonable opportunity to be heard and present information prior to final adoption of any ~~TPA-Formulary~~ amendments. Proposed and final amendments ~~of the list~~ shall also be published, pursuant to § 2.2-4031, in the Virginia Register of Regulations. ~~Final amendments to the TPA-Formulary shall become effective upon filing with the Registrar of Regulations. The TPA-Formulary shall be the inclusive list of the therapeutic pharmaceutical agents that a TPA-certified optometrist may prescribe.~~

~~B. To assist in the specification of the TPA-Formulary, there shall be a seven-member TPA-Formulary Committee, as follows: three Virginia TPA-certified optometrists to be appointed by the Board of Optometry, one pharmacist appointed by the Board of Pharmacy from among its licensees, two ophthalmologists appointed by the Board of Medicine from among its licensees, and the chairman who shall be appointed by the Board of Optometry from among its members. The ophthalmologists appointed by the Board of Medicine shall have demonstrated, through professional experience, knowledge of the optometric profession. In the event the Board of Pharmacy or the Board of Medicine fails to make appointments to the TPA-Formulary Committee within 30 days following the Board of Optometrys' requesting such appointments, or within 30 days following any subsequent vacancy, the Board of Optometry shall appoint such members.~~

~~The TPA-Formulary Committee shall recommend to the Board those therapeutic pharmaceutical agents to be included on the TPA-Formulary for the treatment of diseases and abnormal conditions of the eye and its adnexa by TPA-certified optometrists.~~

§ 54.1-3301. Exceptions.

This chapter shall not be construed to:

1. Interfere with any legally qualified practitioner of dentistry, or veterinary medicine or any physician acting on behalf of the Virginia Department of Health or local health departments, in the compounding of his prescriptions or the purchase and possession of drugs as he may require;

2. Prevent any legally qualified practitioner of dentistry, or veterinary medicine or any prescriber, as defined in § 54.1-3401, acting on behalf of the Virginia Department of Health or local health departments, from administering or supplying to his patients the medicines that he deems proper under the conditions of § 54.1-3303 or from causing drugs to

be administered or dispensed pursuant to §§ 32.1-42.1 and 54.1-3408, except that a veterinarian shall only be authorized to dispense a compounded drug, distributed from a pharmacy, when (i) the animal is his own patient, (ii) the animal is a companion animal as defined in regulations promulgated by the Board of Veterinary Medicine, (iii) the quantity dispensed is no more than a seven-day supply, (iv) the compounded drug is for the treatment of an emergency condition, and (v) timely access to a compounding pharmacy is not available, as determined by the prescribing veterinarian;

3. Prohibit the sale by merchants and retail dealers of proprietary medicines as defined in Chapter 34 (§ 54.1-3400 et seq.) of this title;

4. Prevent the operation of automated drug dispensing systems in hospitals pursuant to Chapter 34 (§ 54.1-3400 et seq.) of this title;

5. Prohibit the employment of ancillary personnel to assist a pharmacist as provided in the regulations of the Board;

6. Interfere with any legally qualified practitioner of medicine, osteopathy, or podiatry from purchasing, possessing or administering controlled substances to his own patients or providing controlled substances to his own patients in a bona fide medical emergency or providing manufacturers' professional samples to his own patients;

7. Interfere with any legally qualified practitioner of optometry, certified or licensed to use diagnostic pharmaceutical agents, from purchasing, possessing or administering those controlled substances as specified in § 54.1-3221 or interfere with any legally qualified practitioner of optometry certified to prescribe therapeutic pharmaceutical agents from purchasing, possessing, or administering to his own patients those controlled substances as specified in § 54.1-3222 ~~and the TPA formulary~~, providing manufacturers' samples of these drugs to his own patients, or dispensing, administering, or selling ophthalmic devices as authorized in § 54.1-3204;

8. Interfere with any physician assistant with prescriptive authority receiving and dispensing to his own patients manufacturers' professional samples of controlled substances and devices that he is authorized, in compliance with the provisions of § 54.1-2952.1, to prescribe according to his practice setting and a written agreement with a physician or podiatrist;

9. Interfere with any licensed advanced practice registered nurse with prescriptive authority receiving and dispensing to his own patients manufacturers' professional samples of controlled substances and devices that he is authorized, in compliance with the provisions of § 54.1-2957.01, to prescribe;

10. Interfere with any legally qualified practitioner of medicine or osteopathy participating in an indigent patient program offered by a pharmaceutical manufacturer in which the practitioner sends a prescription for one of his own patients to the manufacturer, and the manufacturer donates a stock bottle of the prescription drug ordered at no cost to the practitioner or patient. The practitioner may dispense such medication at no cost to the patient without holding a license to dispense from the Board of Pharmacy. However, the container in which the drug is dispensed shall be labeled in accordance with the requirements of § 54.1-3410, and, unless directed otherwise by the practitioner or the patient, shall meet standards for special packaging as set forth in § 54.1-3426 and Board of Pharmacy regulations. In lieu of dispensing directly to the patient, a practitioner may transfer the donated drug with a valid prescription to a pharmacy for dispensing to the patient. The practitioner or pharmacy participating in the program shall not use the donated drug for any purpose other than dispensing to the patient for whom it was originally donated, except as authorized by the donating manufacturer for another patient meeting that manufacturer's requirements for the indigent patient program. Neither the practitioner nor the pharmacy shall charge the patient for any medication provided through a manufacturer's indigent patient program pursuant to this subdivision. A participating pharmacy, including a pharmacy participating in bulk donation programs, may charge a reasonable dispensing or administrative fee to offset the cost of dispensing, not to exceed the actual costs of such dispensing. However, if the patient is unable to pay such fee, the dispensing or administrative fee shall be waived;

11. Interfere with any legally qualified practitioner of medicine or osteopathy from providing controlled substances to his own patients in a free clinic without charge when such controlled substances are donated by an entity other than a pharmaceutical manufacturer as authorized by subdivision 10. The practitioner shall first obtain a controlled substances registration from the Board and shall comply with the labeling and packaging requirements of this chapter and the Board's regulations; or

12. Prevent any pharmacist from providing free health care to an underserved population in Virginia who (i) does not regularly practice pharmacy in Virginia, (ii) holds a current valid license or certificate to practice pharmacy in another state, territory, district or possession of the United States, (iii) volunteers to provide free health care to an underserved area of this Commonwealth under the auspices of a publicly supported all volunteer, nonprofit organization that sponsors the provision of health care to populations of underserved people, (iv) files a copy of the license or certificate issued in such other jurisdiction with the Board, (v) notifies the Board at least five business days prior to the voluntary provision of services of the dates and location of such service, and (vi) acknowledges, in writing, that such licensure exemption shall only be valid, in compliance with the Board's regulations, during the limited period that such free health care is made available through the volunteer, nonprofit organization on the dates and at the location filed with the Board. The Board may deny the right to practice in Virginia to any pharmacist whose license has been previously suspended or revoked, who has been convicted of a felony or who is otherwise found to be in violation of applicable laws or regulations. However, the Board shall allow a pharmacist who meets the above criteria to provide volunteer services without prior notice for a period of up to three days, provided the nonprofit organization verifies that the practitioner has a valid, unrestricted license in another state.

This section shall not be construed as exempting any person from the licensure, registration, permitting and record keeping requirements of this chapter or Chapter 34 of this title.

§ 54.1-3303. Prescriptions to be issued and drugs to be dispensed for medical or therapeutic purposes only.

A. A prescription for a controlled substance may be issued only by a practitioner of medicine, osteopathy, podiatry, dentistry or veterinary medicine who is authorized to prescribe controlled substances, a licensed advanced practice registered nurse pursuant to § 54.1-2957.01, a licensed certified midwife pursuant to § 54.1-2957.04, a licensed physician assistant pursuant to § 54.1-2952.1, or a TPA-certified optometrist pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32.

B. A prescription shall be issued only to persons or animals with whom the practitioner has a bona fide practitioner-patient relationship or veterinarian-client-patient relationship. If a practitioner is providing expedited partner therapy consistent with the recommendations of the Centers for Disease Control and Prevention, then a bona fide practitioner-patient relationship shall not be required.

A bona fide practitioner-patient relationship shall exist if the practitioner has (i) obtained or caused to be obtained a medical or drug history of the patient; (ii) provided information to the patient about the benefits and risks of the drug being prescribed; (iii) performed or caused to be performed an appropriate examination of the patient, either physically or by the use of instrumentation and diagnostic equipment through which images and medical records may be transmitted electronically; and (iv) initiated additional interventions and follow-up care, if necessary, especially if a prescribed drug may have serious side effects. Except in cases involving a medical emergency, the examination required pursuant to clause (iii) shall be performed by the practitioner prescribing the controlled substance, a practitioner who practices in the same group as the practitioner prescribing the controlled substance, or a consulting practitioner.

A practitioner who has established a bona fide practitioner-patient relationship with a patient in accordance with the provisions of this subsection may prescribe Schedule II through VI controlled substances to that patient.

A practitioner who has established a bona fide practitioner-patient relationship with a patient in accordance with the provisions of this subsection may prescribe Schedule II through VI controlled substances to that patient via telemedicine if such prescribing is in compliance with federal requirements for the practice of telemedicine and, in the case of the prescribing of a Schedule II through V controlled substance, the prescriber maintains a practice at a physical location in the Commonwealth or is able to make appropriate referral of patients to a licensed practitioner located in the Commonwealth in order to ensure an in-person examination of the patient when required by the standard of care.

A prescriber may establish a bona fide practitioner-patient relationship for the purpose of prescribing Schedule II through VI controlled substances by an examination through face-to-face interactive, two-way, real-time communications services or store-and-forward technologies when all of the following conditions are met: (a) the patient has provided a medical history that is available for review by the prescriber; (b) the prescriber obtains an updated medical history at the time of prescribing; (c) the prescriber makes a diagnosis at the time of prescribing; (d) the prescriber conforms to the standard of care expected of in-person care as appropriate to the patient's age and presenting condition, including when the standard of care requires the use of diagnostic testing and performance of a physical examination, which may be carried out through the use of peripheral devices appropriate to the patient's condition; (e) the prescriber is actively licensed in the Commonwealth and authorized to prescribe; (f) if the patient is a member or enrollee of a health plan or carrier, the prescriber has been credentialed by the health plan or carrier as a participating provider and the diagnosing and prescribing meets the qualifications for reimbursement by the health plan or carrier pursuant to § 38.2-3418.16; (g) upon request, the prescriber provides patient records in a timely manner in accordance with the provisions of § 32.1-127.1:03 and all other state and federal laws and regulations; (h) the establishment of a bona fide practitioner-patient relationship via telemedicine is consistent with the standard of care, and the standard of care does not require an in-person examination for the purpose of diagnosis; and (i) the establishment of a bona fide practitioner patient relationship via telemedicine is consistent with federal law and regulations and any waiver thereof. Nothing in this paragraph shall apply to (1) a prescriber providing on-call coverage per an agreement with another prescriber or his prescriber's professional entity or employer; (2) a prescriber consulting with another prescriber regarding a patient's care; or (3) orders of prescribers for hospital out-patients or in-patients.

For purposes of this section, a bona fide veterinarian-client-patient relationship is one in which a veterinarian, another veterinarian within the group in which he practices, or a veterinarian with whom he is consulting has assumed the responsibility for making medical judgments regarding the health of and providing medical treatment to an animal as defined in § 3.2-6500, other than an equine as defined in § 3.2-6200, a group of agricultural animals as defined in § 3.2-6500, or bees as defined in § 3.2-4400, and a client who is the owner or other caretaker of the animal, group of agricultural animals, or bees has consented to such treatment and agreed to follow the instructions of the veterinarian. Evidence that a veterinarian has assumed responsibility for making medical judgments regarding the health of and providing medical treatment to an animal, group of agricultural animals, or bees shall include evidence that the veterinarian (A) has sufficient knowledge of the animal, group of agricultural animals, or bees to provide a general or preliminary diagnosis of the medical condition of the animal, group of agricultural animals, or bees; (B) has made an examination of the animal, group of agricultural animals, or bees, either physically or by the use of instrumentation and diagnostic equipment through which images and medical records may be transmitted electronically or has become familiar with the care and keeping of that species of animal or bee on the premises of the client, including other premises within the same operation or production system of the client, through medically appropriate and timely visits to the premises at which the animal, group of agricultural animals, or bees are kept; and (C) is available to provide follow-up care.

C. A prescription shall only be issued for a medicinal or therapeutic purpose in the usual course of treatment or for authorized research. A prescription not issued in the usual course of treatment or for authorized research is not a valid

prescription. A practitioner who prescribes any controlled substance with the knowledge that the controlled substance will be used otherwise than for medicinal or therapeutic purposes shall be subject to the criminal penalties provided in § 18.2-248 for violations of the provisions of law relating to the distribution or possession of controlled substances.

D. No prescription shall be filled unless a bona fide practitioner-patient-pharmacist relationship exists. A bona fide practitioner-patient-pharmacist relationship shall exist in cases in which a practitioner prescribes, and a pharmacist dispenses, controlled substances in good faith to a patient for a medicinal or therapeutic purpose within the course of his professional practice.

In cases in which it is not clear to a pharmacist that a bona fide practitioner-patient relationship exists between a prescriber and a patient, a pharmacist shall contact the prescribing practitioner or his agent and verify the identity of the patient and name and quantity of the drug prescribed.

Any person knowingly filling an invalid prescription shall be subject to the criminal penalties provided in § 18.2-248 for violations of the provisions of law relating to the sale, distribution or possession of controlled substances.

E. Notwithstanding any provision of law to the contrary and consistent with recommendations of the Centers for Disease Control and Prevention or the Department of Health, a practitioner may prescribe Schedule VI antibiotics and antiviral agents to other persons in close contact with a diagnosed patient when (i) the practitioner meets all requirements of a bona fide practitioner-patient relationship, as defined in subsection B, with the diagnosed patient and (ii) in the practitioner's professional judgment, the practitioner deems there is urgency to begin treatment to prevent the transmission of a communicable disease. In cases in which the practitioner is an employee of or contracted by the Department of Health or a local health department, the bona fide practitioner-patient relationship with the diagnosed patient, as required by clause (i), shall not be required.

F. A pharmacist may dispense a controlled substance pursuant to a prescription of an out-of-state practitioner of medicine, osteopathy, podiatry, dentistry, optometry, or veterinary medicine, an advanced practice registered nurse, or a physician assistant authorized to issue such prescription if the prescription complies with the requirements of this chapter and the Drug Control Act (§ 54.1-3400 et seq.).

G. A licensed advanced practice registered nurse who is authorized to prescribe controlled substances pursuant to § 54.1-2957.01 may issue prescriptions or provide manufacturers' professional samples for controlled substances and devices as set forth in the Drug Control Act (§ 54.1-3400 et seq.) in good faith to his patient for a medicinal or therapeutic purpose within the scope of his professional practice.

H. A licensed physician assistant who is authorized to prescribe controlled substances pursuant to § 54.1-2952.1 may issue prescriptions or provide manufacturers' professional samples for controlled substances and devices as set forth in the Drug Control Act (§ 54.1-3400 et seq.) in good faith to his patient for a medicinal or therapeutic purpose within the scope of his professional practice.

I. A TPA-certified optometrist who is authorized to prescribe controlled substances pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32 may issue prescriptions in good faith or provide manufacturers' professional samples to his patients for medicinal or therapeutic purposes within the scope of his professional practice ~~for the drugs specified on the TPA Formulary, established~~ pursuant to § 54.1-3223, which shall be limited to (i) analgesics included on Schedule II controlled substances as defined in § 54.1-3448 of the Drug Control Act (§ 54.1-3400 et seq.) consisting of hydrocodone in combination with acetaminophen; (ii) oral analgesics included in Schedules III through VI, as defined in §§ 54.1-3450 and 54.1-3455 of the Drug Control Act (§ 54.1-3400 et seq.), which are appropriate to relieve ocular pain; (iii) other oral Schedule VI controlled substances, as defined in § 54.1-3455 of the Drug Control Act, appropriate to treat diseases and abnormal conditions of the human eye and its adnexa; (iv) topically applied Schedule VI drugs, as defined in § 54.1-3455 of the Drug Control Act; and (v) intramuscular administration of epinephrine for treatment of emergency cases of anaphylactic shock.

J. The requirement for a bona fide practitioner-patient relationship shall be deemed to be satisfied by a member or committee of a hospital's medical staff when approving a standing order or protocol for the administration of influenza vaccinations and pneumococcal vaccinations in a hospital in compliance with § 32.1-126.4.

K. Notwithstanding any other provision of law, a prescriber may authorize a registered nurse or licensed practical nurse to approve additional refills of a prescribed drug for no more than 90 consecutive days, provided that (i) the drug is classified as a Schedule VI drug; (ii) there are no changes in the prescribed drug, strength, or dosage; (iii) the prescriber has a current written protocol, accessible by the nurse, that identifies the conditions under which the nurse may approve additional refills; and (iv) the nurse documents in the patient's chart any refills authorized for a specific patient pursuant to the protocol and the additional refills are transmitted to a pharmacist in accordance with the allowances for an authorized agent to transmit a prescription orally or by facsimile pursuant to subsection C of § 54.1-3408.01 and regulations of the Board.

CHAPTER 409

An Act to amend and reenact § 3.2-3810 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 3.2-3801.1, relating to invasive plant species; retail sales.

[S 1166]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 3.2-3810 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 3.2-3801.1 as follows:

§ 3.2-3801.1. Invasive plants sold by retail establishments; signage requirements.

A. No retail establishment shall sell or offer for retail sale for outdoor use a plant that is an invasive plant species unless such retail establishment posts in a conspicuous manner on the property located in proximity to each invasive plant display signage identifying such plant as invasive, educating consumers regarding invasive plant species, and encouraging consumers to ask about alternatives. For purposes of this subsection, "invasive plant species" means the following list of plants:

1. Acer platanoides;
2. Akebia quinata;
3. Albizia julibrissin;
4. Arum italicum;
5. Berberis thunbergii;
6. Buddleja davidii;
7. Cenchrus purpurascens;
8. Citrus trifoliata;
9. Clematis terniflora;
10. Egeria densa;
11. Elaeagnus pungens;
12. Euonymus alatus;
13. Euonymus fortunei;
14. Glechoma hederacea;
15. Hedera helix;
16. Iris pseudacorus;
17. Ligustrum sinense;
18. Lonicera fragrantissima;
19. Lysimachia nummularia;
20. Mahonia bealei;
21. Miscanthus sinensis;
22. Morus alba;
23. Murdannia keisak;
24. Myriophyllum aquaticum;
25. Nandina domestica;
26. Oshuna crassipes;
27. Paulownia tomentosa;
28. Perilla frutescens;
29. Phyllostachys aurea;
30. Pyrus calleryana;
31. Rubus phoenicolasius;
32. Securigera varia;
33. Spiraea japonica;
34. Triadica sebifera;
35. Tripidium ravennae;
36. Vinca major;
37. Vinca minor;
38. Wisteria floribunda; and
39. Wisteria sinensis.

B. If the Commissioner finds that a plant for sale for outdoor use that is on the list of invasive plant species in subsection A does not meet the signage requirements of subsection A, the Commissioner shall (i) issue a stop sale order for such plant and (ii) mark or tag such plant in a conspicuous manner. The Commissioner shall give written notice of a finding made under this subsection to the owner, tenant, or person in charge of the retail establishment. A stop sale order issued under this subsection shall remain in effect until the required signage is posted.

§ 3.2-3810. Penalty for violation.

A. The Commissioner may refuse, suspend, or cancel any license upon satisfactory evidence that the applicant or licensee has violated any of the provisions of this chapter or regulations adopted hereunder.

B. ~~Any~~ *Except as provided in § 3.2-3801.1, any* person violating any of the provisions of this chapter or regulations adopted hereunder or interfering in any way with the Commissioner in the discharge of his duties herein is guilty of a Class 1 misdemeanor.

2. That the Commissioner of Agriculture and Consumer Services shall designate, in conjunction with the Virginia Invasive Species Working Group, as designated by § 2.2-220.2 of the Code of Virginia, the format, size, and content

of the sign required by subsection A of § 3.2-3801.1 of the Code of Virginia, as created by this act, no later than October 1, 2025. The Commissioner shall take into consideration neighboring states' signage, including format, size, and content. The sign shall also include a QR code and a URL, as those terms are defined in § 23.1-802.1 of the Code of Virginia, that links to the Department of Conservation and Recreation's website showing information about the plants listed in subsection A of § 3.2-3801.1 of the Code of Virginia, as created by this act, that are on the invasive plant species list pursuant to § 10.1-104.6:2 of the Code of Virginia.

3. That the provisions of the first enactment of this act shall become effective on January 1, 2027.

CHAPTER 410

An Act to direct the State Health Services Plan Task Force to develop recommendations for establishing an expedited application and review process for certain projects for which a certificate of public need is required.

[S 1203]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the State Health Commissioner shall direct the State Health Services Plan Task Force (the Task Force) to develop recommendations, including project eligibility criteria, for establishing an expedited application and review process for projects for which a certificate of public need is required that are located in an area that meets at least two of the following criteria: (i) does not have a hospital or health care provider (a) within a 30-mile radius where the population density is estimated to be less than 1,500 residents per square mile or (b) within a 15-mile radius where the population density is estimated to be more than 1,500 residents per square mile; (ii) has less than one primary care physician per 3,500 residents; or (iii) has an annual poverty rate of at least 20 percent, according to the latest data provided by the U.S. Census Bureau.*

CHAPTER 411

An Act to amend the Code of Virginia by adding a section numbered 23.1-409.2, relating to institutions of higher education; Hunger-Free Campus Food Pantry Grant Program established; report.

[H 2240]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 23.1-409.2 as follows:

§ 23.1-409.2. Hunger-Free Campus Food Pantry Grant Program.

A. As used in this section, "eligible private institution of higher education" means a nonprofit private institution of higher education whose primary purpose is to provide collegiate, graduate, or professional education and not to provide religious training or theological education.

B. The Hunger-Free Campus Food Pantry Grant Program (the Program) is established for the purposes of (i) addressing student food insecurity at public institutions of higher education and eligible private institutions of higher education; (ii) leveraging more sustainable solutions to address basic food needs on campuses of public institutions of higher education and eligible private institutions of higher education; (iii) raising awareness of services offered on campuses at public institutions of higher education and eligible private institutions of higher education to address food insecurity; and (iv) building strategic partnerships at the federal, state, and local levels to address food insecurity among students at public institutions of higher education. The Program shall be managed by the Council and available for participation by public institutions of higher education; however, participation in the Program shall be optional for such institutions. The Council shall review applications from such institutions, and if an institution satisfies the criteria set out in subsection C, it shall receive a "Hunger-Free Campus Food Pantry" designation and the Council shall award a grant to such institution. The Council shall prioritize grants and grant amounts to institutions with the highest percentage of students eligible to receive a Federal Pell Grant enrolled in such institution. The Program shall be funded as grants are appropriated. An institution that receives a grant pursuant to this section shall utilize the funds to support on-campus efforts and initiatives to eliminate student food insecurity at such institution through the maintenance and operation of its food pantry established pursuant to subsection C.

C. To receive a "Hunger-Free Campus Food Pantry" designation and receive funding under the Program, a public institution of higher education or an eligible private institution of higher education shall establish an on-campus food pantry or partner with a local food bank to provide information to students about food services in the local area. All food provided from the on-campus food pantry shall be free of charge, and no student shall be required to demonstrate food insecurity to access such pantry. However, an institution may require that an individual show a valid student identification card to access food from the on-campus food pantry.

2. That the State Council of Higher Education for Virginia shall submit a public report to the Chairmen of the Senate Committee on Education and Health and the House Committee on Education no later than two years after

the establishment of the Hunger-Free Campus Food Pantry Grant Program (the Program) established under § 23.1-409.2 of the Code of Virginia, as created by this act. The report shall include (i) the total number and amounts of grant awards, (ii) information about the impact that the Program has had on reducing food insecurity in participating institutions of higher education, and (iii) recommendations regarding the potential establishment of an annual appropriation for the Program.

CHAPTER 412

An Act to amend and reenact § 53.1-149 of the Code of Virginia, relating to arrest of probationer without a warrant; timeframe for service of process.

[H 2242]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-149 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-149. Arrest of probationer without warrant; written statement; timeframe for service of process.

A. Any probation officer appointed pursuant to this chapter may arrest a probationer without a warrant, or may deputize any other officer with power to arrest to do so, by a written statement setting forth that the probationer has, in the judgment of the probation officer, violated one or more of the terms or conditions upon which the probationer was released on probation. Such a written statement by a probation officer delivered to the officer in charge of any local jail or lockup shall be sufficient warrant for the detention of the probationer. Any officer deputized upon receipt of the written statement shall, in accordance with § 19.2-390, enter, or cause to be entered, the person's name and other appropriate information required by the Department of State Police into the "information systems" known as the Virginia Criminal Information Network (VCIN), established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Such information shall be deemed a warrant authorizing the arrest of the person anywhere in the Commonwealth.

B. The probation officer of any probationer arrested pursuant to this section shall forthwith, but in all cases no later than three business days after the arrest of the probationer, (i) submit a copy of any written statement described in subsection A, including all relevant case numbers, to the local attorney for the Commonwealth and the clerk of the court for the circuit court responsible for supervision of the probationer and advise such persons of his arrest and (ii) request the circuit court of the sentencing jurisdiction to promptly issue a capias or bench warrant for the alleged violation contained in the written statement.

CHAPTER 413

An Act to amend and reenact § 38.2-3465 of the Code of Virginia, relating to health insurance; pharmacy benefits managers; definition of covered entity.

[H 2392]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-3465 of the Code of Virginia is amended and reenacted as follows:

§ 38.2-3465. Definitions.

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

"Aggregate retained rebate percentage" means the sum total dollar amount of a pharmacy benefits manager's retained rebates relating to all carrier clients of such pharmacy benefits manager divided by the sum total dollar amount of all rebates received by such pharmacy benefits manager relating to all such clients.

"Carrier" has the same meaning ascribed thereto in subsection A of § 38.2-3407.15. However, "carrier" does not include a nonprofit health maintenance organization that operates as a group model whose internal pharmacy operation exclusively serves the members or patients of the nonprofit health maintenance organization.

"Claim" means a request from a pharmacy or pharmacist to be reimbursed for the cost of administering, filling, or refilling a prescription for a drug or for providing a medical supply or device.

"Claims processing services" means the administrative services performed in connection with the processing and adjudicating of claims relating to pharmacist services that include (i) receiving payments for pharmacist services, (ii) making payments to pharmacists or pharmacies for pharmacist services, or (iii) both receiving and making payments.

"Contract pharmacy" means a pharmacy operating under contract with a 340B-covered entity to provide dispensing services to the 340B-covered entity, as described in 75 Fed. Reg. 10272 (March 5, 2010) or any superseding guidance published thereafter.

"Covered entity" means an entity described in § 340B(a)(4) of the federal Public Health Service Act, 42 U.S.C. § 256B(a)(4). ~~"Covered entity" does not include a hospital as defined in § 32.1-123 or 37.2-100.~~

"Covered individual" means an individual receiving prescription medication coverage or reimbursement provided by a pharmacy benefits manager or a carrier under a health benefit plan.

"Health benefit plan" has the same meaning ascribed thereto in § 38.2-3438.

"Mail order pharmacy" means a pharmacy whose primary business is to receive prescriptions by mail or through electronic submissions and to dispense medication to covered individuals through the use of the United States mail or other common or contract carrier services and that provides any consultation with covered individuals electronically rather than face-to-face.

"Pharmacy benefits management" means the administration or management of prescription drug benefits provided by a carrier for the benefit of covered individuals. "Pharmacy benefits management" does not include any service provided by a nonprofit health maintenance organization that operates as a group model provided that the service is furnished through the internal pharmacy operation exclusively serves the members or patients of the nonprofit health maintenance organization.

"Pharmacy benefits manager" or "PBM" means an entity that performs pharmacy benefits management. "Pharmacy benefits manager" includes an entity acting for a PBM in a contractual relationship in the performance of pharmacy benefits management for a carrier, nonprofit hospital, or third-party payor under a health program administered by the Commonwealth.

"Pharmacy benefits manager affiliate" means a business, pharmacy, or pharmacist that directly or indirectly, through one or more intermediaries, owns or controls, is owned or controlled by, or is under common ownership interest or control with a pharmacy benefits manager.

"Rebate" means a discount or other price concession, including without limitation incentives, disbursements, and reasonable estimates of a volume-based discount, or a payment that is (i) based on utilization of a prescription drug and (ii) paid by a manufacturer or third party, directly or indirectly, to a pharmacy benefits manager, pharmacy services administrative organization, or pharmacy after a claim has been processed and paid at a pharmacy.

"Retail community pharmacy" means a pharmacy that is open to the public, serves walk-in customers, and makes available face-to-face consultations between licensed pharmacists and persons to whom medications are dispensed.

"Retained rebate" means a rebate that is not passed on to a health benefit plan.

"Retained rebate percentage" means the sum total dollar amount of a pharmacy benefits manager's retained rebates relating to a health benefit plan divided by the sum total dollar amount of all rebates received by such pharmacy benefits manager relating to such health benefit plan.

"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a health benefit plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.

CHAPTER 414

An Act to amend and reenact § 46.2-1094 of the Code of Virginia, relating to use of safety belt systems.

[H 2475]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1094 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1094. Occupants of front seats of motor vehicles required to use safety lap belts and shoulder harnesses; penalty.

A. Any driver, and any other person at least 18 years of age and occupying ~~the front~~ *a* seat, of a motor vehicle equipped or required by the provisions of this title to be equipped with a safety belt system, consisting of lap belts, shoulder harnesses, combinations thereof or similar devices, shall wear the appropriate safety belt system at all times while the motor vehicle is in motion on any public highway. A passenger under the age of 18 years, however, shall be protected as required by the provisions of Article 13 (§ 46.2-1095 et seq.) of this chapter.

B. This section shall not apply to:

1. Any person for whom a licensed physician determines that the use of such safety belt system would be impractical by reason of such person's physical condition or other medical reason, provided the person so exempted carries on his person or in the vehicle a signed written statement of the physician identifying the exempted person and stating the grounds for the exemption; or

2. Any law-enforcement officer transporting persons in custody or traveling in circumstances which render the wearing of such safety belt system impractical; or

3. Any person while driving a motor vehicle and performing the duties of a rural mail carrier for the United States Postal Service; or

4. Any person driving a motor vehicle and performing the duties of a rural newspaper route carrier, newspaper bundle hauler or newspaper rack carrier; or

5. Drivers of and passengers in taxicabs; or

6. Personnel of commercial or municipal vehicles while actually engaged in the collection or delivery of goods or services, including but not limited to solid waste, where such collection or delivery requires the personnel to exit and enter the cab of the vehicle with such frequency and regularity so as to render the use of safety belt systems impractical and the safety benefits derived therefrom insignificant. Such personnel shall resume the use of safety belt systems when actual

collection or delivery has ceased or when the vehicle is in transit to or from a point of final disposition or disposal, including but not limited to solid waste facilities, terminals, or other location where the vehicle may be principally garaged; or

7. Any person driving a motor vehicle and performing the duties of a utility meter reader; or

8. Law-enforcement agency personnel driving motor vehicles to enforce laws governing motor vehicle parking.

C. Any person who violates this section shall be subject to a civil penalty of twenty-five dollars to be paid into the state treasury and credited to the Literary Fund. No assignment of demerit points shall be made under Article 19 of Chapter 3 (§ 46.2-489 et seq.) of this title and no court costs shall be assessed for violations of this section.

D. A violation of this section shall not constitute negligence, be considered in mitigation of damages of whatever nature, be admissible in evidence or be the subject of comment by counsel in any action for the recovery of damages arising out of the operation, ownership, or maintenance of a motor vehicle, nor shall anything in this section change any existing law, rule, or procedure pertaining to any such civil action.

E. A violation of this section may be charged on the uniform traffic summons form.

F. No law-enforcement officer shall stop a motor vehicle for a violation of this section. No evidence discovered or obtained as the result of a stop in violation of this subsection, including evidence discovered or obtained with the operator's consent, shall be admissible in any trial, hearing, or other proceeding.

G. The governing body of the City of Lynchburg may adopt an ordinance not inconsistent with the provisions of this section, requiring the use of safety belt systems. The penalty for violating any such ordinance shall not exceed a fine or civil penalty of twenty-five dollars.

CHAPTER 415

An Act to amend the Code of Virginia by adding in Chapter 5.3 of Title 32.1 a section numbered 32.1-162.31:1, relating to Florence Neal Cooper Smith Sickle Cell Research Endowment Fund established.

[H 2500]

Approved March 24, 2025

Whereas, the Florence Neal Cooper Smith Professorship was established at the Virginia Commonwealth University School of Medicine to foster aggressive, cutting-edge research that will lead to discovering a cure for sickle cell disease; and

Whereas, Florence Neal Cooper Smith is a pioneer of sickle cell disease awareness, both regionally and nationally; she is a graduate of Virginia Union University and completed graduate studies in pathology at the VCU School of Medicine, formerly known as the Medical College of Virginia; and

Whereas, in 1969, Florence Neal Cooper Smith organized Richmond's first city-wide survey with the help of local civic, social, and community organizations to determine the extent of sickle cell awareness in the surrounding localities; and

Whereas, in 1972, with the allotment of federal dollars for sickle cell programs, Florence Neal Cooper Smith and colleague Dr. Robert B. Scott Sr. founded the innovative Sickle Cell Awareness Program at the Medical College of Virginia/Virginia Commonwealth University to educate and inform the general public about sickle cell anemia; and

Whereas, the efforts of Florence Neal Cooper Smith supported the policy of screening all newborns in Virginia for sickle cell disease; and

Whereas, in May 2014, Dr. Wally R. Smith was appointed as the inaugural holder of the Florence Neal Cooper Smith Professorship in the Division of General Internal Medicine, earned from being a nationally recognized expert on sickle cell disease and leading the fight in Virginia to develop methods of treatment, assist in care management, and promote continuous research; and

Whereas, sickle cell disease causes red blood cells to function abnormally, becoming rigid and curving into a sickle-like shape that makes it difficult for the cells to pass through tiny blood vessels, resulting in painful blockages that prevent oxygen and vital nutrients in the blood from reaching organs and tissues resulting in tissue damage, severe recurring pain, strokes, organ damage, and other serious medical complications; and

Whereas, sickle cell disease primarily affects those of African descent, but also is found in people who trace their ancestry to South and Central America, the Middle East, India, Italy, Greece, and Turkey, and thus affects Virginians; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 5.3 of Title 32.1 a section numbered 32.1-162.31:1 as follows:

§ 32.1-162.31:1. Florence Neal Cooper Smith Sickle Cell Research Endowment Fund.

A. From such funds as may be appropriated by the General Assembly and any gifts, grants, or donations from public or private sources, there is created in the state treasury a special, nonreverting, revolving, and permanent fund to be known as the Florence Neal Cooper Smith Sickle Cell Research Endowment Fund. The Fund shall be established on the books of the Comptroller and shall be administered and implemented by the Board in accordance with the provisions of this section. All funds appropriated for the Fund and any grants, donations, or other assistance provided shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purpose of making grant payments pursuant to this

section. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the chairman or vice-chairman of the Board.

B. Moneys in the Fund shall be used solely to support medical and biomedical sickle cell disease research conducted in institutions of higher education in the Commonwealth that relates to the causes and cures of sickle cell disease.

C. Any appropriations, grants, donations, or other assistance provided pursuant to this section shall be awarded in accordance with the Board's specific criteria and procedures, requirements for submission of research proposals, and evaluation mechanisms established pursuant to this chapter. However, no requirement for matching funds shall apply to the appropriations, grants, donations, or other assistance awarded to the Fund, and the leveraging of funds is incidental to the support provided under this section. The appropriations, grants, donations, or other assistance provided pursuant to this section may, upon demonstrating a reasonable justification to the Board's satisfaction, be awarded to support sickle cell disease research that is not eligible for federal research funds through the National Institutes of Health. No moneys from the Fund may be provided to any entity that conducts human sickle cell disease research from stem cells obtained from human embryos or for conducting such research; however, research conducted using stem cells other than embryonic stem cells may be funded.

CHAPTER 416

An Act to amend and reenact § 15.2-1522 of the Code of Virginia, relating to local officers; oath of office.

[H 2628]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-1522 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-1522. When and how officers qualify.

~~Every~~ *Notwithstanding the provisions of any local government charter, or any other provision of law, every* elected county, city, town and district officer, ~~unless otherwise provided by law,~~ on or before the day on which his term of office begins, shall qualify by taking the oath prescribed by § 49-1 and give the bond, if any, required by law, before the circuit court for the county or city, having jurisdiction in the county, city, town or district for which he is elected or appointed, or before the clerk of the circuit court for such county, city, town or district. However, members of governing bodies and elected school boards may qualify up to and including the day of the initial meeting of the new governing body or elected school board.

Any such oath of town council members, town mayors or members of Boards of Supervisors may be taken before any officer authorized by law to administer oaths. Such oath shall be returned to the clerk of the council of the town, who shall enter the same record on the minute book of the council, or, for members of the Board of Supervisors, returned to the clerk of the circuit court having jurisdiction in the county for which he is elected or appointed, who shall record the same in the order book, on the law side thereof.

Whenever an officer required to give bond is included in a blanket surety bond authorized by § 2.2-1840, such officer shall furnish confirmation by the Division of Risk Management of the inclusion of the officer on such blanket surety bond and the amount of the coverage, which shall be the equivalent of giving the bond for purposes of qualification.

An appointed officer as used in this article means a person appointed to temporarily fill an elected position. District officer as used in this article means a person elected by the people other than national and statewide officers and members of the General Assembly.

CHAPTER 417

An Act to amend and reenact § 15.2-961.3 of the Code of Virginia, relating to replacement of trees during development process in localities; tree canopy fund.

[H 2630]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-961.3 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-961.3. Replacement of trees during development process in localities.

A. Any locality may adopt an ordinance providing for the planting and replacement of trees during the development process pursuant to the provisions of this section.

B. The ordinance shall require that the site plan for any subdivision or development include the planting or replacement of trees on the site to the extent that, at 20 years, minimum tree canopies or covers will be provided in areas to be designated in the ordinance, as follows:

1. Ten percent tree canopy for a site zoned business, commercial, or industrial;

2. Ten percent tree canopy for a residential site zoned 20 or more units per acre;

3. Fifteen percent tree canopy for a residential site zoned more than 10 but less than 20 units per acre;

4. Twenty percent tree canopy for a residential site zoned 10 units or less per acre; and

5. The tree canopy percentage for a mixed-use development shall be the percentage applicable to the predominant use of the development. For purposes of this subdivision, "predominant use" means the use within the development that constitutes the largest percentage of gross land area or, in the case of a building or buildings, the largest percentage of the total floor area.

However, the City of Williamsburg may require at 10 years the minimum tree canopies or covers set out in this subsection.

C. The ordinance shall require that the site plan for any subdivision or development include, at 20 years, that a minimum 10 percent tree canopy will be provided on the site of any cemetery as defined in § 54.1-2310, notwithstanding any other provision of this section. In no event shall any local tree replacement or planting ordinance adopted pursuant to this section exceed the requirements of this subsection.

D. The ordinance shall provide for reasonable provisions for reducing the tree canopy requirements of subsection B or granting tree cover credit in consideration of the preservation of existing tree cover or for preservation of trees of outstanding age, size, or physical characteristics.

E. The ordinance shall provide for reasonable exceptions to or deviations from these requirements to allow for the reasonable development of farm land or other areas devoid of healthy or suitable woody materials, for the preservation of wetlands, or otherwise when the strict application of the requirements would result in unnecessary or unreasonable hardship to the developer. In such instances, the ordinance may provide for a tree canopy bank *or fund* whereby a portion of a development's tree canopy requirement may be met from off-site planting or replacement of trees at the direction of the locality.

F. Any ~~such~~ *tree canopy* bank shall be within the locality and located as closely as feasible to where the development project is situated. If there is no bank within the locality of the development project with sufficient credits to meet the project's off-site needs, and with the approval of the locality where the development project is located, the unmet portion of a development's tree canopy requirement may be met by payment of an amount equal to no less than the development project's avoided costs for the unmet portion to the *locality's tree canopy fund established pursuant to subsection G or the* state treasury ~~and~~ *to be* credited to the Natural Resources Commitment Fund, pursuant to subsection A of § 10.1-2128.1. Amounts credited to the Natural Resources Commitment Fund pursuant to this subsection shall be distributed to the Virginia Agricultural Best Management Practices Cost-Share Program and applied to the implementation of riparian forested buffer best management practices. The following shall be exempt from the requirements of any tree replacement or planting ordinance promulgated under this section: dedicated school sites, playing fields and other nonwooded recreation areas, and other facilities and uses of a similar nature.

~~F.~~ *G. A locality may, by ordinance, establish a tree canopy fund to collect, maintain, and distribute fees collected from developers that cannot provide full tree canopy requirements on-site where permitted pursuant to subsection E. For purposes of establishing consistent and predictable fees, such ordinance shall establish cost units that are based on average costs of two-inch caliper nursery stock trees. The locality may use moneys from the tree canopy fund to (i) plant and maintain trees on public or private property or (ii) make a disbursement to a community-based organization that is exempt from income tax pursuant to § 501(c)(3) of the Internal Revenue Code and is operated for tree planting, stewardship, or community-beautification missions that benefit the community at large. Any funds collected by localities in accordance with this subsection shall be spent within five years of the collection date.*

H. The ordinance may designate tree species that cannot be planted to meet minimum tree canopy requirements due to tendencies of such species to (i) negatively impact native plant communities, (ii) cause damage to nearby structures and infrastructure, or (iii) possess inherent physiological traits that cause such trees to structurally fail. All trees to be planted shall meet the specifications of the AmericanHort. The planting of trees shall be done in accordance with either the standardized landscape specifications adopted by the Virginia Nursery and Landscape Association, the Virginia Society of Landscape Designers, or the Virginia Chapter of the American Society of Landscape Architects or, if applicable, the road and bridge specifications of the Virginia Department of Transportation.

~~G.~~ *I.* Existing trees that are to be preserved may be included to meet all or part of the canopy requirements, and may include wooded preserves, if the site plan identifies such trees and the trees meet standards of desirability and life-year expectancy that the locality may establish.

~~H.~~ *J.* For purposes of this section, "tree canopy" or "tree cover" includes all areas of coverage by plant material exceeding five feet in height, and the extent of planted tree canopy at 10 or 20 years' maturity. Planted canopy at 10 or 20 years' maturity shall be based on published reference texts generally accepted by landscape architects, nurserymen, and arborists in the community or standards adopted by the Virginia State Forester, and the texts shall be specified in the ordinance.

~~I.~~ *K.* Penalties for violations of ordinances adopted pursuant to this section shall be the same as those applicable to violations of zoning ordinances of the locality.

~~J.~~ *L.* In no event shall any local tree replacement or planting ordinance adopted pursuant to this section exceed the requirements set forth herein. Nothing in this section shall prohibit or unreasonably limit silvicultural practices in accordance with § 10.1-1126.1.

~~K.~~ *M.* Nothing in this section shall invalidate any local ordinance adopted by the City of Williamsburg that imposes standards for 10-year-minimum tree cover replacement or planting during the development process.

~~L.~~ *N.* Nothing in this section shall invalidate any local ordinance adopted pursuant to the provisions of § 15.2-961 or 15.2-961.1.

CHAPTER 418

An Act to amend and reenact § 18.2-248.05 of the Code of Virginia, relating to prohibited equipment related to manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give, or distribute a controlled substance; penalties.

[H 2708]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-248.05 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-248.05. Prohibited equipment related to manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give, or distribute a controlled substance; penalties.

A. For the purposes of this section:

"Encapsulating machine" means manual, semiautomatic, or fully automatic equipment that can be used to fill shells or capsules with powdered or granular solids or semisolid material to produce coherent solid contents.

"Tableting machine" means manual, semiautomatic, or fully automatic equipment that can be used to compact, compress, or mold powdered or granular solids or semisolid material to produce fused coherent solid tablets.

B. Except for manufacturers*, outsourcing facilities, and pharmacies* permitted pursuant to the Drug Control Act (§ 54.1-3400 et seq.), it is unlawful for any person to possess, purchase, sell, give, distribute, or possess with intent to sell, give, or distribute an encapsulating machine or a tableting machine that manufactures, compounds, converts, produces, processes, prepares, or otherwise introduces into the human body a controlled substance. Any person who violates this section is guilty of a Class 6 felony. However, any person who violates this section knowing, intending, or having reasonable cause to believe that such action will result in the unlawful manufacture of a controlled substance or counterfeit controlled substance that contains (i) a controlled substance classified in Schedule I or Schedule II of the Drug Control Act or (ii) a controlled substance analog as defined in § 54.1-3456 is guilty of a Class 5 felony.

CHAPTER 419

An Act to amend and reenact § 46.2-749.73 of the Code of Virginia, relating to special license plates; Washington Commanders.

[H 2721]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-749.73 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-749.73. Special license plates; supporters of the Washington Commanders football team; fees.

A. On receipt of an application and payment of the fee prescribed by this section, the Commissioner shall issue special license plates to supporters of the Washington ~~Redskins~~ *Commanders* football team.

B. The annual fee for plates issued pursuant to this section shall be ~~twenty-five dollars~~ *$25* in addition to the prescribed fee for state license plates. For each such ~~twenty-five-dollar~~ *$25* fee collected in excess of 1,000 registrations pursuant to this section, ~~fifteen dollars~~ *$15* shall be paid into the state treasury and credited to a special nonreverting fund known as the ~~Washington Redskins Leadership Council~~ *Washington Commanders Foundation* Fund established within the Department of Accounts. These funds shall be paid annually to the ~~Washington Redskins Leadership Council~~ *Washington Commanders Foundation* for its use in community programs in Virginia.

2. That all license plates issued pursuant to § 46.2-749.73 of the Code of Virginia, as it was in effect prior to the effective date of this act, shall remain valid until their expiration and shall be renewed if the proper fee is paid as required in § 46.2-749.73 of the Code of Virginia, as amended by this act, except that $15 from the annual fee shall be paid into the state treasury and credited to the Washington Commanders Foundation Fund pursuant to § 46.2-749.73 of the Code of Virginia, as amended by this act.

CHAPTER 420

An Act to amend and reenact § 9.1-116.10 of the Code of Virginia, relating to surveillance technology reporting by state and local law-enforcement agencies and sheriff's departments.

[H 2725]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 9.1-116.10 of the Code of Virginia is amended and reenacted as follows:

§ 9.1-116.10. Surveillance technology reporting by state and local law-enforcement agencies and sheriff's departments.

A. For purposes of this section, "surveillance technology" means any electronic surveillance device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal, biometric, behavioral, or similar information or communications specifically associated with, or capable of being associated with, any specific individual, group, or place or any system, device, or vehicle that is equipped with an electronic surveillance device, hardware, or software.

"Surveillance technology" includes (i) international mobile subscriber identity (IMSI) catchers and other cell site simulators; (ii) automatic license plate readers; (iii) electronic toll readers; (iv) closed-circuit television cameras; (v) biometric surveillance technology, including facial, voice, iris, and gait-recognition software and databases; (vi) mobile DNA capture technology; (vii) gunshot detection and location hardware and services; (viii) x-ray vans; (ix) video and audio monitoring or recording technology, such as surveillance cameras, wide-angle cameras, and wearable body cameras; (x) surveillance enabled or capable lightbulbs or light fixtures; (xi) tools, including software and hardware, used to gain ~~unauthorized~~ access to a computer, computer service, or computer network; (xii) social media monitoring software; (xiii) through-the-wall radar or similar imaging technology; (xiv) passive scanners of radio networks; (xv) long-range Bluetooth and other wireless-scanning devices; (xvi) radio-frequency I.D. (RFID) scanners; ~~and~~ (xvii) software designed to integrate or analyze data from surveillance technology, including surveillance target tracking and predictive policing software*; and (xviii) any third-party service or third-party subscription that allows access to any form of surveillance technology or the data therefrom*. The enumeration of surveillance technology examples in this subsection shall not be interpreted as an endorsement or approval of their use by any law-enforcement entity.

"Surveillance technology" does not include the following devices ~~or~~, hardware*, software, service, or subscription*, unless they have been equipped with, or are modified to become or include, surveillance technology as defined above: (a) routine office hardware, such as televisions, computers, and printers, that is in widespread use and will not be used for any surveillance-related functions; (b) parking ticket devices; (c) manually operated, non-wearable, handheld digital cameras, audio recorders, and video recorders that are not designed to be used surreptitiously and whose functionality is limited to manually capturing and manually downloading video and/or audio recordings; (d) surveillance devices that cannot record or transmit audio or video or be remotely accessed, such as image stabilizing binoculars or night vision goggles; (e) databases not intended to store or compile surveillance data; and (f) manually operated technological devices used primarily for internal communications and not designed to surreptitiously collect surveillance data, such as radios and email systems.

B. All state and local law-enforcement agencies and sheriff's departments shall provide to the Department a list of all surveillance technologies *used, accessed, or* procured by such agencies and departments *during the previous fiscal year* on an annual basis by November 1 of each year. *The list shall include (i) all surveillance technologies used, accessed, or procured where the agency or department is the owner, user, or licensee and (ii) all surveillance technologies used or accessed where the owner or licensee is a separate law-enforcement agency, sheriff's department, government agency or department, or private business, entity, or individual.* The Department shall also provide such information to the Virginia State Crime Commission and the Joint Commission on Technology and Science *by December 1 of each year*.

CHAPTER 421

An Act to direct the Virginia State Crime Commission to designate a panel to review certain cases at the Virginia Department of Forensic Science involving Mary Jane Burton; report.

[H 2730]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Virginia State Crime Commission (Crime Commission) shall designate a panel to review the following types of cases at the Virginia Department of Forensic Science where testing or analysis was performed by Mary Jane Burton (Burton): (i) cases resulting in convictions of persons who are currently incarcerated, or who were executed or exonerated, and (ii) cases where Burton testified, regardless of the final disposition of the case. However, the panel shall prioritize the review of such cases resulting in convictions of persons who are currently incarcerated. The panel shall consist of a Commonwealth's attorney, a public defender, a practicing attorney who is qualified to serve as court-appointed counsel in felony cases pursuant to § 19.2-163.03 of the Code of Virginia, a judge of a circuit court who is retired under the Judicial Retirement System (§ 51.1-300 et seq. of the Code of Virginia), a representative from the Office of the Attorney General, the Executive Director of the Mid-Atlantic Innocence Project, and an independent serologist. The panel shall make all reasonable efforts to (a) determine, if possible, whether Burton engaged in a pattern of misconduct in relation to her testing, analysis, or testimony in such cases and (b) evaluate the accuracy of the testing, analysis, and testimony of Burton. The findings of the panel shall be admissible, but not binding, on a court's determination in any post-conviction proceeding.*

The Crime Commission shall provide staff support to the panel, and may request and shall receive upon such request support from other state or local government agencies. The Crime Commission may also receive assistance from private organizations and other subject matter experts. Information provided to the Crime Commission for purposes of this review shall not be redacted in any manner.

Notwithstanding any other provision of law, the Crime Commission and other state and local agencies may receive and disseminate to individuals, state and local agencies, private organizations, and other entities involved in the completion of this review (1) personal or case identifying information, (2) Virginia criminal history record information, (3) expunged or sealed police and court records, and (4) any other information that may be necessary to the successful and timely completion of the review. Such information shall not be otherwise disseminated. However, the Crime Commission may provide information that it receives to an attorney representing or considering representing an individual in a petition for a writ of habeas corpus or writ of actual innocence pursuant to Chapter 19.2 (§ 19.2-327.2 et seq.) of Title 19.2 of the Code of Virginia or any other federal or state post-conviction proceeding or pardon, but such information shall not be otherwise disseminated by such attorney, except as necessary to provide legal advice or representation related to such proceedings.

The provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq. of the Code of Virginia) shall not apply to this panel or its review, or to any information received by or disseminated to any state or local government agency, private organization, or other entity for purposes of this review.

The panel shall report to the Crime Commission on its work by the first day of each regular session of the General Assembly until completion of this review.

CHAPTER 422

An Act to amend and reenact § 2.2-4310 of the Code of Virginia, relating to Virginia Public Procurement Act; discrimination prohibited; military family-owned businesses.

[H 2751]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-4310 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-4310. Discrimination prohibited; participation of small, women-owned, minority-owned, military family-owned, and service disabled veteran-owned businesses and employment services organizations.

A. In the solicitation or awarding of contracts, no public body shall discriminate against a bidder or offeror because of race, religion, color, sex, sexual orientation, gender identity, national origin, age, disability, status as a service disabled veteran, *status as a military family,* or any other basis prohibited by state law relating to discrimination in employment. Whenever solicitations are made, each public body shall include businesses selected from a list made available by the Department of Small Business and Supplier Diversity, which list shall include all companies and organizations certified by the Department.

B. All public bodies shall establish programs consistent with this chapter to facilitate the participation of small businesses, businesses owned by women, minorities, and service disabled veterans, *military family-owned businesses,* and employment services organizations in procurement transactions. The programs established shall be in writing and shall comply with the provisions of any enhancement or remedial measures authorized by the Governor pursuant to subsection C or, where applicable, by the chief executive of a local governing body pursuant to § 15.2-965.1, and shall include specific plans to achieve any goals established therein. State agencies shall submit annual progress reports on (i) small, women-owned, and minority-owned business procurement~~,~~*;* (ii) service disabled veteran-owned business procurement~~,~~*; (iii) military family-owned business procurement;* and ~~(iii)~~ *(iv)* employment services organization procurement to the Department of Small Business and Supplier Diversity in a form specified by the Department of Small Business and Supplier Diversity. All state agencies shall cooperate with the Department of Small Business and Supplier Diversity's annual review of their programs pursuant to § 2.2-1605 and shall update such programs to incorporate any feedback and suggestions for improvement. Contracts and subcontracts awarded to employment services organizations and service disabled veteran-owned *or military family-owned* businesses shall be credited toward the small business, women-owned business, and minority-owned business contracting and subcontracting goals of state agencies and contractors. The Department of Small Business and Supplier Diversity shall make information on service disabled veteran-owned *or military family-owned* procurement available to the Department of Veterans Services upon request.

C. Whenever there exists (i) a rational basis for small business or employment services organization enhancement or (ii) a persuasive analysis that documents a statistically significant disparity between the availability and utilization of women-owned and minority-owned businesses, the Governor is authorized and encouraged to require state agencies to implement appropriate enhancement or remedial measures consistent with prevailing law. Any enhancement or remedial measure authorized by the Governor pursuant to this subsection for state public bodies may allow for small businesses certified by the Department of Small Business and Supplier Diversity or a subcategory of small businesses established as a part of the enhancement program to have a price preference over noncertified businesses competing for the same contract award on designated procurements, provided that the bid of the certified small business or the business in such subcategory of small businesses established as a part of an enhancement program does not exceed the low bid by more than five percent.

D. In awarding a contract for services to a small, women-owned, or minority-owned business that is certified in accordance with § 2.2-1606, or to a business identified by a public body as a service disabled veteran-owned *or military family-owned* business where the award is being made pursuant to an enhancement or remedial program as provided in subsection C, the public body shall include in every such contract of more than $10,000 the following:

"If the contractor intends to subcontract work as part of its performance under this contract, the contractor shall include in the proposal a plan to subcontract to small, women-owned, minority-owned, and service disabled veteran-owned *and military family-owned* businesses."

E. In the solicitation or awarding of contracts, no state agency, department, or institution shall discriminate against a bidder or offeror because the bidder or offeror employs ex-offenders unless the state agency, department, or institution has made a written determination that employing ex-offenders on the specific contract is not in its best interest.

F. As used in this section:

"Employment services organization" means an organization that provides community-based employment services to individuals with disabilities that is an approved Commission on Accreditation of Rehabilitation Facilities (CARF) accredited vendor of the Department for Aging and Rehabilitative Services.

"Military family" means (i) a member of the uniformed forces, as defined in 10 U.S.C. § 101(a)(5), of the United States or a reserve component thereof named under 10 U.S.C. § 10101, (ii) a veteran as defined in 38 U.S.C. § 101(2), or (iii) a dependent as defined in 50 U.S.C. § 3911(4) except that the support provided by the service member to the individual shall have been provided 180 days immediately preceding an alleged action that if proven true would constitute unlawful discrimination under this section instead of 180 days immediately preceding an application for relief under 50 U.S.C. Chapter 50.

"Military family-owned business" means a business that is at least 51 percent owned by one or more persons within the definition of "military family" or, in the case of a corporation, partnership, or limited liability company or other entity, in which at least 51 percent of the equity ownership interest in the corporation, partnership, or limited liability company or other entity is owned by one or more individuals who are persons within the definition of "military family" and both the management and daily business operations are controlled by one or more individuals who are persons within the definition of "military family".

"Minority individual" means an individual who is a citizen of the United States or a legal resident alien and who satisfies one or more of the following definitions:

1. "African American" means a person having origins in any of the original peoples of Africa and who is regarded as such by the community of which this person claims to be a part.

2. "Asian American" means a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands, including but not limited to Japan, China, Vietnam, Samoa, Laos, Cambodia, Taiwan, Northern Mariana Islands, the Philippines, a U.S. territory of the Pacific, India, Pakistan, Bangladesh, or Sri Lanka and who is regarded as such by the community of which this person claims to be a part.

3. "Hispanic American" means a person having origins in any of the Spanish-speaking peoples of Mexico, South or Central America, or the Caribbean Islands or other Spanish or Portuguese cultures and who is regarded as such by the community of which this person claims to be a part.

4. "Native American" means a person having origins in any of the original peoples of North America and who is regarded as such by the community of which this person claims to be a part or who is recognized by a tribal organization.

"Minority-owned business" means a business that is at least 51 percent owned by one or more minority individuals who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership, or limited liability company or other entity, at least 51 percent of the equity ownership interest in the corporation, partnership, or limited liability company or other entity is owned by one or more minority individuals who are U.S. citizens or legal resident aliens, and both the management and daily business operations are controlled by one or more minority individuals, or any historically black college or university as defined in § 2.2-1604, regardless of the percentage ownership by minority individuals or, in the case of a corporation, partnership, or limited liability company or other entity, the equity ownership interest in the corporation, partnership, or limited liability company or other entity.

"Service disabled veteran" means a veteran who (i) served on active duty in the United States military ground, naval, or air service, (ii) was discharged or released under conditions other than dishonorable, and (iii) has a service-connected disability rating fixed by the United States Department of Veterans Affairs.

"Service disabled veteran business" means a business that is at least 51 percent owned by one or more service disabled veterans or, in the case of a corporation, partnership, or limited liability company or other entity, at least 51 percent of the equity ownership interest in the corporation, partnership, or limited liability company or other entity is owned by one or more individuals who are service disabled veterans and both the management and daily business operations are controlled by one or more individuals who are service disabled veterans.

"Small business" means a business, independently owned and controlled by one or more individuals, or in the case of a cooperative association organized pursuant to Chapter 3 (§ 13.1-301 et seq.) of Title 13.1 as a nonstock corporation, controlled by one or more members, who are U.S. citizens or legal resident aliens, and together with affiliates, has 250 or fewer employees, or annual gross receipts of $10 million or less averaged over the previous three years. One or more of the individual owners or members shall control both the management and daily business operations of the small business.

"State agency" means any authority, board, department, instrumentality, institution, agency, or other unit of state government. "State agency" shall not include any county, city, or town.

"Women-owned business" means a business that is at least 51 percent owned by one or more women who are U.S. citizens or legal resident aliens, or in the case of a corporation, partnership, or limited liability company or other entity, at least 51 percent of the equity ownership interest is owned by one or more women who are U.S. citizens or legal resident aliens, and both the management and daily business operations are controlled by one or more women.

CHAPTER 423

An Act to amend the Code of Virginia by adding a section numbered 32.1-134.03, relating to maternal health; protocols and resources for hospitals and outpatient providers; report.

[H 2753]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 32.1-134.03 as follows:

§ 32.1-134.03. Maternal health; protocols and resources for hospitals and outpatient providers; report.

A. In order to improve maternal health outcomes and address the most common causes of maternal mortality in the Commonwealth, the Virginia Neonatal Perinatal Collaborative (VNPC) shall:

1. Develop training materials and standardized management protocols for inpatient providers regarding the treatment of obstetric emergencies, the recognition of urgent maternal warning signs, and the transfer of pregnant and postpartum patients, based on clinical safety bundles established by the Alliance for Innovation on Maternal Health; and

2. Develop training materials and provider-specific checklists for outpatient providers regarding the treatment of obstetric emergencies, the recognition of urgent maternal warning signs, and the transfer of pregnant and postpartum patients, based on clinical safety bundles established by the Alliance for Innovation on Maternal Health.

B. When developing such standardized protocols pursuant to subdivision A 1, VNPC shall collaborate with facilities and account for their specific resources, patient populations, and care models.

C. All hospitals with an emergency department or labor and delivery, freestanding emergency departments, and birthing centers as defined in § 63.2-1914 shall implement standardized protocols for identifying and responding to obstetric emergencies, including obstetric hemorrhage, preeclampsia, eclampsia, and other life-threatening conditions based on the protocols developed by the VNPC.

D. The VNPC shall collect data relating to the implementation of the standardized protocols pursuant to subsection C and maternal health outcomes and submit a report on such data by October 1 of each year to the Secretary of Health and Human Resources and the Chairmen of the Senate Committee on Education and Health, the Senate Committee on Finance and Appropriations, the House Committee on Health and Human Services, and the House Committee on Appropriations.

CHAPTER 424

An Act to amend and reenact § 15.2-1522 of the Code of Virginia, relating to local officers; oath of office.

[S 997]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-1522 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-1522. When and how officers qualify.

~~Every~~ *Notwithstanding the provisions of any local government charter, or any other provision of law, every* elected county, city, town and district officer, ~~unless otherwise provided by law,~~ on or before the day on which his term of office begins, shall qualify by taking the oath prescribed by § 49-1 and give the bond, if any, required by law, before the circuit court for the county or city, having jurisdiction in the county, city, town or district for which he is elected or appointed, or before the clerk of the circuit court for such county, city, town or district. However, members of governing bodies and elected school boards may qualify up to and including the day of the initial meeting of the new governing body or elected school board.

Any such oath of town council members, town mayors or members of Boards of Supervisors may be taken before any officer authorized by law to administer oaths. Such oath shall be returned to the clerk of the council of the town, who shall enter the same record on the minute book of the council, or, for members of the Board of Supervisors, returned to the clerk of the circuit court having jurisdiction in the county for which he is elected or appointed, who shall record the same in the order book, on the law side thereof.

Whenever an officer required to give bond is included in a blanket surety bond authorized by § 2.2-1840, such officer shall furnish confirmation by the Division of Risk Management of the inclusion of the officer on such blanket surety bond and the amount of the coverage, which shall be the equivalent of giving the bond for purposes of qualification.

An appointed officer as used in this article means a person appointed to temporarily fill an elected position. District officer as used in this article means a person elected by the people other than national and statewide officers and members of the General Assembly.

CHAPTER 425

An Act to amend the Code of Virginia by adding a section numbered 23.1-409.2, relating to institutions of higher education; Hunger-Free Campus Food Pantry Grant Program established; report.

[S 1016]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 23.1-409.2 as follows:

§ 23.1-409.2. Hunger-Free Campus Food Pantry Grant Program.

A. As used in this section, "eligible private institution of higher education" means a nonprofit private institution of higher education whose primary purpose is to provide collegiate, graduate, or professional education and not to provide religious training or theological education.

B. The Hunger-Free Campus Food Pantry Grant Program (the Program) is established for the purposes of (i) addressing student food insecurity at public institutions of higher education and eligible private institutions of higher education; (ii) leveraging more sustainable solutions to address basic food needs on campuses of public institutions of higher education and eligible private institutions of higher education; (iii) raising awareness of services offered on campuses at public institutions of higher education and eligible private institutions of higher education to address food insecurity; and (iv) building strategic partnerships at the federal, state, and local levels to address food insecurity among students at public institutions of higher education. The Program shall be managed by the Council and available for participation by public institutions of higher education; however, participation in the Program shall be optional for such institutions. The Council shall review applications from such institutions, and if an institution satisfies the criteria set out in subsection C, it shall receive a "Hunger-Free Campus Food Pantry" designation and the Council shall award a grant to such institution. The Council shall prioritize grants and grant amounts to institutions with the highest percentage of students eligible to receive a Federal Pell Grant enrolled in such institution. The Program shall be funded as grants are appropriated. An institution that receives a grant pursuant to this section shall utilize the funds to support on-campus efforts and initiatives to eliminate student food insecurity at such institution through the maintenance and operation of its food pantry established pursuant to subsection C.

C. To receive a "Hunger-Free Campus Food Pantry" designation and receive funding under the Program, a public institution of higher education or an eligible private institution of higher education shall establish an on-campus food pantry or partner with a local food bank to provide information to students about food services in the local area. All food provided from the on-campus food pantry shall be free of charge, and no student shall be required to demonstrate food insecurity to access such pantry. However, an institution may require that an individual show a valid student identification card to access food from the on-campus food pantry.

2. That the State Council of Higher Education for Virginia shall submit a public report to the Chairmen of the Senate Committee on Education and Health and the House Committee on Education no later than two years after the establishment of the Hunger-Free Campus Food Pantry Grant Program (the Program) established under § 23.1-409.2 of the Code of Virginia, as created by this act. The report shall include (i) the total number and amounts of grant awards, (ii) information about the impact that the Program has had on reducing food insecurity in participating institutions of higher education, and (iii) recommendations regarding the potential establishment of an annual appropriation for the Program.

CHAPTER 426

An Act to amend and reenact §§ 23.1-409.1 and 63.2-801 of the Code of Virginia, relating to public institutions of higher education; Department of Social Services; SNAP eligibility, applications, and participation; guidance, resources, and education.

[S 1018]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 23.1-409.1 and 63.2-801 of the Code of Virginia are amended and reenacted as follows:

§ 23.1-409.1. Supplemental Nutrition Assistance Program; notice to students.

Each public institution of higher education shall ensure that ~~all students have access to accurate information about~~ *the information sheet on* the Supplemental Nutrition Assistance Program (SNAP) *developed and provided by the Department of Social Services pursuant to subsection F of § 63.2-801 is provided to each student enrolled in such institution at the beginning of the fall semester of each school year or*, ~~including eligibility and how to apply~~ *in the case of any student who*

enrolls after the beginning of the fall semester, as soon as practicable after enrollment. Each institution shall also advertise the application and process for applying for SNAP prominently on the institution's website and *provide such information sheet* in *any* orientation materials that are distributed to each new student.

§ 63.2-801. SNAP benefits program.

A. The Board is authorized, in accordance with the federal Food Stamp Act, to implement a SNAP benefits program in which each political subdivision in the Commonwealth shall participate. Such program shall include participation in the Restaurant Meals Program and shall be administered in conformity with the Board regulations.

B. To the extent authorized by federal law and regulations, the Board shall (i) establish broad-based categorical eligibility for SNAP benefits in accordance with 7 C.F.R. § 273.2(j)(2), (ii) set the gross income eligibility standard for SNAP benefits at 200 percent of the federal poverty guidelines, and (iii) not impose an asset limit for eligibility for SNAP benefits.

C. Except as otherwise provided in federal law or regulations, the Department may not require persons who are applying to participate or renewing their participation in the SNAP benefits program to appear in person as a condition of participation.

D. The Board shall increase opportunities for self-sufficiency through postsecondary education by allowing SNAP benefits program participants, to the greatest extent allowed by federal law and regulations, to satisfy applicable employment and training requirements through enrollment in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education for Virginia. The Board shall (i) identify postsecondary education opportunities in the Commonwealth that meet the definition of "employment and training program" as set forth in 7 C.F.R. § 271.2 and the definition of "career and technical education" as set forth in 20 U.S.C. § 2302; (ii) average a SNAP benefits program participant's classroom and study hours on a monthly basis to determine whether the SNAP benefits program participant has met applicable education hour requirements; (iii) deem a SNAP benefits program participant who is approved for a federal or state work study position but who has not yet been placed in a work study position to have satisfied applicable employment and training requirements, as permitted under federal law; (iv) create a standardized form and process for SNAP benefits program participants to verify compliance with education requirements; (v) allow accredited public institutions of higher education or other postsecondary schools licensed or certified by the Board of Education or the State Council of Higher Education for Virginia to apply for SNAP ET third party reimbursement designation through the established procurement process; and (vi) establish and make available to SNAP benefits program participants materials that provide clear guidance regarding satisfaction of employment and training requirements through postsecondary education.

E. The Department shall develop, annually update, and provide to each school board in advance of the start of each school year an information sheet on the SNAP benefits program that sets forth the application process and such other information as the Department deems necessary or appropriate in order to properly inform the parents of students enrolled in public elementary and secondary schools of such program and encourage application by those who are eligible.

F. The Department shall develop, annually update, and provide to each public institution of higher education in advance of the start of each school year an information sheet on the SNAP benefits program that sets forth the application process, includes guidance on the employment and training requirements that students enrolled in public institutions of higher education are required to satisfy in order to receive SNAP benefits and opportunities for self-sufficiency through post-secondary education available pursuant to subsection D, and includes any other information as the Department deems necessary or appropriate in order to properly inform students in public institutions of higher education of such program and encourage application by those who are eligible.

2. That the Department of Social Services (the Department) shall provide information, resources, and education to faculty members employed by each public institution of higher education in student support, student services, and relevant administrative positions regarding outreach opportunities for providing assistance to students enrolled in public institutions of higher education with completing SNAP applications. Such information, resources, and education shall include information regarding the process for public institutions of higher education to enter into a contract with the Department to provide assistance to students with completing SNAP applications.

CHAPTER 427

An Act to amend and reenact §§ 53.1-5 and 53.1-10 of the Code of Virginia, relating to Department of Corrections; State Board of Local and Regional Jails; policies on inmate participation in telehealth.

[S 1039]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 53.1-5 and 53.1-10 of the Code of Virginia are amended and reenacted as follows:

§ 53.1-5. Powers and duties of Board.

The Board shall have the following powers and duties:

1. To develop and establish operational and fiscal standards governing the operation of local, regional, and community correctional facilities;

2. To advise the Governor and Director on matters relating to corrections;

3. To make, adopt and promulgate such rules and regulations as may be necessary to carry out the provisions of this title and other laws of the Commonwealth pertaining to local, regional, and community correctional facilities. The Board, when promulgating regulations and adopting any policy or guidance document related to the enforcement of any minimum standards applicable to local, regional, and community correctional facilities, shall expressly and specifically include such items in its published agenda for meetings of the Board or any of its subcommittees. No standard, policy, or guidance document may be promulgated, amended, or rescinded in entirety or in part without compliance with this article;

4. To ensure the development of programs to educate citizens and elicit public support for the activities of the Department;

5. To develop and implement policies and procedures for the review of the death of any inmate that the Board determines warrants review that occurs in any local, regional, or community correctional facility. Such policies and procedures shall incorporate the Board's authority under § 53.1-6 to ensure the production of evidence necessary to conduct a thorough review of any such death. Notwithstanding any other provision of law, the Board shall adhere to procedures of the Administrative Process Act (§ 2.2-4000 et seq.) in promulgating such policies and procedures;

6. To establish minimum standards for health care services, including medical, dental, pharmaceutical, and behavioral health services, in local, regional, and community correctional facilities and procedures for enforcing such minimum standards, with the advice of and guidance from the Commissioner of Behavioral Health and Developmental Services and State Health Commissioner or their designees. Notwithstanding any other provision of law, the Board shall adhere to procedures of the Administrative Process Act (§ 2.2-4000 et seq.) in promulgating such policies and procedures. Such minimum standards shall require that each local, regional, and community correctional facility submit a standardized quarterly continuous quality improvement report documenting the delivery of health care services, along with any improvements made to those services, to the Board. The Board shall make such reports available to the public on its website. The Board may determine that any local, regional, or community correctional facility that is accredited by the American Correctional Association or National Commission on Correctional Health Care meets such minimum standards solely on the basis of such facility's accreditation status; however, without exception, the requirement that each local, regional, and community correctional facility submit a standardized quarterly continuous quality improvement report to the Board shall be a mandatory minimum standard; ~~and~~

7. *To develop and implement policies for the accommodation in local, regional, and community correctional facilities of inmate participation in telehealth appointments, which shall include policies on designating a private space for such telehealth appointments to occur; and*

8. To report annually on or before December 1 to the General Assembly and the Governor on the results of the inspections and audits of local, regional, or community correctional facilities conducted pursuant to § 53.1-68 and the reviews of the deaths of inmates that occur in any local, regional, or community correctional facility conducted pursuant to § 53.1-69.1. The report shall include (i) a summary of the results of such inspections, audits, and reviews, including any trends identified by such inspections, audits, and reviews and the frequency of violations of each standard established for local, regional, or community correctional facilities, and (ii) any recommendations for changes to the standards established for local, regional, or community correctional facilities or the policies and procedures for conducting reviews of the death of inmates to improve the operations, safety, and security of local, regional, or community correctional facilities.

§ 53.1-10. Powers and duties of Director.

The Director shall be the chief executive officer of the Department and shall have the following duties and powers:

1. To supervise and manage the Department and its system of state correctional facilities;

2. To implement the standards and goals of the Board as formulated for local and community correctional programs and facilities and lock-ups;

3. To employ such personnel and develop and implement such programs as may be necessary to carry out the provisions of this title, subject to Chapter 29 (§ 2.2-2900 et seq.) of Title 2.2, and within the limits of appropriations made therefor by the General Assembly;

4. To establish and maintain a general system of schools for persons committed to the institutions and community-based programs for adults as set forth in § 53.1-67.9. Such system shall include, as applicable, elementary, secondary, postsecondary, career and technical education, adult, and special education schools.

a. The Director shall employ a Superintendent who will oversee the operation of educational and vocational programs in all institutions and community-based programs for adults as set forth in § 53.1-67.9 operated by the Department. The Department shall be designated as a local education agency (LEA) but shall not be eligible to receive state funds appropriated for direct aid to public education.

b. When the Department employs a teacher licensed by the Board of Education to provide instruction in the schools of the correctional centers, the Department of Human Resource Management shall establish salary schedules for the teachers which endeavor to be competitive with those in effect for the school division in which the correctional center is located.

c. The Superintendent shall develop a functional literacy program for inmates testing below a selected grade level, which shall be at least at the twelfth grade level. The program shall include guidelines for implementation and test administration, participation requirements, criteria for satisfactory completion, and a strategic plan for encouraging enrollment at an institution of higher education or an accredited vocational training program or other accredited continuing education program.

d. For the purposes of this section, the term "functional literacy" shall mean those educational skills necessary to function independently in society, including, but not limited to, reading, writing, comprehension, and arithmetic computation.

e. In evaluating a prisoner's educational needs and abilities pursuant to § 53.1-32.1, the Superintendent shall create a system for identifying prisoners with learning disabilities.

5. a. To make and enter into all contracts and agreements necessary or incidental to the performance of the Department's duties and the execution of its powers under this title, including, but not limited to, contracts with the United States, other states, and agencies and governmental subdivisions of this Commonwealth, and contracts with corporations, partnerships, or individuals which include, but are not limited to, the purchase of water or wastewater treatment services or both as necessary for the expansion or construction of correctional facilities;

b. Notwithstanding the Director's discretion to make and enter into all contracts and agreements necessary or incidental to the performance of the Department's duties and the execution of its powers under this title, upon determining that it shall be desirable to contract with a public or private entity for the provision of community-based residential services pursuant to Chapter 5 (§ 53.1-177 et seq.), the Director shall notify the local governing body of the jurisdiction in which the facility is to be located of the proposal and of the facility's proposed location and provide notice, where requested, to the chief law-enforcement officer for such locality when an offender is placed in the facility at issue;

c. Notwithstanding the Director's discretion to make and enter into all contracts and agreements necessary or incidental to the performance of the Department's duties and the execution of its powers under this title, upon determining that it is necessary to transport Virginia prisoners through or to another state and for other states to transport their prisoners within the Commonwealth, the Director may execute reciprocal agreements with other states' corrections agencies governing such transports that shall include provisions allowing each state to retain authority over its prisoners while in the other state.

6. To accept, hold and enjoy gifts, donations and bequests on behalf of the Department from the United States government and agencies and instrumentalities thereof, and any other source, subject to the approval of the Governor. To these ends, the Director shall have the power to comply with such conditions and execute such agreements as may be necessary, convenient or desirable;

7. To collect data pertaining to the demographic characteristics of adults, and juveniles who are adjudicated as adults, incarcerated in state correctional institutions, including, but not limited to, the race or ethnicity, age, and gender of such persons, whether they are a member of a criminal gang, and the types of and extent to which health-related problems are prevalent among such persons. Beginning July 1, 1997, such data shall be collected, tabulated quarterly, and reported by the Director to the Governor and the General Assembly at each regular session of the General Assembly thereafter. The report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports;

8. To make application to the appropriate state and federal entities so as to provide any prisoner who is committed to the custody of the state a Department of Motor Vehicles approved identification card that would expire 90 days from issuance, a copy of his birth certificate if such person was born in the Commonwealth, and a social security card from the Social Security Administration;

9. To forward to the Commonwealth's Attorneys' Services Council, updated on a monthly basis, a list of all identified criminal gang members incarcerated in state correctional institutions. The list shall contain identifying information for each criminal gang member, as well as his criminal record;

10. To give notice, to the attorney for the Commonwealth prosecuting a defendant for an offense that occurred in a state correctional facility, of that defendant's known gang membership. The notice shall contain identifying information for each criminal gang member as well as his criminal record;

11. To designate employees of the Department with internal investigations authority to have the same power as a sheriff or a law-enforcement officer in the investigation of allegations of criminal behavior affecting the operations of the Department. Such employees shall be subject to any minimum training standards established by the Department of Criminal Justice Services under § 9.1-102 for law-enforcement officers prior to exercising any law-enforcement power granted under this subdivision. Nothing in this section shall be construed to grant the Department any authority over the operation and security of local jails not specified in any other provision of law. The Department shall investigate allegations of criminal behavior in accordance with a written agreement entered into with the Department of State Police. The Department shall not investigate any action falling within the authority vested in the Office of the State Inspector General pursuant to Chapter 3.2 (§ 2.2-307 et seq.) of Title 2.2 unless specifically authorized by the Office of the State Inspector General;

12. To prescribe and enforce rules prohibiting the possession of obscene materials, as defined in Article 5 (§ 18.2-372 et seq.) of Chapter 8 of Title 18.2, by prisoners incarcerated in state correctional facilities;

13. To develop and administer a survey of each correctional officer, as defined in § 53.1-1, who resigns, is terminated, or is transitioned to a position other than correctional officer for the purpose of evaluating employment conditions and factors that contribute to or impede the retention of correctional officers;

14. To promulgate regulations pursuant to the Administrative Process Act (§ 2.2-4000 et seq.) to effectuate the provisions of Chapter 5.1 (§ 32.1-162.16 et seq.) of Title 32.1 for human research, as defined in § 32.1-162.16, to be conducted or authorized by the Department. The regulations shall require the human research committee to submit to the Governor, the General Assembly, and the Director or his designee at least annually a report on the human research projects

reviewed and approved by the committee and shall require the committee to report any significant deviations from the proposals as approved; ~~and~~

15. To provide, pursuant to § 24.2-314, to the Division of Legislative Services, not later than July 1 of any year in which the decennial census is taken and in a format specified by the Division of Legislative Services, information regarding each person incarcerated in a state correctional facility on April 1 of that year. Such information shall include, for each person incarcerated, (i) a unique identifier, other than his name or offender identification number, assigned by the Director; (ii) his residential street address at the time of incarceration, or other legal residence, if known; (iii) his race, his ethnicity as identified by him, and whether he is 18 years of age or older; and (iv) the street address of the correctional facility in which he was incarcerated on April 1 of that year*; and*

16. To develop and implement policies for the accommodation in state correctional facilities of inmate participation in telehealth appointments, which shall include policies on designating a private space for such telehealth appointments to occur.

2. That the Department of Corrections and State Board of Local and Regional Jails shall provide an update to the Joint Commission on Health Care by October 1, 2025, on (i) the status of the policies for the accommodation of inmate participation in telehealth appointments required to be developed and implemented pursuant to the provisions of this act; (ii) opportunities to expand telehealth programs in local, regional, state, and community correctional facilities; and (iii) recommended strategies to reduce gaps in or barriers to telehealth service delivery in such correctional facilities.

CHAPTER 428

An Act to amend the Code of Virginia by adding a section numbered 32.1-134.03, relating to maternal health; protocols and resources for hospitals and outpatient providers; report.

[S 1279]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 32.1-134.03 as follows:

§ 32.1-134.03. Maternal health; protocols and resources for hospitals and outpatient providers; report.

A. In order to improve maternal health outcomes and address the most common causes of maternal mortality in the Commonwealth, the Virginia Neonatal Perinatal Collaborative (VNPC) shall:

1. Develop training materials and standardized management protocols for inpatient providers regarding the treatment of obstetric emergencies, the recognition of urgent maternal warning signs, and the transfer of pregnant and postpartum patients, based on clinical safety bundles established by the Alliance for Innovation on Maternal Health; and

2. Develop training materials and provider-specific checklists for outpatient providers regarding the treatment of obstetric emergencies, the recognition of urgent maternal warning signs, and the transfer of pregnant and postpartum patients, based on clinical safety bundles established by the Alliance for Innovation on Maternal Health.

B. When developing such standardized protocols pursuant to subdivision A 1, VNPC shall collaborate with facilities and account for their specific resources, patient populations, and care models.

C. All hospitals with an emergency department or labor and delivery, freestanding emergency departments, and birthing centers as defined in § 63.2-1914 shall implement standardized protocols for identifying and responding to obstetric emergencies, including obstetric hemorrhage, preeclampsia, eclampsia, and other life-threatening conditions based on the protocols developed by the VNPC.

D. The VNPC shall collect data relating to the implementation of the standardized protocols pursuant to subsection C and maternal health outcomes and submit a report on such data by October 1 of each year to the Secretary of Health and Human Resources and the Chairmen of the Senate Committee on Education and Health, the Senate Committee on Finance and Appropriations, the House Committee on Health and Human Services, and the House Committee on Appropriations.

CHAPTER 429

An Act to amend and reenact § 38.2-3465 of the Code of Virginia, relating to health insurance; pharmacy benefits managers; definition of covered entity.

[S 1311]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-3465 of the Code of Virginia is amended and reenacted as follows:

§ 38.2-3465. Definitions.

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

"Aggregate retained rebate percentage" means the sum total dollar amount of a pharmacy benefits manager's retained rebates relating to all carrier clients of such pharmacy benefits manager divided by the sum total dollar amount of all rebates received by such pharmacy benefits manager relating to all such clients.

"Carrier" has the same meaning ascribed thereto in subsection A of § 38.2-3407.15. However, "carrier" does not include a nonprofit health maintenance organization that operates as a group model whose internal pharmacy operation exclusively serves the members or patients of the nonprofit health maintenance organization.

"Claim" means a request from a pharmacy or pharmacist to be reimbursed for the cost of administering, filling, or refilling a prescription for a drug or for providing a medical supply or device.

"Claims processing services" means the administrative services performed in connection with the processing and adjudicating of claims relating to pharmacist services that include (i) receiving payments for pharmacist services, (ii) making payments to pharmacists or pharmacies for pharmacist services, or (iii) both receiving and making payments.

"Contract pharmacy" means a pharmacy operating under contract with a 340B-covered entity to provide dispensing services to the 340B-covered entity, as described in 75 Fed. Reg. 10272 (March 5, 2010) or any superseding guidance published thereafter.

"Covered entity" means an entity described in § 340B(a)(4) of the federal Public Health Service Act, 42 U.S.C. § 256B(a)(4). ~~"Covered entity" does not include a hospital as defined in § 32.1-123 or 37.2-100.~~

"Covered individual" means an individual receiving prescription medication coverage or reimbursement provided by a pharmacy benefits manager or a carrier under a health benefit plan.

"Health benefit plan" has the same meaning ascribed thereto in § 38.2-3438.

"Mail order pharmacy" means a pharmacy whose primary business is to receive prescriptions by mail or through electronic submissions and to dispense medication to covered individuals through the use of the United States mail or other common or contract carrier services and that provides any consultation with covered individuals electronically rather than face-to-face.

"Pharmacy benefits management" means the administration or management of prescription drug benefits provided by a carrier for the benefit of covered individuals. "Pharmacy benefits management" does not include any service provided by a nonprofit health maintenance organization that operates as a group model provided that the service is furnished through the internal pharmacy operation exclusively serves the members or patients of the nonprofit health maintenance organization.

"Pharmacy benefits manager" or "PBM" means an entity that performs pharmacy benefits management. "Pharmacy benefits manager" includes an entity acting for a PBM in a contractual relationship in the performance of pharmacy benefits management for a carrier, nonprofit hospital, or third-party payor under a health program administered by the Commonwealth.

"Pharmacy benefits manager affiliate" means a business, pharmacy, or pharmacist that directly or indirectly, through one or more intermediaries, owns or controls, is owned or controlled by, or is under common ownership interest or control with a pharmacy benefits manager.

"Rebate" means a discount or other price concession, including without limitation incentives, disbursements, and reasonable estimates of a volume-based discount, or a payment that is (i) based on utilization of a prescription drug and (ii) paid by a manufacturer or third party, directly or indirectly, to a pharmacy benefits manager, pharmacy services administrative organization, or pharmacy after a claim has been processed and paid at a pharmacy.

"Retail community pharmacy" means a pharmacy that is open to the public, serves walk-in customers, and makes available face-to-face consultations between licensed pharmacists and persons to whom medications are dispensed.

"Retained rebate" means a rebate that is not passed on to a health benefit plan.

"Retained rebate percentage" means the sum total dollar amount of a pharmacy benefits manager's retained rebates relating to a health benefit plan divided by the sum total dollar amount of all rebates received by such pharmacy benefits manager relating to such health benefit plan.

"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a health benefit plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.

CHAPTER 430

An Act to direct the Virginia State Crime Commission to designate a panel to review certain cases at the Virginia Department of Forensic Science involving Mary Jane Burton; report.

[S 1465]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Virginia State Crime Commission (Crime Commission) shall designate a panel to review the following types of cases at the Virginia Department of Forensic Science where testing or analysis was performed by Mary Jane Burton (Burton): (i) cases resulting in convictions of persons who are currently incarcerated, or who were executed or exonerated, and (ii) cases where Burton testified, regardless of the final disposition of the case. However, the panel shall prioritize the review of such cases resulting in convictions of persons who are currently incarcerated. The panel shall consist of a*

Commonwealth's attorney, a public defender, a practicing attorney who is qualified to serve as court-appointed counsel in felony cases pursuant to § 19.2-163.03 of the Code of Virginia, a judge of a circuit court who is retired under the Judicial Retirement System (§ 51.1-300 et seq. of the Code of Virginia), a representative from the Office of the Attorney General, the Executive Director of the Mid-Atlantic Innocence Project, and an independent serologist. The panel shall make all reasonable efforts to (a) determine, if possible, whether Burton engaged in a pattern of misconduct in relation to her testing, analysis, or testimony in such cases and (b) evaluate the accuracy of the testing, analysis, and testimony of Burton. The findings of the panel shall be admissible, but not binding, on a court's determination in any post-conviction proceeding.

The Crime Commission shall provide staff support to the panel, and may request and shall receive upon such request support from other state or local government agencies. The Crime Commission may also receive assistance from private organizations and other subject matter experts. Information provided to the Crime Commission for purposes of this review shall not be redacted in any manner.

Notwithstanding any other provision of law, the Crime Commission and other state and local agencies may receive and disseminate to individuals, state and local agencies, private organizations, and other entities involved in the completion of this review (1) personal or case identifying information, (2) Virginia criminal history record information, (3) expunged or sealed police and court records, and (4) any other information that may be necessary to the successful and timely completion of the review. Such information shall not be otherwise disseminated. However, the Crime Commission may provide information that it receives to an attorney representing or considering representing an individual in a petition for a writ of habeas corpus or writ of actual innocence pursuant to Chapter 19.2 (§ 19.2-327.2 et seq.) of Title 19.2 of the Code of Virginia or any other federal or state post-conviction proceeding or pardon, but such information shall not be otherwise disseminated by such attorney, except as necessary to provide legal advice or representation related to such proceedings.

The provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq. of the Code of Virginia) shall not apply to this panel or its review, or to any information received by or disseminated to any state or local government agency, private organization, or other entity for purposes of this review.

The panel shall report to the Crime Commission on its work by the first day of each regular session of the General Assembly until completion of this review.

CHAPTER 431

An Act to amend and reenact § 46.2-301.1 of the Code of Virginia, relating to vehicle operation; unlicensed minor; penalty.
[S 750]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-301.1 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-301.1. Administrative impoundment of motor vehicle for certain driving while license suspended or revoked offenses; judicial impoundment upon conviction; penalty for permitting violation with one's vehicle.

A. The motor vehicle being driven by any person (i) whose driver's license, learner's permit or privilege to drive a motor vehicle has been suspended or revoked for a violation of § 18.2-51.4 or 18.2-272 or driving while under the influence in violation of § 18.2-266, 46.2-341.24 or a substantially similar ordinance or law in any other jurisdiction; (ii) where such person's license has been administratively suspended under the provisions of § 46.2-391.2; (iii) driving after such person's driver's license, learner's permit or privilege to drive a motor vehicle has been suspended or revoked for unreasonable refusal of tests in violation of § 18.2-268.3, 46.2-341.26:3 or a substantially similar ordinance or law in any other jurisdiction; or (iv) driving without an operator's license in violation of § 46.2-300 having been previously convicted of such offense or a substantially similar ordinance of any county, city, or town or law in any other jurisdiction shall be impounded or immobilized by the arresting law-enforcement officer at the time the person is arrested for driving after his driver's license, learner's permit or privilege to drive has been so revoked or suspended or for driving without an operator's license in violation of § 46.2-300 having been previously convicted of such offense or a substantially similar ordinance of any county, city, or town or law in any other jurisdiction. The impoundment or immobilization for a violation of clause (i), (ii), or (iii) shall be for a period of 30 days. The period of impoundment or immobilization for a violation of clause (iv) shall be until the offender obtains a valid operator's license pursuant to § 46.2-300 or three days, whichever is less. In the event that the offender obtains a valid operator's license at any time during the three-day impoundment period and presents such license to the court, the court shall authorize the release of the vehicle upon payment of all reasonable costs of impoundment or immobilization to the person holding the vehicle.

The provisions of this section as to the offense described in clause (iv) shall not apply to a person who drives a motor vehicle with no operator's license (a) whose license has been expired for less than one year prior to the offense or (b) who is under 18 years of age at the time of the offense. The arresting officer, acting on behalf of the Commonwealth, shall serve notice of the impoundment upon the arrested person. The notice shall include information on the person's right to petition for review of the impoundment pursuant to subsection B. A copy of the notice of impoundment shall be delivered to the magistrate and thereafter promptly forwarded to the clerk of the general district court of the jurisdiction where the arrest was made. Transmission of the notice may be by electronic means.

At least five days prior to the expiration of the period of impoundment imposed pursuant to this section or § 46.2-301, the clerk shall provide the offender with information on the location of the motor vehicle and how and when the vehicle will be released; however, for a violation of clause (iv), such information shall be provided at the time of arrest.

All reasonable costs of impoundment or immobilization, including removal and storage expenses, shall be paid by the offender prior to the release of his motor vehicle. Notwithstanding the above, where the arresting law-enforcement officer discovers that the vehicle was being rented or leased from a vehicle renting or leasing company, the officer shall not impound the vehicle or continue the impoundment but shall notify the rental or leasing company that the vehicle is available for pickup and shall notify the clerk if the clerk has previously been notified of the impoundment.

B. Any driver who is the owner of the motor vehicle that is impounded or immobilized under subsection A may, during the period of the impoundment, petition the general district court of the jurisdiction in which the arrest was made to review that impoundment. The court shall review the impoundment within the same time period as the court hears an appeal from an order denying bail or fixing terms of bail or terms of recognizance, giving this matter precedence over all other matters on its docket. If the person proves to the court by a preponderance of the evidence that the arresting law-enforcement officer did not have probable cause for the arrest, or that the magistrate did not have probable cause to issue the warrant, the court shall rescind the impoundment. Upon rescission, the motor vehicle shall be released and the Commonwealth shall pay or reimburse the person for all reasonable costs of impoundment or immobilization, including removal or storage costs paid or incurred by him. Otherwise, the court shall affirm the impoundment. If the person requesting the review fails to appear without just cause, his right to review shall be waived.

The court's findings are without prejudice to the person contesting the impoundment or to any other potential party as to any proceedings, civil or criminal, and shall not be evidence in any proceedings, civil or criminal.

C. The owner or co-owner of any motor vehicle impounded or immobilized under subsection A who was not the driver at the time of the violation may petition the general district court in the jurisdiction where the violation occurred for the release of his motor vehicle. The motor vehicle shall be released if the owner or co-owner proves by a preponderance of the evidence that he (i) did not know that the offender's driver's license was suspended or revoked when he authorized the offender to drive such motor vehicle; (ii) did not know that the offender had no operator's license and that the operator had been previously convicted of driving a motor vehicle without an operator's license in violation of § 46.2-300 or a substantially similar ordinance of any county, city, or town or law in any other jurisdiction when he authorized the offender to drive such motor vehicle; or (iii) did not consent to the operation of the motor vehicle by the offender. If the owner proves by a preponderance of the evidence that his immediate family has only one motor vehicle and will suffer a substantial hardship if that motor vehicle is impounded or immobilized for the period of impoundment that otherwise would be imposed pursuant to this section, the court, in its discretion, may release the vehicle after some period of less than such impoundment period.

D. Notwithstanding any provision of this section, a subsequent dismissal or acquittal of the charge of driving without an operator's license or of driving on a suspended or revoked license shall result in an immediate rescission of the impoundment or immobilization provided in subsection A. Upon rescission, the motor vehicle shall be released and the Commonwealth shall pay or reimburse the person for all reasonable costs of impoundment or immobilization, including removal or storage costs, incurred or paid by him.

E. Any person who knowingly authorizes the operation of a motor vehicle by (i) a person he knows has had his driver's license, learner's permit, or privilege to drive a motor vehicle suspended or revoked for any of the reasons set forth in subsection A or (ii) a person who he knows has no operator's license and who he knows has been previously convicted of driving a motor vehicle without an operator's license in violation of § 46.2-300 or a substantially similar ordinance of any county, city, or town or law in any other jurisdiction shall be guilty of a Class 1 misdemeanor. *Any person who knowingly authorizes the operation of a motor vehicle by (a) any person who he knows has no legal right to do so or (b) a minor who he knows has no operator's license or learner's permit or who has a learner's permit but who he knows will operate such motor vehicle in violation of any provision of § 46.2-335 is guilty of Class 1 misdemeanor if such violation results in a motor vehicle accident that causes injury or death to any person, provided that such violation does not otherwise constitute a felony*.

F. Notwithstanding the provisions of this section or § 46.2-301, nothing in this section shall impede or infringe upon a valid lienholder's rights to cure a default under an existing security agreement. Furthermore, such lienholder shall not be liable for any cost of impoundment or immobilization, including removal or storage expenses which may accrue pursuant to the provisions of this section or § 46.2-301. In the event a lienholder repossesses or removes a vehicle from storage pursuant to an existing security agreement, the Commonwealth shall pay all reasonable costs of impoundment or immobilization, including removal and storage expenses, to any person or entity providing such services to the Commonwealth, except to the extent such costs or expenses have already been paid by the offender to such person or entity. Such payment shall be made within seven calendar days after a request is made by such person or entity to the Commonwealth for payment. Nothing herein, however, shall relieve the offender from liability to the Commonwealth for reimbursement or payment of all such reasonable costs and expenses.

CHAPTER 432

An Act to amend the Code of Virginia by adding in Article 2 of Chapter 5 of Title 32.1 a section numbered 32.1-138.5:1, relating to nursing facilities; electronic monitoring in resident rooms.

[S 821]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 2 of Chapter 5 of Title 32.1 a section numbered 32.1-138.5:1 as follows:

§ 32.1-138.5:1. Electronic monitoring in resident rooms.

A. As used in this section:

"Electronic monitoring" means the use of a surveillance device with a fixed position video camera or audio recording device, or a combination thereof, that is installed in a resident's room and broadcasts or records activities or sounds occurring within the confines of the room. Electronic monitoring shall not include use of a device that enables audio communication into the resident's room from another source.

"Family member" means the resident's spouse, parent, stepparent, child, stepchild, brother, sister, half-brother, half-sister, grandparent, or grandchild.

"Legal representative" means a person legally responsible for representing or standing in the place of the resident for the conduct of his affairs. This may include a guardian, conservator, attorney-in-fact under durable power of attorney, trustee, or other person expressly named by a court of competent jurisdiction or the resident as his agency in a legal document that specifies the scope of the representative's authority to act. A legal representative may only represent or stand in the place of a resident for the function for which he has legal authority to act.

B. All requests for electronic monitoring shall be made in writing and signed by the resident or, if the resident has been legally deemed incompetent, the resident's legal representative. Only electronic monitoring in accordance with this section is permitted.

Electronic monitoring shall be permitted only:

1. Upon the informed consent of the resident or resident's legal representative, which shall be obtained prior to the installation or use of any electronic monitoring device. Consent for electronic monitoring shall be kept in the resident's medical record;

2. When the resident resides:

a. In a room with no roommates; or

b. In a room with any roommates and obtains written consent to visual recording from such roommates or, if any roommate has been legally deemed incompetent, such roommate's legal representative. When a resident resides with any roommates, only video electronic monitoring shall be permitted pursuant to this subsection;

3. Upon execution of an agreement for the sharing and release of medical data and information protected by the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.) signed by the resident or resident's legal representative or, if applicable, any such agreement signed by any roommate or roommate's legal representative shall be kept in all consenting individuals' medical records; and

4. When the nursing facility has secured and password-protected wireless Internet access or other means available to operate the electronic monitoring device without modification to the nursing facility or a change in level or capacity of Internet access.

C. A nursing facility shall allow electronic monitoring of a resident of a nursing facility if the electronic monitoring is conducted in accordance with this section. A nursing facility shall not refuse to admit an individual and shall not discharge or transfer a resident due to a request to conduct authorized electronic monitoring.

D. Family members shall not implement or activate electronic monitoring over the objections of or contrary to the instructions of the resident or the resident's legal representative. No electronic monitoring equipment may be installed over the objections of or contrary to the instructions of the resident or resident's legal representative.

E. Nursing facilities shall designate one or more staff persons to be the point of contact for electronic monitoring requests and for providing information and policies upon request during normal business hours.

F. Except as provided in subsection O, nursing facilities may assume custodial ownership of any recordings from electronic monitoring devices from the resident or resident's legal representative. Recordings from electronic monitoring devices shall not be considered part of the resident's medical record.

G. If a nursing facility chooses to assume ownership of recordings from electronic monitoring devices pursuant to subsection F, the nursing facility shall not permit viewings of recordings without consent of the resident or resident's legal representative except to the extent that disclosure is required by law or for quality assurance purposes.

H. A nursing facility shall not be held liable for any breach of data or privacy related to the presence of the electronic monitoring device.

I. A nursing facility shall require its staff to immediately report any incidents regarding safety or quality of care discovered or reported to staff as a result of viewing a recording from an electronic monitoring device to the administrator of the nursing facility.

J. A nursing facility shall have no obligation to seek access to a recording for which it has not assumed custodial ownership or to have knowledge of a recording's content unless (i) the nursing facility is aware of a recorded incident of suspected abuse or neglect or of an accident or injury based upon a report received by the facility of such incident, accident, or injury or (ii) the resident, the resident's legal representative, or a government agency seeks to use a recording.

K. Unless a nursing facility chooses to assume ownership of any recordings from an electronic monitoring device, the resident or resident's legal representative shall be responsible for all aspects of the operation of the electronic monitoring device, including the removal and replacement of recordings; adherence to local, state, and federal privacy laws; and use of firewall protections to prevent images that would violate obscenity laws from being inadvertently shown on the Internet.

L. A nursing facility shall prohibit assigned staff from refusing to enter a resident's room solely because of electronic monitoring.

M. A nursing facility shall make reasonable physical accommodations for electronic monitoring devices, including:

1. Providing a reasonably secure place to mount the device; and

2. Providing reasonable access to power sources if already in proximity to the device.

N. A nursing facility shall require a resident or resident's legal representative to pay for all costs, other than the cost of electricity, associated with the purchase and installation of the electronic monitoring device. In addition, a nursing facility offering facility-managed electronic monitoring may charge a one-time fee not to exceed $150 when the electronic monitoring device is installed along with a security deposit not to exceed $250. A nursing facility may charge a monthly fee not to exceed $10 to cover costs associated with the electronic monitoring device. Such costs may include equipment, secured and password-protected wireless Internet and server capabilities, compliance with life safety and building and electrical codes, maintenance or removal of the equipment, posting and removal of any public notices, or structural repairs to the building resulting from the removal of the equipment. Nursing facilities shall give 45 days' notice of an increase in monthly fees.

O. The resident or resident's legal representative of a room with an electronic monitoring device may verbally or in writing condition consent to the installation or use of the electronic monitoring device. Such conditions on consent may include: (i) the ability of the resident, any roommate, or staff at the request of the resident or any roommate, to turn off or disable the audio or video electronic monitoring device during certain periods of time and (ii) a prohibition on the ability of the nursing facility to, pursuant to subsection F, choose to assume custodial ownership of any recordings from the electronic monitoring device after the electronic monitoring device has been installed and is operational. If the resident or resident's legal representative or any roommate or roommate's legal representative places any such conditions on consent, the nursing facility and staff shall ensure that the installation, use, and operation of the electronic monitoring device and any electronic monitoring or other activities conducted in connection therewith are conducted in compliance with such conditions.

P. The nursing facility shall conspicuously post and maintain a notice at the entrance to the resident's room stating that an electronic monitoring device is in operation.

Q. Nursing facilities shall notify assigned staff for the resident when electronic monitoring is in use in a resident's room pursuant to this section.

R. Each nursing facility shall adopt policies and procedures for electronic monitoring consistent with this section.

S. Each nursing facility shall adopt a policy prohibiting staff from willfully tampering with electronic monitoring devices in violation of this section. Adjusting or disabling an electronic monitoring device during the provision of patient care shall not constitute willful tampering if such adjusting or disabling is done in order to protect the dignity of a resident or at the direction of the resident or resident's legal representative.

T. If the placement or position of the electronic monitoring device creates risk to a nursing facility employee, resident, or any roommate, or if the resident or resident's legal representative or family member violates the nursing facility's policies and procedures for electronic monitoring, the equipment may be disabled and removed and the resident, resident's legal representative, or family member responsible for the camera shall be notified of the removal.

2. That the Virginia Board of Health shall promulgate regulations consistent with this act and the provisions of this act shall become effective when such regulations become effective.

CHAPTER 433

An Act to amend and reenact § 9.1-904 of the Code of Virginia, relating to Sex Offender and Crimes Against Minors Registry; registration intervals for Tier I and Tier II offenses.

[S 844]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 9.1-904 of the Code of Virginia is amended and reenacted as follows:

§ 9.1-904. Periodic verification.

A. For purposes of this chapter, "verify his registration information" means that the person required to register has notified the State Police; confirmed his current physical and mailing address and electronic mail address information and any instant message, chat, or other Internet communication name or identity information that he uses or intends to use; and provided such other information, including identifying information, that the State Police may require.

B. Any person required to register shall verify his registration information with the State Police, during such person's required verification month and time interval, commencing with the date of initial registration, as follows:

1. *a. Any person convicted of a Tier I or Tier II offense, yearly intervals to include the person's birth month; and*

b. Any person convicted of a violation of § 18.2-472.1, in which such person was included on the Registry for a Tier I or Tier II offense, twice a year.

2. a. Any person convicted of a Tier III offense or murder, four times each year at three-month intervals, including the person's birth month; and

~~2.~~ *b.* Any person convicted of a violation of § 18.2-472.1, in which such person was included on the Registry for a conviction of a Tier III offense or murder, every month.

C. The State Police shall make available to the person an address verification form to be used for verification of his registration information. The form shall contain in bold print a statement indicating that failure to comply with the verification required is punishable as provided in § 18.2-472.1. Copies of all forms to be used for verification and guidelines for submitting such forms, including month and time verification intervals, shall be available through distribution by the State Police, from local law-enforcement agencies, and in a format capable of being downloaded and printed from a website maintained by the State Police. *In addition, State Police may provide any person required to verify his registration information with the option to do so using other electronic means specified in State Police regulations promulgated pursuant to § 9.1-915.*

D. Persons required to register with last names beginning with A through L shall verify their registration information with the State Police from the first to the fifteenth of such person's verification months pursuant to subsection B, and persons required to register with last names beginning with M through Z shall verify their registration information with the State Police from the sixteenth to the last day of the month during such person's verification months pursuant to subsection B. The last name shall be the last name in the person's name pursuant to § 9.1-903 as it appears in the Registry.

E. For the period of July 1, 2020, to July 1, 2021, any person required to verify his registration information shall continue to verify his resignation information with the State Police on such person's verification schedule in place prior to July 1, 2020, until such person has verified his registration information pursuant to the new verification schedule provided in subsection B, at which time such person shall continue to verify his registration information pursuant to the new verification schedule.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 434

An Act to amend and reenact § 46.2-882.1 of the Code of Virginia, relating to photo speed monitoring devices; use in highway work zones, school crossing zones, and high-risk intersection segments; proof of violation; retired law-enforcement officials.

[S 852]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-882.1 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-882.1. Use of photo speed monitoring devices in highway work zones, school crossing zones, and high-risk intersection segments; civil penalty.

A. For the purposes of this section:

"High-risk intersection segment" means any highway or portion thereof located not more than 1,000 feet from the limits of the property of a school that is part of or adjacent to an intersection containing a marked crosswalk that is identified in the manner provided in this section as one in which a traffic fatality has occurred since January 1, 2014.

"Highway work zone" has the same meaning ascribed to it in § 46.2-878.1.

"Photo speed monitoring device" means equipment that uses radar or LIDAR-based speed detection and produces one or more photographs, microphotographs, videotapes, or other recorded images of vehicles.

"Retired sworn law-enforcement officer" means any officer of the United States, or of a state or political subdivision thereof, who was empowered by law to conduct investigations and make arrests and any attorney authorized by law to prosecute or participate in the prosecution of such offenses, who at the time of retirement kept an up-to-date certification and retired honorably in good standing. A retired sworn law-enforcement officer shall not be required to keep an up-to-date certification after the date of his retirement.

"School crossing zone" has the same meaning ascribed to it in § 46.2-873.

"Vehicle speed violation" means a violation of this title resulting from the operation of a vehicle in excess of the speed limit, including a violation of § 46.2-873 or 46.2-878.1.

B. A state or local law-enforcement agency may place and operate a photo speed monitoring device in school crossing zones for the purposes of recording violations of § 46.2-873 and in highway work zones for the purposes of recording violations of § 46.2-878.1.

A state or local law-enforcement agency may place and operate a photo speed monitoring device at a high-risk intersection segment located within the locality for the purpose of recording vehicle speed violations, provided that such law-enforcement agency certifies that a traffic fatality has occurred since January 1, 2014, in such segment.

C. The operator of a vehicle shall be liable for a monetary civil penalty imposed pursuant to this section if such vehicle is found, as evidenced by information obtained from a photo speed monitoring device, to be traveling at speeds of at least 10 miles per hour above the posted speed limit in the zone monitored by the photo speed monitoring device. Such civil penalty shall not exceed $100, and any prosecution shall be instituted and conducted in the same manner as prosecution for traffic infractions. Civil penalties collected under this section resulting from a summons issued by a local law-enforcement officer *or retired sworn law-enforcement officer employed by a locality* shall be paid to the locality in which such violation occurred. Civil penalties collected under this section resulting from a summons issued by a law-enforcement officer *or retired sworn law-enforcement officer* employed by the Department of State Police shall be paid into the Literary Fund. However, all civil penalties collected under this section resulting from a summons issued based on evidence obtained from a photo speed monitoring device placed and operated at a high-risk intersection segment shall be paid to the Commonwealth Transportation Board to be used for the Virginia Highway Safety Improvement Program established pursuant to § 33.2-373.

D. If a photo speed monitoring device is used, proof of a vehicle speed violation shall be evidenced by information obtained from such device. A certificate, or a facsimile thereof, sworn to or affirmed by a law-enforcement officer *or a retired sworn law-enforcement officer*, based upon inspection of photographs, microphotographs, videotapes, or other recorded images produced by a photo speed monitoring device, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotapes, or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such vehicle speed violation.

E. In the prosecution for a vehicle speed violation in which a summons was issued by mail, prima facie evidence that the vehicle described in the summons issued pursuant to this section was operated in a manner constituting a vehicle speed violation, together with proof that the defendant was at the time of such violation the owner, lessee, or renter of the vehicle, shall constitute in evidence a rebuttable presumption that such owner, lessee, or renter of the vehicle was the person who committed the violation. Such presumption shall be rebutted if the owner, lessee, or renter of the vehicle (i) files an affidavit by regular mail with the clerk of the general district court that he was not the operator of the vehicle at the time of the alleged violation and provides the name and address of the person who was operating the vehicle at the time of the alleged violation or (ii) testifies in open court under oath that he was not the operator of the vehicle at the time of the alleged violation and provides the name and address of the person who was operating the vehicle at the time of the alleged violation. Such presumption shall also be rebutted if a certified copy of a police report, showing that the vehicle had been reported to the police as stolen prior to the time of the alleged vehicle speed violation, is presented, prior to the return date established on the summons issued pursuant to this section, to the court adjudicating the alleged violation.

F. Imposition of a penalty pursuant to this section by mailing a summons shall not be deemed a conviction as an operator and shall not be made part of the operating record of the person upon whom such liability is imposed, nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage. However, if a law-enforcement officer uses a photo speed monitoring device to record a vehicle speed violation and personally issues a summons at the time of the violation, the conviction that results shall be made a part of such driver's driving record and used for insurance purposes in the provision of motor vehicle insurance coverage.

G. A summons for a vehicle speed violation issued by mail pursuant to this section may be executed pursuant to § 19.2-76.2. Notwithstanding the provisions of § 19.2-76, a summons issued by mail pursuant to this section may be executed by mailing by first-class mail a copy thereof to the owner, lessee, or renter of the vehicle. In the case of a vehicle owner, the copy shall be mailed to the address contained in the records of or accessible to the Department. In the case of a vehicle lessee or renter, the copy shall be mailed to the address contained in the records of the lessor or renter. Every such mailing shall include, in addition to the summons, a notice of (i) the summoned person's ability to rebut the presumption that he was the operator of the vehicle at the time of the alleged violation through the filing of an affidavit as provided in subsection E and (ii) instructions for filing such affidavit, including the address to which the affidavit is to be sent. If the summoned person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons shall be executed in the manner set out in § 19.2-76.3. No proceedings for contempt or arrest of a person summoned by mailing shall be instituted for failure to appear on the return date of the summons. If the summons is issued to an owner, lessee, or renter of a vehicle with a registration outside the Commonwealth and such person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons will be eligible for all legal collections activities. Any summons executed for a vehicle speed violation issued pursuant to this section shall provide to the person summoned at least 30 days from the mailing of the summons to inspect information collected by a photo speed monitoring device in connection with the violation. If the law-enforcement agency that was operating the photo speed monitoring device does not execute a summons for a vehicle speed violation issued pursuant to this section within 30 days from the date of the violation, all information collected pertaining to that suspected violation shall be purged within 60 days from the date of the violation.

H. A private vendor may enter into an agreement with a law-enforcement agency to be compensated for providing a photo speed monitoring device and all related support services, including consulting, operations, and administration. However, only a law-enforcement officer *or retired sworn law-enforcement officer* may swear to or affirm the certificate required by this section. Any such agreement for compensation shall be based on the value of the goods and services provided, not on the number of violations paid or monetary penalties imposed. Any private vendor contracting with a law-enforcement agency pursuant to this section may enter into an agreement with the Department, in accordance with the provisions of subdivision B 31 of § 46.2-208, to obtain vehicle owner information regarding the registered owners of vehicles that committed a vehicle speed violation. Any such information provided to such private vendor shall be protected in a database.

I. Information collected by a photo speed monitoring device operated pursuant to this section shall be limited exclusively to that information that is necessary for the enforcement of vehicle speed violations. Information provided to the operator of a photo speed monitoring device shall be protected in a database and used only for enforcement of vehicle speed violations and enforcement against individuals who violate the provisions of this section. Notwithstanding any other provision of law, all photographs, microphotographs, videotapes, or other recorded images collected by a photo speed monitoring device shall be used exclusively for enforcing vehicle speed violations and shall not be (i) open to the public; (ii) sold or used for sales, solicitation, or marketing purposes; (iii) disclosed to any other entity except as may be necessary for the enforcement of a vehicle speed violation or to a vehicle owner or operator as part of a challenge to the violation; or (iv) used in a court in a pending action or proceeding unless the action or proceeding relates to a vehicle speed violation or a violation of this section, or such information is requested upon order from a court of competent jurisdiction. Information collected under this section pertaining to a specific violation shall be purged and not retained later than 60 days after the collection of any civil penalties. Any law-enforcement agency using photo speed monitoring devices shall annually certify compliance with this section and make all records pertaining to such system available for inspection and audit by the Commissioner of Highways or the Commissioner of the Department of Motor Vehicles or his designee. Any person who discloses personal information in violation of the provisions of this subsection shall be subject to a civil penalty of $1,000 per disclosure.

J. A conspicuous sign shall be placed within 1,000 feet of any school crossing zone, highway work zone, or high-risk intersection segment at which a photo speed monitoring device is used, indicating the use of the device. There shall be a rebuttable presumption that such sign was in place at the time of the commission of the speed limit violation.

K. Any state or local law-enforcement agency that places and operates a photo speed monitoring device pursuant to the provisions of this section shall report to the Department of State Police, in a format to be determined by the Department of State Police, by January 15 of each year on the number of traffic violations prosecuted, the number of successful prosecutions, and the total amount of monetary civil penalties collected. The Department of State Police shall aggregate such information and report it to the General Assembly by February 15 of each year.

CHAPTER 435

An Act to amend and reenact § 4.1-325 of the Code of Virginia, relating to alcoholic beverage control; mixed beverage licensees; prohibition on delivery to consumer of original bottle of alcoholic beverage; exception.

[S 868]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 4.1-325 of the Code of Virginia is amended and reenacted as follows:

§ 4.1-325. Prohibited acts by mixed beverage licensees; penalty.

A. In addition to § 4.1-324, no mixed beverage licensee nor any agent or employee of such licensee shall:

1. Sell or serve any alcoholic beverage other than as authorized by law;

2. Sell any authorized alcoholic beverage to any person or at any place except as authorized by law;

3. Allow at the place described in his license the consumption of alcoholic beverages in violation of this subtitle;

4. Keep at the place described in his license any alcoholic beverage other than that which he is licensed to sell;

5. Misrepresent the brand of any alcoholic beverage sold or offered for sale;

6. Keep any alcoholic beverage other than in the bottle or container in which it was purchased by him except (i) for a frozen alcoholic beverage, which may include alcoholic beverages in a frozen drink dispenser of a type approved by the Board; (ii) in the case of wine, in containers of a type approved by the Board pending automatic dispensing and sale of such wine; and (iii) as otherwise provided by Board regulation. Neither this subdivision nor any Board regulation shall prohibit any mixed beverage licensee from premixing containers of sangria, to which spirits may be added, to be served and sold for consumption on the licensed premises;

7. Refill or partly refill any bottle or container of alcoholic beverage or dilute or otherwise tamper with the contents of any bottle or container of alcoholic beverage, except as provided by Board regulation adopted pursuant to subdivision B 11 of § 4.1-111;

8. Sell or serve any brand of alcoholic beverage which is not the same as that ordered by the purchaser without first advising such purchaser of the difference;

9. Remove or obliterate any label, mark, or stamp affixed to any container of alcoholic beverages offered for sale;

10. Deliver or sell the contents of any container if the label, mark, or stamp has been removed or obliterated;

11. Allow any obscene conduct, language, literature, pictures, performance, or materials on the licensed premises;

12. Allow any striptease act on the licensed premises;

13. Allow persons connected with the licensed business to appear nude or partially nude;

14. Consume or allow the consumption by an employee of any alcoholic beverages while on duty and in a position that is involved in the selling or serving of alcoholic beverages to customers.

The provisions of this subdivision shall not prohibit any retail licensee or his designated employee from (i) consuming product samples or sample servings of (a) beer or wine provided by a representative of a licensed beer or wine wholesaler or manufacturer or (b) a distilled spirit provided by a permittee of the Board who represents a distiller, if such samples are provided in accordance with Board regulations and the retail licensee or his designated employee does not violate the provisions of subdivision A 1 f of § 4.1-225 or (ii) tasting an alcoholic beverage that has been or will be delivered to a customer for quality control purposes;

15. Deliver to a consumer an original bottle of an alcoholic beverage purchased under such license whether the closure is broken or unbroken except in accordance with § 4.1-206.3.

The provisions of this subdivision shall not apply to the delivery of:

a. "Soju." For the purposes of this subdivision, "soju" means a traditional Korean alcoholic beverage distilled from rice, barley or sweet potatoes; ~~or~~

b. Spirits, provided (i) the original container is no larger than 375 milliliters, (ii) the alcohol content is no greater than 15 percent by volume, and (iii) the contents of the container are carbonated and perishable; *or*

c. The entire contents of an original container of spirits for on-premises or off-premises consumption provided that the (i) container is 16 ounces or less and (ii) alcohol content is no greater than 15 percent by volume.

16. Be intoxicated while on duty or employ an intoxicated person on the licensed premises;

17. Conceal any sale or consumption of any alcoholic beverages;

18. Fail or refuse to make samples of any alcoholic beverages available to the Board upon request or obstruct special agents of the Board in the discharge of their duties;

19. Store alcoholic beverages purchased under the license in any unauthorized place or remove any such alcoholic beverages from the premises;

20. Knowingly employ in the licensed business any person who has the general reputation as a prostitute, panderer, habitual law violator, person of ill repute, user or peddler of narcotics, or person who drinks to excess or engages in illegal gambling;

21. Keep on the licensed premises, except for the premises of a mixed beverage casino licensee, a slot machine or any prohibited gambling or gaming device, machine, or apparatus;

22. Make any gift of an alcoholic beverage, other than as a gift made (i) to a personal friend, as a matter of normal social intercourse, so long as the gift is in no way a shift or device to evade the restriction set forth in this subdivision; (ii) to a person responsible for the planning, preparation or conduct on any conference, convention, trade show or event held or to be held on the premises of the licensee, when such gift is made in the course of usual and customary business entertainment and is in no way a shift or device to evade the restriction set forth in this subdivision; (iii) pursuant to subsection C of § 4.1-209; (iv) pursuant to subdivision A 10 of § 4.1-201; (v) by a mixed beverage casino licensee to a patron of such licensee in accordance with the provisions of subdivision A 14 of § 4.1-206.3; or (vi) pursuant to any Board regulation. Any gift permitted by this subdivision shall be subject to the taxes imposed by this subtitle on sales of alcoholic beverages. The licensee shall keep complete and accurate records of gifts given in accordance with this subdivision; or

23. Establish any normal or customary pricing of its alcoholic beverages that is intended as a shift or device to evade any "happy hour" regulations adopted by the Board; however, a licensee may increase the volume of an alcoholic beverage sold to a customer if there is a commensurate increase in the normal or customary price charged for the same alcoholic beverage.

B. Any person convicted of a violation of this section is guilty of a Class 1 misdemeanor.

C. The provisions of subdivisions A 12 and A 13 shall not apply to persons operating theaters, concert halls, art centers, museums, or similar establishments that are devoted primarily to the arts or theatrical performances, when the performances that are presented are expressing matters of serious literary, artistic, scientific, or political value.

CHAPTER 436

An Act to amend the Code of Virginia by adding in Chapter 3 of Title 22.1 a section numbered 22.1-24.2, relating to school boards; Internet safety education program; Internet Safety Advisory Council established.

[S 905]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 3 of Title 22.1 a section numbered 22.1-24.2 as follows:

§ 22.1-24.2. Internet Safety Advisory Council.

A. The Superintendent shall establish and appoint members to the Internet Safety Advisory Council (the Council) for the purpose of advancing the goal of safe use of media and technology by students and teachers in public elementary and secondary schools in the Commonwealth.

B. The membership of the Council shall include at least one (i) teacher, (ii) librarian, (iii) representative of a parent-teacher organization who is a parent of a school-age child, (iv) school administrator, (v) student, and (vi) individual with expertise in Internet safety and such other individuals as the Superintendent deems appropriate, provided that the membership of the Council shall not exceed 12.

C. The Council shall:

1. Develop, annually review, and update as necessary, after study and consideration of a variety of sources and perspectives, guidelines on model policies and best practices relating to Internet safety for school boards in the Commonwealth that enable such school boards to better support the Internet safety of all students and teachers in the local school division;

2. Develop and submit to the Board recommendations on model instructional practices and best practices for the safe use of media and technology by students and teachers in public elementary and secondary schools in the Commonwealth; and

3. Develop, post, and maintain on the Department's website, and update as necessary, a webpage with links to successful instructional practices, curricula, and other teacher resources used in school divisions within and outside of the Commonwealth for the safe use of media and technology by students and teachers that each school division shall consider and may incorporate into its instructional program implemented in accordance with clause (v) of subsection A of § 22.1-70.2.

2. That the provisions of this act shall expire on July 1, 2026.

3. That the Internet Safety Advisory Council established by § 22.1-24.2 of the Code of Virginia, as created by this act, shall, for the purpose of maximizing existing resources and avoiding duplicative work in developing the guidelines, recommendations, and webpage relating to Internet safety best practices, model instructional practices, and model policies pursuant to subsection C of § 22.1-24.2 of the Code of Virginia, as created by this act, (i) review and update as necessary the model policy, model instructional practices, and any other instructional materials or resources developed by the Internet Safety Advisory Council established pursuant to Chapter 776 of the Acts of Assembly of 2022 and (ii) use, to the fullest extent possible, such updated model policy, model instructional practices, and other instructional materials or resources to develop such guidelines, recommendations, and webpage. The Internet Safety Advisory Council shall submit to the Board of Education and the Chairmen of the Senate Committee on Education and Health and the House Committee on Education no later than October 31, 2025, a report on its progress that details its review of updates to such materials set forth in clause (i) and its use of such updated materials in developing the guidelines, recommendations, and webpage relating to Internet safety best practices, model instructional practices, and model policies pursuant to the provisions of this act.

CHAPTER 437

An Act to amend the Code of Virginia by adding in Article 13 of Chapter 65 of Title 3.2 a section numbered 3.2-6593.3, relating to animal testing facility operated by a state agency; nonhuman primates.

[S 907]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 13 of Chapter 65 of Title 3.2 a section numbered 3.2-6593.3 as follows:

§ 3.2-6593.3. Animal testing facilities operated by a state agency; nonhuman primates.

A. For the purposes of this section:

"Certified sanctuary" means any facility that provides temporary or permanent safe haven to nonhuman primates that is fully accredited by the Global Federation of Animal Sanctuaries or certified by the Association of Zoos and Aquariums.

"Nonhuman primate" means all nonhuman members of the order Primates.

B. Any animal testing facility operated by a state agency that no longer has need for a nonhuman primate in its possession shall, in consultation with such animal testing facility's attending veterinarian, consider options for and determine the appropriate care and treatment of such nonhuman primate, which shall include offering for release such nonhuman primate to a certified sanctuary. Such animal testing facility may enter into an agreement with such certified sanctuary for the implementation of the provisions of this section.

CHAPTER 438

An Act to amend and reenact §§ 22.1-276.01 and 22.1-279.6 of the Code of Virginia, relating to public schools; student discipline and codes of conduct; prevention of and response to cyberbullying; policies and procedures required.

[S 908]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-276.01 and 22.1-279.6 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-276.01. Definitions.

A. For the purposes of this article, unless the context requires a different meaning:

"Alternative education program" includes night school, adult education, or any other education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

"Bullying" means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. "Bullying" includes ~~cyber bullying~~ *cyberbullying*. "Bullying" does not include ordinary teasing, horseplay, argument, or peer conflict.

"Cyberbullying" means bullying that occurs through the use of technology, including through cell phones and other electronic devices or technology capable of accessing the Internet.

"Disruptive behavior" means a violation of school board regulations governing student conduct that interrupts or obstructs the learning environment.

"Dress or grooming code" means any practice, policy, or portion of a code of student conduct adopted by a school board that governs or restricts the attire, appearance, or grooming, including hairstyle, of any enrolled student.

"Exclusion" means a Virginia school board's denial of school admission to a student who has been expelled or has been placed on a long-term suspension of more than 30 calendar days by another school board or a private school, either in Virginia or another state, or for whom admission has been withdrawn by a private school in Virginia or another state.

"Expulsion" means any disciplinary action imposed by a school board or a committee thereof, as provided in school board policy, whereby a student is not permitted to attend school within the school division and is ineligible for readmission for 365 calendar days after the date of the expulsion.

"Long-term suspension" means any disciplinary action whereby a student is not permitted to attend school for 11 to 45 school days.

"Short-term suspension" means any disciplinary action whereby a student is not permitted to attend school for a period not to exceed 10 school days.

B. For the purposes of §§ 22.1-277.04, 22.1-277.05, 22.1-277.2, and 22.1-277.2:1, "superintendent's designee" means a (i) trained hearing officer or (ii) professional employee within the administrative offices of the school division who reports directly to the division superintendent and who is not a school-based instructional or administrative employee.

§ 22.1-279.6. Board of Education guidelines and model policies for codes of student conduct; school board regulations.

A. The Board ~~of Education~~ shall establish guidelines and develop model policies for codes of student conduct to aid local school boards in the implementation of such policies. The guidelines and model policies shall include (i) criteria for the removal of a student from a class, the use of suspension, expulsion, and exclusion as disciplinary measures, the grounds for suspension, expulsion, and exclusion, and the procedures to be followed in such cases, including proceedings for such suspension, expulsion, and exclusion decisions and all applicable appeals processes; (ii) standards, consistent with state, federal, and case laws, for school board policies on alcohol and drugs, gang-related activity, hazing, vandalism, trespassing, threats, search and seizure, disciplining of students with disabilities, intentional injury of others, self-defense, bullying, ~~the use of electronic means for purposes of bullying~~ *cyberbullying*, harassment, and intimidation, and dissemination of such policies to students, their parents, and school personnel; (iii) standards for in-service training of school personnel in and examples of the appropriate management of student conduct and student offenses in violation of school board policies; (iv) standards for dress or grooming codes; and (v) standards for reducing bias and harassment in the enforcement of any code of student conduct.

In accordance with the most recent enunciation of constitutional principles by the Supreme Court of the United States of America, the Board's standards for school board policies on alcohol and drugs and search and seizure shall include guidance for procedures relating to voluntary and mandatory drug testing in schools, including which groups may be tested, use of test results, confidentiality of test information, privacy considerations, consent to the testing, need to know, and release of the test results to the appropriate school authority.

In the case of suspension and expulsion, the procedures set forth in this article shall be the minimum procedures that the school board may prescribe.

B. School boards shall adopt and revise, as required by § 22.1-253.13:7 and in accordance with the requirements of this section, regulations on codes of student conduct that are consistent with, but may be more stringent than, the guidelines of the Board. School boards shall include in the regulations on codes of student conduct procedures for suspension, expulsion, and exclusion decisions and shall biennially review the model student conduct code to incorporate discipline options and alternatives to preserve a safe, nondisruptive environment for effective teaching and learning.

C. Each school board shall include in its code of student conduct prohibitions against hazing and profane or obscene language or conduct. School boards shall also cite in their codes of student conduct the provisions of § 18.2-56, which defines and prohibits hazing and imposes a Class 1 misdemeanor penalty for violations, that is, confinement in jail for not more than 12 months and a fine of not more than $2,500, either or both.

D. Each school board shall include in its code of student conduct policies and procedures that include a prohibition against bullying. Such policies and procedures shall (i) be consistent with the standards for school board policies on

bullying and ~~the use of electronic means for purposes of bullying~~ *cyberbullying* developed by the Board pursuant to subsection A ~~and~~*;* (ii) direct the principal or his designee to notify the parent of any student involved in an alleged incident of bullying within 24 hours of learning of the allegation of bullying*; (iii) address instances of cyberbullying that occur outside of school property between students enrolled in the school division; (iv) provide protections designed to ensure that any student who is a victim of or a witness to an instance of cyberbullying is not deterred from reporting or seeking support for such instance of cyberbullying by fears of retaliation, social alienation or rejection, or other negative treatment; and (v) include a list of support services and resources available through each public school to any student who is a victim of cyberbullying relating to reporting and seeking support after experiencing an instance of cyberbullying, including mental health support services, and any information necessary to access any such support services and resources*.

Such policies and procedures shall not be interpreted to infringe upon the First Amendment rights of students and are not intended to prohibit expression of religious, philosophical, or political views, provided that such expression does not cause an actual, material disruption of the work of the school.

E. A school board may regulate the use or possession of beepers or other portable communications devices and laser pointers by students on school property or attending school functions or activities and establish disciplinary procedures pursuant to this article to which students violating such regulations will be subject.

F. Nothing in this section shall be construed to require any school board to adopt policies requiring or encouraging any drug testing in schools. However, a school board may, in its discretion, require or encourage drug testing in accordance with the Board of Education's guidelines and model student conduct policies required by subsection A and the Board's guidelines for student searches required by § 22.1-279.7.

G. The Board ~~of Education~~ shall establish standards to ensure compliance with the federal Improving America's Schools Act of 1994 (Part F-Gun-Free Schools Act of 1994), as amended, in accordance with § 22.1-277.07.

This subsection shall not be construed to diminish the authority of the Board ~~of Education~~ or to diminish the Governor's authority to coordinate and provide policy direction on official communications between the Commonwealth and the United States government.

H. Each school board shall include in its code of student conduct a prohibition on possessing any retail tobacco product or hemp product intended for smoking, as those terms are defined in § 18.2-371.2, on a school bus, on school property, or at an on-site or off-site school-sponsored activity.

I. Any school board may include in its code of student conduct a dress or grooming code. Any dress or grooming code included in a school board's code of student conduct or otherwise adopted by a school board shall (i) permit any student to wear any religiously and ethnically specific or significant head covering or hairstyle, including hijabs, yarmulkes, headwraps, braids, locs, and cornrows; (ii) maintain gender neutrality by subjecting any student to the same set of rules and standards regardless of gender; (iii) not have a disparate impact on students of a particular gender; (iv) be clear, specific, and objective in defining terms, if used; (v) prohibit any school board employee from enforcing the dress or grooming code by direct physical contact with a student or a student's attire; and (vi) prohibit any school board employee from requiring a student to undress in front of any other individual, including the enforcing school board employee, to comply with the dress or grooming code.

CHAPTER 439

An Act to amend the Code of Virginia by adding a section numbered 2.2-4311.3, relating to Virginia Public Procurement Act; procurement of imported goods; forced and indentured child labor prohibition.

[S 913]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-4311.3 as follows:

§ 2.2-4311.3. Procurement of imported goods; forced and indentured child labor prohibition.

A. For the purposes of this section, "forced or indentured child labor" means all work or service (i) exacted from any person younger than 18 years of age under the menace of any penalty for the nonperformance of such work or service and for which such person does not offer himself voluntarily or (ii) performed by any person younger than 18 years of age pursuant to a contract the enforcement of which can be accomplished by process or penalties.

B. A public body that enters into a public contract for goods or services that exceeds $10,000 shall include in such a public contract provisions (i) prohibiting the use of forced or indentured child labor in the performance of the contract and (ii) requiring that the contractor include such prohibition in every subcontract or purchase order that exceeds $10,000, so that the prohibition will be binding upon each subcontractor or vendor.

CHAPTER 440

An Act to amend and reenact § 55.1-2544 of the Code of Virginia, relating to certain unclaimed property presumed abandoned; Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund.

[S 934]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-2544 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-2544. Property held or payable pursuant to Title 51.1.

This chapter shall not apply to any defined benefit plan funds or other property, tangible or intangible, held or payable pursuant to Title 51.1. Any funds or other property, tangible or intangible, held or payable in a defined contribution plan, deferred compensation plan, or cash match plan pursuant to Title 51.1 that have remained unclaimed for more than five years after such funds or other property became payable shall be presumed abandoned. *Additionally, any funds or other property, tangible or intangible, held or payable to a member of the Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund pursuant to Chapter 12 (§ 51.1-1200 et seq.) of Title 51.1 that have remained unclaimed for more than five years after the forfeiture of such member's membership in the Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund in accordance with § 51.1-1209 or the dissolution of a volunteer emergency medical services agency or volunteer fire department shall be presumed abandoned.*

CHAPTER 441

An Act to amend and reenact § 19.2-388 of the Code of Virginia, relating to Department of State Police; Central Criminal Records Exchange; removal of certain reporting requirements.

[S 956]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-388 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-388. Duties and authority of Exchange.

A. It shall be the duty of the Central Criminal Records Exchange to receive, classify, and file criminal history record information as defined in § 9.1-101 and other records required to be reported to it by §§ 16.1-299 and 19.2-390. The Exchange is authorized to prepare and furnish to all state and local law-enforcement officials and agencies; to clerks of circuit courts, general district courts, and juvenile and domestic relations district courts; and to corrections and penal officials, forms that shall be used for the making of such reports.

B. Juvenile records received pursuant to § 16.1-299 shall be maintained separately from adult records.

C. The Exchange shall submit periodic reports to the Office of the Executive Secretary of the Supreme Court of Virginia, the clerk of each circuit court and district court, attorneys for the Commonwealth, and law-enforcement agencies containing a list of offenses with unapplied criminal history record information. Reports to the Office of the Executive Secretary of the Supreme Court of Virginia shall be quarterly and shall include all such offenses within the Commonwealth identified by jurisdiction and by court. Reports to the clerk of each circuit court and district court shall be quarterly and shall include only such offenses that were submitted by the respective clerk of court. Reports to attorneys for the Commonwealth shall be quarterly and shall include only such offenses that were submitted by law-enforcement agencies and courts in the county or city served by the respective attorney for the Commonwealth. Reports to law-enforcement agencies shall be monthly and shall include only such offenses for which the respective law-enforcement agency executed the arrest or issued the summons. For each offense, the report shall include, if known, the name and any other identifying information of the defendant, any identifying court case information, the date of submission to the Exchange, and the reason the offense could not be applied to the criminal history record.

D. The Exchange shall review offenses containing unapplied criminal history record information and shall make reasonable efforts to ensure that such information, including any offense of which the Exchange is notified pursuant to subdivision A 12 of § 9.1-176.1, subdivision F 7 or 8 of § 19.2-305.1, subsection B of § 53.1-23, or subdivision 13 or 14 of § 53.1-145, is applied to criminal history records. The Exchange may request and shall receive from the clerk of each circuit court and district court, attorneys for the Commonwealth, law-enforcement agencies, the Department of Corrections, the Department of Forensic Science, and local probation and community corrections agencies cooperation and assistance to obtain positive identification or to reconcile any inconsistencies, errors, or omissions within such unapplied criminal history record information.

~~E. The Exchange shall submit a report to the Governor and General Assembly on or before November 1 of each year on the status of unapplied criminal history record information and any updates to fingerprinting policies and procedures. The report shall include the following, if known: (i) the total number of offenses submitted to the Exchange, identified by the year of the offense and the year the charge was filed for such offense, that contain unapplied criminal history record information and cannot be applied to criminal history records; (ii) the number of such offenses submitted to the Exchange~~

~~without fingerprints or positive identification and the law-enforcement agencies that submitted those offenses; (iii) the number of such offenses submitted to the Exchange with an inconsistency, error, or omission and, for those offenses, the jurisdiction from which the offense was submitted; and (iv) efforts made by the Exchange to ensure that unapplied criminal history record information is applied to criminal history records, including any offenses of which the Exchange was notified pursuant to subdivision A 12 of § 9.1-176.1, subdivision F 7 or 8 of § 19.2-305.1, subsection B of § 53.1-23, or subdivision 13 or 14 of § 53.1-145.~~

CHAPTER 442

An Act to amend and reenact § 51.1-212, as it shall become effective, of the Code of Virginia, relating to Virginia Law Officers' Retirement System; conservation officers.

[S 1201]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 51.1-212, as it shall become effective, of the Code of Virginia is amended and reenacted as follows:

§ 51.1-212. (Effective July 1, 2025) Definitions.

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

"Employee" means any (i) member of the Capitol Police Force as described in § 30-34.2:1, (ii) campus police officer appointed under the provisions of Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1, (iii) conservation police officer in the Department of Wildlife Resources appointed under the provisions of Chapter 2 (§ 29.1-200 et seq.) of Title 29.1, (iv) special agent of the Virginia Alcoholic Beverage Control Authority appointed under the provisions of Chapter 1 (§ 4.1-100 et seq.) of Title 4.1, (v) law-enforcement officer employed by the Virginia Marine Resources Commission as described in § 9.1-101, (vi) correctional officer as the term is defined in § 53.1-1, and including correctional officers employed at a juvenile correction facility as the term is defined in § 66-25.3, (vii) parole officer appointed pursuant to § 53.1-143, (viii) commercial vehicle enforcement officer employed by the Department of State Police, ~~and~~ (ix) full-time firefighter employed by the Department of Military Affairs*, and (x) conservation officer of the Department of Conservation and Recreation appointed under the provisions of Article 4 (§ 10.1-115 et seq.) of Chapter 1 of Title 10.1.*

"Member" means any person included in the membership of the Retirement System as provided in this chapter.

"Normal retirement date" means a member's sixtieth birthday.

"Retirement System" means the Virginia Law Officers' Retirement System.

2. That the provisions of this act providing enhanced retirement benefits to positions as conservation officers of the Department of Conservation and Recreation appointed under the provisions of Article 4 (§ 10.1-115 et seq.) of Chapter 1 of Title 10.1 of the Code of Virginia shall apply only to service earned as a conservation officer on or after July 1, 2025.

CHAPTER 443

An Act to amend and reenact § 29.1-300.2 of the Code of Virginia, relating to hunter education program personnel.

[S 1204]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 29.1-300.2 of the Code of Virginia is amended and reenacted as follows:

§ 29.1-300.2. Hunter education program.

The Department shall provide for a course of instruction in hunter safety, principles of conservation, and sportsmanship, and for this purpose may cooperate with any reputable association or organization having as one of its objectives the promotion of hunter safety, principles of conservation, and sportsmanship.

~~The Board shall establish at least one full-time hunter education coordinator position for each of the Departments' administrative regions. Each coordinator will be assigned to a conservation police officer district and have the responsibility for providing hunter education training throughout the administrative region.~~

The Board shall staff the hunter education program with appropriate personnel to ensure that hunter education, training, workshops, and volunteer management are carried out across the Commonwealth.

The Department may designate as a hunter safety instructor any person found by it to be competent to give instruction in the courses required by this article. A person so appointed shall give such course of instruction, and, upon completion thereof, shall issue to the person instructed a certificate of competency as provided by the Board in hunter safety, principles of conservation, and sportsmanship.

The Board shall prescribe a minimum level of skill and knowledge to be required of all hunter safety instructors, and may limit the number of students per instructor in all required classes.

The Board may revoke the certificate of any instructor when, in the opinion of the Board, it is in the best interest of the Commonwealth to do so.

The Board shall promulgate rules and regulations in order to administer and enforce the provisions of §§ 29.1-300.1, 29.1-300.2, and 29.1-300.3.

CHAPTER 444

An Act to convene a work group to evaluate cybersecurity as it relates to the provision of electric service by investor-owned electric utilities and electric cooperatives.

[S 1239]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The State Corporation Commission (the Commission) shall convene a work group to evaluate cybersecurity as it relates to the provision of electric service by investor-owned incumbent electric utilities and electric cooperatives. Such work group shall consider (i) actions each investor-owned incumbent electric utility or electric cooperative may take if a customer experiences an emergency condition that, as determined by such utility or cooperative, could compromise the reliability or security of electric service to such utility's or cooperative's other customers and (ii) any other topics the Commission deems relevant. The Commission shall facilitate and document the proceedings of the work group, submit a written report, including any findings and recommendations, to the Chairmen of the House Committee on Labor and Commerce and the Senate Committee on Commerce and Labor on or before November 30, 2025, and make a copy of such report publicly available on the Commission's website at the same time as such submission.*

CHAPTER 445

An Act to amend and reenact §§ 22.1-369 through 22.1-372, 22.1-374, 22.1-375, 22.1-376, and 22.1-380 of the Code of Virginia, relating to educational opportunities for children of certain federal employees; expansion of policies to students transferring from foreign countries.

[S 1244]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-369 through 22.1-372, 22.1-374, 22.1-375, 22.1-376, and 22.1-380 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-369. Purpose.

It is the purpose of this chapter to remove barriers to educational success imposed on school-age children of federal employees serving under orders pursuant to Title 22 or 50 of the United States Code because of frequent moves and service of their parents by:

1. Facilitating the timely enrollment in school divisions of children of federal employees serving under orders pursuant to Title 22 or 50 of the United States Code and ensuring that such children are not placed at a disadvantage due to difficulty in the transfer of educational records from a local education agency in a sending state *or a foreign education agency in a sending country* or variations in entrance or age requirements between local education agencies in sending states *or foreign education agencies in sending countries* and school divisions *in the Commonwealth*;

2. Facilitating the student placement process in school divisions through which children of federal employees serving under orders pursuant to Title 22 or 50 of the United States Code are not disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content, or assessment between local education agencies in sending states *or foreign education agencies in sending countries* and school divisions *in the Commonwealth*;

3. Facilitating the qualification and eligibility for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities in school divisions;

4. Facilitating the on-time graduation in the Commonwealth of children of federal employees serving under orders pursuant to Title 22 or 50 of the United States Code; and

5. Promoting flexibility and cooperation between local education agencies, parents, and students in order to achieve educational success for students.

§ 22.1-370. Definitions.

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

"Children of federal employees serving under orders pursuant to Title 22 or 50 of the United States Code" means school-age children, enrolled in kindergarten through grade 12, in the household of a federal employee serving under orders pursuant to Title 22 or 50 of the United States Code.

"Educational records" means those official records, files, and data directly related to a student and maintained by a school or local education agency *or a foreign education agency*, including records encompassing all the material kept in the student's cumulative folder such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status, test protocols, and individualized education programs.

"Extracurricular activities" means voluntary activities sponsored by a school division or public school therein or an organization sanctioned by a school division. "Extracurricular activities" includes preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.

"Foreign education agency" means a public authority legally constituted by a foreign country or a political subdivision thereof as an administrative agency or an equivalent agency or entity to provide control of and direction for the provision of public education at the primary and secondary education levels.

"Local education agency" means a public authority legally constituted by a state ~~or foreign country~~ as an administrative agency to provide control of and direction for ~~kindergarten through grade 12 public schools~~ *the provision of public education at the primary and secondary education levels*.

"Sending country" means the foreign country, including a political subdivision thereof, from which a child of a federal employee serving under orders pursuant to Title 22 or 50 of the United States Code is sent, brought, or caused to be sent or brought. "Sending country" does not include the United States.

"Sending state" means the state from which a child of a federal employee serving under orders pursuant to Title 22 or 50 of the United States Code is sent, brought, or caused to be sent or brought. "Sending state" does not include the Commonwealth.

"State" means one of 50 United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands, any other U.S. territory, and any Department of Defense Educational Activity school.

"Student" means the child of a federal employee serving under orders pursuant to Title 22 or 50 of the United States Code and who is formally enrolled in kindergarten through grade 12.

"Transition" means (i) the formal and physical process of transferring from school to school or (ii) the period of time in which a student moves from one school in the sending state *or the sending country* to another school in the Commonwealth.

§ 22.1-371. Applicability.

A. Except as otherwise provided in subsection B, the provisions of this chapter shall apply to school-age children who are dependents of federal employees serving under orders pursuant to Title 22 or 50 of the United States Code when the parent produces documentation indicating that he is required to move in order to perform his job responsibilities and such move results in the student's relocation from a sending state *or a sending country* to a school division *in the Commonwealth*.

B. The provisions of this chapter shall only apply to local education agencies.

§ 22.1-372. Unofficial educational records.

In the event that official educational records cannot be released to the parents for the purpose of transfer from a local education agency in a sending state *or a foreign education agency in a sending country* to a school division, the custodian of the records in the sending state *or the sending country* may prepare and furnish to the parent a complete set of unofficial educational records. Upon receipt of the unofficial educational records by a school in a school division, such school shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible.

§ 22.1-374. Kindergarten and first grade entrance age.

Students shall be allowed to continue their enrollment at the grade level in a school division commensurate with their grade level, including kindergarten, in the local education agency in the sending state *or foreign education agency in the sending country* at the time of transition, regardless of minimum age. A student who has satisfactorily completed the prerequisite grade level in the local education agency in the sending state *or the foreign education agency in the sending country* shall be eligible for enrollment in the next highest grade level in a school division, regardless of minimum age. A student transferring after the start of the school year into a school division shall enter the school on his validated grade level from the local education agency in the sending state *or the foreign education agency in the sending country*.

§ 22.1-375. Course placement.

When a student transfers into a school division before or during the school year, such school division shall initially honor placement of the student in educational courses based on the student's enrollment in the school in the sending state *or the sending country* or educational assessments conducted at the school in the sending state *or the sending country* if such courses are offered. Such courses include honors, International Baccalaureate, Advanced Placement, vocational, technical, and career pathways courses *and any other courses for which the school division is able to honor placement of such student*. Continuing the student's academic program from the school in the sending state *or the sending country* and promoting placement in academically challenging and career-challenging courses should be paramount when considering course placement. Nothing in this section shall be construed to preclude school divisions from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in educational courses.

§ 22.1-376. Educational program placement.

School divisions shall initially honor placement of a student who transfers into the school division in educational programs based on current educational assessments conducted at the school in the sending state *or the sending country* or participation or placement in like programs in the sending state *or the sending country*. Such programs include gifted and talented programs and English as a second language programs. Nothing in this section shall be construed to preclude school divisions from performing subsequent evaluations to ensure appropriate placement of the student in educational programs.

§ 22.1-380. Graduation; waivers and exit exams.

In order to facilitate the on-time graduation of students, school division administrative officials shall incorporate the following procedures:

1. School division administrative officials shall waive specific courses required for graduation if similar coursework has been satisfactorily completed in a local education agency in a sending state *or a foreign education agency in a sending country* or shall provide reasonable justification for denial of such waiver. Should a waiver not be granted to a student who would qualify to graduate in a sending state *or a sending country*, the school division shall provide an alternative means of acquiring required coursework so that graduation may occur on time; and

2. School division administrative officials shall accept, in lieu of testing requirements for graduation in the Commonwealth, (i) exit or end-of-course exams required for graduation from the sending state *or a sending country*, (ii) national norm-referenced achievement tests, or (iii) alternative testing acceptable in the Commonwealth.

CHAPTER 446

An Act to amend and reenact § 54.1-3408 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 8 of Title 23.1 a section numbered 23.1-802.2, relating to public institutions of higher education; student and campus safety; training in opioid antagonist administration for resident assistants required.

[S 1257]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3408 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 1 of Chapter 8 of Title 23.1 a section numbered 23.1-802.2 as follows:

§ 23.1-802.2. Resident assistant opioid antagonist administration training required.

A. Each resident assistant in a student housing facility at a public institution of higher education shall complete, prior to the commencement of his duties, training in the administration of an opioid antagonist to any student, faculty, or staff member who is believed to be experiencing or about to experience a life-threatening opioid overdose.

B. Each public institution of higher education in the Commonwealth shall, in accordance with the provisions of subsection X of § 54.1-3408, adopt policies and procedures relating to the possession and administration of an opioid antagonist by each resident assistant in a student housing facility at such institution. Such policies and procedures shall:

1. Require each resident assistant in a student housing facility at such institution to be authorized by a prescriber and trained in the administration of an opioid antagonist prior to the commencement of his duties; and

2. Arrange for the provision of such opioid antagonist administration training required pursuant to subdivision 1 by a program administered or approved by the Department of Health.

§ 54.1-3408. Professional use by practitioners.

A. A practitioner of medicine, osteopathy, podiatry, dentistry, or veterinary medicine, a licensed advanced practice registered nurse pursuant to § 54.1-2957.01, a licensed certified midwife pursuant to § 54.1-2957.04, a licensed physician assistant pursuant to § 54.1-2952.1, or a TPA-certified optometrist pursuant to Article 5 (§ 54.1-3222 et seq.) of Chapter 32 shall only prescribe, dispense, or administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice. A licensed midwife pursuant to § 54.1-2957.7 shall only obtain, possess, and administer controlled substances in good faith for medicinal or therapeutic purposes within the course of his professional practice.

B. The prescribing practitioner's order may be on a written prescription or pursuant to an oral prescription as authorized by this chapter. The prescriber may administer drugs and devices, or he may cause drugs or devices to be administered by:

1. A nurse, physician assistant, or intern under his direction and supervision;

2. Persons trained to administer drugs and devices to patients in state-owned or state-operated hospitals or facilities licensed as hospitals by the Board of Health or psychiatric hospitals licensed by the Department of Behavioral Health and Developmental Services who administer drugs under the control and supervision of the prescriber or a pharmacist;

3. Emergency medical services personnel certified and authorized to administer drugs and devices pursuant to regulations of the Board of Health who act within the scope of such certification and pursuant to an oral or written order or standing protocol;

4. Persons who are employed or engaged at a medical care facility, as defined in § 32.1-3, who have a valid emergency medical services provider certification issued by the Board of Health as a requirement of being employed or engaged at the medical care facility within the scope of such certification, pursuant to an oral or written order or standing protocol to administer drugs and devices at the medical care facility; or

5. A licensed respiratory therapist as defined in § 54.1-2954 who administers by inhalation controlled substances used in inhalation or respiratory therapy.

C. Pursuant to an oral or written order or standing protocol, the prescriber, who is authorized by state or federal law to possess and administer radiopharmaceuticals in the scope of his practice, may authorize a nuclear medicine technologist to administer, under his supervision, radiopharmaceuticals used in the diagnosis or treatment of disease.

D. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize registered nurses and licensed practical nurses to possess (i) epinephrine and oxygen for administration in treatment of emergency medical conditions and (ii) heparin and sterile normal saline to use for the maintenance of intravenous access lines.

Pursuant to the regulations of the Board of Health, certain emergency medical services technicians may possess and administer epinephrine in emergency cases of anaphylactic shock.

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any school nurse, school board employee, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or standing protocol that shall be issued by the local health director within the course of his professional practice, any school nurse, licensed athletic trainer under contract with a local school division, school board employee, employee of a local governing body, or employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers or nebulized albuterol may possess or administer an albuterol inhaler and a valved holding chamber or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education, or any employee of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in the administration of (a) epinephrine may possess and administer epinephrine and (b) albuterol inhalers or nebulized albuterol may possess or administer an albuterol inhaler or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any nurse at an early childhood care and education entity, employee at the entity, or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of a public institution of higher education or a private institution of higher education who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, any employee of an organization providing outdoor educational experiences or programs for youth who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an order or a standing protocol issued by the prescriber within the course of his professional practice, and in accordance with policies and guidelines established by the Department of Health, such prescriber may authorize any employee of a restaurant licensed pursuant to Chapter 3 (§ 35.1-18 et seq.) of Title 35.1 to possess and administer epinephrine on the premises of the restaurant at which the employee is employed, provided that such person is trained in the administration of epinephrine.

Pursuant to an order issued by the prescriber within the course of his professional practice, an employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services may possess and administer epinephrine, provided such person is authorized and trained in the administration of epinephrine.

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any employee of a place of public accommodation, as defined in subsection A of § 2.2-3904, who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine.

Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize pharmacists to possess epinephrine and oxygen for administration in treatment of emergency medical conditions.

E. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed physical therapists to possess and administer topical corticosteroids, topical lidocaine, and any other Schedule VI topical drug.

F. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize licensed athletic trainers to possess and administer topical corticosteroids, topical lidocaine, or other Schedule VI topical drugs; oxygen and IV saline for use in emergency situations; subcutaneous lidocaine for wound closure; epinephrine for use in emergency cases of anaphylactic shock; and naloxone or other opioid antagonist for overdose reversal.

G. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, and in accordance with policies and guidelines established by the Department of Health pursuant to § 32.1-50.2, such prescriber may authorize registered nurses or licensed practical nurses under the supervision of a registered nurse to possess and administer tuberculin purified protein derivative (PPD) in the absence of a prescriber. The Department of Health's policies and guidelines shall be consistent with applicable guidelines developed by the Centers for Disease Control and Prevention for preventing transmission of mycobacterium tuberculosis and shall be updated to

incorporate any subsequently implemented standards of the Occupational Safety and Health Administration and the Department of Labor and Industry to the extent that they are inconsistent with the Department of Health's policies and guidelines. Such standing protocols shall explicitly describe the categories of persons to whom the tuberculin test is to be administered and shall provide for appropriate medical evaluation of those in whom the test is positive. The prescriber shall ensure that the nurse implementing such standing protocols has received adequate training in the practice and principles underlying tuberculin screening.

The Health Commissioner or his designee may authorize registered nurses, acting as agents of the Department of Health, to possess and administer, at the nurse's discretion, tuberculin purified protein derivative (PPD) to those persons in whom tuberculin skin testing is indicated based on protocols and policies established by the Department of Health.

H. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administer glucagon to a student diagnosed as having diabetes and who requires insulin injections during the school day or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize the possession and administration of undesignated glucagon as set forth in subsection F of § 22.1-274.2.

Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize an employee of a public institution of higher education or a private institution of higher education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administration of glucagon to a student diagnosed as having diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia. Such authorization shall only be effective when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

Pursuant to a written order issued by the prescriber within the course of his professional practice, such prescriber may authorize an employee of a provider licensed by the Department of Behavioral Health and Developmental Services or a person providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services to assist with the administration of insulin or to administer glucagon to a person diagnosed as having diabetes and who requires insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia, provided such employee or person providing services has been trained in the administration of insulin and glucagon.

I. A prescriber may authorize, pursuant to a protocol approved by the Board of Nursing, the administration of vaccines to adults for immunization, when a practitioner with prescriptive authority is not physically present, by (i) licensed pharmacists, (ii) registered nurses, or (iii) licensed practical nurses under the supervision of a registered nurse. A prescriber acting on behalf of and in accordance with established protocols of the Department of Health may authorize the administration of vaccines to any person by a pharmacist, nurse, or designated emergency medical services provider who holds an advanced life support certificate issued by the Commissioner of Health under the direction of an operational medical director when the prescriber is not physically present. The emergency medical services provider shall provide documentation of the vaccines to be recorded in the Virginia Immunization Information System.

J. A dentist may cause Schedule VI topical drugs to be administered under his direction and supervision by either a dental hygienist or by an authorized agent of the dentist.

Further, pursuant to a written order and in accordance with a standing protocol issued by the dentist in the course of his professional practice, a dentist may authorize a dental hygienist under his general supervision, as defined in § 54.1-2722, or his remote supervision, as defined in subsection E or F of § 54.1-2722, to possess and administer topical oral fluorides, topical oral anesthetics, topical and directly applied antimicrobial agents for treatment of periodontal pocket lesions, and any other Schedule VI topical drug approved by the Board of Dentistry.

In addition, a dentist may authorize a dental hygienist under his direction to administer Schedule VI nitrous oxide and oxygen inhalation analgesia and, to persons 18 years of age or older, Schedule VI local anesthesia.

K. Pursuant to an oral or written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize registered professional nurses certified as sexual assault nurse examiners-A (SANE-A) under his supervision and when he is not physically present to possess and administer preventive medications for victims of sexual assault as recommended by the Centers for Disease Control and Prevention.

L. This section shall not prevent the administration of drugs by a person who has satisfactorily completed a training program for this purpose approved by the Board of Nursing and who administers such drugs in accordance with a prescriber's instructions pertaining to dosage, frequency, and manner of administration, and in accordance with regulations promulgated by the Board of Pharmacy relating to security and record keeping, when the drugs administered would be normally self-administered by (i) an individual receiving services in a program licensed by the Department of Behavioral

Health and Developmental Services; (ii) a resident of the Virginia Rehabilitation Center for the Blind and Vision Impaired; (iii) a resident of a facility approved by the Board or Department of Juvenile Justice for the placement of children in need of services or delinquent or alleged delinquent youth; (iv) a program participant of an adult day center licensed by the Department of Social Services; (v) a resident of any facility authorized or operated by a state or local government whose primary purpose is not to provide health care services; (vi) a resident of a private children's residential facility, as defined in § 63.2-100 and licensed by the Department of Social Services, Department of Education, or Department of Behavioral Health and Developmental Services; or (vii) a student in a school for students with disabilities, as defined in § 22.1-319 and licensed by the Board of Education.

In addition, this section shall not prevent a person who has successfully completed a training program for the administration of drugs via percutaneous gastrostomy tube approved by the Board of Nursing and been evaluated by a registered nurse as having demonstrated competency in administration of drugs via percutaneous gastrostomy tube from administering drugs to a person receiving services from a program licensed by the Department of Behavioral Health and Developmental Services to such person via percutaneous gastrostomy tube. The continued competency of a person to administer drugs via percutaneous gastrostomy tube shall be evaluated semiannually by a registered nurse.

M. Medication aides registered by the Board of Nursing pursuant to Article 7 (§ 54.1-3041 et seq.) of Chapter 30 may administer drugs that would otherwise be self-administered to residents of any assisted living facility licensed by the Department of Social Services. A registered medication aide shall administer drugs pursuant to this section in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; in accordance with regulations promulgated by the Board of Pharmacy relating to security and recordkeeping; in accordance with the assisted living facility's Medication Management Plan; and in accordance with such other regulations governing their practice promulgated by the Board of Nursing.

N. In addition, this section shall not prevent the administration of drugs by a person who administers such drugs in accordance with a physician's instructions pertaining to dosage, frequency, and manner of administration and with written authorization of a parent, and in accordance with school board regulations relating to training, security and record keeping, when the drugs administered would be normally self-administered by a student of a Virginia public school. Training for such persons shall be accomplished through a program approved by the local school boards, in consultation with the local departments of health.

O. In addition, this section shall not prevent the administration of drugs by a person to (i) a child in a child day program as defined in § 22.1-289.02 and regulated by the Board of Education or a local government pursuant to § 15.2-914, or (ii) a student of a private school that is accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education, provided such person (a) has satisfactorily completed a training program for this purpose approved by the Board of Nursing and taught by a registered nurse, a licensed practical nurse, an advanced practice registered nurse, a physician assistant, a doctor of medicine or osteopathic medicine, or a pharmacist; (b) has obtained written authorization from a parent or guardian; (c) administers drugs only to the child identified on the prescription label in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; and (d) administers only those drugs that were dispensed from a pharmacy and maintained in the original, labeled container that would normally be self-administered by the child or student, or administered by a parent or guardian to the child or student.

P. In addition, this section shall not prevent the administration or dispensing of drugs and devices by persons if they are authorized by the State Health Commissioner in accordance with protocols established by the State Health Commissioner pursuant to § 32.1-42.1 when (i) the Governor has declared a disaster or a state of emergency, the United States Secretary of Health and Human Services has issued a declaration of an actual or potential bioterrorism incident or other actual or potential public health emergency, or the Board of Health has made an emergency order pursuant to § 32.1-13 for the purpose of suppressing nuisances dangerous to the public health and communicable, contagious, and infectious diseases and other dangers to the public life and health and for the limited purpose of administering vaccines as an approved countermeasure for such communicable, contagious, and infectious diseases; (ii) it is necessary to permit the provision of needed drugs or devices; and (iii) such persons have received the training necessary to safely administer or dispense the needed drugs or devices. Such persons shall administer or dispense all drugs or devices under the direction, control, and supervision of the State Health Commissioner.

Q. Nothing in this title shall prohibit the administration of normally self-administered drugs by unlicensed individuals to a person in his private residence.

R. This section shall not interfere with any prescriber issuing prescriptions in compliance with his authority and scope of practice and the provisions of this section to a Board agent for use pursuant to subsection G of § 18.2-258.1. Such prescriptions issued by such prescriber shall be deemed to be valid prescriptions.

S. Nothing in this title shall prevent or interfere with dialysis care technicians or dialysis patient care technicians who are certified by an organization approved by the Board of Health Professions or persons authorized for provisional practice pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.), in the ordinary course of their duties in a Medicare-certified renal dialysis facility, from administering heparin, topical needle site anesthetics, dialysis solutions, sterile normal saline solution, and blood volumizers, for the purpose of facilitating renal dialysis treatment, when such administration of medications occurs under the orders of a licensed physician, an advanced practice registered nurse, or a physician assistant and under the immediate and direct supervision of a licensed registered nurse. Nothing in this chapter shall be construed to prohibit a patient care dialysis technician trainee from performing dialysis care as part of and within the scope of the clinical skills

instruction segment of a supervised dialysis technician training program, provided such trainee is identified as a "trainee" while working in a renal dialysis facility.

The dialysis care technician or dialysis patient care technician administering the medications shall have demonstrated competency as evidenced by holding current valid certification from an organization approved by the Board of Health Professions pursuant to Chapter 27.01 (§ 54.1-2729.1 et seq.).

T. Persons who are otherwise authorized to administer controlled substances in hospitals shall be authorized to administer influenza or pneumococcal vaccines pursuant to § 32.1-126.4.

U. Pursuant to a specific order for a patient and under his direct and immediate supervision, a prescriber may authorize the administration of controlled substances by personnel who have been properly trained to assist a doctor of medicine or osteopathic medicine, provided the method does not include intravenous, intrathecal, or epidural administration and the prescriber remains responsible for such administration.

V. A physician assistant, nurse, dental hygienist, or authorized agent of a doctor of medicine, osteopathic medicine, or dentistry may possess and administer topical fluoride varnish pursuant to an oral or written order or a standing protocol issued by a doctor of medicine, osteopathic medicine, or dentistry.

W. A prescriber, acting in accordance with guidelines developed pursuant to § 32.1-46.02, may authorize the administration of influenza vaccine to minors by a licensed pharmacist, registered nurse, licensed practical nurse under the direction and immediate supervision of a registered nurse, or emergency medical services provider who holds an advanced life support certificate issued by the Commissioner of Health when the prescriber is not physically present.

X. Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, a pharmacist, a health care provider providing services in a hospital emergency department, and emergency medical services personnel, as that term is defined in § 32.1-111.1, may dispense naloxone or other opioid antagonist used for overdose reversal and a person to whom naloxone or other opioid antagonist has been dispensed pursuant to this subsection may possess and administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose. Law-enforcement officers as defined in § 9.1-101, employees of the Department of Forensic Science, employees of the Office of the Chief Medical Examiner, employees of the Department of General Services Division of Consolidated Laboratory Services, employees of the Department of Corrections designated by the Director of the Department of Corrections or designated as probation and parole officers or as correctional officers as defined in § 53.1-1, employees of the Department of Juvenile Justice designated as probation and parole officers or as juvenile correctional officers, employees of regional jails, employees of any state agency, school nurses, local health department employees that are assigned to a public school pursuant to an agreement between the local health department and the school board, school board employees who have completed training and are certified in the administration of an opioid antagonist for overdose reversal by a program administered or authorized by the Department of Health, other school board employees or individuals contracted by a school board to provide school health services*, resident assistants in a student housing facility at a public institution of higher education who have completed training in the administration of an opioid antagonist for overdose reversal pursuant to § 23.1-802.2*, and firefighters may also possess and administer naloxone or other opioid antagonist used for overdose reversal and may dispense naloxone or other opioid antagonist used for overdose reversal pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Notwithstanding the provisions of § 54.1-3303, pursuant to an oral, written, or standing order issued by a prescriber or a standing order issued by the Commissioner of Health or his designee authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber, and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, any person may possess and administer naloxone or other opioid antagonist used for overdose reversal, other than naloxone in an injectable formulation with a hypodermic needle or syringe, in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Y. Notwithstanding any other law or regulation to the contrary, a person who is acting on behalf of an organization that provides services to individuals at risk of experiencing an opioid overdose or training in the administration of naloxone for overdose reversal may dispense naloxone, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber and (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health. If the person acting on behalf of an organization dispenses naloxone in an injectable formulation with a hypodermic needle or syringe, he shall first obtain authorization from the Department of Behavioral Health and Developmental Services to train individuals on the proper administration of naloxone by and proper disposal of a hypodermic needle or syringe, and he shall obtain a controlled substance registration from the Board of Pharmacy. The Board of Pharmacy shall not charge a fee for the issuance of such controlled substance registration. The dispensing may occur at a site other than that of the controlled substance registration provided the entity possessing the

controlled substances registration maintains records in accordance with regulations of the Board of Pharmacy. No person who dispenses naloxone on behalf of an organization pursuant to this subsection shall charge a fee for the dispensing of naloxone that is greater than the cost to the organization of obtaining the naloxone dispensed. A person to whom naloxone has been dispensed pursuant to this subsection may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

Z. A person who is not otherwise authorized to administer naloxone or other opioid antagonist used for overdose reversal may administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

AA. Pursuant to a written order or standing protocol issued by the prescriber within the course of his professional practice, such prescriber may authorize, with the consent of the parents as defined in § 22.1-1, an employee of (i) a school board, (ii) a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as administered by the Virginia Council for Private Education who is trained in the administration of injected medications for the treatment of adrenal crisis resulting from a condition causing adrenal insufficiency to administer such medication to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis. Such authorization shall be effective only when a licensed nurse, an advanced practice registered nurse, a physician, or a physician assistant is not present to perform the administration of the medication.

CHAPTER 447

An Act to amend and reenact § 46.2-924 of the Code of Virginia, relating to drivers to stop for pedestrians; vulnerable road users; penalties.

[S 1416]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-924 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-924. Drivers to stop for pedestrians; installation of certain signs; penalties.

A. The driver of any vehicle on a highway shall stop when any pedestrian crossing such highway is within the driver's lane or within an adjacent lane and approaching the driver's lane until such pedestrian has passed the lane in which the vehicle is stopped:

1. At any clearly marked crosswalk, whether at midblock or at the end of any block;

2. At any regular pedestrian crossing included in the prolongation of the lateral boundary lines of the adjacent sidewalk at the end of a block; or

3. At any intersection when the driver is approaching on a highway where the speed limit is not more than 35 miles per hour.

A violation of this section is a traffic infraction, except that a violation of this section that results in serious bodily injury, as defined in § 18.2-51.4, to or the death of a vulnerable road user, as defined in § 46.2-816.1, who is lawfully crossing a highway is a Class 1 misdemeanor.

B. When a vehicle is stopped pursuant to subsection A, the driver of any other vehicle approaching from an adjacent lane or from behind the stopped vehicle shall not overtake and pass such stopped vehicle.

C. Notwithstanding the provisions of subsection A, at intersections or crosswalks where the movement of traffic is being regulated by law-enforcement officers or traffic control devices, the driver shall yield according to the direction of the law-enforcement officer or device.

No pedestrian shall enter or cross an intersection in disregard of approaching traffic.

The drivers of vehicles entering, crossing, or turning at intersections shall change their course, slow down, or stop if necessary to permit pedestrians to cross such intersections safely and expeditiously.

Pedestrians crossing highways at intersections shall at all times have the right-of-way over vehicles making turns into the highways being crossed by the pedestrians.

D. The governing body of Arlington County, Fairfax County, Loudoun County and any town therein, the City of Alexandria, the City of Fairfax, the City of Falls Church, and the Town of Ashland may by ordinance provide for the installation and maintenance of highway signs at marked crosswalks specifically requiring operators of motor vehicles, at the locations where such signs are installed, to yield the right-of-way to or stop for pedestrians crossing or attempting to cross the highway. Any operator of a motor vehicle who fails to comply with the signs installed pursuant to this subsection ~~shall be~~ *is* guilty of a traffic infraction punishable by a fine of no less than $100 or more than $500. The Department of Transportation shall develop criteria for the design, location, and installation of such signs. The provisions of this section shall not apply to any limited access highway.

E. Where a shared-use path crosses a highway at a clearly marked crosswalk and there are no traffic control signals at such crossing, the local governing body may by ordinance require pedestrians, cyclists, and any other users of such shared-used path to come to a complete stop prior to entering such crosswalk. Such local ordinance may provide for a fine not to exceed $100 for violations. Any locality adopting such an ordinance shall install and maintain stop signs, consistent

with standards adopted by the Commonwealth Transportation Board and to the extent necessary in coordination with the Department of Transportation. At such crosswalks, no user of such shared-use path shall enter the crosswalk in disregard of approaching traffic.

F. A locality adopting an ordinance under subsection E shall coordinate the enforcement and placement of any stop signs affecting a shared-use path owned and operated by a park authority formed under Chapter 57 (§ 15.2-5700 et seq.) of Title 15.2 with such authority.

CHAPTER 448

An Act to amend and reenact § 19.2-386.14 of the Code of Virginia, relating to forfeited assets; law enforcement use.

[S 1420]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-386.14 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-386.14. Sharing of forfeited assets.

A. All cash, negotiable instruments, and proceeds from a sale conducted pursuant to § 19.2-386.7 or 19.2-386.12, after deduction of expenses, fees, and costs as provided in § 19.2-386.12, shall, as soon after entry of the forfeiture as is practicable, be distributed in a manner consistent with this chapter and Article VIII, § 8 of the Constitution of Virginia.

A1. All cash, negotiable instruments and proceeds from a sale conducted pursuant to § 19.2-386.7 or 19.2-386.12, after deduction of expenses, fees and costs as provided in § 19.2-386.12, shall, as soon after entry of the forfeiture as is practicable, be paid over to the state treasury into a special fund of the Department of Criminal Justice Services for distribution in accordance with this section. The forfeited property and proceeds, less 10 percent, shall be made available to federal, state, and local agencies to promote law enforcement in accordance with this section, which may include expenditures to strengthen relationships between the community and law enforcement, encourage goodwill between the community and law enforcement, ~~or~~ promote cooperation with law enforcement*, or provide equipment and training for law-enforcement officers*, and regulations adopted by the Criminal Justice Services Board to implement the asset-sharing program. *However, such forfeited property and proceeds shall only be used by law enforcement in the course of employment and in the performance of their official duties and not for personal use.*

The 10 percent retained by the Department shall be held in a nonreverting fund, known as the Asset Sharing Administrative Fund. Administrative costs incurred by the Department to manage and operate the asset-sharing program shall be paid from the Fund. Any amounts remaining in the Fund after payment of these costs shall be used to promote state or local law-enforcement activities. Distributions from the Fund for these activities shall be based upon need and shall be made from time to time in accordance with regulations promulgated by the Board.

B. Any federal, state or local agency or office that directly participated in the investigation or other law-enforcement activity which led, directly or indirectly, to the seizure and forfeiture shall be eligible for, and may petition the Department for, return of the forfeited asset or an equitable share of the net proceeds, based upon the degree of participation in the law-enforcement effort resulting in the forfeiture, taking into account the total value of all property forfeited and the total law-enforcement effort with respect to the violation of law on which the forfeiture is based. Upon finding that the petitioning agency is eligible for distribution and that all participating agencies agree on the equitable share of each, the Department shall distribute each share directly to the appropriate treasury of the participating agency.

If all eligible participating agencies cannot agree on the equitable shares of the net proceeds, the shares shall be determined by the Criminal Justice Services Board in accordance with regulations which shall specify the criteria to be used by the Board in assessing the degree of participation in the law-enforcement effort resulting in the forfeiture.

C. After the order of forfeiture is entered concerning any motor vehicle, boat, aircraft, or other tangible personal property, any seizing agency may (i) petition the Department for return of the property that is not subject to a grant or pending petition for remission or (ii) request the circuit court to order the property destroyed. Where all the participating agencies agree upon the equitable distribution of the tangible personal property, the Department shall return the property to those agencies upon finding that (a) the agency meets the criteria for distribution as set forth in subsection B and (b) the agency has a clear and reasonable law-enforcement need for the forfeited property.

If all eligible participating agencies cannot agree on the distribution of the property, distribution shall be determined by the Criminal Justice Services Board as in subsection B, taking into consideration the clear and reasonable law-enforcement needs for the property which the agencies may have. In order to equitably distribute tangible personal property, the Criminal Justice Services Board may require the agency receiving the property to reimburse the Department in cash for the difference between the fair market value of the forfeited property and the agency's equitable share as determined by the Criminal Justice Services Board.

If a seizing agency has received property for its use pursuant to this section, when the agency disposes of the property (1) by sale, the proceeds shall be distributed as set forth in this section; or (2) by destruction pursuant to a court order, the agency shall do so in a manner consistent with this section.

D. All forfeited property, including its proceeds or cash equivalent, received by a participating state or local agency pursuant to this section shall be used to promote law enforcement, which may include expenditures to strengthen

relationships between the community and law enforcement, encourage goodwill between the community and law enforcement, ~~or~~ promote cooperation with law enforcement, *or provide equipment and training for law-enforcement officers* but shall not be used to supplant existing programs or funds. *Additionally, such forfeited property, including its proceeds or cash equivalent, shall only be used by law enforcement in the course of employment and in the performance of their official duties and not for personal use.* The Board shall promulgate regulations establishing an audit procedure to ensure compliance with this section.

E. On or after July 1, 2012, but before July 1, 2014, local seizing agencies may contribute cash funds and proceeds from forfeited property to the Virginia Public Safety Foundation to support the construction of the Commonwealth Public Safety Memorial. Any funds contributed by seizing agencies shall be contributed only after an internal analysis to determine that such contributions will not negatively impact law-enforcement training or operations.

F. The Department shall report annually on or before December 31 to the Governor and the General Assembly the amount of all cash, negotiable instruments, and proceeds from sales conducted pursuant to § 19.2-386.7 or 19.2-386.12 that were forfeited to the Commonwealth, including the amount of all forfeitures distributed to the Literary Fund. Such report shall also detail the amount distributed by the Department to each federal, state, or local agency or office pursuant to this section, and the amount each state or local agency or office received from federal asset forfeiture proceedings. Any state or local agency that receives a forfeited asset or an equitable share of the net proceeds of a forfeited asset from the Department or from a federal asset forfeiture proceeding shall inform the Department, in a manner prescribed by the Department, of (i) the offense on which the forfeiture is based listed in the information filed pursuant to § 19.2-386.1, (ii) any criminal charge brought against the owner of the forfeited asset, and (iii) if a criminal charge was brought against the owner of the forfeited asset, the status of the charge, including whether the charge is pending or resulted in a conviction. The Department shall include such information in the annual report. The Department shall ensure that such report is available to the public.

CHAPTER 449

An Act to amend the Code of Virginia by adding a section numbered 15.2-958.1:1, relating to sale of certain vacant and blighted or derelict property.

[S 1476]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-958.1:1 as follows:

§ 15.2-958.1:1. Sale of certain vacant and blighted or derelict property.

A. Any locality where property is located that (i) has been vacant for at least five years, (ii) has been declared a blighted property or derelict building as defined in § 58.1-3221.6, and (iii) is tax delinquent may petition the circuit court to appoint a special commissioner to execute the necessary deed or deeds to convey the real estate, in lieu of a sale at public auction, to the locality, to the locality's land bank entity, or to an existing nonprofit entity designated by the locality to carry out the functions of a land bank entity pursuant to § 15.2-7512. The conveyance of real estate may include all parcels of property owned by the entity in the locality if, upon a showing by a preponderance of the evidence, all the parcels are deemed necessary to effectuate a proper sale of the property to an interested developer.

After notice as required in Article 4 (§ 58.1-3965 et seq.) of Chapter 39 of Title 58.1 and service of process, and upon answer filed by the owner or other parties in interest to the bill in equity, the court shall allow the parties to present evidence and arguments, ore tenus, prior to the appointment of the special commissioner. Any surplusage accruing to a locality, land bank entity, or existing nonprofit entity as a result of the sale of the parcel or parcels after the receipt of the deed shall be payable to the beneficiaries of any liens against the property and to the former owner or his heirs or assigns in accordance with § 58.1-3967. No deficiency shall be charged against the owner after conveyance to the locality, land bank entity, or existing nonprofit entity.

B. If the locality sells a property acquired under subsection A, the locality shall require any purchaser by covenants in the deed or other security instrument to (i) begin repair or renovation of the property within six months of purchase and (ii) complete all repairs or renovations necessary to bring the property into compliance with the local building code within a period not to exceed two years of the purchase. The locality may include any additional reasonable conditions it deems appropriate in order to carry out the intent of this section and assure that the property is repaired or renovated in accordance with applicable codes.

C. The locality may sell the property for the nominal amount of one dollar, assuming there are no outstanding mortgages, loans, or other liens not associated with the locality to a qualified developer who properly responds to a request for proposal and submits a plan for the highest and best use of the property. The local governing body shall review the responses to the request for proposal and choose the developer who has the financial wherewithal to develop the property as proposed.

CHAPTER 450

An Act to amend and reenact § 64.2-520.1 of the Code of Virginia, relating to legal duty; action for damages for legal malpractice concerning estate planning; third parties to an attorney-client contract.

[H 2174]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 64.2-520.1 of the Code of Virginia is amended and reenacted as follows:

§ 64.2-520.1. Legal duty; action for damages from legal malpractice concerning estate planning; third parties.

A. ~~An action for damages to an individual or an individuals' estate, including future tax liability, resulting from legal malpractice concerning the individuals' estate planning, including the provision of legal advice or the preparation of legal documents, regardless of when executed, shall accrue upon completion of the representation during which the malpractice occurred.~~

~~B.~~ Notwithstanding § 55.1-119, ~~but subject to any~~ *an attorney does not owe a legal duty to any person other than the client in any engagement for the purpose of the client's estate planning, including the provision of legal advice or the preparation of legal documents, unless the client and attorney enter into a signed,* written agreement ~~between the individual and the defendant~~ that expressly ~~grants standing to a person who is not a party to the representation~~ *provides that the client and attorney intend to confer a benefit upon a third party* by specific reference to this subsection~~, the action may be maintained only by the individual or by the individuals' personal representative~~.

~~C. An action for damages pursuant to this section in which a written contract for legal services existed between the individual and the defendant shall be brought within five years after the cause of action accrues as provided in this section. An action for damages pursuant to this section in which an unwritten contract for legal services existed between the individual and the defendant shall be brought within three years after the cause of action accrues as provided in this section.~~

~~D.~~ *B.* Notwithstanding the provisions of this section, no ~~such~~ action shall be based upon damages that may reasonably be avoided or that result from a change of law subsequent to the representation upon which the action is based.

~~E. Any action pursuant to this section shall survive pursuant to § 8.01-25.~~

2. That the provisions of this act are declarative of existing law.

CHAPTER 451

An Act to amend and reenact § 19.2-389 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 5 of Title 32.1 an article numbered 7.2, consisting of sections numbered 32.1-162.15:1.1 through 32.1-162.15:1.23, relating to prescribed pediatric extended care centers; licensure; regulation.

[H 2198]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-389 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 5 of Title 32.1 an article numbered 7.2, consisting of sections numbered 32.1-162.15:1.1 through 32.1-162.15:1.23, as follows:

§ 19.2-389. Dissemination of criminal history record information.

A. Criminal history record information shall be disseminated, whether directly or through an intermediary, only to:

1. Authorized officers or employees of criminal justice agencies, as defined by § 9.1-101, for purposes of the administration of criminal justice and the screening of an employment application or review of employment by a criminal justice agency with respect to its own employees or applicants, and dissemination to the Virginia Parole Board, pursuant to this subdivision, of such information on all state-responsible inmates for the purpose of making parole determinations pursuant to subdivisions 1, 2, 3, 4, and 6 of § 53.1-136 shall include collective dissemination by electronic means every 30 days. For purposes of this subdivision, criminal history record information includes information sent to the Central Criminal Records Exchange pursuant to §§ 37.2-819 and 64.2-2014 when disseminated to any full-time or part-time employee of the State Police, a police department or sheriff's office that is a part of or administered by the Commonwealth or any political subdivision thereof, and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth for the purposes of the administration of criminal justice;

2. Such other individuals and agencies that require criminal history record information to implement a state or federal statute or executive order of the President of the United States or Governor that expressly refers to criminal conduct and contains requirements or exclusions expressly based upon such conduct, except that information concerning the arrest of an individual may not be disseminated to a noncriminal justice agency or individual if an interval of one year has elapsed from the date of the arrest and no disposition of the charge has been recorded and no active prosecution of the charge is pending;

3. Individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement which shall specifically authorize access to data, limit the use of data to purposes for which given, and ensure the security and confidentiality of the data;

4. Individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency that shall specifically authorize access to data, limit the use of data to research, evaluative, or statistical purposes, and ensure the confidentiality and security of the data;

5. Agencies of state or federal government that are authorized by state or federal statute or executive order of the President of the United States or Governor to conduct investigations determining employment suitability or eligibility for security clearances allowing access to classified information;

6. Individuals and agencies where authorized by court order or court rule;

7. Agencies of any political subdivision of the Commonwealth, public transportation companies owned, operated or controlled by any political subdivision, and any public service corporation that operates a public transit system owned by a local government for the conduct of investigations of applicants for employment, permit, or license whenever, in the interest of public welfare or safety, it is necessary to determine under a duly enacted ordinance if the past criminal conduct of a person with a conviction record would be compatible with the nature of the employment, permit, or license under consideration;

7a. Commissions created pursuant to the Transportation District Act of 1964 (§ 33.2-1900 et seq.) of Title 33.2 and their contractors, for the conduct of investigations of individuals who have been offered a position of employment whenever, in the interest of public welfare or safety and as authorized in the Transportation District Act of 1964, it is necessary to determine if the past criminal conduct of a person with a conviction record would be compatible with the nature of the employment under consideration;

8. Public or private agencies when authorized or required by federal or state law or interstate compact to investigate (i) applicants for foster or adoptive parenthood or (ii) any individual, and the adult members of that individual's household, with whom the agency is considering placing a child or from whom the agency is considering removing a child due to abuse or neglect, on an emergency, temporary, or permanent basis pursuant to §§ 63.2-901.1 and 63.2-1505, subject to the restriction that the data shall not be further disseminated to any party other than a federal or state authority or court as may be required to comply with an express requirement of law;

9. To the extent permitted by federal law or regulation, public service companies as defined in § 56-1, for the conduct of investigations of applicants for employment when such employment involves personal contact with the public or when past criminal conduct of an applicant would be incompatible with the nature of the employment under consideration;

10. The appropriate authority for purposes of granting citizenship and for purposes of international travel, including, but not limited to, issuing visas and passports;

11. A person requesting a copy of his own criminal history record information as defined in § 9.1-101 at his cost, except that criminal history record information shall be supplied at no charge to a person who has applied to be a volunteer with (i) a Virginia affiliate of Big Brothers/Big Sisters of America; (ii) a volunteer fire company; (iii) the Volunteer Emergency Families for Children; (iv) any affiliate of Prevent Child Abuse, Virginia; (v) any Virginia affiliate of Compeer; or (vi) any board member or any individual who has been offered membership on the board of a Crime Stoppers, Crime Solvers or Crime Line program as defined in § 15.2-1713.1;

12. Administrators and board presidents of and applicants for licensure or registration as a child welfare agency as defined in § 63.2-100 for dissemination to the Commissioner of Social Services' representative pursuant to § 63.2-1702 for the conduct of investigations with respect to employees of and volunteers at such facilities, caretakers, and foster and adoptive parent applicants of private child-placing agencies, pursuant to §§ 63.2-1719, 63.2-1720, and 63.2-1721, subject to the restriction that the data shall not be further disseminated by the facility or agency to any party other than the data subject, the Commissioner of Social Services' representative or a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination; however, nothing in this subdivision shall be construed to prohibit the Commissioner of Social Services' representative from issuing written certifications regarding the results of a background check that was conducted before July 1, 2021, in accordance with subsection J of § 22.1-289.035 or § 22.1-289.039;

13. *Administrators and board presidents of and applicants for licensure as a prescribed pediatric extended care center for dissemination to the State Health Commissioner's representative pursuant to §§ 32.1-162.15:1.5 and 32.1-162.15:1.10 for the conduct of investigations with respect to employees of and volunteers at such centers, pursuant to § 32.1-162.15:1.17, subject to the restriction that the data shall not be further disseminated by the center to any party other than the data subject, the State Health Commissioner's representative, or a federal or state authority or court as may be required to comply with an express requirement of law;*

14. The Department of Social Services for the purpose of screening individuals as a condition of licensure, employment, volunteering, or providing services on a regular basis in a licensed child welfare agency pursuant to §§ 63.2-1721 and 63.2-1726 or foster or adoptive home approved by a child-placing agency pursuant to § 63.2-901.1;

~~14.~~ *15.* The school boards of the Commonwealth for the purpose of screening individuals who are offered or who accept public school employment and those current school board employees for whom a report of arrest has been made pursuant to § 19.2-83.1;

~~15.~~ *16.* The Virginia Lottery for the conduct of investigations as set forth in the Virginia Lottery Law (§ 58.1-4000 et seq.) and casino gaming as set forth in Chapter 41 (§ 58.1-4100 et seq.) of Title 58.1, and the Department of Agriculture and Consumer Services for the conduct of investigations as set forth in Article 1.1:1 (§ 18.2-340.15 et seq.) of Chapter 8 of Title 18.2;

17. Licensed prescribed pediatric extended care centers for the conduct of investigations of applicants for compensated employment and volunteers in licensed prescribed pediatric extended care centers pursuant to § 32.1-162.15:1.17;

~~16.~~ *18.* Licensed nursing homes, hospitals and home care organizations for the conduct of investigations of applicants for compensated employment in licensed nursing homes pursuant to § 32.1-126.01, hospital pharmacies pursuant to § 32.1-126.02, and home care organizations pursuant to § 32.1-162.9:1, subject to the limitations set out in subsection E;

~~17.~~ *19.* Licensed assisted living facilities and licensed adult day centers for the conduct of investigations of applicants for compensated employment in licensed assisted living facilities and licensed adult day centers pursuant to § 63.2-1720, subject to the limitations set out in subsection F;

~~18.~~ *20.* The Virginia Alcoholic Beverage Control Authority for the conduct of investigations as set forth in § 4.1-103.1;

~~19.~~ *21.* The State Board of Elections and authorized officers and employees thereof and general registrars appointed pursuant to § 24.2-110 in the course of conducting necessary investigations with respect to voter registration, limited to any record of felony convictions;

~~20.~~ *22.* The Commissioner of Behavioral Health and Developmental Services (the Commissioner) or his designees for individuals who are committed to the custody of or being evaluated by the Commissioner pursuant to §§ 19.2-168.1, 19.2-169.1, 19.2-169.2, 19.2-169.5, 19.2-169.6, 19.2-182.2, 19.2-182.3, 19.2-182.8, and 19.2-182.9 where such information may be beneficial for the purpose of placement, evaluation, treatment, or discharge planning;

~~21.~~ *23.* Any alcohol safety action program certified by the Commission on the Virginia Alcohol Safety Action Program for (i) interventions with first offenders under § 18.2-251 or (ii) services to offenders under § 18.2-51.4, 18.2-266, or 18.2-266.1;

~~22.~~ *24.* Residential facilities for juveniles regulated or operated by the Department of Social Services, the Department of Education, or the Department of Behavioral Health and Developmental Services for the purpose of determining applicants' fitness for employment or for providing volunteer or contractual services;

~~23.~~ *25.* The Department of Behavioral Health and Developmental Services and facilities operated by the Department for the purpose of determining an individual's fitness for employment pursuant to departmental instructions;

~~24.~~ *26.* Pursuant to § 22.1-296.3, the governing boards or administrators of private elementary or secondary schools which are accredited pursuant to § 22.1-19 or a private organization coordinating such records information on behalf of such governing boards or administrators pursuant to a written agreement with the Department of State Police;

~~25.~~ *27.* Public institutions of higher education and nonprofit private institutions of higher education for the purpose of screening individuals who are offered or accept employment;

~~26.~~ *28.* Members of a threat assessment team established by a local school board pursuant to § 22.1-79.4, by a public institution of higher education pursuant to § 23.1-805, or by a private nonprofit institution of higher education, for the purpose of assessing or intervening with an individual whose behavior may present a threat to safety; however, no member of a threat assessment team shall redisclose any criminal history record information obtained pursuant to this section or otherwise use any record of an individual beyond the purpose that such disclosure was made to the threat assessment team;

~~27.~~ *29.* Executive directors of community services boards or the personnel director serving the community services board for the purpose of determining an individual's fitness for employment, approval as a sponsored residential service provider, permission to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver, or permission for any person under contract with the community services board to serve in a direct care position on behalf of the community services board pursuant to §§ 37.2-506, 37.2-506.1, and 37.2-607;

~~28.~~ *30.* Executive directors of behavioral health authorities as defined in § 37.2-600 for the purpose of determining an individual's fitness for employment, approval as a sponsored residential service provider, permission to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver, or permission for any person under contract with the behavioral health authority to serve in a direct care position on behalf of the behavioral health authority pursuant to §§ 37.2-506, 37.2-506.1, and 37.2-607;

~~29.~~ *31.* The Commissioner of Social Services for the purpose of locating persons who owe child support or who are alleged in a pending paternity proceeding to be a putative father, provided that only the name, address, demographics and social security number of the data subject shall be released;

~~30.~~ *32.* Authorized officers or directors of agencies licensed pursuant to Article 2 (§ 37.2-403 et seq.) of Chapter 4 of Title 37.2 by the Department of Behavioral Health and Developmental Services for the purpose of determining if any applicant who accepts employment in any direct care position or requests approval as a sponsored residential service provider, permission to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver, or permission for any person under contract with the provider to serve in a direct care position has been convicted of a crime that affects his fitness to have responsibility for the safety and well-being of individuals with mental illness, intellectual disability, or substance abuse pursuant to §§ 37.2-416, 37.2-416.1, 37.2-506, 37.2-506.1, and 37.2-607;

~~31.~~ *33.* The Commissioner of the Department of Motor Vehicles, for the purpose of evaluating applicants for and holders of a motor carrier certificate or license subject to the provisions of Chapters 20 (§ 46.2-2000 et seq.) and 21 (§ 46.2-2100 et seq.) of Title 46.2;

~~32.~~ *34.* The Chairman of the Senate Committee for Courts of Justice or the Chairman of the House Committee for Courts of Justice for the purpose of determining if any person being considered for election to any judgeship has been convicted of a crime;

~~33.~~ *35.* Heads of state agencies in which positions have been identified as sensitive for the purpose of determining an individual's fitness for employment in positions designated as sensitive under Department of Human Resource Management policies developed pursuant to § 2.2-1201.1;

~~34.~~ *36.* The Office of the Attorney General, for all criminal justice activities otherwise permitted under subdivision ~~A~~ 1 and for purposes of performing duties required by the Civil Commitment of Sexually Violent Predators Act (§ 37.2-900 et seq.);

~~35.~~ *37.* Shipyards, to the extent permitted by federal law or regulation, engaged in the design, construction, overhaul, or repair of nuclear vessels for the United States Navy, including their subsidiary companies, for the conduct of investigations of applications for employment or for access to facilities, by contractors, leased laborers, and other visitors;

~~36.~~ *38.* Any employer of individuals whose employment requires that they enter the homes of others, for the purpose of screening individuals who apply for, are offered, or have accepted such employment;

~~37.~~ *39.* Public agencies when and as required by federal or state law to investigate (i) applicants as providers of adult foster care and home-based services or (ii) any individual with whom the agency is considering placing an adult on an emergency, temporary, or permanent basis pursuant to § 63.2-1601.1, subject to the restriction that the data shall not be further disseminated by the agency to any party other than a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination, subject to limitations set out in subsection G;

~~38.~~ *40.* The Department of Medical Assistance Services, or its designee, for the purpose of screening individuals who, through contracts, subcontracts, or direct employment, volunteer, apply for, are offered, or have accepted a position related to the provision of transportation services to enrollees in the Medicaid Program or the Family Access to Medical Insurance Security (FAMIS) Program, or any other program administered by the Department of Medical Assistance Services;

~~39.~~ *41.* The State Corporation Commission for the purpose of investigating individuals who are current or proposed members, senior officers, directors, and principals of an applicant or person licensed under Chapter 16 (§ 6.2-1600 et seq.), Chapter 19 (§ 6.2-1900 et seq.), or Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2. Notwithstanding any other provision of law, if an application is denied based in whole or in part on information obtained from the Central Criminal Records Exchange pursuant to Chapter 16, 19, or 26 of Title 6.2, the Commissioner of Financial Institutions or his designee may disclose such information to the applicant or its designee;

~~40.~~ *42.* The Department of Professional and Occupational Regulation for the purpose of investigating individuals for initial licensure pursuant to § 54.1-2106.1;

~~41.~~ *43.* The Department for Aging and Rehabilitative Services and the Department for the Blind and Vision Impaired for the purpose of evaluating an individual's fitness for various types of employment and for the purpose of delivering comprehensive vocational rehabilitation services pursuant to Article 11 (§ 51.5-170 et seq.) of Chapter 14 of Title 51.5 that will assist the individual in obtaining employment;

~~42.~~ *44.* Bail bondsmen, in accordance with the provisions of § 19.2-120;

~~43.~~ *45.* The State Treasurer for the purpose of determining whether a person receiving compensation for wrongful incarceration meets the conditions for continued compensation under § 8.01-195.12;

~~44.~~ *46.* The Department of Education or its agents or designees for the purpose of screening individuals seeking to enter into a contract with the Department of Education or its agents or designees for the provision of child care services for which child care subsidy payments may be provided;

~~45.~~ *47.* The Department of Juvenile Justice to investigate any parent, guardian, or other adult members of a juvenile's household when completing a predispositional or postdispositional report required by § 16.1-273 or a Board of Juvenile Justice regulation promulgated pursuant to § 16.1-233;

~~46.~~ *48.* The State Corporation Commission, for the purpose of screening applicants for insurance licensure under Chapter 18 (§ 38.2-1800 et seq.) of Title 38.2;

~~47.~~ *49.* Administrators and board presidents of and applicants for licensure or registration as a child day program or family day system, as such terms are defined in § 22.1-289.02, for dissemination to the Superintendent of Public Instruction's representative pursuant to § 22.1-289.013 for the conduct of investigations with respect to employees of and volunteers at such facilities pursuant to §§ 22.1-289.034 through 22.1-289.037, subject to the restriction that the data shall not be further disseminated by the facility or agency to any party other than the data subject, the Superintendent of Public Instruction's representative, or a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination; however, nothing in this subdivision shall be construed to prohibit the Superintendent of Public Instruction's representative from issuing written certifications regarding the results of prior background checks in accordance with subsection J of § 22.1-289.035 or § 22.1-289.039;

~~48.~~ *50.* The National Center for Missing and Exploited Children for the purpose of screening individuals who are offered or accept employment or will be providing volunteer or contractual services with the National Center for Missing and Exploited Children;

~~49.~~ *51.* The Executive Director or investigators of the Board of Accountancy for the purpose of the enforcement of laws relating to the Board of Accountancy in accordance with § 54.1-4407; and

~~50.~~ *52.* Other entities as otherwise provided by law.

Upon an ex parte motion of a defendant in a felony case and upon the showing that the records requested may be relevant to such case, the court shall enter an order requiring the Central Criminal Records Exchange to furnish the

defendant, as soon as practicable, copies of any records of persons designated in the order on whom a report has been made under the provisions of this chapter.

Notwithstanding any other provision of this chapter to the contrary, upon a written request sworn to before an officer authorized to take acknowledgments, the Central Criminal Records Exchange, or the criminal justice agency in cases of offenses not required to be reported to the Exchange, shall furnish a copy of conviction data covering the person named in the request to the person making the request; however, such person on whom the data is being obtained shall consent in writing, under oath, to the making of such request. A person receiving a copy of his own conviction data may utilize or further disseminate that data as he deems appropriate. In the event no conviction data is maintained on the data subject, the person making the request shall be furnished at his cost a certification to that effect.

B. Use of criminal history record information disseminated to noncriminal justice agencies under this section shall be limited to the purposes for which it was given and may not be disseminated further, except as otherwise provided in subdivision A ~~47~~ *49*.

C. No criminal justice agency or person shall confirm the existence or nonexistence of criminal history record information for employment or licensing inquiries except as provided by law.

D. Criminal justice agencies shall establish procedures to query the Central Criminal Records Exchange prior to dissemination of any criminal history record information on offenses required to be reported to the Central Criminal Records Exchange to ensure that the most up-to-date disposition data is being used. Inquiries of the Exchange shall be made prior to any dissemination except in those cases where time is of the essence and the normal response time of the Exchange would exceed the necessary time period. A criminal justice agency to whom a request has been made for the dissemination of criminal history record information that is required to be reported to the Central Criminal Records Exchange may direct the inquirer to the Central Criminal Records Exchange for such dissemination. Dissemination of information regarding offenses not required to be reported to the Exchange shall be made by the criminal justice agency maintaining the record as required by § 15.2-1722.

E. Criminal history information provided to licensed nursing homes, hospitals and to home care organizations pursuant to subdivision A ~~16~~ *18* shall be limited to the convictions on file with the Exchange for any offense specified in §§ 32.1-126.01, 32.1-126.02, and 32.1-162.9:1.

F. Criminal history information provided to licensed assisted living facilities and licensed adult day centers pursuant to subdivision A ~~17~~ *19* shall be limited to the convictions on file with the Exchange for any offense specified in § 63.2-1720.

G. Criminal history information provided to public agencies pursuant to subdivision A ~~37~~ *39* shall be limited to the convictions on file with the Exchange for any offense set forth in clause (i) of the definition of barrier crime in § 19.2-392.02.

H. Upon receipt of a written request from an employer or prospective employer, the Central Criminal Records Exchange, or the criminal justice agency in cases of offenses not required to be reported to the Exchange, shall furnish at the employer's cost a copy of conviction data covering the person named in the request to the employer or prospective employer making the request, provided that the person on whom the data is being obtained has consented in writing to the making of such request and has presented a photo-identification to the employer or prospective employer. In the event no conviction data is maintained on the person named in the request, the requesting employer or prospective employer shall be furnished at his cost a certification to that effect. The criminal history record search shall be conducted on forms provided by the Exchange.

I. Nothing in this section shall preclude the dissemination of a person's criminal history record information pursuant to the rules of court for obtaining discovery or for review by the court.

Article 7.2.

Prescribed Pediatric Extended Care Center Licensing.

§ 32.1-162.15:1.1. Definitions.

As used in this article, unless the context requires a different meaning:

"Center" means a prescribed pediatric extended care center.

"Parent" means the same as that term is defined in § 22.1-213.1.

§ 32.1-162.15:1.2. Licensure.

A. No person shall establish or operate a Center without a license issued by the Commissioner pursuant to this article.

B. No license issued under this article shall be assignable or transferable.

C. The Board shall adopt regulations for the implementation of this article.

§ 32.1-162.15:1.3. Application fees; use of fees.

A. The Board is authorized to adopt regulations and schedules for fees to be charged for processing applications for licenses to operate Centers.

B. All fees received under the provisions of this article shall be paid into a special nonreverting fund of the Department and are appropriated to the Department solely for the operation of the Center licensure and inspection program. Any surplus of fees above actual program operating costs maintained in the special nonreverting fund in any state fiscal year shall be applied to the future program operating costs in the following state fiscal year.

§ 32.1-162.15:1.4. Licenses required; issuance, expiration, and renewal; maximum number of children; posting of licenses.

A. Every person that establishes or operates a Center shall obtain a license from the Commissioner, which may be renewed annually. Each application for a license shall be made to the Commissioner, in such form as he may prescribe and accompanied by an application fee. It shall contain the name and address of the applicant and, if the applicant is an association, partnership, limited liability company, or corporation, the names and addresses of its officers and agents. The application shall also contain a description of the activities proposed to be engaged in and the facilities and services to be employed, together with other pertinent information as the Board may require by regulation. The application shall also contain information regarding any complaints, enforcement actions, or sanctions against a license to operate a Center, or substantially similar facility, held by the applicant in another state.

B. Each license shall indicate the maximum number of children who may be cared for in the Center for which it is issued.

C. The license and any other documents required by the Commissioner shall be posted in a conspicuous place on the licensed premises.

D. Every person issued a license that has not been suspended or revoked shall renew such license prior to its expiration.

§ 32.1-162.15:1.5. Inspection on receipt of application.

Upon receipt of a completed application for initial licensure, the Commissioner shall cause an inspection to be made of the activities, services, and facilities of the applicant and of his character and reputation or, if the applicant is an association, partnership, limited liability company, or corporation, the character and reputation of its officers and agents, and upon receipt of the initial application, an investigation of the applicant's financial responsibility. The financial records of an applicant shall not be subject to inspection if the applicant submits an operating budget and at least one credit reference. The character and reputation investigation upon application shall include background checks pursuant to § 32.1-162.15:1.10 and include consideration of any complaints, enforcement actions, or sanctions against a license to operate a Center, or a substantially similar facility, held by the applicant in another state.

§ 32.1-162.15:1.6. Issuance or refusal of license; notification; provisional and conditional licenses.

A. Upon completion of the inspection pursuant to § 32.1-162.15:1.5, the Commissioner shall issue a license to the applicant if (i) the applicant has made adequate provision for such activities, services, and facilities as are reasonably conducive to the welfare of the children over whom he may have custody or control; (ii) at the time of initial application, the applicant has submitted an operating budget and at least one credit reference; (iii) he is, or the officers and agents of the applicant if it is an association, partnership, limited liability company, or corporation are, of good character and reputation; and (iv) the applicant and agents comply with the provisions of this article. Otherwise, the license shall be denied. Immediately upon taking final action, the Commissioner shall notify the applicant of such action.

B. When issuance of a license as a Center has been refused by the Commissioner, the applicant shall not apply again for such license for a period of one year unless the Commissioner in his sole discretion believes that there has been such a change in the conditions on account of which he refused the prior application as to justify considering the new application. If an applicant appeals a decision rendered pursuant to subsection A, the one-year period shall be extended until a final decision has been rendered on appeal.

C. Upon submission of a completed application for renewal of a license, the Commissioner may issue a provisional license to any applicant if the applicant is temporarily unable to comply with all of the licensure requirements. The provisional license may be renewed, but the issuance of a provisional license and any renewals thereof shall be for no longer than six successive months. A copy of the provisional license shall be prominently displayed by the provider at each public entrance of the Center. In addition, the Center shall be required to prominently display next to the posted provisional license a notice that a description of specific violations of licensing standards to be corrected and the deadline for completion of such corrections is available for inspection at the Center and on the Center's website, if applicable.

D. At the discretion of the Commissioner, a conditional license may be issued to an applicant to operate a new facility in order to permit the applicant to demonstrate compliance with licensure requirements. Such conditional license may be renewed, but the issuance of a conditional license and any renewals thereof shall be for no longer than six successive months. A copy of the conditional license shall be prominently displayed by the provider at each public entrance of the Center. In addition, the Center shall be required to prominently display next to the posted conditional license a notice that a description of specific violations of licensing standards to be corrected and the deadline for completion of such corrections is available for inspection at the Center and on the Center's website, if applicable.

§ 32.1-162.15:1.7. Compliance with Uniform Statewide Building Code.

Buildings licensed as Centers shall be classified by and meet the specifications for the proper Use Group as required by the Uniform Statewide Building Code (§ 36-97 et seq.).

§ 32.1-162.15:1.8. Inspections and interviews.

A. Applicants for licensure and licensees shall at all times afford the Commissioner or his representatives reasonable opportunity to inspect all of their facilities, books, and records and to interview their agents and employees and any person participating in such Centers or under their custody, control, direction, or supervision. Interviews conducted pursuant to this section with persons participating in a Center operated by or under the custody, control, direction, or supervision of an applicant for licensure or a licensee shall be (i) authorized by the person to be interviewed or his legally authorized representative and (ii) limited to discussion of issues related to the applicant's or licensee's compliance with applicable laws

and regulations, including ascertaining if assessments and reassessments of children's cognitive and physical needs are performed as may be required under regulations of the Board.

B. The Commissioner shall cause each licensed Center to be subject to an unannounced inspection periodically, but not less often than biennially, in accordance with the provisions of this article and regulations of the Board.

C. The activities, services, and facilities of each applicant for renewal of his license as a Center may be subject to an inspection or examination by the Commissioner to determine if he is in compliance with current regulations of the Board.

D. For any Center, the Commissioner may authorize such other announced or unannounced inspections as the Commissioner considers appropriate.

§ 32.1-162.15:1.9. Records and reports.

Every Center shall keep such records and make such reports to the Commissioner as the Board may require by regulation. The forms to be used in the making of such reports shall be prescribed and furnished by the Commissioner.

§ 32.1-162.15:1.10. Background check upon application for licensure; penalty.

A. Upon application for licensure as a Center, (i) all applicants and (ii) all agents at the time of application who are or will be involved in the day-to-day operations of the Center or who are or will be alone with, in control of, or supervising one or more children shall undergo a background check pursuant to subsection B.

B. Background checks pursuant to subsection A require:

1. A sworn statement or affirmation disclosing whether the person has a criminal conviction or is the subject of any pending criminal charges within or outside the Commonwealth and whether or not the person has been the subject of a founded complaint of child abuse or neglect within or outside the Commonwealth;

2. A criminal history records check through the Central Criminal Records Exchange pursuant to § 19.2-389; and

3. A search of the central registry maintained pursuant to § 63.2-1515 for any founded complaint of child abuse and neglect.

C. Each person required to have a background check pursuant to subsection A shall submit the background check information required in subsection B to the Commissioner's representative prior to issuance of a license. The applicant shall provide an original criminal record clearance with respect to any barrier crime as defined in § 19.2-392.02 or an original criminal history record from the Central Criminal Records Exchange.

D. Any person making a materially false statement regarding the sworn statement or affirmation provided pursuant to subdivision B 1 is guilty of a Class 1 misdemeanor.

E. If any person specified in subsection A required to have a background check (i) has been convicted of any barrier crime as defined in § 19.2-392.02 or (ii) is the subject of a founded complaint of child abuse or neglect within or outside the Commonwealth, the Commissioner shall not issue a license. For the purposes of this section, convictions for any barrier crime as defined in § 19.2-392.02 shall include prior adult convictions and juvenile convictions or adjudications of delinquency based on a crime that would be a felony if committed by an adult within or outside the Commonwealth.

F. No person specified in subsection A shall be (i) involved in the day-to-day operations of a Center; (ii) alone with, in control of, or supervising one or more children receiving services from a Center; or (iii) permitted to work in a position that involves direct contact with a person receiving services without first having completed background checks pursuant to subsection B unless such person is directly supervised by another person for whom a background check has been completed in accordance with the requirements of this section.

G. If an applicant is denied licensure because of information from the central registry or convictions appearing on his criminal history record, the Commissioner shall provide a copy of the information obtained from the central registry or the Central Criminal Records Exchange or both to the applicant.

H. Further dissemination of the background check information is prohibited other than to the Commissioner's representative or a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination.

§ 32.1-162.15:1.11. Scope and duration of services; individualized plans of care.

A. A Center shall be a nonresidential health care service that provides a link in the continuum of care for medically dependent or technologically dependent children.

B. A Center shall provide services that promote and maintain the health and development of the children attending the Center and that assist with the training of the children's parents. Such services shall include:

1. Skilled nursing;

2. Physical therapy;

3. Respiratory therapy;

4. Occupational therapy;

5. Speech therapy;

6. Education;

7. Provision of meals and snacks;

8. Transportation; and

9. Family education.

C. No Center shall provide services other than those typically provided to medically dependent or technologically dependent children.

D. A Center shall develop an individualized plan of care for each child that attends the Center. Such plan shall be developed by the child's attending physician, the Center, any Center staff responsible for the child's care, a parent, and, when appropriate, the child.

E. No child shall attend a Center for more than 12 hours within a 24-hour period.

§ 32.1-162.15:1.12. Operation and management; staffing.

A. Each Center shall have an administrator who oversees the operation of the Center. Such administrator shall be a physician with a current license, an advanced practice registered nurse, a licensed nursing home administrator, a child day center director, or a registered nurse with at least five years of experience in pediatric medicine.

B. Operation of the Center shall include:

1. Coordination of emergency transportation arrangements with the emergency medical services of the locality where the Center is located, including the provision of an adult staff member of the Center who accompanies any child who requires emergency transportation;

2. Creation of a documented preventative maintenance program that emphasizes ensuring that all durable medical equipment functions correctly and safely;

3. Maintenance of medical records, data, and information related to the children and programs in the Center for inspection by the Commissioner;

4. Provision of appropriate and readily available emergency services that include (i) an emergency drug kit and (ii) a crash cart with a defibrillator appropriate for children;

5. Creation of a written disaster plan that addresses natural disasters, weather emergencies, bomb threats, emergency drills, manufactured disasters, and financial disasters;

6. Documentation of all incidents and accidents;

7. A process for reporting to the Commissioner any incidents and accidents that affect the health, safety, or welfare of a child; and

8. Coordination and collaboration with other agencies that may serve the child.

C. Each Center shall have a medical director who is responsible for basic and supportive services, including medical, pharmaceutical, and nursing services. The medical director shall be responsible for (i) the prevention, reporting, and investigation of abuse; (ii) the delivery of medical and therapeutic services; (iii) the control and delivery of pharmaceutical services; (iv) infection control; and (v) policies for prevention of incidents and accidents. The medical director shall ensure compliance with any policies and procedures developed by the Board.

D. Each Center shall employ:

1. A supervisor that holds a valid relevant professional license issued by the Board of Medicine, Board of Nursing, Board of Pharmacy, Board of Physical Therapy, or Board of Audiology and Speech-Language Pathology.

2. At least one direct care staff member who is qualified as a licensed advanced practice registered nurse, registered nurse, physical therapist, respiratory therapist, occupational therapist, or speech-language pathologist.

E. Each Center shall abide by the following applicable staffing ratio:

1. For a Center with fewer than 13 children, the Center shall be staffed by two registered nurses and two other staff members.

2. For a Center with no less than 13 and no more than 18 children, the Center shall be staffed by two registered nurses, one licensed practical nurse, and three other staff members.

3. For a Center with no less than 19 and no more than 24 children, the Center shall be staffed by two registered nurses, two licensed practical nurses, and four other staff members.

4. For a Center with more than 24 children, the number of licensed practical nurses and other staff members shall increase by one each for up to six additional children enrolled.

§ 32.1-162.15:1.13. Facilities and maintenance; regulations.

A. The regulations promulgated by the Board to carry out the provisions of this article shall be in substantial conformity to the standards of health, hygiene, sanitation, construction, and safety as established and recognized by medical and health care professionals and by specialists in matters of public health and safety, including the regulations of the Board of Education for child day centers, and as deemed relevant to Centers by the Board.

B. The Board shall adopt regulations for facility standards that prioritize:

1. The adoption and implementation of policies and procedures that ensure the health and safety of children attending a Center;

2. Maintenance based upon the size of the facility and the number of children as related to plumbing, heating, lighting, ventilation, and other applicable building conditions;

3. Sanitary conditions, including the water supply, sewage disposal, food handling, and general hygiene; and

4. Any operational or transportation concerns specific to children attending a Center.

§ 32.1-162.15:1.14. Confidentiality of complainant's identity.

Whenever the Department conducts inspections or investigations in response to complaints received from the public, the identity of the complainant and the identity of any child who is the subject of the complaint, or identified therein, shall be confidential and shall not be open to inspection by members of the public. Identities of the complainant and child who is the subject of the complaint shall be revealed only if a court order so requires. Nothing contained herein shall prevent the Department, in its discretion, from disclosing to the Center the nature of the complaint or the identity of the child who is the

subject of the complaint. Nothing contained herein shall prevent the Department or its employees from making reports under Chapter 15 (§ 63.2-1501 et seq.) or Article 2 (§ 63.2-1603 et seq.) of Chapter 16 of Title 63.2. If the Department intends to rely, in whole or in part, on any statements made by the complainant at any administrative proceeding brought against the Center, the Department shall disclose the identity of the complainant to the Center a reasonable time in advance of such proceeding.

§ 32.1-162.15:1.15. Retaliation or discrimination against complainants.

No Center may retaliate or discriminate in any manner against any person who (i) in good faith complains or provides information to, or otherwise cooperates with, the Department or any other agency of government or any person or entity operating under contract with an agency of government having responsibility for protecting the rights of children in Centers; (ii) attempts to assert any right protected by state or federal law; or (iii) assists any person in asserting such right.

§ 32.1-162.15:1.16. Retaliation against reports of child or adult abuse or neglect.

No Center may retaliate in any manner against any person who in good faith reports adult or child abuse or neglect pursuant to Chapter 15 (§ 63.2-1501 et seq.) or Article 2 (§ 63.2-1603 et seq.) of Chapter 16 of Title 63.2.

§ 32.1-162.15:1.17. Employment for compensation of persons or use of volunteers convicted of certain offenses prohibited; background check required; penalty.

A. No Center may hire for compensated employment, continue to employ persons, or permit persons to serve as volunteers who (i) have been convicted of any barrier crime as defined in § 19.2-392.02 or (ii) are the subject of a founded complaint of child abuse or neglect within or outside the Commonwealth. All persons interested in volunteering at a Center and all applicants for employment at a Center shall undergo background checks pursuant to subsection B. For the purposes of this section, convictions for any barrier crime as defined in § 19.2-392.02 shall include prior adult convictions and juvenile convictions or adjudications of delinquency based on a crime that would be a felony if committed by an adult within or outside the Commonwealth.

B. Background checks pursuant to subsection A require:

1. A sworn statement or affirmation disclosing whether the person has a criminal conviction or is the subject of any pending criminal charges within or outside the Commonwealth and whether or not the person has been the subject of a founded complaint of child abuse or neglect within or outside the Commonwealth;

2. A criminal history records check through the Central Criminal Records Exchange pursuant to § 19.2-389; and

3. A search of the central registry maintained pursuant to § 63.2-1515 for any founded complaint of child abuse and neglect.

C. Any person making a materially false statement regarding the sworn statement or affirmation provided pursuant to subdivision B 1 is guilty of a Class 1 misdemeanor.

D. A Center shall obtain (i) an original criminal record clearance with respect to any barrier crime as defined in § 19.2-392.02 or an original criminal history record from the Central Criminal Records Exchange for any compensated employees within 30 days of employment and any volunteer within 30 days of commencement of volunteer service and (ii) a copy of the information from the central registry for any compensated employee within 30 days of employment. However, no employee or volunteer may be permitted to work in a position that involves direct contact with a child receiving services until an original criminal record clearance or original criminal history record has been received, unless such person works under the direct supervision of an employee for whom a background check has been completed in accordance with the requirements of this section. If an applicant is denied employment or if a volunteer is denied service because of information from the central registry or convictions appearing on his criminal history record, the Center shall provide a copy of the information obtained from the central registry or the Central Criminal Records Exchange or both to the applicant or volunteer.

E. Further dissemination of the background check information is prohibited other than to the Commissioner's representative or a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination.

F. No person who complies in good faith with the provisions of this section shall be liable for any civil damages for any act or omission in the performance of duties under this section unless the act or omission was the result of gross negligence or willful misconduct.

§ 32.1-162.15:1.18. Revocation or denial of renewal based on background checks; failure to obtain background check.

A. The Commissioner may revoke or deny renewal of the license of a Center if the Center has knowledge that a person specified in § 32.1-162.15:1.17 required to have a background check (i) has been convicted of any barrier crime as defined in § 19.2-392.02 or (ii) is the subject of a founded complaint of child abuse or neglect within or outside the Commonwealth, and the Center refuses to separate such person from employment or volunteer service.

B. Failure to obtain background checks pursuant to § 32.1-162.15:1.17 shall be grounds for denial, revocation, or termination of a license. No violation shall occur if the Center has applied for the background check timely and it has not been obtained due to administrative delay. The provisions of this section shall be enforced by the Department.

§ 32.1-162.15:1.19. Offenses; penalty.

Any person, and each officer and each member of the governing board of any association or corporation that operates a Center, is guilty of a Class 1 misdemeanor if he:

1. Interferes with any representative of the Commissioner in the discharge of his duties under this article;

2. Makes to the Commissioner or any representative of the Commissioner any report or statement, with respect to the operation of any Center, that is known by such person to be false;

3. Operates or engages in the conduct of a Center without first obtaining a license as required by this article or after such license has been revoked or suspended or has expired and not been renewed. No violation shall occur if the Center applied to the Department for renewal prior to the expiration date of the license. Each day's violation of this subdivision shall constitute a separate offense; or

4. Operates or engages in the conduct of a Center serving more persons than the maximum stipulated in the license.

§ 32.1-162.15:1.20. Disciplinary action; civil penalties.

A. The Commissioner may impose disciplinary action (i) for violation of any of the provisions of this article or any regulation adopted under any provision of this article for which that violation adversely affects, or is an imminent and substantial threat to, the health, safety, or welfare of the person cared for therein or (ii) for permitting, aiding, or abetting the commission of any illegal act in a Center.

B. The disciplinary action that the Commissioner may impose includes:

1. Revoking or refusing to renew a license;

2. Suspending or refusing to reinstate a license;

3. Placing a licensee on probation upon finding that the licensee is substantially out of compliance with the terms of its license and that the health and safety of children are at risk;

4. Reducing licensed capacity or prohibiting new admissions or enrollments when the Commissioner concludes that the licensee cannot make necessary corrections to achieve compliance with regulations except by a temporary restriction of its scope of service;

5. Mandating training for the licensee or licensee's employees or volunteers, with any costs to be borne by the licensee, when the Commissioner concludes that the lack of such training has led directly to violations of regulations;

6. Assessing monetary penalties of not more than $1,000 per violation per day, not to exceed $100,000 for a series of related incidents of noncompliance, upon finding that the Center is substantially out of compliance with the terms of its license and the health and safety of children are at risk; however, no monetary penalty shall be imposed pursuant to this subdivision on any Center operated by an agency of the Commonwealth;

7. Requiring licensees to contact parents, guardians, or other responsible persons in writing regarding health and safety violations; and

8. Requiring submission of and compliance with plans of corrective action, with or without actions directed by the Commissioner.

C. Any monetary penalties collected under this section shall be paid in equal portions to the Physician Loan Repayment Program established in § 32.1-122.6:1, the Nurse Loan Repayment Program established in § 32.1-122.6:04, and the Nursing Scholarship and Loan Repayment Fund established in § 54.1-3011.2 after deduction of the administrative costs of the Commissioner and the Department in furtherance of this section.

D. Except as provided in § 32.1-162.15:1.21, the Commissioner shall take no action to impose disciplinary action against a Center that is not operated by an agency of the Commonwealth except after reasonable notice and an opportunity to be heard in no fewer than 30 days by the Commissioner's presiding officer in accordance with § 2.2-4019. Such disciplinary action may be in addition to any penalty imposed by law for the violation.

1. All requests for an opportunity to be heard following a notice of imposition of disciplinary action shall be received in writing within 15 days of the date of receipt of such notice.

2. All administrative proceedings under this section shall be separate from the regulatory office of the Department that conducted the inspection, investigation, examination, or review.

3. The presiding officer shall provide a recommendation to the Commissioner, including findings of fact, conclusions, and appropriate disciplinary action.

4. The Commissioner may affirm, modify, or reverse such recommendation and shall issue a final case decision.

E. Whenever the Commissioner refuses to issue a license or to renew a license or revokes a license for a Center other than a Center operated by an agency of the Commonwealth, the provisions of the Administrative Process Act (§ 2.2-4000 et seq.) shall apply.

F. Except as provided in § 32.1-162.15:1.22, the Commissioner shall take no action to impose disciplinary action against a Center operated by an agency of the Commonwealth except after reasonable notice and an opportunity to be heard in accordance with § 32.1-162.15:1.23.

G. An appeal, taken as provided in this section, shall operate to stay any criminal prosecution for operation without a license.

H. A monetary penalty that is not appealed becomes due on the first day after the appeal period expires. The license of a Center that has failed to pay a civil penalty due under this section shall not be renewed until the civil penalty has been paid in full, with interest, provided that the Commissioner may renew a license when an unpaid monetary penalty is the subject of a pending appeal.

I. If a license is revoked or refused renewal, a new license may be issued by the Commissioner after:

1. Satisfactory evidence is submitted to him that the conditions upon which the revocation or refusal was based have been corrected; and

2. Proper inspection has been made and compliance with all provisions of this article, regulations promulgated pursuant to this article, and applicable state and federal law and regulations hereunder has been obtained.

J. The Board shall promulgate regulations to implement the provisions of this section that include:

1. Criteria for when the imposition of disciplinary action or initiation of court proceedings as specified in § 32.1-27, or a combination thereof, are appropriate in order to ensure prompt correction of violations involving noncompliance with requirements of any order of the Board or Commissioner or any provision of or regulation promulgated pursuant to this article;

2. Criteria for the imposition of disciplinary action based upon the severity, pervasiveness, duration, and degree of risk to the health, safety, or welfare of children;

3. Provisions allowing the Commissioner (i) to accept a plan of correction, including a schedule of compliance, from a Center prior to assessing a monetary penalty pursuant to subdivision B 6 or (ii) to reduce or abate the monetary penalty amount if the Center complies with the plan of correction within its terms; and

4. Procedures for imposition of disciplinary action consistent with the Administrative Process Act (§ 2.2-4000 et seq.).

§ 32.1-162.15:1.21. Summary suspension; privately operated Centers.

A. Pursuant to the procedures set forth in this section and in addition to the authority for other disciplinary actions provided in this title, the Commissioner may issue a notice of summary suspension of the license of any Center in conjunction with any proceeding for revocation, denial, or other action when conditions or practices exist in the Center that pose an immediate and substantial threat to the health, safety, and welfare of the children receiving care and the Commissioner believes the operation of the Center should be suspended during the pendency of such proceeding.

B. A notice of summary suspension issued by the Commissioner to a Center shall set forth (i) the summary suspension procedures; (ii) hearing and appeal rights as provided in this section; (iii) facts and evidence that formed the basis for the summary suspension; and (iv) the time, date, and location of a hearing to determine whether the summary suspension is appropriate. Such notice shall be served on the Center or its designee as soon as practicable thereafter by personal service or certified mail, return receipt requested, to the address of record of the Center.

C. The summary suspension hearing shall be presided over by a hearing officer selected by the Commissioner from a list prepared by the Executive Secretary of the Supreme Court of Virginia and shall be held as soon as practicable, but in no event later than 15 business days following service of the notice of summary suspension; however, the hearing officer may grant a written request for a continuance, not to exceed an additional 10 business days, for good cause shown. Within 10 business days after such hearing, the hearing officer shall provide to the Commissioner written findings and conclusions, together with a recommendation as to whether the license should be summarily suspended.

D. Within 10 business days of the receipt of the hearing officer's findings, conclusions, and recommendation, the Commissioner may issue a final order of summary suspension or an order that such summary suspension is not warranted by the facts and circumstances presented. The Commissioner shall adopt the hearing officer's recommended decision unless to do so would be an error of law or Department policy. If the Commissioner rejects the hearing officer's findings, conclusions, or recommendation, the Commissioner shall state with particularity the basis for rejection. In issuing a final order of summary suspension, the Commissioner may choose to suspend the license of the Center or to suspend only certain authority of the Center to operate, including the authority to provide certain services or perform certain functions that the Commissioner determines should be restricted or modified in order to protect the health, safety, or welfare of the children receiving care. A final order of summary suspension shall include notice that the licensee may appeal the Commissioner's decision to the appropriate circuit court no later than 10 business days following service of the order. The sole issue before the court shall be whether the Commissioner had reasonable grounds to require the licensee to cease operations during the pendency of the concurrent revocation, denial, or other proceeding. The concurrent revocation, denial, or other proceeding shall not be affected by the outcome of any hearing on the appropriateness of the summary suspension.

E. A copy of any final order of summary suspension shall be prominently displayed by the Center at each public entrance of the facility, or in lieu thereof, the Center may display a written statement summarizing the terms of the order in a prominent location, printed in a clear and legible size and typeface, and identifying the location within the facility where the final order of summary suspension may be reviewed.

F. The provisions of this subsection shall not apply to any Center operated by an agency of the Commonwealth, which shall instead be governed by the provisions of § 32.1-162.15:1.22.

§ 32.1-162.15:1.22. Summary suspension; Centers operated by an agency of the Commonwealth.

Whenever the Commissioner issues a summary order of suspension of the license to operate a Center operated by an agency of the Commonwealth:

1. Before such summary order of suspension shall take effect, the Commissioner shall issue to the Center a notice of summary order of suspension setting forth (i) the procedures for a hearing and right of review as provided in this section and (ii) the facts and evidence that formed the basis on which the summary order of suspension is sought. Such notice shall be served on the licensee or its designee as soon as practicable thereafter by personal service or certified mail, return receipt requested, to the address of record of the licensee. The notice shall state the time, date, and location of a hearing to determine whether the suspension is appropriate. Such hearing shall be held no later than three business days after the issuance of the notice of the summary order of suspension and shall be convened by the Commissioner or his designee. After such hearing, the Commissioner may issue a final order of summary suspension or may find that such summary suspension is not warranted by the facts and circumstances presented.

2. A final order of summary suspension shall include notice that the licensee may request, in writing and within three business days after receiving the Commissioner's decision, that the Commissioner refer the matter to the Secretary of Health and Human Resources for resolution within three business days of the referral. Any determination by the Secretary shall be final and not subject to judicial review. If the final order of summary suspension is upheld, it shall take effect immediately, and a copy of the final order of summary suspension shall be prominently displayed by the licensee at each public entrance of the Center. Any concurrent revocation, denial, or other proceedings shall not be affected by the outcome of any determination by the Secretary.

§ 32.1-162.15:1.23. Right to appeal notice of imposition of disciplinary action; Centers operated by agencies of the Commonwealth.

A Center operated by an agency of the Commonwealth shall have the right to appeal any notice of imposition of disciplinary action as follows:

1. Within 30 days after receiving a notice of imposition of disciplinary action, the licensee shall request in writing that the Commissioner review the intended disciplinary action and may submit, together with such request, relevant information, documentation, or other pertinent data supporting its appeal. The Commissioner shall issue a decision within 60 days after receiving the request and shall have the authority to uphold the disciplinary action or take whatever action he deems appropriate to resolve the controversy.

2. If the Center disputes the Commissioner's decision, the licensee shall request, within 30 days of receiving the Commissioner's decision, that the Commissioner refer the matter to the Secretary of Health and Human Resources. The Secretary shall issue a decision within 60 days of receiving the request for review. The Secretary's decision shall be final and shall not be subject to judicial review.

2. That the Board of Health shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

3. That the provisions of this act shall become effective on July 1, 2026.

CHAPTER 452

An Act to amend and reenact § 22.1-302 of the Code of Virginia, relating to public schools; temporarily employed teachers; rules and requirements; extension of time limitation; report.

[H 2201]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-302 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-302. Written contracts required; execution of contracts; qualifications of temporarily employed teachers; rules and requirements.

A. A written contract, in a form permitted by the ~~Board of Education's~~ *Board's* regulations, shall be made by the school board with each teacher employed by it, except those who are temporarily employed, before such teacher enters upon his duties. Such contract shall be signed in duplicate, with a copy thereof furnished to both parties.

The standard 10-month contract shall include 200 days, including (i) a minimum of 180 teaching days or 990 instructional hours and (ii) up to 20 days for activities such as teaching, participating in professional development, planning, evaluating, completing records and reports, participating on committees or in conferences, or such other activities as may be assigned or approved by the local school board.

A "temporarily employed teacher," as used in this section, means ~~(i)~~ *(a)* one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence or ~~(ii)~~ *(b)* one who is employed to fill a teacher vacancy for a period of time, but for no longer than ~~90~~ *180* teaching days in such vacancy, unless otherwise approved by the Superintendent ~~of Public Instruction~~ on a case-by-case basis, during one school year.

B. Temporarily employed teachers, as defined in this section, shall be at least 18 years of age and shall hold a high school diploma or have passed a high school equivalency examination approved by the Board ~~of Education~~. *Any such temporarily employed teacher who is employed to fill a teacher vacancy for more than 90 teaching days for any course other than a course for which a technical professional license is required shall, unless otherwise approved by the Superintendent, hold a baccalaureate degree and not meet the qualifications to apply for a provisional license or have held an active professional teaching license within the past 10 years in the Commonwealth.*

A temporarily employed teacher is not required to be licensed by the Board ~~of Education~~, nor is the local school board required to enter into a written contract with a temporarily employed teacher. However, local school boards shall *(i)* establish employment qualifications for temporarily employed teachers that may exceed these requirements for the employment of such teachers~~. School boards shall also~~*; (ii)* seek to ensure that temporarily employed teachers who are engaged as long-term substitutes exceed baseline employment qualifications*; and (iii) execute a professional development plan with any temporarily employed teacher who is employed to fill a teacher vacancy for more than 90 teaching days that sets forth a mentoring and coaching plan and, for any temporarily employed teacher who is interested in obtaining licensure, a proposed licensure timeline and set of strategies for obtaining licensure by the Board. Any such proposed licensure timeline shall establish a track for any such temporarily employed teacher to apply for licensure by or after a*

specific date, such as July 1 following the year for which such temporarily employed teacher was employed or such other date as deemed appropriate by the local school board. Each school board shall submit to the Department by October 1 of each year a report on all data on temporarily employed teachers who were employed to fill a teacher vacancy for more than 90 teaching days in such school division in the preceding school year or who were employed before October 1 of the current school year, which shall include for each such teacher (a) the specific school in which he was employed, (b) the grade level or subject area he was employed to teach, and (c) his current licensure eligibility status.

C. A separate contract in a form permitted by the Board ~~of Education~~ shall be executed by the school board with a teacher who is receiving a monetary supplement for any athletic coaching or extracurricular activity sponsorship assignment. This contract shall be separate and apart from the contract for teaching.

Termination of a separate contract for any athletic coaching or extracurricular activity sponsorship assignment by either party thereto shall not constitute cause for termination of the separate teaching contract of the coach or teacher.

All such contracts shall require the party intending to terminate the coaching or extracurricular activity sponsorship contract to give reasonable notice to the other party before termination thereof shall become effective.

For the purposes of this section, "extracurricular activity sponsorship" means an assignment for which a monetary supplement is received, requiring responsibility for any student organizations, clubs, or groups, such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

2. That the provisions of this act shall expire on July 1, 2027.

CHAPTER 453

An Act to amend the Code of Virginia by adding a section numbered 22.1-217.4, relating to students who need or use augmentative and alternative communication; documentation of needs on individualized education program; staff training.

[H 2219]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-217.4 as follows:

§ 22.1-217.4. Students who need or use augmentative and alternative communication; documentation of needs on individualized education program; staff training.

A. As used in this section, "augmentative and alternative communication" or "AAC" means any method or tool other than oral speech that an individual uses to communicate, including gestures, facial expressions, writing, and speech-generating devices.

B. In accordance with the definition of "assistive technology service" in 8VAC20-81-10, subsection F of 8VAC20-81-100, and subsection F of 8VAC20-81-110 of the Virginia Administrative Code, a school division shall document on the individualized education program of a student with a disability who needs or uses AAC, beginning prior to the provision of instruction or direct support to the student, including in any extended school year period, the student's AAC and communication access and support needs, including, as appropriate, individualized training as an assistive technology service for each school division employee or contractor who provides instruction or direct support to such student, to support the student's use of AAC and to ensure that access to curricula and instruction is designed or adapted as necessary to accommodate the student's unique communication access needs. In any case in which the individualized education program of such a student indicates the need for such training and the school division employee or contractor who will provide instruction or direct support to such student is known prior to the start of the school year, such individualized training shall occur prior to the start of the school year. In any case in which the individualized education program of such a student indicates the need for such training and (i) the student enrolls in a new school division during the school year; (ii) the student's initial individualized education program starts during the school year; (iii) the student transfers to a different school, classroom, or educational setting within a school division during the school year; or (iv) a different school division employee or contractor who will provide instruction or direct support to such student transfers into the student's classroom or educational setting during the school year, such individualized training shall occur as soon as possible after such occurrence.

CHAPTER 454

An Act to amend the Code of Virginia by adding a section numbered 16.1-276.4, relating to use of restraints on juveniles in court prohibited; exceptions.

[H 2222]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 16.1-276.4 as follows:

§ 16.1-276.4. Use of restraints on juveniles in court prohibited; exceptions.

A. As used in this section, "instruments of restraint" includes handcuffs, chains, irons, straightjackets, and electronic restraint devices. "Instruments of restraint" does not include an electronic device used for home electronic monitoring.

B. Instruments of restraint shall not be used on a juvenile during a delinquency proceeding in a juvenile and domestic relations district court unless, upon motion of the attorney for the Commonwealth or on the court's own motion sua sponte, such court orders the use of such restraints prior to such juvenile's appearance in the courtroom pursuant to subsection C.

C. The court may order the use of instruments of restraint on a juvenile upon making a finding that (i) the use of such restraints is necessary (a) to prevent physical harm to such juvenile or another person, (b) because such juvenile has a history of disruptive courtroom behavior that has placed others in potentially harmful situations or presents a clear and substantial threat of serious harm to himself or others as evidenced by recent behavior, or (c) because such juvenile presents a substantial risk of flight from the courtroom and (ii) there are no less restrictive alternatives to such restraints that will prevent flight of or harm to such juvenile or another person, including court personnel or law-enforcement officers.

D. The juvenile shall be entitled to an attorney prior to a hearing on the use of instruments of restraint pursuant to the provisions of this section. The court shall provide the juvenile's attorney an opportunity to be heard before the court orders the use of instruments of restraint pursuant to subsection C, and the juvenile's attorney may waive the juvenile's appearance at such hearing. If such restraints are ordered, the court shall communicate to the parties the basis of the decision either orally or in writing.

CHAPTER 455

An Act to amend and reenact § 33.2-1525 of the Code of Virginia, relating to the Transportation Trust Fund; investments; personal liability.

[H 2234]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 33.2-1525 of the Code of Virginia is amended and reenacted as follows:

§ 33.2-1525. Administration of Transportation Trust Fund.

A. The Transportation Trust Fund shall be established on the books of the Comptroller so as to segregate the amounts appropriated to the Transportation Trust Fund and the amounts earned or accumulated by such Transportation Trust Fund. No portion of the Transportation Trust Fund shall be used for a purpose other than as provided in this section. Any moneys remaining in the Transportation Trust Fund at the end of a biennium shall not revert to the general fund but shall remain in the Transportation Trust Fund to be used for the purposes set forth in §§ 33.2-1524, 33.2-1526, and 33.2-1529 and shall accumulate interest and dividends throughout the existence of the Transportation Trust Fund. Whenever in the Board's opinion there are moneys in the Transportation Trust Fund in excess of the amount required to meet the current needs and demands of the transportation program, the Board may invest such excess funds in securities that, in its judgment, will be readily convertible into money. Such securities may include debentures and other government and corporate obligations; common and preferred stocks limited to 30 percent of total trust funds investments based on cost; "prime quality" commercial paper, as defined and limited by § 2.2-4502; bankers' acceptances; bonds; money market funds; and overnight, term, and open repurchase agreements. The investment of moneys held in the Transportation Trust Fund shall be administered by the state treasury under guidelines adopted by the Board pursuant to this section.

The Treasurer may, at his option, manage such moneys or hire professional outside investment counsel to manage part or all of such moneys.

The selection of services related to the management, purchase, or sale of authorized investments shall be governed by the standard provided in this section and shall not be subject to the provisions of Chapter 43 (§ 2.2-4300 et seq.) of Title 2.2.

B. When investments are made in accordance with this section, no member of the Board, Northern Virginia Transportation Authority, *Central Virginia Transportation Authority,* or Hampton Roads Transportation Accountability Commission; employee of the Board, Northern Virginia Transportation Authority, *Central Virginia Transportation Authority,* Hampton Roads Transportation Accountability Commission, Department of Transportation, or Department of Rail and Public Transportation; or treasury official shall be personally liable for any loss therefrom in the absence of negligence, malfeasance, misfeasance, or nonfeasance. *Such limitation on personal liability shall extend to an individual's actions taken while serving on or employed by such entities, even if such individual no longer serves on or is employed by any such entity.*

CHAPTER 456

An Act to amend and reenact § 58.1-3295 of the Code of Virginia, relating to real property tax; assessment of affordable rental housing.

[H 2245]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-3295 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-3295. Assessment of real property; affordable rental housing.

A. Notwithstanding any other provision of law, in determining the fair market value of real property operated in whole or in part as affordable rental housing, in accordance with the provisions of ~~(i)~~ *12 U.S.C. § 1701q,* 26 U.S.C. § 42, 26 U.S.C. § 142(d), *42 U.S.C. § 1485, 42 U.S.C. § 1437f as it applies to programs providing project-based assistance as defined in subsection (f)(6) of such section,* 24 C.F.R. § 983, 24 C.F.R. § 236, 24 C.F.R. § 241(f), 24 C.F.R. § 221(d)(3), *§ 8 of the Housing Act of 1937, §§ 515 and 538 of the Housing Act of 1949, § 202 of the Housing Act of 1959,* the federal Rental Assistance Demonstration program established under the Consolidated and Further Continuing Appropriations Act, 2012 (P.L. 112-55), or any successors thereto~~; (ii) applicable state law; or (iii) local ordinances adopted by the locality wherein such real property is located~~, the duly authorized real estate assessor shall consider:

1. The contract rent and the impact of applicable rent restrictions;

2. Restrictions on the transfer of title or other restraints on alienation of the real property; and

3. The actual operating expenses and expenditures and the impact of any such additional expenses or expenditures. If an owner has two or more units of real property that (i) are operated in whole or in part as affordable rental housing and (ii) are controlled by a single restrictive use agreement regulating income and rent restrictions, and the owner has expenses and expenditures common to two or more such units, and such expenses and expenditures cannot practicably be attributed to a particular unit, then the owner has a right to have the assessor make a pro rata apportionment of such expenses and expenditures to each such unit based on each unit's assessed value as a percentage of the total assessed value of all such units. The provisions of this subdivision apply whether or not the units are in one tax parcel or multiple tax parcels.

Affordable rental housing that is not assessed with the income approach shall be reassessed in accordance with subsection E when it generates income.

B. The owner of real property that is operated in whole or in part as affordable rental housing in accordance with the definition of affordable rental housing established by ordinance or resolution of the locality in which the real property is located may make an application to the locality to have the real property assessed pursuant to this section. Notwithstanding the exception in § 58.1-3294 for an owner of four or fewer residential units, upon application by such an owner, the duly authorized real estate assessor may require the owner to furnish to such assessor, board, or department statements of the income and expenses attributable over a specified period of time to each such parcel of real estate in the manner required by § 58.1-3294 and to comply with all provisions of § 58.1-3294 applicable to properties with more than four rental dwelling units. The application shall be granted by the locality if (i) the owner charges rents at levels that meet the locality's definition of affordable *rental* housing and (ii) the real property does not have any pending building code violations at the time of the application.

The duly authorized real estate assessor shall also consider evidence presented by the property owner of other restrictions imposed by law that impact the variables set forth in this subsection.

C. Federal or state income tax credits with respect to affordable *rental* housing ~~rental~~ property within the purview of subsection A shall not be considered real property or income attributable to real property.

D. For property where only a portion of the units are operated as affordable *rental* housing, as defined in § 42 of the Internal Revenue Code or as required by state law or applicable local ordinance, only the portion determined to be affordable *rental* housing shall be subject to this section.

E. Notwithstanding any other provision in this section or other law, ~~the real property governed by this section~~ *affordable rental housing* that is generating income ~~as affordable housing~~ *and operated in accordance with the provisions of federal law enumerated in subsection A,* shall be assessed using the income approach *as set forth in subsection A* based on: the property's current use, *contract rent,* income restrictions, provisions of any arm's-length contract including ~~but not limited to~~ restrictions on the transfer of title or other restraints on alienation of the real property, ~~the requirements of subsection B, and all other provisions of this section~~ *and actual operating expense and capitalization rate data from comparable affordable housing. If such information is not provided by the property owner in accordance with § 58.1-3294 or is not available on relevant commercial or governmental databases, the property may be assessed in accordance with subsection A.*

F. The Department shall develop a uniform income and expense reporting form that may be provided by duly authorized assessors and completed by the owners of affordable rental housing properties prior to assessment of such affordable rental housing properties. Such owner's completion and submittal to the assessor of the uniform income and expense reporting form developed in accordance with this section or such owner's submittal of full and accurate financial data provided in response to such form shall be presumed to comply with the requirements of § 58.1-3294.

2. That the Department of Taxation shall develop, in consultation with a stakeholder group, a uniform income and expense reporting form that may be provided by duly authorized assessors and completed by the owners of affordable rental housing properties prior to assessment of such affordable rental housing properties. The stakeholder group shall be comprised of one representative of affordable rental housing owners, one representative of affordable rental housing advocates, one representative of local government representatives, and one representative of local commissioners of the revenue. The form shall require inclusion of the name and personal home address of the owner of the affordable rental housing, the physical address of the affordable rental housing, the current rental rate of any dwelling upon such property, any tenant concessions, the gross annual rental income and

any other revenues incidental thereto for such property, the vacancy rate of any dwelling units upon such property, the current collection loss rate, any annual reserve for replacements, the annual operating expenses for such property, and any other data that the stakeholder group agrees upon. The form shall be completed no later than September 1, 2025. The Department of Taxation shall, no later than November 1, 2025, provide a letter to the Chairs of the Senate Committee on Finance and Appropriations and the House Committee on Finance with an update on the development of such form and implementation of training for assessing officials and contracted assessors on the assessment of affordable rental housing.

3. That the provisions of the first enactment of this act shall become effective for assessments beginning on or after January 1, 2026.

CHAPTER 457

An Act to amend and reenact § 32.1-127, as it shall become effective, of the Code of Virginia, relating to hospitals; reports of threats or acts of violence against health care providers.

[H 2269]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-127, as it shall become effective, of the Code of Virginia is amended and reenacted as follows:

§ 32.1-127. (Effective July 1, 2025) Regulations.

A. The regulations promulgated by the Board to carry out the provisions of this article shall be in substantial conformity to the standards of health, hygiene, sanitation, construction and safety as established and recognized by medical and health care professionals and by specialists in matters of public health and safety, including health and safety standards established under provisions of Title XVIII and Title XIX of the Social Security Act, and to the provisions of Article 2 (§ 32.1-138 et seq.).

B. Such regulations:

1. Shall include minimum standards for (i) the construction and maintenance of hospitals, nursing homes and certified nursing facilities to ensure the environmental protection and the life safety of its patients, employees, and the public; (ii) the operation, staffing and equipping of hospitals, nursing homes and certified nursing facilities; (iii) qualifications and training of staff of hospitals, nursing homes and certified nursing facilities, except those professionals licensed or certified by the Department of Health Professions; (iv) conditions under which a hospital or nursing home may provide medical and nursing services to patients in their places of residence; and (v) policies related to infection prevention, disaster preparedness, and facility security of hospitals, nursing homes, and certified nursing facilities;

2. Shall provide that at least one physician who is licensed to practice medicine in the Commonwealth and is primarily responsible for the emergency department shall be on duty and physically present at all times at each hospital that operates or holds itself out as operating an emergency service;

3. May classify hospitals and nursing homes by type of specialty or service and may provide for licensing hospitals and nursing homes by bed capacity and by type of specialty or service;

4. Shall also require that each hospital establish a protocol for organ donation, in compliance with federal law and the regulations of the Centers for Medicare and Medicaid Services (CMS), particularly 42 C.F.R. § 482.45. Each hospital shall have an agreement with an organ procurement organization designated in CMS regulations for routine contact, whereby the provider's designated organ procurement organization certified by CMS (i) is notified in a timely manner of all deaths or imminent deaths of patients in the hospital and (ii) is authorized to determine the suitability of the decedent or patient for organ donation and, in the absence of a similar arrangement with any eye bank or tissue bank in Virginia certified by the Eye Bank Association of America or the American Association of Tissue Banks, the suitability for tissue and eye donation. The hospital shall also have an agreement with at least one tissue bank and at least one eye bank to cooperate in the retrieval, processing, preservation, storage, and distribution of tissues and eyes to ensure that all usable tissues and eyes are obtained from potential donors and to avoid interference with organ procurement. The protocol shall ensure that the hospital collaborates with the designated organ procurement organization to inform the family of each potential donor of the option to donate organs, tissues, or eyes or to decline to donate. The individual making contact with the family shall have completed a course in the methodology for approaching potential donor families and requesting organ or tissue donation that (a) is offered or approved by the organ procurement organization and designed in conjunction with the tissue and eye bank community and (b) encourages discretion and sensitivity according to the specific circumstances, views, and beliefs of the relevant family. In addition, the hospital shall work cooperatively with the designated organ procurement organization in educating the staff responsible for contacting the organ procurement organization's personnel on donation issues, the proper review of death records to improve identification of potential donors, and the proper procedures for maintaining potential donors while necessary testing and placement of potential donated organs, tissues, and eyes takes place. This process shall be followed, without exception, unless the family of the relevant decedent or patient has expressed opposition to organ donation, the chief administrative officer of the hospital or his designee knows of such opposition, and no donor card or other relevant document, such as an advance directive, can be found;

5. Shall require that each hospital that provides obstetrical services establish a protocol for admission or transfer of any pregnant woman who presents herself while in labor;

6. Shall also require that each licensed hospital develop and implement a protocol requiring written discharge plans for identified, substance-abusing, postpartum women and their infants. The protocol shall require that the discharge plan be discussed with the patient and that appropriate referrals for the mother and the infant be made and documented. Appropriate referrals may include, but need not be limited to, treatment services, comprehensive early intervention services for infants and toddlers with disabilities and their families pursuant to Part H of the Individuals with Disabilities Education Act, 20 U.S.C. § 1471 et seq., and family-oriented prevention services. The discharge planning process shall involve, to the extent possible, the other parent of the infant and any members of the patient's extended family who may participate in the follow-up care for the mother and the infant. Immediately upon identification, pursuant to § 54.1-2403.1, of any substance-abusing, postpartum woman, the hospital shall notify, subject to federal law restrictions, the community services board of the jurisdiction in which the woman resides to appoint a discharge plan manager. The community services board shall implement and manage the discharge plan;

7. Shall require that each nursing home and certified nursing facility fully disclose to the applicant for admission the home's or facility's admissions policies, including any preferences given;

8. Shall require that each licensed hospital establish a protocol relating to the rights and responsibilities of patients which shall include a process reasonably designed to inform patients of such rights and responsibilities. Such rights and responsibilities of patients, a copy of which shall be given to patients on admission, shall be consistent with applicable federal law and regulations of the Centers for Medicare and Medicaid Services;

9. Shall establish standards and maintain a process for designation of levels or categories of care in neonatal services according to an applicable national or state-developed evaluation system. Such standards may be differentiated for various levels or categories of care and may include, but need not be limited to, requirements for staffing credentials, staff/patient ratios, equipment, and medical protocols;

10. Shall require that each nursing home and certified nursing facility train all employees who are mandated to report adult abuse, neglect, or exploitation pursuant to § 63.2-1606 on such reporting procedures and the consequences for failing to make a required report;

11. Shall permit hospital personnel, as designated in medical staff bylaws, rules and regulations, or hospital policies and procedures, to accept emergency telephone and other verbal orders for medication or treatment for hospital patients from physicians, and other persons lawfully authorized by state statute to give patient orders, subject to a requirement that such verbal order be signed, within a reasonable period of time not to exceed 72 hours as specified in the hospital's medical staff bylaws, rules and regulations or hospital policies and procedures, by the person giving the order, or, when such person is not available within the period of time specified, co-signed by another physician or other person authorized to give the order;

12. Shall require, unless the vaccination is medically contraindicated or the resident declines the offer of the vaccination, that each certified nursing facility and nursing home provide or arrange for the administration to its residents of (i) an annual vaccination against influenza and (ii) a pneumococcal vaccination, in accordance with the most recent recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention;

13. Shall require that each nursing home and certified nursing facility register with the Department of State Police to receive notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 within the same or a contiguous zip code area in which the home or facility is located, pursuant to § 9.1-914;

14. Shall require that each nursing home and certified nursing facility ascertain, prior to admission, whether a potential patient is required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, if the home or facility anticipates the potential patient will have a length of stay greater than three days or in fact stays longer than three days;

15. Shall require that each licensed hospital include in its visitation policy a provision allowing each adult patient to receive visits from any individual from whom the patient desires to receive visits, subject to other restrictions contained in the visitation policy including, but not limited to, those related to the patient's medical condition and the number of visitors permitted in the patient's room simultaneously;

16. Shall require that each nursing home and certified nursing facility shall, upon the request of the facility's family council, send notices and information about the family council mutually developed by the family council and the administration of the nursing home or certified nursing facility, and provided to the facility for such purpose, to the listed responsible party or a contact person of the resident's choice up to six times per year. Such notices may be included together with a monthly billing statement or other regular communication. Notices and information shall also be posted in a designated location within the nursing home or certified nursing facility. No family member of a resident or other resident representative shall be restricted from participating in meetings in the facility with the families or resident representatives of other residents in the facility;

17. Shall require that each nursing home and certified nursing facility maintain liability insurance coverage in a minimum amount of $1 million, and professional liability coverage in an amount at least equal to the recovery limit set forth

in § 8.01-581.15, to compensate patients or individuals for injuries and losses resulting from the negligent or criminal acts of the facility. Failure to maintain such minimum insurance shall result in revocation of the facility's license;

18. Shall require each hospital that provides obstetrical services to establish policies to follow when a stillbirth, as defined in § 32.1-69.1, occurs that meet the guidelines pertaining to counseling patients and their families and other aspects of managing stillbirths as may be specified by the Board in its regulations;

19. Shall require each nursing home to provide a full refund of any unexpended patient funds on deposit with the facility following the discharge or death of a patient, other than entrance-related fees paid to a continuing care provider as defined in § 38.2-4900, within 30 days of a written request for such funds by the discharged patient or, in the case of the death of a patient, the person administering the person's estate in accordance with the Virginia Small Estates Act (§ 64.2-600 et seq.);

20. Shall require that each hospital that provides inpatient psychiatric services establish a protocol that requires, for any refusal to admit (i) a medically stable patient referred to its psychiatric unit, direct verbal communication between the on-call physician in the psychiatric unit and the referring physician, if requested by such referring physician, and prohibits on-call physicians or other hospital staff from refusing a request for such direct verbal communication by a referring physician and (ii) a patient for whom there is a question regarding the medical stability or medical appropriateness of admission for inpatient psychiatric services due to a situation involving results of a toxicology screening, the on-call physician in the psychiatric unit to which the patient is sought to be transferred to participate in direct verbal communication, either in person or via telephone, with a clinical toxicologist or other person who is a Certified Specialist in Poison Information employed by a poison control center that is accredited by the American Association of Poison Control Centers to review the results of the toxicology screen and determine whether a medical reason for refusing admission to the psychiatric unit related to the results of the toxicology screen exists, if requested by the referring physician;

21. Shall require that each hospital that is equipped to provide life-sustaining treatment shall develop a policy governing determination of the medical and ethical appropriateness of proposed medical care, which shall include (i) a process for obtaining a second opinion regarding the medical and ethical appropriateness of proposed medical care in cases in which a physician has determined proposed care to be medically or ethically inappropriate; (ii) provisions for review of the determination that proposed medical care is medically or ethically inappropriate by an interdisciplinary medical review committee and a determination by the interdisciplinary medical review committee regarding the medical and ethical appropriateness of the proposed health care; and (iii) requirements for a written explanation of the decision reached by the interdisciplinary medical review committee, which shall be included in the patient's medical record. Such policy shall ensure that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 (a) are informed of the patient's right to obtain his medical record and to obtain an independent medical opinion and (b) afforded reasonable opportunity to participate in the medical review committee meeting. Nothing in such policy shall prevent the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 from obtaining legal counsel to represent the patient or from seeking other remedies available at law, including seeking court review, provided that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986, or legal counsel provides written notice to the chief executive officer of the hospital within 14 days of the date on which the physician's determination that proposed medical treatment is medically or ethically inappropriate is documented in the patient's medical record;

22. Shall require every hospital with an emergency department to establish a security plan. Such security plan shall be developed using standards established by the International Association for Healthcare Security and Safety or other industry standard and shall be based on the results of a security risk assessment of each emergency department location of the hospital and shall include the presence of at least one off-duty law-enforcement officer or trained security personnel who is present in the emergency department at all times as indicated to be necessary and appropriate by the security risk assessment. Such security plan shall be based on identified risks for the emergency department, including trauma level designation, overall volume, volume of psychiatric and forensic patients, incidents of violence against staff, and level of injuries sustained from such violence, and prevalence of crime in the community, in consultation with the emergency department medical director and nurse director. The security plan shall also outline training requirements for security personnel in the potential use of and response to weapons, defensive tactics, de-escalation techniques, appropriate physical restraint and seclusion techniques, crisis intervention, and trauma-informed approaches. Such training shall also include instruction on safely addressing situations involving patients, family members, or other persons who pose a risk of harm to themselves or others due to mental illness or substance abuse or who are experiencing a mental health crisis. Such training requirements may be satisfied through completion of the Department of Criminal Justice Services minimum training standards for auxiliary police officers as required by § 15.2-1731. The Commissioner shall provide a waiver from the requirement that at least one off-duty law-enforcement officer or trained security personnel be present at all times in the emergency department if the hospital demonstrates that a different level of security is necessary and appropriate for any of its emergency departments based upon findings in the security risk assessment;

23. Shall require that each hospital establish a protocol requiring that, before a health care provider arranges for air medical transportation services for a patient who does not have an emergency medical condition as defined in 42 U.S.C. § 1395dd(e)(1), the hospital shall provide the patient or his authorized representative with written or electronic notice that the patient (i) may have a choice of transportation by an air medical transportation provider or medically appropriate ground transportation by an emergency medical services provider and (ii) will be responsible for charges incurred for such

transportation in the event that the provider is not a contracted network provider of the patient's health insurance carrier or such charges are not otherwise covered in full or in part by the patient's health insurance plan;

24. Shall establish an exemption from the requirement to obtain a license to add temporary beds in an existing hospital or nursing home, including beds located in a temporary structure or satellite location operated by the hospital or nursing home, provided that the ability remains to safely staff services across the existing hospital or nursing home, (i) for a period of no more than the duration of the Commissioner's determination plus 30 days when the Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds or (ii) for a period of no more than the duration of the emergency order entered pursuant to § 32.1-13 or 32.1-20 plus 30 days when the Board, pursuant to § 32.1-13, or the Commissioner, pursuant to § 32.1-20, has entered an emergency order for the purpose of suppressing a nuisance dangerous to public health or a communicable, contagious, or infectious disease or other danger to the public life and health;

25. Shall establish protocols to ensure that any patient scheduled to receive an elective surgical procedure for which the patient can reasonably be expected to require outpatient physical therapy as a follow-up treatment after discharge is informed that he (i) is expected to require outpatient physical therapy as a follow-up treatment and (ii) will be required to select a physical therapy provider prior to being discharged from the hospital;

26. Shall permit nursing home staff members who are authorized to possess, distribute, or administer medications to residents to store, dispense, or administer cannabis oil to a resident who has been issued a valid written certification for the use of cannabis oil in accordance with § 4.1-1601;

27. Shall require each hospital with an emergency department to establish a protocol for the treatment and discharge of individuals experiencing a substance use-related emergency, which shall include provisions for (i) appropriate screening and assessment of individuals experiencing substance use-related emergencies to identify medical interventions necessary for the treatment of the individual in the emergency department and (ii) recommendations for follow-up care following discharge for any patient identified as having a substance use disorder, depression, or mental health disorder, as appropriate, which may include, for patients who have been treated for substance use-related emergencies, including opioid overdose, or other high-risk patients, (a) the dispensing of naloxone or other opioid antagonist used for overdose reversal pursuant to subsection X of § 54.1-3408 at discharge or (b) issuance of a prescription for and information about accessing naloxone or other opioid antagonist used for overdose reversal, including information about accessing naloxone or other opioid antagonist used for overdose reversal at a community pharmacy, including any outpatient pharmacy operated by the hospital, or through a community organization or pharmacy that may dispense naloxone or other opioid antagonist used for overdose reversal without a prescription pursuant to a statewide standing order. Such protocols may also provide for referrals of individuals experiencing a substance use-related emergency to peer recovery specialists and community-based providers of behavioral health services, or to providers of pharmacotherapy for the treatment of drug or alcohol dependence or mental health diagnoses;

28. During a public health emergency related to COVID-19, shall require each nursing home and certified nursing facility to establish a protocol to allow each patient to receive visits, consistent with guidance from the Centers for Disease Control and Prevention and as directed by the Centers for Medicare and Medicaid Services and the Board. Such protocol shall include provisions describing (i) the conditions, including conditions related to the presence of COVID-19 in the nursing home, certified nursing facility, and community, under which in-person visits will be allowed and under which in-person visits will not be allowed and visits will be required to be virtual; (ii) the requirements with which in-person visitors will be required to comply to protect the health and safety of the patients and staff of the nursing home or certified nursing facility; (iii) the types of technology, including interactive audio or video technology, and the staff support necessary to ensure visits are provided as required by this subdivision; and (iv) the steps the nursing home or certified nursing facility will take in the event of a technology failure, service interruption, or documented emergency that prevents visits from occurring as required by this subdivision. Such protocol shall also include (a) a statement of the frequency with which visits, including virtual and in-person, where appropriate, will be allowed, which shall be at least once every 10 calendar days for each patient; (b) a provision authorizing a patient or the patient's personal representative to waive or limit visitation, provided that such waiver or limitation is included in the patient's health record; and (c) a requirement that each nursing home and certified nursing facility publish on its website or communicate to each patient or the patient's authorized representative, in writing or via electronic means, the nursing home's or certified nursing facility's plan for providing visits to patients as required by this subdivision;

29. Shall require each hospital, nursing home, and certified nursing facility to establish and implement policies to ensure the permissible access to and use of an intelligent personal assistant provided by a patient, in accordance with such regulations, while receiving inpatient services. Such policies shall ensure protection of health information in accordance with the requirements of the federal Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d et seq., as amended. For the purposes of this subdivision, "intelligent personal assistant" means a combination of an electronic device and a specialized software application designed to assist users with basic tasks using a combination of natural language processing and artificial intelligence, including such combinations known as "digital assistants" or "virtual assistants";

30. During a declared public health emergency related to a communicable disease of public health threat, shall require each hospital, nursing home, and certified nursing facility to establish a protocol to allow patients to receive visits from a rabbi, priest, minister, or clergy of any religious denomination or sect consistent with guidance from the Centers for Disease

Control and Prevention and the Centers for Medicare and Medicaid Services and subject to compliance with any executive order, order of public health, Department guidance, or any other applicable federal or state guidance having the effect of limiting visitation. Such protocol may restrict the frequency and duration of visits and may require visits to be conducted virtually using interactive audio or video technology. Any such protocol may require the person visiting a patient pursuant to this subdivision to comply with all reasonable requirements of the hospital, nursing home, or certified nursing facility adopted to protect the health and safety of the person, patients, and staff of the hospital, nursing home, or certified nursing facility;

31. Shall require that every hospital that makes health records, as defined in § 32.1-127.1:03, of patients who are minors available to such patients through a secure website shall make such health records available to such patient's parent or guardian through such secure website, unless the hospital cannot make such health record available in a manner that prevents disclosure of information, the disclosure of which has been denied pursuant to subsection F of § 32.1-127.1:03 or for which consent required in accordance with subsection E of § 54.1-2969 has not been provided; and

32. Shall require that every hospital where surgical procedures are performed adopt a policy requiring the use of a smoke evacuation system for all planned surgical procedures that are likely to generate surgical smoke. For the purposes of this subdivision, "smoke evacuation system" means smoke evacuation equipment and technologies designed to capture, filter, and remove surgical smoke at the site of origin and to prevent surgical smoke from making ocular contact or contact with a person's respiratory tract.

C. Upon obtaining the appropriate license, if applicable, licensed hospitals, nursing homes, and certified nursing facilities may operate adult day centers.

D. All facilities licensed by the Board pursuant to this article which provide treatment or care for hemophiliacs and, in the course of such treatment, stock clotting factors, shall maintain records of all lot numbers or other unique identifiers for such clotting factors in order that, in the event the lot is found to be contaminated with an infectious agent, those hemophiliacs who have received units of this contaminated clotting factor may be apprised of this contamination. Facilities which have identified a lot that is known to be contaminated shall notify the recipient's attending physician and request that he notify the recipient of the contamination. If the physician is unavailable, the facility shall notify by mail, return receipt requested, each recipient who received treatment from a known contaminated lot at the individual's last known address.

E. Hospitals in the Commonwealth may enter into agreements with the Department of Health for the provision to uninsured patients of naloxone or other opioid antagonists used for overdose reversal.

F. Hospitals in the Commonwealth shall:

1. Establish a workplace violence incident reporting system, through which each hospital shall document, track, and analyze any incident of workplace violence reported. The results of such analysis shall be used to make improvements in preventing workplace violence, including improvements achieved through continuing education in targeted areas, including de-escalation training, risk identification, and violence prevention planning. Such reporting system shall (i) be clearly communicated to all employees, including to any new employees at the employee orientation, and (ii) include guidelines on when and how to report incidents of workplace violence to the employer, security agencies, and appropriate law-enforcement authorities;

2. Record all reported incidents of workplace violence as voluntarily reported by an employee; and

3. Adopt a policy that prohibits any person from discriminating or retaliating against any employee of the hospital for reporting to, or seeking assistance or intervention from, the employer, security agencies, law-enforcement authorities, local emergency services organizations, government agencies, or others participating in any incident investigation. Such policy shall comply with the provisions of § 40.1-27.3.

G. Each hospital in the Commonwealth shall maintain the record of reported incidents of workplace violence made pursuant to subsection F for at least two years and shall include in such record, at a minimum:

1. The date and time of the incident;

2. A description of the incident, including the job titles of the affected employee;

3. Whether the perpetrator was a patient, visitor, employee, or other person;

4. A description of where the incident occurred;

5. Information relating the type of incident, including whether the incident involved (i) a physical attack without a weapon; (ii) an attack with a weapon or object; (iii) a threat of physical force or use of a weapon or other object with the intent to cause bodily harm; (iv) sexual assault or the threat of sexual assault; or (v) anything else not listed in subdivisions (i) through (iv);

6. The response to and any consequences of the incident, including (i) whether security or law enforcement was contacted and, if so, their response and (ii) whether the incident resulted in any change to hospital policy; and

7. Information about the individual who completed the report, including such individual's name, job title, and the date of completion.

H. Each hospital shall:

1. Report the data collected and reported pursuant to subsection G to the chief medical officer and the chief nursing officer of such hospital on, at a minimum, a quarterly basis; and

2. Send a report to the Department on an annual basis that includes, at a minimum, the number of incidents of workplace violence voluntarily reported by an employee pursuant to subsection F. Any report made to the Department pursuant to this subdivision shall be aggregated to remove any personally identifiable information.

I. As used in this section:

"Employee of the hospital" or "employee" means an employee of the hospital or any health care provider credentialed by the hospital or engaged by the hospital to perform health care services on the premises of the hospital.

"Workplace violence" means any act of violence or threat of violence, without regard to the intent of the perpetrator, that occurs against an employee of the hospital while on the premises of such hospital and engaged in the performance of his duties. "Workplace violence" includes (i) the threat or use of physical force against an employee that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether physical injury is sustained, and (ii) any incident involving the threat of using dangerous weapons or using common objects as weapons or to cause physical harm, regardless of whether physical injury is sustained.

2. That the Department of Health's initial adoption of regulations necessary to implement the provisions of this act shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

3. That the Secretary of Health and Human Resources, in collaboration with the Department of Criminal Justice Services, shall convene a stakeholder work group that shall include representatives of the Board of Medicine, the Board of Nursing, the Virginia Hospital and Healthcare Association, the Medical Society of Virginia, the Virginia Nurses Association, the Virginia College of Emergency Physicians, and such other stakeholders as deemed relevant and appropriate, for the purpose of making recommendations on the workplace violence reporting system and policies adopted pursuant to § 32.1-127 of the Code of Virginia, as amended by this act, including (i) the specific data elements to be reported to the Department of Health annually; (ii) additional specific data elements that should be collected by each hospital and included in any report made to the Department of Health; (iii) the aggregation of any data collected and reported pursuant to clauses (i) and (ii) for the purposes of protecting personally identifiable information; (iv) additional health care entities, if any, that should also be required to collect, maintain a record of, and report data relating to incidents of workplace violence; (v) additional hospital employees who should be notified of any reported incidents of workplace violence; and (vi) methods by which the Department of Health shall share publicly the data reported by hospitals pursuant to subsection H of § 32.1-127 of the Code of Virginia, as amended by this act. The work group shall report its recommendations to the Governor and the Chairs of the House Committee on Health and Human Services and the Senate Committee on Education and Health by November 1, 2025.

4. That the State Board of Health shall promulgate regulations to require hospitals to begin reporting data relating to incidents of workplace violence to the Department of Health on an annual basis, in accordance with § 32.1-127 of the Code of Virginia, as amended by this act, by July 1, 2026.

CHAPTER 458

An Act to amend and reenact §§ 58.1-3, 58.1-3826, and 58.1-3827 of the Code of Virginia, relating to transient occupancy tax; administration.

[H 2383]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 58.1-3, 58.1-3826, and 58.1-3827 of the Code of Virginia are amended and reenacted as follows:

§ 58.1-3. Secrecy of information; penalties.

A. Except in accordance with a proper judicial order or as otherwise provided by law, the Tax Commissioner or agent, clerk, commissioner of the revenue, treasurer, or any other state or local tax or revenue officer or employee, or any person to whom tax information is divulged pursuant to this section or § 58.1-512 ~~or,~~ 58.1-2712.2*, or 58.1-3826*, or any former officer or employee of any of the aforementioned offices shall not divulge any information acquired by him in the performance of his duties with respect to the transactions, property, including personal property, income or business of any person, firm or corporation. Such prohibition specifically includes any copy of a federal return or federal return information required by Virginia law to be attached to or included in the Virginia return. This prohibition shall apply to any reports, returns, financial documents or other information filed with the Attorney General pursuant to the provisions of Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2. Any person violating the provisions of this section is guilty of a Class 1 misdemeanor. The provisions of this subsection shall not be applicable, however, to:

1. Matters required by law to be entered on any public assessment roll or book;

2. Acts performed or words spoken, published, or shared with another agency or subdivision of the Commonwealth in the line of duty under state law;

3. Inquiries and investigations to obtain information as to the process of real estate assessments by a duly constituted committee of the General Assembly, or when such inquiry or investigation is relevant to its study, provided that any such information obtained shall be privileged;

4. The sales price, date of construction, physical dimensions or characteristics of real property, or any information required for building permits;

5. Copies of or information contained in an estate's probate tax return, filed with the clerk of court pursuant to § 58.1-1714, when requested by a beneficiary of the estate or an heir at law of the decedent or by the commissioner of accounts making a settlement of accounts filed in such estate;

6. Information regarding nonprofit entities exempt from sales and use tax under § 58.1-609.11, when requested by the General Assembly or any duly constituted committee of the General Assembly;

7. Reports or information filed with the Attorney General by a Stamping Agent pursuant to the provisions of Article 3 (§ 3.2-4204 et seq.), when such reports or information are provided by the Attorney General to a tobacco products manufacturer who is required to establish a qualified escrow fund pursuant to § 3.2-4201 and are limited to the brand families of that manufacturer as listed in the Tobacco Directory established pursuant to § 3.2-4206 and are limited to the current or previous two calendar years or in any year in which the Attorney General receives Stamping Agent information that potentially alters the required escrow deposit of the manufacturer. The information shall only be provided in the following manner: the manufacturer may make a written request, on a quarterly or yearly basis or when the manufacturer is notified by the Attorney General of a potential change in the amount of a required escrow deposit, to the Attorney General for a list of the Stamping Agents who reported stamping or selling its products and the amount reported. The Attorney General shall provide the list within 15 days of receipt of the request. If the manufacturer wishes to obtain actual copies of the reports the Stamping Agents filed with the Attorney General, it must first request them from the Stamping Agents pursuant to subsection C of § 3.2-4209. If the manufacturer does not receive the reports pursuant to subsection C of § 3.2-4209, the manufacturer may make a written request to the Attorney General, including a copy of the prior written request to the Stamping Agent and any response received, for copies of any reports not received. The Attorney General shall provide copies of the reports within 45 days of receipt of the request.

B. 1. Nothing contained in this section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof or the publication of delinquent lists showing the names of taxpayers who are currently delinquent, together with any relevant information which in the opinion of the Department may assist in the collection of such delinquent taxes. Notwithstanding any other provision of this section or other law, the Department, upon request by the General Assembly or any duly constituted committee of the General Assembly, shall disclose the total aggregate amount of an income tax deduction or credit taken by all taxpayers, regardless of (i) how few taxpayers took the deduction or credit or (ii) any other circumstances. This section shall not be construed to prohibit a local tax official from disclosing whether a person, firm or corporation is licensed to do business in that locality and divulging, upon written request, the name and address of any person, firm or corporation transacting business under a fictitious name. Additionally, notwithstanding any other provision of law, the commissioner of revenue is authorized to provide, upon written request stating the reason for such request, the Tax Commissioner with information obtained from local tax returns and other information pertaining to the income, sales and property of any person, firm or corporation licensed to do business in that locality.

2. This section shall not prohibit the Department from disclosing whether a person, firm, or corporation is registered as a retail sales and use tax dealer pursuant to Chapter 6 (§ 58.1-600 et seq.) or whether a certificate of registration number relating to such tax is valid. Additionally, notwithstanding any other provision of law, the Department is hereby authorized to make available the names and certificate of registration numbers of dealers who are currently registered for retail sales and use tax.

3. This section shall not prohibit the Department from disclosing information to nongovernmental entities with which the Department has entered into a contract to provide services that assist it in the administration of refund processing or other services related to its administration of taxes.

4. This section shall not prohibit the Department from disclosing information to taxpayers regarding whether the taxpayer's employer or another person or entity required to withhold on behalf of such taxpayer submitted withholding records to the Department for a specific taxable year as required pursuant to subdivision C 1 of § 58.1-478.

5. This section shall not prohibit the commissioner of the revenue, treasurer, director of finance, or other similar local official who collects or administers taxes for a county, city, or town from disclosing information to nongovernmental entities with which the locality has entered into a contract to provide services that assist it in the administration of refund processing or other non-audit services related to its administration of taxes. The commissioner of the revenue, treasurer, director of finance, or other similar local official who collects or administers taxes for a county, city, or town shall not disclose information to such entity unless he has obtained a written acknowledgement by such entity that the confidentiality and nondisclosure obligations of and penalties set forth in subsection A apply to such entity and that such entity agrees to abide by such obligations.

C. Notwithstanding the provisions of subsection A or B or any other provision of this title, the Tax Commissioner is authorized to (i) divulge tax information to any commissioner of the revenue, director of finance, or other similar collector of county, city, or town taxes who, for the performance of his official duties, requests the same in writing setting forth the reasons for such request; (ii) provide to the Commissioner of the Department of Social Services, upon entering into a written agreement, the amount of income, filing status, number and type of dependents, whether a federal earned income tax credit as authorized in § 32 of the Internal Revenue Code and an income tax credit for low-income taxpayers as authorized in § 58.1-339.8 have been claimed, and Forms W-2 and 1099 to facilitate the administration of public assistance or social services benefits as defined in § 63.2-100 or child support services pursuant to Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2, or as may be necessary to facilitate the administration of outreach and enrollment related to the federal earned

income tax credit authorized in § 32 of the Internal Revenue Code and the income tax credit for low-income taxpayers authorized in § 58.1-339.8; (iii) provide to the chief executive officer of the designated student loan guarantor for the Commonwealth of Virginia, upon written request, the names and home addresses of those persons identified by the designated guarantor as having delinquent loans guaranteed by the designated guarantor; (iv) provide current address information upon request to state agencies and institutions for their confidential use in facilitating the collection of accounts receivable, and to the clerk of a circuit or district court for their confidential use in facilitating the collection of fines, penalties, and costs imposed in a proceeding in that court; (v) provide to the Commissioner of the Virginia Employment Commission, after entering into a written agreement, such tax information as may be necessary to facilitate the collection of unemployment taxes and overpaid benefits; (vi) provide to the Virginia Alcoholic Beverage Control Authority, upon entering into a written agreement, such tax information as may be necessary to facilitate the collection of state and local taxes and the administration of the alcoholic beverage control laws; (vii) provide to the Director of the Virginia Lottery such tax information as may be necessary to identify those lottery ticket retailers who owe delinquent taxes; (viii) provide to the Department of the Treasury for its confidential use such tax information as may be necessary to facilitate the location of owners and holders of unclaimed property, as defined in § 55.1-2500; (ix) provide to the State Corporation Commission, upon entering into a written agreement, such tax information as may be necessary to facilitate the collection of taxes and fees administered by the Commission; (x) provide to the Executive Director of the Potomac and Rappahannock Transportation Commission for his confidential use such tax information as may be necessary to facilitate the collection of the motor vehicle fuel sales tax; (xi) provide to the Commissioner of the Department of Agriculture and Consumer Services such tax information as may be necessary to identify those applicants for registration as a supplier of charitable gaming supplies who have not filed required returns or who owe delinquent taxes; (xii) provide to the Department of Housing and Community Development for its confidential use such tax information as may be necessary to facilitate the administration of the remaining effective provisions of the Enterprise Zone Act (§ 59.1-270 et seq.), and the Enterprise Zone Grant Program (§ 59.1-538 et seq.); (xiii) provide current name and address information to private collectors entering into a written agreement with the Tax Commissioner, for their confidential use when acting on behalf of the Commonwealth or any of its political subdivisions; however, the Tax Commissioner is not authorized to provide such information to a private collector who has used or disseminated in an unauthorized or prohibited manner any such information previously provided to such collector; (xiv) provide current name and address information as to the identity of the wholesale or retail dealer that affixed a tax stamp to a package of cigarettes to any person who manufactures or sells at retail or wholesale cigarettes and who may bring an action for injunction or other equitable relief for violation of Chapter 10.1, Enforcement of Illegal Sale or Distribution of Cigarettes Act; (xv) provide to the Commissioner of Labor and Industry, upon entering into a written agreement, such tax information as may be necessary to facilitate the collection of unpaid wages under § 40.1-29; (xvi) provide to the Director of the Department of Human Resource Management, upon entering into a written agreement, such tax information as may be necessary to identify persons receiving workers' compensation indemnity benefits who have failed to report earnings as required by § 65.2-712; (xvii) provide to any commissioner of the revenue, director of finance, or any other officer of any county, city, or town performing any or all of the duties of a commissioner of the revenue and to any dealer registered for the collection of the Communications Sales and Use Tax, a list of the names, business addresses, and dates of registration of all dealers registered for such tax; (xviii) provide to the Executive Director of the Northern Virginia Transportation Commission for his confidential use such tax information as may be necessary to facilitate the collection of the motor vehicle fuel sales tax; (xix) provide to the Commissioner of Agriculture and Consumer Services the name and address of the taxpayer businesses licensed by the Commonwealth that identify themselves as subject to regulation by the Board of Agriculture and Consumer Services pursuant to § 3.2-5130; (xx) provide to the developer or the economic development authority of a tourism project authorized by § 58.1-3851.1, upon entering into a written agreement, tax information facilitating the repayment of gap financing; (xxi) provide to the Virginia Retirement System and the Department of Human Resource Management, after entering into a written agreement, such tax information as may be necessary to facilitate the enforcement of subdivision C 4 of § 9.1-401; (xxii) provide to the Department of Medical Assistance Services and the Department of Social Services, upon entering into a written agreement, the name, address, social security number, email address, dependent information provided pursuant to subdivision B 2 of § 58.1-341.1, number and type of personal exemptions, tax-filing status, adjusted gross income, and any additional information voluntarily provided by the taxpayer for disclosure pursuant to subdivisions B 1 and 2 of § 58.1-341.1, of an individual, or spouse in the case of a married taxpayer filing jointly, who has voluntarily consented to such disclosure for purposes of identifying persons who would like to newly enroll in medical assistance; (xxiii) provide to the Commissioner of the Department of Motor Vehicles information sufficient to verify that an applicant for a driver privilege card or permit under § 46.2-328.3 or an applicant for an identification privilege card under § 46.2-345.3 reported income and deductions from Virginia sources, as defined in § 58.1-302, or was claimed as a dependent, on an individual income tax return filed with the Commonwealth within the preceding 12 months; and (xxiv) provide to the Virginia Health Benefit Exchange, upon entering into a written agreement, for taxable years starting on January 1, 2023, or as soon thereafter as practicable, as determined by the Department of Taxation and the Virginia Health Benefit Exchange, the name, address, social security number, email address, dependent information provided pursuant to subdivision B 2 of § 58.1-341.1, number and type of personal exemptions, tax-filing status, adjusted gross income, and any additional information voluntarily provided by the taxpayer for disclosure pursuant to subdivision B 3 of § 58.1-341.1, of an individual, or spouse in the case of a married taxpayer filing jointly, who has voluntarily consented to such disclosure for purposes of identifying persons who do not meet the

income eligibility requirements for medical assistance and would like to newly enroll in a qualified health plan. The Tax Commissioner is further authorized to enter into written agreements with duly constituted tax officials of other states and of the United States for the inspection of tax returns, the making of audits, and the exchange of information relating to any tax administered by the Department of Taxation. Any person to whom tax information is divulged pursuant to this section shall be subject to the prohibitions and penalties prescribed herein as though he were a tax official.

D. Notwithstanding the provisions of subsection A or B or any other provision of this title, the commissioner of revenue or other assessing official is authorized to (i) provide, upon written request stating the reason for such request, the chief executive officer of any county or city with information furnished to the commissioner of revenue by the Tax Commissioner relating to the name and address of any dealer located within the county or city who paid sales and use tax, for the purpose of verifying the local sales and use tax revenues payable to the county or city; (ii) provide to the Department of Professional and Occupational Regulation for its confidential use the name, address, and amount of gross receipts of any person, firm or entity subject to a criminal investigation of an unlawful practice of a profession or occupation administered by the Department of Professional and Occupational Regulation, only after the Department of Professional and Occupational Regulation exhausts all other means of obtaining such information; and (iii) provide to any representative of a condominium unit owners' association, property owners' association or real estate cooperative association, or to the owner of property governed by any such association, the names and addresses of parties having a security interest in real property governed by any such association; however, such information shall be released only upon written request stating the reason for such request, which reason shall be limited to proposing or opposing changes to the governing documents of the association, and any information received by any person under this subsection shall be used only for the reason stated in the written request. The treasurer or other local assessing official may require any person requesting information pursuant to clause (iii) of this subsection to pay the reasonable cost of providing such information. Any person to whom tax information is divulged pursuant to this subsection shall be subject to the prohibitions and penalties prescribed herein as though he were a tax official.

Notwithstanding the provisions of subsection A or B or any other provisions of this title, the treasurer or other collector of taxes for a county, city or town is authorized to provide information relating to any motor vehicle, trailer or semitrailer obtained by such treasurer or collector in the course of performing his duties to the commissioner of the revenue or other assessing official for such jurisdiction for use by such commissioner or other official in performing assessments.

This section shall not be construed to prohibit a local tax official from imprinting or displaying on a motor vehicle local license decal the year, make, and model and any other legal identification information about the particular motor vehicle for which that local license decal is assigned.

E. Notwithstanding any other provisions of law, state agencies and any other administrative or regulatory unit of state government shall divulge to the Tax Commissioner or his authorized agent, upon written request, the name, address, and social security number of a taxpayer, necessary for the performance of the Commissioner's official duties regarding the administration and enforcement of laws within the jurisdiction of the Department of Taxation. The receipt of information by the Tax Commissioner or his agent that may be deemed taxpayer information shall not relieve the Commissioner of the obligations under this section.

F. Additionally, it is unlawful for any person to disseminate, publish, or cause to be published any confidential tax document that he knows or has reason to know is a confidential tax document. A confidential tax document is any correspondence, document, or tax return that is prohibited from being divulged by subsection A, B, C, or D and includes any document containing information on the transactions, property, income, or business of any person, firm, or corporation that is required to be filed with any state official by § 58.1-512. This prohibition shall not apply if such confidential tax document has been divulged or disseminated pursuant to a provision of law authorizing disclosure. Any person violating the provisions of this subsection is guilty of a Class 1 misdemeanor.

G. Information provided by an accommodations intermediary pursuant to subsection F of § 58.1-3826 to the commissioner of the revenue, treasurer, or any other local tax or revenue officer or employee of a county, city, or town, or any other person to whom such tax information is divulged, shall be confidential pursuant to subsection A and shall not be divulged to any other department or official of the locality or any other political subdivision of the Commonwealth. Such information shall be used by such officials only for the purpose of levying and collecting retail sales and use tax, transient occupancy tax, and any other taxes imposed on the sale of accommodations.

§ 58.1-3826. Scope of transient occupancy tax.

A. The transient occupancy tax imposed pursuant to the authority of this article shall be imposed only for the use or possession of any room or space that is suitable or intended for occupancy by transients for dwelling, lodging, or sleeping purposes.

B. For any retail sale of accommodations not facilitated by an accommodations intermediary, the accommodations provider shall collect the tax imposed pursuant to this article, computed on the total price paid for the use or possession of the accommodations, and shall remit the same to the locality and shall be liable for the same.

C. For any retail sale of accommodations facilitated by an accommodations intermediary, the accommodations intermediary shall be deemed under this article as a facility making a retail sale of an accommodation. The accommodations intermediary shall collect the tax imposed pursuant to this article, computed on the room charge, and shall remit the same to the locality and shall be liable for the same.

D. For any transaction for the retail sale of accommodations involving two or more parties that meet the definition of accommodations intermediary, nothing in this section shall prohibit such parties from making an agreement regarding which party shall be responsible for collecting and remitting the tax, so long as the party so responsible is registered with the locality for purposes of remitting the tax. In such event, the party that agrees to collect and remit the tax shall be the sole party liable for the tax, and the other parties to such agreement shall not be liable for such tax.

E. In any retail sale of any accommodations in which an accommodations intermediary does not facilitate the sale of the accommodations, the accommodations provider shall separately state the amount of the tax in the bill, invoice, or similar documentation and shall add the tax to the total price paid for the use or possession of the accommodations. In any retail sale of any accommodations in which an accommodations intermediary facilitates the sale of the accommodation, the accommodations intermediary shall separately state the amount of the tax on the bill, invoice, or similar documentation and shall add the tax to the room charge; thereafter, such tax shall be a debt from the customer to the accommodations intermediary, recoverable at law in the same manner as other debts.

F. ~~Subject to applicable laws, an~~ *An* accommodations intermediary shall submit to a locality the property addresses and gross receipts for all accommodations facilitated by the accommodations intermediary in such locality. Such information shall be submitted monthly.

§ 58.1-3827. Administration of transient occupancy tax.

A. The tax-assessing officer of a county, city, or town shall administer and enforce the assessment of, and the treasurer of such county, city, or town shall collect, transient occupancy taxes from accommodations intermediaries.

B. In administering the assessment of transient occupancy taxes from accommodations intermediaries, the tax-assessing officer of a county, city, or town shall provide adequate information to accommodations intermediaries to enable them to identify transient occupancy rates, the applicable jurisdiction, and any discounts, deductions, or exemptions.

C. Every accommodations intermediary required to collect or pay the transient occupancy tax, on or before the twentieth day of the month following the month in which the tax shall become effective, shall transmit to the tax-assessing officer of a county, city, or town a return showing the gross receipts, any allowable discounts, deductions, or exemptions, and the rate applied to the resultant net receipts and shall remit to the treasurer of such locality the total local transient occupancy tax due, as well as any penalties and interest due, arising from all transactions taxable under this chapter during the preceding calendar month. Where applicable, the return shall also include the number of room nights and the room tax rate applied, the total amount of room tax due, and any regional transportation transient occupancy taxes due. Thereafter, a like return shall be prepared and transmitted to the tax-assessing officer of a county, city, or town by every accommodations intermediary on or before the twentieth day of each month, for the preceding calendar month.

D. An accommodations provider shall not be required to transmit a return to the tax-assessing officer of a county, city, or town if (i) all retail sales of accommodations owned by the accommodations provider are facilitated by an accommodations intermediary and (ii) the accommodations provider attests to the locality that all such sales were facilitated by an accommodations intermediary. Such attestation shall be effective for 12 months beginning with the month in which the attestation is made, and thereafter, such attestation shall be due annually on a date determined by the locality. However, such accommodations provider shall transmit returns for the retail sale of any accommodations not facilitated by an accommodations intermediary as otherwise required by this article.

CHAPTER 459

An Act to direct the State Board of Health to adopt regulations related to emergency medical vehicle restrictions and specifications.

[H 2384]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the State Board of Health shall adopt a regulation as authorized by § 32.1-111.4 of the Code of Virginia to allow the Emergency Medical Services (EMS) vehicles of a combination fire and EMS agency operating under a single EMS license or certification, in accordance with established policies for identifying both the EMS license or certificate holder and the fire department, to have the fire department logo and lettering appear larger than the lettering identifying the EMS agency name.*

CHAPTER 460

An Act to amend and reenact § 8.01-17 of the Code of Virginia, relating to public officers; death, resignation, or ceasing to hold office; automatic substitution.

[H 2476]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-17 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-17. When party whose powers cease is defendant.

A. When the party whose powers cease is *a* defendant, the plaintiff may continue his suit against him to final judgment or decree; provided that a successor in interest may be substituted in accordance with the Rules of Court; and provided further that upon motion the court may order that the suit proceed against the former party as well as the successor.

B. The provisions of this section shall not apply when a public officer who is a party in an official capacity dies, resigns, or otherwise ceases to hold office while an action is pending. In any such instance, such public officer's successor shall be automatically substituted as a party when the only claim in such action was made against the former public officer in his official capacity.

CHAPTER 461

An Act to amend and reenact § 32.1-325 of the Code of Virginia, relating to Department of Medical Assistance Services; state plan for medical assistance services; dental care services for pregnant women; report.

[H 2539]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-325 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-325. Board to submit plan for medical assistance services to U.S. Secretary of Health and Human Services pursuant to federal law; administration of plan; contracts with health care providers.

A. The Board, subject to the approval of the Governor, is authorized to prepare, amend from time to time, and submit to the U.S. Secretary of Health and Human Services a state plan for medical assistance services pursuant to Title XIX of the United States Social Security Act and any amendments thereto. The Board shall include in such plan:

1. A provision for payment of medical assistance on behalf of individuals, up to the age of 21, placed in foster homes or private institutions by private, nonprofit agencies licensed as child-placing agencies by the Department of Social Services or placed through state and local subsidized adoptions to the extent permitted under federal statute;

2. A provision for determining eligibility for benefits for medically needy individuals which disregards from countable resources an amount not in excess of $3,500 for the individual and an amount not in excess of $3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by (i) the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources and (ii) the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses;

3. A requirement that, in determining eligibility, a home shall be disregarded. For those medically needy persons whose eligibility for medical assistance is required by federal law to be dependent on the budget methodology for Aid to Families with Dependent Children, a home means the house and lot used as the principal residence and all contiguous property. For all other persons, a home shall mean the house and lot used as the principal residence, as well as all contiguous property, as long as the value of the land, exclusive of the lot occupied by the house, does not exceed $5,000. In any case in which the definition of home as provided here is more restrictive than that provided in the state plan for medical assistance services in Virginia as it was in effect on January 1, 1972, then a home means the house and lot used as the principal residence and all contiguous property essential to the operation of the home regardless of value;

4. A provision for payment of medical assistance on behalf of individuals up to the age of 21, who are Medicaid eligible, for medically necessary stays in acute care facilities in excess of 21 days per admission;

5. A provision for deducting from an institutionalized recipient's income an amount for the maintenance of the individual's spouse at home;

6. A provision for payment of medical assistance on behalf of pregnant women which provides for payment for inpatient postpartum treatment in accordance with the medical criteria outlined in the most current version of or an official update to the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists or the "Standards for Obstetric-Gynecologic Services" prepared by the American College of Obstetricians and Gynecologists. Payment shall be made for any postpartum home visit or visits for the mothers and the children which are within the time periods recommended by the attending physicians in accordance with and as indicated by such Guidelines or Standards. For the purposes of this subdivision, such Guidelines or Standards shall include any changes thereto within six months of the publication of such Guidelines or Standards or any official amendment thereto;

7. A provision for the payment for family planning services on behalf of women who were Medicaid-eligible for prenatal care and delivery as provided in this section at the time of delivery. Such family planning services shall begin with delivery and continue for a period of 24 months, if the woman continues to meet the financial eligibility requirements for a pregnant woman under Medicaid. For the purposes of this section, family planning services shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions;

8. A provision for payment of medical assistance for high-dose chemotherapy and bone marrow transplants on behalf of individuals over the age of 21 who have been diagnosed with lymphoma, breast cancer, myeloma, or leukemia and have been determined by the treating health care provider to have a performance status sufficient to proceed with such high-dose

chemotherapy and bone marrow transplant. Appeals of these cases shall be handled in accordance with the Department's expedited appeals process;

9. A provision identifying entities approved by the Board to receive applications and to determine eligibility for medical assistance, which shall include a requirement that such entities (i) obtain accurate contact information, including the best available address and telephone number, from each applicant for medical assistance, to the extent required by federal law and regulations, and (ii) provide each applicant for medical assistance with information about advance directives pursuant to Article 8 (§ 54.1-2981 et seq.) of Chapter 29 of Title 54.1, including information about the purpose and benefits of advance directives and how the applicant may make an advance directive;

10. A provision for breast reconstructive surgery following the medically necessary removal of a breast for any medical reason. Breast reductions shall be covered, if prior authorization has been obtained, for all medically necessary indications. Such procedures shall be considered noncosmetic;

11. A provision for payment of medical assistance for annual pap smears;

12. A provision for payment of medical assistance services for prostheses following the medically necessary complete or partial removal of a breast for any medical reason;

13. A provision for payment of medical assistance which provides for payment for 48 hours of inpatient treatment for a patient following a radical or modified radical mastectomy and 24 hours of inpatient care following a total mastectomy or a partial mastectomy with lymph node dissection for treatment of disease or trauma of the breast. Nothing in this subdivision shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate;

14. A requirement that certificates of medical necessity for durable medical equipment and any supporting verifiable documentation shall be signed, dated, and returned by the physician, physician assistant, or advanced practice registered nurse and in the durable medical equipment provider's possession within 60 days from the time the ordered durable medical equipment and supplies are first furnished by the durable medical equipment provider;

15. A provision for payment of medical assistance to (i) persons age 50 and over and (ii) persons age 40 and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for one PSA test in a 12-month period and digital rectal examinations, all in accordance with American Cancer Society guidelines. For the purpose of this subdivision, "PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen;

16. A provision for payment of medical assistance for low-dose screening mammograms for determining the presence of occult breast cancer. Such coverage shall make available one screening mammogram to persons age 35 through 39, one such mammogram biennially to persons age 40 through 49, and one such mammogram annually to persons age 50 and over. The term "mammogram" means an X-ray examination of the breast using equipment dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression device, screens, film and cassettes, with an average radiation exposure of less than one rad mid-breast, two views of each breast;

17. A provision, when in compliance with federal law and regulation and approved by the Centers for Medicare & Medicaid Services (CMS), for payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the state plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services;

18. A provision for payment of medical assistance services for liver, heart and lung transplantation procedures for individuals over the age of 21 years when (i) there is no effective alternative medical or surgical therapy available with outcomes that are at least comparable; (ii) the transplant procedure and application of the procedure in treatment of the specific condition have been clearly demonstrated to be medically effective and not experimental or investigational; (iii) prior authorization by the Department of Medical Assistance Services has been obtained; (iv) the patient selection criteria of the specific transplant center where the surgery is proposed to be performed have been used by the transplant team or program to determine the appropriateness of the patient for the procedure; (v) current medical therapy has failed and the patient has failed to respond to appropriate therapeutic management; (vi) the patient is not in an irreversible terminal state; and (vii) the transplant is likely to prolong the patient's life and restore a range of physical and social functioning in the activities of daily living;

19. A provision for payment of medical assistance for colorectal cancer screening, specifically screening with an annual fecal occult blood test, flexible sigmoidoscopy or colonoscopy, or in appropriate circumstances radiologic imaging, in accordance with the most recently published recommendations established by the American College of Gastroenterology, in consultation with the American Cancer Society, for the ages, family histories, and frequencies referenced in such recommendations;

20. A provision for payment of medical assistance for custom ocular prostheses;

21. A provision for payment for medical assistance for infant hearing screenings and all necessary audiological examinations provided pursuant to § 32.1-64.1 using any technology approved by the United States Food and Drug Administration, and as recommended by the national Joint Committee on Infant Hearing in its most current position statement addressing early hearing detection and intervention programs. Such provision shall include payment for medical assistance for follow-up audiological examinations as recommended by a physician, physician assistant, advanced practice registered nurse, or audiologist and performed by a licensed audiologist to confirm the existence or absence of hearing loss;

22. A provision for payment of medical assistance, pursuant to the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (P.L. 106-354), for certain women with breast or cervical cancer when such women (i) have been screened for breast or cervical cancer under the Centers for Disease Control and Prevention (CDC) Breast and Cervical Cancer Early Detection Program established under Title XV of the Public Health Service Act; (ii) need treatment for breast or cervical cancer, including treatment for a precancerous condition of the breast or cervix; (iii) are not otherwise covered under creditable coverage, as defined in § 2701 (c) of the Public Health Service Act; (iv) are not otherwise eligible for medical assistance services under any mandatory categorically needy eligibility group; and (v) have not attained age 65. This provision shall include an expedited eligibility determination for such women;

23. A provision for the coordinated administration, including outreach, enrollment, re-enrollment and services delivery, of medical assistance services provided to medically indigent children pursuant to this chapter, which shall be called Family Access to Medical Insurance Security (FAMIS) Plus and the FAMIS Plan program in § 32.1-351. A single application form shall be used to determine eligibility for both programs;

24. A provision, when authorized by and in compliance with federal law, to establish a public-private long-term care partnership program between the Commonwealth of Virginia and private insurance companies that shall be established through the filing of an amendment to the state plan for medical assistance services by the Department of Medical Assistance Services. The purpose of the program shall be to reduce Medicaid costs for long-term care by delaying or eliminating dependence on Medicaid for such services through encouraging the purchase of private long-term care insurance policies that have been designated as qualified state long-term care insurance partnerships and may be used as the first source of benefits for the participant's long-term care. Components of the program, including the treatment of assets for Medicaid eligibility and estate recovery, shall be structured in accordance with federal law and applicable federal guidelines;

25. A provision for the payment of medical assistance for otherwise eligible pregnant women during the first five years of lawful residence in the United States, pursuant to § 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111-3);

26. A provision for the payment of medical assistance for medically necessary health care services provided through telemedicine services, as defined in § 38.2-3418.16, regardless of the originating site or whether the patient is accompanied by a health care provider at the time such services are provided. No health care provider who provides health care services through telemedicine services shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.

For the purposes of this subdivision, a health care provider duly licensed by the Commonwealth who provides health care services exclusively through telemedicine services shall not be required to maintain a physical presence in the Commonwealth to be considered an eligible provider for enrollment as a Medicaid provider.

For the purposes of this subdivision, a telemedicine services provider group with health care providers duly licensed by the Commonwealth shall not be required to have an in-state service address to be eligible to enroll as a Medicaid vendor or Medicaid provider group.

For the purposes of this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

27. A provision for the payment of medical assistance for the dispensing or furnishing of up to a 12-month supply of hormonal contraceptives at one time. Absent clinical contraindications, the Department shall not impose any utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished to an amount less than a 12-month supply. Nothing in this subdivision shall be construed to (i) require a provider to prescribe, dispense, or furnish a 12-month supply of self-administered hormonal contraceptives at one time or (ii) exclude coverage for hormonal contraceptives as prescribed by a prescriber, acting within his scope of practice, for reasons other than contraceptive purposes. As used in this subdivision, "hormonal contraceptive" means a medication taken to prevent pregnancy by means of ingestion of hormones, including medications containing estrogen or progesterone, that is self-administered, requires a prescription, and is approved by the U.S. Food and Drug Administration for such purpose;

28. A provision for payment of medical assistance for remote patient monitoring services provided via telemedicine, as defined in § 38.2-3418.16, for (i) high-risk pregnant persons; (ii) medically complex infants and children; (iii) transplant patients; (iv) patients who have undergone surgery, for up to three months following the date of such surgery; and (v) patients with a chronic or acute health condition who have had two or more hospitalizations or emergency department visits related to such health condition in the previous 12 months when there is evidence that the use of remote patient monitoring is likely to prevent readmission of such patient to a hospital or emergency department. For the purposes of this subdivision, "remote patient monitoring services" means the use of digital technologies to collect medical and other forms

of health data from patients in one location and electronically transmit that information securely to health care providers in a different location for analysis, interpretation, and recommendations, and management of the patient. "Remote patient monitoring services" includes monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other patient physiological data, treatment adherence monitoring, and interactive videoconferencing with or without digital image upload;

29. A provision for the payment of medical assistance for provider-to-provider consultations that is no more restrictive than, and is at least equal in amount, duration, and scope to, that available through the fee-for-service program;

30. A provision for payment of the originating site fee to emergency medical services agencies for facilitating synchronous telehealth visits with a distant site provider delivered to a Medicaid member. As used in this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

31. A provision for the payment of medical assistance for targeted case management services for individuals with severe traumatic brain injury;

32. A provision for payment of medical assistance for the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories, as defined by the Department's durable medical equipment program policy, for patients who reside in nursing facilities. Initial purchase or replacement may be contingent upon (i) determination of medical necessity; (ii) requirements in accordance with regulations established through the Department's durable medical equipment program policy; and (iii) exclusive use by the nursing facility resident. Recipients of medical assistance shall not be required to pay any deductible, coinsurance, copayment, or patient costs related to the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories; ~~and~~

33. A provision for payment of medical assistance for remote ultrasound procedures and remote fetal non-stress tests. Such provision shall utilize established CPT codes for these procedures and shall apply when the patient is in a residence or other off-site location from the patient's provider that provides the same standard of care. The provision shall provide for reimbursement only when a provider uses digital technology (i) to collect medical and other forms of health data from a patient and electronically transmit that information securely to a health care provider in a different location for interpretation and recommendation; (ii) that is compliant with the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.); and (iii) that is approved by the U.S. Food and Drug Administration. For fetal non-stress tests under CPT Code 59025, the provision shall provide for reimbursement only if such test (a) is conducted with a place of service modifier for at-home monitoring and (b) uses remote monitoring solutions that are approved by the U.S. Food and Drug Administration for on-label use to monitor fetal heart rate, maternal heart rate, and uterine activity*; and*

34. A provision for payment of medical assistance for comprehensive dental care services for pregnant women. Such services shall include (i) preventive services, such as cleanings, oral exams, and x-rays; (ii) diagnostic services, including periodontal assessments and consultations; (iii) restorative procedures, including fillings, root canals, and crowns; (iv) emergency dental care to address acute pain and infection; (v) periodontal treatment for gum disease, including deep cleanings; and (vi) any other dental services deemed medically necessary by the Department in consultation with dentists, other dental professionals, and public health experts. Such provision shall provide for at least four dental visits during pregnancy, with additional visits permitted upon recommendation from a licensed dentist or obstetrician.

B. In preparing the plan, the Board shall:

1. Work cooperatively with the State Board of Health to ensure that quality patient care is provided and that the health, safety, security, rights and welfare of patients are ensured.

2. Initiate such cost containment or other measures as are set forth in the appropriation act.

3. Make, adopt, promulgate and enforce such regulations as may be necessary to carry out the provisions of this chapter.

4. Examine, before acting on a regulation to be published in the Virginia Register of Regulations pursuant to § 2.2-4007.05, the potential fiscal impact of such regulation on local boards of social services. For regulations with potential fiscal impact, the Board shall share copies of the fiscal impact analysis with local boards of social services prior to submission to the Registrar. The fiscal impact analysis shall include the projected costs/savings to the local boards of social services to implement or comply with such regulation and, where applicable, sources of potential funds to implement or comply with such regulation.

5. Incorporate sanctions and remedies for certified nursing facilities established by state law, in accordance with 42 C.F.R. § 488.400 et seq., Enforcement of Compliance for Long-Term Care Facilities With Deficiencies.

6. On and after July 1, 2002, require that a prescription benefit card, health insurance benefit card, or other technology that complies with the requirements set forth in § 38.2-3407.4:2 be issued to each recipient of medical assistance services, and shall upon any changes in the required data elements set forth in subsection A of § 38.2-3407.4:2, either reissue the card or provide recipients such corrective information as may be required to electronically process a prescription claim.

C. In order to enable the Commonwealth to continue to receive federal grants or reimbursement for medical assistance or related services, the Board, subject to the approval of the Governor, may adopt, regardless of any other provision of this chapter, such amendments to the state plan for medical assistance services as may be necessary to conform such plan with

amendments to the United States Social Security Act or other relevant federal law and their implementing regulations or constructions of these laws and regulations by courts of competent jurisdiction or the United States Secretary of Health and Human Services.

In the event conforming amendments to the state plan for medical assistance services are adopted, the Board shall not be required to comply with the requirements of Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2. However, the Board shall, pursuant to the requirements of § 2.2-4002, (i) notify the Registrar of Regulations that such amendment is necessary to meet the requirements of federal law or regulations or because of the order of any state or federal court, or (ii) certify to the Governor that the regulations are necessitated by an emergency situation. Any such amendments that are in conflict with the Code of Virginia shall only remain in effect until July 1 following adjournment of the next regular session of the General Assembly unless enacted into law.

D. The Director of Medical Assistance Services is authorized to:

1. Administer such state plan and receive and expend federal funds therefor in accordance with applicable federal and state laws and regulations; and enter into all contracts necessary or incidental to the performance of the Department's duties and the execution of its powers as provided by law.

2. Enter into agreements and contracts with medical care facilities, physicians, dentists and other health care providers where necessary to carry out the provisions of such state plan. Any such agreement or contract shall terminate upon conviction of the provider of a felony. In the event such conviction is reversed upon appeal, the provider may apply to the Director of Medical Assistance Services for a new agreement or contract. Such provider may also apply to the Director for reconsideration of the agreement or contract termination if the conviction is not appealed, or if it is not reversed upon appeal.

3. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with any provider who has been convicted of or otherwise pled guilty to a felony, or pursuant to Subparts A, B, and C of 42 C.F.R. Part 1002, and upon notice of such action to the provider as required by 42 C.F.R. § 1002.212.

4. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with a provider who is or has been a principal in a professional or other corporation when such corporation has been convicted of or otherwise pled guilty to any violation of § 32.1-314, 32.1-315, 32.1-316, or 32.1-317, or any other felony or has been excluded from participation in any federal program pursuant to 42 C.F.R. Part 1002.

5. Terminate or suspend a provider agreement with a home care organization pursuant to subsection E of § 32.1-162.13.

For the purposes of this subsection, "provider" may refer to an individual or an entity.

E. In any case in which a Medicaid agreement or contract is terminated or denied to a provider pursuant to subsection D, the provider shall be entitled to appeal the decision pursuant to 42 C.F.R. § 1002.213 and to a post-determination or post-denial hearing in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). All such requests shall be in writing and be received within 15 days of the date of receipt of the notice.

The Director may consider aggravating and mitigating factors including the nature and extent of any adverse impact the agreement or contract denial or termination may have on the medical care provided to Virginia Medicaid recipients. In cases in which an agreement or contract is terminated pursuant to subsection D, the Director may determine the period of exclusion and may consider aggravating and mitigating factors to lengthen or shorten the period of exclusion, and may reinstate the provider pursuant to 42 C.F.R. § 1002.215.

F. When the services provided for by such plan are services which a marriage and family therapist, clinical psychologist, clinical social worker, professional counselor, or clinical nurse specialist is licensed to render in Virginia, the Director shall contract with any duly licensed marriage and family therapist, duly licensed clinical psychologist, licensed clinical social worker, licensed professional counselor or licensed clinical nurse specialist who makes application to be a provider of such services, and thereafter shall pay for covered services as provided in the state plan. The Board shall promulgate regulations which reimburse licensed marriage and family therapists, licensed clinical psychologists, licensed clinical social workers, licensed professional counselors and licensed clinical nurse specialists at rates based upon reasonable criteria, including the professional credentials required for licensure.

G. The Board shall prepare and submit to the Secretary of the United States Department of Health and Human Services such amendments to the state plan for medical assistance services as may be permitted by federal law to establish a program of family assistance whereby children over the age of 18 years shall make reasonable contributions, as determined by regulations of the Board, toward the cost of providing medical assistance under the plan to their parents.

H. The Department of Medical Assistance Services shall:

1. Include in its provider networks and all of its health maintenance organization contracts a provision for the payment of medical assistance on behalf of individuals up to the age of 21 who have special needs and who are Medicaid eligible, including individuals who have been victims of child abuse and neglect, for medically necessary assessment and treatment services, when such services are delivered by a provider which specializes solely in the diagnosis and treatment of child abuse and neglect, or a provider with comparable expertise, as determined by the Director.

2. Amend the Medallion II waiver and its implementing regulations to develop and implement an exception, with procedural requirements, to mandatory enrollment for certain children between birth and age three certified by the Department of Behavioral Health and Developmental Services as eligible for services pursuant to Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.).

3. Utilize, to the extent practicable, electronic funds transfer technology for reimbursement to contractors and enrolled providers for the provision of health care services under Medicaid and the Family Access to Medical Insurance Security Plan established under § 32.1-351.

4. Require any managed care organization with which the Department enters into an agreement for the provision of medical assistance services to include in any contract between the managed care organization and a pharmacy benefits manager provisions prohibiting the pharmacy benefits manager or a representative of the pharmacy benefits manager from conducting spread pricing with regards to the managed care organization's managed care plans. For the purposes of this subdivision:

"Pharmacy benefits management" means the administration or management of prescription drug benefits provided by a managed care organization for the benefit of covered individuals.

"Pharmacy benefits manager" means a person that performs pharmacy benefits management.

"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a managed care plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.

I. The Director is authorized to negotiate and enter into agreements for services rendered to eligible recipients with special needs. The Board shall promulgate regulations regarding these special needs patients, to include persons with AIDS, ventilator-dependent patients, and other recipients with special needs as defined by the Board.

J. Except as provided in subdivision A 1 of § 2.2-4345, the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not apply to the activities of the Director authorized by subsection I of this section. Agreements made pursuant to this subsection shall comply with federal law and regulation.

K. When the services provided for by such plan are services by a pharmacist, pharmacy technician, or pharmacy intern (i) performed under the terms of a collaborative agreement as defined in § 54.1-3300 and consistent with the terms of a managed care contractor provider contract or the state plan or (ii) related to services and treatment in accordance with § 54.1-3303.1, the Department shall provide reimbursement for such service.

2. That the Department of Medical Assistance Services shall report annually to the Governor and the General Assembly on the implementation and outcomes of this act. The report shall include (i) the number of pregnant women who utilized expanded dental services; (ii) analysis of the impact of the expanded dental services on maternal and infant health outcomes; (iii) any barriers to access or service delivery; and (iv) recommendations for further improvement. The first report prepared pursuant to this act shall be submitted by November 1, 2026.

CHAPTER 462

An Act to amend the Code of Virginia by adding in Article 2 of Chapter 9 of Title 23.1 a section numbered 23.1-903.5, relating to certain practical nursing programs; common curriculum; transferability to registered nursing programs; pathway of stackable credentials.

[H 2548]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 2 of Chapter 9 of Title 23.1 a section numbered 23.1-903.5 as follows:

§ 23.1-903.5. Certain practical nursing programs; common curriculum; transferability to registered nursing programs; pathway of stackable credentials.

A. The System, in consultation with the Council, the Board of Nursing, and representatives from associate-degree-granting public institutions of higher education that offer nursing programs, shall develop a common curriculum for practical nursing programs that shall be implemented at each comprehensive community college in the System that offers a practical nursing program. Such common curriculum shall, to the extent possible, (i) align with the degree requirements for registered nursing programs offered at associate-degree-granting public institutions of higher education and (ii) be transferable to each registered nursing program offered at an associate-degree-granting public institution of higher education.

B. Each associate-degree-granting public institution of higher education that offers a registered nursing degree program shall participate in a practical nursing program to registered nursing program transfer agreement with the System that aligns with the practical nursing program common curriculum established pursuant to this section. Any baccalaureate public institution of higher education that offers a nursing program and any private institution of higher education that offers a registered nursing degree program may also be consulted regarding and participate on a voluntary basis in such a transfer agreement.

C. In addition to the common curriculum established pursuant to subsection A and the transfer agreement established pursuant to subsection B, the System, the Council, and any baccalaureate public institution of higher education that offers a nursing program shall establish a pathway of stackable nursing credentials that consists of a practical nursing to associate registered nursing to bachelor of science in nursing program pathway.

2. That the Virginia Community College System shall develop the common curriculum for practical nursing programs as required pursuant to subsection A of § 23.1-903.5 of the Code of Virginia, as created by this act, no later than July 1, 2026.

3. That the provisions of the first enactment of this act shall become effective on July 1, 2026.

4. That the Virginia Community College System shall submit a progress report on the implementation of the provisions of the first enactment of this act to the Chairmen of the Senate Committee on Education and Health and the House Committee on Education no later than December 1, 2025.

CHAPTER 463

An Act to amend and reenact §§ 54.1-2103 and 54.1-2111.1 of the Code of Virginia, relating to Department of Professional and Occupational Regulation; real estate brokers, salespersons, and rental location agents; exemptions.

[H 2557]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2103 and 54.1-2111.1 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2103. Exemptions from chapter.

A. The provisions of this chapter shall not apply to:

1. Any person, partnership, association, corporation, entity, or their regular employees, who as owner or lessor perform any of the acts enumerated in § 54.1-2100 with reference to property owned or leased by them, where the acts are performed in the regular course of or incident to the management of the property and the investment therein. For property governed by the Virginia Real Estate Time-Share Act (§ 55.1-2200 et seq.), the term "owner" for purposes of this subdivision shall include affiliated entities, provided that (i) the owner has a controlling interest in the affiliated entity or (ii) the affiliated entity and the owner have a common parent company;

2. Any person acting without compensation as attorney-in-fact under a power of attorney issued by a property owner solely for the purpose of authorizing the final performance required of such owner under a contract for the sale, lease, purchase, or exchange of real estate;

3. Service rendered by an attorney-at-law in the performance of his duties as such;

4. A person acting as a receiver, trustee in bankruptcy, administrator, or executor, or any person selling real estate under order of any court;

5. A trustee acting under a trust agreement, deed of trust, or will, or the regular salaried employees thereof;

6. Any corporation managing rental housing when the officers, directors, and members in the ownership corporation and the management corporation are the same and the management corporation manages no other property for other persons, partnerships, associations, or corporations;

7. Any existing tenant of a residential dwelling unit who refers a prospective tenant to the owner of the unit or to the owner's duly authorized agent or employee and for the referral receives, or is offered, a referral fee from the owner, agent, or employee;

8. Any auctioneer licensed in accordance with Chapter 6 (§ 54.1-600 et seq.) ~~of this title~~ selling real estate at public auction when employed for such purpose by the owner of the real estate and provided the bidding at such auction is held open for no longer than ~~forty-eight~~ *48* hours. An auctioneer shall not advertise that he is authorized to sell real estate. An auctioneer may advertise for sale at public auction any real estate when employed to do so as herein provided, and may advertise that he is authorized to auction real estate at public auction;

9. [Expired.]

10. Any person who is licensed and is in good standing as a real estate broker or salesperson in another state, and who assists a prospective purchaser, tenant, optionee, or licensee located in another state to purchase, lease, option, or license an interest in commercial real estate, as defined in § 55.1-1100, in the Commonwealth. Such real estate licensee from another state may be compensated by a real estate broker in the Commonwealth. Nothing in this subdivision shall be construed to permit any person not licensed and in good standing as a real estate broker or salesperson in the Commonwealth to otherwise act as a real estate broker or salesperson under this chapter.

B. The provisions of this chapter shall not prohibit the selling of real estate (i) by an attorney-at-law in the performance of his duties as such, (ii) by a receiver, trustee in bankruptcy, administrator ~~or~~, executor, ~~a~~ *or* special commissioner, or any person selling real estate under order of court, or (iii) by a trustee acting under the trust agreement, deed of trust, or will, or the regular salaried employees thereof.

C. The provisions of this chapter shall not apply to any ~~salaried~~ person employed by a licensed real estate broker for and on behalf of the owner of any real estate or the improvements thereon ~~which~~ *that* the licensed broker has contracted to manage for the owner if the actions of such ~~salaried~~ employee are limited to (i) exhibiting residential units on such real estate to prospective tenants, if the employee is employed on the premises of such real estate; (ii) providing prospective tenants with factual information about the ~~lease~~ *rental* of residential real estate; (iii) accepting applications for ~~lease~~ *the rental* of such real estate; ~~and~~ (iv) accepting *and signing broker-approved rental agreements, state or federal required disclosures, and any documents required for compliance with Chapter 5.1 (§ 36-96.1 et seq.) of Title 36 related to such*

rental transaction; and (v) accepting security deposits ~~and rentals~~*, periodic rent, and other payments as contracted for in the rental agreement* for such real estate. Such deposits and ~~rentals~~ *rent* shall be made payable to the owner or the broker employed by such owner. The ~~salaried~~ employee shall not negotiate the amounts of such security deposits ~~or rentals~~*, periodic rent, or other payments contracted for in the rental agreement* and shall not negotiate any ~~leases~~ *rental agreements* on behalf of such owner or broker.

D. A licensee of the Board shall comply with the Board's regulations, notwithstanding the fact that the licensee would be otherwise exempt from licensure under subsection A. Nothing in this subsection shall be construed to require a person to be licensed in accordance with this chapter if he would be otherwise exempt from such licensure.

E. An attorney-at-law referring a client to a licensee shall not be entitled to receive any compensation from a listing firm or offered by a common source information company to cooperating brokers, unless the attorney is also licensed under this chapter as a real estate broker or salesperson.

§ 54.1-2111.1. Voluntary compliance program; real estate brokers.

A. The Board shall promulgate regulations to allow the audit of the practices, policies, and procedures of a real estate broker licensed by the Board, either through a third party retained by the real estate broker or through a self-audit, and if the broker is determined by such audit to not be in compliance with the provisions of this chapter or applicable regulations of the Board, to allow for the broker to enter into a voluntary compliance program to bring the broker's practices, policies, and procedures into compliance with applicable laws and regulations. The broker shall notify the Board of the discovery of any noncompliance within 30 days after discovery and shall submit a written statement with a plan to bring the practices, policies, and procedures into voluntary compliance, which completion of such voluntary compliance shall not exceed a period of 90 days from the date that the plan is submitted to the Board.

B. Certification by the broker or auditor of such broker shall constitute immunity from an enforcement action under this chapter or under the applicable regulations of the Board.

C. The provisions of this section do not apply if the noncompliance by the broker was intentional or a result of gross negligence of the broker*, including any actions by an unlicensed employee negotiating the provisions of a rental agreement as prohibited under subsection C of § 54.1-2103*.

CHAPTER 464

An Act to amend the Code of Virginia by adding in Article 1 of Chapter 16 of Title 19.2 a section numbered 19.2-271.7, relating to notifying defendant of consequences criminal proceedings can have on immigration.

[H 2560]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 16 of Title 19.2 a section numbered 19.2-271.7 as follows:

§ 19.2-271.7. Notifying defendant of consequences criminal proceedings can have on immigration.

Upon the defendant's first physical appearance for any misdemeanor or felony, the court shall advise the defendant of the following: The outcome of criminal proceedings may have federal immigration and naturalization consequences.

CHAPTER 465

An Act to amend the Code of Virginia by adding in Article 2 of Chapter 9 of Title 23.1 a section numbered 23.1-903.5, relating to certain practical nursing programs; common curriculum; transferability to registered nursing programs; pathway of stackable credentials.

[S 953]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 2 of Chapter 9 of Title 23.1 a section numbered 23.1-903.5 as follows:

§ 23.1-903.5. Certain practical nursing programs; common curriculum; transferability to registered nursing programs; pathway of stackable credentials.

A. The System, in consultation with the Council, the Board of Nursing, and representatives from associate-degree-granting public institutions of higher education that offer nursing programs, shall develop a common curriculum for practical nursing programs that shall be implemented at each comprehensive community college in the System that offers a practical nursing program. Such common curriculum shall, to the extent possible, (i) align with the degree requirements for registered nursing programs offered at associate-degree-granting public institutions of higher education and (ii) be transferable to each registered nursing program offered at an associate-degree-granting public institution of higher education.

B. Each associate-degree-granting public institution of higher education that offers a registered nursing degree program shall participate in a practical nursing program to registered nursing program transfer agreement with the System that aligns with the practical nursing program common curriculum established pursuant to this section. Any baccalaureate public institution of higher education that offers a nursing program and any private institution of higher education that offers a registered nursing degree program may also be consulted regarding and participate on a voluntary basis in such a transfer agreement.

C. In addition to the common curriculum established pursuant to subsection A and the transfer agreement established pursuant to subsection B, the System, the Council, and any baccalaureate public institution of higher education that offers a nursing program shall establish a pathway of stackable nursing credentials that consists of a practical nursing to associate registered nursing to bachelor of science in nursing program pathway.

2. That the Virginia Community College System shall develop the common curriculum for practical nursing programs as required pursuant to subsection A of § 23.1-903.5 of the Code of Virginia, as created by this act, no later than July 1, 2026.

3. That the provisions of the first enactment of this act shall become effective on July 1, 2026.

4. That the Virginia Community College System shall submit a progress report on the implementation of the provisions of the first enactment of this act to the Chairmen of the Senate Committee on Education and Health and the House Committee on Education no later than December 1, 2025.

CHAPTER 466

An Act to amend and reenact §§ 54.1-2103 and 54.1-2111.1 of the Code of Virginia, relating to Department of Professional and Occupational Regulation; real estate brokers, salespersons, and rental location agents; exemptions.

[S 993]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2103 and 54.1-2111.1 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2103. Exemptions from chapter.

A. The provisions of this chapter shall not apply to:

1. Any person, partnership, association, corporation, entity, or their regular employees, who as owner or lessor perform any of the acts enumerated in § 54.1-2100 with reference to property owned or leased by them, where the acts are performed in the regular course of or incident to the management of the property and the investment therein. For property governed by the Virginia Real Estate Time-Share Act (§ 55.1-2200 et seq.), the term "owner" for purposes of this subdivision shall include affiliated entities, provided that (i) the owner has a controlling interest in the affiliated entity or (ii) the affiliated entity and the owner have a common parent company;

2. Any person acting without compensation as attorney-in-fact under a power of attorney issued by a property owner solely for the purpose of authorizing the final performance required of such owner under a contract for the sale, lease, purchase, or exchange of real estate;

3. Service rendered by an attorney-at-law in the performance of his duties as such;

4. A person acting as a receiver, trustee in bankruptcy, administrator, or executor, or any person selling real estate under order of any court;

5. A trustee acting under a trust agreement, deed of trust, or will, or the regular salaried employees thereof;

6. Any corporation managing rental housing when the officers, directors, and members in the ownership corporation and the management corporation are the same and the management corporation manages no other property for other persons, partnerships, associations, or corporations;

7. Any existing tenant of a residential dwelling unit who refers a prospective tenant to the owner of the unit or to the owner's duly authorized agent or employee and for the referral receives, or is offered, a referral fee from the owner, agent, or employee;

8. Any auctioneer licensed in accordance with Chapter 6 (§ 54.1-600 et seq.) ~~of this title~~ selling real estate at public auction when employed for such purpose by the owner of the real estate and provided the bidding at such auction is held open for no longer than ~~forty-eight~~ *48* hours. An auctioneer shall not advertise that he is authorized to sell real estate. An auctioneer may advertise for sale at public auction any real estate when employed to do so as herein provided, and may advertise that he is authorized to auction real estate at public auction;

9. [Expired.]

10. Any person who is licensed and is in good standing as a real estate broker or salesperson in another state, and who assists a prospective purchaser, tenant, optionee, or licensee located in another state to purchase, lease, option, or license an interest in commercial real estate, as defined in § 55.1-1100, in the Commonwealth. Such real estate licensee from another state may be compensated by a real estate broker in the Commonwealth. Nothing in this subdivision shall be construed to permit any person not licensed and in good standing as a real estate broker or salesperson in the Commonwealth to otherwise act as a real estate broker or salesperson under this chapter.

B. The provisions of this chapter shall not prohibit the selling of real estate (i) by an attorney-at-law in the performance of his duties as such, (ii) by a receiver, trustee in bankruptcy, administrator ~~or~~, executor, ~~a~~ *or* special commissioner, or any person selling real estate under order of court, or (iii) by a trustee acting under the trust agreement, deed of trust, or will, or the regular salaried employees thereof.

C. The provisions of this chapter shall not apply to any ~~salaried~~ person employed by a licensed real estate broker for and on behalf of the owner of any real estate or the improvements thereon ~~which~~ *that* the licensed broker has contracted to manage for the owner if the actions of such ~~salaried~~ employee are limited to (i) exhibiting residential units on such real estate to prospective tenants, if the employee is employed on the premises of such real estate; (ii) providing prospective tenants with factual information about the ~~lease~~ *rental* of residential real estate; (iii) accepting applications for ~~lease~~ *the rental* of such real estate; ~~and~~ (iv) accepting *and signing broker-approved rental agreements, state or federal required disclosures, and any documents required for compliance with Chapter 5.1 (§ 36-96.1 et seq.) of Title 36 related to such rental transaction; and (v) accepting* security deposits ~~and rentals~~*, periodic rent, and other payments as contracted for in the rental agreement* for such real estate. Such deposits and ~~rentals~~ *rent* shall be made payable to the owner or the broker employed by such owner. The ~~salaried~~ employee shall not negotiate the amounts of such security deposits ~~or rentals~~*, periodic rent, or other payments contracted for in the rental agreement* and shall not negotiate any ~~leases~~ *rental agreements* on behalf of such owner or broker.

D. A licensee of the Board shall comply with the Board's regulations, notwithstanding the fact that the licensee would be otherwise exempt from licensure under subsection A. Nothing in this subsection shall be construed to require a person to be licensed in accordance with this chapter if he would be otherwise exempt from such licensure.

E. An attorney-at-law referring a client to a licensee shall not be entitled to receive any compensation from a listing firm or offered by a common source information company to cooperating brokers, unless the attorney is also licensed under this chapter as a real estate broker or salesperson.

§ 54.1-2111.1. Voluntary compliance program; real estate brokers.

A. The Board shall promulgate regulations to allow the audit of the practices, policies, and procedures of a real estate broker licensed by the Board, either through a third party retained by the real estate broker or through a self-audit, and if the broker is determined by such audit to not be in compliance with the provisions of this chapter or applicable regulations of the Board, to allow for the broker to enter into a voluntary compliance program to bring the broker's practices, policies, and procedures into compliance with applicable laws and regulations. The broker shall notify the Board of the discovery of any noncompliance within 30 days after discovery and shall submit a written statement with a plan to bring the practices, policies, and procedures into voluntary compliance, which completion of such voluntary compliance shall not exceed a period of 90 days from the date that the plan is submitted to the Board.

B. Certification by the broker or auditor of such broker shall constitute immunity from an enforcement action under this chapter or under the applicable regulations of the Board.

C. The provisions of this section do not apply if the noncompliance by the broker was intentional or a result of gross negligence of the broker*, including any actions by an unlicensed employee negotiating the provisions of a rental agreement as prohibited under subsection C of § 54.1-2103*.

CHAPTER 467

An Act to amend and reenact § 64.2-520.1 of the Code of Virginia, relating to legal duty; action for damages for legal malpractice concerning estate planning; third parties to an attorney-client contract.

[S 1115]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 64.2-520.1 of the Code of Virginia is amended and reenacted as follows:

§ 64.2-520.1. Legal duty; action for damages from legal malpractice concerning estate planning; third parties.

A. ~~An action for damages to an individual or an individuals' estate, including future tax liability, resulting from legal malpractice concerning the individuals' estate planning, including the provision of legal advice or the preparation of legal documents, regardless of when executed, shall accrue upon completion of the representation during which the malpractice occurred.~~

~~B.~~ Notwithstanding § 55.1-119, ~~but subject to any~~ *an attorney does not owe a legal duty to any person other than the client in any engagement for the purpose of the client's estate planning, including the provision of legal advice or the preparation of legal documents, unless the client and attorney enter into a signed,* written agreement ~~between the individual and the defendant~~ that expressly ~~grants standing to a person who is not a party to the representation~~ *provides that the client and attorney intend to confer a benefit upon a third party* by specific reference to this subsection~~, the action may be maintained only by the individual or by the individuals' personal representative~~.

~~C. An action for damages pursuant to this section in which a written contract for legal services existed between the individual and the defendant shall be brought within five years after the cause of action accrues as provided in this section. An action for damages pursuant to this section in which an unwritten contract for legal services existed between the individual and the defendant shall be brought within three years after the cause of action accrues as provided in this section.~~

~~D.~~ *B.* Notwithstanding the provisions of this section, no ~~such~~ action shall be based upon damages that may reasonably be avoided or that result from a change of law subsequent to the representation upon which the action is based.

~~E. Any action pursuant to this section shall survive pursuant to § 8.01-25.~~

2. That the provisions of this act are declarative of existing law.

CHAPTER 468

An Act to amend and reenact § 22.1-302 of the Code of Virginia, relating to public schools; temporarily employed teachers; rules and requirements; extension of time limitation; report.

[S 1230]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-302 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-302. Written contracts required; execution of contracts; qualifications of temporarily employed teachers; rules and requirements.

A. A written contract, in a form permitted by the ~~Board of Education's~~ *Board's* regulations, shall be made by the school board with each teacher employed by it, except those who are temporarily employed, before such teacher enters upon his duties. Such contract shall be signed in duplicate, with a copy thereof furnished to both parties.

The standard 10-month contract shall include 200 days, including (i) a minimum of 180 teaching days or 990 instructional hours and (ii) up to 20 days for activities such as teaching, participating in professional development, planning, evaluating, completing records and reports, participating on committees or in conferences, or such other activities as may be assigned or approved by the local school board.

A "temporarily employed teacher," as used in this section, means ~~(i)~~ *(a)* one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence or ~~(ii)~~ *(b)* one who is employed to fill a teacher vacancy for a period of time, but for no longer than ~~90~~ *180* teaching days in such vacancy, unless otherwise approved by the Superintendent ~~of Public Instruction~~ on a case-by-case basis, during one school year.

B. Temporarily employed teachers, as defined in this section, shall be at least 18 years of age and shall hold a high school diploma or have passed a high school equivalency examination approved by the Board ~~of Education~~. *Any such temporarily employed teacher who is employed to fill a teacher vacancy for more than 90 teaching days for any course other than a course for which a technical professional license is required shall, unless otherwise approved by the Superintendent, hold a baccalaureate degree and not meet the qualifications to apply for a provisional license or have held an active professional teaching license within the past 10 years in the Commonwealth.*

A temporarily employed teacher is not required to be licensed by the Board ~~of Education~~, nor is the local school board required to enter into a written contract with a temporarily employed teacher. However, local school boards shall *(i)* establish employment qualifications for temporarily employed teachers that may exceed these requirements for the employment of such teachers~~. School boards shall also~~*; (ii)* seek to ensure that temporarily employed teachers who are engaged as long-term substitutes exceed baseline employment qualifications*; and (iii) execute a professional development plan with any temporarily employed teacher who is employed to fill a teacher vacancy for more than 90 teaching days that sets forth a mentoring and coaching plan and, for any temporarily employed teacher who is interested in obtaining licensure, a proposed licensure timeline and set of strategies for obtaining licensure by the Board. Any such proposed licensure timeline shall establish a track for any such temporarily employed teacher to apply for licensure by or after a specific date, such as July 1 following the year for which such temporarily employed teacher was employed or such other date as deemed appropriate by the local school board. Each school board shall submit to the Department by October 1 of each year a report on all data on temporarily employed teachers who were employed to fill a teacher vacancy for more than 90 teaching days in such school division in the preceding school year or who were employed before October 1 of the current school year, which shall include for each such teacher (a) the specific school in which he was employed, (b) the grade level or subject area he was employed to teach, and (c) his current licensure eligibility status*.

C. A separate contract in a form permitted by the Board ~~of Education~~ shall be executed by the school board with a teacher who is receiving a monetary supplement for any athletic coaching or extracurricular activity sponsorship assignment. This contract shall be separate and apart from the contract for teaching.

Termination of a separate contract for any athletic coaching or extracurricular activity sponsorship assignment by either party thereto shall not constitute cause for termination of the separate teaching contract of the coach or teacher.

All such contracts shall require the party intending to terminate the coaching or extracurricular activity sponsorship contract to give reasonable notice to the other party before termination thereof shall become effective.

For the purposes of this section, "extracurricular activity sponsorship" means an assignment for which a monetary supplement is received, requiring responsibility for any student organizations, clubs, or groups, such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

2. That the provisions of this act shall expire on July 1, 2027.

CHAPTER 469

An Act to amend the Code of Virginia by adding a section numbered 22.1-217.4, relating to students who need or use augmentative and alternative communication; documentation of needs on individualized education program; staff training.

[S 1034]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-217.4 as follows:

§ 22.1-217.4. Students who need or use augmentative and alternative communication; documentation of needs on individualized education program; staff training.

A. As used in this section, "augmentative and alternative communication" or "AAC" means any method or tool other than oral speech that an individual uses to communicate, including gestures, facial expressions, writing, and speech-generating devices.

B. In accordance with the definition of "assistive technology service" in 8VAC20-81-10, subsection F of 8VAC20-81-100, and subsection F of 8VAC20-81-110 of the Virginia Administrative Code, a school division shall document on the individualized education program of a student with a disability who needs or uses AAC, beginning prior to the provision of instruction or direct support to the student, including in any extended school year period, the student's AAC and communication access and support needs, including, as appropriate, individualized training as an assistive technology service for each school division employee or contractor who provides instruction or direct support to such student, to support the student's use of AAC and to ensure that curricula and instruction are designed or adapted as necessary to accommodate the student's unique communication access needs. In any case in which the individualized education program of such a student indicates the need for such training and the school division employee or contractor who will provide instruction or direct support to such student is known prior to the start of the school year, such individualized training shall occur prior to the start of the school year. In any case in which the individualized education program of such a student indicates the need for such training and (i) the student enrolls in a new school division during the school year; (ii) the student's initial individualized education program starts during the school year; (iii) the student transfers to a different school, classroom, or educational setting within a school division during the school year; or (iv) a different school division employee or contractor who will provide instruction or direct support to such student transfers into the student's classroom or educational setting during the school year, such individualized training shall occur as soon as possible after such occurrence.

CHAPTER 470

An Act to amend the Code of Virginia by adding a section numbered 16.1-276.4, relating to use of restraints on juveniles in court prohibited; exceptions.

[S 1255]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 16.1-276.4 as follows:

§ 16.1-276.4. Use of restraints on juveniles in court prohibited; exceptions.

A. As used in this section, "instruments of restraint" includes handcuffs, chains, irons, straightjackets, and electronic restraint devices. "Instruments of restraint" does not include an electronic device used for home electronic monitoring.

B. Instruments of restraint shall not be used on a juvenile during a delinquency proceeding in a juvenile and domestic relations district court unless, upon motion of the attorney for the Commonwealth or on the court's own motion sua sponte, such court orders the use of such restraints prior to such juvenile's appearance in the courtroom pursuant to subsection C.

C. The court may order the use of instruments of restraint on a juvenile upon making a finding that (i) the use of such restraints is necessary (a) to prevent physical harm to such juvenile or another person, (b) because such juvenile has a history of disruptive courtroom behavior that has placed others in potentially harmful situations or presents a clear and substantial threat of serious harm to himself or others as evidenced by recent behavior, or (c) because such juvenile presents a substantial risk of flight from the courtroom and (ii) there are no less restrictive alternatives to such restraints that will prevent flight of or harm to such juvenile or another person, including court personnel or law-enforcement officers.

D. The juvenile shall be entitled to an attorney prior to a hearing on the use of instruments of restraint pursuant to the provisions of this section. The court shall provide the juvenile's attorney an opportunity to be heard before the court orders the use of instruments of restraint pursuant to subsection C, and the juvenile's attorney may waive the juvenile's appearance at such hearing. If such restraints are ordered, the court shall communicate to the parties the basis of the decision either orally or in writing.

CHAPTER 471

An Act to amend and reenact § 33.2-1525 of the Code of Virginia, relating to the Transportation Trust Fund; investments; personal liability.

[S 1250]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 33.2-1525 of the Code of Virginia is amended and reenacted as follows:

§ 33.2-1525. Administration of Transportation Trust Fund.

A. The Transportation Trust Fund shall be established on the books of the Comptroller so as to segregate the amounts appropriated to the Transportation Trust Fund and the amounts earned or accumulated by such Transportation Trust Fund. No portion of the Transportation Trust Fund shall be used for a purpose other than as provided in this section. Any moneys remaining in the Transportation Trust Fund at the end of a biennium shall not revert to the general fund but shall remain in the Transportation Trust Fund to be used for the purposes set forth in §§ 33.2-1524, 33.2-1526, and 33.2-1529 and shall accumulate interest and dividends throughout the existence of the Transportation Trust Fund. Whenever in the Board's opinion there are moneys in the Transportation Trust Fund in excess of the amount required to meet the current needs and demands of the transportation program, the Board may invest such excess funds in securities that, in its judgment, will be readily convertible into money. Such securities may include debentures and other government and corporate obligations; common and preferred stocks limited to 30 percent of total trust funds investments based on cost; "prime quality" commercial paper, as defined and limited by § 2.2-4502; bankers' acceptances; bonds; money market funds; and overnight, term, and open repurchase agreements. The investment of moneys held in the Transportation Trust Fund shall be administered by the state treasury under guidelines adopted by the Board pursuant to this section.

The Treasurer may, at his option, manage such moneys or hire professional outside investment counsel to manage part or all of such moneys.

The selection of services related to the management, purchase, or sale of authorized investments shall be governed by the standard provided in this section and shall not be subject to the provisions of Chapter 43 (§ 2.2-4300 et seq.) of Title 2.2.

B. When investments are made in accordance with this section, no member of the Board, Northern Virginia Transportation Authority, *Central Virginia Transportation Authority,* or Hampton Roads Transportation Accountability Commission; employee of the Board, Northern Virginia Transportation Authority, *Central Virginia Transportation Authority,* Hampton Roads Transportation Accountability Commission, Department of Transportation, or Department of Rail and Public Transportation; or treasury official shall be personally liable for any loss therefrom in the absence of negligence, malfeasance, misfeasance, or nonfeasance. *Such limitation on personal liability shall extend to an individual's actions taken while serving on or employed by such entities, even if such individual no longer serves on or is employed by any such entity.*

CHAPTER 472

An Act to amend and reenact § 32.1-127, as it shall become effective, of the Code of Virginia, relating to hospitals; reports of threats or acts of violence against health care providers.

[S 1260]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-127, as it shall become effective, of the Code of Virginia is amended and reenacted as follows:

§ 32.1-127. (Effective July 1, 2025) Regulations.

A. The regulations promulgated by the Board to carry out the provisions of this article shall be in substantial conformity to the standards of health, hygiene, sanitation, construction and safety as established and recognized by medical and health care professionals and by specialists in matters of public health and safety, including health and safety standards established under provisions of Title XVIII and Title XIX of the Social Security Act, and to the provisions of Article 2 (§ 32.1-138 et seq.).

B. Such regulations:

1. Shall include minimum standards for (i) the construction and maintenance of hospitals, nursing homes and certified nursing facilities to ensure the environmental protection and the life safety of its patients, employees, and the public; (ii) the operation, staffing and equipping of hospitals, nursing homes and certified nursing facilities; (iii) qualifications and training of staff of hospitals, nursing homes and certified nursing facilities, except those professionals licensed or certified by the Department of Health Professions; (iv) conditions under which a hospital or nursing home may provide medical and nursing services to patients in their places of residence; and (v) policies related to infection prevention, disaster preparedness, and facility security of hospitals, nursing homes, and certified nursing facilities;

2. Shall provide that at least one physician who is licensed to practice medicine in the Commonwealth and is primarily responsible for the emergency department shall be on duty and physically present at all times at each hospital that operates or holds itself out as operating an emergency service;

3. May classify hospitals and nursing homes by type of specialty or service and may provide for licensing hospitals and nursing homes by bed capacity and by type of specialty or service;

4. Shall also require that each hospital establish a protocol for organ donation, in compliance with federal law and the regulations of the Centers for Medicare and Medicaid Services (CMS), particularly 42 C.F.R. § 482.45. Each hospital shall have an agreement with an organ procurement organization designated in CMS regulations for routine contact, whereby the provider's designated organ procurement organization certified by CMS (i) is notified in a timely manner of all deaths or imminent deaths of patients in the hospital and (ii) is authorized to determine the suitability of the decedent or patient for organ donation and, in the absence of a similar arrangement with any eye bank or tissue bank in Virginia certified by the Eye Bank Association of America or the American Association of Tissue Banks, the suitability for tissue and eye donation. The hospital shall also have an agreement with at least one tissue bank and at least one eye bank to cooperate in the retrieval, processing, preservation, storage, and distribution of tissues and eyes to ensure that all usable tissues and eyes are obtained from potential donors and to avoid interference with organ procurement. The protocol shall ensure that the hospital collaborates with the designated organ procurement organization to inform the family of each potential donor of the option to donate organs, tissues, or eyes or to decline to donate. The individual making contact with the family shall have completed a course in the methodology for approaching potential donor families and requesting organ or tissue donation that (a) is offered or approved by the organ procurement organization and designed in conjunction with the tissue and eye bank community and (b) encourages discretion and sensitivity according to the specific circumstances, views, and beliefs of the relevant family. In addition, the hospital shall work cooperatively with the designated organ procurement organization in educating the staff responsible for contacting the organ procurement organization's personnel on donation issues, the proper review of death records to improve identification of potential donors, and the proper procedures for maintaining potential donors while necessary testing and placement of potential donated organs, tissues, and eyes takes place. This process shall be followed, without exception, unless the family of the relevant decedent or patient has expressed opposition to organ donation, the chief administrative officer of the hospital or his designee knows of such opposition, and no donor card or other relevant document, such as an advance directive, can be found;

5. Shall require that each hospital that provides obstetrical services establish a protocol for admission or transfer of any pregnant woman who presents herself while in labor;

6. Shall also require that each licensed hospital develop and implement a protocol requiring written discharge plans for identified, substance-abusing, postpartum women and their infants. The protocol shall require that the discharge plan be discussed with the patient and that appropriate referrals for the mother and the infant be made and documented. Appropriate referrals may include, but need not be limited to, treatment services, comprehensive early intervention services for infants and toddlers with disabilities and their families pursuant to Part H of the Individuals with Disabilities Education Act, 20 U.S.C. § 1471 et seq., and family-oriented prevention services. The discharge planning process shall involve, to the extent possible, the other parent of the infant and any members of the patient's extended family who may participate in the follow-up care for the mother and the infant. Immediately upon identification, pursuant to § 54.1-2403.1, of any substance-abusing, postpartum woman, the hospital shall notify, subject to federal law restrictions, the community services board of the jurisdiction in which the woman resides to appoint a discharge plan manager. The community services board shall implement and manage the discharge plan;

7. Shall require that each nursing home and certified nursing facility fully disclose to the applicant for admission the home's or facility's admissions policies, including any preferences given;

8. Shall require that each licensed hospital establish a protocol relating to the rights and responsibilities of patients which shall include a process reasonably designed to inform patients of such rights and responsibilities. Such rights and responsibilities of patients, a copy of which shall be given to patients on admission, shall be consistent with applicable federal law and regulations of the Centers for Medicare and Medicaid Services;

9. Shall establish standards and maintain a process for designation of levels or categories of care in neonatal services according to an applicable national or state-developed evaluation system. Such standards may be differentiated for various levels or categories of care and may include, but need not be limited to, requirements for staffing credentials, staff/patient ratios, equipment, and medical protocols;

10. Shall require that each nursing home and certified nursing facility train all employees who are mandated to report adult abuse, neglect, or exploitation pursuant to § 63.2-1606 on such reporting procedures and the consequences for failing to make a required report;

11. Shall permit hospital personnel, as designated in medical staff bylaws, rules and regulations, or hospital policies and procedures, to accept emergency telephone and other verbal orders for medication or treatment for hospital patients from physicians, and other persons lawfully authorized by state statute to give patient orders, subject to a requirement that such verbal order be signed, within a reasonable period of time not to exceed 72 hours as specified in the hospital's medical staff bylaws, rules and regulations or hospital policies and procedures, by the person giving the order, or, when such person is not available within the period of time specified, co-signed by another physician or other person authorized to give the order;

12. Shall require, unless the vaccination is medically contraindicated or the resident declines the offer of the vaccination, that each certified nursing facility and nursing home provide or arrange for the administration to its residents of

(i) an annual vaccination against influenza and (ii) a pneumococcal vaccination, in accordance with the most recent recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention;

13. Shall require that each nursing home and certified nursing facility register with the Department of State Police to receive notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1 within the same or a contiguous zip code area in which the home or facility is located, pursuant to § 9.1-914;

14. Shall require that each nursing home and certified nursing facility ascertain, prior to admission, whether a potential patient is required to register with the Sex Offender and Crimes Against Minors Registry pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, if the home or facility anticipates the potential patient will have a length of stay greater than three days or in fact stays longer than three days;

15. Shall require that each licensed hospital include in its visitation policy a provision allowing each adult patient to receive visits from any individual from whom the patient desires to receive visits, subject to other restrictions contained in the visitation policy including, but not limited to, those related to the patient's medical condition and the number of visitors permitted in the patient's room simultaneously;

16. Shall require that each nursing home and certified nursing facility shall, upon the request of the facility's family council, send notices and information about the family council mutually developed by the family council and the administration of the nursing home or certified nursing facility, and provided to the facility for such purpose, to the listed responsible party or a contact person of the resident's choice up to six times per year. Such notices may be included together with a monthly billing statement or other regular communication. Notices and information shall also be posted in a designated location within the nursing home or certified nursing facility. No family member of a resident or other resident representative shall be restricted from participating in meetings in the facility with the families or resident representatives of other residents in the facility;

17. Shall require that each nursing home and certified nursing facility maintain liability insurance coverage in a minimum amount of $1 million, and professional liability coverage in an amount at least equal to the recovery limit set forth in § 8.01-581.15, to compensate patients or individuals for injuries and losses resulting from the negligent or criminal acts of the facility. Failure to maintain such minimum insurance shall result in revocation of the facility's license;

18. Shall require each hospital that provides obstetrical services to establish policies to follow when a stillbirth, as defined in § 32.1-69.1, occurs that meet the guidelines pertaining to counseling patients and their families and other aspects of managing stillbirths as may be specified by the Board in its regulations;

19. Shall require each nursing home to provide a full refund of any unexpended patient funds on deposit with the facility following the discharge or death of a patient, other than entrance-related fees paid to a continuing care provider as defined in § 38.2-4900, within 30 days of a written request for such funds by the discharged patient or, in the case of the death of a patient, the person administering the person's estate in accordance with the Virginia Small Estates Act (§ 64.2-600 et seq.);

20. Shall require that each hospital that provides inpatient psychiatric services establish a protocol that requires, for any refusal to admit (i) a medically stable patient referred to its psychiatric unit, direct verbal communication between the on-call physician in the psychiatric unit and the referring physician, if requested by such referring physician, and prohibits on-call physicians or other hospital staff from refusing a request for such direct verbal communication by a referring physician and (ii) a patient for whom there is a question regarding the medical stability or medical appropriateness of admission for inpatient psychiatric services due to a situation involving results of a toxicology screening, the on-call physician in the psychiatric unit to which the patient is sought to be transferred to participate in direct verbal communication, either in person or via telephone, with a clinical toxicologist or other person who is a Certified Specialist in Poison Information employed by a poison control center that is accredited by the American Association of Poison Control Centers to review the results of the toxicology screen and determine whether a medical reason for refusing admission to the psychiatric unit related to the results of the toxicology screen exists, if requested by the referring physician;

21. Shall require that each hospital that is equipped to provide life-sustaining treatment shall develop a policy governing determination of the medical and ethical appropriateness of proposed medical care, which shall include (i) a process for obtaining a second opinion regarding the medical and ethical appropriateness of proposed medical care in cases in which a physician has determined proposed care to be medically or ethically inappropriate; (ii) provisions for review of the determination that proposed medical care is medically or ethically inappropriate by an interdisciplinary medical review committee and a determination by the interdisciplinary medical review committee regarding the medical and ethical appropriateness of the proposed health care; and (iii) requirements for a written explanation of the decision reached by the interdisciplinary medical review committee, which shall be included in the patient's medical record. Such policy shall ensure that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 (a) are informed of the patient's right to obtain his medical record and to obtain an independent medical opinion and (b) afforded reasonable opportunity to participate in the medical review committee meeting. Nothing in such policy shall prevent the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986 from obtaining legal counsel to represent the patient or from seeking other remedies available at law, including seeking court review, provided that the patient, his agent, or the person authorized to make medical decisions pursuant to § 54.1-2986, or legal counsel provides

written notice to the chief executive officer of the hospital within 14 days of the date on which the physician's determination that proposed medical treatment is medically or ethically inappropriate is documented in the patient's medical record;

22. Shall require every hospital with an emergency department to establish a security plan. Such security plan shall be developed using standards established by the International Association for Healthcare Security and Safety or other industry standard and shall be based on the results of a security risk assessment of each emergency department location of the hospital and shall include the presence of at least one off-duty law-enforcement officer or trained security personnel who is present in the emergency department at all times as indicated to be necessary and appropriate by the security risk assessment. Such security plan shall be based on identified risks for the emergency department, including trauma level designation, overall volume, volume of psychiatric and forensic patients, incidents of violence against staff, and level of injuries sustained from such violence, and prevalence of crime in the community, in consultation with the emergency department medical director and nurse director. The security plan shall also outline training requirements for security personnel in the potential use of and response to weapons, defensive tactics, de-escalation techniques, appropriate physical restraint and seclusion techniques, crisis intervention, and trauma-informed approaches. Such training shall also include instruction on safely addressing situations involving patients, family members, or other persons who pose a risk of harm to themselves or others due to mental illness or substance abuse or who are experiencing a mental health crisis. Such training requirements may be satisfied through completion of the Department of Criminal Justice Services minimum training standards for auxiliary police officers as required by § 15.2-1731. The Commissioner shall provide a waiver from the requirement that at least one off-duty law-enforcement officer or trained security personnel be present at all times in the emergency department if the hospital demonstrates that a different level of security is necessary and appropriate for any of its emergency departments based upon findings in the security risk assessment;

23. Shall require that each hospital establish a protocol requiring that, before a health care provider arranges for air medical transportation services for a patient who does not have an emergency medical condition as defined in 42 U.S.C. § 1395dd(e)(1), the hospital shall provide the patient or his authorized representative with written or electronic notice that the patient (i) may have a choice of transportation by an air medical transportation provider or medically appropriate ground transportation by an emergency medical services provider and (ii) will be responsible for charges incurred for such transportation in the event that the provider is not a contracted network provider of the patient's health insurance carrier or such charges are not otherwise covered in full or in part by the patient's health insurance plan;

24. Shall establish an exemption from the requirement to obtain a license to add temporary beds in an existing hospital or nursing home, including beds located in a temporary structure or satellite location operated by the hospital or nursing home, provided that the ability remains to safely staff services across the existing hospital or nursing home, (i) for a period of no more than the duration of the Commissioner's determination plus 30 days when the Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds or (ii) for a period of no more than the duration of the emergency order entered pursuant to § 32.1-13 or 32.1-20 plus 30 days when the Board, pursuant to § 32.1-13, or the Commissioner, pursuant to § 32.1-20, has entered an emergency order for the purpose of suppressing a nuisance dangerous to public health or a communicable, contagious, or infectious disease or other danger to the public life and health;

25. Shall establish protocols to ensure that any patient scheduled to receive an elective surgical procedure for which the patient can reasonably be expected to require outpatient physical therapy as a follow-up treatment after discharge is informed that he (i) is expected to require outpatient physical therapy as a follow-up treatment and (ii) will be required to select a physical therapy provider prior to being discharged from the hospital;

26. Shall permit nursing home staff members who are authorized to possess, distribute, or administer medications to residents to store, dispense, or administer cannabis oil to a resident who has been issued a valid written certification for the use of cannabis oil in accordance with § 4.1-1601;

27. Shall require each hospital with an emergency department to establish a protocol for the treatment and discharge of individuals experiencing a substance use-related emergency, which shall include provisions for (i) appropriate screening and assessment of individuals experiencing substance use-related emergencies to identify medical interventions necessary for the treatment of the individual in the emergency department and (ii) recommendations for follow-up care following discharge for any patient identified as having a substance use disorder, depression, or mental health disorder, as appropriate, which may include, for patients who have been treated for substance use-related emergencies, including opioid overdose, or other high-risk patients, (a) the dispensing of naloxone or other opioid antagonist used for overdose reversal pursuant to subsection X of § 54.1-3408 at discharge or (b) issuance of a prescription for and information about accessing naloxone or other opioid antagonist used for overdose reversal, including information about accessing naloxone or other opioid antagonist used for overdose reversal at a community pharmacy, including any outpatient pharmacy operated by the hospital, or through a community organization or pharmacy that may dispense naloxone or other opioid antagonist used for overdose reversal without a prescription pursuant to a statewide standing order. Such protocols may also provide for referrals of individuals experiencing a substance use-related emergency to peer recovery specialists and community-based providers of behavioral health services, or to providers of pharmacotherapy for the treatment of drug or alcohol dependence or mental health diagnoses;

28. During a public health emergency related to COVID-19, shall require each nursing home and certified nursing facility to establish a protocol to allow each patient to receive visits, consistent with guidance from the Centers for Disease Control and Prevention and as directed by the Centers for Medicare and Medicaid Services and the Board. Such protocol

shall include provisions describing (i) the conditions, including conditions related to the presence of COVID-19 in the nursing home, certified nursing facility, and community, under which in-person visits will be allowed and under which in-person visits will not be allowed and visits will be required to be virtual; (ii) the requirements with which in-person visitors will be required to comply to protect the health and safety of the patients and staff of the nursing home or certified nursing facility; (iii) the types of technology, including interactive audio or video technology, and the staff support necessary to ensure visits are provided as required by this subdivision; and (iv) the steps the nursing home or certified nursing facility will take in the event of a technology failure, service interruption, or documented emergency that prevents visits from occurring as required by this subdivision. Such protocol shall also include (a) a statement of the frequency with which visits, including virtual and in-person, where appropriate, will be allowed, which shall be at least once every 10 calendar days for each patient; (b) a provision authorizing a patient or the patient's personal representative to waive or limit visitation, provided that such waiver or limitation is included in the patient's health record; and (c) a requirement that each nursing home and certified nursing facility publish on its website or communicate to each patient or the patient's authorized representative, in writing or via electronic means, the nursing home's or certified nursing facility's plan for providing visits to patients as required by this subdivision;

29. Shall require each hospital, nursing home, and certified nursing facility to establish and implement policies to ensure the permissible access to and use of an intelligent personal assistant provided by a patient, in accordance with such regulations, while receiving inpatient services. Such policies shall ensure protection of health information in accordance with the requirements of the federal Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d et seq., as amended. For the purposes of this subdivision, "intelligent personal assistant" means a combination of an electronic device and a specialized software application designed to assist users with basic tasks using a combination of natural language processing and artificial intelligence, including such combinations known as "digital assistants" or "virtual assistants";

30. During a declared public health emergency related to a communicable disease of public health threat, shall require each hospital, nursing home, and certified nursing facility to establish a protocol to allow patients to receive visits from a rabbi, priest, minister, or clergy of any religious denomination or sect consistent with guidance from the Centers for Disease Control and Prevention and the Centers for Medicare and Medicaid Services and subject to compliance with any executive order, order of public health, Department guidance, or any other applicable federal or state guidance having the effect of limiting visitation. Such protocol may restrict the frequency and duration of visits and may require visits to be conducted virtually using interactive audio or video technology. Any such protocol may require the person visiting a patient pursuant to this subdivision to comply with all reasonable requirements of the hospital, nursing home, or certified nursing facility adopted to protect the health and safety of the person, patients, and staff of the hospital, nursing home, or certified nursing facility;

31. Shall require that every hospital that makes health records, as defined in § 32.1-127.1:03, of patients who are minors available to such patients through a secure website shall make such health records available to such patient's parent or guardian through such secure website, unless the hospital cannot make such health record available in a manner that prevents disclosure of information, the disclosure of which has been denied pursuant to subsection F of § 32.1-127.1:03 or for which consent required in accordance with subsection E of § 54.1-2969 has not been provided; and

32. Shall require that every hospital where surgical procedures are performed adopt a policy requiring the use of a smoke evacuation system for all planned surgical procedures that are likely to generate surgical smoke. For the purposes of this subdivision, "smoke evacuation system" means smoke evacuation equipment and technologies designed to capture, filter, and remove surgical smoke at the site of origin and to prevent surgical smoke from making ocular contact or contact with a person's respiratory tract.

C. Upon obtaining the appropriate license, if applicable, licensed hospitals, nursing homes, and certified nursing facilities may operate adult day centers.

D. All facilities licensed by the Board pursuant to this article which provide treatment or care for hemophiliacs and, in the course of such treatment, stock clotting factors, shall maintain records of all lot numbers or other unique identifiers for such clotting factors in order that, in the event the lot is found to be contaminated with an infectious agent, those hemophiliacs who have received units of this contaminated clotting factor may be apprised of this contamination. Facilities which have identified a lot that is known to be contaminated shall notify the recipient's attending physician and request that he notify the recipient of the contamination. If the physician is unavailable, the facility shall notify by mail, return receipt requested, each recipient who received treatment from a known contaminated lot at the individual's last known address.

E. Hospitals in the Commonwealth may enter into agreements with the Department of Health for the provision to uninsured patients of naloxone or other opioid antagonists used for overdose reversal.

F. Hospitals in the Commonwealth shall:

1. Establish a workplace violence incident reporting system, through which each hospital shall document, track, and analyze any incident of workplace violence reported. The results of such analysis shall be used to make improvements in preventing workplace violence, including improvements achieved through continuing education in targeted areas, including de-escalation training, risk identification, and violence prevention planning. Such reporting system shall (i) be clearly communicated to all employees, including to any new employees at the employee orientation, and (ii) include guidelines on when and how to report incidents of workplace violence to the employer, security agencies, and appropriate law-enforcement authorities;

2. Record all reported incidents of workplace violence as voluntarily reported by an employee; and

3. Adopt a policy that prohibits any person from discriminating or retaliating against any employee of the hospital for reporting to, or seeking assistance or intervention from, the employer, security agencies, law-enforcement authorities, local emergency services organizations, government agencies, or others participating in any incident investigation. Such policy shall comply with the provisions of § 40.1-27.3.

G. Each hospital in the Commonwealth shall maintain the record of reported incidents of workplace violence made pursuant to subsection F for at least two years and shall include in such record, at a minimum:

1. The date and time of the incident;

2. A description of the incident, including the job titles of the affected employee;

3. Whether the perpetrator was a patient, visitor, employee, or other person;

4. A description of where the incident occurred;

5. Information relating the type of incident, including whether the incident involved (i) a physical attack without a weapon; (ii) an attack with a weapon or object; (iii) a threat of physical force or use of a weapon or other object with the intent to cause bodily harm; (iv) sexual assault or the threat of sexual assault; or (v) anything else not listed in subdivisions (i) through (iv);

6. The response to and any consequences of the incident, including (i) whether security or law enforcement was contacted and, if so, their response and (ii) whether the incident resulted in any change to hospital policy; and

7. Information about the individual who completed the report, including such individual's name, job title, and the date of completion.

H. Each hospital shall:

1. Report the data collected and reported pursuant to subsection G to the chief medical officer and the chief nursing officer of such hospital on, at a minimum, a quarterly basis; and

2. Send a report to the Department on an annual basis that includes, at a minimum, the number of incidents of workplace violence voluntarily reported by an employee pursuant to subsection F. Any report made to the Department pursuant to this subdivision shall be aggregated to remove any personally identifiable information.

I. As used in this section:

"Employee of the hospital" or "employee" means an employee of the hospital or any health care provider credentialed by the hospital or engaged by the hospital to perform health care services on the premises of the hospital.

"Workplace violence" means any act of violence or threat of violence, without regard to the intent of the perpetrator, that occurs against an employee of the hospital while on the premises of such hospital and engaged in the performance of his duties. "Workplace violence" includes (i) the threat or use of physical force against an employee that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether physical injury is sustained, and (ii) any incident involving the threat of using dangerous weapons or using common objects as weapons or to cause physical harm, regardless of whether physical injury is sustained.

2. That the Department of Health's initial adoption of regulations necessary to implement the provisions of this act shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

3. That the Secretary of Health and Human Resources, in collaboration with the Department of Criminal Justice Services, shall convene a stakeholder work group that shall include representatives of the Board of Medicine, the Board of Nursing, the Virginia Hospital and Healthcare Association, the Medical Society of Virginia, the Virginia Nurses Association, the Virginia College of Emergency Physicians, and such other stakeholders as deemed relevant and appropriate, for the purpose of making recommendations on the workplace violence reporting system and policies adopted pursuant to § 32.1-127 of the Code of Virginia, as amended by this act, including (i) the specific data elements to be reported to the Department of Health annually; (ii) additional specific data elements that should be collected by each hospital and included in any report made to the Department of Health; (iii) the aggregation of any data collected and reported pursuant to clauses (i) and (ii) for the purposes of protecting personally identifiable information; (iv) additional health care entities, if any, that should also be required to collect, maintain a record of, and report data relating to incidents of workplace violence; (v) additional hospital employees who should be notified of any reported incidents of workplace violence; and (vi) methods by which the Department of Health shall share publicly the data reported by hospitals pursuant to subsection H of § 32.1-127 of the Code of Virginia, as amended by this act. The work group shall report its recommendations to the Governor and the Chairs of the House Committee on Health and Human Services and the Senate Committee on Education and Health by November 1, 2025.

4. That the State Board of Health shall promulgate regulations to require hospitals to begin reporting data relating to incidents of workplace violence to the Department of Health on an annual basis, in accordance with § 32.1-127 of the Code of Virginia, as amended by this act, by July 1, 2026.

CHAPTER 473

An Act to amend and reenact §§ 58.1-3, 58.1-3826, and 58.1-3827 of the Code of Virginia, relating to transient occupancy tax; administration.

[S 1402]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 58.1-3, 58.1-3826, and 58.1-3827 of the Code of Virginia are amended and reenacted as follows:

§ 58.1-3. Secrecy of information; penalties.

A. Except in accordance with a proper judicial order or as otherwise provided by law, the Tax Commissioner or agent, clerk, commissioner of the revenue, treasurer, or any other state or local tax or revenue officer or employee, or any person to whom tax information is divulged pursuant to this section or § 58.1-512 ~~or~~, 58.1-2712.2*, or 58.1-3826*, or any former officer or employee of any of the aforementioned offices shall not divulge any information acquired by him in the performance of his duties with respect to the transactions, property, including personal property, income or business of any person, firm or corporation. Such prohibition specifically includes any copy of a federal return or federal return information required by Virginia law to be attached to or included in the Virginia return. This prohibition shall apply to any reports, returns, financial documents or other information filed with the Attorney General pursuant to the provisions of Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2. Any person violating the provisions of this section is guilty of a Class 1 misdemeanor. The provisions of this subsection shall not be applicable, however, to:

1. Matters required by law to be entered on any public assessment roll or book;

2. Acts performed or words spoken, published, or shared with another agency or subdivision of the Commonwealth in the line of duty under state law;

3. Inquiries and investigations to obtain information as to the process of real estate assessments by a duly constituted committee of the General Assembly, or when such inquiry or investigation is relevant to its study, provided that any such information obtained shall be privileged;

4. The sales price, date of construction, physical dimensions or characteristics of real property, or any information required for building permits;

5. Copies of or information contained in an estate's probate tax return, filed with the clerk of court pursuant to § 58.1-1714, when requested by a beneficiary of the estate or an heir at law of the decedent or by the commissioner of accounts making a settlement of accounts filed in such estate;

6. Information regarding nonprofit entities exempt from sales and use tax under § 58.1-609.11, when requested by the General Assembly or any duly constituted committee of the General Assembly;

7. Reports or information filed with the Attorney General by a Stamping Agent pursuant to the provisions of Article 3 (§ 3.2-4204 et seq.), when such reports or information are provided by the Attorney General to a tobacco products manufacturer who is required to establish a qualified escrow fund pursuant to § 3.2-4201 and are limited to the brand families of that manufacturer as listed in the Tobacco Directory established pursuant to § 3.2-4206 and are limited to the current or previous two calendar years or in any year in which the Attorney General receives Stamping Agent information that potentially alters the required escrow deposit of the manufacturer. The information shall only be provided in the following manner: the manufacturer may make a written request, on a quarterly or yearly basis or when the manufacturer is notified by the Attorney General of a potential change in the amount of a required escrow deposit, to the Attorney General for a list of the Stamping Agents who reported stamping or selling its products and the amount reported. The Attorney General shall provide the list within 15 days of receipt of the request. If the manufacturer wishes to obtain actual copies of the reports the Stamping Agents filed with the Attorney General, it must first request them from the Stamping Agents pursuant to subsection C of § 3.2-4209. If the manufacturer does not receive the reports pursuant to subsection C of § 3.2-4209, the manufacturer may make a written request to the Attorney General, including a copy of the prior written request to the Stamping Agent and any response received, for copies of any reports not received. The Attorney General shall provide copies of the reports within 45 days of receipt of the request.

B. 1. Nothing contained in this section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof or the publication of delinquent lists showing the names of taxpayers who are currently delinquent, together with any relevant information which in the opinion of the Department may assist in the collection of such delinquent taxes. Notwithstanding any other provision of this section or other law, the Department, upon request by the General Assembly or any duly constituted committee of the General Assembly, shall disclose the total aggregate amount of an income tax deduction or credit taken by all taxpayers, regardless of (i) how few taxpayers took the deduction or credit or (ii) any other circumstances. This section shall not be construed to prohibit a local tax official from disclosing whether a person, firm or corporation is licensed to do business in that locality and divulging, upon written request, the name and address of any person, firm or corporation transacting business under a fictitious name. Additionally, notwithstanding any other provision of law, the commissioner of revenue is authorized to provide, upon written request stating the reason for such request, the Tax Commissioner with information obtained from local tax returns and other information pertaining to the income, sales and property of any person, firm or corporation licensed to do business in that locality.

2. This section shall not prohibit the Department from disclosing whether a person, firm, or corporation is registered as a retail sales and use tax dealer pursuant to Chapter 6 (§ 58.1-600 et seq.) or whether a certificate of registration number relating to such tax is valid. Additionally, notwithstanding any other provision of law, the Department is hereby authorized to make available the names and certificate of registration numbers of dealers who are currently registered for retail sales and use tax.

3. This section shall not prohibit the Department from disclosing information to nongovernmental entities with which the Department has entered into a contract to provide services that assist it in the administration of refund processing or other services related to its administration of taxes.

4. This section shall not prohibit the Department from disclosing information to taxpayers regarding whether the taxpayer's employer or another person or entity required to withhold on behalf of such taxpayer submitted withholding records to the Department for a specific taxable year as required pursuant to subdivision C 1 of § 58.1-478.

5. This section shall not prohibit the commissioner of the revenue, treasurer, director of finance, or other similar local official who collects or administers taxes for a county, city, or town from disclosing information to nongovernmental entities with which the locality has entered into a contract to provide services that assist it in the administration of refund processing or other non-audit services related to its administration of taxes. The commissioner of the revenue, treasurer, director of finance, or other similar local official who collects or administers taxes for a county, city, or town shall not disclose information to such entity unless he has obtained a written acknowledgement by such entity that the confidentiality and nondisclosure obligations of and penalties set forth in subsection A apply to such entity and that such entity agrees to abide by such obligations.

C. Notwithstanding the provisions of subsection A or B or any other provision of this title, the Tax Commissioner is authorized to (i) divulge tax information to any commissioner of the revenue, director of finance, or other similar collector of county, city, or town taxes who, for the performance of his official duties, requests the same in writing setting forth the reasons for such request; (ii) provide to the Commissioner of the Department of Social Services, upon entering into a written agreement, the amount of income, filing status, number and type of dependents, whether a federal earned income tax credit as authorized in § 32 of the Internal Revenue Code and an income tax credit for low-income taxpayers as authorized in § 58.1-339.8 have been claimed, and Forms W-2 and 1099 to facilitate the administration of public assistance or social services benefits as defined in § 63.2-100 or child support services pursuant to Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2, or as may be necessary to facilitate the administration of outreach and enrollment related to the federal earned income tax credit authorized in § 32 of the Internal Revenue Code and the income tax credit for low-income taxpayers authorized in § 58.1-339.8; (iii) provide to the chief executive officer of the designated student loan guarantor for the Commonwealth of Virginia, upon written request, the names and home addresses of those persons identified by the designated guarantor as having delinquent loans guaranteed by the designated guarantor; (iv) provide current address information upon request to state agencies and institutions for their confidential use in facilitating the collection of accounts receivable, and to the clerk of a circuit or district court for their confidential use in facilitating the collection of fines, penalties, and costs imposed in a proceeding in that court; (v) provide to the Commissioner of the Virginia Employment Commission, after entering into a written agreement, such tax information as may be necessary to facilitate the collection of unemployment taxes and overpaid benefits; (vi) provide to the Virginia Alcoholic Beverage Control Authority, upon entering into a written agreement, such tax information as may be necessary to facilitate the collection of state and local taxes and the administration of the alcoholic beverage control laws; (vii) provide to the Director of the Virginia Lottery such tax information as may be necessary to identify those lottery ticket retailers who owe delinquent taxes; (viii) provide to the Department of the Treasury for its confidential use such tax information as may be necessary to facilitate the location of owners and holders of unclaimed property, as defined in § 55.1-2500; (ix) provide to the State Corporation Commission, upon entering into a written agreement, such tax information as may be necessary to facilitate the collection of taxes and fees administered by the Commission; (x) provide to the Executive Director of the Potomac and Rappahannock Transportation Commission for his confidential use such tax information as may be necessary to facilitate the collection of the motor vehicle fuel sales tax; (xi) provide to the Commissioner of the Department of Agriculture and Consumer Services such tax information as may be necessary to identify those applicants for registration as a supplier of charitable gaming supplies who have not filed required returns or who owe delinquent taxes; (xii) provide to the Department of Housing and Community Development for its confidential use such tax information as may be necessary to facilitate the administration of the remaining effective provisions of the Enterprise Zone Act (§ 59.1-270 et seq.), and the Enterprise Zone Grant Program (§ 59.1-538 et seq.); (xiii) provide current name and address information to private collectors entering into a written agreement with the Tax Commissioner, for their confidential use when acting on behalf of the Commonwealth or any of its political subdivisions; however, the Tax Commissioner is not authorized to provide such information to a private collector who has used or disseminated in an unauthorized or prohibited manner any such information previously provided to such collector; (xiv) provide current name and address information as to the identity of the wholesale or retail dealer that affixed a tax stamp to a package of cigarettes to any person who manufactures or sells at retail or wholesale cigarettes and who may bring an action for injunction or other equitable relief for violation of Chapter 10.1, Enforcement of Illegal Sale or Distribution of Cigarettes Act; (xv) provide to the Commissioner of Labor and Industry, upon entering into a written agreement, such tax information as may be necessary to facilitate the collection of unpaid wages under § 40.1-29; (xvi) provide to the Director of the Department of Human Resource Management, upon entering into a written agreement, such tax information as may be necessary to identify persons receiving workers' compensation indemnity benefits who have failed to report earnings as required by § 65.2-712; (xvii) provide to any commissioner of the revenue, director of finance, or any other officer of any county, city, or town performing any or all of the duties of a commissioner of the revenue and to any dealer registered for the collection of the Communications Sales and Use Tax, a list of the names, business addresses, and dates of registration of all dealers registered for such tax; (xviii) provide to the Executive Director of the Northern Virginia Transportation Commission for his confidential use such tax information as may be necessary to facilitate the

collection of the motor vehicle fuel sales tax; (xix) provide to the Commissioner of Agriculture and Consumer Services the name and address of the taxpayer businesses licensed by the Commonwealth that identify themselves as subject to regulation by the Board of Agriculture and Consumer Services pursuant to § 3.2-5130; (xx) provide to the developer or the economic development authority of a tourism project authorized by § 58.1-3851.1, upon entering into a written agreement, tax information facilitating the repayment of gap financing; (xxi) provide to the Virginia Retirement System and the Department of Human Resource Management, after entering into a written agreement, such tax information as may be necessary to facilitate the enforcement of subdivision C 4 of § 9.1-401; (xxii) provide to the Department of Medical Assistance Services and the Department of Social Services, upon entering into a written agreement, the name, address, social security number, email address, dependent information provided pursuant to subdivision B 2 of § 58.1-341.1, number and type of personal exemptions, tax-filing status, adjusted gross income, and any additional information voluntarily provided by the taxpayer for disclosure pursuant to subdivisions B 1 and 2 of § 58.1-341.1, of an individual, or spouse in the case of a married taxpayer filing jointly, who has voluntarily consented to such disclosure for purposes of identifying persons who would like to newly enroll in medical assistance; (xxiii) provide to the Commissioner of the Department of Motor Vehicles information sufficient to verify that an applicant for a driver privilege card or permit under § 46.2-328.3 or an applicant for an identification privilege card under § 46.2-345.3 reported income and deductions from Virginia sources, as defined in § 58.1-302, or was claimed as a dependent, on an individual income tax return filed with the Commonwealth within the preceding 12 months; and (xxiv) provide to the Virginia Health Benefit Exchange, upon entering into a written agreement, for taxable years starting on January 1, 2023, or as soon thereafter as practicable, as determined by the Department of Taxation and the Virginia Health Benefit Exchange, the name, address, social security number, email address, dependent information provided pursuant to subdivision B 2 of § 58.1-341.1, number and type of personal exemptions, tax-filing status, adjusted gross income, and any additional information voluntarily provided by the taxpayer for disclosure pursuant to subdivision B 3 of § 58.1-341.1, of an individual, or spouse in the case of a married taxpayer filing jointly, who has voluntarily consented to such disclosure for purposes of identifying persons who do not meet the income eligibility requirements for medical assistance and would like to newly enroll in a qualified health plan. The Tax Commissioner is further authorized to enter into written agreements with duly constituted tax officials of other states and of the United States for the inspection of tax returns, the making of audits, and the exchange of information relating to any tax administered by the Department of Taxation. Any person to whom tax information is divulged pursuant to this section shall be subject to the prohibitions and penalties prescribed herein as though he were a tax official.

D. Notwithstanding the provisions of subsection A or B or any other provision of this title, the commissioner of revenue or other assessing official is authorized to (i) provide, upon written request stating the reason for such request, the chief executive officer of any county or city with information furnished to the commissioner of revenue by the Tax Commissioner relating to the name and address of any dealer located within the county or city who paid sales and use tax, for the purpose of verifying the local sales and use tax revenues payable to the county or city; (ii) provide to the Department of Professional and Occupational Regulation for its confidential use the name, address, and amount of gross receipts of any person, firm or entity subject to a criminal investigation of an unlawful practice of a profession or occupation administered by the Department of Professional and Occupational Regulation, only after the Department of Professional and Occupational Regulation exhausts all other means of obtaining such information; and (iii) provide to any representative of a condominium unit owners' association, property owners' association or real estate cooperative association, or to the owner of property governed by any such association, the names and addresses of parties having a security interest in real property governed by any such association; however, such information shall be released only upon written request stating the reason for such request, which reason shall be limited to proposing or opposing changes to the governing documents of the association, and any information received by any person under this subsection shall be used only for the reason stated in the written request. The treasurer or other local assessing official may require any person requesting information pursuant to clause (iii) of this subsection to pay the reasonable cost of providing such information. Any person to whom tax information is divulged pursuant to this subsection shall be subject to the prohibitions and penalties prescribed herein as though he were a tax official.

Notwithstanding the provisions of subsection A or B or any other provisions of this title, the treasurer or other collector of taxes for a county, city or town is authorized to provide information relating to any motor vehicle, trailer or semitrailer obtained by such treasurer or collector in the course of performing his duties to the commissioner of the revenue or other assessing official for such jurisdiction for use by such commissioner or other official in performing assessments.

This section shall not be construed to prohibit a local tax official from imprinting or displaying on a motor vehicle local license decal the year, make, and model and any other legal identification information about the particular motor vehicle for which that local license decal is assigned.

E. Notwithstanding any other provisions of law, state agencies and any other administrative or regulatory unit of state government shall divulge to the Tax Commissioner or his authorized agent, upon written request, the name, address, and social security number of a taxpayer, necessary for the performance of the Commissioner's official duties regarding the administration and enforcement of laws within the jurisdiction of the Department of Taxation. The receipt of information by the Tax Commissioner or his agent that may be deemed taxpayer information shall not relieve the Commissioner of the obligations under this section.

F. Additionally, it is unlawful for any person to disseminate, publish, or cause to be published any confidential tax document that he knows or has reason to know is a confidential tax document. A confidential tax document is any

correspondence, document, or tax return that is prohibited from being divulged by subsection A, B, C, or D and includes any document containing information on the transactions, property, income, or business of any person, firm, or corporation that is required to be filed with any state official by § 58.1-512. This prohibition shall not apply if such confidential tax document has been divulged or disseminated pursuant to a provision of law authorizing disclosure. Any person violating the provisions of this subsection is guilty of a Class 1 misdemeanor.

G. Information provided by an accommodations intermediary pursuant to subsection F of § 58.1-3826 to the commissioner of the revenue, treasurer, or any other local tax or revenue officer or employee of a county, city, or town, or any other person to whom such tax information is divulged, shall be confidential pursuant to subsection A and shall not be divulged to any other department or official of the locality or any other political subdivision of the Commonwealth. Such information shall be used by such officials only for the purpose of levying and collecting retail sales and use tax, transient occupancy tax, and any other taxes imposed on the sale of accommodations.

§ 58.1-3826. Scope of transient occupancy tax.

A. The transient occupancy tax imposed pursuant to the authority of this article shall be imposed only for the use or possession of any room or space that is suitable or intended for occupancy by transients for dwelling, lodging, or sleeping purposes.

B. For any retail sale of accommodations not facilitated by an accommodations intermediary, the accommodations provider shall collect the tax imposed pursuant to this article, computed on the total price paid for the use or possession of the accommodations, and shall remit the same to the locality and shall be liable for the same.

C. For any retail sale of accommodations facilitated by an accommodations intermediary, the accommodations intermediary shall be deemed under this article as a facility making a retail sale of an accommodation. The accommodations intermediary shall collect the tax imposed pursuant to this article, computed on the room charge, and shall remit the same to the locality and shall be liable for the same.

D. For any transaction for the retail sale of accommodations involving two or more parties that meet the definition of accommodations intermediary, nothing in this section shall prohibit such parties from making an agreement regarding which party shall be responsible for collecting and remitting the tax, so long as the party so responsible is registered with the locality for purposes of remitting the tax. In such event, the party that agrees to collect and remit the tax shall be the sole party liable for the tax, and the other parties to such agreement shall not be liable for such tax.

E. In any retail sale of any accommodations in which an accommodations intermediary does not facilitate the sale of the accommodations, the accommodations provider shall separately state the amount of the tax in the bill, invoice, or similar documentation and shall add the tax to the total price paid for the use or possession of the accommodations. In any retail sale of any accommodations in which an accommodations intermediary facilitates the sale of the accommodation, the accommodations intermediary shall separately state the amount of the tax on the bill, invoice, or similar documentation and shall add the tax to the room charge; thereafter, such tax shall be a debt from the customer to the accommodations intermediary, recoverable at law in the same manner as other debts.

F. ~~Subject to applicable laws, an~~ *An* accommodations intermediary shall submit to a locality the property addresses and gross receipts for all accommodations facilitated by the accommodations intermediary in such locality. Such information shall be submitted monthly.

§ 58.1-3827. Administration of transient occupancy tax.

A. The tax-assessing officer of a county, city, or town shall administer and enforce the assessment of, and the treasurer of such county, city, or town shall collect, transient occupancy taxes from accommodations intermediaries.

B. In administering the assessment of transient occupancy taxes from accommodations intermediaries, the tax-assessing officer of a county, city, or town shall provide adequate information to accommodations intermediaries to enable them to identify transient occupancy rates, the applicable jurisdiction, and any discounts, deductions, or exemptions.

C. Every accommodations intermediary required to collect or pay the transient occupancy tax, on or before the twentieth day of the month following the month in which the tax shall become effective, shall transmit to the tax-assessing officer of a county, city, or town a return showing the gross receipts, any allowable discounts, deductions, or exemptions, and the rate applied to the resultant net receipts and shall remit to the treasurer of such locality the total local transient occupancy tax due, as well as any penalties and interest due, arising from all transactions taxable under this chapter during the preceding calendar month. Where applicable, the return shall also include the number of room nights and the room tax rate applied, the total amount of room tax due, and any regional transportation transient occupancy taxes due. Thereafter, a like return shall be prepared and transmitted to the tax-assessing officer of a county, city, or town by every accommodations intermediary on or before the twentieth day of each month, for the preceding calendar month.

D. An accommodations provider shall not be required to transmit a return to the tax-assessing officer of a county, city, or town if (i) all retail sales of accommodations owned by the accommodations provider are facilitated by an accommodations intermediary and (ii) the accommodations provider attests to the locality that all such sales were facilitated by an accommodations intermediary. Such attestation shall be effective for 12 months beginning with the month in which the attestation is made, and thereafter, such attestation shall be due annually on a date determined by the locality. However, such accommodations provider shall transmit returns for the retail sale of any accommodations not facilitated by an accommodations intermediary as otherwise required by this article.

CHAPTER 474

An Act to amend and reenact § 23.1-610 of the Code of Virginia, relating to higher education; financial assistance; Virginia National Guard State Tuition Assistance Program; eligibility criteria.

[H 1595]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 23.1-610 of the Code of Virginia is amended and reenacted as follows:

§ 23.1-610. Virginia National Guard State Tuition Assistance Program; grants.

A. ~~Any~~ *Subject to regulations as prescribed by the Adjutant General, any* individual who (i) is a member of the Virginia National Guard and has a minimum remaining obligation of two years, (ii) has satisfactorily completed required initial active duty service, (iii) is satisfactorily performing duty in accordance with regulations of the National Guard, and (iv) is enrolled in ~~any course or program~~ *and in good standing* at any public institution of higher education or accredited nonprofit private institution of higher education whose primary purpose is to provide collegiate or graduate education and not to provide religious training or theological education is eligible for a grant in the amount of the difference between the full cost of tuition and any other educational benefits for which he is eligible as a member of the National Guard. Grants provided under this section shall be subject to limitation based on the amount of funds appropriated for such purpose. If applications for grants exceed the amount of funding appropriated, the Department of Military Affairs (the Department) shall issue grants to eligible recipients based on the order in which applications were received.

B. Application for a grant shall be made to the Department no later than 30 days prior to the beginning of an academic semester. The Department shall determine whether an applicant is eligible for the grant as described in subsection A and communicate acceptance and any additional requirements determined by the Department in writing no later than 30 days after receipt of an application~~. Applicants eligible for a grant pursuant to this section shall:~~

~~1. Satisfy all financial obligations with the institution of higher education at the beginning of each semester; and~~

~~2. Provide written proof of acceptable academic performance and good standing with the institution of higher education for the current term to the Department no later than 30 days following the end of a term or semester. Upon the receipt of proof of academic performance and continued good standing to the Department, the Department shall issue grants in a manner and amount that is consistent with regulations promulgated by the Adjutant General. As used in this subdivision, "academic performance" means (i) achieving a passing grade in each course during the semester and (ii) maintaining a cumulative grade point average of at least 2.0 on a scale of 4.0 or its equivalent, and "good standing" means that the individual has fulfilled all obligations to the institution of higher education~~. *Upon acceptance, grant funds shall be disbursed to the applicable institution of higher education for credit against the recipient's student account.*

C. Any member of the Virginia National Guard shall be eligible to receive a grant under this section if such member has two years remaining on his service obligation to the Virginia National Guard as of the last day of the last term or semester for which tuition assistance is requested. Service in the inactive National Guard, the active duty or reserve forces of the United States, or the National Guard of any other state shall not count as applicable service toward fulfilling this service obligation. Federal active duty mobilizations occurring while still a member of the Virginia National Guard and state active duty for the Commonwealth shall count toward the two-year service obligation.

D. The Department may utilize grant funding in order to recruit qualified applicants for service in the Virginia National Guard. The yearly funding amount for such recruitment shall be at the discretion of the Adjutant General and the Department and not exceed $50,000 per fiscal year.

CHAPTER 475

An Act to amend the Code of Virginia by adding in Chapter 12 of Title 2.2 a section numbered 2.2-1214, relating to Department of Human Resource Management; hiring on the basis of direct experience.

[H 1611]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 12 of Title 2.2 a section numbered 2.2-1214 as follows:

§ 2.2-1214. Hiring on the basis of direct experience.

A. No state agency shall require as a condition of eligibility for hire to a position in state employment that an applicant have a baccalaureate degree.

B. Subsection A shall not apply if the knowledge, skills, or abilities required for the position for which an applicant is applying can only reasonably be obtained, as determined by the appointing authority, through a course of study in pursuit of, and culminating in the award of, a baccalaureate degree.

CHAPTER 476

An Act to amend and reenact § 55.1-1260 of the Code of Virginia and to repeal the fourth enactment of Chapter 355 and the fourth enactment of Chapter 356 of the Acts of Assembly of 2019, as amended by Chapter 797 of the Acts of Assembly of 2022 and Chapters 32 and 42 of the Acts of Assembly of 2024, relating to Eviction Diversion Pilot Program; name change; general application; expiration repealed.

[H 1623]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-1260 of the Code of Virginia is amended and reenacted as follows:

Article 7.

Eviction Diversion ~~Pilot~~ Program.

§ 55.1-1260. Establishment of Eviction Diversion Program; purpose; goals.

A. There is hereby established the Eviction Diversion ~~Pilot~~ Program (the Program) ~~within the existing structure of the general district courts for the cities of Danville, Hampton, Petersburg, and Richmond~~. *The Program may be implemented by any general district court of the Commonwealth.* The purpose of the Program shall be to reduce the number of evictions of low-income persons. Notwithstanding any other provision of law, no eviction diversion court or program shall be established except in conformance with this section.

B. The goals of the Program shall include (i) reducing the number of evictions of low-income persons from their residential dwelling units for the failure to pay small amounts of money under the rental agreement, in particular when such persons have experienced an event that adversely affected financial circumstances such as the loss of employment or a medical crisis in their immediate family; (ii) reducing displacement of families from their homes and the resulting adverse consequences to children who are no longer able to remain in the same public school after eviction; (iii) encouraging understanding of eviction-related processes and facilitating the landlord's and tenant's entering into a reasonable payment plan that provides for the landlord to receive full rental payments as contracted for in the rental agreement and for the tenant to have the opportunity to make current such rental payments; and (iv) encouraging tenants to make rental payments in the manner as provided in the rental agreement.

2. That the fourth enactment of Chapter 355 and the fourth enactment of Chapter 356 of the Acts of Assembly of 2019, as amended by Chapter 797 of the Acts of Assembly of 2022 and Chapters 32 and 42 of the Acts of Assembly of 2024, are repealed.

CHAPTER 477

An Act to amend and reenact § 22.1-298.8 of the Code of Virginia, relating to public elementary and secondary school teachers; certain training activities; requirements and limitations.

[H 1626]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-298.8 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-298.8. Public elementary and secondary school teachers; certain training activities; requirements and limitations.

A. As used in this section, "non-academic training activity" means any training activity in which any public elementary or secondary school teacher is required to participate that is not related to the teacher's instructional, academic, or curricular duties. "Non-academic training activity" does not include any requirement relating to licensure.

B. Notwithstanding any other provision of law:

1. No public elementary or secondary school teacher shall be required to participate more frequently than once *within six months of employment with the applicable school board and once* every five years *thereafter* in any *non-academic* training ~~described in clause (iii) of subsection A of § 22.1-279.6 or~~ *activity, provided, however, that participation in additional training* relating to secure mandatory test violations as set forth in §§ 22.1-19.1 and 22.1-292.1~~, unless~~ *may be required upon the determination of* the school board or division superintendent ~~determines~~ that *such* additional training is necessary to comply with federal or state law or to remediate misconduct. Each teacher who completes any such training shall sign a written attestation that the teacher has been trained in and understands the relevant subject matter.

2. The total frequency and duration of non-academic training activities in which each public elementary or secondary school teacher is required to participate pursuant to (i) state law or regulation or (ii) policy or regulation of the applicable school board shall not exceed 25 hours every five years.

C. The provisions of subsection B shall not apply to any non-academic training activity or other training activity in which any public school teacher is required to participate pursuant to federal law or regulation.

D. Any non-academic training activity in which a public elementary or secondary school teacher voluntarily participates shall not count toward the maximum number of hours of non-academic training activities in which a public elementary or secondary school teacher may be required to participate pursuant to subdivision B 2.

CHAPTER 478

An Act to amend the Code of Virginia by adding a section numbered 22.1-271.9, relating to public schools; interscholastic sports and athletics; guidelines and policies on student-athlete extreme heat safety and protection; development and implementation.

[H 1663]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-271.9 as follows:

§ 22.1-271.9. Guidelines and policies on student-athlete extreme heat safety and protection.

A. The Board shall develop, biennially review and update as necessary, and distribute to each local school division guidelines on policies relating to extreme heat safety and protection for student-athletes that inform coaches, student-athletes, and student-athletes' parents of risks associated with and best-practices and strategies for ensuring the safety and protection of student-athletes when engaging in outdoor physical activity in times of extreme heat.

B. Each school board shall develop and update, in accordance with the guidelines developed by the Board pursuant to subsection A, policies on student-athlete extreme heat safety and protection. Such policies shall:

1. Be consistent with any heat guidelines based on Wet Bulb Globe Temperature (WBGT) levels developed by an organization or entity whose purpose it is to regulate or govern interscholastic athletics programs in the Commonwealth;

2. Include parameters relating to the scheduling of outdoor athletics practices or games during different WBGT levels and establishing the WBGT levels at which outdoor athletics practices or games shall be cancelled;

3. Establish a heat-acclimatization and modification procedure for outdoor athletics practices or games consisting of at least five tiers of procedures for outdoor athletics practices or games based on heat or humidity levels, with the first tier outlining heat-acclimatization and modification procedures for the lowest heat or humidity level requiring special student-athlete safety and protection precautions and the final tier outlining heat-acclimatization and modification procedures for the most severe heat or humidity level before the level at which all outdoor athletics practices or games shall be cancelled pursuant to subdivision 2. Such tiered heat-acclimatization and modification procedures shall include required equipment modification, if applicable for the sport, modification of work-to-rest ratios, modification of water break requirements, and procedures relating to the use of shaded areas for rest breaks;

4. Require (i) each student-athlete to be given unhindered access at all times to hydration and a cooling space, which may be a shaded or air-conditioned area, and (ii) each student-athlete and each coach to be provided ice at any time there is a WBGT level of 80 degrees Fahrenheit or higher;

5. Include procedures relating to preventing, recognizing, and addressing heat-related illnesses, including dehydration, heat syncope, heat exhaustion, and heat stroke; and

6. Establish a process for reporting and investigating any instance in which a student-athlete experiences a severe heat-related illness requiring emergency medical treatment or resulting in death.

CHAPTER 479

An Act to amend and reenact §§ 54.1-2130 through 54.1-2134, 54.1-2137, 54.1-2138.1, 54.1-2139, 54.1-2139.01, and 54.1-2139.1 of the Code of Virginia, relating to duties of real estate brokers and salespersons; licensees engaged by buyers.

[H 1684]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2130 through 54.1-2134, 54.1-2137, 54.1-2138.1, 54.1-2139, 54.1-2139.01, and 54.1-2139.1 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2130. Definitions.

As used in this article:

"Agency" means every relationship in which a real estate licensee acts for or represents a person as an agent by such person's express authority in a commercial or residential real estate transaction, unless a different legal relationship is intended and is agreed to as part of the brokerage agreement. Nothing in this article shall prohibit a licensee and a client from agreeing in writing to a brokerage relationship under which the licensee acts as an independent contractor or which imposes on a licensee obligations in addition to those provided in this article. If a licensee agrees to additional obligations, however, the licensee shall be responsible for the additional obligations agreed to with the client in the brokerage agreement. A real estate licensee who enters into a brokerage relationship based upon a written brokerage agreement that

specifically states that the real estate licensee is acting as an independent contractor and not as an agent shall have the obligations agreed to by the parties in the brokerage agreement, and such real estate licensee and its employees shall comply with the provisions of subdivisions A 3 through 7 and subsections B and E of § 54.1-2131; subdivisions A ~~3~~ *4* through ~~7~~ *8* and subsections B and E of § 54.1-2132; subdivisions A 3 through 7 and subsections B and E of § 54.1-2133; subdivisions A ~~3~~ *4* through ~~7~~ *8* and subsections B and E of § 54.1-2134; and subdivisions A 2 through 6 and subsections C and D of § 54.1-2135 but otherwise shall have no obligations under §§ 54.1-2131 through 54.1-2135. Any real estate licensee who acts for or represents a client in an agency relationship in a residential real estate transaction shall either represent such client as a standard agent or a limited service agent.

"Agent" means a real estate licensee who is acting as (i) a standard agent in a residential real estate transaction, (ii) a limited service agent in a residential real estate transaction, or (iii) an agent in a commercial real estate transaction.

"Brokerage agreement" means the written agreement creating a brokerage relationship between a client and a licensee. The brokerage agreement shall state whether the real estate licensee will represent the client as an agent or an independent contractor.

"Brokerage relationship" means the contractual relationship between a client and a real estate licensee who has been engaged by such client ~~for the purpose of procuring a seller, buyer, option, tenant, or landlord ready, able, and willing to sell, buy, option, exchange or rent real estate on behalf of a client~~ *to provide brokerage services*.

"Brokerage services" means (i) those activities described in subsection A of § 54.1-2131, subsection A of § 54.1-2132, subsection A of § 54.1-2133, and subsection A of § 54.1-2134; (ii) activities requiring the exercise of a licensee's professional judgment, discretion, advice, or counsel; or (iii) activities otherwise performed in connection with procuring a seller, buyer, option, tenant, or landlord ready, able, and willing to sell, buy, option, exchange, or rent real estate on behalf of the client with whom the licensee has an executed brokerage agreement.

"Client" means a person who has entered into a brokerage relationship with a licensee.

"Commercial real estate" means any real estate other than (i) real estate containing one to four residential units or (ii) real estate classified for assessment purposes under § 58.1-3230. Commercial real estate shall not include single family residential units, including condominiums, townhouses, apartments, or homes in a subdivision when leased on a unit by unit basis even though these units may be part of a larger building or parcel of real estate containing more than four residential units.

"Common source information company" means any person, firm, or corporation that is a source, compiler, or supplier of information regarding real estate for sale or lease and other data and includes, but is not limited to, multiple listing services.

"Customer" means a person who has not entered into a brokerage relationship with a licensee but for whom a licensee performs ministerial acts in a real estate transaction. Unless a licensee enters into a brokerage relationship with such person, it shall be presumed that such person is a customer of the licensee rather than a client.

"Designated agent" or "designated representative" means a licensee who has been assigned by a principal or supervising broker to represent a client when a different client is also represented by such principal or broker in the same transaction. A designated representative shall only act as an independent contractor.

"Dual agent" or "dual representative" means a licensee who has a brokerage relationship with both seller and buyer, or both landlord and tenant, in the same real estate transaction. A dual agent has an agency relationship under brokerage agreements with the clients. A dual representative has an independent contractor relationship under brokerage agreements with the clients. A dual representative shall only act as an independent contractor.

"Independent contractor" means a real estate licensee who (i) enters into a brokerage relationship based upon a brokerage agreement that specifically states that the real estate licensee is acting as an independent contractor and not as an agent; (ii) shall have the obligations agreed to by the parties in the brokerage agreement; and (iii) shall comply with the provisions of subdivisions A 3 through 7 and subsections B and E of § 54.1-2131; subdivisions A ~~3~~ *4* through ~~7~~ *8* and subsections B and E of § 54.1-2132; subdivisions A 3 through 7 and subsections B and E of § 54.1-2133; subdivisions A ~~3~~ *4* through ~~7~~ *8* and subsections B and E of § 54.1-2134; and subdivisions A 2 through 6 and subsections C and D of § 54.1-2135 but otherwise shall have no obligations under §§ 54.1-2131 through 54.1-2135.

"Licensee" means real estate brokers and salespersons as defined in Article 1 (§ 54.1-2100 et seq.).

"Limited service agent" means a licensee who acts for or represents a client in a residential real estate transaction pursuant to a brokerage agreement that provides that the limited service agent will not provide one or more of the duties set forth in subdivision A 2 of ~~§§~~ *§* 54.1-2131, *subdivision A 3 of §* 54.1-2132, *subdivision A 2 of §* 54.1-2133, and *subdivision A 3 of §* 54.1-2134~~, inclusive~~. A limited service agent shall have the obligations set out in the brokerage agreement, except that a limited service agent shall provide the client, at the time of entering the brokerage agreement, copies of any and all disclosures required by federal or state law, or local disclosures expressly authorized by state law, and shall disclose to the client the following in writing: (i) the rights and obligations of the client under the Virginia Residential Property Disclosure Act (§ 55.1-700 et seq.); (ii) if the client is selling a condominium, the rights and obligations of the client to deliver to the purchasers, or to receive as purchaser, the resale certificate required by § 55.1-2309; and (iii) if the client is selling a property subject to the Property Owners' Association Act (§ 55.1-1800 et seq.), the rights and obligations of the client to deliver to the purchasers, or to receive as purchaser, the resale certificate required by § 55.1-2309.

"Ministerial acts" means those routine acts ~~which~~ *that* a licensee can perform for a person ~~which~~ *that* do not involve discretion or the exercise of the licensee's own judgment.

"Property management agreement" means the written agreement between a property manager and the owner of real estate for the management of the real estate.

"Residential real estate" means real property containing from one to four residential dwelling units and the sale of lots containing one to four residential dwelling units.

"Showing property" means (i) taking a prospective buyer or tenant to a property, obtaining access to such property, and taking the individual through the property, including entering a property to provide a live, virtual tour to a prospective buyer or tenant who is not physically present; (ii) responding to questions or providing information about such property that is not of public record while at the property; or (iii) otherwise providing brokerage services while at the property.

"Standard agent" means a licensee who acts for or represents a client in an agency relationship in a residential real estate transaction. A standard agent shall have the obligations as provided in this article and any additional obligations agreed to by the parties in the brokerage agreement.

§ 54.1-2131. Licensees engaged by sellers.

A. A licensee engaged by a seller shall:

1. Perform in accordance with the terms of the brokerage agreement;

2. Promote the interests of the seller by:

a. Conducting marketing activities on behalf of the seller in accordance with the brokerage agreement. In so doing, the licensee shall seek a sale at the price and terms agreed upon in the brokerage agreement or at a price and terms acceptable to the seller; however, the licensee shall not be obligated to seek additional offers to purchase the property while the property is subject to a contract of sale, unless agreed to as part of the brokerage agreement or as the contract of sale so provides;

b. Assisting in the drafting and negotiating of offers and counteroffers, amendments, and addenda to the real estate contract pursuant to § 54.1-2101.1 and in establishing strategies for accomplishing the seller's objectives;

c. Receiving and presenting in a timely manner written offers and counteroffers to and from the seller and purchasers, even when the property is already subject to a contract of sale; and

d. Providing reasonable assistance to the seller to satisfy the seller's contract obligations and to facilitate settlement of the purchase contract;

3. Maintain confidentiality of all personal and financial information received from the client during the brokerage relationship and any other information that the client requests during the brokerage relationship be maintained confidential, unless otherwise provided by law or the seller consents in writing to the release of such information;

4. Exercise ordinary care;

5. Account in a timely manner for all money and property received by the licensee in which the seller has or may have an interest;

6. Disclose to the seller material facts related to the property or concerning the transaction of which the licensee has actual knowledge; and

7. Comply with all requirements of this article, all fair housing statutes and regulations for residential real estate transactions as applicable, and all other applicable statutes and regulations ~~which~~ *that* are not in conflict with this article.

B. Licensees shall treat all prospective buyers honestly and shall not knowingly give them false information. A licensee engaged by a seller shall disclose to prospective buyers all material adverse facts pertaining to the physical condition of the property ~~which~~ *that* are actually known by the licensee. If a licensee has actual knowledge of the existence of defective drywall in a residential property, the licensee shall disclose the same to the prospective buyer. For purposes of this section, "defective drywall" means all defective drywall as defined in § 36-156.1. As used in this section, the term "physical condition of the property" ~~shall refer~~ *refers* to the physical condition of the land and any improvements thereon, and ~~shall~~ *does* not refer to (i) matters outside the boundaries of the land or relating to adjacent or other properties in proximity thereto, (ii) matters relating to governmental land use regulations, or (iii) matters relating to highways or public streets. Such disclosure shall be made in writing. No cause of action shall arise against any licensee for revealing information as required by this article or applicable law. Nothing in this article shall limit in any way the provisions of the Virginia Residential Property Disclosure Act (§ 55.1-700 et seq.) applicable to residential real estate transactions.

C. A licensee engaged by a seller in a real estate transaction may, unless prohibited by law or the brokerage agreement, provide assistance to a buyer or potential buyer by performing ministerial acts. Performing such ministerial acts that are not inconsistent with subsection A shall not be construed to violate the licensee's brokerage agreement with the seller unless expressly prohibited by the terms of the brokerage agreement, nor shall performing such ministerial acts be construed to form a brokerage relationship with such buyer or potential buyer.

D. A licensee engaged by a seller does not breach any duty or obligation owed to the seller by showing alternative properties to prospective buyers, whether as clients or customers, or by representing other sellers who have other properties for sale.

E. Licensees in residential real estate transactions shall disclose brokerage relationships pursuant to the provisions of this article.

F. Nothing in this section shall be construed to require a licensee to disclose whether settlement services under Chapter 10 (§ 55.1-1000 et seq.) of Title 55.1 will be provided by an attorney or a nonattorney settlement agent.

G. A licensee engaged by a seller shall not be required to enter into a brokerage agreement with a prospective buyer to show property to the prospective buyer when such showing is conducted pursuant to and in accordance with a brokerage agreement entered into with a seller client.

§ 54.1-2132. Licensees engaged by buyers.

A. A licensee engaged by a buyer shall:

1. *Enter into a brokerage agreement with the prospective buyer prior to showing property to such prospective buyer;*

2. Perform in accordance with the terms of the brokerage agreement;

~~2.~~ *3.* Promote the interests of the buyer by:

a. Seeking a property of a type acceptable to the buyer and at a price and on terms acceptable to the buyer; however, the licensee shall not be obligated to seek *or show* other properties for the buyer while the buyer is a party to a contract to purchase property unless agreed to as part of the brokerage relationship;

b. Assisting in the drafting and negotiating of offers and counteroffers, amendments, and addenda to the real estate contract pursuant to § 54.1-2101.1 and in establishing strategies for accomplishing the buyer's objectives;

c. Receiving and presenting in a timely manner all written offers or counteroffers to and from the buyer and seller, even when the buyer is already a party to a contract to purchase property; and

d. Providing reasonable assistance to the buyer to satisfy the buyer's contract obligations and to facilitate settlement of the purchase contract;

~~3.~~ *4.* Maintain confidentiality of all personal and financial information received from the client during the brokerage relationship and any other information that the client requests during the brokerage relationship be maintained confidential unless otherwise provided by law or the buyer consents in writing to the release of such information;

~~4.~~ *5.* Exercise ordinary care;

~~5.~~ *6.* Account in a timely manner for all money and property received by the licensee in which the buyer has or may have an interest;

~~6.~~ *7.* Disclose to the buyer material facts related to the property or concerning the transaction of which the licensee has actual knowledge; and

~~7.~~ *8.* Comply with all requirements of this article, all fair housing statutes and regulations for residential real estate transactions as applicable, and all other applicable statutes and regulations ~~which~~ *that* are not in conflict with this article.

B. Licensees shall treat all prospective sellers honestly and shall not knowingly give them false information. If a licensee has actual knowledge of the existence of defective drywall in a residential property, the licensee shall disclose the same to the buyer. For purposes of this section, "defective drywall" means all defective drywall as defined in § 36-156.1. No cause of action shall arise against any licensee for revealing information as required by this article or applicable law. In the case of a residential transaction, a licensee engaged by a buyer shall disclose to a seller whether or not the buyer intends to occupy the property as a principal residence. The buyer's expressions of such intent in the contract of sale shall satisfy this requirement and no cause of action shall arise against any licensee for the disclosure or any inaccuracy in such disclosure, or the nondisclosure of the buyer in this regard.

C. A licensee engaged by a buyer in a real estate transaction may, unless prohibited by law or the brokerage agreement, provide assistance to the seller, or prospective seller, by performing ministerial acts. Performing such ministerial acts that are not inconsistent with subsection A shall not be construed to violate the licensee's brokerage agreement with the buyer unless expressly prohibited by the terms of the brokerage agreement, nor shall performing such ministerial acts be construed to form a brokerage relationship with such seller.

D. A licensee engaged by a buyer does not breach any duty or obligation to the buyer by showing properties in which the buyer is interested to other prospective buyers, whether as clients or customers, by representing other buyers looking at the same or other properties, or by representing sellers relative to other properties.

E. Licensees in residential real estate transactions shall disclose brokerage relationships pursuant to the provisions of this article.

F. Nothing in this section shall be construed to require a licensee to disclose whether settlement services under Chapter 10 (§ 55.1-1000 et seq.) of Title 55.1 will be provided by an attorney or a nonattorney settlement agent.

~~G. Notwithstanding any other provision of law requiring written brokerage agreements or governing the duties of licensees, nothing in this chapter shall be construed to require that a written agreement between a licensee and a prospective buyer be executed prior to the licensees' showing properties to the prospective buyer.~~

§ 54.1-2133. Licensees engaged by landlords to lease property.

A. A licensee engaged by a landlord shall:

1. Perform in accordance with the terms of the brokerage agreement;

2. Promote the interests of the landlord by:

a. Conducting marketing activities on behalf of the landlord pursuant to the brokerage agreement with the landlord. In so doing, the licensee shall seek a tenant at the rent and terms agreed in the brokerage agreement or at a rent and terms acceptable to the landlord; however, the licensee shall not be obligated to seek additional offers to lease the property while the property is subject to a lease or a letter of intent to lease under which the tenant has not yet taken possession, unless agreed as part of the brokerage agreement, or unless the lease or the letter of intent to lease so provides;

b. Assisting the landlord in drafting and negotiating leases and letters of intent to lease, and presenting in a timely manner all written leasing offers or counteroffers to and from the landlord and tenant pursuant to § 54.1-2101.1, even when the property is already subject to a lease or a letter of intent to lease; and

c. Providing reasonable assistance to the landlord to finalize the lease agreement;

3. Maintain confidentiality of all personal and financial information received from the client during the brokerage relationship and any other information that the client requests during the brokerage relationship be maintained confidential, unless otherwise provided by law or the landlord consents in writing to the release of such information;

4. Exercise ordinary care;

5. Account in a timely manner for all money and property received by the licensee in which the landlord has or may have an interest;

6. Disclose to the landlord material facts related to the property or concerning the transaction of which the licensee has actual knowledge; and

7. Comply with all requirements of this article, fair housing statutes and regulations for residential real estate transactions as applicable, and all other applicable statutes and regulations ~~which~~ *that* are not in conflict with this article.

B. Licensees shall treat all prospective tenants honestly and shall not knowingly give them false information. A licensee engaged by a landlord shall disclose to prospective tenants all material adverse facts pertaining to the physical condition of the property ~~which~~ *that* are actually known by the licensee. If a licensee has actual knowledge of the existence of any pipe, pipe or plumbing fitting, fixture, solder, or flux that does not meet the federal Safe Drinking Water Act definition of "lead free" pursuant to 42 U.S.C. § 300g-6 in a residential property, the licensee shall disclose the same to the prospective tenant. As used in this section, the term "physical condition of the property" ~~shall refer~~ *refers* to the physical condition of the land and any improvements thereon, and ~~shall~~ *does* not refer to~~:~~ (i) matters outside the boundaries of the land or relating to adjacent or other properties in proximity thereto, (ii) matters relating to governmental land use regulations, and (iii) matters relating to highways or public streets. Such disclosure shall be made in writing. No cause of action shall arise against any licensee for revealing information as required by this article or applicable law. Nothing in this subsection shall limit the right of a prospective tenant to inspect the physical condition of the property.

C. A licensee engaged by a landlord in a real estate transaction may, unless prohibited by law or the brokerage agreement, provide assistance to a tenant, or potential tenant, by performing ministerial acts. Performing such ministerial acts that are not inconsistent with subsection A shall not be construed to violate the licensee's brokerage relationship with the landlord unless expressly prohibited by the terms of the brokerage agreement, nor shall performing such ministerial acts be construed to form a brokerage relationship with such tenant or potential tenant.

D. A licensee engaged by a landlord does not breach any duty or obligation owed to the landlord by showing alternative properties to prospective tenants, whether as clients or customers, or by representing other landlords who have other properties for lease.

E. Licensees in residential real estate transactions shall disclose brokerage relationships pursuant to the provisions of this article.

F. A licensee engaged by a landlord shall not be required to enter into a brokerage agreement with a prospective tenant to show property to the prospective tenant when such showing is conducted pursuant to and in accordance with a brokerage agreement entered into with a landlord client.

§ 54.1-2134. Licensees engaged by tenants.

A. A licensee engaged by a tenant shall:

1. *Enter into a brokerage agreement with the prospective tenant prior to showing property to such prospective tenant;*

2. Perform in accordance with the terms of the brokerage agreement;

~~2.~~ *3.* Promote the interests of the tenant by:

a. Seeking a lease at a rent and with terms acceptable to the tenant; however, the licensee shall not be obligated to seek *or show* other properties for the tenant while the tenant is a party to a lease or a letter of intent to lease exists under which the tenant has not yet taken possession, unless agreed to as part of the brokerage agreement, or unless the lease or the letter of intent to lease so provides;

b. Assisting in the drafting and negotiating of leases, letters of intent to lease, and rental applications, and presenting, in a timely fashion, all written offers or counteroffers to and from the tenant and landlord pursuant to § 54.1-2101.1, even when the tenant is already a party to a lease or a letter of intent to lease; and

c. Providing reasonable assistance to the tenant to finalize the lease agreement;

~~3.~~ *4.* Maintain confidentiality of all personal and financial information received from the client during the brokerage relationship and any other information that the client requests during the brokerage relationship be maintained confidential unless otherwise provided by law or the tenant consents in writing to the release of such information;

~~4.~~ *5.* Exercise ordinary care;

~~5.~~ *6.* Account in a timely manner for all money and property received by the licensee in which the tenant has or may have an interest;

~~6.~~ *7.* Disclose to the tenant material facts related to the property or concerning the transaction of which the licensee has actual knowledge; and

~~7.~~ *8.* Comply with all requirements of this article, fair housing statutes and regulations for residential real estate transactions as applicable, and all other applicable statutes and regulations ~~which~~ *that* are not in conflict with this article.

B. Licensees shall treat all prospective landlords honestly and shall not knowingly give them false information. If a licensee has actual knowledge of the existence of defective drywall in a residential property, the licensee shall disclose the same to the prospective tenant. For purposes of this section, "defective drywall" means all defective drywall as defined in

§ 36-156.1. No cause of action shall arise against any licensee for revealing information as required by this article or applicable law.

C. A licensee engaged by a tenant in a real estate transaction may provide assistance to the landlord or prospective landlord by performing ministerial acts. Performing such ministerial acts that are not inconsistent with subsection A shall not be construed to violate the licensee's brokerage relationship with the tenant unless expressly prohibited by the terms of the brokerage agreement, nor shall performing such ministerial acts be construed to form a brokerage relationship with the landlord or prospective landlord.

D. A licensee engaged by a tenant does not breach any duty or obligation to the tenant by showing properties in which the tenant is interested to other prospective tenants, whether as clients or customers, by representing other tenants looking for the same or other properties to lease, or by representing landlords relative to other properties.

E. Licensees in residential real estate transactions shall disclose brokerage relationships pursuant to the provisions of this article.

~~F. Notwithstanding any other provision of law requiring written brokerage agreements or governing the duties of licensees, nothing in this chapter shall be construed to require that a written agreement between a licensee and a prospective tenant be executed prior to the licensees' showing properties to the prospective tenant.~~

§ 54.1-2137. Commencement and termination of brokerage relationships; brokerage agreements required.

A. The brokerage relationships set forth in this article shall commence at the time that a client engages a licensee *to provide brokerage services* and shall continue until (i) completion of performance in accordance with the brokerage agreement or (ii) the earlier of (a) any date of expiration agreed upon by the parties as part of the brokerage agreement or in any amendments thereto, (b) any mutually agreed upon termination of the brokerage agreement, (c) a default by any party under the terms of the brokerage agreement, or (d) a termination as set forth in subsection G of § 54.1-2139.

B. *Except as otherwise provided in this article, a licensee shall enter into a brokerage agreement with a prospective client prior to providing brokerage services. A licensee shall not be required to enter into a brokerage agreement prior to preparing property-specific materials with the intent to obtain a brokerage relationship with a prospective client.*

C. Brokerage agreements shall be in writing and shall:

1. Have a definite termination date; however, if a brokerage agreement does not specify a definite termination date, the brokerage agreement shall terminate 90 days after the date of the brokerage agreement;

2. State the amount of the brokerage fees and how and when such fees are to be paid;

3. State the services to be rendered by the licensee;

4. Include such other terms of the brokerage relationship as have been agreed to by the client and the licensee; and

5. In the case of brokerage agreements entered into in conjunction with the client's consent to a dual representation, the disclosures set out in subsection A of § 54.1-2139.

~~C.~~ *D.* Except as otherwise agreed to in writing, a licensee owes no further duties to a client after termination, expiration, or completion of performance of the brokerage agreement, except to (i) account for all moneys and property relating to the brokerage relationship and (ii) keep confidential all personal and financial information received from the client during the course of the brokerage relationship and any other information that the client requests during the brokerage relationship be maintained confidential, unless otherwise provided by law or the client consents in writing to the release of such information.

§ 54.1-2138.1. Limited service agent in a residential real estate transaction, contract disclosure required.

A. A licensee may act as a limited service agent in a residential real estate transaction only pursuant to a written brokerage agreement in which the limited service agent (i) discloses that the licensee is acting as a limited service agent; (ii) provides a list of the specific services that the licensee will provide to the client; and (iii) provides a list of the specific duties of a standard agent set out in subdivision A 2 of § 54.1-2131, subdivision A ~~2~~ *3* of § 54.1-2132, subdivision A 2 of § 54.1-2133, or subdivision A ~~2~~ *3* of § 54.1-2134, as applicable, that the limited service agent will not provide to the client. Such disclosure shall be conspicuous and printed either in bold lettering or all capitals, and shall be underlined or in a separate box. In addition, a disclosure that contains language that complies substantially in effect with the following shall be deemed in compliance with this disclosure requirement:

"By entering into this brokerage agreement, the undersigned do hereby acknowledge their informed consent to the limited service agent in a residential real estate transaction by the licensee and do further acknowledge that neither the other party to the transaction nor any real estate licensee representing the other party is under any legal obligation to assist the undersigned with the performance of any duties and responsibilities of the undersigned not performed by the limited service agent."

A limited service agent shall disclose dual agency in accordance with § 54.1-2139.

B. A licensee engaged by one client to a residential real estate transaction and dealing with an unrepresented party or with a party represented by a limited service agent and who, without additional compensation, provides such other party information relative to the transaction or undertakes to assist such other party in securing a contract or with such party's obligations thereunder, shall not incur liability for such actions except in the case of gross negligence or willful misconduct. A licensee does not create a brokerage relationship by providing such assistance or information to the other party to the transaction. A licensee dealing with a client of a limited service agent may enter into an agreement with that party for payment of a fee for services performed or information provided by that licensee. Such payment shall not create a brokerage

relationship; however, the licensee providing such services or information for a fee shall be held to the ordinary standard of care in the provision of such services or information.

§ 54.1-2139. Disclosed dual agency and dual representation authorized in a residential real estate transaction.

A. A licensee may not act as a dual agent or dual representative in a residential real estate transaction unless he has first obtained the written consent of all parties to the transaction given after written disclosure of the consequences of such dual agency or dual representation. A dual agent has an agency relationship under the brokerage agreements with the clients. A dual representative has an independent contractor relationship under the brokerage agreements with the clients. Such disclosure shall be in writing and given to both parties prior to the commencement of such dual agency or dual representation.

B. If the licensee is currently representing a party as an agent or independent contractor representative and that party desires to engage in a real estate transaction with another existing client represented by the licensee, the licensee may engage in dual representation provided that prior to commencement thereof the disclosure required by this section is given to both of the licensee's existing clients.

C. If the licensee is currently representing a party as an agent or independent contractor representative and the licensee proposes to represent a new client in a dual representation, the licensee may only engage in such dual representation if prior to commencement thereof, the disclosure required by this section is given to the licensee's one existing client and one new client.

D. Such disclosures shall not be deemed to comply with the requirements in this section if (i) not signed by the client or (ii) given in a purchase agreement, lease, or any other document related to a transaction. However, such written consent and disclosure of the brokerage relationship as required by this article shall be presumed to have been given as against any client who signs a disclosure as required in this section.

E. The obligation to make the disclosures required by this section shall not relieve the licensee of the obligations set out in subsection ~~B~~ *C* of § 54.1-2137 requiring all brokerage relationships to be set out in a written agreement between the licensee and the client.

F. No cause of action shall arise against a dual agent or dual representative for making disclosures of brokerage relationships as provided by this article. A dual agent or dual representative does not terminate any brokerage relationship by the making of any such allowed or required disclosures of dual agency or dual representation.

G. In any real estate transaction, a licensee may withdraw, without liability, from representing a client who refuses to consent to a disclosed dual agency or dual representation hereby terminating the brokerage relationship with such client. Such withdrawal shall not prejudice the ability of the licensee to continue to represent the other client in the transaction nor to limit the licensee from representing the client who refused the dual agency or dual representation in other transactions not involving the dual agency or dual representation.

H. The dual agency or dual representation disclosure in a residential transaction shall contain the following provisions and disclosure that substantially complies with the following shall be deemed in compliance with this disclosure requirement:

DISCLOSURE OF DUAL AGENCY OR DUAL REPRESENTATION IN A RESIDENTIAL REAL ESTATE TRANSACTION

The undersigned do hereby acknowledge disclosure that:

The licensee _____ (name of broker or salesperson) associated with _____ (Brokerage Firm) represents more than one party in this residential real estate transaction as follows:

A. Brokerage Firm represents the following party (select one):

[ ] Seller(s) [ ] Buyer(s) [ ] Landlord(s) [ ] Tenant(s)

As a (select one):

[ ] standard agent [ ] limited service agent [ ] independent contractor

Brokerage Firm represents another party (select one):

[ ] Seller(s) [ ] Buyer(s) [ ] Landlord(s) [ ] Tenant(s)

As a (select one):

[ ] standard agent [ ] limited service agent [ ] independent contractor

B. Brokerage Firm disclosure and client acknowledgement of the following (select one):

[ ] Brokerage Firm represents two existing clients in the transaction and the undersigned acknowledge the following:

The undersigned understand that the foregoing dual agent or dual representative may not disclose to either client any information that has been given to the dual agent or representative by the other client within the confidence and trust of the brokerage relationship except for that information which is otherwise required or permitted by Article 3 (§ 54.1-2130 et seq.) of Chapter 21 of Title 54.1 of the Code of Virginia to be disclosed.

[ ] Brokerage Firm represents one existing client and one new client in the transaction and the undersigned acknowledge the following:

The undersigned understand:

1. That following the commencement of dual agency or representation, the licensee cannot advise either party as to the terms to offer or accept in any offer or counteroffer; however, the licensee may have advised one party as to such terms prior to the commencement of dual agency or representation;

2. That the licensee cannot advise the buyer client as to the suitability of the property, its condition (other than to make any disclosures as required by law of any licensee representing a seller), and cannot advise either party as to what repairs of the property to make or request;

3. That the licensee cannot advise either party in any dispute that arises relating to the transaction;

4. That the licensee may be acting without knowledge of the client's needs, client's knowledge of the market, or client's capabilities in dealing with the intricacies of real estate transactions; and

5. That either party may engage another licensee at additional cost to represent their respective interests.

The undersigned by signing this notice do hereby acknowledge their informed consent to the disclosed dual representation by the licensee.

_____	_____
Date	Name (One Party)
_____	_____
Date	Name (One Party)
_____	_____
Date	Name (Other Party)
_____	_____
Date	Name (Other Party)

§ 54.1-2139.01. Disclosed dual agency and dual representation in commercial real estate transactions authorized.

A. A licensee may act as a dual agent or dual representative in a commercial real estate transaction only with the written consent of all clients to the transaction. A dual agent has an agency relationship under the brokerage agreements with the clients. A dual representative has an independent contractor relationship under the brokerage agreements with the clients. Such written consent and disclosure of the brokerage relationship as required by this article shall be presumed to have been given as against any client who signs a disclosure as provided in this section.

B. Such disclosure may be given in combination with other disclosures or provided with other information, but if so, the disclosure shall be conspicuous, printed in bold lettering, all capitals, underlined, or within a separate box. Any disclosure which complies substantially in effect with the following shall be deemed in compliance with this disclosure requirement:

DISCLOSURE OF DUAL AGENCY OR DUAL REPRESENTATION IN A COMMERCIAL REAL ESTATE TRANSACTION

The undersigned do hereby acknowledge disclosure that:

The licensee _____ (name of broker or salesperson) associated with_____ (Brokerage Firm) represents more than one party in this commercial real estate transaction as follows:

Brokerage Firm represents the following party (select one):

[ ] Seller(s) [ ] Buyer(s) [ ] Landlord(s) [ ] Tenant(s)

As a (select one):

[ ] agent [ ] independent contractor

Brokerage Firm represents another party (select one):

[ ] Seller(s) [ ] Buyer(s) [ ] Landlord(s) [ ] Tenant(s)

As a (select one):

[ ] agent [ ] independent contractor

The undersigned understand that the foregoing dual agent or dual representative may not disclose to either client any information that has been given to the dual agent or representative by the other client within the confidence and trust of the brokerage relationship except for that information which is otherwise required or permitted by Article 3 (§ 54.1-2130 et seq.) of Chapter 21 of Title 54.1 of the Code of Virginia to be disclosed.

The undersigned by signing this notice do hereby acknowledge their informed consent to the disclosed dual representation by the licensee.

_____	_____
Date	Name (One Party)
_____	_____
Date	Name (One Party)
_____	_____
Date	Name (One Party)
_____	_____
Date	Name (One Party)

C. The obligation to make the disclosures required by this section shall not relieve the licensee of the obligations set out in subsection ~~B~~ *C* of § 54.1-2137 requiring all brokerage relationships to be set out in a written agreement between the licensee and the client.

D. No cause of action shall arise against a dual representative for making disclosures of brokerage relationships as provided by this article. A dual representative does not terminate any brokerage relationship by the making of any such allowed or required disclosures of dual representation.

E. In any real estate transaction, a licensee may withdraw, without liability, from representing a client who refuses to consent to a disclosed dual representation thereby terminating the brokerage relationship with such client. Such withdrawal shall not prejudice the ability of the licensee to continue to represent the other client in the transaction or to limit the licensee from representing the client who refused the dual representation in other transactions not involving dual representation.

§ 54.1-2139.1. Designated standard agency or designated representation authorized in a residential real estate transaction.

A. A principal or supervising broker may assign different licensees affiliated with the broker as designated agent or representative to represent different clients in the same residential real estate transaction to the exclusion of all other licensees in the firm. Use of such designated agents or representatives shall not constitute dual agency or representation if a designated agent or representative is not representing more than one client in a particular real estate transaction; however, the principal or broker who is supervising the transaction shall be considered a dual agent or representative as provided in this article. Designated agents or representatives may not disclose, except to the affiliated licensee's broker, personal or financial information received from the clients during the brokerage relationship and any other information that the client requests during the brokerage relationship be kept confidential, unless otherwise provided for by law or the client consents in writing to the release of such information.

B. Use of designated agents or representatives in a residential real estate transaction shall be disclosed in accordance with the provisions of this article. Such disclosure may be given in combination with other disclosures or provided with other information, but if so, the disclosure shall be conspicuous, printed in bold lettering, all capitals, underlined, or within a separate box. Any disclosure that complies substantially in effect with the following shall be deemed in compliance with such disclosure requirement:

DISCLOSURE OF DESIGNATED AGENTS OR REPRESENTATIVES IN A RESIDENTIAL REAL ESTATE TRANSACTION

The undersigned do hereby acknowledge disclosure that:

The licensee _____ (Name of Broker and Firm) represents more than one party in this residential real estate transaction as indicated below:

_____ Seller(s) and Buyer(s)

_____ Landlord(s) and Tenant(s).

The undersigned understand that the foregoing dual agent or representative may not disclose to either client or such client's designated agent or representative any information that has been given to the dual agent or representative by the other client within the confidence and trust of the brokerage relationship except for that information which is otherwise required or permitted by Article 3 (§ 54.1-2130 et seq.) of Chapter 21 of Title 54.1 of the Code of Virginia to be disclosed.

The principal or supervising broker has assigned _____ to act as Designated Agent or Representative (broker or salesperson) for the one party as indicated below:

[ ] Seller(s) [ ] Buyer(s) [ ] Landlord(s) [ ] Tenant(s)

As a (select one):

[ ] standard agent [ ] limited service agent [ ] independent contractor

_____ (broker or salesperson) to act as Designated Agent or Representative for the other party as indicated below:

[ ] Seller(s) [ ] Buyer(s) [ ] Landlord(s) [ ] Tenant(s)

As a (select one):

[ ] standard agent [ ] limited service agent [ ] independent contractor

The undersigned by signing this notice do hereby acknowledge their consent to the disclosed dual representation by the licensee.

_____	_____
Date	Name (One Party)
_____	_____
Date	Name (One Party)
_____	_____
Date	Name (One Party)
_____	_____
Date	Name (One Party)

C. The obligation to make the disclosures required by this section shall not relieve the licensee of the obligations set out in subsection ~~B~~ *C* of § 54.1-2137 requiring all brokerage relationships to be set out in a written agreement between the licensee and the client.

D. No cause of action shall arise against a designated agent or representative for making disclosures of brokerage relationships as provided by this article. A designated agent or representative does not terminate any brokerage relationship by the making of any such allowed or required disclosures of dual representation.

E. In any residential real estate transaction, a licensee may withdraw, without liability, from representing a client who refuses to consent to a disclosed designated agency or representation agreement thereby terminating the brokerage relationship with such client. Such withdrawal shall not prejudice the ability of the licensee to continue to represent the other client in the transaction or to limit the licensee from representing the client who refused the designated agency or representation relationship in other transactions not involving designated representation.

CHAPTER 480

An Act to amend and reenact §§ 32.1-162.15:2 through 32.1-162.15:7, 32.1-162.15:9, 54.1-2910.5, and 54.1-3018.2 of the Code of Virginia and to repeal § 32.1-162.15:11 of the Code of Virginia, relating to services for sexual assault patients; provision of information for sexual assault patients; Task Force on Services for Survivors of Sexual Assault; work group; report.

[H 1731]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-162.15:2 through 32.1-162.15:7, 32.1-162.15:9, 54.1-2910.5, and 54.1-3018.2 of the Code of Virginia are amended and reenacted as follows:

Article 8.

Services for ~~Survivors of~~ Sexual Assault *Patients*

§ 32.1-162.15:2. Definitions.

As used in this article, unless the context requires a different meaning:

"Anonymous physical evidence recovery kit" has the same meaning as in § 19.2-11.5.

"Approved pediatric health care facility" means a pediatric health care facility for which a plan for the delivery of services to pediatric ~~survivors of~~ sexual assault *patients* has been approved pursuant to § 32.1-162.15:6.

"Board" means the Board of Health.

"Department" means the Department of Health.

"Emergency contraception" means medication approved by the U.S. Food and Drug Administration that can significantly reduce the risk of pregnancy if taken within 72 hours after sexual assault.

"Follow-up health care" means any physical examination, laboratory tests to determine the presence of sexually transmitted infection, or appropriate medications, including HIV-prophylaxis, provided to a ~~survivor of~~ sexual assault *patient* by a health care provider within 90 days after the date on which treatment or transfer services pursuant to this article are first provided.

~~"Forensic medical examination" means health care services provided to a survivor of sexual assault that include medical history, physical examination, laboratory testing, assessment for drug-facilitated or alcohol-facilitated sexual assault, collection of evidence in accordance with the requirements of Chapter 1.2 (§ 19.2-11.5 et seq.) of Title 19.2, and discharge and follow-up health care planning necessary to ensure the health, safety, and welfare of the survivor of sexual assault and the collection and preservation of evidence that may be used in a criminal proceeding.~~

"Health care facility" means an outpatient surgical hospital or other facility that is licensed by the Department pursuant to this chapter that provides health care services and does not meet the definition of hospital or pediatric health care facility in this section.

"Hospital" means any *inpatient* hospital licensed by the Department pursuant to this chapter *or an inpatient hospital owned or operated by an agency of the Commonwealth that is not a long term care hospital, rehabilitation hospital, or psychiatric hospital*.

"Medical forensic examination" means an examination of a sexual assault patient by a health care provider. A "medical forensic examination" may include gathering information from the patient for such patient's medical forensic history; conducting an examination; coordinating treatment of injuries, documenting biological and physical findings, and collecting evidence from the patient in accordance with the requirements of Chapter 1.2 (§ 19.2-11.5 et seq.) of Title 19.2; and providing information, treatment, and referrals to community-based services.

"Pediatric health care facility" means ~~a~~ *an inpatient* hospital~~, clinic, or physicians' office~~ *licensed by the Department pursuant to this chapter* that provides health care services to pediatric patients.

"Pediatric ~~survivor of~~ sexual assault *patient*" means a ~~survivor of~~ sexual assault *patient* who is under 18 years of age.

"Physical evidence recovery kit" has the same meaning as in § 19.2-11.5.

"Sexual assault forensic examiner" means a sexual assault nurse examiner, a physician, a physician assistant, an advanced practice registered nurse, or a registered nurse who has completed training that meets or is substantially similar to the Sexual Assault Nurse Examiner Education Guidelines established by the International Association of Forensic Nurses.

"Sexual assault ~~survivor~~ *patient* transfer *and stabilization* services" means an appropriate medical ~~examination~~ *screening* and such stabilizing treatment *in accordance with the Emergency Medical Treatment and Active Labor Act, 42 U.S.C. § 1395dd,* as may be necessary prior to the transfer of a sexual assault ~~survivor~~ *patient* from a transfer hospital to a treatment hospital ~~in accordance with the provisions of a transfer plan approved by the Department~~.

"Sexual assault ~~survivor~~ *patient* treatment services" means ~~a forensic medical examination and other~~ health care services provided to a sexual assault ~~survivor~~ *patient* by a hospital in accordance with § 32.1-162.15:4 or pediatric health care facility in accordance with § 32.1-162.15:6.

"Transfer hospital" means a hospital with a sexual assault ~~survivor~~ *patient* transfer plan approved by the Department.

"Transportation service" means transportation provided to a ~~survivor of~~ sexual assault *patient* who is transferred from a transfer hospital, treatment hospital, or approved pediatric health care facility to a treatment hospital or approved pediatric care facility pursuant to a transfer plan approved in accordance with this article.

"Treatment hospital" means a hospital with a sexual assault ~~survivor~~ *patient* treatment plan approved by the Department to provide sexual assault ~~survivor~~ *patient* treatment services to all ~~survivors of~~ sexual assault *patients* who present with a complaint of sexual assault within the previous seven days or who have disclosed past sexual assault by a specific individual and were in the care of that individual within the previous seven days.

§ 32.1-162.15:3. Services for sexual assault patients; plan required.

A. *Every health care facility shall provide written information about local or statewide sexual and domestic violence advocacy services. Such information shall be readily available to adult and pediatric patients.*

B. Every hospital ~~licensed by the Department~~ shall develop and, upon approval by the Department, implement a plan to provide either sexual assault ~~survivor~~ *patient* treatment services or sexual assault ~~survivor~~ *patient* transfer *and stabilization* services for ~~survivors of~~ sexual assault *patients*.

~~B.~~ *C.* Sexual assault ~~survivor~~ *patient* treatment plans shall include provisions for (i) the delivery of services described in § 32.1-162.15:4 and (ii) the storage, retention, and dissemination of photographic evidence in accordance with § 32.1-162.15:8.

~~C.~~ *D.* Sexual assault ~~survivor~~ *patient* transfer service plans shall include (i) provisions for the delivery of services described in § 32.1-162.15:5 and (ii) the written agreement of a treatment hospital to accept transfer of ~~survivors of~~ sexual assault *patients*.

~~D.~~ *E.* A treatment hospital for which a plan has been approved pursuant to subsection ~~B~~ *C* or a transfer hospital for which a plan has been approved pursuant to subsection ~~C~~ *D* may enter into an agreement for the transfer of pediatric ~~survivors of~~ sexual assault *patients* from the treatment hospital or transfer hospital to an approved pediatric health care facility pursuant to a pediatric sexual assault ~~survivor~~ *patient* transfer plan. Such plan shall include (i) provisions for the delivery of services described in § 32.1-162.15:6 and (ii) the written agreement of an approved pediatric health care facility to accept transfer of ~~survivors of~~ sexual assault *patients*.

~~E.~~ *F.* Sexual assault ~~survivor~~ *patient* treatment plans, sexual assault ~~survivor~~ *patient* transfer plans, and pediatric sexual assault ~~survivor~~ *patient* transfer plans shall be submitted in a form and in accordance with procedures specified by the Board. The Department shall approve or deny such plans, in writing, within 30 days of receipt of such plans. If the Department denies a plan submitted pursuant to this section, the Department shall provide the hospital with a written statement setting forth the reasons for such denial.

§ 32.1-162.15:4. Treatment services.

A. The Board shall adopt regulations to establish standards for review and approval of sexual assault ~~survivor~~ *patient* treatment plans, which shall include provisions for the following services, when ordered by a health care provider and with the consent of the ~~survivor of~~ sexual assault *patient*:

1. Appropriate ~~forensic~~ medical *forensic* examination;

2. Appropriate oral and written information concerning the possibility of infection or sexually transmitted disease, including human immunodeficiency virus (HIV) resulting from the sexual assault, accepted medical procedures and medications for the prevention or treatment of such infection or sexually transmitted disease, and the indications, contraindications, and potential risks of such medical procedures or medications;

3. Appropriate evaluations to determine the ~~survivor of~~ sexual ~~assault's~~ *assault patient's* risk of infection or sexually transmitted disease, including HIV, resulting from the sexual assault;

4. Appropriate oral and written information regarding the possibility of pregnancy resulting from the sexual assault and medically and factually accurate oral and written information about emergency contraception, the indications and contraindications and potential risks associated with the use of emergency contraception, and the availability of emergency contraception for ~~survivors of~~ sexual assault *patients*;

5. Prescriptions of such medications as may be appropriate for treatment of the ~~survivor of~~ sexual assault *patient* both during treatment at the hospital and upon discharge, including, in cases in which prophylactic treatment for infection with HIV is deemed appropriate, an initial dose or all required doses of HIV prophylaxis;

6. Oral and written information regarding the need for follow-up care, including examinations and laboratory tests to determine the presence or absence of sexually transmitted infection or disease and follow-up care related to HIV prophylaxis;

7. ~~Information about medical advocacy services provided by a rape crisis center with which the hospital has entered into a memorandum of understanding pursuant to subsection D~~ *Policies and procedures for referral and connection to hospital-based, community-based, or statewide advocacy services for sexual assault patients and their families when available*; and

8. Referral for appropriate counseling and other support services *based on availability of services*.

B. All appropriate sexual assault ~~survivor~~ *patient* treatment services shall be provided without delay in a private location and in an age-appropriate or developmentally appropriate manner.

C. ~~Forensic medical~~ *Medical forensic* examinations provided pursuant to a sexual assault ~~survivor~~ *patient* treatment plan approved by the Board shall include an offer to complete a physical evidence recovery kit. Every treatment hospital for which a sexual assault ~~survivor~~ *patient* treatment plan has been approved by the Department shall report to the Department by December 1 of each year:

1. The total number of patients to whom a ~~forensic~~ medical *forensic* examination was provided; and

2. The total number of physical evidence recovery kits offered and completed.

D. Every treatment hospital shall ~~(i) enter into a memorandum of understanding with at least one rape crisis center for medical advocacy services for survivors of sexual assault and (ii)~~ adopt procedures to ensure compliance with mandatory reporting requirements pursuant to §§ 63.2-1509 and 63.2-1606.

~~E.~~ Records of services provided to ~~survivors of~~ sexual assault *patients*, including the results of any examination or laboratory test conducted pursuant to subsection A, shall be maintained by the treatment hospital and made available to law enforcement upon request of the ~~survivor of~~ sexual assault *patient*. Records of services provided to ~~survivors of~~ sexual assault *patients* 18 years of age and older shall be maintained by the hospital for a period of 20 years from the date the record was created. Records of services provided to ~~survivors of~~ sexual assault *patients* under 18 years of age shall be maintained for a period of 20 years after the date on which the ~~survivor of~~ sexual assault *patient* reaches 18 years of age.

~~F.~~ *E.* Every treatment hospital, including every treatment hospital with an approved pediatric sexual assault ~~survivor~~ *patient* plan, shall include in its sexual assault ~~survivor~~ *patient* treatment plan provisions requiring appropriate health care providers who provide services in the hospital's emergency department to annually complete training developed and made available by the Department on the topic of sexual assault, detection of sexual assault, provision of services for ~~survivors of~~ sexual assault *patients*, and collection of evidence in cases involving alleged sexual assault. Such training shall be consistent with best practices outlined by the International Association of Forensic Nurses.

§ 32.1-162.15:5. Transfer services.

The Board shall adopt regulations to establish standards for review and approval of sexual assault ~~survivor~~ *patient* transfer plans and pediatric sexual assault ~~survivor~~ *patient* transfer plans, which shall include provisions for the following services, when ordered by a health care provider and with the consent of the ~~survivor of~~ sexual assault *patient*:

1. Appropriate medical examination and such stabilizing treatment as may be necessary prior to the transfer of a ~~survivor of~~ sexual assault *patient* from the transfer hospital to a treatment hospital ~~or clinic that provides treatment services for survivors of sexual assault that are comparable to those described in § 32.1-162.15:4~~;

2. Medically and factually accurate written and oral information about emergency contraception, the indications and contraindications and potential risks associated with the use of emergency contraception, and the availability of emergency contraception for ~~survivors of~~ sexual assault *patients*; and

3. Prompt transfer of the ~~survivor of~~ sexual assault *patient* to a treatment hospital~~,~~ *or* approved pediatric health care facility, ~~or clinic that provides treatment services for survivors of sexual assault that are comparable to those described in § 32.1-162.15:4,~~ as may be appropriate, including provisions necessary to ensure that transfer of the ~~survivor of~~ sexual assault *patient* or pediatric ~~survivor of~~ sexual assault *patient* would not unduly burden the ~~survivor of~~ sexual assault *patient* or pediatric ~~survivor of~~ sexual assault *patient*.

§ 32.1-162.15:6. Services for pediatric sexual assault patients; plan required.

A. A pediatric health care facility may provide treatment services or transfer *and stabilization* services to pediatric ~~survivors of~~ sexual assault *patients* in accordance with a pediatric sexual assault ~~survivor~~ *patient* treatment plan or pediatric sexual assault ~~survivor~~ *patient* transfer *and stabilization* plan approved by the Department. No pediatric health care facility shall provide pediatric sexual assault treatment or transfer *and stabilization* services to a pediatric ~~survivor of~~ sexual assault *patient* unless a pediatric sexual assault ~~survivor~~ *patient* treatment plan for the pediatric health care facility has been approved by the Department.

B. A pediatric health care facility wishing to provide pediatric sexual assault ~~survivor~~ *patient* treatment services shall submit a pediatric sexual assault ~~survivor~~ *patient* treatment plan to the Department. The Board shall adopt regulations to establish standards for the review and approval of pediatric sexual assault ~~survivor~~ *patient* treatment plans, which shall include provisions for the delivery of treatment services described in § 32.1-162.15:4.

In cases in which the pediatric health care facility is not able to provide the full range of treatment services required by § 32.1-162.15:4, the plan shall include (i) the specific treatment services that the pediatric health care facility will provide for pediatric ~~survivors of~~ sexual assault *patients*; (ii) provisions for transfer services required by § 32.1-162.15:5 for pediatric ~~survivors of~~ sexual assault *patients* for whom treatment services are not provided by the pediatric health care

facility; (iii) the written agreement of a treatment hospital to accept transfer of pediatric ~~survivors of~~ sexual assault *patients* for whom treatment services are not provided by the pediatric health care facility; and (iv) if the pediatric health care facility does not provide services 24 hours per day, seven days per week, provisions to inform the public regarding the need to seek an alternative source of treatment, including emergency medical services, which may include requirements for appropriate signage.

C. A pediatric health care facility wishing to provide pediatric sexual assault ~~survivor~~ *patient* transfer *and stabilization* services shall submit a pediatric sexual assault ~~survivor~~ *patient* transfer plan to the Department. The Board shall adopt regulations to establish standards for review and approval of pediatric sexual assault ~~survivor~~ *patient* transfer plans, which shall include provisions for (i) the delivery of sexual assault ~~survivor~~ *patient* transfer *and stabilization* services in accordance with the requirements of § 32.1-162.15:5 and (ii) the written agreement of a treatment hospital to accept transfer of pediatric ~~survivors of~~ sexual assault *patients*.

D. Pediatric sexual assault ~~survivor~~ *patient* treatment plans and pediatric sexual assault ~~survivor~~ *patient* transfer plans shall be submitted in a form and in accordance with procedures specified by the Board. The Department shall approve or deny such plans, in writing, within 30 days of receipt of such plans. If the Department denies a plan submitted pursuant to this section, the Department shall provide the hospital with a written statement setting forth the reasons for such denial.

§ 32.1-162.15:7. Inspections; report required.

A. The Department shall periodically conduct such inspections of hospitals licensed by the Department as may be necessary to ensure that sexual assault ~~survivor~~ *patient* treatment plans, sexual assault ~~survivor~~ *patient* transfer plans, and pediatric sexual assault ~~survivor~~ *patient* transfer plans are implemented in accordance with the requirements of this article.

B. The Department shall report to the Governor and the General Assembly by December 1 of each year on:

1. The name of each hospital that has submitted a sexual assault ~~survivor~~ *patient* treatment plan, sexual assault ~~survivor~~ *patient* transfer plan, or pediatric sexual assault ~~survivor~~ *patient* transfer plan in accordance with the requirements of this section and, for each hospital, the specific type of plan, the date on which the plan was submitted, and the date on which the plan was approved;

2. The name of each hospital that has failed to submit a sexual assault ~~survivor~~ *patient* treatment plan, sexual assault ~~survivor~~ *patient* transfer plan, or pediatric sexual assault ~~survivor~~ *patient* transfer plan in accordance with the requirements of this section;

3. The name of each hospital for which an inspection was performed pursuant to subsection A and for each such hospital, the date of such inspection, and whether the hospital was found to be in compliance with the provisions of the sexual assault ~~survivor~~ *patient* treatment plan, sexual assault ~~survivor~~ *patient* transfer plan, or pediatric sexual assault ~~survivor~~ *patient* transfer plan for such hospital approved by the Department; and

4. For each hospital determined to be out of compliance with the requirements of the sexual assault ~~survivor~~ *patient* treatment plan, sexual assault ~~survivor~~ *patient* transfer plan, or pediatric sexual assault ~~survivor~~ *patient* transfer plan for such hospital approved by the Department, whether a plan of correction was submitted in accordance with the provisions of subsection A.

§ 32.1-162.15:9. Submission of evidence.

Every treatment hospital and approved pediatric health care facility that provides a ~~forensic~~ medical *forensic* examination that includes completion of a physical evidence recovery kit to a ~~survivor of~~ sexual assault *patient* who has elected to report the assault to law enforcement shall notify the law-enforcement agency with the primary responsibility for investigating an alleged sexual assault within four hours of the ~~forensic~~ medical *forensic* examination and arrange for collection of the physical evidence recovery kit within a reasonable timeframe. A treatment hospital or approved pediatric health care facility that provides a ~~forensic~~ medical *forensic* examination that includes completion of a physical evidence recovery kit to a ~~survivor of~~ sexual assault *patient* who elects not to report the sexual assault to law enforcement shall comply with the provisions of § 19.2-11.6 relating to anonymous physical evidence recovery kits.

§ 54.1-2910.5. Pediatric sexual assault patient services; requirements.

Any health care practitioner licensed by the Board to practice medicine or osteopathy or as a physician assistant, or jointly licensed by the Board and the Board of Nursing as an advanced practice registered nurse, who wishes to provide sexual assault ~~survivor~~ *patient* treatment services or sexual assault ~~survivor~~ *patient* transfer *and stabilization* services, as defined in § 32.1-162.15:2, to pediatric ~~survivors of~~ sexual assault *patients*, as defined in § 32.1-162.15:2, shall comply with the provisions of Article 8 (§ 32.1-162.15:2 et seq.) of Chapter 5 of Title 32.1 applicable to pediatric medical care facilities.

§ 54.1-3018.2. Pediatric sexual assault patient services; requirements.

Any person licensed by the Board as a registered nurse who wishes to provide sexual assault ~~survivor~~ *patient* treatment services or sexual assault ~~survivor~~ *patient* transfer *and stabilization* services, as defined in § 32.1-162.15:2, to pediatric ~~survivors of~~ sexual assault *patients*, as defined in § 32.1-162.15:2, shall comply with the provisions of Article 8 (§ 32.1-162.15:2 et seq.) of Chapter 5 of Title 32.1 applicable to pediatric medical care facilities.

2. That § 32.1-162.15:11 of the Code of Virginia is repealed.

3. That the Director of the Department of Criminal Justice Services (the Director) shall convene a work group to address sustainable funding for sexual assault medical forensic examinations and services to include the Commissioner of Health or his designee, the Executive Director of the Virginia Workers' Compensation Commission or his designee, the Executive Secretary of the Supreme Court of Virginia or his designee, two representatives from the Virginia Hospital & Healthcare Association, two representatives from the Virginia Chapter of the International

Association of Forensic Nurses, one representative from the Medical Society of Virginia, one representative from the Virginia Nurses Association, two representatives from the Virginia Sexual and Domestic Violence Action Alliance, and other stakeholders designated by the Director or his designee. The work group shall submit a report with recommendations to the Chairs of the House Committee on Health and Human Services, the House Committee on Appropriations, the Senate Committee on Education and Health, and the Senate Committee on Finance and Appropriations by November 1, 2025.

CHAPTER 481

An Act to amend and reenact §§ 38.2-1833, 38.2-1834, and 38.2-1834.1 of the Code of Virginia, relating to insurance agents; appointments and terminations.

[H 1778]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 38.2-1833, 38.2-1834, and 38.2-1834.1 of the Code of Virginia are amended and reenacted as follows:

§ 38.2-1833. Appointments of agents.

A. Subject to the requirement of § 38.2-1801, every licensed agent may sell policies and solicit applications for insurance for any one or more of the classes of insurance for which he is licensed on behalf of an insurer (i) also licensed in ~~this~~ *the* Commonwealth for those classes of insurance and (ii) by which the licensed agent has not yet been validly appointed, subject to the following requirements:

1. The insurer shall, within 30 calendar days of the date of execution of the first insurance application or policy submitted by a licensed but not yet appointed agent, either reject such application or policy or ~~file with the~~ *notify the* Commission ~~a notice~~ of *the* appointment in a ~~form~~ *manner* acceptable to the Commission. ~~The Commission shall provide a means whereby an~~ *An* insurer may elect to appoint an agent to represent all or some of the insurers within the insurer's holding company system or group by the submission of a single notice of appointment for each appointment type applicable.

2. The insurer shall provide to the licensed agent, within the same 30-day period, a verification that the notice of appointment ~~has been filed with~~ *was provided to* the Commission.

3. ~~Upon receipt of the notice of appointment, the Commission shall verify that the agent holds a valid license and that the notice has been properly completed and submitted.~~ The Commission shall notify the appointing insurer if the appointment of the agent is invalid ~~within five business days of its receipt of the appointment notice~~, and the insurer shall notify the agent in writing of the invalid appointment within five business days of receiving such notice from the Commission. Any agent who sells or solicits insurance on behalf of the insurer after being notified of an invalid appointment shall be in violation of this section and shall be subject to penalties as prescribed in §§ 38.2-218 and 38.2-1831.

~~4. An agent whose appointment by an insurer has been terminated by the insurer shall be prohibited from selling or soliciting applications or policies on behalf of that insurer unless and until reappointed by the insurer. Any such selling or solicitation on behalf of that insurer subsequent to such appointment termination and prior to such reappointment shall constitute a violation of this section by the agent and shall subject the agent to penalties as prescribed in §§ 38.2-218 and 38.2-1831.~~

B. Each agent's appointment record shall be public information and shall be available for public inspection ~~during normal business hours of the Commission. The Commission may charge a reasonable fee to cover the costs incurred in providing this information~~.

C. Each insurer shall pay a nonrefundable appointment processing fee, in an amount prescribed by the Commission, for each appointment notification submitted by the insurer to the Commission.

D. The prescribed appointment fee shall not be less than $7 nor more than $25.

E. ~~Such fees shall be billed to the insurer by the Commission on a quarterly basis and shall be due and payable on August 10 for the quarter ending June 30, on November 10 for the quarter ending September 30, on February 10 for the quarter ending December 31, and on May 10 for the quarter ending March 31. In the event that a due date falls on a weekend or holiday, payment shall be due on the first business day following such due date.~~

~~F. Such quarterly billing shall include all appointment notifications submitted by the insurer during the immediately preceding quarter, regardless of the current status of any such appointments.~~

~~G.~~ All appointment processing fees collected by the Commission~~, as well as penalties collected pursuant to subsection H,~~ shall be paid directly into the state treasury and ~~placed~~ *credited* to ~~the credit of~~ the fund for the maintenance of the Bureau of Insurance as provided in subsection B of § 38.2-400.

~~H. Upon the failure of the insurer to pay amounts due under this section by the date due, the Commission:~~

~~1. Shall impose a penalty of $50 per day for each day between the date due and the date full payment is received by the Commission. The appointment fees described above shall not be considered paid in full unless and until the penalty described herein has been received by the Commission; and~~

~~2. May, in addition to the penalty imposed above, administratively terminate the appointment of each agent on whose behalf the appointment processing fee, including any penalty imposed pursuant to this section, was not received by the~~

~~Commission by the date due and after the insurer has been given due notice and an opportunity to submit the overdue payment.~~

§ 38.2-1834. Duration of appointment; annual renewal of agent's appointment.

A. A valid appointment of an agent shall authorize the agent to act for the insurer during the time for which the appointing insurer is licensed to do business in ~~this~~ *the* Commonwealth, unless such appointment is otherwise terminated, suspended, or revoked. No later than 10 calendar days after notice of the termination, suspension, or revocation of an appointment has been sent to the agent or agency, the agent or agency shall immediately cease selling or soliciting on behalf of such insurer.

B. ~~Prior to August 10 of each year, or the first business day thereafter if August 10 falls on a weekend or holiday, every~~ *Except as provided in § 38.2-1834.1, upon the termination of the appointment of an agent by an insurer, the insurer shall notify the agent of such termination within five calendar days and promptly notify the Commission in a manner acceptable to the Commission.*

C. An appointment of an agent holding a restricted or limited license shall authorize such agent to sell, solicit, or negotiate only those classes of insurance specifically included in such agent's license authority.

D. Each insurer shall remit in a manner *and amount* prescribed by the Commission a renewal appointment fee~~,~~ for each appointment ~~for which~~, *unless a* notice of appointment termination was ~~not~~ received by the Commission on or before the preceding June 30~~, in an amount prescribed by the Commission, which shall be collected by the Commission and, along with any penalties collected pursuant to subsection C~~, *that shall be* paid directly into the state treasury and credited to the fund for the maintenance of the Bureau of Insurance as provided in subsection B of § 38.2-400.

~~C.~~ *E. The prescribed appointment fee shall not be less than $7 nor more than $25.*

F. Upon the failure of the insurer to pay amounts due ~~under this section~~ *for appointments* by the date ~~due,~~ *set by* the Commission:

1. ~~Shall impose~~ *The insurer may be subject to* a penalty ~~of $50 per day for each calendar day between the date due and the date full payment is received by the Commission. The renewal appointment fees described above shall not be considered paid in full unless and until the penalty described herein has been received by the Commission~~ *pursuant to § 38.2-218*; and

2. ~~May~~ *The Commission may*, ~~in addition~~ *after the insurer has been given due notice and an opportunity* to *pay* the ~~penalty imposed above~~ *amount due*, administratively terminate the appointment of each agent on whose behalf the appointment renewal fee, including any penalty imposed pursuant to this section, was not received by the Commission by the date due ~~and after the insurer has been given due notice and an opportunity to submit the overdue payment~~.

~~D. Except as provided in § 38.2-1834.1, upon the termination of the appointment of an~~ *G. An* agent *whose appointment* by an insurer~~, the insurer shall notify the agent of~~ *has been terminated by the insurer is prohibited from selling or soliciting applications or policies on behalf of that insurer unless and until reappointed by the insurer. Any such selling or solicitation on behalf of that insurer after* such *appointment* termination ~~within five calendar days and the Commission, except as provided in subsection B~~ *shall constitute a violation* of this section~~, within 30 calendar days in a manner acceptable to the Commission, whereupon termination of the agents' appointment to represent the insurer shall be recorded by the Commission~~ *and shall subject the agent to penalties as prescribed in §§ 38.2-218 and 38.2-1831.*

~~E. Any license in effect on January 1, 1986, shall be deemed to be an appointment for the unexpired term of that license. Certificates of qualifications issued prior to January 1, 1986, shall be deemed to be the license required by this chapter.~~

~~F. An appointment of an agent holding a restricted or limited license shall authorize such agent to sell, solicit, or negotiate only those classes of insurance specifically included in such agents' license authority.~~

§ 38.2-1834.1. Notification to Commission of termination; notice to agent; immunities; confidentiality; penalties.

A. ~~An~~ *If an* insurer or authorized representative of the insurer that terminates the appointment, employment, contract, or other insurance business relationship with an agent or other licensee under this chapter *for a reason set forth in § 38.2-1831 or the insurer has knowledge that the agent was found by a court, government body, or legally authorized self-regulatory organization to have engaged in any of the prohibited conduct described in §§ 38.2-1356, 38.2-1363, 38.2-1831, or 38.2-1843, the insurer or authorized representative* shall ~~notify~~ *certify in writing to* the Commission within ~~thirty~~ *30* calendar days following the ~~effective date of the~~ termination~~, using a format prescribed by the Commission, if~~ the reason for *such* termination ~~is one of the reasons set forth in § 38.2-1831 or the insurer has knowledge the agent was found by a court, government body, or legally authorized self-regulatory organization authorized by law to have engaged in any of the activities in § 38.2-1356, 38.2-1363, 38.2-1831 or 38.2-1843. The propriety of any such termination for cause shall be certified in writing by an officer or authorized representative of the insurer or agent terminating the relationship~~. Upon the ~~written~~ request of the Commission, the insurer *or authorized representative* shall provide additional information, documents, records, or other data pertaining to the termination or activity of the agent or other licensee.

B. The insurer or the authorized representative of the insurer shall promptly notify the Commission in a format acceptable to the Commission if, upon further review or investigation, the insurer discovers additional information that would have been reportable to the Commission in accordance with subsection A had the insurer then known of its existence.

C. 1. Within ~~fifteen~~ *15* calendar days after making the notification required by subsections A and B, the insurer shall mail a copy of the notification to the agent at his last known address pursuant to the insurer's records. If the agent is terminated for cause for any of the reasons listed in § 38.2-1831, the insurer shall provide a copy of the notification to the

agent at his last known address by certified mail, return receipt requested, postage prepaid or by overnight delivery using a nationally recognized carrier.

2. Within ~~thirty~~ *30* calendar days after the agent has received the original or additional notification, the agent may file written comments concerning the substance of the notification with the Commission in the form and manner required by the Commission. The agent shall, by the same means, simultaneously send a copy of the comments to the reporting insurer, and the comments shall become a part of the Commission's file and accompany every copy of a report distributed or disclosed for any reason about the agent as permitted under subsection D.

D. 1. In the absence of actual malice, an insurer, the authorized representative of the insurer, a producer, the Commission, authorized representatives of the Commission, the NAIC, its affiliates or subsidiaries, or state, federal, and international law-enforcement authorities shall not be subject to civil liability, and a civil cause of action of any nature shall not arise against these entities or their respective agents or employees, as a result of any statement or information required by or provided pursuant to this section or any information relating to any statement that may be requested in writing by the Commission, from an insurer or agent, or a statement by a terminating insurer or agent to an insurer or agent limited solely and exclusively to whether a termination for cause under subsection A was reported to the Commission, provided that the propriety of any termination for cause under subsection A is certified in writing, pursuant to subsection A ~~of this section~~, by an officer or authorized representative of the insurer or agent terminating the relationship.

2. In any action brought against a person that may have immunity under subdivision 1 for making any statement required by this section or providing any information relating to any statement that may be requested by the Commission, the party bringing the action shall plead specifically in any allegation that subdivision 1 does not apply because the person making the statement or providing the information did so with actual malice.

3. Subdivision 1 or 2 shall not abrogate or modify any existing statutory or common law privileges or immunities.

E. 1. Any documents, materials, or other information in the control or possession of the Commission that is furnished by an insurer, *an* agent, or an employee thereof acting on behalf of the insurer or agent, or obtained by the Commission in an investigation pursuant to this chapter shall be confidential by law and privileged, shall not be subject to inspection or review by the general public, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action. However, the Commission is authorized to use the documents, materials, or other information in the furtherance of any regulatory or legal action brought as a part of the Commission's duties.

2. Neither the Commission nor any person who received documents, materials, or other information while acting under the authority of the Commission shall be permitted or required to testify in any private civil action concerning any confidential documents, materials, or information subject to subdivision 1.

3. In order to assist in the performance of the Commission's duties under this chapter, the Commission:

a. May share documents, material, or other information, including the confidential and privileged documents, materials, or information subject to subdivision 1, with other state, federal, and international regulatory agencies, with the NAIC, its affiliates or subsidiaries, and with local, state, federal, and international law-enforcement authorities, provided that the recipient agrees to maintain the confidentiality and privileged status of the document, material, or other information.

b. May receive documents, materials, or information, including otherwise confidential and privileged documents, materials, or information, from the NAIC, its affiliates or subsidiaries, and from regulatory and law-enforcement officials of other foreign or domestic jurisdictions, and shall maintain as confidential or privileged any document, material, or information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material, or information.

4. No waiver of any applicable privilege or claim of confidentiality in the documents, materials, or information shall occur as a result of disclosure to the Commission under this section or as a result of sharing as authorized in subdivision 3.

5. Nothing in this chapter shall prohibit the Commission from releasing final, adjudicated actions, including for cause terminations that are open to public inspection pursuant to Chapter 4 (§ 12.1-18 et seq.) of Title 12.1 to a database or other clearinghouse service maintained by the NAIC, its affiliates, or subsidiaries of the NAIC.

F. An insurer, the authorized representative of the insurer, or agent that fails to report as required under the provisions of this section or that is found to have reported with actual malice by a court of competent jurisdiction may, after notice and an opportunity to be heard, have its license or certificate of authority suspended or revoked and may be fined in accordance with Chapter 2 (§ 38.2-200 et seq.) ~~of this title~~.

CHAPTER 482

An Act for the relief of Gilbert Merritt III, relating to claims; compensation for wrongful incarceration.

[H 1780]

Approved March 24, 2025

Whereas, Gilbert Merritt III, (Mr. Merritt) was convicted in the Circuit Court of the City of Norfolk on November 5, 2001, of first-degree murder and use of a firearm in the commission of a felony; and

Whereas, Mr. Merritt was sentenced to 30 years in prison; and

Whereas, Mr. Merritt served more than 20 years in the custody of the Virginia Department of Corrections; and

Whereas, Mr. Merritt filed a petition for a writ of habeas corpus in 2020 and was released pursuant to a conditional pardon granted by then-Governor Ralph Northam in January 2022 while his habeas petition was still pending; and

Whereas, the conditional pardon stated that Mr. Merritt "was prosecuted based on the work of Norfolk Detective Glenn Ford, who used his official capacity to extort witnesses in order to yield high solvability percentages and was eventually convicted on federal charges; and . . . [Mr. Merritt's] conviction rests on the testimony of one witness which post-conviction investigation has suggested was being blackmailed by Detective Ford; and . . . there has been insufficient time to make a determination on Mr. Merritt's petition for an absolute pardon"; and

Whereas, Mr. Merritt was granted habeas relief by the Circuit Court of the City of Norfolk in a decision that was upheld by the Supreme Court of Virginia; and

Whereas, in his habeas corpus proceedings, Mr. Merritt proved that his conviction was orchestrated by former Norfolk homicide detective Robert Glenn Ford, who was subsequently found guilty of federal crimes including extortion under color of official right and making false statements; and

Whereas, the Circuit Court of the City of Norfolk, in granting habeas relief, found that "Robert Glenn Ford enriched himself by accepting bribes from drug defendants in exchange for his false testimony. When confronted by difficult or cold cases . . . Ford fed information to witnesses that resulted in the wrongful conviction of innocent defendants"; and

Whereas, Robert Glenn Ford has been found responsible for, to date, at least six wrongful convictions, including the infamous "Norfolk 4"; and

Whereas, Mr. Merritt's conviction was based on the word of one key witness who claimed that Mr. Merritt had confessed to her, but who later recanted in a sworn affidavit in 2020 and provided live testimony before the habeas court in 2022, admitting that she had lied under oath due to manipulation and threats from Robert Glenn Ford; and

Whereas, in granting relief, the Circuit Court of the City of Norfolk found that the key witness lied at Mr. Merritt's trial because Robert Glenn Ford threatened her into doing so and told her that he would ensure she served 80 years on her then-pending criminal charges unless she testified falsely against Mr. Merritt; Robert Glenn Ford provided the witness with details of the crime and orchestrated her false testimony in exchange for which he ensured that she served no time on her drug charges; and

Whereas, at the time of the criminal trial, the key witness was untreated for her bipolar disorder, addicted to illegal narcotics, and in fear of spending the rest of her life in prison; and

Whereas, as the Circuit Court of the City of Norfolk found in habeas proceedings that Robert Glenn Ford—knowing that the key witness's statements and testimony were false—purposely did nothing to test the witness's false testimony against Mr. Merritt, including failing to interview the witness in front of whom Mr. Merritt supposedly confessed; failing to obtain phone records of a supposed call between Mr. Merritt and the witness; failing to obtain a warrant to search Mr. Merritt's residence for the murder weapon, ammunition, or clothes matching those of the gunman; and failing to pursue others who the witness said participated in the murder, all because Robert Glenn Ford knew this investigation would demonstrate the falsity of the perjurious testimony he suborned; and

Whereas, no physical evidence linked Mr. Merritt to this murder, no eyewitness identified Mr. Merritt as the shooter, and Mr. Merritt had an alibi; and

Whereas, in addition to Robert Glenn Ford's misconduct and the key witness's perjury, the Circuit Court of the City of Norfolk also found that the prosecution in Mr. Merritt's case withheld other exculpatory evidence, namely, contemporaneous police canvass notes from four independent witnesses consistently identifying a vehicle that did not match the description of the vehicle the key witness tied to Mr. Merritt; and

Whereas, in February 2024, the Supreme Court of Virginia unanimously upheld the Circuit Court of the City of Norfolk's June 2022 decision granting Mr. Merritt's writ of habeas corpus and vacating his convictions for first-degree murder and use of firearm in the commission of a felony; and

Whereas, the Office of the Norfolk Commonwealth's Attorney dismissed the underlying charges against Mr. Merritt with prejudice later in February 2024; and

Whereas, during the course of Mr. Merritt's wrongful incarceration, he missed more than two decades in the lives of his four children, two of whom were infant twins at the time of his conviction; and

Whereas, Mr. Merritt, as a result of his wrongful incarceration, lost more than 20 years of his freedom and countless life experiences and opportunities, including family relations, the opportunity to further his education, and the opportunity to earn potential income from gainful employment during his years of incarceration; and

Whereas, during the time of his wrongful incarceration, some of Mr. Merritt's loved ones passed away, including the mother of his twin children; and

Whereas, had Robert Glenn Ford not purposefully fabricated evidence, orchestrated false testimony, testified falsely himself, and withheld exonerating evidence, Mr. Merritt would not have suffered more than two decades of incarceration with shame, humiliation, and loss of liberty for a murder he did not commit; and

Whereas, Mr. Merritt has no other means to obtain adequate relief except by action of this body; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That there is hereby appropriated from the general fund of the state treasury the sum of an amount to be provided in the appropriation act for the relief of Gilbert Merritt III, to be paid by check issued by the State Treasurer on warrant of the Comptroller in accordance with the provisions of Article 18.2 (§ 8.01-195.10 et. seq.) of Chapter 3 of Title 8.01 of the Code of Virginia.*

2. That the provisions of § 8.01-195.12 of the Code of Virginia shall apply to any compensation awarded under this act.

CHAPTER 483

An Act to amend and reenact §§ 32.1-65 and 32.1-67 of the Code of Virginia, relating to newborn screening requirements; federal Recommended Uniform Screening Panel; evaluation; rulemaking; report.

[H 1782]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-65 and 32.1-67 of the Code of Virginia are amended and reenacted as follows:

§ 32.1-65. Certain newborn screening required.

A. For the purposes of this section, "RUSP" means the federal Recommended Uniform Screening Panel recommended by the Secretary of the U.S. Department of Health and Human Services.

B. In order to prevent intellectual disability and permanent disability or death, every infant who is born in the Commonwealth shall be subjected to screening tests for various disorders consistent with, but not necessarily identical to, the ~~uniform condition panel~~ *RUSP* recommended by the U.S. Secretary of Health and Human Services and the Secretary's Advisory Committee on Heritable Disorders in Newborns and Children.

C. The Department shall ensure that testing for any disorder that is included on the RUSP as of January 1, 2025, is included in the testing required under this section if determined appropriate by the Department. For any disorder included on the RUSP, the Department shall:

1. Conduct an evaluation to determine whether the disorder should be included on the Commonwealth's screening program, including an assessment of the estimated costs of including the disorder and a fiscal impact on the fee for the tests performed; and

2. If the Department determines the disorder should be included in the testing required under this section, commence the rulemaking process to add the disorder to the Commonwealth's screening program.

The Department shall conduct such evaluation and commence such rulemaking process, if applicable, within 12 months of the addition of any disorder added to the RUSP after January 1, 2025. If a condition is added to the Commonwealth's screening panel by rule, and there is an available test that meets all federal and state laboratory requirements for newborn screening programs, the Department shall implement screening for the condition in the Commonwealth's screening program within six months of completion of the rulemaking process. If there is not an available test that meets state and federal laboratory requirements for newborn screening programs, the program shall secure an appropriate test as soon as available.

D. For any disorder included on the RUSP that the Department determines in an initial evaluation should not be included under the Commonwealth's screening program, the Department shall determine whether reevaluation is necessary by (i) reviewing the medical literature published on the disorder since the initial evaluation and (ii) allowing for public input. The Department shall conduct such determination annually. If the Department determines reevaluation is necessary during such annual determination, the Department shall conduct an evaluation and commence the rulemaking process, if applicable, within 12 months pursuant to subsection C. The Department shall not include in the testing required under this section any disorder not included on the RUSP unless it has first conducted an evaluation and commenced the rulemaking process to add the disorder in the same manner as is required for any disorder included on the RUSP in accordance with subsection C.

E. The Department shall submit a status report to the General Assembly on the screening program annually. Such status report shall include:

1. The current disorders included under the Commonwealth's screening program;

2. Any new disorders currently under consideration or recommended for inclusion under the Commonwealth's screening program;

3. Any new disorders considered but not recommended for inclusion in the Commonwealth's screening program in the prior 12-month period and the reason for not recommending such disorders;

4. Any disorders for which the Department determined a reevaluation was unnecessary in the prior 12-month period and the reason that such reevaluation is not necessary at the time of such determination; and

5. Any delay in complying with the timeframes specified by this section for evaluation, inclusion, or reevaluation of a disorder and the reason for such delay.

F. Any infant whose parent or guardian objects thereto on the grounds that such tests conflict with his religious practices or tenets shall not be required to receive such screening tests.

G. The physician*, licensed midwife,* or certified nurse midwife in charge of the infant's care after delivery shall cause such tests to be performed. The screening tests shall be performed by the Division of Consolidated Laboratory Services or any other laboratory the Department of Health has contracted with to provide such service. Screening tests for time-critical disorders identified by the U.S. Department of Health and Human Services and the Secretary's Advisory Committee on Heritable Disorders in Newborns and Children shall be performed seven days a week.

H. The program for screening infants for sickle cell diseases shall be conducted in addition to the programs provided for in Article 8 (§ 32.1-68 et seq.).

§ 32.1-67. Duty of Board for follow-up and referral protocols; regulations.

Infants identified with any condition for which newborn screening is conducted pursuant to § 32.1-65 or 32.1-65.1 shall be eligible for the services of the Children with Special Health Care Needs Program administered by the Department of Health. The Board of Health shall promulgate such regulations as may be necessary to implement Newborn Screening Services and the Children with Special Health Care Needs Program. The Board's regulations shall include~~, but not be limited to,~~ a list of newborn screening tests conducted pursuant to §§ 32.1-65 and 32.1-65.1 *and authorization to charge fees for such tests*, notification processes conducted pursuant to § 32.1-66, follow-up procedures, appropriate referral processes, and services available for infants and children who have a heritable disorder or genetic disease identified through Newborn Screening Services.

2. That the Department of Health (the Department) shall fulfill the requirements of subsection C of § 32.1-65 of the Code of Virginia, as amended by this act, within 12 months of the effective date of this act for any disorders that are listed on the federal Recommended Uniform Screening Panel (RUSP) as of January 1, 2025. If such a condition is added to the Commonwealth's screening panel by rule, the program shall implement screening for the condition within six months of completion of the rulemaking process. This enactment shall not apply to any disorder included on the RUSP that will be included under the Commonwealth's screening program pending adoption of a regulation for which the Department has commenced rulemaking procedures.

CHAPTER 484

An Act to direct the Department of Medical Assistance Services to seek the necessary approvals from the Centers for Medicare and Medicaid Services to amend the application for medical assistance to gather all necessary information to determine an applicant's eligibility for the Medicaid Works program.

[H 1804]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Department of Medical Assistance Services (the Department) shall seek the necessary approvals from the Centers for Medicare and Medicaid Services to amend the Department's application for medical assistance to gather all necessary information to determine an applicant's eligibility for the Medicaid Works program. Such amendments shall apply to the initial application for medical assistance, applications for renewal of medical assistance, and whenever changes are reported to the Department.*

CHAPTER 485

An Act to amend the Code of Virginia by adding a section numbered 38.2-3418.1:3, relating to health insurance; cost sharing for breast examinations.

[H 1828]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 38.2-3418.1:3 as follows:

§ 38.2-3418.1:3. Cost sharing for breast examinations.

A. Notwithstanding the provisions of § 38.2-3419 or subdivision A 1 of § 38.2-6506, and in addition to the coverage required by § 38.2-3418.1, each insurer proposing to issue individual or group accident and sickness insurance policies providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis, each corporation providing individual or group accident and sickness subscription contracts, and each health maintenance organization providing a health care plan for health care services shall not impose cost sharing for diagnostic breast examinations and supplemental breast examinations under such policy, contract, or plan delivered, issued for delivery, or renewed in the Commonwealth.

B. As used in this section:

"Cost sharing" means any coinsurance, copayment, or deductible.

"Diagnostic breast examination" means a medically necessary and appropriate, in accordance with the National Comprehensive Cancer Network Guidelines, examination of the breast, including such an examination using diagnostic mammography, breast magnetic resonance imaging, or breast ultrasound, that is used to evaluate (i) an abnormality seen or suspected from a screening for the detection of breast cancer or (ii) an abnormality detected by another means of examination.

"Supplemental breast examination" means a medically necessary and appropriate, in accordance with the National Comprehensive Cancer Network Guidelines, examination of the breast, including such an examination using diagnostic mammography, breast magnetic resonance imaging, or breast ultrasound, that is (i) used to screen for breast cancer when

there is no abnormality seen or suspected and (ii) based on personal or family medical history or additional factors that may increase the individual's risk of breast cancer.

C. The provisions of this section shall not apply to short-term travel, accident-only, or limited or specified disease policies, or to short-term nonrenewable policies of not more than six months' duration.

2. That the provisions of this act shall apply to any individual or group accident and sickness insurance policy, any individual or group accident and sickness subscription contract, and any health care plan for health care services delivered, issued for delivery, or renewed in the Commonwealth on and after January 1, 2026.

CHAPTER 486

An Act to amend and reenact § 58.1-3219.9 of the Code of Virginia, relating to clarification for deaths resulting from suicide for the real property tax exemption for surviving spouses of members of the armed forces who died in the line of duty.

[H 1868]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-3219.9 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-3219.9. Exemption from taxes on property of surviving spouses of members of the armed forces who died in the line of duty.

A. Pursuant to subdivision (b) of § 6-A of Article X of the Constitution of Virginia, and for tax years beginning on or after January 1, 2015, the General Assembly hereby exempts from taxation the real property described in subsection B of the surviving spouse (i) of any member of the armed forces of the United States who died in the line of duty with a Line of Duty determination from the U.S. Department of Defense*, including the death of any such member that was the result of suicide,* and (ii) who occupies the real property as his principal place of residence. However, no county, city, or town shall be liable for any interest on any refund due to the surviving spouse for taxes paid prior to the surviving spouse's filing of the affidavit or written statement required by § 58.1-3219.10. If the surviving spouse acquires the property after January 1, 2015, then the exemption shall begin on the date of acquisition, and the previous owner may be entitled to a refund for a pro rata portion of real property taxes paid pursuant to § 58.1-3360.

B. Those dwellings in the locality with assessed values in the most recently ended tax year that are not in excess of the average assessed value for such year of a dwelling situated on property that is zoned as single family residential shall qualify for a total exemption from real property taxes under this article. If the value of a dwelling is in excess of the average assessed value as described in this subsection, then only that portion of the assessed value in excess of the average assessed value shall be subject to real property taxes, and the portion of the assessed value that is not in excess of the average assessed value shall be exempt from real property taxes. Single family homes, condominiums, town homes, manufactured homes as defined in § 46.2-100 whether or not the wheels and other equipment previously used for mobility have been removed, and other types of dwellings of surviving spouses, whether or not the land on which the single family home, condominium, town home, manufactured home, or other type of dwelling of a surviving spouse is located is owned by someone other than the surviving spouse, that (i) meet this requirement and (ii) are occupied by such persons as their principal place of residence shall qualify for the real property tax exemption. If the land on which the single family home, condominium, town home, manufactured home, or other type of dwelling is located is not owned by the surviving spouse, then the land is not exempt.

For purposes of determining whether a dwelling, or a portion of its value, is exempt from county and town real property taxes, the average assessed value shall be such average for all dwellings located within the county that are situated on property zoned as single family residential.

C. The surviving spouse of a member of the armed forces who died in the line of duty shall qualify for the exemption so long as the surviving spouse does not remarry. The exemption applies without any restriction on the spouse's moving to a different principal place of residence.

D. A county, city, or town shall provide for the exemption from real property taxes (i) the qualifying dwelling, or the portion of the value of such dwelling and land that qualifies for the exemption pursuant to subsection B, and (ii) except land not owned by the surviving spouse, the land, not exceeding one acre, upon which it is situated. However, if a county, city, or town provides for an exemption from or deferral of real property taxes of more than one acre of land pursuant to Article 2 (§ 58.1-3210 et seq.), then the county, city, or town shall also provide an exemption for the same number of acres pursuant to this section. A real property improvement other than a dwelling, including the land upon which such improvement is situated, made to such one acre or greater number of acres exempt from taxation pursuant to this subsection shall also be exempt from taxation so long as the principal use of the improvement is (i) to house or cover motor vehicles or household goods and personal effects as classified in subdivision A 14 of § 58.1-3503 and as listed in § 58.1-3504 and (ii) for other than a business purpose.

E. For purposes of this exemption, real property of any surviving spouse of a member of the armed forces who died in the line of duty includes real property (i) held by a surviving spouse as a tenant for life, (ii) held in a revocable inter vivos trust over which the surviving spouse holds the power of revocation, or (iii) held in an irrevocable trust under which the

surviving spouse possesses a life estate or enjoys a continuing right of use or support. The term does not include any interest held under a leasehold or term of years.

F. 1. In the event that (i) a surviving spouse is entitled to an exemption under this section by virtue of holding the property in any of the three ways set forth in subsection E and (ii) one or more other persons have an ownership interest in the property that permits them to occupy the property, then the tax exemption for the property that otherwise would have been provided shall be prorated by multiplying the amount of the exemption by a fraction that has 1 as a numerator and has as a denominator the total number of all people having an ownership interest that permits them to occupy the property.

2. In the event that the principal residence is jointly owned by two or more individuals including the surviving spouse, and no person is entitled to the exemption under this section by virtue of holding the property in any of the three ways set forth in subsection E, then the exemption shall be prorated by multiplying the amount of the exemption by a fraction that has as a numerator the percentage of ownership interest in the dwelling held by the surviving spouse, and as a denominator, 100 percent.

CHAPTER 487

An Act to amend and reenact §§ 32.1-276.6 and 54.1-2522.1, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to Board of Health; Department of Health Professions; Prescription Monitoring Program; overdose information.

[H 1902]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-276.6 and 54.1-2522.1, as it is currently effective and as it shall become effective, of the Code of Virginia are amended and reenacted as follows:

§ 32.1-276.6. Patient level data system continued; reporting requirements.

A. The Virginia Patient Level Data System is hereby continued, hereinafter referred to as the "System." Its purpose shall be to establish and administer an integrated system for collection and analysis of data which shall be used by consumers, employers, providers, and purchasers of health care and by state government to continuously assess and improve the quality, appropriateness, and accessibility of health care in the Commonwealth and to enhance their ability to make effective health care decisions.

B. Every inpatient hospital shall submit to the Board patient level data as set forth in this subsection. Every general hospital, ordinary hospital, outpatient surgical hospital or other facility licensed or certified pursuant to Article 1 (§ 32.1-123 et seq.) of Chapter 5 of this title and every physician and every oral and maxillofacial surgeon certified to perform certain procedures pursuant to § 54.1-2709.1 performing surgical procedures in his office shall also submit to the board outpatient surgical data as set forth in this subsection. Every oral and maxillofacial surgeon certified to perform certain procedures pursuant to § 54.1-2709 shall submit to the Board outpatient surgical data as set forth in this subsection for only those procedures for which certification is required pursuant to § 54.1-2709.1.

Any such hospital, facility, physician or oral and maxillofacial surgeon, as defined in § 32.1-276.3, may report the required data directly to the nonprofit organization cited in § 32.1-276.4. Unless otherwise noted, patient level data elements for hospital inpatients and patients having outpatient surgery shall include, where applicable and included on standard claim forms:

1. Hospital identifier;
2. Attending physician identifier (inpatient only);
3. Operating physician or oral and maxillofacial surgeon identifier;
4. Payor identifier;
5. Employer identifier as required on standard claims forms;
6. Patient identifier (all submissions);
7. Patient sex, race (inpatient only), date of birth (including century indicator), street address, city or county, zip code, employment status code, status at discharge, and birth weight for infants (inpatient only);
8. Admission type, source (inpatient only), date and hour, and diagnosis;
9. Discharge date (inpatient only) and status;
10. Principal and secondary diagnoses;
11. External cause of injury;
12. Co-morbid conditions existing but not treated;
13. Procedures and procedure dates;
14. Revenue center codes, units, and charges as required on standard claims forms; and
15. Total charges.

C. State agencies providing coverage for outpatient services shall submit to the Board patient level data regarding paid outpatient claims. Information to be submitted shall be extracted from standard claims forms and, where available, shall include:

1. Provider identifier;

2. Patient identifier;

3. Physician or oral and maxillofacial surgeon identifier;

4. Dates of service and diagnostic, procedural, demographic, pharmaceutical, and financial information; and

5. Other related information.

D. When a patient has experienced a nonfatal opioid overdose, the Board shall report admission, transfer, and discharge data elements submitted for such patient pursuant to § 32.1-372 to the Department of Health Professions for use in the Prescription Monitoring Program established in § 54.1-2520. The Department of Health Professions shall consult with the Department as appropriate to ensure the successful transfer of admission, transfer, and discharge data elements for use in the Prescription Monitoring Program. The Department of Health Professions shall only provide such data to practitioners as provided in § 54.1-2522.1 and in accordance with the confidentiality requirements of this chapter and § 54.1-2523.

The Board shall promulgate regulations specifying the format for submission of such outpatient data. State agencies may submit this data directly to the nonprofit organization cited in § 32.1-276.4.

§ 54.1-2522.1. (Effective until July 1, 2027) Requirements of practitioners.

A. Any prescriber who is licensed in the Commonwealth to treat human patients and is authorized pursuant to §§ 54.1-3303 and 54.1-3408 to issue a prescription for a covered substance shall be registered with the Prescription Monitoring Program by the Department of Health Professions.

B. A prescriber registered with the Prescription Monitoring Program or a person to whom he has delegated authority to access information in the possession of the Prescription Monitoring Program pursuant to § 54.1-2523.2 shall, at the time of initiating a new course of treatment to a human patient that includes the prescribing of opioids anticipated at the onset of treatment to last more than seven consecutive days, request information from the Director for the purpose of determining *(i)* what, if any, other covered substances are currently prescribed to the patient *and (ii) whether and under what circumstances the patient has experienced an opioid overdose*. In addition, any prescriber who holds a special identification number from the Drug Enforcement Administration authorizing the prescribing of controlled substances approved for use in opioid addiction therapy shall, prior to or as a part of execution of a treatment agreement with the patient, request information from the Director for the purpose of determining *(a)* what, if any, other covered substances the patient is currently being prescribed *and (b) whether and under what circumstances the patient has experienced an opioid overdose*. Nothing in this section shall prohibit prescribers from making additional periodic requests for information from the Director as may be required by routine prescribing practices.

C. A prescriber shall not be required to meet the provisions of subsection B if:

1. The opioid is prescribed to a patient currently receiving hospice or palliative care;

2. The opioid is prescribed to a patient during an inpatient hospital admission or at discharge;

3. The opioid is prescribed to a patient in a nursing home or a patient in an assisted living facility that uses a sole source pharmacy;

4. The Prescription Monitoring Program is not operational or available due to temporary technological or electrical failure or natural disaster; or

5. The prescriber is unable to access the Prescription Monitoring Program due to emergency or disaster and documents such circumstances in the patient's medical record.

D. Prior to issuing a written certification for the use of cannabis oil in accordance with § 4.1-1601, a practitioner shall request information from the Director for the purpose of determining what, if any, other covered substances have been dispensed to the patient.

§ 54.1-2522.1. (Effective July 1, 2027) Requirements of practitioners.

A. Any prescriber who is licensed in the Commonwealth to treat human patients and is authorized pursuant to §§ 54.1-3303 and 54.1-3408 to issue a prescription for a covered substance shall be registered with the Prescription Monitoring Program by the Department of Health Professions.

B. Prescribers registered with the Prescription Monitoring Program shall, at the time of initiating a new course of treatment to a human patient that includes the prescribing of benzodiazepine or an opiate anticipated at the onset of treatment to last more than 90 consecutive days, request information from the Director for the purpose of determining *(i)* what, if any, other covered substances are currently prescribed to the patient *and (ii) whether and under what circumstances the patient has experienced an opioid overdose*. In addition, any prescriber who holds a special identification number from the Drug Enforcement Administration authorizing the prescribing of controlled substances approved for use in opioid addiction therapy shall, prior to or as a part of execution of a treatment agreement with the patient, request information from the Director for the purpose of determining *(a)* what, if any, other covered substances the patient is currently being prescribed *and (b) whether and under what circumstances the patient has experienced an opioid overdose*. Nothing in this section shall prohibit prescribers from making additional periodic requests for information from the Director as may be required by routine prescribing practices.

C. The Secretary of Health and Human Resources may identify and publish a list of benzodiazepines or opiates that have a low potential for abuse by human patients. Prescribers who prescribe such identified benzodiazepines or opiates shall not be required to meet the provisions of subsection B. In addition, a prescriber shall not be required to meet the provisions of subsection B if the course of treatment arises from pain management relating to dialysis or cancer treatments.

D. Prior to issuing a written certification for the use of cannabis oil in accordance with § 4.1-1601, a practitioner shall request information from the Director for the purpose of determining what, if any, other covered substances have been dispensed to the patient.

CHAPTER 488

An Act to direct the Department of Health to amend its regulations on coverage for nursery services to allow certain certified nurse midwives, licensed certified midwives, or pediatric nurse practitioners to be on the 24-hour on-call duty roster for general level newborn nursery services.

[H 1904]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Department of Health shall amend subdivision C 1 of 12VAC5-410-444 of the Virginia Administrative Code to permit, for hospitals that provide general level newborn nursery services:*

1. If a physician is not available, a certified nurse midwife, licensed certified midwife, or pediatric nurse practitioner to be on the 24-hour on-call duty roster for nursery care. In order to be on the 24-hour on-call duty roster, such health care providers shall have pediatric privileges and a neonatal resuscitation certification from the American Academy of Pediatrics, including endotracheal intubation training. Such health care providers shall be subject to the same requirement that applies to physicians regarding their capability of arriving on site within 30 minutes of notification.

2. A physician to provide consultation via telehealth, including audio-only consultation, when a certified nurse midwife, licensed certified midwife, or pediatric nurse practitioner is providing coverage for the 24-hour on-call duty roster and a physician is incapable of arriving on site within 30 minutes of notification.

CHAPTER 489

An Act to amend and reenact § 22.1-298.8 of the Code of Virginia, relating to public elementary and secondary school teachers; certain training activities; requirements and limitations.

[S 822]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-298.8 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-298.8. Public elementary and secondary school teachers; certain training activities; requirements and limitations.

A. As used in this section, "non-academic training activity" means any training activity in which any public elementary or secondary school teacher is required to participate that is not related to the teacher's instructional, academic, or curricular duties. "Non-academic training activity" does not include any requirement relating to licensure.

B. Notwithstanding any other provision of law:

1. No public elementary or secondary school teacher shall be required to participate more frequently than once *within six months of employment with the applicable school board and once* every five years *thereafter* in any *non-academic* training ~~described in clause (iii) of subsection A of § 22.1-279.6 or~~ *activity, provided, however, that participation in additional training* relating to secure mandatory test violations as set forth in §§ 22.1-19.1 and 22.1-292.1~~, unless~~ *may be required upon the determination of* the school board or division superintendent ~~determines~~ that *such* additional training is necessary to comply with federal or state law or to remediate misconduct. Each teacher who completes any such training shall sign a written attestation that the teacher has been trained in and understands the relevant subject matter.

2. The total frequency and duration of non-academic training activities in which each public elementary or secondary school teacher is required to participate pursuant to (i) state law or regulation or (ii) policy or regulation of the applicable school board shall not exceed 25 hours every five years.

C. The provisions of subsection B shall not apply to any non-academic training activity or other training activity in which any public school teacher is required to participate pursuant to federal law or regulation.

D. Any non-academic training activity in which a public elementary or secondary school teacher voluntarily participates shall not count toward the maximum number of hours of non-academic training activities in which a public elementary or secondary school teacher may be required to participate pursuant to subdivision B 2.

CHAPTER 490

An Act to amend and reenact § 55.1-1260 of the Code of Virginia and to repeal the fourth enactment of Chapter 355 and the fourth enactment of Chapter 356 of the Acts of Assembly of 2019, as amended by Chapter 797 of the Acts of Assembly

of 2022 and Chapters 32 and 42 of the Acts of Assembly of 2024, relating to Eviction Diversion Pilot Program; name change; general application; expiration repealed.

[S 830]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-1260 of the Code of Virginia is amended and reenacted as follows:

Article 7.

Eviction Diversion ~~Pilot~~ Program.

§ 55.1-1260. Establishment of Eviction Diversion Program; purpose; goals.

A. There is hereby established the Eviction Diversion ~~Pilot~~ Program (the Program) ~~within the existing structure of the general district courts for the cities of Danville, Hampton, Petersburg, and Richmond~~. *The Program may be implemented by any general district court of the Commonwealth.* The purpose of the Program shall be to reduce the number of evictions of low-income persons. Notwithstanding any other provision of law, no eviction diversion court or program shall be established except in conformance with this section.

B. The goals of the Program shall include (i) reducing the number of evictions of low-income persons from their residential dwelling units for the failure to pay small amounts of money under the rental agreement, in particular when such persons have experienced an event that adversely affected financial circumstances such as the loss of employment or a medical crisis in their immediate family; (ii) reducing displacement of families from their homes and the resulting adverse consequences to children who are no longer able to remain in the same public school after eviction; (iii) encouraging understanding of eviction-related processes and facilitating the landlord's and tenant's entering into a reasonable payment plan that provides for the landlord to receive full rental payments as contracted for in the rental agreement and for the tenant to have the opportunity to make current such rental payments; and (iv) encouraging tenants to make rental payments in the manner as provided in the rental agreement.

2. That the fourth enactment of Chapter 355 and the fourth enactment of Chapter 356 of the Acts of Assembly of 2019, as amended by Chapter 797 of the Acts of Assembly of 2022 and Chapters 32 and 42 of the Acts of Assembly of 2024, are repealed.

CHAPTER 491

An Act to amend and reenact §§ 32.1-162.15:2 through 32.1-162.15:7, 32.1-162.15:9, 54.1-2910.5, and 54.1-3018.2 of the Code of Virginia and to repeal § 32.1-162.15:11 of the Code of Virginia, relating to services for sexual assault patients; provision of information for sexual assault patients; Task Force on Services for Survivors of Sexual Assault; work group; report.

[S 1005]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-162.15:2 through 32.1-162.15:7, 32.1-162.15:9, 54.1-2910.5, and 54.1-3018.2 of the Code of Virginia are amended and reenacted as follows:

Article 8.

Services for ~~Survivors of~~ Sexual Assault *Patients*

§ 32.1-162.15:2. Definitions.

As used in this article, unless the context requires a different meaning:

"Anonymous physical evidence recovery kit" has the same meaning as in § 19.2-11.5.

"Approved pediatric health care facility" means a pediatric health care facility for which a plan for the delivery of services to pediatric ~~survivors of~~ sexual assault *patients* has been approved pursuant to § 32.1-162.15:6.

"Board" means the Board of Health.

"Department" means the Department of Health.

"Emergency contraception" means medication approved by the U.S. Food and Drug Administration that can significantly reduce the risk of pregnancy if taken within 72 hours after sexual assault.

"Follow-up health care" means any physical examination, laboratory tests to determine the presence of sexually transmitted infection, or appropriate medications, including HIV-prophylaxis, provided to a ~~survivor of~~ sexual assault *patient* by a health care provider within 90 days after the date on which treatment or transfer services pursuant to this article are first provided.

~~"Forensic medical examination" means health care services provided to a survivor of sexual assault that include medical history, physical examination, laboratory testing, assessment for drug-facilitated or alcohol-facilitated sexual assault, collection of evidence in accordance with the requirements of Chapter 1.2 (§ 19.2-11.5 et seq.) of Title 19.2, and discharge and follow-up health care planning necessary to ensure the health, safety, and welfare of the survivor of sexual assault and the collection and preservation of evidence that may be used in a criminal proceeding.~~

"Health care facility" means an outpatient surgical hospital or other facility that is licensed by the Department pursuant to this chapter that provides health care services and does not meet the definition of hospital or pediatric health care facility in this section.

"Hospital" means any *inpatient* hospital licensed by the Department pursuant to this chapter *or an inpatient hospital owned or operated by an agency of the Commonwealth that is not a long term care hospital, rehabilitation hospital, or psychiatric hospital*.

"Medical forensic examination" means an examination of a sexual assault patient by a health care provider. A "medical forensic examination" may include gathering information from the patient for such patient's medical forensic history; conducting an examination; coordinating treatment of injuries, documenting biological and physical findings, and collecting evidence from the patient in accordance with the requirements of Chapter 1.2 (§ 19.2-11.5 et seq.) of Title 19.2; and providing information, treatment, and referrals to community-based services.

"Pediatric health care facility" means ~~a~~ *an inpatient* hospital~~, clinic, or physicians' office~~ *licensed by the Department pursuant to this chapter* that provides health care services to pediatric patients.

"Pediatric ~~survivor of~~ sexual assault *patient*" means a ~~survivor of~~ sexual assault *patient* who is under 18 years of age.

"Physical evidence recovery kit" has the same meaning as in § 19.2-11.5.

"Sexual assault forensic examiner" means a sexual assault nurse examiner, a physician, a physician assistant, an advanced practice registered nurse, or a registered nurse who has completed training that meets or is substantially similar to the Sexual Assault Nurse Examiner Education Guidelines established by the International Association of Forensic Nurses.

"Sexual assault ~~survivor~~ *patient* transfer *and stabilization* services" means an appropriate medical ~~examination~~ *screening* and such stabilizing treatment *in accordance with the Emergency Medical Treatment and Active Labor Act, 42 U.S.C. § 1395dd,* as may be necessary prior to the transfer of a sexual assault ~~survivor~~ *patient* from a transfer hospital to a treatment hospital ~~in accordance with the provisions of a transfer plan approved by the Department~~.

"Sexual assault ~~survivor~~ *patient* treatment services" means ~~a forensic medical examination and other~~ health care services provided to a sexual assault ~~survivor~~ *patient* by a hospital in accordance with § 32.1-162.15:4 or pediatric health care facility in accordance with § 32.1-162.15:6.

"Transfer hospital" means a hospital with a sexual assault ~~survivor~~ *patient* transfer plan approved by the Department.

"Transportation service" means transportation provided to a ~~survivor of~~ sexual assault *patient* who is transferred from a transfer hospital, treatment hospital, or approved pediatric health care facility to a treatment hospital or approved pediatric care facility pursuant to a transfer plan approved in accordance with this article.

"Treatment hospital" means a hospital with a sexual assault ~~survivor~~ *patient* treatment plan approved by the Department to provide sexual assault ~~survivor~~ *patient* treatment services to all ~~survivors of~~ sexual assault *patients* who present with a complaint of sexual assault within the previous seven days or who have disclosed past sexual assault by a specific individual and were in the care of that individual within the previous seven days.

§ 32.1-162.15:3. Services for sexual assault patients; plan required.

A. *Every health care facility shall provide written information about local or statewide sexual and domestic violence advocacy services. Such information shall be readily available to adult and pediatric patients.*

B. Every hospital ~~licensed by the Department~~ shall develop and, upon approval by the Department, implement a plan to provide either sexual assault ~~survivor~~ *patient* treatment services or sexual assault ~~survivor~~ *patient* transfer *and stabilization* services for ~~survivors of~~ sexual assault *patients*.

~~B.~~ *C.* Sexual assault ~~survivor~~ *patient* treatment plans shall include provisions for (i) the delivery of services described in § 32.1-162.15:4 and (ii) the storage, retention, and dissemination of photographic evidence in accordance with § 32.1-162.15:8.

~~C.~~ *D.* Sexual assault ~~survivor~~ *patient* transfer service plans shall include (i) provisions for the delivery of services described in § 32.1-162.15:5 and (ii) the written agreement of a treatment hospital to accept transfer of ~~survivors of~~ sexual assault *patients*.

~~D.~~ *E.* A treatment hospital for which a plan has been approved pursuant to subsection ~~B~~ *C* or a transfer hospital for which a plan has been approved pursuant to subsection ~~C~~ *D* may enter into an agreement for the transfer of pediatric ~~survivors of~~ sexual assault *patients* from the treatment hospital or transfer hospital to an approved pediatric health care facility pursuant to a pediatric sexual assault ~~survivor~~ *patient* transfer plan. Such plan shall include (i) provisions for the delivery of services described in § 32.1-162.15:6 and (ii) the written agreement of an approved pediatric health care facility to accept transfer of ~~survivors of~~ sexual assault *patients*.

~~E.~~ *F.* Sexual assault ~~survivor~~ *patient* treatment plans, sexual assault ~~survivor~~ *patient* transfer plans, and pediatric sexual assault ~~survivor~~ *patient* transfer plans shall be submitted in a form and in accordance with procedures specified by the Board. The Department shall approve or deny such plans, in writing, within 30 days of receipt of such plans. If the Department denies a plan submitted pursuant to this section, the Department shall provide the hospital with a written statement setting forth the reasons for such denial.

§ 32.1-162.15:4. Treatment services.

A. The Board shall adopt regulations to establish standards for review and approval of sexual assault ~~survivor~~ *patient* treatment plans, which shall include provisions for the following services, when ordered by a health care provider and with the consent of the ~~survivor of~~ sexual assault *patient*:

1. Appropriate ~~forensic~~ medical *forensic* examination;

2. Appropriate oral and written information concerning the possibility of infection or sexually transmitted disease, including human immunodeficiency virus (HIV) resulting from the sexual assault, accepted medical procedures and medications for the prevention or treatment of such infection or sexually transmitted disease, and the indications, contraindications, and potential risks of such medical procedures or medications;

3. Appropriate evaluations to determine the ~~survivor of~~ sexual ~~assault's~~ *assault patient's* risk of infection or sexually transmitted disease, including HIV, resulting from the sexual assault;

4. Appropriate oral and written information regarding the possibility of pregnancy resulting from the sexual assault and medically and factually accurate oral and written information about emergency contraception, the indications and contraindications and potential risks associated with the use of emergency contraception, and the availability of emergency contraception for ~~survivors of~~ sexual assault *patients*;

5. Prescriptions of such medications as may be appropriate for treatment of the ~~survivor of~~ sexual assault *patient* both during treatment at the hospital and upon discharge, including, in cases in which prophylactic treatment for infection with HIV is deemed appropriate, an initial dose or all required doses of HIV prophylaxis;

6. Oral and written information regarding the need for follow-up care, including examinations and laboratory tests to determine the presence or absence of sexually transmitted infection or disease and follow-up care related to HIV prophylaxis;

7. ~~Information about medical advocacy services provided by a rape crisis center with which the hospital has entered into a memorandum of understanding pursuant to subsection D~~ *Policies and procedures for referral and connection to hospital-based, community-based, or statewide advocacy services for sexual assault patients and their families when available*; and

8. Referral for appropriate counseling and other support services *based on availability of services*.

B. All appropriate sexual assault ~~survivor~~ *patient* treatment services shall be provided without delay in a private location and in an age-appropriate or developmentally appropriate manner.

C. ~~Forensic medical~~ *Medical forensic* examinations provided pursuant to a sexual assault ~~survivor~~ *patient* treatment plan approved by the Board shall include an offer to complete a physical evidence recovery kit. Every treatment hospital for which a sexual assault ~~survivor~~ *patient* treatment plan has been approved by the Department shall report to the Department by December 1 of each year:

1. The total number of patients to whom a ~~forensic~~ medical *forensic* examination was provided; and

2. The total number of physical evidence recovery kits offered and completed.

D. Every treatment hospital shall ~~(i) enter into a memorandum of understanding with at least one rape crisis center for medical advocacy services for survivors of sexual assault and (ii)~~ adopt procedures to ensure compliance with mandatory reporting requirements pursuant to §§ 63.2-1509 and 63.2-1606.

~~E.~~ Records of services provided to ~~survivors of~~ sexual assault *patients*, including the results of any examination or laboratory test conducted pursuant to subsection A, shall be maintained by the treatment hospital and made available to law enforcement upon request of the ~~survivor of~~ sexual assault *patient*. Records of services provided to ~~survivors of~~ sexual assault *patients* 18 years of age and older shall be maintained by the hospital for a period of 20 years from the date the record was created. Records of services provided to ~~survivors of~~ sexual assault *patients* under 18 years of age shall be maintained for a period of 20 years after the date on which the ~~survivor of~~ sexual assault *patient* reaches 18 years of age.

~~F.~~ *E.* Every treatment hospital, including every treatment hospital with an approved pediatric sexual assault ~~survivor~~ *patient* plan, shall include in its sexual assault ~~survivor~~ *patient* treatment plan provisions requiring appropriate health care providers who provide services in the hospital's emergency department to annually complete training developed and made available by the Department on the topic of sexual assault, detection of sexual assault, provision of services for ~~survivors of~~ sexual assault *patients*, and collection of evidence in cases involving alleged sexual assault. Such training shall be consistent with best practices outlined by the International Association of Forensic Nurses.

§ 32.1-162.15:5. Transfer services.

The Board shall adopt regulations to establish standards for review and approval of sexual assault ~~survivor~~ *patient* transfer plans and pediatric sexual assault ~~survivor~~ *patient* transfer plans, which shall include provisions for the following services, when ordered by a health care provider and with the consent of the ~~survivor of~~ sexual assault *patient*:

1. Appropriate medical examination and such stabilizing treatment as may be necessary prior to the transfer of a ~~survivor of~~ sexual assault *patient* from the transfer hospital to a treatment hospital ~~or clinic that provides treatment services for survivors of sexual assault that are comparable to those described in § 32.1-162.15:4~~;

2. Medically and factually accurate written and oral information about emergency contraception, the indications and contraindications and potential risks associated with the use of emergency contraception, and the availability of emergency contraception for ~~survivors of~~ sexual assault *patients*; and

3. Prompt transfer of the ~~survivor of~~ sexual assault *patient* to a treatment hospital~~,~~ *or* approved pediatric health care facility, ~~or clinic that provides treatment services for survivors of sexual assault that are comparable to those described in § 32.1-162.15:4,~~ as may be appropriate, including provisions necessary to ensure that transfer of the ~~survivor of~~ sexual assault *patient* or pediatric ~~survivor of~~ sexual assault *patient* would not unduly burden the ~~survivor of~~ sexual assault *patient* or pediatric ~~survivor of~~ sexual assault *patient*.

§ 32.1-162.15:6. Services for pediatric sexual assault patients; plan required.

A. A pediatric health care facility may provide treatment services or transfer *and stabilization* services to pediatric ~~survivors of~~ sexual assault *patients* in accordance with a pediatric sexual assault ~~survivor~~ *patient* treatment plan or pediatric sexual assault ~~survivor~~ *patient* transfer *and stabilization* plan approved by the Department. No pediatric health care facility shall provide pediatric sexual assault treatment or transfer *and stabilization* services to a pediatric ~~survivor of~~ sexual assault *patient* unless a pediatric sexual assault ~~survivor~~ *patient* treatment plan for the pediatric health care facility has been approved by the Department.

B. A pediatric health care facility wishing to provide pediatric sexual assault ~~survivor~~ *patient* treatment services shall submit a pediatric sexual assault ~~survivor~~ *patient* treatment plan to the Department. The Board shall adopt regulations to establish standards for the review and approval of pediatric sexual assault ~~survivor~~ *patient* treatment plans, which shall include provisions for the delivery of treatment services described in § 32.1-162.15:4.

In cases in which the pediatric health care facility is not able to provide the full range of treatment services required by § 32.1-162.15:4, the plan shall include (i) the specific treatment services that the pediatric health care facility will provide for pediatric ~~survivors of~~ sexual assault *patients*; (ii) provisions for transfer services required by § 32.1-162.15:5 for pediatric ~~survivors of~~ sexual assault *patients* for whom treatment services are not provided by the pediatric health care facility; (iii) the written agreement of a treatment hospital to accept transfer of pediatric ~~survivors of~~ sexual assault *patients* for whom treatment services are not provided by the pediatric health care facility; and (iv) if the pediatric health care facility does not provide services 24 hours per day, seven days per week, provisions to inform the public regarding the need to seek an alternative source of treatment, including emergency medical services, which may include requirements for appropriate signage.

C. A pediatric health care facility wishing to provide pediatric sexual assault ~~survivor~~ *patient* transfer *and stabilization* services shall submit a pediatric sexual assault ~~survivor~~ *patient* transfer plan to the Department. The Board shall adopt regulations to establish standards for review and approval of pediatric sexual assault ~~survivor~~ *patient* transfer plans, which shall include provisions for (i) the delivery of sexual assault ~~survivor~~ *patient* transfer *and stabilization* services in accordance with the requirements of § 32.1-162.15:5 and (ii) the written agreement of a treatment hospital to accept transfer of pediatric ~~survivors of~~ sexual assault *patients*.

D. Pediatric sexual assault ~~survivor~~ *patient* treatment plans and pediatric sexual assault ~~survivor~~ *patient* transfer plans shall be submitted in a form and in accordance with procedures specified by the Board. The Department shall approve or deny such plans, in writing, within 30 days of receipt of such plans. If the Department denies a plan submitted pursuant to this section, the Department shall provide the hospital with a written statement setting forth the reasons for such denial.

§ 32.1-162.15:7. Inspections; report required.

A. The Department shall periodically conduct such inspections of hospitals licensed by the Department as may be necessary to ensure that sexual assault ~~survivor~~ *patient* treatment plans, sexual assault ~~survivor~~ *patient* transfer plans, and pediatric sexual assault ~~survivor~~ *patient* transfer plans are implemented in accordance with the requirements of this article.

B. The Department shall report to the Governor and the General Assembly by December 1 of each year on:

1. The name of each hospital that has submitted a sexual assault ~~survivor~~ *patient* treatment plan, sexual assault ~~survivor~~ *patient* transfer plan, or pediatric sexual assault ~~survivor~~ *patient* transfer plan in accordance with the requirements of this section and, for each hospital, the specific type of plan, the date on which the plan was submitted, and the date on which the plan was approved;

2. The name of each hospital that has failed to submit a sexual assault ~~survivor~~ *patient* treatment plan, sexual assault ~~survivor~~ *patient* transfer plan, or pediatric sexual assault ~~survivor~~ *patient* transfer plan in accordance with the requirements of this section;

3. The name of each hospital for which an inspection was performed pursuant to subsection A and for each such hospital, the date of such inspection, and whether the hospital was found to be in compliance with the provisions of the sexual assault ~~survivor~~ *patient* treatment plan, sexual assault ~~survivor~~ *patient* transfer plan, or pediatric sexual assault ~~survivor~~ *patient* transfer plan for such hospital approved by the Department; and

4. For each hospital determined to be out of compliance with the requirements of the sexual assault ~~survivor~~ *patient* treatment plan, sexual assault ~~survivor~~ *patient* transfer plan, or pediatric sexual assault ~~survivor~~ *patient* transfer plan for such hospital approved by the Department, whether a plan of correction was submitted in accordance with the provisions of subsection A.

§ 32.1-162.15:9. Submission of evidence.

Every treatment hospital and approved pediatric health care facility that provides a ~~forensic~~ medical *forensic* examination that includes completion of a physical evidence recovery kit to a ~~survivor of~~ sexual assault *patient* who has elected to report the assault to law enforcement shall notify the law-enforcement agency with the primary responsibility for investigating an alleged sexual assault within four hours of the ~~forensic~~ medical *forensic* examination and arrange for collection of the physical evidence recovery kit within a reasonable timeframe. A treatment hospital or approved pediatric health care facility that provides a ~~forensic~~ medical *forensic* examination that includes completion of a physical evidence recovery kit to a ~~survivor of~~ sexual assault *patient* who elects not to report the sexual assault to law enforcement shall comply with the provisions of § 19.2-11.6 relating to anonymous physical evidence recovery kits.

§ 54.1-2910.5. Pediatric sexual assault patient services; requirements.

Any health care practitioner licensed by the Board to practice medicine or osteopathy or as a physician assistant, or jointly licensed by the Board and the Board of Nursing as an advanced practice registered nurse, who wishes to provide

sexual assault ~~survivor~~ *patient* treatment services or sexual assault ~~survivor~~ *patient* transfer *and stabilization* services, as defined in § 32.1-162.15:2, to pediatric ~~survivors of~~ sexual assault *patients*, as defined in § 32.1-162.15:2, shall comply with the provisions of Article 8 (§ 32.1-162.15:2 et seq.) of Chapter 5 of Title 32.1 applicable to pediatric medical care facilities.

§ 54.1-3018.2. Pediatric sexual assault patient services; requirements.

Any person licensed by the Board as a registered nurse who wishes to provide sexual assault ~~survivor~~ *patient* treatment services or sexual assault ~~survivor~~ *patient* transfer *and stabilization* services, as defined in § 32.1-162.15:2, to pediatric ~~survivors of~~ sexual assault *patients*, as defined in § 32.1-162.15:2, shall comply with the provisions of Article 8 (§ 32.1-162.15:2 et seq.) of Chapter 5 of Title 32.1 applicable to pediatric medical care facilities.

2. That § 32.1-162.15:11 of the Code of Virginia is repealed.

3. That the Director of the Department of Criminal Justice Services (the Director) shall convene a work group to address sustainable funding for sexual assault medical forensic examinations and services to include the Commissioner of Health or his designee, the Executive Director of the Virginia Workers' Compensation Commission or his designee, the Executive Secretary of the Supreme Court of Virginia or his designee, two representatives from the Virginia Hospital & Healthcare Association, two representatives from the Virginia Chapter of the International Association of Forensic Nurses, one representative from the Medical Society of Virginia, one representative from the Virginia Nurses Association, two representatives from the Virginia Sexual and Domestic Violence Action Alliance, and other stakeholders designated by the Director or his designee. The work group shall submit a report with recommendations to the Chairs of the House Committee on Health and Human Services, the House Committee on Appropriations, the Senate Committee on Education and Health, and the Senate Committee on Finance and Appropriations by November 1, 2025.

CHAPTER 492

An Act to amend the Code of Virginia by adding in Chapter 12 of Title 2.2 a section numbered 2.2-1214, relating to Department of Human Resource Management; hiring on the basis of direct experience.

[S 1014]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 12 of Title 2.2 a section numbered 2.2-1214 as follows:

§ 2.2-1214. Hiring on the basis of direct experience.

A. No state agency shall require as a condition of eligibility for hire to a position in state employment that an applicant have a baccalaureate degree.

B. Subsection A shall not apply if the knowledge, skills, or abilities required for the position for which an applicant is applying can only reasonably be obtained, as determined by the appointing authority, through a course of study in pursuit of, and culminating in the award of, a baccalaureate degree.

CHAPTER 493

An Act to amend the Code of Virginia by adding a section numbered 22.1-271.9, relating to public schools; interscholastic sports and athletics; guidelines and policies on student-athlete extreme heat safety and protection; development and implementation.

[S 1104]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-271.9 as follows:

§ 22.1-271.9. Guidelines and policies on student-athlete extreme heat safety and protection.

A. The Board shall develop, biennially review and update as necessary, and distribute to each local school division guidelines on policies relating to extreme heat safety and protection for student-athletes that inform coaches, student-athletes, and student-athletes' parents of risks associated with and best-practices and strategies for ensuring the safety and protection of student-athletes when engaging in outdoor physical activity in times of extreme heat.

B. Each school board shall develop and update, in accordance with the guidelines developed by the Board pursuant to subsection A, policies on student-athlete extreme heat safety and protection. Such policies shall:

1. Be consistent with any heat guidelines based on Wet Bulb Globe Temperature (WBGT) levels developed by an organization or entity whose purpose it is to regulate or govern interscholastic athletics programs in the Commonwealth;

2. Include parameters relating to the scheduling of outdoor athletics practices or games during different WBGT levels and establishing the WBGT levels at which outdoor athletics practices or games shall be cancelled;

3. Establish a heat-acclimatization and modification procedure for outdoor athletics practices or games consisting of at least five tiers of procedures for outdoor athletics practices or games based on heat or humidity levels, with the first tier outlining heat-acclimatization and modification procedures for the lowest heat or humidity level requiring special

student-athlete safety and protection precautions and the final tier outlining heat-acclimatization and modification procedures for the most severe heat or humidity level before the level at which all outdoor athletics practices or games shall be cancelled pursuant to subdivision 2. Such tiered heat-acclimatization and modification procedures shall include required equipment modification, if applicable for the sport, modification of work-to-rest ratios, modification of water break requirements, and procedures relating to the use of shaded areas for rest breaks;

4. Require (i) each student-athlete to be given unhindered access at all times to hydration and a cooling space, which may be a shaded or air-conditioned area, and (ii) each student-athlete and each coach to be provided ice at any time there is a WBGT level of 80 degrees Fahrenheit or higher;

5. Include procedures relating to preventing, recognizing, and addressing heat-related illnesses, including dehydration, heat syncope, heat exhaustion, and heat stroke; and

6. Establish a process for reporting and investigating any instance in which a student-athlete experiences a severe heat-related illness requiring emergency medical treatment or resulting in death.

CHAPTER 494

An Act to amend and reenact § 23.1-610 of the Code of Virginia, relating to higher education; financial assistance; Virginia National Guard State Tuition Assistance Program; eligibility criteria.

[S 1106]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 23.1-610 of the Code of Virginia is amended and reenacted as follows:

§ 23.1-610. Virginia National Guard State Tuition Assistance Program; grants.

A. ~~Any~~ *Subject to regulations as prescribed by the Adjutant General, any* individual who (i) is a member of the Virginia National Guard and has a minimum remaining obligation of two years, (ii) has satisfactorily completed required initial active duty service, (iii) is satisfactorily performing duty in accordance with regulations of the National Guard, and (iv) is enrolled in ~~any course or program~~ *and in good standing* at any public institution of higher education or accredited nonprofit private institution of higher education whose primary purpose is to provide collegiate or graduate education and not to provide religious training or theological education is eligible for a grant in the amount of the difference between the full cost of tuition and any other educational benefits for which he is eligible as a member of the National Guard. Grants provided under this section shall be subject to limitation based on the amount of funds appropriated for such purpose. If applications for grants exceed the amount of funding appropriated, the Department of Military Affairs (the Department) shall issue grants to eligible recipients based on the order in which applications were received.

B. Application for a grant shall be made to the Department no later than 30 days prior to the beginning of an academic semester. The Department shall determine whether an applicant is eligible for the grant as described in subsection A and communicate acceptance and any additional requirements determined by the Department in writing no later than 30 days after receipt of an application~~. Applicants eligible for a grant pursuant to this section shall:~~

~~1. Satisfy all financial obligations with the institution of higher education at the beginning of each semester; and~~

~~2. Provide written proof of acceptable academic performance and good standing with the institution of higher education for the current term to the Department no later than 30 days following the end of a term or semester. Upon the receipt of proof of academic performance and continued good standing to the Department, the Department shall issue grants in a manner and amount that is consistent with regulations promulgated by the Adjutant General. As used in this subdivision, "academic performance" means (i) achieving a passing grade in each course during the semester and (ii) maintaining a cumulative grade point average of at least 2.0 on a scale of 4.0 or its equivalent, and "good standing" means that the individual has fulfilled all obligations to the institution of higher education~~. *Upon acceptance, grant funds shall be disbursed to the applicable institution of higher education for credit against the recipient's student account.*

C. Any member of the Virginia National Guard shall be eligible to receive a grant under this section if such member has two years remaining on his service obligation to the Virginia National Guard as of the last day of the last term or semester for which tuition assistance is requested. Service in the inactive National Guard, the active duty or reserve forces of the United States, or the National Guard of any other state shall not count as applicable service toward fulfilling this service obligation. Federal active duty mobilizations occurring while still a member of the Virginia National Guard and state active duty for the Commonwealth shall count toward the two-year service obligation.

D. The Department may utilize grant funding in order to recruit qualified applicants for service in the Virginia National Guard. The yearly funding amount for such recruitment shall be at the discretion of the Adjutant General and the Department and not exceed $50,000 per fiscal year.

CHAPTER 495

An Act to amend and reenact §§ 54.1-2130 through 54.1-2134, 54.1-2137, 54.1-2138.1, 54.1-2139, 54.1-2139.01, and 54.1-2139.1 of the Code of Virginia, relating to duties of real estate brokers and salespersons; licensees engaged by buyers.

[S 1309]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2130 through 54.1-2134, 54.1-2137, 54.1-2138.1, 54.1-2139, 54.1-2139.01, and 54.1-2139.1 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2130. Definitions.

As used in this article:

"Agency" means every relationship in which a real estate licensee acts for or represents a person as an agent by such person's express authority in a commercial or residential real estate transaction, unless a different legal relationship is intended and is agreed to as part of the brokerage agreement. Nothing in this article shall prohibit a licensee and a client from agreeing in writing to a brokerage relationship under which the licensee acts as an independent contractor or which imposes on a licensee obligations in addition to those provided in this article. If a licensee agrees to additional obligations, however, the licensee shall be responsible for the additional obligations agreed to with the client in the brokerage agreement. A real estate licensee who enters into a brokerage relationship based upon a written brokerage agreement that specifically states that the real estate licensee is acting as an independent contractor and not as an agent shall have the obligations agreed to by the parties in the brokerage agreement, and such real estate licensee and its employees shall comply with the provisions of subdivisions A 3 through 7 and subsections B and E of § 54.1-2131; subdivisions A ~~3~~ *4* through ~~7~~ *8* and subsections B and E of § 54.1-2132; subdivisions A 3 through 7 and subsections B and E of § 54.1-2133; subdivisions A ~~3~~ *4* through ~~7~~ *8* and subsections B and E of § 54.1-2134; and subdivisions A 2 through 6 and subsections C and D of § 54.1-2135 but otherwise shall have no obligations under §§ 54.1-2131 through 54.1-2135. Any real estate licensee who acts for or represents a client in an agency relationship in a residential real estate transaction shall either represent such client as a standard agent or a limited service agent.

"Agent" means a real estate licensee who is acting as (i) a standard agent in a residential real estate transaction, (ii) a limited service agent in a residential real estate transaction, or (iii) an agent in a commercial real estate transaction.

"Brokerage agreement" means the written agreement creating a brokerage relationship between a client and a licensee. The brokerage agreement shall state whether the real estate licensee will represent the client as an agent or an independent contractor.

"Brokerage relationship" means the contractual relationship between a client and a real estate licensee who has been engaged by such client ~~for the purpose of procuring a seller, buyer, option, tenant, or landlord ready, able, and willing to sell, buy, option, exchange or rent real estate on behalf of a client~~ *to provide brokerage services*.

"Brokerage services" means (i) those activities described in subsection A of § 54.1-2131, subsection A of § 54.1-2132, subsection A of § 54.1-2133, and subsection A of § 54.1-2134; (ii) activities requiring the exercise of a licensee's professional judgment, discretion, advice, or counsel; or (iii) activities otherwise performed in connection with procuring a seller, buyer, option, tenant, or landlord ready, able, and willing to sell, buy, option, exchange, or rent real estate on behalf of the client with whom the licensee has an executed brokerage agreement.

"Client" means a person who has entered into a brokerage relationship with a licensee.

"Commercial real estate" means any real estate other than (i) real estate containing one to four residential units or (ii) real estate classified for assessment purposes under § 58.1-3230. Commercial real estate shall not include single family residential units, including condominiums, townhouses, apartments, or homes in a subdivision when leased on a unit by unit basis even though these units may be part of a larger building or parcel of real estate containing more than four residential units.

"Common source information company" means any person, firm, or corporation that is a source, compiler, or supplier of information regarding real estate for sale or lease and other data and includes, but is not limited to, multiple listing services.

"Customer" means a person who has not entered into a brokerage relationship with a licensee but for whom a licensee performs ministerial acts in a real estate transaction. Unless a licensee enters into a brokerage relationship with such person, it shall be presumed that such person is a customer of the licensee rather than a client.

"Designated agent" or "designated representative" means a licensee who has been assigned by a principal or supervising broker to represent a client when a different client is also represented by such principal or broker in the same transaction. A designated representative shall only act as an independent contractor.

"Dual agent" or "dual representative" means a licensee who has a brokerage relationship with both seller and buyer, or both landlord and tenant, in the same real estate transaction. A dual agent has an agency relationship under brokerage agreements with the clients. A dual representative has an independent contractor relationship under brokerage agreements with the clients. A dual representative shall only act as an independent contractor.

"Independent contractor" means a real estate licensee who (i) enters into a brokerage relationship based upon a brokerage agreement that specifically states that the real estate licensee is acting as an independent contractor and not as an agent; (ii) shall have the obligations agreed to by the parties in the brokerage agreement; and (iii) shall comply with the provisions of subdivisions A 3 through 7 and subsections B and E of § 54.1-2131; subdivisions A ~~3~~ *4* through ~~7~~ *8* and subsections B and E of § 54.1-2132; subdivisions A 3 through 7 and subsections B and E of § 54.1-2133; subdivisions A ~~3~~ *4* through ~~7~~ *8* and subsections B and E of § 54.1-2134; and subdivisions A 2 through 6 and subsections C and D of § 54.1-2135 but otherwise shall have no obligations under §§ 54.1-2131 through 54.1-2135.

"Licensee" means real estate brokers and salespersons as defined in Article 1 (§ 54.1-2100 et seq.).

"Limited service agent" means a licensee who acts for or represents a client in a residential real estate transaction pursuant to a brokerage agreement that provides that the limited service agent will not provide one or more of the duties set forth in subdivision A 2 of ~~§§~~ *§* 54.1-2131, *subdivision A 3 of §* 54.1-2132, *subdivision A 2 of §* 54.1-2133, and *subdivision A 3 of §* 54.1-2134~~, inclusive~~. A limited service agent shall have the obligations set out in the brokerage agreement, except that a limited service agent shall provide the client, at the time of entering the brokerage agreement, copies of any and all disclosures required by federal or state law, or local disclosures expressly authorized by state law, and shall disclose to the client the following in writing: (i) the rights and obligations of the client under the Virginia Residential Property Disclosure Act (§ 55.1-700 et seq.); (ii) if the client is selling a condominium, the rights and obligations of the client to deliver to the purchasers, or to receive as purchaser, the resale certificate required by § 55.1-2309; and (iii) if the client is selling a property subject to the Property Owners' Association Act (§ 55.1-1800 et seq.), the rights and obligations of the client to deliver to the purchasers, or to receive as purchaser, the resale certificate required by § 55.1-2309.

"Ministerial acts" means those routine acts ~~which~~ *that* a licensee can perform for a person ~~which~~ *that* do not involve discretion or the exercise of the licensee's own judgment.

"Property management agreement" means the written agreement between a property manager and the owner of real estate for the management of the real estate.

"Residential real estate" means real property containing from one to four residential dwelling units and the sale of lots containing one to four residential dwelling units.

"Showing property" means (i) taking a prospective buyer or tenant to a property, obtaining access to such property, and taking the individual through the property, including entering a property to provide a live, virtual tour to a prospective buyer or tenant who is not physically present; (ii) responding to questions or providing information about such property that is not of public record while at the property; or (iii) otherwise providing brokerage services while at the property.

"Standard agent" means a licensee who acts for or represents a client in an agency relationship in a residential real estate transaction. A standard agent shall have the obligations as provided in this article and any additional obligations agreed to by the parties in the brokerage agreement.

§ 54.1-2131. Licensees engaged by sellers.

A. A licensee engaged by a seller shall:

1. Perform in accordance with the terms of the brokerage agreement;

2. Promote the interests of the seller by:

a. Conducting marketing activities on behalf of the seller in accordance with the brokerage agreement. In so doing, the licensee shall seek a sale at the price and terms agreed upon in the brokerage agreement or at a price and terms acceptable to the seller; however, the licensee shall not be obligated to seek additional offers to purchase the property while the property is subject to a contract of sale, unless agreed to as part of the brokerage agreement or as the contract of sale so provides;

b. Assisting in the drafting and negotiating of offers and counteroffers, amendments, and addenda to the real estate contract pursuant to § 54.1-2101.1 and in establishing strategies for accomplishing the seller's objectives;

c. Receiving and presenting in a timely manner written offers and counteroffers to and from the seller and purchasers, even when the property is already subject to a contract of sale; and

d. Providing reasonable assistance to the seller to satisfy the seller's contract obligations and to facilitate settlement of the purchase contract;

3. Maintain confidentiality of all personal and financial information received from the client during the brokerage relationship and any other information that the client requests during the brokerage relationship be maintained confidential, unless otherwise provided by law or the seller consents in writing to the release of such information;

4. Exercise ordinary care;

5. Account in a timely manner for all money and property received by the licensee in which the seller has or may have an interest;

6. Disclose to the seller material facts related to the property or concerning the transaction of which the licensee has actual knowledge; and

7. Comply with all requirements of this article, all fair housing statutes and regulations for residential real estate transactions as applicable, and all other applicable statutes and regulations ~~which~~ *that* are not in conflict with this article.

B. Licensees shall treat all prospective buyers honestly and shall not knowingly give them false information. A licensee engaged by a seller shall disclose to prospective buyers all material adverse facts pertaining to the physical condition of the property ~~which~~ *that* are actually known by the licensee. If a licensee has actual knowledge of the existence of defective drywall in a residential property, the licensee shall disclose the same to the prospective buyer. For purposes of this section, "defective drywall" means all defective drywall as defined in § 36-156.1. As used in this section, the term

"physical condition of the property" ~~shall refer~~ *refers* to the physical condition of the land and any improvements thereon, and ~~shall~~ *does* not refer to (i) matters outside the boundaries of the land or relating to adjacent or other properties in proximity thereto, (ii) matters relating to governmental land use regulations, or (iii) matters relating to highways or public streets. Such disclosure shall be made in writing. No cause of action shall arise against any licensee for revealing information as required by this article or applicable law. Nothing in this article shall limit in any way the provisions of the Virginia Residential Property Disclosure Act (§ 55.1-700 et seq.) applicable to residential real estate transactions.

C. A licensee engaged by a seller in a real estate transaction may, unless prohibited by law or the brokerage agreement, provide assistance to a buyer or potential buyer by performing ministerial acts. Performing such ministerial acts that are not inconsistent with subsection A shall not be construed to violate the licensee's brokerage agreement with the seller unless expressly prohibited by the terms of the brokerage agreement, nor shall performing such ministerial acts be construed to form a brokerage relationship with such buyer or potential buyer.

D. A licensee engaged by a seller does not breach any duty or obligation owed to the seller by showing alternative properties to prospective buyers, whether as clients or customers, or by representing other sellers who have other properties for sale.

E. Licensees in residential real estate transactions shall disclose brokerage relationships pursuant to the provisions of this article.

F. Nothing in this section shall be construed to require a licensee to disclose whether settlement services under Chapter 10 (§ 55.1-1000 et seq.) of Title 55.1 will be provided by an attorney or a nonattorney settlement agent.

G. A licensee engaged by a seller shall not be required to enter into a brokerage agreement with a prospective buyer to show property to the prospective buyer when such showing is conducted pursuant to and in accordance with a brokerage agreement entered into with a seller client.

§ 54.1-2132. Licensees engaged by buyers.

A. A licensee engaged by a buyer shall:

1. *Enter into a brokerage agreement with the prospective buyer prior to showing property to such prospective buyer;*

2. Perform in accordance with the terms of the brokerage agreement;

~~2.~~ *3.* Promote the interests of the buyer by:

a. Seeking a property of a type acceptable to the buyer and at a price and on terms acceptable to the buyer; however, the licensee shall not be obligated to seek *or show* other properties for the buyer while the buyer is a party to a contract to purchase property unless agreed to as part of the brokerage relationship;

b. Assisting in the drafting and negotiating of offers and counteroffers, amendments, and addenda to the real estate contract pursuant to § 54.1-2101.1 and in establishing strategies for accomplishing the buyer's objectives;

c. Receiving and presenting in a timely manner all written offers or counteroffers to and from the buyer and seller, even when the buyer is already a party to a contract to purchase property; and

d. Providing reasonable assistance to the buyer to satisfy the buyer's contract obligations and to facilitate settlement of the purchase contract;

~~3.~~ *4.* Maintain confidentiality of all personal and financial information received from the client during the brokerage relationship and any other information that the client requests during the brokerage relationship be maintained confidential unless otherwise provided by law or the buyer consents in writing to the release of such information;

~~4.~~ *5.* Exercise ordinary care;

~~5.~~ *6.* Account in a timely manner for all money and property received by the licensee in which the buyer has or may have an interest;

~~6.~~ *7.* Disclose to the buyer material facts related to the property or concerning the transaction of which the licensee has actual knowledge; and

~~7.~~ *8.* Comply with all requirements of this article, all fair housing statutes and regulations for residential real estate transactions as applicable, and all other applicable statutes and regulations ~~which~~ *that* are not in conflict with this article.

B. Licensees shall treat all prospective sellers honestly and shall not knowingly give them false information. If a licensee has actual knowledge of the existence of defective drywall in a residential property, the licensee shall disclose the same to the buyer. For purposes of this section, "defective drywall" means all defective drywall as defined in § 36-156.1. No cause of action shall arise against any licensee for revealing information as required by this article or applicable law. In the case of a residential transaction, a licensee engaged by a buyer shall disclose to a seller whether or not the buyer intends to occupy the property as a principal residence. The buyer's expressions of such intent in the contract of sale shall satisfy this requirement and no cause of action shall arise against any licensee for the disclosure or any inaccuracy in such disclosure, or the nondisclosure of the buyer in this regard.

C. A licensee engaged by a buyer in a real estate transaction may, unless prohibited by law or the brokerage agreement, provide assistance to the seller, or prospective seller, by performing ministerial acts. Performing such ministerial acts that are not inconsistent with subsection A shall not be construed to violate the licensee's brokerage agreement with the buyer unless expressly prohibited by the terms of the brokerage agreement, nor shall performing such ministerial acts be construed to form a brokerage relationship with such seller.

D. A licensee engaged by a buyer does not breach any duty or obligation to the buyer by showing properties in which the buyer is interested to other prospective buyers, whether as clients or customers, by representing other buyers looking at the same or other properties, or by representing sellers relative to other properties.

E. Licensees in residential real estate transactions shall disclose brokerage relationships pursuant to the provisions of this article.

F. Nothing in this section shall be construed to require a licensee to disclose whether settlement services under Chapter 10 (§ 55.1-1000 et seq.) of Title 55.1 will be provided by an attorney or a nonattorney settlement agent.

~~G. Notwithstanding any other provision of law requiring written brokerage agreements or governing the duties of licensees, nothing in this chapter shall be construed to require that a written agreement between a licensee and a prospective buyer be executed prior to the licensees' showing properties to the prospective buyer.~~

§ 54.1-2133. Licensees engaged by landlords to lease property.

A. A licensee engaged by a landlord shall:

1. Perform in accordance with the terms of the brokerage agreement;

2. Promote the interests of the landlord by:

a. Conducting marketing activities on behalf of the landlord pursuant to the brokerage agreement with the landlord. In so doing, the licensee shall seek a tenant at the rent and terms agreed in the brokerage agreement or at a rent and terms acceptable to the landlord; however, the licensee shall not be obligated to seek additional offers to lease the property while the property is subject to a lease or a letter of intent to lease under which the tenant has not yet taken possession, unless agreed as part of the brokerage agreement, or unless the lease or the letter of intent to lease so provides;

b. Assisting the landlord in drafting and negotiating leases and letters of intent to lease, and presenting in a timely manner all written leasing offers or counteroffers to and from the landlord and tenant pursuant to § 54.1-2101.1, even when the property is already subject to a lease or a letter of intent to lease; and

c. Providing reasonable assistance to the landlord to finalize the lease agreement;

3. Maintain confidentiality of all personal and financial information received from the client during the brokerage relationship and any other information that the client requests during the brokerage relationship be maintained confidential, unless otherwise provided by law or the landlord consents in writing to the release of such information;

4. Exercise ordinary care;

5. Account in a timely manner for all money and property received by the licensee in which the landlord has or may have an interest;

6. Disclose to the landlord material facts related to the property or concerning the transaction of which the licensee has actual knowledge; and

7. Comply with all requirements of this article, fair housing statutes and regulations for residential real estate transactions as applicable, and all other applicable statutes and regulations ~~which~~ *that* are not in conflict with this article.

B. Licensees shall treat all prospective tenants honestly and shall not knowingly give them false information. A licensee engaged by a landlord shall disclose to prospective tenants all material adverse facts pertaining to the physical condition of the property ~~which~~ *that* are actually known by the licensee. If a licensee has actual knowledge of the existence of any pipe, pipe or plumbing fitting, fixture, solder, or flux that does not meet the federal Safe Drinking Water Act definition of "lead free" pursuant to 42 U.S.C. § 300g-6 in a residential property, the licensee shall disclose the same to the prospective tenant. As used in this section, the term "physical condition of the property" ~~shall refer~~ *refers* to the physical condition of the land and any improvements thereon, and ~~shall~~ *does* not refer to~~:~~ (i) matters outside the boundaries of the land or relating to adjacent or other properties in proximity thereto, (ii) matters relating to governmental land use regulations, and (iii) matters relating to highways or public streets. Such disclosure shall be made in writing. No cause of action shall arise against any licensee for revealing information as required by this article or applicable law. Nothing in this subsection shall limit the right of a prospective tenant to inspect the physical condition of the property.

C. A licensee engaged by a landlord in a real estate transaction may, unless prohibited by law or the brokerage agreement, provide assistance to a tenant, or potential tenant, by performing ministerial acts. Performing such ministerial acts that are not inconsistent with subsection A shall not be construed to violate the licensee's brokerage relationship with the landlord unless expressly prohibited by the terms of the brokerage agreement, nor shall performing such ministerial acts be construed to form a brokerage relationship with such tenant or potential tenant.

D. A licensee engaged by a landlord does not breach any duty or obligation owed to the landlord by showing alternative properties to prospective tenants, whether as clients or customers, or by representing other landlords who have other properties for lease.

E. Licensees in residential real estate transactions shall disclose brokerage relationships pursuant to the provisions of this article.

F. A licensee engaged by a landlord shall not be required to enter into a brokerage agreement with a prospective tenant to show property to the prospective tenant when such showing is conducted pursuant to and in accordance with a brokerage agreement entered into with a landlord client.

§ 54.1-2134. Licensees engaged by tenants.

A. A licensee engaged by a tenant shall:

1. *Enter into a brokerage agreement with the prospective tenant prior to showing property to such prospective tenant;*

2. Perform in accordance with the terms of the brokerage agreement;

~~2.~~ *3.* Promote the interests of the tenant by:

a. Seeking a lease at a rent and with terms acceptable to the tenant; however, the licensee shall not be obligated to seek *or show* other properties for the tenant while the tenant is a party to a lease or a letter of intent to lease exists under which the

tenant has not yet taken possession, unless agreed to as part of the brokerage agreement, or unless the lease or the letter of intent to lease so provides;

b. Assisting in the drafting and negotiating of leases, letters of intent to lease, and rental applications, and presenting, in a timely fashion, all written offers or counteroffers to and from the tenant and landlord pursuant to § 54.1-2101.1, even when the tenant is already a party to a lease or a letter of intent to lease; and

c. Providing reasonable assistance to the tenant to finalize the lease agreement;

~~3.~~ *4.* Maintain confidentiality of all personal and financial information received from the client during the brokerage relationship and any other information that the client requests during the brokerage relationship be maintained confidential unless otherwise provided by law or the tenant consents in writing to the release of such information;

~~4.~~ *5.* Exercise ordinary care;

~~5.~~ *6.* Account in a timely manner for all money and property received by the licensee in which the tenant has or may have an interest;

~~6.~~ *7.* Disclose to the tenant material facts related to the property or concerning the transaction of which the licensee has actual knowledge; and

~~7.~~ *8.* Comply with all requirements of this article, fair housing statutes and regulations for residential real estate transactions as applicable, and all other applicable statutes and regulations ~~which~~ *that* are not in conflict with this article.

B. Licensees shall treat all prospective landlords honestly and shall not knowingly give them false information. If a licensee has actual knowledge of the existence of defective drywall in a residential property, the licensee shall disclose the same to the prospective tenant. For purposes of this section, "defective drywall" means all defective drywall as defined in § 36-156.1. No cause of action shall arise against any licensee for revealing information as required by this article or applicable law.

C. A licensee engaged by a tenant in a real estate transaction may provide assistance to the landlord or prospective landlord by performing ministerial acts. Performing such ministerial acts that are not inconsistent with subsection A shall not be construed to violate the licensee's brokerage relationship with the tenant unless expressly prohibited by the terms of the brokerage agreement, nor shall performing such ministerial acts be construed to form a brokerage relationship with the landlord or prospective landlord.

D. A licensee engaged by a tenant does not breach any duty or obligation to the tenant by showing properties in which the tenant is interested to other prospective tenants, whether as clients or customers, by representing other tenants looking for the same or other properties to lease, or by representing landlords relative to other properties.

E. Licensees in residential real estate transactions shall disclose brokerage relationships pursuant to the provisions of this article.

~~F. Notwithstanding any other provision of law requiring written brokerage agreements or governing the duties of licensees, nothing in this chapter shall be construed to require that a written agreement between a licensee and a prospective tenant be executed prior to the licensees' showing properties to the prospective tenant.~~

§ 54.1-2137. Commencement and termination of brokerage relationships; brokerage agreements required.

A. The brokerage relationships set forth in this article shall commence at the time that a client engages a licensee *to provide brokerage services* and shall continue until (i) completion of performance in accordance with the brokerage agreement or (ii) the earlier of (a) any date of expiration agreed upon by the parties as part of the brokerage agreement or in any amendments thereto, (b) any mutually agreed upon termination of the brokerage agreement, (c) a default by any party under the terms of the brokerage agreement, or (d) a termination as set forth in subsection G of § 54.1-2139.

B. *Except as otherwise provided in this article, a licensee shall enter into a brokerage agreement with a prospective client prior to providing brokerage services. A licensee shall not be required to enter into a brokerage agreement prior to preparing property-specific materials with the intent to obtain a brokerage relationship with a prospective client.*

C. Brokerage agreements shall be in writing and shall:

1. Have a definite termination date; however, if a brokerage agreement does not specify a definite termination date, the brokerage agreement shall terminate 90 days after the date of the brokerage agreement;

2. State the amount of the brokerage fees and how and when such fees are to be paid;

3. State the services to be rendered by the licensee;

4. Include such other terms of the brokerage relationship as have been agreed to by the client and the licensee; and

5. In the case of brokerage agreements entered into in conjunction with the client's consent to a dual representation, the disclosures set out in subsection A of § 54.1-2139.

~~C.~~ *D.* Except as otherwise agreed to in writing, a licensee owes no further duties to a client after termination, expiration, or completion of performance of the brokerage agreement, except to (i) account for all moneys and property relating to the brokerage relationship and (ii) keep confidential all personal and financial information received from the client during the course of the brokerage relationship and any other information that the client requests during the brokerage relationship be maintained confidential, unless otherwise provided by law or the client consents in writing to the release of such information.

§ 54.1-2138.1. Limited service agent in a residential real estate transaction, contract disclosure required.

A. A licensee may act as a limited service agent in a residential real estate transaction only pursuant to a written brokerage agreement in which the limited service agent (i) discloses that the licensee is acting as a limited service agent; (ii) provides a list of the specific services that the licensee will provide to the client; and (iii) provides a list of the specific

duties of a standard agent set out in subdivision A 2 of § 54.1-2131, subdivision A ~~2~~ *3* of § 54.1-2132, subdivision A 2 of § 54.1-2133, or subdivision A ~~2~~ *3* of § 54.1-2134, as applicable, that the limited service agent will not provide to the client. Such disclosure shall be conspicuous and printed either in bold lettering or all capitals, and shall be underlined or in a separate box. In addition, a disclosure that contains language that complies substantially in effect with the following shall be deemed in compliance with this disclosure requirement:

"By entering into this brokerage agreement, the undersigned do hereby acknowledge their informed consent to the limited service agent in a residential real estate transaction by the licensee and do further acknowledge that neither the other party to the transaction nor any real estate licensee representing the other party is under any legal obligation to assist the undersigned with the performance of any duties and responsibilities of the undersigned not performed by the limited service agent."

A limited service agent shall disclose dual agency in accordance with § 54.1-2139.

B. A licensee engaged by one client to a residential real estate transaction and dealing with an unrepresented party or with a party represented by a limited service agent and who, without additional compensation, provides such other party information relative to the transaction or undertakes to assist such other party in securing a contract or with such party's obligations thereunder, shall not incur liability for such actions except in the case of gross negligence or willful misconduct. A licensee does not create a brokerage relationship by providing such assistance or information to the other party to the transaction. A licensee dealing with a client of a limited service agent may enter into an agreement with that party for payment of a fee for services performed or information provided by that licensee. Such payment shall not create a brokerage relationship; however, the licensee providing such services or information for a fee shall be held to the ordinary standard of care in the provision of such services or information.

§ 54.1-2139. Disclosed dual agency and dual representation authorized in a residential real estate transaction.

A. A licensee may not act as a dual agent or dual representative in a residential real estate transaction unless he has first obtained the written consent of all parties to the transaction given after written disclosure of the consequences of such dual agency or dual representation. A dual agent has an agency relationship under the brokerage agreements with the clients. A dual representative has an independent contractor relationship under the brokerage agreements with the clients. Such disclosure shall be in writing and given to both parties prior to the commencement of such dual agency or dual representation.

B. If the licensee is currently representing a party as an agent or independent contractor representative and that party desires to engage in a real estate transaction with another existing client represented by the licensee, the licensee may engage in dual representation provided that prior to commencement thereof the disclosure required by this section is given to both of the licensee's existing clients.

C. If the licensee is currently representing a party as an agent or independent contractor representative and the licensee proposes to represent a new client in a dual representation, the licensee may only engage in such dual representation if prior to commencement thereof, the disclosure required by this section is given to the licensee's one existing client and one new client.

D. Such disclosures shall not be deemed to comply with the requirements in this section if (i) not signed by the client or (ii) given in a purchase agreement, lease, or any other document related to a transaction. However, such written consent and disclosure of the brokerage relationship as required by this article shall be presumed to have been given as against any client who signs a disclosure as required in this section.

E. The obligation to make the disclosures required by this section shall not relieve the licensee of the obligations set out in subsection ~~B~~ *C* of § 54.1-2137 requiring all brokerage relationships to be set out in a written agreement between the licensee and the client.

F. No cause of action shall arise against a dual agent or dual representative for making disclosures of brokerage relationships as provided by this article. A dual agent or dual representative does not terminate any brokerage relationship by the making of any such allowed or required disclosures of dual agency or dual representation.

G. In any real estate transaction, a licensee may withdraw, without liability, from representing a client who refuses to consent to a disclosed dual agency or dual representation hereby terminating the brokerage relationship with such client. Such withdrawal shall not prejudice the ability of the licensee to continue to represent the other client in the transaction nor to limit the licensee from representing the client who refused the dual agency or dual representation in other transactions not involving the dual agency or dual representation.

H. The dual agency or dual representation disclosure in a residential transaction shall contain the following provisions and disclosure that substantially complies with the following shall be deemed in compliance with this disclosure requirement:

DISCLOSURE OF DUAL AGENCY OR DUAL REPRESENTATION IN A RESIDENTIAL REAL ESTATE TRANSACTION

The undersigned do hereby acknowledge disclosure that:

The licensee _____ (name of broker or salesperson) associated with _____ (Brokerage Firm) represents more than one party in this residential real estate transaction as follows:

A. Brokerage Firm represents the following party (select one):

[ ] Seller(s) [ ] Buyer(s) [ ] Landlord(s) [ ] Tenant(s)

As a (select one):

[ ] standard agent [ ] limited service agent [ ] independent contractor

Brokerage Firm represents another party (select one):

[ ] Seller(s) [ ] Buyer(s) [ ] Landlord(s) [ ] Tenant(s)

As a (select one):

[ ] standard agent [ ] limited service agent [ ] independent contractor

B. Brokerage Firm disclosure and client acknowledgement of the following (select one):

[ ] Brokerage Firm represents two existing clients in the transaction and the undersigned acknowledge the following:

The undersigned understand that the foregoing dual agent or dual representative may not disclose to either client any information that has been given to the dual agent or representative by the other client within the confidence and trust of the brokerage relationship except for that information which is otherwise required or permitted by Article 3 (§ 54.1-2130 et seq.) of Chapter 21 of Title 54.1 of the Code of Virginia to be disclosed.

[ ] Brokerage Firm represents one existing client and one new client in the transaction and the undersigned acknowledge the following:

The undersigned understand:

1. That following the commencement of dual agency or representation, the licensee cannot advise either party as to the terms to offer or accept in any offer or counteroffer; however, the licensee may have advised one party as to such terms prior to the commencement of dual agency or representation;

2. That the licensee cannot advise the buyer client as to the suitability of the property, its condition (other than to make any disclosures as required by law of any licensee representing a seller), and cannot advise either party as to what repairs of the property to make or request;

3. That the licensee cannot advise either party in any dispute that arises relating to the transaction;

4. That the licensee may be acting without knowledge of the client's needs, client's knowledge of the market, or client's capabilities in dealing with the intricacies of real estate transactions; and

5. That either party may engage another licensee at additional cost to represent their respective interests.

The undersigned by signing this notice do hereby acknowledge their informed consent to the disclosed dual representation by the licensee.

_____	_____
Date	Name (One Party)
_____	_____
Date	Name (One Party)
_____	_____
Date	Name (Other Party)
_____	_____
Date	Name (Other Party)

§ 54.1-2139.01. Disclosed dual agency and dual representation in commercial real estate transactions authorized.

A. A licensee may act as a dual agent or dual representative in a commercial real estate transaction only with the written consent of all clients to the transaction. A dual agent has an agency relationship under the brokerage agreements with the clients. A dual representative has an independent contractor relationship under the brokerage agreements with the clients. Such written consent and disclosure of the brokerage relationship as required by this article shall be presumed to have been given as against any client who signs a disclosure as provided in this section.

B. Such disclosure may be given in combination with other disclosures or provided with other information, but if so, the disclosure shall be conspicuous, printed in bold lettering, all capitals, underlined, or within a separate box. Any disclosure which complies substantially in effect with the following shall be deemed in compliance with this disclosure requirement:

DISCLOSURE OF DUAL AGENCY OR DUAL REPRESENTATION IN A COMMERCIAL REAL ESTATE TRANSACTION

The undersigned do hereby acknowledge disclosure that:

The licensee _____ (name of broker or salesperson) associated with_____ (Brokerage Firm) represents more than one party in this commercial real estate transaction as follows:

Brokerage Firm represents the following party (select one):

[ ] Seller(s) [ ] Buyer(s) [ ] Landlord(s) [ ] Tenant(s)

As a (select one):

[ ] agent [ ] independent contractor

Brokerage Firm represents another party (select one):

[ ] Seller(s) [ ] Buyer(s) [ ] Landlord(s) [ ] Tenant(s)

As a (select one):

[ ] agent [ ] independent contractor

The undersigned understand that the foregoing dual agent or dual representative may not disclose to either client any information that has been given to the dual agent or representative by the other client within the confidence and trust of the brokerage relationship except for that information which is otherwise required or permitted by Article 3 (§ 54.1-2130 et seq.) of Chapter 21 of Title 54.1 of the Code of Virginia to be disclosed.

The undersigned by signing this notice do hereby acknowledge their informed consent to the disclosed dual representation by the licensee.

_____	_____
Date	Name (One Party)
_____	_____
Date	Name (One Party)
_____	_____
Date	Name (One Party)
_____	_____
Date	Name (One Party)

C. The obligation to make the disclosures required by this section shall not relieve the licensee of the obligations set out in subsection ~~B~~ *C* of § 54.1-2137 requiring all brokerage relationships to be set out in a written agreement between the licensee and the client.

D. No cause of action shall arise against a dual representative for making disclosures of brokerage relationships as provided by this article. A dual representative does not terminate any brokerage relationship by the making of any such allowed or required disclosures of dual representation.

E. In any real estate transaction, a licensee may withdraw, without liability, from representing a client who refuses to consent to a disclosed dual representation thereby terminating the brokerage relationship with such client. Such withdrawal shall not prejudice the ability of the licensee to continue to represent the other client in the transaction or to limit the licensee from representing the client who refused the dual representation in other transactions not involving dual representation.

§ 54.1-2139.1. Designated standard agency or designated representation authorized in a residential real estate transaction.

A. A principal or supervising broker may assign different licensees affiliated with the broker as designated agent or representative to represent different clients in the same residential real estate transaction to the exclusion of all other licensees in the firm. Use of such designated agents or representatives shall not constitute dual agency or representation if a designated agent or representative is not representing more than one client in a particular real estate transaction; however, the principal or broker who is supervising the transaction shall be considered a dual agent or representative as provided in this article. Designated agents or representatives may not disclose, except to the affiliated licensee's broker, personal or financial information received from the clients during the brokerage relationship and any other information that the client requests during the brokerage relationship be kept confidential, unless otherwise provided for by law or the client consents in writing to the release of such information.

B. Use of designated agents or representatives in a residential real estate transaction shall be disclosed in accordance with the provisions of this article. Such disclosure may be given in combination with other disclosures or provided with other information, but if so, the disclosure shall be conspicuous, printed in bold lettering, all capitals, underlined, or within a separate box. Any disclosure that complies substantially in effect with the following shall be deemed in compliance with such disclosure requirement:

DISCLOSURE OF DESIGNATED AGENTS OR REPRESENTATIVES IN A RESIDENTIAL REAL ESTATE TRANSACTION

The undersigned do hereby acknowledge disclosure that:

The licensee _____ (Name of Broker and Firm) represents more than one party in this residential real estate transaction as indicated below:

_____ Seller(s) and Buyer(s)

_____ Landlord(s) and Tenant(s).

The undersigned understand that the foregoing dual agent or representative may not disclose to either client or such client's designated agent or representative any information that has been given to the dual agent or representative by the other client within the confidence and trust of the brokerage relationship except for that information which is otherwise required or permitted by Article 3 (§ 54.1-2130 et seq.) of Chapter 21 of Title 54.1 of the Code of Virginia to be disclosed.

The principal or supervising broker has assigned _____ to act as Designated Agent or Representative (broker or salesperson) for the one party as indicated below:

[ ] Seller(s) [ ] Buyer(s) [ ] Landlord(s) [ ] Tenant(s)

As a (select one):

[ ] standard agent [ ] limited service agent [ ] independent contractor

_____ (broker or salesperson) to act as Designated Agent or Representative for the other party as indicated below:

[ ] Seller(s) [ ] Buyer(s) [ ] Landlord(s) [ ] Tenant(s)

As a (select one):

[ ] standard agent [ ] limited service agent [ ] independent contractor

The undersigned by signing this notice do hereby acknowledge their consent to the disclosed dual representation by the licensee.

_____	_____
Date	Name (One Party)
_____	_____
Date	Name (One Party)
_____	_____
Date	Name (One Party)
_____	_____
Date	Name (One Party)

C. The obligation to make the disclosures required by this section shall not relieve the licensee of the obligations set out in subsection ~~B~~ *C* of § 54.1-2137 requiring all brokerage relationships to be set out in a written agreement between the licensee and the client.

D. No cause of action shall arise against a designated agent or representative for making disclosures of brokerage relationships as provided by this article. A designated agent or representative does not terminate any brokerage relationship by the making of any such allowed or required disclosures of dual representation.

E. In any residential real estate transaction, a licensee may withdraw, without liability, from representing a client who refuses to consent to a disclosed designated agency or representation agreement thereby terminating the brokerage relationship with such client. Such withdrawal shall not prejudice the ability of the licensee to continue to represent the other client in the transaction or to limit the licensee from representing the client who refused the designated agency or representation relationship in other transactions not involving designated representation.

CHAPTER 496

An Act to amend the Code of Virginia by adding a section numbered 38.2-3418.1:3, relating to health insurance; cost sharing for breast examinations.

[S 1436]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 38.2-3418.1:3 as follows:

§ 38.2-3418.1:3. Cost sharing for breast examinations.

A. Notwithstanding the provisions of § 38.2-3419 or subdivision A 1 of § 38.2-6506, and in addition to the coverage required by § 38.2-3418.1, each insurer proposing to issue individual or group accident and sickness insurance policies providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis, each corporation providing individual or group accident and sickness subscription contracts, and each health maintenance organization providing a health care plan for health care services shall not impose cost sharing for diagnostic breast examinations and supplemental breast examinations under such policy, contract, or plan delivered, issued for delivery, or renewed in the Commonwealth.

B. As used in this section:

"Cost sharing" means any coinsurance, copayment, or deductible.

"Diagnostic breast examination" means a medically necessary and appropriate, in accordance with the National Comprehensive Cancer Network Guidelines, examination of the breast, including such an examination using diagnostic mammography, breast magnetic resonance imaging, or breast ultrasound, that is used to evaluate (i) an abnormality seen or suspected from a screening for the detection of breast cancer or (ii) an abnormality detected by another means of examination.

"Supplemental breast examination" means a medically necessary and appropriate, in accordance with the National Comprehensive Cancer Network Guidelines, examination of the breast, including such an examination using diagnostic mammography, breast magnetic resonance imaging, or breast ultrasound, that is (i) used to screen for breast cancer when there is no abnormality seen or suspected and (ii) based on personal or family medical history or additional factors that may increase the individual's risk of breast cancer.

C. The provisions of this section shall not apply to short-term travel, accident-only, or limited or specified disease policies, or to short-term nonrenewable policies of not more than six months' duration.

2. That the provisions of this act shall apply to any individual or group accident and sickness insurance policy, any individual or group accident and sickness subscription contract, and any health care plan for health care services delivered, issued for delivery, or renewed in the Commonwealth on and after January 1, 2026.

CHAPTER 497

An Act to amend and reenact § 56-585.8 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 56-249.8 and by adding in Chapter 23 of Title 56 a section numbered 56-596.5, relating to Phase I Utilities; securitized asset costs; biennial rate reviews; rate increases in certain months prohibited.

[H 2621]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 56-585.8 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 56-249.8 and by adding in Chapter 23 of Title 56 a section numbered 56-596.5 as follows:

§ 56-249.8. Financing for certain securitized asset costs; Phase I Utility.

A. As used in this section:

"Ancillary agreement" means a bond, insurance policy, letter of credit, reserve account, surety bond, interest rate lock or swap arrangement, hedging arrangement, liquidity or credit support arrangement, or other financial arrangement entered into in connection with securitized asset cost bonds.

"Assignee" means a legally recognized entity to which an electric utility assigns, sells, or transfers, other than as a security, all or a portion of its interest in or right to securitized asset cost property. "Assignee" includes a corporation, limited liability company, general partnership or limited partnership, public authority trust, financing entity, or other entity to which an assignee assigns, sells, or transfers, other than as a security, all or a portion of its interest in or right to securitized asset cost property.

"Bondholder" means a person who holds a securitized asset cost bond.

"Electric utility" means a Phase I Utility, as that term is defined in subdivision A 1 of § 56-585.1.

"Financing costs" means:

1. Interest and any premium, including any acquisition, defeasance, or redemption premium, payable on securitized asset cost bonds;

2. Any payment required under any indenture, ancillary agreement, or other financing documents pertaining to securitized asset cost bonds and any amount required to fund or replenish a reserve account or other accounts established under the terms of any indenture, ancillary agreement, or other financing documents pertaining to securitized asset bonds;

3. Any other costs related to structuring, offering, issuing, supporting, repaying, refunding, servicing, and complying with securitized asset cost bonds, including service fees, accounting and auditing fees, trustee fees, legal fees, consulting fees, structuring adviser fees, administrative fees, placement and underwriting fees, independent director and manager fees, capitalized interest, rating agency fees, stock exchange listing and compliance fees, security registration fees, filing fees, information technology programming costs, and any other costs necessary to otherwise ensure the timely payment of securitized asset cost bonds or other amounts or charges payable in connection with the bonds, including costs related to obtaining the financing order;

4. Any taxes and license fees or other fees imposed on the revenues generated from the collection of securitized asset cost charges or otherwise resulting from the collection of securitized asset cost charges, in any such case whether paid, payable, or accrued;

5. Any state and local taxes, franchise, gross receipts, and other taxes or similar charges, including regulatory assessment fees, whether paid, payable, or accrued;

6. Any costs incurred by the Commission for any outside consultants or counsel retained in connection with the securitization of securitized asset costs; and

7. Any financing costs on the utility's securitized asset cost balance prior to issuance of any securitized asset cost bonds, calculated at the utility's approved weighted average cost of capital.

"Financing order" means an order that authorizes the issuance of securitized asset cost bonds; the imposition, collection, and periodic adjustments of a securitized asset cost charge; the creation of securitized asset cost property; the sale, assignment, or transfer of securitized asset cost property to an assignee; and any other actions necessary or advisable to take actions described in the financing order.

"Financing party" means bondholders and trustees, collateral agents, any party under an ancillary agreement, or any other person acting for the benefit of bondholders.

"Financing statement" has the same meaning as provided in § 8.9A-102 of the Uniform Commercial Code.

"Pledgee" means a financing party to which an electric utility or its successors or assignees mortgages, negotiates, pledges, or creates a security interest or lien on all or any portion of its interest in or right to securitized asset cost property.

"Securitized asset cost bonds" means bonds, debentures, notes, certificates of participation, certificates of beneficial interest, certificates of ownership, or other evidences of indebtedness or ownership that are issued in one or more series or tranches by an electric utility or its assignee pursuant to a financing order, the proceeds of which are used directly or indirectly to recover, finance, or refinance Commission-approved securitized asset costs and financing costs, and that are secured by or payable from securitized asset cost property. If certificates of participation or ownership are issued, references in this section to principal, interest, or premium shall be construed to refer to comparable amounts under those certificates.

"Securitized asset cost charge" means the non-bypassable charges authorized by the Commission to repay, finance, or refinance securitized asset costs and financing costs (i) imposed on and part of all retail customer bills, except those of exempt retail access customers; (ii) collected by an electric utility or its successor or assignees, or a collection agent, in full, separate and apart from the electric utility's base rates; and (iii) paid by all retail customers of the electric utility, irrespective of the generation supplier of such customer, except for an exempt retail access customer.

"Securitized asset costs" means (i) storm recovery costs incurred by an electric utility due to severe weather events, as recognized by nationally recognized standards including standards published by the Institute of Electrical and Electronics Engineers, and natural disasters and (ii) undepreciated generation utility plant balances.

"Storm recovery costs" means investments and expenses incurred by an electric utility on or after January 1, 2024, arising from or related to any major storm, extraordinary weather event, or natural disaster affecting Phase I Utility ratepayers in Virginia, including costs of the mobilization, staging, construction, reconstruction, repair, or replacement of production, generation, transport, transmission, general, or distribution facilities and the costs of any other activity by or on behalf of an electric utility in connection with the restoration of service associated with outages impacting its customers as a result of such major storm, extraordinary weather event, or natural disaster.

"Undepreciated generation utility plant balances" means any unrecovered capitalized costs of or undepreciated investments in one or more fossil-fired electric generating plants having nameplate capacity in excess of 1,000 megawatts each, and related supply, transmission, equipment, and fixtures. "Undepreciated generation utility plant balances" shall include (i) the net book value of assets on the electric utility's balance sheet related to such generating plants and related infrastructure and (ii) carrying costs authorized by the Commission. "Undepreciated generation utility plant balances" does not include (a) any costs of removing retired generating plant assets; (b) any capitalized costs and investments in fossil-fired electric generating plants and related supply, transmission, equipment, and fixtures incurred or made by an electric utility on or after December 31, 2023; and (c) any non-cash asset retirement obligation assets and related accumulated depreciation.

"Uniform Commercial Code" means Titles 8.1A through 8.13 (§ 8.1A-101 et seq.).

B. Notwithstanding the provisions of Chapter 3 (§ 56-55 et seq.), an electric utility may petition the Commission for a financing order pursuant to this section. No more than four months after the date such petition is filed, the Commission shall issue either (i) such financing order in accordance with the requirements of subdivision 2 or (ii) an order rejecting the petition.

1. The petition shall include (i) an estimate of the total amount of any securitized asset costs that the electric utility has incurred over the time period noted in the petition; (ii) an indication of whether the electric utility proposes to finance all or a portion of the securitized asset costs using one or more series or tranches of securitized asset cost bonds; (iii) an estimate and details of the financing costs related to the securitized asset costs to be financed through the securitized asset cost bonds; (iv) an estimate of the securitized asset cost charges necessary to recover the securitized asset costs and all financing costs and the proposed period for recovery of such costs; (v) a description of any benefits expected to result from the issuance of securitized asset cost bonds, including the avoidance of or significant mitigation of abrupt and significant increases in rates to the electric utility's customers for the applicable time period; and (vi) direct testimony and exhibits supporting the petition. If the electric utility proposes to finance a portion of the securitized asset costs, the electric utility shall identify in the petition the specific amount of securitized asset costs for the applicable time period to be financed using securitized asset cost bonds. By electing not to finance a portion of the securitized asset costs for an applicable time period using securitized asset cost bonds, an electric utility shall not be deemed to waive its right to recover such costs pursuant to a separate proceeding with the Commission.

2. a. A financing order issued by the Commission pursuant to this section shall include:

(1) The amount of securitized asset costs to be financed using securitized asset cost bonds. The Commission shall describe and estimate the amount of financing costs that may be recovered through securitized asset cost charges. The financing order shall also specify the period over which securitized asset costs and financing costs may be recovered and whether the securitized asset cost bonds may be offered and issued in one or more series or tranches during a fixed period not to exceed one year after the date of the financing order;

(2) A finding that the proposed issuance of securitized asset cost bonds is in the public interest and the associated securitized asset cost charges are just and reasonable;

(3) A finding that the structuring and pricing of the securitized asset cost bonds are reasonably expected to result in reasonable securitized asset charges consistent with market conditions at the time the securitized asset cost bonds are priced and the terms set forth in such financing order;

(4) A requirement that, for so long as the securitized asset cost bonds are outstanding and until all financing costs have been paid in full, the imposition and collection of securitized asset cost charges authorized under a financing order shall be

non-bypassable and paid by all retail customers of the electric utility, irrespective of the generation supplier of such customer, except for an exempt retail access customer;

(5) A formula-based true-up mechanism for making annual adjustments to the securitized asset cost charges that customers are required to pay pursuant to the financing order and for making any adjustments that are necessary to correct for any overcollection or undercollection of the charges or to otherwise ensure the timely payment of securitized asset cost bonds and financing costs and other required amounts and charges payable in connection with the securitized asset cost bonds;

(6) The securitized asset cost property that is, or shall be, created in favor of an electric utility or its successors or assignees and that shall be used to pay or secure securitized asset cost bonds and all financing costs;

(7) The authority of the electric utility to establish (i) the terms and conditions of the securitized asset cost bonds, including repayment schedules, expected interest rates, the issuance in one or more series or tranches with different maturity dates, and other financing costs, and (ii) the terms and conditions of the ancillary documents related to the securitized asset cost bonds, including servicing arrangements for securitized asset cost charges;

(8) A finding that the securitized asset cost charges shall be allocated among customer classes in accordance with the methodology approved in the electric utility's most recent base rate case;

(9) A requirement that after the final terms of an issuance of securitized asset cost bonds have been established and before the issuance of securitized asset cost bonds, the electric utility determines the resulting initial securitized asset cost charge in accordance with the financing order and that such initial securitized asset cost charge be final and effective upon the issuance of such securitized asset cost bonds without further Commission action so long as such initial securitized asset cost charge is consistent with the financing order;

(10) A method of tracing funds collected as securitized asset cost charges, or other proceeds of securitized asset cost property, and a requirement that such method be the method of tracing such funds and determining the identifiable cash proceeds of any securitized asset cost property subject to the financing order under applicable law;

(11) A requirement that the electric utility's base rates, exclusive of the cost of securitized asset cost bonds, reflect the reduction of rates associated with securitization effective on the date on which proceeds from the issuance of the securitized asset cost bonds are received by the electric utility. Such requirement may be met through the use of a temporary tracker to credit customers until such reduction is reflected in the base rates established through the electric utility's next base rate case;

(12) Any other conditions not otherwise inconsistent with this section that the Commission determines are appropriate;

(13) A requirement that the electric utility's base rates, exclusive of the cost of securitized asset cost bonds, reflect the reduction of rate base associated with the securitization of utility plant balances effective on the date proceeds from the issuance of the securitized asset cost bonds are received by the utility. This can be accomplished through the use of a temporary tracker to credit customers until the electric utility's next base rate case, at which point the reduction in rate base shall be reflected in base rates;

(14) A method of tracing funds collected as securitized asset cost charges, or other proceeds of securitized asset cost property, and a requirement that such method be the method of tracing such funds and determining the identifiable cash proceeds of any securitized asset cost property subject to the financing order under applicable law; and

(15) Any other conditions not otherwise inconsistent with this section that the Commission determines are appropriate.

b. Neither a financing order issued pursuant to this section nor the Commission's approval of a petition for a financing order shall require that securitized asset cost bonds be marketed as a specified type of security or that the assignee be formed as a specified type of entity. The electric utility shall maintain discretion to determine the type of security that securitized asset cost bonds shall be.

c. A financing order issued to an electric utility may provide that creation of the electric utility's securitized asset cost property is conditioned upon, and simultaneous with, the sale or other transfer for the securitized asset cost property to an assignee and the pledge of the securitized asset cost property to secure securitized asset cost bonds.

d. If the Commission issues a financing order, the Commission shall establish a protocol for the electric utility to annually file a petition or, in the Commission's discretion, a letter setting out application of the formula-based mechanism and, based on estimates of consumption for each rate class and other mathematical factors, requesting administrative approval to make applicable adjustments. The review of the filing shall be limited to determining whether there are any mathematical or clerical errors in the application of the formula-based mechanism relating to the appropriate amount of any overcollection or undercollection of securitized asset cost charges and the amount of an adjustment. The adjustments shall ensure the recovery of revenues sufficient to provide for the payment of principal, interest, acquisition, defeasance, financing costs, or redemption premium and other fees, costs, and charges in respect of securitized asset cost bonds approved under the financing order. Within 30 days after receiving an electric utility's request pursuant to this subdivision d, the Commission shall either approve the request or inform the electric utility of any mathematical or clerical errors in its calculation. If the Commission informs the electric utility of mathematical or clerical errors in its calculation, the electric utility may correct such errors and refile its request. The 30-day time frame previously described in this subdivision d shall apply to a refiled request.

e. Subsequent to the transfer of securitized asset cost property to an assignee or the issuance of securitized asset cost bonds authorized thereby, whichever is earlier, a financing order shall be irrevocable and, except for changes made pursuant to the formula-based mechanism authorized in this section, the Commission shall not amend, modify, or terminate

the financing order by any subsequent action or reduce, impair, postpone, terminate, or otherwise adjust securitized asset cost charges approved in the financing order. After the issuance of a financing order, the electric utility shall retain sole discretion regarding whether to assign, sell, or otherwise transfer securitized asset cost property or to cause securitized asset cost bonds to be issued, including the right to defer or postpone such assignment, sale, transfer, or issuance.

3. At the request of an electric utility, the Commission may commence a proceeding and issue a subsequent financing order that provides for refinancing, retiring, or refunding securitized asset cost bonds issued pursuant to the original financing order if the Commission finds that the subsequent financing order satisfies all of the criteria specified in this section for a financing order. Effective upon retirement of the refunded securitized asset bonds and the issuance of new securitized asset cost bonds, the Commission shall adjust the related securitized asset cost charges accordingly.

4. a. A financing order shall remain in effect and securitized asset cost property under the financing order shall continue to exist until securitized asset cost bonds issued pursuant to the financing order have been paid in full or defeased and, in each case, all Commission-approved financing costs of such securitized asset cost bonds have been recovered in full.

b. A financing order issued to an electric utility shall remain in effect and unabated notwithstanding the reorganization, bankruptcy or other insolvency proceedings, merger, or sale of the electric utility or its successors or assignees.

C. 1. The Commission shall not, in exercising its powers and carrying out its duties regarding any matter within its authority pursuant to this chapter, and notwithstanding any other provision of law, (i) consider the securitized asset cost bonds issued pursuant to a financing order to be the debt of the electric utility other than for federal income tax purposes, including for any purpose under § 56-585.8; (ii) consider the securitized asset cost charges paid under the financing order to be the revenue of the electric utility for any purpose, including for any purpose under § 56-585.8; (iii) consider the securitized asset costs or financing costs specified in the financing order to be the costs of the electric utility, including for any purpose under § 56-585.8; or (iv) determine any action taken by an electric utility that is consistent with the financing order to be unjust or unreasonable.

2. The Commission shall not order or otherwise directly or indirectly require an electric utility to use securitized asset cost bonds to finance any project, addition, plant, facility, extension, capital improvement, equipment, or any other expenditure. After the issuance of a financing order, the electric utility shall retain sole discretion regarding whether to cause the securitized asset cost bonds to be issued, including the right to defer or postpone such sale, assignment, transfer, or issuance. Nothing shall prevent the electric utility from abandoning the issuance of securitized asset cost bonds under the financing order by filing with the Commission a statement of abandonment and the reasons therefor. The Commission shall not deny an electric utility its right to recover securitized asset costs as otherwise provided in this section, or refuse or condition authorization or approval of the issuance and sale by an electric utility of securities or the assumption by the electric utility of liabilities or obligations, solely because of the potential availability of securitized asset cost bond financing.

D. The electric bills of an electric utility that has obtained a financing order and caused securitized asset cost bonds to be issued shall comply with the provisions of this subsection; however, the failure of an electric utility to comply with this subsection shall not invalidate, impair, or affect any financing order, securitized asset cost property, securitized asset cost charge, or securitized asset cost bonds. The electric utility shall:

1. Explicitly reflect that a portion of the charges on any electric bill represents securitized asset cost charges approved in a financing order issued to the electric utility and, if the securitized asset cost property has been transferred to an assignee, such bill shall include a statement to the effect that the assignee is the owner of the rights to securitized asset cost charges and that the electric utility or another entity, if applicable, is acting as a collection agent or servicer for the assignee. The tariff applicable to customers must indicate the securitized asset cost charge and the ownership of the charge; and

2. Include the securitized asset cost charge on each customer's bill as a separate line item and include both the rate and the amount of the charge on each bill.

E. 1. The following provisions shall be applicable to securitized asset cost property:

a. All securitized asset cost property that is specified in a financing order shall constitute an existing, present intangible property right or interest therein, notwithstanding that the imposition and collection of securitized asset cost charges depends on the electric utility, to which the financing order is issued, performing its servicing functions relating to the collection of securitized asset cost charges and on future electricity consumption. The securitized asset cost property shall exist (i) regardless of whether or not the revenues or proceeds arising from the securitized asset cost property have been billed, have accrued, or have been collected and (ii) notwithstanding the fact that the value or amount of the securitized asset cost property is dependent on the future provision of service to customers by the electric utility or its successors or assignees and the future consumption of electricity by customers;

b. Securitized asset cost property specified in a financing order shall exist until securitized asset cost bonds issued pursuant to the financing order are paid in full and all financing costs and other costs of such securitized asset cost bonds have been recovered in full;

c. All or any portion of securitized asset cost property specified in a financing order issued to an electric utility may be transferred, sold, conveyed, or assigned to a successor or assignee that is wholly owned, directly or indirectly, by the electric utility and created for the limited purpose of acquiring, owning, or administering securitized asset cost property or issuing securitized asset cost bonds under the financing order. All or any portion of securitized asset cost property may be pledged to secure securitized asset cost bonds issued pursuant to the financing order, amounts payable to financing parties

and to counterparties under any ancillary agreements, and other financing costs. Any transfer, sale, conveyance, assignment, or grant of a security interest in or pledge of securitized asset cost property by an electric utility, or an affiliate of the electric utility, to an assignee, to the extent previously authorized in a financing order, shall not require the prior consent and approval of the Commission;

d. If an electric utility defaults on any required payment of charges arising from securitized asset cost property specified in a financing order, a court, upon application by an interested party, and without limiting any other remedies available to the applying party, shall order the sequestration and payment of the revenues arising from the securitized asset cost property to the financing parties or their assignees. Any such financing order shall remain in full force and effect notwithstanding any reorganization, bankruptcy, or other insolvency proceedings with respect to the electric utility or its successors or assignees;

e. The interest of a transferee, purchaser, acquirer, assignee, or pledgee in securitized asset cost property specified in a financing order issued to an electric utility, and in the revenue and collections arising from that property, shall not be subject to setoff, counterclaim, surcharge, or defense by the electric utility or any other person or in connection with the reorganization, bankruptcy, or other insolvency of the electric utility or any other entity;

f. Any successor to an electric utility, whether pursuant to any reorganization, bankruptcy, or other insolvency proceeding or whether pursuant to any merger or acquisition, sale, or other business combination, or transfer by operation of law, as a result of electric utility restructuring or otherwise, shall perform and satisfy all obligations of, and have the same rights under a financing order as, the electric utility under the financing order in the same manner and to the same extent as the electric utility, including collecting and paying to the person entitled to receive the revenues, collections, payments, or proceeds of the securitized asset cost property. Nothing in this subdivision f is intended to limit or impair any authority of the Commission concerning the transfer or succession of interests of public utilities; and

g. Securitized asset cost bonds shall be nonrecourse to the credit or any assets of the electric utility other than the securitized asset cost property as specified in the financing order and any rights under any ancillary agreement.

2. The following provisions shall be applicable to security interests:

a. The creation, perfection, and enforcement of any security interest in securitized asset cost property to secure the repayment of the principal and interest and other amounts payable in respect of securitized asset cost bonds; amounts payable under any indenture, ancillary agreement, or other financing documents in respect of the securitized asset costs; and other financing costs shall be governed by this subsection and not by the provisions of the Uniform Commercial Code;

b. A security interest in securitized asset cost property shall be created and enforceable when all of the following have occurred: (i) a financing order is issued, (ii) value is received by the debtor or seller for such securitized asset cost property, (iii) the debtor or seller has rights in such securitized asset cost property or the power to transfer rights in such securitized asset cost property, and (iv) a security agreement granting such security interest is executed and delivered by the debtor or seller. The description of securitized asset cost property in a security agreement shall be sufficient if the description refers to this section and the financing order creating the securitized asset cost property;

c. A security interest shall attach without any physical delivery of collateral or other act and, upon the filing of a financing statement with the Commission, the lien of the security interest shall be valid, binding, and perfected against all parties having claims of any kind in tort, contract, or otherwise against the person granting the security interest, regardless of whether the parties have notice of the lien. Also upon this filing, a transfer of an interest in the securitized asset cost property shall be perfected against all parties having claims of any kind, including any judicial lien or other lien creditors or any claims of the transferor or creditors of the transferor, and shall have priority over all competing claims other than any prior security interest, ownership interest, or assignment in the property previously perfected in accordance with this section;

d. The Commission shall maintain any financing statement filed to perfect any security interest under this section in the same manner that the Commission maintains financing statements filed by transmitting utilities under the Uniform Commercial Code. The filing of a financing statement under this section shall be governed by the provisions regarding the filing of financing statements in the Uniform Commercial Code;

e. The priority of a security interest in securitized asset cost property shall not be affected by the commingling of securitized asset cost charges with other amounts. Any pledgee or secured party shall have a perfected security interest in the amount of all securitized asset cost charges that are deposited in any cash or deposit account of the qualifying utility in which securitized asset cost charges have been commingled with other funds and any other security interest that may apply to those funds shall be terminated when they are transferred to a segregated account for the assignee or a financing party;

f. No application of the formula-based adjustment mechanism as provided in this section shall affect the validity, perfection, or priority of a security interest in or transfer of securitized asset cost property; and

g. If a default or termination occurs under the securitized asset cost bonds, the financing parties or their representatives may foreclose on or otherwise enforce their lien and security interest in any securitized asset cost property as if they were secured parties with a perfected and prior lien under the Uniform Commercial Code, and the Commission may order that amounts arising from securitized asset cost charges be transferred to a separate account for the financing parties' benefit, to which their lien and security interest shall apply. On application by or on behalf of the financing parties, the Commission shall order the sequestration and payment to them of revenues arising from the securitized asset cost charges.

3. a. Any sale, assignment, or other transfer of securitized asset cost property shall be an absolute transfer and true sale of and not a pledge of, or secured transaction relating to, the transferor's right, title, and interest in, to, and under the

securitized asset cost property if the documents governing the transaction expressly state that the transaction is a sale or other absolute transfer other than for federal and state income tax purposes. For all purposes other than federal and state income tax purposes, the parties' characterization of a transaction as a sale of an interest in securitized asset cost property shall be conclusive that the transaction is a true sale and that ownership has passed to the party characterized as the purchaser, regardless of any fact or circumstance that might support characterization of the transfer as a secured transaction. A transfer of an interest in securitized asset cost property shall occur only when all of the following have occurred: (i) the financing order creating the securitized asset cost property has become effective, (ii) the documents evidencing the transfer of securitized asset cost property have been executed by the transferor and delivered to the assignee, and (iii) value is received by the transferor for the securitized asset cost property. After such a transaction, the securitized asset cost property shall not be subject to any claims of the transferor or the transferor's creditors, other than creditors holding a prior security interest in the securitized asset cost property perfected in accordance with subdivision 2.

b. The characterization of the sale, assignment, or other transfer as an absolute transfer and true sale, and the corresponding characterization of the interest of the assignee as an ownership interest, shall not be affected or impaired by the occurrence of any of the following factors:

(1) Commingling of securitized asset cost charges with other amounts;

(2) The retention by the seller of (i) a partial or residual interest, including an equity interest, in the securitized asset cost property, whether direct or indirect, or whether subordinate or otherwise, or (ii) the right to recover costs associated with taxes, franchise fees, or license fees imposed on the collection of securitized asset cost charges;

(3) Any recourse that the assignee may have against the seller;

(4) Any right or obligation that the seller may have to repurchase the securitized asset cost charges;

(5) Any indemnification obligations of the seller;

(6) The obligation of the seller to collect securitized asset cost charges on behalf of the assignee;

(7) The transferor acting as the servicer of the securitized asset cost charges or the existence of any contract that authorizes or requires the electric utility, to the extent that any interest in securitized asset cost property is sold or assigned, to agree with the assignee or any financing party that it will continue to operate its system to provide service to its customers, will collect amounts in respect of the securitized asset cost charges for the benefit and account of such assignee or financing party, and will account for and remit such amounts to or for the account of such assignee or financing party;

(8) The treatment of the sale, conveyance, assignment, or other transfer for tax, financial reporting, or other purposes;

(9) The granting or providing to bondholders of a preferred right to the securitized asset cost property or credit enhancement by the electric utility or its affiliates with respect to the securitized asset cost bonds; or

(10) Any application of the formula-based adjustment mechanism as provided in this section.

c. Any right that an electric utility has in the securitized asset cost property before its pledge, sale, or transfer or any other right created under this section or created in the financing order and assignable under this section or assignable pursuant to a financing order shall be property in the form of a contract right or a chose in action. Transfer of an interest in securitized asset cost property to an assignee shall be enforceable only when all of the following have occurred: (i) a financing order is issued, (ii) value is received by the transferor for such securitized asset cost property, (iii) the transferor has rights in such securitized asset cost property or the power to transfer rights in such securitized asset cost property, and (iv) transfer documents in connection with the issuance of securitized asset cost bonds are executed and delivered by the transferor. An enforceable transfer of an interest in securitized asset cost property to an assignee shall be perfected against all third parties, including subsequent judicial or other lien creditors, when a notice of that transfer has been given by the filing of a financing statement in accordance with subdivision 2 c. The transfer shall be perfected against third parties as of the date of filing.

d. The Commission shall maintain any financing statement filed to perfect any sale, assignment, or transfer of securitized asset cost property under this section in the same manner that the Commission maintains financing statements filed by transmitting utilities under the Uniform Commercial Code. The filing of any financing statement under this section shall be governed by the provisions regarding the filing of financing statements in the Uniform Commercial Code. The filing of such a financing statement shall be the only method of perfecting a transfer of securitized asset cost property.

e. The priority of a transfer perfected under this section shall not be impaired by any later modification of the financing order or securitized asset cost property or by the commingling of funds arising from securitized asset cost property with other funds. Any other security interest that may apply to those funds, other than a security interest perfected under subdivision 2, shall be terminated when they are transferred to a segregated account for the assignee or a financing party. If securitized asset cost property has been transferred to an assignee or financing party, any proceeds of that property shall be held in trust for the assignee or financing party.

f. The priority of the conflicting interests of assignees in the same interest or rights in any securitized asset cost property shall be determined as follows:

(1) Conflicting perfected interests or rights of assignees shall rank according to priority in time of perfection. Priority shall date from the time a filing covering the transfer is made in accordance with subdivision 2 c;

(2) A perfected interest or right of an assignee shall have priority over a conflicting unperfected interest or right of an assignee; and

(3) A perfected interest or right of an assignee shall have priority over a person who becomes a lien creditor after the perfection of such assignee's interest or right.

F. The description of securitized asset cost property being transferred to an assignee in any sale agreement, purchase agreement, or other transfer agreement, granted or pledged to a pledgee in any security agreement, pledge agreement, or other security document, or indicated in any financing statement shall only be sufficient if such description or indication refers to the financing order that created the securitized asset cost property and states that the agreement or financing statement covers all or part of the property described in the financing order. This section shall apply to all purported transfers of, and all purported grants or liens or security interests in, securitized asset cost property, regardless of whether the related sale agreement, purchase agreement, other transfer agreement, security agreement, pledge agreement, or other security document was entered into, or any financing statement was filed.

G. All financing statements referenced in this section shall be subject to Part 5 of Title 8.9A (§ 8.9A-501 et seq.) of the Uniform Commercial Code, except that the requirement as to continuation statements shall not apply.

H. The laws of the Commonwealth shall govern the validity, enforceability, attachment, perfection, priority, and exercise of remedies with respect to the transfer of an interest or right or the pledge or creation of a security interest in any securitized asset cost property.

I. Neither the Commonwealth nor its political subdivisions shall be liable on any securitized asset cost bonds, and the bonds shall not be a debt or a general obligation of the Commonwealth or any of its political subdivisions, agencies, or instrumentalities, nor shall they be special obligations or indebtedness of the Commonwealth or any of its agencies or political subdivisions. An issue of securitized asset cost bonds shall not, directly, indirectly, or contingently, obligate the Commonwealth or any agency, political subdivision, or instrumentality of the Commonwealth to levy any tax or make any appropriation for payment of the securitized asset cost bonds, other than in their capacity as consumers of electricity. All securitized asset cost bonds shall contain on the face thereof a statement to the following effect: "NEITHER THE FULL FAITH AND CREDIT NOR THE TAXING POWER OF THE COMMONWEALTH IS PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF, OR INTEREST ON, THIS BOND."

J. All of the following entities may legally invest any sinking funds, moneys, or other funds in securitized asset cost bonds:

1. Subject to applicable statutory restrictions on state or local investment authority, the Commonwealth, units of local government, political subdivisions, public bodies, and public officers, except for members of the Commission;

2. Banks and bankers, savings and loan associations, credit unions, trust companies, savings banks and institutions, investment companies, insurance companies, insurance associations, and other persons carrying on a banking or insurance business;

3. Personal representatives, guardians, trustees, and other fiduciaries; and

4. All other persons authorized to invest in bonds or other obligations of a similar nature.

K. 1. The Commonwealth and its agencies, including the Commission, pledge and agree with bondholders, the owners of the securitized asset cost property, and other financing parties that the Commonwealth and its agencies shall not take any action listed in this subdivision. This subsection does not preclude limitation or alteration if full compensation is made by law for the full protection of the securitized asset cost charges collected pursuant to a financing order and of the bondholders and any assignee or financing party entering into a contract with the electric utility. The Commonwealth and its agencies, including the Commission, shall not:

a. Alter the provisions of this section that authorize the Commission to create an irrevocable contract right or chose in action by the issuance of a financing order, to create securitized asset cost property, and to make the securitized asset cost charges imposed by a financing order irrevocable, binding, or non-bypassable charges;

b. Take or permit any action that impairs or would impair the value of securitized asset cost property or the security for the securitized asset cost bonds or revises the securitized asset costs for which recovery is authorized;

c. In any way impair the rights and remedies of the bondholders, assignees, and other financing parties; or

d. Except for changes made pursuant to the formula-based adjustment mechanism authorized under this section, reduce, alter, or impair securitized asset cost charges that are to be imposed, billed, charged, collected, and remitted for the benefit of the bondholders, any assignee, and any other financing parties until any and all principal, interest, premium, financing costs and other fees, expenses, or charges incurred, and any contracts to be performed, in connection with the related securitized asset cost bonds have been paid and performed in full.

2. Any person that issues securitized asset cost bonds may include the language specified in subdivision 1 in the securitized asset cost bonds and related documentation.

L. An assignee or financing party shall not be considered an electric utility or person providing electric service by virtue of engaging in the transactions described in this section.

M. If there is a conflict between this section and any other law regarding the attachment, assignment, or perfection, or the effect of perfection, or priority of, assignment or transfer of, or security interest in securitized asset cost property, this section shall govern.

N. In making determinations under this section, the Commission may engage an outside consultant and counsel.

O. Nothing in this section shall be construed to limit the ability of an electric utility to seek any available relief pursuant to any other provision of law, including § 56-585.8.

P. The provisions of this section shall not apply to any customer that has chosen to purchase electric energy from a licensed supplier other than the incumbent electric utility serving the exclusive territory in which such customer is located pursuant to § 56-577 prior to February 1, 2019.

§ 56-585.8. Biennial rate reviews.

A. For the purposes of this section:

"Phase I Utility" has the same meaning as provided in subdivision A 1 of § 56-585.1.

"Utility" means a Phase I Utility.

B. With the first review commencing on March 31, 2024, and *on May 31* biennially thereafter, the Commission shall conduct rate reviews of the rates, terms, and conditions for the provision of generation and distribution services by a Phase I Utility that participated in triennial review proceedings in 2020 and 2023, and such Phase I Utility shall no longer be subject to triennial review proceedings pursuant to § 56-585.1.

C. In each biennial review, the Commission shall conduct a proceeding to review all rates, terms, and conditions for generation and distribution services with such proceeding utilizing the two successive 12-month test periods ending December 31 immediately preceding the year in which such proceeding is conducted. Such biennial review shall be conducted in a single, combined proceeding, except for review of the following costs, which the utility shall continue to recover and the Commission shall continue to review separately, pursuant to the applicable statutory provisions: costs that are recovered pursuant to (i) § 56-249.6, (ii) subdivisions A 4, 5, and 6 of § 56-585.1, and (iii) § 56-585.6.

D. ~~Each~~ *Beginning in 2026, each* biennial rate review proceeding shall commence on ~~or before March~~ *May* 31 of the biennial review year with the filing of a petition by each Phase I Utility subject to the provisions of this section. The Commission, after providing notice and an opportunity for hearing, shall grant a final order on such petition no later than ~~November 20. Any~~ *January 15 of the subsequent year, with any* revisions in rates ordered by the Commission pursuant to the rate review ~~shall take~~ *taking* effect no ~~later~~ *earlier* than ~~January~~ *March* 1 ~~of the subsequent year~~.

E. In each biennial review proceeding, the Commission shall set the fair rate of return on common equity applicable to the generation and distribution services of the utility for the two such services combined and for any rate adjustment clauses approved under subdivision A 5 or 6 of § 56-585.1. The Commission may use any methodology it finds consistent with the public interest to determine the Phase I Utility's fair rate of return on common equity. The Commission may increase or decrease the combined rate of return for generation and distribution services by up to 50 basis points based on factors that may include reliability, generating plant performance, customer service, and operating efficiency of a utility. Any such adjustment to the combined rate of return for generation and distribution services shall include consideration of nationally recognized standards determined by the Commission to be appropriate for such purposes.

F. In any biennial review for a Phase I Utility, if the Commission determines in its sole discretion that the utility's existing rates for generation and distribution services will, on a going-forward basis, either produce (i) revenues in excess of the utility's authorized rate of return or (ii) revenues below the utility's authorized rate of return, then the Commission shall order any reductions or increases, as applicable and necessary, to such rates for generation and distribution services that it deems appropriate to ensure the resulting rates for generation and distribution services (a) are just and reasonable and (b) provide the utility an opportunity to recover its costs of providing services over the rate period ending on December 31 of the year of the utility's succeeding review and earn a fair rate of return authorized pursuant to this section. Such determination shall be limited to the Phase I Utility's rates for generation and distribution services and shall not consider the costs or revenues recovered in any rate adjustment clause authorized pursuant to this chapter.

G. In any biennial review of rates for generation and distribution services, if the combined rate of return on common equity earned is no more than 100 basis points above or below the fair combined rate of return, as determined by the Commission, for the test period under review, then such combined return shall not be considered either excessive or insufficient, respectively.

1. If in any biennial review, the Commission finds that, during the test period under review, considered as a whole, the utility has earned more than 100 basis points above the authorized fair combined rate of return on its generation or distribution services, the Commission shall direct that 100 percent of the amount of such earnings that were more than 100 basis points above such fair combined rate of return for the test period under review, considered as a whole, be credited to customers' bills. Any such credits shall be applied to customers' bills, as determined at the discretion of the Commission, following the effective date of the Commission's order, and shall be allocated among customer classes such that the relationship between the specific customer class rates of return to the overall target rate of return will have the same relationship as the last approved allocation of revenues used to design base rates; or

2. The Commission shall authorize deferred recovery for reasonable (i) actual costs associated with severe weather events and (ii) actual costs associated with natural disasters, not currently in rates, and the Commission shall allow the utility to amortize and recover such deferred costs over future periods as determined by the Commission. The amount of any such deferral shall not exceed an amount that would, together with the utility's other costs, revenues, and investments recovered through rates for generation and distribution services for the test period under review, cause the utility's earned return on its generation and distribution services to exceed 100 basis points above the fair combined rate of return applicable to the test period under review. For the purposes of determining any amount of costs that are associated with severe weather events, the Commission shall consider nationally recognized standards such as those published by the Institute of Electrical and Electronics Engineers (IEEE).

Any amount of a utility's earnings directed by the Commission to be credited to customers' bills pursuant to this subsection shall not be considered for the purpose of determining the utility's earnings in any subsequent biennial review.

H. In any proceeding under this title, including each biennial review, to determine the prior two years' excess or deficiency for the purposes of subsection F, the Commission shall use an average rate base using the actual starting and

end-of-test period capital structure of the utility, excluding any debt associated with any securitized bonds and without regard to the cost of capital, capital structure, or investments of any other entities with which the utility is affiliated. To determine a revenue requirement in any proceeding under this title, the Commission shall use the utility's actual end-of-test period capital structure and cost of capital without regard to the cost of capital, capital structure, or investments of any other entities with which the utility is affiliated, including debt associated with any securitized bonds, unless the Commission makes a finding, based on evidence in the record, that the debt to equity ratio of the actual end-of-test period capital structure of such utility is unreasonable, in which case the Commission may utilize a debt to equity ratio that it finds to be reasonable.

In a rate review for a Phase I Utility that is part of a publicly traded, consolidated group, the Commission shall determine federal and state income tax costs as follows: (i) the utility's apportioned state income tax costs shall be calculated according to the applicable statutory rate, as if the utility had not filed a consolidated return with its affiliates, and (ii) the utility's federal income tax costs shall be calculated according to the applicable federal income tax rate and shall exclude any consolidated tax liability or benefit adjustments originating from any taxable income or loss of its affiliates.

I. The Commission is authorized to determine during any biennial review the reasonableness or prudence of any cost subject to the rate review incurred or projected to be incurred by the utility, and a Phase I Utility shall recover such costs that the Commission finds to be reasonable and prudent.

J. In any biennial review conducted pursuant to this section, a Phase I Utility or any other party may propose changes to its terms and conditions and the Commission may approve, reject, or amend any changes and may propose any special rates, contracts, or incentives pursuant to § 56-235.2.

K. Nothing in this section shall alter a Phase I Utility's obligations pursuant to §§ 56-585.5 and 56-596.2.

L. To the extent that the provisions of this section are inconsistent with the provisions of § 56-585.1, the provisions of this section shall control.

§ 56-596.5. Rate increases in certain months prohibited; Phase I Utility.

A. Notwithstanding any other provision of law, the rates for electric generation and distribution services by a Phase I Utility, as defined in subdivision A 1 of § 56-585.1, shall not be increased during the months of November through February.

B. Notwithstanding any other provision of law, during the months of November through February, no new rate adjustment clause shall be applied to a Phase I Utility's residential customers' bills and no existing rate adjustment clause applicable to such customers' bills shall be increased. The Commission's final order regarding any petition for a rate adjustment clause that results in an increase to residential customer rates, including any petition filed pursuant to subdivision A 4, 5, or 6 of § 56-585.1 or § 56-585.1:15, 56-585.5, or 56-585.6, issued between September 1 and December 31 shall direct that the applicable rate adjustment clause be applied to customers' bills beginning on March 1 of the following year.

2. That a Phase I Utility, as defined in subdivision A 1 of § 56-585.1 of the Code of Virginia, in connection with any financing order petition filed with the State Corporation Commission (the Commission) prior to December 31, 2025, pursuant to § 56-249.8 of the Code of Virginia, as created by this act, shall permit any retail customer that is receiving electricity supply service from the utility and whose demand exceeded five megawatts during the calendar year prior to such petition to opt out of financing its pro rata obligation for securitized asset cost charges through securitized asset cost bonds. The Phase I Utility shall notify such eligible customers of their eligibility to opt out of the securitized asset cost financing through its petition with the Commission, and any election to opt out of the securitized asset cost financing by an eligible customer shall be provided in writing to the utility within 30 days of the filing of such petition. Upon such election, the eligible customer shall fully satisfy such customer's pro rata obligation for the securitized asset cost charges as determined in the financing order. In the event of such election, any securitized asset cost charges approved for recovery through securitized asset cost bonds shall not include the obligations of eligible customers opting out of the securitized asset cost financing.

3. That notwithstanding any other provision of law, including any tariff approved by the State Corporation Commission, no Phase I Utility, as defined in subdivision A 1 of § 56-585.1 of the Code of Virginia, shall charge a residential customer any interest or late fees between July 1, 2025, and December 31, 2025, or charge a residential customer any reconnection fees between July 1, 2025, and March 1, 2026.

4. That a Phase I Utility, as defined in subdivision A 1 of § 56-585.1 of the Code of Virginia, shall only file for an annual review of fuel and purchased power costs pursuant to § 56-249.6 of the Code of Virginia in 2025 if the filing reflects a deduction in tariff provisions designed to recover fuel costs.

5. That, during the biennial rate review commencing on May 31, 2026, and conducted pursuant to § 56-585.8 of the Code of Virginia, as amended by this act, for a Phase I Utility, as defined in subdivision A 1 of § 56-585.1 of the Code of Virginia, the Phase I Utility shall propose and the State Corporation Commission shall consider whether it is in the public interest to implement (i) residential seasonal rates and (ii) alternatives to budget billing.

6. That in any rate proceeding for a Phase I Utility, as defined in subdivision A 1 of § 56-585.1 of the Code of Virginia, the State Corporation Commission (the Commission) shall include an invitation to the public to comment on the Phase I Utility rate case. The Commission shall collect and aggregate all public submissions and shall consider public comments as part of each rate proceeding.

CHAPTER 498

An Act to direct the Secretary of Transportation to convene a work group to identify and review issues presented by the operation of autonomous driving systems in the Commonwealth and develop draft legislation governing the operation of such systems.

[H 2627]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Secretary of Transportation, in consultation with the Secretary of Public Safety and Homeland Security, shall convene a work group to identify operational, technical, and legal issues presented by the operation of autonomous driving systems in the Commonwealth for the purpose of developing draft legislation addressing governance of such systems in the Commonwealth. The work group shall consist of representatives from the Department of Transportation, the Department of State Police, and the Department of Motor Vehicles; five members of the House of Delegates, selected by the Chair of the House Committee on Transportation; three members of the Senate, selected by the Chair of the Senate Committee on Transportation; and any other stakeholders deemed necessary by the Secretary of Transportation. In identifying the issues presented by the operation of autonomous driving systems in the Commonwealth, the work group shall examine and take into consideration developments in the regulation of autonomous driving systems at the federal level and in other states, as well as recommendations by the American Association of Motor Vehicle Administrators and the American Association of State Highway and Transportation Officials relating to such systems. The Department of Transportation, Department of State Police, and Department of Motor Vehicles shall provide necessary staff support and resources to facilitate the work group's activities. The work group shall complete its meetings no later than September 1, 2026, and shall issue a report of its findings relating to the identified operational, technical, and legal issues to the General Assembly no later than November 1, 2026. Such report shall include an executive summary and any draft legislation recommended by the work group. Such report shall be submitted for publication as a House or Senate document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.*

CHAPTER 499

An Act to amend and reenact §§ 56-231.16, 56-231.34:1, and 56-234 of the Code of Virginia, relating to electric cooperative subsidiaries; customers exceeding 90 megawatts demand.

[H 2644]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 56-231.16, 56-231.34:1, and 56-234 of the Code of Virginia are amended and reenacted as follows:

§ 56-231.16. Organization; purpose.

A. Any number of natural persons not less than five may, by executing, filing and recording articles of incorporation as hereinafter set forth, form a cooperative, either with or without capital stock, not organized for pecuniary profit, for the principal purpose of making energy, energy services, and other utility services available at the lowest cost consistent with sound economy and prudent management of the business of such cooperative and such other purposes as its membership shall approve: (i) provided, however, that within its certificated service territory, no such cooperative shall, prior to July 1, 2000, undertake or initiate any new program (a) to buy or maintain an inventory of HVACR equipment or household appliances, (b) to install or service any such equipment or household appliances for customers, unless such service is not provided by the cooperative but by a third party individual, firm or corporation licensed to perform such service, (c) to sell HVACR equipment or household appliances to customers metered and billed on residential rates, (d) to sell HVACR equipment to customers other than those metered and billed on residential rates except where such sale is an incidental part of providing other energy services or providing traditional cooperative activities, (e) to sell or distribute propane or fuel oil; sell, install or service propane or fuel oil equipment; or maintain or buy an inventory of propane or fuel oil equipment for resale, or (f) to serve as a coordinator of nonelectric energy services or provide engineering consulting services except when such energy or engineering services are an incidental part of a marketing effort to provide other energy or engineering services or as a part of providing services that are traditional cooperative activities; (ii) provided further, that notwithstanding clause (i), such cooperative may engage within its certificated service territory in any of the activities enumerated in clause (i) that (a) have received State Corporation Commission approval prior to February 1, 1998, (b) such cooperative is ordered or required to undertake by any jurisdictional court or regulatory authority, (c) were lawfully undertaken prior to February 1, 1998, (d) are specifically permitted by statute, or (e) are undertaken by any other regulated public service company or its unregulated affiliate within such cooperative's certificated service territory; and (iii) also provided that such cooperative or its affiliate may not undertake such activities as are prohibited by clause (i) within the certificated service territory of another public service company unless such activities are undertaken by such public service company or its unregulated affiliate within such cooperative's certificated service territory. In addition, such cooperative

may establish one or more subsidiaries to engage in any other business activities not prohibited by law*, including making unregulated sales of electric power to members of such cooperative that are served at or by dedicated or excess facilities within the cooperative's certificated service territory and that contract for electric utility services to serve a demand that is reasonably expected to exceed 90 megawatts*; notwithstanding the foregoing, no such subsidiary may engage in any business activities that the cooperatives are prohibited from engaging in under this section. For purposes of determining whether a cooperative is formed not for pecuniary profit, the establishment of one or more affiliates thereof on a for-profit basis shall not disqualify such entity from being formed as a cooperative pursuant to this article.

B. Nothing in this article shall be construed to authorize a cooperative formed pursuant to this article, or any affiliate thereof, to engage, on a not-for-profit basis, within either the cooperative's certificated service territory or in the certificated service territory of another public service company, in the sale of products, the provision of services, or other business activity, except for regulated electric utility services, unregulated sales of electric power to its members within its certificated service territory, and traditional cooperative activities. However, if such products or services are not currently provided by any person other than a cooperative formed under or subject to this chapter or its affiliate and the Commission determines that no such other person is likely, within a reasonable time, to effectively provide such products and services in such territory, an affiliate of a cooperative may provide such products or services on a not-for-profit basis. The Commission shall also permit an affiliate of a cooperative formed under or subject to this chapter to provide such products or services on a not-for-profit basis upon a finding that the affiliate will not receive the benefit of any federal income tax exemption that is not available to persons other than cooperatives and will not receive the benefit of any federally guaranteed or subsidized financing that is not available to persons other than cooperatives; and provided further that nothing in this subsection shall prohibit the continued operation of any business activities of any not-for-profit cooperative or affiliate formed, operating, and actively providing products or services to customers on or before July 1, 1999.

§ 56-231.34:1. Separation of regulated and unregulated businesses.

A. No cooperative that engages in a regulated utility service shall conduct any unregulated business activity, other than traditional cooperative activities, except in or through one or more affiliates of such cooperative, provided that a cooperative that provides regulated utility services*, or one or more of its affiliates,* shall have the right to offer and make unregulated sales of electric power to ~~its~~ members *of the cooperative that are served at or by dedicated or excess facilities* within ~~its~~ *the cooperative's* certificated service territory *and that contract for electric utility services to serve a demand that is reasonably expected to exceed 90 megawatts*. No such affiliates, formed to engage in any business that is not a regulated utility service, shall engage in regulated utility services.

B. The Commission shall promulgate rules and regulations, governing the conduct of the cooperatives, to promote effective and fair competition between (i) affiliates of cooperatives that are engaged in business activities which are not regulated utility services and (ii) other persons engaged in the same or similar businesses. The rules and regulations shall be effective by July 1, 2000, and shall include provisions:

1. Prohibiting cost-shifting or cross-subsidies between a cooperative and its affiliates;

2. Prohibiting anticompetitive behavior or self-dealing between a cooperative and its affiliates;

3. Prohibiting a cooperative from engaging in discriminatory behavior towards nonaffiliated entities; and

4. Establishing codes of conduct detailing permissible relations between a cooperative and its affiliates. In establishing such codes, the Commission shall consider, among other things, whether and, if so, under what circumstances and conditions (i) a cooperative may provide its affiliates with customer lists or other customer information, sales leads, procurement advice, joint promotions, and access to billing or mailing systems unless such information or services are made available to third parties under the same terms and conditions, (ii) the cooperative's name, logos or trademarks may be used in promotional, advertising or sales activities conducted by its affiliates, and (iii) the cooperative's vehicles, equipment, office space and employees may be used by its affiliates.

C. Nothing in this article shall be deemed to abrogate or modify the Commission's authority under Chapter 4 (§ 56-76 et seq.) of this title.

§ 56-234. Duty to furnish adequate service at reasonable and uniform rates.

A. It shall be the duty of every public utility to furnish reasonably adequate service and facilities at reasonable and just rates to any person, firm or corporation along its lines desiring same. Notwithstanding any other provision of law:

1. A telephone company shall not have the duty to extend or expand its facilities to furnish service and facilities when the person, firm or corporation has service available from one or more alternative providers of wireline or terrestrial wireless communications services at prevailing market rates; and

2. A telephone company may meet its duty to furnish reasonably adequate service and facilities through the use of any and all available wireline and terrestrial wireless technologies; however, a telephone company, when restoring service to an existing wireline customer, shall offer the option to furnish service using wireline facilities.

For purposes of subdivisions 1 and 2, the Commission shall have the authority upon request of an individual, corporation, or other entity, or a telephone company, to determine whether the wireline or terrestrial wireless communications service available to the party requesting service is a reasonably adequate alternative to local exchange telephone service.

The use by a telephone company of wireline and terrestrial wireless technologies shall not be construed to grant any additional jurisdiction or authority to the Commission over such technologies.

For purposes of subdivision 1, "prevailing market rates" means rates similar to those generally available to consumers in competitive areas for the same services.

B. It shall be the duty of every public utility to charge uniformly therefor all persons, corporations or municipal corporations using such service under like conditions. However, no provision of law shall be deemed to preclude voluntary rate or rate design tests or experiments, or other experiments involving the use of special rates, where such experiments have been approved by order of the Commission after notice and hearing and a finding that such experiments are necessary in order to acquire information which is or may be in furtherance of the public interest. The Commission's final order regarding any petition filed by an investor-owned electric utility for approval of a voluntary rate or rate design test or experiment shall be entered the earlier of not more than six months after the filing of the petition or not more than three months after the date of any evidentiary hearing concerning such petition. The charge for such service shall be at the lowest rate applicable for such service in accordance with schedules filed with the Commission pursuant to § 56-236. But, subject to the provisions of § 56-232.1, nothing contained herein or in § 56-481.1 shall apply to (i) schedules of rates for any telecommunications service provided to the public by virtue of any contract with, (ii) for any service provided under or relating to a contract for telecommunications services with, or (iii) contracts for service rendered by any telephone company to, the state government or any agency thereof, or by any other public utility to any municipal corporation or to the state or federal government. The provisions hereof shall not apply to or in any way affect any proceeding pending in the State Corporation Commission on or before July 1, 1950, and shall not confer on the Commission any jurisdiction not now vested in it with respect to any such proceeding.

C. The Commission may conclude that competition can effectively ensure reasonably adequate retail services in competitive exchanges and may carry out its duty to ensure that a public utility is furnishing reasonably adequate retail service in its competitive exchanges by monitoring individual customer complaints and requiring appropriate responses to such complaints.

D. An electric utility formed under or subject to Chapter 9.1 (§ 56-231.15 et seq.) may meet its duty to furnish reasonably adequate service through unregulated sales of electric power directly from one or more of its affiliates to any customer located within the cooperative's certificated service territory that contracts for electric utility services to serve a demand that is reasonably expected to exceed 90 megawatts.

CHAPTER 500

An Act to amend and reenact § 22.1-79.4 of the Code of Virginia, relating to school boards; threat assessment teams and procedures; parental notification of student determined to pose a threat of violence or physical harm to self or others; provision of certain recognition and response materials required.

[H 2679]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-79.4 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-79.4. Threat assessment teams and oversight committees.

A. Each local school board shall adopt policies for the establishment of threat assessment teams, including the assessment of and intervention with individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies developed by the Virginia Center for School and Campus Safety (the Center) in accordance with § 9.1-184. Such policies shall include procedures for referrals to community services boards or health care providers for evaluation or treatment, when appropriate.

B. The superintendent of each school division may establish a committee charged with oversight of the threat assessment teams operating within the division, which may be an existing committee established by the division. The committee shall include individuals with expertise in human resources, education, school administration, mental health, and law enforcement.

C. Each division superintendent shall establish, for each school, a threat assessment team that shall include persons with expertise in counseling, instruction, school administration, and law enforcement and, in the case of any school in which a school resource officer is employed, at least one such school resource officer. New threat assessment team members shall complete an initial threat assessment training and all threat assessment team members shall be required to complete refresher threat assessment training every three years. Threat assessment teams may be established to serve one or more schools as determined by the division superintendent. Each team shall (i) provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self; (ii) identify members of the school community to whom threatening behavior should be reported; and (iii) implement policies adopted by the local school board pursuant to subsection A.

D. Upon a preliminary determination that a student poses a threat of violence or physical harm to self or others, a threat assessment team shall immediately report its determination to the division superintendent or his designee. The division superintendent or his designee shall immediately attempt to notify the student's parent or legal guardian. *The division superintendent or his designee shall provide, either in such initial attempt to notify the student's parent or legal guardian or through a separate communication to the student's parent or legal guardian made as soon as practicable thereafter,*

materials on recognition of and strategies for responding to behavior indicating that a student poses a threat of violence or physical harm to self or others that shall include information on the legal requirements set forth in § 18.2-56.2 relating to the safe storage of firearms in the presence of minors and that may include guidance on best practices and strategies for limiting a student's access to lethal means, including firearms and medications. Such materials shall be selected in accordance with the provisions of the criteria set forth in the guidelines required by subsection G. Nothing in this subsection shall preclude school division personnel from acting immediately to address an imminent threat.

E. Each threat assessment team established pursuant to this section shall collect and report to the Center quantitative data on its activities using the case management tool developed by the Center.

F. Upon a preliminary determination by the threat assessment team that an individual poses a threat of violence to self or others or exhibits significantly disruptive behavior or need for assistance, a threat assessment team may obtain criminal history record information, as provided in §§ 19.2-389 and 19.2-389.1, and health records, as provided in § 32.1-127.1:03. No member of a threat assessment team shall redisclose any criminal history record information or health information obtained pursuant to this section or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.

G. The Board, in cooperation with the Department of Behavioral Health and Developmental Services and the Department of Health, shall develop guidelines for the provision of materials on recognition of and strategies for responding to behavior indicating that a student poses a threat of violence or physical harm to self or others required pursuant to subsection D. Such guidelines shall include criteria for selecting such materials as well as materials that have been preapproved for such use by the Board.

CHAPTER 501

An Act to amend the Code of Virginia by adding in Title 56 a chapter numbered 31, consisting of sections numbered 56-626 and 56-627, relating to water utilities and wastewater utilities; eligible infrastructure replacement and enhancement; cost recovery.

[H 2711]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 56 a chapter numbered 31, consisting of sections numbered 56-626 and 56-627, as follows:

CHAPTER 31.

ELIGIBLE INFRASTRUCTURE REPLACEMENT AND ENHANCEMENT.

§ 56-626. Definitions.

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

"EIRE" means eligible infrastructure replacement and enhancement.

"EIRE plan" means a plan filed by a utility that identifies proposed eligible infrastructure projects and an EIRE rider.

"EIRE rider" means a recovery mechanism that will allow for recovery of the eligible infrastructure costs, through a separate mechanism from the customer rates established in a rate case using the cost of service methodology set forth in § 56-235.2.

"Eligible infrastructure" means water utility projects or wastewater utility projects that maintain or enhance safety, reliability, or efficiency or that facilitate compliance with state or federal environmental requirements. Eligible infrastructure does not include (i) the investment in water utility or wastewater utility infrastructure included in the utility's rate base in its most recent rate case or (ii) projects designed primarily to serve new customers and increase revenues.

"Eligible infrastructure costs" includes the following:

1. Return on investment. In calculating the return on investment, the Commission shall use the utility's regulatory capital structure as calculated utilizing the weighted average cost of capital, including the cost of debt and the cost of equity used in determining the utility's base rates in effect during the construction period of the water or wastewater utility project. If the utility's cost of capital has not been changed by order of the Commission within the preceding five years, the Commission may require the utility to file an updated weighted average cost of capital, and the utility may propose an updated weighted average cost of capital. The utility may recover the external costs associated with establishing its updated weighted average cost of capital through the EIRE rider. Such external costs shall include legal costs and consultant costs;

2. A revenue conversion factor, which factor, including income taxes and an allowance for bad debt expense, shall be applied to the required operating income resulting from the eligible infrastructure costs;

3. Depreciation. In calculating depreciation, the Commission shall use the utility's current depreciation rates specific to the applicable asset;

4. Property taxes;

5. Carrying costs on the over-recovery or under-recovery of the eligible infrastructure costs. In calculating the carrying costs, the Commission shall use the utility's regulatory capital structure as determined in subdivision 1 of the definition of eligible infrastructure costs;

6. Unreimbursed costs of relocating facilities due to highway projects; and

7. Operation and maintenance expenses that the Commission determines are associated with eligible infrastructure and that were not included in the revenue requirement of the utility last approved by the Commission.

"Investment" means costs incurred on eligible infrastructure projects including planning, development, removal, and construction costs; costs of infrastructure associated therewith; and an allowance for funds used during construction. In calculating the allowance for funds used during construction, the Commission shall use the utility's actual regulatory capital structure as determined in subdivision 1 of the definition of eligible infrastructure costs.

"In-kind replacement" means replacement with new materials or equipment designed, constructed, and sized to meet current industry standards and to comply with federal, state, and local regulation.

"Utility" means water utility or wastewater utility.

"Wastewater utility" means an investor-owned public service company engaged in the business of furnishing wastewater service to the public.

"Wastewater utility project" includes:

1. Non-growth-related collection main extensions;

2. Facilities necessary to comply with applicable state and federal laws and regulations;

3. Improvements that enable compliance with National Pollutant Discharge Elimination System permits;

4. Unreimbursed costs of relocating facilities due to highway construction or relocation projects; and

5. In-kind replacement of pumps, motors, blowers, tanks, or mechanical equipment.

"Water utility" means an investor-owned public service company engaged in the business of furnishing water service to the public.

"Water utility project" includes:

1. In-kind replacement of transmission or distribution system mains as well as replacement of valves, utility service lines, including meter boxes and appurtenances, meters, including radio frequency meters, and hydrants connected to a replaced transmission or distribution system main;

2. Non-growth-related main extensions installed to eliminate dead ends that will address primary and secondary drinking water standards as defined by the Department of Environmental Quality, the Department of Health, and the federal Environmental Protection Agency;

3. Equipment and facilities installed to address primary and secondary drinking water standards as defined by the Department of Environmental Quality, the Department of Health, and the federal Environmental Protection Agency; and

4. Unreimbursed costs of relocating facilities due to highway projects.

§ 56-627. Filing of petition with Commission to establish or amend EIRE plan and rider; cost recovery; procedure.

A. Notwithstanding any provision of law to the contrary, a utility may petition the Commission for the approval of an EIRE plan as provided in this chapter. Such a plan shall (i) provide for a timeline for completion of the proposed eligible infrastructure projects, the estimated costs of the eligible infrastructure projects, and a schedule for recovery of the related eligible infrastructure costs through the EIRE rider and (ii) demonstrate that the EIRE plan is prudent and reasonable. The Commission may approve the initial petition for establishment of an EIRE plan and EIRE rider after such notice and opportunity for hearing as the Commission may prescribe, subject to the provisions of this chapter.

B. The Commission shall approve or deny, within 180 days, a utility's initial petition for approval of an EIRE plan. A petition filed pursuant to this section shall not require the filing of rate case schedules. The Commission shall approve or deny, within 120 days, a utility's application to amend a previously approved plan. If the Commission denies such a plan or amendment, it shall set forth with specificity the reasons for such denial, and the utility shall have the right to refile, without prejudice, an amended plan or amendment within 60 days after such denial. The Commission shall thereafter have 60 days to approve or deny the amended plan or amendment. The time period for Commission review provided for in this subsection shall not apply if the EIRE plan is filed in conjunction with a rate case using the cost of service methodology pursuant to § 56-235.2.

C. Any EIRE plan and EIRE rider that is submitted to and approved by the Commission shall be allocated and charged in accordance with § 56-235.11 and appropriate cost causation principles to avoid any undue cross subsidization between rate classes not otherwise permitted by statute.

D. No other revenue requirement or ratemaking issues may be examined in consideration of the application filed pursuant to the provisions of this chapter.

E. At the end of each 12-month period during which the EIRE rider is in effect, the utility shall reconcile the difference between the recognized eligible infrastructure costs and the amounts recovered under the EIRE rider and shall submit the reconciliation and a proposed EIRE rider adjustment to the Commission to recover or refund the difference, as appropriate, through an adjustment to the EIRE rider. The Commission shall approve or deny, within 90 days, a utility's proposed EIRE rider adjustment.

F. A utility that has an approved EIRE petition pursuant to this section shall file revised rate schedules to reset the EIRE rider to zero when new base rates and charges that incorporate eligible infrastructure costs previously reflected in the currently effective EIRE rider become effective.

G. If the Commission approves (i) an updated weighted average cost of capital for use in calculating the return on investment, (ii) the carrying costs on the over-recovery or under-recovery of the eligible infrastructure costs, (iii) the allowance for funds used during construction, or (iv) any combination thereof, such weighted average cost of capital shall

be used only for the purpose of the eligible infrastructure costs for the EIRE rider and shall not be used for any purpose in any other proceeding.

2. That the provisions of this act shall expire on July 1, 2035.

3. That each water or wastewater utility that receives approval for an eligible infrastructure replacement and enhancement (EIRE) rider pursuant to § 56-627 of the Code of Virginia, as created by this act, shall provide a proposed earnings test in each annual informational filing or base rate proceeding filed with the State Corporation Commission (the Commission) on or before December 1, 2030. The Commission's review of such earnings test in any such filing or proceeding shall be conducted for informational purposes only; shall not be used to approve, deny, or adjust a proposed EIRE rider or adjustment; and shall be in addition to and separate from the Commission's review of such utility's earnings and base rates. On or before December 1, 2030, the Commission shall provide a status report on the implementation of Chapter 31 (§ 56-626 et seq.) of Title 56 of the Code of Virginia, as created by this act, to the Chairs of the House Committee on Labor and Commerce, the Senate Committee on Commerce and Labor, and the State Water Commission. Such report shall include the results of the earnings test required by this enactment.

CHAPTER 502

An Act to direct the Board of Pharmacy to convene a work group to review and make recommendations related to the current authority of pharmacists to initiate therapeutic interchange; report.

[S 745]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Board of Pharmacy shall convene a work group of relevant stakeholders, including representatives of the Department of Health, Boards of Medicine and Nursing, Virginia Pharmacy Association, Medical Society of Virginia, Virginia Chapter of the American Academy of Pediatrics, National Association of Chain Drug Stores, Virginia Society of Health-System Pharmacists, Virginia Hospital and Healthcare Association, Virginia Association of Health Plans, and patient advocacy groups, to (i) review and analyze the current authority of pharmacists to initiate therapeutic interchange under all health carriers and plans and health care reimbursement methods, including plans covered by the Employee Retirement Income Security Act of 1974; (ii) make recommendations to streamline the existing therapeutic interchange process in the Commonwealth; and (iii) make recommendations for the modernization of such therapeutic interchange authority, particularly in cases of prescription drug shortages. The work group shall report its findings and recommendations to the Governor and the Chairs of the House Committee on Health and Human Services and the Senate Committee on Education and Health by November 15, 2025.*

CHAPTER 503

An Act to amend and reenact §§ 2.2-5209, 2.2-5211, and 2.2-5212 of the Code of Virginia, relating to Children's Services Act; state pool of funds.

[S 801]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-5209, 2.2-5211, and 2.2-5212 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-5209. Referrals to family assessment and planning team or collaborative, multidisciplinary team process.

The community policy and management team shall establish policies governing the referral of troubled youths and families to the family assessment and planning team or a collaborative, multidisciplinary team process approved by the Council. These policies shall include that all youth and families for which CSA-funded treatment services are requested are to be assessed by the family assessment and planning team or an approved collaborative, multidisciplinary team process and shall consider the criteria set out in subdivisions A 1 ~~and A 2~~ *through 4* of § 2.2-5212. Except for cases involving only the payment of foster care maintenance that shall be at the discretion of the local community policy and management team, cases for which service plans are developed outside of this family assessment and planning team process or approved collaborative, multidisciplinary team process shall not be eligible for state pool funds.

Nothing in this section shall prohibit the use of state pool funds for emergency placements, provided the youth are subsequently assessed by the family assessment and planning team or an approved collaborative, multidisciplinary team process within 14 days of admission and the emergency placement is approved at the time of placement. In cases involving the denial of state pool funds resulting from parental refusal to consent to release of student records under federal law, where such refusal precludes the development of placement through the family assessment and planning team process or the approved collaborative, multidisciplinary team process, an appeal for good cause may be made to the Council.

§ 2.2-5211. State pool of funds for community policy and management teams.

A. There is established a state pool of funds to be allocated to community policy and management teams in accordance with the appropriation act and appropriate state regulations. These funds~~, as made available by the General Assembly,~~ shall be expended for *the provision of* public or private nonresidential or residential services for troubled ~~youths~~ *youth* and families. However, funds for private special education services shall only be expended on private educational programs that are licensed by the Board of Education or an equivalent out-of-state licensing agency. Effective July 1, 2022, funds for private special education services shall only be expended on private educational programs that the Office of Children's Services certifies as having reported their tuition rates on a standard reporting template developed by the Office. The Office of Children's Services shall consult with private special education services providers in developing the standard reporting template for tuition rates.

The ~~purposes of this system of funding are to~~ *state pool shall*:

1. Place authority for making program and funding decisions at the community level;

2. ~~Consolidate categorical agency funding and institute community responsibility for the provision of services;~~

~~3.~~ Provide ~~greater~~ flexibility in the use of funds to purchase services based on the strengths and needs of children, ~~youths~~ *youth*, and families; and

~~4.~~ *3.* Reduce disparity in accessing services and ~~to reduce~~ inadvertent fiscal incentives for serving children and youth according to differing required local match rates for funding streams.

B. The state pool shall consist of funds that serve the ~~target populations identified in subdivisions 1 through 6 in the purchase of residential and nonresidential services for children and youth. References to funding sources and current placement authority for the targeted populations of children and youth are for the purpose of accounting for the funds in the pool. It is not intended that children and youth be categorized by individual funding streams in order to access services. The~~ *following* target ~~population shall be the following~~ *populations*:

1. Children and youth placed for purposes of special education in approved private school educational programs~~, previously funded by the Department of Education through private tuition assistance~~;

2. Children and youth with disabilities placed by local social services agencies or the Department of Juvenile Justice in private residential facilities or across jurisdictional lines in private~~,~~ special education day schools, if the individualized education program indicates such school is the appropriate placement while living in foster homes or child-caring facilities~~, previously funded by the Department of Education through the Interagency Assistance Fund for Noneducational Placements of Handicapped Children~~;

3. Children and youth for whom foster care services, as defined by § 63.2-905, are being provided;

4. *Children and youth who are determined, by either a juvenile and domestic relations district court or a family assessment and planning team, to be a child in need of services as defined in § 16.1-228 and requiring (i) community-based services to prevent or eliminate the need for an out-of-home placement or (ii) placement outside of the home through an agreement between the public agency designated by the community policy and management team and the parents or legal guardians who retain legal custody of the child or youth;*

5. Children and youth placed by a juvenile and domestic relations district court, in accordance with the provisions of § 16.1-286, in a private or locally operated public facility or nonresidential program, or in a community or facility-based treatment program in accordance with the provisions of subsection B or C of § 16.1-284.1;

~~5.~~ *6.* Children and youth committed to the Department of Juvenile Justice and placed by it in a private home or in a public or private facility in accordance with § 66-14; and

~~6.~~ *7.* Children and youth previously placed pursuant to subdivision 1 in approved private school educational programs for at least six months who will receive transitional services in a public school setting. State pool funds *for transitional services* shall be allocated for no longer than 12 months ~~for transitional services~~. Local agencies may contract with a private school education program provider to provide ~~transition~~ *transitional* services in the public school.

C. The General Assembly and the governing body of each county and city shall annually appropriate such sums of money as shall be sufficient to (i) provide special education services and foster care services for children and youth identified in subdivisions B 1~~, 2, 3,~~ *through 4* and 6 *and 7* and (ii) meet relevant federal mandates for the provision of these services. ~~The community policy and management team shall anticipate to the best of its ability the number of children and youth for whom such services will be required~~ The community policy and management team shall anticipate to the best of its ability the number of children and youth for whom such services will be required ~~and reserve funds from its state pool allocation to meet these needs~~. Nothing in this section ~~prohibits~~ *shall prohibit* local governments from requiring parental or legal financial contributions, where not specifically prohibited by federal or state law or regulation, utilizing a standard sliding fee scale based upon ability to pay, as provided in the appropriation act.

D. ~~When a community services board established pursuant to § 37.2-501, local school division, local social service agency, court service unit, or the Department of Juvenile Justice has referred~~ *Referral of* a child and family to a family assessment and planning team ~~and that team has recommended~~, *recommendation by that team of* the proper level of treatment and services needed ~~by that~~ *for the* child and family, and ~~has determined~~ *determination by the team of* the child's eligibility for funding for services through the state pool of funds~~, then the~~ *shall satisfy the fiscal responsibility of the* community services board, ~~the~~ local school division, local *department of* social services ~~agency~~, court service unit, or Department of Juvenile Justice ~~has met its fiscal responsibility for that child for the~~ *with regard to* services funded through the pool. However, the community services board, ~~the~~ local school division, local *department of* social services ~~agency~~, court service unit, or Department of Juvenile Justice shall continue to be responsible for providing services identified in *an*

individual family service ~~plans~~ *plan* that are within the agency's scope of responsibility and ~~that are~~ funded separately from the state pool.

~~Further, in~~ *In* any instance that *local department of social services places* an individual *who is (i)* 18 through 21 years of age, inclusive~~, who is~~*; (ii)* eligible for funding from the state pool*;* and ~~is~~ *(iii)* properly defined as a ~~school-aged~~ *school-age* child with disabilities pursuant to § 22.1-213 ~~is placed by a local social services agency that has custody~~ across jurisdictional lines in ~~a group home~~ *an approved foster care placement* in the Commonwealth and the individual's individualized education program (IEP), as prepared by the ~~placing~~ *local educational authority in the* jurisdiction *where the individual resides*, indicates that a private day school placement is the appropriate educational program for such individual, the financial and legal responsibility for the individual's special education services and IEP shall remain~~, in compliance with the provisions of federal law, Article 2 (§ 22.1-213) of Chapter 13 of Title 22.1, and Board of Education regulations, the responsibility of~~ *with* the placing jurisdiction until the individual reaches the age of 21, inclusive, or is no longer eligible for special education services~~. The financial and legal responsibility for such special education services shall remain with the placing jurisdiction, unless the placing jurisdiction has transitioned all appropriate services with the individual~~*, in compliance with the provisions of federal law, Article 2 (§ 22.1-213 et seq.) of Chapter 13 of Title 22.1, and Board of Education regulations*.

E. In any matter properly before a court for which state pool funds are to be accessed, the court shall, prior to final disposition, and pursuant to §§ 2.2-5209 and 2.2-5212, refer the matter to the community policy and management team for assessment by a local family assessment and planning team authorized by policies of the community policy and management team for assessment to determine the recommended level of treatment and services needed by the child and family. The family assessment and planning team making the assessment shall make a report of the case or forward a copy of the individual family services plan to the court within 30 days of the court's written referral to the community policy and management team. The court shall consider the recommendations of the family assessment and planning team and the community policy and management team. If, prior to a final disposition by the court, the court ~~is requested to consider~~ *requests* a level of service not identified or recommended in the report submitted by the family assessment and planning team, the court shall ~~request~~ *ask* the community policy and management team to submit a second report characterizing comparable levels of service to the requested level of service. Notwithstanding the provisions of this subsection, the court may make any disposition as is authorized or required by law. Services ordered pursuant to a disposition rendered by the court pursuant to this section shall qualify for funding as appropriated under this section.

F. As used in this section, "transitional services" includes services delivered in a public school setting directly to students with significant disabilities or intensive support needs to facilitate their transition back to public school after having been served in a private special education day school or residential facility for at least six months. "Transitional services" includes one-on-one aides, speech therapy, occupational therapy, behavioral health services, counseling, applied behavior analysis, specially designed instruction delivered directly to the student, or other services needed to facilitate such transition that are delivered directly to the student in their public school over the 12-month period as identified in the child's individualized education program.

§ 2.2-5212. Eligibility for state pool of funds.

A. ~~In order to be eligible for funding for services through the state pool of funds, a~~ *A child,* youth, or family with a child~~, shall meet one or more of the criteria specified in subdivisions 1 through 4 and~~ shall be *eligible for funding through the state pool of funds if it is* determined through the use of ~~a~~ *the* uniform assessment instrument ~~and process and by~~ *approved by the State Executive Council for Children's Services as provided for in subdivision D 11 of § 2.2-2648 and in accordance with the* policies of the community policy and management team ~~to have access to these funds.~~ *that the child or youth:*

1. ~~The child or youth has~~ *Has* emotional or behavior problems that:

a. Have persisted over a significant period of time or, though only in evidence for a short period of time, are of such a critical nature that intervention is warranted;

b. Are significantly disabling and are present in several community settings, such as at home, in school, or with peers; ~~and~~

c. Require services or resources that are unavailable or inaccessible, or that are beyond the normal agency services or routine collaborative processes across agencies, or require coordinated interventions by at least two agencies~~.~~*; and*

d. Have resulted in the child or youth, or place the child or youth at imminent risk of, entering purchased residential care;

2. ~~The child or youth has emotional or behavior problems, or both, and currently is in, or is at imminent risk of entering, purchased residential care. In addition, the child or youth requires services or resources that are beyond normal agency services or routine collaborative processes across agencies, and requires coordinated services by at least two agencies.~~

~~3. The child or youth requires~~ *Requires* placement for purposes of special education in approved private school educational programs or for transitional services as set forth in subdivision B ~~6~~ *7* of § 2.2-5211~~.~~*;*

~~4. The child or youth requires~~ *3. Requires* foster care services as defined in § 63.2-905*; or*

4. Has been determined by either a juvenile and domestic relations district court or a family assessment and planning team to be a child in need of services as defined in § 16.1-228.

B. For purposes of determining eligibility for the state pool of funds, "child" or "youth" means (i) a person younger than 18 years of age or (ii) any individual ~~through 21 years of age~~ who is otherwise eligible for mandated services of the participating state agencies, including special education and foster care services.

CHAPTER 504

An Act to amend and reenact §§ 37.2-808, 37.2-809, 37.2-813, as they are currently effective and as they shall become effective, 37.2-815, 37.2-816, and 37.2-817, as they are currently effective and as they shall become effective, and 37.2-1104 of the Code of Virginia, relating to referrals to community-based outpatient stabilization programs for voluntary treatment.

[S 819]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 37.2-808, 37.2-809, 37.2-813, as they are currently effective and as they shall become effective, 37.2-815, 37.2-816, and 37.2-817, as they are currently effective and as they shall become effective, and 37.2-1104 of the Code of Virginia are amended and reenacted as follows:

§ 37.2-808. (Expires July 1, 2026) Emergency custody; issuance and execution of order.

A. Any magistrate shall issue, upon the sworn petition of any responsible person, treating physician, or upon his own motion, or a court may issue pursuant to § 19.2-271.6, an emergency custody order when he has probable cause to believe that any person (i) has a mental illness and that there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (b) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs, (ii) is in need of hospitalization or treatment, and (iii) is unwilling to volunteer or incapable of volunteering for hospitalization or treatment. Any emergency custody order entered pursuant to this section shall provide for the disclosure of medical records pursuant to § 37.2-804.2. This subsection shall not preclude any other disclosures as required or permitted by law.

When considering whether there is probable cause to issue an emergency custody order, the magistrate may, in addition to the petition, or the court may pursuant to § 19.2-271.6, consider (1) the recommendations of any treating or examining physician or psychologist licensed in Virginia, if available, (2) any past actions of the person, (3) any past mental health treatment of the person, (4) any relevant hearsay evidence, (5) any medical records available, (6) any affidavits submitted, if the witness is unavailable and it so states in the affidavit, and (7) any other information available that the magistrate or the court considers relevant to the determination of whether probable cause exists to issue an emergency custody order.

B. Any person for whom an emergency custody order is issued shall be taken into custody and transported to a convenient location to be evaluated to determine whether the person meets the criteria for temporary detention pursuant to § 37.2-809 and to assess the need for hospitalization or treatment. The evaluation shall be made by a person designated by the community services board or a certified evaluator who is skilled in the diagnosis and treatment of mental illness and who has completed a certification program approved by the Department.

C. The magistrate or court issuing an emergency custody order shall specify the primary law-enforcement agency and jurisdiction to execute the emergency custody order and provide transportation. However, the magistrate or court shall authorize transportation by an alternative transportation provider in accordance with this section, whenever an alternative transportation provider is identified to the magistrate or court, which may be a person, facility, or agency, including a family member or friend of the person who is the subject of the order, a representative of the community services board, or a certified evaluator, or other transportation provider with personnel trained to provide transportation in a safe manner, upon determining, following consideration of information provided by the petitioner; the community services board or its designee or a certified evaluator; the local law-enforcement agency, if any; the person's treating physician, if any; or other persons who are available and have knowledge of the person, and, when the magistrate or court deems appropriate, the proposed alternative transportation provider, either in person or via two-way electronic video and audio or telephone communication system, that the proposed alternative transportation provider is available to provide transportation, willing to provide transportation, and able to provide transportation in a safe manner.

When transportation is ordered to be provided by an alternative transportation provider, the magistrate or court shall order the specified primary law-enforcement agency to execute the order, to take the person into custody, and to transfer custody of the person to the alternative transportation provider identified in the order. In such cases, a copy of the emergency custody order shall accompany the person being transported pursuant to this section at all times and shall be delivered by the alternative transportation provider to the community services board or its designee or certified evaluator responsible for conducting the evaluation. The community services board or its designee or certified evaluator conducting the evaluation shall return a copy of the emergency custody order to the court designated by the magistrate or the court that issued the emergency custody order as soon as is practicable. Delivery of an order to a law-enforcement officer or alternative transportation provider and return of an order to the court may be accomplished electronically or by facsimile.

Transportation under this section shall include transportation to a medical facility as may be necessary to obtain emergency medical evaluation or treatment that shall be conducted immediately in accordance with state and federal law. Transportation under this section shall include transportation to a medical facility for a medical evaluation if a physician at the hospital in which the person subject to the emergency custody order may be detained requires a medical evaluation prior to admission.

D. In specifying the primary law-enforcement agency and jurisdiction for purposes of this section, the magistrate or court shall order the primary law-enforcement agency from the jurisdiction served by the community services board or certified evaluator that designated the person to perform the evaluation required in subsection B to execute the order and, in cases in which transportation is ordered to be provided by the primary law-enforcement agency, provide transportation. If the community services board serves more than one jurisdiction, the magistrate or court shall designate the primary law-enforcement agency from the particular jurisdiction within the community services board's service area where the person who is the subject of the emergency custody order was taken into custody or, if the person has not yet been taken into custody, the primary law-enforcement agency from the jurisdiction where the person is presently located to execute the order and provide transportation.

E. The law-enforcement agency or alternative transportation provider providing transportation pursuant to this section may transfer custody of the person to the facility or location to which the person is transported for the evaluation required in subsection B, G, or H if the facility or location (i) is licensed to provide the level of security necessary to protect both the person and others from harm, (ii) is actually capable of providing the level of security necessary to protect the person and others from harm, and (iii) in cases in which transportation is provided by a law-enforcement agency, has entered into an agreement or memorandum of understanding with the law-enforcement agency setting forth the terms and conditions under which it will accept a transfer of custody, provided, however, that the facility or location may not require the law-enforcement agency to pay any fees or costs for the transfer of custody.

F. A law-enforcement officer may lawfully go or be sent beyond the territorial limits of the county, city, or town in which he serves to any point in the Commonwealth for the purpose of executing an emergency custody order pursuant to this section.

G. A law-enforcement officer who, based upon his observation or the reliable reports of others, has probable cause to believe that a person meets the criteria for emergency custody as stated in this section may take that person into custody and transport that person to an appropriate location to assess the need for hospitalization or treatment without prior authorization. A law-enforcement officer who takes a person into custody pursuant to this subsection or subsection H may lawfully go or be sent beyond the territorial limits of the county, city, or town in which he serves to any point in the Commonwealth for the purpose of obtaining the assessment. Such evaluation shall be conducted immediately. The period of custody shall not exceed eight hours from the time the law-enforcement officer takes the person into custody.

H. A law-enforcement officer who is transporting a person who has voluntarily consented to be transported to a facility for the purpose of assessment or evaluation and who is beyond the territorial limits of the county, city, or town in which he serves may take such person into custody and transport him to an appropriate location to assess the need for hospitalization or treatment without prior authorization when the law-enforcement officer determines (i) that the person has revoked consent to be transported to a facility for the purpose of assessment or evaluation, and (ii) based upon his observations, that probable cause exists to believe that the person meets the criteria for emergency custody as stated in this section. The period of custody shall not exceed eight hours from the time the law-enforcement officer takes the person into custody.

I. Nothing herein shall preclude a law-enforcement officer or alternative transportation provider from obtaining emergency medical treatment or further medical evaluation at any time for a person in his custody as provided in this section.

J. A representative of the primary law-enforcement agency specified to execute an emergency custody order or a representative of the law-enforcement agency employing a law-enforcement officer who takes a person into custody pursuant to subsection G or H shall notify the community services board or certified evaluator responsible for conducting the evaluation required in subsection B, G, or H as soon as practicable after execution of the emergency custody order or after the person has been taken into custody pursuant to subsection G or H.

K. The person shall remain in custody until (i) a temporary detention order is issued in accordance with § 37.2-809, (ii) an order for temporary detention for observation, testing, or treatment is entered in accordance with § 37.2-1104, ending law enforcement custody, (iii) the person is released, or (iv) the emergency custody order expires. An emergency custody order shall be valid for a period not to exceed eight hours from the time of execution. *For any person who has received an evaluation or treatment while in emergency custody and for whom no temporary detention order is issued, the evaluator or treating health care professional shall consider, prior to the person's release or the expiration of the emergency custody order, whether referral of the person to a community-based outpatient stabilization program for voluntary treatment is appropriate.*

L. Nothing in this section shall preclude the issuance of an order for temporary detention for testing, observation, or treatment pursuant to § 37.2-1104 for a person who is also the subject of an emergency custody order issued pursuant to this section. In any case in which an order for temporary detention for testing, observation, or treatment is issued for a person who is also the subject of an emergency custody order, the person may be detained by a hospital emergency room or other appropriate facility for testing, observation, and treatment for a period not to exceed 24 hours, unless extended by the court as part of an order pursuant to § 37.2-1101, in accordance with subsection C of § 37.2-1104. Upon completion of testing, observation, or treatment pursuant to § 37.2-1104, the hospital emergency room or other appropriate facility in which the person is detained shall notify the nearest community services board or certified evaluator, and the designee of the community services board or certified evaluator shall, as soon as is practicable and prior to the expiration of the order for temporary detention issued pursuant to § 37.2-1104, conduct an evaluation of the person to determine if he meets the criteria for temporary detention pursuant to § 37.2-809. The (i) certified evaluator conducting the evaluation pursuant to

subsection B and § 37.2-809 or (ii) hospital emergency department and treating physician or other health care provider designated by the physician shall allow a family member or legal guardian of the individual subject to evaluation who is present, and who may provide support and supportive decision-making, to be present with the individual unless the individual objects or the evaluator or treating physician determines that the presence of any such person would create a medical, clinical, or safety risk to the patient or health care provider or interferes with patient care. No provision of this section shall delay the process of the patient receiving treatment.

M. Any person taken into emergency custody pursuant to this section shall be given a written summary of the emergency custody procedures and the statutory protections associated with those procedures.

N. If an emergency custody order is not executed within eight hours of its issuance, the order shall be void and shall be returned unexecuted to the office of the clerk of the issuing court or, if such office is not open, to any magistrate serving the jurisdiction of the issuing court.

O. In addition to the eight-hour period of emergency custody set forth in subsection G, H, or K, if the individual is detained in a state facility pursuant to subsection E of § 37.2-809, the state facility and an employee or designee of the community services board as defined in § 37.2-809 or certified evaluator may, for an additional four hours, continue to attempt to identify an alternative facility that is able and willing to provide temporary detention and appropriate care to the individual.

P. Payments shall be made pursuant to § 37.2-804 to licensed health care providers for medical screening and assessment services provided to persons with mental illnesses while in emergency custody.

Q. An employee or contractor of an entity providing alternative transportation services pursuant to a contract with the Department who has completed training approved by the Department in the proper and safe use of restraint may use restraint (i) if restraint is necessary to ensure the safety of the person or others or prevent escape and (ii) if less restrictive techniques have been determined to be ineffective to protect the person or others from harm or to prevent escape.

R. No person who provides alternative transportation pursuant to this section shall be liable to the person being transported for any civil damages for ordinary negligence in acts or omissions that result from providing such alternative transportation.

S. For purposes of this section:

"Certified evaluator" means the same as that term is defined in § 37.2-809.

"Law-enforcement agency" includes an auxiliary police force established pursuant to § 15.2-1731.

"Law-enforcement officer" includes an auxiliary police officer appointed or provided for pursuant to §§ 15.2-1731 and 15.2-1733, except for the purposes of subsection G.

§ 37.2-808. (Effective July 1, 2026) Emergency custody; issuance and execution of order.

A. Any magistrate shall issue, upon the sworn petition of any responsible person, treating physician, or upon his own motion, or a court may issue pursuant to § 19.2-271.6, an emergency custody order when he has probable cause to believe that any person (i) has a mental illness and that there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (b) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs, (ii) is in need of hospitalization or treatment, and (iii) is unwilling to volunteer or incapable of volunteering for hospitalization or treatment. Any emergency custody order entered pursuant to this section shall provide for the disclosure of medical records pursuant to § 37.2-804.2. This subsection shall not preclude any other disclosures as required or permitted by law.

When considering whether there is probable cause to issue an emergency custody order, the magistrate may, in addition to the petition, or the court may pursuant to § 19.2-271.6, consider (1) the recommendations of any treating or examining physician or psychologist licensed in Virginia, if available, (2) any past actions of the person, (3) any past mental health treatment of the person, (4) any relevant hearsay evidence, (5) any medical records available, (6) any affidavits submitted, if the witness is unavailable and it so states in the affidavit, and (7) any other information available that the magistrate or the court considers relevant to the determination of whether probable cause exists to issue an emergency custody order.

B. Any person for whom an emergency custody order is issued shall be taken into custody and transported to a convenient location to be evaluated to determine whether the person meets the criteria for temporary detention pursuant to § 37.2-809 and to assess the need for hospitalization or treatment. The evaluation shall be made by a person designated by the community services board who is skilled in the diagnosis and treatment of mental illness and who has completed a certification program approved by the Department.

C. The magistrate or court issuing an emergency custody order shall specify the primary law-enforcement agency and jurisdiction to execute the emergency custody order and provide transportation. However, the magistrate or court shall authorize transportation by an alternative transportation provider in accordance with this section, whenever an alternative transportation provider is identified to the magistrate or court, which may be a person, facility, or agency, including a family member or friend of the person who is the subject of the order, a representative of the community services board, or other transportation provider with personnel trained to provide transportation in a safe manner, upon determining, following consideration of information provided by the petitioner; the community services board or its designee; the local law-enforcement agency, if any; the person's treating physician, if any; or other persons who are available and have knowledge of the person, and, when the magistrate or court deems appropriate, the proposed alternative transportation provider, either in person or via two-way electronic video and audio or telephone communication system, that the proposed

alternative transportation provider is available to provide transportation, willing to provide transportation, and able to provide transportation in a safe manner.

When transportation is ordered to be provided by an alternative transportation provider, the magistrate or court shall order the specified primary law-enforcement agency to execute the order, to take the person into custody, and to transfer custody of the person to the alternative transportation provider identified in the order. In such cases, a copy of the emergency custody order shall accompany the person being transported pursuant to this section at all times and shall be delivered by the alternative transportation provider to the community services board or its designee responsible for conducting the evaluation. The community services board or its designee conducting the evaluation shall return a copy of the emergency custody order to the court designated by the magistrate or the court that issued the emergency custody order as soon as is practicable. Delivery of an order to a law-enforcement officer or alternative transportation provider and return of an order to the court may be accomplished electronically or by facsimile.

Transportation under this section shall include transportation to a medical facility as may be necessary to obtain emergency medical evaluation or treatment that shall be conducted immediately in accordance with state and federal law. Transportation under this section shall include transportation to a medical facility for a medical evaluation if a physician at the hospital in which the person subject to the emergency custody order may be detained requires a medical evaluation prior to admission.

D. In specifying the primary law-enforcement agency and jurisdiction for purposes of this section, the magistrate or court shall order the primary law-enforcement agency from the jurisdiction served by the community services board that designated the person to perform the evaluation required in subsection B to execute the order and, in cases in which transportation is ordered to be provided by the primary law-enforcement agency, provide transportation. If the community services board serves more than one jurisdiction, the magistrate or court shall designate the primary law-enforcement agency from the particular jurisdiction within the community services board's service area where the person who is the subject of the emergency custody order was taken into custody or, if the person has not yet been taken into custody, the primary law-enforcement agency from the jurisdiction where the person is presently located to execute the order and provide transportation.

E. The law-enforcement agency or alternative transportation provider providing transportation pursuant to this section may transfer custody of the person to the facility or location to which the person is transported for the evaluation required in subsection B, G, or H if the facility or location (i) is licensed to provide the level of security necessary to protect both the person and others from harm, (ii) is actually capable of providing the level of security necessary to protect the person and others from harm, and (iii) in cases in which transportation is provided by a law-enforcement agency, has entered into an agreement or memorandum of understanding with the law-enforcement agency setting forth the terms and conditions under which it will accept a transfer of custody, provided, however, that the facility or location may not require the law-enforcement agency to pay any fees or costs for the transfer of custody.

F. A law-enforcement officer may lawfully go or be sent beyond the territorial limits of the county, city, or town in which he serves to any point in the Commonwealth for the purpose of executing an emergency custody order pursuant to this section.

G. A law-enforcement officer who, based upon his observation or the reliable reports of others, has probable cause to believe that a person meets the criteria for emergency custody as stated in this section may take that person into custody and transport that person to an appropriate location to assess the need for hospitalization or treatment without prior authorization. A law-enforcement officer who takes a person into custody pursuant to this subsection or subsection H may lawfully go or be sent beyond the territorial limits of the county, city, or town in which he serves to any point in the Commonwealth for the purpose of obtaining the assessment. Such evaluation shall be conducted immediately. The period of custody shall not exceed eight hours from the time the law-enforcement officer takes the person into custody.

H. A law-enforcement officer who is transporting a person who has voluntarily consented to be transported to a facility for the purpose of assessment or evaluation and who is beyond the territorial limits of the county, city, or town in which he serves may take such person into custody and transport him to an appropriate location to assess the need for hospitalization or treatment without prior authorization when the law-enforcement officer determines (i) that the person has revoked consent to be transported to a facility for the purpose of assessment or evaluation, and (ii) based upon his observations, that probable cause exists to believe that the person meets the criteria for emergency custody as stated in this section. The period of custody shall not exceed eight hours from the time the law-enforcement officer takes the person into custody.

I. Nothing herein shall preclude a law-enforcement officer or alternative transportation provider from obtaining emergency medical treatment or further medical evaluation at any time for a person in his custody as provided in this section.

J. A representative of the primary law-enforcement agency specified to execute an emergency custody order or a representative of the law-enforcement agency employing a law-enforcement officer who takes a person into custody pursuant to subsection G or H shall notify the community services board responsible for conducting the evaluation required in subsection B, G, or H as soon as practicable after execution of the emergency custody order or after the person has been taken into custody pursuant to subsection G or H.

K. The person shall remain in custody until (i) a temporary detention order is issued in accordance with § 37.2-809, (ii) an order for temporary detention for observation, testing, or treatment is entered in accordance with § 37.2-1104, ending law enforcement custody, (iii) the person is released, or (iv) the emergency custody order expires. An emergency custody

order shall be valid for a period not to exceed eight hours from the time of execution. *For any person who has received an evaluation or treatment while in emergency custody and for whom no temporary detention order is issued, the evaluator or treating health care professional shall consider, prior to the person's release or the expiration of the emergency custody order, whether referral of the person to a community-based outpatient stabilization program for voluntary treatment is appropriate.*

L. Nothing in this section shall preclude the issuance of an order for temporary detention for testing, observation, or treatment pursuant to § 37.2-1104 for a person who is also the subject of an emergency custody order issued pursuant to this section. In any case in which an order for temporary detention for testing, observation, or treatment is issued for a person who is also the subject of an emergency custody order, the person may be detained by a hospital emergency room or other appropriate facility for testing, observation, and treatment for a period not to exceed 24 hours, unless extended by the court as part of an order pursuant to § 37.2-1101, in accordance with subsection C of § 37.2-1104. Upon completion of testing, observation, or treatment pursuant to § 37.2-1104, the hospital emergency room or other appropriate facility in which the person is detained shall notify the nearest community services board, and the designee of the community services board shall, as soon as is practicable and prior to the expiration of the order for temporary detention issued pursuant to § 37.2-1104, conduct an evaluation of the person to determine if he meets the criteria for temporary detention pursuant to § 37.2-809. The (i) evaluator conducting the evaluation pursuant to subsection B and § 37.2-809 or (ii) hospital emergency department and treating physician or other health care provider designated by the physician shall allow a family member or legal guardian of the individual subject to evaluation who is present, and who may provide support and supportive decision-making, to be present with the individual unless the individual objects or the evaluator or treating physician determines that the presence of any such person would create a medical, clinical, or safety risk to the patient or health care provider or interferes with patient care. No provision of this section shall delay the process of the patient receiving treatment.

M. Any person taken into emergency custody pursuant to this section shall be given a written summary of the emergency custody procedures and the statutory protections associated with those procedures.

N. If an emergency custody order is not executed within eight hours of its issuance, the order shall be void and shall be returned unexecuted to the office of the clerk of the issuing court or, if such office is not open, to any magistrate serving the jurisdiction of the issuing court.

O. In addition to the eight-hour period of emergency custody set forth in subsection G, H, or K, if the individual is detained in a state facility pursuant to subsection E of § 37.2-809, the state facility and an employee or designee of the community services board as defined in § 37.2-809 may, for an additional four hours, continue to attempt to identify an alternative facility that is able and willing to provide temporary detention and appropriate care to the individual.

P. Payments shall be made pursuant to § 37.2-804 to licensed health care providers for medical screening and assessment services provided to persons with mental illnesses while in emergency custody.

Q. An employee or contractor of an entity providing alternative transportation services pursuant to a contract with the Department who has completed training approved by the Department in the proper and safe use of restraint may use restraint (i) if restraint is necessary to ensure the safety of the person or others or prevent escape and (ii) if less restrictive techniques have been determined to be ineffective to protect the person or others from harm or to prevent escape.

R. No person who provides alternative transportation pursuant to this section shall be liable to the person being transported for any civil damages for ordinary negligence in acts or omissions that result from providing such alternative transportation.

S. For purposes of this section:

"Law-enforcement agency" includes an auxiliary police force established pursuant to § 15.2-1731.

"Law-enforcement officer" includes an auxiliary police officer appointed or provided for pursuant to §§ 15.2-1731 and 15.2-1733, except for the purposes of subsection G.

§ 37.2-809. (Expires July 1, 2026) Involuntary temporary detention; issuance and execution of order.

A. For the purposes of this section:

"Certified evaluator" means (i) an individual with an educational attainment of a master's or doctoral degree with an associated professional license; (ii) a licensed professional counselor, licensed clinical social worker, licensed marriage and family therapist, licensed clinical psychologist, or psychiatrist; or (iii) a licensed psychiatric nurse practitioner, psychiatric physician assistant, psychiatric clinical nurse specialist, doctor of medicine, or doctor of osteopathy, who are not emergency department providers. A certified evaluator shall (a) be employed or contracted by a hospital with a psychiatric emergency department in the City of Hampton and such hospital shall be responsible for all costs associated with the hiring, training, and supervision of the certified evaluators, including salary, fringe benefits, and overhead costs; (b) be skilled in the assessment and treatment of mental illness; (c) have completed a training and certification program approved by the Department; (d) have received a prescreener orientation presentation developed by the Department in consultation with the Virginia Association of Community Services Boards, which shall include information on determining the least restrictive treatment available for the person being evaluated pursuant to subsection G of § 37.2-817.01; (e) be able to provide an independent examination of the person; (f) not be related by blood or marriage to the person being evaluated; (g) have no financial interest in the admission, treatment, or denial of admission of the person being evaluated; (h) have no investment interest in the facility detaining or admitting the person under this article; (i) only be permitted to conduct in-person evaluations on site at participating hospitals; and (j) only be permitted to conduct a temporary detention order evaluation in

lieu of an employee or designee of the local community services board if the person subject to the temporary detention order evaluation is located in a hospital with a psychiatric emergency department in the City of Hampton.

"Designee of the local community services board" means an examiner designated by the local community services board who (i) is skilled in the assessment and treatment of mental illness, (ii) has completed a certification program approved by the Department, (iii) is able to provide an independent examination of the person, (iv) is not related by blood or marriage to the person being evaluated, (v) has no financial interest in the admission or treatment of the person being evaluated, (vi) has no investment interest in the facility detaining or admitting the person under this article, and (vii) except for employees of state hospitals and of the U.S. Department of Veterans Affairs, is not employed by the facility.

"Employee" means an employee of the local community services board who is skilled in the assessment and treatment of mental illness and has completed a certification program approved by the Department.

"Investment interest" means the ownership or holding of an equity or debt security, including shares of stock in a corporation, interests or units of a partnership, bonds, debentures, notes, or other equity or debt instruments.

"Psychiatric emergency department" means a facility that (i) is a separate and secure environment operating under the authority of a hospital with emergency department services licensed by the Department of Health, (ii) provides immediate access to psychiatric and psychological care, (iii) is adjacent to a facility licensed by the Department, and (iv) provides medical care, case management, discharge planning, and bridge psychiatric services post-discharge as needed.

B. *1.* A magistrate shall issue, upon the sworn petition of any responsible person, treating physician, or upon his own motion and only after an evaluation conducted in-person or by means of a two-way electronic video and audio communication system as authorized in § 37.2-804.1 by an employee or a designee of the local community services board or after an in-person evaluation conducted by a certified evaluator to determine whether the person meets the criteria for temporary detention, a temporary detention order if it appears from all evidence readily available, including any recommendation from a physician, clinical psychologist, clinical social worker, or licensed professional counselor treating the person, that the person (i) has a mental illness and that there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (b) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs; (ii) is in need of hospitalization or treatment; and (iii) is unwilling to volunteer or incapable of volunteering for hospitalization or treatment. The magistrate shall also consider, if available, (a) information provided by the person who initiated emergency custody and (b) the recommendations of any treating or examining physician licensed in Virginia either verbally or in writing prior to rendering a decision. Any temporary detention order entered pursuant to this section shall provide for the disclosure of medical records pursuant to § 37.2-804.2. This subsection shall not preclude any other disclosures as required or permitted by law.

2. If the magistrate finds that the person does not meet the criteria for temporary detention and the employee or designee of the community services board or the certified evaluator has recommended that referral to a community-based outpatient stabilization program for voluntary treatment would be appropriate, the employee or designee of the community services board or the certified evaluator shall provide the person with such referral.

C. When considering whether there is probable cause to issue a temporary detention order, the magistrate may, in addition to the petition, consider (i) the recommendations of any treating or examining physician, psychologist, clinical social worker, or licensed professional counselor licensed in Virginia, if available, (ii) any past actions of the person, (iii) any past mental health treatment of the person, (iv) any relevant hearsay evidence, (v) any medical records available, (vi) any affidavits submitted, if the witness is unavailable and it so states in the affidavit, and (vii) any other information available that the magistrate considers relevant to the determination of whether probable cause exists to issue a temporary detention order.

D. A magistrate may issue a temporary detention order without an emergency custody order proceeding. A magistrate may issue a temporary detention order without a prior evaluation pursuant to subsection B if (i) the person has been personally examined within the previous 72 hours by an employee or a designee of the local community services board or a certified evaluator or (ii) there is a significant physical, psychological, or medical risk to the person or to others associated with conducting such evaluation.

E. An employee or a designee of the local community services board or a certified evaluator shall determine the facility of temporary detention in accordance with the provisions of § 37.2-809.1 for all persons detained pursuant to this section. An employee or designee of the local community services board or a certified evaluator may change the facility of temporary detention and may designate an alternative facility for temporary detention at any point during the period of temporary detention if it is determined that the alternative facility is a more appropriate facility for temporary detention of the person given the specific security, medical, or behavioral health needs of the person. In cases in which the facility of temporary detention is changed following transfer of custody to an initial facility of temporary custody, transportation of the person to the alternative facility of temporary detention shall be provided in accordance with the provisions of § 37.2-810. The initial facility of temporary detention shall be identified on the preadmission screening report and indicated on the temporary detention order; however, if an employee or designee of the local community services board or the certified evaluator designates an alternative facility, that employee or designee or certified evaluator shall provide written notice forthwith, on a form developed by the Executive Secretary of the Supreme Court of Virginia, to the clerk of the issuing court of the name and address of the alternative facility. Subject to the provisions of § 37.2-809.1, if a facility of temporary detention cannot be identified by the time of the expiration of the period of emergency custody pursuant to § 37.2-808, the

person shall be detained in a state facility for the treatment of persons with mental illness and such facility shall be indicated on the temporary detention order. Except as provided in § 37.2-811 for inmates requiring hospitalization in accordance with subdivision A 2 of § 19.2-169.6, the person shall not be detained in a jail or other place of confinement for persons charged with criminal offenses. Except as provided in § 37.2-811 for inmates requiring hospitalization in accordance with subdivision A 2 of § 19.2-169.6 or in subsection C of § 37.2-813 for persons prior to transfer to the facility of temporary detention, the person shall remain in the custody of law enforcement until either (i) the person is detained within a secure facility or (ii) custody has been accepted by the appropriate personnel designated by either the initial facility of temporary detention identified in the temporary detention order or by the alternative facility of temporary detention designated by the employee or designee of the local community services board or the certified evaluator pursuant to this subsection. The person detained or in custody pursuant to this section shall be given a written summary of the temporary detention procedures and the statutory protections associated with those procedures.

F. 1. Any facility caring for a person placed with it pursuant to a temporary detention order is authorized to provide emergency medical and psychiatric services within its capabilities when the facility determines that the services are in the best interests of the person within its care. The costs incurred as a result of the hearings and by the facility in providing services during the period of temporary detention shall be paid and recovered pursuant to § 37.2-804. The maximum costs reimbursable by the Commonwealth pursuant to this section shall be established by the State Board of Medical Assistance Services based on reasonable criteria. The State Board of Medical Assistance Services shall, by regulation, establish a reasonable rate per day of inpatient care for temporary detention.

2. Participating hospitals with psychiatric emergency departments in the City of Hampton shall report at the end of each calendar year to the Chairmen of the Senate Committees on Education and Health and Finance and Appropriations, the House Committees on Appropriations and Health and Human Services, and the Behavioral Health Commission and the Commissioner of Behavioral Health and Developmental Services the following information: (i) the length of time between when a person who is the subject of an emergency custody order pursuant to § 37.2-808 arrives at the psychiatric emergency department of a participating hospital and when the temporary detention order evaluation is completed and (ii) the number of (a) admissions, (b) psychiatric emergency department visits, (c) temporary detention order evaluations completed, (d) temporary detention orders executed, (e) individuals under temporary detention admitted to the participating hospital, and (f) individuals transferred from the psychiatric emergency department of the participating hospital to a state facility.

3. Participating hospitals with psychiatric emergency departments in the City of Hampton shall report monthly to the Commissioner of Behavioral Health and Developmental Services the number of (i) crisis evaluations conducted each month; (ii) temporary detention orders executed as a result of such evaluations and the percentage of evaluations such temporary detention orders represent by payor type; (iii) reportable events associated with such temporary detention orders and the percentage of temporary detention orders that such reportable events represent; (iv) reportable events (a) involving loss of custody, (b) with and without an emergency custody order, (c) with a temporary detention order executed subsequently, (d) in which the individual subsequently became engaged in outpatient treatment, (e) in which the individual did not become engaged in treatment services, and (f) involving medical treatment; and (v) other events. Such participating hospitals shall include in their monthly report the facility where each patient, classified by payor type, is placed for any temporary detention order that is executed based on their evaluation.

G. The employee or the designee of the local community services board or the certified evaluator who is conducting the evaluation pursuant to this section shall determine, prior to the issuance of the temporary detention order, the insurance status of the person. Where coverage by a third party payor exists, the facility seeking reimbursement under this section shall first seek reimbursement from the third party payor. The Commonwealth shall reimburse the facility only for the balance of costs remaining after the allowances covered by the third party payor have been received.

H. The duration of temporary detention shall be sufficient to allow for completion of the examination required by § 37.2-815, preparation of the preadmission screening report required by § 37.2-816, and initiation of mental health treatment to stabilize the person's psychiatric condition to avoid involuntary commitment where possible, but shall not exceed 72 hours prior to a hearing. If the 72-hour period herein specified terminates on a Saturday, Sunday, legal holiday, or, if the individual has been admitted to a facility of temporary detention, day or part of a day on which the clerk's office is lawfully closed, the person may be detained, as herein provided, until the close of business on the next day that is not a Saturday, Sunday, legal holiday, or, if the individual has been admitted to a facility of temporary detention, day or part of a day on which the clerk's office is lawfully closed. The person may be released, pursuant to § 37.2-813, before the 72-hour period herein specified has run.

I. If a temporary detention order is not executed within 24 hours of its issuance, or within a shorter period as is specified in the order, the order shall be void and shall be returned unexecuted to the office of the clerk of the issuing court or, if the office is not open, to any magistrate serving the jurisdiction of the issuing court. Subsequent orders may be issued upon the original petition within 96 hours after the petition is filed. However, a magistrate must again obtain the advice of an employee or a designee of the local community services board or a certified evaluator prior to issuing a subsequent order upon the original petition. Any petition for which no temporary detention order or other process in connection therewith is served on the subject of the petition within 96 hours after the petition is filed shall be void and shall be returned to the office of the clerk of the issuing court.

J. The Executive Secretary of the Supreme Court of Virginia shall establish and require that a magistrate, as provided by this section, be available seven days a week, 24 hours a day, for the purpose of performing the duties established by this

section. Each community services board shall provide to each general district court and magistrate's office within its service area a list of its employees and designees who are available to perform the evaluations required herein. The employer of any certified evaluator shall provide to each general district court and magistrate's office within its service area a list of its employees and designees who are available to perform the evaluations required herein.

K. For purposes of this section, a health care provider, including any certified evaluator or designee of a local community services board or behavioral health authority, shall not be required to encrypt any email containing information or medical records provided to a magistrate unless there is reason to believe that a third party will attempt to intercept the email.

L. If the employee or designee of the community services board or the certified evaluator who is conducting the evaluation pursuant to this section recommends that the person should not be subject to a temporary detention order, such employee or designee or certified evaluator shall (i) inform the petitioner, the person who initiated emergency custody if such person is present, and an onsite treating physician of his recommendation; (ii) promptly inform such person who initiated emergency custody that the community services board or certified evaluator will facilitate communication between the person and the magistrate if the person disagrees with recommendations of the employee or designee of the community services board or certified evaluator who conducted the evaluation and the person who initiated emergency custody so requests; ~~and~~ (iii) upon prompt request made by the person who initiated emergency custody, arrange for such person who initiated emergency custody to communicate with the magistrate as soon as is practicable and prior to the expiration of the period of emergency custody*; and (iv) provide a referral to the person to a community-based outpatient stabilization program for voluntary treatment if appropriate*. The magistrate shall consider any information provided by the person who initiated emergency custody and any recommendations of the treating or examining physician and the employee or designee of the community services board or certified evaluator who conducted the evaluation and consider such information and recommendations in accordance with subsection B in making his determination to issue a temporary detention order. The person who is the subject of emergency custody shall remain in the custody of law enforcement or a designee of law enforcement and shall not be released from emergency custody until communication with the magistrate pursuant to this subsection has concluded and the magistrate has made a determination regarding issuance of a temporary detention order.

M. For purposes of this section, "person who initiated emergency custody" means any person who initiated the issuance of an emergency custody order pursuant to § 37.2-808 or a law-enforcement officer who takes a person into custody pursuant to subsection G of § 37.2-808.

N. In any case in which a person subject to an evaluation pursuant to this section is receiving services in a hospital emergency department, the treating physician or his designee and the employee or designee of the local community services board or certified evaluator shall disclose to each other relevant information pertaining to the individual's treatment in the emergency department. The (i) certified evaluator conducting the evaluation pursuant to subsection B of § 37.2-808 and the provisions of this section or (ii) hospital emergency department and treating physician or other health care provider designated by the physician shall allow a family member or legal guardian of the individual subject to evaluation who is present, and who may provide support and supportive decision-making, to be present with the individual unless the individual objects or the evaluator or treating physician determines that the presence of any such person would create a medical, clinical, or safety risk to the patient or health care provider or interferes with patient care. No provision of this section shall delay the process of the patient receiving treatment.

§ 37.2-809. (Effective July 1, 2026) Involuntary temporary detention; issuance and execution of order.

A. For the purposes of this section:

"Designee of the local community services board" means an examiner designated by the local community services board who (i) is skilled in the assessment and treatment of mental illness, (ii) has completed a certification program approved by the Department, (iii) is able to provide an independent examination of the person, (iv) is not related by blood or marriage to the person being evaluated, (v) has no financial interest in the admission or treatment of the person being evaluated, (vi) has no investment interest in the facility detaining or admitting the person under this article, and (vii) except for employees of state hospitals and of the U.S. Department of Veterans Affairs, is not employed by the facility.

"Employee" means an employee of the local community services board who is skilled in the assessment and treatment of mental illness and has completed a certification program approved by the Department.

"Investment interest" means the ownership or holding of an equity or debt security, including shares of stock in a corporation, interests or units of a partnership, bonds, debentures, notes, or other equity or debt instruments.

B. *1.* A magistrate shall issue, upon the sworn petition of any responsible person, treating physician, or upon his own motion and only after an evaluation conducted in-person or by means of a two-way electronic video and audio communication system as authorized in § 37.2-804.1 by an employee or a designee of the local community services board to determine whether the person meets the criteria for temporary detention, a temporary detention order if it appears from all evidence readily available, including any recommendation from a physician, clinical psychologist, clinical social worker, or licensed professional counselor treating the person, that the person (i) has a mental illness and that there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (b) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs; (ii) is in need of hospitalization or treatment; and (iii) is unwilling to volunteer or incapable of volunteering for hospitalization or treatment. The magistrate shall also consider, if available, (a) information provided by the person who

initiated emergency custody and (b) the recommendations of any treating or examining physician licensed in Virginia either verbally or in writing prior to rendering a decision. Any temporary detention order entered pursuant to this section shall provide for the disclosure of medical records pursuant to § 37.2-804.2. This subsection shall not preclude any other disclosures as required or permitted by law.

2. If the magistrate finds that the person does not meet the criteria for temporary detention and the employee or designee of the community services board or the certified evaluator has recommended that referral to a community-based outpatient stabilization program for voluntary treatment would be appropriate, the employee or designee of the community services board or the certified evaluator shall provide the person with such referral.

C. When considering whether there is probable cause to issue a temporary detention order, the magistrate may, in addition to the petition, consider (i) the recommendations of any treating or examining physician, psychologist, clinical social worker, or licensed professional counselor licensed in Virginia, if available, (ii) any past actions of the person, (iii) any past mental health treatment of the person, (iv) any relevant hearsay evidence, (v) any medical records available, (vi) any affidavits submitted, if the witness is unavailable and it so states in the affidavit, and (vii) any other information available that the magistrate considers relevant to the determination of whether probable cause exists to issue a temporary detention order.

D. A magistrate may issue a temporary detention order without an emergency custody order proceeding. A magistrate may issue a temporary detention order without a prior evaluation pursuant to subsection B if (i) the person has been personally examined within the previous 72 hours by an employee or a designee of the local community services board or (ii) there is a significant physical, psychological, or medical risk to the person or to others associated with conducting such evaluation.

E. An employee or a designee of the local community services board shall determine the facility of temporary detention in accordance with the provisions of § 37.2-809.1 for all persons detained pursuant to this section. An employee or designee of the local community services board may change the facility of temporary detention and may designate an alternative facility for temporary detention at any point during the period of temporary detention if it is determined that the alternative facility is a more appropriate facility for temporary detention of the person given the specific security, medical, or behavioral health needs of the person. In cases in which the facility of temporary detention is changed following transfer of custody to an initial facility of temporary custody, transportation of the person to the alternative facility of temporary detention shall be provided in accordance with the provisions of § 37.2-810. The initial facility of temporary detention shall be identified on the preadmission screening report and indicated on the temporary detention order; however, if an employee or designee of the local community services board designates an alternative facility, that employee or designee shall provide written notice forthwith, on a form developed by the Executive Secretary of the Supreme Court of Virginia, to the clerk of the issuing court of the name and address of the alternative facility. Subject to the provisions of § 37.2-809.1, if a facility of temporary detention cannot be identified by the time of the expiration of the period of emergency custody pursuant to § 37.2-808, the person shall be detained in a state facility for the treatment of persons with mental illness and such facility shall be indicated on the temporary detention order. Except as provided in § 37.2-811 for inmates requiring hospitalization in accordance with subdivision A 2 of § 19.2-169.6, the person shall not be detained in a jail or other place of confinement for persons charged with criminal offenses. Except as provided in § 37.2-811 for inmates requiring hospitalization in accordance with subdivision A 2 of § 19.2-169.6 or in subsection C of § 37.2-813 for persons prior to transfer to the facility of temporary detention, the person shall remain in the custody of law enforcement until either (i) the person is detained within a secure facility or (ii) custody has been accepted by the appropriate personnel designated by either the initial facility of temporary detention identified in the temporary detention order or by the alternative facility of temporary detention designated by the employee or designee of the local community services board pursuant to this subsection. The person detained or in custody pursuant to this section shall be given a written summary of the temporary detention procedures and the statutory protections associated with those procedures.

F. Any facility caring for a person placed with it pursuant to a temporary detention order is authorized to provide emergency medical and psychiatric services within its capabilities when the facility determines that the services are in the best interests of the person within its care. The costs incurred as a result of the hearings and by the facility in providing services during the period of temporary detention shall be paid and recovered pursuant to § 37.2-804. The maximum costs reimbursable by the Commonwealth pursuant to this section shall be established by the State Board of Medical Assistance Services based on reasonable criteria. The State Board of Medical Assistance Services shall, by regulation, establish a reasonable rate per day of inpatient care for temporary detention.

G. The employee or the designee of the local community services board who is conducting the evaluation pursuant to this section shall determine, prior to the issuance of the temporary detention order, the insurance status of the person. Where coverage by a third party payor exists, the facility seeking reimbursement under this section shall first seek reimbursement from the third party payor. The Commonwealth shall reimburse the facility only for the balance of costs remaining after the allowances covered by the third party payor have been received.

H. The duration of temporary detention shall be sufficient to allow for completion of the examination required by § 37.2-815, preparation of the preadmission screening report required by § 37.2-816, and initiation of mental health treatment to stabilize the person's psychiatric condition to avoid involuntary commitment where possible, but shall not exceed 72 hours prior to a hearing. If the 72-hour period herein specified terminates on a Saturday, Sunday, legal holiday, or, if the individual has been admitted to a facility of temporary detention, day or part of a day on which the clerk's office is

lawfully closed, the person may be detained, as herein provided, until the close of business on the next day that is not a Saturday, Sunday, legal holiday, or, if the individual has been admitted to a facility of temporary detention, day or part of a day on which the clerk's office is lawfully closed. The person may be released, pursuant to § 37.2-813, before the 72-hour period herein specified has run.

I. If a temporary detention order is not executed within 24 hours of its issuance, or within a shorter period as is specified in the order, the order shall be void and shall be returned unexecuted to the office of the clerk of the issuing court or, if the office is not open, to any magistrate serving the jurisdiction of the issuing court. Subsequent orders may be issued upon the original petition within 96 hours after the petition is filed. However, a magistrate must again obtain the advice of an employee or a designee of the local community services board prior to issuing a subsequent order upon the original petition. Any petition for which no temporary detention order or other process in connection therewith is served on the subject of the petition within 96 hours after the petition is filed shall be void and shall be returned to the office of the clerk of the issuing court.

J. The Executive Secretary of the Supreme Court of Virginia shall establish and require that a magistrate, as provided by this section, be available seven days a week, 24 hours a day, for the purpose of performing the duties established by this section. Each community services board shall provide to each general district court and magistrate's office within its service area a list of its employees and designees who are available to perform the evaluations required herein.

K. For purposes of this section, a health care provider or designee of a local community services board or behavioral health authority shall not be required to encrypt any email containing information or medical records provided to a magistrate unless there is reason to believe that a third party will attempt to intercept the email.

L. If the employee or designee of the community services board who is conducting the evaluation pursuant to this section recommends that the person should not be subject to a temporary detention order, such employee or designee shall (i) inform the petitioner, the person who initiated emergency custody if such person is present, and an onsite treating physician of his recommendation; (ii) promptly inform such person who initiated emergency custody that the community services board will facilitate communication between the person and the magistrate if the person disagrees with recommendations of the employee or designee of the community services board who conducted the evaluation and the person who initiated emergency custody so requests; ~~and~~ (iii) upon prompt request made by the person who initiated emergency custody, arrange for such person who initiated emergency custody to communicate with the magistrate as soon as is practicable and prior to the expiration of the period of emergency custody*; and (iv) provide a referral to the person to a community-based outpatient stabilization program for voluntary treatment if appropriate*. The magistrate shall consider any information provided by the person who initiated emergency custody and any recommendations of the treating or examining physician and the employee or designee of the community services board who conducted the evaluation and consider such information and recommendations in accordance with subsection B in making his determination to issue a temporary detention order. The person who is the subject of emergency custody shall remain in the custody of law enforcement or a designee of law enforcement and shall not be released from emergency custody until communication with the magistrate pursuant to this subsection has concluded and the magistrate has made a determination regarding issuance of a temporary detention order.

M. For purposes of this section, "person who initiated emergency custody" means any person who initiated the issuance of an emergency custody order pursuant to § 37.2-808 or a law-enforcement officer who takes a person into custody pursuant to subsection G of § 37.2-808.

N. In any case in which a person subject to an evaluation pursuant to this section is receiving services in a hospital emergency department, the treating physician or his designee and the employee or designee of the local community services board shall disclose to each other relevant information pertaining to the individual's treatment in the emergency department. The (i) evaluator conducting the evaluation pursuant to subsection B of § 37.2-808 and the provisions of this section or (ii) hospital emergency department and treating physician or other health care provider designated by the physician shall allow a family member or legal guardian of the individual subject to evaluation who is present, and who may provide support and supportive decision-making, to be present with the individual unless the individual objects or the evaluator or treating physician determines that the presence of any such person would create a medical, clinical, or safety risk to the patient or health care provider or interferes with patient care. No provision of this section shall delay the process of the patient receiving treatment.

§ 37.2-813. (Expires July 1, 2026) Release of person prior to commitment hearing for involuntary admission.

A. Prior to a hearing as authorized in §§ 37.2-814 through 37.2-819, the district court judge or special justice may release the person on his personal recognizance or bond set by the district court judge or special justice if it appears from all evidence readily available that the person does not meet the commitment criteria specified in subsection C of § 37.2-817.

B. The director of any facility in which the person is detained, as long as such director is not the person's certified evaluator, may release the person prior to a hearing as authorized in §§ 37.2-814 through 37.2-819 if it appears, based on an evaluation conducted by the psychiatrist or clinical psychologist treating the person, that the person would not meet the commitment criteria specified in subsection C of § 37.2-817 if released. *Prior to the person's release under this subsection, the director shall consider, based on the evaluation conducted by the psychiatrist or clinical psychologist treating the person, whether referral of the person to a community-based outpatient stabilization program for voluntary treatment is appropriate.*

C. For any person under a temporary detention order pursuant to § 37.2-809, prior to transport to the facility of temporary detention, the director of the facility in which the person is located, as long as such director is not the person's

certified evaluator, may release the person if an employee or a designee of the local community services board or certified evaluator, as those terms are defined in § 37.2-809, in consultation with the person's treating physician, (i) conducts an evaluation of the person, (ii) determines that the person no longer meets the commitment criteria specified in subsection C of § 37.2-817, (iii) authorizes the release of the person, and (iv) provides a discharge plan. *The director and the person's treating physician shall consider referral to a community-based outpatient stabilization program for voluntary treatment in forming the person's discharge plan under this subsection.*

D. For the purposes of this section, "certified evaluator" means the same as that term is defined in § 37.2-809.

§ 37.2-813. (Effective July 1, 2026) Release of person prior to commitment hearing for involuntary admission.

A. Prior to a hearing as authorized in §§ 37.2-814 through 37.2-819, the district court judge or special justice may release the person on his personal recognizance or bond set by the district court judge or special justice if it appears from all evidence readily available that the person does not meet the commitment criteria specified in subsection C of § 37.2-817.

B. The director of any facility in which the person is detained may release the person prior to a hearing as authorized in §§ 37.2-814 through 37.2-819 if it appears, based on an evaluation conducted by the psychiatrist or clinical psychologist treating the person, that the person would not meet the commitment criteria specified in subsection C of § 37.2-817 if released. *Prior to the person's release under this subsection, the director shall consider, based on an evaluation conducted by the psychiatrist or clinical psychologist treating the person, whether referral of the person to a community-based outpatient stabilization program for voluntary treatment is appropriate.*

C. For any person under a temporary detention order pursuant to § 37.2-809, prior to transport to the facility of temporary detention, the director of the facility in which the person is located may release the person if an employee or a designee of the local community services board, as those terms are defined in § 37.2-809, in consultation with the person's treating physician, (i) conducts an evaluation of the person, (ii) determines that the person no longer meets the commitment criteria specified in subsection C of § 37.2-817, (iii) authorizes the release of the person, and (iv) provides a discharge plan. *The director and the person's treating physician shall consider referral to a community-based outpatient stabilization program for voluntary treatment in forming the person's discharge plan under this subsection.*

§ 37.2-815. Commitment hearing for involuntary admission; examination required.

A. Notwithstanding § 37.2-814, the district court judge or special justice shall require an examination of the person who is the subject of the hearing by a psychiatrist or a psychologist who is licensed in Virginia by the Board of Medicine or the Board of Psychology and is qualified in the diagnosis of mental illness or, if such a psychiatrist or psychologist is not available, a mental health professional who (i) is licensed in Virginia through the Department of Health Professions as a clinical social worker, professional counselor, marriage and family therapist, or psychiatric advanced practice registered nurse; (ii) is qualified in the assessment of mental illness; and (iii) has completed a certification program approved by the Department. The examiner chosen shall be able to provide an independent clinical evaluation of the person and recommendations for his placement, care, and treatment. The examiner shall (a) not be related by blood or marriage to the person, (b) not be responsible for treating the person, (c) have no financial interest in the admission or treatment of the person, (d) have no investment interest in the facility detaining or admitting the person under this chapter, and (e) except for employees of state hospitals, the U.S. Department of Veterans Affairs, and community service boards, not be employed by the facility. For purposes of this section, the term "investment interest" shall be as defined in § 37.2-809.

B. The examination conducted pursuant to this section shall be a comprehensive evaluation of the person conducted in-person or, if that is not practicable, by two-way electronic video and audio communication system as authorized in § 37.2-804.1. Translation or interpreter services shall be provided during the evaluation where necessary. The examination shall consist of (i) a clinical assessment that includes a mental status examination; determination of current use of psychotropic and other medications; a medical and psychiatric history; a substance use, abuse, or dependency determination; and a determination of the likelihood that, as a result of mental illness, the person will, in the near future, suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs; (ii) a substance abuse screening, when indicated; (iii) a risk assessment that includes an evaluation of the likelihood that, as a result of mental illness, the person will, in the near future, cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any; (iv) an assessment of the person's capacity to consent to treatment, including his ability to maintain and communicate choice, understand relevant information, and comprehend the situation and its consequences; (v) a review of the temporary detention facility's records for the person, including the treating physician's evaluation, any collateral information, reports of any laboratory or toxicology tests conducted, and all admission forms and nurses' notes; (vi) a discussion of treatment preferences expressed by the person or contained in a document provided by the person in support of recovery; (vii) an assessment of whether the person meets the criteria for an order authorizing discharge to mandatory outpatient treatment following a period of inpatient treatment pursuant to subsection C of § 37.2-817.01; (viii) an assessment of alternatives to involuntary inpatient treatment; ~~and~~ (ix) recommendations for the placement, care, and treatment of the person*; and (x) if the person is found not to meet the involuntary admission criteria, a recommendation as to whether referral of the person to a community-based outpatient stabilization program for voluntary treatment would be appropriate*.

C. All such examinations shall be conducted in private. The judge or special justice shall summons the examiner who shall certify that he has personally examined the person and state whether he has probable cause to believe that the person (i) has a mental illness and there is a substantial likelihood that, as a result of mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or

threatening harm and other relevant information, if any, or (b) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs, and (ii) requires involuntary inpatient treatment. The judge or special justice shall not render any decision on the petition until the examiner has presented his report. The examiner may report orally at the hearing, but he shall provide a written report of his examination prior to the hearing. The examiner's written certification may be accepted into evidence unless objected to by the person or his attorney, in which case the examiner shall attend in person or by electronic communication. When the examiner attends the hearing in person or by electronic communication, the examiner shall not be excluded from the hearing pursuant to an order of sequestration of witnesses.

§ 37.2-816. (Expires July 1, 2026) Commitment hearing for involuntary admission; preadmission screening report.

The district court judge or special justice shall require a preadmission screening report from the community services board that serves the county or city where the person resides or, if impractical, where the person is located or from the certified evaluator as defined in § 37.2-809. The report shall be admitted as evidence of the facts stated therein and shall state (i) whether the person has a mental illness and whether there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (b) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs~~,~~*;* (ii) whether the person is in need of involuntary inpatient treatment~~,~~*;* (iii) whether there is no less restrictive alternative to inpatient treatment~~, and~~*;* (iv) the recommendations for that person's placement, care, and treatment including, where appropriate, recommendations for mandatory outpatient treatment*; and (v) if the person is found not to meet the involuntary admission criteria, a recommendation as to whether referral of the person to a community-based outpatient stabilization program for voluntary treatment would be appropriate*. The board or the certified evaluator shall provide the preadmission screening report to the court prior to the hearing, and the report shall be admitted into evidence and made part of the record of the case. In the case of a person who has been sentenced and committed to the Department of Corrections and who has been examined by a psychiatrist or clinical psychologist, the judge or special justice may proceed to adjudicate whether the person has mental illness and should be involuntarily admitted without requesting a preadmission screening report from the community services board.

§ 37.2-816. (Effective July 1, 2026) Commitment hearing for involuntary admission; preadmission screening report.

The district court judge or special justice shall require a preadmission screening report from the community services board that serves the county or city where the person resides or, if impractical, where the person is located. The report shall be admitted as evidence of the facts stated therein and shall state (i) whether the person has a mental illness and whether there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (b) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs~~,~~*;* (ii) whether the person is in need of involuntary inpatient treatment~~,~~*;* (iii) whether there is no less restrictive alternative to inpatient treatment~~, and~~*;* (iv) the recommendations for that person's placement, care, and treatment including, where appropriate, recommendations for mandatory outpatient treatment*; and (v) if the person is found not to meet the involuntary admission criteria, a recommendation as to whether referral of the person to a community-based outpatient stabilization program for voluntary treatment would be appropriate*. The board shall provide the preadmission screening report to the court prior to the hearing, and the report shall be admitted into evidence and made part of the record of the case. In the case of a person who has been sentenced and committed to the Department of Corrections and who has been examined by a psychiatrist or clinical psychologist, the judge or special justice may proceed to adjudicate whether the person has mental illness and should be involuntarily admitted without requesting a preadmission screening report from the community services board.

§ 37.2-817. (Expires July 1, 2026) Involuntary admission.

A. The district court judge or special justice shall render a decision on the petition for involuntary admission after the appointed examiner has presented the report required by § 37.2-815, and after the community services board that serves the county or city where the person resides or, if impractical, where the person is located or certified evaluator has presented a preadmission screening report with recommendations for that person's placement, care, and treatment pursuant to § 37.2-816. These reports, if not contested, may constitute sufficient evidence upon which the district court judge or special justice may base his decision. The examiner, if not physically present at the hearing, and the treating physician at the facility of temporary detention shall be available whenever possible for questioning during the hearing through a two-way electronic video and audio or telephonic communication system as authorized in § 37.2-804.1.

B. Any employee or designee of the local community services board, as defined in § 37.2-809, representing the community services board or certified evaluator that prepared the preadmission screening report shall attend the hearing in person or, if physical attendance is not practicable, shall participate in the hearing through a two-way electronic video and audio or telephonic communication system as authorized in § 37.2-804.1. Where a hearing is held outside of the service area of the community services board that prepared the preadmission screening report, and it is not practicable for a representative of the community services board that prepared the preadmission screening report to attend or participate in the hearing, arrangements shall be made by the community services board that prepared the preadmission screening report

for an employee or designee of the community services board serving the area in which the hearing is held to attend or participate on behalf of the community services board that prepared the preadmission screening report. The employee or designee of the local community services board, as defined in § 37.2-809, representing the community services board that prepared the preadmission screening report or attending or participating on behalf of the community services board that prepared the preadmission screening report or the certified evaluator shall not be excluded from the hearing pursuant to an order of sequestration of witnesses. The community services board that prepared the preadmission screening report or the certified evaluator shall remain responsible for the person subject to the hearing and, prior to the hearing, shall send the preadmission screening report through certified mail, personal delivery, facsimile with return receipt acknowledged, or other electronic means with documented acknowledgment of receipt to the community services board attending the hearing. Where a community services board attends the hearing on behalf of the community services board that prepared the preadmission screening report, the attending community services board shall inform the community services board that prepared the preadmission screening report of the disposition of the matter upon the conclusion of the hearing. In addition, the attending community services board shall transmit the disposition through certified mail, personal delivery, facsimile with return receipt acknowledged, or other electronic means with documented acknowledgment of receipt.

At least 12 hours prior to the hearing, the court shall provide to the community services board or certified evaluator that prepared the preadmission screening report the time and location of the hearing. If the representative of the community services board or certified evaluator that prepared the preadmission screening report will be present by telephonic means, the court shall provide the telephone number to the community services board or certified evaluator. If a representative of a community services board will be attending the hearing on behalf of the community services board that prepared the preadmission screening report, the community services board that prepared the preadmission screening report shall promptly communicate the time and location of the hearing and, if the representative of the community services board attending on behalf of the community services board that prepared the preadmission screening report will be present by telephonic means, the telephone number to the attending community services board.

C. After observing the person and considering (i) the recommendations of any treating or examining physician or psychologist licensed in Virginia, if available, (ii) any past actions of the person, (iii) any past mental health treatment of the person, (iv) any examiner's certification, (v) any health records available, (vi) the preadmission screening report, and (vii) any other relevant evidence that may have been admitted, including whether the person recently has been found unrestorably incompetent to stand trial after a hearing held pursuant to subsection E of § 19.2-169.1, if the judge or special justice finds by clear and convincing evidence that (a) the person has a mental illness and there is a substantial likelihood that, as a result of mental illness, the person will, in the near future, (1) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (2) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs, and (b) all available less restrictive treatment alternatives to involuntary inpatient treatment that would offer an opportunity for the improvement of the person's condition have been investigated and determined to be inappropriate, the judge or special justice shall by written order and specific findings so certify and order that the person be admitted involuntarily to a facility for a period of treatment not to exceed 30 days from the date of the court order. Such involuntary admission shall be to a facility designated by the community services board that serves the county or city in which the person was examined or by the certified evaluator as provided in § 37.2-816. If the community services board or the certified evaluator does not designate a facility at the commitment hearing, the person shall be involuntarily admitted to a facility designated by the Commissioner. Upon the expiration of an order for involuntary admission, the person shall be released unless (A) he is involuntarily admitted by further petition and order of a court, which shall be for a period not to exceed 180 days from the date of the subsequent court order, (B) he makes application for treatment on a voluntary basis as provided for in § 37.2-805, or (C) he is ordered to mandatory outpatient treatment following a period of inpatient treatment pursuant to § 37.2-817.01.

D. *If the judge or special justice finds that the person does not meet the criteria for involuntary admission and the preadmission screening report indicates that referral to a community-based outpatient stabilization program for voluntary treatment would be appropriate, the board or certified evaluator that prepared the preadmission screening report shall provide the person with such referral.*

E. For the purposes of this section, "certified evaluator" means the same as that term is defined in § 37.2-809.

§ 37.2-817. (Effective July 1, 2026) Involuntary admission.

A. The district court judge or special justice shall render a decision on the petition for involuntary admission after the appointed examiner has presented the report required by § 37.2-815, and after the community services board that serves the county or city where the person resides or, if impractical, where the person is located has presented a preadmission screening report with recommendations for that person's placement, care, and treatment pursuant to § 37.2-816. These reports, if not contested, may constitute sufficient evidence upon which the district court judge or special justice may base his decision. The examiner, if not physically present at the hearing, and the treating physician at the facility of temporary detention shall be available whenever possible for questioning during the hearing through a two-way electronic video and audio or telephonic communication system as authorized in § 37.2-804.1.

B. Any employee or designee of the local community services board, as defined in § 37.2-809, representing the community services board that prepared the preadmission screening report shall attend the hearing in person or, if physical attendance is not practicable, shall participate in the hearing through a two-way electronic video and audio or telephonic

communication system as authorized in § 37.2-804.1. Where a hearing is held outside of the service area of the community services board that prepared the preadmission screening report, and it is not practicable for a representative of the community services board that prepared the preadmission screening report to attend or participate in the hearing, arrangements shall be made by the community services board that prepared the preadmission screening report for an employee or designee of the community services board serving the area in which the hearing is held to attend or participate on behalf of the community services board that prepared the preadmission screening report. The employee or designee of the local community services board, as defined in § 37.2-809, representing the community services board that prepared the preadmission screening report or attending or participating on behalf of the community services board that prepared the preadmission screening report shall not be excluded from the hearing pursuant to an order of sequestration of witnesses. The community services board that prepared the preadmission screening report shall remain responsible for the person subject to the hearing and, prior to the hearing, shall send the preadmission screening report through certified mail, personal delivery, facsimile with return receipt acknowledged, or other electronic means with documented acknowledgment of receipt to the community services board attending the hearing. Where a community services board attends the hearing on behalf of the community services board that prepared the preadmission screening report, the attending community services board shall inform the community services board that prepared the preadmission screening report of the disposition of the matter upon the conclusion of the hearing. In addition, the attending community services board shall transmit the disposition through certified mail, personal delivery, facsimile with return receipt acknowledged, or other electronic means with documented acknowledgment of receipt.

At least 12 hours prior to the hearing, the court shall provide to the community services board that prepared the preadmission screening report the time and location of the hearing. If the representative of the community services board that prepared the preadmission screening report will be present by telephonic means, the court shall provide the telephone number to the community services board. If a representative of a community services board will be attending the hearing on behalf of the community services board that prepared the preadmission screening report, the community services board that prepared the preadmission screening report shall promptly communicate the time and location of the hearing and, if the representative of the community services board attending on behalf of the community services board that prepared the preadmission screening report will be present by telephonic means, the telephone number to the attending community services board.

C. After observing the person and considering (i) the recommendations of any treating or examining physician or psychologist licensed in Virginia, if available, (ii) any past actions of the person, (iii) any past mental health treatment of the person, (iv) any examiner's certification, (v) any health records available, (vi) the preadmission screening report, and (vii) any other relevant evidence that may have been admitted, including whether the person recently has been found unrestorably incompetent to stand trial after a hearing held pursuant to subsection E of § 19.2-169.1, if the judge or special justice finds by clear and convincing evidence that (a) the person has a mental illness and there is a substantial likelihood that, as a result of mental illness, the person will, in the near future, (1) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (2) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs, and (b) all available less restrictive treatment alternatives to involuntary inpatient treatment that would offer an opportunity for the improvement of the person's condition have been investigated and determined to be inappropriate, the judge or special justice shall by written order and specific findings so certify and order that the person be admitted involuntarily to a facility for a period of treatment not to exceed 30 days from the date of the court order. Such involuntary admission shall be to a facility designated by the community services board that serves the county or city in which the person was examined as provided in § 37.2-816. If the community services board does not designate a facility at the commitment hearing, the person shall be involuntarily admitted to a facility designated by the Commissioner. Upon the expiration of an order for involuntary admission, the person shall be released unless (A) he is involuntarily admitted by further petition and order of a court, which shall be for a period not to exceed 180 days from the date of the subsequent court order, (B) he makes application for treatment on a voluntary basis as provided for in § 37.2-805, or (C) he is ordered to mandatory outpatient treatment following a period of inpatient treatment pursuant to § 37.2-817.01.

D. If the judge or special justice finds that the person does not meet the criteria for involuntary admission and the preadmission screening report indicates that referral to a community-based outpatient stabilization program for voluntary treatment would be appropriate, the board or certified evaluator that prepared the preadmission screening report shall provide the person with such referral.

§ 37.2-1104. Temporary detention in hospital for testing, observation, or treatment.

A. The court or, if the court is unavailable, a magistrate serving the jurisdiction where the respondent is located may, with the advice of a licensed physician who has attempted to obtain informed consent of an adult person to treatment of a mental or physical condition, issue an order authorizing temporary detention of the adult person in a hospital emergency department or other appropriate facility for testing, observation, or treatment upon a finding that (i) probable cause exists to believe the person is incapable of making or communicating an informed decision regarding treatment of a physical or mental condition due to a mental or physical condition, including intoxication and (ii) the medical standard of care calls for observation, testing, or treatment within the next 24 hours to prevent injury, disability, death, or other harm to the person resulting from such mental or physical condition.

B. When a mental or physical condition to be treated appears to be a result of intoxication, a licensed physician who has attempted to obtain informed consent of an adult person for treatment of such mental or physical condition appearing to be a result of intoxication may seek an order from the magistrate or court in the jurisdiction where the respondent is located authorizing temporary detention of the adult person in a hospital emergency department or other appropriate facility for testing, observation, or treatment upon a finding that (i) probable cause exists to believe the person's intoxication has rendered the person incapable of making or communicating an informed decision regarding treatment and (ii) the medical standard of care calls for observation, testing, or treatment within the next 24 hours to prevent injury, disability, death, or other harm to the person or another person resulting from such intoxication.

C. The duration of temporary detention pursuant to this section shall not exceed 24 hours, unless extended by the court as part of an order authorizing treatment under § 37.2-1101. If, before completion of authorized testing, observation, or treatment, the physician determines that a person subject to an order under this subsection has become capable of making and communicating an informed decision, the physician shall rely on the person's decision on whether to consent to further testing, observation, or treatment. If, before issuance of an order under this subsection or during its period of effectiveness, the physician learns of an objection by a member of the person's immediate family to the testing, observation, or treatment, he shall so notify the court or magistrate, who shall consider the objection in determining whether to issue, modify, or terminate the order.

D. (Expires July 1, 2026) A court or, if the court is unavailable or pursuant to subsection B, a magistrate serving the jurisdiction may issue an order authorizing temporary detention for testing, observation, or treatment for a person who is also the subject of an emergency custody order issued pursuant to § 37.2-808, if such person meets the criteria set forth in subsection A or B. In any case in which an order for temporary detention for testing, observation, or treatment is issued for a person who is also the subject of an emergency custody order pursuant to § 37.2-808, the hospital emergency room or other appropriate facility in which the person is detained for testing, observation, or treatment shall notify the nearest community services board when such testing, observation, or treatment is complete, and the designee of the community services board or certified evaluator, as defined in § 37.2-809, shall, as soon as is practicable and prior to the expiration of the order for temporary detention issued pursuant to subsection A or B, conduct an evaluation of the person to determine if he meets the criteria for temporary detention pursuant to § 37.2-809.

D. (Effective July 1, 2026) A court or, if the court is unavailable or pursuant to subsection B, a magistrate serving the jurisdiction may issue an order authorizing temporary detention for testing, observation, or treatment for a person who is also the subject of an emergency custody order issued pursuant to § 37.2-808, if such person meets the criteria set forth in subsection A or B. In any case in which an order for temporary detention for testing, observation, or treatment is issued for a person who is also the subject of an emergency custody order pursuant to § 37.2-808, the hospital emergency room or other appropriate facility in which the person is detained for testing, observation, or treatment shall notify the nearest community services board when such testing, observation, or treatment is complete, and the designee of the community services board shall, as soon as is practicable and prior to the expiration of the order for temporary detention issued pursuant to subsection A or B, conduct an evaluation of the person to determine if he meets the criteria for temporary detention pursuant to § 37.2-809.

E. For any person who has received testing, observation, or treatment while under a temporary detention order pursuant to this section, if the person does not meet criteria for a temporary detention order pursuant to § 37.2-809, the evaluator or treating health care professional shall consider, prior to the person's release or the expiration of the temporary detention order pursuant to this section, whether referral of the person to a community-based outpatient stabilization program for voluntary treatment is appropriate.

CHAPTER 505

An Act to amend and reenact § 54.1-204 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 54.1-204.1 and 54.1-2408.01, relating to Department of Professional and Occupational Regulation; Department of Health Professions; predetermination for licensing eligibility; prior convictions.

[S 826]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-204 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding sections numbered 54.1-204.1 and 54.1-2408.01 as follows:

§ 54.1-204. Prior convictions not to abridge rights.

A. A person shall not be refused a license, certificate, or registration to practice, pursue, or engage in any regulated occupation or profession solely because of a prior criminal conviction, unless the criminal conviction directly relates to the occupation or profession for which the license, certificate, or registration is sought. ~~However, the regulatory board shall have the authority to refuse a license, certificate or registration if, based upon all the information available, including the applicants' record of prior convictions, it finds that the applicant is unfit or unsuited to engage in such occupation or profession.~~ *A regulatory board shall not use vague or arbitrary terms, including "good moral character" or "moral turpitude" to refuse a license, certificate, or registration.*

B. In determining whether a criminal conviction directly relates to an occupation or profession, the regulatory board shall consider the following criteria:

1. The nature and seriousness of the crime;

2. The relationship of the crime to the purpose for requiring a license to engage in the occupation;

3. The extent to which the occupation or profession might offer an opportunity to engage in further criminal activity of the same type as that in which the person had been involved;

4. The relationship of the crime to the ability, capacity, or fitness required to perform the duties and discharge the responsibilities of the occupation or profession;

5. The extent and nature of the person's past criminal activity;

6. The age of the person at the time of the commission of the crime;

7. The amount of time that has elapsed since the person's last involvement in the commission of a crime;

8. The conduct and work activity of the person prior to and following the criminal activity; and

9. Evidence of the person's rehabilitation or rehabilitative effort while incarcerated or following release.

C. A regulatory board ~~or department~~ may require any applicant for registration, licensure, or certification to submit to fingerprinting and to provide personal descriptive information to be forwarded along with the applicant's fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding such applicant. Such applicant shall pay the cost of the fingerprinting or a criminal records check or both.

The regulatory board ~~or department~~ may enter into a contract to obtain the fingerprints and descriptive information as required for submission to the Central Criminal Records Exchange in a manner and format approved by the Central Criminal Records Exchange.

The Central Criminal Records Exchange, upon receipt of an applicant's record or notification that no record exists, shall make a report to the regulatory board ~~or department~~ or ~~their~~ *its* designee, who must belong to a governmental entity. If an applicant is denied a registration, license, or certificate because of the information appearing in his criminal history record, the regulatory board ~~or department~~ shall notify the applicant ~~that information obtained from the Central Criminal Records Exchange~~ *in writing of the specific offense or offenses that* contributed to such denial*, how the criminal history directly relates to the occupation pursuant to subsection B, and how the regulatory board weighed the rehabilitation factors in subsection B when making its decision*. The information shall not be disseminated except as provided for in this section.

D. A regulatory board ~~or department~~ shall consider the criminal information as contained in the applicant's state or national criminal history in lieu of the applicant providing certified copies of such court records in determining whether a criminal conviction directly relates to an occupation or profession or if an applicant is unfit or unsuited to engage in an occupation or profession. The regulatory board ~~or department~~ may request additional information from the applicant in making such determination.

§ 54.1-204.1. Predetermination process for licensing eligibility.

A. An individual with a criminal record may request a predetermination from a regulatory board within the Department of Professional and Occupational Regulation or from the Department concerning whether his criminal record would disqualify him from obtaining a license, certificate, registration, or other authority to engage in a particular occupation, trade, or profession in the Commonwealth.

B. The licensing authority shall provide a written determination, indicating whether the individual's criminal record would disqualify him from obtaining the license, certificate, registration, or other authority. Such determination shall be binding unless the individual's criminal record changes after the determination or the individual provides false information.

C. No licensing authority shall require an individual to complete any educational or training requirements prior to submitting a request for predetermination.

§ 54.1-2408.01. Prior convictions not to abridge rights.

The provisions of § 54.1-204 shall apply to all persons who are licensed, certified, registered, or permitted by any of the boards within the Department of Health Professions.

CHAPTER 506

An Act to direct the Department of Medical Assistance Services to develop a plan and estimate costs for expanding eligibility criteria under Medicaid for remote patient monitoring for individuals with chronic conditions.

[S 843]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Department of Medical Assistance Services (the Department) shall develop a plan and estimate costs for expanding eligibility criteria under Medicaid for remote patient monitoring for individuals with chronic conditions. The Department shall submit a cost estimate and report on the content of the plan to the Joint Commission on Health Care by October 1, 2025.*

CHAPTER 507

An Act to amend the Code of Virginia by adding in Article 4 of Chapter 29 of Title 54.1 a section numbered 54.1-2957.23, relating to Board of Medicine; licensure of anesthesiologist assistants.

[S 882]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 4 of Chapter 29 of Title 54.1 a section numbered 54.1-2957.23 as follows:

§ 54.1-2957.23. Licensure of anesthesiologist assistants.

A. As used in this section, "anesthesiologist" means a physician who is licensed by the Board and who has completed a residency in anesthesiology approved by the American Board of Anesthesiology or the American Osteopathic Board of Anesthesiology.

B. No person shall use or assume the title "anesthesiologist assistant" or hold himself out as an anesthesiologist assistant unless such person holds a license as an anesthesiologist assistant issued by the Board. Nothing in this section shall be construed as prohibiting any professional licensed, certified, or registered by a health regulatory board from acting within the scope of his profession.

C. The Board shall establish criteria for licensure as an anesthesiologist assistant that shall include the following:

1. Successful completion of an anesthesiologist assistant program accredited by the Commission on Accreditation of Allied Health Education Programs or its predecessor or successor organizations; and

2. Passage of the certifying examination administered by the National Commission for Certification of Anesthesiologist Assistants or other examination required by the Board.

D. Pending the outcome of the next examination described in subdivision C 2, the Board may grant a provisional license to a graduate of an anesthesiologist assistant program accredited by the Commission on Accreditation of Allied Health Education Programs or its predecessor or successor organizations.

E. Nothing in this section shall prohibit a student anesthesiologist assistant who is enrolled in an anesthesiologist assistant program accredited by the Commission on Accreditation of Allied Health Education Programs or its predecessor or successor organizations from engaging in acts that would constitute practice as an anesthesiologist assistant as part of such program.

F. An anesthesiologist assistant licensed pursuant to this section shall practice within the scope of his clinical and professional training and the limits of his knowledge and experience and under the supervision of an anesthesiologist.

G. The Board shall adopt regulations governing the practice of anesthesiologist assistants, including regulations for (i) application for and issuance of a license or renewal of a license, (ii) standards of practice for licensed anesthesiologist assistants, and (iii) requirements for supervision of anesthesiologist assistants by anesthesiologists.

CHAPTER 508

An Act to amend and reenact §§ 51.1-169, 51.1-304, 51.1-306, 51.1-306.1, and 51.1-308 of the Code of Virginia, relating to Virginia Retirement System; judges.

[S 950]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 51.1-169, 51.1-304, 51.1-306, 51.1-306.1, and 51.1-308 of the Code of Virginia are amended and reenacted as follows:

§ 51.1-169. Hybrid retirement program.

A. For purposes of this section, "hybrid retirement program" or "program" means a hybrid retirement program covering any employee in a position covered for retirement purposes under the provisions of Chapter 1 (§ 51.1-124.1 et seq.) for retirement purposes other than the Virginia Retirement System defined benefit retirement plan established under Chapter 1 (§ 51.1-124.1 et seq.). Persons who are participants in, or eligible to be participants in, the retirement plans under the provisions of Chapter 2 (§ 51.1-200 et seq.), Chapter 2.1 (§ 51.1-211 et seq.), the optional retirement plans established under §§ 51.1-126.1, 51.1-126.3, 51.1-126.4, and 51.1-126.7, or a person eligible to earn the benefits permitted by § 51.1-138 shall not be eligible to participate in the hybrid retirement program. Any person who meets the definition of "emergency medical services personnel" in § 32.1-111.1 or is employed as a firefighter, or law-enforcement officer as those terms are defined in § 15.2-1512.2 and whose employing political subdivision has legally adopted an irrevocable resolution as described in subdivision B 4 of § 51.1-153 and subdivision A 3 of § 51.1-155 shall not be eligible to participate in the hybrid retirement program. ~~No member of the Judicial Retirement System under Chapter 3 (§ 51.1-300 et seq.) shall be eligible to participate in the hybrid retirement program described in § 51.1-169 except members appointed to an original term on or after January 1, 2014.~~

The Board shall maintain the hybrid retirement program established by this section, and any employer is authorized to make contributions under such program for the benefit of its employees participating in such program. Every person who is otherwise eligible to participate in the program but is not a member of a retirement plan administered by the Virginia Retirement System the first time he is hired or rehired on or after January 1, 2014, in a covered position, shall participate in the hybrid retirement program established by this section.

A person who participates in the otherwise applicable defined benefit retirement plan established by this title and administered by the Virginia Retirement System under this chapter may make an irrevocable election to participate in the hybrid retirement program maintained under this section. Such election shall be exercised no later than April 30, 2014. If an election is not made by April 30, 2014, such employee shall be deemed to have elected not to participate in the hybrid retirement program and shall continue to participate in his current retirement plan.

B. Except as otherwise provided in subsection G:

1. The employer shall make contributions to the defined benefit component of the program in accordance with § 51.1-145.

2. The employer shall make a mandatory contribution to the defined contribution component of the program on behalf of an employee participating in the program in the amount of one percent of creditable compensation, which shall be made to the appropriate cash match plan established for the employee under § 51.1-608. In addition, the employer shall make a matching contribution on behalf of the employee based on the employee's voluntary contributions under the defined contribution component of the program to the deferred compensation plan established under § 51.1-602, up to a maximum of 2.5 percent of creditable compensation for the payroll period, as follows: (i) 100 percent of the first one percent of creditable compensation contributed by the employee to the defined contribution component of the program under subdivision C 2 for the payroll period, and (ii) 50 percent of the next three percent of creditable compensation contributed by the employee to the defined contribution component of the program under subdivision C 2 for the payroll period. The matching contribution by the employer shall be made to the appropriate cash match plan established for the employee under § 51.1-608.

3. The total amount contributed by the employer under subdivision 2 shall vest to the employee's benefit according to the following schedule:

a. Upon completion of two years of active participation, 50 percent.

b. Upon completion of three years of active participation, 75 percent.

c. Upon completion of four years of active participation, 100 percent.

For purposes of this subdivision, "active participation" includes creditable service, as defined in § 51.1-124.3, in any retirement plan established by this title and administered by the Retirement System.

If an employee ceases to be a member prior to achieving 100 percent vesting, contributions made by an employer on behalf of the employee under subdivision 2 that are not vested shall be forfeited. The Board may establish a forfeiture account and may specify the uses of the forfeiture account.

4. An employee may direct the investment of contributions made by an employer under subdivision B 2.

5. No loans or hardship distributions shall be available from contributions made by an employer under subdivision B 2.

C. Except as otherwise provided in subsection G:

1. An employee participating in the hybrid retirement program maintained under this section shall, pursuant to procedures established by the Board, make mandatory contributions on a salary reduction basis in accordance with § 414(h) of the Internal Revenue Code (i) to the defined benefit component of the program in the amount of four percent of creditable compensation in lieu of the amount described in subsection A of § 51.1-144 and (ii) to the defined contribution component of the program in the amount of one percent of creditable compensation, which shall be made to the appropriate cash match plan established for the employee under § 51.1-608.

2. An employee participating in the hybrid retirement program may also make voluntary contributions to the defined contribution component of the program of up to four percent of creditable compensation or the limit on elective deferrals pursuant to § 457(b) of the Internal Revenue Code, whichever is less. The contribution by the employee shall be made to the appropriate deferred compensation plan established by the employee under § 51.1-602.

3. If an employee's voluntary contributions under subdivision C 2 are less than four percent of creditable compensation, the contribution will increase by one-half of one percent, beginning on January 1, 2017, and every three years thereafter, until the employee's voluntary contributions under subdivision C 2 reach four percent of creditable compensation. The increase will be effective beginning with the first pay period that begins in such calendar year unless the employee elects not to increase the voluntary contribution in a manner prescribed by the Board.

4. No loans or hardship distributions shall be available from contributions made by an employee under this subsection.

5. Disclosure of all services, fees, restrictions, and surrender penalties associated with employee voluntary contributions under subdivision C 2 shall be provided by the Board on an annual basis to an employee who does not make the election provided in subdivision G 1.

D. 1. The amount of the service retirement allowance under the defined benefit component of the program shall be governed by § 51.1-155 for all creditable service credited prior to the effective date of the member's participation in the program. For all other creditable service, the allowance shall equal one percent of a member's average final compensation multiplied by the amount of his creditable service while in the program. ~~For judges who are participating in the hybrid~~

~~retirement program, creditable service shall be determined as provided in § 51.1-303 and service retirement eligibility shall be determined as provided in § 51.1-305.~~

2. No member shall retire for disability under the defined benefit component of the program~~, provided, however, that judges who are participating in the hybrid retirement program may retire for disability under §§ 51.1-307 and 51.1-308~~.

3. Except as provided in subdivision 1, any employee participating in the hybrid retirement program maintained under this section shall be considered to be a person who becomes a member on or after July 1, 2010.

4. In all other respects, administration of the defined benefit component of the program shall be governed by the provisions of Chapter 1 (§ 51.1-124.1 et seq.).

E. With respect to any employee who elects, pursuant to subsection A, to participate in the otherwise applicable defined benefit retirement plan established by this title and administered by the Virginia Retirement System, the employer shall collect and pay all employee and employer contributions to the Virginia Retirement System for retirement and group life insurance in accordance with the provisions of Chapter 1 (§ 51.1-124.1 et seq.) for such employee.

F. 1. The Board shall develop policies and procedures for administering the hybrid retirement program it maintains, including the establishment of guidelines for employee elections and deferrals under the program.

2. No employee who is an active member in the hybrid retirement program maintained under this section shall also be an active member of any other optional retirement plan maintained under the provisions of Chapter 1 (§ 51.1-124.1 et seq.).

3. If a member of the hybrid retirement program maintained under this section is at any time in service as an employee in a position covered for retirement purposes under the provisions of Chapter 1 (§ 51.1-124.1 et seq.), 2 (§ 51.1-200 et seq.), 2.1 (§ 51.1-211 et seq.), or 3 (§ 51.1-300 et seq.), his benefit payments under the hybrid retirement program maintained under this section shall be suspended while so employed; provided, however, reemployment shall have no effect on a payment under the defined contribution component of the program if the benefit is being paid in an annuity form under an annuity contract purchased with the member's account balance.

4. Any administrative fee imposed pursuant to subdivision A 13 of § 51.1-124.22 on any employer for administering and overseeing the hybrid retirement program maintained under this section shall be charged for each employee participating in such program and shall be for costs incurred by the Virginia Retirement System that are directly related to the administration and oversight of such program. Notwithstanding the foregoing, the Board is authorized to collect all or a portion of such fee directly from the employee.

5. The creditable compensation for any employee on whose behalf employee or employer contributions are made into the hybrid retirement program shall not exceed the limit on compensation as adjusted by the Commissioner of the Internal Revenue Service pursuant to the transition provisions applicable to eligible participants under state and local governmental plans under § 401(a)(17) of the Internal Revenue Code as amended in 1993 and as contained in § 13212(d)(3) of the Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66).

6. The Board may contract with private corporations or institutions, subject to the standards set forth in § 51.1-124.30, to provide investment products as well as any other goods and services related to the administration of the hybrid retirement program, except as provided in subsection G. The Virginia Retirement System is hereby authorized to perform related services, including but not limited to, providing consolidated billing, individual and collective recordkeeping and accountings, and asset purchase, control, and safekeeping.

G. 1. Any political subdivision of the Commonwealth that has established a plan pursuant to § 403(b) of the Internal Revenue Code of 1986, as amended (a "403(b) plan"), may, at its option, elect to allow its employees the option to direct that voluntary contributions to the defined contribution component of the program under subdivision C 2 be made to such 403(b) plan and the corresponding employer matching contributions under subdivision B 2 be made to such 403(b) plan or the appropriate local cash match plan established under § 51.1-610. All such voluntary contributions by an employee to such 403(b) plan shall be made on a pretax basis. Any such political subdivision of the Commonwealth that so directs shall develop policies and procedures for administering such contributions, subject to and in accordance with applicable federal law and regulations. The policies and procedures shall provide for the administration of vesting provisions as provided in subdivision B 3, the establishment of and uses for a forfeiture account as provided in subdivision B 3, and automatic contribution escalation provisions as provided in subdivision C 3, all with regard to employee voluntary contributions and corresponding employer matching contributions.

In all other respects, the political subdivision shall be subject to the provisions of the hybrid retirement program described in this section.

2. The governing body of any political subdivision of the Commonwealth electing to allow its employees to use its 403(b) plan or a local cash match plan as described in subdivision 1 shall adopt a resolution on or before November 1, 2015, and submit such resolution to the Board to notify the Board of its election, which shall be effective January 1, 2016, and shall remain effective for 12 months. Thereafter, the governing body of any political subdivision of the Commonwealth may make or change its election for its employees no more often than annually by adopting a resolution on or before November 1 of each year notifying the Board of a new or changed election, which shall become effective on January 1.

3. A person who participates in the hybrid retirement program maintained under this section may make an election to participate in the 403(b) plan established by his employer under subdivision G 1. Such election shall be exercised no later than November 30, 2015, and shall be effective January 1, 2016. If an election is not made by November 30, 2015, such employee shall be deemed to have elected not to participate in the 403(b) plan established by his employer under subdivision G 1. Thereafter, such employee may make or change his election on or before November 30 of each year by

notifying his employer of a new or changed election, which shall become effective the following January 1. If an election is not made or changed by November 30, such employee shall be deemed to have elected not to change the prior year's election.

4. In the case of a 403(b) plan or local cash match plan administered by a political subdivision of the Commonwealth that provides individual accounts permitting an employee or beneficiary to exercise discretion over assets in his account, the political subdivision shall not be liable for any loss resulting from such employee's or beneficiary's (i) investment of voluntary contributions in the political subdivision's 403(b) plan or matching contributions in the political subdivision's 403(b) plan or local cash match plan, (ii) exercise of discretion over the assets in any of his accounts, or (iii) inaction with respect to the assets in any of his accounts that results in such assets being placed in a default investment option selected by the political subdivision, provided that the investment options for the affected individual account and the particular default investment option for such individual account are selected in accordance with subsection A of § 51.1-803, applied mutatis mutandis. Under no circumstances shall the Commonwealth, the Board, employees of the Retirement System, the Investment Advisory Committee of the Retirement System, or any other advisory committee established by the Board bear any liability with respect to any plan or individual account described in this subsection.

5. The provisions of this subsection shall not apply to any political subdivision of the Commonwealth that has entered into an agreement with the Retirement System pursuant to § 51.1-603.1 or 51.1-611 except with regard to a 403(b) plan.

6. Disclosure of all services, fees, restrictions, and surrender penalties associated with employee voluntary contributions under subsection G shall be provided by the political subdivision of the Commonwealth on an annual basis to an employee who makes the election provided in subdivision G 1. Such employee shall also be provided with a side-by-side comparison of the long-term effects of generic expense ratios on his investments.

7. The Board shall not be responsible for administration of or recordkeeping related to voluntary contributions to the defined contribution component of the program made to a 403(b) plan or the corresponding employer matching contributions made to a 403(b) plan or the appropriate local cash match plan established under § 51.1-610 that are authorized by subdivision G 1.

8. The Board shall develop policies and procedures for administering the provisions of this subsection.

§ 51.1-304. Contributions by Commonwealth.

The Commonwealth shall contribute an amount equal to the sum of the normal contribution, any accrued liability contribution, and any supplementary contribution. The amount shall be determined and paid as provided in Chapter 1 (§ 51.1-124.1 et seq.). Notwithstanding the foregoing provisions of this section, member contributions and employer contributions for judges appointed or elected to an original term commencing on or after January 1, 2014, *and prior to July 1, 2026,* shall be determined *and paid (i)* under the provisions of the hybrid retirement program described in § 51.1-169 *for service rendered as a judge prior to July 1, 2026, and (ii) as provided in Article 7 (§ 51.1-144 et seq.) of Chapter 1 for service rendered as a judge on or after July 1, 2026*. However, during any period that a judge is absent for a period of greater than three months from his duties, the employer shall not make any contributions otherwise required pursuant to subdivision B 2 of § 51.1-169, unless that absence is due to a medical condition, disability, active duty military leave, or family emergency and the existence of the medical condition, disability, active duty military leave, or family emergency is documented in a written communication signed under penalty of perjury by the judge or other authorized representative and submitted promptly to the Virginia Retirement System and the Executive Secretary of the Supreme Court of Virginia.

§ 51.1-306. Service retirement allowance.

A. Retirement allowance. -- A member shall receive an annual retirement allowance, payable for life as follows:

1. Normal retirement. ~~-- The~~

a. For a member appointed or elected to an original term commencing prior to January 1, 2013, the allowance shall equal 1.70 percent of his average final compensation multiplied by the amount of creditable service. ~~Notwithstanding the foregoing, for~~

b. For a member appointed or elected to an original term commencing on or after January 1, 2013, *and prior to January 1, 2014,* the allowance shall equal the sum of ~~(a)~~ *(i)* 1.65 percent of his average final compensation multiplied by the amount of his creditable service performed or purchased on or after January 1, 2013, and ~~(b)~~ *(ii)* 1.70 percent of his average final compensation multiplied by the amount of all other creditable service.

c. For a member appointed or elected to an original term commencing on or after January 1, 2014, and prior to July 1, 2026, the allowance shall equal the sum of (i) one percent of his average final compensation multiplied by the amount of creditable service performed or purchased on or after January 1, 2014, and prior to July 1, 2026; (ii) 1.65 percent of his average final compensation multiplied by the amount of creditable service performed or purchased on or after July 1, 2026; and (iii) the percentage of his average final compensation applicable to any other retirement plan administered by the Virginia Retirement System multiplied by the amount of all creditable service performed or purchased while participating in such other retirement plan.

d. For a member appointed or elected to an original term commencing on or after July 1, 2026, the allowance shall equal the sum of (i) 1.65 percent of his average final compensation multiplied by the amount of creditable service performed or purchased on or after July 1, 2026, and (ii) the percentage of his average final compensation applicable to any other retirement plan administered by the Virginia Retirement System multiplied by the amount of all creditable service performed or purchased while participating in such other retirement plan.

In no case shall the annual retirement allowance exceed 78 percent of the average final compensation of the member.

For retirements between October 1, 1994, and December 31, 1998, any judge who is a member or beneficiary of a retirement system administered by the Board shall receive an additional retirement allowance equal to three percent of the service retirement allowance payable under this section. Average final compensation attributable to service as Governor, Lieutenant Governor, Attorney General, or member of the General Assembly shall not be included in computing this additional retirement allowance.

2. Early retirement. -- The allowance shall be determined in the same manner as for normal retirement with creditable service and average final compensation being determined as of the date of actual retirement. If the member has not attained his sixtieth birthday or has less than 30 years of service, the amount of the retirement allowance shall be reduced on an actuarial equivalent basis for the period by which the actual retirement date precedes the earlier of (i) his normal retirement date or (ii) the first date on or after his sixtieth birthday on which he would have completed a total of 30 years of creditable service.

In no case shall the annual retirement allowance exceed 78 percent of the average final compensation of the member.

B. Normal and early retirement guarantees. -- Any member who was a member of one of the previous systems immediately prior to July 1, 1970, and who would have been eligible for retirement benefits thereunder shall be guaranteed a minimum retirement allowance no less than that for which he would have qualified had he continued to participate therein.

C. Determination of retirement allowance. -- For the purposes of subsection B of this section, the retirement allowance shall be determined on the assumption that the retirement allowance is payable to the member alone and that no optional retirement allowance is elected.

D. Beneficiary serving in position covered by this title. -- If a beneficiary of a service retirement allowance under this chapter or under any of the previous systems is at any time in service as an employee in a position covered for retirement purposes under the provisions of this or any chapter other than Chapter 7 (§ 51.1-700 et seq.) of this title, his retirement allowance shall cease while so employed.

§ 51.1-306.1. Service retirement allowance for judges appointed or elected after January 1, 2014.

Notwithstanding any contrary provision of this chapter, the service retirement allowance for judges appointed or elected to an original term commencing on or after January 1, 2014, *and prior to July 1, 2026,* shall be determined *(i)* under the provisions of the hybrid retirement program described in § 51.1-169 *for service rendered as a judge prior to July 1, 2026, and (ii) pursuant to § 51.1-306 for service rendered as a judge on or after July 1, 2026.*

§ 51.1-308. Disability retirement allowance.

A. Allowance payable on retirement. —

1. Upon retirement for disability, a member who has five or more years of creditable service shall receive an annual retirement allowance payable during his lifetime and continued disability equal to 1.70 percent of average final compensation when multiplied by the smaller of (i) twice the amount of creditable service or (ii) the amount of creditable service he would have completed at age 60 if he had remained in service to that age. ~~However, for~~ *If a member has already attained age 60, the amount of creditable service at his date of retirement shall be used.*

2. For a member appointed or elected to an original term commencing on or after January 1, 2013, *and prior to January 1, 2014,* the applicable percentage *used to calculate the disability retirement allowance pursuant to subdivision 1* shall be 1.65 percent~~, and for~~.

3. For a member ~~participating in the hybrid retirement program described in § 51.1-169,~~ *appointed or elected to an original term commencing on or after January 1, 2014, and prior to July 1, 2026,* the applicable percentage *used to calculate the disability retirement allowance pursuant to subdivision 1* shall be *(i)* one percent *for service rendered between January 1, 2014, and July 1, 2026, and (ii) 1.65 percent for service rendered on or after July 1, 2026.* ~~If a member has already attained age 60, the amount of creditable service at his date of retirement shall be used.~~

4. For a member appointed or elected to an original term commencing on or after July 1, 2026, the applicable percentage used to calculate the disability retirement allowance pursuant to subdivision 1 shall be 1.65 percent.

In no case shall the annual retirement allowance exceed 78 percent of the average final compensation of the member.

B. Workers' compensation guarantee. — If a member retires for disability from a cause which is compensable under the Virginia Workers' Compensation Act (§ 65.2-100 et seq.), the amount of the annual retirement allowance shall, subject to the provisions of subsection D, equal 66 and two-thirds percent of the member's average final compensation if the member does not qualify for social security disability benefits under the provisions of the Social Security Act in effect on the date of his retirement. If the member qualifies for social security disability benefits or has attained his normal retirement age under the provisions of the Social Security Act in effect on the date of his retirement, the allowance payable from the retirement system shall equal 50 percent of his average final compensation. A member shall be entitled to the larger of the retirement allowance as determined under the provisions of subsection A or under the provisions of this subsection.

C. General disability retirement guarantee. — The disability retirement allowance payable to a member who immediately prior to July 1, 1970, was a member of one of the previous systems shall be at least an amount equal to the disability retirement allowance to which he would have been entitled under the provisions of the previous system.

D. Determination of retirement allowance. — For the purposes of this section, the retirement allowance shall be determined on the assumption that the retirement allowance is payable to the member alone and that no optional retirement allowance is elected.

E. Reduction of allowance. — Any allowance payable to a member who retires for disability from a cause compensable under the Virginia Workers' Compensation Act shall be reduced by the amount of any payments under the

provisions of the Act in effect on the date of retirement of the member and the excess of the allowance shall be paid to such member. When the time for compensation payments under the Act has elapsed, the member shall receive the full amount of the allowance payable during his lifetime and continued disability. If the member's payments under the Virginia Workers' Compensation Act are adjusted or terminated for refusal to work or to comply with the requirements of § 65.2-603, his allowance shall be computed as if he were receiving the compensation to which he would otherwise be entitled.

F. Special retirement allowance guarantee. — Any member retired from a cause which is not compensable under the Virginia Workers' Compensation Act shall be guaranteed an annual retirement allowance during his lifetime and continued disability which equals 50 percent of the member's average final compensation if the member does not qualify for social security disability benefits under the provisions of the Social Security Act in effect on the date of his retirement. If the member qualifies for social security disability benefits or has attained his normal retirement age under the provisions of the Social Security Act in effect on the date of retirement, the allowance payable from the retirement system shall equal 33 and one-third percent of his average final compensation.

2. That the provisions of this act, in accordance with § 51.1-124.8 of the Code of Virginia, shall not apply to any person retired under the provisions of Title 51.1 of the Code of Virginia prior to July 1, 2026.

CHAPTER 509

An Act to amend and reenact § 16.1-69.35:2 of the Code of Virginia, relating to recording of proceedings in district courts.

[S 965]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-69.35:2 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-69.35:2. Recording of proceedings in district courts.

A. An audio recording of proceedings in a ~~general~~ district court may be made by a party or his counsel. *However, the judge of a juvenile and domestic relations district court may impose any restriction as necessary to comply with the confidentiality requirements applicable to such district court.*

B. No judge of a district court shall (i) order or require a party or his counsel to submit a copy of an audio recording made pursuant to this section or a transcript of such recording to the clerk of a district court to be maintained in such party's individual case file or (ii) prohibit a party or his counsel from providing such copy or transcript of such recording to the opposing party or his counsel.

CHAPTER 510

An Act to direct the Department of Health to evaluate the status of certified community health workers in the Commonwealth.

[S 981]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Department of Health (the Department) shall evaluate the status of certified community health workers in the Commonwealth and submit a report on its findings to the Chairs of the Senate Committee on Finance and Appropriations and the House Committee on Appropriations and the Director of the Department of Planning and Budget. Such report shall include information on the number of certified community health workers employed by the Department and local health departments; the types of services provided by certified community health workers as well as performance and outcome measures for such services; the need for additional certified community health workers to meet demands for services provided by the Department and local health departments; any nonstate resources used to fund certified community health workers; and descriptions of contracts entered into by localities to provide community health services. Such report shall be submitted by November 1, 2025.*

CHAPTER 511

An Act to amend and reenact § 54.1-2800 of the Code of Virginia, relating to declinable preneed funeral guarantee fee; definition.

[S 989]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2800 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2800. Definitions.

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

"Advertisement" means any information disseminated or placed before the public.

"At-need" means at the time of death or while death is imminent.

"Board" means the Board of Funeral Directors and Embalmers.

"Cremate" means to reduce a dead human body to ashes and bone fragments by the action of fire.

"Cremator" means a person or establishment that owns or operates a crematory or crematorium or cremates dead human bodies.

"Crematory" or "crematorium" means a facility containing a furnace for cremation of dead human bodies.

"Declinable preneed funeral guarantee fee" means an optional and declinable fee agreed to by a preneed funeral contract purchaser, if offered by a seller, for which the cost of the *preneed* supplies and services as described in the preneed funeral contract shall be guaranteed. A declinable preneed funeral guarantee fee, when offered by a seller (i) shall not exceed 25 percent of the *guaranteed* preneed *supplies and services included in the* funeral contract price, (ii) shall be refundable if the purchaser terminates the contract within 30 days of execution, (iii) shall not be considered a finance fee, and (iv) shall be listed on the general price list in accordance with § 54.1-2812.

"Embalmer" means any person engaged in the practice of embalming.

"Embalming" means the process of chemically treating the dead human body by arterial injection and cavity treatment or, when necessary, hypodermic tissue injection to reduce the presence and growth of microorganisms to temporarily retard organic decomposition.

"Funeral directing" means the for-profit profession of directing or supervising funerals, preparing human dead for burial by means other than embalming, or making arrangements for funeral services or the financing of funeral services.

"Funeral director" means any person engaged in the practice of funeral directing.

"Funeral service establishment" means any main establishment, branch, or chapel that is permanently affixed to the real estate and for which a certificate of occupancy has been issued by the local building official where any part of the profession of funeral directing, the practice of funeral services, or the act of embalming is performed.

"Funeral service intern" means a person who is preparing to be licensed for the practice of funeral services under the direct supervision of a practitioner licensed by the Board.

"Funeral service licensee" means a person who is licensed in the practice of funeral services.

"In-person communication" means face-to-face communication and telephonic communication.

"Next of kin" means any of the following persons, regardless of the relationship to the decedent: any person designated to make arrangements for the disposition of the decedent's remains upon his death pursuant to § 54.1-2825, the legal spouse, child aged 18 years or older, parent of a decedent aged 18 years or older, custodial parent or noncustodial parent of a decedent younger than 18 years of age, siblings over 18 years of age, guardian of minor child, guardian of minor siblings, maternal grandparents, paternal grandparents, maternal siblings over 18 years of age and paternal siblings over 18 years of age, or any other relative in the descending order of blood relationship.

"Practice of funeral services" means engaging in the care and disposition of the human dead, the preparation of the human dead for the funeral service, burial or cremation, the making of arrangements for the funeral service or for the financing of the funeral service and the selling or making of financial arrangements for the sale of funeral supplies to the public.

"Preneed" means at any time other than at-need.

"Preneed funeral contract" means any agreement where payment is made by the consumer prior to the receipt of services or supplies contracted for, which evidences arrangements prior to death for (i) the providing of funeral services or (ii) the sale of funeral supplies. "Preneed funeral contract" does not include transportation protection agreements.

"Preneed funeral planning" means the making of arrangements prior to death for (i) the providing of funeral services or (ii) the sale of funeral supplies.

"Solicitation" means initiating contact with consumers with the intent of influencing their selection of a funeral plan or funeral service provider.

"Transportation protection agreement" means an agreement that provides for the coordination and arranging of all professional services related to transportation of human remains or cremated remains beyond the distance stated in the preneed funeral contract.

2. That the Board of Funeral Directors and Embalmers shall amend its regulations to ensure that declinable preneed funeral guarantee fees are used solely to guarantee the cost of preneed supplies and services as described in preneed funeral contracts.

CHAPTER 512

An Act to amend and reenact §§ 15.2-2209, 15.2-2309, and 15.2-2311 of the Code of Virginia, relating to civil penalties for certain repeat zoning violations in Planning District 23; appeals.

[S 992]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-2209, 15.2-2309, and 15.2-2311 of the Code of Virginia are amended and reenacted as follows:

§ 15.2-2209. Civil penalties for violations of zoning ordinance.

Notwithstanding subdivision A 5 of § 15.2-2286, any locality may adopt an ordinance ~~which~~ *that* establishes a uniform schedule of civil penalties for violations of specified provisions of the zoning ordinance. The schedule of offenses shall not include any zoning violation resulting in injury to any persons, and the existence of a civil penalty shall not preclude action by the zoning administrator under subdivision A 4 of § 15.2-2286 or action by the governing body under § 15.2-2208.

This schedule of civil penalties shall be uniform for each type of specified violation, and the penalty for any one violation shall be a civil penalty of not more than $200 for the initial summons and not more than $500 for each additional summons. *However, for any violation involving nonpermitted commercial uses in Planning District 23, the penalty shall be not more than (i) $200 for the initial violation, (ii) $1,000 for a second violation, and (iii) $1,500 for a third or subsequent violation, not to exceed an aggregate amount of $4,200 for all such violations within a 12-month period. For purposes of this section, "nonpermitted commercial uses" means any use devoted to usual and customary business purposes for the sale of goods and services when such use is not authorized or permitted under the locality's zoning ordinance.* Each day during which the violation is found to have existed shall constitute a separate offense. However, specified violations arising from the same operative set of facts shall not be charged more frequently than once in any 10-day period, and*, for violations that do not involve nonpermitted commercial uses in Planning District 23,* a series of specified violations arising from the same operative set of facts shall not result in civil penalties ~~which~~ *that* exceed a total of $5,000. Designation of a particular zoning ordinance violation for a civil penalty pursuant to this section shall be in lieu of criminal sanctions, and except for any violation resulting in injury to persons, such designation shall preclude the prosecution of a violation as a criminal misdemeanor, provided, however, that when such civil penalties total $5,000 or more, the violation may be prosecuted as a criminal misdemeanor.

The zoning administrator or his deputy may issue a civil summons as provided by law for a scheduled violation. Any person summoned or issued a ticket for a scheduled violation may make an appearance in person or in writing by mail to the department of finance or the treasurer of the locality prior to the date fixed for trial in court. Any person so appearing may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. Such persons shall be informed of their right to stand trial and that a signature to an admission of liability will have the same force and effect as a judgment of court. *Notwithstanding a court's authority to order the abatement or remedy of a zoning violation, any person who enters a waiver of trial and admits liability shall be required to abate or remedy the nonpermitted commercial violation within a period of time specified by the locality that is no less than 30 days but no more than 24 months from the date of admission of liability.*

If a person charged with a scheduled violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the general district court in the same manner and with the same right of appeal as provided for by law. In any trial for a scheduled violation authorized by this section, it shall be the burden of the locality to show the liability of the violator by a preponderance of the evidence. If the violation remains uncorrected at the time of the admission of liability or finding of liability, the court may order the violator to abate or remedy the violation in order to comply with the zoning ordinance. Except as otherwise provided by the court for good cause shown, any such violator shall abate or remedy the violation within a period of time as determined by the court, but not later than six months of the date of admission of liability or finding of liability. Each day during which the violation continues after the court-ordered abatement period has ended shall constitute a separate offense. An admission of liability or finding of liability shall not be a criminal conviction for any purpose.

No provision herein shall be construed to allow the imposition of civil penalties (a) for activities related to land development or (b) for violation of any provision of a local zoning ordinance relating to the posting of signs on public property or public rights-of-way.

§ 15.2-2309. Powers and duties of boards of zoning appeals.

Boards of zoning appeals shall have the following powers and duties:

1. To hear and decide appeals from any order, requirement, decision, or determination made by an administrative officer in the administration or enforcement of this article or of any ordinance adopted pursuant thereto. The decision on such appeal shall be based on the board's judgment of whether the administrative officer was correct. The determination of the administrative officer shall be presumed to be correct. At a hearing on an appeal, the administrative officer shall explain the basis for his determination after which the appellant has the burden of proof to rebut such presumption of correctness by a preponderance of the evidence. *Altering the order of evidence is a reversible error only if the appellant lodges an objection citing this section and the board subsequently refuses to reorder the hearing.* The board shall consider any applicable ordinances, laws, and regulations in making its decision. For purposes of this section, determination means any order, requirement, decision*,* or determination made by an administrative officer. Any appeal of a determination to the board shall be in compliance with this section, notwithstanding any other provision of law, general or special.

2. Notwithstanding any other provision of law, general or special, to grant upon appeal or original application in specific cases a variance as defined in § 15.2-2201, provided that the burden of proof shall be on the applicant for a variance to prove by a preponderance of the evidence that his application meets the standard for a variance as defined in § 15.2-2201 and the criteria set out in this section.

Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements

thereon at the time of the effective date of the ordinance, or alleviate a hardship by granting a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability, and (i) the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance; (ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area; (iii) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance; (iv) the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and (v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application. Any variance granted to provide a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability may expire when the person benefited by it is no longer in need of the modification to such property or improvements provided by the variance, subject to the provisions of state and federal fair housing laws, or the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.), as applicable. If a request for a reasonable modification is made to a locality and is appropriate under the provisions of state and federal fair housing laws, or the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.), as applicable, such request shall be granted by the locality unless a variance from the board of zoning appeals under this section is required in order for such request to be granted.

No variance shall be considered except after notice and hearing as required by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.

In granting a variance, the board may impose such conditions regarding the location, character, and other features of the proposed structure or use as it may deem necessary in the public interest and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with. Notwithstanding any other provision of law, general or special, the property upon which a property owner has been granted a variance shall be treated as conforming for all purposes under state law and local ordinance; however, the structure permitted by the variance may not be expanded unless the expansion is within an area of the site or part of the structure for which no variance is required under the ordinance. Where the expansion is proposed within an area of the site or part of the structure for which a variance is required, the approval of an additional variance shall be required.

3. To hear and decide appeals from the decision of the zoning administrator after notice and hearing as provided by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.

4. To hear and decide applications for interpretation of the district map where there is any uncertainty as to the location of a district boundary. After notice to the owners of the property affected by the question, and after public hearing with notice as required by § 15.2-2204, the board may interpret the map in such way as to carry out the intent and purpose of the ordinance for the particular section or district in question. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail. The board shall not have the power to change substantially the locations of district boundaries as established by ordinance.

5. No provision of this section shall be construed as granting any board the power to rezone property or to base board decisions on the merits of the purpose and intent of local ordinances duly adopted by the governing body.

6. To hear and decide applications for special exceptions as may be authorized in the ordinance. The board may impose such conditions relating to the use for which a permit is granted as it may deem necessary in the public interest, including limiting the duration of a permit, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.

No special exception may be granted except after notice and hearing as provided by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.

7. To revoke a special exception previously granted by the board of zoning appeals if the board determines that there has not been compliance with the terms or conditions of the permit. No special exception may be revoked except after notice and hearing as provided by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail. If a governing body reserves unto itself the right to issue special exceptions pursuant to § 15.2-2286, and, if the governing body determines that there has not been compliance with the terms and conditions of the permit, then it may also revoke special exceptions in the manner provided by this subdivision.

8. The board by resolution may fix a schedule of regular meetings, and may also fix the day or days to which any meeting shall be continued if the chairman, or vice-chairman if the chairman is unable to act, finds and declares that weather

or other conditions are such that it is hazardous for members to attend the meeting. Such finding shall be communicated to the members and the press as promptly as possible. All hearings and other matters previously advertised for such meeting in accordance with § 15.2-2312 shall be conducted at the continued meeting and no further advertisement is required.

§ 15.2-2311. Appeals to board.

A. An appeal to the board may be taken by any person aggrieved or by any officer, department, board or bureau of the locality affected by any decision of the zoning administrator or from any order, requirement, decision or determination made by any other administrative officer in the administration or enforcement of this article, any ordinance adopted pursuant to this article, or any modification of zoning requirements pursuant to § 15.2-2286. Notwithstanding any charter provision to the contrary, any written notice of a zoning violation or a written order of the zoning administrator dated on or after July 1, 1993, shall include a statement informing the recipient that he may have a right to appeal the notice of a zoning violation or a written order within 30 days in accordance with this section, and that the decision shall be final and unappealable if not appealed within 30 days. The zoning violation or written order shall include the applicable appeal fee and a reference to where additional information may be obtained regarding the filing of an appeal. The appeal period shall not commence until the statement is given and the zoning administrator's written order is sent by registered or certified mail *with proof of delivery* to, or posted at, the last known address or usual place of abode of the property owner or its registered agent, if any. There shall be a rebuttable presumption that the property owner's last known address is that shown on the current real estate tax assessment records, or the address of a registered agent that is shown in the records of the Clerk of the State Corporation Commission. The appeal shall be taken within 30 days after the decision appealed from by filing with the zoning administrator, and with the board, a notice of appeal specifying the grounds thereof. The zoning administrator shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken. The fee for filing an appeal shall not exceed the costs of advertising the appeal for public hearing and reasonable costs. A decision by the board on an appeal taken pursuant to this section shall be binding upon the owner of the property ~~which~~ *that* is the subject of such appeal only if the owner of such property has been provided notice of the zoning violation or written order of the zoning administrator in accordance with this section. The owner's actual notice of such notice of zoning violation or written order or active participation in the appeal hearing shall waive the owner's right to challenge the validity of the board's decision due to failure of the owner to receive the notice of zoning violation or written order. For jurisdictions that impose civil penalties for violations of the zoning ordinance, any such civil penalty shall not be assessed by a court having jurisdiction during the pendency of the 30-day appeal period.

B. An appeal shall stay all proceedings in furtherance of the action appealed from unless the zoning administrator certifies to the board that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order granted by the board or by a court of record, on application and on notice to the zoning administrator and for good cause shown.

C. In no event shall a written order, requirement, decision or determination made by the zoning administrator or other administrative officer be subject to change, modification or reversal by any zoning administrator or other administrative officer after 60 days have elapsed from the date of the written order, requirement, decision or determination where the person aggrieved has materially changed his position in good faith reliance on the action of the zoning administrator or other administrative officer unless it is proven that such written order, requirement, decision or determination was obtained through malfeasance of the zoning administrator or other administrative officer or through fraud. The 60-day limitation period shall not apply in any case where, with the concurrence of the attorney for the governing body, modification is required to correct clerical errors.

D. In any appeal taken pursuant to this section, if the board's attempt to reach a decision results in a tie vote, the matter may be carried over until the next scheduled meeting at the request of the person filing the appeal.

CHAPTER 513

An Act to direct the Department of Health to provide information, resources, and education to food banks regarding outreach opportunities for providing assistance to individuals completing a Women, Infants, and Children (WIC) application.

[S 1019]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Health shall provide information, resources, and education to all food banks located within the Commonwealth regarding existing outreach opportunities for providing assistance to individuals completing an application for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).*

CHAPTER 514

An Act to amend and reenact § 22.1-271.7 of the Code of Virginia, relating to public middle and high schools; student-athletes; pre-participation physical examination required.

[S 1030]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-271.7 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-271.7. Public middle and high school student-athletes; pre-participation physical examination.

A. No public middle *or high* school student shall be a participant on or try out for any school athletic team or squad with a predetermined roster, regular practices, and scheduled competitions with other middle *or high* schools unless such student has submitted to the school principal a signed report from a licensed physician, a licensed advanced practice registered nurse practicing in accordance with the provisions of § 54.1-2957, or a licensed physician assistant acting under the supervision of a licensed physician attesting that such student ~~has been examined, within the preceding 12 months,~~ *received a physical examination* and *was* found to be physically fit for athletic competition *no more than 14 calendar months prior to the date on which such report was signed*.

B. No public middle or high school shall become a member of any organization or entity whose purpose it is to regulate or govern interscholastic programs that does not deem eligible for participation a student who has, pursuant to subsection A, submitted a signed report to the school principal attesting that such student received a physical examination and was found to be physically fit for athletic competition no more than 14 calendar months prior to the date on which such report was signed.

CHAPTER 515

An Act to amend and reenact §§ 60.2-226 and 60.2-603 of the Code of Virginia, relating to unemployment insurance; weekly benefit amount; increasing threshold for deduction of wages payable.

[S 1057]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 60.2-226 and 60.2-603 of the Code of Virginia are amended and reenacted as follows:

§ 60.2-226. Unemployment.

A. An individual shall be deemed "unemployed" in any week during which he performs no services and with respect to which no wages are payable to him, or in any week of less than full-time work if the wages payable to him with respect to such week are less than *the total of* his weekly benefit amount *and the income disregard amount specified in § 60.2-603*. Wages shall be deemed payable to an individual with respect to any week for which wages are due. An individual's week of unemployment shall be deemed to commence only after his registration at an employment office, except as the Commission may by regulation otherwise prescribe.

B. Notwithstanding any other provisions of this title, no individual shall be deemed unemployed with respect to any week he earns less than his weekly benefit amount solely because he did not work on a legal holiday as defined in § 2.2-3300.

§ 60.2-603. Weekly benefit for unemployment; income disregard.

A. Each eligible individual who is unemployed in any week shall be paid for such week a benefit equal to his weekly benefit amount less any part of the wages payable to him for such week ~~which~~ *that* is in excess of ~~$50~~ *$100*. Where such excess is not a multiple of $1, it shall be computed to the next highest multiple of $1.

B. Wages earned on a shift commencing Saturday and ending Sunday shall be allocated to the week in which the claimant earns the majority of wages for such work.

CHAPTER 516

An Act to amend and reenact § 22.1-253.13:5 of the Code of Virginia, relating to school board employees; health care professionals; professional development and continuing education; optional programs; children with autism spectrum disorder.

[S 1293]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-253.13:5 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-253.13:5. Standard 5. Quality of classroom instruction and educational leadership.

A. Each member of the Board shall participate in high-quality professional development programs on personnel, curriculum and current issues in education as part of his service on the Board.

B. Consistent with the finding that leadership is essential for the advancement of public education in the Commonwealth, teacher, principal, and superintendent evaluations shall be consistent with the performance standards included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents. Evaluations shall include student academic progress as a significant component and an overall summative rating. Teacher evaluations shall include regular observation and evidence that instruction is aligned with the school's curriculum. Evaluations shall include identification of areas of individual strengths and weaknesses and recommendations for appropriate professional activities. Evaluations shall include an evaluation of cultural competency.

C. The Board shall provide guidance on high-quality professional development for (i) teachers, principals, supervisors, division superintendents, and other school staff; (ii) principals, supervisors, and division superintendents in the evaluation and documentation of teacher and principal performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel; (iii) school board members on personnel, curriculum and current issues in education; (iv) teachers of the blind and visually impaired, in cooperation with the Virginia Department for the Blind and Vision Impaired, in Braille; (v) any individual with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, special education blindness/visual impairments preschool through grade 12, or English as a second language preschool through grade 12, or as a reading specialist that builds proficiency in science-based reading research and evidence-based literacy instruction; (vi) each teacher with an endorsement in middle education grades six through eight who teaches English that builds proficiency in evidence-based literacy instruction and science-based reading research; (vii) each middle school principal and teacher with an endorsement in middle education grades six through eight who teaches mathematics, science, or history and social science that builds an awareness of evidence-based literacy instruction and science-based reading research; (viii) each teacher with a provisional general education or special education license or an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, middle education grades six through eight, and secondary education grades six through 12; each principal with an endorsement in administration and supervision preschool through grade 12; and each teacher's aide or other paraprofessional that builds proficiency in instructional practices to support specially designed instruction in inclusive settings; ~~and~~ (ix) each teacher with a provisional special education license or an endorsement in special education general curriculum preschool through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness and visual impairments preschool through grade 12 that builds proficiency in implementing the Virginia IEP established pursuant to subdivision 11 of § 22.1-214.4 and the referral, evaluation, reevaluation, and eligibility forms and worksheets referenced in subdivision 6 of § 22.1-214.4*; and (x) all instructional personnel and school board employees whose duties include regular contact with students on communicating with and supporting students with autism spectrum disorder*.

The Board shall also provide technical assistance on high-quality professional development to local school boards designed to ensure that all instructional personnel are proficient in the use of educational technology consistent with its comprehensive plan for educational technology.

The Department shall provide technical assistance, including literacy coaching, to local school divisions to provide professional development in science-based reading research and evidence-based literacy instruction for students in kindergarten through grade eight. The Department shall also create a list of professional development programs aligned with science-based reading research and evidence-based literacy instruction that includes programs that provide training in dyslexia for reading specialists as required by subsection G of § 22.1-253.13:2. The list shall be approved by the Board. The Department shall provide resources to local school divisions to ensure that each division is able to provide professional development to teachers and reading specialists listed in subdivision E 2 in one of the programs enumerated in the list approved by the Board pursuant to this subdivision and that such professional development is provided at no cost to the teachers and reading specialists.

The Department shall provide technical assistance, including special education coaching, to local school divisions to provide professional development in special education and related services and in instructional practices to support specially designed instruction in inclusive settings. The Department shall provide resources to local school divisions to ensure that each division is able to provide professional development to the teachers, principals, teacher's aides, and other paraprofessionals listed in subdivisions E 4 and 5 at no cost to such individuals.

D. Each local school board shall require (i) its members to participate annually in high-quality professional development activities at the state, local, or national levels on governance, including, but not limited to, personnel policies and practices; the evaluation of personnel, curriculum, and instruction; use of data in planning and decision making; and current issues in education as part of their service on the local board and (ii) the division superintendent to participate annually in high-quality professional development activities at the local, state, or national levels, including the Standards of Quality, Board regulations, and the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents.

E. Each local school board shall provide a program of high-quality professional development (i) in the use and documentation of performance standards and evaluation criteria based on student academic progress and skills for teachers, principals, and superintendents to clarify roles and performance expectations and to facilitate the successful implementation

of instructional programs that promote student achievement at the school and classroom levels; (ii) as part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency and to increase student achievement and expand the knowledge and skills students require to meet the standards for academic performance set by the Board; (iii) in educational technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula; and (iv) for principals and supervisors designed to increase proficiency in instructional leadership and management, including training in the evaluation and documentation of teacher and principal performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel.

In addition, each local school board shall provide:

1. Teachers and principals with high-quality professional development programs each year in (i) instructional content; (ii) the preparation of tests and other assessment measures; (iii) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives; (iv) instruction and remediation techniques in English, mathematics, science, and history and social science; (v) interpreting test data for instructional purposes; (vi) technology applications to implement the Standards of Learning; and (vii) effective classroom management;

2. High-quality professional development and training in science-based reading research and evidence-based literacy instruction, from the list developed and the resources provided by the Department pursuant to subsection C or an alternative program that consists of evidence-based literacy instruction and aligns with science-based reading research approved by the Department, for each elementary school principal and each teacher with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, special education blindness/visual impairments preschool through grade 12, or English as a second language preschool through grade 12, or as a reading specialist that builds proficiency in evidence-based literacy instruction and science-based reading research in order to aid in the licensure renewal process for such individuals;

3. High-quality professional development and training in science-based reading research and evidence-based literacy instruction, from the list developed and the resources provided by the Department pursuant to subsection C, or an alternative program that consists of evidence-based literacy instruction and aligns with science-based reading research approved by the Department, for (i) each teacher with an endorsement in middle education grades six through eight who teaches English that builds proficiency in evidence-based literacy instruction and science-based reading research and (ii) each middle school principal and teacher with an endorsement in middle education grades six through eight who teaches mathematics, science, or history and social science that builds an awareness of evidence-based literacy instruction and science-based reading research;

4. (Effective July 1, 2027) High-quality professional development in implementing the Virginia IEP established pursuant to subdivision 11 of § 22.1-214.4 and the referral, evaluation, reevaluation, and eligibility forms and worksheets referenced in subdivision 6 of § 22.1-214.4 for each teacher with a provisional special education license or an endorsement in special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, and special education blindness and visual impairments preschool through grade 12; ~~and~~

5. (Effective July 1, 2027) High-quality professional development in instructional practices to support specially designed instruction in inclusive settings for each teacher with a provisional general education license or an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, and secondary education grades six through 12; each principal with an endorsement in administration and supervision preschool through grade 12; each teacher's aide or other paraprofessional; and any teacher with a provisional special education license for whom the school board determines there is a need for such professional development*; and*

6. High-quality professional development each year in communicating with and supporting students with autism spectrum disorder for any instructional personnel and school board employees whose duties include regular contact with students, in accordance with the guidance provided by the Board pursuant to clause (x) of subsection C, that includes (i) an overview of the characteristics and behavioral recognition of autism spectrum disorder, (ii) strategies for communicating and interacting with and supporting students with autism spectrum disorder, and (iii) best practices for responding to and de-escalating certain behavioral challenges and situations. Such professional development shall be optional, provided, however, that any instructional personnel or school board employee who completes such professional development shall be eligible for professional development points toward renewal of his license for the number of in-person hours of coursework completed.

F. Schools and school divisions shall include as an integral component of their comprehensive plans required by § 22.1-253.13:6, high-quality professional development programs that support the recruitment, employment, and retention of qualified teachers and principals. Each school board shall require all instructional personnel to participate each year in these professional development programs.

G. Each local school board shall annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division.

2. That each licensing board within the Department of Health Professions shall make a recommendation that each individual who is registered, certified, licensed, or issued a multistate licensure privilege by such licensing board and whose duties may involve direct contact with children complete continuing education on communicating with children with autism spectrum disorder that includes (i) an overview of the characteristics and behavioral recognition of autism spectrum disorder, (ii) strategies for communicating and interacting with children with autism spectrum disorder, and (iii) best practices for responding to and de-escalating certain behavioral challenges and situations. Each licensing board may include as a part of such recommendation specific continuing education programs on communicating with children with autism spectrum disorder.

CHAPTER 517

An Act to amend and reenact § 22.1-271.7 of the Code of Virginia, relating to public middle and high school students; interscholastic athletics; preparticipation physical evaluations; form; timeline.

[S 1320]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-271.7 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-271.7. Public middle and high school student-athletes; preparticipation physical examination.

A. As used in this section, "Preparticipation Physical Evaluation form" means the most recent Preparticipation Physical Evaluation form developed jointly by the American Academy of Family Physicians, American Academy of Pediatrics, American College of Sports Medicine, American Medical Society for Sports Medicine, American Orthopaedic Society for Sports Medicine, and American Osteopathic Academy of Sports Medicine.

B. No public middle *or high* school student shall be a participant on or try out for any ~~school~~ *interscholastic* athletic team or squad ~~with a predetermined roster, regular practices, and scheduled competitions with other middle schools~~ unless such student has submitted to the school principal a signed ~~report~~ *Preparticipation Physical Evaluation form* from a licensed physician, a licensed advanced practice registered nurse practicing in accordance with the provisions of § 54.1-2957, or a licensed physician assistant acting under the supervision of a licensed physician attesting that such student ~~has been examined, within the preceding 12 months,~~ *received a physical examination* and *was* found to be physically fit for athletic competition *no more than 14 calendar months prior to the date on which such report was signed.*

C. No public middle or high school shall become a member of any organization or entity whose purpose it is to regulate or govern interscholastic programs that does not deem eligible for participation a student who has, pursuant to subsection B, submitted a signed Preparticipation Physical Evaluation form to the school principal attesting that such student received a physical examination and was found to be physically fit for athletic competition no more than 14 calendar months prior to the date on which such report was signed.

CHAPTER 518

An Act to amend and reenact § 2.2-4343 of the Code of Virginia, relating to the Virginia Public Procurement Act; purchase of testing kits during a disaster caused by a communicable disease of public health threat; exemption.

[S 1415]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-4343 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-4343. Exemption from operation of chapter for certain transactions.

A. The provisions of this chapter shall not apply to:

1. The Virginia Port Authority in the exercise of any of its powers in accordance with Chapter 10 (§ 62.1-128 et seq.) of Title 62.1, provided that the Authority implements, by policy or regulation adopted by the Board of Commissioners, procedures to ensure fairness and competitiveness in the procurement of goods and services and in the administration of its capital outlay program. This exemption shall be applicable only so long as such policies and procedures meeting the requirements remain in effect.

2. The Virginia Retirement System for selection of services related to the management, purchase or sale of authorized investments, actuarial services, and disability determination services. Selection of these services shall be governed by the standard set forth in § 51.1-124.30.

3. The State Treasurer in the selection of investment management services related to the external management of funds shall be governed by the standard set forth in § 2.2-4514, and shall be subject to competitive guidelines and policies that are set by the Commonwealth Treasury Board and approved by the Department of General Services.

4. The Department of Social Services or local departments of social services for the acquisition of motor vehicles for sale or transfer to Temporary Assistance to Needy Families (TANF) recipients.

5. The College of William and Mary in Virginia, Virginia Commonwealth University, the University of Virginia, and Virginia Polytechnic Institute and State University in the selection of services related to the management and investment of their endowment funds, endowment income, gifts, all other nongeneral fund reserves and balances, or local funds of or held by the respective public institution of higher education pursuant to § 23.1-2210, 23.1-2306, 23.1-2604, or 23.1-2803. However, selection of these services shall be governed by the Uniform Prudent Management of Institutional Funds Act (§ 64.2-1100 et seq.) as required by §§ 23.1-2210, 23.1-2306, 23.1-2604, and 23.1-2803.

6. The Board of the Commonwealth Savers Plan for the selection of services related to the operation and administration of the Plan, including, but not limited to, contracts or agreements for the management, purchase, or sale of authorized investments or actuarial, record keeping, or consulting services. However, such selection shall be governed by the standard set forth in § 23.1-706.

7. Public institutions of higher education for the purchase of items for resale at retail bookstores and similar retail outlets operated by such institutions. However, such purchase procedures shall provide for competition where practicable.

8. The purchase of goods and services by agencies of the legislative branch that may be specifically exempted therefrom by the Chairman of the Committee on Rules of either the House of Delegates or the Senate. Nor shall the contract review provisions of § 2.2-2012 apply to such procurements. The exemption shall be in writing and kept on file with the agency's disbursement records.

9. Any town with a population of less than 3,500, except as stipulated in the provisions of §§ 2.2-4305, 2.2-4311, 2.2-4315, 2.2-4330, 2.2-4333 through 2.2-4338, 2.2-4343.1, and 2.2-4367 through 2.2-4377 and Chapter 43.1 (§ 2.2-4378 et seq.).

10. Any county, city or town whose governing body has adopted, by ordinance or resolution, alternative policies and procedures which are (i) based on competitive principles and (ii) generally applicable to procurement of goods and services by such governing body and its agencies, except as stipulated in subdivision 12.

This exemption shall be applicable only so long as such policies and procedures, or other policies and procedures meeting the requirements of § 2.2-4300, remain in effect in such county, city or town. Such policies and standards may provide for incentive contracting that offers a contractor whose bid is accepted the opportunity to share in any cost savings realized by the locality when project costs are reduced by such contractor, without affecting project quality, during construction of the project. The fee, if any, charged by the project engineer or architect for determining such cost savings shall be paid as a separate cost and shall not be calculated as part of any cost savings.

11. Any school division whose school board has adopted, by policy or regulation, alternative policies and procedures that are (i) based on competitive principles and (ii) generally applicable to procurement of goods and services by the school board, except as stipulated in subdivision 12.

This exemption shall be applicable only so long as such policies and procedures, or other policies or procedures meeting the requirements of § 2.2-4300, remain in effect in such school division. This provision shall not exempt any school division from any centralized purchasing ordinance duly adopted by a local governing body.

12. Notwithstanding the exemptions set forth in subdivisions 9 through 11, the provisions of subsections B, C, and D of § 2.2-4303, §§ 2.2-4305, 2.2-4311, 2.2-4315, 2.2-4317, 2.2-4330, 2.2-4333 through 2.2-4338, 2.2-4342, 2.2-4343.1, and 2.2-4367 through 2.2-4377, Chapter 43.1 (§ 2.2-4378 et seq.), and § 58.1-1902 shall apply to all counties, cities, and school divisions and to all towns having a population greater than 3,500 in the Commonwealth.

The method for procurement of professional services through competitive negotiation set forth in §§ 2.2-4302.2, 2.2-4303.1, and 2.2-4303.2 shall also apply to all counties, cities, and school divisions, and to all towns having a population greater than 3,500, where the cost of the professional service is expected to exceed $80,000 in the aggregate or for the sum of all phases of a contract or project. A school board that makes purchases through its public school foundation or purchases educational technology through its educational technology foundation, either as may be established pursuant to § 22.1-212.2:2 shall be exempt from the provisions of this chapter, except, relative to such purchases, the school board shall comply with the provisions of §§ 2.2-4311 and 2.2-4367 through 2.2-4377.

13. A public body that is also a utility operator may purchase services through or participate in contracts awarded by one or more utility operators that are not public bodies for utility marking services as required by the Underground Utility Damage Prevention Act (§ 56-265.14 et seq.). A purchase of services under this subdivision may deviate from the procurement procedures set forth in this chapter upon a determination made in advance by the public body and set forth in writing that competitive sealed bidding is either not practicable or not fiscally advantageous to the public, and the contract is awarded based on competitive principles.

14. Procurement of any construction or planning and design services for construction by a Virginia nonprofit corporation or organization not otherwise specifically exempted when (i) the planning, design or construction is funded by state appropriations of $10,000 or less or (ii) the Virginia nonprofit corporation or organization is obligated to conform to procurement procedures that are established by federal statutes or regulations, whether those federal procedures are in conformance with the provisions of this chapter.

15. Purchases, exchanges, gifts or sales by the Citizens' Advisory Council on Furnishing and Interpreting the Executive Mansion.

16. The Department of Corrections in the selection of pre-release and post-incarceration services and the Department of Juvenile Justice in the selection of pre-release and post-commitment services.

17. The University of Virginia Medical Center to the extent provided by subdivision A 3 of § 23.1-2213.

18. The purchase of goods and services by a local governing body or any authority, board, department, instrumentality, institution, agency or other unit of state government when such purchases are made under a remedial plan established by the Governor pursuant to subsection C of § 2.2-4310 or by a chief administrative officer of a county, city or town pursuant to § 15.2-965.1.

19. The contract by community services boards or behavioral health authorities with an administrator or management body pursuant to a joint agreement authorized by § 37.2-512 or 37.2-615.

20. The purchase of Virginia-grown food products for use by a public body where the annual cost of the product is not expected to exceed $100,000, provided that the procurement is accomplished by (i) obtaining written informal solicitation of a minimum of three bidders or offerors if practicable and (ii) including a written statement regarding the basis for awarding the contract.

21. The Virginia Industries for the Blind when procuring components, materials, supplies, or services for use in commodities and services furnished to the federal government in connection with its operation as an AbilityOne Program-qualified nonprofit agency for the blind under the Javits-Wagner-O'Day Act, 41 U.S.C. §§ 8501-8506, provided that the procurement is accomplished using procedures that ensure that funds are used as efficiently as practicable. Such procedures shall require documentation of the basis for awarding contracts. Notwithstanding the provisions of § 2.2-1117, no public body shall be required to purchase such components, materials, supplies, services, or commodities.

22. The purchase of personal protective equipment for private, nongovernmental entities by the Governor pursuant to subdivision (11) of § 44-146.17 during a disaster caused by a communicable disease of public health threat for which a state of emergency has been declared. However, such purchase shall provide for competition where practicable and include a written statement regarding the basis for awarding any contract. *As used in this subdivision, "personal protective equipment" means equipment or supplies worn or employed to minimize exposure to hazards that cause serious workplace injuries and illnesses and may include items such as gloves, safety glasses and shoes, earplugs or earmuffs, hard hats, respirators, coveralls, vests, full body suits, hand sanitizer, plastic shields, or testing kits for the communicable disease of public health threat.*

B. Where a procurement transaction involves the expenditure of federal assistance or contract funds, the receipt of which is conditioned upon compliance with mandatory requirements in federal laws or regulations not in conformance with the provisions of this chapter, a public body may comply with such federal requirements, notwithstanding the provisions of this chapter, only upon the written determination of the Governor, in the case of state agencies, or the governing body, in the case of political subdivisions, that acceptance of the grant or contract funds under the applicable conditions is in the public interest. Such determination shall state the specific provision of this chapter in conflict with the conditions of the grant or contract.

CHAPTER 519

An Act to amend and reenact § 15.2-2286 of the Code of Virginia, relating to zoning violations; appeals; fines.

[S 1422]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2286 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2286. Permitted provisions in zoning ordinances; amendments; applicant to pay delinquent taxes; penalties.

A. A zoning ordinance may include, among other things, reasonable regulations and provisions as to any or all of the following matters:

1. For variances or special exceptions, as defined in § 15.2-2201, to the general regulations in any district.

2. For the temporary application of the ordinance to any property coming into the territorial jurisdiction of the governing body by annexation or otherwise, subsequent to the adoption of the zoning ordinance, and pending the orderly amendment of the ordinance.

3. For the granting of special exceptions under suitable regulations and safeguards; notwithstanding any other provisions of this article, the governing body of any locality may reserve unto itself the right to issue such special exceptions. Conditions imposed in connection with residential special use permits, wherein the applicant proposes affordable housing, shall be consistent with the objective of providing affordable housing. When imposing conditions on residential projects specifying materials and methods of construction or specific design features, the approving body shall consider the impact of the conditions upon the affordability of housing. Conditions may include the period of validity for a special exception or special use permit; however, in the case of a special exception or special use permit for residential projects, the period of validity shall be no less than three years.

The governing body or the board of zoning appeals of the Cities of Hampton and Norfolk may impose a condition upon any special exception or use permit relating to retail alcoholic beverage control licensees which provides that such special exception or use permit will automatically expire upon a change of ownership of the property, a change in possession, a change in the operation or management of a facility, or the passage of a specific period of time.

The governing body of the City of Richmond may impose a condition upon any special use permit issued after July 1, 2000, relating to retail alcoholic beverage licensees which provides that such special use permit shall be subject to an automatic review by the governing body upon a change in possession, a change in the owner of the business, or a transfer of majority control of the business entity. Upon review by the governing body, it may either amend or revoke the special use permit after notice and a public hearing as required by § 15.2-2206.

4. For the administration and enforcement of the ordinance including the appointment or designation of a zoning administrator who may also hold another office in the locality. The zoning administrator shall have all necessary authority on behalf of the governing body to administer and enforce the zoning ordinance. His authority shall include (i) ordering in writing the remedying of any condition found in violation of the ordinance; (ii) insuring compliance with the ordinance, bringing legal action, including injunction, abatement, or other appropriate action or proceeding subject to appeal pursuant to § 15.2-2311; and (iii) in specific cases, making findings of fact and, with concurrence of the attorney for the governing body, conclusions of law regarding determinations of rights accruing under § 15.2-2307 or subsection C of § 15.2-2311.

Whenever the zoning administrator has reasonable cause to believe that any person has engaged in or is engaging in any violation of a zoning ordinance that limits occupancy in a residential dwelling unit, which is subject to a civil penalty that may be imposed in accordance with the provisions of § 15.2-2209, and the zoning administrator, after a good faith effort to obtain the data or information necessary to determine whether a violation has occurred, has been unable to obtain such information, he may request that the attorney for the locality petition the judge of the general district court for his jurisdiction for a subpoena duces tecum against any such person refusing to produce such data or information. The judge of the court, upon good cause shown, may cause the subpoena to be issued. Any person failing to comply with such subpoena shall be subject to punishment for contempt by the court issuing the subpoena. Any person so subpoenaed may apply to the judge who issued the subpoena to quash it.

Notwithstanding the provisions of § 15.2-2311, a zoning ordinance may prescribe an appeal period of less than 30 days, but not less than 10 days, for a notice of violation involving *(a) the storage or disposal of nonagricultural excavation material, waste, and debris or (b)* temporary or seasonal commercial uses, parking of commercial trucks in residential zoning districts, maximum occupancy limitations of a residential dwelling unit, or similar short-term, recurring violations.

Where provided by ordinance, the zoning administrator may be authorized to grant a modification from any provision contained in the zoning ordinance with respect to physical requirements on a lot or parcel of land, including but not limited to size, height, location or features of or related to any building, structure, or improvements, if the administrator finds in writing that: ~~(i)~~ *(1)* the strict application of the ordinance would produce undue hardship; ~~(ii)~~ *(2)* such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and ~~(iii)~~ *(3)* the authorization of the modification will not be of substantial detriment to adjacent property and the character of the zoning district will not be changed by the granting of the modification. Prior to the granting of a modification, the zoning administrator shall give, or require the applicant to give, all adjoining property owners written notice of the request for modification, and an opportunity to respond to the request within 21 days of the date of the notice. The zoning administrator shall make a decision on the application for modification and issue a written decision with a copy provided to the applicant and any adjoining landowner who responded in writing to the notice sent pursuant to this paragraph. The decision of the zoning administrator shall constitute a decision within the purview of § 15.2-2311, and may be appealed to the board of zoning appeals as provided by that section. Decisions of the board of zoning appeals may be appealed to the circuit court as provided by § 15.2-2314.

The zoning administrator shall respond within 90 days of a request for a decision or determination on zoning matters within the scope of his authority unless the requester has agreed to a longer period. If the decision or determination by the zoning administrator could impair the ability of an adjacent property owner to satisfy the minimum storage capacity and yield requirements for a residential drinking well pursuant to § 32.1-176.4 or any regulation adopted thereunder, the zoning administrator shall provide a copy of such decision or determination to such adjacent property owner so affected.

5. For the imposition of penalties upon conviction of any violation of the zoning ordinance. Any such violation shall be a misdemeanor punishable by a fine of not more than $1,000. If the violation is uncorrected at the time of the conviction, the court shall order the violator to abate or remedy the violation in compliance with the zoning ordinance, within a time period established by the court. Failure to remove or abate a zoning violation within the specified time period shall constitute a separate misdemeanor offense punishable by a fine of not more than $1,000; any such failure during a succeeding 10-day period shall constitute a separate misdemeanor offense punishable by a fine of not more than $1,500; and any such failure during any succeeding 10-day period shall constitute a separate misdemeanor offense for each 10-day period punishable by a fine of not more than $2,000.

However, any conviction resulting from a violation of provisions regulating the storage or disposal of nonagricultural excavation material, waste, and debris shall be punishable by a fine of $2,000. Failure to abate the violation within the specified time period shall be punishable by a fine of $5,000, and any such failure during any succeeding 10-day period shall constitute a separate misdemeanor offense for each 10-day period punishable by a fine of $7,500.

However, any conviction resulting from a violation of provisions regulating the number of unrelated persons in single-family residential dwellings shall be punishable by a fine of up to $2,000. Failure to abate the violation within the specified time period shall be punishable by a fine of up to $5,000, and any such failure during any succeeding 10-day period shall constitute a separate misdemeanor offense for each 10-day period punishable by a fine of up to $7,500. However, no such fine shall accrue against an owner or managing agent of a single-family residential dwelling unit during

the pendency of any legal action commenced by such owner or managing agent of such dwelling unit against a tenant to eliminate an overcrowding condition in accordance with the Virginia Residential Landlord and Tenant Act (§ 55.1-1200 et seq.). A conviction resulting from a violation of provisions regulating the number of unrelated persons in single-family residential dwellings shall not be punishable by a jail term.

6. For the collection of fees to cover the cost of making inspections, issuing permits, advertising of notices and other expenses incident to the administration of a zoning ordinance or to the filing or processing of any appeal or amendment thereto.

7. For the amendment of the regulations or district maps from time to time, or for their repeal. Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the governing body may by ordinance amend, supplement, or change the regulations, district boundaries, or classifications of property. Any such amendment may be initiated (i) by resolution of the governing body; (ii) by motion of the local planning commission; or (iii) by petition of the owner, contract purchaser with the owner's written consent, or the owner's agent therefor, of the property which is the subject of the proposed zoning map amendment, addressed to the governing body or the local planning commission, who shall forward such petition to the governing body; however, the ordinance may provide for the consideration of proposed amendments only at specified intervals of time, and may further provide that substantially the same petition will not be reconsidered within a specific period, not exceeding one year. Any such resolution or motion by such governing body or commission proposing the rezoning shall state the above public purposes therefor.

In any county having adopted such zoning ordinance, all motions, resolutions or petitions for amendment to the zoning ordinance, and/or map shall be acted upon and a decision made within such reasonable time as may be necessary which shall not exceed 12 months unless the applicant requests or consents to action beyond such period or unless the applicant withdraws his motion, resolution or petition for amendment to the zoning ordinance or map, or both. In the event of and upon such withdrawal, processing of the motion, resolution or petition shall cease without further action as otherwise would be required by this subdivision.

8. For the submission and approval of a plan of development prior to the issuance of building permits to assure compliance with regulations contained in such zoning ordinance.

9. For areas and districts designated for mixed use developments or planned unit developments as defined in § 15.2-2201.

10. For the administration of incentive zoning as defined in § 15.2-2201.

11. For provisions allowing the locality to enter into a voluntary agreement with a landowner that would result in the downzoning of the landowner's undeveloped or underdeveloped property in exchange for a tax credit equal to the amount of excess real estate taxes that the landowner has paid due to the higher zoning classification. The locality may establish reasonable guidelines for determining the amount of excess real estate tax collected and the method and duration for applying the tax credit. For purposes of this section, "downzoning" means a zoning action by a locality that results in a reduction in a formerly permitted land use intensity or density.

12. Provisions for requiring and considering Phase I environmental site assessments based on the anticipated use of the property proposed for the subdivision or development that meet generally accepted national standards for such assessments, such as those developed by the American Society for Testing and Materials, and Phase II environmental site assessments, that also meet accepted national standards, such as, but not limited to, those developed by the American Society for Testing and Materials, if the locality deems such to be reasonably necessary, based on findings in the Phase I assessment, and in accordance with regulations of the United States Environmental Protection Agency and the American Society for Testing and Materials. A reasonable fee may be charged for the review of such environmental assessments. Such fees shall not exceed an amount commensurate with the services rendered, taking into consideration the time, skill, and administrative expense involved in such review.

13. Provisions to incorporate generally accepted national environmental protection and product safety standards for the use of solar panels and battery technologies for solar photovoltaic (electric energy) projects, such as those developed for existing product certifications and standards including the National Sanitation Foundation/American National Standards Institute No. 457, International Electrotechnical Commission No. 61215-2, Institute of Electrical and Electronics Engineers Standard 1547, and Underwriters Laboratories No. 61730-2.

14. Provisions for requiring disclosure and remediation of contamination and other adverse environmental conditions of the property prior to approval of subdivision and development plans.

15. For the enforcement of provisions of the zoning ordinance that regulate the number of persons permitted to occupy a single-family residential dwelling unit, provided such enforcement is in compliance with applicable local, state and federal fair housing laws.

16. For the issuance of inspection warrants by a magistrate or court of competent jurisdiction. The zoning administrator or his agent may make an affidavit under oath before a magistrate or court of competent jurisdiction and, if such affidavit establishes probable cause that a zoning ordinance violation has occurred, request that the magistrate or court grant the zoning administrator or his agent an inspection warrant to enable the zoning administrator or his agent to enter the subject dwelling for the purpose of determining whether violations of the zoning ordinance exist. After issuing a warrant under this section, the magistrate or judge shall file the affidavit in the manner prescribed by § 19.2-54. After executing the warrant, the zoning administrator or his agents shall return the warrant to the clerk of the circuit court of the city or county wherein

the inspection was made. The zoning administrator or his agent shall make a reasonable effort to obtain consent from the owner or tenant of the subject dwelling prior to seeking the issuance of an inspection warrant under this section.

B. Prior to the initiation of an application by the owner of the subject property, the owner's agent, or any entity in which the owner holds an ownership interest greater than 50 percent, for a special exception, special use permit, variance, rezoning or other land disturbing permit, including building permits and erosion and sediment control permits, or prior to the issuance of final approval, the authorizing body may require the applicant to produce satisfactory evidence that any delinquent real estate taxes, nuisance charges, stormwater management utility fees, and any other charges that constitute a lien on the subject property, that are owed to the locality and have been properly assessed against the subject property, have been paid, unless otherwise authorized by the treasurer.

CHAPTER 520

An Act to amend and reenact § 44-209 of the Code of Virginia, relating to closure of United States government; civil relief for furloughed employees and contractors; emergency.

[S 1430]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 44-209 of the Code of Virginia is amended and reenacted as follows:

§ 44-209. Closure of United States government; civil relief for furloughed employees and contractors.

A. As used in this section:

"Closure of the United States government" means a closure of the United States federal government ~~for a period of 14 consecutive days or longer~~ as a result of a lapse of appropriation that leads to (i) the curtailment of federal agency activities and services, (ii) a shutdown of nonessential operations, (iii) nonessential workers being furloughed, and (iv) only essential employees in departments covering the safety of human life or protection of property being retained.

"Written proof" means (i) a paystub issued by a federal government agency showing zero dollars in earnings for a pay period within the period of any closure of the United States government, (ii) a copy of a furlough notification letter or essential employee status letter indicating the employee's status as nonessential, or (iii) a letter from a company under contract with the United States government issued and signed by an officer or owner of the company or by the company's human resources director stating that the employee's not receiving payment from the contractor is directly attributable to a closure of the United States government.

B. Notwithstanding any provision of law to the contrary, any tenant as defined in § 55.1-1200 who is a defendant in an unlawful detainer for nonpayment of rent pursuant to § 55.1-1245 for rent due after the commencement of a closure of the United States government seeking a judgment for the payment of money or possession of the premises shall be granted a 60-day continuance of such unlawful detainer action from the initial court date if the tenant appears on such court date and provides written proof that he was furloughed or otherwise was or is not currently receiving wages or payments as a result of a closure of the United States government, and is (i) an employee of the United States government, (ii) an independent contractor for the United States government, or (iii) an employee of a company under contract with the United States government. The provisions of this subsection shall not apply if the landlord has filed a material noncompliance notice for a non-rent violation of the rental agreement or of the Code of Virginia.

C. Notwithstanding any provision of law to the contrary, any homeowner who, after the commencement of a closure of the United States government, defaults on a note that is secured by a one-family to four-family residential property located in the Commonwealth and is subject to a foreclosure proceeding on any mortgage or to the execution of or sale under any deed of trust shall be granted a ~~30-day~~ *60-day* stay of such proceeding if the homeowner, within 90 days of such closure or 90 days following the end of a closure of the United States government, whichever is later, requests a stay and provides written proof to his lender that he was furloughed or otherwise was or is not currently receiving wages or payments as a result of a closure of the United States government, and is (i) an employee of the United States government, (ii) an independent contractor for the United States government, or (iii) an employee of a company under contract with the United States government.

D. Notwithstanding any provision of law to the contrary, any owner who rents a one-family to four-family residential dwelling unit located in the Commonwealth to a tenant as defined in § 55.1-1200 and who, after the commencement of a closure of the United States government, defaults on a note that is secured by such dwelling unit and is subject to a foreclosure proceeding on any mortgage or to the execution of or sale under any deed of trust shall be granted a ~~30-day~~ *60-day* stay of such proceeding if the owner, within 90 days of such closure or 90 days following the end of a closure of the United States government, whichever is later, requests a stay and provides written proof to his lender that his tenant was furloughed or otherwise was or is not currently receiving wages or payments as a result of a closure of the United States government, and is (i) an employee of the United States government, (ii) an independent contractor for the United States government, or (iii) an employee of a company under contract with the United States government.

E. The provisions of this section shall not (i) apply in an instance where a separate, signed legal agreement exists between a landlord and tenant or homeowner and mortgage holder to stay legal action or defer the filing of an unlawful detainer motion for nonpayment of rent or foreclosure proceeding on any mortgage or to the execution of or sale under any

deed of trust for a term of ~~30~~ *60* days or greater or (ii) affect any other terms of a valid rental agreement or note secured by a one-family to four-family residential property, mortgage, or deed of trust unrelated to nonpayment of rent or default of a mortgage caused by a closure of the United States government.

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

CHAPTER 521

An Act to direct the Department of Medical Assistance Services to clarify that remote patient monitoring services for high-risk pregnant patients are available to patients with maternal hypertension and maternal diabetes and to report on the number of persons receiving and the cost of providing remote patient monitoring services for such conditions.

[H 1976]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Department of Medical Assistance Services (the Department) shall amend its regulations, guidance, and provider manuals as necessary to clarify that remote patient monitoring services for high-risk pregnant patients include pregnant patients with maternal diabetes and maternal hypertension. The Department shall submit a report on the number of persons receiving remote patient monitoring services for maternal diabetes and maternal hypertension and the cost of providing remote patient monitoring services to such persons to the Governor and the Chairs of the House Committees on Appropriations and Health and Human Services and the Senate Committees on Finance and Appropriations and Education and Health by November 1, 2025.*

CHAPTER 522

An Act to amend and reenact §§ 58.1-3212, 58.1-3213.1, and 58.1-3215 of the Code of Virginia, relating to real property tax; exemption for elderly and disabled individuals.

[H 2029]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 58.1-3212, 58.1-3213.1, and 58.1-3215 of the Code of Virginia are amended and reenacted as follows:

§ 58.1-3212. Local restrictions and exemptions.

A. Pursuant to Article X, Section 6 (b) of the Constitution of Virginia, the General Assembly hereby authorizes the governing body of a county, city or town to establish by ordinance net financial worth or annual income limitations as a condition of eligibility for any exemption or deferral of tax allowed pursuant to this article. If the governing body establishes an annual income limitation, the computation of annual income shall be based on adding together the income received during the preceding calendar year, without regard to whether a tax return is actually filed, by (i) owners of the dwelling who use it as their principal residence, (ii) owners' relatives who live in the dwelling, except for those relatives living in the dwelling and providing bona fide caregiving services to the owner whether such relatives are compensated or not, and (iii) at the option of each locality, nonrelatives of the owner who live in the dwelling except for bona fide tenants or bona fide caregivers of the owner, whether compensated or not. A locality may provide in its ordinance that, for the purpose of the computation of annual income, if an individual described in clause (ii) and (iii) is permanently and totally disabled, any disability income received by such person shall not be included. If the governing body establishes a net financial worth limitation, net financial worth shall be based on adding together the net financial worth, including the present value of equitable interests, as of December 31 of the immediately preceding calendar year, of the owners, and of the spouse of any owner, of the dwelling.

Nothing in this section shall be construed or interpreted as to preclude or prohibit the governing body of a county, city or town from excluding certain sources of income, or a portion of the same, for purposes of its annual income limitation or excluding certain assets, or a portion of the same, for purposes of its net financial worth limitation.

Any county, city, or town that pursuant to this article provides for the exemption from, deferral of, or a combination program of exemptions from and deferrals of real property taxes may exempt or defer the real property taxes of the qualifying dwelling and the land, not exceeding ten acres, upon which it is situated.

No local ordinance shall require that a citizen reside in the jurisdiction for a designated period of time as a condition for qualifying for any real estate tax exemption or deferral program established pursuant to § 58.1-3210.

B. A locality may, by ordinance, require that in order to qualify for an exemption or deferral under this section, a qualifying individual shall be required to either (i) pay all delinquent taxes, penalties, and interest assessed by the locality and incurred prior to becoming eligible for an exemption or deferral; (ii) enter into an installment agreement with the locality for the payment of all such delinquent amounts in installments over a period that is reasonable under the circumstances, but that in no event shall exceed 72 months; (iii) submit and obtain the treasurer's agreement to an offer in compromise pursuant to § 58.1-3994 with respect to all amounts of delinquent taxes, penalties, and interest; or (iv) a

combination thereof. Compliance with the installment or accepted offer in compromise shall be a requirement for remaining eligible for an exemption or deferral.

§ 58.1-3213.1. Notice of local real estate tax exemption or deferral program for elderly individuals and individuals with disabilities.

The treasurer of any county, city, or town shall enclose written notice, in each real estate tax bill, of the terms and conditions of any local real estate tax exemption or deferral program established in the jurisdiction pursuant to § 58.1-3210. *Such information may also be included in the notice of change in assessment required to be sent pursuant to § 58.1-3330.* The treasurer shall also employ any other reasonable means necessary to notify residents of the county, city, or town about the terms and conditions of the real estate tax exemption or deferral program for elderly individuals and individuals with disabilities who reside in the county, city, or town*, including posting the program information on the county, city, or town website in a clear and conspicuous manner*.

§ 58.1-3215. Effective date; change in circumstances.

A. An exemption or deferral enacted pursuant to § 58.1-3210 or 58.1-3211.1 may be granted for any year following the date that the qualifying individual occupying such dwelling and owning title or partial title thereto reaches the age of 65 years or for any year following the date the disability occurred. Changes in income, financial worth, ownership of property or other factors occurring during the taxable year for which an affidavit is filed and having the effect of exceeding or violating the limitations and conditions provided by county, city or town ordinance shall nullify any exemption or deferral for the remainder of the current taxable year and the taxable year immediately following. However, any locality may by ordinance provide *(i)* a prorated exemption or deferral for the portion of the taxable year during which the taxpayer qualified for such exemption or deferral *or (ii) a prorated exemption or deferral for the portion of the taxable year during which the taxpayer would have qualified for such exemption or deferral but had not yet filed an application. Any prorated exemption or deferral under clause (ii) shall apply only for the taxable year in which the taxpayer qualified for such exemption or deferral and not any prior year*.

B. An ordinance enacted pursuant to this article may provide that a change in ownership to a spouse or a nonqualifying individual, when such change resulted solely from the death of the qualifying individual, or a sale of such property shall result in a prorated exemption or deferral for the then current taxable year. The proceeds of the sale which would result in the prorated exemption or deferral shall not be included in the computation of net worth or income as provided in subsection A. Such prorated portion shall be determined by multiplying the amount of the exemption or deferral by a fraction wherein the number of complete months of the year such property was properly eligible for such exemption or deferral is the numerator and the number 12 is the denominator.

C. An ordinance enacted pursuant to this article may provide that an individual who does not qualify for the exemption or deferral under this article based upon the previous year's income limitations and financial worth limitations, may nonetheless qualify for the current year by filing an affidavit that clearly shows a substantial change of circumstances, that was not volitional on the part of the individual to become eligible for the exemption or deferral, and will result in income and financial worth levels that are within the limitations of the ordinance. The ordinance may impose additional conditions and require other information under this subsection. The locality may prorate the exemption or deferral from the date the affidavit is submitted or any other date.

Any exemption or deferral under this subsection must be conditioned upon the individual filing another affidavit after the end of the year in which the exemption or deferral was granted, within a period of time specified by the locality, showing that the actual income and financial worth levels were within the limitations set by the ordinance. If the actual income and financial worth levels exceeded the limitations any exemption or deferral shall be nullified for the current taxable year and the taxable year immediately following.

CHAPTER 523

An Act to amend and reenact §§ 54.1-4400, 54.1-4403, 54.1-4409.1, 54.1-4409.2, 54.1-4411, 54.1-4412.1, 54.1-4413.4, 54.1-4414, and 54.1-4425 of the Code of Virginia, relating to certified public accountant; educational requirements.

[H 2042]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-4400, 54.1-4403, 54.1-4409.1, 54.1-4409.2, 54.1-4411, 54.1-4412.1, 54.1-4413.4, 54.1-4414, and 54.1-4425 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-4400. Definitions.

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

"Accredited institution" means a degree-granting institution of higher education accredited either by (i) one of the regional accrediting organizations, including the Middle States Association of Colleges and Schools, New England Commission of Higher Education, Higher Learning Commission, Northwest Commission on Colleges and Universities, Southern Association of Colleges and Schools Commission on Colleges, and WASC Senior College and University Commission, or their successors or (ii) an accrediting organization demonstrating to the Board periodically, as prescribed by

the Board, that its accreditation process and standards are substantially equivalent to the accreditation process and standards of the regional accrediting organizations.

"Assurance" means any form of expressed or implied opinion or conclusion about the conformity of a financial statement with any recognition, measurement, presentation, or disclosure principles for financial statements.

"Attest services" means audit, review, or other engagements performed in accordance with the standards that have been established by the Public Company Accounting Oversight Board, by the Auditing Standards Board or the Accounting and Review Services Committee of the American Institute of Certified Public Accountants, or by any successor standard-setting authorities.

"Board" means the Virginia Board of Accountancy.

"Compilation services" means compiling financial statements in accordance with standards established by the American Institute of Certified Public Accountants or by any successor standard-setting authorities.

"Continuing professional education" means the education that a person obtains after passing the CPA examination and that relates to services provided to or on behalf of an employer in academia, government, or industry or to services provided to the public.

"CPA" means certified public accountant.

"CPA examination" means the national uniform CPA examination approved and administered by the board of accountancy of a state or by the board's designee.

"CPA wall certificate" means the symbolic document suitable for wall display that is issued by the board of accountancy of a state to a person meeting the requirements to use the CPA title in that state.

"Executive Director" means the Executive Director of the Board.

"Experience" means employment in academia, a firm, government, or an industry in any capacity involving the substantial use of accounting, financial, tax, or other skills that are relevant, as determined by the Board, to provide services to or on behalf of an employer or to the public. Such experience must be verified by an active, licensed CPA.

"Facilitated State Board Access" or "FSBA" means the sponsoring organization's process whereby it provides the Board access to peer review results via a secure website.

"Financial statement" means a presentation of historical or prospective financial information about one or more persons or entities.

"Financial statement preparation services" means engaging a licensee in public practice for financial statement preparation services executed in accordance with the standards established by the Statements on Standards for Accounting and Review Services of the American Institute of Certified Public Accountants or by any successor standard-setting authorities.

"Firm" means an entity formed by one or more licensees as a sole proprietorship, a partnership, a corporation, a limited liability company, or any other type of entity permitted by law with the purpose of providing professional services to the public.

"License of another state" means the license that is issued by the board of accountancy of a state other than Virginia that gives a person the privilege of using the CPA title in that state or that gives a firm the privilege of providing attest services, compilation services, and financial statement preparation services to persons and entities located in that state.

"Licensed" means holding a Virginia license or the license of another state.

"Licensee" means a person or firm holding a Virginia license or the license of another state.

"Peer review" means a review of a firm's attest services, compilation services, and financial statements preparation services that is conducted in accordance with the applicable monitoring program of the American Institute of Certified Public Accountants or its successor, or with another monitoring program approved by the Board.

"Practice of public accounting" means the performance of professional services for a client by a licensee or licensee's firm.

"Professional services" means all services requiring substantial use of accountancy or related skills that are performed by a licensee for a client or for an employer. Such services are subject to the guidance of the standard-setting authorities listed in the standards of conduct and practice in subdivisions 5 and 6 of § 54.1-4413.3 or by any equivalent standard-setting authority as approved by the Board.

"Providing services to or on behalf of an employer" means the performance of professional services while employed or engaged on a contractual basis by a licensee to or on behalf of an entity. "Providing services to or on behalf of an employer" does not include a person or firm engaged in the practice of public accounting.

"Providing services to the public" means providing services that are subject to the guidance of the standard-setting authorities listed in the standards of conduct and practice in subdivisions 5 and 6 of § 54.1-4413.3 or by an equivalent standard-setting authority as approved by the Board.

"Sponsoring organization" means a Board-approved professional society or other organization responsible for the facilitation and administration of peer reviews through use of its peer review program and applicable peer review standards.

"State" means any state of the United States, the District of Columbia, or any territory of the United States that is a recognized jurisdiction by the National Association of State Boards of Accountancy or its successor.

"Substantially equivalent" means a Board determination that the education requirements of another jurisdiction are comparable to those prescribed by the Board.

"Using the CPA title in Virginia" means the use of "CPA," "Certified Public Accountant," or "public accountant" in any manner of communication by any person, firm, or entity to persons or entities located in Virginia portraying such person, firm, or entity as being licensed or legally permitted to provide professional services in Virginia. Holding a Virginia license or the license of another state constitutes using the CPA title in Virginia.

"Virginia license" means a license that is issued by the Board giving a person or firm the privilege of using the CPA title in Virginia or a firm the privilege of providing attest services, compilation services, and financial statement preparation services to persons and entities located in Virginia.

§ 54.1-4403. General powers and duties of the Board.

The Board shall have the power and duty to:

1. Establish the qualifications of applicants for licensure, provided that all qualifications shall be necessary to ensure competence and integrity.

2. Examine, or cause to be examined, the qualifications of each applicant for licensure, including the preparation, administration, and grading of the CPA examination.

3. Promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) necessary to assure continued competency, to prevent deceptive or misleading practices by licensees, and to effectively administer the regulatory system.

4. Levy and collect fees for the issuance, renewal, or reinstatement of Virginia licenses that are sufficient to cover all expenses of the administration and operation of the Board.

5. Levy on holders of Virginia licenses special assessments necessary to cover expenses of the Board.

6. Initiate or receive complaints concerning the conduct of or violation of the provisions of this chapter or regulations promulgated by the Board by holders of Virginia licenses, individuals, firms, or entities claiming to hold a Virginia license, or unlicensed individuals, firms, or entities using the CPA title in Virginia, and to take appropriate disciplinary action if warranted.

7. Initiate or receive complaints concerning the conduct of persons or firms who use the CPA title in Virginia under the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411 or firms that provide attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia under the provisions of subsection C of § 54.1-4412.1, and to take appropriate disciplinary action if warranted.

8. Initiate or receive complaints concerning violations of the provisions of this chapter or regulations promulgated by the Board by persons or firms who use the CPA title in Virginia under the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411 or firms that provide attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia under the provisions of subsection C of § 54.1-4412.1, and to take appropriate disciplinary action if warranted.

9. Revoke, suspend, or refuse to renew or reinstate a Virginia license for just causes as prescribed by the Board.

10. Revoke or suspend, for just causes as prescribed by the Board, a person's or firm's privilege of using the CPA title in Virginia under the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411 or a firm's privilege of providing attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia under the provisions of subsection C of § 54.1-4412.1.

11. Establish requirements for peer reviews.

12. Establish continuing professional educational requirements as a condition for issuance, renewal, or reinstatement of a Virginia license.

13. Expand or interpret the standards of conduct and practice in § 54.1-4413.3.

14. Enter into contracts necessary or convenient for carrying out the provisions of this chapter or the functions of the Board.

15. Permit certain biographical references to previous CPA licensure.

16. Promulgate additional guidance on using the CPA title in Virginia as necessary.

17. Do all things necessary and convenient for carrying into effect this chapter and regulations promulgated by the Board.

§ 54.1-4409.1. Licensing requirements for persons.

A. A person must be licensed in order to use the CPA title in Virginia.

1. The person shall hold a Virginia license if he provides services to the public and the principal place of business in which he provides those services is in Virginia.

2. Other persons shall not be required to hold a Virginia license in order to use the CPA title in Virginia provided that they hold the license of another state and comply with the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411.

B. The Board shall prescribe the methods, fees, and continuing professional education requirements for a person to apply for the issuance, renewal, or reinstatement of a Virginia license.

C. The Board has the authority to refuse to grant a person the privilege of using the CPA title in Virginia if, based upon all the information available, the Board finds that the person is unfit or unsuited to use the CPA title in Virginia. The Board shall not refuse to grant a person the privilege of using the CPA title in Virginia solely because of a criminal conviction.

§ 54.1-4409.2. How a person may obtain a Virginia license.

A. A person who has not held the license of any state may obtain a Virginia license under this subsection.

1. To be considered for a Virginia license, the person seeking licensure shall:

a. Provide documentation that he has obtained from one or more accredited institutions at least 150 semester hours of education, a baccalaureate or higher degree, and an accounting concentration or equivalent, as defined by the Board. *For a person seeking licensure on or after January 1, 2026, provide documentation that he has obtained from one or more accredited institutions a baccalaureate or higher degree and an accounting concentration or equivalent, as defined by the Board*;

b. Provide documentation that he has passed the CPA examination;

c. Describe his continuing professional education since he passed the CPA examination. The Board shall determine whether his continuing professional education complies with the continuing professional education requirement prescribed by the Board for that period; and

d. *(1) For a person seeking licensure prior to January 1, 2026, describe* ~~Describe~~ his experience. The Board shall determine whether his experience complies with the experience requirement prescribed by the Board.

(2) For a person seeking licensure on or after January 1, 2026, provide documentation of qualifying experience as determined by the Board, which shall include:

(a) Two years of experience for a person who has obtained a baccalaureate degree. The Board shall permit at least 30 additional semester hours of education beyond the minimum hours required for a baccalaureate degree to be substituted for one year of experience; or

(b) One year of experience for a person who has obtained a master's degree.

2. After evaluating information provided by the person, the Board may request additional information and may impose additional requirements for obtaining a Virginia license.

B. A person who does not hold the license of another state but has previously held the license of another state may obtain a Virginia license under this subsection.

1. To be considered for a Virginia license, the person seeking licensure shall:

a. Disclose to the Board each state in which he has held a license;

b. Disclose, for each of those states, why the license is no longer held and provide documentation from the board of accountancy concerning whether he has been found guilty of any violations of the standards of conduct and practice established by statutes of the state or regulations promulgated by the board;

c. Describe the semester hours of education he has obtained from institutions of higher education. The Board shall determine whether the education obtained is substantially equivalent to the education ~~that would have been~~ required by the Board ~~when the person passed the CPA examination~~;

d. *Provide documentation that the person has passed the CPA examination;*

e. Describe his continuing professional education since he last held the license of another state. The Board shall determine whether his continuing professional education complies with requirement prescribed by the Board for reinstatement of a Virginia license; and

~~e.~~ *f.* Describe his experience. The Board shall determine whether his experience complies with the experience requirement prescribed by the Board.

2. After evaluating the information provided by the person, the Board may request additional information and may impose additional requirements for obtaining a Virginia license.

C. A person who holds the license of another state may obtain a Virginia license under this subsection.

1. To be considered for a Virginia license, the person seeking licensure shall:

a. Disclose to the Board each state in which he holds or has held a license;

b. Provide, for each state in which the person holds a license, documentation from the board of accountancy concerning whether he is in good standing with the board, whether there are any pending actions alleging violations of the standards of conduct and practice established by statutes of the state or regulations promulgated by the board, and whether he has been found guilty of any violations of the standards of conduct and practice established by statutes of the state or regulations promulgated by the board;

c. Disclose, for each state in which the person has held a license, why the license is no longer held and provide documentation from the board of accountancy concerning whether he has been found guilty of any violations of the standards of conduct and practice established by statutes of the state or regulations promulgated by the board;

d. Describe the semester hours of education he has obtained from institutions of higher education. The Board shall determine whether the education obtained is substantially equivalent to the education ~~that would have been~~ required by the Board ~~when the person passed the CPA examination~~;

e. *Provide documentation that the person has passed the CPA examination;*

f. Describe his continuing professional education during the most recent reporting period that would be required for the holder of a Virginia license. The Board shall determine whether his continuing professional education complies with the continuing professional education requirement prescribed by the Board for that period; and

~~f.~~ *g.* Describe his experience. The Board shall determine whether his experience complies with the experience requirement prescribed by the Board.

2. After evaluating the information provided by the person, the Board may request additional information and may impose additional requirements for obtaining a Virginia license.

§ 54.1-4411. Practice privilege provisions for persons who hold the license of another state.

A. A person who *(i)* holds ~~the license of another state shall be considered to have met requirements that are substantially equivalent to those prescribed by the Board if:~~

~~1. The Board has determined that the education, CPA examination, and experience requirements of the state are substantially equivalent to those prescribed by the Board, or~~

~~2. The person has demonstrated meeting education, CPA examination, and experience requirements that are substantially equivalent to those prescribed by the Board.~~ *a license in good standing issued by another state, territory of the United States, or the District of Columbia and (ii) has passed the CPA examination shall be granted practice privilege to provide services to the public in the Commonwealth without notice to the Board or payment of any fees.*

B. A person who ~~holds the license of another state and meets the substantial equivalency provisions of~~ *exercises practice privilege pursuant to* subsection A shall not be required to hold a Virginia license to use the CPA title in Virginia provided that either (i) he provides services to the public and the principal place of business in which he provides those services is in other states or (ii) he does not provide services to the public.

However, to use the CPA title in Virginia, the person shall:

1. Consent to be subject to:

a. The provisions of this chapter and regulations promulgated by the Board that apply to the holder of a Virginia license~~,~~*;*

b. The jurisdiction of the Board in all disciplinary proceedings arising out of matters related to his use of the CPA title *or providing services to the public* in Virginia*;* and

c. The Board's authority to revoke or suspend his privilege to use the CPA title in Virginia and to impose penalties for the person's violations of the provisions of this chapter and regulations promulgated by the Board.

2. Consent to the appointment of the executive director of the board of accountancy of the state that issued the license as his agent, upon whom process may be served (i) in any action or proceeding by the Board against him, or (ii) in any civil action in Virginia courts arising out of his using the CPA title in Virginia. In the event he holds a license from more than one state, the Board shall establish which executive director shall serve as his agent.

3. Consent to the personal and subject matter jurisdiction of the courts of Virginia in any civil action arising out of his use of the CPA title *or providing services to the public* in Virginia and agree that the proper venue for such actions is in Virginia.

4. Agree to cease using the CPA title in Virginia if he is no longer licensed.

C. A holder of a Virginia license who is using the CPA title in another state under substantial equivalency *or practice privilege* provisions of statutes of the state or regulations promulgated by the board of accountancy of the state shall be subject to disciplinary action by the Board for an act or omission committed in that state. The Board may investigate any complaint made to or by the board of accountancy of any state related to the person's use of the CPA title in that state.

D. The Board may cooperate and share information with appropriate authorities in other states in investigations or enforcement matters concerning violations of the provisions of this chapter or regulations promulgated by the Board and comparable statutes or regulations of other states or boards of accountancy.

E. Notwithstanding any provision of law to the contrary, if the Board determines after evaluation that another state has granted CPA licenses without requiring candidates to meet minimum qualifications acceptable to the Board, the Board may revoke practice privileges in the Commonwealth for CPAs licensed by that state. Individual CPAs from states for which practice privileges have been revoked can still qualify for practice privileges in the Commonwealth if the person would qualify for licensure in Virginia.

§ 54.1-4412.1. Licensing requirements for firms.

A. Only a licensed firm can provide attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia. However, this shall not affect the privilege of a person who is not licensed to include a statement on financial statements indicating that no assurance is provided on the financial statements, to say that financial statements have been compiled, or to use the compilation language, as prescribed by subsections B and C of § 54.1-4401.

B. A firm that provides attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia shall obtain a Virginia license if such firm's principal place of business is in Virginia.

C. A firm whose principal place of business is not in Virginia is not required to obtain a Virginia license but may provide attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia if the following provisions are met:

1. The firm holds the license of another state and can lawfully provide attest services, compilation services, or financial statement preparation services to persons or entities in the state where its principal place of business is located; and

2. The firm complies with subsection D; and

3. The firm's personnel working on the engagement either (i) hold a Virginia license or (ii) hold the license of another state and comply with the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411; or

4. The firm's personnel working on the engagement are under the supervision of a person who either (i) holds a Virginia license or (ii) holds the license of another state and complies with the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411.

D. For a firm to obtain and hold a Virginia license:

1. As determined on a firm-wide basis:

a. At least 51 percent of the owners of the firm shall be licensees, trustees of an eligible employee stock ownership plan as defined in § 13.1-543, or a firm that meets this requirement; and

b. At least 51 percent of the voting equity interest in the firm shall be owned by persons who are licensees, by trustees of an eligible employee stock ownership plan as defined in § 13.1-543, or by a firm that meets this requirement.

If the death, retirement, or departure of an owner causes either of these requirements not to be met, the requirement shall be met within one year after the death, retirement, or departure of the owner.

2. The Board shall prescribe requirements concerning the hours that owners who are not licensees work in the firm and may prescribe other requirements for those persons.

3. All attest services, compilation services, and financial statement preparation services provided for persons and entities located in Virginia shall be under the supervision of a person who either (i) holds a Virginia license or (ii) holds the license of another state and complies with the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411.

4. Any person who releases or authorizes the release of reports on attest services, compilation services, or financial statement preparation services provided for persons or entities located in Virginia shall:

a. Either (i) hold a Virginia license or (ii) hold the license of another state and comply with the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411; and

b. Meet any additional requirements the Board prescribes.

5. The firm shall conduct its attest services, compilation services, and financial statement preparation services in conformity with the standards of conduct and practice in § 54.1-4413.3 and regulations promulgated by the Board.

6. If the services provided by the firm are within the scope of the practice-monitoring program of the American Institute of Certified Public Accountants or its successor, the firm shall enroll in the program or in another practice-monitoring program for attest services, compilation services, and financial statement preparation services that is approved by the Board. In addition, if enrolled the firm shall:

a. Comply with any requirements prescribed by the Board in response to the results of peer reviews; and

b. Participate in the American Institute of Certified Public Accountants', or sponsoring organizations', Facilitated State Board Access process, or its successor process, or another process approved by the Board for peer reviews.

7. The name of the firm shall not be false, misleading, or deceptive.

E. The Board shall prescribe the methods and fees for a firm to apply for the issuance, renewal, or reinstatement of a Virginia license.

F. A firm may not use the CPA title in Virginia unless it holds a Virginia license or the license of another state as permitted in subsection C.

§ 54.1-4413.4. Penalties.

A. Penalties the Board may impose consist of:

1. Revoking a Virginia license or the privilege of using the CPA title in Virginia or providing attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia;

2. Suspending or refusing to renew or reinstate a Virginia license or the privilege of using the CPA title in Virginia or providing attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia;

3. Reprimanding, censuring, or limiting the scope of practice of any person, firm, or entity using a Virginia license or the CPA title in Virginia or any firm providing attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia;

4. Placing any person, firm, or entity using a Virginia license or the CPA title in Virginia or any firm providing attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia on probation, with or without terms, conditions, and limitations;

5. Requiring a firm holding a Virginia license to have an accelerated peer review conducted as the Board may specify or to take other remedial actions;

6. Requiring a person holding a Virginia license to satisfactorily complete additional or specific continuing professional education as the Board may specify;

7. Imposing a monetary penalty up to $100,000 for each violation of the provisions of this chapter or regulations promulgated by the Board; any monetary penalty may be sued for and recovered in the name of the Commonwealth; and

8. Requiring any person, firm, or entity that violates § 54.1-4414 to discontinue any acts in violation of that provision.

B. The Board may impose penalties on persons, firms, or entities using a Virginia license or the CPA title in Virginia or firms or entities providing attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia for:

1. Violation of the provisions of this chapter or violation of any regulation, subpoena, or order of the Board;

2. Fraud or deceit in obtaining, renewing, or applying for reinstatement or lifting the suspension of a Virginia license;

3. Revocation, suspension, or refusal to reinstate the license of another state for disciplinary reasons;

4. Revocation or suspension of the privilege of practicing before any state or federal agency or federal court of law;

5. Dishonesty, fraud, or gross negligence in providing services to or on behalf of an employer, in providing services to the public, or in providing attest services, compilation services, or financial statement preparation services;

6. Dishonesty, fraud, or gross negligence in preparing the person's or firm's own state or federal income tax return or financial statement;

7. Conviction of a felony, or of any crime involving moral turpitude, under the laws of the United States, of Virginia, or of any other state if the acts involved would have constituted a crime under the laws of Virginia; or

8. Lack of the competence required to provide services to the public for persons and entities located in Virginia or to provide attest services, compilation services, and financial statement preparation services to persons and entities located in Virginia, as determined by the Board.

C. The Board may also impose penalties on:

1. A person, firm, or entity that does not hold a Virginia license, or that does not meet the requirements to use the CPA title in Virginia under the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411, and commits any of the acts prohibited by § 54.1-4414; or

2. A firm or entity that does not meet the criteria prescribed by subdivision D 1 of § 54.1-4412.1 and commits any of the acts prohibited by § 54.1-4414.

§ 54.1-4414. Prohibited acts.

Neither (i) a person who does not hold a Virginia license or who does not meet the requirements to use the CPA title in Virginia under the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411 nor (ii) an entity that does not meet the criteria prescribed by subdivision D 1 of § 54.1-4412.1 shall:

1. Practice public accounting;

2. Claim to hold a license to use the CPA title;

3. Make any other claim of licensure, registration, or approval related to the preparation of financial statements that is false or misleading;

4. Use the CPA title; or

5. Refer to any of the standard-setting authorities listed in the standards of conduct and practice in subdivisions 5 and 6 of § 54.1-4413.3, or refer to or use any of the terminology prescribed by those authorities for reporting on financial statements, in any form or manner of communication about services provided to persons or entities located in Virginia.

§ 54.1-4425. Time for filing complaints against CPAs or CPA firms.

A. Except as otherwise provided in subsections B and C, any complaint against the holder of a Virginia license for any violation of statutes or regulations pertaining to the Board or any of the programs that may be in another title of the Code for which the Board has enforcement responsibility, in order to be investigated by the Board, shall be made in writing, or otherwise made in accordance with Board procedures, and received by the Board within ~~three~~ *five* years of the act, omission, or occurrence giving rise to the violation.

B. However, where a holder of a Virginia license has materially and willfully misrepresented, concealed, or omitted any information and the information so misrepresented, concealed, or omitted is material to the establishment of the violation, the complaint may be made at any time within two years after discovery of the misrepresentation, concealment, or omission.

C. In cases where criminal charges have been filed involving matters that, if found to be true, would also constitute a violation of the regulations or laws of the regulant's profession enforced by the Board, an investigation may be initiated by the Board at any time within ~~three~~ *five* years following the date of conviction.

D. In order to be investigated by the Board, any complaint against an individual or firm using the CPA title in Virginia under the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411 or against a firm or entity providing attest services, compilation services, or financial statement preparation services under subsection C of § 54.1-4412.1 for any violation of statutes or regulations pertaining to the Board or any of the programs that may be in another title of this Code for which the Board has enforcement responsibility shall be made in writing, or otherwise made in accordance with Board procedures, and received by the Board within five years of the act, omission, or occurrence giving rise to the violation.

E. Public information obtained from any source may serve as the basis for a written complaint. Nothing in this section shall be construed to require the filing of a complaint if the alleged violation of the statute or regulation is discovered during an investigation authorized by law, and the acts, omissions, or conditions constituting the alleged violations are witnessed by a sworn investigator appointed by the Executive Director.

F. Nothing herein shall deny the right of any party to bring a civil cause of action in a court of law.

2. That the Board of Accountancy shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

CHAPTER 524

An Act to require education preparation programs to complete a self-audit for compliance with certain statutory requirements relating to student literacy instruction and the identification of students at risk for learning disabilities; report.

[H 2053]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. Each education preparation program offered by a public institution of higher education or private institution of higher education that has not yet been audited in accordance with the provisions of subsection D of § 23.1-902.1 of the*

Code of Virginia as of July 1, 2025, shall complete a self-audit for compliance with the requirements set forth in subsections B and E of § 23.1-902.1 and § 22.1-298.4 of the Code of Virginia, utilizing a rubric developed and provided by the Department of Education no later than September 1, 2026, with metrics that analyze the degree to which it has met each such requirement, and shall submit the results of such audit and a plan for closing any gaps to the House Committee on Education and the Senate Committee on Education and Health no later than November 1, 2026.

CHAPTER 525

An Act to amend and reenact § 22.1-272.1 of the Code of Virginia, relating to student health and safety; responsibility to contact parent of student at imminent risk of suicide; provision of suicide prevention materials required.

[H 2055]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-272.1 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-272.1. Responsibility to contact parent of student at imminent risk of suicide; notice to be given to social services if parental abuse or neglect; Board of Education to develop guidelines for parental contact.

A. Any person licensed as administrative or instructional personnel by the Board of Education and employed by a local school board who~~,~~ in the scope of his employment~~,~~ has reason to believe, as a result of direct communication from a student, that such student is at imminent risk of suicide~~,~~ shall, as soon as practicable, *(i)* contact at least one of such student's parents to ask whether such parent is aware of the student's mental state and whether the parent wishes to obtain or has already obtained counseling for such student *and (ii) provide to the parent materials on suicide prevention that shall include information on the legal requirements set forth in § 18.2-56.2 relating to the safe storage of firearms in the presence of minors and that may include guidance on best practices and strategies for limiting a student's access to lethal means, including firearms and medications*. Such contact shall be made *and any materials on suicide prevention provided shall be selected* in accordance with the provisions of the guidelines required by subsection C.

B. If the student has indicated that the reason for being at imminent risk of suicide relates to parental abuse or neglect, this contact shall not be made with the parent. Instead, the person shall, as soon as practicable, notify the local department of social services of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred or the state Department of Social Services' toll-free child abuse and neglect hotline, as required by § 63.2-1509. When giving this notice to the local or state department, the person shall stress the need to take immediate action to protect the child from harm.

C. The Board of Education, in cooperation with the Department of Behavioral Health and Developmental Services and the Department of Health, shall develop guidelines for making the contact required by subsection A. These guidelines shall include, but need not be limited to, (i) criteria to assess the suicide risks of students~~,~~*;* (ii) characteristics to identify potentially suicidal students~~,~~*;* (iii) appropriate responses to students expressing suicidal intentions~~,~~*;* (iv) available and appropriate community services for students expressing suicidal intentions~~,~~*;* (v) suicide prevention strategies ~~which~~ *that* may be implemented by local schools for students expressing suicidal intentions~~,~~*;* (vi) criteria for notification of and discussions with parents of students expressing suicidal intentions~~,~~*;* (vii) criteria for as-soon-as-practicable contact with the parents~~,~~*;* (viii) *criteria for selecting materials on suicide prevention, including those relating to safe firearm storage and best practices and strategies for limiting a student's access to lethal means, to be provided to the parent of any student expressing suicidal intentions, including materials that have been pre-approved for such use by the Board; (ix)* appropriate sensitivity to religious beliefs~~,~~*;* and ~~(ix)~~ *(x)* legal requirements and criteria for notification of public service agencies, including, but not limited to, the local or state social services and mental health agencies. These guidelines may include case studies and problem-solving exercises and may be designed as materials for in-service training programs for licensed administrative and instructional personnel.

CHAPTER 526

An Act to amend the Code of Virginia by adding a section numbered 46.2-920.1:1, relating to portable changeable message signs; certain vehicles.

[H 2074]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 46.2-920.1:1 as follows:

§ 46.2-920.1:1. Portable changeable message signs; certain vehicles.

Any vehicle authorized to be equipped with flashing, blinking, or alternating amber warning lights pursuant to subdivision A 1 or 2 of § 46.2-1025 may be equipped with a portable changeable message sign. Such portable changeable message sign may be used without prior authorization from the Department of Transportation, provided that (i) such use complies with all state and federal laws, regulations, and policies regarding the use and operation of portable changeable

message signs; (ii) such sign is only activated when the vehicle is being used to perform the duties and functions that qualify such vehicle to be equipped with amber warning lights; and (iii) for those vehicles authorized to use such lights pursuant to subdivision A 1 of § 46.2-1025, such sign is only activated when the vehicle is stationary.

CHAPTER 527

An Act to amend and reenact §§ 10.1-603.24 and 10.1-603.25 of the Code of Virginia, relating to Virginia Community Flood Preparedness Fund; loan and grant program; eligible recipients; federally recognized tribes and Virginia recognized tribes.

[H 2077]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 10.1-603.24 and 10.1-603.25 of the Code of Virginia are amended and reenacted as follows:

§ 10.1-603.24. Definitions.

As used in this article, unless the context requires a different meaning:

"Authority" means the Virginia Resources Authority.

"Cost," as applied to any project financed under the provisions of this article, means the total of all costs incurred by the local government*, federally recognized tribe, or Virginia recognized tribe* as reasonable and necessary for carrying out all works and undertakings necessary or incident to the accomplishment of any project.

"Department" means the Virginia Department of Conservation and Recreation.

"Flood prevention or protection" means the construction of hazard mitigation projects, acquisition of land, or implementation of land use controls that reduce or mitigate damage from coastal or riverine flooding.

"Flood prevention or protection study" means the conduct of a hydraulic or hydrologic study of a flood plain with historic and predicted floods, the assessment of flood risk, and the development of strategies to prevent or mitigate damage from coastal or riverine flooding.

"Fund" means the Virginia Community Flood Preparedness Fund created pursuant to § 10.1-603.25.

"Local government" means any county, city, town, municipal corporation, authority, district, commission, or political subdivision created by the General Assembly or pursuant to the Constitution of Virginia or laws of the Commonwealth.

"Low-income geographic area" means any locality, or community within a locality, that has a median household income that is not greater than 80 percent of the local median household income, or any area in the Commonwealth designated as a qualified opportunity zone by the U.S. Secretary of the Treasury via his delegation of authority to the Internal Revenue Service.

"Nature-based solution" means an approach that reduces the impacts of flood and storm events through the use of environmental processes and natural systems. A nature-based solution may provide additional benefits beyond flood control, including recreational opportunities and improved water quality.

§ 10.1-603.25. Virginia Community Flood Preparedness Fund; loan and grant program.

A. The Virginia Community Flood Preparedness Fund is hereby established as a permanent and perpetual fund. All sums that are designated for deposit in the Fund from revenue generated by the sale of emissions allowances pursuant to subdivision C 1 of § 10.1-1330, all sums that may be appropriated to the Fund by the General Assembly, all receipts by the Fund from the repayment of loans made by it to local governments*, federally recognized tribes, and Virginia recognized tribes*, all income from the investment of moneys held in the Fund, and any other sums designated for deposit to the Fund from any source, public or private, including any federal grants and awards or other forms of assistance received by the Commonwealth that are eligible for deposit in the Fund under federal law, shall be designated for deposit to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including any appropriated funds and all principal, interest accrued, and payments, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. All loans and grants provided under this article shall be deemed to promote the public purposes of enhancing flood prevention or protection and coastal resilience.

B. Moneys in the Fund shall be used solely for the purposes of enhancing flood prevention or protection and coastal resilience as required by this article. The Authority shall manage the Fund and shall establish interest rates and repayment terms of such loans as provided in this article in accordance with a memorandum of agreement with the Department. The Authority may disburse from the Fund its reasonable costs and expenses incurred in the management of the Fund. The Department shall direct distribution of loans and grants from the Fund in accordance with the provisions of subsection D.

C. The Authority is authorized at any time and from time to time to pledge, assign, or transfer from the Fund or any bank or trust company designated by the Authority any or all of the assets of the Fund to be held in trust as security for the payment of principal of, premium, if any, and interest on any and all bonds, as defined in § 62.1-199, issued to finance any flood prevention or protection project undertaken pursuant to the provisions of this article. In addition, the Authority is authorized at any time and from time to time to sell upon such terms and conditions as the Authority deems appropriate any loan or interest thereon made pursuant to this article. The net proceeds of the sale remaining after payment of costs and expenses shall be designated for deposit to, and become part of, the Fund.

D. 1. The Fund shall be administered by the Department as prescribed in this article. The Department, in consultation with the Secretary of Natural and Historic Resources and the Chief Resilience Officer of the Commonwealth, shall establish guidelines regarding the distribution and prioritization of loans and grants, including loans and grants that support flood prevention or protection studies of statewide or regional significance. The Department shall develop and provide an opportunity for a 30-day public comment period prior to each new grant or loan offering to solicit feedback on proposed revisions to the Virginia Community Flood Preparedness Manual. A record of each application for a grant or loan and the action taken thereon shall be available for public inspection at the office of the Department and on a publicly accessible website.

2. The Director shall convene an Advisory Review Committee (the Committee) to assist in the distribution of loans and grants from the Fund. The Committee shall review applications to the Fund and make recommendations on the disbursement of moneys from the Fund and any other appropriate issues to the Department, the Secretary of Natural and Historic Resources, and the Chief Resilience Officer of the Commonwealth. The Committee shall include representatives from the Department of Emergency Management, the Department of Environmental Quality, the Department of Housing and Community Development, a nonprofit group engaged in resilience efforts, the agriculture industry, the manufacturing industry, and the business community, the Virginia Director of the Chesapeake Bay Commission, and others as the Director deems appropriate. Appointed members of the Committee shall serve without compensation.

E. Localities*, federally recognized tribes, and Virginia recognized tribes* shall use moneys from the Fund primarily for the purpose of implementing flood prevention and protection projects and studies in areas that are subject to recurrent flooding as confirmed by a locality-certified floodplain manager. Moneys in the Fund may be used to mitigate future flood damage and to assist inland and coastal communities across the Commonwealth that are subject to recurrent or repetitive flooding. No less than 25 percent of the moneys disbursed from the Fund each year shall be used for projects in low-income geographic areas. Priority shall be given to projects that implement community-scale hazard mitigation activities that use nature-based solutions to reduce flood risk.

F. Any locality*, federally recognized tribe, or Virginia recognized tribe* is authorized to secure a loan made pursuant to this section by placing a lien up to the value of the loan against any property that benefits from the loan. Such a lien shall be subordinate to each prior lien on such property, except prior liens for which the prior lienholder executes a written subordination agreement, in a form and substance acceptable to the prior lienholder in its sole and exclusive discretion, that is recorded in the land records where the property is located.

G. Any locality*, federally recognized tribe, or Virginia recognized tribe* using moneys in the Fund to provide a loan for a project in a low-income geographic area is authorized to forgive the principal of such loan. If a locality*, federally recognized tribe, or Virginia recognized tribe* forgives the principal of any such loan, any obligation of the locality*, federally recognized tribe, or Virginia recognized tribe* to repay that principal to the Commonwealth shall not be forgiven and such obligation shall remain in full force and effect. The total amount of loans forgiven by all localities*, federally recognized tribes, and Virginia recognized tribes* in a fiscal year shall not exceed 30 percent of the amount appropriated in such fiscal year to the Fund by the General Assembly.

CHAPTER 528

An Act to direct the Virginia Health Benefits Exchange to establish a special enrollment period for pregnant qualified individuals.

[H 2083]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Virginia Health Benefits Exchange (the Exchange) shall establish, by January 1, 2026, a special enrollment period for a pregnant qualified individual to enroll in a qualified health plan at any time after the commencement of the pregnancy, in a form and manner prescribed by the Exchange.*

CHAPTER 529

An Act to amend and reenact §§ 9.1-191, 19.2-11.5, as it is currently effective and as it shall become effective, and 19.2-368.3 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-11.6:1 and by adding in Article 8 of Chapter 5 of Title 32.1 a section numbered 32.1-162.15:12, relating to Virginia Forensic Nursing Advisory Council established; sexual assault forensic examiners; physical evidence recovery kits.

[H 2088]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-191, 19.2-11.5, as it is currently effective and as it shall become effective, and 19.2-368.3 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 19.2-11.6:1 and by adding in Article 8 of Chapter 5 of Title 32.1 a section numbered 32.1-162.15:12 as follows:

§ 9.1-191. Virginia Sexual Assault Forensic Examiner Coordination Program.

A. The Department shall establish ~~a~~ *the* Virginia ~~sexual assault forensic examiner coordination program~~ *Sexual Assault Forensic Examiner Coordination Program (the Program)*. The ~~program~~ *Program* shall be headed by a coordinator (the Coordinator). The Coordinator shall:

1. Create and coordinate an annual statewide sexual assault forensic nurse examiner training program in partnership with the Attorney General, the Department of Health, the Virginia Hospital and Healthcare Association, the Victim Compensation Fund, the International Association of Forensic Nurses, ~~and~~ the Secretary of Health and Human ~~Services~~ *Resources, and the Virginia Forensic Nursing Advisory Council*;

2. Coordinate the development and enhancement of sexual assault forensic examiner programs across the Commonwealth that include prevention of secondary trauma to survivors of sexual assault and culturally sensitive training for health professionals;

3. Participate in the development of hospital protocols and guidelines for treatment of survivors of sexual assault in partnership with the Department of Health;

4. Coordinate and strengthen communications among sexual assault nurse examiner medical directors, sexual assault response teams, and hospitals for existing and developing sexual assault nurse examiner programs;

5. Provide technical assistance for existing and developing sexual assault forensic examiner programs, including local sexual assault forensic examiner training programs;

6. Create and maintain a statewide list, updated biannually, to include the following:

a. A list of available sexual assault forensic examiners, sexual assault nurse examiners, sexual assault forensic nurse examiners, and pediatric sexual assault nurse examiners;

b. The location and facility affiliation of each examiner;

c. The duty hours for each examiner and affiliated facility for sexual assault exam services; and

d. The location of available local sexual assault forensic examiner training programs;

7. Coordinate, share, and disseminate the list created pursuant to subdivision 6 to the emergency operations communications system available to emergency medical services and law-enforcement agencies as well as the internal emergency and hospital communications system;

8. Share and disseminate the list created pursuant to subdivision 6 with all other relevant agencies, including law-enforcement agencies, attorneys for the Commonwealth, victim-witness programs, sexual assault service organizations, the Department of Juvenile Justice, the Department of Social Services, the Department of Education, and school divisions;

9. Create sexual assault nurse examiner recruitment materials for universities and colleges with nursing programs in partnership with the State Council of Higher Education for Virginia; and

10. Support and coordinate community education and public outreach, when appropriate, relating to sexual assault nurse examiner issues for the Commonwealth.

B. The Coordinator may request and shall receive from every department, division, board, bureau, commission, authority, or other agency created by the Commonwealth, or to which the Commonwealth is a party, or any political subdivision thereof, cooperation and assistance in the performance of its duties. The Coordinator may also consult and exchange information with local government agencies and interested stakeholders.

C. The Coordinator shall report annually on or before October 1 to the Governor and the General Assembly. The report shall include a summary of activities for the year and any recommendations to address sexual assault exams within the Commonwealth, including budget needs to increase the availability of sexual assault exam services across the Commonwealth. The Department shall ensure that such report is available to the public.

§ 19.2-11.5. (Effective until July 1, 2025) Definitions.

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

"Anonymous physical evidence recovery kit" means a physical evidence recovery kit that is collected from a victim of sexual assault through a forensic medical examination where the victim elects, at the time of the examination, not to report the sexual assault offense to a law-enforcement agency.

"Department" means the Virginia Department of Forensic Science.

"Division" means the Division of Consolidated Laboratory Services of the Virginia Department of General Services.

"Health care provider" means ~~any hospital, clinic, or other medical facility~~ *a health care provider as defined in § 8.01-581.1* that provides forensic medical examinations to victims of sexual assault.

"Law-enforcement agency" means the state or local law-enforcement agency with the primary responsibility for investigating an alleged sexual assault offense case and includes the employees of that agency.

"Physical evidence recovery kit" means any evidence collection kit supplied by the Department to health care providers for use in collecting evidence from victims of sexual assault during forensic medical examinations or to the Office of the Chief Medical Examiner for use during death investigations to collect evidence from decedents who may be victims of sexual assault.

"Sexual assault forensic examiner" means a health care provider who has completed the education and training recommended by the Virginia Forensic Nursing Advisory Council, approved by the Board of Health pursuant to § 32.1-162.15:12, to conduct examinations using a physical evidence recovery kit.

"Sexual assault offense" means a violation or attempted violation of any offense enumerated in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 or of any offense specified in § 18.2-361, 18.2-370, or 18.2-370.1.

"Telehealth sexual assault forensic examination" means an in-person forensic medical examination by a health care provider in consultation with and under the supervision of a sexual assault forensic examiner using telehealth services as defined in § 32.1-122.03:1 to collect evidence using a physical evidence recovery kit.

"Victim of sexual assault" means any person who undergoes a forensic medical examination for the collection of a physical evidence recovery kit connected to a sexual assault offense.

§ 19.2-11.5. (Effective July 1, 2025) Definitions.

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

"Anonymous physical evidence recovery kit" means a physical evidence recovery kit that is collected from a victim of sexual assault through a forensic medical examination where the victim elects, at the time of the examination, not to report the sexual assault offense to a law-enforcement agency.

"Anonymous trace evidence collection kit" means a trace evidence collection kit that is collected from a victim of strangulation through a forensic medical examination where the victim elects, at the time of the examination, not to report the strangulation to a law-enforcement agency.

"Department" means the Virginia Department of Forensic Science.

"Division" means the Division of Consolidated Laboratory Services of the Virginia Department of General Services.

"Health care provider" means ~~any hospital, clinic, or other medical facility~~ *a health care provider as defined in § 8.01-581.1* that provides forensic medical examinations to victims of sexual assault.

"Law-enforcement agency" means the state or local law-enforcement agency with the primary responsibility for investigating an alleged sexual assault offense case and includes the employees of that agency.

"Physical evidence recovery kit" means any evidence collection kit supplied by the Department to health care providers for use in collecting evidence from victims of sexual assault during forensic medical examinations or to the Office of the Chief Medical Examiner for use during death investigations to collect evidence from decedents who may be victims of sexual assault.

"Sexual assault forensic examiner" means a health care provider who has completed the education and training recommended by the Virginia Forensic Nursing Advisory Council, approved by the Board of Health pursuant to § 32.1-162.15:12, to conduct examinations using a physical evidence recovery kit.

"Sexual assault offense" means a violation or attempted violation of any offense enumerated in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 or of any offense specified in § 18.2-361, 18.2-370, or 18.2-370.1.

"Telehealth sexual assault forensic examination" means an in-person forensic medical examination by a health care provider in consultation with and under the supervision of a sexual assault forensic examiner using telehealth services as defined in § 32.1-122.03:1 to collect evidence using a physical evidence recovery kit.

"Trace evidence collection kit" means any evidence collection kit supplied by the Department to health care providers for use in collecting evidence from victims of strangulation during forensic medical examinations or to the Office of the Chief Medical Examiner for use during death investigations to collect evidence from decedents who may be victims of strangulation.

"Victim of sexual assault" means any person who undergoes a forensic medical examination for the collection of a physical evidence recovery kit connected to a sexual assault offense.

"Victim of strangulation" means any person who undergoes a forensic medical examination for the collection of evidence in connection with an alleged strangulation.

§ 19.2-11.6:1. Telehealth sexual assault forensic examinations; admissibility of physical evidence recovery kit.

A. A health care provider may conduct a telehealth sexual assault forensic examination for a victim of sexual assault if a sexual assault forensic examiner is not readily available to conduct an in-person forensic medical examination for the collection of a physical evidence recovery kit.

B. A physical evidence recovery kit collected during a telehealth sexual assault forensic examination shall not be determined to be inadmissible solely because the physical evidence recovery kit was collected during a telehealth sexual assault forensic examination and not directly by a sexual assault forensic examiner, provided that such physical evidence recovery kit is otherwise admissible pursuant to the general rules of evidence.

§ 19.2-368.3. Powers and duties of Commission.

The Commission shall have the following powers and duties in the administration of the provisions of this chapter:

1. To adopt, promulgate, amend and rescind suitable rules and regulations to carry out the provisions and purposes of this chapter, to include a distinct policy (i) for the payment of physical evidence recovery kit examinations*, including mileage at a rate provided by law incurred by a sexual assault forensic examiner as defined in § 19.2-11.5,* and (ii) to require each health care provider as defined in § 8.01-581.1 that provides services under this chapter to negotiate with the Commission or its designee to establish prospective agreements relating to rates for payment of claims for such services allowed under § 19.2-368.11:1, such rates to discharge the obligation to the provider in full except where the provider is an agency of the Commonwealth and the claimant receives a third party recovery in addition to the payment from the Fund.

2. Notwithstanding the provisions of §§ 2.2-3706 and 2.2-3706.1, to acquire from the attorneys for the Commonwealth, State Police, local police departments, sheriffs' departments, and the Chief Medical Examiner such investigative results, information and data as will enable the Commission to determine if, in fact, a crime was committed or attempted, and the extent, if any, to which the victim or claimant was responsible for his own injury. These data shall include prior adult arrest records and juvenile court disposition records of the offender. For such purposes and in accordance

with § 16.1-305, the Commission may also acquire from the juvenile and domestic relations district courts a copy of the order of disposition relating to the crime. The use of any information received by the Commission pursuant to this subdivision shall be limited to carrying out the purposes set forth in this section, and this information shall be confidential and shall not be disseminated further. The agency from which the information is requested may submit original reports, portions thereof, summaries, or such other configurations of information as will comply with the requirements of this section.

3. To hear and determine all claims for awards filed with the Commission pursuant to this chapter, and to reinvestigate or reopen cases as the Commission deems necessary.

4. To require and direct medical examination of victims.

5. To hold hearings, administer oaths or affirmations, examine any person under oath or affirmation and to issue summonses requiring the attendance and giving of testimony of witnesses and require the production of any books, papers, documentary or other evidence. The powers provided in this subsection may be delegated by the Commission to any member or employee thereof.

6. To take or cause to be taken affidavits or depositions within or without the Commonwealth.

7. To render each year to the Governor and to the General Assembly a written report of its activities. This report shall include a detailed section on all unclaimed restitution collected and disbursed to the victim from the Criminal Injuries Compensation Fund pursuant to subsection I of § 19.2-305.1.

8. To accept from the government of the United States grants of federal moneys for disbursement under the provisions of this chapter.

9. To collect and disburse unclaimed restitution pursuant to subsection I of § 19.2-305.1 and develop, in consultation with circuit court clerks and the Office of the Executive Secretary of the Supreme Court of Virginia, policies and procedures for the receipt, collection, and disbursement of unclaimed restitution to victims of crime.

10. To identify and locate victims of crime for whom restitution owed to such victims has been deposited into the Criminal Injuries Compensation Fund pursuant to subsection I of § 19.2-305.1. Notwithstanding the provisions of §§ 2.2-3706 and 2.2-3706.1, the Commission may acquire from the attorneys for the Commonwealth, State Police, local police departments, and sheriffs' departments such information as will enable the Commission to identify and locate such victims. The use of any information received by the Commission pursuant to this subdivision shall be limited to carrying out the purposes set forth in this section, and this information shall be confidential and shall not be disseminated further.

§ 32.1-162.15:12. Virginia Forensic Nursing Advisory Council.

A. The Virginia Forensic Nursing Advisory Council (the Council) is hereby established as an advisory board within the meaning of § 2.2-2100 in the executive branch of state government. The Council shall consist of five members to be appointed by the Governor. Each member shall have expertise as a sexual assault forensic examiner, as defined in § 19.2-11.5, and shall currently reside and practice in the Commonwealth. Members shall be appointed for terms of four years and shall not be eligible to serve for more than two consecutive terms.

B. The Council shall review and make recommendations as necessary to the Board with support from the Coordinator of the Virginia Sexual Assault Forensic Examiner Coordination Program, established pursuant to § 9.1-191, concerning:

1. Criteria to become a sexual assault forensic examiner;

2. The process for certification as a sexual assault forensic examiner;

3. The curriculum and training program of an entity seeking approval to train sexual assault forensic examiners; and

4. Qualifications of prospective sexual assault forensic examiners.

C. The Council shall periodically, but at least annually, submit a report to the General Assembly regarding the status of sexual assault forensics in the Commonwealth, including any recommendations to improve the quality of such services throughout the Commonwealth.

CHAPTER 530

An Act to amend the Code of Virginia by adding in Chapter 36 of Title 38.2 a section numbered 38.2-3611, relating to Medicare supplement policies; annual open enrollment period.

[H 2100]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 36 of Title 38.2 a section numbered 38.2-3611 as follows:

§ 38.2-3611. Annual open enrollment period.

A. An insurer, health services plan, or health maintenance organization issuing individual Medicare supplement policies or certificates in the Commonwealth, including policies or certificates issued on an individual basis through a non-employer group trust, plan, or association, shall offer to an individual currently insured under any such policy or certificate an annual open enrollment period commencing on the day of the individual's birthday and remaining open for at least 60 days thereafter, during which time the individual may purchase any Medicare supplement policy made available by any insurer in the Commonwealth that offers the same benefits as those provided by the current coverage. Innovative

benefits, as described in 42 U.S.C. § 1395ss(p)(4)(B), shall not be considered when determining whether a Medicare supplement policy includes the same benefits as those provided by the previous coverage.

B. During the annual open enrollment period offered pursuant to this section, no insurer, health services plan, or health maintenance organization shall deny or condition the issuance or effectiveness, or discriminate in the price of coverage, of a Medicare supplement policy based on the health status, claims history, receipt of health care, or medical condition of an individual currently insured under any such policy.

C. At least 15 days but not more than 30 days prior to the commencement of an annual open enrollment period for an individual to whom the open enrollment period established by the provisions of this section applies, the insurer, health services plan, or health maintenance organization issuing a Medicare supplement policy or certificate shall notify each such individual of:

1. The dates on which the open enrollment period begins and ends;

2. The rights of the individual during the open enrollment period; and

3. Any modification of the benefits provided by the policy under which the individual is currently insured or adjustment of the premiums charged for that policy.

D. As used in this section, "Medicare supplement policy" includes policies offered by public entities that otherwise meet the requirements of this chapter.

CHAPTER 531

An Act to amend and reenact § 16.1-263 of the Code of Virginia, relating to summonses of a juvenile; custody, visitation, and support proceedings.

[H 2115]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-263 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-263. Summonses.

A. After a petition has been filed, the court shall direct the issuance of summonses, one directed to the juvenile, if the juvenile is ~~twelve~~ *12* or more years of age, *except for juveniles whose custody, visitation, or support is a subject of controversy or requires determination pursuant to subdivision A 3 of § 16.1-241,* and another to at least one parent, guardian, legal custodian, or other person standing in loco parentis, and such other persons as appear to the court to be proper or necessary parties to the proceedings.

After a petition has been filed in cases involving custody or visitation of a juvenile pursuant to subdivision A 3 of § 16.1-241, the court may direct the issuance of a summons to the juvenile for any hearing to adjudicate or dispose of such petition (i) on its own motion or (ii) upon request of any party to such petition.

After a petition has been filed in cases solely involving support of a juvenile pursuant to subdivision A 3 of § 16.1-241, the court may direct the issuance of a summons to the juvenile (a) on its own motion or (b) for good cause shown by the party requesting the issuance of such summons.

After a petition has been filed against an adult pursuant to subsection C or D of § 16.1-259, the court shall direct the issuance of a summons against the adult.

The summons shall require them to appear personally before the court at the time fixed to answer or testify as to the allegations of the petition. Where the custodian is summoned and such person is not a parent of the juvenile in question, a parent shall also be served with a summons. The court may direct that other proper or necessary parties to the proceedings be notified of the pendency of the case, the charge and the time and place for the hearing.

Any such summons shall be deemed a mandate of the court, and willful failure to obey its requirements shall subject any person guilty thereof to liability for punishment for contempt. Upon the failure of any person to appear as ordered in the summons, the court shall immediately issue an order for such person to show cause why he should not be held in contempt.

The parent, guardian, legal custodian, or other person standing in loco parentis shall not be summoned to appear or be punished for failure to appear in cases of adults who are brought before the court pursuant to subsection C or D of § 16.1-259 unless such person is summoned as a witness.

B. The summons shall advise the parties of their right to counsel as provided in § 16.1-266. A copy of the petition shall accompany each summons for the initial proceedings. The summons shall include notice that in the event that the juvenile is committed to the Department or to a secure local facility, at least one parent or other person legally obligated to care for and support the juvenile may be required to pay a reasonable sum for treatment of the juvenile pursuant to § 16.1-290. Notice of subsequent proceedings shall be provided to all parties in interest. In all cases where a party is represented by counsel and counsel has been provided with a copy of the petition and due notice as to time, date, and place of the hearing, such action shall be deemed due notice to such party, unless such counsel has notified the court that he no longer represents such party.

C. The judge may endorse upon the summons an order directing a parent or parents, guardian, or other custodian having the custody or control of the juvenile to bring the juvenile to the hearing.

D. A party, other than the juvenile, may waive service of summons by written stipulation or by voluntary appearance at the hearing.

E. No such summons or notification shall be required if the judge shall certify on the record that (i) the identity of a parent or guardian is not reasonably ascertainable or (ii) in cases in which it is alleged that a juvenile has committed a delinquent act, crime, status offense, or traffic infraction or is in need of services or supervision, the location, or in the case of a parent or guardian located outside of the Commonwealth the location or mailing address, of a parent or guardian is not reasonably ascertainable. An affidavit of the mother that the identity of the father is not reasonably ascertainable shall be sufficient evidence of this fact, provided there is no other evidence before the court which would refute such an affidavit. In cases referred to in clause (ii), an affidavit of a law-enforcement officer or juvenile probation officer that the location of a parent or guardian is not reasonably ascertainable shall be sufficient evidence of this fact, provided that there is no other evidence before the court which would refute the affidavit.

CHAPTER 532

An Act to amend and reenact § 46.2-342 of the Code of Virginia, relating to driver's licenses and identification cards; indication of non-apparent disability.

[H 2116]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-342 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-342. What license to contain; organ donor information; Uniform Donor Document.

A. Every license issued under this chapter shall bear:

1. For licenses issued or renewed on or after July 1, 2003, a license number which shall be assigned by the Department to the licensee and shall not be the same as the licensee's social security number;

2. A photograph of the licensee;

3. The licensee's full name, year, month, and date of birth;

4. The licensee's address, subject to the provisions of subsection B;

5. A brief description of the licensee for the purpose of identification;

6. A space for the signature of the licensee; and

7. Any other information deemed necessary by the Commissioner for the administration of this title.

No abbreviated names or nicknames shall be shown on any license.

B. At the option of the licensee, the address shown on the license may be either the post office box, business, or residence address of the licensee, provided such address is located in Virginia. However, regardless of which address is shown on the license, the licensee shall supply the Department with his residence address, which shall be an address in Virginia. This residence address shall be maintained in the Department's records. Whenever the licensee's address shown either on his license or in the Department's records changes, he shall notify the Department of such change as required by § 46.2-324.

C. The Department may contract with the United States Postal Service or an authorized agent to use the National Change of Address System for the purpose of obtaining current address information for a person whose name appears in customer records maintained by the Department. If the Department receives information from the National Change of Address System indicating that a person whose name appears in a Department record has submitted a permanent change of address to the Postal Service, the Department may then update its records with the mailing address obtained from the National Change of Address System.

D. The license shall be made of a material and in a form to be determined by the Commissioner.

E. Licenses issued to persons less than 21 years old shall be immediately and readily distinguishable from those issued to persons 21 years old or older. Distinguishing characteristics shall include unique design elements of the document and descriptors within the photograph area to identify persons who are at least 15 years old but less than 21 years old. These descriptors shall include the month, day, and year when the person will become 21 years old.

F. The Department shall establish a method by which an applicant for a driver's license or an identification card may indicate his consent to make an anatomical gift for transplantation, therapy, research, and education pursuant to § 32.1-291.5, and shall cooperate with the Virginia Transplant Council to ensure that such method is designed to encourage organ, tissue, and eye donation with a minimum of effort on the part of the donor and the Department.

G. If an applicant indicates his consent to be a donor pursuant to subsection F, the Department may make a notation of this designation on his license or card and shall make a notation of this designation in his driver record. The notation shall remain on the individual's license or card until he revokes his consent to make an anatomical gift by requesting removal of the notation from his license or card or otherwise in accordance with § 32.1-291.6. Inclusion of a notation indicating consent to making an organ donation on an applicant's license or card pursuant to this subsection shall be sufficient legal authority for removal, following death, of the subject's organs or tissues without additional authority from the donor or his family or estate, in accordance with the provisions of § 32.1-291.8.

H. A minor may make a donor designation pursuant to subsection F without the consent of a parent or legal guardian as authorized by the Revised Uniform Anatomical Gift Act (§ 32.1-291.1 et seq.).

I. The Department shall provide a method by which an applicant conducting a Department of Motor Vehicles transaction using electronic means may make a voluntary contribution to the Virginia Donor Registry and Public Awareness Fund (Fund) established pursuant to § 32.1-297.1. The Department shall inform the applicant of the existence of the Fund and also that contributing to the Fund is voluntary.

J. The Department shall collect all moneys contributed pursuant to subsection I and transmit the moneys on a regular basis to the Virginia Transplant Council, which shall credit the contributions to the Fund.

K. When requested by the applicant, and upon presentation of a signed statement by a licensed physician confirming the applicant's condition, the Department shall indicate on the applicant's driver's license that the applicant (i) is an insulin-dependent diabetic*;* (ii) is deaf or hard of hearing or speech impaired~~,~~*;* (iii) has a traumatic brain injury~~, or~~*;* (iv) has an intellectual disability, as defined in § 37.2-100, or autism spectrum disorder, as defined in § 38.2-3418.17*; or (v) has a non-apparent disability*. Any request for a traumatic brain injury indicator on an applicant's driver's license shall be accompanied by a form prescribed by the Commissioner and completed by a licensed physician. *For purposes of this subsection, "non-apparent disability" means a physical, sensory, mental, or emotional impairment that substantially limits one or more activities of daily living and that may not be visible or otherwise apparent, or a record of such impairment.*

L. In the absence of gross negligence or willful misconduct, the Department and its employees shall be immune from any civil or criminal liability in connection with the making of or failure to make a notation of donor designation on any license or card or in any person's driver record.

M. The Department shall, in coordination with the Virginia Transplant Council, prepare an organ donor information brochure describing the organ donor program and providing instructions for completion of the uniform donor document information describing the bone marrow donation program and instructions for registration in the National Bone Marrow Registry. The Department shall include a copy of such brochure with every driver's license renewal notice or application mailed to licensed drivers in Virginia.

N. The Department shall establish a method by which an applicant for an original, reissued, or renewed driver's license may indicate his blood type. If the applicant chooses to indicate his blood type, the Department shall make a notation of this designation on his license and in his record. Such notation on the driver's license shall only be used by emergency medical services agencies in providing emergency medical support. Upon written request of the license holder or his legal guardian to have the designation removed, the Department shall issue the driver's license without such designation upon the payment of applicable fees.

Notwithstanding any other provision of law, the Department shall not disclose any data collected pursuant to this subsection except to the subject of the information and by designation on the driver's license. Nothing herein shall require the Department to verify any information provided for the designation. No action taken by any person, whether private citizen or public officer or employee, with regard to any blood type designation displayed on a driver's license, shall create a warranty of the reliability or accuracy of the document or electronic image, nor shall it create any liability on the part of the Commonwealth or of any department, office, or agency or of any officer, employee, or agent thereof.

CHAPTER 533

An Act to amend and reenact § 2.2-3704.2 of the Code of Virginia, relating to Virginia Freedom of Information Act; FOIA officer training.

[H 2152]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-3704.2 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-3704.2. Public bodies to designate FOIA officer.

A. All state public bodies, including state authorities, that are subject to the provisions of this chapter and all local public bodies and regional public bodies that are subject to the provisions of this chapter shall designate and publicly identify one or more Freedom of Information Act officers (FOIA officer) whose responsibility is to serve as a point of contact for members of the public in requesting public records and to coordinate the public body's compliance with the provisions of this chapter.

B. For such state public bodies, the name and contact information of the public body's FOIA officer to whom members of the public may direct requests for public records and who will oversee the public body's compliance with the provisions of this chapter shall be made available to the public upon request and be posted on the respective public body's official public government website at the time of designation and maintained thereafter on such website for the duration of the designation.

C. For such local public bodies and regional public bodies, the name and contact information of the public body's FOIA officer to whom members of the public may direct requests for public records and who will oversee the public body's compliance with the provisions of this chapter shall be made available in a way reasonably calculated to provide notice to the public, including posting at the public body's place of business, posting on its official public government website, or including such information in its publications.

D. For the purposes of this section, local public bodies shall include constitutional officers.

E. Any such FOIA officer shall possess specific knowledge of the provisions of this chapter and be trained at least once during each consecutive period of two calendar years commencing with the date on which he last completed a training session by legal counsel for the public body or the Virginia Freedom of Information Advisory Council (the Council) or through an online course offered *or approved* by the Council. *Any legal counsel for a public body who is also designated as the public body's FOIA officer shall complete a training session or online course offered or approved by the Council.* Any such training shall document that the training required by this subsection has been fulfilled.

F. The name and contact information of a FOIA officer trained by legal counsel of a public body shall be (i) submitted to the Council by July 1 of the year a FOIA officer is initially trained on a form developed by the Council for that purpose and (ii) updated in a timely manner in the event of any changes to such information.

G. The Council shall maintain on its website a listing of all FOIA officers, including name, contact information, and the name of the public body such FOIA officers serve.

CHAPTER 534

An Act to amend the Code of Virginia by adding a section numbered 54.1-406.1, relating to professions and occupations; alternative to education requirement for licensure of architects.

[H 2154]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 54.1-406.1 as follows:

§ 54.1-406.1. Alternative to education requirement for licensure of architects.

A. The Board shall adopt regulations establishing work and education experience equivalencies that shall provide an alternative to the requirement of a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) pursuant to 18VAC10-20-110. In establishing an alternative pathway to a NAAB-accredited degree, the Board shall require a minimum of 10 years of qualifying work experience, education experience, or combination of work and education experience.

B. In establishing qualifying work and education experience under this section, the Board shall adopt regulations establishing a credit system to account for varying degrees of work and education experience and such credit system shall be based on the applicability of such work or education experience to the practice of architecture.

C. The Board shall develop requirements for applicants seeking licensure to certify work and education experience on an annual basis.

2. That, notwithstanding any annual reporting requirement developed by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (the Board), the Board shall evaluate any past work or education experience of any applicant in meeting the requirements of the first enactment of this act.

3. That the second enactment of this act shall expire on July 1, 2028.

CHAPTER 535

An Act to amend and reenact §§ 2.2-3711, 24.2-946, and 24.2-948.4 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3 of Chapter 9.3 of Title 24.2 sections numbered 24.2-948.6 through 24.2-948.9, relating to campaign finance; prohibited personal use of campaign funds; complaints, hearings, civil penalties, and advisory opinions.

[H 2165]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3711, 24.2-946, and 24.2-948.4 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Article 3 of Chapter 9.3 of Title 24.2 sections numbered 24.2-948.6 through 24.2-948.9 as follows:

§ 2.2-3711. Closed meetings authorized for certain limited purposes.

A. Public bodies may hold closed meetings only for the following purposes:

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided that the teacher makes a written request to be present to the presiding officer of the appropriate board. Nothing in this subdivision, however,

shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively.

2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student of any public institution of higher education in the Commonwealth or any state school system. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents, or guardians so request in writing and such request is submitted to the presiding officer of the appropriate board.

3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

4. The protection of the privacy of individuals in personal matters not related to public business.

5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

9. Discussion or consideration by governing boards of public institutions of higher education of matters relating to gifts, bequests and fund-raising activities, and of grants and contracts for services or work to be performed by such institution. However, the terms and conditions of any such gifts, bequests, grants, and contracts made by a foreign government, a foreign legal entity, or a foreign person and accepted by a public institution of higher education in the Commonwealth shall be subject to public disclosure upon written request to the appropriate board of visitors. For the purpose of this subdivision, (i) "foreign government" means any government other than the United States government or the government of a state or a political subdivision thereof, (ii) "foreign legal entity" means any legal entity (a) created under the laws of the United States or of any state thereof if a majority of the ownership of the stock of such legal entity is owned by foreign governments or foreign persons or if a majority of the membership of any such entity is composed of foreign persons or foreign legal entities or (b) created under the laws of a foreign government, and (iii) "foreign person" means any individual who is not a citizen or national of the United States or a trust territory or protectorate thereof.

10. Discussion or consideration by the boards of trustees of the Virginia Museum of Fine Arts, the Virginia Museum of Natural History, the Jamestown-Yorktown Foundation, the Fort Monroe Authority, and The Science Museum of Virginia of matters relating to specific gifts, bequests, and grants from private sources.

11. Discussion or consideration of honorary degrees or special awards.

12. Discussion or consideration of tests, examinations, or other information used, administered, or prepared by a public body and subject to the exclusion in subdivision 4 of § 2.2-3705.1.

13. Discussion, consideration, or review by the appropriate House or Senate committees of possible disciplinary action against a member arising out of the possible inadequacy of the disclosure statement filed by the member, provided that the member may request in writing that the committee meeting not be conducted in a closed meeting.

14. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to consider the terms, conditions, and provisions of a hazardous waste siting agreement if the governing body in open meeting finds that an open meeting will have an adverse effect upon the negotiating position of the governing body or the establishment of the terms, conditions and provisions of the siting agreement, or both. All discussions with the applicant or its representatives may be conducted in a closed meeting.

15. Discussion by the Governor and any economic advisory board reviewing forecasts of economic activity and estimating general and nongeneral fund revenues.

16. Discussion or consideration of medical and mental health records subject to the exclusion in subdivision 1 of § 2.2-3705.5.

17. Deliberations of the Virginia Lottery Board in a licensing appeal action conducted pursuant to subsection D of § 58.1-4007 regarding the denial or revocation of a license of a lottery sales agent; and discussion, consideration or review of Virginia Lottery matters related to proprietary lottery game information and studies or investigations excluded from disclosure under subdivision 6 of § 2.2-3705.3 and subdivision 11 of § 2.2-3705.7.

18. Those portions of meetings in which the State Board of Local and Regional Jails discusses or discloses the identity of, or information tending to identify, any prisoner who (i) provides information about crimes or criminal activities,

(ii) renders assistance in preventing the escape of another prisoner or in the apprehension of an escaped prisoner, or (iii) voluntarily or at the instance of a prison official renders other extraordinary services, the disclosure of which is likely to jeopardize the prisoner's life or safety.

19. Discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such matters or a related threat to public safety; discussion of information subject to the exclusion in subdivision 2 or 14 of § 2.2-3705.2, where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system, or software program; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.

20. Discussion by the Board of the Virginia Retirement System, acting pursuant to § 51.1-124.30, or of any local retirement system, acting pursuant to § 51.1-803, or by a local finance board or board of trustees of a trust established by one or more local public bodies to invest funds for postemployment benefits other than pensions, acting pursuant to Article 8 (§ 15.2-1544 et seq.) of Chapter 15 of Title 15.2, or by the board of visitors of the University of Virginia, acting pursuant to § 23.1-2210, or by the Board of the Commonwealth Savers Plan, acting pursuant to § 23.1-706, regarding the acquisition, holding or disposition of a security or other ownership interest in an entity, where such security or ownership interest is not traded on a governmentally regulated securities exchange, to the extent that such discussion (i) concerns confidential analyses prepared for the board of visitors of the University of Virginia, prepared by the retirement system, or a local finance board or board of trustees, or the Commonwealth Savers Plan or provided to the retirement system, a local finance board or board of trustees, or the Commonwealth Savers Plan under a promise of confidentiality, of the future value of such ownership interest or the future financial performance of the entity, and (ii) would have an adverse effect on the value of the investment to be acquired, held, or disposed of by the retirement system, a local finance board or board of trustees, the board of visitors of the University of Virginia, or the Commonwealth Savers Plan. Nothing in this subdivision shall be construed to prevent the disclosure of information relating to the identity of any investment held, the amount invested or the present value of such investment.

21. Those portions of meetings in which individual child death cases are discussed by the State Child Fatality Review Team established pursuant to § 32.1-283.1, those portions of meetings in which individual child death cases are discussed by a regional or local child fatality review team established pursuant to § 32.1-283.2, those portions of meetings in which individual death cases are discussed by family violence fatality review teams established pursuant to § 32.1-283.3, those portions of meetings in which individual adult death cases are discussed by the state Adult Fatality Review Team established pursuant to § 32.1-283.5, those portions of meetings in which individual adult death cases are discussed by a local or regional adult fatality review team established pursuant to § 32.1-283.6, those portions of meetings in which individual death cases are discussed by overdose fatality review teams established pursuant to § 32.1-283.7, those portions of meetings in which individual maternal death cases are discussed by the Maternal Mortality Review Team pursuant to § 32.1-283.8, and those portions of meetings in which individual death cases of persons with developmental disabilities are discussed by the Developmental Disabilities Mortality Review Committee established pursuant to § 37.2-314.1.

22. Those portions of meetings of the board of visitors of the University of Virginia or Old Dominion University, as the case may be, and those portions of meetings of any persons to whom management responsibilities for the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be, have been delegated, in which there is discussed proprietary, business-related information pertaining to the operations of the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be, including business development or marketing strategies and activities with existing or future joint venturers, partners, or other parties with whom the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be, has formed, or forms, any arrangement for the delivery of health care, if disclosure of such information would adversely affect the competitive position of the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be.

23. Discussion or consideration by the Virginia Commonwealth University Health System Authority or the board of visitors of Virginia Commonwealth University of any of the following: the acquisition or disposition by the Authority of real property, equipment, or technology software or hardware and related goods or services, where disclosure would adversely affect the bargaining position or negotiating strategy of the Authority; matters relating to gifts or bequests to, and fund-raising activities of, the Authority; grants and contracts for services or work to be performed by the Authority; marketing or operational strategies plans of the Authority where disclosure of such strategies or plans would adversely affect the competitive position of the Authority; and members of the Authority's medical and teaching staffs and qualifications for appointments thereto.

24. Those portions of the meetings of the Health Practitioners' Monitoring Program Committee within the Department of Health Professions to the extent such discussions identify any practitioner who may be, or who actually is, impaired pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1.

25. Meetings or portions of meetings of the Board of the Commonwealth Savers Plan wherein personal information, as defined in § 2.2-3801, which has been provided to the Board or its employees by or on behalf of individuals who have requested information about, applied for, or entered into prepaid tuition contracts or savings trust account agreements pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1 is discussed.

26. Discussion or consideration, by the former Wireless Carrier E-911 Cost Recovery Subcommittee created pursuant to former § 56-484.15, of trade secrets submitted by CMRS providers, as defined in § 56-484.12, related to the provision of wireless E-911 service.

27. Those portions of disciplinary proceedings by any regulatory board within the Department of Professional and Occupational Regulation, Department of Health Professions, or the Board of Accountancy conducted pursuant to § 2.2-4019 or 2.2-4020 during which the board deliberates to reach a decision or meetings of health regulatory boards or conference committees of such boards to consider settlement proposals in pending disciplinary actions or modifications to previously issued board orders as requested by either of the parties.

28. Discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-3705.6 by a responsible public entity or an affected locality or public entity, as those terms are defined in § 33.2-1800, or any independent review panel appointed to review information and advise the responsible public entity concerning such records.

29. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

30. Discussion or consideration of grant or loan application information subject to the exclusion in subdivision 17 of § 2.2-3705.6 by the Commonwealth Health Research Board.

31. Discussion or consideration by the Commitment Review Committee of information subject to the exclusion in subdivision 5 of § 2.2-3705.2 relating to individuals subject to commitment as sexually violent predators under Chapter 9 (§ 37.2-900 et seq.) of Title 37.2.

32. Discussion or consideration of confidential proprietary information and trade secrets developed and held by a local public body providing certain telecommunication services or cable television services and subject to the exclusion in subdivision 18 of § 2.2-3705.6. However, the exemption provided by this subdivision shall not apply to any authority created pursuant to the BVU Authority Act (§ 15.2-7200 et seq.).

33. Discussion or consideration by a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary information and trade secrets subject to the exclusion in subdivision 19 of § 2.2-3705.6.

34. Discussion or consideration by the State Board of Elections or local electoral boards of voting security matters made confidential pursuant to § 24.2-410.2 or 24.2-625.1 *and review by the State Board of Elections of complaints related to the personal use of campaign funds pursuant to § 24.2-948.7*.

35. Discussion or consideration by the Forensic Science Board or the Scientific Advisory Committee created pursuant to Article 2 (§ 9.1-1109 et seq.) of Chapter 11 of Title 9.1 of criminal investigative files.

36. Discussion or consideration by the Brown v. Board of Education Scholarship Committee of information or confidential matters subject to the exclusion in subdivision A 3 of § 2.2-3705.4, and meetings of the Committee to deliberate concerning the annual maximum scholarship award, review and consider scholarship applications and requests for scholarship award renewal, and cancel, rescind, or recover scholarship awards.

37. Discussion or consideration by the Virginia Port Authority of information subject to the exclusion in subdivision 1 of § 2.2-3705.6 related to certain proprietary information gathered by or for the Virginia Port Authority.

38. Discussion or consideration by the Board of Trustees of the Virginia Retirement System acting pursuant to § 51.1-124.30, by the Investment Advisory Committee appointed pursuant to § 51.1-124.26, by any local retirement system, acting pursuant to § 51.1-803, by the Board of the Commonwealth Savers Plan acting pursuant to § 23.1-706, or by the Commonwealth Savers Plan's Investment Advisory Committee appointed pursuant to § 23.1-702 of information subject to the exclusion in subdivision 24 of § 2.2-3705.7.

39. Discussion or consideration of information subject to the exclusion in subdivision 3 of § 2.2-3705.6 related to economic development.

40. Discussion or consideration by the Board of Education of information relating to the denial, suspension, or revocation of teacher licenses subject to the exclusion in subdivision 11 of § 2.2-3705.3.

41. Those portions of meetings of the Virginia Military Advisory Council or any commission created by executive order for the purpose of studying and making recommendations regarding preventing closure or realignment of federal military and national security installations and facilities located in Virginia and relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a local governing body, during which there is discussion of information subject to the exclusion in subdivision 8 of § 2.2-3705.2.

42. Discussion or consideration by the Board of Trustees of the Veterans Services Foundation of information subject to the exclusion in subdivision 28 of § 2.2-3705.7 related to personally identifiable information of donors.

43. Discussion or consideration by the Virginia Tobacco Region Revitalization Commission of information subject to the exclusion in subdivision 23 of § 2.2-3705.6 related to certain information contained in grant applications.

44. Discussion or consideration by the board of directors of the Commercial Space Flight Authority of information subject to the exclusion in subdivision 24 of § 2.2-3705.6 related to rate structures or charges for the use of projects of, the sale of products of, or services rendered by the Authority and certain proprietary information of a private entity provided to the Authority.

45. Discussion or consideration of personal and proprietary information related to the resource management plan program and subject to the exclusion in (i) subdivision 25 of § 2.2-3705.6 or (ii) subsection E of § 10.1-104.7. This

exclusion shall not apply to the discussion or consideration of records that contain information that has been certified for release by the person who is the subject of the information or transformed into a statistical or aggregate form that does not allow identification of the person who supplied, or is the subject of, the information.

46. Discussion or consideration by the Board of Directors of the Virginia Alcoholic Beverage Control Authority of information subject to the exclusion in subdivision 1 of § 2.2-3705.3 related to investigations of applicants for licenses and permits and of licensees and permittees.

47. Discussion or consideration of grant, loan, or investment application records subject to the exclusion in subdivision 28 of § 2.2-3705.6 for a grant, loan, or investment pursuant to Article 11 (§ 2.2-2351 et seq.) of Chapter 22.

48. Discussion or development of grant proposals by a regional council established pursuant to Article 26 (§ 2.2-2484 et seq.) of Chapter 24 to be submitted for consideration to the Virginia Growth and Opportunity Board.

49. Discussion or consideration of (i) individual sexual assault cases by a sexual assault response team established pursuant to § 15.2-1627.4, (ii) individual child abuse or neglect cases or sex offenses involving a child by a child sexual abuse response team established pursuant to § 15.2-1627.5, (iii) individual cases involving abuse, neglect, or exploitation of adults as defined in § 63.2-1603 pursuant to §§ 15.2-1627.5 and 63.2-1605, or (iv) individual human trafficking cases by any human trafficking response team established pursuant to § 15.2-1627.6.

50. Discussion or consideration by the Board of the Virginia Economic Development Partnership Authority, the Joint Legislative Audit and Review Commission, or any subcommittees thereof, of the portions of the strategic plan, marketing plan, or operational plan exempt from disclosure pursuant to subdivision 33 of § 2.2-3705.7.

51. Those portions of meetings of the subcommittee of the Board of the Virginia Economic Development Partnership Authority established pursuant to subsection F of § 2.2-2237.3 to review and discuss information received from the Virginia Employment Commission pursuant to subdivision C 2 of § 60.2-114 and the Department of Workforce Development and Advancement pursuant to subsection B of § 2.2-2040.

52. Discussion or consideration by the Commonwealth of Virginia Innovation Partnership Authority (the Authority), an advisory committee of the Authority, or any other entity designated by the Authority, of information subject to the exclusion in subdivision 35 of § 2.2-3705.7.

53. Deliberations of the Virginia Lottery Board conducted pursuant to § 58.1-4105 regarding the denial or revocation of a license of a casino gaming operator, or the refusal to issue, suspension of, or revocation of any license or permit related to casino gaming, and discussion, consideration, or review of matters related to investigations excluded from mandatory disclosure under subdivision 1 of § 2.2-3705.3.

54. Deliberations of the Virginia Lottery Board in an appeal conducted pursuant to § 58.1-4007 regarding the denial of, revocation of, suspension of, or refusal to renew any license or permit related to sports betting and any discussion, consideration, or review of matters related to investigations excluded from mandatory disclosure under subdivision 1 of § 2.2-3705.3.

55. Meetings or portions of meetings of the Board of Criminal Justice Services or the Department of Criminal Justice Services concerning the decertification of an identifiable law-enforcement or jail officer.

B. No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the public body, following the meeting, reconvenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation, or motion that shall have its substance reasonably identified in the open meeting.

C. Public officers improperly selected due to the failure of the public body to comply with the other provisions of this section shall be de facto officers and, as such, their official actions are valid until they obtain notice of the legal defect in their election.

D. Nothing in this section shall be construed to prevent the holding of conferences between two or more public bodies, or their representatives, but these conferences shall be subject to the same procedures for holding closed meetings as are applicable to any other public body.

E. This section shall not be construed to (i) require the disclosure of any contract between the Department of Health Professions and an impaired practitioner entered into pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1 or (ii) require the board of directors of any authority created pursuant to the Industrial Development and Revenue Bond Act (§ 15.2-4900 et seq.), or any public body empowered to issue industrial revenue bonds by general or special law, to identify a business or industry to which subdivision A 5 applies. However, such business or industry shall be identified as a matter of public record at least 30 days prior to the actual date of the board's authorization of the sale or issuance of such bonds.

§ 24.2-946. Summary of election laws; forms; instructions.

A. The State Board shall summarize the provisions of the election laws relating to the Campaign Finance Disclosure Act of 2006 and provide for distribution of this summary and prescribed forms to each candidate, person, or committee on request or upon their first filing with the State Board pursuant to this chapter, whichever occurs first.

B. The *State* Board shall designate the forms required for complying with this chapter which shall be the only such forms used in complying with the provisions of this chapter.

C. The *State* Board shall provide, with the summary required by this section, instructions for persons filing reports pursuant to this chapter to assist them in completing the reports. The instructions shall include directions for the reporting of filing fees for any party nomination method. The instructions shall set out the requirements for retaining records and materials for implementing the review provisions of § 24.2-948.5.

D. The *State* Board shall provide instructions for candidates who seek election for successive terms in the same office for the filing of reports within each appropriate election cycle for the office and for the aggregation of contributions within each election cycle.

E. The *State* Board*, in consultation with the Office of the Attorney General,* shall ~~provide, with the summary required by this section, to each candidate, person, or committee on request or upon their first filing with the State Board pursuant to this chapter, whichever occurs first, a copy of a written explanation prepared by the Attorney General of~~ *develop and publish guidance on* the provisions of the Act that prohibit the personal use of campaign funds. ~~The explanation~~ *Such guidance* shall cover the provisions that prohibit the personal use of campaign funds and shall delineate the differences between prohibited personal uses of campaign funds and permitted uses of the funds *and shall include examples of conduct that complies with and that violates such provisions. The State Board shall periodically update such guidance to incorporate advisory opinions and additional examples.*

§ 24.2-948.4. Final report requirement; disbursement of surplus funds.

A. A final report shall be filed by every campaign committee ~~which~~ *that* sets forth (i) all receipts and disbursements not previously reported, (ii) an accounting of the retirement of all debts, and (iii) the disposition of all surplus funds as provided in subsection D. The final report shall include a termination statement, signed by the candidate, that all reporting for the campaign committee is complete and final. Once a campaign committee's final report has been filed, no further report relating to that election shall be required.

B. A final report shall be required when (i) a candidate no longer seeks election to the same office in a successive election, (ii) a candidate seeks election to a different office, or (iii) the candidate is deceased.

C. If the candidate is deceased, the final report shall be filed and signed by the treasurer. If the candidate was serving as his own treasurer, his executor shall file and sign the final report. Any excess contributed funds shall be disposed of pursuant to the provisions of subsection D.

D. Amounts received by a candidate or his campaign committee as contributions that are in excess of the amount necessary to defray his campaign expenditures *or items acquired using campaign contributions* may be disposed of only by one or any combination of the following: (i) transferring the excess *or items acquired using campaign contributions* for use in a succeeding election or to retire the deficit in a preceding election; (ii) returning the excess *or items acquired using campaign contributions* to a contributor in an amount not to exceed the contributor's original contribution; (iii) donating the excess *or items acquired using campaign contributions* to any organization described in § 170(c) of the Internal Revenue Code; (iv) contributing the excess *or items acquired using campaign contributions* to one or more candidates or to any political committee that has filed a statement of organization pursuant to this chapter; (v) contributing the excess *or items acquired using campaign contributions* to any political party committee; and (vi) defraying any ordinary, nonreimbursed expense related to his elective office. ~~It shall be unlawful for any person to convert any contributed moneys, securities, or like intangible personal property to his personal use or to the use of a member of the candidates' "immediate family" as that term is defined in § 30-101.~~

§ 24.2-948.6. Use of campaign funds.

A. A contribution accepted by a candidate or his campaign committee may be used for the following purposes:

1. For otherwise authorized expenditures in connection with the candidate's campaign;

2. For ordinary and necessary expenses incurred in connection with the duties of the individual as an officeholder;

3. For contributions to any organization described in § 170(c) of the Internal Revenue Code;

4. For transfers to any federal, state, or local political party committee;

5. For contributions to federal, state, and local candidates subject to the provisions of prevailing law;

6. For dependent care expenses that are incurred as a direct result of the person's seeking, holding, or maintaining public office; or

7. For any other lawful purpose unless prohibited by subsection B.

B. Contributions to a candidate or his campaign committee shall not be converted by any person to personal use. For the purpose of this subsection, a contribution shall be considered to be converted to personal use if the contribution is used to fulfill any commitment, obligation, or expense of a person that would exist irrespective of the person's seeking, holding, or maintaining public office, which includes the following:

1. A home mortgage, rent, or utility payment;

2. A clothing purchase, except for clothing of de minimis value that is used in the campaign, such as T-shirts or caps imprinted with a campaign slogan;

3. A non-campaign-related automobile expense;

4. A country club membership;

5. A vacation or other non-campaign-related trip;

6. A household food item;

7. A tuition payment, other than those associated with the training of campaign staff;

8. Admission to a sporting event, a concert, a theater, or any other form of entertainment not associated with an election campaign;

9. Dues, fees, and other payments to a health club or recreational facility unless the payments are made in connection with a specific fundraising event that takes place on the organization's premises; and

10. Salary payments to a member of a candidate's family, unless the family member is providing bona fide services to the campaign and receives compensation that is no greater than the fair market value of the services provided.

§ 24.2-948.7. Violations of the ban on personal use of campaign funds; complaint; notice; hearing; civil penalties.

A. A person who believes a violation of § 24.2-948.6 has occurred and (i) contributes to a candidate or his campaign committee that has allegedly committed the violation or (ii) is qualified to vote in the election for the office for which such candidate is running is qualified to file a complaint with the Department. Such complaint shall be filed electronically or in writing on a form provided by the Department, signed and sworn to by the person filing such complaint, notarized, and made under penalty of perjury and subject to the provisions of § 24.2-1016. The complaint shall clearly identify the complainant and the person against whom the complaint is addressed (the respondent) and contain (a) a credible allegation of a violation of § 24.2-948.6 with regard to a specific use of campaign contributions by the candidate or his campaign committee, (b) attached documentation supporting the allegation, (c) the names and contact information of any person the complainant knows to have knowledge of facts relating to the allegation, and (d) any other information required by the Department.

The complaint form shall include a sworn statement, signed by the complainant, agreeing to strict confidentiality regarding the complaint and all related matters for the 10 days preceding the complaint's submission. If the State Board determines that the complainant knowingly violated his agreement to strict confidentially, the State Board may assess a civil penalty in an amount not to exceed $10,000. Any civil penalty collected under this provision shall be payable to the State Treasurer for deposit into the Prohibited Personal Use Enforcement Fund established pursuant to § 24.2-948.9. The procedure to enforce a civil penalty provided in this section shall be as stated in § 24.2-946.3.

The Department shall provide a copy of the complaint to the respondent within 24 hours of receipt. The Department shall complete its review of such complaints and, within 10 days, transmit to the State Board any credible and complete complaint from a qualified complainant and send written notice to the complainant and respondent of the Department's ultimate determination of the complaint's disposition. The State Board shall not act upon any complaint that does not meet the requirements of this subsection but shall be authorized to initiate an inquiry upon its own motion.

B. Upon receipt of a complaint or upon its own motion, the State Board shall conduct a preliminary investigation into the specific use of campaign contributions by the candidate. Such preliminary investigation shall be conducted in closed meetings held pursuant to § 2.2-3711. The State Board shall determine, during its preliminary investigation, whether the facts stated in the complaint or that serve as the basis of the State Board's motion taken as true are sufficient to show a violation of § 24.2-948.6. If such facts fail to give rise to such a violation, then the State Board shall dismiss the complaint. If the facts give rise to such a violation, then the State Board shall request that the complainant appear and testify under oath as to the complaint and the allegations therein. If the inquiry was initiated by the State Board's own motion, the State Board may request that witnesses appear and testify under oath as to the allegations raised by the State Board.

The State Board shall notify the respondent that a preliminary investigation has commenced within 24 hours of initiating such investigation. Before the State Board conducts any vote on the complaint, other than a vote to dismiss, the respondent shall have 30 days to provide to the State Board documentation or other evidence that no action should be taken against the respondent on the basis of the complaint or the allegations brought by the State Board. If the respondent provides such documentation or such other evidence, the State Board shall review the response and determine whether to proceed with the inquiry.

After hearing testimony and reviewing any other evidence provided by the complainant, witnesses, or the respondent, the State Board shall dismiss the complaint if the State Board fails to find by a preponderance of the evidence that such violation has occurred. If the State Board finds otherwise, it shall proceed with the inquiry by calling for a public hearing.

If at any point prior to the State Board's call for a public hearing on the matter the respondent pays back to the campaign committee from his personal funds the amount that was allegedly converted to his personal use, the State Board shall dismiss the complaint or motion and end the inquiry into the matter.

Prior to the State Board's holding a public hearing on the matter, the complaint, the State Board's written notice, and any related records shall not be subject to the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) and shall not be made public, except by the respondent. However, once the State Board has commenced a public meeting to further inquire into alleged conversion of campaign funds to personal use, its materials, meetings, and hearings on the matter shall be open to the public.

C. If after such preliminary investigation the State Board determines to proceed with an inquiry into the specific use of campaign contributions by the respondent, the State Board (i) shall immediately notify in writing the complainant and the respondent as to the fact of the inquiry and the allegations against the respondent and (ii) shall schedule one or more hearings on the matter. The respondent shall have the right to postpone the hearing if it is scheduled within the 30 days immediately preceding an election in which the respondent is a candidate for office. If the complaining party declines to participate in the hearing, the complaint shall be dismissed and no further action shall be taken.

The respondent shall have the right to access all records obtained during the investigation, present evidence, cross-examine witnesses, face and examine the accuser, and be represented by counsel at any hearings. The State Board may grant the respondent any other rights or privileges not specifically enumerated in this subsection.

If at any time the State Board determines that the complaint is without merit, the State Board shall dismiss the complaint, so advise the complainant and the respondent, and take no further action.

D. A decision to dispose of a complaint under this section shall require a vote of four members of the State Board. Failure of the State Board to dispose of a complaint within 120 days of the Department's transmission of the signed and sworn complaint shall result in the summary dismissal of the matter, after which no further action shall be taken.

Within 120 days of the Department's transmission of the signed and sworn complaint to the State Board or a motion to begin an inquiry, the State Board may dispose of the matter in one of the following ways:

1. If for any reason the State Board dismisses the matter during its preliminary investigation and prior to holding a public hearing on the matter, the State Board shall so advise the complainant and the respondent and take no further action. In such case, the records and findings on the matter shall not be subject to the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) and shall not be made public unless the respondent requests in writing that the records and findings be made public.

2. If at any time after the commencement of the initial public hearing on the matter the State Board dismisses the matter, the State Board shall so advise the complainant and the respondent and prepare a written judgment stating the grounds for the dismissal.

3. If after a public hearing the State Board determines by a preponderance of the evidence that the respondent has violated the provisions of § 24.2-948.6 but that the violation was not made willfully and knowingly, the State Board may require the respondent to repay an amount not to exceed the amount unlawfully converted to the personal use of the respondent. Respondents who claim an inability to repay the amount the State Board has determined is owed may be asked to provide documentation as to their financial condition. The State Board may negotiate a payment plan that enables a respondent to repay. The procedure to enforce repayment under this section shall be as stated in § 24.2-946.3. The State Board shall prepare a written judgment stating its determination of the matter, its recommended remedy, and reasons therefor. A copy of the judgment shall be sent to each party and posted on the State Board's website no later than three days after it has been issued.

4. If the State Board determines by a preponderance of the evidence that the respondent willfully and knowingly violated any provision of § 24.2-948.6, the State Board shall direct the respondent to repay the amount unlawfully converted to his personal use. The State Board may also assess an additional civil penalty, in an amount not to exceed $1,000 per itemized expenditure found to be in violation of any provision of § 24.2-948.6 and in no case greater than $10,000. Respondents who claim an inability to pay an appropriate civil penalty may be asked to provide documentation as to their financial condition. The State Board may negotiate a payment plan that enables a respondent to pay an appropriate civil penalty. Any civil penalty collected under this subdivision shall be payable to the State Treasurer for deposit into the Prohibited Personal Use Enforcement Fund established pursuant to § 24.2-948.9. The procedure to enforce a civil penalty provided in this section shall be as stated in § 24.2-946.3. The State Board shall prepare a written judgment stating its determination of the matter, its recommended remedy, and reasons therefor. A copy of the judgment shall be sent to each party and posted on the State Board's website no later than three days after it has been issued.

5. Any records and findings related to a complaint that was not dismissed pursuant to subdivision 1 shall become archival records, as defined in § 42.1-77, maintained permanently by the Library of Virginia. Electronic copies of such records shall be made publicly available on the State Board's website no later than 30 days after a final disposition of the matter has been decided.

E. A person found by the State Board to have violated the provisions of this section shall have a right to the direct review of the finding by a court of competent jurisdiction as provided in the Administrative Process Act (§ 2.2-4000 et seq.). The provisions of the Administrative Process Act shall not otherwise apply, however, to the finding of a violation by the State Board pursuant to this section.

F. The State Board may, by a vote of four members, make a finding that a complaint is frivolous. Such a finding shall be prima facie evidence of abuse of process by the complainant. The State Board shall prepare a written judgment stating its determination of the matter and reasons therefor. A copy of the judgment shall be sent to each party and posted on the State Board's website no later than three days after it has been issued.

§ 24.2-948.8. Advisory opinions.

A. Any person subject to the provisions of § 24.2-948.6 may submit a complete written request for an advisory opinion concerning the application of that section to a specific transaction or activity on a form provided by the Department. The Department shall transmit any such complete written request for an advisory opinion to the State Board.

B. The State Board shall, upon receipt, make public any request for an advisory opinion. Before rendering an advisory opinion, the State Board shall accept written comments submitted by any interested party within the 10-day period following the date the request is made public.

C. The State Board shall issue a written advisory opinion within 60 days of receipt of the request for an advisory opinion. However, if an advisory opinion is requested by a candidate or his campaign committee during the 60-day period before any election involving the requesting party, the State Board shall render a written advisory opinion relating to such request no later than 20 days after the State Board receives a complete written request.

D. Any advisory opinion rendered by the State Board under subsection C may be relied upon by (i) any person involved in the specific transaction or activity with respect to which such advisory opinion is rendered and (ii) any person involved in any specific transaction or activity that is indistinguishable in all its material aspects from the transaction or activity with respect to which such advisory opinion is rendered.

E. Notwithstanding any other provision of law, any person who relies upon any provision or finding of an advisory opinion in accordance with the provisions of subsection D and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result of any such act, be subject to any sanction provided under § 24.2-948.7.

§ 24.2-948.9. Prohibited Personal Use Enforcement Fund.

There is hereby created in the state treasury a special nonreverting fund to be known as the Prohibited Personal Use Enforcement Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All civil penalties levied pursuant to § 24.2-948.7 shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of administering the provisions of §§ 24.2-948.6, 24.2-948.7, and 24.2-948.8. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Commissioner of Elections.

2. That the provisions of the first enactment of this act shall become effective on July 1, 2026.

3. That the State Board of Elections shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

4. That the regulations adopted pursuant to the third enactment of this act shall include regulations substantially similar to the regulations of the Federal Election Commission (the FEC) under 11 C.F.R. Part 112 with respect to advisory opinions and 11 C.F.R. Part 113 with respect to the prohibition on personal use of campaign funds. The regulations adopted pursuant to the third enactment of this act shall also provide that the State Board of Elections and the parties may rely on past closed matters under review and advisory opinions of the FEC on matters related to the prohibited personal use of campaign funds under federal law as persuasive authority for any future decisions of the State Board of Elections with respect to analogous state law, except with respect to the FEC's interpretation that personal use restrictions apply only to a candidate committee.

5. That the State Board of Elections shall publish an updated summary of the provisions of the Campaign Finance Disclosure Act of 2006 (§ 24.2-945 et seq. of the Code of Virginia), as amended by this act, required by subsection E of § 24.2-946 of the Code of Virginia, as amended by this act, and any regulations of the State Board of Elections promulgated pursuant to the third enactment of this act within 30 days of the promulgation of such regulations.

6. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 536

An Act to amend and reenact §§ 58.1-3212, 58.1-3213.1, and 58.1-3215 of the Code of Virginia, relating to real property tax; exemption for elderly and disabled individuals.

[S 816]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 58.1-3212, 58.1-3213.1, and 58.1-3215 of the Code of Virginia are amended and reenacted as follows:

§ 58.1-3212. Local restrictions and exemptions.

A. Pursuant to Article X, Section 6 (b) of the Constitution of Virginia, the General Assembly hereby authorizes the governing body of a county, city or town to establish by ordinance net financial worth or annual income limitations as a condition of eligibility for any exemption or deferral of tax allowed pursuant to this article. If the governing body establishes an annual income limitation, the computation of annual income shall be based on adding together the income received during the preceding calendar year, without regard to whether a tax return is actually filed, by (i) owners of the dwelling who use it as their principal residence, (ii) owners' relatives who live in the dwelling, except for those relatives living in the dwelling and providing bona fide caregiving services to the owner whether such relatives are compensated or not, and (iii) at the option of each locality, nonrelatives of the owner who live in the dwelling except for bona fide tenants or bona fide caregivers of the owner, whether compensated or not. A locality may provide in its ordinance that, for the purpose of the computation of annual income, if an individual described in clause (ii) and (iii) is permanently and totally disabled, any disability income received by such person shall not be included. If the governing body establishes a net financial worth limitation, net financial worth shall be based on adding together the net financial worth, including the present value of equitable interests, as of December 31 of the immediately preceding calendar year, of the owners, and of the spouse of any owner, of the dwelling.

Nothing in this section shall be construed or interpreted as to preclude or prohibit the governing body of a county, city or town from excluding certain sources of income, or a portion of the same, for purposes of its annual income limitation or excluding certain assets, or a portion of the same, for purposes of its net financial worth limitation.

Any county, city, or town that pursuant to this article provides for the exemption from, deferral of, or a combination program of exemptions from and deferrals of real property taxes may exempt or defer the real property taxes of the qualifying dwelling and the land, not exceeding ten acres, upon which it is situated.

No local ordinance shall require that a citizen reside in the jurisdiction for a designated period of time as a condition for qualifying for any real estate tax exemption or deferral program established pursuant to § 58.1-3210.

B. A locality may, by ordinance, require that in order to qualify for an exemption or deferral under this section, a qualifying individual shall be required to either (i) pay all delinquent taxes, penalties, and interest assessed by the locality and incurred prior to becoming eligible for an exemption or deferral; (ii) enter into an installment agreement with the locality for the payment of all such delinquent amounts in installments over a period that is reasonable under the circumstances, but that in no event shall exceed 72 months; (iii) submit and obtain the treasurer's agreement to an offer in compromise pursuant to § 58.1-3994 with respect to all amounts of delinquent taxes, penalties, and interest; or (iv) a combination thereof. Compliance with the installment or accepted offer in compromise shall be a requirement for remaining eligible for an exemption or deferral.

§ 58.1-3213.1. Notice of local real estate tax exemption or deferral program for elderly individuals and individuals with disabilities.

The treasurer of any county, city, or town shall enclose written notice, in each real estate tax bill, of the terms and conditions of any local real estate tax exemption or deferral program established in the jurisdiction pursuant to § 58.1-3210. *Such information may also be included in the notice of change in assessment required to be sent pursuant to § 58.1-3330.* The treasurer shall also employ any other reasonable means necessary to notify residents of the county, city, or town about the terms and conditions of the real estate tax exemption or deferral program for elderly individuals and individuals with disabilities who reside in the county, city, or town*, including posting the program information on the county, city, or town website in a clear and conspicuous manner*.

§ 58.1-3215. Effective date; change in circumstances.

A. An exemption or deferral enacted pursuant to § 58.1-3210 or 58.1-3211.1 may be granted for any year following the date that the qualifying individual occupying such dwelling and owning title or partial title thereto reaches the age of 65 years or for any year following the date the disability occurred. Changes in income, financial worth, ownership of property or other factors occurring during the taxable year for which an affidavit is filed and having the effect of exceeding or violating the limitations and conditions provided by county, city or town ordinance shall nullify any exemption or deferral for the remainder of the current taxable year and the taxable year immediately following. However, any locality may by ordinance provide *(i)* a prorated exemption or deferral for the portion of the taxable year during which the taxpayer qualified for such exemption or deferral *or (ii) a prorated exemption or deferral for the portion of the taxable year during which the taxpayer would have qualified for such exemption or deferral but had not yet filed an application. Any prorated exemption or deferral under clause (ii) shall apply only for the taxable year in which the taxpayer qualified for such exemption or deferral and not any prior year*.

B. An ordinance enacted pursuant to this article may provide that a change in ownership to a spouse or a nonqualifying individual, when such change resulted solely from the death of the qualifying individual, or a sale of such property shall result in a prorated exemption or deferral for the then current taxable year. The proceeds of the sale which would result in the prorated exemption or deferral shall not be included in the computation of net worth or income as provided in subsection A. Such prorated portion shall be determined by multiplying the amount of the exemption or deferral by a fraction wherein the number of complete months of the year such property was properly eligible for such exemption or deferral is the numerator and the number 12 is the denominator.

C. An ordinance enacted pursuant to this article may provide that an individual who does not qualify for the exemption or deferral under this article based upon the previous year's income limitations and financial worth limitations, may nonetheless qualify for the current year by filing an affidavit that clearly shows a substantial change of circumstances, that was not volitional on the part of the individual to become eligible for the exemption or deferral, and will result in income and financial worth levels that are within the limitations of the ordinance. The ordinance may impose additional conditions and require other information under this subsection. The locality may prorate the exemption or deferral from the date the affidavit is submitted or any other date.

Any exemption or deferral under this subsection must be conditioned upon the individual filing another affidavit after the end of the year in which the exemption or deferral was granted, within a period of time specified by the locality, showing that the actual income and financial worth levels were within the limitations set by the ordinance. If the actual income and financial worth levels exceeded the limitations any exemption or deferral shall be nullified for the current taxable year and the taxable year immediately following.

CHAPTER 537

An Act to amend and reenact §§ 2.2-3711, 24.2-946, and 24.2-948.4 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3 of Chapter 9.3 of Title 24.2 sections numbered 24.2-948.6 through 24.2-948.9, relating

to campaign finance; prohibited personal use of campaign funds; complaints, hearings, civil penalties, and advisory opinions.

[S 1002]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3711, 24.2-946, and 24.2-948.4 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Article 3 of Chapter 9.3 of Title 24.2 sections numbered 24.2-948.6 through 24.2-948.9 as follows:

§ 2.2-3711. Closed meetings authorized for certain limited purposes.

A. Public bodies may hold closed meetings only for the following purposes:

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided that the teacher makes a written request to be present to the presiding officer of the appropriate board. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively.

2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student of any public institution of higher education in the Commonwealth or any state school system. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents, or guardians so request in writing and such request is submitted to the presiding officer of the appropriate board.

3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

4. The protection of the privacy of individuals in personal matters not related to public business.

5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

9. Discussion or consideration by governing boards of public institutions of higher education of matters relating to gifts, bequests and fund-raising activities, and of grants and contracts for services or work to be performed by such institution. However, the terms and conditions of any such gifts, bequests, grants, and contracts made by a foreign government, a foreign legal entity, or a foreign person and accepted by a public institution of higher education in the Commonwealth shall be subject to public disclosure upon written request to the appropriate board of visitors. For the purpose of this subdivision, (i) "foreign government" means any government other than the United States government or the government of a state or a political subdivision thereof, (ii) "foreign legal entity" means any legal entity (a) created under the laws of the United States or of any state thereof if a majority of the ownership of the stock of such legal entity is owned by foreign governments or foreign persons or if a majority of the membership of any such entity is composed of foreign persons or foreign legal entities or (b) created under the laws of a foreign government, and (iii) "foreign person" means any individual who is not a citizen or national of the United States or a trust territory or protectorate thereof.

10. Discussion or consideration by the boards of trustees of the Virginia Museum of Fine Arts, the Virginia Museum of Natural History, the Jamestown-Yorktown Foundation, the Fort Monroe Authority, and The Science Museum of Virginia of matters relating to specific gifts, bequests, and grants from private sources.

11. Discussion or consideration of honorary degrees or special awards.

12. Discussion or consideration of tests, examinations, or other information used, administered, or prepared by a public body and subject to the exclusion in subdivision 4 of § 2.2-3705.1.

13. Discussion, consideration, or review by the appropriate House or Senate committees of possible disciplinary action against a member arising out of the possible inadequacy of the disclosure statement filed by the member, provided that the member may request in writing that the committee meeting not be conducted in a closed meeting.

14. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to consider the terms, conditions, and provisions of a hazardous waste siting agreement if the governing body in open meeting finds that an open meeting will have an adverse effect upon the negotiating position of the governing body or the establishment of the terms, conditions and provisions of the siting agreement, or both. All discussions with the applicant or its representatives may be conducted in a closed meeting.

15. Discussion by the Governor and any economic advisory board reviewing forecasts of economic activity and estimating general and nongeneral fund revenues.

16. Discussion or consideration of medical and mental health records subject to the exclusion in subdivision 1 of § 2.2-3705.5.

17. Deliberations of the Virginia Lottery Board in a licensing appeal action conducted pursuant to subsection D of § 58.1-4007 regarding the denial or revocation of a license of a lottery sales agent; and discussion, consideration or review of Virginia Lottery matters related to proprietary lottery game information and studies or investigations excluded from disclosure under subdivision 6 of § 2.2-3705.3 and subdivision 11 of § 2.2-3705.7.

18. Those portions of meetings in which the State Board of Local and Regional Jails discusses or discloses the identity of, or information tending to identify, any prisoner who (i) provides information about crimes or criminal activities, (ii) renders assistance in preventing the escape of another prisoner or in the apprehension of an escaped prisoner, or (iii) voluntarily or at the instance of a prison official renders other extraordinary services, the disclosure of which is likely to jeopardize the prisoner's life or safety.

19. Discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such matters or a related threat to public safety; discussion of information subject to the exclusion in subdivision 2 or 14 of § 2.2-3705.2, where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system, or software program; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.

20. Discussion by the Board of the Virginia Retirement System, acting pursuant to § 51.1-124.30, or of any local retirement system, acting pursuant to § 51.1-803, or by a local finance board or board of trustees of a trust established by one or more local public bodies to invest funds for postemployment benefits other than pensions, acting pursuant to Article 8 (§ 15.2-1544 et seq.) of Chapter 15 of Title 15.2, or by the board of visitors of the University of Virginia, acting pursuant to § 23.1-2210, or by the Board of the Commonwealth Savers Plan, acting pursuant to § 23.1-706, regarding the acquisition, holding or disposition of a security or other ownership interest in an entity, where such security or ownership interest is not traded on a governmentally regulated securities exchange, to the extent that such discussion (i) concerns confidential analyses prepared for the board of visitors of the University of Virginia, prepared by the retirement system, or a local finance board or board of trustees, or the Commonwealth Savers Plan or provided to the retirement system, a local finance board or board of trustees, or the Commonwealth Savers Plan under a promise of confidentiality, of the future value of such ownership interest or the future financial performance of the entity, and (ii) would have an adverse effect on the value of the investment to be acquired, held, or disposed of by the retirement system, a local finance board or board of trustees, the board of visitors of the University of Virginia, or the Commonwealth Savers Plan. Nothing in this subdivision shall be construed to prevent the disclosure of information relating to the identity of any investment held, the amount invested or the present value of such investment.

21. Those portions of meetings in which individual child death cases are discussed by the State Child Fatality Review Team established pursuant to § 32.1-283.1, those portions of meetings in which individual child death cases are discussed by a regional or local child fatality review team established pursuant to § 32.1-283.2, those portions of meetings in which individual death cases are discussed by family violence fatality review teams established pursuant to § 32.1-283.3, those portions of meetings in which individual adult death cases are discussed by the state Adult Fatality Review Team established pursuant to § 32.1-283.5, those portions of meetings in which individual adult death cases are discussed by a local or regional adult fatality review team established pursuant to § 32.1-283.6, those portions of meetings in which individual death cases are discussed by overdose fatality review teams established pursuant to § 32.1-283.7, those portions of meetings in which individual maternal death cases are discussed by the Maternal Mortality Review Team pursuant to § 32.1-283.8, and those portions of meetings in which individual death cases of persons with developmental disabilities are discussed by the Developmental Disabilities Mortality Review Committee established pursuant to § 37.2-314.1.

22. Those portions of meetings of the board of visitors of the University of Virginia or Old Dominion University, as the case may be, and those portions of meetings of any persons to whom management responsibilities for the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be, have been delegated, in which there is discussed proprietary, business-related information pertaining to the operations of the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be, including business development or marketing strategies and activities with existing or future joint venturers, partners, or other parties with whom the University of Virginia Medical Center or the Eastern Virginia Health Sciences

Center at Old Dominion University, as the case may be, has formed, or forms, any arrangement for the delivery of health care, if disclosure of such information would adversely affect the competitive position of the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be.

23. Discussion or consideration by the Virginia Commonwealth University Health System Authority or the board of visitors of Virginia Commonwealth University of any of the following: the acquisition or disposition by the Authority of real property, equipment, or technology software or hardware and related goods or services, where disclosure would adversely affect the bargaining position or negotiating strategy of the Authority; matters relating to gifts or bequests to, and fund-raising activities of, the Authority; grants and contracts for services or work to be performed by the Authority; marketing or operational strategies plans of the Authority where disclosure of such strategies or plans would adversely affect the competitive position of the Authority; and members of the Authority's medical and teaching staffs and qualifications for appointments thereto.

24. Those portions of the meetings of the Health Practitioners' Monitoring Program Committee within the Department of Health Professions to the extent such discussions identify any practitioner who may be, or who actually is, impaired pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1.

25. Meetings or portions of meetings of the Board of the Commonwealth Savers Plan wherein personal information, as defined in § 2.2-3801, which has been provided to the Board or its employees by or on behalf of individuals who have requested information about, applied for, or entered into prepaid tuition contracts or savings trust account agreements pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1 is discussed.

26. Discussion or consideration, by the former Wireless Carrier E-911 Cost Recovery Subcommittee created pursuant to former § 56-484.15, of trade secrets submitted by CMRS providers, as defined in § 56-484.12, related to the provision of wireless E-911 service.

27. Those portions of disciplinary proceedings by any regulatory board within the Department of Professional and Occupational Regulation, Department of Health Professions, or the Board of Accountancy conducted pursuant to § 2.2-4019 or 2.2-4020 during which the board deliberates to reach a decision or meetings of health regulatory boards or conference committees of such boards to consider settlement proposals in pending disciplinary actions or modifications to previously issued board orders as requested by either of the parties.

28. Discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-3705.6 by a responsible public entity or an affected locality or public entity, as those terms are defined in § 33.2-1800, or any independent review panel appointed to review information and advise the responsible public entity concerning such records.

29. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

30. Discussion or consideration of grant or loan application information subject to the exclusion in subdivision 17 of § 2.2-3705.6 by the Commonwealth Health Research Board.

31. Discussion or consideration by the Commitment Review Committee of information subject to the exclusion in subdivision 5 of § 2.2-3705.2 relating to individuals subject to commitment as sexually violent predators under Chapter 9 (§ 37.2-900 et seq.) of Title 37.2.

32. Discussion or consideration of confidential proprietary information and trade secrets developed and held by a local public body providing certain telecommunication services or cable television services and subject to the exclusion in subdivision 18 of § 2.2-3705.6. However, the exemption provided by this subdivision shall not apply to any authority created pursuant to the BVU Authority Act (§ 15.2-7200 et seq.).

33. Discussion or consideration by a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary information and trade secrets subject to the exclusion in subdivision 19 of § 2.2-3705.6.

34. Discussion or consideration by the State Board of Elections or local electoral boards of voting security matters made confidential pursuant to § 24.2-410.2 or 24.2-625.1 *and review by the State Board of Elections of complaints related to the personal use of campaign funds pursuant to § 24.2-948.7*.

35. Discussion or consideration by the Forensic Science Board or the Scientific Advisory Committee created pursuant to Article 2 (§ 9.1-1109 et seq.) of Chapter 11 of Title 9.1 of criminal investigative files.

36. Discussion or consideration by the Brown v. Board of Education Scholarship Committee of information or confidential matters subject to the exclusion in subdivision A 3 of § 2.2-3705.4, and meetings of the Committee to deliberate concerning the annual maximum scholarship award, review and consider scholarship applications and requests for scholarship award renewal, and cancel, rescind, or recover scholarship awards.

37. Discussion or consideration by the Virginia Port Authority of information subject to the exclusion in subdivision 1 of § 2.2-3705.6 related to certain proprietary information gathered by or for the Virginia Port Authority.

38. Discussion or consideration by the Board of Trustees of the Virginia Retirement System acting pursuant to § 51.1-124.30, by the Investment Advisory Committee appointed pursuant to § 51.1-124.26, by any local retirement system, acting pursuant to § 51.1-803, by the Board of the Commonwealth Savers Plan acting pursuant to § 23.1-706, or by the Commonwealth Savers Plan's Investment Advisory Committee appointed pursuant to § 23.1-702 of information subject to the exclusion in subdivision 24 of § 2.2-3705.7.

39. Discussion or consideration of information subject to the exclusion in subdivision 3 of § 2.2-3705.6 related to economic development.

40. Discussion or consideration by the Board of Education of information relating to the denial, suspension, or revocation of teacher licenses subject to the exclusion in subdivision 11 of § 2.2-3705.3.

41. Those portions of meetings of the Virginia Military Advisory Council or any commission created by executive order for the purpose of studying and making recommendations regarding preventing closure or realignment of federal military and national security installations and facilities located in Virginia and relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a local governing body, during which there is discussion of information subject to the exclusion in subdivision 8 of § 2.2-3705.2.

42. Discussion or consideration by the Board of Trustees of the Veterans Services Foundation of information subject to the exclusion in subdivision 28 of § 2.2-3705.7 related to personally identifiable information of donors.

43. Discussion or consideration by the Virginia Tobacco Region Revitalization Commission of information subject to the exclusion in subdivision 23 of § 2.2-3705.6 related to certain information contained in grant applications.

44. Discussion or consideration by the board of directors of the Commercial Space Flight Authority of information subject to the exclusion in subdivision 24 of § 2.2-3705.6 related to rate structures or charges for the use of projects of, the sale of products of, or services rendered by the Authority and certain proprietary information of a private entity provided to the Authority.

45. Discussion or consideration of personal and proprietary information related to the resource management plan program and subject to the exclusion in (i) subdivision 25 of § 2.2-3705.6 or (ii) subsection E of § 10.1-104.7. This exclusion shall not apply to the discussion or consideration of records that contain information that has been certified for release by the person who is the subject of the information or transformed into a statistical or aggregate form that does not allow identification of the person who supplied, or is the subject of, the information.

46. Discussion or consideration by the Board of Directors of the Virginia Alcoholic Beverage Control Authority of information subject to the exclusion in subdivision 1 of § 2.2-3705.3 related to investigations of applicants for licenses and permits and of licensees and permittees.

47. Discussion or consideration of grant, loan, or investment application records subject to the exclusion in subdivision 28 of § 2.2-3705.6 for a grant, loan, or investment pursuant to Article 11 (§ 2.2-2351 et seq.) of Chapter 22.

48. Discussion or development of grant proposals by a regional council established pursuant to Article 26 (§ 2.2-2484 et seq.) of Chapter 24 to be submitted for consideration to the Virginia Growth and Opportunity Board.

49. Discussion or consideration of (i) individual sexual assault cases by a sexual assault response team established pursuant to § 15.2-1627.4, (ii) individual child abuse or neglect cases or sex offenses involving a child by a child sexual abuse response team established pursuant to § 15.2-1627.5, (iii) individual cases involving abuse, neglect, or exploitation of adults as defined in § 63.2-1603 pursuant to §§ 15.2-1627.5 and 63.2-1605, or (iv) individual human trafficking cases by any human trafficking response team established pursuant to § 15.2-1627.6.

50. Discussion or consideration by the Board of the Virginia Economic Development Partnership Authority, the Joint Legislative Audit and Review Commission, or any subcommittees thereof, of the portions of the strategic plan, marketing plan, or operational plan exempt from disclosure pursuant to subdivision 33 of § 2.2-3705.7.

51. Those portions of meetings of the subcommittee of the Board of the Virginia Economic Development Partnership Authority established pursuant to subsection F of § 2.2-2237.3 to review and discuss information received from the Virginia Employment Commission pursuant to subdivision C 2 of § 60.2-114 and the Department of Workforce Development and Advancement pursuant to subsection B of § 2.2-2040.

52. Discussion or consideration by the Commonwealth of Virginia Innovation Partnership Authority (the Authority), an advisory committee of the Authority, or any other entity designated by the Authority, of information subject to the exclusion in subdivision 35 of § 2.2-3705.7.

53. Deliberations of the Virginia Lottery Board conducted pursuant to § 58.1-4105 regarding the denial or revocation of a license of a casino gaming operator, or the refusal to issue, suspension of, or revocation of any license or permit related to casino gaming, and discussion, consideration, or review of matters related to investigations excluded from mandatory disclosure under subdivision 1 of § 2.2-3705.3.

54. Deliberations of the Virginia Lottery Board in an appeal conducted pursuant to § 58.1-4007 regarding the denial of, revocation of, suspension of, or refusal to renew any license or permit related to sports betting and any discussion, consideration, or review of matters related to investigations excluded from mandatory disclosure under subdivision 1 of § 2.2-3705.3.

55. Meetings or portions of meetings of the Board of Criminal Justice Services or the Department of Criminal Justice Services concerning the decertification of an identifiable law-enforcement or jail officer.

B. No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the public body, following the meeting, reconvenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation, or motion that shall have its substance reasonably identified in the open meeting.

C. Public officers improperly selected due to the failure of the public body to comply with the other provisions of this section shall be de facto officers and, as such, their official actions are valid until they obtain notice of the legal defect in their election.

D. Nothing in this section shall be construed to prevent the holding of conferences between two or more public bodies, or their representatives, but these conferences shall be subject to the same procedures for holding closed meetings as are applicable to any other public body.

E. This section shall not be construed to (i) require the disclosure of any contract between the Department of Health Professions and an impaired practitioner entered into pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1 or (ii) require the board of directors of any authority created pursuant to the Industrial Development and Revenue Bond Act (§ 15.2-4900 et seq.), or any public body empowered to issue industrial revenue bonds by general or special law, to identify a business or industry to which subdivision A 5 applies. However, such business or industry shall be identified as a matter of public record at least 30 days prior to the actual date of the board's authorization of the sale or issuance of such bonds.

§ 24.2-946. Summary of election laws; forms; instructions.

A. The State Board shall summarize the provisions of the election laws relating to the Campaign Finance Disclosure Act of 2006 and provide for distribution of this summary and prescribed forms to each candidate, person, or committee on request or upon their first filing with the State Board pursuant to this chapter, whichever occurs first.

B. The *State* Board shall designate the forms required for complying with this chapter which shall be the only such forms used in complying with the provisions of this chapter.

C. The *State* Board shall provide, with the summary required by this section, instructions for persons filing reports pursuant to this chapter to assist them in completing the reports. The instructions shall include directions for the reporting of filing fees for any party nomination method. The instructions shall set out the requirements for retaining records and materials for implementing the review provisions of § 24.2-948.5.

D. The *State* Board shall provide instructions for candidates who seek election for successive terms in the same office for the filing of reports within each appropriate election cycle for the office and for the aggregation of contributions within each election cycle.

E. The *State* Board*, in consultation with the Office of the Attorney General,* shall ~~provide, with the summary required by this section, to each candidate, person, or committee on request or upon their first filing with the State Board pursuant to this chapter, whichever occurs first, a copy of a written explanation prepared by the Attorney General of~~ *develop and publish guidance on* the provisions of the Act that prohibit the personal use of campaign funds. ~~The explanation~~ *Such guidance* shall cover the provisions that prohibit the personal use of campaign funds and shall delineate the differences between prohibited personal uses of campaign funds and permitted uses of the funds *and shall include examples of conduct that complies with and that violates such provisions. The State Board shall periodically update such guidance to incorporate advisory opinions and additional examples*.

§ 24.2-948.4. Final report requirement; disbursement of surplus funds.

A. A final report shall be filed by every campaign committee ~~which~~ *that* sets forth (i) all receipts and disbursements not previously reported, (ii) an accounting of the retirement of all debts, and (iii) the disposition of all surplus funds as provided in subsection D. The final report shall include a termination statement, signed by the candidate, that all reporting for the campaign committee is complete and final. Once a campaign committee's final report has been filed, no further report relating to that election shall be required.

B. A final report shall be required when (i) a candidate no longer seeks election to the same office in a successive election, (ii) a candidate seeks election to a different office, or (iii) the candidate is deceased.

C. If the candidate is deceased, the final report shall be filed and signed by the treasurer. If the candidate was serving as his own treasurer, his executor shall file and sign the final report. Any excess contributed funds shall be disposed of pursuant to the provisions of subsection D.

D. Amounts received by a candidate or his campaign committee as contributions that are in excess of the amount necessary to defray his campaign expenditures *or items acquired using campaign contributions* may be disposed of only by one or any combination of the following: (i) transferring the excess *or items acquired using campaign contributions* for use in a succeeding election or to retire the deficit in a preceding election; (ii) returning the excess *or items acquired using campaign contributions* to a contributor in an amount not to exceed the contributor's original contribution; (iii) donating the excess *or items acquired using campaign contributions* to any organization described in § 170(c) of the Internal Revenue Code; (iv) contributing the excess *or items acquired using campaign contributions* to one or more candidates or to any political committee that has filed a statement of organization pursuant to this chapter; (v) contributing the excess *or items acquired using campaign contributions* to any political party committee; and (vi) defraying any ordinary, nonreimbursed expense related to his elective office. ~~It shall be unlawful for any person to convert any contributed moneys, securities, or like intangible personal property to his personal use or to the use of a member of the candidates' "immediate family" as that term is defined in § 30-101.~~

§ 24.2-948.6. Use of campaign funds.

A. A contribution accepted by a candidate or his campaign committee may be used for the following purposes:

1. For otherwise authorized expenditures in connection with the candidate's campaign;

2. For ordinary and necessary expenses incurred in connection with the duties of the individual as an officeholder;

3. For contributions to any organization described in § 170(c) of the Internal Revenue Code;

4. For transfers to any federal, state, or local political party committee;

5. For contributions to federal, state, and local candidates subject to the provisions of prevailing law;

6. For dependent care expenses that are incurred as a direct result of the person's seeking, holding, or maintaining public office; or

7. For any other lawful purpose unless prohibited by subsection B.

B. Contributions to a candidate or his campaign committee shall not be converted by any person to personal use. For the purpose of this subsection, a contribution shall be considered to be converted to personal use if the contribution is used to fulfill any commitment, obligation, or expense of a person that would exist irrespective of the person's seeking, holding, or maintaining public office, which includes the following:

1. A home mortgage, rent, or utility payment;

2. A clothing purchase, except for clothing of de minimis value that is used in the campaign, such as T-shirts or caps imprinted with a campaign slogan;

3. A non-campaign-related automobile expense;

4. A country club membership;

5. A vacation or other non-campaign-related trip;

6. A household food item;

7. A tuition payment, other than those associated with the training of campaign staff;

8. Admission to a sporting event, a concert, a theater, or any other form of entertainment not associated with an election campaign;

9. Dues, fees, and other payments to a health club or recreational facility unless the payments are made in connection with a specific fundraising event that takes place on the organization's premises; and

10. Salary payments to a member of a candidate's family, unless the family member is providing bona fide services to the campaign and receives compensation that is no greater than the fair market value of the services provided.

§ 24.2-948.7. Violations of the ban on personal use of campaign funds; complaint; notice; hearing; civil penalties.

A. A person who believes a violation of § 24.2-948.6 has occurred and (i) contributes to a candidate or his campaign committee that has allegedly committed the violation or (ii) is qualified to vote in the election for the office for which such candidate is running is qualified to file a complaint with the Department. Such complaint shall be filed electronically or in writing on a form provided by the Department, signed and sworn to by the person filing such complaint, notarized, and made under penalty of perjury and subject to the provisions of § 24.2-1016. The complaint shall clearly identify the complainant and the person against whom the complaint is addressed (the respondent) and contain (a) a credible allegation of a violation of § 24.2-948.6 with regard to a specific use of campaign contributions by the candidate or his campaign committee, (b) attached documentation supporting the allegation, (c) the names and contact information of any person the complainant knows to have knowledge of facts relating to the allegation, and (d) any other information required by the Department.

The complaint form shall include a sworn statement, signed by the complainant, agreeing to strict confidentiality regarding the complaint and all related matters for the 10 days preceding the complaint's submission. If the State Board determines that the complainant knowingly violated his agreement to strict confidentially, the State Board may assess a civil penalty in an amount not to exceed $10,000. Any civil penalty collected under this provision shall be payable to the State Treasurer for deposit into the Prohibited Personal Use Enforcement Fund established pursuant to § 24.2-948.9. The procedure to enforce a civil penalty provided in this section shall be as stated in § 24.2-946.3.

The Department shall provide a copy of the complaint to the respondent within 24 hours of receipt. The Department shall complete its review of such complaints and, within 10 days, transmit to the State Board any credible and complete complaint from a qualified complainant and send written notice to the complainant and respondent of the Department's ultimate determination of the complaint's disposition. The State Board shall not act upon any complaint that does not meet the requirements of this subsection but shall be authorized to initiate an inquiry upon its own motion.

B. Upon receipt of a complaint or upon its own motion, the State Board shall conduct a preliminary investigation into the specific use of campaign contributions by the candidate. Such preliminary investigation shall be conducted in closed meetings held pursuant to § 2.2-3711. The State Board shall determine, during its preliminary investigation, whether the facts stated in the complaint or that serve as the basis of the State Board's motion taken as true are sufficient to show a violation of § 24.2-948.6. If such facts fail to give rise to such a violation, then the State Board shall dismiss the complaint. If the facts give rise to such a violation, then the State Board shall request that the complainant appear and testify under oath as to the complaint and the allegations therein. If the inquiry was initiated by the State Board's own motion, the State Board may request that witnesses appear and testify under oath as to the allegations raised by the State Board.

The State Board shall notify the respondent that a preliminary investigation has commenced within 24 hours of initiating such investigation. Before the State Board conducts any vote on the complaint, other than a vote to dismiss, the respondent shall have 30 days to provide to the State Board documentation or other evidence that no action should be taken against the respondent on the basis of the complaint or the allegations brought by the State Board. If the respondent provides such documentation or such other evidence, the State Board shall review the response and determine whether to proceed with the inquiry.

After hearing testimony and reviewing any other evidence provided by the complainant, witnesses, or the respondent, the State Board shall dismiss the complaint if the State Board fails to find by a preponderance of the evidence that such violation has occurred. If the State Board finds otherwise, it shall proceed with the inquiry by calling for a public hearing.

If at any point prior to the State Board's call for a public hearing on the matter the respondent pays back to the campaign committee from his personal funds the amount that was allegedly converted to his personal use, the State Board shall dismiss the complaint or motion and end the inquiry into the matter.

Prior to the State Board's holding a public hearing on the matter, the complaint, the State Board's written notice, and any related records shall not be subject to the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) and shall not be made public, except by the respondent. However, once the State Board has commenced a public meeting to further inquire into alleged conversion of campaign funds to personal use, its materials, meetings, and hearings on the matter shall be open to the public.

C. If after such preliminary investigation the State Board determines to proceed with an inquiry into the specific use of campaign contributions by the respondent, the State Board (i) shall immediately notify in writing the complainant and the respondent as to the fact of the inquiry and the allegations against the respondent and (ii) shall schedule one or more hearings on the matter. The respondent shall have the right to postpone the hearing if it is scheduled within the 30 days immediately preceding an election in which the respondent is a candidate for office. If the complaining party declines to participate in the hearing, the complaint shall be dismissed and no further action shall be taken.

The respondent shall have the right to access all records obtained during the investigation, present evidence, cross-examine witnesses, face and examine the accuser, and be represented by counsel at any hearings. The State Board may grant the respondent any other rights or privileges not specifically enumerated in this subsection.

If at any time the State Board determines that the complaint is without merit, the State Board shall dismiss the complaint, so advise the complainant and the respondent, and take no further action.

D. A decision to dispose of a complaint under this section shall require a vote of four members of the State Board. Failure of the State Board to dispose of a complaint within 120 days of the Department's transmission of the signed and sworn complaint shall result in the summary dismissal of the matter, after which no further action shall be taken.

Within 120 days of the Department's transmission of the signed and sworn complaint to the State Board or a motion to begin an inquiry, the State Board may dispose of the matter in one of the following ways:

1. If for any reason the State Board dismisses the matter during its preliminary investigation and prior to holding a public hearing on the matter, the State Board shall so advise the complainant and the respondent and take no further action. In such case, the records and findings on the matter shall not be subject to the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) and shall not be made public unless the respondent requests in writing that the records and findings be made public.

2. If at any time after the commencement of the initial public hearing on the matter the State Board dismisses the matter, the State Board shall so advise the complainant and the respondent and prepare a written judgment stating the grounds for the dismissal.

3. If after a public hearing the State Board determines by a preponderance of the evidence that the respondent has violated the provisions of § 24.2-948.6 but that the violation was not made willfully and knowingly, the State Board may require the respondent to repay an amount not to exceed the amount unlawfully converted to the personal use of the respondent. Respondents who claim an inability to repay the amount the State Board has determined is owed may be asked to provide documentation as to their financial condition. The State Board may negotiate a payment plan that enables a respondent to repay. The procedure to enforce repayment under this section shall be as stated in § 24.2-946.3. The State Board shall prepare a written judgment stating its determination of the matter, its recommended remedy, and reasons therefor. A copy of the judgment shall be sent to each party and posted on the State Board's website no later than three days after it has been issued.

4. If the State Board determines by a preponderance of the evidence that the respondent willfully and knowingly violated any provision of § 24.2-948.6, the State Board shall direct the respondent to repay the amount unlawfully converted to his personal use. The State Board may also assess an additional civil penalty, in an amount not to exceed $1,000 per itemized expenditure found to be in violation of any provision of § 24.2-948.6 and in no case greater than $10,000. Respondents who claim an inability to pay an appropriate civil penalty may be asked to provide documentation as to their financial condition. The State Board may negotiate a payment plan that enables a respondent to pay an appropriate civil penalty. Any civil penalty collected under this subdivision shall be payable to the State Treasurer for deposit into the Prohibited Personal Use Enforcement Fund established pursuant to § 24.2-948.9. The procedure to enforce a civil penalty provided in this section shall be as stated in § 24.2-946.3. The State Board shall prepare a written judgment stating its determination of the matter, its recommended remedy, and reasons therefor. A copy of the judgment shall be sent to each party and posted on the State Board's website no later than three days after it has been issued.

5. Any records and findings related to a complaint that was not dismissed pursuant to subdivision 1 shall become archival records, as defined in § 42.1-77, maintained permanently by the Library of Virginia. Electronic copies of such records shall be made publicly available on the State Board's website no later than 30 days after a final disposition of the matter has been decided.

E. A person found by the State Board to have violated the provisions of this section shall have a right to the direct review of the finding by a court of competent jurisdiction as provided in the Administrative Process Act (§ 2.2-4000 et seq.). The provisions of the Administrative Process Act shall not otherwise apply, however, to the finding of a violation by the State Board pursuant to this section.

F. The State Board may, by a vote of four members, make a finding that a complaint is frivolous. Such a finding shall be prima facie evidence of abuse of process by the complainant. The State Board shall prepare a written judgment stating its determination of the matter and reasons therefor. A copy of the judgment shall be sent to each party and posted on the State Board's website no later than three days after it has been issued.

§ 24.2-948.8. Advisory opinions.

A. Any person subject to the provisions of § 24.2-948.6 may submit a complete written request for an advisory opinion concerning the application of that section to a specific transaction or activity on a form provided by the Department. The Department shall transmit any such complete written request for an advisory opinion to the State Board.

B. The State Board shall, upon receipt, make public any request for an advisory opinion. Before rendering an advisory opinion, the State Board shall accept written comments submitted by any interested party within the 10-day period following the date the request is made public.

C. The State Board shall issue a written advisory opinion within 60 days of receipt of the request for an advisory opinion. However, if an advisory opinion is requested by a candidate or his campaign committee during the 60-day period before any election involving the requesting party, the State Board shall render a written advisory opinion relating to such request no later than 20 days after the State Board receives a complete written request.

D. Any advisory opinion rendered by the State Board under subsection C may be relied upon by (i) any person involved in the specific transaction or activity with respect to which such advisory opinion is rendered and (ii) any person involved in any specific transaction or activity that is indistinguishable in all its material aspects from the transaction or activity with respect to which such advisory opinion is rendered.

E. Notwithstanding any other provision of law, any person who relies upon any provision or finding of an advisory opinion in accordance with the provisions of subsection D and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result of any such act, be subject to any sanction provided under § 24.2-948.7.

§ 24.2-948.9. Prohibited Personal Use Enforcement Fund.

There is hereby created in the state treasury a special nonreverting fund to be known as the Prohibited Personal Use Enforcement Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All civil penalties levied pursuant to § 24.2-948.7 shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of administering the provisions of §§ 24.2-948.6, 24.2-948.7, and 24.2-948.8. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Commissioner of Elections.

2. That the provisions of the first enactment of this act shall become effective on July 1, 2026.

3. That the State Board of Elections shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

4. That the regulations adopted pursuant to the third enactment of this act shall include regulations substantially similar to the regulations of the Federal Election Commission (the FEC) under 11 C.F.R. Part 112 with respect to advisory opinions and 11 C.F.R. Part 113 with respect to the prohibition on personal use of campaign funds. The regulations adopted pursuant to the third enactment of this act shall also provide that the State Board of Elections and the parties may rely on past closed matters under review and advisory opinions of the FEC on matters related to the prohibited personal use of campaign funds under federal law as persuasive authority for any future decisions of the State Board of Elections with respect to analogous state law, except with respect to the FEC's interpretation that personal use restrictions apply only to a candidate committee.

5. That the State Board of Elections shall publish an updated summary of the provisions of the Campaign Finance Disclosure Act of 2006 (§ 24.2-945 et seq. of the Code of Virginia), as amended by this act, required by subsection E of § 24.2-946 of the Code of Virginia, as amended by this act, and any regulations of the State Board of Elections promulgated pursuant to the third enactment of this act within 30 days of the promulgation of such regulations.

6. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 538

An Act to amend and reenact §§ 9.1-191, 19.2-11.5, as it is currently effective and as it shall become effective, and 19.2-368.3 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-11.6:1 and by

adding in Article 8 of Chapter 5 of Title 32.1 a section numbered 32.1-162.15:12, relating to Virginia Forensic Nursing Advisory Council established; sexual assault forensic examiners; physical evidence recovery kits.

[S 1041]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-191, 19.2-11.5, as it is currently effective and as it shall become effective, and 19.2-368.3 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 19.2-11.6:1 and by adding in Article 8 of Chapter 5 of Title 32.1 a section numbered 32.1-162.15:12 as follows:

§ 9.1-191. Virginia Sexual Assault Forensic Examiner Coordination Program.

A. The Department shall establish ~~a~~ *the* Virginia ~~sexual assault forensic examiner coordination program~~ *Sexual Assault Forensic Examiner Coordination Program (the Program)*. The ~~program~~ *Program* shall be headed by a coordinator (the Coordinator). The Coordinator shall:

1. Create and coordinate an annual statewide sexual assault forensic nurse examiner training program in partnership with the Attorney General, the Department of Health, the Virginia Hospital and Healthcare Association, the Victim Compensation Fund, the International Association of Forensic Nurses, ~~and~~ the Secretary of Health and Human ~~Services~~ *Resources, and the Virginia Forensic Nursing Advisory Council*;

2. Coordinate the development and enhancement of sexual assault forensic examiner programs across the Commonwealth that include prevention of secondary trauma to survivors of sexual assault and culturally sensitive training for health professionals;

3. Participate in the development of hospital protocols and guidelines for treatment of survivors of sexual assault in partnership with the Department of Health;

4. Coordinate and strengthen communications among sexual assault nurse examiner medical directors, sexual assault response teams, and hospitals for existing and developing sexual assault nurse examiner programs;

5. Provide technical assistance for existing and developing sexual assault forensic examiner programs, including local sexual assault forensic examiner training programs;

6. Create and maintain a statewide list, updated biannually, to include the following:

a. A list of available sexual assault forensic examiners, sexual assault nurse examiners, sexual assault forensic nurse examiners, and pediatric sexual assault nurse examiners;

b. The location and facility affiliation of each examiner;

c. The duty hours for each examiner and affiliated facility for sexual assault exam services; and

d. The location of available local sexual assault forensic examiner training programs;

7. Coordinate, share, and disseminate the list created pursuant to subdivision 6 to the emergency operations communications system available to emergency medical services and law-enforcement agencies as well as the internal emergency and hospital communications system;

8. Share and disseminate the list created pursuant to subdivision 6 with all other relevant agencies, including law-enforcement agencies, attorneys for the Commonwealth, victim-witness programs, sexual assault service organizations, the Department of Juvenile Justice, the Department of Social Services, the Department of Education, and school divisions;

9. Create sexual assault nurse examiner recruitment materials for universities and colleges with nursing programs in partnership with the State Council of Higher Education for Virginia; and

10. Support and coordinate community education and public outreach, when appropriate, relating to sexual assault nurse examiner issues for the Commonwealth.

B. The Coordinator may request and shall receive from every department, division, board, bureau, commission, authority, or other agency created by the Commonwealth, or to which the Commonwealth is a party, or any political subdivision thereof, cooperation and assistance in the performance of its duties. The Coordinator may also consult and exchange information with local government agencies and interested stakeholders.

C. The Coordinator shall report annually on or before October 1 to the Governor and the General Assembly. The report shall include a summary of activities for the year and any recommendations to address sexual assault exams within the Commonwealth, including budget needs to increase the availability of sexual assault exam services across the Commonwealth. The Department shall ensure that such report is available to the public.

§ 19.2-11.5. (Effective until July 1, 2025) Definitions.

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

"Anonymous physical evidence recovery kit" means a physical evidence recovery kit that is collected from a victim of sexual assault through a forensic medical examination where the victim elects, at the time of the examination, not to report the sexual assault offense to a law-enforcement agency.

"Department" means the Virginia Department of Forensic Science.

"Division" means the Division of Consolidated Laboratory Services of the Virginia Department of General Services.

"Health care provider" means ~~any hospital, clinic, or other medical facility~~ *a health care provider as defined in § 8.01-581.1* that provides forensic medical examinations to victims of sexual assault.

"Law-enforcement agency" means the state or local law-enforcement agency with the primary responsibility for investigating an alleged sexual assault offense case and includes the employees of that agency.

"Physical evidence recovery kit" means any evidence collection kit supplied by the Department to health care providers for use in collecting evidence from victims of sexual assault during forensic medical examinations or to the Office of the Chief Medical Examiner for use during death investigations to collect evidence from decedents who may be victims of sexual assault.

"Sexual assault forensic examiner" means a health care provider who has completed the education and training recommended by the Virginia Forensic Nursing Advisory Council, approved by the Board of Health pursuant to § 32.1-162.15:12, to conduct examinations using a physical evidence recovery kit.

"Sexual assault offense" means a violation or attempted violation of any offense enumerated in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 or of any offense specified in § 18.2-361, 18.2-370, or 18.2-370.1.

"Telehealth sexual assault forensic examination" means an in-person forensic medical examination by a health care provider in consultation with and under the supervision of a sexual assault forensic examiner using telehealth services as defined in § 32.1-122.03:1 to collect evidence using a physical evidence recovery kit.

"Victim of sexual assault" means any person who undergoes a forensic medical examination for the collection of a physical evidence recovery kit connected to a sexual assault offense.

§ 19.2-11.5. (Effective July 1, 2025) Definitions.

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

"Anonymous physical evidence recovery kit" means a physical evidence recovery kit that is collected from a victim of sexual assault through a forensic medical examination where the victim elects, at the time of the examination, not to report the sexual assault offense to a law-enforcement agency.

"Anonymous trace evidence collection kit" means a trace evidence collection kit that is collected from a victim of strangulation through a forensic medical examination where the victim elects, at the time of the examination, not to report the strangulation to a law-enforcement agency.

"Department" means the Virginia Department of Forensic Science.

"Division" means the Division of Consolidated Laboratory Services of the Virginia Department of General Services.

"Health care provider" means ~~any hospital, clinic, or other medical facility~~ *a health care provider as defined in § 8.01-581.1* that provides forensic medical examinations to victims of sexual assault.

"Law-enforcement agency" means the state or local law-enforcement agency with the primary responsibility for investigating an alleged sexual assault offense case and includes the employees of that agency.

"Physical evidence recovery kit" means any evidence collection kit supplied by the Department to health care providers for use in collecting evidence from victims of sexual assault during forensic medical examinations or to the Office of the Chief Medical Examiner for use during death investigations to collect evidence from decedents who may be victims of sexual assault.

"Sexual assault forensic examiner" means a health care provider who has completed the education and training recommended by the Virginia Forensic Nursing Advisory Council, approved by the Board of Health pursuant to § 32.1-162.15:12, to conduct examinations using a physical evidence recovery kit.

"Sexual assault offense" means a violation or attempted violation of any offense enumerated in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 or of any offense specified in § 18.2-361, 18.2-370, or 18.2-370.1.

"Telehealth sexual assault forensic examination" means an in-person forensic medical examination by a health care provider in consultation with and under the supervision of a sexual assault forensic examiner using telehealth services as defined in § 32.1-122.03:1 to collect evidence using a physical evidence recovery kit.

"Trace evidence collection kit" means any evidence collection kit supplied by the Department to health care providers for use in collecting evidence from victims of strangulation during forensic medical examinations or to the Office of the Chief Medical Examiner for use during death investigations to collect evidence from decedents who may be victims of strangulation.

"Victim of sexual assault" means any person who undergoes a forensic medical examination for the collection of a physical evidence recovery kit connected to a sexual assault offense.

"Victim of strangulation" means any person who undergoes a forensic medical examination for the collection of evidence in connection with an alleged strangulation.

§ 19.2-11.6:1. Telehealth sexual assault forensic examinations; admissibility of physical evidence recovery kit.

A. A health care provider may conduct a telehealth sexual assault forensic examination for a victim of sexual assault if a sexual assault forensic examiner is not readily available to conduct an in-person forensic medical examination for the collection of a physical evidence recovery kit.

B. A physical evidence recovery kit collected during a telehealth sexual assault forensic examination shall not be determined to be inadmissible solely because the physical evidence recovery kit was collected during a telehealth sexual assault forensic examination and not directly by a sexual assault forensic examiner, provided that such physical evidence recovery kit is otherwise admissible pursuant to the general rules of evidence.

§ 19.2-368.3. Powers and duties of Commission.

The Commission shall have the following powers and duties in the administration of the provisions of this chapter:

1. To adopt, promulgate, amend and rescind suitable rules and regulations to carry out the provisions and purposes of this chapter, to include a distinct policy (i) for the payment of physical evidence recovery kit examinations*, including mileage at a rate provided by law incurred by a sexual assault forensic examiner as defined in § 19.2-11.5,* and (ii) to

require each health care provider as defined in § 8.01-581.1 that provides services under this chapter to negotiate with the Commission or its designee to establish prospective agreements relating to rates for payment of claims for such services allowed under § 19.2-368.11:1, such rates to discharge the obligation to the provider in full except where the provider is an agency of the Commonwealth and the claimant receives a third party recovery in addition to the payment from the Fund.

2. Notwithstanding the provisions of §§ 2.2-3706 and 2.2-3706.1, to acquire from the attorneys for the Commonwealth, State Police, local police departments, sheriffs' departments, and the Chief Medical Examiner such investigative results, information and data as will enable the Commission to determine if, in fact, a crime was committed or attempted, and the extent, if any, to which the victim or claimant was responsible for his own injury. These data shall include prior adult arrest records and juvenile court disposition records of the offender. For such purposes and in accordance with § 16.1-305, the Commission may also acquire from the juvenile and domestic relations district courts a copy of the order of disposition relating to the crime. The use of any information received by the Commission pursuant to this subdivision shall be limited to carrying out the purposes set forth in this section, and this information shall be confidential and shall not be disseminated further. The agency from which the information is requested may submit original reports, portions thereof, summaries, or such other configurations of information as will comply with the requirements of this section.

3. To hear and determine all claims for awards filed with the Commission pursuant to this chapter, and to reinvestigate or reopen cases as the Commission deems necessary.

4. To require and direct medical examination of victims.

5. To hold hearings, administer oaths or affirmations, examine any person under oath or affirmation and to issue summonses requiring the attendance and giving of testimony of witnesses and require the production of any books, papers, documentary or other evidence. The powers provided in this subsection may be delegated by the Commission to any member or employee thereof.

6. To take or cause to be taken affidavits or depositions within or without the Commonwealth.

7. To render each year to the Governor and to the General Assembly a written report of its activities. This report shall include a detailed section on all unclaimed restitution collected and disbursed to the victim from the Criminal Injuries Compensation Fund pursuant to subsection I of § 19.2-305.1.

8. To accept from the government of the United States grants of federal moneys for disbursement under the provisions of this chapter.

9. To collect and disburse unclaimed restitution pursuant to subsection I of § 19.2-305.1 and develop, in consultation with circuit court clerks and the Office of the Executive Secretary of the Supreme Court of Virginia, policies and procedures for the receipt, collection, and disbursement of unclaimed restitution to victims of crime.

10. To identify and locate victims of crime for whom restitution owed to such victims has been deposited into the Criminal Injuries Compensation Fund pursuant to subsection I of § 19.2-305.1. Notwithstanding the provisions of §§ 2.2-3706 and 2.2-3706.1, the Commission may acquire from the attorneys for the Commonwealth, State Police, local police departments, and sheriffs' departments such information as will enable the Commission to identify and locate such victims. The use of any information received by the Commission pursuant to this subdivision shall be limited to carrying out the purposes set forth in this section, and this information shall be confidential and shall not be disseminated further.

§ 32.1-162.15:12. Virginia Forensic Nursing Advisory Council.

A. The Virginia Forensic Nursing Advisory Council (the Council) is hereby established as an advisory board within the meaning of § 2.2-2100 in the executive branch of state government. The Council shall consist of five members to be appointed by the Governor. Each member shall have expertise as a sexual assault forensic examiner, as defined in § 19.2-11.5, and shall currently reside and practice in the Commonwealth. Members shall be appointed for terms of four years and shall not be eligible to serve for more than two consecutive terms.

B. The Council shall review and make recommendations as necessary to the Board with support from the Coordinator of the Virginia Sexual Assault Forensic Examiner Coordination Program, established pursuant to § 9.1-191, concerning:

1. Criteria to become a sexual assault forensic examiner;

2. The process for certification as a sexual assault forensic examiner;

3. The curriculum and training program of an entity seeking approval to train sexual assault forensic examiners; and

4. Qualifications of prospective sexual assault forensic examiners.

C. The Council shall periodically, but at least annually, submit a report to the General Assembly regarding the status of sexual assault forensics in the Commonwealth, including any recommendations to improve the quality of such services throughout the Commonwealth.

CHAPTER 539

An Act to amend and reenact §§ 54.1-4400, 54.1-4403, 54.1-4409.1, 54.1-4409.2, 54.1-4411, 54.1-4412.1, 54.1-4413.4, 54.1-4414, and 54.1-4425 of the Code of Virginia, relating to certified public accountant; educational requirements.

[S 1042]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-4400, 54.1-4403, 54.1-4409.1, 54.1-4409.2, 54.1-4411, 54.1-4412.1, 54.1-4413.4, 54.1-4414, and 54.1-4425 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-4400. Definitions.

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

"Accredited institution" means a degree-granting institution of higher education accredited either by (i) one of the regional accrediting organizations, including the Middle States Association of Colleges and Schools, New England Commission of Higher Education, Higher Learning Commission, Northwest Commission on Colleges and Universities, Southern Association of Colleges and Schools Commission on Colleges, and WASC Senior College and University Commission, or their successors or (ii) an accrediting organization demonstrating to the Board periodically, as prescribed by the Board, that its accreditation process and standards are substantially equivalent to the accreditation process and standards of the regional accrediting organizations.

"Assurance" means any form of expressed or implied opinion or conclusion about the conformity of a financial statement with any recognition, measurement, presentation, or disclosure principles for financial statements.

"Attest services" means audit, review, or other engagements performed in accordance with the standards that have been established by the Public Company Accounting Oversight Board, by the Auditing Standards Board or the Accounting and Review Services Committee of the American Institute of Certified Public Accountants, or by any successor standard-setting authorities.

"Board" means the Virginia Board of Accountancy.

"Compilation services" means compiling financial statements in accordance with standards established by the American Institute of Certified Public Accountants or by any successor standard-setting authorities.

"Continuing professional education" means the education that a person obtains after passing the CPA examination and that relates to services provided to or on behalf of an employer in academia, government, or industry or to services provided to the public.

"CPA" means certified public accountant.

"CPA examination" means the national uniform CPA examination approved and administered by the board of accountancy of a state or by the board's designee.

"CPA wall certificate" means the symbolic document suitable for wall display that is issued by the board of accountancy of a state to a person meeting the requirements to use the CPA title in that state.

"Executive Director" means the Executive Director of the Board.

"Experience" means employment in academia, a firm, government, or an industry in any capacity involving the substantial use of accounting, financial, tax, or other skills that are relevant, as determined by the Board, to provide services to or on behalf of an employer or to the public. Such experience must be verified by an active, licensed CPA.

"Facilitated State Board Access" or "FSBA" means the sponsoring organization's process whereby it provides the Board access to peer review results via a secure website.

"Financial statement" means a presentation of historical or prospective financial information about one or more persons or entities.

"Financial statement preparation services" means engaging a licensee in public practice for financial statement preparation services executed in accordance with the standards established by the Statements on Standards for Accounting and Review Services of the American Institute of Certified Public Accountants or by any successor standard-setting authorities.

"Firm" means an entity formed by one or more licensees as a sole proprietorship, a partnership, a corporation, a limited liability company, or any other type of entity permitted by law with the purpose of providing professional services to the public.

"License of another state" means the license that is issued by the board of accountancy of a state other than Virginia that gives a person the privilege of using the CPA title in that state or that gives a firm the privilege of providing attest services, compilation services, and financial statement preparation services to persons and entities located in that state.

"Licensed" means holding a Virginia license or the license of another state.

"Licensee" means a person or firm holding a Virginia license or the license of another state.

"Peer review" means a review of a firm's attest services, compilation services, and financial statements preparation services that is conducted in accordance with the applicable monitoring program of the American Institute of Certified Public Accountants or its successor, or with another monitoring program approved by the Board.

"Practice of public accounting" means the performance of professional services for a client by a licensee or licensee's firm.

"Professional services" means all services requiring substantial use of accountancy or related skills that are performed by a licensee for a client or for an employer. Such services are subject to the guidance of the standard-setting authorities listed in the standards of conduct and practice in subdivisions 5 and 6 of § 54.1-4413.3 or by any equivalent standard-setting authority as approved by the Board.

"Providing services to or on behalf of an employer" means the performance of professional services while employed or engaged on a contractual basis by a licensee to or on behalf of an entity. "Providing services to or on behalf of an employer" does not include a person or firm engaged in the practice of public accounting.

"Providing services to the public" means providing services that are subject to the guidance of the standard-setting authorities listed in the standards of conduct and practice in subdivisions 5 and 6 of § 54.1-4413.3 or by an equivalent standard-setting authority as approved by the Board.

"Sponsoring organization" means a Board-approved professional society or other organization responsible for the facilitation and administration of peer reviews through use of its peer review program and applicable peer review standards.

"State" means any state of the United States, the District of Columbia, or any territory of the United States that is a recognized jurisdiction by the National Association of State Boards of Accountancy or its successor.

"Substantially equivalent" means a Board determination that the education requirements of another jurisdiction are comparable to those prescribed by the Board.

"Using the CPA title in Virginia" means the use of "CPA," "Certified Public Accountant," or "public accountant" in any manner of communication by any person, firm, or entity to persons or entities located in Virginia portraying such person, firm, or entity as being licensed or legally permitted to provide professional services in Virginia. Holding a Virginia license or the license of another state constitutes using the CPA title in Virginia.

"Virginia license" means a license that is issued by the Board giving a person or firm the privilege of using the CPA title in Virginia or a firm the privilege of providing attest services, compilation services, and financial statement preparation services to persons and entities located in Virginia.

§ 54.1-4403. General powers and duties of the Board.

The Board shall have the power and duty to:

1. Establish the qualifications of applicants for licensure, provided that all qualifications shall be necessary to ensure competence and integrity.

2. Examine, or cause to be examined, the qualifications of each applicant for licensure, including the preparation, administration, and grading of the CPA examination.

3. Promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) necessary to assure continued competency, to prevent deceptive or misleading practices by licensees, and to effectively administer the regulatory system.

4. Levy and collect fees for the issuance, renewal, or reinstatement of Virginia licenses that are sufficient to cover all expenses of the administration and operation of the Board.

5. Levy on holders of Virginia licenses special assessments necessary to cover expenses of the Board.

6. Initiate or receive complaints concerning the conduct of or violation of the provisions of this chapter or regulations promulgated by the Board by holders of Virginia licenses, individuals, firms, or entities claiming to hold a Virginia license, or unlicensed individuals, firms, or entities using the CPA title in Virginia, and to take appropriate disciplinary action if warranted.

7. Initiate or receive complaints concerning the conduct of persons or firms who use the CPA title in Virginia under the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411 or firms that provide attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia under the provisions of subsection C of § 54.1-4412.1, and to take appropriate disciplinary action if warranted.

8. Initiate or receive complaints concerning violations of the provisions of this chapter or regulations promulgated by the Board by persons or firms who use the CPA title in Virginia under the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411 or firms that provide attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia under the provisions of subsection C of § 54.1-4412.1, and to take appropriate disciplinary action if warranted.

9. Revoke, suspend, or refuse to renew or reinstate a Virginia license for just causes as prescribed by the Board.

10. Revoke or suspend, for just causes as prescribed by the Board, a person's or firm's privilege of using the CPA title in Virginia under the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411 or a firm's privilege of providing attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia under the provisions of subsection C of § 54.1-4412.1.

11. Establish requirements for peer reviews.

12. Establish continuing professional educational requirements as a condition for issuance, renewal, or reinstatement of a Virginia license.

13. Expand or interpret the standards of conduct and practice in § 54.1-4413.3.

14. Enter into contracts necessary or convenient for carrying out the provisions of this chapter or the functions of the Board.

15. Permit certain biographical references to previous CPA licensure.

16. Promulgate additional guidance on using the CPA title in Virginia as necessary.

17. Do all things necessary and convenient for carrying into effect this chapter and regulations promulgated by the Board.

§ 54.1-4409.1. Licensing requirements for persons.

A. A person must be licensed in order to use the CPA title in Virginia.

1. The person shall hold a Virginia license if he provides services to the public and the principal place of business in which he provides those services is in Virginia.

2. Other persons shall not be required to hold a Virginia license in order to use the CPA title in Virginia provided that they hold the license of another state and comply with the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411.

B. The Board shall prescribe the methods, fees, and continuing professional education requirements for a person to apply for the issuance, renewal, or reinstatement of a Virginia license.

C. The Board has the authority to refuse to grant a person the privilege of using the CPA title in Virginia if, based upon all the information available, the Board finds that the person is unfit or unsuited to use the CPA title in Virginia. The Board shall not refuse to grant a person the privilege of using the CPA title in Virginia solely because of a criminal conviction.

§ 54.1-4409.2. How a person may obtain a Virginia license.

A. A person who has not held the license of any state may obtain a Virginia license under this subsection.

1. To be considered for a Virginia license, the person seeking licensure shall:

a. Provide documentation that he has obtained from one or more accredited institutions at least 150 semester hours of education, a baccalaureate or higher degree, and an accounting concentration or equivalent, as defined by the Board. *For a person seeking licensure on or after January 1, 2026, provide documentation that he has obtained from one or more accredited institutions a baccalaureate or higher degree and an accounting concentration or equivalent, as defined by the Board*;

b. Provide documentation that he has passed the CPA examination;

c. Describe his continuing professional education since he passed the CPA examination. The Board shall determine whether his continuing professional education complies with the continuing professional education requirement prescribed by the Board for that period; and

d. *(1) For a person seeking licensure prior to January 1, 2026, describe* ~~Deserибe~~ his experience. The Board shall determine whether his experience complies with the experience requirement prescribed by the Board.

(2) For a person seeking licensure on or after January 1, 2026, provide documentation of qualifying experience as determined by the Board, which shall include:

(a) Two years of experience for a person who has obtained a baccalaureate degree. The Board shall permit at least 30 additional semester hours of education beyond the minimum hours required for a baccalaureate degree to be substituted for one year of experience; or

(b) One year of experience for a person who has obtained a master's degree.

2. After evaluating information provided by the person, the Board may request additional information and may impose additional requirements for obtaining a Virginia license.

B. A person who does not hold the license of another state but has previously held the license of another state may obtain a Virginia license under this subsection.

1. To be considered for a Virginia license, the person seeking licensure shall:

a. Disclose to the Board each state in which he has held a license;

b. Disclose, for each of those states, why the license is no longer held and provide documentation from the board of accountancy concerning whether he has been found guilty of any violations of the standards of conduct and practice established by statutes of the state or regulations promulgated by the board;

c. Describe the semester hours of education he has obtained from institutions of higher education. The Board shall determine whether the education obtained is substantially equivalent to the education ~~that would have been~~ required by the Board ~~when the person passed the CPA examination~~;

d. *Provide documentation that the person has passed the CPA examination;*

e. Describe his continuing professional education since he last held the license of another state. The Board shall determine whether his continuing professional education complies with requirement prescribed by the Board for reinstatement of a Virginia license; and

~~e.~~ *f.* Describe his experience. The Board shall determine whether his experience complies with the experience requirement prescribed by the Board.

2. After evaluating the information provided by the person, the Board may request additional information and may impose additional requirements for obtaining a Virginia license.

C. A person who holds the license of another state may obtain a Virginia license under this subsection.

1. To be considered for a Virginia license, the person seeking licensure shall:

a. Disclose to the Board each state in which he holds or has held a license;

b. Provide, for each state in which the person holds a license, documentation from the board of accountancy concerning whether he is in good standing with the board, whether there are any pending actions alleging violations of the standards of conduct and practice established by statutes of the state or regulations promulgated by the board, and whether he has been found guilty of any violations of the standards of conduct and practice established by statutes of the state or regulations promulgated by the board;

c. Disclose, for each state in which the person has held a license, why the license is no longer held and provide documentation from the board of accountancy concerning whether he has been found guilty of any violations of the standards of conduct and practice established by statutes of the state or regulations promulgated by the board;

d. Describe the semester hours of education he has obtained from institutions of higher education. The Board shall determine whether the education obtained is substantially equivalent to the education ~~that would have been~~ required by the Board ~~when the person passed the CPA examination~~;

e. *Provide documentation that the person has passed the CPA examination;*

f. Describe his continuing professional education during the most recent reporting period that would be required for the holder of a Virginia license. The Board shall determine whether his continuing professional education complies with the continuing professional education requirement prescribed by the Board for that period; and

~~f.~~ *g.* Describe his experience. The Board shall determine whether his experience complies with the experience requirement prescribed by the Board.

2. After evaluating the information provided by the person, the Board may request additional information and may impose additional requirements for obtaining a Virginia license.

§ 54.1-4411. Practice privilege provisions for persons who hold the license of another state.

A. A person who *(i)* holds ~~the license of another state shall be considered to have met requirements that are substantially equivalent to those prescribed by the Board if:~~

~~1. The Board has determined that the education, CPA examination, and experience requirements of the state are substantially equivalent to those prescribed by the Board, or~~

~~2. The person has demonstrated meeting education, CPA examination, and experience requirements that are substantially equivalent to those prescribed by the Board.~~ *a license in good standing issued by another state, territory of the United States, or the District of Columbia and (ii) has passed the CPA examination shall be granted practice privilege to provide services to the public in the Commonwealth without notice to the Board or payment of any fees.*

B. A person who ~~holds the license of another state and meets the substantial equivalency provisions of~~ *exercises practice privilege pursuant to* subsection A shall not be required to hold a Virginia license to use the CPA title in Virginia provided that either (i) he provides services to the public and the principal place of business in which he provides those services is in other states or (ii) he does not provide services to the public.

However, to use the CPA title in Virginia, the person shall:

1. Consent to be subject to:

a. The provisions of this chapter and regulations promulgated by the Board that apply to the holder of a Virginia license~~,~~*;*

b. The jurisdiction of the Board in all disciplinary proceedings arising out of matters related to his use of the CPA title *or providing services to the public* in Virginia~~,~~*;* and

c. The Board's authority to revoke or suspend his privilege to use the CPA title in Virginia and to impose penalties for the person's violations of the provisions of this chapter and regulations promulgated by the Board.

2. Consent to the appointment of the executive director of the board of accountancy of the state that issued the license as his agent, upon whom process may be served (i) in any action or proceeding by the Board against him, or (ii) in any civil action in Virginia courts arising out of his using the CPA title in Virginia. In the event he holds a license from more than one state, the Board shall establish which executive director shall serve as his agent.

3. Consent to the personal and subject matter jurisdiction of the courts of Virginia in any civil action arising out of his use of the CPA title *or providing services to the public* in Virginia and agree that the proper venue for such actions is in Virginia.

4. Agree to cease using the CPA title in Virginia if he is no longer licensed.

C. A holder of a Virginia license who is using the CPA title in another state under substantial equivalency *or practice privilege* provisions of statutes of the state or regulations promulgated by the board of accountancy of the state shall be subject to disciplinary action by the Board for an act or omission committed in that state. The Board may investigate any complaint made to or by the board of accountancy of any state related to the person's use of the CPA title in that state.

D. The Board may cooperate and share information with appropriate authorities in other states in investigations or enforcement matters concerning violations of the provisions of this chapter or regulations promulgated by the Board and comparable statutes or regulations of other states or boards of accountancy.

E. Notwithstanding any provision of law to the contrary, if the Board determines after evaluation that another state has granted CPA licenses without requiring candidates to meet minimum qualifications acceptable to the Board, the Board may revoke practice privileges in the Commonwealth for CPAs licensed by that state. Individual CPAs from states for which practice privileges have been revoked can still qualify for practice privileges in the Commonwealth if the person would qualify for licensure in Virginia.

§ 54.1-4412.1. Licensing requirements for firms.

A. Only a licensed firm can provide attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia. However, this shall not affect the privilege of a person who is not licensed to include a statement on financial statements indicating that no assurance is provided on the financial statements, to say that financial statements have been compiled, or to use the compilation language, as prescribed by subsections B and C of § 54.1-4401.

B. A firm that provides attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia shall obtain a Virginia license if such firm's principal place of business is in Virginia.

C. A firm whose principal place of business is not in Virginia is not required to obtain a Virginia license but may provide attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia if the following provisions are met:

1. The firm holds the license of another state and can lawfully provide attest services, compilation services, or financial statement preparation services to persons or entities in the state where its principal place of business is located; and

2. The firm complies with subsection D; and

3. The firm's personnel working on the engagement either (i) hold a Virginia license or (ii) hold the license of another state and comply with the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411; or

4. The firm's personnel working on the engagement are under the supervision of a person who either (i) holds a Virginia license or (ii) holds the license of another state and complies with the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411.

D. For a firm to obtain and hold a Virginia license:

1. As determined on a firm-wide basis:

a. At least 51 percent of the owners of the firm shall be licensees, trustees of an eligible employee stock ownership plan as defined in § 13.1-543, or a firm that meets this requirement; and

b. At least 51 percent of the voting equity interest in the firm shall be owned by persons who are licensees, by trustees of an eligible employee stock ownership plan as defined in § 13.1-543, or by a firm that meets this requirement.

If the death, retirement, or departure of an owner causes either of these requirements not to be met, the requirement shall be met within one year after the death, retirement, or departure of the owner.

2. The Board shall prescribe requirements concerning the hours that owners who are not licensees work in the firm and may prescribe other requirements for those persons.

3. All attest services, compilation services, and financial statement preparation services provided for persons and entities located in Virginia shall be under the supervision of a person who either (i) holds a Virginia license or (ii) holds the license of another state and complies with the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411.

4. Any person who releases or authorizes the release of reports on attest services, compilation services, or financial statement preparation services provided for persons or entities located in Virginia shall:

a. Either (i) hold a Virginia license or (ii) hold the license of another state and comply with the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411; and

b. Meet any additional requirements the Board prescribes.

5. The firm shall conduct its attest services, compilation services, and financial statement preparation services in conformity with the standards of conduct and practice in § 54.1-4413.3 and regulations promulgated by the Board.

6. If the services provided by the firm are within the scope of the practice-monitoring program of the American Institute of Certified Public Accountants or its successor, the firm shall enroll in the program or in another practice-monitoring program for attest services, compilation services, and financial statement preparation services that is approved by the Board. In addition, if enrolled the firm shall:

a. Comply with any requirements prescribed by the Board in response to the results of peer reviews; and

b. Participate in the American Institute of Certified Public Accountants', or sponsoring organizations', Facilitated State Board Access process, or its successor process, or another process approved by the Board for peer reviews.

7. The name of the firm shall not be false, misleading, or deceptive.

E. The Board shall prescribe the methods and fees for a firm to apply for the issuance, renewal, or reinstatement of a Virginia license.

F. A firm may not use the CPA title in Virginia unless it holds a Virginia license or the license of another state as permitted in subsection C.

§ 54.1-4413.4. Penalties.

A. Penalties the Board may impose consist of:

1. Revoking a Virginia license or the privilege of using the CPA title in Virginia or providing attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia;

2. Suspending or refusing to renew or reinstate a Virginia license or the privilege of using the CPA title in Virginia or providing attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia;

3. Reprimanding, censuring, or limiting the scope of practice of any person, firm, or entity using a Virginia license or the CPA title in Virginia or any firm providing attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia;

4. Placing any person, firm, or entity using a Virginia license or the CPA title in Virginia or any firm providing attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia on probation, with or without terms, conditions, and limitations;

5. Requiring a firm holding a Virginia license to have an accelerated peer review conducted as the Board may specify or to take other remedial actions;

6. Requiring a person holding a Virginia license to satisfactorily complete additional or specific continuing professional education as the Board may specify;

7. Imposing a monetary penalty up to $100,000 for each violation of the provisions of this chapter or regulations promulgated by the Board; any monetary penalty may be sued for and recovered in the name of the Commonwealth; and

8. Requiring any person, firm, or entity that violates § 54.1-4414 to discontinue any acts in violation of that provision.

B. The Board may impose penalties on persons, firms, or entities using a Virginia license or the CPA title in Virginia or firms or entities providing attest services, compilation services, or financial statement preparation services to persons or entities located in Virginia for:

1. Violation of the provisions of this chapter or violation of any regulation, subpoena, or order of the Board;

2. Fraud or deceit in obtaining, renewing, or applying for reinstatement or lifting the suspension of a Virginia license;

3. Revocation, suspension, or refusal to reinstate the license of another state for disciplinary reasons;

4. Revocation or suspension of the privilege of practicing before any state or federal agency or federal court of law;

5. Dishonesty, fraud, or gross negligence in providing services to or on behalf of an employer, in providing services to the public, or in providing attest services, compilation services, or financial statement preparation services;

6. Dishonesty, fraud, or gross negligence in preparing the person's or firm's own state or federal income tax return or financial statement;

7. Conviction of a felony, or of any crime involving moral turpitude, under the laws of the United States, of Virginia, or of any other state if the acts involved would have constituted a crime under the laws of Virginia; or

8. Lack of the competence required to provide services to the public for persons and entities located in Virginia or to provide attest services, compilation services, and financial statement preparation services to persons and entities located in Virginia, as determined by the Board.

C. The Board may also impose penalties on:

1. A person, firm, or entity that does not hold a Virginia license, or that does not meet the requirements to use the CPA title in Virginia under the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411, and commits any of the acts prohibited by § 54.1-4414; or

2. A firm or entity that does not meet the criteria prescribed by subdivision D 1 of § 54.1-4412.1 and commits any of the acts prohibited by § 54.1-4414.

§ 54.1-4414. Prohibited acts.

Neither (i) a person who does not hold a Virginia license or who does not meet the requirements to use the CPA title in Virginia under the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411 nor (ii) an entity that does not meet the criteria prescribed by subdivision D 1 of § 54.1-4412.1 shall:

1. Practice public accounting;

2. Claim to hold a license to use the CPA title;

3. Make any other claim of licensure, registration, or approval related to the preparation of financial statements that is false or misleading;

4. Use the CPA title; or

5. Refer to any of the standard-setting authorities listed in the standards of conduct and practice in subdivisions 5 and 6 of § 54.1-4413.3, or refer to or use any of the terminology prescribed by those authorities for reporting on financial statements, in any form or manner of communication about services provided to persons or entities located in Virginia.

§ 54.1-4425. Time for filing complaints against CPAs or CPA firms.

A. Except as otherwise provided in subsections B and C, any complaint against the holder of a Virginia license for any violation of statutes or regulations pertaining to the Board or any of the programs that may be in another title of the Code for which the Board has enforcement responsibility, in order to be investigated by the Board, shall be made in writing, or otherwise made in accordance with Board procedures, and received by the Board within ~~three~~ *five* years of the act, omission, or occurrence giving rise to the violation.

B. However, where a holder of a Virginia license has materially and willfully misrepresented, concealed, or omitted any information and the information so misrepresented, concealed, or omitted is material to the establishment of the violation, the complaint may be made at any time within two years after discovery of the misrepresentation, concealment, or omission.

C. In cases where criminal charges have been filed involving matters that, if found to be true, would also constitute a violation of the regulations or laws of the regulant's profession enforced by the Board, an investigation may be initiated by the Board at any time within ~~three~~ *five* years following the date of conviction.

D. In order to be investigated by the Board, any complaint against an individual or firm using the CPA title in Virginia under the ~~substantial equivalency~~ *practice privilege* provisions of § 54.1-4411 or against a firm or entity providing attest services, compilation services, or financial statement preparation services under subsection C of § 54.1-4412.1 for any violation of statutes or regulations pertaining to the Board or any of the programs that may be in another title of this Code for which the Board has enforcement responsibility shall be made in writing, or otherwise made in accordance with Board procedures, and received by the Board within five years of the act, omission, or occurrence giving rise to the violation.

E. Public information obtained from any source may serve as the basis for a written complaint. Nothing in this section shall be construed to require the filing of a complaint if the alleged violation of the statute or regulation is discovered during an investigation authorized by law, and the acts, omissions, or conditions constituting the alleged violations are witnessed by a sworn investigator appointed by the Executive Director.

F. Nothing herein shall deny the right of any party to bring a civil cause of action in a court of law.

2. That the Board of Accountancy shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

CHAPTER 540

An Act to amend the Code of Virginia by adding in Chapter 36 of Title 38.2 a section numbered 38.2-3611, relating to Medicare supplement policies; annual open enrollment period.

[S 1199]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 36 of Title 38.2 a section numbered 38.2-3611 as follows:

§ 38.2-3611. Annual open enrollment period.

A. An insurer, health services plan, or health maintenance organization issuing individual Medicare supplement policies or certificates in the Commonwealth, including policies or certificates issued on an individual basis through a non-employer group trust, plan, or association, shall offer to an individual currently insured under any such policy or certificate an annual open enrollment period commencing on the day of the individual's birthday and remaining open for at least 60 days thereafter, during which time the individual may purchase any Medicare supplement policy made available by any insurer in the Commonwealth that offers the same benefits as those provided by the current coverage. Innovative benefits, as described in 42 U.S.C. § 1395ss(p)(4)(B), shall not be considered when determining whether a Medicare supplement policy includes the same benefits as those provided by the previous coverage.

B. During the annual open enrollment period offered pursuant to this section, no insurer, health services plan, or health maintenance organization shall deny or condition the issuance or effectiveness, or discriminate in the price of coverage, of a Medicare supplement policy based on the health status, claims history, receipt of health care, or medical condition of an individual currently insured under any such policy.

C. At least 15 days but not more than 30 days prior to the commencement of an annual open enrollment period for an individual to whom the open enrollment period established by the provisions of this section applies, the insurer, health services plan, or health maintenance organization issuing a Medicare supplement policy or certificate shall notify each such individual of:

1. The dates on which the open enrollment period begins and ends;

2. The rights of the individual during the open enrollment period; and

3. Any modification of the benefits provided by the policy under which the individual is currently insured or adjustment of the premiums charged for that policy.

D. As used in this section, "Medicare supplement policy" includes policies offered by public entities that otherwise meet the requirements of this chapter.

CHAPTER 541

An Act to amend the Code of Virginia by adding a section numbered 54.1-406.1, relating to professions and occupations; alternative to education requirement for licensure of architects.

[S 1310]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 54.1-406.1 as follows:

§ 54.1-406.1. Alternative to education requirement for licensure of architects.

A. The Board shall adopt regulations establishing work and education experience equivalencies that shall provide an alternative to the requirement of a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) pursuant to 18VAC10-20-110. In establishing an alternative pathway to a NAAB-accredited degree, the Board shall require a minimum of 10 years of qualifying work experience, education experience, or combination of work and education experience.

B. In establishing qualifying work and education experience under this section, the Board shall adopt regulations establishing a credit system to account for varying degrees of work and education experience and such credit system shall be based on the applicability of such work or education experience to the practice of architecture.

C. The Board shall develop requirements for applicants seeking licensure to certify work and education experience on an annual basis.

2. That, notwithstanding any annual reporting requirement developed by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (the Board), the Board shall evaluate any past work or education experience of any applicant in meeting the requirements of the first enactment of this act.

3. That the second enactment of this act shall expire on July 1, 2028.

CHAPTER 542

An Act to amend and reenact §§ 10.1-603.24 and 10.1-603.25 of the Code of Virginia, relating to Virginia Community Flood Preparedness Fund; loan and grant program; eligible recipients; federally recognized tribes and Virginia recognized tribes.

[S 1335]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 10.1-603.24 and 10.1-603.25 of the Code of Virginia are amended and reenacted as follows:

§ 10.1-603.24. Definitions.

As used in this article, unless the context requires a different meaning:

"Authority" means the Virginia Resources Authority.

"Cost," as applied to any project financed under the provisions of this article, means the total of all costs incurred by the local government*, federally recognized tribe, or Virginia recognized tribe* as reasonable and necessary for carrying out all works and undertakings necessary or incident to the accomplishment of any project.

"Department" means the Virginia Department of Conservation and Recreation.

"Flood prevention or protection" means the construction of hazard mitigation projects, acquisition of land, or implementation of land use controls that reduce or mitigate damage from coastal or riverine flooding.

"Flood prevention or protection study" means the conduct of a hydraulic or hydrologic study of a flood plain with historic and predicted floods, the assessment of flood risk, and the development of strategies to prevent or mitigate damage from coastal or riverine flooding.

"Fund" means the Virginia Community Flood Preparedness Fund created pursuant to § 10.1-603.25.

"Local government" means any county, city, town, municipal corporation, authority, district, commission, or political subdivision created by the General Assembly or pursuant to the Constitution of Virginia or laws of the Commonwealth.

"Low-income geographic area" means any locality, or community within a locality, that has a median household income that is not greater than 80 percent of the local median household income, or any area in the Commonwealth designated as a qualified opportunity zone by the U.S. Secretary of the Treasury via his delegation of authority to the Internal Revenue Service.

"Nature-based solution" means an approach that reduces the impacts of flood and storm events through the use of environmental processes and natural systems. A nature-based solution may provide additional benefits beyond flood control, including recreational opportunities and improved water quality.

§ 10.1-603.25. Virginia Community Flood Preparedness Fund; loan and grant program.

A. The Virginia Community Flood Preparedness Fund is hereby established as a permanent and perpetual fund. All sums that are designated for deposit in the Fund from revenue generated by the sale of emissions allowances pursuant to subdivision C 1 of § 10.1-1330, all sums that may be appropriated to the Fund by the General Assembly, all receipts by the Fund from the repayment of loans made by it to local governments*, federally recognized tribes, and Virginia recognized tribes*, all income from the investment of moneys held in the Fund, and any other sums designated for deposit to the Fund from any source, public or private, including any federal grants and awards or other forms of assistance received by the Commonwealth that are eligible for deposit in the Fund under federal law, shall be designated for deposit to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including any appropriated funds and all principal, interest accrued, and payments, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. All loans and grants provided under this article shall be deemed to promote the public purposes of enhancing flood prevention or protection and coastal resilience.

B. Moneys in the Fund shall be used solely for the purposes of enhancing flood prevention or protection and coastal resilience as required by this article. The Authority shall manage the Fund and shall establish interest rates and repayment terms of such loans as provided in this article in accordance with a memorandum of agreement with the Department. The Authority may disburse from the Fund its reasonable costs and expenses incurred in the management of the Fund. The Department shall direct distribution of loans and grants from the Fund in accordance with the provisions of subsection D.

C. The Authority is authorized at any time and from time to time to pledge, assign, or transfer from the Fund or any bank or trust company designated by the Authority any or all of the assets of the Fund to be held in trust as security for the payment of principal of, premium, if any, and interest on any and all bonds, as defined in § 62.1-199, issued to finance any flood prevention or protection project undertaken pursuant to the provisions of this article. In addition, the Authority is authorized at any time and from time to time to sell upon such terms and conditions as the Authority deems appropriate any loan or interest thereon made pursuant to this article. The net proceeds of the sale remaining after payment of costs and expenses shall be designated for deposit to, and become part of, the Fund.

D. 1. The Fund shall be administered by the Department as prescribed in this article. The Department, in consultation with the Secretary of Natural and Historic Resources and the Chief Resilience Officer of the Commonwealth, shall establish guidelines regarding the distribution and prioritization of loans and grants, including loans and grants that support flood

prevention or protection studies of statewide or regional significance. The Department shall develop and provide an opportunity for a 30-day public comment period prior to each new grant or loan offering to solicit feedback on proposed revisions to the Virginia Community Flood Preparedness Manual. A record of each application for a grant or loan and the action taken thereon shall be available for public inspection at the office of the Department and on a publicly accessible website.

2. The Director shall convene an Advisory Review Committee (the Committee) to assist in the distribution of loans and grants from the Fund. The Committee shall review applications to the Fund and make recommendations on the disbursement of moneys from the Fund and any other appropriate issues to the Department, the Secretary of Natural and Historic Resources, and the Chief Resilience Officer of the Commonwealth. The Committee shall include representatives from the Department of Emergency Management, the Department of Environmental Quality, the Department of Housing and Community Development, a nonprofit group engaged in resilience efforts, the agriculture industry, the manufacturing industry, and the business community, the Virginia Director of the Chesapeake Bay Commission, and others as the Director deems appropriate. Appointed members of the Committee shall serve without compensation.

E. Localities*, federally recognized tribes, and Virginia recognized tribes* shall use moneys from the Fund primarily for the purpose of implementing flood prevention and protection projects and studies in areas that are subject to recurrent flooding as confirmed by a locality-certified floodplain manager. Moneys in the Fund may be used to mitigate future flood damage and to assist inland and coastal communities across the Commonwealth that are subject to recurrent or repetitive flooding. No less than 25 percent of the moneys disbursed from the Fund each year shall be used for projects in low-income geographic areas. Priority shall be given to projects that implement community-scale hazard mitigation activities that use nature-based solutions to reduce flood risk.

F. Any locality*, federally recognized tribe, or Virginia recognized tribe* is authorized to secure a loan made pursuant to this section by placing a lien up to the value of the loan against any property that benefits from the loan. Such a lien shall be subordinate to each prior lien on such property, except prior liens for which the prior lienholder executes a written subordination agreement, in a form and substance acceptable to the prior lienholder in its sole and exclusive discretion, that is recorded in the land records where the property is located.

G. Any locality*, federally recognized tribe, or Virginia recognized tribe* using moneys in the Fund to provide a loan for a project in a low-income geographic area is authorized to forgive the principal of such loan. If a locality*, federally recognized tribe, or Virginia recognized tribe* forgives the principal of any such loan, any obligation of the locality*, federally recognized tribe, or Virginia recognized tribe* to repay that principal to the Commonwealth shall not be forgiven and such obligation shall remain in full force and effect. The total amount of loans forgiven by all localities*, federally recognized tribes, and Virginia recognized tribes* in a fiscal year shall not exceed 30 percent of the amount appropriated in such fiscal year to the Fund by the General Assembly.

CHAPTER 543

An Act to amend and reenact § 19.2-389 of the Code of Virginia, relating to dissemination of criminal history record information.

[H 1627]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-389 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-389. Dissemination of criminal history record information.

A. Criminal history record information shall be disseminated, whether directly or through an intermediary, only to:

1. Authorized officers or employees of criminal justice agencies, as defined by § 9.1-101, for purposes of the administration of criminal justice and the screening of an employment application or review of employment by a criminal justice agency with respect to its own employees or applicants, and dissemination to the Virginia Parole Board, pursuant to this subdivision, of such information on all state-responsible inmates for the purpose of making parole determinations pursuant to subdivisions 1, 2, 3, 4, and 6 of § 53.1-136 shall include collective dissemination by electronic means every 30 days. For purposes of this subdivision, criminal history record information includes information sent to the Central Criminal Records Exchange pursuant to §§ 37.2-819 and 64.2-2014 when disseminated to any full-time or part-time employee of the State Police, a police department or sheriff's office that is a part of or administered by the Commonwealth or any political subdivision thereof, and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth for the purposes of the administration of criminal justice;

2. Such other individuals and agencies that require criminal history record information to implement a state or federal statute or executive order of the President of the United States or Governor that expressly refers to criminal conduct and contains requirements or exclusions expressly based upon such conduct, except that information concerning the arrest of an individual may not be disseminated to a noncriminal justice agency or individual if an interval of one year has elapsed from the date of the arrest and no disposition of the charge has been recorded and no active prosecution of the charge is pending;

3. Individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement which shall specifically authorize access to data, limit the use of data to purposes for which given, and ensure the security and confidentiality of the data;

4. Individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency that shall specifically authorize access to data, limit the use of data to research, evaluative, or statistical purposes, and ensure the confidentiality and security of the data;

5. Agencies of state or federal government that are authorized by state or federal statute or executive order of the President of the United States or Governor to conduct investigations determining employment suitability or eligibility for security clearances allowing access to classified information;

6. Individuals and agencies where authorized by court order or court rule;

7. Agencies of any political subdivision of the Commonwealth, public transportation companies owned, operated or controlled by any political subdivision, and any public service corporation that operates a public transit system owned by a local government for the conduct of investigations of applicants for employment, permit, or license whenever, in the interest of public welfare or safety, it is necessary to determine under a duly enacted ordinance if the past criminal conduct of a person with a conviction record would be compatible with the nature of the employment, permit, or license under consideration;

7a. Commissions created pursuant to the Transportation District Act of 1964 (§ 33.2-1900 et seq.) of Title 33.2 and their contractors, for the conduct of investigations of individuals who have been offered a position of employment whenever, in the interest of public welfare or safety and as authorized in the Transportation District Act of 1964, it is necessary to determine if the past criminal conduct of a person with a conviction record would be compatible with the nature of the employment under consideration;

8. Public or private agencies when authorized or required by federal or state law or interstate compact to investigate (i) applicants for foster or adoptive parenthood or (ii) any individual, and the adult members of that individual's household, with whom the agency is considering placing a child or from whom the agency is considering removing a child due to abuse or neglect, on an emergency, temporary, or permanent basis pursuant to §§ 63.2-901.1 and 63.2-1505, subject to the restriction that the data shall not be further disseminated to any party other than a federal or state authority or court as may be required to comply with an express requirement of law;

9. To the extent permitted by federal law or regulation, public service companies as defined in § 56-1, for the conduct of investigations of applicants for employment when such employment involves personal contact with the public or when past criminal conduct of an applicant would be incompatible with the nature of the employment under consideration;

10. The appropriate authority for purposes of granting citizenship and for purposes of international travel, including, but not limited to, issuing visas and passports;

11. A person requesting a copy of his own criminal history record information as defined in § 9.1-101 at his cost, except that criminal history record information shall be supplied at no charge to a person who has applied to be a volunteer with (i) a Virginia affiliate of Big Brothers/Big Sisters of America; (ii) a volunteer fire company; (iii) the Volunteer Emergency Families for Children; (iv) any affiliate of Prevent Child Abuse, Virginia; (v) any Virginia affiliate of Compeer; or (vi) any board member or any individual who has been offered membership on the board of a Crime Stoppers, Crime Solvers or Crime Line program as defined in § 15.2-1713.1;

12. Administrators and board presidents of and applicants for licensure or registration as a child welfare agency as defined in § 63.2-100 for dissemination to the Commissioner of Social Services' representative pursuant to § 63.2-1702 for the conduct of investigations with respect to employees of and volunteers at such facilities, caretakers, and foster and adoptive parent applicants of private child-placing agencies, pursuant to §§ 63.2-1719, 63.2-1720, and 63.2-1721, subject to the restriction that the data shall not be further disseminated by the facility or agency to any party other than the data subject, the Commissioner of Social Services' representative or a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination; however, nothing in this subdivision shall be construed to prohibit the Commissioner of Social Services' representative from issuing written certifications regarding the results of a background check that was conducted before July 1, 2021, in accordance with subsection J of § 22.1-289.035 or § 22.1-289.039;

13. The Department of Social Services for the purpose of screening individuals as a condition of licensure, employment, volunteering, or providing services on a regular basis in a licensed child welfare agency pursuant to §§ 63.2-1721 and 63.2-1726 or foster or adoptive home approved by a child-placing agency pursuant to § 63.2-901.1;

14. The school boards of the Commonwealth for the purpose of screening individuals who are offered or who accept public school employment and those current school board employees for whom a report of arrest has been made pursuant to § 19.2-83.1;

15. The Virginia Lottery for the conduct of investigations as set forth in the Virginia Lottery Law (§ 58.1-4000 et seq.) and casino gaming as set forth in Chapter 41 (§ 58.1-4100 et seq.) of Title 58.1, and the Department of Agriculture and Consumer Services for the conduct of investigations as set forth in Article 1.1:1 (§ 18.2-340.15 et seq.) of Chapter 8 of Title 18.2;

16. Licensed nursing homes, hospitals and home care organizations for the conduct of investigations of applicants for compensated employment in licensed nursing homes pursuant to § 32.1-126.01, hospital pharmacies pursuant to § 32.1-126.02, and home care organizations pursuant to § 32.1-162.9:1, subject to the limitations set out in subsection E;

17. Licensed assisted living facilities and licensed adult day centers for the conduct of investigations of applicants for compensated employment in licensed assisted living facilities and licensed adult day centers pursuant to § 63.2-1720, subject to the limitations set out in subsection F;

18. The Virginia Alcoholic Beverage Control Authority for the conduct of investigations as set forth in § 4.1-103.1;

19. The State Board of Elections and authorized officers and employees thereof and general registrars appointed pursuant to § 24.2-110 in the course of conducting necessary investigations with respect to voter registration, limited to any record of felony convictions;

20. The Commissioner of Behavioral Health and Developmental Services (the Commissioner) or his designees for individuals who are committed to the custody of or being evaluated by the Commissioner pursuant to §§ 19.2-168.1, 19.2-169.1, 19.2-169.2, 19.2-169.5, 19.2-169.6, 19.2-182.2, 19.2-182.3, 19.2-182.8, and 19.2-182.9 where such information may be beneficial for the purpose of placement, evaluation, treatment, or discharge planning;

21. Any alcohol safety action program certified by the Commission on the Virginia Alcohol Safety Action Program for (i) interventions with first offenders under § 18.2-251 or (ii) services to offenders under § 18.2-51.4, 18.2-266, or 18.2-266.1;

22. Residential facilities for juveniles regulated or operated by the Department of Social Services, the Department of Education, or the Department of Behavioral Health and Developmental Services for the purpose of determining applicants' fitness for employment or for providing volunteer or contractual services;

23. The Department of Behavioral Health and Developmental Services and facilities operated by the Department for the purpose of determining an individual's fitness for employment pursuant to departmental instructions;

24. Pursuant to § 22.1-296.3, the governing boards or administrators of private elementary or secondary schools which are accredited pursuant to § 22.1-19 or a private organization coordinating such records information on behalf of such governing boards or administrators pursuant to a written agreement with the Department of State Police;

25. Public institutions of higher education and nonprofit private institutions of higher education for the purpose of screening individuals who are offered or accept employment;

26. Members of a threat assessment team established by a local school board pursuant to § 22.1-79.4, by a public institution of higher education pursuant to § 23.1-805, or by a private nonprofit institution of higher education, for the purpose of assessing or intervening with an individual whose behavior may present a threat to safety; however, no member of a threat assessment team shall redisclose any criminal history record information obtained pursuant to this section or otherwise use any record of an individual beyond the purpose that such disclosure was made to the threat assessment team;

27. Executive directors of community services boards or the personnel director serving the community services board for the purpose of determining an individual's fitness for employment, approval as a sponsored residential service provider, permission to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver, or permission for any person under contract with the community services board to serve in a direct care position on behalf of the community services board pursuant to §§ 37.2-506, 37.2-506.1, and 37.2-607;

28. Executive directors of behavioral health authorities as defined in § 37.2-600 for the purpose of determining an individual's fitness for employment, approval as a sponsored residential service provider, permission to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver, or permission for any person under contract with the behavioral health authority to serve in a direct care position on behalf of the behavioral health authority pursuant to §§ 37.2-506, 37.2-506.1, and 37.2-607;

29. The Commissioner of Social Services for the purpose of locating persons who owe child support or who are alleged in a pending paternity proceeding to be a putative father, provided that only the name, address, demographics and social security number of the data subject shall be released;

30. Authorized officers or directors of agencies licensed pursuant to Article 2 (§ 37.2-403 et seq.) of Chapter 4 of Title 37.2 by the Department of Behavioral Health and Developmental Services for the purpose of determining if any applicant who accepts employment in any direct care position or requests approval as a sponsored residential service provider, permission to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver, or permission for any person under contract with the provider to serve in a direct care position has been convicted of a crime that affects his fitness to have responsibility for the safety and well-being of individuals with mental illness, intellectual disability, or substance abuse pursuant to §§ 37.2-416, 37.2-416.1, 37.2-506, 37.2-506.1, and 37.2-607;

31. The Commissioner of the Department of Motor Vehicles, for the purpose of evaluating applicants for and holders of a motor carrier certificate or license subject to the provisions of Chapters 20 (§ 46.2-2000 et seq.) and 21 (§ 46.2-2100 et seq.) of Title 46.2;

32. The Chairman of the Senate Committee for Courts of Justice or the Chairman of the House Committee for Courts of Justice for the purpose of determining if any person being considered for election to any judgeship has been convicted of a crime;

33. Heads of state agencies in which positions have been identified as sensitive for the purpose of determining an individual's fitness for employment in positions designated as sensitive under Department of Human Resource Management policies developed pursuant to § 2.2-1201.1;

34. The Office of the Attorney General, for all criminal justice activities otherwise permitted under subdivision A 1 and for purposes of performing duties required by the Civil Commitment of Sexually Violent Predators Act (§ 37.2-900 et seq.);

35. Shipyards, to the extent permitted by federal law or regulation, engaged in the design, construction, overhaul, or repair of nuclear vessels for the United States Navy, including their subsidiary companies, for the conduct of investigations of applications for employment or for access to facilities, by contractors, leased laborers, and other visitors;

36. Any employer of individuals whose employment requires that they enter the homes of others, for the purpose of screening individuals who apply for, are offered, or have accepted such employment;

37. Public agencies when and as required by federal or state law to investigate (i) applicants as providers of adult foster care and home-based services or (ii) any individual with whom the agency is considering placing an adult on an emergency, temporary, or permanent basis pursuant to § 63.2-1601.1, subject to the restriction that the data shall not be further disseminated by the agency to any party other than a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination, subject to limitations set out in subsection G;

38. The Department of Medical Assistance Services, or its designee, for the purpose of screening individuals who, through contracts, subcontracts, or direct employment, volunteer, apply for, are offered, or have accepted a position related to the provision of transportation services to enrollees in the Medicaid Program or the Family Access to Medical Insurance Security (FAMIS) Program, or any other program administered by the Department of Medical Assistance Services;

39. The State Corporation Commission for the purpose of investigating individuals who are current or proposed members, senior officers, directors, and principals of an applicant or person licensed under Chapter 16 (§ 6.2-1600 et seq.), Chapter 19 (§ 6.2-1900 et seq.), or Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2. Notwithstanding any other provision of law, if an application is denied based in whole or in part on information obtained from the Central Criminal Records Exchange pursuant to Chapter 16, 19, or 26 of Title 6.2, the Commissioner of Financial Institutions or his designee may disclose such information to the applicant or its designee;

40. The Department of Professional and Occupational Regulation for the purpose of investigating individuals for initial licensure pursuant to § 54.1-2106.1;

41. The Department for Aging and Rehabilitative Services and the Department for the Blind and Vision Impaired for the purpose of evaluating an individual's fitness for various types of employment and for the purpose of delivering comprehensive vocational rehabilitation services pursuant to Article 11 (§ 51.5-170 et seq.) of Chapter 14 of Title 51.5 that will assist the individual in obtaining employment;

42. Bail bondsmen, in accordance with the provisions of § 19.2-120;

43. The State Treasurer for the purpose of determining whether a person receiving compensation for wrongful incarceration meets the conditions for continued compensation under § 8.01-195.12;

44. The Department of Education or its agents or designees for the purpose of screening individuals seeking to enter into a contract with the Department of Education or its agents or designees for the provision of child care services for which child care subsidy payments may be provided;

45. The Department of Juvenile Justice to investigate any parent, guardian, or other adult members of a juvenile's household when completing a predispositional or postdispositional report required by § 16.1-273 or a Board of Juvenile Justice regulation promulgated pursuant to § 16.1-233;

46. The State Corporation Commission, for the purpose of screening applicants for insurance licensure under Chapter 18 (§ 38.2-1800 et seq.) of Title 38.2;

47. Administrators and board presidents of and applicants for licensure or registration as a child day program or family day system, as such terms are defined in § 22.1-289.02, for dissemination to the Superintendent of Public Instruction's representative pursuant to § 22.1-289.013 for the conduct of investigations with respect to employees of and volunteers at such facilities pursuant to §§ 22.1-289.034 through 22.1-289.037, subject to the restriction that the data shall not be further disseminated by the facility or agency to any party other than the data subject, the Superintendent of Public Instruction's representative, or a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination; however, nothing in this subdivision shall be construed to prohibit the Superintendent of Public Instruction's representative from issuing written certifications regarding the results of prior background checks in accordance with subsection J of § 22.1-289.035 or § 22.1-289.039;

48. The National Center for Missing and Exploited Children for the purpose of screening individuals who are offered or accept employment or will be providing volunteer or contractual services with the National Center for Missing and Exploited Children;

49. The Executive Director or investigators of the Board of Accountancy for the purpose of the enforcement of laws relating to the Board of Accountancy in accordance with § 54.1-4407; and

50. Other entities as otherwise provided by law.

Upon an ex parte motion of a defendant in a felony case and upon the showing that the records requested may be relevant to such case, the court shall enter an order requiring the Central Criminal Records Exchange to furnish the defendant, as soon as practicable, copies of any records of persons designated in the order on whom a report has been made under the provisions of this chapter.

Notwithstanding any other provision of this chapter to the contrary, upon a written request sworn to before an officer authorized to take acknowledgments, the Central Criminal Records Exchange, or the criminal justice agency in cases of offenses not required to be reported to the Exchange, shall furnish a copy of conviction data covering the person named in the request to the person making the request; however, such person on whom the data is being obtained shall consent in writing, under oath, to the making of such request. A person receiving a copy of his own conviction data may utilize or

further disseminate that data as he deems appropriate. In the event no conviction data is maintained on the data subject, the person making the request shall be furnished at his cost a certification to that effect.

B. Use of criminal history record information disseminated to noncriminal justice agencies under this section shall be limited to the purposes for which it was given and may not be disseminated further, except as otherwise provided in subdivision A 47.

C. No criminal justice agency or person shall confirm the existence or nonexistence of criminal history record information for employment or licensing inquiries except as provided by law.

D. Criminal justice agencies shall establish procedures to query the Central Criminal Records Exchange prior to dissemination of any criminal history record information on offenses required to be reported to the Central Criminal Records Exchange to ensure that the most up-to-date disposition data is being used. Inquiries of the Exchange shall be made prior to any dissemination except in those cases where time is of the essence and the normal response time of the Exchange would exceed the necessary time period. A criminal justice agency to whom a request has been made for the dissemination of criminal history record information that is required to be reported to the Central Criminal Records Exchange may direct the inquirer to the Central Criminal Records Exchange for such dissemination. Dissemination of information regarding offenses not required to be reported to the Exchange shall be made by the criminal justice agency maintaining the record as required by § 15.2-1722.

E. Criminal history information provided to licensed nursing homes, hospitals and to home care organizations pursuant to subdivision A 16 shall be limited to the convictions on file with the Exchange for any offense specified in §§ 32.1-126.01, 32.1-126.02, and 32.1-162.9:1.

F. Criminal history information provided to licensed assisted living facilities and licensed adult day centers pursuant to subdivision A 17 shall be limited to the convictions on file with the Exchange for any offense specified in § 63.2-1720.

G. Criminal history information provided to public agencies pursuant to subdivision A 37 shall be limited to the convictions on file with the Exchange for any offense set forth in clause (i) of the definition of barrier crime in § 19.2-392.02.

H. Upon receipt of a written request from an employer or prospective employer, the Central Criminal Records Exchange, or the criminal justice agency in cases of offenses not required to be reported to the Exchange, shall furnish at the employer's cost a copy of conviction data covering the person named in the request to the employer or prospective employer making the request, provided that the person on whom the data is being obtained has consented in writing to the making of such request and has presented a photo-identification to the employer or prospective employer. In the event no conviction data is maintained on the person named in the request, the requesting employer or prospective employer shall be furnished at his cost a certification to that effect. The criminal history record search shall be conducted on forms provided by the Exchange.

I. ~~Nothing in this section shall preclude the dissemination~~ *The attorney for the Commonwealth shall provide a physical or electronic copy* of a person's criminal history record information*, including criminal history record information maintained in the National Crime Information Center (NCIC) and the Interstate Identification Index System (III System) that is in his possession,* pursuant to the rules of court for obtaining discovery or for review by the court. *No criminal history record information provided under this subsection shall be disseminated further.*

CHAPTER 544

An Act to amend and reenact §§ 54.1-2957 and 54.1-2957.04 of the Code of Virginia, relating to certified nurse midwives; licensed certified midwives; independent practice; organized medical staff.

[H 1635]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2957 and 54.1-2957.04 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2957. Licensure and practice of advanced practice registered nurses; certified nurse midwives; independent practice of certified nurse midwives.

A. As used in this section, "clinical experience" means the postgraduate delivery of health care directly to patients pursuant to a practice agreement with a patient care team physician.

B. The Board of Medicine and the Board of Nursing shall jointly prescribe the regulations governing the licensure of advanced practice registered nurses. It is unlawful for a person to practice as an advanced practice registered nurse in the Commonwealth unless he holds such a joint license.

C. Every nurse practitioner who does not meet the requirements of subsection I shall maintain appropriate collaboration and consultation, as evidenced in a written or electronic practice agreement, with at least one patient care team physician. A nurse practitioner who meets the requirements of subsection I may practice without a written or electronic practice agreement. A certified nurse midwife shall practice pursuant to subsection H. A clinical nurse specialist shall practice pursuant to subsection J. A certified registered nurse anesthetist shall practice under the supervision of a licensed doctor of medicine, osteopathy, podiatry, or dentistry. An advanced practice registered nurse who is appointed as a medical examiner pursuant to § 32.1-282 shall practice in collaboration with a licensed doctor of medicine or osteopathic medicine

who has been appointed to serve as a medical examiner pursuant to § 32.1-282. Collaboration and consultation among advanced practice registered nurses and patient care team physicians may be provided through telemedicine as described in § 38.2-3418.16.

Physicians on patient care teams may require that an advanced practice registered nurse be covered by a professional liability insurance policy with limits equal to the current limitation on damages set forth in § 8.01-581.15.

Service on a patient care team by a patient care team member shall not, by the existence of such service alone, establish or create liability for the actions or inactions of other team members.

D. The Boards of Medicine and Nursing shall jointly promulgate regulations specifying collaboration and consultation among physicians and advanced practice registered nurses working as part of patient care teams that shall include the development of, and periodic review and revision of, a written or electronic practice agreement; guidelines for availability and ongoing communications that define consultation among the collaborating parties and the patient; and periodic joint evaluation of the services delivered. Practice agreements shall include provisions for (i) periodic review of health records, which may include visits to the site where health care is delivered, in the manner and at the frequency determined by the advanced practice registered nurse and the patient care team physician and (ii) input from appropriate health care providers in complex clinical cases and patient emergencies and for referrals. Evidence of a practice agreement shall be maintained by an advanced practice registered nurse and provided to the Boards upon request. For advanced practice registered nurses providing care to patients within a hospital or health care system, the practice agreement may be included as part of documents delineating the advanced practice registered nurse's clinical privileges or the electronic or written delineation of duties and responsibilities in collaboration and consultation with a patient care team physician.

E. The Boards of Medicine and Nursing may issue a license by endorsement to an applicant to practice as an advanced practice registered nurse if the applicant has been licensed as an advanced practice registered nurse under the laws of another state and, pursuant to regulations of the Boards, the applicant meets the qualifications for licensure required of advanced practice registered nurses in the Commonwealth. An advanced practice registered nurse to whom a license is issued by endorsement may practice without a practice agreement with a patient care team physician pursuant to subsection I if such application provides an attestation to the Boards that the applicant has completed the equivalent of at least three years of full-time experience, as determined by the Boards, in accordance with the laws of the state in which the nurse practitioner was licensed.

F. Pending the outcome of the next National Specialty Examination, the Boards may jointly grant temporary licensure to advanced practice registered nurses.

G. In the event a physician who is serving as a patient care team physician dies, becomes disabled, retires from active practice, surrenders his license or has it suspended or revoked by the Board, or relocates his practice such that he is no longer able to serve, or for other good cause, and an advanced practice registered nurse is unable to enter into a new practice agreement with another patient care team physician, the advanced practice registered nurse may continue to practice upon notification to the designee or his alternate of the Boards and receipt of such notification. Such advanced practice registered nurse may continue to treat patients without a patient care team physician for an initial period not to exceed 60 days, provided that the advanced practice registered nurse continues to prescribe only those drugs previously authorized by the practice agreement with such physician and to have access to appropriate input from appropriate health care providers in complex clinical cases and patient emergencies and for referrals. The designee or his alternate of the Boards shall grant permission for the advanced practice registered nurse to continue practice under this subsection for another 60 days, provided that the advanced practice registered nurse provides evidence of efforts made to secure another patient care team physician and of access to physician input. At the conclusion of the second 60-day period, provided that the advanced practice registered nurse provides evidence of the continued efforts to secure another patient care team physician and of access to physician input, the designee or his alternate of the Boards may grant permission for the advanced practice registered nurse to continue practicing under the management and leadership of a nurse practitioner licensed by the Boards of Medicine and Nursing who (i) meets the requirements of subsection I, (ii) routinely practiced with a patient population and in a practice area within the category for which the advanced practice registered nurse was certified and licensed, and (iii) has been authorized to practice without a written or electronic practice agreement for at least three years.

H. Every certified nurse midwife shall practice in accordance with regulations adopted by the Boards and consistent with the Standards for the Practice of Midwifery set by the American College of Nurse-Midwives governing such practice. A certified nurse midwife who has practiced fewer than 1,000 hours shall practice in consultation with ~~a certified nurse midwife who has practiced for at least two years prior to entering into the practice agreement or~~ a licensed physician *or an independent practice midwife*, in accordance with a practice agreement. Such practice agreement shall address the availability of ~~the certified nurse midwife who has practiced for at least two years prior to entering into the practice agreement or~~ the licensed physician *or independent practice midwife* for routine and urgent consultation on patient care. Evidence of the practice agreement shall be maintained by the certified nurse midwife and provided to the Boards upon request. A certified nurse midwife who has completed 1,000 hours of practice as a certified nurse midwife may practice without a practice agreement upon receipt by the certified nurse midwife of an attestation from ~~the certified nurse midwife who has practiced for at least two years prior to entering into the practice agreement or~~ the licensed physician *or independent practice midwife* with whom the certified nurse midwife has entered into a practice agreement stating (i) that such ~~certified nurse midwife or~~ licensed physician *or independent practice midwife* has provided consultation to the certified nurse midwife pursuant to a practice agreement meeting the requirements of this section and (ii) the period of time

for which such ~~certified nurse midwife or~~ licensed physician *or independent practice midwife* practiced in collaboration and consultation with the certified nurse midwife pursuant to the practice agreement. A certified nurse midwife authorized to practice without a practice agreement shall consult and collaborate with and refer patients to such other health care providers as may be appropriate for the care of the patient.

For the purposes of this subsection, "independent practice midwife" means a licensed certified midwife who is authorized to practice without a practice agreement pursuant subsection D of § 54.1-2957.04 and has practiced independently for two years or a certified nurse midwife who is authorized to practice without a practice agreement pursuant to this subsection and has practiced independently for two years.

I. A nurse practitioner who has completed the equivalent of at least three years of full-time clinical experience, as determined by the Boards, may practice in the practice category in which he is certified and licensed without a written or electronic practice agreement upon receipt by the nurse practitioner of an attestation from either (i) the patient care team physician or (ii) an attesting nurse practitioner who assumed management and leadership of a nurse practitioner pursuant to subsection G and has met the requirements of this subsection for at least three years stating (a) that the patient care team physician or attesting nurse practitioner has served as a patient care team physician or attesting nurse practitioner, respectively, on a patient care team with the nurse practitioner pursuant to a practice agreement meeting the requirements of this section and § 54.1-2957.01; (b) that while a party to such practice agreement, the patient care team physician or attesting nurse practitioner routinely practiced with a patient population and in a practice area included within the category for which the nurse practitioner was certified and licensed; and (c) the period of time for which the patient care team physician or attesting nurse practitioner practiced with the nurse practitioner under such a practice agreement. A copy of such attestation shall be submitted to the Boards together with a fee established by the Boards. Upon receipt of such attestation and verification that a nurse practitioner satisfies the requirements of this subsection, the Boards shall issue to the nurse practitioner a new license that includes a designation indicating that the nurse practitioner is authorized to practice without a practice agreement. In the event that a nurse practitioner is unable to obtain the attestation required by this subsection, the Boards may accept other evidence demonstrating that the applicant has met the requirements of this subsection in accordance with regulations adopted by the Boards.

A nurse practitioner authorized to practice without a practice agreement pursuant to this subsection shall (1) only practice within the scope of his clinical and professional training and limits of his knowledge and experience and consistent with the applicable standards of care, (2) consult and collaborate with other health care providers based on the clinical conditions of the patient to whom health care is provided, and (3) establish a plan for referral of complex medical cases and emergencies to physicians or other appropriate health care providers.

J. A clinical nurse specialist licensed by the Boards of Medicine and Nursing who does not prescribe controlled substances or devices may practice in the practice category in which he is certified and licensed without a written or electronic practice agreement. Such clinical nurse specialist shall (i) only practice within the scope of his clinical and professional training and limits of his knowledge and experience and consistent with the applicable standards of care, (ii) consult and collaborate with other health care providers based on the clinical condition of the patient to whom health care is provided, and (iii) establish a plan for referral of complex medical cases and emergencies to physicians or other appropriate health care providers.

A clinical nurse specialist licensed by the Boards who prescribes controlled substances or devices shall practice in consultation with a licensed physician in accordance with a practice agreement between the clinical nurse specialist and the licensed physician. Such practice agreement shall address the availability of the physician for routine and urgent consultation on patient care. Evidence of a practice agreement shall be maintained by a clinical nurse specialist and provided to the Boards upon request. The practice of clinical nurse specialists shall be consistent with the standards of care for the profession and with applicable laws and regulations.

§ 54.1-2957.04. Licensure as a licensed certified midwife; practice as a licensed certified midwife; independent practice as a licensed certified midwife; use of title; required disclosures.

A. It shall be unlawful for any person to practice or to hold himself out as practicing as a licensed certified midwife or use in connection with his name the words "Licensed Certified Midwife" unless he holds a license as such issued jointly by the Boards of Medicine and Nursing.

B. The Boards of Medicine and Nursing shall jointly adopt regulations for the licensure of licensed certified midwives, which shall include criteria for licensure and renewal of a license as a certified midwife that shall include a requirement that the applicant provide evidence satisfactory to the Boards of current certification as a certified midwife by the American Midwifery Certification Board and that shall be consistent with the requirements for certification as a certified midwife established by the American Midwifery Certification Board.

C. The Boards of Medicine and Nursing may issue a license by endorsement to an applicant to practice as a licensed certified midwife if the applicant has been licensed as a certified midwife under the laws of another state and, pursuant to regulations of the Boards, the applicant meets the qualifications for licensure as a licensed certified midwife in the Commonwealth.

D. ~~Licensed~~ *A licensed* certified ~~midwives~~ *midwife who has practiced fewer than 1,000 hours* shall practice in consultation with a licensed physician *or independent practice midwife* in accordance with a practice agreement between the licensed certified midwife and the licensed physician *or independent practice midwife*. Such practice agreement shall address the availability of the physician *or independent practice midwife* for routine and urgent consultation on patient care.

Evidence of a practice agreement shall be maintained by the licensed certified midwife and provided to the Board upon request. *A licensed certified midwife who has completed 1,000 hours of practice as a licensed certified midwife may practice without a practice agreement upon receipt by the licensed certified midwife of an attestation from the licensed physician or independent practice midwife with whom the licensed certified midwife has entered into a practice agreement stating (i) that such licensed physician or independent practice midwife has provided consultation to the licensed certified midwife pursuant to a practice agreement meeting the requirements of this section and (ii) the period of time for which such licensed physician or independent practice midwife practiced in collaboration and consultation with the licensed certified midwife pursuant to the practice agreement. A licensed certified midwife authorized to practice without a practice agreement shall consult, collaborate with, and refer patients to other health care providers as may be appropriate for the care of the patient.* The Board shall adopt regulations for the practice of licensed certified midwives, which shall be in accordance with regulations jointly adopted by the Boards of Medicine and Nursing, which shall be consistent with the Standards for the Practice of Midwifery set by the American College of Nurse-Midwives governing the practice of midwifery.

For the purposes of this subsection, "independent practice midwife" means a licensed certified midwife who is authorized to practice without a practice agreement pursuant to this subsection and has practiced independently for two years or a certified nurse midwife who is authorized to practice without a practice agreement pursuant to subsection H of § 54.1-2957 and has practiced independently for two years.

E. Notwithstanding any provision of law or regulation to the contrary, a licensed certified midwife may prescribe Schedules II through VI controlled substances in accordance with regulations of the Boards of Medicine and Nursing.

F. A licensed certified midwife who provides health care services to a patient outside of a hospital or birthing center shall disclose to that patient, when appropriate, information on health risks associated with births outside of a hospital or birthing center, including but not limited to risks associated with vaginal births after a prior cesarean section, breech births, births by women experiencing high-risk pregnancies, and births involving multiple gestation. As used in this subsection, "birthing center" shall have the same meaning as in § 54.1-2957.03.

G. A licensed certified midwife who provides health care to a patient shall be liable for the midwife's negligent, grossly negligent, or willful and wanton acts or omissions. Except as otherwise provided by law, any (i) doctor of medicine or osteopathy who did not collaborate or consult with the midwife regarding the patient and who has not previously treated the patient for this pregnancy, (ii) physician assistant, (iii) advanced practice registered nurse, (iv) prehospital emergency medical personnel, or (v) hospital as defined in § 32.1-123, or any employee of, person providing services pursuant to a contract with, or agent of such hospital, that provides screening and stabilization health care services to a patient as a result of a licensed certified midwife's negligent, grossly negligent, or willful and wanton acts or omissions shall be immune from liability for acts or omissions constituting ordinary negligence.

2. The Department of Health shall amend the definition of "organized medical staff" in 12VAC5-410-10 to clarify that an organized medical staff may include other practitioners, including independent practice midwives, in addition to physicians and dentists.

CHAPTER 545

An Act to amend and reenact § 19.2-354.1 of the Code of Virginia, relating to deferred or installment payment agreements; minimum payments.

[H 1661]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-354.1 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-354.1. Deferred or installment payment agreements.

A. For purposes of this section:

"Deferred payment agreement" means an agreement in which no installment payments are required and the defendant agrees to pay the full amount of the fines and costs at the end of the agreement's stated term.

"Fines and costs" means all fines, court costs, forfeitures, and penalties assessed in any case by a single court against a defendant for the commission of any crime or traffic infraction. "Fines and costs" includes restitution unless the court orders a separate payment schedule for restitution.

"Installment payment agreement" means an agreement in which the defendant agrees to make monthly or other periodic payments until the fines and costs are paid in full.

"Modified deferred payment agreement" means a deferred payment agreement in which the defendant also agrees to use best efforts to make monthly or other periodic payments.

B. The court shall give a defendant ordered to pay fines and costs written notice of the availability of deferred, modified deferred, and installment payment agreements and, if a community service program has been established, the availability of earning credit toward discharge of fines and costs through the performance of community service work. The court shall offer any defendant the opportunity to enter into a deferred payment agreement, modified deferred payment agreement, or installment payment agreement.

C. The court shall not deny a defendant the opportunity to enter into a deferred, modified deferred, or installment payment agreement solely (i) because of the category of offense for which the defendant was convicted or found not innocent, (ii) because of the total amount of all fines and costs, (iii) because the defendant previously defaulted under the terms of a payment agreement, (iv) because the fines and costs have been referred for collections pursuant to § 19.2-349, or (v) because the defendant has not established a payment history.

D. In determining the length of time to pay under a deferred, modified deferred, or installment payment agreement and the amount of the payments, ~~a~~ *the* court shall take into account the defendant's financial resources and obligations, including any fines and costs owed by the defendant in other courts. ~~In assessing the~~ *If the defendant requests to enter into an installment agreement, the court may offer installment payments of (i) $25 per month, or a higher amount, depending on a* defendant's ability to pay, *which* the court shall ~~use~~ *determine using* a written financial statement, on a form developed by the Executive Secretary of the Supreme Court, setting forth the defendant's financial resources and obligations or ~~conduct~~ *by conducting* an oral examination of the defendant to determine his financial resources and obligations *or (ii) less than $25 per month if the defendant is determined to be indigent by the court pursuant to § 19.2-159*. The length of a payment agreement and the amount of the payments shall be reasonable in light of the defendant's financial resources and obligations and shall not be based solely on the amount of fines and costs. The court may offer a payment agreement combining an initial period during which no payment of fines and costs is required followed by a period of installment payments.

E. No court shall require a defendant to make a down payment upon entering a deferred, modified deferred, or installment payment agreement, other than a subsequent payment agreement, in which case the court may require a down payment pursuant to subsection I. Nothing in this section shall prevent a defendant from voluntarily making a down payment upon entering any payment agreement.

F. All fines and costs that a defendant owes for all cases in any single court may be incorporated into one payment agreement, unless otherwise ordered by the court in specific cases. A payment agreement shall include only those outstanding fines and costs for which the limitations period set forth in § 19.2-341 has not run.

G. Any payment received within 10 days of its due date shall be considered to be timely made.

H. At any time during the duration of a payment agreement, the defendant may request a modification of the agreement in writing on a form provided by the Executive Secretary of the Supreme Court, and the court may grant such modification based on a good faith showing of need.

I. A defendant who has defaulted on a payment agreement may petition the court for a subsequent payment agreement. In determining whether to approve the request for a subsequent payment agreement, the court shall consider any change in the defendant's circumstances. A court may require a down payment to enter into a subsequent payment agreement, provided that the down payment required to enter into a subsequent payment agreement shall not exceed (i) if the fines and costs owed are $500 or less, 10 percent of such amount or (ii) if the fines and costs owed are more than $500, five percent of such amount or $50, whichever is greater. When a defendant enters into a subsequent payment agreement, a court shall not require a defendant to establish a payment history on the subsequent payment agreement before restoring the defendant's driver's license.

J. In any case in which a defendant owes fines and costs and where such defendant's sole financial resource is a Social Security benefit or Supplemental Security Income, then such defendant shall be exempt from making payments at least until such time that such defendant has a resource other than a Social Security benefit or Supplemental Security Income. If such defendant informs the court that his sole financial resource is a Social Security benefit or Supplemental Security Income, the case shall not be referred to collections pursuant to § 19.2-349. Courts shall include in payment plan policies developed in accordance with §§ 19.2-354 and 19.2-354.1 that where the court is informed that a defendant receives a Social Security benefit or Supplemental Security Income, no payment toward fines and costs shall be taken from such exempt resource.

No Social Security benefit or Supplemental Security Income shall be considered an available resource in determining the length of time to pay under a deferred, modified deferred, or installment payment agreement and the amount of payments, if any, pursuant to subsection D.

CHAPTER 546

An Act to amend and reenact §§ 46.2-1569.1 and 46.2-1571 of the Code of Virginia, relating to motor vehicle dealers; recall and warranty costs; right of first refusal.

[H 1683]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-1569.1 and 46.2-1571 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-1569.1. Manufacturer or distributor right of first refusal.

A. Notwithstanding the terms of any franchise agreement, in the event of a proposed sale or transfer of a dealership, the manufacturer or distributor shall be permitted to exercise a right of first refusal to acquire the new vehicle dealer's assets or ownership, if such sale or transfer is conditioned upon the manufacturer's or dealer's entering into a dealer agreement with the proposed new owner or transferee, only if all the following requirements are met:

1. To exercise its right of first refusal, the manufacturer or distributor must notify the dealer in writing within 45 days of its receipt of the ~~completed proposal~~ *notice* for the proposed sale or transfer *submitted as required by subdivision 3 of § 46.2-1569*;

2. The exercise of the right of first refusal will result in the dealer's and dealer's owner's receiving the same or greater consideration as they have contracted to receive in connection with the proposed change of ownership or transfer; and

3. The manufacturer or distributor agrees to pay the reasonable expenses, including attorney's fees which do not exceed the usual, customary, and reasonable fees charged for similar work done for other clients, incurred by the proposed new owner and transferee prior to the manufacturer's or distributor's exercise of its right of first refusal in negotiating and implementing the contract for the proposed sale or transfer of the dealership or dealership assets. Notwithstanding the foregoing, no payment of such expenses and attorney's fees shall be required if the dealer has not submitted or caused to be submitted an accounting of those expenses within 30 days of the dealer's receipt of the manufacturer's or distributor's written request for such an accounting. Such accounting may be requested by a manufacturer or distributor before exercising its right of first refusal.

B. A manufacturer or distributor shall not exercise or enforce a right of first refusal if (i) the proposed sale or transfer is to a dealer licensed in the United States as a dealer holding a franchise from any manufacturer or distributor licensed as a manufacturer or distributor in the Commonwealth unless the manufacturer or distributor has a formal written program to increase the number of minority dealers and a minority dealer will obtain at least 51 percent ownership and control of the dealership's assets after the exercise of the right of first refusal consistent with subdivision 2 of § 46.2-1572 or (ii) the proposed sale or transfer of the dealership's assets involves the transfer or sale to a member or members of the family of one or more dealer owners, or to a qualified manager or a partnership, limited liability company, corporation, or other entity controlled by such persons.

C. The provisions of clause (i) of subsection B shall not apply to any manufacturer or distributor, together with any of its parents, subsidiaries or affiliates that as of January 1, 2019, (i) produced or distributed at least 1,000 motor vehicles in the immediately preceding 12 months, at least 51 percent of which had a gross vehicle weight rating of at least 16,000 pounds and (ii) was on January 1, 2019 a party, including that party's parents, subsidiaries and affiliates, to federal litigation arising from rights and obligations created by § 46.2-1569.1.

§ 46.2-1571. Recall, warranty, maintenance and sales incentive obligations.

A. Each motor vehicle manufacturer, factory branch, distributor, or distributor branch shall (i) specify in writing to each of its motor vehicle dealers licensed in the Commonwealth the dealer's obligations for preparation, delivery, recall, and warranty service on its products and (ii) compensate the dealer for recall or warranty parts, service, and diagnostic work required of the dealer by the manufacturer or distributor as follows:

1. Compensation of a dealer for recall or warranty parts, service, and diagnostic work shall not be less than the amounts charged by the dealer for the manufacturer's or distributor's original parts, service, and diagnostic work to retail customers for nonwarranty service, parts, and diagnostic work installed or performed in the dealer's service department~~, and the determination of compensation in accordance with the provisions of this section shall be deemed reasonable due to the substantial number of repair orders reviewed, unless the manufacturer can show that the amounts are not reasonable~~. All manufacturer or distributor compensated parts, service, diagnostic work, updates to a vehicle accessory or function, or initialization or repair of a vehicle part, system, accessory, or function performed by the dealer shall be subject to this subsection. *Diagnostic work shall include all time spent by a technician who meets the manufacturer's or distributor's qualifications and requirements for the repair work communicating with the manufacturer's technical assistance or external manufacturer source in order to complete a warranty repair.* Recall or warranty parts compensation shall be stated as a percentage of markup, which shall be an agreed reasonable approximation of retail markup and which shall be uniformly applied to all of the manufacturer's or distributor's parts unless otherwise provided for in this section. If the dealer and manufacturer or distributor cannot agree on the recall or warranty parts compensation markup to be paid to the dealer, the markup shall be determined by an average of the dealer's retail markup on all of the manufacturer's or distributor's parts as described in subdivisions 2 and 3.

2. For purposes of determining recall or warranty parts and service compensation paid to a dealer by the manufacturer or distributor, including body-shop repairs, only retail repair orders, or the retail portion of repair orders containing retail and non-retail operations, shall be considered. For the purposes of this section, "retail" does not include menu-priced parts or services, services and parts used in internal repairs paid by the dealer, group discounts, special event discounts, special event promotions, and insurance-paid repairs.

3. Increases in dealer recall or warranty parts and service compensation and diagnostic work compensation, pursuant to this section, shall be requested by the dealer in writing, shall be based on 100 consecutive repair orders or all repair orders over a 90-day period, whichever occurs first. If any portion of a retail repair order includes amounts that are not retail, such portion shall be excluded. Compensation for parts shall be stated as a percentage of markup that shall be uniformly applied to all the manufacturer's or distributor's parts. *Compensation for parts used in a recall or similar repair, not including warranty repairs, shall be based on the highest price of such parts in the 12 months before the recall or similar repair is announced to dealers. If the manufacturer or distributor changes the parts number or similar designation of a part, the price of such part established pursuant to this subdivision shall be determined by the price of such part before such change.*

4. In the case of recall or warranty parts compensation, the provisions of this subsection shall be effective only for model year 1992 and succeeding model years.

5. If a manufacturer or distributor furnishes a part to a dealer at no cost for use by the dealer in performing work for which the manufacturer or distributor is required to compensate the dealer under this section, the manufacturer or distributor shall compensate the dealer for the part in the same manner as recall or warranty parts compensation, less the wholesale costs, for such part as listed in the manufacturer's current price schedules. A manufacturer or distributor may pay the dealer a reasonable handling fee instead of the compensation otherwise required by this subsection for special high-performance complete engine assemblies in limited production motor vehicles that constitute less than five percent of model production furnished to the dealer at no cost, if the manufacturer or distributor excludes such special high-performance complete engine assemblies in determining whether the amounts requested by the dealer for recall or warranty compensation are consistent with the amounts that the dealer charges its other retail service customers for parts used by the dealer to perform similar work.

6. In the case of service work, manufacturer original parts or parts otherwise specified by the manufacturer or distributor, and parts provided by a dealer either pursuant to an adjustment program as defined in § 59.1-207.34 or as otherwise requested by the manufacturer or distributor, the dealer shall be compensated in the same manner as for recall or warranty service or parts.

This section does not apply to compensation for parts such as components, systems, fixtures, appliances, furnishings, accessories, and features that are designed, used, and maintained primarily for nonvehicular, residential purposes. Recall, warranty, and sales incentive audits of dealer records may be conducted by the manufacturer, factory branch, distributor, or distributor branch on a reasonable basis, and dealer claims for recall, warranty, or sales incentive compensation shall not be denied except for good cause, such as performance of nonwarranty repairs, lack of material documentation, fraud, or misrepresentation. A dealer's failure to comply with the specific requirements of the manufacturer or distributor for processing the claim shall not constitute grounds for the denial of the claim or reduction of the amount of compensation to the dealer as long as reasonable documentation or other evidence has been presented to substantiate the claim. The manufacturer, factory branch, distributor, or distributor branch shall not deny a claim or reduce the amount of compensation to the dealer for recall or warranty repairs to resolve a condition discovered by the dealer during the course of a separate repair requested by the customer or to resolve a condition on the basis of advice or recommendation by the dealer. Claims for dealer compensation shall be paid within 30 days of dealer submission or within 30 days of the end of an incentive program or rejected in writing for stated reasons. *The manufacturer, factory branch, distributor, or distributor branch shall allow a dealer to submit a claim for rental vehicle reimbursement as required pursuant to subdivision B 5, in 30-day increments, prior to the end of the rental vehicle period if the repair for which the rental vehicle is associated is open due to a delay in parts or repair information from the manufacturer, factory branch, distributor, or distributor branch.* The manufacturer, factory branch, distributor, or distributor branch shall reserve the right to reasonable periodic audits to determine the validity of all such paid claims for dealer compensation. Any chargebacks for recall or warranty parts or service compensation and service incentives shall only be for the six-month period immediately following the date of the claim and, in the case of chargebacks for sales compensation only, for the six-month period immediately following the date of claim. *The manufacturer, factory branch, distributor, or distributor branch may audit and charge back, pursuant to this paragraph, claims for rental vehicle reimbursement for the six-month period immediately following the date of payment of the claim for the warranty or recall repair associated with such rental.* However, such limitations shall not be effective if a manufacturer, factory branch, distributor, or distributor branch has reasonable cause to believe that a claim submitted by a dealer is intentionally false or fraudulent. For purposes of this section, "reasonable cause" means a bona fide belief based upon evidence that the material issues of fact are such that a person of ordinary caution, prudence, and judgment could believe that a claim was intentionally false or fraudulent. A dealer shall not be charged back or otherwise liable for sales incentives or charges related to a motor vehicle sold by the dealer to a purchaser other than a licensed, franchised motor vehicle dealer and subsequently exported or resold, unless the manufacturer, factory branch, distributor, or distributor branch can demonstrate by a preponderance of the evidence that the dealer should have known of and did not exercise due diligence in discovering the purchaser's intention to export or resell the motor vehicle.

B. It shall be unlawful for any motor vehicle manufacturer, factory branch, distributor, or distributor branch to:

1. Fail to perform any of its recall or warranty obligations, including tires, with respect to a motor vehicle;

2. Fail to assume all responsibility for any liability resulting from structural or production defects;

3. Fail to include in written notices of factory recalls to vehicle owners and dealers the expected date by which necessary parts and equipment will be available to dealers for the correction of defects;

4. Fail to compensate any of the motor vehicle dealers licensed in the Commonwealth for repairs effected by the dealer of merchandise damaged in manufacture or transit to the dealer where the carrier is designated by the manufacturer, factory branch, distributor, or distributor branch;

5. Fail to fully compensate its motor vehicle dealers licensed in the Commonwealth for recall or warranty parts, work, and service pursuant to subsection A either by reduction in the amount due to the dealer or by separate charge, surcharge, or other imposition by which the motor vehicle manufacturer, factory branch, distributor, or distributor branch seeks to recover its costs of complying with subsection A, or for legal costs and expenses incurred by such dealers in connection with recall or warranty obligations for which the manufacturer, factory branch, distributor, or distributor branch is legally responsible or which the manufacturer, factory branch, distributor, or distributor branch imposes upon the dealer. Failure to fully reimburse a dealer for the cost to the dealer of a rental vehicle provided to a customer as required, offered, advertised as available, or agreed to by the manufacturer or distributor shall be considered a violation of this subsection. *A dealer's*

inability to provide a specified type of vehicle, including line-make, size, or category, from the rental market shall not be grounds to refuse to fully reimburse a dealer under this subdivision. Failure to provide compensation consistent with this section to a dealer for assistance requested by a customer whose vehicle was subjected to an over-the-air or remote change, repair, or update to any part, system, accessory, or function by the vehicle manufacturer or distributor and performed at the dealership to satisfy the customer shall be considered a violation of this subsection;

6. Misrepresent in any way to purchasers of motor vehicles that warranties with respect to the manufacture, performance, or design of the vehicle are made by the dealer, either as warrantor or co-warrantor;

7. Require the dealer to make warranties to customers in any manner related to the manufacture, performance, or design of the vehicle;

8. Shift or attempt to shift to the motor vehicle dealer, directly or indirectly, any liabilities of the manufacturer, factory branch, distributor or distributor branch under the Virginia Motor Vehicle Warranty Enforcement Act (§ 59.1-207.9 et seq.), unless such liability results from the act or omission by the dealer;

9. Deny any dealer the right to return any part or accessory that the dealer has not sold within 12 months where the part or accessory was not obtained through a specific order initiated by the dealer but instead was specified for, sold to and shipped to the dealer pursuant to an automated ordering system, provided that such part or accessory is in the condition required for return to the manufacturer, factory branch, distributor, or distributor branch, and the dealer returns the part within 30 days of it becoming eligible under this subdivision. For purposes of this subdivision, an "automated ordering system" ~~shall be~~ *is* a computerized system that automatically specifies parts and accessories for sale and shipment to the dealer without specific order thereof initiated by the dealer. The manufacturer, factory branch, distributor, or distributor branch shall not charge a restocking or handling fee for any part or accessory being returned under this subdivision. This subdivision shall not apply if the manufacturer, factory branch, distributor, or distributor branch has available to the dealer an alternate system for ordering parts and accessories that provides for shipment of ordered parts and accessories to the dealer within the same time frame as the dealer would receive them when ordered through the automated ordering system. *Notwithstanding the provisions of this subdivision, the manufacturer, factory branch, distributor, or distributor branch shall not deny any dealer the right to return, within 12 months of the date of purchase, any part or accessory needed to complete a recall or similar repair for compensation and the manufacturer, factory branch, distributor, or distributor branch is prohibited from deeming such part obsolete or nonreturnable by removing it from current parts codes or catalogs*; or

10. When providing a new motor vehicle to a dealer for offer or sale to the public, fail to provide to such dealer a written disclosure that may be provided to a potential buyer of the new motor vehicle of each accessory or function of the vehicle that may be initiated, updated, changed, or maintained by the manufacturer or distributor through over-the-air or remote means, and the charge to the customer at the time of the new motor vehicle sale for such initiation, update, change, or maintenance. A manufacturer or distributor may comply with this subdivision by notifying the dealer that such information is available on a website or by other digital means.

C. Notwithstanding the terms of any franchise, it shall be unlawful for any motor vehicle manufacturer, factory branch, distributor, or distributor branch to fail to indemnify and hold harmless its motor vehicle dealers against any losses or damages arising out of complaints, claims, or suits relating to the manufacture, assembly, or design of motor vehicles, parts, or accessories, or other functions by the manufacturer, factory branch, distributor, or distributor branch beyond the control of the dealer, including, without limitation, the selection by the manufacturer, factory branch, distributor, or distributor branch of parts or components for the vehicle or any damages to merchandise occurring in transit to the dealer where the carrier is designated by the manufacturer, factory branch, distributor, or distributor branch. The dealer shall notify the manufacturer of pending suits in which allegations are made that come within this subsection whenever reasonably practicable to do so. Every motor vehicle dealer franchise issued to, amended, or renewed for motor vehicle dealers in Virginia shall be construed to incorporate provisions consistent with the requirements of this subsection.

D. On any new motor vehicle, any uncorrected damage or any corrected damage exceeding three percent of the manufacturer's or distributor's suggested retail price as defined in 15 U.S.C. §§ 1231 -1233, as measured by retail repair costs, must be disclosed to the dealer in writing prior to delivery. Factory mechanical repair and damage to glass, tires, and bumpers are excluded from the three percent rule when properly replaced by identical manufacturer's or distributor's original equipment or parts. Whenever a new motor vehicle is damaged in transit, when the carrier or means of transportation is determined by the manufacturer or distributor, or whenever a motor vehicle is otherwise damaged prior to delivery to the new motor vehicle dealer, the new motor vehicle dealer shall:

1. Notify the manufacturer or distributor of the damage within three business days from the date of delivery of the new motor vehicle to the new motor vehicle dealership or within the additional time specified in the franchise; and

2. Request from the manufacturer or distributor authorization to replace the components, parts, and accessories damaged or otherwise correct the damage, unless the damage to the vehicle exceeds the three percent rule, in which case the dealer may reject the vehicle within three business days.

E. If the manufacturer or distributor refuses or fails to authorize correction of such damage within 10 days after receipt of notification, or if the dealer rejects the vehicle because damage exceeds the three percent rule, ownership of the new motor vehicle shall revert to the manufacturer or distributor, and the new motor vehicle dealer shall have no obligation, financial or otherwise, with respect to such motor vehicle. Should either the manufacturer, distributor, or the dealer elect to correct the damage or any other damage exceeding the three percent rule, full disclosure shall be made by the dealer in writing to the buyer and an acknowledgement by the buyer is required. If there is less than three percent damage, no

disclosure is required, provided the damage has been corrected. Predelivery mechanical work shall not require a disclosure. Failure to disclose any corrected damage within the knowledge of the selling dealer to a new motor vehicle in excess of the three percent rule shall constitute grounds for revocation of the buyer order, provided that, within 30 days of purchase, the motor vehicle is returned to the dealer with an accompanying written notice of the grounds for revocation. In case of revocation pursuant to this section, the dealer shall accept the vehicle and refund any payments made to the dealer in connection with the transaction, less a reasonable allowance for the consumer's use of the vehicle as defined in § 59.1-207.11. Nothing in this section shall be construed to exempt from the provisions of this section damage to a new motor vehicle that occurs following delivery of the vehicle to the dealer.

F. If there is a dispute between the manufacturer, factory branch, distributor, or distributor branch and the dealer with respect to any matter referred to in subsection A, B, or C, either party may petition the Commissioner in writing, within 30 days after either party has given written notice of the dispute to the other, for a hearing. The decision of the Commissioner shall be binding on the parties, subject to rights of judicial review and appeal as provided in Chapter 40 (§ 2.2-4000 et seq.) of Title 2.2. However, nothing contained in this section shall give the Commissioner any authority as to the content or interpretation of any manufacturer's or distributor's warranty. A manufacturer, factory branch, distributor, or distributor branch may not collect chargebacks, fully or in part, either through direct payment or by charge to the dealer's account, for recall or warranty parts or service compensation, including service incentives, sales incentives, other sales compensation, surcharges, fees, penalties, or any financial imposition of any type arising from an alleged failure of the dealer to comply with a policy of, directive from, or agreement with the manufacturer, factory branch, distributor, or distributor branch until 40 days following final notice of the amount charged to the dealer following all internal processes of the manufacturer, factory, factory branch, distributor, or distributor branch. Within 30 days following receipt of such final notice, the dealer may petition the Commissioner, in writing, for a hearing. If a dealer requests such a hearing, the manufacturer, factory branch, distributor, or distributor branch may not collect the chargeback, fully or in part, either through direct payment or by charge to the dealer's account, until the completion of the hearing and a final decision of the Commissioner concerning the validity of the chargeback.

CHAPTER 547

An Act to amend and reenact §§ 16.1-241, 20-49.1, 20-49.4, 20-124.1, 63.2-903, 63.2-1202, 63.2-1222, and 63.2-1233 of the Code of Virginia, relating to establishment of parent and child relationship; persons who committed sexual assault.

[H 1727]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-241, 20-49.1, 20-49.4, 20-124.1, 63.2-903, 63.2-1202, 63.2-1222, and 63.2-1233 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-241. Jurisdiction; consent for abortion.

The judges of the juvenile and domestic relations district court elected or appointed under this law shall be conservators of the peace within the corporate limits of the cities and the boundaries of the counties for which they are respectively chosen and within one mile beyond the limits of such cities and counties. Except as hereinafter provided, each juvenile and domestic relations district court shall have, within the limits of the territory for which it is created, exclusive original jurisdiction, and within one mile beyond the limits of said city or county, concurrent jurisdiction with the juvenile court or courts of the adjoining city or county, over all cases, matters and proceedings involving:

A. The custody, visitation, support, control or disposition of a child:

1. Who is alleged to be abused, neglected, in need of services, in need of supervision, a status offender, or delinquent except where the jurisdiction of the juvenile court has been terminated or divested;

2. Who is abandoned by his parent or other custodian or who by reason of the absence or physical or mental incapacity of his parents is without parental care and guardianship;

2a. Who is at risk of being abused or neglected by a parent or custodian who has been adjudicated as having abused or neglected another child in the care of the parent or custodian;

3. Whose custody, visitation or support is a subject of controversy or requires determination. In such cases jurisdiction shall be concurrent with and not exclusive of courts having equity jurisdiction, except as provided in § 16.1-244;

4. Who is the subject of an entrustment agreement entered into pursuant to § 63.2-903 or 63.2-1817 or whose parent or parents for good cause desire to be relieved of his care and custody;

5. Where the termination of residual parental rights and responsibilities is sought. In such cases jurisdiction shall be concurrent with and not exclusive of courts having equity jurisdiction, as provided in § 16.1-244;

6. Who is charged with a traffic infraction as defined in § 46.2-100; or

7. Who is alleged to have refused to take a blood test in violation of § 18.2-268.2.

In any case in which the juvenile is alleged to have committed a violent juvenile felony enumerated in subsection B of § 16.1-269.1, and for any charges ancillary thereto, the jurisdiction of the juvenile court shall be limited to conducting a preliminary hearing to determine if there is probable cause to believe that the juvenile committed the act alleged and that the juvenile was 16 years of age or older at the time of the commission of the alleged offense, and any matters related thereto. In

any case in which the juvenile is alleged to have committed a violent juvenile felony enumerated in subsection C of § 16.1-269.1, and for all charges ancillary thereto, if the attorney for the Commonwealth has given notice as provided in subsection C of § 16.1-269.1, the jurisdiction of the juvenile court shall be limited to conducting a preliminary hearing to determine if there is probable cause to believe that the juvenile committed the act alleged and that the juvenile was 16 years of age or older at the time of the commission of the alleged offense, and any matters related thereto. A determination by the juvenile court following a preliminary hearing pursuant to subsection B or C of § 16.1-269.1 to certify a charge to the grand jury shall divest the juvenile court of jurisdiction over the charge and any ancillary charge. In any case in which a transfer hearing is held pursuant to subsection A of § 16.1-269.1, if the juvenile court determines to transfer the case, jurisdiction of the juvenile court over the case shall be divested as provided in § 16.1-269.6.

In all other cases involving delinquent acts, and in cases in which an ancillary charge remains after a violent juvenile felony charge has been dismissed or a violent juvenile felony has been reduced to a lesser offense not constituting a violent juvenile felony, the jurisdiction of the juvenile court shall not be divested unless there is a transfer pursuant to subsection A of § 16.1-269.1.

The authority of the juvenile court to adjudicate matters involving the custody, visitation, support, control or disposition of a child shall not be limited to the consideration of petitions filed by a mother, father or legal guardian but shall include petitions filed at any time by any party with a legitimate interest therein. A party with a legitimate interest shall be broadly construed and shall include, but not be limited to, grandparents, step-grandparents, stepparents, former stepparents, blood relatives and family members. A party with a legitimate interest shall not include any person (i) whose parental rights have been terminated by court order, either voluntarily or involuntarily, (ii) whose interest in the child derives from or through a person whose parental rights have been terminated by court order, either voluntarily or involuntarily, *or whose interest in the child derives from or through a person pursuant to clause (iii),* including, but not limited to, grandparents, stepparents, former stepparents, blood relatives and family members, if the child subsequently has been legally adopted, except where a final order of adoption is entered pursuant to § 63.2-1241, or (iii) who has been convicted of a violation of subsection A of § 18.2-61, § 18.2-63, subsection B of § 18.2-366, or an equivalent offense of another state, the United States, or any foreign jurisdiction, *or who has been found by clear and convincing evidence to have engaged in the conduct prohibited by subsection A of § 18.2-61, § 18.2-63, or subsection B of § 18.2-366, whether or not the person has been charged with or convicted of the alleged violation,* when the child who is the subject of the petition was conceived as a result of such violation *or conduct*. The authority of the juvenile court to consider a petition involving the custody of a child shall not be proscribed or limited where the child has previously been awarded to the custody of a local board of social services.

A1. Making specific findings of fact required by state or federal law to enable a child to apply for or receive a state or federal benefit. For the purposes of this subsection only, when the court has obtained jurisdiction over the case of any child, the court may continue to exercise its jurisdiction until such person reaches 21 years of age, for the purpose of entering findings of fact or amending past orders, to include findings of fact necessary for the person to petition the federal government for status as a special immigrant juvenile, as defined by 8 U.S.C. § 1101(a)(27)(J).

B. The admission of minors for inpatient treatment in a mental health facility in accordance with the provisions of Article 16 (§ 16.1-335 et seq.) and the involuntary admission of a person with mental illness or judicial certification of eligibility for admission to a training center for persons with intellectual disability in accordance with the provisions of Chapter 8 (§ 37.2-800 et seq.) of Title 37.2. Jurisdiction of the involuntary admission and certification of adults shall be concurrent with the general district court.

C. Except as provided in subsections D and H, judicial consent to such activities as may require parental consent may be given for a child who has been separated from his parents, guardian, legal custodian or other person standing in loco parentis and is in the custody of the court when such consent is required by law.

D. Judicial consent for emergency surgical or medical treatment for a child who is neither married nor has ever been married, when the consent of his parent, guardian, legal custodian or other person standing in loco parentis is unobtainable because such parent, guardian, legal custodian or other person standing in loco parentis (i) is not a resident of the Commonwealth, (ii) has his whereabouts unknown, (iii) cannot be consulted with promptness, reasonable under the circumstances, or (iv) fails to give such consent or provide such treatment when requested by the judge to do so.

E. Any person charged with deserting, abandoning or failing to provide support for any person in violation of law.

F. Any parent, guardian, legal custodian or other person standing in loco parentis of a child:

1. Who has been abused or neglected;

2. Who is the subject of an entrustment agreement entered into pursuant to § 63.2-903 or 63.2-1817 or is otherwise before the court pursuant to subdivision A 4; or

3. Who has been adjudicated in need of services, in need of supervision, or delinquent, if the court finds that such person has by overt act or omission induced, caused, encouraged or contributed to the conduct of the child complained of in the petition.

G. Petitions filed by or on behalf of a child or such child's parent, guardian, legal custodian or other person standing in loco parentis for the purpose of obtaining treatment, rehabilitation or other services that are required by law to be provided for that child or such child's parent, guardian, legal custodian or other person standing in loco parentis. Jurisdiction in such cases shall be concurrent with and not exclusive of that of courts having equity jurisdiction as provided in § 16.1-244.

H. Judicial consent to apply for a work permit for a child when such child is separated from his parents, legal guardian or other person standing in loco parentis.

I. The prosecution and punishment of persons charged with ill-treatment, abuse, abandonment or neglect of children or with any violation of law that causes or tends to cause a child to come within the purview of this law, or with any other offense against the person of a child. In prosecution for felonies over which the court has jurisdiction, jurisdiction shall be limited to determining whether or not there is probable cause.

J. All offenses in which one family or household member is charged with an offense in which another family or household member is the victim and all offenses under § 18.2-49.1.

In prosecution for felonies over which the court has jurisdiction, jurisdiction shall be limited to determining whether or not there is probable cause. Any objection based on jurisdiction under this subsection shall be made before a jury is impaneled and sworn in a jury trial or, in a nonjury trial, before the earlier of when the court begins to hear or receive evidence or the first witness is sworn, or it shall be conclusively waived for all purposes. Any such objection shall not affect or be grounds for challenging directly or collaterally the jurisdiction of the court in which the case is tried.

K. Petitions filed by a natural parent, whose parental rights to a child have been voluntarily relinquished pursuant to a court proceeding, to seek a reversal of the court order terminating such parental rights. No such petition shall be accepted, however, after the child has been placed in the home of adoptive parents.

L. Any person who seeks spousal support after having separated from his spouse. A decision under this subdivision shall not be res judicata in any subsequent action for spousal support in a circuit court. A circuit court shall have concurrent original jurisdiction in all causes of action under this subdivision.

M. Petitions filed for the purpose of obtaining an order of protection pursuant to § 16.1-253.1, 16.1-253.4, or 16.1-279.1, and all petitions filed for the purpose of obtaining an order of protection pursuant to § 19.2-152.8, 19.2-152.9, or 19.2-152.10 if either the alleged victim or the respondent is a juvenile.

N. Any person who escapes or remains away without proper authority from a residential care facility in which he had been placed by the court or as a result of his commitment to the Virginia Department of Juvenile Justice.

O. Petitions for emancipation of a minor pursuant to Article 15 (§ 16.1-331 et seq.).

P. Petitions for enforcement of administrative support orders entered pursuant to Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2, or by another state in the same manner as if the orders were entered by a juvenile and domestic relations district court upon the filing of a certified copy of such order in the juvenile and domestic relations district court.

Q. Petitions for a determination of parentage pursuant to Chapter 3.1 (§ 20-49.1 et seq.) of Title 20. A circuit court shall have concurrent original jurisdiction to the extent provided for in § 20-49.2.

R. [Repealed.]

S. Petitions filed by school boards against parents pursuant to §§ 16.1-241.2 and 22.1-279.3.

T. Petitions to enforce any request for information or subpoena that is not complied with or to review any refusal to issue a subpoena in an administrative appeal regarding child abuse and neglect pursuant to § 63.2-1526.

U. Petitions filed in connection with parental placement adoption consent hearings pursuant to § 63.2-1233. Such proceedings shall be advanced on the docket so as to be heard by the court within 10 days of filing of the petition, or as soon thereafter as practicable so as to provide the earliest possible disposition.

V. Petitions filed for the purpose of obtaining the court's assistance with the execution of consent to an adoption when the consent to an adoption is executed pursuant to the laws of another state and the laws of that state provide for the execution of consent to an adoption in the court of the Commonwealth.

W. Petitions filed by a juvenile seeking judicial authorization for a physician to perform an abortion if a minor elects not to seek consent of an authorized person.

After a hearing, a judge shall issue an order authorizing a physician to perform an abortion, without the consent of any authorized person, if he finds that (i) the minor is mature enough and well enough informed to make her abortion decision, in consultation with her physician, independent of the wishes of any authorized person, or (ii) the minor is not mature enough or well enough informed to make such decision, but the desired abortion would be in her best interest.

If the judge authorizes an abortion based on the best interests of the minor, such order shall expressly state that such authorization is subject to the physician or his agent giving notice of intent to perform the abortion; however, no such notice shall be required if the judge finds that such notice would not be in the best interest of the minor. In determining whether notice is in the best interest of the minor, the judge shall consider the totality of the circumstances; however, he shall find that notice is not in the best interest of the minor if he finds that (a) one or more authorized persons with whom the minor regularly and customarily resides is abusive or neglectful and (b) every other authorized person, if any, is either abusive or neglectful or has refused to accept responsibility as parent, legal guardian, custodian or person standing in loco parentis.

The minor may participate in the court proceedings on her own behalf, and the court may appoint a guardian ad litem for the minor. The court shall advise the minor that she has a right to counsel and shall, upon her request, appoint counsel for her.

Notwithstanding any other provision of law, the provisions of this subsection shall govern proceedings relating to consent for a minor's abortion. Court proceedings under this subsection and records of such proceedings shall be confidential. Such proceedings shall be given precedence over other pending matters so that the court may reach a decision promptly and without delay in order to serve the best interests of the minor. Court proceedings under this subsection shall be heard and decided as soon as practicable but in no event later than four days after the petition is filed.

An expedited confidential appeal to the circuit court shall be available to any minor for whom the court denies an order authorizing an abortion without consent or without notice. Any such appeal shall be heard and decided no later than five days after the appeal is filed. The time periods required by this subsection shall be subject to subsection B of § 1-210. An order authorizing an abortion without consent or without notice shall not be subject to appeal.

No filing fees shall be required of the minor at trial or upon appeal.

If either the original court or the circuit court fails to act within the time periods required by this subsection, the court before which the proceeding is pending shall immediately authorize a physician to perform the abortion without consent of or notice to an authorized person.

Nothing contained in this subsection shall be construed to authorize a physician to perform an abortion on a minor in circumstances or in a manner that would be unlawful if performed on an adult woman.

A physician shall not knowingly perform an abortion upon an unemancipated minor unless consent has been obtained or the minor delivers to the physician a court order entered pursuant to this section and the physician or his agent provides such notice as such order may require. However, neither consent nor judicial authorization nor notice shall be required if the minor declares that she is abused or neglected and the attending physician has reason to suspect that the minor may be an abused or neglected child as defined in § 63.2-100 and reports the suspected abuse or neglect in accordance with § 63.2-1509; or if there is a medical emergency, in which case the attending physician shall certify the facts justifying the exception in the minor's medical record.

For purposes of this subsection:

"Authorization" means the minor has delivered to the physician a notarized, written statement signed by an authorized person that the authorized person knows of the minor's intent to have an abortion and consents to such abortion being performed on the minor.

"Authorized person" means (i) a parent or duly appointed legal guardian or custodian of the minor or (ii) a person standing in loco parentis, including, but not limited to, a grandparent or adult sibling with whom the minor regularly and customarily resides and who has care and control of the minor. Any person who knows he is not an authorized person and who knowingly and willfully signs an authorization statement consenting to an abortion for a minor is guilty of a Class 3 misdemeanor.

"Consent" means that (i) the physician has given notice of intent to perform the abortion and has received authorization from an authorized person, or (ii) at least one authorized person is present with the minor seeking the abortion and provides written authorization to the physician, which shall be witnessed by the physician or an agent thereof. In either case, the written authorization shall be incorporated into the minor's medical record and maintained as a part thereof.

"Medical emergency" means any condition which, on the basis of the physician's good faith clinical judgment, so complicates the medical condition of the pregnant minor as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay will create a serious risk of substantial and irreversible impairment of a major bodily function.

"Notice of intent to perform the abortion" means that (i) the physician or his agent has given actual notice of his intention to perform such abortion to an authorized person, either in person or by telephone, at least 24 hours previous to the performance of the abortion or (ii) the physician or his agent, after a reasonable effort to notify an authorized person, has mailed notice to an authorized person by certified mail, addressed to such person at his usual place of abode, with return receipt requested, at least 72 hours prior to the performance of the abortion.

"Perform an abortion" means to interrupt or terminate a pregnancy by any surgical or nonsurgical procedure or to induce a miscarriage as provided in § 18.2-72, 18.2-73, or 18.2-74.

"Unemancipated minor" means a minor who has not been emancipated by (i) entry into a valid marriage entered into prior to July 1, 2024, or lawfully entered into in another state or country prior to being domiciled in the Commonwealth, even though the marriage may have been terminated by dissolution; (ii) active duty with any of the Armed Forces of the United States; (iii) willingly living separate and apart from his or her parents or guardian, with the consent or acquiescence of the parents or guardian; or (iv) entry of an order of emancipation pursuant to Article 15 (§ 16.1-331 et seq.).

X. Petitions filed pursuant to Article 17 (§ 16.1-349 et seq.) relating to standby guardians for minor children.

Y. Petitions involving minors filed pursuant to § 32.1-45.1 relating to obtaining a blood specimen or test results.

Z. Petitions filed pursuant to § 16.1-283.3 for review of voluntary agreements for continuation of services and support for persons who meet the eligibility criteria for the Fostering Futures program set forth in § 63.2-919.

The ages specified in this law refer to the age of the child at the time of the acts complained of in the petition.

Notwithstanding any other provision of law, no fees shall be charged by a sheriff for the service of any process in a proceeding pursuant to subdivision A 3, except as provided in subdivision A 6 of § 17.1-272, or subsection B, D, M, or R.

Notwithstanding the provisions of § 18.2-71, any physician who performs an abortion in violation of subsection W shall be guilty of a Class 3 misdemeanor.

Upon certification by the juvenile and domestic relations district court of any felony charge and ancillary misdemeanor charge committed by an adult or when an appeal of a conviction or adjudication of delinquency of an offense in the juvenile and domestic relations district court is noted, jurisdiction as to such charges shall vest in the circuit court, unless such case is reopened pursuant to § 16.1-133.1; a final judgment, order, or decree is modified, vacated, or suspended pursuant to Supreme Court of Virginia Rule 1:1; or the appeal has been withdrawn in the juvenile and domestic relations district court within 10 days pursuant to § 16.1-133.

§ 20-49.1. How parent and child relationship established.

A. The parent and child relationship between a child and a woman may be established prima facie by proof of her having given birth to the child, or as otherwise provided in this chapter.

B. The parent and child relationship between a child and a man may be established by:

1. Scientifically reliable genetic tests, including blood tests, which affirm at least a ninety-eight percent probability of paternity. Such genetic test results shall have the same legal effect as a judgment entered pursuant to § 20-49.8.

2. A voluntary written statement of the father and mother made under oath acknowledging paternity and confirming that prior to signing the acknowledgment, the parties were provided with a written and oral description of the rights and responsibilities of acknowledging paternity and the consequences arising from a signed acknowledgment, including the right to rescind. The acknowledgement may be rescinded by either party within sixty days from the date on which it was signed unless an administrative or judicial order relating to the child in an action to which the party seeking rescission was a party is entered prior to the rescission. A written statement shall have the same legal effect as a judgment entered pursuant to § 20-49.8 and shall be binding and conclusive unless, in a subsequent judicial proceeding, the person challenging the statement establishes that the statement resulted from fraud, duress or a material mistake of fact. In any subsequent proceeding in which a statement acknowledging paternity is subject to challenge, the legal responsibilities of any person signing it shall not be suspended during the pendency of the proceeding, except for good cause shown. Written acknowledgments of paternity made under oath by the father and mother prior to July 1, 1990, shall have the same legal effect as a judgment entered pursuant to § 20-49.8.

3. In the absence of such acknowledgment or if the probability of paternity is less than ninety-eight percent, such relationship may be established as otherwise provided in this chapter.

C. The parent and child relationship between a child and an adoptive parent may be established by proof of lawful adoption.

D. No parent and child relationship shall be established when a biological parent has been convicted of a violation of subsection A of § 18.2-61, § 18.2-63, subsection B of § 18.2-366, or an equivalent offense of another state, the United States, or any foreign jurisdiction, or has been found by clear and convincing evidence to have engaged in the conduct prohibited by subsection A of § 18.2-61, § 18.2-63, or subsection B of § 18.2-366, whether or not the biological parent has been charged with or convicted of the alleged violation, and the child was conceived of such violation or conduct.

The provisions of this subsection shall not prevent the establishment of a parent and child relationship if (i) after the date of such violation or prohibited conduct, the biological parents cohabitate and establish a mutual custodial environment for the child or (ii) the biological parent who would otherwise rely on this section to prevent the establishment of a parent and child relationship between the child and the biological parent who was convicted of such violation or engaged in such prohibited conduct allows such other parent to establish a parent and child relationship with such child.

§ 20-49.4. Evidence relating to parentage.

The standard of proof in any action to establish parentage shall be by clear and convincing evidence. *Any statements made by a parent in a proceeding held pursuant to this chapter shall be inadmissible in a subsequent criminal proceeding relating to the conception of a child, except for purposes of impeachment.* All relevant evidence on the issue of paternity shall be admissible. Such evidence may include, but shall not be limited to, the following:

1. Evidence of open cohabitation or sexual intercourse between the known parent and the alleged parent at the probable time of conception;

2. Medical or anthropological evidence relating to the alleged parentage of the child based on tests performed by experts. If a person has been identified by the mother as the putative father of the child, the court may, and upon request of a party shall, require the child, the known parent, and the alleged parent to submit to appropriate tests;

3. The results of scientifically reliable genetic tests, including blood tests, if available, weighted with all the evidence;

4. Evidence of the alleged parent consenting to or acknowledging, by a general course of conduct, the common use of such parent's surname by the child;

5. Evidence of the alleged parent claiming the child as his child on any statement, tax return or other document filed by him with any state, local or federal government or any agency thereof;

6. A true copy of an acknowledgment pursuant to § 20-49.5; and

7. An admission by a male between the ages of fourteen and eighteen pursuant to § 20-49.6.

§ 20-124.1. Definitions.

As used in this chapter:

"Joint custody" means (i) joint legal custody where both parents retain joint responsibility for the care and control of the child and joint authority to make decisions concerning the child even though the child's primary residence may be with only one parent, (ii) joint physical custody where both parents share physical and custodial care of the child, or (iii) any combination of joint legal and joint physical custody which the court deems to be in the best interest of the child.

"Person with a legitimate interest" shall be broadly construed and includes, but is not limited to, grandparents, step-grandparents, stepparents, former stepparents, blood relatives and family members provided any such party has intervened in the suit or is otherwise properly before the court. The term shall be broadly construed to accommodate the best interest of the child. A party with a legitimate interest shall not include any person (i) whose parental rights have been terminated by court order, either voluntarily or involuntarily, (ii) whose interest in the child derives from or through a person

whose parental rights have been terminated, either voluntarily or involuntarily, *or whose interest in the child derives from or through a person pursuant to clause (iii),* including but not limited to grandparents, stepparents, former stepparents, blood relatives and family members, if the child subsequently has been legally adopted, except where a final order of adoption is entered pursuant to § 63.2-1241, or (iii) who has been convicted of a violation of subsection A of § 18.2-61, § 18.2-63, subsection B of § 18.2-366, or an equivalent offense of another state, the United States, or any foreign jurisdiction, *or who has been found by clear and convincing evidence to have engaged in the conduct prohibited by subsection A of § 18.2-61, § 18.2-63, or subsection B of § 18.2-366, whether or not the person has been charged with or convicted of the alleged violation,* when the child who is the subject of the petition was conceived as a result of such violation *or conduct*.

"Sole custody" means that one person retains responsibility for the care and control of a child and has primary authority to make decisions concerning the child.

§ 63.2-903. Entrustment agreements; adoption.

A. Whenever a local board accepts custody of a child pursuant to an entrustment agreement entered into under the authority of § 63.2-900, or a licensed child-placing agency accepts custody of a child pursuant to an entrustment agreement entered into under the authority of § 63.2-1817, in the city or county juvenile and domestic relations district court a petition for approval of the entrustment agreement (i) shall be filed within a reasonable period of time, not to exceed 89 days after the execution of an entrustment agreement for less than 90 days, if the child is not returned to his home within that period; (ii) shall be filed within a reasonable period of time, not to exceed 30 days after the execution of an entrustment agreement for 90 days or longer or for an unspecified period of time, if such entrustment agreement does not provide for the termination of all parental rights and responsibilities with respect to the child; and (iii) may be filed in the case of a permanent entrustment agreement which provides for the termination of all parental rights and responsibilities with respect to the child.

B. For purposes of §§ 63.2-900, 63.2-1817 and this section, a parent who is less than 18 years of age shall be deemed fully competent and shall have legal capacity to execute a valid entrustment agreement, including an agreement that provides for the termination of all parental rights and responsibilities, and shall be as fully bound thereby as if such parent had attained the age of 18 years. An entrustment agreement for the termination of all parental rights and responsibilities shall be executed in writing and notarized. An entrustment agreement for the termination of all parental rights and responsibilities with respect to the child shall be valid notwithstanding that it is not signed by the father of a child born out of wedlock if the identity of the father is not reasonably ascertainable, or if such father is given notice of the entrustment by registered or certified mail to his last known address and fails to object to the entrustment within 15 days of mailing of such notice. An affidavit of the mother that the identity of the father is not reasonably ascertainable shall be sufficient evidence of this fact, provided there is no other evidence that would refute such an affidavit. The absence of such an affidavit shall not be deemed evidence that the identity of the father is reasonably ascertainable. For purposes of determining whether the identity of the father is reasonably ascertainable, the standard of what is reasonable under the circumstances shall control, taking into account the relative interests of the child, the mother and the father.

C. An entrustment agreement for the termination of parental rights and responsibilities with respect to the child shall be valid notwithstanding that it is not signed by the birth father of a child when such father has been convicted of a violation of subsection A of § 18.2-61, § 18.2-63, subsection B of § 18.2-366, or an equivalent offense of another state, the United States, or any foreign jurisdiction, *or has been found by clear and convincing evidence to have engaged in the conduct prohibited by subsection A of § 18.2-61, § 18.2-63, or subsection B of § 18.2-366, whether or not the birth father has been charged with or convicted of the alleged violation,* and the child was conceived as a result of such violation *or conduct.*

D. A child may be placed for adoption by a licensed child-placing agency or a local board, in accordance with the provisions of § 63.2-1221.

§ 63.2-1202. Parental, or agency, consent required; exceptions.

A. No petition for adoption shall be granted, except as hereinafter provided in this section, unless written consent to the proposed adoption is filed with the petition. Such consent shall be in writing, signed under oath and acknowledged before an officer authorized by law to take acknowledgments. The consent of a birth parent for the adoption of his child placed directly by the birth parent shall be executed as provided in § 63.2-1233, and the circuit court may accept a certified copy of an order entered pursuant to § 63.2-1233 in satisfaction of all requirements of this section, provided the order clearly evidences compliance with the applicable notice and consent requirements of § 63.2-1233.

B. A birth parent who has not reached the age of 18 shall have legal capacity to give consent to adoption and perform all acts related to adoption, and shall be as fully bound thereby as if the birth parent had attained the age of 18 years.

C. Consent shall be executed:

1. By the birth mother and by any man who:

a. Is an acknowledged father under § 20-49.1;

b. Is an adjudicated father under § 20-49.8;

c. Is a presumed father under subsection D; or

d. Has registered with the Virginia Birth Father Registry pursuant to Article 7 (§ 63.2-1249 et seq.).

Verification of compliance with the notice provisions of the Virginia Birth Father Registry shall be provided to the court.

2. By the child-placing agency or the local board having custody of the child, with right to place him for adoption, through court commitment or parental agreement as provided in § 63.2-900, 63.2-903, or 63.2-1221; or an agency outside

the Commonwealth that is licensed or otherwise duly authorized to place children for adoption by virtue of the laws under which it operates; and

3. By the child if he is 14 years of age or older, unless the circuit court finds that the best interests of the child will be served by not requiring such consent.

D. A man shall be presumed to be the father of a child if:

1. He and the mother of the child are married to each other and the child is born during the marriage;

2. He and the mother of the child were married to each other and the child is born within 300 days of their date of separation, as evidenced by a written agreement or decree of separation, or within 300 days after the marriage is terminated by death, annulment, declaration of invalidity, or divorce; or

3. Before the birth of the child, he and the mother of the child married each other in apparent compliance with the law, even if the attempted marriage is or could be declared invalid, and the child is born during the invalid marriage or within 300 days of their date of separation, as evidenced by a written agreement or decree of separation, or within 300 days after its termination by death, annulment, declaration of invalidity, or divorce.

Such presumption may be rebutted by sufficient evidence that would establish by a preponderance of the evidence the paternity of another man or the impossibility or improbability of cohabitation with the birth mother for a period of at least 300 days prior to the birth of the child.

E. No consent shall be required of a birth father if he denies under oath and in writing the paternity of the child. Such denial of paternity may be withdrawn no more than 10 days after it is executed. Once the child is 10 days old, any executed denial of paternity is final and constitutes a waiver of all rights with respect to the adoption of the child and cannot be withdrawn.

F. No consent shall be required of the birth father of a child when the birth father is convicted of a violation of subsection A of § 18.2-61, § 18.2-63, subsection B of § 18.2-366, or an equivalent offense of another state, the United States, or any foreign jurisdiction, *or has been found by clear and convincing evidence to have engaged in the conduct prohibited by subsection A of § 18.2-61, § 18.2-63, or subsection B of § 18.2-366, whether or not the birth father has been charged with or convicted of the alleged violation,* and the child was conceived as a result of such violation *or conduct*.

G. No notice or consent shall be required of any person whose parental rights have been terminated by a court of competent jurisdiction, including foreign courts that have competent jurisdiction. No notice or consent is required of any birth parent of a child for whom a guardianship order was granted when the child was approved by the United States Citizenship and Immigration Services for purposes of adoption.

H. No consent shall be required of a birth parent who, without just cause, has neither visited nor contacted the child for a period of six months immediately prior to the filing of the petition for adoption or the filing of a petition to accept consent to an adoption. The prospective adoptive parent(s) shall establish by clear and convincing evidence that the birth parent(s), without just cause, has neither visited nor contacted the child for a period of six months immediately prior to the filing of the petition for adoption or the filing of a petition to accept consent to an adoption. This provision shall not infringe upon the birth parent's right to be noticed and heard on the allegation of abandonment. For purposes of this section, the payment of child support, in the absence of other contact with the child, shall not be considered contact.

I. A birth father of the child may consent to the termination of all of his parental rights prior to the birth of the child.

J. The failure of the nonconsenting party to appear at any scheduled hearing, either in person or by counsel, after proper notice has been given to said party, shall constitute a waiver of any objection and right to consent to the adoption.

K. If a birth parent, legal guardian, or prospective adoptee, executing a consent, entrustment, or other documents related to the adoption, cannot provide the identification required pursuant to § 47.1-14, the birth parent, legal guardian, or prospective adoptee may execute a self-authenticating affidavit as to his identity subject to the penalties contained in § 63.2-1217.

L. A legal custodian of a child being placed for adoption, and any other named parties in pending cases in which the custody or visitation of such child is at issue, whether such case is in a circuit or district court, shall be entitled to proper notice of any adoption proceeding and an opportunity to be heard.

§ 63.2-1222. Execution of entrustment agreement by birth parent(s); exceptions; notice and objection to entrustment; copy required to be furnished; requirement for agencies outside the Commonwealth.

A. For the purposes of this section, a birth parent who is less than 18 years of age shall be deemed fully competent and shall have legal capacity to execute a valid entrustment agreement, including an agreement that provides for the termination of all parental rights and responsibilities, and perform all acts related to adoption and shall be as fully bound thereby as if such birth parent had attained the age of 18 years.

B. An entrustment agreement for the termination of all parental rights and responsibilities with respect to the child shall be valid notwithstanding that it is not signed by the birth father of a child born out of wedlock if the identity of the birth father is not reasonably ascertainable or such birth father did not register with the Virginia Birth Father Registry pursuant to Article 7 (§ 63.2-1249 et seq.) or the birth father named by the birth mother denies under oath and in writing the paternity of the child. An affidavit signed by the birth mother stating that the identity of the birth father is unknown may be filed with the court alleging that the identity of the birth father is not known or reasonably ascertainable. A birth father shall be given notice of the entrustment if he is an acknowledged father pursuant to § 20-49.1, an adjudicated father pursuant to § 20-49.8, a presumed father pursuant to § 63.2-1202, or a putative father who has registered with the Virginia Birth Father Registry

pursuant to Article 7 (§ 63.2-1249 et seq.). If the putative father's identity is reasonably ascertainable, he shall be given notice pursuant to the requirements of § 63.2-1250.

C. When a birth father is required to be given notice, he may be given notice of the entrustment by registered or certified mail to his last known address. If he fails to object to the entrustment within 15 days of the mailing of such notice, his entrustment shall not be required. An objection to an entrustment agreement shall be in writing, signed by the objecting party or counsel of record for the objecting party and filed with the agency that mailed the notice of entrustment within the time period specified in § 63.2-1223.

D. The execution of an entrustment agreement shall be required of a presumed father except under the following circumstances: (i) if he denies paternity under oath and in writing in accordance with § 63.2-1202; (ii) if the presumption is rebutted by sufficient evidence, satisfactory to the circuit court, which would establish by a preponderance of the evidence the paternity of another man or the impossibility or improbability of cohabitation of the birth mother and her husband for a period of at least 300 days preceding the birth of the child; (iii) if another man admits, in writing and under oath, that he is the biological father; or (iv) if an adoptive placement has been determined to be in the best interests of the child pursuant to § 63.2-1205.

E. When none of the provisions of subsections C and D apply, notice of the entrustment shall be given to the presumed father pursuant to the requirements of § 16.1-277.01.

F. An entrustment agreement for the termination of all parental rights and responsibilities with respect to the child shall be valid notwithstanding that it is not signed by the birth father of a child when the birth father has been convicted of a violation of subsection A of § 18.2-61, § 18.2-63, subsection B of § 18.2-366, or an equivalent offense of another state, the United States, or any foreign jurisdiction, *or has been found by clear and convincing evidence to have engaged in the conduct prohibited by subsection A of § 18.2-61, § 18.2-63, or subsection B of § 18.2-366, whether or not the birth father has been charged with or convicted of the alleged violation,* and the child was conceived as a result of such violation *or conduct.*

G. A birth father may execute an entrustment agreement for the termination of all of his parental rights prior to the birth of the child. Such entrustment shall be subject to the revocation provisions of § 63.2-1223.

H. No entrustment shall be required of a birth father if he denies under oath and in writing the paternity of the child. Such denial of paternity may be withdrawn no more than 10 days after it is executed. Once the child is 10 days old, any executed denial of paternity is final and constitutes a waiver of all rights with respect to the adoption of the child and cannot be withdrawn.

I. A copy of the entrustment agreement shall be furnished to all parties signing such agreement.

J. When any agency outside the Commonwealth, or its agent, that is licensed or otherwise duly authorized to place children for adoption by virtue of the laws under which it operates executes an entrustment agreement in the Commonwealth with a birth parent for the termination of all parental rights and responsibilities with respect to the child, the requirements of §§ 63.2-1221 through 63.2-1224 shall apply. The birth parent may expressly waive, under oath and in writing, the execution of the entrustment under the requirements of §§ 63.2-1221 through 63.2-1224 in favor of the execution of an entrustment or relinquishment under the laws of another state if the birth parent is represented by independent legal counsel. Such written waiver shall expressly state that the birth parent has received independent legal counsel advising of the laws of Virginia and of the other state and that Virginia law is expressly being waived. The waiver also shall include the name, address, and telephone number of such legal counsel. Any entrustment agreement that fails to comply with such requirements shall be void.

§ 63.2-1233. Consent to be executed in juvenile and domestic relations district court; exceptions.

When the juvenile and domestic relations district court is satisfied that all requirements of § 63.2-1232 have been met with respect to at least one birth parent and the adoptive child is at least in the third calendar day of life, that birth parent or both birth parents, as the case may be, shall execute consent to the proposed adoption in compliance with the provisions of § 63.2-1202 while before the juvenile and domestic relations district court in person and in the presence of the prospective adoptive parents. The juvenile and domestic relations district court shall accept the consent of the birth parent(s) and transfer custody of the child to the prospective adoptive parents, pending notification to any nonconsenting birth parent, as described hereinafter.

1. a. The execution of consent before the juvenile and domestic relations district court shall not be required of a birth father if the birth father consents under oath and in writing to the adoption.

b. The consent of a birth father who is not married to the mother of the child at the time of the child's conception or birth shall not be required if the putative father named by the birth mother denies under oath and in writing the paternity of the child or if the putative father did not register with the Virginia Birth Father Registry pursuant to Article 7 (§ 63.2-1249 et seq.) of this chapter. If the identity of the birth father is reasonably ascertainable, but the whereabouts of the birth father are not reasonably ascertainable, verification of compliance with the Virginia Birth Father Registry shall be provided to the court.

c. When a birth father is required to be given notice, he may be given notice of the adoption by registered or certified mail to his last known address and if he fails to object to the adoption within 15 days of the mailing of such notice, his consent shall not be required. An objection shall be in writing, signed by the objecting party or counsel of record for the objecting party and shall be filed with the clerk of the juvenile and domestic relations district court in which the petition was filed during the business day of the court, within the time period specified in this section. When no timely objection is filed,

no hearing on this issue is required. Failure of the objecting party to appear at any scheduled hearing, either in person or by counsel, shall constitute a waiver of such objection.

d. The juvenile and domestic relations district court may accept the written consent of the birth father at the time of the child's conception or birth, provided that his identifying information required in § 63.2-1232 is filed in writing with the juvenile and domestic relations district court of jurisdiction. Such consent shall advise the birth father of his opportunity for legal representation, shall identify the court in which the case was or is intended to be filed, and shall be presented to the juvenile and domestic relations district court for acceptance. The consent may waive further notice of the adoption proceedings and shall contain the name, address and telephone number of the birth father's legal counsel or an acknowledgment that he was informed of his opportunity to be represented by legal counsel and declined such representation. For good cause shown, the court may dispense with the requirements regarding the filing of the birth father's identifying information pursuant to this subdivision 1. d.

e. In the event that the birth mother's consent is not executed in the juvenile and domestic relations district court, the consent of the birth father shall be executed in the juvenile and domestic relations district court.

f. A child born to a married birth mother shall be presumed to be the child of her husband and his consent shall be required, unless the court finds that the father's consent is withheld contrary to the best interests of the child as provided in § 63.2-1205 or if his consent is unobtainable. The consent of such presumed father shall be under oath and in writing and may be executed in or out of court. The presumption that the husband is the father of the child may be rebutted by sufficient evidence, satisfactory to the juvenile and domestic relations district court, which would establish by a preponderance of the evidence the paternity of another man or the impossibility or improbability of cohabitation of the birth mother and her husband for a period of at least 300 days preceding the birth of the child, in which case the husband's consent shall not be required. The executed denial of paternity by the putative father shall be sufficient to rebut the presumption that he is the father of the child. If the court is satisfied that the presumption has been rebutted, notice of the adoption shall not be required to be given to the presumed father.

2. After the application of the provisions of subdivision 1, if a birth parent is entitled to a hearing, the birth parent shall be given notice of the date and location of the hearing and be given the opportunity to appear before the juvenile and domestic relations district court. Such hearing may occur subsequent to the proceeding wherein the consenting birth parent appeared but may not be held until 15 days after personal service of notice on the nonconsenting birth parent, or if personal service is unobtainable, 10 days after the completion of the execution of an order of publication against such birth parent. The juvenile and domestic relations district court may appoint counsel for the birth parent(s). If the juvenile and domestic relations district court finds that consent is withheld contrary to the best interests of the child, as set forth in § 63.2-1205, or is unobtainable, it may grant the petition without such consent and enter an order waiving the requirement of consent of the nonconsenting birth parent and transferring custody of the child to the prospective adoptive parents. No further consent or notice shall be required of a birth parent who fails to appear at any scheduled hearing, either in person or by counsel. If the juvenile and domestic relations district court denies the petition, the juvenile and domestic relations district court shall order that any consent given for the purpose of such placement shall be void and, if necessary, the court shall determine custody of the child as between the birth parents.

3. Except as provided in subdivisions 4 and 5, if consent cannot be obtained from at least one birth parent, the juvenile and domestic relations district court shall deny the petition and determine custody of the child pursuant to § 16.1-278.2.

4. If a child has been under the physical care and custody of the prospective adoptive parents and if both birth parents have failed, without good cause, to appear at a hearing to execute consent under this section for which they were given proper notice pursuant to § 16.1-264, the juvenile and domestic relations district court may grant the petition without the consent of either birth parent and enter an order waiving consent and transferring custody of the child to the prospective adoptive parents. Prior to the entry of such an order, the juvenile and domestic relations district court may appoint legal counsel for the birth parents and shall find by clear and convincing evidence (i) that the birth parents were given proper notice of the hearing(s) to execute consent and of the hearing to proceed without their consent; (ii) that the birth parents failed to show good cause for their failure to appear at such hearing(s); and (iii) that pursuant to § 63.2-1205, the consent of the birth parents is withheld contrary to the best interests of the child or is unobtainable. Under this subdivision, the court or the parties may waive the requirement of the simultaneous meeting under § 63.2-1231 and the requirements of subdivisions A 1, A 3, and A 7 of § 63.2-1232 where the opportunity for compliance is not reasonably available under the applicable circumstances.

5. If both birth parents are deceased, the juvenile and domestic relations district court, after hearing evidence to that effect, may grant the petition without the filing of any consent.

6. No consent shall be required from the birth father of a child placed pursuant to this section when such father is convicted of a violation of subsection A of § 18.2-61, § 18.2-63, subsection B of § 18.2-366, or an equivalent offense of another state, the United States, or any foreign jurisdiction, *or has been found by clear and convincing evidence to have engaged in the conduct prohibited by subsection A of § 18.2-61, § 18.2-63, or subsection B of § 18.2-366, whether or not the birth father has been charged with or convicted of the alleged violation,* and the child was conceived as a result of such violation *or conduct*, nor shall the birth father be entitled to notice of any of the proceedings under this section.

7. No consent shall be required of a birth father if he denies under oath and in writing the paternity of the child. Such denial of paternity may be withdrawn no more than 10 days after it is executed. Once the child is 10 days old, any executed

denial of paternity is final and constitutes a waiver of all rights with the respect to the adoption of the child and cannot be withdrawn.

8. A birth father may consent to the adoption prior to the birth of the child.

9. The juvenile and domestic relations district court shall review each order entered under this section at least annually until such time as the final order of adoption is entered.

10. When there has been an interstate transfer of the child in a parental placement adoption in compliance with Chapter 10 (§ 63.2-1000 et seq.) of this title, all matters relating to the adoption of the child including, but not limited to, custody and parentage shall be determined in the court of appropriate jurisdiction in the state that was approved for finalization of the adoption by the interstate compact authorities.

CHAPTER 548

An Act to amend and reenact § 24.2-416 of the Code of Virginia, relating to voter registration; time period for closing registration records before certain elections.

[H 1735]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-416 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-416. Closing registration records before elections.

A. In any county, city, or town in which an election is being held, the registration records shall be closed for the purpose of registering voters on the election day and during the period in advance of the election as provided in this section. The registration records shall be closed during the ~~21~~ *10* days before a primary or general election. If the registration records have not been closed previously for a primary or general election, they shall be closed during the six days before a special election called by the Governor, Speaker of the House of Delegates, or President pro tempore of the Senate, or pursuant to rule or resolution of either house of the General Assembly and during the ~~13~~ *10* days before any other special election.

B. In the event that a failure of the Virginia online voter registration system occurs prior to the close of registration records pursuant to this section, the Governor shall have the authority to order the online voter registration system to be available for registration activities after the date for closing the registration records for a period of time equal to the amount of time during which the online voter registration system was unavailable for registration activities, rounded up to the nearest whole day, plus an additional day to allow for voter education efforts. During this period, persons shall be permitted to register in person and mail voter registration applications shall be accepted.

CHAPTER 549

An Act to direct the Department of Behavioral Health and Developmental Services and the Department of Education to convene a work group focused on a mental health screening and assessment tool for children five years of age or younger and mental health consultation resources and training for early childhood education providers, pediatric health care providers, and families; report.

[H 1760]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Behavioral Health and Developmental Services and the Department of Education shall convene a work group of relevant stakeholders, including Department of Education employees focused on school readiness, representatives of the Medical Society of Virginia, representatives of Training and Technical Assistance Centers as deemed appropriate, and any other appropriate stakeholders, to develop a plan to (i) create a mental health screening and assessment tool to assist with early identification of mental health issues for children in early childhood care and education settings that focuses on early detection, intervention, and support for emotional and behavioral challenges in children five years of age or younger and (ii) provide mental health consultation resources and training to early childhood education providers, pediatric health care providers, and families. The work group shall report its findings and recommendations to the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations by November 1, 2025.*

CHAPTER 550

An Act to amend and reenact § 16.1-253.2 of the Code of Virginia, relating to foreign protective orders in cases of family abuse; enforcement.

[H 1781]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-253.2 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-253.2. Violation of provisions of protective orders; penalties.

A. In addition to any other penalty provided by law, any person who violates any provision of a protective order issued pursuant to § 16.1-253.1, 16.1-253.4, 16.1-278.14, or 16.1-279.1 ~~or~~, subsection B of § 20-103, *or any judgment, order, or decree entitled to full faith and credit pursuant to subsection F of § 16.1-279.1* when such violation involves a provision of the protective order that prohibits such person from (i) going or remaining upon land, buildings, or premises; (ii) further acts of family abuse; or (iii) committing a criminal offense, or which prohibits contacts by the respondent with the allegedly abused person or family or household members of the allegedly abused person as the court deems appropriate, is guilty of a Class 1 misdemeanor. The punishment for any person convicted of a second offense of violating a protective order, when the offense is committed within five years of the prior conviction and when either the instant or prior offense was based on an act or threat of violence, shall include a mandatory minimum term of confinement of 60 days. Any person convicted of a third or subsequent offense of violating a protective order, when the offense is committed within 20 years of the first conviction and when either the instant or one of the prior offenses was based on an act or threat of violence is guilty of a Class 6 felony and the punishment shall include a mandatory minimum term of confinement of six months. The mandatory minimum terms of confinement prescribed for violations of this section shall be served consecutively with any other sentence.

B. In addition to any other penalty provided by law, any person who, while knowingly armed with a firearm or other deadly weapon, violates any provision of a protective order with which he has been served issued pursuant to § 16.1-253.1, 16.1-253.4, 16.1-278.14, or 16.1-279.1 or subsection B of § 20-103 is guilty of a Class 6 felony.

C. If the respondent commits an assault and battery upon any party protected by the protective order resulting in bodily injury to the party or stalks any party protected by the protective order in violation of § 18.2-60.3, he is guilty of a Class 6 felony. Any person who violates such a protective order by furtively entering the home of any protected party while the party is present, or by entering and remaining in the home of the protected party until the party arrives, is guilty of a Class 6 felony, in addition to any other penalty provided by law.

D. Upon conviction of any offense hereunder for which a mandatory minimum term of confinement is not specified, the person shall be sentenced to a term of confinement and in no case shall the entire term imposed be suspended. Upon conviction, the court shall, in addition to the sentence imposed, enter a protective order pursuant to § 16.1-279.1 for a specified period not exceeding two years from the date of conviction.

E. A violation of this section may be prosecuted in the jurisdiction where the protective order was issued, in any county, city, or town where any act constituting the violation of the protective order occurred, or in the jurisdiction where the party protected by the protective order resided at the time of such violation.

CHAPTER 551

An Act to amend and reenact § 56-597 of the Code of Virginia, relating to electric utilities; construction of certain electrical transmission lines; advanced conductors.

[H 1822]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 56-597 of the Code of Virginia is amended and reenacted as follows:

§ 56-597. Definitions.

As used in this chapter:

"Advanced conductors" means *high-temperature low-sag* hardware technology that can conduct electricity across transmission lines and that demonstrates enhanced performance over traditional conductor products. *"Advanced conductors" includes aluminum conductor composite core, aluminum conductor steel supported, aluminum conductor composite reinforced, thermal-resistant aluminum alloy conductor, and any similar technologies.*

"Affiliate" means a person that controls, is controlled by, or is under common control with an electric utility.

"Electric utility" means any investor-owned public utility that provides electric energy for use by retail customers, except investor-owned utilities subject to the provisions of § 56-585.8.

"Grid-enhancing technologies" means a set of technologies that maximize the transmission of electricity across the electric distribution grid in a manner that ensures grid reliability and safeguards the cybersecurity and physical security of the electric distribution grid, including storage as a transmission asset, dynamic line rating, power flow control, and topology optimization.

"Integrated resource plan" or "IRP" means a document developed by an electric utility that provides a forecast of its load obligations and a plan to meet those obligations by supply side and demand side resources over the ensuing 15 years to promote reasonable prices, reliable service, energy independence, and environmental responsibility.

"Retail customer" means any person that purchases retail electric energy for its own consumption at one or more metering points or non-metered points of delivery located in the Commonwealth.

2. That the provisions of this act shall become effective on January 1, 2026.

3. That in making any determination regarding need, corridor, route, or method of installation as it relates to applications filed pursuant to § 56-46.1 of the Code of Virginia for the construction of any electrical transmission line of 138 kilovolts or more, the State Corporation Commission shall consider the prudency of using advanced conductors, as defined in § 56-597 of the Code of Virginia, as amended by this act.

CHAPTER 552

An Act to require the Board of Education to take certain regulatory actions relating to add-on endorsements for mathematics teachers.

[H 1829]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Board of Education (the Board) shall take the following regulatory actions relating to add-on endorsements for mathematics teachers:*

1. Develop and approve a geometry add-on endorsement for teachers licensed by the Board to provide instruction in geometry for students in kindergarten through grade eight; and

2. Amend its regulations establishing the criteria for earning an Algebra I add-on endorsement set forth in 8VAC20-23-440 of the Virginia Administrative Code to (i) eliminate the requirements that candidates complete coursework in calculus, Euclidian geometry, probability and statistics, and discrete mathematics and (ii) permit candidates to receive a passing score on the Praxis Algebra I (5162) add-on endorsement exam in lieu of the requirements that candidates complete coursework in elementary functions, introductory college algebra, trigonometry, and linear algebra.

CHAPTER 553

An Act to direct each health regulatory board regulated by the Department of Health Professions to establish a licensure by endorsement pathway for qualified applicants of the professions regulated by such board.

[H 1861]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That each health regulatory board regulated by the Department of Health Professions shall enact regulations to establish a licensure by endorsement pathway for qualified applicants as practitioners of the particular profession or professions regulated by such board. Each such health regulatory board's initial adoption of regulations necessary to implement a licensure by endorsement pathway shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia), except that the enacting health regulatory board shall provide an opportunity for public comment on the regulations prior to adoption of such regulations.*

§ 2. That the Board of Medicine shall be the first health regulatory board to enact regulations to provide a licensure by endorsement pathway pursuant to this act.

CHAPTER 554

An Act to amend and reenact § 55.1-1204 of the Code of Virginia, relating to Virginia Residential Landlord and Tenant Act; terms and conditions of rental agreement; renewal notice.

[H 1867]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-1204 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-1204. Terms and conditions of rental agreement; payment of rent; copy of rental agreement for tenant.

A. A landlord and tenant may include in a rental agreement terms and conditions not prohibited by this chapter or other rule of law, including rent, charges for late payment of rent, the term of the agreement, automatic renewal of the rental agreement, requirements for notice of intent to vacate or terminate the rental agreement, and other provisions governing the rights and obligations of the parties.

B. A landlord shall offer a prospective tenant a written rental agreement containing the terms governing the rental of the dwelling unit and setting forth the terms and conditions of the landlord-tenant relationship and shall provide with it the statement of tenant rights and responsibilities developed by the Department of Housing and Community Development and posted on its website pursuant to § 36-139. The parties to a written rental agreement shall sign the form developed by the Department of Housing and Community Development and posted on its website pursuant to § 36-139 acknowledging that the tenant has received from the landlord the statement of tenant rights and responsibilities. The written rental agreement shall be effective upon the date signed by the parties.

If a tenant fails to sign the form available pursuant to this subsection, the landlord shall record the date or dates on which he provided the form to the tenant and the fact that the tenant failed to sign such form. Subsequent to the effective date of the tenancy, a landlord may, but shall not be required to, provide a tenant with and allow such tenant an opportunity to sign the form described pursuant to this subsection. The form shall be current as of the date of delivery.

C. If a landlord does not offer a written rental agreement, the tenancy shall exist by operation of law, consisting of the following terms and conditions:

1. The provision of this chapter shall be applicable to the dwelling unit that is being rented;

2. The duration of the rental agreement shall be for 12 months and shall not be subject to automatic renewal, except in the event of a month-to-month lease as otherwise provided for under subsection D of § 55.1-1253;

3. Rent shall be paid in 12 equal periodic installments in an amount agreed upon by the landlord and the tenant and if no amount is agreed upon, the installments shall be at fair market rent;

4. Rent payments shall be due on the first day of each month during the tenancy and shall be considered late if not paid by the fifth of the month;

5. If the rent is paid by the tenant after the fifth day of any given month, the landlord shall be entitled to charge a late charge as provided in this chapter;

6. The landlord may collect a security deposit in an amount that does not exceed a total amount equal to two months of rent; and

7. The parties may enter into a written rental agreement at any time during the 12-month tenancy created by this subsection.

D. Except as provided in the written rental agreement, or as provided in subsection C if no written agreement is offered, rent shall be payable without demand or notice at the time and place agreed upon by the parties. Except as provided in the written rental agreement, rent is payable at the place designated by the landlord, and periodic rent is payable at the beginning of any term of one month or less and otherwise in equal installments at the beginning of each month. If the landlord receives from a tenant a written request for a written statement of charges and payments, he shall provide the tenant with a written statement showing all debits and credits over the tenancy or the past 12 months, whichever is shorter. The landlord shall provide such written statement within 10 business days of receiving the request.

E. A landlord shall not charge a tenant for late payment of rent unless such charge is provided for in the written rental agreement. No such late charge shall exceed the lesser of 10 percent of the periodic rent or 10 percent of the remaining balance due and owed by the tenant.

F. Except as provided in the written rental agreement or, as provided in subsection C if no written agreement is offered, the tenancy shall be week-to-week in the case of a tenant who pays weekly rent and month-to-month in all other cases. Terminations of tenancies shall be governed by § 55.1-1253 unless the rental agreement provides for a different notice period.

G. If the rental agreement contains any provision allowing the landlord to approve or disapprove a sublessee or assignee of the tenant, the landlord shall, within 10 business days of receipt of the written application of the prospective sublessee or assignee on a form to be provided by the landlord, approve or disapprove the sublessee or assignee. Failure of the landlord to act within 10 business days is evidence of his approval.

H. The landlord shall provide a copy of the signed written rental agreement and the statement of tenant rights and responsibilities to the tenant within 10 business days of the effective date of the written rental agreement. The failure of the landlord to deliver such a rental agreement and statement shall not affect the validity of the agreement. However, the landlord shall not file or maintain an action, including any summons for unlawful detainer, against the tenant in a court of law for any alleged lease violation until he has provided the tenant with the statement of tenant rights and responsibilities.

The landlord shall provide the tenant with an additional hard copy of such tenant's rental agreement once per year upon request or shall maintain such rental agreement in an electronic format that can be easily accessed by or shared with the tenant upon request. Any additional electronic copy of a tenant's rental agreement provided pursuant to this subsection shall be provided by the landlord at no charge to the tenant.

I. No unilateral change in the terms of a rental agreement by a landlord or tenant shall be valid unless (i) notice of the change is given in accordance with the terms of the rental agreement or as otherwise required by law and (ii) both parties consent in writing to the change.

J. The landlord shall provide the tenant with a written receipt, upon request from the tenant, whenever the tenant pays rent in the form of cash or money order.

K. A landlord who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth~~,~~ shall be required to provide written notice to any tenant who has the option to renew a rental agreement or whose rental agreement contains an automatic renewal provision of any increase in rent during the subsequent rental agreement term. *Such landlord shall also provide written notice of nonrenewal to any tenant.* Such ~~notice~~ *notices* shall be provided to the tenant no less than 60 days prior to the end of the rental agreement term. This subsection shall not apply to any periodic tenancy created pursuant to subsection C of § 55.1-1253.

ACTS

OF THE

GENERAL ASSEMBLY

2025 REGULAR SESSION

VOLUME I

VOLUME II

VOLUME III

ACTS

OF THE

GENERAL ASSEMBLY

OF THE

COMMONWEALTH OF VIRGINIA

2025 REGULAR SESSION

which met at the State Capitol, Richmond

Convened Wednesday, January 8, 2025

Adjourned sine die Saturday, February 22, 2025

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Division of Legislative Services,
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CHAPTER 555

An Act to amend and reenact § 22.1-272.2 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-272.3, relating to school boards; school-based telehealth and mental health teletherapy services; increasing accessibility; policies and requirements.

[H 1945]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-272.2 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-272.3 as follows:

§ 22.1-272.2. Department; model memorandum of understanding; partnerships with community mental health services providers or a nationally recognized school-based telehealth provider.

A. The Department, in consultation with the Department of Behavioral Health and Developmental Services and the Department of Medical Assistance Services, shall develop, adopt, and distribute to each school board a model memorandum of understanding between a school board and a public or private community mental health services provider or a nationally recognized school-based telehealth provider that sets forth parameters for the provision of mental health services to public school students enrolled in the local school division by such provider, including the provision of mental health teletherapy for students *outside of regular school hours and during regular school hours on school property*, reflects effective practices, and addresses privacy considerations related to the exchange of information between the parties to the memorandum of understanding and relevant laws and regulations. The Department shall maintain and update as necessary the model memorandum of understanding to ensure that it remains current, useful, and relevant.

B. Any school board may provide school-based mental health teletherapy services and permit any public school student in the school division to schedule and participate in mental health teletherapy services on school property during regular school hours on the same basis as such students are permitted to schedule and participate in school counseling services.

C. Any school board that chooses to provide such mental health teletherapy services pursuant to subsection B shall (i) enter into a memorandum of understanding with a nationally recognized school-based telehealth provider in accordance with the model memorandum of understanding developed by the Department pursuant to subsection A that ensures and sets forth parameters for the provision of mental health teletherapy services for students during regular school hours and (ii) develop and implement, pursuant to § 22.1-272.3, policies and guidance for permitting any public school student in the school division to schedule and participate in mental health teletherapy services on school property during regular school hours.

§ 22.1-272.3. Student access to telehealth services; school division policies.

A. In order to increase access to health care services for students, each school board shall consider developing and implementing policies for permitting any public school student in the school division to schedule and participate in telehealth services and mental health teletherapy services on school property during regular school hours with parental consent. Any school board that implements and develops policies for permitting any public school student in the school division to schedule and participate in mental health teletherapy services shall enter into a memorandum of understanding with a nationally recognized school-based telehealth provider in accordance with the model memorandum of understanding developed by the Department pursuant to § 22.1-272.2.

B. Any such policies developed and implemented by a school board for permitting any public school student in the school division to schedule and participate in telehealth services and mental health teletherapy services pursuant to subsection A shall:

1. Permit any public school student in the school division to schedule and participate in telehealth and mental health teletherapy services on school property during regular school hours on the same basis as such students are permitted to schedule and participate in school counseling services;

2. Require each public elementary and secondary school at which such telehealth services are provided to (i) designate a location in such school for students to use for such telehealth appointments that ensures the privacy and safety of such students and has Internet access and (ii) implement measures to ensure the privacy and safety of each student participating in a telehealth appointment;

3. Prohibit any student from being subject to any disciplinary measure or consequence for participating in a telehealth appointment during regular school hours if such student would not be subject to disciplinary measures or consequences for an absence for the purpose of receiving any health care services in person during regular school hours; and

4. Include such other requirements as the school board deems necessary and appropriate.

C. Any such policies developed and implemented by a school board for permitting any public school student in the school division to schedule and participate in telehealth services and mental health teletherapy services shall, in addition to the requirements set forth of subsection B, be consistent with, but may be more comprehensive than, the parameters set forth in the memorandum of understanding between the school board and the nationally recognized school-based telehealth provider developed by the school board pursuant to § 22.1-272.2.

D. Each school board that develops and implements any policies in accordance with this section shall provide guidance relating to the implementation of such policies for administrative and instructional personnel and shall post such guidance in a publicly accessible location on its website at the beginning of each school year.

CHAPTER 556

An Act to amend and reenact § 19.2-389 of the Code of Virginia, relating to dissemination of criminal history record information.

[S 1193]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-389 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-389. Dissemination of criminal history record information.

A. Criminal history record information shall be disseminated, whether directly or through an intermediary, only to:

1. Authorized officers or employees of criminal justice agencies, as defined by § 9.1-101, for purposes of the administration of criminal justice and the screening of an employment application or review of employment by a criminal justice agency with respect to its own employees or applicants, and dissemination to the Virginia Parole Board, pursuant to this subdivision, of such information on all state-responsible inmates for the purpose of making parole determinations pursuant to subdivisions 1, 2, 3, 4, and 6 of § 53.1-136 shall include collective dissemination by electronic means every 30 days. For purposes of this subdivision, criminal history record information includes information sent to the Central Criminal Records Exchange pursuant to §§ 37.2-819 and 64.2-2014 when disseminated to any full-time or part-time employee of the State Police, a police department or sheriff's office that is a part of or administered by the Commonwealth or any political subdivision thereof, and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth for the purposes of the administration of criminal justice;

2. Such other individuals and agencies that require criminal history record information to implement a state or federal statute or executive order of the President of the United States or Governor that expressly refers to criminal conduct and contains requirements or exclusions expressly based upon such conduct, except that information concerning the arrest of an individual may not be disseminated to a noncriminal justice agency or individual if an interval of one year has elapsed from the date of the arrest and no disposition of the charge has been recorded and no active prosecution of the charge is pending;

3. Individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement which shall specifically authorize access to data, limit the use of data to purposes for which given, and ensure the security and confidentiality of the data;

4. Individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency that shall specifically authorize access to data, limit the use of data to research, evaluative, or statistical purposes, and ensure the confidentiality and security of the data;

5. Agencies of state or federal government that are authorized by state or federal statute or executive order of the President of the United States or Governor to conduct investigations determining employment suitability or eligibility for security clearances allowing access to classified information;

6. Individuals and agencies where authorized by court order or court rule;

7. Agencies of any political subdivision of the Commonwealth, public transportation companies owned, operated or controlled by any political subdivision, and any public service corporation that operates a public transit system owned by a local government for the conduct of investigations of applicants for employment, permit, or license whenever, in the interest of public welfare or safety, it is necessary to determine under a duly enacted ordinance if the past criminal conduct of a person with a conviction record would be compatible with the nature of the employment, permit, or license under consideration;

7a. Commissions created pursuant to the Transportation District Act of 1964 (§ 33.2-1900 et seq.) of Title 33.2 and their contractors, for the conduct of investigations of individuals who have been offered a position of employment whenever, in the interest of public welfare or safety and as authorized in the Transportation District Act of 1964, it is necessary to determine if the past criminal conduct of a person with a conviction record would be compatible with the nature of the employment under consideration;

8. Public or private agencies when authorized or required by federal or state law or interstate compact to investigate (i) applicants for foster or adoptive parenthood or (ii) any individual, and the adult members of that individual's household, with whom the agency is considering placing a child or from whom the agency is considering removing a child due to abuse or neglect, on an emergency, temporary, or permanent basis pursuant to §§ 63.2-901.1 and 63.2-1505, subject to the restriction that the data shall not be further disseminated to any party other than a federal or state authority or court as may be required to comply with an express requirement of law;

9. To the extent permitted by federal law or regulation, public service companies as defined in § 56-1, for the conduct of investigations of applicants for employment when such employment involves personal contact with the public or when past criminal conduct of an applicant would be incompatible with the nature of the employment under consideration;

10. The appropriate authority for purposes of granting citizenship and for purposes of international travel, including, but not limited to, issuing visas and passports;

11. A person requesting a copy of his own criminal history record information as defined in § 9.1-101 at his cost, except that criminal history record information shall be supplied at no charge to a person who has applied to be a volunteer with (i) a Virginia affiliate of Big Brothers/Big Sisters of America; (ii) a volunteer fire company; (iii) the Volunteer Emergency Families for Children; (iv) any affiliate of Prevent Child Abuse, Virginia; (v) any Virginia affiliate of Compeer; or (vi) any board member or any individual who has been offered membership on the board of a Crime Stoppers, Crime Solvers or Crime Line program as defined in § 15.2-1713.1;

12. Administrators and board presidents of and applicants for licensure or registration as a child welfare agency as defined in § 63.2-100 for dissemination to the Commissioner of Social Services' representative pursuant to § 63.2-1702 for the conduct of investigations with respect to employees of and volunteers at such facilities, caretakers, and foster and adoptive parent applicants of private child-placing agencies, pursuant to §§ 63.2-1719, 63.2-1720, and 63.2-1721, subject to the restriction that the data shall not be further disseminated by the facility or agency to any party other than the data subject, the Commissioner of Social Services' representative or a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination; however, nothing in this subdivision shall be construed to prohibit the Commissioner of Social Services' representative from issuing written certifications regarding the results of a background check that was conducted before July 1, 2021, in accordance with subsection J of § 22.1-289.035 or § 22.1-289.039;

13. The Department of Social Services for the purpose of screening individuals as a condition of licensure, employment, volunteering, or providing services on a regular basis in a licensed child welfare agency pursuant to §§ 63.2-1721 and 63.2-1726 or foster or adoptive home approved by a child-placing agency pursuant to § 63.2-901.1;

14. The school boards of the Commonwealth for the purpose of screening individuals who are offered or who accept public school employment and those current school board employees for whom a report of arrest has been made pursuant to § 19.2-83.1;

15. The Virginia Lottery for the conduct of investigations as set forth in the Virginia Lottery Law (§ 58.1-4000 et seq.) and casino gaming as set forth in Chapter 41 (§ 58.1-4100 et seq.) of Title 58.1, and the Department of Agriculture and Consumer Services for the conduct of investigations as set forth in Article 1.1:1 (§ 18.2-340.15 et seq.) of Chapter 8 of Title 18.2;

16. Licensed nursing homes, hospitals and home care organizations for the conduct of investigations of applicants for compensated employment in licensed nursing homes pursuant to § 32.1-126.01, hospital pharmacies pursuant to § 32.1-126.02, and home care organizations pursuant to § 32.1-162.9:1, subject to the limitations set out in subsection E;

17. Licensed assisted living facilities and licensed adult day centers for the conduct of investigations of applicants for compensated employment in licensed assisted living facilities and licensed adult day centers pursuant to § 63.2-1720, subject to the limitations set out in subsection F;

18. The Virginia Alcoholic Beverage Control Authority for the conduct of investigations as set forth in § 4.1-103.1;

19. The State Board of Elections and authorized officers and employees thereof and general registrars appointed pursuant to § 24.2-110 in the course of conducting necessary investigations with respect to voter registration, limited to any record of felony convictions;

20. The Commissioner of Behavioral Health and Developmental Services (the Commissioner) or his designees for individuals who are committed to the custody of or being evaluated by the Commissioner pursuant to §§ 19.2-168.1, 19.2-169.1, 19.2-169.2, 19.2-169.5, 19.2-169.6, 19.2-182.2, 19.2-182.3, 19.2-182.8, and 19.2-182.9 where such information may be beneficial for the purpose of placement, evaluation, treatment, or discharge planning;

21. Any alcohol safety action program certified by the Commission on the Virginia Alcohol Safety Action Program for (i) interventions with first offenders under § 18.2-251 or (ii) services to offenders under § 18.2-51.4, 18.2-266, or 18.2-266.1;

22. Residential facilities for juveniles regulated or operated by the Department of Social Services, the Department of Education, or the Department of Behavioral Health and Developmental Services for the purpose of determining applicants' fitness for employment or for providing volunteer or contractual services;

23. The Department of Behavioral Health and Developmental Services and facilities operated by the Department for the purpose of determining an individual's fitness for employment pursuant to departmental instructions;

24. Pursuant to § 22.1-296.3, the governing boards or administrators of private elementary or secondary schools which are accredited pursuant to § 22.1-19 or a private organization coordinating such records information on behalf of such governing boards or administrators pursuant to a written agreement with the Department of State Police;

25. Public institutions of higher education and nonprofit private institutions of higher education for the purpose of screening individuals who are offered or accept employment;

26. Members of a threat assessment team established by a local school board pursuant to § 22.1-79.4, by a public institution of higher education pursuant to § 23.1-805, or by a private nonprofit institution of higher education, for the purpose of assessing or intervening with an individual whose behavior may present a threat to safety; however, no member of a threat assessment team shall redisclose any criminal history record information obtained pursuant to this section or otherwise use any record of an individual beyond the purpose that such disclosure was made to the threat assessment team;

27. Executive directors of community services boards or the personnel director serving the community services board for the purpose of determining an individual's fitness for employment, approval as a sponsored residential service provider, permission to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver, or permission for any person under contract with the community services board to serve in a direct care position on behalf of the community services board pursuant to §§ 37.2-506, 37.2-506.1, and 37.2-607;

28. Executive directors of behavioral health authorities as defined in § 37.2-600 for the purpose of determining an individual's fitness for employment, approval as a sponsored residential service provider, permission to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver, or permission for any person under contract with the behavioral health authority to serve in a direct care position on behalf of the behavioral health authority pursuant to §§ 37.2-506, 37.2-506.1, and 37.2-607;

29. The Commissioner of Social Services for the purpose of locating persons who owe child support or who are alleged in a pending paternity proceeding to be a putative father, provided that only the name, address, demographics and social security number of the data subject shall be released;

30. Authorized officers or directors of agencies licensed pursuant to Article 2 (§ 37.2-403 et seq.) of Chapter 4 of Title 37.2 by the Department of Behavioral Health and Developmental Services for the purpose of determining if any applicant who accepts employment in any direct care position or requests approval as a sponsored residential service provider, permission to enter into a shared living arrangement with a person receiving medical assistance services pursuant to a waiver, or permission for any person under contract with the provider to serve in a direct care position has been convicted of a crime that affects his fitness to have responsibility for the safety and well-being of individuals with mental illness, intellectual disability, or substance abuse pursuant to §§ 37.2-416, 37.2-416.1, 37.2-506, 37.2-506.1, and 37.2-607;

31. The Commissioner of the Department of Motor Vehicles, for the purpose of evaluating applicants for and holders of a motor carrier certificate or license subject to the provisions of Chapters 20 (§ 46.2-2000 et seq.) and 21 (§ 46.2-2100 et seq.) of Title 46.2;

32. The Chairman of the Senate Committee for Courts of Justice or the Chairman of the House Committee for Courts of Justice for the purpose of determining if any person being considered for election to any judgeship has been convicted of a crime;

33. Heads of state agencies in which positions have been identified as sensitive for the purpose of determining an individual's fitness for employment in positions designated as sensitive under Department of Human Resource Management policies developed pursuant to § 2.2-1201.1;

34. The Office of the Attorney General, for all criminal justice activities otherwise permitted under subdivision A 1 and for purposes of performing duties required by the Civil Commitment of Sexually Violent Predators Act (§ 37.2-900 et seq.);

35. Shipyards, to the extent permitted by federal law or regulation, engaged in the design, construction, overhaul, or repair of nuclear vessels for the United States Navy, including their subsidiary companies, for the conduct of investigations of applications for employment or for access to facilities, by contractors, leased laborers, and other visitors;

36. Any employer of individuals whose employment requires that they enter the homes of others, for the purpose of screening individuals who apply for, are offered, or have accepted such employment;

37. Public agencies when and as required by federal or state law to investigate (i) applicants as providers of adult foster care and home-based services or (ii) any individual with whom the agency is considering placing an adult on an emergency, temporary, or permanent basis pursuant to § 63.2-1601.1, subject to the restriction that the data shall not be further disseminated by the agency to any party other than a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination, subject to limitations set out in subsection G;

38. The Department of Medical Assistance Services, or its designee, for the purpose of screening individuals who, through contracts, subcontracts, or direct employment, volunteer, apply for, are offered, or have accepted a position related to the provision of transportation services to enrollees in the Medicaid Program or the Family Access to Medical Insurance Security (FAMIS) Program, or any other program administered by the Department of Medical Assistance Services;

39. The State Corporation Commission for the purpose of investigating individuals who are current or proposed members, senior officers, directors, and principals of an applicant or person licensed under Chapter 16 (§ 6.2-1600 et seq.), Chapter 19 (§ 6.2-1900 et seq.), or Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2. Notwithstanding any other provision of law, if an application is denied based in whole or in part on information obtained from the Central Criminal Records Exchange pursuant to Chapter 16, 19, or 26 of Title 6.2, the Commissioner of Financial Institutions or his designee may disclose such information to the applicant or its designee;

40. The Department of Professional and Occupational Regulation for the purpose of investigating individuals for initial licensure pursuant to § 54.1-2106.1;

41. The Department for Aging and Rehabilitative Services and the Department for the Blind and Vision Impaired for the purpose of evaluating an individual's fitness for various types of employment and for the purpose of delivering comprehensive vocational rehabilitation services pursuant to Article 11 (§ 51.5-170 et seq.) of Chapter 14 of Title 51.5 that will assist the individual in obtaining employment;

42. Bail bondsmen, in accordance with the provisions of § 19.2-120;

43. The State Treasurer for the purpose of determining whether a person receiving compensation for wrongful incarceration meets the conditions for continued compensation under § 8.01-195.12;

44. The Department of Education or its agents or designees for the purpose of screening individuals seeking to enter into a contract with the Department of Education or its agents or designees for the provision of child care services for which child care subsidy payments may be provided;

45. The Department of Juvenile Justice to investigate any parent, guardian, or other adult members of a juvenile's household when completing a predispositional or postdispositional report required by § 16.1-273 or a Board of Juvenile Justice regulation promulgated pursuant to § 16.1-233;

46. The State Corporation Commission, for the purpose of screening applicants for insurance licensure under Chapter 18 (§ 38.2-1800 et seq.) of Title 38.2;

47. Administrators and board presidents of and applicants for licensure or registration as a child day program or family day system, as such terms are defined in § 22.1-289.02, for dissemination to the Superintendent of Public Instruction's representative pursuant to § 22.1-289.013 for the conduct of investigations with respect to employees of and volunteers at such facilities pursuant to §§ 22.1-289.034 through 22.1-289.037, subject to the restriction that the data shall not be further disseminated by the facility or agency to any party other than the data subject, the Superintendent of Public Instruction's representative, or a federal or state authority or court as may be required to comply with an express requirement of law for such further dissemination; however, nothing in this subdivision shall be construed to prohibit the Superintendent of Public Instruction's representative from issuing written certifications regarding the results of prior background checks in accordance with subsection J of § 22.1-289.035 or § 22.1-289.039;

48. The National Center for Missing and Exploited Children for the purpose of screening individuals who are offered or accept employment or will be providing volunteer or contractual services with the National Center for Missing and Exploited Children;

49. The Executive Director or investigators of the Board of Accountancy for the purpose of the enforcement of laws relating to the Board of Accountancy in accordance with § 54.1-4407; and

50. Other entities as otherwise provided by law.

Upon an ex parte motion of a defendant in a felony case and upon the showing that the records requested may be relevant to such case, the court shall enter an order requiring the Central Criminal Records Exchange to furnish the defendant, as soon as practicable, copies of any records of persons designated in the order on whom a report has been made under the provisions of this chapter.

Notwithstanding any other provision of this chapter to the contrary, upon a written request sworn to before an officer authorized to take acknowledgments, the Central Criminal Records Exchange, or the criminal justice agency in cases of offenses not required to be reported to the Exchange, shall furnish a copy of conviction data covering the person named in the request to the person making the request; however, such person on whom the data is being obtained shall consent in writing, under oath, to the making of such request. A person receiving a copy of his own conviction data may utilize or further disseminate that data as he deems appropriate. In the event no conviction data is maintained on the data subject, the person making the request shall be furnished at his cost a certification to that effect.

B. Use of criminal history record information disseminated to noncriminal justice agencies under this section shall be limited to the purposes for which it was given and may not be disseminated further, except as otherwise provided in subdivision A 47.

C. No criminal justice agency or person shall confirm the existence or nonexistence of criminal history record information for employment or licensing inquiries except as provided by law.

D. Criminal justice agencies shall establish procedures to query the Central Criminal Records Exchange prior to dissemination of any criminal history record information on offenses required to be reported to the Central Criminal Records Exchange to ensure that the most up-to-date disposition data is being used. Inquiries of the Exchange shall be made prior to any dissemination except in those cases where time is of the essence and the normal response time of the Exchange would exceed the necessary time period. A criminal justice agency to whom a request has been made for the dissemination of criminal history record information that is required to be reported to the Central Criminal Records Exchange may direct the inquirer to the Central Criminal Records Exchange for such dissemination. Dissemination of information regarding offenses not required to be reported to the Exchange shall be made by the criminal justice agency maintaining the record as required by § 15.2-1722.

E. Criminal history information provided to licensed nursing homes, hospitals and to home care organizations pursuant to subdivision A 16 shall be limited to the convictions on file with the Exchange for any offense specified in §§ 32.1-126.01, 32.1-126.02, and 32.1-162.9:1.

F. Criminal history information provided to licensed assisted living facilities and licensed adult day centers pursuant to subdivision A 17 shall be limited to the convictions on file with the Exchange for any offense specified in § 63.2-1720.

G. Criminal history information provided to public agencies pursuant to subdivision A 37 shall be limited to the convictions on file with the Exchange for any offense set forth in clause (i) of the definition of barrier crime in § 19.2-392.02.

H. Upon receipt of a written request from an employer or prospective employer, the Central Criminal Records Exchange, or the criminal justice agency in cases of offenses not required to be reported to the Exchange, shall furnish at the employer's cost a copy of conviction data covering the person named in the request to the employer or prospective employer making the request, provided that the person on whom the data is being obtained has consented in writing to the making of such request and has presented a photo-identification to the employer or prospective employer. In the event no conviction

data is maintained on the person named in the request, the requesting employer or prospective employer shall be furnished at his cost a certification to that effect. The criminal history record search shall be conducted on forms provided by the Exchange.

I. ~~Nothing in this section shall preclude the dissemination~~ *The attorney for the Commonwealth shall provide a physical or electronic copy* of a person's criminal history record information*, including criminal history record information maintained in the National Crime Information Center (NCIC) and the Interstate Identification Index System (III System) that is in his possession,* pursuant to the rules of court for obtaining discovery or for review by the court. *No criminal history record information provided under this subsection shall be disseminated further.*

CHAPTER 557

An Act to amend and reenact §§ 54.1-2957 and 54.1-2957.04 of the Code of Virginia, relating to certified nurse midwives; licensed certified midwives; independent practice; organized medical staff.

[S 1352]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2957 and 54.1-2957.04 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2957. Licensure and practice of advanced practice registered nurses; certified nurse midwives; independent practice of certified nurse midwives.

A. As used in this section, "clinical experience" means the postgraduate delivery of health care directly to patients pursuant to a practice agreement with a patient care team physician.

B. The Board of Medicine and the Board of Nursing shall jointly prescribe the regulations governing the licensure of advanced practice registered nurses. It is unlawful for a person to practice as an advanced practice registered nurse in the Commonwealth unless he holds such a joint license.

C. Every nurse practitioner who does not meet the requirements of subsection I shall maintain appropriate collaboration and consultation, as evidenced in a written or electronic practice agreement, with at least one patient care team physician. A nurse practitioner who meets the requirements of subsection I may practice without a written or electronic practice agreement. A certified nurse midwife shall practice pursuant to subsection H. A clinical nurse specialist shall practice pursuant to subsection J. A certified registered nurse anesthetist shall practice under the supervision of a licensed doctor of medicine, osteopathy, podiatry, or dentistry. An advanced practice registered nurse who is appointed as a medical examiner pursuant to § 32.1-282 shall practice in collaboration with a licensed doctor of medicine or osteopathic medicine who has been appointed to serve as a medical examiner pursuant to § 32.1-282. Collaboration and consultation among advanced practice registered nurses and patient care team physicians may be provided through telemedicine as described in § 38.2-3418.16.

Physicians on patient care teams may require that an advanced practice registered nurse be covered by a professional liability insurance policy with limits equal to the current limitation on damages set forth in § 8.01-581.15.

Service on a patient care team by a patient care team member shall not, by the existence of such service alone, establish or create liability for the actions or inactions of other team members.

D. The Boards of Medicine and Nursing shall jointly promulgate regulations specifying collaboration and consultation among physicians and advanced practice registered nurses working as part of patient care teams that shall include the development of, and periodic review and revision of, a written or electronic practice agreement; guidelines for availability and ongoing communications that define consultation among the collaborating parties and the patient; and periodic joint evaluation of the services delivered. Practice agreements shall include provisions for (i) periodic review of health records, which may include visits to the site where health care is delivered, in the manner and at the frequency determined by the advanced practice registered nurse and the patient care team physician and (ii) input from appropriate health care providers in complex clinical cases and patient emergencies and for referrals. Evidence of a practice agreement shall be maintained by an advanced practice registered nurse and provided to the Boards upon request. For advanced practice registered nurses providing care to patients within a hospital or health care system, the practice agreement may be included as part of documents delineating the advanced practice registered nurse's clinical privileges or the electronic or written delineation of duties and responsibilities in collaboration and consultation with a patient care team physician.

E. The Boards of Medicine and Nursing may issue a license by endorsement to an applicant to practice as an advanced practice registered nurse if the applicant has been licensed as an advanced practice registered nurse under the laws of another state and, pursuant to regulations of the Boards, the applicant meets the qualifications for licensure required of advanced practice registered nurses in the Commonwealth. An advanced practice registered nurse to whom a license is issued by endorsement may practice without a practice agreement with a patient care team physician pursuant to subsection I if such application provides an attestation to the Boards that the applicant has completed the equivalent of at least three years of full-time experience, as determined by the Boards, in accordance with the laws of the state in which the nurse practitioner was licensed.

F. Pending the outcome of the next National Specialty Examination, the Boards may jointly grant temporary licensure to advanced practice registered nurses.

G. In the event a physician who is serving as a patient care team physician dies, becomes disabled, retires from active practice, surrenders his license or has it suspended or revoked by the Board, or relocates his practice such that he is no longer able to serve, or for other good cause, and an advanced practice registered nurse is unable to enter into a new practice agreement with another patient care team physician, the advanced practice registered nurse may continue to practice upon notification to the designee or his alternate of the Boards and receipt of such notification. Such advanced practice registered nurse may continue to treat patients without a patient care team physician for an initial period not to exceed 60 days, provided that the advanced practice registered nurse continues to prescribe only those drugs previously authorized by the practice agreement with such physician and to have access to appropriate input from appropriate health care providers in complex clinical cases and patient emergencies and for referrals. The designee or his alternate of the Boards shall grant permission for the advanced practice registered nurse to continue practice under this subsection for another 60 days, provided that the advanced practice registered nurse provides evidence of efforts made to secure another patient care team physician and of access to physician input. At the conclusion of the second 60-day period, provided that the advanced practice registered nurse provides evidence of the continued efforts to secure another patient care team physician and of access to physician input, the designee or his alternate of the Boards may grant permission for the advanced practice registered nurse to continue practicing under the management and leadership of a nurse practitioner licensed by the Boards of Medicine and Nursing who (i) meets the requirements of subsection I, (ii) routinely practiced with a patient population and in a practice area within the category for which the advanced practice registered nurse was certified and licensed, and (iii) has been authorized to practice without a written or electronic practice agreement for at least three years.

H. Every certified nurse midwife shall practice in accordance with regulations adopted by the Boards and consistent with the Standards for the Practice of Midwifery set by the American College of Nurse-Midwives governing such practice. A certified nurse midwife who has practiced fewer than 1,000 hours shall practice in consultation with ~~a certified nurse midwife who has practiced for at least two years prior to entering into the practice agreement or~~ a licensed physician *or an independent practice midwife*, in accordance with a practice agreement. Such practice agreement shall address the availability of ~~the certified nurse midwife who has practiced for at least two years prior to entering into the practice agreement or~~ the licensed physician *or independent practice midwife* for routine and urgent consultation on patient care. Evidence of the practice agreement shall be maintained by the certified nurse midwife and provided to the Boards upon request. A certified nurse midwife who has completed 1,000 hours of practice as a certified nurse midwife may practice without a practice agreement upon receipt by the certified nurse midwife of an attestation from ~~the certified nurse midwife who has practiced for at least two years prior to entering into the practice agreement or~~ the licensed physician *or independent practice midwife* with whom the certified nurse midwife has entered into a practice agreement stating (i) that such ~~certified nurse midwife or~~ licensed physician *or independent practice midwife* has provided consultation to the certified nurse midwife pursuant to a practice agreement meeting the requirements of this section and (ii) the period of time for which such ~~certified nurse midwife or~~ licensed physician *or independent practice midwife* practiced in collaboration and consultation with the certified nurse midwife pursuant to the practice agreement. A certified nurse midwife authorized to practice without a practice agreement shall consult and collaborate with and refer patients to such other health care providers as may be appropriate for the care of the patient.

For the purposes of this subsection, "independent practice midwife" means a licensed certified midwife who is authorized to practice without a practice agreement pursuant subsection D of § 54.1-2957.04 and has practiced independently for two years or a certified nurse midwife who is authorized to practice without a practice agreement pursuant to this subsection and has practiced independently for two years.

I. A nurse practitioner who has completed the equivalent of at least three years of full-time clinical experience, as determined by the Boards, may practice in the practice category in which he is certified and licensed without a written or electronic practice agreement upon receipt by the nurse practitioner of an attestation from either (i) the patient care team physician or (ii) an attesting nurse practitioner who assumed management and leadership of a nurse practitioner pursuant to subsection G and has met the requirements of this subsection for at least three years stating (a) that the patient care team physician or attesting nurse practitioner has served as a patient care team physician or attesting nurse practitioner, respectively, on a patient care team with the nurse practitioner pursuant to a practice agreement meeting the requirements of this section and § 54.1-2957.01; (b) that while a party to such practice agreement, the patient care team physician or attesting nurse practitioner routinely practiced with a patient population and in a practice area included within the category for which the nurse practitioner was certified and licensed; and (c) the period of time for which the patient care team physician or attesting nurse practitioner practiced with the nurse practitioner under such a practice agreement. A copy of such attestation shall be submitted to the Boards together with a fee established by the Boards. Upon receipt of such attestation and verification that a nurse practitioner satisfies the requirements of this subsection, the Boards shall issue to the nurse practitioner a new license that includes a designation indicating that the nurse practitioner is authorized to practice without a practice agreement. In the event that a nurse practitioner is unable to obtain the attestation required by this subsection, the Boards may accept other evidence demonstrating that the applicant has met the requirements of this subsection in accordance with regulations adopted by the Boards.

A nurse practitioner authorized to practice without a practice agreement pursuant to this subsection shall (1) only practice within the scope of his clinical and professional training and limits of his knowledge and experience and consistent with the applicable standards of care, (2) consult and collaborate with other health care providers based on the clinical

conditions of the patient to whom health care is provided, and (3) establish a plan for referral of complex medical cases and emergencies to physicians or other appropriate health care providers.

J. A clinical nurse specialist licensed by the Boards of Medicine and Nursing who does not prescribe controlled substances or devices may practice in the practice category in which he is certified and licensed without a written or electronic practice agreement. Such clinical nurse specialist shall (i) only practice within the scope of his clinical and professional training and limits of his knowledge and experience and consistent with the applicable standards of care, (ii) consult and collaborate with other health care providers based on the clinical condition of the patient to whom health care is provided, and (iii) establish a plan for referral of complex medical cases and emergencies to physicians or other appropriate health care providers.

A clinical nurse specialist licensed by the Boards who prescribes controlled substances or devices shall practice in consultation with a licensed physician in accordance with a practice agreement between the clinical nurse specialist and the licensed physician. Such practice agreement shall address the availability of the physician for routine and urgent consultation on patient care. Evidence of a practice agreement shall be maintained by a clinical nurse specialist and provided to the Boards upon request. The practice of clinical nurse specialists shall be consistent with the standards of care for the profession and with applicable laws and regulations.

§ 54.1-2957.04. Licensure as a licensed certified midwife; practice as a licensed certified midwife; independent practice as a licensed certified midwife; use of title; required disclosures.

A. It shall be unlawful for any person to practice or to hold himself out as practicing as a licensed certified midwife or use in connection with his name the words "Licensed Certified Midwife" unless he holds a license as such issued jointly by the Boards of Medicine and Nursing.

B. The Boards of Medicine and Nursing shall jointly adopt regulations for the licensure of licensed certified midwives, which shall include criteria for licensure and renewal of a license as a certified midwife that shall include a requirement that the applicant provide evidence satisfactory to the Boards of current certification as a certified midwife by the American Midwifery Certification Board and that shall be consistent with the requirements for certification as a certified midwife established by the American Midwifery Certification Board.

C. The Boards of Medicine and Nursing may issue a license by endorsement to an applicant to practice as a licensed certified midwife if the applicant has been licensed as a certified midwife under the laws of another state and, pursuant to regulations of the Boards, the applicant meets the qualifications for licensure as a licensed certified midwife in the Commonwealth.

D. ~~Licensed~~ *A licensed* certified ~~midwives~~ *midwife who has practiced fewer than 1,000 hours* shall practice in consultation with a licensed physician *or independent practice midwife* in accordance with a practice agreement between the licensed certified midwife and the licensed physician *or independent practice midwife*. Such practice agreement shall address the availability of the physician *or independent practice midwife* for routine and urgent consultation on patient care. Evidence of a practice agreement shall be maintained by the licensed certified midwife and provided to the Board upon request. *A licensed certified midwife who has completed 1,000 hours of practice as a licensed certified midwife may practice without a practice agreement upon receipt by the licensed certified midwife of an attestation from the licensed physician or independent practice midwife with whom the licensed certified midwife has entered into a practice agreement stating (i) that such licensed physician or independent practice midwife has provided consultation to the licensed certified midwife pursuant to a practice agreement meeting the requirements of this section and (ii) the period of time for which such licensed physician or independent practice midwife practiced in collaboration and consultation with the licensed certified midwife pursuant to the practice agreement. A licensed certified midwife authorized to practice without a practice agreement shall consult, collaborate with, and refer patients to other health care providers as may be appropriate for the care of the patient.* The Board shall adopt regulations for the practice of licensed certified midwives, which shall be in accordance with regulations jointly adopted by the Boards of Medicine and Nursing, which shall be consistent with the Standards for the Practice of Midwifery set by the American College of Nurse-Midwives governing the practice of midwifery.

For the purposes of this subsection, "independent practice midwife" means a licensed certified midwife who is authorized to practice without a practice agreement pursuant to this subsection and has practiced independently for two years or a certified nurse midwife who is authorized to practice without a practice agreement pursuant to subsection H of § 54.1-2957 and has practiced independently for two years.

E. Notwithstanding any provision of law or regulation to the contrary, a licensed certified midwife may prescribe Schedules II through VI controlled substances in accordance with regulations of the Boards of Medicine and Nursing.

F. A licensed certified midwife who provides health care services to a patient outside of a hospital or birthing center shall disclose to that patient, when appropriate, information on health risks associated with births outside of a hospital or birthing center, including but not limited to risks associated with vaginal births after a prior cesarean section, breech births, births by women experiencing high-risk pregnancies, and births involving multiple gestation. As used in this subsection, "birthing center" shall have the same meaning as in § 54.1-2957.03.

G. A licensed certified midwife who provides health care to a patient shall be liable for the midwife's negligent, grossly negligent, or willful and wanton acts or omissions. Except as otherwise provided by law, any (i) doctor of medicine or osteopathy who did not collaborate or consult with the midwife regarding the patient and who has not previously treated the patient for this pregnancy, (ii) physician assistant, (iii) advanced practice registered nurse, (iv) prehospital emergency

medical personnel, or (v) hospital as defined in § 32.1-123, or any employee of, person providing services pursuant to a contract with, or agent of such hospital, that provides screening and stabilization health care services to a patient as a result of a licensed certified midwife's negligent, grossly negligent, or willful and wanton acts or omissions shall be immune from liability for acts or omissions constituting ordinary negligence.

2. The Department of Health shall amend the definition of "organized medical staff" in 12VAC5-410-10 to clarify that an organized medical staff may include other practitioners, including independent practice midwives, in addition to physicians and dentists.

CHAPTER 558

An Act to amend and reenact §§ 46.2-1569.1 and 46.2-1571 of the Code of Virginia, relating to motor vehicle dealers; recall and warranty costs; right of first refusal.

[S 1308]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-1569.1 and 46.2-1571 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-1569.1. Manufacturer or distributor right of first refusal.

A. Notwithstanding the terms of any franchise agreement, in the event of a proposed sale or transfer of a dealership, the manufacturer or distributor shall be permitted to exercise a right of first refusal to acquire the new vehicle dealer's assets or ownership, if such sale or transfer is conditioned upon the manufacturer's or dealer's entering into a dealer agreement with the proposed new owner or transferee, only if all the following requirements are met:

1. To exercise its right of first refusal, the manufacturer or distributor must notify the dealer in writing within 45 days of its receipt of the ~~completed~~ ~~proposal~~ *notice* for the proposed sale or transfer *submitted as required by subdivision 3 of § 46.2-1569*;

2. The exercise of the right of first refusal will result in the dealer's and dealer's owner's receiving the same or greater consideration as they have contracted to receive in connection with the proposed change of ownership or transfer; and

3. The manufacturer or distributor agrees to pay the reasonable expenses, including attorney's fees which do not exceed the usual, customary, and reasonable fees charged for similar work done for other clients, incurred by the proposed new owner and transferee prior to the manufacturer's or distributor's exercise of its right of first refusal in negotiating and implementing the contract for the proposed sale or transfer of the dealership or dealership assets. Notwithstanding the foregoing, no payment of such expenses and attorney's fees shall be required if the dealer has not submitted or caused to be submitted an accounting of those expenses within 30 days of the dealer's receipt of the manufacturer's or distributor's written request for such an accounting. Such accounting may be requested by a manufacturer or distributor before exercising its right of first refusal.

B. A manufacturer or distributor shall not exercise or enforce a right of first refusal if (i) the proposed sale or transfer is to a dealer licensed in the United States as a dealer holding a franchise from any manufacturer or distributor licensed as a manufacturer or distributor in the Commonwealth unless the manufacturer or distributor has a formal written program to increase the number of minority dealers and a minority dealer will obtain at least 51 percent ownership and control of the dealership's assets after the exercise of the right of first refusal consistent with subdivision 2 of § 46.2-1572 or (ii) the proposed sale or transfer of the dealership's assets involves the transfer or sale to a member or members of the family of one or more dealer owners, or to a qualified manager or a partnership, limited liability company, corporation, or other entity controlled by such persons.

C. The provisions of clause (i) of subsection B shall not apply to any manufacturer or distributor, together with any of its parents, subsidiaries or affiliates that as of January 1, 2019, (i) produced or distributed at least 1,000 motor vehicles in the immediately preceding 12 months, at least 51 percent of which had a gross vehicle weight rating of at least 16,000 pounds and (ii) was on January 1, 2019 a party, including that party's parents, subsidiaries and affiliates, to federal litigation arising from rights and obligations created by § 46.2-1569.1.

§ 46.2-1571. Recall, warranty, maintenance and sales incentive obligations.

A. Each motor vehicle manufacturer, factory branch, distributor, or distributor branch shall (i) specify in writing to each of its motor vehicle dealers licensed in the Commonwealth the dealer's obligations for preparation, delivery, recall, and warranty service on its products and (ii) compensate the dealer for recall or warranty parts, service, and diagnostic work required of the dealer by the manufacturer or distributor as follows:

1. Compensation of a dealer for recall or warranty parts, service, and diagnostic work shall not be less than the amounts charged by the dealer for the manufacturer's or distributor's original parts, service, and diagnostic work to retail customers for nonwarranty service, parts, and diagnostic work installed or performed in the dealer's service department~~, and the determination of compensation in accordance with the provisions of this section shall be deemed reasonable due to the substantial number of repair orders reviewed, unless the manufacturer can show that the amounts are not reasonable~~. All manufacturer or distributor compensated parts, service, diagnostic work, updates to a vehicle accessory or function, or initialization or repair of a vehicle part, system, accessory, or function performed by the dealer shall be subject to this subsection. *Diagnostic work shall include all time spent by a technician who meets the manufacturer's or distributor's*

qualifications and requirements for the repair work communicating with the manufacturer's technical assistance or external manufacturer source in order to complete a warranty repair. Recall or warranty parts compensation shall be stated as a percentage of markup, which shall be an agreed reasonable approximation of retail markup and which shall be uniformly applied to all of the manufacturer's or distributor's parts unless otherwise provided for in this section. If the dealer and manufacturer or distributor cannot agree on the recall or warranty parts compensation markup to be paid to the dealer, the markup shall be determined by an average of the dealer's retail markup on all of the manufacturer's or distributor's parts as described in subdivisions 2 and 3.

2. For purposes of determining recall or warranty parts and service compensation paid to a dealer by the manufacturer or distributor, including body-shop repairs, only retail repair orders, or the retail portion of repair orders containing retail and non-retail operations, shall be considered. For the purposes of this section, "retail" does not include menu-priced parts or services, services and parts used in internal repairs paid by the dealer, group discounts, special event discounts, special event promotions, and insurance-paid repairs.

3. Increases in dealer recall or warranty parts and service compensation and diagnostic work compensation, pursuant to this section, shall be requested by the dealer in writing, shall be based on 100 consecutive repair orders or all repair orders over a 90-day period, whichever occurs first. If any portion of a retail repair order includes amounts that are not retail, such portion shall be excluded. Compensation for parts shall be stated as a percentage of markup that shall be uniformly applied to all the manufacturer's or distributor's parts. *Compensation for parts used in a recall or similar repair, not including warranty repairs, shall be based on the highest price of such parts in the 12 months before the recall or similar repair is announced to dealers. If the manufacturer or distributor changes the parts number or similar designation of a part, the price of such part established pursuant to this subdivision shall be determined by the price of such part before such change.*

4. In the case of recall or warranty parts compensation, the provisions of this subsection shall be effective only for model year 1992 and succeeding model years.

5. If a manufacturer or distributor furnishes a part to a dealer at no cost for use by the dealer in performing work for which the manufacturer or distributor is required to compensate the dealer under this section, the manufacturer or distributor shall compensate the dealer for the part in the same manner as recall or warranty parts compensation, less the wholesale costs, for such part as listed in the manufacturer's current price schedules. A manufacturer or distributor may pay the dealer a reasonable handling fee instead of the compensation otherwise required by this subsection for special high-performance complete engine assemblies in limited production motor vehicles that constitute less than five percent of model production furnished to the dealer at no cost, if the manufacturer or distributor excludes such special high-performance complete engine assemblies in determining whether the amounts requested by the dealer for recall or warranty compensation are consistent with the amounts that the dealer charges its other retail service customers for parts used by the dealer to perform similar work.

6. In the case of service work, manufacturer original parts or parts otherwise specified by the manufacturer or distributor, and parts provided by a dealer either pursuant to an adjustment program as defined in § 59.1-207.34 or as otherwise requested by the manufacturer or distributor, the dealer shall be compensated in the same manner as for recall or warranty service or parts.

This section does not apply to compensation for parts such as components, systems, fixtures, appliances, furnishings, accessories, and features that are designed, used, and maintained primarily for nonvehicular, residential purposes. Recall, warranty, and sales incentive audits of dealer records may be conducted by the manufacturer, factory branch, distributor, or distributor branch on a reasonable basis, and dealer claims for recall, warranty, or sales incentive compensation shall not be denied except for good cause, such as performance of nonwarranty repairs, lack of material documentation, fraud, or misrepresentation. A dealer's failure to comply with the specific requirements of the manufacturer or distributor for processing the claim shall not constitute grounds for the denial of the claim or reduction of the amount of compensation to the dealer as long as reasonable documentation or other evidence has been presented to substantiate the claim. The manufacturer, factory branch, distributor, or distributor branch shall not deny a claim or reduce the amount of compensation to the dealer for recall or warranty repairs to resolve a condition discovered by the dealer during the course of a separate repair requested by the customer or to resolve a condition on the basis of advice or recommendation by the dealer. Claims for dealer compensation shall be paid within 30 days of dealer submission or within 30 days of the end of an incentive program or rejected in writing for stated reasons. *The manufacturer, factory branch, distributor, or distributor branch shall allow a dealer to submit a claim for rental vehicle reimbursement as required pursuant to subdivision B 5, in 30-day increments, prior to the end of the rental vehicle period if the repair for which the rental vehicle is associated is open due to a delay in parts or repair information from the manufacturer, factory branch, distributor, or distributor branch.* The manufacturer, factory branch, distributor, or distributor branch shall reserve the right to reasonable periodic audits to determine the validity of all such paid claims for dealer compensation. Any chargebacks for recall or warranty parts or service compensation and service incentives shall only be for the six-month period immediately following the date of the claim and, in the case of chargebacks for sales compensation only, for the six-month period immediately following the date of claim. *The manufacturer, factory branch, distributor, or distributor branch may audit and charge back, pursuant to this paragraph, claims for rental vehicle reimbursement for the six-month period immediately following the date of payment of the claim for the warranty or recall repair associated with such rental.* However, such limitations shall not be effective if a manufacturer, factory branch, distributor, or distributor branch has reasonable cause to believe that a claim submitted by a dealer is intentionally false or fraudulent. For purposes of this section, "reasonable cause" means a bona fide belief based

upon evidence that the material issues of fact are such that a person of ordinary caution, prudence, and judgment could believe that a claim was intentionally false or fraudulent. A dealer shall not be charged back or otherwise liable for sales incentives or charges related to a motor vehicle sold by the dealer to a purchaser other than a licensed, franchised motor vehicle dealer and subsequently exported or resold, unless the manufacturer, factory branch, distributor, or distributor branch can demonstrate by a preponderance of the evidence that the dealer should have known of and did not exercise due diligence in discovering the purchaser's intention to export or resell the motor vehicle.

B. It shall be unlawful for any motor vehicle manufacturer, factory branch, distributor, or distributor branch to:

1. Fail to perform any of its recall or warranty obligations, including tires, with respect to a motor vehicle;

2. Fail to assume all responsibility for any liability resulting from structural or production defects;

3. Fail to include in written notices of factory recalls to vehicle owners and dealers the expected date by which necessary parts and equipment will be available to dealers for the correction of defects;

4. Fail to compensate any of the motor vehicle dealers licensed in the Commonwealth for repairs effected by the dealer of merchandise damaged in manufacture or transit to the dealer where the carrier is designated by the manufacturer, factory branch, distributor, or distributor branch;

5. Fail to fully compensate its motor vehicle dealers licensed in the Commonwealth for recall or warranty parts, work, and service pursuant to subsection A either by reduction in the amount due to the dealer or by separate charge, surcharge, or other imposition by which the motor vehicle manufacturer, factory branch, distributor, or distributor branch seeks to recover its costs of complying with subsection A, or for legal costs and expenses incurred by such dealers in connection with recall or warranty obligations for which the manufacturer, factory branch, distributor, or distributor branch is legally responsible or which the manufacturer, factory branch, distributor, or distributor branch imposes upon the dealer. Failure to fully reimburse a dealer for the cost to the dealer of a rental vehicle provided to a customer as required, offered, advertised as available, or agreed to by the manufacturer or distributor shall be considered a violation of this subsection. *A dealer's inability to provide a specified type of vehicle, including line-make, size, or category, from the rental market shall not be grounds to refuse to fully reimburse a dealer under this subdivision.* Failure to provide compensation consistent with this section to a dealer for assistance requested by a customer whose vehicle was subjected to an over-the-air or remote change, repair, or update to any part, system, accessory, or function by the vehicle manufacturer or distributor and performed at the dealership to satisfy the customer shall be considered a violation of this subsection;

6. Misrepresent in any way to purchasers of motor vehicles that warranties with respect to the manufacture, performance, or design of the vehicle are made by the dealer, either as warrantor or co-warrantor;

7. Require the dealer to make warranties to customers in any manner related to the manufacture, performance, or design of the vehicle;

8. Shift or attempt to shift to the motor vehicle dealer, directly or indirectly, any liabilities of the manufacturer, factory branch, distributor or distributor branch under the Virginia Motor Vehicle Warranty Enforcement Act (§ 59.1-207.9 et seq.), unless such liability results from the act or omission by the dealer;

9. Deny any dealer the right to return any part or accessory that the dealer has not sold within 12 months where the part or accessory was not obtained through a specific order initiated by the dealer but instead was specified for, sold to and shipped to the dealer pursuant to an automated ordering system, provided that such part or accessory is in the condition required for return to the manufacturer, factory branch, distributor, or distributor branch, and the dealer returns the part within 30 days of it becoming eligible under this subdivision. For purposes of this subdivision, an "automated ordering system" ~~shall be~~ *is* a computerized system that automatically specifies parts and accessories for sale and shipment to the dealer without specific order thereof initiated by the dealer. The manufacturer, factory branch, distributor, or distributor branch shall not charge a restocking or handling fee for any part or accessory being returned under this subdivision. This subdivision shall not apply if the manufacturer, factory branch, distributor, or distributor branch has available to the dealer an alternate system for ordering parts and accessories that provides for shipment of ordered parts and accessories to the dealer within the same time frame as the dealer would receive them when ordered through the automated ordering system. *Notwithstanding the provisions of this subdivision, the manufacturer, factory branch, distributor, or distributor branch shall not deny any dealer the right to return, within 12 months of the date of purchase, any part or accessory needed to complete a recall or similar repair for compensation and the manufacturer, factory branch, distributor, or distributor branch is prohibited from deeming such part obsolete or nonreturnable by removing it from current parts codes or catalogs*; or

10. When providing a new motor vehicle to a dealer for offer or sale to the public, fail to provide to such dealer a written disclosure that may be provided to a potential buyer of the new motor vehicle of each accessory or function of the vehicle that may be initiated, updated, changed, or maintained by the manufacturer or distributor through over-the-air or remote means, and the charge to the customer at the time of the new motor vehicle sale for such initiation, update, change, or maintenance. A manufacturer or distributor may comply with this subdivision by notifying the dealer that such information is available on a website or by other digital means.

C. Notwithstanding the terms of any franchise, it shall be unlawful for any motor vehicle manufacturer, factory branch, distributor, or distributor branch to fail to indemnify and hold harmless its motor vehicle dealers against any losses or damages arising out of complaints, claims, or suits relating to the manufacture, assembly, or design of motor vehicles, parts, or accessories, or other functions by the manufacturer, factory branch, distributor, or distributor branch beyond the control of the dealer, including, without limitation, the selection by the manufacturer, factory branch, distributor, or distributor branch of parts or components for the vehicle or any damages to merchandise occurring in transit to the dealer where the

carrier is designated by the manufacturer, factory branch, distributor, or distributor branch. The dealer shall notify the manufacturer of pending suits in which allegations are made that come within this subsection whenever reasonably practicable to do so. Every motor vehicle dealer franchise issued to, amended, or renewed for motor vehicle dealers in Virginia shall be construed to incorporate provisions consistent with the requirements of this subsection.

D. On any new motor vehicle, any uncorrected damage or any corrected damage exceeding three percent of the manufacturer's or distributor's suggested retail price as defined in 15 U.S.C. §§ 1231 -1233, as measured by retail repair costs, must be disclosed to the dealer in writing prior to delivery. Factory mechanical repair and damage to glass, tires, and bumpers are excluded from the three percent rule when properly replaced by identical manufacturer's or distributor's original equipment or parts. Whenever a new motor vehicle is damaged in transit, when the carrier or means of transportation is determined by the manufacturer or distributor, or whenever a motor vehicle is otherwise damaged prior to delivery to the new motor vehicle dealer, the new motor vehicle dealer shall:

1. Notify the manufacturer or distributor of the damage within three business days from the date of delivery of the new motor vehicle to the new motor vehicle dealership or within the additional time specified in the franchise; and

2. Request from the manufacturer or distributor authorization to replace the components, parts, and accessories damaged or otherwise correct the damage, unless the damage to the vehicle exceeds the three percent rule, in which case the dealer may reject the vehicle within three business days.

E. If the manufacturer or distributor refuses or fails to authorize correction of such damage within 10 days after receipt of notification, or if the dealer rejects the vehicle because damage exceeds the three percent rule, ownership of the new motor vehicle shall revert to the manufacturer or distributor, and the new motor vehicle dealer shall have no obligation, financial or otherwise, with respect to such motor vehicle. Should either the manufacturer, distributor, or the dealer elect to correct the damage or any other damage exceeding the three percent rule, full disclosure shall be made by the dealer in writing to the buyer and an acknowledgement by the buyer is required. If there is less than three percent damage, no disclosure is required, provided the damage has been corrected. Predelivery mechanical work shall not require a disclosure. Failure to disclose any corrected damage within the knowledge of the selling dealer to a new motor vehicle in excess of the three percent rule shall constitute grounds for revocation of the buyer order, provided that, within 30 days of purchase, the motor vehicle is returned to the dealer with an accompanying written notice of the grounds for revocation. In case of revocation pursuant to this section, the dealer shall accept the vehicle and refund any payments made to the dealer in connection with the transaction, less a reasonable allowance for the consumer's use of the vehicle as defined in § 59.1-207.11. Nothing in this section shall be construed to exempt from the provisions of this section damage to a new motor vehicle that occurs following delivery of the vehicle to the dealer.

F. If there is a dispute between the manufacturer, factory branch, distributor, or distributor branch and the dealer with respect to any matter referred to in subsection A, B, or C, either party may petition the Commissioner in writing, within 30 days after either party has given written notice of the dispute to the other, for a hearing. The decision of the Commissioner shall be binding on the parties, subject to rights of judicial review and appeal as provided in Chapter 40 (§ 2.2-4000 et seq.) of Title 2.2. However, nothing contained in this section shall give the Commissioner any authority as to the content or interpretation of any manufacturer's or distributor's warranty. A manufacturer, factory branch, distributor, or distributor branch may not collect chargebacks, fully or in part, either through direct payment or by charge to the dealer's account, for recall or warranty parts or service compensation, including service incentives, sales incentives, other sales compensation, surcharges, fees, penalties, or any financial imposition of any type arising from an alleged failure of the dealer to comply with a policy of, directive from, or agreement with the manufacturer, factory branch, distributor, or distributor branch until 40 days following final notice of the amount charged to the dealer following all internal processes of the manufacturer, factory, factory branch, distributor, or distributor branch. Within 30 days following receipt of such final notice, the dealer may petition the Commissioner, in writing, for a hearing. If a dealer requests such a hearing, the manufacturer, factory branch, distributor, or distributor branch may not collect the chargeback, fully or in part, either through direct payment or by charge to the dealer's account, until the completion of the hearing and a final decision of the Commissioner concerning the validity of the chargeback.

CHAPTER 559

An Act to amend and reenact § 24.2-416 of the Code of Virginia, relating to voter registration; time period for closing registration records before certain elections.

[S 991]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-416 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-416. Closing registration records before elections.

A. In any county, city, or town in which an election is being held, the registration records shall be closed for the purpose of registering voters on the election day and during the period in advance of the election as provided in this section. The registration records shall be closed during the ~~21~~ *10* days before a primary or general election. If the registration records have not been closed previously for a primary or general election, they shall be closed during the six days before a special

election called by the Governor, Speaker of the House of Delegates, or President pro tempore of the Senate, or pursuant to rule or resolution of either house of the General Assembly and during the ~~13~~ *10* days before any other special election.

B. In the event that a failure of the Virginia online voter registration system occurs prior to the close of registration records pursuant to this section, the Governor shall have the authority to order the online voter registration system to be available for registration activities after the date for closing the registration records for a period of time equal to the amount of time during which the online voter registration system was unavailable for registration activities, rounded up to the nearest whole day, plus an additional day to allow for voter education efforts. During this period, persons shall be permitted to register in person and mail voter registration applications shall be accepted.

CHAPTER 560

An Act to amend and reenact § 16.1-253.2 of the Code of Virginia, relating to foreign protective orders in cases of family abuse; enforcement.

[S 1095]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-253.2 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-253.2. Violation of provisions of protective orders; penalties.

A. In addition to any other penalty provided by law, any person who violates any provision of a protective order issued pursuant to § 16.1-253.1, 16.1-253.4, 16.1-278.14, or 16.1-279.1 ~~or~~, subsection B of § 20-103, *or any judgment, order, or decree entitled to full faith and credit pursuant to subsection F of § 16.1-279.1* when such violation involves a provision of the protective order that prohibits such person from (i) going or remaining upon land, buildings, or premises; (ii) further acts of family abuse; or (iii) committing a criminal offense, or which prohibits contacts by the respondent with the allegedly abused person or family or household members of the allegedly abused person as the court deems appropriate, is guilty of a Class 1 misdemeanor. The punishment for any person convicted of a second offense of violating a protective order, when the offense is committed within five years of the prior conviction and when either the instant or prior offense was based on an act or threat of violence, shall include a mandatory minimum term of confinement of 60 days. Any person convicted of a third or subsequent offense of violating a protective order, when the offense is committed within 20 years of the first conviction and when either the instant or one of the prior offenses was based on an act or threat of violence is guilty of a Class 6 felony and the punishment shall include a mandatory minimum term of confinement of six months. The mandatory minimum terms of confinement prescribed for violations of this section shall be served consecutively with any other sentence.

B. In addition to any other penalty provided by law, any person who, while knowingly armed with a firearm or other deadly weapon, violates any provision of a protective order with which he has been served issued pursuant to § 16.1-253.1, 16.1-253.4, 16.1-278.14, or 16.1-279.1 or subsection B of § 20-103 is guilty of a Class 6 felony.

C. If the respondent commits an assault and battery upon any party protected by the protective order resulting in bodily injury to the party or stalks any party protected by the protective order in violation of § 18.2-60.3, he is guilty of a Class 6 felony. Any person who violates such a protective order by furtively entering the home of any protected party while the party is present, or by entering and remaining in the home of the protected party until the party arrives, is guilty of a Class 6 felony, in addition to any other penalty provided by law.

D. Upon conviction of any offense hereunder for which a mandatory minimum term of confinement is not specified, the person shall be sentenced to a term of confinement and in no case shall the entire term imposed be suspended. Upon conviction, the court shall, in addition to the sentence imposed, enter a protective order pursuant to § 16.1-279.1 for a specified period not exceeding two years from the date of conviction.

E. A violation of this section may be prosecuted in the jurisdiction where the protective order was issued, in any county, city, or town where any act constituting the violation of the protective order occurred, or in the jurisdiction where the party protected by the protective order resided at the time of such violation.

CHAPTER 561

An Act to direct each health regulatory board regulated by the Department of Health Professions to establish a licensure by endorsement pathway for qualified applicants of the professions regulated by such board.

[S 1438]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That each health regulatory board regulated by the Department of Health Professions shall enact regulations to establish a licensure by endorsement pathway for qualified applicants as practitioners of the particular profession or professions regulated by such board. Each such health regulatory board's initial adoption of regulations necessary to implement a licensure by endorsement pathway shall be exempt from the provisions of the Administrative Process Act*

(§ 2.2-4000 et seq. of the Code of Virginia), except that the enacting health regulatory board shall provide an opportunity for public comment on the regulations prior to adoption of such regulations.

§ 2. That the Board of Medicine shall be the first health regulatory board to enact regulations to provide a licensure by endorsement pathway pursuant to this act.

CHAPTER 562

An Act to amend and reenact § 55.1-1204 of the Code of Virginia, relating to Virginia Residential Landlord and Tenant Act; terms and conditions of rental agreement; renewal notice.

[S 1043]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-1204 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-1204. Terms and conditions of rental agreement; payment of rent; copy of rental agreement for tenant.

A. A landlord and tenant may include in a rental agreement terms and conditions not prohibited by this chapter or other rule of law, including rent, charges for late payment of rent, the term of the agreement, automatic renewal of the rental agreement, requirements for notice of intent to vacate or terminate the rental agreement, and other provisions governing the rights and obligations of the parties.

B. A landlord shall offer a prospective tenant a written rental agreement containing the terms governing the rental of the dwelling unit and setting forth the terms and conditions of the landlord-tenant relationship and shall provide with it the statement of tenant rights and responsibilities developed by the Department of Housing and Community Development and posted on its website pursuant to § 36-139. The parties to a written rental agreement shall sign the form developed by the Department of Housing and Community Development and posted on its website pursuant to § 36-139 acknowledging that the tenant has received from the landlord the statement of tenant rights and responsibilities. The written rental agreement shall be effective upon the date signed by the parties.

If a tenant fails to sign the form available pursuant to this subsection, the landlord shall record the date or dates on which he provided the form to the tenant and the fact that the tenant failed to sign such form. Subsequent to the effective date of the tenancy, a landlord may, but shall not be required to, provide a tenant with and allow such tenant an opportunity to sign the form described pursuant to this subsection. The form shall be current as of the date of delivery.

C. If a landlord does not offer a written rental agreement, the tenancy shall exist by operation of law, consisting of the following terms and conditions:

1. The provision of this chapter shall be applicable to the dwelling unit that is being rented;

2. The duration of the rental agreement shall be for 12 months and shall not be subject to automatic renewal, except in the event of a month-to-month lease as otherwise provided for under subsection D of § 55.1-1253;

3. Rent shall be paid in 12 equal periodic installments in an amount agreed upon by the landlord and the tenant and if no amount is agreed upon, the installments shall be at fair market rent;

4. Rent payments shall be due on the first day of each month during the tenancy and shall be considered late if not paid by the fifth of the month;

5. If the rent is paid by the tenant after the fifth day of any given month, the landlord shall be entitled to charge a late charge as provided in this chapter;

6. The landlord may collect a security deposit in an amount that does not exceed a total amount equal to two months of rent; and

7. The parties may enter into a written rental agreement at any time during the 12-month tenancy created by this subsection.

D. Except as provided in the written rental agreement, or as provided in subsection C if no written agreement is offered, rent shall be payable without demand or notice at the time and place agreed upon by the parties. Except as provided in the written rental agreement, rent is payable at the place designated by the landlord, and periodic rent is payable at the beginning of any term of one month or less and otherwise in equal installments at the beginning of each month. If the landlord receives from a tenant a written request for a written statement of charges and payments, he shall provide the tenant with a written statement showing all debits and credits over the tenancy or the past 12 months, whichever is shorter. The landlord shall provide such written statement within 10 business days of receiving the request.

E. A landlord shall not charge a tenant for late payment of rent unless such charge is provided for in the written rental agreement. No such late charge shall exceed the lesser of 10 percent of the periodic rent or 10 percent of the remaining balance due and owed by the tenant.

F. Except as provided in the written rental agreement or, as provided in subsection C if no written agreement is offered, the tenancy shall be week-to-week in the case of a tenant who pays weekly rent and month-to-month in all other cases. Terminations of tenancies shall be governed by § 55.1-1253 unless the rental agreement provides for a different notice period.

G. If the rental agreement contains any provision allowing the landlord to approve or disapprove a sublessee or assignee of the tenant, the landlord shall, within 10 business days of receipt of the written application of the prospective

sublessee or assignee on a form to be provided by the landlord, approve or disapprove the sublessee or assignee. Failure of the landlord to act within 10 business days is evidence of his approval.

H. The landlord shall provide a copy of the signed written rental agreement and the statement of tenant rights and responsibilities to the tenant within 10 business days of the effective date of the written rental agreement. The failure of the landlord to deliver such a rental agreement and statement shall not affect the validity of the agreement. However, the landlord shall not file or maintain an action, including any summons for unlawful detainer, against the tenant in a court of law for any alleged lease violation until he has provided the tenant with the statement of tenant rights and responsibilities.

The landlord shall provide the tenant with an additional hard copy of such tenant's rental agreement once per year upon request or shall maintain such rental agreement in an electronic format that can be easily accessed by or shared with the tenant upon request. Any additional electronic copy of a tenant's rental agreement provided pursuant to this subsection shall be provided by the landlord at no charge to the tenant.

I. No unilateral change in the terms of a rental agreement by a landlord or tenant shall be valid unless (i) notice of the change is given in accordance with the terms of the rental agreement or as otherwise required by law and (ii) both parties consent in writing to the change.

J. The landlord shall provide the tenant with a written receipt, upon request from the tenant, whenever the tenant pays rent in the form of cash or money order.

K. A landlord who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth~~,~~ shall be required to provide written notice to any tenant who has the option to renew a rental agreement or whose rental agreement contains an automatic renewal provision of any increase in rent during the subsequent rental agreement term. *Such landlord shall also provide written notice of nonrenewal to any tenant.* Such ~~notice~~ *notices* shall be provided to the tenant no less than 60 days prior to the end of the rental agreement term. This subsection shall not apply to any periodic tenancy created pursuant to subsection C of § 55.1-1253.

CHAPTER 563

An Act to amend and reenact § 22.1-272.2 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-272.3, relating to school boards; school-based telehealth and mental health teletherapy services; increasing accessibility; policies and requirements.

[S 1037]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-272.2 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-272.3 as follows:

§ 22.1-272.2. Department; model memorandum of understanding; partnerships with community mental health services providers or a nationally recognized school-based telehealth provider.

A. The Department, in consultation with the Department of Behavioral Health and Developmental Services and the Department of Medical Assistance Services, shall develop, adopt, and distribute to each school board a model memorandum of understanding between a school board and a public or private community mental health services provider or a nationally recognized school-based telehealth provider that sets forth parameters for the provision of mental health services to public school students enrolled in the local school division by such provider, including the provision of mental health teletherapy for students *outside of regular school hours and during regular school hours on school property*, reflects effective practices, and addresses privacy considerations related to the exchange of information between the parties to the memorandum of understanding and relevant laws and regulations. The Department shall maintain and update as necessary the model memorandum of understanding to ensure that it remains current, useful, and relevant.

B. Any school board may provide school-based mental health teletherapy services and permit any public school student in the school division to schedule and participate in mental health teletherapy services on school property during regular school hours on the same basis as such students are permitted to schedule and participate in school counseling services.

C. Any school board that chooses to provide such mental health teletherapy services pursuant to subsection B shall (i) enter into a memorandum of understanding with a nationally recognized school-based telehealth provider in accordance with the model memorandum of understanding developed by the Department pursuant to subsection A that ensures and sets forth parameters for the provision of mental health teletherapy services for students during regular school hours and (ii) develop and implement, pursuant to § 22.1-272.3, policies and guidance for permitting any public school student in the school division to schedule and participate in mental health teletherapy services on school property during regular school hours.

§ 22.1-272.3. Student access to telehealth services; school division policies.

A. In order to increase access to health care services for students, each school board shall consider developing and implementing policies for permitting any public school student in the school division to schedule and participate in telehealth services and mental health teletherapy services on school property during regular school hours with parental

consent. Any school board that implements and develops policies for permitting any public school student in the school division to schedule and participate in mental health teletherapy services shall enter into a memorandum of understanding with a nationally recognized school-based telehealth provider in accordance with the model memorandum of understanding developed by the Department pursuant to § 22.1-272.2.

B. Any such policies developed and implemented by a school board for permitting any public school student in the school division to schedule and participate in telehealth services and mental health teletherapy services pursuant to subsection A shall:

1. Permit any public school student in the school division to schedule and participate in telehealth and mental health teletherapy services on school property during regular school hours on the same basis as such students are permitted to schedule and participate in school counseling services;

2. Require each public elementary and secondary school at which such telehealth services are provided to (i) designate a location in such school for students to use for such telehealth appointments that ensures the privacy and safety of such students and has Internet access and (ii) implement measures to ensure the privacy and safety of each student participating in a telehealth appointment;

3. Prohibit any student from being subject to any disciplinary measure or consequence for participating in a telehealth appointment during regular school hours if such student would not be subject to disciplinary measures or consequences for an absence for the purpose of receiving any health care services in person during regular school hours; and

4. Include such other requirements as the school board deems necessary and appropriate.

C. Any such policies developed and implemented by a school board for permitting any public school student in the school division to schedule and participate in telehealth services and mental health teletherapy services shall, in addition to the requirements set forth of subsection B, be consistent with, but may be more comprehensive than, the parameters set forth in the memorandum of understanding between the school board and the nationally recognized school-based telehealth provider developed by the school board pursuant to § 22.1-272.2.

D. Each school board that develops and implements any policies in accordance with this section shall provide guidance relating to the implementation of such policies for administrative and instructional personnel and shall post such guidance in a publicly accessible location on its website at the beginning of each school year.

CHAPTER 564

An Act to amend the Code of Virginia by adding a section numbered 22.1-289.3, relating to Board of Education; support services personnel; annual collection of certain staffing data required; report.

[H 1983]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-289.3 as follows:

§ 22.1-289.3. Support services personnel; staffing and data collection requirements; report.

A. As used in this section, "support services personnel" includes personnel employed in specialized student support positions as described in subsection O of § 22.1-253.13:2 and personnel employed in support services positions described in subsection P of § 22.1-253.13:2.

B. Each school board shall annually collect and submit to the Department a report on data on the average salaries of support services personnel employed by each such school board. Each school board shall disaggregate the data on the average salaries of support services personnel by the applicable career categories set forth in subsections O and P of § 22.1-253.13:2.

C. The Department shall, beginning with the fiscal year ending June 30, 2026, annually compile, include in the Annual School Report, and publicly post in a clear and accessible format on the Department's website the data submitted by each school board pursuant to subsection B. The Department shall ensure that the data as included in the Annual School Report and posted on the Department's website is disaggregated by the career categories described in subsection B and permits, where applicable, comparison of such data across school divisions.

2. That each school board shall start collecting the data required pursuant to § 22.1-289.3 of the Code of Virginia, as created by this act, beginning with the 2025–2026 school year.

CHAPTER 565

An Act to amend and reenact §§ 46.2-1500 and 46.2-1573.13 of the Code of Virginia, relating to trailer franchise requirements; applicability to certain trailers.

[H 2261]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-1500 and 46.2-1573.13 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-1500. Definitions.

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

"Affiliate" means any entity in which a manufacturer, factory branch, distributor, or distributor branch has voting control or owns at least 51 percent of the ownership equity, or any entity in which another entity has voting control or owns at least 51 percent of the ownership equity and also has voting control and owns at least 51 percent of the ownership of a manufacturer, factory branch, distributor, or distributor branch. An entity that provides vehicle purchase or lease financing that uses the name of the manufacturer or distributor, or the name of any line make of the manufacturer or distributor, in the name of the entity under which it transacts business with a consumer, other than in the name of an individual product offered by the entity, shall be considered an "affiliate."

"Board" means the Motor Vehicle Dealer Board.

"Camping trailer" means a recreational vehicle constructed with collapsible partial side walls that fold for towing by a consumer-owned tow vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use.

"Certificate of origin" means the document provided by the manufacturer of a new motor vehicle or new trailer, or its distributor, which is the only valid indication of ownership between the manufacturer, its distributor, its franchised motor vehicle dealers, and the original purchaser not for resale.

"Dealer-operator" means the individual who works at the established place of business of a dealer and who is responsible for and in charge of day-to-day operations of that place of business.

"Demonstrator" means a new motor vehicle having a gross vehicle weight rating of less than 16,000 pounds that (i) has more than 750 miles accumulated on its odometer that has been driven by dealer personnel or by prospective purchasers during the course of selling, displaying, demonstrating, showing, or exhibiting it and (ii) may be sold as a new motor vehicle, provided the dealer complies with the provisions of subsection D of § 46.2-1530.

"Distributor" means a person who is licensed by the Department under this chapter and who sells or distributes new motor vehicles or new trailers pursuant to a written agreement with the manufacturer to franchised motor vehicle dealers in the Commonwealth.

"Distributor branch" means a branch office licensed by the Department under this chapter and maintained by a distributor for the sale of motor vehicles to motor vehicle dealers or for directing or supervising, in whole or in part, its representatives in the Commonwealth.

"Distributor representative" means a person who is licensed by the Department under this chapter and employed by a distributor or by a distributor branch, for the purpose of making or promoting the sale of motor vehicles or for supervising or contacting its dealers, prospective dealers, or representatives in the Commonwealth.

"Factory branch" means a branch office maintained by a person for the sale of motor vehicles to distributors or for the sale of motor vehicles to motor vehicle dealers, or for directing or supervising, in whole or in part, its representatives in the Commonwealth.

"Factory representative" means a person who is licensed by the Department under this chapter and employed by a person who manufactures or assembles motor vehicles or by a factory branch for the purpose of making or promoting the sale of its motor vehicles or for supervising or contacting its dealers, prospective dealers, or representatives in the Commonwealth.

"Factory repurchase motor vehicle" means a motor vehicle sold, leased, rented, consigned, or otherwise transferred to a person under an agreement that the motor vehicle will be resold or otherwise retransferred only to the manufacturer or distributor of the motor vehicle, and which is reacquired by the manufacturer or distributor, or its agents.

"Family member" means a person who either (i) is the spouse, child, grandchild, spouse of a child, spouse of a grandchild, brother, sister, or parent of the dealer or owner or (ii) has been employed continuously by the dealer for at least five years.

"Franchise" means a written contract or agreement between two or more persons whereby one person, the franchisee, is granted the right to engage in the business of offering and selling, offering and delivering pursuant to a lease, servicing, or offering, selling, and servicing ~~new motor vehicles or~~ new trailers *with a gross vehicle weight rating of more than 30,000 pounds or new motor vehicles* of a particular line-make or late model or used motor vehicles of a particular line-make manufactured or distributed by the grantor of the right, the franchisor, and where the operation of the franchisee's business is substantially associated with the franchisor's trademark, trade name, advertising, or other commercial symbol designating the franchisor, the motor vehicle or its manufacturer or distributor. "Franchise" includes any severable part or parts of a franchise agreement which separately provides for selling and servicing different line-makes of the franchisor.

"Franchised late model or franchised used motor vehicle dealer" means a dealer selling used motor vehicles, including vehicles purchased from the franchisor, under the trademark of a manufacturer or distributor that has a franchise agreement with a manufacturer or distributor.

"Franchised motor vehicle dealer" or "franchised dealer" means a dealer in ~~new motor vehicles or~~ new trailers *with a gross vehicle weight rating of more than 30,000 pounds or new motor vehicles* that has a franchise agreement with a manufacturer or distributor of ~~new motor vehicles or~~ new trailers *with a gross vehicle weight rating of more than 30,000 pounds or new motor vehicles* to sell ~~new motor vehicles or~~ new trailers *with a gross vehicle weight rating of more than 30,000 pounds or new motor vehicles* or to sell used motor vehicles under the trademark of a manufacturer or distributor regardless of the age of the motor vehicles.

"Fund" means the Motor Vehicle Dealer Board Fund.

"Independent motor vehicle dealer" means a dealer in used motor vehicles.

"Late model motor vehicle" means a motor vehicle of the current model year and the immediately preceding model year.

"Line-make" means the name of the motor vehicle manufacturer or distributor and a brand or name plate marketed by the manufacturer or distributor. The line-make of a motorcycle manufacturer, factory branch, distributor, or distributor branch includes every brand of all-terrain vehicle, autocycle, and off-road motorcycle manufactured or distributed bearing the name of the motorcycle manufacturer or distributer.

"Manufactured home dealer" means any person licensed as a manufactured home dealer under Chapter 4.2 (§ 36-85.16 et seq.) of Title 36.

"Manufacturer" means a person who is licensed by the Department under this chapter and engaged in the business of constructing or assembling new motor vehicles or new trailers and, in the case of trucks, recreational vehicles, and motor homes, also means a person engaged in the business of manufacturing engines, transmissions, power trains, or rear axles, when such engines, transmissions, power trains, or rear axles are not warranted by the final manufacturer or assembler of the truck, recreational vehicle, or motor home.

"Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any vehicle within the term "farm tractor" or "moped" as defined in § 46.2-100. Except as otherwise provided, for the purposes of this chapter, all-terrain vehicles, autocycles, and off-road motorcycles are deemed to be motorcycles.

"Motor home" means a motorized recreational vehicle designed to provide temporary living quarters for recreational, camping, or travel use that contains at least four of the following permanently installed independent life support systems that meet the National Fire Protection Association standards for recreational vehicles: (i) a cooking facility with an onboard fuel source; (ii) a potable water supply system that includes at least a sink, a faucet, and a water tank with an exterior service supply connection; (iii) a toilet with exterior evacuation; (iv) a gas or electric refrigerator; (v) a heating or air conditioning system with an onboard power or fuel source separate from the vehicle engine; or (vi) a 110-125 volt electric power supply.

"Motor vehicle" means the same as provided in § 46.2-100, except, for the purposes of this chapter, "motor vehicle" includes trailers, as defined in this section, and does not include (i) manufactured homes, sales of which are regulated under Chapter 4.2 (§ 36-85.16 et seq.) of Title 36; (ii) nonrepairable vehicles, as defined in § 46.2-1600; (iii) salvage vehicles, as defined in § 46.2-1600; or (iv) mobile cranes that exceed the size or weight limitations as set forth in § 46.2-1105, 46.2-1110, or 46.2-1113 or Article 17 (§ 46.2-1122 et seq.) of Chapter 10.

"Motor vehicle dealer" or "dealer" means any person who:

1. For commission, money, or other thing of value, buys for resale, sells, or exchanges, either outright or on conditional sale, lease, chattel mortgage, or other similar transaction or arranges or offers or attempts to solicit or negotiate on behalf of others the sale, purchase, or exchange of, either outright or on conditional sale, lease, chattel mortgage, or other similar transaction, an interest in new motor vehicles, new and used motor vehicles, or used motor vehicles alone, whether or not the motor vehicles are owned by him; or

2. Is wholly or partly engaged in the business of selling new motor vehicles, new and used motor vehicles, or used motor vehicles only, whether or not the motor vehicles are owned by him.

Any person who offers to sell, sells, displays, or permits the display for sale, of five or more motor vehicles within any 12 consecutive months is presumed to be a motor vehicle dealer and may rebut the presumption by a preponderance of the evidence.

For the purposes of Article 7.2 (§ 46.2-1573.2 et seq.), "dealer" means recreational vehicle dealer. For the purposes of Article 7.3 (§ 46.2-1573.13 et seq.), "dealer" means ~~trailer dealer and~~ watercraft trailer dealer *and trailer dealer of new trailers with a gross vehicle weight rating of more than 30,000 pounds*. For the purposes of Article 7.4 (§ 46.2-1573.25 et seq.), "dealer" means motorcycle dealer.

"Motor vehicle dealer" or "dealer" does not include:

1. Receivers, trustees, administrators, executors, guardians, conservators or other persons appointed by or acting under judgment or order of any court or their employees when engaged in the specific performance of their duties as employees.

2. Public officers, their deputies, assistants, or employees, while performing their official duties.

3. Persons other than business entities primarily engaged in the leasing or renting of motor vehicles to others when selling or offering such vehicles for sale at retail, disposing of motor vehicles acquired for their own use and actually so used, when the vehicles have been so acquired and used in good faith and not for the purpose of avoiding the provisions of this chapter.

4. Persons dealing solely in the sale and distribution of fire-fighting vehicles, ambulances, and funeral vehicles, including motor vehicles adapted therefor; however, this exemption shall not exempt any person from the provisions of §§ 46.2-1519, 46.2-1520, and 46.2-1548.

5. Any financial institution chartered or authorized to do business under the laws of the Commonwealth or the United States which may have received title to a motor vehicle in the normal course of its business by reason of a foreclosure, other taking, repossession, or voluntary reconveyance to that institution occurring as a result of any loan secured by a lien on the vehicle.

6. An employee of an organization arranging for the purchase or lease by the organization of vehicles for use in the organization's business.

7. Any person licensed to sell real estate who sells a manufactured home or similar vehicle in conjunction with the sale of the parcel of land on which the manufactured home or similar vehicle is located.

8. Any person who permits the operation of a motor vehicle show or permits the display of motor vehicles for sale by any motor vehicle dealer licensed under this chapter.

9. An insurance company authorized to do business in the Commonwealth that sells or disposes of vehicles under a contract with its insured in the regular course of business.

10. Any publication, broadcast, or other communications media when engaged in the business of advertising, but not otherwise arranging for the sale of vehicles owned by others.

11. Any person dealing solely in the sale or lease of vehicles designed exclusively for off-road use.

12. Any credit union authorized to do business in Virginia, provided the credit union does not receive a commission, money, or other thing of value directly from a motor vehicle dealer.

13. Any person licensed as a manufactured home dealer, broker, manufacturer, or salesperson under Chapter 4.2 (§ 36-85.16 et seq.) of Title 36.

14. The State Department of Social Services or local departments of social services.

15. Any person dealing solely in the sale and distribution of utility or cargo trailers that have unloaded weights of 3,000 pounds or less; however, this exemption shall not exempt any person who deals in stock trailers or watercraft trailers.

16. Any motor vehicle manufacturer or distributor selling a new motor vehicle at wholesale to its franchised dealer or a used motor vehicle to a licensed dealer.

For the purposes of Article 7 (§ 46.2-1566 et seq.), "dealer" does not include recreational vehicle dealers, trailer dealers, watercraft trailer dealers, or motorcycle dealers.

"Motor vehicle salesperson" or "salesperson" means (i) any person who is hired as an employee by a motor vehicle dealer to sell or exchange motor vehicles and who receives or expects to receive a commission, fee, or any other consideration from the dealer; (ii) any person who supervises salespersons employed by a motor vehicle dealer, whether compensated by salary or by commission; (iii) any person, compensated by salary or commission by a motor vehicle dealer, who negotiates with or induces a customer to enter into a security agreement on behalf of a dealer; or (iv) any person who is licensed as a motor vehicle dealer and who sells or exchanges motor vehicles. For purposes of this section, any person who is an independent contractor as defined by the United States Internal Revenue Code shall be deemed not to be a motor vehicle salesperson.

"Motor vehicle show" means a display of motor vehicles to the general public at a location other than a dealer's location licensed under this chapter where the vehicles are not being offered for sale or exchange during or as part of the display.

"New motor vehicle" means any vehicle, excluding trailers, that is in the possession of the manufacturer, factory branch, distributor, distributor branch, or motor vehicle dealer and for which an original title has not been issued by the Department or by the issuing agency of any other state and has less than 7,500 miles accumulated on its odometer.

"New trailer" means any trailer that (i) has not been previously sold except in good faith for the purpose of resale; (ii) has not been used as a rental, driver education, or demonstration trailer or for the personal or business transportation of the manufacturer, distributor, dealer, or any of its employees; (iii) has not been used except for limited use necessary in moving or road testing the trailer prior to delivery to a customer; (iv) is transferred by a certificate of origin; and (v) has the manufacturer's certification that it conforms to all applicable federal trailer safety and emission standards. Notwithstanding clauses (i) and (iii), a trailer that has been previously sold but not titled shall be deemed a new trailer if it meets the requirements of clauses (ii), (iv), and (v).

"Original license" means a motor vehicle dealer license issued to an applicant who has never been licensed as a motor vehicle dealer in Virginia or whose Virginia motor vehicle dealer license has been expired for more than 30 days.

"Recreational vehicle" or "RV" means a vehicle that (i) is either self-propelled or towed by a consumer-owned tow vehicle, (ii) is primarily designed to provide temporary living quarters for recreational, camping, or travel use; and (iii) complies with all applicable federal vehicle regulations and does not require a special movement permit to legally use the highways. Recreational vehicle includes motor homes, travel trailers, and camping trailers.

"Relevant market area" means as follows:

1. For motor vehicle dealers except motorcycle dealers, in metropolitan localities the relevant market area shall be a circular area around an existing franchised dealer with a population of 250,000, not to exceed a radius of 10 miles, but in no case less than seven miles.

2. For motor vehicle dealers except motorcycle dealers, if the population in a circular area within a radius of 10 miles around an existing franchised dealer is less than 250,000, but the population in an area within a radius of 15 miles around an existing franchised dealer is 150,000 or more, the relevant market area shall be that circular area within the 15-mile radius.

3. For motor vehicle dealers except motorcycle dealers, in all other cases the relevant market area shall be a circular area within a radius of 20 miles around an existing franchised dealer or the area of responsibility defined in the franchise agreement, whichever is greater. In any case where the franchise agreement is silent as to area of responsibility, the relevant market area shall be the greater of a circular area within a radius of 20 miles around an existing franchised dealer or that area in which the franchisor otherwise requires the franchisee to make significant retail sales or sales efforts.

4. For motorcycle dealers, the relevant market area shall be a circular area within a radius of 20 miles if the population within such area around an existing franchised dealer location is one million or more. If the population in a circular area

within a 20-mile radius is less than one million, the relevant market area shall be a circular area within a radius of 30 miles. If the population within a 30-mile radius is less than one million, the relevant market area shall be a circular area within a radius of 40 miles. In all cases, the relevant market area shall be the area described above or the area of responsibility defined in the franchise agreement, whichever is greater. In addition, the relevant market area shall include that area in which the franchisor otherwise requires the franchisee to make significant retail sales or sales efforts.

Notwithstanding the foregoing provision of this section, in the case of dealers in motor vehicles with gross vehicle weight ratings of 26,000 pounds or greater, excluding recreational vehicles, the relevant market area with respect to the dealer's franchise for all such vehicles shall be a circular area around an existing franchised dealer with a radius of 25 miles, except where the population in such circular area is less than 250,000, in which case the relevant market area shall be a circular area around an existing franchised dealer with a radius of 50 miles, or the area of responsibility defined in the franchise, whichever is greater.

In determining population for relevant market areas, the most recent census by the U.S. Bureau of the Census or the most recent population update, either from the National Planning Data Corporation or other similar recognized source, shall be accumulated for all census tracts either wholly or partially within the relevant market area.

"Retail installment sale" means every sale of one or more motor vehicles to a buyer for his use and not for resale, in which the price of the vehicle is payable in one or more installments and in which the seller has either retained title to the goods or has taken or retained a security interest in the goods under form of contract designated either as a security agreement, conditional sale, bailment lease, chattel mortgage, or otherwise.

"Sale at retail" or "retail sale" means the act or attempted act of selling, bartering, exchanging, or otherwise disposing of a motor vehicle to a buyer for his personal use and not for resale.

"Sale at wholesale" or "wholesale" means a sale to motor vehicle dealers or wholesalers other than to consumers; a sale to one who intends to resell.

"Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with another motor vehicle that some part of its own weight and that of its own load rests on or is carried by another vehicle.

"Tractor truck" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached thereto.

"Trailer" means every vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by another motor vehicle, including semitrailers but not manufactured homes, watercraft trailers, camping trailers, or travel trailers.

"Travel trailer" means a vehicle designed to provide temporary living quarters for recreational, camping, or travel use of such size or weight so as not to require a special highway movement permit when towed by a consumer-owned tow vehicle.

"Used motor vehicle" means any vehicle other than a new motor vehicle as defined in this section.

"Watercraft trailer" means any new or used trailer specifically designed to carry a watercraft or a motorboat and purchased, sold, or offered for sale by a watercraft dealer licensed under Chapter 8 (§ 29.1-800 et seq.) of Title 29.1.

"Watercraft trailer dealer" means any watercraft dealer licensed under Chapter 8 (§ 29.1-800 et seq.) of Title 29.1.

"Wholesale auction" means an auction of motor vehicles restricted to sales at wholesale.

§ 46.2-1573.13. Applicability of requirements to certain trailers.

A. For the purposes of this article:

"Dealer" and "trailer dealer" includes watercraft trailer dealers *and dealers of new trailers with a gross vehicle weight rating of more than 30,000 pounds*.

"Trailer" includes watercraft trailers *and new trailers with a gross vehicle weight rating of more than 30,000 pounds*.

B. The provisions of this article shall only apply to the sale, exchange, construction, or assembly of watercraft trailers and new trailers with a gross vehicle weight rating of more than 30,000 pounds.

CHAPTER 566

An Act to require each school board or division superintendent to review accessibility challenges in the local school division; report.

[H 2278]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. Each school board or division superintendent, in consultation with such other stakeholders as it deems appropriate, shall review the extent to which (i) public elementary and secondary school buildings and grounds in the local school division present accessibility challenges and barriers for individuals with disabilities, including challenges and barriers that may prevent such individuals from fully participating in school activities; (ii) challenges in access to programming and supports exist for individuals with disabilities at public elementary and secondary schools in the local school division; (iii) such schools have begun or plan to address and eliminate all such challenges and barriers; and (iv) state agencies can assist such schools to address and eliminate all such challenges and barriers and fully comply with all applicable state and federal laws. Each school board or division superintendent shall report the findings of such review and any associated*

recommendations to the Chairs of the Senate Committee on Education and Health and the House Committee on Education no later than November 1, 2025.

2. That, in conducting the review required pursuant to the first enactment of this act, each school board or division superintendent shall consult and may utilize the methodology of the U.S. Government Accountability Office as set forth in its June 2020 report GAO20-448, K-12 Education: School Districts Need Better Information to Help Improve Access for People with Disabilities.

CHAPTER 567

An Act to amend and reenact § 55.1-1204.1 of the Code of Virginia, relating to Virginia Residential Landlord and Tenant Act; fee disclosure statement.

[H 2430]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-1204.1 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-1204.1. Fee disclosure statement.

A landlord shall provide, beginning on the first page of the written rental agreement, ~~a description of any rent and fees to be charged to the tenant in addition to the periodic rent~~ *an itemization of all charges to the tenant that comprise (i) the security deposit, (ii) the amount of rent due per payment period pursuant to the lease period, and (iii) any additional one-time charges due prior to the commencement date of the rental agreement or that will be included in the first rental payment*. Immediately above the *itemized* list of ~~fees~~ *charges*, the written rental agreement shall state: No ~~fee shall be collected~~ *additional security deposits or rent shall be charged* unless ~~it is~~ *they are* listed below or incorporated into this agreement by way of a separate addendum after execution of this rental agreement.

2. That the provisions of this act shall apply to rental agreements, as defined in § 55.1-1200 of the Code of Virginia, that are entered into, extended, or renewed on or after July 1, 2025.

CHAPTER 568

An Act to direct the State Board of Social Services to amend its regulations regarding the application for and use of foster care benefits.

[H 2457]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the State Board of Social Services (the Board) shall amend its regulations by January 1, 2026, to (i) require local departments of social services to apply for federal benefits on behalf of children in foster care that they may be eligible for, (ii) prohibit the use of military survivor benefits to pay for the care and support of children in foster care that the Commonwealth is otherwise obligated to pay for, and (iii) require local departments of social services that are representative payees for children in foster care to conserve such military survivor benefits in an appropriate trust instrument or protected account that is exempt from federal asset and resource limits, such as an Achieving a Better Life Experience account pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1 of the Code of Virginia. The Board's initial adoption of regulations necessary to implement the provisions of this act shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia), except that the Board shall provide an opportunity for public comment on such regulations prior to adoption.*

CHAPTER 569

An Act to direct the Department of Health Professions to study expanding the scope of practice for physician assistants; report.

[H 2489]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Department of Health Professions (the Department) is directed to conduct a study on expansion of the scope of practice for physician assistants in the Commonwealth as a means to increase autonomy in the profession. Such study shall include a review of the education and training requirements for physician assistants in the Commonwealth, as well as a survey of such requirements in the other states and the scope of practice in such states, and an analysis of the costs and benefits to patients of increased autonomy for physician assistants in the Commonwealth. The Department shall submit a report with its findings and recommendations to the Chairs of the House Committee on Health and Human Services and Senate Committee on Education and Health by November 1, 2025.*

CHAPTER 570

An Act to amend and reenact § 15.2-2223 of the Code of Virginia, relating to counties, cities, and towns; comprehensive plan; tiny homes; accessory dwelling units.

[H 2533]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2223 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2223. Comprehensive plan to be prepared and adopted; scope and purpose.

A. The local planning commission shall prepare and recommend a comprehensive plan for the physical development of the territory within its jurisdiction and every governing body shall adopt a comprehensive plan for the territory under its jurisdiction.

In the preparation of a comprehensive plan, the commission shall make careful and comprehensive surveys and studies of the existing conditions and trends of growth, and of the probable future requirements of its territory and inhabitants. The comprehensive plan shall be made with the purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the territory ~~which~~ *that* will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants, including the elderly and persons with disabilities.

The comprehensive plan shall be general in nature, in that it shall designate the general or approximate location, character, and extent of each feature, including any road improvement and any transportation improvement, shown on the plan and shall indicate where existing lands or facilities are proposed to be extended, widened, removed, relocated, vacated, narrowed, abandoned, or changed in use as the case may be.

B. 1. As part of the comprehensive plan, each locality shall develop a transportation plan that designates a system of transportation infrastructure needs and recommendations that include the designation of new and expanded transportation facilities and that support the planned development of the territory covered by the plan and shall include, as appropriate, ~~but not be limited to,~~ roadways, bicycle accommodations, pedestrian accommodations, railways, bridges, waterways, airports, ports, freight corridors, and public transportation facilities. The plan shall recognize and differentiate among a hierarchy of roads such as expressways, arterials, and collectors. In developing the plan, the locality shall take into consideration how to align transportation infrastructure and facilities with affordable, accessible housing and community services that are located within the territory ~~in order~~ to facilitate community integration of the elderly and persons with disabilities. The ~~Virginia~~ Department of Transportation shall, upon request, provide localities with technical assistance in preparing such transportation plan.

2. The transportation plan shall include a map that ~~shall show~~ *shows* road and transportation improvements, including the cost estimates of such road and transportation improvements from the ~~Virginia~~ Department of Transportation, taking into account the current and future needs of residents in the locality while considering the current and future needs of the planning district within which the locality is situated.

3. The transportation plan~~,~~ and any amendment ~~thereto~~ *to such plan* pursuant to § 15.2-2229~~,~~ shall be consistent with the Commonwealth Transportation Board's Statewide Transportation Plan developed pursuant to § 33.2-353, the Six-Year Improvement Program adopted pursuant to subsection B of § 33.2-214, and the location of routes to be followed by roads comprising systems of state highways pursuant to subsection A of § 33.2-208. The locality shall consult with the ~~Virginia~~ Department of Transportation to assure such consistency is achieved. The transportation plan need reflect only those changes in the annual update of the Six-Year Improvement Program that are deemed to be significant, new, expanded, or relocated roadways.

4. Prior to the adoption of the transportation plan or any amendment to ~~the transportation~~ *such* plan, the locality shall submit such plan or amendment to the Department *of Transportation* for review and comment. The Department *of Transportation* shall conduct its review and provide written comments to the locality on the consistency of the transportation plan or any amendment to the provisions of subdivision 1. The Department *of Transportation* shall provide such written comments to the locality within 90 days of receipt of the plan or amendment, or such other shorter period of time as may be otherwise agreed upon by the Department *of Transportation* and the locality.

5. The locality shall submit a copy of the adopted transportation plan or any amendment to ~~the transportation~~ *such* plan to the Department *of Transportation* for informational purposes. If the Department *of Transportation* determines that ~~the transportation~~ *such* plan or amendment is not consistent with the provisions of subdivision 1, the Department *of Transportation* shall notify the Commonwealth Transportation Board so that the Board may take appropriate action in accordance with subsection F of § 33.2-214.

6. If the adopted transportation plan designates corridors planned to be served by mass transit, as defined in § 33.2-100, a portion of its allocation from (i) the Northern Virginia Transportation Authority distribution specified in subdivision B 1 of § 33.2-2510, (ii) the commercial and industrial real property tax revenue specified in § 58.1-3221.3, and (iii) the secondary system road construction program, as described in Article 5 (§ 33.2-351 et seq.) of Chapter 3 of Title 33.2, may be used for the purpose of utility undergrounding in the planned corridor, if the locality matches 100 percent of the state allocation.

7. Each locality's amendments ~~or updates~~ to its transportation plan ~~as required by subdivisions 2 through 5~~ shall be made on or before its ongoing scheduled date for updating its transportation plan.

C. The comprehensive plan, with the accompanying maps, plats, charts, and descriptive matter, shall show the locality's long-range recommendations for the general development of the territory covered by the plan. It may include~~, but need not be limited to~~:

1. The designation of areas for various types of public and private development and use, such as ~~different kinds of~~ residential, including age-restricted~~,~~ housing*, tiny homes, or accessory dwelling units*; business; industrial; agricultural; mineral resources; conservation; active and passive recreation; public service; *and* flood plain and drainage*. For purposes of this subdivision, the term "tiny home" means a dwelling that is 400 square feet or less in floor area, excluding lofts, and the term "accessory dwelling unit" means an independent dwelling unit on a single-family dwelling lot with its own living, bathroom, and kitchen space. An accessory dwelling unit may be within or attached to a single-family dwelling unit or in a detached structure on a lot containing a single-family dwelling*; ~~and other areas;~~

2. The designation of a system of community service facilities such as parks, sports playing fields, forests, schools, playgrounds, public buildings and institutions, hospitals, nursing homes, assisted living facilities, community centers, waterworks, sewage disposal or waste disposal areas, and the like;

3. The designation of historical areas and areas for urban renewal or other treatment;

4. The designation of areas for the implementation of reasonable measures to provide for the continued availability, quality, and sustainability of groundwater and surface water;

5. A capital improvements program, a subdivision ordinance, a zoning ordinance*,* and zoning district maps, mineral resource district maps*,* and agricultural and forestal district maps, where applicable;

6. The location of existing or proposed recycling centers;

7. The location of military bases, military installations, and military airports and their adjacent safety areas; and

8. The designation of corridors or routes for electric transmission lines of 150 kilovolts or more.

D. The comprehensive plan shall include the designation of areas and implementation of measures for the construction, rehabilitation*,* and maintenance of affordable housing, which is sufficient to meet the current and future needs of residents of all levels of income in the locality while considering the current and future needs of the planning district within which the locality is situated.

E. The comprehensive plan shall consider strategies to provide broadband infrastructure that is sufficient to meet the current and future needs of residents and businesses in the locality. To this end, local planning commissions may consult with and receive technical assistance from the Center for Innovative Technology, among other resources.

F. The comprehensive plan is encouraged to consider strategies to address resilience. As used in this subsection, "resilience" means the capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, health, the economy, and the environment.

CHAPTER 571

An Act to amend and reenact §§ 2.2-3500 through 2.2-3504 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 35 of Title 2.2 a section numbered 2.2-3505, relating to Information Technology Access Act; digital accessibility.

[H 2541]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3500 through 2.2-3504 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 35 of Title 2.2 a section numbered 2.2-3505 as follows:

§ 2.2-3500. Findings; policy.

A. The General Assembly finds that (i) the advent of the information age throughout the United States and around the world has resulted in lasting changes in information *and communications* technology; (ii) use of ~~interactive visual display terminals~~ *information and communications technology* by state and state-assisted organizations ~~is becoming~~ *has become* a widespread means of access for employees and the public to obtain information available electronically, but ~~nonvisual~~ access~~, whether by speech, Braille, or other appropriate means~~ *for persons with disabilities* has *often* been overlooked ~~in~~ *when developing, designing,* purchasing*,* and deploying the latest information *and communications* technology; (iii) ~~presentation of electronic data solely in a visual format is a barrier to access by individuals who are blind or visually impaired, preventing~~ *when presentation of data through information and communications technology is not accessible by persons with disabilities, it prevents* them from participating on equal terms in crucial areas of life, such as education and employment; (iv) ~~alternatives, including both software and hardware adaptations, have been created so that interactive control of computers and use of the information presented is possible by both visual and nonvisual means~~ *accessible information and communications technology is often cheaper for the government in the long run because it does not require post-implementation adaptions and does not expose the government to liability under various state and federal laws that require access for persons with disabilities*; and (v) the goals of the state in obtaining and deploying the most advanced forms of information *and communications* technology properly include universal access so that ~~the segments of society with~~

~~particular needs (including individuals unable to use visual displays)~~ *persons with disabilities* will not *continue to* be left out of ~~the information age~~ *the latest and future technological innovations*.

B. It is the policy of the Commonwealth that all covered entities shall conduct themselves in accordance with the following principles: (i) ~~individuals who are blind or visually impaired~~ *all persons with disabilities* have the right to full participation in the life of the Commonwealth, including the use of ~~advanced~~ *information and communications* technology that is provided by such covered entities for use by employees, program participants, *students,* and members of the general public, and (ii) technology purchased in whole or in part with funds provided by the Commonwealth*, acquired, or developed in-house by a covered entity* to be used for the creation, storage, retrieval, *display,* or dissemination of information and intended for use by employees, program participants, *students,* and members of the general public shall be ~~adaptable for access by individuals who are blind or visually impaired. The implementation of nonvisual access technology under this chapter shall be determined on a case-by-case basis as the need arises~~ *accessible by all persons with disabilities*.

§ 2.2-3501. Definitions.

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

~~"Access" means the ability to receive, use, and manipulate data and operate controls included in information technology.~~

~~"Blind" or "visually impaired" individual means an individual who has: (i) a visual acuity of 20/200 or less in the better eye with correcting lenses or has a limited field of vision so that the widest diameter of the visual field subtends an angle no greater than 20 degrees; (ii) a medically indicated expectation of visual deterioration; or (iii) a medically diagnosed limitation in visual functioning that restricts the individuals' ability to read and write standard print at levels expected of individuals of comparable ability.~~

"Accessibility" means alignment with federal Section 508 standards and Section 255 guidelines adopted pursuant to 29 U.S.C. § 794d and 47 U.S.C. § 255, and 28 C.F.R. § 35.200.

"Accessibility Conformance Report" means a completed Voluntary Product Accessibility Template (VPAT) or other document indicating the conformance of a product to accessibility standards such as federal Section 508 Standards and Section 255 Guidelines adopted pursuant to 29 U.S.C. § 794d and 47 U.S.C. § 255. The Accessibility Conformance Report shall be completed by a digital accessibility subject matter expert with significant experience with product evaluation or by a qualified neutral third party.

"Acquired" means obtained from a third party without the need to engage in the procurement process.

"Covered entity" means all state agencies, *public school divisions,* public institutions of higher education, and political subdivisions of the Commonwealth.

"Head of each covered entity" means the person responsible for making executive decisions on behalf of the covered entity.

"Information *and communications* technology" *or "ICT"* means ~~all electronic~~ *any website, application, or other product or service primarily intended to fulfill or enable the function of* information processing ~~hardware and software~~ *and communication by electronic means*, including ~~telecommunications~~ *transmission and display via the Internet*.

~~"Nonvisual" means synthesized speech, Braille, and other output methods not requiring sight.~~

~~"Public broadcasting services" means the acquisition, production, and distribution by public broadcasting stations of noncommercial educational, instructional, informational, or cultural television and radio programs and information that may be transmitted by means of electronic communications, and related materials and services provided by such stations.~~

~~"Telecommunications" means the transmission of information, images, pictures, voice, or data by radio, video, or other electronic or impulse means, but does not include public broadcasting.~~

"Person with a disability" means the same as that term is defined in § 51.5-40.1.

"Procured" means a product or service obtained through a covered entity's procurement process.

"Vendor Accessibility Roadmap" means a document prepared and provided by the vendor highlighting the aspects and elements of the product that do not meet accessibility standards and includes the timelines for these aspects and elements to meet such accessibility standards.

§ 2.2-3502. Assurance of accessibility.

In general, the head of each covered entity *or his designee* shall ensure that ~~information technology equipment and software~~ *the accessibility of the ICT* used by ~~blind or visually impaired~~ employees, program participants, *students,* or members of the general public *who have a disability* (i) ~~provide access (including interactive use of the equipment and services) that~~ is equivalent to that provided to individuals who ~~are not blind or visually impaired~~ *do not have a disability*; (ii) ~~are~~ *is* designed to present information (including prompts used for interactive communications) in formats *accessible or* adaptable to both ~~visual and nonvisual use~~ *persons with and without disabilities*; and (iii) ~~have been purchased under a contract that includes the technology access clause required pursuant to § 2.2-3503~~ *conforms with the accessibility requirements as provided in 28 C.F.R. § 35.200, whether developed in-house by a covered entity or procured*.

§ 2.2-3503. Procurement requirements.

A. ~~The~~ *An information and communications* technology access clause ~~specified in clause (iii) of § 2.2-3502~~ shall be developed by the Secretary of Administration and shall require ~~compliance with the nonvisual access standards established in subsection B~~ *that the vendor certify that any product procured by a covered entity conforms with accessibility. If the vendor cannot certify conformance of accessibility of the ICT product being procured, the covered entity may require such vendor to provide a current vendor-paid and completed Accessibility Conformance Report indicating the level of*

conformance with accessibility for the ICT being procured by the covered entity. Any areas of nonconformance shall be documented with a vendor-paid and completed Vendor Accessibility Roadmap highlighting areas requiring improved accessibility, including a timeline for each nonconforming area's completion. Consistent with 28 C.F.R. § 35.201 and 36 C.F.R. Part 1194, Appendix A, § E202, this clause should allow for the adoption of non-accessible ICT, provided that the use of such technology does not result in individuals with disabilities being denied the benefit of any program, service, or activity provided by the covered entity. The clause shall be included in all future contracts for the procurement of ~~information technology~~ *ICT* by, or for the use of, entities covered by this chapter *for which negotiation or renegotiation is begun* on or after the effective date of this chapter.

B. ~~At a minimum, the nonvisual access standards shall include the following: (i) the effective, interactive control and use of the technology (including the operating system), applications programs, and format of the data presented, shall be readily achievable by nonvisual means; (ii) the technology equipped for nonvisual access shall be compatible with information technology used by other individuals with whom the blind or visually impaired individual interacts; (iii) nonvisual access technology shall be integrated into networks used to share communications among employees, program participants, and the public; and (iv) the technology for nonvisual access shall have the capability of providing equivalent access by nonvisual means to telecommunications or other interconnected network services used by persons who are not blind or visually impaired. A covered entity may stipulate additional specifications in any procurement.~~

~~Compliance with the nonvisual access standards shall not be required if the head of a covered entity determines that (a) the information technology is not available with nonvisual access because the essential elements of the information technology are visual and (b) nonvisual equivalence is not available.~~ *Such procurement procedure adopted pursuant to this section shall not supersede or conflict with any vendor procedure or policy adopted by a public institution of higher education under the Restructured Higher Education Financial and Administrative Operations Act (§ 23.1-1000 et seq.).*

§ 2.2-3504. Exclusions to digital accessibility.

~~A.~~ The head of any covered entity ~~may, with respect to nonvisual access software or peripheral devices, approve the exclusion of the technology access clause only to the extent that the cost of the software or devices for the covered entity would increase the total cost of the procurement by more than five percent. All exclusions of the technology access clause from any contract shall be reported annually to the Secretary of Administration~~ *or his designee shall report to the appropriate executive branch agency any ICT that does not conform with accessibility and is not included in the exceptions found in 28 C.F.R. § 35.201 or 36 C.F.R. Part 1194, Appendix A, § E202. Each executive branch agency shall report annually to the General Assembly on such ICT and provide an estimate on the fiscal impact involved in bringing such technology into compliance with federal and state laws and regulations.*

~~B. The acquisition and installation of hardware, software, or peripheral devices used for nonvisual access when the information technology is being used exclusively by individuals who are not blind or visually impaired shall not be required.~~

~~C. Notwithstanding the provisions of subsection B, the applications programs and underlying operating systems (including the format of the data) used for the manipulation and presentation of information shall permit the installation and effective use of nonvisual access software and peripheral devices.~~

§ 2.2-3505. Designation of covered entity digital accessibility coordinator.

A. The head of each covered entity or his designee may designate an employee to serve as such covered entity's digital accessibility coordinator. The digital accessibility coordinator shall be responsible for ensuring that the covered entity complies with state and federal laws, including the Virginians with Disabilities Act (§ 51.5-1 et seq.) and the Virginia Human Rights Act (§ 2.2-3900 et seq.), to ensure that the ICT and other products or services can be accessed by persons with disabilities. The covered entity's digital accessibility coordinator shall also be responsible for developing and implementing the covered entity's digital accessibility policy.

B. Each covered entity shall publish, in a conspicuous and easily accessible location on its website, the name, phone number, email address, and office address of the covered entity's digital accessibility coordinator or other person to whom reports of barriers to digital accessibility may be reported. The digital accessibility coordinator or other person designated by the covered entity shall develop procedures to review and respond to reports of barriers to digital accessibility.

2. That the provisions of § 2.2-3503 of the Code of Virginia, as amended by this act, shall only apply to contracts entered into or renewed on or after the effective dates of this act in accordance with the third and fourth enactments of this act.

3. That the provisions of this act shall apply to (i) a covered entity, as defined in § 2.2-3501 of the Code of Virginia, as amended by this act, with a population of 50,000 or more persons, (ii) institutions of higher education, and (iii) state public bodies beginning April 24, 2026.

4. That the provisions of this act shall apply to special district governments, as defined in 28 C.F.R. § 35.104, and covered entities, as defined in § 2.2-3501 of the Code of Virginia, as amended by this act, with a population of less than 50,000 persons, beginning April 26, 2027.

5. That for the purposes of the third and fourth enactments of this act, the provisions of this act shall apply to local school districts as it applies to the locality within which the school district sits.

6. That executive branch agencies required to report to the General Assembly pursuant to the provisions of § 2.2-3504 of the Code of Virginia, as amended by this act, shall provide guidance to the covered entities, as defined by § 2.2-3501 of the Code of Virginia, as amended by this act, on how to prioritize information and communications

technology to meet federal Section 508 standards adopted pursuant to 29 U.S.C. § 794d, Section 255 guidelines adopted pursuant to 47 U.S.C. § 255, and 28 C.F.R. § 35.200 by December 1, 2025.

CHAPTER 572

An Act to amend the Code of Virginia by adding in Title 30 a chapter numbered 69, consisting of sections numbered 30-447 through 30-453, relating to Commission on Women's Health established; report.

[H 2617]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 69, consisting of sections numbered 30-447 through 30-453, as follows:

CHAPTER 69.

COMMISSION ON WOMEN'S HEALTH.

§ 30-447. Commission on Women's Health; purpose.

The Commission on Women's Health (the Commission) is established as a commission in the legislative branch of state government. The purpose of the Commission is to study, report, and make recommendations on issues related to women's health, including maternal health.

§ 30-448. Membership; terms; vacancies; chair and vice-chair.

The Commission shall consist of 15 members that include 10 legislative members and five nonlegislative citizen members. Members shall be appointed as follows: six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; four members of the Senate to be appointed by the Senate Committee on Rules; two nonlegislative citizen members with significant experience or expertise in women's or maternal health policy to be appointed by the Speaker of the House of Delegates; and three nonlegislative citizen members with significant experience or expertise in women's or maternal health policy to be appointed by the Senate Committee on Rules. Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chair of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

Legislative members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members and nonlegislative citizen members may be reappointed. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

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

§ 30-449. Quorum; meetings; voting on recommendations.

A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chair or whenever the majority of the members so request.

No recommendation of the Commission shall be adopted if a majority of the House members or a majority of the Senate members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.

§ 30-450. Compensation; expenses.

Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee.

§ 30-451. Powers and duties of the Commission.

The Commission shall have the following powers and duties:

1. Study and evaluate issues related to women's health, including maternal health, mental health, access to reproductive care, chronic conditions, and health outcomes;

2. Examine the intersection of social determinants of health and their impact on women's health outcomes;

3. Conduct public hearings, facilitate stakeholder engagement, and consult with subject-matter experts as necessary;

4. Identify systemic barriers to equitable health care access for women and recommend policies to address such barriers; and

5. Develop and make recommendations to the General Assembly for legislative, regulatory, and budgetary changes or policies to improve women's health outcomes in the Commonwealth.

§ 30-452. Staffing.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates or the Office of the Clerk of the Senate as may be appropriate for the house in which the chair of the Commission serves. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission. Staff shall perform those duties assigned to it by the Commission. The Commission may also consult or contract with experts who have knowledge of the issues before it within the amounts appropriated for such purpose. The Department of Health, the Department of Medical Assistance Services, and all other agencies of the Commonwealth shall provide assistance to the Commission upon request of the Commission.

§ 30-453. Executive summary of activity and work of the Commission.

The chair shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than December 1 of each year. Such executive summary shall include any legislative, regulatory, or budgetary changes or policies recommended by the Commission. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

2. That, for its first year of existence, if the Commission on Women's Health (the Commission) is not funded by a separate appropriation in the appropriation act, the Commission may be funded from the operating budgets of the Clerk of the House of Delegates and the Clerk of the Senate upon the approval of the Joint Rules Committee. If the Commission is not funded by a separate appropriation in the appropriation act for any year thereafter, this chapter shall expire on July 1 of the fiscal year in which the Commission fails to receive such funding.

CHAPTER 573

An Act to amend and reenact § 22.1-279.8 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-23.6, relating to Department of Education; development of guidelines and information relating to virtual or online learning; public health emergencies.

[H 2640]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-279.8 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-23.6 as follows:

§ 22.1-23.6. Guidelines relating to virtual or online learning.

A. The Department shall develop and post on its official website guidelines and information relating to virtual learning, including (i) statewide policies relating to virtual learning, (ii) the availability of online or virtual learning options and pertinent information on such options, and (iii) guidelines for educators and schools relating to online or virtual learning policies and best practices. In addition, the Department shall provide for the guidelines to allow dissemination to each school board for distribution to parents.

B. The guidelines established by the Department pursuant to this section shall be updated annually.

§ 22.1-279.8. School safety audits and school crisis, emergency management, and medical emergency response plans required.

A. For the purposes of this section, unless the context requires otherwise:

"School crisis, emergency management, and medical emergency response plan" means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, tornadoes, or other severe weather; loss or disruption of power, water, communications or shelter; bus or other accidents; medical emergencies, including cardiac arrest and other life-threatening medical emergencies; student or staff member deaths; explosions; bomb threats; gun, knife or other weapons threats; spills or exposures to hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance or kidnapping of a student; hostage situations; violence on school property or at school activities; incidents involving acts of terrorism; and other incidents posing a serious threat of harm to students, personnel, or facilities. The plan shall include a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § 19.2-11.01. The Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be the lead coordinating agencies for those individuals determined to be victims, and the plan shall also contain current contact information for both agencies.

"School safety audit" means a written assessment of the safety conditions in each public school to (i) identify and, if necessary, develop solutions for physical safety concerns, including building security issues, and (ii) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses shall include recommendations for structural adjustments, changes in school safety procedures, and revisions to the school board's standards for student conduct.

B. The Virginia Center for School and Campus Safety, in consultation with the Department of Education, shall develop a list of items to be reviewed and evaluated in the school safety audits required by this section. Such items shall include (i) those incidents reported to school authorities pursuant to § 22.1-279.3:1; (ii) a school inspection walk-through using a standardized checklist provided by the Virginia Center for School and Campus Safety, which shall incorporate crime prevention through environmental design principles; and (iii) specific technology systems, including physical security technologies, emergency telecommunication systems, and associated technology including equipment and software.

The Virginia Center for School and Campus Safety shall prescribe a standardized report format for school safety audits, additional reporting criteria, and procedures for report submission, which may include instructions for electronic submission.

Each local school board shall require all schools under its supervisory control to annually conduct school safety audits, as defined in this section, consistent with such list and in collaboration with the chief law-enforcement officer of the locality or his designee. As part of each such audit, the school board shall create a detailed and accurate floor plan for each public school building in the local school division or shall certify that the existing floor plan for each such school is sufficiently detailed and accurate. *In addition, a component of each such audit shall include a review of the school's comprehensive plan for closures during public health emergencies.*

The results of such school safety audits shall be made public within 90 days of completion pursuant to this subsection. The local school board shall retain authority to withhold or limit the release of any security plans, walk-through checklists, floor plans, and specific vulnerability assessment components as provided in subdivision 4 of § 2.2-3705.2. The completed walk-through checklist shall be made available to the chief law-enforcement officer of the locality or his designee. Each school shall maintain a copy of the school safety audit, which may exclude such security plans, walk-through checklists, and vulnerability assessment components, within the office of the school principal and shall make a copy of such report available for review upon written request.

Each school shall submit a copy of its school safety audit to the relevant school division superintendent. The division superintendent shall collate and submit all such school safety audits, in the prescribed format and manner of submission, to the Virginia Center for School and Campus Safety and shall make available to the chief law-enforcement officer of the locality the results of such audits for his review and recommendations.

C. The division superintendent shall establish a school safety audit committee to include, if available, representatives of parents, teachers, local law-enforcement, emergency services agencies, local community services boards, and judicial and public safety personnel. The school safety audit committee shall review the completed school safety audits and submit any plans, as needed, for improving school safety to the division superintendent for submission to the local school board.

D. Each school board shall ensure that every school that it supervises shall develop a written school crisis, emergency management, and medical emergency response plan, consistent with the definition provided in this section, and shall include the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, the executive director of the relevant regional emergency medical services council, and the emergency management official of the locality, or their designees, in the development of such plans. Each school division shall designate an emergency manager. The Department of Education and the Virginia Center for School and Campus Safety shall provide technical assistance to the school divisions of the Commonwealth in the development of the school crisis, emergency management, and medical emergency response plans that describe the components of a medical emergency response plan developed in coordination with local emergency medical services providers, the training of school personnel and students to respond to a life-threatening emergency, and the equipment required for this emergency response. The local school board, the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, the executive director of the relevant regional emergency medical services council, and the emergency management official of the locality, or their designees, shall annually review the written school crisis, emergency management, and medical emergency response plans. The local school board shall have the authority to withhold or limit the review of any security plans and specific vulnerability assessment components as provided in subdivision 4 of § 2.2-3705.2. The local school division superintendent shall certify this review in writing to the Virginia Center for School and Campus Safety no later than August 31 of each year.

Upon consultation with local school boards, division superintendents, the Virginia Center for School and Campus Safety, and the Coordinator of Emergency Management, the Board of Education shall develop, and may revise as it deems necessary, a model school crisis, emergency management, and medical emergency response plan for the purpose of assisting the public schools in the Commonwealth in developing viable, effective crisis, emergency management, and medical emergency response plans. Such model shall set forth recommended effective procedures and means by which parents can contact the relevant school or school division regarding the location and safety of their school children and by which school officials may contact parents, with parental approval, during a critical event or emergency.

E. Each school board shall ensure that every public school it supervises employs at least one school administrator who has completed, either in-person or online, school safety training for public school personnel conducted by the Virginia Center for School and Campus Safety in accordance with subdivision A 1 of § 9.1-184. However, such requirement shall not apply if such required training is not available online.

F. Each division superintendent shall annually designate an employee in the local school division as the division safety official whose duty is to receive all reports required pursuant to subsection A of § 19.2-83.1 and §§ 19.2-291.1 and 19.2-299.3 and shall include such designation in the collated packet of school safety audits submitted to the Virginia Center for School and Campus Safety pursuant to subsection B. The designation required by this subsection shall include updated

contact information for the division safety official, including (i) a current mailing address, (ii) a current working daytime phone number, (iii) a current functional email address, and (iv) a current functional fax number. It shall be the duty of the division superintendent to update contact information required by this subsection within 48 hours of any change to such contact information.

CHAPTER 574

An Act to amend and reenact § 8.01-113 of the Code of Virginia, relating to title of purchase; judicial sale; application to divorce proceedings.

[H 2678]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-113 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-113. When title of purchaser at judicial sale not to be disturbed.

If a sale of property is made under a decree of a court, and such sale is confirmed, the title of the purchaser at such sale shall not be disturbed unless within ~~twelve~~ *12* months from such confirmation the sale is set aside by the trial court or an appeal is taken to the Court of Appeals or allowed by the Supreme Court, and a decree is therein afterwards entered requiring such sale to be set aside. *If a sale of property is made under a decree of a court pursuant to a divorce and such sale is confirmed, the title of the purchaser at such sale shall not be disturbed unless appealed within the time allowed by § 8.01-675.3 and, pursuant to the appeal, the sale is set aside by the trial court and a decree is therein afterwards entered requiring such sale to be set aside.* This limitation shall not affect any right of restitution of the proceeds of sale.

CHAPTER 575

An Act to amend and reenact § 16.1-69.6:1 of the Code of Virginia, relating to the maximum number of judges in each judicial district.

[H 2729]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-69.6:1 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-69.6:1. Number of judges.

For the several judicial districts there shall be full-time general district court judges and juvenile and domestic relations district court judges, the maximum number as hereinafter set forth, who shall during their service reside within their respective districts, except as provided in § 16.1-69.16, and whose compensation and powers shall be the same as now and hereafter prescribed for general district court judges and juvenile and domestic relations district court judges.

The maximum number of judges of the districts shall be as follows:

	General District Court Judges	Juvenile and Domestic Relations District Court Judges
First	4	4
Second	7	~~6~~ *7*
Two-A	2	1
Third	2	3
Fourth	6	5
Fifth	3	2
Sixth	5	3
Seventh	4	4
Eighth	3	3
Ninth	~~3~~ *4*	4
Tenth	3	3
Eleventh	3	3
Twelfth	5	6
Thirteenth	6	5
Fourteenth	5	5

Fifteenth	8	9
Sixteenth	4	6
Seventeenth	3	2
Eighteenth	2	2
Nineteenth	12	8
Twentieth	4	4
Twenty-first	2	2
Twenty-second	3	4
Twenty-third	4	5
Twenty-fourth	3	6
Twenty-fifth	4	5
Twenty-sixth	5	7
Twenty-seventh	5	5
Twenty-eighth	3	3
Twenty-ninth	2	3
Thirtieth	2	3
Thirty-first	~~5~~ *6*	6

The election or appointment of any district judge shall be subject to the provisions of § 16.1-69.9:3.

CHAPTER 576

An Act to amend and reenact § 22.1-272.1:1 of the Code of Virginia, relating to school-connected student overdoses; policies relating to parental notification; guidelines.

[H 2774]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-272.1:1 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-272.1:1. School-connected student overdose policies; parental notification; guidelines.

A. As used in this section:

"Overdose" means a life-threatening condition resulting from the consumption or use of a controlled substance.

"School-connected student overdose" means any overdose of a student enrolled in a public or private elementary or secondary school in the Commonwealth that occurs (i) on the premises of such school during regular school hours or (ii) during school-sanctioned activities whether on or off the premises of such school.

"Suspected school-connected student overdose" means a school-connected student overdose that is believed to have occurred and for which the response is the administration of naloxone, another opioid antagonist, or another similar medication with the intent to counter or temporarily reverse the effects of such overdose.

B. Each school principal or his designee shall notify the parent of each student enrolled in the relevant public elementary or secondary school within 24 hours of the earlier of (i) law enforcement or medical personnel confirming a school-connected student overdose or (ii) the school principal having knowledge of a suspected school-connected student overdose. The parental notification shall include information that is available at the time on (a) the name or any identifiable features of the controlled substance and (b) whether the confirmed or suspected overdose occurred on school premises during regular school hours or during school-sanctioned activities whether on or off school premises. The school principal or his designee shall use methods of communication for such parental notifications that are considered regular forms of communication for other schoolwide notifications. Within 24 hours after any parental notification made pursuant to this subsection, each school principal or his designee shall also provide a similar notification to the Department.

C. Each school principal or his designee shall issue an updated notification to the parent of each student in the relevant elementary or secondary school to correct any inaccuracy subsequently discovered after the initial notification made pursuant to subsection B.

D. Each principal, headmaster, or other chief administrator of each private elementary or secondary school in the Commonwealth or his designee shall notify the parent of each student enrolled in such school within 24 hours of the earlier of (i) law enforcement or medical personnel confirming a school-connected student overdose or (ii) the principal, headmaster, or other chief administrator having knowledge of a suspected school-connected student overdose. The parental notification shall include information that is available at the time on (a) the name or any identifiable features of the controlled substance and (b) whether the confirmed or suspected overdose occurred on school premises during regular

school hours or during school-sanctioned activities whether on or off school premises. The principal, headmaster, or other chief administrator or his designee shall use methods of communication for such parental notifications that are considered regular forms of communication for other schoolwide notifications. Within 24 hours after any parental notification made pursuant to this subsection, each principal, headmaster, or other chief administrator or his designee shall also provide a similar notification to the Virginia Council for Private Education.

E. Each principal, headmaster, or other chief administrator or his designee shall issue an updated notification to the parent of each student enrolled in such school to correct any inaccuracy subsequently discovered after the initial notification made pursuant to subsection D.

F. The Board shall establish *and maintain* guidelines for school-connected *student* overdose response and parental notification policies to aid local school boards *and private elementary or secondary schools* in the implementation of such policies. The guidelines shall include (i) a model action plan for each school board *and private elementary or secondary school* to follow in responding to any school-connected *student* overdose, including*, if applicable,* communicating and coordinating with (a) the Department and (b) the applicable law-enforcement liaison or the local law-enforcement agency that, pursuant to § 22.1-280.2:3, employs such school division's school ~~resources~~ *resource* officers~~, and~~*;* (ii) criteria for issuing parental ~~notification~~ *notifications pursuant to subsections B through E* to ensure sensitivity to the privacy interests of affected individuals and compliance with any applicable law, rules, or regulations relating to the disclosure and protection of a minor's personal, confidential, or otherwise sensitive information*, including the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) (FERPA) and related regulations; and (iii) guidance on (a) issuing parental notifications pursuant to subsections B through E in scenarios under which the facts or circumstances are unclear and (b) the division superintendent issuing divisionwide parental notifications of school-connected student overdoses when such notifications may be warranted, including a series of overdoses involving multiple students over a short period of time*.

G. Each school board shall adopt, implement, and maintain policies consistent with subsections B and C and the guidelines developed by the Board pursuant to subsection F. Each private elementary or secondary school shall adopt, implement, and maintain policies consistent with subsections D and E and the guidelines developed by the Board pursuant to subsection F.

H. Notwithstanding any other provision of this section, each local school board, division superintendent, and public or private elementary or secondary school administrator or other employee shall take reasonable steps to protect the privacy and dignity of individuals involved in any confirmed or suspected school-connected student overdose.

CHAPTER 577

An Act to amend and reenact § 24.2-667.1 of the Code of Virginia, relating to elections; election results; reporting; provisional ballots.

[S 1044]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-667.1 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-667.1. Reporting of results; absentee and provisional votes.

A. The general registrar shall report to the Department for each precinct in his locality the number and results of absentee ballots cast by voters assigned to such precinct. Results from absentee voting and voting at the precinct on election day shall be reported separately. The general registrar shall also report to the Department ~~of Elections~~ the number and results of absentee ballots cast early in person pursuant to § 24.2-701.1 separately from the number and results of all other absentee ballots. The Department shall establish standards for ascertaining and reporting such information. *Such standards shall direct that all results be posted promptly and no later than 5:00 p.m. on the tenth day after the election day.*

B. The general registrar shall report to the Department for each precinct in his locality the total number of provisional ballots cast, the number of those provisional ballots determined to be valid by the electoral board, and the results of such valid provisional ballots by voters assigned to such precinct. Results from provisional voting and voting at the precinct on election day shall be reported separately. The Department shall establish standards for ascertaining and reporting such information. Such standards shall direct that all results be posted promptly and no later than 5:00 p.m. on the tenth day after the election day.

CHAPTER 578

An Act to amend the Code of Virginia by adding a section numbered 22.1-289.3, relating to Board of Education; support services personnel; annual collection of certain staffing data required; report.

[S 968]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-289.3 as follows:

§ 22.1-289.3. Support services personnel; staffing and data collection requirements; report.

A. As used in this section, "support services personnel" includes personnel employed in specialized student support positions as described in subsection O of § 22.1-253.13:2 and personnel employed in support services positions described in subsection P of § 22.1-253.13:2.

B. Each school board shall annually collect and submit to the Department a report on data on the average salaries of support services personnel employed by each such school board. Each school board shall disaggregate the data on the average salaries of support services personnel by the applicable career categories set forth in subsections O and P of § 22.1-253.13:2.

C. The Department shall, beginning with the fiscal year ending June 30, 2026, annually compile, include in the Annual School Report, and publicly post in a clear and accessible format on the Department's website the data submitted by each school board pursuant to subsection B. The Department shall ensure that the data as included in the Annual School Report and posted on the Department's website is disaggregated by the career categories described in subsection B and permits, where applicable, comparison of such data across school divisions.

2. That each school board shall start collecting the data required pursuant to § 22.1-289.3 of the Code of Virginia, as created by this act, beginning with the 2025–2026 school year.

CHAPTER 579

An Act to amend and reenact §§ 46.2-1500 and 46.2-1573.13 of the Code of Virginia, relating to trailer franchise requirements; applicability to certain trailers.

[S 1004]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-1500 and 46.2-1573.13 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-1500. Definitions.

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

"Affiliate" means any entity in which a manufacturer, factory branch, distributor, or distributor branch has voting control or owns at least 51 percent of the ownership equity, or any entity in which another entity has voting control or owns at least 51 percent of the ownership equity and also has voting control and owns at least 51 percent of the ownership of a manufacturer, factory branch, distributor, or distributor branch. An entity that provides vehicle purchase or lease financing that uses the name of the manufacturer or distributor, or the name of any line make of the manufacturer or distributor, in the name of the entity under which it transacts business with a consumer, other than in the name of an individual product offered by the entity, shall be considered an "affiliate."

"Board" means the Motor Vehicle Dealer Board.

"Camping trailer" means a recreational vehicle constructed with collapsible partial side walls that fold for towing by a consumer-owned tow vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use.

"Certificate of origin" means the document provided by the manufacturer of a new motor vehicle or new trailer, or its distributor, which is the only valid indication of ownership between the manufacturer, its distributor, its franchised motor vehicle dealers, and the original purchaser not for resale.

"Dealer-operator" means the individual who works at the established place of business of a dealer and who is responsible for and in charge of day-to-day operations of that place of business.

"Demonstrator" means a new motor vehicle having a gross vehicle weight rating of less than 16,000 pounds that (i) has more than 750 miles accumulated on its odometer that has been driven by dealer personnel or by prospective purchasers during the course of selling, displaying, demonstrating, showing, or exhibiting it and (ii) may be sold as a new motor vehicle, provided the dealer complies with the provisions of subsection D of § 46.2-1530.

"Distributor" means a person who is licensed by the Department under this chapter and who sells or distributes new motor vehicles or new trailers pursuant to a written agreement with the manufacturer to franchised motor vehicle dealers in the Commonwealth.

"Distributor branch" means a branch office licensed by the Department under this chapter and maintained by a distributor for the sale of motor vehicles to motor vehicle dealers or for directing or supervising, in whole or in part, its representatives in the Commonwealth.

"Distributor representative" means a person who is licensed by the Department under this chapter and employed by a distributor or by a distributor branch, for the purpose of making or promoting the sale of motor vehicles or for supervising or contacting its dealers, prospective dealers, or representatives in the Commonwealth.

"Factory branch" means a branch office maintained by a person for the sale of motor vehicles to distributors or for the sale of motor vehicles to motor vehicle dealers, or for directing or supervising, in whole or in part, its representatives in the Commonwealth.

"Factory representative" means a person who is licensed by the Department under this chapter and employed by a person who manufactures or assembles motor vehicles or by a factory branch for the purpose of making or promoting the

sale of its motor vehicles or for supervising or contacting its dealers, prospective dealers, or representatives in the Commonwealth.

"Factory repurchase motor vehicle" means a motor vehicle sold, leased, rented, consigned, or otherwise transferred to a person under an agreement that the motor vehicle will be resold or otherwise retransferred only to the manufacturer or distributor of the motor vehicle, and which is reacquired by the manufacturer or distributor, or its agents.

"Family member" means a person who either (i) is the spouse, child, grandchild, spouse of a child, spouse of a grandchild, brother, sister, or parent of the dealer or owner or (ii) has been employed continuously by the dealer for at least five years.

"Franchise" means a written contract or agreement between two or more persons whereby one person, the franchisee, is granted the right to engage in the business of offering and selling, offering and delivering pursuant to a lease, servicing, or offering, selling, and servicing ~~new motor vehicles or~~ new trailers *with a gross vehicle weight rating of more than 30,000 pounds or new motor vehicles* of a particular line-make or late model or used motor vehicles of a particular line-make manufactured or distributed by the grantor of the right, the franchisor, and where the operation of the franchisee's business is substantially associated with the franchisor's trademark, trade name, advertising, or other commercial symbol designating the franchisor, the motor vehicle or its manufacturer or distributor. "Franchise" includes any severable part or parts of a franchise agreement which separately provides for selling and servicing different line-makes of the franchisor.

"Franchised late model or franchised used motor vehicle dealer" means a dealer selling used motor vehicles, including vehicles purchased from the franchisor, under the trademark of a manufacturer or distributor that has a franchise agreement with a manufacturer or distributor.

"Franchised motor vehicle dealer" or "franchised dealer" means a dealer in ~~new motor vehicles or~~ new trailers *with a gross vehicle weight rating of more than 30,000 pounds or new motor vehicles* that has a franchise agreement with a manufacturer or distributor of ~~new motor vehicles or~~ new trailers *with a gross vehicle weight rating of more than 30,000 pounds or new motor vehicles* to sell ~~new motor vehicles or~~ new trailers *with a gross vehicle weight rating of more than 30,000 pounds or new motor vehicles* or to sell used motor vehicles under the trademark of a manufacturer or distributor regardless of the age of the motor vehicles.

"Fund" means the Motor Vehicle Dealer Board Fund.

"Independent motor vehicle dealer" means a dealer in used motor vehicles.

"Late model motor vehicle" means a motor vehicle of the current model year and the immediately preceding model year.

"Line-make" means the name of the motor vehicle manufacturer or distributor and a brand or name plate marketed by the manufacturer or distributor. The line-make of a motorcycle manufacturer, factory branch, distributor, or distributor branch includes every brand of all-terrain vehicle, autocycle, and off-road motorcycle manufactured or distributed bearing the name of the motorcycle manufacturer or distributer.

"Manufactured home dealer" means any person licensed as a manufactured home dealer under Chapter 4.2 (§ 36-85.16 et seq.) of Title 36.

"Manufacturer" means a person who is licensed by the Department under this chapter and engaged in the business of constructing or assembling new motor vehicles or new trailers and, in the case of trucks, recreational vehicles, and motor homes, also means a person engaged in the business of manufacturing engines, transmissions, power trains, or rear axles, when such engines, transmissions, power trains, or rear axles are not warranted by the final manufacturer or assembler of the truck, recreational vehicle, or motor home.

"Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any vehicle within the term "farm tractor" or "moped" as defined in § 46.2-100. Except as otherwise provided, for the purposes of this chapter, all-terrain vehicles, autocycles, and off-road motorcycles are deemed to be motorcycles.

"Motor home" means a motorized recreational vehicle designed to provide temporary living quarters for recreational, camping, or travel use that contains at least four of the following permanently installed independent life support systems that meet the National Fire Protection Association standards for recreational vehicles: (i) a cooking facility with an onboard fuel source; (ii) a potable water supply system that includes at least a sink, a faucet, and a water tank with an exterior service supply connection; (iii) a toilet with exterior evacuation; (iv) a gas or electric refrigerator; (v) a heating or air conditioning system with an onboard power or fuel source separate from the vehicle engine; or (vi) a 110-125 volt electric power supply.

"Motor vehicle" means the same as provided in § 46.2-100, except, for the purposes of this chapter, "motor vehicle" includes trailers, as defined in this section, and does not include (i) manufactured homes, sales of which are regulated under Chapter 4.2 (§ 36-85.16 et seq.) of Title 36; (ii) nonrepairable vehicles, as defined in § 46.2-1600; (iii) salvage vehicles, as defined in § 46.2-1600; or (iv) mobile cranes that exceed the size or weight limitations as set forth in § 46.2-1105, 46.2-1110, or 46.2-1113 or Article 17 (§ 46.2-1122 et seq.) of Chapter 10.

"Motor vehicle dealer" or "dealer" means any person who:

1. For commission, money, or other thing of value, buys for resale, sells, or exchanges, either outright or on conditional sale, lease, chattel mortgage, or other similar transaction or arranges or offers or attempts to solicit or negotiate on behalf of others the sale, purchase, or exchange of, either outright or on conditional sale, lease, chattel mortgage, or other similar transaction, an interest in new motor vehicles, new and used motor vehicles, or used motor vehicles alone, whether or not the motor vehicles are owned by him; or

2. Is wholly or partly engaged in the business of selling new motor vehicles, new and used motor vehicles, or used motor vehicles only, whether or not the motor vehicles are owned by him.

Any person who offers to sell, sells, displays, or permits the display for sale, of five or more motor vehicles within any 12 consecutive months is presumed to be a motor vehicle dealer and may rebut the presumption by a preponderance of the evidence.

For the purposes of Article 7.2 (§ 46.2-1573.2 et seq.), "dealer" means recreational vehicle dealer. For the purposes of Article 7.3 (§ 46.2-1573.13 et seq.), "dealer" means ~~trailer dealer and~~ watercraft trailer dealer *and trailer dealer of new trailers with a gross vehicle weight rating of more than 30,000 pounds*. For the purposes of Article 7.4 (§ 46.2-1573.25 et seq.), "dealer" means motorcycle dealer.

"Motor vehicle dealer" or "dealer" does not include:

1. Receivers, trustees, administrators, executors, guardians, conservators or other persons appointed by or acting under judgment or order of any court or their employees when engaged in the specific performance of their duties as employees.

2. Public officers, their deputies, assistants, or employees, while performing their official duties.

3. Persons other than business entities primarily engaged in the leasing or renting of motor vehicles to others when selling or offering such vehicles for sale at retail, disposing of motor vehicles acquired for their own use and actually so used, when the vehicles have been so acquired and used in good faith and not for the purpose of avoiding the provisions of this chapter.

4. Persons dealing solely in the sale and distribution of fire-fighting vehicles, ambulances, and funeral vehicles, including motor vehicles adapted therefor; however, this exemption shall not exempt any person from the provisions of §§ 46.2-1519, 46.2-1520, and 46.2-1548.

5. Any financial institution chartered or authorized to do business under the laws of the Commonwealth or the United States which may have received title to a motor vehicle in the normal course of its business by reason of a foreclosure, other taking, repossession, or voluntary reconveyance to that institution occurring as a result of any loan secured by a lien on the vehicle.

6. An employee of an organization arranging for the purchase or lease by the organization of vehicles for use in the organization's business.

7. Any person licensed to sell real estate who sells a manufactured home or similar vehicle in conjunction with the sale of the parcel of land on which the manufactured home or similar vehicle is located.

8. Any person who permits the operation of a motor vehicle show or permits the display of motor vehicles for sale by any motor vehicle dealer licensed under this chapter.

9. An insurance company authorized to do business in the Commonwealth that sells or disposes of vehicles under a contract with its insured in the regular course of business.

10. Any publication, broadcast, or other communications media when engaged in the business of advertising, but not otherwise arranging for the sale of vehicles owned by others.

11. Any person dealing solely in the sale or lease of vehicles designed exclusively for off-road use.

12. Any credit union authorized to do business in Virginia, provided the credit union does not receive a commission, money, or other thing of value directly from a motor vehicle dealer.

13. Any person licensed as a manufactured home dealer, broker, manufacturer, or salesperson under Chapter 4.2 (§ 36-85.16 et seq.) of Title 36.

14. The State Department of Social Services or local departments of social services.

15. Any person dealing solely in the sale and distribution of utility or cargo trailers that have unloaded weights of 3,000 pounds or less; however, this exemption shall not exempt any person who deals in stock trailers or watercraft trailers.

16. Any motor vehicle manufacturer or distributor selling a new motor vehicle at wholesale to its franchised dealer or a used motor vehicle to a licensed dealer.

For the purposes of Article 7 (§ 46.2-1566 et seq.), "dealer" does not include recreational vehicle dealers, trailer dealers, watercraft trailer dealers, or motorcycle dealers.

"Motor vehicle salesperson" or "salesperson" means (i) any person who is hired as an employee by a motor vehicle dealer to sell or exchange motor vehicles and who receives or expects to receive a commission, fee, or any other consideration from the dealer; (ii) any person who supervises salespersons employed by a motor vehicle dealer, whether compensated by salary or by commission; (iii) any person, compensated by salary or commission by a motor vehicle dealer, who negotiates with or induces a customer to enter into a security agreement on behalf of a dealer; or (iv) any person who is licensed as a motor vehicle dealer and who sells or exchanges motor vehicles. For purposes of this section, any person who is an independent contractor as defined by the United States Internal Revenue Code shall be deemed not to be a motor vehicle salesperson.

"Motor vehicle show" means a display of motor vehicles to the general public at a location other than a dealer's location licensed under this chapter where the vehicles are not being offered for sale or exchange during or as part of the display.

"New motor vehicle" means any vehicle, excluding trailers, that is in the possession of the manufacturer, factory branch, distributor, distributor branch, or motor vehicle dealer and for which an original title has not been issued by the Department or by the issuing agency of any other state and has less than 7,500 miles accumulated on its odometer.

"New trailer" means any trailer that (i) has not been previously sold except in good faith for the purpose of resale; (ii) has not been used as a rental, driver education, or demonstration trailer or for the personal or business transportation of the manufacturer, distributor, dealer, or any of its employees; (iii) has not been used except for limited use necessary in moving or road testing the trailer prior to delivery to a customer; (iv) is transferred by a certificate of origin; and (v) has the manufacturer's certification that it conforms to all applicable federal trailer safety and emission standards. Notwithstanding clauses (i) and (iii), a trailer that has been previously sold but not titled shall be deemed a new trailer if it meets the requirements of clauses (ii), (iv), and (v).

"Original license" means a motor vehicle dealer license issued to an applicant who has never been licensed as a motor vehicle dealer in Virginia or whose Virginia motor vehicle dealer license has been expired for more than 30 days.

"Recreational vehicle" or "RV" means a vehicle that (i) is either self-propelled or towed by a consumer-owned tow vehicle, (ii) is primarily designed to provide temporary living quarters for recreational, camping, or travel use; and (iii) complies with all applicable federal vehicle regulations and does not require a special movement permit to legally use the highways. Recreational vehicle includes motor homes, travel trailers, and camping trailers.

"Relevant market area" means as follows:

1. For motor vehicle dealers except motorcycle dealers, in metropolitan localities the relevant market area shall be a circular area around an existing franchised dealer with a population of 250,000, not to exceed a radius of 10 miles, but in no case less than seven miles.

2. For motor vehicle dealers except motorcycle dealers, if the population in a circular area within a radius of 10 miles around an existing franchised dealer is less than 250,000, but the population in an area within a radius of 15 miles around an existing franchised dealer is 150,000 or more, the relevant market area shall be that circular area within the 15-mile radius.

3. For motor vehicle dealers except motorcycle dealers, in all other cases the relevant market area shall be a circular area within a radius of 20 miles around an existing franchised dealer or the area of responsibility defined in the franchise agreement, whichever is greater. In any case where the franchise agreement is silent as to area of responsibility, the relevant market area shall be the greater of a circular area within a radius of 20 miles around an existing franchised dealer or that area in which the franchisor otherwise requires the franchisee to make significant retail sales or sales efforts.

4. For motorcycle dealers, the relevant market area shall be a circular area within a radius of 20 miles if the population within such area around an existing franchised dealer location is one million or more. If the population in a circular area within a 20-mile radius is less than one million, the relevant market area shall be a circular area within a radius of 30 miles. If the population within a 30-mile radius is less than one million, the relevant market area shall be a circular area within a radius of 40 miles. In all cases, the relevant market area shall be the area described above or the area of responsibility defined in the franchise agreement, whichever is greater. In addition, the relevant market area shall include that area in which the franchisor otherwise requires the franchisee to make significant retail sales or sales efforts.

Notwithstanding the foregoing provision of this section, in the case of dealers in motor vehicles with gross vehicle weight ratings of 26,000 pounds or greater, excluding recreational vehicles, the relevant market area with respect to the dealer's franchise for all such vehicles shall be a circular area around an existing franchised dealer with a radius of 25 miles, except where the population in such circular area is less than 250,000, in which case the relevant market area shall be a circular area around an existing franchised dealer with a radius of 50 miles, or the area of responsibility defined in the franchise, whichever is greater.

In determining population for relevant market areas, the most recent census by the U.S. Bureau of the Census or the most recent population update, either from the National Planning Data Corporation or other similar recognized source, shall be accumulated for all census tracts either wholly or partially within the relevant market area.

"Retail installment sale" means every sale of one or more motor vehicles to a buyer for his use and not for resale, in which the price of the vehicle is payable in one or more installments and in which the seller has either retained title to the goods or has taken or retained a security interest in the goods under form of contract designated either as a security agreement, conditional sale, bailment lease, chattel mortgage, or otherwise.

"Sale at retail" or "retail sale" means the act or attempted act of selling, bartering, exchanging, or otherwise disposing of a motor vehicle to a buyer for his personal use and not for resale.

"Sale at wholesale" or "wholesale" means a sale to motor vehicle dealers or wholesalers other than to consumers; a sale to one who intends to resell.

"Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with another motor vehicle that some part of its own weight and that of its own load rests on or is carried by another vehicle.

"Tractor truck" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached thereto.

"Trailer" means every vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by another motor vehicle, including semitrailers but not manufactured homes, watercraft trailers, camping trailers, or travel trailers.

"Travel trailer" means a vehicle designed to provide temporary living quarters for recreational, camping, or travel use of such size or weight so as not to require a special highway movement permit when towed by a consumer-owned tow vehicle.

"Used motor vehicle" means any vehicle other than a new motor vehicle as defined in this section.

"Watercraft trailer" means any new or used trailer specifically designed to carry a watercraft or a motorboat and purchased, sold, or offered for sale by a watercraft dealer licensed under Chapter 8 (§ 29.1-800 et seq.) of Title 29.1.

"Watercraft trailer dealer" means any watercraft dealer licensed under Chapter 8 (§ 29.1-800 et seq.) of Title 29.1.

"Wholesale auction" means an auction of motor vehicles restricted to sales at wholesale.

§ 46.2-1573.13. Applicability of requirements to certain trailers.

A. For the purposes of this article:

"Dealer" and "trailer dealer" includes watercraft trailer dealers *and dealers of new trailers with a gross vehicle weight rating of more than 30,000 pounds*.

"Trailer" includes watercraft trailers *and new trailers with a gross vehicle weight rating of more than 30,000 pounds*.

B. The provisions of this article shall only apply to the sale, exchange, construction, or assembly of watercraft trailers and new trailers with a gross vehicle weight rating of more than 30,000 pounds.

CHAPTER 580

An Act to amend the Code of Virginia by adding in Title 30 a chapter numbered 69, consisting of sections numbered 30-447 through 30-453, relating to Commission on Women's Health established; report.

[S 1120]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 69, consisting of sections numbered 30-447 through 30-453, as follows:

CHAPTER 69.

COMMISSION ON WOMEN'S HEALTH.

§ 30-447. Commission on Women's Health; purpose.

The Commission on Women's Health (the Commission) is established as a commission in the legislative branch of state government. The purpose of the Commission is to study, report, and make recommendations on issues related to women's health, including maternal health.

§ 30-448. Membership; terms; vacancies; chair and vice-chair.

The Commission shall consist of 15 members that include 10 legislative members and five nonlegislative citizen members. Members shall be appointed as follows: six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; four members of the Senate to be appointed by the Senate Committee on Rules; two nonlegislative citizen members with significant experience or expertise in women's or maternal health policy to be appointed by the Speaker of the House of Delegates; and three nonlegislative citizen members with significant experience or expertise in women's or maternal health policy to be appointed by the Senate Committee on Rules. Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chair of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

Legislative members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members and nonlegislative citizen members may be reappointed. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

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

§ 30-449. Quorum; meetings; voting on recommendations.

A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chair or whenever the majority of the members so request.

No recommendation of the Commission shall be adopted if a majority of the House members or a majority of the Senate members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.

§ 30-450. Compensation; expenses.

Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee.

§ 30-451. Powers and duties of the Commission.

The Commission shall have the following powers and duties:

1. Study and evaluate issues related to women's health, including maternal health, mental health, access to reproductive care, chronic conditions, and health outcomes;

2. Examine the intersection of social determinants of health and their impact on women's health outcomes;

3. Conduct public hearings, facilitate stakeholder engagement, and consult with subject-matter experts as necessary;

4. Identify systemic barriers to equitable health care access for women and recommend policies to address such barriers; and

5. Develop and make recommendations to the General Assembly for legislative, regulatory, and budgetary changes or policies to improve women's health outcomes in the Commonwealth.

§ 30-452. Staffing.

The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission. Staff shall perform those duties assigned to it by the Commission. The Commission may also consult or contract with experts who have knowledge of the issues before it within the amounts appropriated for such purpose. The Department of Health, the Department of Medical Assistance Services, and all other agencies of the Commonwealth shall provide assistance to the Commission upon request of the Commission.

§ 30-453. Executive summary of activity and work of the Commission.

The chair shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than December 1 of each year. Such executive summary shall include any legislative, regulatory, or budgetary changes or policies recommended by the Commission. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

2. That, for its first year of existence, if the Commission on Women's Health (the Commission) is not funded by a separate appropriation in the appropriation act, the Commission may be funded from the operating budgets of the Clerk of the House of Delegates and the Clerk of the Senate upon the approval of the Joint Rules Committee. If the Commission is not funded by a separate appropriation in the appropriation act for any year thereafter, this chapter shall expire on July 1 of the fiscal year in which the Commission fails to receive such funding.

CHAPTER 581

An Act to amend and reenact § 22.1-279.8 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-23.6, relating to Department of Education; development of guidelines and information relating to virtual or online learning; public health emergencies.

[S 1380]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-279.8 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-23.6 as follows:

§ 22.1-23.6. Guidelines relating to virtual or online learning.

A. The Department shall develop and post on its official website guidelines and information relating to virtual learning, including (i) statewide policies relating to virtual learning, (ii) the availability of online or virtual learning options and pertinent information on such options, and (iii) guidelines for educators and schools relating to online or virtual learning policies and best practices. In addition, the Department shall provide for the guidelines to allow dissemination to each school board for distribution to parents.

B. The guidelines established by the Department pursuant to this section shall be updated annually.

§ 22.1-279.8. School safety audits and school crisis, emergency management, and medical emergency response plans required.

A. For the purposes of this section, unless the context requires otherwise:

"School crisis, emergency management, and medical emergency response plan" means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, tornadoes, or other severe weather; loss or disruption of power, water, communications or shelter; bus or other accidents; medical emergencies, including cardiac arrest and other life-threatening medical emergencies; student or staff member deaths; explosions; bomb threats; gun, knife or other weapons threats; spills or exposures to hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance or kidnapping of a student; hostage situations; violence on school property or at school activities; incidents involving acts of terrorism; and other incidents posing a serious threat of harm to students, personnel, or facilities. The plan shall include a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § 19.2-11.01. The Department of Criminal Justice Services and the Virginia Criminal Injuries

Compensation Fund shall be the lead coordinating agencies for those individuals determined to be victims, and the plan shall also contain current contact information for both agencies.

"School safety audit" means a written assessment of the safety conditions in each public school to (i) identify and, if necessary, develop solutions for physical safety concerns, including building security issues, and (ii) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses shall include recommendations for structural adjustments, changes in school safety procedures, and revisions to the school board's standards for student conduct.

B. The Virginia Center for School and Campus Safety, in consultation with the Department of Education, shall develop a list of items to be reviewed and evaluated in the school safety audits required by this section. Such items shall include (i) those incidents reported to school authorities pursuant to § 22.1-279.3:1; (ii) a school inspection walk-through using a standardized checklist provided by the Virginia Center for School and Campus Safety, which shall incorporate crime prevention through environmental design principles; and (iii) specific technology systems, including physical security technologies, emergency telecommunication systems, and associated technology including equipment and software.

The Virginia Center for School and Campus Safety shall prescribe a standardized report format for school safety audits, additional reporting criteria, and procedures for report submission, which may include instructions for electronic submission.

Each local school board shall require all schools under its supervisory control to annually conduct school safety audits, as defined in this section, consistent with such list and in collaboration with the chief law-enforcement officer of the locality or his designee. As part of each such audit, the school board shall create a detailed and accurate floor plan for each public school building in the local school division or shall certify that the existing floor plan for each such school is sufficiently detailed and accurate. *In addition, a component of each such audit shall include a review of the school's comprehensive plan for closures during public health emergencies.*

The results of such school safety audits shall be made public within 90 days of completion pursuant to this subsection. The local school board shall retain authority to withhold or limit the release of any security plans, walk-through checklists, floor plans, and specific vulnerability assessment components as provided in subdivision 4 of § 2.2-3705.2. The completed walk-through checklist shall be made available to the chief law-enforcement officer of the locality or his designee. Each school shall maintain a copy of the school safety audit, which may exclude such security plans, walk-through checklists, and vulnerability assessment components, within the office of the school principal and shall make a copy of such report available for review upon written request.

Each school shall submit a copy of its school safety audit to the relevant school division superintendent. The division superintendent shall collate and submit all such school safety audits, in the prescribed format and manner of submission, to the Virginia Center for School and Campus Safety and shall make available to the chief law-enforcement officer of the locality the results of such audits for his review and recommendations.

C. The division superintendent shall establish a school safety audit committee to include, if available, representatives of parents, teachers, local law-enforcement, emergency services agencies, local community services boards, and judicial and public safety personnel. The school safety audit committee shall review the completed school safety audits and submit any plans, as needed, for improving school safety to the division superintendent for submission to the local school board.

D. Each school board shall ensure that every school that it supervises shall develop a written school crisis, emergency management, and medical emergency response plan, consistent with the definition provided in this section, and shall include the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, the executive director of the relevant regional emergency medical services council, and the emergency management official of the locality, or their designees, in the development of such plans. Each school division shall designate an emergency manager. The Department of Education and the Virginia Center for School and Campus Safety shall provide technical assistance to the school divisions of the Commonwealth in the development of the school crisis, emergency management, and medical emergency response plans that describe the components of a medical emergency response plan developed in coordination with local emergency medical services providers, the training of school personnel and students to respond to a life-threatening emergency, and the equipment required for this emergency response. The local school board, the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, the executive director of the relevant regional emergency medical services council, and the emergency management official of the locality, or their designees, shall annually review the written school crisis, emergency management, and medical emergency response plans. The local school board shall have the authority to withhold or limit the review of any security plans and specific vulnerability assessment components as provided in subdivision 4 of § 2.2-3705.2. The local school division superintendent shall certify this review in writing to the Virginia Center for School and Campus Safety no later than August 31 of each year.

Upon consultation with local school boards, division superintendents, the Virginia Center for School and Campus Safety, and the Coordinator of Emergency Management, the Board of Education shall develop, and may revise as it deems necessary, a model school crisis, emergency management, and medical emergency response plan for the purpose of assisting the public schools in the Commonwealth in developing viable, effective crisis, emergency management, and medical emergency response plans. Such model shall set forth recommended effective procedures and means by which parents can contact the relevant school or school division regarding the location and safety of their school children and by which school officials may contact parents, with parental approval, during a critical event or emergency.

E. Each school board shall ensure that every public school it supervises employs at least one school administrator who has completed, either in-person or online, school safety training for public school personnel conducted by the Virginia Center for School and Campus Safety in accordance with subdivision A 1 of § 9.1-184. However, such requirement shall not apply if such required training is not available online.

F. Each division superintendent shall annually designate an employee in the local school division as the division safety official whose duty is to receive all reports required pursuant to subsection A of § 19.2-83.1 and §§ 19.2-291.1 and 19.2-299.3 and shall include such designation in the collated packet of school safety audits submitted to the Virginia Center for School and Campus Safety pursuant to subsection B. The designation required by this subsection shall include updated contact information for the division safety official, including (i) a current mailing address, (ii) a current working daytime phone number, (iii) a current functional email address, and (iv) a current functional fax number. It shall be the duty of the division superintendent to update contact information required by this subsection within 48 hours of any change to such contact information.

CHAPTER 582

An Act to amend and reenact § 16.1-69.6:1 of the Code of Virginia, relating to the maximum number of judges in each judicial district.

[S 1327]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-69.6:1 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-69.6:1. Number of judges.

For the several judicial districts there shall be full-time general district court judges and juvenile and domestic relations district court judges, the maximum number as hereinafter set forth, who shall during their service reside within their respective districts, except as provided in § 16.1-69.16, and whose compensation and powers shall be the same as now and hereafter prescribed for general district court judges and juvenile and domestic relations district court judges.

The maximum number of judges of the districts shall be as follows:

	General District Court Judges	Juvenile and Domestic Relations District Court Judges
First	4	4
Second	7	~~6~~ *7*
Two-A	2	1
Third	2	3
Fourth	6	5
Fifth	3	2
Sixth	5	3
Seventh	4	4
Eighth	3	3
Ninth	~~3~~ *4*	4
Tenth	3	3
Eleventh	3	3
Twelfth	5	6
Thirteenth	6	5
Fourteenth	5	5
Fifteenth	8	9
Sixteenth	4	6
Seventeenth	3	2
Eighteenth	2	2
Nineteenth	12	8
Twentieth	4	4
Twenty-first	2	2
Twenty-second	3	4

Twenty-third	4	5
Twenty-fourth	3	6
Twenty-fifth	4	5
Twenty-sixth	5	7
Twenty-seventh	5	5
Twenty-eighth	3	3
Twenty-ninth	2	3
Thirtieth	2	3
Thirty-first	~~5~~ *6*	6

The election or appointment of any district judge shall be subject to the provisions of § 16.1-69.9:3.

CHAPTER 583

An Act to amend and reenact § 22.1-272.1:1 of the Code of Virginia, relating to school-connected student overdoses; policies relating to parental notification; guidelines.

[S 1240]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-272.1:1 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-272.1:1. School-connected student overdose policies; parental notification; guidelines.

A. As used in this section:

"Overdose" means a life-threatening condition resulting from the consumption or use of a controlled substance.

"School-connected student overdose" means any overdose of a student enrolled in a public or private elementary or secondary school in the Commonwealth that occurs (i) on the premises of such school during regular school hours or (ii) during school-sanctioned activities whether on or off the premises of such school.

"Suspected school-connected student overdose" means a school-connected student overdose that is believed to have occurred and for which the response is the administration of naloxone, another opioid antagonist, or another similar medication with the intent to counter or temporarily reverse the effects of such overdose.

B. Each school principal or his designee shall notify the parent of each student enrolled in the relevant public elementary or secondary school within 24 hours of the earlier of (i) law enforcement or medical personnel confirming a school-connected student overdose or (ii) the school principal having knowledge of a suspected school-connected student overdose. The parental notification shall include information that is available at the time on (a) the name or any identifiable features of the controlled substance and (b) whether the confirmed or suspected overdose occurred on school premises during regular school hours or during school-sanctioned activities whether on or off school premises. The school principal or his designee shall use methods of communication for such parental notifications that are considered regular forms of communication for other schoolwide notifications. Within 24 hours after any parental notification made pursuant to this subsection, each school principal or his designee shall also provide a similar notification to the Department.

C. Each school principal or his designee shall issue an updated notification to the parent of each student in the relevant elementary or secondary school to correct any inaccuracy subsequently discovered after the initial notification made pursuant to subsection B.

D. Each principal, headmaster, or other chief administrator of each private elementary or secondary school in the Commonwealth or his designee shall notify the parent of each student enrolled in such school within 24 hours of the earlier of (i) law enforcement or medical personnel confirming a school-connected student overdose or (ii) the principal, headmaster, or other chief administrator having knowledge of a suspected school-connected student overdose. The parental notification shall include information that is available at the time on (a) the name or any identifiable features of the controlled substance and (b) whether the confirmed or suspected overdose occurred on school premises during regular school hours or during school-sanctioned activities whether on or off school premises. The principal, headmaster, or other chief administrator or his designee shall use methods of communication for such parental notifications that are considered regular forms of communication for other schoolwide notifications. Within 24 hours after any parental notification made pursuant to this subsection, each principal, headmaster, or other chief administrator or his designee shall also provide a similar notification to the Virginia Council for Private Education.

E. Each principal, headmaster, or other chief administrator or his designee shall issue an updated notification to the parent of each student enrolled in such school to correct any inaccuracy subsequently discovered after the initial notification made pursuant to subsection D.

F. The Board shall establish *and maintain* guidelines for school-connected *student* overdose response and parental notification policies to aid local school boards *and private elementary or secondary schools* in the implementation of such policies. The guidelines shall include (i) a model action plan for each school board *and private elementary or secondary*

school to follow in responding to any school-connected *student* overdose, including*, if applicable,* communicating and coordinating with (a) the Department and (b) the applicable law-enforcement liaison or the local law-enforcement agency that, pursuant to § 22.1-280.2:3, employs such school division's school ~~resources~~ *resource* officers~~, and~~*;* (ii) criteria for issuing parental ~~notification~~ *notifications pursuant to subsections B through E* to ensure sensitivity to the privacy interests of affected individuals and compliance with any applicable law, rules, or regulations relating to the disclosure and protection of a minor's personal, confidential, or otherwise sensitive information*, including the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) (FERPA) and related regulations; and (iii) guidance on (a) issuing parental notifications pursuant to subsections B through E in scenarios under which the facts or circumstances are unclear and (b) the division superintendent issuing divisionwide parental notifications of school-connected student overdoses when such notifications may be warranted, including a series of overdoses involving multiple students over a short period of time*.

G. Each school board shall adopt, implement, and maintain policies consistent with subsections B and C and the guidelines developed by the Board pursuant to subsection F. Each private elementary or secondary school shall adopt, implement, and maintain policies consistent with subsections D and E and the guidelines developed by the Board pursuant to subsection F.

H. Notwithstanding any other provision of this section, each local school board, division superintendent, and public or private elementary or secondary school administrator or other employee shall take reasonable steps to protect the privacy and dignity of individuals involved in any confirmed or suspected school-connected student overdose.

CHAPTER 584

An Act to amend and reenact §§ 24.2-310, 24.2-604, 24.2-701.2, and 24.2-1003 of the Code of Virginia, relating to elections; prohibited activities; distribution of ballot measure materials.

[S 1174]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-310, 24.2-604, 24.2-701.2, and 24.2-1003 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-310. Requirements for polling places.

A. The polling place for each precinct shall be located within the county or city and either within the precinct or within one mile of the precinct boundary, unless a waiver has been granted pursuant to subsection G. The polling place for a county precinct may be located within a city (i) if the city is wholly contained within the county election district served by the precinct or (ii) if the city is wholly contained within the county and the polling place is located on property owned by the county. The polling place for a town precinct may be located within one mile of the precinct and town boundary. For town elections held in November, the town shall use the polling places established by the county for its elections.

B. The governing body of each county, city, and town shall provide funds to enable the general registrar to provide adequate facilities at each polling place for the conduct of elections. Each polling place shall be located in a public building whenever practicable. If more than one polling place is located in the same building, each polling place shall be located in a separate room or separate and defined space.

C. Polling places shall be accessible to qualified voters as required by the provisions of the Virginians with Disabilities Act (§ 51.5-1 et seq.), the Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. § 20101 et seq.), and the Americans with Disabilities Act relating to public services (42 U.S.C. § 12131 et seq.). The State Board shall provide instructions to the local electoral boards and general registrars to assist the localities in complying with the requirements of the Acts.

D. If an emergency makes a polling place unusable or inaccessible, the electoral board or the general registrar shall provide an alternative polling place and give notice of the change in polling place, including to all candidates, or such candidate's campaign, appearing on the ballot to be voted at the alternative polling place, subject to the prior approval of the State Board. The general registrar shall provide notice to the voters appropriate to the circumstances of the emergency. For the purposes of this subsection, an "emergency" means a rare and unforeseen combination of circumstances, or the resulting state, that calls for immediate action.

E. It shall be permissible to distribute campaign *and referendum* materials on the election day on the property on which a polling place is located and outside of the building containing the room where the election is conducted except as specifically prohibited by law including, without limitation, the prohibitions of § 24.2-604 and the establishment of the "Prohibited Area" within 40 feet of any entrance to the polling place. However, and notwithstanding the provisions of clause (i) of subsection A of § 24.2-604, and upon the approval of the local electoral board, campaign *and referendum* materials may be distributed outside the polling place and inside the structure where the election is conducted, provided that the "Prohibited Area" (i) includes the area within the structure that is beyond 40 feet of any entrance to the polling place and the area within the structure that is within 40 feet of any entrance to the room where the election is conducted and (ii) is maintained and enforced as provided in § 24.2-604. The local electoral board may approve campaigning activities inside the building where the election is conducted when an entrance to the building is from an adjoining building, or if establishing

the 40-foot prohibited area outside the polling place would hinder or delay a qualified voter from entering or leaving the building.

F. Any local government, local electoral board, or the State Board may make monetary grants to any non-governmental entity furnishing facilities under the provisions of § 24.2-307 or 24.2-308 for use as a polling place. Such grants shall be made for the sole purpose of meeting the accessibility requirements of this section. Nothing in this subsection shall be construed to obligate any local government, local electoral board, or the State Board to appropriate funds to any non-governmental entity.

G. The general registrar or the governing body of the locality may request from the Department of Elections a waiver to establish a polling place that does not meet the location requirements of subsection A in the event that there is no suitable building that could be used within the precinct or within one mile of the precinct boundary. The Department shall grant such a waiver and may impose any conditions on the waiver that it deems necessary or appropriate to ensure accessibility and security of the polling place and compliance with any other requirements of state or federal law.

§ 24.2-604. Polling places; prohibited activities; prohibited area; penalties.

A. During the times the polls are open and ballots are being counted, or within one hour of opening or after closing, it is unlawful for any person (i) to loiter or congregate within 40 feet of any entrance of any polling place; (ii) within such distance to give, tender, or exhibit any ballot, ticket, or other campaign *or referendum* material to any person or to solicit or in any manner attempt to influence any person in casting his vote; (iii) to hinder or delay a qualified voter in entering or leaving a polling place; or (iv) to knowingly possess any firearm as defined in § 18.2-308.2:2 within 40 feet of any building, or part thereof, used as a polling place.

B. Prior to opening the polls, the officers of election shall post, in the area within 40 feet of any entrance to the polling place, sufficient notices that state "Prohibited Area" in two-inch type. The notices shall also state the provisions of this section in not less than 24-point type. The officers of election shall post the notices within the prohibited area to be visible to voters and the public.

C. It is unlawful for any authorized representative permitted in the polling place pursuant to § 24.2-604.4, any voter, or any other person in the room to (i) hinder or delay a qualified voter; (ii) give, tender, or exhibit any ballot, ticket, or other campaign *or referendum* material to any person; (iii) solicit or in any manner attempt to influence any person in casting his vote; (iv) hinder or delay any officer of election; (v) be in a position to see the marked ballot of any other voter; or (vi) otherwise impede the orderly conduct of the election.

D. The provisions of subsections A and C shall not be construed to prohibit a person who approaches or enters the polling place for the purpose of voting from wearing a shirt, hat, or other apparel on which a candidate's name or a political slogan appears or from having a sticker or button attached to his apparel on which a candidate's name or a political slogan appears. This exemption shall not apply to candidates, representatives of candidates, or any other person who approaches or enters the polling place for any purpose other than voting.

E. This section shall not be construed to prohibit a candidate from entering any polling place on the day of the election to vote, or to visit a polling place for no longer than 10 minutes per polling place per election day, provided that he complies with the restrictions stated in subsections A, C, and D.

F. The provisions of clause (iv) of subsection A shall not apply to (i) any law-enforcement officer or any retired law-enforcement officer qualified pursuant to subsection C of § 18.2-308.016; (ii) any person occupying his own private property that falls within 40 feet of a polling place; or (iii) an armed security officer, licensed pursuant to Article 4 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1, whose employment or performance of his duties occurs within 40 feet of any building, or part thereof, used as a polling place.

G. The officers of election may require any person who is found by a majority of the officers present to be in violation of this section to remain outside of the prohibited area. Any person violating subsection A or C is guilty of a Class 1 misdemeanor.

§ 24.2-701.2. Absentee voting in person; voter satellite offices.

A. The governing body of any county or city may establish, by ordinance, voter satellite offices to be used in the locality for absentee voting in person. The governing body may establish as many offices as it deems necessary. No change in, including the creation or abolishment of, any voter satellite office shall be enacted within 60 days next preceding any general election. Notice shall be published prior to enactment in a newspaper having general circulation in the locality once a week for two successive weeks.

B. Any voter satellite office shall be in a public building owned or leased by the county, city, or town within the county and may be in a facility that is owned or leased by the Commonwealth and used as a location for Department of Motor Vehicles facilities or as an office of the general registrar. Such location shall be deemed the equivalent of the office of the general registrar for the purposes of completing the application for an absentee ballot in person pursuant to §§ 24.2-701 and 24.2-706. Any such location shall have adequate facilities for the protection of all elections materials produced in the process of absentee voting in person, the voted and unvoted absentee ballots, and any voting systems in use at the location.

C. Voter satellite offices shall be accessible to qualified voters as required by the provisions of the Virginians with Disabilities Act (§ 51.5-1 et seq.), the Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. § 20101 et seq.), and the Americans with Disabilities Act relating to public services (42 U.S.C. § 12131 et seq.). The State Board shall provide instructions to the local electoral boards and general registrars to assist the localities in complying with the requirements of the acts.

D. The governing body of each county, city, and town shall provide funds to enable the general registrar to provide adequate facilities at each voter satellite office for the conduct of elections.

E. Not later than 55 days prior to any election, the general registrar shall post notice of all voter satellite office locations in the locality and the dates and hours of operation of each location in the office of the general registrar and on the official website for the county or city. Such notice shall remain in the office of the general registrar and on the official website for the county or city for the duration of the period during which absentee voting in person is available. If the county or city does not have an official website, such notice shall be published in a newspaper of general circulation in the county or city at least once prior to the election but not later than 55 days prior to such election.

F. If an emergency makes a voter satellite office unusable or inaccessible, the electoral board or the general registrar shall provide an alternative voter satellite office, subject to the approval of the State Board, and shall give notice of the change in the location of the voter satellite office. The general registrar shall provide notice to the voters appropriate to the circumstances of the emergency. For the purposes of this subsection, "emergency" means a rare and unforeseen combination of circumstances, or the resulting state, that calls for immediate action.

G. The provisions of subsection E of § 24.2-310 providing certain limited circumstances in which a local electoral board may approve an exception to the prohibition on the distribution of campaign *or referendum* materials inside the prohibited area outside of a polling place shall apply to voter satellite offices and the building in which such offices may be located.

H. A voter satellite office established pursuant to this section shall be deemed to be the equivalent of an office of the general registrar for purposes of completing an application for an absentee ballot in person pursuant to §§ 24.2-701, 24.2-701.1, and 24.2-706.

§ 24.2-1003. Campaigning at registration locations.

Any person who gives or tenders any campaign *or referendum* materials to, or solicits or attempts to influence the vote of, any person while he is at any registration location as defined in Article 3 (§ 24.2-411 et seq.) of Chapter 4 of this title knowing that such person is there for the purpose of registration, shall be guilty of a Class 3 misdemeanor. Nothing in this section shall prohibit the distribution of campaign *or referendum* materials outside any building in which a registration activity is being conducted.

CHAPTER 585

An Act to amend and reenact § 40.1-28.7:8 of the Code of Virginia, relating to labor and employment; covenants not to compete prohibited; exceptions; civil penalty.

[S 1218]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 40.1-28.7:8 of the Code of Virginia is amended and reenacted as follows:

§ 40.1-28.7:8. Covenants not to compete prohibited; exceptions; civil penalty.

A. As used in this section:

"Covenant not to compete" means a covenant or agreement, including a provision of a contract of employment, between an employer and employee that restrains, prohibits, or otherwise restricts an individual's ability, following the termination of the individual's employment, to compete with his former employer. A "covenant not to compete" shall not restrict an employee from providing a service to a customer or client of the employer if the employee does not initiate contact with or solicit the customer or client.

"Low-wage employee" means an employee *(i)* whose average weekly earnings, calculated by dividing the employee's earnings during the period of 52 weeks immediately preceding the date of termination of employment by 52, or if an employee worked fewer than 52 weeks, by the number of weeks that the employee was actually paid during the 52-week period, are less than the average weekly wage of the Commonwealth as determined pursuant to subsection B of § 65.2-500 *or (ii) who, regardless of his average weekly earnings, is entitled to overtime compensation under the provisions of 29 U.S.C. § 207 for any hours worked in excess of 40 hours in any one workweek*. "Low-wage employee" includes interns, students, apprentices, or trainees employed, with or without pay, at a trade or occupation in order to gain work or educational experience. "Low-wage employee" also includes an individual who has independently contracted with another person to perform services independent of an employment relationship and who is compensated for such services by such person at an hourly rate that is less than the median hourly wage for the Commonwealth for all occupations as reported, for the preceding year, by the Bureau of Labor Statistics of the U.S. Department of Labor. For the purposes of this section, "low-wage employee" shall not include any employee whose earnings are derived, in whole or in predominant part, from sales commissions, incentives, or bonuses paid to the employee by the employer.

B. No employer shall enter into, enforce, or threaten to enforce a covenant not to compete with any low-wage employee.

C. Nothing in this section shall serve to limit the creation or application of nondisclosure agreements intended to prohibit the taking, misappropriating, ~~threating~~ *threatening* to misappropriate, or sharing of certain information *to which an employee has access*, including trade secrets, as defined in § 59.1-336, and proprietary or confidential information.

D. A low-wage employee may bring a civil action in a court of competent jurisdiction against any former employer or other person that attempts to enforce a covenant not to compete against such employee in violation of this section. An action under this section shall be brought within two years of the latter of (i) the date the covenant not to compete was signed, (ii) the date the low-wage employee learns of the covenant not to compete, (iii) the date the employment relationship is terminated, or (iv) the date the employer takes any step to enforce the covenant not to compete. The court shall have jurisdiction to void any covenant not to compete with a low-wage employee and to order all appropriate relief, including enjoining the conduct of any person or employer, ordering payment of liquidated damages, and awarding lost compensation, damages, and reasonable attorney fees and costs. No employer may discharge, threaten, or otherwise discriminate or retaliate against a low-wage employee for bringing a civil action pursuant to this section.

E. Any employer that violates the provisions of subsection B as determined by the Commissioner shall be subject to a civil penalty of $10,000 for each violation. Civil penalties owed under this subsection shall be paid to the Commissioner for deposit in the general fund.

F. If the court finds a violation of the provisions of this section, the plaintiff shall be entitled to recover reasonable costs, including costs and reasonable fees for expert witnesses, and attorney fees from the former employer or other person who attempts to enforce ~~a~~ *an unlawful* covenant not to compete against such plaintiff.

G. Every employer shall post a copy of this section or a summary approved by the Department in the same location where other employee notices required by state or federal law are posted. An employer that fails to post a copy of this section or an approved summary of this section shall be issued by the Department a written warning for the first violation, shall be subject to a civil penalty not to exceed $250 for a second violation, and shall be subject to a civil penalty not to exceed $1,000 for a third and each subsequent violation as determined by the Commissioner. Civil penalties owed under this subsection shall be paid to the Commissioner for deposit in the general fund.

The Commissioner shall prescribe procedures for the payment of proposed assessments of penalties that are not contested by employers. Such procedures shall include provisions for an employer to consent to abatement of the alleged violation and to pay a proposed penalty or a negotiated sum in lieu of such penalty without admission of any civil liability arising from such alleged violation.

2. That nothing in this act shall invalidate, alter, or otherwise affect any contracts, covenants, or agreements entered into or renewed prior to July 1, 2025.

CHAPTER 586

An Act to amend and reenact § 15.2-2119 of the Code of Virginia, relating to water and sewer connection fees; new residential development.

[S 1263]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2119 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2119. Fees and charges for water and sewer services provided to a property owner.

A. For water and sewer services provided by localities, fees and charges may be charged to and collected from (i) any person contracting for the same; (ii) the owner who is the occupant of the property or where a single meter serves multiple units; (iii) a lessee or tenant in accordance with § 15.2-2119.4 with such fees and charges applicable for water and sewer services (a) which directly or indirectly is or has been connected with the sewage disposal system and (b) from or on which sewage or industrial wastes originate or have originated and have directly or indirectly entered or will enter the sewage disposal system; or (iv) any user of a municipality's water or sewer system with respect to combined sanitary and storm water sewer systems where the user is a resident of the municipality and the purpose of any such fee or charge is related to the control of combined sewer overflow discharges from such systems. Such fees and charges shall be practicable and equitable and payable as directed by the respective locality operating or providing for the operation of the water or sewer system.

B. Such fees and charges, being in the nature of use or service charges, shall, as nearly as the governing body deems practicable and equitable, be uniform for the same type, class and amount of use or service of the sewage disposal system and may be based or computed either on the consumption of water on or in connection with the real estate, making due allowances for commercial use of water, or on the number and kind of water outlets on or in connection with the real estate or on the number and kind of plumbing or sewage fixtures or facilities on or in connection with the real estate or on the number or average number of persons residing or working on or otherwise connected or identified with the real estate or any other factors determining the type, class and amount of use or service of the sewage disposal system, or any combination of such factors, or on such other basis as the governing body may determine. Such fees and charges shall be due and payable at such time as the governing body may determine, and the governing body may require the same to be paid in advance for periods of not more than six months. The revenue derived from any or all of such fees and charges is hereby declared to be revenue of such sewage disposal system.

C. Water and sewer connection fees established by any locality shall be fair and reasonable. Such fees shall be reviewed by the locality periodically and shall be adjusted, if necessary, to assure that they continue to be fair and

reasonable. *Any locality may, by ordinance or policy, provide for the full or partial reimbursement of water and sewer connection fees, capital recovery charges, and availability fees remitted by an applicant in connection with any new residential development.* Nothing herein shall affect existing contracts with bondholders that are in conflict with any of the foregoing provisions.

D. If the fees and charges charged for water service or the use and services of the sewage disposal system by or in connection with any real estate are not paid when due, a penalty and interest shall at that time be owed as provided for by general law, and the owner of such real estate shall, until such fees and charges are paid with such penalty and interest to the date of payment, cease to dispose of sewage or industrial waste originating from or on such real estate by discharge thereof directly or indirectly into the sewage disposal system. If such owner does not pay the full amount of charges, penalty, and interest for water provided or cease such disposal within 30 days thereafter, the locality or person supplying water or sewage disposal services for the use of such real estate shall notify such owner of the delinquency. If such owner does not pay the full amount of charges, penalty, and interest for water provided or cease such disposal within 60 days after the delinquent fees and charges charged for water or sewage disposal services are due, the locality or person supplying water or sewage disposal services for the use of such real estate may cease supplying water and sewage disposal services thereto unless the health officers certify that shutting off the water will endanger the health of the occupants of the premises or the health of others. At least 10 business days prior to ceasing the supply of water or sewage disposal services, the locality or person supplying such services shall provide the owner with written notice of such cessation.

E. Such fees and charges, and any penalty and interest thereon, shall constitute a lien against the property, ranking on a parity with liens for unpaid taxes.

A lien may be placed on the property when the owner has been advised in writing that a lien may be placed upon the property if the owner fails to pay any delinquent water and sewer charges. Such written notice shall be provided at least 30 days in advance of recordation of any lien with a copy of the bill for delinquent water and sewer charges to allow the property owner a reasonable opportunity to pay the amount of the outstanding balance and avoid the recordation of a lien against the property. The lien may be in the amount of (i) up to the number of months of delinquent water or sewer charges when the water or sewer is, or both are, provided to the property owner; (ii) any applicable penalties and interest on such delinquent charges; and (iii) reasonable attorney fees and other costs of collection not exceeding 20 percent of such delinquent charges. In no case shall a lien for less than $25 be placed against the property.

F. Notwithstanding any provision of law to the contrary, any town with a population between 11,000 and 14,000, with the concurrence of the affected county, that provides and operates sewer services outside its boundaries may provide sewer services to industrial and commercial users outside its boundaries and collect such compensation therefor as may be contracted for between the town and such user. Such town shall not thereby be obligated to provide sewer services to any other users outside its boundaries.

G. The lien shall not bind or affect a subsequent bona fide purchaser of the real estate for valuable consideration without actual notice of the lien until the amount of such delinquent charges is entered in the official records of the office of the clerk of the circuit court in the jurisdiction in which the real estate is located. The clerk shall make and index the entries in the clerk's official records for a fee of $5 per entry, to be paid by the locality and added to the amount of the lien.

H. The lien on any real estate may be discharged by the payment to the locality of the total lien amount and the interest which has accrued to the date of the payment. The locality shall deliver a fully executed lien release substantially in the form set forth in this subsection to the person making the payment. The locality shall provide the fully executed lien release to the person who made payment within 10 business days of such payment if the person who made such payment did not personally appear at the time of such payment. Upon presentation of such lien release, the clerk shall mark the lien satisfied. There shall be no separate clerk's fee for such lien release. For purposes of this section, a lien release of the water and sewer lien substantially in the form as follows shall be sufficient compliance with this section:

Prepared By and When
Recorded Return to:
Tax Parcel/GPIN Number:
CERTIFICATE OF RELEASE OF WATER AND SEWER SERVICE LIEN
Pursuant to Va. Code Annotated § 15.2-2119 (H), this release is exempt from recordation fees.
Date Lien Recorded: Instrument Deed Book No.:
Grantee for Index Purposes:
Claim Asserted: Delinquent water and sewer service charges in the amount of $.
Description of Property: [Insert name of property owner and tax map parcel/GPIN Number]
The above-mentioned lien is hereby released.
BY:
TITLE:
COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF, to-wit:

Acknowledged, subscribed, and sworn to before me this day of by as of the [Insert Water/Sewer Provider Name] on behalf of [Insert Water/Sewer Provider Name].

Notary Public
My commission expires:
Notary Registration Number:

CHAPTER 587

An Act to amend and reenact § 15.2-2209 of the Code of Virginia, relating to zoning; enhanced civil penalties; certain residential violations.

[S 1267]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2209 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2209. Civil penalties for violations of zoning ordinance.

Notwithstanding subdivision A 5 of § 15.2-2286, any locality may adopt an ordinance which establishes a uniform schedule of civil penalties for violations of specified provisions of the zoning ordinance. The schedule of offenses shall not include any zoning violation resulting in injury to any persons, and the existence of a civil penalty shall not preclude action by the zoning administrator under subdivision A 4 of § 15.2-2286 or action by the governing body under § 15.2-2208.

This schedule of civil penalties shall be uniform for each type of specified violation, and the penalty for any one violation shall be a civil penalty of not more than $200 for the initial summons and not more than $500 for each additional summons. *However, for any repeat violation on property that is zoned or used for multifamily residential purposes, the penalty shall be not more than (i) $1,000 for a second violation and (ii) $1,500 for a third or subsequent violation, not to exceed an aggregate amount of $6,000 for all such violations within a 12-month period.* Each day during which the violation is found to have existed shall constitute a separate offense. However, specified violations arising from the same operative set of facts shall not be charged more frequently than once in any 10-day period, and*, for violations that do not involve property that is zoned or used for multifamily residential purposes,* a series of specified violations arising from the same operative set of facts shall not result in civil penalties which exceed a total of $5,000. Designation of a particular zoning ordinance violation for a civil penalty pursuant to this section shall be in lieu of criminal sanctions, and except for any violation resulting in injury to persons, such designation shall preclude the prosecution of a violation as a criminal misdemeanor, provided, however, that when such civil penalties total $5,000 or more, the violation may be prosecuted as a criminal misdemeanor.

The zoning administrator or his deputy may issue a civil summons as provided by law for a scheduled violation. Any person summoned or issued a ticket for a scheduled violation may make an appearance in person or in writing by mail to the department of finance or the treasurer of the locality prior to the date fixed for trial in court. Any person so appearing may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. Such persons shall be informed of their right to stand trial and that a signature to an admission of liability will have the same force and effect as a judgment of court. *Notwithstanding a court's authority to order the abatement or remedy of a zoning violation for any violation involving property that is zoned or used for multifamily residential purposes, any person who admits liability shall be required to abate or remedy such violation within a period of time specified by the locality that is no less than 30 days but no more than 24 months from the date of admission of liability.*

If a person charged with a scheduled violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the general district court in the same manner and with the same right of appeal as provided for by law. In any trial for a scheduled violation authorized by this section, it shall be the burden of the locality to show the liability of the violator by a preponderance of the evidence. If the violation remains uncorrected at the time of the admission of liability or finding of liability, the court may order the violator to abate or remedy the violation in order to comply with the zoning ordinance. Except as otherwise provided by the court for good cause shown, any such violator shall abate or remedy the violation within a period of time as determined by the court, but not later than six months of the date of admission of liability or finding of liability. Each day during which the violation continues after the court-ordered abatement period has ended shall constitute a separate offense. An admission of liability or finding of liability shall not be a criminal conviction for any purpose.

No provision herein shall be construed to allow the imposition of civil penalties (i) for activities related to land development or (ii) for violation of any provision of a local zoning ordinance relating to the posting of signs on public property or public rights-of-way.

CHAPTER 588

An Act to amend and reenact § 18.2-60 of the Code of Virginia, relating to threats of death or bodily injury; penalty.

[S 1271]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-60 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-60. Threats of death or bodily injury to a person or member of his family; threats of death or discharge of a firearm on school property; threats of death or bodily injury to health care providers; penalties.

A. 1. Any person who knowingly communicates, in a writing, including an electronically transmitted communication producing a visual or electronic message*, including an email, a text message, or a message or post on any social media platform*, a threat to kill or do bodily injury to a person, ~~regarding that person or any member of his family~~ *regardless of whether the person who is the object of the threat actually receives the threat*, and the threat places such person *who is the object of the threat, or any member of his family,* in reasonable apprehension of death or bodily injury to himself or his family member~~,~~ is guilty of a Class 6 felony. However, any person who violates this subsection with the intent to commit an act of terrorism as defined in § 18.2-46.4 is guilty of a Class 5 felony.

2. Any person who communicates a threat~~,~~ *orally or* in a writing, including an electronically transmitted communication producing a visual or electronic message, *including an email, a text message, or a message or post on any social media platform,* to kill or ~~do bodily harm,~~ *discharge a firearm within or* (i) on the grounds or premises of any elementary, middle*,* or secondary school property~~.~~*;* (ii) at any elementary, middle*,* or secondary school-sponsored event*;* or (iii) on a school bus to any person or persons, regardless of whether the person who is the object of the threat actually receives the threat, and the threat would place the person who is the object of the threat*, or is included in the threat,* in reasonable apprehension of death or bodily harm~~,~~ is guilty of a Class 6 felony.

3. Any person 18 years of age or older who communicates a threat in writing, including an electronically transmitted communication producing a visual or electronic message such as an email, a text message, or a message or post on any social media platform, to another to kill or to do serious bodily injury to any other person and makes such threat with the intent to (i) intimidate a civilian population at large; (ii) influence the conduct or activities of a government, including the government of the United States, a state, or a locality, through intimidation; or (iii) compel the emergency evacuation, or avoidance, of any place of assembly, any building or other structure, or any means of mass transportation is guilty of a Class 5 felony. Any person younger than 18 years of age who commits such offense is guilty of a Class 1 misdemeanor.

B. Any person who orally makes a threat to kill or to do bodily injury to (i) any employee of any elementary, middle, or secondary school, while on a school bus, on school property, or at a school-sponsored activity or (ii) any health care provider as defined in § 8.01-581.1 who is engaged in the performance of his duties while on the premises of any facility rendering health care as defined in § 8.01-581.1, unless the health care provider is on the premises of any facility rendering health care as defined in § 8.1-581.1 or emergency medical care as a result of an emergency custody order pursuant to § 37.2-808, involuntary temporary detention order pursuant to § 37.2-809, involuntary hospitalization order pursuant to § 37.2-817, or emergency custody order of a conditionally released acquittee pursuant to § 19.2-182.9, is guilty of a Class 1 misdemeanor.

C. A prosecution pursuant to this section may be in either the county, city, or town in which the communication was made or received.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 589

An Act to amend the Code of Virginia by adding in Article 1 of Chapter 5 of Title 32.1 a section numbered 32.1-137.011, relating to childbirth; postpartum process.

[S 1384]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 5 of Title 32.1 a section numbered 32.1-137.011 as follows:

§ 32.1-137.011. Childbirth; postpartum process; doulas.

A. For the purposes of this section:

"Birth" includes both vaginal birth and cesarean section.

"Doula" means a person who provides physical, emotional, and informational support to a pregnant person before, during, and after pregnancy.

"Postpartum process" means the biologic process that happens to both the newborn and birthing person after delivery due to endogenous hormone systems.

B. A health care facility that provides services related to labor and childbirth shall develop policies that:

1. Allow every birthing person to have a companion or doula with the person during birth in addition to a partner or spouse when a partner or spouse is permitted to be present;

2. At the discretion of the treating physician, allow every birthing person to have a companion or doula with the person during birth when a partner or spouse is not permitted to be present;

3. Prioritize newborns bonding with their families in order to facilitate the postpartum process;

4. Will not exclude from care any person giving birth, or interrupt the process of birth without the informed consent of the birthing person, unless at the discretion of the treating physician;

5. Detail the facility's process related to receiving a pregnant person's patient information from any provider regulated under Title 54.1 who has provided care for the pregnant person;

6. Establish processes to transfer and receive pregnant persons across levels of care of licensed facilities within the facility's capacity and capability; and

7. Establish a process to receive individuals who are pregnant, giving birth, or in the postpartum process from locations other than licensed facilities, including a process to receive verbal and written information from individuals with relevant information, including family members, doulas, or a health care provider regulated under Title 54.1.

CHAPTER 590

An Act to direct the Boards of Psychology and Medicine to jointly convene a work group to study the education, training, and qualifications of clinical psychologists licensed in the Commonwealth and assess under what conditions it may be appropriate for clinical psychologists to be granted prescriptive authority.

[S 752]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Boards of Psychology and Medicine shall jointly convene a work group to include two representatives of the Board of Psychology who are licensed clinical psychologists, two representatives of the Board of Medicine who are physicians, one representative of the Board of Pharmacy, two licensed clinical psychologists who are faculty at accredited institutions of higher education in the Commonwealth, two representatives from departments of psychiatry at schools of medicine located in the Commonwealth, a representative of the Virginia Academy of Clinical Psychologists, a representative of the Psychiatric Society of Virginia, and other stakeholders as deemed necessary to study the education, training, and qualifications of clinical psychologists licensed in the Commonwealth, including the level of education and training clinical psychologists receive in the area of pharmacology, and assess under what conditions it may be appropriate for clinical psychologists to be granted prescriptive authority. The work group shall report its findings to the Chairs of the House Committee on Health and Human Services and the Senate Committee on Education and Health by November 1, 2025.*

CHAPTER 591

An Act to amend and reenact §§ 59.1-198 and 59.1-200, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to Virginia Consumer Protection Act; prohibited practices; obtaining, disclosing, etc., reproductive or sexual health information without consumer consent.

[S 754]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 59.1-198 and 59.1-200, as it is currently effective and as it shall become effective, of the Code of Virginia are amended and reenacted as follows:

§ 59.1-198. Definitions.

As used in this chapter*, unless the context requires a different meaning*:

"Business opportunity" means the sale of any products, equipment, supplies*,* or services ~~which~~ *that* are sold to an individual for the purpose of enabling such individual to start a business to be operated out of his residence, but does not include a business opportunity ~~which~~ *that* is subject to the Business Opportunity Sales Act~~, Chapter 21~~ (§ 59.1-262 et seq.) ~~of this title~~.

"Children's product" means a consumer product designed or intended primarily for children 12 years of age or younger. In determining whether a consumer product is primarily intended for a child 12 years of age or younger, the following factors shall be considered:

1. A statement by a manufacturer about the intended use of such product, including a label on such product if such statement is reasonable;

2. Whether the product is represented in its packaging, display, promotion, or advertising as appropriate for use by children 12 years of age or younger;

3. Whether the product is commonly recognized by consumers as being intended for use by a child 12 years of age or younger; and

4. The Age Determination Guidelines issued by the staff of the Consumer Products Safety Commission in September 2002, and any successor to such guidelines.

"Consent" means the same as that term is defined in § 59.1-575.

"Consumer transaction" means:

1. The advertisement, sale, lease, license, or offering for sale, lease, or license, of goods or services to be used primarily for personal, family, or household purposes;

2. Transactions involving the advertisement, offer, or sale to an individual of a business opportunity that requires both his expenditure of money or property and his personal services on a continuing basis and in which he has not been previously engaged;

3. Transactions involving the advertisement, offer, or sale to an individual of goods or services relating to the individual's finding or obtaining employment;

4. A layaway agreement, whereby part or all of the price of goods is payable in one or more payments subsequent to the making of the layaway agreement and the supplier retains possession of the goods and bears the risk of their loss or damage until the goods are paid in full according to the layaway agreement;

5. Transactions involving the advertisement, sale, lease, or license, or the offering for sale, lease, or license, of goods or services to a church or other religious body; and

6. Transactions involving the advertisement of legal services that contain information about the results of a state or federal survey, inspection, or investigation of a nursing home or certified nursing facility as described in subsection E of § 32.1-126.

"Cure offer" means a written offer of one or more things of value, including but not limited to the payment of money, that is made by a supplier and that is delivered to a person claiming to have suffered a loss as a result of a consumer transaction or to the attorney for such person. A cure offer shall be reasonably calculated to remedy a loss claimed by the person and it shall include a minimum additional amount equaling 10 percent of the value of the cure offer or $500, whichever is greater, as compensation for inconvenience, any attorney's or other fees, expenses, or other costs of any kind that such person may incur in relation to such loss~~;~~, provided, however, that the minimum additional amount need not exceed $4,000.

"Defective drywall" means drywall, or similar building material composed of dried gypsum-based plaster, that (i) as a result of containing the same or greater levels of strontium sulfide that has been found in drywall manufactured in the People's Republic of China and imported into the United States between 2004 and 2007 is capable, when exposed to heat, humidity, or both, of releasing sulfur dioxide, hydrogen sulfide, carbon disulfide, or other sulfur compounds into the air or (ii) has been designated by the U.S. Consumer Product Safety Commission as a product with a product defect that constitutes a substantial product hazard within the meaning of § 15(a)(2) of the Consumer Product Safety Act (15 U.S.C. § 2064 (a)(2)).

"Goods" means all real, personal, or mixed property, tangible or intangible. For purposes of this chapter, intangible property includes but shall not be limited to "computer information" and "informational rights" in computer information as defined in § 59.1-501.2.

"Person" means any natural person, corporation, trust, partnership, association, and any other legal entity.

"Reproductive or sexual health information" means information relating to the past, present, or future reproductive or sexual health of an individual, including:

1. Efforts to research or obtain reproductive or sexual health information services or supplies, including location information that may indicate an attempt to acquire such services or supplies;

2. Reproductive or sexual health conditions, status, diseases, or diagnoses, including pregnancy, menstruation, ovulation, ability to conceive a pregnancy, whether an individual is sexually active, and whether an individual is engaging in unprotected sex;

3. Reproductive and sexual health-related surgeries and procedures, including termination of a pregnancy;

4. Use or purchase of contraceptives, birth control, or other medication related to reproductive health, including abortifacients;

5. Bodily functions, vital signs, measurements, or symptoms related to menstruation or pregnancy, including basal temperature, cramps, bodily discharge, or hormone levels;

6. Any information about diagnoses or diagnostic testing, treatment, or medications, or the use of any product or service relating to the matters described in subdivisions 1 through 5; and

7. Any information described in subdivisions 1 through 6 that is derived or extrapolated from non-health-related information such as proxy, derivative, inferred, emergent, or algorithmic data.

"Reproductive or sexual health information" does not include health information that is protected under the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.), health records for the purposes of Title 32.1, or patient-identifying records for the purposes of 42 U.S.C. § 290dd-2.

"Services" includes but ~~shall~~ *is* not ~~be~~ limited to (i) work performed in the business or occupation of the supplier, (ii) work performed for the supplier by an agent whose charges or costs for such work are transferred by the supplier to the consumer or purchaser as an element of the consumer transaction, or (iii) the subject of an "access contract" as defined in § 59.1-501.2.

"Supplier" means a seller, lessor, licensor, or professional ~~who~~ *that* advertises, solicits, or engages in consumer transactions, or a manufacturer, distributor, or licensor ~~who~~ *that* advertises and sells, leases, or licenses goods or services to be resold, leased, or sublicensed by other persons in consumer transactions.

§ 59.1-200. (Effective until July 1, 2025) Prohibited practices.

A. The following fraudulent acts or practices committed by a supplier in connection with a consumer transaction are hereby declared unlawful:

1. Misrepresenting goods or services as those of another;

2. Misrepresenting the source, sponsorship, approval, or certification of goods or services;

3. Misrepresenting the affiliation, connection, or association of the supplier, or of the goods or services, with another;

4. Misrepresenting geographic origin in connection with goods or services;

5. Misrepresenting that goods or services have certain quantities, characteristics, ingredients, uses, or benefits;

6. Misrepresenting that goods or services are of a particular standard, quality, grade, style, or model;

7. Advertising or offering for sale goods that are used, secondhand, repossessed, defective, blemished, deteriorated, or reconditioned, or that are "seconds," irregulars, imperfects, or "not first class," without clearly and unequivocally indicating in the advertisement or offer for sale that the goods are used, secondhand, repossessed, defective, blemished, deteriorated, reconditioned, or are "seconds," irregulars, imperfects, or "not first class";

8. Advertising goods or services with intent not to sell them as advertised, or with intent not to sell at the price or upon the terms advertised.

In any action brought under this subdivision, the refusal by any person, or any employee, agent, or servant thereof, to sell any goods or services advertised or offered for sale at the price or upon the terms advertised or offered, shall be prima facie evidence of a violation of this subdivision. This paragraph shall not apply when it is clearly and conspicuously stated in the advertisement or offer by which such goods or services are advertised or offered for sale, that the supplier or offeror has a limited quantity or amount of such goods or services for sale, and the supplier or offeror at the time of such advertisement or offer did in fact have or reasonably expected to have at least such quantity or amount for sale;

9. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions;

10. Misrepresenting that repairs, alterations, modifications, or services have been performed or parts installed;

11. Misrepresenting by the use of any written or documentary material that appears to be an invoice or bill for merchandise or services previously ordered;

12. Notwithstanding any other provision of law, using in any manner the words "wholesale," "wholesaler," "factory," or "manufacturer" in the supplier's name, or to describe the nature of the supplier's business, unless the supplier is actually engaged primarily in selling at wholesale or in manufacturing the goods or services advertised or offered for sale;

13. Using in any contract or lease any liquidated damage clause, penalty clause, or waiver of defense, or attempting to collect any liquidated damages or penalties under any clause, waiver, damages, or penalties that are void or unenforceable under any otherwise applicable laws of the Commonwealth, or under federal statutes or regulations;

13a. Failing to provide to a consumer, or failing to use or include in any written document or material provided to or executed by a consumer, in connection with a consumer transaction any statement, disclosure, notice, or other information however characterized when the supplier is required by 16 C.F.R. Part 433 to so provide, use, or include the statement, disclosure, notice, or other information in connection with the consumer transaction;

14. Using any other deception, fraud, false pretense, false promise, or misrepresentation in connection with a consumer transaction;

15. Violating any provision of § 3.2-6509, 3.2-6512, 3.2-6513, 3.2-6513.1, 3.2-6514, 3.2-6515, 3.2-6516, or 3.2-6519 is a violation of this chapter;

16. Failing to disclose all conditions, charges, or fees relating to:

a. The return of goods for refund, exchange, or credit. Such disclosure shall be by means of a sign attached to the goods, or placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the person obtaining the goods from the supplier. If the supplier does not permit a refund, exchange, or credit for return, he shall so state on a similar sign. The provisions of this subdivision shall not apply to any retail merchant who has a policy of providing, for a period of not less than 20 days after date of purchase, a cash refund or credit to the purchaser's credit card account for the return of defective, unused, or undamaged merchandise upon presentation of proof of purchase. In the case of merchandise paid for by check, the purchase shall be treated as a cash purchase and any refund may be delayed for a period of 10 banking days to allow for the check to clear. This subdivision does not apply to sale merchandise that is obviously distressed, out of date, post season, or otherwise reduced for clearance; nor does this subdivision apply to special order purchases where the purchaser has requested the supplier to order merchandise of a specific or unusual size, color, or brand not ordinarily carried in the store or the store's catalog; nor shall this subdivision apply in connection with a transaction for the sale or lease of motor vehicles, farm tractors, or motorcycles as defined in § 46.2-100;

b. A layaway agreement. Such disclosure shall be furnished to the consumer (i) in writing at the time of the layaway agreement, or (ii) by means of a sign placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the consumer, or (iii) on the bill of sale. Disclosure shall include the conditions, charges, or fees in the event that a consumer breaches the agreement;

16a. Failing to provide written notice to a consumer of an existing open-end credit balance in excess of $5 (i) on an account maintained by the supplier and (ii) resulting from such consumer's overpayment on such account. Suppliers shall give consumers written notice of such credit balances within 60 days of receiving overpayments. If the credit balance information is incorporated into statements of account furnished consumers by suppliers within such 60-day period, no separate or additional notice is required;

17. If a supplier enters into a written agreement with a consumer to resolve a dispute that arises in connection with a consumer transaction, failing to adhere to the terms and conditions of such an agreement;

18. Violating any provision of the Virginia Health Club Act, Chapter 24 (§ 59.1-294 et seq.);

19. Violating any provision of the Virginia Home Solicitation Sales Act, Chapter 2.1 (§ 59.1-21.1 et seq.);

20. Violating any provision of the Automobile Repair Facilities Act, Chapter 17.1 (§ 59.1-207.1 et seq.);

21. Violating any provision of the Virginia Lease-Purchase Agreement Act, Chapter 17.4 (§ 59.1-207.17 et seq.);

22. Violating any provision of the Prizes and Gifts Act, Chapter 31 (§ 59.1-415 et seq.);

23. Violating any provision of the Virginia Public Telephone Information Act, Chapter 32 (§ 59.1-424 et seq.);

24. Violating any provision of § 54.1-1505;

25. Violating any provision of the Motor Vehicle Manufacturers' Warranty Adjustment Act, Chapter 17.6 (§ 59.1-207.34 et seq.);

26. Violating any provision of § 3.2-5627, relating to the pricing of merchandise;

27. Violating any provision of the Pay-Per-Call Services Act, Chapter 33 (§ 59.1-429 et seq.);

28. Violating any provision of the Extended Service Contract Act, Chapter 34 (§ 59.1-435 et seq.);

29. Violating any provision of the Virginia Membership Camping Act, Chapter 25 (§ 59.1-311 et seq.);

30. Violating any provision of the Comparison Price Advertising Act, Chapter 17.7 (§ 59.1-207.40 et seq.);

31. Violating any provision of the Virginia Travel Club Act, Chapter 36 (§ 59.1-445 et seq.);

32. Violating any provision of §§ 46.2-1231 and 46.2-1233.1;

33. Violating any provision of Chapter 40 (§ 54.1-4000 et seq.) of Title 54.1;

34. Violating any provision of Chapter 10.1 (§ 58.1-1031 et seq.) of Title 58.1;

35. Using the consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use an alternate number not associated with the consumer's social security number;

36. Violating any provision of Chapter 18 (§ 6.2-1800 et seq.) of Title 6.2;

37. Violating any provision of § 8.01-40.2;

38. Violating any provision of Article 7 (§ 32.1-212 et seq.) of Chapter 6 of Title 32.1;

39. Violating any provision of Chapter 34.1 (§ 59.1-441.1 et seq.);

40. Violating any provision of Chapter 20 (§ 6.2-2000 et seq.) of Title 6.2;

41. Violating any provision of the Virginia Post-Disaster Anti-Price Gouging Act, Chapter 46 (§ 59.1-525 et seq.). For the purposes of this subdivision, "consumer transaction" has the same meaning as provided in § 59.1-526;

42. Violating any provision of Chapter 47 (§ 59.1-530 et seq.);

43. Violating any provision of § 59.1-443.2;

44. Violating any provision of Chapter 48 (§ 59.1-533 et seq.);

45. Violating any provision of Chapter 25 (§ 6.2-2500 et seq.) of Title 6.2;

46. Violating the provisions of clause (i) of subsection B of § 54.1-1115;

47. Violating any provision of § 18.2-239;

48. Violating any provision of Chapter 26 (§ 59.1-336 et seq.);

49. Selling, offering for sale, or manufacturing for sale a children's product the supplier knows or has reason to know was recalled by the U.S. Consumer Product Safety Commission. There is a rebuttable presumption that a supplier has reason to know a children's product was recalled if notice of the recall has been posted continuously at least 30 days before the sale, offer for sale, or manufacturing for sale on the website of the U.S. Consumer Product Safety Commission. This prohibition does not apply to children's products that are used, secondhand or "seconds";

50. Violating any provision of Chapter 44.1 (§ 59.1-518.1 et seq.);

51. Violating any provision of Chapter 22 (§ 6.2-2200 et seq.) of Title 6.2;

52. Violating any provision of § 8.2-317.1;

53. Violating subsection A of § 9.1-149.1;

54. Selling, offering for sale, or using in the construction, remodeling, or repair of any residential dwelling in the Commonwealth, any drywall that the supplier knows or has reason to know is defective drywall. This subdivision shall not apply to the sale or offering for sale of any building or structure in which defective drywall has been permanently installed or affixed;

55. Engaging in fraudulent or improper or dishonest conduct as defined in § 54.1-1118 while engaged in a transaction that was initiated (i) during a declared state of emergency as defined in § 44-146.16 or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is licensed as a contractor in the Commonwealth pursuant to Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1;

56. Violating any provision of Chapter 33.1 (§ 59.1-434.1 et seq.);

57. Violating any provision of § 18.2-178, 18.2-178.1, or 18.2-200.1;

58. Violating any provision of Chapter 17.8 (§ 59.1-207.45 et seq.). For the purposes of this subdivision, "consumer transaction" also includes transactions involving an automatic renewal or continuous service offer by a supplier to a small business, as those terms are defined in § 59.1-207.45;

59. Violating any provision of subsection E of § 32.1-126;

60. Violating any provision of § 54.1-111 relating to the unlicensed practice of a profession licensed under Chapter 11 (§ 54.1-1100 et seq.) or Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1;

61. Violating any provision of § 2.2-2001.5;

62. Violating any provision of Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1;

63. Violating any provision of § 6.2-312;

64. Violating any provision of Chapter 20.1 (§ 6.2-2026 et seq.) of Title 6.2;

65. Violating any provision of Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2;

66. Violating any provision of Chapter 54 (§ 59.1-586 et seq.);

67. Knowingly violating any provision of § 8.01-27.5;

68. Failing to, in accordance with § 59.1-207.46, (i) make available a conspicuous online option to cancel a recurring purchase of a good or service or (ii) with respect to a free trial lasting more than 30 days, notify a consumer of his option to cancel such free trial within 30 days of the end of the trial period to avoid an obligation to pay for the goods or services;

69. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains a synthetic derivative of tetrahydrocannabinol. As used in this subdivision, "synthetic derivative" means a chemical compound produced by man through a chemical transformation to turn a compound into a different compound by adding or subtracting molecules to or from the original compound. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

70. Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

71. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol, unless such substance is (i) contained in child-resistant packaging, as defined in § 4.1-600; (ii) equipped with a label that states, in English and in a font no less than 1/16 of an inch, (a) that the substance contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (b) all ingredients contained in the substance, (c) the amount of such substance that constitutes a single serving, and (d) the total percentage and milligrams of tetrahydrocannabinol included in the substance and the number of milligrams of tetrahydrocannabinol that are contained in each serving; and (iii) accompanied by a certificate of analysis, produced by an independent laboratory that is accredited pursuant to standard ISO/IEC 17025 of the International Organization of Standardization by a third-party accrediting body, that states the tetrahydrocannabinol concentration of the substance or the tetrahydrocannabinol concentration of the batch from which the substance originates. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

72. Manufacturing, offering for sale at retail, or selling at retail an industrial hemp extract, as defined in § 3.2-5145.1, a food containing an industrial hemp extract, or a substance containing tetrahydrocannabinol that depicts or is in the shape of a human, animal, vehicle, or fruit;

73. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol and, without authorization, bears, is packaged in a container or wrapper that bears, or is otherwise labeled to bear the trademark, trade name, famous mark as defined in 15 U.S.C. § 1125, or other identifying mark, imprint, or device, or any likeness thereof, of a manufacturer, processor, packer, or distributor of a product intended for human consumption other than the manufacturer, processor, packer, or distributor that did in fact so manufacture, process, pack, or distribute such substance;

74. Selling or offering for sale a topical hemp product, as defined in § 3.2-4112, that does not include a label stating that the product is not intended for human consumption. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.), (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1, or (iii) apply to topical hemp products that were manufactured prior to July 1, 2023, provided that the person provides documentation of the date of manufacture if requested;

75. Violating any provision of § 59.1-466.8;

76. Violating subsection F of § 36-96.3:1;

77. Selling or offering for sale (i) any kratom product to a person younger than 21 years of age or (ii) any kratom product that does not include a label listing all ingredients and with the following guidance: "This product may be harmful to your health, has not been evaluated by the FDA, and is not intended to diagnose, treat, cure, or prevent any disease." As used in this subdivision, "kratom" means any part of the leaf of the plant Mitragyna speciosa or any extract thereof;

78. Advertising of any ignition interlock system in Virginia by an ignition interlock vendor not approved by the Commission on the Virginia Alcohol Safety Action Program to operate in Virginia; targeted advertising of any ignition interlock system to a person before determination of guilt; and any advertising, whether before or after determination of guilt, without a conspicuous statement that such advertisement is not affiliated with any government agency. For purposes of this subdivision, "ignition interlock system" has the same meaning as ascribed to that term in § 18.2-270.1 and "targeted advertising" has the same meaning ascribed to that term in § 59.1-575 and includes direct mailings to an individual. This provision shall not apply to ignition interlock service vendor ads, pamphlets, or kiosk advertisements approved by the Commission on the Virginia Alcohol Safety Action Program and provided at a Commission-approved location;

79. Failing to disclose the total cost of a good or continuous service, as defined in § 59.1-207.45, to a consumer, including any mandatory fees or charges, prior to entering into an agreement for the sale of any such good or provision of any such continuous service;

80. Violating any provision of the Unfair Real Estate Service Agreement Act (§ 55.1-3200 et seq.);

81. Selling or offering for sale services as a professional mold remediator to be performed upon any residential dwelling without holding a mold remediation certification from the Institute of Inspection, Cleaning and Restoration Certification (IICRC); ~~and~~

82. Willfully violating any provision of § 59.1-444.4*; and*

83. Obtaining, disclosing, selling, or disseminating any personally identifiable reproductive or sexual health information without the consent of the consumer.

B. Nothing in this section shall be construed to invalidate or make unenforceable any contract or lease solely by reason of the failure of such contract or lease to comply with any other law of the Commonwealth or any federal statute or regulation, to the extent such other law, statute, or regulation provides that a violation of such law, statute, or regulation shall not invalidate or make unenforceable such contract or lease.

§ 59.1-200. (Effective July 1, 2025) Prohibited practices.

A. The following fraudulent acts or practices committed by a supplier in connection with a consumer transaction are hereby declared unlawful:

1. Misrepresenting goods or services as those of another;

2. Misrepresenting the source, sponsorship, approval, or certification of goods or services;

3. Misrepresenting the affiliation, connection, or association of the supplier, or of the goods or services, with another;

4. Misrepresenting geographic origin in connection with goods or services;

5. Misrepresenting that goods or services have certain quantities, characteristics, ingredients, uses, or benefits;

6. Misrepresenting that goods or services are of a particular standard, quality, grade, style, or model;

7. Advertising or offering for sale goods that are used, secondhand, repossessed, defective, blemished, deteriorated, or reconditioned, or that are "seconds," irregulars, imperfects, or "not first class," without clearly and unequivocally indicating in the advertisement or offer for sale that the goods are used, secondhand, repossessed, defective, blemished, deteriorated, reconditioned, or are "seconds," irregulars, imperfects, or "not first class";

8. Advertising goods or services with intent not to sell them as advertised, or with intent not to sell at the price or upon the terms advertised.

In any action brought under this subdivision, the refusal by any person, or any employee, agent, or servant thereof, to sell any goods or services advertised or offered for sale at the price or upon the terms advertised or offered, shall be prima facie evidence of a violation of this subdivision. This paragraph shall not apply when it is clearly and conspicuously stated in the advertisement or offer by which such goods or services are advertised or offered for sale, that the supplier or offeror has a limited quantity or amount of such goods or services for sale, and the supplier or offeror at the time of such advertisement or offer did in fact have or reasonably expected to have at least such quantity or amount for sale;

9. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions;

10. Misrepresenting that repairs, alterations, modifications, or services have been performed or parts installed;

11. Misrepresenting by the use of any written or documentary material that appears to be an invoice or bill for merchandise or services previously ordered;

12. Notwithstanding any other provision of law, using in any manner the words "wholesale," "wholesaler," "factory," or "manufacturer" in the supplier's name, or to describe the nature of the supplier's business, unless the supplier is actually engaged primarily in selling at wholesale or in manufacturing the goods or services advertised or offered for sale;

13. Using in any contract or lease any liquidated damage clause, penalty clause, or waiver of defense, or attempting to collect any liquidated damages or penalties under any clause, waiver, damages, or penalties that are void or unenforceable under any otherwise applicable laws of the Commonwealth, or under federal statutes or regulations;

13a. Failing to provide to a consumer, or failing to use or include in any written document or material provided to or executed by a consumer, in connection with a consumer transaction any statement, disclosure, notice, or other information however characterized when the supplier is required by 16 C.F.R. Part 433 to so provide, use, or include the statement, disclosure, notice, or other information in connection with the consumer transaction;

14. Using any other deception, fraud, false pretense, false promise, or misrepresentation in connection with a consumer transaction;

15. Violating any provision of § 3.2-6509, 3.2-6512, 3.2-6513, 3.2-6513.1, 3.2-6514, 3.2-6515, 3.2-6516, or 3.2-6519 is a violation of this chapter;

16. Failing to disclose all conditions, charges, or fees relating to:

a. The return of goods for refund, exchange, or credit. Such disclosure shall be by means of a sign attached to the goods, or placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the person obtaining the goods from the supplier. If the supplier does not permit a refund, exchange, or credit for return, he shall so state on a similar sign. The provisions of this subdivision shall not apply to any retail merchant who has a policy of providing, for a period of not less than 20 days after date of purchase, a cash refund or credit to the purchaser's credit card account for the return of defective, unused, or undamaged merchandise upon presentation of proof of purchase. In the case

of merchandise paid for by check, the purchase shall be treated as a cash purchase and any refund may be delayed for a period of 10 banking days to allow for the check to clear. This subdivision does not apply to sale merchandise that is obviously distressed, out of date, post season, or otherwise reduced for clearance; nor does this subdivision apply to special order purchases where the purchaser has requested the supplier to order merchandise of a specific or unusual size, color, or brand not ordinarily carried in the store or the store's catalog; nor shall this subdivision apply in connection with a transaction for the sale or lease of motor vehicles, farm tractors, or motorcycles as defined in § 46.2-100;

b. A layaway agreement. Such disclosure shall be furnished to the consumer (i) in writing at the time of the layaway agreement, or (ii) by means of a sign placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the consumer, or (iii) on the bill of sale. Disclosure shall include the conditions, charges, or fees in the event that a consumer breaches the agreement;

16a. Failing to provide written notice to a consumer of an existing open-end credit balance in excess of $5 (i) on an account maintained by the supplier and (ii) resulting from such consumer's overpayment on such account. Suppliers shall give consumers written notice of such credit balances within 60 days of receiving overpayments. If the credit balance information is incorporated into statements of account furnished consumers by suppliers within such 60-day period, no separate or additional notice is required;

17. If a supplier enters into a written agreement with a consumer to resolve a dispute that arises in connection with a consumer transaction, failing to adhere to the terms and conditions of such an agreement;

18. Violating any provision of the Virginia Health Club Act, Chapter 24 (§ 59.1-294 et seq.);

19. Violating any provision of the Virginia Home Solicitation Sales Act, Chapter 2.1 (§ 59.1-21.1 et seq.);

20. Violating any provision of the Automobile Repair Facilities Act, Chapter 17.1 (§ 59.1-207.1 et seq.);

21. Violating any provision of the Virginia Lease-Purchase Agreement Act, Chapter 17.4 (§ 59.1-207.17 et seq.);

22. Violating any provision of the Prizes and Gifts Act, Chapter 31 (§ 59.1-415 et seq.);

23. Violating any provision of the Virginia Public Telephone Information Act, Chapter 32 (§ 59.1-424 et seq.);

24. Violating any provision of § 54.1-1505;

25. Violating any provision of the Motor Vehicle Manufacturers' Warranty Adjustment Act, Chapter 17.6 (§ 59.1-207.34 et seq.);

26. Violating any provision of § 3.2-5627, relating to the pricing of merchandise;

27. Violating any provision of the Pay-Per-Call Services Act, Chapter 33 (§ 59.1-429 et seq.);

28. Violating any provision of the Extended Service Contract Act, Chapter 34 (§ 59.1-435 et seq.);

29. Violating any provision of the Virginia Membership Camping Act, Chapter 25 (§ 59.1-311 et seq.);

30. Violating any provision of the Comparison Price Advertising Act, Chapter 17.7 (§ 59.1-207.40 et seq.);

31. Violating any provision of the Virginia Travel Club Act, Chapter 36 (§ 59.1-445 et seq.);

32. Violating any provision of §§ 46.2-1231 and 46.2-1233.1;

33. Violating any provision of Chapter 40 (§ 54.1-4000 et seq.) of Title 54.1;

34. Violating any provision of Chapter 10.1 (§ 58.1-1031 et seq.) of Title 58.1;

35. Using the consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use an alternate number not associated with the consumer's social security number;

36. Violating any provision of Chapter 18 (§ 6.2-1800 et seq.) of Title 6.2;

37. Violating any provision of § 8.01-40.2;

38. Violating any provision of Article 7 (§ 32.1-212 et seq.) of Chapter 6 of Title 32.1;

39. Violating any provision of Chapter 34.1 (§ 59.1-441.1 et seq.);

40. Violating any provision of Chapter 20 (§ 6.2-2000 et seq.) of Title 6.2;

41. Violating any provision of the Virginia Post-Disaster Anti-Price Gouging Act, Chapter 46 (§ 59.1-525 et seq.). For the purposes of this subdivision, "consumer transaction" has the same meaning as provided in § 59.1-526;

42. Violating any provision of Chapter 47 (§ 59.1-530 et seq.);

43. Violating any provision of § 59.1-443.2;

44. Violating any provision of Chapter 48 (§ 59.1-533 et seq.);

45. Violating any provision of Chapter 25 (§ 6.2-2500 et seq.) of Title 6.2;

46. Violating the provisions of clause (i) of subsection B of § 54.1-1115;

47. Violating any provision of § 18.2-239;

48. Violating any provision of Chapter 26 (§ 59.1-336 et seq.);

49. Selling, offering for sale, or manufacturing for sale a children's product the supplier knows or has reason to know was recalled by the U.S. Consumer Product Safety Commission. There is a rebuttable presumption that a supplier has reason to know a children's product was recalled if notice of the recall has been posted continuously at least 30 days before the sale, offer for sale, or manufacturing for sale on the website of the U.S. Consumer Product Safety Commission. This prohibition does not apply to children's products that are used, secondhand or "seconds";

50. Violating any provision of Chapter 44.1 (§ 59.1-518.1 et seq.);

51. Violating any provision of Chapter 22 (§ 6.2-2200 et seq.) of Title 6.2;

52. Violating any provision of § 8.2-317.1;

53. Violating subsection A of § 9.1-149.1;

54. Selling, offering for sale, or using in the construction, remodeling, or repair of any residential dwelling in the Commonwealth, any drywall that the supplier knows or has reason to know is defective drywall. This subdivision shall not apply to the sale or offering for sale of any building or structure in which defective drywall has been permanently installed or affixed;

55. Engaging in fraudulent or improper or dishonest conduct as defined in § 54.1-1118 while engaged in a transaction that was initiated (i) during a declared state of emergency as defined in § 44-146.16 or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is licensed as a contractor in the Commonwealth pursuant to Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1;

56. Violating any provision of Chapter 33.1 (§ 59.1-434.1 et seq.);

57. Violating any provision of § 18.2-178, 18.2-178.1, or 18.2-200.1;

58. Violating any provision of Chapter 17.8 (§ 59.1-207.45 et seq.). For the purposes of this subdivision, "consumer transaction" also includes transactions involving an automatic renewal or continuous service offer by a supplier to a small business, as those terms are defined in § 59.1-207.45;

59. Violating any provision of subsection E of § 32.1-126;

60. Violating any provision of § 54.1-111 relating to the unlicensed practice of a profession licensed under Chapter 11 (§ 54.1-1100 et seq.) or Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1;

61. Violating any provision of § 2.2-2001.5;

62. Violating any provision of Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1;

63. Violating any provision of § 6.2-312;

64. Violating any provision of Chapter 20.1 (§ 6.2-2026 et seq.) of Title 6.2;

65. Violating any provision of Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2;

66. Violating any provision of Chapter 54 (§ 59.1-586 et seq.);

67. Knowingly violating any provision of § 8.01-27.5;

68. Failing to, in accordance with § 59.1-207.46, (i) make available a conspicuous online option to cancel a recurring purchase of a good or service or (ii) with respect to a free trial lasting more than 30 days, notify a consumer of his option to cancel such free trial within 30 days of the end of the trial period to avoid an obligation to pay for the goods or services;

69. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains a synthetic derivative of tetrahydrocannabinol. As used in this subdivision, "synthetic derivative" means a chemical compound produced by man through a chemical transformation to turn a compound into a different compound by adding or subtracting molecules to or from the original compound. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

70. Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

71. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol, unless such substance is (i) contained in child-resistant packaging, as defined in § 4.1-600; (ii) equipped with a label that states, in English and in a font no less than 1/16 of an inch, (a) that the substance contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (b) all ingredients contained in the substance, (c) the amount of such substance that constitutes a single serving, and (d) the total percentage and milligrams of tetrahydrocannabinol included in the substance and the number of milligrams of tetrahydrocannabinol that are contained in each serving; and (iii) accompanied by a certificate of analysis, produced by an independent laboratory that is accredited pursuant to standard ISO/IEC 17025 of the International Organization of Standardization by a third-party accrediting body, that states the tetrahydrocannabinol concentration of the substance or the tetrahydrocannabinol concentration of the batch from which the substance originates. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

72. Manufacturing, offering for sale at retail, or selling at retail an industrial hemp extract, as defined in § 3.2-5145.1, a food containing an industrial hemp extract, or a substance containing tetrahydrocannabinol that depicts or is in the shape of a human, animal, vehicle, or fruit;

73. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol and, without authorization, bears, is packaged in a container or wrapper that bears, or is otherwise labeled to bear the trademark, trade name, famous mark as defined in 15 U.S.C. § 1125, or other identifying mark, imprint, or device, or any likeness thereof, of a manufacturer, processor, packer, or distributor of a product intended for human consumption other than the manufacturer, processor, packer, or distributor that did in fact so manufacture, process, pack, or distribute such substance;

74. Selling or offering for sale a topical hemp product, as defined in § 3.2-4112, that does not include a label stating that the product is not intended for human consumption. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.), (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1, or (iii) apply to topical

hemp products that were manufactured prior to July 1, 2023, provided that the person provides documentation of the date of manufacture if requested;

75. Violating any provision of § 59.1-466.8;

76. Violating subsection F of § 36-96.3:1;

77. Selling or offering for sale (i) any kratom product to a person younger than 21 years of age or (ii) any kratom product that does not include a label listing all ingredients and with the following guidance: "This product may be harmful to your health, has not been evaluated by the FDA, and is not intended to diagnose, treat, cure, or prevent any disease." As used in this subdivision, "kratom" means any part of the leaf of the plant Mitragyna speciosa or any extract thereof;

78. Advertising of any ignition interlock system in Virginia by an ignition interlock vendor not approved by the Commission on the Virginia Alcohol Safety Action Program to operate in Virginia; targeted advertising of any ignition interlock system to a person before determination of guilt; and any advertising, whether before or after determination of guilt, without a conspicuous statement that such advertisement is not affiliated with any government agency. For purposes of this subdivision, "ignition interlock system" has the same meaning as ascribed to that term in § 18.2-270.1 and "targeted advertising" has the same meaning ascribed to that term in § 59.1-575 and includes direct mailings to an individual. This provision shall not apply to ignition interlock service vendor ads, pamphlets, or kiosk advertisements approved by the Commission on the Virginia Alcohol Safety Action Program and provided at a Commission-approved location;

79. Failing to disclose the total cost of a good or continuous service, as defined in § 59.1-207.45, to a consumer, including any mandatory fees or charges, prior to entering into an agreement for the sale of any such good or provision of any such continuous service;

80. Violating any provision of the Unfair Real Estate Service Agreement Act (§ 55.1-3200 et seq.);

81. Selling or offering for sale services as a professional mold remediator to be performed upon any residential dwelling without holding a mold remediation certification from the Institute of Inspection, Cleaning and Restoration Certification (IICRC);

82. Willfully violating any provision of § 59.1-444.4; ~~and~~

83. Violating any provision of Chapter 23.2 (§ 59.1-293.10 et seq.)*; and*

84. Obtaining, disclosing, selling, or disseminating any personally identifiable reproductive or sexual health information without the consent of the consumer.

B. Nothing in this section shall be construed to invalidate or make unenforceable any contract or lease solely by reason of the failure of such contract or lease to comply with any other law of the Commonwealth or any federal statute or regulation, to the extent such other law, statute, or regulation provides that a violation of such law, statute, or regulation shall not invalidate or make unenforceable such contract or lease.

CHAPTER 592

An Act to amend and reenact §§ 30-219, 30-221, and 30-222 of the Code of Virginia, relating to Commission on Unemployment Compensation; membership; compensation; powers and duties.

[S 878]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 30-219, 30-221, and 30-222 of the Code of Virginia are amended and reenacted as follows:

§ 30-219. Membership; terms; vacancies; chairman and vice-chairman.

The Commission shall consist of *10 members that shall include* eight legislative members *and two nonlegislative citizen members*. Members shall be appointed as follows: three members of the Senate, to be appointed by the Senate Committee on Rules ~~and~~*;* five members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates*; and two nonlegislative citizen members, one of whom shall be an employee stakeholder representative to be appointed by the Speaker of the House of Delegates and one of whom shall be an employer representative to be appointed by the Senate Committee on Rules. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth. Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending meetings.*

~~Members~~ *Legislative members* of the Commission shall serve terms coincident with their terms of office. ~~Members~~ *Nonlegislative citizen members shall be appointed for a term of two years. Legislative and nonlegislative citizen members* may be reappointed. *However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.* Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

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

§ 30-221. Compensation; expenses.

Legislative members of the Commission shall receive such compensation as provided in § 30-19.12*, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813*. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in ~~§~~ *§§* 2.2-2813 *and 2.2-2825*. ~~However, all such~~ *Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other* compensation and expenses shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee.

§ 30-222. Powers and duties of the Commission.

A. The Commission shall have the following powers and duties:

1. Evaluate the impact of existing statutes and proposed legislation on unemployment compensation and the Unemployment Trust Fund;

2. Assess the Commonwealth's unemployment compensation programs and examine ways to enhance effectiveness;

3. Monitor the current status and long-term projections for the Unemployment Trust Fund; and

4. Report annually its findings and recommendations to the General Assembly and the Governor.

B. ~~Within the~~ *The* Commission ~~there shall be established a subcommittee on unemployment insurance (UI) that~~ shall *also* be responsible for monitoring the Virginia Employment Commission's management of the Commonwealth's unemployment insurance system~~. The subcommittee shall be responsible for~~ *by* monitoring the Virginia Employment Commission's following operations:

1. Key performance metrics related to unemployment insurance backlogs;

2. Efforts to identify, prevent, and recover incorrect unemployment insurance benefit payments, including fraudulent payments;

3. Modernization of the unemployment insurance information technology system and subsequent efforts to improve functionality;

4. Expenditures of state funds appropriated for unemployment insurance administration; and

5. Implementation of recommendations from the 2021 Operations and Performance of the Virginia Employment Commission report by the Joint Legislative Audit and Review Commission.

C. ~~The subcommittee established in subsection B shall include (i) at least one employee stakeholder representative, (ii) at least one employer representative, (iii) at least one member of the Commission on Unemployment Compensation, and (iv) at least one member from each of the following committees: the House Committee on Appropriations, the House Committee on Labor and Commerce, the Senate Committee on Commerce and Labor, and the Senate Committee on Finance and Appropriations.~~

~~D. The subcommittee established in subsection B shall meet at least once each quarter from July 1, 2022, through June 30, 2025, and shall report at least annually, beginning on December 1, 2022, to the House Committee on Appropriations, the House Committee on Labor and Commerce, the Senate Committee on Commerce and Labor, and the Senate Committee on Finance and Appropriations.~~

~~E.~~ The Commission shall periodically convene an advisory committee composed of an employer representative, an employee representative, a labor economist, a finance expert, a labor law expert, and any other stakeholders or subject matter experts deemed appropriate by the Commission for the following purposes: (i) to review UI benefits, replacement ratios, and recipiency rates; (ii) to identify factors that affect UI benefits and recipiency, such as design of UI benefit calculations or UI eligibility criteria; (iii) to assess the advantages and disadvantages of potential changes to benefits; and (iv) to recommend to the Commission options to change benefit levels when needed. This advisory committee shall be established by December 1, 2022, and shall be convened at least every five years thereafter.

2. That the employee stakeholder representative and the employer representative members serving on the subcommittee of the Commission on Unemployment Compensation pursuant to § 30-222 of the Code of Virginia prior to the enactment of this act shall serve as the two nonlegislative citizen members of the Commission on Unemployment Compensation pursuant to § 30-222 of the Code of Virginia, as amended by this act, until July 1, 2026. Thereafter, such members shall be eligible for appointment to the Commission on Unemployment Compensation pursuant to § 30-222 of the Code of Virginia, as amended by this act.

CHAPTER 593

An Act to amend and reenact § 55.1-1236 of the Code of Virginia, relating to Virginia Residential Landlord and Tenant Act; early termination of rental agreement; victims of family abuse, sexual abuse or criminal sexual assault, stalking, or human trafficking.

[S 884]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-1236 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-1236. Early termination of rental agreements by victims of family abuse, sexual abuse or other criminal sexual assault, or stalking.

A. Any tenant who is a victim of (i) family abuse as defined by § 16.1-228, (ii) sexual abuse as defined by § 18.2-67.10~~,~~ or ~~(iii)~~ other criminal sexual assault under Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2*, (iii) stalking in violation of § 18.2-60.3, or (iv) trafficking in violation of Article 3 (§ 18.2-344 et seq.) of Chapter 8 of Title 18.2* may terminate such tenant's obligations under a rental agreement under the following circumstances:

1. The victim has obtained an order of protection pursuant to § *16.1-253.1 or* 16.1-279.1 *during the term of an active and current rental agreement* and has given written notice of termination in accordance with subsection B during the period of the protective order or any extension thereof;

2. The victim has obtained a *preliminary protective order pursuant to § 19.2-152.9 or a* permanent protective order pursuant to § 19.2-152.10 *during the term of an active and current rental agreement* and has given written notice of termination in accordance with subsection B during the period of the protective order or any extension thereof; or

3. A court has entered an order convicting a perpetrator of*, or a magistrate, law-enforcement agency, grand jury, special grand jury, or court has issued a warrant, summons, information, or indictment charging a person with,* any crime of sexual assault under Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, sexual abuse as defined by § 18.2-67.10, ~~or~~ family abuse as defined by § 16.1-228*, stalking in violation of § 18.2-60.3, or trafficking in violation of Article 3 (§ 18.2-344 et seq.) of Chapter 8 of Title 18.2* against the victim *during the term of an active and current rental agreement* and the victim gives written notice of termination in accordance with subsection B. A victim may exercise a right of termination under this section to terminate a rental agreement in effect when the conviction order is entered and one subsequent rental agreement based upon the same conviction.

B. A tenant who qualifies to terminate such tenant's obligations under a rental agreement pursuant to subsection A shall do so by serving on the landlord a written notice of termination to be effective ~~30~~ *28* days after the tenant serves the termination notice on the landlord. The tenant shall also provide the landlord with a copy of (i) the order of protection issued or (ii) the conviction order*, warrant, summons, information, or indictment*.

C. The rent shall be payable at such time as would otherwise have been required by the terms of the rental agreement through the effective date of the termination as provided in subsection B.

D. The landlord may not charge any liquidated damages.

E. The victim's obligations as a tenant under § 55.1-1227 shall continue through the effective date of the termination as provided in subsection B. Any co-tenants on the lease with the victim shall remain responsible for the rent for the balance of the term of the rental agreement. If the perpetrator is the remaining sole tenant obligated on the rental agreement, the landlord may terminate the rental agreement and collect actual damages for such termination against the perpetrator pursuant to § 55.1-1251.

CHAPTER 594

An Act to amend and reenact §§ 15.2-2201, 15.2-2241, 15.2-2245, 15.2-2254, 15.2-2258, 15.2-2259, 15.2-2260, 15.2-2261, 15.2-2269, 15.2-2270, 15.2-2271, and 15.2-2307 of the Code of Virginia, relating to subdivision ordinance; plan review by designated agent.

[S 974]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-2201, 15.2-2241, 15.2-2245, 15.2-2254, 15.2-2258, 15.2-2259, 15.2-2260, 15.2-2261, 15.2-2269, 15.2-2270, 15.2-2271, and 15.2-2307 of the Code of Virginia are amended and reenacted as follows:

§ 15.2-2201. Definitions.

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

"Affordable housing" means, as a guideline, housing that is affordable to households with incomes at or below the area median income, provided that the occupant pays no more than thirty percent of his gross income for gross housing costs, including utilities. For the purpose of administering affordable dwelling unit ordinances authorized by this chapter, local governments may establish individual definitions of affordable housing and affordable dwelling units including determination of the appropriate percent of area median income and percent of gross income.

"Conditional zoning" means, as part of classifying land within a locality into areas and districts by legislative action, the allowing of reasonable conditions governing the use of such property, such conditions being in addition to, or modification of the regulations provided for a particular zoning district or zone by the overall zoning ordinance.

"Designated agent" means any agent employed or authorized by a locality and designated by the governing body to review and act on subdivision plats, site plans, and plans of development. "Designated agent" does not include the local planning commission. However, the local planning commission may serve as the designated agent of any locality with a population of 5,000 or less.

"Development" means a tract of land developed or to be developed as a unit under single ownership or unified control which is to be used for any business or industrial purpose or is to contain three or more residential dwelling units. The term "development" shall not be construed to include any tract of land which will be principally devoted to agricultural production.

"Historic area" means an area containing one or more buildings or places in which historic events occurred or having special public value because of notable architectural, archaeological or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation.

"Incentive zoning" means the use of bonuses in the form of increased project density or other benefits to a developer in return for the developer providing certain features, design elements, uses, services, or amenities desired by the locality, including but not limited to, site design incorporating principles of new urbanism and traditional neighborhood development, environmentally sustainable and energy-efficient building design, affordable housing creation and preservation, and historical preservation, as part of the development.

"Local planning commission" means a municipal planning commission or a county planning commission.

"Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under jurisdiction of the U.S. Department of Defense, including any leased facility, or any land or interest in land owned by the Commonwealth and administered by the Adjutant General of Virginia or the Virginia Department of Military Affairs. "Military installation" does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

"Mixed use development" means property that incorporates two or more different uses, and may include a variety of housing types, within a single development.

"Official map" means a map of legally established and proposed public streets, waterways, and public areas adopted by a locality in accordance with the provisions of Article 4 (§ 15.2-2233 et seq.) hereof.

"Planned unit development" means a form of development characterized by unified site design for a variety of housing types and densities, clustering of buildings, common open space, and a mix of building types and land uses in which project planning and density calculation are performed for the entire development rather than on an individual lot basis.

"Planning district commission" means a regional planning agency chartered under the provisions of Chapter 42 (§ 15.2-4200 et seq.) of this title.

"Plat" or "plat of subdivision" means the schematic representation of land divided or to be divided and information in accordance with the provisions of §§ 15.2-2241, 15.2-2242, 15.2-2258, 15.2-2262, and 15.2-2264, and other applicable statutes.

"Preliminary subdivision plat" means the proposed schematic representation of development or subdivision that establishes how the provisions of §§ 15.2-2241 and 15.2-2242, and other applicable statutes will be achieved.

"Resident curator" means a person, firm, or corporation that leases or otherwise contracts to manage, preserve, maintain, operate, or reside in a historic property in accordance with the provisions of § 15.2-2306 and other applicable statutes.

"Site plan" means the proposal for a development or a subdivision including all covenants, grants or easements and other conditions relating to use, location and bulk of buildings, density of development, common open space, public facilities and such other information as required by the subdivision ordinance to which the proposed development or subdivision is subject.

"Special exception" means a special use that is a use not permitted in a particular district except by a special use permit granted under the provisions of this chapter and any zoning ordinances adopted herewith.

"Street" means highway, street, avenue, boulevard, road, lane, alley, or any public way.

"Subdivision," unless otherwise defined in an ordinance adopted pursuant to § 15.2-2240, means the division of a parcel of land into three or more lots or parcels of less than five acres each for the purpose of transfer of ownership or building development, or, if a new street is involved in such division, any division of a parcel of land. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided and solely for the purpose of recordation of any single division of land into two lots or parcels, a plat of such division shall be submitted for approval in accordance with § 15.2-2258. Nothing in this definition, section, nor any ordinance adopted pursuant to § 15.2-2240 shall preclude different owners of adjacent parcels from entering into a valid and enforceable boundary line agreement with one another so long as such agreement is only used to resolve a bona fide property line dispute, the boundary adjustment does not move by more than 250 feet from the center of the current platted line or alter either parcel's resultant acreage by more than five percent of the smaller parcel size, and such agreement does not create an additional lot, alter the existing boundary lines of localities, result in greater street frontage, or interfere with a recorded easement, and such agreement shall not result in any nonconformity with local ordinances and health department regulations. Notice shall be provided to the zoning administrator of the locality in which the parcels are located for review. For any property affected by this definition, any division of land subject to a partition suit by virtue of order or decree by a court of competent jurisdiction shall take precedence over the requirements of Article 6 (§ 15.2-2240 et seq.) and the minimum lot area, width, or frontage requirements in the zoning ordinance so long as the lot or parcel resulting from such order or decree does not vary from minimum lot area, width, or frontage requirements by more than 20 percent. A copy of the final decree shall be provided to the zoning administrator of the locality in which the property is located.

"Variance" means, in the application of a zoning ordinance, a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure when the strict application of the ordinance would unreasonably restrict the utilization of the property, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the purpose of the

ordinance. It shall not include a change in use, which change shall be accomplished by a rezoning or by a conditional zoning.

"Working waterfront" means an area or structure on, over, or adjacent to navigable waters that provides access to the water and is used for water-dependent commercial, industrial, or governmental activities, including commercial and recreational fishing; tourism; aquaculture; boat and ship building, repair, and services; seafood processing and sales; transportation; shipping; marine construction; and military activities.

"Working waterfront development area" means an area containing one or more working waterfronts having economic, cultural, or historic public value of such significance as to warrant development and reparation.

"Zoning" or "to zone" means the process of classifying land within a locality into areas and districts, such areas and districts being generally referred to as "zones," by legislative action and the prescribing and application in each area and district of regulations concerning building and structure designs, building and structure placement and uses to which land, buildings and structures within such designated areas and districts may be put.

§ 15.2-2241. Mandatory provisions of a subdivision ordinance.

A. A subdivision ordinance shall include reasonable regulations and provisions that apply to or provide:

1. For plat details which shall meet the standard for plats as adopted under § 42.1-82 of the Virginia Public Records Act (§ 42.1-76 et seq.);

2. For the coordination of streets within and contiguous to the subdivision with other existing or planned streets within the general area as to location, widths, grades and drainage, including, for ordinances and amendments thereto adopted on or after January 1, 1990, for the coordination of such streets with existing or planned streets in existing or future adjacent or contiguous to adjacent subdivisions;

3. For adequate provisions for drainage and flood control, for adequate provisions related to the failure of impounding structures and impacts within dam break inundation zones, and other public purposes, and for light and air, and for identifying soil characteristics;

4. For the extent to which and the manner in which streets shall be graded, graveled or otherwise improved and water and storm and sanitary sewer and other public utilities or other community facilities are to be installed;

5. For the acceptance of dedication for public use of any right-of-way located within any subdivision or section thereof, which has constructed or proposed to be constructed within the subdivision or section thereof, any street, curb, gutter, sidewalk, bicycle trail, drainage or sewerage system, waterline as part of a public system or other improvement dedicated for public use, and maintained by the locality, the Commonwealth, or other public agency, and for the provision of other site-related improvements required by local ordinances for vehicular ingress and egress, including traffic signalization and control, for public access streets, for structures necessary to ensure stability of critical slopes, and for storm water management facilities, financed or to be financed in whole or in part by private funds only if the owner or developer (i) certifies to the governing body that the construction costs have been paid to the person constructing such facilities or, at the option of the local governing body, presents evidence satisfactory to the governing body that the time for recordation of any mechanics lien has expired or evidence that any debt for said construction that may be due and owing is contested and further provides indemnity with adequate surety in an amount deemed sufficient by the ~~governing body or its~~ designated ~~administrative agency~~ *agent*; (ii) furnishes to the governing body a certified check or cash escrow in the amount of the estimated costs of construction or a personal, corporate or property bond, with surety satisfactory to the ~~governing body or its~~ designated ~~administrative agency~~ *agent*, in an amount sufficient for and conditioned upon the construction of such facilities, or a contract for the construction of such facilities and the contractor's bond, with like surety, in like amount and so conditioned; or (iii) furnishes to the governing body a bank or savings institution's letter of credit on certain designated funds satisfactory to the ~~governing body or its~~ designated ~~administrative agency~~ *agent* as to the bank or savings institution, the amount and the form. The amount of such certified check, cash escrow, bond, or letter of credit shall not exceed the total of the estimated cost of construction based on unit prices for new public or private sector construction in the locality and a reasonable allowance for estimated administrative costs, inflation, and potential damage to existing roads or utilities, which shall not exceed 10 percent of the estimated construction costs. If the owner or developer defaults on construction of such facilities, and such facilities are constructed by the surety or with funding from the aforesaid check, cash escrow, bond or letter of credit, the locality shall be entitled to retain or collect the allowance for administrative costs to the extent the costs of such construction do not exceed the total of the originally estimated costs of construction and the allowance for administrative costs. "Such facilities," as used in this section, means those facilities specifically provided for in this section.

If a developer records a final plat which may be a section of a subdivision as shown on an approved preliminary subdivision plat and furnishes to the governing body a certified check, cash escrow, bond, or letter of credit in the amount of the estimated cost of construction of the facilities to be dedicated within said section for public use and maintained by the locality, the Commonwealth, or other public agency, the developer shall have the right to record the remaining sections shown on the preliminary subdivision plat for a period of five years from the recordation date of any section, or for such longer period as the local commission or other agent may, at the approval, determine to be reasonable, taking into consideration the size and phasing of the proposed development, subject to the terms and conditions of this subsection and subject to engineering and construction standards and zoning requirements in effect at the time that each remaining section is recorded. In the event a governing body of a county, wherein the highway system is maintained by the Department of Transportation, has accepted the dedication of a road for public use and such road due to factors other than its quality of construction is not acceptable into the secondary system of state highways, then such governing body may, if so provided by

its subdivision ordinance, require the subdivider or developer to furnish the county with a maintenance and indemnifying bond, with surety satisfactory to the ~~governing body or its~~ designated ~~administrative agency~~ *agent*, in an amount sufficient for and conditioned upon the maintenance of such road until such time as it is accepted into the secondary system of state highways. In lieu of such bond, the ~~governing body or its~~ designated ~~administrative agency~~ *agent* may accept a bank or savings institution's letter of credit on certain designated funds satisfactory to the ~~governing body or its~~ designated ~~administrative agency~~ *agent* as to the bank or savings institution, the amount and the form, or accept payment of a negotiated sum of money sufficient for and conditioned upon the maintenance of such road until such time as it is accepted into the secondary system of state highways and assume the subdivider's or developer's liability for maintenance of such road. "Maintenance of such road" as used in this section, means maintenance of the streets, curb, gutter, drainage facilities, utilities or other street improvements, including the correction of defects or damages and the removal of snow, water or debris, so as to keep such road reasonably open for public usage.

~~As used in this section, "designated administrative agency" means the planning commission of the locality or an agent designated by the governing body of the locality for such purpose as set forth in §§ 15.2-2258 through 15.2-2261~~;

6. For conveyance of common or shared easements to franchised cable television operators furnishing cable television and public service corporations furnishing cable television, gas, telephone and electric service to the proposed subdivision. Once a developer conveys an easement that will permit electric, cable or telephone service to be furnished to a subdivision, the developer shall, within 30 days after written request by a cable television operator or telephone service provider, grant an easement to that cable television operator or telephone service provider for the purpose of providing cable television and communications services to that subdivision, which easement shall be geographically coextensive with the electric service easement, or if only a telephone or cable service easement has been granted, then geographically coextensive with that telephone or cable service easement; however, the developer and franchised cable television operator or telephone service provider may mutually agree on an alternate location for an easement. If the final subdivision plat is recorded and does not include conveyance of a common or shared easement as provided herein, the ~~local planning commission or agent designated by the governing body to review and act on submitted subdivision plats~~ *designated agent* shall not be responsible to enforce the requirements of this subdivision;

7. For monuments of specific types to be installed establishing street and property lines;

8. That unless a plat is filed for recordation within six months after final approval thereof or such longer period as may be approved by the governing body, such approval shall be withdrawn and the plat marked void and returned to the approving official; however, in any case where construction of facilities to be dedicated for public use has commenced pursuant to an approved plan or permit with surety approved by the ~~governing body or its~~ designated ~~administrative agency~~ *agent*, or where the developer has furnished surety to the ~~governing body or its~~ designated ~~administrative agency~~ *agent* by certified check, cash escrow, bond, or letter of credit in the amount of the estimated cost of construction of such facilities, the time for plat recordation shall be extended to one year after final approval or to the time limit specified in the surety agreement approved by the ~~governing body or its~~ designated ~~administrative agency, whichever is greater~~ *agent*;

9. For the administration and enforcement of such ordinance, not inconsistent with provisions contained in this chapter, and specifically for the imposition of reasonable fees and charges for the review of plats and plans, and for the inspection of facilities required by any such ordinance to be installed; such fees and charges shall in no instance exceed an amount commensurate with the services rendered taking into consideration the time, skill and administrator's expense involved. All such charges heretofore made are hereby validated;

10. For reasonable provisions permitting a single division of a lot or parcel for the purpose of sale or gift to a member of the immediate family of the property owner in accordance with the provisions of § 15.2-2244; ~~and~~

11. For the periodic partial and final complete release of any bond, escrow, letter of credit, or other performance guarantee required by the governing body under this section in accordance with the provisions of § 15.2-2245*;*

12. For the review of plats, site plans, and plans of development solely involving parcels of commercial or residential real estate as set forth in §§ 15.2-2259 and 15.2-2260; and

13. For the identification of deficiencies, corrections, or modifications of proposed and resubmitted plats and plans as set forth in §§ 15.2-2259 and 15.2-2260.

B. No locality shall require that any certified check, cash escrow, bond, letter of credit or other performance guarantee furnished pursuant to this chapter apply to, or include the cost of, any facility or improvement unless such facility or improvement is shown or described on the approved plat or plan of the project for which such guarantee is being furnished. Furthermore, the terms, conditions, and specifications contained in any agreement, contract, performance agreement, or similar document, however described or delineated, between a locality or its governing body and an owner or developer of property entered into pursuant to this chapter in conjunction with any performance guarantee, as described in this subsection, shall be limited to those items depicted or provided for in the approved plan, plat, permit application, or similar document for which such performance guarantee is applicable.

§ 15.2-2245. Provisions for periodic partial and final release of certain performance guarantees.

A. A subdivision ordinance shall provide for the periodic partial and final complete release of any bond, escrow, letter of credit, or other performance guarantee required by the governing body under this article within thirty days after receipt of written notice by the subdivider or developer of completion of part or all of any public facilities required to be constructed hereunder unless the ~~governing body or its~~ designated ~~administrative agency~~ *agent* notifies the subdivider or developer in writing of nonreceipt of approval by an applicable state agency, or of any specified defects or deficiencies in construction

and suggested corrective measures prior to the expiration of the thirty-day period. Any inspection of such public facilities shall be based solely upon conformance with the terms and conditions of the performance agreement and the approved design plan and specifications for the facilities for which the performance guarantee is applicable, and shall not include the approval of any person other than an employee of the governing body, its administrative agency, the Virginia Department of Transportation or other political subdivision or a person who has contracted with the governing body, its administrative agency, the Virginia Department of Transportation or other political subdivision.

B. If no such action is taken by the ~~governing body or administrative agency~~ *designated agent* within the time specified above, the request shall be deemed approved, and a partial release granted to the subdivider or developer. No final release shall be granted until after expiration of such thirty-day period and there is an additional request in writing sent by certified mail return receipt to the chief administrative officer of such governing body. The ~~governing body or its~~ designated ~~administrative agency~~ *agent* shall act within ten working days of receipt of the request; then if no action is taken the request shall be deemed approved and final release granted to the subdivider or developer.

C. After receipt of the written notices required above, if the governing body or administrative agency takes no action within the times specified above and the subdivider or developer files suit in the local circuit court to obtain partial or final release of a bond, escrow, letter of credit, or other performance guarantee, as the case may be, the circuit court, upon finding the governing body or its administrative agency was without good cause in failing to act, shall award such subdivider or developer his reasonable costs and attorneys' fees.

D. No ~~governing body or administrative agency~~ *designated agent* shall refuse to make a periodic partial or final release of a bond, escrow, letter of credit, or other performance guarantee for any reason not directly related to the specified defects or deficiencies in construction of the public facilities covered by said bond, escrow, letter of credit or other performance guarantee.

E. Upon written request by the subdivider or developer, the ~~governing body or its~~ designated ~~administrative agency~~ *agent* shall be required to make periodic partial releases of such bond, escrow, letter of credit, or other performance guarantee in a cumulative amount equal to no less than ninety percent of the original amount for which the bond, escrow, letter of credit, or other performance guarantee was taken, and may make partial releases to such lower amounts as may be authorized by the ~~governing body or its~~ designated ~~administrative agency~~ *agent* based upon the percentage of public facilities completed and approved by the governing body, local administrative agency, or state agency having jurisdiction. Periodic partial releases may not occur before the completion of at least thirty percent of the public facilities covered by any bond, escrow, letter of credit, or other performance guarantee. The ~~governing body or administrative agency~~ *designated agent* shall not be required to execute more than three periodic partial releases in any twelve-month period. Upon final completion and acceptance of the public facilities, the ~~governing body or administrative agency~~ *designated agent* shall release any remaining bond, escrow, letter of credit, or other performance guarantee to the subdivider or developer. For the purpose of final release, the term "acceptance" means: when the public facility is accepted by and taken over for operation and maintenance by the state agency, local government department or agency, or other public authority which is responsible for maintaining and operating such public facility upon acceptance.

F. For the purposes of this section, a certificate of partial or final completion of such public facilities from either a duly licensed professional engineer or land surveyor, as defined in and limited to § 54.1-400, or from a department or agency designated by the locality may be accepted without requiring further inspection of such public facilities.

§ 15.2-2254. Statutory provisions effective after ordinance adopted.

After the adoption of a subdivision ordinance in accordance with this chapter, the following provisions shall be effective in the territory to which the ordinance applies:

1. No person shall subdivide land without making and recording a plat of the subdivision and without fully complying with the provisions of this article and of the subdivision ordinance.

2. No plat of any subdivision shall be recorded unless and until it has been submitted to and approved by the ~~local planning commission or by the governing body or its duly authorized~~ *designated* agent, of the locality wherein the land to be subdivided is located; or by the ~~commissions, governing bodies or~~ *designated* agents, as the case may be, of each locality having a subdivision ordinance, in which any part of the land lies.

3. No person shall sell or transfer any land of a subdivision, before a plat has been duly approved and recorded as provided herein, unless the subdivision was lawfully created prior to the adoption of a subdivision ordinance applicable thereto. However, nothing herein contained shall be construed as preventing the recordation of the instrument by which such land is transferred or the passage of title as between the parties to the instrument.

4. Any person violating the foregoing provisions of this section shall be subject to a fine of not more than $500 for each lot or parcel of land so subdivided, transferred or sold and shall be required to comply with all provisions of this article and the subdivision ordinance. The description of the lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from the penalties or remedies herein provided.

5. No clerk of any court shall file or record a plat of a subdivision required by this article to be recorded until the plat has been approved as required herein. The penalties provided by § 17.1-223 shall apply to any failure to comply with the provisions of this subsection.

§ 15.2-2258. Plat of proposed subdivision and site plans to be submitted for approval.

Whenever the owner or proprietor of any tract of land located within any territory to which a subdivision ordinance applies desires to subdivide the tract, he shall submit a plat of the proposed subdivision to the ~~planning commission of the locality, or an agent designated by the governing body~~ *designated agent* thereof for such purpose. When any part of the land proposed for subdivision lies in a drainage district such fact shall be set forth on the plat of the proposed subdivision. When any part of the land proposed for subdivision lies in a mapped dam break inundation zone such fact shall be set forth on the plat of the proposed subdivision. When any grave, object or structure marking a place of burial is located on the land proposed for subdivision, such grave, object or structure shall be identified on any plans or site plans required by this article. When the land involved lies wholly or partly within an area subject to the joint control of more than one locality, the plat shall be submitted to the ~~planning commission or other~~ designated agent of the locality in which the tract of land is located. Site plans or plans of development required by subdivision A 8 of § 15.2-2286 shall also be subject to the provisions of §§ 15.2-2258 through 15.2-2261, mutatis mutandis.

§ 15.2-2259. Designated agent to act on proposed final plat.

A. 1. Except as otherwise provided in subdivisions 2 and 3, the ~~local planning commission or other~~ *designated* agent shall act on any proposed plat within 60 days after it has been officially submitted for approval by either approving or disapproving the plat in writing, and giving with the latter specific reasons therefor. The ~~Commission or~~ *designated* agent shall thoroughly review the plat and shall make a good faith effort to identify all deficiencies, if any, with the initial submission. However, if approval of a feature or features of the plat by a state agency or public authority authorized by state law is necessary, the ~~commission or~~ *designated* agent shall forward the plat to the appropriate state agency or ~~agencies~~ *authority* for review within ~~10~~ *five* business days of receipt of such plat. The state agency shall respond in accord with the requirements set forth in § 15.2-2222.1, which shall extend the time for action by the ~~local planning commission or other~~ *designated* agent, as set forth in subsection B. Specific reasons for disapproval shall be contained either in a separate document or on the plat itself. The reasons for disapproval shall identify deficiencies in the plat that cause the disapproval by reference to specific duly adopted ordinances, regulations, or policies and shall identify modifications or corrections as will permit approval of the plat. The ~~local planning commission or other~~ *designated* agent shall act on any proposed plat that it has previously disapproved within 45 days after the plat has been modified, corrected and resubmitted for approval.

2. The approval of plats, site plans, and plans of development solely involving parcels of commercial or residential real estate by a ~~local planning commission or other~~ *designated* agent shall be governed by subdivision 3 and subsections B, C, and D. For the purposes of this section, the term "commercial" means all real property used for commercial or industrial uses, and the term "residential" means all real property used for single-family or multifamily use.

3. The ~~local planning commission or other~~ *designated* agent shall act on any proposed plat, site plan or plan of development within 60 days after it has been officially submitted for approval by either approving or disapproving the plat in writing, and giving with the latter specific reasons therefor. The ~~local planning commission or other~~ *designated* agent shall not delay the official submission of any proposed plat, site plan, or plan of development by requiring presubmission conferences, meetings, or reviews. The ~~Commission or~~ *designated* agent shall thoroughly review the plat or plan and shall in good faith identify, to the greatest extent practicable, all deficiencies, if any, with the initial submission. However, if approval of a feature or features of the plat or plan by a state agency or public authority authorized by state law is necessary, the ~~commission or~~ *designated* agent shall forward the plat or plan to the appropriate state agency or agencies for review within ~~10 business~~ *five business* days of receipt of such plat or plan. The state agency shall respond in accord with the requirements set forth in § 15.2-2222.1, which shall extend the time for action by the ~~local planning commission or other~~ *designated* agent, as set forth in subsection B. Specific reasons for disapproval shall be contained either in a separate document or on the plat or plan itself. The reasons for disapproval shall identify deficiencies in the plat or plan that caused the disapproval by reference to specific duly adopted ordinances, regulations, or policies and shall identify, to the greatest extent practicable, modifications or corrections that will permit approval of the plat or plan.

In the review of a resubmitted proposed plat, site plan or plan of development that has been previously disapproved, the ~~local planning commission or other~~ *designated* agent shall consider only deficiencies it had identified in its review of the initial submission of the plat or plan that have not been corrected in such resubmission and any deficiencies that arise as a result of the corrections made to address deficiencies identified in the initial submission. In the review of the resubmission of a plat or plan, the ~~local planning commission or other~~ *designated* agent shall identify all deficiencies with the proposed plat or plan that caused the disapproval by reference to specific duly adopted ordinances, regulations or policies and shall identify modifications or corrections that will permit approval of the plat or plan. Upon the second resubmission of such disapproved plat or plan, the ~~local planning commission or other~~ *designated* agent's review shall be limited solely to the previously identified deficiencies that caused its disapproval.

The ~~local planning commission or other~~ *designated* agent shall act on any proposed plat, site plan or plan of development that it has previously disapproved within 45 days after the plat or plan has been modified, corrected and resubmitted for approval. The failure of a ~~local planning commission or other~~ *designated* agent to approve or disapprove a resubmitted plat or plan within the time periods required by this section shall cause the plat or plan to be deemed approved.

Notwithstanding the approval or deemed approval of any proposed plat, site plan or plan of development, any deficiency in any proposed plat or plan, that if left uncorrected, would violate local, state or federal law, regulations, mandatory Department of Transportation engineering and safety requirements, and other mandatory engineering and safety requirements, shall not be considered, treated or deemed as having been approved by the ~~local planning commission or other~~ *designated* agent. Should any resubmission include a material revision of infrastructure or physical improvements

from the earlier submission or if a material revision in the resubmission creates a new required review by the Virginia Department of Transportation or by a state agency or public authority authorized by state law, then the ~~local planning commission or other~~ *designated* agent's review shall not be limited to only the previously identified deficiencies identified in the prior submittals and may consider deficiencies initially appearing in the resubmission because of such material revision.

B. Any state agency or public authority authorized by state law making a review of a plat forwarded to it under this article, including, without limitation, the Virginia Department of Transportation and authorities authorized by Chapter 51 (§ 15.2-5100 et seq.), shall complete its review within 45 days of receipt of the plat upon first submission and within 45 days for any proposed plat that has previously been disapproved, provided, however, that the time periods set forth in § 15.2-2222.1 shall apply to plats triggering the applicability of said section. The Virginia Department of Transportation and authorities authorized by Chapter 51 (§ 15.2-5100 et seq.) shall allow use of public rights-of-way dedicated for public street purposes for placement of utilities by permit when practical and shall not unreasonably deny plat approval. If a state agency or public authority authorized by state law does not approve the plat, it shall comply with the requirements, and be subject to the restrictions, set forth in subsection A, with the exception of the time period therein specified. Upon receipt of the approvals from all state agencies and other agencies, the ~~local~~ *designated* agent shall act upon a plat within 35 days.

C. If the ~~commission or other~~ *designated* agent fails to approve or disapprove the plat within 60 days after it has been officially submitted for approval, or within 45 days after it has been officially resubmitted after a previous disapproval or within 35 days of receipt of any agency response pursuant to subsection B, the subdivider, after 10-days' written notice to the ~~commission, or~~ *designated* agent, may petition the circuit court for the locality in which the land involved, or the major part thereof, is located, to decide whether the plat should or should not be approved. The court shall give the petition priority on the civil docket, hear the matter expeditiously in accordance with the procedures prescribed in Article 2 (§ 8.01-644 et seq.) of Chapter 25 of Title 8.01 and make and enter an order with respect thereto as it deems proper, which may include directing approval of the plat.

D. If ~~a commission or other~~ *the designated* agent disapproves a plat and the ~~subdivider~~ *applicant* contends that the disapproval was not properly based on the ordinance applicable thereto, or was arbitrary or capricious, he may appeal to the circuit court having jurisdiction of such land and the court shall hear and determine the case as soon as may be, provided that his appeal is filed with the circuit court within 60 days of the written disapproval by the ~~commission or other~~ *designated* agent.

§ 15.2-2260. Localities may provide for submission of preliminary subdivision plats; how long valid.

A. Nothing in this article shall be deemed to prohibit the local governing body from providing in its ordinance for the mandatory submission of preliminary subdivision plats for tentative approval for plats involving more than 50 lots, provided that any such ordinance provides for the submission of a preliminary subdivision plat for tentative approval at the option of the landowner for plats involving 50 or fewer lots. The ~~local planning commission, or an~~ *designated* agent ~~designated by the commission or by the governing body to review preliminary subdivision plats~~ shall complete action on the preliminary subdivision plats within 60 days of submission. However, if approval of a feature or features of the preliminary subdivision plat by a state agency or public authority authorized by state law is necessary, the ~~commission or~~ *designated* agent shall forward the preliminary subdivision plat to the appropriate state agency or ~~agencies~~ *authority* for review within ~~10~~ *five* business days of receipt of such preliminary subdivision plat.

B. Any state agency or public authority authorized by state law making a review of a preliminary subdivision plat forwarded to it under this section, including, without limitation, the Virginia Department of Transportation and authorities authorized by Chapter 51 (§ 15.2-5100 et seq.), shall complete its review within 45 days of receipt of the preliminary subdivision plat upon first submission and within 45 days for any proposed plat that has previously been disapproved, provided, however, that the time period set forth in § 15.2-2222.1 shall apply to plats triggering the applicability of said section. The Virginia Department of Transportation and authorities authorized by Chapter 51 (§ 15.2-5100 et seq.) shall allow use of public rights-of-way for public street purposes for placement of utilities by permit when practical and shall not unreasonably deny plat approval. If a state agency or public authority authorized by state law does not approve the plat, it shall comply with the requirements, and be subject to the restrictions, set forth in subsection A of § 15.2-2259 with the exception of the time period therein specified. Upon receipt of the approvals from all state agencies, the ~~local~~ *designated* agent shall act upon a preliminary subdivision plat within 35 days.

C. ~~If a commission has the responsibility of review of preliminary subdivision plats and conducts a public hearing, it~~ *The designated agent* shall act on the plat within 45 days after receiving approval from all state agencies. If the ~~local~~ *designated* agent ~~or commission~~ does not approve the preliminary subdivision plat, the ~~local~~ *designated* agent ~~or commission~~ shall set forth in writing the reasons for such denial and shall state what corrections or modifications will permit approval by ~~such~~ *the designated* agent ~~or commission~~. With regard to plats involving commercial or residential property, as those terms are defined in subdivision A 2 of § 15.2-2259, the review process for such plats shall be the same as provided in subdivisions A 2 and A 3 of § 15.2-2259. However, no ~~commission or~~ *designated* agent shall be required to approve a preliminary subdivision plat in less than 60 days from the date of its original submission to the ~~commission or~~ *designated* agent, and all actions on preliminary subdivision plats shall be completed by the *designated* agent ~~or commission~~ and, if necessary, state agencies, within a total of 90 days of submission to the ~~local~~ *designated* agent ~~or commission~~.

D. If the ~~commission or other~~ *designated* agent fails to approve or disapprove the preliminary subdivision plat within 90 days after it has been officially submitted for approval, the subdivider after 10 days' written notice to the ~~commission, or~~

designated agent, may petition the circuit court for the locality in which the land involved, or the major part thereof, is located to enter an order with respect thereto as it deems proper, which may include directing approval of the plat.

E. If a ~~commission or other~~ *designated* agent disapproves a preliminary subdivision plat and the subdivider contends that the disapproval was not properly based on the ordinance applicable thereto, or was arbitrary or capricious, he may appeal to the circuit court having jurisdiction of such land and the court shall hear and determine the case as soon as may be, provided that his appeal is filed with the circuit court within 60 days of the written disapproval by the ~~commission or other~~ *designated* agent.

F. Once a preliminary subdivision plat is approved, it shall be valid for a period of five years, provided the subdivider (i) submits a final subdivision plat for all or a portion of the property within one year of such approval or such longer period as may be prescribed by local ordinance, and (ii) thereafter diligently pursues approval of the final subdivision plat. "Diligent pursuit of approval" means that the subdivider has incurred extensive obligations or substantial expenses relating to the submitted final subdivision plat or modifications thereto. However, no sooner than three years following such preliminary subdivision plat approval, and upon 90 days' written notice by certified mail to the subdivider, the ~~commission or other~~ *designated* agent may revoke such approval upon a specific finding of facts that the subdivider has not diligently pursued approval of the final subdivision plat.

G. Once an approved final subdivision plat for all or a portion of the property is recorded pursuant to § 15.2-2261, the underlying preliminary plat shall remain valid for a period of five years from the date of the latest recorded plat of subdivision for the property. The five year period of validity shall extend from the date of the last recorded plat.

§ 15.2-2261. Recorded plats or final site plans to be valid for not less than five years.

A. An approved final subdivision plat which has been recorded or an approved final site plan, hereinafter referred to as "recorded plat or final site plan," shall be valid for a period of not less than five years from the date of approval thereof or for such longer period as the ~~local planning commission or other~~ *designated* agent may, at the time of approval, determine to be reasonable, taking into consideration the size and phasing of the proposed development. A site plan shall be deemed final once it has been reviewed and approved by the locality if the only requirements remaining to be satisfied in order to obtain a building permit are the posting of any bonds and escrows or the submission of any other administrative documents, agreements, deposits, or fees required by the locality in order to obtain the permit. However, any fees that are customarily due and owing at the time of the agency review of the site plan shall be paid in a timely manner.

B. 1. Upon application of the subdivider or developer filed prior to expiration of a recorded plat or final site plan, the ~~local planning commission or other~~ *designated* agent may grant one or more extensions of such approval for additional periods as the ~~commission or other~~ *designated* agent may, at the time the extension is granted, determine to be reasonable, taking into consideration the size and phasing of the proposed development, the laws, ordinances and regulations in effect at the time of the request for an extension.

2. If the ~~commission or other~~ *designated* agent denies an extension requested as provided herein and the subdivider or developer contends that such denial was not properly based on the ordinance applicable thereto, the foregoing considerations for granting an extension, or was arbitrary or capricious, he may appeal to the circuit court having jurisdiction of land subject to the recorded plat or final site plan, provided that such appeal is filed with the circuit court within sixty days of the written denial by the commission or other agency.

C. For so long as the final site plan remains valid in accordance with the provisions of this section, or in the case of a recorded plat for five years after approval, no change or amendment to any local ordinance, map, resolution, rule, regulation, policy or plan adopted subsequent to the date of approval of the recorded plat or final site plan shall adversely affect the right of the subdivider or developer or his successor in interest to commence and complete an approved development in accordance with the lawful terms of the recorded plat or site plan unless the change or amendment is required to comply with state law or there has been a mistake, fraud or a change in circumstances substantially affecting the public health, safety or welfare.

D. Application for minor modifications to recorded plats or final site plans made during the periods of validity of such plats or plans established in accordance with this section shall not constitute a waiver of the provisions hereof nor shall the approval of minor modifications extend the period of validity of such plats or plans.

E. The provisions of this section shall be applicable to all recorded plats and final site plans valid on or after January 1, 1992. Nothing contained in this section shall be construed to affect (i) any litigation concerning the validity of a site plan pending prior to January 1, 1992, or any such litigation nonsuited and thereafter refiled; (ii) the authority of a governing body to impose valid conditions upon approval of any special use permit, conditional use permit or special exception; (iii) the application to individual lots on recorded plats or parcels of land subject to final site plans, to the greatest extent possible, of the provisions of any local ordinance adopted pursuant to the Chesapeake Bay Preservation Act (§ 62.1-44.15:67 et seq.); or (iv) the application to individual lots on recorded plats or parcels of land subject to final site plans of the provisions of any local ordinance adopted to comply with the requirements of the federal Clean Water Act, Section 402 (p.) of the Stormwater Program and regulations promulgated thereunder by the Environmental Protection Agency.

F. An approved final subdivision plat that has been recorded, from which any part of the property subdivided has been conveyed to third parties (other than to the developer or local jurisdiction), or a recorded plat dedicating real property to the local jurisdiction or public body that has been accepted by such grantee, shall remain valid for an indefinite period of time unless and until any portion of the property is subject to a vacation action as set forth in §§ 15.2-2270 through 15.2-2278.

§ 15.2-2269. Plans and specifications for utility fixtures and systems to be submitted for approval.

A. If the owners of any such subdivision desire to construct in, on, under, or adjacent to any streets or alleys located in such subdivision any gas, water, sewer or electric light or power works, pipes, wires, fixtures or systems, they shall present plans or specifications therefor to the ~~governing body of the locality in which the subdivision is located or its authorized~~ *designated* agent, for approval. If the subdivision is located beyond the corporate limits of a municipality but within the limits set forth in § 15.2-2248, such plans and specifications shall be presented for approval to the ~~governing body of such municipality, or its authorized~~ *designated* agent, if the county has not adopted a subdivision ordinance. The ~~governing body, or~~ *designated* agent, shall have 45 days in which to approve or disapprove the same. In event of the failure of any ~~governing body, or its~~ *designated* agent, to act within such period, such plans and specifications may be submitted, after ten days' notice to the locality, to the circuit court for such locality for its approval or disapproval, and its approval thereof shall, for all purposes of this article be treated and considered as approval by the ~~locality or its authorized~~ *designated* agent.

B. Any state agency or public authority authorized by state law making a review of any plat forwarded to it under this article, including, without limitation, the Virginia Department of Transportation and authorities authorized by Chapter 51 (§ 15.2-5100 et seq.), shall complete its review within 45 days of receipt of the plans, provided, however, that the time periods set forth in § 15.2-2222.1 shall apply to plats triggering the applicability of said section. The Virginia Department of Transportation and authorities authorized by Chapter 51 (§ 15.2-5100 et seq.) shall allow use of public rights-of-way dedicated for public street purposes for placement of utilities by permit when practical and shall not unreasonably deny plan approval. If a state agency or public authority by state law does not approve the plan, it shall comply with the requirements, and be subject to the restrictions, set forth in subsection A of § 15.2-2259, with respect to the exception of the time period therein specified. Upon receipt of the approvals from all state agencies, the ~~local~~ *designated* agent shall act upon a preliminary subdivision plat within 35 days.

§ 15.2-2270. Vacation of interests granted to a locality as a condition of site plan approval.

Any interest in streets, alleys, easements for public rights of passage, easements for drainage, and easements for a public utility granted to a locality as a condition of the approval of a site plan may be vacated according to either of the following methods:

1. By a duly executed and acknowledged written instrument of the owner of the land which has been or is to be developed in accordance with the site plan, declaring the interest or interests to be vacated, provided the ~~governing body or authorized~~ *designated* agent of the locality where the land lies consents to the vacation. The instrument shall be recorded in the same clerk's office wherein is recorded the written instrument describing the interest in real property to be vacated. The execution and recordation of the instrument shall operate to divest all public rights in, and to reinvest the owner with the title to the interests which formerly were held by the governing body; or

2. By ordinance of the governing body in the locality in which the property which is the subject of an approved site plan lies, provided that no interest shall be vacated in an area in which facilities, for which bonding is required pursuant to §§ 15.2-2241 through 15.2-2245, have been constructed.

The ordinance shall not be adopted until after notice has been given as required by § 15.2-2204. Any person may appear at the meeting for the purpose of objecting to the adoption of the ordinance. An appeal from the adoption of the ordinance may be filed within thirty days of the adoption of the ordinance with the circuit court having jurisdiction of the land over which the governing body's interest is located. Upon appeal, the court may nullify the ordinance if it finds that the owner of the property, which has been developed or is to be developed in accordance with the approved site plan, will be irreparably damaged. If no appeal from the adoption of the ordinance is filed within the time above provided or if the ordinance is upheld on appeal, a certified copy of the ordinance of vacation may be recorded in the clerk's office of any court in which the instrument creating the governing body's interest is recorded.

The execution and recordation of an ordinance of vacation shall operate to destroy the effect of the instrument which created the governing body's interest so vacated and to divest all public rights in and to the property and vest title in the streets, alleys, easements for public rights of passage, easements for drainage, and easements for a public utility as may be described in, and in accordance with, the ordinance of vacation.

§ 15.2-2271. Vacation of plat before sale of lot therein; ordinance of vacation.

Where no lot has been sold, the recorded plat, or part thereof, may be vacated according to either of the following methods:

1. With the consent of the ~~governing body, or its authorized~~ *designated* agent~~,~~ of the locality where the land lies, by the owners, proprietors and trustees, if any, who signed the statement required by § 15.2-2264 at any time before the sale of any lot therein, by a written instrument, declaring the plat to be vacated, duly executed, acknowledged or proved and recorded in the same clerk's office wherein the plat to be vacated is recorded and the execution and recordation of such writing shall operate to destroy the force and effect of the recording of the plat so vacated and to divest all public rights in, and to reinvest the owners, proprietors and trustees, if any, with the title to the streets, alleys, easements for public passage and other public areas laid out or described in the plat; or

2. By ordinance of the governing body of the locality in which the property shown on the plat or part thereof to be vacated lies, provided that no facilities for which bonding is required pursuant to §§ 15.2-2241 through 15.2-2245 have been constructed on the property and no facilities have been constructed on any related section of the property located in the subdivision within five years of the date on which the plat was first recorded.

The ordinance shall not be adopted until after notice has been given as required by § 15.2-2204. Any person may appear at the meeting for the purpose of objecting to the adoption of the ordinance. An appeal from the adoption of the ordinance may be filed within thirty days of the adoption of the ordinance with the circuit court having jurisdiction of the land shown on the plat or part thereof to be vacated. Upon appeal the court may nullify the ordinance if it finds that the owner of the property shown on the plat will be irreparably damaged. If no appeal from the adoption of the ordinance is filed within the time above provided or if the ordinance is upheld on appeal, a certified copy of the ordinance of vacation may be recorded in the clerk's office of any court in which the plat is recorded.

The execution and recordation of the ordinance of vacation shall operate to destroy the force and effect of the recording of the plat, or any portion thereof, so vacated, and to divest all public rights in and to the property and reinvest the owners, proprietors and trustees, if any, with the title to the streets, alleys, and easements for public passage and other public areas laid out or described in the plat.

§ 15.2-2307. Vested rights not impaired; nonconforming uses.

A. Nothing in this article shall be construed to authorize the impairment of any vested right. Without limiting the time when rights might otherwise vest, a landowner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to a zoning ordinance when the landowner (i) obtains or is the beneficiary of a significant affirmative governmental act which remains in effect allowing development of a specific project, (ii) relies in good faith on the significant affirmative governmental act, and (iii) incurs extensive obligations or substantial expenses in diligent pursuit of the specific project in reliance on the significant affirmative governmental act.

B. For purposes of this section and without limitation, the following are deemed to be significant affirmative governmental acts allowing development of a specific project: (i) the governing body has accepted proffers or proffered conditions which specify use related to a zoning amendment; (ii) the governing body has approved an application for a rezoning for a specific use or density; (iii) the governing body or board of zoning appeals has granted a special exception or use permit with conditions; (iv) the board of zoning appeals has approved a variance; (v) the ~~governing body or its~~ designated agent has approved a preliminary subdivision plat, site plan or plan of development for the landowner's property and the applicant diligently pursues approval of the final plat or plan within a reasonable period of time under the circumstances; (vi) the ~~governing body or its~~ designated agent has approved a final subdivision plat, site plan or plan of development for the landowner's property; or (vii) the zoning administrator or other administrative officer has issued a written order, requirement, decision or determination regarding the permissibility of a specific use or density of the landowner's property that is no longer subject to appeal and no longer subject to change, modification or reversal under subsection C of § 15.2-2311.

C. A zoning ordinance may provide that land, buildings, and structures and the uses thereof which do not conform to the zoning prescribed for the district in which they are situated may be continued only so long as the then existing or a more restricted use continues and such use is not discontinued for more than two years, and so long as the buildings or structures are maintained in their then structural condition; and that the uses of such buildings or structures shall conform to such regulations whenever, with respect to the building or structure, the square footage of a building or structure is enlarged, or the building or structure is structurally altered as provided in the Uniform Statewide Building Code (§ 36-97 et seq.). If a use does not conform to the zoning prescribed for the district in which such use is situated, and if (i) a business license was issued by the locality for such use and (ii) the holder of such business license has operated continuously in the same location for at least 15 years and has paid all local taxes related to such use, the locality shall permit the holder of such business license to apply for a rezoning or a special use permit without charge by the locality or any agency affiliated with the locality for fees associated with such filing. Further, a zoning ordinance may provide that no nonconforming use may be expanded, or that no nonconforming building or structure may be moved on the same lot or to any other lot which is not properly zoned to permit such nonconforming use.

D. Notwithstanding any local ordinance to the contrary, if (i) the local government has issued a building permit, the building or structure was thereafter constructed in accordance with the building permit, and upon completion of construction, the local government issued a certificate of occupancy or a use permit therefor, (ii) a property owner, relying in good faith on the issuance of a building permit, incurs extensive obligations or substantial expenses in diligent pursuit of a building project that is in conformance with the building permit and the Uniform Statewide Building Code (§ 36-97 et seq.), or (iii) the owner of the building or structure has paid taxes to the locality for such building or structure for a period of more than the previous 15 years, a zoning ordinance shall not provide that such building or structure is illegal and subject to removal solely due to such nonconformity. Such building or structure shall be nonconforming. A zoning ordinance may provide that such building or structure be brought in compliance with the Uniform Statewide Building Code, provided that to do so shall not affect the nonconforming status of such building or structure. If the local government has issued a permit, other than a building permit, that authorized construction of an improvement to real property and the improvement was thereafter constructed in accordance with such permit, the ordinance may provide that the improvements are nonconforming, but not illegal. If the structure is one that requires no permit, and an authorized local government official informs the property owner that the structure will comply with the zoning ordinance, and the improvement was thereafter constructed, a zoning ordinance may provide that the structure is nonconforming but shall not provide that such structure is illegal and subject to removal solely due to such nonconformity. In any proceeding when the authorized government official is deceased or is otherwise unavailable to testify, uncorroborated testimony of the oral statement of such official shall not be sufficient evidence to prove that the authorized government official made such statement.

E. A zoning ordinance shall permit the owner of any residential or commercial building damaged or destroyed by a natural disaster or other act of God to repair, rebuild, or replace such building to eliminate or reduce the nonconforming features to the extent possible, without the need to obtain a variance as provided in § 15.2-2310. If such building is damaged greater than 50 percent and cannot be repaired, rebuilt or replaced except to restore it to its original nonconforming condition, the owner shall have the right to do so. The owner shall apply for a building permit and any work done to repair, rebuild or replace such building shall be in compliance with the provisions of the Uniform Statewide Building Code (§ 36-97 et seq.) and any work done to repair, rebuild or replace such building shall be in compliance with the provisions of the local flood plain regulations adopted as a condition of participation in the National Flood Insurance Program. Unless such building is repaired, rebuilt or replaced within two years of the date of the natural disaster or other act of God, such building shall only be repaired, rebuilt or replaced in accordance with the provisions of the zoning ordinance of the locality. However, if the nonconforming building is in an area under a federal disaster declaration and the building has been damaged or destroyed as a direct result of conditions that gave rise to the declaration, then the zoning ordinance shall provide for an additional two years for the building to be repaired, rebuilt or replaced as otherwise provided in this paragraph. For purposes of this section, "act of God" shall include any natural disaster or phenomena including a hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, earthquake or fire caused by lightning or wildfire. For purposes of this section, owners of property damaged by an accidental fire have the same rights to rebuild such property as if it were damaged by an act of God. Nothing herein shall be construed to enable the property owner to commit an arson under § 18.2-77 or 18.2-80, and obtain vested rights under this section.

F. Notwithstanding any local ordinance to the contrary, an owner of real property shall be permitted to replace an existing on-site sewage system for any existing building in the same general location on the property even if a new on-site sewage system would not otherwise be permitted in that location, unless access to a public sanitary sewer is available to the property. If access to a sanitary sewer system is available, then the connection to such system shall be required. Any new on-site system shall be installed in compliance with applicable regulations of the Department of Health in effect at the time of the installation.

G. Nothing in this section shall be construed to prevent a locality, after making a reasonable attempt to notify such property owner, from ordering the removal of a nonconforming sign that has been abandoned. For purposes of this section, a sign shall be considered abandoned if the business for which the sign was erected has not been in operation for a period of at least two years. Any locality may, by ordinance, provide that following the expiration of the two-year period any abandoned nonconforming sign shall be removed by the owner of the property on which the sign is located, if notified by the locality to do so. If, following such two-year period, the locality has made a reasonable attempt to notify the property owner, the locality through its own agents or employees may enter the property upon which the sign is located and remove any such sign whenever the owner has refused to do so. The cost of such removal shall be chargeable to the owner of the property. Nothing herein shall prevent the locality from applying to a court of competent jurisdiction for an order requiring the removal of such abandoned nonconforming sign by the owner by means of injunction or other appropriate remedy.

H. Nothing in this section shall be construed to prevent the land owner or home owner from removing a valid nonconforming manufactured home from a mobile or manufactured home park and replacing that home with another comparable manufactured home that meets the current HUD manufactured housing code. In such mobile or manufactured home park, a single-section home may replace a single-section home and a multi-section home may replace a multi-section home. The owner of a valid nonconforming mobile or manufactured home not located in a mobile or manufactured home park may replace that home with a newer manufactured home, either single- or multi-section, that meets the current HUD manufactured housing code. Any such replacement home shall retain the valid nonconforming status of the prior home.

CHAPTER 595

An Act to amend and reenact §§ 15.2-912.4 and 58.1-1021.04:1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-371.2:1, relating to possession of retail tobacco products and hemp products intended for smoking by a person younger than 21 years of age; liquid nicotine and nicotine vapor products license; prohibitions; enforcement.

[H 1946]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-912.4 and 58.1-1021.04:1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 18.2-371.2:1 as follows:

§ 15.2-912.4. Regulation of tobacco and hemp product retail sale locations.

Any locality may by ordinance regulate the retail sale locations of *retail* tobacco products~~, nicotine vapor products, alternative nicotine products~~, as such ~~terms are~~ *term is* defined in § 18.2-371.2, or hemp products intended for smoking, as such term is defined in § 3.2-4112, for any such retail sale location and may prohibit a retail sale location on property within 1,000 linear feet of a child day center as defined in § 22.1-289.02 or a public, private, or parochial school. An ordinance adopted pursuant to this section shall not affect (i) a licensee holding a valid license under § 4.1-206.3 or (ii) any retail sale

location of *retail* tobacco products~~, nicotine vapor products, alternative nicotine products,~~ or hemp products intended for smoking operating before July 1, 2024.

§ 18.2-371.2:1. Prohibiting possession of retail tobacco products and hemp products intended for smoking by a person younger than 21 years of age; seizure.

A. No person younger than 21 years of age shall possess any retail tobacco product or hemp product intended for smoking, as those terms are defined in § 18.2-371.2. The provisions of this section shall not be applicable to the possession of retail tobacco products or hemp products intended for smoking by a person younger than 21 years of age (i) making a delivery of retail tobacco products or hemp products intended for smoking in pursuance of his employment or (ii) as part of a scientific study being conducted by an organization for the purpose of medical research to further efforts in cigarette and tobacco use prevention and cessation and tobacco product regulation, provided that such medical research has been approved by an institutional review board pursuant to applicable federal regulations or by a research review committee pursuant to Chapter 5.1 (§ 32.1-162.16 et seq.) of Title 32.1. This subsection shall not apply to the possession of any retail tobacco product or hemp product intended for smoking by a law-enforcement officer or his agent when the same is necessary in the performance of his duties.

B. Any retail tobacco product or hemp product intended for smoking, as those terms are defined in § 18.2-371.2, possessed in violation of this section shall be deemed contraband and may be seized by a law-enforcement officer. Any such product, the lawful possession of which is not established, seized by such officer shall be forfeited and disposed of according to the process described in subdivision A 2 of § 19.2-386.23.

C. The seizure of contraband pursuant to subsection B shall be the sole penalty for a violation of this section.

D. The provisions of this section shall not preclude prosecution under any other statute.

§ 58.1-1021.04:1. Distributor's or remote retail seller's license; liquid nicotine and nicotine vapor products license; penalties.

A. 1. No person shall engage in the business of selling or dealing in tobacco products as a distributor in the Commonwealth without first having received a separate license from the Department for each location or place of business. Each application for a distributor's license shall be accompanied by a fee to be prescribed by the Department. Every application for such license shall be made on a form prescribed by the Department and the following information shall be provided on the application:

a. The name and address of the applicant. If the applicant is a firm, partnership, or association, the name and address of each of its members shall be provided. If the applicant is a corporation, the name and address of each of its principal officers shall be provided;

b. The address of the applicant's principal place of business;

c. The place or places where the business to be licensed is to be conducted; and

d. Such other information as the Department may require for the purpose of the administration of this article.

2. A person outside the Commonwealth who ships or transports tobacco products to retailers in the Commonwealth, to be sold by those retailers, may make application for license as a distributor, be granted such a license by the Department, and thereafter be subject to all the provisions of this article. Once a license is granted pursuant to this section, such person shall be entitled to act as a licensed distributor and, unless such person maintains a registered agent pursuant to Chapter 9 (§ 13.1-601 et seq.), 10 (§ 13.1-801 et seq.), 12 (§ 13.1-1000 et seq.), or 14 (§ 13.1-1200 et seq.) of Title 13.1 or Chapter 2.1 (§ 50-73.1 et seq.) or 2.2 (§ 50-73.79 et seq.) of Title 50, shall be deemed to have appointed the Clerk of the State Corporation Commission as the person's agent for the purpose of service of process relating to any matter or issue involving the person and arising under the provisions of this article.

The Department shall conduct a background investigation, to include a Virginia criminal history records search, and fingerprints of the applicant, or the responsible principals, managers, and other persons engaged in handling tobacco products at the licensable locations, that shall be submitted to the Federal Bureau of Investigation if the Department deems a national criminal records search necessary, on applicants for licensure as tobacco products distributors. The Department may refuse to issue a distributor's license or may suspend, revoke, or refuse to renew a distributor's license issued to any person, partnership, corporation, limited liability company, or business trust if it determines that the principals, managers, and other persons engaged in handling tobacco products at the licensable location of the applicant have been (i) found guilty of any fraud or misrepresentation in any connection; (ii) convicted of robbery, extortion, burglary, larceny, embezzlement, fraudulent conversion, gambling, perjury, bribery, treason, or racketeering; or (iii) convicted of a felony. Anyone who knowingly and willfully falsifies, conceals, or misrepresents a material fact or knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in any application for a distributor's license to the Department, is guilty of a Class 1 misdemeanor. The Department may establish an application or renewal fee not to exceed $750 to be retained by the Department to be applied to the administrative and other costs of processing distributor's license applications, conducting background investigations, and issuing distributor's licenses. Any amount collected pursuant to this section in excess of such costs as of June 30 in even-numbered years shall be reported to the State Treasurer and deposited into the state treasury.

3. No person inside or outside the Commonwealth shall make a remote retail sale of cigars or pipe tobacco to consumers in the Commonwealth without (i) completing an application for and being granted a license as a remote retail seller; (ii) determining whether economic nexus activity thresholds have been met to register for a dealer's certificate under § 58.1-613; (iii) if economic nexus thresholds are met, collecting and remitting the excise tax pursuant to subsection A of

§ 58.1-1021.02; (iv) providing for age verification through an independent, third-party age verification service that compares information available from a commercially available database, or aggregate of databases, that is regularly used by government agencies and businesses for the purpose of age and identity verification to the personal information entered by the individual during the ordering process that establishes that the individual is of age; and (v) if economic nexus thresholds are met and excise tax is being remitted using the actual cost list method to calculate the excise tax, providing the remote retail seller's certified actual cost list to the Department for each SKU to be offered for remote retail sale in the subsequent calendar year. The actual cost list shall be updated quarterly as new SKUs are added to a remote retail seller's inventory. New SKUs will be added using the actual cost first paid for the SKU.

B. Upon receipt of an application in proper form and payment of the required license fee, the Department shall, unless otherwise provided by this article, issue to the applicant a license, which shall permit the licensee to engage in business as a distributor at the place of business shown on the license. Each license, or a copy thereof, shall be prominently displayed on the premises covered by the license. No license shall be transferable to any other person. Distributor's licenses issued pursuant to this section shall be valid for a period of three years from the date of issue unless revoked by the Department in the manner provided herein. The Department may at any time revoke the license issued to any distributor who is found guilty of violating or noncompliance with any of the provisions of this chapter or any of the rules of the Department adopted and promulgated under authority of this chapter. The Department shall suspend or revoke the license issued to any distributor who is found guilty of a second or subsequent violation of subsection A or B of § 18.2-371.2.

C. 1. No person shall engage in the business of selling or dealing liquid nicotine or nicotine vapor products or ~~who ships~~ *shipping* or ~~transports~~ *transporting* liquid nicotine or nicotine vapor products to retailers in the Commonwealth, to be sold by those retailers, as a manufacturer, distributor, or retail dealer in the Commonwealth without first having received a separate license from the Department for each location or place of business*, and any person who violates such prohibition shall be subject to a penalty of $400 in addition to any other applicable taxes or fees*. Each application for a manufacturer's, distributor's, or retail dealer's liquid nicotine and nicotine vapor products license shall be accompanied by a fee to be prescribed by the Department. Any retail dealer who holds an approved Retail Sales and Use Tax Exemption Certificate for Stamped Cigarettes Purchased for Resale or an Other Tobacco Products (OTP) Distributor's License issued by the Department shall not be required to obtain a license under this subsection. Every application for such liquid nicotine and nicotine vapor products license shall be made on a form prescribed by the Department and the following information shall be provided on the application:

a. The name and address of the applicant. If the applicant is a firm, partnership, or association, the name and address of each of its members shall be provided. If the applicant is a corporation, the name and address of each of its principal officers shall be provided;

b. The address of the applicant's principal place of business;

c. The place or places where the business to be licensed is to be conducted; and

d. Such other information as the Department may require for the purpose of the administration of this article.

2. The Department shall conduct a background investigation, to include a Virginia criminal history records search of the applicant, or the responsible principals and managers of liquid nicotine and nicotine vapor products at the licensable locations that shall be submitted to the Federal Bureau of Investigation if the Department deems a national criminal records search necessary, on applicants for licensure as a liquid nicotine and nicotine vapor products manufacturer, distributor, or retailer, as applicable. The Department may refuse to issue a license or may suspend, revoke, or refuse to renew a license issued to any person, partnership, corporation, limited liability company, or business trust if it determines that the principals and managers at the licensable location of the applicant have been (i) found guilty of any fraud or misrepresentation in any connection; (ii) convicted of robbery, extortion, burglary, larceny, embezzlement, fraudulent conversion, gambling, perjury, bribery, treason, tax evasion, or racketeering; or (iii) convicted of a felony within the last five years. Anyone who knowingly and willfully falsifies, conceals, or misrepresents a material fact or knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in any application for a license to the Department is guilty of a Class 1 misdemeanor. The Department may establish an application or renewal fee to be retained by the Department to be applied to the administrative and other costs of processing license applications, conducting background investigations, and issuing licenses. Any amount collected pursuant to this section in excess of such costs as of June 30 in even-numbered years shall be reported to the State Treasurer and deposited into the state treasury.

3. Upon receipt of an application in proper form and payment of the required license fee, the Department shall, unless otherwise provided by this article, issue to the applicant a liquid nicotine and nicotine vapor products license, which shall permit the licensee to engage in business as a manufacturer, distributor, or retail dealer at the place of business shown on the license. Each license, or a copy thereof, shall be prominently displayed on the premises covered by the license. No license shall be transferable to any other person, partnership, corporation, limited liability company, or business trust; however, the Department may grant a temporary license to any applicant that has purchased the business of any manufacturer, distributor, or retail dealer licensed pursuant to this section while such applicant's application for licensure is pending. Licenses, other than temporary licenses, issued pursuant to this section shall be valid for two years from the date of issue unless revoked by the Department in the manner provided in this section. The Department may at any time suspend or revoke the approved license, permit, or registration issued in accordance with this subsection to any person who is found guilty of violating or noncompliance with any of the provisions of this chapter or any of the rules of the Department adopted and promulgated under authority of this chapter. Any person authorized to sell liquid nicotine or nicotine vapor products pursuant to this

subsection shall, as a condition of renewing or extending an approved license, permit, or registration, be required to submit to the Department an accurate record of any taxes paid on liquid nicotine pursuant to § 58.1-1021.02.

4. No person shall make a sale of liquid nicotine or nicotine vapor products (i) to any person who has not attained the legal age for purchasing liquid nicotine or nicotine vapor products and (ii) without a valid liquid nicotine and nicotine vapor products license issued pursuant to this subsection. Any person who is found guilty of violating or noncompliance with this subdivision shall be subject to the following penalties:

a. For the first violation in a 36-month period, a penalty of no less than $1,000;

b. For a second violation in a 36-month period, a penalty of no less than $5,000 and a 30-day suspension of the liquid nicotine and nicotine vapor products license. If the person is found to be in violation of clause (i) of this subdivision 4, such person shall be required to verify that any consumer who appears to be under 30 years of age is of legal age by verifying such consumer's government-issued photographic identification using fraud detection software, technology, or a scanner that confirms the authenticity of such identification; and

c. For a third violation in a 36-month period, a penalty of no less than $10,000, revocation of the liquid nicotine and nicotine vapor products license, and ineligibility to possess a liquid nicotine and nicotine vapor products license for a period of three years from the date of the most recent violation.

5. No person inside or outside the Commonwealth shall make a retail sale of liquid nicotine and nicotine vapor products without verifying that the consumer is of legal age by examining from any person who appears to be under 30 years of age a government-issued photographic identification that establishes that the person is of legal age or providing for age verification through an independent age verification service that compares information available from a commercially available database, or aggregate of databases, that is regularly used by government agencies and businesses for the purpose of age and identity verification to the personal information entered by the individual during the ordering process that establishes that the individual is of age.

6. For any transaction between a distributor and a retail dealer involving liquid nicotine or nicotine vapor products, both the distributor and the retail dealer shall maintain and retain records of any invoice or sales receipt involved that shall include itemized lists of the types of products included in such transaction, the tax due on each product pursuant to subsection B of § 58.1-1021.02, and the total amount of taxes paid. Such records shall be produced and provided to the Department as necessary for auditing, compliance, and enforcement purposes.

D. The Department shall compile and maintain a current list of licensed distributors and remote retail sellers of tobacco products and of manufacturers, distributors, and retail dealers of liquid nicotine and nicotine vapor products. The list shall be updated on a monthly basis and published on the Department's website, available to any interested party.

2. That, notwithstanding any other provision of the Code of Virginia or this act to the contrary, the Department of Taxation (the Department) shall not be required to comply with the provisions of subdivision B 1 of § 59.1-293.12 of the Code of Virginia that require the Department to conduct an unannounced investigation at least once every 24 months to verify that a retail dealer is not selling retail tobacco products to persons under 21 years of age.

3. That the Department of Taxation (the Department) shall convene a work group consisting of representatives of the Alcoholic Beverage Control Authority, the Office of the Attorney General, the Virginia State Police, and the Department of Behavioral Health and Developmental Services to develop an enforcement program to address the sale of retail tobacco products or hemp products intended for smoking to individuals younger than 21 years of age. The work group shall consider and report on the following factors: (i) the frequency of licensee inspections in Virginia and other states, (ii) licensee compliance rates with underage enforcement in Virginia and other states, (iii) one-time and ongoing costs of any enforcement program recommendations, and (iv) potential sources of revenue to support such enforcement program. The Department shall report the findings and recommendations of the work group to the Chairs of the House Committees on General Laws and Appropriations and the Senate Committees on Rehabilitation and Social Services and Finance and Appropriations no later than November 1, 2025.

CHAPTER 596

An Act to amend and reenact §§ 15.2-912.4 and 58.1-1021.04:1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-371.2:1, relating to possession of retail tobacco products and hemp products intended for smoking by a person younger than 21 years of age; liquid nicotine and nicotine vapor products license; prohibitions; enforcement.

[S 1060]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-912.4 and 58.1-1021.04:1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 18.2-371.2:1 as follows:

§ 15.2-912.4. Regulation of tobacco and hemp product retail sale locations.

Any locality may by ordinance regulate the retail sale locations of *retail* tobacco products~~, nicotine vapor products, alternative nicotine products~~, as such ~~terms are~~ *term is* defined in § 18.2-371.2, or hemp products intended for smoking, as such term is defined in § 3.2-4112, for any such retail sale location and may prohibit a retail sale location on property within

1,000 linear feet of a child day center as defined in § 22.1-289.02 or a public, private, or parochial school. An ordinance adopted pursuant to this section shall not affect (i) a licensee holding a valid license under § 4.1-206.3 or (ii) any retail sale location of *retail* tobacco products~~, nicotine vapor products, alternative nicotine products,~~ or hemp products intended for smoking operating before July 1, 2024.

§ 18.2-371.2:1. Prohibiting possession of retail tobacco products and hemp products intended for smoking by a person younger than 21 years of age; seizure.

A. No person younger than 21 years of age shall possess any retail tobacco product or hemp product intended for smoking, as those terms are defined in § 18.2-371.2. The provisions of this section shall not be applicable to the possession of retail tobacco products or hemp products intended for smoking by a person younger than 21 years of age (i) making a delivery of retail tobacco products or hemp products intended for smoking in pursuance of his employment or (ii) as part of a scientific study being conducted by an organization for the purpose of medical research to further efforts in cigarette and tobacco use prevention and cessation and tobacco product regulation, provided that such medical research has been approved by an institutional review board pursuant to applicable federal regulations or by a research review committee pursuant to Chapter 5.1 (§ 32.1-162.16 et seq.) of Title 32.1. This subsection shall not apply to the possession of any retail tobacco product or hemp product intended for smoking by a law-enforcement officer or his agent when the same is necessary in the performance of his duties.

B. Any retail tobacco product or hemp product intended for smoking, as those terms are defined in § 18.2-371.2, possessed in violation of this section shall be deemed contraband and may be seized by a law-enforcement officer. Any such product, the lawful possession of which is not established, seized by such officer shall be forfeited and disposed of according to the process described in subdivision A 2 of § 19.2-386.23.

C. The seizure of contraband pursuant to subsection B shall be the sole penalty for a violation of this section.

D. The provisions of this section shall not preclude prosecution under any other statute.

§ 58.1-1021.04:1. Distributor's or remote retail seller's license; liquid nicotine and nicotine vapor products license; penalties.

A. 1. No person shall engage in the business of selling or dealing in tobacco products as a distributor in the Commonwealth without first having received a separate license from the Department for each location or place of business. Each application for a distributor's license shall be accompanied by a fee to be prescribed by the Department. Every application for such license shall be made on a form prescribed by the Department and the following information shall be provided on the application:

a. The name and address of the applicant. If the applicant is a firm, partnership, or association, the name and address of each of its members shall be provided. If the applicant is a corporation, the name and address of each of its principal officers shall be provided;

b. The address of the applicant's principal place of business;

c. The place or places where the business to be licensed is to be conducted; and

d. Such other information as the Department may require for the purpose of the administration of this article.

2. A person outside the Commonwealth who ships or transports tobacco products to retailers in the Commonwealth, to be sold by those retailers, may make application for license as a distributor, be granted such a license by the Department, and thereafter be subject to all the provisions of this article. Once a license is granted pursuant to this section, such person shall be entitled to act as a licensed distributor and, unless such person maintains a registered agent pursuant to Chapter 9 (§ 13.1-601 et seq.), 10 (§ 13.1-801 et seq.), 12 (§ 13.1-1000 et seq.), or 14 (§ 13.1-1200 et seq.) of Title 13.1 or Chapter 2.1 (§ 50-73.1 et seq.) or 2.2 (§ 50-73.79 et seq.) of Title 50, shall be deemed to have appointed the Clerk of the State Corporation Commission as the person's agent for the purpose of service of process relating to any matter or issue involving the person and arising under the provisions of this article.

The Department shall conduct a background investigation, to include a Virginia criminal history records search, and fingerprints of the applicant, or the responsible principals, managers, and other persons engaged in handling tobacco products at the licensable locations, that shall be submitted to the Federal Bureau of Investigation if the Department deems a national criminal records search necessary, on applicants for licensure as tobacco products distributors. The Department may refuse to issue a distributor's license or may suspend, revoke, or refuse to renew a distributor's license issued to any person, partnership, corporation, limited liability company, or business trust if it determines that the principals, managers, and other persons engaged in handling tobacco products at the licensable location of the applicant have been (i) found guilty of any fraud or misrepresentation in any connection; (ii) convicted of robbery, extortion, burglary, larceny, embezzlement, fraudulent conversion, gambling, perjury, bribery, treason, or racketeering; or (iii) convicted of a felony. Anyone who knowingly and willfully falsifies, conceals, or misrepresents a material fact or knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in any application for a distributor's license to the Department, is guilty of a Class 1 misdemeanor. The Department may establish an application or renewal fee not to exceed $750 to be retained by the Department to be applied to the administrative and other costs of processing distributor's license applications, conducting background investigations, and issuing distributor's licenses. Any amount collected pursuant to this section in excess of such costs as of June 30 in even-numbered years shall be reported to the State Treasurer and deposited into the state treasury.

3. No person inside or outside the Commonwealth shall make a remote retail sale of cigars or pipe tobacco to consumers in the Commonwealth without (i) completing an application for and being granted a license as a remote retail

seller; (ii) determining whether economic nexus activity thresholds have been met to register for a dealer's certificate under § 58.1-613; (iii) if economic nexus thresholds are met, collecting and remitting the excise tax pursuant to subsection A of § 58.1-1021.02; (iv) providing for age verification through an independent, third-party age verification service that compares information available from a commercially available database, or aggregate of databases, that is regularly used by government agencies and businesses for the purpose of age and identity verification to the personal information entered by the individual during the ordering process that establishes that the individual is of age; and (v) if economic nexus thresholds are met and excise tax is being remitted using the actual cost list method to calculate the excise tax, providing the remote retail seller's certified actual cost list to the Department for each SKU to be offered for remote retail sale in the subsequent calendar year. The actual cost list shall be updated quarterly as new SKUs are added to a remote retail seller's inventory. New SKUs will be added using the actual cost first paid for the SKU.

B. Upon receipt of an application in proper form and payment of the required license fee, the Department shall, unless otherwise provided by this article, issue to the applicant a license, which shall permit the licensee to engage in business as a distributor at the place of business shown on the license. Each license, or a copy thereof, shall be prominently displayed on the premises covered by the license. No license shall be transferable to any other person. Distributor's licenses issued pursuant to this section shall be valid for a period of three years from the date of issue unless revoked by the Department in the manner provided herein. The Department may at any time revoke the license issued to any distributor who is found guilty of violating or noncompliance with any of the provisions of this chapter or any of the rules of the Department adopted and promulgated under authority of this chapter. The Department shall suspend or revoke the license issued to any distributor who is found guilty of a second or subsequent violation of subsection A or B of § 18.2-371.2.

C. 1. No person shall engage in the business of selling or dealing liquid nicotine or nicotine vapor products or ~~who ships~~ *shipping* or ~~transports~~ *transporting* liquid nicotine or nicotine vapor products to retailers in the Commonwealth, to be sold by those retailers, as a manufacturer, distributor, or retail dealer in the Commonwealth without first having received a separate license from the Department for each location or place of business*, and any person who violates such prohibition shall be subject to a penalty of $400 in addition to any other applicable taxes or fees*. Each application for a manufacturer's, distributor's, or retail dealer's liquid nicotine and nicotine vapor products license shall be accompanied by a fee to be prescribed by the Department. Any retail dealer who holds an approved Retail Sales and Use Tax Exemption Certificate for Stamped Cigarettes Purchased for Resale or an Other Tobacco Products (OTP) Distributor's License issued by the Department shall not be required to obtain a license under this subsection. Every application for such liquid nicotine and nicotine vapor products license shall be made on a form prescribed by the Department and the following information shall be provided on the application:

a. The name and address of the applicant. If the applicant is a firm, partnership, or association, the name and address of each of its members shall be provided. If the applicant is a corporation, the name and address of each of its principal officers shall be provided;

b. The address of the applicant's principal place of business;

c. The place or places where the business to be licensed is to be conducted; and

d. Such other information as the Department may require for the purpose of the administration of this article.

2. The Department shall conduct a background investigation, to include a Virginia criminal history records search of the applicant, or the responsible principals and managers of liquid nicotine and nicotine vapor products at the licensable locations that shall be submitted to the Federal Bureau of Investigation if the Department deems a national criminal records search necessary, on applicants for licensure as a liquid nicotine and nicotine vapor products manufacturer, distributor, or retailer, as applicable. The Department may refuse to issue a license or may suspend, revoke, or refuse to renew a license issued to any person, partnership, corporation, limited liability company, or business trust if it determines that the principals and managers at the licensable location of the applicant have been (i) found guilty of any fraud or misrepresentation in any connection; (ii) convicted of robbery, extortion, burglary, larceny, embezzlement, fraudulent conversion, gambling, perjury, bribery, treason, tax evasion, or racketeering; or (iii) convicted of a felony within the last five years. Anyone who knowingly and willfully falsifies, conceals, or misrepresents a material fact or knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in any application for a license to the Department is guilty of a Class 1 misdemeanor. The Department may establish an application or renewal fee to be retained by the Department to be applied to the administrative and other costs of processing license applications, conducting background investigations, and issuing licenses. Any amount collected pursuant to this section in excess of such costs as of June 30 in even-numbered years shall be reported to the State Treasurer and deposited into the state treasury.

3. Upon receipt of an application in proper form and payment of the required license fee, the Department shall, unless otherwise provided by this article, issue to the applicant a liquid nicotine and nicotine vapor products license, which shall permit the licensee to engage in business as a manufacturer, distributor, or retail dealer at the place of business shown on the license. Each license, or a copy thereof, shall be prominently displayed on the premises covered by the license. No license shall be transferable to any other person, partnership, corporation, limited liability company, or business trust; however, the Department may grant a temporary license to any applicant that has purchased the business of any manufacturer, distributor, or retail dealer licensed pursuant to this section while such applicant's application for licensure is pending. Licenses, other than temporary licenses, issued pursuant to this section shall be valid for two years from the date of issue unless revoked by the Department in the manner provided in this section. The Department may at any time suspend or revoke the approved license, permit, or registration issued in accordance with this subsection to any person who is found guilty of violating or

noncompliance with any of the provisions of this chapter or any of the rules of the Department adopted and promulgated under authority of this chapter. Any person authorized to sell liquid nicotine or nicotine vapor products pursuant to this subsection shall, as a condition of renewing or extending an approved license, permit, or registration, be required to submit to the Department an accurate record of any taxes paid on liquid nicotine pursuant to § 58.1-1021.02.

4. No person shall make a sale of liquid nicotine or nicotine vapor products (i) to any person who has not attained the legal age for purchasing liquid nicotine or nicotine vapor products and (ii) without a valid liquid nicotine and nicotine vapor products license issued pursuant to this subsection. Any person who is found guilty of violating or noncompliance with this subdivision shall be subject to the following penalties:

a. For the first violation in a 36-month period, a penalty of no less than $1,000;

b. For a second violation in a 36-month period, a penalty of no less than $5,000 and a 30-day suspension of the liquid nicotine and nicotine vapor products license. If the person is found to be in violation of clause (i) of this subdivision 4, such person shall be required to verify that any consumer who appears to be under 30 years of age is of legal age by verifying such consumer's government-issued photographic identification using fraud detection software, technology, or a scanner that confirms the authenticity of such identification; and

c. For a third violation in a 36-month period, a penalty of no less than $10,000, revocation of the liquid nicotine and nicotine vapor products license, and ineligibility to possess a liquid nicotine and nicotine vapor products license for a period of three years from the date of the most recent violation.

5. No person inside or outside the Commonwealth shall make a retail sale of liquid nicotine and nicotine vapor products without verifying that the consumer is of legal age by examining from any person who appears to be under 30 years of age a government-issued photographic identification that establishes that the person is of legal age or providing for age verification through an independent age verification service that compares information available from a commercially available database, or aggregate of databases, that is regularly used by government agencies and businesses for the purpose of age and identity verification to the personal information entered by the individual during the ordering process that establishes that the individual is of age.

6. For any transaction between a distributor and a retail dealer involving liquid nicotine or nicotine vapor products, both the distributor and the retail dealer shall maintain and retain records of any invoice or sales receipt involved that shall include itemized lists of the types of products included in such transaction, the tax due on each product pursuant to subsection B of § 58.1-1021.02, and the total amount of taxes paid. Such records shall be produced and provided to the Department as necessary for auditing, compliance, and enforcement purposes.

D. The Department shall compile and maintain a current list of licensed distributors and remote retail sellers of tobacco products and of manufacturers, distributors, and retail dealers of liquid nicotine and nicotine vapor products. The list shall be updated on a monthly basis and published on the Department's website, available to any interested party.

2. That, notwithstanding any other provision of the Code of Virginia or this act to the contrary, the Department of Taxation (the Department) shall not be required to comply with the provisions of subdivision B 1 of § 59.1-293.12 of the Code of Virginia that require the Department to conduct an unannounced investigation at least once every 24 months to verify that a retail dealer is not selling retail tobacco products to persons under 21 years of age.

3. That the Department of Taxation (the Department) shall convene a work group consisting of representatives of the Alcoholic Beverage Control Authority, the Office of the Attorney General, the Virginia State Police, and the Department of Behavioral Health and Developmental Services to develop an enforcement program to address the sale of retail tobacco products or hemp products intended for smoking to individuals younger than 21 years of age. The work group shall consider and report on the following factors: (i) the frequency of licensee inspections in Virginia and other states, (ii) licensee compliance rates with underage enforcement in Virginia and other states, (iii) one-time and ongoing costs of any enforcement program recommendations, and (iv) potential sources of revenue to support such enforcement program. The Department shall report the findings and recommendations of the work group to the Chairs of the House Committees on General Laws and Appropriations and the Senate Committees on Rehabilitation and Social Services and Finance and Appropriations no later than November 1, 2025.

CHAPTER 597

An Act to amend and reenact § 56-585.8 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 56-249.8 and by adding in Chapter 23 of Title 56 a section numbered 56-596.5, relating to Phase I Utilities; securitized asset costs; biennial rate reviews; rate increases in certain months prohibited.

[S 1076]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 56-585.8 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 56-249.8 and by adding in Chapter 23 of Title 56 a section numbered 56-596.5 as follows:

§ 56-249.8. Financing for certain securitized asset costs; Phase I Utility.

A. As used in this section:

"Ancillary agreement" means a bond, insurance policy, letter of credit, reserve account, surety bond, interest rate lock or swap arrangement, hedging arrangement, liquidity or credit support arrangement, or other financial arrangement entered into in connection with securitized asset cost bonds.

"Assignee" means a legally recognized entity to which an electric utility assigns, sells, or transfers, other than as a security, all or a portion of its interest in or right to securitized asset cost property. "Assignee" includes a corporation, limited liability company, general partnership or limited partnership, public authority trust, financing entity, or other entity to which an assignee assigns, sells, or transfers, other than as a security, all or a portion of its interest in or right to securitized asset cost property.

"Bondholder" means a person who holds a securitized asset cost bond.

"Electric utility" means a Phase I Utility, as that term is defined in subdivision A 1 of § 56-585.1.

"Financing costs" means:

1. Interest and any premium, including any acquisition, defeasance, or redemption premium, payable on securitized asset cost bonds;

2. Any payment required under any indenture, ancillary agreement, or other financing documents pertaining to securitized asset cost bonds and any amount required to fund or replenish a reserve account or other accounts established under the terms of any indenture, ancillary agreement, or other financing documents pertaining to securitized asset bonds;

3. Any other costs related to structuring, offering, issuing, supporting, repaying, refunding, servicing, and complying with securitized asset cost bonds, including service fees, accounting and auditing fees, trustee fees, legal fees, consulting fees, structuring adviser fees, administrative fees, placement and underwriting fees, independent director and manager fees, capitalized interest, rating agency fees, stock exchange listing and compliance fees, security registration fees, filing fees, information technology programming costs, and any other costs necessary to otherwise ensure the timely payment of securitized asset cost bonds or other amounts or charges payable in connection with the bonds, including costs related to obtaining the financing order;

4. Any taxes and license fees or other fees imposed on the revenues generated from the collection of securitized asset cost charges or otherwise resulting from the collection of securitized asset cost charges, in any such case whether paid, payable, or accrued;

5. Any state and local taxes, franchise, gross receipts, and other taxes or similar charges, including regulatory assessment fees, whether paid, payable, or accrued;

6. Any costs incurred by the Commission for any outside consultants or counsel retained in connection with the securitization of securitized asset costs; and

7. Any financing costs on the utility's securitized asset cost balance prior to issuance of any securitized asset cost bonds, calculated at the utility's approved weighted average cost of capital.

"Financing order" means an order that authorizes the issuance of securitized asset cost bonds; the imposition, collection, and periodic adjustments of a securitized asset cost charge; the creation of securitized asset cost property; the sale, assignment, or transfer of securitized asset cost property to an assignee; and any other actions necessary or advisable to take actions described in the financing order.

"Financing party" means bondholders and trustees, collateral agents, any party under an ancillary agreement, or any other person acting for the benefit of bondholders.

"Financing statement" has the same meaning as provided in § 8.9A-102 of the Uniform Commercial Code.

"Pledgee" means a financing party to which an electric utility or its successors or assignees mortgages, negotiates, pledges, or creates a security interest or lien on all or any portion of its interest in or right to securitized asset cost property.

"Securitized asset cost bonds" means bonds, debentures, notes, certificates of participation, certificates of beneficial interest, certificates of ownership, or other evidences of indebtedness or ownership that are issued in one or more series or tranches by an electric utility or its assignee pursuant to a financing order, the proceeds of which are used directly or indirectly to recover, finance, or refinance Commission-approved securitized asset costs and financing costs, and that are secured by or payable from securitized asset cost property. If certificates of participation or ownership are issued, references in this section to principal, interest, or premium shall be construed to refer to comparable amounts under those certificates.

"Securitized asset cost charge" means the non-bypassable charges authorized by the Commission to repay, finance, or refinance securitized asset costs and financing costs (i) imposed on and part of all retail customer bills, except those of exempt retail access customers; (ii) collected by an electric utility or its successor or assignees, or a collection agent, in full, separate and apart from the electric utility's base rates; and (iii) paid by all retail customers of the electric utility, irrespective of the generation supplier of such customer, except for an exempt retail access customer.

"Securitized asset costs" means (i) storm recovery costs incurred by an electric utility due to severe weather events, as recognized by nationally recognized standards including standards published by the Institute of Electrical and Electronics Engineers, and natural disasters and (ii) undepreciated generation utility plant balances.

"Storm recovery costs" means investments and expenses incurred by an electric utility on or after January 1, 2024, arising from or related to any major storm, extraordinary weather event, or natural disaster affecting Phase I Utility ratepayers in Virginia, including costs of the mobilization, staging, construction, reconstruction, repair, or replacement of production, generation, transport, transmission, general, or distribution facilities and the costs of any other activity by or

on behalf of an electric utility in connection with the restoration of service associated with outages impacting its customers as a result of such major storm, extraordinary weather event, or natural disaster.

"Undepreciated generation utility plant balances" means any unrecovered capitalized costs of or undepreciated investments in one or more fossil-fired electric generating plants having nameplate capacity in excess of 1,000 megawatts each, and related supply, transmission, equipment, and fixtures. "Undepreciated generation utility plant balances" shall include (i) the net book value of assets on the electric utility's balance sheet related to such generating plants and related infrastructure and (ii) carrying costs authorized by the Commission. "Undepreciated generation utility plant balances" does not include (a) any costs of removing retired generating plant assets; (b) any capitalized costs and investments in fossil-fired electric generating plants and related supply, transmission, equipment, and fixtures incurred or made by an electric utility on or after December 31, 2023; and (c) any non-cash asset retirement obligation assets and related accumulated depreciation.

"Uniform Commercial Code" means Titles 8.1A through 8.13 (§ 8.1A-101 et seq.).

B. Notwithstanding the provisions of Chapter 3 (§ 56-55 et seq.), an electric utility may petition the Commission for a financing order pursuant to this section. No more than four months after the date such petition is filed, the Commission shall issue either (i) such financing order in accordance with the requirements of subdivision 2 or (ii) an order rejecting the petition.

1. The petition shall include (i) an estimate of the total amount of any securitized asset costs that the electric utility has incurred over the time period noted in the petition; (ii) an indication of whether the electric utility proposes to finance all or a portion of the securitized asset costs using one or more series or tranches of securitized asset cost bonds; (iii) an estimate and details of the financing costs related to the securitized asset costs to be financed through the securitized asset cost bonds; (iv) an estimate of the securitized asset cost charges necessary to recover the securitized asset costs and all financing costs and the proposed period for recovery of such costs; (v) a description of any benefits expected to result from the issuance of securitized asset cost bonds, including the avoidance of or significant mitigation of abrupt and significant increases in rates to the electric utility's customers for the applicable time period; and (vi) direct testimony and exhibits supporting the petition. If the electric utility proposes to finance a portion of the securitized asset costs, the electric utility shall identify in the petition the specific amount of securitized asset costs for the applicable time period to be financed using securitized asset cost bonds. By electing not to finance a portion of the securitized asset costs for an applicable time period using securitized asset cost bonds, an electric utility shall not be deemed to waive its right to recover such costs pursuant to a separate proceeding with the Commission.

2. a. A financing order issued by the Commission pursuant to this section shall include:

(1) The amount of securitized asset costs to be financed using securitized asset cost bonds. The Commission shall describe and estimate the amount of financing costs that may be recovered through securitized asset cost charges. The financing order shall also specify the period over which securitized asset costs and financing costs may be recovered and whether the securitized asset cost bonds may be offered and issued in one or more series or tranches during a fixed period not to exceed one year after the date of the financing order;

(2) A finding that the proposed issuance of securitized asset cost bonds is in the public interest and the associated securitized asset cost charges are just and reasonable;

(3) A finding that the structuring and pricing of the securitized asset cost bonds are reasonably expected to result in reasonable securitized asset charges consistent with market conditions at the time the securitized asset cost bonds are priced and the terms set forth in such financing order;

(4) A requirement that, for so long as the securitized asset cost bonds are outstanding and until all financing costs have been paid in full, the imposition and collection of securitized asset cost charges authorized under a financing order shall be non-bypassable and paid by all retail customers of the electric utility, irrespective of the generation supplier of such customer, except for an exempt retail access customer;

(5) A formula-based true-up mechanism for making annual adjustments to the securitized asset cost charges that customers are required to pay pursuant to the financing order and for making any adjustments that are necessary to correct for any overcollection or undercollection of the charges or to otherwise ensure the timely payment of securitized asset cost bonds and financing costs and other required amounts and charges payable in connection with the securitized asset cost bonds;

(6) The securitized asset cost property that is, or shall be, created in favor of an electric utility or its successors or assignees and that shall be used to pay or secure securitized asset cost bonds and all financing costs;

(7) The authority of the electric utility to establish (i) the terms and conditions of the securitized asset cost bonds, including repayment schedules, expected interest rates, the issuance in one or more series or tranches with different maturity dates, and other financing costs, and (ii) the terms and conditions of the ancillary documents related to the securitized asset cost bonds, including servicing arrangements for securitized asset cost charges;

(8) A finding that the securitized asset cost charges shall be allocated among customer classes in accordance with the methodology approved in the electric utility's most recent base rate case;

(9) A requirement that after the final terms of an issuance of securitized asset cost bonds have been established and before the issuance of securitized asset cost bonds, the electric utility determines the resulting initial securitized asset cost charge in accordance with the financing order and that such initial securitized asset cost charge be final and effective upon

the issuance of such securitized asset cost bonds without further Commission action so long as such initial securitized asset cost charge is consistent with the financing order;

(10) A method of tracing funds collected as securitized asset cost charges, or other proceeds of securitized asset cost property, and a requirement that such method be the method of tracing such funds and determining the identifiable cash proceeds of any securitized asset cost property subject to the financing order under applicable law;

(11) A requirement that the electric utility's base rates, exclusive of the cost of securitized asset cost bonds, reflect the reduction of rates associated with securitization effective on the date on which proceeds from the issuance of the securitized asset cost bonds are received by the electric utility. Such requirement may be met through the use of a temporary tracker to credit customers until such reduction is reflected in the base rates established through the electric utility's next base rate case;

(12) Any other conditions not otherwise inconsistent with this section that the Commission determines are appropriate;

(13) A requirement that the electric utility's base rates, exclusive of the cost of securitized asset cost bonds, reflect the reduction of rate base associated with the securitization of utility plant balances effective on the date proceeds from the issuance of the securitized asset cost bonds are received by the utility. This can be accomplished through the use of a temporary tracker to credit customers until the electric utility's next base rate case, at which point the reduction in rate base shall be reflected in base rates;

(14) A method of tracing funds collected as securitized asset cost charges, or other proceeds of securitized asset cost property, and a requirement that such method be the method of tracing such funds and determining the identifiable cash proceeds of any securitized asset cost property subject to the financing order under applicable law; and

(15) Any other conditions not otherwise inconsistent with this section that the Commission determines are appropriate.

b. Neither a financing order issued pursuant to this section nor the Commission's approval of a petition for a financing order shall require that securitized asset cost bonds be marketed as a specified type of security or that the assignee be formed as a specified type of entity. The electric utility shall maintain discretion to determine the type of security that securitized asset cost bonds shall be.

c. A financing order issued to an electric utility may provide that creation of the electric utility's securitized asset cost property is conditioned upon, and simultaneous with, the sale or other transfer for the securitized asset cost property to an assignee and the pledge of the securitized asset cost property to secure securitized asset cost bonds.

d. If the Commission issues a financing order, the Commission shall establish a protocol for the electric utility to annually file a petition or, in the Commission's discretion, a letter setting out application of the formula-based mechanism and, based on estimates of consumption for each rate class and other mathematical factors, requesting administrative approval to make applicable adjustments. The review of the filing shall be limited to determining whether there are any mathematical or clerical errors in the application of the formula-based mechanism relating to the appropriate amount of any overcollection or undercollection of securitized asset cost charges and the amount of an adjustment. The adjustments shall ensure the recovery of revenues sufficient to provide for the payment of principal, interest, acquisition, defeasance, financing costs, or redemption premium and other fees, costs, and charges in respect of securitized asset cost bonds approved under the financing order. Within 30 days after receiving an electric utility's request pursuant to this subdivision d, the Commission shall either approve the request or inform the electric utility of any mathematical or clerical errors in its calculation. If the Commission informs the electric utility of mathematical or clerical errors in its calculation, the electric utility may correct such errors and refile its request. The 30-day time frame previously described in this subdivision d shall apply to a refiled request.

e. Subsequent to the transfer of securitized asset cost property to an assignee or the issuance of securitized asset cost bonds authorized thereby, whichever is earlier, a financing order shall be irrevocable and, except for changes made pursuant to the formula-based mechanism authorized in this section, the Commission shall not amend, modify, or terminate the financing order by any subsequent action or reduce, impair, postpone, terminate, or otherwise adjust securitized asset cost charges approved in the financing order. After the issuance of a financing order, the electric utility shall retain sole discretion regarding whether to assign, sell, or otherwise transfer securitized asset cost property or to cause securitized asset cost bonds to be issued, including the right to defer or postpone such assignment, sale, transfer, or issuance.

3. At the request of an electric utility, the Commission may commence a proceeding and issue a subsequent financing order that provides for refinancing, retiring, or refunding securitized asset cost bonds issued pursuant to the original financing order if the Commission finds that the subsequent financing order satisfies all of the criteria specified in this section for a financing order. Effective upon retirement of the refunded securitized asset bonds and the issuance of new securitized asset cost bonds, the Commission shall adjust the related securitized asset cost charges accordingly.

4. a. A financing order shall remain in effect and securitized asset cost property under the financing order shall continue to exist until securitized asset cost bonds issued pursuant to the financing order have been paid in full or defeased and, in each case, all Commission-approved financing costs of such securitized asset cost bonds have been recovered in full.

b. A financing order issued to an electric utility shall remain in effect and unabated notwithstanding the reorganization, bankruptcy or other insolvency proceedings, merger, or sale of the electric utility or its successors or assignees.

C. 1. The Commission shall not, in exercising its powers and carrying out its duties regarding any matter within its authority pursuant to this chapter, and notwithstanding any other provision of law, (i) consider the securitized asset cost bonds issued pursuant to a financing order to be the debt of the electric utility other than for federal income tax purposes,

including for any purpose under § 56-585.8; (ii) consider the securitized asset cost charges paid under the financing order to be the revenue of the electric utility for any purpose, including for any purpose under § 56-585.8; (iii) consider the securitized asset costs or financing costs specified in the financing order to be the costs of the electric utility, including for any purpose under § 56-585.8; or (iv) determine any action taken by an electric utility that is consistent with the financing order to be unjust or unreasonable.

2. The Commission shall not order or otherwise directly or indirectly require an electric utility to use securitized asset cost bonds to finance any project, addition, plant, facility, extension, capital improvement, equipment, or any other expenditure. After the issuance of a financing order, the electric utility shall retain sole discretion regarding whether to cause the securitized asset cost bonds to be issued, including the right to defer or postpone such sale, assignment, transfer, or issuance. Nothing shall prevent the electric utility from abandoning the issuance of securitized asset cost bonds under the financing order by filing with the Commission a statement of abandonment and the reasons therefor. The Commission shall not deny an electric utility its right to recover securitized asset costs as otherwise provided in this section, or refuse or condition authorization or approval of the issuance and sale by an electric utility of securities or the assumption by the electric utility of liabilities or obligations, solely because of the potential availability of securitized asset cost bond financing.

D. The electric bills of an electric utility that has obtained a financing order and caused securitized asset cost bonds to be issued shall comply with the provisions of this subsection; however, the failure of an electric utility to comply with this subsection shall not invalidate, impair, or affect any financing order, securitized asset cost property, securitized asset cost charge, or securitized asset cost bonds. The electric utility shall:

1. Explicitly reflect that a portion of the charges on any electric bill represents securitized asset cost charges approved in a financing order issued to the electric utility and, if the securitized asset cost property has been transferred to an assignee, such bill shall include a statement to the effect that the assignee is the owner of the rights to securitized asset cost charges and that the electric utility or another entity, if applicable, is acting as a collection agent or servicer for the assignee. The tariff applicable to customers must indicate the securitized asset cost charge and the ownership of the charge; and

2. Include the securitized asset cost charge on each customer's bill as a separate line item and include both the rate and the amount of the charge on each bill.

E. 1. The following provisions shall be applicable to securitized asset cost property:

a. All securitized asset cost property that is specified in a financing order shall constitute an existing, present intangible property right or interest therein, notwithstanding that the imposition and collection of securitized asset cost charges depends on the electric utility, to which the financing order is issued, performing its servicing functions relating to the collection of securitized asset cost charges and on future electricity consumption. The securitized asset cost property shall exist (i) regardless of whether or not the revenues or proceeds arising from the securitized asset cost property have been billed, have accrued, or have been collected and (ii) notwithstanding the fact that the value or amount of the securitized asset cost property is dependent on the future provision of service to customers by the electric utility or its successors or assignees and the future consumption of electricity by customers;

b. Securitized asset cost property specified in a financing order shall exist until securitized asset cost bonds issued pursuant to the financing order are paid in full and all financing costs and other costs of such securitized asset cost bonds have been recovered in full;

c. All or any portion of securitized asset cost property specified in a financing order issued to an electric utility may be transferred, sold, conveyed, or assigned to a successor or assignee that is wholly owned, directly or indirectly, by the electric utility and created for the limited purpose of acquiring, owning, or administering securitized asset cost property or issuing securitized asset cost bonds under the financing order. All or any portion of securitized asset cost property may be pledged to secure securitized asset cost bonds issued pursuant to the financing order, amounts payable to financing parties and to counterparties under any ancillary agreements, and other financing costs. Any transfer, sale, conveyance, assignment, or grant of a security interest in or pledge of securitized asset cost property by an electric utility, or an affiliate of the electric utility, to an assignee, to the extent previously authorized in a financing order, shall not require the prior consent and approval of the Commission;

d. If an electric utility defaults on any required payment of charges arising from securitized asset cost property specified in a financing order, a court, upon application by an interested party, and without limiting any other remedies available to the applying party, shall order the sequestration and payment of the revenues arising from the securitized asset cost property to the financing parties or their assignees. Any such financing order shall remain in full force and effect notwithstanding any reorganization, bankruptcy, or other insolvency proceedings with respect to the electric utility or its successors or assignees;

e. The interest of a transferee, purchaser, acquirer, assignee, or pledgee in securitized asset cost property specified in a financing order issued to an electric utility, and in the revenue and collections arising from that property, shall not be subject to setoff, counterclaim, surcharge, or defense by the electric utility or any other person or in connection with the reorganization, bankruptcy, or other insolvency of the electric utility or any other entity;

f. Any successor to an electric utility, whether pursuant to any reorganization, bankruptcy, or other insolvency proceeding or whether pursuant to any merger or acquisition, sale, or other business combination, or transfer by operation of law, as a result of electric utility restructuring or otherwise, shall perform and satisfy all obligations of, and have the same rights under a financing order as, the electric utility under the financing order in the same manner and to the same

extent as the electric utility, including collecting and paying to the person entitled to receive the revenues, collections, payments, or proceeds of the securitized asset cost property. Nothing in this subdivision f is intended to limit or impair any authority of the Commission concerning the transfer or succession of interests of public utilities; and

g. Securitized asset cost bonds shall be nonrecourse to the credit or any assets of the electric utility other than the securitized asset cost property as specified in the financing order and any rights under any ancillary agreement.

2. The following provisions shall be applicable to security interests:

a. The creation, perfection, and enforcement of any security interest in securitized asset cost property to secure the repayment of the principal and interest and other amounts payable in respect of securitized asset cost bonds; amounts payable under any indenture, ancillary agreement, or other financing documents in respect of the securitized asset costs; and other financing costs shall be governed by this subsection and not by the provisions of the Uniform Commercial Code;

b. A security interest in securitized asset cost property shall be created and enforceable when all of the following have occurred: (i) a financing order is issued, (ii) value is received by the debtor or seller for such securitized asset cost property, (iii) the debtor or seller has rights in such securitized asset cost property or the power to transfer rights in such securitized asset cost property, and (iv) a security agreement granting such security interest is executed and delivered by the debtor or seller. The description of securitized asset cost property in a security agreement shall be sufficient if the description refers to this section and the financing order creating the securitized asset cost property;

c. A security interest shall attach without any physical delivery of collateral or other act and, upon the filing of a financing statement with the Commission, the lien of the security interest shall be valid, binding, and perfected against all parties having claims of any kind in tort, contract, or otherwise against the person granting the security interest, regardless of whether the parties have notice of the lien. Also upon this filing, a transfer of an interest in the securitized asset cost property shall be perfected against all parties having claims of any kind, including any judicial lien or other lien creditors or any claims of the transferor or creditors of the transferor, and shall have priority over all competing claims other than any prior security interest, ownership interest, or assignment in the property previously perfected in accordance with this section;

d. The Commission shall maintain any financing statement filed to perfect any security interest under this section in the same manner that the Commission maintains financing statements filed by transmitting utilities under the Uniform Commercial Code. The filing of a financing statement under this section shall be governed by the provisions regarding the filing of financing statements in the Uniform Commercial Code;

e. The priority of a security interest in securitized asset cost property shall not be affected by the commingling of securitized asset cost charges with other amounts. Any pledgee or secured party shall have a perfected security interest in the amount of all securitized asset cost charges that are deposited in any cash or deposit account of the qualifying utility in which securitized asset cost charges have been commingled with other funds and any other security interest that may apply to those funds shall be terminated when they are transferred to a segregated account for the assignee or a financing party;

f. No application of the formula-based adjustment mechanism as provided in this section shall affect the validity, perfection, or priority of a security interest in or transfer of securitized asset cost property; and

g. If a default or termination occurs under the securitized asset cost bonds, the financing parties or their representatives may foreclose on or otherwise enforce their lien and security interest in any securitized asset cost property as if they were secured parties with a perfected and prior lien under the Uniform Commercial Code, and the Commission may order that amounts arising from securitized asset cost charges be transferred to a separate account for the financing parties' benefit, to which their lien and security interest shall apply. On application by or on behalf of the financing parties, the Commission shall order the sequestration and payment to them of revenues arising from the securitized asset cost charges.

3. a. Any sale, assignment, or other transfer of securitized asset cost property shall be an absolute transfer and true sale of and not a pledge of, or secured transaction relating to, the transferor's right, title, and interest in, to, and under the securitized asset cost property if the documents governing the transaction expressly state that the transaction is a sale or other absolute transfer other than for federal and state income tax purposes. For all purposes other than federal and state income tax purposes, the parties' characterization of a transaction as a sale of an interest in securitized asset cost property shall be conclusive that the transaction is a true sale and that ownership has passed to the party characterized as the purchaser, regardless of any fact or circumstance that might support characterization of the transfer as a secured transaction. A transfer of an interest in securitized asset cost property shall occur only when all of the following have occurred: (i) the financing order creating the securitized asset cost property has become effective, (ii) the documents evidencing the transfer of securitized asset cost property have been executed by the transferor and delivered to the assignee, and (iii) value is received by the transferor for the securitized asset cost property. After such a transaction, the securitized asset cost property shall not be subject to any claims of the transferor or the transferor's creditors, other than creditors holding a prior security interest in the securitized asset cost property perfected in accordance with subdivision 2.

b. The characterization of the sale, assignment, or other transfer as an absolute transfer and true sale, and the corresponding characterization of the interest of the assignee as an ownership interest, shall not be affected or impaired by the occurrence of any of the following factors:

(1) Commingling of securitized asset cost charges with other amounts;

(2) The retention by the seller of (i) a partial or residual interest, including an equity interest, in the securitized asset cost property, whether direct or indirect, or whether subordinate or otherwise, or (ii) the right to recover costs associated with taxes, franchise fees, or license fees imposed on the collection of securitized asset cost charges;

(3) Any recourse that the assignee may have against the seller;

(4) Any right or obligation that the seller may have to repurchase the securitized asset cost charges;

(5) Any indemnification obligations of the seller;

(6) The obligation of the seller to collect securitized asset cost charges on behalf of the assignee;

(7) The transferor acting as the servicer of the securitized asset cost charges or the existence of any contract that authorizes or requires the electric utility, to the extent that any interest in securitized asset cost property is sold or assigned, to agree with the assignee or any financing party that it will continue to operate its system to provide service to its customers, will collect amounts in respect of the securitized asset cost charges for the benefit and account of such assignee or financing party, and will account for and remit such amounts to or for the account of such assignee or financing party;

(8) The treatment of the sale, conveyance, assignment, or other transfer for tax, financial reporting, or other purposes;

(9) The granting or providing to bondholders of a preferred right to the securitized asset cost property or credit enhancement by the electric utility or its affiliates with respect to the securitized asset cost bonds; or

(10) Any application of the formula-based adjustment mechanism as provided in this section.

c. Any right that an electric utility has in the securitized asset cost property before its pledge, sale, or transfer or any other right created under this section or created in the financing order and assignable under this section or assignable pursuant to a financing order shall be property in the form of a contract right or a chose in action. Transfer of an interest in securitized asset cost property to an assignee shall be enforceable only when all of the following have occurred: (i) a financing order is issued, (ii) value is received by the transferor for such securitized asset cost property, (iii) the transferor has rights in such securitized asset cost property or the power to transfer rights in such securitized asset cost property, and (iv) transfer documents in connection with the issuance of securitized asset cost bonds are executed and delivered by the transferor. An enforceable transfer of an interest in securitized asset cost property to an assignee shall be perfected against all third parties, including subsequent judicial or other lien creditors, when a notice of that transfer has been given by the filing of a financing statement in accordance with subdivision 2 c. The transfer shall be perfected against third parties as of the date of filing.

d. The Commission shall maintain any financing statement filed to perfect any sale, assignment, or transfer of securitized asset cost property under this section in the same manner that the Commission maintains financing statements filed by transmitting utilities under the Uniform Commercial Code. The filing of any financing statement under this section shall be governed by the provisions regarding the filing of financing statements in the Uniform Commercial Code. The filing of such a financing statement shall be the only method of perfecting a transfer of securitized asset cost property.

e. The priority of a transfer perfected under this section shall not be impaired by any later modification of the financing order or securitized asset cost property or by the commingling of funds arising from securitized asset cost property with other funds. Any other security interest that may apply to those funds, other than a security interest perfected under subdivision 2, shall be terminated when they are transferred to a segregated account for the assignee or a financing party. If securitized asset cost property has been transferred to an assignee or financing party, any proceeds of that property shall be held in trust for the assignee or financing party.

f. The priority of the conflicting interests of assignees in the same interest or rights in any securitized asset cost property shall be determined as follows:

(1) Conflicting perfected interests or rights of assignees shall rank according to priority in time of perfection. Priority shall date from the time a filing covering the transfer is made in accordance with subdivision 2 c;

(2) A perfected interest or right of an assignee shall have priority over a conflicting unperfected interest or right of an assignee; and

(3) A perfected interest or right of an assignee shall have priority over a person who becomes a lien creditor after the perfection of such assignee's interest or right.

F. The description of securitized asset cost property being transferred to an assignee in any sale agreement, purchase agreement, or other transfer agreement, granted or pledged to a pledgee in any security agreement, pledge agreement, or other security document, or indicated in any financing statement shall only be sufficient if such description or indication refers to the financing order that created the securitized asset cost property and states that the agreement or financing statement covers all or part of the property described in the financing order. This section shall apply to all purported transfers of, and all purported grants or liens or security interests in, securitized asset cost property, regardless of whether the related sale agreement, purchase agreement, other transfer agreement, security agreement, pledge agreement, or other security document was entered into, or any financing statement was filed.

G. All financing statements referenced in this section shall be subject to Part 5 of Title 8.9A (§ 8.9A-501 et seq.) of the Uniform Commercial Code, except that the requirement as to continuation statements shall not apply.

H. The laws of the Commonwealth shall govern the validity, enforceability, attachment, perfection, priority, and exercise of remedies with respect to the transfer of an interest or right or the pledge or creation of a security interest in any securitized asset cost property.

I. Neither the Commonwealth nor its political subdivisions shall be liable on any securitized asset cost bonds, and the bonds shall not be a debt or a general obligation of the Commonwealth or any of its political subdivisions, agencies, or

instrumentalities, nor shall they be special obligations or indebtedness of the Commonwealth or any of its agencies or political subdivisions. An issue of securitized asset cost bonds shall not, directly, indirectly, or contingently, obligate the Commonwealth or any agency, political subdivision, or instrumentality of the Commonwealth to levy any tax or make any appropriation for payment of the securitized asset cost bonds, other than in their capacity as consumers of electricity. All securitized asset cost bonds shall contain on the face thereof a statement to the following effect: "NEITHER THE FULL FAITH AND CREDIT NOR THE TAXING POWER OF THE COMMONWEALTH IS PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF, OR INTEREST ON, THIS BOND."

J. All of the following entities may legally invest any sinking funds, moneys, or other funds in securitized asset cost bonds:

1. Subject to applicable statutory restrictions on state or local investment authority, the Commonwealth, units of local government, political subdivisions, public bodies, and public officers, except for members of the Commission;

2. Banks and bankers, savings and loan associations, credit unions, trust companies, savings banks and institutions, investment companies, insurance companies, insurance associations, and other persons carrying on a banking or insurance business;

3. Personal representatives, guardians, trustees, and other fiduciaries; and

4. All other persons authorized to invest in bonds or other obligations of a similar nature.

K. 1. The Commonwealth and its agencies, including the Commission, pledge and agree with bondholders, the owners of the securitized asset cost property, and other financing parties that the Commonwealth and its agencies shall not take any action listed in this subdivision. This subsection does not preclude limitation or alteration if full compensation is made by law for the full protection of the securitized asset cost charges collected pursuant to a financing order and of the bondholders and any assignee or financing party entering into a contract with the electric utility. The Commonwealth and its agencies, including the Commission, shall not:

a. Alter the provisions of this section that authorize the Commission to create an irrevocable contract right or chose in action by the issuance of a financing order, to create securitized asset cost property, and to make the securitized asset cost charges imposed by a financing order irrevocable, binding, or non-bypassable charges;

b. Take or permit any action that impairs or would impair the value of securitized asset cost property or the security for the securitized asset cost bonds or revises the securitized asset costs for which recovery is authorized;

c. In any way impair the rights and remedies of the bondholders, assignees, and other financing parties; or

d. Except for changes made pursuant to the formula-based adjustment mechanism authorized under this section, reduce, alter, or impair securitized asset cost charges that are to be imposed, billed, charged, collected, and remitted for the benefit of the bondholders, any assignee, and any other financing parties until any and all principal, interest, premium, financing costs and other fees, expenses, or charges incurred, and any contracts to be performed, in connection with the related securitized asset cost bonds have been paid and performed in full.

2. Any person that issues securitized asset cost bonds may include the language specified in subdivision 1 in the securitized asset cost bonds and related documentation.

L. An assignee or financing party shall not be considered an electric utility or person providing electric service by virtue of engaging in the transactions described in this section.

M. If there is a conflict between this section and any other law regarding the attachment, assignment, or perfection, or the effect of perfection, or priority of, assignment or transfer of, or security interest in securitized asset cost property, this section shall govern.

N. In making determinations under this section, the Commission may engage an outside consultant and counsel.

O. Nothing in this section shall be construed to limit the ability of an electric utility to seek any available relief pursuant to any other provision of law, including § 56-585.8.

P. The provisions of this section shall not apply to any customer that has chosen to purchase electric energy from a licensed supplier other than the incumbent electric utility serving the exclusive territory in which such customer is located pursuant to § 56-577 prior to February 1, 2019.

§ 56-585.8. Biennial rate reviews.

A. For the purposes of this section:

"Phase I Utility" has the same meaning as provided in subdivision A 1 of § 56-585.1.

"Utility" means a Phase I Utility.

B. With the first review commencing on March 31, 2024, and *on May 31* biennially thereafter, the Commission shall conduct rate reviews of the rates, terms, and conditions for the provision of generation and distribution services by a Phase I Utility that participated in triennial review proceedings in 2020 and 2023, and such Phase I Utility shall no longer be subject to triennial review proceedings pursuant to § 56-585.1.

C. In each biennial review, the Commission shall conduct a proceeding to review all rates, terms, and conditions for generation and distribution services with such proceeding utilizing the two successive 12-month test periods ending December 31 immediately preceding the year in which such proceeding is conducted. Such biennial review shall be conducted in a single, combined proceeding, except for review of the following costs, which the utility shall continue to recover and the Commission shall continue to review separately, pursuant to the applicable statutory provisions: costs that are recovered pursuant to (i) § 56-249.6, (ii) subdivisions A 4, 5, and 6 of § 56-585.1, and (iii) § 56-585.6.

D. ~~Each~~ *Beginning in 2026, each* biennial rate review proceeding shall commence on ~~or before March~~ *May* 31 of the biennial review year with the filing of a petition by each Phase I Utility subject to the provisions of this section. The Commission, after providing notice and an opportunity for hearing, shall grant a final order on such petition no later than ~~November 20. Any~~ *January 15 of the subsequent year, with any* revisions in rates ordered by the Commission pursuant to the rate review ~~shall take~~ *taking* effect no ~~later~~ *earlier* than ~~January~~ *March* 1 ~~of the subsequent year~~.

E. In each biennial review proceeding, the Commission shall set the fair rate of return on common equity applicable to the generation and distribution services of the utility for the two such services combined and for any rate adjustment clauses approved under subdivision A 5 or 6 of § 56-585.1. The Commission may use any methodology it finds consistent with the public interest to determine the Phase I Utility's fair rate of return on common equity. The Commission may increase or decrease the combined rate of return for generation and distribution services by up to 50 basis points based on factors that may include reliability, generating plant performance, customer service, and operating efficiency of a utility. Any such adjustment to the combined rate of return for generation and distribution services shall include consideration of nationally recognized standards determined by the Commission to be appropriate for such purposes.

F. In any biennial review for a Phase I Utility, if the Commission determines in its sole discretion that the utility's existing rates for generation and distribution services will, on a going-forward basis, either produce (i) revenues in excess of the utility's authorized rate of return or (ii) revenues below the utility's authorized rate of return, then the Commission shall order any reductions or increases, as applicable and necessary, to such rates for generation and distribution services that it deems appropriate to ensure the resulting rates for generation and distribution services (a) are just and reasonable and (b) provide the utility an opportunity to recover its costs of providing services over the rate period ending on December 31 of the year of the utility's succeeding review and earn a fair rate of return authorized pursuant to this section. Such determination shall be limited to the Phase I Utility's rates for generation and distribution services and shall not consider the costs or revenues recovered in any rate adjustment clause authorized pursuant to this chapter.

G. In any biennial review of rates for generation and distribution services, if the combined rate of return on common equity earned is no more than 100 basis points above or below the fair combined rate of return, as determined by the Commission, for the test period under review, then such combined return shall not be considered either excessive or insufficient, respectively.

1. If in any biennial review, the Commission finds that, during the test period under review, considered as a whole, the utility has earned more than 100 basis points above the authorized fair combined rate of return on its generation or distribution services, the Commission shall direct that 100 percent of the amount of such earnings that were more than 100 basis points above such fair combined rate of return for the test period under review, considered as a whole, be credited to customers' bills. Any such credits shall be applied to customers' bills, as determined at the discretion of the Commission, following the effective date of the Commission's order, and shall be allocated among customer classes such that the relationship between the specific customer class rates of return to the overall target rate of return will have the same relationship as the last approved allocation of revenues used to design base rates; or

2. The Commission shall authorize deferred recovery for reasonable (i) actual costs associated with severe weather events and (ii) actual costs associated with natural disasters, not currently in rates, and the Commission shall allow the utility to amortize and recover such deferred costs over future periods as determined by the Commission. The amount of any such deferral shall not exceed an amount that would, together with the utility's other costs, revenues, and investments recovered through rates for generation and distribution services for the test period under review, cause the utility's earned return on its generation and distribution services to exceed 100 basis points above the fair combined rate of return applicable to the test period under review. For the purposes of determining any amount of costs that are associated with severe weather events, the Commission shall consider nationally recognized standards such as those published by the Institute of Electrical and Electronics Engineers (IEEE).

Any amount of a utility's earnings directed by the Commission to be credited to customers' bills pursuant to this subsection shall not be considered for the purpose of determining the utility's earnings in any subsequent biennial review.

H. In any proceeding under this title, including each biennial review, to determine the prior two years' excess or deficiency for the purposes of subsection F, the Commission shall use an average rate base using the actual starting and end-of-test period capital structure of the utility, excluding any debt associated with any securitized bonds and without regard to the cost of capital, capital structure, or investments of any other entities with which the utility is affiliated. To determine a revenue requirement in any proceeding under this title, the Commission shall use the utility's actual end-of-test period capital structure and cost of capital without regard to the cost of capital, capital structure, or investments of any other entities with which the utility is affiliated, including debt associated with any securitized bonds, unless the Commission makes a finding, based on evidence in the record, that the debt to equity ratio of the actual end-of-test period capital structure of such utility is unreasonable, in which case the Commission may utilize a debt to equity ratio that it finds to be reasonable.

In a rate review for a Phase I Utility that is part of a publicly traded, consolidated group, the Commission shall determine federal and state income tax costs as follows: (i) the utility's apportioned state income tax costs shall be calculated according to the applicable statutory rate, as if the utility had not filed a consolidated return with its affiliates, and (ii) the utility's federal income tax costs shall be calculated according to the applicable federal income tax rate and shall exclude any consolidated tax liability or benefit adjustments originating from any taxable income or loss of its affiliates.

I. The Commission is authorized to determine during any biennial review the reasonableness or prudence of any cost subject to the rate review incurred or projected to be incurred by the utility, and a Phase I Utility shall recover such costs that the Commission finds to be reasonable and prudent.

J. In any biennial review conducted pursuant to this section, a Phase I Utility or any other party may propose changes to its terms and conditions and the Commission may approve, reject, or amend any changes and may propose any special rates, contracts, or incentives pursuant to § 56-235.2.

K. Nothing in this section shall alter a Phase I Utility's obligations pursuant to §§ 56-585.5 and 56-596.2.

L. To the extent that the provisions of this section are inconsistent with the provisions of § 56-585.1, the provisions of this section shall control.

§ 56-596.5. Rate increases in certain months prohibited; Phase I Utility.

A. Notwithstanding any other provision of law, the rates for electric generation and distribution services by a Phase I Utility, as defined in subdivision A 1 of § 56-585.1, shall not be increased during the months of November through February.

B. Notwithstanding any other provision of law, any new rate adjustment clause applied to a Phase I Utility's residential customers' bills or an existing rate adjustment clause applicable to such customers' bills shall not be increased during the months of November through February. The Commission's final order regarding any petition for a rate adjustment clause that results in an increase to residential customer rates, including any petition filed pursuant to subdivision A 4, 5, or 6 of § 56-585.1 or § 56-585.1:15, 56-585.5, or 56-585.6, issued between September 1 and December 31 shall direct that the applicable rate adjustment clause be applied to customers' bills beginning on March 1 of the following year.

2. That a Phase I Utility, as defined in subdivision A 1 of § 56-585.1 of the Code of Virginia, in connection with any financing order petition filed with the State Corporation Commission (the Commission) prior to December 31, 2025, pursuant to § 56-249.8 of the Code of Virginia, as created by this act, shall permit any retail customer that is receiving electricity supply service from the utility and whose demand exceeded five megawatts during the calendar year prior to such petition to opt out of financing its pro rata obligation for securitized asset cost charges through securitized asset cost bonds. The Phase I Utility shall notify such eligible customers of their eligibility to opt out of the securitized asset cost financing through its petition with the Commission, and any election to opt out of the securitized asset cost financing by an eligible customer shall be provided in writing to the utility within 30 days of the filing of such petition. Upon such election, the eligible customer shall fully satisfy such customer's pro rata obligation for the securitized asset cost charges as determined in the financing order. In the event of such election, any securitized asset cost charges approved for recovery through securitized asset cost bonds shall not include the obligations of eligible customers opting out of the securitized asset cost financing.

3. That notwithstanding any other provision of law, including any tariff approved by the State Corporation Commission, no Phase I Utility, as defined in subdivision A 1 of § 56-585.1 of the Code of Virginia, shall charge a residential customer any interest or late fees between July 1, 2025, and December 31, 2025, or charge a residential customer any reconnection fees between July 1, 2025, and March 1, 2026.

4. That a Phase I Utility, as defined in subdivision A 1 of § 56-585.1 of the Code of Virginia, shall only file for an annual review of fuel and purchased power costs pursuant to § 56-249.6 of the Code of Virginia in 2025 if the filing reflects a deduction in tariff provisions designed to recover fuel costs.

5. That, during the biennial rate review commencing on May 31, 2026, and conducted pursuant to § 56-585.8 of the Code of Virginia, as amended by this act, for a Phase I Utility, as defined in subdivision A 1 of § 56-585.1 of the Code of Virginia, the Phase I Utility shall propose and the State Corporation Commission shall consider whether it is in the public interest to implement (i) residential seasonal rates and (ii) alternatives to budget billing.

6. That in any rate proceeding for a Phase I Utility, as defined in subdivision A 1 of § 56-585.1 of the Code of Virginia, the State Corporation Commission (the Commission) shall include an invitation to the public to comment on the Phase I Utility rate case. The Commission shall collect and aggregate all public submissions and shall consider public comments as part of each rate proceeding.

CHAPTER 598

An Act to amend and reenact §§ 56-231.16, 56-231.34:1, and 56-234 of the Code of Virginia, relating to electric cooperative subsidiaries; customers exceeding 90 megawatts demand.

[S 1197]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 56-231.16, 56-231.34:1, and 56-234 of the Code of Virginia are amended and reenacted as follows:

§ 56-231.16. Organization; purpose.

A. Any number of natural persons not less than five may, by executing, filing and recording articles of incorporation as hereinafter set forth, form a cooperative, either with or without capital stock, not organized for pecuniary profit, for the principal purpose of making energy, energy services, and other utility services available at the lowest cost consistent with sound economy and prudent management of the business of such cooperative and such other purposes as its membership

shall approve: (i) provided, however, that within its certificated service territory, no such cooperative shall, prior to July 1, 2000, undertake or initiate any new program (a) to buy or maintain an inventory of HVACR equipment or household appliances, (b) to install or service any such equipment or household appliances for customers, unless such service is not provided by the cooperative but by a third party individual, firm or corporation licensed to perform such service, (c) to sell HVACR equipment or household appliances to customers metered and billed on residential rates, (d) to sell HVACR equipment to customers other than those metered and billed on residential rates except where such sale is an incidental part of providing other energy services or providing traditional cooperative activities, (e) to sell or distribute propane or fuel oil; sell, install or service propane or fuel oil equipment; or maintain or buy an inventory of propane or fuel oil equipment for resale, or (f) to serve as a coordinator of nonelectric energy services or provide engineering consulting services except when such energy or engineering services are an incidental part of a marketing effort to provide other energy or engineering services or as a part of providing services that are traditional cooperative activities; (ii) provided further, that notwithstanding clause (i), such cooperative may engage within its certificated service territory in any of the activities enumerated in clause (i) that (a) have received State Corporation Commission approval prior to February 1, 1998, (b) such cooperative is ordered or required to undertake by any jurisdictional court or regulatory authority, (c) were lawfully undertaken prior to February 1, 1998, (d) are specifically permitted by statute, or (e) are undertaken by any other regulated public service company or its unregulated affiliate within such cooperative's certificated service territory; and (iii) also provided that such cooperative or its affiliate may not undertake such activities as are prohibited by clause (i) within the certificated service territory of another public service company unless such activities are undertaken by such public service company or its unregulated affiliate within such cooperative's certificated service territory. In addition, such cooperative may establish one or more subsidiaries to engage in any other business activities not prohibited by law*, including making unregulated sales of electric power to members of such cooperative that are served at or by dedicated or excess facilities within the cooperative's certificated service territory and that contract for electric utility services to serve a demand that is reasonably expected to exceed 90 megawatts*; notwithstanding the foregoing, no such subsidiary may engage in any business activities that the cooperatives are prohibited from engaging in under this section. For purposes of determining whether a cooperative is formed not for pecuniary profit, the establishment of one or more affiliates thereof on a for-profit basis shall not disqualify such entity from being formed as a cooperative pursuant to this article.

B. Nothing in this article shall be construed to authorize a cooperative formed pursuant to this article, or any affiliate thereof, to engage, on a not-for-profit basis, within either the cooperative's certificated service territory or in the certificated service territory of another public service company, in the sale of products, the provision of services, or other business activity, except for regulated electric utility services, unregulated sales of electric power to its members within its certificated service territory, and traditional cooperative activities. However, if such products or services are not currently provided by any person other than a cooperative formed under or subject to this chapter or its affiliate and the Commission determines that no such other person is likely, within a reasonable time, to effectively provide such products and services in such territory, an affiliate of a cooperative may provide such products or services on a not-for-profit basis. The Commission shall also permit an affiliate of a cooperative formed under or subject to this chapter to provide such products or services on a not-for-profit basis upon a finding that the affiliate will not receive the benefit of any federal income tax exemption that is not available to persons other than cooperatives and will not receive the benefit of any federally guaranteed or subsidized financing that is not available to persons other than cooperatives; and provided further that nothing in this subsection shall prohibit the continued operation of any business activities of any not-for-profit cooperative or affiliate formed, operating, and actively providing products or services to customers on or before July 1, 1999.

§ 56-231.34:1. Separation of regulated and unregulated businesses.

A. No cooperative that engages in a regulated utility service shall conduct any unregulated business activity, other than traditional cooperative activities, except in or through one or more affiliates of such cooperative, provided that a cooperative that provides regulated utility services*, or one or more of its affiliates,* shall have the right to offer and make unregulated sales of electric power to ~~its~~ members *of the cooperative that are served at or by dedicated or excess facilities* within ~~its~~ *the cooperative's* certificated service territory *and that contract for electric utility services to serve a demand that is reasonably expected to exceed 90 megawatts*. No such affiliates, formed to engage in any business that is not a regulated utility service, shall engage in regulated utility services.

B. The Commission shall promulgate rules and regulations, governing the conduct of the cooperatives, to promote effective and fair competition between (i) affiliates of cooperatives that are engaged in business activities which are not regulated utility services and (ii) other persons engaged in the same or similar businesses. The rules and regulations shall be effective by July 1, 2000, and shall include provisions:

1. Prohibiting cost-shifting or cross-subsidies between a cooperative and its affiliates;

2. Prohibiting anticompetitive behavior or self-dealing between a cooperative and its affiliates;

3. Prohibiting a cooperative from engaging in discriminatory behavior towards nonaffiliated entities; and

4. Establishing codes of conduct detailing permissible relations between a cooperative and its affiliates. In establishing such codes, the Commission shall consider, among other things, whether and, if so, under what circumstances and conditions (i) a cooperative may provide its affiliates with customer lists or other customer information, sales leads, procurement advice, joint promotions, and access to billing or mailing systems unless such information or services are made available to third parties under the same terms and conditions, (ii) the cooperative's name, logos or trademarks may be used

in promotional, advertising or sales activities conducted by its affiliates, and (iii) the cooperative's vehicles, equipment, office space and employees may be used by its affiliates.

C. Nothing in this article shall be deemed to abrogate or modify the Commission's authority under Chapter 4 (§ 56-76 et seq.) of this title.

§ 56-234. Duty to furnish adequate service at reasonable and uniform rates.

A. It shall be the duty of every public utility to furnish reasonably adequate service and facilities at reasonable and just rates to any person, firm or corporation along its lines desiring same. Notwithstanding any other provision of law:

1. A telephone company shall not have the duty to extend or expand its facilities to furnish service and facilities when the person, firm or corporation has service available from one or more alternative providers of wireline or terrestrial wireless communications services at prevailing market rates; and

2. A telephone company may meet its duty to furnish reasonably adequate service and facilities through the use of any and all available wireline and terrestrial wireless technologies; however, a telephone company, when restoring service to an existing wireline customer, shall offer the option to furnish service using wireline facilities.

For purposes of subdivisions 1 and 2, the Commission shall have the authority upon request of an individual, corporation, or other entity, or a telephone company, to determine whether the wireline or terrestrial wireless communications service available to the party requesting service is a reasonably adequate alternative to local exchange telephone service.

The use by a telephone company of wireline and terrestrial wireless technologies shall not be construed to grant any additional jurisdiction or authority to the Commission over such technologies.

For purposes of subdivision 1, "prevailing market rates" means rates similar to those generally available to consumers in competitive areas for the same services.

B. It shall be the duty of every public utility to charge uniformly therefor all persons, corporations or municipal corporations using such service under like conditions. However, no provision of law shall be deemed to preclude voluntary rate or rate design tests or experiments, or other experiments involving the use of special rates, where such experiments have been approved by order of the Commission after notice and hearing and a finding that such experiments are necessary in order to acquire information which is or may be in furtherance of the public interest. The Commission's final order regarding any petition filed by an investor-owned electric utility for approval of a voluntary rate or rate design test or experiment shall be entered the earlier of not more than six months after the filing of the petition or not more than three months after the date of any evidentiary hearing concerning such petition. The charge for such service shall be at the lowest rate applicable for such service in accordance with schedules filed with the Commission pursuant to § 56-236. But, subject to the provisions of § 56-232.1, nothing contained herein or in § 56-481.1 shall apply to (i) schedules of rates for any telecommunications service provided to the public by virtue of any contract with, (ii) for any service provided under or relating to a contract for telecommunications services with, or (iii) contracts for service rendered by any telephone company to, the state government or any agency thereof, or by any other public utility to any municipal corporation or to the state or federal government. The provisions hereof shall not apply to or in any way affect any proceeding pending in the State Corporation Commission on or before July 1, 1950, and shall not confer on the Commission any jurisdiction not now vested in it with respect to any such proceeding.

C. The Commission may conclude that competition can effectively ensure reasonably adequate retail services in competitive exchanges and may carry out its duty to ensure that a public utility is furnishing reasonably adequate retail service in its competitive exchanges by monitoring individual customer complaints and requiring appropriate responses to such complaints.

D. An electric utility formed under or subject to Chapter 9.1 (§ 56-231.15 et seq.) may meet its duty to furnish reasonably adequate service through unregulated sales of electric power directly from one or more of its affiliates to any customer located within the cooperative's certificated service territory that contracts for electric utility services to serve a demand that is reasonably expected to exceed 90 megawatts.

CHAPTER 599

An Act to amend the Code of Virginia by adding in Title 56 a chapter numbered 31, consisting of sections numbered 56-626 and 56-627, relating to water utilities and wastewater utilities; eligible infrastructure replacement and enhancement; cost recovery.

[S 850]

Approved March 24, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 56 a chapter numbered 31, consisting of sections numbered 56-626 and 56-627, as follows:

CHAPTER 31.

ELIGIBLE INFRASTRUCTURE REPLACEMENT AND ENHANCEMENT.

§ 56-626. Definitions.

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

"EIRE" means eligible infrastructure replacement and enhancement.

"EIRE plan" means a plan filed by a utility that identifies proposed eligible infrastructure projects and an EIRE rider.

"EIRE rider" means a recovery mechanism that will allow for recovery of the eligible infrastructure costs, through a separate mechanism from the customer rates established in a rate case using the cost of service methodology set forth in § 56-235.2.

"Eligible infrastructure" means water utility projects or wastewater utility projects that maintain or enhance safety, reliability, or efficiency or that facilitate compliance with state or federal environmental requirements. Eligible infrastructure does not include (i) the investment in water utility or wastewater utility infrastructure included in the utility's rate base in its most recent rate case or (ii) projects designed primarily to serve new customers and increase revenues.

"Eligible infrastructure costs" includes the following:

1. Return on investment. In calculating the return on investment, the Commission shall use the utility's regulatory capital structure as calculated utilizing the weighted average cost of capital, including the cost of debt and the cost of equity used in determining the utility's base rates in effect during the construction period of the water or wastewater utility project. If the utility's cost of capital has not been changed by order of the Commission within the preceding five years, the Commission may require the utility to file an updated weighted average cost of capital, and the utility may propose an updated weighted average cost of capital. The utility may recover the external costs associated with establishing its updated weighted average cost of capital through the EIRE rider. Such external costs shall include legal costs and consultant costs;

2. A revenue conversion factor, which factor, including income taxes and an allowance for bad debt expense, shall be applied to the required operating income resulting from the eligible infrastructure costs;

3. Depreciation. In calculating depreciation, the Commission shall use the utility's current depreciation rates specific to the applicable asset;

4. Property taxes;

5. Carrying costs on the over-recovery or under-recovery of the eligible infrastructure costs. In calculating the carrying costs, the Commission shall use the utility's regulatory capital structure as determined in subdivision 1 of the definition of eligible infrastructure costs;

6. Unreimbursed costs of relocating facilities due to highway projects; and

7. Operation and maintenance expenses that the Commission determines are associated with eligible infrastructure and that were not included in the revenue requirement of the utility last approved by the Commission.

"Investment" means costs incurred on eligible infrastructure projects including planning, development, removal, and construction costs; costs of infrastructure associated therewith; and an allowance for funds used during construction. In calculating the allowance for funds used during construction, the Commission shall use the utility's actual regulatory capital structure as determined in subdivision 1 of the definition of eligible infrastructure costs.

"In-kind replacement" means replacement with new materials or equipment designed, constructed, and sized to meet current industry standards and to comply with federal, state, and local regulation.

"Utility" means water utility or wastewater utility.

"Wastewater utility" means an investor-owned public service company engaged in the business of furnishing wastewater service to the public.

"Wastewater utility project" includes:

1. Non-growth-related collection main extensions;

2. Facilities necessary to comply with applicable state and federal laws and regulations;

3. Improvements that enable compliance with National Pollutant Discharge Elimination System permits;

4. Unreimbursed costs of relocating facilities due to highway construction or relocation projects; and

5. In-kind replacement of pumps, motors, blowers, tanks, or mechanical equipment.

"Water utility" means an investor-owned public service company engaged in the business of furnishing water service to the public.

"Water utility project" includes:

1. In-kind replacement of transmission or distribution system mains as well as replacement of valves, utility service lines, including meter boxes and appurtenances, meters, including radio frequency meters, and hydrants connected to a replaced transmission or distribution system main;

2. Non-growth-related main extensions installed to eliminate dead ends that will address primary and secondary drinking water standards as defined by the Department of Environmental Quality, the Department of Health, and the federal Environmental Protection Agency;

3. Equipment and facilities installed to address primary and secondary drinking water standards as defined by the Department of Environmental Quality, the Department of Health, and the federal Environmental Protection Agency; and

4. Unreimbursed costs of relocating facilities due to highway projects.

§ 56-627. Filing of petition with Commission to establish or amend EIRE plan and rider; cost recovery; procedure.

A. Notwithstanding any provision of law to the contrary, a utility may petition the Commission for the approval of an EIRE plan as provided in this chapter. Such a plan shall (i) provide for a timeline for completion of the proposed eligible infrastructure projects, the estimated costs of the eligible infrastructure projects, and a schedule for recovery of the related eligible infrastructure costs through the EIRE rider and (ii) demonstrate that the EIRE plan is prudent and reasonable. The

Commission may approve the initial petition for establishment of an EIRE plan and EIRE rider after such notice and opportunity for hearing as the Commission may prescribe, subject to the provisions of this chapter.

B. The Commission shall approve or deny, within 180 days, a utility's initial petition for approval of an EIRE plan. A petition filed pursuant to this section shall not require the filing of rate case schedules. The Commission shall approve or deny, within 120 days, a utility's application to amend a previously approved plan. If the Commission denies such a plan or amendment, it shall set forth with specificity the reasons for such denial, and the utility shall have the right to refile, without prejudice, an amended plan or amendment within 60 days after such denial. The Commission shall thereafter have 60 days to approve or deny the amended plan or amendment. The time period for Commission review provided for in this subsection shall not apply if the EIRE plan is filed in conjunction with a rate case using the cost of service methodology pursuant to § 56-235.2.

C. Any EIRE plan and EIRE rider that is submitted to and approved by the Commission shall be allocated and charged in accordance with § 56-235.11 and appropriate cost causation principles to avoid any undue cross subsidization between rate classes not otherwise permitted by statute.

D. No other revenue requirement or ratemaking issues may be examined in consideration of the application filed pursuant to the provisions of this chapter.

E. At the end of each 12-month period during which the EIRE rider is in effect, the utility shall reconcile the difference between the recognized eligible infrastructure costs and the amounts recovered under the EIRE rider and shall submit the reconciliation and a proposed EIRE rider adjustment to the Commission to recover or refund the difference, as appropriate, through an adjustment to the EIRE rider. The Commission shall approve or deny, within 90 days, a utility's proposed EIRE rider adjustment.

F. A utility that has an approved EIRE petition pursuant to this section shall file revised rate schedules to reset the EIRE rider to zero when new base rates and charges that incorporate eligible infrastructure costs previously reflected in the currently effective EIRE rider become effective.

G. If the Commission approves (i) an updated weighted average cost of capital for use in calculating the return on investment, (ii) the carrying costs on the over-recovery or under-recovery of the eligible infrastructure costs, (iii) the allowance for funds used during construction, or (iv) any combination thereof, such weighted average cost of capital shall be used only for the purpose of the eligible infrastructure costs for the EIRE rider and shall not be used for any purpose in any other proceeding.

2. That the provisions of this act shall expire on July 1, 2035.

3. That each water or wastewater utility that receives approval for an eligible infrastructure replacement and enhancement (EIRE) rider pursuant to § 56-627 of the Code of Virginia, as created by this act, shall provide a proposed earnings test in each annual informational filing or base rate proceeding filed with the State Corporation Commission (the Commission) on or before December 1, 2030. The Commission's review of such earnings test in any such filing or proceeding shall be conducted for informational purposes only; shall not be used to approve, deny, or adjust a proposed EIRE rider or adjustment; and shall be in addition to and separate from the Commission's review of such utility's earnings and base rates. On or before December 1, 2030, the Commission shall provide a status report on the implementation of Chapter 31 (§ 56-626 et seq.) of Title 56 of the Code of Virginia, as created by this act, to the Chairs of the House Committee on Labor and Commerce, the Senate Committee on Commerce and Labor, and the State Water Commission. Such report shall include the results of the earnings test required by this enactment.

CHAPTER 600

HOUSE JOINT RESOLUTION NO. 1

Proposing an amendment to the Constitution of Virginia by adding in Article I a section numbered 11-A, relating to fundamental right to reproductive freedom.

Agreed to by the House of Delegates, January 14, 2025
Agreed to by the Senate, January 31, 2025

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend the Constitution of Virginia by adding in Article I a section numbered 11-A as follows:

ARTICLE I
BILL OF RIGHTS

Section 11-A. Fundamental right to reproductive freedom.

That every individual has the fundamental right to reproductive freedom, including the ability to make and carry out decisions relating to one's own prenatal care, childbirth, postpartum care, contraception, abortion care, miscarriage management, and fertility care.

An individual's right to reproductive freedom shall not be, directly or indirectly, denied, burdened, or infringed upon unless justified by a compelling state interest achieved by the least restrictive means.

Notwithstanding the above, the Commonwealth may regulate the provision of abortion care in the third trimester, provided that in no circumstance shall the Commonwealth prohibit an abortion (i) that in the professional judgment of a physician is medically indicated to protect the life or physical or mental health of the pregnant individual or (ii) when in the professional judgment of a physician the fetus is not viable.

The Commonwealth shall not discriminate in the protection or enforcement of this fundamental right.

The Commonwealth shall not penalize, prosecute, or otherwise take adverse action against an individual based on such individual's own exercise of this fundamental right or such individual's own actual, potential, perceived, or alleged pregnancy outcomes, including miscarriage, stillbirth, or abortion. The Commonwealth shall not penalize, prosecute, or otherwise take adverse action against any individual for aiding or assisting another individual in exercising such other individual's right to reproductive freedom with such other individual's voluntary consent.

For the purposes of this section, a state interest is compelling only if it is for the limited purpose of maintaining or improving the health of an individual seeking care, consistent with accepted clinical standards of care and evidence-based medicine, and does not infringe on that individual's autonomous decision making.

This section shall be self-executing. Any provision of this section held invalid shall be severable from the remaining portions of the section.

CHAPTER 601

HOUSE JOINT RESOLUTION NO. 2

Proposing an amendment to Section 1 of Article II of the Constitution of Virginia, relating to qualifications of voters; right to vote; persons not entitled to vote.

Agreed to by the House of Delegates, January 14, 2025
Agreed to by the Senate, January 31, 2025

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 1 of Article II of the Constitution of Virginia as follows:

ARTICLE II
FRANCHISE AND OFFICERS

Section 1. Qualifications of voters.

(a) In elections by the people, the qualifications of voters shall be as follows: Each voter shall be a citizen of the United States, shall be eighteen years of age, shall fulfill the residence requirements set forth in ~~this section~~ *subsection (b)*, and shall be registered to vote pursuant to this article. *Every person who meets these qualifications shall have the fundamental right to vote in the Commonwealth, and such right shall not be abridged by law, except that:*

(1) No person who has been convicted of a felony shall be ~~qualified~~ *entitled* to vote ~~unless his civil rights have been restored by the Governor or other appropriate authority.~~ *during any period of incarceration for such felony conviction, but every such person, upon release from incarceration for that felony conviction and without further action required of him, shall be invested with all political rights, including the right to vote; and*

~~As prescribed by law, no~~ *(2) No* person *who has been* adjudicated ~~to be mentally incompetent~~ *by a court of competent jurisdiction to lack the capacity to understand the act of voting* shall be ~~qualified~~ *entitled* to vote *during such period of incapacity* until his ~~competency~~ *capacity* has been reestablished *as prescribed by law*.

(b) The residence requirements shall be that each voter shall be a resident of the Commonwealth and of the precinct where he votes. Residence, for all purposes of qualification to vote, requires both domicile and a place of abode. The General Assembly may provide for persons who are employed overseas, and their spouses and dependents residing with them, and who are qualified to vote except for relinquishing their place of abode in the Commonwealth while overseas, to vote in the Commonwealth subject to conditions and time limits defined by law. The General Assembly may provide for persons who are qualified to vote except for having moved their residence from one precinct to another within the Commonwealth to continue to vote in a former precinct subject to conditions and time limits defined by law. The General Assembly may also provide, in elections for President and Vice President of the United States, alternatives to registration for new residents of the Commonwealth.

(c) Any person who will be qualified with respect to age to vote at the next general election shall be permitted to register in advance and also to vote in any intervening primary or special election.

CHAPTER 602

HOUSE JOINT RESOLUTION NO. 9

Proposing an amendment to Section 15-A of Article I of the Constitution of Virginia, relating to marriage between two adult persons; repeal of same-sex marriage prohibition; affirmative right to marry.

Agreed to by the House of Delegates, January 14, 2025
Agreed to by the Senate, January 31, 2025

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 15-A of Article I of the Constitution of Virginia as follows:

ARTICLE I
BILL OF RIGHTS

Section 15-A. Marriage.

That ~~only~~ a ~~union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions~~ *marriage is one of the vital personal rights essential to the orderly pursuit of happiness*.

This Commonwealth and its political subdivisions shall not ~~create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage~~ *deny the issuance of a marriage license to two adult persons seeking a lawful marriage on the basis of the sex, gender, or race of such persons*. ~~Nor shall this Commonwealth or its political subdivisions create or recognize another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage.~~ *This Commonwealth and its political subdivisions shall recognize any lawful marriage between two adult persons and treat such marriages equally under the law, regardless of the sex, gender, or race of such persons.*

CHAPTER 603

SENATE JOINT RESOLUTION NO. 247

Proposing an amendment to the Constitution of Virginia by adding in Article I a section numbered 11-A, relating to fundamental right to reproductive freedom.

Agreed to by the Senate, January 21, 2025
Agreed to by the House of Delegates, February 13, 2025

RESOLVED by the Senate, the House of Delegates concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend the Constitution of Virginia by adding in Article I a section numbered 11-A as follows:

ARTICLE I
BILL OF RIGHTS

Section 11-A. Fundamental right to reproductive freedom.

That every individual has the fundamental right to reproductive freedom, including the ability to make and carry out decisions relating to one's own prenatal care, childbirth, postpartum care, contraception, abortion care, miscarriage management, and fertility care.

An individual's right to reproductive freedom shall not be, directly or indirectly, denied, burdened, or infringed upon unless justified by a compelling state interest achieved by the least restrictive means.

Notwithstanding the above, the Commonwealth may regulate the provision of abortion care in the third trimester, provided that in no circumstance shall the Commonwealth prohibit an abortion (i) that in the professional judgment of a physician is medically indicated to protect the life or physical or mental health of the pregnant individual or (ii) when in the professional judgment of a physician the fetus is not viable.

The Commonwealth shall not discriminate in the protection or enforcement of this fundamental right.

The Commonwealth shall not penalize, prosecute, or otherwise take adverse action against an individual based on such individual's own exercise of this fundamental right or such individual's own actual, potential, perceived, or alleged pregnancy outcomes, including miscarriage, stillbirth, or abortion. The Commonwealth shall not penalize, prosecute, or otherwise take adverse action against any individual for aiding or assisting another individual in exercising such other individual's right to reproductive freedom with such other individual's voluntary consent.

For the purposes of this section, a state interest is compelling only if it is for the limited purpose of maintaining or improving the health of an individual seeking care, consistent with accepted clinical standards of care and evidence-based medicine, and does not infringe on that individual's autonomous decision making.

This section shall be self-executing. Any provision of this section held invalid shall be severable from the remaining portions of the section.

CHAPTER 604

SENATE JOINT RESOLUTION NO. 248

Proposing an amendment to Section 1 of Article II of the Constitution of Virginia, relating to qualifications of voters; right to vote; persons not entitled to vote.

Agreed to by the Senate, January 21, 2025
Agreed to by the House of Delegates, February 13, 2025

RESOLVED by the Senate, the House of Delegates concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 1 of Article II of the Constitution of Virginia as follows:

ARTICLE II
FRANCHISE AND OFFICERS

Section 1. Qualifications of voters.

(a) In elections by the people, the qualifications of voters shall be as follows: Each voter shall be a citizen of the United States, shall be eighteen years of age, shall fulfill the residence requirements set forth in ~~this section~~ *subsection (b)*, and shall be registered to vote pursuant to this article. *Every person who meets these qualifications shall have the fundamental right to vote in the Commonwealth, and such right shall not be abridged by law, except that:*

(1) No person who has been convicted of a felony shall be ~~qualified~~ *entitled* to vote ~~unless his civil rights have been restored by the Governor or other appropriate authority.~~ *during any period of incarceration for such felony conviction, but every such person, upon release from incarceration for that felony conviction and without further action required of him, shall be invested with all political rights, including the right to vote; and*

~~As prescribed by law, no~~ *(2) No* person *who has been* adjudicated ~~to be mentally incompetent~~ *by a court of competent jurisdiction to lack the capacity to understand the act of voting* shall be ~~qualified~~ *entitled* to vote *during such period of incapacity* until his ~~competency~~ *capacity* has been reestablished *as prescribed by law*.

(b) The residence requirements shall be that each voter shall be a resident of the Commonwealth and of the precinct where he votes. Residence, for all purposes of qualification to vote, requires both domicile and a place of abode. The General Assembly may provide for persons who are employed overseas, and their spouses and dependents residing with them, and who are qualified to vote except for relinquishing their place of abode in the Commonwealth while overseas, to vote in the Commonwealth subject to conditions and time limits defined by law. The General Assembly may provide for persons who are qualified to vote except for having moved their residence from one precinct to another within the Commonwealth to continue to vote in a former precinct subject to conditions and time limits defined by law. The General Assembly may also provide, in elections for President and Vice President of the United States, alternatives to registration for new residents of the Commonwealth.

(c) Any person who will be qualified with respect to age to vote at the next general election shall be permitted to register in advance and also to vote in any intervening primary or special election.

CHAPTER 605

SENATE JOINT RESOLUTION NO. 249

Proposing an amendment to Section 15-A of Article I of the Constitution of Virginia, relating to marriage between two adult persons; repeal of same-sex marriage prohibition; affirmative right to marry.

Agreed to by the Senate, January 21, 2025
Agreed to by the House of Delegates, February 13, 2025

RESOLVED by the Senate, the House of Delegates concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 15-A of Article I of the Constitution of Virginia as follows:

ARTICLE I
BILL OF RIGHTS

Section 15-A. Marriage.

That ~~only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions~~ *marriage is one of the vital personal rights essential to the orderly pursuit of happiness.*

This Commonwealth and its political subdivisions shall not ~~create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage~~ *deny the issuance of a marriage license to two adult persons seeking a lawful marriage on the basis of the sex, gender, or race of such persons.* ~~Nor shall this Commonwealth or its political subdivisions create or recognize another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage.~~ *This Commonwealth and its political subdivisions shall recognize any lawful marriage between two adult persons and treat such marriages equally under the law, regardless of the sex, gender, or race of such persons.*

CHAPTER 606

An Act to amend and reenact § 22.1-277 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-79.3:1, relating to public elementary and secondary schools; student discipline; bell-to-bell student cell phone and smart device possession and use policies; development and implementation.

[S 738]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-277 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-79.3:1 as follows:

§ 22.1-79.3:1. Student cell phone and smart device possession and use policies; development and implementation.

A. As used in this section:

"Bell to bell" means after the first bell rings at the start of the school day to begin instructional time until the dismissal bill rings at the end of the school day. "Bell to bell" includes lunch and time in between class periods.

"Smart device" means any personal electronic device that can connect to the Internet and wirelessly collect, process, and transmit data, including smart watches and tablets.

B. Each school board shall develop and each public elementary and secondary school shall implement age-appropriate and developmentally appropriate policies relating to student cell phone and smart device possession and use on school property from bell to bell. Such policies shall:

1. Except as provided in subdivision 4, restrict student cell phone and smart device possession and use on school property from bell to bell;

2. To the extent that student cell phone or smart device possession and use is otherwise permitted on school property before or after bell to bell, regulate such possession and use with the objective of reducing any distractions in or disruptions to the learning environment, including bullying and harassment;

3. Ensure that implementation and enforcement of such policies (i) is the responsibility of the school administration; (ii) minimizes, to the extent possible, any conflict with the instructional responsibilities of teachers or any disturbance to instructional time; and (iii) does not involve any school resource officer, as defined in § 9.1-101, that may be employed in any school in the school division;

4. Permit any student, pursuant to an Individualized Education Plan, Section 504 Plan, individualized health care plan, or Limited English Proficiency plan, to possess and use a cell phone or smart device on school property, including in the classroom, from bell to bell to monitor or address a health concern or as an accommodation or assistive technology support; and

5. Expressly prohibit any student from being suspended or expelled as a consequence of any violation of such policies.

C. No violation of any student cell phone and smart device possession and use policy developed or implemented in accordance with subsection B shall alone constitute sufficient cause for a student's suspension or expulsion from attendance at school pursuant to § 22.1-277. Any violation of any such student cell phone and smart device possession and use policy that involves, coincides with, or results in an instance of disruptive behavior, as that term is defined in § 22.1-276.01, shall be addressed in accordance with the regulations on codes of student conduct adopted by each school board pursuant to subsection B of § 22.1-279.6.

§ 22.1-277. Suspensions and expulsions of students generally.

A. Students may be suspended or expelled from attendance at school for sufficient cause; however, in no cases may sufficient cause for suspensions include only instances of truancy *or only a violation of any student cell phone and smart device possession and use policy developed and implemented pursuant to § 22.1-79.3:1.*

B. Except as provided in subsection C or § 22.1-277.07 or 22.1-277.08, no student in preschool through grade three shall be suspended for more than three school days or expelled from attendance at school, unless (i) the offense involves physical harm or credible threat of physical harm to others or (ii) the local school board or the division superintendent or his designee finds that aggravating circumstances exist, as defined by the Department.

C. Any student for whom the division superintendent of the school division in which such student is enrolled has received a report pursuant to § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of § 16.1-260 may be suspended or expelled from school attendance pursuant to this article.

D. The authority provided in § 22.1-276.2 for teachers to remove students from their classes in certain instances of disruptive behavior shall not be interpreted to affect the operation of § 22.1-277.04, 22.1-277.05, or 22.1-277.06.

E. Notwithstanding the provisions of § 22.1-277.08, no school board shall be required to suspend or expel any student who holds a valid written certification for the use of cannabis oil issued by a practitioner in accordance with § 4.1-1601 for the possession or use of such oil in accordance with the student's individualized health plan and in compliance with a policy adopted by the school board.

CHAPTER 607

An Act to amend and reenact § 23.1-2802 of the Code of Virginia; to amend the Code of Virginia by adding in Title 23.1 a chapter numbered 21.1, consisting of sections numbered 23.1-2105 through 23.1-2109; and to repeal § 23.1-2806 of the Code of Virginia, relating to Richard Bland College; governance.

[S 742]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 23.1-2802 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Title 23.1 a chapter numbered 21.1, consisting of sections numbered 23.1-2105 through 23.1-2109, as follows:

CHAPTER 21.1.
RICHARD BLAND COLLEGE.

§ 23.1-2105. Corporate name; name of the College.

A. The board of visitors of Richard Bland College (the board) is a corporation under the name and style of "The Rector and Visitors of Richard Bland College" and has, in addition to its other powers, all the corporate powers given to corporations by the provisions of Title 13.1 except those powers that are confined to corporations created pursuant to Title 13.1. The board shall at all times be under the control of the General Assembly.

B. The institution shall be known as Richard Bland College (the College).

§ 23.1-2106. Membership.

The board shall consist of nine members appointed by the Governor.

§ 23.1-2107. Meetings; officers; committees.

A. The board shall meet at the College at least once a year and at such other times as it determines. Special meetings of the board may be called by the rector or any three members. The secretary shall provide notice of any special meeting to each member.

B. A majority of members shall constitute a quorum.

C. At the first meeting after July 1 in every even-numbered year, the board shall elect from its membership a rector to preside at its meetings, a vice-rector to preside at its meetings in the absence of the rector, and a secretary to preside at its meetings in the absence of the rector and vice-rector.

D. The board may appoint a pro tempore officer to preside at its meetings in the absence of the rector, vice-rector, and secretary.

E. Vacancies in the offices of rector, vice-rector, and secretary may be filled by the board for the unexpired term.

F. At every regular annual meeting of the board, the board may appoint an executive committee for the transaction of business in the recess of the board, to serve for a period of one year or until the next regular annual meeting.

§ 23.1-2108. Powers and duties.

A. The board shall (i) appoint all teachers and fix their salaries, (ii) provide for the employment of other personnel as required, and (iii) generally direct the affairs of the College.

B. The board may confer degrees and, subject to the provisions of § 23.1-303, approve new academic programs and discontinue academic programs offered by the College.

C. All property, property rights, duties, contracts, and agreements of the College are vested in the board. The board shall care for and preserve all property belonging to the College.

D. The board shall (i) make regulations and policies as it deems appropriate for the College; (ii) manage the funds of the College and approve the annual budget; (iii) appoint, remove, and define the responsibilities for the chief executive officer of the College; and (iv) fix the rates charged to students for tuition, mandatory fees, and other necessary charges.

§ 23.1-2109. Courses of study.

The board shall direct the development and focus of the College's curriculum on preparing students for academic and career success, including dual enrollment students, students seeking an associate degree, and students seeking job-relevant skills and credentials. In furtherance of such efforts, the board may:

1. Broker agreements between and among educational, industry, and nonprofit partners and establish collaborative, innovative partnership agreements with local school divisions, public and private institutions of higher education, economic

development agencies, employers, philanthropic organizations, veterans organizations, public agencies, and such other partners as necessary to strengthen and streamline educational pathways from high school to work-based learning and associate, baccalaureate, and advanced degrees that prepare students, including nontraditional students, for continuing education and entry into high-demand fields in the Commonwealth, including careers in science, technology, engineering, mathematics, and health care (STEM-H);

2. Pilot and implement innovative educational approaches and technologies and promote the development, delivery, and ongoing assessment of innovative, cost-effective degree programs and stackable credentials, including industry-recognized, competency-based credentials that are aligned with and responsive to the educational and workforce development needs of traditional and nontraditional students, including veterans and military personnel, and that advance the economic development needs of employers and industries throughout the Commonwealth; and

3. Identify and implement new strategies to support economic and community development in the Commonwealth and to expand opportunities for traditional and nontraditional students, including veterans and military personnel, to prepare for careers in high-demand fields.

§ 23.1-2802. Powers and duties.

A. The board shall generally direct the affairs of the university ~~and Richard Bland College~~.

B. The board may confer degrees.

2. That § 23.1-2806 of the Code of Virginia is repealed.

3. That Richard Bland College shall submit to the General Assembly no later than December 31, 2025, a report that contains an update on the status of and remaining steps for the transition to the board of visitors of Richard Bland College as set forth in the first enactment of this act.

4. That notwithstanding the provisions of § 23.1-1300 of the Code of Virginia, the Governor's initial appointments of members to the board of visitors of Richard Bland College, in accordance with § 23.1-2106 of the Code of Virginia, as created by this act, shall be staggered as follows: three members for a term of four years, three members for a term of three years, and three members for a term of two years. After the initial staggering of terms, members shall be appointed by the Governor for four-year terms pursuant to § 23.1-1300 of the Code of Virginia.

5. That any contracts entered into or rules or regulations adopted by the board of visitors of The College of William and Mary in Virginia on behalf of or related to Richard Bland College pursuant to § 23.1-2806 of the Code of Virginia, as repealed by this act, shall continue in effect as though such contracts, rules, or regulations were agreed to or adopted by the board of visitors of Richard Bland College in accordance with § 23.1-2108 of the Code of Virginia, as created by this act.

6. That all real and tangible personal property, property rights, duties, contracts, and agreements of Richard Bland College vested in the board of visitors of The College of William and Mary in Virginia shall be, as of the effective date of this act, transferred to and taken as standing in the name of the board of visitors of Richard Bland College.

7. That, no later than June 30, 2026, the rector of the board of visitors of Richard Bland College shall submit to the Secretary of Education, the Secretary of Finance, the Chair of the House Committee on Appropriations, and the Chair of the Senate Committee on Finance and Appropriations a report providing recommendations on the future of Richard Bland College, including an examination of options for consolidation with another public institution of higher education.

8. That by June 30, 2027, and June 30, 2028, the rector of the board of visitors of Richard Bland College shall submit to the Secretary of Education, the Secretary of Finance, the Chair of the House Committee on Appropriations, and the Chair of the Senate Committee on Finance and Appropriations an interim report on Richard Bland College's progress in exploring and implementing the recommendations set forth in the report submitted pursuant to the seventh enactment of this act, including information on its progress in key performance metrics, student enrollment and outcomes, and financial sustainability.

9. That the audit conducted by the Auditor of Public Accounts for the fiscal year ending June 30, 2025, shall be the last audit for which Richard Bland College is treated as a consolidated entity of the board of visitors of The College of William and Mary in Virginia. The Auditor of Public Accounts shall submit its audit report on Richard Bland College for the fiscal year ending June 30, 2026, to the board of visitors of Richard Bland College.

CHAPTER 608

An Act to amend and reenact § 37.2-431.1 of the Code of Virginia, relating to Department of Behavioral Health and Developmental Services; recovery residences; certification required; penalty.

[S 838]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 37.2-431.1 of the Code of Virginia is amended and reenacted as follows:

§ 37.2-431.1. Recovery residences.

A. As used in this section:

"Credentialing entity" means a nonprofit organization that develops and administers professional certification programs according to standards of the National Alliance for Recovery Residences or standards endorsed by Oxford House, Inc.

"Level of support" means the level of support and structure that a recovery residence provides to residents, as specified in the standards of the National Alliance for Recovery Residences.

"Recovery residence" means a housing facility that ~~is certified by the Department in accordance with regulations adopted by the Board and~~ provides alcohol-free and illicit-drug-free housing to individuals with substance abuse disorders and individuals with co-occurring mental illnesses and substance abuse disorders that does not include clinical treatment services.

B. Every recovery residence shall disclose to each prospective resident its credentialing entity. If the credentialing entity is the National Alliance for Recovery Residences, the recovery residence shall disclose the level of support provided by the recovery residence. If the credentialing entity is Oxford House, Inc., the recovery residence shall disclose that the recovery residence is self-governed and unstaffed.

C. No person shall operate a recovery residence or advertise, represent, or otherwise imply to the public that a recovery residence or other housing facility is certified by the Department unless such recovery residence or other housing facility has been certified by the Department in accordance with regulations adopted by the Board. Such regulations (i) may require accreditation by or membership in a credentialing agency as a condition of certification; (ii) shall require the recovery residence, as a condition of certification, to comply with any minimum square footage requirements related to beds and sleeping rooms established by the credentialing entity or the square footage requirements set forth in § 36-105.4, whichever is greater; and (iii) shall require recovery residences to report to the Department any death or serious injury that occurs in the recovery residence. *The Department may issue a conditional certification to any recovery residence that has indicated an intent to receive accreditation by or membership in a credentialing agency when such accreditation or membership is a condition of certification. The maximum term of a conditional certification shall be six months. At the discretion of the Department, a conditional certification may be renewed for a period not to exceed three months if the provider is not able to demonstrate compliance with all certification regulations but demonstrates progress toward compliance. However, in no case shall the total period of conditional certification exceed nine successive months. Conditional certifications may be revoked for serious health and safety concerns. Violation of this subsection is a Class 1 misdemeanor.*

D. The Department shall maintain a list of *conditionally certified and a list of certified* recovery residences on its website and shall provide (i) for each recovery residence included on such list, the credentialing entity; (ii) for recovery residences for which the National Alliance of Recovery Residences is the credentialing entity, the level of support provided by the recovery residence; and (iii) for recovery residences for which Oxford House, Inc., is the credentialing entity, a disclosure that the recovery residence is self-governed and unstaffed.

~~E. The Department may institute civil proceedings in the name of the Commonwealth to enjoin any person from violating the provisions of this section and to recover a civil penalty of at least $200 but no more than $1,000 for each violation. Such proceedings shall be brought in the general district or circuit court for the county or city in which the violation occurred or where the defendant resides. Civil penalties assessed under this section shall be paid into the Behavioral Health and Developmental Services Trust Fund established in § 37.2-318.~~

2. That the Secretary of Health and Human Resources shall convene a work group to (i) analyze and make recommendations regarding the creation of a process through which the Department of Behavioral Health and Developmental Services (the Department) can provide oversight of all recovery residences in the Commonwealth and (ii) make recommendations to ensure transparency with the public and residents or potential residents of recovery residences regarding the certification of each recovery residence, including certification requirements, results, and inspections. Such work group shall develop credentialing guidelines to be implemented by the Department, including (a) a uniform set of certification criteria for all recovery residences; (b) protocols for the Department to define qualifications for indigent bed fees and payment and reimbursement to recovery residences for indigent bed fees; (c) protocols to ensure resident and patient choice in receiving treatment and that the recovery residence operator, the house manager, or anyone in leadership with the recovery residence is not determining the treatment received; (d) training and standards that recovery residence operators and house managers shall meet before becoming a certified recovery residence operator or a certified recovery house manager, including a verified period of participation in recovery; (e) a Residents' Bill of Rights, including a mandatory compliance requirement with such Residents' Bill of Rights by certified recovery residence operators and certified recovery house managers; (f) protocols for termination of residency; (g) uniform data collection for recovery residences with a transparent data platform; (h) establishment of a hotline for complaints involving or against recovery residences to facilitate investigations; (i) a process for investigation of complaints involving or against recovery residences to be conducted by the Department or the Department in coordination with the locality where the recovery residence is located and not the credentialing entity; (j) protocols for sanctions on recovery residences, including decertification when appropriate; (k) methods for localities to conduct fire, building, safety, and health inspections of recovery residences; and (l) other issues related to recovery residences and their operators as the work group shall deem appropriate. Such work group shall include representatives of the Department's Office of Recovery Services, Oxford House, Inc., the Virginia Association of Addiction Professionals, the Virginia Association of Recovery Residences, representatives selected by the Virginia Association of Counties and the Virginia Municipal League, members of the community

where the recovery residences are located, and other relevant stakeholders. The work group shall report its findings and recommendations to the General Assembly by November 1, 2025.

3. That the Board of Behavioral Health and Developmental Services shall promulgate regulations providing for conditional certification of recovery residences in accordance with subsection C of § 37.2-431.1 of the Code of Virginia, as amended by this act.

CHAPTER 609

An Act to amend and reenact § 54.1-2104 of the Code of Virginia, relating to Real Estate Board; membership; qualifications.

[S 866]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2104 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2104. Real Estate Board; membership; chairman; seal.

The Real Estate Board shall be composed of nine members as follows: seven members who have been *actively engaged as* licensed real estate brokers or salespersons for at least ~~five~~ *seven* consecutive years before their appointment and two citizen members. *Of the members licensed as real estate brokers or salespersons, (i) at least one shall have proficiency and experience in the area of residential property management and (ii) each shall have acknowledged ability in the profession as evidenced by possessing at least one of the following qualifications: (a) experience in real estate credentialing or certification, (b) certification by the Board as a real estate instructor, or (c) training or experience in the adjudication of other real estate licensees.* The terms of Board members shall be four years.

The Board shall elect a chairman from its membership.

The Board shall adopt a seal by which it shall authenticate its proceedings.

2. That the provisions of this act shall not be construed to affect existing appointments to the Real Estate Board for which the terms have not expired.

CHAPTER 610

An Act to amend and reenact §§ 3.2-6501.1 and 3.2-6511.1 of the Code of Virginia, relating to the sale and procurement of dogs by pet shops; pet shop regulations.

[S 903]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.2-6501.1 and 3.2-6511.1 of the Code of Virginia are amended and reenacted as follows:

§ 3.2-6501.1. Regulations for the keeping of certain animals.

A. The Board shall, by July 1, 2022, and pursuant to the provisions of the Administrative Process Act (§ 2.2-4000 et seq.), adopt comprehensive regulations governing the keeping of dogs and cats by any pet shop. Such regulations shall not apply to agricultural animals.

B. The regulations adopted pursuant to subsection A shall require every regulated person or facility to register annually with the Department and shall prohibit operation without such registration. The fee for such annual registration shall be $250 for any private, for-profit entity required to register. Such regulations shall provide that a pet shop shall not sell a dog or cat to any research facility.

C. The regulations adopted pursuant to subsection A shall establish standards consistent with the provisions of this chapter for the keeping of animals, including (i) standards of adequate care, exercise, feed, shelter, space, treatment, and water and (ii) standards of proper cleaning and lighting. Where necessary, the Board shall adopt specific regulations that apply only to a particular category of currently unregulated entity; however, the standards established for any two similar categories of regulated entity shall not differ significantly.

D. The Board shall issue guidance setting out the compliance requirements for each regulatory standard adopted pursuant to this section, providing information on what an entity in each category is expected to do to comply with a given regulatory standard.

E. Regulations adopted pursuant to this section shall require a State Animal Welfare Inspector employed pursuant to § 3.2-5901.1 to annually conduct at least one unannounced drop-in inspection of each pet shop.

F. Regulations adopted pursuant to this section shall establish remedies for each finding in a given inspection. Such remedies may include the cancellation of the registration granted pursuant to subsection B; the institution of a conditional probationary period, during which the regulated facility shall be allowed to continue to operate; the renewal of such registration for a limited period; or other actions. *Such remedies shall also include a civil penalty not to exceed $1,000 per violation for each finding in a given inspection upon communication to the pet shop. Each day of the violation is a separate offense; however, the cumulative civil penalty shall not exceed $5,000. In determining the amount of any civil penalty, the*

Board or its designee shall consider (i) the history of previous violations at the pet shop; (ii) whether the violation has caused injury to, or death or suffering of, an animal; and (iii) the demonstrated good faith of the pet shop to achieve compliance after notification of the violation. All civil penalties assessed under this section shall be recovered in a civil action brought by the Attorney General in the name of the Commonwealth. Such civil penalties shall be paid into a special fund in the state treasury to the credit of the Department to be used in carrying out the purposes of this chapter.

G. Nothing in this section or in any regulation adopted pursuant to this section shall be interpreted to limit the authority of any entity to punish or prosecute a person for a violation of any law or regulation or to prevent any person from alerting an animal control officer or law-enforcement officer regarding the condition or treatment of any animal.

§ 3.2-6511.1. Pet shops; procurement of dogs; penalty.

A. A pet shop shall sell or offer for adoption a dog procured only from a humane society; a private or public animal shelter as those terms are defined in § 3.2-6500; or a person who has not received from the U.S. Department of Agriculture, pursuant to enforcement of the federal Animal Welfare Act (7 U.S.C. § 2131 et seq.) or regulations adopted thereunder, (i) a citation for a direct or critical violation or citations for three or more indirect or noncritical violations for at least two years prior to the procurement of the dog or (ii) two consecutive citations for no access to the facility prior to the procurement of the dog and who has not knowingly obtained the dog directly or indirectly from a person with such citations.

B. It is unlawful for any dealer or commercial dog breeder who is not licensed or exempted from licensure by the U.S. Department of Agriculture pursuant to the federal Animal Welfare Act (7 U.S.C. § 2131 et seq.) or regulations adopted thereunder to sell any dog to a pet shop.

C. A pet shop shall retain records verifying compliance with this section for a minimum of two years after the disposition of any dog.

D. No person shall serve as an owner, director, officer, manager, operator, member of staff, or animal caregiver of a pet shop if such person has been convicted of a violation of § 3.2-6570.

E. Prior to selling or giving for adoption any dog, a pet shop shall obtain a signed statement from the purchaser or adopter specifying that such person has never been convicted of a violation of § 3.2-6570.

F. *A pet shop, upon taking custody of any dog, or any representative of a pet shop upon taking custody of any dog on behalf of the pet shop, shall immediately make a record of the matter in accordance with § 3.2-6513.1.*

G. Any person violating any provision of ~~subsections~~ *subsection* A, B, C, or E ~~of this section~~ is guilty of a Class 1 misdemeanor for each dog sold or offered for sale. Any person violating any provision of subsection D ~~of this section~~ is guilty of a Class 1 misdemeanor.

CHAPTER 611

An Act to amend and reenact § 19.2-304 of the Code of Virginia, relating to decreasing probation period; criteria for mandatory reduction; work group; report.

[S 936]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-304 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-304. Increasing or decreasing probation period and modification of conditions.

A. The court may subsequently increase ~~or decrease~~ the probation period and may revoke or modify any condition of probation, but only upon a hearing after reasonable notice to both the defendant and the attorney for the Commonwealth. *After fixing the probation period, the court may subsequently decrease the probation period without a hearing if warranted by the defendant's conduct.*

B. Except as provided in subsection D, the defendant's supervised probation period shall be reduced if:

1. The defendant completes a qualifying educational activity, including obtaining a high school diploma, passing high school equivalency testing, completing 15 credit hours with at least a 2.0 grade point average at a postsecondary educational institution, obtaining an academic degree, completing a peer recovery specialist training program approved by the Department of Behavioral Health and Developmental Services, completing a state-certified training program, or completing a vocational or job training program made available by the Department of Corrections or by a community provider approved by the Department of Corrections;

2. The defendant maintains verifiable employment where the defendant is employed at least an average of 30 hours per week;

3. The defendant is in compliance with any state-certified or state-approved mental health or substance abuse treatment program or successfully completes a state-certified or state-approved mental health or substance abuse treatment program;

4. The defendant secures and maintains qualifying health insurance coverage or a qualifying health care plan through Medicaid, a state's insurance marketplace, or his employer or independent purchase; or

5. The defendant has obtained housing and established residence, either through a rental agreement, home ownership, work exchange program, or other method deemed appropriate by the probation officer, within the designated area permitted by his probation.

C. A defendant shall not begin accruing credit for any educational activity, employment, or treatment program described in subsection B until the first day of the first full month that such defendant is on supervised probation. Such credits shall not accrue during any calendar month in which the defendant is found in violation of his supervised probation, including any technical violation as defined in § 19.2-306.1.

D. A defendant may accrue credits from each of subdivisions B 1 through 5 in each six-month reporting period as follows:

1. For every six-month period of qualifying educational activity the defendant completes in accordance with subdivision B 1, the defendant's supervised probation period shall be reduced by 15 days.

2. For every six-month period of verifiable employment the defendant completes in accordance with subdivision B 2, the defendant's supervised probation period shall be reduced by 15 days.

3. For every six-month period of qualifying mental health or substance abuse treatment program compliance or for completion of a qualifying mental health or substance abuse treatment program in accordance with subdivision B 3, the defendant's supervised probation period shall be reduced by 15 days.

4. For every six-month period of verifiable maintenance of qualifying health insurance coverage or a qualifying health care plan in accordance with subdivision B 4, the defendant's supervised probation period shall be reduced by 15 days.

5. For every six-month period of verifiable residency in accordance with subdivision B 5, the defendant's supervised probation period shall be reduced by 15 days.

E. Upon motion of the attorney for the Commonwealth and after notice to the defendant, the court shall conduct a hearing and may revoke any credits the defendant has accrued pursuant to this section for any reason the court deems necessary and in the interest of the health and safety of the public.

F. A defendant's probation officer shall no less than quarterly calculate any reductions to such defendant's supervised probation for any qualifying evidence-based recidivism-reducing activities, including completing qualifying educational activities, maintaining verifiable employment, completing or complying with any state-certified or state-approved mental health or substance abuse treatment program, securing and maintaining qualifying health insurance coverage or a qualifying health care plan, or obtaining and establishing residency under this section.

G. A defendant's probation officer may verify qualifying recidivism-reducing activities through supporting documentation, which may include the following:

1. For verification of employment, any employer letter, pay stub, or contract;

2. For verification of education and vocation compliance or completion, any facilitator or program letter, report card, or progress report;

3. For verification of mental health or substance abuse treatment program compliance or completion, any facilitator or program letter or progress report;

4. For verification of health insurance coverage or health care plan status, purchase receipts, contracts, or a valid insurance card;

5. For verification of housing and continued residency, rental or mortgage contracts, utility bills, or signed change of address forms from the United States Postal Service; or

6. For verification of any qualifying recidivism-reducing activity, any other approved method of verification by the probation services agency or the Department of Corrections.

A decision by the defendant's probation officer regarding the qualification of any educational activity, employment, or treatment program described in subsection B is final.

H. When the accumulation of time served on probation and any earned reduction is equal to the imposed supervised probation term, and the defendant has satisfied all conditions of his supervised probation, including any court-ordered program or community service hours and complete payment of any restitution, the probation officer shall notify the court of the defendant's reduction in his probation term under this section. Upon receipt of this information, the court shall enter an order discharging the person from supervised probation.

I. The provisions of this section shall not apply to any person sentenced (i) to a mandatory period of at least three years of supervised probation pursuant to § 19.2-303 or (ii) pursuant to § 19.2-303.3 and subject to supervised probation by a local community-based probation services agency established pursuant to Article 9 (§ 9.1-173 et seq.) of Chapter 1 of Title 9.1.

J. No defendant shall have his probation reduced pursuant to this section for his participation in any court-ordered treatment.

K. Nothing in this section shall be construed to limit the court's ability to reduce a defendant's period of probation or discharge such defendant from probation under any other provision of law.

2. That the provisions of the first enactment of this act shall not become effective unless reenacted by the 2026 Session of the General Assembly.

3. That the Department of Corrections shall convene a work group with all relevant stakeholders, including the Attorney General or his designee, the Department of Corrections Ombudsman or his designee, the Executive Director of the Virginia Indigent Defense Commission or his designee, the Executive Secretary of the Supreme Court of Virginia or his designee, the Secretary of Health and Human Resources or his designee, and the Secretary of Public Safety and Homeland Security or his designee; representatives from the Virginia Association of Chiefs of Police, the Virginia Association of Commonwealth's Attorneys, the Virginia Probation and Parole Association, the Virginia Sheriffs' Association, and criminal justice reform organizations; and victims of crime or victim advocates.

The work group shall identify (i) current practices for community supervision as it relates to monitoring engagement and attainment included in Executive Order 36 (2024) and (ii) recommendations for court-ordered modification of time served on supervised probation. However, no recommendation shall be considered that allows the probationer (a) to receive credits while being in technical violation of his probation as described in § 19.2-306.1 of the Code of Virginia or (b) to receive more than 150 days of credit in one calendar year for a modified term. The work group shall take into consideration the impact of a reduced period of supervised probation on probationers who were released from incarceration early due to sentence reductions pursuant to subsection B of § 53.1-202.3 of the Code of Virginia. The work group shall submit an executive summary and report of its findings and recommendations to the Governor and the General Assembly by November 1, 2025.

CHAPTER 612

An Act to amend and reenact §§ 17.1-403 and 19.2-326 of the Code of Virginia, relating to appeals; procedure on appeal.

[S 999]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 17.1-403 and 19.2-326 of the Code of Virginia are amended and reenacted as follows:

§ 17.1-403. Rules of practice, procedure, and internal processes; promulgation by Supreme Court; amendments; summary disposition of appeals.

The Supreme Court shall prescribe and publish the initial rules governing practice, procedure, and internal processes for the Court of Appeals designed to achieve the just, speedy, and inexpensive disposition of all litigation in that court consistent with the ends of justice and to maintain uniformity in the law of the Commonwealth. Before amending the rules thereafter, the Supreme Court shall receive and consider recommendations from the Court of Appeals. The rules shall prescribe procedures (i) authorizing the Court of Appeals to prescribe truncated record or appendix preparation and (ii) permitting the Court of Appeals to dispense with oral argument if the parties agree that oral argument is not necessary or if the panel has examined the briefs and record and unanimously agrees that oral argument is unnecessary because (a) the appeal is wholly without merit ~~or~~*;* (b) the dispositive issue or issues have been authoritatively decided, and the appellant has not argued that the case law should be overturned, extended, modified, or reversed*; or (c) the facts and legal arguments are adequately presented in the briefs and record, and the decisional process would not be significantly aided by oral argument*.

§ 19.2-326. Payment of expenses of appeals of indigent defendants.

In any felony or misdemeanor case wherein the judge of the circuit court, from the affidavit of the defendant or any other evidence certifies that the defendant is financially unable to pay his ~~attorneys'~~ *attorney* fees, costs*,* and expenses incident to an appeal, the court to which an appeal is taken shall order the payment of such ~~attorneys'~~ *attorney* fees in an amount not less than $300, costs*,* or necessary expenses of such ~~attorneys~~ *attorney* in an amount deemed reasonable by the court, by the Commonwealth out of the appropriation for criminal charges. If the conviction is upheld on appeal, the ~~attorney's~~ *attorney* fees, costs*,* and necessary expenses of such attorney paid by the Commonwealth under the provisions ~~hereof shall~~ *of this section may* be assessed against the defendant.

2. That the provisions of § 17.1-403 of the Code of Virginia, as amended by this act, shall expire on June 30, 2027, unless reenacted by the 2027 Session of the General Assembly.

CHAPTER 613

An Act to direct the Department of Agriculture and Consumer Services to convene a work group to consider whether to propose a state license and other regulatory requirements for animal boarding establishments; report.

[S 1051]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Agriculture and Consumer Services, in consultation with the State Veterinarian employed pursuant to § 3.2-5901 of the Code of Virginia, shall convene a work group composed of relevant stakeholders to consider whether to propose a state license and other regulatory requirements for animal boarding establishments similar to the current licensing requirements for public or private animal shelters. The work group shall submit its report to the Chairmen of the Senate Committee on Agriculture, Conservation and Natural Resources and the House Committee on Agriculture, Chesapeake and Natural Resources by December 1, 2026.*

CHAPTER 614

An Act to amend and reenact § 60.2-602 of the Code of Virginia, relating to unemployment compensation; increase weekly benefit amounts; work group; report.

[S 1056]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 60.2-602 of the Code of Virginia is amended and reenacted as follows:

§ 60.2-602. Weekly benefit amount.

A. Beginning July 6, 2008, for claims effective on or after July 6, 2008, but before July 6, 2014, an eligible individual's weekly "benefit amount" shall be the amount appearing in Column B in the "Benefit Table" in this section on the line on which in Column A of such table, there appears the total wages for insured work paid to such individual in the two quarters of his base period in which such total wages were highest.

Benefit Table Division C Duration of Benefits beginning July 6, 2008, but before July 6, 2014

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
2,700.00 2,750.00	54	2,700.00 2,893.00	2,893.01 3,086.00	3,086.01 3,279.00	3,279.01 3,471.00	3,471.01 3,664.00	3,664.01 3,857.00	3,857.01 4,050.00	4,050.01 4,243.00	4,243.01 4,436.00	4,436.01 4,629.00	4,629.01 4,821.00	4,821.01 5,014.00	5,014.01 5,207.00	5,207.01 5,400.00	5,400.01 & OVER
2,750.01 2,800.00	55	2,750.01 2,946.00	2,946.01 3,143.00	3,143.01 3,339.00	3,339.01 3,536.00	3,536.01 3,732.00	3,732.01 3,929.00	3,929.01 4,125.00	4,125.01 4,321.00	4,321.01 4,518.00	4,518.01 4,714.00	4,714.01 4,911.00	4,911.01 5,107.00	5,107.01 5,304.00	5,304.01 5,500.00	5,500.01 & OVER
2,800.01 2,850.00	56	2,800.01 3,000.00	3,000.01 3,200.00	3,200.01 3,400.00	3,400.01 3,600.00	3,600.01 3,800.00	3,800.01 4,000.00	4,000.01 4,200.00	4,200.01 4,400.00	4,400.01 4,600.00	4,600.01 4,800.00	4,800.01 5,000.00	5,000.01 5,200.00	5,200.01 5,400.00	5,400.01 5,600.00	5,600.01 & OVER
2,850.01 2,900.00	57	2,850.01 3,054.00	3,054.01 3,257.00	3,257.01 3,461.00	3,461.01 3,664.00	3,664.01 3,868.00	3,868.01 4,071.00	4,071.01 4,275.00	4,275.01 4,479.00	4,479.01 4,682.00	4,682.01 4,886.00	4,886.01 5,089.00	5,089.01 5,293.00	5,293.01 5,496.00	5,496.01 5,700.00	5,700.01 & OVER
2,900.01 2,950.00	58	2,900.01 3,107.00	3,107.01 3,314.00	3,314.01 3,521.00	3,521.01 3,729.00	3,729.01 3,936.00	3,936.01 4,143.00	4,143.01 4,350.00	4,350.01 4,557.00	4,557.01 4,764.00	4,764.01 4,971.00	4,971.01 5,179.00	5,179.01 5,386.00	5,386.01 5,593.00	5,593.01 5,800.00	5,800.01 & OVER
2,950.01 3,000.00	59	2,950.01 3,161.00	3,161.01 3,371.00	3,371.01 3,582.00	3,582.01 3,793.00	3,793.01 4,004.00	4,004.01 4,214.00	4,214.01 4,425.00	4,425.01 4,636.00	4,636.01 4,846.00	4,846.01 5,057.00	5,057.01 5,268.00	5,268.01 5,479.00	5,479.01 5,689.00	5,689.01 5,900.00	5,900.01 & OVER
3,000.01 3,050.00	60	3,000.01 3,214.00	3,214.01 3,429.00	3,429.01 3,643.00	3,643.01 3,857.00	3,857.01 4,071.00	4,071.01 4,286.00	4,286.01 4,500.00	4,500.01 4,714.00	4,714.01 4,929.00	4,929.01 5,143.00	5,143.01 5,357.00	5,357.01 5,571.00	5,571.01 5,786.00	5,786.01 6,000.00	6,000.01 & OVER
3,050.01 3,100.00	61	3,050.01 3,268.00	3,268.01 3,486.00	3,486.01 3,704.00	3,704.01 3,921.00	3,921.01 4,139.00	4,139.01 4,357.00	4,357.01 4,575.00	4,575.01 4,793.00	4,793.01 5,011.00	5,011.01 5,229.00	5,229.01 5,446.00	5,446.01 5,664.00	5,664.01 5,882.00	5,882.01 6,100.00	6,100.01 & OVER
3,100.01 3,150.00	62	3,100.01 3,321.00	3,321.01 3,543.00	3,543.01 3,764.00	3,764.01 3,986.00	3,986.01 4,207.00	4,207.01 4,429.00	4,429.01 4,650.00	4,650.01 4,871.00	4,871.01 5,093.00	5,093.01 5,314.00	5,314.01 5,536.00	5,536.01 5,757.00	5,757.01 5,979.00	5,979.01 6,200.00	6,200.01 & OVER
3,150.01 3,200.00	63	3,150.01 3,375.00	3,375.01 3,600.00	3,600.01 3,825.00	3,825.01 4,050.00	4,050.01 4,275.00	4,275.01 4,500.00	4,500.01 4,725.00	4,725.01 4,950.00	4,950.01 5,175.00	5,175.01 5,400.00	5,400.01 5,625.00	5,625.01 5,850.00	5,850.01 6,075.00	6,075.01 6,300.00	6,300.01 & OVER
3,200.01 3,250.00	64	3,200.01 3,429.00	3,429.01 3,657.00	3,657.01 3,886.00	3,886.01 4,114.00	4,114.01 4,343.00	4,343.01 4,571.00	4,571.01 4,800.00	4,800.01 5,029.00	5,029.01 5,257.00	5,257.01 5,486.00	5,486.01 5,714.00	5,714.01 5,943.00	5,943.01 6,171.00	6,171.01 6,400.00	6,400.01 & OVER
3,250.01 3,300.00	65	3,250.01 3,482.00	3,482.01 3,714.00	3,714.01 3,946.00	3,946.01 4,179.00	4,179.01 4,411.00	4,411.01 4,643.00	4,643.01 4,875.00	4,875.01 5,107.00	5,107.01 5,339.00	5,339.01 5,571.00	5,571.01 5,804.00	5,804.01 6,036.00	6,036.01 6,268.00	6,268.01 6,500.00	6,500.01 & OVER
3,300.01 3,350.00	66	3,300.01 3,536.00	3,536.01 3,771.00	3,771.01 4,007.00	4,007.01 4,243.00	4,243.01 4,479.00	4,479.01 4,714.00	4,714.01 4,950.00	4,950.01 5,186.00	5,186.01 5,421.00	5,421.01 5,657.00	5,657.01 5,893.00	5,893.01 6,129.00	6,129.01 6,364.00	6,364.01 6,600.00	6,600.01 & OVER
3,350.01 3,400.00	67	3,350.01 3,589.00	3,589.01 3,829.00	3,829.01 4,068.00	4,068.01 4,307.00	4,307.01 4,546.00	4,546.01 4,786.00	4,786.01 5,025.00	5,025.01 5,264.00	5,264.01 5,504.00	5,504.01 5,743.00	5,743.01 5,982.00	5,982.01 6,221.00	6,221.01 6,461.00	6,461.01 6,700.00	6,700.01 & OVER
3,400.01 3,450.00	68	3,400.01 3,643.00	3,643.01 3,886.00	3,886.01 4,129.00	4,129.01 4,371.00	4,371.01 4,614.00	4,614.01 4,857.00	4,857.01 5,100.00	5,100.01 5,343.00	5,343.01 5,586.00	5,586.01 5,829.00	5,829.01 6,071.00	6,071.01 6,314.00	6,314.01 6,557.00	6,557.01 6,800.00	6,800.01 & OVER
3,450.01 3,500.00	69	3,450.01 3,696.00	3,696.01 3,943.00	3,943.01 4,189.00	4,189.01 4,436.00	4,436.01 4,682.00	4,682.01 4,929.00	4,929.01 5,175.00	5,175.01 5,421.00	5,421.01 5,668.00	5,668.01 5,914.00	5,914.01 6,161.00	6,161.01 6,407.00	6,407.01 6,654.00	6,654.01 6,900.00	6,900.01 & OVER
3,500.01 3,550.00	70	3,500.01 3,750.00	3,750.01 4,000.00	4,000.01 4,250.00	4,250.01 4,500.00	4,500.01 4,750.00	4,750.01 5,000.00	5,000.01 5,250.00	5,250.01 5,500.00	5,500.01 5,750.00	5,750.01 6,000.00	6,000.01 6,250.00	6,250.01 6,500.00	6,500.01 6,750.00	6,750.01 7,000.00	7,000.01 & OVER
3,550.01 3,600.00	71	3,550.01 3,804.00	3,804.01 4,057.00	4,057.01 4,311.00	4,311.01 4,564.00	4,564.01 4,818.00	4,818.01 5,071.00	5,071.01 5,325.00	5,325.01 5,579.00	5,579.01 5,832.00	5,832.01 6,086.00	6,086.01 6,339.00	6,339.01 6,593.00	6,593.01 6,846.00	6,846.01 7,100.00	7,100.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
3,600.01 3,650.00	72	3,600.01 3,857.00	3,857.01 4,114.00	4,114.01 4,371.00	4,371.01 4,629.00	4,629.01 4,886.00	4,886.01 5,143.00	5,143.01 5,400.00	5,400.01 5,657.00	5,657.01 5,914.00	5,914.01 6,171.00	6,171.01 6,429.00	6,429.01 6,686.00	6,686.01 6,943.00	6,943.01 7,200.00	7,200.01 & OVER
3,650.01 3,700.00	73	3,650.01 3,911.00	3,911.01 4,171.00	4,171.01 4,432.00	4,432.01 4,693.00	4,693.01 4,954.00	4,954.01 5,214.00	5,214.01 5,475.00	5,475.01 5,736.00	5,736.01 5,996.00	5,996.01 6,257.00	6,257.01 6,518.00	6,518.01 6,779.00	6,779.01 7,039.00	7,039.01 7,300.00	7,300.01 & OVER
3,700.01 3,750.00	74	3,700.01 3,964.00	3,964.01 4,229.00	4,229.01 4,493.00	4,493.01 4,757.00	4,757.01 5,021.00	5,021.01 5,286.00	5,286.01 5,550.00	5,550.01 5,814.00	5,814.01 6,079.00	6,079.01 6,343.00	6,343.01 6,607.00	6,607.01 6,871.00	6,871.01 7,136.00	7,136.01 7,400.00	7,400.01 & OVER
3,750.01 3,800.00	75	3,750.01 4,018.00	4,018.01 4,286.00	4,286.01 4,554.00	4,554.01 4,821.00	4,821.01 5,089.00	5,089.01 5,357.00	5,357.01 5,625.00	5,625.01 5,893.00	5,893.01 6,161.00	6,161.01 6,429.00	6,429.01 6,696.00	6,696.01 6,964.00	6,964.01 7,232.00	7,232.01 7,500.00	7,500.01 & OVER
3,800.01 3,850.00	76	3,800.01 4,071.00	4,071.01 4,343.00	4,343.01 4,614.00	4,614.01 4,886.00	4,886.01 5,157.00	5,157.01 5,429.00	5,429.01 5,700.00	5,700.01 5,971.00	5,971.01 6,243.00	6,243.01 6,514.00	6,514.01 6,786.00	6,786.01 7,057.00	7,057.01 7,329.00	7,329.01 7,600.00	7,600.01 & OVER
3,850.01 3,900.00	77	3,850.01 4,125.00	4,125.01 4,400.00	4,400.01 4,675.00	4,675.01 4,950.00	4,950.01 5,225.00	5,225.01 5,500.00	5,500.01 5,775.00	5,775.01 6,050.00	6,050.01 6,325.00	6,325.01 6,600.00	6,600.01 6,875.00	6,875.01 7,150.00	7,150.01 7,425.00	7,425.01 7,700.00	7,700.01 & OVER
3,900.01 3,950.00	78	3,900.01 4,179.00	4,179.01 4,457.00	4,457.01 4,736.00	4,736.01 5,014.00	5,014.01 5,293.00	5,293.01 5,571.00	5,571.01 5,850.00	5,850.01 6,129.00	6,129.01 6,407.00	6,407.01 6,686.00	6,686.01 6,964.00	6,964.01 7,243.00	7,243.01 7,521.00	7,521.01 7,800.00	7,800.01 & OVER
3,950.01 4,000.00	79	3,950.01 4,232.00	4,232.01 4,514.00	4,514.01 4,796.00	4,796.01 5,079.00	5,079.01 5,361.00	5,361.01 5,643.00	5,643.01 5,925.00	5,925.01 6,207.00	6,207.01 6,489.00	6,489.01 6,771.00	6,771.01 7,054.00	7,054.01 7,336.00	7,336.01 7,618.00	7,618.01 7,900.00	7,900.01 & OVER
4,000.01 4,050.00	80	4,000.01 4,286.00	4,286.01 4,571.00	4,571.01 4,857.00	4,857.01 5,143.00	5,143.01 5,429.00	5,429.01 5,714.00	5,714.01 6,000.00	6,000.01 6,286.00	6,286.01 6,571.00	6,571.01 6,857.00	6,857.01 7,143.00	7,143.01 7,429.00	7,429.01 7,714.00	7,714.01 8,000.00	8,000.01 & OVER
4,050.01 4,100.00	81	4,050.01 4,339.00	4,339.01 4,629.00	4,629.01 4,918.00	4,918.01 5,207.00	5,207.01 5,496.00	5,496.01 5,786.00	5,786.01 6,075.00	6,075.01 6,364.00	6,364.01 6,654.00	6,654.01 6,943.00	6,943.01 7,232.00	7,232.01 7,521.00	7,521.01 7,811.00	7,811.01 8,100.00	8,100.01 & OVER
4,100.01 4,150.00	82	4,100.01 4,393.00	4,393.01 4,686.00	4,686.01 4,979.00	4,979.01 5,271.00	5,271.01 5,564.00	5,564.01 5,857.00	5,857.01 6,150.00	6,150.01 6,443.00	6,443.01 6,736.00	6,736.01 7,029.00	7,029.01 7,321.00	7,321.01 7,614.00	7,614.01 7,907.00	7,907.01 8,200.00	8,200.01 & OVER
4,150.01 4,200.00	83	4,150.01 4,446.00	4,446.01 4,743.00	4,743.01 5,039.00	5,039.01 5,336.00	5,336.01 5,632.00	5,632.01 5,929.00	5,929.01 6,225.00	6,225.01 6,521.00	6,521.01 6,818.00	6,818.01 7,114.00	7,114.01 7,411.00	7,411.01 7,707.00	7,707.01 8,004.00	8,004.01 8,300.00	8,300.01 & OVER
4,200.01 4,250.00	84	4,200.01 4,500.00	4,500.01 4,800.00	4,800.01 5,100.00	5,100.01 5,400.00	5,400.01 5,700.00	5,700.01 6,000.00	6,000.01 6,300.00	6,300.01 6,600.00	6,600.01 6,900.00	6,900.01 7,200.00	7,200.01 7,500.00	7,500.01 7,800.00	7,800.01 8,100.00	8,100.01 8,400.00	8,400.01 & OVER
4,250.01 4,300.00	85	4,250.01 4,554.00	4,554.01 4,857.00	4,857.01 5,161.00	5,161.01 5,464.00	5,464.01 5,768.00	5,768.01 6,071.00	6,071.01 6,375.00	6,375.01 6,679.00	6,679.01 6,982.00	6,982.01 7,286.00	7,286.01 7,589.00	7,589.01 7,893.00	7,893.01 8,196.00	8,196.01 8,500.00	8,500.01 & OVER
4,300.01 4,350.00	86	4,300.01 4,607.00	4,607.01 4,914.00	4,914.01 5,221.00	5,221.01 5,529.00	5,529.01 5,836.00	5,836.01 6,143.00	6,143.01 6,450.00	6,450.01 6,757.00	6,757.01 7,064.00	7,064.01 7,371.00	7,371.01 7,679.00	7,679.01 7,986.00	7,986.01 8,293.00	8,293.01 8,600.00	8,600.01 & OVER
4,350.01 4,400.00	87	4,350.01 4,661.00	4,661.01 4,971.00	4,971.01 5,282.00	5,282.01 5,593.00	5,593.01 5,904.00	5,904.01 6,214.00	6,214.01 6,525.00	6,525.01 6,836.00	6,836.01 7,146.00	7,146.01 7,457.00	7,457.01 7,768.00	7,768.01 8,079.00	8,079.01 8,389.00	8,389.01 8,700.00	8,700.01 & OVER
4,400.01 4,450.00	88	4,400.01 4,714.00	4,714.01 5,029.00	5,029.01 5,343.00	5,343.01 5,657.00	5,657.01 5,971.00	5,971.01 6,286.00	6,286.01 6,600.00	6,600.01 6,914.00	6,914.01 7,229.00	7,229.01 7,543.00	7,543.01 7,857.00	7,857.01 8,171.00	8,171.01 8,486.00	8,486.01 8,800.00	8,800.01 & OVER
4,450.01 4,500.00	89	4,450.01 4,768.00	4,768.01 5,086.00	5,086.01 5,404.00	5,404.01 5,721.00	5,721.01 6,039.00	6,039.01 6,357.00	6,357.01 6,675.00	6,675.01 6,993.00	6,993.01 7,311.00	7,311.01 7,629.00	7,629.01 7,946.00	7,946.01 8,264.00	8,264.01 8,582.00	8,582.01 8,900.00	8,900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
4,500.01 4,550.00	90	4,500.01 4,821.00	4,821.01 5,143.00	5,143.01 5,464.00	5,464.01 5,786.00	5,786.01 6,107.00	6,107.01 6,429.00	6,429.01 6,750.00	6,750.01 7,071.00	7,071.01 7,393.00	7,393.01 7,714.00	7,714.01 8,036.00	8,036.01 8,357.00	8,357.01 8,679.00	8,679.01 9,000.00	9,000.01 & OVER
4,550.01 4,600.00	91	4,550.01 4,875.00	4,875.01 5,200.00	5,200.01 5,525.00	5,525.01 5,850.00	5,850.01 6,175.00	6,175.01 6,500.00	6,500.01 6,825.00	6,825.01 7,150.00	7,150.01 7,475.00	7,475.01 7,800.00	7,800.01 8,125.00	8,125.01 8,450.00	8,450.01 8,775.00	8,775.01 9,100.00	9,100.01 & OVER
4,600.01 4,650.00	92	4,600.01 4,929.00	4,929.01 5,257.00	5,257.01 5,586.00	5,586.01 5,914.00	5,914.01 6,243.00	6,243.01 6,571.00	6,571.01 6,900.00	6,900.01 7,229.00	7,229.01 7,557.00	7,557.01 7,886.00	7,886.01 8,214.00	8,214.01 8,543.00	8,543.01 8,871.00	8,871.01 9,200.00	9,200.01 & OVER
4,650.01 4,700.00	93	4,650.01 4,982.00	4,982.01 5,314.00	5,314.01 5,646.00	5,646.01 5,979.00	5,979.01 6,311.00	6,311.01 6,643.00	6,643.01 6,975.00	6,975.01 7,307.00	7,307.01 7,639.00	7,639.01 7,971.00	7,971.01 8,304.00	8,304.01 8,636.00	8,636.01 8,968.00	8,968.01 9,300.00	9,300.01 & OVER
4,700.01 4,750.00	94	4,700.01 5,036.00	5,036.01 5,371.00	5,371.01 5,707.00	5,707.01 6,043.00	6,043.01 6,379.00	6,379.01 6,714.00	6,714.01 7,050.00	7,050.01 7,386.00	7,386.01 7,721.00	7,721.01 8,057.00	8,057.01 8,393.00	8,393.01 8,729.00	8,729.01 9,064.00	9,064.01 9,400.00	9,400.01 & OVER
4,750.01 4,800.00	95	4,750.01 5,089.00	5,089.01 5,429.00	5,429.01 5,768.00	5,768.01 6,107.00	6,107.01 6,446.00	6,446.01 6,786.00	6,786.01 7,125.00	7,125.01 7,464.00	7,464.01 7,804.00	7,804.01 8,143.00	8,143.01 8,482.00	8,482.01 8,821.00	8,821.01 9,161.00	9,161.01 9,500.00	9,500.01 & OVER
4,800.01 4,850.00	96	4,800.01 5,143.00	5,143.01 5,486.00	5,486.01 5,829.00	5,829.01 6,171.00	6,171.01 6,514.00	6,514.01 6,857.00	6,857.01 7,200.00	7,200.01 7,543.00	7,543.01 7,886.00	7,886.01 8,229.00	8,229.01 8,571.00	8,571.01 8,914.00	8,914.01 9,257.00	9,257.01 9,600.00	9,600.01 & OVER
4,850.01 4,900.00	97	4,850.01 5,196.00	5,196.01 5,543.00	5,543.01 5,889.00	5,889.01 6,236.00	6,236.01 6,582.00	6,582.01 6,929.00	6,929.01 7,275.00	7,275.01 7,621.00	7,621.01 7,968.00	7,968.01 8,314.00	8,314.01 8,661.00	8,661.01 9,007.00	9,007.01 9,354.00	9,354.01 9,700.00	9,700.01 & OVER
4,900.01 4,950.00	98	4,900.01 5,250.00	5,250.01 5,600.00	5,600.01 5,950.00	5,950.01 6,300.00	6,300.01 6,650.00	6,650.01 7,000.00	7,000.01 7,350.00	7,350.01 7,700.00	7,700.01 8,050.00	8,050.01 8,400.00	8,400.01 8,750.00	8,750.01 9,100.00	9,100.01 9,450.00	9,450.01 9,800.00	9,800.01 & OVER
4,950.01 5,000.00	99	4,950.01 5,304.00	5,304.01 5,657.00	5,657.01 6,011.00	6,011.01 6,364.00	6,364.01 6,718.00	6,718.01 7,071.00	7,071.01 7,425.00	7,425.01 7,779.00	7,779.01 8,132.00	8,132.01 8,486.00	8,486.01 8,839.00	8,839.01 9,193.00	9,193.01 9,546.00	9,546.01 9,900.00	9,900.01 & OVER
5,000.01 5,050.00	100	5,000.01 5,357.00	5,357.01 5,714.00	5,714.01 6,071.00	6,071.01 6,429.00	6,429.01 6,786.00	6,786.01 7,143.00	7,143.01 7,500.00	7,500.01 7,857.00	7,857.01 8,214.00	8,214.01 8,571.00	8,571.01 8,929.00	8,929.01 9,286.00	9,286.01 9,643.00	9,643.01 10,000.00	10,000.01 & OVER
5,050.01 5,100.00	101	5,050.01 5,411.00	5,411.01 5,771.00	5,771.01 6,132.00	6,132.01 6,493.00	6,493.01 6,854.00	6,854.01 7,214.00	7,214.01 7,575.00	7,575.01 7,936.00	7,936.01 8,296.00	8,296.01 8,657.00	8,657.01 9,018.00	9,018.01 9,379.00	9,379.01 9,739.00	9,739.01 10,100.00	10,100.01 & OVER
5,100.01 5,150.00	102	5,100.01 5,464.00	5,464.01 5,829.00	5,829.01 6,193.00	6,193.01 6,557.00	6,557.01 6,921.00	6,921.01 7,286.00	7,286.01 7,650.00	7,650.01 8,014.00	8,014.01 8,379.00	8,379.01 8,743.00	8,743.01 9,107.00	9,107.01 9,471.00	9,471.01 9,836.00	9,836.01 10,200.00	10,200.01 & OVER
5,150.01 5,200.00	103	5,150.01 5,518.00	5,518.01 5,886.00	5,886.01 6,254.00	6,254.01 6,621.00	6,621.01 6,989.00	6,989.01 7,357.00	7,357.01 7,725.00	7,725.01 8,093.00	8,093.01 8,461.00	8,461.01 8,829.00	8,829.01 9,196.00	9,196.01 9,564.00	9,564.01 9,932.00	9,932.01 10,300.00	10,300.01 & OVER
5,200.01 5,250.00	104	5,200.01 5,571.00	5,571.01 5,943.00	5,943.01 6,314.00	6,314.01 6,686.00	6,686.01 7,057.00	7,057.01 7,429.00	7,429.01 7,800.00	7,800.01 8,171.00	8,171.01 8,543.00	8,543.01 8,914.00	8,914.01 9,286.00	9,286.01 9,657.00	9,657.01 10,029.00	10,029.01 10,400.00	10,400.01 & OVER
5,250.01 5,300.00	105	5,250.01 5,625.00	5,625.01 6,000.00	6,000.01 6,375.00	6,375.01 6,750.00	6,750.01 7,125.00	7,125.01 7,500.00	7,500.01 7,875.00	7,875.01 8,250.00	8,250.01 8,625.00	8,625.01 9,000.00	9,000.01 9,375.00	9,375.01 9,750.00	9,750.01 10,125.00	10,125.01 10,500.00	10,500.01 & OVER
5,300.01 5,350.00	106	5,300.01 5,679.00	5,679.01 6,057.00	6,057.01 6,436.00	6,436.01 6,814.00	6,814.01 7,193.00	7,193.01 7,571.00	7,571.01 7,950.00	7,950.01 8,329.00	8,329.01 8,707.00	8,707.01 9,086.00	9,086.01 9,464.00	9,464.01 9,843.00	9,843.01 10,221.00	10,221.01 10,600.00	10,600.01 & OVER
5,350.01 5,400.00	107	5,350.01 5,732.00	5,732.01 6,114.00	6,114.01 6,496.00	6,496.01 6,879.00	6,879.01 7,261.00	7,261.01 7,643.00	7,643.01 8,025.00	8,025.01 8,407.00	8,407.01 8,789.00	8,789.01 9,171.00	9,171.01 9,554.00	9,554.01 9,936.00	9,936.01 10,318.00	10,318.01 10,700.00	10,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
5,400.01 5,450.00	108	5,400.01 5,786.00	5,786.01 6,171.00	6,171.01 6,557.00	6,557.01 6,943.00	6,943.01 7,329.00	7,329.01 7,714.00	7,714.01 8,100.00	8,100.01 8,486.00	8,486.01 8,871.00	8,871.01 9,257.00	9,257.01 9,643.00	9,643.01 10,029.00	10,029.01 10,414.00	10,414.01 10,800.00	10,800.01 & OVER
5,450.01 5,500.00	109	5,450.01 5,839.00	5,839.01 6,229.00	6,229.01 6,618.00	6,618.01 7,007.00	7,007.01 7,396.00	7,396.01 7,786.00	7,786.01 8,175.00	8,175.01 8,564.00	8,564.01 8,954.00	8,954.01 9,343.00	9,343.01 9,732.00	9,732.01 10,121.00	10,121.01 10,511.00	10,511.01 10,900.00	10,900.01 & OVER
5,500.01 5,550.00	110	5,500.01 5,893.00	5,893.01 6,286.00	6,286.01 6,679.00	6,679.01 7,071.00	7,071.01 7,464.00	7,464.01 7,857.00	7,857.01 8,250.00	8,250.01 8,643.00	8,643.01 9,036.00	9,036.01 9,429.00	9,429.01 9,821.00	9,821.01 10,214.00	10,214.01 10,607.00	10,607.01 11,000.00	11,000.01 & OVER
5,550.01 5,600.00	111	5,550.01 5,946.00	5,946.01 6,343.00	6,343.01 6,739.00	6,739.01 7,136.00	7,136.01 7,532.00	7,532.01 7,929.00	7,929.01 8,325.00	8,325.01 8,721.00	8,721.01 9,118.00	9,118.01 9,514.00	9,514.01 9,911.00	9,911.01 10,307.00	10,307.01 10,704.00	10,704.01 11,100.00	11,100.01 & OVER
5,600.01 5,650.00	112	5,600.01 6,000.00	6,000.01 6,400.00	6,400.01 6,800.00	6,800.01 7,200.00	7,200.01 7,600.00	7,600.01 8,000.00	8,000.01 8,400.00	8,400.01 8,800.00	8,800.01 9,200.00	9,200.01 9,600.00	9,600.01 10,000.00	10,000.01 10,400.00	10,400.01 10,800.00	10,800.01 11,200.00	11,200.01 & OVER
5,650.01 5,700.00	113	5,650.01 6,054.00	6,054.01 6,457.00	6,457.01 6,861.00	6,861.01 7,264.00	7,264.01 7,668.00	7,668.01 8,071.00	8,071.01 8,475.00	8,475.01 8,879.00	8,879.01 9,282.00	9,282.01 9,686.00	9,686.01 10,089.00	10,089.01 10,493.00	10,493.01 10,896.00	10,896.01 11,300.00	11,300.01 & OVER
5,700.01 5,750.00	114	5,700.01 6,107.00	6,107.01 6,514.00	6,514.01 6,921.00	6,921.01 7,329.00	7,329.01 7,736.00	7,736.01 8,143.00	8,143.01 8,550.00	8,550.01 8,957.00	8,957.01 9,364.00	9,364.01 9,771.00	9,771.01 10,179.00	10,179.01 10,586.00	10,586.01 10,993.00	10,993.01 11,400.00	11,400.01 & OVER
5,750.01 5,800.00	115	5,750.01 6,161.00	6,161.01 6,571.00	6,571.01 6,982.00	6,982.01 7,393.00	7,393.01 7,804.00	7,804.01 8,214.00	8,214.01 8,625.00	8,625.01 9,036.00	9,036.01 9,446.00	9,446.01 9,857.00	9,857.01 10,268.00	10,268.01 10,679.00	10,679.01 11,089.00	11,089.01 11,500.00	11,500.01 & OVER
5,800.01 5,850.00	116	5,800.01 6,214.00	6,214.01 6,629.00	6,629.01 7,043.00	7,043.01 7,457.00	7,457.01 7,871.00	7,871.01 8,286.00	8,286.01 8,700.00	8,700.01 9,114.00	9,114.01 9,529.00	9,529.01 9,943.00	9,943.01 10,357.00	10,357.01 10,771.00	10,771.01 11,186.00	11,186.01 11,600.00	11,600.01 & OVER
5,850.01 5,900.00	117	5,850.01 6,268.00	6,268.01 6,686.00	6,686.01 7,104.00	7,104.01 7,521.00	7,521.01 7,939.00	7,939.01 8,357.00	8,357.01 8,775.00	8,775.01 9,193.00	9,193.01 9,611.00	9,611.01 10,029.00	10,029.01 10,446.00	10,446.01 10,864.00	10,864.01 11,282.00	11,282.01 11,700.00	11,700.01 & OVER
5,900.01 5,950.00	118	5,900.01 6,321.00	6,321.01 6,743.00	6,743.01 7,164.00	7,164.01 7,586.00	7,586.01 8,007.00	8,007.01 8,429.00	8,429.01 8,850.00	8,850.01 9,271.00	9,271.01 9,693.00	9,693.01 10,114.00	10,114.01 10,536.00	10,536.01 10,957.00	10,957.01 11,379.00	11,379.01 11,800.00	11,800.01 & OVER
5,950.01 6,000.00	119	5,950.01 6,375.00	6,375.01 6,800.00	6,800.01 7,225.00	7,225.01 7,650.00	7,650.01 8,075.00	8,075.01 8,500.00	8,500.01 8,925.00	8,925.01 9,350.00	9,350.01 9,775.00	9,775.01 10,200.00	10,200.01 10,625.00	10,625.01 11,050.00	11,050.01 11,475.00	11,475.01 11,900.00	11,900.01 & OVER
6,000.01 6,050.00	120	6,000.01 6,429.00	6,429.01 6,857.00	6,857.01 7,286.00	7,286.01 7,714.00	7,714.01 8,143.00	8,143.01 8,571.00	8,571.01 9,000.00	9,000.01 9,429.00	9,429.01 9,857.00	9,857.01 10,286.00	10,286.01 10,714.00	10,714.01 11,143.00	11,143.01 11,571.00	11,571.01 12,000.00	12,000.01 & OVER
6,050.01 6,100.00	121	6,050.01 6,482.00	6,482.01 6,914.00	6,914.01 7,346.00	7,346.01 7,779.00	7,779.01 8,211.00	8,211.01 8,643.00	8,643.01 9,075.00	9,075.01 9,507.00	9,507.01 9,939.00	9,939.01 10,371.00	10,371.01 10,804.00	10,804.01 11,236.00	11,236.01 11,668.00	11,668.01 12,100.00	12,100.01 & OVER
6,100.01 6,150.00	122	6,100.01 6,536.00	6,536.01 6,971.00	6,971.01 7,407.00	7,407.01 7,843.00	7,843.01 8,279.00	8,279.01 8,714.00	8,714.01 9,150.00	9,150.01 9,586.00	9,586.01 10,021.00	10,021.01 10,457.00	10,457.01 10,893.00	10,893.01 11,329.00	11,329.01 11,764.00	11,764.01 12,200.00	12,200.01 & OVER
6,150.01 6,200.00	123	6,150.01 6,589.00	6,589.01 7,029.00	7,029.01 7,468.00	7,468.01 7,907.00	7,907.01 8,346.00	8,346.01 8,786.00	8,786.01 9,225.00	9,225.01 9,664.00	9,664.01 10,104.00	10,104.01 10,543.00	10,543.01 10,982.00	10,982.01 11,421.00	11,421.01 11,861.00	11,861.01 12,300.00	12,300.01 & OVER
6,200.01 6,250.00	124	6,200.01 6,643.00	6,643.01 7,086.00	7,086.01 7,529.00	7,529.01 7,971.00	7,971.01 8,414.00	8,414.01 8,857.00	8,857.01 9,300.00	9,300.01 9,743.00	9,743.01 10,186.00	10,186.01 10,629.00	10,629.01 11,071.00	11,071.01 11,514.00	11,514.01 11,957.00	11,957.01 12,400.00	12,400.01 & OVER
6,250.01 6,300.00	125	6,250.01 6,696.00	6,696.01 7,143.00	7,143.01 7,589.00	7,589.01 8,036.00	8,036.01 8,482.00	8,482.01 8,929.00	8,929.01 9,375.00	9,375.01 9,821.00	9,821.01 10,268.00	10,268.01 10,714.00	10,714.01 11,161.00	11,161.01 11,607.00	11,607.01 12,054.00	12,054.01 12,500.00	12,500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
6,300.01 6,350.00	126	6,300.01 6,750.00	6,750.01 7,200.00	7,200.01 7,650.00	7,650.01 8,100.00	8,100.01 8,550.00	8,550.01 9,000.00	9,000.01 9,450.00	9,450.01 9,900.00	9,900.01 10,350.00	10,350.01 10,800.00	10,800.01 11,250.00	11,250.01 11,700.00	11,700.01 12,150.00	12,150.01 12,600.00	12,600.01 & OVER
6,350.01 6,400.00	127	6,350.01 6,804.00	6,804.01 7,257.00	7,257.01 7,711.00	7,711.01 8,164.00	8,164.01 8,618.00	8,618.01 9,071.00	9,071.01 9,525.00	9,525.01 9,979.00	9,979.01 10,432.00	10,432.01 10,886.00	10,886.01 11,339.00	11,339.01 11,793.00	11,793.01 12,246.00	12,246.01 12,700.00	12,700.01 & OVER
6,400.01 6,450.00	128	6,400.01 6,857.00	6,857.01 7,314.00	7,314.01 7,771.00	7,771.01 8,229.00	8,229.01 8,686.00	8,686.01 9,143.00	9,143.01 9,600.00	9,600.01 10,057.00	10,057.01 10,514.00	10,514.01 10,971.00	10,971.01 11,429.00	11,429.01 11,886.00	11,886.01 12,343.00	12,343.01 12,800.00	12,800.01 & OVER
6,450.01 6,500.00	129	6,450.01 6,911.00	6,911.01 7,371.00	7,371.01 7,832.00	7,832.01 8,293.00	8,293.01 8,754.00	8,754.01 9,214.00	9,214.01 9,675.00	9,675.01 10,136.00	10,136.01 10,596.00	10,596.01 11,057.00	11,057.01 11,518.00	11,518.01 11,979.00	11,979.01 12,439.00	12,439.01 12,900.00	12,900.01 & OVER
6,500.01 6,550.00	130	6,500.01 6,964.00	6,964.01 7,429.00	7,429.01 7,893.00	7,893.01 8,357.00	8,357.01 8,821.00	8,821.01 9,286.00	9,286.01 9,750.00	9,750.01 10,214.00	10,214.01 10,679.00	10,679.01 11,143.00	11,143.01 11,607.00	11,607.01 12,071.00	12,071.01 12,536.00	12,536.01 13,000.00	13,000.01 & OVER
6,550.01 6,600.00	131	6,550.01 7,018.00	7,018.01 7,486.00	7,486.01 7,954.00	7,954.01 8,421.00	8,421.01 8,889.00	8,889.01 9,357.00	9,357.01 9,825.00	9,825.01 10,293.00	10,293.01 10,761.00	10,761.01 11,229.00	11,229.01 11,696.00	11,696.01 12,164.00	12,164.01 12,632.00	12,632.01 13,100.00	13,100.01 & OVER
6,600.01 6,650.00	132	6,600.01 7,071.00	7,071.01 7,543.00	7,543.01 8,014.00	8,014.01 8,486.00	8,486.01 8,957.00	8,957.01 9,429.00	9,429.01 9,900.00	9,900.01 10,371.00	10,371.01 10,843.00	10,843.01 11,314.00	11,314.01 11,786.00	11,786.01 12,257.00	12,257.01 12,729.00	12,729.01 13,200.00	13,200.01 & OVER
6,650.01 6,700.00	133	6,650.01 7,125.00	7,125.01 7,600.00	7,600.01 8,075.00	8,075.01 8,550.00	8,550.01 9,025.00	9,025.01 9,500.00	9,500.01 9,975.00	9,975.01 10,450.00	10,450.01 10,925.00	10,925.01 11,400.00	11,400.01 11,875.00	11,875.01 12,350.00	12,350.01 12,825.00	12,825.01 13,300.00	13,300.01 & OVER
6,700.01 6,750.00	134	6,700.01 7,179.00	7,179.01 7,657.00	7,657.01 8,136.00	8,136.01 8,614.00	8,614.01 9,093.00	9,093.01 9,571.00	9,571.01 10,050.00	10,050.01 10,529.00	10,529.01 11,007.00	11,007.01 11,486.00	11,486.01 11,964.00	11,964.01 12,443.00	12,443.01 12,921.00	12,921.01 13,400.00	13,400.01 & OVER
6,750.01 6,800.00	135	6,750.01 7,232.00	7,232.01 7,714.00	7,714.01 8,196.00	8,196.01 8,679.00	8,679.01 9,161.00	9,161.01 9,643.00	9,643.01 10,125.00	10,125.01 10,607.00	10,607.01 11,089.00	11,089.01 11,571.00	11,571.01 12,054.00	12,054.01 12,536.00	12,536.01 13,018.00	13,018.01 13,500.00	13,500.01 & OVER
6,800.01 6,850.00	136	6,800.01 7,286.00	7,286.01 7,771.00	7,771.01 8,257.00	8,257.01 8,743.00	8,743.01 9,229.00	9,229.01 9,714.00	9,714.01 10,200.00	10,200.01 10,686.00	10,686.01 11,171.00	11,171.01 11,657.00	11,657.01 12,143.00	12,143.01 12,629.00	12,629.01 13,114.00	13,114.01 13,600.00	13,600.01 & OVER
6,850.01 6,900.00	137	6,850.01 7,339.00	7,339.01 7,829.00	7,829.01 8,318.00	8,318.01 8,807.00	8,807.01 9,296.00	9,296.01 9,786.00	9,786.01 10,275.00	10,275.01 10,764.00	10,764.01 11,254.00	11,254.01 11,743.00	11,743.01 12,232.00	12,232.01 12,721.00	12,721.01 13,211.00	13,211.01 13,700.00	13,700.01 & OVER
6,900.01 6,950.00	138	6,900.01 7,393.00	7,393.01 7,886.00	7,886.01 8,379.00	8,379.01 8,871.00	8,871.01 9,364.00	9,364.01 9,857.00	9,857.01 10,350.00	10,350.01 10,843.00	10,843.01 11,336.00	11,336.01 11,829.00	11,829.01 12,321.00	12,321.01 12,814.00	12,814.01 13,307.00	13,307.01 13,800.00	13,800.01 & OVER
6,950.01 7,000.00	139	6,950.01 7,446.00	7,446.01 7,943.00	7,943.01 8,439.00	8,439.01 8,936.00	8,936.01 9,432.00	9,432.01 9,929.00	9,929.01 10,425.00	10,425.01 10,921.00	10,921.01 11,418.00	11,418.01 11,914.00	11,914.01 12,411.00	12,411.01 12,907.00	12,907.01 13,404.00	13,404.01 13,900.00	13,900.01 & OVER
7,000.01 7,050.00	140	7,000.01 7,500.00	7,500.01 8,000.00	8,000.01 8,500.00	8,500.01 9,000.00	9,000.01 9,500.00	9,500.01 10,000.00	10,000.01 10,500.00	10,500.01 11,000.00	11,000.01 11,500.00	11,500.01 12,000.00	12,000.01 12,500.00	12,500.01 13,000.00	13,000.01 13,500.00	13,500.01 14,000.00	14,000.01 & OVER
7,050.01 7,100.00	141	7,050.01 7,554.00	7,554.01 8,057.00	8,057.01 8,561.00	8,561.01 9,064.00	9,064.01 9,568.00	9,568.01 10,071.00	10,071.01 10,575.00	10,575.01 11,079.00	11,079.01 11,582.00	11,582.01 12,086.00	12,086.01 12,589.00	12,589.01 13,093.00	13,093.01 13,596.00	13,596.01 14,100.00	14,100.01 & OVER
7,100.01 7,150.00	142	7,100.01 7,607.00	7,607.01 8,114.00	8,114.01 8,621.00	8,621.01 9,129.00	9,129.01 9,636.00	9,636.01 10,143.00	10,143.01 10,650.00	10,650.01 11,157.00	11,157.01 11,664.00	11,664.01 12,171.00	12,171.01 12,679.00	12,679.01 13,186.00	13,186.01 13,693.00	13,693.01 14,200.00	14,200.01 & OVER
7,150.01 7,200.00	143	7,150.01 7,661.00	7,661.01 8,171.00	8,171.01 8,682.00	8,682.01 9,193.00	9,193.01 9,704.00	9,704.01 10,214.00	10,214.01 10,725.00	10,725.01 11,236.00	11,236.01 11,746.00	11,746.01 12,257.00	12,257.01 12,768.00	12,768.01 13,279.00	13,279.01 13,789.00	13,789.01 14,300.00	14,300.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
7,200.01 7,250.00	144	7,200.01 7,714.00	7,714.01 8,229.00	8,229.01 8,743.00	8,743.01 9,257.00	9,257.01 9,771.00	9,771.01 10,286.00	10,286.01 10,800.00	10,800.01 11,314.00	11,314.01 11,829.00	11,829.01 12,343.00	12,343.01 12,857.00	12,857.01 13,371.00	13,371.01 13,886.00	13,886.01 14,400.00	14,400.01 & OVER
7,250.01 7,300.00	145	7,250.01 7,768.00	7,768.01 8,286.00	8,286.01 8,804.00	8,804.01 9,321.00	9,321.01 9,839.00	9,839.01 10,357.00	10,357.01 10,875.00	10,875.01 11,393.00	11,393.01 11,911.00	11,911.01 12,429.00	12,429.01 12,946.00	12,946.01 13,464.00	13,464.01 13,982.00	13,982.01 14,500.00	14,500.01 & OVER
7,300.01 7,350.00	146	7,300.01 7,821.00	7,821.01 8,343.00	8,343.01 8,864.00	8,864.01 9,386.00	9,386.01 9,907.00	9,907.01 10,429.00	10,429.01 10,950.00	10,950.01 11,471.00	11,471.01 11,993.00	11,993.01 12,514.00	12,514.01 13,036.00	13,036.01 13,557.00	13,557.01 14,079.00	14,079.01 14,600.00	14,600.01 & OVER
7,350.01 7,400.00	147	7,350.01 7,875.00	7,875.01 8,400.00	8,400.01 8,925.00	8,925.01 9,450.00	9,450.01 9,975.00	9,975.01 10,500.00	10,500.01 11,025.00	11,025.01 11,550.00	11,550.01 12,075.00	12,075.01 12,600.00	12,600.01 13,125.00	13,125.01 13,650.00	13,650.01 14,175.00	14,175.01 14,700.00	14,700.01 & OVER
7,400.01 7,450.00	148	7,400.01 7,929.00	7,929.01 8,457.00	8,457.01 8,986.00	8,986.01 9,514.00	9,514.01 10,043.00	10,043.01 10,571.00	10,571.01 11,100.00	11,100.01 11,629.00	11,629.01 12,157.00	12,157.01 12,686.00	12,686.01 13,214.00	13,214.01 13,743.00	13,743.01 14,271.00	14,271.01 14,800.00	14,800.01 & OVER
7,450.01 7,500.00	149	7,450.01 7,982.00	7,982.01 8,514.00	8,514.01 9,046.00	9,046.01 9,579.00	9,579.01 10,111.00	10,111.01 10,643.00	10,643.01 11,175.00	11,175.01 11,707.00	11,707.01 12,239.00	12,239.01 12,771.00	12,771.01 13,304.00	13,304.01 13,836.00	13,836.01 14,368.00	14,368.01 14,900.00	14,900.01 & OVER
7,500.01 7,550.00	150	7,500.01 8,036.00	8,036.01 8,571.00	8,571.01 9,107.00	9,107.01 9,643.00	9,643.01 10,179.00	10,179.01 10,714.00	10,714.01 11,250.00	11,250.01 11,786.00	11,786.01 12,321.00	12,321.01 12,857.00	12,857.01 13,393.00	13,393.01 13,929.00	13,929.01 14,464.00	14,464.01 15,000.00	15,000.01 & OVER
7,550.01 7,600.00	151	7,550.01 8,089.00	8,089.01 8,629.00	8,629.01 9,168.00	9,168.01 9,707.00	9,707.01 10,246.00	10,246.01 10,786.00	10,786.01 11,325.00	11,325.01 11,864.00	11,864.01 12,404.00	12,404.01 12,943.00	12,943.01 13,482.00	13,482.01 14,021.00	14,021.01 14,561.00	14,561.01 15,100.00	15,100.01 & OVER
7,600.01 7,650.00	152	7,600.01 8,143.00	8,143.01 8,686.00	8,686.01 9,229.00	9,229.01 9,771.00	9,771.01 10,314.00	10,314.01 10,857.00	10,857.01 11,400.00	11,400.01 11,943.00	11,943.01 12,486.00	12,486.01 13,029.00	13,029.01 13,571.00	13,571.01 14,114.00	14,114.01 14,657.00	14,657.01 15,200.00	15,200.01 & OVER
7,650.01 7,700.00	153	7,650.01 8,196.00	8,196.01 8,743.00	8,743.01 9,289.00	9,289.01 9,836.00	9,836.01 10,382.00	10,382.01 10,929.00	10,929.01 11,475.00	11,475.01 12,021.00	12,021.01 12,568.00	12,568.01 13,114.00	13,114.01 13,661.00	13,661.01 14,207.00	14,207.01 14,754.00	14,754.01 15,300.00	15,300.01 & OVER
7,700.01 7,750.00	154	7,700.01 8,250.00	8,250.01 8,800.00	8,800.01 9,350.00	9,350.01 9,900.00	9,900.01 10,450.00	10,450.01 11,000.00	11,000.01 11,550.00	11,550.01 12,100.00	12,100.01 12,650.00	12,650.01 13,200.00	13,200.01 13,750.00	13,750.01 14,300.00	14,300.01 14,850.00	14,850.01 15,400.00	15,400.01 & OVER
7,750.01 7,800.00	155	7,750.01 8,304.00	8,304.01 8,857.00	8,857.01 9,411.00	9,411.01 9,964.00	9,964.01 10,518.00	10,518.01 11,071.00	11,071.01 11,625.00	11,625.01 12,179.00	12,179.01 12,732.00	12,732.01 13,286.00	13,286.01 13,839.00	13,839.01 14,393.00	14,393.01 14,946.00	14,946.01 15,500.00	15,500.01 & OVER
7,800.01 7,850.00	156	7,800.01 8,357.00	8,357.01 8,914.00	8,914.01 9,471.00	9,471.01 10,029.00	10,029.01 10,586.00	10,586.01 11,143.00	11,143.01 11,700.00	11,700.01 12,257.00	12,257.01 12,814.00	12,814.01 13,371.00	13,371.01 13,929.00	13,929.01 14,486.00	14,486.01 15,043.00	15,043.01 15,600.00	15,600.01 & OVER
7,850.01 7,900.00	157	7,850.01 8,411.00	8,411.01 8,971.00	8,971.01 9,532.00	9,532.01 10,093.00	10,093.01 10,654.00	10,654.01 11,214.00	11,214.01 11,775.00	11,775.01 12,336.00	12,336.01 12,896.00	12,896.01 13,457.00	13,457.01 14,018.00	14,018.01 14,579.00	14,579.01 15,139.00	15,139.01 15,700.00	15,700.01 & OVER
7,900.01 7,950.00	158	7,900.01 8,464.00	8,464.01 9,029.00	9,029.01 9,593.00	9,593.01 10,157.00	10,157.01 10,721.00	10,721.01 11,286.00	11,286.01 11,850.00	11,850.01 12,414.00	12,414.01 12,979.00	12,979.01 13,543.00	13,543.01 14,107.00	14,107.01 14,671.00	14,671.01 15,236.00	15,236.01 15,800.00	15,800.01 & OVER
7,950.01 8,000.00	159	7,950.01 8,518.00	8,518.01 9,086.00	9,086.01 9,654.00	9,654.01 10,221.00	10,221.01 10,789.00	10,789.01 11,357.00	11,357.01 11,925.00	11,925.01 12,493.00	12,493.01 13,061.00	13,061.01 13,629.00	13,629.01 14,196.00	14,196.01 14,764.00	14,764.01 15,332.00	15,332.01 15,900.00	15,900.01 & OVER
8,000.01 8,050.00	160	8,000.01 8,571.00	8,571.01 9,143.00	9,143.01 9,714.00	9,714.01 10,286.00	10,286.01 10,857.00	10,857.01 11,429.00	11,429.01 12,000.00	12,000.01 12,571.00	12,571.01 13,143.00	13,143.01 13,714.00	13,714.01 14,286.00	14,286.01 14,857.00	14,857.01 15,429.00	15,429.01 16,000.00	16,000.01 & OVER
8,050.01 8,100.00	161	8,050.01 8,625.00	8,625.01 9,200.00	9,200.01 9,775.00	9,775.01 10,350.00	10,350.01 10,925.00	10,925.01 11,500.00	11,500.01 12,075.00	12,075.01 12,650.00	12,650.01 13,225.00	13,225.01 13,800.00	13,800.01 14,375.00	14,375.01 14,950.00	14,950.01 15,525.00	15,525.01 16,100.00	16,100.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
8,100.01 8,150.00	162	8,100.01 8,679.00	8,679.01 9,257.00	9,257.01 9,836.00	9,836.01 10,414.00	10,414.01 10,993.00	10,993.01 11,571.00	11,571.01 12,150.00	12,150.01 12,729.00	12,729.01 13,307.00	13,307.01 13,886.00	13,886.01 14,464.00	14,464.01 15,043.00	15,043.01 15,621.00	15,621.01 16,200.00	16,200.01 & OVER
8,150.01 8,200.00	163	8,150.01 8,732.00	8,732.01 9,314.00	9,314.01 9,896.00	9,896.01 10,479.00	10,479.01 11,061.00	11,061.01 11,643.00	11,643.01 12,225.00	12,225.01 12,807.00	12,807.01 13,389.00	13,389.01 13,971.00	13,971.01 14,554.00	14,554.01 15,136.00	15,136.01 15,718.00	15,718.01 16,300.00	16,300.01 & OVER
8,200.01 8,250.00	164	8,200.01 8,786.00	8,786.01 9,371.00	9,371.01 9,957.00	9,957.01 10,543.00	10,543.01 11,129.00	11,129.01 11,714.00	11,714.01 12,300.00	12,300.01 12,886.00	12,886.01 13,471.00	13,471.01 14,057.00	14,057.01 14,643.00	14,643.01 15,229.00	15,229.01 15,814.00	15,814.01 16,400.00	16,400.01 & OVER
8,250.01 8,300.00	165	8,250.01 8,839.00	8,839.01 9,429.00	9,429.01 10,018.00	10,018.01 10,607.00	10,607.01 11,196.00	11,196.01 11,786.00	11,786.01 12,375.00	12,375.01 12,964.00	12,964.01 13,554.00	13,554.01 14,143.00	14,143.01 14,732.00	14,732.01 15,321.00	15,321.01 15,911.00	15,911.01 16,500.00	16,500.01 & OVER
8,300.01 8,350.00	166	8,300.01 8,893.00	8,893.01 9,486.00	9,486.01 10,079.00	10,079.01 10,671.00	10,671.01 11,264.00	11,264.01 11,857.00	11,857.01 12,450.00	12,450.01 13,043.00	13,043.01 13,636.00	13,636.01 14,229.00	14,229.01 14,821.00	14,821.01 15,414.00	15,414.01 16,007.00	16,007.01 16,600.00	16,600.01 & OVER
8,350.01 8,400.00	167	8,350.01 8,946.00	8,946.01 9,543.00	9,543.01 10,139.00	10,139.01 10,736.00	10,736.01 11,332.00	11,332.01 11,929.00	11,929.01 12,525.00	12,525.01 13,121.00	13,121.01 13,718.00	13,718.01 14,314.00	14,314.01 14,911.00	14,911.01 15,507.00	15,507.01 16,104.00	16,104.01 16,700.00	16,700.01 & OVER
8,400.01 8,450.00	168	8,400.01 9,000.00	9,000.01 9,600.00	9,600.01 10,200.00	10,200.01 10,800.00	10,800.01 11,400.00	11,400.01 12,000.00	12,000.01 12,600.00	12,600.01 13,200.00	13,200.01 13,800.00	13,800.01 14,400.00	14,400.01 15,000.00	15,000.01 15,600.00	15,600.01 16,200.00	16,200.01 16,800.00	16,800.01 & OVER
8,450.01 8,500.00	169	8,450.01 9,054.00	9,054.01 9,657.00	9,657.01 10,261.00	10,261.01 10,864.00	10,864.01 11,468.00	11,468.01 12,071.00	12,071.01 12,675.00	12,675.01 13,279.00	13,279.01 13,882.00	13,882.01 14,486.00	14,486.01 15,089.00	15,089.01 15,693.00	15,693.01 16,296.00	16,296.01 16,900.00	16,900.01 & OVER
8,500.01 8,550.00	170	8,500.01 9,107.00	9,107.01 9,714.00	9,714.01 10,321.00	10,321.01 10,929.00	10,929.01 11,536.00	11,536.01 12,143.00	12,143.01 12,750.00	12,750.01 13,357.00	13,357.01 13,964.00	13,964.01 14,571.00	14,571.01 15,179.00	15,179.01 15,786.00	15,786.01 16,393.00	16,393.01 17,000.00	17,000.01 & OVER
8,550.01 8,600.00	171	8,550.01 9,161.00	9,161.01 9,771.00	9,771.01 10,382.00	10,382.01 10,993.00	10,993.01 11,604.00	11,604.01 12,214.00	12,214.01 12,825.00	12,825.01 13,436.00	13,436.01 14,046.00	14,046.01 14,657.00	14,657.01 15,268.00	15,268.01 15,879.00	15,879.01 16,489.00	16,489.01 17,100.00	17,100.01 & OVER
8,600.01 8,650.00	172	8,600.01 9,214.00	9,214.01 9,829.00	9,829.01 10,443.00	10,443.01 11,057.00	11,057.01 11,671.00	11,671.01 12,286.00	12,286.01 12,900.00	12,900.01 13,514.00	13,514.01 14,129.00	14,129.01 14,743.00	14,743.01 15,357.00	15,357.01 15,971.00	15,971.01 16,586.00	16,586.01 17,200.00	17,200.01 & OVER
8,650.01 8,700.00	173	8,650.01 9,268.00	9,268.01 9,886.00	9,886.01 10,504.00	10,504.01 11,121.00	11,121.01 11,739.00	11,739.01 12,357.00	12,357.01 12,975.00	12,975.01 13,593.00	13,593.01 14,211.00	14,211.01 14,829.00	14,829.01 15,446.00	15,446.01 16,064.00	16,064.01 16,682.00	16,682.01 17,300.00	17,300.01 & OVER
8,700.01 8,750.00	174	8,700.01 9,321.00	9,321.01 9,943.00	9,943.01 10,564.00	10,564.01 11,186.00	11,186.01 11,807.00	11,807.01 12,429.00	12,429.01 13,050.00	13,050.01 13,671.00	13,671.01 14,293.00	14,293.01 14,914.00	14,914.01 15,536.00	15,536.01 16,157.00	16,157.01 16,779.00	16,779.01 17,400.00	17,400.01 & OVER
8,750.01 8,800.00	175	8,750.01 9,375.00	9,375.01 10,000.00	10,000.01 10,625.00	10,625.01 11,250.00	11,250.01 11,875.00	11,875.01 12,500.00	12,500.01 13,125.00	13,125.01 13,750.00	13,750.01 14,375.00	14,375.01 15,000.00	15,000.01 15,625.00	15,625.01 16,250.00	16,250.01 16,875.00	16,875.01 17,500.00	17,500.01 & OVER
8,800.01 8,850.00	176	8,800.01 9,429.00	9,429.01 10,057.00	10,057.01 10,686.00	10,686.01 11,314.00	11,314.01 11,943.00	11,943.01 12,571.00	12,571.01 13,200.00	13,200.01 13,829.00	13,829.01 14,457.00	14,457.01 15,086.00	15,086.01 15,714.00	15,714.01 16,343.00	16,343.01 16,971.00	16,971.01 17,600.00	17,600.01 & OVER
8,850.01 8,900.00	177	8,850.01 9,482.00	9,482.01 10,114.00	10,114.01 10,746.00	10,746.01 11,379.00	11,379.01 12,011.00	12,011.01 12,643.00	12,643.01 13,275.00	13,275.01 13,907.00	13,907.01 14,539.00	14,539.01 15,171.00	15,171.01 15,804.00	15,804.01 16,436.00	16,436.01 17,068.00	17,068.01 17,700.00	17,700.01 & OVER
8,900.01 8,950.00	178	8,900.01 9,536.00	9,536.01 10,171.00	10,171.01 10,807.00	10,807.01 11,443.00	11,443.01 12,079.00	12,079.01 12,714.00	12,714.01 13,350.00	13,350.01 13,986.00	13,986.01 14,621.00	14,621.01 15,257.00	15,257.01 15,893.00	15,893.01 16,529.00	16,529.01 17,164.00	17,164.01 17,800.00	17,800.01 & OVER
8,950.01 9,000.00	179	8,950.01 9,589.00	9,589.01 10,229.00	10,229.01 10,868.00	10,868.01 11,507.00	11,507.01 12,146.00	12,146.01 12,786.00	12,786.01 13,425.00	13,425.01 14,064.00	14,064.01 14,704.00	14,704.01 15,343.00	15,343.01 15,982.00	15,982.01 16,621.00	16,621.01 17,261.00	17,261.01 17,900.00	17,900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
9,000.01 9,050.00	180	9,000.01 9,643.00	9,643.01 10,286.00	10,286.01 10,929.00	10,929.01 11,571.00	11,571.01 12,214.00	12,214.01 12,857.00	12,857.01 13,500.00	13,500.01 14,143.00	14,143.01 14,786.00	14,786.01 15,429.00	15,429.01 16,071.00	16,071.01 16,714.00	16,714.01 17,357.00	17,357.01 18,000.00	18,000.01 & OVER
9,050.01 9,100.00	181	9,050.01 9,696.00	9,696.01 10,343.00	10,343.01 10,989.00	10,989.01 11,636.00	11,636.01 12,282.00	12,282.01 12,929.00	12,929.01 13,575.00	13,575.01 14,221.00	14,221.01 14,868.00	14,868.01 15,514.00	15,514.01 16,161.00	16,161.01 16,807.00	16,807.01 17,454.00	17,454.01 18,100.00	18,100.01 & OVER
9,100.01 9,150.00	182	9,100.01 9,750.00	9,750.01 10,400.00	10,400.01 11,050.00	11,050.01 11,700.00	11,700.01 12,350.00	12,350.01 13,000.00	13,000.01 13,650.00	13,650.01 14,300.00	14,300.01 14,950.00	14,950.01 15,600.00	15,600.01 16,250.00	16,250.01 16,900.00	16,900.01 17,550.00	17,550.01 18,200.00	18,200.01 & OVER
9,150.01 9,200.00	183	9,150.01 9,804.00	9,804.01 10,457.00	10,457.01 11,111.00	11,111.01 11,764.00	11,764.01 12,418.00	12,418.01 13,071.00	13,071.01 13,725.00	13,725.01 14,379.00	14,379.01 15,032.00	15,032.01 15,686.00	15,686.01 16,339.00	16,339.01 16,993.00	16,993.01 17,646.00	17,646.01 18,300.00	18,300.01 & OVER
9,200.01 9,250.00	184	9,200.01 9,857.00	9,857.01 10,514.00	10,514.01 11,171.00	11,171.01 11,829.00	11,829.01 12,486.00	12,486.01 13,143.00	13,143.01 13,800.00	13,800.01 14,457.00	14,457.01 15,114.00	15,114.01 15,771.00	15,771.01 16,429.00	16,429.01 17,086.00	17,086.01 17,743.00	17,743.01 18,400.00	18,400.01 & OVER
9,250.01 9,300.00	185	9,250.01 9,911.00	9,911.01 10,571.00	10,571.01 11,232.00	11,232.01 11,893.00	11,893.01 12,554.00	12,554.01 13,214.00	13,214.01 13,875.00	13,875.01 14,536.00	14,536.01 15,196.00	15,196.01 15,857.00	15,857.01 16,518.00	16,518.01 17,179.00	17,179.01 17,839.00	17,839.01 18,500.00	18,500.01 & OVER
9,300.01 9,350.00	186	9,300.01 9,964.00	9,964.01 10,629.00	10,629.01 11,293.00	11,293.01 11,957.00	11,957.01 12,621.00	12,621.01 13,286.00	13,286.01 13,950.00	13,950.01 14,614.00	14,614.01 15,279.00	15,279.01 15,943.00	15,943.01 16,607.00	16,607.01 17,271.00	17,271.01 17,936.00	17,936.01 18,600.00	18,600.01 & OVER
9,350.01 9,400.00	187	9,350.01 10,018.00	10,018.01 10,686.00	10,686.01 11,354.00	11,354.01 12,021.00	12,021.01 12,689.00	12,689.01 13,357.00	13,357.01 14,025.00	14,025.01 14,693.00	14,693.01 15,361.00	15,361.01 16,029.00	16,029.01 16,696.00	16,696.01 17,364.00	17,364.01 18,032.00	18,032.01 18,700.00	18,700.01 & OVER
9,400.01 9,450.00	188	9,400.01 10,071.00	10,071.01 10,743.00	10,743.01 11,414.00	11,414.01 12,086.00	12,086.01 12,757.00	12,757.01 13,429.00	13,429.01 14,100.00	14,100.01 14,771.00	14,771.01 15,443.00	15,443.01 16,114.00	16,114.01 16,786.00	16,786.01 17,457.00	17,457.01 18,129.00	18,129.01 18,800.00	18,800.01 & OVER
9,450.01 9,500.00	189	9,450.01 10,125.00	10,125.01 10,800.00	10,800.01 11,475.00	11,475.01 12,150.00	12,150.01 12,825.00	12,825.01 13,500.00	13,500.01 14,175.00	14,175.01 14,850.00	14,850.01 15,525.00	15,525.01 16,200.00	16,200.01 16,875.00	16,875.01 17,550.00	17,550.01 18,225.00	18,225.01 18,900.00	18,900.01 & OVER
9,500.01 9,550.00	190	9,500.01 10,179.00	10,179.01 10,857.00	10,857.01 11,536.00	11,536.01 12,214.00	12,214.01 12,893.00	12,893.01 13,571.00	13,571.01 14,250.00	14,250.01 14,929.00	14,929.01 15,607.00	15,607.01 16,286.00	16,286.01 16,964.00	16,964.01 17,643.00	17,643.01 18,321.00	18,321.01 19,000.00	19,000.01 & OVER
9,550.01 9,600.00	191	9,550.01 10,232.00	10,232.01 10,914.00	10,914.01 11,596.00	11,596.01 12,279.00	12,279.01 12,961.00	12,961.01 13,643.00	13,643.01 14,325.00	14,325.01 15,007.00	15,007.01 15,689.00	15,689.01 16,371.00	16,371.01 17,054.00	17,054.01 17,736.00	17,736.01 18,418.00	18,418.01 19,100.00	19,100.01 & OVER
9,600.01 9,650.00	192	9,600.01 10,286.00	10,286.01 10,971.00	10,971.01 11,657.00	11,657.01 12,343.00	12,343.01 13,029.00	13,029.01 13,714.00	13,714.01 14,400.00	14,400.01 15,086.00	15,086.01 15,771.00	15,771.01 16,457.00	16,457.01 17,143.00	17,143.01 17,829.00	17,829.01 18,514.00	18,514.01 19,200.00	19,200.01 & OVER
9,650.01 9,700.00	193	9,650.01 10,339.00	10,339.01 11,029.00	11,029.01 11,718.00	11,718.01 12,407.00	12,407.01 13,096.00	13,096.01 13,786.00	13,786.01 14,475.00	14,475.01 15,164.00	15,164.01 15,854.00	15,854.01 16,543.00	16,543.01 17,232.00	17,232.01 17,921.00	17,921.01 18,611.00	18,611.01 19,300.00	19,300.01 & OVER
9,700.01 9,750.00	194	9,700.01 10,393.00	10,393.01 11,086.00	11,086.01 11,779.00	11,779.01 12,471.00	12,471.01 13,164.00	13,164.01 13,857.00	13,857.01 14,550.00	14,550.01 15,243.00	15,243.01 15,936.00	15,936.01 16,629.00	16,629.01 17,321.00	17,321.01 18,014.00	18,014.01 18,707.00	18,707.01 19,400.00	19,400.01 & OVER
9,750.01 9,800.00	195	9,750.01 10,446.00	10,446.01 11,143.00	11,143.01 11,839.00	11,839.01 12,536.00	12,536.01 13,232.00	13,232.01 13,929.00	13,929.01 14,625.00	14,625.01 15,321.00	15,321.01 16,018.00	16,018.01 16,714.00	16,714.01 17,411.00	17,411.01 18,107.00	18,107.01 18,804.00	18,804.01 19,500.00	19,500.01 & OVER
9,800.01 9,850.00	196	9,800.01 10,500.00	10,500.01 11,200.00	11,200.01 11,900.00	11,900.01 12,600.00	12,600.01 13,300.00	13,300.01 14,000.00	14,000.01 14,700.00	14,700.01 15,400.00	15,400.01 16,100.00	16,100.01 16,800.00	16,800.01 17,500.00	17,500.01 18,200.00	18,200.01 18,900.00	18,900.01 19,600.00	19,600.01 & OVER
9,850.01 9,900.00	197	9,850.01 10,554.00	10,554.01 11,257.00	11,257.01 11,961.00	11,961.01 12,664.00	12,664.01 13,368.00	13,368.01 14,071.00	14,071.01 14,775.00	14,775.01 15,479.00	15,479.01 16,182.00	16,182.01 16,886.00	16,886.01 17,589.00	17,589.01 18,293.00	18,293.01 18,996.00	18,996.01 19,700.00	19,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
9,900.01 9,950.00	198	9,900.01 10,607.00	10,607.01 11,314.00	11,314.01 12,021.00	12,021.01 12,729.00	12,729.01 13,436.00	13,436.01 14,143.00	14,143.01 14,850.00	14,850.01 15,557.00	15,557.01 16,264.00	16,264.01 16,971.00	16,971.01 17,679.00	17,679.01 18,386.00	18,386.01 19,093.00	19,093.01 19,800.00	19,800.01 & OVER
9,950.01 10,000.00	199	9,950.01 10,661.00	10,661.01 11,371.00	11,371.01 12,082.00	12,082.01 12,793.00	12,793.01 13,504.00	13,504.01 14,214.00	14,214.01 14,925.00	14,925.01 15,636.00	15,636.01 16,346.00	16,346.01 17,057.00	17,057.01 17,768.00	17,768.01 18,479.00	18,479.01 19,189.00	19,189.01 19,900.00	19,900.01 & OVER
10,000.01 10,050.00	200	10,000.01 10,714.00	10,714.01 11,429.00	11,429.01 12,143.00	12,143.01 12,857.00	12,857.01 13,571.00	13,571.01 14,286.00	14,286.01 15,000.00	15,000.01 15,714.00	15,714.01 16,429.00	16,429.01 17,143.00	17,143.01 17,857.00	17,857.01 18,571.00	18,571.01 19,286.00	19,286.01 20,000.00	20,000.01 & OVER
10,050.01 10,100.00	201	10,050.01 10,768.00	10,768.01 11,486.00	11,486.01 12,204.00	12,204.01 12,921.00	12,921.01 13,639.00	13,639.01 14,357.00	14,357.01 15,075.00	15,075.01 15,793.00	15,793.01 16,511.00	16,511.01 17,229.00	17,229.01 17,946.00	17,946.01 18,664.00	18,664.01 19,382.00	19,382.01 20,100.00	20,100.01 & OVER
10,100.01 10,150.00	202	10,100.01 10,821.00	10,821.01 11,543.00	11,543.01 12,264.00	12,264.01 12,986.00	12,986.01 13,707.00	13,707.01 14,429.00	14,429.01 15,150.00	15,150.01 15,871.00	15,871.01 16,593.00	16,593.01 17,314.00	17,314.01 18,036.00	18,036.01 18,757.00	18,757.01 19,479.00	19,479.01 20,200.00	20,200.01 & OVER
10,150.01 10,200.00	203	10,150.01 10,875.00	10,875.01 11,600.00	11,600.01 12,325.00	12,325.01 13,050.00	13,050.01 13,775.00	13,775.01 14,500.00	14,500.01 15,225.00	15,225.01 15,950.00	15,950.01 16,675.00	16,675.01 17,400.00	17,400.01 18,125.00	18,125.01 18,850.00	18,850.01 19,575.00	19,575.01 20,300.00	20,300.01 & OVER
10,200.01 10,250.00	204	10,200.01 10,929.00	10,929.01 11,657.00	11,657.01 12,386.00	12,386.01 13,114.00	13,114.01 13,843.00	13,843.01 14,571.00	14,571.01 15,300.00	15,300.01 16,029.00	16,029.01 16,757.00	16,757.01 17,486.00	17,486.01 18,214.00	18,214.01 18,943.00	18,943.01 19,671.00	19,671.01 20,400.00	20,400.01 & OVER
10,250.01 10,300.00	205	10,250.01 10,982.00	10,982.01 11,714.00	11,714.01 12,446.00	12,446.01 13,179.00	13,179.01 13,911.00	13,911.01 14,643.00	14,643.01 15,375.00	15,375.01 16,107.00	16,107.01 16,839.00	16,839.01 17,571.00	17,571.01 18,304.00	18,304.01 19,036.00	19,036.01 19,768.00	19,768.01 20,500.00	20,500.01 & OVER
10,300.01 10,350.00	206	10,300.01 11,036.00	11,036.01 11,771.00	11,771.01 12,507.00	12,507.01 13,243.00	13,243.01 13,979.00	13,979.01 14,714.00	14,714.01 15,450.00	15,450.01 16,186.00	16,186.01 16,921.00	16,921.01 17,657.00	17,657.01 18,393.00	18,393.01 19,129.00	19,129.01 19,864.00	19,864.01 20,600.00	20,600.01 & OVER
10,350.01 10,400.00	207	10,350.01 11,089.00	11,089.01 11,829.00	11,829.01 12,568.00	12,568.01 13,307.00	13,307.01 14,046.00	14,046.01 14,786.00	14,786.01 15,525.00	15,525.01 16,264.00	16,264.01 17,004.00	17,004.01 17,743.00	17,743.01 18,482.00	18,482.01 19,221.00	19,221.01 19,961.00	19,961.01 20,700.00	20,700.01 & OVER
10,400.01 10,450.00	208	10,400.01 11,143.00	11,143.01 11,886.00	11,886.01 12,629.00	12,629.01 13,371.00	13,371.01 14,114.00	14,114.01 14,857.00	14,857.01 15,600.00	15,600.01 16,343.00	16,343.01 17,086.00	17,086.01 17,829.00	17,829.01 18,571.00	18,571.01 19,314.00	19,314.01 20,057.00	20,057.01 20,800.00	20,800.01 & OVER
10,450.01 10,500.00	209	10,450.01 11,196.00	11,196.01 11,943.00	11,943.01 12,689.00	12,689.01 13,436.00	13,436.01 14,182.00	14,182.01 14,929.00	14,929.01 15,675.00	15,675.01 16,421.00	16,421.01 17,168.00	17,168.01 17,914.00	17,914.01 18,661.00	18,661.01 19,407.00	19,407.01 20,154.00	20,154.01 20,900.00	20,900.01 & OVER
10,500.01 10,550.00	210	10,500.01 11,250.00	11,250.01 12,000.00	12,000.01 12,750.00	12,750.01 13,500.00	13,500.01 14,250.00	14,250.01 15,000.00	15,000.01 15,750.00	15,750.01 16,500.00	16,500.01 17,250.00	17,250.01 18,000.00	18,000.01 18,750.00	18,750.01 19,500.00	19,500.01 20,250.00	20,250.01 21,000.00	21,000.01 & OVER
10,550.01 10,600.00	211	10,550.01 11,304.00	11,304.01 12,057.00	12,057.01 12,811.00	12,811.01 13,564.00	13,564.01 14,318.00	14,318.01 15,071.00	15,071.01 15,825.00	15,825.01 16,579.00	16,579.01 17,332.00	17,332.01 18,086.00	18,086.01 18,839.00	18,839.01 19,593.00	19,593.01 20,346.00	20,346.01 21,100.00	21,100.01 & OVER
10,600.01 10,650.00	212	10,600.01 11,357.00	11,357.01 12,114.00	12,114.01 12,871.00	12,871.01 13,629.00	13,629.01 14,386.00	14,386.01 15,143.00	15,143.01 15,900.00	15,900.01 16,657.00	16,657.01 17,414.00	17,414.01 18,171.00	18,171.01 18,929.00	18,929.01 19,686.00	19,686.01 20,443.00	20,443.01 21,200.00	21,200.01 & OVER
10,650.01 10,700.00	213	10,650.01 11,411.00	11,411.01 12,171.00	12,171.01 12,932.00	12,932.01 13,693.00	13,693.01 14,454.00	14,454.01 15,214.00	15,214.01 15,975.00	15,975.01 16,736.00	16,736.01 17,496.00	17,496.01 18,257.00	18,257.01 19,018.00	19,018.01 19,779.00	19,779.01 20,539.00	20,539.01 21,300.00	21,300.01 & OVER
10,700.01 10,750.00	214	10,700.01 11,464.00	11,464.01 12,229.00	12,229.01 12,993.00	12,993.01 13,757.00	13,757.01 14,521.00	14,521.01 15,286.00	15,286.01 16,050.00	16,050.01 16,814.00	16,814.01 17,579.00	17,579.01 18,343.00	18,343.01 19,107.00	19,107.01 19,871.00	19,871.01 20,636.00	20,636.01 21,400.00	21,400.01 & OVER
10,750.01 10,800.00	215	10,750.01 11,518.00	11,518.01 12,286.00	12,286.01 13,054.00	13,054.01 13,821.00	13,821.01 14,589.00	14,589.01 15,357.00	15,357.01 16,125.00	16,125.01 16,893.00	16,893.01 17,661.00	17,661.01 18,429.00	18,429.01 19,196.00	19,196.01 19,964.00	19,964.01 20,732.00	20,732.01 21,500.00	21,500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
10,800.01 10,850.00	216	10,800.01 11,571.00	11,571.01 12,343.00	12,343.01 13,114.00	13,114.01 13,886.00	13,886.01 14,657.00	14,657.01 15,429.00	15,429.01 16,200.00	16,200.01 16,971.00	16,971.01 17,743.00	17,743.01 18,514.00	18,514.01 19,286.00	19,286.01 20,057.00	20,057.01 20,829.00	20,829.01 21,600.00	21,600.01 & OVER
10,850.01 10,900.00	217	10,850.01 11,625.00	11,625.01 12,400.00	12,400.01 13,175.00	13,175.01 13,950.00	13,950.01 14,725.00	14,725.01 15,500.00	15,500.01 16,275.00	16,275.01 17,050.00	17,050.01 17,825.00	17,825.01 18,600.00	18,600.01 19,375.00	19,375.01 20,150.00	20,150.01 20,925.00	20,925.01 21,700.00	21,700.01 & OVER
10,900.01 10,950.00	218	10,900.01 11,679.00	11,679.01 12,457.00	12,457.01 13,236.00	13,236.01 14,014.00	14,014.01 14,793.00	14,793.01 15,571.00	15,571.01 16,350.00	16,350.01 17,129.00	17,129.01 17,907.00	17,907.01 18,686.00	18,686.01 19,464.00	19,464.01 20,243.00	20,243.01 21,021.00	21,021.01 21,800.00	21,800.01 & OVER
10,950.01 11,000.00	219	10,950.01 11,732.00	11,732.01 12,514.00	12,514.01 13,296.00	13,296.01 14,079.00	14,079.01 14,861.00	14,861.01 15,643.00	15,643.01 16,425.00	16,425.01 17,207.00	17,207.01 17,989.00	17,989.01 18,771.00	18,771.01 19,554.00	19,554.01 20,336.00	20,336.01 21,118.00	21,118.01 21,900.00	21,900.01 & OVER
11,000.01 11,050.00	220	11,000.01 11,786.00	11,786.01 12,571.00	12,571.01 13,357.00	13,357.01 14,143.00	14,143.01 14,929.00	14,929.01 15,714.00	15,714.01 16,500.00	16,500.01 17,286.00	17,286.01 18,071.00	18,071.01 18,857.00	18,857.01 19,643.00	19,643.01 20,429.00	20,429.01 21,214.00	21,214.01 22,000.00	22,000.01 & OVER
11,050.01 11,100.00	221	11,050.01 11,839.00	11,839.01 12,629.00	12,629.01 13,418.00	13,418.01 14,207.00	14,207.01 14,996.00	14,996.01 15,786.00	15,786.01 16,575.00	16,575.01 17,364.00	17,364.01 18,154.00	18,154.01 18,943.00	18,943.01 19,732.00	19,732.01 20,521.00	20,521.01 21,311.00	21,311.01 22,100.00	22,100.01 & OVER
11,100.01 11,150.00	222	11,100.01 11,893.00	11,893.01 12,686.00	12,686.01 13,479.00	13,479.01 14,271.00	14,271.01 15,064.00	15,064.01 15,857.00	15,857.01 16,650.00	16,650.01 17,443.00	17,443.01 18,236.00	18,236.01 19,029.00	19,029.01 19,821.00	19,821.01 20,614.00	20,614.01 21,407.00	21,407.01 22,200.00	22,200.01 & OVER
11,150.01 11,200.00	223	11,150.01 11,946.00	11,946.01 12,743.00	12,743.01 13,539.00	13,539.01 14,336.00	14,336.01 15,132.00	15,132.01 15,929.00	15,929.01 16,725.00	16,725.01 17,521.00	17,521.01 18,318.00	18,318.01 19,114.00	19,114.01 19,911.00	19,911.01 20,707.00	20,707.01 21,504.00	21,504.01 22,300.00	22,300.01 & OVER
11,200.01 11,250.00	224	11,200.01 12,000.00	12,000.01 12,800.00	12,800.01 13,600.00	13,600.01 14,400.00	14,400.01 15,200.00	15,200.01 16,000.00	16,000.01 16,800.00	16,800.01 17,600.00	17,600.01 18,400.00	18,400.01 19,200.00	19,200.01 20,000.00	20,000.01 20,800.00	20,800.01 21,600.00	21,600.01 22,400.00	22,400.01 & OVER
11,250.01 11,300.00	225	11,250.01 12,054.00	12,054.01 12,857.00	12,857.01 13,661.00	13,661.01 14,464.00	14,464.01 15,268.00	15,268.01 16,071.00	16,071.01 16,875.00	16,875.01 17,679.00	17,679.01 18,482.00	18,482.01 19,286.00	19,286.01 20,089.00	20,089.01 20,893.00	20,893.01 21,696.00	21,696.01 22,500.00	22,500.01 & OVER
11,300.01 11,350.00	226	11,300.01 12,107.00	12,107.01 12,914.00	12,914.01 13,721.00	13,721.01 14,529.00	14,529.01 15,336.00	15,336.01 16,143.00	16,143.01 16,950.00	16,950.01 17,757.00	17,757.01 18,564.00	18,564.01 19,371.00	19,371.01 20,179.00	20,179.01 20,986.00	20,986.01 21,793.00	21,793.01 22,600.00	22,600.01 & OVER
11,350.01 11,400.00	227	11,350.01 12,161.00	12,161.01 12,971.00	12,971.01 13,782.00	13,782.01 14,593.00	14,593.01 15,404.00	15,404.01 16,214.00	16,214.01 17,025.00	17,025.01 17,836.00	17,836.01 18,646.00	18,646.01 19,457.00	19,457.01 20,268.00	20,268.01 21,079.00	21,079.01 21,889.00	21,889.01 22,700.00	22,700.01 & OVER
11,400.01 11,450.00	228	11,400.01 12,214.00	12,214.01 13,029.00	13,029.01 13,843.00	13,843.01 14,657.00	14,657.01 15,471.00	15,471.01 16,286.00	16,286.01 17,100.00	17,100.01 17,914.00	17,914.01 18,729.00	18,729.01 19,543.00	19,543.01 20,357.00	20,357.01 21,171.00	21,171.01 21,986.00	21,986.01 22,800.00	22,800.01 & OVER
11,450.01 11,500.00	229	11,450.01 12,268.00	12,268.01 13,086.00	13,086.01 13,904.00	13,904.01 14,721.00	14,721.01 15,539.00	15,539.01 16,357.00	16,357.01 17,175.00	17,175.01 17,993.00	17,993.01 18,811.00	18,811.01 19,629.00	19,629.01 20,446.00	20,446.01 21,264.00	21,264.01 22,082.00	22,082.01 22,900.00	22,900.01 & OVER
11,500.01 11,550.00	230	11,500.01 12,321.00	12,321.01 13,143.00	13,143.01 13,964.00	13,964.01 14,786.00	14,786.01 15,607.00	15,607.01 16,429.00	16,429.01 17,250.00	17,250.01 18,071.00	18,071.01 18,893.00	18,893.01 19,714.00	19,714.01 20,536.00	20,536.01 21,357.00	21,357.01 22,179.00	22,179.01 23,000.00	23,000.01 & OVER
11,550.01 11,600.00	231	11,550.01 12,375.00	12,375.01 13,200.00	13,200.01 14,025.00	14,025.01 14,850.00	14,850.01 15,675.00	15,675.01 16,500.00	16,500.01 17,325.00	17,325.01 18,150.00	18,150.01 18,975.00	18,975.01 19,800.00	19,800.01 20,625.00	20,625.01 21,450.00	21,450.01 22,275.00	22,275.01 23,100.00	23,100.01 & OVER
11,600.01 11,650.00	232	11,600.01 12,429.00	12,429.01 13,257.00	13,257.01 14,086.00	14,086.01 14,914.00	14,914.01 15,743.00	15,743.01 16,571.00	16,571.01 17,400.00	17,400.01 18,229.00	18,229.01 19,057.00	19,057.01 19,886.00	19,886.01 20,714.00	20,714.01 21,543.00	21,543.01 22,371.00	22,371.01 23,200.00	23,200.01 & OVER
11,650.01 11,700.00	233	11,650.01 12,482.00	12,482.01 13,314.00	13,314.01 14,146.00	14,146.01 14,979.00	14,979.01 15,811.00	15,811.01 16,643.00	16,643.01 17,475.00	17,475.01 18,307.00	18,307.01 19,139.00	19,139.01 19,971.00	19,971.01 20,804.00	20,804.01 21,636.00	21,636.01 22,468.00	22,468.01 23,300.00	23,300.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
11,700.01 11,750.00	234	11,700.01 12,536.00	12,536.01 13,371.00	13,371.01 14,207.00	14,207.01 15,043.00	15,043.01 15,879.00	15,879.01 16,714.00	16,714.01 17,550.00	17,550.01 18,386.00	18,386.01 19,221.00	19,221.01 20,057.00	20,057.01 20,893.00	20,893.01 21,729.00	21,729.01 22,564.00	22,564.01 23,400.00	23,400.01 & OVER
11,750.01 11,800.00	235	11,750.01 12,589.00	12,589.01 13,429.00	13,429.01 14,268.00	14,268.01 15,107.00	15,107.01 15,946.00	15,946.01 16,786.00	16,786.01 17,625.00	17,625.01 18,464.00	18,464.01 19,304.00	19,304.01 20,143.00	20,143.01 20,982.00	20,982.01 21,821.00	21,821.01 22,661.00	22,661.01 23,500.00	23,500.01 & OVER
11,800.01 11,850.00	236	11,800.01 12,643.00	12,643.01 13,486.00	13,486.01 14,329.00	14,329.01 15,171.00	15,171.01 16,014.00	16,014.01 16,857.00	16,857.01 17,700.00	17,700.01 18,543.00	18,543.01 19,386.00	19,386.01 20,229.00	20,229.01 21,071.00	21,071.01 21,914.00	21,914.01 22,757.00	22,757.01 23,600.00	23,600.01 & OVER
11,850.01 11,900.00	237	11,850.01 12,696.00	12,696.01 13,543.00	13,543.01 14,389.00	14,389.01 15,236.00	15,236.01 16,082.00	16,082.01 16,929.00	16,929.01 17,775.00	17,775.01 18,621.00	18,621.01 19,468.00	19,468.01 20,314.00	20,314.01 21,161.00	21,161.01 22,007.00	22,007.01 22,854.00	22,854.01 23,700.00	23,700.01 & OVER
11,900.01 11,950.00	238	11,900.01 12,750.00	12,750.01 13,600.00	13,600.01 14,450.00	14,450.01 15,300.00	15,300.01 16,150.00	16,150.01 17,000.00	17,000.01 17,850.00	17,850.01 18,700.00	18,700.01 19,550.00	19,550.01 20,400.00	20,400.01 21,250.00	21,250.01 22,100.00	22,100.01 22,950.00	22,950.01 23,800.00	23,800.01 & OVER
11,950.01 12,000.00	239	11,950.01 12,804.00	12,804.01 13,657.00	13,657.01 14,511.00	14,511.01 15,364.00	15,364.01 16,218.00	16,218.01 17,071.00	17,071.01 17,925.00	17,925.01 18,779.00	18,779.01 19,632.00	19,632.01 20,486.00	20,486.01 21,339.00	21,339.01 22,193.00	22,193.01 23,046.00	23,046.01 23,900.00	23,900.01 & OVER
12,000.01 12,050.00	240	12,000.01 12,857.00	12,857.01 13,714.00	13,714.01 14,571.00	14,571.01 15,429.00	15,429.01 16,286.00	16,286.01 17,143.00	17,143.01 18,000.00	18,000.01 18,857.00	18,857.01 19,714.00	19,714.01 20,571.00	20,571.01 21,429.00	21,429.01 22,286.00	22,286.01 23,143.00	23,143.01 24,000.00	24,000.01 & OVER
12,050.01 12,100.00	241	12,050.01 12,911.00	12,911.01 13,771.00	13,771.01 14,632.00	14,632.01 15,493.00	15,493.01 16,354.00	16,354.01 17,214.00	17,214.01 18,075.00	18,075.01 18,936.00	18,936.01 19,796.00	19,796.01 20,657.00	20,657.01 21,518.00	21,518.01 22,379.00	22,379.01 23,239.00	23,239.01 24,100.00	24,100.01 & OVER
12,100.01 12,150.00	242	12,100.01 12,964.00	12,964.01 13,829.00	13,829.01 14,693.00	14,693.01 15,557.00	15,557.01 16,421.00	16,421.01 17,286.00	17,286.01 18,150.00	18,150.01 19,014.00	19,014.01 19,879.00	19,879.01 20,743.00	20,743.01 21,607.00	21,607.01 22,471.00	22,471.01 23,336.00	23,336.01 24,200.00	24,200.01 & OVER
12,150.01 12,200.00	243	12,150.01 13,018.00	13,018.01 13,886.00	13,886.01 14,754.00	14,754.01 15,621.00	15,621.01 16,489.00	16,489.01 17,357.00	17,357.01 18,225.00	18,225.01 19,093.00	19,093.01 19,961.00	19,961.01 20,829.00	20,829.01 21,696.00	21,696.01 22,564.00	22,564.01 23,432.00	23,432.01 24,300.00	24,300.01 & OVER
12,200.01 12,250.00	244	12,200.01 13,071.00	13,071.01 13,943.00	13,943.01 14,814.00	14,814.01 15,686.00	15,686.01 16,557.00	16,557.01 17,429.00	17,429.01 18,300.00	18,300.01 19,171.00	19,171.01 20,043.00	20,043.01 20,914.00	20,914.01 21,786.00	21,786.01 22,657.00	22,657.01 23,529.00	23,529.01 24,400.00	24,400.01 & OVER
12,250.01 12,300.00	245	12,250.01 13,125.00	13,125.01 14,000.00	14,000.01 14,875.00	14,875.01 15,750.00	15,750.01 16,625.00	16,625.01 17,500.00	17,500.01 18,375.00	18,375.01 19,250.00	19,250.01 20,125.00	20,125.01 21,000.00	21,000.01 21,875.00	21,875.01 22,750.00	22,750.01 23,625.00	23,625.01 24,500.00	24,500.01 & OVER
12,300.01 12,350.00	246	12,300.01 13,179.00	13,179.01 14,057.00	14,057.01 14,936.00	14,936.01 15,814.00	15,814.01 16,693.00	16,693.01 17,571.00	17,571.01 18,450.00	18,450.01 19,329.00	19,329.01 20,207.00	20,207.01 21,086.00	21,086.01 21,964.00	21,964.01 22,843.00	22,843.01 23,721.00	23,721.01 24,600.00	24,600.01 & OVER
12,350.01 12,400.00	247	12,350.01 13,232.00	13,232.01 14,114.00	14,114.01 14,996.00	14,996.01 15,879.00	15,879.01 16,761.00	16,761.01 17,643.00	17,643.01 18,525.00	18,525.01 19,407.00	19,407.01 20,289.00	20,289.01 21,171.00	21,171.01 22,054.00	22,054.01 22,936.00	22,936.01 23,818.00	23,818.01 24,700.00	24,700.01 & OVER
12,400.01 12,450.00	248	12,400.01 13,286.00	13,286.01 14,171.00	14,171.01 15,057.00	15,057.01 15,943.00	15,943.01 16,829.00	16,829.01 17,714.00	17,714.01 18,600.00	18,600.01 19,486.00	19,486.01 20,371.00	20,371.01 21,257.00	21,257.01 22,143.00	22,143.01 23,029.00	23,029.01 23,914.00	23,914.01 24,800.00	24,800.01 & OVER
12,450.01 12,500.00	249	12,450.01 13,339.00	13,339.01 14,229.00	14,229.01 15,118.00	15,118.01 16,007.00	16,007.01 16,896.00	16,896.01 17,786.00	17,786.01 18,675.00	18,675.01 19,564.00	19,564.01 20,454.00	20,454.01 21,343.00	21,343.01 22,232.00	22,232.01 23,121.00	23,121.01 24,011.00	24,011.01 24,900.00	24,900.01 & OVER
12,500.01 12,550.00	250	12,500.01 13,393.00	13,393.01 14,286.00	14,286.01 15,179.00	15,179.01 16,071.00	16,071.01 16,964.00	16,964.01 17,857.00	17,857.01 18,750.00	18,750.01 19,643.00	19,643.01 20,536.00	20,536.01 21,429.00	21,429.01 22,321.00	22,321.01 23,214.00	23,214.01 24,107.00	24,107.01 25,000.00	25,000.01 & OVER
12,550.01 12,600.00	251	12,550.01 13,446.00	13,446.01 14,343.00	14,343.01 15,239.00	15,239.01 16,136.00	16,136.01 17,032.00	17,032.01 17,929.00	17,929.01 18,825.00	18,825.01 19,721.00	19,721.01 20,618.00	20,618.01 21,514.00	21,514.01 22,411.00	22,411.01 23,307.00	23,307.01 24,204.00	24,204.01 25,100.00	25,100.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
12,600.01 12,650.00	252	12,600.01 13,500.00	13,500.01 14,400.00	14,400.01 15,300.00	15,300.01 16,200.00	16,200.01 17,100.00	17,100.01 18,000.00	18,000.01 18,900.00	18,900.01 19,800.00	19,800.01 20,700.00	20,700.01 21,600.00	21,600.01 22,500.00	22,500.01 23,400.00	23,400.01 24,300.00	24,300.01 25,200.00	25,200.01 & OVER
12,650.01 12,700.00	253	12,650.01 13,554.00	13,554.01 14,457.00	14,457.01 15,361.00	15,361.01 16,264.00	16,264.01 17,168.00	17,168.01 18,071.00	18,071.01 18,975.00	18,975.01 19,879.00	19,879.01 20,782.00	20,782.01 21,686.00	21,686.01 22,589.00	22,589.01 23,493.00	23,493.01 24,396.00	24,396.01 25,300.00	25,300.01 & OVER
12,700.01 12,750.00	254	12,700.01 13,607.00	13,607.01 14,514.00	14,514.01 15,421.00	15,421.01 16,329.00	16,329.01 17,236.00	17,236.01 18,143.00	18,143.01 19,050.00	19,050.01 19,957.00	19,957.01 20,864.00	20,864.01 21,771.00	21,771.01 22,679.00	22,679.01 23,586.00	23,586.01 24,493.00	24,493.01 25,400.00	25,400.01 & OVER
12,750.01 12,800.00	255	12,750.01 13,661.00	13,661.01 14,571.00	14,571.01 15,482.00	15,482.01 16,393.00	16,393.01 17,304.00	17,304.01 18,214.00	18,214.01 19,125.00	19,125.01 20,036.00	20,036.01 20,946.00	20,946.01 21,857.00	21,857.01 22,768.00	22,768.01 23,679.00	23,679.01 24,589.00	24,589.01 25,500.00	25,500.01 & OVER
12,800.01 12,850.00	256	12,800.01 13,714.00	13,714.01 14,629.00	14,629.01 15,543.00	15,543.01 16,457.00	16,457.01 17,371.00	17,371.01 18,286.00	18,286.01 19,200.00	19,200.01 20,114.00	20,114.01 21,029.00	21,029.01 21,943.00	21,943.01 22,857.00	22,857.01 23,771.00	23,771.01 24,686.00	24,686.01 25,600.00	25,600.01 & OVER
12,850.01 12,900.00	257	12,850.01 13,768.00	13,768.01 14,686.00	14,686.01 15,604.00	15,604.01 16,521.00	16,521.01 17,439.00	17,439.01 18,357.00	18,357.01 19,275.00	19,275.01 20,193.00	20,193.01 21,111.00	21,111.01 22,029.00	22,029.01 22,946.00	22,946.01 23,864.00	23,864.01 24,782.00	24,782.01 25,700.00	25,700.01 & OVER
12,900.01 12,950.00	258	12,900.01 13,821.00	13,821.01 14,743.00	14,743.01 15,664.00	15,664.01 16,586.00	16,586.01 17,507.00	17,507.01 18,429.00	18,429.01 19,350.00	19,350.01 20,271.00	20,271.01 21,193.00	21,193.01 22,114.00	22,114.01 23,036.00	23,036.01 23,957.00	23,957.01 24,879.00	24,879.01 25,800.00	25,800.01 & OVER
12,950.01 13,000.00	259	12,950.01 13,875.00	13,875.01 14,800.00	14,800.01 15,725.00	15,725.01 16,650.00	16,650.01 17,575.00	17,575.01 18,500.00	18,500.01 19,425.00	19,425.01 20,350.00	20,350.01 21,275.00	21,275.01 22,200.00	22,200.01 23,125.00	23,125.01 24,050.00	24,050.01 24,975.00	24,975.01 25,900.00	25,900.01 & OVER
13,000.01 13,050.00	260	13,000.01 13,929.00	13,929.01 14,857.00	14,857.01 15,786.00	15,786.01 16,714.00	16,714.01 17,643.00	17,643.01 18,571.00	18,571.01 19,500.00	19,500.01 20,429.00	20,429.01 21,357.00	21,357.01 22,286.00	22,286.01 23,214.00	23,214.01 24,143.00	24,143.01 25,071.00	25,071.01 26,000.00	26,000.01 & OVER
13,050.01 13,100.00	261	13,050.01 13,982.00	13,982.01 14,914.00	14,914.01 15,846.00	15,846.01 16,779.00	16,779.01 17,711.00	17,711.01 18,643.00	18,643.01 19,575.00	19,575.01 20,507.00	20,507.01 21,439.00	21,439.01 22,371.00	22,371.01 23,304.00	23,304.01 24,236.00	24,236.01 25,168.00	25,168.01 26,100.00	26,100.01 & OVER
13,100.01 13,150.00	262	13,100.01 14,036.00	14,036.01 14,971.00	14,971.01 15,907.00	15,907.01 16,843.00	16,843.01 17,779.00	17,779.01 18,714.00	18,714.01 19,650.00	19,650.01 20,586.00	20,586.01 21,521.00	21,521.01 22,457.00	22,457.01 23,393.00	23,393.01 24,329.00	24,329.01 25,264.00	25,264.01 26,200.00	26,200.01 & OVER
13,150.01 13,200.00	263	13,150.01 14,089.00	14,089.01 15,029.00	15,029.01 15,968.00	15,968.01 16,907.00	16,907.01 17,846.00	17,846.01 18,786.00	18,786.01 19,725.00	19,725.01 20,664.00	20,664.01 21,604.00	21,604.01 22,543.00	22,543.01 23,482.00	23,482.01 24,421.00	24,421.01 25,361.00	25,361.01 26,300.00	26,300.01 & OVER
13,200.01 13,250.00	264	13,200.01 14,143.00	14,143.01 15,086.00	15,086.01 16,029.00	16,029.01 16,971.00	16,971.01 17,914.00	17,914.01 18,857.00	18,857.01 19,800.00	19,800.01 20,743.00	20,743.01 21,686.00	21,686.01 22,629.00	22,629.01 23,571.00	23,571.01 24,514.00	24,514.01 25,457.00	25,457.01 26,400.00	26,400.01 & OVER
13,250.01 13,300.00	265	13,250.01 14,196.00	14,196.01 15,143.00	15,143.01 16,089.00	16,089.01 17,036.00	17,036.01 17,982.00	17,982.01 18,929.00	18,929.01 19,875.00	19,875.01 20,821.00	20,821.01 21,768.00	21,768.01 22,714.00	22,714.01 23,661.00	23,661.01 24,607.00	24,607.01 25,554.00	25,554.01 26,500.00	26,500.01 & OVER
13,300.01 13,350.00	266	13,300.01 14,250.00	14,250.01 15,200.00	15,200.01 16,150.00	16,150.01 17,100.00	17,100.01 18,050.00	18,050.01 19,000.00	19,000.01 19,950.00	19,950.01 20,900.00	20,900.01 21,850.00	21,850.01 22,800.00	22,800.01 23,750.00	23,750.01 24,700.00	24,700.01 25,650.00	25,650.01 26,600.00	26,600.01 & OVER
13,350.01 13,400.00	267	13,350.01 14,304.00	14,304.01 15,257.00	15,257.01 16,211.00	16,211.01 17,164.00	17,164.01 18,118.00	18,118.01 19,071.00	19,071.01 20,025.00	20,025.01 20,979.00	20,979.01 21,932.00	21,932.01 22,886.00	22,886.01 23,839.00	23,839.01 24,793.00	24,793.01 25,746.00	25,746.01 26,700.00	26,700.01 & OVER
13,400.01 13,450.00	268	13,400.01 14,357.00	14,357.01 15,314.00	15,314.01 16,271.00	16,271.01 17,229.00	17,229.01 18,186.00	18,186.01 19,143.00	19,143.01 20,100.00	20,100.01 21,057.00	21,057.01 22,014.00	22,014.01 22,971.00	22,971.01 23,929.00	23,929.01 24,886.00	24,886.01 25,843.00	25,843.01 26,800.00	26,800.01 & OVER
13,450.01 13,500.00	269	13,450.01 14,411.00	14,411.01 15,371.00	15,371.01 16,332.00	16,332.01 17,293.00	17,293.01 18,254.00	18,254.01 19,214.00	19,214.01 20,175.00	20,175.01 21,136.00	21,136.01 22,096.00	22,096.01 23,057.00	23,057.01 24,018.00	24,018.01 24,979.00	24,979.01 25,939.00	25,939.01 26,900.00	26,900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
13,500.01 13,550.00	270	13,500.01 14,464.00	14,464.01 15,429.00	15,429.01 16,393.00	16,393.01 17,357.00	17,357.01 18,321.00	18,321.01 19,286.00	19,286.01 20,250.00	20,250.01 21,214.00	21,214.01 22,179.00	22,179.01 23,143.00	23,143.01 24,107.00	24,107.01 25,071.00	25,071.01 26,036.00	26,036.01 27,000.00	27,000.01 & OVER
13,550.01 13,600.00	271	13,550.01 14,518.00	14,518.01 15,486.00	15,486.01 16,454.00	16,454.01 17,421.00	17,421.01 18,389.00	18,389.01 19,357.00	19,357.01 20,325.00	20,325.01 21,293.00	21,293.01 22,261.00	22,261.01 23,229.00	23,229.01 24,196.00	24,196.01 25,164.00	25,164.01 26,132.00	26,132.01 27,100.00	27,100.01 & OVER
13,600.01 13,650.00	272	13,600.01 14,571.00	14,571.01 15,543.00	15,543.01 16,514.00	16,514.01 17,486.00	17,486.01 18,457.00	18,457.01 19,429.00	19,429.01 20,400.00	20,400.01 21,371.00	21,371.01 22,343.00	22,343.01 23,314.00	23,314.01 24,286.00	24,286.01 25,257.00	25,257.01 26,229.00	26,229.01 27,200.00	27,200.01 & OVER
13,650.01 13,700.00	273	13,650.01 14,625.00	14,625.01 15,600.00	15,600.01 16,575.00	16,575.01 17,550.00	17,550.01 18,525.00	18,525.01 19,500.00	19,500.01 20,475.00	20,475.01 21,450.00	21,450.01 22,425.00	22,425.01 23,400.00	23,400.01 24,375.00	24,375.01 25,350.00	25,350.01 26,325.00	26,325.01 27,300.00	27,300.01 & OVER
13,700.01 13,750.00	274	13,700.01 14,679.00	14,679.01 15,657.00	15,657.01 16,636.00	16,636.01 17,614.00	17,614.01 18,593.00	18,593.01 19,571.00	19,571.01 20,550.00	20,550.01 21,529.00	21,529.01 22,507.00	22,507.01 23,486.00	23,486.01 24,464.00	24,464.01 25,443.00	25,443.01 26,421.00	26,421.01 27,400.00	27,400.01 & OVER
13,750.01 13,800.00	275	13,750.01 14,732.00	14,732.01 15,714.00	15,714.01 16,696.00	16,696.01 17,679.00	17,679.01 18,661.00	18,661.01 19,643.00	19,643.01 20,625.00	20,625.01 21,607.00	21,607.01 22,589.00	22,589.01 23,571.00	23,571.01 24,554.00	24,554.01 25,536.00	25,536.01 26,518.00	26,518.01 27,500.00	27,500.01 & OVER
13,800.01 13,850.00	276	13,800.01 14,786.00	14,786.01 15,771.00	15,771.01 16,757.00	16,757.01 17,743.00	17,743.01 18,729.00	18,729.01 19,714.00	19,714.01 20,700.00	20,700.01 21,686.00	21,686.01 22,671.00	22,671.01 23,657.00	23,657.01 24,643.00	24,643.01 25,629.00	25,629.01 26,614.00	26,614.01 27,600.00	27,600.01 & OVER
13,850.01 13,900.00	277	13,850.01 14,839.00	14,839.01 15,829.00	15,829.01 16,818.00	16,818.01 17,807.00	17,807.01 18,796.00	18,796.01 19,786.00	19,786.01 20,775.00	20,775.01 21,764.00	21,764.01 22,754.00	22,754.01 23,743.00	23,743.01 24,732.00	24,732.01 25,721.00	25,721.01 26,711.00	26,711.01 27,700.00	27,700.01 & OVER
13,900.01 13,950.00	278	13,900.01 14,893.00	14,893.01 15,886.00	15,886.01 16,879.00	16,879.01 17,871.00	17,871.01 18,864.00	18,864.01 19,857.00	19,857.01 20,850.00	20,850.01 21,843.00	21,843.01 22,836.00	22,836.01 23,829.00	23,829.01 24,821.00	24,821.01 25,814.00	25,814.01 26,807.00	26,807.01 27,800.00	27,800.01 & OVER
13,950.01 14,000.00	279	13,950.01 14,946.00	14,946.01 15,943.00	15,943.01 16,939.00	16,939.01 17,936.00	17,936.01 18,932.00	18,932.01 19,929.00	19,929.01 20,925.00	20,925.01 21,921.00	21,921.01 22,918.00	22,918.01 23,914.00	23,914.01 24,911.00	24,911.01 25,907.00	25,907.01 26,904.00	26,904.01 27,900.00	27,900.01 & OVER
14,000.01 14,050.00	280	14,000.01 15,000.00	15,000.01 16,000.00	16,000.01 17,000.00	17,000.01 18,000.00	18,000.01 19,000.00	19,000.01 20,000.00	20,000.01 21,000.00	21,000.01 22,000.00	22,000.01 23,000.00	23,000.01 24,000.00	24,000.01 25,000.00	25,000.01 26,000.00	26,000.01 27,000.00	27,000.01 28,000.00	28,000.01 & OVER
14,050.01 14,100.00	281	14,050.01 15,054.00	15,054.01 16,057.00	16,057.01 17,061.00	17,061.01 18,064.00	18,064.01 19,068.00	19,068.01 20,071.00	20,071.01 21,075.00	21,075.01 22,079.00	22,079.01 23,082.00	23,082.01 24,086.00	24,086.01 25,089.00	25,089.01 26,093.00	26,093.01 27,096.00	27,096.01 28,100.00	28,100.01 & OVER
14,100.01 14,150.00	282	14,100.01 15,107.00	15,107.01 16,114.00	16,114.01 17,121.00	17,121.01 18,129.00	18,129.01 19,136.00	19,136.01 20,143.00	20,143.01 21,150.00	21,150.01 22,157.00	22,157.01 23,164.00	23,164.01 24,171.00	24,171.01 25,179.00	25,179.01 26,186.00	26,186.01 27,193.00	27,193.01 28,200.00	28,200.01 & OVER
14,150.01 14,200.00	283	14,150.01 15,161.00	15,161.01 16,171.00	16,171.01 17,182.00	17,182.01 18,193.00	18,193.01 19,204.00	19,204.01 20,214.00	20,214.01 21,225.00	21,225.01 22,236.00	22,236.01 23,246.00	23,246.01 24,257.00	24,257.01 25,268.00	25,268.01 26,279.00	26,279.01 27,289.00	27,289.01 28,300.00	28,300.01 & OVER
14,200.01 14,250.00	284	14,200.01 15,214.00	15,214.01 16,229.00	16,229.01 17,243.00	17,243.01 18,257.00	18,257.01 19,271.00	19,271.01 20,286.00	20,286.01 21,300.00	21,300.01 22,314.00	22,314.01 23,329.00	23,329.01 24,343.00	24,343.01 25,357.00	25,357.01 26,371.00	26,371.01 27,386.00	27,386.01 28,400.00	28,400.01 & OVER
14,250.01 14,300.00	285	14,250.01 15,268.00	15,268.01 16,286.00	16,286.01 17,304.00	17,304.01 18,321.00	18,321.01 19,339.00	19,339.01 20,357.00	20,357.01 21,375.00	21,375.01 22,393.00	22,393.01 23,411.00	23,411.01 24,429.00	24,429.01 25,446.00	25,446.01 26,464.00	26,464.01 27,482.00	27,482.01 28,500.00	28,500.01 & OVER
14,300.01 14,350.00	286	14,300.01 15,321.00	15,321.01 16,343.00	16,343.01 17,364.00	17,364.01 18,386.00	18,386.01 19,407.00	19,407.01 20,429.00	20,429.01 21,450.00	21,450.01 22,471.00	22,471.01 23,493.00	23,493.01 24,514.00	24,514.01 25,536.00	25,536.01 26,557.00	26,557.01 27,579.00	27,579.01 28,600.00	28,600.01 & OVER
14,350.01 14,400.00	287	14,350.01 15,375.00	15,375.01 16,400.00	16,400.01 17,425.00	17,425.01 18,450.00	18,450.01 19,475.00	19,475.01 20,500.00	20,500.01 21,525.00	21,525.01 22,550.00	22,550.01 23,575.00	23,575.01 24,600.00	24,600.01 25,625.00	25,625.01 26,650.00	26,650.01 27,675.00	27,675.01 28,700.00	28,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
14,400.01 14,450.00	288	14,400.01 15,429.00	15,429.01 16,457.00	16,457.01 17,486.00	17,486.01 18,514.00	18,514.01 19,543.00	19,543.01 20,571.00	20,571.01 21,600.00	21,600.01 22,629.00	22,629.01 23,657.00	23,657.01 24,686.00	24,686.01 25,714.00	25,714.01 26,743.00	26,743.01 27,771.00	27,771.01 28,800.00	28,800.01 & OVER
14,450.01 14,500.00	289	14,450.01 15,482.00	15,482.01 16,514.00	16,514.01 17,546.00	17,546.01 18,579.00	18,579.01 19,611.00	19,611.01 20,643.00	20,643.01 21,675.00	21,675.01 22,707.00	22,707.01 23,739.00	23,739.01 24,771.00	24,771.01 25,804.00	25,804.01 26,836.00	26,836.01 27,868.00	27,868.01 28,900.00	28,900.01 & OVER
14,500.01 14,550.00	290	14,500.01 15,536.00	15,536.01 16,571.00	16,571.01 17,607.00	17,607.01 18,643.00	18,643.01 19,679.00	19,679.01 20,714.00	20,714.01 21,750.00	21,750.01 22,786.00	22,786.01 23,821.00	23,821.01 24,857.00	24,857.01 25,893.00	25,893.01 26,929.00	26,929.01 27,964.00	27,964.01 29,000.00	29,000.01 & OVER
14,550.01 14,600.00	291	14,550.01 15,589.00	15,589.01 16,629.00	16,629.01 17,668.00	17,668.01 18,707.00	18,707.01 19,746.00	19,746.01 20,786.00	20,786.01 21,825.00	21,825.01 22,864.00	22,864.01 23,904.00	23,904.01 24,943.00	24,943.01 25,982.00	25,982.01 27,021.00	27,021.01 28,061.00	28,061.01 29,100.00	29,100.01 & OVER
14,600.01 14,650.00	292	14,600.01 15,643.00	15,643.01 16,686.00	16,686.01 17,729.00	17,729.01 18,771.00	18,771.01 19,814.00	19,814.01 20,857.00	20,857.01 21,900.00	21,900.01 22,943.00	22,943.01 23,986.00	23,986.01 25,029.00	25,029.01 26,071.00	26,071.01 27,114.00	27,114.01 28,157.00	28,157.01 29,200.00	29,200.01 & OVER
14,650.01 14,700.00	293	14,650.01 15,696.00	15,696.01 16,743.00	16,743.01 17,789.00	17,789.01 18,836.00	18,836.01 19,882.00	19,882.01 20,929.00	20,929.01 21,975.00	21,975.01 23,021.00	23,021.01 24,068.00	24,068.01 25,114.00	25,114.01 26,161.00	26,161.01 27,207.00	27,207.01 28,254.00	28,254.01 29,300.00	29,300.01 & OVER
14,700.01 14,750.00	294	14,700.01 15,750.00	15,750.01 16,800.00	16,800.01 17,850.00	17,850.01 18,900.00	18,900.01 19,950.00	19,950.01 21,000.00	21,000.01 22,050.00	22,050.01 23,100.00	23,100.01 24,150.00	24,150.01 25,200.00	25,200.01 26,250.00	26,250.01 27,300.00	27,300.01 28,350.00	28,350.01 29,400.00	29,400.01 & OVER
14,750.01 14,800.00	295	14,750.01 15,804.00	15,804.01 16,857.00	16,857.01 17,911.00	17,911.01 18,964.00	18,964.01 20,018.00	20,018.01 21,071.00	21,071.01 22,125.00	22,125.01 23,179.00	23,179.01 24,232.00	24,232.01 25,286.00	25,286.01 26,339.00	26,339.01 27,393.00	27,393.01 28,446.00	28,446.01 29,500.00	29,500.01 & OVER
14,800.01 14,850.00	296	14,800.01 15,857.00	15,857.01 16,914.00	16,914.01 17,971.00	17,971.01 19,029.00	19,029.01 20,086.00	20,086.01 21,143.00	21,143.01 22,200.00	22,200.01 23,257.00	23,257.01 24,314.00	24,314.01 25,371.00	25,371.01 26,429.00	26,429.01 27,486.00	27,486.01 28,543.00	28,543.01 29,600.00	29,600.01 & OVER
14,850.01 14,900.00	297	14,850.01 15,911.00	15,911.01 16,971.00	16,971.01 18,032.00	18,032.01 19,093.00	19,093.01 20,154.00	20,154.01 21,214.00	21,214.01 22,275.00	22,275.01 23,336.00	23,336.01 24,396.00	24,396.01 25,457.00	25,457.01 26,518.00	26,518.01 27,579.00	27,579.01 28,639.00	28,639.01 29,700.00	29,700.01 & OVER
14,900.01 14,950.00	298	14,900.01 15,964.00	15,964.01 17,029.00	17,029.01 18,093.00	18,093.01 19,157.00	19,157.01 20,221.00	20,221.01 21,286.00	21,286.01 22,350.00	22,350.01 23,414.00	23,414.01 24,479.00	24,479.01 25,543.00	25,543.01 26,607.00	26,607.01 27,671.00	27,671.01 28,736.00	28,736.01 29,800.00	29,800.01 & OVER
14,950.01 15,000.00	299	14,950.01 16,018.00	16,018.01 17,086.00	17,086.01 18,154.00	18,154.01 19,221.00	19,221.01 20,289.00	20,289.01 21,357.00	21,357.01 22,425.00	22,425.01 23,493.00	23,493.01 24,561.00	24,561.01 25,629.00	25,629.01 26,696.00	26,696.01 27,764.00	27,764.01 28,832.00	28,832.01 29,900.00	29,900.01 & OVER
15,000.01 15,050.00	300	15,000.01 16,071.00	16,071.01 17,143.00	17,143.01 18,214.00	18,214.01 19,286.00	19,286.01 20,357.00	20,357.01 21,429.00	21,429.01 22,500.00	22,500.01 23,571.00	23,571.01 24,643.00	24,643.01 25,714.00	25,714.01 26,786.00	26,786.01 27,857.00	27,857.01 28,929.00	28,929.01 30,000.00	30,000.01 & OVER
15,050.01 15,100.00	301	15,050.01 16,125.00	16,125.01 17,200.00	17,200.01 18,275.00	18,275.01 19,350.00	19,350.01 20,425.00	20,425.01 21,500.00	21,500.01 22,575.00	22,575.01 23,650.00	23,650.01 24,725.00	24,725.01 25,800.00	25,800.01 26,875.00	26,875.01 27,950.00	27,950.01 29,025.00	29,025.01 30,100.00	30,100.01 & OVER
15,100.01 15,150.00	302	15,100.01 16,179.00	16,179.01 17,257.00	17,257.01 18,336.00	18,336.01 19,414.00	19,414.01 20,493.00	20,493.01 21,571.00	21,571.01 22,650.00	22,650.01 23,729.00	23,729.01 24,807.00	24,807.01 25,886.00	25,886.01 26,964.00	26,964.01 28,043.00	28,043.01 29,121.00	29,121.01 30,200.00	30,200.01 & OVER
15,150.01 15,200.00	303	15,150.01 16,232.00	16,232.01 17,314.00	17,314.01 18,396.00	18,396.01 19,479.00	19,479.01 20,561.00	20,561.01 21,643.00	21,643.01 22,725.00	22,725.01 23,807.00	23,807.01 24,889.00	24,889.01 25,971.00	25,971.01 27,054.00	27,054.01 28,136.00	28,136.01 29,218.00	29,218.01 30,300.00	30,300.01 & OVER
15,200.01 15,250.00	304	15,200.01 16,286.00	16,286.01 17,371.00	17,371.01 18,457.00	18,457.01 19,543.00	19,543.01 20,629.00	20,629.01 21,714.00	21,714.01 22,800.00	22,800.01 23,886.00	23,886.01 24,971.00	24,971.01 26,057.00	26,057.01 27,143.00	27,143.01 28,229.00	28,229.01 29,314.00	29,314.01 30,400.00	30,400.01 & OVER
15,250.01 15,300.00	305	15,250.01 16,339.00	16,339.01 17,429.00	17,429.01 18,518.00	18,518.01 19,607.00	19,607.01 20,696.00	20,696.01 21,786.00	21,786.01 22,875.00	22,875.01 23,964.00	23,964.01 25,054.00	25,054.01 26,143.00	26,143.01 27,232.00	27,232.01 28,321.00	28,321.01 29,411.00	29,411.01 30,500.00	30,500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
15,300.01 15,350.00	306	15,300.01 16,393.00	16,393.01 17,486.00	17,486.01 18,579.00	18,579.01 19,671.00	19,671.01 20,764.00	20,764.01 21,857.00	21,857.01 22,950.00	22,950.01 24,043.00	24,043.01 25,136.00	25,136.01 26,229.00	26,229.01 27,321.00	27,321.01 28,414.00	28,414.01 29,507.00	29,507.01 30,600.00	30,600.01 & OVER
15,350.01 15,400.00	307	15,350.01 16,446.00	16,446.01 17,543.00	17,543.01 18,639.00	18,639.01 19,736.00	19,736.01 20,832.00	20,832.01 21,929.00	21,929.01 23,025.00	23,025.01 24,121.00	24,121.01 25,218.00	25,218.01 26,314.00	26,314.01 27,411.00	27,411.01 28,507.00	28,507.01 29,604.00	29,604.01 30,700.00	30,700.01 & OVER
15,400.01 15,450.00	308	15,400.01 16,500.00	16,500.01 17,600.00	17,600.01 18,700.00	18,700.01 19,800.00	19,800.01 20,900.00	20,900.01 22,000.00	22,000.01 23,100.00	23,100.01 24,200.00	24,200.01 25,300.00	25,300.01 26,400.00	26,400.01 27,500.00	27,500.01 28,600.00	28,600.01 29,700.00	29,700.01 30,800.00	30,800.01 & OVER
15,450.01 15,500.00	309	15,450.01 16,554.00	16,554.01 17,657.00	17,657.01 18,761.00	18,761.01 19,864.00	19,864.01 20,968.00	20,968.01 22,071.00	22,071.01 23,175.00	23,175.01 24,279.00	24,279.01 25,382.00	25,382.01 26,486.00	26,486.01 27,589.00	27,589.01 28,693.00	28,693.01 29,796.00	29,796.01 30,900.00	30,900.01 & OVER
15,500.01 15,550.00	310	15,500.01 16,607.00	16,607.01 17,714.00	17,714.01 18,821.00	18,821.01 19,929.00	19,929.01 21,036.00	21,036.01 22,143.00	22,143.01 23,250.00	23,250.01 24,357.00	24,357.01 25,464.00	25,464.01 26,571.00	26,571.01 27,679.00	27,679.01 28,786.00	28,786.01 29,893.00	29,893.01 31,000.00	31,000.01 & OVER
15,550.01 15,600.00	311	15,550.01 16,661.00	16,661.01 17,771.00	17,771.01 18,882.00	18,882.01 19,993.00	19,993.01 21,104.00	21,104.01 22,214.00	22,214.01 23,325.00	23,325.01 24,436.00	24,436.01 25,546.00	25,546.01 26,657.00	26,657.01 27,768.00	27,768.01 28,879.00	28,879.01 29,989.00	29,989.01 31,100.00	31,100.01 & OVER
15,600.01 15,650.00	312	15,600.01 16,714.00	16,714.01 17,829.00	17,829.01 18,943.00	18,943.01 20,057.00	20,057.01 21,171.00	21,171.01 22,286.00	22,286.01 23,400.00	23,400.01 24,514.00	24,514.01 25,629.00	25,629.01 26,743.00	26,743.01 27,857.00	27,857.01 28,971.00	28,971.01 30,086.00	30,086.01 31,200.00	31,200.01 & OVER
15,650.01 15,700.00	313	15,650.01 16,768.00	16,768.01 17,886.00	17,886.01 19,004.00	19,004.01 20,121.00	20,121.01 21,239.00	21,239.01 22,357.00	22,357.01 23,475.00	23,475.01 24,593.00	24,593.01 25,711.00	25,711.01 26,829.00	26,829.01 27,946.00	27,946.01 29,064.00	29,064.01 30,182.00	30,182.01 31,300.00	31,300.01 & OVER
15,700.01 15,750.00	314	15,700.01 16,821.00	16,821.01 17,943.00	17,943.01 19,064.00	19,064.01 20,186.00	20,186.01 21,307.00	21,307.01 22,429.00	22,429.01 23,550.00	23,550.01 24,671.00	24,671.01 25,793.00	25,793.01 26,914.00	26,914.01 28,036.00	28,036.01 29,157.00	29,157.01 30,279.00	30,279.01 31,400.00	31,400.01 & OVER
15,750.01 15,800.00	315	15,750.01 16,875.00	16,875.01 18,000.00	18,000.01 19,125.00	19,125.01 20,250.00	20,250.01 21,375.00	21,375.01 22,500.00	22,500.01 23,625.00	23,625.01 24,750.00	24,750.01 25,875.00	25,875.01 27,000.00	27,000.01 28,125.00	28,125.01 29,250.00	29,250.01 30,375.00	30,375.01 31,500.00	31,500.01 & OVER
15,800.01 15,850.00	316	15,800.01 16,929.00	16,929.01 18,057.00	18,057.01 19,186.00	19,186.01 20,314.00	20,314.01 21,443.00	21,443.01 22,571.00	22,571.01 23,700.00	23,700.01 24,829.00	24,829.01 25,957.00	25,957.01 27,086.00	27,086.01 28,214.00	28,214.01 29,343.00	29,343.01 30,471.00	30,471.01 31,600.00	31,600.01 & OVER
15,850.01 15,900.00	317	15,850.01 16,982.00	16,982.01 18,114.00	18,114.01 19,246.00	19,246.01 20,379.00	20,379.01 21,511.00	21,511.01 22,643.00	22,643.01 23,775.00	23,775.01 24,907.00	24,907.01 26,039.00	26,039.01 27,171.00	27,171.01 28,304.00	28,304.01 29,436.00	29,436.01 30,568.00	30,568.01 31,700.00	31,700.01 & OVER
15,900.01 15,950.00	318	15,900.01 17,036.00	17,036.01 18,171.00	18,171.01 19,307.00	19,307.01 20,443.00	20,443.01 21,579.00	21,579.01 22,714.00	22,714.01 23,850.00	23,850.01 24,986.00	24,986.01 26,121.00	26,121.01 27,257.00	27,257.01 28,393.00	28,393.01 29,529.00	29,529.01 30,664.00	30,664.01 31,800.00	31,800.01 & OVER
15,950.01 16,000.00	319	15,950.01 17,089.00	17,089.01 18,229.00	18,229.01 19,368.00	19,368.01 20,507.00	20,507.01 21,646.00	21,646.01 22,786.00	22,786.01 23,925.00	23,925.01 25,064.00	25,064.01 26,204.00	26,204.01 27,343.00	27,343.01 28,482.00	28,482.01 29,621.00	29,621.01 30,761.00	30,761.01 31,900.00	31,900.01 & OVER
16,000.01 16,050.00	320	16,000.01 17,143.00	17,143.01 18,286.00	18,286.01 19,429.00	19,429.01 20,571.00	20,571.01 21,714.00	21,714.01 22,857.00	22,857.01 24,000.00	24,000.01 25,143.00	25,143.01 26,286.00	26,286.01 27,429.00	27,429.01 28,571.00	28,571.01 29,714.00	29,714.01 30,857.00	30,857.01 32,000.00	32,000.01 & OVER
16,050.01 16,100.00	321	16,050.01 17,196.00	17,196.01 18,343.00	18,343.01 19,489.00	19,489.01 20,636.00	20,636.01 21,782.00	21,782.01 22,929.00	22,929.01 24,075.00	24,075.01 25,221.00	25,221.01 26,368.00	26,368.01 27,514.00	27,514.01 28,661.00	28,661.01 29,807.00	29,807.01 30,954.00	30,954.01 32,100.00	32,100.01 & OVER
16,100.01 16,150.00	322	16,100.01 17,250.00	17,250.01 18,400.00	18,400.01 19,550.00	19,550.01 20,700.00	20,700.01 21,850.00	21,850.01 23,000.00	23,000.01 24,150.00	24,150.01 25,300.00	25,300.01 26,450.00	26,450.01 27,600.00	27,600.01 28,750.00	28,750.01 29,900.00	29,900.01 31,050.00	31,050.01 32,200.00	32,200.01 & OVER
16,150.01 16,200.00	323	16,150.01 17,304.00	17,304.01 18,457.00	18,457.01 19,611.00	19,611.01 20,764.00	20,764.01 21,918.00	21,918.01 23,071.00	23,071.01 24,225.00	24,225.01 25,379.00	25,379.01 26,532.00	26,532.01 27,686.00	27,686.01 28,839.00	28,839.01 29,993.00	29,993.01 31,146.00	31,146.01 32,300.00	32,300.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
16,200.01 16,250.00	324	16,200.01 17,357.00	17,357.01 18,514.00	18,514.01 19,671.00	19,671.01 20,829.00	20,829.01 21,986.00	21,986.01 23,143.00	23,143.01 24,300.00	24,300.01 25,457.00	25,457.01 26,614.00	26,614.01 27,771.00	27,771.01 28,929.00	28,929.01 30,086.00	30,086.01 31,243.00	31,243.01 32,400.00	32,400.01 & OVER
16,250.01 16,300.00	325	16,250.01 17,411.00	17,411.01 18,571.00	18,571.01 19,732.00	19,732.01 20,893.00	20,893.01 22,054.00	22,054.01 23,214.00	23,214.01 24,375.00	24,375.01 25,536.00	25,536.01 26,696.00	26,696.01 27,857.00	27,857.01 29,018.00	29,018.01 30,179.00	30,179.01 31,339.00	31,339.01 32,500.00	32,500.01 & OVER
16,300.01 16,350.00	326	16,300.01 17,464.00	17,464.01 18,629.00	18,629.01 19,793.00	19,793.01 20,957.00	20,957.01 22,121.00	22,121.01 23,286.00	23,286.01 24,450.00	24,450.01 25,614.00	25,614.01 26,779.00	26,779.01 27,943.00	27,943.01 29,107.00	29,107.01 30,271.00	30,271.01 31,436.00	31,436.01 32,600.00	32,600.01 & OVER
16,350.01 16,400.00	327	16,350.01 17,518.00	17,518.01 18,686.00	18,686.01 19,854.00	19,854.01 21,021.00	21,021.01 22,189.00	22,189.01 23,357.00	23,357.01 24,525.00	24,525.01 25,693.00	25,693.01 26,861.00	26,861.01 28,029.00	28,029.01 29,196.00	29,196.01 30,364.00	30,364.01 31,532.00	31,532.01 32,700.00	32,700.01 & OVER
16,400.01 16,450.00	328	16,400.01 17,571.00	17,571.01 18,743.00	18,743.01 19,914.00	19,914.01 21,086.00	21,086.01 22,257.00	22,257.01 23,429.00	23,429.01 24,600.00	24,600.01 25,771.00	25,771.01 26,943.00	26,943.01 28,114.00	28,114.01 29,286.00	29,286.01 30,457.00	30,457.01 31,629.00	31,629.01 32,800.00	32,800.01 & OVER
16,450.01 16,500.00	329	16,450.01 17,625.00	17,625.01 18,800.00	18,800.01 19,975.00	19,975.01 21,150.00	21,150.01 22,325.00	22,325.01 23,500.00	23,500.01 24,675.00	24,675.01 25,850.00	25,850.01 27,025.00	27,025.01 28,200.00	28,200.01 29,375.00	29,375.01 30,550.00	30,550.01 31,725.00	31,725.01 32,900.00	32,900.01 & OVER
16,500.01 16,550.00	330	16,500.01 17,679.00	17,679.01 18,857.00	18,857.01 20,036.00	20,036.01 21,214.00	21,214.01 22,393.00	22,393.01 23,571.00	23,571.01 24,750.00	24,750.01 25,929.00	25,929.01 27,107.00	27,107.01 28,286.00	28,286.01 29,464.00	29,464.01 30,643.00	30,643.01 31,821.00	31,821.01 33,000.00	33,000.01 & OVER
16,550.01 16,600.00	331	16,550.01 17,732.00	17,732.01 18,914.00	18,914.01 20,096.00	20,096.01 21,279.00	21,279.01 22,461.00	22,461.01 23,643.00	23,643.01 24,825.00	24,825.01 26,007.00	26,007.01 27,189.00	27,189.01 28,371.00	28,371.01 29,554.00	29,554.01 30,736.00	30,736.01 31,918.00	31,918.01 33,100.00	33,100.01 & OVER
16,600.01 16,650.00	332	16,600.01 17,786.00	17,786.01 18,971.00	18,971.01 20,157.00	20,157.01 21,343.00	21,343.01 22,529.00	22,529.01 23,714.00	23,714.01 24,900.00	24,900.01 26,086.00	26,086.01 27,271.00	27,271.01 28,457.00	28,457.01 29,643.00	29,643.01 30,829.00	30,829.01 32,014.00	32,014.01 33,200.00	33,200.01 & OVER
16,650.01 16,700.00	333	16,650.01 17,839.00	17,839.01 19,029.00	19,029.01 20,218.00	20,218.01 21,407.00	21,407.01 22,596.00	22,596.01 23,786.00	23,786.01 24,975.00	24,975.01 26,164.00	26,164.01 27,354.00	27,354.01 28,543.00	28,543.01 29,732.00	29,732.01 30,921.00	30,921.01 32,111.00	32,111.01 33,300.00	33,300.01 & OVER
16,700.01 16,750.00	334	16,700.01 17,893.00	17,893.01 19,086.00	19,086.01 20,279.00	20,279.01 21,471.00	21,471.01 22,664.00	22,664.01 23,857.00	23,857.01 25,050.00	25,050.01 26,243.00	26,243.01 27,436.00	27,436.01 28,629.00	28,629.01 29,821.00	29,821.01 31,014.00	31,014.01 32,207.00	32,207.01 33,400.00	33,400.01 & OVER
16,750.01 16,800.00	335	16,750.01 17,946.00	17,946.01 19,143.00	19,143.01 20,339.00	20,339.01 21,536.00	21,536.01 22,732.00	22,732.01 23,929.00	23,929.01 25,125.00	25,125.01 26,321.00	26,321.01 27,518.00	27,518.01 28,714.00	28,714.01 29,911.00	29,911.01 31,107.00	31,107.01 32,304.00	32,304.01 33,500.00	33,500.01 & OVER
16,800.01 16,850.00	336	16,800.01 18,000.00	18,000.01 19,200.00	19,200.01 20,400.00	20,400.01 21,600.00	21,600.01 22,800.00	22,800.01 24,000.00	24,000.01 25,200.00	25,200.01 26,400.00	26,400.01 27,600.00	27,600.01 28,800.00	28,800.01 30,000.00	30,000.01 31,200.00	31,200.01 32,400.00	32,400.01 33,600.00	33,600.01 & OVER
16,850.01 16,900.00	337	16,850.01 18,054.00	18,054.01 19,257.00	19,257.01 20,461.00	20,461.01 21,664.00	21,664.01 22,868.00	22,868.01 24,071.00	24,071.01 25,275.00	25,275.01 26,479.00	26,479.01 27,682.00	27,682.01 28,886.00	28,886.01 30,089.00	30,089.01 31,293.00	31,293.01 32,496.00	32,496.01 33,700.00	33,700.01 & OVER
16,900.01 16,950.00	338	16,900.01 18,107.00	18,107.01 19,314.00	19,314.01 20,521.00	20,521.01 21,729.00	21,729.01 22,936.00	22,936.01 24,143.00	24,143.01 25,350.00	25,350.01 26,557.00	26,557.01 27,764.00	27,764.01 28,971.00	28,971.01 30,179.00	30,179.01 31,386.00	31,386.01 32,593.00	32,593.01 33,800.00	33,800.01 & OVER
16,950.01 17,000.00	339	16,950.01 18,161.00	18,161.01 19,371.00	19,371.01 20,582.00	20,582.01 21,793.00	21,793.01 23,004.00	23,004.01 24,214.00	24,214.01 25,425.00	25,425.01 26,636.00	26,636.01 27,846.00	27,846.01 29,057.00	29,057.01 30,268.00	30,268.01 31,479.00	31,479.01 32,689.00	32,689.01 33,900.00	33,900.01 & OVER
17,000.01 17,050.00	340	17,000.01 18,214.00	18,214.01 19,429.00	19,429.01 20,643.00	20,643.01 21,857.00	21,857.01 23,071.00	23,071.01 24,286.00	24,286.01 25,500.00	25,500.01 26,714.00	26,714.01 27,929.00	27,929.01 29,143.00	29,143.01 30,357.00	30,357.01 31,571.00	31,571.01 32,786.00	32,786.01 34,000.00	34,000.01 & OVER
17,050.01 17,100.00	341	17,050.01 18,268.00	18,268.01 19,486.00	19,486.01 20,704.00	20,704.01 21,921.00	21,921.01 23,139.00	23,139.01 24,357.00	24,357.01 25,575.00	25,575.01 26,793.00	26,793.01 28,011.00	28,011.01 29,229.00	29,229.01 30,446.00	30,446.01 31,664.00	31,664.01 32,882.00	32,882.01 34,100.00	34,100.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
17,100.01 17,150.00	342	17,100.01 18,321.00	18,321.01 19,543.00	19,543.01 20,764.00	20,764.01 21,986.00	21,986.01 23,207.00	23,207.01 24,429.00	24,429.01 25,650.00	25,650.01 26,871.00	26,871.01 28,093.00	28,093.01 29,314.00	29,314.01 30,536.00	30,536.01 31,757.00	31,757.01 32,979.00	32,979.01 34,200.00	34,200.01 & OVER
17,150.01 17,200.00	343	17,150.01 18,375.00	18,375.01 19,600.00	19,600.01 20,825.00	20,825.01 22,050.00	22,050.01 23,275.00	23,275.01 24,500.00	24,500.01 25,725.00	25,725.01 26,950.00	26,950.01 28,175.00	28,175.01 29,400.00	29,400.01 30,625.00	30,625.01 31,850.00	31,850.01 33,075.00	33,075.01 34,300.00	34,300.01 & OVER
17,200.01 17,250.00	344	17,200.01 18,429.00	18,429.01 19,657.00	19,657.01 20,886.00	20,886.01 22,114.00	22,114.01 23,343.00	23,343.01 24,571.00	24,571.01 25,800.00	25,800.01 27,029.00	27,029.01 28,257.00	28,257.01 29,486.00	29,486.01 30,714.00	30,714.01 31,943.00	31,943.01 33,171.00	33,171.01 34,400.00	34,400.01 & OVER
17,250.01 17,300.00	345	17,250.01 18,482.00	18,482.01 19,714.00	19,714.01 20,946.00	20,946.01 22,179.00	22,179.01 23,411.00	23,411.01 24,643.00	24,643.01 25,875.00	25,875.01 27,107.00	27,107.01 28,339.00	28,339.01 29,571.00	29,571.01 30,804.00	30,804.01 32,036.00	32,036.01 33,268.00	33,268.01 34,500.00	34,500.01 & OVER
17,300.01 17,350.00	346	17,300.01 18,536.00	18,536.01 19,771.00	19,771.01 21,007.00	21,007.01 22,243.00	22,243.01 23,479.00	23,479.01 24,714.00	24,714.01 25,950.00	25,950.01 27,186.00	27,186.01 28,421.00	28,421.01 29,657.00	29,657.01 30,893.00	30,893.01 32,129.00	32,129.01 33,364.00	33,364.01 34,600.00	34,600.01 & OVER
17,350.01 17,400.00	347	17,350.01 18,589.00	18,589.01 19,829.00	19,829.01 21,068.00	21,068.01 22,307.00	22,307.01 23,546.00	23,546.01 24,786.00	24,786.01 26,025.00	26,025.01 27,264.00	27,264.01 28,504.00	28,504.01 29,743.00	29,743.01 30,982.00	30,982.01 32,221.00	32,221.01 33,461.00	33,461.01 34,700.00	34,700.01 & OVER
17400.01 17450.00	348	17400.01 18643.00	18643.01 19886.00	19886.01 21129.00	21129.01 22371.00	22371.01 23614.00	23614.01 24857.00	24857.01 26100.00	26100.01 27343.00	27343.01 28586.00	28586.01 29829.00	29829.01 31071.00	31071.01 32314.00	32314.01 33557.00	33557.01 34800.00	34800.01 & OVER
17450.01 17500.00	349	17450.01 18696.00	18696.01 19943.00	19943.01 21189.00	21189.01 22436.00	22436.01 23682.00	23682.01 24929.00	24929.01 26175.00	26175.01 27421.00	27421.01 28668.00	28668.01 29914.00	29914.01 31161.00	31161.01 32407.00	32407.01 33654.00	33654.01 34900.00	34900.01 & OVER
17500.01 17550.00	350	17500.01 18750.00	18750.01 20000.00	20000.01 21250.00	21250.01 22500.00	22500.01 23750.00	23750.01 25000.00	25000.01 26250.00	26250.01 27500.00	27500.01 28750.00	28750.01 30000.00	30000.01 31250.00	31250.01 32500.00	32500.01 33750.00	33750.01 35000.00	35000.01 & OVER
17550.01 17600.00	351	17550.01 18804.00	18804.01 20057.00	20057.01 21311.00	21311.01 22564.00	22564.01 23818.00	23818.01 25071.00	25071.01 26325.00	26325.01 27579.00	27579.01 28832.00	28832.01 30086.00	30086.01 31339.00	31339.01 32593.00	32593.01 33846.00	33846.01 35100.00	35100.01 & OVER
17600.01 17650.00	352	17600.01 18857.00	18857.01 20114.00	20114.01 21371.00	21371.01 22629.00	22629.01 23886.00	23886.01 25143.00	25143.01 26400.00	26400.01 27657.00	27657.01 28914.00	28914.01 30171.00	30171.01 31429.00	31429.01 32686.00	32686.01 33943.00	33943.01 35200.00	35200.01 & OVER
17650.01 17700.00	353	17650.01 18911.00	18911.01 20171.00	20171.01 21432.00	21432.01 22693.00	22693.01 23954.00	23954.01 25214.00	25214.01 26475.00	26475.01 27736.00	27736.01 28996.00	28996.01 30257.00	30257.01 31518.00	31518.01 32779.00	32779.01 34039.00	34039.01 35300.00	35300.01 & OVER
17700.01 17750.00	354	17700.01 18964.00	18964.01 20229.00	20229.01 21493.00	21493.01 22757.00	22757.01 24021.00	24021.01 25286.00	25286.01 26550.00	26550.01 27814.00	27814.01 29079.00	29079.01 30343.00	30343.01 31607.00	31607.01 32871.00	32871.01 34136.00	34136.01 35400.00	35400.01 & OVER
17750.01 17800.00	355	17750.01 19018.00	19018.01 20286.00	20286.01 21554.00	21554.01 22821.00	22821.01 24089.00	24089.01 25357.00	25357.01 26625.00	26625.01 27893.00	27893.01 29161.00	29161.01 30429.00	30429.01 31696.00	31696.01 32964.00	32964.01 34232.00	34232.01 35500.00	35500.01 & OVER
17800.01 17850.00	356	17800.01 19071.00	19071.01 20343.00	20343.01 21614.00	21614.01 22886.00	22886.01 24157.00	24157.01 25429.00	25429.01 26700.00	26700.01 27971.00	27971.01 29243.00	29243.01 30514.00	30514.01 31786.00	31786.01 33057.00	33057.01 34329.00	34329.01 35600.00	35600.01 & OVER
17850.01 17900.00	357	17850.01 19125.00	19125.01 20400.00	20400.01 21675.00	21675.01 22950.00	22950.01 24225.00	24225.01 25500.00	25500.01 26775.00	26775.01 28050.00	28050.01 29325.00	29325.01 30600.00	30600.01 31875.00	31875.01 33150.00	33150.01 34425.00	34425.01 35700.00	35700.01 & OVER
17900.01 17950.00	358	17900.01 19179.00	19179.01 20457.00	20457.01 21736.00	21736.01 23014.00	23014.01 24293.00	24293.01 25571.00	25571.01 26850.00	26850.01 28129.00	28129.01 29407.00	29407.01 30686.00	30686.01 31964.00	31964.01 33243.00	33243.01 34521.00	34521.01 35800.00	35800.01 & OVER
17950.01 18000.00	359	17950.01 19232.00	19232.01 20514.00	20514.01 21796.00	21796.01 23079.00	23079.01 24361.00	24361.01 25643.00	25643.01 26925.00	26925.01 28207.00	28207.01 29489.00	29489.01 30771.00	30771.01 32054.00	32054.01 33336.00	33336.01 34618.00	34618.01 35900.00	35900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
18000.01 18050.00	360	18000.01 19286.00	19286.01 20571.00	20571.01 21857.00	21857.01 23143.00	23143.01 24429.00	24429.01 25714.00	25714.01 27000.00	27000.01 28286.00	28286.01 29571.00	29571.01 30857.00	30857.01 32143.00	32143.01 33429.00	33429.01 34714.00	34714.01 36000.00	36000.01 & OVER
18050.01 18100.00	361	18050.01 19339.00	19339.01 20629.00	20629.01 21918.00	21918.01 23207.00	23207.01 24496.00	24496.01 25786.00	25786.01 27075.00	27075.01 28364.00	28364.01 29654.00	29654.01 30943.00	30943.01 32232.00	32232.01 33521.00	33521.01 34811.00	34811.01 36100.00	36100.01 & OVER
18100.01 18150.00	362	18100.01 19393.00	19393.01 20686.00	20686.01 21979.00	21979.01 23271.00	23271.01 24564.00	24564.01 25857.00	25857.01 27150.00	27150.01 28443.00	28443.01 29736.00	29736.01 31029.00	31029.01 32321.00	32321.01 33614.00	33614.01 34907.00	34907.01 36200.00	36200.01 & OVER
18150.01 18200.00	363	18150.01 19446.00	19446.01 20743.00	20743.01 22039.00	22039.01 23336.00	23336.01 24632.00	24632.01 25929.00	25929.01 27225.00	27225.01 28521.00	28521.01 29818.00	29818.01 31114.00	31114.01 32411.00	32411.01 33707.00	33707.01 35004.00	35004.01 36300.00	36300.01 & OVER
18200.01 18250.00	364	18200.01 19500.00	19500.01 20800.00	20800.01 22100.00	22100.01 23400.00	23400.01 24700.00	24700.01 26000.00	26000.01 27300.00	27300.01 28600.00	28600.01 29900.00	29900.01 31200.00	31200.01 32500.00	32500.01 33800.00	33800.01 35100.00	35100.01 36400.00	36400.01 & OVER
18250.01 18300.00	365	18250.01 19554.00	19554.01 20857.00	20857.01 22161.00	22161.01 23464.00	23464.01 24768.00	24768.01 26071.00	26071.01 27375.00	27375.01 28679.00	28679.01 29982.00	29982.01 31286.00	31286.01 32589.00	32589.01 33893.00	33893.01 35196.00	35196.01 36500.00	36500.01 & OVER
18300.01 18350.00	366	18300.01 19607.00	19607.01 20914.00	20914.01 22221.00	22221.01 23529.00	23529.01 24836.00	24836.01 26143.00	26143.01 27450.00	27450.01 28757.00	28757.01 30064.00	30064.01 31371.00	31371.01 32679.00	32679.01 33986.00	33986.01 35293.00	35293.01 36600.00	36600.01 & OVER
18350.01 18400.00	367	18350.01 19661.00	19661.01 20971.00	20971.01 22282.00	22282.01 23593.00	23593.01 24904.00	24904.01 26214.00	26214.01 27525.00	27525.01 28836.00	28836.01 30146.00	30146.01 31457.00	31457.01 32768.00	32768.01 34079.00	34079.01 35389.00	35389.01 36700.00	36700.01 & OVER
18400.01 18450.00	368	18400.01 19714.00	19714.01 21029.00	21029.01 22343.00	22343.01 23657.00	23657.01 24971.00	24971.01 26286.00	26286.01 27600.00	27600.01 28914.00	28914.01 30229.00	30229.01 31543.00	31543.01 32857.00	32857.01 34171.00	34171.01 35486.00	35486.01 36800.00	36800.01 & OVER
18450.01 18500.00	369	18450.01 19768.00	19768.01 21086.00	21086.01 22404.00	22404.01 23721.00	23721.01 25039.00	25039.01 26357.00	26357.01 27675.00	27675.01 28993.00	28993.01 30311.00	30311.01 31629.00	31629.01 32946.00	32946.01 34264.00	34264.01 35582.00	35582.01 36900.00	36900.01 & OVER
18500.01 18550.00	370	18500.01 19821.00	19821.01 21143.00	21143.01 22464.00	22464.01 23786.00	23786.01 25107.00	25107.01 26429.00	26429.01 27750.00	27750.01 29071.00	29071.01 30393.00	30393.01 31714.00	31714.01 33036.00	33036.01 34357.00	34357.01 35679.00	35679.01 37000.00	37000.01 & OVER
18550.01 18600.00	371	18550.01 19875.00	19875.01 21200.00	21200.01 22525.00	22525.01 23850.00	23850.01 25175.00	25175.01 26500.00	26500.01 27825.00	27825.01 29150.00	29150.01 30475.00	30475.01 31800.00	31800.01 33125.00	33125.01 34450.00	34450.01 35775.00	35775.01 37100.00	37100.01 & OVER
18600.01 18650.00	372	18600.01 19929.00	19929.01 21257.00	21257.01 22586.00	22586.01 23914.00	23914.01 25243.00	25243.01 26571.00	26571.01 27900.00	27900.01 29229.00	29229.01 30557.00	30557.01 31886.00	31886.01 33214.00	33214.01 34543.00	34543.01 35871.00	35871.01 37200.00	37200.01 & OVER
18650.01 18700.00	373	18650.01 19982.00	19982.01 21314.00	21314.01 22646.00	22646.01 23979.00	23979.01 25311.00	25311.01 26643.00	26643.01 27975.00	27975.01 29307.00	29307.01 30639.00	30639.01 31971.00	31971.01 33304.00	33304.01 34636.00	34636.01 35968.00	35968.01 37300.00	37300.01 & OVER
18700.01 18750.00	374	18700.01 20036.00	20036.01 21371.00	21371.01 22707.00	22707.01 24043.00	24043.01 25379.00	25379.01 26714.00	26714.01 28050.00	28050.01 29386.00	29386.01 30721.00	30721.01 32057.00	32057.01 33393.00	33393.01 34729.00	34729.01 36064.00	36064.01 37400.00	37400.01 & OVER
18750.01 18800.00	375	18750.01 20089.00	20089.01 21429.00	21429.01 22768.00	22768.01 24107.00	24107.01 25446.00	25446.01 26786.00	26786.01 28125.00	28125.01 29464.00	29464.01 30804.00	30804.01 32143.00	32143.01 33482.00	33482.01 34821.00	34821.01 36161.00	36161.01 37500.00	37500.01 & OVER
18800.01 18850.00	376	18800.01 20143.00	20143.01 21486.00	21486.01 22829.00	22829.01 24171.00	24171.01 25514.00	25514.01 26857.00	26857.01 28200.00	28200.01 29543.00	29543.01 30886.00	30886.01 32229.00	32229.01 33571.00	33571.01 34914.00	34914.01 36257.00	36257.01 37600.00	37600.01 & OVER
18850.01 18900.00	377	18850.01 20196.00	20196.01 21543.00	21543.01 22889.00	22889.01 24236.00	24236.01 25582.00	25582.01 26929.00	26929.01 28275.00	28275.01 29621.00	29621.01 30968.00	30968.01 32314.00	32314.01 33661.00	33661.01 35007.00	35007.01 36354.00	36354.01 37700.00	37700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
18900.01 & OVER	378	18900.01 20250.00	20250.01 21600.00	21600.01 22950.00	22950.01 24300.00	24300.01 25650.00	25650.01 27000.00	27000.01 28350.00	28350.01 29700.00	29700.01 31050.00	31050.01 32400.00	32400.01 33750.00	33750.01 35100.00	35100.01 36450.00	36450.01 37800.00	37800.01 & OVER

B. Beginning July 6, 2014, for claims effective on or after July 6, 2014, *but before January 1, 2026,* an eligible individual's weekly "benefit amount" shall be the amount appearing in Column B in the "Benefit Table" in this section on the line on which in Column A of such table, there appears the total wages for insured work paid to such individual in the two quarters of his base period in which such total wages were highest.

Benefit Table Division C Duration of Benefits beginning July 6, 2014*, but before January 1, 2026*

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
3,000.00 3,050.00	60	3,000.01 3,214.00	3,214.01 3,429.00	3,429.01 3,643.00	3,643.01 3,857.00	3,857.01 4,071.00	4,071.01 4,286.00	4,286.01 4,500.00	4,500.01 4,714.00	4,714.01 4,929.00	4,929.01 5,143.00	5,143.01 5,357.00	5,357.01 5,571.00	5,571.01 5,786.00	5,786.01 6,000.00	6,000.01 & OVER
3,050.01 3,100.00	61	3,050.01 3,268.00	3,268.01 3,486.00	3,486.01 3,704.00	3,704.01 3,921.00	3,921.01 4,139.00	4,139.01 4,357.00	4,357.01 4,575.00	4,575.01 4,793.00	4,793.01 5,011.00	5,011.01 5,229.00	5,229.01 5,446.00	5,446.01 5,664.00	5,664.01 5,882.00	5,882.01 6,100.00	6,100.01 & OVER
3,100.01 3,150.00	62	3,100.01 3,321.00	3,321.01 3,543.00	3,543.01 3,764.00	3,764.01 3,986.00	3,986.01 4,207.00	4,207.01 4,429.00	4,429.01 4,650.00	4,650.01 4,871.00	4,871.01 5,093.00	5,093.01 5,314.00	5,314.01 5,536.00	5,536.01 5,757.00	5,757.01 5,979.00	5,979.01 6,200.00	6,200.01 & OVER
3,150.01 3,200.00	63	3,150.01 3,375.00	3,375.01 3,600.00	3,600.01 3,825.00	3,825.01 4,050.00	4,050.01 4,275.00	4,275.01 4,500.00	4,500.01 4,725.00	4,725.01 4,950.00	4,950.01 5,175.00	5,175.01 5,400.00	5,400.01 5,625.00	5,625.01 5,850.00	5,850.01 6,075.00	6,075.01 6,300.00	6,300.01 & OVER
3,200.01 3,250.00	64	3,200.01 3,429.00	3,429.01 3,657.00	3,657.01 3,886.00	3,886.01 4,114.00	4,114.01 4,343.00	4,343.01 4,571.00	4,571.01 4,800.00	4,800.01 5,029.00	5,029.01 5,257.00	5,257.01 5,486.00	5,486.01 5,714.00	5,714.01 5,943.00	5,943.01 6,171.00	6,171.01 6,400.00	6,400.01 & OVER
3,250.01 3,300.00	65	3,250.01 3,482.00	3,482.01 3,714.00	3,714.01 3,946.00	3,946.01 4,179.00	4,179.01 4,411.00	4,411.01 4,643.00	4,643.01 4,875.00	4,875.01 5,107.00	5,107.01 5,339.00	5,339.01 5,571.00	5,571.01 5,804.00	5,804.01 6,036.00	6,036.01 6,268.00	6,268.01 6,500.00	6,500.01 & OVER
3,300.01 3,350.00	66	3,300.01 3,536.00	3,536.01 3,771.00	3,771.01 4,007.00	4,007.01 4,243.00	4,243.01 4,479.00	4,479.01 4,714.00	4,714.01 4,950.00	4,950.01 5,186.00	5,186.01 5,421.00	5,421.01 5,657.00	5,657.01 5,893.00	5,893.01 6,129.00	6,129.01 6,364.00	6,364.01 6,600.00	6,600.01 & OVER
3,350.01 3,400.00	67	3,350.01 3,589.00	3,589.01 3,829.00	3,829.01 4,068.00	4,068.01 4,307.00	4,307.01 4,546.00	4,546.01 4,786.00	4,786.01 5,025.00	5,025.01 5,264.00	5,264.01 5,504.00	5,504.01 5,743.00	5,743.01 5,982.00	5,982.01 6,221.00	6,221.01 6,461.00	6,461.01 6,700.00	6,700.01 & OVER
3,400.01 3,450.00	68	3,400.01 3,643.00	3,643.01 3,886.00	3,886.01 4,129.00	4,129.01 4,371.00	4,371.01 4,614.00	4,614.01 4,857.00	4,857.01 5,100.00	5,100.01 5,343.00	5,343.01 5,586.00	5,586.01 5,829.00	5,829.01 6,071.00	6,071.01 6,314.00	6,314.01 6,557.00	6,557.01 6,800.00	6,800.01 & OVER
3,450.01 3,500.00	69	3,450.01 3,696.00	3,696.01 3,943.00	3,943.01 4,189.00	4,189.01 4,436.00	4,436.01 4,682.00	4,682.01 4,929.00	4,929.01 5,175.00	5,175.01 5,421.00	5,421.01 5,668.00	5,668.01 5,914.00	5,914.01 6,161.00	6,161.01 6,407.00	6,407.01 6,654.00	6,654.01 6,900.00	6,900.01 & OVER
3,500.01 3,550.00	70	3,500.01 3,750.00	3,750.01 4,000.00	4,000.01 4,250.00	4,250.01 4,500.00	4,500.01 4,750.00	4,750.01 5,000.00	5,000.01 5,250.00	5,250.01 5,500.00	5,500.01 5,750.00	5,750.01 6,000.00	6,000.01 6,250.00	6,250.01 6,500.00	6,500.01 6,750.00	6,750.01 7,000.00	7,000.01 & OVER
3,550.01 3,600.00	71	3,550.01 3,804.00	3,804.01 4,057.00	4,057.01 4,311.00	4,311.01 4,564.00	4,564.01 4,818.00	4,818.01 5,071.00	5,071.01 5,325.00	5,325.01 5,579.00	5,579.01 5,832.00	5,832.01 6,086.00	6,086.01 6,339.00	6,339.01 6,593.00	6,593.01 6,846.00	6,846.01 7,100.00	7,100.01 & OVER
3,600.01 3,650.00	72	3,600.01 3,857.00	3,857.01 4,114.00	4,114.01 4,371.00	4,371.01 4,629.00	4,629.01 4,886.00	4,886.01 5,143.00	5,143.01 5,400.00	5,400.01 5,657.00	5,657.01 5,914.00	5,914.01 6,171.00	6,171.01 6,429.00	6,429.01 6,686.00	6,686.01 6,943.00	6,943.01 7,200.00	7,200.01 & OVER
3,650.01 3,700.00	73	3,650.01 3,911.00	3,911.01 4,171.00	4,171.01 4,432.00	4,432.01 4,693.00	4,693.01 4,954.00	4,954.01 5,214.00	5,214.01 5,475.00	5,475.01 5,736.00	5,736.01 5,996.00	5,996.01 6,257.00	6,257.01 6,518.00	6,518.01 6,779.00	6,779.01 7,039.00	7,039.01 7,300.00	7,300.01 & OVER
3,700.01 3,750.00	74	3,700.01 3,964.00	3,964.01 4,229.00	4,229.01 4,493.00	4,493.01 4,757.00	4,757.01 5,021.00	5,021.01 5,286.00	5,286.01 5,550.00	5,550.01 5,814.00	5,814.01 6,079.00	6,079.01 6,343.00	6,343.01 6,607.00	6,607.01 6,871.00	6,871.01 7,136.00	7,136.01 7,400.00	7,400.01 & OVER
3,750.01 3,800.00	75	3,750.01 4,018.00	4,018.01 4,286.00	4,286.01 4,554.00	4,554.01 4,821.00	4,821.01 5,089.00	5,089.01 5,357.00	5,357.01 5,625.00	5,625.01 5,893.00	5,893.01 6,161.00	6,161.01 6,429.00	6,429.01 6,696.00	6,696.01 6,964.00	6,964.01 7,232.00	7,232.01 7,500.00	7,500.01 & OVER
3,800.01 3,850.00	76	3,800.01 4,071.00	4,071.01 4,343.00	4,343.01 4,614.00	4,614.01 4,886.00	4,886.01 5,157.00	5,157.01 5,429.00	5,429.01 5,700.00	5,700.01 5,971.00	5,971.01 6,243.00	6,243.01 6,514.00	6,514.01 6,786.00	6,786.01 7,057.00	7,057.01 7,329.00	7,329.01 7,600.00	7,600.01 & OVER
3,850.01 3,900.00	77	3,850.01 4,125.00	4,125.01 4,400.00	4,400.01 4,675.00	4,675.01 4,950.00	4,950.01 5,225.00	5,225.01 5,500.00	5,500.01 5,775.00	5,775.01 6,050.00	6,050.01 6,325.00	6,325.01 6,600.00	6,600.01 6,875.00	6,875.01 7,150.00	7,150.01 7,425.00	7,425.01 7,700.00	7,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
3,900.01 3,950.00	78	3,900.01 4,179.00	4,179.01 4,457.00	4,457.01 4,736.00	4,736.01 5,014.00	5,014.01 5,293.00	5,293.01 5,571.00	5,571.01 5,850.00	5,850.01 6,129.00	6,129.01 6,407.00	6,407.01 6,686.00	6,686.01 6,964.00	6,964.01 7,243.00	7,243.01 7,521.00	7,521.01 7,800.00	7,800.01 & OVER
3,950.01 4,000.00	79	3,950.01 4,232.00	4,232.01 4,514.00	4,514.01 4,796.00	4,796.01 5,079.00	5,079.01 5,361.00	5,361.01 5,643.00	5,643.01 5,925.00	5,925.01 6,207.00	6,207.01 6,489.00	6,489.01 6,771.00	6,771.01 7,054.00	7,054.01 7,336.00	7,336.01 7,618.00	7,618.01 7,900.00	7,900.01 & OVER
4,000.01 4,050.00	80	4,000.01 4,286.00	4,286.01 4,571.00	4,571.01 4,857.00	4,857.01 5,143.00	5,143.01 5,429.00	5,429.01 5,714.00	5,714.01 6,000.00	6,000.01 6,286.00	6,286.01 6,571.00	6,571.01 6,857.00	6,857.01 7,143.00	7,143.01 7,429.00	7,429.01 7,714.00	7,714.01 8,000.00	8,000.01 & OVER
4,050.01 4,100.00	81	4,050.01 4,339.00	4,339.01 4,629.00	4,629.01 4,918.00	4,918.01 5,207.00	5,207.01 5,496.00	5,496.01 5,786.00	5,786.01 6,075.00	6,075.01 6,364.00	6,364.01 6,654.00	6,654.01 6,943.00	6,943.01 7,232.00	7,232.01 7,521.00	7,521.01 7,811.00	7,811.01 8,100.00	8,100.01 & OVER
4,100.01 4,150.00	82	4,100.01 4,393.00	4,393.01 4,686.00	4,686.01 4,979.00	4,979.01 5,271.00	5,271.01 5,564.00	5,564.01 5,857.00	5,857.01 6,150.00	6,150.01 6,443.00	6,443.01 6,736.00	6,736.01 7,029.00	7,029.01 7,321.00	7,321.01 7,614.00	7,614.01 7,907.00	7,907.01 8,200.00	8,200.01 & OVER
4,150.01 4,200.00	83	4,150.01 4,446.00	4,446.01 4,743.00	4,743.01 5,039.00	5,039.01 5,336.00	5,336.01 5,632.00	5,632.01 5,929.00	5,929.01 6,225.00	6,225.01 6,521.00	6,521.01 6,818.00	6,818.01 7,114.00	7,114.01 7,411.00	7,411.01 7,707.00	7,707.01 8,004.00	8,004.01 8,300.00	8,300.01 & OVER
4,200.01 4,250.00	84	4,200.01 4,500.00	4,500.01 4,800.00	4,800.01 5,100.00	5,100.01 5,400.00	5,400.01 5,700.00	5,700.01 6,000.00	6,000.01 6,300.00	6,300.01 6,600.00	6,600.01 6,900.00	6,900.01 7,200.00	7,200.01 7,500.00	7,500.01 7,800.00	7,800.01 8,100.00	8,100.01 8,400.00	8,400.01 & OVER
4,250.01 4,300.00	85	4,250.01 4,554.00	4,554.01 4,857.00	4,857.01 5,161.00	5,161.01 5,464.00	5,464.01 5,768.00	5,768.01 6,071.00	6,071.01 6,375.00	6,375.01 6,679.00	6,679.01 6,982.00	6,982.01 7,286.00	7,286.01 7,589.00	7,589.01 7,893.00	7,893.01 8,196.00	8,196.01 8,500.00	8,500.01 & OVER
4,300.01 4,350.00	86	4,300.01 4,607.00	4,607.01 4,914.00	4,914.01 5,221.00	5,221.01 5,529.00	5,529.01 5,836.00	5,836.01 6,143.00	6,143.01 6,450.00	6,450.01 6,757.00	6,757.01 7,064.00	7,064.01 7,371.00	7,371.01 7,679.00	7,679.01 7,986.00	7,986.01 8,293.00	8,293.01 8,600.00	8,600.01 & OVER
4,350.01 4,400.00	87	4,350.01 4,661.00	4,661.01 4,971.00	4,971.01 5,282.00	5,282.01 5,593.00	5,593.01 5,904.00	5,904.01 6,214.00	6,214.01 6,525.00	6,525.01 6,836.00	6,836.01 7,146.00	7,146.01 7,457.00	7,457.01 7,768.00	7,768.01 8,079.00	8,079.01 8,389.00	8,389.01 8,700.00	8,700.01 & OVER
4,400.01 4,450.00	88	4,400.01 4,714.00	4,714.01 5,029.00	5,029.01 5,343.00	5,343.01 5,657.00	5,657.01 5,971.00	5,971.01 6,286.00	6,286.01 6,600.00	6,600.01 6,914.00	6,914.01 7,229.00	7,229.01 7,543.00	7,543.01 7,857.00	7,857.01 8,171.00	8,171.01 8,486.00	8,486.01 8,800.00	8,800.01 & OVER
4,450.01 4,500.00	89	4,450.01 4,768.00	4,768.01 5,086.00	5,086.01 5,404.00	5,404.01 5,721.00	5,721.01 6,039.00	6,039.01 6,357.00	6,357.01 6,675.00	6,675.01 6,993.00	6,993.01 7,311.00	7,311.01 7,629.00	7,629.01 7,946.00	7,946.01 8,264.00	8,264.01 8,582.00	8,582.01 8,900.00	8,900.01 & OVER
4,500.01 4,550.00	90	4,500.01 4,821.00	4,821.01 5,143.00	5,143.01 5,464.00	5,464.01 5,786.00	5,786.01 6,107.00	6,107.01 6,429.00	6,429.01 6,750.00	6,750.01 7,071.00	7,071.01 7,393.00	7,393.01 7,714.00	7,714.01 8,036.00	8,036.01 8,357.00	8,357.01 8,679.00	8,679.01 9,000.00	9,000.01 & OVER
4,550.01 4,600.00	91	4,550.01 4,875.00	4,875.01 5,200.00	5,200.01 5,525.00	5,525.01 5,850.00	5,850.01 6,175.00	6,175.01 6,500.00	6,500.01 6,825.00	6,825.01 7,150.00	7,150.01 7,475.00	7,475.01 7,800.00	7,800.01 8,125.00	8,125.01 8,450.00	8,450.01 8,775.00	8,775.01 9,100.00	9,100.01 & OVER
4,600.01 4,650.00	92	4,600.01 4,929.00	4,929.01 5,257.00	5,257.01 5,586.00	5,586.01 5,914.00	5,914.01 6,243.00	6,243.01 6,571.00	6,571.01 6,900.00	6,900.01 7,229.00	7,229.01 7,557.00	7,557.01 7,886.00	7,886.01 8,214.00	8,214.01 8,543.00	8,543.01 8,871.00	8,871.01 9,200.00	9,200.01 & OVER
4,650.01 4,700.00	93	4,650.01 4,982.00	4,982.01 5,314.00	5,314.01 5,646.00	5,646.01 5,979.00	5,979.01 6,311.00	6,311.01 6,643.00	6,643.01 6,975.00	6,975.01 7,307.00	7,307.01 7,639.00	7,639.01 7,971.00	7,971.01 8,304.00	8,304.01 8,636.00	8,636.01 8,968.00	8,968.01 9,300.00	9,300.01 & OVER
4,700.01 4,750.00	94	4,700.01 5,036.00	5,036.01 5,371.00	5,371.01 5,707.00	5,707.01 6,043.00	6,043.01 6,379.00	6,379.01 6,714.00	6,714.01 7,050.00	7,050.01 7,386.00	7,386.01 7,721.00	7,721.01 8,057.00	8,057.01 8,393.00	8,393.01 8,729.00	8,729.01 9,064.00	9,064.01 9,400.00	9,400.01 & OVER
4,750.01 4,800.00	95	4,750.01 5,089.00	5,089.01 5,429.00	5,429.01 5,768.00	5,768.01 6,107.00	6,107.01 6,446.00	6,446.01 6,786.00	6,786.01 7,125.00	7,125.01 7,464.00	7,464.01 7,804.00	7,804.01 8,143.00	8,143.01 8,482.00	8,482.01 8,821.00	8,821.01 9,161.00	9,161.01 9,500.00	9,500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
4,800.01 4,850.00	96	4,800.01 5,143.00	5,143.01 5,486.00	5,486.01 5,829.00	5,829.01 6,171.00	6,171.01 6,514.00	6,514.01 6,857.00	6,857.01 7,200.00	7,200.01 7,543.00	7,543.01 7,886.00	7,886.01 8,229.00	8,229.01 8,571.00	8,571.01 8,914.00	8,914.01 9,257.00	9,257.01 9,600.00	9,600.01 & OVER
4,850.01 4,900.00	97	4,850.01 5,196.00	5,196.01 5,543.00	5,543.01 5,889.00	5,889.01 6,236.00	6,236.01 6,582.00	6,582.01 6,929.00	6,929.01 7,275.00	7,275.01 7,621.00	7,621.01 7,968.00	7,968.01 8,314.00	8,314.01 8,661.00	8,661.01 9,007.00	9,007.01 9,354.00	9,354.01 9,700.00	9,700.01 & OVER
4,900.01 4,950.00	98	4,900.01 5,250.00	5,250.01 5,600.00	5,600.01 5,950.00	5,950.01 6,300.00	6,300.01 6,650.00	6,650.01 7,000.00	7,000.01 7,350.00	7,350.01 7,700.00	7,700.01 8,050.00	8,050.01 8,400.00	8,400.01 8,750.00	8,750.01 9,100.00	9,100.01 9,450.00	9,450.01 9,800.00	9,800.01 & OVER
4,950.01 5,000.00	99	4,950.01 5,304.00	5,304.01 5,657.00	5,657.01 6,011.00	6,011.01 6,364.00	6,364.01 6,718.00	6,718.01 7,071.00	7,071.01 7,425.00	7,425.01 7,779.00	7,779.01 8,132.00	8,132.01 8,486.00	8,486.01 8,839.00	8,839.01 9,193.00	9,193.01 9,546.00	9,546.01 9,900.00	9,900.01 & OVER
5,000.01 5,050.00	100	5,000.01 5,357.00	5,357.01 5,714.00	5,714.01 6,071.00	6,071.01 6,429.00	6,429.01 6,786.00	6,786.01 7,143.00	7,143.01 7,500.00	7,500.01 7,857.00	7,857.01 8,214.00	8,214.01 8,571.00	8,571.01 8,929.00	8,929.01 9,286.00	9,286.01 9,643.00	9,643.01 10,000.00	10,000.01 & OVER
5,050.01 5,100.00	101	5,050.01 5,411.00	5,411.01 5,771.00	5,771.01 6,132.00	6,132.01 6,493.00	6,493.01 6,854.00	6,854.01 7,214.00	7,214.01 7,575.00	7,575.01 7,936.00	7,936.01 8,296.00	8,296.01 8,657.00	8,657.01 9,018.00	9,018.01 9,379.00	9,379.01 9,739.00	9,739.01 10,100.00	10,100.01 & OVER
5,100.01 5,150.00	102	5,100.01 5,464.00	5,464.01 5,829.00	5,829.01 6,193.00	6,193.01 6,557.00	6,557.01 6,921.00	6,921.01 7,286.00	7,286.01 7,650.00	7,650.01 8,014.00	8,014.01 8,379.00	8,379.01 8,743.00	8,743.01 9,107.00	9,107.01 9,471.00	9,471.01 9,836.00	9,836.01 10,200.00	10,200.01 & OVER
5,150.01 5,200.00	103	5,150.01 5,518.00	5,518.01 5,886.00	5,886.01 6,254.00	6,254.01 6,621.00	6,621.01 6,989.00	6,989.01 7,357.00	7,357.01 7,725.00	7,725.01 8,093.00	8,093.01 8,461.00	8,461.01 8,829.00	8,829.01 9,196.00	9,196.01 9,564.00	9,564.01 9,932.00	9,932.01 10,300.00	10,300.01 & OVER
5,200.01 5,250.00	104	5,200.01 5,571.00	5,571.01 5,943.00	5,943.01 6,314.00	6,314.01 6,686.00	6,686.01 7,057.00	7,057.01 7,429.00	7,429.01 7,800.00	7,800.01 8,171.00	8,171.01 8,543.00	8,543.01 8,914.00	8,914.01 9,286.00	9,286.01 9,657.00	9,657.01 10,029.00	10,029.01 10,400.00	10,400.01 & OVER
5,250.01 5,300.00	105	5,250.01 5,625.00	5,625.01 6,000.00	6,000.01 6,375.00	6,375.01 6,750.00	6,750.01 7,125.00	7,125.01 7,500.00	7,500.01 7,875.00	7,875.01 8,250.00	8,250.01 8,625.00	8,625.01 9,000.00	9,000.01 9,375.00	9,375.01 9,750.00	9,750.01 10,125.00	10,125.01 10,500.00	10,500.01 & OVER
5,300.01 5,350.00	106	5,300.01 5,679.00	5,679.01 6,057.00	6,057.01 6,436.00	6,436.01 6,814.00	6,814.01 7,193.00	7,193.01 7,571.00	7,571.01 7,950.00	7,950.01 8,329.00	8,329.01 8,707.00	8,707.01 9,086.00	9,086.01 9,464.00	9,464.01 9,843.00	9,843.01 10,221.00	10,221.01 10,600.00	10,600.01 & OVER
5,350.01 5,400.00	107	5,350.01 5,732.00	5,732.01 6,114.00	6,114.01 6,496.00	6,496.01 6,879.00	6,879.01 7,261.00	7,261.01 7,643.00	7,643.01 8,025.00	8,025.01 8,407.00	8,407.01 8,789.00	8,789.01 9,171.00	9,171.01 9,554.00	9,554.01 9,936.00	9,936.01 10,318.00	10,318.01 10,700.00	10,700.01 & OVER
5,400.01 5,450.00	108	5,400.01 5,786.00	5,786.01 6,171.00	6,171.01 6,557.00	6,557.01 6,943.00	6,943.01 7,329.00	7,329.01 7,714.00	7,714.01 8,100.00	8,100.01 8,486.00	8,486.01 8,871.00	8,871.01 9,257.00	9,257.01 9,643.00	9,643.01 10,029.00	10,029.01 10,414.00	10,414.01 10,800.00	10,800.01 & OVER
5,450.01 5,500.00	109	5,450.01 5,839.00	5,839.01 6,229.00	6,229.01 6,618.00	6,618.01 7,007.00	7,007.01 7,396.00	7,396.01 7,786.00	7,786.01 8,175.00	8,175.01 8,564.00	8,564.01 8,954.00	8,954.01 9,343.00	9,343.01 9,732.00	9,732.01 10,121.00	10,121.01 10,511.00	10,511.01 10,900.00	10,900.01 & OVER
5,500.01 5,550.00	110	5,500.01 5,893.00	5,893.01 6,286.00	6,286.01 6,679.00	6,679.01 7,071.00	7,071.01 7,464.00	7,464.01 7,857.00	7,857.01 8,250.00	8,250.01 8,643.00	8,643.01 9,036.00	9,036.01 9,429.00	9,429.01 9,821.00	9,821.01 10,214.00	10,214.01 10,607.00	10,607.01 11,000.00	11,000.01 & OVER
5,550.01 5,600.00	111	5,550.01 5,946.00	5,946.01 6,343.00	6,343.01 6,739.00	6,739.01 7,136.00	7,136.01 7,532.00	7,532.01 7,929.00	7,929.01 8,325.00	8,325.01 8,721.00	8,721.01 9,118.00	9,118.01 9,514.00	9,514.01 9,911.00	9,911.01 10,307.00	10,307.01 10,704.00	10,704.01 11,100.00	11,100.01 & OVER
5,600.01 5,650.00	112	5,600.01 6,000.00	6,000.01 6,400.00	6,400.01 6,800.00	6,800.01 7,200.00	7,200.01 7,600.00	7,600.01 8,000.00	8,000.01 8,400.00	8,400.01 8,800.00	8,800.01 9,200.00	9,200.01 9,600.00	9,600.01 10,000.00	10,000.01 10,400.00	10,400.01 10,800.00	10,800.01 11,200.00	11,200.01 & OVER
5,650.01 5,700.00	113	5,650.01 6,054.00	6,054.01 6,457.00	6,457.01 6,861.00	6,861.01 7,264.00	7,264.01 7,668.00	7,668.01 8,071.00	8,071.01 8,475.00	8,475.01 8,879.00	8,879.01 9,282.00	9,282.01 9,686.00	9,686.01 10,089.00	10,089.01 10,493.00	10,493.01 10,896.00	10,896.01 11,300.00	11,300.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
5,700.01 5,750.00	114	5,700.01 6,107.00	6,107.01 6,514.00	6,514.01 6,921.00	6,921.01 7,329.00	7,329.01 7,736.00	7,736.01 8,143.00	8,143.01 8,550.00	8,550.01 8,957.00	8,957.01 9,364.00	9,364.01 9,771.00	9,771.01 10,179.00	10,179.01 10,586.00	10,586.01 10,993.00	10,993.01 11,400.00	11,400.01 & OVER
5,750.01 5,800.00	115	5,750.01 6,161.00	6,161.01 6,571.00	6,571.01 6,982.00	6,982.01 7,393.00	7,393.01 7,804.00	7,804.01 8,214.00	8,214.01 8,625.00	8,625.01 9,036.00	9,036.01 9,446.00	9,446.01 9,857.00	9,857.01 10,268.00	10,268.01 10,679.00	10,679.01 11,089.00	11,089.01 11,500.00	11,500.01 & OVER
5,800.01 5,850.00	116	5,800.01 6,214.00	6,214.01 6,629.00	6,629.01 7,043.00	7,043.01 7,457.00	7,457.01 7,871.00	7,871.01 8,286.00	8,286.01 8,700.00	8,700.01 9,114.00	9,114.01 9,529.00	9,529.01 9,943.00	9,943.01 10,357.00	10,357.01 10,771.00	10,771.01 11,186.00	11,186.01 11,600.00	11,600.01 & OVER
5,850.01 5,900.00	117	5,850.01 6,268.00	6,268.01 6,686.00	6,686.01 7,104.00	7,104.01 7,521.00	7,521.01 7,939.00	7,939.01 8,357.00	8,357.01 8,775.00	8,775.01 9,193.00	9,193.01 9,611.00	9,611.01 10,029.00	10,029.01 10,446.00	10,446.01 10,864.00	10,864.01 11,282.00	11,282.01 11,700.00	11,700.01 & OVER
5,900.01 5,950.00	118	5,900.01 6,321.00	6,321.01 6,743.00	6,743.01 7,164.00	7,164.01 7,586.00	7,586.01 8,007.00	8,007.01 8,429.00	8,429.01 8,850.00	8,850.01 9,271.00	9,271.01 9,693.00	9,693.01 10,114.00	10,114.01 10,536.00	10,536.01 10,957.00	10,957.01 11,379.00	11,379.01 11,800.00	11,800.01 & OVER
5,950.01 6,000.00	119	5,950.01 6,375.00	6,375.01 6,800.00	6,800.01 7,225.00	7,225.01 7,650.00	7,650.01 8,075.00	8,075.01 8,500.00	8,500.01 8,925.00	8,925.01 9,350.00	9,350.01 9,775.00	9,775.01 10,200.00	10,200.01 10,625.00	10,625.01 11,050.00	11,050.01 11,475.00	11,475.01 11,900.00	11,900.01 & OVER
6,000.01 6,050.00	120	6,000.01 6,429.00	6,429.01 6,857.00	6,857.01 7,286.00	7,286.01 7,714.00	7,714.01 8,143.00	8,143.01 8,571.00	8,571.01 9,000.00	9,000.01 9,429.00	9,429.01 9,857.00	9,857.01 10,286.00	10,286.01 10,714.00	10,714.01 11,143.00	11,143.01 11,571.00	11,571.01 12,000.00	12,000.01 & OVER
6,050.01 6,100.00	121	6,050.01 6,482.00	6,482.01 6,914.00	6,914.01 7,346.00	7,346.01 7,779.00	7,779.01 8,211.00	8,211.01 8,643.00	8,643.01 9,075.00	9,075.01 9,507.00	9,507.01 9,939.00	9,939.01 10,371.00	10,371.01 10,804.00	10,804.01 11,236.00	11,236.01 11,668.00	11,668.01 12,100.00	12,100.01 & OVER
6,100.01 6,150.00	122	6,100.01 6,536.00	6,536.01 6,971.00	6,971.01 7,407.00	7,407.01 7,843.00	7,843.01 8,279.00	8,279.01 8,714.00	8,714.01 9,150.00	9,150.01 9,586.00	9,586.01 10,021.00	10,021.01 10,457.00	10,457.01 10,893.00	10,893.01 11,329.00	11,329.01 11,764.00	11,764.01 12,200.00	12,200.01 & OVER
6,150.01 6,200.00	123	6,150.01 6,589.00	6,589.01 7,029.00	7,029.01 7,468.00	7,468.01 7,907.00	7,907.01 8,346.00	8,346.01 8,786.00	8,786.01 9,225.00	9,225.01 9,664.00	9,664.01 10,104.00	10,104.01 10,543.00	10,543.01 10,982.00	10,982.01 11,421.00	11,421.01 11,861.00	11,861.01 12,300.00	12,300.01 & OVER
6,200.01 6,250.00	124	6,200.01 6,643.00	6,643.01 7,086.00	7,086.01 7,529.00	7,529.01 7,971.00	7,971.01 8,414.00	8,414.01 8,857.00	8,857.01 9,300.00	9,300.01 9,743.00	9,743.01 10,186.00	10,186.01 10,629.00	10,629.01 11,071.00	11,071.01 11,514.00	11,514.01 11,957.00	11,957.01 12,400.00	12,400.01 & OVER
6,250.01 6,300.00	125	6,250.01 6,696.00	6,696.01 7,143.00	7,143.01 7,589.00	7,589.01 8,036.00	8,036.01 8,482.00	8,482.01 8,929.00	8,929.01 9,375.00	9,375.01 9,821.00	9,821.01 10,268.00	10,268.01 10,714.00	10,714.01 11,161.00	11,161.01 11,607.00	11,607.01 12,054.00	12,054.01 12,500.00	12,500.01 & OVER
6,300.01 6,350.00	126	6,300.01 6,750.00	6,750.01 7,200.00	7,200.01 7,650.00	7,650.01 8,100.00	8,100.01 8,550.00	8,550.01 9,000.00	9,000.01 9,450.00	9,450.01 9,900.00	9,900.01 10,350.00	10,350.01 10,800.00	10,800.01 11,250.00	11,250.01 11,700.00	11,700.01 12,150.00	12,150.01 12,600.00	12,600.01 & OVER
6,350.01 6,400.00	127	6,350.01 6,804.00	6,804.01 7,257.00	7,257.01 7,711.00	7,711.01 8,164.00	8,164.01 8,618.00	8,618.01 9,071.00	9,071.01 9,525.00	9,525.01 9,979.00	9,979.01 10,432.00	10,432.01 10,886.00	10,886.01 11,339.00	11,339.01 11,793.00	11,793.01 12,246.00	12,246.01 12,700.00	12,700.01 & OVER
6,400.01 6,450.00	128	6,400.01 6,857.00	6,857.01 7,314.00	7,314.01 7,771.00	7,771.01 8,229.00	8,229.01 8,686.00	8,686.01 9,143.00	9,143.01 9,600.00	9,600.01 10,057.00	10,057.01 10,514.00	10,514.01 10,971.00	10,971.01 11,429.00	11,429.01 11,886.00	11,886.01 12,343.00	12,343.01 12,800.00	12,800.01 & OVER
6,450.01 6,500.00	129	6,450.01 6,911.00	6,911.01 7,371.00	7,371.01 7,832.00	7,832.01 8,293.00	8,293.01 8,754.00	8,754.01 9,214.00	9,214.01 9,675.00	9,675.01 10,136.00	10,136.01 10,596.00	10,596.01 11,057.00	11,057.01 11,518.00	11,518.01 11,979.00	11,979.01 12,439.00	12,439.01 12,900.00	12,900.01 & OVER
6,500.01 6,550.00	130	6,500.01 6,964.00	6,964.01 7,429.00	7,429.01 7,893.00	7,893.01 8,357.00	8,357.01 8,821.00	8,821.01 9,286.00	9,286.01 9,750.00	9,750.01 10,214.00	10,214.01 10,679.00	10,679.01 11,143.00	11,143.01 11,607.00	11,607.01 12,071.00	12,071.01 12,536.00	12,536.01 13,000.00	13,000.01 & OVER
6,550.01 6,600.00	131	6,550.01 7,018.00	7,018.01 7,486.00	7,486.01 7,954.00	7,954.01 8,421.00	8,421.01 8,889.00	8,889.01 9,357.00	9,357.01 9,825.00	9,825.01 10,293.00	10,293.01 10,761.00	10,761.01 11,229.00	11,229.01 11,696.00	11,696.01 12,164.00	12,164.01 12,632.00	12,632.01 13,100.00	13,100.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
6,600.01 6,650.00	132	6,600.01 7,071.00	7,071.01 7,543.00	7,543.01 8,014.00	8,014.01 8,486.00	8,486.01 8,957.00	8,957.01 9,429.00	9,429.01 9,900.00	9,900.01 10,371.00	10,371.01 10,843.00	10,843.01 11,314.00	11,314.01 11,786.00	11,786.01 12,257.00	12,257.01 12,729.00	12,729.01 13,200.00	13,200.01 & OVER
6,650.01 6,700.00	133	6,650.01 7,125.00	7,125.01 7,600.00	7,600.01 8,075.00	8,075.01 8,550.00	8,550.01 9,025.00	9,025.01 9,500.00	9,500.01 9,975.00	9,975.01 10,450.00	10,450.01 10,925.00	10,925.01 11,400.00	11,400.01 11,875.00	11,875.01 12,350.00	12,350.01 12,825.00	12,825.01 13,300.00	13,300.01 & OVER
6,700.01 6,750.00	134	6,700.01 7,179.00	7,179.01 7,657.00	7,657.01 8,136.00	8,136.01 8,614.00	8,614.01 9,093.00	9,093.01 9,571.00	9,571.01 10,050.00	10,050.01 10,529.00	10,529.01 11,007.00	11,007.01 11,486.00	11,486.01 11,964.00	11,964.01 12,443.00	12,443.01 12,921.00	12,921.01 13,400.00	13,400.01 & OVER
6,750.01 6,800.00	135	6,750.01 7,232.00	7,232.01 7,714.00	7,714.01 8,196.00	8,196.01 8,679.00	8,679.01 9,161.00	9,161.01 9,643.00	9,643.01 10,125.00	10,125.01 10,607.00	10,607.01 11,089.00	11,089.01 11,571.00	11,571.01 12,054.00	12,054.01 12,536.00	12,536.01 13,018.00	13,018.01 13,500.00	13,500.01 & OVER
6,800.01 6,850.00	136	6,800.01 7,286.00	7,286.01 7,771.00	7,771.01 8,257.00	8,257.01 8,743.00	8,743.01 9,229.00	9,229.01 9,714.00	9,714.01 10,200.00	10,200.01 10,686.00	10,686.01 11,171.00	11,171.01 11,657.00	11,657.01 12,143.00	12,143.01 12,629.00	12,629.01 13,114.00	13,114.01 13,600.00	13,600.01 & OVER
6,850.01 6,900.00	137	6,850.01 7,339.00	7,339.01 7,829.00	7,829.01 8,318.00	8,318.01 8,807.00	8,807.01 9,296.00	9,296.01 9,786.00	9,786.01 10,275.00	10,275.01 10,764.00	10,764.01 11,254.00	11,254.01 11,743.00	11,743.01 12,232.00	12,232.01 12,721.00	12,721.01 13,211.00	13,211.01 13,700.00	13,700.01 & OVER
6,900.01 6,950.00	138	6,900.01 7,393.00	7,393.01 7,886.00	7,886.01 8,379.00	8,379.01 8,871.00	8,871.01 9,364.00	9,364.01 9,857.00	9,857.01 10,350.00	10,350.01 10,843.00	10,843.01 11,336.00	11,336.01 11,829.00	11,829.01 12,321.00	12,321.01 12,814.00	12,814.01 13,307.00	13,307.01 13,800.00	13,800.01 & OVER
6,950.01 7,000.00	139	6,950.01 7,446.00	7,446.01 7,943.00	7,943.01 8,439.00	8,439.01 8,936.00	8,936.01 9,432.00	9,432.01 9,929.00	9,929.01 10,425.00	10,425.01 10,921.00	10,921.01 11,418.00	11,418.01 11,914.00	11,914.01 12,411.00	12,411.01 12,907.00	12,907.01 13,404.00	13,404.01 13,900.00	13,900.01 & OVER
7,000.01 7,050.00	140	7,000.01 7,500.00	7,500.01 8,000.00	8,000.01 8,500.00	8,500.01 9,000.00	9,000.01 9,500.00	9,500.01 10,000.00	10,000.01 10,500.00	10,500.01 11,000.00	11,000.01 11,500.00	11,500.01 12,000.00	12,000.01 12,500.00	12,500.01 13,000.00	13,000.01 13,500.00	13,500.01 14,000.00	14,000.01 & OVER
7,050.01 7,100.00	141	7,050.01 7,554.00	7,554.01 8,057.00	8,057.01 8,561.00	8,561.01 9,064.00	9,064.01 9,568.00	9,568.01 10,071.00	10,071.01 10,575.00	10,575.01 11,079.00	11,079.01 11,582.00	11,582.01 12,086.00	12,086.01 12,589.00	12,589.01 13,093.00	13,093.01 13,596.00	13,596.01 14,100.00	14,100.01 & OVER
7,100.01 7,150.00	142	7,100.01 7,607.00	7,607.01 8,114.00	8,114.01 8,621.00	8,621.01 9,129.00	9,129.01 9,636.00	9,636.01 10,143.00	10,143.01 10,650.00	10,650.01 11,157.00	11,157.01 11,664.00	11,664.01 12,171.00	12,171.01 12,679.00	12,679.01 13,186.00	13,186.01 13,693.00	13,693.01 14,200.00	14,200.01 & OVER
7,150.01 7,200.00	143	7,150.01 7,661.00	7,661.01 8,171.00	8,171.01 8,682.00	8,682.01 9,193.00	9,193.01 9,704.00	9,704.01 10,214.00	10,214.01 10,725.00	10,725.01 11,236.00	11,236.01 11,746.00	11,746.01 12,257.00	12,257.01 12,768.00	12,768.01 13,279.00	13,279.01 13,789.00	13,789.01 14,300.00	14,300.01 & OVER
7,200.01 7,250.00	144	7,200.01 7,714.00	7,714.01 8,229.00	8,229.01 8,743.00	8,743.01 9,257.00	9,257.01 9,771.00	9,771.01 10,286.00	10,286.01 10,800.00	10,800.01 11,314.00	11,314.01 11,829.00	11,829.01 12,343.00	12,343.01 12,857.00	12,857.01 13,371.00	13,371.01 13,886.00	13,886.01 14,400.00	14,400.01 & OVER
7,250.01 7,300.00	145	7,250.01 7,768.00	7,768.01 8,286.00	8,286.01 8,804.00	8,804.01 9,321.00	9,321.01 9,839.00	9,839.01 10,357.00	10,357.01 10,875.00	10,875.01 11,393.00	11,393.01 11,911.00	11,911.01 12,429.00	12,429.01 12,946.00	12,946.01 13,464.00	13,464.01 13,982.00	13,982.01 14,500.00	14,500.01 & OVER
7,300.01 7,350.00	146	7,300.01 7,821.00	7,821.01 8,343.00	8,343.01 8,864.00	8,864.01 9,386.00	9,386.01 9,907.00	9,907.01 10,429.00	10,429.01 10,950.00	10,950.01 11,471.00	11,471.01 11,993.00	11,993.01 12,514.00	12,514.01 13,036.00	13,036.01 13,557.00	13,557.01 14,079.00	14,079.01 14,600.00	14,600.01 & OVER
7,350.01 7,400.00	147	7,350.01 7,875.00	7,875.01 8,400.00	8,400.01 8,925.00	8,925.01 9,450.00	9,450.01 9,975.00	9,975.01 10,500.00	10,500.01 11,025.00	11,025.01 11,550.00	11,550.01 12,075.00	12,075.01 12,600.00	12,600.01 13,125.00	13,125.01 13,650.00	13,650.01 14,175.00	14,175.01 14,700.00	14,700.01 & OVER
7,400.01 7,450.00	148	7,400.01 7,929.00	7,929.01 8,457.00	8,457.01 8,986.00	8,986.01 9,514.00	9,514.01 10,043.00	10,043.01 10,571.00	10,571.01 11,100.00	11,100.01 11,629.00	11,629.01 12,157.00	12,157.01 12,686.00	12,686.01 13,214.00	13,214.01 13,743.00	13,743.01 14,271.00	14,271.01 14,800.00	14,800.01 & OVER
7,450.01 7,500.00	149	7,450.01 7,982.00	7,982.01 8,514.00	8,514.01 9,046.00	9,046.01 9,579.00	9,579.01 10,111.00	10,111.01 10,643.00	10,643.01 11,175.00	11,175.01 11,707.00	11,707.01 12,239.00	12,239.01 12,771.00	12,771.01 13,304.00	13,304.01 13,836.00	13,836.01 14,368.00	14,368.01 14,900.00	14,900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
7,500.01 7,550.00	150	7,500.01 8,036.00	8,036.01 8,571.00	8,571.01 9,107.00	9,107.01 9,643.00	9,643.01 10,179.00	10,179.01 10,714.00	10,714.01 11,250.00	11,250.01 11,786.00	11,786.01 12,321.00	12,321.01 12,857.00	12,857.01 13,393.00	13,393.01 13,929.00	13,929.01 14,464.00	14,464.01 15,000.00	15,000.01 & OVER
7,550.01 7,600.00	151	7,550.01 8,089.00	8,089.01 8,629.00	8,629.01 9,168.00	9,168.01 9,707.00	9,707.01 10,246.00	10,246.01 10,786.00	10,786.01 11,325.00	11,325.01 11,864.00	11,864.01 12,404.00	12,404.01 12,943.00	12,943.01 13,482.00	13,482.01 14,021.00	14,021.01 14,561.00	14,561.01 15,100.00	15,100.01 & OVER
7,600.01 7,650.00	152	7,600.01 8,143.00	8,143.01 8,686.00	8,686.01 9,229.00	9,229.01 9,771.00	9,771.01 10,314.00	10,314.01 10,857.00	10,857.01 11,400.00	11,400.01 11,943.00	11,943.01 12,486.00	12,486.01 13,029.00	13,029.01 13,571.00	13,571.01 14,114.00	14,114.01 14,657.00	14,657.01 15,200.00	15,200.01 & OVER
7,650.01 7,700.00	153	7,650.01 8,196.00	8,196.01 8,743.00	8,743.01 9,289.00	9,289.01 9,836.00	9,836.01 10,382.00	10,382.01 10,929.00	10,929.01 11,475.00	11,475.01 12,021.00	12,021.01 12,568.00	12,568.01 13,114.00	13,114.01 13,661.00	13,661.01 14,207.00	14,207.01 14,754.00	14,754.01 15,300.00	15,300.01 & OVER
7,700.01 7,750.00	154	7,700.01 8,250.00	8,250.01 8,800.00	8,800.01 9,350.00	9,350.01 9,900.00	9,900.01 10,450.00	10,450.01 11,000.00	11,000.01 11,550.00	11,550.01 12,100.00	12,100.01 12,650.00	12,650.01 13,200.00	13,200.01 13,750.00	13,750.01 14,300.00	14,300.01 14,850.00	14,850.01 15,400.00	15,400.01 & OVER
7,750.01 7,800.00	155	7,750.01 8,304.00	8,304.01 8,857.00	8,857.01 9,411.00	9,411.01 9,964.00	9,964.01 10,518.00	10,518.01 11,071.00	11,071.01 11,625.00	11,625.01 12,179.00	12,179.01 12,732.00	12,732.01 13,286.00	13,286.01 13,839.00	13,839.01 14,393.00	14,393.01 14,946.00	14,946.01 15,500.00	15,500.01 & OVER
7,800.01 7,850.00	156	7,800.01 8,357.00	8,357.01 8,914.00	8,914.01 9,471.00	9,471.01 10,029.00	10,029.01 10,586.00	10,586.01 11,143.00	11,143.01 11,700.00	11,700.01 12,257.00	12,257.01 12,814.00	12,814.01 13,371.00	13,371.01 13,929.00	13,929.01 14,486.00	14,486.01 15,043.00	15,043.01 15,600.00	15,600.01 & OVER
7,850.01 7,900.00	157	7,850.01 8,411.00	8,411.01 8,971.00	8,971.01 9,532.00	9,532.01 10,093.00	10,093.01 10,654.00	10,654.01 11,214.00	11,214.01 11,775.00	11,775.01 12,336.00	12,336.01 12,896.00	12,896.01 13,457.00	13,457.01 14,018.00	14,018.01 14,579.00	14,579.01 15,139.00	15,139.01 15,700.00	15,700.01 & OVER
7,900.01 7,950.00	158	7,900.01 8,464.00	8,464.01 9,029.00	9,029.01 9,593.00	9,593.01 10,157.00	10,157.01 10,721.00	10,721.01 11,286.00	11,286.01 11,850.00	11,850.01 12,414.00	12,414.01 12,979.00	12,979.01 13,543.00	13,543.01 14,107.00	14,107.01 14,671.00	14,671.01 15,236.00	15,236.01 15,800.00	15,800.01 & OVER
7,950.01 8,000.00	159	7,950.01 8,518.00	8,518.01 9,086.00	9,086.01 9,654.00	9,654.01 10,221.00	10,221.01 10,789.00	10,789.01 11,357.00	11,357.01 11,925.00	11,925.01 12,493.00	12,493.01 13,061.00	13,061.01 13,629.00	13,629.01 14,196.00	14,196.01 14,764.00	14,764.01 15,332.00	15,332.01 15,900.00	15,900.01 & OVER
8,000.01 8,050.00	160	8,000.01 8,571.00	8,571.01 9,143.00	9,143.01 9,714.00	9,714.01 10,286.00	10,286.01 10,857.00	10,857.01 11,429.00	11,429.01 12,000.00	12,000.01 12,571.00	12,571.01 13,143.00	13,143.01 13,714.00	13,714.01 14,286.00	14,286.01 14,857.00	14,857.01 15,429.00	15,429.01 16,000.00	16,000.01 & OVER
8,050.01 8,100.00	161	8,050.01 8,625.00	8,625.01 9,200.00	9,200.01 9,775.00	9,775.01 10,350.00	10,350.01 10,925.00	10,925.01 11,500.00	11,500.01 12,075.00	12,075.01 12,650.00	12,650.01 13,225.00	13,225.01 13,800.00	13,800.01 14,375.00	14,375.01 14,950.00	14,950.01 15,525.00	15,525.01 16,100.00	16,100.01 & OVER
8,100.01 8,150.00	162	8,100.01 8,679.00	8,679.01 9,257.00	9,257.01 9,836.00	9,836.01 10,414.00	10,414.01 10,993.00	10,993.01 11,571.00	11,571.01 12,150.00	12,150.01 12,729.00	12,729.01 13,307.00	13,307.01 13,886.00	13,886.01 14,464.00	14,464.01 15,043.00	15,043.01 15,621.00	15,621.01 16,200.00	16,200.01 & OVER
8,150.01 8,200.00	163	8,150.01 8,732.00	8,732.01 9,314.00	9,314.01 9,896.00	9,896.01 10,479.00	10,479.01 11,061.00	11,061.01 11,643.00	11,643.01 12,225.00	12,225.01 12,807.00	12,807.01 13,389.00	13,389.01 13,971.00	13,971.01 14,554.00	14,554.01 15,136.00	15,136.01 15,718.00	15,718.01 16,300.00	16,300.01 & OVER
8,200.01 8,250.00	164	8,200.01 8,786.00	8,786.01 9,371.00	9,371.01 9,957.00	9,957.01 10,543.00	10,543.01 11,129.00	11,129.01 11,714.00	11,714.01 12,300.00	12,300.01 12,886.00	12,886.01 13,471.00	13,471.01 14,057.00	14,057.01 14,643.00	14,643.01 15,229.00	15,229.01 15,814.00	15,814.01 16,400.00	16,400.01 & OVER
8,250.01 8,300.00	165	8,250.01 8,839.00	8,839.01 9,429.00	9,429.01 10,018.00	10,018.01 10,607.00	10,607.01 11,196.00	11,196.01 11,786.00	11,786.01 12,375.00	12,375.01 12,964.00	12,964.01 13,554.00	13,554.01 14,143.00	14,143.01 14,732.00	14,732.01 15,321.00	15,321.01 15,911.00	15,911.01 16,500.00	16,500.01 & OVER
8,300.01 8,350.00	166	8,300.01 8,893.00	8,893.01 9,486.00	9,486.01 10,079.00	10,079.01 10,671.00	10,671.01 11,264.00	11,264.01 11,857.00	11,857.01 12,450.00	12,450.01 13,043.00	13,043.01 13,636.00	13,636.01 14,229.00	14,229.01 14,821.00	14,821.01 15,414.00	15,414.01 16,007.00	16,007.01 16,600.00	16,600.01 & OVER
8,350.01 8,400.00	167	8,350.01 8,946.00	8,946.01 9,543.00	9,543.01 10,139.00	10,139.01 10,736.00	10,736.01 11,332.00	11,332.01 11,929.00	11,929.01 12,525.00	12,525.01 13,121.00	13,121.01 13,718.00	13,718.01 14,314.00	14,314.01 14,911.00	14,911.01 15,507.00	15,507.01 16,104.00	16,104.01 16,700.00	16,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
8,400.01 8,450.00	168	8,400.01 9,000.00	9,000.01 9,600.00	9,600.01 10,200.00	10,200.01 10,800.00	10,800.01 11,400.00	11,400.01 12,000.00	12,000.01 12,600.00	12,600.01 13,200.00	13,200.01 13,800.00	13,800.01 14,400.00	14,400.01 15,000.00	15,000.01 15,600.00	15,600.01 16,200.00	16,200.01 16,800.00	16,800.01 & OVER
8,450.01 8,500.00	169	8,450.01 9,054.00	9,054.01 9,657.00	9,657.01 10,261.00	10,261.01 10,864.00	10,864.01 11,468.00	11,468.01 12,071.00	12,071.01 12,675.00	12,675.01 13,279.00	13,279.01 13,882.00	13,882.01 14,486.00	14,486.01 15,089.00	15,089.01 15,693.00	15,693.01 16,296.00	16,296.01 16,900.00	16,900.01 & OVER
8,500.01 8,550.00	170	8,500.01 9,107.00	9,107.01 9,714.00	9,714.01 10,321.00	10,321.01 10,929.00	10,929.01 11,536.00	11,536.01 12,143.00	12,143.01 12,750.00	12,750.01 13,357.00	13,357.01 13,964.00	13,964.01 14,571.00	14,571.01 15,179.00	15,179.01 15,786.00	15,786.01 16,393.00	16,393.01 17,000.00	17,000.01 & OVER
8,550.01 8,600.00	171	8,550.01 9,161.00	9,161.01 9,771.00	9,771.01 10,382.00	10,382.01 10,993.00	10,993.01 11,604.00	11,604.01 12,214.00	12,214.01 12,825.00	12,825.01 13,436.00	13,436.01 14,046.00	14,046.01 14,657.00	14,657.01 15,268.00	15,268.01 15,879.00	15,879.01 16,489.00	16,489.01 17,100.00	17,100.01 & OVER
8,600.01 8,650.00	172	8,600.01 9,214.00	9,214.01 9,829.00	9,829.01 10,443.00	10,443.01 11,057.00	11,057.01 11,671.00	11,671.01 12,286.00	12,286.01 12,900.00	12,900.01 13,514.00	13,514.01 14,129.00	14,129.01 14,743.00	14,743.01 15,357.00	15,357.01 15,971.00	15,971.01 16,586.00	16,586.01 17,200.00	17,200.01 & OVER
8,650.01 8,700.00	173	8,650.01 9,268.00	9,268.01 9,886.00	9,886.01 10,504.00	10,504.01 11,121.00	11,121.01 11,739.00	11,739.01 12,357.00	12,357.01 12,975.00	12,975.01 13,593.00	13,593.01 14,211.00	14,211.01 14,829.00	14,829.01 15,446.00	15,446.01 16,064.00	16,064.01 16,682.00	16,682.01 17,300.00	17,300.01 & OVER
8,700.01 8,750.00	174	8,700.01 9,321.00	9,321.01 9,943.00	9,943.01 10,564.00	10,564.01 11,186.00	11,186.01 11,807.00	11,807.01 12,429.00	12,429.01 13,050.00	13,050.01 13,671.00	13,671.01 14,293.00	14,293.01 14,914.00	14,914.01 15,536.00	15,536.01 16,157.00	16,157.01 16,779.00	16,779.01 17,400.00	17,400.01 & OVER
8,750.01 8,800.00	175	8,750.01 9,375.00	9,375.01 10,000.00	10,000.01 10,625.00	10,625.01 11,250.00	11,250.01 11,875.00	11,875.01 12,500.00	12,500.01 13,125.00	13,125.01 13,750.00	13,750.01 14,375.00	14,375.01 15,000.00	15,000.01 15,625.00	15,625.01 16,250.00	16,250.01 16,875.00	16,875.01 17,500.00	17,500.01 & OVER
8,800.01 8,850.00	176	8,800.01 9,429.00	9,429.01 10,057.00	10,057.01 10,686.00	10,686.01 11,314.00	11,314.01 11,943.00	11,943.01 12,571.00	12,571.01 13,200.00	13,200.01 13,829.00	13,829.01 14,457.00	14,457.01 15,086.00	15,086.01 15,714.00	15,714.01 16,343.00	16,343.01 16,971.00	16,971.01 17,600.00	17,600.01 & OVER
8,850.01 8,900.00	177	8,850.01 9,482.00	9,482.01 10,114.00	10,114.01 10,746.00	10,746.01 11,379.00	11,379.01 12,011.00	12,011.01 12,643.00	12,643.01 13,275.00	13,275.01 13,907.00	13,907.01 14,539.00	14,539.01 15,171.00	15,171.01 15,804.00	15,804.01 16,436.00	16,436.01 17,068.00	17,068.01 17,700.00	17,700.01 & OVER
8,900.01 8,950.00	178	8,900.01 9,536.00	9,536.01 10,171.00	10,171.01 10,807.00	10,807.01 11,443.00	11,443.01 12,079.00	12,079.01 12,714.00	12,714.01 13,350.00	13,350.01 13,986.00	13,986.01 14,621.00	14,621.01 15,257.00	15,257.01 15,893.00	15,893.01 16,529.00	16,529.01 17,164.00	17,164.01 17,800.00	17,800.01 & OVER
8,950.01 9,000.00	179	8,950.01 9,589.00	9,589.01 10,229.00	10,229.01 10,868.00	10,868.01 11,507.00	11,507.01 12,146.00	12,146.01 12,786.00	12,786.01 13,425.00	13,425.01 14,064.00	14,064.01 14,704.00	14,704.01 15,343.00	15,343.01 15,982.00	15,982.01 16,621.00	16,621.01 17,261.00	17,261.01 17,900.00	17,900.01 & OVER
9,000.01 9,050.00	180	9,000.01 9,643.00	9,643.01 10,286.00	10,286.01 10,929.00	10,929.01 11,571.00	11,571.01 12,214.00	12,214.01 12,857.00	12,857.01 13,500.00	13,500.01 14,143.00	14,143.01 14,786.00	14,786.01 15,429.00	15,429.01 16,071.00	16,071.01 16,714.00	16,714.01 17,357.00	17,357.01 18,000.00	18,000.01 & OVER
9,050.01 9,100.00	181	9,050.01 9,696.00	9,696.01 10,343.00	10,343.01 10,989.00	10,989.01 11,636.00	11,636.01 12,282.00	12,282.01 12,929.00	12,929.01 13,575.00	13,575.01 14,221.00	14,221.01 14,868.00	14,868.01 15,514.00	15,514.01 16,161.00	16,161.01 16,807.00	16,807.01 17,454.00	17,454.01 18,100.00	18,100.01 & OVER
9,100.01 9,150.00	182	9,100.01 9,750.00	9,750.01 10,400.00	10,400.01 11,050.00	11,050.01 11,700.00	11,700.01 12,350.00	12,350.01 13,000.00	13,000.01 13,650.00	13,650.01 14,300.00	14,300.01 14,950.00	14,950.01 15,600.00	15,600.01 16,250.00	16,250.01 16,900.00	16,900.01 17,550.00	17,550.01 18,200.00	18,200.01 & OVER
9,150.01 9,200.00	183	9,150.01 9,804.00	9,804.01 10,457.00	10,457.01 11,111.00	11,111.01 11,764.00	11,764.01 12,418.00	12,418.01 13,071.00	13,071.01 13,725.00	13,725.01 14,379.00	14,379.01 15,032.00	15,032.01 15,686.00	15,686.01 16,339.00	16,339.01 16,993.00	16,993.01 17,646.00	17,646.01 18,300.00	18,300.01 & OVER
9,200.01 9,250.00	184	9,200.01 9,857.00	9,857.01 10,514.00	10,514.01 11,171.00	11,171.01 11,829.00	11,829.01 12,486.00	12,486.01 13,143.00	13,143.01 13,800.00	13,800.01 14,457.00	14,457.01 15,114.00	15,114.01 15,771.00	15,771.01 16,429.00	16,429.01 17,086.00	17,086.01 17,743.00	17,743.01 18,400.00	18,400.01 & OVER
9,250.01 9,300.00	185	9,250.01 9,911.00	9,911.01 10,571.00	10,571.01 11,232.00	11,232.01 11,893.00	11,893.01 12,554.00	12,554.01 13,214.00	13,214.01 13,875.00	13,875.01 14,536.00	14,536.01 15,196.00	15,196.01 15,857.00	15,857.01 16,518.00	16,518.01 17,179.00	17,179.01 17,839.00	17,839.01 18,500.00	18,500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
9,300.01 9,350.00	186	9,300.01 9,964.00	9,964.01 10,629.00	10,629.01 11,293.00	11,293.01 11,957.00	11,957.01 12,621.00	12,621.01 13,286.00	13,286.01 13,950.00	13,950.01 14,614.00	14,614.01 15,279.00	15,279.01 15,943.00	15,943.01 16,607.00	16,607.01 17,271.00	17,271.01 17,936.00	17,936.01 18,600.00	18,600.01 & OVER
9,350.01 9,400.00	187	9,350.01 10,018.00	10,018.01 10,686.00	10,686.01 11,354.00	11,354.01 12,021.00	12,021.01 12,689.00	12,689.01 13,357.00	13,357.01 14,025.00	14,025.01 14,693.00	14,693.01 15,361.00	15,361.01 16,029.00	16,029.01 16,696.00	16,696.01 17,364.00	17,364.01 18,032.00	18,032.01 18,700.00	18,700.01 & OVER
9,400.01 9,450.00	188	9,400.01 10,071.00	10,071.01 10,743.00	10,743.01 11,414.00	11,414.01 12,086.00	12,086.01 12,757.00	12,757.01 13,429.00	13,429.01 14,100.00	14,100.01 14,771.00	14,771.01 15,443.00	15,443.01 16,114.00	16,114.01 16,786.00	16,786.01 17,457.00	17,457.01 18,129.00	18,129.01 18,800.00	18,800.01 & OVER
9,450.01 9,500.00	189	9,450.01 10,125.00	10,125.01 10,800.00	10,800.01 11,475.00	11,475.01 12,150.00	12,150.01 12,825.00	12,825.01 13,500.00	13,500.01 14,175.00	14,175.01 14,850.00	14,850.01 15,525.00	15,525.01 16,200.00	16,200.01 16,875.00	16,875.01 17,550.00	17,550.01 18,225.00	18,225.01 18,900.00	18,900.01 & OVER
9,500.01 9,550.00	190	9,500.01 10,179.00	10,179.01 10,857.00	10,857.01 11,536.00	11,536.01 12,214.00	12,214.01 12,893.00	12,893.01 13,571.00	13,571.01 14,250.00	14,250.01 14,929.00	14,929.01 15,607.00	15,607.01 16,286.00	16,286.01 16,964.00	16,964.01 17,643.00	17,643.01 18,321.00	18,321.01 19,000.00	19,000.01 & OVER
9,550.01 9,600.00	191	9,550.01 10,232.00	10,232.01 10,914.00	10,914.01 11,596.00	11,596.01 12,279.00	12,279.01 12,961.00	12,961.01 13,643.00	13,643.01 14,325.00	14,325.01 15,007.00	15,007.01 15,689.00	15,689.01 16,371.00	16,371.01 17,054.00	17,054.01 17,736.00	17,736.01 18,418.00	18,418.01 19,100.00	19,100.01 & OVER
9,600.01 9,650.00	192	9,600.01 10,286.00	10,286.01 10,971.00	10,971.01 11,657.00	11,657.01 12,343.00	12,343.01 13,029.00	13,029.01 13,714.00	13,714.01 14,400.00	14,400.01 15,086.00	15,086.01 15,771.00	15,771.01 16,457.00	16,457.01 17,143.00	17,143.01 17,829.00	17,829.01 18,514.00	18,514.01 19,200.00	19,200.01 & OVER
9,650.01 9,700.00	193	9,650.01 10,339.00	10,339.01 11,029.00	11,029.01 11,718.00	11,718.01 12,407.00	12,407.01 13,096.00	13,096.01 13,786.00	13,786.01 14,475.00	14,475.01 15,164.00	15,164.01 15,854.00	15,854.01 16,543.00	16,543.01 17,232.00	17,232.01 17,921.00	17,921.01 18,611.00	18,611.01 19,300.00	19,300.01 & OVER
9,700.01 9,750.00	194	9,700.01 10,393.00	10,393.01 11,086.00	11,086.01 11,779.00	11,779.01 12,471.00	12,471.01 13,164.00	13,164.01 13,857.00	13,857.01 14,550.00	14,550.01 15,243.00	15,243.01 15,936.00	15,936.01 16,629.00	16,629.01 17,321.00	17,321.01 18,014.00	18,014.01 18,707.00	18,707.01 19,400.00	19,400.01 & OVER
9,750.01 9,800.00	195	9,750.01 10,446.00	10,446.01 11,143.00	11,143.01 11,839.00	11,839.01 12,536.00	12,536.01 13,232.00	13,232.01 13,929.00	13,929.01 14,625.00	14,625.01 15,321.00	15,321.01 16,018.00	16,018.01 16,714.00	16,714.01 17,411.00	17,411.01 18,107.00	18,107.01 18,804.00	18,804.01 19,500.00	19,500.01 & OVER
9,800.01 9,850.00	196	9,800.01 10,500.00	10,500.01 11,200.00	11,200.01 11,900.00	11,900.01 12,600.00	12,600.01 13,300.00	13,300.01 14,000.00	14,000.01 14,700.00	14,700.01 15,400.00	15,400.01 16,100.00	16,100.01 16,800.00	16,800.01 17,500.00	17,500.01 18,200.00	18,200.01 18,900.00	18,900.01 19,600.00	19,600.01 & OVER
9,850.01 9,900.00	197	9,850.01 10,554.00	10,554.01 11,257.00	11,257.01 11,961.00	11,961.01 12,664.00	12,664.01 13,368.00	13,368.01 14,071.00	14,071.01 14,775.00	14,775.01 15,479.00	15,479.01 16,182.00	16,182.01 16,886.00	16,886.01 17,589.00	17,589.01 18,293.00	18,293.01 18,996.00	18,996.01 19,700.00	19,700.01 & OVER
9,900.01 9,950.00	198	9,900.01 10,607.00	10,607.01 11,314.00	11,314.01 12,021.00	12,021.01 12,729.00	12,729.01 13,436.00	13,436.01 14,143.00	14,143.01 14,850.00	14,850.01 15,557.00	15,557.01 16,264.00	16,264.01 16,971.00	16,971.01 17,679.00	17,679.01 18,386.00	18,386.01 19,093.00	19,093.01 19,800.00	19,800.01 & OVER
9,950.01 10,000.00	199	9,950.01 10,661.00	10,661.01 11,371.00	11,371.01 12,082.00	12,082.01 12,793.00	12,793.01 13,504.00	13,504.01 14,214.00	14,214.01 14,925.00	14,925.01 15,636.00	15,636.01 16,346.00	16,346.01 17,057.00	17,057.01 17,768.00	17,768.01 18,479.00	18,479.01 19,189.00	19,189.01 19,900.00	19,900.01 & OVER
10,000.01 10,050.00	200	10,000.01 10,714.00	10,714.01 11,429.00	11,429.01 12,143.00	12,143.01 12,857.00	12,857.01 13,571.00	13,571.01 14,286.00	14,286.01 15,000.00	15,000.01 15,714.00	15,714.01 16,429.00	16,429.01 17,143.00	17,143.01 17,857.00	17,857.01 18,571.00	18,571.01 19,286.00	19,286.01 20,000.00	20,000.01 & OVER
10,050.01 10,100.00	201	10,050.01 10,768.00	10,768.01 11,486.00	11,486.01 12,204.00	12,204.01 12,921.00	12,921.01 13,639.00	13,639.01 14,357.00	14,357.01 15,075.00	15,075.01 15,793.00	15,793.01 16,511.00	16,511.01 17,229.00	17,229.01 17,946.00	17,946.01 18,664.00	18,664.01 19,382.00	19,382.01 20,100.00	20,100.01 & OVER
10,100.01 10,150.00	202	10,100.01 10,821.00	10,821.01 11,543.00	11,543.01 12,264.00	12,264.01 12,986.00	12,986.01 13,707.00	13,707.01 14,429.00	14,429.01 15,150.00	15,150.01 15,871.00	15,871.01 16,593.00	16,593.01 17,314.00	17,314.01 18,036.00	18,036.01 18,757.00	18,757.01 19,479.00	19,479.01 20,200.00	20,200.01 & OVER
10,150.01 10,200.00	203	10,150.01 10,875.00	10,875.01 11,600.00	11,600.01 12,325.00	12,325.01 13,050.00	13,050.01 13,775.00	13,775.01 14,500.00	14,500.01 15,225.00	15,225.01 15,950.00	15,950.01 16,675.00	16,675.01 17,400.00	17,400.01 18,125.00	18,125.01 18,850.00	18,850.01 19,575.00	19,575.01 20,300.00	20,300.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
10,200.01 10,250.00	204	10,200.01 10,929.00	10,929.01 11,657.00	11,657.01 12,386.00	12,386.01 13,114.00	13,114.01 13,843.00	13,843.01 14,571.00	14,571.01 15,300.00	15,300.01 16,029.00	16,029.01 16,757.00	16,757.01 17,486.00	17,486.01 18,214.00	18,214.01 18,943.00	18,943.01 19,671.00	19,671.01 20,400.00	20,400.01 & OVER
10,250.01 10,300.00	205	10,250.01 10,982.00	10,982.01 11,714.00	11,714.01 12,446.00	12,446.01 13,179.00	13,179.01 13,911.00	13,911.01 14,643.00	14,643.01 15,375.00	15,375.01 16,107.00	16,107.01 16,839.00	16,839.01 17,571.00	17,571.01 18,304.00	18,304.01 19,036.00	19,036.01 19,768.00	19,768.01 20,500.00	20,500.01 & OVER
10,300.01 10,350.00	206	10,300.01 11,036.00	11,036.01 11,771.00	11,771.01 12,507.00	12,507.01 13,243.00	13,243.01 13,979.00	13,979.01 14,714.00	14,714.01 15,450.00	15,450.01 16,186.00	16,186.01 16,921.00	16,921.01 17,657.00	17,657.01 18,393.00	18,393.01 19,129.00	19,129.01 19,864.00	19,864.01 20,600.00	20,600.01 & OVER
10,350.01 10,400.00	207	10,350.01 11,089.00	11,089.01 11,829.00	11,829.01 12,568.00	12,568.01 13,307.00	13,307.01 14,046.00	14,046.01 14,786.00	14,786.01 15,525.00	15,525.01 16,264.00	16,264.01 17,004.00	17,004.01 17,743.00	17,743.01 18,482.00	18,482.01 19,221.00	19,221.01 19,961.00	19,961.01 20,700.00	20,700.01 & OVER
10,400.01 10,450.00	208	10,400.01 11,143.00	11,143.01 11,886.00	11,886.01 12,629.00	12,629.01 13,371.00	13,371.01 14,114.00	14,114.01 14,857.00	14,857.01 15,600.00	15,600.01 16,343.00	16,343.01 17,086.00	17,086.01 17,829.00	17,829.01 18,571.00	18,571.01 19,314.00	19,314.01 20,057.00	20,057.01 20,800.00	20,800.01 & OVER
10,450.01 10,500.00	209	10,450.01 11,196.00	11,196.01 11,943.00	11,943.01 12,689.00	12,689.01 13,436.00	13,436.01 14,182.00	14,182.01 14,929.00	14,929.01 15,675.00	15,675.01 16,421.00	16,421.01 17,168.00	17,168.01 17,914.00	17,914.01 18,661.00	18,661.01 19,407.00	19,407.01 20,154.00	20,154.01 20,900.00	20,900.01 & OVER
10,500.01 10,550.00	210	10,500.01 11,250.00	11,250.01 12,000.00	12,000.01 12,750.00	12,750.01 13,500.00	13,500.01 14,250.00	14,250.01 15,000.00	15,000.01 15,750.00	15,750.01 16,500.00	16,500.01 17,250.00	17,250.01 18,000.00	18,000.01 18,750.00	18,750.01 19,500.00	19,500.01 20,250.00	20,250.01 21,000.00	21,000.01 & OVER
10,550.01 10,600.00	211	10,550.01 11,304.00	11,304.01 12,057.00	12,057.01 12,811.00	12,811.01 13,564.00	13,564.01 14,318.00	14,318.01 15,071.00	15,071.01 15,825.00	15,825.01 16,579.00	16,579.01 17,332.00	17,332.01 18,086.00	18,086.01 18,839.00	18,839.01 19,593.00	19,593.01 20,346.00	20,346.01 21,100.00	21,100.01 & OVER
10,600.01 10,650.00	212	10,600.01 11,357.00	11,357.01 12,114.00	12,114.01 12,871.00	12,871.01 13,629.00	13,629.01 14,386.00	14,386.01 15,143.00	15,143.01 15,900.00	15,900.01 16,657.00	16,657.01 17,414.00	17,414.01 18,171.00	18,171.01 18,929.00	18,929.01 19,686.00	19,686.01 20,443.00	20,443.01 21,200.00	21,200.01 & OVER
10,650.01 10,700.00	213	10,650.01 11,411.00	11,411.01 12,171.00	12,171.01 12,932.00	12,932.01 13,693.00	13,693.01 14,454.00	14,454.01 15,214.00	15,214.01 15,975.00	15,975.01 16,736.00	16,736.01 17,496.00	17,496.01 18,257.00	18,257.01 19,018.00	19,018.01 19,779.00	19,779.01 20,539.00	20,539.01 21,300.00	21,300.01 & OVER
10,700.01 10,750.00	214	10,700.01 11,464.00	11,464.01 12,229.00	12,229.01 12,993.00	12,993.01 13,757.00	13,757.01 14,521.00	14,521.01 15,286.00	15,286.01 16,050.00	16,050.01 16,814.00	16,814.01 17,579.00	17,579.01 18,343.00	18,343.01 19,107.00	19,107.01 19,871.00	19,871.01 20,636.00	20,636.01 21,400.00	21,400.01 & OVER
10,750.01 10,800.00	215	10,750.01 11,518.00	11,518.01 12,286.00	12,286.01 13,054.00	13,054.01 13,821.00	13,821.01 14,589.00	14,589.01 15,357.00	15,357.01 16,125.00	16,125.01 16,893.00	16,893.01 17,661.00	17,661.01 18,429.00	18,429.01 19,196.00	19,196.01 19,964.00	19,964.01 20,732.00	20,732.01 21,500.00	21,500.01 & OVER
10,800.01 10,850.00	216	10,800.01 11,571.00	11,571.01 12,343.00	12,343.01 13,114.00	13,114.01 13,886.00	13,886.01 14,657.00	14,657.01 15,429.00	15,429.01 16,200.00	16,200.01 16,971.00	16,971.01 17,743.00	17,743.01 18,514.00	18,514.01 19,286.00	19,286.01 20,057.00	20,057.01 20,829.00	20,829.01 21,600.00	21,600.01 & OVER
10,850.01 10,900.00	217	10,850.01 11,625.00	11,625.01 12,400.00	12,400.01 13,175.00	13,175.01 13,950.00	13,950.01 14,725.00	14,725.01 15,500.00	15,500.01 16,275.00	16,275.01 17,050.00	17,050.01 17,825.00	17,825.01 18,600.00	18,600.01 19,375.00	19,375.01 20,150.00	20,150.01 20,925.00	20,925.01 21,700.00	21,700.01 & OVER
10,900.01 10,950.00	218	10,900.01 11,679.00	11,679.01 12,457.00	12,457.01 13,236.00	13,236.01 14,014.00	14,014.01 14,793.00	14,793.01 15,571.00	15,571.01 16,350.00	16,350.01 17,129.00	17,129.01 17,907.00	17,907.01 18,686.00	18,686.01 19,464.00	19,464.01 20,243.00	20,243.01 21,021.00	21,021.01 21,800.00	21,800.01 & OVER
10,950.01 11,000.00	219	10,950.01 11,732.00	11,732.01 12,514.00	12,514.01 13,296.00	13,296.01 14,079.00	14,079.01 14,861.00	14,861.01 15,643.00	15,643.01 16,425.00	16,425.01 17,207.00	17,207.01 17,989.00	17,989.01 18,771.00	18,771.01 19,554.00	19,554.01 20,336.00	20,336.01 21,118.00	21,118.01 21,900.00	21,900.01 & OVER
11,000.01 11,050.00	220	11,000.01 11,786.00	11,786.01 12,571.00	12,571.01 13,357.00	13,357.01 14,143.00	14,143.01 14,929.00	14,929.01 15,714.00	15,714.01 16,500.00	16,500.01 17,286.00	17,286.01 18,071.00	18,071.01 18,857.00	18,857.01 19,643.00	19,643.01 20,429.00	20,429.01 21,214.00	21,214.01 22,000.00	22,000.01 & OVER
11,050.01 11,100.00	221	11,050.01 11,839.00	11,839.01 12,629.00	12,629.01 13,418.00	13,418.01 14,207.00	14,207.01 14,996.00	14,996.01 15,786.00	15,786.01 16,575.00	16,575.01 17,364.00	17,364.01 18,154.00	18,154.01 18,943.00	18,943.01 19,732.00	19,732.01 20,521.00	20,521.01 21,311.00	21,311.01 22,100.00	22,100.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
11,100.01 11,150.00	222	11,100.01 11,893.00	11,893.01 12,686.00	12,686.01 13,479.00	13,479.01 14,271.00	14,271.01 15,064.00	15,064.01 15,857.00	15,857.01 16,650.00	16,650.01 17,443.00	17,443.01 18,236.00	18,236.01 19,029.00	19,029.01 19,821.00	19,821.01 20,614.00	20,614.01 21,407.00	21,407.01 22,200.00	22,200.01 & OVER
11,150.01 11,200.00	223	11,150.01 11,946.00	11,946.01 12,743.00	12,743.01 13,539.00	13,539.01 14,336.00	14,336.01 15,132.00	15,132.01 15,929.00	15,929.01 16,725.00	16,725.01 17,521.00	17,521.01 18,318.00	18,318.01 19,114.00	19,114.01 19,911.00	19,911.01 20,707.00	20,707.01 21,504.00	21,504.01 22,300.00	22,300.01 & OVER
11,200.01 11,250.00	224	11,200.01 12,000.00	12,000.01 12,800.00	12,800.01 13,600.00	13,600.01 14,400.00	14,400.01 15,200.00	15,200.01 16,000.00	16,000.01 16,800.00	16,800.01 17,600.00	17,600.01 18,400.00	18,400.01 19,200.00	19,200.01 20,000.00	20,000.01 20,800.00	20,800.01 21,600.00	21,600.01 22,400.00	22,400.01 & OVER
11,250.01 11,300.00	225	11,250.01 12,054.00	12,054.01 12,857.00	12,857.01 13,661.00	13,661.01 14,464.00	14,464.01 15,268.00	15,268.01 16,071.00	16,071.01 16,875.00	16,875.01 17,679.00	17,679.01 18,482.00	18,482.01 19,286.00	19,286.01 20,089.00	20,089.01 20,893.00	20,893.01 21,696.00	21,696.01 22,500.00	22,500.01 & OVER
11,300.01 11,350.00	226	11,300.01 12,107.00	12,107.01 12,914.00	12,914.01 13,721.00	13,721.01 14,529.00	14,529.01 15,336.00	15,336.01 16,143.00	16,143.01 16,950.00	16,950.01 17,757.00	17,757.01 18,564.00	18,564.01 19,371.00	19,371.01 20,179.00	20,179.01 20,986.00	20,986.01 21,793.00	21,793.01 22,600.00	22,600.01 & OVER
11,350.01 11,400.00	227	11,350.01 12,161.00	12,161.01 12,971.00	12,971.01 13,782.00	13,782.01 14,593.00	14,593.01 15,404.00	15,404.01 16,214.00	16,214.01 17,025.00	17,025.01 17,836.00	17,836.01 18,646.00	18,646.01 19,457.00	19,457.01 20,268.00	20,268.01 21,079.00	21,079.01 21,889.00	21,889.01 22,700.00	22,700.01 & OVER
11,400.01 11,450.00	228	11,400.01 12,214.00	12,214.01 13,029.00	13,029.01 13,843.00	13,843.01 14,657.00	14,657.01 15,471.00	15,471.01 16,286.00	16,286.01 17,100.00	17,100.01 17,914.00	17,914.01 18,729.00	18,729.01 19,543.00	19,543.01 20,357.00	20,357.01 21,171.00	21,171.01 21,986.00	21,986.01 22,800.00	22,800.01 & OVER
11,450.01 11,500.00	229	11,450.01 12,268.00	12,268.01 13,086.00	13,086.01 13,904.00	13,904.01 14,721.00	14,721.01 15,539.00	15,539.01 16,357.00	16,357.01 17,175.00	17,175.01 17,993.00	17,993.01 18,811.00	18,811.01 19,629.00	19,629.01 20,446.00	20,446.01 21,264.00	21,264.01 22,082.00	22,082.01 22,900.00	22,900.01 & OVER
11,500.01 11,550.00	230	11,500.01 12,321.00	12,321.01 13,143.00	13,143.01 13,964.00	13,964.01 14,786.00	14,786.01 15,607.00	15,607.01 16,429.00	16,429.01 17,250.00	17,250.01 18,071.00	18,071.01 18,893.00	18,893.01 19,714.00	19,714.01 20,536.00	20,536.01 21,357.00	21,357.01 22,179.00	22,179.01 23,000.00	23,000.01 & OVER
11,550.01 11,600.00	231	11,550.01 12,375.00	12,375.01 13,200.00	13,200.01 14,025.00	14,025.01 14,850.00	14,850.01 15,675.00	15,675.01 16,500.00	16,500.01 17,325.00	17,325.01 18,150.00	18,150.01 18,975.00	18,975.01 19,800.00	19,800.01 20,625.00	20,625.01 21,450.00	21,450.01 22,275.00	22,275.01 23,100.00	23,100.01 & OVER
11,600.01 11,650.00	232	11,600.01 12,429.00	12,429.01 13,257.00	13,257.01 14,086.00	14,086.01 14,914.00	14,914.01 15,743.00	15,743.01 16,571.00	16,571.01 17,400.00	17,400.01 18,229.00	18,229.01 19,057.00	19,057.01 19,886.00	19,886.01 20,714.00	20,714.01 21,543.00	21,543.01 22,371.00	22,371.01 23,200.00	23,200.01 & OVER
11,650.01 11,700.00	233	11,650.01 12,482.00	12,482.01 13,314.00	13,314.01 14,146.00	14,146.01 14,979.00	14,979.01 15,811.00	15,811.01 16,643.00	16,643.01 17,475.00	17,475.01 18,307.00	18,307.01 19,139.00	19,139.01 19,971.00	19,971.01 20,804.00	20,804.01 21,636.00	21,636.01 22,468.00	22,468.01 23,300.00	23,300.01 & OVER
11,700.01 11,750.00	234	11,700.01 12,536.00	12,536.01 13,371.00	13,371.01 14,207.00	14,207.01 15,043.00	15,043.01 15,879.00	15,879.01 16,714.00	16,714.01 17,550.00	17,550.01 18,386.00	18,386.01 19,221.00	19,221.01 20,057.00	20,057.01 20,893.00	20,893.01 21,729.00	21,729.01 22,564.00	22,564.01 23,400.00	23,400.01 & OVER
11,750.01 11,800.00	235	11,750.01 12,589.00	12,589.01 13,429.00	13,429.01 14,268.00	14,268.01 15,107.00	15,107.01 15,946.00	15,946.01 16,786.00	16,786.01 17,625.00	17,625.01 18,464.00	18,464.01 19,304.00	19,304.01 20,143.00	20,143.01 20,982.00	20,982.01 21,821.00	21,821.01 22,661.00	22,661.01 23,500.00	23,500.01 & OVER
11,800.01 11,850.00	236	11,800.01 12,643.00	12,643.01 13,486.00	13,486.01 14,329.00	14,329.01 15,171.00	15,171.01 16,014.00	16,014.01 16,857.00	16,857.01 17,700.00	17,700.01 18,543.00	18,543.01 19,386.00	19,386.01 20,229.00	20,229.01 21,071.00	21,071.01 21,914.00	21,914.01 22,757.00	22,757.01 23,600.00	23,600.01 & OVER
11,850.01 11,900.00	237	11,850.01 12,696.00	12,696.01 13,543.00	13,543.01 14,389.00	14,389.01 15,236.00	15,236.01 16,082.00	16,082.01 16,929.00	16,929.01 17,775.00	17,775.01 18,621.00	18,621.01 19,468.00	19,468.01 20,314.00	20,314.01 21,161.00	21,161.01 22,007.00	22,007.01 22,854.00	22,854.01 23,700.00	23,700.01 & OVER
11,900.01 11,950.00	238	11,900.01 12,750.00	12,750.01 13,600.00	13,600.01 14,450.00	14,450.01 15,300.00	15,300.01 16,150.00	16,150.01 17,000.00	17,000.01 17,850.00	17,850.01 18,700.00	18,700.01 19,550.00	19,550.01 20,400.00	20,400.01 21,250.00	21,250.01 22,100.00	22,100.01 22,950.00	22,950.01 23,800.00	23,800.01 & OVER
11,950.01 12,000.00	239	11,950.01 12,804.00	12,804.01 13,657.00	13,657.01 14,511.00	14,511.01 15,364.00	15,364.01 16,218.00	16,218.01 17,071.00	17,071.01 17,925.00	17,925.01 18,779.00	18,779.01 19,632.00	19,632.01 20,486.00	20,486.01 21,339.00	21,339.01 22,193.00	22,193.01 23,046.00	23,046.01 23,900.00	23,900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
12,000.01 12,050.00	240	12,000.01 12,857.00	12,857.01 13,714.00	13,714.01 14,571.00	14,571.01 15,429.00	15,429.01 16,286.00	16,286.01 17,143.00	17,143.01 18,000.00	18,000.01 18,857.00	18,857.01 19,714.00	19,714.01 20,571.00	20,571.01 21,429.00	21,429.01 22,286.00	22,286.01 23,143.00	23,143.01 24,000.00	24,000.01 & OVER
12,050.01 12,100.00	241	12,050.01 12,911.00	12,911.01 13,771.00	13,771.01 14,632.00	14,632.01 15,493.00	15,493.01 16,354.00	16,354.01 17,214.00	17,214.01 18,075.00	18,075.01 18,936.00	18,936.01 19,796.00	19,796.01 20,657.00	20,657.01 21,518.00	21,518.01 22,379.00	22,379.01 23,239.00	23,239.01 24,100.00	24,100.01 & OVER
12,100.01 12,150.00	242	12,100.01 12,964.00	12,964.01 13,829.00	13,829.01 14,693.00	14,693.01 15,557.00	15,557.01 16,421.00	16,421.01 17,286.00	17,286.01 18,150.00	18,150.01 19,014.00	19,014.01 19,879.00	19,879.01 20,743.00	20,743.01 21,607.00	21,607.01 22,471.00	22,471.01 23,336.00	23,336.01 24,200.00	24,200.01 & OVER
12,150.01 12,200.00	243	12,150.01 13,018.00	13,018.01 13,886.00	13,886.01 14,754.00	14,754.01 15,621.00	15,621.01 16,489.00	16,489.01 17,357.00	17,357.01 18,225.00	18,225.01 19,093.00	19,093.01 19,961.00	19,961.01 20,829.00	20,829.01 21,696.00	21,696.01 22,564.00	22,564.01 23,432.00	23,432.01 24,300.00	24,300.01 & OVER
12,200.01 12,250.00	244	12,200.01 13,071.00	13,071.01 13,943.00	13,943.01 14,814.00	14,814.01 15,686.00	15,686.01 16,557.00	16,557.01 17,429.00	17,429.01 18,300.00	18,300.01 19,171.00	19,171.01 20,043.00	20,043.01 20,914.00	20,914.01 21,786.00	21,786.01 22,657.00	22,657.01 23,529.00	23,529.01 24,400.00	24,400.01 & OVER
12,250.01 12,300.00	245	12,250.01 13,125.00	13,125.01 14,000.00	14,000.01 14,875.00	14,875.01 15,750.00	15,750.01 16,625.00	16,625.01 17,500.00	17,500.01 18,375.00	18,375.01 19,250.00	19,250.01 20,125.00	20,125.01 21,000.00	21,000.01 21,875.00	21,875.01 22,750.00	22,750.01 23,625.00	23,625.01 24,500.00	24,500.01 & OVER
12,300.01 12,350.00	246	12,300.01 13,179.00	13,179.01 14,057.00	14,057.01 14,936.00	14,936.01 15,814.00	15,814.01 16,693.00	16,693.01 17,571.00	17,571.01 18,450.00	18,450.01 19,329.00	19,329.01 20,207.00	20,207.01 21,086.00	21,086.01 21,964.00	21,964.01 22,843.00	22,843.01 23,721.00	23,721.01 24,600.00	24,600.01 & OVER
12,350.01 12,400.00	247	12,350.01 13,232.00	13,232.01 14,114.00	14,114.01 14,996.00	14,996.01 15,879.00	15,879.01 16,761.00	16,761.01 17,643.00	17,643.01 18,525.00	18,525.01 19,407.00	19,407.01 20,289.00	20,289.01 21,171.00	21,171.01 22,054.00	22,054.01 22,936.00	22,936.01 23,818.00	23,818.01 24,700.00	24,700.01 & OVER
12,400.01 12,450.00	248	12,400.01 13,286.00	13,286.01 14,171.00	14,171.01 15,057.00	15,057.01 15,943.00	15,943.01 16,829.00	16,829.01 17,714.00	17,714.01 18,600.00	18,600.01 19,486.00	19,486.01 20,371.00	20,371.01 21,257.00	21,257.01 22,143.00	22,143.01 23,029.00	23,029.01 23,914.00	23,914.01 24,800.00	24,800.01 & OVER
12,450.01 12,500.00	249	12,450.01 13,339.00	13,339.01 14,229.00	14,229.01 15,118.00	15,118.01 16,007.00	16,007.01 16,896.00	16,896.01 17,786.00	17,786.01 18,675.00	18,675.01 19,564.00	19,564.01 20,454.00	20,454.01 21,343.00	21,343.01 22,232.00	22,232.01 23,121.00	23,121.01 24,011.00	24,011.01 24,900.00	24,900.01 & OVER
12,500.01 12,550.00	250	12,500.01 13,393.00	13,393.01 14,286.00	14,286.01 15,179.00	15,179.01 16,071.00	16,071.01 16,964.00	16,964.01 17,857.00	17,857.01 18,750.00	18,750.01 19,643.00	19,643.01 20,536.00	20,536.01 21,429.00	21,429.01 22,321.00	22,321.01 23,214.00	23,214.01 24,107.00	24,107.01 25,000.00	25,000.01 & OVER
12,550.01 12,600.00	251	12,550.01 13,446.00	13,446.01 14,343.00	14,343.01 15,239.00	15,239.01 16,136.00	16,136.01 17,032.00	17,032.01 17,929.00	17,929.01 18,825.00	18,825.01 19,721.00	19,721.01 20,618.00	20,618.01 21,514.00	21,514.01 22,411.00	22,411.01 23,307.00	23,307.01 24,204.00	24,204.01 25,100.00	25,100.01 & OVER
12,600.01 12,650.00	252	12,600.01 13,500.00	13,500.01 14,400.00	14,400.01 15,300.00	15,300.01 16,200.00	16,200.01 17,100.00	17,100.01 18,000.00	18,000.01 18,900.00	18,900.01 19,800.00	19,800.01 20,700.00	20,700.01 21,600.00	21,600.01 22,500.00	22,500.01 23,400.00	23,400.01 24,300.00	24,300.01 25,200.00	25,200.01 & OVER
12,650.01 12,700.00	253	12,650.01 13,554.00	13,554.01 14,457.00	14,457.01 15,361.00	15,361.01 16,264.00	16,264.01 17,168.00	17,168.01 18,071.00	18,071.01 18,975.00	18,975.01 19,879.00	19,879.01 20,782.00	20,782.01 21,686.00	21,686.01 22,589.00	22,589.01 23,493.00	23,493.01 24,396.00	24,396.01 25,300.00	25,300.01 & OVER
12,700.01 12,750.00	254	12,700.01 13,607.00	13,607.01 14,514.00	14,514.01 15,421.00	15,421.01 16,329.00	16,329.01 17,236.00	17,236.01 18,143.00	18,143.01 19,050.00	19,050.01 19,957.00	19,957.01 20,864.00	20,864.01 21,771.00	21,771.01 22,679.00	22,679.01 23,586.00	23,586.01 24,493.00	24,493.01 25,400.00	25,400.01 & OVER
12,750.01 12,800.00	255	12,750.01 13,661.00	13,661.01 14,571.00	14,571.01 15,482.00	15,482.01 16,393.00	16,393.01 17,304.00	17,304.01 18,214.00	18,214.01 19,125.00	19,125.01 20,036.00	20,036.01 20,946.00	20,946.01 21,857.00	21,857.01 22,768.00	22,768.01 23,679.00	23,679.01 24,589.00	24,589.01 25,500.00	25,500.01 & OVER
12,800.01 12,850.00	256	12,800.01 13,714.00	13,714.01 14,629.00	14,629.01 15,543.00	15,543.01 16,457.00	16,457.01 17,371.00	17,371.01 18,286.00	18,286.01 19,200.00	19,200.01 20,114.00	20,114.01 21,029.00	21,029.01 21,943.00	21,943.01 22,857.00	22,857.01 23,771.00	23,771.01 24,686.00	24,686.01 25,600.00	25,600.01 & OVER
12,850.01 12,900.00	257	12,850.01 13,768.00	13,768.01 14,686.00	14,686.01 15,604.00	15,604.01 16,521.00	16,521.01 17,439.00	17,439.01 18,357.00	18,357.01 19,275.00	19,275.01 20,193.00	20,193.01 21,111.00	21,111.01 22,029.00	22,029.01 22,946.00	22,946.01 23,864.00	23,864.01 24,782.00	24,782.01 25,700.00	25,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
12,900.01 12,950.00	258	12,900.01 13,821.00	13,821.01 14,743.00	14,743.01 15,664.00	15,664.01 16,586.00	16,586.01 17,507.00	17,507.01 18,429.00	18,429.01 19,350.00	19,350.01 20,271.00	20,271.01 21,193.00	21,193.01 22,114.00	22,114.01 23,036.00	23,036.01 23,957.00	23,957.01 24,879.00	24,879.01 25,800.00	25,800.01 & OVER
12,950.01 13,000.00	259	12,950.01 13,875.00	13,875.01 14,800.00	14,800.01 15,725.00	15,725.01 16,650.00	16,650.01 17,575.00	17,575.01 18,500.00	18,500.01 19,425.00	19,425.01 20,350.00	20,350.01 21,275.00	21,275.01 22,200.00	22,200.01 23,125.00	23,125.01 24,050.00	24,050.01 24,975.00	24,975.01 25,900.00	25,900.01 & OVER
13,000.01 13,050.00	260	13,000.01 13,929.00	13,929.01 14,857.00	14,857.01 15,786.00	15,786.01 16,714.00	16,714.01 17,643.00	17,643.01 18,571.00	18,571.01 19,500.00	19,500.01 20,429.00	20,429.01 21,357.00	21,357.01 22,286.00	22,286.01 23,214.00	23,214.01 24,143.00	24,143.01 25,071.00	25,071.01 26,000.00	26,000.01 & OVER
13,050.01 13,100.00	261	13,050.01 13,982.00	13,982.01 14,914.00	14,914.01 15,846.00	15,846.01 16,779.00	16,779.01 17,711.00	17,711.01 18,643.00	18,643.01 19,575.00	19,575.01 20,507.00	20,507.01 21,439.00	21,439.01 22,371.00	22,371.01 23,304.00	23,304.01 24,236.00	24,236.01 25,168.00	25,168.01 26,100.00	26,100.01 & OVER
13,100.01 13,150.00	262	13,100.01 14,036.00	14,036.01 14,971.00	14,971.01 15,907.00	15,907.01 16,843.00	16,843.01 17,779.00	17,779.01 18,714.00	18,714.01 19,650.00	19,650.01 20,586.00	20,586.01 21,521.00	21,521.01 22,457.00	22,457.01 23,393.00	23,393.01 24,329.00	24,329.01 25,264.00	25,264.01 26,200.00	26,200.01 & OVER
13,150.01 13,200.00	263	13,150.01 14,089.00	14,089.01 15,029.00	15,029.01 15,968.00	15,968.01 16,907.00	16,907.01 17,846.00	17,846.01 18,786.00	18,786.01 19,725.00	19,725.01 20,664.00	20,664.01 21,604.00	21,604.01 22,543.00	22,543.01 23,482.00	23,482.01 24,421.00	24,421.01 25,361.00	25,361.01 26,300.00	26,300.01 & OVER
13,200.01 13,250.00	264	13,200.01 14,143.00	14,143.01 15,086.00	15,086.01 16,029.00	16,029.01 16,971.00	16,971.01 17,914.00	17,914.01 18,857.00	18,857.01 19,800.00	19,800.01 20,743.00	20,743.01 21,686.00	21,686.01 22,629.00	22,629.01 23,571.00	23,571.01 24,514.00	24,514.01 25,457.00	25,457.01 26,400.00	26,400.01 & OVER
13,250.01 13,300.00	265	13,250.01 14,196.00	14,196.01 15,143.00	15,143.01 16,089.00	16,089.01 17,036.00	17,036.01 17,982.00	17,982.01 18,929.00	18,929.01 19,875.00	19,875.01 20,821.00	20,821.01 21,768.00	21,768.01 22,714.00	22,714.01 23,661.00	23,661.01 24,607.00	24,607.01 25,554.00	25,554.01 26,500.00	26,500.01 & OVER
13,300.01 13,350.00	266	13,300.01 14,250.00	14,250.01 15,200.00	15,200.01 16,150.00	16,150.01 17,100.00	17,100.01 18,050.00	18,050.01 19,000.00	19,000.01 19,950.00	19,950.01 20,900.00	20,900.01 21,850.00	21,850.01 22,800.00	22,800.01 23,750.00	23,750.01 24,700.00	24,700.01 25,650.00	25,650.01 26,600.00	26,600.01 & OVER
13,350.01 13,400.00	267	13,350.01 14,304.00	14,304.01 15,257.00	15,257.01 16,211.00	16,211.01 17,164.00	17,164.01 18,118.00	18,118.01 19,071.00	19,071.01 20,025.00	20,025.01 20,979.00	20,979.01 21,932.00	21,932.01 22,886.00	22,886.01 23,839.00	23,839.01 24,793.00	24,793.01 25,746.00	25,746.01 26,700.00	26,700.01 & OVER
13,400.01 13,450.00	268	13,400.01 14,357.00	14,357.01 15,314.00	15,314.01 16,271.00	16,271.01 17,229.00	17,229.01 18,186.00	18,186.01 19,143.00	19,143.01 20,100.00	20,100.01 21,057.00	21,057.01 22,014.00	22,014.01 22,971.00	22,971.01 23,929.00	23,929.01 24,886.00	24,886.01 25,843.00	25,843.01 26,800.00	26,800.01 & OVER
13,450.01 13,500.00	269	13,450.01 14,411.00	14,411.01 15,371.00	15,371.01 16,332.00	16,332.01 17,293.00	17,293.01 18,254.00	18,254.01 19,214.00	19,214.01 20,175.00	20,175.01 21,136.00	21,136.01 22,096.00	22,096.01 23,057.00	23,057.01 24,018.00	24,018.01 24,979.00	24,979.01 25,939.00	25,939.01 26,900.00	26,900.01 & OVER
13,500.01 13,550.00	270	13,500.01 14,464.00	14,464.01 15,429.00	15,429.01 16,393.00	16,393.01 17,357.00	17,357.01 18,321.00	18,321.01 19,286.00	19,286.01 20,250.00	20,250.01 21,214.00	21,214.01 22,179.00	22,179.01 23,143.00	23,143.01 24,107.00	24,107.01 25,071.00	25,071.01 26,036.00	26,036.01 27,000.00	27,000.01 & OVER
13,550.01 13,600.00	271	13,550.01 14,518.00	14,518.01 15,486.00	15,486.01 16,454.00	16,454.01 17,421.00	17,421.01 18,389.00	18,389.01 19,357.00	19,357.01 20,325.00	20,325.01 21,293.00	21,293.01 22,261.00	22,261.01 23,229.00	23,229.01 24,196.00	24,196.01 25,164.00	25,164.01 26,132.00	26,132.01 27,100.00	27,100.01 & OVER
13,600.01 13,650.00	272	13,600.01 14,571.00	14,571.01 15,543.00	15,543.01 16,514.00	16,514.01 17,486.00	17,486.01 18,457.00	18,457.01 19,429.00	19,429.01 20,400.00	20,400.01 21,371.00	21,371.01 22,343.00	22,343.01 23,314.00	23,314.01 24,286.00	24,286.01 25,257.00	25,257.01 26,229.00	26,229.01 27,200.00	27,200.01 & OVER
13,650.01 13,700.00	273	13,650.01 14,625.00	14,625.01 15,600.00	15,600.01 16,575.00	16,575.01 17,550.00	17,550.01 18,525.00	18,525.01 19,500.00	19,500.01 20,475.00	20,475.01 21,450.00	21,450.01 22,425.00	22,425.01 23,400.00	23,400.01 24,375.00	24,375.01 25,350.00	25,350.01 26,325.00	26,325.01 27,300.00	27,300.01 & OVER
13,700.01 13,750.00	274	13,700.01 14,679.00	14,679.01 15,657.00	15,657.01 16,636.00	16,636.01 17,614.00	17,614.01 18,593.00	18,593.01 19,571.00	19,571.01 20,550.00	20,550.01 21,529.00	21,529.01 22,507.00	22,507.01 23,486.00	23,486.01 24,464.00	24,464.01 25,443.00	25,443.01 26,421.00	26,421.01 27,400.00	27,400.01 & OVER
13,750.01 13,800.00	275	13,750.01 14,732.00	14,732.01 15,714.00	15,714.01 16,696.00	16,696.01 17,679.00	17,679.01 18,661.00	18,661.01 19,643.00	19,643.01 20,625.00	20,625.01 21,607.00	21,607.01 22,589.00	22,589.01 23,571.00	23,571.01 24,554.00	24,554.01 25,536.00	25,536.01 26,518.00	26,518.01 27,500.00	27,500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
13,800.01 13,850.00	276	13,800.01 14,786.00	14,786.01 15,771.00	15,771.01 16,757.00	16,757.01 17,743.00	17,743.01 18,729.00	18,729.01 19,714.00	19,714.01 20,700.00	20,700.01 21,686.00	21,686.01 22,671.00	22,671.01 23,657.00	23,657.01 24,643.00	24,643.01 25,629.00	25,629.01 26,614.00	26,614.01 27,600.00	27,600.01 & OVER
13,850.01 13,900.00	277	13,850.01 14,839.00	14,839.01 15,829.00	15,829.01 16,818.00	16,818.01 17,807.00	17,807.01 18,796.00	18,796.01 19,786.00	19,786.01 20,775.00	20,775.01 21,764.00	21,764.01 22,754.00	22,754.01 23,743.00	23,743.01 24,732.00	24,732.01 25,721.00	25,721.01 26,711.00	26,711.01 27,700.00	27,700.01 & OVER
13,900.01 13,950.00	278	13,900.01 14,893.00	14,893.01 15,886.00	15,886.01 16,879.00	16,879.01 17,871.00	17,871.01 18,864.00	18,864.01 19,857.00	19,857.01 20,850.00	20,850.01 21,843.00	21,843.01 22,836.00	22,836.01 23,829.00	23,829.01 24,821.00	24,821.01 25,814.00	25,814.01 26,807.00	26,807.01 27,800.00	27,800.01 & OVER
13,950.01 14,000.00	279	13,950.01 14,946.00	14,946.01 15,943.00	15,943.01 16,939.00	16,939.01 17,936.00	17,936.01 18,932.00	18,932.01 19,929.00	19,929.01 20,925.00	20,925.01 21,921.00	21,921.01 22,918.00	22,918.01 23,914.00	23,914.01 24,911.00	24,911.01 25,907.00	25,907.01 26,904.00	26,904.01 27,900.00	27,900.01 & OVER
14,000.01 14,050.00	280	14,000.01 15,000.00	15,000.01 16,000.00	16,000.01 17,000.00	17,000.01 18,000.00	18,000.01 19,000.00	19,000.01 20,000.00	20,000.01 21,000.00	21,000.01 22,000.00	22,000.01 23,000.00	23,000.01 24,000.00	24,000.01 25,000.00	25,000.01 26,000.00	26,000.01 27,000.00	27,000.01 28,000.00	28,000.01 & OVER
14,050.01 14,100.00	281	14,050.01 15,054.00	15,054.01 16,057.00	16,057.01 17,061.00	17,061.01 18,064.00	18,064.01 19,068.00	19,068.01 20,071.00	20,071.01 21,075.00	21,075.01 22,079.00	22,079.01 23,082.00	23,082.01 24,086.00	24,086.01 25,089.00	25,089.01 26,093.00	26,093.01 27,096.00	27,096.01 28,100.00	28,100.01 & OVER
14,100.01 14,150.00	282	14,100.01 15,107.00	15,107.01 16,114.00	16,114.01 17,121.00	17,121.01 18,129.00	18,129.01 19,136.00	19,136.01 20,143.00	20,143.01 21,150.00	21,150.01 22,157.00	22,157.01 23,164.00	23,164.01 24,171.00	24,171.01 25,179.00	25,179.01 26,186.00	26,186.01 27,193.00	27,193.01 28,200.00	28,200.01 & OVER
14,150.01 14,200.00	283	14,150.01 15,161.00	15,161.01 16,171.00	16,171.01 17,182.00	17,182.01 18,193.00	18,193.01 19,204.00	19,204.01 20,214.00	20,214.01 21,225.00	21,225.01 22,236.00	22,236.01 23,246.00	23,246.01 24,257.00	24,257.01 25,268.00	25,268.01 26,279.00	26,279.01 27,289.00	27,289.01 28,300.00	28,300.01 & OVER
14,200.01 14,250.00	284	14,200.01 15,214.00	15,214.01 16,229.00	16,229.01 17,243.00	17,243.01 18,257.00	18,257.01 19,271.00	19,271.01 20,286.00	20,286.01 21,300.00	21,300.01 22,314.00	22,314.01 23,329.00	23,329.01 24,343.00	24,343.01 25,357.00	25,357.01 26,371.00	26,371.01 27,386.00	27,386.01 28,400.00	28,400.01 & OVER
14,250.01 14,300.00	285	14,250.01 15,268.00	15,268.01 16,286.00	16,286.01 17,304.00	17,304.01 18,321.00	18,321.01 19,339.00	19,339.01 20,357.00	20,357.01 21,375.00	21,375.01 22,393.00	22,393.01 23,411.00	23,411.01 24,429.00	24,429.01 25,446.00	25,446.01 26,464.00	26,464.01 27,482.00	27,482.01 28,500.00	28,500.01 & OVER
14,300.01 14,350.00	286	14,300.01 15,321.00	15,321.01 16,343.00	16,343.01 17,364.00	17,364.01 18,386.00	18,386.01 19,407.00	19,407.01 20,429.00	20,429.01 21,450.00	21,450.01 22,471.00	22,471.01 23,493.00	23,493.01 24,514.00	24,514.01 25,536.00	25,536.01 26,557.00	26,557.01 27,579.00	27,579.01 28,600.00	28,600.01 & OVER
14,350.01 14,400.00	287	14,350.01 15,375.00	15,375.01 16,400.00	16,400.01 17,425.00	17,425.01 18,450.00	18,450.01 19,475.00	19,475.01 20,500.00	20,500.01 21,525.00	21,525.01 22,550.00	22,550.01 23,575.00	23,575.01 24,600.00	24,600.01 25,625.00	25,625.01 26,650.00	26,650.01 27,675.00	27,675.01 28,700.00	28,700.01 & OVER
14,400.01 14,450.00	288	14,400.01 15,429.00	15,429.01 16,457.00	16,457.01 17,486.00	17,486.01 18,514.00	18,514.01 19,543.00	19,543.01 20,571.00	20,571.01 21,600.00	21,600.01 22,629.00	22,629.01 23,657.00	23,657.01 24,686.00	24,686.01 25,714.00	25,714.01 26,743.00	26,743.01 27,771.00	27,771.01 28,800.00	28,800.01 & OVER
14,450.01 14,500.00	289	14,450.01 15,482.00	15,482.01 16,514.00	16,514.01 17,546.00	17,546.01 18,579.00	18,579.01 19,611.00	19,611.01 20,643.00	20,643.01 21,675.00	21,675.01 22,707.00	22,707.01 23,739.00	23,739.01 24,771.00	24,771.01 25,804.00	25,804.01 26,836.00	26,836.01 27,868.00	27,868.01 28,900.00	28,900.01 & OVER
14,500.01 14,550.00	290	14,500.01 15,536.00	15,536.01 16,571.00	16,571.01 17,607.00	17,607.01 18,643.00	18,643.01 19,679.00	19,679.01 20,714.00	20,714.01 21,750.00	21,750.01 22,786.00	22,786.01 23,821.00	23,821.01 24,857.00	24,857.01 25,893.00	25,893.01 26,929.00	26,929.01 27,964.00	27,964.01 29,000.00	29,000.01 & OVER
14,550.01 14,600.00	291	14,550.01 15,589.00	15,589.01 16,629.00	16,629.01 17,668.00	17,668.01 18,707.00	18,707.01 19,746.00	19,746.01 20,786.00	20,786.01 21,825.00	21,825.01 22,864.00	22,864.01 23,904.00	23,904.01 24,943.00	24,943.01 25,982.00	25,982.01 27,021.00	27,021.01 28,061.00	28,061.01 29,100.00	29,100.01 & OVER
14,600.01 14,650.00	292	14,600.01 15,643.00	15,643.01 16,686.00	16,686.01 17,729.00	17,729.01 18,771.00	18,771.01 19,814.00	19,814.01 20,857.00	20,857.01 21,900.00	21,900.01 22,943.00	22,943.01 23,986.00	23,986.01 25,029.00	25,029.01 26,071.00	26,071.01 27,114.00	27,114.01 28,157.00	28,157.01 29,200.00	29,200.01 & OVER
14,650.01 14,700.00	293	14,650.01 15,696.00	15,696.01 16,743.00	16,743.01 17,789.00	17,789.01 18,836.00	18,836.01 19,882.00	19,882.01 20,929.00	20,929.01 21,975.00	21,975.01 23,021.00	23,021.01 24,068.00	24,068.01 25,114.00	25,114.01 26,161.00	26,161.01 27,207.00	27,207.01 28,254.00	28,254.01 29,300.00	29,300.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
14,700.01 14,750.00	294	14,700.01 15,750.00	15,750.01 16,800.00	16,800.01 17,850.00	17,850.01 18,900.00	18,900.01 19,950.00	19,950.01 21,000.00	21,000.01 22,050.00	22,050.01 23,100.00	23,100.01 24,150.00	24,150.01 25,200.00	25,200.01 26,250.00	26,250.01 27,300.00	27,300.01 28,350.00	28,350.01 29,400.00	29,400.01 & OVER
14,750.01 14,800.00	295	14,750.01 15,804.00	15,804.01 16,857.00	16,857.01 17,911.00	17,911.01 18,964.00	18,964.01 20,018.00	20,018.01 21,071.00	21,071.01 22,125.00	22,125.01 23,179.00	23,179.01 24,232.00	24,232.01 25,286.00	25,286.01 26,339.00	26,339.01 27,393.00	27,393.01 28,446.00	28,446.01 29,500.00	29,500.01 & OVER
14,800.01 14,850.00	296	14,800.01 15,857.00	15,857.01 16,914.00	16,914.01 17,971.00	17,971.01 19,029.00	19,029.01 20,086.00	20,086.01 21,143.00	21,143.01 22,200.00	22,200.01 23,257.00	23,257.01 24,314.00	24,314.01 25,371.00	25,371.01 26,429.00	26,429.01 27,486.00	27,486.01 28,543.00	28,543.01 29,600.00	29,600.01 & OVER
14,850.01 14,900.00	297	14,850.01 15,911.00	15,911.01 16,971.00	16,971.01 18,032.00	18,032.01 19,093.00	19,093.01 20,154.00	20,154.01 21,214.00	21,214.01 22,275.00	22,275.01 23,336.00	23,336.01 24,396.00	24,396.01 25,457.00	25,457.01 26,518.00	26,518.01 27,579.00	27,579.01 28,639.00	28,639.01 29,700.00	29,700.01 & OVER
14,900.01 14,950.00	298	14,900.01 15,964.00	15,964.01 17,029.00	17,029.01 18,093.00	18,093.01 19,157.00	19,157.01 20,221.00	20,221.01 21,286.00	21,286.01 22,350.00	22,350.01 23,414.00	23,414.01 24,479.00	24,479.01 25,543.00	25,543.01 26,607.00	26,607.01 27,671.00	27,671.01 28,736.00	28,736.01 29,800.00	29,800.01 & OVER
14,950.01 15,000.00	299	14,950.01 16,018.00	16,018.01 17,086.00	17,086.01 18,154.00	18,154.01 19,221.00	19,221.01 20,289.00	20,289.01 21,357.00	21,357.01 22,425.00	22,425.01 23,493.00	23,493.01 24,561.00	24,561.01 25,629.00	25,629.01 26,696.00	26,696.01 27,764.00	27,764.01 28,832.00	28,832.01 29,900.00	29,900.01 & OVER
15,000.01 15,050.00	300	15,000.01 16,071.00	16,071.01 17,143.00	17,143.01 18,214.00	18,214.01 19,286.00	19,286.01 20,357.00	20,357.01 21,429.00	21,429.01 22,500.00	22,500.01 23,571.00	23,571.01 24,643.00	24,643.01 25,714.00	25,714.01 26,786.00	26,786.01 27,857.00	27,857.01 28,929.00	28,929.01 30,000.00	30,000.01 & OVER
15,050.01 15,100.00	301	15,050.01 16,125.00	16,125.01 17,200.00	17,200.01 18,275.00	18,275.01 19,350.00	19,350.01 20,425.00	20,425.01 21,500.00	21,500.01 22,575.00	22,575.01 23,650.00	23,650.01 24,725.00	24,725.01 25,800.00	25,800.01 26,875.00	26,875.01 27,950.00	27,950.01 29,025.00	29,025.01 30,100.00	30,100.01 & OVER
15,100.01 15,150.00	302	15,100.01 16,179.00	16,179.01 17,257.00	17,257.01 18,336.00	18,336.01 19,414.00	19,414.01 20,493.00	20,493.01 21,571.00	21,571.01 22,650.00	22,650.01 23,729.00	23,729.01 24,807.00	24,807.01 25,886.00	25,886.01 26,964.00	26,964.01 28,043.00	28,043.01 29,121.00	29,121.01 30,200.00	30,200.01 & OVER
15,150.01 15,200.00	303	15,150.01 16,232.00	16,232.01 17,314.00	17,314.01 18,396.00	18,396.01 19,479.00	19,479.01 20,561.00	20,561.01 21,643.00	21,643.01 22,725.00	22,725.01 23,807.00	23,807.01 24,889.00	24,889.01 25,971.00	25,971.01 27,054.00	27,054.01 28,136.00	28,136.01 29,218.00	29,218.01 30,300.00	30,300.01 & OVER
15,200.01 15,250.00	304	15,200.01 16,286.00	16,286.01 17,371.00	17,371.01 18,457.00	18,457.01 19,543.00	19,543.01 20,629.00	20,629.01 21,714.00	21,714.01 22,800.00	22,800.01 23,886.00	23,886.01 24,971.00	24,971.01 26,057.00	26,057.01 27,143.00	27,143.01 28,229.00	28,229.01 29,314.00	29,314.01 30,400.00	30,400.01 & OVER
15,250.01 15,300.00	305	15,250.01 16,339.00	16,339.01 17,429.00	17,429.01 18,518.00	18,518.01 19,607.00	19,607.01 20,696.00	20,696.01 21,786.00	21,786.01 22,875.00	22,875.01 23,964.00	23,964.01 25,054.00	25,054.01 26,143.00	26,143.01 27,232.00	27,232.01 28,321.00	28,321.01 29,411.00	29,411.01 30,500.00	30,500.01 & OVER
15,300.01 15,350.00	306	15,300.01 16,393.00	16,393.01 17,486.00	17,486.01 18,579.00	18,579.01 19,671.00	19,671.01 20,764.00	20,764.01 21,857.00	21,857.01 22,950.00	22,950.01 24,043.00	24,043.01 25,136.00	25,136.01 26,229.00	26,229.01 27,321.00	27,321.01 28,414.00	28,414.01 29,507.00	29,507.01 30,600.00	30,600.01 & OVER
15,350.01 15,400.00	307	15,350.01 16,446.00	16,446.01 17,543.00	17,543.01 18,639.00	18,639.01 19,736.00	19,736.01 20,832.00	20,832.01 21,929.00	21,929.01 23,025.00	23,025.01 24,121.00	24,121.01 25,218.00	25,218.01 26,314.00	26,314.01 27,411.00	27,411.01 28,507.00	28,507.01 29,604.00	29,604.01 30,700.00	30,700.01 & OVER
15,400.01 15,450.00	308	15,400.01 16,500.00	16,500.01 17,600.00	17,600.01 18,700.00	18,700.01 19,800.00	19,800.01 20,900.00	20,900.01 22,000.00	22,000.01 23,100.00	23,100.01 24,200.00	24,200.01 25,300.00	25,300.01 26,400.00	26,400.01 27,500.00	27,500.01 28,600.00	28,600.01 29,700.00	29,700.01 30,800.00	30,800.01 & OVER
15,450.01 15,500.00	309	15,450.01 16,554.00	16,554.01 17,657.00	17,657.01 18,761.00	18,761.01 19,864.00	19,864.01 20,968.00	20,968.01 22,071.00	22,071.01 23,175.00	23,175.01 24,279.00	24,279.01 25,382.00	25,382.01 26,486.00	26,486.01 27,589.00	27,589.01 28,693.00	28,693.01 29,796.00	29,796.01 30,900.00	30,900.01 & OVER
15,500.01 15,550.00	310	15,500.01 16,607.00	16,607.01 17,714.00	17,714.01 18,821.00	18,821.01 19,929.00	19,929.01 21,036.00	21,036.01 22,143.00	22,143.01 23,250.00	23,250.01 24,357.00	24,357.01 25,464.00	25,464.01 26,571.00	26,571.01 27,679.00	27,679.01 28,786.00	28,786.01 29,893.00	29,893.01 31,000.00	31,000.01 & OVER
15,550.01 15,600.00	311	15,550.01 16,661.00	16,661.01 17,771.00	17,771.01 18,882.00	18,882.01 19,993.00	19,993.01 21,104.00	21,104.01 22,214.00	22,214.01 23,325.00	23,325.01 24,436.00	24,436.01 25,546.00	25,546.01 26,657.00	26,657.01 27,768.00	27,768.01 28,879.00	28,879.01 29,989.00	29,989.01 31,100.00	31,100.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
15,600.01 15,650.00	312	15,600.01 16,714.00	16,714.01 17,829.00	17,829.01 18,943.00	18,943.01 20,057.00	20,057.01 21,171.00	21,171.01 22,286.00	22,286.01 23,400.00	23,400.01 24,514.00	24,514.01 25,629.00	25,629.01 26,743.00	26,743.01 27,857.00	27,857.01 28,971.00	28,971.01 30,086.00	30,086.01 31,200.00	31,200.01 & OVER
15,650.01 15,700.00	313	15,650.01 16,768.00	16,768.01 17,886.00	17,886.01 19,004.00	19,004.01 20,121.00	20,121.01 21,239.00	21,239.01 22,357.00	22,357.01 23,475.00	23,475.01 24,593.00	24,593.01 25,711.00	25,711.01 26,829.00	26,829.01 27,946.00	27,946.01 29,064.00	29,064.01 30,182.00	30,182.01 31,300.00	31,300.01 & OVER
15,700.01 15,750.00	314	15,700.01 16,821.00	16,821.01 17,943.00	17,943.01 19,064.00	19,064.01 20,186.00	20,186.01 21,307.00	21,307.01 22,429.00	22,429.01 23,550.00	23,550.01 24,671.00	24,671.01 25,793.00	25,793.01 26,914.00	26,914.01 28,036.00	28,036.01 29,157.00	29,157.01 30,279.00	30,279.01 31,400.00	31,400.01 & OVER
15,750.01 15,800.00	315	15,750.01 16,875.00	16,875.01 18,000.00	18,000.01 19,125.00	19,125.01 20,250.00	20,250.01 21,375.00	21,375.01 22,500.00	22,500.01 23,625.00	23,625.01 24,750.00	24,750.01 25,875.00	25,875.01 27,000.00	27,000.01 28,125.00	28,125.01 29,250.00	29,250.01 30,375.00	30,375.01 31,500.00	31,500.01 & OVER
15,800.01 15,850.00	316	15,800.01 16,929.00	16,929.01 18,057.00	18,057.01 19,186.00	19,186.01 20,314.00	20,314.01 21,443.00	21,443.01 22,571.00	22,571.01 23,700.00	23,700.01 24,829.00	24,829.01 25,957.00	25,957.01 27,086.00	27,086.01 28,214.00	28,214.01 29,343.00	29,343.01 30,471.00	30,471.01 31,600.00	31,600.01 & OVER
15,850.01 15,900.00	317	15,850.01 16,982.00	16,982.01 18,114.00	18,114.01 19,246.00	19,246.01 20,379.00	20,379.01 21,511.00	21,511.01 22,643.00	22,643.01 23,775.00	23,775.01 24,907.00	24,907.01 26,039.00	26,039.01 27,171.00	27,171.01 28,304.00	28,304.01 29,436.00	29,436.01 30,568.00	30,568.01 31,700.00	31,700.01 & OVER
15,900.01 15,950.00	318	15,900.01 17,036.00	17,036.01 18,171.00	18,171.01 19,307.00	19,307.01 20,443.00	20,443.01 21,579.00	21,579.01 22,714.00	22,714.01 23,850.00	23,850.01 24,986.00	24,986.01 26,121.00	26,121.01 27,257.00	27,257.01 28,393.00	28,393.01 29,529.00	29,529.01 30,664.00	30,664.01 31,800.00	31,800.01 & OVER
15,950.01 16,000.00	319	15,950.01 17,089.00	17,089.01 18,229.00	18,229.01 19,368.00	19,368.01 20,507.00	20,507.01 21,646.00	21,646.01 22,786.00	22,786.01 23,925.00	23,925.01 25,064.00	25,064.01 26,204.00	26,204.01 27,343.00	27,343.01 28,482.00	28,482.01 29,621.00	29,621.01 30,761.00	30,761.01 31,900.00	31,900.01 & OVER
16,000.01 16,050.00	320	16,000.01 17,143.00	17,143.01 18,286.00	18,286.01 19,429.00	19,429.01 20,571.00	20,571.01 21,714.00	21,714.01 22,857.00	22,857.01 24,000.00	24,000.01 25,143.00	25,143.01 26,286.00	26,286.01 27,429.00	27,429.01 28,571.00	28,571.01 29,714.00	29,714.01 30,857.00	30,857.01 32,000.00	32,000.01 & OVER
16,050.01 16,100.00	321	16,050.01 17,196.00	17,196.01 18,343.00	18,343.01 19,489.00	19,489.01 20,636.00	20,636.01 21,782.00	21,782.01 22,929.00	22,929.01 24,075.00	24,075.01 25,221.00	25,221.01 26,368.00	26,368.01 27,514.00	27,514.01 28,661.00	28,661.01 29,807.00	29,807.01 30,954.00	30,954.01 32,100.00	32,100.01 & OVER
16,100.01 16,150.00	322	16,100.01 17,250.00	17,250.01 18,400.00	18,400.01 19,550.00	19,550.01 20,700.00	20,700.01 21,850.00	21,850.01 23,000.00	23,000.01 24,150.00	24,150.01 25,300.00	25,300.01 26,450.00	26,450.01 27,600.00	27,600.01 28,750.00	28,750.01 29,900.00	29,900.01 31,050.00	31,050.01 32,200.00	32,200.01 & OVER
16,150.01 16,200.00	323	16,150.01 17,304.00	17,304.01 18,457.00	18,457.01 19,611.00	19,611.01 20,764.00	20,764.01 21,918.00	21,918.01 23,071.00	23,071.01 24,225.00	24,225.01 25,379.00	25,379.01 26,532.00	26,532.01 27,686.00	27,686.01 28,839.00	28,839.01 29,993.00	29,993.01 31,146.00	31,146.01 32,300.00	32,300.01 & OVER
16,200.01 16,250.00	324	16,200.01 17,357.00	17,357.01 18,514.00	18,514.01 19,671.00	19,671.01 20,829.00	20,829.01 21,986.00	21,986.01 23,143.00	23,143.01 24,300.00	24,300.01 25,457.00	25,457.01 26,614.00	26,614.01 27,771.00	27,771.01 28,929.00	28,929.01 30,086.00	30,086.01 31,243.00	31,243.01 32,400.00	32,400.01 & OVER
16,250.01 16,300.00	325	16,250.01 17,411.00	17,411.01 18,571.00	18,571.01 19,732.00	19,732.01 20,893.00	20,893.01 22,054.00	22,054.01 23,214.00	23,214.01 24,375.00	24,375.01 25,536.00	25,536.01 26,696.00	26,696.01 27,857.00	27,857.01 29,018.00	29,018.01 30,179.00	30,179.01 31,339.00	31,339.01 32,500.00	32,500.01 & OVER
16,300.01 16,350.00	326	16,300.01 17,464.00	17,464.01 18,629.00	18,629.01 19,793.00	19,793.01 20,957.00	20,957.01 22,121.00	22,121.01 23,286.00	23,286.01 24,450.00	24,450.01 25,614.00	25,614.01 26,779.00	26,779.01 27,943.00	27,943.01 29,107.00	29,107.01 30,271.00	30,271.01 31,436.00	31,436.01 32,600.00	32,600.01 & OVER
16,350.01 16,400.00	327	16,350.01 17,518.00	17,518.01 18,686.00	18,686.01 19,854.00	19,854.01 21,021.00	21,021.01 22,189.00	22,189.01 23,357.00	23,357.01 24,525.00	24,525.01 25,693.00	25,693.01 26,861.00	26,861.01 28,029.00	28,029.01 29,196.00	29,196.01 30,364.00	30,364.01 31,532.00	31,532.01 32,700.00	32,700.01 & OVER
16,400.01 16,450.00	328	16,400.01 17,571.00	17,571.01 18,743.00	18,743.01 19,914.00	19,914.01 21,086.00	21,086.01 22,257.00	22,257.01 23,429.00	23,429.01 24,600.00	24,600.01 25,771.00	25,771.01 26,943.00	26,943.01 28,114.00	28,114.01 29,286.00	29,286.01 30,457.00	30,457.01 31,629.00	31,629.01 32,800.00	32,800.01 & OVER
16,450.01 16,500.00	329	16,450.01 17,625.00	17,625.01 18,800.00	18,800.01 19,975.00	19,975.01 21,150.00	21,150.01 22,325.00	22,325.01 23,500.00	23,500.01 24,675.00	24,675.01 25,850.00	25,850.01 27,025.00	27,025.01 28,200.00	28,200.01 29,375.00	29,375.01 30,550.00	30,550.01 31,725.00	31,725.01 32,900.00	32,900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
16,500.01 16,550.00	330	16,500.01 17,679.00	17,679.01 18,857.00	18,857.01 20,036.00	20,036.01 21,214.00	21,214.01 22,393.00	22,393.01 23,571.00	23,571.01 24,750.00	24,750.01 25,929.00	25,929.01 27,107.00	27,107.01 28,286.00	28,286.01 29,464.00	29,464.01 30,643.00	30,643.01 31,821.00	31,821.01 33,000.00	33,000.01 & OVER
16,550.01 16,600.00	331	16,550.01 17,732.00	17,732.01 18,914.00	18,914.01 20,096.00	20,096.01 21,279.00	21,279.01 22,461.00	22,461.01 23,643.00	23,643.01 24,825.00	24,825.01 26,007.00	26,007.01 27,189.00	27,189.01 28,371.00	28,371.01 29,554.00	29,554.01 30,736.00	30,736.01 31,918.00	31,918.01 33,100.00	33,100.01 & OVER
16,600.01 16,650.00	332	16,600.01 17,786.00	17,786.01 18,971.00	18,971.01 20,157.00	20,157.01 21,343.00	21,343.01 22,529.00	22,529.01 23,714.00	23,714.01 24,900.00	24,900.01 26,086.00	26,086.01 27,271.00	27,271.01 28,457.00	28,457.01 29,643.00	29,643.01 30,829.00	30,829.01 32,014.00	32,014.01 33,200.00	33,200.01 & OVER
16,650.01 16,700.00	333	16,650.01 17,839.00	17,839.01 19,029.00	19,029.01 20,218.00	20,218.01 21,407.00	21,407.01 22,596.00	22,596.01 23,786.00	23,786.01 24,975.00	24,975.01 26,164.00	26,164.01 27,354.00	27,354.01 28,543.00	28,543.01 29,732.00	29,732.01 30,921.00	30,921.01 32,111.00	32,111.01 33,300.00	33,300.01 & OVER
16,700.01 16,750.00	334	16,700.01 17,893.00	17,893.01 19,086.00	19,086.01 20,279.00	20,279.01 21,471.00	21,471.01 22,664.00	22,664.01 23,857.00	23,857.01 25,050.00	25,050.01 26,243.00	26,243.01 27,436.00	27,436.01 28,629.00	28,629.01 29,821.00	29,821.01 31,014.00	31,014.01 32,207.00	32,207.01 33,400.00	33,400.01 & OVER
16,750.01 16,800.00	335	16,750.01 17,946.00	17,946.01 19,143.00	19,143.01 20,339.00	20,339.01 21,536.00	21,536.01 22,732.00	22,732.01 23,929.00	23,929.01 25,125.00	25,125.01 26,321.00	26,321.01 27,518.00	27,518.01 28,714.00	28,714.01 29,911.00	29,911.01 31,107.00	31,107.01 32,304.00	32,304.01 33,500.00	33,500.01 & OVER
16,800.01 16,850.00	336	16,800.01 18,000.00	18,000.01 19,200.00	19,200.01 20,400.00	20,400.01 21,600.00	21,600.01 22,800.00	22,800.01 24,000.00	24,000.01 25,200.00	25,200.01 26,400.00	26,400.01 27,600.00	27,600.01 28,800.00	28,800.01 30,000.00	30,000.01 31,200.00	31,200.01 32,400.00	32,400.01 33,600.00	33,600.01 & OVER
16,850.01 16,900.00	337	16,850.01 18,054.00	18,054.01 19,257.00	19,257.01 20,461.00	20,461.01 21,664.00	21,664.01 22,868.00	22,868.01 24,071.00	24,071.01 25,275.00	25,275.01 26,479.00	26,479.01 27,682.00	27,682.01 28,886.00	28,886.01 30,089.00	30,089.01 31,293.00	31,293.01 32,496.00	32,496.01 33,700.00	33,700.01 & OVER
16,900.01 16,950.00	338	16,900.01 18,107.00	18,107.01 19,314.00	19,314.01 20,521.00	20,521.01 21,729.00	21,729.01 22,936.00	22,936.01 24,143.00	24,143.01 25,350.00	25,350.01 26,557.00	26,557.01 27,764.00	27,764.01 28,971.00	28,971.01 30,179.00	30,179.01 31,386.00	31,386.01 32,593.00	32,593.01 33,800.00	33,800.01 & OVER
16,950.01 17,000.00	339	16,950.01 18,161.00	18,161.01 19,371.00	19,371.01 20,582.00	20,582.01 21,793.00	21,793.01 23,004.00	23,004.01 24,214.00	24,214.01 25,425.00	25,425.01 26,636.00	26,636.01 27,846.00	27,846.01 29,057.00	29,057.01 30,268.00	30,268.01 31,479.00	31,479.01 32,689.00	32,689.01 33,900.00	33,900.01 & OVER
17,000.01 17,050.00	340	17,000.01 18,214.00	18,214.01 19,429.00	19,429.01 20,643.00	20,643.01 21,857.00	21,857.01 23,071.00	23,071.01 24,286.00	24,286.01 25,500.00	25,500.01 26,714.00	26,714.01 27,929.00	27,929.01 29,143.00	29,143.01 30,357.00	30,357.01 31,571.00	31,571.01 32,786.00	32,786.01 34,000.00	34,000.01 & OVER
17,050.01 17,100.00	341	17,050.01 18,268.00	18,268.01 19,486.00	19,486.01 20,704.00	20,704.01 21,921.00	21,921.01 23,139.00	23,139.01 24,357.00	24,357.01 25,575.00	25,575.01 26,793.00	26,793.01 28,011.00	28,011.01 29,229.00	29,229.01 30,446.00	30,446.01 31,664.00	31,664.01 32,882.00	32,882.01 34,100.00	34,100.01 & OVER
17,100.01 17,150.00	342	17,100.01 18,321.00	18,321.01 19,543.00	19,543.01 20,764.00	20,764.01 21,986.00	21,986.01 23,207.00	23,207.01 24,429.00	24,429.01 25,650.00	25,650.01 26,871.00	26,871.01 28,093.00	28,093.01 29,314.00	29,314.01 30,536.00	30,536.01 31,757.00	31,757.01 32,979.00	32,979.01 34,200.00	34,200.01 & OVER
17,150.01 17,200.00	343	17,150.01 18,375.00	18,375.01 19,600.00	19,600.01 20,825.00	20,825.01 22,050.00	22,050.01 23,275.00	23,275.01 24,500.00	24,500.01 25,725.00	25,725.01 26,950.00	26,950.01 28,175.00	28,175.01 29,400.00	29,400.01 30,625.00	30,625.01 31,850.00	31,850.01 33,075.00	33,075.01 34,300.00	34,300.01 & OVER
17,200.01 17,250.00	344	17,200.01 18,429.00	18,429.01 19,657.00	19,657.01 20,886.00	20,886.01 22,114.00	22,114.01 23,343.00	23,343.01 24,571.00	24,571.01 25,800.00	25,800.01 27,029.00	27,029.01 28,257.00	28,257.01 29,486.00	29,486.01 30,714.00	30,714.01 31,943.00	31,943.01 33,171.00	33,171.01 34,400.00	34,400.01 & OVER
17,250.01 17,300.00	345	17,250.01 18,482.00	18,482.01 19,714.00	19,714.01 20,946.00	20,946.01 22,179.00	22,179.01 23,411.00	23,411.01 24,643.00	24,643.01 25,875.00	25,875.01 27,107.00	27,107.01 28,339.00	28,339.01 29,571.00	29,571.01 30,804.00	30,804.01 32,036.00	32,036.01 33,268.00	33,268.01 34,500.00	34,500.01 & OVER
17,300.01 17,350.00	346	17,300.01 18,536.00	18,536.01 19,771.00	19,771.01 21,007.00	21,007.01 22,243.00	22,243.01 23,479.00	23,479.01 24,714.00	24,714.01 25,950.00	25,950.01 27,186.00	27,186.01 28,421.00	28,421.01 29,657.00	29,657.01 30,893.00	30,893.01 32,129.00	32,129.01 33,364.00	33,364.01 34,600.00	34,600.01 & OVER
17,350.01 17,400.00	347	17,350.01 18,589.00	18,589.01 19,829.00	19,829.01 21,068.00	21,068.01 22,307.00	22,307.01 23,546.00	23,546.01 24,786.00	24,786.01 26,025.00	26,025.01 27,264.00	27,264.01 28,504.00	28,504.01 29,743.00	29,743.01 30,982.00	30,982.01 32,221.00	32,221.01 33,461.00	33,461.01 34,700.00	34,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
17400.01 17450.00	348	17400.01 18643.00	18643.01 19886.00	19886.01 21129.00	21129.01 22371.00	22371.01 23614.00	23614.01 24857.00	24857.01 26100.00	26100.01 27343.00	27343.01 28586.00	28586.01 29829.00	29829.01 31071.00	31071.01 32314.00	32314.01 33557.00	33557.01 34800.00	34800.01 & OVER
17450.01 17500.00	349	17450.01 18696.00	18696.01 19943.00	19943.01 21189.00	21189.01 22436.00	22436.01 23682.00	23682.01 24929.00	24929.01 26175.00	26175.01 27421.00	27421.01 28668.00	28668.01 29914.00	29914.01 31161.00	31161.01 32407.00	32407.01 33654.00	33654.01 34900.00	34900.01 & OVER
17500.01 17550.00	350	17500.01 18750.00	18750.01 20000.00	20000.01 21250.00	21250.01 22500.00	22500.01 23750.00	23750.01 25000.00	25000.01 26250.00	26250.01 27500.00	27500.01 28750.00	28750.01 30000.00	30000.01 31250.00	31250.01 32500.00	32500.01 33750.00	33750.01 35000.00	35000.01 & OVER
17550.01 17600.00	351	17550.01 18804.00	18804.01 20057.00	20057.01 21311.00	21311.01 22564.00	22564.01 23818.00	23818.01 25071.00	25071.01 26325.00	26325.01 27579.00	27579.01 28832.00	28832.01 30086.00	30086.01 31339.00	31339.01 32593.00	32593.01 33846.00	33846.01 35100.00	35100.01 & OVER
17600.01 17650.00	352	17600.01 18857.00	18857.01 20114.00	20114.01 21371.00	21371.01 22629.00	22629.01 23886.00	23886.01 25143.00	25143.01 26400.00	26400.01 27657.00	27657.01 28914.00	28914.01 30171.00	30171.01 31429.00	31429.01 32686.00	32686.01 33943.00	33943.01 35200.00	35200.01 & OVER
17650.01 17700.00	353	17650.01 18911.00	18911.01 20171.00	20171.01 21432.00	21432.01 22693.00	22693.01 23954.00	23954.01 25214.00	25214.01 26475.00	26475.01 27736.00	27736.01 28996.00	28996.01 30257.00	30257.01 31518.00	31518.01 32779.00	32779.01 34039.00	34039.01 35300.00	35300.01 & OVER
17700.01 17750.00	354	17700.01 18964.00	18964.01 20229.00	20229.01 21493.00	21493.01 22757.00	22757.01 24021.00	24021.01 25286.00	25286.01 26550.00	26550.01 27814.00	27814.01 29079.00	29079.01 30343.00	30343.01 31607.00	31607.01 32871.00	32871.01 34136.00	34136.01 35400.00	35400.01 & OVER
17750.01 17800.00	355	17750.01 19018.00	19018.01 20286.00	20286.01 21554.00	21554.01 22821.00	22821.01 24089.00	24089.01 25357.00	25357.01 26625.00	26625.01 27893.00	27893.01 29161.00	29161.01 30429.00	30429.01 31696.00	31696.01 32964.00	32964.01 34232.00	34232.01 35500.00	35500.01 & OVER
17800.01 17850.00	356	17800.01 19071.00	19071.01 20343.00	20343.01 21614.00	21614.01 22886.00	22886.01 24157.00	24157.01 25429.00	25429.01 26700.00	26700.01 27971.00	27971.01 29243.00	29243.01 30514.00	30514.01 31786.00	31786.01 33057.00	33057.01 34329.00	34329.01 35600.00	35600.01 & OVER
17850.01 17900.00	357	17850.01 19125.00	19125.01 20400.00	20400.01 21675.00	21675.01 22950.00	22950.01 24225.00	24225.01 25500.00	25500.01 26775.00	26775.01 28050.00	28050.01 29325.00	29325.01 30600.00	30600.01 31875.00	31875.01 33150.00	33150.01 34425.00	34425.01 35700.00	35700.01 & OVER
17900.01 17950.00	358	17900.01 19179.00	19179.01 20457.00	20457.01 21736.00	21736.01 23014.00	23014.01 24293.00	24293.01 25571.00	25571.01 26850.00	26850.01 28129.00	28129.01 29407.00	29407.01 30686.00	30686.01 31964.00	31964.01 33243.00	33243.01 34521.00	34521.01 35800.00	35800.01 & OVER
17950.01 18000.00	359	17950.01 19232.00	19232.01 20514.00	20514.01 21796.00	21796.01 23079.00	23079.01 24361.00	24361.01 25643.00	25643.01 26925.00	26925.01 28207.00	28207.01 29489.00	29489.01 30771.00	30771.01 32054.00	32054.01 33336.00	33336.01 34618.00	34618.01 35900.00	35900.01 & OVER
18000.01 18050.00	360	18000.01 19286.00	19286.01 20571.00	20571.01 21857.00	21857.01 23143.00	23143.01 24429.00	24429.01 25714.00	25714.01 27000.00	27000.01 28286.00	28286.01 29571.00	29571.01 30857.00	30857.01 32143.00	32143.01 33429.00	33429.01 34714.00	34714.01 36000.00	36000.01 & OVER
18050.01 18100.00	361	18050.01 19339.00	19339.01 20629.00	20629.01 21918.00	21918.01 23207.00	23207.01 24496.00	24496.01 25786.00	25786.01 27075.00	27075.01 28364.00	28364.01 29654.00	29654.01 30943.00	30943.01 32232.00	32232.01 33521.00	33521.01 34811.00	34811.01 36100.00	36100.01 & OVER
18100.01 18150.00	362	18100.01 19393.00	19393.01 20686.00	20686.01 21979.00	21979.01 23271.00	23271.01 24564.00	24564.01 25857.00	25857.01 27150.00	27150.01 28443.00	28443.01 29736.00	29736.01 31029.00	31029.01 32321.00	32321.01 33614.00	33614.01 34907.00	34907.01 36200.00	36200.01 & OVER
18150.01 18200.00	363	18150.01 19446.00	19446.01 20743.00	20743.01 22039.00	22039.01 23336.00	23336.01 24632.00	24632.01 25929.00	25929.01 27225.00	27225.01 28521.00	28521.01 29818.00	29818.01 31114.00	31114.01 32411.00	32411.01 33707.00	33707.01 35004.00	35004.01 36300.00	36300.01 & OVER
18200.01 18250.00	364	18200.01 19500.00	19500.01 20800.00	20800.01 22100.00	22100.01 23400.00	23400.01 24700.00	24700.01 26000.00	26000.01 27300.00	27300.01 28600.00	28600.01 29900.00	29900.01 31200.00	31200.01 32500.00	32500.01 33800.00	33800.01 35100.00	35100.01 36400.00	36400.01 & OVER
18250.01 18300.00	365	18250.01 19554.00	19554.01 20857.00	20857.01 22161.00	22161.01 23464.00	23464.01 24768.00	24768.01 26071.00	26071.01 27375.00	27375.01 28679.00	28679.01 29982.00	29982.01 31286.00	31286.01 32589.00	32589.01 33893.00	33893.01 35196.00	35196.01 36500.00	36500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
18300.01 18350.00	366	18300.01 19607.00	19607.01 20914.00	20914.01 22221.00	22221.01 23529.00	23529.01 24836.00	24836.01 26143.00	26143.01 27450.00	27450.01 28757.00	28757.01 30064.00	30064.01 31371.00	31371.01 32679.00	32679.01 33986.00	33986.01 35293.00	35293.01 36600.00	36600.01 & OVER
18350.01 18400.00	367	18350.01 19661.00	19661.01 20971.00	20971.01 22282.00	22282.01 23593.00	23593.01 24904.00	24904.01 26214.00	26214.01 27525.00	27525.01 28836.00	28836.01 30146.00	30146.01 31457.00	31457.01 32768.00	32768.01 34079.00	34079.01 35389.00	35389.01 36700.00	36700.01 & OVER
18400.01 18450.00	368	18400.01 19714.00	19714.01 21029.00	21029.01 22343.00	22343.01 23657.00	23657.01 24971.00	24971.01 26286.00	26286.01 27600.00	27600.01 28914.00	28914.01 30229.00	30229.01 31543.00	31543.01 32857.00	32857.01 34171.00	34171.01 35486.00	35486.01 36800.00	36800.01 & OVER
18450.01 18500.00	369	18450.01 19768.00	19768.01 21086.00	21086.01 22404.00	22404.01 23721.00	23721.01 25039.00	25039.01 26357.00	26357.01 27675.00	27675.01 28993.00	28993.01 30311.00	30311.01 31629.00	31629.01 32946.00	32946.01 34264.00	34264.01 35582.00	35582.01 36900.00	36900.01 & OVER
18500.01 18550.00	370	18500.01 19821.00	19821.01 21143.00	21143.01 22464.00	22464.01 23786.00	23786.01 25107.00	25107.01 26429.00	26429.01 27750.00	27750.01 29071.00	29071.01 30393.00	30393.01 31714.00	31714.01 33036.00	33036.01 34357.00	34357.01 35679.00	35679.01 37000.00	37000.01 & OVER
18550.01 18600.00	371	18550.01 19875.00	19875.01 21200.00	21200.01 22525.00	22525.01 23850.00	23850.01 25175.00	25175.01 26500.00	26500.01 27825.00	27825.01 29150.00	29150.01 30475.00	30475.01 31800.00	31800.01 33125.00	33125.01 34450.00	34450.01 35775.00	35775.01 37100.00	37100.01 & OVER
18600.01 18650.00	372	18600.01 19929.00	19929.01 21257.00	21257.01 22586.00	22586.01 23914.00	23914.01 25243.00	25243.01 26571.00	26571.01 27900.00	27900.01 29229.00	29229.01 30557.00	30557.01 31886.00	31886.01 33214.00	33214.01 34543.00	34543.01 35871.00	35871.01 37200.00	37200.01 & OVER
18650.01 18700.00	373	18650.01 19982.00	19982.01 21314.00	21314.01 22646.00	22646.01 23979.00	23979.01 25311.00	25311.01 26643.00	26643.01 27975.00	27975.01 29307.00	29307.01 30639.00	30639.01 31971.00	31971.01 33304.00	33304.01 34636.00	34636.01 35968.00	35968.01 37300.00	37300.01 & OVER
18700.01 18750.00	374	18700.01 20036.00	20036.01 21371.00	21371.01 22707.00	22707.01 24043.00	24043.01 25379.00	25379.01 26714.00	26714.01 28050.00	28050.01 29386.00	29386.01 30721.00	30721.01 32057.00	32057.01 33393.00	33393.01 34729.00	34729.01 36064.00	36064.01 37400.00	37400.01 & OVER
18750.01 18800.00	375	18750.01 20089.00	20089.01 21429.00	21429.01 22768.00	22768.01 24107.00	24107.01 25446.00	25446.01 26786.00	26786.01 28125.00	28125.01 29464.00	29464.01 30804.00	30804.01 32143.00	32143.01 33482.00	33482.01 34821.00	34821.01 36161.00	36161.01 37500.00	37500.01 & OVER
18800.01 18850.00	376	18800.01 20143.00	20143.01 21486.00	21486.01 22829.00	22829.01 24171.00	24171.01 25514.00	25514.01 26857.00	26857.01 28200.00	28200.01 29543.00	29543.01 30886.00	30886.01 32229.00	32229.01 33571.00	33571.01 34914.00	34914.01 36257.00	36257.01 37600.00	37600.01 & OVER
18850.01 18900.00	377	18850.01 20196.00	20196.01 21543.00	21543.01 22889.00	22889.01 24236.00	24236.01 25582.00	25582.01 26929.00	26929.01 28275.00	28275.01 29621.00	29621.01 30968.00	30968.01 32314.00	32314.01 33661.00	33661.01 35007.00	35007.01 36354.00	36354.01 37700.00	37700.01 & OVER
18900.01 & OVER	378	18900.01 20250.00	20250.01 21600.00	21600.01 22950.00	22950.01 24300.00	24300.01 25650.00	25650.01 27000.00	27000.01 28350.00	28350.01 29700.00	29700.01 31050.00	31050.01 32400.00	32400.01 33750.00	33750.01 35100.00	35100.01 36450.00	36450.01 37800.00	37800.01 & OVER

C. Beginning January 1, 2026, for claims effective on or after January 1, 2026, an eligible individual's weekly "benefit amount" shall be the amount appearing in Column B in the "Benefit Table" in this section on the line on which in Column A of such table, there appears the total wages for insured work paid to such individual in the two quarters of his base period in which such total wages were highest.

Benefit Table Division C Duration of Benefits beginning January 1, 2026

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
3,000.00	160	3,000.01	3,214.01	3,429.01	3,643.01	3,857.01	4,071.01	4,286.01	4,500.01	4,714.01	4,929.01	5,143.01	5,357.01	5,571.01	5,786.01	6,000.01
3,050.00		3,214.00	3,429.00	3,643.00	3,857.00	4,071.00	4,286.00	4,500.00	4,714.00	4,929.00	5,143.00	5,357.00	5,571.00	5,786.00	6,000.00	& OVER
3,050.01	161	3,050.01	3,268.01	3,486.01	3,704.01	3,921.01	4,139.01	4,357.01	4,575.01	4,793.01	5,011.01	5,229.01	5,446.01	5,664.01	5,882.01	6,100.01
3,100.00		3,268.00	3,486.00	3,704.00	3,921.00	4,139.00	4,357.00	4,575.00	4,793.00	5,011.00	5,229.00	5,446.00	5,664.00	5,882.00	6,100.00	& OVER
3,100.01	162	3,100.01	3,321.01	3,543.01	3,764.01	3,986.01	4,207.01	4,429.01	4,650.01	4,871.01	5,093.01	5,314.01	5,536.01	5,757.01	5,979.01	6,200.01
3,150.00		3,321.00	3,543.00	3,764.00	3,986.00	4,207.00	4,429.00	4,650.00	4,871.00	5,093.00	5,314.00	5,536.00	5,757.00	5,979.00	6,200.00	& OVER
3,150.01	163	3,150.01	3,375.01	3,600.01	3,825.01	4,050.01	4,275.01	4,500.01	4,725.01	4,950.01	5,175.01	5,400.01	5,625.01	5,850.01	6,075.01	6,300.01
3,200.00		3,375.00	3,600.00	3,825.00	4,050.00	4,275.00	4,500.00	4,725.00	4,950.00	5,175.00	5,400.00	5,625.00	5,850.00	6,075.00	6,300.00	& OVER
3,200.01	164	3,200.01	3,429.01	3,657.01	3,886.01	4,114.01	4,343.01	4,571.01	4,800.01	5,029.01	5,257.01	5,486.01	5,714.01	5,943.01	6,171.01	6,400.01
3,250.00		3,429.00	3,657.00	3,886.00	4,114.00	4,343.00	4,571.00	4,800.00	5,029.00	5,257.00	5,486.00	5,714.00	5,943.00	6,171.00	6,400.00	& OVER
3,250.01	165	3,250.01	3,482.01	3,714.01	3,946.01	4,179.01	4,411.01	4,643.01	4,875.01	5,107.01	5,339.01	5,571.01	5,804.01	6,036.01	6,268.01	6,500.01
3,300.00		3,482.00	3,714.00	3,946.00	4,179.00	4,411.00	4,643.00	4,875.00	5,107.00	5,339.00	5,571.00	5,804.00	6,036.00	6,268.00	6,500.00	& OVER
3,300.01	166	3,300.01	3,536.01	3,771.01	4,007.01	4,243.01	4,479.01	4,714.01	4,950.01	5,186.01	5,421.01	5,657.01	5,893.01	6,129.01	6,364.01	6,600.01
3,350.00		3,536.00	3,771.00	4,007.00	4,243.00	4,479.00	4,714.00	4,950.00	5,186.00	5,421.00	5,657.00	5,893.00	6,129.00	6,364.00	6,600.00	& OVER
3,350.01	167	3,350.01	3,589.01	3,829.01	4,068.01	4,307.01	4,546.01	4,786.01	5,025.01	5,264.01	5,504.01	5,743.01	5,982.01	6,221.01	6,461.01	6,700.01
3,400.00		3,589.00	3,829.00	4,068.00	4,307.00	4,546.00	4,786.00	5,025.00	5,264.00	5,504.00	5,743.00	5,982.00	6,221.00	6,461.00	6,700.00	& OVER
3,400.01	168	3,400.01	3,643.01	3,886.01	4,129.01	4,371.01	4,614.01	4,857.01	5,100.01	5,343.01	5,586.01	5,829.01	6,071.01	6,314.01	6,557.01	6,800.01
3,450.00		3,643.00	3,886.00	4,129.00	4,371.00	4,614.00	4,857.00	5,100.00	5,343.00	5,586.00	5,829.00	6,071.00	6,314.00	6,557.00	6,800.00	& OVER
3,450.01	169	3,450.01	3,696.01	3,943.01	4,189.01	4,436.01	4,682.01	4,929.01	5,175.01	5,421.01	5,668.01	5,914.01	6,161.01	6,407.01	6,654.01	6,900.01
3,500.00		3,696.00	3,943.00	4,189.00	4,436.00	4,682.00	4,929.00	5,175.00	5,421.00	5,668.00	5,914.00	6,161.00	6,407.00	6,654.00	6,900.00	& OVER
3,500.01	170	3,500.01	3,750.01	4,000.01	4,250.01	4,500.01	4,750.01	5,000.01	5,250.01	5,500.01	5,750.01	6,000.01	6,250.01	6,500.01	6,750.01	7,000.01
3,550.00		3,750.00	4,000.00	4,250.00	4,500.00	4,750.00	5,000.00	5,250.00	5,500.00	5,750.00	6,000.00	6,250.00	6,500.00	6,750.00	7,000.00	& OVER
3,550.01	171	3,550.01	3,804.01	4,057.01	4,311.01	4,564.01	4,818.01	5,071.01	5,325.01	5,579.01	5,832.01	6,086.01	6,339.01	6,593.01	6,846.01	7,100.01
3,600.00		3,804.00	4,057.00	4,311.00	4,564.00	4,818.00	5,071.00	5,325.00	5,579.00	5,832.00	6,086.00	6,339.00	6,593.00	6,846.00	7,100.00	& OVER
3,600.01	172	3,600.01	3,857.01	4,114.01	4,371.01	4,629.01	4,886.01	5,143.01	5,400.01	5,657.01	5,914.01	6,171.01	6,429.01	6,686.01	6,943.01	7,200.01
3,650.00		3,857.00	4,114.00	4,371.00	4,629.00	4,886.00	5,143.00	5,400.00	5,657.00	5,914.00	6,171.00	6,429.00	6,686.00	6,943.00	7,200.00	& OVER
3,650.01	173	3,650.01	3,911.01	4,171.01	4,432.01	4,693.01	4,954.01	5,214.01	5,475.01	5,736.01	5,996.01	6,257.01	6,518.01	6,779.01	7,039.01	7,300.01
3,700.00		3,911.00	4,171.00	4,432.00	4,693.00	4,954.00	5,214.00	5,475.00	5,736.00	5,996.00	6,257.00	6,518.00	6,779.00	7,039.00	7,300.00	& OVER
3,700.01	174	3,700.01	3,964.01	4,229.01	4,493.01	4,757.01	5,021.01	5,286.01	5,550.01	5,814.01	6,079.01	6,343.01	6,607.01	6,871.01	7,136.01	7,400.01
3,750.00		3,964.00	4,229.00	4,493.00	4,757.00	5,021.00	5,286.00	5,550.00	5,814.00	6,079.00	6,343.00	6,607.00	6,871.00	7,136.00	7,400.00	& OVER
3,750.01	175	3,750.01	4,018.01	4,286.01	4,554.01	4,821.01	5,089.01	5,357.01	5,625.01	5,893.01	6,161.01	6,429.01	6,696.01	6,964.01	7,232.01	7,500.01
3,800.00		4,018.00	4,286.00	4,554.00	4,821.00	5,089.00	5,357.00	5,625.00	5,893.00	6,161.00	6,429.00	6,696.00	6,964.00	7,232.00	7,500.00	& OVER
3,800.01	176	3,800.01	4,071.01	4,343.01	4,614.01	4,886.01	5,157.01	5,429.01	5,700.01	5,971.01	6,243.01	6,514.01	6,786.01	7,057.01	7,329.01	7,600.01
3,850.00		4,071.00	4,343.00	4,614.00	4,886.00	5,157.00	5,429.00	5,700.00	5,971.00	6,243.00	6,514.00	6,786.00	7,057.00	7,329.00	7,600.00	& OVER
3,850.01	177	3,850.01	4,125.01	4,400.01	4,675.01	4,950.01	5,225.01	5,500.01	5,775.01	6,050.01	6,325.01	6,600.01	6,875.01	7,150.01	7,425.01	7,700.01
3,900.00		4,125.00	4,400.00	4,675.00	4,950.00	5,225.00	5,500.00	5,775.00	6,050.00	6,325.00	6,600.00	6,875.00	7,150.00	7,425.00	7,700.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
3,900.01	178	3,900.01	4,179.01	4,457.01	4,736.01	5,014.01	5,293.01	5,571.01	5,850.01	6,129.01	6,407.01	6,686.01	6,964.01	7,243.01	7,521.01	7,800.01
3,950.00		4,179.00	4,457.00	4,736.00	5,014.00	5,293.00	5,571.00	5,850.00	6,129.00	6,407.00	6,686.00	6,964.00	7,243.00	7,521.00	7,800.00	& OVER
3,950.01	179	3,950.01	4,232.01	4,514.01	4,796.01	5,079.01	5,361.01	5,643.01	5,925.01	6,207.01	6,489.01	6,771.01	7,054.01	7,336.01	7,618.01	7,900.01
4,000.00		4,232.00	4,514.00	4,796.00	5,079.00	5,361.00	5,643.00	5,925.00	6,207.00	6,489.00	6,771.00	7,054.00	7,336.00	7,618.00	7,900.00	& OVER
4,000.01	180	4,000.01	4,286.01	4,571.01	4,857.01	5,143.01	5,429.01	5,714.01	6,000.01	6,286.01	6,571.01	6,857.01	7,143.01	7,429.01	7,714.01	8,000.01
4,050.00		4,286.00	4,571.00	4,857.00	5,143.00	5,429.00	5,714.00	6,000.00	6,286.00	6,571.00	6,857.00	7,143.00	7,429.00	7,714.00	8,000.00	& OVER
4,050.01	181	4,050.01	4,339.01	4,629.01	4,918.01	5,207.01	5,496.01	5,786.01	6,075.01	6,364.01	6,654.01	6,943.01	7,232.01	7,521.01	7,811.01	8,100.01
4,100.00		4,339.00	4,629.00	4,918.00	5,207.00	5,496.00	5,786.00	6,075.00	6,364.00	6,654.00	6,943.00	7,232.00	7,521.00	7,811.00	8,100.00	& OVER
4,100.01	182	4,100.01	4,393.01	4,686.01	4,979.01	5,271.01	5,564.01	5,857.01	6,150.01	6,443.01	6,736.01	7,029.01	7,321.01	7,614.01	7,907.01	8,200.01
4,150.00		4,393.00	4,686.00	4,979.00	5,271.00	5,564.00	5,857.00	6,150.00	6,443.00	6,736.00	7,029.00	7,321.00	7,614.00	7,907.00	8,200.00	& OVER
4,150.01	183	4,150.01	4,446.01	4,743.01	5,039.01	5,336.01	5,632.01	5,929.01	6,225.01	6,521.01	6,818.01	7,114.01	7,411.01	7,707.01	8,004.01	8,300.01
4,200.00		4,446.00	4,743.00	5,039.00	5,336.00	5,632.00	5,929.00	6,225.00	6,521.00	6,818.00	7,114.00	7,411.00	7,707.00	8,004.00	8,300.00	& OVER
4,200.01	184	4,200.01	4,500.01	4,800.01	5,100.01	5,400.01	5,700.01	6,000.01	6,300.01	6,600.01	6,900.01	7,200.01	7,500.01	7,800.01	8,100.01	8,400.01
4,250.00		4,500.00	4,800.00	5,100.00	5,400.00	5,700.00	6,000.00	6,300.00	6,600.00	6,900.00	7,200.00	7,500.00	7,800.00	8,100.00	8,400.00	& OVER
4,250.01	185	4,250.01	4,554.01	4,857.01	5,161.01	5,464.01	5,768.01	6,071.01	6,375.01	6,679.01	6,982.01	7,286.01	7,589.01	7,893.01	8,196.01	8,500.01
4,300.00		4,554.00	4,857.00	5,161.00	5,464.00	5,768.00	6,071.00	6,375.00	6,679.00	6,982.00	7,286.00	7,589.00	7,893.00	8,196.00	8,500.00	& OVER
4,300.01	186	4,300.01	4,607.01	4,914.01	5,221.01	5,529.01	5,836.01	6,143.01	6,450.01	6,757.01	7,064.01	7,371.01	7,679.01	7,986.01	8,293.01	8,600.01
4,350.00		4,607.00	4,914.00	5,221.00	5,529.00	5,836.00	6,143.00	6,450.00	6,757.00	7,064.00	7,371.00	7,679.00	7,986.00	8,293.00	8,600.00	& OVER
4,350.01	187	4,350.01	4,661.01	4,971.01	5,282.01	5,593.01	5,904.01	6,214.01	6,525.01	6,836.01	7,146.01	7,457.01	7,768.01	8,079.01	8,389.01	8,700.01
4,400.00		4,661.00	4,971.00	5,282.00	5,593.00	5,904.00	6,214.00	6,525.00	6,836.00	7,146.00	7,457.00	7,768.00	8,079.00	8,389.00	8,700.00	& OVER
4,400.01	188	4,400.01	4,714.01	5,029.01	5,343.01	5,657.01	5,971.01	6,286.01	6,600.01	6,914.01	7,229.01	7,543.01	7,857.01	8,171.01	8,486.01	8,800.01
4,450.00		4,714.00	5,029.00	5,343.00	5,657.00	5,971.00	6,286.00	6,600.00	6,914.00	7,229.00	7,543.00	7,857.00	8,171.00	8,486.00	8,800.00	& OVER
4,450.01	189	4,450.01	4,768.01	5,086.01	5,404.01	5,721.01	6,039.01	6,357.01	6,675.01	6,993.01	7,311.01	7,629.01	7,946.01	8,264.01	8,582.01	8,900.01
4,500.00		4,768.00	5,086.00	5,404.00	5,721.00	6,039.00	6,357.00	6,675.00	6,993.00	7,311.00	7,629.00	7,946.00	8,264.00	8,582.00	8,900.00	& OVER
4,500.01	190	4,500.01	4,821.01	5,143.01	5,464.01	5,786.01	6,107.01	6,429.01	6,750.01	7,071.01	7,393.01	7,714.01	8,036.01	8,357.01	8,679.01	9,000.01
4,550.00		4,821.00	5,143.00	5,464.00	5,786.00	6,107.00	6,429.00	6,750.00	7,071.00	7,393.00	7,714.00	8,036.00	8,357.00	8,679.00	9,000.00	& OVER
4,550.01	191	4,550.01	4,875.01	5,200.01	5,525.01	5,850.01	6,175.01	6,500.01	6,825.01	7,150.01	7,475.01	7,800.01	8,125.01	8,450.01	8,775.01	9,100.01
4,600.00		4,875.00	5,200.00	5,525.00	5,850.00	6,175.00	6,500.00	6,825.00	7,150.00	7,475.00	7,800.00	8,125.00	8,450.00	8,775.00	9,100.00	& OVER
4,600.01	192	4,600.01	4,929.01	5,257.01	5,586.01	5,914.01	6,243.01	6,571.01	6,900.01	7,229.01	7,557.01	7,886.01	8,214.01	8,543.01	8,871.01	9,200.01
4,650.00		4,929.00	5,257.00	5,586.00	5,914.00	6,243.00	6,571.00	6,900.00	7,229.00	7,557.00	7,886.00	8,214.00	8,543.00	8,871.00	9,200.00	& OVER
4,650.01	193	4,650.01	4,982.01	5,314.01	5,646.01	5,979.01	6,311.01	6,643.01	6,975.01	7,307.01	7,639.01	7,971.01	8,304.01	8,636.01	8,968.01	9,300.01
4,700.00		4,982.00	5,314.00	5,646.00	5,979.00	6,311.00	6,643.00	6,975.00	7,307.00	7,639.00	7,971.00	8,304.00	8,636.00	8,968.00	9,300.00	& OVER
4,700.01	194	4,700.01	5,036.01	5,371.01	5,707.01	6,043.01	6,379.01	6,714.01	7,050.01	7,386.01	7,721.01	8,057.01	8,393.01	8,729.01	9,064.01	9,400.01
4,750.00		5,036.00	5,371.00	5,707.00	6,043.00	6,379.00	6,714.00	7,050.00	7,386.00	7,721.00	8,057.00	8,393.00	8,729.00	9,064.00	9,400.00	& OVER
4,750.01	195	4,750.01	5,089.01	5,429.01	5,768.01	6,107.01	6,446.01	6,786.01	7,125.01	7,464.01	7,804.01	8,143.01	8,482.01	8,821.01	9,161.01	9,500.01
4,800.00		5,089.00	5,429.00	5,768.00	6,107.00	6,446.00	6,786.00	7,125.00	7,464.00	7,804.00	8,143.00	8,482.00	8,821.00	9,161.00	9,500.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
4,800.01	196	4,800.01	5,143.01	5,486.01	5,829.01	6,171.01	6,514.01	6,857.01	7,200.01	7,543.01	7,886.01	8,229.01	8,571.01	8,914.01	9,257.01	9,600.01
4,850.00		5,143.00	5,486.00	5,829.00	6,171.00	6,514.00	6,857.00	7,200.00	7,543.00	7,886.00	8,229.00	8,571.00	8,914.00	9,257.00	9,600.00	& OVER
4,850.01	197	4,850.01	5,196.01	5,543.01	5,889.01	6,236.01	6,582.01	6,929.01	7,275.01	7,621.01	7,968.01	8,314.01	8,661.01	9,007.01	9,354.01	9,700.01
4,900.00		5,196.00	5,543.00	5,889.00	6,236.00	6,582.00	6,929.00	7,275.00	7,621.00	7,968.00	8,314.00	8,661.00	9,007.00	9,354.00	9,700.00	& OVER
4,900.01	198	4,900.01	5,250.01	5,600.01	5,950.01	6,300.01	6,650.01	7,000.01	7,350.01	7,700.01	8,050.01	8,400.01	8,750.01	9,100.01	9,450.01	9,800.01
4,950.00		5,250.00	5,600.00	5,950.00	6,300.00	6,650.00	7,000.00	7,350.00	7,700.00	8,050.00	8,400.00	8,750.00	9,100.00	9,450.00	9,800.00	& OVER
4,950.01	199	4,950.01	5,304.01	5,657.01	6,011.01	6,364.01	6,718.01	7,071.01	7,425.01	7,779.01	8,132.01	8,486.01	8,839.01	9,193.01	9,546.01	9,900.01
5,000.00		5,304.00	5,657.00	6,011.00	6,364.00	6,718.00	7,071.00	7,425.00	7,779.00	8,132.00	8,486.00	8,839.00	9,193.00	9,546.00	9,900.00	& OVER
5,000.01	200	5,000.01	5,357.01	5,714.01	6,071.01	6,429.01	6,786.01	7,143.01	7,500.01	7,857.01	8,214.01	8,571.01	8,929.01	9,286.01	9,643.01	10,000.01
5,050.00		5,357.00	5,714.00	6,071.00	6,429.00	6,786.00	7,143.00	7,500.00	7,857.00	8,214.00	8,571.00	8,929.00	9,286.00	9,643.00	10,000.00	& OVER
5,050.01	201	5,050.01	5,411.01	5,771.01	6,132.01	6,493.01	6,854.01	7,214.01	7,575.01	7,936.01	8,296.01	8,657.01	9,018.01	9,379.01	9,739.01	10,100.01
5,100.00		5,411.00	5,771.00	6,132.00	6,493.00	6,854.00	7,214.00	7,575.00	7,936.00	8,296.00	8,657.00	9,018.00	9,379.00	9,739.00	10,100.00	& OVER
5,100.01	202	5,100.01	5,464.01	5,829.01	6,193.01	6,557.01	6,921.01	7,286.01	7,650.01	8,014.01	8,379.01	8,743.01	9,107.01	9,471.01	9,836.01	10,200.01
5,150.00		5,464.00	5,829.00	6,193.00	6,557.00	6,921.00	7,286.00	7,650.00	8,014.00	8,379.00	8,743.00	9,107.00	9,471.00	9,836.00	10,200.00	& OVER
5,150.01	203	5,150.01	5,518.01	5,886.01	6,254.01	6,621.01	6,989.01	7,357.01	7,725.01	8,093.01	8,461.01	8,829.01	9,196.01	9,564.01	9,932.01	10,300.01
5,200.00		5,518.00	5,886.00	6,254.00	6,621.00	6,989.00	7,357.00	7,725.00	8,093.00	8,461.00	8,829.00	9,196.00	9,564.00	9,932.00	10,300.00	& OVER
5,200.01	204	5,200.01	5,571.01	5,943.01	6,314.01	6,686.01	7,057.01	7,429.01	7,800.01	8,171.01	8,543.01	8,914.01	9,286.01	9,657.01	10,029.01	10,400.01
5,250.00		5,571.00	5,943.00	6,314.00	6,686.00	7,057.00	7,429.00	7,800.00	8,171.00	8,543.00	8,914.00	9,286.00	9,657.00	10,029.00	10,400.00	& OVER
5,250.01	205	5,250.01	5,625.01	6,000.01	6,375.01	6,750.01	7,125.01	7,500.01	7,875.01	8,250.01	8,625.01	9,000.01	9,375.01	9,750.01	10,125.01	10,500.01
5,300.00		5,625.00	6,000.00	6,375.00	6,750.00	7,125.00	7,500.00	7,875.00	8,250.00	8,625.00	9,000.00	9,375.00	9,750.00	10,125.00	10,500.00	& OVER
5,300.01	206	5,300.01	5,679.01	6,057.01	6,436.01	6,814.01	7,193.01	7,571.01	7,950.01	8,329.01	8,707.01	9,086.01	9,464.01	9,843.01	10,221.01	10,600.01
5,350.00		5,679.00	6,057.00	6,436.00	6,814.00	7,193.00	7,571.00	7,950.00	8,329.00	8,707.00	9,086.00	9,464.00	9,843.00	10,221.00	10,600.00	& OVER
5,350.01	207	5,350.01	5,732.01	6,114.01	6,496.01	6,879.01	7,261.01	7,643.01	8,025.01	8,407.01	8,789.01	9,171.01	9,554.01	9,936.01	10,318.01	10,700.01
5,400.00		5,732.00	6,114.00	6,496.00	6,879.00	7,261.00	7,643.00	8,025.00	8,407.00	8,789.00	9,171.00	9,554.00	9,936.00	10,318.00	10,700.00	& OVER
5,400.01	208	5,400.01	5,786.01	6,171.01	6,557.01	6,943.01	7,329.01	7,714.01	8,100.01	8,486.01	8,871.01	9,257.01	9,643.01	10,029.01	10,414.01	10,800.01
5,450.00		5,786.00	6,171.00	6,557.00	6,943.00	7,329.00	7,714.00	8,100.00	8,486.00	8,871.00	9,257.00	9,643.00	10,029.00	10,414.00	10,800.00	& OVER
5,450.01	209	5,450.01	5,839.01	6,229.01	6,618.01	7,007.01	7,396.01	7,786.01	8,175.01	8,564.01	8,954.01	9,343.01	9,732.01	10,121.01	10,511.01	10,900.01
5,500.00		5,839.00	6,229.00	6,618.00	7,007.00	7,396.00	7,786.00	8,175.00	8,564.00	8,954.00	9,343.00	9,732.00	10,121.00	10,511.00	10,900.00	& OVER
5,500.01	210	5,500.01	5,893.01	6,286.01	6,679.01	7,071.01	7,464.01	7,857.01	8,250.01	8,643.01	9,036.01	9,429.01	9,821.01	10,214.01	10,607.01	11,000.01
5,550.00		5,893.00	6,286.00	6,679.00	7,071.00	7,464.00	7,857.00	8,250.00	8,643.00	9,036.00	9,429.00	9,821.00	10,214.00	10,607.00	11,000.00	& OVER
5,550.01	211	5,550.01	5,946.01	6,343.01	6,739.01	7,136.01	7,532.01	7,929.01	8,325.01	8,721.01	9,118.01	9,514.01	9,911.01	10,307.01	10,704.01	11,100.01
5,600.00		5,946.00	6,343.00	6,739.00	7,136.00	7,532.00	7,929.00	8,325.00	8,721.00	9,118.00	9,514.00	9,911.00	10,307.00	10,704.00	11,100.00	& OVER
5,600.01	212	5,600.01	6,000.01	6,400.01	6,800.01	7,200.01	7,600.01	8,000.01	8,400.01	8,800.01	9,200.01	9,600.01	10,000.01	10,400.01	10,800.01	11,200.01
5,650.00		6,000.00	6,400.00	6,800.00	7,200.00	7,600.00	8,000.00	8,400.00	8,800.00	9,200.00	9,600.00	10,000.00	10,400.00	10,800.00	11,200.00	& OVER
5,650.01	213	5,650.01	6,054.01	6,457.01	6,861.01	7,264.01	7,668.01	8,071.01	8,475.01	8,879.01	9,282.01	9,686.01	10,089.01	10,493.01	10,896.01	11,300.01
5,700.00		6,054.00	6,457.00	6,861.00	7,264.00	7,668.00	8,071.00	8,475.00	8,879.00	9,282.00	9,686.00	10,089.00	10,493.00	10,896.00	11,300.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
5,700.01	214	5,700.01	6,107.01	6,514.01	6,921.01	7,329.01	7,736.01	8,143.01	8,550.01	8,957.01	9,364.01	9,771.01	10,179.01	10,586.01	10,993.01	11,400.01
5,750.00		6,107.00	6,514.00	6,921.00	7,329.00	7,736.00	8,143.00	8,550.00	8,957.00	9,364.00	9,771.00	10,179.00	10,586.00	10,993.00	11,400.00	& OVER
5,750.01	215	5,750.01	6,161.01	6,571.01	6,982.01	7,393.01	7,804.01	8,214.01	8,625.01	9,036.01	9,446.01	9,857.01	10,268.01	10,679.01	11,089.01	11,500.01
5,800.00		6,161.00	6,571.00	6,982.00	7,393.00	7,804.00	8,214.00	8,625.00	9,036.00	9,446.00	9,857.00	10,268.00	10,679.00	11,089.00	11,500.00	& OVER
5,800.01	216	5,800.01	6,214.01	6,629.01	7,043.01	7,457.01	7,871.01	8,286.01	8,700.01	9,114.01	9,529.01	9,943.01	10,357.01	10,771.01	11,186.01	11,600.01
5,850.00		6,214.00	6,629.00	7,043.00	7,457.00	7,871.00	8,286.00	8,700.00	9,114.00	9,529.00	9,943.00	10,357.00	10,771.00	11,186.00	11,600.00	& OVER
5,850.01	217	5,850.01	6,268.01	6,686.01	7,104.01	7,521.01	7,939.01	8,357.01	8,775.01	9,193.01	9,611.01	10,029.01	10,446.01	10,864.01	11,282.01	11,700.01
5,900.00		6,268.00	6,686.00	7,104.00	7,521.00	7,939.00	8,357.00	8,775.00	9,193.00	9,611.00	10,029.00	10,446.00	10,864.00	11,282.00	11,700.00	& OVER
5,900.01	218	5,900.01	6,321.01	6,743.01	7,164.01	7,586.01	8,007.01	8,429.01	8,850.01	9,271.01	9,693.01	10,114.01	10,536.01	10,957.01	11,379.01	11,800.01
5,950.00		6,321.00	6,743.00	7,164.00	7,586.00	8,007.00	8,429.00	8,850.00	9,271.00	9,693.00	10,114.00	10,536.00	10,957.00	11,379.00	11,800.00	& OVER
5,950.01	219	5,950.01	6,375.01	6,800.01	7,225.01	7,650.01	8,075.01	8,500.01	8,925.01	9,350.01	9,775.01	10,200.01	10,625.01	11,050.01	11,475.01	11,900.01
6,000.00		6,375.00	6,800.00	7,225.00	7,650.00	8,075.00	8,500.00	8,925.00	9,350.00	9,775.00	10,200.00	10,625.00	11,050.00	11,475.00	11,900.00	& OVER
6,000.01	220	6,000.01	6,429.01	6,857.01	7,286.01	7,714.01	8,143.01	8,571.01	9,000.01	9,429.01	9,857.01	10,286.01	10,714.01	11,143.01	11,571.01	12,000.01
6,050.00		6,429.00	6,857.00	7,286.00	7,714.00	8,143.00	8,571.00	9,000.00	9,429.00	9,857.00	10,286.00	10,714.00	11,143.00	11,571.00	12,000.00	& OVER
6,050.01	221	6,050.01	6,482.01	6,914.01	7,346.01	7,779.01	8,211.01	8,643.01	9,075.01	9,507.01	9,939.01	10,371.01	10,804.01	11,236.01	11,668.01	12,100.01
6,100.00		6,482.00	6,914.00	7,346.00	7,779.00	8,211.00	8,643.00	9,075.00	9,507.00	9,939.00	10,371.00	10,804.00	11,236.00	11,668.00	12,100.00	& OVER
6,100.01	222	6,100.01	6,536.01	6,971.01	7,407.01	7,843.01	8,279.01	8,714.01	9,150.01	9,586.01	10,021.01	10,457.01	10,893.01	11,329.01	11,764.01	12,200.01
6,150.00		6,536.00	6,971.00	7,407.00	7,843.00	8,279.00	8,714.00	9,150.00	9,586.00	10,021.00	10,457.00	10,893.00	11,329.00	11,764.00	12,200.00	& OVER
6,150.01	223	6,150.01	6,589.01	7,029.01	7,468.01	7,907.01	8,346.01	8,786.01	9,225.01	9,664.01	10,104.01	10,543.01	10,982.01	11,421.01	11,861.01	12,300.01
6,200.00		6,589.00	7,029.00	7,468.00	7,907.00	8,346.00	8,786.00	9,225.00	9,664.00	10,104.00	10,543.00	10,982.00	11,421.00	11,861.00	12,300.00	& OVER
6,200.01	224	6,200.01	6,643.01	7,086.01	7,529.01	7,971.01	8,414.01	8,857.01	9,300.01	9,743.01	10,186.01	10,629.01	11,071.01	11,514.01	11,957.01	12,400.01
6,250.00		6,643.00	7,086.00	7,529.00	7,971.00	8,414.00	8,857.00	9,300.00	9,743.00	10,186.00	10,629.00	11,071.00	11,514.00	11,957.00	12,400.00	& OVER
6,250.01	225	6,250.01	6,696.01	7,143.01	7,589.01	8,036.01	8,482.01	8,929.01	9,375.01	9,821.01	10,268.01	10,714.01	11,161.01	11,607.01	12,054.01	12,500.01
6,300.00		6,696.00	7,143.00	7,589.00	8,036.00	8,482.00	8,929.00	9,375.00	9,821.00	10,268.00	10,714.00	11,161.00	11,607.00	12,054.00	12,500.00	& OVER
6,300.01	226	6,300.01	6,750.01	7,200.01	7,650.01	8,100.01	8,550.01	9,000.01	9,450.01	9,900.01	10,350.01	10,800.01	11,250.01	11,700.01	12,150.01	12,600.01
6,350.00		6,750.00	7,200.00	7,650.00	8,100.00	8,550.00	9,000.00	9,450.00	9,900.00	10,350.00	10,800.00	11,250.00	11,700.00	12,150.00	12,600.00	& OVER
6,350.01	227	6,350.01	6,804.01	7,257.01	7,711.01	8,164.01	8,618.01	9,071.01	9,525.01	9,979.01	10,432.01	10,886.01	11,339.01	11,793.01	12,246.01	12,700.01
6,400.00		6,804.00	7,257.00	7,711.00	8,164.00	8,618.00	9,071.00	9,525.00	9,979.00	10,432.00	10,886.00	11,339.00	11,793.00	12,246.00	12,700.00	& OVER
6,400.01	228	6,400.01	6,857.01	7,314.01	7,771.01	8,229.01	8,686.01	9,143.01	9,600.01	10,057.01	10,514.01	10,971.01	11,429.01	11,886.01	12,343.01	12,800.01
6,450.00		6,857.00	7,314.00	7,771.00	8,229.00	8,686.00	9,143.00	9,600.00	10,057.00	10,514.00	10,971.00	11,429.00	11,886.00	12,343.00	12,800.00	& OVER
6,450.01	229	6,450.01	6,911.01	7,371.01	7,832.01	8,293.01	8,754.01	9,214.01	9,675.01	10,136.01	10,596.01	11,057.01	11,518.01	11,979.01	12,439.01	12,900.01
6,500.00		6,911.00	7,371.00	7,832.00	8,293.00	8,754.00	9,214.00	9,675.00	10,136.00	10,596.00	11,057.00	11,518.00	11,979.00	12,439.00	12,900.00	& OVER
6,500.01	230	6,500.01	6,964.01	7,429.01	7,893.01	8,357.01	8,821.01	9,286.01	9,750.01	10,214.01	10,679.01	11,143.01	11,607.01	12,071.01	12,536.01	13,000.01
6,550.00		6,964.00	7,429.00	7,893.00	8,357.00	8,821.00	9,286.00	9,750.00	10,214.00	10,679.00	11,143.00	11,607.00	12,071.00	12,536.00	13,000.00	& OVER
6,550.01	231	6,550.01	7,018.01	7,486.01	7,954.01	8,421.01	8,889.01	9,357.01	9,825.01	10,293.01	10,761.01	11,229.01	11,696.01	12,164.01	12,632.01	13,100.01
6,600.00		7,018.00	7,486.00	7,954.00	8,421.00	8,889.00	9,357.00	9,825.00	10,293.00	10,761.00	11,229.00	11,696.00	12,164.00	12,632.00	13,100.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
6,600.01	232	6,600.01	7,071.01	7,543.01	8,014.01	8,486.01	8,957.01	9,429.01	9,900.01	10,371.01	10,843.01	11,314.01	11,786.01	12,257.01	12,729.01	13,200.01
6,650.00		7,071.00	7,543.00	8,014.00	8,486.00	8,957.00	9,429.00	9,900.00	10,371.00	10,843.00	11,314.00	11,786.00	12,257.00	12,729.00	13,200.00	& OVER
6,650.01	233	6,650.01	7,125.01	7,600.01	8,075.01	8,550.01	9,025.01	9,500.01	9,975.01	10,450.01	10,925.01	11,400.01	11,875.01	12,350.01	12,825.01	13,300.01
6,700.00		7,125.00	7,600.00	8,075.00	8,550.00	9,025.00	9,500.00	9,975.00	10,450.00	10,925.00	11,400.00	11,875.00	12,350.00	12,825.00	13,300.00	& OVER
6,700.01	234	6,700.01	7,179.01	7,657.01	8,136.01	8,614.01	9,093.01	9,571.01	10,050.01	10,529.01	11,007.01	11,486.01	11,964.01	12,443.01	12,921.01	13,400.01
6,750.00		7,179.00	7,657.00	8,136.00	8,614.00	9,093.00	9,571.00	10,050.00	10,529.00	11,007.00	11,486.00	11,964.00	12,443.00	12,921.00	13,400.00	& OVER
6,750.01	235	6,750.01	7,232.01	7,714.01	8,196.01	8,679.01	9,161.01	9,643.01	10,125.01	10,607.01	11,089.01	11,571.01	12,054.01	12,536.01	13,018.01	13,500.01
6,800.00		7,232.00	7,714.00	8,196.00	8,679.00	9,161.00	9,643.00	10,125.00	10,607.00	11,089.00	11,571.00	12,054.00	12,536.00	13,018.00	13,500.00	& OVER
6,800.01	236	6,800.01	7,286.01	7,771.01	8,257.01	8,743.01	9,229.01	9,714.01	10,200.01	10,686.01	11,171.01	11,657.01	12,143.01	12,629.01	13,114.01	13,600.01
6,850.00		7,286.00	7,771.00	8,257.00	8,743.00	9,229.00	9,714.00	10,200.00	10,686.00	11,171.00	11,657.00	12,143.00	12,629.00	13,114.00	13,600.00	& OVER
6,850.01	237	6,850.01	7,339.01	7,829.01	8,318.01	8,807.01	9,296.01	9,786.01	10,275.01	10,764.01	11,254.01	11,743.01	12,232.01	12,721.01	13,211.01	13,700.01
6,900.00		7,339.00	7,829.00	8,318.00	8,807.00	9,296.00	9,786.00	10,275.00	10,764.00	11,254.00	11,743.00	12,232.00	12,721.00	13,211.00	13,700.00	& OVER
6,900.01	238	6,900.01	7,393.01	7,886.01	8,379.01	8,871.01	9,364.01	9,857.01	10,350.01	10,843.01	11,336.01	11,829.01	12,321.01	12,814.01	13,307.01	13,800.01
6,950.00		7,393.00	7,886.00	8,379.00	8,871.00	9,364.00	9,857.00	10,350.00	10,843.00	11,336.00	11,829.00	12,321.00	12,814.00	13,307.00	13,800.00	& OVER
6,950.01	239	6,950.01	7,446.01	7,943.01	8,439.01	8,936.01	9,432.01	9,929.01	10,425.01	10,921.01	11,418.01	11,914.01	12,411.01	12,907.01	13,404.01	13,900.01
7,000.00		7,446.00	7,943.00	8,439.00	8,936.00	9,432.00	9,929.00	10,425.00	10,921.00	11,418.00	11,914.00	12,411.00	12,907.00	13,404.00	13,900.00	& OVER
7,000.01	240	7,000.01	7,500.01	8,000.01	8,500.01	9,000.01	9,500.01	10,000.01	10,500.01	11,000.01	11,500.01	12,000.01	12,500.01	13,000.01	13,500.01	14,000.01
7,050.00		7,500.00	8,000.00	8,500.00	9,000.00	9,500.00	10,000.00	10,500.00	11,000.00	11,500.00	12,000.00	12,500.00	13,000.00	13,500.00	14,000.00	& OVER
7,050.01	241	7,050.01	7,554.01	8,057.01	8,561.01	9,064.01	9,568.01	10,071.01	10,575.01	11,079.01	11,582.01	12,086.01	12,589.01	13,093.01	13,596.01	14,100.01
7,100.00		7,554.00	8,057.00	8,561.00	9,064.00	9,568.00	10,071.00	10,575.00	11,079.00	11,582.00	12,086.00	12,589.00	13,093.00	13,596.00	14,100.00	& OVER
7,100.01	242	7,100.01	7,607.01	8,114.01	8,621.01	9,129.01	9,636.01	10,143.01	10,650.01	11,157.01	11,664.01	12,171.01	12,679.01	13,186.01	13,693.01	14,200.01
7,150.00		7,607.00	8,114.00	8,621.00	9,129.00	9,636.00	10,143.00	10,650.00	11,157.00	11,664.00	12,171.00	12,679.00	13,186.00	13,693.00	14,200.00	& OVER
7,150.01	243	7,150.01	7,661.01	8,171.01	8,682.01	9,193.01	9,704.01	10,214.01	10,725.01	11,236.01	11,746.01	12,257.01	12,768.01	13,279.01	13,789.01	14,300.01
7,200.00		7,661.00	8,171.00	8,682.00	9,193.00	9,704.00	10,214.00	10,725.00	11,236.00	11,746.00	12,257.00	12,768.00	13,279.00	13,789.00	14,300.00	& OVER
7,200.01	244	7,200.01	7,714.01	8,229.01	8,743.01	9,257.01	9,771.01	10,286.01	10,800.01	11,314.01	11,829.01	12,343.01	12,857.01	13,371.01	13,886.01	14,400.01
7,250.00		7,714.00	8,229.00	8,743.00	9,257.00	9,771.00	10,286.00	10,800.00	11,314.00	11,829.00	12,343.00	12,857.00	13,371.00	13,886.00	14,400.00	& OVER
7,250.01	245	7,250.01	7,768.01	8,286.01	8,804.01	9,321.01	9,839.01	10,357.01	10,875.01	11,393.01	11,911.01	12,429.01	12,946.01	13,464.01	13,982.01	14,500.01
7,300.00		7,768.00	8,286.00	8,804.00	9,321.00	9,839.00	10,357.00	10,875.00	11,393.00	11,911.00	12,429.00	12,946.00	13,464.00	13,982.00	14,500.00	& OVER
7,300.01	246	7,300.01	7,821.01	8,343.01	8,864.01	9,386.01	9,907.01	10,429.01	10,950.01	11,471.01	11,993.01	12,514.01	13,036.01	13,557.01	14,079.01	14,600.01
7,350.00		7,821.00	8,343.00	8,864.00	9,386.00	9,907.00	10,429.00	10,950.00	11,471.00	11,993.00	12,514.00	13,036.00	13,557.00	14,079.00	14,600.00	& OVER
7,350.01	247	7,350.01	7,875.01	8,400.01	8,925.01	9,450.01	9,975.01	10,500.01	11,025.01	11,550.01	12,075.01	12,600.01	13,125.01	13,650.01	14,175.01	14,700.01
7,400.00		7,875.00	8,400.00	8,925.00	9,450.00	9,975.00	10,500.00	11,025.00	11,550.00	12,075.00	12,600.00	13,125.00	13,650.00	14,175.00	14,700.00	& OVER
7,400.01	248	7,400.01	7,929.01	8,457.01	8,986.01	9,514.01	10,043.01	10,571.01	11,100.01	11,629.01	12,157.01	12,686.01	13,214.01	13,743.01	14,271.01	14,800.01
7,450.00		7,929.00	8,457.00	8,986.00	9,514.00	10,043.00	10,571.00	11,100.00	11,629.00	12,157.00	12,686.00	13,214.00	13,743.00	14,271.00	14,800.00	& OVER
7,450.01	249	7,450.01	7,982.01	8,514.01	9,046.01	9,579.01	10,111.01	10,643.01	11,175.01	11,707.01	12,239.01	12,771.01	13,304.01	13,836.01	14,368.01	14,900.01
7,500.00		7,982.00	8,514.00	9,046.00	9,579.00	10,111.00	10,643.00	11,175.00	11,707.00	12,239.00	12,771.00	13,304.00	13,836.00	14,368.00	14,900.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
7,500.01	250	7,500.01	8,036.01	8,571.01	9,107.01	9,643.01	10,179.01	10,714.01	11,250.01	11,786.01	12,321.01	12,857.01	13,393.01	13,929.01	14,464.01	15,000.01
7,550.00		8,036.00	8,571.00	9,107.00	9,643.00	10,179.00	10,714.00	11,250.00	11,786.00	12,321.00	12,857.00	13,393.00	13,929.00	14,464.00	15,000.00	& OVER
7,550.01	251	7,550.01	8,089.01	8,629.01	9,168.01	9,707.01	10,246.01	10,786.01	11,325.01	11,864.01	12,404.01	12,943.01	13,482.01	14,021.01	14,561.01	15,100.01
7,600.00		8,089.00	8,629.00	9,168.00	9,707.00	10,246.00	10,786.00	11,325.00	11,864.00	12,404.00	12,943.00	13,482.00	14,021.00	14,561.00	15,100.00	& OVER
7,600.01	252	7,600.01	8,143.01	8,686.01	9,229.01	9,771.01	10,314.01	10,857.01	11,400.01	11,943.01	12,486.01	13,029.01	13,571.01	14,114.01	14,657.01	15,200.01
7,650.00		8,143.00	8,686.00	9,229.00	9,771.00	10,314.00	10,857.00	11,400.00	11,943.00	12,486.00	13,029.00	13,571.00	14,114.00	14,657.00	15,200.00	& OVER
7,650.01	253	7,650.01	8,196.01	8,743.01	9,289.01	9,836.01	10,382.01	10,929.01	11,475.01	12,021.01	12,568.01	13,114.01	13,661.01	14,207.01	14,754.01	15,300.01
7,700.00		8,196.00	8,743.00	9,289.00	9,836.00	10,382.00	10,929.00	11,475.00	12,021.00	12,568.00	13,114.00	13,661.00	14,207.00	14,754.00	15,300.00	& OVER
7,700.01	254	7,700.01	8,250.01	8,800.01	9,350.01	9,900.01	10,450.01	11,000.01	11,550.01	12,100.01	12,650.01	13,200.01	13,750.01	14,300.01	14,850.01	15,400.01
7,750.00		8,250.00	8,800.00	9,350.00	9,900.00	10,450.00	11,000.00	11,550.00	12,100.00	12,650.00	13,200.00	13,750.00	14,300.00	14,850.00	15,400.00	& OVER
7,750.01	255	7,750.01	8,304.01	8,857.01	9,411.01	9,964.01	10,518.01	11,071.01	11,625.01	12,179.01	12,732.01	13,286.01	13,839.01	14,393.01	14,946.01	15,500.01
7,800.00		8,304.00	8,857.00	9,411.00	9,964.00	10,518.00	11,071.00	11,625.00	12,179.00	12,732.00	13,286.00	13,839.00	14,393.00	14,946.00	15,500.00	& OVER
7,800.01	256	7,800.01	8,357.01	8,914.01	9,471.01	10,029.01	10,586.01	11,143.01	11,700.01	12,257.01	12,814.01	13,371.01	13,929.01	14,486.01	15,043.01	15,600.01
7,850.00		8,357.00	8,914.00	9,471.00	10,029.00	10,586.00	11,143.00	11,700.00	12,257.00	12,814.00	13,371.00	13,929.00	14,486.00	15,043.00	15,600.00	& OVER
7,850.01	257	7,850.01	8,411.01	8,971.01	9,532.01	10,093.01	10,654.01	11,214.01	11,775.01	12,336.01	12,896.01	13,457.01	14,018.01	14,579.01	15,139.01	15,700.01
7,900.00		8,411.00	8,971.00	9,532.00	10,093.00	10,654.00	11,214.00	11,775.00	12,336.00	12,896.00	13,457.00	14,018.00	14,579.00	15,139.00	15,700.00	& OVER
7,900.01	258	7,900.01	8,464.01	9,029.01	9,593.01	10,157.01	10,721.01	11,286.01	11,850.01	12,414.01	12,979.01	13,543.01	14,107.01	14,671.01	15,236.01	15,800.01
7,950.00		8,464.00	9,029.00	9,593.00	10,157.00	10,721.00	11,286.00	11,850.00	12,414.00	12,979.00	13,543.00	14,107.00	14,671.00	15,236.00	15,800.00	& OVER
7,950.01	259	7,950.01	8,518.01	9,086.01	9,654.01	10,221.01	10,789.01	11,357.01	11,925.01	12,493.01	13,061.01	13,629.01	14,196.01	14,764.01	15,332.01	15,900.01
8,000.00		8,518.00	9,086.00	9,654.00	10,221.00	10,789.00	11,357.00	11,925.00	12,493.00	13,061.00	13,629.00	14,196.00	14,764.00	15,332.00	15,900.00	& OVER
8,000.01	260	8,000.01	8,571.01	9,143.01	9,714.01	10,286.01	10,857.01	11,429.01	12,000.01	12,571.01	13,143.01	13,714.01	14,286.01	14,857.01	15,429.01	16,000.01
8,050.00		8,571.00	9,143.00	9,714.00	10,286.00	10,857.00	11,429.00	12,000.00	12,571.00	13,143.00	13,714.00	14,286.00	14,857.00	15,429.00	16,000.00	& OVER
8,050.01	261	8,050.01	8,625.01	9,200.01	9,775.01	10,350.01	10,925.01	11,500.01	12,075.01	12,650.01	13,225.01	13,800.01	14,375.01	14,950.01	15,525.01	16,100.01
8,100.00		8,625.00	9,200.00	9,775.00	10,350.00	10,925.00	11,500.00	12,075.00	12,650.00	13,225.00	13,800.00	14,375.00	14,950.00	15,525.00	16,100.00	& OVER
8,100.01	262	8,100.01	8,679.01	9,257.01	9,836.01	10,414.01	10,993.01	11,571.01	12,150.01	12,729.01	13,307.01	13,886.01	14,464.01	15,043.01	15,621.01	16,200.01
8,150.00		8,679.00	9,257.00	9,836.00	10,414.00	10,993.00	11,571.00	12,150.00	12,729.00	13,307.00	13,886.00	14,464.00	15,043.00	15,621.00	16,200.00	& OVER
8,150.01	263	8,150.01	8,732.01	9,314.01	9,896.01	10,479.01	11,061.01	11,643.01	12,225.01	12,807.01	13,389.01	13,971.01	14,554.01	15,136.01	15,718.01	16,300.01
8,200.00		8,732.00	9,314.00	9,896.00	10,479.00	11,061.00	11,643.00	12,225.00	12,807.00	13,389.00	13,971.00	14,554.00	15,136.00	15,718.00	16,300.00	& OVER
8,200.01	264	8,200.01	8,786.01	9,371.01	9,957.01	10,543.01	11,129.01	11,714.01	12,300.01	12,886.01	13,471.01	14,057.01	14,643.01	15,229.01	15,814.01	16,400.01
8,250.00		8,786.00	9,371.00	9,957.00	10,543.00	11,129.00	11,714.00	12,300.00	12,886.00	13,471.00	14,057.00	14,643.00	15,229.00	15,814.00	16,400.00	& OVER
8,250.01	265	8,250.01	8,839.01	9,429.01	10,018.01	10,607.01	11,196.01	11,786.01	12,375.01	12,964.01	13,554.01	14,143.01	14,732.01	15,321.01	15,911.01	16,500.01
8,300.00		8,839.00	9,429.00	10,018.00	10,607.00	11,196.00	11,786.00	12,375.00	12,964.00	13,554.00	14,143.00	14,732.00	15,321.00	15,911.00	16,500.00	& OVER
8,300.01	266	8,300.01	8,893.01	9,486.01	10,079.01	10,671.01	11,264.01	11,857.01	12,450.01	13,043.01	13,636.01	14,229.01	14,821.01	15,414.01	16,007.01	16,600.01
8,350.00		8,893.00	9,486.00	10,079.00	10,671.00	11,264.00	11,857.00	12,450.00	13,043.00	13,636.00	14,229.00	14,821.00	15,414.00	16,007.00	16,600.00	& OVER
8,350.01	267	8,350.01	8,946.01	9,543.01	10,139.01	10,736.01	11,332.01	11,929.01	12,525.01	13,121.01	13,718.01	14,314.01	14,911.01	15,507.01	16,104.01	16,700.01
8,400.00		8,946.00	9,543.00	10,139.00	10,736.00	11,332.00	11,929.00	12,525.00	13,121.00	13,718.00	14,314.00	14,911.00	15,507.00	16,104.00	16,700.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
8,400.01	268	8,400.01	9,000.01	9,600.01	10,200.01	10,800.01	11,400.01	12,000.01	12,600.01	13,200.01	13,800.01	14,400.01	15,000.01	15,600.01	16,200.01	16,800.01
8,450.00		9,000.00	9,600.00	10,200.00	10,800.00	11,400.00	12,000.00	12,600.00	13,200.00	13,800.00	14,400.00	15,000.00	15,600.00	16,200.00	16,800.00	& OVER
8,450.01	269	8,450.01	9,054.01	9,657.01	10,261.01	10,864.01	11,468.01	12,071.01	12,675.01	13,279.01	13,882.01	14,486.01	15,089.01	15,693.01	16,296.01	16,900.01
8,500.00		9,054.00	9,657.00	10,261.00	10,864.00	11,468.00	12,071.00	12,675.00	13,279.00	13,882.00	14,486.00	15,089.00	15,693.00	16,296.00	16,900.00	& OVER
8,500.01	270	8,500.01	9,107.01	9,714.01	10,321.01	10,929.01	11,536.01	12,143.01	12,750.01	13,357.01	13,964.01	14,571.01	15,179.01	15,786.01	16,393.01	17,000.01
8,550.00		9,107.00	9,714.00	10,321.00	10,929.00	11,536.00	12,143.00	12,750.00	13,357.00	13,964.00	14,571.00	15,179.00	15,786.00	16,393.00	17,000.00	& OVER
8,550.01	271	8,550.01	9,161.01	9,771.01	10,382.01	10,993.01	11,604.01	12,214.01	12,825.01	13,436.01	14,046.01	14,657.01	15,268.01	15,879.01	16,489.01	17,100.01
8,600.00		9,161.00	9,771.00	10,382.00	10,993.00	11,604.00	12,214.00	12,825.00	13,436.00	14,046.00	14,657.00	15,268.00	15,879.00	16,489.00	17,100.00	& OVER
8,600.01	272	8,600.01	9,214.01	9,829.01	10,443.01	11,057.01	11,671.01	12,286.01	12,900.01	13,514.01	14,129.01	14,743.01	15,357.01	15,971.01	16,586.01	17,200.01
8,650.00		9,214.00	9,829.00	10,443.00	11,057.00	11,671.00	12,286.00	12,900.00	13,514.00	14,129.00	14,743.00	15,357.00	15,971.00	16,586.00	17,200.00	& OVER
8,650.01	273	8,650.01	9,268.01	9,886.01	10,504.01	11,121.01	11,739.01	12,357.01	12,975.01	13,593.01	14,211.01	14,829.01	15,446.01	16,064.01	16,682.01	17,300.01
8,700.00		9,268.00	9,886.00	10,504.00	11,121.00	11,739.00	12,357.00	12,975.00	13,593.00	14,211.00	14,829.00	15,446.00	16,064.00	16,682.00	17,300.00	& OVER
8,700.01	274	8,700.01	9,321.01	9,943.01	10,564.01	11,186.01	11,807.01	12,429.01	13,050.01	13,671.01	14,293.01	14,914.01	15,536.01	16,157.01	16,779.01	17,400.01
8,750.00		9,321.00	9,943.00	10,564.00	11,186.00	11,807.00	12,429.00	13,050.00	13,671.00	14,293.00	14,914.00	15,536.00	16,157.00	16,779.00	17,400.00	& OVER
8,750.01	275	8,750.01	9,375.01	10,000.01	10,625.01	11,250.01	11,875.01	12,500.01	13,125.01	13,750.01	14,375.01	15,000.01	15,625.01	16,250.01	16,875.01	17,500.01
8,800.00		9,375.00	10,000.00	10,625.00	11,250.00	11,875.00	12,500.00	13,125.00	13,750.00	14,375.00	15,000.00	15,625.00	16,250.00	16,875.00	17,500.00	& OVER
8,800.01	276	8,800.01	9,429.01	10,057.01	10,686.01	11,314.01	11,943.01	12,571.01	13,200.01	13,829.01	14,457.01	15,086.01	15,714.01	16,343.01	16,971.01	17,600.01
8,850.00		9,429.00	10,057.00	10,686.00	11,314.00	11,943.00	12,571.00	13,200.00	13,829.00	14,457.00	15,086.00	15,714.00	16,343.00	16,971.00	17,600.00	& OVER
8,850.01	277	8,850.01	9,482.01	10,114.01	10,746.01	11,379.01	12,011.01	12,643.01	13,275.01	13,907.01	14,539.01	15,171.01	15,804.01	16,436.01	17,068.01	17,700.01
8,900.00		9,482.00	10,114.00	10,746.00	11,379.00	12,011.00	12,643.00	13,275.00	13,907.00	14,539.00	15,171.00	15,804.00	16,436.00	17,068.00	17,700.00	& OVER
8,900.01	278	8,900.01	9,536.01	10,171.01	10,807.01	11,443.01	12,079.01	12,714.01	13,350.01	13,986.01	14,621.01	15,257.01	15,893.01	16,529.01	17,164.01	17,800.01
8,950.00		9,536.00	10,171.00	10,807.00	11,443.00	12,079.00	12,714.00	13,350.00	13,986.00	14,621.00	15,257.00	15,893.00	16,529.00	17,164.00	17,800.00	& OVER
8,950.01	279	8,950.01	9,589.01	10,229.01	10,868.01	11,507.01	12,146.01	12,786.01	13,425.01	14,064.01	14,704.01	15,343.01	15,982.01	16,621.01	17,261.01	17,900.01
9,000.00		9,589.00	10,229.00	10,868.00	11,507.00	12,146.00	12,786.00	13,425.00	14,064.00	14,704.00	15,343.00	15,982.00	16,621.00	17,261.00	17,900.00	& OVER
9,000.01	280	9,000.01	9,643.01	10,286.01	10,929.01	11,571.01	12,214.01	12,857.01	13,500.01	14,143.01	14,786.01	15,429.01	16,071.01	16,714.01	17,357.01	18,000.01
9,050.00		9,643.00	10,286.00	10,929.00	11,571.00	12,214.00	12,857.00	13,500.00	14,143.00	14,786.00	15,429.00	16,071.00	16,714.00	17,357.00	18,000.00	& OVER
9,050.01	281	9,050.01	9,696.01	10,343.01	10,989.01	11,636.01	12,282.01	12,929.01	13,575.01	14,221.01	14,868.01	15,514.01	16,161.01	16,807.01	17,454.01	18,100.01
9,100.00		9,696.00	10,343.00	10,989.00	11,636.00	12,282.00	12,929.00	13,575.00	14,221.00	14,868.00	15,514.00	16,161.00	16,807.00	17,454.00	18,100.00	& OVER
9,100.01	282	9,100.01	9,750.01	10,400.01	11,050.01	11,700.01	12,350.01	13,000.01	13,650.01	14,300.01	14,950.01	15,600.01	16,250.01	16,900.01	17,550.01	18,200.01
9,150.00		9,750.00	10,400.00	11,050.00	11,700.00	12,350.00	13,000.00	13,650.00	14,300.00	14,950.00	15,600.00	16,250.00	16,900.00	17,550.00	18,200.00	& OVER
9,150.01 9,200.00	283	9,150.01 9,804.00	9,804.01 10,457.00	10,457.01 11,111.00	11,111.01 11,764.00	11,764.01 12,418.00	12,418.01 13,071.00	13,071.01 13,725.00	13,725.01 14,379.00	14,379.01 15,032.00	15,032.01 15,686.00	15,686.01 16,339.00	16,339.01 16,993.00	16,993.01 17,646.00	17,646.01 18,300.00	18,300.01 & OVER
9,200.01 9,250.00	284	9,200.01 9,857.00	9,857.01 10,514.00	10,514.01 11,171.00	11,171.01 11,829.00	11,829.01 12,486.00	12,486.01 13,143.00	13,143.01 13,800.00	13,800.01 14,457.00	14,457.01 15,114.00	15,114.01 15,771.00	15,771.01 16,429.00	16,429.01 17,086.00	17,086.01 17,743.00	17,743.01 18,400.00	18,400.01 & OVER
9,250.01 9,300.00	285	9,250.01 9,911.00	9,911.01 10,571.00	10,571.01 11,232.00	11,232.01 11,893.00	11,893.01 12,554.00	12,554.01 13,214.00	13,214.01 13,875.00	13,875.01 14,536.00	14,536.01 15,196.00	15,196.01 15,857.00	15,857.01 16,518.00	16,518.01 17,179.00	17,179.01 17,839.00	17,839.01 18,500.00	18,500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
9,300.01	286	9,300.01	9,964.01	10,629.01	11,293.01	11,957.01	12,621.01	13,286.01	13,950.01	14,614.01	15,279.01	15,943.01	16,607.01	17,271.01	17,936.01	18,600.01
9,350.00		9,964.00	10,629.00	11,293.00	11,957.00	12,621.00	13,286.00	13,950.00	14,614.00	15,279.00	15,943.00	16,607.00	17,271.00	17,936.00	18,600.00	& OVER
9,350.01	287	9,350.01	10,018.01	10,686.01	11,354.01	12,021.01	12,689.01	13,357.01	14,025.01	14,693.01	15,361.01	16,029.01	16,696.01	17,364.01	18,032.01	18,700.01
9,400.00		10,018.00	10,686.00	11,354.00	12,021.00	12,689.00	13,357.00	14,025.00	14,693.00	15,361.00	16,029.00	16,696.00	17,364.00	18,032.00	18,700.00	& OVER
9,400.01	288	9,400.01	10,071.01	10,743.01	11,414.01	12,086.01	12,757.01	13,429.01	14,100.01	14,771.01	15,443.01	16,114.01	16,786.01	17,457.01	18,129.01	18,800.01
9,450.00		10,071.00	10,743.00	11,414.00	12,086.00	12,757.00	13,429.00	14,100.00	14,771.00	15,443.00	16,114.00	16,786.00	17,457.00	18,129.00	18,800.00	& OVER
9,450.01	289	9,450.01	10,125.01	10,800.01	11,475.01	12,150.01	12,825.01	13,500.01	14,175.01	14,850.01	15,525.01	16,200.01	16,875.01	17,550.01	18,225.01	18,900.01
9,500.00		10,125.00	10,800.00	11,475.00	12,150.00	12,825.00	13,500.00	14,175.00	14,850.00	15,525.00	16,200.00	16,875.00	17,550.00	18,225.00	18,900.00	& OVER
9,500.01	290	9,500.01	10,179.01	10,857.01	11,536.01	12,214.01	12,893.01	13,571.01	14,250.01	14,929.01	15,607.01	16,286.01	16,964.01	17,643.01	18,321.01	19,000.01
9,550.00		10,179.00	10,857.00	11,536.00	12,214.00	12,893.00	13,571.00	14,250.00	14,929.00	15,607.00	16,286.00	16,964.00	17,643.00	18,321.00	19,000.00	& OVER
9,550.01	291	9,550.01	10,232.01	10,914.01	11,596.01	12,279.01	12,961.01	13,643.01	14,325.01	15,007.01	15,689.01	16,371.01	17,054.01	17,736.01	18,418.01	19,100.01
9,600.00		10,232.00	10,914.00	11,596.00	12,279.00	12,961.00	13,643.00	14,325.00	15,007.00	15,689.00	16,371.00	17,054.00	17,736.00	18,418.00	19,100.00	& OVER
9,600.01	292	9,600.01	10,286.01	10,971.01	11,657.01	12,343.01	13,029.01	13,714.01	14,400.01	15,086.01	15,771.01	16,457.01	17,143.01	17,829.01	18,514.01	19,200.01
9,650.00		10,286.00	10,971.00	11,657.00	12,343.00	13,029.00	13,714.00	14,400.00	15,086.00	15,771.00	16,457.00	17,143.00	17,829.00	18,514.00	19,200.00	& OVER
9,650.01	293	9,650.01	10,339.01	11,029.01	11,718.01	12,407.01	13,096.01	13,786.01	14,475.01	15,164.01	15,854.01	16,543.01	17,232.01	17,921.01	18,611.01	19,300.01
9,700.00		10,339.00	11,029.00	11,718.00	12,407.00	13,096.00	13,786.00	14,475.00	15,164.00	15,854.00	16,543.00	17,232.00	17,921.00	18,611.00	19,300.00	& OVER
9,700.01	294	9,700.01	10,393.01	11,086.01	11,779.01	12,471.01	13,164.01	13,857.01	14,550.01	15,243.01	15,936.01	16,629.01	17,321.01	18,014.01	18,707.01	19,400.01
9,750.00		10,393.00	11,086.00	11,779.00	12,471.00	13,164.00	13,857.00	14,550.00	15,243.00	15,936.00	16,629.00	17,321.00	18,014.00	18,707.00	19,400.00	& OVER
9,750.01	295	9,750.01	10,446.01	11,143.01	11,839.01	12,536.01	13,232.01	13,929.01	14,625.01	15,321.01	16,018.01	16,714.01	17,411.01	18,107.01	18,804.01	19,500.01
9,800.00		10,446.00	11,143.00	11,839.00	12,536.00	13,232.00	13,929.00	14,625.00	15,321.00	16,018.00	16,714.00	17,411.00	18,107.00	18,804.00	19,500.00	& OVER
9,800.01	296	9,800.01	10,500.01	11,200.01	11,900.01	12,600.01	13,300.01	14,000.01	14,700.01	15,400.01	16,100.01	16,800.01	17,500.01	18,200.01	18,900.01	19,600.01
9,850.00		10,500.00	11,200.00	11,900.00	12,600.00	13,300.00	14,000.00	14,700.00	15,400.00	16,100.00	16,800.00	17,500.00	18,200.00	18,900.00	19,600.00	& OVER
9,850.01	297	9,850.01	10,554.01	11,257.01	11,961.01	12,664.01	13,368.01	14,071.01	14,775.01	15,479.01	16,182.01	16,886.01	17,589.01	18,293.01	18,996.01	19,700.01
9,900.00		10,554.00	11,257.00	11,961.00	12,664.00	13,368.00	14,071.00	14,775.00	15,479.00	16,182.00	16,886.00	17,589.00	18,293.00	18,996.00	19,700.00	& OVER
9,900.01	298	9,900.01	10,607.01	11,314.01	12,021.01	12,729.01	13,436.01	14,143.01	14,850.01	15,557.01	16,264.01	16,971.01	17,679.01	18,386.01	19,093.01	19,800.01
9,950.00		10,607.00	11,314.00	12,021.00	12,729.00	13,436.00	14,143.00	14,850.00	15,557.00	16,264.00	16,971.00	17,679.00	18,386.00	19,093.00	19,800.00	& OVER
9,950.01	299	9,950.01	10,661.01	11,371.01	12,082.01	12,793.01	13,504.01	14,214.01	14,925.01	15,636.01	16,346.01	17,057.01	17,768.01	18,479.01	19,189.01	19,900.01
10,000.00		10,661.00	11,371.00	12,082.00	12,793.00	13,504.00	14,214.00	14,925.00	15,636.00	16,346.00	17,057.00	17,768.00	18,479.00	19,189.00	19,900.00	& OVER
10,000.01	300	10,000.01	10,714.01	11,429.01	12,143.01	12,857.01	13,571.01	14,286.01	15,000.01	15,714.01	16,429.01	17,143.01	17,857.01	18,571.01	19,286.01	20,000.01
10,050.00		10,714.00	11,429.00	12,143.00	12,857.00	13,571.00	14,286.00	15,000.00	15,714.00	16,429.00	17,143.00	17,857.00	18,571.00	19,286.00	20,000.00	& OVER
10,050.01	301	10,050.01	10,768.01	11,486.01	12,204.01	12,921.01	13,639.01	14,357.01	15,075.01	15,793.01	16,511.01	17,229.01	17,946.01	18,664.01	19,382.01	20,100.01
10,100.00		10,768.00	11,486.00	12,204.00	12,921.00	13,639.00	14,357.00	15,075.00	15,793.00	16,511.00	17,229.00	17,946.00	18,664.00	19,382.00	20,100.00	& OVER
10,100.01	302	10,100.01	10,821.01	11,543.01	12,264.01	12,986.01	13,707.01	14,429.01	15,150.01	15,871.01	16,593.01	17,314.01	18,036.01	18,757.01	19,479.01	20,200.01
10,150.00		10,821.00	11,543.00	12,264.00	12,986.00	13,707.00	14,429.00	15,150.00	15,871.00	16,593.00	17,314.00	18,036.00	18,757.00	19,479.00	20,200.00	& OVER
10,150.01	303	10,150.01	10,875.01	11,600.01	12,325.01	13,050.01	13,775.01	14,500.01	15,225.01	15,950.01	16,675.01	17,400.01	18,125.01	18,850.01	19,575.01	20,300.01
10,200.00		10,875.00	11,600.00	12,325.00	13,050.00	13,775.00	14,500.00	15,225.00	15,950.00	16,675.00	17,400.00	18,125.00	18,850.00	19,575.00	20,300.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
10,200.01	304	10,200.01	10,929.01	11,657.01	12,386.01	13,114.01	13,843.01	14,571.01	15,300.01	16,029.01	16,757.01	17,486.01	18,214.01	18,943.01	19,671.01	20,400.01
10,250.00		10,929.00	11,657.00	12,386.00	13,114.00	13,843.00	14,571.00	15,300.00	16,029.00	16,757.00	17,486.00	18,214.00	18,943.00	19,671.00	20,400.00	& OVER
10,250.01	305	10,250.01	10,982.01	11,714.01	12,446.01	13,179.01	13,911.01	14,643.01	15,375.01	16,107.01	16,839.01	17,571.01	18,304.01	19,036.01	19,768.01	20,500.01
10,300.00		10,982.00	11,714.00	12,446.00	13,179.00	13,911.00	14,643.00	15,375.00	16,107.00	16,839.00	17,571.00	18,304.00	19,036.00	19,768.00	20,500.00	& OVER
10,300.01	306	10,300.01	11,036.01	11,771.01	12,507.01	13,243.01	13,979.01	14,714.01	15,450.01	16,186.01	16,921.01	17,657.01	18,393.01	19,129.01	19,864.01	20,600.01
10,350.00		11,036.00	11,771.00	12,507.00	13,243.00	13,979.00	14,714.00	15,450.00	16,186.00	16,921.00	17,657.00	18,393.00	19,129.00	19,864.00	20,600.00	& OVER
10,350.01	307	10,350.01	11,089.01	11,829.01	12,568.01	13,307.01	14,046.01	14,786.01	15,525.01	16,264.01	17,004.01	17,743.01	18,482.01	19,221.01	19,961.01	20,700.01
10,400.00		11,089.00	11,829.00	12,568.00	13,307.00	14,046.00	14,786.00	15,525.00	16,264.00	17,004.00	17,743.00	18,482.00	19,221.00	19,961.00	20,700.00	& OVER
10,400.01	308	10,400.01	11,143.01	11,886.01	12,629.01	13,371.01	14,114.01	14,857.01	15,600.01	16,343.01	17,086.01	17,829.01	18,571.01	19,314.01	20,057.01	20,800.01
10,450.00		11,143.00	11,886.00	12,629.00	13,371.00	14,114.00	14,857.00	15,600.00	16,343.00	17,086.00	17,829.00	18,571.00	19,314.00	20,057.00	20,800.00	& OVER
10,450.01	309	10,450.01	11,196.01	11,943.01	12,689.01	13,436.01	14,182.01	14,929.01	15,675.01	16,421.01	17,168.01	17,914.01	18,661.01	19,407.01	20,154.01	20,900.01
10,500.00		11,196.00	11,943.00	12,689.00	13,436.00	14,182.00	14,929.00	15,675.00	16,421.00	17,168.00	17,914.00	18,661.00	19,407.00	20,154.00	20,900.00	& OVER
10,500.01	310	10,500.01	11,250.01	12,000.01	12,750.01	13,500.01	14,250.01	15,000.01	15,750.01	16,500.01	17,250.01	18,000.01	18,750.01	19,500.01	20,250.01	21,000.01
10,550.00		11,250.00	12,000.00	12,750.00	13,500.00	14,250.00	15,000.00	15,750.00	16,500.00	17,250.00	18,000.00	18,750.00	19,500.00	20,250.00	21,000.00	& OVER
10,550.01	311	10,550.01	11,304.01	12,057.01	12,811.01	13,564.01	14,318.01	15,071.01	15,825.01	16,579.01	17,332.01	18,086.01	18,839.01	19,593.01	20,346.01	21,100.01
10,600.00		11,304.00	12,057.00	12,811.00	13,564.00	14,318.00	15,071.00	15,825.00	16,579.00	17,332.00	18,086.00	18,839.00	19,593.00	20,346.00	21,100.00	& OVER
10,600.01	312	10,600.01	11,357.01	12,114.01	12,871.01	13,629.01	14,386.01	15,143.01	15,900.01	16,657.01	17,414.01	18,171.01	18,929.01	19,686.01	20,443.01	21,200.01
10,650.00		11,357.00	12,114.00	12,871.00	13,629.00	14,386.00	15,143.00	15,900.00	16,657.00	17,414.00	18,171.00	18,929.00	19,686.00	20,443.00	21,200.00	& OVER
10,650.01	313	10,650.01	11,411.01	12,171.01	12,932.01	13,693.01	14,454.01	15,214.01	15,975.01	16,736.01	17,496.01	18,257.01	19,018.01	19,779.01	20,539.01	21,300.01
10,700.00		11,411.00	12,171.00	12,932.00	13,693.00	14,454.00	15,214.00	15,975.00	16,736.00	17,496.00	18,257.00	19,018.00	19,779.00	20,539.00	21,300.00	& OVER
10,700.01	314	10,700.01	11,464.01	12,229.01	12,993.01	13,757.01	14,521.01	15,286.01	16,050.01	16,814.01	17,579.01	18,343.01	19,107.01	19,871.01	20,636.01	21,400.01
10,750.00		11,464.00	12,229.00	12,993.00	13,757.00	14,521.00	15,286.00	16,050.00	16,814.00	17,579.00	18,343.00	19,107.00	19,871.00	20,636.00	21,400.00	& OVER
10,750.01	315	10,750.01	11,518.01	12,286.01	13,054.01	13,821.01	14,589.01	15,357.01	16,125.01	16,893.01	17,661.01	18,429.01	19,196.01	19,964.01	20,732.01	21,500.01
10,800.00		11,518.00	12,286.00	13,054.00	13,821.00	14,589.00	15,357.00	16,125.00	16,893.00	17,661.00	18,429.00	19,196.00	19,964.00	20,732.00	21,500.00	& OVER
10,800.01	316	10,800.01	11,571.01	12,343.01	13,114.01	13,886.01	14,657.01	15,429.01	16,200.01	16,971.01	17,743.01	18,514.01	19,286.01	20,057.01	20,829.01	21,600.01
10,850.00		11,571.00	12,343.00	13,114.00	13,886.00	14,657.00	15,429.00	16,200.00	16,971.00	17,743.00	18,514.00	19,286.00	20,057.00	20,829.00	21,600.00	& OVER
10,850.01	317	10,850.01	11,625.01	12,400.01	13,175.01	13,950.01	14,725.01	15,500.01	16,275.01	17,050.01	17,825.01	18,600.01	19,375.01	20,150.01	20,925.01	21,700.01
10,900.00		11,625.00	12,400.00	13,175.00	13,950.00	14,725.00	15,500.00	16,275.00	17,050.00	17,825.00	18,600.00	19,375.00	20,150.00	20,925.00	21,700.00	& OVER
10,900.01	318	10,900.01	11,679.01	12,457.01	13,236.01	14,014.01	14,793.01	15,571.01	16,350.01	17,129.01	17,907.01	18,686.01	19,464.01	20,243.01	21,021.01	21,800.01
10,950.00		11,679.00	12,457.00	13,236.00	14,014.00	14,793.00	15,571.00	16,350.00	17,129.00	17,907.00	18,686.00	19,464.00	20,243.00	21,021.00	21,800.00	& OVER
10,950.01	319	10,950.01	11,732.01	12,514.01	13,296.01	14,079.01	14,861.01	15,643.01	16,425.01	17,207.01	17,989.01	18,771.01	19,554.01	20,336.01	21,118.01	21,900.01
11,000.00		11,732.00	12,514.00	13,296.00	14,079.00	14,861.00	15,643.00	16,425.00	17,207.00	17,989.00	18,771.00	19,554.00	20,336.00	21,118.00	21,900.00	& OVER
11,000.01	320	11,000.01	11,786.01	12,571.01	13,357.01	14,143.01	14,929.01	15,714.01	16,500.01	17,286.01	18,071.01	18,857.01	19,643.01	20,429.01	21,214.01	22,000.01
11,050.00		11,786.00	12,571.00	13,357.00	14,143.00	14,929.00	15,714.00	16,500.00	17,286.00	18,071.00	18,857.00	19,643.00	20,429.00	21,214.00	22,000.00	& OVER
11,050.01	321	11,050.01	11,839.01	12,629.01	13,418.01	14,207.01	14,996.01	15,786.01	16,575.01	17,364.01	18,154.01	18,943.01	19,732.01	20,521.01	21,311.01	22,100.01
11,100.00		11,839.00	12,629.00	13,418.00	14,207.00	14,996.00	15,786.00	16,575.00	17,364.00	18,154.00	18,943.00	19,732.00	20,521.00	21,311.00	22,100.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
11,100.01	322	11,100.01	11,893.01	12,686.01	13,479.01	14,271.01	15,064.01	15,857.01	16,650.01	17,443.01	18,236.01	19,029.01	19,821.01	20,614.01	21,407.01	22,200.01
11,150.00		11,893.00	12,686.00	13,479.00	14,271.00	15,064.00	15,857.00	16,650.00	17,443.00	18,236.00	19,029.00	19,821.00	20,614.00	21,407.00	22,200.00	& OVER
11,150.01	323	11,150.01	11,946.01	12,743.01	13,539.01	14,336.01	15,132.01	15,929.01	16,725.01	17,521.01	18,318.01	19,114.01	19,911.01	20,707.01	21,504.01	22,300.01
11,200.00		11,946.00	12,743.00	13,539.00	14,336.00	15,132.00	15,929.00	16,725.00	17,521.00	18,318.00	19,114.00	19,911.00	20,707.00	21,504.00	22,300.00	& OVER
11,200.01	324	11,200.01	12,000.01	12,800.01	13,600.01	14,400.01	15,200.01	16,000.01	16,800.01	17,600.01	18,400.01	19,200.01	20,000.01	20,800.01	21,600.01	22,400.01
11,250.00		12,000.00	12,800.00	13,600.00	14,400.00	15,200.00	16,000.00	16,800.00	17,600.00	18,400.00	19,200.00	20,000.00	20,800.00	21,600.00	22,400.00	& OVER
11,250.01	325	11,250.01	12,054.01	12,857.01	13,661.01	14,464.01	15,268.01	16,071.01	16,875.01	17,679.01	18,482.01	19,286.01	20,089.01	20,893.01	21,696.01	22,500.01
11,300.00		12,054.00	12,857.00	13,661.00	14,464.00	15,268.00	16,071.00	16,875.00	17,679.00	18,482.00	19,286.00	20,089.00	20,893.00	21,696.00	22,500.00	& OVER
11,300.01	326	11,300.01	12,107.01	12,914.01	13,721.01	14,529.01	15,336.01	16,143.01	16,950.01	17,757.01	18,564.01	19,371.01	20,179.01	20,986.01	21,793.01	22,600.01
11,350.00		12,107.00	12,914.00	13,721.00	14,529.00	15,336.00	16,143.00	16,950.00	17,757.00	18,564.00	19,371.00	20,179.00	20,986.00	21,793.00	22,600.00	& OVER
11,350.01	327	11,350.01	12,161.01	12,971.01	13,782.01	14,593.01	15,404.01	16,214.01	17,025.01	17,836.01	18,646.01	19,457.01	20,268.01	21,079.01	21,889.01	22,700.01
11,400.00		12,161.00	12,971.00	13,782.00	14,593.00	15,404.00	16,214.00	17,025.00	17,836.00	18,646.00	19,457.00	20,268.00	21,079.00	21,889.00	22,700.00	& OVER
11,400.01	328	11,400.01	12,214.01	13,029.01	13,843.01	14,657.01	15,471.01	16,286.01	17,100.01	17,914.01	18,729.01	19,543.01	20,357.01	21,171.01	21,986.01	22,800.01
11,450.00		12,214.00	13,029.00	13,843.00	14,657.00	15,471.00	16,286.00	17,100.00	17,914.00	18,729.00	19,543.00	20,357.00	21,171.00	21,986.00	22,800.00	& OVER
11,450.01	329	11,450.01	12,268.01	13,086.01	13,904.01	14,721.01	15,539.01	16,357.01	17,175.01	17,993.01	18,811.01	19,629.01	20,446.01	21,264.01	22,082.01	22,900.01
11,500.00		12,268.00	13,086.00	13,904.00	14,721.00	15,539.00	16,357.00	17,175.00	17,993.00	18,811.00	19,629.00	20,446.00	21,264.00	22,082.00	22,900.00	& OVER
11,500.01	330	11,500.01	12,321.01	13,143.01	13,964.01	14,786.01	15,607.01	16,429.01	17,250.01	18,071.01	18,893.01	19,714.01	20,536.01	21,357.01	22,179.01	23,000.01
11,550.00		12,321.00	13,143.00	13,964.00	14,786.00	15,607.00	16,429.00	17,250.00	18,071.00	18,893.00	19,714.00	20,536.00	21,357.00	22,179.00	23,000.00	& OVER
11,550.01	331	11,550.01	12,375.01	13,200.01	14,025.01	14,850.01	15,675.01	16,500.01	17,325.01	18,150.01	18,975.01	19,800.01	20,625.01	21,450.01	22,275.01	23,100.01
11,600.00		12,375.00	13,200.00	14,025.00	14,850.00	15,675.00	16,500.00	17,325.00	18,150.00	18,975.00	19,800.00	20,625.00	21,450.00	22,275.00	23,100.00	& OVER
11,600.01	332	11,600.01	12,429.01	13,257.01	14,086.01	14,914.01	15,743.01	16,571.01	17,400.01	18,229.01	19,057.01	19,886.01	20,714.01	21,543.01	22,371.01	23,200.01
11,650.00		12,429.00	13,257.00	14,086.00	14,914.00	15,743.00	16,571.00	17,400.00	18,229.00	19,057.00	19,886.00	20,714.00	21,543.00	22,371.00	23,200.00	& OVER
11,650.01	333	11,650.01	12,482.01	13,314.01	14,146.01	14,979.01	15,811.01	16,643.01	17,475.01	18,307.01	19,139.01	19,971.01	20,804.01	21,636.01	22,468.01	23,300.01
11,700.00		12,482.00	13,314.00	14,146.00	14,979.00	15,811.00	16,643.00	17,475.00	18,307.00	19,139.00	19,971.00	20,804.00	21,636.00	22,468.00	23,300.00	& OVER
11,700.01	334	11,700.01	12,536.01	13,371.01	14,207.01	15,043.01	15,879.01	16,714.01	17,550.01	18,386.01	19,221.01	20,057.01	20,893.01	21,729.01	22,564.01	23,400.01
11,750.00		12,536.00	13,371.00	14,207.00	15,043.00	15,879.00	16,714.00	17,550.00	18,386.00	19,221.00	20,057.00	20,893.00	21,729.00	22,564.00	23,400.00	& OVER
11,750.01	335	11,750.01	12,589.01	13,429.01	14,268.01	15,107.01	15,946.01	16,786.01	17,625.01	18,464.01	19,304.01	20,143.01	20,982.01	21,821.01	22,661.01	23,500.01
11,800.00		12,589.00	13,429.00	14,268.00	15,107.00	15,946.00	16,786.00	17,625.00	18,464.00	19,304.00	20,143.00	20,982.00	21,821.00	22,661.00	23,500.00	& OVER
11,800.01	336	11,800.01	12,643.01	13,486.01	14,329.01	15,171.01	16,014.01	16,857.01	17,700.01	18,543.01	19,386.01	20,229.01	21,071.01	21,914.01	22,757.01	23,600.01
11,850.00		12,643.00	13,486.00	14,329.00	15,171.00	16,014.00	16,857.00	17,700.00	18,543.00	19,386.00	20,229.00	21,071.00	21,914.00	22,757.00	23,600.00	& OVER
11,850.01	337	11,850.01	12,696.01	13,543.01	14,389.01	15,236.01	16,082.01	16,929.01	17,775.01	18,621.01	19,468.01	20,314.01	21,161.01	22,007.01	22,854.01	23,700.01
11,900.00		12,696.00	13,543.00	14,389.00	15,236.00	16,082.00	16,929.00	17,775.00	18,621.00	19,468.00	20,314.00	21,161.00	22,007.00	22,854.00	23,700.00	& OVER
11,900.01	338	11,900.01	12,750.01	13,600.01	14,450.01	15,300.01	16,150.01	17,000.01	17,850.01	18,700.01	19,550.01	20,400.01	21,250.01	22,100.01	22,950.01	23,800.01
11,950.00		12,750.00	13,600.00	14,450.00	15,300.00	16,150.00	17,000.00	17,850.00	18,700.00	19,550.00	20,400.00	21,250.00	22,100.00	22,950.00	23,800.00	& OVER
11,950.01	339	11,950.01	12,804.01	13,657.01	14,511.01	15,364.01	16,218.01	17,071.01	17,925.01	18,779.01	19,632.01	20,486.01	21,339.01	22,193.01	23,046.01	23,900.01
12,000.00		12,804.00	13,657.00	14,511.00	15,364.00	16,218.00	17,071.00	17,925.00	18,779.00	19,632.00	20,486.00	21,339.00	22,193.00	23,046.00	23,900.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
12,000.01	340	12,000.01	12,857.01	13,714.01	14,571.01	15,429.01	16,286.01	17,143.01	18,000.01	18,857.01	19,714.01	20,571.01	21,429.01	22,286.01	23,143.01	24,000.01
12,050.00		12,857.00	13,714.00	14,571.00	15,429.00	16,286.00	17,143.00	18,000.00	18,857.00	19,714.00	20,571.00	21,429.00	22,286.00	23,143.00	24,000.00	& OVER
12,050.01	341	12,050.01	12,911.01	13,771.01	14,632.01	15,493.01	16,354.01	17,214.01	18,075.01	18,936.01	19,796.01	20,657.01	21,518.01	22,379.01	23,239.01	24,100.01
12,100.00		12,911.00	13,771.00	14,632.00	15,493.00	16,354.00	17,214.00	18,075.00	18,936.00	19,796.00	20,657.00	21,518.00	22,379.00	23,239.00	24,100.00	& OVER
12,100.01	342	12,100.01	12,964.01	13,829.01	14,693.01	15,557.01	16,421.01	17,286.01	18,150.01	19,014.01	19,879.01	20,743.01	21,607.01	22,471.01	23,336.01	24,200.01
12,150.00		12,964.00	13,829.00	14,693.00	15,557.00	16,421.00	17,286.00	18,150.00	19,014.00	19,879.00	20,743.00	21,607.00	22,471.00	23,336.00	24,200.00	& OVER
12,150.01	343	12,150.01	13,018.01	13,886.01	14,754.01	15,621.01	16,489.01	17,357.01	18,225.01	19,093.01	19,961.01	20,829.01	21,696.01	22,564.01	23,432.01	24,300.01
12,200.00		13,018.00	13,886.00	14,754.00	15,621.00	16,489.00	17,357.00	18,225.00	19,093.00	19,961.00	20,829.00	21,696.00	22,564.00	23,432.00	24,300.00	& OVER
12,200.01	344	12,200.01	13,071.01	13,943.01	14,814.01	15,686.01	16,557.01	17,429.01	18,300.01	19,171.01	20,043.01	20,914.01	21,786.01	22,657.01	23,529.01	24,400.01
12,250.00		13,071.00	13,943.00	14,814.00	15,686.00	16,557.00	17,429.00	18,300.00	19,171.00	20,043.00	20,914.00	21,786.00	22,657.00	23,529.00	24,400.00	& OVER
12,250.01	345	12,250.01	13,125.01	14,000.01	14,875.01	15,750.01	16,625.01	17,500.01	18,375.01	19,250.01	20,125.01	21,000.01	21,875.01	22,750.01	23,625.01	24,500.01
12,300.00		13,125.00	14,000.00	14,875.00	15,750.00	16,625.00	17,500.00	18,375.00	19,250.00	20,125.00	21,000.00	21,875.00	22,750.00	23,625.00	24,500.00	& OVER
12,300.01	346	12,300.01	13,179.01	14,057.01	14,936.01	15,814.01	16,693.01	17,571.01	18,450.01	19,329.01	20,207.01	21,086.01	21,964.01	22,843.01	23,721.01	24,600.01
12,350.00		13,179.00	14,057.00	14,936.00	15,814.00	16,693.00	17,571.00	18,450.00	19,329.00	20,207.00	21,086.00	21,964.00	22,843.00	23,721.00	24,600.00	& OVER
12,350.01	347	12,350.01	13,232.01	14,114.01	14,996.01	15,879.01	16,761.01	17,643.01	18,525.01	19,407.01	20,289.01	21,171.01	22,054.01	22,936.01	23,818.01	24,700.01
12,400.00		13,232.00	14,114.00	14,996.00	15,879.00	16,761.00	17,643.00	18,525.00	19,407.00	20,289.00	21,171.00	22,054.00	22,936.00	23,818.00	24,700.00	& OVER
12,400.01	348	12,400.01	13,286.01	14,171.01	15,057.01	15,943.01	16,829.01	17,714.01	18,600.01	19,486.01	20,371.01	21,257.01	22,143.01	23,029.01	23,914.01	24,800.01
12,450.00		13,286.00	14,171.00	15,057.00	15,943.00	16,829.00	17,714.00	18,600.00	19,486.00	20,371.00	21,257.00	22,143.00	23,029.00	23,914.00	24,800.00	& OVER
12,450.01	349	12,450.01	13,339.01	14,229.01	15,118.01	16,007.01	16,896.01	17,786.01	18,675.01	19,564.01	20,454.01	21,343.01	22,232.01	23,121.01	24,011.01	24,900.01
12,500.00		13,339.00	14,229.00	15,118.00	16,007.00	16,896.00	17,786.00	18,675.00	19,564.00	20,454.00	21,343.00	22,232.00	23,121.00	24,011.00	24,900.00	& OVER
12,500.01	350	12,500.01	13,393.01	14,286.01	15,179.01	16,071.01	16,964.01	17,857.01	18,750.01	19,643.01	20,536.01	21,429.01	22,321.01	23,214.01	24,107.01	25,000.01
12,550.00		13,393.00	14,286.00	15,179.00	16,071.00	16,964.00	17,857.00	18,750.00	19,643.00	20,536.00	21,429.00	22,321.00	23,214.00	24,107.00	25,000.00	& OVER
12,550.01	351	12,550.01	13,446.01	14,343.01	15,239.01	16,136.01	17,032.01	17,929.01	18,825.01	19,721.01	20,618.01	21,514.01	22,411.01	23,307.01	24,204.01	25,100.01
12,600.00		13,446.00	14,343.00	15,239.00	16,136.00	17,032.00	17,929.00	18,825.00	19,721.00	20,618.00	21,514.00	22,411.00	23,307.00	24,204.00	25,100.00	& OVER
12,600.01	352	12,600.01	13,500.01	14,400.01	15,300.01	16,200.01	17,100.01	18,000.01	18,900.01	19,800.01	20,700.01	21,600.01	22,500.01	23,400.01	24,300.01	25,200.01
12,650.00		13,500.00	14,400.00	15,300.00	16,200.00	17,100.00	18,000.00	18,900.00	19,800.00	20,700.00	21,600.00	22,500.00	23,400.00	24,300.00	25,200.00	& OVER
12,650.01	353	12,650.01	13,554.01	14,457.01	15,361.01	16,264.01	17,168.01	18,071.01	18,975.01	19,879.01	20,782.01	21,686.01	22,589.01	23,493.01	24,396.01	25,300.01
12,700.00		13,554.00	14,457.00	15,361.00	16,264.00	17,168.00	18,071.00	18,975.00	19,879.00	20,782.00	21,686.00	22,589.00	23,493.00	24,396.00	25,300.00	& OVER
12,700.01	354	12,700.01	13,607.01	14,514.01	15,421.01	16,329.01	17,236.01	18,143.01	19,050.01	19,957.01	20,864.01	21,771.01	22,679.01	23,586.01	24,493.01	25,400.01
12,750.00		13,607.00	14,514.00	15,421.00	16,329.00	17,236.00	18,143.00	19,050.00	19,957.00	20,864.00	21,771.00	22,679.00	23,586.00	24,493.00	25,400.00	& OVER
12,750.01 12,800.00	355	12,750.01 13,661.00	13,661.01 14,571.00	14,571.01 15,482.00	15,482.01 16,393.00	16,393.01 17,304.00	17,304.01 18,214.00	18,214.01 19,125.00	19,125.01 20,036.00	20,036.01 20,946.00	20,946.01 21,857.00	21,857.01 22,768.00	22,768.01 23,679.00	23,679.01 24,589.00	24,589.01 25,500.00	25,500.01 & OVER
12,800.01 12,850.00	356	12,800.01 13,714.00	13,714.01 14,629.00	14,629.01 15,543.00	15,543.01 16,457.00	16,457.01 17,371.00	17,371.01 18,286.00	18,286.01 19,200.00	19,200.01 20,114.00	20,114.01 21,029.00	21,029.01 21,943.00	21,943.01 22,857.00	22,857.01 23,771.00	23,771.01 24,686.00	24,686.01 25,600.00	25,600.01 & OVER
12,850.01 12,900.00	357	12,850.01 13,768.00	13,768.01 14,686.00	14,686.01 15,604.00	15,604.01 16,521.00	16,521.01 17,439.00	17,439.01 18,357.00	18,357.01 19,275.00	19,275.01 20,193.00	20,193.01 21,111.00	21,111.01 22,029.00	22,029.01 22,946.00	22,946.01 23,864.00	23,864.01 24,782.00	24,782.01 25,700.00	25,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
12,900.01	358	12,900.01	13,821.01	14,743.01	15,664.01	16,586.01	17,507.01	18,429.01	19,350.01	20,271.01	21,193.01	22,114.01	23,036.01	23,957.01	24,879.01	25,800.01
12,950.00		13,821.00	14,743.00	15,664.00	16,586.00	17,507.00	18,429.00	19,350.00	20,271.00	21,193.00	22,114.00	23,036.00	23,957.00	24,879.00	25,800.00	& OVER
12,950.01	359	12,950.01	13,875.01	14,800.01	15,725.01	16,650.01	17,575.01	18,500.01	19,425.01	20,350.01	21,275.01	22,200.01	23,125.01	24,050.01	24,975.01	25,900.01
13,000.00		13,875.00	14,800.00	15,725.00	16,650.00	17,575.00	18,500.00	19,425.00	20,350.00	21,275.00	22,200.00	23,125.00	24,050.00	24,975.00	25,900.00	& OVER
13,000.01	360	13,000.01	13,929.01	14,857.01	15,786.01	16,714.01	17,643.01	18,571.01	19,500.01	20,429.01	21,357.01	22,286.01	23,214.01	24,143.01	25,071.01	26,000.01
13,050.00		13,929.00	14,857.00	15,786.00	16,714.00	17,643.00	18,571.00	19,500.00	20,429.00	21,357.00	22,286.00	23,214.00	24,143.00	25,071.00	26,000.00	& OVER
13,050.01	361	13,050.01	13,982.01	14,914.01	15,846.01	16,779.01	17,711.01	18,643.01	19,575.01	20,507.01	21,439.01	22,371.01	23,304.01	24,236.01	25,168.01	26,100.01
13,100.00		13,982.00	14,914.00	15,846.00	16,779.00	17,711.00	18,643.00	19,575.00	20,507.00	21,439.00	22,371.00	23,304.00	24,236.00	25,168.00	26,100.00	& OVER
13,100.01	362	13,100.01	14,036.01	14,971.01	15,907.01	16,843.01	17,779.01	18,714.01	19,650.01	20,586.01	21,521.01	22,457.01	23,393.01	24,329.01	25,264.01	26,200.01
13,150.00		14,036.00	14,971.00	15,907.00	16,843.00	17,779.00	18,714.00	19,650.00	20,586.00	21,521.00	22,457.00	23,393.00	24,329.00	25,264.00	26,200.00	& OVER
13,150.01	363	13,150.01	14,089.01	15,029.01	15,968.01	16,907.01	17,846.01	18,786.01	19,725.01	20,664.01	21,604.01	22,543.01	23,482.01	24,421.01	25,361.01	26,300.01
13,200.00		14,089.00	15,029.00	15,968.00	16,907.00	17,846.00	18,786.00	19,725.00	20,664.00	21,604.00	22,543.00	23,482.00	24,421.00	25,361.00	26,300.00	& OVER
13,200.01	364	13,200.01	14,143.01	15,086.01	16,029.01	16,971.01	17,914.01	18,857.01	19,800.01	20,743.01	21,686.01	22,629.01	23,571.01	24,514.01	25,457.01	26,400.01
13,250.00		14,143.00	15,086.00	16,029.00	16,971.00	17,914.00	18,857.00	19,800.00	20,743.00	21,686.00	22,629.00	23,571.00	24,514.00	25,457.00	26,400.00	& OVER
13,250.01	365	13,250.01	14,196.01	15,143.01	16,089.01	17,036.01	17,982.01	18,929.01	19,875.01	20,821.01	21,768.01	22,714.01	23,661.01	24,607.01	25,554.01	26,500.01
13,300.00		14,196.00	15,143.00	16,089.00	17,036.00	17,982.00	18,929.00	19,875.00	20,821.00	21,768.00	22,714.00	23,661.00	24,607.00	25,554.00	26,500.00	& OVER
13,300.01	366	13,300.01	14,250.01	15,200.01	16,150.01	17,100.01	18,050.01	19,000.01	19,950.01	20,900.01	21,850.01	22,800.01	23,750.01	24,700.01	25,650.01	26,600.01
13,350.00		14,250.00	15,200.00	16,150.00	17,100.00	18,050.00	19,000.00	19,950.00	20,900.00	21,850.00	22,800.00	23,750.00	24,700.00	25,650.00	26,600.00	& OVER
13,350.01	367	13,350.01	14,304.01	15,257.01	16,211.01	17,164.01	18,118.01	19,071.01	20,025.01	20,979.01	21,932.01	22,886.01	23,839.01	24,793.01	25,746.01	26,700.01
13,400.00		14,304.00	15,257.00	16,211.00	17,164.00	18,118.00	19,071.00	20,025.00	20,979.00	21,932.00	22,886.00	23,839.00	24,793.00	25,746.00	26,700.00	& OVER
13,400.01	368	13,400.01	14,357.01	15,314.01	16,271.01	17,229.01	18,186.01	19,143.01	20,100.01	21,057.01	22,014.01	22,971.01	23,929.01	24,886.01	25,843.01	26,800.01
13,450.00		14,357.00	15,314.00	16,271.00	17,229.00	18,186.00	19,143.00	20,100.00	21,057.00	22,014.00	22,971.00	23,929.00	24,886.00	25,843.00	26,800.00	& OVER
13,450.01	369	13,450.01	14,411.01	15,371.01	16,332.01	17,293.01	18,254.01	19,214.01	20,175.01	21,136.01	22,096.01	23,057.01	24,018.01	24,979.01	25,939.01	26,900.01
13,500.00		14,411.00	15,371.00	16,332.00	17,293.00	18,254.00	19,214.00	20,175.00	21,136.00	22,096.00	23,057.00	24,018.00	24,979.00	25,939.00	26,900.00	& OVER
13,500.01	370	13,500.01	14,464.01	15,429.01	16,393.01	17,357.01	18,321.01	19,286.01	20,250.01	21,214.01	22,179.01	23,143.01	24,107.01	25,071.01	26,036.01	27,000.01
13,550.00		14,464.00	15,429.00	16,393.00	17,357.00	18,321.00	19,286.00	20,250.00	21,214.00	22,179.00	23,143.00	24,107.00	25,071.00	26,036.00	27,000.00	& OVER
13,550.01	371	13,550.01	14,518.01	15,486.01	16,454.01	17,421.01	18,389.01	19,357.01	20,325.01	21,293.01	22,261.01	23,229.01	24,196.01	25,164.01	26,132.01	27,100.01
13,600.00		14,518.00	15,486.00	16,454.00	17,421.00	18,389.00	19,357.00	20,325.00	21,293.00	22,261.00	23,229.00	24,196.00	25,164.00	26,132.00	27,100.00	& OVER
13,600.01	372	13,600.01	14,571.01	15,543.01	16,514.01	17,486.01	18,457.01	19,429.01	20,400.01	21,371.01	22,343.01	23,314.01	24,286.01	25,257.01	26,229.01	27,200.01
13,650.00		14,571.00	15,543.00	16,514.00	17,486.00	18,457.00	19,429.00	20,400.00	21,371.00	22,343.00	23,314.00	24,286.00	25,257.00	26,229.00	27,200.00	& OVER
13,650.01	373	13,650.01	14,625.01	15,600.01	16,575.01	17,550.01	18,525.01	19,500.01	20,475.01	21,450.01	22,425.01	23,400.01	24,375.01	25,350.01	26,325.01	27,300.01
13,700.00		14,625.00	15,600.00	16,575.00	17,550.00	18,525.00	19,500.00	20,475.00	21,450.00	22,425.00	23,400.00	24,375.00	25,350.00	26,325.00	27,300.00	& OVER
13,700.01	374	13,700.01	14,679.01	15,657.01	16,636.01	17,614.01	18,593.01	19,571.01	20,550.01	21,529.01	22,507.01	23,486.01	24,464.01	25,443.01	26,421.01	27,400.01
13,750.00		14,679.00	15,657.00	16,636.00	17,614.00	18,593.00	19,571.00	20,550.00	21,529.00	22,507.00	23,486.00	24,464.00	25,443.00	26,421.00	27,400.00	& OVER
13,750.01	375	13,750.01	14,732.01	15,714.01	16,696.01	17,679.01	18,661.01	19,643.01	20,625.01	21,607.01	22,589.01	23,571.01	24,554.01	25,536.01	26,518.01	27,500.01
13,800.00		14,732.00	15,714.00	16,696.00	17,679.00	18,661.00	19,643.00	20,625.00	21,607.00	22,589.00	23,571.00	24,554.00	25,536.00	26,518.00	27,500.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
13,800.01	376	13,800.01	14,786.01	15,771.01	16,757.01	17,743.01	18,729.01	19,714.01	20,700.01	21,686.01	22,671.01	23,657.01	24,643.01	25,629.01	26,614.01	27,600.01
13,850.00		14,786.00	15,771.00	16,757.00	17,743.00	18,729.00	19,714.00	20,700.00	21,686.00	22,671.00	23,657.00	24,643.00	25,629.00	26,614.00	27,600.00	& OVER
13,850.01	377	13,850.01	14,839.01	15,829.01	16,818.01	17,807.01	18,796.01	19,786.01	20,775.01	21,764.01	22,754.01	23,743.01	24,732.01	25,721.01	26,711.01	27,700.01
13,900.00		14,839.00	15,829.00	16,818.00	17,807.00	18,796.00	19,786.00	20,775.00	21,764.00	22,754.00	23,743.00	24,732.00	25,721.00	26,711.00	27,700.00	& OVER
13,900.01	378	13,900.01	14,893.01	15,886.01	16,879.01	17,871.01	18,864.01	19,857.01	20,850.01	21,843.01	22,836.01	23,829.01	24,821.01	25,814.01	26,807.01	27,800.01
13,950.00		14,893.00	15,886.00	16,879.00	17,871.00	18,864.00	19,857.00	20,850.00	21,843.00	22,836.00	23,829.00	24,821.00	25,814.00	26,807.00	27,800.00	& OVER
13,950.01	379	13,950.01	14,946.01	15,943.01	16,939.01	17,936.01	18,932.01	19,929.01	20,925.01	21,921.01	22,918.01	23,914.01	24,911.01	25,907.01	26,904.01	27,900.01
14,000.00		14,946.00	15,943.00	16,939.00	17,936.00	18,932.00	19,929.00	20,925.00	21,921.00	22,918.00	23,914.00	24,911.00	25,907.00	26,904.00	27,900.00	& OVER
14,000.01	380	14,000.01	15,000.01	16,000.01	17,000.01	18,000.01	19,000.01	20,000.01	21,000.01	22,000.01	23,000.01	24,000.01	25,000.01	26,000.01	27,000.01	28,000.01
14,050.00		15,000.00	16,000.00	17,000.00	18,000.00	19,000.00	20,000.00	21,000.00	22,000.00	23,000.00	24,000.00	25,000.00	26,000.00	27,000.00	28,000.00	& OVER
14,050.01	381	14,050.01	15,054.01	16,057.01	17,061.01	18,064.01	19,068.01	20,071.01	21,075.01	22,079.01	23,082.01	24,086.01	25,089.01	26,093.01	27,096.01	28,100.01
14,100.00		15,054.00	16,057.00	17,061.00	18,064.00	19,068.00	20,071.00	21,075.00	22,079.00	23,082.00	24,086.00	25,089.00	26,093.00	27,096.00	28,100.00	& OVER
14,100.01	382	14,100.01	15,107.01	16,114.01	17,121.01	18,129.01	19,136.01	20,143.01	21,150.01	22,157.01	23,164.01	24,171.01	25,179.01	26,186.01	27,193.01	28,200.01
14,150.00		15,107.00	16,114.00	17,121.00	18,129.00	19,136.00	20,143.00	21,150.00	22,157.00	23,164.00	24,171.00	25,179.00	26,186.00	27,193.00	28,200.00	& OVER
14,150.01	383	14,150.01	15,161.01	16,171.01	17,182.01	18,193.01	19,204.01	20,214.01	21,225.01	22,236.01	23,246.01	24,257.01	25,268.01	26,279.01	27,289.01	28,300.01
14,200.00		15,161.00	16,171.00	17,182.00	18,193.00	19,204.00	20,214.00	21,225.00	22,236.00	23,246.00	24,257.00	25,268.00	26,279.00	27,289.00	28,300.00	& OVER
14,200.01	384	14,200.01	15,214.01	16,229.01	17,243.01	18,257.01	19,271.01	20,286.01	21,300.01	22,314.01	23,329.01	24,343.01	25,357.01	26,371.01	27,386.01	28,400.01
14,250.00		15,214.00	16,229.00	17,243.00	18,257.00	19,271.00	20,286.00	21,300.00	22,314.00	23,329.00	24,343.00	25,357.00	26,371.00	27,386.00	28,400.00	& OVER
14,250.01	385	14,250.01	15,268.01	16,286.01	17,304.01	18,321.01	19,339.01	20,357.01	21,375.01	22,393.01	23,411.01	24,429.01	25,446.01	26,464.01	27,482.01	28,500.01
14,300.00		15,268.00	16,286.00	17,304.00	18,321.00	19,339.00	20,357.00	21,375.00	22,393.00	23,411.00	24,429.00	25,446.00	26,464.00	27,482.00	28,500.00	& OVER
14,300.01	386	14,300.01	15,321.01	16,343.01	17,364.01	18,386.01	19,407.01	20,429.01	21,450.01	22,471.01	23,493.01	24,514.01	25,536.01	26,557.01	27,579.01	28,600.01
14,350.00		15,321.00	16,343.00	17,364.00	18,386.00	19,407.00	20,429.00	21,450.00	22,471.00	23,493.00	24,514.00	25,536.00	26,557.00	27,579.00	28,600.00	& OVER
14,350.01	387	14,350.01	15,375.01	16,400.01	17,425.01	18,450.01	19,475.01	20,500.01	21,525.01	22,550.01	23,575.01	24,600.01	25,625.01	26,650.01	27,675.01	28,700.01
14,400.00		15,375.00	16,400.00	17,425.00	18,450.00	19,475.00	20,500.00	21,525.00	22,550.00	23,575.00	24,600.00	25,625.00	26,650.00	27,675.00	28,700.00	& OVER
14,400.01	388	14,400.01	15,429.01	16,457.01	17,486.01	18,514.01	19,543.01	20,571.01	21,600.01	22,629.01	23,657.01	24,686.01	25,714.01	26,743.01	27,771.01	28,800.01
14,450.00		15,429.00	16,457.00	17,486.00	18,514.00	19,543.00	20,571.00	21,600.00	22,629.00	23,657.00	24,686.00	25,714.00	26,743.00	27,771.00	28,800.00	& OVER
14,450.01	389	14,450.01	15,482.01	16,514.01	17,546.01	18,579.01	19,611.01	20,643.01	21,675.01	22,707.01	23,739.01	24,771.01	25,804.01	26,836.01	27,868.01	28,900.01
14,500.00		15,482.00	16,514.00	17,546.00	18,579.00	19,611.00	20,643.00	21,675.00	22,707.00	23,739.00	24,771.00	25,804.00	26,836.00	27,868.00	28,900.00	& OVER
14,500.01	390	14,500.01	15,536.01	16,571.01	17,607.01	18,643.01	19,679.01	20,714.01	21,750.01	22,786.01	23,821.01	24,857.01	25,893.01	26,929.01	27,964.01	29,000.01
14,550.00		15,536.00	16,571.00	17,607.00	18,643.00	19,679.00	20,714.00	21,750.00	22,786.00	23,821.00	24,857.00	25,893.00	26,929.00	27,964.00	29,000.00	& OVER
14,550.01	391	14,550.01	15,589.01	16,629.01	17,668.01	18,707.01	19,746.01	20,786.01	21,825.01	22,864.01	23,904.01	24,943.01	25,982.01	27,021.01	28,061.01	29,100.01
14,600.00		15,589.00	16,629.00	17,668.00	18,707.00	19,746.00	20,786.00	21,825.00	22,864.00	23,904.00	24,943.00	25,982.00	27,021.00	28,061.00	29,100.00	& OVER
14,600.01	392	14,600.01	15,643.01	16,686.01	17,729.01	18,771.01	19,814.01	20,857.01	21,900.01	22,943.01	23,986.01	25,029.01	26,071.01	27,114.01	28,157.01	29,200.01
14,650.00		15,643.00	16,686.00	17,729.00	18,771.00	19,814.00	20,857.00	21,900.00	22,943.00	23,986.00	25,029.00	26,071.00	27,114.00	28,157.00	29,200.00	& OVER
14,650.01	393	14,650.01	15,696.01	16,743.01	17,789.01	18,836.01	19,882.01	20,929.01	21,975.01	23,021.01	24,068.01	25,114.01	26,161.01	27,207.01	28,254.01	29,300.01
14,700.00		15,696.00	16,743.00	17,789.00	18,836.00	19,882.00	20,929.00	21,975.00	23,021.00	24,068.00	25,114.00	26,161.00	27,207.00	28,254.00	29,300.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
14,700.01	394	14,700.01	15,750.01	16,800.01	17,850.01	18,900.01	19,950.01	21,000.01	22,050.01	23,100.01	24,150.01	25,200.01	26,250.01	27,300.01	28,350.01	29,400.01
14,750.00		15,750.00	16,800.00	17,850.00	18,900.00	19,950.00	21,000.00	22,050.00	23,100.00	24,150.00	25,200.00	26,250.00	27,300.00	28,350.00	29,400.00	& OVER
14,750.01	395	14,750.01	15,804.01	16,857.01	17,911.01	18,964.01	20,018.01	21,071.01	22,125.01	23,179.01	24,232.01	25,286.01	26,339.01	27,393.01	28,446.01	29,500.01
14,800.00		15,804.00	16,857.00	17,911.00	18,964.00	20,018.00	21,071.00	22,125.00	23,179.00	24,232.00	25,286.00	26,339.00	27,393.00	28,446.00	29,500.00	& OVER
14,800.01	396	14,800.01	15,857.01	16,914.01	17,971.01	19,029.01	20,086.01	21,143.01	22,200.01	23,257.01	24,314.01	25,371.01	26,429.01	27,486.01	28,543.01	29,600.01
14,850.00		15,857.00	16,914.00	17,971.00	19,029.00	20,086.00	21,143.00	22,200.00	23,257.00	24,314.00	25,371.00	26,429.00	27,486.00	28,543.00	29,600.00	& OVER
14,850.01	397	14,850.01	15,911.01	16,971.01	18,032.01	19,093.01	20,154.01	21,214.01	22,275.01	23,336.01	24,396.01	25,457.01	26,518.01	27,579.01	28,639.01	29,700.01
14,900.00		15,911.00	16,971.00	18,032.00	19,093.00	20,154.00	21,214.00	22,275.00	23,336.00	24,396.00	25,457.00	26,518.00	27,579.00	28,639.00	29,700.00	& OVER
14,900.01	398	14,900.01	15,964.01	17,029.01	18,093.01	19,157.01	20,221.01	21,286.01	22,350.01	23,414.01	24,479.01	25,543.01	26,607.01	27,671.01	28,736.01	29,800.01
14,950.00		15,964.00	17,029.00	18,093.00	19,157.00	20,221.00	21,286.00	22,350.00	23,414.00	24,479.00	25,543.00	26,607.00	27,671.00	28,736.00	29,800.00	& OVER
14,950.01	399	14,950.01	16,018.01	17,086.01	18,154.01	19,221.01	20,289.01	21,357.01	22,425.01	23,493.01	24,561.01	25,629.01	26,696.01	27,764.01	28,832.01	29,900.01
15,000.00		16,018.00	17,086.00	18,154.00	19,221.00	20,289.00	21,357.00	22,425.00	23,493.00	24,561.00	25,629.00	26,696.00	27,764.00	28,832.00	29,900.00	& OVER
15,000.01	400	15,000.01	16,071.01	17,143.01	18,214.01	19,286.01	20,357.01	21,429.01	22,500.01	23,571.01	24,643.01	25,714.01	26,786.01	27,857.01	28,929.01	30,000.01
15,050.00		16,071.00	17,143.00	18,214.00	19,286.00	20,357.00	21,429.00	22,500.00	23,571.00	24,643.00	25,714.00	26,786.00	27,857.00	28,929.00	30,000.00	& OVER
15,050.01	401	15,050.01	16,125.01	17,200.01	18,275.01	19,350.01	20,425.01	21,500.01	22,575.01	23,650.01	24,725.01	25,800.01	26,875.01	27,950.01	29,025.01	30,100.01
15,100.00		16,125.00	17,200.00	18,275.00	19,350.00	20,425.00	21,500.00	22,575.00	23,650.00	24,725.00	25,800.00	26,875.00	27,950.00	29,025.00	30,100.00	& OVER
15,100.01	402	15,100.01	16,179.01	17,257.01	18,336.01	19,414.01	20,493.01	21,571.01	22,650.01	23,729.01	24,807.01	25,886.01	26,964.01	28,043.01	29,121.01	30,200.01
15,150.00		16,179.00	17,257.00	18,336.00	19,414.00	20,493.00	21,571.00	22,650.00	23,729.00	24,807.00	25,886.00	26,964.00	28,043.00	29,121.00	30,200.00	& OVER
15,150.01	403	15,150.01	16,232.01	17,314.01	18,396.01	19,479.01	20,561.01	21,643.01	22,725.01	23,807.01	24,889.01	25,971.01	27,054.01	28,136.01	29,218.01	30,300.01
15,200.00		16,232.00	17,314.00	18,396.00	19,479.00	20,561.00	21,643.00	22,725.00	23,807.00	24,889.00	25,971.00	27,054.00	28,136.00	29,218.00	30,300.00	& OVER
15,200.01	404	15,200.01	16,286.01	17,371.01	18,457.01	19,543.01	20,629.01	21,714.01	22,800.01	23,886.01	24,971.01	26,057.01	27,143.01	28,229.01	29,314.01	30,400.01
15,250.00		16,286.00	17,371.00	18,457.00	19,543.00	20,629.00	21,714.00	22,800.00	23,886.00	24,971.00	26,057.00	27,143.00	28,229.00	29,314.00	30,400.00	& OVER
15,250.01	405	15,250.01	16,339.01	17,429.01	18,518.01	19,607.01	20,696.01	21,786.01	22,875.01	23,964.01	25,054.01	26,143.01	27,232.01	28,321.01	29,411.01	30,500.01
15,300.00		16,339.00	17,429.00	18,518.00	19,607.00	20,696.00	21,786.00	22,875.00	23,964.00	25,054.00	26,143.00	27,232.00	28,321.00	29,411.00	30,500.00	& OVER
15,300.01	406	15,300.01	16,393.01	17,486.01	18,579.01	19,671.01	20,764.01	21,857.01	22,950.01	24,043.01	25,136.01	26,229.01	27,321.01	28,414.01	29,507.01	30,600.01
15,350.00		16,393.00	17,486.00	18,579.00	19,671.00	20,764.00	21,857.00	22,950.00	24,043.00	25,136.00	26,229.00	27,321.00	28,414.00	29,507.00	30,600.00	& OVER
15,350.01	407	15,350.01	16,446.01	17,543.01	18,639.01	19,736.01	20,832.01	21,929.01	23,025.01	24,121.01	25,218.01	26,314.01	27,411.01	28,507.01	29,604.01	30,700.01
15,400.00		16,446.00	17,543.00	18,639.00	19,736.00	20,832.00	21,929.00	23,025.00	24,121.00	25,218.00	26,314.00	27,411.00	28,507.00	29,604.00	30,700.00	& OVER
15,400.01	408	15,400.01	16,500.01	17,600.01	18,700.01	19,800.01	20,900.01	22,000.01	23,100.01	24,200.01	25,300.01	26,400.01	27,500.01	28,600.01	29,700.01	30,800.01
15,450.00		16,500.00	17,600.00	18,700.00	19,800.00	20,900.00	22,000.00	23,100.00	24,200.00	25,300.00	26,400.00	27,500.00	28,600.00	29,700.00	30,800.00	& OVER
15,450.01	409	15,450.01	16,554.01	17,657.01	18,761.01	19,864.01	20,968.01	22,071.01	23,175.01	24,279.01	25,382.01	26,486.01	27,589.01	28,693.01	29,796.01	30,900.01
15,500.00		16,554.00	17,657.00	18,761.00	19,864.00	20,968.00	22,071.00	23,175.00	24,279.00	25,382.00	26,486.00	27,589.00	28,693.00	29,796.00	30,900.00	& OVER
15,500.01	410	15,500.01	16,607.01	17,714.01	18,821.01	19,929.01	21,036.01	22,143.01	23,250.01	24,357.01	25,464.01	26,571.01	27,679.01	28,786.01	29,893.01	31,000.01
15,550.00		16,607.00	17,714.00	18,821.00	19,929.00	21,036.00	22,143.00	23,250.00	24,357.00	25,464.00	26,571.00	27,679.00	28,786.00	29,893.00	31,000.00	& OVER
15,550.01	411	15,550.01	16,661.01	17,771.01	18,882.01	19,993.01	21,104.01	22,214.01	23,325.01	24,436.01	25,546.01	26,657.01	27,768.01	28,879.01	29,989.01	31,100.01
15,600.00		16,661.00	17,771.00	18,882.00	19,993.00	21,104.00	22,214.00	23,325.00	24,436.00	25,546.00	26,657.00	27,768.00	28,879.00	29,989.00	31,100.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
15,600.01	412	15,600.01	16,714.01	17,829.01	18,943.01	20,057.01	21,171.01	22,286.01	23,400.01	24,514.01	25,629.01	26,743.01	27,857.01	28,971.01	30,086.01	31,200.01
15,650.00		16,714.00	17,829.00	18,943.00	20,057.00	21,171.00	22,286.00	23,400.00	24,514.00	25,629.00	26,743.00	27,857.00	28,971.00	30,086.00	31,200.00	& OVER
15,650.01	413	15,650.01	16,768.01	17,886.01	19,004.01	20,121.01	21,239.01	22,357.01	23,475.01	24,593.01	25,711.01	26,829.01	27,946.01	29,064.01	30,182.01	31,300.01
15,700.00		16,768.00	17,886.00	19,004.00	20,121.00	21,239.00	22,357.00	23,475.00	24,593.00	25,711.00	26,829.00	27,946.00	29,064.00	30,182.00	31,300.00	& OVER
15,700.01	414	15,700.01	16,821.01	17,943.01	19,064.01	20,186.01	21,307.01	22,429.01	23,550.01	24,671.01	25,793.01	26,914.01	28,036.01	29,157.01	30,279.01	31,400.01
15,750.00		16,821.00	17,943.00	19,064.00	20,186.00	21,307.00	22,429.00	23,550.00	24,671.00	25,793.00	26,914.00	28,036.00	29,157.00	30,279.00	31,400.00	& OVER
15,750.01	415	15,750.01	16,875.01	18,000.01	19,125.01	20,250.01	21,375.01	22,500.01	23,625.01	24,750.01	25,875.01	27,000.01	28,125.01	29,250.01	30,375.01	31,500.01
15,800.00		16,875.00	18,000.00	19,125.00	20,250.00	21,375.00	22,500.00	23,625.00	24,750.00	25,875.00	27,000.00	28,125.00	29,250.00	30,375.00	31,500.00	& OVER
15,800.01	416	15,800.01	16,929.01	18,057.01	19,186.01	20,314.01	21,443.01	22,571.01	23,700.01	24,829.01	25,957.01	27,086.01	28,214.01	29,343.01	30,471.01	31,600.01
15,850.00		16,929.00	18,057.00	19,186.00	20,314.00	21,443.00	22,571.00	23,700.00	24,829.00	25,957.00	27,086.00	28,214.00	29,343.00	30,471.00	31,600.00	& OVER
15,850.01	417	15,850.01	16,982.01	18,114.01	19,246.01	20,379.01	21,511.01	22,643.01	23,775.01	24,907.01	26,039.01	27,171.01	28,304.01	29,436.01	30,568.01	31,700.01
15,900.00		16,982.00	18,114.00	19,246.00	20,379.00	21,511.00	22,643.00	23,775.00	24,907.00	26,039.00	27,171.00	28,304.00	29,436.00	30,568.00	31,700.00	& OVER
15,900.01	418	15,900.01	17,036.01	18,171.01	19,307.01	20,443.01	21,579.01	22,714.01	23,850.01	24,986.01	26,121.01	27,257.01	28,393.01	29,529.01	30,664.01	31,800.01
15,950.00		17,036.00	18,171.00	19,307.00	20,443.00	21,579.00	22,714.00	23,850.00	24,986.00	26,121.00	27,257.00	28,393.00	29,529.00	30,664.00	31,800.00	& OVER
15,950.01	419	15,950.01	17,089.01	18,229.01	19,368.01	20,507.01	21,646.01	22,786.01	23,925.01	25,064.01	26,204.01	27,343.01	28,482.01	29,621.01	30,761.01	31,900.01
16,000.00		17,089.00	18,229.00	19,368.00	20,507.00	21,646.00	22,786.00	23,925.00	25,064.00	26,204.00	27,343.00	28,482.00	29,621.00	30,761.00	31,900.00	& OVER
16,000.01	420	16,000.01	17,143.01	18,286.01	19,429.01	20,571.01	21,714.01	22,857.01	24,000.01	25,143.01	26,286.01	27,429.01	28,571.01	29,714.01	30,857.01	32,000.01
16,050.00		17,143.00	18,286.00	19,429.00	20,571.00	21,714.00	22,857.00	24,000.00	25,143.00	26,286.00	27,429.00	28,571.00	29,714.00	30,857.00	32,000.00	& OVER
16,050.01	421	16,050.01	17,196.01	18,343.01	19,489.01	20,636.01	21,782.01	22,929.01	24,075.01	25,221.01	26,368.01	27,514.01	28,661.01	29,807.01	30,954.01	32,100.01
16,100.00		17,196.00	18,343.00	19,489.00	20,636.00	21,782.00	22,929.00	24,075.00	25,221.00	26,368.00	27,514.00	28,661.00	29,807.00	30,954.00	32,100.00	& OVER
16,100.01	422	16,100.01	17,250.01	18,400.01	19,550.01	20,700.01	21,850.01	23,000.01	24,150.01	25,300.01	26,450.01	27,600.01	28,750.01	29,900.01	31,050.01	32,200.01
16,150.00		17,250.00	18,400.00	19,550.00	20,700.00	21,850.00	23,000.00	24,150.00	25,300.00	26,450.00	27,600.00	28,750.00	29,900.00	31,050.00	32,200.00	& OVER
16,150.01	423	16,150.01	17,304.01	18,457.01	19,611.01	20,764.01	21,918.01	23,071.01	24,225.01	25,379.01	26,532.01	27,686.01	28,839.01	29,993.01	31,146.01	32,300.01
16,200.00		17,304.00	18,457.00	19,611.00	20,764.00	21,918.00	23,071.00	24,225.00	25,379.00	26,532.00	27,686.00	28,839.00	29,993.00	31,146.00	32,300.00	& OVER
16,200.01	424	16,200.01	17,357.01	18,514.01	19,671.01	20,829.01	21,986.01	23,143.01	24,300.01	25,457.01	26,614.01	27,771.01	28,929.01	30,086.01	31,243.01	32,400.01
16,250.00		17,357.00	18,514.00	19,671.00	20,829.00	21,986.00	23,143.00	24,300.00	25,457.00	26,614.00	27,771.00	28,929.00	30,086.00	31,243.00	32,400.00	& OVER
16,250.01	425	16,250.01	17,411.01	18,571.01	19,732.01	20,893.01	22,054.01	23,214.01	24,375.01	25,536.01	26,696.01	27,857.01	29,018.01	30,179.01	31,339.01	32,500.01
16,300.00		17,411.00	18,571.00	19,732.00	20,893.00	22,054.00	23,214.00	24,375.00	25,536.00	26,696.00	27,857.00	29,018.00	30,179.00	31,339.00	32,500.00	& OVER
16,300.01	426	16,300.01	17,464.01	18,629.01	19,793.01	20,957.01	22,121.01	23,286.01	24,450.01	25,614.01	26,779.01	27,943.01	29,107.01	30,271.01	31,436.01	32,600.01
16,350.00		17,464.00	18,629.00	19,793.00	20,957.00	22,121.00	23,286.00	24,450.00	25,614.00	26,779.00	27,943.00	29,107.00	30,271.00	31,436.00	32,600.00	& OVER
16,350.01 16,400.00	427	16,350.01 17,518.00	17,518.01 18,686.00	18,686.01 19,854.00	19,854.01 21,021.00	21,021.01 22,189.00	22,189.01 23,357.00	23,357.01 24,525.00	24,525.01 25,693.00	25,693.01 26,861.00	26,861.01 28,029.00	28,029.01 29,196.00	29,196.01 30,364.00	30,364.01 31,532.00	31,532.01 32,700.00	32,700.01 & OVER
16,400.01 16,450.00	428	16,400.01 17,571.00	17,571.01 18,743.00	18,743.01 19,914.00	19,914.01 21,086.00	21,086.01 22,257.00	22,257.01 23,429.00	23,429.01 24,600.00	24,600.01 25,771.00	25,771.01 26,943.00	26,943.01 28,114.00	28,114.01 29,286.00	29,286.01 30,457.00	30,457.01 31,629.00	31,629.01 32,800.00	32,800.01 & OVER
16,450.01 16,500.00	429	16,450.01 17,625.00	17,625.01 18,800.00	18,800.01 19,975.00	19,975.01 21,150.00	21,150.01 22,325.00	22,325.01 23,500.00	23,500.01 24,675.00	24,675.01 25,850.00	25,850.01 27,025.00	27,025.01 28,200.00	28,200.01 29,375.00	29,375.01 30,550.00	30,550.01 31,725.00	31,725.01 32,900.00	32,900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
16,500.01 16,550.00	430	16,500.01 17,679.00	17,679.01 18,857.00	18,857.01 20,036.00	20,036.01 21,214.00	21,214.01 22,393.00	22,393.01 23,571.00	23,571.01 24,750.00	24,750.01 25,929.00	25,929.01 27,107.00	27,107.01 28,286.00	28,286.01 29,464.00	29,464.01 30,643.00	30,643.01 31,821.00	31,821.01 33,000.00	33,000.01 & OVER
16,550.01 16,600.00	431	16,550.01 17,732.00	17,732.01 18,914.00	18,914.01 20,096.00	20,096.01 21,279.00	21,279.01 22,461.00	22,461.01 23,643.00	23,643.01 24,825.00	24,825.01 26,007.00	26,007.01 27,189.00	27,189.01 28,371.00	28,371.01 29,554.00	29,554.01 30,736.00	30,736.01 31,918.00	31,918.01 33,100.00	33,100.01 & OVER
16,600.01 16,650.00	432	16,600.01 17,786.00	17,786.01 18,971.00	18,971.01 20,157.00	20,157.01 21,343.00	21,343.01 22,529.00	22,529.01 23,714.00	23,714.01 24,900.00	24,900.01 26,086.00	26,086.01 27,271.00	27,271.01 28,457.00	28,457.01 29,643.00	29,643.01 30,829.00	30,829.01 32,014.00	32,014.01 33,200.00	33,200.01 & OVER
16,650.01 16,700.00	433	16,650.01 17,839.00	17,839.01 19,029.00	19,029.01 20,218.00	20,218.01 21,407.00	21,407.01 22,596.00	22,596.01 23,786.00	23,786.01 24,975.00	24,975.01 26,164.00	26,164.01 27,354.00	27,354.01 28,543.00	28,543.01 29,732.00	29,732.01 30,921.00	30,921.01 32,111.00	32,111.01 33,300.00	33,300.01 & OVER
16,700.01 16,750.00	434	16,700.01 17,893.00	17,893.01 19,086.00	19,086.01 20,279.00	20,279.01 21,471.00	21,471.01 22,664.00	22,664.01 23,857.00	23,857.01 25,050.00	25,050.01 26,243.00	26,243.01 27,436.00	27,436.01 28,629.00	28,629.01 29,821.00	29,821.01 31,014.00	31,014.01 32,207.00	32,207.01 33,400.00	33,400.01 & OVER
16,750.01 16,800.00	435	16,750.01 17,946.00	17,946.01 19,143.00	19,143.01 20,339.00	20,339.01 21,536.00	21,536.01 22,732.00	22,732.01 23,929.00	23,929.01 25,125.00	25,125.01 26,321.00	26,321.01 27,518.00	27,518.01 28,714.00	28,714.01 29,911.00	29,911.01 31,107.00	31,107.01 32,304.00	32,304.01 33,500.00	33,500.01 & OVER
16,800.01 16,850.00	436	16,800.01 18,000.00	18,000.01 19,200.00	19,200.01 20,400.00	20,400.01 21,600.00	21,600.01 22,800.00	22,800.01 24,000.00	24,000.01 25,200.00	25,200.01 26,400.00	26,400.01 27,600.00	27,600.01 28,800.00	28,800.01 30,000.00	30,000.01 31,200.00	31,200.01 32,400.00	32,400.01 33,600.00	33,600.01 & OVER
16,850.01 16,900.00	437	16,850.01 18,054.00	18,054.01 19,257.00	19,257.01 20,461.00	20,461.01 21,664.00	21,664.01 22,868.00	22,868.01 24,071.00	24,071.01 25,275.00	25,275.01 26,479.00	26,479.01 27,682.00	27,682.01 28,886.00	28,886.01 30,089.00	30,089.01 31,293.00	31,293.01 32,496.00	32,496.01 33,700.00	33,700.01 & OVER
16,900.01 16,950.00	438	16,900.01 18,107.00	18,107.01 19,314.00	19,314.01 20,521.00	20,521.01 21,729.00	21,729.01 22,936.00	22,936.01 24,143.00	24,143.01 25,350.00	25,350.01 26,557.00	26,557.01 27,764.00	27,764.01 28,971.00	28,971.01 30,179.00	30,179.01 31,386.00	31,386.01 32,593.00	32,593.01 33,800.00	33,800.01 & OVER
16,950.01 17,000.00	439	16,950.01 18,161.00	18,161.01 19,371.00	19,371.01 20,582.00	20,582.01 21,793.00	21,793.01 23,004.00	23,004.01 24,214.00	24,214.01 25,425.00	25,425.01 26,636.00	26,636.01 27,846.00	27,846.01 29,057.00	29,057.01 30,268.00	30,268.01 31,479.00	31,479.01 32,689.00	32,689.01 33,900.00	33,900.01 & OVER
17,000.01 17,050.00	440	17,000.01 18,214.00	18,214.01 19,429.00	19,429.01 20,643.00	20,643.01 21,857.00	21,857.01 23,071.00	23,071.01 24,286.00	24,286.01 25,500.00	25,500.01 26,714.00	26,714.01 27,929.00	27,929.01 29,143.00	29,143.01 30,357.00	30,357.01 31,571.00	31,571.01 32,786.00	32,786.01 34,000.00	34,000.01 & OVER
17,050.01 17,100.00	441	17,050.01 18,268.00	18,268.01 19,486.00	19,486.01 20,704.00	20,704.01 21,921.00	21,921.01 23,139.00	23,139.01 24,357.00	24,357.01 25,575.00	25,575.01 26,793.00	26,793.01 28,011.00	28,011.01 29,229.00	29,229.01 30,446.00	30,446.01 31,664.00	31,664.01 32,882.00	32,882.01 34,100.00	34,100.01 & OVER
17,100.01 17,150.00	442	17,100.01 18,321.00	18,321.01 19,543.00	19,543.01 20,764.00	20,764.01 21,986.00	21,986.01 23,207.00	23,207.01 24,429.00	24,429.01 25,650.00	25,650.01 26,871.00	26,871.01 28,093.00	28,093.01 29,314.00	29,314.01 30,536.00	30,536.01 31,757.00	31,757.01 32,979.00	32,979.01 34,200.00	34,200.01 & OVER
17,150.01 17,200.00	443	17,150.01 18,375.00	18,375.01 19,600.00	19,600.01 20,825.00	20,825.01 22,050.00	22,050.01 23,275.00	23,275.01 24,500.00	24,500.01 25,725.00	25,725.01 26,950.00	26,950.01 28,175.00	28,175.01 29,400.00	29,400.01 30,625.00	30,625.01 31,850.00	31,850.01 33,075.00	33,075.01 34,300.00	34,300.01 & OVER
17,200.01 17,250.00	444	17,200.01 18,429.00	18,429.01 19,657.00	19,657.01 20,886.00	20,886.01 22,114.00	22,114.01 23,343.00	23,343.01 24,571.00	24,571.01 25,800.00	25,800.01 27,029.00	27,029.01 28,257.00	28,257.01 29,486.00	29,486.01 30,714.00	30,714.01 31,943.00	31,943.01 33,171.00	33,171.01 34,400.00	34,400.01 & OVER
17,250.01 17,300.00	445	17,250.01 18,482.00	18,482.01 19,714.00	19,714.01 20,946.00	20,946.01 22,179.00	22,179.01 23,411.00	23,411.01 24,643.00	24,643.01 25,875.00	25,875.01 27,107.00	27,107.01 28,339.00	28,339.01 29,571.00	29,571.01 30,804.00	30,804.01 32,036.00	32,036.01 33,268.00	33,268.01 34,500.00	34,500.01 & OVER
17,300.01 17,350.00	446	17,300.01 18,536.00	18,536.01 19,771.00	19,771.01 21,007.00	21,007.01 22,243.00	22,243.01 23,479.00	23,479.01 24,714.00	24,714.01 25,950.00	25,950.01 27,186.00	27,186.01 28,421.00	28,421.01 29,657.00	29,657.01 30,893.00	30,893.01 32,129.00	32,129.01 33,364.00	33,364.01 34,600.00	34,600.01 & OVER
17,350.01 17,400.00	447	17,350.01 18,589.00	18,589.01 19,829.00	19,829.01 21,068.00	21,068.01 22,307.00	22,307.01 23,546.00	23,546.01 24,786.00	24,786.01 26,025.00	26,025.01 27,264.00	27,264.01 28,504.00	28,504.01 29,743.00	29,743.01 30,982.00	30,982.01 32,221.00	32,221.01 33,461.00	33,461.01 34,700.00	34,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
17400.01	448	17400.01	18643.01	19886.01	21129.01	22371.01	23614.01	24857.01	26100.01	27343.01	28586.01	29829.01	31071.01	32314.01	33557.01	34800.01
17450.00		18643.00	19886.00	21129.00	22371.00	23614.00	24857.00	26100.00	27343.00	28586.00	29829.00	31071.00	32314.00	33557.00	34800.00	& OVER
17450.01	449	17450.01	18696.01	19943.01	21189.01	22436.01	23682.01	24929.01	26175.01	27421.01	28668.01	29914.01	31161.01	32407.01	33654.01	34900.01
17500.00		18696.00	19943.00	21189.00	22436.00	23682.00	24929.00	26175.00	27421.00	28668.00	29914.00	31161.00	32407.00	33654.00	34900.00	& OVER
17500.01	450	17500.01	18750.01	20000.01	21250.01	22500.01	23750.01	25000.01	26250.01	27500.01	28750.01	30000.01	31250.01	32500.01	33750.01	35000.01
17550.00		18750.00	20000.00	21250.00	22500.00	23750.00	25000.00	26250.00	27500.00	28750.00	30000.00	31250.00	32500.00	33750.00	35000.00	& OVER
17550.01	451	17550.01	18804.01	20057.01	21311.01	22564.01	23818.01	25071.01	26325.01	27579.01	28832.01	30086.01	31339.01	32593.01	33846.01	35100.01
17600.00		18804.00	20057.00	21311.00	22564.00	23818.00	25071.00	26325.00	27579.00	28832.00	30086.00	31339.00	32593.00	33846.00	35100.00	& OVER
17600.01	452	17600.01	18857.01	20114.01	21371.01	22629.01	23886.01	25143.01	26400.01	27657.01	28914.01	30171.01	31429.01	32686.01	33943.01	35200.01
17650.00		18857.00	20114.00	21371.00	22629.00	23886.00	25143.00	26400.00	27657.00	28914.00	30171.00	31429.00	32686.00	33943.00	35200.00	& OVER
17650.01	453	17650.01	18911.01	20171.01	21432.01	22693.01	23954.01	25214.01	26475.01	27736.01	28996.01	30257.01	31518.01	32779.01	34039.01	35300.01
17700.00		18911.00	20171.00	21432.00	22693.00	23954.00	25214.00	26475.00	27736.00	28996.00	30257.00	31518.00	32779.00	34039.00	35300.00	& OVER
17700.01	454	17700.01	18964.01	20229.01	21493.01	22757.01	24021.01	25286.01	26550.01	27814.01	29079.01	30343.01	31607.01	32871.01	34136.01	35400.01
17750.00		18964.00	20229.00	21493.00	22757.00	24021.00	25286.00	26550.00	27814.00	29079.00	30343.00	31607.00	32871.00	34136.00	35400.00	& OVER
17750.01	455	17750.01	19018.01	20286.01	21554.01	22821.01	24089.01	25357.01	26625.01	27893.01	29161.01	30429.01	31696.01	32964.01	34232.01	35500.01
17800.00		19018.00	20286.00	21554.00	22821.00	24089.00	25357.00	26625.00	27893.00	29161.00	30429.00	31696.00	32964.00	34232.00	35500.00	& OVER
17800.01	456	17800.01	19071.01	20343.01	21614.01	22886.01	24157.01	25429.01	26700.01	27971.01	29243.01	30514.01	31786.01	33057.01	34329.01	35600.01
17850.00		19071.00	20343.00	21614.00	22886.00	24157.00	25429.00	26700.00	27971.00	29243.00	30514.00	31786.00	33057.00	34329.00	35600.00	& OVER
17850.01	457	17850.01	19125.01	20400.01	21675.01	22950.01	24225.01	25500.01	26775.01	28050.01	29325.01	30600.01	31875.01	33150.01	34425.01	35700.01
17900.00		19125.00	20400.00	21675.00	22950.00	24225.00	25500.00	26775.00	28050.00	29325.00	30600.00	31875.00	33150.00	34425.00	35700.00	& OVER
17900.01	458	17900.01	19179.01	20457.01	21736.01	23014.01	24293.01	25571.01	26850.01	28129.01	29407.01	30686.01	31964.01	33243.01	34521.01	35800.01
17950.00		19179.00	20457.00	21736.00	23014.00	24293.00	25571.00	26850.00	28129.00	29407.00	30686.00	31964.00	33243.00	34521.00	35800.00	& OVER
17950.01	459	17950.01	19232.01	20514.01	21796.01	23079.01	24361.01	25643.01	26925.01	28207.01	29489.01	30771.01	32054.01	33336.01	34618.01	35900.01
18000.00		19232.00	20514.00	21796.00	23079.00	24361.00	25643.00	26925.00	28207.00	29489.00	30771.00	32054.00	33336.00	34618.00	35900.00	& OVER
18000.01	460	18000.01	19286.01	20571.01	21857.01	23143.01	24429.01	25714.01	27000.01	28286.01	29571.01	30857.01	32143.01	33429.01	34714.01	36000.01
18050.00		19286.00	20571.00	21857.00	23143.00	24429.00	25714.00	27000.00	28286.00	29571.00	30857.00	32143.00	33429.00	34714.00	36000.00	& OVER
18050.01	461	18050.01	19339.01	20629.01	21918.01	23207.01	24496.01	25786.01	27075.01	28364.01	29654.01	30943.01	32232.01	33521.01	34811.01	36100.01
18100.00		19339.00	20629.00	21918.00	23207.00	24496.00	25786.00	27075.00	28364.00	29654.00	30943.00	32232.00	33521.00	34811.00	36100.00	& OVER
18100.01	462	18100.01	19393.01	20686.01	21979.01	23271.01	24564.01	25857.01	27150.01	28443.01	29736.01	31029.01	32321.01	33614.01	34907.01	36200.01
18150.00		19393.00	20686.00	21979.00	23271.00	24564.00	25857.00	27150.00	28443.00	29736.00	31029.00	32321.00	33614.00	34907.00	36200.00	& OVER
18150.01	463	18150.01	19446.01	20743.01	22039.01	23336.01	24632.01	25929.01	27225.01	28521.01	29818.01	31114.01	32411.01	33707.01	35004.01	36300.01
18200.00		19446.00	20743.00	22039.00	23336.00	24632.00	25929.00	27225.00	28521.00	29818.00	31114.00	32411.00	33707.00	35004.00	36300.00	& OVER
18200.01	464	18200.01	19500.01	20800.01	22100.01	23400.01	24700.01	26000.01	27300.01	28600.01	29900.01	31200.01	32500.01	33800.01	35100.01	36400.01
18250.00		19500.00	20800.00	22100.00	23400.00	24700.00	26000.00	27300.00	28600.00	29900.00	31200.00	32500.00	33800.00	35100.00	36400.00	& OVER
18250.01	465	18250.01	19554.01	20857.01	22161.01	23464.01	24768.01	26071.01	27375.01	28679.01	29982.01	31286.01	32589.01	33893.01	35196.01	36500.01
18300.00		19554.00	20857.00	22161.00	23464.00	24768.00	26071.00	27375.00	28679.00	29982.00	31286.00	32589.00	33893.00	35196.00	36500.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
18300.01	466	18300.01	19607.01	20914.01	22221.01	23529.01	24836.01	26143.01	27450.01	28757.01	30064.01	31371.01	32679.01	33986.01	35293.01	36600.01
18350.00		19607.00	20914.00	22221.00	23529.00	24836.00	26143.00	27450.00	28757.00	30064.00	31371.00	32679.00	33986.00	35293.00	36600.00	& OVER
18350.01	467	18350.01	19661.01	20971.01	22282.01	23593.01	24904.01	26214.01	27525.01	28836.01	30146.01	31457.01	32768.01	34079.01	35389.01	36700.01
18400.00		19661.00	20971.00	22282.00	23593.00	24904.00	26214.00	27525.00	28836.00	30146.00	31457.00	32768.00	34079.00	35389.00	36700.00	& OVER
18400.01	468	18400.01	19714.01	21029.01	22343.01	23657.01	24971.01	26286.01	27600.01	28914.01	30229.01	31543.01	32857.01	34171.01	35486.01	36800.01
18450.00		19714.00	21029.00	22343.00	23657.00	24971.00	26286.00	27600.00	28914.00	30229.00	31543.00	32857.00	34171.00	35486.00	36800.00	& OVER
18450.01	469	18450.01	19768.01	21086.01	22404.01	23721.01	25039.01	26357.01	27675.01	28993.01	30311.01	31629.01	32946.01	34264.01	35582.01	36900.01
18500.00		19768.00	21086.00	22404.00	23721.00	25039.00	26357.00	27675.00	28993.00	30311.00	31629.00	32946.00	34264.00	35582.00	36900.00	& OVER
18500.01	470	18500.01	19821.01	21143.01	22464.01	23786.01	25107.01	26429.01	27750.01	29071.01	30393.01	31714.01	33036.01	34357.01	35679.01	37000.01
18550.00		19821.00	21143.00	22464.00	23786.00	25107.00	26429.00	27750.00	29071.00	30393.00	31714.00	33036.00	34357.00	35679.00	37000.00	& OVER
18550.01	471	18550.01	19875.01	21200.01	22525.01	23850.01	25175.01	26500.01	27825.01	29150.01	30475.01	31800.01	33125.01	34450.01	35775.01	37100.01
18600.00		19875.00	21200.00	22525.00	23850.00	25175.00	26500.00	27825.00	29150.00	30475.00	31800.00	33125.00	34450.00	35775.00	37100.00	& OVER
18600.01	472	18600.01	19929.01	21257.01	22586.01	23914.01	25243.01	26571.01	27900.01	29229.01	30557.01	31886.01	33214.01	34543.01	35871.01	37200.01
18650.00		19929.00	21257.00	22586.00	23914.00	25243.00	26571.00	27900.00	29229.00	30557.00	31886.00	33214.00	34543.00	35871.00	37200.00	& OVER
18650.01	473	18650.01	19982.01	21314.01	22646.01	23979.01	25311.01	26643.01	27975.01	29307.01	30639.01	31971.01	33304.01	34636.01	35968.01	37300.01
18700.00		19982.00	21314.00	22646.00	23979.00	25311.00	26643.00	27975.00	29307.00	30639.00	31971.00	33304.00	34636.00	35968.00	37300.00	& OVER
18700.01	474	18700.01	20036.01	21371.01	22707.01	24043.01	25379.01	26714.01	28050.01	29386.01	30721.01	32057.01	33393.01	34729.01	36064.01	37400.01
18750.00		20036.00	21371.00	22707.00	24043.00	25379.00	26714.00	28050.00	29386.00	30721.00	32057.00	33393.00	34729.00	36064.00	37400.00	& OVER
18750.01	475	18750.01	20089.01	21429.01	22768.01	24107.01	25446.01	26786.01	28125.01	29464.01	30804.01	32143.01	33482.01	34821.01	36161.01	37500.01
18800.00		20089.00	21429.00	22768.00	24107.00	25446.00	26786.00	28125.00	29464.00	30804.00	32143.00	33482.00	34821.00	36161.00	37500.00	& OVER
18800.01	476	18800.01	20143.01	21486.01	22829.01	24171.01	25514.01	26857.01	28200.01	29543.01	30886.01	32229.01	33571.01	34914.01	36257.01	37600.01
18850.00		20143.00	21486.00	22829.00	24171.00	25514.00	26857.00	28200.00	29543.00	30886.00	32229.00	33571.00	34914.00	36257.00	37600.00	& OVER
18850.01	477	18850.01	20196.01	21543.01	22889.01	24236.01	25582.01	26929.01	28275.01	29621.01	30968.01	32314.01	33661.01	35007.01	36354.01	37700.01
18900.00		20196.00	21543.00	22889.00	24236.00	25582.00	26929.00	28275.00	29621.00	30968.00	32314.00	33661.00	35007.00	36354.00	37700.00	& OVER
18900.01	478	18900.01	20250.01	21600.01	22950.01	24300.01	25650.01	27000.01	28350.01	29700.01	31050.01	32400.01	33750.01	35100.01	36450.01	37800.01
& OVER		20250.00	21600.00	22950.00	24300.00	25650.00	27000.00	28350.00	29700.00	31050.00	32400.00	33750.00	35100.00	36450.00	37800.00	& OVER

2. That no later than October 1, 2025, the Commission on Unemployment Compensation, in consultation with the Virginia Employment Commission, shall convene a work group to meet at least once each quarter to study making annual adjustments to individual weekly benefit amounts for unemployment compensation as represented in § 60.2-602 of the Code of Virginia, as amended by this act. Such annual adjustments to weekly benefit amounts shall be based on the average weekly wage as determined by the Virginia Employment Commission, and the amount of each annual adjustment shall not be less than zero. The work group shall include employee stakeholder representatives and employer stakeholder representatives. The work group shall complete its meetings by July 1, 2026, and shall submit to the Governor and General Assembly an executive summary and a report of its findings and recommendations. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than September 1, 2026, and shall be posted on the General Assembly's website.

CHAPTER 615

An Act to amend and reenact §§ 58.1-322.03 and 58.1-402 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 23 of Title 56 a section numbered 56-596.5, relating to electric utilities; distribution cost sharing program established; income tax deduction; report.

[S 1058]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 58.1-322.03 and 58.1-402 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 23 of Title 56 a section numbered 56-596.5 as follows:

§ 56-596.5. Distribution cost sharing program.

A. As used in this section:

"Hosting capacity" means the amount of aggregate generation that can be accommodated on the electric distribution system without any infrastructure upgrades.

"Program" means the distribution cost sharing program established pursuant to this section.

"Qualifying upgrade" means a system upgrade that increases the hosting capacity of the utility's distribution system.

"Sharing project" means any distributed energy resource with an alternating current (AC) nameplate capacity rating greater than or equal to 250 kilowatts and less than or equal to three megawatts within the Phase I or Phase II Utility's service territory seeking to interconnect to the utility's distribution system and participate in net energy metering pursuant to § 56-594 that utilizes distribution system upgrades that were necessary to interconnect a triggering project.

"Triggering project" means a project application in the interconnection queue at a given substation or feeder that requires a qualifying upgrade to successfully interconnect the project to the electric distribution system.

B. The Commission shall establish by regulation a distribution cost sharing program for Phase I and Phase II Utilities, as those terms are defined in subdivision A 1 of § 56-585.1, to construct distribution system upgrades required to interconnect triggering projects. Under the program, when a Phase I or Phase II Utility determines that a qualifying upgrade is required to interconnect a triggering project, such utility shall determine the costs of the qualifying upgrade and the net increase in hosting capacity that would result from the construction of the qualifying upgrade. The costs of the qualifying upgrade shall be subject to approval by the Commission that the costs are reasonable and prudent. The program shall require each Phase I and Phase II Utility to allocate the costs of qualifying upgrades among any sharing projects based on the AC nameplate capacity rating of each sharing project, except that a project shall be exempted from the program if the owner or developer of such project elects to pay in full the approved cost of any associated qualifying upgrade. The Commission shall determine limits on cost recovery for ratepayers and the appropriate time period for cost recovery under the program. The program shall also require that the costs attributed to jurisdictional triggering projects are recovered from jurisdictional sharing projects and costs attributed to nonjurisdictional triggering projects are recovered from nonjurisdictional sharing projects. The Commission may establish a system to refund projects for any interconnection upgrade costs collected during time periods in which such projects are not operational and may provide such refunds upon the petition of the owner of a participating project.

§ 58.1-322.03. Virginia taxable income; deductions.

In computing Virginia taxable income pursuant to § 58.1-322, there shall be deducted from Virginia adjusted gross income as defined in § 58.1-321:

1. a. The amount allowable for itemized deductions for federal income tax purposes where the taxpayer has elected for the taxable year to itemize deductions on his federal return, but reduced by the amount of income taxes imposed by the Commonwealth or any other taxing jurisdiction and deducted on such federal return and increased by an amount that, when added to the amount deducted under § 170 of the Internal Revenue Code for mileage, results in a mileage deduction at the state level for such purposes at a rate of 18 cents per mile; or

b. Provided that the taxpayer has not itemized deductions for the taxable year on his federal income tax return: (i) for taxable years beginning before January 1, 2019, and on and after January 1, 2026, $3,000 for single individuals and $6,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); (ii) for taxable

years beginning on and after January 1, 2019, but before January 1, 2022, $4,500 for single individuals and $9,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); (iii) for taxable years beginning on and after January 1, 2022, but before January 1, 2024, $8,000 for single individuals and $16,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); and (iv) for taxable years beginning on and after January 1, 2024, but before January 1, 2026, $8,500 for single individuals and $17,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return). For purposes of this section, any person who may be claimed as a dependent on another taxpayer's return for the taxable year may compute the deduction only with respect to earned income.

2. a. A deduction in the amount of $930 for each personal exemption allowable to the taxpayer for federal income tax purposes.

b. Each blind or aged taxpayer as defined under § 63(f) of the Internal Revenue Code shall be entitled to an additional personal exemption in the amount of $800.

The additional deduction for blind or aged taxpayers allowed under this subdivision shall be allowable regardless of whether the taxpayer itemizes deductions for the taxable year for federal income tax purposes.

3. A deduction equal to the amount of employment-related expenses upon which the federal credit is based under § 21 of the Internal Revenue Code for expenses for household and dependent care services necessary for gainful employment.

4. An additional $1,000 deduction for each child residing for the entire taxable year in a home under permanent foster care placement as defined in § 63.2-908, provided that the taxpayer can also claim the child as a personal exemption under § 151 of the Internal Revenue Code.

5. a. A deduction in the amount of $12,000 for individuals born on or before January 1, 1939.

b. A deduction in the amount of $12,000 for individuals born after January 1, 1939, who have attained the age of 65. This deduction shall be reduced by $1 for every $1 that the taxpayer's adjusted federal adjusted gross income exceeds $50,000 for single taxpayers or $75,000 for married taxpayers. For married taxpayers filing separately, the deduction shall be reduced by $1 for every $1 that the total combined adjusted federal adjusted gross income of both spouses exceeds $75,000.

For the purposes of this subdivision, "adjusted federal adjusted gross income" means federal adjusted gross income minus any benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code, as amended.

6. The amount an individual pays as a fee for an initial screening to become a possible bone marrow donor, if (i) the individual is not reimbursed for such fee or (ii) the individual has not claimed a deduction for the payment of such fee on his federal income tax return.

7. a. A deduction shall be allowed to the purchaser or contributor for the amount paid or contributed during the taxable year for a prepaid tuition contract or college savings trust account entered into with the Commonwealth Savers Plan, pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. Except as provided in subdivision b, the amount deducted on any individual income tax return in any taxable year shall be limited to $4,000 per prepaid tuition contract or college savings trust account. No deduction shall be allowed pursuant to this subdivision 7 if such payments or contributions are deducted on the purchaser's or contributor's federal income tax return. If the purchase price or annual contribution to a college savings trust account exceeds $4,000, the remainder may be carried forward and subtracted in future taxable years until the purchase price or college savings trust contribution has been fully deducted; however, except as provided in subdivision b, in no event shall the amount deducted in any taxable year exceed $4,000 per contract or college savings trust account. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any deduction taken hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified higher education expenses, as defined in § 529 of the Internal Revenue Code or (ii) the beneficiary's death, disability, or receipt of a scholarship. For the purposes of this subdivision, "purchaser" or "contributor" means the person shown as such on the records of the Commonwealth Savers Plan as of December 31 of the taxable year. In the case of a transfer of ownership of a prepaid tuition contract or college savings trust account, the transferee shall succeed to the transferor's tax attributes associated with a prepaid tuition contract or college savings trust account, including, but not limited to, carryover and recapture of deductions.

b. A purchaser of a prepaid tuition contract or contributor to a college savings trust account who has attained age 70 shall not be subject to the limitation that the amount of the deduction not exceed $4,000 per prepaid tuition contract or college savings trust account in any taxable year. Such taxpayer shall be allowed a deduction for the full amount paid for the contract or contributed to a college savings trust account, less any amounts previously deducted.

8. The total amount an individual actually contributed in funds to the Virginia Public School Construction Grants Program and Fund, established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1, provided that the individual has not claimed a deduction for such amount on his federal income tax return.

9. An amount equal to 20 percent of the tuition costs incurred by an individual employed as a primary or secondary school teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1 to attend continuing teacher education courses that are required as a condition of employment; however, the deduction provided by this subdivision shall be available only if (i) the individual is not reimbursed for such tuition costs and (ii) the individual has not claimed a deduction for the payment of such tuition costs on his federal income tax return.

10. The amount an individual pays annually in premiums for long-term health care insurance, provided that the individual has not claimed a deduction for federal income tax purposes, or, for taxable years beginning before January 1, 2014, a credit under § 58.1-339.11. For taxable years beginning on and after January 1, 2014, no such deduction for long-term health care insurance premiums paid by the individual during the taxable year shall be allowed if the individual has claimed a federal income tax deduction for such taxable year for long-term health care insurance premiums paid by him.

11. Contract payments to a producer of quota tobacco or a tobacco quota holder, or their spouses, as provided under the American Jobs Creation Act of 2004 (P.L. 108-357), but only to the extent that such payments have not been subtracted pursuant to subsection D of § 58.1-402, as follows:

a. If the payment is received in installment payments, then the recognized gain may be subtracted in the taxable year immediately following the year in which the installment payment is received.

b. If the payment is received in a single payment, then 10 percent of the recognized gain may be subtracted in the taxable year immediately following the year in which the single payment is received. The taxpayer may then deduct an equal amount in each of the nine succeeding taxable years.

12. An amount equal to 20 percent of the sum paid by an individual pursuant to Chapter 6 (§ 58.1-600 et seq.), not to exceed $500 in each taxable year, in purchasing for his own use the following items of tangible personal property: (i) any clothes washers, room air conditioners, dishwashers, and standard size refrigerators that meet or exceed the applicable energy star efficiency requirements developed by the U.S. Environmental Protection Agency and the U.S. Department of Energy; (ii) any fuel cell that (a) generates electricity using an electrochemical process, (b) has an electricity-only generation efficiency greater than 35 percent, and (c) has a generating capacity of at least two kilowatts; (iii) any gas heat pump that has a coefficient of performance of at least 1.25 for heating and at least 0.70 for cooling; (iv) any electric heat pump hot water heater that yields an energy factor of at least 1.7; (v) any electric heat pump that has a heating system performance factor of at least 8.0 and a cooling seasonal energy efficiency ratio of at least 13.0; (vi) any central air conditioner that has a cooling seasonal energy efficiency ratio of at least 13.5; (vii) any advanced gas or oil water heater that has an energy factor of at least 0.65; (viii) any advanced oil-fired boiler with a minimum annual fuel-utilization rating of 85; (ix) any advanced oil-fired furnace with a minimum annual fuel-utilization rating of 85; and (x) programmable thermostats.

13. The lesser of $5,000 or the amount actually paid by a living donor of an organ or other living tissue for unreimbursed out-of-pocket expenses directly related to the donation that arose within 12 months of such donation, provided that the donor has not taken a medical deduction in accordance with the provisions of § 213 of the Internal Revenue Code for such expenses. The deduction may be taken in the taxable year in which the donation is made or the taxable year in which the 12-month period expires.

14. For taxable years beginning on and after January 1, 2013, the amount an individual age 66 or older with earned income of at least $20,000 for the year and federal adjusted gross income not in excess of $30,000 for the year pays annually in premiums for (i) a prepaid funeral insurance policy covering the individual or (ii) medical or dental insurance for any person for whom individual tax filers may claim a deduction for such premiums under federal income tax laws. As used in this subdivision, "earned income" means the same as that term is defined in § 32(c) of the Internal Revenue Code. The deduction shall not be allowed for any portion of such premiums paid for which the individual has (a) been reimbursed, (b) claimed a deduction for federal income tax purposes, (c) claimed a deduction or subtraction under another provision of this section, or (d) claimed a federal income tax credit or any income tax credit pursuant to this chapter.

15. Business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code:

a. For taxable years beginning on and after January 1, 2018, but before January 1, 2022, 20 percent of such disallowed business interest;

b. For taxable years beginning on and after January 1, 2022, but before January 1, 2024, 30 percent of such disallowed business interest;

c. For taxable years beginning on and after January 2, 2024, 50 percent of such disallowed business interest.

For purposes of subdivision 15, "business interest" means the same as that term is defined under § 163(j) of the Internal Revenue Code.

16. For taxable years beginning on and after January 1, 2019, the actual amount of real and personal property taxes imposed by the Commonwealth or any other taxing jurisdiction not otherwise deducted solely on account of the dollar limitation imposed on individual deductions by § 164(b)(6)(B) of the Internal Revenue Code.

17. For taxable years beginning before January 1, 2021, up to $100,000 of the amount that is not deductible when computing federal adjusted gross income solely on account of the portion of subdivision B 10 of § 58.1-301 related to Paycheck Protection Program loans.

18. For taxable years beginning on and after January 1, 2022, but before January 1, 2025, the lesser of $500 or the actual amount paid or incurred for eligible educator qualifying expenses. For purposes of this subdivision, "eligible educator" means an individual who for at least 900 hours during the taxable year in which the credit under this section is claimed served as a teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1, instructor, student counselor, principal, special needs personnel, or student aide serving accredited public or private primary and secondary school students in Virginia, and "qualifying expenses" means 100 percent of the amount paid or incurred by an eligible educator during the taxable year for participation in professional development courses and the purchase of books, supplies, computer equipment (including related software and services), other educational and teaching equipment, and

supplementary materials used directly in that individual's service to students as an eligible educator, provided that such purchases were neither reimbursed nor claimed as a deduction on the eligible educator's federal income tax return for such taxable year.

19. For taxable years beginning on and after January 1, 2026, the amount paid or cost incurred for installing a qualifying upgrade required to interconnect a triggering project. No deduction shall be allowed under this section for a taxpayer who has claimed a deduction under subsection I of § 58.1-402 for the same amount paid or cost incurred to install such qualifying upgrade.

For purposes of this subdivision, "qualifying upgrade" and "triggering project" have the same meanings as provided for those terms in § 56-596.5.

§ 58.1-402. Virginia taxable income.

A. For purposes of this article, Virginia taxable income for a taxable year means the federal taxable income and any other income taxable to the corporation under federal law for such year of a corporation adjusted as provided in subsections B, C, D, E, G, ~~and~~ H*, and I.*

For a regulated investment company and a real estate investment trust, such term means the "investment company taxable income" and "real estate investment trust taxable income," respectively, to which shall be added in each case any amount of capital gains and any other income taxable to the corporation under federal law which shall be further adjusted as provided in subsections B, C, D, E, G, ~~and~~ H*, and I.*

B. There shall be added to the extent excluded from federal taxable income:

1. Interest, less related expenses to the extent not deducted in determining federal taxable income, on obligations of any state other than Virginia, or of a political subdivision of any such other state unless created by compact or agreement to which the Commonwealth is a party;

2. Interest or dividends, less related expenses to the extent not deducted in determining federal taxable income, on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes;

3. [Repealed.]

4. The amount of any net income taxes and other taxes, including franchise and excise taxes, which are based on, measured by, or computed with reference to net income, imposed by the Commonwealth or any other taxing jurisdiction, to the extent deducted in determining federal taxable income;

5. Unrelated business taxable income as defined by § 512 of the Internal Revenue Code;

6. [Repealed.]

7. The amount required to be included in income for the purpose of computing the partial tax on an accumulation distribution pursuant to § 667 of the Internal Revenue Code;

8. a. For taxable years beginning on and after January 1, 2004, the amount of any intangible expenses and costs directly or indirectly paid, accrued, or incurred to, or in connection directly or indirectly with one or more direct or indirect transactions with one or more related members to the extent such expenses and costs were deductible or deducted in computing federal taxable income for Virginia purposes. This addition shall not be required for any portion of the intangible expenses and costs if one of the following applies:

(1) The corresponding item of income received by the related member is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government that has entered into a comprehensive tax treaty with the United States government;

(2) The related member derives at least one-third of its gross revenues from the licensing of intangible property to parties who are not related members, and the transaction giving rise to the expenses and costs between the corporation and the related member was made at rates and terms comparable to the rates and terms of agreements that the related member has entered into with parties who are not related members for the licensing of intangible property; or

(3) The corporation can establish to the satisfaction of the Tax Commissioner that the intangible expenses and costs meet both of the following: (i) the related member during the same taxable year directly or indirectly paid, accrued or incurred such portion to a person who is not a related member, and (ii) the transaction giving rise to the intangible expenses and costs between the corporation and the related member did not have as a principal purpose the avoidance of any portion of the tax due under this chapter.

b. A corporation required to add to its federal taxable income intangible expenses and costs pursuant to subdivision a may petition the Tax Commissioner, after filing the related income tax return for the taxable year and remitting to the Tax Commissioner all taxes, penalties, and interest due under this article for such taxable year including tax upon any amount of intangible expenses and costs required to be added to federal taxable income pursuant to subdivision a, to consider evidence relating to the transaction or transactions between the corporation and a related member or members that resulted in the corporation's taxable income being increased, as required under subdivision a, for such intangible expenses and costs.

If the corporation can demonstrate to the Tax Commissioner's sole satisfaction, by clear and convincing evidence, that the transaction or transactions between the corporation and a related member or members resulting in such increase in taxable income pursuant to subdivision a had a valid business purpose other than the avoidance or reduction of the tax due under this chapter, the Tax Commissioner shall permit the corporation to file an amended return. For purposes of such amended return, the requirements of subdivision a shall not apply to any transaction for which the Tax Commissioner is satisfied (and has identified) that the transaction had a valid business purpose other than the avoidance or reduction of the

tax due under this chapter. Such amended return shall be filed by the corporation within one year of the written permission granted by the Tax Commissioner and any refund of the tax imposed under this article shall include interest at a rate equal to the rate of interest established under § 58.1-15 and such interest shall accrue as provided under § 58.1-1833. However, upon the filing of such amended return, any related member of the corporation that subtracted from taxable income amounts received pursuant to subdivision C 21 shall be subject to the tax imposed under this article on that portion of such amounts for which the corporation has filed an amended return pursuant to this subdivision. In addition, for such transactions identified by the Tax Commissioner herein by which he has been satisfied by clear and convincing evidence, the Tax Commissioner may permit the corporation in filing income tax returns for subsequent taxable years to deduct the related intangible expenses and costs without making the adjustment under subdivision a.

The Tax Commissioner may charge a fee for all direct and indirect costs relating to the review of any petition pursuant to this subdivision, to include costs necessary to secure outside experts in evaluating the petition. The Tax Commissioner may condition the review of any petition pursuant to this subdivision upon payment of such fee.

No suit for the purpose of contesting any action of the Tax Commissioner under this subdivision shall be maintained in any court of this Commonwealth.

c. Nothing in subdivision B 8 shall be construed to limit or negate the Department's authority under § 58.1-446;

9. a. For taxable years beginning on and after January 1, 2004, the amount of any interest expenses and costs directly or indirectly paid, accrued, or incurred to, or in connection directly or indirectly with one or more direct or indirect transactions with one or more related members to the extent such expenses and costs were deductible or deducted in computing federal taxable income for Virginia purposes. This addition shall not be required for any portion of the interest expenses and costs, if:

(1) The related member has substantial business operations relating to interest-generating activities, in which the related member pays expenses for at least five full-time employees who maintain, manage, defend or are otherwise responsible for operations or administration relating to the interest-generating activities; and

(2) The interest expenses and costs are not directly or indirectly for, related to or in connection with the direct or indirect acquisition, maintenance, management, sale, exchange, or disposition of intangible property; and

(3) The transaction giving rise to the expenses and costs between the corporation and the related member has a valid business purpose other than the avoidance or reduction of taxation and payments between the parties are made at arm's length rates and terms; and

(4) One of the following applies:

(i) The corresponding item of income received by the related member is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government that has entered into a comprehensive tax treaty with the United States government;

(ii) Payments arise pursuant to a pre-existing contract entered into when the parties were not related members provided the payments continue to be made at arm's length rates and terms;

(iii) The related member engages in transactions with parties other than related members that generate revenue in excess of $2 million annually; or

(iv) The transaction giving rise to the interest payments between the corporation and a related member was done at arm's length rates and terms and meets any of the following: (a) the related member uses funds that are borrowed from a party other than a related member or that are paid, incurred or passed-through to a person who is not a related member; (b) the debt is part of a regular and systematic funds management or portfolio investment activity conducted by the related member, whereby the funds of two or more related members are aggregated for the purpose of achieving economies of scale, the internal financing of the active business operations of members, or the benefit of centralized management of funds; (c) financing the expansion of the business operations; or (d) restructuring the debt of related members, or the pass-through of acquisition-related indebtedness to related members.

b. A corporation required to add to its federal taxable income interest expenses and costs pursuant to subdivision a may petition the Tax Commissioner, after filing the related income tax return for the taxable year and remitting to the Tax Commissioner all taxes, penalties, and interest due under this article for such taxable year including tax upon any amount of interest expenses and costs required to be added to federal taxable income pursuant to subdivision a, to consider evidence relating to the transaction or transactions between the corporation and a related member or members that resulted in the corporation's taxable income being increased, as required under subdivision a, for such interest expenses and costs.

If the corporation can demonstrate to the Tax Commissioner's sole satisfaction, by clear and convincing evidence, that the transaction or transactions between the corporation and a related member or members resulting in such increase in taxable income pursuant to subdivision a had a valid business purpose other than the avoidance or reduction of the tax due under this chapter and that the related payments between the parties were made at arm's length rates and terms, the Tax Commissioner shall permit the corporation to file an amended return. For purposes of such amended return, the requirements of subdivision a shall not apply to any transaction for which the Tax Commissioner is satisfied (and has identified) that the transaction had a valid business purpose other than the avoidance or reduction of the tax due under this chapter and that the related payments between the parties were made at arm's length rates and terms. Such amended return shall be filed by the corporation within one year of the written permission granted by the Tax Commissioner and any refund of the tax imposed under this article shall include interest at a rate equal to the rate of interest established under § 58.1-15 and such interest shall accrue as provided under § 58.1-1833. However, upon the filing of such amended return, any related

member of the corporation that subtracted from taxable income amounts received pursuant to subdivision C 21 shall be subject to the tax imposed under this article on that portion of such amounts for which the corporation has filed an amended return pursuant to this subdivision. In addition, for such transactions identified by the Tax Commissioner herein by which he has been satisfied by clear and convincing evidence, the Tax Commissioner may permit the corporation in filing income tax returns for subsequent taxable years to deduct the related interest expenses and costs without making the adjustment under subdivision a.

The Tax Commissioner may charge a fee for all direct and indirect costs relating to the review of any petition pursuant to this subdivision, to include costs necessary to secure outside experts in evaluating the petition. The Tax Commissioner may condition the review of any petition pursuant to this subdivision upon payment of such fee.

No suit for the purpose of contesting any action of the Tax Commissioner under this subdivision shall be maintained in any court of this Commonwealth.

c. Nothing in subdivision B 9 shall be construed to limit or negate the Department's authority under § 58.1-446.

d. For purposes of subdivision B 9:

"Arm's-length rates and terms" means that (i) two or more related members enter into a written agreement for the transaction, (ii) such agreement is of a duration and contains payment terms substantially similar to those that the related member would be able to obtain from an unrelated entity, (iii) the interest is at or below the applicable federal rate compounded annually for debt instruments under § 1274(d) of the Internal Revenue Code that was in effect at the time of the agreement, and (iv) the borrower or payor adheres to the payment terms of the agreement governing the transaction or any amendments thereto.

"Valid business purpose" means one or more business purposes that alone or in combination constitute the motivation for some business activity or transaction, which activity or transaction improves, apart from tax effects, the economic position of the taxpayer, as further defined by regulation.

10. a. For taxable years beginning on and after January 1, 2009, the amount of dividends deductible under §§ 561 and 857 of the Internal Revenue Code by a Captive Real Estate Investment Trust (REIT). For purposes of this subdivision, a REIT is a Captive REIT if:

(1) It is not regularly traded on an established securities market;

(2) More than 50 percent of the voting power or value of beneficial interests or shares of which, at any time during the last half of the taxable year, is owned or controlled, directly or indirectly, by a single entity that is (i) a corporation or an association taxable as a corporation under the Internal Revenue Code; and (ii) not exempt from federal income tax pursuant to § 501(a) of the Internal Revenue Code; and

(3) More than 25 percent of its income consists of rents from real property as defined in § 856(d) of the Internal Revenue Code.

b. For purposes of applying the ownership test of subdivision 10 a (2), the following entities shall not be considered a corporation or an association taxable as a corporation:

(1) Any REIT that is not treated as a Captive REIT;

(2) Any REIT subsidiary under § 856 of the Internal Revenue Code other than a qualified REIT subsidiary of a Captive REIT;

(3) Any Listed Australian Property Trust, or an entity organized as a trust, provided that a Listed Australian Property Trust owns or controls, directly or indirectly, 75 percent or more of the voting or value of the beneficial interests or shares of such trust; and

(4) Any Qualified Foreign Entity.

c. For purposes of subdivision B 10, the constructive ownership rules prescribed under § 318(a) of the Internal Revenue Code, as modified by § 856(d)(5) of the Internal Revenue Code, shall apply in determining the ownership of stock, assets, or net profits of any person.

d. For purposes of subdivision B 10:

"Listed Australian Property Trust" means an Australian unit trust registered as a Management Investment Scheme, pursuant to the Australian Corporations Act, in which the principal class of units is listed on a recognized stock exchange in Australia and is regularly traded on an established securities market.

"Qualified Foreign Entity" means a corporation, trust, association or partnership organized outside the laws of the United States and that satisfies all of the following criteria:

(1) At least 75 percent of the entity's total asset value at the close of its taxable year is represented by real estate assets, as defined in § 856(c)(5)(B) of the Internal Revenue Code, thereby including shares or certificates of beneficial interest in any REIT, cash and cash equivalents, and U.S. Government securities;

(2) The entity is not subject to a tax on amounts distributed to its beneficial owners, or is exempt from entity level tax;

(3) The entity distributes, on an annual basis, at least 85 percent of its taxable income, as computed in the jurisdiction in which it is organized, to the holders of its shares or certificates of beneficial interest;

(4) The shares or certificates of beneficial interest of such entity are regularly traded on an established securities market or, if not so traded, not more than 10 percent of the voting power or value in such entity is held directly, indirectly, or constructively by a single entity or individual; and

(5) The entity is organized in a country that has a tax treaty with the United States.

e. For taxable years beginning on or after January 1, 2016, for purposes of subdivision B 10, any voting power or value of the beneficial interests or shares in a REIT that is held in a segregated asset account of a life insurance corporation as described in § 817 of the Internal Revenue Code shall not be taken into consideration when determining if such REIT is a Captive REIT.

11. For taxable years beginning on or after January 1, 2016, to the extent that tax credit is allowed for the same donation pursuant to § 58.1-439.12:12, any amount claimed as a federal income tax deduction for such donation under § 170 of the Internal Revenue Code, as amended or renumbered.

C. There shall be subtracted to the extent included in and not otherwise subtracted from federal taxable income:

1. Income derived from obligations, or on the sale or exchange of obligations, of the United States and on obligations or securities of any authority, commission or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States including, but not limited to, stocks, bonds, treasury bills, and treasury notes, but not including interest on refunds of federal taxes, interest on equipment purchase contracts, or interest on other normal business transactions.

2. Income derived from obligations, or on the sale or exchange of obligations of this Commonwealth or of any political subdivision or instrumentality of this Commonwealth.

3. Dividends upon stock in any domestic international sales corporation, as defined by § 992 of the Internal Revenue Code, 50 percent or more of the income of which was assessable for the preceding year, or the last year in which such corporation has income, under the provisions of the income tax laws of the Commonwealth.

4. The amount of any refund or credit for overpayment of income taxes imposed by this Commonwealth or any other taxing jurisdiction.

5. Any amount included therein by the operation of the provisions of § 78 of the Internal Revenue Code (foreign dividend gross-up).

6. The amount of wages or salaries eligible for the federal Targeted Jobs Credit which was not deducted for federal purposes on account of the provisions of § 280C(a) of the Internal Revenue Code.

7. Any amount included therein by the operation of § 951 of the Internal Revenue Code (subpart F income) or, for taxable years beginning on and after January 1, 2018, § 951A of the Internal Revenue Code (Global Intangible Low-Taxed Income).

8. Any amount included therein which is foreign source income as defined in § 58.1-302.

9. [Repealed.]

10. The amount of any dividends received from corporations in which the taxpaying corporation owns 50 percent or more of the voting stock.

11. [Repealed.]

12, 13. [Expired.]

14. For taxable years beginning on or after January 1, 1995, the amount for "qualified research expenses" or "basic research expenses" eligible for deduction for federal purposes, but which were not deducted, on account of the provisions of § 280C(c) of the Internal Revenue Code.

15. For taxable years beginning on or after January 1, 2000, the total amount actually contributed in funds to the Virginia Public School Construction Grants Program and Fund established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1.

16. For taxable years beginning on or after January 1, 2000, but before January 1, 2015, the gain derived from the sale or exchange of real property or the sale or exchange of an easement to real property which results in the real property or the easement thereto being devoted to open-space use, as that term is defined in § 58.1-3230, for a period of time not less than 30 years. To the extent a subtraction is taken in accordance with this subdivision, no tax credit under this chapter for donating land for its preservation shall be allowed for three years following the year in which the subtraction is taken.

17. For taxable years beginning on and after January 1, 2001, any amount included therein with respect to § 58.1-440.1.

18. For taxable years beginning on and after January 1, 1999, income received as a result of (i) the "Master Settlement Agreement," as defined in § 3.2-3100; and (ii) the National Tobacco Grower Settlement Trust dated July 19, 1999, by (a) tobacco farming businesses; (b) any business holding a tobacco marketing quota, or tobacco farm acreage allotment, under the Agricultural Adjustment Act of 1938; or (c) any business having the right to grow tobacco pursuant to such a quota allotment.

19, 20. [Repealed.]

21. For taxable years beginning on and after January 1, 2004, any amount of intangible expenses and costs or interest expenses and costs added to the federal taxable income of a corporation pursuant to subdivision B 8 or B 9 shall be subtracted from the federal taxable income of the related member that received such amount if such related member is subject to Virginia income tax on the same amount.

22. For taxable years beginning on and after January 1, 2009, any gain recognized from the sale of launch services to space flight participants, as defined in 49 U.S.C. § 70102, or launch services intended to provide individuals the training or experience of a launch, without performing an actual launch. To qualify for a deduction under this subdivision, launch services must be performed in Virginia or originate from an airport or spaceport in Virginia.

23. For taxable years beginning on and after January 1, 2009, any gain recognized as a result of resupply services contracts for delivering payload, as defined in 49 U.S.C. § 70102, entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity, as defined in § 8.01-227.8, and launched from an airport or spaceport in Virginia.

24. For taxable years beginning on or after January 1, 2011, any income taxed as a long-term capital gain for federal income tax purposes, or any income taxed as investment services partnership interest income (otherwise known as investment partnership carried interest income) for federal income tax purposes. To qualify for a subtraction under this subdivision, such income must be attributable to an investment in a "qualified business," as defined in § 58.1-339.4, or in any other technology business approved by the Secretary of Administration, provided the business has its principal office or facility in the Commonwealth and less than $3 million in annual revenues in the fiscal year prior to the investment. To qualify for a subtraction under this subdivision, the investment must be made between the dates of April 1, 2010, and June 30, 2020. No taxpayer who has claimed a tax credit for an investment in a "qualified business" under § 58.1-339.4 shall be eligible for the subtraction under this subdivision for an investment in the same business.

25. a. Income, including investment services partnership interest income (otherwise known as investment partnership carried interest income), attributable to an investment in a Virginia venture capital account. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2018, but before December 31, 2023. No subtraction shall be allowed under this subdivision for an investment in a company that is owned or operated by an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision C 24 for the same investment.

b. As used in this subdivision 25:

"Qualified portfolio company" means a company that (i) has its principal place of business in the Commonwealth; (ii) has a primary purpose of production, sale, research, or development of a product or service other than the management or investment of capital; and (iii) provides equity in the company to the Virginia venture capital account in exchange for a capital investment. "Qualified portfolio company" does not include a company that is an individual or sole proprietorship.

"Virginia venture capital account" means an investment fund that has been certified by the Department as a Virginia venture capital account. In order to be certified as a Virginia venture capital account, the operator of the investment fund shall register the investment fund with the Department prior to December 31, 2023, (i) indicating that it intends to invest at least 50 percent of the capital committed to its fund in qualified portfolio companies and (ii) providing documentation that it employs at least one investor who has at least four years of professional experience in venture capital investment or substantially equivalent experience. "Substantially equivalent experience" includes, but is not limited to, an undergraduate degree from an accredited college or university in economics, finance, or a similar field of study. The Department may require an investment fund to provide documentation of the investor's training, education, or experience as deemed necessary by the Department to determine substantial equivalency. If the Department determines that the investment fund employs at least one investor with the experience set forth herein, the Department shall certify the investment fund as a Virginia venture capital account at such time as the investment fund actually invests at least 50 percent of the capital committed to its fund in qualified portfolio companies.

26. a. Income attributable to an investment in a Virginia real estate investment trust. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2019, but before December 31, 2024. No subtraction shall be allowed for an investment in a trust that is managed by an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision C 24 or 25 for the same investment.

b. As used in this subdivision 26:

"Distressed" means satisfying the criteria applicable to a locality described in subdivision E 2 of § 2.2-115.

"Double distressed" means satisfying the criteria applicable to a locality described in subdivision E 3 of § 2.2-115.

"Virginia real estate investment trust" means a real estate investment trust, as defined in 26 U.S.C. § 856, that has been certified by the Department as a Virginia real estate investment trust. In order to be certified as a Virginia real estate investment trust, the trustee shall register the trust with the Department prior to December 31, 2024, indicating that it intends to invest at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed. If the Department determines that the trust satisfies the preceding criteria, the Department shall certify the trust as a Virginia real estate investment trust at such time as the trust actually invests at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed.

27. For taxable years beginning on and after January 1, 2019, any gain recognized from the taking of real property by condemnation proceedings.

28. For taxable years beginning before January 1, 2021, up to $100,000 of all grant funds received by the taxpayer under the Rebuild Virginia program established by the Governor and administered by the Department of Small Business and Supplier Diversity.

D. For taxable years beginning on and after January 1, 2006, there shall be subtracted from federal taxable income contract payments to a producer of quota tobacco or a tobacco quota holder as provided under the American Jobs Creation Act of 2004 (P.L. 108-357) as follows:

1. If the payment is received in installment payments, then the recognized gain, including any gain recognized in taxable year 2005, may be subtracted in the taxable year immediately following the year in which the installment payment is received.

2. If the payment is received in a single payment, then 10 percent of the recognized gain may be subtracted in the taxable year immediately following the year in which the single payment is received. The taxpayer may then deduct an equal amount in each of the nine succeeding taxable years.

E. Adjustments to federal taxable income shall be made to reflect the transitional modifications provided in § 58.1-315.

F. Notwithstanding any other provision of law, the income from any disposition of real property which is held by the taxpayer for sale to customers in the ordinary course of the taxpayer's trade or business, as defined in § 453(l)(1)(B) of the Internal Revenue Code, of property made on or after January 1, 2009, may, at the election of the taxpayer, be recognized under the installment method described under § 453 of the Internal Revenue Code, provided that (i) the election relating to the dealer disposition of the property has been made on or before the due date prescribed by law (including extensions) for filing the taxpayer's return of the tax imposed under this chapter for the taxable year in which the disposition occurs, and (ii) the dealer disposition is in accordance with restrictions or conditions established by the Department, which shall be set forth in guidelines developed by the Department. Along with such restrictions or conditions, the guidelines shall also address the recapture of such income under certain circumstances. The development of the guidelines shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq.).

G. There shall be deducted to the extent included in and not otherwise subtracted from federal taxable income a percentage of the business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code in the amount of:

1. 20 percent for taxable years beginning on and after January 1, 2018, but before January 1, 2022;

2. 30 percent for taxable years beginning on and after January 1, 2022, but before January 1, 2024; and

3. 50 percent for taxable years beginning on and after January 1, 2024.

For purposes of subsection G, "business interest" means the same as that term is defined under § 163(j) of the Internal Revenue Code.

H. For taxable years beginning before January 1, 2021, there shall be deducted to the extent not otherwise subtracted from federal taxable income up to $100,000 of the amount that is not deductible when computing federal taxable income solely on account of the portion of subdivision B 10 of § 58.1-301 related to Paycheck Protection Program loans.

I. For taxable years beginning on and after January 1, 2026, there shall be deducted the amount paid or cost incurred for installing a qualifying upgrade required to interconnect a triggering project. No deduction shall be allowed under this section for a taxpayer who has claimed a deduction under subdivision 19 of § 58.1-322.03 for the same amount paid or cost incurred to install such qualifying upgrade.

For purposes of this subsection, "qualifying upgrade" and "triggering project" have the same meanings as provided for those terms in § 56-596.5.

2. That the State Corporation Commission (the Commission) shall finalize the regulations establishing the distribution cost sharing program (the program) pursuant to § 56-596.5 of the Code of Virginia, as created by this act, by no later than July 1, 2026. The Commission shall require each utility to file any tariffs, agreements, or forms necessary for the implementation of the program by December 1, 2026.

3. That the State Corporation Commission shall submit a report on the implementation of the distribution cost sharing program established pursuant to § 56-596.5 of the Code of Virginia, as created by this act, to the Chairs of the House Committee on Labor and Commerce and the Senate Committee on Commerce and Labor by no later than November 1, 2028.

CHAPTER 616

An Act to amend and reenact § 63.2-1709 of the Code of Virginia, relating to Department of Social Services; assisted living facilities; appointment of receiver; emergency.

[S 1153]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 63.2-1709 of the Code of Virginia is amended and reenacted as follows:

§ 63.2-1709. Enforcement and sanctions; assisted living facilities and adult day centers; interim administration; receivership, revocation, denial, summary suspension.

A. Upon receipt and verification by the Commissioner of information from any source indicating an imminent and substantial risk of harm to residents, the Commissioner may require an assisted living facility to contract with an individual licensed by the Board of Long-Term Care Administrators, to be ~~either~~ ~~selected~~ ~~from~~ ~~a~~ ~~list~~ ~~created~~ ~~and~~ ~~maintained~~ ~~by~~ ~~the~~ ~~Department~~ ~~of~~ ~~Medical~~ ~~Assistance~~ ~~Services~~ ~~or~~ selected from a pool of appropriately licensed administrators recommended by the owner of the assisted living facility, to administer, manage, or operate the assisted living facility on an interim basis, and to attempt to bring the facility into compliance with all relevant requirements of law, regulation, or any plan of correction approved by the Commissioner. Such contract shall require the interim administrator to comply with any and all

requirements established by the Department to ensure the health, safety, and welfare of the residents. Prior to or upon conclusion of the period of interim administration, management, or operation, an inspection shall be conducted to determine whether operation of the assisted living facility shall be permitted to continue or should cease. Such interim administration, management, or operation shall not be permitted when defects in the conditions of the premises of the assisted living facility (i) present immediate and substantial risks to the health, safety, and welfare of residents, and (ii) may not be corrected within a reasonable period of time. Any decision by the Commissioner to require the employment of a person to administer, manage, or operate an assisted living facility shall be subject to the rights of judicial review and appeal as provided in the Administrative Process Act (§ 2.2-4000 et seq.). Actual and reasonable costs of such interim administration shall be the responsibility of and shall be borne by the owner of the assisted living facility.

B. The Board shall adopt regulations for the Commissioner to use in determining when the imposition of administrative sanctions or initiation of court proceedings, severally or jointly, is appropriate in order to ensure prompt correction of violations in assisted living facilities and adult day centers involving noncompliance with state law or regulation as discovered through any inspection or investigation conducted by the Departments of Social Services, Health, or Behavioral Health and Developmental Services. The Commissioner may impose such sanctions or take such actions as are appropriate for violation of any of the provisions of this subtitle or any regulation adopted under any provision of this subtitle that adversely affects the health, safety or welfare of an assisted living facility resident or an adult day center participant. Such sanctions or actions may include (i) petitioning the court to appoint a receiver for any *(a)* assisted living facility *pursuant to subsection E* or *(b)* adult day center and (ii) revoking or denying renewal of the license for the assisted living facility or adult day center for violation of any of the provisions of this subtitle, § 54.1-3408 or any regulation adopted under this subtitle that violation adversely affects, or is an immediate and substantial threat to, the health, safety or welfare of the person cared for therein, or for permitting, aiding or abetting the commission of any illegal act in an assisted living facility or adult day center.

C. The Commissioner may issue a notice of summary suspension of the license to operate the assisted living facility pursuant to (i) for assisted living facilities operated by agencies of the Commonwealth, the procedures set forth in § 63.2-1710.1 or (ii) for all other assisted living facilities, the procedures hereinafter set forth in conjunction with any proceeding for revocation, denial, or other action when conditions or practices exist that pose an immediate and substantial threat to the health, safety, and welfare of the residents. The notice of summary suspension shall set forth (a) the summary suspension procedures, (b) hearing and appeal rights as provided under this subsection, (c) facts and evidence that formed the basis for which the summary suspension is sought, and (d) the time, date, and location of the hearing to determine whether the suspension is appropriate. Such notice shall be served on the assisted living facility or its designee as soon as practicable thereafter by personal service or certified mail, return receipt requested, to the address of record of the assisted living facility.

The summary suspension hearing shall be presided over by a hearing officer selected by the Commissioner from a list prepared by the Executive Secretary of the Supreme Court of Virginia and shall be held as soon as practicable, but in no event later than 15 business days following service of the notice of hearing; however, the hearing officer may grant a written request for a continuance, not to exceed an additional 10 business days, for good cause shown. Within 10 business days after such hearing, the hearing officer shall provide to the Commissioner written findings and conclusions, together with a recommendation as to whether the license should be summarily suspended.

Within 10 business days of the receipt of the hearing officer's findings, conclusions, and recommendation, the Commissioner may issue a final order of summary suspension or an order that such summary suspension is not warranted by the facts and circumstances presented. The Commissioner shall adopt the hearing officer's recommended decision unless to do so would be an error of law or Department policy. In the event that the Commissioner rejects a hearing officer's findings, conclusions, or recommended decision, the Commissioner shall state with particularity the basis for rejection. In issuing a final order of summary suspension, the Commissioner may suspend the license of the assisted living facility or suspend only certain authority of the assisted living facility to provide certain services or perform certain functions that the Commissioner determines should be restricted or modified in order to protect the health, safety, and welfare of the residents receiving care. A final order of summary suspension shall include notice that the assisted living facility may appeal the Commissioner's decision to the appropriate circuit court no later than 10 days following service of the order. A copy of any final order of summary suspension shall be prominently displayed by the provider at each public entrance of the facility, or in lieu thereof, the provider may display a written statement summarizing the terms of the order in a prominent location, printed in a clear and legible size and typeface, and identifying the location within the facility where the final order of summary suspension may be reviewed.

Upon appeal, the sole issue before the court shall be whether the Department had reasonable grounds to require the assisted living facility to cease operations during the pendency of the concurrent revocation, denial, or other proceeding. Any concurrent revocation, denial, or other proceeding shall not be affected by the outcome of any hearing on the appropriateness of the summary suspension. The willful and material failure to comply with the final order of summary suspension shall constitute an offense under subdivision 3 of § 63.2-1712. At the request of the Commissioner, all agencies and subdivisions of the Commonwealth shall cooperate with the Commissioner in the relocation of residents of an assisted living facility whose license has been summarily suspended pursuant to this section and in any other actions necessary to reduce the risk of further harm to residents.

D. Notice of the Commissioner's intent to revoke or deny renewal of the license for an assisted living facility or to summarily suspend the license of an assisted living facility shall be provided by the Department and a copy of such notice shall be posted in a prominent place at each public entrance of the licensed premises to advise consumers of serious or persistent violations. In determining whether to deny, revoke, or summarily suspend a license, the Commissioner may choose to deny, revoke, or summarily suspend only certain authority of the assisted living facility to operate and may restrict or modify the assisted living facility's authority to provide certain services or perform certain functions that the Commissioner determines should be restricted or modified in order to protect the health, safety, or welfare of the residents. Such proposed denial, revocation, or summary suspension of certain services or functions may be appealed (i) if the assisted living facility is operated by an agency of the Commonwealth in accordance with the provisions of § 63.2-1710.2 and (ii) for all other assisted living facilities as otherwise provided in this subtitle for any denial, revocation, or summary suspension.

E. In addition to the enforcements, sanctions, and civil penalties provided in this section, the Commissioner may petition the circuit court for the jurisdiction in which any assisted living facility, as defined in § 63.2-100, is located for the appointment of a receiver in accordance with the provisions of this section whenever (i) such assisted living facility shall (a) receive official notice from the Commissioner that its license has been or will be denied, revoked, or suspended or (b) operate at any time under conditions that present a major and continuing threat to the health, safety, security, rights, or welfare of the residents, including the threat of imminent abandonment by the owner or operator or a pattern of failure to meet ongoing financial obligations such as the inability to pay for essential food, pharmaceuticals, personnel, or required insurance, and (ii) the assisted living facility is unable to make adequate and timely arrangements for all residents to relocate in order to ensure their continued health, safety, and welfare.

Upon the filing of a petition for appointment of a receiver, the court shall hold a hearing within 10 days, at which time the Department and the owner or operator of the facility may participate and present evidence. The court may grant the petition if it finds any one of the conditions identified in clause (i) to exist in combination with the condition identified in clause (ii) and the court further finds that such conditions will not be remedied and that the residents will not be protected unless the petition is granted.

No receivership established under this subsection shall continue in effect for more than 180 days without further order of the court, nor shall the receivership continue in effect following the revocation or denial of the assisted living facility's license, except to enforce any post-termination duties of the assisted living facility as required by the law.

The appointed receiver shall be a person licensed as an assisted living facility administrator in the Commonwealth pursuant to Title 54.1 or, if not so licensed, shall employ and supervise a person so licensed to administer the day-to-day business of the assisted living facility.

The appointed receiver shall have (a) such powers and duties to manage the assisted living facility as the court may grant and direct, including to accomplish the orderly relocation of all residents and the right to refuse to admit new residents during the receivership; (b) the power to receive, conserve, protect, and disburse funds on behalf of the owner or operator of the assisted living facility; (c) the power to execute and avoid executory contracts; (d) the power to hire and discharge employees; and (e) the power to do all other acts, including the filing of such reports as the court may direct, subject to accounting to the court therefor and otherwise consistent with state and federal laws, necessary to protect the residents from the threat or threats set forth in the original petitions, as well as such other threats arising thereafter or out of the same conditions.

The court may grant injunctive relief as it deems appropriate to the Department or to the appointed receiver either in conjunction with or subsequent to the granting of a petition for appointment of a receiver under this subsection.

The court may terminate the receivership on the motion of the Department, the receiver, or the owner or operator, upon finding, after a hearing, that either (1) the conditions described in the petition have been substantially eliminated or remedied or (2) all residents in the assisted living facility have been relocated. Within 30 days after such termination, the receiver shall file a complete report of his activities with the court, including an accounting for all property of which he has taken possession and all funds collected.

All costs of administration of a receivership hereunder shall be paid by the receiver out of resident fees. The court, after terminating such receivership, shall enter appropriate orders to ensure such payments upon its approval of the receiver's reports.

A receiver appointed under this subsection shall be an officer of the court, shall not be liable for conditions at the assisted living facility that existed or originated prior to his appointment, and shall not be personally liable, except for his own gross negligence and intentional acts that result in injuries to persons or damage to property at the assisted living facility during his receivership.

The provisions of this subsection shall not be construed to relieve any owner, operator, or other party of any duty imposed by law or of any civil or criminal liability incurred by reason of any act or omission of such owner, operator, or other party.

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

CHAPTER 617

An Act to amend and reenact §§ 8.01-187, 15.2-1906, 25.1-204, 25.1-234, 25.1-244, 25.1-245.1, 25.1-307, 25.1-309, 25.1-313, 25.1-315, 25.1-318, 33.2-1020, 33.2-1022, 33.2-1023, 33.2-1025, 33.2-1026, and 33.2-1029.1 of the Code of Virginia and to repeal § 25.1-205.1 of the Code of Virginia, relating to eminent domain; condemnation proceedings.

[S 1158]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-187, 15.2-1906, 25.1-204, 25.1-234, 25.1-244, 25.1-245.1, 25.1-307, 25.1-309, 25.1-313, 25.1-315, 25.1-318, 33.2-1020, 33.2-1022, 33.2-1023, 33.2-1025, 33.2-1026, and 33.2-1029.1 of the Code of Virginia are amended and reenacted as follows:

§ 8.01-187. Commissioners, condemnation jurors, or court to determine compensation for property taken or damaged.

Whenever it is determined in a declaratory judgment proceeding that a person's property has been taken or damaged within the meaning of Article I, Section 11 of the Constitution of Virginia and compensation has not been paid or any action taken to determine the compensation within 60 days following the entry of such judgment order or decree, the court which entered the order or decree may, upon motion of such person after reasonable notice to the adverse party, enter a further order appointing commissioners ~~or~~, condemnation jurors*, or the court* to determine ~~the~~ *just* compensation. The appointment of commissioners ~~or~~, condemnation jurors*, or the court to decide the issue of just compensation* and all proceedings thereafter shall be governed by the procedure prescribed for the condemning authority. Notwithstanding the provisions of § 25.1-100, the date of valuation in actions pursuant to this section shall be the date determined by the court to be the date the property was taken or damaged.

§ 15.2-1906. Condemnation of existing water or sewage disposal systems.

Condemnation of existing water or sewage disposal systems shall be governed by the provisions of Chapter 19.1 (§ 15.2-1908 et seq.) of this title so far as applicable. The provisions of § 25.1-102 shall not apply in the case of condemnation of an existing water or sewage disposal system in its entirety. The circuit court for the city or county wherein the property proposed to be condemned, or any part thereof, is located, shall have jurisdiction of the condemnation proceedings. It shall not be necessary to file with the petition for the condemnation of an existing water or sewage system, in its entirety, a minute inventory and description of the property sought to be condemned, provided the property is described therein generally and with reasonable particularity and in such manner as to disclose the intention of the petitioner that such existing water or sewage system be condemned in its entirety. The court having jurisdiction of the condemnation proceedings shall, as the occasion arises and prior to the filing of the report of the ~~commissioners~~ ~~appointed~~ ~~to determine~~ ~~a~~ *body determining* just compensation for the property sought to be condemned in its entirety, take such steps as may be necessary and proper to cause to be included in an inventory of the property sought to be condemned full descriptions of any and all such property whenever the exigencies of the case or the ends of justice will be promoted thereby. Such inventory shall be made a part of the record in the proceedings and referred to the ~~commissioners~~ *body determining just compensation*.

§ 25.1-204. Effort to purchase required; prerequisite to effort to purchase or filing certificate.

A. A condemnor shall not institute proceedings to condemn property until a bona fide but ineffectual effort to purchase from the owner the property sought to be condemned has been made. However, such effort shall not be required if the consent cannot be obtained because one or more of the owners (i) is a person under a disability or is otherwise unable to convey legal title to such property, (ii) is unknown, or (iii) cannot with reasonable diligence be found within this Commonwealth.

B. Such bona fide effort shall include delivery of, or attempt to deliver, a written offer to acquire accompanied by a written statement to the owner that explains the factual basis for the condemnor's offer. The written statement shall include a description of the public use for which it is necessary to acquire the owner's property and shall contain a certification that the acquisition has been reviewed by the condemnor for purposes of complying with § 1-219.1. The written offer shall be made upon the state agency's letterhead and shall be signed by an authorized employee of such state agency.

C. If the condemnor obtains an appraisal of the property pursuant to the provisions of § 25.1-417, such written statement shall include a complete copy of the appraisal of the property upon which such offer is based. If the condemnor obtains more than one appraisal, such written statement shall include a copy of all appraisals obtained prior to making an offer to acquire or initiating negotiations for the real property.

D. Notwithstanding any provision of law to the contrary, a condemnor, prior to making an offer to acquire a ~~fee simple~~ *permanent* interest in property by purchase or filing a certificate of take or certificate of deposit pursuant to Chapter 3 (§ 25.1-300 et seq.) or § 33.2-1019, shall (i) conduct or cause to be conducted an examination of title to the property in order to ascertain the identity of each owner of such property and to determine the nature and extent of such owner's interests in the property, which examination of title shall be for at least 60 years *and shall be documented in a report showing all matters that affect the current ownership, existing liens, encumbrances, and other matters affecting title as of the date of the title report*; (ii) provide to such owner or owners a copy of the *title* report ~~showing~~ ~~the~~ ~~examination~~ ~~of title~~; and (iii) provide to such owner or owners a copy of all recorded instruments ~~within~~ ~~the~~ ~~60-year title~~ ~~history~~ ~~of such~~ ~~property, including~~ ~~all deeds~~ ~~of trust, releases, liens, deeds, or other~~ ~~instruments~~ identified in the *title* report.

E. A state agency's acquisition of real property in connection with any programs or projects pursuant to this title or Title 33.2 shall be conducted in accordance with the following provisions:

1. Before making an offer to acquire or initiating any related negotiations for real property, the state agency shall establish an amount which it believes to be just compensation therefor and shall make a prompt offer to acquire the property for the full amount so established. In no event shall such amount be less than the state agency's approved appraisal of the fair market value of such property, if such an appraisal is required, or the current assessed value of such property for real estate tax purposes, unless the property has physically changed in a material and substantial way since the current assessment date such that the real estate tax assessment no longer represents a fair valuation of the property, when the entire parcel for which the assessment is made is to be acquired, whichever is greater. Any decrease or increase in the fair market value of real property prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner, shall be disregarded in determining the compensation for the property. The state agency concerned shall provide the owner of real property to be acquired with a written statement of, and summary of the basis for, the amount it established as just compensation, and, if an appraisal is required or obtained, such written statement and summary shall include a complete copy of all appraisals of the real property to be acquired that the state agency obtained prior to making an offer to acquire or initiating negotiations for the real property. The state agency shall provide its written statement of the amount it established as just compensation on its letterhead, which shall be signed by an authorized employee of such state agency. Where appropriate, the just compensation for the real property acquired and for damages to remaining real property shall be separately stated.

2. No owner shall be required to surrender possession of real property before the state agency pays the agreed purchase price, or deposits with the state court in accordance with applicable law, for the benefit of the owner, (i) an amount not less than the state agency's approved appraisal of the fair market value of such property, if such an appraisal is required, or the current assessed value of such property for real estate tax purposes, unless the property has physically changed in a material and substantial way since the current assessment date such that the real estate tax assessment no longer represents a fair valuation of the property, when the entire parcel for which the assessment is made is to be acquired, whichever is greater, or (ii) the amount of the award of compensation in the condemnation proceeding for such property.

F. Nothing in this section shall make evidence of tax assessments admissible as proof of value in an eminent domain proceeding.

§ 25.1-234. Participation by certain tenants in proceedings to determine just compensation.

A. Any tenant under a lease with a term of 12 months or longer may participate in the proceedings to determine just compensation to the same extent as his landlord or the owner, if, not less than 10 days prior to the date for the trial of the issue of just compensation, such tenant shall file his petition for intervention, in the manner provided in § ~~25.1-221~~ *25.1-218*. Such petition for intervention shall include (i) a verified copy of the lease under which he is in possession and (ii) an affidavit by the tenant or his duly authorized agent or attorney, stating:

1. That he claims an interest in the award; and

2. That he desires to offer admissible evidence concerning the value of the property being taken or damaged.

B. For the purposes of this section, the term of a tenant's lease shall include any renewals or extensions for which the tenant has an enforceable written option. The term "tenant" shall include the assignee of the original tenant, as well as any sublessee of the entire demised premises of the owner for the full unexpired term of the sublessor.

C. Nothing in this section shall be construed, however, as authorizing such tenant to offer any evidence in the proceedings to determine just compensation concerning the value of his leasehold interest in the property involved therein or as authorizing the body determining just compensation to make any such determination in formulating its report.

D. As used in this section, "proceedings to determine just compensation" means proceedings described in §§ 25.1-231, 25.1-232, and 25.1-233.

§ 25.1-244. Interest on award; entry of judgment for award and interest.

A. If the petitioner has exercised pendente lite the right to enter into and take possession of the land or other property, in the manner provided by this chapter, upon the payment into court of the sum ascertained in the report of just compensation as provided in § 25.1-238, the owner thereof shall receive interest upon the difference between (i) the amount of just compensation as finally determined and awarded to such owner and (ii) the amount, if any, that such owner received or was entitled to receive from the fund so paid into court. Such interest shall be paid for the period from the time of such entry by the petitioner until the time the fund paid into court on account of the final award of just compensation to such owner is available for distribution. Interest accruing prior to July 1, 1970, shall be paid at the rate of five percent annually; interest accruing thereafter and prior to July 1, 1981, shall be paid at the rate of six percent annually; interest accruing thereafter and prior to July 1, 2003, shall be paid at the rate of eight percent annually; and interest accruing thereafter shall be paid at not less than the judgment rate of interest as set forth in § 8.01-382*, compounded daily*. No interest shall be payable upon any amount that was withheld from such owner on account of questions involving his right, title, interest or estate in the land or other property taken or damaged.

B. If the petitioner has exercised the right pendente lite to enter into and take possession of the land or other property to be taken or damaged as provided in § 25.1-224, the owner thereof shall receive, in addition to the amount that he is entitled to receive under subsection A, interest at ~~the general accounts' primary liquidity portfolio~~ *not less than the judgment* rate ~~annually~~ *of interest as set forth in § 8.01-382, compounded daily* upon the difference between (i) the amount of the award of

just compensation as finally determined and (ii) the amount previously paid into court as required under § 25.1-224. Such interest shall be paid for the period from the time of such entry until payment into court of the sum ascertained in the report of just compensation as provided in § 25.1-237.

C. No interest shall be allowed during the time any distribution of the fund paid into court was delayed in the trial court or upon appeal, or thereafter, occasioned by any exceptions made by such owner that are not sustained in whole or in part.

D. If the petitioner fails to pay into court any sum necessary for paying the total award that has been confirmed finally or the interest to which the owner is entitled under this section for a period of 30 days after the time for noting an appeal, the court shall enter judgment therefor against the petitioner, unless the proceedings have been dismissed in accordance with the provisions of Article 8 (§ 25.1-248 et seq.) of this chapter.

E. Interest allowable under the provisions of this section shall be reduced to the extent the fund has accrued interest during the pendency of the suit in the account required by § 25.1-224.

§ 25.1-245.1. Costs.

A. Except as otherwise provided in this chapter, all costs of the proceeding in the trial court that are fixed by statute shall be taxed against the condemnor.

B. The court shall order the condemnor to pay to the owner reasonable costs and fees, not to exceed $7,500, unless the court approves a higher amount, for a survey for the owner.

C. If an owner whose property is taken by condemnation under this title or under Title 33.2 is awarded at trial, as compensation for the taking of or damage to his real property, an amount that is 25 percent or more greater than the amount of the condemnor's initial written offer made pursuant to § 25.1-204, the court may order the condemnor to pay to the owner those (i) reasonable costs, other than attorney fees, and (ii) reasonable fees and travel costs, including reasonable appraisal and engineering fees incurred by the owner, for up to three experts or as many experts as are called by the condemnor, whichever is greater, who testified at trial.

D. All costs on appeal shall be assessed and assessable in the manner provided by law and the Rules of Court as in other civil cases.

E. The requirements of this section shall not apply to those condemnation actions initiated by a public service company, public service corporation, railroad pursuant to the delegation of the power of eminent domain granted in Title 56, or government utility corporation~~,~~ as defined by § 1-219.1~~, involving easements adjudged at~~ *in which no property is taken in fee simple and just compensation is determined to be* less than $10,000.

F. This section is to be liberally construed to effect its purpose of ensuring that owners receive the full measure of just compensation to which they are constitutionally entitled, without that amount being reduced by the costs of asserting their constitutional right to just compensation.

§ 25.1-307. Content of certificates; recordation of certificates.

A. A certificate shall set forth the description of the property *and rights* being taken or damaged, and the owner or owners, if known, of such property. *A certificate through which easement rights are acquired shall describe the rights and purposes for which the easement is being acquired.*

B. The certificate shall include a plat, drawing, or plan, in sufficient detail to disclose fairly the nature of such work or improvements, including specifications, elevations, and grade changes, if any, so as to enable the owner of such property to be reasonably informed of the nature, extent, and effect of such taking. The certificate shall specify the size of the fee or easement area being taken and, if multiple overlapping easements are taken, the sizes of the overlapping and non-overlapping areas. The certificate shall also state the public use project for which the property is being taken.

C. If a temporary construction easement is being acquired, the certificate shall set forth the calendar date on which it shall expire if that date is known to the condemnor. If the condemnor certifies that such date is not known, at such time the condemnor ascertains the date, the condemnor shall file certification of the information as provided by subsection ~~B~~ *D* and shall simultaneously provide the landowner or the landowner's counsel, if any, a copy of such certification.

~~B.~~ *D.* The authorized condemnor shall record a certificate of take or a certificate of deposit in the clerk's office of the court where deeds are recorded. The clerk shall record the certificate in the deed book and index it in the names of both (i) the person or persons who owned the land before the recordation of the certificate and (ii) the authorized condemnor.

§ 25.1-309. Property situated in two or more localities.

If the property affected by the certificate is situated in two or more localities, the clerk of the court wherein the certificate is recorded shall certify a copy of such certificate to the clerk of the court of the locality in which any portion of the property lies. The clerk shall record the same in the deed book and index it in the manner prescribed in subsection ~~B~~ *D* of § 25.1-307.

§ 25.1-313. Institution of condemnation proceedings.

The authorized condemnor shall institute condemnation proceedings with respect to property described in a certificate within ~~180~~ *100* days of the recordation of the certificate if (i) the authorized condemnor and the owner or owners of property taken or damaged by the authorized condemnor are unable to agree as to the compensation, if any, attributable to such taking or damage or (ii) such agreement cannot be obtained because the owners or one or more of them are under a disability, are unknown, or cannot with reasonable diligence be found within the Commonwealth. However, this section shall not require the institution of condemnation proceedings if they have been instituted prior to the recordation of such certificate. *The authorized condemnor and the property owner may mutually agree to delay the institution of condemnation proceedings by written agreement between the parties or counsel for the parties.*

§ 25.1-315. Awards in greater amounts than deposit; interest.

A. If the amount of an award in a condemnation proceeding is greater than that deposited with the court or represented by a certificate of deposit, the excess amount, together with interest accrued on such excess amount, shall be paid into court for the person or persons entitled thereto. The clerk shall deposit such funds to the credit of the court in an account of a type that bears interest.

B. Interest*, compounded daily,* shall accrue on the excess amount at not less than the judgment rate of interest as set forth in § 8.01-382, computed from the date of such deposit to the date of payment into court and be paid into court for the person or persons entitled thereto. However, any interest that accrued before July 1, 1970, shall be paid at the rate of five percent, and interest accruing thereafter and prior to July 1, 1981, shall be paid at the rate of six percent, and any interest accruing thereafter and prior to July 1, 1994, shall be paid at the rate of eight percent.

§ 25.1-318. Petition by owner for determination of just compensation.

A. The owner of property that an authorized condemnor has entered and taken possession of, or taken defeasible title of, pursuant to the provisions of this chapter may petition the circuit court of the locality in which the greater portion of the property lies for the appointment of commissioners or the empanelment of a jury to determine just compensation for the property taken and damages done, if any, to such property, as provided in Chapter 2 (§ 25.1-200 et seq.) if (i) the owner and the authorized condemnor have not reached an agreement as to compensation and damages, if any, and (ii) the authorized condemnor:

1. Has not completed the construction of the contemplated improvements upon the property after a reasonable time for such construction has elapsed; or

2. Has not instituted condemnation proceedings within:

a. Sixty days after completion of the construction of the contemplated improvements upon the property;

b. One hundred ~~eighty~~ days after the authorized condemnor has entered upon and taken possession of the property, regardless of whether the construction of the contemplated improvements has been completed; or

c. One hundred ~~eighty~~ days after the recordation of a certificate.

B. A copy of such petition shall be served upon the authorized condemnor at least 10 days before it is filed in the court. The authorized condemnor shall file an answer thereto within five days after the filing of the petition. If the court finds that the conditions prerequisite for such appointment as provided in subsection A are satisfied, the court shall appoint commissioners or empanel a jury, as requested in the owner's petition, to ascertain the amount of compensation to be paid for the property taken and damages done, if any. The proceedings shall thereafter be governed by the procedure prescribed by Chapter 2 (§ 25.1-200 et seq.) insofar as the same may be applicable, except that the owner shall have the burden of proceeding with the evidence as to just compensation. The authorized condemnor shall reimburse the owner for his fees and costs ~~charged by a lienholder~~, including filing fees and attorney fees, incurred in filing the owner's petition.

§ 33.2-1020. Payment of certificates of deposit; recordation of certain certificates; notice to owner.

A. A certificate of deposit shall be deemed and held for the purpose of this article to be payment into the custody of such court. Payment against any certificate of deposit so issued and countersigned, when ordered by the court named therein, shall be paid by the State Treasurer on warrants of the Comptroller, issued on vouchers signed by the Commissioner of Highways.

B. A duplicate of each certificate of deposit so issued and countersigned shall be kept as a record in the office of the Commissioner of Highways and a copy thereof shall be filed with the State Treasurer.

C. The Commissioner of Highways shall ~~give notice~~, between 30 and 45 days prior to the date on which any certificate will be filed or recorded pursuant to this chapter, *give notice* to the owner or tenant, if known, of the freehold by certified or registered mail that such certificate will be filed or recorded *with respect to such person's property. Such notice shall contain the following language, as appropriate:*

1. "Within 30 to 45 days of the date of this notice, a certificate of take shall be recorded in the land records of the circuit court"; or

2. "Within 30 to 45 days of the date of this notice, a certificate of deposit shall be recorded in the land records of the circuit court."

Such notice shall also state that upon recordation of the certificate, the defeasible title to the property shall transfer to the Commissioner of Highways and that the owner has the right to petition the court for distribution of the funds represented by the certificate, subject to any preexisting liens or other encumbrances upon the property. Additionally, within four business days of the filing or recording of a certificate, the Commissioner of Highways shall give notice of such filing or recording to the owner or tenant, if known, of the freehold by providing a copy of such certificate by certified or registered mail.

§ 33.2-1022. Certificates to describe land and list owner.

A. The certificate shall set forth the description of the land or interest therein being taken or damaged and, if known, the owner *of such property. A certificate through which easement rights are acquired shall describe the rights and purposes for which the easement is being acquired.*

B. The certificate shall include a plat, drawing, or plan, in sufficient detail to disclose fairly the nature of such work or improvements, including specifications, elevations, and grade changes, if any, so as to enable the owner of such property to be reasonably informed of the nature, extent, and effect of such taking. The certificate shall specify the size of the fee or

easement area being taken and, if multiple overlapping easements are taken, the sizes of the overlapping and non-overlapping areas. The certificate shall also state the public use project for which the property is being taken.

C. If a temporary construction easement is being acquired, the certificate shall set forth the calendar date on which it shall expire, if such date is known ~~or can be reasonably estimated, or, if certified~~ *to the Commissioner of Highways. If the Commissioner of Highways certifies* that such date is not known, at such time the date is ascertained, the Commissioner of Highways shall file certification of the information as provided by subsection ~~B~~ *D* of § 25.1-307 and shall simultaneously provide the landowner or the landowner's counsel, if any, a copy of such certification.

D. The Commissioner of Highways shall record a certificate of take or a certificate of deposit in the clerk's office of the court where deeds are recorded. The clerk shall record such certificate in the deed book and index it in the names of both (i) the person who owned the land before the recordation of the certificate and (ii) the Commissioner of Highways.

§ 33.2-1023. Proceedings for distribution of funds; effect of acceptance of payments; evidence as to amount of deposit or certificate.

A. Any person or persons shown by a certificate to be entitled thereto may petition the court for the distribution of all or any part of the funds deposited with the court pursuant to subdivision A 1 of § 33.2-1019 or represented by a certificate of deposit filed pursuant to subdivision A 2 of § 33.2-1019. Any costs of filing such petition or otherwise withdrawing the funds shall be taxed against the Commissioner of Highways.

B. A copy of such petition shall be served on the Commissioner of Highways, his deputy, or any attorney authorized to accept service with a notice, returnable to the court or judge not less than 21 days after such service, to show cause, if any, why such amount should not be distributed in accordance with the prayers of the petition.

C. If the Commissioner of Highways does not, on or before the return day of the petition, show such cause, and if the record in the proceeding does not disclose any denial or dispute with respect thereto, the court shall enter an order directing the distribution of such amount in accordance with the prayers of the petition. However, in the case of a nonresident petitioner the court may require a bond before ordering the distribution.

D. If funds have been deposited with the court pursuant to subdivision A 1 of § 33.2-1019, any interest that has accrued on the funds shall be payable to the person or persons entitled to receive such funds.

E. If funds are not then on deposit with the court but are represented by a certificate of deposit filed pursuant to subdivision A 2 of § 33.2-1019, a certified copy of such order shall forthwith be sent to the Commissioner of Highways by the clerk. It shall be the duty of the Commissioner of Highways to deposit such funds with the court within 21 days of the date of such order.

F. Interest*, compounded daily,* shall be payable on funds represented by a certificate of deposit from the date of filing of the certificate of deposit until the funds are paid into court at no less than the judgment rate of interest as set forth in § 8.01-382. However, interest shall not accrue if an injunction is filed against the Department that enjoins the taking of the property described in the certificate.

G. If the Commissioner of Highways shows such cause, or if the record in the proceeding discloses any denial or dispute as to the persons entitled to such distribution or to any interest or share therein, the court shall direct such proceedings as are provided by § 25.1-240 for the distribution of awards.

H. However, the acceptance of such payment shall not limit the amount to be allowed by a commissioner in a condemnation proceeding, nor limit the rights of any party or parties to the proceeding to appeal from any decision therein; nor shall any party to such proceeding be entitled to introduce evidence of any amount deposited with the court or represented by a certificate, nor of any amount that has been accepted by any party entitled thereto pursuant to this section.

I. All funds due and owing pursuant to this section shall be payable promptly to the owner or, if the owner consents, to the owner's attorney. Nothing in this section shall be construed to alter the priority of liens or any obligation to satisfy or release any outstanding liens on the property or the funds.

§ 33.2-1025. When condemnation proceedings instituted; payment of compensation or damages; order confirming award; recording.

Within ~~180~~ *100* days after the recordation of such certificate, if the Commissioner of Highways and the owner of such lands or interest therein taken or damaged by the Commissioner of Highways are unable to agree as to the compensation or damages, if any, caused thereby, or such consent cannot be obtained due to the incapacity of the owner, or because such owner is unknown or cannot with reasonable diligence be found within the Commonwealth, the Commissioner of Highways shall institute condemnation proceedings, as provided in this article, unless said proceedings shall have been instituted prior to the recordation of such certificate. The amount of such compensation and damages, if any, awarded to the owner in such proceedings shall be paid out of the appropriations to the Department. The final order confirming the award of the Commissioner of Highways shall confirm absolute and indefeasible title to the land, or interest therein ~~sought~~, in the Commonwealth and shall be recorded in the current deed book. *The Commissioner of Highways and the property owner may mutually agree to delay the institution of condemnation proceedings by written agreement between such parties or counsel for such parties.*

§ 33.2-1026. Awards in greater or lesser amounts than deposit; interest.

A. If the amount of an award in a condemnation proceeding is greater than that deposited with the court or represented by a certificate of deposit, the excess amount, together with interest accrued on such excess amount, shall be paid into court for the person entitled thereto. The clerk shall deposit such funds to the credit of the court in an account of a type that bears interest.

B. Interest*, compounded daily,* shall accrue on the excess amount at not less than the judgment rate of interest as set forth in § 8.01-382, computed from the date of such deposit to the date of payment into court, and shall be paid into court for the person or persons entitled thereto. However, any (i) interest accruing after June 30, 1970, and prior to July 1, 1981, shall be paid at the rate of six percent; (ii) interest accruing after June 30, 1981, and prior to July 1, 1994, shall be paid at the rate of eight percent; and (iii) interest accruing after June 30, 1994, and prior to July 1, 2003, shall be paid at the general account composite rate, compiled by the Department of the Treasury for the month in which the award is rendered.

C. If the amount of an award in a condemnation proceeding is less than that deposited with the court or represented by a certificate of deposit, and the person or persons entitled thereto have received a distribution of the funds pursuant to § 33.2-1023, the Commissioner of Highways shall recover (i) the amount of such excess and (ii) interest on such excess at the rate of interest established pursuant to § 6621(a)(2) of the Internal Revenue Code of 1954, as amended. If any person has been paid a greater sum than that to which he is entitled as determined by the award, judgment shall be entered for the Commissioner of Highways against such person for the amount of such excess and interest. However, the Commissioner of Highways shall not be entitled to recover the amount of such excess and interest in the event the Commissioner of Highways acquired, by virtue of the certificate, an entire parcel of land containing a dwelling, multiple-family dwelling, or building used for commercial purposes at the time of initiation of negotiations for the acquisition of such property.

§ 33.2-1029.1. Petition by owner for determination of just compensation.

A. The owner of property that the Commissioner of Highways has entered and taken possession of, or taken defeasible title of, pursuant to the provisions of this chapter may petition the circuit court of the locality in which the greater portion of the property lies for the appointment of commissioners or the empanelment of a jury to determine just compensation for the property taken and damage done, if any, to such property, as provided in Chapter 2 (§ 25.1-200 et seq.) of Title 25.1 if (i) the owner and the Commissioner of Highways have not reached an agreement as to compensation and damages, if any, and (ii) the Commissioner of Highways:

1. Has not completed the construction of the contemplated improvements upon the property after a reasonable time for such construction has elapsed; or

2. Has not instituted condemnation proceedings within:

a. Sixty days after completion of the construction of the contemplated improvements upon the property;

b. One hundred ~~and eighty~~ days after the Commissioner of Highways has entered upon and taken possession of the property, regardless of whether the construction of the contemplated improvements has been completed; or

c. One hundred ~~and eighty~~ days after the recordation of a certificate.

B. A copy of such petition shall be served on the Commissioner of Highways at least 10 days before it is filed in the court. The Commissioner of Highways shall file an answer within five days after the filing of the petition. If the courts finds that the conditions prerequisite for such appointment as provided in subsection A are satisfied, the court shall appoint commissioners or empanel a jury, as requested in the owner's petition, to ascertain the amount of compensation to be paid for the property taken and damages done, if any. The proceedings shall thereafter be governed by the procedures prescribed in Chapter 2 (§ 25.1-200 et seq.) of Title 25.1 insofar as they may be applicable, except that the owner shall have the burden of proceeding with the evidence as to just compensation. The Commissioner of Highways shall reimburse the owner for his fees and costs ~~charged by the lienholder~~, including filing fees and attorney fees, incurred in filing the owner's petition.

2. That § 25.1-205.1 of the Code of Virginia is repealed.

3. That the provisions of this act shall apply only to the taking of or damage to the property that has occurred on or after July 1, 2025, or a condemnation proceeding that has been filed on or after July 1, 2025, as appropriate.

4. That the provisions of § 25.1-204 of the Code of Virginia, as amended by this act, shall apply only to offers made to take or damage property that are made on or after January 1, 2026.

CHAPTER 618

An Act to amend the Code of Virginia by adding a section numbered 2.2-4328.3, relating to Virginia Public Procurement Act; solar photovoltaic equipment and facilities.

[S 1165]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-4328.3 as follows:

§ 2.2-4328.3. Solar photovoltaic equipment and facilities.

No state agency, locality, or political subdivision of the Commonwealth in any request for proposal, procurement agreement, contract, ordinance, policy, permit, or accompanying document shall prohibit or otherwise exclude from use any materials contained in or products associated with solar photovoltaic equipment and facilities that are manufactured in the United States.

CHAPTER 619

An Act to amend and reenact §§ 9.1-102 and 19.2-81.3 of the Code of Virginia, relating to Department of Criminal Justice Services; curriculum on certain arrests.

[S 1194]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-102 and 19.2-81.3 of the Code of Virginia are amended and reenacted as follows:

§ 9.1-102. Powers and duties of the Board and the Department.

The Department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to:

1. Adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the administration of this chapter including the authority to require the submission of reports and information by law-enforcement officers within the Commonwealth. Any proposed regulations concerning the privacy, confidentiality, and security of criminal justice information shall be submitted for review and comment to any board, commission, or committee or other body which may be established by the General Assembly to regulate the privacy, confidentiality, and security of information collected and maintained by the Commonwealth or any political subdivision thereof;

2. Establish compulsory minimum training standards subsequent to employment as a law-enforcement officer in (i) permanent positions and (ii) temporary or probationary status and establish the time required for completion of such training. Such compulsory minimum training standards shall include crisis intervention training in accordance with clause (i) of § 9.1-188;

3. Establish minimum training standards and qualifications for certification and recertification for law-enforcement officers serving as field training officers;

4. Establish compulsory minimum curriculum requirements for in-service and advanced courses and programs for schools, whether located in or outside the Commonwealth, which are operated for the specific purpose of training law-enforcement officers;

5. Establish (i) compulsory minimum training standards for law-enforcement officers who utilize radar or an electrical or microcomputer device to measure the speed of motor vehicles as provided in § 46.2-882 and establish the time required for completion of the training and (ii) compulsory minimum qualifications for certification and recertification of instructors who provide such training;

6. [Repealed];

7. Establish compulsory minimum entry-level, in-service and advanced training standards for those persons designated to provide courthouse and courtroom security pursuant to the provisions of § 53.1-120, and to establish the time required for completion of such training;

8. Establish compulsory minimum entry-level, in-service and advanced training standards for deputy sheriffs designated to serve process pursuant to the provisions of § 8.01-293, and establish the time required for the completion of such training;

9. Establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the time required for completion of such training, for persons employed as deputy sheriffs and jail officers by local criminal justice agencies and correctional officers employed by the Department of Corrections under the provisions of Title 53.1. For correctional officers employed by the Department of Corrections, such standards shall include training on the general care of pregnant women, the impact of restraints on pregnant inmates and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant inmates, and the impact of body cavity searches on pregnant inmates;

10. Establish compulsory minimum training standards for all dispatchers employed by or in any local or state government agency, whose duties include the dispatching of law-enforcement personnel. Such training standards shall apply only to dispatchers hired on or after July 1, 1988. Such training shall include training in the identification of, communication with, and facilitation of the safe return of individuals diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and returning them to their caregivers;

11. Establish compulsory minimum training standards for all auxiliary police officers employed by or in any local or state government agency. Such training shall be graduated and based on the type of duties to be performed by the auxiliary police officers. Such training standards shall not apply to auxiliary police officers exempt pursuant to § 15.2-1731;

12. Consult and cooperate with counties, municipalities, agencies of the Commonwealth, other state and federal governmental agencies, and institutions of higher education within or outside the Commonwealth, concerning the development of police training schools and programs or courses of instruction;

13. Approve institutions, curricula and facilities, whether located in or outside the Commonwealth, for school operation for the specific purpose of training law-enforcement officers; but this shall not prevent the holding of any such school whether approved or not;

14. Establish and maintain police training programs through such agencies and institutions as the Board deems appropriate;

15. Establish compulsory minimum qualifications of certification and recertification for instructors in criminal justice training academies approved by the Department;

16. Conduct and stimulate research by public and private agencies which shall be designed to improve police administration and law enforcement;

17. Make recommendations concerning any matter within its purview pursuant to this chapter;

18. Coordinate its activities with those of any interstate system for the exchange of criminal history record information, nominate one or more of its members to serve upon the council or committee of any such system, and participate when and as deemed appropriate in any such system's activities and programs;

19. Conduct inquiries and investigations it deems appropriate to carry out its functions under this chapter and, in conducting such inquiries and investigations, may require any criminal justice agency to submit information, reports, and statistical data with respect to its policy and operation of information systems or with respect to its collection, storage, dissemination, and usage of criminal history record information and correctional status information, and such criminal justice agencies shall submit such information, reports, and data as are reasonably required;

20. Conduct audits as required by § 9.1-131;

21. Conduct a continuing study and review of questions of individual privacy and confidentiality of criminal history record information and correctional status information;

22. Advise criminal justice agencies and initiate educational programs for such agencies with respect to matters of privacy, confidentiality, and security as they pertain to criminal history record information and correctional status information;

23. Maintain a liaison with any board, commission, committee, or other body which may be established by law, executive order, or resolution to regulate the privacy and security of information collected by the Commonwealth or any political subdivision thereof;

24. Adopt regulations establishing guidelines and standards for the collection, storage, and dissemination of criminal history record information and correctional status information, and the privacy, confidentiality, and security thereof necessary to implement state and federal statutes, regulations, and court orders;

25. Operate a statewide criminal justice research center, which shall maintain an integrated criminal justice information system, produce reports, provide technical assistance to state and local criminal justice data system users, and provide analysis and interpretation of criminal justice statistical information;

26. Develop a comprehensive, statewide, long-range plan for strengthening and improving law enforcement and the administration of criminal justice throughout the Commonwealth, and periodically update that plan;

27. Cooperate with, and advise and assist, all agencies, departments, boards and institutions of the Commonwealth, and units of general local government, or combinations thereof, including planning district commissions, in planning, developing, and administering programs, projects, comprehensive plans, and other activities for improving law enforcement and the administration of criminal justice throughout the Commonwealth, including allocating and subgranting funds for these purposes;

28. Define, develop, organize, encourage, conduct, coordinate, and administer programs, projects and activities for the Commonwealth and units of general local government, or combinations thereof, in the Commonwealth, designed to strengthen and improve law enforcement and the administration of criminal justice at every level throughout the Commonwealth;

29. Review and evaluate programs, projects, and activities, and recommend, where necessary, revisions or alterations to such programs, projects, and activities for the purpose of improving law enforcement and the administration of criminal justice;

30. Coordinate the activities and projects of the state departments, agencies, and boards of the Commonwealth and of the units of general local government, or combination thereof, including planning district commissions, relating to the preparation, adoption, administration, and implementation of comprehensive plans to strengthen and improve law enforcement and the administration of criminal justice;

31. Do all things necessary on behalf of the Commonwealth and its units of general local government, to determine and secure benefits available under the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351, 82 Stat. 197), as amended, and under any other federal acts and programs for strengthening and improving law enforcement, the administration of criminal justice, and delinquency prevention and control;

32. Receive, administer, and expend all funds and other assistance available to the Board and the Department for carrying out the purposes of this chapter and the Omnibus Crime Control and Safe Streets Act of 1968, as amended;

33. Apply for and accept grants from the United States government or any other source in carrying out the purposes of this chapter and accept any and all donations both real and personal, and grants of money from any governmental unit or public agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same. Any arrangements pursuant to this section shall be detailed in the annual report of the Board. Such report shall include the identity of the donor, the nature of the transaction, and the conditions, if any. Any moneys received pursuant to this section shall be deposited in the state treasury to the account of the Department. To these ends, the Board shall have the power to comply with conditions and execute such agreements as may be necessary;

34. Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and execution of its powers under this chapter, including but not limited to, contracts with the United States, units of general local government or combinations thereof, in Virginia or other states, and with agencies and departments of the Commonwealth;

35. Adopt and administer reasonable regulations for the planning and implementation of programs and activities and for the allocation, expenditure and subgranting of funds available to the Commonwealth and to units of general local government, and for carrying out the purposes of this chapter and the powers and duties set forth herein;

36. Certify and decertify law-enforcement officers in accordance with §§ 15.2-1706 and 15.2-1707 and provide for a decertification review process in accordance with § 15.2-1708;

37. Establish training standards and publish and periodically update model policies for law-enforcement personnel in the following subjects:

a. The handling of family abuse, domestic violence, sexual assault, and stalking cases, including standards for determining the predominant physical aggressor in accordance with § 19.2-81.3. The Department shall provide technical support and assistance to law-enforcement agencies in carrying out the requirements set forth in subsection A of § 9.1-1301;

b. The identification of, communication with, and facilitation of the safe return of individuals diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and returning them to their caregivers;

c. Sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

d. Protocols for local and regional sexual assault and human trafficking response teams;

e. Communication of death notifications;

f. The questioning of individuals suspected of driving while intoxicated concerning the physical location of such individual's last consumption of an alcoholic beverage and the communication of such information to the Virginia Alcoholic Beverage Control Authority;

g. Vehicle patrol duties that embody current best practices for pursuits and for responding to emergency calls;

h. Criminal investigations that embody current best practices for conducting photographic and live lineups;

i. Sensitivity to and awareness of human trafficking offenses and the identification of victims of human trafficking offenses for personnel involved in criminal investigations or assigned to vehicle or street patrol duties;

j. The recognition, prevention, and reporting of human trafficking;

k. Missing children, missing adults, and search and rescue protocol;

l. The handling and use of tear gas or other gases and kinetic impact munitions, as defined in § 19.2-83.3, that embody current best practices for using such items as a crowd control measure or during an arrest or detention of another person; and

m. The use of naloxone or other opioid antagonists to prevent opioid overdose deaths, in coordination with statewide naloxone training programs developed by the Department of Behavioral Health and Developmental Services and the Virginia Department of Health;

38. Establish compulsory training standards for basic training and the recertification of law-enforcement officers to ensure (i) sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability; (ii) training in de-escalation techniques; and (iii) training in the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the law-enforcement officer or another person;

39. Review and evaluate community-policing programs in the Commonwealth, and recommend where necessary statewide operating procedures, guidelines, and standards that strengthen and improve such programs, including sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

40. Establish a Virginia Law-Enforcement Accreditation Center. The Center may, in cooperation with Virginia law-enforcement agencies, provide technical assistance and administrative support, including staffing, for the establishment of voluntary state law-enforcement accreditation standards. The Center may provide accreditation assistance and training, resource material, and research into methods and procedures that will assist the Virginia law-enforcement community efforts to obtain Virginia accreditation status;

41. Promote community policing philosophy and practice throughout the Commonwealth by providing community policing training and technical assistance statewide to all law-enforcement agencies, community groups, public and private organizations and citizens; developing and distributing innovative policing curricula and training tools on general community policing philosophy and practice and contemporary critical issues facing Virginia communities; serving as a consultant to Virginia organizations with specific community policing needs; facilitating continued development and implementation of community policing programs statewide through discussion forums for community policing leaders, development of law-enforcement instructors; promoting a statewide community policing initiative; and serving as a statewide information source on the subject of community policing including, but not limited to periodic newsletters, a website and an accessible lending library;

42. Establish, in consultation with the Department of Education and the Virginia State Crime Commission, compulsory minimum standards for employment and job-entry and in-service training curricula and certification requirements for school security officers, including school security officers described in clause (b) of § 22.1-280.2:1, which training and certification shall be administered by the Virginia Center for School and Campus Safety (VCSCS) pursuant to § 9.1-184. Such training standards shall be specific to the role and responsibility of school security officers and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques such as a physical alternative to restraint; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, and past traumatic experiences; and (viii) student behavioral dynamics, including child and adolescent development and brain research. The Department shall establish an advisory committee consisting of local school board representatives, principals, superintendents, and school security personnel to assist in the development of the standards and certification requirements in this subdivision. The Department shall require any school security officer who carries a firearm in the performance of his duties to provide proof that he has completed a training course provided by a federal, state, or local law-enforcement agency that includes training in active shooter emergency response, emergency evacuation procedure, and threat assessment;

43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with Article 11 (§ 9.1-185 et seq.);

44. License and regulate bail enforcement agents in accordance with Article 12 (§ 9.1-186 et seq.);

45. In conjunction with the Virginia State Police and the State Compensation Board, advise criminal justice agencies regarding the investigation, registration, and dissemination of information requirements as they pertain to the Sex Offender and Crimes Against Minors Registry Act (§ 9.1-900 et seq.);

46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula, and (iii) certification requirements for campus security officers. Such training standards shall include, but not be limited to, the role and responsibility of campus security officers, relevant state and federal laws, school and personal liability issues, security awareness in the campus environment, and disaster and emergency response. The Department shall provide technical support and assistance to campus police departments and campus security departments on the establishment and implementation of policies and procedures, including but not limited to: the management of such departments, investigatory procedures, judicial referrals, the establishment and management of databases for campus safety and security information sharing, and development of uniform record keeping for disciplinary records and statistics, such as campus crime logs, judicial referrals and Clery Act statistics. The Department shall establish an advisory committee consisting of college administrators, college police chiefs, college security department chiefs, and local law-enforcement officials to assist in the development of the standards and certification requirements and training pursuant to this subdivision;

47. Assess and report, in accordance with § 9.1-190, the crisis intervention team programs established pursuant to § 9.1-187;

48. In conjunction with the Office of the Attorney General, advise law-enforcement agencies and attorneys for the Commonwealth regarding the identification, investigation, and prosecution of human trafficking offenses using the common law and existing criminal statutes in the Code of Virginia;

49. Register tow truck drivers in accordance with § 46.2-116 and carry out the provisions of § 46.2-117;

50. Administer the activities of the Virginia Sexual and Domestic Violence Program Professional Standards Committee by providing technical assistance and administrative support, including staffing, for the Committee;

51. In accordance with § 9.1-102.1, design and approve the issuance of photo-identification cards to private security services registrants registered pursuant to Article 4 (§ 9.1-138 et seq.);

52. In consultation with the State Council of Higher Education for Virginia and the Virginia Association of Campus Law Enforcement Administrators, develop multidisciplinary curricula on trauma-informed sexual assault investigation;

53. In consultation with the Department of Behavioral Health and Developmental Services, develop a model addiction recovery program that may be administered by sheriffs, deputy sheriffs, jail officers, administrators, or superintendents in any local or regional jail. Such program shall be based on any existing addiction recovery programs that are being

administered by any local or regional jails in the Commonwealth. Participation in the model addiction recovery program shall be voluntary, and such program may address aspects of the recovery process, including medical and clinical recovery, peer-to-peer support, availability of mental health resources, family dynamics, and aftercare aspects of the recovery process;

54. Establish compulsory minimum training standards for certification and recertification of law-enforcement officers serving as school resource officers. Such training shall be specific to the role and responsibility of a law-enforcement officer working with students in a school environment and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, or past traumatic experiences; and (viii) student behavioral dynamics, including current child and adolescent development and brain research;

55. Establish a model policy for the operation of body-worn camera systems as defined in § 15.2-1723.1 that also addresses the storage and maintenance of body-worn camera system records;

56. Establish compulsory minimum training standards for detector canine handlers employed by the Department of Corrections, standards for the training and retention of detector canines used by the Department of Corrections, and a central database on the performance and effectiveness of such detector canines that requires the Department of Corrections to submit comprehensive information on each canine handler and detector canine, including the number and types of calls and searches, substances searched for and whether or not detected, and the number of false positives, false negatives, true positives, and true negatives;

57. Establish compulsory training standards for basic training of law-enforcement officers for recognizing and managing stress, self-care techniques, and resiliency;

58. Establish guidelines and standards for psychological examinations conducted pursuant to subsection C of § 15.2-1705;

59. Establish compulsory in-service training standards, to include frequency of retraining, for law-enforcement officers in the following subjects: (i) relevant state and federal laws; (ii) awareness of cultural diversity and the potential for bias-based profiling as defined in § 52-30.1; (iii) de-escalation techniques; (iv) working with individuals with disabilities, mental health needs, or substance use disorders; and (v) the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the law-enforcement officer or another person;

60. Develop a model curriculum and lesson plans for the compulsory minimum entry-level, in-service, and advanced training standards to be employed by criminal justice training academies approved by the Department when conducting training;

61. Adopt statewide professional standards of conduct applicable to all certified law-enforcement officers and certified jail officers and appropriate due process procedures for decertification based on serious misconduct in violation of those standards and provide for a decertification review process in accordance with § 15.2-1708;

62. Establish and administer a waiver process, in accordance with §§ 2.2-5515 and 15.2-1721.1, for law-enforcement agencies to use certain military property. Any waivers granted by the Criminal Justice Services Board shall be published by the Department on the Department's website;

63. Establish compulsory training standards for basic training and the recertification of law-enforcement officers to include crisis intervention training in accordance with clause (ii) of § 9.1-188;

64. Advise and assist the Department of Behavioral Health and Developmental Services, and support local law-enforcement cooperation, with the development and implementation of the Marcus alert system, as defined in § 37.2-311.1, including the establishment of local protocols for law-enforcement participation in the Marcus alert system pursuant to § 9.1-193 and for reporting requirements pursuant to §§ 9.1-193 and 37.2-311.1;

65. Develop an online course to train hotel proprietors and their employees to recognize and report instances of suspected human trafficking;

66. Develop an online course to train unarmed security officers, armed security officers, couriers, security canine handlers, and alarm respondents to recognize and report instances of suspected human trafficking to meet the compulsory minimum, entry-level, and in-service training standards as required by § 9.1-141;

67. Establish standards and procedures for when the Board may grant a petition for reinstatement of certification of a decertified officer pursuant to subsection E of § 15.2-1708;

68. Establish compulsory minimum and in-service training standards for law-enforcement officers on communicating with individuals with an intellectual disability or a developmental disability as defined in § 37.2-100, such as autism spectrum disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, which shall include (i) an overview and behavioral recognition of autism spectrum disorder, (ii) best practices for crisis prevention and de-escalation techniques, (iii) an objective review of any relevant tools and technology available to assist in communication, and (iv) education on law-enforcement agency and community resources for the autism community on future crisis prevention. Such training standards shall be established in consultation with at least one individual with autism spectrum disorder, one family member of an individual with autism spectrum disorder, one specialist who works with individuals with autism spectrum disorder, one representative from the Department of Behavioral Health and Developmental Services, and one representative from a state or local law-enforcement agency; ~~and~~

69. *Establish a training curriculum for law-enforcement agencies, law-enforcement officers, and special conservators of the peace on the discretion such officers can exercise regarding arrests as provided in Chapter 7 (§ 19.2-71 et seq.) of Title 19.2. Such training shall include (i) instruction on the scope and nature of law-enforcement officer discretion in arrest decisions, with particular emphasis on encounters with individuals experiencing a mental health crisis, including individuals currently subject to an emergency custody order pursuant to § 37.2-808, a temporary detention order pursuant to § 37.2-809, or an involuntary admission order pursuant to § 37.2-817, and (ii) instruction on the immediate and long-term effects of arrests on individuals in need of mental health services due to a mental health crisis, including impacts on treatment outcomes as identified in substantially accepted peer-reviewed research literature; and*

70. Perform such other acts as may be necessary or convenient for the effective performance of its duties.

§ 19.2-81.3. Arrest without a warrant authorized in cases of assault and battery against a family or household member and stalking and for violations of protective orders; procedure, etc.

A. Any law-enforcement officer with the powers of arrest may arrest without a warrant for an alleged violation of § 18.2-57.2, 18.2-60.4, or 16.1-253.2 regardless of whether such violation was committed in his presence, if such arrest is based on probable cause or upon personal observations or the reasonable complaint of a person who observed the alleged offense or upon personal investigation.

B. A law-enforcement officer having probable cause to believe that a violation of § 18.2-57.2 or 16.1-253.2 has occurred shall arrest and take into custody the person he has probable cause to believe, based on the totality of the circumstances, was the predominant physical aggressor unless there are special circumstances which would dictate a course of action other than an arrest. The standards for determining who is the predominant physical aggressor shall be based on the following considerations: (i) who was the first aggressor, (ii) the protection of the health and safety of family and household members, (iii) prior complaints of family abuse by the allegedly abusing person involving the family or household members, (iv) the relative severity of the injuries inflicted on persons involved in the incident, (v) whether any injuries were inflicted in self-defense, (vi) witness statements, and (vii) other observations.

C. A law-enforcement officer having probable cause to believe that a violation of § 18.2-60.4 has occurred that involves physical aggression shall arrest and take into custody the person he has probable cause to believe, based on the totality of the circumstances, was the predominant physical aggressor unless there are special circumstances which would dictate a course of action other than an arrest. The standards for determining who is the predominant physical aggressor shall be based on the following considerations: (i) who was the first aggressor, (ii) the protection of the health and safety of the person to whom the protective order was issued and the person's family and household members, (iii) prior acts of violence, force, or threat, as defined in § 19.2-152.7:1, by the person against whom the protective order was issued against the person protected by the order or the protected person's family or household members, (iv) the relative severity of the injuries inflicted on persons involved in the incident, (v) whether any injuries were inflicted in self-defense, (vi) witness statements, and (vii) other observations.

D. Regardless of whether an arrest is made, the officer shall file a written report with his department, which shall state whether any arrests were made, and if so, the number of arrests, specifically including any incident in which he has probable cause to believe family abuse has occurred, and, where required, including a complete statement in writing that there are special circumstances that would dictate a course of action other than an arrest. The officer shall provide the allegedly abused person or the person protected by an order issued pursuant to § 19.2-152.8, 19.2-152.9, or 19.2-152.10, both orally and in writing, information regarding the legal and community resources available to the allegedly abused person or person protected by the order. Upon request of the allegedly abused person or person protected by the order, the department shall make a summary of the report available to the allegedly abused person or person protected by the order.

E. In every case in which a law-enforcement officer makes an arrest under this section for a violation of § 18.2-57.2, he shall petition for an emergency protective order as authorized in § 16.1-253.4 when the person arrested and taken into custody is brought before the magistrate, except if the person arrested is a minor, a petition for an emergency protective order shall not be required. Regardless of whether an arrest is made, if the officer has probable cause to believe that a danger of acts of family abuse exists, the law-enforcement officer shall seek an emergency protective order under § 16.1-253.4, except if the suspected abuser is a minor, a petition for an emergency protective order shall not be required.

F. A law-enforcement officer investigating any complaint of family abuse, including but not limited to assault and battery against a family or household member shall, upon request, transport, or arrange for the transportation of an abused person to a hospital or safe shelter, or to appear before a magistrate. Any local law-enforcement agency may adopt a policy requiring an officer to transport or arrange for transportation of an abused person as provided in this subsection.

G. The definition of "family or household member" in § 16.1-228 applies to this section.

H. As used in this section~~, "law-enforcement~~*:*

"Law-enforcement officer" means (i) any full-time or part-time employee of a police department or sheriff's office which is part of or administered by the Commonwealth or any political subdivision thereof, and any campus police officer appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1, and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of this Commonwealth; (ii) any member of an auxiliary police force established pursuant to § 15.2-1731; and (iii) any special conservator of the peace who meets the certification requirements for a law-enforcement officer as set forth in § 15.2-1706. Part-time employees are compensated officers who are not full-time employees as defined by the employing police department or sheriff's office.

"Special circumstances" may include the existence of an emergency custody order pursuant to § 37.2-808, a temporary detention order pursuant to § 37.2-809, or an involuntary admission order pursuant to § 37.2-817.

2. That the Department of Criminal Justice Services (the Department) shall create the curriculum required by the provisions of § 9.1-102 of the Code of Virginia, as amended by this act, by July 1, 2027. Any person employed as a law-enforcement officer prior to July 1, 2027, shall review any course material or course criteria related to such curriculum by January 1, 2028. Any person employed as a law-enforcement officer on and after July 1, 2027, shall review any course material or course criteria related to such curriculum within one year of his date of hire. Any approved criminal justice training academy may utilize an alternative curriculum and any lesson plans that meet or exceed the Department's curriculum and that are approved by the Department.

3. That the Criminal Justice Services Board shall promulgate regulations pursuant to § 9.1-150.2 of the Code of Virginia requiring special conservators of the peace to review any course material or course criteria related to such curriculum established pursuant to § 9.1-102 of the Code of Virginia, as amended by this act, by July 1, 2027. Any person applying for an initial or renewal registration as a special conservator of the peace pursuant to § 9.1-150.2 or 9.1-150.3 of the Code of Virginia on and after July 1, 2027, shall review any course material or course criteria related to such curriculum as part of his compulsory training standards.

CHAPTER 620

An Act to amend the Code of Virginia by adding a section numbered 58.1-3606.2, relating to tax exempt property; nonprofit institutions of learning; emergency.

[S 1202]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 58.1-3606.2 as follows:

§ 58.1-3606.2. Property exempt from taxation; nonprofit institutions of learning.

For purposes of the exemption authorized by Article X, Section 6 (a)(4) of the Constitution of Virginia:

"Educational purposes" shall include any special education and related services as those terms are defined in the IDEA.

"Institutions of learning" shall include any institutions licensed by the Department of Education that provide services pursuant to the federal Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et seq., or any school for students with disabilities in the Commonwealth that is licensed by the Board of Education pursuant to § 22.1-323.

2. That the provisions of the first enactment of this act are declaratory of existing law.

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

CHAPTER 621

An Act to amend and reenact § 32.1-325.1 of the Code of Virginia, relating to Department of Medical Assistance Services; appeals of agency determinations.

[S 1237]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-325.1 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-325.1. Appeals of agency determinations.

A. *All providers enrolled with the Department may appeal any action by the Department or its contractor that is subject to appeal under the Administrative Process Act (§ 2.2-4000 et seq.). For provider appeals stemming from an action taken by a Department contractor, including managed care organizations, the provider shall exhaust the contractor's internal reconsideration and internal appeal processes, if any, before appealing to the Department.*

B. The ~~Director~~ *Department* shall make an initial *appeal* determination ~~as to whether an overpayment has been made to a provider~~ in accordance with the state plan for medical assistance, the provisions of § 2.2-4019, and applicable federal law. The initial determination shall be issued within 180 days of the receipt of the appeal request. If the agency does not render a decision within 180 days, *or, in the case of a joint agreement to stay the appeal decision pursuant to subsection D, within the time after the stay expires and before the appeal timeframe resumes,* the decision is deemed to be in favor of the provider.

~~B.~~ *C.* An appeal of the ~~Director's~~ *Department's* initial determination concerning provider reimbursement shall be heard in accordance with § 2.2-4020 of the Administrative Process Act (§ 2.2-4020 et seq.) and the state plan for medical assistance provided for in § 32.1-325. The hearing officer appointed pursuant to § 2.2-4024 shall conduct the appeal and submit a recommended decision to the Director within 120 days of the agency's receipt of the appeal request*, unless the settlement provisions of this section apply*. The Director shall consider the parties' exceptions and issue the final agency case decision within ~~sixty~~ *60* days of receipt of the hearing officer's recommended decision. If the Director does not render a final

agency case decision within ~~sixty~~ *60* days of the receipt of the hearing officer's recommended decision, the decision is deemed to be in favor of the provider. The Director shall adopt the hearing officer's recommended decision unless to do so would be an error of law or Department policy. Any final agency case decision in which the Director rejects a hearing officer's recommended decision shall state with particularity the basis for rejection. Prior to a final agency case decision issued in accordance with § 2.2-4023, the Director may not undertake recovery of any overpayment amount paid to the provider through offset or other means. Once a final determination of overpayment has been made, the Director shall undertake full recovery of such overpayment whether or not the provider disputes, in whole or in part, the initial or the final determination of overpayment. Interest charges on the unpaid balance of any overpayment shall accrue pursuant to § 32.1-313 from the date the ~~Director's~~ *Department's* determination becomes final. Nothing in § 32.1-313 shall be construed to require interest payments on any portion of overpayment other than the unpaid balance referenced herein.

~~C.~~ *D. The Department and the provider may jointly agree to stay the deadline for the informal appeal decision or for the formal appeal recommended decision of the hearing officer for a period of up to 60 days to facilitate settlement discussions. If the parties reach a resolution as reflected by a written settlement agreement within the 60-day period, then the stay shall be extended for such additional time as may be necessary for review and approval of the settlement agreement in accordance with § 2.2-514.*

E. The burden of proof in informal and formal administrative appeals is on the provider. *If an action stems from a Department contractor, then such contractor shall represent itself during the informal and formal appeal proceedings. No such contractor, including managed care organizations, shall have the right to file a petition for reconsideration or an appeal for court review of the Department's final agency decision.*

F. The agency shall reimburse a provider for reasonable and necessary ~~attorneys'~~ *attorney* fees and costs associated with an informal or formal administrative appeal if the provider substantially prevails on the merits of the appeal and the agency's position is not substantially justified, unless special circumstances would make an award unjust. In any case in which a provider has recovered ~~attorneys'~~ *attorney* fees and costs associated with an informal or formal administrative appeal, the provider shall not be entitled to recover those same ~~attorneys'~~ *attorney* fees and costs in a subsequent judicial proceeding.

~~D.~~ *G.* Court review of final agency determinations concerning provider reimbursement shall be made in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). In any case in which a final determination of overpayment has been reversed in a subsequent judicial proceeding, the provider shall be reimbursed that portion of the payment to which he is entitled plus any applicable interest, within ~~thirty~~ *30* days of the subsequent judicial order.

CHAPTER 622

An Act to amend and reenact § 18.2-121.3 of the Code of Virginia, relating to trespass with an unmanned aircraft system; penalties.

[S 1272]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-121.3 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-121.3. Trespass with an unmanned aircraft system; penalties.

A. Any person who knowingly and intentionally causes an unmanned aircraft system to (i) enter the property of another and come within 50 feet of a dwelling house (a) to coerce, intimidate, or harass another person or (b) after having been given actual notice to desist, for any other reason; (ii) take off or land in violation of current Federal Aviation Administration Special Security Instructions or UAS Security Sensitive Airspace Restrictions; or (iii) (a) drop any item within the boundaries of or (b) obtain any videographic or still image of any identifiable inmate or resident at any state or local correctional facility, as defined in § 53.1-1, or juvenile correctional center is guilty of a Class 1 misdemeanor.

B. *Any person who knowingly and intentionally, and without authorization, causes an unmanned aircraft system to enter the airspace over any (i) public services or utilities, as described in § 18.2-162; (ii) critical infrastructure, as defined in 42 U.S.C. § 5195c, including any military base authorized by the U.S. Department of Defense; or (iii) facility, as defined in 46 U.S.C. § 70101, covered by the federal Maritime Transportation Security Act of 2002 is guilty of a Class 4 felony.*

C. This section shall not apply to any person who causes an unmanned aircraft system to enter the property as set forth in subsection A *or B* if (i) consent is given to the entry by any person with legal authority to consent or by any person who is lawfully present on such property ~~or~~*;* (ii) such person is authorized by federal regulations to operate an unmanned aircraft system and is operating such system in an otherwise lawful manner and consistent with federal regulations*; (iii) such person is an employee of the property and is conducting official business; or (iv) such person is an employee of a public service or utility, as described in § 18.2-162, critical infrastructure, as defined in 42 U.S.C. § 5195c, or facility, as defined in 46 U.S.C. § 70101, and is conducting official business*.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of

$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 623

An Act to amend and reenact § 2.01, §§ 2.04 and 3.01, as severally amended, §§ 3.02 through 3.05, §§ 3.07 and 3.08, as severally amended, §§ 3.09, 3.10, and 4.01, § 4.02, as amended, §§ 4.03 and 5.01, § 5.02, as amended, and § 9.02 of Chapter 99 of the Acts of Assembly of 1994, which provided a charter for the Town of Dumfries in Prince William County, and to amend Chapter 99 of the Acts of Assembly of 1994 by adding sections numbered 3.04:1 and 4.04, relating to town powers, town council, mayor, town officers, town departments, ordinances, and violation of ordinances.

[S 1300]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.01, §§ 2.04 and 3.01, as severally amended, §§ 3.02 through 3.05, §§ 3.07 and 3.08, as severally amended, §§ 3.09, 3.10, and 4.01, § 4.02, as amended, §§ 4.03 and 5.01, § 5.02, as amended, and § 9.02 of Chapter 99 of the Acts of Assembly of 1994 are amended and reenacted and that Chapter 99 of the Acts of Assembly of 1994 is amended by adding sections numbered 3.04:1 and 4.04 as follows:

§ 2.01. General grant of powers.

The Town of Dumfries shall have and may exercise all powers which are now or may hereafter be conferred upon or delegated to towns under the Constitution and general laws of the Commonwealth of Virginia *and all powers necessary or pertinent to the general welfare, safety, health, peace, good order, comfort, convenience, and morals of town inhabitants, in the conduct of a town government, the exercise of which is not expressly prohibited by the Constitution and general laws of the Commonwealth of Virginia*. It is intended that the town shall possess all powers which, under the Constitution, it would be competent for this charter to enumerate specifically, and no enumeration of particular powers shall be held to be exclusive, but in addition to this general grant.

§ 2.04. Eminent domain and other powers relating to property.

The powers of eminent domain ~~as set forth in Title 15.2 and Title 25 of the Code of Virginia are hereby conferred upon the town, including the power to issue certificates pursuant to §§ 33.1-119 through 33.1-132 of the Code of Virginia~~ *are hereby conferred upon the Town of Dumfries which shall, in the exercise thereof, utilize the procedures prescribed by general law*.

§ 3.01. Election, qualification and term of office.

(a) The Town of Dumfries shall be governed by a town council elected at large and composed of a mayor and six other members, all of whom shall be qualified voters of the town. Candidates for town offices shall not be identified on the ballot by political affiliation. In order to have their names placed on the ballot, all candidates shall be nominated only by petition as provided by general law pursuant to § 24.2-506 of the Code of Virginia (1950), as amended.

(b) On the Tuesday after the first Monday in November 2022, and every four years thereafter, there shall be elected by the qualified voters of the town a mayor and three council members from the town at large. On the Tuesday after the first Monday in November 2020, and every four years thereafter, there shall be elected three council members from the town at large.

(c) The persons *receiving the most votes shall be* elected *and* shall take office on January 1 succeeding their election and remain in office until their successors have qualified and taken office.

(d) The mayor or any other member of council who are convicted of certain specified crimes by a court of competent jurisdiction may be removed from office pursuant to the provisions of general law (Article 7 (§ 24.2-230 et seq.) of Chapter 2 of Title 24.2 of the Code of Virginia).

(e) Neither the mayor nor any other member of council shall, prior to the expiration of the term for which that member was elected and for one calendar year thereafter, hold a position of employment or a contract with the town.

§ 3.02. Powers of council.

All powers of the town shall be vested in the council, unless otherwise conferred or vested by this charter or the general laws of the Commonwealth of Virginia. The council along with the mayor shall make such rules as are necessary for the orderly conduct of their business not inconsistent with the laws of the Commonwealth of Virginia~~,~~ and shall have the power in their discretion to appoint a town manager and a town attorney. *In making appointments and removals, the council shall act only by affirmative vote of the majority of its members.* The person so appointed shall have such duties and shall serve for such terms and at such compensation as the council may determine. One person may be appointed to more than one office.

§ 3.03. Mayor.

The mayor shall preside at *all* meetings of the council and ~~shall be recognized as head of the town government for ceremonial purposes and by the governor for the purposes of military law. He~~ shall have the same powers and duties as other members of the council with a vote, but no veto powers. *The mayor shall be recognized as head of the town government for ceremonial purposes and by the governor for the purposes of military law. In the event of a disaster or an emergency*

condition, and the council cannot convene due to the disaster or emergency condition, the mayor may, in the absence of the director of emergency management, declare the existence of a local emergency. Such declaration shall expire in 72 hours by operation of law unless otherwise extended by a majority vote of the council.

§ 3.04. Vice mayor.

At its first meeting in ~~July~~ *January* of every ~~even-numbered~~ *odd-numbered* year, the council*, including the mayor,* shall select from its membership one member to serve as a vice mayor. The vice mayor shall preside over meetings of council in the absence of the mayor. *If a vacancy occurs in the office of mayor, the vice mayor shall act as mayor until such time as the vacancy can be filled in accordance with § 24.2-228 of the Code of Virginia.*

§ 3.04:1. Chair pro tem.

At its first meeting in January of every odd-numbered year, the council, including the mayor, shall elect from its membership one member to serve as chair pro tem to preside over meetings of council in the absence or disability of the mayor and vice mayor. If a vacancy occurs in the office of vice mayor, the chair pro tem shall ascend to the office of vice mayor and the council shall vote to fill the vacancy for the unexpired term of the chair pro tem by majority vote of the remaining members.

§ 3.05. Vacancies *in the office of council*.

Vacancies on the council and in the office of mayor and vice mayor*, for whatever the cause,* shall be filled by a majority vote of the members of council until the vacancy is filled in accordance with the provisions of ~~Title 24.2~~ *§ 24.2-228* of the Code of Virginia.

§ 3.07. Ordinances.

(a) Action requiring an ordinance. In addition to ~~other acts~~ *actions* required by ~~law~~ *the Constitution or general laws of the Commonwealth* or ~~by specific provision of~~ this charter to be done by ordinance, ~~those acts~~ *the following actions* of the town council shall be by ordinance ~~which~~:

(1) Adopt or amend an *ordinance, town code, or* administrative code ~~or establish~~*;*

(2) Establish, alter*,* or abolish any town department, office ~~or~~*,* agency*, or position and classification of employment*;

(3) Fix the pay grade and compensation range for a position and classification of employment;

~~(2)~~ *(4)* Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;

~~(3)~~ *(5)* Levy ~~taxes~~ *a tax*, except as otherwise provided in Article VI with respect to the real property tax levied by adoption of the budget;

~~(4)~~ *(6)* Grant, renew or extend a franchise;

~~(5)~~ *(7)* Regulate the rate charged for its services by the town;

~~(6)~~ *(8)* Authorize the borrowing of money;

~~(7)~~ *(9)* Convey or lease or authorize the conveyance or lease of any lands of the town.

~~Acts other than those referred to in the preceding sentence~~ *All other acts* may be done ~~either~~ by ordinance ~~or~~*,* by resolution*, or by motion* if not ~~in conflict with~~ *otherwise prohibited by* law.

(b) Form. Every proposed ordinance shall be introduced in writing ~~and in the~~ *or printed* form ~~required for adoption~~ *and confined to a single subject, which shall be clearly expressed in its title*. The enacting clause shall be "Be it ordained by the Council of the Town of Dumfries . . . ."

(c) Procedure. An ordinance may be introduced by any member at any regular or special meeting of the council. ~~Each proposed ordinance or resolution shall be introduced in a written or printed form.~~ No ordinance shall be adopted on the same day it is introduced*, its first reading,* unless an emergency exists and such emergency is stated in the ordinance. *Unless required by the Constitution or the general laws of the Commonwealth or by this charter, a public hearing shall not be required on a proposed ordinance. The council may reject any ordinance on its first reading without a public hearing. An ordinance may be read by its title only.*

(d) Effective date. Except ~~as otherwise provided in this charter,~~ *where the Constitution or the general laws of the Commonwealth or this charter must take precedence and provide for a different procedure for enactment,* every adopted ordinance shall become effective from its passage or at any ~~later~~ date specified therein.

~~Provided that where state law provides a different procedure for enactment of an ordinance the state law shall take precedence.~~

§ 3.08. Emergency ordinances.

To meet a public emergency affecting life, *public* health, *safety,* property, or the *preservation of* public peace, the council may adopt ~~one or more~~ *an* emergency ~~ordinances~~ *ordinance in the same regular or special meeting of the council at which such ordinance was introduced. Except as provided by subsection (b) of § 6.06 of this charter*, ~~but such ordinances may not~~ *no emergency ordinances shall* levy taxes, grant, renew or extend a franchise, or authorize the borrowing of money ~~except as provided in subsection (b) of § 6.06~~. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced. After its adoption*,* the ordinance shall be posted on the public bulletin board located in town hall. It shall become effective upon adoption or at such ~~later~~ time as it may specify. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

§ 3.09. Authentication and recording; codification; printing.

(a) Authentication and recording. Every ordinance or resolution upon its final passage shall be *given a serial or recording number and be* recorded *and maintained* by the town clerk in a properly indexed book designated for the purpose and shall be authenticated by the signature of the presiding officer and the town clerk.

(b) Printing of ordinances and resolutions. The council shall cause each ordinance and resolution having the force and effect of law and each amendment to this charter to be printed or otherwise reproduced promptly following its adoption, and the printed ordinances, resolutions and charter amendments shall be distributed or sold to the public at reasonable prices to be fixed by the council. Following publication of the first Dumfries Town Code and at all times thereafter, the ordinances, resolutions and charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable in form for integration therein. The council shall make such further arrangements as it deems desirable with respect to reproduction and distribution of any current changes in or additions to the provisions of the Constitution and other laws of the Commonwealth of Virginia, or the codes of technical regulations and other rules and regulations included in the town code.

§ 3.10. Committees, boards and commissions.

Creation and appointment. The council may create committees, boards, and commissions to be composed of such numbers of ~~citizens~~ *members* as the council may deem expedient *or* as authorized by law. The council shall appoint the members, prescribe the compensation, if any, and the powers and duties of such committees, boards and commissions consistent with the general law. *Any member of a committee, board, or commission appointed by the council for a specified term shall serve at the pleasure of the council and may be removed by the council prior to the expiration of said term for any or no reason, unless removal authority is limited by general law.*

§ 4.01. Appointment of manager; qualifications.

There is hereby created the office of the town manager. The council may appoint a town manager who shall be the chief executive officer and the chief administrative officer of the town government *and execute the executive and administrative functions of the position under the direction and supervision of the council*. The town manager shall be chosen solely on the basis of executive and administrative qualifications and shall serve at the pleasure of the council. *No person elected to membership on the council shall be eligible for appointment as town manager until one year has elapsed following the expiration of the term for which the member was elected.*

In the event of the death, resignation, or extended absence, including due to incapacity, of the town manager, the council may appoint an acting town manager to serve at the pleasure of the council until the return of the town manager or the appointment of his or her successor.

§ 4.02. Powers and duties of the town manager.

(a) The town manager shall have the administrative and executive powers and duties vested in the town manager by the council. *Except as otherwise specified by general law or this charter, the town manager shall appoint and remove qualified officers and employees of the town, including to head all of the departments of the town, in accordance with the town's personnel regulations, unless otherwise specified by general law or this charter. The town manager may delegate and authorize the head of a department responsible to the town manager to appoint or remove subordinate officers and employees in such department. Department heads appointed by the town manager serve at the pleasure of the town manager. Unless for provisional, temporary, or emergency service, all appointments by or through the town manager shall be without a definite term.*

(b) Except for the purposes of inquiry and information, no member of the council shall participate in the hiring and removal of administrative department heads. The council shall deal with the administrative services of the town solely through the town manager and shall not interfere with the performance of any employee who is under the direct or indirect supervision of the town manager. Neither the mayor nor a council member shall give orders either publicly or privately to any subordinate of the town manager. This section shall not prohibit the council from discussing with the town manager its views concerning a personnel action and the internal administration of town government.

(c) The town manager shall be authorized to designate any officer or employee within an administrative department under the town manager's control to temporarily perform the duties of any office or position that is vacant due to the absence or disability of the incumbent.

(d) The town manager, or designee, shall attend all meetings of the council with the right to speak but not to vote, including closed meetings unless council determines that the inclusion of the town manager would be detrimental to the purposes of the council discussion and deliberations in the closed meeting.

(e) The town manager shall have the right to attend and to speak, but not to vote, in the meetings of the authorities, boards, and commissions created by the council.

(f) The town manager shall keep the council advised of the financial condition and future needs of the town, and all other matters pertaining to its proper administration and to make such other recommendations thereto as may be required or desirable.

(g) The town manager shall oversee the preparation and submission of the annual budget.

(h) The town manager shall perform all other such duties as may be required by the council, this charter, or conferred on a chief executive or chief administrative officer by the general laws of the Commonwealth.

§ 4.03. Town attorney.

~~An attorney shall be appointed by and serve at the pleasure of the council.~~ *There is hereby created the office of the town attorney. The council may appoint a town attorney.* The ~~appointed~~ *town* attorney shall be qualified to practice law in the Commonwealth of Virginia~~,~~ *and* shall serve as chief legal advisor to the council, ~~and shall also serve as legal advisor to the town administration~~ *the town manager, and all of the town's departments and officers in matters affecting the interests of the town and relating to their official duties. The town attorney shall serve at the pleasure of the council and under its general direction and supervision. The town attorney shall perform the particular duties and functions of the office as assigned by the council or as otherwise required by law. The town attorney shall be authorized to appoint and remove assistants or any other employees in his or her office as may be authorized by the council and to authorize any assistant or special counsel to perform any of the duties imposed upon the town attorney by this charter or under general law.*

Except for the purposes of inquiry and information, no member of the council shall participate in the hiring and removal of assistants or employees of the town attorney. The council shall deal with the legal and legislative services of the town solely through the town attorney and shall not interfere with the performance of any assistant or employee who is under the direct supervision of the town attorney. Neither the mayor nor a council member shall give orders whether publicly or privately to any subordinate of the town attorney. This section shall not prohibit the council from making requests for emergency legal services to an assistant or employee of the town attorney in the absence or disability of the town attorney or otherwise discussing with the town attorney its views concerning the performance of an assistant or employee in the delivery of legal services.

In the event of the death, resignation, or extended absence, including due to incapacity, of the town attorney, the council may hire or appoint a qualified attorney to perform duties of the town attorney until return of the town attorney or the appointment of his or her successor.

§ 4.04. Town clerk.

There is hereby created the office of the town clerk. The town manager shall appoint the town clerk who shall serve under the town manager's general direction and supervision and serve at the pleasure of the town manager. The town clerk shall be the clerk of the council and keep the journal of its proceedings, file the original draft of all ordinances of the town, and maintain and index all of such ordinances. The town clerk shall be the custodian of the town seal and shall be the officer authorized to use and authenticate it, and shall have and exercise all such other powers and duties as may be required by this charter, by the general laws of the Commonwealth, or by ordinance. Upon the advice and consent of the town manager, the town clerk shall be authorized to appoint and remove employees in the clerk's office, including a deputy clerk. The deputy clerk shall be authorized to act as the acting town clerk in the absence or disability of the town clerk.

§ 5.01. Creation of departments.

The council may establish all departments, offices, and agencies ~~they determine~~ *it determines* are necessary for the proper administration of the town with such powers and duties and subject to those regulations it deems proper, consistent with the provisions of this charter and the Constitution and general laws of the Commonwealth.

§ 5.02. Departments of the town.

Administrative departments shall include, but shall not be limited to, departments concerned with police, finance, public works, planning, zoning and code enforcement, ~~and community service~~ *and recreation and civic engagement*.

§ 9.02. Power of town, as to ordinances, etc., to carry enumerated charter powers into effect and as to punishment for violation of ordinance, etc.

The town is empowered to make ordinances and ~~bylaws~~ *resolutions* for the purpose of carrying into effect the enumerated powers conferred upon the town by this Charter, including police powers, and to prescribe *suitable* punishments for violations thereof, *whether civil or criminal misdemeanor,* provided that no such *criminal misdemeanor* punishment shall exceed the maximum punishment prescribed by general law for a *criminal* misdemeanor~~, and provided further, that all bylaws and resolutions~~. *No civil penalty shall exceed a fine of $5,000. A civil penalty for a civil violation shall be in lieu of criminal sanctions. All actions, including ordinances, resolutions, and bylaws* made and adopted by the council shall become effective ~~thirty days after their passage~~ *on the date of their passage*, unless a different *effective* date is specified in any such ~~bylaw~~ *ordinance* or resolution~~, upon which the same shall become effective~~.

CHAPTER 624

An Act to direct the Board of Pharmacy to report on the progress of emergency medical services agencies in response to changes in federal law.

[S 1318]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Board of Pharmacy (the Board) shall, in collaboration with the Virginia Department of Health and the Office of Emergency Medical Services, report on the progress Virginia's emergency medical services agencies (EMS agencies) have made and are making in response to the federal Drug Supply Chain Security Act, Title II of P.L. 113-54, and the federal Protecting Patient Access to Emergency Medications Act, P.L. 115-83. Such report shall include information on the progress of EMS agencies with regard to adopting the pharmacy practices established by Board regulation and pursuant to U.S. Drug Enforcement Agency requirements that replaced the hospital drug box exchange program. The Board shall*

submit such report to the Governor, the Secretary of Health and Human Resources, the Chairmen of the Senate Committees on Education and Health and Finance and Appropriations, and the Chairman of the House Committees on Health and Human Services and Appropriations by November 1, 2025.

CHAPTER 625

An Act to amend and reenact § 46.2-1233.1 of the Code of Virginia, relating to limitation on charges for towing and storage of certain vehicles.

[S 1332]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1233.1 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1233.1. Limitation on charges for towing and storage of certain vehicles.

A. Unless different limits are established by ordinance of the local governing body pursuant to § 46.2-1233, as to vehicles towed or removed from private property, no charges imposed for the towing, storage, and safekeeping of any passenger car removed, towed, or stored without the consent of its owner shall be in excess of the maximum charges provided for in this section. No hookup and initial towing fee of any passenger car shall exceed ~~$150~~ *$210*. For towing a vehicle between 7:00 p.m. and 8:00 a.m. or on any Saturday, Sunday, or holiday, an additional fee of no more than $30 per instance may be charged; however, in no event shall more than two such fees be charged for towing any such vehicle. No charge shall be made for storage and safekeeping for a period of 24 hours or less. Except for fees or charges imposed by this section or a local ordinance adopted pursuant to § 46.2-1233, no other fees or charges shall be imposed during the first 24-hour period.

B. The governing body of any county, city, or town may by ordinance, with the advice of an advisory board established pursuant to § 46.2-1233.2, (i) provide that no towing and recovery business having custody of a vehicle towed without the consent of its owner impose storage charges for that vehicle for any period during which the owner of the vehicle was prevented from recovering the vehicle because the towing and recovery business was closed and (ii) place limits on the amount of fees charged by towing and recovery operators. Any such ordinance limiting fees shall also provide for periodic review of and timely adjustment of such limitations.

C. (Expires July 1, 2025) In addition to the fees authorized pursuant to this section, towing and recovery operators are authorized to charge a fuel surcharge fee of no more than $20 for each vehicle towed or removed from private property without the consent of its owner. Notwithstanding any other provision of this chapter, no local governing body shall limit or prohibit the fee authorized pursuant to this subsection.

CHAPTER 626

An Act to amend and reenact §§ 59.1-510 through 59.1-514.1 of the Code of Virginia, relating to Virginia Telephone Privacy Protection Act; telephone solicitations via text message.

[S 1339]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 59.1-510 through 59.1-514.1 of the Code of Virginia are amended and reenacted as follows:

§ 59.1-510. Definitions.

As used in this chapter*, unless the context requires a different meaning*:

"Established business relationship" means a relationship between the ~~called~~ *contacted* person and the person on whose behalf the telephone solicitation ~~call~~ is being made or initiated based on (i) the ~~called~~ *contacted* person's purchase from, or transaction with, the person on whose behalf the telephone solicitation ~~call~~ is being made or initiated within the 18 months immediately preceding the date of the ~~call~~ *solicitation* or (ii) the ~~called~~ *contacted* person's inquiry or application regarding any property, good, or service offered by the person on whose behalf the telephone solicitation ~~call~~ is being made or initiated within the three months immediately preceding the date of the ~~call~~ *solicitation*.

"Personal relationship" means the relationship between a telephone solicitor making or initiating a telephone solicitation ~~call~~ and any family member, friend, or acquaintance of that telephone solicitor.

"Responsible person" means either or both of (i) a telephone solicitor or (ii) a seller if the telephone solicitation ~~call~~ offering or advertising the seller's property, goods, or services is presumed to have been made or initiated on behalf of or for the benefit of the seller and the presumption is not rebutted as provided in subsection B of § 59.1-514.1.

"Seller" means any person on whose behalf or for whose benefit a telephone solicitation ~~call~~ offering or advertising the person's property, goods, or services is made or initiated.

"Telephone solicitation ~~call~~" means (i) any telephone call made or initiated to any natural person's residence in the Commonwealth, to any landline or wireless telephone with a Virginia area code, or to a landline or wireless telephone registered to any natural person who is a resident of the Commonwealth or (ii) any text message sent to any wireless

telephone with a Virginia area code or to a wireless telephone registered to any natural person who is a resident of the Commonwealth, for the purpose of offering or advertising any property, goods, or services for sale, lease, license, or investment, including offering or advertising an extension of credit or for the purpose of fraudulent activity, including engaging in any conduct that results in the display of false or misleading caller identification information on the ~~called~~ *contacted* person's telephone.

"Telephone solicitor" means any person who makes or initiates, or causes another person to make or initiate, a telephone solicitation ~~call~~ on its own behalf or for its own benefit or on behalf of or for the benefit of a seller.

§ 59.1-511. Solicitation time restrictions.

No telephone solicitor shall initiate, or cause to be initiated, a telephone solicitation ~~call~~ at any time other than between 8:00 a.m. and 9:00 p.m. local time at the ~~called~~ *contacted* person's location, unless the telephone solicitor has obtained the prior consent of the ~~called~~ *contacted* person.

§ 59.1-512. Identification of telephone solicitor required.

A telephone solicitor who makes a telephone solicitation *via telephone* call shall identify himself by his first and last names and the name of the person on whose behalf the telephone solicitation ~~call~~ is being made promptly upon making contact with the ~~called person~~ *recipient of such solicitation*.

§ 59.1-513. Transmission of solicitor identification information required.

A. A telephone solicitor who makes a telephone solicitation ~~call~~ shall transmit the telephone number, and, when available by the telephone solicitor's carrier, the name of the telephone solicitor. The number so provided must permit, during regular business hours, any individual to make a request not to receive telephone ~~solicitation calls~~ *solicitations*. *In the case of a telephone solicitation via text message, this requirement is satisfied if the number so provided accepts a request by reply text message not to receive future text messages as provided in subsection A of § 59.1-514.*

B. No telephone solicitor shall take any intentional action to prevent the transmission of the telephone solicitor's name or telephone number to any person receiving a telephone solicitation ~~call~~ or engage in any conduct that results in the display of false or misleading ~~caller~~ identification information on the ~~called~~ *contacted* person's telephone.

C. It shall not be a violation of this section to substitute for the name and telephone number used in, or billed for, making the ~~call~~ *solicitation* the name of the person on whose behalf the telephone solicitation ~~call~~ is being made and that person's customer service telephone number.

§ 59.1-513.1. Abandoned telephone solicitations.

Whenever a live sales representative is not available to speak with the person answering a telephone solicitation *via telephone* call within two seconds of the person's completed greeting, the telephone solicitor shall play a prerecorded identification message that states the name and telephone number of the person on whose behalf the telephone solicitation ~~call~~ was being made. The number so provided shall permit, during regular business hours, any individual to make a request not to receive telephone ~~solicitation calls~~ *solicitations*.

§ 59.1-514. Unwanted telephone solicitations prohibited.

A. No telephone solicitor shall initiate, or cause to be initiated, a telephone solicitation ~~call~~ to a telephone number when a person at such telephone number previously has stated that he does not wish to receive a telephone solicitation ~~call~~ made by or on behalf of the person on whose behalf the telephone solicitation ~~call~~ is being made. Such statement may be made to a telephone solicitor or to the person on whose behalf the telephone solicitation ~~call~~ is being made if that person is different from the telephone solicitor. *In the case of a telephone solicitation via text message, such statement shall be made by replying to the text message with the word "UNSUBSCRIBE" or "STOP."* Any such request not to receive telephone ~~solicitation calls~~ *solicitations* shall be honored for at least 10 years from the time the request is made.

B. No telephone solicitor shall initiate, or cause to be initiated, a telephone solicitation ~~call~~ to a telephone number on the National Do Not Call Registry maintained by the federal government pursuant to the Telemarketing Sales Rule, 16 C.F.R. Part 310, and 47 C.F.R. § 64.1200.

C. It shall be an affirmative defense in any action brought under § 59.1-515 or 59.1-517 for a violation of this section that the defendant has established and implemented, with due care, reasonable practices and procedures to effectively prevent telephone ~~solicitation calls~~ *solicitations* in violation of this section, including using in accordance with applicable federal regulations a version of the National Do Not Call Registry obtained from the administrator of the registry no more than 31 days prior to the date any telephone solicitation ~~call~~ is made.

D. For purposes of this section, "telephone solicitation ~~call~~" shall not include a telephone call made to any person: (i) with that person's prior express invitation or permission as evidenced by a signed, written agreement stating that the person agrees to be contacted by or on behalf of a specific party and including the telephone number to which the call may be placed, (ii) with whom the person on whose behalf the telephone call is made has an established business relationship, or (iii) with whom the telephone solicitor making the telephone call has a personal relationship. The exemption for an established business relationship or a personal relationship shall not apply when the person called previously has stated that he does not wish to receive telephone ~~solicitation calls~~ *solicitations* as provided in subsection A.

§ 59.1-514.1. Joint liability of seller and telephone solicitor for prohibited acts; rebuttable presumption.

A. A seller on whose behalf or for whose benefit a telephone solicitor makes or initiates a telephone solicitation ~~call~~ in violation of any provision of § 59.1-511, 59.1-512, 59.1-513, or 59.1-514 and the telephone solicitor making or initiating the telephone ~~call~~ *solicitation* shall be jointly and severally liable for such violation.

B. A telephone solicitation ~~call~~ offering or advertising a seller's property, goods, or services shall be presumed to have been made or initiated on behalf of or for the benefit of the seller, whether or not any agency relationship exists between the telephone solicitor and the seller, whether or not the seller supervised or directed the conduct of the telephone solicitor, and whether or not the telephone solicitor is shown to have acted at the seller's direction and request when making or initiating the telephone solicitation ~~call~~. The presumption may be rebutted if it is shown by clear and convincing evidence that the seller did not retain or request the telephone solicitor to make telephone ~~solicitation calls~~ *solicitations* on the seller's behalf or for the seller's benefit and that the telephone ~~solicitation calls~~ *solicitations* offering or advertising the seller's property, goods, or services were made by the telephone solicitor without the seller's knowledge or consent.

2. That the provisions of this act shall become effective on January 1, 2026.

CHAPTER 627

An Act to amend and reenact § 55.1-1204 of the Code of Virginia, relating to Virginia Residential Landlord and Tenant Act; rental payment methods.

[S 1356]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-1204 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-1204. Terms and conditions of rental agreement; payment of rent; copy of rental agreement for tenant.

A. A landlord and tenant may include in a rental agreement terms and conditions not prohibited by this chapter or other rule of law, including rent, charges for late payment of rent, the term of the agreement, automatic renewal of the rental agreement, requirements for notice of intent to vacate or terminate the rental agreement, and other provisions governing the rights and obligations of the parties.

B. A landlord shall offer a prospective tenant a written rental agreement containing the terms governing the rental of the dwelling unit and setting forth the terms and conditions of the landlord-tenant relationship and shall provide with it the statement of tenant rights and responsibilities developed by the Department of Housing and Community Development and posted on its website pursuant to § 36-139. The parties to a written rental agreement shall sign the form developed by the Department of Housing and Community Development and posted on its website pursuant to § 36-139 acknowledging that the tenant has received from the landlord the statement of tenant rights and responsibilities. The written rental agreement shall be effective upon the date signed by the parties.

If a tenant fails to sign the form available pursuant to this subsection, the landlord shall record the date or dates on which he provided the form to the tenant and the fact that the tenant failed to sign such form. Subsequent to the effective date of the tenancy, a landlord may, but shall not be required to, provide a tenant with and allow such tenant an opportunity to sign the form described pursuant to this subsection. The form shall be current as of the date of delivery.

C. If a landlord does not offer a written rental agreement, the tenancy shall exist by operation of law, consisting of the following terms and conditions:

1. The provision of this chapter shall be applicable to the dwelling unit that is being rented;

2. The duration of the rental agreement shall be for 12 months and shall not be subject to automatic renewal, except in the event of a month-to-month lease as otherwise provided for under subsection D of § 55.1-1253;

3. Rent shall be paid in 12 equal periodic installments in an amount agreed upon by the landlord and the tenant and if no amount is agreed upon, the installments shall be at fair market rent;

4. Rent payments shall be due on the first day of each month during the tenancy and shall be considered late if not paid by the fifth of the month;

5. If the rent is paid by the tenant after the fifth day of any given month, the landlord shall be entitled to charge a late charge as provided in this chapter;

6. The landlord may collect a security deposit in an amount that does not exceed a total amount equal to two months of rent; and

7. The parties may enter into a written rental agreement at any time during the 12-month tenancy created by this subsection.

D. Except as provided in the written rental agreement, or as provided in subsection C if no written agreement is offered, rent shall be payable without demand or notice at the time and place agreed upon by the parties. Except as provided in the written rental agreement, rent is payable at the place designated by the landlord, and periodic rent is payable at the beginning of any term of one month or less and otherwise in equal installments at the beginning of each month. If the landlord receives from a tenant a written request for a written statement of charges and payments, he shall provide the tenant with a written statement showing all debits and credits over the tenancy or the past 12 months, whichever is shorter. The landlord shall provide such written statement within 10 business days of receiving the request.

E. A landlord shall not charge a tenant for late payment of rent unless such charge is provided for in the written rental agreement. No such late charge shall exceed the lesser of 10 percent of the periodic rent or 10 percent of the remaining balance due and owed by the tenant.

F. Except as provided in the written rental agreement or, as provided in subsection C if no written agreement is offered, the tenancy shall be week-to-week in the case of a tenant who pays weekly rent and month-to-month in all other cases. Terminations of tenancies shall be governed by § 55.1-1253 unless the rental agreement provides for a different notice period.

G. If the rental agreement contains any provision allowing the landlord to approve or disapprove a sublessee or assignee of the tenant, the landlord shall, within 10 business days of receipt of the written application of the prospective sublessee or assignee on a form to be provided by the landlord, approve or disapprove the sublessee or assignee. Failure of the landlord to act within 10 business days is evidence of his approval.

H. The landlord shall provide a copy of the signed written rental agreement and the statement of tenant rights and responsibilities to the tenant within 10 business days of the effective date of the written rental agreement. The failure of the landlord to deliver such a rental agreement and statement shall not affect the validity of the agreement. However, the landlord shall not file or maintain an action, including any summons for unlawful detainer, against the tenant in a court of law for any alleged lease violation until he has provided the tenant with the statement of tenant rights and responsibilities.

The landlord shall provide the tenant with an additional hard copy of such tenant's rental agreement once per year upon request or shall maintain such rental agreement in an electronic format that can be easily accessed by or shared with the tenant upon request. Any additional electronic copy of a tenant's rental agreement provided pursuant to this subsection shall be provided by the landlord at no charge to the tenant.

I. No unilateral change in the terms of a rental agreement by a landlord or tenant shall be valid unless (i) notice of the change is given in accordance with the terms of the rental agreement or as otherwise required by law and (ii) both parties consent in writing to the change.

J. 1. The landlord shall provide the tenant with a written receipt, upon request from the tenant, whenever the tenant pays rent in the form of cash or money order. *No landlord shall charge a tenant any fee for the collection or processing of any payment of rent, security deposit, or any other fees, unless the landlord offers an alternative method of payment that does not include additional fees.*

2. A landlord with four or fewer rental dwelling units, or up to a 10 percent interest in four or fewer rental dwelling units, shall not be required to accept payment of periodic rent and any security deposit by debit or credit card.

K. A landlord who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, shall be required to provide written notice to any tenant who has the option to renew a rental agreement or whose rental agreement contains an automatic renewal provision of any increase in rent during the subsequent rental agreement term. Such notice shall be provided to the tenant no less than 60 days prior to the end of the rental agreement term. This subsection shall not apply to any periodic tenancy created pursuant to subsection C of § 55.1-1253.

CHAPTER 628

An Act to amend and reenact § 22.1-272.2 of the Code of Virginia, relating to Department of Education; model memorandum of understanding; partnerships with community mental health services providers or a nationally recognized school-based telehealth provider; counseling from school counselors by way of telehealth.

[S 1370]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-272.2 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-272.2. Department; model memorandum of understanding; partnerships with community mental health services providers or a nationally recognized school-based telehealth provider.

The Department, in consultation with the Department of Behavioral Health and Developmental Services and the Department of Medical Assistance Services, shall develop, adopt, and distribute to each school board a model memorandum of understanding between a school board and a public or private community mental health services provider or a nationally recognized school-based telehealth provider that *(i)* sets forth parameters for the provision of mental health services to public school students enrolled in the local school division by such provider, including the provision of mental health teletherapy for students~~,~~ *and the provision of counseling for students by school counselors by way of telehealth and including a requirement for parental consent before the provision of any such services to any student who is under 18 years of age; (ii)* reflects effective practices~~,~~*;* and *(iii)* addresses privacy considerations related to the exchange of information between the parties to the memorandum of understanding and relevant laws and regulations. The Department shall maintain and update as necessary the model memorandum of understanding to ensure that it remains current, useful, and relevant.

CHAPTER 629

An Act to amend and reenact §§ 59.1-530 and 59.1-531 of the Code of Virginia, relating to gift certificates; fees.

[S 1371]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 59.1-530 and 59.1-531 of the Code of Virginia are amended and reenacted as follows:

§ 59.1-530. Definitions.

As used in this chapter, unless the context clearly requires otherwise:

"Dormancy fee" or "inactivity charge or fee" means any fee, charge, or penalty for non-use or inactivity of a gift certificate.

"General use prepaid card" means a card or other payment code or device issued by any person that is (i) redeemable at multiple, unaffiliated merchants or service providers, or automated teller machines; (ii) issued in a requested amount, whether or not that amount may, at the option of the issuer, be increased in value or reloaded if requested by the holder; (iii) purchased or loaded on a prepaid basis; and (iv) honored, upon presentation, by merchants for goods or services or at automated teller machines.

"Gift certificate" or "certificate" means a certificate, electronic card, or other medium issued by a merchant that evidences the giving of consideration in exchange for the right to redeem the certificate, electronic card, or other medium for goods, food, services, credit, or money of at least an equal value, including any electronic card issued by a merchant with a banked dollar value where the issuer has received payment for the full banked dollar value for the future purchase, or delivery, of goods or services and any certificate issued by a merchant where the issuer has received payment for the full face value of the certificate for future purchases, or delivery, of goods or services. *"Gift certificate" includes general use prepaid cards.*

"Merchant" means an owner or operator of any mercantile establishment or any agent, employee, lessee, consignee, officer, director, franchisee, or independent contractor of such owner or operator.

"Service fee" means a periodic fee, charge, or penalty for holding or using a gift certificate. With respect to a general use prepaid card, "service fee" does not include a one-time initial issuance fee.

§ 59.1-531. Required disclosures.

A. Each gift certificate issued by a merchant in the Commonwealth that has an expiration date shall include either (i) a statement of the expiration date of the certificate or (ii) a telephone number or Internet address where the holder of the certificate may obtain information regarding the expiration date of the certificate.

B. Each gift certificate issued by a merchant in the Commonwealth that diminishes in value over time shall include a telephone number or Internet address where the holder of the certificate may obtain information regarding the diminution in the value of the certificate over time.

C. *No gift certificate issued by a merchant in the Commonwealth shall impose a dormancy fee, an inactivity charge or fee, or a service fee, unless the gift certificate is distributed pursuant to an award, loyalty, or promotional program, and with respect to which there is no other money or value exchanged.*

D. The information required by ~~this section~~ *subsections A and B* shall be clearly and permanently imprinted on the certificate.

CHAPTER 630

An Act to amend the Code of Virginia by adding in Chapter 2 of Title 32.1 an article numbered 9.2, consisting of sections numbered 32.1-71.5 and 32.1-71.6, relating to Health; Research and Clinical Trial Cancer Consortium Initiative established; report.

[S 1379]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 2 of Title 32.1 an article numbered 9.2, consisting of sections numbered 32.1-71.5 and 32.1-71.6, as follows:

Article 9.2.

Research and Clinical Trial Cancer Consortium Initiative.

§ 32.1-71.5. Research and Clinical Trial Cancer Consortium Initiative; purpose.

A. As used in this article, "Initiative" means the Research and Clinical Trial Cancer Consortium Initiative established pursuant to this article.

B. The Research and Clinical Trial Cancer Consortium Initiative is hereby established as an independent nonprofit entity in the Commonwealth for the purpose of coordinating, maximizing the efficiency of, and facilitating cancer clinical research and treatment efforts across the Commonwealth. The Initiative shall include the Massey Comprehensive Cancer Center at Virginia Commonwealth University, the University of Virginia Medical Center, the Leroy T. Canoles Jr. Cancer Research Center at the Eastern Virginia Health Sciences Center at Old Dominion University, the Fralin Biomedical Research Institute at Virginia Tech Carilion, Hampton University, and three nonacademic health systems.

§ 32.1-71.6. Membership; powers and duties of the Initiative; report.

A. The Initiative shall have a total membership of twelve members that shall consist of eight representatives of health or medical institutions with expertise in cancer clinical research and treatment, three nonlegislative citizen members with expertise in cancer clinical research and treatment or philanthropic support of cancer clinical research and treatment, and

one ex officio member. The representatives of health or medical institutions with expertise in cancer clinical research and treatment shall be appointed by the Commissioner as follows: one representative each from (i) the Massey Comprehensive Cancer Center at Virginia Commonwealth University, (ii) the University of Virginia Medical Center, (iii) the Leroy T. Canoles Jr. Cancer Research Center at the Eastern Virginia Health Sciences Center at Old Dominion University, (iv) the Fralin Biomedical Research Institute at Virginia Tech Carilion, (v) Hampton University, and (vi) three nonacademic health systems. The nonlegislative citizen members shall be appointed as follows: three members with expertise in cancer clinical research and treatment or philanthropic support of cancer clinical research and treatment, one of whom shall be appointed by the Senate Committee on Rules, one of whom shall be appointed by the Speaker of the House of Delegates, and one of whom shall be appointed by the Governor, subject to confirmation by the General Assembly. The Secretary of Health and Human Resources shall serve ex officio with voting privileges. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed. After the initial staggering of terms, nonlegislative citizen members shall be appointed for a term of four years. No nonlegislative citizen member shall serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

B. The Initiative shall elect a chairman from among its membership, provided, however, that no institutional representative appointed as a member shall be eligible to serve as chairman of the Initiative. A majority of the members shall constitute a quorum. Members shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their duties.

C. The Initiative shall have the power and duty to:

1. Develop and provide coordinated financial incentives to the medical and health institutions focused on cancer clinical research and treatment in the Commonwealth to (i) collaborate on clinical trials in the areas with the most significant demonstrated need; (ii) leverage existing resources; (iii) incentivize the development of intellectual property research and associated patents relating to cancer clinical research and treatment created within the Commonwealth; (iv) combine clinical enrollment participant populations to increase efficiency and maximize the receipt of available federal funding; and (v) develop and implement plans and procedures for minimizing duplicative research efforts across institutions in the Initiative;

2. Take such actions as deemed necessary and appropriate to further the Initiative's purpose of coordinating, maximizing the efficiency of, and facilitating cancer clinical research and treatment efforts across the Commonwealth, including (i) developing and implementing plans designed to expand outreach and improve efforts to attract highly qualified individuals with expertise in cancer clinical research and treatment to the Commonwealth and (ii) developing policies and model contracts to streamline and facilitate the assignment and sharing of intellectual property research and foster the utilization of information, discoveries, data, and material produced or performed by institutions in the Initiative; and

3. Submit an annual report to the Governor and the General Assembly for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports. The chairman of the Initiative shall submit to the Governor and the General Assembly an annual executive summary of the activity and work of the Initiative for the immediately preceding year no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

2. That the initial appointments of nonlegislative citizen members shall be staggered as follows: one member for a term of three years appointed by the Senate Committee on Rules; one member for a term of two years appointed by the Speaker of the House of Delegates; and one member for a term of one year appointed by the Governor.

CHAPTER 631

An Act to amend the Code of Virginia by adding a section numbered 32.1-174.5, relating to Department of Health Office of Drinking Water; waterworks; mandatory reporting; monthly operation report.

[S 1408]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 32.1-174.5 as follows:

§ 32.1-174.5. Mandatory reporting of contaminant releases and equipment failures and malfunctions.

A. As used in this section:

"Contaminant release" means an unplanned or uncontrolled release by a waterworks of a chemical contaminant or petroleum or synthetic oil into the water that is treated by or distributed from the waterworks to customers. "Contaminant release" includes any such release at treatment facilities and raw or finished water pump stations.

"Critical equipment failure or malfunction" means any equipment failure or malfunction that has significant potential for serious adverse effects on human health as a result of short-term exposure or to cause a widespread disruption of water service.

"Equipment failure" means an unplanned condition when the equipment cannot perform or is unable to perform as designed because of a problem with such equipment. "Equipment failure" does not mean a planned (i) removal from service, (ii) repair, or (iii) maintenance.

"Equipment malfunction" means an unplanned condition during which the equipment cannot perform or is unable to perform as designed due to a problem originating from outside the waterworks rather than a problem associated or originating with the equipment itself, including an issue with third-party provided gas or electric power feeds or a cyberattack.

"Monthly operating report" means the report submitted by a waterworks to the Office at least once each month that describes the waterworks' operational status and compliance with applicable laws, regulations, and policies, as directed by the Department.

"Noncritical equipment failure or malfunction" means an equipment failure or malfunction that is not a critical equipment failure or malfunction, regardless of whether such anomaly is noticeable to customers of the waterworks.

"Office" means the Department's Office of Drinking Water.

B. The owner of a waterworks shall report any critical equipment failure or malfunction or contaminant release to the Office as soon as practicable but no more than two hours after discovery.

C. Any owner of a waterworks that is required to submit a monthly operating report to the Office shall include any noncritical equipment failure or malfunction that could adversely affect water quality, public health, or service continuity that occurred during the applicable reporting month and was not resolved by the reporting deadline. For the purposes of this subsection, any noncritical equipment failure or malfunction that is effectively addressed by equipment repair or replacement, alternative equipment use, alternative system operation, or such other response shall be considered resolved.

CHAPTER 632

An Act to amend the Code of Virginia by adding in Chapter 9 of Title 22.1 an article numbered 4, consisting of sections numbered 22.1-141.3, 22.1-141.4, and 22.1-141.5, relating to public school buildings; indoor air quality; inspection and evaluation.

[S 1413]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 9 of Title 22.1 an article numbered 4, consisting of sections numbered 22.1-141.3, 22.1-141.4, and 22.1-141.5, as follows:

Article 4.

Indoor Air Quality; Inspection and Evaluation.

§ 22.1-141.3. Scope of article.

The provisions of this article apply to matters relating to indoor air quality in public school buildings occupied by school board employees and students during regular work and school hours.

§ 22.1-141.4. Definitions.

As used in this article, unless the context requires a different meaning:

"Certified testing, adjusting, and balancing technician" means (i) a technician, tradesperson, or apprentice certified to perform testing, adjusting, and balancing of heating, ventilation, and air conditioning systems by the Associated Air Balance Council, the National Environmental Balancing Bureau or, the Testing, Adjusting and Balancing Bureau or (ii) a person certified to perform ventilation assessments of heating, ventilation, and air conditioning systems through a certification body accredited by the American National Standards Institute.

"Heating, ventilation, and air conditioning system" means the equipment, distribution network, controls, and terminals that provide, either collectively or individually, heating, ventilation, or air conditioning to a building.

"Indoor air quality" means air quality within buildings and structures, especially as it relates to the health and comfort of building occupants.

§ 22.1-141.5. Industry-recognized uniform inspection and evaluation.

A. At least once every four years, each local school division shall provide for an industry-recognized uniform inspection and evaluation of the heating, ventilation, and air conditioning system in each public school building in the local school division. Such inspection and evaluation shall be performed by a certified testing, adjusting, and balancing technician, an industrial hygienist certified by the American Board of Industrial Hygiene, a technician with a Master HVAC License from the Department of Professional and Occupational Regulation, or a mechanical engineer. Such heating, ventilation, and air conditioning systems inspection and evaluation shall include:

1. Testing for maximum filter efficiency;

2. Physical measurements of outside air delivery rate;

3. Verification of the appropriate condition and operation of ventilation components;

4. Measurement of air distribution system outside air, return air, and supply air and static pressure readings across all air handling unit components, including filters, coils, and fans;

5. Verification of unit operation and that required maintenance has been performed in accordance with the most recent indoor ventilation standards promulgated by the American Society of Heating, Refrigerating and Air-Conditioning Engineers;

6. Verification of carbon dioxide sensors and acceptable carbon dioxide concentrations indoors; and

7. Collection of field data for the installation of mechanical ventilation if none exists.

B. The portion of the uniform inspection and evaluation required pursuant to subsection A that relates to the ventilation system shall identify the extent to which each school's current ventilation system components, including any existing central or noncentral mechanical ventilation system, are operating in such a manner as to provide appropriate ventilation to the school building in accordance with the most recent indoor ventilation standards promulgated by the American Society of Heating, Refrigerating and Air-Conditioning Engineers.

C. Each local school division shall prepare a written report of the results of the uniform inspection and evaluation required pursuant to subsection A that includes any corrective actions necessary to be performed on the mechanical ventilation system or the heating, ventilation, and air conditioning infrastructure, including installation of filters meeting the most optimal level of filtration available for a given heating, ventilation, and air conditioning system, installation of carbon dioxide sensors, and additional maintenance, repairs, upgrades, or replacement. Each local school division shall make such report available for public inspection at a regularly scheduled local school board meeting and on the local school board's public website.

D. No local school division is required to provide for a uniform inspection and evaluation pursuant to subsection A for any school building that will cease to be used as a school within one year of such a planned inspection and evaluation.

CHAPTER 633

An Act to amend and reenact §§ 19.2-327.15, 19.2-327.17, 19.2-327.18, and 19.2-327.19 of the Code of Virginia, relating to issuance of writ of vacatur for victims of human trafficking.

[S 1460]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 19.2-327.15, 19.2-327.17, 19.2-327.18, and 19.2-327.19 of the Code of Virginia are amended and reenacted as follows:

CHAPTER 19.4.

ISSUANCE OF WRIT OF VACATUR FOR VICTIMS OF ~~COMMERCIAL~~ ~~SEX~~ *HUMAN* TRAFFICKING.

§ 19.2-327.15. Definitions.

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

"Labor trafficking" means the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to debt bondage, involuntary servitude, peonage, or slavery.

"Qualifying offense" means a conviction or adjudication of delinquency for any *attempted, completed, or conspired (i)* violation of *§ 18.2-250 or (ii) misdemeanor violation of § 18.2-96, 18.2-102, or 18.2-103; subsection A of § 18.2-108; § 18.2-108.01, 18.2-117, 18.2-118, 18.2-119, 18.2-137, 18.2-146, 18.2-147, 18.2-160.2, 18.2-173, 18.2-178, 18.2-181, or 18.2-186.2; subdivision B 1 of § 18.2-186.3; § 18.2-195, 18.2-197, 18.2-206, 18.2-258, 18.2-266.1,* 18.2-346 ~~or~~, 18.2-347*, 18.2-349, 18.2-388, 18.2-415, 46.2-300, or 46.2-301; or subdivision A 1, 2, or 3 of § 46.2-346*.

"Sex trafficking" means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act that is induced by force, fraud, or coercion or in which the person induced to perform such act has not attained 18 years of age.

"Victim of ~~sex~~ *human* trafficking" means any person ~~convicted or adjudicated delinquent of a qualifying offense in the Commonwealth who committed such offense as a direct result of being solicited, invited, recruited, encouraged, forced, intimidated, or deceived by another to engage in acts of prostitution or unlawful sexual intercourse for money or its equivalent, as described in subsection A of § 18.2-346~~ *subjected to an act or the practice of labor trafficking or sex trafficking*, regardless of whether any other person has been charged or convicted of an offense related to the *labor trafficking or* sex trafficking of such person.

§ 19.2-327.17. Contents and form of the petition for vacatur.

A. Any victim of ~~sex~~ *human* trafficking may file a petition for vacatur setting forth the relevant facts and requesting that the judgment of a conviction or adjudication of delinquency be vacated. Such petition shall allege categorically and with specificity, under oath, all of the following:

1. The petitioner was convicted or adjudicated delinquent of a qualifying offense, including the date on which the qualifying offense occurred, the date of final disposition on which the conviction or adjudication of delinquency was entered, the petitioner's date of birth, and the full name used by the petitioner at the time of the offense;

2. The petitioner *was a victim of human trafficking at the time he* committed the qualifying offense ~~as a direct result of being~~ *and his status as* a victim of ~~sex~~ *human* trafficking *was the proximate cause of the commission of the qualifying offense*; and

3. Whether the petitioner has previously filed any other petition in accordance with this chapter in any circuit court and, if so, the disposition of such petition.

B. Such petition shall contain all relevant allegations of facts that are known to the petitioner at the time of filing, *which shall include a short, plain statement demonstrating (i) that the petitioner is entitled to relief under this chapter; (ii) the identity of the human trafficker, to the best of the petitioner's knowledge; (iii) the approximate date, time, place, and manner in which the petitioner became a victim of human trafficking; (iv) the petitioner's age at the time he became a victim of human trafficking; (v) how the petitioner became involved in the activities resulting in his arrest, prosecution, and conviction or adjudication; and (vi) that the petitioner has ceased to be a victim of human trafficking or has sought rehabilitative services. Such statement shall be filed under seal and provided only to the circuit court and the attorney for the Commonwealth of the city or county in which the petition is filed. The attorney for the Commonwealth may provide the information provided in such statement, with the exception of the petitioner's identity, to any law-enforcement agency to investigate or prosecute criminal activity. The identity of the petitioner shall only be provided to law enforcement upon notice to the petitioner and an order of the circuit court authorizing such disclosure. Nothing in this subsection shall be construed to mandate a petitioner's cooperation with law enforcement in any resulting investigation or prosecution.*

The petition shall be filed on a form provided by the Supreme Court. If the petitioner fails to submit a completed form, the circuit court may allow the petitioner to amend the petition to correct any deficiency. If the petitioner fails to submit a completed form containing the allegations set forth in subsection A, or if the circuit court has previously dismissed a petition for vacatur from the same petitioner for the same qualifying offense following a hearing conducted pursuant to § 19.2-327.18, the court may dismiss the petition. Any false statement in the petition, if such statement is knowingly or willfully made, shall be a ground for prosecution of perjury as provided for in § 18.2-434.

C. The petitioner shall obtain from a law-enforcement agency one complete set of the petitioner's fingerprints and shall file those fingerprints with the circuit court with the petition.

D. The Commonwealth shall be made party defendant to the proceeding. The petitioner shall provide a copy of the petition by delivery or by first-class mail, postage prepaid, to the attorney for the Commonwealth of the city or county in which the petition is filed. The attorney for the Commonwealth may file an objection or answer to the petition or may give written notice to the court that he does not object to the petition within 30 days after receipt of the petition. Upon the motion of the attorney for the Commonwealth and for good cause shown, the court may allow the attorney for the Commonwealth up to an additional 30 days to respond to the petition.

E. A person convicted or adjudicated delinquent of multiple qualifying offenses shall include all qualifying offenses in one petition, if such convictions or adjudications were all entered in the same city or county. A person convicted or adjudicated delinquent of qualifying offenses in different cities or counties shall file petitions in the circuit courts of the cities or counties in which the convictions or adjudications of delinquency were entered.

§ 19.2-327.18. Hearing on petition for vacatur.

A. If the attorney for the Commonwealth of the county or city in which the petition is filed (i) gives written notice to the court that he does not object to the petition and (ii) stipulates in such written notice that the petitioner was convicted or adjudicated delinquent of a qualifying offense and that the petitioner *was a victim of human trafficking at the time he* committed the qualifying offense ~~as a direct result of being~~ *and his status as* a victim of ~~sex~~ *human* trafficking *was the proximate cause of the commission of the qualifying offense*, the circuit court may grant the writ and vacate the qualifying offense without conducting a hearing.

B. If the attorney for the Commonwealth of the county or city in which the petition is filed objects to the petition or does not file an answer, the court shall conduct a hearing on the petition after reasonable notice has been provided to both the petitioner and the attorney for the Commonwealth. The attorney for the Commonwealth shall make reasonable efforts to notify any victim, as defined in § 19.2-11.01, of any qualifying offense of such hearing. *In any such hearing, the attorney for the Commonwealth may proffer any evidence pertaining to the guilt or innocence of the petitioner, including evidence that was suppressed at trial.* The circuit court shall not be required to conduct a hearing if it has previously dismissed a petition for vacatur from the same petitioner for the same qualifying offense.

C. Upon finding that the petitioner has by a preponderance of the evidence proven the elements contained in subsection A of § 19.2-327.17, the circuit court shall grant the writ and vacate the qualifying offense. If the petitioner fails to prove any of these elements, the court shall dismiss the petition.

D. *Prior to any decision to grant the writ, the court shall determine whether any restitution is unpaid under the terms of the sentencing order for the qualifying offense. If the court grants the writ, the petitioner shall be forever discharged from any such restitution obligation, and the victim, as defined in § 19.2-11.01, of the qualifying offense shall be deemed a victim of crime as defined in § 19.2-368.2. Such victim shall be eligible to petition for awards pursuant to Chapter 21.1 (§ 19.2-368.1 et seq.), and his claim for restitution reimbursement shall be deemed to accrue on the date the court grants the writ.*

E. The court may grant the writ and vacate the qualifying offense regardless of whether any person other than the petitioner has been charged or convicted of an offense related to the petitioner being a victim of ~~sex~~ *human* trafficking.

§ 19.2-327.19. Relief under writ of vacatur.

A. Upon granting a writ of vacatur pursuant to subsection C of § 19.2-327.18, the circuit court shall provide the petitioner with a copy of the writ, and such copy shall be sufficient proof that the person named in the writ is no longer

under any disability, disqualification, or other adverse consequence resulting from the vacated conviction or adjudication of delinquency.

B. If a writ of vacatur is granted, and no appeal is made to the Supreme Court, or the Supreme Court refuses or denies the Commonwealth's petition for appeal or upholds the decision of the circuit court, an order of expungement for the qualifying offense shall be entered by the circuit court. Upon entry of the order of expungement, the clerk of court shall cause a copy of the writ of vacatur, the order of expungement, and the complete set of petitioner's fingerprints to be forwarded to the Department of State Police, which shall expunge the qualifying offense.

C. The writ to vacate the qualifying offense *and the record of the proceedings* shall not be expunged pursuant to subsection B and shall be maintained by the circuit court. Access to the writ *or the record of the proceedings* may be provided only upon court order. Any person seeking access to the writ *or the record of the proceedings* may file a written motion setting forth why such access is needed. The court shall issue an order to disclose the writ *or the record of the proceedings* upon the written motion of the petitioner named in the writ *or the attorney for the Commonwealth of the city or county in which the petition is filed*. The court may issue an order to disclose the writ *or the record of the proceedings* if it finds that such disclosure best serves the interests of justice. *Court-ordered disclosure of the record of the proceedings pursuant to this subsection shall not subject the recipient of the disclosure to the provisions of § 19.2-392.3.*

D. Costs shall be as provided in § 17.1-275 but shall not be recoverable against the Commonwealth. A petitioner shall not be required to pay any fees or costs for filing a petition pursuant to this chapter if the petitioner is found to be unable to pay fees or costs pursuant to § 17.1-606. If the circuit court enters a writ of vacatur, the clerk of the court shall refund to the petitioner such costs paid by the petitioner.

E. If the court enters a writ of vacatur, the petitioner shall be entitled to a refund of all fines~~, costs, forfeitures,~~ and penalties paid in relation to the qualifying offense that was vacated. If the clerk of the court where the conviction was entered is in possession of any records detailing any fines~~, costs, forfeitures,~~ and penalties paid by the petitioner for a qualifying offense that was vacated, the petitioner shall be entitled to a refund of such amount. If the clerk of the court where the conviction was entered is no longer in possession of any records detailing any fines~~, costs, forfeitures,~~ and penalties paid by the petitioner for a qualifying offense that was vacated, a refund shall be provided only upon a showing by the petitioner of the amount of fines~~, costs, forfeitures,~~ and penalties paid.

CHAPTER 634

An Act to amend and reenact §§ 2.2-3706 and 2.2-3706.1 and §§ 9.1-101, 9.1-128, 17.1-293.1, 17.1-502, 19.2-310.7, 19.2-392.2, 19.2-392.5 through 19.2-392.8, 19.2-392.11 through 19.2-392.14, 19.2-392.16, and 19.2-392.17, as they shall become effective, of the Code of Virginia, the fourth, fifth, sixth, and seventh enactments of Chapter 524 and the fourth, fifth, sixth, and seventh enactments of Chapter 542 of the Acts of Assembly of 2021, Special Session I, and the third, fourth, and fifth enactments of Chapter 554 and the third, fourth, and fifth enactments of Chapter 555 of the Acts of Assembly of 2023; to amend the Code of Virginia by adding sections numbered 19.2-392.6:1 and 19.2-392.12:1; and to repeal § 17.1-205.1 of the Code of Virginia, relating to criminal records; expungement and sealing of records.

[S 1466]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3706 and 2.2-3706.1 and §§ 9.1-101, 9.1-128, 17.1-293.1, 17.1-502, 19.2-310.7, 19.2-392.2, 19.2-392.5 through 19.2-392.8, 19.2-392.11 through 19.2-392.14, 19.2-392.16, and 19.2-392.17, as they shall become effective, of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 19.2-392.6:1 and 19.2-392.12:1 as follows:

§ 2.2-3706. Disclosure of law-enforcement and criminal records; limitations.

A. Records required to be released. All public bodies engaged in criminal law-enforcement activities shall provide the following records when requested in accordance with the provisions of this chapter:

1. Adult arrestee photographs taken during the initial intake following the arrest and as part of the routine booking procedure, except when necessary to avoid jeopardizing an investigation in felony cases until such time as the release of the photograph will no longer jeopardize the investigation;

2. Information relative to the identity of any individual, other than a juvenile, who is arrested and charged, and the status of the charge or arrest; and

3. Records of completed unattended death investigations to the parent or spouse of the decedent or, if there is no living parent or spouse, to the most immediate family member of the decedent, provided the person is not a person of interest or a suspect. For the purposes of this subdivision, "unattended death" means a death determined to be a suicide, accidental or natural death where no criminal charges will be initiated, and "immediate family" means the decedent's personal representative or, if no personal representative has qualified, the decedent's next of kin in order of intestate succession as set forth in § 64.2-200.

B. Discretionary releases. The following records are excluded from the mandatory disclosure provisions of this chapter, but may be disclosed by the custodian, in his discretion, except where such disclosure is prohibited by law:

1. Criminal investigative files, defined as any documents and information, including complaints, court orders, memoranda, notes, diagrams, maps, photographs, correspondence, reports, witness statements, and evidence, relating to a criminal investigation or prosecution not required to be disclosed in accordance with § 2.2-3706.1;

2. Reports submitted in confidence to (i) state and local law-enforcement agencies, (ii) investigators authorized pursuant to Chapter 3.2 (§ 2.2-307 et seq.), and (iii) campus police departments of public institutions of higher education established pursuant to Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1;

3. Records of local law-enforcement agencies relating to neighborhood watch programs that include the names, addresses, and operating schedules of individual participants in the program that are provided to such agencies under a promise of anonymity;

4. All records of persons imprisoned in penal institutions in the Commonwealth provided such records relate to the imprisonment;

5. Records of law-enforcement agencies, to the extent that such records contain specific tactical plans, the disclosure of which would jeopardize the safety or security of law-enforcement personnel or the general public;

6. All records of adult persons under (i) investigation or supervision by a local pretrial services agency in accordance with Article 5 (§ 19.2-152.2 et seq.) of Chapter 9 of Title 19.2; (ii) investigation, probation supervision, or monitoring by a local community-based probation services agency in accordance with Article 9 (§ 9.1-173 et seq.) of Chapter 1 of Title 9.1; or (iii) investigation or supervision by state probation and parole services in accordance with Article 2 (§ 53.1-141 et seq.) of Chapter 4 of Title 53.1;

7. Records of a law-enforcement agency to the extent that they disclose the telephone numbers for cellular telephones, pagers, or comparable portable communication devices provided to its personnel for use in the performance of their official duties;

8. Those portions of any records containing information related to undercover operations or protective details that would reveal the staffing, logistics, or tactical plans of such undercover operations or protective details. Nothing in this subdivision shall operate to allow the withholding of information concerning the overall costs or expenses associated with undercover operations or protective details;

9. Records of (i) background investigations of applicants for law-enforcement agency employment, (ii) administrative investigations relating to allegations of wrongdoing by employees of a law-enforcement agency, and (iii) other administrative investigations conducted by law-enforcement agencies that are made confidential by law;

10. The identity of any victim, witness, or undercover officer, or investigative techniques or procedures. However, the identity of any victim or witness shall be withheld if disclosure is prohibited or restricted under § 19.2-11.2; and

11. Records of the Sex Offender and Crimes Against Minors Registry maintained by the Department of State Police pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, including information obtained from state, local, and regional officials, except to the extent that information is required to be posted on the Internet pursuant to § 9.1-913.

C. Prohibited releases. *The following records shall not be disclosed under the provisions of this chapter:*

1. The identity of any individual providing information about a crime or criminal activity under a promise of anonymity ~~shall not be disclosed~~*;*

2. Any record that has been expunged pursuant to § 19.2-392.2, unless dissemination is authorized pursuant to § 19.2-392.3 or 19.2-392.3:1; and

3. Any record that has been sealed pursuant to § 19.2-392.6:1, 19.2-392.7, 19.2-392.8, 19.2-392.10, 19.2-392.11, 19.2-392.12, 19.2-392.12:1, or 19.2-392.17, unless dissemination is authorized pursuant to § 19.2-392.13 and the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134.

D. Noncriminal records. Public bodies (i) engaged in emergency medical services, (ii) engaged in fire protection services, (iii) engaged in criminal law-enforcement activities, or (iv) engaged in processing calls for service or other communications to an emergency 911 system or any other equivalent reporting system may withhold those portions of noncriminal incident or other noncriminal investigative reports or materials that contain identifying information of a personal, medical, or financial nature where the release of such information would jeopardize the safety or privacy of any person. Access to personnel records of persons employed by a public body engaged in emergency medical services or fire protection services, a law-enforcement agency, or an emergency 911 system or any other equivalent reporting system shall be governed by the provisions of subdivision B 9 and subdivision 1 of § 2.2-3705.1, as applicable.

E. Records of any call for service or other communication to an emergency 911 system or communicated with any other equivalent reporting system shall be subject to the provisions of this chapter.

F. Conflict resolution. In the event of conflict between this section as it relates to requests made under this section and other provisions of law, this section shall control.

§ 2.2-3706.1. Disclosure of law-enforcement records; criminal incident information and certain criminal investigative files; limitations.

A. For purposes of this section:

"Criminal investigative files" means any documents and information, including complaints, court orders, memoranda, notes, diagrams, maps, photographs, correspondence, reports, witness statements, and evidence, relating to a criminal investigation or prosecution, other than criminal incident information subject to disclosure in accordance with subsection B.

"Family representative" means the decedent's personal representative or, if no personal representative as set forth in § 64.2-100 has qualified, the decedent's next of kin in order of intestate succession as set forth in § 64.2-200.

"Immediate family members" means the decedent's family representative, spouse, child, sibling, parent, grandparent, or grandchild. "Immediate family members" include a stepparent, stepchild, stepsibling, and adoptive relationships.

"Ongoing" refers to a case in which the prosecution has not been finally adjudicated, the investigation continues to gather evidence for a possible future criminal case, and such case would be jeopardized by the premature release of evidence.

B. All public bodies engaged in criminal law-enforcement activities shall provide records and information when requested in accordance with the provisions of this chapter regarding criminal incident information relating to felony offenses contained in any report, notes, electronic communication, or other document, including filings through an incident-based reporting system, which shall include:

1. A general description of the criminal activity reported;

2. The date and time the alleged crime was committed;

3. The general location where the alleged crime was committed;

4. The identity of the investigating officer or other point of contact; and

5. A description of any injuries suffered or property damaged or stolen.

A verbal response as agreed to by the requester and the public body is sufficient to satisfy the requirements of this subsection.

C. Criminal investigative files relating to an ongoing criminal investigation or proceeding are excluded from the mandatory disclosure provisions of this chapter, but may be disclosed by the custodian, in his discretion, except as provided in subsection E or where such disclosure is prohibited by law.

D. Criminal investigative files relating to a criminal investigation or proceeding that is not ongoing are excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian, in his discretion, except as provided in subsection E; however, such records shall be disclosed, by request, to the following persons, regardless of whether any such person is a citizen of the Commonwealth:

1. The victim;

2. The victim's immediate family members, if the victim is deceased and the immediate family member to which the records are to be disclosed is not a person of interest or a suspect in the criminal investigation or proceeding;

3. The parent or guardian of the victim, if the victim is a minor and the parent or guardian is not a person of interest or a suspect in the criminal investigation or proceeding;

4. An attorney representing a petitioner in a petition for a writ of habeas corpus or writ of actual innocence pursuant to Chapter 19.2 (§ 19.2-327.2 et seq.) of Title 19.2 or any other federal or state post-conviction proceeding or pardon; and

5. For the sole purpose of inspection at the location where such records are maintained by the public body that is the custodian of the records, (i) an attorney or his agent when such attorney is considering representing a petitioner in a post-conviction proceeding or pardon, (ii) an attorney who provides a sworn declaration that the attorney has been retained by an individual for purposes of pursuing a civil or criminal action and has a good faith basis to believe that the records being requested are material to such action, or (iii) a person who is proceeding pro se in a petition for a writ of habeas corpus or writ of actual innocence pursuant to Chapter 19.2 (§ 19.2-327.2 et seq.) of Title 19.2 or any other federal or state post-conviction proceeding or pardon, who provides a sworn affidavit that the records being requested are material to such action.

An attorney or his agent who is in receipt of criminal investigative files or has inspected criminal investigative files pursuant to subdivision 4 or 5 shall not release such criminal investigative files or any information contained therein except as necessary to provide adequate legal advice or representation to a person whom the attorney either represents or is considering representing in a post-conviction proceeding or pardon or represents in a civil or criminal action.

An attorney who is in receipt of criminal investigative files pursuant to subdivision 4 shall return the criminal investigative files to the public body that is the custodian of such records within 90 days of a final determination of any writ of habeas corpus, writ of actual innocence, or other federal or state post-conviction proceeding or pardon or, if no petition for such writ or post-conviction proceeding or pardon was filed, within six months of the attorney's receipt of the records.

No disclosure for the purpose of inspection pursuant to clause (iii) of subdivision 5 shall be made unless an appropriate circuit court has reviewed the affidavit provided and determined the records requested are material to the action being pursued. The court shall order the person not to disclose or otherwise release any information contained in a criminal investigative file except as necessary for the pending action and may include other conditions as appropriate.

E. The provisions of subsections C and D shall not apply if the release of such information:

1. Would interfere with a particular ongoing criminal investigation or proceeding in a particularly identifiable manner;

2. Would deprive a person of a right to a fair trial or an impartial adjudication;

3. Would constitute an unwarranted invasion of personal privacy;

4. Would disclose (i) the identity of a confidential source or (ii) in the case of a record compiled by a law-enforcement agency in the course of a criminal investigation, information furnished only by a confidential source;

5. Would disclose law-enforcement investigative techniques and procedures, if such disclosure could reasonably be expected to risk circumvention of the law; or

6. Would endanger the life or physical safety of any individual.

Nothing in this subsection shall be construed to authorize the withholding of those portions of such information that are unlikely to cause any effect listed herein.

F. Notwithstanding the provisions of subsection C or D, no criminal investigative file or portion thereof, except disclosure of records under subdivision D 4 or clause (i) of subdivision D 5, shall be disclosed to any requester pursuant to this section, unless the public body has made reasonable efforts to notify (i) the victim; (ii) the victim's immediate family members, if the victim is deceased and the immediate family member to be notified is not a person of interest or a suspect in the criminal investigation or proceeding; or (iii) the victim's parent or guardian, if the victim is a minor and the parent or guardian to be notified is not a person of interest or a suspect in the criminal investigation or proceeding.

Upon receipt of notice that a public body has received a request for criminal investigative files pursuant to this section, an individual listed in clause (i), (ii), or (iii) shall have 14 days to file in an appropriate court a petition for an injunction to prevent the disclosure of the records as set forth in § 8.01-622.2. The public body shall not respond to the request until at least 14 days has passed from the time notice was received by an individual listed in clause (i), (ii), or (iii) unless such individual has waived the 14-day period or at the request of the victim's insurance company or attorney. The period within which the public body shall respond to the underlying request pursuant to § 2.2-3704 shall be tolled pending the notification process and any subsequent disposition by the court.

G. No photographic, audio, video, or other record depicting a victim or allowing for a victim to be readily identified shall be released pursuant to subsection C or D to anyone except (i) the victim; (ii) the victim's family representative, if the victim is deceased and the family representative to which the records are to be disclosed is not a person of interest or a suspect in the criminal investigation or proceeding; (iii) the victim's parent or guardian, if the victim is a minor and the parent or guardian is not a person of interest or a suspect in the criminal investigation or proceeding; or (iv) the victim's insurance company or attorney.

H. Nothing in this section shall prohibit the disclosure of current anonymized, aggregate location and demographic data collected pursuant to § 52-30.2 or similar data documenting law-enforcement officer encounters with members of the public.

I. In the event of a conflict between this section as it relates to requests made under this section and other provisions of law, the other provisions of law~~, including court sealing orders,~~ that restrict disclosure of criminal investigative files shall control.

J. The following records shall not be released under the provisions of this section:

1. Any record that has been expunged pursuant to § 19.2-392.2, unless dissemination is authorized pursuant to § 19.2-392.3 or 19.2-392.3:1; and

2. Any record that has been sealed pursuant to § 19.2-392.6:1, 19.2-392.7, 19.2-392.8, 19.2-392.10, 19.2-392.11, 19.2-392.12, 19.2-392.12:1, or 19.2-392.17, unless dissemination is authorized pursuant to § 19.2-392.13 and the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134.

§ 9.1-101. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Definitions.

As used in this chapter or in Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, unless the context requires a different meaning:

"Administration of criminal justice" means performance of any activity directly involving the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders or the collection, storage, and dissemination of criminal history record information.

"Board" means the Criminal Justice Services Board.

"Conviction data" means information in the custody of any criminal justice agency relating to a judgment of conviction, and the consequences arising therefrom, in any court.

"Correctional status information" means records and data concerning each condition of a convicted person's custodial status, including probation, confinement, work release, study release, escape, or termination of custody through expiration of sentence, parole, pardon, or court decision.

"Criminal history record information" means records and data collected by criminal justice agencies on adult individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal charges, and any disposition arising therefrom. The term shall not include juvenile record information which is controlled by Chapter 11 (§ 16.1-226 et seq.) of Title 16.1, criminal justice intelligence information, criminal justice investigative information, or correctional status information.

"Criminal justice agency" means (i) a court or any other governmental agency or subunit thereof which as its principal function performs the administration of criminal justice and any other agency or subunit thereof which performs criminal justice activities, but only to the extent that it does so; (ii) for the purposes of Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, any private corporation or agency which, within the context of its criminal justice activities, employs special conservators of the peace appointed under Chapter 2 (§ 19.2-12 et seq.) of Title 19.2, provided that (a) such private corporation or agency requires its officers or special conservators to meet compulsory training standards established by the Criminal Justice Services Board and submits reports of compliance with the training standards and (b) the private corporation or agency complies with the provisions of Article 3 (§ 9.1-126 et seq.), but only to the extent that the private corporation or agency so designated as a criminal justice agency performs criminal justice activities; and (iii) the Office of the Attorney General, for all criminal justice activities otherwise permitted under clause (i) and for the purpose of performing duties required by the Civil Commitment of Sexually Violent Predators Act (§ 37.2-900 et seq.).

"Criminal justice agency" includes any program certified by the Commission on VASAP pursuant to § 18.2-271.2.

"Criminal justice agency" includes the Department of Criminal Justice Services.

"Criminal justice agency" includes the Virginia Criminal Sentencing Commission.

"Criminal justice agency" includes the Virginia State Crime Commission.

"Criminal justice information system" means a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation, or dissemination of criminal history record information. The operations of the system may be performed manually or by using electronic computers or other automated data processing equipment.

"Department" means the Department of Criminal Justice Services.

"Dissemination" means any transfer of information, whether orally, in writing, or by electronic means. The term shall not include access to the information by officers or employees of a criminal justice agency maintaining the information who have both a need and right to know the information.

"Law-enforcement officer" means any full-time or part-time employee of a police department or sheriff's office which is a part of or administered by the Commonwealth or any political subdivision thereof, or any full-time or part-time employee of a private police department, and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth, and shall include any (i) special agent of the Virginia Alcoholic Beverage Control Authority; (ii) police agent appointed under the provisions of § 56-353; (iii) officer of the Virginia Marine Police; (iv) conservation police officer who is a full-time sworn member of the enforcement division of the Department of Wildlife Resources; (v) investigator who is a sworn member of the security division of the Virginia Lottery; (vi) conservation officer of the Department of Conservation and Recreation commissioned pursuant to § 10.1-115; (vii) full-time sworn member of the enforcement division of the Department of Motor Vehicles appointed pursuant to § 46.2-217; (viii) animal protection police officer employed under § 15.2-632 or 15.2-836.1; (ix) campus police officer appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1; (x) member of the investigations unit designated by the State Inspector General pursuant to § 2.2-311 to investigate allegations of criminal behavior affecting the operations of a state or nonstate agency; (xi) employee with internal investigations authority designated by the Department of Corrections pursuant to subdivision 11 of § 53.1-10 or by the Department of Juvenile Justice pursuant to subdivision A 7 of § 66-3; (xii) private police officer employed by a private police department; or (xiii) person designated as a sworn unit investigator by the Attorney General pursuant to subsection A of § 32.1-320.1. Part-time employees are those compensated officers who are not full-time employees as defined by the employing police department, sheriff's office, or private police department.

"Private police department" means any police department, other than a department that employs police agents under the provisions of § 56-353, that employs private police officers operated by an entity authorized by statute or an act of assembly to establish a private police department or such entity's successor in interest, provided it complies with the requirements set forth herein. No entity is authorized to operate a private police department or represent that it is a private police department unless such entity has been authorized by statute or an act of assembly or such entity is the successor in interest of an entity that has been authorized pursuant to this section, provided it complies with the requirements set forth herein. The authority of a private police department shall be limited to real property owned, leased, or controlled by the entity and, if approved by the local chief of police or sheriff, any contiguous property; such authority shall not supersede the authority, duties, or jurisdiction vested by law with the local police department or sheriff's office including as provided in §§ 15.2-1609 and 15.2-1704. The chief of police or sheriff who is the chief local law-enforcement officer shall enter into a memorandum of understanding with the private police department that addresses the duties and responsibilities of the private police department and the chief law-enforcement officer in the conduct of criminal investigations. Private police departments and private police officers shall be subject to and comply with the Constitution of the United States; the Constitution of Virginia; the laws governing municipal police departments, including the provisions of §§ 9.1-600, 15.2-1705 through 15.2-1708, 15.2-1719, 15.2-1721, 15.2-1721.1, and 15.2-1722; and any regulations adopted by the Board that the Department designates as applicable to private police departments. Any person employed as a private police officer pursuant to this section shall meet all requirements, including the minimum compulsory training requirements, for law-enforcement officers pursuant to this chapter. A private police officer is not entitled to benefits under the Line of Duty Act (§ 9.1-400 et seq.) or under the Virginia Retirement System, is not a "qualified law enforcement officer" or "qualified retired law enforcement officer" within the meaning of the federal Law Enforcement Officers Safety Act, 18 U.S.C. § 926B et seq., and shall not be deemed an employee of the Commonwealth or any locality. An authorized private police department may use the word "police" to describe its sworn officers and may join a regional criminal justice academy created pursuant to Article 5 (§ 15.2-1747 et seq.) of Chapter 17 of Title 15.2. Any private police department in existence on January 1, 2013, that was not otherwise established by statute or an act of assembly and whose status as a private police department was recognized by the Department at that time is hereby validated and may continue to operate as a private police department as may such entity's successor in interest, provided it complies with the requirements set forth herein.

"School resource officer" means a certified law-enforcement officer hired by the local law-enforcement agency to provide law-enforcement and security services to Virginia public elementary and secondary schools.

"School security officer" means an individual who is employed by the local school board or a private or religious school for the singular purpose of maintaining order and discipline, preventing crime, investigating violations of the policies of the school board or the private or religious school, and detaining students violating the law or the policies of the school board or the private or religious school on school property, school buses, or at school-sponsored events and who is

responsible solely for ensuring the safety, security, and welfare of all students, faculty, staff, and visitors in the assigned school.

"Sealing" means *to prohibit public access to records relating to an arrest, charge, or conviction, including any ancillary matter ordered to be sealed, in the possession of* (i) ~~restricting dissemination of criminal history record information contained in~~ the Central Criminal Records Exchange~~, including any records relating to an arrest, charge, or conviction, in accordance with the purposes set forth in § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134 and~~*,* (ii) ~~prohibiting dissemination of~~ *any* court ~~records related to an arrest, charge, or conviction~~*,; (iii) any police department, sheriff's office, or campus police department; or (iv) the Department of Motor Vehicles* unless ~~such~~ dissemination is authorized ~~by a court order~~ for one or more of the purposes set forth in § 19.2-392.13 *and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134*.

"Unapplied criminal history record information" means information pertaining to criminal offenses submitted to the Central Criminal Records Exchange that cannot be applied to the criminal history record of an arrested or convicted person (i) because such information is not supported by fingerprints or other accepted means of positive identification or (ii) due to an inconsistency, error, or omission within the content of the submitted information.

§ 9.1-128. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Dissemination of criminal history record information; Board to adopt regulations and procedures.

A. Criminal history record information shall be disseminated, whether directly or through an intermediary, only in accordance with § 19.2-389.

B. The Board shall adopt regulations and procedures for the interstate dissemination of criminal history record information by which criminal justice agencies of the Commonwealth shall ensure that the limitations on dissemination of criminal history record information set forth in § 19.2-389 are accepted by recipients and will remain operative in the event of further dissemination.

C. The Board shall adopt regulations and procedures for the validation of an interstate recipient's right to obtain criminal history record information from criminal justice agencies of the Commonwealth.

D. The Board shall adopt regulations and procedures for the dissemination of sealed criminal history record information, including any *(i)* records relating to an arrest, charge, or conviction *and (ii) ancillary matter ordered to be sealed*, by which the criminal justice agencies of the Commonwealth and other persons, agencies, and employers can access such sealed records and shall ensure that access to and dissemination of such sealed records are made in accordance with the limitations on dissemination and use set forth in §§ 19.2-389~~,~~ and 19.2-392.13.

§ 17.1-293.1. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524, 542) Online case information system; exceptions.

A. The Executive Secretary shall make available a publicly viewable online case information system of certain nonconfidential information entered into the case management system for criminal cases in the circuit courts participating in the Executive Secretary's case management system and in the general district courts. Such system shall be searchable by defendant name across all participating courts, and search results shall be viewable free of charge.

B. Upon entry of a sealing order pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1*, the Executive Secretary shall not make any offense that was ordered to be sealed available for online public viewing in an appellate court, circuit court, or district court case management system maintained by the Executive Secretary. *Any offense that was sealed without a court order pursuant to § 19.2-392.6:1 or 19.2-392.17 shall not be available for online public viewing in any such system.*

C. Upon entry of a sealing order pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1*, any circuit court clerk who maintains a viewable online case management or case information system shall not make any offense that was ordered to be sealed available for online public viewing. *Any offense that was sealed without a court order pursuant to § 19.2-392.6:1 or 19.2-392.17 shall not be available for online public viewing in any such system.*

§ 17.1-502. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Administrator of circuit court system.

A. The Executive Secretary of the Supreme Court shall be the administrator of the circuit court system, which includes the operation and maintenance of a case management system and financial management system and related technology improvements.

B. Any circuit court clerk may establish and maintain his own case management system, financial management system, or other independent technology using automation or technology improvements provided by a private vendor or the locality. Any data from the clerk's independent system may be provided directly from such clerk to designated state agencies. The data from the clerk's independent system may also be provided to designated state agencies through an interface with the technology systems operated by the Executive Secretary.

B1. If the data from a case management system established under subsection B is not provided to the Executive Secretary of the Supreme Court through an interface, such data shall be provided to the Department of State Police through an interface for purposes of complying with §§ 19.2-392.7, *19.2-392.8,* 19.2-392.10, 19.2-392.11, ~~and~~ 19.2-392.12*, and 19.2-392.12:1*. The parameters of such interface shall be determined by the Department of State Police. The costs of designing, implementing, and maintaining such interface shall be the responsibility of the circuit court clerk.

C. The Executive Secretary shall provide an electronic interface with his case management system, financial management system, or other technology improvements upon written request of any circuit court clerk. The circuit court clerk and the clerk's designated application service provider shall comply with the security and data standards established by the Executive Secretary for any such electronic interface. The Executive Secretary shall establish security and data standards for such electronic interfaces on or before June 30, 2013, and such standards shall be consistent with the policies, standards, and guidelines established pursuant to § 2.2-2009.

D. The costs of designing, implementing, and maintaining any such interface with the systems of the Executive Secretary shall be the responsibility of the circuit court clerk. Prior to incurring any costs, the Office of the Executive Secretary shall provide the circuit court clerk a written explanation of the options for providing such interfaces and provide the clerk with a proposal for such costs and enter into a written contract with the clerk to provide such services.

E. The Executive Secretary shall assist the chief judges in the performance of their administrative duties. He may employ such staff and other assistants, from state funds appropriated to him for the purpose, as may be necessary to carry out his duties, and may secure such office space as may be requisite, to be located in an appropriate place to be selected by the Executive Secretary.

§ 19.2-310.7. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Expungement when DNA taken for a conviction.

A. A person whose DNA profile has been included in the data bank pursuant to § 19.2-310.2 may request expungement on the grounds that the conviction on which the authority for including his DNA profile was based has been reversed and the case dismissed. Provided that the person's DNA profile is not otherwise required to be included in the data bank pursuant to § 9.1-903, 16.1-299.1, 19.2-310.2, or 19.2-310.2:1, the Department of Forensic Science shall purge all records and identifiable information in the data bank pertaining to the person and destroy all samples from the person upon receipt of (i) a written request for expungement pursuant to this section and (ii) a certified copy of the court order reversing and dismissing the conviction.

B. Entry of a sealing order pursuant to § 19.2-392.7 ~~or~~, 19.2-392.12*, or 19.2-392.12:1* shall not serve as grounds for expungement of a person's DNA profile or any records in the data bank relating to that DNA profile.

§ 19.2-392.2. (Effective pursuant to Acts 2023, cc. 554 and 555, cl. 4) Expungement of police and court records.

A. If a person is charged with the commission of a crime, a civil offense, or any offense defined in Title 18.2, and

1. Is acquitted, or

2. A nolle prosequi is taken or the charge is otherwise dismissed, including dismissal by accord and satisfaction pursuant to § 19.2-151, he may file a petition setting forth the relevant facts and requesting expungement of the police records and the court records relating to the charge. *A person shall not be required to pay any court fees or costs for filing a petition under this subsection.*

B. If any person whose name or other identification has been used without his consent or authorization by another person who has been charged or arrested using such name or identification, he may file a petition with the court disposing of the charge for relief pursuant to this section. ~~Such~~ *A* person shall not be required to pay any *court* fees *or costs* for ~~the~~ filing ~~of~~ a petition under this subsection. A petition filed under this subsection shall include one complete set of the petitioner's fingerprints obtained from a law-enforcement agency.

C. The petition with a copy of the warrant, summons, or indictment if reasonably available shall be filed in the circuit court of the county or city in which the case was disposed of by acquittal or being otherwise dismissed and shall contain, except when not reasonably available, the date of arrest and the name of the arresting agency. When this information is not reasonably available, the petition shall state the reason for such unavailability. The petition shall further state the specific criminal charge or civil offense to be expunged, the date of final disposition of the charge as set forth in the petition, the petitioner's date of birth, and the full name used by the petitioner at the time of arrest. If the petition is filed under this subsection, the petitioner shall request that the Central Criminal Records Exchange (CCRE) electronically forward a copy of the petitioner's Virginia criminal history record to the circuit court in which the petition was filed. Upon receiving such request, the CCRE shall electronically forward such record to the circuit court; however, if the circuit court is unable to receive an electronic transmission, the CCRE shall forward a copy of such record to the circuit court which shall be maintained under seal by the clerk unless otherwise ordered by the court.

D. A copy of the petition shall be served on the attorney for the Commonwealth of the city or county in which the petition is filed. The attorney for the Commonwealth may file an objection or answer to the petition or may give written notice to the court that he does not object to the petition within 21 days after it is served on him.

E. If the petition is filed under subsection B, the petitioner shall obtain from a law-enforcement agency one complete set of the petitioner's fingerprints and shall provide that agency with a copy of the petition for expungement. The law-enforcement agency shall submit the set of fingerprints to the CCRE with a copy of the petition for expungement attached. The CCRE shall forward under seal to the court a copy of the petitioner's criminal history and the set of fingerprints. Upon completion of the hearing, the court shall return the fingerprint card to the petitioner. If no hearing was conducted, upon the entry of an order of expungement or an order denying the petition for expungement, the court shall cause the fingerprint card to be destroyed unless, within 30 days of the date of the entry of the order, the petitioner requests the return of the fingerprint card in person from the clerk of the court or provides the clerk of the court a self-addressed, stamped envelope for the return of the fingerprint card.

F. After receiving the criminal history record information, the court shall conduct a hearing on the petition. If the court finds that the continued existence and possible dissemination of information relating to the arrest of the petitioner causes or may cause circumstances which constitute a manifest injustice to the petitioner, it shall enter an order requiring the expungement of the police and court records, including electronic records, relating to the charge. Otherwise, it shall deny the petition. However, if the petitioner has no prior criminal record and the arrest was for a misdemeanor violation or the charge was for a civil offense, the petitioner shall be entitled, in the absence of good cause shown to the contrary by the Commonwealth, to expungement of the police and court records relating to the charge, and the court shall enter an order of expungement. If the attorney for the Commonwealth of the county or city in which the petition is filed (i) gives written notice to the court pursuant to subsection D that he does not object to the petition and (ii) when the charge to be expunged is a felony, stipulates in such written notice that the continued existence and possible dissemination of information relating to the arrest of the petitioner causes or may cause circumstances which constitute a manifest injustice to the petitioner, the court may enter an order of expungement without conducting a hearing.

G. The Commonwealth shall be made party defendant to the proceeding. Any party aggrieved by the decision of the court may appeal, as provided by law in civil cases.

H. Notwithstanding any other provision of this section, when the charge is dismissed because the court finds that the person arrested or charged is not the person named in the summons, warrant, indictment or presentment, the court dismissing the charge shall, upon motion of the person improperly arrested or charged, enter an order requiring expungement of the police and court records relating to the charge. Such order shall contain a statement that the dismissal and expungement are ordered pursuant to this subsection and shall be accompanied by the complete set of the petitioner's fingerprints filed with his petition. Upon the entry of such order, it shall be treated as provided in subsection K.

I. Notwithstanding any other provision of this section, upon receiving a copy pursuant to § 2.2-402 of an absolute pardon for the commission of a crime that a person did not commit, the court shall enter an order requiring expungement of the police and court records relating to the charge and conviction. Such order shall contain a statement that the expungement is ordered pursuant to this subsection. Upon the entry of such order, it shall be treated as provided in subsection K.

J. Upon receiving a copy of a writ vacating a conviction pursuant to § 19.2-327.5 or 19.2-327.13, the court shall enter an order requiring expungement of the police and court records relating to the charge and conviction. Such order shall contain a statement that the expungement is ordered pursuant to this subsection. Upon the entry of the order, it shall be treated as provided in subsection K.

K. Upon the entry of an order of expungement, the clerk of the court shall cause a copy of such order to be forwarded to the Department of State Police, which shall, pursuant to rules and regulations adopted pursuant to § 9.1-134, direct the manner by which the appropriate expungement or removal of such records shall be effected. *The Department of State Police shall validate the accuracy of any criminal history record ordered to be expunged pursuant to this section but shall not validate whether such record is eligible for expungement.*

L. ~~Costs shall be as provided by § 17.1-275, but shall not be recoverable against the Commonwealth. If the court enters an order of expungement, the clerk of the court shall refund to the petitioner such costs paid by the petitioner.~~

~~M.~~ Any order entered where (i) the court or parties failed to strictly comply with the procedures set forth in this section or (ii) the court enters an order of expungement contrary to law, shall be voidable upon motion and notice made within three years of the entry of such order.

~~N.~~ *M.* A petition filed under this section and any responsive pleadings filed by the attorney for the Commonwealth shall be maintained under seal by the clerk unless otherwise ordered by the court. Any order to expunge issued pursuant to this section shall be sealed and may only be disseminated for the purposes set forth in § 19.2-392.3 pursuant to regulations and procedures adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134.

§ 19.2-392.5. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Sealing defined; effect of sealing.

A. As used in this chapter, unless the context requires a different meaning, ~~"sealing"~~*:*

"Ancillary matter" means any (i) violation or alleged violation of the terms and conditions of a suspended sentence, probation, or parole; (ii) violation or alleged violation of contempt of court; (iii) charge or conviction for failure to appear; or (iv) appeal from a bail, bond, or recognizance order.

"Records related to an arrest, charge, or conviction" means (i) the record of any specific arrest, charge, or conviction that has been sealed pursuant to § 19.2-392.6:1, 19.2-392.7, 19.2-392.8, 19.2-392.10, 19.2-392.11, 19.2-392.12, 19.2-392.12:1, or 19.2-392.17 or (ii) any ancillary matter that was sealed pursuant to § 19.2-392.12 or 19.2-392.12:1.

"Sealing" means to *prohibit public access to records relating to an arrest, charge, or conviction, including any ancillary matter ordered to be sealed, in the possession of* (i) ~~restricting dissemination of criminal history record information contained in~~ the Central Criminal Records Exchange~~, including any records relating to an arrest, charge, or conviction, in accordance with the purposes set forth in § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134 and~~*,* (ii) ~~prohibiting dissemination of~~ *any* court ~~records related to an arrest, charge, or conviction,~~*; (iii) any police department, sheriff's office, or campus police department; or (iv) the Department of Motor Vehicles* unless ~~such~~ dissemination is authorized ~~by a court order~~ for one or more of the purposes set forth in § 19.2-392.13 *and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134*. ~~"~~Sealing~~"~~ may be required either by the issuance of a court order following the filing of a petition or automatically by operation of law under the processes set forth in this chapter. *"Sealing" does not*

prohibit or limit dissemination of records within or between any department, division, board, bureau, commission, branch, authority, or other agency created by the Commonwealth, or to which the Commonwealth is a party or any political subdivision thereof, or with any federal agency, for the purpose of administering any duties or functions required by state or federal law.

B. The provisions of this chapter shall only apply to adults who were arrested, charged, or convicted of a criminal offense and to juveniles who were tried in circuit court pursuant to § 16.1-269.1.

C. Records relating to an arrest, charge, or conviction that have been sealed may be disseminated only for purposes set forth in § 19.2-392.13 and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134. ~~The court, except as provided in subsection B of § 19.2-392.14, and any~~ *Any* law-enforcement agency shall reply to any inquiry that no record exists with respect to an arrest, charge, or conviction that has been sealed, unless such information is permitted to be disclosed pursuant to § 19.2-392.13 and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134. *As provided in subsection B of § 19.2-392.14, a clerk of any court shall reply to any inquiry requesting access to a sealed court record that such court record has been sealed and can only be accessed pursuant to a court order.* A clerk of any court and the Executive Secretary of the Supreme Court shall be immune from any cause of action arising from the production of sealed court records, including electronic records, absent gross negligence or willful misconduct. This subsection shall not be construed to limit, withdraw, or overturn any defense or immunity already existing in statutory or common law or to affect any cause of action accruing prior to the effective date of this section.

D. Except as otherwise provided in this section, upon entry of an order for sealing, the person who was arrested, charged, or convicted of the offense that was ordered to be sealed may deny or not disclose to any state or local government agency or to any private employer in the Commonwealth that such an arrest, charge, or conviction occurred. Except as otherwise provided in this section, no person as to whom an order for sealing has been entered shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of that person's denial or failure to disclose any information concerning an arrest, charge, or conviction that has been sealed.

E. A person who is the subject of the order of sealing entered pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1, or the sealing of an offense without the entry of an order pursuant to § 19.2-392.6:1 or 19.2-392.17,* may not deny or fail to disclose information to any employer or prospective employer about an offense that has been ordered to be sealed if:

1. The person is applying for full-time employment or part-time employment with, or to be a volunteer with, the State Police or a police department or sheriff's office that is a part of or administered by the Commonwealth or any political subdivision thereof;

2. This Code requires the employer to make such an inquiry;

3. Federal law requires the employer to make such an inquiry;

4. The position, or access to the premises in or upon which any part of the duties of such position is performed or is to be performed, is subject to any requirement imposed in the interest of the national security of the United States under any security program in effect pursuant to or administered under any contract with, or statute or regulation of, the United States or any Executive Order of the President; or

5. The rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134 allow the employer to access such sealed records.

Failure to disclose such sealed arrest, charge, or conviction, if such failure to disclose was knowing or willful, shall be a ground for prosecution of perjury as provided for in § 18.2-434.

F. An order to seal an arrest, charge, or conviction entered pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1, or the sealing of an offense without the entry of an order pursuant to § 19.2-392.6:1 or 19.2-392.17,* shall not relieve the person who was arrested, charged, or convicted of any obligation to pay all fines, costs, forfeitures, penalties, or restitution in relation to the offense that was ordered to be sealed. *Additionally, no order to seal an arrest, charge, or conviction pursuant to § 19.2-392.12 shall be entered unless such person has fully paid his restitution in relation to the offense to be sealed.*

G. Any arrest, charge, or conviction sealed pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1, or sealed without the entry of an order pursuant to § 19.2-392.6:1 or 19.2-392.17,* may be admissible and considered in proceedings relating to the care and custody of a child. A person as to whom an order for sealing has been entered may be required to disclose a sealed arrest, charge, or conviction as part of such proceedings. Failure to disclose such sealed arrest, charge, or conviction, if such failure to disclose was knowing or willful, shall be a ground for prosecution of perjury as provided for in § 18.2-434.

H. Any arrest, charge, or conviction sealed pursuant to *§ 19.2-392.6:1,* 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, 19.2-392.12:1, or 19.2-392.17* shall ~~not~~ be (i) disclosed in any *pretrial or* sentencing report*, including any discretionary sentencing guidelines*; (ii) considered when ascertaining the punishment of a defendant; or (iii) considered in any hearing on the issue of bail, release, or detention of a defendant.

I. Any arrest, charge, or conviction sealed pursuant to *§ 19.2-392.6:1,* 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1* shall not constitute a barrier crime as defined in § 19.2-392.02, except as otherwise required under federal law.

J. A person shall be required to disclose any felony conviction sealed pursuant to § 19.2-392.12 for purposes of determining that person's eligibility to be empaneled as a member of a jury. Failure to disclose such conviction, if such failure to disclose was knowing or willful, shall be a ground for prosecution of perjury as provided for in § 18.2-434.

K. An order to seal a charge or conviction entered pursuant to § 19.2-392.7, 19.2-392.12, or 19.2-392.12:1, or the sealing of an offense without the entry of an order pursuant to § 19.2-392.6:1, shall not serve to restore a person's civil rights or a person's right to possess, transport, or carry a firearm, ammunition for a firearm, or a stun weapon.

§ 19.2-392.6. (For effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Automatic sealing of offenses resulting in conviction.

A. If a person was convicted of a violation of any of the following sections *with an offense date on or after January 1, 1986*, such conviction, including any records relating to such conviction, shall be ordered to be automatically sealed in the manner set forth in § 19.2-392.7, subject to the provisions of subsections B and C: *a misdemeanor violation of* § 18.2-96~~,~~ *or* 18.2-103~~,~~*; §* 18.2-119, 18.2-120, or 18.2-134; a misdemeanor violation of § 18.2-248.1; or § 18.2-415.

B. Subject to the provisions of subsection C, any conviction listed under subsection A shall be ordered to be automatically sealed if seven years have passed since the date of the conviction and the person convicted of such offense has not been convicted of violating any law of the Commonwealth that requires a report to the Central Criminal Records Exchange under subsection A of § 19.2-390 or any other state, the District of Columbia, or the United States or any territory thereof, excluding traffic infractions under Title 46.2, during that time period.

C. No conviction listed under subsection A shall be automatically sealed if, on the date of the conviction, the person was convicted of another offense that is not eligible for automatic sealing under subsection A.

D. ~~If a person was charged with any criminal offense and such offense concluded with any final disposition as a violation of former § 18.2-250.1, such offense shall be ordered to be automatically sealed in the manner set forth in § 19.2-392.7.~~

~~E.~~ This section shall not be construed as prohibiting a person from seeking sealing in the circuit court pursuant to the provisions of § 19.2-392.12 *or 19.2-392.12:1*.

§ 19.2-392.6:1. Sealing of former possession of marijuana offenses without entry of a court order.

A. Any criminal or civil offense that concluded with any final disposition as a charge or conviction of former § 18.2-250.1 shall be sealed without the entry of a court order. The Central Criminal Records Exchange, any court, any law-enforcement agency, and the Department of Motor Vehicles shall identify and seal the records of any such offense in its possession.

B. The Department of Motor Vehicles shall not seal any charge or conviction under subsection A in violation of (i) federal regulatory record retention requirements or (ii) federal program requirements if the Department of Motor Vehicles is required to suspend a person's driving privileges as a result of the charge or conviction to be sealed.

§ 19.2-392.7. (For effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Process for automatic sealing of offenses resulting in a conviction or deferred disposition.

A. ~~Except as provided in subsection A1, on~~ *On* at least a monthly basis, the Department of State Police shall *electronically* determine which offenses *with an offense date on or after January 1, 1986,* in the Central Criminal Records Exchange meet the criteria for automatic sealing set forth in subsections A, B, and C of § 19.2-392.6.

~~A1. No later than July 1, 2025, the Department of State Police shall determine which offenses in the Central Criminal Records Exchange meet the criteria for automatic sealing set forth in subsection D of § 19.2-392.6.~~

B. After reviewing the offenses under ~~subsections~~ *subsection* A ~~and A1~~, the Department of State Police shall provide an electronic list of all offenses that meet the criteria for automatic sealing set forth in § 19.2-392.6 to the Executive Secretary of the Supreme Court and to any circuit court clerk who maintains a case management system that interfaces with the Department of State Police under subsection B1 of § 17.1-502. *The Department of State Police shall not be required to include an offense on such list if (i) it cannot be determined by an electronic review whether the offense is eligible for automatic sealing or (ii) an electronic review of the person's criminal history record indicates that the person was charged with violating the law of any other state, the District of Columbia, the United States or any territory thereof, excluding traffic infractions under Title 46.2, during the seven-year time period set forth in subsection B of § 19.2-392.6.*

C. Upon receipt of the electronic list from the Department of State Police provided under subsection B, on at least a monthly basis the Executive Secretary of the Supreme Court shall provide an electronic list of all offenses that meet the criteria for automatic sealing set forth in § 19.2-392.6 to the clerk of each circuit court in the jurisdiction where the case was finalized, if such circuit court clerk participates in the case management system maintained by the Executive Secretary.

D. Upon receipt of the electronic list provided under subsection B or C, on at least a monthly basis the clerk of each circuit court shall prepare an order and the chief judge *or presiding judge* of that circuit court shall enter such order directing that the offenses that meet the criteria for automatic sealing set forth in § 19.2-392.6 be automatically sealed under the process described in § 19.2-392.13. Such order shall contain the names of the persons charged with or convicted of such offenses. The clerk of each circuit court shall maintain a copy of all orders entered pursuant to this subsection under seal.

E. The clerk of each circuit court shall provide an electronic notification of any order entered under subsection D to the Department of State Police on at least a monthly basis. Upon receipt of such electronic notification, the Department of State Police shall proceed as set forth in § 19.2-392.13.

F. Any order to seal issued pursuant to this section shall be sealed and may only be disseminated for the purposes set forth in § 19.2-392.13 and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134.

G. If an offense is automatically sealed contrary to law, the automatic sealing of that particular offense shall be voidable upon motion and notice made within two years of the entry of the order to automatically seal such offense.

§ 19.2-392.8. (For contingent effective date see Acts 2021, Sp. Sess. I, cc. 524 and 542) Automatic sealing of offenses resulting in acquittal or dismissal.

A. If a person is charged with the commission of a misdemeanor offense, excluding traffic infractions under Title 46.2, and ~~(i)~~ the person is acquitted~~,~~ ~~(ii) a nolle prosequi is entered,~~ or ~~(iii)~~ the charge ~~is otherwise dismissed, excluding any charge that is deferred and dismissed after a finding of facts sufficient to justify a finding of guilt~~ *against him is dismissed with prejudice*, the court disposing of the matter shall~~,~~ ~~at the time the acquittal, nolle prosequi, or dismissal is entered,~~ order that the charge be automatically sealed under the process described in § 19.2-392.13, unless the ~~attorney for the Commonwealth or any other person advises the court at the time the acquittal, nolle prosequi, or dismissal is entered that:~~

~~1. The charge is ancillary to another charge that resulted in a conviction or a finding of facts sufficient to justify a finding of guilt;~~

~~2. A nolle prosequi is entered or the charge is dismissed as part of a plea agreement;~~

~~3. Another charge arising out of the same facts and circumstances is pending against the person;~~

~~4. The Commonwealth intends to reinstitute the charge or any other charge arising out of the same facts and circumstances within three months;~~

~~5. Good cause exists, as established by the Commonwealth by a preponderance of the evidence, that such charge should not be automatically sealed; or~~

~~6. The~~ person charged with the offense objects to such automatic sealing.

B. If a person is charged with the commission of a felony offense and is acquitted, or the charge against him is dismissed with prejudice, he may immediately upon the acquittal or dismissal orally request that the records relating to the charge be sealed. Upon such request and with the concurrence of the attorney for the Commonwealth, the court shall order the automatic sealing of records relating to the arrest or charge under the process described in § 19.2-392.13.

C. If the court enters an order of sealing pursuant to subsection A or B, the court shall advise the person that the offense has been ordered to be automatically sealed.

D. Any denial by the court to enter a sealing order under subsection A or B shall be without prejudice, and the person may seek expungement in the circuit court pursuant to the provisions of § 19.2-392.2. Entry of a sealing order under subsection A or B shall not prohibit the person from seeking expungement in the circuit court pursuant to the provisions of § 19.2-392.2.

E. Any order to seal issued pursuant to this section shall be sealed and may only be disseminated for the purposes set forth in § 19.2-392.13 and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134.

F. If an offense is automatically sealed contrary to law, the automatic sealing of that particular offense shall be voidable upon motion and notice made within two years of the entry of the order to automatically seal such offense.

§ 19.2-392.11. (For effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Automatic sealing of misdemeanor offenses resulting in acquittal, nolle prosequi, or dismissal for persons with no convictions or deferred and dismissed offenses on their criminal history record.

A. On at least an annual basis, the Department of State Police shall *electronically* review the Central Criminal Records Exchange and identify all persons with finalized misdemeanor case dispositions *with an offense date on or after January 1, 1986,* that resulted in (i) an acquittal, (ii) a nolle prosequi, or (iii) a dismissal, excluding any charge that was deferred and dismissed after a finding of facts sufficient to justify a finding of guilt, where the criminal history record of such person contains no convictions for any criminal offense for a violation of any law of the Commonwealth that requires a report to the Central Criminal Records Exchange under subsection A of § 19.2-390 and where such criminal history record contains no arrests or charges for a violation of any law of the Commonwealth that requires a report to the Central Criminal Records Exchange under subsection A of § 19.2-390 in the past three years, excluding traffic infractions under Title 46.2. For purposes of this subsection, any offense on the person's criminal history record that has previously been ordered to be sealed shall not be deemed a conviction.

B. Upon identification of the finalized case dispositions under subsection A, the Department of State Police shall provide an electronic list of such offenses to the Executive Secretary of the Supreme Court and to any circuit court clerk who maintains a case management system that interfaces with the Department of State Police under subsection B1 of § 17.1-502. *The Department of State Police shall not be required to include an offense on such list if it cannot be determined by an electronic review whether the offense is eligible for automatic sealing.*

C. Upon receipt of the electronic list from the Department of State Police provided under subsection B, on at least an annual basis the Executive Secretary of the Supreme Court shall provide an electronic list of such offenses to the clerk of each circuit court in the jurisdiction where the case was finalized, if such circuit court clerk participates in the case management system maintained by the Executive Secretary.

D. Upon receipt of the electronic list provided under subsection B or C, on at least an annual basis the clerk of each circuit court shall prepare an order and the chief judge *or presiding judge* of that circuit court shall enter such order directing

that the offenses be automatically sealed under the process described in § 19.2-392.13. Such order shall contain the names of the persons charged with such offenses. The clerk of each circuit court shall maintain a copy of all orders entered pursuant to this subsection under seal.

E. The clerk of each circuit court shall provide an electronic notification of any order entered under subsection D to the Department of State Police on at least an annual basis. Upon receipt of such electronic notification, the Department of State Police shall proceed as set forth in § 19.2-392.13.

F. Any order to seal issued pursuant to this section shall be sealed and may only be disseminated for the purposes set forth in § 19.2-392.13 and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134.

G. This section shall not be construed as prohibiting a person from seeking expungement in the circuit court pursuant to the provisions of § 19.2-392.2. Entry of a sealing order pursuant to this section shall not prohibit a person from seeking expungement in the circuit court pursuant to the provisions of § 19.2-392.2.

H. If an offense is automatically sealed contrary to law, the automatic sealing of that particular offense shall be voidable upon motion and notice made within two years of the entry of the order to automatically seal such offense.

~~I. If an offense is automatically sealed pursuant to the procedure set forth in this section and such offense was not ordered to be automatically sealed at the time of acquittal, nolle prosequi, or dismissal for one or more of the reasons set forth in § 19.2-392.8, the automatic sealing of such offense shall be voidable upon motion and notice made within two years of the entry of the order to automatically seal such offense.~~

§ 19.2-392.12. (For effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Sealing of offenses resulting in a deferred and dismissed disposition or conviction by petition.

A. Except ~~for a conviction or deferral and dismissal of a violation of § 18.2-36.1, 18.2-36.2, 18.2-51.4, 18.2-51.5, 18.2-57.2, 18.2-266, or 46.2-341.24~~ *as provided in subsection L*, a person who has been convicted of or had a charge deferred and dismissed for a (i) misdemeanor ~~offense~~, (ii) Class 5 or 6 felony, or (iii) violation of § 18.2-95 or any other felony offense in which the defendant is deemed guilty of larceny and punished as provided in § 18.2-95*, where the offense date for such misdemeanor or felony was on or after January 1, 1986,* may file a petition setting forth the relevant facts and requesting sealing of the criminal history record information and court records ~~relating~~ *related* to the charge or conviction~~, provided that such person has (a) never been convicted of a Class 1 or 2 felony or any other felony punishable by imprisonment for life, (b) not been convicted of a Class 3 or 4 felony within the past 20 years, and (c) not been convicted of any other felony within the past 10 years of his petition~~. *In addition to requesting the sealing of a charge or conviction, such petition may also request the sealing of any specifically identified ancillary matter related to such charge or conviction.*

B. A person shall not be required to pay any *court* fees or costs for filing a petition pursuant to this section ~~if such person files a petition to proceed without the payment of fees and costs, and the court with which such person files his petition finds such person to be indigent pursuant to § 19.2-159~~.

C. The petition with a copy of the warrant, summons, or indictment, if reasonably available, shall be filed in the circuit court of the county or city in which the case was disposed of and shall contain, except when not reasonably available, the date of arrest, the name of the arresting agency, ~~and~~ the date of conviction *or deferred dismissal, and the case number associated with each court record that is the subject of the petition*. When this information is not reasonably available, the petition shall state the reason for such unavailability. The petition shall further state the charge or conviction *and any ancillary matters* to be sealed; the date of final disposition of the charge or conviction *and any ancillary matters* as set forth in the petition; the petitioner's date of birth, sex, race, and social security number, if available; and the full name used by the petitioner at the time of arrest or summons. A petition may request the sealing of the criminal history record information and court records for multiple charges or convictions *and ancillary matters* as set forth in subsection A provided that all such charges and convictions arose out of the same transaction or occurrence and all such charges *and convictions* are eligible for sealing. A petition may not request the sealing of the criminal history record information and court records for multiple charges or convictions that arose out of different transactions or occurrences*, except that ancillary matters shall not be treated as separate transactions or occurrences*. A petitioner may only have two petitions granted pursuant to this section within his lifetime. ~~Any petition that is granted (i) solely to seal a violation of subsection A of § 18.2-265.3 as it relates to marijuana, (ii) solely to seal a violation of § 4.1-305, or (iii) to seal a violation of both subsection A of § 18.2-265.3 as it relates to marijuana and § 4.1-305 arising out of the same transaction or occurrence shall not count against the petitioners' lifetime maximum.~~

D. The Commonwealth shall be made party to the proceeding. The petitioner shall provide a copy of the petition by delivery or by first-class mail, postage prepaid, to the attorney for the Commonwealth of the city or county in which the petition is filed. The attorney for the Commonwealth may file an objection or answer to the petition or may give written notice to the court that he does not object to the petition within ~~21~~ *30* days after it is delivered to him or received in the mail.

E. In addition to the filing of the petition under subsection C, the petitioner shall request that the Central Criminal Records Exchange (CCRE) electronically forward a copy of the petitioner's Virginia *and national* criminal history record to the circuit court in which the petition was filed. Upon receiving such request, the CCRE shall electronically forward such record to the circuit court; however, if the circuit court is unable to receive an electronic transmission, the CCRE shall forward a copy of such record to the circuit court which shall be maintained under seal by the clerk unless otherwise ordered by the court. Upon completion of the hearing, the court shall cause the criminal history record to be destroyed unless, within

30 days of the date of the entry of the final order in the matter, the petitioner or the attorney for the Commonwealth notes an appeal ~~to the Supreme Court of Virginia~~ *as provided by law in civil cases*.

F. After receiving the criminal history record of the petitioner, the court may conduct a hearing on the petition. The court shall enter an order requiring the sealing of the criminal history record information and court records, including electronic records, ~~relating~~ *related* to the charge or conviction, only if the court finds that all criteria in subdivisions 1 through ~~4~~ *6* are met, as follows:

1. *The petitioner has (i) never been convicted of a Class 1 or 2 felony or any other felony punishable by imprisonment for life, (ii) not been convicted of a Class 3 or 4 felony within the past 20 years, and (iii) not been convicted of any other felony within the past 10 years from the date the petition was filed.*

2. During a period after the date of (i) dismissal of a deferred charge, (ii) conviction, ~~or~~ (iii) release from incarceration ~~of~~ *on* the charge or conviction set forth in the petition*, (iv) a finding that the person was in violation of a suspended sentence, probation, or parole related to the charge or conviction set forth in the petition, or (v) release from incarceration following a finding that the person was in violation of a suspended sentence, probation, or parole related to the charge or conviction set forth in the petition*, whichever date occurred later, the ~~person~~ *petitioner* has not been convicted of violating any law of the Commonwealth that requires a report to the Central Criminal Records Exchange under subsection A of § 19.2-390 or any other state, the District of Columbia, or the United States or any territory thereof, excluding traffic infractions under Title 46.2, for:

a. Seven years for any misdemeanor offense; or

b. Ten years for any felony offense;

~~2.~~ *3.* If the records relating to the offense indicate that the occurrence leading to the deferral or conviction involved the use or dependence upon alcohol or any narcotic drug or any other self-administered intoxicant or drug of whatsoever nature, the petitioner has demonstrated his rehabilitation;

~~3.~~ *4. If the petitioner was ordered by a court to pay restitution as a condition of any charge, conviction, or ancillary matter that is the subject of the petition, such restitution has been paid in full;*

5. The petitioner has not previously obtained the sealing of two other deferrals or convictions arising out of different sentencing events *under this section*; and

~~4.~~ *6.* The continued existence and possible dissemination of information relating to the charge or conviction of the petitioner causes or may cause circumstances that constitute a manifest injustice to the petitioner.

G. If the attorney for the Commonwealth of the county or city in which the petition is filed (i) gives written notice to the court pursuant to subsection D that he does not object to the petition and (ii) stipulates in such written notice that the petitioner is eligible to have such offense sealed, and the continued existence and possible dissemination of information relating to the charge or conviction of the petitioner causes or may cause circumstances that constitute a manifest injustice to the petitioner, the court may enter an order of sealing without conducting a hearing.

H. Any party aggrieved by the decision of the court may appeal, as provided by law in civil cases.

I. Upon the entry of an order of sealing, the clerk of the court shall maintain a copy of such order under seal and shall cause an electronic notification of such order to be forwarded to the Department of State Police. Such electronic notification shall contain the petitioner's full name, date of birth, sex, race, and social security number, if available, and the full name used by the petitioner at the time of arrest or summons, as well as the petitioner's state identification number from the criminal history record, the court case number of the charge ~~or~~*,* conviction*, or ancillary matter* to be sealed, if available, and the document control number, if available. *The Department of State Police shall validate the accuracy of any criminal history record ordered to be sealed pursuant to this section but shall not validate whether such record is eligible for sealing.* Upon receipt of such electronic notification, the Department of State Police shall seal such records in accordance with § 19.2-392.13. When sealing such charge ~~or~~*,* conviction*, or ancillary matter*, the Department of State Police shall include a notation on the criminal history record that such offense was sealed pursuant to this section. The Department of State Police shall also electronically notify the Office of the Executive Secretary of the Supreme Court and any other agencies and individuals known to maintain or to have obtained such a record that such record has been ordered to be sealed and may only be disseminated in accordance with § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134.

J. ~~Costs shall be as provided by § 17.1-275 but shall not be recoverable against the Commonwealth. Any costs collected pursuant to this section shall be deposited in the Sealing Fee Fund created pursuant to § 17.1-205.1.~~

~~K.~~ Any order entered where (i) the court or parties failed to strictly comply with the procedures set forth in this section or (ii) the court enters an order for the sealing of records contrary to law shall be voidable upon motion and notice made within two years of the entry of such order.

~~L. If a petitioner qualifies to file a petition for sealing of records without the payment of fees and costs pursuant to subsection B and has requested court-appointed counsel, the court shall then appoint counsel to file the petition for sealing of records and represent the petitioner in the sealed records proceedings. Counsel appointed to represent such a petitioner shall be compensated for his services subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia, in a total amount not to exceed $120, as determined by the court, and such compensation shall be paid from the Sealing Fee Fund as provided in § 17.1-205.1.~~

~~M.~~ *K.* A petition filed under this section and any responsive pleadings filed by the attorney for the Commonwealth shall be maintained under seal by the clerk unless otherwise ordered by the court. Any order to seal issued pursuant to this

section shall be sealed and may only be disseminated for the purposes set forth in § 19.2-392.13 and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134.

~~N. A conviction or deferral and dismissal of § 18.2-36.1, 18.2-36.2, 18.2-51.4, 18.2-51.5, 18.2-57.2, 18.2-266, or 46.2-341.24 is~~ *L. The following offenses are* ineligible for ~~the~~ sealing ~~of records~~ under this section*:*

1. Sections 4.1-309.1, 5.1-13, 18.2-36, 18.2-36.1, 18.2-36.2, and 18.2-47; subsection A of § 18.2-49.1; § 18.2-51.5; subsection C of § 18.2-57; §§ 18.2-57.2, 18.2-57.3, 18.2-59.1, 18.2-60, 18.2-60.3, 18.2-60.5, 18.2-130, 18.2-130.1, 18.2-144, 18.2-144.1, 18.2-154, 18.2-178.1, 18.2-266, 18.2-266.1, 18.2-268.3, 18.2-282.1, and 18.2-324.2; former subsection B of 18.2-346; and §§ 18.2-405, 18.2-406, 18.2-472.1, 19.2-62, 29.1-738, 29.1-738.02, 29.1-738.2, 37.2-912, 40.1-100.2, 40.1-103, 46.2-341.24, and 46.2-341.26:3;

2. Any violation of any offense under § 9.1-902 for which registration with the Sex Offender and Crimes Against Minors Registry is required;

3. Any violation of any violent felony offense listed under subsection C of § 17.1-805;

4. Any violation of any felony offense not listed as a violent felony under subsection C of § 17.1-805 where the person utilized a firearm, as defined in § 18.2-308.2:2, as part of the transaction or occurrence in the underlying offense to be sealed, unless such person's right to possess, transport, or carry a firearm, ammunition for a firearm, or a stun weapon has been restored pursuant to § 18.2-308.2;

5. Any violation of an emergency, preliminary, or permanent protective order issued pursuant to Article 4 (§ 16.1-246 et seq.) of Chapter 11 of Title 16.1 or Chapter 9.1 (§ 19.2-152.7:1 et seq.) or any family abuse protective order issued pursuant to Article 9 (§ 16.1-278 et seq.) of Chapter 11 of Title 16.1;

6. Any violation of any hate crime as defined in § 52-8.5;

7. Any violation of Article 9 (§ 3.2-6570 et seq.) of Chapter 65 of Title 3.2;

8. Any violation of Title 24.2 (§ 24.2-100 et seq.);

9. Any violation involving the possession and distribution of flunitrazepam pursuant to § 18.2-251.2 or the possession of Gamma hydroxybutyric acid (some other names include GHB; gamma hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate) pursuant to § 18.2-250;

10. Any violation where a person was found not guilty by reason of insanity;

11. Any conspiracy, attempt, or solicitation, and any principal in the second degree, accessory before the fact, or accessory after the fact, or any similar ordinance of any county, city, or town, for any offense deemed ineligible under this subsection;

12. Any conspiracy, attempt, or solicitation, and any principal in the second degree, accessory before the fact, or accessory after the fact where the completed substantive offense would be punishable as a Class 1, 2, 3, or 4 felony or by a term of imprisonment of more than 10 years, with the exception of a violation of § 18.2-95 or any other felony offense in which the defendant is deemed guilty of larceny and punished as provided in § 18.2-95;

13. Any violation of any offense where the person was prohibited by the court from possessing or owning a companion animal as a result of the transaction or occurrence in the underlying offense to be sealed, while such prohibition remains in effect;

14. Any violation of Article 6 (§ 3.2-6537 et seq.) of Chapter 65 of Title 3.2 that involved a dangerous or vicious dog as a part of the transaction or occurrence in the underlying offense to be sealed, while the person continues to own or possess such dog;

15. Any violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2;

16. Any violation of Article 3 (§ 18.2-346 et seq.) of Chapter 8 of Title 18.2, with the exception of § 18.2-346, former subsection A of § 18.2-346, and § 18.2-347;

17. Any violation of Article 4 (§ 18.2-362 et seq.) of Chapter 8 of Title 18.2, with the exception of §§ 18.2-365, 18.2-371.2, 18.2-371.3, and 18.2-371.4;

18. Any violation of Article 5 (§ 18.2-372 et seq.) of Chapter 8 of Title 18.2, with the exception of § 18.2-388; and

19. Any offense where the victim of the crime to be sealed was a family or household member, as defined in § 16.1-228, of the person.

~~O.~~ *M.* Nothing in this chapter shall prohibit the circuit court from entering an order to seal a charge ~~or~~, conviction*, or ancillary matter* under this section when such charge ~~or~~, conviction*, or ancillary matter* is eligible for sealing under some other section of this chapter.

§ 19.2-392.12:1. Sealing of charges and convictions related to automatic sealing; petition.

A. A person who has been convicted of or had a charge deferred and dismissed for a violation of § 4.1-305; a misdemeanor violation of § 18.2-96 or 18.2-103; a violation of § 18.2-119, 18.2-120, or 18.2-134; a misdemeanor violation of § 18.2-248.1; a violation of subsection A of § 18.2-265.3; or a violation of § 18.2-415, where the offense date for any such offense was on or after January 1, 1986, may file a petition setting forth the relevant facts and requesting the sealing of the criminal history record information and court records relating to the charge or conviction. In addition to requesting the sealing of a charge or conviction, such petition may also request the sealing of any specifically identified ancillary matter related to such charge or conviction.

B. A person who had a conviction or offense automatically sealed pursuant to § 19.2-392.7 or 19.2-392.11 where the offense date for such conviction or offense was on or after January 1, 1986, or who had an offense sealed pursuant to § 19.2-392.6:1 regardless of the date of the offense, may file a petition setting forth the relevant facts and requesting sealing

of the criminal history record information and court records of any specifically identified ancillary matter related to that charge or conviction.

C. A person shall not be required to pay any court fees or costs for filing a petition pursuant to this section.

D. The petition under subsection A or B, with a copy of the warrant, summons, or indictment, if reasonably available, shall be filed in the circuit court of the county or city in which the case was disposed of and shall contain, except when not reasonably available, (i) the date of arrest; (ii) the name of the arresting agency; (iii) the date of conviction, deferred dismissal, or final disposition of any ancillary matter; and (iv) the case number associated with each court record that is the subject of the petition. When this information is not reasonably available, the petition shall state the reason for such unavailability. The petition shall further state (a) the charge, conviction, or ancillary matter to be sealed; (b) the date of final disposition of the charge, conviction, or ancillary matter as set forth in the petition; (c) the petitioner's date of birth, sex, race, and social security number, if available; and (d) the full name used by the petitioner at the time of arrest or summons. A petition may request the sealing of the criminal history record information and court records for multiple charges, convictions, or ancillary matters as set forth in subsections A and B, provided that all such charges, convictions, and ancillary matters are eligible for sealing under this section. A petition may not request the sealing of the criminal history record information and court records where the charge, conviction, or ancillary matter was finalized on the same date as a conviction or deferred dismissal that is not eligible for sealing under this section.

E. A petitioner is not limited in the number of petitions that may be granted pursuant to this section within his lifetime. Any petition granted pursuant to this section shall not be counted toward the lifetime maximum of two petitions set forth in § 19.2-392.12.

F. The Commonwealth shall be made party to the proceeding. The petitioner shall provide a copy of the petition under subsection A or B by delivery or by first-class mail, postage prepaid, to the attorney for the Commonwealth of the county or city in which the petition is filed. The attorney for the Commonwealth may file an objection or answer to the petition or may give written notice to the court that he does not object to the petition within 30 days after it is delivered to him or received in the mail.

G. In addition to the filing of the petition under subsection D, the petitioner shall request that the Central Criminal Records Exchange (CCRE) electronically forward a copy of the petitioner's Virginia and national criminal history record to the circuit court in which the petition was filed. Upon receiving such request, the CCRE shall electronically forward such record to the circuit court; however, if the circuit court is unable to receive an electronic transmission, the CCRE shall forward a copy of such record to the circuit court which shall be maintained under seal by the clerk unless otherwise ordered by the court. Upon completion of the hearing, the court shall cause the criminal history record to be destroyed unless, within 30 days of the date of the entry of the final order in the matter, the petitioner or the attorney for the Commonwealth notes an appeal as provided by law in civil cases.

H. After receiving the criminal history record of the petitioner, the court may conduct a hearing on the petition.

I. For a petition filed pursuant to subsection A, the court shall enter an order requiring the sealing of the records related to the charge, conviction, or ancillary matter if the court finds that seven years have passed since the date of conviction or of dismissal of the deferred charge listed in subsection A and the petitioner has not been convicted of violating any law of the Commonwealth that requires a report to the Central Criminal Records Exchange under subsection A of § 19.2-390 or any other state, the District of Columbia, or the United States or any territory thereof, excluding traffic infractions under Title 46.2, during that time period.

J. For a petition filed pursuant to subsection B, the court shall enter an order to seal the ancillary matter if the charge or conviction identified in the petition has been sealed pursuant to § 19.2-392.6:1, 19.2-392.7, or 19.2-392.11.

K. If the attorney for the Commonwealth of the county or city in which the petition is filed (i) gives written notice to the court pursuant to subsection F that he does not object to the petition and (ii) stipulates in such written notice that the petitioner is eligible to have such charge, conviction, or ancillary matter sealed, the court may enter an order of sealing without conducting a hearing.

L. Any party aggrieved by the decision of the court may appeal, as provided by law in civil cases.

M. Upon the entry of an order of sealing, the clerk of the court shall maintain a copy of such order under seal and shall cause an electronic notification of such order to be forwarded to the Department of State Police. Such electronic notification shall contain (i) the petitioner's full name, date of birth, sex, race, and social security number, if available; (ii) the full name used by the petitioner at the time of arrest or summons; (iii) the petitioner's state identification number from the criminal history record; (iv) the court case number of the charge, conviction, or ancillary matter to be sealed, if available; and (v) the document control number, if available. The Department of State Police shall validate the accuracy of any criminal history record ordered to be sealed pursuant to this section but shall not validate whether such record is eligible for sealing. Upon receipt of such electronic notification, the Department of State Police shall seal such records in accordance with § 19.2-392.13. The Department of State Police shall also electronically notify the Office of the Executive Secretary of the Supreme Court and any other agencies and individuals known to maintain or to have obtained such a record that such record has been ordered to be sealed and may only be disseminated in accordance with § 19.2-392.13.

N. Any order entered where (i) the court or parties failed to strictly comply with the procedures set forth in this section or (ii) the court entered an order for the sealing of records contrary to law shall be voidable upon motion and notice made within two years of the entry of such order.

O. A petition filed under this section and any responsive pleadings filed by the attorney for the Commonwealth shall be maintained under seal by the clerk unless otherwise ordered by the court. Any order to seal issued pursuant to this section shall be sealed and may only be disseminated for the purposes set forth in § 19.2-392.13.

P. Nothing in this chapter shall prohibit the circuit court from entering an order to seal a charge, conviction, or ancillary matter under this section when such charge, conviction, or ancillary matter is eligible for sealing under some other section of this chapter.

§ 19.2-392.13. (For effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Disposition of records when an offense is sealed; permitted uses of sealed records.

A. Upon electronic notification that a court order for sealing has been entered pursuant to § 19.2-392.7, ~~19.2-392.8~~ *19.2-392.10*, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1, or upon the sealing of an offense without a court order pursuant to § 19.2-392.6:1 or 19.2-392.17*, the Department of State Police shall not disseminate any criminal history record information contained in the Central Criminal Records Exchange, including any records relating to an arrest, charge, or conviction, that was ordered to be sealed, except for purposes set forth in this section and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134. Upon receipt of such electronic notification, the Department of State Police shall electronically notify those agencies and individuals known to maintain or to have obtained such a record that such record has been ordered to be sealed and may only be disseminated for purposes set forth in this section and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134. Any records maintained electronically that are transformed or transferred by whatever means to an offline system or to a confidential and secure area inaccessible from normal use within the system in which the record is maintained shall be considered sealed, provided that such records are accessible only to the manager of the records or their designee.

B. Upon entry of a court order for sealing pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1, or upon the sealing of an offense without a court order pursuant to § 19.2-392.6:1 or 19.2-392.17*, the Executive Secretary of the Supreme Court and any circuit court clerk who maintains a case management system that interfaces with the Department of State Police under subsection B1 of § 17.1-502 shall ensure that the court record of such arrest, charge, or conviction is not available for public online viewing as directed by subsections B and C of § 17.1-293.1. Additionally, upon entry of such an order for sealing, the clerk of *the* court shall not disseminate any court record of such arrest, charge, or conviction, except as provided in subsections D and E.

C. Records relating to an arrest, charge, or conviction that was ordered to be sealed pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, 19.2-392.12:1, or upon the sealing of an offense without a court order pursuant to § 19.2-392.6:1 or 19.2-392.17,* shall not be open for public inspection or otherwise disclosed, provided that such records may be disseminated and used for the following purposes: (i) to make the determination as provided in § 18.2-308.2:2 *or through the National Instant Criminal Background Check System* of eligibility to possess or purchase a firearm; (ii) for fingerprint comparison utilizing the fingerprints maintained in the Automated Fingerprint Information System; (iii) to the Virginia Criminal Sentencing Commission, the Virginia State Crime Commission, and the Joint Legislative Audit and Review Commission for research purposes; (iv) to any full-time or part-time employee of the State Police or a police department or sheriff's office that is a part of or administered by the Commonwealth or any political subdivision thereof for the purpose of screening any person for full-time employment or part-time employment with, or to be a volunteer with, the State Police or a police department or sheriff's office that is a part of or administered by the Commonwealth or any political subdivision thereof; (v) to the State Health Commissioner or his designee for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency as provided in § 32.1-111.5; (vi) to any full-time or part-time employee of the Department of Forensic Science for the purpose of screening any person for full-time or part-time employment with the Department of Forensic Science; (vii) to the chief law-enforcement officer of a locality, or his designee who shall be an individual employed as a public safety official of the locality, that has adopted an ordinance in accordance with §§ 15.2-1503.1 and 19.2-389 for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency as provided in § 32.1-111.5; (viii) to any full-time or part-time employee of the Department of Motor Vehicles, any employer as defined in § 46.2-341.4, or any medical examiner as defined in 49 C.F.R. § 390.5 for the purpose of complying with the regulations of the Federal Motor Carrier Safety Administration; (ix) to any employer or prospective employer or its designee where federal law requires the employer to inquire about prior criminal charges or convictions; (x) to any employer or prospective employer or its designee where the position that a person is applying for, or where access to the premises in or upon which any part of the duties of such position is performed or is to be performed, is subject to any requirement imposed in the interest of the national security of the United States under any security program in effect pursuant to or administered under any contract with, or statute or regulation of, the United States or any Executive Order of the President; (xi) to any person authorized to engage in the collection of court costs, fines, or restitution under subsection C of § 19.2-349 for purposes of collecting such court costs, fines, or restitution; (xii) to administer and utilize the DNA Analysis and Data Bank set forth in Article 1.1 (§ 19.2-310.2 et seq.) of Chapter 18; (xiii) to publish decisions of the Supreme Court, Court of Appeals, or any circuit court; (xiv) to any full-time or part-time employee of a court, the Office of the Executive Secretary, the Division of Legislative Services, or the Chairs of the House and Senate Committees for Courts of Justice for the purpose of screening any person for full-time or part-time employment as a clerk, magistrate, or judge with a court or the Office of the Executive Secretary; (xv) to any employer or prospective employer or its designee where this Code or a local ordinance requires the employer to inquire about prior criminal charges or convictions; (xvi) to any employer or prospective employer or its designee that is

allowed access to such sealed records in accordance with the rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134; (xvii) to any business screening service for purposes of complying with § 19.2-392.16; (xviii) to any attorney for the Commonwealth and any person accused of a violation of law, or counsel for the accused, in order to comply with any constitutional and statutory duties to provide exculpatory, mitigating, and impeachment evidence to an accused; (xix) to any party in a criminal or civil proceeding for use as authorized by law in such proceeding; (xx) to any party for use in a protective order hearing as authorized by law; (xxi) to the Department of Social Services or any local department of social services for purposes of performing any statutory duties as required under Title 63.2; (xxii) to any party in a proceeding relating to the care and custody of a child for use as authorized by law in such proceeding; (xxiii) to the attorney for the Commonwealth and the court for purposes of determining eligibility for sealing pursuant to the provisions of § 19.2-392.12, whether the court or parties failed to strictly comply with sealing procedures, or whether an order for sealing was entered contrary to law; (xxiv) to determine a person's eligibility to be empaneled as a juror; ~~and~~ (xxv) *to the Auditor of Public Accounts for audit purposes; (xxvi) to the Department of Behavioral Health and Developmental Services and any entity defined under § 37.2-100 for purposes of providing any services or functions as defined in such section; (xxvii) to the attorney for the Commonwealth, the defendant or his counsel, any magistrate, any local community-based probation services agency or pretrial services agency, the Department of State Police, any police department, any sheriff's office, any campus police department, the Department of Corrections, any court, and the Virginia Criminal Sentencing Commission for the purposes set forth in subsection H of § 19.2-392.5; and (xxviii)* to the person arrested, charged, or convicted of the offense that was sealed.

C1. In addition to the purposes set forth in subsection C, a sealed record may be disseminated without a court order within or between any department, division, board, bureau, commission, branch, authority or other agency created by the Commonwealth, or to which the Commission is a party or any political subdivision thereof, or with any federal agency, for the purpose of administering any duties or functions required by state or federal law. Nothing in this subsection shall authorize a business screening service to allow dissemination of a sealed record due to its continued existence in any such record.

D. Upon request from any person to access a paper or a digital image of a court record, the clerk of *the* court shall determine whether such record is open to public access and inspection. If the clerk of *the* court determines that the court record has been sealed, such record shall not be provided to the requestor without an order from the court that entered the order to seal the court record *or from the court in which the final disposition was entered if the offense was sealed without the entry of a court order*. Any order from a court that allows access to a paper or a digital image of a court record that has been sealed shall only be issued for one or more of the purposes set forth in subsection C. Such order to access a paper or a digital image of a court record that has been sealed shall allow the requestor to photocopy such court record. No fee shall be charged to any person filing a motion to access a paper or a digital image of a court record that has been sealed if the person filing such motion is the same person who was arrested, charged, or convicted of the offense that was sealed.

E. No access shall be provided to electronic records in an appellate court, circuit court, or district court case management system *or other system containing electronic case information* maintained by the Executive Secretary of the Supreme Court or in a case management system maintained by a clerk of the circuit court for any arrest, charge, or conviction that was ordered to be sealed pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, 19.2-392.12:1, or upon the sealing of an offense without a court order pursuant to § 19.2-392.6:1 or 19.2-392.17*, except to *(i)* the Virginia Criminal Sentencing Commission, the Virginia State Crime Commission, and the Joint Legislative Audit and Review Commission for research purposes*; (ii) the Auditor of Public Accounts for audit purposes; (iii) any person authorized to engage in the collection of court costs, fines, or restitution under subsection C of § 19.2-349 for the purposes of collection of such court costs, fines, or restitution; and (iv) any person authorized to submit a request for payment to the Office of the Executive Secretary of the Supreme Court for services provided in a criminal case*. ~~Such electronic~~ *Electronic* records may be disseminated ~~to the Virginia Criminal Sentencing Commission, the Virginia State Crime Commission, and the Joint Legislative Audit and Review Commission~~ *as authorized in this subsection* without a court order.

F. If a pleading or case document in a court record that was sealed is included among other court records that have not been ordered to be sealed, the clerk of *the* court shall not be required to prohibit dissemination of that record. ~~The Supreme Court, Court of Appeals, and any~~ *If an appellate court record contains court records that have been sealed, with or without a court order, and court records that have not been sealed, the clerk of the Supreme Court or Court of Appeals shall not be required to prohibit dissemination of such appellate record. Any* circuit court shall not be required to prohibit dissemination of any published or unpublished opinion relating to an arrest, charge, or conviction that was ordered to be sealed. *The Supreme Court and Court of Appeals shall not be required to prohibit dissemination of any (i) published or unpublished opinion, order, or summary of a case; (ii) court records for matters in which the Supreme Court or Court of Appeals has original jurisdiction; or (iii) appellate court record of a traffic infraction under Title 46.2 that is not punishable as a criminal offense relating to an arrest, charge, or conviction that was sealed. A clerk of the court shall not be required to redact information pertaining to a court record that has been sealed in any reports or electronic transmissions of case information that are required by statute or prepared and distributed to a state or local government entity in the normal course of business. Nothing in this subsection shall authorize a business screening service to allow dissemination of a sealed record due to its continued existence in any appellate record.*

G. *The clerk of any circuit court shall not be required to redact any sealed record contained in (i) an order book or order book index; (ii) a land record, as defined in subsection B of § 17.1-292; or (iii) on microfilm or microfiche. The clerk*

of any circuit court shall not be required to redact or seal any paper record for an offense that has been sealed pursuant to § 19.2-392.6:1 or 19.2-392.17. The clerk of any circuit court who physically removes the paper record of the primary case file for any other charge or conviction that has been sealed and maintains that file in a physically secure location that is not accessible to the public shall be in compliance with the requirement to seal the paper record. For the purposes of this subsection, the primary case file includes the indictment or warrant and any other papers relating to any proceedings on such indictment or warrant. Nothing in this subsection shall authorize a business screening service to allow dissemination of a sealed record due to its continued existence in any such record.

H. The Department of Motor Vehicles shall not seal any conviction or any charge that was deferred and dismissed after a finding of facts sufficient to justify a finding of guilt (i) in violation of federal regulatory record retention requirements or (ii) in violation of federal program requirements if the Department of Motor Vehicles is required to suspend a person's driving privileges as a result of a conviction or deferral and dismissal ordered to be sealed. Upon receipt of *an electronic notification of* an order directing that an offense be sealed, the Department of Motor Vehicles shall seal all records if the federal regulatory record retention period has run and all federal program requirements associated with a suspension have been satisfied. However, if the Department of Motor Vehicles cannot seal an offense pursuant to this subsection at the time it is ordered, the Department of Motor Vehicles shall (a) notify the Department of State Police of the reason the record cannot be sealed and cite the authority prohibiting sealing at the time it is ordered; (b) notify the Department of State Police of the date, if known at the time when the sealing is ordered, on which such record can be sealed; (c) seal such record on that date; and (d) notify the Department of State Police when such record has been sealed within the Department of Motor Vehicles' records.

I. The Library of Virginia shall not be required to seal any court records in its possession, provided that such records are not accessible or disseminated to the public.

~~H.~~ *J.* No arrest, charge, or conviction that has been sealed may be used to impeach the credibility of a testifying witness at any hearing or trial unless (i) its probative value, supported by specific facts and circumstances, substantially outweighs its prejudicial effect and (ii) the proponent gives an adverse party reasonable written notice of the intent to use it so that the party has a fair opportunity to contest its use.

~~I.~~ *K.* The provisions of this section shall not prohibit the disclosure of sealed criminal history record information or any information from such records among law-enforcement officers and attorneys when such disclosures are made by such officers or attorneys while engaged in the performance of their duties for purposes solely relating to the disclosure or use of exculpatory, mitigating, and impeachment evidence or between attorneys for the Commonwealth when related to the prosecution of a separate crime.

§ 19.2-392.14. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Disclosure of sealed records; penalty.

A. It is unlawful for any ~~person~~ *employee of any department, division, board, bureau, commission, branch, authority, or other agency created by the Commonwealth, or to which the Commonwealth is a party or any political subdivision thereof,* having or acquiring access to sealed criminal history record information or a court record, including any records relating to an arrest, charge, or conviction, that was ordered to be sealed pursuant to § 19.2-392.7, 19.2-392.8, *19.2-392.10,* 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1, or that was sealed without entry of a court order pursuant to § 19.2-392.6:1 or 19.2-392.17*, to disclose such record or any information from such record to another person, except in accordance with the purposes set forth in § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134.

B. A clerk of *the* court shall not be in violation of this section if such clerk informs a person requesting access to a sealed court record that such court record has been sealed and can only be accessed pursuant to a court order.

C. Any person who ~~willfully~~ *knowingly and intentionally* violates this section is guilty of a Class 1 misdemeanor. ~~Any person who maliciously and intentionally violates this section is guilty of a Class 6 felony.~~

§ 19.2-392.16. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Dissemination of criminal history records and traffic history records by business screening services.

A. For the purposes of this section:

"Business screening service" means a person engaged in the business of collecting, assembling, evaluating, or disseminating Virginia criminal history records or traffic history records on individuals.

"Business screening service" does not include any government entity or the news media.

"Criminal history record" means any information collected by a business screening service on individuals containing any personal identifying information, photograph, or other identifiable descriptions pertaining to an individual and any information regarding arrests, detentions, indictments, or other formal criminal charges, and any disposition arising therefrom, including acquittal, sentencing, correctional supervision, or release.

"Delete" means that a criminal history record *or a traffic history record* shall not be disseminated in any manner, except to any entity authorized to receive and use such information pursuant to § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134, but may be retained in order to resolve any disputes relating to this section, the accuracy of the record consistent with the federal Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq., or the Gramm-Leach-Bliley Act, 15 U.S.C. § 6801 et seq.

"Sealed possession of marijuana record" means any criminal or civil offense that concluded with any final disposition as a charge or conviction of former § 18.2-250.1 which has been sealed without the entry of a court order pursuant to § 19.2-392.6:1.

"Sealed record" means a Virginia criminal history record or a traffic history record that has been sealed pursuant to § 19.2-392.7, *19.2-392.8,* 19.2-392.10, 19.2-392.11, ~~or~~ 19.2-392.12*, 19.2-392.12:1, or 19.2-392.17*.

"Traffic history record" means any information collected by a business screening service on individuals containing any personal identifying information, photograph, or other identifiable descriptions pertaining to an individual and any information regarding arrests, detentions, indictments, or other formal traffic infraction charges, and any disposition arising therefrom.

B. If a business screening service knows that a criminal history record or a traffic history record ~~has been~~ *is a* sealed *record or a sealed possession of marijuana record, regardless of the source of the record*, the business screening service shall promptly delete the record.

C. A business screening service shall register with the Department of State Police to electronically receive ~~copies~~ *notifications* of orders of sealing provided to the Department of State Police pursuant to §§ 19.2-392.7, *19.2-392.8,* 19.2-392.10, 19.2-392.11, ~~and~~ 19.2-392.12*, and 19.2-392.12:1*. The Department of State Police may charge an annual licensing fee to the business screening service for accessing such information, with ~~a portion of~~ such fee to be used to cover the cost of providing such records ~~and the remainder of such fee to be deposited into the Scaling Fee Fund pursuant to § 17.1-205.1~~. The contract between the Department of State Police and the business screening service shall prohibit dissemination *of the electronic notifications* of the orders of sealing and shall require compliance by the business screening service with the provisions of subsections D, E, and F. The *electronic notifications of the* orders of sealing received by the business screening service *and all information contained therein* shall remain confidential and shall not be disseminated or resold. The *electronic notifications of the* orders of sealing shall be used for the sole purpose of deleting criminal history records that have been sealed. The business screening service shall ~~destroy~~ *delete* the ~~copies~~ *electronic notifications* of the orders of sealing after deleting the information contained in such orders from sealed records. The Department of State Police shall require that the business screening service seeking access to the information identify themselves, certify the purposes for which the information is sought, and certify that the information will be used for no other purpose. The Department of State Police shall further require that a business screening service acknowledge receipt of all electronic ~~copies~~ *notifications* of *the* orders of sealing provided by the Department of State Police. The Department of State Police shall maintain *and publicly post* a ~~public~~ list ~~within~~ *on* its website identifying the business screening services that are licensed to receive such records.

D. A business screening service that disseminates a criminal history record or a traffic history record on or after the effective date of this section shall include the date when the record was collected by the business screening service and a notice that the information may include records that have been sealed since that date.

E. A business screening service shall implement and follow reasonable procedures to assure that it does not maintain or sell criminal history records or traffic history records that are inaccurate or incomplete. If the completeness or accuracy of a criminal history record or traffic history record maintained by a business screening service is disputed by the individual who is the subject of the record, the business screening service shall, without charge, investigate the disputed record. If, upon investigation, the business screening service determines that the record does not accurately reflect the content of the official record, the business screening service shall correct the disputed record so as to accurately reflect the content of the official record. If the disputed record is found to have been sealed pursuant to § *19.2-392.6:1,* 19.2-392.7, *19.2-392.8,* 19.2-392.10, 19.2-392.11, ~~or~~ 19.2-392.12*, 19.2-392.12:1, or 19.2-392.17*, the business screening service shall promptly delete the record. A business screening service may terminate an investigation of a disputed record if the business screening service reasonably determines that the dispute is frivolous, which may be based on the failure of the subject of the record to provide sufficient information to investigate the disputed record. Upon making a determination that the dispute is frivolous, the business screening service shall inform the subject of the record of the specific reasons why it has determined that the dispute is frivolous and shall provide a description of any information required to investigate the disputed record. The business screening service shall notify the subject of the disputed record of the correction or deletion of the record or of the termination or completion of the investigation related to the record within 30 days of the date when the business screening service receives notice of the dispute from the subject of the record.

F. A business screening service shall implement procedures for individuals to submit a request to obtain their own criminal history record and traffic history record information maintained by the business screening service and any other information that may be sold to another entity by the business screening service regarding the individual.

G. A business screening service that violates this section is liable to the person who is the subject of the criminal history record or traffic history record for a penalty of $1,000 or actual damages caused by the violation, whichever is greater, plus costs and reasonable attorney fees. Within 10 days of service of any suit by an individual, the business screening service may make a cure offer in writing to the individual claiming to have suffered a loss as a result of a violation of this section. Such offer shall be in writing and include one or more things of value, including the payment of money. A cure offer shall be reasonably calculated to remedy a loss claimed by the individual, as well as any attorney fees or other fees, expenses, or other costs of any kind that such individual may incur in relation to such loss. No cure offer shall be admissible in any proceeding initiated under this section, unless the cure offer is delivered by the business screening service to the individual claiming loss or to any attorney representing such individual prior to the filing of the business screening

service's initial responsive pleading in such proceeding. The business screening service shall not be liable for such individual's attorney fees and court costs incurred following delivery of the cure offer unless the actual damages found to have been sustained and awarded, without consideration of attorney fees and court costs, exceed the value of the cure offer.

H. The Attorney General may file a civil action to enforce this section. If the court finds that a business screening service has willfully engaged in an act or practice in violation of this section, the Attorney General may recover for the Literary Fund, upon petition to the court, a civil penalty of not more than $2,500 per violation. For the purposes of this section, prima facie evidence of a willful violation may be shown when the Attorney General notifies the alleged violator by certified mail that an act or practice is a violation of this section and the alleged violator, after receipt of said notice, continues to engage in the act or practice. In any civil action pursuant to this subsection, in addition to any civil penalty awarded, the Attorney General may also recover any costs and reasonable expenses incurred by the state in investigating and preparing the case, not to exceed $1,000 per violation, and attorney fees. Such additional costs and expenses shall be paid into the general fund of the Commonwealth.

I. A business screening service that disseminates criminal history records or traffic history records in the Commonwealth is deemed to have consented to service of process in the Commonwealth and to the jurisdiction of courts of the Commonwealth for actions involving a violation of this section or for the recovery of remedies under this section.

J. A business screening service that is a consumer reporting agency and that is in compliance with the applicable provisions of the federal Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq., or the Gramm-Leach-Bliley Act, 15 U.S.C. § 6801 et seq., is considered to be in compliance with the comparable provisions of this section. A business screening service is subject to the state remedies under this section if its actions would violate this section and federal law.

K. Any business screening service or person who engages in the conduct of a business screening service, as set forth this this section, that fails to register with the Department of State Police as required by subsection C and that disseminates criminal history records or traffic history records in the Commonwealth may be subject to (i) suit by any person injured by such dissemination and (ii) enforcement actions by the Attorney General as set forth in subsection H.

L. Nothing in this section shall prohibit the prosecution of any person who knowingly and intentionally violates the provisions of § 19.2-392.14.

§ 19.2-392.17. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Traffic infractions deemed sealed.

A. ~~Any~~ *Except as provided in subsection F of § 19.2-392.13, any* record of a traffic infraction under Title 46.2 *with an offense date on or after January 1, 1986,* that is not punishable as a criminal offense shall be deemed to be sealed after 11 years from the date of final disposition of the offense, unless such sealing is prohibited under federal or state law. *The Central Criminal Records Exchange, any court, any police department, sheriff's office, or campus police department, and the Department of Motor Vehicles shall identify and seal the records of any such infraction in its possession.* No record of any such traffic infraction shall be disseminated, unless such dissemination is authorized pursuant to § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134.

B. The Department of Motor Vehicles shall not seal any traffic infraction under Title 46.2 (i) in violation of federal regulatory record retention requirements or (ii) in violation of federal program requirements if the Department of Motor Vehicles is required to suspend a person's driving privileges as a result of the traffic infraction that was ~~ordered to be~~ *deemed* sealed *pursuant to subsection A*. ~~Upon receipt of an order directing that a traffic infraction be sealed, the~~ *The* Department of Motor Vehicles shall seal all records *deemed to be sealed pursuant to subsection A* if the federal regulatory record retention period has run and all federal program requirements associated with a suspension have been satisfied. ~~However, if the Department of Motor Vehicles cannot seal a traffic infraction pursuant to this subsection at the time it is ordered, the Department of Motor Vehicles shall (a) notify the Department of State Police of the reason the record cannot be sealed and cite the authority prohibiting sealing at the time it is ordered; (b) notify the Department of State Police of the date, if known at the time when the sealing is ordered, on which such record can be sealed; (c) seal such record on that date; and (d) notify the Department of State Police when such record has been sealed within the Department of Motor Vehicles' records.~~

C. The Department of Motor Vehicles shall not seal a record of a traffic infraction if a customer is subject to an administrative suspension order issued pursuant to Driver Improvement Program requirements under § 46.2-498, 46.2-499, or 46.2-506, issued in part or in whole, as a result of an accumulation of traffic infractions, and less than two years has passed since the date that the suspension order was complied with.

2. That the Department of State Police shall develop a secure portal for the purpose of allowing government agencies to determine whether a record has been sealed prior to responding to a request under § 2.2-3706 or 2.2-3706.1 of the Code of Virginia, as amended by this act, by October 1, 2026.

3. That the Virginia Indigent Defense Commission shall (i) educate and provide support to public defenders and certified court-appointed counsel on expungement and sealing, (ii) conduct trainings on expungement and sealing across the Commonwealth, (iii) develop a library of resources on expungement and sealing for use by public defenders and certified court-appointed counsel, and (iv) post information regarding expungement and sealing for use by the public on its website.

4. That § 17.1-205.1 of the Code of Virginia is repealed, and that any money in the Sealing Fee Fund created in such section shall revert to the general fund.

5. That the provisions of §§ 2.2-3706 and 2.2-3706.1 and §§ 9.1-101, 9.1-128, 17.1-293.1, 17.1-502, 19.2-310.7, 19.2-392.2, 19.2-392.5 through 19.2-392.8, 19.2-392.11 through 19.2-392.14, 19.2-392.16, and 19.2-392.17, as they

shall become effective, of the Code of Virginia, as amended by the first enactment of this act, shall become effective on July 1, 2026.

6. That the provisions of §§ 19.2-392.6:1 and 19.2-392.12:1 of the Code of Virginia, as created by this act, shall become effective on July 1, 2026.

7. That the fourth enactment of Chapter 524 and the fourth enactment of Chapter 542 of the Acts of Assembly of 2021, Special Session I, are amended and reenacted as follows:

4. That the provisions of §§ 9.1-101, 9.1-128, 9.1-134, 17.1-293.1, 17.1-502, *and* 19.2-310.7~~, and 19.2-389.3~~ of the Code of Virginia, as amended by this act, and Chapter 23.2 (§ 19.2-392.5 et seq.) of Title 19.2 of the Code of Virginia, as created by this act, shall become effective on ~~the earlier of (i) the first day of the fourth month following notification of the Chair of the Virginia Code Commission and the Chairs of the Senate Committee on the Judiciary and the House Committee for Courts of Justice by the Superintendent of State Police that the Executive Secretary of the Supreme Court of Virginia, the Department of State Police, and any circuit court clerk who maintains a case management system that interfaces with the Department of State Police under subsection B1 of § 17.1-502 of the Code of Virginia, as amended by this act, have automated systems to exchange information as required by §§ 19.2-392.7, 19.2-392.10, 19.2-392.11, and 19.2-392.12 of the Code of Virginia, as created by this act, or (ii)~~ July 1, ~~2025~~ *2026*.

8. That the fifth enactment of Chapter 524 and the fifth enactment of Chapter 542 of the Acts of Assembly of 2021, Special Session I, are amended and reenacted as follows:

5. That the Department of State Police shall first transmit the list required under subsection B of § 19.2-392.7 of the Code of Virginia, as created by this act, not later than ~~the earlier of (i) the first day of the third month following the effective date of this act as provided in clause (i) of the fourth enactment of this act or (ii)~~ October 1, ~~2025~~ *2026*.

9. That the sixth enactment of Chapter 524 and the sixth enactment of Chapter 542 of the Acts of Assembly of 2021, Special Session I, are amended and reenacted as follows:

6. That the Executive Secretary of the Supreme Court of Virginia, the Department of State Police, and any circuit court clerk who maintains a case management system that interfaces with the Department of State Police under subsection B1 of § 17.1-502 of the Code of Virginia, as amended by this act, shall automate systems to exchange information as required by §§ 19.2-392.7, 19.2-392.10, 19.2-392.11, and 19.2-392.12 of the Code of Virginia, as created by this act, not later than July 1, ~~2025~~ *2026*.

10. That the seventh enactment of Chapter 524 and the seventh enactment of Chapter 542 of the Acts of Assembly of 2021, Special Session I, are amended and reenacted as follows:

7. That the Executive Secretary of the Supreme Court of Virginia shall develop a form for requesting and authorizing access to a sealed court record as set forth in section D of § 19.2-392.13 of the Code of Virginia, as created by this act, not later than July 1, ~~2025~~ *2026*.

11. That the third enactment of Chapter 554 and the third enactment of Chapter 555 of the Acts of Assembly of 2023 are amended and reenacted as follows:

3. That § 19.2-389.3 of the Code of Virginia is repealed effective ~~on the earlier of (i) the date on which the processes to seal criminal history record information and court records pursuant to Chapters 524 and 542 of the Acts of Assembly of 2021, Special Session I, become effective or (ii)~~ July 1, ~~2025~~ *2026*.

12. That the fourth enactment of Chapter 554 and the fourth enactment of Chapter 555 of the Acts of Assembly of 2023 are amended and reenacted as follows:

4. That the provisions of *§ 19.2-392.3 of the Code of Virginia, as amended by this act, shall become effective on July 1, 2025, and that the provisions of* §§ 9.1-128, 19.2-392.2, ~~19.2-392.3,~~ 19.2-392.6, 19.2-392.7, 19.2-392.10, 19.2-392.11, 19.2-392.12, and 19.2-392.13 of the Code of Virginia, as amended by this act, shall become effective on ~~the earlier of (i) the date on which the processes to seal criminal history record information and court records pursuant to Chapters 524 and 542 of the Acts of Assembly of 2021, Special Session I, become effective or (ii)~~ July 1, ~~2025~~ *2026*.

13. That the fifth enactment of Chapter 554 and the fifth enactment of Chapter 555 of the Acts of Assembly of 2023 are amended and reenacted as follows:

5. That the Department of State Police shall first transmit the lists required under subsection B of § 19.2-392.7 of the Code of Virginia, as amended by this act, not later than ~~the earlier of (i) the first day of the third month following the date on which the processes to seal criminal history record information and court records pursuant to Chapters 524 and 542 of the Acts of Assembly of 2021, Special Session I, become effective or (ii)~~ October 1, ~~2025~~ *2026*.

14. That the Department of State Police, Department of Motor Vehicles, Office of the Executive Secretary of the Supreme Court of Virginia, and clerk of any circuit court shall provide data and information on sealing upon request of the Virginia State Crime Commission for purposes of monitoring and evaluating the implementation and impact of the sealing processes.

15. That the Office of the Executive Secretary of the Supreme Court of Virginia shall collect data related to petitions filed pursuant to § 19.2-392.12 of the Code of Virginia, as amended by this act, and § 19.2-392.12:1 of the Code of Virginia, as created by this act, by July 1, 2026. Such data shall include the number of sealing petitions filed; whether

such petitions were filed pursuant to § 19.2-392.12 or 19.2-392.12:1 of the Code of Virginia; the number of petitions in which a hearing was held; the number of charges ordered sealed or denied to be sealed; the number of petitioners represented by counsel; the date of birth, sex, and race of petitioners; and, to the extent available, data relating to the specifically identified charges, convictions, and ancillary matters for which sealing was granted or denied. The Office of the Executive Secretary of the Supreme Court of Virginia shall report such data to the Virginia State Crime Commission by October 1 of each year, beginning October 1, 2027.

16. That the Virginia State Crime Commission, in consultation with the Senate Committee on Finance and Appropriations, House Committee on Appropriations, Department of State Police, Department of Motor Vehicles, Office of the Executive Secretary of the Supreme Court of Virginia, Compensation Board, Virginia Court Clerks Association, and Virginia Association of Commonwealth's Attorneys, shall analyze data and information collected on automatic and petition sealing to identify the workloads required to perform such sealing, including the sufficiency of staffing and resources of state agencies, branches, and constitutional officers, and shall report its findings by the first day of the 2026 Regular Session of the General Assembly and for the following three years thereafter. The Virginia State Crime Commission shall share this data with the Senate Committee on Finance and Appropriations, House Committee on Appropriations, Department of State Police, Department of Motor Vehicles, Office of the Executive Secretary of the Supreme Court of Virginia, Compensation Board, Virginia Court Clerks Association, and Virginia Association of Commonwealth's Attorneys as necessary for the purpose of determining staffing and workload needs.

17. That the Virginia State Crime Commission shall continue its study on the sealing of criminal records and shall (i) identify methods to educate the public on sealing eligibility requirements and processes; (ii) consult with the Virginia State Bar and other stakeholders to identify methods to provide information, resources, and pro bono legal consultations and assistance with sealing to the public; (iii) to the extent possible, conduct trainings on sealing for stakeholders upon request; (iv) review any other relevant matters that arise during the course of the study; and (v) report on its work on the study by the first day of the 2026 Regular Session of the General Assembly.

18. That nothing in this act shall be construed to authorize the Department of State Police to require the Office of the Executive Secretary of the Supreme Court of Virginia or a clerk of any circuit court that maintains a case management system that interfaces with the Department of State Police under subsection B1 of § 17.1-502 of the Code of Virginia, as amended by this act, to include additional data in electronic notifications of sealing orders forwarded pursuant to Chapter 23.2 (§ 19.2-392.5 et seq.) of Title 19.2 of the Code of Virginia, as amended by this act, or in dispositions of criminal or traffic cases transmitted to the Central Criminal Records Exchange other than the data identified by the Department of State Police and the Office of the Executive Secretary as necessary to implement Chapters 524 and 542 of the Acts of Assembly of 2021, Special Session I, and Chapters 554 and 555 of the Acts of Assembly of 2023. Nothing in this act shall be construed to authorize the Department of State Police to require (i) the implementation of new procedures or (ii) modifications of existing procedures followed by a clerk of any circuit court for entering information into case management systems.

CHAPTER 635

An Act to amend and reenact §§ 2.2-1829 and 2.2-1831.3 of the Code of Virginia, relating to revenue reserves of the Revenue Stabilization Fund and Revenue Reserve Fund.

[S 1472]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-1829 and 2.2-1831.3 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-1829. Reports of Auditor of Public Accounts; Fund deposits and withdrawals.

A. On or before December 1 of each year, the Auditor of Public Accounts shall report to the General Assembly the certified tax revenues collected in the most recently ended fiscal year. The Auditor shall, at the same time, provide his report on (i) the limitation on the total amount in the Fund; (ii) the amount that could be paid into the Fund; and (iii) the amount necessary for deposit for the next fiscal year into the Fund in order to satisfy the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia. The Governor shall include any such amount in his budget bill submitted to the General Assembly pursuant to § 2.2-1509. A schedule of deposits may be provided for in the ~~Appropriation Act~~ *appropriation act*.

B. ~~If the report of the Auditor of Public Accounts, pursuant to subsection A, indicates that the annual percentage increase in the certified tax revenues collected in the most recently ended fiscal year is eight percent or greater than the certified tax revenues collected for the immediately preceding fiscal year and that such annual percentage increase in the certified tax revenues for the most recently ended fiscal year is also equal to or greater than 1.5 times the average annual percentage increase in the certified tax revenues collected in the six fiscal years immediately preceding the most recently ended fiscal year, the Governor shall include in his budget recommendations, submitted to the General Assembly in the subsequent session pursuant to § 2.2-1509, an additional amount for deposit to the Fund in excess of any mandatory deposit to the Fund required by Article X, Section 8 of the Constitution of Virginia. Such additional amount shall be equal to at least~~

~~25 percent of the product of the certified tax revenues collected in the most recently ended fiscal year multiplied by the difference between the annual percentage increase in the certified tax revenues collected for the most recently ended fiscal year and the average annual percentage increase in the certified tax revenues collected in the six fiscal years immediately preceding the most recently ended fiscal year. Any such additional deposits to the Fund shall be included in the Governors' budget recommendations submitted to the General Assembly in the subsequent session pursuant to § 2.2-1509 only if the estimate of general fund revenues prepared in accordance with § 2.2-1503 for the fiscal year in which the deposit is to be made is at least five percent greater than the actual general fund revenues for the immediately preceding fiscal year.~~

~~C.~~ The State Comptroller shall draw such warrants as appropriated and the State Treasurer shall deposit such warrants into the Fund. No amounts shall be withdrawn from the Fund except pursuant to appropriations made by the General Assembly in accordance with § 2.2-1830. However, if any amounts accrue, such as through interest or dividends, to the credit of the Fund in excess of the limitation calculated by the Auditor of Public Accounts as provided in subsection ~~E~~ *D*, any excess shall be paid into the general fund either from the Fund or from the Revenue Reserve Fund created pursuant to § 2.2-1831.2.

~~D.~~ *C.* For the purposes of the Comptroller's preliminary and final annual reports as required by § 2.2-813, all balances remaining in the Fund on June 30 of each fiscal year shall be considered to be a portion of the fund balance of the general fund of the state treasury.

~~E. At no time shall the~~ *D. The* combined amount in the Fund and the Revenue Reserve Fund *shall not* exceed ~~15~~ *20* percent of the Commonwealth's average annual tax revenues derived from taxes on income and retail sales as certified by the Auditor of Public Accounts for the three fiscal years immediately preceding.

§ 2.2-1831.3. Commitment of funds for Revenue Reserve Fund.

A. On or before November 1 of each year, the Auditor of Public Accounts shall report to the General Assembly the total general fund revenues collected in the most recently ended fiscal year. The Auditor of Public Accounts shall, at the same time, provide his report on the amount that could be paid into the Fund and the amount by which the amount in the Fund is less than the maximum amount permitted.

B. Whenever there is a fiscal year in which general fund revenues do not result in a mandatory deposit to the Revenue Stabilization Fund required by Article X, Section 8 of the Constitution of Virginia, the Comptroller shall, at the end of the fiscal year, commit within his annual report pursuant to § 2.2-813 the amount of the general fund revenue in excess of the official forecast for that prior fiscal year, less any deposit to the Virginia Water Quality Improvement Fund pursuant to subsection A of § 10.1-2128, for deposit into the Fund. Such amount committed for deposit into the Fund shall not exceed one percent of the total general fund revenues for the prior fiscal year.

C. The Governor shall include in "The Budget Bill" pursuant to § 2.2-1509 recommended appropriations from the general fund or recommended amendments to general fund appropriations in the general appropriation act in effect at that time an amount for deposit into the Fund at least equal to the amounts committed by the Comptroller and confirmed by the Auditor of Public Accounts for such purposes pursuant to the provisions of subsection B. A schedule of deposits may be provided in the appropriation act.

D. The State Comptroller shall draw such warrants as appropriated, and the State Treasurer shall deposit such warrants into the Fund. No withdrawal shall be made from the Fund except in accordance with § 2.2-1831.4.

E. For the purposes of the Comptroller's preliminary and final annual reports as required by § 2.2-813, all balances remaining in the Fund on June 30 of each fiscal year shall be considered to be a portion of the fund balance of the general fund of the state treasury. However, if any amounts accrue, such as through interest or dividends, to the credit of the Fund in excess of the limitation calculated by the Auditor of Public Accounts as provided in subsection F, any excess shall be paid into the general fund either from the Fund or from the Revenue Stabilization Fund created pursuant to § 2.2-1828.

F. ~~At no time shall the~~ *The* combined amount in the Fund and the Revenue Stabilization Fund created pursuant to § 2.2-1828 *shall not* exceed 15 percent of the Commonwealth's average annual tax revenues derived from taxes on income and retail sales as certified by the Auditor of Public Accounts for the three fiscal years immediately preceding. *However, the 15 percent maximum may be exceeded if the balance of the Fund does not exceed 10 percent of such revenues.*

CHAPTER 636

An Act to amend and reenact § 2.2-1503.1 of the Code of Virginia, relating to filing of six-year financial outline; alternative recession estimates.

[S 1474]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-1503.1 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-1503.1. Filing of six-year financial outline by Governor.

A. On or before the first day of each regular session of the General Assembly, the Governor shall prepare and submit to the members of the General Assembly a financial plan for a prospective period of six years. The plan shall consist of (i) the Governor's biennial budget submitted pursuant to subsection A of § 2.2-1508; (ii) *(a)* estimates of anticipated general fund and nongeneral fund revenue prepared for an additional period of four years pursuant to § 2.2-1503, *(b) alternative*

estimates of general and nongeneral fund revenues based on the below-baseline economic assumptions presented to the Governor's Advisory Council on Revenue Estimates, and *(c) revenue estimates for the general fund and nongeneral fund based on the above-baseline economic assumptions presented to the Governor's Advisory Council on Revenue Estimates; and* (iii) estimates of the general and nongeneral fund appropriations required for each major program for an additional period of four years. In preparing such financial plan, the Governor may utilize the estimate prepared by each agency pursuant to § 2.2-1504, or such other information as he may deem necessary.

B. The financial plan required by this section shall ensure a structural balance between the projected revenues described in clause (ii) of subsection A and the projected expenditures described in clause (iii) of subsection A consistent with the provisions of Article X, ~~§~~ *Section* 7 of the Constitution of Virginia.

CHAPTER 637

An Act to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 1.3, consisting of a section numbered 19.2-11.14, relating to use of artificial intelligence-based tool.

[H 1642]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 19.2 a chapter numbered 1.3, consisting of a section numbered 19.2-11.14, as follows:

CHAPTER 1.3.

ARTIFICIAL INTELLIGENCE-BASED TOOLS.

§ 19.2-11.14. Use of artificial intelligence-based tool.

A. As used in this section, "artificial intelligence-based tool" means any machine-based system or algorithm, including machine learning models, predictive analytics, and decision support systems, that analyze data and generate recommendations or predictions.

B. All decisions related to the pre-trial detention or release, prosecution, adjudication, sentencing, probation, parole, correctional supervision, or rehabilitation of criminal offenders shall be made by the judicial officer or other person charged with making such decision. No such decision shall be made without the involvement of a human decision-maker. The use of any recommendation or prediction from an artificial intelligence-based tool shall be subject to any challenge or objection permitted by law.

CHAPTER 638

An Act to amend the Code of Virginia by adding a section numbered 19.2-360.1, relating to fines, restitution, forfeiture, penalties, and other costs; criminal and traffic cases; itemized statement.

[H 1665]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 19.2-360.1 as follows:

§ 19.2-360.1. Itemized statement of fines, restitution, forfeiture, penalty, and other costs.

The clerk of the court, upon written or electronic request, shall provide an itemized statement to any defendant convicted of a traffic infraction or a violation of any criminal law of the Commonwealth or of any political subdivision thereof, or found not innocent in the case of a juvenile, who is sentenced to pay a fine, restitution, forfeiture, or penalty or assessed any other costs in the circuit court or appropriate district court of his county or city at the time such fine, restitution, forfeiture, penalty, or other costs are assessed, or within a reasonable time after assessment. The clerk shall also provide an updated statement of the outstanding balances of fines, forfeiture, and penalties, restitution and costs, or payment history upon written or electronic request of the defendant. Any such itemized or updated statement shall be provided to the defendant either in person if he appears in person and furnishes proper identification or by trackable courier service with signature requirement or first-class mail.

2. That the provisions of this act shall become effective on January 1, 2026.

CHAPTER 639

An Act to amend and reenact §§ 9.1-102 and 19.2-81.3 of the Code of Virginia, relating to Department of Criminal Justice Services; curriculum on certain arrests.

[H 1712]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 9.1-102 and 19.2-81.3 of the Code of Virginia are amended and reenacted as follows:

§ 9.1-102. Powers and duties of the Board and the Department.

The Department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to:

1. Adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the administration of this chapter including the authority to require the submission of reports and information by law-enforcement officers within the Commonwealth. Any proposed regulations concerning the privacy, confidentiality, and security of criminal justice information shall be submitted for review and comment to any board, commission, or committee or other body which may be established by the General Assembly to regulate the privacy, confidentiality, and security of information collected and maintained by the Commonwealth or any political subdivision thereof;

2. Establish compulsory minimum training standards subsequent to employment as a law-enforcement officer in (i) permanent positions and (ii) temporary or probationary status and establish the time required for completion of such training. Such compulsory minimum training standards shall include crisis intervention training in accordance with clause (i) of § 9.1-188;

3. Establish minimum training standards and qualifications for certification and recertification for law-enforcement officers serving as field training officers;

4. Establish compulsory minimum curriculum requirements for in-service and advanced courses and programs for schools, whether located in or outside the Commonwealth, which are operated for the specific purpose of training law-enforcement officers;

5. Establish (i) compulsory minimum training standards for law-enforcement officers who utilize radar or an electrical or microcomputer device to measure the speed of motor vehicles as provided in § 46.2-882 and establish the time required for completion of the training and (ii) compulsory minimum qualifications for certification and recertification of instructors who provide such training;

6. [Repealed];

7. Establish compulsory minimum entry-level, in-service and advanced training standards for those persons designated to provide courthouse and courtroom security pursuant to the provisions of § 53.1-120, and to establish the time required for completion of such training;

8. Establish compulsory minimum entry-level, in-service and advanced training standards for deputy sheriffs designated to serve process pursuant to the provisions of § 8.01-293, and establish the time required for the completion of such training;

9. Establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the time required for completion of such training, for persons employed as deputy sheriffs and jail officers by local criminal justice agencies and correctional officers employed by the Department of Corrections under the provisions of Title 53.1. For correctional officers employed by the Department of Corrections, such standards shall include training on the general care of pregnant women, the impact of restraints on pregnant inmates and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant inmates, and the impact of body cavity searches on pregnant inmates;

10. Establish compulsory minimum training standards for all dispatchers employed by or in any local or state government agency, whose duties include the dispatching of law-enforcement personnel. Such training standards shall apply only to dispatchers hired on or after July 1, 1988. Such training shall include training in the identification of, communication with, and facilitation of the safe return of individuals diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and returning them to their caregivers;

11. Establish compulsory minimum training standards for all auxiliary police officers employed by or in any local or state government agency. Such training shall be graduated and based on the type of duties to be performed by the auxiliary police officers. Such training standards shall not apply to auxiliary police officers exempt pursuant to § 15.2-1731;

12. Consult and cooperate with counties, municipalities, agencies of the Commonwealth, other state and federal governmental agencies, and institutions of higher education within or outside the Commonwealth, concerning the development of police training schools and programs or courses of instruction;

13. Approve institutions, curricula and facilities, whether located in or outside the Commonwealth, for school operation for the specific purpose of training law-enforcement officers; but this shall not prevent the holding of any such school whether approved or not;

14. Establish and maintain police training programs through such agencies and institutions as the Board deems appropriate;

15. Establish compulsory minimum qualifications of certification and recertification for instructors in criminal justice training academies approved by the Department;

16. Conduct and stimulate research by public and private agencies which shall be designed to improve police administration and law enforcement;

17. Make recommendations concerning any matter within its purview pursuant to this chapter;

18. Coordinate its activities with those of any interstate system for the exchange of criminal history record information, nominate one or more of its members to serve upon the council or committee of any such system, and participate when and as deemed appropriate in any such system's activities and programs;

19. Conduct inquiries and investigations it deems appropriate to carry out its functions under this chapter and, in conducting such inquiries and investigations, may require any criminal justice agency to submit information, reports, and statistical data with respect to its policy and operation of information systems or with respect to its collection, storage, dissemination, and usage of criminal history record information and correctional status information, and such criminal justice agencies shall submit such information, reports, and data as are reasonably required;

20. Conduct audits as required by § 9.1-131;

21. Conduct a continuing study and review of questions of individual privacy and confidentiality of criminal history record information and correctional status information;

22. Advise criminal justice agencies and initiate educational programs for such agencies with respect to matters of privacy, confidentiality, and security as they pertain to criminal history record information and correctional status information;

23. Maintain a liaison with any board, commission, committee, or other body which may be established by law, executive order, or resolution to regulate the privacy and security of information collected by the Commonwealth or any political subdivision thereof;

24. Adopt regulations establishing guidelines and standards for the collection, storage, and dissemination of criminal history record information and correctional status information, and the privacy, confidentiality, and security thereof necessary to implement state and federal statutes, regulations, and court orders;

25. Operate a statewide criminal justice research center, which shall maintain an integrated criminal justice information system, produce reports, provide technical assistance to state and local criminal justice data system users, and provide analysis and interpretation of criminal justice statistical information;

26. Develop a comprehensive, statewide, long-range plan for strengthening and improving law enforcement and the administration of criminal justice throughout the Commonwealth, and periodically update that plan;

27. Cooperate with, and advise and assist, all agencies, departments, boards and institutions of the Commonwealth, and units of general local government, or combinations thereof, including planning district commissions, in planning, developing, and administering programs, projects, comprehensive plans, and other activities for improving law enforcement and the administration of criminal justice throughout the Commonwealth, including allocating and subgranting funds for these purposes;

28. Define, develop, organize, encourage, conduct, coordinate, and administer programs, projects and activities for the Commonwealth and units of general local government, or combinations thereof, in the Commonwealth, designed to strengthen and improve law enforcement and the administration of criminal justice at every level throughout the Commonwealth;

29. Review and evaluate programs, projects, and activities, and recommend, where necessary, revisions or alterations to such programs, projects, and activities for the purpose of improving law enforcement and the administration of criminal justice;

30. Coordinate the activities and projects of the state departments, agencies, and boards of the Commonwealth and of the units of general local government, or combination thereof, including planning district commissions, relating to the preparation, adoption, administration, and implementation of comprehensive plans to strengthen and improve law enforcement and the administration of criminal justice;

31. Do all things necessary on behalf of the Commonwealth and its units of general local government, to determine and secure benefits available under the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351, 82 Stat. 197), as amended, and under any other federal acts and programs for strengthening and improving law enforcement, the administration of criminal justice, and delinquency prevention and control;

32. Receive, administer, and expend all funds and other assistance available to the Board and the Department for carrying out the purposes of this chapter and the Omnibus Crime Control and Safe Streets Act of 1968, as amended;

33. Apply for and accept grants from the United States government or any other source in carrying out the purposes of this chapter and accept any and all donations both real and personal, and grants of money from any governmental unit or public agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same. Any arrangements pursuant to this section shall be detailed in the annual report of the Board. Such report shall include the identity of the donor, the nature of the transaction, and the conditions, if any. Any moneys received pursuant to this section shall be deposited in the state treasury to the account of the Department. To these ends, the Board shall have the power to comply with conditions and execute such agreements as may be necessary;

34. Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and execution of its powers under this chapter, including but not limited to, contracts with the United States, units of general

local government or combinations thereof, in Virginia or other states, and with agencies and departments of the Commonwealth;

35. Adopt and administer reasonable regulations for the planning and implementation of programs and activities and for the allocation, expenditure and subgranting of funds available to the Commonwealth and to units of general local government, and for carrying out the purposes of this chapter and the powers and duties set forth herein;

36. Certify and decertify law-enforcement officers in accordance with §§ 15.2-1706 and 15.2-1707 and provide for a decertification review process in accordance with § 15.2-1708;

37. Establish training standards and publish and periodically update model policies for law-enforcement personnel in the following subjects:

a. The handling of family abuse, domestic violence, sexual assault, and stalking cases, including standards for determining the predominant physical aggressor in accordance with § 19.2-81.3. The Department shall provide technical support and assistance to law-enforcement agencies in carrying out the requirements set forth in subsection A of § 9.1-1301;

b. The identification of, communication with, and facilitation of the safe return of individuals diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and returning them to their caregivers;

c. Sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

d. Protocols for local and regional sexual assault and human trafficking response teams;

e. Communication of death notifications;

f. The questioning of individuals suspected of driving while intoxicated concerning the physical location of such individual's last consumption of an alcoholic beverage and the communication of such information to the Virginia Alcoholic Beverage Control Authority;

g. Vehicle patrol duties that embody current best practices for pursuits and for responding to emergency calls;

h. Criminal investigations that embody current best practices for conducting photographic and live lineups;

i. Sensitivity to and awareness of human trafficking offenses and the identification of victims of human trafficking offenses for personnel involved in criminal investigations or assigned to vehicle or street patrol duties;

j. The recognition, prevention, and reporting of human trafficking;

k. Missing children, missing adults, and search and rescue protocol;

l. The handling and use of tear gas or other gases and kinetic impact munitions, as defined in § 19.2-83.3, that embody current best practices for using such items as a crowd control measure or during an arrest or detention of another person; and

m. The use of naloxone or other opioid antagonists to prevent opioid overdose deaths, in coordination with statewide naloxone training programs developed by the Department of Behavioral Health and Developmental Services and the Virginia Department of Health;

38. Establish compulsory training standards for basic training and the recertification of law-enforcement officers to ensure (i) sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability; (ii) training in de-escalation techniques; and (iii) training in the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the law-enforcement officer or another person;

39. Review and evaluate community-policing programs in the Commonwealth, and recommend where necessary statewide operating procedures, guidelines, and standards that strengthen and improve such programs, including sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

40. Establish a Virginia Law-Enforcement Accreditation Center. The Center may, in cooperation with Virginia law-enforcement agencies, provide technical assistance and administrative support, including staffing, for the establishment of voluntary state law-enforcement accreditation standards. The Center may provide accreditation assistance and training, resource material, and research into methods and procedures that will assist the Virginia law-enforcement community efforts to obtain Virginia accreditation status;

41. Promote community policing philosophy and practice throughout the Commonwealth by providing community policing training and technical assistance statewide to all law-enforcement agencies, community groups, public and private organizations and citizens; developing and distributing innovative policing curricula and training tools on general community policing philosophy and practice and contemporary critical issues facing Virginia communities; serving as a

consultant to Virginia organizations with specific community policing needs; facilitating continued development and implementation of community policing programs statewide through discussion forums for community policing leaders, development of law-enforcement instructors; promoting a statewide community policing initiative; and serving as a statewide information source on the subject of community policing including, but not limited to periodic newsletters, a website and an accessible lending library;

42. Establish, in consultation with the Department of Education and the Virginia State Crime Commission, compulsory minimum standards for employment and job-entry and in-service training curricula and certification requirements for school security officers, including school security officers described in clause (b) of § 22.1-280.2:1, which training and certification shall be administered by the Virginia Center for School and Campus Safety (VCSCS) pursuant to § 9.1-184. Such training standards shall be specific to the role and responsibility of school security officers and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques such as a physical alternative to restraint; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, and past traumatic experiences; and (viii) student behavioral dynamics, including child and adolescent development and brain research. The Department shall establish an advisory committee consisting of local school board representatives, principals, superintendents, and school security personnel to assist in the development of the standards and certification requirements in this subdivision. The Department shall require any school security officer who carries a firearm in the performance of his duties to provide proof that he has completed a training course provided by a federal, state, or local law-enforcement agency that includes training in active shooter emergency response, emergency evacuation procedure, and threat assessment;

43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with Article 11 (§ 9.1-185 et seq.);

44. License and regulate bail enforcement agents in accordance with Article 12 (§ 9.1-186 et seq.);

45. In conjunction with the Virginia State Police and the State Compensation Board, advise criminal justice agencies regarding the investigation, registration, and dissemination of information requirements as they pertain to the Sex Offender and Crimes Against Minors Registry Act (§ 9.1-900 et seq.);

46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula, and (iii) certification requirements for campus security officers. Such training standards shall include, but not be limited to, the role and responsibility of campus security officers, relevant state and federal laws, school and personal liability issues, security awareness in the campus environment, and disaster and emergency response. The Department shall provide technical support and assistance to campus police departments and campus security departments on the establishment and implementation of policies and procedures, including but not limited to: the management of such departments, investigatory procedures, judicial referrals, the establishment and management of databases for campus safety and security information sharing, and development of uniform record keeping for disciplinary records and statistics, such as campus crime logs, judicial referrals and Clery Act statistics. The Department shall establish an advisory committee consisting of college administrators, college police chiefs, college security department chiefs, and local law-enforcement officials to assist in the development of the standards and certification requirements and training pursuant to this subdivision;

47. Assess and report, in accordance with § 9.1-190, the crisis intervention team programs established pursuant to § 9.1-187;

48. In conjunction with the Office of the Attorney General, advise law-enforcement agencies and attorneys for the Commonwealth regarding the identification, investigation, and prosecution of human trafficking offenses using the common law and existing criminal statutes in the Code of Virginia;

49. Register tow truck drivers in accordance with § 46.2-116 and carry out the provisions of § 46.2-117;

50. Administer the activities of the Virginia Sexual and Domestic Violence Program Professional Standards Committee by providing technical assistance and administrative support, including staffing, for the Committee;

51. In accordance with § 9.1-102.1, design and approve the issuance of photo-identification cards to private security services registrants registered pursuant to Article 4 (§ 9.1-138 et seq.);

52. In consultation with the State Council of Higher Education for Virginia and the Virginia Association of Campus Law Enforcement Administrators, develop multidisciplinary curricula on trauma-informed sexual assault investigation;

53. In consultation with the Department of Behavioral Health and Developmental Services, develop a model addiction recovery program that may be administered by sheriffs, deputy sheriffs, jail officers, administrators, or superintendents in any local or regional jail. Such program shall be based on any existing addiction recovery programs that are being administered by any local or regional jails in the Commonwealth. Participation in the model addiction recovery program shall be voluntary, and such program may address aspects of the recovery process, including medical and clinical recovery, peer-to-peer support, availability of mental health resources, family dynamics, and aftercare aspects of the recovery process;

54. Establish compulsory minimum training standards for certification and recertification of law-enforcement officers serving as school resource officers. Such training shall be specific to the role and responsibility of a law-enforcement officer working with students in a school environment and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, or

past traumatic experiences; and (viii) student behavioral dynamics, including current child and adolescent development and brain research;

55. Establish a model policy for the operation of body-worn camera systems as defined in § 15.2-1723.1 that also addresses the storage and maintenance of body-worn camera system records;

56. Establish compulsory minimum training standards for detector canine handlers employed by the Department of Corrections, standards for the training and retention of detector canines used by the Department of Corrections, and a central database on the performance and effectiveness of such detector canines that requires the Department of Corrections to submit comprehensive information on each canine handler and detector canine, including the number and types of calls and searches, substances searched for and whether or not detected, and the number of false positives, false negatives, true positives, and true negatives;

57. Establish compulsory training standards for basic training of law-enforcement officers for recognizing and managing stress, self-care techniques, and resiliency;

58. Establish guidelines and standards for psychological examinations conducted pursuant to subsection C of § 15.2-1705;

59. Establish compulsory in-service training standards, to include frequency of retraining, for law-enforcement officers in the following subjects: (i) relevant state and federal laws; (ii) awareness of cultural diversity and the potential for bias-based profiling as defined in § 52-30.1; (iii) de-escalation techniques; (iv) working with individuals with disabilities, mental health needs, or substance use disorders; and (v) the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the law-enforcement officer or another person;

60. Develop a model curriculum and lesson plans for the compulsory minimum entry-level, in-service, and advanced training standards to be employed by criminal justice training academies approved by the Department when conducting training;

61. Adopt statewide professional standards of conduct applicable to all certified law-enforcement officers and certified jail officers and appropriate due process procedures for decertification based on serious misconduct in violation of those standards and provide for a decertification review process in accordance with § 15.2-1708;

62. Establish and administer a waiver process, in accordance with §§ 2.2-5515 and 15.2-1721.1, for law-enforcement agencies to use certain military property. Any waivers granted by the Criminal Justice Services Board shall be published by the Department on the Department's website;

63. Establish compulsory training standards for basic training and the recertification of law-enforcement officers to include crisis intervention training in accordance with clause (ii) of § 9.1-188;

64. Advise and assist the Department of Behavioral Health and Developmental Services, and support local law-enforcement cooperation, with the development and implementation of the Marcus alert system, as defined in § 37.2-311.1, including the establishment of local protocols for law-enforcement participation in the Marcus alert system pursuant to § 9.1-193 and for reporting requirements pursuant to §§ 9.1-193 and 37.2-311.1;

65. Develop an online course to train hotel proprietors and their employees to recognize and report instances of suspected human trafficking;

66. Develop an online course to train unarmed security officers, armed security officers, couriers, security canine handlers, and alarm respondents to recognize and report instances of suspected human trafficking to meet the compulsory minimum, entry-level, and in-service training standards as required by § 9.1-141;

67. Establish standards and procedures for when the Board may grant a petition for reinstatement of certification of a decertified officer pursuant to subsection E of § 15.2-1708;

68. Establish compulsory minimum and in-service training standards for law-enforcement officers on communicating with individuals with an intellectual disability or a developmental disability as defined in § 37.2-100, such as autism spectrum disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, which shall include (i) an overview and behavioral recognition of autism spectrum disorder, (ii) best practices for crisis prevention and de-escalation techniques, (iii) an objective review of any relevant tools and technology available to assist in communication, and (iv) education on law-enforcement agency and community resources for the autism community on future crisis prevention. Such training standards shall be established in consultation with at least one individual with autism spectrum disorder, one family member of an individual with autism spectrum disorder, one specialist who works with individuals with autism spectrum disorder, one representative from the Department of Behavioral Health and Developmental Services, and one representative from a state or local law-enforcement agency; ~~and~~

69. *Establish a training curriculum for law-enforcement agencies, law-enforcement officers, and special conservators of the peace on the discretion such officers can exercise regarding arrests as provided in Chapter 7 (§ 19.2-71 et seq.) of Title 19.2. Such training shall include (i) instruction on the scope and nature of law-enforcement officer discretion in arrest decisions, with particular emphasis on encounters with individuals experiencing a mental health crisis, including individuals currently subject to an emergency custody order pursuant to § 37.2-808, a temporary detention order pursuant to § 37.2-809, or an involuntary admission order pursuant to § 37.2-817, and (ii) instruction on the immediate and long-term effects of arrests on individuals in need of mental health services due to a mental health crisis, including impacts on treatment outcomes as identified in substantially accepted peer-reviewed research literature; and*

70. Perform such other acts as may be necessary or convenient for the effective performance of its duties.

§ 19.2-81.3. Arrest without a warrant authorized in cases of assault and battery against a family or household member and stalking and for violations of protective orders; procedure, etc.

A. Any law-enforcement officer with the powers of arrest may arrest without a warrant for an alleged violation of § 18.2-57.2, 18.2-60.4, or 16.1-253.2 regardless of whether such violation was committed in his presence, if such arrest is based on probable cause or upon personal observations or the reasonable complaint of a person who observed the alleged offense or upon personal investigation.

B. A law-enforcement officer having probable cause to believe that a violation of § 18.2-57.2 or 16.1-253.2 has occurred shall arrest and take into custody the person he has probable cause to believe, based on the totality of the circumstances, was the predominant physical aggressor unless there are special circumstances which would dictate a course of action other than an arrest. The standards for determining who is the predominant physical aggressor shall be based on the following considerations: (i) who was the first aggressor, (ii) the protection of the health and safety of family and household members, (iii) prior complaints of family abuse by the allegedly abusing person involving the family or household members, (iv) the relative severity of the injuries inflicted on persons involved in the incident, (v) whether any injuries were inflicted in self-defense, (vi) witness statements, and (vii) other observations.

C. A law-enforcement officer having probable cause to believe that a violation of § 18.2-60.4 has occurred that involves physical aggression shall arrest and take into custody the person he has probable cause to believe, based on the totality of the circumstances, was the predominant physical aggressor unless there are special circumstances which would dictate a course of action other than an arrest. The standards for determining who is the predominant physical aggressor shall be based on the following considerations: (i) who was the first aggressor, (ii) the protection of the health and safety of the person to whom the protective order was issued and the person's family and household members, (iii) prior acts of violence, force, or threat, as defined in § 19.2-152.7:1, by the person against whom the protective order was issued against the person protected by the order or the protected person's family or household members, (iv) the relative severity of the injuries inflicted on persons involved in the incident, (v) whether any injuries were inflicted in self-defense, (vi) witness statements, and (vii) other observations.

D. Regardless of whether an arrest is made, the officer shall file a written report with his department, which shall state whether any arrests were made, and if so, the number of arrests, specifically including any incident in which he has probable cause to believe family abuse has occurred, and, where required, including a complete statement in writing that there are special circumstances that would dictate a course of action other than an arrest. The officer shall provide the allegedly abused person or the person protected by an order issued pursuant to § 19.2-152.8, 19.2-152.9, or 19.2-152.10, both orally and in writing, information regarding the legal and community resources available to the allegedly abused person or person protected by the order. Upon request of the allegedly abused person or person protected by the order, the department shall make a summary of the report available to the allegedly abused person or person protected by the order.

E. In every case in which a law-enforcement officer makes an arrest under this section for a violation of § 18.2-57.2, he shall petition for an emergency protective order as authorized in § 16.1-253.4 when the person arrested and taken into custody is brought before the magistrate, except if the person arrested is a minor, a petition for an emergency protective order shall not be required. Regardless of whether an arrest is made, if the officer has probable cause to believe that a danger of acts of family abuse exists, the law-enforcement officer shall seek an emergency protective order under § 16.1-253.4, except if the suspected abuser is a minor, a petition for an emergency protective order shall not be required.

F. A law-enforcement officer investigating any complaint of family abuse, including but not limited to assault and battery against a family or household member shall, upon request, transport, or arrange for the transportation of an abused person to a hospital or safe shelter, or to appear before a magistrate. Any local law-enforcement agency may adopt a policy requiring an officer to transport or arrange for transportation of an abused person as provided in this subsection.

G. The definition of "family or household member" in § 16.1-228 applies to this section.

H. As used in this section, ~~"law-enforcement~~*:*

"Law-enforcement officer" means (i) any full-time or part-time employee of a police department or sheriff's office which is part of or administered by the Commonwealth or any political subdivision thereof, and any campus police officer appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1, and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of this Commonwealth; (ii) any member of an auxiliary police force established pursuant to § 15.2-1731; and (iii) any special conservator of the peace who meets the certification requirements for a law-enforcement officer as set forth in § 15.2-1706. Part-time employees are compensated officers who are not full-time employees as defined by the employing police department or sheriff's office.

"Special circumstances" may include the existence of an emergency custody order pursuant to § 37.2-808, a temporary detention order pursuant to § 37.2-809, or an involuntary admission order pursuant to § 37.2-817.

2. That the Department of Criminal Justice Services (the Department) shall create the curriculum required by the provisions of § 9.1-102 of the Code of Virginia, as amended by this act, by July 1, 2027. Any person employed as a law-enforcement officer prior to July 1, 2027, shall review any course material or course criteria related to such curriculum by January 1, 2028. Any person employed as a law-enforcement officer on and after July 1, 2027, shall review any course material or course criteria related to such curriculum within one year of his date of hire. Any approved criminal justice training academy may utilize an alternative curriculum and any lesson plans that meet or exceed the Department's curriculum and that are approved by the Department.

3. That the Criminal Justice Services Board shall promulgate regulations pursuant to § 9.1-150.2 of the Code of Virginia requiring special conservators of the peace to review any course material or course criteria related to such curriculum established pursuant to § 9.1-102 of the Code of Virginia, as amended by this act, by July 1, 2027. Any person applying for an initial or renewal registration as a special conservator of the peace pursuant to § 9.1-150.2 or 9.1-150.3 of the Code of Virginia on and after July 1, 2027, shall review any course material or course criteria related to such curriculum as part of his compulsory training standards.

CHAPTER 640

An Act to amend and reenact § 60.2-602 of the Code of Virginia, relating to unemployment compensation; increase weekly benefit amounts; work group; report.

[H 1766]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 60.2-602 of the Code of Virginia is amended and reenacted as follows:

§ 60.2-602. Weekly benefit amount.

A. Beginning July 6, 2008, for claims effective on or after July 6, 2008, but before July 6, 2014, an eligible individual's weekly "benefit amount" shall be the amount appearing in Column B in the "Benefit Table" in this section on the line on which in Column A of such table, there appears the total wages for insured work paid to such individual in the two quarters of his base period in which such total wages were highest.

Benefit Table Division C Duration of Benefits beginning July 6, 2008, but before July 6, 2014

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
2,700.00 2,750.00	54	2,700.00 2,893.00	2,893.01 3,086.00	3,086.01 3,279.00	3,279.01 3,471.00	3,471.01 3,664.00	3,664.01 3,857.00	3,857.01 4,050.00	4,050.01 4,243.00	4,243.01 4,436.00	4,436.01 4,629.00	4,629.01 4,821.00	4,821.01 5,014.00	5,014.01 5,207.00	5,207.01 5,400.00	5,400.01 & OVER
2,750.01 2,800.00	55	2,750.01 2,946.00	2,946.01 3,143.00	3,143.01 3,339.00	3,339.01 3,536.00	3,536.01 3,732.00	3,732.01 3,929.00	3,929.01 4,125.00	4,125.01 4,321.00	4,321.01 4,518.00	4,518.01 4,714.00	4,714.01 4,911.00	4,911.01 5,107.00	5,107.01 5,304.00	5,304.01 5,500.00	5,500.01 & OVER
2,800.01 2,850.00	56	2,800.01 3,000.00	3,000.01 3,200.00	3,200.01 3,400.00	3,400.01 3,600.00	3,600.01 3,800.00	3,800.01 4,000.00	4,000.01 4,200.00	4,200.01 4,400.00	4,400.01 4,600.00	4,600.01 4,800.00	4,800.01 5,000.00	5,000.01 5,200.00	5,200.01 5,400.00	5,400.01 5,600.00	5,600.01 & OVER
2,850.01 2,900.00	57	2,850.01 3,054.00	3,054.01 3,257.00	3,257.01 3,461.00	3,461.01 3,664.00	3,664.01 3,868.00	3,868.01 4,071.00	4,071.01 4,275.00	4,275.01 4,479.00	4,479.01 4,682.00	4,682.01 4,886.00	4,886.01 5,089.00	5,089.01 5,293.00	5,293.01 5,496.00	5,496.01 5,700.00	5,700.01 & OVER
2,900.01 2,950.00	58	2,900.01 3,107.00	3,107.01 3,314.00	3,314.01 3,521.00	3,521.01 3,729.00	3,729.01 3,936.00	3,936.01 4,143.00	4,143.01 4,350.00	4,350.01 4,557.00	4,557.01 4,764.00	4,764.01 4,971.00	4,971.01 5,179.00	5,179.01 5,386.00	5,386.01 5,593.00	5,593.01 5,800.00	5,800.01 & OVER
2,950.01 3,000.00	59	2,950.01 3,161.00	3,161.01 3,371.00	3,371.01 3,582.00	3,582.01 3,793.00	3,793.01 4,004.00	4,004.01 4,214.00	4,214.01 4,425.00	4,425.01 4,636.00	4,636.01 4,846.00	4,846.01 5,057.00	5,057.01 5,268.00	5,268.01 5,479.00	5,479.01 5,689.00	5,689.01 5,900.00	5,900.01 & OVER
3,000.01 3,050.00	60	3,000.01 3,214.00	3,214.01 3,429.00	3,429.01 3,643.00	3,643.01 3,857.00	3,857.01 4,071.00	4,071.01 4,286.00	4,286.01 4,500.00	4,500.01 4,714.00	4,714.01 4,929.00	4,929.01 5,143.00	5,143.01 5,357.00	5,357.01 5,571.00	5,571.01 5,786.00	5,786.01 6,000.00	6,000.01 & OVER
3,050.01 3,100.00	61	3,050.01 3,268.00	3,268.01 3,486.00	3,486.01 3,704.00	3,704.01 3,921.00	3,921.01 4,139.00	4,139.01 4,357.00	4,357.01 4,575.00	4,575.01 4,793.00	4,793.01 5,011.00	5,011.01 5,229.00	5,229.01 5,446.00	5,446.01 5,664.00	5,664.01 5,882.00	5,882.01 6,100.00	6,100.01 & OVER
3,100.01 3,150.00	62	3,100.01 3,321.00	3,321.01 3,543.00	3,543.01 3,764.00	3,764.01 3,986.00	3,986.01 4,207.00	4,207.01 4,429.00	4,429.01 4,650.00	4,650.01 4,871.00	4,871.01 5,093.00	5,093.01 5,314.00	5,314.01 5,536.00	5,536.01 5,757.00	5,757.01 5,979.00	5,979.01 6,200.00	6,200.01 & OVER
3,150.01 3,200.00	63	3,150.01 3,375.00	3,375.01 3,600.00	3,600.01 3,825.00	3,825.01 4,050.00	4,050.01 4,275.00	4,275.01 4,500.00	4,500.01 4,725.00	4,725.01 4,950.00	4,950.01 5,175.00	5,175.01 5,400.00	5,400.01 5,625.00	5,625.01 5,850.00	5,850.01 6,075.00	6,075.01 6,300.00	6,300.01 & OVER
3,200.01 3,250.00	64	3,200.01 3,429.00	3,429.01 3,657.00	3,657.01 3,886.00	3,886.01 4,114.00	4,114.01 4,343.00	4,343.01 4,571.00	4,571.01 4,800.00	4,800.01 5,029.00	5,029.01 5,257.00	5,257.01 5,486.00	5,486.01 5,714.00	5,714.01 5,943.00	5,943.01 6,171.00	6,171.01 6,400.00	6,400.01 & OVER
3,250.01 3,300.00	65	3,250.01 3,482.00	3,482.01 3,714.00	3,714.01 3,946.00	3,946.01 4,179.00	4,179.01 4,411.00	4,411.01 4,643.00	4,643.01 4,875.00	4,875.01 5,107.00	5,107.01 5,339.00	5,339.01 5,571.00	5,571.01 5,804.00	5,804.01 6,036.00	6,036.01 6,268.00	6,268.01 6,500.00	6,500.01 & OVER
3,300.01 3,350.00	66	3,300.01 3,536.00	3,536.01 3,771.00	3,771.01 4,007.00	4,007.01 4,243.00	4,243.01 4,479.00	4,479.01 4,714.00	4,714.01 4,950.00	4,950.01 5,186.00	5,186.01 5,421.00	5,421.01 5,657.00	5,657.01 5,893.00	5,893.01 6,129.00	6,129.01 6,364.00	6,364.01 6,600.00	6,600.01 & OVER
3,350.01 3,400.00	67	3,350.01 3,589.00	3,589.01 3,829.00	3,829.01 4,068.00	4,068.01 4,307.00	4,307.01 4,546.00	4,546.01 4,786.00	4,786.01 5,025.00	5,025.01 5,264.00	5,264.01 5,504.00	5,504.01 5,743.00	5,743.01 5,982.00	5,982.01 6,221.00	6,221.01 6,461.00	6,461.01 6,700.00	6,700.01 & OVER
3,400.01 3,450.00	68	3,400.01 3,643.00	3,643.01 3,886.00	3,886.01 4,129.00	4,129.01 4,371.00	4,371.01 4,614.00	4,614.01 4,857.00	4,857.01 5,100.00	5,100.01 5,343.00	5,343.01 5,586.00	5,586.01 5,829.00	5,829.01 6,071.00	6,071.01 6,314.00	6,314.01 6,557.00	6,557.01 6,800.00	6,800.01 & OVER
3,450.01 3,500.00	69	3,450.01 3,696.00	3,696.01 3,943.00	3,943.01 4,189.00	4,189.01 4,436.00	4,436.01 4,682.00	4,682.01 4,929.00	4,929.01 5,175.00	5,175.01 5,421.00	5,421.01 5,668.00	5,668.01 5,914.00	5,914.01 6,161.00	6,161.01 6,407.00	6,407.01 6,654.00	6,654.01 6,900.00	6,900.01 & OVER
3,500.01 3,550.00	70	3,500.01 3,750.00	3,750.01 4,000.00	4,000.01 4,250.00	4,250.01 4,500.00	4,500.01 4,750.00	4,750.01 5,000.00	5,000.01 5,250.00	5,250.01 5,500.00	5,500.01 5,750.00	5,750.01 6,000.00	6,000.01 6,250.00	6,250.01 6,500.00	6,500.01 6,750.00	6,750.01 7,000.00	7,000.01 & OVER
3,550.01 3,600.00	71	3,550.01 3,804.00	3,804.01 4,057.00	4,057.01 4,311.00	4,311.01 4,564.00	4,564.01 4,818.00	4,818.01 5,071.00	5,071.01 5,325.00	5,325.01 5,579.00	5,579.01 5,832.00	5,832.01 6,086.00	6,086.01 6,339.00	6,339.01 6,593.00	6,593.01 6,846.00	6,846.01 7,100.00	7,100.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
3,600.01 3,650.00	72	3,600.01 3,857.00	3,857.01 4,114.00	4,114.01 4,371.00	4,371.01 4,629.00	4,629.01 4,886.00	4,886.01 5,143.00	5,143.01 5,400.00	5,400.01 5,657.00	5,657.01 5,914.00	5,914.01 6,171.00	6,171.01 6,429.00	6,429.01 6,686.00	6,686.01 6,943.00	6,943.01 7,200.00	7,200.01 & OVER
3,650.01 3,700.00	73	3,650.01 3,911.00	3,911.01 4,171.00	4,171.01 4,432.00	4,432.01 4,693.00	4,693.01 4,954.00	4,954.01 5,214.00	5,214.01 5,475.00	5,475.01 5,736.00	5,736.01 5,996.00	5,996.01 6,257.00	6,257.01 6,518.00	6,518.01 6,779.00	6,779.01 7,039.00	7,039.01 7,300.00	7,300.01 & OVER
3,700.01 3,750.00	74	3,700.01 3,964.00	3,964.01 4,229.00	4,229.01 4,493.00	4,493.01 4,757.00	4,757.01 5,021.00	5,021.01 5,286.00	5,286.01 5,550.00	5,550.01 5,814.00	5,814.01 6,079.00	6,079.01 6,343.00	6,343.01 6,607.00	6,607.01 6,871.00	6,871.01 7,136.00	7,136.01 7,400.00	7,400.01 & OVER
3,750.01 3,800.00	75	3,750.01 4,018.00	4,018.01 4,286.00	4,286.01 4,554.00	4,554.01 4,821.00	4,821.01 5,089.00	5,089.01 5,357.00	5,357.01 5,625.00	5,625.01 5,893.00	5,893.01 6,161.00	6,161.01 6,429.00	6,429.01 6,696.00	6,696.01 6,964.00	6,964.01 7,232.00	7,232.01 7,500.00	7,500.01 & OVER
3,800.01 3,850.00	76	3,800.01 4,071.00	4,071.01 4,343.00	4,343.01 4,614.00	4,614.01 4,886.00	4,886.01 5,157.00	5,157.01 5,429.00	5,429.01 5,700.00	5,700.01 5,971.00	5,971.01 6,243.00	6,243.01 6,514.00	6,514.01 6,786.00	6,786.01 7,057.00	7,057.01 7,329.00	7,329.01 7,600.00	7,600.01 & OVER
3,850.01 3,900.00	77	3,850.01 4,125.00	4,125.01 4,400.00	4,400.01 4,675.00	4,675.01 4,950.00	4,950.01 5,225.00	5,225.01 5,500.00	5,500.01 5,775.00	5,775.01 6,050.00	6,050.01 6,325.00	6,325.01 6,600.00	6,600.01 6,875.00	6,875.01 7,150.00	7,150.01 7,425.00	7,425.01 7,700.00	7,700.01 & OVER
3,900.01 3,950.00	78	3,900.01 4,179.00	4,179.01 4,457.00	4,457.01 4,736.00	4,736.01 5,014.00	5,014.01 5,293.00	5,293.01 5,571.00	5,571.01 5,850.00	5,850.01 6,129.00	6,129.01 6,407.00	6,407.01 6,686.00	6,686.01 6,964.00	6,964.01 7,243.00	7,243.01 7,521.00	7,521.01 7,800.00	7,800.01 & OVER
3,950.01 4,000.00	79	3,950.01 4,232.00	4,232.01 4,514.00	4,514.01 4,796.00	4,796.01 5,079.00	5,079.01 5,361.00	5,361.01 5,643.00	5,643.01 5,925.00	5,925.01 6,207.00	6,207.01 6,489.00	6,489.01 6,771.00	6,771.01 7,054.00	7,054.01 7,336.00	7,336.01 7,618.00	7,618.01 7,900.00	7,900.01 & OVER
4,000.01 4,050.00	80	4,000.01 4,286.00	4,286.01 4,571.00	4,571.01 4,857.00	4,857.01 5,143.00	5,143.01 5,429.00	5,429.01 5,714.00	5,714.01 6,000.00	6,000.01 6,286.00	6,286.01 6,571.00	6,571.01 6,857.00	6,857.01 7,143.00	7,143.01 7,429.00	7,429.01 7,714.00	7,714.01 8,000.00	8,000.01 & OVER
4,050.01 4,100.00	81	4,050.01 4,339.00	4,339.01 4,629.00	4,629.01 4,918.00	4,918.01 5,207.00	5,207.01 5,496.00	5,496.01 5,786.00	5,786.01 6,075.00	6,075.01 6,364.00	6,364.01 6,654.00	6,654.01 6,943.00	6,943.01 7,232.00	7,232.01 7,521.00	7,521.01 7,811.00	7,811.01 8,100.00	8,100.01 & OVER
4,100.01 4,150.00	82	4,100.01 4,393.00	4,393.01 4,686.00	4,686.01 4,979.00	4,979.01 5,271.00	5,271.01 5,564.00	5,564.01 5,857.00	5,857.01 6,150.00	6,150.01 6,443.00	6,443.01 6,736.00	6,736.01 7,029.00	7,029.01 7,321.00	7,321.01 7,614.00	7,614.01 7,907.00	7,907.01 8,200.00	8,200.01 & OVER
4,150.01 4,200.00	83	4,150.01 4,446.00	4,446.01 4,743.00	4,743.01 5,039.00	5,039.01 5,336.00	5,336.01 5,632.00	5,632.01 5,929.00	5,929.01 6,225.00	6,225.01 6,521.00	6,521.01 6,818.00	6,818.01 7,114.00	7,114.01 7,411.00	7,411.01 7,707.00	7,707.01 8,004.00	8,004.01 8,300.00	8,300.01 & OVER
4,200.01 4,250.00	84	4,200.01 4,500.00	4,500.01 4,800.00	4,800.01 5,100.00	5,100.01 5,400.00	5,400.01 5,700.00	5,700.01 6,000.00	6,000.01 6,300.00	6,300.01 6,600.00	6,600.01 6,900.00	6,900.01 7,200.00	7,200.01 7,500.00	7,500.01 7,800.00	7,800.01 8,100.00	8,100.01 8,400.00	8,400.01 & OVER
4,250.01 4,300.00	85	4,250.01 4,554.00	4,554.01 4,857.00	4,857.01 5,161.00	5,161.01 5,464.00	5,464.01 5,768.00	5,768.01 6,071.00	6,071.01 6,375.00	6,375.01 6,679.00	6,679.01 6,982.00	6,982.01 7,286.00	7,286.01 7,589.00	7,589.01 7,893.00	7,893.01 8,196.00	8,196.01 8,500.00	8,500.01 & OVER
4,300.01 4,350.00	86	4,300.01 4,607.00	4,607.01 4,914.00	4,914.01 5,221.00	5,221.01 5,529.00	5,529.01 5,836.00	5,836.01 6,143.00	6,143.01 6,450.00	6,450.01 6,757.00	6,757.01 7,064.00	7,064.01 7,371.00	7,371.01 7,679.00	7,679.01 7,986.00	7,986.01 8,293.00	8,293.01 8,600.00	8,600.01 & OVER
4,350.01 4,400.00	87	4,350.01 4,661.00	4,661.01 4,971.00	4,971.01 5,282.00	5,282.01 5,593.00	5,593.01 5,904.00	5,904.01 6,214.00	6,214.01 6,525.00	6,525.01 6,836.00	6,836.01 7,146.00	7,146.01 7,457.00	7,457.01 7,768.00	7,768.01 8,079.00	8,079.01 8,389.00	8,389.01 8,700.00	8,700.01 & OVER
4,400.01 4,450.00	88	4,400.01 4,714.00	4,714.01 5,029.00	5,029.01 5,343.00	5,343.01 5,657.00	5,657.01 5,971.00	5,971.01 6,286.00	6,286.01 6,600.00	6,600.01 6,914.00	6,914.01 7,229.00	7,229.01 7,543.00	7,543.01 7,857.00	7,857.01 8,171.00	8,171.01 8,486.00	8,486.01 8,800.00	8,800.01 & OVER
4,450.01 4,500.00	89	4,450.01 4,768.00	4,768.01 5,086.00	5,086.01 5,404.00	5,404.01 5,721.00	5,721.01 6,039.00	6,039.01 6,357.00	6,357.01 6,675.00	6,675.01 6,993.00	6,993.01 7,311.00	7,311.01 7,629.00	7,629.01 7,946.00	7,946.01 8,264.00	8,264.01 8,582.00	8,582.01 8,900.00	8,900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
4,500.01 4,550.00	90	4,500.01 4,821.00	4,821.01 5,143.00	5,143.01 5,464.00	5,464.01 5,786.00	5,786.01 6,107.00	6,107.01 6,429.00	6,429.01 6,750.00	6,750.01 7,071.00	7,071.01 7,393.00	7,393.01 7,714.00	7,714.01 8,036.00	8,036.01 8,357.00	8,357.01 8,679.00	8,679.01 9,000.00	9,000.01 & OVER
4,550.01 4,600.00	91	4,550.01 4,875.00	4,875.01 5,200.00	5,200.01 5,525.00	5,525.01 5,850.00	5,850.01 6,175.00	6,175.01 6,500.00	6,500.01 6,825.00	6,825.01 7,150.00	7,150.01 7,475.00	7,475.01 7,800.00	7,800.01 8,125.00	8,125.01 8,450.00	8,450.01 8,775.00	8,775.01 9,100.00	9,100.01 & OVER
4,600.01 4,650.00	92	4,600.01 4,929.00	4,929.01 5,257.00	5,257.01 5,586.00	5,586.01 5,914.00	5,914.01 6,243.00	6,243.01 6,571.00	6,571.01 6,900.00	6,900.01 7,229.00	7,229.01 7,557.00	7,557.01 7,886.00	7,886.01 8,214.00	8,214.01 8,543.00	8,543.01 8,871.00	8,871.01 9,200.00	9,200.01 & OVER
4,650.01 4,700.00	93	4,650.01 4,982.00	4,982.01 5,314.00	5,314.01 5,646.00	5,646.01 5,979.00	5,979.01 6,311.00	6,311.01 6,643.00	6,643.01 6,975.00	6,975.01 7,307.00	7,307.01 7,639.00	7,639.01 7,971.00	7,971.01 8,304.00	8,304.01 8,636.00	8,636.01 8,968.00	8,968.01 9,300.00	9,300.01 & OVER
4,700.01 4,750.00	94	4,700.01 5,036.00	5,036.01 5,371.00	5,371.01 5,707.00	5,707.01 6,043.00	6,043.01 6,379.00	6,379.01 6,714.00	6,714.01 7,050.00	7,050.01 7,386.00	7,386.01 7,721.00	7,721.01 8,057.00	8,057.01 8,393.00	8,393.01 8,729.00	8,729.01 9,064.00	9,064.01 9,400.00	9,400.01 & OVER
4,750.01 4,800.00	95	4,750.01 5,089.00	5,089.01 5,429.00	5,429.01 5,768.00	5,768.01 6,107.00	6,107.01 6,446.00	6,446.01 6,786.00	6,786.01 7,125.00	7,125.01 7,464.00	7,464.01 7,804.00	7,804.01 8,143.00	8,143.01 8,482.00	8,482.01 8,821.00	8,821.01 9,161.00	9,161.01 9,500.00	9,500.01 & OVER
4,800.01 4,850.00	96	4,800.01 5,143.00	5,143.01 5,486.00	5,486.01 5,829.00	5,829.01 6,171.00	6,171.01 6,514.00	6,514.01 6,857.00	6,857.01 7,200.00	7,200.01 7,543.00	7,543.01 7,886.00	7,886.01 8,229.00	8,229.01 8,571.00	8,571.01 8,914.00	8,914.01 9,257.00	9,257.01 9,600.00	9,600.01 & OVER
4,850.01 4,900.00	97	4,850.01 5,196.00	5,196.01 5,543.00	5,543.01 5,889.00	5,889.01 6,236.00	6,236.01 6,582.00	6,582.01 6,929.00	6,929.01 7,275.00	7,275.01 7,621.00	7,621.01 7,968.00	7,968.01 8,314.00	8,314.01 8,661.00	8,661.01 9,007.00	9,007.01 9,354.00	9,354.01 9,700.00	9,700.01 & OVER
4,900.01 4,950.00	98	4,900.01 5,250.00	5,250.01 5,600.00	5,600.01 5,950.00	5,950.01 6,300.00	6,300.01 6,650.00	6,650.01 7,000.00	7,000.01 7,350.00	7,350.01 7,700.00	7,700.01 8,050.00	8,050.01 8,400.00	8,400.01 8,750.00	8,750.01 9,100.00	9,100.01 9,450.00	9,450.01 9,800.00	9,800.01 & OVER
4,950.01 5,000.00	99	4,950.01 5,304.00	5,304.01 5,657.00	5,657.01 6,011.00	6,011.01 6,364.00	6,364.01 6,718.00	6,718.01 7,071.00	7,071.01 7,425.00	7,425.01 7,779.00	7,779.01 8,132.00	8,132.01 8,486.00	8,486.01 8,839.00	8,839.01 9,193.00	9,193.01 9,546.00	9,546.01 9,900.00	9,900.01 & OVER
5,000.01 5,050.00	100	5,000.01 5,357.00	5,357.01 5,714.00	5,714.01 6,071.00	6,071.01 6,429.00	6,429.01 6,786.00	6,786.01 7,143.00	7,143.01 7,500.00	7,500.01 7,857.00	7,857.01 8,214.00	8,214.01 8,571.00	8,571.01 8,929.00	8,929.01 9,286.00	9,286.01 9,643.00	9,643.01 10,000.00	10,000.01 & OVER
5,050.01 5,100.00	101	5,050.01 5,411.00	5,411.01 5,771.00	5,771.01 6,132.00	6,132.01 6,493.00	6,493.01 6,854.00	6,854.01 7,214.00	7,214.01 7,575.00	7,575.01 7,936.00	7,936.01 8,296.00	8,296.01 8,657.00	8,657.01 9,018.00	9,018.01 9,379.00	9,379.01 9,739.00	9,739.01 10,100.00	10,100.01 & OVER
5,100.01 5,150.00	102	5,100.01 5,464.00	5,464.01 5,829.00	5,829.01 6,193.00	6,193.01 6,557.00	6,557.01 6,921.00	6,921.01 7,286.00	7,286.01 7,650.00	7,650.01 8,014.00	8,014.01 8,379.00	8,379.01 8,743.00	8,743.01 9,107.00	9,107.01 9,471.00	9,471.01 9,836.00	9,836.01 10,200.00	10,200.01 & OVER
5,150.01 5,200.00	103	5,150.01 5,518.00	5,518.01 5,886.00	5,886.01 6,254.00	6,254.01 6,621.00	6,621.01 6,989.00	6,989.01 7,357.00	7,357.01 7,725.00	7,725.01 8,093.00	8,093.01 8,461.00	8,461.01 8,829.00	8,829.01 9,196.00	9,196.01 9,564.00	9,564.01 9,932.00	9,932.01 10,300.00	10,300.01 & OVER
5,200.01 5,250.00	104	5,200.01 5,571.00	5,571.01 5,943.00	5,943.01 6,314.00	6,314.01 6,686.00	6,686.01 7,057.00	7,057.01 7,429.00	7,429.01 7,800.00	7,800.01 8,171.00	8,171.01 8,543.00	8,543.01 8,914.00	8,914.01 9,286.00	9,286.01 9,657.00	9,657.01 10,029.00	10,029.01 10,400.00	10,400.01 & OVER
5,250.01 5,300.00	105	5,250.01 5,625.00	5,625.01 6,000.00	6,000.01 6,375.00	6,375.01 6,750.00	6,750.01 7,125.00	7,125.01 7,500.00	7,500.01 7,875.00	7,875.01 8,250.00	8,250.01 8,625.00	8,625.01 9,000.00	9,000.01 9,375.00	9,375.01 9,750.00	9,750.01 10,125.00	10,125.01 10,500.00	10,500.01 & OVER
5,300.01 5,350.00	106	5,300.01 5,679.00	5,679.01 6,057.00	6,057.01 6,436.00	6,436.01 6,814.00	6,814.01 7,193.00	7,193.01 7,571.00	7,571.01 7,950.00	7,950.01 8,329.00	8,329.01 8,707.00	8,707.01 9,086.00	9,086.01 9,464.00	9,464.01 9,843.00	9,843.01 10,221.00	10,221.01 10,600.00	10,600.01 & OVER
5,350.01 5,400.00	107	5,350.01 5,732.00	5,732.01 6,114.00	6,114.01 6,496.00	6,496.01 6,879.00	6,879.01 7,261.00	7,261.01 7,643.00	7,643.01 8,025.00	8,025.01 8,407.00	8,407.01 8,789.00	8,789.01 9,171.00	9,171.01 9,554.00	9,554.01 9,936.00	9,936.01 10,318.00	10,318.01 10,700.00	10,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
5,400.01 5,450.00	108	5,400.01 5,786.00	5,786.01 6,171.00	6,171.01 6,557.00	6,557.01 6,943.00	6,943.01 7,329.00	7,329.01 7,714.00	7,714.01 8,100.00	8,100.01 8,486.00	8,486.01 8,871.00	8,871.01 9,257.00	9,257.01 9,643.00	9,643.01 10,029.00	10,029.01 10,414.00	10,414.01 10,800.00	10,800.01 & OVER
5,450.01 5,500.00	109	5,450.01 5,839.00	5,839.01 6,229.00	6,229.01 6,618.00	6,618.01 7,007.00	7,007.01 7,396.00	7,396.01 7,786.00	7,786.01 8,175.00	8,175.01 8,564.00	8,564.01 8,954.00	8,954.01 9,343.00	9,343.01 9,732.00	9,732.01 10,121.00	10,121.01 10,511.00	10,511.01 10,900.00	10,900.01 & OVER
5,500.01 5,550.00	110	5,500.01 5,893.00	5,893.01 6,286.00	6,286.01 6,679.00	6,679.01 7,071.00	7,071.01 7,464.00	7,464.01 7,857.00	7,857.01 8,250.00	8,250.01 8,643.00	8,643.01 9,036.00	9,036.01 9,429.00	9,429.01 9,821.00	9,821.01 10,214.00	10,214.01 10,607.00	10,607.01 11,000.00	11,000.01 & OVER
5,550.01 5,600.00	111	5,550.01 5,946.00	5,946.01 6,343.00	6,343.01 6,739.00	6,739.01 7,136.00	7,136.01 7,532.00	7,532.01 7,929.00	7,929.01 8,325.00	8,325.01 8,721.00	8,721.01 9,118.00	9,118.01 9,514.00	9,514.01 9,911.00	9,911.01 10,307.00	10,307.01 10,704.00	10,704.01 11,100.00	11,100.01 & OVER
5,600.01 5,650.00	112	5,600.01 6,000.00	6,000.01 6,400.00	6,400.01 6,800.00	6,800.01 7,200.00	7,200.01 7,600.00	7,600.01 8,000.00	8,000.01 8,400.00	8,400.01 8,800.00	8,800.01 9,200.00	9,200.01 9,600.00	9,600.01 10,000.00	10,000.01 10,400.00	10,400.01 10,800.00	10,800.01 11,200.00	11,200.01 & OVER
5,650.01 5,700.00	113	5,650.01 6,054.00	6,054.01 6,457.00	6,457.01 6,861.00	6,861.01 7,264.00	7,264.01 7,668.00	7,668.01 8,071.00	8,071.01 8,475.00	8,475.01 8,879.00	8,879.01 9,282.00	9,282.01 9,686.00	9,686.01 10,089.00	10,089.01 10,493.00	10,493.01 10,896.00	10,896.01 11,300.00	11,300.01 & OVER
5,700.01 5,750.00	114	5,700.01 6,107.00	6,107.01 6,514.00	6,514.01 6,921.00	6,921.01 7,329.00	7,329.01 7,736.00	7,736.01 8,143.00	8,143.01 8,550.00	8,550.01 8,957.00	8,957.01 9,364.00	9,364.01 9,771.00	9,771.01 10,179.00	10,179.01 10,586.00	10,586.01 10,993.00	10,993.01 11,400.00	11,400.01 & OVER
5,750.01 5,800.00	115	5,750.01 6,161.00	6,161.01 6,571.00	6,571.01 6,982.00	6,982.01 7,393.00	7,393.01 7,804.00	7,804.01 8,214.00	8,214.01 8,625.00	8,625.01 9,036.00	9,036.01 9,446.00	9,446.01 9,857.00	9,857.01 10,268.00	10,268.01 10,679.00	10,679.01 11,089.00	11,089.01 11,500.00	11,500.01 & OVER
5,800.01 5,850.00	116	5,800.01 6,214.00	6,214.01 6,629.00	6,629.01 7,043.00	7,043.01 7,457.00	7,457.01 7,871.00	7,871.01 8,286.00	8,286.01 8,700.00	8,700.01 9,114.00	9,114.01 9,529.00	9,529.01 9,943.00	9,943.01 10,357.00	10,357.01 10,771.00	10,771.01 11,186.00	11,186.01 11,600.00	11,600.01 & OVER
5,850.01 5,900.00	117	5,850.01 6,268.00	6,268.01 6,686.00	6,686.01 7,104.00	7,104.01 7,521.00	7,521.01 7,939.00	7,939.01 8,357.00	8,357.01 8,775.00	8,775.01 9,193.00	9,193.01 9,611.00	9,611.01 10,029.00	10,029.01 10,446.00	10,446.01 10,864.00	10,864.01 11,282.00	11,282.01 11,700.00	11,700.01 & OVER
5,900.01 5,950.00	118	5,900.01 6,321.00	6,321.01 6,743.00	6,743.01 7,164.00	7,164.01 7,586.00	7,586.01 8,007.00	8,007.01 8,429.00	8,429.01 8,850.00	8,850.01 9,271.00	9,271.01 9,693.00	9,693.01 10,114.00	10,114.01 10,536.00	10,536.01 10,957.00	10,957.01 11,379.00	11,379.01 11,800.00	11,800.01 & OVER
5,950.01 6,000.00	119	5,950.01 6,375.00	6,375.01 6,800.00	6,800.01 7,225.00	7,225.01 7,650.00	7,650.01 8,075.00	8,075.01 8,500.00	8,500.01 8,925.00	8,925.01 9,350.00	9,350.01 9,775.00	9,775.01 10,200.00	10,200.01 10,625.00	10,625.01 11,050.00	11,050.01 11,475.00	11,475.01 11,900.00	11,900.01 & OVER
6,000.01 6,050.00	120	6,000.01 6,429.00	6,429.01 6,857.00	6,857.01 7,286.00	7,286.01 7,714.00	7,714.01 8,143.00	8,143.01 8,571.00	8,571.01 9,000.00	9,000.01 9,429.00	9,429.01 9,857.00	9,857.01 10,286.00	10,286.01 10,714.00	10,714.01 11,143.00	11,143.01 11,571.00	11,571.01 12,000.00	12,000.01 & OVER
6,050.01 6,100.00	121	6,050.01 6,482.00	6,482.01 6,914.00	6,914.01 7,346.00	7,346.01 7,779.00	7,779.01 8,211.00	8,211.01 8,643.00	8,643.01 9,075.00	9,075.01 9,507.00	9,507.01 9,939.00	9,939.01 10,371.00	10,371.01 10,804.00	10,804.01 11,236.00	11,236.01 11,668.00	11,668.01 12,100.00	12,100.01 & OVER
6,100.01 6,150.00	122	6,100.01 6,536.00	6,536.01 6,971.00	6,971.01 7,407.00	7,407.01 7,843.00	7,843.01 8,279.00	8,279.01 8,714.00	8,714.01 9,150.00	9,150.01 9,586.00	9,586.01 10,021.00	10,021.01 10,457.00	10,457.01 10,893.00	10,893.01 11,329.00	11,329.01 11,764.00	11,764.01 12,200.00	12,200.01 & OVER
6,150.01 6,200.00	123	6,150.01 6,589.00	6,589.01 7,029.00	7,029.01 7,468.00	7,468.01 7,907.00	7,907.01 8,346.00	8,346.01 8,786.00	8,786.01 9,225.00	9,225.01 9,664.00	9,664.01 10,104.00	10,104.01 10,543.00	10,543.01 10,982.00	10,982.01 11,421.00	11,421.01 11,861.00	11,861.01 12,300.00	12,300.01 & OVER
6,200.01 6,250.00	124	6,200.01 6,643.00	6,643.01 7,086.00	7,086.01 7,529.00	7,529.01 7,971.00	7,971.01 8,414.00	8,414.01 8,857.00	8,857.01 9,300.00	9,300.01 9,743.00	9,743.01 10,186.00	10,186.01 10,629.00	10,629.01 11,071.00	11,071.01 11,514.00	11,514.01 11,957.00	11,957.01 12,400.00	12,400.01 & OVER
6,250.01 6,300.00	125	6,250.01 6,696.00	6,696.01 7,143.00	7,143.01 7,589.00	7,589.01 8,036.00	8,036.01 8,482.00	8,482.01 8,929.00	8,929.01 9,375.00	9,375.01 9,821.00	9,821.01 10,268.00	10,268.01 10,714.00	10,714.01 11,161.00	11,161.01 11,607.00	11,607.01 12,054.00	12,054.01 12,500.00	12,500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
6,300.01 6,350.00	126	6,300.01 6,750.00	6,750.01 7,200.00	7,200.01 7,650.00	7,650.01 8,100.00	8,100.01 8,550.00	8,550.01 9,000.00	9,000.01 9,450.00	9,450.01 9,900.00	9,900.01 10,350.00	10,350.01 10,800.00	10,800.01 11,250.00	11,250.01 11,700.00	11,700.01 12,150.00	12,150.01 12,600.00	12,600.01 & OVER
6,350.01 6,400.00	127	6,350.01 6,804.00	6,804.01 7,257.00	7,257.01 7,711.00	7,711.01 8,164.00	8,164.01 8,618.00	8,618.01 9,071.00	9,071.01 9,525.00	9,525.01 9,979.00	9,979.01 10,432.00	10,432.01 10,886.00	10,886.01 11,339.00	11,339.01 11,793.00	11,793.01 12,246.00	12,246.01 12,700.00	12,700.01 & OVER
6,400.01 6,450.00	128	6,400.01 6,857.00	6,857.01 7,314.00	7,314.01 7,771.00	7,771.01 8,229.00	8,229.01 8,686.00	8,686.01 9,143.00	9,143.01 9,600.00	9,600.01 10,057.00	10,057.01 10,514.00	10,514.01 10,971.00	10,971.01 11,429.00	11,429.01 11,886.00	11,886.01 12,343.00	12,343.01 12,800.00	12,800.01 & OVER
6,450.01 6,500.00	129	6,450.01 6,911.00	6,911.01 7,371.00	7,371.01 7,832.00	7,832.01 8,293.00	8,293.01 8,754.00	8,754.01 9,214.00	9,214.01 9,675.00	9,675.01 10,136.00	10,136.01 10,596.00	10,596.01 11,057.00	11,057.01 11,518.00	11,518.01 11,979.00	11,979.01 12,439.00	12,439.01 12,900.00	12,900.01 & OVER
6,500.01 6,550.00	130	6,500.01 6,964.00	6,964.01 7,429.00	7,429.01 7,893.00	7,893.01 8,357.00	8,357.01 8,821.00	8,821.01 9,286.00	9,286.01 9,750.00	9,750.01 10,214.00	10,214.01 10,679.00	10,679.01 11,143.00	11,143.01 11,607.00	11,607.01 12,071.00	12,071.01 12,536.00	12,536.01 13,000.00	13,000.01 & OVER
6,550.01 6,600.00	131	6,550.01 7,018.00	7,018.01 7,486.00	7,486.01 7,954.00	7,954.01 8,421.00	8,421.01 8,889.00	8,889.01 9,357.00	9,357.01 9,825.00	9,825.01 10,293.00	10,293.01 10,761.00	10,761.01 11,229.00	11,229.01 11,696.00	11,696.01 12,164.00	12,164.01 12,632.00	12,632.01 13,100.00	13,100.01 & OVER
6,600.01 6,650.00	132	6,600.01 7,071.00	7,071.01 7,543.00	7,543.01 8,014.00	8,014.01 8,486.00	8,486.01 8,957.00	8,957.01 9,429.00	9,429.01 9,900.00	9,900.01 10,371.00	10,371.01 10,843.00	10,843.01 11,314.00	11,314.01 11,786.00	11,786.01 12,257.00	12,257.01 12,729.00	12,729.01 13,200.00	13,200.01 & OVER
6,650.01 6,700.00	133	6,650.01 7,125.00	7,125.01 7,600.00	7,600.01 8,075.00	8,075.01 8,550.00	8,550.01 9,025.00	9,025.01 9,500.00	9,500.01 9,975.00	9,975.01 10,450.00	10,450.01 10,925.00	10,925.01 11,400.00	11,400.01 11,875.00	11,875.01 12,350.00	12,350.01 12,825.00	12,825.01 13,300.00	13,300.01 & OVER
6,700.01 6,750.00	134	6,700.01 7,179.00	7,179.01 7,657.00	7,657.01 8,136.00	8,136.01 8,614.00	8,614.01 9,093.00	9,093.01 9,571.00	9,571.01 10,050.00	10,050.01 10,529.00	10,529.01 11,007.00	11,007.01 11,486.00	11,486.01 11,964.00	11,964.01 12,443.00	12,443.01 12,921.00	12,921.01 13,400.00	13,400.01 & OVER
6,750.01 6,800.00	135	6,750.01 7,232.00	7,232.01 7,714.00	7,714.01 8,196.00	8,196.01 8,679.00	8,679.01 9,161.00	9,161.01 9,643.00	9,643.01 10,125.00	10,125.01 10,607.00	10,607.01 11,089.00	11,089.01 11,571.00	11,571.01 12,054.00	12,054.01 12,536.00	12,536.01 13,018.00	13,018.01 13,500.00	13,500.01 & OVER
6,800.01 6,850.00	136	6,800.01 7,286.00	7,286.01 7,771.00	7,771.01 8,257.00	8,257.01 8,743.00	8,743.01 9,229.00	9,229.01 9,714.00	9,714.01 10,200.00	10,200.01 10,686.00	10,686.01 11,171.00	11,171.01 11,657.00	11,657.01 12,143.00	12,143.01 12,629.00	12,629.01 13,114.00	13,114.01 13,600.00	13,600.01 & OVER
6,850.01 6,900.00	137	6,850.01 7,339.00	7,339.01 7,829.00	7,829.01 8,318.00	8,318.01 8,807.00	8,807.01 9,296.00	9,296.01 9,786.00	9,786.01 10,275.00	10,275.01 10,764.00	10,764.01 11,254.00	11,254.01 11,743.00	11,743.01 12,232.00	12,232.01 12,721.00	12,721.01 13,211.00	13,211.01 13,700.00	13,700.01 & OVER
6,900.01 6,950.00	138	6,900.01 7,393.00	7,393.01 7,886.00	7,886.01 8,379.00	8,379.01 8,871.00	8,871.01 9,364.00	9,364.01 9,857.00	9,857.01 10,350.00	10,350.01 10,843.00	10,843.01 11,336.00	11,336.01 11,829.00	11,829.01 12,321.00	12,321.01 12,814.00	12,814.01 13,307.00	13,307.01 13,800.00	13,800.01 & OVER
6,950.01 7,000.00	139	6,950.01 7,446.00	7,446.01 7,943.00	7,943.01 8,439.00	8,439.01 8,936.00	8,936.01 9,432.00	9,432.01 9,929.00	9,929.01 10,425.00	10,425.01 10,921.00	10,921.01 11,418.00	11,418.01 11,914.00	11,914.01 12,411.00	12,411.01 12,907.00	12,907.01 13,404.00	13,404.01 13,900.00	13,900.01 & OVER
7,000.01 7,050.00	140	7,000.01 7,500.00	7,500.01 8,000.00	8,000.01 8,500.00	8,500.01 9,000.00	9,000.01 9,500.00	9,500.01 10,000.00	10,000.01 10,500.00	10,500.01 11,000.00	11,000.01 11,500.00	11,500.01 12,000.00	12,000.01 12,500.00	12,500.01 13,000.00	13,000.01 13,500.00	13,500.01 14,000.00	14,000.01 & OVER
7,050.01 7,100.00	141	7,050.01 7,554.00	7,554.01 8,057.00	8,057.01 8,561.00	8,561.01 9,064.00	9,064.01 9,568.00	9,568.01 10,071.00	10,071.01 10,575.00	10,575.01 11,079.00	11,079.01 11,582.00	11,582.01 12,086.00	12,086.01 12,589.00	12,589.01 13,093.00	13,093.01 13,596.00	13,596.01 14,100.00	14,100.01 & OVER
7,100.01 7,150.00	142	7,100.01 7,607.00	7,607.01 8,114.00	8,114.01 8,621.00	8,621.01 9,129.00	9,129.01 9,636.00	9,636.01 10,143.00	10,143.01 10,650.00	10,650.01 11,157.00	11,157.01 11,664.00	11,664.01 12,171.00	12,171.01 12,679.00	12,679.01 13,186.00	13,186.01 13,693.00	13,693.01 14,200.00	14,200.01 & OVER
7,150.01 7,200.00	143	7,150.01 7,661.00	7,661.01 8,171.00	8,171.01 8,682.00	8,682.01 9,193.00	9,193.01 9,704.00	9,704.01 10,214.00	10,214.01 10,725.00	10,725.01 11,236.00	11,236.01 11,746.00	11,746.01 12,257.00	12,257.01 12,768.00	12,768.01 13,279.00	13,279.01 13,789.00	13,789.01 14,300.00	14,300.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
7,200.01 7,250.00	144	7,200.01 7,714.00	7,714.01 8,229.00	8,229.01 8,743.00	8,743.01 9,257.00	9,257.01 9,771.00	9,771.01 10,286.00	10,286.01 10,800.00	10,800.01 11,314.00	11,314.01 11,829.00	11,829.01 12,343.00	12,343.01 12,857.00	12,857.01 13,371.00	13,371.01 13,886.00	13,886.01 14,400.00	14,400.01 & OVER
7,250.01 7,300.00	145	7,250.01 7,768.00	7,768.01 8,286.00	8,286.01 8,804.00	8,804.01 9,321.00	9,321.01 9,839.00	9,839.01 10,357.00	10,357.01 10,875.00	10,875.01 11,393.00	11,393.01 11,911.00	11,911.01 12,429.00	12,429.01 12,946.00	12,946.01 13,464.00	13,464.01 13,982.00	13,982.01 14,500.00	14,500.01 & OVER
7,300.01 7,350.00	146	7,300.01 7,821.00	7,821.01 8,343.00	8,343.01 8,864.00	8,864.01 9,386.00	9,386.01 9,907.00	9,907.01 10,429.00	10,429.01 10,950.00	10,950.01 11,471.00	11,471.01 11,993.00	11,993.01 12,514.00	12,514.01 13,036.00	13,036.01 13,557.00	13,557.01 14,079.00	14,079.01 14,600.00	14,600.01 & OVER
7,350.01 7,400.00	147	7,350.01 7,875.00	7,875.01 8,400.00	8,400.01 8,925.00	8,925.01 9,450.00	9,450.01 9,975.00	9,975.01 10,500.00	10,500.01 11,025.00	11,025.01 11,550.00	11,550.01 12,075.00	12,075.01 12,600.00	12,600.01 13,125.00	13,125.01 13,650.00	13,650.01 14,175.00	14,175.01 14,700.00	14,700.01 & OVER
7,400.01 7,450.00	148	7,400.01 7,929.00	7,929.01 8,457.00	8,457.01 8,986.00	8,986.01 9,514.00	9,514.01 10,043.00	10,043.01 10,571.00	10,571.01 11,100.00	11,100.01 11,629.00	11,629.01 12,157.00	12,157.01 12,686.00	12,686.01 13,214.00	13,214.01 13,743.00	13,743.01 14,271.00	14,271.01 14,800.00	14,800.01 & OVER
7,450.01 7,500.00	149	7,450.01 7,982.00	7,982.01 8,514.00	8,514.01 9,046.00	9,046.01 9,579.00	9,579.01 10,111.00	10,111.01 10,643.00	10,643.01 11,175.00	11,175.01 11,707.00	11,707.01 12,239.00	12,239.01 12,771.00	12,771.01 13,304.00	13,304.01 13,836.00	13,836.01 14,368.00	14,368.01 14,900.00	14,900.01 & OVER
7,500.01 7,550.00	150	7,500.01 8,036.00	8,036.01 8,571.00	8,571.01 9,107.00	9,107.01 9,643.00	9,643.01 10,179.00	10,179.01 10,714.00	10,714.01 11,250.00	11,250.01 11,786.00	11,786.01 12,321.00	12,321.01 12,857.00	12,857.01 13,393.00	13,393.01 13,929.00	13,929.01 14,464.00	14,464.01 15,000.00	15,000.01 & OVER
7,550.01 7,600.00	151	7,550.01 8,089.00	8,089.01 8,629.00	8,629.01 9,168.00	9,168.01 9,707.00	9,707.01 10,246.00	10,246.01 10,786.00	10,786.01 11,325.00	11,325.01 11,864.00	11,864.01 12,404.00	12,404.01 12,943.00	12,943.01 13,482.00	13,482.01 14,021.00	14,021.01 14,561.00	14,561.01 15,100.00	15,100.01 & OVER
7,600.01 7,650.00	152	7,600.01 8,143.00	8,143.01 8,686.00	8,686.01 9,229.00	9,229.01 9,771.00	9,771.01 10,314.00	10,314.01 10,857.00	10,857.01 11,400.00	11,400.01 11,943.00	11,943.01 12,486.00	12,486.01 13,029.00	13,029.01 13,571.00	13,571.01 14,114.00	14,114.01 14,657.00	14,657.01 15,200.00	15,200.01 & OVER
7,650.01 7,700.00	153	7,650.01 8,196.00	8,196.01 8,743.00	8,743.01 9,289.00	9,289.01 9,836.00	9,836.01 10,382.00	10,382.01 10,929.00	10,929.01 11,475.00	11,475.01 12,021.00	12,021.01 12,568.00	12,568.01 13,114.00	13,114.01 13,661.00	13,661.01 14,207.00	14,207.01 14,754.00	14,754.01 15,300.00	15,300.01 & OVER
7,700.01 7,750.00	154	7,700.01 8,250.00	8,250.01 8,800.00	8,800.01 9,350.00	9,350.01 9,900.00	9,900.01 10,450.00	10,450.01 11,000.00	11,000.01 11,550.00	11,550.01 12,100.00	12,100.01 12,650.00	12,650.01 13,200.00	13,200.01 13,750.00	13,750.01 14,300.00	14,300.01 14,850.00	14,850.01 15,400.00	15,400.01 & OVER
7,750.01 7,800.00	155	7,750.01 8,304.00	8,304.01 8,857.00	8,857.01 9,411.00	9,411.01 9,964.00	9,964.01 10,518.00	10,518.01 11,071.00	11,071.01 11,625.00	11,625.01 12,179.00	12,179.01 12,732.00	12,732.01 13,286.00	13,286.01 13,839.00	13,839.01 14,393.00	14,393.01 14,946.00	14,946.01 15,500.00	15,500.01 & OVER
7,800.01 7,850.00	156	7,800.01 8,357.00	8,357.01 8,914.00	8,914.01 9,471.00	9,471.01 10,029.00	10,029.01 10,586.00	10,586.01 11,143.00	11,143.01 11,700.00	11,700.01 12,257.00	12,257.01 12,814.00	12,814.01 13,371.00	13,371.01 13,929.00	13,929.01 14,486.00	14,486.01 15,043.00	15,043.01 15,600.00	15,600.01 & OVER
7,850.01 7,900.00	157	7,850.01 8,411.00	8,411.01 8,971.00	8,971.01 9,532.00	9,532.01 10,093.00	10,093.01 10,654.00	10,654.01 11,214.00	11,214.01 11,775.00	11,775.01 12,336.00	12,336.01 12,896.00	12,896.01 13,457.00	13,457.01 14,018.00	14,018.01 14,579.00	14,579.01 15,139.00	15,139.01 15,700.00	15,700.01 & OVER
7,900.01 7,950.00	158	7,900.01 8,464.00	8,464.01 9,029.00	9,029.01 9,593.00	9,593.01 10,157.00	10,157.01 10,721.00	10,721.01 11,286.00	11,286.01 11,850.00	11,850.01 12,414.00	12,414.01 12,979.00	12,979.01 13,543.00	13,543.01 14,107.00	14,107.01 14,671.00	14,671.01 15,236.00	15,236.01 15,800.00	15,800.01 & OVER
7,950.01 8,000.00	159	7,950.01 8,518.00	8,518.01 9,086.00	9,086.01 9,654.00	9,654.01 10,221.00	10,221.01 10,789.00	10,789.01 11,357.00	11,357.01 11,925.00	11,925.01 12,493.00	12,493.01 13,061.00	13,061.01 13,629.00	13,629.01 14,196.00	14,196.01 14,764.00	14,764.01 15,332.00	15,332.01 15,900.00	15,900.01 & OVER
8,000.01 8,050.00	160	8,000.01 8,571.00	8,571.01 9,143.00	9,143.01 9,714.00	9,714.01 10,286.00	10,286.01 10,857.00	10,857.01 11,429.00	11,429.01 12,000.00	12,000.01 12,571.00	12,571.01 13,143.00	13,143.01 13,714.00	13,714.01 14,286.00	14,286.01 14,857.00	14,857.01 15,429.00	15,429.01 16,000.00	16,000.01 & OVER
8,050.01 8,100.00	161	8,050.01 8,625.00	8,625.01 9,200.00	9,200.01 9,775.00	9,775.01 10,350.00	10,350.01 10,925.00	10,925.01 11,500.00	11,500.01 12,075.00	12,075.01 12,650.00	12,650.01 13,225.00	13,225.01 13,800.00	13,800.01 14,375.00	14,375.01 14,950.00	14,950.01 15,525.00	15,525.01 16,100.00	16,100.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
8,100.01 8,150.00	162	8,100.01 8,679.00	8,679.01 9,257.00	9,257.01 9,836.00	9,836.01 10,414.00	10,414.01 10,993.00	10,993.01 11,571.00	11,571.01 12,150.00	12,150.01 12,729.00	12,729.01 13,307.00	13,307.01 13,886.00	13,886.01 14,464.00	14,464.01 15,043.00	15,043.01 15,621.00	15,621.01 16,200.00	16,200.01 & OVER
8,150.01 8,200.00	163	8,150.01 8,732.00	8,732.01 9,314.00	9,314.01 9,896.00	9,896.01 10,479.00	10,479.01 11,061.00	11,061.01 11,643.00	11,643.01 12,225.00	12,225.01 12,807.00	12,807.01 13,389.00	13,389.01 13,971.00	13,971.01 14,554.00	14,554.01 15,136.00	15,136.01 15,718.00	15,718.01 16,300.00	16,300.01 & OVER
8,200.01 8,250.00	164	8,200.01 8,786.00	8,786.01 9,371.00	9,371.01 9,957.00	9,957.01 10,543.00	10,543.01 11,129.00	11,129.01 11,714.00	11,714.01 12,300.00	12,300.01 12,886.00	12,886.01 13,471.00	13,471.01 14,057.00	14,057.01 14,643.00	14,643.01 15,229.00	15,229.01 15,814.00	15,814.01 16,400.00	16,400.01 & OVER
8,250.01 8,300.00	165	8,250.01 8,839.00	8,839.01 9,429.00	9,429.01 10,018.00	10,018.01 10,607.00	10,607.01 11,196.00	11,196.01 11,786.00	11,786.01 12,375.00	12,375.01 12,964.00	12,964.01 13,554.00	13,554.01 14,143.00	14,143.01 14,732.00	14,732.01 15,321.00	15,321.01 15,911.00	15,911.01 16,500.00	16,500.01 & OVER
8,300.01 8,350.00	166	8,300.01 8,893.00	8,893.01 9,486.00	9,486.01 10,079.00	10,079.01 10,671.00	10,671.01 11,264.00	11,264.01 11,857.00	11,857.01 12,450.00	12,450.01 13,043.00	13,043.01 13,636.00	13,636.01 14,229.00	14,229.01 14,821.00	14,821.01 15,414.00	15,414.01 16,007.00	16,007.01 16,600.00	16,600.01 & OVER
8,350.01 8,400.00	167	8,350.01 8,946.00	8,946.01 9,543.00	9,543.01 10,139.00	10,139.01 10,736.00	10,736.01 11,332.00	11,332.01 11,929.00	11,929.01 12,525.00	12,525.01 13,121.00	13,121.01 13,718.00	13,718.01 14,314.00	14,314.01 14,911.00	14,911.01 15,507.00	15,507.01 16,104.00	16,104.01 16,700.00	16,700.01 & OVER
8,400.01 8,450.00	168	8,400.01 9,000.00	9,000.01 9,600.00	9,600.01 10,200.00	10,200.01 10,800.00	10,800.01 11,400.00	11,400.01 12,000.00	12,000.01 12,600.00	12,600.01 13,200.00	13,200.01 13,800.00	13,800.01 14,400.00	14,400.01 15,000.00	15,000.01 15,600.00	15,600.01 16,200.00	16,200.01 16,800.00	16,800.01 & OVER
8,450.01 8,500.00	169	8,450.01 9,054.00	9,054.01 9,657.00	9,657.01 10,261.00	10,261.01 10,864.00	10,864.01 11,468.00	11,468.01 12,071.00	12,071.01 12,675.00	12,675.01 13,279.00	13,279.01 13,882.00	13,882.01 14,486.00	14,486.01 15,089.00	15,089.01 15,693.00	15,693.01 16,296.00	16,296.01 16,900.00	16,900.01 & OVER
8,500.01 8,550.00	170	8,500.01 9,107.00	9,107.01 9,714.00	9,714.01 10,321.00	10,321.01 10,929.00	10,929.01 11,536.00	11,536.01 12,143.00	12,143.01 12,750.00	12,750.01 13,357.00	13,357.01 13,964.00	13,964.01 14,571.00	14,571.01 15,179.00	15,179.01 15,786.00	15,786.01 16,393.00	16,393.01 17,000.00	17,000.01 & OVER
8,550.01 8,600.00	171	8,550.01 9,161.00	9,161.01 9,771.00	9,771.01 10,382.00	10,382.01 10,993.00	10,993.01 11,604.00	11,604.01 12,214.00	12,214.01 12,825.00	12,825.01 13,436.00	13,436.01 14,046.00	14,046.01 14,657.00	14,657.01 15,268.00	15,268.01 15,879.00	15,879.01 16,489.00	16,489.01 17,100.00	17,100.01 & OVER
8,600.01 8,650.00	172	8,600.01 9,214.00	9,214.01 9,829.00	9,829.01 10,443.00	10,443.01 11,057.00	11,057.01 11,671.00	11,671.01 12,286.00	12,286.01 12,900.00	12,900.01 13,514.00	13,514.01 14,129.00	14,129.01 14,743.00	14,743.01 15,357.00	15,357.01 15,971.00	15,971.01 16,586.00	16,586.01 17,200.00	17,200.01 & OVER
8,650.01 8,700.00	173	8,650.01 9,268.00	9,268.01 9,886.00	9,886.01 10,504.00	10,504.01 11,121.00	11,121.01 11,739.00	11,739.01 12,357.00	12,357.01 12,975.00	12,975.01 13,593.00	13,593.01 14,211.00	14,211.01 14,829.00	14,829.01 15,446.00	15,446.01 16,064.00	16,064.01 16,682.00	16,682.01 17,300.00	17,300.01 & OVER
8,700.01 8,750.00	174	8,700.01 9,321.00	9,321.01 9,943.00	9,943.01 10,564.00	10,564.01 11,186.00	11,186.01 11,807.00	11,807.01 12,429.00	12,429.01 13,050.00	13,050.01 13,671.00	13,671.01 14,293.00	14,293.01 14,914.00	14,914.01 15,536.00	15,536.01 16,157.00	16,157.01 16,779.00	16,779.01 17,400.00	17,400.01 & OVER
8,750.01 8,800.00	175	8,750.01 9,375.00	9,375.01 10,000.00	10,000.01 10,625.00	10,625.01 11,250.00	11,250.01 11,875.00	11,875.01 12,500.00	12,500.01 13,125.00	13,125.01 13,750.00	13,750.01 14,375.00	14,375.01 15,000.00	15,000.01 15,625.00	15,625.01 16,250.00	16,250.01 16,875.00	16,875.01 17,500.00	17,500.01 & OVER
8,800.01 8,850.00	176	8,800.01 9,429.00	9,429.01 10,057.00	10,057.01 10,686.00	10,686.01 11,314.00	11,314.01 11,943.00	11,943.01 12,571.00	12,571.01 13,200.00	13,200.01 13,829.00	13,829.01 14,457.00	14,457.01 15,086.00	15,086.01 15,714.00	15,714.01 16,343.00	16,343.01 16,971.00	16,971.01 17,600.00	17,600.01 & OVER
8,850.01 8,900.00	177	8,850.01 9,482.00	9,482.01 10,114.00	10,114.01 10,746.00	10,746.01 11,379.00	11,379.01 12,011.00	12,011.01 12,643.00	12,643.01 13,275.00	13,275.01 13,907.00	13,907.01 14,539.00	14,539.01 15,171.00	15,171.01 15,804.00	15,804.01 16,436.00	16,436.01 17,068.00	17,068.01 17,700.00	17,700.01 & OVER
8,900.01 8,950.00	178	8,900.01 9,536.00	9,536.01 10,171.00	10,171.01 10,807.00	10,807.01 11,443.00	11,443.01 12,079.00	12,079.01 12,714.00	12,714.01 13,350.00	13,350.01 13,986.00	13,986.01 14,621.00	14,621.01 15,257.00	15,257.01 15,893.00	15,893.01 16,529.00	16,529.01 17,164.00	17,164.01 17,800.00	17,800.01 & OVER
8,950.01 9,000.00	179	8,950.01 9,589.00	9,589.01 10,229.00	10,229.01 10,868.00	10,868.01 11,507.00	11,507.01 12,146.00	12,146.01 12,786.00	12,786.01 13,425.00	13,425.01 14,064.00	14,064.01 14,704.00	14,704.01 15,343.00	15,343.01 15,982.00	15,982.01 16,621.00	16,621.01 17,261.00	17,261.01 17,900.00	17,900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
9,000.01 9,050.00	180	9,000.01 9,643.00	9,643.01 10,286.00	10,286.01 10,929.00	10,929.01 11,571.00	11,571.01 12,214.00	12,214.01 12,857.00	12,857.01 13,500.00	13,500.01 14,143.00	14,143.01 14,786.00	14,786.01 15,429.00	15,429.01 16,071.00	16,071.01 16,714.00	16,714.01 17,357.00	17,357.01 18,000.00	18,000.01 & OVER
9,050.01 9,100.00	181	9,050.01 9,696.00	9,696.01 10,343.00	10,343.01 10,989.00	10,989.01 11,636.00	11,636.01 12,282.00	12,282.01 12,929.00	12,929.01 13,575.00	13,575.01 14,221.00	14,221.01 14,868.00	14,868.01 15,514.00	15,514.01 16,161.00	16,161.01 16,807.00	16,807.01 17,454.00	17,454.01 18,100.00	18,100.01 & OVER
9,100.01 9,150.00	182	9,100.01 9,750.00	9,750.01 10,400.00	10,400.01 11,050.00	11,050.01 11,700.00	11,700.01 12,350.00	12,350.01 13,000.00	13,000.01 13,650.00	13,650.01 14,300.00	14,300.01 14,950.00	14,950.01 15,600.00	15,600.01 16,250.00	16,250.01 16,900.00	16,900.01 17,550.00	17,550.01 18,200.00	18,200.01 & OVER
9,150.01 9,200.00	183	9,150.01 9,804.00	9,804.01 10,457.00	10,457.01 11,111.00	11,111.01 11,764.00	11,764.01 12,418.00	12,418.01 13,071.00	13,071.01 13,725.00	13,725.01 14,379.00	14,379.01 15,032.00	15,032.01 15,686.00	15,686.01 16,339.00	16,339.01 16,993.00	16,993.01 17,646.00	17,646.01 18,300.00	18,300.01 & OVER
9,200.01 9,250.00	184	9,200.01 9,857.00	9,857.01 10,514.00	10,514.01 11,171.00	11,171.01 11,829.00	11,829.01 12,486.00	12,486.01 13,143.00	13,143.01 13,800.00	13,800.01 14,457.00	14,457.01 15,114.00	15,114.01 15,771.00	15,771.01 16,429.00	16,429.01 17,086.00	17,086.01 17,743.00	17,743.01 18,400.00	18,400.01 & OVER
9,250.01 9,300.00	185	9,250.01 9,911.00	9,911.01 10,571.00	10,571.01 11,232.00	11,232.01 11,893.00	11,893.01 12,554.00	12,554.01 13,214.00	13,214.01 13,875.00	13,875.01 14,536.00	14,536.01 15,196.00	15,196.01 15,857.00	15,857.01 16,518.00	16,518.01 17,179.00	17,179.01 17,839.00	17,839.01 18,500.00	18,500.01 & OVER
9,300.01 9,350.00	186	9,300.01 9,964.00	9,964.01 10,629.00	10,629.01 11,293.00	11,293.01 11,957.00	11,957.01 12,621.00	12,621.01 13,286.00	13,286.01 13,950.00	13,950.01 14,614.00	14,614.01 15,279.00	15,279.01 15,943.00	15,943.01 16,607.00	16,607.01 17,271.00	17,271.01 17,936.00	17,936.01 18,600.00	18,600.01 & OVER
9,350.01 9,400.00	187	9,350.01 10,018.00	10,018.01 10,686.00	10,686.01 11,354.00	11,354.01 12,021.00	12,021.01 12,689.00	12,689.01 13,357.00	13,357.01 14,025.00	14,025.01 14,693.00	14,693.01 15,361.00	15,361.01 16,029.00	16,029.01 16,696.00	16,696.01 17,364.00	17,364.01 18,032.00	18,032.01 18,700.00	18,700.01 & OVER
9,400.01 9,450.00	188	9,400.01 10,071.00	10,071.01 10,743.00	10,743.01 11,414.00	11,414.01 12,086.00	12,086.01 12,757.00	12,757.01 13,429.00	13,429.01 14,100.00	14,100.01 14,771.00	14,771.01 15,443.00	15,443.01 16,114.00	16,114.01 16,786.00	16,786.01 17,457.00	17,457.01 18,129.00	18,129.01 18,800.00	18,800.01 & OVER
9,450.01 9,500.00	189	9,450.01 10,125.00	10,125.01 10,800.00	10,800.01 11,475.00	11,475.01 12,150.00	12,150.01 12,825.00	12,825.01 13,500.00	13,500.01 14,175.00	14,175.01 14,850.00	14,850.01 15,525.00	15,525.01 16,200.00	16,200.01 16,875.00	16,875.01 17,550.00	17,550.01 18,225.00	18,225.01 18,900.00	18,900.01 & OVER
9,500.01 9,550.00	190	9,500.01 10,179.00	10,179.01 10,857.00	10,857.01 11,536.00	11,536.01 12,214.00	12,214.01 12,893.00	12,893.01 13,571.00	13,571.01 14,250.00	14,250.01 14,929.00	14,929.01 15,607.00	15,607.01 16,286.00	16,286.01 16,964.00	16,964.01 17,643.00	17,643.01 18,321.00	18,321.01 19,000.00	19,000.01 & OVER
9,550.01 9,600.00	191	9,550.01 10,232.00	10,232.01 10,914.00	10,914.01 11,596.00	11,596.01 12,279.00	12,279.01 12,961.00	12,961.01 13,643.00	13,643.01 14,325.00	14,325.01 15,007.00	15,007.01 15,689.00	15,689.01 16,371.00	16,371.01 17,054.00	17,054.01 17,736.00	17,736.01 18,418.00	18,418.01 19,100.00	19,100.01 & OVER
9,600.01 9,650.00	192	9,600.01 10,286.00	10,286.01 10,971.00	10,971.01 11,657.00	11,657.01 12,343.00	12,343.01 13,029.00	13,029.01 13,714.00	13,714.01 14,400.00	14,400.01 15,086.00	15,086.01 15,771.00	15,771.01 16,457.00	16,457.01 17,143.00	17,143.01 17,829.00	17,829.01 18,514.00	18,514.01 19,200.00	19,200.01 & OVER
9,650.01 9,700.00	193	9,650.01 10,339.00	10,339.01 11,029.00	11,029.01 11,718.00	11,718.01 12,407.00	12,407.01 13,096.00	13,096.01 13,786.00	13,786.01 14,475.00	14,475.01 15,164.00	15,164.01 15,854.00	15,854.01 16,543.00	16,543.01 17,232.00	17,232.01 17,921.00	17,921.01 18,611.00	18,611.01 19,300.00	19,300.01 & OVER
9,700.01 9,750.00	194	9,700.01 10,393.00	10,393.01 11,086.00	11,086.01 11,779.00	11,779.01 12,471.00	12,471.01 13,164.00	13,164.01 13,857.00	13,857.01 14,550.00	14,550.01 15,243.00	15,243.01 15,936.00	15,936.01 16,629.00	16,629.01 17,321.00	17,321.01 18,014.00	18,014.01 18,707.00	18,707.01 19,400.00	19,400.01 & OVER
9,750.01 9,800.00	195	9,750.01 10,446.00	10,446.01 11,143.00	11,143.01 11,839.00	11,839.01 12,536.00	12,536.01 13,232.00	13,232.01 13,929.00	13,929.01 14,625.00	14,625.01 15,321.00	15,321.01 16,018.00	16,018.01 16,714.00	16,714.01 17,411.00	17,411.01 18,107.00	18,107.01 18,804.00	18,804.01 19,500.00	19,500.01 & OVER
9,800.01 9,850.00	196	9,800.01 10,500.00	10,500.01 11,200.00	11,200.01 11,900.00	11,900.01 12,600.00	12,600.01 13,300.00	13,300.01 14,000.00	14,000.01 14,700.00	14,700.01 15,400.00	15,400.01 16,100.00	16,100.01 16,800.00	16,800.01 17,500.00	17,500.01 18,200.00	18,200.01 18,900.00	18,900.01 19,600.00	19,600.01 & OVER
9,850.01 9,900.00	197	9,850.01 10,554.00	10,554.01 11,257.00	11,257.01 11,961.00	11,961.01 12,664.00	12,664.01 13,368.00	13,368.01 14,071.00	14,071.01 14,775.00	14,775.01 15,479.00	15,479.01 16,182.00	16,182.01 16,886.00	16,886.01 17,589.00	17,589.01 18,293.00	18,293.01 18,996.00	18,996.01 19,700.00	19,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
9,900.01 9,950.00	198	9,900.01 10,607.00	10,607.01 11,314.00	11,314.01 12,021.00	12,021.01 12,729.00	12,729.01 13,436.00	13,436.01 14,143.00	14,143.01 14,850.00	14,850.01 15,557.00	15,557.01 16,264.00	16,264.01 16,971.00	16,971.01 17,679.00	17,679.01 18,386.00	18,386.01 19,093.00	19,093.01 19,800.00	19,800.01 & OVER
9,950.01 10,000.00	199	9,950.01 10,661.00	10,661.01 11,371.00	11,371.01 12,082.00	12,082.01 12,793.00	12,793.01 13,504.00	13,504.01 14,214.00	14,214.01 14,925.00	14,925.01 15,636.00	15,636.01 16,346.00	16,346.01 17,057.00	17,057.01 17,768.00	17,768.01 18,479.00	18,479.01 19,189.00	19,189.01 19,900.00	19,900.01 & OVER
10,000.01 10,050.00	200	10,000.01 10,714.00	10,714.01 11,429.00	11,429.01 12,143.00	12,143.01 12,857.00	12,857.01 13,571.00	13,571.01 14,286.00	14,286.01 15,000.00	15,000.01 15,714.00	15,714.01 16,429.00	16,429.01 17,143.00	17,143.01 17,857.00	17,857.01 18,571.00	18,571.01 19,286.00	19,286.01 20,000.00	20,000.01 & OVER
10,050.01 10,100.00	201	10,050.01 10,768.00	10,768.01 11,486.00	11,486.01 12,204.00	12,204.01 12,921.00	12,921.01 13,639.00	13,639.01 14,357.00	14,357.01 15,075.00	15,075.01 15,793.00	15,793.01 16,511.00	16,511.01 17,229.00	17,229.01 17,946.00	17,946.01 18,664.00	18,664.01 19,382.00	19,382.01 20,100.00	20,100.01 & OVER
10,100.01 10,150.00	202	10,100.01 10,821.00	10,821.01 11,543.00	11,543.01 12,264.00	12,264.01 12,986.00	12,986.01 13,707.00	13,707.01 14,429.00	14,429.01 15,150.00	15,150.01 15,871.00	15,871.01 16,593.00	16,593.01 17,314.00	17,314.01 18,036.00	18,036.01 18,757.00	18,757.01 19,479.00	19,479.01 20,200.00	20,200.01 & OVER
10,150.01 10,200.00	203	10,150.01 10,875.00	10,875.01 11,600.00	11,600.01 12,325.00	12,325.01 13,050.00	13,050.01 13,775.00	13,775.01 14,500.00	14,500.01 15,225.00	15,225.01 15,950.00	15,950.01 16,675.00	16,675.01 17,400.00	17,400.01 18,125.00	18,125.01 18,850.00	18,850.01 19,575.00	19,575.01 20,300.00	20,300.01 & OVER
10,200.01 10,250.00	204	10,200.01 10,929.00	10,929.01 11,657.00	11,657.01 12,386.00	12,386.01 13,114.00	13,114.01 13,843.00	13,843.01 14,571.00	14,571.01 15,300.00	15,300.01 16,029.00	16,029.01 16,757.00	16,757.01 17,486.00	17,486.01 18,214.00	18,214.01 18,943.00	18,943.01 19,671.00	19,671.01 20,400.00	20,400.01 & OVER
10,250.01 10,300.00	205	10,250.01 10,982.00	10,982.01 11,714.00	11,714.01 12,446.00	12,446.01 13,179.00	13,179.01 13,911.00	13,911.01 14,643.00	14,643.01 15,375.00	15,375.01 16,107.00	16,107.01 16,839.00	16,839.01 17,571.00	17,571.01 18,304.00	18,304.01 19,036.00	19,036.01 19,768.00	19,768.01 20,500.00	20,500.01 & OVER
10,300.01 10,350.00	206	10,300.01 11,036.00	11,036.01 11,771.00	11,771.01 12,507.00	12,507.01 13,243.00	13,243.01 13,979.00	13,979.01 14,714.00	14,714.01 15,450.00	15,450.01 16,186.00	16,186.01 16,921.00	16,921.01 17,657.00	17,657.01 18,393.00	18,393.01 19,129.00	19,129.01 19,864.00	19,864.01 20,600.00	20,600.01 & OVER
10,350.01 10,400.00	207	10,350.01 11,089.00	11,089.01 11,829.00	11,829.01 12,568.00	12,568.01 13,307.00	13,307.01 14,046.00	14,046.01 14,786.00	14,786.01 15,525.00	15,525.01 16,264.00	16,264.01 17,004.00	17,004.01 17,743.00	17,743.01 18,482.00	18,482.01 19,221.00	19,221.01 19,961.00	19,961.01 20,700.00	20,700.01 & OVER
10,400.01 10,450.00	208	10,400.01 11,143.00	11,143.01 11,886.00	11,886.01 12,629.00	12,629.01 13,371.00	13,371.01 14,114.00	14,114.01 14,857.00	14,857.01 15,600.00	15,600.01 16,343.00	16,343.01 17,086.00	17,086.01 17,829.00	17,829.01 18,571.00	18,571.01 19,314.00	19,314.01 20,057.00	20,057.01 20,800.00	20,800.01 & OVER
10,450.01 10,500.00	209	10,450.01 11,196.00	11,196.01 11,943.00	11,943.01 12,689.00	12,689.01 13,436.00	13,436.01 14,182.00	14,182.01 14,929.00	14,929.01 15,675.00	15,675.01 16,421.00	16,421.01 17,168.00	17,168.01 17,914.00	17,914.01 18,661.00	18,661.01 19,407.00	19,407.01 20,154.00	20,154.01 20,900.00	20,900.01 & OVER
10,500.01 10,550.00	210	10,500.01 11,250.00	11,250.01 12,000.00	12,000.01 12,750.00	12,750.01 13,500.00	13,500.01 14,250.00	14,250.01 15,000.00	15,000.01 15,750.00	15,750.01 16,500.00	16,500.01 17,250.00	17,250.01 18,000.00	18,000.01 18,750.00	18,750.01 19,500.00	19,500.01 20,250.00	20,250.01 21,000.00	21,000.01 & OVER
10,550.01 10,600.00	211	10,550.01 11,304.00	11,304.01 12,057.00	12,057.01 12,811.00	12,811.01 13,564.00	13,564.01 14,318.00	14,318.01 15,071.00	15,071.01 15,825.00	15,825.01 16,579.00	16,579.01 17,332.00	17,332.01 18,086.00	18,086.01 18,839.00	18,839.01 19,593.00	19,593.01 20,346.00	20,346.01 21,100.00	21,100.01 & OVER
10,600.01 10,650.00	212	10,600.01 11,357.00	11,357.01 12,114.00	12,114.01 12,871.00	12,871.01 13,629.00	13,629.01 14,386.00	14,386.01 15,143.00	15,143.01 15,900.00	15,900.01 16,657.00	16,657.01 17,414.00	17,414.01 18,171.00	18,171.01 18,929.00	18,929.01 19,686.00	19,686.01 20,443.00	20,443.01 21,200.00	21,200.01 & OVER
10,650.01 10,700.00	213	10,650.01 11,411.00	11,411.01 12,171.00	12,171.01 12,932.00	12,932.01 13,693.00	13,693.01 14,454.00	14,454.01 15,214.00	15,214.01 15,975.00	15,975.01 16,736.00	16,736.01 17,496.00	17,496.01 18,257.00	18,257.01 19,018.00	19,018.01 19,779.00	19,779.01 20,539.00	20,539.01 21,300.00	21,300.01 & OVER
10,700.01 10,750.00	214	10,700.01 11,464.00	11,464.01 12,229.00	12,229.01 12,993.00	12,993.01 13,757.00	13,757.01 14,521.00	14,521.01 15,286.00	15,286.01 16,050.00	16,050.01 16,814.00	16,814.01 17,579.00	17,579.01 18,343.00	18,343.01 19,107.00	19,107.01 19,871.00	19,871.01 20,636.00	20,636.01 21,400.00	21,400.01 & OVER
10,750.01 10,800.00	215	10,750.01 11,518.00	11,518.01 12,286.00	12,286.01 13,054.00	13,054.01 13,821.00	13,821.01 14,589.00	14,589.01 15,357.00	15,357.01 16,125.00	16,125.01 16,893.00	16,893.01 17,661.00	17,661.01 18,429.00	18,429.01 19,196.00	19,196.01 19,964.00	19,964.01 20,732.00	20,732.01 21,500.00	21,500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
10,800.01 10,850.00	216	10,800.01 11,571.00	11,571.01 12,343.00	12,343.01 13,114.00	13,114.01 13,886.00	13,886.01 14,657.00	14,657.01 15,429.00	15,429.01 16,200.00	16,200.01 16,971.00	16,971.01 17,743.00	17,743.01 18,514.00	18,514.01 19,286.00	19,286.01 20,057.00	20,057.01 20,829.00	20,829.01 21,600.00	21,600.01 & OVER
10,850.01 10,900.00	217	10,850.01 11,625.00	11,625.01 12,400.00	12,400.01 13,175.00	13,175.01 13,950.00	13,950.01 14,725.00	14,725.01 15,500.00	15,500.01 16,275.00	16,275.01 17,050.00	17,050.01 17,825.00	17,825.01 18,600.00	18,600.01 19,375.00	19,375.01 20,150.00	20,150.01 20,925.00	20,925.01 21,700.00	21,700.01 & OVER
10,900.01 10,950.00	218	10,900.01 11,679.00	11,679.01 12,457.00	12,457.01 13,236.00	13,236.01 14,014.00	14,014.01 14,793.00	14,793.01 15,571.00	15,571.01 16,350.00	16,350.01 17,129.00	17,129.01 17,907.00	17,907.01 18,686.00	18,686.01 19,464.00	19,464.01 20,243.00	20,243.01 21,021.00	21,021.01 21,800.00	21,800.01 & OVER
10,950.01 11,000.00	219	10,950.01 11,732.00	11,732.01 12,514.00	12,514.01 13,296.00	13,296.01 14,079.00	14,079.01 14,861.00	14,861.01 15,643.00	15,643.01 16,425.00	16,425.01 17,207.00	17,207.01 17,989.00	17,989.01 18,771.00	18,771.01 19,554.00	19,554.01 20,336.00	20,336.01 21,118.00	21,118.01 21,900.00	21,900.01 & OVER
11,000.01 11,050.00	220	11,000.01 11,786.00	11,786.01 12,571.00	12,571.01 13,357.00	13,357.01 14,143.00	14,143.01 14,929.00	14,929.01 15,714.00	15,714.01 16,500.00	16,500.01 17,286.00	17,286.01 18,071.00	18,071.01 18,857.00	18,857.01 19,643.00	19,643.01 20,429.00	20,429.01 21,214.00	21,214.01 22,000.00	22,000.01 & OVER
11,050.01 11,100.00	221	11,050.01 11,839.00	11,839.01 12,629.00	12,629.01 13,418.00	13,418.01 14,207.00	14,207.01 14,996.00	14,996.01 15,786.00	15,786.01 16,575.00	16,575.01 17,364.00	17,364.01 18,154.00	18,154.01 18,943.00	18,943.01 19,732.00	19,732.01 20,521.00	20,521.01 21,311.00	21,311.01 22,100.00	22,100.01 & OVER
11,100.01 11,150.00	222	11,100.01 11,893.00	11,893.01 12,686.00	12,686.01 13,479.00	13,479.01 14,271.00	14,271.01 15,064.00	15,064.01 15,857.00	15,857.01 16,650.00	16,650.01 17,443.00	17,443.01 18,236.00	18,236.01 19,029.00	19,029.01 19,821.00	19,821.01 20,614.00	20,614.01 21,407.00	21,407.01 22,200.00	22,200.01 & OVER
11,150.01 11,200.00	223	11,150.01 11,946.00	11,946.01 12,743.00	12,743.01 13,539.00	13,539.01 14,336.00	14,336.01 15,132.00	15,132.01 15,929.00	15,929.01 16,725.00	16,725.01 17,521.00	17,521.01 18,318.00	18,318.01 19,114.00	19,114.01 19,911.00	19,911.01 20,707.00	20,707.01 21,504.00	21,504.01 22,300.00	22,300.01 & OVER
11,200.01 11,250.00	224	11,200.01 12,000.00	12,000.01 12,800.00	12,800.01 13,600.00	13,600.01 14,400.00	14,400.01 15,200.00	15,200.01 16,000.00	16,000.01 16,800.00	16,800.01 17,600.00	17,600.01 18,400.00	18,400.01 19,200.00	19,200.01 20,000.00	20,000.01 20,800.00	20,800.01 21,600.00	21,600.01 22,400.00	22,400.01 & OVER
11,250.01 11,300.00	225	11,250.01 12,054.00	12,054.01 12,857.00	12,857.01 13,661.00	13,661.01 14,464.00	14,464.01 15,268.00	15,268.01 16,071.00	16,071.01 16,875.00	16,875.01 17,679.00	17,679.01 18,482.00	18,482.01 19,286.00	19,286.01 20,089.00	20,089.01 20,893.00	20,893.01 21,696.00	21,696.01 22,500.00	22,500.01 & OVER
11,300.01 11,350.00	226	11,300.01 12,107.00	12,107.01 12,914.00	12,914.01 13,721.00	13,721.01 14,529.00	14,529.01 15,336.00	15,336.01 16,143.00	16,143.01 16,950.00	16,950.01 17,757.00	17,757.01 18,564.00	18,564.01 19,371.00	19,371.01 20,179.00	20,179.01 20,986.00	20,986.01 21,793.00	21,793.01 22,600.00	22,600.01 & OVER
11,350.01 11,400.00	227	11,350.01 12,161.00	12,161.01 12,971.00	12,971.01 13,782.00	13,782.01 14,593.00	14,593.01 15,404.00	15,404.01 16,214.00	16,214.01 17,025.00	17,025.01 17,836.00	17,836.01 18,646.00	18,646.01 19,457.00	19,457.01 20,268.00	20,268.01 21,079.00	21,079.01 21,889.00	21,889.01 22,700.00	22,700.01 & OVER
11,400.01 11,450.00	228	11,400.01 12,214.00	12,214.01 13,029.00	13,029.01 13,843.00	13,843.01 14,657.00	14,657.01 15,471.00	15,471.01 16,286.00	16,286.01 17,100.00	17,100.01 17,914.00	17,914.01 18,729.00	18,729.01 19,543.00	19,543.01 20,357.00	20,357.01 21,171.00	21,171.01 21,986.00	21,986.01 22,800.00	22,800.01 & OVER
11,450.01 11,500.00	229	11,450.01 12,268.00	12,268.01 13,086.00	13,086.01 13,904.00	13,904.01 14,721.00	14,721.01 15,539.00	15,539.01 16,357.00	16,357.01 17,175.00	17,175.01 17,993.00	17,993.01 18,811.00	18,811.01 19,629.00	19,629.01 20,446.00	20,446.01 21,264.00	21,264.01 22,082.00	22,082.01 22,900.00	22,900.01 & OVER
11,500.01 11,550.00	230	11,500.01 12,321.00	12,321.01 13,143.00	13,143.01 13,964.00	13,964.01 14,786.00	14,786.01 15,607.00	15,607.01 16,429.00	16,429.01 17,250.00	17,250.01 18,071.00	18,071.01 18,893.00	18,893.01 19,714.00	19,714.01 20,536.00	20,536.01 21,357.00	21,357.01 22,179.00	22,179.01 23,000.00	23,000.01 & OVER
11,550.01 11,600.00	231	11,550.01 12,375.00	12,375.01 13,200.00	13,200.01 14,025.00	14,025.01 14,850.00	14,850.01 15,675.00	15,675.01 16,500.00	16,500.01 17,325.00	17,325.01 18,150.00	18,150.01 18,975.00	18,975.01 19,800.00	19,800.01 20,625.00	20,625.01 21,450.00	21,450.01 22,275.00	22,275.01 23,100.00	23,100.01 & OVER
11,600.01 11,650.00	232	11,600.01 12,429.00	12,429.01 13,257.00	13,257.01 14,086.00	14,086.01 14,914.00	14,914.01 15,743.00	15,743.01 16,571.00	16,571.01 17,400.00	17,400.01 18,229.00	18,229.01 19,057.00	19,057.01 19,886.00	19,886.01 20,714.00	20,714.01 21,543.00	21,543.01 22,371.00	22,371.01 23,200.00	23,200.01 & OVER
11,650.01 11,700.00	233	11,650.01 12,482.00	12,482.01 13,314.00	13,314.01 14,146.00	14,146.01 14,979.00	14,979.01 15,811.00	15,811.01 16,643.00	16,643.01 17,475.00	17,475.01 18,307.00	18,307.01 19,139.00	19,139.01 19,971.00	19,971.01 20,804.00	20,804.01 21,636.00	21,636.01 22,468.00	22,468.01 23,300.00	23,300.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
11,700.01 11,750.00	234	11,700.01 12,536.00	12,536.01 13,371.00	13,371.01 14,207.00	14,207.01 15,043.00	15,043.01 15,879.00	15,879.01 16,714.00	16,714.01 17,550.00	17,550.01 18,386.00	18,386.01 19,221.00	19,221.01 20,057.00	20,057.01 20,893.00	20,893.01 21,729.00	21,729.01 22,564.00	22,564.01 23,400.00	23,400.01 & OVER
11,750.01 11,800.00	235	11,750.01 12,589.00	12,589.01 13,429.00	13,429.01 14,268.00	14,268.01 15,107.00	15,107.01 15,946.00	15,946.01 16,786.00	16,786.01 17,625.00	17,625.01 18,464.00	18,464.01 19,304.00	19,304.01 20,143.00	20,143.01 20,982.00	20,982.01 21,821.00	21,821.01 22,661.00	22,661.01 23,500.00	23,500.01 & OVER
11,800.01 11,850.00	236	11,800.01 12,643.00	12,643.01 13,486.00	13,486.01 14,329.00	14,329.01 15,171.00	15,171.01 16,014.00	16,014.01 16,857.00	16,857.01 17,700.00	17,700.01 18,543.00	18,543.01 19,386.00	19,386.01 20,229.00	20,229.01 21,071.00	21,071.01 21,914.00	21,914.01 22,757.00	22,757.01 23,600.00	23,600.01 & OVER
11,850.01 11,900.00	237	11,850.01 12,696.00	12,696.01 13,543.00	13,543.01 14,389.00	14,389.01 15,236.00	15,236.01 16,082.00	16,082.01 16,929.00	16,929.01 17,775.00	17,775.01 18,621.00	18,621.01 19,468.00	19,468.01 20,314.00	20,314.01 21,161.00	21,161.01 22,007.00	22,007.01 22,854.00	22,854.01 23,700.00	23,700.01 & OVER
11,900.01 11,950.00	238	11,900.01 12,750.00	12,750.01 13,600.00	13,600.01 14,450.00	14,450.01 15,300.00	15,300.01 16,150.00	16,150.01 17,000.00	17,000.01 17,850.00	17,850.01 18,700.00	18,700.01 19,550.00	19,550.01 20,400.00	20,400.01 21,250.00	21,250.01 22,100.00	22,100.01 22,950.00	22,950.01 23,800.00	23,800.01 & OVER
11,950.01 12,000.00	239	11,950.01 12,804.00	12,804.01 13,657.00	13,657.01 14,511.00	14,511.01 15,364.00	15,364.01 16,218.00	16,218.01 17,071.00	17,071.01 17,925.00	17,925.01 18,779.00	18,779.01 19,632.00	19,632.01 20,486.00	20,486.01 21,339.00	21,339.01 22,193.00	22,193.01 23,046.00	23,046.01 23,900.00	23,900.01 & OVER
12,000.01 12,050.00	240	12,000.01 12,857.00	12,857.01 13,714.00	13,714.01 14,571.00	14,571.01 15,429.00	15,429.01 16,286.00	16,286.01 17,143.00	17,143.01 18,000.00	18,000.01 18,857.00	18,857.01 19,714.00	19,714.01 20,571.00	20,571.01 21,429.00	21,429.01 22,286.00	22,286.01 23,143.00	23,143.01 24,000.00	24,000.01 & OVER
12,050.01 12,100.00	241	12,050.01 12,911.00	12,911.01 13,771.00	13,771.01 14,632.00	14,632.01 15,493.00	15,493.01 16,354.00	16,354.01 17,214.00	17,214.01 18,075.00	18,075.01 18,936.00	18,936.01 19,796.00	19,796.01 20,657.00	20,657.01 21,518.00	21,518.01 22,379.00	22,379.01 23,239.00	23,239.01 24,100.00	24,100.01 & OVER
12,100.01 12,150.00	242	12,100.01 12,964.00	12,964.01 13,829.00	13,829.01 14,693.00	14,693.01 15,557.00	15,557.01 16,421.00	16,421.01 17,286.00	17,286.01 18,150.00	18,150.01 19,014.00	19,014.01 19,879.00	19,879.01 20,743.00	20,743.01 21,607.00	21,607.01 22,471.00	22,471.01 23,336.00	23,336.01 24,200.00	24,200.01 & OVER
12,150.01 12,200.00	243	12,150.01 13,018.00	13,018.01 13,886.00	13,886.01 14,754.00	14,754.01 15,621.00	15,621.01 16,489.00	16,489.01 17,357.00	17,357.01 18,225.00	18,225.01 19,093.00	19,093.01 19,961.00	19,961.01 20,829.00	20,829.01 21,696.00	21,696.01 22,564.00	22,564.01 23,432.00	23,432.01 24,300.00	24,300.01 & OVER
12,200.01 12,250.00	244	12,200.01 13,071.00	13,071.01 13,943.00	13,943.01 14,814.00	14,814.01 15,686.00	15,686.01 16,557.00	16,557.01 17,429.00	17,429.01 18,300.00	18,300.01 19,171.00	19,171.01 20,043.00	20,043.01 20,914.00	20,914.01 21,786.00	21,786.01 22,657.00	22,657.01 23,529.00	23,529.01 24,400.00	24,400.01 & OVER
12,250.01 12,300.00	245	12,250.01 13,125.00	13,125.01 14,000.00	14,000.01 14,875.00	14,875.01 15,750.00	15,750.01 16,625.00	16,625.01 17,500.00	17,500.01 18,375.00	18,375.01 19,250.00	19,250.01 20,125.00	20,125.01 21,000.00	21,000.01 21,875.00	21,875.01 22,750.00	22,750.01 23,625.00	23,625.01 24,500.00	24,500.01 & OVER
12,300.01 12,350.00	246	12,300.01 13,179.00	13,179.01 14,057.00	14,057.01 14,936.00	14,936.01 15,814.00	15,814.01 16,693.00	16,693.01 17,571.00	17,571.01 18,450.00	18,450.01 19,329.00	19,329.01 20,207.00	20,207.01 21,086.00	21,086.01 21,964.00	21,964.01 22,843.00	22,843.01 23,721.00	23,721.01 24,600.00	24,600.01 & OVER
12,350.01 12,400.00	247	12,350.01 13,232.00	13,232.01 14,114.00	14,114.01 14,996.00	14,996.01 15,879.00	15,879.01 16,761.00	16,761.01 17,643.00	17,643.01 18,525.00	18,525.01 19,407.00	19,407.01 20,289.00	20,289.01 21,171.00	21,171.01 22,054.00	22,054.01 22,936.00	22,936.01 23,818.00	23,818.01 24,700.00	24,700.01 & OVER
12,400.01 12,450.00	248	12,400.01 13,286.00	13,286.01 14,171.00	14,171.01 15,057.00	15,057.01 15,943.00	15,943.01 16,829.00	16,829.01 17,714.00	17,714.01 18,600.00	18,600.01 19,486.00	19,486.01 20,371.00	20,371.01 21,257.00	21,257.01 22,143.00	22,143.01 23,029.00	23,029.01 23,914.00	23,914.01 24,800.00	24,800.01 & OVER
12,450.01 12,500.00	249	12,450.01 13,339.00	13,339.01 14,229.00	14,229.01 15,118.00	15,118.01 16,007.00	16,007.01 16,896.00	16,896.01 17,786.00	17,786.01 18,675.00	18,675.01 19,564.00	19,564.01 20,454.00	20,454.01 21,343.00	21,343.01 22,232.00	22,232.01 23,121.00	23,121.01 24,011.00	24,011.01 24,900.00	24,900.01 & OVER
12,500.01 12,550.00	250	12,500.01 13,393.00	13,393.01 14,286.00	14,286.01 15,179.00	15,179.01 16,071.00	16,071.01 16,964.00	16,964.01 17,857.00	17,857.01 18,750.00	18,750.01 19,643.00	19,643.01 20,536.00	20,536.01 21,429.00	21,429.01 22,321.00	22,321.01 23,214.00	23,214.01 24,107.00	24,107.01 25,000.00	25,000.01 & OVER
12,550.01 12,600.00	251	12,550.01 13,446.00	13,446.01 14,343.00	14,343.01 15,239.00	15,239.01 16,136.00	16,136.01 17,032.00	17,032.01 17,929.00	17,929.01 18,825.00	18,825.01 19,721.00	19,721.01 20,618.00	20,618.01 21,514.00	21,514.01 22,411.00	22,411.01 23,307.00	23,307.01 24,204.00	24,204.01 25,100.00	25,100.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
12,600.01 12,650.00	252	12,600.01 13,500.00	13,500.01 14,400.00	14,400.01 15,300.00	15,300.01 16,200.00	16,200.01 17,100.00	17,100.01 18,000.00	18,000.01 18,900.00	18,900.01 19,800.00	19,800.01 20,700.00	20,700.01 21,600.00	21,600.01 22,500.00	22,500.01 23,400.00	23,400.01 24,300.00	24,300.01 25,200.00	25,200.01 & OVER
12,650.01 12,700.00	253	12,650.01 13,554.00	13,554.01 14,457.00	14,457.01 15,361.00	15,361.01 16,264.00	16,264.01 17,168.00	17,168.01 18,071.00	18,071.01 18,975.00	18,975.01 19,879.00	19,879.01 20,782.00	20,782.01 21,686.00	21,686.01 22,589.00	22,589.01 23,493.00	23,493.01 24,396.00	24,396.01 25,300.00	25,300.01 & OVER
12,700.01 12,750.00	254	12,700.01 13,607.00	13,607.01 14,514.00	14,514.01 15,421.00	15,421.01 16,329.00	16,329.01 17,236.00	17,236.01 18,143.00	18,143.01 19,050.00	19,050.01 19,957.00	19,957.01 20,864.00	20,864.01 21,771.00	21,771.01 22,679.00	22,679.01 23,586.00	23,586.01 24,493.00	24,493.01 25,400.00	25,400.01 & OVER
12,750.01 12,800.00	255	12,750.01 13,661.00	13,661.01 14,571.00	14,571.01 15,482.00	15,482.01 16,393.00	16,393.01 17,304.00	17,304.01 18,214.00	18,214.01 19,125.00	19,125.01 20,036.00	20,036.01 20,946.00	20,946.01 21,857.00	21,857.01 22,768.00	22,768.01 23,679.00	23,679.01 24,589.00	24,589.01 25,500.00	25,500.01 & OVER
12,800.01 12,850.00	256	12,800.01 13,714.00	13,714.01 14,629.00	14,629.01 15,543.00	15,543.01 16,457.00	16,457.01 17,371.00	17,371.01 18,286.00	18,286.01 19,200.00	19,200.01 20,114.00	20,114.01 21,029.00	21,029.01 21,943.00	21,943.01 22,857.00	22,857.01 23,771.00	23,771.01 24,686.00	24,686.01 25,600.00	25,600.01 & OVER
12,850.01 12,900.00	257	12,850.01 13,768.00	13,768.01 14,686.00	14,686.01 15,604.00	15,604.01 16,521.00	16,521.01 17,439.00	17,439.01 18,357.00	18,357.01 19,275.00	19,275.01 20,193.00	20,193.01 21,111.00	21,111.01 22,029.00	22,029.01 22,946.00	22,946.01 23,864.00	23,864.01 24,782.00	24,782.01 25,700.00	25,700.01 & OVER
12,900.01 12,950.00	258	12,900.01 13,821.00	13,821.01 14,743.00	14,743.01 15,664.00	15,664.01 16,586.00	16,586.01 17,507.00	17,507.01 18,429.00	18,429.01 19,350.00	19,350.01 20,271.00	20,271.01 21,193.00	21,193.01 22,114.00	22,114.01 23,036.00	23,036.01 23,957.00	23,957.01 24,879.00	24,879.01 25,800.00	25,800.01 & OVER
12,950.01 13,000.00	259	12,950.01 13,875.00	13,875.01 14,800.00	14,800.01 15,725.00	15,725.01 16,650.00	16,650.01 17,575.00	17,575.01 18,500.00	18,500.01 19,425.00	19,425.01 20,350.00	20,350.01 21,275.00	21,275.01 22,200.00	22,200.01 23,125.00	23,125.01 24,050.00	24,050.01 24,975.00	24,975.01 25,900.00	25,900.01 & OVER
13,000.01 13,050.00	260	13,000.01 13,929.00	13,929.01 14,857.00	14,857.01 15,786.00	15,786.01 16,714.00	16,714.01 17,643.00	17,643.01 18,571.00	18,571.01 19,500.00	19,500.01 20,429.00	20,429.01 21,357.00	21,357.01 22,286.00	22,286.01 23,214.00	23,214.01 24,143.00	24,143.01 25,071.00	25,071.01 26,000.00	26,000.01 & OVER
13,050.01 13,100.00	261	13,050.01 13,982.00	13,982.01 14,914.00	14,914.01 15,846.00	15,846.01 16,779.00	16,779.01 17,711.00	17,711.01 18,643.00	18,643.01 19,575.00	19,575.01 20,507.00	20,507.01 21,439.00	21,439.01 22,371.00	22,371.01 23,304.00	23,304.01 24,236.00	24,236.01 25,168.00	25,168.01 26,100.00	26,100.01 & OVER
13,100.01 13,150.00	262	13,100.01 14,036.00	14,036.01 14,971.00	14,971.01 15,907.00	15,907.01 16,843.00	16,843.01 17,779.00	17,779.01 18,714.00	18,714.01 19,650.00	19,650.01 20,586.00	20,586.01 21,521.00	21,521.01 22,457.00	22,457.01 23,393.00	23,393.01 24,329.00	24,329.01 25,264.00	25,264.01 26,200.00	26,200.01 & OVER
13,150.01 13,200.00	263	13,150.01 14,089.00	14,089.01 15,029.00	15,029.01 15,968.00	15,968.01 16,907.00	16,907.01 17,846.00	17,846.01 18,786.00	18,786.01 19,725.00	19,725.01 20,664.00	20,664.01 21,604.00	21,604.01 22,543.00	22,543.01 23,482.00	23,482.01 24,421.00	24,421.01 25,361.00	25,361.01 26,300.00	26,300.01 & OVER
13,200.01 13,250.00	264	13,200.01 14,143.00	14,143.01 15,086.00	15,086.01 16,029.00	16,029.01 16,971.00	16,971.01 17,914.00	17,914.01 18,857.00	18,857.01 19,800.00	19,800.01 20,743.00	20,743.01 21,686.00	21,686.01 22,629.00	22,629.01 23,571.00	23,571.01 24,514.00	24,514.01 25,457.00	25,457.01 26,400.00	26,400.01 & OVER
13,250.01 13,300.00	265	13,250.01 14,196.00	14,196.01 15,143.00	15,143.01 16,089.00	16,089.01 17,036.00	17,036.01 17,982.00	17,982.01 18,929.00	18,929.01 19,875.00	19,875.01 20,821.00	20,821.01 21,768.00	21,768.01 22,714.00	22,714.01 23,661.00	23,661.01 24,607.00	24,607.01 25,554.00	25,554.01 26,500.00	26,500.01 & OVER
13,300.01 13,350.00	266	13,300.01 14,250.00	14,250.01 15,200.00	15,200.01 16,150.00	16,150.01 17,100.00	17,100.01 18,050.00	18,050.01 19,000.00	19,000.01 19,950.00	19,950.01 20,900.00	20,900.01 21,850.00	21,850.01 22,800.00	22,800.01 23,750.00	23,750.01 24,700.00	24,700.01 25,650.00	25,650.01 26,600.00	26,600.01 & OVER
13,350.01 13,400.00	267	13,350.01 14,304.00	14,304.01 15,257.00	15,257.01 16,211.00	16,211.01 17,164.00	17,164.01 18,118.00	18,118.01 19,071.00	19,071.01 20,025.00	20,025.01 20,979.00	20,979.01 21,932.00	21,932.01 22,886.00	22,886.01 23,839.00	23,839.01 24,793.00	24,793.01 25,746.00	25,746.01 26,700.00	26,700.01 & OVER
13,400.01 13,450.00	268	13,400.01 14,357.00	14,357.01 15,314.00	15,314.01 16,271.00	16,271.01 17,229.00	17,229.01 18,186.00	18,186.01 19,143.00	19,143.01 20,100.00	20,100.01 21,057.00	21,057.01 22,014.00	22,014.01 22,971.00	22,971.01 23,929.00	23,929.01 24,886.00	24,886.01 25,843.00	25,843.01 26,800.00	26,800.01 & OVER
13,450.01 13,500.00	269	13,450.01 14,411.00	14,411.01 15,371.00	15,371.01 16,332.00	16,332.01 17,293.00	17,293.01 18,254.00	18,254.01 19,214.00	19,214.01 20,175.00	20,175.01 21,136.00	21,136.01 22,096.00	22,096.01 23,057.00	23,057.01 24,018.00	24,018.01 24,979.00	24,979.01 25,939.00	25,939.01 26,900.00	26,900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
13,500.01 13,550.00	270	13,500.01 14,464.00	14,464.01 15,429.00	15,429.01 16,393.00	16,393.01 17,357.00	17,357.01 18,321.00	18,321.01 19,286.00	19,286.01 20,250.00	20,250.01 21,214.00	21,214.01 22,179.00	22,179.01 23,143.00	23,143.01 24,107.00	24,107.01 25,071.00	25,071.01 26,036.00	26,036.01 27,000.00	27,000.01 & OVER
13,550.01 13,600.00	271	13,550.01 14,518.00	14,518.01 15,486.00	15,486.01 16,454.00	16,454.01 17,421.00	17,421.01 18,389.00	18,389.01 19,357.00	19,357.01 20,325.00	20,325.01 21,293.00	21,293.01 22,261.00	22,261.01 23,229.00	23,229.01 24,196.00	24,196.01 25,164.00	25,164.01 26,132.00	26,132.01 27,100.00	27,100.01 & OVER
13,600.01 13,650.00	272	13,600.01 14,571.00	14,571.01 15,543.00	15,543.01 16,514.00	16,514.01 17,486.00	17,486.01 18,457.00	18,457.01 19,429.00	19,429.01 20,400.00	20,400.01 21,371.00	21,371.01 22,343.00	22,343.01 23,314.00	23,314.01 24,286.00	24,286.01 25,257.00	25,257.01 26,229.00	26,229.01 27,200.00	27,200.01 & OVER
13,650.01 13,700.00	273	13,650.01 14,625.00	14,625.01 15,600.00	15,600.01 16,575.00	16,575.01 17,550.00	17,550.01 18,525.00	18,525.01 19,500.00	19,500.01 20,475.00	20,475.01 21,450.00	21,450.01 22,425.00	22,425.01 23,400.00	23,400.01 24,375.00	24,375.01 25,350.00	25,350.01 26,325.00	26,325.01 27,300.00	27,300.01 & OVER
13,700.01 13,750.00	274	13,700.01 14,679.00	14,679.01 15,657.00	15,657.01 16,636.00	16,636.01 17,614.00	17,614.01 18,593.00	18,593.01 19,571.00	19,571.01 20,550.00	20,550.01 21,529.00	21,529.01 22,507.00	22,507.01 23,486.00	23,486.01 24,464.00	24,464.01 25,443.00	25,443.01 26,421.00	26,421.01 27,400.00	27,400.01 & OVER
13,750.01 13,800.00	275	13,750.01 14,732.00	14,732.01 15,714.00	15,714.01 16,696.00	16,696.01 17,679.00	17,679.01 18,661.00	18,661.01 19,643.00	19,643.01 20,625.00	20,625.01 21,607.00	21,607.01 22,589.00	22,589.01 23,571.00	23,571.01 24,554.00	24,554.01 25,536.00	25,536.01 26,518.00	26,518.01 27,500.00	27,500.01 & OVER
13,800.01 13,850.00	276	13,800.01 14,786.00	14,786.01 15,771.00	15,771.01 16,757.00	16,757.01 17,743.00	17,743.01 18,729.00	18,729.01 19,714.00	19,714.01 20,700.00	20,700.01 21,686.00	21,686.01 22,671.00	22,671.01 23,657.00	23,657.01 24,643.00	24,643.01 25,629.00	25,629.01 26,614.00	26,614.01 27,600.00	27,600.01 & OVER
13,850.01 13,900.00	277	13,850.01 14,839.00	14,839.01 15,829.00	15,829.01 16,818.00	16,818.01 17,807.00	17,807.01 18,796.00	18,796.01 19,786.00	19,786.01 20,775.00	20,775.01 21,764.00	21,764.01 22,754.00	22,754.01 23,743.00	23,743.01 24,732.00	24,732.01 25,721.00	25,721.01 26,711.00	26,711.01 27,700.00	27,700.01 & OVER
13,900.01 13,950.00	278	13,900.01 14,893.00	14,893.01 15,886.00	15,886.01 16,879.00	16,879.01 17,871.00	17,871.01 18,864.00	18,864.01 19,857.00	19,857.01 20,850.00	20,850.01 21,843.00	21,843.01 22,836.00	22,836.01 23,829.00	23,829.01 24,821.00	24,821.01 25,814.00	25,814.01 26,807.00	26,807.01 27,800.00	27,800.01 & OVER
13,950.01 14,000.00	279	13,950.01 14,946.00	14,946.01 15,943.00	15,943.01 16,939.00	16,939.01 17,936.00	17,936.01 18,932.00	18,932.01 19,929.00	19,929.01 20,925.00	20,925.01 21,921.00	21,921.01 22,918.00	22,918.01 23,914.00	23,914.01 24,911.00	24,911.01 25,907.00	25,907.01 26,904.00	26,904.01 27,900.00	27,900.01 & OVER
14,000.01 14,050.00	280	14,000.01 15,000.00	15,000.01 16,000.00	16,000.01 17,000.00	17,000.01 18,000.00	18,000.01 19,000.00	19,000.01 20,000.00	20,000.01 21,000.00	21,000.01 22,000.00	22,000.01 23,000.00	23,000.01 24,000.00	24,000.01 25,000.00	25,000.01 26,000.00	26,000.01 27,000.00	27,000.01 28,000.00	28,000.01 & OVER
14,050.01 14,100.00	281	14,050.01 15,054.00	15,054.01 16,057.00	16,057.01 17,061.00	17,061.01 18,064.00	18,064.01 19,068.00	19,068.01 20,071.00	20,071.01 21,075.00	21,075.01 22,079.00	22,079.01 23,082.00	23,082.01 24,086.00	24,086.01 25,089.00	25,089.01 26,093.00	26,093.01 27,096.00	27,096.01 28,100.00	28,100.01 & OVER
14,100.01 14,150.00	282	14,100.01 15,107.00	15,107.01 16,114.00	16,114.01 17,121.00	17,121.01 18,129.00	18,129.01 19,136.00	19,136.01 20,143.00	20,143.01 21,150.00	21,150.01 22,157.00	22,157.01 23,164.00	23,164.01 24,171.00	24,171.01 25,179.00	25,179.01 26,186.00	26,186.01 27,193.00	27,193.01 28,200.00	28,200.01 & OVER
14,150.01 14,200.00	283	14,150.01 15,161.00	15,161.01 16,171.00	16,171.01 17,182.00	17,182.01 18,193.00	18,193.01 19,204.00	19,204.01 20,214.00	20,214.01 21,225.00	21,225.01 22,236.00	22,236.01 23,246.00	23,246.01 24,257.00	24,257.01 25,268.00	25,268.01 26,279.00	26,279.01 27,289.00	27,289.01 28,300.00	28,300.01 & OVER
14,200.01 14,250.00	284	14,200.01 15,214.00	15,214.01 16,229.00	16,229.01 17,243.00	17,243.01 18,257.00	18,257.01 19,271.00	19,271.01 20,286.00	20,286.01 21,300.00	21,300.01 22,314.00	22,314.01 23,329.00	23,329.01 24,343.00	24,343.01 25,357.00	25,357.01 26,371.00	26,371.01 27,386.00	27,386.01 28,400.00	28,400.01 & OVER
14,250.01 14,300.00	285	14,250.01 15,268.00	15,268.01 16,286.00	16,286.01 17,304.00	17,304.01 18,321.00	18,321.01 19,339.00	19,339.01 20,357.00	20,357.01 21,375.00	21,375.01 22,393.00	22,393.01 23,411.00	23,411.01 24,429.00	24,429.01 25,446.00	25,446.01 26,464.00	26,464.01 27,482.00	27,482.01 28,500.00	28,500.01 & OVER
14,300.01 14,350.00	286	14,300.01 15,321.00	15,321.01 16,343.00	16,343.01 17,364.00	17,364.01 18,386.00	18,386.01 19,407.00	19,407.01 20,429.00	20,429.01 21,450.00	21,450.01 22,471.00	22,471.01 23,493.00	23,493.01 24,514.00	24,514.01 25,536.00	25,536.01 26,557.00	26,557.01 27,579.00	27,579.01 28,600.00	28,600.01 & OVER
14,350.01 14,400.00	287	14,350.01 15,375.00	15,375.01 16,400.00	16,400.01 17,425.00	17,425.01 18,450.00	18,450.01 19,475.00	19,475.01 20,500.00	20,500.01 21,525.00	21,525.01 22,550.00	22,550.01 23,575.00	23,575.01 24,600.00	24,600.01 25,625.00	25,625.01 26,650.00	26,650.01 27,675.00	27,675.01 28,700.00	28,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
14,400.01 14,450.00	288	14,400.01 15,429.00	15,429.01 16,457.00	16,457.01 17,486.00	17,486.01 18,514.00	18,514.01 19,543.00	19,543.01 20,571.00	20,571.01 21,600.00	21,600.01 22,629.00	22,629.01 23,657.00	23,657.01 24,686.00	24,686.01 25,714.00	25,714.01 26,743.00	26,743.01 27,771.00	27,771.01 28,800.00	28,800.01 & OVER
14,450.01 14,500.00	289	14,450.01 15,482.00	15,482.01 16,514.00	16,514.01 17,546.00	17,546.01 18,579.00	18,579.01 19,611.00	19,611.01 20,643.00	20,643.01 21,675.00	21,675.01 22,707.00	22,707.01 23,739.00	23,739.01 24,771.00	24,771.01 25,804.00	25,804.01 26,836.00	26,836.01 27,868.00	27,868.01 28,900.00	28,900.01 & OVER
14,500.01 14,550.00	290	14,500.01 15,536.00	15,536.01 16,571.00	16,571.01 17,607.00	17,607.01 18,643.00	18,643.01 19,679.00	19,679.01 20,714.00	20,714.01 21,750.00	21,750.01 22,786.00	22,786.01 23,821.00	23,821.01 24,857.00	24,857.01 25,893.00	25,893.01 26,929.00	26,929.01 27,964.00	27,964.01 29,000.00	29,000.01 & OVER
14,550.01 14,600.00	291	14,550.01 15,589.00	15,589.01 16,629.00	16,629.01 17,668.00	17,668.01 18,707.00	18,707.01 19,746.00	19,746.01 20,786.00	20,786.01 21,825.00	21,825.01 22,864.00	22,864.01 23,904.00	23,904.01 24,943.00	24,943.01 25,982.00	25,982.01 27,021.00	27,021.01 28,061.00	28,061.01 29,100.00	29,100.01 & OVER
14,600.01 14,650.00	292	14,600.01 15,643.00	15,643.01 16,686.00	16,686.01 17,729.00	17,729.01 18,771.00	18,771.01 19,814.00	19,814.01 20,857.00	20,857.01 21,900.00	21,900.01 22,943.00	22,943.01 23,986.00	23,986.01 25,029.00	25,029.01 26,071.00	26,071.01 27,114.00	27,114.01 28,157.00	28,157.01 29,200.00	29,200.01 & OVER
14,650.01 14,700.00	293	14,650.01 15,696.00	15,696.01 16,743.00	16,743.01 17,789.00	17,789.01 18,836.00	18,836.01 19,882.00	19,882.01 20,929.00	20,929.01 21,975.00	21,975.01 23,021.00	23,021.01 24,068.00	24,068.01 25,114.00	25,114.01 26,161.00	26,161.01 27,207.00	27,207.01 28,254.00	28,254.01 29,300.00	29,300.01 & OVER
14,700.01 14,750.00	294	14,700.01 15,750.00	15,750.01 16,800.00	16,800.01 17,850.00	17,850.01 18,900.00	18,900.01 19,950.00	19,950.01 21,000.00	21,000.01 22,050.00	22,050.01 23,100.00	23,100.01 24,150.00	24,150.01 25,200.00	25,200.01 26,250.00	26,250.01 27,300.00	27,300.01 28,350.00	28,350.01 29,400.00	29,400.01 & OVER
14,750.01 14,800.00	295	14,750.01 15,804.00	15,804.01 16,857.00	16,857.01 17,911.00	17,911.01 18,964.00	18,964.01 20,018.00	20,018.01 21,071.00	21,071.01 22,125.00	22,125.01 23,179.00	23,179.01 24,232.00	24,232.01 25,286.00	25,286.01 26,339.00	26,339.01 27,393.00	27,393.01 28,446.00	28,446.01 29,500.00	29,500.01 & OVER
14,800.01 14,850.00	296	14,800.01 15,857.00	15,857.01 16,914.00	16,914.01 17,971.00	17,971.01 19,029.00	19,029.01 20,086.00	20,086.01 21,143.00	21,143.01 22,200.00	22,200.01 23,257.00	23,257.01 24,314.00	24,314.01 25,371.00	25,371.01 26,429.00	26,429.01 27,486.00	27,486.01 28,543.00	28,543.01 29,600.00	29,600.01 & OVER
14,850.01 14,900.00	297	14,850.01 15,911.00	15,911.01 16,971.00	16,971.01 18,032.00	18,032.01 19,093.00	19,093.01 20,154.00	20,154.01 21,214.00	21,214.01 22,275.00	22,275.01 23,336.00	23,336.01 24,396.00	24,396.01 25,457.00	25,457.01 26,518.00	26,518.01 27,579.00	27,579.01 28,639.00	28,639.01 29,700.00	29,700.01 & OVER
14,900.01 14,950.00	298	14,900.01 15,964.00	15,964.01 17,029.00	17,029.01 18,093.00	18,093.01 19,157.00	19,157.01 20,221.00	20,221.01 21,286.00	21,286.01 22,350.00	22,350.01 23,414.00	23,414.01 24,479.00	24,479.01 25,543.00	25,543.01 26,607.00	26,607.01 27,671.00	27,671.01 28,736.00	28,736.01 29,800.00	29,800.01 & OVER
14,950.01 15,000.00	299	14,950.01 16,018.00	16,018.01 17,086.00	17,086.01 18,154.00	18,154.01 19,221.00	19,221.01 20,289.00	20,289.01 21,357.00	21,357.01 22,425.00	22,425.01 23,493.00	23,493.01 24,561.00	24,561.01 25,629.00	25,629.01 26,696.00	26,696.01 27,764.00	27,764.01 28,832.00	28,832.01 29,900.00	29,900.01 & OVER
15,000.01 15,050.00	300	15,000.01 16,071.00	16,071.01 17,143.00	17,143.01 18,214.00	18,214.01 19,286.00	19,286.01 20,357.00	20,357.01 21,429.00	21,429.01 22,500.00	22,500.01 23,571.00	23,571.01 24,643.00	24,643.01 25,714.00	25,714.01 26,786.00	26,786.01 27,857.00	27,857.01 28,929.00	28,929.01 30,000.00	30,000.01 & OVER
15,050.01 15,100.00	301	15,050.01 16,125.00	16,125.01 17,200.00	17,200.01 18,275.00	18,275.01 19,350.00	19,350.01 20,425.00	20,425.01 21,500.00	21,500.01 22,575.00	22,575.01 23,650.00	23,650.01 24,725.00	24,725.01 25,800.00	25,800.01 26,875.00	26,875.01 27,950.00	27,950.01 29,025.00	29,025.01 30,100.00	30,100.01 & OVER
15,100.01 15,150.00	302	15,100.01 16,179.00	16,179.01 17,257.00	17,257.01 18,336.00	18,336.01 19,414.00	19,414.01 20,493.00	20,493.01 21,571.00	21,571.01 22,650.00	22,650.01 23,729.00	23,729.01 24,807.00	24,807.01 25,886.00	25,886.01 26,964.00	26,964.01 28,043.00	28,043.01 29,121.00	29,121.01 30,200.00	30,200.01 & OVER
15,150.01 15,200.00	303	15,150.01 16,232.00	16,232.01 17,314.00	17,314.01 18,396.00	18,396.01 19,479.00	19,479.01 20,561.00	20,561.01 21,643.00	21,643.01 22,725.00	22,725.01 23,807.00	23,807.01 24,889.00	24,889.01 25,971.00	25,971.01 27,054.00	27,054.01 28,136.00	28,136.01 29,218.00	29,218.01 30,300.00	30,300.01 & OVER
15,200.01 15,250.00	304	15,200.01 16,286.00	16,286.01 17,371.00	17,371.01 18,457.00	18,457.01 19,543.00	19,543.01 20,629.00	20,629.01 21,714.00	21,714.01 22,800.00	22,800.01 23,886.00	23,886.01 24,971.00	24,971.01 26,057.00	26,057.01 27,143.00	27,143.01 28,229.00	28,229.01 29,314.00	29,314.01 30,400.00	30,400.01 & OVER
15,250.01 15,300.00	305	15,250.01 16,339.00	16,339.01 17,429.00	17,429.01 18,518.00	18,518.01 19,607.00	19,607.01 20,696.00	20,696.01 21,786.00	21,786.01 22,875.00	22,875.01 23,964.00	23,964.01 25,054.00	25,054.01 26,143.00	26,143.01 27,232.00	27,232.01 28,321.00	28,321.01 29,411.00	29,411.01 30,500.00	30,500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
15,300.01 15,350.00	306	15,300.01 16,393.00	16,393.01 17,486.00	17,486.01 18,579.00	18,579.01 19,671.00	19,671.01 20,764.00	20,764.01 21,857.00	21,857.01 22,950.00	22,950.01 24,043.00	24,043.01 25,136.00	25,136.01 26,229.00	26,229.01 27,321.00	27,321.01 28,414.00	28,414.01 29,507.00	29,507.01 30,600.00	30,600.01 & OVER
15,350.01 15,400.00	307	15,350.01 16,446.00	16,446.01 17,543.00	17,543.01 18,639.00	18,639.01 19,736.00	19,736.01 20,832.00	20,832.01 21,929.00	21,929.01 23,025.00	23,025.01 24,121.00	24,121.01 25,218.00	25,218.01 26,314.00	26,314.01 27,411.00	27,411.01 28,507.00	28,507.01 29,604.00	29,604.01 30,700.00	30,700.01 & OVER
15,400.01 15,450.00	308	15,400.01 16,500.00	16,500.01 17,600.00	17,600.01 18,700.00	18,700.01 19,800.00	19,800.01 20,900.00	20,900.01 22,000.00	22,000.01 23,100.00	23,100.01 24,200.00	24,200.01 25,300.00	25,300.01 26,400.00	26,400.01 27,500.00	27,500.01 28,600.00	28,600.01 29,700.00	29,700.01 30,800.00	30,800.01 & OVER
15,450.01 15,500.00	309	15,450.01 16,554.00	16,554.01 17,657.00	17,657.01 18,761.00	18,761.01 19,864.00	19,864.01 20,968.00	20,968.01 22,071.00	22,071.01 23,175.00	23,175.01 24,279.00	24,279.01 25,382.00	25,382.01 26,486.00	26,486.01 27,589.00	27,589.01 28,693.00	28,693.01 29,796.00	29,796.01 30,900.00	30,900.01 & OVER
15,500.01 15,550.00	310	15,500.01 16,607.00	16,607.01 17,714.00	17,714.01 18,821.00	18,821.01 19,929.00	19,929.01 21,036.00	21,036.01 22,143.00	22,143.01 23,250.00	23,250.01 24,357.00	24,357.01 25,464.00	25,464.01 26,571.00	26,571.01 27,679.00	27,679.01 28,786.00	28,786.01 29,893.00	29,893.01 31,000.00	31,000.01 & OVER
15,550.01 15,600.00	311	15,550.01 16,661.00	16,661.01 17,771.00	17,771.01 18,882.00	18,882.01 19,993.00	19,993.01 21,104.00	21,104.01 22,214.00	22,214.01 23,325.00	23,325.01 24,436.00	24,436.01 25,546.00	25,546.01 26,657.00	26,657.01 27,768.00	27,768.01 28,879.00	28,879.01 29,989.00	29,989.01 31,100.00	31,100.01 & OVER
15,600.01 15,650.00	312	15,600.01 16,714.00	16,714.01 17,829.00	17,829.01 18,943.00	18,943.01 20,057.00	20,057.01 21,171.00	21,171.01 22,286.00	22,286.01 23,400.00	23,400.01 24,514.00	24,514.01 25,629.00	25,629.01 26,743.00	26,743.01 27,857.00	27,857.01 28,971.00	28,971.01 30,086.00	30,086.01 31,200.00	31,200.01 & OVER
15,650.01 15,700.00	313	15,650.01 16,768.00	16,768.01 17,886.00	17,886.01 19,004.00	19,004.01 20,121.00	20,121.01 21,239.00	21,239.01 22,357.00	22,357.01 23,475.00	23,475.01 24,593.00	24,593.01 25,711.00	25,711.01 26,829.00	26,829.01 27,946.00	27,946.01 29,064.00	29,064.01 30,182.00	30,182.01 31,300.00	31,300.01 & OVER
15,700.01 15,750.00	314	15,700.01 16,821.00	16,821.01 17,943.00	17,943.01 19,064.00	19,064.01 20,186.00	20,186.01 21,307.00	21,307.01 22,429.00	22,429.01 23,550.00	23,550.01 24,671.00	24,671.01 25,793.00	25,793.01 26,914.00	26,914.01 28,036.00	28,036.01 29,157.00	29,157.01 30,279.00	30,279.01 31,400.00	31,400.01 & OVER
15,750.01 15,800.00	315	15,750.01 16,875.00	16,875.01 18,000.00	18,000.01 19,125.00	19,125.01 20,250.00	20,250.01 21,375.00	21,375.01 22,500.00	22,500.01 23,625.00	23,625.01 24,750.00	24,750.01 25,875.00	25,875.01 27,000.00	27,000.01 28,125.00	28,125.01 29,250.00	29,250.01 30,375.00	30,375.01 31,500.00	31,500.01 & OVER
15,800.01 15,850.00	316	15,800.01 16,929.00	16,929.01 18,057.00	18,057.01 19,186.00	19,186.01 20,314.00	20,314.01 21,443.00	21,443.01 22,571.00	22,571.01 23,700.00	23,700.01 24,829.00	24,829.01 25,957.00	25,957.01 27,086.00	27,086.01 28,214.00	28,214.01 29,343.00	29,343.01 30,471.00	30,471.01 31,600.00	31,600.01 & OVER
15,850.01 15,900.00	317	15,850.01 16,982.00	16,982.01 18,114.00	18,114.01 19,246.00	19,246.01 20,379.00	20,379.01 21,511.00	21,511.01 22,643.00	22,643.01 23,775.00	23,775.01 24,907.00	24,907.01 26,039.00	26,039.01 27,171.00	27,171.01 28,304.00	28,304.01 29,436.00	29,436.01 30,568.00	30,568.01 31,700.00	31,700.01 & OVER
15,900.01 15,950.00	318	15,900.01 17,036.00	17,036.01 18,171.00	18,171.01 19,307.00	19,307.01 20,443.00	20,443.01 21,579.00	21,579.01 22,714.00	22,714.01 23,850.00	23,850.01 24,986.00	24,986.01 26,121.00	26,121.01 27,257.00	27,257.01 28,393.00	28,393.01 29,529.00	29,529.01 30,664.00	30,664.01 31,800.00	31,800.01 & OVER
15,950.01 16,000.00	319	15,950.01 17,089.00	17,089.01 18,229.00	18,229.01 19,368.00	19,368.01 20,507.00	20,507.01 21,646.00	21,646.01 22,786.00	22,786.01 23,925.00	23,925.01 25,064.00	25,064.01 26,204.00	26,204.01 27,343.00	27,343.01 28,482.00	28,482.01 29,621.00	29,621.01 30,761.00	30,761.01 31,900.00	31,900.01 & OVER
16,000.01 16,050.00	320	16,000.01 17,143.00	17,143.01 18,286.00	18,286.01 19,429.00	19,429.01 20,571.00	20,571.01 21,714.00	21,714.01 22,857.00	22,857.01 24,000.00	24,000.01 25,143.00	25,143.01 26,286.00	26,286.01 27,429.00	27,429.01 28,571.00	28,571.01 29,714.00	29,714.01 30,857.00	30,857.01 32,000.00	32,000.01 & OVER
16,050.01 16,100.00	321	16,050.01 17,196.00	17,196.01 18,343.00	18,343.01 19,489.00	19,489.01 20,636.00	20,636.01 21,782.00	21,782.01 22,929.00	22,929.01 24,075.00	24,075.01 25,221.00	25,221.01 26,368.00	26,368.01 27,514.00	27,514.01 28,661.00	28,661.01 29,807.00	29,807.01 30,954.00	30,954.01 32,100.00	32,100.01 & OVER
16,100.01 16,150.00	322	16,100.01 17,250.00	17,250.01 18,400.00	18,400.01 19,550.00	19,550.01 20,700.00	20,700.01 21,850.00	21,850.01 23,000.00	23,000.01 24,150.00	24,150.01 25,300.00	25,300.01 26,450.00	26,450.01 27,600.00	27,600.01 28,750.00	28,750.01 29,900.00	29,900.01 31,050.00	31,050.01 32,200.00	32,200.01 & OVER
16,150.01 16,200.00	323	16,150.01 17,304.00	17,304.01 18,457.00	18,457.01 19,611.00	19,611.01 20,764.00	20,764.01 21,918.00	21,918.01 23,071.00	23,071.01 24,225.00	24,225.01 25,379.00	25,379.01 26,532.00	26,532.01 27,686.00	27,686.01 28,839.00	28,839.01 29,993.00	29,993.01 31,146.00	31,146.01 32,300.00	32,300.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
16,200.01 16,250.00	324	16,200.01 17,357.00	17,357.01 18,514.00	18,514.01 19,671.00	19,671.01 20,829.00	20,829.01 21,986.00	21,986.01 23,143.00	23,143.01 24,300.00	24,300.01 25,457.00	25,457.01 26,614.00	26,614.01 27,771.00	27,771.01 28,929.00	28,929.01 30,086.00	30,086.01 31,243.00	31,243.01 32,400.00	32,400.01 & OVER
16,250.01 16,300.00	325	16,250.01 17,411.00	17,411.01 18,571.00	18,571.01 19,732.00	19,732.01 20,893.00	20,893.01 22,054.00	22,054.01 23,214.00	23,214.01 24,375.00	24,375.01 25,536.00	25,536.01 26,696.00	26,696.01 27,857.00	27,857.01 29,018.00	29,018.01 30,179.00	30,179.01 31,339.00	31,339.01 32,500.00	32,500.01 & OVER
16,300.01 16,350.00	326	16,300.01 17,464.00	17,464.01 18,629.00	18,629.01 19,793.00	19,793.01 20,957.00	20,957.01 22,121.00	22,121.01 23,286.00	23,286.01 24,450.00	24,450.01 25,614.00	25,614.01 26,779.00	26,779.01 27,943.00	27,943.01 29,107.00	29,107.01 30,271.00	30,271.01 31,436.00	31,436.01 32,600.00	32,600.01 & OVER
16,350.01 16,400.00	327	16,350.01 17,518.00	17,518.01 18,686.00	18,686.01 19,854.00	19,854.01 21,021.00	21,021.01 22,189.00	22,189.01 23,357.00	23,357.01 24,525.00	24,525.01 25,693.00	25,693.01 26,861.00	26,861.01 28,029.00	28,029.01 29,196.00	29,196.01 30,364.00	30,364.01 31,532.00	31,532.01 32,700.00	32,700.01 & OVER
16,400.01 16,450.00	328	16,400.01 17,571.00	17,571.01 18,743.00	18,743.01 19,914.00	19,914.01 21,086.00	21,086.01 22,257.00	22,257.01 23,429.00	23,429.01 24,600.00	24,600.01 25,771.00	25,771.01 26,943.00	26,943.01 28,114.00	28,114.01 29,286.00	29,286.01 30,457.00	30,457.01 31,629.00	31,629.01 32,800.00	32,800.01 & OVER
16,450.01 16,500.00	329	16,450.01 17,625.00	17,625.01 18,800.00	18,800.01 19,975.00	19,975.01 21,150.00	21,150.01 22,325.00	22,325.01 23,500.00	23,500.01 24,675.00	24,675.01 25,850.00	25,850.01 27,025.00	27,025.01 28,200.00	28,200.01 29,375.00	29,375.01 30,550.00	30,550.01 31,725.00	31,725.01 32,900.00	32,900.01 & OVER
16,500.01 16,550.00	330	16,500.01 17,679.00	17,679.01 18,857.00	18,857.01 20,036.00	20,036.01 21,214.00	21,214.01 22,393.00	22,393.01 23,571.00	23,571.01 24,750.00	24,750.01 25,929.00	25,929.01 27,107.00	27,107.01 28,286.00	28,286.01 29,464.00	29,464.01 30,643.00	30,643.01 31,821.00	31,821.01 33,000.00	33,000.01 & OVER
16,550.01 16,600.00	331	16,550.01 17,732.00	17,732.01 18,914.00	18,914.01 20,096.00	20,096.01 21,279.00	21,279.01 22,461.00	22,461.01 23,643.00	23,643.01 24,825.00	24,825.01 26,007.00	26,007.01 27,189.00	27,189.01 28,371.00	28,371.01 29,554.00	29,554.01 30,736.00	30,736.01 31,918.00	31,918.01 33,100.00	33,100.01 & OVER
16,600.01 16,650.00	332	16,600.01 17,786.00	17,786.01 18,971.00	18,971.01 20,157.00	20,157.01 21,343.00	21,343.01 22,529.00	22,529.01 23,714.00	23,714.01 24,900.00	24,900.01 26,086.00	26,086.01 27,271.00	27,271.01 28,457.00	28,457.01 29,643.00	29,643.01 30,829.00	30,829.01 32,014.00	32,014.01 33,200.00	33,200.01 & OVER
16,650.01 16,700.00	333	16,650.01 17,839.00	17,839.01 19,029.00	19,029.01 20,218.00	20,218.01 21,407.00	21,407.01 22,596.00	22,596.01 23,786.00	23,786.01 24,975.00	24,975.01 26,164.00	26,164.01 27,354.00	27,354.01 28,543.00	28,543.01 29,732.00	29,732.01 30,921.00	30,921.01 32,111.00	32,111.01 33,300.00	33,300.01 & OVER
16,700.01 16,750.00	334	16,700.01 17,893.00	17,893.01 19,086.00	19,086.01 20,279.00	20,279.01 21,471.00	21,471.01 22,664.00	22,664.01 23,857.00	23,857.01 25,050.00	25,050.01 26,243.00	26,243.01 27,436.00	27,436.01 28,629.00	28,629.01 29,821.00	29,821.01 31,014.00	31,014.01 32,207.00	32,207.01 33,400.00	33,400.01 & OVER
16,750.01 16,800.00	335	16,750.01 17,946.00	17,946.01 19,143.00	19,143.01 20,339.00	20,339.01 21,536.00	21,536.01 22,732.00	22,732.01 23,929.00	23,929.01 25,125.00	25,125.01 26,321.00	26,321.01 27,518.00	27,518.01 28,714.00	28,714.01 29,911.00	29,911.01 31,107.00	31,107.01 32,304.00	32,304.01 33,500.00	33,500.01 & OVER
16,800.01 16,850.00	336	16,800.01 18,000.00	18,000.01 19,200.00	19,200.01 20,400.00	20,400.01 21,600.00	21,600.01 22,800.00	22,800.01 24,000.00	24,000.01 25,200.00	25,200.01 26,400.00	26,400.01 27,600.00	27,600.01 28,800.00	28,800.01 30,000.00	30,000.01 31,200.00	31,200.01 32,400.00	32,400.01 33,600.00	33,600.01 & OVER
16,850.01 16,900.00	337	16,850.01 18,054.00	18,054.01 19,257.00	19,257.01 20,461.00	20,461.01 21,664.00	21,664.01 22,868.00	22,868.01 24,071.00	24,071.01 25,275.00	25,275.01 26,479.00	26,479.01 27,682.00	27,682.01 28,886.00	28,886.01 30,089.00	30,089.01 31,293.00	31,293.01 32,496.00	32,496.01 33,700.00	33,700.01 & OVER
16,900.01 16,950.00	338	16,900.01 18,107.00	18,107.01 19,314.00	19,314.01 20,521.00	20,521.01 21,729.00	21,729.01 22,936.00	22,936.01 24,143.00	24,143.01 25,350.00	25,350.01 26,557.00	26,557.01 27,764.00	27,764.01 28,971.00	28,971.01 30,179.00	30,179.01 31,386.00	31,386.01 32,593.00	32,593.01 33,800.00	33,800.01 & OVER
16,950.01 17,000.00	339	16,950.01 18,161.00	18,161.01 19,371.00	19,371.01 20,582.00	20,582.01 21,793.00	21,793.01 23,004.00	23,004.01 24,214.00	24,214.01 25,425.00	25,425.01 26,636.00	26,636.01 27,846.00	27,846.01 29,057.00	29,057.01 30,268.00	30,268.01 31,479.00	31,479.01 32,689.00	32,689.01 33,900.00	33,900.01 & OVER
17,000.01 17,050.00	340	17,000.01 18,214.00	18,214.01 19,429.00	19,429.01 20,643.00	20,643.01 21,857.00	21,857.01 23,071.00	23,071.01 24,286.00	24,286.01 25,500.00	25,500.01 26,714.00	26,714.01 27,929.00	27,929.01 29,143.00	29,143.01 30,357.00	30,357.01 31,571.00	31,571.01 32,786.00	32,786.01 34,000.00	34,000.01 & OVER
17,050.01 17,100.00	341	17,050.01 18,268.00	18,268.01 19,486.00	19,486.01 20,704.00	20,704.01 21,921.00	21,921.01 23,139.00	23,139.01 24,357.00	24,357.01 25,575.00	25,575.01 26,793.00	26,793.01 28,011.00	28,011.01 29,229.00	29,229.01 30,446.00	30,446.01 31,664.00	31,664.01 32,882.00	32,882.01 34,100.00	34,100.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
17,100.01 17,150.00	342	17,100.01 18,321.00	18,321.01 19,543.00	19,543.01 20,764.00	20,764.01 21,986.00	21,986.01 23,207.00	23,207.01 24,429.00	24,429.01 25,650.00	25,650.01 26,871.00	26,871.01 28,093.00	28,093.01 29,314.00	29,314.01 30,536.00	30,536.01 31,757.00	31,757.01 32,979.00	32,979.01 34,200.00	34,200.01 & OVER
17,150.01 17,200.00	343	17,150.01 18,375.00	18,375.01 19,600.00	19,600.01 20,825.00	20,825.01 22,050.00	22,050.01 23,275.00	23,275.01 24,500.00	24,500.01 25,725.00	25,725.01 26,950.00	26,950.01 28,175.00	28,175.01 29,400.00	29,400.01 30,625.00	30,625.01 31,850.00	31,850.01 33,075.00	33,075.01 34,300.00	34,300.01 & OVER
17,200.01 17,250.00	344	17,200.01 18,429.00	18,429.01 19,657.00	19,657.01 20,886.00	20,886.01 22,114.00	22,114.01 23,343.00	23,343.01 24,571.00	24,571.01 25,800.00	25,800.01 27,029.00	27,029.01 28,257.00	28,257.01 29,486.00	29,486.01 30,714.00	30,714.01 31,943.00	31,943.01 33,171.00	33,171.01 34,400.00	34,400.01 & OVER
17,250.01 17,300.00	345	17,250.01 18,482.00	18,482.01 19,714.00	19,714.01 20,946.00	20,946.01 22,179.00	22,179.01 23,411.00	23,411.01 24,643.00	24,643.01 25,875.00	25,875.01 27,107.00	27,107.01 28,339.00	28,339.01 29,571.00	29,571.01 30,804.00	30,804.01 32,036.00	32,036.01 33,268.00	33,268.01 34,500.00	34,500.01 & OVER
17,300.01 17,350.00	346	17,300.01 18,536.00	18,536.01 19,771.00	19,771.01 21,007.00	21,007.01 22,243.00	22,243.01 23,479.00	23,479.01 24,714.00	24,714.01 25,950.00	25,950.01 27,186.00	27,186.01 28,421.00	28,421.01 29,657.00	29,657.01 30,893.00	30,893.01 32,129.00	32,129.01 33,364.00	33,364.01 34,600.00	34,600.01 & OVER
17,350.01 17,400.00	347	17,350.01 18,589.00	18,589.01 19,829.00	19,829.01 21,068.00	21,068.01 22,307.00	22,307.01 23,546.00	23,546.01 24,786.00	24,786.01 26,025.00	26,025.01 27,264.00	27,264.01 28,504.00	28,504.01 29,743.00	29,743.01 30,982.00	30,982.01 32,221.00	32,221.01 33,461.00	33,461.01 34,700.00	34,700.01 & OVER
17400.01 17450.00	348	17400.01 18643.00	18643.01 19886.00	19886.01 21129.00	21129.01 22371.00	22371.01 23614.00	23614.01 24857.00	24857.01 26100.00	26100.01 27343.00	27343.01 28586.00	28586.01 29829.00	29829.01 31071.00	31071.01 32314.00	32314.01 33557.00	33557.01 34800.00	34800.01 & OVER
17450.01 17500.00	349	17450.01 18696.00	18696.01 19943.00	19943.01 21189.00	21189.01 22436.00	22436.01 23682.00	23682.01 24929.00	24929.01 26175.00	26175.01 27421.00	27421.01 28668.00	28668.01 29914.00	29914.01 31161.00	31161.01 32407.00	32407.01 33654.00	33654.01 34900.00	34900.01 & OVER
17500.01 17550.00	350	17500.01 18750.00	18750.01 20000.00	20000.01 21250.00	21250.01 22500.00	22500.01 23750.00	23750.01 25000.00	25000.01 26250.00	26250.01 27500.00	27500.01 28750.00	28750.01 30000.00	30000.01 31250.00	31250.01 32500.00	32500.01 33750.00	33750.01 35000.00	35000.01 & OVER
17550.01 17600.00	351	17550.01 18804.00	18804.01 20057.00	20057.01 21311.00	21311.01 22564.00	22564.01 23818.00	23818.01 25071.00	25071.01 26325.00	26325.01 27579.00	27579.01 28832.00	28832.01 30086.00	30086.01 31339.00	31339.01 32593.00	32593.01 33846.00	33846.01 35100.00	35100.01 & OVER
17600.01 17650.00	352	17600.01 18857.00	18857.01 20114.00	20114.01 21371.00	21371.01 22629.00	22629.01 23886.00	23886.01 25143.00	25143.01 26400.00	26400.01 27657.00	27657.01 28914.00	28914.01 30171.00	30171.01 31429.00	31429.01 32686.00	32686.01 33943.00	33943.01 35200.00	35200.01 & OVER
17650.01 17700.00	353	17650.01 18911.00	18911.01 20171.00	20171.01 21432.00	21432.01 22693.00	22693.01 23954.00	23954.01 25214.00	25214.01 26475.00	26475.01 27736.00	27736.01 28996.00	28996.01 30257.00	30257.01 31518.00	31518.01 32779.00	32779.01 34039.00	34039.01 35300.00	35300.01 & OVER
17700.01 17750.00	354	17700.01 18964.00	18964.01 20229.00	20229.01 21493.00	21493.01 22757.00	22757.01 24021.00	24021.01 25286.00	25286.01 26550.00	26550.01 27814.00	27814.01 29079.00	29079.01 30343.00	30343.01 31607.00	31607.01 32871.00	32871.01 34136.00	34136.01 35400.00	35400.01 & OVER
17750.01 17800.00	355	17750.01 19018.00	19018.01 20286.00	20286.01 21554.00	21554.01 22821.00	22821.01 24089.00	24089.01 25357.00	25357.01 26625.00	26625.01 27893.00	27893.01 29161.00	29161.01 30429.00	30429.01 31696.00	31696.01 32964.00	32964.01 34232.00	34232.01 35500.00	35500.01 & OVER
17800.01 17850.00	356	17800.01 19071.00	19071.01 20343.00	20343.01 21614.00	21614.01 22886.00	22886.01 24157.00	24157.01 25429.00	25429.01 26700.00	26700.01 27971.00	27971.01 29243.00	29243.01 30514.00	30514.01 31786.00	31786.01 33057.00	33057.01 34329.00	34329.01 35600.00	35600.01 & OVER
17850.01 17900.00	357	17850.01 19125.00	19125.01 20400.00	20400.01 21675.00	21675.01 22950.00	22950.01 24225.00	24225.01 25500.00	25500.01 26775.00	26775.01 28050.00	28050.01 29325.00	29325.01 30600.00	30600.01 31875.00	31875.01 33150.00	33150.01 34425.00	34425.01 35700.00	35700.01 & OVER
17900.01 17950.00	358	17900.01 19179.00	19179.01 20457.00	20457.01 21736.00	21736.01 23014.00	23014.01 24293.00	24293.01 25571.00	25571.01 26850.00	26850.01 28129.00	28129.01 29407.00	29407.01 30686.00	30686.01 31964.00	31964.01 33243.00	33243.01 34521.00	34521.01 35800.00	35800.01 & OVER
17950.01 18000.00	359	17950.01 19232.00	19232.01 20514.00	20514.01 21796.00	21796.01 23079.00	23079.01 24361.00	24361.01 25643.00	25643.01 26925.00	26925.01 28207.00	28207.01 29489.00	29489.01 30771.00	30771.01 32054.00	32054.01 33336.00	33336.01 34618.00	34618.01 35900.00	35900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
18000.01 18050.00	360	18000.01 19286.00	19286.01 20571.00	20571.01 21857.00	21857.01 23143.00	23143.01 24429.00	24429.01 25714.00	25714.01 27000.00	27000.01 28286.00	28286.01 29571.00	29571.01 30857.00	30857.01 32143.00	32143.01 33429.00	33429.01 34714.00	34714.01 36000.00	36000.01 & OVER
18050.01 18100.00	361	18050.01 19339.00	19339.01 20629.00	20629.01 21918.00	21918.01 23207.00	23207.01 24496.00	24496.01 25786.00	25786.01 27075.00	27075.01 28364.00	28364.01 29654.00	29654.01 30943.00	30943.01 32232.00	32232.01 33521.00	33521.01 34811.00	34811.01 36100.00	36100.01 & OVER
18100.01 18150.00	362	18100.01 19393.00	19393.01 20686.00	20686.01 21979.00	21979.01 23271.00	23271.01 24564.00	24564.01 25857.00	25857.01 27150.00	27150.01 28443.00	28443.01 29736.00	29736.01 31029.00	31029.01 32321.00	32321.01 33614.00	33614.01 34907.00	34907.01 36200.00	36200.01 & OVER
18150.01 18200.00	363	18150.01 19446.00	19446.01 20743.00	20743.01 22039.00	22039.01 23336.00	23336.01 24632.00	24632.01 25929.00	25929.01 27225.00	27225.01 28521.00	28521.01 29818.00	29818.01 31114.00	31114.01 32411.00	32411.01 33707.00	33707.01 35004.00	35004.01 36300.00	36300.01 & OVER
18200.01 18250.00	364	18200.01 19500.00	19500.01 20800.00	20800.01 22100.00	22100.01 23400.00	23400.01 24700.00	24700.01 26000.00	26000.01 27300.00	27300.01 28600.00	28600.01 29900.00	29900.01 31200.00	31200.01 32500.00	32500.01 33800.00	33800.01 35100.00	35100.01 36400.00	36400.01 & OVER
18250.01 18300.00	365	18250.01 19554.00	19554.01 20857.00	20857.01 22161.00	22161.01 23464.00	23464.01 24768.00	24768.01 26071.00	26071.01 27375.00	27375.01 28679.00	28679.01 29982.00	29982.01 31286.00	31286.01 32589.00	32589.01 33893.00	33893.01 35196.00	35196.01 36500.00	36500.01 & OVER
18300.01 18350.00	366	18300.01 19607.00	19607.01 20914.00	20914.01 22221.00	22221.01 23529.00	23529.01 24836.00	24836.01 26143.00	26143.01 27450.00	27450.01 28757.00	28757.01 30064.00	30064.01 31371.00	31371.01 32679.00	32679.01 33986.00	33986.01 35293.00	35293.01 36600.00	36600.01 & OVER
18350.01 18400.00	367	18350.01 19661.00	19661.01 20971.00	20971.01 22282.00	22282.01 23593.00	23593.01 24904.00	24904.01 26214.00	26214.01 27525.00	27525.01 28836.00	28836.01 30146.00	30146.01 31457.00	31457.01 32768.00	32768.01 34079.00	34079.01 35389.00	35389.01 36700.00	36700.01 & OVER
18400.01 18450.00	368	18400.01 19714.00	19714.01 21029.00	21029.01 22343.00	22343.01 23657.00	23657.01 24971.00	24971.01 26286.00	26286.01 27600.00	27600.01 28914.00	28914.01 30229.00	30229.01 31543.00	31543.01 32857.00	32857.01 34171.00	34171.01 35486.00	35486.01 36800.00	36800.01 & OVER
18450.01 18500.00	369	18450.01 19768.00	19768.01 21086.00	21086.01 22404.00	22404.01 23721.00	23721.01 25039.00	25039.01 26357.00	26357.01 27675.00	27675.01 28993.00	28993.01 30311.00	30311.01 31629.00	31629.01 32946.00	32946.01 34264.00	34264.01 35582.00	35582.01 36900.00	36900.01 & OVER
18500.01 18550.00	370	18500.01 19821.00	19821.01 21143.00	21143.01 22464.00	22464.01 23786.00	23786.01 25107.00	25107.01 26429.00	26429.01 27750.00	27750.01 29071.00	29071.01 30393.00	30393.01 31714.00	31714.01 33036.00	33036.01 34357.00	34357.01 35679.00	35679.01 37000.00	37000.01 & OVER
18550.01 18600.00	371	18550.01 19875.00	19875.01 21200.00	21200.01 22525.00	22525.01 23850.00	23850.01 25175.00	25175.01 26500.00	26500.01 27825.00	27825.01 29150.00	29150.01 30475.00	30475.01 31800.00	31800.01 33125.00	33125.01 34450.00	34450.01 35775.00	35775.01 37100.00	37100.01 & OVER
18600.01 18650.00	372	18600.01 19929.00	19929.01 21257.00	21257.01 22586.00	22586.01 23914.00	23914.01 25243.00	25243.01 26571.00	26571.01 27900.00	27900.01 29229.00	29229.01 30557.00	30557.01 31886.00	31886.01 33214.00	33214.01 34543.00	34543.01 35871.00	35871.01 37200.00	37200.01 & OVER
18650.01 18700.00	373	18650.01 19982.00	19982.01 21314.00	21314.01 22646.00	22646.01 23979.00	23979.01 25311.00	25311.01 26643.00	26643.01 27975.00	27975.01 29307.00	29307.01 30639.00	30639.01 31971.00	31971.01 33304.00	33304.01 34636.00	34636.01 35968.00	35968.01 37300.00	37300.01 & OVER
18700.01 18750.00	374	18700.01 20036.00	20036.01 21371.00	21371.01 22707.00	22707.01 24043.00	24043.01 25379.00	25379.01 26714.00	26714.01 28050.00	28050.01 29386.00	29386.01 30721.00	30721.01 32057.00	32057.01 33393.00	33393.01 34729.00	34729.01 36064.00	36064.01 37400.00	37400.01 & OVER
18750.01 18800.00	375	18750.01 20089.00	20089.01 21429.00	21429.01 22768.00	22768.01 24107.00	24107.01 25446.00	25446.01 26786.00	26786.01 28125.00	28125.01 29464.00	29464.01 30804.00	30804.01 32143.00	32143.01 33482.00	33482.01 34821.00	34821.01 36161.00	36161.01 37500.00	37500.01 & OVER
18800.01 18850.00	376	18800.01 20143.00	20143.01 21486.00	21486.01 22829.00	22829.01 24171.00	24171.01 25514.00	25514.01 26857.00	26857.01 28200.00	28200.01 29543.00	29543.01 30886.00	30886.01 32229.00	32229.01 33571.00	33571.01 34914.00	34914.01 36257.00	36257.01 37600.00	37600.01 & OVER
18850.01 18900.00	377	18850.01 20196.00	20196.01 21543.00	21543.01 22889.00	22889.01 24236.00	24236.01 25582.00	25582.01 26929.00	26929.01 28275.00	28275.01 29621.00	29621.01 30968.00	30968.01 32314.00	32314.01 33661.00	33661.01 35007.00	35007.01 36354.00	36354.01 37700.00	37700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
18900.01 & OVER	378	18900.01 20250.00	20250.01 21600.00	21600.01 22950.00	22950.01 24300.00	24300.01 25650.00	25650.01 27000.00	27000.01 28350.00	28350.01 29700.00	29700.01 31050.00	31050.01 32400.00	32400.01 33750.00	33750.01 35100.00	35100.01 36450.00	36450.01 37800.00	37800.01 & OVER

B. Beginning July 6, 2014, for claims effective on or after July 6, 2014, *but before January 1, 2026,* an eligible individual's weekly "benefit amount" shall be the amount appearing in Column B in the "Benefit Table" in this section on the line on which in Column A of such table, there appears the total wages for insured work paid to such individual in the two quarters of his base period in which such total wages were highest.

Benefit Table Division C Duration of Benefits beginning July 6, 2014*, but before January 1, 2026*

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
3,000.00 3,050.00	60	3,000.01 3,214.00	3,214.01 3,429.00	3,429.01 3,643.00	3,643.01 3,857.00	3,857.01 4,071.00	4,071.01 4,286.00	4,286.01 4,500.00	4,500.01 4,714.00	4,714.01 4,929.00	4,929.01 5,143.00	5,143.01 5,357.00	5,357.01 5,571.00	5,571.01 5,786.00	5,786.01 6,000.00	6,000.01 & OVER
3,050.01 3,100.00	61	3,050.01 3,268.00	3,268.01 3,486.00	3,486.01 3,704.00	3,704.01 3,921.00	3,921.01 4,139.00	4,139.01 4,357.00	4,357.01 4,575.00	4,575.01 4,793.00	4,793.01 5,011.00	5,011.01 5,229.00	5,229.01 5,446.00	5,446.01 5,664.00	5,664.01 5,882.00	5,882.01 6,100.00	6,100.01 & OVER
3,100.01 3,150.00	62	3,100.01 3,321.00	3,321.01 3,543.00	3,543.01 3,764.00	3,764.01 3,986.00	3,986.01 4,207.00	4,207.01 4,429.00	4,429.01 4,650.00	4,650.01 4,871.00	4,871.01 5,093.00	5,093.01 5,314.00	5,314.01 5,536.00	5,536.01 5,757.00	5,757.01 5,979.00	5,979.01 6,200.00	6,200.01 & OVER
3,150.01 3,200.00	63	3,150.01 3,375.00	3,375.01 3,600.00	3,600.01 3,825.00	3,825.01 4,050.00	4,050.01 4,275.00	4,275.01 4,500.00	4,500.01 4,725.00	4,725.01 4,950.00	4,950.01 5,175.00	5,175.01 5,400.00	5,400.01 5,625.00	5,625.01 5,850.00	5,850.01 6,075.00	6,075.01 6,300.00	6,300.01 & OVER
3,200.01 3,250.00	64	3,200.01 3,429.00	3,429.01 3,657.00	3,657.01 3,886.00	3,886.01 4,114.00	4,114.01 4,343.00	4,343.01 4,571.00	4,571.01 4,800.00	4,800.01 5,029.00	5,029.01 5,257.00	5,257.01 5,486.00	5,486.01 5,714.00	5,714.01 5,943.00	5,943.01 6,171.00	6,171.01 6,400.00	6,400.01 & OVER
3,250.01 3,300.00	65	3,250.01 3,482.00	3,482.01 3,714.00	3,714.01 3,946.00	3,946.01 4,179.00	4,179.01 4,411.00	4,411.01 4,643.00	4,643.01 4,875.00	4,875.01 5,107.00	5,107.01 5,339.00	5,339.01 5,571.00	5,571.01 5,804.00	5,804.01 6,036.00	6,036.01 6,268.00	6,268.01 6,500.00	6,500.01 & OVER
3,300.01 3,350.00	66	3,300.01 3,536.00	3,536.01 3,771.00	3,771.01 4,007.00	4,007.01 4,243.00	4,243.01 4,479.00	4,479.01 4,714.00	4,714.01 4,950.00	4,950.01 5,186.00	5,186.01 5,421.00	5,421.01 5,657.00	5,657.01 5,893.00	5,893.01 6,129.00	6,129.01 6,364.00	6,364.01 6,600.00	6,600.01 & OVER
3,350.01 3,400.00	67	3,350.01 3,589.00	3,589.01 3,829.00	3,829.01 4,068.00	4,068.01 4,307.00	4,307.01 4,546.00	4,546.01 4,786.00	4,786.01 5,025.00	5,025.01 5,264.00	5,264.01 5,504.00	5,504.01 5,743.00	5,743.01 5,982.00	5,982.01 6,221.00	6,221.01 6,461.00	6,461.01 6,700.00	6,700.01 & OVER
3,400.01 3,450.00	68	3,400.01 3,643.00	3,643.01 3,886.00	3,886.01 4,129.00	4,129.01 4,371.00	4,371.01 4,614.00	4,614.01 4,857.00	4,857.01 5,100.00	5,100.01 5,343.00	5,343.01 5,586.00	5,586.01 5,829.00	5,829.01 6,071.00	6,071.01 6,314.00	6,314.01 6,557.00	6,557.01 6,800.00	6,800.01 & OVER
3,450.01 3,500.00	69	3,450.01 3,696.00	3,696.01 3,943.00	3,943.01 4,189.00	4,189.01 4,436.00	4,436.01 4,682.00	4,682.01 4,929.00	4,929.01 5,175.00	5,175.01 5,421.00	5,421.01 5,668.00	5,668.01 5,914.00	5,914.01 6,161.00	6,161.01 6,407.00	6,407.01 6,654.00	6,654.01 6,900.00	6,900.01 & OVER
3,500.01 3,550.00	70	3,500.01 3,750.00	3,750.01 4,000.00	4,000.01 4,250.00	4,250.01 4,500.00	4,500.01 4,750.00	4,750.01 5,000.00	5,000.01 5,250.00	5,250.01 5,500.00	5,500.01 5,750.00	5,750.01 6,000.00	6,000.01 6,250.00	6,250.01 6,500.00	6,500.01 6,750.00	6,750.01 7,000.00	7,000.01 & OVER
3,550.01 3,600.00	71	3,550.01 3,804.00	3,804.01 4,057.00	4,057.01 4,311.00	4,311.01 4,564.00	4,564.01 4,818.00	4,818.01 5,071.00	5,071.01 5,325.00	5,325.01 5,579.00	5,579.01 5,832.00	5,832.01 6,086.00	6,086.01 6,339.00	6,339.01 6,593.00	6,593.01 6,846.00	6,846.01 7,100.00	7,100.01 & OVER
3,600.01 3,650.00	72	3,600.01 3,857.00	3,857.01 4,114.00	4,114.01 4,371.00	4,371.01 4,629.00	4,629.01 4,886.00	4,886.01 5,143.00	5,143.01 5,400.00	5,400.01 5,657.00	5,657.01 5,914.00	5,914.01 6,171.00	6,171.01 6,429.00	6,429.01 6,686.00	6,686.01 6,943.00	6,943.01 7,200.00	7,200.01 & OVER
3,650.01 3,700.00	73	3,650.01 3,911.00	3,911.01 4,171.00	4,171.01 4,432.00	4,432.01 4,693.00	4,693.01 4,954.00	4,954.01 5,214.00	5,214.01 5,475.00	5,475.01 5,736.00	5,736.01 5,996.00	5,996.01 6,257.00	6,257.01 6,518.00	6,518.01 6,779.00	6,779.01 7,039.00	7,039.01 7,300.00	7,300.01 & OVER
3,700.01 3,750.00	74	3,700.01 3,964.00	3,964.01 4,229.00	4,229.01 4,493.00	4,493.01 4,757.00	4,757.01 5,021.00	5,021.01 5,286.00	5,286.01 5,550.00	5,550.01 5,814.00	5,814.01 6,079.00	6,079.01 6,343.00	6,343.01 6,607.00	6,607.01 6,871.00	6,871.01 7,136.00	7,136.01 7,400.00	7,400.01 & OVER
3,750.01 3,800.00	75	3,750.01 4,018.00	4,018.01 4,286.00	4,286.01 4,554.00	4,554.01 4,821.00	4,821.01 5,089.00	5,089.01 5,357.00	5,357.01 5,625.00	5,625.01 5,893.00	5,893.01 6,161.00	6,161.01 6,429.00	6,429.01 6,696.00	6,696.01 6,964.00	6,964.01 7,232.00	7,232.01 7,500.00	7,500.01 & OVER
3,800.01 3,850.00	76	3,800.01 4,071.00	4,071.01 4,343.00	4,343.01 4,614.00	4,614.01 4,886.00	4,886.01 5,157.00	5,157.01 5,429.00	5,429.01 5,700.00	5,700.01 5,971.00	5,971.01 6,243.00	6,243.01 6,514.00	6,514.01 6,786.00	6,786.01 7,057.00	7,057.01 7,329.00	7,329.01 7,600.00	7,600.01 & OVER
3,850.01 3,900.00	77	3,850.01 4,125.00	4,125.01 4,400.00	4,400.01 4,675.00	4,675.01 4,950.00	4,950.01 5,225.00	5,225.01 5,500.00	5,500.01 5,775.00	5,775.01 6,050.00	6,050.01 6,325.00	6,325.01 6,600.00	6,600.01 6,875.00	6,875.01 7,150.00	7,150.01 7,425.00	7,425.01 7,700.00	7,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
3,900.01 3,950.00	78	3,900.01 4,179.00	4,179.01 4,457.00	4,457.01 4,736.00	4,736.01 5,014.00	5,014.01 5,293.00	5,293.01 5,571.00	5,571.01 5,850.00	5,850.01 6,129.00	6,129.01 6,407.00	6,407.01 6,686.00	6,686.01 6,964.00	6,964.01 7,243.00	7,243.01 7,521.00	7,521.01 7,800.00	7,800.01 & OVER
3,950.01 4,000.00	79	3,950.01 4,232.00	4,232.01 4,514.00	4,514.01 4,796.00	4,796.01 5,079.00	5,079.01 5,361.00	5,361.01 5,643.00	5,643.01 5,925.00	5,925.01 6,207.00	6,207.01 6,489.00	6,489.01 6,771.00	6,771.01 7,054.00	7,054.01 7,336.00	7,336.01 7,618.00	7,618.01 7,900.00	7,900.01 & OVER
4,000.01 4,050.00	80	4,000.01 4,286.00	4,286.01 4,571.00	4,571.01 4,857.00	4,857.01 5,143.00	5,143.01 5,429.00	5,429.01 5,714.00	5,714.01 6,000.00	6,000.01 6,286.00	6,286.01 6,571.00	6,571.01 6,857.00	6,857.01 7,143.00	7,143.01 7,429.00	7,429.01 7,714.00	7,714.01 8,000.00	8,000.01 & OVER
4,050.01 4,100.00	81	4,050.01 4,339.00	4,339.01 4,629.00	4,629.01 4,918.00	4,918.01 5,207.00	5,207.01 5,496.00	5,496.01 5,786.00	5,786.01 6,075.00	6,075.01 6,364.00	6,364.01 6,654.00	6,654.01 6,943.00	6,943.01 7,232.00	7,232.01 7,521.00	7,521.01 7,811.00	7,811.01 8,100.00	8,100.01 & OVER
4,100.01 4,150.00	82	4,100.01 4,393.00	4,393.01 4,686.00	4,686.01 4,979.00	4,979.01 5,271.00	5,271.01 5,564.00	5,564.01 5,857.00	5,857.01 6,150.00	6,150.01 6,443.00	6,443.01 6,736.00	6,736.01 7,029.00	7,029.01 7,321.00	7,321.01 7,614.00	7,614.01 7,907.00	7,907.01 8,200.00	8,200.01 & OVER
4,150.01 4,200.00	83	4,150.01 4,446.00	4,446.01 4,743.00	4,743.01 5,039.00	5,039.01 5,336.00	5,336.01 5,632.00	5,632.01 5,929.00	5,929.01 6,225.00	6,225.01 6,521.00	6,521.01 6,818.00	6,818.01 7,114.00	7,114.01 7,411.00	7,411.01 7,707.00	7,707.01 8,004.00	8,004.01 8,300.00	8,300.01 & OVER
4,200.01 4,250.00	84	4,200.01 4,500.00	4,500.01 4,800.00	4,800.01 5,100.00	5,100.01 5,400.00	5,400.01 5,700.00	5,700.01 6,000.00	6,000.01 6,300.00	6,300.01 6,600.00	6,600.01 6,900.00	6,900.01 7,200.00	7,200.01 7,500.00	7,500.01 7,800.00	7,800.01 8,100.00	8,100.01 8,400.00	8,400.01 & OVER
4,250.01 4,300.00	85	4,250.01 4,554.00	4,554.01 4,857.00	4,857.01 5,161.00	5,161.01 5,464.00	5,464.01 5,768.00	5,768.01 6,071.00	6,071.01 6,375.00	6,375.01 6,679.00	6,679.01 6,982.00	6,982.01 7,286.00	7,286.01 7,589.00	7,589.01 7,893.00	7,893.01 8,196.00	8,196.01 8,500.00	8,500.01 & OVER
4,300.01 4,350.00	86	4,300.01 4,607.00	4,607.01 4,914.00	4,914.01 5,221.00	5,221.01 5,529.00	5,529.01 5,836.00	5,836.01 6,143.00	6,143.01 6,450.00	6,450.01 6,757.00	6,757.01 7,064.00	7,064.01 7,371.00	7,371.01 7,679.00	7,679.01 7,986.00	7,986.01 8,293.00	8,293.01 8,600.00	8,600.01 & OVER
4,350.01 4,400.00	87	4,350.01 4,661.00	4,661.01 4,971.00	4,971.01 5,282.00	5,282.01 5,593.00	5,593.01 5,904.00	5,904.01 6,214.00	6,214.01 6,525.00	6,525.01 6,836.00	6,836.01 7,146.00	7,146.01 7,457.00	7,457.01 7,768.00	7,768.01 8,079.00	8,079.01 8,389.00	8,389.01 8,700.00	8,700.01 & OVER
4,400.01 4,450.00	88	4,400.01 4,714.00	4,714.01 5,029.00	5,029.01 5,343.00	5,343.01 5,657.00	5,657.01 5,971.00	5,971.01 6,286.00	6,286.01 6,600.00	6,600.01 6,914.00	6,914.01 7,229.00	7,229.01 7,543.00	7,543.01 7,857.00	7,857.01 8,171.00	8,171.01 8,486.00	8,486.01 8,800.00	8,800.01 & OVER
4,450.01 4,500.00	89	4,450.01 4,768.00	4,768.01 5,086.00	5,086.01 5,404.00	5,404.01 5,721.00	5,721.01 6,039.00	6,039.01 6,357.00	6,357.01 6,675.00	6,675.01 6,993.00	6,993.01 7,311.00	7,311.01 7,629.00	7,629.01 7,946.00	7,946.01 8,264.00	8,264.01 8,582.00	8,582.01 8,900.00	8,900.01 & OVER
4,500.01 4,550.00	90	4,500.01 4,821.00	4,821.01 5,143.00	5,143.01 5,464.00	5,464.01 5,786.00	5,786.01 6,107.00	6,107.01 6,429.00	6,429.01 6,750.00	6,750.01 7,071.00	7,071.01 7,393.00	7,393.01 7,714.00	7,714.01 8,036.00	8,036.01 8,357.00	8,357.01 8,679.00	8,679.01 9,000.00	9,000.01 & OVER
4,550.01 4,600.00	91	4,550.01 4,875.00	4,875.01 5,200.00	5,200.01 5,525.00	5,525.01 5,850.00	5,850.01 6,175.00	6,175.01 6,500.00	6,500.01 6,825.00	6,825.01 7,150.00	7,150.01 7,475.00	7,475.01 7,800.00	7,800.01 8,125.00	8,125.01 8,450.00	8,450.01 8,775.00	8,775.01 9,100.00	9,100.01 & OVER
4,600.01 4,650.00	92	4,600.01 4,929.00	4,929.01 5,257.00	5,257.01 5,586.00	5,586.01 5,914.00	5,914.01 6,243.00	6,243.01 6,571.00	6,571.01 6,900.00	6,900.01 7,229.00	7,229.01 7,557.00	7,557.01 7,886.00	7,886.01 8,214.00	8,214.01 8,543.00	8,543.01 8,871.00	8,871.01 9,200.00	9,200.01 & OVER
4,650.01 4,700.00	93	4,650.01 4,982.00	4,982.01 5,314.00	5,314.01 5,646.00	5,646.01 5,979.00	5,979.01 6,311.00	6,311.01 6,643.00	6,643.01 6,975.00	6,975.01 7,307.00	7,307.01 7,639.00	7,639.01 7,971.00	7,971.01 8,304.00	8,304.01 8,636.00	8,636.01 8,968.00	8,968.01 9,300.00	9,300.01 & OVER
4,700.01 4,750.00	94	4,700.01 5,036.00	5,036.01 5,371.00	5,371.01 5,707.00	5,707.01 6,043.00	6,043.01 6,379.00	6,379.01 6,714.00	6,714.01 7,050.00	7,050.01 7,386.00	7,386.01 7,721.00	7,721.01 8,057.00	8,057.01 8,393.00	8,393.01 8,729.00	8,729.01 9,064.00	9,064.01 9,400.00	9,400.01 & OVER
4,750.01 4,800.00	95	4,750.01 5,089.00	5,089.01 5,429.00	5,429.01 5,768.00	5,768.01 6,107.00	6,107.01 6,446.00	6,446.01 6,786.00	6,786.01 7,125.00	7,125.01 7,464.00	7,464.01 7,804.00	7,804.01 8,143.00	8,143.01 8,482.00	8,482.01 8,821.00	8,821.01 9,161.00	9,161.01 9,500.00	9,500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
4,800.01 4,850.00	96	4,800.01 5,143.00	5,143.01 5,486.00	5,486.01 5,829.00	5,829.01 6,171.00	6,171.01 6,514.00	6,514.01 6,857.00	6,857.01 7,200.00	7,200.01 7,543.00	7,543.01 7,886.00	7,886.01 8,229.00	8,229.01 8,571.00	8,571.01 8,914.00	8,914.01 9,257.00	9,257.01 9,600.00	9,600.01 & OVER
4,850.01 4,900.00	97	4,850.01 5,196.00	5,196.01 5,543.00	5,543.01 5,889.00	5,889.01 6,236.00	6,236.01 6,582.00	6,582.01 6,929.00	6,929.01 7,275.00	7,275.01 7,621.00	7,621.01 7,968.00	7,968.01 8,314.00	8,314.01 8,661.00	8,661.01 9,007.00	9,007.01 9,354.00	9,354.01 9,700.00	9,700.01 & OVER
4,900.01 4,950.00	98	4,900.01 5,250.00	5,250.01 5,600.00	5,600.01 5,950.00	5,950.01 6,300.00	6,300.01 6,650.00	6,650.01 7,000.00	7,000.01 7,350.00	7,350.01 7,700.00	7,700.01 8,050.00	8,050.01 8,400.00	8,400.01 8,750.00	8,750.01 9,100.00	9,100.01 9,450.00	9,450.01 9,800.00	9,800.01 & OVER
4,950.01 5,000.00	99	4,950.01 5,304.00	5,304.01 5,657.00	5,657.01 6,011.00	6,011.01 6,364.00	6,364.01 6,718.00	6,718.01 7,071.00	7,071.01 7,425.00	7,425.01 7,779.00	7,779.01 8,132.00	8,132.01 8,486.00	8,486.01 8,839.00	8,839.01 9,193.00	9,193.01 9,546.00	9,546.01 9,900.00	9,900.01 & OVER
5,000.01 5,050.00	100	5,000.01 5,357.00	5,357.01 5,714.00	5,714.01 6,071.00	6,071.01 6,429.00	6,429.01 6,786.00	6,786.01 7,143.00	7,143.01 7,500.00	7,500.01 7,857.00	7,857.01 8,214.00	8,214.01 8,571.00	8,571.01 8,929.00	8,929.01 9,286.00	9,286.01 9,643.00	9,643.01 10,000.00	10,000.01 & OVER
5,050.01 5,100.00	101	5,050.01 5,411.00	5,411.01 5,771.00	5,771.01 6,132.00	6,132.01 6,493.00	6,493.01 6,854.00	6,854.01 7,214.00	7,214.01 7,575.00	7,575.01 7,936.00	7,936.01 8,296.00	8,296.01 8,657.00	8,657.01 9,018.00	9,018.01 9,379.00	9,379.01 9,739.00	9,739.01 10,100.00	10,100.01 & OVER
5,100.01 5,150.00	102	5,100.01 5,464.00	5,464.01 5,829.00	5,829.01 6,193.00	6,193.01 6,557.00	6,557.01 6,921.00	6,921.01 7,286.00	7,286.01 7,650.00	7,650.01 8,014.00	8,014.01 8,379.00	8,379.01 8,743.00	8,743.01 9,107.00	9,107.01 9,471.00	9,471.01 9,836.00	9,836.01 10,200.00	10,200.01 & OVER
5,150.01 5,200.00	103	5,150.01 5,518.00	5,518.01 5,886.00	5,886.01 6,254.00	6,254.01 6,621.00	6,621.01 6,989.00	6,989.01 7,357.00	7,357.01 7,725.00	7,725.01 8,093.00	8,093.01 8,461.00	8,461.01 8,829.00	8,829.01 9,196.00	9,196.01 9,564.00	9,564.01 9,932.00	9,932.01 10,300.00	10,300.01 & OVER
5,200.01 5,250.00	104	5,200.01 5,571.00	5,571.01 5,943.00	5,943.01 6,314.00	6,314.01 6,686.00	6,686.01 7,057.00	7,057.01 7,429.00	7,429.01 7,800.00	7,800.01 8,171.00	8,171.01 8,543.00	8,543.01 8,914.00	8,914.01 9,286.00	9,286.01 9,657.00	9,657.01 10,029.00	10,029.01 10,400.00	10,400.01 & OVER
5,250.01 5,300.00	105	5,250.01 5,625.00	5,625.01 6,000.00	6,000.01 6,375.00	6,375.01 6,750.00	6,750.01 7,125.00	7,125.01 7,500.00	7,500.01 7,875.00	7,875.01 8,250.00	8,250.01 8,625.00	8,625.01 9,000.00	9,000.01 9,375.00	9,375.01 9,750.00	9,750.01 10,125.00	10,125.01 10,500.00	10,500.01 & OVER
5,300.01 5,350.00	106	5,300.01 5,679.00	5,679.01 6,057.00	6,057.01 6,436.00	6,436.01 6,814.00	6,814.01 7,193.00	7,193.01 7,571.00	7,571.01 7,950.00	7,950.01 8,329.00	8,329.01 8,707.00	8,707.01 9,086.00	9,086.01 9,464.00	9,464.01 9,843.00	9,843.01 10,221.00	10,221.01 10,600.00	10,600.01 & OVER
5,350.01 5,400.00	107	5,350.01 5,732.00	5,732.01 6,114.00	6,114.01 6,496.00	6,496.01 6,879.00	6,879.01 7,261.00	7,261.01 7,643.00	7,643.01 8,025.00	8,025.01 8,407.00	8,407.01 8,789.00	8,789.01 9,171.00	9,171.01 9,554.00	9,554.01 9,936.00	9,936.01 10,318.00	10,318.01 10,700.00	10,700.01 & OVER
5,400.01 5,450.00	108	5,400.01 5,786.00	5,786.01 6,171.00	6,171.01 6,557.00	6,557.01 6,943.00	6,943.01 7,329.00	7,329.01 7,714.00	7,714.01 8,100.00	8,100.01 8,486.00	8,486.01 8,871.00	8,871.01 9,257.00	9,257.01 9,643.00	9,643.01 10,029.00	10,029.01 10,414.00	10,414.01 10,800.00	10,800.01 & OVER
5,450.01 5,500.00	109	5,450.01 5,839.00	5,839.01 6,229.00	6,229.01 6,618.00	6,618.01 7,007.00	7,007.01 7,396.00	7,396.01 7,786.00	7,786.01 8,175.00	8,175.01 8,564.00	8,564.01 8,954.00	8,954.01 9,343.00	9,343.01 9,732.00	9,732.01 10,121.00	10,121.01 10,511.00	10,511.01 10,900.00	10,900.01 & OVER
5,500.01 5,550.00	110	5,500.01 5,893.00	5,893.01 6,286.00	6,286.01 6,679.00	6,679.01 7,071.00	7,071.01 7,464.00	7,464.01 7,857.00	7,857.01 8,250.00	8,250.01 8,643.00	8,643.01 9,036.00	9,036.01 9,429.00	9,429.01 9,821.00	9,821.01 10,214.00	10,214.01 10,607.00	10,607.01 11,000.00	11,000.01 & OVER
5,550.01 5,600.00	111	5,550.01 5,946.00	5,946.01 6,343.00	6,343.01 6,739.00	6,739.01 7,136.00	7,136.01 7,532.00	7,532.01 7,929.00	7,929.01 8,325.00	8,325.01 8,721.00	8,721.01 9,118.00	9,118.01 9,514.00	9,514.01 9,911.00	9,911.01 10,307.00	10,307.01 10,704.00	10,704.01 11,100.00	11,100.01 & OVER
5,600.01 5,650.00	112	5,600.01 6,000.00	6,000.01 6,400.00	6,400.01 6,800.00	6,800.01 7,200.00	7,200.01 7,600.00	7,600.01 8,000.00	8,000.01 8,400.00	8,400.01 8,800.00	8,800.01 9,200.00	9,200.01 9,600.00	9,600.01 10,000.00	10,000.01 10,400.00	10,400.01 10,800.00	10,800.01 11,200.00	11,200.01 & OVER
5,650.01 5,700.00	113	5,650.01 6,054.00	6,054.01 6,457.00	6,457.01 6,861.00	6,861.01 7,264.00	7,264.01 7,668.00	7,668.01 8,071.00	8,071.01 8,475.00	8,475.01 8,879.00	8,879.01 9,282.00	9,282.01 9,686.00	9,686.01 10,089.00	10,089.01 10,493.00	10,493.01 10,896.00	10,896.01 11,300.00	11,300.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
5,700.01 5,750.00	114	5,700.01 6,107.00	6,107.01 6,514.00	6,514.01 6,921.00	6,921.01 7,329.00	7,329.01 7,736.00	7,736.01 8,143.00	8,143.01 8,550.00	8,550.01 8,957.00	8,957.01 9,364.00	9,364.01 9,771.00	9,771.01 10,179.00	10,179.01 10,586.00	10,586.01 10,993.00	10,993.01 11,400.00	11,400.01 & OVER
5,750.01 5,800.00	115	5,750.01 6,161.00	6,161.01 6,571.00	6,571.01 6,982.00	6,982.01 7,393.00	7,393.01 7,804.00	7,804.01 8,214.00	8,214.01 8,625.00	8,625.01 9,036.00	9,036.01 9,446.00	9,446.01 9,857.00	9,857.01 10,268.00	10,268.01 10,679.00	10,679.01 11,089.00	11,089.01 11,500.00	11,500.01 & OVER
5,800.01 5,850.00	116	5,800.01 6,214.00	6,214.01 6,629.00	6,629.01 7,043.00	7,043.01 7,457.00	7,457.01 7,871.00	7,871.01 8,286.00	8,286.01 8,700.00	8,700.01 9,114.00	9,114.01 9,529.00	9,529.01 9,943.00	9,943.01 10,357.00	10,357.01 10,771.00	10,771.01 11,186.00	11,186.01 11,600.00	11,600.01 & OVER
5,850.01 5,900.00	117	5,850.01 6,268.00	6,268.01 6,686.00	6,686.01 7,104.00	7,104.01 7,521.00	7,521.01 7,939.00	7,939.01 8,357.00	8,357.01 8,775.00	8,775.01 9,193.00	9,193.01 9,611.00	9,611.01 10,029.00	10,029.01 10,446.00	10,446.01 10,864.00	10,864.01 11,282.00	11,282.01 11,700.00	11,700.01 & OVER
5,900.01 5,950.00	118	5,900.01 6,321.00	6,321.01 6,743.00	6,743.01 7,164.00	7,164.01 7,586.00	7,586.01 8,007.00	8,007.01 8,429.00	8,429.01 8,850.00	8,850.01 9,271.00	9,271.01 9,693.00	9,693.01 10,114.00	10,114.01 10,536.00	10,536.01 10,957.00	10,957.01 11,379.00	11,379.01 11,800.00	11,800.01 & OVER
5,950.01 6,000.00	119	5,950.01 6,375.00	6,375.01 6,800.00	6,800.01 7,225.00	7,225.01 7,650.00	7,650.01 8,075.00	8,075.01 8,500.00	8,500.01 8,925.00	8,925.01 9,350.00	9,350.01 9,775.00	9,775.01 10,200.00	10,200.01 10,625.00	10,625.01 11,050.00	11,050.01 11,475.00	11,475.01 11,900.00	11,900.01 & OVER
6,000.01 6,050.00	120	6,000.01 6,429.00	6,429.01 6,857.00	6,857.01 7,286.00	7,286.01 7,714.00	7,714.01 8,143.00	8,143.01 8,571.00	8,571.01 9,000.00	9,000.01 9,429.00	9,429.01 9,857.00	9,857.01 10,286.00	10,286.01 10,714.00	10,714.01 11,143.00	11,143.01 11,571.00	11,571.01 12,000.00	12,000.01 & OVER
6,050.01 6,100.00	121	6,050.01 6,482.00	6,482.01 6,914.00	6,914.01 7,346.00	7,346.01 7,779.00	7,779.01 8,211.00	8,211.01 8,643.00	8,643.01 9,075.00	9,075.01 9,507.00	9,507.01 9,939.00	9,939.01 10,371.00	10,371.01 10,804.00	10,804.01 11,236.00	11,236.01 11,668.00	11,668.01 12,100.00	12,100.01 & OVER
6,100.01 6,150.00	122	6,100.01 6,536.00	6,536.01 6,971.00	6,971.01 7,407.00	7,407.01 7,843.00	7,843.01 8,279.00	8,279.01 8,714.00	8,714.01 9,150.00	9,150.01 9,586.00	9,586.01 10,021.00	10,021.01 10,457.00	10,457.01 10,893.00	10,893.01 11,329.00	11,329.01 11,764.00	11,764.01 12,200.00	12,200.01 & OVER
6,150.01 6,200.00	123	6,150.01 6,589.00	6,589.01 7,029.00	7,029.01 7,468.00	7,468.01 7,907.00	7,907.01 8,346.00	8,346.01 8,786.00	8,786.01 9,225.00	9,225.01 9,664.00	9,664.01 10,104.00	10,104.01 10,543.00	10,543.01 10,982.00	10,982.01 11,421.00	11,421.01 11,861.00	11,861.01 12,300.00	12,300.01 & OVER
6,200.01 6,250.00	124	6,200.01 6,643.00	6,643.01 7,086.00	7,086.01 7,529.00	7,529.01 7,971.00	7,971.01 8,414.00	8,414.01 8,857.00	8,857.01 9,300.00	9,300.01 9,743.00	9,743.01 10,186.00	10,186.01 10,629.00	10,629.01 11,071.00	11,071.01 11,514.00	11,514.01 11,957.00	11,957.01 12,400.00	12,400.01 & OVER
6,250.01 6,300.00	125	6,250.01 6,696.00	6,696.01 7,143.00	7,143.01 7,589.00	7,589.01 8,036.00	8,036.01 8,482.00	8,482.01 8,929.00	8,929.01 9,375.00	9,375.01 9,821.00	9,821.01 10,268.00	10,268.01 10,714.00	10,714.01 11,161.00	11,161.01 11,607.00	11,607.01 12,054.00	12,054.01 12,500.00	12,500.01 & OVER
6,300.01 6,350.00	126	6,300.01 6,750.00	6,750.01 7,200.00	7,200.01 7,650.00	7,650.01 8,100.00	8,100.01 8,550.00	8,550.01 9,000.00	9,000.01 9,450.00	9,450.01 9,900.00	9,900.01 10,350.00	10,350.01 10,800.00	10,800.01 11,250.00	11,250.01 11,700.00	11,700.01 12,150.00	12,150.01 12,600.00	12,600.01 & OVER
6,350.01 6,400.00	127	6,350.01 6,804.00	6,804.01 7,257.00	7,257.01 7,711.00	7,711.01 8,164.00	8,164.01 8,618.00	8,618.01 9,071.00	9,071.01 9,525.00	9,525.01 9,979.00	9,979.01 10,432.00	10,432.01 10,886.00	10,886.01 11,339.00	11,339.01 11,793.00	11,793.01 12,246.00	12,246.01 12,700.00	12,700.01 & OVER
6,400.01 6,450.00	128	6,400.01 6,857.00	6,857.01 7,314.00	7,314.01 7,771.00	7,771.01 8,229.00	8,229.01 8,686.00	8,686.01 9,143.00	9,143.01 9,600.00	9,600.01 10,057.00	10,057.01 10,514.00	10,514.01 10,971.00	10,971.01 11,429.00	11,429.01 11,886.00	11,886.01 12,343.00	12,343.01 12,800.00	12,800.01 & OVER
6,450.01 6,500.00	129	6,450.01 6,911.00	6,911.01 7,371.00	7,371.01 7,832.00	7,832.01 8,293.00	8,293.01 8,754.00	8,754.01 9,214.00	9,214.01 9,675.00	9,675.01 10,136.00	10,136.01 10,596.00	10,596.01 11,057.00	11,057.01 11,518.00	11,518.01 11,979.00	11,979.01 12,439.00	12,439.01 12,900.00	12,900.01 & OVER
6,500.01 6,550.00	130	6,500.01 6,964.00	6,964.01 7,429.00	7,429.01 7,893.00	7,893.01 8,357.00	8,357.01 8,821.00	8,821.01 9,286.00	9,286.01 9,750.00	9,750.01 10,214.00	10,214.01 10,679.00	10,679.01 11,143.00	11,143.01 11,607.00	11,607.01 12,071.00	12,071.01 12,536.00	12,536.01 13,000.00	13,000.01 & OVER
6,550.01 6,600.00	131	6,550.01 7,018.00	7,018.01 7,486.00	7,486.01 7,954.00	7,954.01 8,421.00	8,421.01 8,889.00	8,889.01 9,357.00	9,357.01 9,825.00	9,825.01 10,293.00	10,293.01 10,761.00	10,761.01 11,229.00	11,229.01 11,696.00	11,696.01 12,164.00	12,164.01 12,632.00	12,632.01 13,100.00	13,100.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
6,600.01 6,650.00	132	6,600.01 7,071.00	7,071.01 7,543.00	7,543.01 8,014.00	8,014.01 8,486.00	8,486.01 8,957.00	8,957.01 9,429.00	9,429.01 9,900.00	9,900.01 10,371.00	10,371.01 10,843.00	10,843.01 11,314.00	11,314.01 11,786.00	11,786.01 12,257.00	12,257.01 12,729.00	12,729.01 13,200.00	13,200.01 & OVER
6,650.01 6,700.00	133	6,650.01 7,125.00	7,125.01 7,600.00	7,600.01 8,075.00	8,075.01 8,550.00	8,550.01 9,025.00	9,025.01 9,500.00	9,500.01 9,975.00	9,975.01 10,450.00	10,450.01 10,925.00	10,925.01 11,400.00	11,400.01 11,875.00	11,875.01 12,350.00	12,350.01 12,825.00	12,825.01 13,300.00	13,300.01 & OVER
6,700.01 6,750.00	134	6,700.01 7,179.00	7,179.01 7,657.00	7,657.01 8,136.00	8,136.01 8,614.00	8,614.01 9,093.00	9,093.01 9,571.00	9,571.01 10,050.00	10,050.01 10,529.00	10,529.01 11,007.00	11,007.01 11,486.00	11,486.01 11,964.00	11,964.01 12,443.00	12,443.01 12,921.00	12,921.01 13,400.00	13,400.01 & OVER
6,750.01 6,800.00	135	6,750.01 7,232.00	7,232.01 7,714.00	7,714.01 8,196.00	8,196.01 8,679.00	8,679.01 9,161.00	9,161.01 9,643.00	9,643.01 10,125.00	10,125.01 10,607.00	10,607.01 11,089.00	11,089.01 11,571.00	11,571.01 12,054.00	12,054.01 12,536.00	12,536.01 13,018.00	13,018.01 13,500.00	13,500.01 & OVER
6,800.01 6,850.00	136	6,800.01 7,286.00	7,286.01 7,771.00	7,771.01 8,257.00	8,257.01 8,743.00	8,743.01 9,229.00	9,229.01 9,714.00	9,714.01 10,200.00	10,200.01 10,686.00	10,686.01 11,171.00	11,171.01 11,657.00	11,657.01 12,143.00	12,143.01 12,629.00	12,629.01 13,114.00	13,114.01 13,600.00	13,600.01 & OVER
6,850.01 6,900.00	137	6,850.01 7,339.00	7,339.01 7,829.00	7,829.01 8,318.00	8,318.01 8,807.00	8,807.01 9,296.00	9,296.01 9,786.00	9,786.01 10,275.00	10,275.01 10,764.00	10,764.01 11,254.00	11,254.01 11,743.00	11,743.01 12,232.00	12,232.01 12,721.00	12,721.01 13,211.00	13,211.01 13,700.00	13,700.01 & OVER
6,900.01 6,950.00	138	6,900.01 7,393.00	7,393.01 7,886.00	7,886.01 8,379.00	8,379.01 8,871.00	8,871.01 9,364.00	9,364.01 9,857.00	9,857.01 10,350.00	10,350.01 10,843.00	10,843.01 11,336.00	11,336.01 11,829.00	11,829.01 12,321.00	12,321.01 12,814.00	12,814.01 13,307.00	13,307.01 13,800.00	13,800.01 & OVER
6,950.01 7,000.00	139	6,950.01 7,446.00	7,446.01 7,943.00	7,943.01 8,439.00	8,439.01 8,936.00	8,936.01 9,432.00	9,432.01 9,929.00	9,929.01 10,425.00	10,425.01 10,921.00	10,921.01 11,418.00	11,418.01 11,914.00	11,914.01 12,411.00	12,411.01 12,907.00	12,907.01 13,404.00	13,404.01 13,900.00	13,900.01 & OVER
7,000.01 7,050.00	140	7,000.01 7,500.00	7,500.01 8,000.00	8,000.01 8,500.00	8,500.01 9,000.00	9,000.01 9,500.00	9,500.01 10,000.00	10,000.01 10,500.00	10,500.01 11,000.00	11,000.01 11,500.00	11,500.01 12,000.00	12,000.01 12,500.00	12,500.01 13,000.00	13,000.01 13,500.00	13,500.01 14,000.00	14,000.01 & OVER
7,050.01 7,100.00	141	7,050.01 7,554.00	7,554.01 8,057.00	8,057.01 8,561.00	8,561.01 9,064.00	9,064.01 9,568.00	9,568.01 10,071.00	10,071.01 10,575.00	10,575.01 11,079.00	11,079.01 11,582.00	11,582.01 12,086.00	12,086.01 12,589.00	12,589.01 13,093.00	13,093.01 13,596.00	13,596.01 14,100.00	14,100.01 & OVER
7,100.01 7,150.00	142	7,100.01 7,607.00	7,607.01 8,114.00	8,114.01 8,621.00	8,621.01 9,129.00	9,129.01 9,636.00	9,636.01 10,143.00	10,143.01 10,650.00	10,650.01 11,157.00	11,157.01 11,664.00	11,664.01 12,171.00	12,171.01 12,679.00	12,679.01 13,186.00	13,186.01 13,693.00	13,693.01 14,200.00	14,200.01 & OVER
7,150.01 7,200.00	143	7,150.01 7,661.00	7,661.01 8,171.00	8,171.01 8,682.00	8,682.01 9,193.00	9,193.01 9,704.00	9,704.01 10,214.00	10,214.01 10,725.00	10,725.01 11,236.00	11,236.01 11,746.00	11,746.01 12,257.00	12,257.01 12,768.00	12,768.01 13,279.00	13,279.01 13,789.00	13,789.01 14,300.00	14,300.01 & OVER
7,200.01 7,250.00	144	7,200.01 7,714.00	7,714.01 8,229.00	8,229.01 8,743.00	8,743.01 9,257.00	9,257.01 9,771.00	9,771.01 10,286.00	10,286.01 10,800.00	10,800.01 11,314.00	11,314.01 11,829.00	11,829.01 12,343.00	12,343.01 12,857.00	12,857.01 13,371.00	13,371.01 13,886.00	13,886.01 14,400.00	14,400.01 & OVER
7,250.01 7,300.00	145	7,250.01 7,768.00	7,768.01 8,286.00	8,286.01 8,804.00	8,804.01 9,321.00	9,321.01 9,839.00	9,839.01 10,357.00	10,357.01 10,875.00	10,875.01 11,393.00	11,393.01 11,911.00	11,911.01 12,429.00	12,429.01 12,946.00	12,946.01 13,464.00	13,464.01 13,982.00	13,982.01 14,500.00	14,500.01 & OVER
7,300.01 7,350.00	146	7,300.01 7,821.00	7,821.01 8,343.00	8,343.01 8,864.00	8,864.01 9,386.00	9,386.01 9,907.00	9,907.01 10,429.00	10,429.01 10,950.00	10,950.01 11,471.00	11,471.01 11,993.00	11,993.01 12,514.00	12,514.01 13,036.00	13,036.01 13,557.00	13,557.01 14,079.00	14,079.01 14,600.00	14,600.01 & OVER
7,350.01 7,400.00	147	7,350.01 7,875.00	7,875.01 8,400.00	8,400.01 8,925.00	8,925.01 9,450.00	9,450.01 9,975.00	9,975.01 10,500.00	10,500.01 11,025.00	11,025.01 11,550.00	11,550.01 12,075.00	12,075.01 12,600.00	12,600.01 13,125.00	13,125.01 13,650.00	13,650.01 14,175.00	14,175.01 14,700.00	14,700.01 & OVER
7,400.01 7,450.00	148	7,400.01 7,929.00	7,929.01 8,457.00	8,457.01 8,986.00	8,986.01 9,514.00	9,514.01 10,043.00	10,043.01 10,571.00	10,571.01 11,100.00	11,100.01 11,629.00	11,629.01 12,157.00	12,157.01 12,686.00	12,686.01 13,214.00	13,214.01 13,743.00	13,743.01 14,271.00	14,271.01 14,800.00	14,800.01 & OVER
7,450.01 7,500.00	149	7,450.01 7,982.00	7,982.01 8,514.00	8,514.01 9,046.00	9,046.01 9,579.00	9,579.01 10,111.00	10,111.01 10,643.00	10,643.01 11,175.00	11,175.01 11,707.00	11,707.01 12,239.00	12,239.01 12,771.00	12,771.01 13,304.00	13,304.01 13,836.00	13,836.01 14,368.00	14,368.01 14,900.00	14,900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
7,500.01 7,550.00	150	7,500.01 8,036.00	8,036.01 8,571.00	8,571.01 9,107.00	9,107.01 9,643.00	9,643.01 10,179.00	10,179.01 10,714.00	10,714.01 11,250.00	11,250.01 11,786.00	11,786.01 12,321.00	12,321.01 12,857.00	12,857.01 13,393.00	13,393.01 13,929.00	13,929.01 14,464.00	14,464.01 15,000.00	15,000.01 & OVER
7,550.01 7,600.00	151	7,550.01 8,089.00	8,089.01 8,629.00	8,629.01 9,168.00	9,168.01 9,707.00	9,707.01 10,246.00	10,246.01 10,786.00	10,786.01 11,325.00	11,325.01 11,864.00	11,864.01 12,404.00	12,404.01 12,943.00	12,943.01 13,482.00	13,482.01 14,021.00	14,021.01 14,561.00	14,561.01 15,100.00	15,100.01 & OVER
7,600.01 7,650.00	152	7,600.01 8,143.00	8,143.01 8,686.00	8,686.01 9,229.00	9,229.01 9,771.00	9,771.01 10,314.00	10,314.01 10,857.00	10,857.01 11,400.00	11,400.01 11,943.00	11,943.01 12,486.00	12,486.01 13,029.00	13,029.01 13,571.00	13,571.01 14,114.00	14,114.01 14,657.00	14,657.01 15,200.00	15,200.01 & OVER
7,650.01 7,700.00	153	7,650.01 8,196.00	8,196.01 8,743.00	8,743.01 9,289.00	9,289.01 9,836.00	9,836.01 10,382.00	10,382.01 10,929.00	10,929.01 11,475.00	11,475.01 12,021.00	12,021.01 12,568.00	12,568.01 13,114.00	13,114.01 13,661.00	13,661.01 14,207.00	14,207.01 14,754.00	14,754.01 15,300.00	15,300.01 & OVER
7,700.01 7,750.00	154	7,700.01 8,250.00	8,250.01 8,800.00	8,800.01 9,350.00	9,350.01 9,900.00	9,900.01 10,450.00	10,450.01 11,000.00	11,000.01 11,550.00	11,550.01 12,100.00	12,100.01 12,650.00	12,650.01 13,200.00	13,200.01 13,750.00	13,750.01 14,300.00	14,300.01 14,850.00	14,850.01 15,400.00	15,400.01 & OVER
7,750.01 7,800.00	155	7,750.01 8,304.00	8,304.01 8,857.00	8,857.01 9,411.00	9,411.01 9,964.00	9,964.01 10,518.00	10,518.01 11,071.00	11,071.01 11,625.00	11,625.01 12,179.00	12,179.01 12,732.00	12,732.01 13,286.00	13,286.01 13,839.00	13,839.01 14,393.00	14,393.01 14,946.00	14,946.01 15,500.00	15,500.01 & OVER
7,800.01 7,850.00	156	7,800.01 8,357.00	8,357.01 8,914.00	8,914.01 9,471.00	9,471.01 10,029.00	10,029.01 10,586.00	10,586.01 11,143.00	11,143.01 11,700.00	11,700.01 12,257.00	12,257.01 12,814.00	12,814.01 13,371.00	13,371.01 13,929.00	13,929.01 14,486.00	14,486.01 15,043.00	15,043.01 15,600.00	15,600.01 & OVER
7,850.01 7,900.00	157	7,850.01 8,411.00	8,411.01 8,971.00	8,971.01 9,532.00	9,532.01 10,093.00	10,093.01 10,654.00	10,654.01 11,214.00	11,214.01 11,775.00	11,775.01 12,336.00	12,336.01 12,896.00	12,896.01 13,457.00	13,457.01 14,018.00	14,018.01 14,579.00	14,579.01 15,139.00	15,139.01 15,700.00	15,700.01 & OVER
7,900.01 7,950.00	158	7,900.01 8,464.00	8,464.01 9,029.00	9,029.01 9,593.00	9,593.01 10,157.00	10,157.01 10,721.00	10,721.01 11,286.00	11,286.01 11,850.00	11,850.01 12,414.00	12,414.01 12,979.00	12,979.01 13,543.00	13,543.01 14,107.00	14,107.01 14,671.00	14,671.01 15,236.00	15,236.01 15,800.00	15,800.01 & OVER
7,950.01 8,000.00	159	7,950.01 8,518.00	8,518.01 9,086.00	9,086.01 9,654.00	9,654.01 10,221.00	10,221.01 10,789.00	10,789.01 11,357.00	11,357.01 11,925.00	11,925.01 12,493.00	12,493.01 13,061.00	13,061.01 13,629.00	13,629.01 14,196.00	14,196.01 14,764.00	14,764.01 15,332.00	15,332.01 15,900.00	15,900.01 & OVER
8,000.01 8,050.00	160	8,000.01 8,571.00	8,571.01 9,143.00	9,143.01 9,714.00	9,714.01 10,286.00	10,286.01 10,857.00	10,857.01 11,429.00	11,429.01 12,000.00	12,000.01 12,571.00	12,571.01 13,143.00	13,143.01 13,714.00	13,714.01 14,286.00	14,286.01 14,857.00	14,857.01 15,429.00	15,429.01 16,000.00	16,000.01 & OVER
8,050.01 8,100.00	161	8,050.01 8,625.00	8,625.01 9,200.00	9,200.01 9,775.00	9,775.01 10,350.00	10,350.01 10,925.00	10,925.01 11,500.00	11,500.01 12,075.00	12,075.01 12,650.00	12,650.01 13,225.00	13,225.01 13,800.00	13,800.01 14,375.00	14,375.01 14,950.00	14,950.01 15,525.00	15,525.01 16,100.00	16,100.01 & OVER
8,100.01 8,150.00	162	8,100.01 8,679.00	8,679.01 9,257.00	9,257.01 9,836.00	9,836.01 10,414.00	10,414.01 10,993.00	10,993.01 11,571.00	11,571.01 12,150.00	12,150.01 12,729.00	12,729.01 13,307.00	13,307.01 13,886.00	13,886.01 14,464.00	14,464.01 15,043.00	15,043.01 15,621.00	15,621.01 16,200.00	16,200.01 & OVER
8,150.01 8,200.00	163	8,150.01 8,732.00	8,732.01 9,314.00	9,314.01 9,896.00	9,896.01 10,479.00	10,479.01 11,061.00	11,061.01 11,643.00	11,643.01 12,225.00	12,225.01 12,807.00	12,807.01 13,389.00	13,389.01 13,971.00	13,971.01 14,554.00	14,554.01 15,136.00	15,136.01 15,718.00	15,718.01 16,300.00	16,300.01 & OVER
8,200.01 8,250.00	164	8,200.01 8,786.00	8,786.01 9,371.00	9,371.01 9,957.00	9,957.01 10,543.00	10,543.01 11,129.00	11,129.01 11,714.00	11,714.01 12,300.00	12,300.01 12,886.00	12,886.01 13,471.00	13,471.01 14,057.00	14,057.01 14,643.00	14,643.01 15,229.00	15,229.01 15,814.00	15,814.01 16,400.00	16,400.01 & OVER
8,250.01 8,300.00	165	8,250.01 8,839.00	8,839.01 9,429.00	9,429.01 10,018.00	10,018.01 10,607.00	10,607.01 11,196.00	11,196.01 11,786.00	11,786.01 12,375.00	12,375.01 12,964.00	12,964.01 13,554.00	13,554.01 14,143.00	14,143.01 14,732.00	14,732.01 15,321.00	15,321.01 15,911.00	15,911.01 16,500.00	16,500.01 & OVER
8,300.01 8,350.00	166	8,300.01 8,893.00	8,893.01 9,486.00	9,486.01 10,079.00	10,079.01 10,671.00	10,671.01 11,264.00	11,264.01 11,857.00	11,857.01 12,450.00	12,450.01 13,043.00	13,043.01 13,636.00	13,636.01 14,229.00	14,229.01 14,821.00	14,821.01 15,414.00	15,414.01 16,007.00	16,007.01 16,600.00	16,600.01 & OVER
8,350.01 8,400.00	167	8,350.01 8,946.00	8,946.01 9,543.00	9,543.01 10,139.00	10,139.01 10,736.00	10,736.01 11,332.00	11,332.01 11,929.00	11,929.01 12,525.00	12,525.01 13,121.00	13,121.01 13,718.00	13,718.01 14,314.00	14,314.01 14,911.00	14,911.01 15,507.00	15,507.01 16,104.00	16,104.01 16,700.00	16,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
8,400.01 8,450.00	168	8,400.01 9,000.00	9,000.01 9,600.00	9,600.01 10,200.00	10,200.01 10,800.00	10,800.01 11,400.00	11,400.01 12,000.00	12,000.01 12,600.00	12,600.01 13,200.00	13,200.01 13,800.00	13,800.01 14,400.00	14,400.01 15,000.00	15,000.01 15,600.00	15,600.01 16,200.00	16,200.01 16,800.00	16,800.01 & OVER
8,450.01 8,500.00	169	8,450.01 9,054.00	9,054.01 9,657.00	9,657.01 10,261.00	10,261.01 10,864.00	10,864.01 11,468.00	11,468.01 12,071.00	12,071.01 12,675.00	12,675.01 13,279.00	13,279.01 13,882.00	13,882.01 14,486.00	14,486.01 15,089.00	15,089.01 15,693.00	15,693.01 16,296.00	16,296.01 16,900.00	16,900.01 & OVER
8,500.01 8,550.00	170	8,500.01 9,107.00	9,107.01 9,714.00	9,714.01 10,321.00	10,321.01 10,929.00	10,929.01 11,536.00	11,536.01 12,143.00	12,143.01 12,750.00	12,750.01 13,357.00	13,357.01 13,964.00	13,964.01 14,571.00	14,571.01 15,179.00	15,179.01 15,786.00	15,786.01 16,393.00	16,393.01 17,000.00	17,000.01 & OVER
8,550.01 8,600.00	171	8,550.01 9,161.00	9,161.01 9,771.00	9,771.01 10,382.00	10,382.01 10,993.00	10,993.01 11,604.00	11,604.01 12,214.00	12,214.01 12,825.00	12,825.01 13,436.00	13,436.01 14,046.00	14,046.01 14,657.00	14,657.01 15,268.00	15,268.01 15,879.00	15,879.01 16,489.00	16,489.01 17,100.00	17,100.01 & OVER
8,600.01 8,650.00	172	8,600.01 9,214.00	9,214.01 9,829.00	9,829.01 10,443.00	10,443.01 11,057.00	11,057.01 11,671.00	11,671.01 12,286.00	12,286.01 12,900.00	12,900.01 13,514.00	13,514.01 14,129.00	14,129.01 14,743.00	14,743.01 15,357.00	15,357.01 15,971.00	15,971.01 16,586.00	16,586.01 17,200.00	17,200.01 & OVER
8,650.01 8,700.00	173	8,650.01 9,268.00	9,268.01 9,886.00	9,886.01 10,504.00	10,504.01 11,121.00	11,121.01 11,739.00	11,739.01 12,357.00	12,357.01 12,975.00	12,975.01 13,593.00	13,593.01 14,211.00	14,211.01 14,829.00	14,829.01 15,446.00	15,446.01 16,064.00	16,064.01 16,682.00	16,682.01 17,300.00	17,300.01 & OVER
8,700.01 8,750.00	174	8,700.01 9,321.00	9,321.01 9,943.00	9,943.01 10,564.00	10,564.01 11,186.00	11,186.01 11,807.00	11,807.01 12,429.00	12,429.01 13,050.00	13,050.01 13,671.00	13,671.01 14,293.00	14,293.01 14,914.00	14,914.01 15,536.00	15,536.01 16,157.00	16,157.01 16,779.00	16,779.01 17,400.00	17,400.01 & OVER
8,750.01 8,800.00	175	8,750.01 9,375.00	9,375.01 10,000.00	10,000.01 10,625.00	10,625.01 11,250.00	11,250.01 11,875.00	11,875.01 12,500.00	12,500.01 13,125.00	13,125.01 13,750.00	13,750.01 14,375.00	14,375.01 15,000.00	15,000.01 15,625.00	15,625.01 16,250.00	16,250.01 16,875.00	16,875.01 17,500.00	17,500.01 & OVER
8,800.01 8,850.00	176	8,800.01 9,429.00	9,429.01 10,057.00	10,057.01 10,686.00	10,686.01 11,314.00	11,314.01 11,943.00	11,943.01 12,571.00	12,571.01 13,200.00	13,200.01 13,829.00	13,829.01 14,457.00	14,457.01 15,086.00	15,086.01 15,714.00	15,714.01 16,343.00	16,343.01 16,971.00	16,971.01 17,600.00	17,600.01 & OVER
8,850.01 8,900.00	177	8,850.01 9,482.00	9,482.01 10,114.00	10,114.01 10,746.00	10,746.01 11,379.00	11,379.01 12,011.00	12,011.01 12,643.00	12,643.01 13,275.00	13,275.01 13,907.00	13,907.01 14,539.00	14,539.01 15,171.00	15,171.01 15,804.00	15,804.01 16,436.00	16,436.01 17,068.00	17,068.01 17,700.00	17,700.01 & OVER
8,900.01 8,950.00	178	8,900.01 9,536.00	9,536.01 10,171.00	10,171.01 10,807.00	10,807.01 11,443.00	11,443.01 12,079.00	12,079.01 12,714.00	12,714.01 13,350.00	13,350.01 13,986.00	13,986.01 14,621.00	14,621.01 15,257.00	15,257.01 15,893.00	15,893.01 16,529.00	16,529.01 17,164.00	17,164.01 17,800.00	17,800.01 & OVER
8,950.01 9,000.00	179	8,950.01 9,589.00	9,589.01 10,229.00	10,229.01 10,868.00	10,868.01 11,507.00	11,507.01 12,146.00	12,146.01 12,786.00	12,786.01 13,425.00	13,425.01 14,064.00	14,064.01 14,704.00	14,704.01 15,343.00	15,343.01 15,982.00	15,982.01 16,621.00	16,621.01 17,261.00	17,261.01 17,900.00	17,900.01 & OVER
9,000.01 9,050.00	180	9,000.01 9,643.00	9,643.01 10,286.00	10,286.01 10,929.00	10,929.01 11,571.00	11,571.01 12,214.00	12,214.01 12,857.00	12,857.01 13,500.00	13,500.01 14,143.00	14,143.01 14,786.00	14,786.01 15,429.00	15,429.01 16,071.00	16,071.01 16,714.00	16,714.01 17,357.00	17,357.01 18,000.00	18,000.01 & OVER
9,050.01 9,100.00	181	9,050.01 9,696.00	9,696.01 10,343.00	10,343.01 10,989.00	10,989.01 11,636.00	11,636.01 12,282.00	12,282.01 12,929.00	12,929.01 13,575.00	13,575.01 14,221.00	14,221.01 14,868.00	14,868.01 15,514.00	15,514.01 16,161.00	16,161.01 16,807.00	16,807.01 17,454.00	17,454.01 18,100.00	18,100.01 & OVER
9,100.01 9,150.00	182	9,100.01 9,750.00	9,750.01 10,400.00	10,400.01 11,050.00	11,050.01 11,700.00	11,700.01 12,350.00	12,350.01 13,000.00	13,000.01 13,650.00	13,650.01 14,300.00	14,300.01 14,950.00	14,950.01 15,600.00	15,600.01 16,250.00	16,250.01 16,900.00	16,900.01 17,550.00	17,550.01 18,200.00	18,200.01 & OVER
9,150.01 9,200.00	183	9,150.01 9,804.00	9,804.01 10,457.00	10,457.01 11,111.00	11,111.01 11,764.00	11,764.01 12,418.00	12,418.01 13,071.00	13,071.01 13,725.00	13,725.01 14,379.00	14,379.01 15,032.00	15,032.01 15,686.00	15,686.01 16,339.00	16,339.01 16,993.00	16,993.01 17,646.00	17,646.01 18,300.00	18,300.01 & OVER
9,200.01 9,250.00	184	9,200.01 9,857.00	9,857.01 10,514.00	10,514.01 11,171.00	11,171.01 11,829.00	11,829.01 12,486.00	12,486.01 13,143.00	13,143.01 13,800.00	13,800.01 14,457.00	14,457.01 15,114.00	15,114.01 15,771.00	15,771.01 16,429.00	16,429.01 17,086.00	17,086.01 17,743.00	17,743.01 18,400.00	18,400.01 & OVER
9,250.01 9,300.00	185	9,250.01 9,911.00	9,911.01 10,571.00	10,571.01 11,232.00	11,232.01 11,893.00	11,893.01 12,554.00	12,554.01 13,214.00	13,214.01 13,875.00	13,875.01 14,536.00	14,536.01 15,196.00	15,196.01 15,857.00	15,857.01 16,518.00	16,518.01 17,179.00	17,179.01 17,839.00	17,839.01 18,500.00	18,500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
9,300.01 9,350.00	186	9,300.01 9,964.00	9,964.01 10,629.00	10,629.01 11,293.00	11,293.01 11,957.00	11,957.01 12,621.00	12,621.01 13,286.00	13,286.01 13,950.00	13,950.01 14,614.00	14,614.01 15,279.00	15,279.01 15,943.00	15,943.01 16,607.00	16,607.01 17,271.00	17,271.01 17,936.00	17,936.01 18,600.00	18,600.01 & OVER
9,350.01 9,400.00	187	9,350.01 10,018.00	10,018.01 10,686.00	10,686.01 11,354.00	11,354.01 12,021.00	12,021.01 12,689.00	12,689.01 13,357.00	13,357.01 14,025.00	14,025.01 14,693.00	14,693.01 15,361.00	15,361.01 16,029.00	16,029.01 16,696.00	16,696.01 17,364.00	17,364.01 18,032.00	18,032.01 18,700.00	18,700.01 & OVER
9,400.01 9,450.00	188	9,400.01 10,071.00	10,071.01 10,743.00	10,743.01 11,414.00	11,414.01 12,086.00	12,086.01 12,757.00	12,757.01 13,429.00	13,429.01 14,100.00	14,100.01 14,771.00	14,771.01 15,443.00	15,443.01 16,114.00	16,114.01 16,786.00	16,786.01 17,457.00	17,457.01 18,129.00	18,129.01 18,800.00	18,800.01 & OVER
9,450.01 9,500.00	189	9,450.01 10,125.00	10,125.01 10,800.00	10,800.01 11,475.00	11,475.01 12,150.00	12,150.01 12,825.00	12,825.01 13,500.00	13,500.01 14,175.00	14,175.01 14,850.00	14,850.01 15,525.00	15,525.01 16,200.00	16,200.01 16,875.00	16,875.01 17,550.00	17,550.01 18,225.00	18,225.01 18,900.00	18,900.01 & OVER
9,500.01 9,550.00	190	9,500.01 10,179.00	10,179.01 10,857.00	10,857.01 11,536.00	11,536.01 12,214.00	12,214.01 12,893.00	12,893.01 13,571.00	13,571.01 14,250.00	14,250.01 14,929.00	14,929.01 15,607.00	15,607.01 16,286.00	16,286.01 16,964.00	16,964.01 17,643.00	17,643.01 18,321.00	18,321.01 19,000.00	19,000.01 & OVER
9,550.01 9,600.00	191	9,550.01 10,232.00	10,232.01 10,914.00	10,914.01 11,596.00	11,596.01 12,279.00	12,279.01 12,961.00	12,961.01 13,643.00	13,643.01 14,325.00	14,325.01 15,007.00	15,007.01 15,689.00	15,689.01 16,371.00	16,371.01 17,054.00	17,054.01 17,736.00	17,736.01 18,418.00	18,418.01 19,100.00	19,100.01 & OVER
9,600.01 9,650.00	192	9,600.01 10,286.00	10,286.01 10,971.00	10,971.01 11,657.00	11,657.01 12,343.00	12,343.01 13,029.00	13,029.01 13,714.00	13,714.01 14,400.00	14,400.01 15,086.00	15,086.01 15,771.00	15,771.01 16,457.00	16,457.01 17,143.00	17,143.01 17,829.00	17,829.01 18,514.00	18,514.01 19,200.00	19,200.01 & OVER
9,650.01 9,700.00	193	9,650.01 10,339.00	10,339.01 11,029.00	11,029.01 11,718.00	11,718.01 12,407.00	12,407.01 13,096.00	13,096.01 13,786.00	13,786.01 14,475.00	14,475.01 15,164.00	15,164.01 15,854.00	15,854.01 16,543.00	16,543.01 17,232.00	17,232.01 17,921.00	17,921.01 18,611.00	18,611.01 19,300.00	19,300.01 & OVER
9,700.01 9,750.00	194	9,700.01 10,393.00	10,393.01 11,086.00	11,086.01 11,779.00	11,779.01 12,471.00	12,471.01 13,164.00	13,164.01 13,857.00	13,857.01 14,550.00	14,550.01 15,243.00	15,243.01 15,936.00	15,936.01 16,629.00	16,629.01 17,321.00	17,321.01 18,014.00	18,014.01 18,707.00	18,707.01 19,400.00	19,400.01 & OVER
9,750.01 9,800.00	195	9,750.01 10,446.00	10,446.01 11,143.00	11,143.01 11,839.00	11,839.01 12,536.00	12,536.01 13,232.00	13,232.01 13,929.00	13,929.01 14,625.00	14,625.01 15,321.00	15,321.01 16,018.00	16,018.01 16,714.00	16,714.01 17,411.00	17,411.01 18,107.00	18,107.01 18,804.00	18,804.01 19,500.00	19,500.01 & OVER
9,800.01 9,850.00	196	9,800.01 10,500.00	10,500.01 11,200.00	11,200.01 11,900.00	11,900.01 12,600.00	12,600.01 13,300.00	13,300.01 14,000.00	14,000.01 14,700.00	14,700.01 15,400.00	15,400.01 16,100.00	16,100.01 16,800.00	16,800.01 17,500.00	17,500.01 18,200.00	18,200.01 18,900.00	18,900.01 19,600.00	19,600.01 & OVER
9,850.01 9,900.00	197	9,850.01 10,554.00	10,554.01 11,257.00	11,257.01 11,961.00	11,961.01 12,664.00	12,664.01 13,368.00	13,368.01 14,071.00	14,071.01 14,775.00	14,775.01 15,479.00	15,479.01 16,182.00	16,182.01 16,886.00	16,886.01 17,589.00	17,589.01 18,293.00	18,293.01 18,996.00	18,996.01 19,700.00	19,700.01 & OVER
9,900.01 9,950.00	198	9,900.01 10,607.00	10,607.01 11,314.00	11,314.01 12,021.00	12,021.01 12,729.00	12,729.01 13,436.00	13,436.01 14,143.00	14,143.01 14,850.00	14,850.01 15,557.00	15,557.01 16,264.00	16,264.01 16,971.00	16,971.01 17,679.00	17,679.01 18,386.00	18,386.01 19,093.00	19,093.01 19,800.00	19,800.01 & OVER
9,950.01 10,000.00	199	9,950.01 10,661.00	10,661.01 11,371.00	11,371.01 12,082.00	12,082.01 12,793.00	12,793.01 13,504.00	13,504.01 14,214.00	14,214.01 14,925.00	14,925.01 15,636.00	15,636.01 16,346.00	16,346.01 17,057.00	17,057.01 17,768.00	17,768.01 18,479.00	18,479.01 19,189.00	19,189.01 19,900.00	19,900.01 & OVER
10,000.01 10,050.00	200	10,000.01 10,714.00	10,714.01 11,429.00	11,429.01 12,143.00	12,143.01 12,857.00	12,857.01 13,571.00	13,571.01 14,286.00	14,286.01 15,000.00	15,000.01 15,714.00	15,714.01 16,429.00	16,429.01 17,143.00	17,143.01 17,857.00	17,857.01 18,571.00	18,571.01 19,286.00	19,286.01 20,000.00	20,000.01 & OVER
10,050.01 10,100.00	201	10,050.01 10,768.00	10,768.01 11,486.00	11,486.01 12,204.00	12,204.01 12,921.00	12,921.01 13,639.00	13,639.01 14,357.00	14,357.01 15,075.00	15,075.01 15,793.00	15,793.01 16,511.00	16,511.01 17,229.00	17,229.01 17,946.00	17,946.01 18,664.00	18,664.01 19,382.00	19,382.01 20,100.00	20,100.01 & OVER
10,100.01 10,150.00	202	10,100.01 10,821.00	10,821.01 11,543.00	11,543.01 12,264.00	12,264.01 12,986.00	12,986.01 13,707.00	13,707.01 14,429.00	14,429.01 15,150.00	15,150.01 15,871.00	15,871.01 16,593.00	16,593.01 17,314.00	17,314.01 18,036.00	18,036.01 18,757.00	18,757.01 19,479.00	19,479.01 20,200.00	20,200.01 & OVER
10,150.01 10,200.00	203	10,150.01 10,875.00	10,875.01 11,600.00	11,600.01 12,325.00	12,325.01 13,050.00	13,050.01 13,775.00	13,775.01 14,500.00	14,500.01 15,225.00	15,225.01 15,950.00	15,950.01 16,675.00	16,675.01 17,400.00	17,400.01 18,125.00	18,125.01 18,850.00	18,850.01 19,575.00	19,575.01 20,300.00	20,300.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
10,200.01 10,250.00	204	10,200.01 10,929.00	10,929.01 11,657.00	11,657.01 12,386.00	12,386.01 13,114.00	13,114.01 13,843.00	13,843.01 14,571.00	14,571.01 15,300.00	15,300.01 16,029.00	16,029.01 16,757.00	16,757.01 17,486.00	17,486.01 18,214.00	18,214.01 18,943.00	18,943.01 19,671.00	19,671.01 20,400.00	20,400.01 & OVER
10,250.01 10,300.00	205	10,250.01 10,982.00	10,982.01 11,714.00	11,714.01 12,446.00	12,446.01 13,179.00	13,179.01 13,911.00	13,911.01 14,643.00	14,643.01 15,375.00	15,375.01 16,107.00	16,107.01 16,839.00	16,839.01 17,571.00	17,571.01 18,304.00	18,304.01 19,036.00	19,036.01 19,768.00	19,768.01 20,500.00	20,500.01 & OVER
10,300.01 10,350.00	206	10,300.01 11,036.00	11,036.01 11,771.00	11,771.01 12,507.00	12,507.01 13,243.00	13,243.01 13,979.00	13,979.01 14,714.00	14,714.01 15,450.00	15,450.01 16,186.00	16,186.01 16,921.00	16,921.01 17,657.00	17,657.01 18,393.00	18,393.01 19,129.00	19,129.01 19,864.00	19,864.01 20,600.00	20,600.01 & OVER
10,350.01 10,400.00	207	10,350.01 11,089.00	11,089.01 11,829.00	11,829.01 12,568.00	12,568.01 13,307.00	13,307.01 14,046.00	14,046.01 14,786.00	14,786.01 15,525.00	15,525.01 16,264.00	16,264.01 17,004.00	17,004.01 17,743.00	17,743.01 18,482.00	18,482.01 19,221.00	19,221.01 19,961.00	19,961.01 20,700.00	20,700.01 & OVER
10,400.01 10,450.00	208	10,400.01 11,143.00	11,143.01 11,886.00	11,886.01 12,629.00	12,629.01 13,371.00	13,371.01 14,114.00	14,114.01 14,857.00	14,857.01 15,600.00	15,600.01 16,343.00	16,343.01 17,086.00	17,086.01 17,829.00	17,829.01 18,571.00	18,571.01 19,314.00	19,314.01 20,057.00	20,057.01 20,800.00	20,800.01 & OVER
10,450.01 10,500.00	209	10,450.01 11,196.00	11,196.01 11,943.00	11,943.01 12,689.00	12,689.01 13,436.00	13,436.01 14,182.00	14,182.01 14,929.00	14,929.01 15,675.00	15,675.01 16,421.00	16,421.01 17,168.00	17,168.01 17,914.00	17,914.01 18,661.00	18,661.01 19,407.00	19,407.01 20,154.00	20,154.01 20,900.00	20,900.01 & OVER
10,500.01 10,550.00	210	10,500.01 11,250.00	11,250.01 12,000.00	12,000.01 12,750.00	12,750.01 13,500.00	13,500.01 14,250.00	14,250.01 15,000.00	15,000.01 15,750.00	15,750.01 16,500.00	16,500.01 17,250.00	17,250.01 18,000.00	18,000.01 18,750.00	18,750.01 19,500.00	19,500.01 20,250.00	20,250.01 21,000.00	21,000.01 & OVER
10,550.01 10,600.00	211	10,550.01 11,304.00	11,304.01 12,057.00	12,057.01 12,811.00	12,811.01 13,564.00	13,564.01 14,318.00	14,318.01 15,071.00	15,071.01 15,825.00	15,825.01 16,579.00	16,579.01 17,332.00	17,332.01 18,086.00	18,086.01 18,839.00	18,839.01 19,593.00	19,593.01 20,346.00	20,346.01 21,100.00	21,100.01 & OVER
10,600.01 10,650.00	212	10,600.01 11,357.00	11,357.01 12,114.00	12,114.01 12,871.00	12,871.01 13,629.00	13,629.01 14,386.00	14,386.01 15,143.00	15,143.01 15,900.00	15,900.01 16,657.00	16,657.01 17,414.00	17,414.01 18,171.00	18,171.01 18,929.00	18,929.01 19,686.00	19,686.01 20,443.00	20,443.01 21,200.00	21,200.01 & OVER
10,650.01 10,700.00	213	10,650.01 11,411.00	11,411.01 12,171.00	12,171.01 12,932.00	12,932.01 13,693.00	13,693.01 14,454.00	14,454.01 15,214.00	15,214.01 15,975.00	15,975.01 16,736.00	16,736.01 17,496.00	17,496.01 18,257.00	18,257.01 19,018.00	19,018.01 19,779.00	19,779.01 20,539.00	20,539.01 21,300.00	21,300.01 & OVER
10,700.01 10,750.00	214	10,700.01 11,464.00	11,464.01 12,229.00	12,229.01 12,993.00	12,993.01 13,757.00	13,757.01 14,521.00	14,521.01 15,286.00	15,286.01 16,050.00	16,050.01 16,814.00	16,814.01 17,579.00	17,579.01 18,343.00	18,343.01 19,107.00	19,107.01 19,871.00	19,871.01 20,636.00	20,636.01 21,400.00	21,400.01 & OVER
10,750.01 10,800.00	215	10,750.01 11,518.00	11,518.01 12,286.00	12,286.01 13,054.00	13,054.01 13,821.00	13,821.01 14,589.00	14,589.01 15,357.00	15,357.01 16,125.00	16,125.01 16,893.00	16,893.01 17,661.00	17,661.01 18,429.00	18,429.01 19,196.00	19,196.01 19,964.00	19,964.01 20,732.00	20,732.01 21,500.00	21,500.01 & OVER
10,800.01 10,850.00	216	10,800.01 11,571.00	11,571.01 12,343.00	12,343.01 13,114.00	13,114.01 13,886.00	13,886.01 14,657.00	14,657.01 15,429.00	15,429.01 16,200.00	16,200.01 16,971.00	16,971.01 17,743.00	17,743.01 18,514.00	18,514.01 19,286.00	19,286.01 20,057.00	20,057.01 20,829.00	20,829.01 21,600.00	21,600.01 & OVER
10,850.01 10,900.00	217	10,850.01 11,625.00	11,625.01 12,400.00	12,400.01 13,175.00	13,175.01 13,950.00	13,950.01 14,725.00	14,725.01 15,500.00	15,500.01 16,275.00	16,275.01 17,050.00	17,050.01 17,825.00	17,825.01 18,600.00	18,600.01 19,375.00	19,375.01 20,150.00	20,150.01 20,925.00	20,925.01 21,700.00	21,700.01 & OVER
10,900.01 10,950.00	218	10,900.01 11,679.00	11,679.01 12,457.00	12,457.01 13,236.00	13,236.01 14,014.00	14,014.01 14,793.00	14,793.01 15,571.00	15,571.01 16,350.00	16,350.01 17,129.00	17,129.01 17,907.00	17,907.01 18,686.00	18,686.01 19,464.00	19,464.01 20,243.00	20,243.01 21,021.00	21,021.01 21,800.00	21,800.01 & OVER
10,950.01 11,000.00	219	10,950.01 11,732.00	11,732.01 12,514.00	12,514.01 13,296.00	13,296.01 14,079.00	14,079.01 14,861.00	14,861.01 15,643.00	15,643.01 16,425.00	16,425.01 17,207.00	17,207.01 17,989.00	17,989.01 18,771.00	18,771.01 19,554.00	19,554.01 20,336.00	20,336.01 21,118.00	21,118.01 21,900.00	21,900.01 & OVER
11,000.01 11,050.00	220	11,000.01 11,786.00	11,786.01 12,571.00	12,571.01 13,357.00	13,357.01 14,143.00	14,143.01 14,929.00	14,929.01 15,714.00	15,714.01 16,500.00	16,500.01 17,286.00	17,286.01 18,071.00	18,071.01 18,857.00	18,857.01 19,643.00	19,643.01 20,429.00	20,429.01 21,214.00	21,214.01 22,000.00	22,000.01 & OVER
11,050.01 11,100.00	221	11,050.01 11,839.00	11,839.01 12,629.00	12,629.01 13,418.00	13,418.01 14,207.00	14,207.01 14,996.00	14,996.01 15,786.00	15,786.01 16,575.00	16,575.01 17,364.00	17,364.01 18,154.00	18,154.01 18,943.00	18,943.01 19,732.00	19,732.01 20,521.00	20,521.01 21,311.00	21,311.01 22,100.00	22,100.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
11,100.01 11,150.00	222	11,100.01 11,893.00	11,893.01 12,686.00	12,686.01 13,479.00	13,479.01 14,271.00	14,271.01 15,064.00	15,064.01 15,857.00	15,857.01 16,650.00	16,650.01 17,443.00	17,443.01 18,236.00	18,236.01 19,029.00	19,029.01 19,821.00	19,821.01 20,614.00	20,614.01 21,407.00	21,407.01 22,200.00	22,200.01 & OVER
11,150.01 11,200.00	223	11,150.01 11,946.00	11,946.01 12,743.00	12,743.01 13,539.00	13,539.01 14,336.00	14,336.01 15,132.00	15,132.01 15,929.00	15,929.01 16,725.00	16,725.01 17,521.00	17,521.01 18,318.00	18,318.01 19,114.00	19,114.01 19,911.00	19,911.01 20,707.00	20,707.01 21,504.00	21,504.01 22,300.00	22,300.01 & OVER
11,200.01 11,250.00	224	11,200.01 12,000.00	12,000.01 12,800.00	12,800.01 13,600.00	13,600.01 14,400.00	14,400.01 15,200.00	15,200.01 16,000.00	16,000.01 16,800.00	16,800.01 17,600.00	17,600.01 18,400.00	18,400.01 19,200.00	19,200.01 20,000.00	20,000.01 20,800.00	20,800.01 21,600.00	21,600.01 22,400.00	22,400.01 & OVER
11,250.01 11,300.00	225	11,250.01 12,054.00	12,054.01 12,857.00	12,857.01 13,661.00	13,661.01 14,464.00	14,464.01 15,268.00	15,268.01 16,071.00	16,071.01 16,875.00	16,875.01 17,679.00	17,679.01 18,482.00	18,482.01 19,286.00	19,286.01 20,089.00	20,089.01 20,893.00	20,893.01 21,696.00	21,696.01 22,500.00	22,500.01 & OVER
11,300.01 11,350.00	226	11,300.01 12,107.00	12,107.01 12,914.00	12,914.01 13,721.00	13,721.01 14,529.00	14,529.01 15,336.00	15,336.01 16,143.00	16,143.01 16,950.00	16,950.01 17,757.00	17,757.01 18,564.00	18,564.01 19,371.00	19,371.01 20,179.00	20,179.01 20,986.00	20,986.01 21,793.00	21,793.01 22,600.00	22,600.01 & OVER
11,350.01 11,400.00	227	11,350.01 12,161.00	12,161.01 12,971.00	12,971.01 13,782.00	13,782.01 14,593.00	14,593.01 15,404.00	15,404.01 16,214.00	16,214.01 17,025.00	17,025.01 17,836.00	17,836.01 18,646.00	18,646.01 19,457.00	19,457.01 20,268.00	20,268.01 21,079.00	21,079.01 21,889.00	21,889.01 22,700.00	22,700.01 & OVER
11,400.01 11,450.00	228	11,400.01 12,214.00	12,214.01 13,029.00	13,029.01 13,843.00	13,843.01 14,657.00	14,657.01 15,471.00	15,471.01 16,286.00	16,286.01 17,100.00	17,100.01 17,914.00	17,914.01 18,729.00	18,729.01 19,543.00	19,543.01 20,357.00	20,357.01 21,171.00	21,171.01 21,986.00	21,986.01 22,800.00	22,800.01 & OVER
11,450.01 11,500.00	229	11,450.01 12,268.00	12,268.01 13,086.00	13,086.01 13,904.00	13,904.01 14,721.00	14,721.01 15,539.00	15,539.01 16,357.00	16,357.01 17,175.00	17,175.01 17,993.00	17,993.01 18,811.00	18,811.01 19,629.00	19,629.01 20,446.00	20,446.01 21,264.00	21,264.01 22,082.00	22,082.01 22,900.00	22,900.01 & OVER
11,500.01 11,550.00	230	11,500.01 12,321.00	12,321.01 13,143.00	13,143.01 13,964.00	13,964.01 14,786.00	14,786.01 15,607.00	15,607.01 16,429.00	16,429.01 17,250.00	17,250.01 18,071.00	18,071.01 18,893.00	18,893.01 19,714.00	19,714.01 20,536.00	20,536.01 21,357.00	21,357.01 22,179.00	22,179.01 23,000.00	23,000.01 & OVER
11,550.01 11,600.00	231	11,550.01 12,375.00	12,375.01 13,200.00	13,200.01 14,025.00	14,025.01 14,850.00	14,850.01 15,675.00	15,675.01 16,500.00	16,500.01 17,325.00	17,325.01 18,150.00	18,150.01 18,975.00	18,975.01 19,800.00	19,800.01 20,625.00	20,625.01 21,450.00	21,450.01 22,275.00	22,275.01 23,100.00	23,100.01 & OVER
11,600.01 11,650.00	232	11,600.01 12,429.00	12,429.01 13,257.00	13,257.01 14,086.00	14,086.01 14,914.00	14,914.01 15,743.00	15,743.01 16,571.00	16,571.01 17,400.00	17,400.01 18,229.00	18,229.01 19,057.00	19,057.01 19,886.00	19,886.01 20,714.00	20,714.01 21,543.00	21,543.01 22,371.00	22,371.01 23,200.00	23,200.01 & OVER
11,650.01 11,700.00	233	11,650.01 12,482.00	12,482.01 13,314.00	13,314.01 14,146.00	14,146.01 14,979.00	14,979.01 15,811.00	15,811.01 16,643.00	16,643.01 17,475.00	17,475.01 18,307.00	18,307.01 19,139.00	19,139.01 19,971.00	19,971.01 20,804.00	20,804.01 21,636.00	21,636.01 22,468.00	22,468.01 23,300.00	23,300.01 & OVER
11,700.01 11,750.00	234	11,700.01 12,536.00	12,536.01 13,371.00	13,371.01 14,207.00	14,207.01 15,043.00	15,043.01 15,879.00	15,879.01 16,714.00	16,714.01 17,550.00	17,550.01 18,386.00	18,386.01 19,221.00	19,221.01 20,057.00	20,057.01 20,893.00	20,893.01 21,729.00	21,729.01 22,564.00	22,564.01 23,400.00	23,400.01 & OVER
11,750.01 11,800.00	235	11,750.01 12,589.00	12,589.01 13,429.00	13,429.01 14,268.00	14,268.01 15,107.00	15,107.01 15,946.00	15,946.01 16,786.00	16,786.01 17,625.00	17,625.01 18,464.00	18,464.01 19,304.00	19,304.01 20,143.00	20,143.01 20,982.00	20,982.01 21,821.00	21,821.01 22,661.00	22,661.01 23,500.00	23,500.01 & OVER
11,800.01 11,850.00	236	11,800.01 12,643.00	12,643.01 13,486.00	13,486.01 14,329.00	14,329.01 15,171.00	15,171.01 16,014.00	16,014.01 16,857.00	16,857.01 17,700.00	17,700.01 18,543.00	18,543.01 19,386.00	19,386.01 20,229.00	20,229.01 21,071.00	21,071.01 21,914.00	21,914.01 22,757.00	22,757.01 23,600.00	23,600.01 & OVER
11,850.01 11,900.00	237	11,850.01 12,696.00	12,696.01 13,543.00	13,543.01 14,389.00	14,389.01 15,236.00	15,236.01 16,082.00	16,082.01 16,929.00	16,929.01 17,775.00	17,775.01 18,621.00	18,621.01 19,468.00	19,468.01 20,314.00	20,314.01 21,161.00	21,161.01 22,007.00	22,007.01 22,854.00	22,854.01 23,700.00	23,700.01 & OVER
11,900.01 11,950.00	238	11,900.01 12,750.00	12,750.01 13,600.00	13,600.01 14,450.00	14,450.01 15,300.00	15,300.01 16,150.00	16,150.01 17,000.00	17,000.01 17,850.00	17,850.01 18,700.00	18,700.01 19,550.00	19,550.01 20,400.00	20,400.01 21,250.00	21,250.01 22,100.00	22,100.01 22,950.00	22,950.01 23,800.00	23,800.01 & OVER
11,950.01 12,000.00	239	11,950.01 12,804.00	12,804.01 13,657.00	13,657.01 14,511.00	14,511.01 15,364.00	15,364.01 16,218.00	16,218.01 17,071.00	17,071.01 17,925.00	17,925.01 18,779.00	18,779.01 19,632.00	19,632.01 20,486.00	20,486.01 21,339.00	21,339.01 22,193.00	22,193.01 23,046.00	23,046.01 23,900.00	23,900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
12,000.01 12,050.00	240	12,000.01 12,857.00	12,857.01 13,714.00	13,714.01 14,571.00	14,571.01 15,429.00	15,429.01 16,286.00	16,286.01 17,143.00	17,143.01 18,000.00	18,000.01 18,857.00	18,857.01 19,714.00	19,714.01 20,571.00	20,571.01 21,429.00	21,429.01 22,286.00	22,286.01 23,143.00	23,143.01 24,000.00	24,000.01 & OVER
12,050.01 12,100.00	241	12,050.01 12,911.00	12,911.01 13,771.00	13,771.01 14,632.00	14,632.01 15,493.00	15,493.01 16,354.00	16,354.01 17,214.00	17,214.01 18,075.00	18,075.01 18,936.00	18,936.01 19,796.00	19,796.01 20,657.00	20,657.01 21,518.00	21,518.01 22,379.00	22,379.01 23,239.00	23,239.01 24,100.00	24,100.01 & OVER
12,100.01 12,150.00	242	12,100.01 12,964.00	12,964.01 13,829.00	13,829.01 14,693.00	14,693.01 15,557.00	15,557.01 16,421.00	16,421.01 17,286.00	17,286.01 18,150.00	18,150.01 19,014.00	19,014.01 19,879.00	19,879.01 20,743.00	20,743.01 21,607.00	21,607.01 22,471.00	22,471.01 23,336.00	23,336.01 24,200.00	24,200.01 & OVER
12,150.01 12,200.00	243	12,150.01 13,018.00	13,018.01 13,886.00	13,886.01 14,754.00	14,754.01 15,621.00	15,621.01 16,489.00	16,489.01 17,357.00	17,357.01 18,225.00	18,225.01 19,093.00	19,093.01 19,961.00	19,961.01 20,829.00	20,829.01 21,696.00	21,696.01 22,564.00	22,564.01 23,432.00	23,432.01 24,300.00	24,300.01 & OVER
12,200.01 12,250.00	244	12,200.01 13,071.00	13,071.01 13,943.00	13,943.01 14,814.00	14,814.01 15,686.00	15,686.01 16,557.00	16,557.01 17,429.00	17,429.01 18,300.00	18,300.01 19,171.00	19,171.01 20,043.00	20,043.01 20,914.00	20,914.01 21,786.00	21,786.01 22,657.00	22,657.01 23,529.00	23,529.01 24,400.00	24,400.01 & OVER
12,250.01 12,300.00	245	12,250.01 13,125.00	13,125.01 14,000.00	14,000.01 14,875.00	14,875.01 15,750.00	15,750.01 16,625.00	16,625.01 17,500.00	17,500.01 18,375.00	18,375.01 19,250.00	19,250.01 20,125.00	20,125.01 21,000.00	21,000.01 21,875.00	21,875.01 22,750.00	22,750.01 23,625.00	23,625.01 24,500.00	24,500.01 & OVER
12,300.01 12,350.00	246	12,300.01 13,179.00	13,179.01 14,057.00	14,057.01 14,936.00	14,936.01 15,814.00	15,814.01 16,693.00	16,693.01 17,571.00	17,571.01 18,450.00	18,450.01 19,329.00	19,329.01 20,207.00	20,207.01 21,086.00	21,086.01 21,964.00	21,964.01 22,843.00	22,843.01 23,721.00	23,721.01 24,600.00	24,600.01 & OVER
12,350.01 12,400.00	247	12,350.01 13,232.00	13,232.01 14,114.00	14,114.01 14,996.00	14,996.01 15,879.00	15,879.01 16,761.00	16,761.01 17,643.00	17,643.01 18,525.00	18,525.01 19,407.00	19,407.01 20,289.00	20,289.01 21,171.00	21,171.01 22,054.00	22,054.01 22,936.00	22,936.01 23,818.00	23,818.01 24,700.00	24,700.01 & OVER
12,400.01 12,450.00	248	12,400.01 13,286.00	13,286.01 14,171.00	14,171.01 15,057.00	15,057.01 15,943.00	15,943.01 16,829.00	16,829.01 17,714.00	17,714.01 18,600.00	18,600.01 19,486.00	19,486.01 20,371.00	20,371.01 21,257.00	21,257.01 22,143.00	22,143.01 23,029.00	23,029.01 23,914.00	23,914.01 24,800.00	24,800.01 & OVER
12,450.01 12,500.00	249	12,450.01 13,339.00	13,339.01 14,229.00	14,229.01 15,118.00	15,118.01 16,007.00	16,007.01 16,896.00	16,896.01 17,786.00	17,786.01 18,675.00	18,675.01 19,564.00	19,564.01 20,454.00	20,454.01 21,343.00	21,343.01 22,232.00	22,232.01 23,121.00	23,121.01 24,011.00	24,011.01 24,900.00	24,900.01 & OVER
12,500.01 12,550.00	250	12,500.01 13,393.00	13,393.01 14,286.00	14,286.01 15,179.00	15,179.01 16,071.00	16,071.01 16,964.00	16,964.01 17,857.00	17,857.01 18,750.00	18,750.01 19,643.00	19,643.01 20,536.00	20,536.01 21,429.00	21,429.01 22,321.00	22,321.01 23,214.00	23,214.01 24,107.00	24,107.01 25,000.00	25,000.01 & OVER
12,550.01 12,600.00	251	12,550.01 13,446.00	13,446.01 14,343.00	14,343.01 15,239.00	15,239.01 16,136.00	16,136.01 17,032.00	17,032.01 17,929.00	17,929.01 18,825.00	18,825.01 19,721.00	19,721.01 20,618.00	20,618.01 21,514.00	21,514.01 22,411.00	22,411.01 23,307.00	23,307.01 24,204.00	24,204.01 25,100.00	25,100.01 & OVER
12,600.01 12,650.00	252	12,600.01 13,500.00	13,500.01 14,400.00	14,400.01 15,300.00	15,300.01 16,200.00	16,200.01 17,100.00	17,100.01 18,000.00	18,000.01 18,900.00	18,900.01 19,800.00	19,800.01 20,700.00	20,700.01 21,600.00	21,600.01 22,500.00	22,500.01 23,400.00	23,400.01 24,300.00	24,300.01 25,200.00	25,200.01 & OVER
12,650.01 12,700.00	253	12,650.01 13,554.00	13,554.01 14,457.00	14,457.01 15,361.00	15,361.01 16,264.00	16,264.01 17,168.00	17,168.01 18,071.00	18,071.01 18,975.00	18,975.01 19,879.00	19,879.01 20,782.00	20,782.01 21,686.00	21,686.01 22,589.00	22,589.01 23,493.00	23,493.01 24,396.00	24,396.01 25,300.00	25,300.01 & OVER
12,700.01 12,750.00	254	12,700.01 13,607.00	13,607.01 14,514.00	14,514.01 15,421.00	15,421.01 16,329.00	16,329.01 17,236.00	17,236.01 18,143.00	18,143.01 19,050.00	19,050.01 19,957.00	19,957.01 20,864.00	20,864.01 21,771.00	21,771.01 22,679.00	22,679.01 23,586.00	23,586.01 24,493.00	24,493.01 25,400.00	25,400.01 & OVER
12,750.01 12,800.00	255	12,750.01 13,661.00	13,661.01 14,571.00	14,571.01 15,482.00	15,482.01 16,393.00	16,393.01 17,304.00	17,304.01 18,214.00	18,214.01 19,125.00	19,125.01 20,036.00	20,036.01 20,946.00	20,946.01 21,857.00	21,857.01 22,768.00	22,768.01 23,679.00	23,679.01 24,589.00	24,589.01 25,500.00	25,500.01 & OVER
12,800.01 12,850.00	256	12,800.01 13,714.00	13,714.01 14,629.00	14,629.01 15,543.00	15,543.01 16,457.00	16,457.01 17,371.00	17,371.01 18,286.00	18,286.01 19,200.00	19,200.01 20,114.00	20,114.01 21,029.00	21,029.01 21,943.00	21,943.01 22,857.00	22,857.01 23,771.00	23,771.01 24,686.00	24,686.01 25,600.00	25,600.01 & OVER
12,850.01 12,900.00	257	12,850.01 13,768.00	13,768.01 14,686.00	14,686.01 15,604.00	15,604.01 16,521.00	16,521.01 17,439.00	17,439.01 18,357.00	18,357.01 19,275.00	19,275.01 20,193.00	20,193.01 21,111.00	21,111.01 22,029.00	22,029.01 22,946.00	22,946.01 23,864.00	23,864.01 24,782.00	24,782.01 25,700.00	25,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
12,900.01 12,950.00	258	12,900.01 13,821.00	13,821.01 14,743.00	14,743.01 15,664.00	15,664.01 16,586.00	16,586.01 17,507.00	17,507.01 18,429.00	18,429.01 19,350.00	19,350.01 20,271.00	20,271.01 21,193.00	21,193.01 22,114.00	22,114.01 23,036.00	23,036.01 23,957.00	23,957.01 24,879.00	24,879.01 25,800.00	25,800.01 & OVER
12,950.01 13,000.00	259	12,950.01 13,875.00	13,875.01 14,800.00	14,800.01 15,725.00	15,725.01 16,650.00	16,650.01 17,575.00	17,575.01 18,500.00	18,500.01 19,425.00	19,425.01 20,350.00	20,350.01 21,275.00	21,275.01 22,200.00	22,200.01 23,125.00	23,125.01 24,050.00	24,050.01 24,975.00	24,975.01 25,900.00	25,900.01 & OVER
13,000.01 13,050.00	260	13,000.01 13,929.00	13,929.01 14,857.00	14,857.01 15,786.00	15,786.01 16,714.00	16,714.01 17,643.00	17,643.01 18,571.00	18,571.01 19,500.00	19,500.01 20,429.00	20,429.01 21,357.00	21,357.01 22,286.00	22,286.01 23,214.00	23,214.01 24,143.00	24,143.01 25,071.00	25,071.01 26,000.00	26,000.01 & OVER
13,050.01 13,100.00	261	13,050.01 13,982.00	13,982.01 14,914.00	14,914.01 15,846.00	15,846.01 16,779.00	16,779.01 17,711.00	17,711.01 18,643.00	18,643.01 19,575.00	19,575.01 20,507.00	20,507.01 21,439.00	21,439.01 22,371.00	22,371.01 23,304.00	23,304.01 24,236.00	24,236.01 25,168.00	25,168.01 26,100.00	26,100.01 & OVER
13,100.01 13,150.00	262	13,100.01 14,036.00	14,036.01 14,971.00	14,971.01 15,907.00	15,907.01 16,843.00	16,843.01 17,779.00	17,779.01 18,714.00	18,714.01 19,650.00	19,650.01 20,586.00	20,586.01 21,521.00	21,521.01 22,457.00	22,457.01 23,393.00	23,393.01 24,329.00	24,329.01 25,264.00	25,264.01 26,200.00	26,200.01 & OVER
13,150.01 13,200.00	263	13,150.01 14,089.00	14,089.01 15,029.00	15,029.01 15,968.00	15,968.01 16,907.00	16,907.01 17,846.00	17,846.01 18,786.00	18,786.01 19,725.00	19,725.01 20,664.00	20,664.01 21,604.00	21,604.01 22,543.00	22,543.01 23,482.00	23,482.01 24,421.00	24,421.01 25,361.00	25,361.01 26,300.00	26,300.01 & OVER
13,200.01 13,250.00	264	13,200.01 14,143.00	14,143.01 15,086.00	15,086.01 16,029.00	16,029.01 16,971.00	16,971.01 17,914.00	17,914.01 18,857.00	18,857.01 19,800.00	19,800.01 20,743.00	20,743.01 21,686.00	21,686.01 22,629.00	22,629.01 23,571.00	23,571.01 24,514.00	24,514.01 25,457.00	25,457.01 26,400.00	26,400.01 & OVER
13,250.01 13,300.00	265	13,250.01 14,196.00	14,196.01 15,143.00	15,143.01 16,089.00	16,089.01 17,036.00	17,036.01 17,982.00	17,982.01 18,929.00	18,929.01 19,875.00	19,875.01 20,821.00	20,821.01 21,768.00	21,768.01 22,714.00	22,714.01 23,661.00	23,661.01 24,607.00	24,607.01 25,554.00	25,554.01 26,500.00	26,500.01 & OVER
13,300.01 13,350.00	266	13,300.01 14,250.00	14,250.01 15,200.00	15,200.01 16,150.00	16,150.01 17,100.00	17,100.01 18,050.00	18,050.01 19,000.00	19,000.01 19,950.00	19,950.01 20,900.00	20,900.01 21,850.00	21,850.01 22,800.00	22,800.01 23,750.00	23,750.01 24,700.00	24,700.01 25,650.00	25,650.01 26,600.00	26,600.01 & OVER
13,350.01 13,400.00	267	13,350.01 14,304.00	14,304.01 15,257.00	15,257.01 16,211.00	16,211.01 17,164.00	17,164.01 18,118.00	18,118.01 19,071.00	19,071.01 20,025.00	20,025.01 20,979.00	20,979.01 21,932.00	21,932.01 22,886.00	22,886.01 23,839.00	23,839.01 24,793.00	24,793.01 25,746.00	25,746.01 26,700.00	26,700.01 & OVER
13,400.01 13,450.00	268	13,400.01 14,357.00	14,357.01 15,314.00	15,314.01 16,271.00	16,271.01 17,229.00	17,229.01 18,186.00	18,186.01 19,143.00	19,143.01 20,100.00	20,100.01 21,057.00	21,057.01 22,014.00	22,014.01 22,971.00	22,971.01 23,929.00	23,929.01 24,886.00	24,886.01 25,843.00	25,843.01 26,800.00	26,800.01 & OVER
13,450.01 13,500.00	269	13,450.01 14,411.00	14,411.01 15,371.00	15,371.01 16,332.00	16,332.01 17,293.00	17,293.01 18,254.00	18,254.01 19,214.00	19,214.01 20,175.00	20,175.01 21,136.00	21,136.01 22,096.00	22,096.01 23,057.00	23,057.01 24,018.00	24,018.01 24,979.00	24,979.01 25,939.00	25,939.01 26,900.00	26,900.01 & OVER
13,500.01 13,550.00	270	13,500.01 14,464.00	14,464.01 15,429.00	15,429.01 16,393.00	16,393.01 17,357.00	17,357.01 18,321.00	18,321.01 19,286.00	19,286.01 20,250.00	20,250.01 21,214.00	21,214.01 22,179.00	22,179.01 23,143.00	23,143.01 24,107.00	24,107.01 25,071.00	25,071.01 26,036.00	26,036.01 27,000.00	27,000.01 & OVER
13,550.01 13,600.00	271	13,550.01 14,518.00	14,518.01 15,486.00	15,486.01 16,454.00	16,454.01 17,421.00	17,421.01 18,389.00	18,389.01 19,357.00	19,357.01 20,325.00	20,325.01 21,293.00	21,293.01 22,261.00	22,261.01 23,229.00	23,229.01 24,196.00	24,196.01 25,164.00	25,164.01 26,132.00	26,132.01 27,100.00	27,100.01 & OVER
13,600.01 13,650.00	272	13,600.01 14,571.00	14,571.01 15,543.00	15,543.01 16,514.00	16,514.01 17,486.00	17,486.01 18,457.00	18,457.01 19,429.00	19,429.01 20,400.00	20,400.01 21,371.00	21,371.01 22,343.00	22,343.01 23,314.00	23,314.01 24,286.00	24,286.01 25,257.00	25,257.01 26,229.00	26,229.01 27,200.00	27,200.01 & OVER
13,650.01 13,700.00	273	13,650.01 14,625.00	14,625.01 15,600.00	15,600.01 16,575.00	16,575.01 17,550.00	17,550.01 18,525.00	18,525.01 19,500.00	19,500.01 20,475.00	20,475.01 21,450.00	21,450.01 22,425.00	22,425.01 23,400.00	23,400.01 24,375.00	24,375.01 25,350.00	25,350.01 26,325.00	26,325.01 27,300.00	27,300.01 & OVER
13,700.01 13,750.00	274	13,700.01 14,679.00	14,679.01 15,657.00	15,657.01 16,636.00	16,636.01 17,614.00	17,614.01 18,593.00	18,593.01 19,571.00	19,571.01 20,550.00	20,550.01 21,529.00	21,529.01 22,507.00	22,507.01 23,486.00	23,486.01 24,464.00	24,464.01 25,443.00	25,443.01 26,421.00	26,421.01 27,400.00	27,400.01 & OVER
13,750.01 13,800.00	275	13,750.01 14,732.00	14,732.01 15,714.00	15,714.01 16,696.00	16,696.01 17,679.00	17,679.01 18,661.00	18,661.01 19,643.00	19,643.01 20,625.00	20,625.01 21,607.00	21,607.01 22,589.00	22,589.01 23,571.00	23,571.01 24,554.00	24,554.01 25,536.00	25,536.01 26,518.00	26,518.01 27,500.00	27,500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
13,800.01 13,850.00	276	13,800.01 14,786.00	14,786.01 15,771.00	15,771.01 16,757.00	16,757.01 17,743.00	17,743.01 18,729.00	18,729.01 19,714.00	19,714.01 20,700.00	20,700.01 21,686.00	21,686.01 22,671.00	22,671.01 23,657.00	23,657.01 24,643.00	24,643.01 25,629.00	25,629.01 26,614.00	26,614.01 27,600.00	27,600.01 & OVER
13,850.01 13,900.00	277	13,850.01 14,839.00	14,839.01 15,829.00	15,829.01 16,818.00	16,818.01 17,807.00	17,807.01 18,796.00	18,796.01 19,786.00	19,786.01 20,775.00	20,775.01 21,764.00	21,764.01 22,754.00	22,754.01 23,743.00	23,743.01 24,732.00	24,732.01 25,721.00	25,721.01 26,711.00	26,711.01 27,700.00	27,700.01 & OVER
13,900.01 13,950.00	278	13,900.01 14,893.00	14,893.01 15,886.00	15,886.01 16,879.00	16,879.01 17,871.00	17,871.01 18,864.00	18,864.01 19,857.00	19,857.01 20,850.00	20,850.01 21,843.00	21,843.01 22,836.00	22,836.01 23,829.00	23,829.01 24,821.00	24,821.01 25,814.00	25,814.01 26,807.00	26,807.01 27,800.00	27,800.01 & OVER
13,950.01 14,000.00	279	13,950.01 14,946.00	14,946.01 15,943.00	15,943.01 16,939.00	16,939.01 17,936.00	17,936.01 18,932.00	18,932.01 19,929.00	19,929.01 20,925.00	20,925.01 21,921.00	21,921.01 22,918.00	22,918.01 23,914.00	23,914.01 24,911.00	24,911.01 25,907.00	25,907.01 26,904.00	26,904.01 27,900.00	27,900.01 & OVER
14,000.01 14,050.00	280	14,000.01 15,000.00	15,000.01 16,000.00	16,000.01 17,000.00	17,000.01 18,000.00	18,000.01 19,000.00	19,000.01 20,000.00	20,000.01 21,000.00	21,000.01 22,000.00	22,000.01 23,000.00	23,000.01 24,000.00	24,000.01 25,000.00	25,000.01 26,000.00	26,000.01 27,000.00	27,000.01 28,000.00	28,000.01 & OVER
14,050.01 14,100.00	281	14,050.01 15,054.00	15,054.01 16,057.00	16,057.01 17,061.00	17,061.01 18,064.00	18,064.01 19,068.00	19,068.01 20,071.00	20,071.01 21,075.00	21,075.01 22,079.00	22,079.01 23,082.00	23,082.01 24,086.00	24,086.01 25,089.00	25,089.01 26,093.00	26,093.01 27,096.00	27,096.01 28,100.00	28,100.01 & OVER
14,100.01 14,150.00	282	14,100.01 15,107.00	15,107.01 16,114.00	16,114.01 17,121.00	17,121.01 18,129.00	18,129.01 19,136.00	19,136.01 20,143.00	20,143.01 21,150.00	21,150.01 22,157.00	22,157.01 23,164.00	23,164.01 24,171.00	24,171.01 25,179.00	25,179.01 26,186.00	26,186.01 27,193.00	27,193.01 28,200.00	28,200.01 & OVER
14,150.01 14,200.00	283	14,150.01 15,161.00	15,161.01 16,171.00	16,171.01 17,182.00	17,182.01 18,193.00	18,193.01 19,204.00	19,204.01 20,214.00	20,214.01 21,225.00	21,225.01 22,236.00	22,236.01 23,246.00	23,246.01 24,257.00	24,257.01 25,268.00	25,268.01 26,279.00	26,279.01 27,289.00	27,289.01 28,300.00	28,300.01 & OVER
14,200.01 14,250.00	284	14,200.01 15,214.00	15,214.01 16,229.00	16,229.01 17,243.00	17,243.01 18,257.00	18,257.01 19,271.00	19,271.01 20,286.00	20,286.01 21,300.00	21,300.01 22,314.00	22,314.01 23,329.00	23,329.01 24,343.00	24,343.01 25,357.00	25,357.01 26,371.00	26,371.01 27,386.00	27,386.01 28,400.00	28,400.01 & OVER
14,250.01 14,300.00	285	14,250.01 15,268.00	15,268.01 16,286.00	16,286.01 17,304.00	17,304.01 18,321.00	18,321.01 19,339.00	19,339.01 20,357.00	20,357.01 21,375.00	21,375.01 22,393.00	22,393.01 23,411.00	23,411.01 24,429.00	24,429.01 25,446.00	25,446.01 26,464.00	26,464.01 27,482.00	27,482.01 28,500.00	28,500.01 & OVER
14,300.01 14,350.00	286	14,300.01 15,321.00	15,321.01 16,343.00	16,343.01 17,364.00	17,364.01 18,386.00	18,386.01 19,407.00	19,407.01 20,429.00	20,429.01 21,450.00	21,450.01 22,471.00	22,471.01 23,493.00	23,493.01 24,514.00	24,514.01 25,536.00	25,536.01 26,557.00	26,557.01 27,579.00	27,579.01 28,600.00	28,600.01 & OVER
14,350.01 14,400.00	287	14,350.01 15,375.00	15,375.01 16,400.00	16,400.01 17,425.00	17,425.01 18,450.00	18,450.01 19,475.00	19,475.01 20,500.00	20,500.01 21,525.00	21,525.01 22,550.00	22,550.01 23,575.00	23,575.01 24,600.00	24,600.01 25,625.00	25,625.01 26,650.00	26,650.01 27,675.00	27,675.01 28,700.00	28,700.01 & OVER
14,400.01 14,450.00	288	14,400.01 15,429.00	15,429.01 16,457.00	16,457.01 17,486.00	17,486.01 18,514.00	18,514.01 19,543.00	19,543.01 20,571.00	20,571.01 21,600.00	21,600.01 22,629.00	22,629.01 23,657.00	23,657.01 24,686.00	24,686.01 25,714.00	25,714.01 26,743.00	26,743.01 27,771.00	27,771.01 28,800.00	28,800.01 & OVER
14,450.01 14,500.00	289	14,450.01 15,482.00	15,482.01 16,514.00	16,514.01 17,546.00	17,546.01 18,579.00	18,579.01 19,611.00	19,611.01 20,643.00	20,643.01 21,675.00	21,675.01 22,707.00	22,707.01 23,739.00	23,739.01 24,771.00	24,771.01 25,804.00	25,804.01 26,836.00	26,836.01 27,868.00	27,868.01 28,900.00	28,900.01 & OVER
14,500.01 14,550.00	290	14,500.01 15,536.00	15,536.01 16,571.00	16,571.01 17,607.00	17,607.01 18,643.00	18,643.01 19,679.00	19,679.01 20,714.00	20,714.01 21,750.00	21,750.01 22,786.00	22,786.01 23,821.00	23,821.01 24,857.00	24,857.01 25,893.00	25,893.01 26,929.00	26,929.01 27,964.00	27,964.01 29,000.00	29,000.01 & OVER
14,550.01 14,600.00	291	14,550.01 15,589.00	15,589.01 16,629.00	16,629.01 17,668.00	17,668.01 18,707.00	18,707.01 19,746.00	19,746.01 20,786.00	20,786.01 21,825.00	21,825.01 22,864.00	22,864.01 23,904.00	23,904.01 24,943.00	24,943.01 25,982.00	25,982.01 27,021.00	27,021.01 28,061.00	28,061.01 29,100.00	29,100.01 & OVER
14,600.01 14,650.00	292	14,600.01 15,643.00	15,643.01 16,686.00	16,686.01 17,729.00	17,729.01 18,771.00	18,771.01 19,814.00	19,814.01 20,857.00	20,857.01 21,900.00	21,900.01 22,943.00	22,943.01 23,986.00	23,986.01 25,029.00	25,029.01 26,071.00	26,071.01 27,114.00	27,114.01 28,157.00	28,157.01 29,200.00	29,200.01 & OVER
14,650.01 14,700.00	293	14,650.01 15,696.00	15,696.01 16,743.00	16,743.01 17,789.00	17,789.01 18,836.00	18,836.01 19,882.00	19,882.01 20,929.00	20,929.01 21,975.00	21,975.01 23,021.00	23,021.01 24,068.00	24,068.01 25,114.00	25,114.01 26,161.00	26,161.01 27,207.00	27,207.01 28,254.00	28,254.01 29,300.00	29,300.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
14,700.01 14,750.00	294	14,700.01 15,750.00	15,750.01 16,800.00	16,800.01 17,850.00	17,850.01 18,900.00	18,900.01 19,950.00	19,950.01 21,000.00	21,000.01 22,050.00	22,050.01 23,100.00	23,100.01 24,150.00	24,150.01 25,200.00	25,200.01 26,250.00	26,250.01 27,300.00	27,300.01 28,350.00	28,350.01 29,400.00	29,400.01 & OVER
14,750.01 14,800.00	295	14,750.01 15,804.00	15,804.01 16,857.00	16,857.01 17,911.00	17,911.01 18,964.00	18,964.01 20,018.00	20,018.01 21,071.00	21,071.01 22,125.00	22,125.01 23,179.00	23,179.01 24,232.00	24,232.01 25,286.00	25,286.01 26,339.00	26,339.01 27,393.00	27,393.01 28,446.00	28,446.01 29,500.00	29,500.01 & OVER
14,800.01 14,850.00	296	14,800.01 15,857.00	15,857.01 16,914.00	16,914.01 17,971.00	17,971.01 19,029.00	19,029.01 20,086.00	20,086.01 21,143.00	21,143.01 22,200.00	22,200.01 23,257.00	23,257.01 24,314.00	24,314.01 25,371.00	25,371.01 26,429.00	26,429.01 27,486.00	27,486.01 28,543.00	28,543.01 29,600.00	29,600.01 & OVER
14,850.01 14,900.00	297	14,850.01 15,911.00	15,911.01 16,971.00	16,971.01 18,032.00	18,032.01 19,093.00	19,093.01 20,154.00	20,154.01 21,214.00	21,214.01 22,275.00	22,275.01 23,336.00	23,336.01 24,396.00	24,396.01 25,457.00	25,457.01 26,518.00	26,518.01 27,579.00	27,579.01 28,639.00	28,639.01 29,700.00	29,700.01 & OVER
14,900.01 14,950.00	298	14,900.01 15,964.00	15,964.01 17,029.00	17,029.01 18,093.00	18,093.01 19,157.00	19,157.01 20,221.00	20,221.01 21,286.00	21,286.01 22,350.00	22,350.01 23,414.00	23,414.01 24,479.00	24,479.01 25,543.00	25,543.01 26,607.00	26,607.01 27,671.00	27,671.01 28,736.00	28,736.01 29,800.00	29,800.01 & OVER
14,950.01 15,000.00	299	14,950.01 16,018.00	16,018.01 17,086.00	17,086.01 18,154.00	18,154.01 19,221.00	19,221.01 20,289.00	20,289.01 21,357.00	21,357.01 22,425.00	22,425.01 23,493.00	23,493.01 24,561.00	24,561.01 25,629.00	25,629.01 26,696.00	26,696.01 27,764.00	27,764.01 28,832.00	28,832.01 29,900.00	29,900.01 & OVER
15,000.01 15,050.00	300	15,000.01 16,071.00	16,071.01 17,143.00	17,143.01 18,214.00	18,214.01 19,286.00	19,286.01 20,357.00	20,357.01 21,429.00	21,429.01 22,500.00	22,500.01 23,571.00	23,571.01 24,643.00	24,643.01 25,714.00	25,714.01 26,786.00	26,786.01 27,857.00	27,857.01 28,929.00	28,929.01 30,000.00	30,000.01 & OVER
15,050.01 15,100.00	301	15,050.01 16,125.00	16,125.01 17,200.00	17,200.01 18,275.00	18,275.01 19,350.00	19,350.01 20,425.00	20,425.01 21,500.00	21,500.01 22,575.00	22,575.01 23,650.00	23,650.01 24,725.00	24,725.01 25,800.00	25,800.01 26,875.00	26,875.01 27,950.00	27,950.01 29,025.00	29,025.01 30,100.00	30,100.01 & OVER
15,100.01 15,150.00	302	15,100.01 16,179.00	16,179.01 17,257.00	17,257.01 18,336.00	18,336.01 19,414.00	19,414.01 20,493.00	20,493.01 21,571.00	21,571.01 22,650.00	22,650.01 23,729.00	23,729.01 24,807.00	24,807.01 25,886.00	25,886.01 26,964.00	26,964.01 28,043.00	28,043.01 29,121.00	29,121.01 30,200.00	30,200.01 & OVER
15,150.01 15,200.00	303	15,150.01 16,232.00	16,232.01 17,314.00	17,314.01 18,396.00	18,396.01 19,479.00	19,479.01 20,561.00	20,561.01 21,643.00	21,643.01 22,725.00	22,725.01 23,807.00	23,807.01 24,889.00	24,889.01 25,971.00	25,971.01 27,054.00	27,054.01 28,136.00	28,136.01 29,218.00	29,218.01 30,300.00	30,300.01 & OVER
15,200.01 15,250.00	304	15,200.01 16,286.00	16,286.01 17,371.00	17,371.01 18,457.00	18,457.01 19,543.00	19,543.01 20,629.00	20,629.01 21,714.00	21,714.01 22,800.00	22,800.01 23,886.00	23,886.01 24,971.00	24,971.01 26,057.00	26,057.01 27,143.00	27,143.01 28,229.00	28,229.01 29,314.00	29,314.01 30,400.00	30,400.01 & OVER
15,250.01 15,300.00	305	15,250.01 16,339.00	16,339.01 17,429.00	17,429.01 18,518.00	18,518.01 19,607.00	19,607.01 20,696.00	20,696.01 21,786.00	21,786.01 22,875.00	22,875.01 23,964.00	23,964.01 25,054.00	25,054.01 26,143.00	26,143.01 27,232.00	27,232.01 28,321.00	28,321.01 29,411.00	29,411.01 30,500.00	30,500.01 & OVER
15,300.01 15,350.00	306	15,300.01 16,393.00	16,393.01 17,486.00	17,486.01 18,579.00	18,579.01 19,671.00	19,671.01 20,764.00	20,764.01 21,857.00	21,857.01 22,950.00	22,950.01 24,043.00	24,043.01 25,136.00	25,136.01 26,229.00	26,229.01 27,321.00	27,321.01 28,414.00	28,414.01 29,507.00	29,507.01 30,600.00	30,600.01 & OVER
15,350.01 15,400.00	307	15,350.01 16,446.00	16,446.01 17,543.00	17,543.01 18,639.00	18,639.01 19,736.00	19,736.01 20,832.00	20,832.01 21,929.00	21,929.01 23,025.00	23,025.01 24,121.00	24,121.01 25,218.00	25,218.01 26,314.00	26,314.01 27,411.00	27,411.01 28,507.00	28,507.01 29,604.00	29,604.01 30,700.00	30,700.01 & OVER
15,400.01 15,450.00	308	15,400.01 16,500.00	16,500.01 17,600.00	17,600.01 18,700.00	18,700.01 19,800.00	19,800.01 20,900.00	20,900.01 22,000.00	22,000.01 23,100.00	23,100.01 24,200.00	24,200.01 25,300.00	25,300.01 26,400.00	26,400.01 27,500.00	27,500.01 28,600.00	28,600.01 29,700.00	29,700.01 30,800.00	30,800.01 & OVER
15,450.01 15,500.00	309	15,450.01 16,554.00	16,554.01 17,657.00	17,657.01 18,761.00	18,761.01 19,864.00	19,864.01 20,968.00	20,968.01 22,071.00	22,071.01 23,175.00	23,175.01 24,279.00	24,279.01 25,382.00	25,382.01 26,486.00	26,486.01 27,589.00	27,589.01 28,693.00	28,693.01 29,796.00	29,796.01 30,900.00	30,900.01 & OVER
15,500.01 15,550.00	310	15,500.01 16,607.00	16,607.01 17,714.00	17,714.01 18,821.00	18,821.01 19,929.00	19,929.01 21,036.00	21,036.01 22,143.00	22,143.01 23,250.00	23,250.01 24,357.00	24,357.01 25,464.00	25,464.01 26,571.00	26,571.01 27,679.00	27,679.01 28,786.00	28,786.01 29,893.00	29,893.01 31,000.00	31,000.01 & OVER
15,550.01 15,600.00	311	15,550.01 16,661.00	16,661.01 17,771.00	17,771.01 18,882.00	18,882.01 19,993.00	19,993.01 21,104.00	21,104.01 22,214.00	22,214.01 23,325.00	23,325.01 24,436.00	24,436.01 25,546.00	25,546.01 26,657.00	26,657.01 27,768.00	27,768.01 28,879.00	28,879.01 29,989.00	29,989.01 31,100.00	31,100.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
15,600.01 15,650.00	312	15,600.01 16,714.00	16,714.01 17,829.00	17,829.01 18,943.00	18,943.01 20,057.00	20,057.01 21,171.00	21,171.01 22,286.00	22,286.01 23,400.00	23,400.01 24,514.00	24,514.01 25,629.00	25,629.01 26,743.00	26,743.01 27,857.00	27,857.01 28,971.00	28,971.01 30,086.00	30,086.01 31,200.00	31,200.01 & OVER
15,650.01 15,700.00	313	15,650.01 16,768.00	16,768.01 17,886.00	17,886.01 19,004.00	19,004.01 20,121.00	20,121.01 21,239.00	21,239.01 22,357.00	22,357.01 23,475.00	23,475.01 24,593.00	24,593.01 25,711.00	25,711.01 26,829.00	26,829.01 27,946.00	27,946.01 29,064.00	29,064.01 30,182.00	30,182.01 31,300.00	31,300.01 & OVER
15,700.01 15,750.00	314	15,700.01 16,821.00	16,821.01 17,943.00	17,943.01 19,064.00	19,064.01 20,186.00	20,186.01 21,307.00	21,307.01 22,429.00	22,429.01 23,550.00	23,550.01 24,671.00	24,671.01 25,793.00	25,793.01 26,914.00	26,914.01 28,036.00	28,036.01 29,157.00	29,157.01 30,279.00	30,279.01 31,400.00	31,400.01 & OVER
15,750.01 15,800.00	315	15,750.01 16,875.00	16,875.01 18,000.00	18,000.01 19,125.00	19,125.01 20,250.00	20,250.01 21,375.00	21,375.01 22,500.00	22,500.01 23,625.00	23,625.01 24,750.00	24,750.01 25,875.00	25,875.01 27,000.00	27,000.01 28,125.00	28,125.01 29,250.00	29,250.01 30,375.00	30,375.01 31,500.00	31,500.01 & OVER
15,800.01 15,850.00	316	15,800.01 16,929.00	16,929.01 18,057.00	18,057.01 19,186.00	19,186.01 20,314.00	20,314.01 21,443.00	21,443.01 22,571.00	22,571.01 23,700.00	23,700.01 24,829.00	24,829.01 25,957.00	25,957.01 27,086.00	27,086.01 28,214.00	28,214.01 29,343.00	29,343.01 30,471.00	30,471.01 31,600.00	31,600.01 & OVER
15,850.01 15,900.00	317	15,850.01 16,982.00	16,982.01 18,114.00	18,114.01 19,246.00	19,246.01 20,379.00	20,379.01 21,511.00	21,511.01 22,643.00	22,643.01 23,775.00	23,775.01 24,907.00	24,907.01 26,039.00	26,039.01 27,171.00	27,171.01 28,304.00	28,304.01 29,436.00	29,436.01 30,568.00	30,568.01 31,700.00	31,700.01 & OVER
15,900.01 15,950.00	318	15,900.01 17,036.00	17,036.01 18,171.00	18,171.01 19,307.00	19,307.01 20,443.00	20,443.01 21,579.00	21,579.01 22,714.00	22,714.01 23,850.00	23,850.01 24,986.00	24,986.01 26,121.00	26,121.01 27,257.00	27,257.01 28,393.00	28,393.01 29,529.00	29,529.01 30,664.00	30,664.01 31,800.00	31,800.01 & OVER
15,950.01 16,000.00	319	15,950.01 17,089.00	17,089.01 18,229.00	18,229.01 19,368.00	19,368.01 20,507.00	20,507.01 21,646.00	21,646.01 22,786.00	22,786.01 23,925.00	23,925.01 25,064.00	25,064.01 26,204.00	26,204.01 27,343.00	27,343.01 28,482.00	28,482.01 29,621.00	29,621.01 30,761.00	30,761.01 31,900.00	31,900.01 & OVER
16,000.01 16,050.00	320	16,000.01 17,143.00	17,143.01 18,286.00	18,286.01 19,429.00	19,429.01 20,571.00	20,571.01 21,714.00	21,714.01 22,857.00	22,857.01 24,000.00	24,000.01 25,143.00	25,143.01 26,286.00	26,286.01 27,429.00	27,429.01 28,571.00	28,571.01 29,714.00	29,714.01 30,857.00	30,857.01 32,000.00	32,000.01 & OVER
16,050.01 16,100.00	321	16,050.01 17,196.00	17,196.01 18,343.00	18,343.01 19,489.00	19,489.01 20,636.00	20,636.01 21,782.00	21,782.01 22,929.00	22,929.01 24,075.00	24,075.01 25,221.00	25,221.01 26,368.00	26,368.01 27,514.00	27,514.01 28,661.00	28,661.01 29,807.00	29,807.01 30,954.00	30,954.01 32,100.00	32,100.01 & OVER
16,100.01 16,150.00	322	16,100.01 17,250.00	17,250.01 18,400.00	18,400.01 19,550.00	19,550.01 20,700.00	20,700.01 21,850.00	21,850.01 23,000.00	23,000.01 24,150.00	24,150.01 25,300.00	25,300.01 26,450.00	26,450.01 27,600.00	27,600.01 28,750.00	28,750.01 29,900.00	29,900.01 31,050.00	31,050.01 32,200.00	32,200.01 & OVER
16,150.01 16,200.00	323	16,150.01 17,304.00	17,304.01 18,457.00	18,457.01 19,611.00	19,611.01 20,764.00	20,764.01 21,918.00	21,918.01 23,071.00	23,071.01 24,225.00	24,225.01 25,379.00	25,379.01 26,532.00	26,532.01 27,686.00	27,686.01 28,839.00	28,839.01 29,993.00	29,993.01 31,146.00	31,146.01 32,300.00	32,300.01 & OVER
16,200.01 16,250.00	324	16,200.01 17,357.00	17,357.01 18,514.00	18,514.01 19,671.00	19,671.01 20,829.00	20,829.01 21,986.00	21,986.01 23,143.00	23,143.01 24,300.00	24,300.01 25,457.00	25,457.01 26,614.00	26,614.01 27,771.00	27,771.01 28,929.00	28,929.01 30,086.00	30,086.01 31,243.00	31,243.01 32,400.00	32,400.01 & OVER
16,250.01 16,300.00	325	16,250.01 17,411.00	17,411.01 18,571.00	18,571.01 19,732.00	19,732.01 20,893.00	20,893.01 22,054.00	22,054.01 23,214.00	23,214.01 24,375.00	24,375.01 25,536.00	25,536.01 26,696.00	26,696.01 27,857.00	27,857.01 29,018.00	29,018.01 30,179.00	30,179.01 31,339.00	31,339.01 32,500.00	32,500.01 & OVER
16,300.01 16,350.00	326	16,300.01 17,464.00	17,464.01 18,629.00	18,629.01 19,793.00	19,793.01 20,957.00	20,957.01 22,121.00	22,121.01 23,286.00	23,286.01 24,450.00	24,450.01 25,614.00	25,614.01 26,779.00	26,779.01 27,943.00	27,943.01 29,107.00	29,107.01 30,271.00	30,271.01 31,436.00	31,436.01 32,600.00	32,600.01 & OVER
16,350.01 16,400.00	327	16,350.01 17,518.00	17,518.01 18,686.00	18,686.01 19,854.00	19,854.01 21,021.00	21,021.01 22,189.00	22,189.01 23,357.00	23,357.01 24,525.00	24,525.01 25,693.00	25,693.01 26,861.00	26,861.01 28,029.00	28,029.01 29,196.00	29,196.01 30,364.00	30,364.01 31,532.00	31,532.01 32,700.00	32,700.01 & OVER
16,400.01 16,450.00	328	16,400.01 17,571.00	17,571.01 18,743.00	18,743.01 19,914.00	19,914.01 21,086.00	21,086.01 22,257.00	22,257.01 23,429.00	23,429.01 24,600.00	24,600.01 25,771.00	25,771.01 26,943.00	26,943.01 28,114.00	28,114.01 29,286.00	29,286.01 30,457.00	30,457.01 31,629.00	31,629.01 32,800.00	32,800.01 & OVER
16,450.01 16,500.00	329	16,450.01 17,625.00	17,625.01 18,800.00	18,800.01 19,975.00	19,975.01 21,150.00	21,150.01 22,325.00	22,325.01 23,500.00	23,500.01 24,675.00	24,675.01 25,850.00	25,850.01 27,025.00	27,025.01 28,200.00	28,200.01 29,375.00	29,375.01 30,550.00	30,550.01 31,725.00	31,725.01 32,900.00	32,900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
16,500.01 16,550.00	330	16,500.01 17,679.00	17,679.01 18,857.00	18,857.01 20,036.00	20,036.01 21,214.00	21,214.01 22,393.00	22,393.01 23,571.00	23,571.01 24,750.00	24,750.01 25,929.00	25,929.01 27,107.00	27,107.01 28,286.00	28,286.01 29,464.00	29,464.01 30,643.00	30,643.01 31,821.00	31,821.01 33,000.00	33,000.01 & OVER
16,550.01 16,600.00	331	16,550.01 17,732.00	17,732.01 18,914.00	18,914.01 20,096.00	20,096.01 21,279.00	21,279.01 22,461.00	22,461.01 23,643.00	23,643.01 24,825.00	24,825.01 26,007.00	26,007.01 27,189.00	27,189.01 28,371.00	28,371.01 29,554.00	29,554.01 30,736.00	30,736.01 31,918.00	31,918.01 33,100.00	33,100.01 & OVER
16,600.01 16,650.00	332	16,600.01 17,786.00	17,786.01 18,971.00	18,971.01 20,157.00	20,157.01 21,343.00	21,343.01 22,529.00	22,529.01 23,714.00	23,714.01 24,900.00	24,900.01 26,086.00	26,086.01 27,271.00	27,271.01 28,457.00	28,457.01 29,643.00	29,643.01 30,829.00	30,829.01 32,014.00	32,014.01 33,200.00	33,200.01 & OVER
16,650.01 16,700.00	333	16,650.01 17,839.00	17,839.01 19,029.00	19,029.01 20,218.00	20,218.01 21,407.00	21,407.01 22,596.00	22,596.01 23,786.00	23,786.01 24,975.00	24,975.01 26,164.00	26,164.01 27,354.00	27,354.01 28,543.00	28,543.01 29,732.00	29,732.01 30,921.00	30,921.01 32,111.00	32,111.01 33,300.00	33,300.01 & OVER
16,700.01 16,750.00	334	16,700.01 17,893.00	17,893.01 19,086.00	19,086.01 20,279.00	20,279.01 21,471.00	21,471.01 22,664.00	22,664.01 23,857.00	23,857.01 25,050.00	25,050.01 26,243.00	26,243.01 27,436.00	27,436.01 28,629.00	28,629.01 29,821.00	29,821.01 31,014.00	31,014.01 32,207.00	32,207.01 33,400.00	33,400.01 & OVER
16,750.01 16,800.00	335	16,750.01 17,946.00	17,946.01 19,143.00	19,143.01 20,339.00	20,339.01 21,536.00	21,536.01 22,732.00	22,732.01 23,929.00	23,929.01 25,125.00	25,125.01 26,321.00	26,321.01 27,518.00	27,518.01 28,714.00	28,714.01 29,911.00	29,911.01 31,107.00	31,107.01 32,304.00	32,304.01 33,500.00	33,500.01 & OVER
16,800.01 16,850.00	336	16,800.01 18,000.00	18,000.01 19,200.00	19,200.01 20,400.00	20,400.01 21,600.00	21,600.01 22,800.00	22,800.01 24,000.00	24,000.01 25,200.00	25,200.01 26,400.00	26,400.01 27,600.00	27,600.01 28,800.00	28,800.01 30,000.00	30,000.01 31,200.00	31,200.01 32,400.00	32,400.01 33,600.00	33,600.01 & OVER
16,850.01 16,900.00	337	16,850.01 18,054.00	18,054.01 19,257.00	19,257.01 20,461.00	20,461.01 21,664.00	21,664.01 22,868.00	22,868.01 24,071.00	24,071.01 25,275.00	25,275.01 26,479.00	26,479.01 27,682.00	27,682.01 28,886.00	28,886.01 30,089.00	30,089.01 31,293.00	31,293.01 32,496.00	32,496.01 33,700.00	33,700.01 & OVER
16,900.01 16,950.00	338	16,900.01 18,107.00	18,107.01 19,314.00	19,314.01 20,521.00	20,521.01 21,729.00	21,729.01 22,936.00	22,936.01 24,143.00	24,143.01 25,350.00	25,350.01 26,557.00	26,557.01 27,764.00	27,764.01 28,971.00	28,971.01 30,179.00	30,179.01 31,386.00	31,386.01 32,593.00	32,593.01 33,800.00	33,800.01 & OVER
16,950.01 17,000.00	339	16,950.01 18,161.00	18,161.01 19,371.00	19,371.01 20,582.00	20,582.01 21,793.00	21,793.01 23,004.00	23,004.01 24,214.00	24,214.01 25,425.00	25,425.01 26,636.00	26,636.01 27,846.00	27,846.01 29,057.00	29,057.01 30,268.00	30,268.01 31,479.00	31,479.01 32,689.00	32,689.01 33,900.00	33,900.01 & OVER
17,000.01 17,050.00	340	17,000.01 18,214.00	18,214.01 19,429.00	19,429.01 20,643.00	20,643.01 21,857.00	21,857.01 23,071.00	23,071.01 24,286.00	24,286.01 25,500.00	25,500.01 26,714.00	26,714.01 27,929.00	27,929.01 29,143.00	29,143.01 30,357.00	30,357.01 31,571.00	31,571.01 32,786.00	32,786.01 34,000.00	34,000.01 & OVER
17,050.01 17,100.00	341	17,050.01 18,268.00	18,268.01 19,486.00	19,486.01 20,704.00	20,704.01 21,921.00	21,921.01 23,139.00	23,139.01 24,357.00	24,357.01 25,575.00	25,575.01 26,793.00	26,793.01 28,011.00	28,011.01 29,229.00	29,229.01 30,446.00	30,446.01 31,664.00	31,664.01 32,882.00	32,882.01 34,100.00	34,100.01 & OVER
17,100.01 17,150.00	342	17,100.01 18,321.00	18,321.01 19,543.00	19,543.01 20,764.00	20,764.01 21,986.00	21,986.01 23,207.00	23,207.01 24,429.00	24,429.01 25,650.00	25,650.01 26,871.00	26,871.01 28,093.00	28,093.01 29,314.00	29,314.01 30,536.00	30,536.01 31,757.00	31,757.01 32,979.00	32,979.01 34,200.00	34,200.01 & OVER
17,150.01 17,200.00	343	17,150.01 18,375.00	18,375.01 19,600.00	19,600.01 20,825.00	20,825.01 22,050.00	22,050.01 23,275.00	23,275.01 24,500.00	24,500.01 25,725.00	25,725.01 26,950.00	26,950.01 28,175.00	28,175.01 29,400.00	29,400.01 30,625.00	30,625.01 31,850.00	31,850.01 33,075.00	33,075.01 34,300.00	34,300.01 & OVER
17,200.01 17,250.00	344	17,200.01 18,429.00	18,429.01 19,657.00	19,657.01 20,886.00	20,886.01 22,114.00	22,114.01 23,343.00	23,343.01 24,571.00	24,571.01 25,800.00	25,800.01 27,029.00	27,029.01 28,257.00	28,257.01 29,486.00	29,486.01 30,714.00	30,714.01 31,943.00	31,943.01 33,171.00	33,171.01 34,400.00	34,400.01 & OVER
17,250.01 17,300.00	345	17,250.01 18,482.00	18,482.01 19,714.00	19,714.01 20,946.00	20,946.01 22,179.00	22,179.01 23,411.00	23,411.01 24,643.00	24,643.01 25,875.00	25,875.01 27,107.00	27,107.01 28,339.00	28,339.01 29,571.00	29,571.01 30,804.00	30,804.01 32,036.00	32,036.01 33,268.00	33,268.01 34,500.00	34,500.01 & OVER
17,300.01 17,350.00	346	17,300.01 18,536.00	18,536.01 19,771.00	19,771.01 21,007.00	21,007.01 22,243.00	22,243.01 23,479.00	23,479.01 24,714.00	24,714.01 25,950.00	25,950.01 27,186.00	27,186.01 28,421.00	28,421.01 29,657.00	29,657.01 30,893.00	30,893.01 32,129.00	32,129.01 33,364.00	33,364.01 34,600.00	34,600.01 & OVER
17,350.01 17,400.00	347	17,350.01 18,589.00	18,589.01 19,829.00	19,829.01 21,068.00	21,068.01 22,307.00	22,307.01 23,546.00	23,546.01 24,786.00	24,786.01 26,025.00	26,025.01 27,264.00	27,264.01 28,504.00	28,504.01 29,743.00	29,743.01 30,982.00	30,982.01 32,221.00	32,221.01 33,461.00	33,461.01 34,700.00	34,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
17400.01 17450.00	348	17400.01 18643.00	18643.01 19886.00	19886.01 21129.00	21129.01 22371.00	22371.01 23614.00	23614.01 24857.00	24857.01 26100.00	26100.01 27343.00	27343.01 28586.00	28586.01 29829.00	29829.01 31071.00	31071.01 32314.00	32314.01 33557.00	33557.01 34800.00	34800.01 & OVER
17450.01 17500.00	349	17450.01 18696.00	18696.01 19943.00	19943.01 21189.00	21189.01 22436.00	22436.01 23682.00	23682.01 24929.00	24929.01 26175.00	26175.01 27421.00	27421.01 28668.00	28668.01 29914.00	29914.01 31161.00	31161.01 32407.00	32407.01 33654.00	33654.01 34900.00	34900.01 & OVER
17500.01 17550.00	350	17500.01 18750.00	18750.01 20000.00	20000.01 21250.00	21250.01 22500.00	22500.01 23750.00	23750.01 25000.00	25000.01 26250.00	26250.01 27500.00	27500.01 28750.00	28750.01 30000.00	30000.01 31250.00	31250.01 32500.00	32500.01 33750.00	33750.01 35000.00	35000.01 & OVER
17550.01 17600.00	351	17550.01 18804.00	18804.01 20057.00	20057.01 21311.00	21311.01 22564.00	22564.01 23818.00	23818.01 25071.00	25071.01 26325.00	26325.01 27579.00	27579.01 28832.00	28832.01 30086.00	30086.01 31339.00	31339.01 32593.00	32593.01 33846.00	33846.01 35100.00	35100.01 & OVER
17600.01 17650.00	352	17600.01 18857.00	18857.01 20114.00	20114.01 21371.00	21371.01 22629.00	22629.01 23886.00	23886.01 25143.00	25143.01 26400.00	26400.01 27657.00	27657.01 28914.00	28914.01 30171.00	30171.01 31429.00	31429.01 32686.00	32686.01 33943.00	33943.01 35200.00	35200.01 & OVER
17650.01 17700.00	353	17650.01 18911.00	18911.01 20171.00	20171.01 21432.00	21432.01 22693.00	22693.01 23954.00	23954.01 25214.00	25214.01 26475.00	26475.01 27736.00	27736.01 28996.00	28996.01 30257.00	30257.01 31518.00	31518.01 32779.00	32779.01 34039.00	34039.01 35300.00	35300.01 & OVER
17700.01 17750.00	354	17700.01 18964.00	18964.01 20229.00	20229.01 21493.00	21493.01 22757.00	22757.01 24021.00	24021.01 25286.00	25286.01 26550.00	26550.01 27814.00	27814.01 29079.00	29079.01 30343.00	30343.01 31607.00	31607.01 32871.00	32871.01 34136.00	34136.01 35400.00	35400.01 & OVER
17750.01 17800.00	355	17750.01 19018.00	19018.01 20286.00	20286.01 21554.00	21554.01 22821.00	22821.01 24089.00	24089.01 25357.00	25357.01 26625.00	26625.01 27893.00	27893.01 29161.00	29161.01 30429.00	30429.01 31696.00	31696.01 32964.00	32964.01 34232.00	34232.01 35500.00	35500.01 & OVER
17800.01 17850.00	356	17800.01 19071.00	19071.01 20343.00	20343.01 21614.00	21614.01 22886.00	22886.01 24157.00	24157.01 25429.00	25429.01 26700.00	26700.01 27971.00	27971.01 29243.00	29243.01 30514.00	30514.01 31786.00	31786.01 33057.00	33057.01 34329.00	34329.01 35600.00	35600.01 & OVER
17850.01 17900.00	357	17850.01 19125.00	19125.01 20400.00	20400.01 21675.00	21675.01 22950.00	22950.01 24225.00	24225.01 25500.00	25500.01 26775.00	26775.01 28050.00	28050.01 29325.00	29325.01 30600.00	30600.01 31875.00	31875.01 33150.00	33150.01 34425.00	34425.01 35700.00	35700.01 & OVER
17900.01 17950.00	358	17900.01 19179.00	19179.01 20457.00	20457.01 21736.00	21736.01 23014.00	23014.01 24293.00	24293.01 25571.00	25571.01 26850.00	26850.01 28129.00	28129.01 29407.00	29407.01 30686.00	30686.01 31964.00	31964.01 33243.00	33243.01 34521.00	34521.01 35800.00	35800.01 & OVER
17950.01 18000.00	359	17950.01 19232.00	19232.01 20514.00	20514.01 21796.00	21796.01 23079.00	23079.01 24361.00	24361.01 25643.00	25643.01 26925.00	26925.01 28207.00	28207.01 29489.00	29489.01 30771.00	30771.01 32054.00	32054.01 33336.00	33336.01 34618.00	34618.01 35900.00	35900.01 & OVER
18000.01 18050.00	360	18000.01 19286.00	19286.01 20571.00	20571.01 21857.00	21857.01 23143.00	23143.01 24429.00	24429.01 25714.00	25714.01 27000.00	27000.01 28286.00	28286.01 29571.00	29571.01 30857.00	30857.01 32143.00	32143.01 33429.00	33429.01 34714.00	34714.01 36000.00	36000.01 & OVER
18050.01 18100.00	361	18050.01 19339.00	19339.01 20629.00	20629.01 21918.00	21918.01 23207.00	23207.01 24496.00	24496.01 25786.00	25786.01 27075.00	27075.01 28364.00	28364.01 29654.00	29654.01 30943.00	30943.01 32232.00	32232.01 33521.00	33521.01 34811.00	34811.01 36100.00	36100.01 & OVER
18100.01 18150.00	362	18100.01 19393.00	19393.01 20686.00	20686.01 21979.00	21979.01 23271.00	23271.01 24564.00	24564.01 25857.00	25857.01 27150.00	27150.01 28443.00	28443.01 29736.00	29736.01 31029.00	31029.01 32321.00	32321.01 33614.00	33614.01 34907.00	34907.01 36200.00	36200.01 & OVER
18150.01 18200.00	363	18150.01 19446.00	19446.01 20743.00	20743.01 22039.00	22039.01 23336.00	23336.01 24632.00	24632.01 25929.00	25929.01 27225.00	27225.01 28521.00	28521.01 29818.00	29818.01 31114.00	31114.01 32411.00	32411.01 33707.00	33707.01 35004.00	35004.01 36300.00	36300.01 & OVER
18200.01 18250.00	364	18200.01 19500.00	19500.01 20800.00	20800.01 22100.00	22100.01 23400.00	23400.01 24700.00	24700.01 26000.00	26000.01 27300.00	27300.01 28600.00	28600.01 29900.00	29900.01 31200.00	31200.01 32500.00	32500.01 33800.00	33800.01 35100.00	35100.01 36400.00	36400.01 & OVER
18250.01 18300.00	365	18250.01 19554.00	19554.01 20857.00	20857.01 22161.00	22161.01 23464.00	23464.01 24768.00	24768.01 26071.00	26071.01 27375.00	27375.01 28679.00	28679.01 29982.00	29982.01 31286.00	31286.01 32589.00	32589.01 33893.00	33893.01 35196.00	35196.01 36500.00	36500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
18300.01 18350.00	366	18300.01 19607.00	19607.01 20914.00	20914.01 22221.00	22221.01 23529.00	23529.01 24836.00	24836.01 26143.00	26143.01 27450.00	27450.01 28757.00	28757.01 30064.00	30064.01 31371.00	31371.01 32679.00	32679.01 33986.00	33986.01 35293.00	35293.01 36600.00	36600.01 & OVER
18350.01 18400.00	367	18350.01 19661.00	19661.01 20971.00	20971.01 22282.00	22282.01 23593.00	23593.01 24904.00	24904.01 26214.00	26214.01 27525.00	27525.01 28836.00	28836.01 30146.00	30146.01 31457.00	31457.01 32768.00	32768.01 34079.00	34079.01 35389.00	35389.01 36700.00	36700.01 & OVER
18400.01 18450.00	368	18400.01 19714.00	19714.01 21029.00	21029.01 22343.00	22343.01 23657.00	23657.01 24971.00	24971.01 26286.00	26286.01 27600.00	27600.01 28914.00	28914.01 30229.00	30229.01 31543.00	31543.01 32857.00	32857.01 34171.00	34171.01 35486.00	35486.01 36800.00	36800.01 & OVER
18450.01 18500.00	369	18450.01 19768.00	19768.01 21086.00	21086.01 22404.00	22404.01 23721.00	23721.01 25039.00	25039.01 26357.00	26357.01 27675.00	27675.01 28993.00	28993.01 30311.00	30311.01 31629.00	31629.01 32946.00	32946.01 34264.00	34264.01 35582.00	35582.01 36900.00	36900.01 & OVER
18500.01 18550.00	370	18500.01 19821.00	19821.01 21143.00	21143.01 22464.00	22464.01 23786.00	23786.01 25107.00	25107.01 26429.00	26429.01 27750.00	27750.01 29071.00	29071.01 30393.00	30393.01 31714.00	31714.01 33036.00	33036.01 34357.00	34357.01 35679.00	35679.01 37000.00	37000.01 & OVER
18550.01 18600.00	371	18550.01 19875.00	19875.01 21200.00	21200.01 22525.00	22525.01 23850.00	23850.01 25175.00	25175.01 26500.00	26500.01 27825.00	27825.01 29150.00	29150.01 30475.00	30475.01 31800.00	31800.01 33125.00	33125.01 34450.00	34450.01 35775.00	35775.01 37100.00	37100.01 & OVER
18600.01 18650.00	372	18600.01 19929.00	19929.01 21257.00	21257.01 22586.00	22586.01 23914.00	23914.01 25243.00	25243.01 26571.00	26571.01 27900.00	27900.01 29229.00	29229.01 30557.00	30557.01 31886.00	31886.01 33214.00	33214.01 34543.00	34543.01 35871.00	35871.01 37200.00	37200.01 & OVER
18650.01 18700.00	373	18650.01 19982.00	19982.01 21314.00	21314.01 22646.00	22646.01 23979.00	23979.01 25311.00	25311.01 26643.00	26643.01 27975.00	27975.01 29307.00	29307.01 30639.00	30639.01 31971.00	31971.01 33304.00	33304.01 34636.00	34636.01 35968.00	35968.01 37300.00	37300.01 & OVER
18700.01 18750.00	374	18700.01 20036.00	20036.01 21371.00	21371.01 22707.00	22707.01 24043.00	24043.01 25379.00	25379.01 26714.00	26714.01 28050.00	28050.01 29386.00	29386.01 30721.00	30721.01 32057.00	32057.01 33393.00	33393.01 34729.00	34729.01 36064.00	36064.01 37400.00	37400.01 & OVER
18750.01 18800.00	375	18750.01 20089.00	20089.01 21429.00	21429.01 22768.00	22768.01 24107.00	24107.01 25446.00	25446.01 26786.00	26786.01 28125.00	28125.01 29464.00	29464.01 30804.00	30804.01 32143.00	32143.01 33482.00	33482.01 34821.00	34821.01 36161.00	36161.01 37500.00	37500.01 & OVER
18800.01 18850.00	376	18800.01 20143.00	20143.01 21486.00	21486.01 22829.00	22829.01 24171.00	24171.01 25514.00	25514.01 26857.00	26857.01 28200.00	28200.01 29543.00	29543.01 30886.00	30886.01 32229.00	32229.01 33571.00	33571.01 34914.00	34914.01 36257.00	36257.01 37600.00	37600.01 & OVER
18850.01 18900.00	377	18850.01 20196.00	20196.01 21543.00	21543.01 22889.00	22889.01 24236.00	24236.01 25582.00	25582.01 26929.00	26929.01 28275.00	28275.01 29621.00	29621.01 30968.00	30968.01 32314.00	32314.01 33661.00	33661.01 35007.00	35007.01 36354.00	36354.01 37700.00	37700.01 & OVER
18900.01 & OVER	378	18900.01 20250.00	20250.01 21600.00	21600.01 22950.00	22950.01 24300.00	24300.01 25650.00	25650.01 27000.00	27000.01 28350.00	28350.01 29700.00	29700.01 31050.00	31050.01 32400.00	32400.01 33750.00	33750.01 35100.00	35100.01 36450.00	36450.01 37800.00	37800.01 & OVER

C. Beginning January 1, 2026, for claims effective on or after January 1, 2026, an eligible individual's weekly "benefit amount" shall be the amount appearing in Column B in the "Benefit Table" in this section on the line on which in Column A of such table, there appears the total wages for insured work paid to such individual in the two quarters of his base period in which such total wages were highest.

Benefit Table Division C Duration of Benefits beginning January 1, 2026

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
3,000.00	160	3,000.01	3,214.01	3,429.01	3,643.01	3,857.01	4,071.01	4,286.01	4,500.01	4,714.01	4,929.01	5,143.01	5,357.01	5,571.01	5,786.01	6,000.01
3,050.00		3,214.00	3,429.00	3,643.00	3,857.00	4,071.00	4,286.00	4,500.00	4,714.00	4,929.00	5,143.00	5,357.00	5,571.00	5,786.00	6,000.00	& OVER
3,050.01	161	3,050.01	3,268.01	3,486.01	3,704.01	3,921.01	4,139.01	4,357.01	4,575.01	4,793.01	5,011.01	5,229.01	5,446.01	5,664.01	5,882.01	6,100.01
3,100.00		3,268.00	3,486.00	3,704.00	3,921.00	4,139.00	4,357.00	4,575.00	4,793.00	5,011.00	5,229.00	5,446.00	5,664.00	5,882.00	6,100.00	& OVER
3,100.01	162	3,100.01	3,321.01	3,543.01	3,764.01	3,986.01	4,207.01	4,429.01	4,650.01	4,871.01	5,093.01	5,314.01	5,536.01	5,757.01	5,979.01	6,200.01
3,150.00		3,321.00	3,543.00	3,764.00	3,986.00	4,207.00	4,429.00	4,650.00	4,871.00	5,093.00	5,314.00	5,536.00	5,757.00	5,979.00	6,200.00	& OVER
3,150.01	163	3,150.01	3,375.01	3,600.01	3,825.01	4,050.01	4,275.01	4,500.01	4,725.01	4,950.01	5,175.01	5,400.01	5,625.01	5,850.01	6,075.01	6,300.01
3,200.00		3,375.00	3,600.00	3,825.00	4,050.00	4,275.00	4,500.00	4,725.00	4,950.00	5,175.00	5,400.00	5,625.00	5,850.00	6,075.00	6,300.00	& OVER
3,200.01	164	3,200.01	3,429.01	3,657.01	3,886.01	4,114.01	4,343.01	4,571.01	4,800.01	5,029.01	5,257.01	5,486.01	5,714.01	5,943.01	6,171.01	6,400.01
3,250.00		3,429.00	3,657.00	3,886.00	4,114.00	4,343.00	4,571.00	4,800.00	5,029.00	5,257.00	5,486.00	5,714.00	5,943.00	6,171.00	6,400.00	& OVER
3,250.01	165	3,250.01	3,482.01	3,714.01	3,946.01	4,179.01	4,411.01	4,643.01	4,875.01	5,107.01	5,339.01	5,571.01	5,804.01	6,036.01	6,268.01	6,500.01
3,300.00		3,482.00	3,714.00	3,946.00	4,179.00	4,411.00	4,643.00	4,875.00	5,107.00	5,339.00	5,571.00	5,804.00	6,036.00	6,268.00	6,500.00	& OVER
3,300.01	166	3,300.01	3,536.01	3,771.01	4,007.01	4,243.01	4,479.01	4,714.01	4,950.01	5,186.01	5,421.01	5,657.01	5,893.01	6,129.01	6,364.01	6,600.01
3,350.00		3,536.00	3,771.00	4,007.00	4,243.00	4,479.00	4,714.00	4,950.00	5,186.00	5,421.00	5,657.00	5,893.00	6,129.00	6,364.00	6,600.00	& OVER
3,350.01	167	3,350.01	3,589.01	3,829.01	4,068.01	4,307.01	4,546.01	4,786.01	5,025.01	5,264.01	5,504.01	5,743.01	5,982.01	6,221.01	6,461.01	6,700.01
3,400.00		3,589.00	3,829.00	4,068.00	4,307.00	4,546.00	4,786.00	5,025.00	5,264.00	5,504.00	5,743.00	5,982.00	6,221.00	6,461.00	6,700.00	& OVER
3,400.01	168	3,400.01	3,643.01	3,886.01	4,129.01	4,371.01	4,614.01	4,857.01	5,100.01	5,343.01	5,586.01	5,829.01	6,071.01	6,314.01	6,557.01	6,800.01
3,450.00		3,643.00	3,886.00	4,129.00	4,371.00	4,614.00	4,857.00	5,100.00	5,343.00	5,586.00	5,829.00	6,071.00	6,314.00	6,557.00	6,800.00	& OVER
3,450.01	169	3,450.01	3,696.01	3,943.01	4,189.01	4,436.01	4,682.01	4,929.01	5,175.01	5,421.01	5,668.01	5,914.01	6,161.01	6,407.01	6,654.01	6,900.01
3,500.00		3,696.00	3,943.00	4,189.00	4,436.00	4,682.00	4,929.00	5,175.00	5,421.00	5,668.00	5,914.00	6,161.00	6,407.00	6,654.00	6,900.00	& OVER
3,500.01	170	3,500.01	3,750.01	4,000.01	4,250.01	4,500.01	4,750.01	5,000.01	5,250.01	5,500.01	5,750.01	6,000.01	6,250.01	6,500.01	6,750.01	7,000.01
3,550.00		3,750.00	4,000.00	4,250.00	4,500.00	4,750.00	5,000.00	5,250.00	5,500.00	5,750.00	6,000.00	6,250.00	6,500.00	6,750.00	7,000.00	& OVER
3,550.01	171	3,550.01	3,804.01	4,057.01	4,311.01	4,564.01	4,818.01	5,071.01	5,325.01	5,579.01	5,832.01	6,086.01	6,339.01	6,593.01	6,846.01	7,100.01
3,600.00		3,804.00	4,057.00	4,311.00	4,564.00	4,818.00	5,071.00	5,325.00	5,579.00	5,832.00	6,086.00	6,339.00	6,593.00	6,846.00	7,100.00	& OVER
3,600.01	172	3,600.01	3,857.01	4,114.01	4,371.01	4,629.01	4,886.01	5,143.01	5,400.01	5,657.01	5,914.01	6,171.01	6,429.01	6,686.01	6,943.01	7,200.01
3,650.00		3,857.00	4,114.00	4,371.00	4,629.00	4,886.00	5,143.00	5,400.00	5,657.00	5,914.00	6,171.00	6,429.00	6,686.00	6,943.00	7,200.00	& OVER
3,650.01	173	3,650.01	3,911.01	4,171.01	4,432.01	4,693.01	4,954.01	5,214.01	5,475.01	5,736.01	5,996.01	6,257.01	6,518.01	6,779.01	7,039.01	7,300.01
3,700.00		3,911.00	4,171.00	4,432.00	4,693.00	4,954.00	5,214.00	5,475.00	5,736.00	5,996.00	6,257.00	6,518.00	6,779.00	7,039.00	7,300.00	& OVER
3,700.01	174	3,700.01	3,964.01	4,229.01	4,493.01	4,757.01	5,021.01	5,286.01	5,550.01	5,814.01	6,079.01	6,343.01	6,607.01	6,871.01	7,136.01	7,400.01
3,750.00		3,964.00	4,229.00	4,493.00	4,757.00	5,021.00	5,286.00	5,550.00	5,814.00	6,079.00	6,343.00	6,607.00	6,871.00	7,136.00	7,400.00	& OVER
3,750.01	175	3,750.01	4,018.01	4,286.01	4,554.01	4,821.01	5,089.01	5,357.01	5,625.01	5,893.01	6,161.01	6,429.01	6,696.01	6,964.01	7,232.01	7,500.01
3,800.00		4,018.00	4,286.00	4,554.00	4,821.00	5,089.00	5,357.00	5,625.00	5,893.00	6,161.00	6,429.00	6,696.00	6,964.00	7,232.00	7,500.00	& OVER
3,800.01	176	3,800.01	4,071.01	4,343.01	4,614.01	4,886.01	5,157.01	5,429.01	5,700.01	5,971.01	6,243.01	6,514.01	6,786.01	7,057.01	7,329.01	7,600.01
3,850.00		4,071.00	4,343.00	4,614.00	4,886.00	5,157.00	5,429.00	5,700.00	5,971.00	6,243.00	6,514.00	6,786.00	7,057.00	7,329.00	7,600.00	& OVER
3,850.01	177	3,850.01	4,125.01	4,400.01	4,675.01	4,950.01	5,225.01	5,500.01	5,775.01	6,050.01	6,325.01	6,600.01	6,875.01	7,150.01	7,425.01	7,700.01
3,900.00		4,125.00	4,400.00	4,675.00	4,950.00	5,225.00	5,500.00	5,775.00	6,050.00	6,325.00	6,600.00	6,875.00	7,150.00	7,425.00	7,700.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
3,900.01	178	3,900.01	4,179.01	4,457.01	4,736.01	5,014.01	5,293.01	5,571.01	5,850.01	6,129.01	6,407.01	6,686.01	6,964.01	7,243.01	7,521.01	7,800.01
3,950.00		4,179.00	4,457.00	4,736.00	5,014.00	5,293.00	5,571.00	5,850.00	6,129.00	6,407.00	6,686.00	6,964.00	7,243.00	7,521.00	7,800.00	& OVER
3,950.01	179	3,950.01	4,232.01	4,514.01	4,796.01	5,079.01	5,361.01	5,643.01	5,925.01	6,207.01	6,489.01	6,771.01	7,054.01	7,336.01	7,618.01	7,900.01
4,000.00		4,232.00	4,514.00	4,796.00	5,079.00	5,361.00	5,643.00	5,925.00	6,207.00	6,489.00	6,771.00	7,054.00	7,336.00	7,618.00	7,900.00	& OVER
4,000.01	180	4,000.01	4,286.01	4,571.01	4,857.01	5,143.01	5,429.01	5,714.01	6,000.01	6,286.01	6,571.01	6,857.01	7,143.01	7,429.01	7,714.01	8,000.01
4,050.00		4,286.00	4,571.00	4,857.00	5,143.00	5,429.00	5,714.00	6,000.00	6,286.00	6,571.00	6,857.00	7,143.00	7,429.00	7,714.00	8,000.00	& OVER
4,050.01	181	4,050.01	4,339.01	4,629.01	4,918.01	5,207.01	5,496.01	5,786.01	6,075.01	6,364.01	6,654.01	6,943.01	7,232.01	7,521.01	7,811.01	8,100.01
4,100.00		4,339.00	4,629.00	4,918.00	5,207.00	5,496.00	5,786.00	6,075.00	6,364.00	6,654.00	6,943.00	7,232.00	7,521.00	7,811.00	8,100.00	& OVER
4,100.01	182	4,100.01	4,393.01	4,686.01	4,979.01	5,271.01	5,564.01	5,857.01	6,150.01	6,443.01	6,736.01	7,029.01	7,321.01	7,614.01	7,907.01	8,200.01
4,150.00		4,393.00	4,686.00	4,979.00	5,271.00	5,564.00	5,857.00	6,150.00	6,443.00	6,736.00	7,029.00	7,321.00	7,614.00	7,907.00	8,200.00	& OVER
4,150.01	183	4,150.01	4,446.01	4,743.01	5,039.01	5,336.01	5,632.01	5,929.01	6,225.01	6,521.01	6,818.01	7,114.01	7,411.01	7,707.01	8,004.01	8,300.01
4,200.00		4,446.00	4,743.00	5,039.00	5,336.00	5,632.00	5,929.00	6,225.00	6,521.00	6,818.00	7,114.00	7,411.00	7,707.00	8,004.00	8,300.00	& OVER
4,200.01	184	4,200.01	4,500.01	4,800.01	5,100.01	5,400.01	5,700.01	6,000.01	6,300.01	6,600.01	6,900.01	7,200.01	7,500.01	7,800.01	8,100.01	8,400.01
4,250.00		4,500.00	4,800.00	5,100.00	5,400.00	5,700.00	6,000.00	6,300.00	6,600.00	6,900.00	7,200.00	7,500.00	7,800.00	8,100.00	8,400.00	& OVER
4,250.01	185	4,250.01	4,554.01	4,857.01	5,161.01	5,464.01	5,768.01	6,071.01	6,375.01	6,679.01	6,982.01	7,286.01	7,589.01	7,893.01	8,196.01	8,500.01
4,300.00		4,554.00	4,857.00	5,161.00	5,464.00	5,768.00	6,071.00	6,375.00	6,679.00	6,982.00	7,286.00	7,589.00	7,893.00	8,196.00	8,500.00	& OVER
4,300.01	186	4,300.01	4,607.01	4,914.01	5,221.01	5,529.01	5,836.01	6,143.01	6,450.01	6,757.01	7,064.01	7,371.01	7,679.01	7,986.01	8,293.01	8,600.01
4,350.00		4,607.00	4,914.00	5,221.00	5,529.00	5,836.00	6,143.00	6,450.00	6,757.00	7,064.00	7,371.00	7,679.00	7,986.00	8,293.00	8,600.00	& OVER
4,350.01	187	4,350.01	4,661.01	4,971.01	5,282.01	5,593.01	5,904.01	6,214.01	6,525.01	6,836.01	7,146.01	7,457.01	7,768.01	8,079.01	8,389.01	8,700.01
4,400.00		4,661.00	4,971.00	5,282.00	5,593.00	5,904.00	6,214.00	6,525.00	6,836.00	7,146.00	7,457.00	7,768.00	8,079.00	8,389.00	8,700.00	& OVER
4,400.01	188	4,400.01	4,714.01	5,029.01	5,343.01	5,657.01	5,971.01	6,286.01	6,600.01	6,914.01	7,229.01	7,543.01	7,857.01	8,171.01	8,486.01	8,800.01
4,450.00		4,714.00	5,029.00	5,343.00	5,657.00	5,971.00	6,286.00	6,600.00	6,914.00	7,229.00	7,543.00	7,857.00	8,171.00	8,486.00	8,800.00	& OVER
4,450.01	189	4,450.01	4,768.01	5,086.01	5,404.01	5,721.01	6,039.01	6,357.01	6,675.01	6,993.01	7,311.01	7,629.01	7,946.01	8,264.01	8,582.01	8,900.01
4,500.00		4,768.00	5,086.00	5,404.00	5,721.00	6,039.00	6,357.00	6,675.00	6,993.00	7,311.00	7,629.00	7,946.00	8,264.00	8,582.00	8,900.00	& OVER
4,500.01	190	4,500.01	4,821.01	5,143.01	5,464.01	5,786.01	6,107.01	6,429.01	6,750.01	7,071.01	7,393.01	7,714.01	8,036.01	8,357.01	8,679.01	9,000.01
4,550.00		4,821.00	5,143.00	5,464.00	5,786.00	6,107.00	6,429.00	6,750.00	7,071.00	7,393.00	7,714.00	8,036.00	8,357.00	8,679.00	9,000.00	& OVER
4,550.01	191	4,550.01	4,875.01	5,200.01	5,525.01	5,850.01	6,175.01	6,500.01	6,825.01	7,150.01	7,475.01	7,800.01	8,125.01	8,450.01	8,775.01	9,100.01
4,600.00		4,875.00	5,200.00	5,525.00	5,850.00	6,175.00	6,500.00	6,825.00	7,150.00	7,475.00	7,800.00	8,125.00	8,450.00	8,775.00	9,100.00	& OVER
4,600.01	192	4,600.01	4,929.01	5,257.01	5,586.01	5,914.01	6,243.01	6,571.01	6,900.01	7,229.01	7,557.01	7,886.01	8,214.01	8,543.01	8,871.01	9,200.01
4,650.00		4,929.00	5,257.00	5,586.00	5,914.00	6,243.00	6,571.00	6,900.00	7,229.00	7,557.00	7,886.00	8,214.00	8,543.00	8,871.00	9,200.00	& OVER
4,650.01	193	4,650.01	4,982.01	5,314.01	5,646.01	5,979.01	6,311.01	6,643.01	6,975.01	7,307.01	7,639.01	7,971.01	8,304.01	8,636.01	8,968.01	9,300.01
4,700.00		4,982.00	5,314.00	5,646.00	5,979.00	6,311.00	6,643.00	6,975.00	7,307.00	7,639.00	7,971.00	8,304.00	8,636.00	8,968.00	9,300.00	& OVER
4,700.01	194	4,700.01	5,036.01	5,371.01	5,707.01	6,043.01	6,379.01	6,714.01	7,050.01	7,386.01	7,721.01	8,057.01	8,393.01	8,729.01	9,064.01	9,400.01
4,750.00		5,036.00	5,371.00	5,707.00	6,043.00	6,379.00	6,714.00	7,050.00	7,386.00	7,721.00	8,057.00	8,393.00	8,729.00	9,064.00	9,400.00	& OVER
4,750.01	195	4,750.01	5,089.01	5,429.01	5,768.01	6,107.01	6,446.01	6,786.01	7,125.01	7,464.01	7,804.01	8,143.01	8,482.01	8,821.01	9,161.01	9,500.01
4,800.00		5,089.00	5,429.00	5,768.00	6,107.00	6,446.00	6,786.00	7,125.00	7,464.00	7,804.00	8,143.00	8,482.00	8,821.00	9,161.00	9,500.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
4,800.01	196	4,800.01	5,143.01	5,486.01	5,829.01	6,171.01	6,514.01	6,857.01	7,200.01	7,543.01	7,886.01	8,229.01	8,571.01	8,914.01	9,257.01	9,600.01
4,850.00		5,143.00	5,486.00	5,829.00	6,171.00	6,514.00	6,857.00	7,200.00	7,543.00	7,886.00	8,229.00	8,571.00	8,914.00	9,257.00	9,600.00	& OVER
4,850.01	197	4,850.01	5,196.01	5,543.01	5,889.01	6,236.01	6,582.01	6,929.01	7,275.01	7,621.01	7,968.01	8,314.01	8,661.01	9,007.01	9,354.01	9,700.01
4,900.00		5,196.00	5,543.00	5,889.00	6,236.00	6,582.00	6,929.00	7,275.00	7,621.00	7,968.00	8,314.00	8,661.00	9,007.00	9,354.00	9,700.00	& OVER
4,900.01	198	4,900.01	5,250.01	5,600.01	5,950.01	6,300.01	6,650.01	7,000.01	7,350.01	7,700.01	8,050.01	8,400.01	8,750.01	9,100.01	9,450.01	9,800.01
4,950.00		5,250.00	5,600.00	5,950.00	6,300.00	6,650.00	7,000.00	7,350.00	7,700.00	8,050.00	8,400.00	8,750.00	9,100.00	9,450.00	9,800.00	& OVER
4,950.01	199	4,950.01	5,304.01	5,657.01	6,011.01	6,364.01	6,718.01	7,071.01	7,425.01	7,779.01	8,132.01	8,486.01	8,839.01	9,193.01	9,546.01	9,900.01
5,000.00		5,304.00	5,657.00	6,011.00	6,364.00	6,718.00	7,071.00	7,425.00	7,779.00	8,132.00	8,486.00	8,839.00	9,193.00	9,546.00	9,900.00	& OVER
5,000.01	200	5,000.01	5,357.01	5,714.01	6,071.01	6,429.01	6,786.01	7,143.01	7,500.01	7,857.01	8,214.01	8,571.01	8,929.01	9,286.01	9,643.01	10,000.01
5,050.00		5,357.00	5,714.00	6,071.00	6,429.00	6,786.00	7,143.00	7,500.00	7,857.00	8,214.00	8,571.00	8,929.00	9,286.00	9,643.00	10,000.00	& OVER
5,050.01	201	5,050.01	5,411.01	5,771.01	6,132.01	6,493.01	6,854.01	7,214.01	7,575.01	7,936.01	8,296.01	8,657.01	9,018.01	9,379.01	9,739.01	10,100.01
5,100.00		5,411.00	5,771.00	6,132.00	6,493.00	6,854.00	7,214.00	7,575.00	7,936.00	8,296.00	8,657.00	9,018.00	9,379.00	9,739.00	10,100.00	& OVER
5,100.01	202	5,100.01	5,464.01	5,829.01	6,193.01	6,557.01	6,921.01	7,286.01	7,650.01	8,014.01	8,379.01	8,743.01	9,107.01	9,471.01	9,836.01	10,200.01
5,150.00		5,464.00	5,829.00	6,193.00	6,557.00	6,921.00	7,286.00	7,650.00	8,014.00	8,379.00	8,743.00	9,107.00	9,471.00	9,836.00	10,200.00	& OVER
5,150.01	203	5,150.01	5,518.01	5,886.01	6,254.01	6,621.01	6,989.01	7,357.01	7,725.01	8,093.01	8,461.01	8,829.01	9,196.01	9,564.01	9,932.01	10,300.01
5,200.00		5,518.00	5,886.00	6,254.00	6,621.00	6,989.00	7,357.00	7,725.00	8,093.00	8,461.00	8,829.00	9,196.00	9,564.00	9,932.00	10,300.00	& OVER
5,200.01	204	5,200.01	5,571.01	5,943.01	6,314.01	6,686.01	7,057.01	7,429.01	7,800.01	8,171.01	8,543.01	8,914.01	9,286.01	9,657.01	10,029.01	10,400.01
5,250.00		5,571.00	5,943.00	6,314.00	6,686.00	7,057.00	7,429.00	7,800.00	8,171.00	8,543.00	8,914.00	9,286.00	9,657.00	10,029.00	10,400.00	& OVER
5,250.01	205	5,250.01	5,625.01	6,000.01	6,375.01	6,750.01	7,125.01	7,500.01	7,875.01	8,250.01	8,625.01	9,000.01	9,375.01	9,750.01	10,125.01	10,500.01
5,300.00		5,625.00	6,000.00	6,375.00	6,750.00	7,125.00	7,500.00	7,875.00	8,250.00	8,625.00	9,000.00	9,375.00	9,750.00	10,125.00	10,500.00	& OVER
5,300.01	206	5,300.01	5,679.01	6,057.01	6,436.01	6,814.01	7,193.01	7,571.01	7,950.01	8,329.01	8,707.01	9,086.01	9,464.01	9,843.01	10,221.01	10,600.01
5,350.00		5,679.00	6,057.00	6,436.00	6,814.00	7,193.00	7,571.00	7,950.00	8,329.00	8,707.00	9,086.00	9,464.00	9,843.00	10,221.00	10,600.00	& OVER
5,350.01	207	5,350.01	5,732.01	6,114.01	6,496.01	6,879.01	7,261.01	7,643.01	8,025.01	8,407.01	8,789.01	9,171.01	9,554.01	9,936.01	10,318.01	10,700.01
5,400.00		5,732.00	6,114.00	6,496.00	6,879.00	7,261.00	7,643.00	8,025.00	8,407.00	8,789.00	9,171.00	9,554.00	9,936.00	10,318.00	10,700.00	& OVER
5,400.01	208	5,400.01	5,786.01	6,171.01	6,557.01	6,943.01	7,329.01	7,714.01	8,100.01	8,486.01	8,871.01	9,257.01	9,643.01	10,029.01	10,414.01	10,800.01
5,450.00		5,786.00	6,171.00	6,557.00	6,943.00	7,329.00	7,714.00	8,100.00	8,486.00	8,871.00	9,257.00	9,643.00	10,029.00	10,414.00	10,800.00	& OVER
5,450.01	209	5,450.01	5,839.01	6,229.01	6,618.01	7,007.01	7,396.01	7,786.01	8,175.01	8,564.01	8,954.01	9,343.01	9,732.01	10,121.01	10,511.01	10,900.01
5,500.00		5,839.00	6,229.00	6,618.00	7,007.00	7,396.00	7,786.00	8,175.00	8,564.00	8,954.00	9,343.00	9,732.00	10,121.00	10,511.00	10,900.00	& OVER
5,500.01	210	5,500.01	5,893.01	6,286.01	6,679.01	7,071.01	7,464.01	7,857.01	8,250.01	8,643.01	9,036.01	9,429.01	9,821.01	10,214.01	10,607.01	11,000.01
5,550.00		5,893.00	6,286.00	6,679.00	7,071.00	7,464.00	7,857.00	8,250.00	8,643.00	9,036.00	9,429.00	9,821.00	10,214.00	10,607.00	11,000.00	& OVER
5,550.01	211	5,550.01	5,946.01	6,343.01	6,739.01	7,136.01	7,532.01	7,929.01	8,325.01	8,721.01	9,118.01	9,514.01	9,911.01	10,307.01	10,704.01	11,100.01
5,600.00		5,946.00	6,343.00	6,739.00	7,136.00	7,532.00	7,929.00	8,325.00	8,721.00	9,118.00	9,514.00	9,911.00	10,307.00	10,704.00	11,100.00	& OVER
5,600.01	212	5,600.01	6,000.01	6,400.01	6,800.01	7,200.01	7,600.01	8,000.01	8,400.01	8,800.01	9,200.01	9,600.01	10,000.01	10,400.01	10,800.01	11,200.01
5,650.00		6,000.00	6,400.00	6,800.00	7,200.00	7,600.00	8,000.00	8,400.00	8,800.00	9,200.00	9,600.00	10,000.00	10,400.00	10,800.00	11,200.00	& OVER
5,650.01	213	5,650.01	6,054.01	6,457.01	6,861.01	7,264.01	7,668.01	8,071.01	8,475.01	8,879.01	9,282.01	9,686.01	10,089.01	10,493.01	10,896.01	11,300.01
5,700.00		6,054.00	6,457.00	6,861.00	7,264.00	7,668.00	8,071.00	8,475.00	8,879.00	9,282.00	9,686.00	10,089.00	10,493.00	10,896.00	11,300.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
5,700.01	214	5,700.01	6,107.01	6,514.01	6,921.01	7,329.01	7,736.01	8,143.01	8,550.01	8,957.01	9,364.01	9,771.01	10,179.01	10,586.01	10,993.01	11,400.01
5,750.00		6,107.00	6,514.00	6,921.00	7,329.00	7,736.00	8,143.00	8,550.00	8,957.00	9,364.00	9,771.00	10,179.00	10,586.00	10,993.00	11,400.00	& OVER
5,750.01	215	5,750.01	6,161.01	6,571.01	6,982.01	7,393.01	7,804.01	8,214.01	8,625.01	9,036.01	9,446.01	9,857.01	10,268.01	10,679.01	11,089.01	11,500.01
5,800.00		6,161.00	6,571.00	6,982.00	7,393.00	7,804.00	8,214.00	8,625.00	9,036.00	9,446.00	9,857.00	10,268.00	10,679.00	11,089.00	11,500.00	& OVER
5,800.01	216	5,800.01	6,214.01	6,629.01	7,043.01	7,457.01	7,871.01	8,286.01	8,700.01	9,114.01	9,529.01	9,943.01	10,357.01	10,771.01	11,186.01	11,600.01
5,850.00		6,214.00	6,629.00	7,043.00	7,457.00	7,871.00	8,286.00	8,700.00	9,114.00	9,529.00	9,943.00	10,357.00	10,771.00	11,186.00	11,600.00	& OVER
5,850.01	217	5,850.01	6,268.01	6,686.01	7,104.01	7,521.01	7,939.01	8,357.01	8,775.01	9,193.01	9,611.01	10,029.01	10,446.01	10,864.01	11,282.01	11,700.01
5,900.00		6,268.00	6,686.00	7,104.00	7,521.00	7,939.00	8,357.00	8,775.00	9,193.00	9,611.00	10,029.00	10,446.00	10,864.00	11,282.00	11,700.00	& OVER
5,900.01	218	5,900.01	6,321.01	6,743.01	7,164.01	7,586.01	8,007.01	8,429.01	8,850.01	9,271.01	9,693.01	10,114.01	10,536.01	10,957.01	11,379.01	11,800.01
5,950.00		6,321.00	6,743.00	7,164.00	7,586.00	8,007.00	8,429.00	8,850.00	9,271.00	9,693.00	10,114.00	10,536.00	10,957.00	11,379.00	11,800.00	& OVER
5,950.01	219	5,950.01	6,375.01	6,800.01	7,225.01	7,650.01	8,075.01	8,500.01	8,925.01	9,350.01	9,775.01	10,200.01	10,625.01	11,050.01	11,475.01	11,900.01
6,000.00		6,375.00	6,800.00	7,225.00	7,650.00	8,075.00	8,500.00	8,925.00	9,350.00	9,775.00	10,200.00	10,625.00	11,050.00	11,475.00	11,900.00	& OVER
6,000.01	220	6,000.01	6,429.01	6,857.01	7,286.01	7,714.01	8,143.01	8,571.01	9,000.01	9,429.01	9,857.01	10,286.01	10,714.01	11,143.01	11,571.01	12,000.01
6,050.00		6,429.00	6,857.00	7,286.00	7,714.00	8,143.00	8,571.00	9,000.00	9,429.00	9,857.00	10,286.00	10,714.00	11,143.00	11,571.00	12,000.00	& OVER
6,050.01	221	6,050.01	6,482.01	6,914.01	7,346.01	7,779.01	8,211.01	8,643.01	9,075.01	9,507.01	9,939.01	10,371.01	10,804.01	11,236.01	11,668.01	12,100.01
6,100.00		6,482.00	6,914.00	7,346.00	7,779.00	8,211.00	8,643.00	9,075.00	9,507.00	9,939.00	10,371.00	10,804.00	11,236.00	11,668.00	12,100.00	& OVER
6,100.01	222	6,100.01	6,536.01	6,971.01	7,407.01	7,843.01	8,279.01	8,714.01	9,150.01	9,586.01	10,021.01	10,457.01	10,893.01	11,329.01	11,764.01	12,200.01
6,150.00		6,536.00	6,971.00	7,407.00	7,843.00	8,279.00	8,714.00	9,150.00	9,586.00	10,021.00	10,457.00	10,893.00	11,329.00	11,764.00	12,200.00	& OVER
6,150.01	223	6,150.01	6,589.01	7,029.01	7,468.01	7,907.01	8,346.01	8,786.01	9,225.01	9,664.01	10,104.01	10,543.01	10,982.01	11,421.01	11,861.01	12,300.01
6,200.00		6,589.00	7,029.00	7,468.00	7,907.00	8,346.00	8,786.00	9,225.00	9,664.00	10,104.00	10,543.00	10,982.00	11,421.00	11,861.00	12,300.00	& OVER
6,200.01	224	6,200.01	6,643.01	7,086.01	7,529.01	7,971.01	8,414.01	8,857.01	9,300.01	9,743.01	10,186.01	10,629.01	11,071.01	11,514.01	11,957.01	12,400.01
6,250.00		6,643.00	7,086.00	7,529.00	7,971.00	8,414.00	8,857.00	9,300.00	9,743.00	10,186.00	10,629.00	11,071.00	11,514.00	11,957.00	12,400.00	& OVER
6,250.01	225	6,250.01	6,696.01	7,143.01	7,589.01	8,036.01	8,482.01	8,929.01	9,375.01	9,821.01	10,268.01	10,714.01	11,161.01	11,607.01	12,054.01	12,500.01
6,300.00		6,696.00	7,143.00	7,589.00	8,036.00	8,482.00	8,929.00	9,375.00	9,821.00	10,268.00	10,714.00	11,161.00	11,607.00	12,054.00	12,500.00	& OVER
6,300.01	226	6,300.01	6,750.01	7,200.01	7,650.01	8,100.01	8,550.01	9,000.01	9,450.01	9,900.01	10,350.01	10,800.01	11,250.01	11,700.01	12,150.01	12,600.01
6,350.00		6,750.00	7,200.00	7,650.00	8,100.00	8,550.00	9,000.00	9,450.00	9,900.00	10,350.00	10,800.00	11,250.00	11,700.00	12,150.00	12,600.00	& OVER
6,350.01	227	6,350.01	6,804.01	7,257.01	7,711.01	8,164.01	8,618.01	9,071.01	9,525.01	9,979.01	10,432.01	10,886.01	11,339.01	11,793.01	12,246.01	12,700.01
6,400.00		6,804.00	7,257.00	7,711.00	8,164.00	8,618.00	9,071.00	9,525.00	9,979.00	10,432.00	10,886.00	11,339.00	11,793.00	12,246.00	12,700.00	& OVER
6,400.01	228	6,400.01	6,857.01	7,314.01	7,771.01	8,229.01	8,686.01	9,143.01	9,600.01	10,057.01	10,514.01	10,971.01	11,429.01	11,886.01	12,343.01	12,800.01
6,450.00		6,857.00	7,314.00	7,771.00	8,229.00	8,686.00	9,143.00	9,600.00	10,057.00	10,514.00	10,971.00	11,429.00	11,886.00	12,343.00	12,800.00	& OVER
6,450.01	229	6,450.01	6,911.01	7,371.01	7,832.01	8,293.01	8,754.01	9,214.01	9,675.01	10,136.01	10,596.01	11,057.01	11,518.01	11,979.01	12,439.01	12,900.01
6,500.00		6,911.00	7,371.00	7,832.00	8,293.00	8,754.00	9,214.00	9,675.00	10,136.00	10,596.00	11,057.00	11,518.00	11,979.00	12,439.00	12,900.00	& OVER
6,500.01	230	6,500.01	6,964.01	7,429.01	7,893.01	8,357.01	8,821.01	9,286.01	9,750.01	10,214.01	10,679.01	11,143.01	11,607.01	12,071.01	12,536.01	13,000.01
6,550.00		6,964.00	7,429.00	7,893.00	8,357.00	8,821.00	9,286.00	9,750.00	10,214.00	10,679.00	11,143.00	11,607.00	12,071.00	12,536.00	13,000.00	& OVER
6,550.01	231	6,550.01	7,018.01	7,486.01	7,954.01	8,421.01	8,889.01	9,357.01	9,825.01	10,293.01	10,761.01	11,229.01	11,696.01	12,164.01	12,632.01	13,100.01
6,600.00		7,018.00	7,486.00	7,954.00	8,421.00	8,889.00	9,357.00	9,825.00	10,293.00	10,761.00	11,229.00	11,696.00	12,164.00	12,632.00	13,100.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
6,600.01	232	6,600.01	7,071.01	7,543.01	8,014.01	8,486.01	8,957.01	9,429.01	9,900.01	10,371.01	10,843.01	11,314.01	11,786.01	12,257.01	12,729.01	13,200.01
6,650.00		7,071.00	7,543.00	8,014.00	8,486.00	8,957.00	9,429.00	9,900.00	10,371.00	10,843.00	11,314.00	11,786.00	12,257.00	12,729.00	13,200.00	& OVER
6,650.01	233	6,650.01	7,125.01	7,600.01	8,075.01	8,550.01	9,025.01	9,500.01	9,975.01	10,450.01	10,925.01	11,400.01	11,875.01	12,350.01	12,825.01	13,300.01
6,700.00		7,125.00	7,600.00	8,075.00	8,550.00	9,025.00	9,500.00	9,975.00	10,450.00	10,925.00	11,400.00	11,875.00	12,350.00	12,825.00	13,300.00	& OVER
6,700.01	234	6,700.01	7,179.01	7,657.01	8,136.01	8,614.01	9,093.01	9,571.01	10,050.01	10,529.01	11,007.01	11,486.01	11,964.01	12,443.01	12,921.01	13,400.01
6,750.00		7,179.00	7,657.00	8,136.00	8,614.00	9,093.00	9,571.00	10,050.00	10,529.00	11,007.00	11,486.00	11,964.00	12,443.00	12,921.00	13,400.00	& OVER
6,750.01	235	6,750.01	7,232.01	7,714.01	8,196.01	8,679.01	9,161.01	9,643.01	10,125.01	10,607.01	11,089.01	11,571.01	12,054.01	12,536.01	13,018.01	13,500.01
6,800.00		7,232.00	7,714.00	8,196.00	8,679.00	9,161.00	9,643.00	10,125.00	10,607.00	11,089.00	11,571.00	12,054.00	12,536.00	13,018.00	13,500.00	& OVER
6,800.01	236	6,800.01	7,286.01	7,771.01	8,257.01	8,743.01	9,229.01	9,714.01	10,200.01	10,686.01	11,171.01	11,657.01	12,143.01	12,629.01	13,114.01	13,600.01
6,850.00		7,286.00	7,771.00	8,257.00	8,743.00	9,229.00	9,714.00	10,200.00	10,686.00	11,171.00	11,657.00	12,143.00	12,629.00	13,114.00	13,600.00	& OVER
6,850.01	237	6,850.01	7,339.01	7,829.01	8,318.01	8,807.01	9,296.01	9,786.01	10,275.01	10,764.01	11,254.01	11,743.01	12,232.01	12,721.01	13,211.01	13,700.01
6,900.00		7,339.00	7,829.00	8,318.00	8,807.00	9,296.00	9,786.00	10,275.00	10,764.00	11,254.00	11,743.00	12,232.00	12,721.00	13,211.00	13,700.00	& OVER
6,900.01	238	6,900.01	7,393.01	7,886.01	8,379.01	8,871.01	9,364.01	9,857.01	10,350.01	10,843.01	11,336.01	11,829.01	12,321.01	12,814.01	13,307.01	13,800.01
6,950.00		7,393.00	7,886.00	8,379.00	8,871.00	9,364.00	9,857.00	10,350.00	10,843.00	11,336.00	11,829.00	12,321.00	12,814.00	13,307.00	13,800.00	& OVER
6,950.01	239	6,950.01	7,446.01	7,943.01	8,439.01	8,936.01	9,432.01	9,929.01	10,425.01	10,921.01	11,418.01	11,914.01	12,411.01	12,907.01	13,404.01	13,900.01
7,000.00		7,446.00	7,943.00	8,439.00	8,936.00	9,432.00	9,929.00	10,425.00	10,921.00	11,418.00	11,914.00	12,411.00	12,907.00	13,404.00	13,900.00	& OVER
7,000.01	240	7,000.01	7,500.01	8,000.01	8,500.01	9,000.01	9,500.01	10,000.01	10,500.01	11,000.01	11,500.01	12,000.01	12,500.01	13,000.01	13,500.01	14,000.01
7,050.00		7,500.00	8,000.00	8,500.00	9,000.00	9,500.00	10,000.00	10,500.00	11,000.00	11,500.00	12,000.00	12,500.00	13,000.00	13,500.00	14,000.00	& OVER
7,050.01	241	7,050.01	7,554.01	8,057.01	8,561.01	9,064.01	9,568.01	10,071.01	10,575.01	11,079.01	11,582.01	12,086.01	12,589.01	13,093.01	13,596.01	14,100.01
7,100.00		7,554.00	8,057.00	8,561.00	9,064.00	9,568.00	10,071.00	10,575.00	11,079.00	11,582.00	12,086.00	12,589.00	13,093.00	13,596.00	14,100.00	& OVER
7,100.01	242	7,100.01	7,607.01	8,114.01	8,621.01	9,129.01	9,636.01	10,143.01	10,650.01	11,157.01	11,664.01	12,171.01	12,679.01	13,186.01	13,693.01	14,200.01
7,150.00		7,607.00	8,114.00	8,621.00	9,129.00	9,636.00	10,143.00	10,650.00	11,157.00	11,664.00	12,171.00	12,679.00	13,186.00	13,693.00	14,200.00	& OVER
7,150.01	243	7,150.01	7,661.01	8,171.01	8,682.01	9,193.01	9,704.01	10,214.01	10,725.01	11,236.01	11,746.01	12,257.01	12,768.01	13,279.01	13,789.01	14,300.01
7,200.00		7,661.00	8,171.00	8,682.00	9,193.00	9,704.00	10,214.00	10,725.00	11,236.00	11,746.00	12,257.00	12,768.00	13,279.00	13,789.00	14,300.00	& OVER
7,200.01	244	7,200.01	7,714.01	8,229.01	8,743.01	9,257.01	9,771.01	10,286.01	10,800.01	11,314.01	11,829.01	12,343.01	12,857.01	13,371.01	13,886.01	14,400.01
7,250.00		7,714.00	8,229.00	8,743.00	9,257.00	9,771.00	10,286.00	10,800.00	11,314.00	11,829.00	12,343.00	12,857.00	13,371.00	13,886.00	14,400.00	& OVER
7,250.01	245	7,250.01	7,768.01	8,286.01	8,804.01	9,321.01	9,839.01	10,357.01	10,875.01	11,393.01	11,911.01	12,429.01	12,946.01	13,464.01	13,982.01	14,500.01
7,300.00		7,768.00	8,286.00	8,804.00	9,321.00	9,839.00	10,357.00	10,875.00	11,393.00	11,911.00	12,429.00	12,946.00	13,464.00	13,982.00	14,500.00	& OVER
7,300.01	246	7,300.01	7,821.01	8,343.01	8,864.01	9,386.01	9,907.01	10,429.01	10,950.01	11,471.01	11,993.01	12,514.01	13,036.01	13,557.01	14,079.01	14,600.01
7,350.00		7,821.00	8,343.00	8,864.00	9,386.00	9,907.00	10,429.00	10,950.00	11,471.00	11,993.00	12,514.00	13,036.00	13,557.00	14,079.00	14,600.00	& OVER
7,350.01	247	7,350.01	7,875.01	8,400.01	8,925.01	9,450.01	9,975.01	10,500.01	11,025.01	11,550.01	12,075.01	12,600.01	13,125.01	13,650.01	14,175.01	14,700.01
7,400.00		7,875.00	8,400.00	8,925.00	9,450.00	9,975.00	10,500.00	11,025.00	11,550.00	12,075.00	12,600.00	13,125.00	13,650.00	14,175.00	14,700.00	& OVER
7,400.01	248	7,400.01	7,929.01	8,457.01	8,986.01	9,514.01	10,043.01	10,571.01	11,100.01	11,629.01	12,157.01	12,686.01	13,214.01	13,743.01	14,271.01	14,800.01
7,450.00		7,929.00	8,457.00	8,986.00	9,514.00	10,043.00	10,571.00	11,100.00	11,629.00	12,157.00	12,686.00	13,214.00	13,743.00	14,271.00	14,800.00	& OVER
7,450.01	249	7,450.01	7,982.01	8,514.01	9,046.01	9,579.01	10,111.01	10,643.01	11,175.01	11,707.01	12,239.01	12,771.01	13,304.01	13,836.01	14,368.01	14,900.01
7,500.00		7,982.00	8,514.00	9,046.00	9,579.00	10,111.00	10,643.00	11,175.00	11,707.00	12,239.00	12,771.00	13,304.00	13,836.00	14,368.00	14,900.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
7,500.01	250	7,500.01	8,036.01	8,571.01	9,107.01	9,643.01	10,179.01	10,714.01	11,250.01	11,786.01	12,321.01	12,857.01	13,393.01	13,929.01	14,464.01	15,000.01
7,550.00		8,036.00	8,571.00	9,107.00	9,643.00	10,179.00	10,714.00	11,250.00	11,786.00	12,321.00	12,857.00	13,393.00	13,929.00	14,464.00	15,000.00	& OVER
7,550.01	251	7,550.01	8,089.01	8,629.01	9,168.01	9,707.01	10,246.01	10,786.01	11,325.01	11,864.01	12,404.01	12,943.01	13,482.01	14,021.01	14,561.01	15,100.01
7,600.00		8,089.00	8,629.00	9,168.00	9,707.00	10,246.00	10,786.00	11,325.00	11,864.00	12,404.00	12,943.00	13,482.00	14,021.00	14,561.00	15,100.00	& OVER
7,600.01	252	7,600.01	8,143.01	8,686.01	9,229.01	9,771.01	10,314.01	10,857.01	11,400.01	11,943.01	12,486.01	13,029.01	13,571.01	14,114.01	14,657.01	15,200.01
7,650.00		8,143.00	8,686.00	9,229.00	9,771.00	10,314.00	10,857.00	11,400.00	11,943.00	12,486.00	13,029.00	13,571.00	14,114.00	14,657.00	15,200.00	& OVER
7,650.01	253	7,650.01	8,196.01	8,743.01	9,289.01	9,836.01	10,382.01	10,929.01	11,475.01	12,021.01	12,568.01	13,114.01	13,661.01	14,207.01	14,754.01	15,300.01
7,700.00		8,196.00	8,743.00	9,289.00	9,836.00	10,382.00	10,929.00	11,475.00	12,021.00	12,568.00	13,114.00	13,661.00	14,207.00	14,754.00	15,300.00	& OVER
7,700.01	254	7,700.01	8,250.01	8,800.01	9,350.01	9,900.01	10,450.01	11,000.01	11,550.01	12,100.01	12,650.01	13,200.01	13,750.01	14,300.01	14,850.01	15,400.01
7,750.00		8,250.00	8,800.00	9,350.00	9,900.00	10,450.00	11,000.00	11,550.00	12,100.00	12,650.00	13,200.00	13,750.00	14,300.00	14,850.00	15,400.00	& OVER
7,750.01	255	7,750.01	8,304.01	8,857.01	9,411.01	9,964.01	10,518.01	11,071.01	11,625.01	12,179.01	12,732.01	13,286.01	13,839.01	14,393.01	14,946.01	15,500.01
7,800.00		8,304.00	8,857.00	9,411.00	9,964.00	10,518.00	11,071.00	11,625.00	12,179.00	12,732.00	13,286.00	13,839.00	14,393.00	14,946.00	15,500.00	& OVER
7,800.01	256	7,800.01	8,357.01	8,914.01	9,471.01	10,029.01	10,586.01	11,143.01	11,700.01	12,257.01	12,814.01	13,371.01	13,929.01	14,486.01	15,043.01	15,600.01
7,850.00		8,357.00	8,914.00	9,471.00	10,029.00	10,586.00	11,143.00	11,700.00	12,257.00	12,814.00	13,371.00	13,929.00	14,486.00	15,043.00	15,600.00	& OVER
7,850.01	257	7,850.01	8,411.01	8,971.01	9,532.01	10,093.01	10,654.01	11,214.01	11,775.01	12,336.01	12,896.01	13,457.01	14,018.01	14,579.01	15,139.01	15,700.01
7,900.00		8,411.00	8,971.00	9,532.00	10,093.00	10,654.00	11,214.00	11,775.00	12,336.00	12,896.00	13,457.00	14,018.00	14,579.00	15,139.00	15,700.00	& OVER
7,900.01	258	7,900.01	8,464.01	9,029.01	9,593.01	10,157.01	10,721.01	11,286.01	11,850.01	12,414.01	12,979.01	13,543.01	14,107.01	14,671.01	15,236.01	15,800.01
7,950.00		8,464.00	9,029.00	9,593.00	10,157.00	10,721.00	11,286.00	11,850.00	12,414.00	12,979.00	13,543.00	14,107.00	14,671.00	15,236.00	15,800.00	& OVER
7,950.01	259	7,950.01	8,518.01	9,086.01	9,654.01	10,221.01	10,789.01	11,357.01	11,925.01	12,493.01	13,061.01	13,629.01	14,196.01	14,764.01	15,332.01	15,900.01
8,000.00		8,518.00	9,086.00	9,654.00	10,221.00	10,789.00	11,357.00	11,925.00	12,493.00	13,061.00	13,629.00	14,196.00	14,764.00	15,332.00	15,900.00	& OVER
8,000.01	260	8,000.01	8,571.01	9,143.01	9,714.01	10,286.01	10,857.01	11,429.01	12,000.01	12,571.01	13,143.01	13,714.01	14,286.01	14,857.01	15,429.01	16,000.01
8,050.00		8,571.00	9,143.00	9,714.00	10,286.00	10,857.00	11,429.00	12,000.00	12,571.00	13,143.00	13,714.00	14,286.00	14,857.00	15,429.00	16,000.00	& OVER
8,050.01	261	8,050.01	8,625.01	9,200.01	9,775.01	10,350.01	10,925.01	11,500.01	12,075.01	12,650.01	13,225.01	13,800.01	14,375.01	14,950.01	15,525.01	16,100.01
8,100.00		8,625.00	9,200.00	9,775.00	10,350.00	10,925.00	11,500.00	12,075.00	12,650.00	13,225.00	13,800.00	14,375.00	14,950.00	15,525.00	16,100.00	& OVER
8,100.01	262	8,100.01	8,679.01	9,257.01	9,836.01	10,414.01	10,993.01	11,571.01	12,150.01	12,729.01	13,307.01	13,886.01	14,464.01	15,043.01	15,621.01	16,200.01
8,150.00		8,679.00	9,257.00	9,836.00	10,414.00	10,993.00	11,571.00	12,150.00	12,729.00	13,307.00	13,886.00	14,464.00	15,043.00	15,621.00	16,200.00	& OVER
8,150.01	263	8,150.01	8,732.01	9,314.01	9,896.01	10,479.01	11,061.01	11,643.01	12,225.01	12,807.01	13,389.01	13,971.01	14,554.01	15,136.01	15,718.01	16,300.01
8,200.00		8,732.00	9,314.00	9,896.00	10,479.00	11,061.00	11,643.00	12,225.00	12,807.00	13,389.00	13,971.00	14,554.00	15,136.00	15,718.00	16,300.00	& OVER
8,200.01	264	8,200.01	8,786.01	9,371.01	9,957.01	10,543.01	11,129.01	11,714.01	12,300.01	12,886.01	13,471.01	14,057.01	14,643.01	15,229.01	15,814.01	16,400.01
8,250.00		8,786.00	9,371.00	9,957.00	10,543.00	11,129.00	11,714.00	12,300.00	12,886.00	13,471.00	14,057.00	14,643.00	15,229.00	15,814.00	16,400.00	& OVER
8,250.01	265	8,250.01	8,839.01	9,429.01	10,018.01	10,607.01	11,196.01	11,786.01	12,375.01	12,964.01	13,554.01	14,143.01	14,732.01	15,321.01	15,911.01	16,500.01
8,300.00		8,839.00	9,429.00	10,018.00	10,607.00	11,196.00	11,786.00	12,375.00	12,964.00	13,554.00	14,143.00	14,732.00	15,321.00	15,911.00	16,500.00	& OVER
8,300.01	266	8,300.01	8,893.01	9,486.01	10,079.01	10,671.01	11,264.01	11,857.01	12,450.01	13,043.01	13,636.01	14,229.01	14,821.01	15,414.01	16,007.01	16,600.01
8,350.00		8,893.00	9,486.00	10,079.00	10,671.00	11,264.00	11,857.00	12,450.00	13,043.00	13,636.00	14,229.00	14,821.00	15,414.00	16,007.00	16,600.00	& OVER
8,350.01	267	8,350.01	8,946.01	9,543.01	10,139.01	10,736.01	11,332.01	11,929.01	12,525.01	13,121.01	13,718.01	14,314.01	14,911.01	15,507.01	16,104.01	16,700.01
8,400.00		8,946.00	9,543.00	10,139.00	10,736.00	11,332.00	11,929.00	12,525.00	13,121.00	13,718.00	14,314.00	14,911.00	15,507.00	16,104.00	16,700.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
8,400.01	268	8,400.01	9,000.01	9,600.01	10,200.01	10,800.01	11,400.01	12,000.01	12,600.01	13,200.01	13,800.01	14,400.01	15,000.01	15,600.01	16,200.01	16,800.01
8,450.00		9,000.00	9,600.00	10,200.00	10,800.00	11,400.00	12,000.00	12,600.00	13,200.00	13,800.00	14,400.00	15,000.00	15,600.00	16,200.00	16,800.00	& OVER
8,450.01	269	8,450.01	9,054.01	9,657.01	10,261.01	10,864.01	11,468.01	12,071.01	12,675.01	13,279.01	13,882.01	14,486.01	15,089.01	15,693.01	16,296.01	16,900.01
8,500.00		9,054.00	9,657.00	10,261.00	10,864.00	11,468.00	12,071.00	12,675.00	13,279.00	13,882.00	14,486.00	15,089.00	15,693.00	16,296.00	16,900.00	& OVER
8,500.01	270	8,500.01	9,107.01	9,714.01	10,321.01	10,929.01	11,536.01	12,143.01	12,750.01	13,357.01	13,964.01	14,571.01	15,179.01	15,786.01	16,393.01	17,000.01
8,550.00		9,107.00	9,714.00	10,321.00	10,929.00	11,536.00	12,143.00	12,750.00	13,357.00	13,964.00	14,571.00	15,179.00	15,786.00	16,393.00	17,000.00	& OVER
8,550.01	271	8,550.01	9,161.01	9,771.01	10,382.01	10,993.01	11,604.01	12,214.01	12,825.01	13,436.01	14,046.01	14,657.01	15,268.01	15,879.01	16,489.01	17,100.01
8,600.00		9,161.00	9,771.00	10,382.00	10,993.00	11,604.00	12,214.00	12,825.00	13,436.00	14,046.00	14,657.00	15,268.00	15,879.00	16,489.00	17,100.00	& OVER
8,600.01	272	8,600.01	9,214.01	9,829.01	10,443.01	11,057.01	11,671.01	12,286.01	12,900.01	13,514.01	14,129.01	14,743.01	15,357.01	15,971.01	16,586.01	17,200.01
8,650.00		9,214.00	9,829.00	10,443.00	11,057.00	11,671.00	12,286.00	12,900.00	13,514.00	14,129.00	14,743.00	15,357.00	15,971.00	16,586.00	17,200.00	& OVER
8,650.01	273	8,650.01	9,268.01	9,886.01	10,504.01	11,121.01	11,739.01	12,357.01	12,975.01	13,593.01	14,211.01	14,829.01	15,446.01	16,064.01	16,682.01	17,300.01
8,700.00		9,268.00	9,886.00	10,504.00	11,121.00	11,739.00	12,357.00	12,975.00	13,593.00	14,211.00	14,829.00	15,446.00	16,064.00	16,682.00	17,300.00	& OVER
8,700.01	274	8,700.01	9,321.01	9,943.01	10,564.01	11,186.01	11,807.01	12,429.01	13,050.01	13,671.01	14,293.01	14,914.01	15,536.01	16,157.01	16,779.01	17,400.01
8,750.00		9,321.00	9,943.00	10,564.00	11,186.00	11,807.00	12,429.00	13,050.00	13,671.00	14,293.00	14,914.00	15,536.00	16,157.00	16,779.00	17,400.00	& OVER
8,750.01	275	8,750.01	9,375.01	10,000.01	10,625.01	11,250.01	11,875.01	12,500.01	13,125.01	13,750.01	14,375.01	15,000.01	15,625.01	16,250.01	16,875.01	17,500.01
8,800.00		9,375.00	10,000.00	10,625.00	11,250.00	11,875.00	12,500.00	13,125.00	13,750.00	14,375.00	15,000.00	15,625.00	16,250.00	16,875.00	17,500.00	& OVER
8,800.01	276	8,800.01	9,429.01	10,057.01	10,686.01	11,314.01	11,943.01	12,571.01	13,200.01	13,829.01	14,457.01	15,086.01	15,714.01	16,343.01	16,971.01	17,600.01
8,850.00		9,429.00	10,057.00	10,686.00	11,314.00	11,943.00	12,571.00	13,200.00	13,829.00	14,457.00	15,086.00	15,714.00	16,343.00	16,971.00	17,600.00	& OVER
8,850.01	277	8,850.01	9,482.01	10,114.01	10,746.01	11,379.01	12,011.01	12,643.01	13,275.01	13,907.01	14,539.01	15,171.01	15,804.01	16,436.01	17,068.01	17,700.01
8,900.00		9,482.00	10,114.00	10,746.00	11,379.00	12,011.00	12,643.00	13,275.00	13,907.00	14,539.00	15,171.00	15,804.00	16,436.00	17,068.00	17,700.00	& OVER
8,900.01	278	8,900.01	9,536.01	10,171.01	10,807.01	11,443.01	12,079.01	12,714.01	13,350.01	13,986.01	14,621.01	15,257.01	15,893.01	16,529.01	17,164.01	17,800.01
8,950.00		9,536.00	10,171.00	10,807.00	11,443.00	12,079.00	12,714.00	13,350.00	13,986.00	14,621.00	15,257.00	15,893.00	16,529.00	17,164.00	17,800.00	& OVER
8,950.01	279	8,950.01	9,589.01	10,229.01	10,868.01	11,507.01	12,146.01	12,786.01	13,425.01	14,064.01	14,704.01	15,343.01	15,982.01	16,621.01	17,261.01	17,900.01
9,000.00		9,589.00	10,229.00	10,868.00	11,507.00	12,146.00	12,786.00	13,425.00	14,064.00	14,704.00	15,343.00	15,982.00	16,621.00	17,261.00	17,900.00	& OVER
9,000.01	280	9,000.01	9,643.01	10,286.01	10,929.01	11,571.01	12,214.01	12,857.01	13,500.01	14,143.01	14,786.01	15,429.01	16,071.01	16,714.01	17,357.01	18,000.01
9,050.00		9,643.00	10,286.00	10,929.00	11,571.00	12,214.00	12,857.00	13,500.00	14,143.00	14,786.00	15,429.00	16,071.00	16,714.00	17,357.00	18,000.00	& OVER
9,050.01	281	9,050.01	9,696.01	10,343.01	10,989.01	11,636.01	12,282.01	12,929.01	13,575.01	14,221.01	14,868.01	15,514.01	16,161.01	16,807.01	17,454.01	18,100.01
9,100.00		9,696.00	10,343.00	10,989.00	11,636.00	12,282.00	12,929.00	13,575.00	14,221.00	14,868.00	15,514.00	16,161.00	16,807.00	17,454.00	18,100.00	& OVER
9,100.01	282	9,100.01	9,750.01	10,400.01	11,050.01	11,700.01	12,350.01	13,000.01	13,650.01	14,300.01	14,950.01	15,600.01	16,250.01	16,900.01	17,550.01	18,200.01
9,150.00		9,750.00	10,400.00	11,050.00	11,700.00	12,350.00	13,000.00	13,650.00	14,300.00	14,950.00	15,600.00	16,250.00	16,900.00	17,550.00	18,200.00	& OVER
9,150.01 9,200.00	283	9,150.01 9,804.00	9,804.01 10,457.00	10,457.01 11,111.00	11,111.01 11,764.00	11,764.01 12,418.00	12,418.01 13,071.00	13,071.01 13,725.00	13,725.01 14,379.00	14,379.01 15,032.00	15,032.01 15,686.00	15,686.01 16,339.00	16,339.01 16,993.00	16,993.01 17,646.00	17,646.01 18,300.00	18,300.01 & OVER
9,200.01 9,250.00	284	9,200.01 9,857.00	9,857.01 10,514.00	10,514.01 11,171.00	11,171.01 11,829.00	11,829.01 12,486.00	12,486.01 13,143.00	13,143.01 13,800.00	13,800.01 14,457.00	14,457.01 15,114.00	15,114.01 15,771.00	15,771.01 16,429.00	16,429.01 17,086.00	17,086.01 17,743.00	17,743.01 18,400.00	18,400.01 & OVER
9,250.01 9,300.00	285	9,250.01 9,911.00	9,911.01 10,571.00	10,571.01 11,232.00	11,232.01 11,893.00	11,893.01 12,554.00	12,554.01 13,214.00	13,214.01 13,875.00	13,875.01 14,536.00	14,536.01 15,196.00	15,196.01 15,857.00	15,857.01 16,518.00	16,518.01 17,179.00	17,179.01 17,839.00	17,839.01 18,500.00	18,500.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
9,300.01	286	9,300.01	9,964.01	10,629.01	11,293.01	11,957.01	12,621.01	13,286.01	13,950.01	14,614.01	15,279.01	15,943.01	16,607.01	17,271.01	17,936.01	18,600.01
9,350.00		9,964.00	10,629.00	11,293.00	11,957.00	12,621.00	13,286.00	13,950.00	14,614.00	15,279.00	15,943.00	16,607.00	17,271.00	17,936.00	18,600.00	& OVER
9,350.01	287	9,350.01	10,018.01	10,686.01	11,354.01	12,021.01	12,689.01	13,357.01	14,025.01	14,693.01	15,361.01	16,029.01	16,696.01	17,364.01	18,032.01	18,700.01
9,400.00		10,018.00	10,686.00	11,354.00	12,021.00	12,689.00	13,357.00	14,025.00	14,693.00	15,361.00	16,029.00	16,696.00	17,364.00	18,032.00	18,700.00	& OVER
9,400.01	288	9,400.01	10,071.01	10,743.01	11,414.01	12,086.01	12,757.01	13,429.01	14,100.01	14,771.01	15,443.01	16,114.01	16,786.01	17,457.01	18,129.01	18,800.01
9,450.00		10,071.00	10,743.00	11,414.00	12,086.00	12,757.00	13,429.00	14,100.00	14,771.00	15,443.00	16,114.00	16,786.00	17,457.00	18,129.00	18,800.00	& OVER
9,450.01	289	9,450.01	10,125.01	10,800.01	11,475.01	12,150.01	12,825.01	13,500.01	14,175.01	14,850.01	15,525.01	16,200.01	16,875.01	17,550.01	18,225.01	18,900.01
9,500.00		10,125.00	10,800.00	11,475.00	12,150.00	12,825.00	13,500.00	14,175.00	14,850.00	15,525.00	16,200.00	16,875.00	17,550.00	18,225.00	18,900.00	& OVER
9,500.01	290	9,500.01	10,179.01	10,857.01	11,536.01	12,214.01	12,893.01	13,571.01	14,250.01	14,929.01	15,607.01	16,286.01	16,964.01	17,643.01	18,321.01	19,000.01
9,550.00		10,179.00	10,857.00	11,536.00	12,214.00	12,893.00	13,571.00	14,250.00	14,929.00	15,607.00	16,286.00	16,964.00	17,643.00	18,321.00	19,000.00	& OVER
9,550.01	291	9,550.01	10,232.01	10,914.01	11,596.01	12,279.01	12,961.01	13,643.01	14,325.01	15,007.01	15,689.01	16,371.01	17,054.01	17,736.01	18,418.01	19,100.01
9,600.00		10,232.00	10,914.00	11,596.00	12,279.00	12,961.00	13,643.00	14,325.00	15,007.00	15,689.00	16,371.00	17,054.00	17,736.00	18,418.00	19,100.00	& OVER
9,600.01	292	9,600.01	10,286.01	10,971.01	11,657.01	12,343.01	13,029.01	13,714.01	14,400.01	15,086.01	15,771.01	16,457.01	17,143.01	17,829.01	18,514.01	19,200.01
9,650.00		10,286.00	10,971.00	11,657.00	12,343.00	13,029.00	13,714.00	14,400.00	15,086.00	15,771.00	16,457.00	17,143.00	17,829.00	18,514.00	19,200.00	& OVER
9,650.01	293	9,650.01	10,339.01	11,029.01	11,718.01	12,407.01	13,096.01	13,786.01	14,475.01	15,164.01	15,854.01	16,543.01	17,232.01	17,921.01	18,611.01	19,300.01
9,700.00		10,339.00	11,029.00	11,718.00	12,407.00	13,096.00	13,786.00	14,475.00	15,164.00	15,854.00	16,543.00	17,232.00	17,921.00	18,611.00	19,300.00	& OVER
9,700.01	294	9,700.01	10,393.01	11,086.01	11,779.01	12,471.01	13,164.01	13,857.01	14,550.01	15,243.01	15,936.01	16,629.01	17,321.01	18,014.01	18,707.01	19,400.01
9,750.00		10,393.00	11,086.00	11,779.00	12,471.00	13,164.00	13,857.00	14,550.00	15,243.00	15,936.00	16,629.00	17,321.00	18,014.00	18,707.00	19,400.00	& OVER
9,750.01	295	9,750.01	10,446.01	11,143.01	11,839.01	12,536.01	13,232.01	13,929.01	14,625.01	15,321.01	16,018.01	16,714.01	17,411.01	18,107.01	18,804.01	19,500.01
9,800.00		10,446.00	11,143.00	11,839.00	12,536.00	13,232.00	13,929.00	14,625.00	15,321.00	16,018.00	16,714.00	17,411.00	18,107.00	18,804.00	19,500.00	& OVER
9,800.01	296	9,800.01	10,500.01	11,200.01	11,900.01	12,600.01	13,300.01	14,000.01	14,700.01	15,400.01	16,100.01	16,800.01	17,500.01	18,200.01	18,900.01	19,600.01
9,850.00		10,500.00	11,200.00	11,900.00	12,600.00	13,300.00	14,000.00	14,700.00	15,400.00	16,100.00	16,800.00	17,500.00	18,200.00	18,900.00	19,600.00	& OVER
9,850.01	297	9,850.01	10,554.01	11,257.01	11,961.01	12,664.01	13,368.01	14,071.01	14,775.01	15,479.01	16,182.01	16,886.01	17,589.01	18,293.01	18,996.01	19,700.01
9,900.00		10,554.00	11,257.00	11,961.00	12,664.00	13,368.00	14,071.00	14,775.00	15,479.00	16,182.00	16,886.00	17,589.00	18,293.00	18,996.00	19,700.00	& OVER
9,900.01	298	9,900.01	10,607.01	11,314.01	12,021.01	12,729.01	13,436.01	14,143.01	14,850.01	15,557.01	16,264.01	16,971.01	17,679.01	18,386.01	19,093.01	19,800.01
9,950.00		10,607.00	11,314.00	12,021.00	12,729.00	13,436.00	14,143.00	14,850.00	15,557.00	16,264.00	16,971.00	17,679.00	18,386.00	19,093.00	19,800.00	& OVER
9,950.01	299	9,950.01	10,661.01	11,371.01	12,082.01	12,793.01	13,504.01	14,214.01	14,925.01	15,636.01	16,346.01	17,057.01	17,768.01	18,479.01	19,189.01	19,900.01
10,000.00		10,661.00	11,371.00	12,082.00	12,793.00	13,504.00	14,214.00	14,925.00	15,636.00	16,346.00	17,057.00	17,768.00	18,479.00	19,189.00	19,900.00	& OVER
10,000.01	300	10,000.01	10,714.01	11,429.01	12,143.01	12,857.01	13,571.01	14,286.01	15,000.01	15,714.01	16,429.01	17,143.01	17,857.01	18,571.01	19,286.01	20,000.01
10,050.00		10,714.00	11,429.00	12,143.00	12,857.00	13,571.00	14,286.00	15,000.00	15,714.00	16,429.00	17,143.00	17,857.00	18,571.00	19,286.00	20,000.00	& OVER
10,050.01	301	10,050.01	10,768.01	11,486.01	12,204.01	12,921.01	13,639.01	14,357.01	15,075.01	15,793.01	16,511.01	17,229.01	17,946.01	18,664.01	19,382.01	20,100.01
10,100.00		10,768.00	11,486.00	12,204.00	12,921.00	13,639.00	14,357.00	15,075.00	15,793.00	16,511.00	17,229.00	17,946.00	18,664.00	19,382.00	20,100.00	& OVER
10,100.01	302	10,100.01	10,821.01	11,543.01	12,264.01	12,986.01	13,707.01	14,429.01	15,150.01	15,871.01	16,593.01	17,314.01	18,036.01	18,757.01	19,479.01	20,200.01
10,150.00		10,821.00	11,543.00	12,264.00	12,986.00	13,707.00	14,429.00	15,150.00	15,871.00	16,593.00	17,314.00	18,036.00	18,757.00	19,479.00	20,200.00	& OVER
10,150.01	303	10,150.01	10,875.01	11,600.01	12,325.01	13,050.01	13,775.01	14,500.01	15,225.01	15,950.01	16,675.01	17,400.01	18,125.01	18,850.01	19,575.01	20,300.01
10,200.00		10,875.00	11,600.00	12,325.00	13,050.00	13,775.00	14,500.00	15,225.00	15,950.00	16,675.00	17,400.00	18,125.00	18,850.00	19,575.00	20,300.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
10,200.01	304	10,200.01	10,929.01	11,657.01	12,386.01	13,114.01	13,843.01	14,571.01	15,300.01	16,029.01	16,757.01	17,486.01	18,214.01	18,943.01	19,671.01	20,400.01
10,250.00		10,929.00	11,657.00	12,386.00	13,114.00	13,843.00	14,571.00	15,300.00	16,029.00	16,757.00	17,486.00	18,214.00	18,943.00	19,671.00	20,400.00	& OVER
10,250.01	305	10,250.01	10,982.01	11,714.01	12,446.01	13,179.01	13,911.01	14,643.01	15,375.01	16,107.01	16,839.01	17,571.01	18,304.01	19,036.01	19,768.01	20,500.01
10,300.00		10,982.00	11,714.00	12,446.00	13,179.00	13,911.00	14,643.00	15,375.00	16,107.00	16,839.00	17,571.00	18,304.00	19,036.00	19,768.00	20,500.00	& OVER
10,300.01	306	10,300.01	11,036.01	11,771.01	12,507.01	13,243.01	13,979.01	14,714.01	15,450.01	16,186.01	16,921.01	17,657.01	18,393.01	19,129.01	19,864.01	20,600.01
10,350.00		11,036.00	11,771.00	12,507.00	13,243.00	13,979.00	14,714.00	15,450.00	16,186.00	16,921.00	17,657.00	18,393.00	19,129.00	19,864.00	20,600.00	& OVER
10,350.01	307	10,350.01	11,089.01	11,829.01	12,568.01	13,307.01	14,046.01	14,786.01	15,525.01	16,264.01	17,004.01	17,743.01	18,482.01	19,221.01	19,961.01	20,700.01
10,400.00		11,089.00	11,829.00	12,568.00	13,307.00	14,046.00	14,786.00	15,525.00	16,264.00	17,004.00	17,743.00	18,482.00	19,221.00	19,961.00	20,700.00	& OVER
10,400.01	308	10,400.01	11,143.01	11,886.01	12,629.01	13,371.01	14,114.01	14,857.01	15,600.01	16,343.01	17,086.01	17,829.01	18,571.01	19,314.01	20,057.01	20,800.01
10,450.00		11,143.00	11,886.00	12,629.00	13,371.00	14,114.00	14,857.00	15,600.00	16,343.00	17,086.00	17,829.00	18,571.00	19,314.00	20,057.00	20,800.00	& OVER
10,450.01	309	10,450.01	11,196.01	11,943.01	12,689.01	13,436.01	14,182.01	14,929.01	15,675.01	16,421.01	17,168.01	17,914.01	18,661.01	19,407.01	20,154.01	20,900.01
10,500.00		11,196.00	11,943.00	12,689.00	13,436.00	14,182.00	14,929.00	15,675.00	16,421.00	17,168.00	17,914.00	18,661.00	19,407.00	20,154.00	20,900.00	& OVER
10,500.01	310	10,500.01	11,250.01	12,000.01	12,750.01	13,500.01	14,250.01	15,000.01	15,750.01	16,500.01	17,250.01	18,000.01	18,750.01	19,500.01	20,250.01	21,000.01
10,550.00		11,250.00	12,000.00	12,750.00	13,500.00	14,250.00	15,000.00	15,750.00	16,500.00	17,250.00	18,000.00	18,750.00	19,500.00	20,250.00	21,000.00	& OVER
10,550.01	311	10,550.01	11,304.01	12,057.01	12,811.01	13,564.01	14,318.01	15,071.01	15,825.01	16,579.01	17,332.01	18,086.01	18,839.01	19,593.01	20,346.01	21,100.01
10,600.00		11,304.00	12,057.00	12,811.00	13,564.00	14,318.00	15,071.00	15,825.00	16,579.00	17,332.00	18,086.00	18,839.00	19,593.00	20,346.00	21,100.00	& OVER
10,600.01	312	10,600.01	11,357.01	12,114.01	12,871.01	13,629.01	14,386.01	15,143.01	15,900.01	16,657.01	17,414.01	18,171.01	18,929.01	19,686.01	20,443.01	21,200.01
10,650.00		11,357.00	12,114.00	12,871.00	13,629.00	14,386.00	15,143.00	15,900.00	16,657.00	17,414.00	18,171.00	18,929.00	19,686.00	20,443.00	21,200.00	& OVER
10,650.01	313	10,650.01	11,411.01	12,171.01	12,932.01	13,693.01	14,454.01	15,214.01	15,975.01	16,736.01	17,496.01	18,257.01	19,018.01	19,779.01	20,539.01	21,300.01
10,700.00		11,411.00	12,171.00	12,932.00	13,693.00	14,454.00	15,214.00	15,975.00	16,736.00	17,496.00	18,257.00	19,018.00	19,779.00	20,539.00	21,300.00	& OVER
10,700.01	314	10,700.01	11,464.01	12,229.01	12,993.01	13,757.01	14,521.01	15,286.01	16,050.01	16,814.01	17,579.01	18,343.01	19,107.01	19,871.01	20,636.01	21,400.01
10,750.00		11,464.00	12,229.00	12,993.00	13,757.00	14,521.00	15,286.00	16,050.00	16,814.00	17,579.00	18,343.00	19,107.00	19,871.00	20,636.00	21,400.00	& OVER
10,750.01	315	10,750.01	11,518.01	12,286.01	13,054.01	13,821.01	14,589.01	15,357.01	16,125.01	16,893.01	17,661.01	18,429.01	19,196.01	19,964.01	20,732.01	21,500.01
10,800.00		11,518.00	12,286.00	13,054.00	13,821.00	14,589.00	15,357.00	16,125.00	16,893.00	17,661.00	18,429.00	19,196.00	19,964.00	20,732.00	21,500.00	& OVER
10,800.01	316	10,800.01	11,571.01	12,343.01	13,114.01	13,886.01	14,657.01	15,429.01	16,200.01	16,971.01	17,743.01	18,514.01	19,286.01	20,057.01	20,829.01	21,600.01
10,850.00		11,571.00	12,343.00	13,114.00	13,886.00	14,657.00	15,429.00	16,200.00	16,971.00	17,743.00	18,514.00	19,286.00	20,057.00	20,829.00	21,600.00	& OVER
10,850.01	317	10,850.01	11,625.01	12,400.01	13,175.01	13,950.01	14,725.01	15,500.01	16,275.01	17,050.01	17,825.01	18,600.01	19,375.01	20,150.01	20,925.01	21,700.01
10,900.00		11,625.00	12,400.00	13,175.00	13,950.00	14,725.00	15,500.00	16,275.00	17,050.00	17,825.00	18,600.00	19,375.00	20,150.00	20,925.00	21,700.00	& OVER
10,900.01	318	10,900.01	11,679.01	12,457.01	13,236.01	14,014.01	14,793.01	15,571.01	16,350.01	17,129.01	17,907.01	18,686.01	19,464.01	20,243.01	21,021.01	21,800.01
10,950.00		11,679.00	12,457.00	13,236.00	14,014.00	14,793.00	15,571.00	16,350.00	17,129.00	17,907.00	18,686.00	19,464.00	20,243.00	21,021.00	21,800.00	& OVER
10,950.01	319	10,950.01	11,732.01	12,514.01	13,296.01	14,079.01	14,861.01	15,643.01	16,425.01	17,207.01	17,989.01	18,771.01	19,554.01	20,336.01	21,118.01	21,900.01
11,000.00		11,732.00	12,514.00	13,296.00	14,079.00	14,861.00	15,643.00	16,425.00	17,207.00	17,989.00	18,771.00	19,554.00	20,336.00	21,118.00	21,900.00	& OVER
11,000.01	320	11,000.01	11,786.01	12,571.01	13,357.01	14,143.01	14,929.01	15,714.01	16,500.01	17,286.01	18,071.01	18,857.01	19,643.01	20,429.01	21,214.01	22,000.01
11,050.00		11,786.00	12,571.00	13,357.00	14,143.00	14,929.00	15,714.00	16,500.00	17,286.00	18,071.00	18,857.00	19,643.00	20,429.00	21,214.00	22,000.00	& OVER
11,050.01	321	11,050.01	11,839.01	12,629.01	13,418.01	14,207.01	14,996.01	15,786.01	16,575.01	17,364.01	18,154.01	18,943.01	19,732.01	20,521.01	21,311.01	22,100.01
11,100.00		11,839.00	12,629.00	13,418.00	14,207.00	14,996.00	15,786.00	16,575.00	17,364.00	18,154.00	18,943.00	19,732.00	20,521.00	21,311.00	22,100.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
11,100.01	322	11,100.01	11,893.01	12,686.01	13,479.01	14,271.01	15,064.01	15,857.01	16,650.01	17,443.01	18,236.01	19,029.01	19,821.01	20,614.01	21,407.01	22,200.01
11,150.00		11,893.00	12,686.00	13,479.00	14,271.00	15,064.00	15,857.00	16,650.00	17,443.00	18,236.00	19,029.00	19,821.00	20,614.00	21,407.00	22,200.00	& OVER
11,150.01	323	11,150.01	11,946.01	12,743.01	13,539.01	14,336.01	15,132.01	15,929.01	16,725.01	17,521.01	18,318.01	19,114.01	19,911.01	20,707.01	21,504.01	22,300.01
11,200.00		11,946.00	12,743.00	13,539.00	14,336.00	15,132.00	15,929.00	16,725.00	17,521.00	18,318.00	19,114.00	19,911.00	20,707.00	21,504.00	22,300.00	& OVER
11,200.01	324	11,200.01	12,000.01	12,800.01	13,600.01	14,400.01	15,200.01	16,000.01	16,800.01	17,600.01	18,400.01	19,200.01	20,000.01	20,800.01	21,600.01	22,400.01
11,250.00		12,000.00	12,800.00	13,600.00	14,400.00	15,200.00	16,000.00	16,800.00	17,600.00	18,400.00	19,200.00	20,000.00	20,800.00	21,600.00	22,400.00	& OVER
11,250.01	325	11,250.01	12,054.01	12,857.01	13,661.01	14,464.01	15,268.01	16,071.01	16,875.01	17,679.01	18,482.01	19,286.01	20,089.01	20,893.01	21,696.01	22,500.01
11,300.00		12,054.00	12,857.00	13,661.00	14,464.00	15,268.00	16,071.00	16,875.00	17,679.00	18,482.00	19,286.00	20,089.00	20,893.00	21,696.00	22,500.00	& OVER
11,300.01	326	11,300.01	12,107.01	12,914.01	13,721.01	14,529.01	15,336.01	16,143.01	16,950.01	17,757.01	18,564.01	19,371.01	20,179.01	20,986.01	21,793.01	22,600.01
11,350.00		12,107.00	12,914.00	13,721.00	14,529.00	15,336.00	16,143.00	16,950.00	17,757.00	18,564.00	19,371.00	20,179.00	20,986.00	21,793.00	22,600.00	& OVER
11,350.01	327	11,350.01	12,161.01	12,971.01	13,782.01	14,593.01	15,404.01	16,214.01	17,025.01	17,836.01	18,646.01	19,457.01	20,268.01	21,079.01	21,889.01	22,700.01
11,400.00		12,161.00	12,971.00	13,782.00	14,593.00	15,404.00	16,214.00	17,025.00	17,836.00	18,646.00	19,457.00	20,268.00	21,079.00	21,889.00	22,700.00	& OVER
11,400.01	328	11,400.01	12,214.01	13,029.01	13,843.01	14,657.01	15,471.01	16,286.01	17,100.01	17,914.01	18,729.01	19,543.01	20,357.01	21,171.01	21,986.01	22,800.01
11,450.00		12,214.00	13,029.00	13,843.00	14,657.00	15,471.00	16,286.00	17,100.00	17,914.00	18,729.00	19,543.00	20,357.00	21,171.00	21,986.00	22,800.00	& OVER
11,450.01	329	11,450.01	12,268.01	13,086.01	13,904.01	14,721.01	15,539.01	16,357.01	17,175.01	17,993.01	18,811.01	19,629.01	20,446.01	21,264.01	22,082.01	22,900.01
11,500.00		12,268.00	13,086.00	13,904.00	14,721.00	15,539.00	16,357.00	17,175.00	17,993.00	18,811.00	19,629.00	20,446.00	21,264.00	22,082.00	22,900.00	& OVER
11,500.01	330	11,500.01	12,321.01	13,143.01	13,964.01	14,786.01	15,607.01	16,429.01	17,250.01	18,071.01	18,893.01	19,714.01	20,536.01	21,357.01	22,179.01	23,000.01
11,550.00		12,321.00	13,143.00	13,964.00	14,786.00	15,607.00	16,429.00	17,250.00	18,071.00	18,893.00	19,714.00	20,536.00	21,357.00	22,179.00	23,000.00	& OVER
11,550.01	331	11,550.01	12,375.01	13,200.01	14,025.01	14,850.01	15,675.01	16,500.01	17,325.01	18,150.01	18,975.01	19,800.01	20,625.01	21,450.01	22,275.01	23,100.01
11,600.00		12,375.00	13,200.00	14,025.00	14,850.00	15,675.00	16,500.00	17,325.00	18,150.00	18,975.00	19,800.00	20,625.00	21,450.00	22,275.00	23,100.00	& OVER
11,600.01	332	11,600.01	12,429.01	13,257.01	14,086.01	14,914.01	15,743.01	16,571.01	17,400.01	18,229.01	19,057.01	19,886.01	20,714.01	21,543.01	22,371.01	23,200.01
11,650.00		12,429.00	13,257.00	14,086.00	14,914.00	15,743.00	16,571.00	17,400.00	18,229.00	19,057.00	19,886.00	20,714.00	21,543.00	22,371.00	23,200.00	& OVER
11,650.01	333	11,650.01	12,482.01	13,314.01	14,146.01	14,979.01	15,811.01	16,643.01	17,475.01	18,307.01	19,139.01	19,971.01	20,804.01	21,636.01	22,468.01	23,300.01
11,700.00		12,482.00	13,314.00	14,146.00	14,979.00	15,811.00	16,643.00	17,475.00	18,307.00	19,139.00	19,971.00	20,804.00	21,636.00	22,468.00	23,300.00	& OVER
11,700.01	334	11,700.01	12,536.01	13,371.01	14,207.01	15,043.01	15,879.01	16,714.01	17,550.01	18,386.01	19,221.01	20,057.01	20,893.01	21,729.01	22,564.01	23,400.01
11,750.00		12,536.00	13,371.00	14,207.00	15,043.00	15,879.00	16,714.00	17,550.00	18,386.00	19,221.00	20,057.00	20,893.00	21,729.00	22,564.00	23,400.00	& OVER
11,750.01	335	11,750.01	12,589.01	13,429.01	14,268.01	15,107.01	15,946.01	16,786.01	17,625.01	18,464.01	19,304.01	20,143.01	20,982.01	21,821.01	22,661.01	23,500.01
11,800.00		12,589.00	13,429.00	14,268.00	15,107.00	15,946.00	16,786.00	17,625.00	18,464.00	19,304.00	20,143.00	20,982.00	21,821.00	22,661.00	23,500.00	& OVER
11,800.01	336	11,800.01	12,643.01	13,486.01	14,329.01	15,171.01	16,014.01	16,857.01	17,700.01	18,543.01	19,386.01	20,229.01	21,071.01	21,914.01	22,757.01	23,600.01
11,850.00		12,643.00	13,486.00	14,329.00	15,171.00	16,014.00	16,857.00	17,700.00	18,543.00	19,386.00	20,229.00	21,071.00	21,914.00	22,757.00	23,600.00	& OVER
11,850.01	337	11,850.01	12,696.01	13,543.01	14,389.01	15,236.01	16,082.01	16,929.01	17,775.01	18,621.01	19,468.01	20,314.01	21,161.01	22,007.01	22,854.01	23,700.01
11,900.00		12,696.00	13,543.00	14,389.00	15,236.00	16,082.00	16,929.00	17,775.00	18,621.00	19,468.00	20,314.00	21,161.00	22,007.00	22,854.00	23,700.00	& OVER
11,900.01	338	11,900.01	12,750.01	13,600.01	14,450.01	15,300.01	16,150.01	17,000.01	17,850.01	18,700.01	19,550.01	20,400.01	21,250.01	22,100.01	22,950.01	23,800.01
11,950.00		12,750.00	13,600.00	14,450.00	15,300.00	16,150.00	17,000.00	17,850.00	18,700.00	19,550.00	20,400.00	21,250.00	22,100.00	22,950.00	23,800.00	& OVER
11,950.01	339	11,950.01	12,804.01	13,657.01	14,511.01	15,364.01	16,218.01	17,071.01	17,925.01	18,779.01	19,632.01	20,486.01	21,339.01	22,193.01	23,046.01	23,900.01
12,000.00		12,804.00	13,657.00	14,511.00	15,364.00	16,218.00	17,071.00	17,925.00	18,779.00	19,632.00	20,486.00	21,339.00	22,193.00	23,046.00	23,900.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
12,000.01	340	12,000.01	12,857.01	13,714.01	14,571.01	15,429.01	16,286.01	17,143.01	18,000.01	18,857.01	19,714.01	20,571.01	21,429.01	22,286.01	23,143.01	24,000.01
12,050.00		12,857.00	13,714.00	14,571.00	15,429.00	16,286.00	17,143.00	18,000.00	18,857.00	19,714.00	20,571.00	21,429.00	22,286.00	23,143.00	24,000.00	& OVER
12,050.01	341	12,050.01	12,911.01	13,771.01	14,632.01	15,493.01	16,354.01	17,214.01	18,075.01	18,936.01	19,796.01	20,657.01	21,518.01	22,379.01	23,239.01	24,100.01
12,100.00		12,911.00	13,771.00	14,632.00	15,493.00	16,354.00	17,214.00	18,075.00	18,936.00	19,796.00	20,657.00	21,518.00	22,379.00	23,239.00	24,100.00	& OVER
12,100.01	342	12,100.01	12,964.01	13,829.01	14,693.01	15,557.01	16,421.01	17,286.01	18,150.01	19,014.01	19,879.01	20,743.01	21,607.01	22,471.01	23,336.01	24,200.01
12,150.00		12,964.00	13,829.00	14,693.00	15,557.00	16,421.00	17,286.00	18,150.00	19,014.00	19,879.00	20,743.00	21,607.00	22,471.00	23,336.00	24,200.00	& OVER
12,150.01	343	12,150.01	13,018.01	13,886.01	14,754.01	15,621.01	16,489.01	17,357.01	18,225.01	19,093.01	19,961.01	20,829.01	21,696.01	22,564.01	23,432.01	24,300.01
12,200.00		13,018.00	13,886.00	14,754.00	15,621.00	16,489.00	17,357.00	18,225.00	19,093.00	19,961.00	20,829.00	21,696.00	22,564.00	23,432.00	24,300.00	& OVER
12,200.01	344	12,200.01	13,071.01	13,943.01	14,814.01	15,686.01	16,557.01	17,429.01	18,300.01	19,171.01	20,043.01	20,914.01	21,786.01	22,657.01	23,529.01	24,400.01
12,250.00		13,071.00	13,943.00	14,814.00	15,686.00	16,557.00	17,429.00	18,300.00	19,171.00	20,043.00	20,914.00	21,786.00	22,657.00	23,529.00	24,400.00	& OVER
12,250.01	345	12,250.01	13,125.01	14,000.01	14,875.01	15,750.01	16,625.01	17,500.01	18,375.01	19,250.01	20,125.01	21,000.01	21,875.01	22,750.01	23,625.01	24,500.01
12,300.00		13,125.00	14,000.00	14,875.00	15,750.00	16,625.00	17,500.00	18,375.00	19,250.00	20,125.00	21,000.00	21,875.00	22,750.00	23,625.00	24,500.00	& OVER
12,300.01	346	12,300.01	13,179.01	14,057.01	14,936.01	15,814.01	16,693.01	17,571.01	18,450.01	19,329.01	20,207.01	21,086.01	21,964.01	22,843.01	23,721.01	24,600.01
12,350.00		13,179.00	14,057.00	14,936.00	15,814.00	16,693.00	17,571.00	18,450.00	19,329.00	20,207.00	21,086.00	21,964.00	22,843.00	23,721.00	24,600.00	& OVER
12,350.01	347	12,350.01	13,232.01	14,114.01	14,996.01	15,879.01	16,761.01	17,643.01	18,525.01	19,407.01	20,289.01	21,171.01	22,054.01	22,936.01	23,818.01	24,700.01
12,400.00		13,232.00	14,114.00	14,996.00	15,879.00	16,761.00	17,643.00	18,525.00	19,407.00	20,289.00	21,171.00	22,054.00	22,936.00	23,818.00	24,700.00	& OVER
12,400.01	348	12,400.01	13,286.01	14,171.01	15,057.01	15,943.01	16,829.01	17,714.01	18,600.01	19,486.01	20,371.01	21,257.01	22,143.01	23,029.01	23,914.01	24,800.01
12,450.00		13,286.00	14,171.00	15,057.00	15,943.00	16,829.00	17,714.00	18,600.00	19,486.00	20,371.00	21,257.00	22,143.00	23,029.00	23,914.00	24,800.00	& OVER
12,450.01	349	12,450.01	13,339.01	14,229.01	15,118.01	16,007.01	16,896.01	17,786.01	18,675.01	19,564.01	20,454.01	21,343.01	22,232.01	23,121.01	24,011.01	24,900.01
12,500.00		13,339.00	14,229.00	15,118.00	16,007.00	16,896.00	17,786.00	18,675.00	19,564.00	20,454.00	21,343.00	22,232.00	23,121.00	24,011.00	24,900.00	& OVER
12,500.01	350	12,500.01	13,393.01	14,286.01	15,179.01	16,071.01	16,964.01	17,857.01	18,750.01	19,643.01	20,536.01	21,429.01	22,321.01	23,214.01	24,107.01	25,000.01
12,550.00		13,393.00	14,286.00	15,179.00	16,071.00	16,964.00	17,857.00	18,750.00	19,643.00	20,536.00	21,429.00	22,321.00	23,214.00	24,107.00	25,000.00	& OVER
12,550.01	351	12,550.01	13,446.01	14,343.01	15,239.01	16,136.01	17,032.01	17,929.01	18,825.01	19,721.01	20,618.01	21,514.01	22,411.01	23,307.01	24,204.01	25,100.01
12,600.00		13,446.00	14,343.00	15,239.00	16,136.00	17,032.00	17,929.00	18,825.00	19,721.00	20,618.00	21,514.00	22,411.00	23,307.00	24,204.00	25,100.00	& OVER
12,600.01	352	12,600.01	13,500.01	14,400.01	15,300.01	16,200.01	17,100.01	18,000.01	18,900.01	19,800.01	20,700.01	21,600.01	22,500.01	23,400.01	24,300.01	25,200.01
12,650.00		13,500.00	14,400.00	15,300.00	16,200.00	17,100.00	18,000.00	18,900.00	19,800.00	20,700.00	21,600.00	22,500.00	23,400.00	24,300.00	25,200.00	& OVER
12,650.01	353	12,650.01	13,554.01	14,457.01	15,361.01	16,264.01	17,168.01	18,071.01	18,975.01	19,879.01	20,782.01	21,686.01	22,589.01	23,493.01	24,396.01	25,300.01
12,700.00		13,554.00	14,457.00	15,361.00	16,264.00	17,168.00	18,071.00	18,975.00	19,879.00	20,782.00	21,686.00	22,589.00	23,493.00	24,396.00	25,300.00	& OVER
12,700.01	354	12,700.01	13,607.01	14,514.01	15,421.01	16,329.01	17,236.01	18,143.01	19,050.01	19,957.01	20,864.01	21,771.01	22,679.01	23,586.01	24,493.01	25,400.01
12,750.00		13,607.00	14,514.00	15,421.00	16,329.00	17,236.00	18,143.00	19,050.00	19,957.00	20,864.00	21,771.00	22,679.00	23,586.00	24,493.00	25,400.00	& OVER
12,750.01 12,800.00	355	12,750.01 13,661.00	13,661.01 14,571.00	14,571.01 15,482.00	15,482.01 16,393.00	16,393.01 17,304.00	17,304.01 18,214.00	18,214.01 19,125.00	19,125.01 20,036.00	20,036.01 20,946.00	20,946.01 21,857.00	21,857.01 22,768.00	22,768.01 23,679.00	23,679.01 24,589.00	24,589.01 25,500.00	25,500.01 & OVER
12,800.01 12,850.00	356	12,800.01 13,714.00	13,714.01 14,629.00	14,629.01 15,543.00	15,543.01 16,457.00	16,457.01 17,371.00	17,371.01 18,286.00	18,286.01 19,200.00	19,200.01 20,114.00	20,114.01 21,029.00	21,029.01 21,943.00	21,943.01 22,857.00	22,857.01 23,771.00	23,771.01 24,686.00	24,686.01 25,600.00	25,600.01 & OVER
12,850.01 12,900.00	357	12,850.01 13,768.00	13,768.01 14,686.00	14,686.01 15,604.00	15,604.01 16,521.00	16,521.01 17,439.00	17,439.01 18,357.00	18,357.01 19,275.00	19,275.01 20,193.00	20,193.01 21,111.00	21,111.01 22,029.00	22,029.01 22,946.00	22,946.01 23,864.00	23,864.01 24,782.00	24,782.01 25,700.00	25,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
12,900.01	358	12,900.01	13,821.01	14,743.01	15,664.01	16,586.01	17,507.01	18,429.01	19,350.01	20,271.01	21,193.01	22,114.01	23,036.01	23,957.01	24,879.01	25,800.01
12,950.00		13,821.00	14,743.00	15,664.00	16,586.00	17,507.00	18,429.00	19,350.00	20,271.00	21,193.00	22,114.00	23,036.00	23,957.00	24,879.00	25,800.00	& OVER
12,950.01	359	12,950.01	13,875.01	14,800.01	15,725.01	16,650.01	17,575.01	18,500.01	19,425.01	20,350.01	21,275.01	22,200.01	23,125.01	24,050.01	24,975.01	25,900.01
13,000.00		13,875.00	14,800.00	15,725.00	16,650.00	17,575.00	18,500.00	19,425.00	20,350.00	21,275.00	22,200.00	23,125.00	24,050.00	24,975.00	25,900.00	& OVER
13,000.01	360	13,000.01	13,929.01	14,857.01	15,786.01	16,714.01	17,643.01	18,571.01	19,500.01	20,429.01	21,357.01	22,286.01	23,214.01	24,143.01	25,071.01	26,000.01
13,050.00		13,929.00	14,857.00	15,786.00	16,714.00	17,643.00	18,571.00	19,500.00	20,429.00	21,357.00	22,286.00	23,214.00	24,143.00	25,071.00	26,000.00	& OVER
13,050.01	361	13,050.01	13,982.01	14,914.01	15,846.01	16,779.01	17,711.01	18,643.01	19,575.01	20,507.01	21,439.01	22,371.01	23,304.01	24,236.01	25,168.01	26,100.01
13,100.00		13,982.00	14,914.00	15,846.00	16,779.00	17,711.00	18,643.00	19,575.00	20,507.00	21,439.00	22,371.00	23,304.00	24,236.00	25,168.00	26,100.00	& OVER
13,100.01	362	13,100.01	14,036.01	14,971.01	15,907.01	16,843.01	17,779.01	18,714.01	19,650.01	20,586.01	21,521.01	22,457.01	23,393.01	24,329.01	25,264.01	26,200.01
13,150.00		14,036.00	14,971.00	15,907.00	16,843.00	17,779.00	18,714.00	19,650.00	20,586.00	21,521.00	22,457.00	23,393.00	24,329.00	25,264.00	26,200.00	& OVER
13,150.01	363	13,150.01	14,089.01	15,029.01	15,968.01	16,907.01	17,846.01	18,786.01	19,725.01	20,664.01	21,604.01	22,543.01	23,482.01	24,421.01	25,361.01	26,300.01
13,200.00		14,089.00	15,029.00	15,968.00	16,907.00	17,846.00	18,786.00	19,725.00	20,664.00	21,604.00	22,543.00	23,482.00	24,421.00	25,361.00	26,300.00	& OVER
13,200.01	364	13,200.01	14,143.01	15,086.01	16,029.01	16,971.01	17,914.01	18,857.01	19,800.01	20,743.01	21,686.01	22,629.01	23,571.01	24,514.01	25,457.01	26,400.01
13,250.00		14,143.00	15,086.00	16,029.00	16,971.00	17,914.00	18,857.00	19,800.00	20,743.00	21,686.00	22,629.00	23,571.00	24,514.00	25,457.00	26,400.00	& OVER
13,250.01	365	13,250.01	14,196.01	15,143.01	16,089.01	17,036.01	17,982.01	18,929.01	19,875.01	20,821.01	21,768.01	22,714.01	23,661.01	24,607.01	25,554.01	26,500.01
13,300.00		14,196.00	15,143.00	16,089.00	17,036.00	17,982.00	18,929.00	19,875.00	20,821.00	21,768.00	22,714.00	23,661.00	24,607.00	25,554.00	26,500.00	& OVER
13,300.01	366	13,300.01	14,250.01	15,200.01	16,150.01	17,100.01	18,050.01	19,000.01	19,950.01	20,900.01	21,850.01	22,800.01	23,750.01	24,700.01	25,650.01	26,600.01
13,350.00		14,250.00	15,200.00	16,150.00	17,100.00	18,050.00	19,000.00	19,950.00	20,900.00	21,850.00	22,800.00	23,750.00	24,700.00	25,650.00	26,600.00	& OVER
13,350.01	367	13,350.01	14,304.01	15,257.01	16,211.01	17,164.01	18,118.01	19,071.01	20,025.01	20,979.01	21,932.01	22,886.01	23,839.01	24,793.01	25,746.01	26,700.01
13,400.00		14,304.00	15,257.00	16,211.00	17,164.00	18,118.00	19,071.00	20,025.00	20,979.00	21,932.00	22,886.00	23,839.00	24,793.00	25,746.00	26,700.00	& OVER
13,400.01	368	13,400.01	14,357.01	15,314.01	16,271.01	17,229.01	18,186.01	19,143.01	20,100.01	21,057.01	22,014.01	22,971.01	23,929.01	24,886.01	25,843.01	26,800.01
13,450.00		14,357.00	15,314.00	16,271.00	17,229.00	18,186.00	19,143.00	20,100.00	21,057.00	22,014.00	22,971.00	23,929.00	24,886.00	25,843.00	26,800.00	& OVER
13,450.01	369	13,450.01	14,411.01	15,371.01	16,332.01	17,293.01	18,254.01	19,214.01	20,175.01	21,136.01	22,096.01	23,057.01	24,018.01	24,979.01	25,939.01	26,900.01
13,500.00		14,411.00	15,371.00	16,332.00	17,293.00	18,254.00	19,214.00	20,175.00	21,136.00	22,096.00	23,057.00	24,018.00	24,979.00	25,939.00	26,900.00	& OVER
13,500.01	370	13,500.01	14,464.01	15,429.01	16,393.01	17,357.01	18,321.01	19,286.01	20,250.01	21,214.01	22,179.01	23,143.01	24,107.01	25,071.01	26,036.01	27,000.01
13,550.00		14,464.00	15,429.00	16,393.00	17,357.00	18,321.00	19,286.00	20,250.00	21,214.00	22,179.00	23,143.00	24,107.00	25,071.00	26,036.00	27,000.00	& OVER
13,550.01	371	13,550.01	14,518.01	15,486.01	16,454.01	17,421.01	18,389.01	19,357.01	20,325.01	21,293.01	22,261.01	23,229.01	24,196.01	25,164.01	26,132.01	27,100.01
13,600.00		14,518.00	15,486.00	16,454.00	17,421.00	18,389.00	19,357.00	20,325.00	21,293.00	22,261.00	23,229.00	24,196.00	25,164.00	26,132.00	27,100.00	& OVER
13,600.01	372	13,600.01	14,571.01	15,543.01	16,514.01	17,486.01	18,457.01	19,429.01	20,400.01	21,371.01	22,343.01	23,314.01	24,286.01	25,257.01	26,229.01	27,200.01
13,650.00		14,571.00	15,543.00	16,514.00	17,486.00	18,457.00	19,429.00	20,400.00	21,371.00	22,343.00	23,314.00	24,286.00	25,257.00	26,229.00	27,200.00	& OVER
13,650.01	373	13,650.01	14,625.01	15,600.01	16,575.01	17,550.01	18,525.01	19,500.01	20,475.01	21,450.01	22,425.01	23,400.01	24,375.01	25,350.01	26,325.01	27,300.01
13,700.00		14,625.00	15,600.00	16,575.00	17,550.00	18,525.00	19,500.00	20,475.00	21,450.00	22,425.00	23,400.00	24,375.00	25,350.00	26,325.00	27,300.00	& OVER
13,700.01	374	13,700.01	14,679.01	15,657.01	16,636.01	17,614.01	18,593.01	19,571.01	20,550.01	21,529.01	22,507.01	23,486.01	24,464.01	25,443.01	26,421.01	27,400.01
13,750.00		14,679.00	15,657.00	16,636.00	17,614.00	18,593.00	19,571.00	20,550.00	21,529.00	22,507.00	23,486.00	24,464.00	25,443.00	26,421.00	27,400.00	& OVER
13,750.01	375	13,750.01	14,732.01	15,714.01	16,696.01	17,679.01	18,661.01	19,643.01	20,625.01	21,607.01	22,589.01	23,571.01	24,554.01	25,536.01	26,518.01	27,500.01
13,800.00		14,732.00	15,714.00	16,696.00	17,679.00	18,661.00	19,643.00	20,625.00	21,607.00	22,589.00	23,571.00	24,554.00	25,536.00	26,518.00	27,500.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
13,800.01	376	13,800.01	14,786.01	15,771.01	16,757.01	17,743.01	18,729.01	19,714.01	20,700.01	21,686.01	22,671.01	23,657.01	24,643.01	25,629.01	26,614.01	27,600.01
13,850.00		14,786.00	15,771.00	16,757.00	17,743.00	18,729.00	19,714.00	20,700.00	21,686.00	22,671.00	23,657.00	24,643.00	25,629.00	26,614.00	27,600.00	& OVER
13,850.01	377	13,850.01	14,839.01	15,829.01	16,818.01	17,807.01	18,796.01	19,786.01	20,775.01	21,764.01	22,754.01	23,743.01	24,732.01	25,721.01	26,711.01	27,700.01
13,900.00		14,839.00	15,829.00	16,818.00	17,807.00	18,796.00	19,786.00	20,775.00	21,764.00	22,754.00	23,743.00	24,732.00	25,721.00	26,711.00	27,700.00	& OVER
13,900.01	378	13,900.01	14,893.01	15,886.01	16,879.01	17,871.01	18,864.01	19,857.01	20,850.01	21,843.01	22,836.01	23,829.01	24,821.01	25,814.01	26,807.01	27,800.01
13,950.00		14,893.00	15,886.00	16,879.00	17,871.00	18,864.00	19,857.00	20,850.00	21,843.00	22,836.00	23,829.00	24,821.00	25,814.00	26,807.00	27,800.00	& OVER
13,950.01	379	13,950.01	14,946.01	15,943.01	16,939.01	17,936.01	18,932.01	19,929.01	20,925.01	21,921.01	22,918.01	23,914.01	24,911.01	25,907.01	26,904.01	27,900.01
14,000.00		14,946.00	15,943.00	16,939.00	17,936.00	18,932.00	19,929.00	20,925.00	21,921.00	22,918.00	23,914.00	24,911.00	25,907.00	26,904.00	27,900.00	& OVER
14,000.01	380	14,000.01	15,000.01	16,000.01	17,000.01	18,000.01	19,000.01	20,000.01	21,000.01	22,000.01	23,000.01	24,000.01	25,000.01	26,000.01	27,000.01	28,000.01
14,050.00		15,000.00	16,000.00	17,000.00	18,000.00	19,000.00	20,000.00	21,000.00	22,000.00	23,000.00	24,000.00	25,000.00	26,000.00	27,000.00	28,000.00	& OVER
14,050.01	381	14,050.01	15,054.01	16,057.01	17,061.01	18,064.01	19,068.01	20,071.01	21,075.01	22,079.01	23,082.01	24,086.01	25,089.01	26,093.01	27,096.01	28,100.01
14,100.00		15,054.00	16,057.00	17,061.00	18,064.00	19,068.00	20,071.00	21,075.00	22,079.00	23,082.00	24,086.00	25,089.00	26,093.00	27,096.00	28,100.00	& OVER
14,100.01	382	14,100.01	15,107.01	16,114.01	17,121.01	18,129.01	19,136.01	20,143.01	21,150.01	22,157.01	23,164.01	24,171.01	25,179.01	26,186.01	27,193.01	28,200.01
14,150.00		15,107.00	16,114.00	17,121.00	18,129.00	19,136.00	20,143.00	21,150.00	22,157.00	23,164.00	24,171.00	25,179.00	26,186.00	27,193.00	28,200.00	& OVER
14,150.01	383	14,150.01	15,161.01	16,171.01	17,182.01	18,193.01	19,204.01	20,214.01	21,225.01	22,236.01	23,246.01	24,257.01	25,268.01	26,279.01	27,289.01	28,300.01
14,200.00		15,161.00	16,171.00	17,182.00	18,193.00	19,204.00	20,214.00	21,225.00	22,236.00	23,246.00	24,257.00	25,268.00	26,279.00	27,289.00	28,300.00	& OVER
14,200.01	384	14,200.01	15,214.01	16,229.01	17,243.01	18,257.01	19,271.01	20,286.01	21,300.01	22,314.01	23,329.01	24,343.01	25,357.01	26,371.01	27,386.01	28,400.01
14,250.00		15,214.00	16,229.00	17,243.00	18,257.00	19,271.00	20,286.00	21,300.00	22,314.00	23,329.00	24,343.00	25,357.00	26,371.00	27,386.00	28,400.00	& OVER
14,250.01	385	14,250.01	15,268.01	16,286.01	17,304.01	18,321.01	19,339.01	20,357.01	21,375.01	22,393.01	23,411.01	24,429.01	25,446.01	26,464.01	27,482.01	28,500.01
14,300.00		15,268.00	16,286.00	17,304.00	18,321.00	19,339.00	20,357.00	21,375.00	22,393.00	23,411.00	24,429.00	25,446.00	26,464.00	27,482.00	28,500.00	& OVER
14,300.01	386	14,300.01	15,321.01	16,343.01	17,364.01	18,386.01	19,407.01	20,429.01	21,450.01	22,471.01	23,493.01	24,514.01	25,536.01	26,557.01	27,579.01	28,600.01
14,350.00		15,321.00	16,343.00	17,364.00	18,386.00	19,407.00	20,429.00	21,450.00	22,471.00	23,493.00	24,514.00	25,536.00	26,557.00	27,579.00	28,600.00	& OVER
14,350.01	387	14,350.01	15,375.01	16,400.01	17,425.01	18,450.01	19,475.01	20,500.01	21,525.01	22,550.01	23,575.01	24,600.01	25,625.01	26,650.01	27,675.01	28,700.01
14,400.00		15,375.00	16,400.00	17,425.00	18,450.00	19,475.00	20,500.00	21,525.00	22,550.00	23,575.00	24,600.00	25,625.00	26,650.00	27,675.00	28,700.00	& OVER
14,400.01	388	14,400.01	15,429.01	16,457.01	17,486.01	18,514.01	19,543.01	20,571.01	21,600.01	22,629.01	23,657.01	24,686.01	25,714.01	26,743.01	27,771.01	28,800.01
14,450.00		15,429.00	16,457.00	17,486.00	18,514.00	19,543.00	20,571.00	21,600.00	22,629.00	23,657.00	24,686.00	25,714.00	26,743.00	27,771.00	28,800.00	& OVER
14,450.01	389	14,450.01	15,482.01	16,514.01	17,546.01	18,579.01	19,611.01	20,643.01	21,675.01	22,707.01	23,739.01	24,771.01	25,804.01	26,836.01	27,868.01	28,900.01
14,500.00		15,482.00	16,514.00	17,546.00	18,579.00	19,611.00	20,643.00	21,675.00	22,707.00	23,739.00	24,771.00	25,804.00	26,836.00	27,868.00	28,900.00	& OVER
14,500.01	390	14,500.01	15,536.01	16,571.01	17,607.01	18,643.01	19,679.01	20,714.01	21,750.01	22,786.01	23,821.01	24,857.01	25,893.01	26,929.01	27,964.01	29,000.01
14,550.00		15,536.00	16,571.00	17,607.00	18,643.00	19,679.00	20,714.00	21,750.00	22,786.00	23,821.00	24,857.00	25,893.00	26,929.00	27,964.00	29,000.00	& OVER
14,550.01	391	14,550.01	15,589.01	16,629.01	17,668.01	18,707.01	19,746.01	20,786.01	21,825.01	22,864.01	23,904.01	24,943.01	25,982.01	27,021.01	28,061.01	29,100.01
14,600.00		15,589.00	16,629.00	17,668.00	18,707.00	19,746.00	20,786.00	21,825.00	22,864.00	23,904.00	24,943.00	25,982.00	27,021.00	28,061.00	29,100.00	& OVER
14,600.01	392	14,600.01	15,643.01	16,686.01	17,729.01	18,771.01	19,814.01	20,857.01	21,900.01	22,943.01	23,986.01	25,029.01	26,071.01	27,114.01	28,157.01	29,200.01
14,650.00		15,643.00	16,686.00	17,729.00	18,771.00	19,814.00	20,857.00	21,900.00	22,943.00	23,986.00	25,029.00	26,071.00	27,114.00	28,157.00	29,200.00	& OVER
14,650.01	393	14,650.01	15,696.01	16,743.01	17,789.01	18,836.01	19,882.01	20,929.01	21,975.01	23,021.01	24,068.01	25,114.01	26,161.01	27,207.01	28,254.01	29,300.01
14,700.00		15,696.00	16,743.00	17,789.00	18,836.00	19,882.00	20,929.00	21,975.00	23,021.00	24,068.00	25,114.00	26,161.00	27,207.00	28,254.00	29,300.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
14,700.01	394	14,700.01	15,750.01	16,800.01	17,850.01	18,900.01	19,950.01	21,000.01	22,050.01	23,100.01	24,150.01	25,200.01	26,250.01	27,300.01	28,350.01	29,400.01
14,750.00		15,750.00	16,800.00	17,850.00	18,900.00	19,950.00	21,000.00	22,050.00	23,100.00	24,150.00	25,200.00	26,250.00	27,300.00	28,350.00	29,400.00	& OVER
14,750.01	395	14,750.01	15,804.01	16,857.01	17,911.01	18,964.01	20,018.01	21,071.01	22,125.01	23,179.01	24,232.01	25,286.01	26,339.01	27,393.01	28,446.01	29,500.01
14,800.00		15,804.00	16,857.00	17,911.00	18,964.00	20,018.00	21,071.00	22,125.00	23,179.00	24,232.00	25,286.00	26,339.00	27,393.00	28,446.00	29,500.00	& OVER
14,800.01	396	14,800.01	15,857.01	16,914.01	17,971.01	19,029.01	20,086.01	21,143.01	22,200.01	23,257.01	24,314.01	25,371.01	26,429.01	27,486.01	28,543.01	29,600.01
14,850.00		15,857.00	16,914.00	17,971.00	19,029.00	20,086.00	21,143.00	22,200.00	23,257.00	24,314.00	25,371.00	26,429.00	27,486.00	28,543.00	29,600.00	& OVER
14,850.01	397	14,850.01	15,911.01	16,971.01	18,032.01	19,093.01	20,154.01	21,214.01	22,275.01	23,336.01	24,396.01	25,457.01	26,518.01	27,579.01	28,639.01	29,700.01
14,900.00		15,911.00	16,971.00	18,032.00	19,093.00	20,154.00	21,214.00	22,275.00	23,336.00	24,396.00	25,457.00	26,518.00	27,579.00	28,639.00	29,700.00	& OVER
14,900.01	398	14,900.01	15,964.01	17,029.01	18,093.01	19,157.01	20,221.01	21,286.01	22,350.01	23,414.01	24,479.01	25,543.01	26,607.01	27,671.01	28,736.01	29,800.01
14,950.00		15,964.00	17,029.00	18,093.00	19,157.00	20,221.00	21,286.00	22,350.00	23,414.00	24,479.00	25,543.00	26,607.00	27,671.00	28,736.00	29,800.00	& OVER
14,950.01	399	14,950.01	16,018.01	17,086.01	18,154.01	19,221.01	20,289.01	21,357.01	22,425.01	23,493.01	24,561.01	25,629.01	26,696.01	27,764.01	28,832.01	29,900.01
15,000.00		16,018.00	17,086.00	18,154.00	19,221.00	20,289.00	21,357.00	22,425.00	23,493.00	24,561.00	25,629.00	26,696.00	27,764.00	28,832.00	29,900.00	& OVER
15,000.01	400	15,000.01	16,071.01	17,143.01	18,214.01	19,286.01	20,357.01	21,429.01	22,500.01	23,571.01	24,643.01	25,714.01	26,786.01	27,857.01	28,929.01	30,000.01
15,050.00		16,071.00	17,143.00	18,214.00	19,286.00	20,357.00	21,429.00	22,500.00	23,571.00	24,643.00	25,714.00	26,786.00	27,857.00	28,929.00	30,000.00	& OVER
15,050.01	401	15,050.01	16,125.01	17,200.01	18,275.01	19,350.01	20,425.01	21,500.01	22,575.01	23,650.01	24,725.01	25,800.01	26,875.01	27,950.01	29,025.01	30,100.01
15,100.00		16,125.00	17,200.00	18,275.00	19,350.00	20,425.00	21,500.00	22,575.00	23,650.00	24,725.00	25,800.00	26,875.00	27,950.00	29,025.00	30,100.00	& OVER
15,100.01	402	15,100.01	16,179.01	17,257.01	18,336.01	19,414.01	20,493.01	21,571.01	22,650.01	23,729.01	24,807.01	25,886.01	26,964.01	28,043.01	29,121.01	30,200.01
15,150.00		16,179.00	17,257.00	18,336.00	19,414.00	20,493.00	21,571.00	22,650.00	23,729.00	24,807.00	25,886.00	26,964.00	28,043.00	29,121.00	30,200.00	& OVER
15,150.01	403	15,150.01	16,232.01	17,314.01	18,396.01	19,479.01	20,561.01	21,643.01	22,725.01	23,807.01	24,889.01	25,971.01	27,054.01	28,136.01	29,218.01	30,300.01
15,200.00		16,232.00	17,314.00	18,396.00	19,479.00	20,561.00	21,643.00	22,725.00	23,807.00	24,889.00	25,971.00	27,054.00	28,136.00	29,218.00	30,300.00	& OVER
15,200.01	404	15,200.01	16,286.01	17,371.01	18,457.01	19,543.01	20,629.01	21,714.01	22,800.01	23,886.01	24,971.01	26,057.01	27,143.01	28,229.01	29,314.01	30,400.01
15,250.00		16,286.00	17,371.00	18,457.00	19,543.00	20,629.00	21,714.00	22,800.00	23,886.00	24,971.00	26,057.00	27,143.00	28,229.00	29,314.00	30,400.00	& OVER
15,250.01	405	15,250.01	16,339.01	17,429.01	18,518.01	19,607.01	20,696.01	21,786.01	22,875.01	23,964.01	25,054.01	26,143.01	27,232.01	28,321.01	29,411.01	30,500.01
15,300.00		16,339.00	17,429.00	18,518.00	19,607.00	20,696.00	21,786.00	22,875.00	23,964.00	25,054.00	26,143.00	27,232.00	28,321.00	29,411.00	30,500.00	& OVER
15,300.01	406	15,300.01	16,393.01	17,486.01	18,579.01	19,671.01	20,764.01	21,857.01	22,950.01	24,043.01	25,136.01	26,229.01	27,321.01	28,414.01	29,507.01	30,600.01
15,350.00		16,393.00	17,486.00	18,579.00	19,671.00	20,764.00	21,857.00	22,950.00	24,043.00	25,136.00	26,229.00	27,321.00	28,414.00	29,507.00	30,600.00	& OVER
15,350.01	407	15,350.01	16,446.01	17,543.01	18,639.01	19,736.01	20,832.01	21,929.01	23,025.01	24,121.01	25,218.01	26,314.01	27,411.01	28,507.01	29,604.01	30,700.01
15,400.00		16,446.00	17,543.00	18,639.00	19,736.00	20,832.00	21,929.00	23,025.00	24,121.00	25,218.00	26,314.00	27,411.00	28,507.00	29,604.00	30,700.00	& OVER
15,400.01	408	15,400.01	16,500.01	17,600.01	18,700.01	19,800.01	20,900.01	22,000.01	23,100.01	24,200.01	25,300.01	26,400.01	27,500.01	28,600.01	29,700.01	30,800.01
15,450.00		16,500.00	17,600.00	18,700.00	19,800.00	20,900.00	22,000.00	23,100.00	24,200.00	25,300.00	26,400.00	27,500.00	28,600.00	29,700.00	30,800.00	& OVER
15,450.01	409	15,450.01	16,554.01	17,657.01	18,761.01	19,864.01	20,968.01	22,071.01	23,175.01	24,279.01	25,382.01	26,486.01	27,589.01	28,693.01	29,796.01	30,900.01
15,500.00		16,554.00	17,657.00	18,761.00	19,864.00	20,968.00	22,071.00	23,175.00	24,279.00	25,382.00	26,486.00	27,589.00	28,693.00	29,796.00	30,900.00	& OVER
15,500.01	410	15,500.01	16,607.01	17,714.01	18,821.01	19,929.01	21,036.01	22,143.01	23,250.01	24,357.01	25,464.01	26,571.01	27,679.01	28,786.01	29,893.01	31,000.01
15,550.00		16,607.00	17,714.00	18,821.00	19,929.00	21,036.00	22,143.00	23,250.00	24,357.00	25,464.00	26,571.00	27,679.00	28,786.00	29,893.00	31,000.00	& OVER
15,550.01	411	15,550.01	16,661.01	17,771.01	18,882.01	19,993.01	21,104.01	22,214.01	23,325.01	24,436.01	25,546.01	26,657.01	27,768.01	28,879.01	29,989.01	31,100.01
15,600.00		16,661.00	17,771.00	18,882.00	19,993.00	21,104.00	22,214.00	23,325.00	24,436.00	25,546.00	26,657.00	27,768.00	28,879.00	29,989.00	31,100.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
15,600.01	412	15,600.01	16,714.01	17,829.01	18,943.01	20,057.01	21,171.01	22,286.01	23,400.01	24,514.01	25,629.01	26,743.01	27,857.01	28,971.01	30,086.01	31,200.01
15,650.00		16,714.00	17,829.00	18,943.00	20,057.00	21,171.00	22,286.00	23,400.00	24,514.00	25,629.00	26,743.00	27,857.00	28,971.00	30,086.00	31,200.00	& OVER
15,650.01	413	15,650.01	16,768.01	17,886.01	19,004.01	20,121.01	21,239.01	22,357.01	23,475.01	24,593.01	25,711.01	26,829.01	27,946.01	29,064.01	30,182.01	31,300.01
15,700.00		16,768.00	17,886.00	19,004.00	20,121.00	21,239.00	22,357.00	23,475.00	24,593.00	25,711.00	26,829.00	27,946.00	29,064.00	30,182.00	31,300.00	& OVER
15,700.01	414	15,700.01	16,821.01	17,943.01	19,064.01	20,186.01	21,307.01	22,429.01	23,550.01	24,671.01	25,793.01	26,914.01	28,036.01	29,157.01	30,279.01	31,400.01
15,750.00		16,821.00	17,943.00	19,064.00	20,186.00	21,307.00	22,429.00	23,550.00	24,671.00	25,793.00	26,914.00	28,036.00	29,157.00	30,279.00	31,400.00	& OVER
15,750.01	415	15,750.01	16,875.01	18,000.01	19,125.01	20,250.01	21,375.01	22,500.01	23,625.01	24,750.01	25,875.01	27,000.01	28,125.01	29,250.01	30,375.01	31,500.01
15,800.00		16,875.00	18,000.00	19,125.00	20,250.00	21,375.00	22,500.00	23,625.00	24,750.00	25,875.00	27,000.00	28,125.00	29,250.00	30,375.00	31,500.00	& OVER
15,800.01	416	15,800.01	16,929.01	18,057.01	19,186.01	20,314.01	21,443.01	22,571.01	23,700.01	24,829.01	25,957.01	27,086.01	28,214.01	29,343.01	30,471.01	31,600.01
15,850.00		16,929.00	18,057.00	19,186.00	20,314.00	21,443.00	22,571.00	23,700.00	24,829.00	25,957.00	27,086.00	28,214.00	29,343.00	30,471.00	31,600.00	& OVER
15,850.01	417	15,850.01	16,982.01	18,114.01	19,246.01	20,379.01	21,511.01	22,643.01	23,775.01	24,907.01	26,039.01	27,171.01	28,304.01	29,436.01	30,568.01	31,700.01
15,900.00		16,982.00	18,114.00	19,246.00	20,379.00	21,511.00	22,643.00	23,775.00	24,907.00	26,039.00	27,171.00	28,304.00	29,436.00	30,568.00	31,700.00	& OVER
15,900.01	418	15,900.01	17,036.01	18,171.01	19,307.01	20,443.01	21,579.01	22,714.01	23,850.01	24,986.01	26,121.01	27,257.01	28,393.01	29,529.01	30,664.01	31,800.01
15,950.00		17,036.00	18,171.00	19,307.00	20,443.00	21,579.00	22,714.00	23,850.00	24,986.00	26,121.00	27,257.00	28,393.00	29,529.00	30,664.00	31,800.00	& OVER
15,950.01	419	15,950.01	17,089.01	18,229.01	19,368.01	20,507.01	21,646.01	22,786.01	23,925.01	25,064.01	26,204.01	27,343.01	28,482.01	29,621.01	30,761.01	31,900.01
16,000.00		17,089.00	18,229.00	19,368.00	20,507.00	21,646.00	22,786.00	23,925.00	25,064.00	26,204.00	27,343.00	28,482.00	29,621.00	30,761.00	31,900.00	& OVER
16,000.01	420	16,000.01	17,143.01	18,286.01	19,429.01	20,571.01	21,714.01	22,857.01	24,000.01	25,143.01	26,286.01	27,429.01	28,571.01	29,714.01	30,857.01	32,000.01
16,050.00		17,143.00	18,286.00	19,429.00	20,571.00	21,714.00	22,857.00	24,000.00	25,143.00	26,286.00	27,429.00	28,571.00	29,714.00	30,857.00	32,000.00	& OVER
16,050.01	421	16,050.01	17,196.01	18,343.01	19,489.01	20,636.01	21,782.01	22,929.01	24,075.01	25,221.01	26,368.01	27,514.01	28,661.01	29,807.01	30,954.01	32,100.01
16,100.00		17,196.00	18,343.00	19,489.00	20,636.00	21,782.00	22,929.00	24,075.00	25,221.00	26,368.00	27,514.00	28,661.00	29,807.00	30,954.00	32,100.00	& OVER
16,100.01	422	16,100.01	17,250.01	18,400.01	19,550.01	20,700.01	21,850.01	23,000.01	24,150.01	25,300.01	26,450.01	27,600.01	28,750.01	29,900.01	31,050.01	32,200.01
16,150.00		17,250.00	18,400.00	19,550.00	20,700.00	21,850.00	23,000.00	24,150.00	25,300.00	26,450.00	27,600.00	28,750.00	29,900.00	31,050.00	32,200.00	& OVER
16,150.01	423	16,150.01	17,304.01	18,457.01	19,611.01	20,764.01	21,918.01	23,071.01	24,225.01	25,379.01	26,532.01	27,686.01	28,839.01	29,993.01	31,146.01	32,300.01
16,200.00		17,304.00	18,457.00	19,611.00	20,764.00	21,918.00	23,071.00	24,225.00	25,379.00	26,532.00	27,686.00	28,839.00	29,993.00	31,146.00	32,300.00	& OVER
16,200.01	424	16,200.01	17,357.01	18,514.01	19,671.01	20,829.01	21,986.01	23,143.01	24,300.01	25,457.01	26,614.01	27,771.01	28,929.01	30,086.01	31,243.01	32,400.01
16,250.00		17,357.00	18,514.00	19,671.00	20,829.00	21,986.00	23,143.00	24,300.00	25,457.00	26,614.00	27,771.00	28,929.00	30,086.00	31,243.00	32,400.00	& OVER
16,250.01	425	16,250.01	17,411.01	18,571.01	19,732.01	20,893.01	22,054.01	23,214.01	24,375.01	25,536.01	26,696.01	27,857.01	29,018.01	30,179.01	31,339.01	32,500.01
16,300.00		17,411.00	18,571.00	19,732.00	20,893.00	22,054.00	23,214.00	24,375.00	25,536.00	26,696.00	27,857.00	29,018.00	30,179.00	31,339.00	32,500.00	& OVER
16,300.01	426	16,300.01	17,464.01	18,629.01	19,793.01	20,957.01	22,121.01	23,286.01	24,450.01	25,614.01	26,779.01	27,943.01	29,107.01	30,271.01	31,436.01	32,600.01
16,350.00		17,464.00	18,629.00	19,793.00	20,957.00	22,121.00	23,286.00	24,450.00	25,614.00	26,779.00	27,943.00	29,107.00	30,271.00	31,436.00	32,600.00	& OVER
16,350.01 16,400.00	427	16,350.01 17,518.00	17,518.01 18,686.00	18,686.01 19,854.00	19,854.01 21,021.00	21,021.01 22,189.00	22,189.01 23,357.00	23,357.01 24,525.00	24,525.01 25,693.00	25,693.01 26,861.00	26,861.01 28,029.00	28,029.01 29,196.00	29,196.01 30,364.00	30,364.01 31,532.00	31,532.01 32,700.00	32,700.01 & OVER
16,400.01 16,450.00	428	16,400.01 17,571.00	17,571.01 18,743.00	18,743.01 19,914.00	19,914.01 21,086.00	21,086.01 22,257.00	22,257.01 23,429.00	23,429.01 24,600.00	24,600.01 25,771.00	25,771.01 26,943.00	26,943.01 28,114.00	28,114.01 29,286.00	29,286.01 30,457.00	30,457.01 31,629.00	31,629.01 32,800.00	32,800.01 & OVER
16,450.01 16,500.00	429	16,450.01 17,625.00	17,625.01 18,800.00	18,800.01 19,975.00	19,975.01 21,150.00	21,150.01 22,325.00	22,325.01 23,500.00	23,500.01 24,675.00	24,675.01 25,850.00	25,850.01 27,025.00	27,025.01 28,200.00	28,200.01 29,375.00	29,375.01 30,550.00	30,550.01 31,725.00	31,725.01 32,900.00	32,900.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
16,500.01 16,550.00	430	16,500.01 17,679.00	17,679.01 18,857.00	18,857.01 20,036.00	20,036.01 21,214.00	21,214.01 22,393.00	22,393.01 23,571.00	23,571.01 24,750.00	24,750.01 25,929.00	25,929.01 27,107.00	27,107.01 28,286.00	28,286.01 29,464.00	29,464.01 30,643.00	30,643.01 31,821.00	31,821.01 33,000.00	33,000.01 & OVER
16,550.01 16,600.00	431	16,550.01 17,732.00	17,732.01 18,914.00	18,914.01 20,096.00	20,096.01 21,279.00	21,279.01 22,461.00	22,461.01 23,643.00	23,643.01 24,825.00	24,825.01 26,007.00	26,007.01 27,189.00	27,189.01 28,371.00	28,371.01 29,554.00	29,554.01 30,736.00	30,736.01 31,918.00	31,918.01 33,100.00	33,100.01 & OVER
16,600.01 16,650.00	432	16,600.01 17,786.00	17,786.01 18,971.00	18,971.01 20,157.00	20,157.01 21,343.00	21,343.01 22,529.00	22,529.01 23,714.00	23,714.01 24,900.00	24,900.01 26,086.00	26,086.01 27,271.00	27,271.01 28,457.00	28,457.01 29,643.00	29,643.01 30,829.00	30,829.01 32,014.00	32,014.01 33,200.00	33,200.01 & OVER
16,650.01 16,700.00	433	16,650.01 17,839.00	17,839.01 19,029.00	19,029.01 20,218.00	20,218.01 21,407.00	21,407.01 22,596.00	22,596.01 23,786.00	23,786.01 24,975.00	24,975.01 26,164.00	26,164.01 27,354.00	27,354.01 28,543.00	28,543.01 29,732.00	29,732.01 30,921.00	30,921.01 32,111.00	32,111.01 33,300.00	33,300.01 & OVER
16,700.01 16,750.00	434	16,700.01 17,893.00	17,893.01 19,086.00	19,086.01 20,279.00	20,279.01 21,471.00	21,471.01 22,664.00	22,664.01 23,857.00	23,857.01 25,050.00	25,050.01 26,243.00	26,243.01 27,436.00	27,436.01 28,629.00	28,629.01 29,821.00	29,821.01 31,014.00	31,014.01 32,207.00	32,207.01 33,400.00	33,400.01 & OVER
16,750.01 16,800.00	435	16,750.01 17,946.00	17,946.01 19,143.00	19,143.01 20,339.00	20,339.01 21,536.00	21,536.01 22,732.00	22,732.01 23,929.00	23,929.01 25,125.00	25,125.01 26,321.00	26,321.01 27,518.00	27,518.01 28,714.00	28,714.01 29,911.00	29,911.01 31,107.00	31,107.01 32,304.00	32,304.01 33,500.00	33,500.01 & OVER
16,800.01 16,850.00	436	16,800.01 18,000.00	18,000.01 19,200.00	19,200.01 20,400.00	20,400.01 21,600.00	21,600.01 22,800.00	22,800.01 24,000.00	24,000.01 25,200.00	25,200.01 26,400.00	26,400.01 27,600.00	27,600.01 28,800.00	28,800.01 30,000.00	30,000.01 31,200.00	31,200.01 32,400.00	32,400.01 33,600.00	33,600.01 & OVER
16,850.01 16,900.00	437	16,850.01 18,054.00	18,054.01 19,257.00	19,257.01 20,461.00	20,461.01 21,664.00	21,664.01 22,868.00	22,868.01 24,071.00	24,071.01 25,275.00	25,275.01 26,479.00	26,479.01 27,682.00	27,682.01 28,886.00	28,886.01 30,089.00	30,089.01 31,293.00	31,293.01 32,496.00	32,496.01 33,700.00	33,700.01 & OVER
16,900.01 16,950.00	438	16,900.01 18,107.00	18,107.01 19,314.00	19,314.01 20,521.00	20,521.01 21,729.00	21,729.01 22,936.00	22,936.01 24,143.00	24,143.01 25,350.00	25,350.01 26,557.00	26,557.01 27,764.00	27,764.01 28,971.00	28,971.01 30,179.00	30,179.01 31,386.00	31,386.01 32,593.00	32,593.01 33,800.00	33,800.01 & OVER
16,950.01 17,000.00	439	16,950.01 18,161.00	18,161.01 19,371.00	19,371.01 20,582.00	20,582.01 21,793.00	21,793.01 23,004.00	23,004.01 24,214.00	24,214.01 25,425.00	25,425.01 26,636.00	26,636.01 27,846.00	27,846.01 29,057.00	29,057.01 30,268.00	30,268.01 31,479.00	31,479.01 32,689.00	32,689.01 33,900.00	33,900.01 & OVER
17,000.01 17,050.00	440	17,000.01 18,214.00	18,214.01 19,429.00	19,429.01 20,643.00	20,643.01 21,857.00	21,857.01 23,071.00	23,071.01 24,286.00	24,286.01 25,500.00	25,500.01 26,714.00	26,714.01 27,929.00	27,929.01 29,143.00	29,143.01 30,357.00	30,357.01 31,571.00	31,571.01 32,786.00	32,786.01 34,000.00	34,000.01 & OVER
17,050.01 17,100.00	441	17,050.01 18,268.00	18,268.01 19,486.00	19,486.01 20,704.00	20,704.01 21,921.00	21,921.01 23,139.00	23,139.01 24,357.00	24,357.01 25,575.00	25,575.01 26,793.00	26,793.01 28,011.00	28,011.01 29,229.00	29,229.01 30,446.00	30,446.01 31,664.00	31,664.01 32,882.00	32,882.01 34,100.00	34,100.01 & OVER
17,100.01 17,150.00	442	17,100.01 18,321.00	18,321.01 19,543.00	19,543.01 20,764.00	20,764.01 21,986.00	21,986.01 23,207.00	23,207.01 24,429.00	24,429.01 25,650.00	25,650.01 26,871.00	26,871.01 28,093.00	28,093.01 29,314.00	29,314.01 30,536.00	30,536.01 31,757.00	31,757.01 32,979.00	32,979.01 34,200.00	34,200.01 & OVER
17,150.01 17,200.00	443	17,150.01 18,375.00	18,375.01 19,600.00	19,600.01 20,825.00	20,825.01 22,050.00	22,050.01 23,275.00	23,275.01 24,500.00	24,500.01 25,725.00	25,725.01 26,950.00	26,950.01 28,175.00	28,175.01 29,400.00	29,400.01 30,625.00	30,625.01 31,850.00	31,850.01 33,075.00	33,075.01 34,300.00	34,300.01 & OVER
17,200.01 17,250.00	444	17,200.01 18,429.00	18,429.01 19,657.00	19,657.01 20,886.00	20,886.01 22,114.00	22,114.01 23,343.00	23,343.01 24,571.00	24,571.01 25,800.00	25,800.01 27,029.00	27,029.01 28,257.00	28,257.01 29,486.00	29,486.01 30,714.00	30,714.01 31,943.00	31,943.01 33,171.00	33,171.01 34,400.00	34,400.01 & OVER
17,250.01 17,300.00	445	17,250.01 18,482.00	18,482.01 19,714.00	19,714.01 20,946.00	20,946.01 22,179.00	22,179.01 23,411.00	23,411.01 24,643.00	24,643.01 25,875.00	25,875.01 27,107.00	27,107.01 28,339.00	28,339.01 29,571.00	29,571.01 30,804.00	30,804.01 32,036.00	32,036.01 33,268.00	33,268.01 34,500.00	34,500.01 & OVER
17,300.01 17,350.00	446	17,300.01 18,536.00	18,536.01 19,771.00	19,771.01 21,007.00	21,007.01 22,243.00	22,243.01 23,479.00	23,479.01 24,714.00	24,714.01 25,950.00	25,950.01 27,186.00	27,186.01 28,421.00	28,421.01 29,657.00	29,657.01 30,893.00	30,893.01 32,129.00	32,129.01 33,364.00	33,364.01 34,600.00	34,600.01 & OVER
17,350.01 17,400.00	447	17,350.01 18,589.00	18,589.01 19,829.00	19,829.01 21,068.00	21,068.01 22,307.00	22,307.01 23,546.00	23,546.01 24,786.00	24,786.01 26,025.00	26,025.01 27,264.00	27,264.01 28,504.00	28,504.01 29,743.00	29,743.01 30,982.00	30,982.01 32,221.00	32,221.01 33,461.00	33,461.01 34,700.00	34,700.01 & OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
17400.01	448	17400.01	18643.01	19886.01	21129.01	22371.01	23614.01	24857.01	26100.01	27343.01	28586.01	29829.01	31071.01	32314.01	33557.01	34800.01
17450.00		18643.00	19886.00	21129.00	22371.00	23614.00	24857.00	26100.00	27343.00	28586.00	29829.00	31071.00	32314.00	33557.00	34800.00	& OVER
17450.01	449	17450.01	18696.01	19943.01	21189.01	22436.01	23682.01	24929.01	26175.01	27421.01	28668.01	29914.01	31161.01	32407.01	33654.01	34900.01
17500.00		18696.00	19943.00	21189.00	22436.00	23682.00	24929.00	26175.00	27421.00	28668.00	29914.00	31161.00	32407.00	33654.00	34900.00	& OVER
17500.01	450	17500.01	18750.01	20000.01	21250.01	22500.01	23750.01	25000.01	26250.01	27500.01	28750.01	30000.01	31250.01	32500.01	33750.01	35000.01
17550.00		18750.00	20000.00	21250.00	22500.00	23750.00	25000.00	26250.00	27500.00	28750.00	30000.00	31250.00	32500.00	33750.00	35000.00	& OVER
17550.01	451	17550.01	18804.01	20057.01	21311.01	22564.01	23818.01	25071.01	26325.01	27579.01	28832.01	30086.01	31339.01	32593.01	33846.01	35100.01
17600.00		18804.00	20057.00	21311.00	22564.00	23818.00	25071.00	26325.00	27579.00	28832.00	30086.00	31339.00	32593.00	33846.00	35100.00	& OVER
17600.01	452	17600.01	18857.01	20114.01	21371.01	22629.01	23886.01	25143.01	26400.01	27657.01	28914.01	30171.01	31429.01	32686.01	33943.01	35200.01
17650.00		18857.00	20114.00	21371.00	22629.00	23886.00	25143.00	26400.00	27657.00	28914.00	30171.00	31429.00	32686.00	33943.00	35200.00	& OVER
17650.01	453	17650.01	18911.01	20171.01	21432.01	22693.01	23954.01	25214.01	26475.01	27736.01	28996.01	30257.01	31518.01	32779.01	34039.01	35300.01
17700.00		18911.00	20171.00	21432.00	22693.00	23954.00	25214.00	26475.00	27736.00	28996.00	30257.00	31518.00	32779.00	34039.00	35300.00	& OVER
17700.01	454	17700.01	18964.01	20229.01	21493.01	22757.01	24021.01	25286.01	26550.01	27814.01	29079.01	30343.01	31607.01	32871.01	34136.01	35400.01
17750.00		18964.00	20229.00	21493.00	22757.00	24021.00	25286.00	26550.00	27814.00	29079.00	30343.00	31607.00	32871.00	34136.00	35400.00	& OVER
17750.01	455	17750.01	19018.01	20286.01	21554.01	22821.01	24089.01	25357.01	26625.01	27893.01	29161.01	30429.01	31696.01	32964.01	34232.01	35500.01
17800.00		19018.00	20286.00	21554.00	22821.00	24089.00	25357.00	26625.00	27893.00	29161.00	30429.00	31696.00	32964.00	34232.00	35500.00	& OVER
17800.01	456	17800.01	19071.01	20343.01	21614.01	22886.01	24157.01	25429.01	26700.01	27971.01	29243.01	30514.01	31786.01	33057.01	34329.01	35600.01
17850.00		19071.00	20343.00	21614.00	22886.00	24157.00	25429.00	26700.00	27971.00	29243.00	30514.00	31786.00	33057.00	34329.00	35600.00	& OVER
17850.01	457	17850.01	19125.01	20400.01	21675.01	22950.01	24225.01	25500.01	26775.01	28050.01	29325.01	30600.01	31875.01	33150.01	34425.01	35700.01
17900.00		19125.00	20400.00	21675.00	22950.00	24225.00	25500.00	26775.00	28050.00	29325.00	30600.00	31875.00	33150.00	34425.00	35700.00	& OVER
17900.01	458	17900.01	19179.01	20457.01	21736.01	23014.01	24293.01	25571.01	26850.01	28129.01	29407.01	30686.01	31964.01	33243.01	34521.01	35800.01
17950.00		19179.00	20457.00	21736.00	23014.00	24293.00	25571.00	26850.00	28129.00	29407.00	30686.00	31964.00	33243.00	34521.00	35800.00	& OVER
17950.01	459	17950.01	19232.01	20514.01	21796.01	23079.01	24361.01	25643.01	26925.01	28207.01	29489.01	30771.01	32054.01	33336.01	34618.01	35900.01
18000.00		19232.00	20514.00	21796.00	23079.00	24361.00	25643.00	26925.00	28207.00	29489.00	30771.00	32054.00	33336.00	34618.00	35900.00	& OVER
18000.01	460	18000.01	19286.01	20571.01	21857.01	23143.01	24429.01	25714.01	27000.01	28286.01	29571.01	30857.01	32143.01	33429.01	34714.01	36000.01
18050.00		19286.00	20571.00	21857.00	23143.00	24429.00	25714.00	27000.00	28286.00	29571.00	30857.00	32143.00	33429.00	34714.00	36000.00	& OVER
18050.01	461	18050.01	19339.01	20629.01	21918.01	23207.01	24496.01	25786.01	27075.01	28364.01	29654.01	30943.01	32232.01	33521.01	34811.01	36100.01
18100.00		19339.00	20629.00	21918.00	23207.00	24496.00	25786.00	27075.00	28364.00	29654.00	30943.00	32232.00	33521.00	34811.00	36100.00	& OVER
18100.01	462	18100.01	19393.01	20686.01	21979.01	23271.01	24564.01	25857.01	27150.01	28443.01	29736.01	31029.01	32321.01	33614.01	34907.01	36200.01
18150.00		19393.00	20686.00	21979.00	23271.00	24564.00	25857.00	27150.00	28443.00	29736.00	31029.00	32321.00	33614.00	34907.00	36200.00	& OVER
18150.01	463	18150.01	19446.01	20743.01	22039.01	23336.01	24632.01	25929.01	27225.01	28521.01	29818.01	31114.01	32411.01	33707.01	35004.01	36300.01
18200.00		19446.00	20743.00	22039.00	23336.00	24632.00	25929.00	27225.00	28521.00	29818.00	31114.00	32411.00	33707.00	35004.00	36300.00	& OVER
18200.01	464	18200.01	19500.01	20800.01	22100.01	23400.01	24700.01	26000.01	27300.01	28600.01	29900.01	31200.01	32500.01	33800.01	35100.01	36400.01
18250.00		19500.00	20800.00	22100.00	23400.00	24700.00	26000.00	27300.00	28600.00	29900.00	31200.00	32500.00	33800.00	35100.00	36400.00	& OVER
18250.01	465	18250.01	19554.01	20857.01	22161.01	23464.01	24768.01	26071.01	27375.01	28679.01	29982.01	31286.01	32589.01	33893.01	35196.01	36500.01
18300.00		19554.00	20857.00	22161.00	23464.00	24768.00	26071.00	27375.00	28679.00	29982.00	31286.00	32589.00	33893.00	35196.00	36500.00	& OVER

BENEFIT TABLE DIVISION C DURATION OF BENEFITS

Col. A HIGHEST TWO QUARTER EARNINGS	Col. B WEEKLY BENEFIT AMOUNT	12 WEEKS	13 WEEKS	14 WEEKS	15 WEEKS	16 WEEKS	17 WEEKS	18 WEEKS	19 WEEKS	20 WEEKS	21 WEEKS	22 WEEKS	23 WEEKS	24 WEEKS	25 WEEKS	26 WEEKS
18300.01	466	18300.01	19607.01	20914.01	22221.01	23529.01	24836.01	26143.01	27450.01	28757.01	30064.01	31371.01	32679.01	33986.01	35293.01	36600.01
18350.00		19607.00	20914.00	22221.00	23529.00	24836.00	26143.00	27450.00	28757.00	30064.00	31371.00	32679.00	33986.00	35293.00	36600.00	& OVER
18350.01	467	18350.01	19661.01	20971.01	22282.01	23593.01	24904.01	26214.01	27525.01	28836.01	30146.01	31457.01	32768.01	34079.01	35389.01	36700.01
18400.00		19661.00	20971.00	22282.00	23593.00	24904.00	26214.00	27525.00	28836.00	30146.00	31457.00	32768.00	34079.00	35389.00	36700.00	& OVER
18400.01	468	18400.01	19714.01	21029.01	22343.01	23657.01	24971.01	26286.01	27600.01	28914.01	30229.01	31543.01	32857.01	34171.01	35486.01	36800.01
18450.00		19714.00	21029.00	22343.00	23657.00	24971.00	26286.00	27600.00	28914.00	30229.00	31543.00	32857.00	34171.00	35486.00	36800.00	& OVER
18450.01	469	18450.01	19768.01	21086.01	22404.01	23721.01	25039.01	26357.01	27675.01	28993.01	30311.01	31629.01	32946.01	34264.01	35582.01	36900.01
18500.00		19768.00	21086.00	22404.00	23721.00	25039.00	26357.00	27675.00	28993.00	30311.00	31629.00	32946.00	34264.00	35582.00	36900.00	& OVER
18500.01	470	18500.01	19821.01	21143.01	22464.01	23786.01	25107.01	26429.01	27750.01	29071.01	30393.01	31714.01	33036.01	34357.01	35679.01	37000.01
18550.00		19821.00	21143.00	22464.00	23786.00	25107.00	26429.00	27750.00	29071.00	30393.00	31714.00	33036.00	34357.00	35679.00	37000.00	& OVER
18550.01	471	18550.01	19875.01	21200.01	22525.01	23850.01	25175.01	26500.01	27825.01	29150.01	30475.01	31800.01	33125.01	34450.01	35775.01	37100.01
18600.00		19875.00	21200.00	22525.00	23850.00	25175.00	26500.00	27825.00	29150.00	30475.00	31800.00	33125.00	34450.00	35775.00	37100.00	& OVER
18600.01	472	18600.01	19929.01	21257.01	22586.01	23914.01	25243.01	26571.01	27900.01	29229.01	30557.01	31886.01	33214.01	34543.01	35871.01	37200.01
18650.00		19929.00	21257.00	22586.00	23914.00	25243.00	26571.00	27900.00	29229.00	30557.00	31886.00	33214.00	34543.00	35871.00	37200.00	& OVER
18650.01	473	18650.01	19982.01	21314.01	22646.01	23979.01	25311.01	26643.01	27975.01	29307.01	30639.01	31971.01	33304.01	34636.01	35968.01	37300.01
18700.00		19982.00	21314.00	22646.00	23979.00	25311.00	26643.00	27975.00	29307.00	30639.00	31971.00	33304.00	34636.00	35968.00	37300.00	& OVER
18700.01	474	18700.01	20036.01	21371.01	22707.01	24043.01	25379.01	26714.01	28050.01	29386.01	30721.01	32057.01	33393.01	34729.01	36064.01	37400.01
18750.00		20036.00	21371.00	22707.00	24043.00	25379.00	26714.00	28050.00	29386.00	30721.00	32057.00	33393.00	34729.00	36064.00	37400.00	& OVER
18750.01	475	18750.01	20089.01	21429.01	22768.01	24107.01	25446.01	26786.01	28125.01	29464.01	30804.01	32143.01	33482.01	34821.01	36161.01	37500.01
18800.00		20089.00	21429.00	22768.00	24107.00	25446.00	26786.00	28125.00	29464.00	30804.00	32143.00	33482.00	34821.00	36161.00	37500.00	& OVER
18800.01	476	18800.01	20143.01	21486.01	22829.01	24171.01	25514.01	26857.01	28200.01	29543.01	30886.01	32229.01	33571.01	34914.01	36257.01	37600.01
18850.00		20143.00	21486.00	22829.00	24171.00	25514.00	26857.00	28200.00	29543.00	30886.00	32229.00	33571.00	34914.00	36257.00	37600.00	& OVER
18850.01	477	18850.01	20196.01	21543.01	22889.01	24236.01	25582.01	26929.01	28275.01	29621.01	30968.01	32314.01	33661.01	35007.01	36354.01	37700.01
18900.00		20196.00	21543.00	22889.00	24236.00	25582.00	26929.00	28275.00	29621.00	30968.00	32314.00	33661.00	35007.00	36354.00	37700.00	& OVER
18900.01	478	18900.01	20250.01	21600.01	22950.01	24300.01	25650.01	27000.01	28350.01	29700.01	31050.01	32400.01	33750.01	35100.01	36450.01	37800.01
& OVER		20250.00	21600.00	22950.00	24300.00	25650.00	27000.00	28350.00	29700.00	31050.00	32400.00	33750.00	35100.00	36450.00	37800.00	& OVER

2. That no later than October 1, 2025, the Commission on Unemployment Compensation, in consultation with the Virginia Employment Commission, shall convene a work group to meet at least once each quarter to study making annual adjustments to individual weekly benefit amounts for unemployment compensation as represented in § 60.2-602 of the Code of Virginia, as amended by this act. Such annual adjustments to weekly benefit amounts shall be based on the average weekly wage as determined by the Virginia Employment Commission, and the amount of each annual adjustment shall not be less than zero. The work group shall include employee stakeholder representatives and employer stakeholder representatives. The work group shall complete its meetings by July 1, 2026, and shall submit to the Governor and General Assembly an executive summary and a report of its findings and recommendations. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than September 1, 2026, and shall be posted on the General Assembly's website.

CHAPTER 641

An Act to amend and reenact § 8.01-223.2 of the Code of Virginia, relating to immunity of persons for tort actions based on statements made in connection with certain proceedings.

[H 1888]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-223.2 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-223.2. Immunity of persons for statements made at public hearing or communicated to third party.

A. A person shall be immune from tort liability if the tort claim is based solely on statements (i) regarding matters of public concern that would be protected under the First Amendment to the Constitution of the United States made by that person that are communicated to a third party, (ii) made at a public hearing before, or otherwise communicated to, the governing body of any locality or other political subdivision, or the boards, commissions, agencies and authorities thereof, and other governing bodies of any local governmental entity concerning matters properly before such body, *(iii) made at a Title IX hearing before the applicable tribunal of an institution of higher education,* or ~~(iii)~~ *(iv)* made by an employee against an employer where retaliatory action arising from such statements is prohibited by § 40.1-27.3.

B. The immunity provided by this section shall not apply to any statements that the declarant knew or should have known were false or were made with reckless disregard for whether they were false.

C. Any person who has a suit against him dismissed or a witness subpoena or subpoena duces tecum quashed, or otherwise prevails in a legal action, pursuant to the immunity provided by this section may be awarded reasonable attorney fees and costs.

CHAPTER 642

An Act to amend and reenact § 22.1-296.1 of the Code of Virginia, relating to school boards; prohibition against hiring or contracting for the services of certain individuals; certain criminal convictions.

[H 1924]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-296.1 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-296.1. Data on convictions for certain crimes and child abuse and neglect required; penalty.

A. As a condition of employment for all of its public school employees, whether full-time or part-time, permanent, or temporary, every school board shall require on its application for employment certification of whether the applicant has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of § 19.2-392.02; any offense involving the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense; or any crime of moral turpitude. Any individual making a materially false statement regarding any such offense is guilty of a Class 1 misdemeanor and, in the case of a teacher, upon conviction, the fact of such conviction is grounds for the Board to revoke his license to teach.

B. No school board shall employ any individual who has been convicted of ~~any violent felony set forth in the definition of barrier crime in subsection A of § 19.2-392.02 or~~ any ~~offense~~*:*

1. Offense involving the sexual molestation of, physical or sexual abuse, or rape of a child, or the solicitation of any such offense.

2. Violent felony or crime of moral turpitude set forth in the definition of barrier crime in subsection A of § 19.2-392.02, provided, however, that any school board may employ such an individual if (i) such felony conviction does not involve the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense; (ii) such an individual (a) has had his civil rights restored by the Governor; (b) has completed all terms of supervision and has been released from supervision for more than 20 years; (c) is, in the opinion of the school board, of upstanding

character; and (d) has demonstrated commitment to public or community service and rehabilitation after completing all terms of supervision; and (iii) the school board certifies in writing that such an individual meets the requirements set forth in this subsection.

C. Any school board may employ any individual who has been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of § 19.2-392.02 and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense, provided that in the case of a felony conviction, such individual has had his civil rights restored by the Governor.

D. Every school board shall also require on its application for employment, as a condition of employment requiring direct contact with students, whether full-time or part-time, permanent, or temporary, certification that the applicant has not been the subject of a founded case of child abuse and neglect. Any person making a materially false statement regarding a finding of child abuse and neglect is guilty of a Class 1 misdemeanor and upon conviction, the fact of such conviction is grounds for the Board to revoke such person's license to teach.

E. As a condition of awarding a contract for the provision of services that require the contractor or his employees to have direct contact with students on school property during regular school hours or during school-sponsored activities, the school board shall require the contractor to provide certification of whether any individual who will provide such services has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of § 19.2-392.02; any offense involving the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense; or any crime of moral turpitude.

Any individual making a materially false statement regarding any such offense is guilty of a Class 1 misdemeanor and, upon conviction, the fact of such conviction is grounds for the revocation of the contract to provide such services and, when relevant, the revocation of any license required to provide such services. School boards shall not be liable for materially false statements regarding the certifications required by this subsection.

This subsection shall not apply to a contractor or his employees providing services to a school division in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed on an urgent basis to ensure that school facilities are safe and habitable, when it is reasonably anticipated that the contractor or his employees will have no direct contact with students.

F. No school board shall award a contract for the provision of services that require the contractor or his employees to have direct contact with students on school property during regular school hours or during school-sponsored activities when any individual who provides such services has been convicted of any ~~violent felony set forth in the definition of barrier crime in subsection A of § 19.2-392.02 or any offense~~*:*

1. Offense involving the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense*.*

2. Violent felony or crime of moral turpitude set forth in the definition of barrier crime in subsection A of § 19.2-392.02, provided, however, that any school board may award a contract for the provision of such services if (i) such felony conviction does not involve the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense; (ii) such an individual (a) has had his civil rights restored by the Governor; (b) has completed all terms of supervision and has been released from supervision for more than 20 years; (c) is, in the opinion of the school board, of upstanding character; and (d) has demonstrated commitment to public or community service and rehabilitation after completing all terms of supervision; and (iii) the school board certifies in writing that such an individual meets the requirements set forth in this subsection.

G. Any school board may award a contract for the provision of services that require the contractor or his employees to have direct contact with students on school property during regular school hours or during school-sponsored activities when any individual who provides such services has been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of § 19.2-392.02 and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense, provided that in the case of a felony conviction, such individual has had his civil rights restored by the Governor.

H. For the purposes of this section, "school board" includes the Board of Visitors of the Virginia School for the Deaf and the Blind, which, for the purpose of receiving criminal history record information pertaining to an application for employment from the Central Criminal Records Exchange, shall be a governmental entity.

CHAPTER 643

An Act to amend and reenact § 22.1-298.8 of the Code of Virginia, relating to Department of Education; index of required teacher training.

[H 1936]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-298.8 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-298.8. Public elementary and secondary school teachers; certain training activities; frequency; index.

A. No public elementary or secondary school teacher shall be required to participate more frequently than once every five years in any training described in clause (iii) of subsection A of § 22.1-279.6 or relating to secure mandatory test violations as set forth in §§ 22.1-19.1 and 22.1-292.1, unless the school board or division superintendent determines that additional training is necessary to comply with federal or state law or to remediate misconduct. Each such teacher who completes any such training shall sign a written attestation that the teacher has been trained in and understands the relevant subject matter.

B. The Department shall establish and maintain an index of each training in which any public elementary and secondary school teacher in the Commonwealth is required to participate pursuant to state or federal law or regulation, including training required as a condition of licensure by the Department. Such index shall include information on the classification of teacher required to complete each training; the topic, length, and frequency of each training activity; and the total number of hours of training that each teacher is required to complete in a specific period of time. The Department shall review and update such index annually, when a training is added, or when an existing training on the index is changed in length or frequency to ensure that the information therein is accurate. The Department shall post such index in an easily and publicly accessible format and location on its website.

2. That the Department of Education shall establish and post the teacher training index required pursuant to subsection B of § 22.1-298.8 of the Code of Virginia, as amended by this act, no later than November 1, 2025.

CHAPTER 644

An Act to amend and reenact § 22.1-277 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-79.3:1, relating to public elementary and secondary schools; student discipline; bell-to-bell student cell phone and smart device possession and use policies; development and implementation.

[H 1961]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-277 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-79.3:1 as follows:

§ 22.1-79.3:1. Student cell phone and smart device possession and use policies; development and implementation.

A. As used in this section:

"Bell to bell" means after the first bell rings at the start of the school day to begin instructional time until the dismissal bill rings at the end of the school day. "Bell to bell" includes lunch and time in between class periods.

"Smart device" means any personal electronic device that can connect to the Internet and wirelessly collect, process, and transmit data, including smart watches and tablets.

B. Each school board shall develop and each public elementary and secondary school shall implement age-appropriate and developmentally appropriate policies relating to student cell phone and smart device possession and use on school property from bell to bell. Such policies shall:

1. Except as provided in subdivision 4, restrict student cell phone and smart device possession and use on school property from bell to bell;

2. To the extent that student cell phone or smart device possession and use is otherwise permitted on school property before or after bell to bell, regulate such possession and use with the objective of reducing any distractions in or disruptions to the learning environment, including bullying and harassment;

3. Ensure that implementation and enforcement of such policies (i) is the responsibility of the school administration; (ii) minimizes, to the extent possible, any conflict with the instructional responsibilities of teachers or any disturbance to instructional time; and (iii) does not involve any school resource officer, as defined in § 9.1-101, that may be employed in any school in the school division;

4. Permit any student, pursuant to an Individualized Education Plan, Section 504 Plan, individualized health care plan, or Limited English Proficiency plan, to possess and use a cell phone or smart device on school property, including in the classroom, from bell to bell to monitor or address a health concern or as an accommodation or assistive technology support; and

5. Expressly prohibit any student from being suspended or expelled as a consequence of any violation of such policies.

C. No violation of any student cell phone and smart device possession and use policy developed or implemented in accordance with subsection B shall alone constitute sufficient cause for a student's suspension or expulsion from attendance at school pursuant to § 22.1-277. Any violation of any such student cell phone and smart device possession and use policy that involves, coincides with, or results in an instance of disruptive behavior, as that term is defined in § 22.1-276.01, shall be addressed in accordance with the regulations on codes of student conduct adopted by each school board pursuant to subsection B of § 22.1-279.6.

§ 22.1-277. Suspensions and expulsions of students generally.

A. Students may be suspended or expelled from attendance at school for sufficient cause; however, in no cases may sufficient cause for suspensions include only instances of truancy *or only a violation of any student cell phone and smart device possession and use policy developed and implemented pursuant to § 22.1-79.3:1.*

B. Except as provided in subsection C or § 22.1-277.07 or 22.1-277.08, no student in preschool through grade three shall be suspended for more than three school days or expelled from attendance at school, unless (i) the offense involves physical harm or credible threat of physical harm to others or (ii) the local school board or the division superintendent or his designee finds that aggravating circumstances exist, as defined by the Department.

C. Any student for whom the division superintendent of the school division in which such student is enrolled has received a report pursuant to § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of § 16.1-260 may be suspended or expelled from school attendance pursuant to this article.

D. The authority provided in § 22.1-276.2 for teachers to remove students from their classes in certain instances of disruptive behavior shall not be interpreted to affect the operation of § 22.1-277.04, 22.1-277.05, or 22.1-277.06.

E. Notwithstanding the provisions of § 22.1-277.08, no school board shall be required to suspend or expel any student who holds a valid written certification for the use of cannabis oil issued by a practitioner in accordance with § 4.1-1601 for the possession or use of such oil in accordance with the student's individualized health plan and in compliance with a policy adopted by the school board.

CHAPTER 645

An Act to amend the Code of Virginia by adding a section numbered 58.1-3606.2, relating to tax exempt property; nonprofit institutions of learning; emergency.

[H 1970]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 58.1-3606.2 as follows:

§ 58.1-3606.2. Property exempt from taxation; nonprofit institutions of learning.

For purposes of the exemption authorized by Article X, Section 6 (a)(4) of the Constitution of Virginia:

"Educational purposes" shall include any special education and related services as those terms are defined in the IDEA.

"Institutions of learning" shall include any institutions licensed by the Department of Education that provide services pursuant to the federal Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et seq., or any school for students with disabilities in the Commonwealth that is licensed by the Board of Education pursuant to § 22.1-323.

2. That the provisions of the first enactment of this act are declaratory of existing law.

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

CHAPTER 646

An Act to amend the Code of Virginia by adding a section numbered 2.2-4328.3, relating to Virginia Public Procurement Act; solar photovoltaic equipment and facilities.

[H 2024]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-4328.3 as follows:

§ 2.2-4328.3. Solar photovoltaic equipment and facilities.

No state agency, locality, or political subdivision of the Commonwealth in any request for proposal, procurement agreement, contract, ordinance, policy, permit, or accompanying document shall prohibit or otherwise exclude from use any materials contained in or products associated with solar photovoltaic equipment and facilities that are manufactured in the United States.

CHAPTER 647

An Act to direct the Secretary of Natural and Historic Resources to establish a policy task force to evaluate existing policies regarding wetlands protection, restoration, creation, and mitigation in the Commonwealth and other states; recommend policy changes necessary to accelerate tidal and nontidal wetland identification, restoration, creation, and protection; and explore emerging science and innovation to ensure wetland health and survival; report.

[H 2034]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Secretary of Natural and Historic Resources shall establish a policy task force to (i) evaluate existing policies regarding wetlands protection, restoration, creation, and mitigation in the Commonwealth and other states; (ii) recommend policy changes necessary to accelerate tidal and nontidal wetland identification, restoration, creation, and*

protection; and (iii) explore emerging science and innovation to ensure wetland health and survival. The task force shall report its initial findings and recommendations to the Chairs of the Senate Committee on Agriculture, Conservation and Natural Resources and House Committee on Agriculture, Chesapeake and Natural Resources by December 31, 2025, and shall update its report at least every two years. The task force shall not meet less than twice annually to evaluate emerging science, policy, and best practices and one meeting shall be held jointly with the Statewide Wetlands Technical Team led by the Department of Wildlife Resources to allow such team to review and provide feedback on the task force's proposed recommendations. Membership of the task force shall include relevant representatives of nonprofit organizations, academic institutions, the Virginia Farm Bureau, the federal government, local governments or regional planning commissions, industry, and state entities, including the Chesapeake Bay Commission, Department of Wildlife Resources, Department of Environmental Quality, Marine Resources Commission, Department of Conservation and Recreation, and Virginia Institute of Marine Science.

CHAPTER 648

An Act to amend and reenact §§ 46.2-865 through 46.2-867 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 46.2-867.1, relating to reckless driving; exhibition driving; penalties; emergency.

[H 2036]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-865 through 46.2-867 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 46.2-867.1 as follows:

§ 46.2-865. Racing or exhibition driving; definitions; penalties.

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

"Exhibition driving" means the intentional performance of any of the following in close proximity to a group of two or more people:

1. Maintaining a motor vehicle in a stationary position by using the brake pedal or parking brake of such vehicle while simultaneously engaging the gas pedal, causing one set of wheels to spin or lose contact with the pavement;

2. Operating a motor vehicle in an unnecessary manner that causes such vehicle to move in a manner inconsistent with the normal operation of such vehicle, such as zigzagging or spinning around in a circular pattern. "Exhibition driving" does not include operating a motor vehicle in an otherwise lawful manner and engaging in such described conduct as necessary to avoid collision, damage, or injury;

3. Operating one or more motor vehicles, for the purpose of exhibiting the speed or power of such vehicle or vehicles, from a designated starting point to a designated ending point or over a common selected course, including drag racing; or

4. Transporting a passenger on the hood or roof of the motor vehicle.

B. Any person who engages in a race between two or more motor vehicles on the highways in the Commonwealth or on any driveway or premises of a church, school, recreational facility, or business property open to the public in the Commonwealth ~~shall be~~ *is* guilty of reckless driving, unless authorized by the owner of the property or his agent.

C. Any person who engages in exhibition driving on the highways in the Commonwealth or on any driveway or premises of a church, school, recreational facility, or business property open to the public in the Commonwealth is guilty of reckless driving, unless authorized by the owner of the property or his agent.

D. Any person who purposefully rides as a passenger on the hood or roof during any race or exhibition driving in violation of subsection B or C is guilty of a Class 3 misdemeanor.

E. Any person who purposefully slows, stops, or impedes, or attempts to slow, stop, or impede, the movement of traffic, including pedestrian traffic, for the purpose of a race or exhibition driving in violation of subsection B or C is guilty of a Class 1 misdemeanor.

F. When any person is convicted of reckless driving under ~~this section~~ *subsection B*, in addition to any other penalties provided by law, the driver's license of such person shall be suspended by the court for a period of not less than six months nor more than two years. In *the* case of conviction, the court shall order the surrender of the license to the court where it shall be disposed of in accordance with the provisions of § 46.2-398.

G. When any person is convicted of an offense of reckless driving under subsection C, in addition to any other penalties provided by law, the driver's license of such person shall be suspended by the court for a period of up to six months. In the case of conviction, the court shall order the surrender of the license to the court where it shall be disposed of in accordance with the provisions of § 46.2-398.

§ 46.2-865.1. Injuring another or causing the death of another while engaging in a race or exhibition driving; penalties.

A. Any person who~~,~~ while engaging in a race *or exhibition driving* in violation of *subsection B or C of* § 46.2-865 in a manner so gross, wanton, and culpable as to show a reckless disregard for human life:

1. Causes serious bodily injury to another person who is not involved in the violation of *subsection B or C of* § 46.2-865 is guilty of a Class 6 felony; or

2. Causes the death of another person is guilty of a felony punishable by a term of imprisonment of not less than one nor more than 20 years~~, one year of which shall be a mandatory minimum term of imprisonment~~.

B. Upon conviction, the court shall suspend the driver's license of such person for a period of not less than one year nor more than three years~~,~~ and shall order the surrender of the license to be disposed of in accordance with the provisions of § 46.2-398.

§ 46.2-866. Racing or exhibition driving; aiders or abettors; penalty.

Any person, although not engaged in a race *or exhibition driving* as defined in § 46.2-865, who aids or abets any such race~~, shall be~~ *or exhibition driving is* guilty of a Class 1 misdemeanor.

§ 46.2-867. Racing; seizure of motor vehicle.

If the owner of a motor vehicle (i) is convicted of racing such vehicle in a prearranged, organized, and planned speed competition in violation of *subsection B of* § 46.2-865~~,~~*;* (ii) is present in the vehicle ~~which~~ *that* is being operated by another in violation of *subsection B of* § 46.2-865~~,~~ and knowingly consents to the racing~~,~~*;* or (iii) is convicted of a violation of § 46.2-865.1, the vehicle shall be seized and shall be forfeited to the Commonwealth, and upon being condemned as forfeited in proceedings under Chapter 22.1 (§ 19.2-386.1 et seq.) of Title 19.2, the proceeds of sale shall be disposed of according to law. Such sections shall apply mutatis mutandis.

The penalties imposed by these sections are in addition to any other penalty imposed by law.

§ 46.2-867.1. Exhibition driving; impoundment of motor vehicle.

A. The motor vehicle being driven by any person arrested for a violation of exhibition driving pursuant to subsection C or E of § 46.2-865 shall be impounded or immobilized by the arresting law-enforcement officer for a period of 20 days. The impoundment shall follow the procedures set out in subsections A, B, and C of § 46.2-301.1, mutatis mutandis.

At the time of arrest, the arresting officer, acting on behalf of the Commonwealth, shall serve notice of the impoundment upon the arrested person. Such notice shall include information on the person's right to petition for review of the impoundment pursuant to this section. The arresting officer shall at the time of arrest provide the arrested person information on the location of the motor vehicle and how and when the vehicle will be released. A copy of the notice of impoundment shall be delivered to the magistrate and thereafter promptly forwarded to the clerk of the general district court of the jurisdiction where the arrest was made. Transmission of such notice may be by electronic means.

B. All reasonable costs of impoundment or immobilization, including removal and storage expenses, shall be paid by the offender prior to the release of the motor vehicle. However, where the arresting law-enforcement officer discovers that the vehicle was being rented or leased from a vehicle renting or leasing company, the officer shall not impound the vehicle or continue the impoundment but shall notify the rental or leasing company that the vehicle is available for pickup and shall notify the clerk of the general district court if he has previously been notified of the impoundment.

C. Notwithstanding any provision of this section, a dismissal or acquittal of the charge of a violation of subsection C or E of § 46.2-865 for which the motor vehicle was impounded or immobilized shall result in an immediate rescission of the impoundment or immobilization provided in subsection A.

D. The penalties imposed by this section are in addition to any other penalty imposed by law.

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

3. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 649

An Act to amend the Code of Virginia by adding in Chapter 26 of Title 54.1 an article numbered 3, consisting of sections numbered 54.1-2620 through 54.1-2624, and to repeal § 54.1-2605 of the Code of Virginia, relating to speech-language pathology assistants; licensure, qualifications, scope of practice; revocation or suspension of license; continuing education.

[H 2040]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 26 of Title 54.1 an article numbered 3, consisting of sections numbered 54.1-2620 through 54.1-2624, as follows:

Article 3.

Licensure of Speech-Language Pathology Assistants.

§ 54.1-2620. License; application; qualifications of speech-language pathology assistants.

A. No person shall practice as a speech-language pathology assistant unless he possesses a current, active, and valid license from the Board. The licensee shall have the right to practice as a speech-language pathology assistant in the

Commonwealth for the period of his license as set by the Board, under the supervision and direction of a licensed speech-language pathologist.

B. An application for such license shall be made to the Board in writing and shall be accompanied by satisfactory proof that the applicant (i) has completed a Board-approved eligibility pathway option, described in subsection C, and (ii) has completed a minimum of 100 hours of supervised clinical experience under the direct supervision of a licensed speech-language pathologist.

C. In order to practice as a speech-language pathology assistant, an applicant for licensure shall complete a Board-approved eligibility pathway that includes:

1. (i) Obtaining a two-year speech-language pathology assistant program degree from an accredited institution, (ii) completing the prerequisite courses required by subsection D, and (iii) completing the clinical field work required by subsection E;

2. (i) Obtaining a bachelor's degree in communication sciences and disorders from an accredited institution; (ii) completing (a) the online education modules offered by the American Speech-Language-Hearing Association or (b) a program equivalent to the online education modules offered by the American Speech-Language-Hearing Association; (iii) completing the prerequisite courses required by subsection D; and (iv) completing the clinical field work required by subsection E; or

3. (i) Obtaining a bachelor's or associate's degree from an accredited institution; (ii) completing a speech-language pathology assistant program with equivalent course work, or completing academic course work from an accredited institution of higher education in the following areas: (a) introductory or overview course in communication disorders, (b) phonetics, (c) speech sound disorders, (d) language development, (e) language disorders, and (f) anatomy and physiology of speech and hearing mechanisms; (iii) completing the prerequisite courses required by subsection D; and (iv) completing the clinical field work required by subsection E.

D. In order to practice as a speech-language pathology assistant, an applicant for licensure shall complete three one-hour prerequisite courses from an approved professional development provider, academic clinical practicum program, or via employee training, on each of the following topics: (i) ethics, (ii) universal safety precautions, and (iii) patient confidentiality.

E. In order to practice as a speech-language pathology assistant, an applicant for licensure shall complete a minimum of 100 hours of clinical field work, including (i) 80 hours of direct patient/client/student services under the supervision of a licensed speech-language pathologist and (ii) 20 hours of indirect patient/client/student services under the supervision of a licensed speech-language pathologist. Such hours may be completed via an academic practicum or on the job under the supervision of a licensed speech-language pathologist. Hours completed via an academic practicum or on the job shall be no more than five years old at the time of application for licensure. Observation, simulation, and graduate practicum hours shall not count toward such requirement.

F. The Board may grant a license to practice as a speech-language pathology assistant to an applicant licensed to practice in another jurisdiction if he (i) meets the requirements of subsection B; (ii) holds a current, unrestricted license to practice as a speech-language pathology assistant in another jurisdiction in the United States; (iii) has not committed any act that would constitute grounds for denial as set forth in § 54.1-2706; and (iv) meets other qualifications as determined in regulations promulgated by the Board.

G. The Board shall promulgate regulations (i) establishing the number of speech-language pathology assistants that may practice under the supervision of one licensed speech-language pathologist, not to exceed three speech-language pathology assistants under the supervision of one licensed speech-language pathologist, and (ii) defining (a) "direct supervision" as the in-view observation and guidance by a licensed speech-language pathologist of a speech-language pathology assistant while such speech language pathology assistant performs an assigned activity and (b) "indirect supervision" as the monitoring or reviewing of the activities performed by a speech-language pathology assistant by a licensed speech-language pathologist, excluding observation and guidance provided during the provision of direct services to a student, patient, or client.

§ 54.1-2621. Scope of practice of speech-language pathology assistants.

A. A licensed speech-language pathology assistant shall only engage in those duties that adhere to the code of ethics of the Board and are planned, designed, and supervised by a licensed speech-language pathologist, including:

1. Assisting with speech, language, and hearing screenings without clinical interpretation of results;

2. Administering and scoring screenings for clinical interpretation by the supervising speech-language pathologist;

3. Assisting with, but not administering or interpreting the results of, client assessments, including setting up the testing environment, gathering and preparing materials, and taking notes;

4. Administering and scoring assessments and progress monitoring tools without clinical interpretation of results, if the licensed speech-language pathology assistant meets the examiner requirements for such tools and the supervising speech-language pathologist has verified that such examiner requirements have been met;

5. Performing routine activities for therapy sessions in accordance with a plan developed and directed by the speech-language pathologist who retains the professional responsibility for such client, including (i) implementing documented care plans or protocols, (ii) providing direct therapy services to address treatment goals, (iii) adjusting and documenting the amount and type of support or scaffolding provided to the client in treatment to facilitate progress, and

(iv) developing and implementing activities and materials for teaching and practice of skills to address the goals of the client;

6. Providing treatment through a variety of service delivery models as directed by the supervising speech-language pathologist;

7. Utilizing telecommunications technology to provide services remotely to clients as directed by the supervising speech-language pathologist;

8. Documenting client performance and reporting such performance information to the supervising speech-language pathologist;

9. Providing caregiver coaching, including modeling and teaching communication strategies and providing feedback regarding caregiver-client interactions for facilitation and carryover of skills;

10. Sharing objective information regarding client performance without interpretation or recommendations as directed by the supervising speech-language pathologist;

11. Assisting with programming augmentative and alternative communication devices and assisting and training clients with using such devices;

12. Demonstrating strategies and assisting clients with skills included in the feeding and swallowing plan developed by the supervising speech-language pathologist;

13. Signing or initialing informal treatment notes and, upon request, co-signing formal documents with the supervising speech-language pathologist;

14. Assisting with clerical duties and site operations, including preparing materials, scheduling appointments and activities, preparing charts, records, or graphs, and performing checks and maintenance of equipment;

15. Assisting clients with transitioning to and from therapy sessions; and

16. Performing duties not otherwise restricted to the practice of speech-language pathology.

B. A speech-language pathologist assistant shall not engage in the practice of speech-language pathology, including the following:

1. Representing himself as a speech-language pathologist;

2. Performing diagnostic tests or evaluations;

3. Performing procedures that require a professional level of clinical judgment and technical skill;

4. Interpreting results and observations of feeding and swallowing evaluations or screenings performed by a speech-language pathologist;

5. Participating in formal conferences or meetings without the presence of the supervising speech-language pathologist;

6. Providing interpretative information to a client, the family of a client, or any other individual;

7. Writing, developing, or modifying a client's treatment plan;

8. Assisting in or providing services described in subsection A unless directed by the supervising speech-language pathologist;

9. Signing any formal documents in place of the supervising speech-language pathologist;

10. Selecting a client for service or discharging a client from service;

11. Making a decision regarding the need for additional services or making a referral for service;

12. Disclosing clinical or confidential information either orally or in writing to anyone other than the supervising speech-language pathologist, unless mandated by law or authorized by the supervising speech-language pathologist; or

13. Developing or determining the swallowing or feeding strategies or precautions for a client or providing feeding or swallowing treatment.

C. A licensed speech-language pathology assistant shall be supervised by a speech-language pathologist, who shall retain full legal and ethical responsibility for the client.

§ 54.1-2622. Continuing education.

The Board shall promulgate regulations requiring continuing education for any speech-language pathology assistant license renewal or reinstatement. The Board may grant exceptions or exemptions from these continuing education requirements.

§ 54.1-2623. Revocation or suspension; other sanctions.

The Board may refuse to issue a license to any applicant; suspend, for a stated period or indefinitely, or revoke any license; or censure or reprimand any licensee or place such person on probation for such time as it may designate for any of the following causes:

1. Obtaining a license through fraud, deceit, or misrepresentation;

2. Being convicted of any felony or being convicted of any crime involving moral turpitude;

3. Using alcohol or drugs to the extent that such use renders the person unsafe to practice as a speech-language pathologist assistant;

4. Any unprofessional conduct likely to defraud or to deceive the public or patients;

5. Practicing in an intentional or negligent manner that causes or is likely to cause injury to a patient or patients;

6. Assisting persons whom he knew or had reason to believe were unlicensed to practice as a speech-language pathologist or speech-language pathologist assistant;

7. Violating, assisting, or inducing others to violate any provision of this article or any Board regulation;

8. Conducting his practice in a manner contrary to the standards of ethics of a speech-language pathologist assistant;

9. Practicing or causing others to practice in a manner that is dangerous to the health and welfare of his patients or to the public;

10. Practicing outside the scope of the speech-language pathologist assistant's education, training, and experience; or

11. Receiving a revocation, suspension, or restriction of a license to practice as a speech-language pathologist assistant in another state, possession, or territory of the United States or foreign country.

§ 54.1-2624. Grounds for revocation or suspension.

The Board may revoke or suspend the license of any speech-language pathologist assistant for any of the causes set forth in § 54.1-2623, insofar as the action is applicable to practicing as a speech-language pathologist assistant.

2. That § 54.1-2605 of the Code of Virginia is repealed.

3. That the provisions of the first and second enactments of this act shall become effective on July 1, 2027.

4. That the Board of Audiology and Speech-Language Pathology's initial adoption of regulations necessary to implement the provisions of this act shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia), except that the Board of Audiology and Speech-Language Pathology shall provide an opportunity for public comment on the regulations prior to adoption of such regulations.

5. That the Board of Audiology and Speech-Language Pathology shall amend and promulgate regulations in accordance with this act by July 1, 2026.

CHAPTER 650

An Act to amend the Code of Virginia by adding in Article 13 of Chapter 3.1 of Title 62.1 a section numbered 62.1-44.34:34, relating to drinking water; Occoquan Reservoir PFAS Reduction Program established.

[H 2050]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 13 of Chapter 3.1 of Title 62.1 a section numbered 62.1-44.34:34 as follows:

§ 62.1-44.34:34. Occoquan Reservoir PFAS Reduction Program.

A. For purposes of this section, "PFAS" has the same meaning as in § 62.1-44.34:29.

B. The owner or operator of any facility, including facilities described in § 62.1-44.34:32, that (i) discharges industrial wastewater pursuant to an industrial pretreatment program permit into the sewer collection system of a major publicly owned treatment works that discharges into the Occoquan Reservoir, the Occoquan River, Bull Run, or any of their tributaries above the Occoquan Reservoir or (ii) discharges industrial wastewater or industrial stormwater directly into the Occoquan Reservoir, the Occoquan River, Bull Run, or any of their tributaries above the Occoquan Reservoir pursuant to an individual VPDES permit issued by the Department shall monitor for PFAS using EPA Method 1633 or an alternative method approved by the EPA beginning on or before October 1, 2025.

The owner or operator of any such facility shall perform representative monitoring of its wastewater or stormwater discharges, as applicable, for PFAS at least once every three months unless the Department authorizes the owner or operator of a facility with proper monitoring results that are below the method detection level for four consecutive quarters to reduce or discontinue monitoring. The owner or operator of a facility shall make a good faith effort to obtain the results of such monitoring from the laboratory within 45 days of the sampling date or within the shortest practicable time thereafter. The owner or operator of a facility shall report all results to the Department no later than the tenth day of the next month after the month in which the result is reported by the laboratory. This report shall include all such PFAS analytes measured by the test method.

C. By July 1, 2027, for any facility that measures PFAS in its discharge that exceeds the maximum contaminant level (MCL) for such PFAS in drinking water promulgated on or before January 1, 2025, identified through the monitoring required in subsection B, the Department, for an individual VPDES permit if the facility discharges directly to surface waters, or a major publicly owned treatment works, for an indirect discharger, shall modify the applicable discharge permit to require that the facility's discharge not exceed that MCL. The permit shall provide a compliance schedule that requires compliance with such level as soon as possible but no later than July 1, 2029; however, the compliance schedule shall be extended beyond July 1, 2029, if the deadline to comply with the MCL for PFAS in finished water for any public water system that withdraws surface water from the Occoquan Reservoir is extended beyond July 1, 2029. If the MCL for such PFAS for drinking water is revised to a different, higher allowed level, the revised higher level shall control for purposes of this section.

D. Where the owner or operator of a facility subject to industrial wastewater discharge PFAS limitations pursuant to subsection C demonstrates to the Department's satisfaction that the presence of PFAS in its water supply may contribute to an exceedance, the Department shall establish an alternative manner of calculating compliance with the limitation required by subsection C to account for the presence of PFAS in its water supply not caused by the same facility. The consideration or establishment of an alternative manner of calculating compliance shall not delay the deadline for compliance specified in subsection C.

E. The provisions of this section shall not apply to (i) any industrial discharger except as specifically listed in subsection B, (ii) any publicly owned treatment works or drinking water treatment plant, or (iii) a municipal solid waste facility. Any public water system that withdraws surface water from the Occoquan Reservoir to produce and distribute potable water to the general public may rely on the level of control required by this section for the purpose of its planning for compliance with the MCL for PFAS in finished water.

F. Nothing in this section shall be construed to limit the authority of the Department or the owner or operator of any publicly owned treatment works to which any user discharges wastewater to require monitoring or reporting or otherwise regulate the discharge of any PFAS chemicals or other pollutants under other applicable legal authority.

2. That the General Assembly finds and determines that the Occoquan Reservoir is the Commonwealth's first and only indirect potable reuse drinking water supply, which receives highly treated wastewater from the Upper Occoquan Sewage Authority (UOSA). During drought conditions the return flows from UOSA comprise up to 90 percent of the inflows to the Occoquan Reservoir. The watershed draining to the Occoquan Reservoir is less than 600 square miles and highly urbanized. To address this unique situation, industrial sources shall be monitored and if the industrial sources are determined to be contributing PFAS, as that term is defined in § 62.1-44.34:29 of the Code of Virginia, such industrial sources shall be minimized in accordance with this act to reduce excessive levels of PFAS in public drinking water derived from the Occoquan Reservoir.

CHAPTER 651

An Act to amend and reenact § 32.1-325.1 of the Code of Virginia, relating to Department of Medical Assistance Services; appeals of agency determinations.

[H 2082]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-325.1 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-325.1. Appeals of agency determinations.

A. *All providers enrolled with the Department may appeal any action by the Department or its contractor that is subject to appeal under the Administrative Process Act (§ 2.2-4000 et seq.). For provider appeals stemming from an action taken by a Department contractor, including managed care organizations, the provider shall exhaust the contractor's internal reconsideration and internal appeal processes, if any, before appealing to the Department.*

B. The ~~Director~~ *Department* shall make an initial *appeal* determination ~~as to whether an overpayment has been made to a provider~~ in accordance with the state plan for medical assistance, the provisions of § 2.2-4019*,* and applicable federal law. The initial determination shall be issued within 180 days of the receipt of the appeal request. If the agency does not render a decision within 180 days, *or, in the case of a joint agreement to stay the appeal decision pursuant to subsection D, within the time after the stay expires and before the appeal timeframe resumes,* the decision is deemed to be in favor of the provider.

~~B.~~ *C.* An appeal of the ~~Director's~~ *Department's* initial determination concerning provider reimbursement shall be heard in accordance with § 2.2-4020 of the Administrative Process Act (§ 2.2-4020 et seq.) and the state plan for medical assistance provided for in § 32.1-325. The hearing officer appointed pursuant to § 2.2-4024 shall conduct the appeal and submit a recommended decision to the Director within 120 days of the agency's receipt of the appeal request*, unless the settlement provisions of this section apply*. The Director shall consider the parties' exceptions and issue the final agency case decision within ~~sixty~~ *60* days of receipt of the hearing officer's recommended decision. If the Director does not render a final agency case decision within ~~sixty~~ *60* days of the receipt of the hearing officer's recommended decision, the decision is deemed to be in favor of the provider. The Director shall adopt the hearing officer's recommended decision unless to do so would be an error of law or Department policy. Any final agency case decision in which the Director rejects a hearing officer's recommended decision shall state with particularity the basis for rejection. Prior to a final agency case decision issued in accordance with § 2.2-4023, the Director may not undertake recovery of any overpayment amount paid to the provider through offset or other means. Once a final determination of overpayment has been made, the Director shall undertake full recovery of such overpayment whether or not the provider disputes, in whole or in part, the initial or the final determination of overpayment. Interest charges on the unpaid balance of any overpayment shall accrue pursuant to § 32.1-313 from the date the ~~Director's~~ *Department's* determination becomes final. Nothing in § 32.1-313 shall be construed to require interest payments on any portion of overpayment other than the unpaid balance referenced herein.

~~C.~~ *D. The Department and the provider may jointly agree to stay the deadline for the informal appeal decision or for the formal appeal recommended decision of the hearing officer for a period of up to 60 days to facilitate settlement discussions. If the parties reach a resolution as reflected by a written settlement agreement within the 60-day period, then the stay shall be extended for such additional time as may be necessary for review and approval of the settlement agreement in accordance with § 2.2-514.*

E. The burden of proof in informal and formal administrative appeals is on the provider. *If an action stems from a Department contractor, then such contractor shall represent itself during the informal and formal appeal proceedings. No*

such contractor, including managed care organizations, shall have the right to file a petition for reconsideration or an appeal for court review of the Department's final agency decision.

F. The agency shall reimburse a provider for reasonable and necessary ~~attorneys'~~ *attorney* fees and costs associated with an informal or formal administrative appeal if the provider substantially prevails on the merits of the appeal and the agency's position is not substantially justified, unless special circumstances would make an award unjust. In any case in which a provider has recovered ~~attorneys'~~ *attorney* fees and costs associated with an informal or formal administrative appeal, the provider shall not be entitled to recover those same ~~attorneys'~~ *attorney* fees and costs in a subsequent judicial proceeding.

~~D.~~ *G.* Court review of final agency determinations concerning provider reimbursement shall be made in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). In any case in which a final determination of overpayment has been reversed in a subsequent judicial proceeding, the provider shall be reimbursed that portion of the payment to which he is entitled plus any applicable interest, within ~~thirty~~ *30* days of the subsequent judicial order.

CHAPTER 652

An Act to amend and reenact §§ 46.2-393, 46.2-394, 46.2-398, 46.2-506, and 46.2-865 of the Code of Virginia and to amend the Code of Virginia by adding in Article 19 of Chapter 3 of Title 46.2 a section numbered 46.2-507, relating to Intelligent Speed Assistance Program established; penalty.

[H 2096]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-393, 46.2-394, 46.2-398, 46.2-506, and 46.2-865 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Article 19 of Chapter 3 of Title 46.2 a section numbered 46.2-507 as follows:

§ 46.2-393. Suspension of license on conviction of certain reckless offenses; restricted licenses.

A. When any person is convicted of reckless driving as provided in §§ 46.2-853 through 46.2-864, in addition to any penalties provided by law, the driver's license of the person may be suspended by the court for a period of not less than 60 days nor more than six months. In case of conviction the court shall order the surrender of the license to the court where it shall be disposed of in accordance with the provisions of § 46.2-398. If the person so convicted has not obtained a license required by this chapter or is a nonresident, the court shall direct in the judgment of conviction that the person shall not drive any motor vehicle in the Commonwealth for a period of not less than 60 days nor more than six months.

B. The court may, in its discretion and for good cause shown, provide that such person be issued a restricted permit to operate a motor vehicle during the period of suspension for any of the purposes set forth in subsection E of § 18.2-271.1. The court shall forward to the Commissioner a copy of its order entered pursuant to this section, which shall specifically enumerate the restrictions imposed and contain such information regarding the person to whom such a permit is issued as is reasonably necessary to identify such person. The court shall also provide a copy of its order to the person who may operate a motor vehicle on the order until receipt from the Commissioner of a restricted license. A copy of such order and, after receipt thereof, the restricted license shall be carried at all times while operating a motor vehicle. Any person who operates a motor vehicle in violation of any restrictions imposed pursuant to this section shall be punished as provided in subsection C of § 46.2-301. No restricted license issued pursuant to this section shall permit any person to operate a commercial motor vehicle as defined in the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.).

C. Notwithstanding the provisions of subsection A, when any person is convicted of reckless driving pursuant to § 46.2-861 or 46.2-862, in addition to any penalties provided by law and as an alternative to suspending such person's driver's license, the court may, in its discretion and for good cause shown, require that such person enroll in the Intelligent Speed Assistance Program established pursuant to § 46.2-507 for a period of not less than 60 days nor more than six months. However, if such person was convicted of reckless driving pursuant to § 46.2-862 and was found to have been driving on the highways of the Commonwealth in excess of 100 miles per hour, the court shall order such enrollment for such period of time, unless the court has ordered suspension of such person's driver's license pursuant to subsection A. No restricted license issued nor enrollment in the Intelligent Speed Assistance Program required pursuant to this section shall permit any person to operate a commercial motor vehicle, as that term is defined in § 46.2-341.4.

§ 46.2-394. Revocation of license for fourth conviction of certain offenses.

If any person is convicted four times of a violation of ~~§§~~ *§* 46.2-865, 46.2-894, or ~~§~~ 46.2-895, or any substantially similar ordinance or law of any other jurisdiction, the court shall revoke his driver's license for five years. *However, if such person is convicted four times of a violation of § 46.2-865, or any substantially similar ordinance or law of any other jurisdiction, the court may alternatively, in its discretion and for good cause shown, require that such person enroll in the Intelligent Speed Assistance Program established pursuant to § 46.2-507 for five years. No restricted license issued nor enrollment in the Intelligent Speed Assistance Program required pursuant to this section shall permit any person to operate a commercial motor vehicle, as that term is defined in § 46.2-341.4.*

§ 46.2-398. Disposition of surrendered licenses on revocation or suspension.

In any case in which the accused is convicted of an offense, on the conviction of which the law requires or permits revocation or suspension of the driver's license of the person so convicted, the court shall order the surrender of such license, which shall remain in the custody of the court during the period of revocation or suspension if the period does not exceed 30 days.

If the revocation or suspension period exceeds 30 days, and the conviction was obtained in a court not of record, the license shall remain in the custody of that court (i) until the time allowed by law for an appeal to the circuit court has elapsed, when it shall be forwarded to the Commissioner, or (ii) until an appeal to the circuit court is noted, at which time it shall be returned to the accused.

If the revocation or suspension period exceeds 30 days, and the conviction was obtained in the circuit court, the circuit court shall forward the license to the Commissioner forthwith upon the conviction.

In any case in which a court ordered a person to enroll in the Intelligent Speed Assistance Program established pursuant to § 46.2-507, the court shall forward the license to the Department upon the conviction.

For any revocation or suspension of a privilege to drive in Virginia of a person who does not have a Virginia driver's license but who does have a valid driver's license from another jurisdiction, the court shall not order the physical surrender of such license.

§ 46.2-506. Formal hearings; suspension for excessive point accumulation.

A. Whenever the operating record of any person shows a continued disregard of the motor vehicle laws subsequent to being placed on probation, he may be charged as a reckless or negligent driver of a motor vehicle, and cited for a formal hearing in accordance with the provisions of §§ 46.2-402 through 46.2-408. If the hearing results in the suspension of a person's driving privilege, the person shall be placed on probation at the end of the suspension period in accordance with the provisions of § 46.2-499.

B. Whenever the operating record of any person shows an accumulation of at least ~~eighteen~~ *18* demerit points based on convictions, or findings of not innocent in the case of a juvenile, for traffic violations committed within any ~~twelve~~ *12* consecutive months, or at least ~~twenty-four~~ *24* demerit points based on convictions, or findings of not innocent in the case of a juvenile, for traffic violations committed within any ~~twenty-four~~ *24* consecutive months, respectively, the Commissioner shall *(i)* suspend the person's license or licenses for a period of ~~ninety~~ *90* days and thereafter until he attends and satisfactorily completes a driver improvement clinic *or (ii) require such person to enroll in the Intelligent Speed Assistance Program established pursuant to § 46.2-507 for a period of nine months and satisfactorily complete a driver improvement clinic. The Department shall provide such driver subject to the provision of this subsection with the option, in a written notice, either to have his license suspended or to enroll in the Intelligent Speed Assistance Program. Such driver shall indicate his choice to the Department within 30 days of the receipt of such written notice. The Department shall, pursuant to clause (i), suspend the license of any driver who fails to respond to such written notice within such 30 days*. At the end of ~~this~~ *a* suspension period *pursuant to clause (i)*, the person shall be placed on probation in accordance with the provisions of § 46.2-499. *No restricted license issued nor enrollment in the Intelligent Speed Assistance Program required pursuant to this section shall permit any person to operate a commercial motor vehicle, as that term is defined in § 46.2-341.4.*

§ 46.2-507. Establishment of Intelligent Speed Assistance Program; penalty.

A. As used in this section:

"Commission" means the Commission on the Virginia Alcohol Safety Action Program (VASAP) as established pursuant to § 18.2-271.2.

"Intelligent speed assistance system" means a system that limits the speed at which a motor vehicle is capable of traveling based on the applicable speed limit where such motor vehicle is being operated.

"Program" means the Intelligent Speed Assistance Program established pursuant to this section.

B. The Executive Director of the Commission or his designee shall, pursuant to approval by the Commission, establish the Intelligent Speed Assistance Program for the administration of the provisions of this section and supervise the installation and compliance of intelligent speed assistance systems.

C. Upon receipt of notice from a court that a person is required to enroll in the Program, the Department shall:

1. Require such person's enrollment in the Program as a condition for obtaining and maintaining a restricted driver's license;

2. Suspend such person's driver's license and issue such person a restricted driver's license that indicates his participation in the Program; and

3. Not issue such person any other driver's license until such person successfully completes a period of enrollment as provided in subsection E.

D. The Department shall provide notice to any person required to enroll in the Program of the requirements of this section. Such notice shall be deemed to have been delivered if it is (i) hand-delivered to such person or (ii) sent by mail to the address on such person's driver's license.

E. A person's driver's license shall remain suspended pursuant to subdivision C 3, and a person's enrollment in the Program shall remain a condition for obtaining and maintaining a restricted driver's license pursuant to subdivision C 1, for the duration of time ordered by the court or, if such enrollment is pursuant to § 46.2-506, for a period of nine months and after satisfactory completion of a driver improvement clinic.

F. A person enrolled in the Program pursuant to this section shall enter into and successfully complete the Program and (i) shall install a certified intelligent speed assistance system on each motor vehicle owned by or registered to such person and (ii) shall not operate any motor vehicle that is not equipped with a functioning, certified intelligent speed assistance system.

G. A person enrolled in the Program shall pay all costs associated with enrollment and participation in the Program, unless such person is found by the court or the Commission to be indigent.

H. The Executive Director of the Commission or his designee shall, pursuant to approval by the Commission, certify intelligent speed assistance systems for use in the Commonwealth and adopt regulations and forms for the installation, maintenance, and certification of such intelligent speed assistance systems. Such regulations shall include requirements that such intelligent speed assistance systems:

1. Do not impede the safe operation of the motor vehicle;

2. Minimize opportunities to be bypassed, circumvented, or tampered with, and provide evidence that such system has not been bypassed, circumvented, or tampered with;

3. Work accurately and reliably in an unsupervised environment;

4. Have the capability to provide an accurate measure of speed and record each attempt to bypass, circumvent, or tamper with such intelligent speed assistance systems;

5. Minimize inconvenience to other users of the motor vehicle;

6. Be manufactured or distributed by an entity that is responsible for the installation, user training, service, and maintenance of such intelligent speed assistance systems;

7. Operate reliably over the range of motor vehicle environments or motor vehicle manufacturing standards;

8. Be manufactured by an entity that is adequately insured against liability, in an amount established by the Commission, including product liability and liability against installation and maintenance errors; and

9. Provide for an electronic log of the driver's experience with such intelligent speed assistance system with an information management system capable of electronically delivering information to the Commission within 24 hours of the collection of such information from the data logger.

I. The regulations adopted pursuant to subsection H shall also provide for the establishment of a Fund, administered by the Commission, using a percentage of fees received by the manufacturer or distributor providing the intelligent speed assistance systems from a person enrolled in the Program, to assist any person found by the court or the Commission to be indigent with all or part of the costs of an intelligent speed assistance system.

J. The Commission shall publish a list of certified intelligent speed assistance systems and shall ensure that such intelligent speed assistance systems are available throughout the Commonwealth. The Commission shall make the list available to eligible offenders, who shall have the responsibility and authority to choose which certified intelligent speed assistance system manufacturer or distributor will supply such offender's certified intelligent speed assistance system. A manufacturer or distributor of intelligent speed assistance systems that seeks to sell or lease the intelligent speed assistance systems to persons subject to the provisions of this section shall pay the reasonable costs of obtaining the required certification, as established by the Commission.

K. A person may not sell or lease or offer to sell or lease an intelligent speed assistance system to any person unless:

1. The intelligent speed assistance system has been certified by the Commission; and

2. The warning label adopted by the Commission pursuant to subsection N is affixed to the intelligent speed assistance system.

L. A manufacturer or distributor of an intelligent speed assistance system shall provide such support services as may be required at no cost to the Commonwealth. Such services shall include a toll free, 24-hour telephone number for the users of intelligent speed assistance systems.

M. No person shall tamper with, or in any way attempt to circumvent, bypass, or tamper with the operation of, an intelligent speed assistance system that has been installed in a motor vehicle pursuant to this section. A violation of this subsection is punishable as a Class 1 misdemeanor. The venue for the prosecution of a violation of this subsection shall be where the offense occurred.

N. The Commission shall design and adopt a warning label to be affixed to an intelligent speed assistance system upon installation in a motor vehicle. The warning label shall state that a person tampering with or attempting to bypass or circumvent the intelligent speed assistance system is guilty of a Class 1 misdemeanor and, upon conviction, is subject to a fine or incarceration or both.

O. Any person who enters into the Program prior to trial may pre-qualify with the Program to have an intelligent speed assistance system installed on any motor vehicle owned or operated by him and the court may consider such pre-qualification and installation.

P. The Commission shall promulgate such regulations and forms as are necessary to implement the Program established by this section.

§ 46.2-865. Racing; penalty.

Any person who engages in a race between two or more motor vehicles on the highways in the Commonwealth or on any driveway or premises of a church, school, recreational facility, or business property open to the public in the Commonwealth shall be guilty of reckless driving, unless authorized by the owner of the property or his agent. When any person is convicted of reckless driving under this section, in addition to any other penalties provided by law the driver's

license of such person shall be suspended by the court for a period of not less than six months nor more than two years *or the court may, in its discretion and for good cause shown, require that such person enroll in the Intelligent Speed Assistance Program established pursuant to § 46.2-507 for a period of not less than six months nor more than two years*. In case of conviction the court shall order the surrender of the license to the court where it shall be disposed of in accordance with the provisions of § 46.2-398. *No restricted license issued nor enrollment in the Intelligent Speed Assistance Program required pursuant to this section shall permit any person to operate a commercial motor vehicle, as that term is defined in § 46.2-341.4.*

2. That the provisions of this act shall become effective on July 1, 2026.

CHAPTER 653

An Act to direct the Department of Housing and Community Development to develop a document describing considerations that a locality may consider when implementing an ordinance to stimulate affordable housing and strategies on property owned by a property tax-exempt nonprofit organization.

[H 2153]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Department of Housing and Community Development (the Department) shall develop a document describing options for alteration or waiver of requirements for zoning permits, site plan application incentives, and other considerations that a locality may consider when implementing an ordinance to stimulate affordable housing and include strategies on property owned by a property tax-exempt nonprofit organization. The Department shall consult stakeholders, including local governments, nonprofit organizations, and other expert resources as determined by the Department, to develop the document. Such document shall be published on the Department's website no later than December 31, 2025.*

CHAPTER 654

An Act to amend and reenact § 54.1-2104 of the Code of Virginia, relating to Real Estate Board; membership; qualifications.

[H 2210]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2104 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2104. Real Estate Board; membership; chairman; seal.

The Real Estate Board shall be composed of nine members as follows: seven members who have been *actively engaged as* licensed real estate brokers or salespersons for at least ~~five~~ *seven* consecutive years before their appointment and two citizen members. *Of the members licensed as real estate brokers or salespersons, (i) at least one shall have proficiency and experience in the area of residential property management and (ii) each shall have acknowledged ability in the profession as evidenced by possessing at least one of the following qualifications: (a) experience in real estate credentialing or certification, (b) certification by the Board as a real estate instructor, or (c) training or experience in the adjudication of other real estate licensees.* The terms of Board members shall be four years.

The Board shall elect a chairman from its membership.

The Board shall adopt a seal by which it shall authenticate its proceedings.

2. That the provisions of this act shall not be construed to affect existing appointments to the Real Estate Board for which the terms have not expired.

CHAPTER 655

An Act to amend and reenact § 55.1-1204 of the Code of Virginia, relating to Virginia Residential Landlord and Tenant Act; rental payment methods.

[H 2218]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-1204 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-1204. Terms and conditions of rental agreement; payment of rent; copy of rental agreement for tenant.

A. A landlord and tenant may include in a rental agreement terms and conditions not prohibited by this chapter or other rule of law, including rent, charges for late payment of rent, the term of the agreement, automatic renewal of the rental agreement, requirements for notice of intent to vacate or terminate the rental agreement, and other provisions governing the rights and obligations of the parties.

B. A landlord shall offer a prospective tenant a written rental agreement containing the terms governing the rental of the dwelling unit and setting forth the terms and conditions of the landlord-tenant relationship and shall provide with it the statement of tenant rights and responsibilities developed by the Department of Housing and Community Development and posted on its website pursuant to § 36-139. The parties to a written rental agreement shall sign the form developed by the Department of Housing and Community Development and posted on its website pursuant to § 36-139 acknowledging that the tenant has received from the landlord the statement of tenant rights and responsibilities. The written rental agreement shall be effective upon the date signed by the parties.

If a tenant fails to sign the form available pursuant to this subsection, the landlord shall record the date or dates on which he provided the form to the tenant and the fact that the tenant failed to sign such form. Subsequent to the effective date of the tenancy, a landlord may, but shall not be required to, provide a tenant with and allow such tenant an opportunity to sign the form described pursuant to this subsection. The form shall be current as of the date of delivery.

C. If a landlord does not offer a written rental agreement, the tenancy shall exist by operation of law, consisting of the following terms and conditions:

1. The provision of this chapter shall be applicable to the dwelling unit that is being rented;

2. The duration of the rental agreement shall be for 12 months and shall not be subject to automatic renewal, except in the event of a month-to-month lease as otherwise provided for under subsection D of § 55.1-1253;

3. Rent shall be paid in 12 equal periodic installments in an amount agreed upon by the landlord and the tenant and if no amount is agreed upon, the installments shall be at fair market rent;

4. Rent payments shall be due on the first day of each month during the tenancy and shall be considered late if not paid by the fifth of the month;

5. If the rent is paid by the tenant after the fifth day of any given month, the landlord shall be entitled to charge a late charge as provided in this chapter;

6. The landlord may collect a security deposit in an amount that does not exceed a total amount equal to two months of rent; and

7. The parties may enter into a written rental agreement at any time during the 12-month tenancy created by this subsection.

D. Except as provided in the written rental agreement, or as provided in subsection C if no written agreement is offered, rent shall be payable without demand or notice at the time and place agreed upon by the parties. Except as provided in the written rental agreement, rent is payable at the place designated by the landlord, and periodic rent is payable at the beginning of any term of one month or less and otherwise in equal installments at the beginning of each month. If the landlord receives from a tenant a written request for a written statement of charges and payments, he shall provide the tenant with a written statement showing all debits and credits over the tenancy or the past 12 months, whichever is shorter. The landlord shall provide such written statement within 10 business days of receiving the request.

E. A landlord shall not charge a tenant for late payment of rent unless such charge is provided for in the written rental agreement. No such late charge shall exceed the lesser of 10 percent of the periodic rent or 10 percent of the remaining balance due and owed by the tenant.

F. Except as provided in the written rental agreement or, as provided in subsection C if no written agreement is offered, the tenancy shall be week-to-week in the case of a tenant who pays weekly rent and month-to-month in all other cases. Terminations of tenancies shall be governed by § 55.1-1253 unless the rental agreement provides for a different notice period.

G. If the rental agreement contains any provision allowing the landlord to approve or disapprove a sublessee or assignee of the tenant, the landlord shall, within 10 business days of receipt of the written application of the prospective sublessee or assignee on a form to be provided by the landlord, approve or disapprove the sublessee or assignee. Failure of the landlord to act within 10 business days is evidence of his approval.

H. The landlord shall provide a copy of the signed written rental agreement and the statement of tenant rights and responsibilities to the tenant within 10 business days of the effective date of the written rental agreement. The failure of the landlord to deliver such a rental agreement and statement shall not affect the validity of the agreement. However, the landlord shall not file or maintain an action, including any summons for unlawful detainer, against the tenant in a court of law for any alleged lease violation until he has provided the tenant with the statement of tenant rights and responsibilities.

The landlord shall provide the tenant with an additional hard copy of such tenant's rental agreement once per year upon request or shall maintain such rental agreement in an electronic format that can be easily accessed by or shared with the tenant upon request. Any additional electronic copy of a tenant's rental agreement provided pursuant to this subsection shall be provided by the landlord at no charge to the tenant.

I. No unilateral change in the terms of a rental agreement by a landlord or tenant shall be valid unless (i) notice of the change is given in accordance with the terms of the rental agreement or as otherwise required by law and (ii) both parties consent in writing to the change.

J. *1.* The landlord shall provide the tenant with a written receipt, upon request from the tenant, whenever the tenant pays rent in the form of cash or money order. *No landlord shall charge a tenant any fee for the collection or processing of any payment of rent, security deposit, or any other fees, unless the landlord offers an alternative method of payment that does not include additional fees.*

2. A landlord with four or fewer rental dwelling units, or up to a 10 percent interest in four or fewer rental dwelling units, shall not be required to accept payment of periodic rent and any security deposit by debit or credit card.

K. A landlord who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, shall be required to provide written notice to any tenant who has the option to renew a rental agreement or whose rental agreement contains an automatic renewal provision of any increase in rent during the subsequent rental agreement term. Such notice shall be provided to the tenant no less than 60 days prior to the end of the rental agreement term. This subsection shall not apply to any periodic tenancy created pursuant to subsection C of § 55.1-1253.

CHAPTER 656

An Act to amend and reenact § 53.1-31.4 of the Code of Virginia, relating to prisoners; Department of Corrections-issued identification; report.

[H 2221]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-31.4 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-31.4. Government-issued identification; Department of Corrections-issued identification.

A. Prior to the release or discharge *into the community* of any prisoner who has been confined for at least 90 days and does not possess a government-issued identification card, birth certificate, ~~and Social Security~~ *or social security* card, the Department shall ~~provide the assistance necessary for such prisoner to apply for and obtain such identification and documents prior to his release or discharge, provided that the Department has or can readily obtain all records and information necessary for their issuance. If the prisoner is unable to obtain a government-issued identification card prior to his release or discharge~~*, in conjunction with the Department of Motor Vehicles, the State Registrar of Vital Records, and any other relevant government agency, provide such prisoner with a certified copy of his birth certificate, his social security card, or a government-issued identification card unless such provision of a government-issued identification card is not possible, in which case*, the Department shall provide the prisoner with a Department of Corrections Offender Identification form. *The form shall include (i) a photograph of the prisoner; (ii) the prisoner's full name; (iii) the prisoner's date of birth; (iv) the address of the facility in which the prisoner resided at the time of his release or discharge; (v) the prisoner's release address; and (vi) if available, the prisoner's citizenship or legal presence in the United States and social security number. Such form shall be verified by the Department and provided to the Department of Motor Vehicles in a secured format and by a means mutually agreed upon by the Department and the Department of Motor Vehicles and shall, subject to procedures established pursuant to subsection B, serve as proof of identity and proof of Virginia residency and may serve as proof of legal presence in the United States or proof of a social security number, if one is available, as required to obtain a government-issued identification card for the 120 days immediately following the release or discharge of the prisoner identified on such form.* If the Department receives a government-issued identification card, birth certificate, or ~~Social Security~~ *social security* card for a prisoner after his release or discharge, the Department shall forward such identification or document to the *former* prisoner. Unless the prisoner is determined to be indigent pursuant to § 19.2-159, all costs and fees associated with applying for and obtaining any identification or documents pursuant to this section shall be paid by the prisoner.

For the purposes of this section, "government-issued identification card" does not include a REAL ID credential.

B. The Department and the Department of Motor Vehicles shall cooperatively establish procedures for verifying a Department of Corrections Offender Identification form and all information contained therein. The Department of Motor Vehicles shall not accept a Department of Corrections Offender Identification form if the form or any of the information contained on the form cannot be verified.

2. That the provisions of the first enactment of this act shall become effective on July 1, 2026.

3. That the Department of Corrections, in coordination with the State Board of Local and Regional Jails, the Department of Motor Vehicles, and the State Registrar of Vital Records, shall (i) identify the number of prisoners released with and without identification cards; (ii) review the processes involved in assisting a prisoner in applying for and obtaining a government-issued identification card, birth certificate, or social security card as required pursuant to §§ 53.1-31.4, as amended by this act, and 53.1-116.1:02 of the Code of Virginia; (iii) identify any obstacles that may interfere with a prisoner obtaining such identification or documents prior to such prisoner's release or discharge; and (iv) issue a report of its findings and recommendations to the General Assembly no later than November 1, 2025.

CHAPTER 657

An Act to amend and reenact § 19.2-304 of the Code of Virginia, relating to decreasing probation period; criteria for mandatory reduction; work group; report.

[H 2252]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-304 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-304. Increasing or decreasing probation period and modification of conditions.

A. The court may subsequently increase ~~or decrease~~ the probation period and may revoke or modify any condition of probation, but only upon a hearing after reasonable notice to both the defendant and the attorney for the Commonwealth. *After fixing the probation period, the court may subsequently decrease the probation period without a hearing if warranted by the defendant's conduct.*

B. Except as provided in subsection D, the defendant's supervised probation period shall be reduced if:

1. The defendant completes a qualifying educational activity, including obtaining a high school diploma, passing high school equivalency testing, completing 15 credit hours with at least a 2.0 grade point average at a postsecondary educational institution, obtaining an academic degree, completing a peer recovery specialist training program approved by the Department of Behavioral Health and Developmental Services, completing a state-certified training program, or completing a vocational or job training program made available by the Department of Corrections or by a community provider approved by the Department of Corrections;

2. The defendant maintains verifiable employment where the defendant is employed at least an average of 30 hours per week;

3. The defendant is in compliance with any state-certified or state-approved mental health or substance abuse treatment program or successfully completes a state-certified or state-approved mental health or substance abuse treatment program;

4. The defendant secures and maintains qualifying health insurance coverage or a qualifying health care plan through Medicaid, a state's insurance marketplace, or his employer or independent purchase; or

5. The defendant has obtained housing and established residence, either through a rental agreement, home ownership, work exchange program, or other method deemed appropriate by the probation officer, within the designated area permitted by his probation.

C. A defendant shall not begin accruing credit for any educational activity, employment, or treatment program described in subsection B until the first day of the first full month that such defendant is on supervised probation. Such credits shall not accrue during any calendar month in which the defendant is found in violation of his supervised probation, including any technical violation as defined in § 19.2-306.1.

D. A defendant may accrue credits from each of subdivisions B 1 through 5 in each six-month reporting period as follows:

1. For every six-month period of qualifying educational activity the defendant completes in accordance with subdivision B 1, the defendant's supervised probation period shall be reduced by 15 days.

2. For every six-month period of verifiable employment the defendant completes in accordance with subdivision B 2, the defendant's supervised probation period shall be reduced by 15 days.

3. For every six-month period of qualifying mental health or substance abuse treatment program compliance or for completion of a qualifying mental health or substance abuse treatment program in accordance with subdivision B 3, the defendant's supervised probation period shall be reduced by 15 days.

4. For every six-month period of verifiable maintenance of qualifying health insurance coverage or a qualifying health care plan in accordance with subdivision B 4, the defendant's supervised probation period shall be reduced by 15 days.

5. For every six-month period of verifiable residency in accordance with subdivision B 5, the defendant's supervised probation period shall be reduced by 15 days.

E. Upon motion of the attorney for the Commonwealth and after notice to the defendant, the court shall conduct a hearing and may revoke any credits the defendant has accrued pursuant to this section for any reason the court deems necessary and in the interest of the health and safety of the public.

F. A defendant's probation officer shall no less than quarterly calculate any reductions to such defendant's supervised probation for any qualifying evidence-based recidivism-reducing activities, including completing qualifying educational activities, maintaining verifiable employment, completing or complying with any state-certified or state-approved mental health or substance abuse treatment program, securing and maintaining qualifying health insurance coverage or a qualifying health care plan, or obtaining and establishing residency under this section.

G. A defendant's probation officer may verify qualifying recidivism-reducing activities through supporting documentation, which may include the following:

1. For verification of employment, any employer letter, pay stub, or contract;

2. For verification of education and vocation compliance or completion, any facilitator or program letter, report card, or progress report;

3. For verification of mental health or substance abuse treatment program compliance or completion, any facilitator or program letter or progress report;

4. For verification of health insurance coverage or health care plan status, purchase receipts, contracts, or a valid insurance card;

5. For verification of housing and continued residency, rental or mortgage contracts, utility bills, or signed change of address forms from the United States Postal Service; or

6. For verification of any qualifying recidivism-reducing activity, any other approved method of verification by the probation services agency or the Department of Corrections.

A decision by the defendant's probation officer regarding the qualification of any educational activity, employment, or treatment program described in subsection B is final.

H. When the accumulation of time served on probation and any earned reduction is equal to the imposed supervised probation term, and the defendant has satisfied all conditions of his supervised probation, including any court-ordered program or community service hours and complete payment of any restitution, the probation officer shall notify the court of the defendant's reduction in his probation term under this section. Upon receipt of this information, the court shall enter an order discharging the person from supervised probation.

I. The provisions of this section shall not apply to any person sentenced (i) to a mandatory period of at least three years of supervised probation pursuant to § 19.2-303 or (ii) pursuant to § 19.2-303.3 and subject to supervised probation by a local community-based probation services agency established pursuant to Article 9 (§ 9.1-173 et seq.) of Chapter 1 of Title 9.1.

J. No defendant shall have his probation reduced pursuant to this section for his participation in any court-ordered treatment.

K. Nothing in this section shall be construed to limit the court's ability to reduce a defendant's period of probation or discharge such defendant from probation under any other provision of law.

2. That the provisions of the first enactment of this act shall not become effective unless reenacted by the 2026 Session of the General Assembly.

3. That the Department of Corrections shall convene a work group with all relevant stakeholders, including the Attorney General or his designee, the Department of Corrections Ombudsman or his designee, the Executive Director of the Virginia Indigent Defense Commission or his designee, the Executive Secretary of the Supreme Court of Virginia or his designee, the Secretary of Health and Human Resources or his designee, and the Secretary of Public Safety and Homeland Security or his designee; representatives from the Virginia Association of Chiefs of Police, the Virginia Association of Commonwealth's Attorneys, the Virginia Probation and Parole Association, the Virginia Sheriffs' Association, and criminal justice reform organizations; and victims of crime or victim advocates. The work group shall identify (i) current practices for community supervision as it relates to monitoring engagement and attainment included in Executive Order 36 (2024) and (ii) recommendations for court-ordered modification of time served on supervised probation. However, no recommendation shall be considered that allows the probationer (a) to receive credits while being in technical violation of his probation as described in § 19.2-306.1 of the Code of Virginia or (b) to receive more than 150 days of credit in one calendar year for a modified term. The work group shall take into consideration the impact of a reduced period of supervised probation on probationers who were released from incarceration early due to sentence reductions pursuant to subsection B of § 53.1-202.3 of the Code of Virginia. The work group shall submit an executive summary and report of its findings and recommendations to the Governor and the General Assembly by November 1, 2025.

CHAPTER 658

An Act to amend and reenact §§ 58.1-322.03 and 58.1-402 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 23 of Title 56 a section numbered 56-596.5, relating to electric utilities; distribution cost sharing program established; income tax deduction; report.

[H 2266]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 58.1-322.03 and 58.1-402 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 23 of Title 56 a section numbered 56-596.5 as follows:

§ 56-596.5. Distribution cost sharing program.

A. As used in this section:

"Hosting capacity" means the amount of aggregate generation that can be accommodated on the electric distribution system without any infrastructure upgrades.

"Program" means the distribution cost sharing program established pursuant to this section.

"Qualifying upgrade" means a system upgrade that increases the hosting capacity of the utility's distribution system.

"Sharing project" means any distributed energy resource with an alternating current (AC) nameplate capacity rating greater than or equal to 250 kilowatts and less than or equal to three megawatts within the Phase I or Phase II Utility's

service territory seeking to interconnect to the utility's distribution system and participate in net energy metering pursuant to § 56-594 that utilizes distribution system upgrades that were necessary to interconnect a triggering project.

"Triggering project" means a project application in the interconnection queue at a given substation or feeder that requires a qualifying upgrade to successfully interconnect the project to the electric distribution system.

B. The Commission shall establish by regulation a distribution cost sharing program for Phase I and Phase II Utilities, as those terms are defined in subdivision A 1 of § 56-585.1, to construct distribution system upgrades required to interconnect triggering projects. Under the program, when a Phase I or Phase II Utility determines that a qualifying upgrade is required to interconnect a triggering project, such utility shall determine the costs of the qualifying upgrade and the net increase in hosting capacity that would result from the construction of the qualifying upgrade. The costs of the qualifying upgrade shall be subject to approval by the Commission that the costs are reasonable and prudent. The program shall require each Phase I and Phase II Utility to allocate the costs of qualifying upgrades among any sharing projects based on the AC nameplate capacity rating of each sharing project, except that a project shall be exempted from the program if the owner or developer of such project elects to pay in full the approved cost of any associated qualifying upgrade. The Commission shall determine limits on cost recovery for ratepayers and the appropriate time period for cost recovery under the program. The program shall also require that the costs attributed to jurisdictional triggering projects are recovered from jurisdictional sharing projects and costs attributed to nonjurisdictional triggering projects are recovered from nonjurisdictional sharing projects. The Commission may establish a system to refund projects for any interconnection upgrade costs collected during time periods in which such projects are not operational and may provide such refunds upon the petition of the owner of a participating project.

§ 58.1-322.03. Virginia taxable income; deductions.

In computing Virginia taxable income pursuant to § 58.1-322, there shall be deducted from Virginia adjusted gross income as defined in § 58.1-321:

1. a. The amount allowable for itemized deductions for federal income tax purposes where the taxpayer has elected for the taxable year to itemize deductions on his federal return, but reduced by the amount of income taxes imposed by the Commonwealth or any other taxing jurisdiction and deducted on such federal return and increased by an amount that, when added to the amount deducted under § 170 of the Internal Revenue Code for mileage, results in a mileage deduction at the state level for such purposes at a rate of 18 cents per mile; or

b. Provided that the taxpayer has not itemized deductions for the taxable year on his federal income tax return: (i) for taxable years beginning before January 1, 2019, and on and after January 1, 2026, $3,000 for single individuals and $6,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); (ii) for taxable years beginning on and after January 1, 2019, but before January 1, 2022, $4,500 for single individuals and $9,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); (iii) for taxable years beginning on and after January 1, 2022, but before January 1, 2024, $8,000 for single individuals and $16,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); and (iv) for taxable years beginning on and after January 1, 2024, but before January 1, 2026, $8,500 for single individuals and $17,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return). For purposes of this section, any person who may be claimed as a dependent on another taxpayer's return for the taxable year may compute the deduction only with respect to earned income.

2. a. A deduction in the amount of $930 for each personal exemption allowable to the taxpayer for federal income tax purposes.

b. Each blind or aged taxpayer as defined under § 63(f) of the Internal Revenue Code shall be entitled to an additional personal exemption in the amount of $800.

The additional deduction for blind or aged taxpayers allowed under this subdivision shall be allowable regardless of whether the taxpayer itemizes deductions for the taxable year for federal income tax purposes.

3. A deduction equal to the amount of employment-related expenses upon which the federal credit is based under § 21 of the Internal Revenue Code for expenses for household and dependent care services necessary for gainful employment.

4. An additional $1,000 deduction for each child residing for the entire taxable year in a home under permanent foster care placement as defined in § 63.2-908, provided that the taxpayer can also claim the child as a personal exemption under § 151 of the Internal Revenue Code.

5. a. A deduction in the amount of $12,000 for individuals born on or before January 1, 1939.

b. A deduction in the amount of $12,000 for individuals born after January 1, 1939, who have attained the age of 65. This deduction shall be reduced by $1 for every $1 that the taxpayer's adjusted federal adjusted gross income exceeds $50,000 for single taxpayers or $75,000 for married taxpayers. For married taxpayers filing separately, the deduction shall be reduced by $1 for every $1 that the total combined adjusted federal adjusted gross income of both spouses exceeds $75,000.

For the purposes of this subdivision, "adjusted federal adjusted gross income" means federal adjusted gross income minus any benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code, as amended.

6. The amount an individual pays as a fee for an initial screening to become a possible bone marrow donor, if (i) the individual is not reimbursed for such fee or (ii) the individual has not claimed a deduction for the payment of such fee on his federal income tax return.

7. a. A deduction shall be allowed to the purchaser or contributor for the amount paid or contributed during the taxable year for a prepaid tuition contract or college savings trust account entered into with the Commonwealth Savers Plan, pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. Except as provided in subdivision b, the amount deducted on any individual income tax return in any taxable year shall be limited to $4,000 per prepaid tuition contract or college savings trust account. No deduction shall be allowed pursuant to this subdivision 7 if such payments or contributions are deducted on the purchaser's or contributor's federal income tax return. If the purchase price or annual contribution to a college savings trust account exceeds $4,000, the remainder may be carried forward and subtracted in future taxable years until the purchase price or college savings trust contribution has been fully deducted; however, except as provided in subdivision b, in no event shall the amount deducted in any taxable year exceed $4,000 per contract or college savings trust account. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any deduction taken hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified higher education expenses, as defined in § 529 of the Internal Revenue Code or (ii) the beneficiary's death, disability, or receipt of a scholarship. For the purposes of this subdivision, "purchaser" or "contributor" means the person shown as such on the records of the Commonwealth Savers Plan as of December 31 of the taxable year. In the case of a transfer of ownership of a prepaid tuition contract or college savings trust account, the transferee shall succeed to the transferor's tax attributes associated with a prepaid tuition contract or college savings trust account, including, but not limited to, carryover and recapture of deductions.

b. A purchaser of a prepaid tuition contract or contributor to a college savings trust account who has attained age 70 shall not be subject to the limitation that the amount of the deduction not exceed $4,000 per prepaid tuition contract or college savings trust account in any taxable year. Such taxpayer shall be allowed a deduction for the full amount paid for the contract or contributed to a college savings trust account, less any amounts previously deducted.

8. The total amount an individual actually contributed in funds to the Virginia Public School Construction Grants Program and Fund, established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1, provided that the individual has not claimed a deduction for such amount on his federal income tax return.

9. An amount equal to 20 percent of the tuition costs incurred by an individual employed as a primary or secondary school teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1 to attend continuing teacher education courses that are required as a condition of employment; however, the deduction provided by this subdivision shall be available only if (i) the individual is not reimbursed for such tuition costs and (ii) the individual has not claimed a deduction for the payment of such tuition costs on his federal income tax return.

10. The amount an individual pays annually in premiums for long-term health care insurance, provided that the individual has not claimed a deduction for federal income tax purposes, or, for taxable years beginning before January 1, 2014, a credit under § 58.1-339.11. For taxable years beginning on and after January 1, 2014, no such deduction for long-term health care insurance premiums paid by the individual during the taxable year shall be allowed if the individual has claimed a federal income tax deduction for such taxable year for long-term health care insurance premiums paid by him.

11. Contract payments to a producer of quota tobacco or a tobacco quota holder, or their spouses, as provided under the American Jobs Creation Act of 2004 (P.L. 108-357), but only to the extent that such payments have not been subtracted pursuant to subsection D of § 58.1-402, as follows:

a. If the payment is received in installment payments, then the recognized gain may be subtracted in the taxable year immediately following the year in which the installment payment is received.

b. If the payment is received in a single payment, then 10 percent of the recognized gain may be subtracted in the taxable year immediately following the year in which the single payment is received. The taxpayer may then deduct an equal amount in each of the nine succeeding taxable years.

12. An amount equal to 20 percent of the sum paid by an individual pursuant to Chapter 6 (§ 58.1-600 et seq.), not to exceed $500 in each taxable year, in purchasing for his own use the following items of tangible personal property: (i) any clothes washers, room air conditioners, dishwashers, and standard size refrigerators that meet or exceed the applicable energy star efficiency requirements developed by the U.S. Environmental Protection Agency and the U.S. Department of Energy; (ii) any fuel cell that (a) generates electricity using an electrochemical process, (b) has an electricity-only generation efficiency greater than 35 percent, and (c) has a generating capacity of at least two kilowatts; (iii) any gas heat pump that has a coefficient of performance of at least 1.25 for heating and at least 0.70 for cooling; (iv) any electric heat pump hot water heater that yields an energy factor of at least 1.7; (v) any electric heat pump that has a heating system performance factor of at least 8.0 and a cooling seasonal energy efficiency ratio of at least 13.0; (vi) any central air conditioner that has a cooling seasonal energy efficiency ratio of at least 13.5; (vii) any advanced gas or oil water heater that has an energy factor of at least 0.65; (viii) any advanced oil-fired boiler with a minimum annual fuel-utilization rating of 85; (ix) any advanced oil-fired furnace with a minimum annual fuel-utilization rating of 85; and (x) programmable thermostats.

13. The lesser of $5,000 or the amount actually paid by a living donor of an organ or other living tissue for unreimbursed out-of-pocket expenses directly related to the donation that arose within 12 months of such donation, provided that the donor has not taken a medical deduction in accordance with the provisions of § 213 of the Internal

Revenue Code for such expenses. The deduction may be taken in the taxable year in which the donation is made or the taxable year in which the 12-month period expires.

14. For taxable years beginning on and after January 1, 2013, the amount an individual age 66 or older with earned income of at least $20,000 for the year and federal adjusted gross income not in excess of $30,000 for the year pays annually in premiums for (i) a prepaid funeral insurance policy covering the individual or (ii) medical or dental insurance for any person for whom individual tax filers may claim a deduction for such premiums under federal income tax laws. As used in this subdivision, "earned income" means the same as that term is defined in § 32(c) of the Internal Revenue Code. The deduction shall not be allowed for any portion of such premiums paid for which the individual has (a) been reimbursed, (b) claimed a deduction for federal income tax purposes, (c) claimed a deduction or subtraction under another provision of this section, or (d) claimed a federal income tax credit or any income tax credit pursuant to this chapter.

15. Business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code:

a. For taxable years beginning on and after January 1, 2018, but before January 1, 2022, 20 percent of such disallowed business interest;

b. For taxable years beginning on and after January 1, 2022, but before January 1, 2024, 30 percent of such disallowed business interest;

c. For taxable years beginning on and after January 2, 2024, 50 percent of such disallowed business interest.

For purposes of subdivision 15, "business interest" means the same as that term is defined under § 163(j) of the Internal Revenue Code.

16. For taxable years beginning on and after January 1, 2019, the actual amount of real and personal property taxes imposed by the Commonwealth or any other taxing jurisdiction not otherwise deducted solely on account of the dollar limitation imposed on individual deductions by § 164(b)(6)(B) of the Internal Revenue Code.

17. For taxable years beginning before January 1, 2021, up to $100,000 of the amount that is not deductible when computing federal adjusted gross income solely on account of the portion of subdivision B 10 of § 58.1-301 related to Paycheck Protection Program loans.

18. For taxable years beginning on and after January 1, 2022, but before January 1, 2025, the lesser of $500 or the actual amount paid or incurred for eligible educator qualifying expenses. For purposes of this subdivision, "eligible educator" means an individual who for at least 900 hours during the taxable year in which the credit under this section is claimed served as a teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1, instructor, student counselor, principal, special needs personnel, or student aide serving accredited public or private primary and secondary school students in Virginia, and "qualifying expenses" means 100 percent of the amount paid or incurred by an eligible educator during the taxable year for participation in professional development courses and the purchase of books, supplies, computer equipment (including related software and services), other educational and teaching equipment, and supplementary materials used directly in that individual's service to students as an eligible educator, provided that such purchases were neither reimbursed nor claimed as a deduction on the eligible educator's federal income tax return for such taxable year.

19. For taxable years beginning on and after January 1, 2026, the amount paid or cost incurred for installing a qualifying upgrade required to interconnect a triggering project. No deduction shall be allowed under this section for a taxpayer who has claimed a deduction under subsection I of § 58.1-402 for the same amount paid or cost incurred to install such qualifying upgrade.

For purposes of this subdivision, "qualifying upgrade" and "triggering project" have the same meanings as provided for those terms in § 56-596.5.

§ 58.1-402. Virginia taxable income.

A. For purposes of this article, Virginia taxable income for a taxable year means the federal taxable income and any other income taxable to the corporation under federal law for such year of a corporation adjusted as provided in subsections B, C, D, E, G, ~~and~~ H*, and I*.

For a regulated investment company and a real estate investment trust, such term means the "investment company taxable income" and "real estate investment trust taxable income," respectively, to which shall be added in each case any amount of capital gains and any other income taxable to the corporation under federal law which shall be further adjusted as provided in subsections B, C, D, E, G, ~~and~~ H*, and I*.

B. There shall be added to the extent excluded from federal taxable income:

1. Interest, less related expenses to the extent not deducted in determining federal taxable income, on obligations of any state other than Virginia, or of a political subdivision of any such other state unless created by compact or agreement to which the Commonwealth is a party;

2. Interest or dividends, less related expenses to the extent not deducted in determining federal taxable income, on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes;

3. [Repealed.]

4. The amount of any net income taxes and other taxes, including franchise and excise taxes, which are based on, measured by, or computed with reference to net income, imposed by the Commonwealth or any other taxing jurisdiction, to the extent deducted in determining federal taxable income;

5. Unrelated business taxable income as defined by § 512 of the Internal Revenue Code;

6. [Repealed.]

7. The amount required to be included in income for the purpose of computing the partial tax on an accumulation distribution pursuant to § 667 of the Internal Revenue Code;

8. a. For taxable years beginning on and after January 1, 2004, the amount of any intangible expenses and costs directly or indirectly paid, accrued, or incurred to, or in connection directly or indirectly with one or more direct or indirect transactions with one or more related members to the extent such expenses and costs were deductible or deducted in computing federal taxable income for Virginia purposes. This addition shall not be required for any portion of the intangible expenses and costs if one of the following applies:

(1) The corresponding item of income received by the related member is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government that has entered into a comprehensive tax treaty with the United States government;

(2) The related member derives at least one-third of its gross revenues from the licensing of intangible property to parties who are not related members, and the transaction giving rise to the expenses and costs between the corporation and the related member was made at rates and terms comparable to the rates and terms of agreements that the related member has entered into with parties who are not related members for the licensing of intangible property; or

(3) The corporation can establish to the satisfaction of the Tax Commissioner that the intangible expenses and costs meet both of the following: (i) the related member during the same taxable year directly or indirectly paid, accrued or incurred such portion to a person who is not a related member, and (ii) the transaction giving rise to the intangible expenses and costs between the corporation and the related member did not have as a principal purpose the avoidance of any portion of the tax due under this chapter.

b. A corporation required to add to its federal taxable income intangible expenses and costs pursuant to subdivision a may petition the Tax Commissioner, after filing the related income tax return for the taxable year and remitting to the Tax Commissioner all taxes, penalties, and interest due under this article for such taxable year including tax upon any amount of intangible expenses and costs required to be added to federal taxable income pursuant to subdivision a, to consider evidence relating to the transaction or transactions between the corporation and a related member or members that resulted in the corporation's taxable income being increased, as required under subdivision a, for such intangible expenses and costs.

If the corporation can demonstrate to the Tax Commissioner's sole satisfaction, by clear and convincing evidence, that the transaction or transactions between the corporation and a related member or members resulting in such increase in taxable income pursuant to subdivision a had a valid business purpose other than the avoidance or reduction of the tax due under this chapter, the Tax Commissioner shall permit the corporation to file an amended return. For purposes of such amended return, the requirements of subdivision a shall not apply to any transaction for which the Tax Commissioner is satisfied (and has identified) that the transaction had a valid business purpose other than the avoidance or reduction of the tax due under this chapter. Such amended return shall be filed by the corporation within one year of the written permission granted by the Tax Commissioner and any refund of the tax imposed under this article shall include interest at a rate equal to the rate of interest established under § 58.1-15 and such interest shall accrue as provided under § 58.1-1833. However, upon the filing of such amended return, any related member of the corporation that subtracted from taxable income amounts received pursuant to subdivision C 21 shall be subject to the tax imposed under this article on that portion of such amounts for which the corporation has filed an amended return pursuant to this subdivision. In addition, for such transactions identified by the Tax Commissioner herein by which he has been satisfied by clear and convincing evidence, the Tax Commissioner may permit the corporation in filing income tax returns for subsequent taxable years to deduct the related intangible expenses and costs without making the adjustment under subdivision a.

The Tax Commissioner may charge a fee for all direct and indirect costs relating to the review of any petition pursuant to this subdivision, to include costs necessary to secure outside experts in evaluating the petition. The Tax Commissioner may condition the review of any petition pursuant to this subdivision upon payment of such fee.

No suit for the purpose of contesting any action of the Tax Commissioner under this subdivision shall be maintained in any court of this Commonwealth.

c. Nothing in subdivision B 8 shall be construed to limit or negate the Department's authority under § 58.1-446;

9. a. For taxable years beginning on and after January 1, 2004, the amount of any interest expenses and costs directly or indirectly paid, accrued, or incurred to, or in connection directly or indirectly with one or more direct or indirect transactions with one or more related members to the extent such expenses and costs were deductible or deducted in computing federal taxable income for Virginia purposes. This addition shall not be required for any portion of the interest expenses and costs, if:

(1) The related member has substantial business operations relating to interest-generating activities, in which the related member pays expenses for at least five full-time employees who maintain, manage, defend or are otherwise responsible for operations or administration relating to the interest-generating activities; and

(2) The interest expenses and costs are not directly or indirectly for, related to or in connection with the direct or indirect acquisition, maintenance, management, sale, exchange, or disposition of intangible property; and

(3) The transaction giving rise to the expenses and costs between the corporation and the related member has a valid business purpose other than the avoidance or reduction of taxation and payments between the parties are made at arm's length rates and terms; and

(4) One of the following applies:

(i) The corresponding item of income received by the related member is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government that has entered into a comprehensive tax treaty with the United States government;

(ii) Payments arise pursuant to a pre-existing contract entered into when the parties were not related members provided the payments continue to be made at arm's length rates and terms;

(iii) The related member engages in transactions with parties other than related members that generate revenue in excess of $2 million annually; or

(iv) The transaction giving rise to the interest payments between the corporation and a related member was done at arm's length rates and terms and meets any of the following: (a) the related member uses funds that are borrowed from a party other than a related member or that are paid, incurred or passed-through to a person who is not a related member; (b) the debt is part of a regular and systematic funds management or portfolio investment activity conducted by the related member, whereby the funds of two or more related members are aggregated for the purpose of achieving economies of scale, the internal financing of the active business operations of members, or the benefit of centralized management of funds; (c) financing the expansion of the business operations; or (d) restructuring the debt of related members, or the pass-through of acquisition-related indebtedness to related members.

b. A corporation required to add to its federal taxable income interest expenses and costs pursuant to subdivision a may petition the Tax Commissioner, after filing the related income tax return for the taxable year and remitting to the Tax Commissioner all taxes, penalties, and interest due under this article for such taxable year including tax upon any amount of interest expenses and costs required to be added to federal taxable income pursuant to subdivision a, to consider evidence relating to the transaction or transactions between the corporation and a related member or members that resulted in the corporation's taxable income being increased, as required under subdivision a, for such interest expenses and costs.

If the corporation can demonstrate to the Tax Commissioner's sole satisfaction, by clear and convincing evidence, that the transaction or transactions between the corporation and a related member or members resulting in such increase in taxable income pursuant to subdivision a had a valid business purpose other than the avoidance or reduction of the tax due under this chapter and that the related payments between the parties were made at arm's length rates and terms, the Tax Commissioner shall permit the corporation to file an amended return. For purposes of such amended return, the requirements of subdivision a shall not apply to any transaction for which the Tax Commissioner is satisfied (and has identified) that the transaction had a valid business purpose other than the avoidance or reduction of the tax due under this chapter and that the related payments between the parties were made at arm's length rates and terms. Such amended return shall be filed by the corporation within one year of the written permission granted by the Tax Commissioner and any refund of the tax imposed under this article shall include interest at a rate equal to the rate of interest established under § 58.1-15 and such interest shall accrue as provided under § 58.1-1833. However, upon the filing of such amended return, any related member of the corporation that subtracted from taxable income amounts received pursuant to subdivision C 21 shall be subject to the tax imposed under this article on that portion of such amounts for which the corporation has filed an amended return pursuant to this subdivision. In addition, for such transactions identified by the Tax Commissioner herein by which he has been satisfied by clear and convincing evidence, the Tax Commissioner may permit the corporation in filing income tax returns for subsequent taxable years to deduct the related interest expenses and costs without making the adjustment under subdivision a.

The Tax Commissioner may charge a fee for all direct and indirect costs relating to the review of any petition pursuant to this subdivision, to include costs necessary to secure outside experts in evaluating the petition. The Tax Commissioner may condition the review of any petition pursuant to this subdivision upon payment of such fee.

No suit for the purpose of contesting any action of the Tax Commissioner under this subdivision shall be maintained in any court of this Commonwealth.

c. Nothing in subdivision B 9 shall be construed to limit or negate the Department's authority under § 58.1-446.

d. For purposes of subdivision B 9:

"Arm's-length rates and terms" means that (i) two or more related members enter into a written agreement for the transaction, (ii) such agreement is of a duration and contains payment terms substantially similar to those that the related member would be able to obtain from an unrelated entity, (iii) the interest is at or below the applicable federal rate compounded annually for debt instruments under § 1274(d) of the Internal Revenue Code that was in effect at the time of the agreement, and (iv) the borrower or payor adheres to the payment terms of the agreement governing the transaction or any amendments thereto.

"Valid business purpose" means one or more business purposes that alone or in combination constitute the motivation for some business activity or transaction, which activity or transaction improves, apart from tax effects, the economic position of the taxpayer, as further defined by regulation.

10. a. For taxable years beginning on and after January 1, 2009, the amount of dividends deductible under §§ 561 and 857 of the Internal Revenue Code by a Captive Real Estate Investment Trust (REIT). For purposes of this subdivision, a REIT is a Captive REIT if:

(1) It is not regularly traded on an established securities market;

(2) More than 50 percent of the voting power or value of beneficial interests or shares of which, at any time during the last half of the taxable year, is owned or controlled, directly or indirectly, by a single entity that is (i) a corporation or an

association taxable as a corporation under the Internal Revenue Code; and (ii) not exempt from federal income tax pursuant to § 501(a) of the Internal Revenue Code; and

(3) More than 25 percent of its income consists of rents from real property as defined in § 856(d) of the Internal Revenue Code.

b. For purposes of applying the ownership test of subdivision 10 a (2), the following entities shall not be considered a corporation or an association taxable as a corporation:

(1) Any REIT that is not treated as a Captive REIT;

(2) Any REIT subsidiary under § 856 of the Internal Revenue Code other than a qualified REIT subsidiary of a Captive REIT;

(3) Any Listed Australian Property Trust, or an entity organized as a trust, provided that a Listed Australian Property Trust owns or controls, directly or indirectly, 75 percent or more of the voting or value of the beneficial interests or shares of such trust; and

(4) Any Qualified Foreign Entity.

c. For purposes of subdivision B 10, the constructive ownership rules prescribed under § 318(a) of the Internal Revenue Code, as modified by § 856(d)(5) of the Internal Revenue Code, shall apply in determining the ownership of stock, assets, or net profits of any person.

d. For purposes of subdivision B 10:

"Listed Australian Property Trust" means an Australian unit trust registered as a Management Investment Scheme, pursuant to the Australian Corporations Act, in which the principal class of units is listed on a recognized stock exchange in Australia and is regularly traded on an established securities market.

"Qualified Foreign Entity" means a corporation, trust, association or partnership organized outside the laws of the United States and that satisfies all of the following criteria:

(1) At least 75 percent of the entity's total asset value at the close of its taxable year is represented by real estate assets, as defined in § 856(c)(5)(B) of the Internal Revenue Code, thereby including shares or certificates of beneficial interest in any REIT, cash and cash equivalents, and U.S. Government securities;

(2) The entity is not subject to a tax on amounts distributed to its beneficial owners, or is exempt from entity level tax;

(3) The entity distributes, on an annual basis, at least 85 percent of its taxable income, as computed in the jurisdiction in which it is organized, to the holders of its shares or certificates of beneficial interest;

(4) The shares or certificates of beneficial interest of such entity are regularly traded on an established securities market or, if not so traded, not more than 10 percent of the voting power or value in such entity is held directly, indirectly, or constructively by a single entity or individual; and

(5) The entity is organized in a country that has a tax treaty with the United States.

e. For taxable years beginning on or after January 1, 2016, for purposes of subdivision B 10, any voting power or value of the beneficial interests or shares in a REIT that is held in a segregated asset account of a life insurance corporation as described in § 817 of the Internal Revenue Code shall not be taken into consideration when determining if such REIT is a Captive REIT.

11. For taxable years beginning on or after January 1, 2016, to the extent that tax credit is allowed for the same donation pursuant to § 58.1-439.12:12, any amount claimed as a federal income tax deduction for such donation under § 170 of the Internal Revenue Code, as amended or renumbered.

C. There shall be subtracted to the extent included in and not otherwise subtracted from federal taxable income:

1. Income derived from obligations, or on the sale or exchange of obligations, of the United States and on obligations or securities of any authority, commission or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States including, but not limited to, stocks, bonds, treasury bills, and treasury notes, but not including interest on refunds of federal taxes, interest on equipment purchase contracts, or interest on other normal business transactions.

2. Income derived from obligations, or on the sale or exchange of obligations of this Commonwealth or of any political subdivision or instrumentality of this Commonwealth.

3. Dividends upon stock in any domestic international sales corporation, as defined by § 992 of the Internal Revenue Code, 50 percent or more of the income of which was assessable for the preceding year, or the last year in which such corporation has income, under the provisions of the income tax laws of the Commonwealth.

4. The amount of any refund or credit for overpayment of income taxes imposed by this Commonwealth or any other taxing jurisdiction.

5. Any amount included therein by the operation of the provisions of § 78 of the Internal Revenue Code (foreign dividend gross-up).

6. The amount of wages or salaries eligible for the federal Targeted Jobs Credit which was not deducted for federal purposes on account of the provisions of § 280C(a) of the Internal Revenue Code.

7. Any amount included therein by the operation of § 951 of the Internal Revenue Code (subpart F income) or, for taxable years beginning on and after January 1, 2018, § 951A of the Internal Revenue Code (Global Intangible Low-Taxed Income).

8. Any amount included therein which is foreign source income as defined in § 58.1-302.

9. [Repealed.]

10. The amount of any dividends received from corporations in which the taxpaying corporation owns 50 percent or more of the voting stock.

11. [Repealed.]

12, 13. [Expired.]

14. For taxable years beginning on or after January 1, 1995, the amount for "qualified research expenses" or "basic research expenses" eligible for deduction for federal purposes, but which were not deducted, on account of the provisions of § 280C(c) of the Internal Revenue Code.

15. For taxable years beginning on or after January 1, 2000, the total amount actually contributed in funds to the Virginia Public School Construction Grants Program and Fund established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1.

16. For taxable years beginning on or after January 1, 2000, but before January 1, 2015, the gain derived from the sale or exchange of real property or the sale or exchange of an easement to real property which results in the real property or the easement thereto being devoted to open-space use, as that term is defined in § 58.1-3230, for a period of time not less than 30 years. To the extent a subtraction is taken in accordance with this subdivision, no tax credit under this chapter for donating land for its preservation shall be allowed for three years following the year in which the subtraction is taken.

17. For taxable years beginning on and after January 1, 2001, any amount included therein with respect to § 58.1-440.1.

18. For taxable years beginning on and after January 1, 1999, income received as a result of (i) the "Master Settlement Agreement," as defined in § 3.2-3100; and (ii) the National Tobacco Grower Settlement Trust dated July 19, 1999, by (a) tobacco farming businesses; (b) any business holding a tobacco marketing quota, or tobacco farm acreage allotment, under the Agricultural Adjustment Act of 1938; or (c) any business having the right to grow tobacco pursuant to such a quota allotment.

19, 20. [Repealed.]

21. For taxable years beginning on and after January 1, 2004, any amount of intangible expenses and costs or interest expenses and costs added to the federal taxable income of a corporation pursuant to subdivision B 8 or B 9 shall be subtracted from the federal taxable income of the related member that received such amount if such related member is subject to Virginia income tax on the same amount.

22. For taxable years beginning on and after January 1, 2009, any gain recognized from the sale of launch services to space flight participants, as defined in 49 U.S.C. § 70102, or launch services intended to provide individuals the training or experience of a launch, without performing an actual launch. To qualify for a deduction under this subdivision, launch services must be performed in Virginia or originate from an airport or spaceport in Virginia.

23. For taxable years beginning on and after January 1, 2009, any gain recognized as a result of resupply services contracts for delivering payload, as defined in 49 U.S.C. § 70102, entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity, as defined in § 8.01-227.8, and launched from an airport or spaceport in Virginia.

24. For taxable years beginning on or after January 1, 2011, any income taxed as a long-term capital gain for federal income tax purposes, or any income taxed as investment services partnership interest income (otherwise known as investment partnership carried interest income) for federal income tax purposes. To qualify for a subtraction under this subdivision, such income must be attributable to an investment in a "qualified business," as defined in § 58.1-339.4, or in any other technology business approved by the Secretary of Administration, provided the business has its principal office or facility in the Commonwealth and less than $3 million in annual revenues in the fiscal year prior to the investment. To qualify for a subtraction under this subdivision, the investment must be made between the dates of April 1, 2010, and June 30, 2020. No taxpayer who has claimed a tax credit for an investment in a "qualified business" under § 58.1-339.4 shall be eligible for the subtraction under this subdivision for an investment in the same business.

25. a. Income, including investment services partnership interest income (otherwise known as investment partnership carried interest income), attributable to an investment in a Virginia venture capital account. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2018, but before December 31, 2023. No subtraction shall be allowed under this subdivision for an investment in a company that is owned or operated by an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision C 24 for the same investment.

b. As used in this subdivision 25:

"Qualified portfolio company" means a company that (i) has its principal place of business in the Commonwealth; (ii) has a primary purpose of production, sale, research, or development of a product or service other than the management or investment of capital; and (iii) provides equity in the company to the Virginia venture capital account in exchange for a capital investment. "Qualified portfolio company" does not include a company that is an individual or sole proprietorship.

"Virginia venture capital account" means an investment fund that has been certified by the Department as a Virginia venture capital account. In order to be certified as a Virginia venture capital account, the operator of the investment fund shall register the investment fund with the Department prior to December 31, 2023, (i) indicating that it intends to invest at least 50 percent of the capital committed to its fund in qualified portfolio companies and (ii) providing documentation that it employs at least one investor who has at least four years of professional experience in venture capital investment or substantially equivalent experience. "Substantially equivalent experience" includes, but is not limited to, an undergraduate degree from an accredited college or university in economics, finance, or a similar field of study. The Department may

require an investment fund to provide documentation of the investor's training, education, or experience as deemed necessary by the Department to determine substantial equivalency. If the Department determines that the investment fund employs at least one investor with the experience set forth herein, the Department shall certify the investment fund as a Virginia venture capital account at such time as the investment fund actually invests at least 50 percent of the capital committed to its fund in qualified portfolio companies.

26. a. Income attributable to an investment in a Virginia real estate investment trust. To qualify for a subtraction under this subdivision, the investment shall be made on or after January 1, 2019, but before December 31, 2024. No subtraction shall be allowed for an investment in a trust that is managed by an affiliate of the taxpayer. No subtraction shall be allowed under this subdivision for a taxpayer who has claimed a subtraction under subdivision C 24 or 25 for the same investment.

b. As used in this subdivision 26:

"Distressed" means satisfying the criteria applicable to a locality described in subdivision E 2 of § 2.2-115.

"Double distressed" means satisfying the criteria applicable to a locality described in subdivision E 3 of § 2.2-115.

"Virginia real estate investment trust" means a real estate investment trust, as defined in 26 U.S.C. § 856, that has been certified by the Department as a Virginia real estate investment trust. In order to be certified as a Virginia real estate investment trust, the trustee shall register the trust with the Department prior to December 31, 2024, indicating that it intends to invest at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed. If the Department determines that the trust satisfies the preceding criteria, the Department shall certify the trust as a Virginia real estate investment trust at such time as the trust actually invests at least 90 percent of trust funds in Virginia and at least 40 percent of trust funds in real estate in localities that are distressed or double distressed.

27. For taxable years beginning on and after January 1, 2019, any gain recognized from the taking of real property by condemnation proceedings.

28. For taxable years beginning before January 1, 2021, up to $100,000 of all grant funds received by the taxpayer under the Rebuild Virginia program established by the Governor and administered by the Department of Small Business and Supplier Diversity.

D. For taxable years beginning on and after January 1, 2006, there shall be subtracted from federal taxable income contract payments to a producer of quota tobacco or a tobacco quota holder as provided under the American Jobs Creation Act of 2004 (P.L. 108-357) as follows:

1. If the payment is received in installment payments, then the recognized gain, including any gain recognized in taxable year 2005, may be subtracted in the taxable year immediately following the year in which the installment payment is received.

2. If the payment is received in a single payment, then 10 percent of the recognized gain may be subtracted in the taxable year immediately following the year in which the single payment is received. The taxpayer may then deduct an equal amount in each of the nine succeeding taxable years.

E. Adjustments to federal taxable income shall be made to reflect the transitional modifications provided in § 58.1-315.

F. Notwithstanding any other provision of law, the income from any disposition of real property which is held by the taxpayer for sale to customers in the ordinary course of the taxpayer's trade or business, as defined in § 453(l)(1)(B) of the Internal Revenue Code, of property made on or after January 1, 2009, may, at the election of the taxpayer, be recognized under the installment method described under § 453 of the Internal Revenue Code, provided that (i) the election relating to the dealer disposition of the property has been made on or before the due date prescribed by law (including extensions) for filing the taxpayer's return of the tax imposed under this chapter for the taxable year in which the disposition occurs, and (ii) the dealer disposition is in accordance with restrictions or conditions established by the Department, which shall be set forth in guidelines developed by the Department. Along with such restrictions or conditions, the guidelines shall also address the recapture of such income under certain circumstances. The development of the guidelines shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq.).

G. There shall be deducted to the extent included in and not otherwise subtracted from federal taxable income a percentage of the business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code in the amount of:

1. 20 percent for taxable years beginning on and after January 1, 2018, but before January 1, 2022;

2. 30 percent for taxable years beginning on and after January 1, 2022, but before January 1, 2024; and

3. 50 percent for taxable years beginning on and after January 1, 2024.

For purposes of subsection G, "business interest" means the same as that term is defined under § 163(j) of the Internal Revenue Code.

H. For taxable years beginning before January 1, 2021, there shall be deducted to the extent not otherwise subtracted from federal taxable income up to $100,000 of the amount that is not deductible when computing federal taxable income solely on account of the portion of subdivision B 10 of § 58.1-301 related to Paycheck Protection Program loans.

I. For taxable years beginning on and after January 1, 2026, there shall be deducted the amount paid or cost incurred for installing a qualifying upgrade required to interconnect a triggering project. No deduction shall be allowed under this section for a taxpayer who has claimed a deduction under subdivision 19 of § 58.1-322.03 for the same amount paid or cost incurred to install such qualifying upgrade.

For purposes of this subsection, "qualifying upgrade" and "triggering project" have the same meanings as provided for those terms in § 56-596.5.

2. That the State Corporation Commission (the Commission) shall finalize the regulations establishing the distribution cost sharing program (the program) pursuant to § 56-596.5 of the Code of Virginia, as created by this act, by no later than July 1, 2026. The Commission shall require each utility to file any tariffs, agreements, or forms necessary for the implementation of the program by December 1, 2026.

3. That the State Corporation Commission shall submit a report on the implementation of the distribution cost sharing program established pursuant to § 56-596.5 of the Code of Virginia, as created by this act, to the Chairs of the House Committee on Labor and Commerce and the Senate Committee on Commerce and Labor by no later than November 1, 2028.

CHAPTER 659

An Act to amend and reenact § 58.1-3606 of the Code of Virginia, relating to real property tax; exemption for religious buildings; rebuilding structure.

[H 2302]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-3606 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-3606. Property exempt from taxation by classification.

A. Pursuant to the authority granted in Article X, Section 6 (a)(6) of the Constitution of Virginia to exempt property from taxation by classification, the following classes of real and personal property shall be exempt from taxation:

1. Property owned directly or indirectly by the Commonwealth, or any political subdivision thereof.

2. *a.* Real property and personal property owned by churches or religious bodies, including (i) an incorporated church or religious body and (ii) a corporation mentioned in § 57-16.1, and exclusively occupied or used for religious worship or for the residence of the minister of any church or religious body, and such additional adjacent land reasonably necessary for the convenient use of any such property. Real property exclusively used for religious worship shall also include the following: (a) property used for outdoor worship activities; (b) property used for ancillary and accessory purposes as allowed under the local zoning ordinance, the dominant purpose of which is to support or augment the principal religious worship use; ~~and~~ (c) *property on which a new structure is being built to replace or rebuild a church or other building for religious worship, with the intention that such structure will be exclusively occupied or used for religious worship or for the residence of the minister of any church or religious body; and (d)* property used as required by federal, state, or local law.

b. For property exempt pursuant to clause (c) of subdivision a, the taxpayer shall be required to demonstrate to the satisfaction of the locality that (i) the property was exempt pursuant to clause (c) of subdivision a prior to the rebuilding or replacement of the structure; (ii) construction of the replacement or rebuilt structure will commence no later than five years after discontinuation of the former use of the property; (iii) the property will be used for no other purpose during the construction of such building; (iv) a reasonable timeline exists for completion of the structure and construction is proceeding at an appropriate pace; and (v) after completion, the property will be exclusively occupied or used for religious worship or for the residence of the minister of any church or religious body.

3. Nonprofit private or public burying grounds or cemeteries.

4. Property owned by public libraries, law libraries of local bar associations when the same are used or available for use by a state court or courts or the judge or judges thereof, medical libraries of local medical associations when the same are used or available for use by state health officials, incorporated colleges or other institutions of learning not conducted for profit. This paragraph shall apply only to property primarily used for literary, scientific or educational purposes or purposes incidental thereto and shall not apply to industrial schools which sell their products to other than their own employees or students.

5. Property belonging to and actually and exclusively occupied and used by the Young Men's Christian Associations and similar religious associations, including religious mission boards and associations, orphan or other asylums, reformatories, hospitals and nunneries, conducted not for profit but exclusively as charities (which shall include hospitals operated by nonstock corporations not organized or conducted for profit but which may charge persons able to pay in whole or in part for their care and treatment).

6. Parks or playgrounds held by trustees for the perpetual use of the general public.

7. Buildings with the land they actually occupy, and the furniture and furnishings therein belonging to any benevolent or charitable organization and used by it exclusively for lodge purposes or meeting rooms, together with such additional adjacent land as may be necessary for the convenient use of the buildings for such purposes.

8. Property of any nonprofit corporation organized to establish and maintain a museum.

B. Property, belonging in one of the classes listed in subsection A of this section, which was exempt from taxation on July 1, 1971, shall continue to be exempt from taxation under the rules of statutory construction applicable to exempt property prior to such date.

2. That the provisions of this act shall be applicable to tax years on and after January 1, 2023.

CHAPTER 660

An Act to direct the Department of Agriculture and Consumer Services to convene a work group to consider whether to propose a state license and other regulatory requirements for animal boarding establishments; report.

[H 2313]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Agriculture and Consumer Services, in consultation with the State Veterinarian employed pursuant to § 3.2-5901 of the Code of Virginia, shall convene a work group composed of relevant stakeholders to consider whether to propose a state license and other regulatory requirements for animal boarding establishments similar to the current licensing requirements for public or private animal shelters. The work group shall submit its report to the Chairmen of the Senate Committee on Agriculture, Conservation and Natural Resources and the House Committee on Agriculture, Chesapeake and Natural Resources by December 1, 2026.*

CHAPTER 661

An Act to amend and reenact § 2.01, §§ 2.04 and 3.01, as severally amended, §§ 3.02 through 3.05, §§ 3.07 and 3.08, as severally amended, §§ 3.09, 3.10, and 4.01, § 4.02, as amended, §§ 4.03 and 5.01, § 5.02, as amended, and § 9.02 of Chapter 99 of the Acts of Assembly of 1994, which provided a charter for the Town of Dumfries in Prince William County, and to amend Chapter 99 of the Acts of Assembly of 1994 by adding sections numbered 3.04:1 and 4.04, relating to town powers, town council, mayor, town officers, town departments, ordinances, and violation of ordinances.

[H 2352]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 2.01, §§ 2.04 and 3.01, as severally amended, §§ 3.02 through 3.05, §§ 3.07 and 3.08, as severally amended, §§ 3.09, 3.10, and 4.01, § 4.02, as amended, §§ 4.03 and 5.01, § 5.02, as amended, and § 9.02 of Chapter 99 of the Acts of Assembly of 1994 are amended and reenacted and that Chapter 99 of the Acts of Assembly of 1994 is amended by adding sections numbered 3.04:1 and 4.04 as follows:

§ 2.01. General grant of powers.

The Town of Dumfries shall have and may exercise all powers which are now or may hereafter be conferred upon or delegated to towns under the Constitution and general laws of the Commonwealth of Virginia *and all powers necessary or pertinent to the general welfare, safety, health, peace, good order, comfort, convenience, and morals of town inhabitants, in the conduct of a town government, the exercise of which is not expressly prohibited by the Constitution and general laws of the Commonwealth of Virginia*. It is intended that the town shall possess all powers which, under the Constitution, it would be competent for this charter to enumerate specifically, and no enumeration of particular powers shall be held to be exclusive, but in addition to this general grant.

§ 2.04. Eminent domain and other powers relating to property.

The powers of eminent domain ~~as set forth in Title 15.2 and Title 25 of the Code of Virginia are hereby conferred upon the town, including the power to issue certificates pursuant to §§ 33.1-119 through 33.1-132 of the Code of Virginia~~ *are hereby conferred upon the Town of Dumfries which shall, in the exercise thereof, utilize the procedures prescribed by general law*.

§ 3.01. Election, qualification and term of office.

(a) The Town of Dumfries shall be governed by a town council elected at large and composed of a mayor and six other members, all of whom shall be qualified voters of the town. Candidates for town offices shall not be identified on the ballot by political affiliation. In order to have their names placed on the ballot, all candidates shall be nominated only by petition as provided by general law pursuant to § 24.2-506 of the Code of Virginia (1950), as amended.

(b) On the Tuesday after the first Monday in November 2022, and every four years thereafter, there shall be elected by the qualified voters of the town a mayor and three council members from the town at large. On the Tuesday after the first Monday in November 2020, and every four years thereafter, there shall be elected three council members from the town at large.

(c) The persons *receiving the most votes shall be* elected *and* shall take office on January 1 succeeding their election and remain in office until their successors have qualified and taken office.

(d) The mayor or any other member of council who are convicted of certain specified crimes by a court of competent jurisdiction may be removed from office pursuant to the provisions of general law (Article 7 (§ 24.2-230 et seq.) of Chapter 2 of Title 24.2 of the Code of Virginia).

(e) Neither the mayor nor any other member of council shall, prior to the expiration of the term for which that member was elected and for one calendar year thereafter, hold a position of employment or a contract with the town.

§ 3.02. Powers of council.

All powers of the town shall be vested in the council, unless otherwise conferred or vested by this charter or the general laws of the Commonwealth of Virginia. The council along with the mayor shall make such rules as are necessary for the orderly conduct of their business not inconsistent with the laws of the Commonwealth of Virginia~~,~~ and shall have the power in their discretion to appoint a town manager and a town attorney. *In making appointments and removals, the council shall act only by affirmative vote of the majority of its members.* The person so appointed shall have such duties and shall serve for such terms and at such compensation as the council may determine. One person may be appointed to more than one office.

§ 3.03. Mayor.

The mayor shall preside at *all* meetings of the council and ~~shall be recognized as head of the town government for ceremonial purposes and by the governor for the purposes of military law. He~~ shall have the same powers and duties as other members of the council with a vote, but no veto powers. *The mayor shall be recognized as head of the town government for ceremonial purposes and by the governor for the purposes of military law. In the event of a disaster or an emergency condition, and the council cannot convene due to the disaster or emergency condition, the mayor may, in the absence of the director of emergency management, declare the existence of a local emergency. Such declaration shall expire in 72 hours by operation of law unless otherwise extended by a majority vote of the council.*

§ 3.04. Vice mayor.

At its first meeting in ~~July~~ *January* of every ~~even-numbered~~ *odd-numbered* year*,* the council*, including the mayor,* shall select from its membership one member to serve as a vice mayor. The vice mayor shall preside over meetings of council in the absence of the mayor. *If a vacancy occurs in the office of mayor, the vice mayor shall act as mayor until such time as the vacancy can be filled in accordance with § 24.2-228 of the Code of Virginia.*

§ 3.04:1. Chair pro tem.

At its first meeting in January of every odd-numbered year, the council, including the mayor, shall elect from its membership one member to serve as chair pro tem to preside over meetings of council in the absence or disability of the mayor and vice mayor. If a vacancy occurs in the office of vice mayor, the chair pro tem shall ascend to the office of vice mayor and the council shall vote to fill the vacancy for the unexpired term of the chair pro tem by majority vote of the remaining members.

§ 3.05. Vacancies *in the office of council*.

Vacancies on the council and in the office of mayor and vice mayor*, for whatever the cause,* shall be filled by a majority vote of the members of council until the vacancy is filled in accordance with the provisions of ~~Title 24.2~~ *§ 24.2-228* of the Code of Virginia.

§ 3.07. Ordinances.

(a) Action requiring an ordinance. In addition to ~~other acts~~ *actions* required by ~~law~~ *the Constitution or general laws of the Commonwealth* or ~~by specific provision of~~ this charter to be done by ordinance, ~~those acts~~ *the following actions* of the town council shall be by ordinance ~~which~~:

(1) Adopt or amend an *ordinance, town code, or* administrative code ~~or establish~~*;*

(2) Establish, alter*,* or abolish any town department, office ~~or~~*,* agency*, or position and classification of employment*;

(3) Fix the pay grade and compensation range for a position and classification of employment;

~~(2)~~ *(4)* Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;

~~(3)~~ *(5)* Levy ~~taxes~~ *a tax*, except as otherwise provided in Article VI with respect to the real property tax levied by adoption of the budget;

~~(4)~~ *(6)* Grant, renew or extend a franchise;

~~(5)~~ *(7)* Regulate the rate charged for its services by the town;

~~(6)~~ *(8)* Authorize the borrowing of money;

~~(7)~~ *(9)* Convey or lease or authorize the conveyance or lease of any lands of the town.

~~Acts other than those referred to in the preceding sentence~~ *All other acts* may be done ~~either~~ by ordinance ~~or~~*,* by resolution*, or by motion* if not ~~in conflict with~~ *otherwise prohibited by* law.

(b) Form. Every proposed ordinance shall be introduced in writing ~~and in the~~ *or printed* form ~~required for adoption~~ *and confined to a single subject, which shall be clearly expressed in its title*. The enacting clause shall be "Be it ordained by the Council of the Town of Dumfries . . . ."

(c) Procedure. An ordinance may be introduced by any member at any regular or special meeting of the council. ~~Each proposed ordinance or resolution shall be introduced in a written or printed form.~~ No ordinance shall be adopted on the same day it is introduced*, its first reading,* unless an emergency exists and such emergency is stated in the ordinance. *Unless required by the Constitution or the general laws of the Commonwealth or by this charter, a public hearing shall not be required on a proposed ordinance. The council may reject any ordinance on its first reading without a public hearing. An ordinance may be read by its title only.*

(d) Effective date. Except ~~as otherwise provided in this charter,~~ *where the Constitution or the general laws of the Commonwealth or this charter must take precedence and provide for a different procedure for enactment,* every adopted ordinance shall become effective from its passage or at any ~~later~~ date specified therein.

~~Provided that where state law provides a different procedure for enactment of an ordinance the state law shall take precedence.~~

§ 3.08. Emergency ordinances.

To meet a public emergency affecting life, *public* health, *safety,* property, or the *preservation of* public peace, the council may adopt ~~one or more~~ *an* emergency ~~ordinances~~ *ordinance in the same regular or special meeting of the council at which such ordinance was introduced. Except as provided by subsection (b) of § 6.06 of this charter*, ~~but such ordinances may not~~ *no emergency ordinances shall* levy taxes, grant, renew or extend a franchise, or authorize the borrowing of money ~~except as provided in subsection (b) of § 6.06~~. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced. After its adoption*,* the ordinance shall be posted on the public bulletin board located in town hall. It shall become effective upon adoption or at such ~~later~~ time as it may specify. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

§ 3.09. Authentication and recording; codification; printing.

(a) Authentication and recording. Every ordinance or resolution upon its final passage shall be *given a serial or recording number and be* recorded *and maintained* by the town clerk in a properly indexed book designated for the purpose and shall be authenticated by the signature of the presiding officer and the town clerk.

(b) Printing of ordinances and resolutions. The council shall cause each ordinance and resolution having the force and effect of law and each amendment to this charter to be printed or otherwise reproduced promptly following its adoption, and the printed ordinances, resolutions and charter amendments shall be distributed or sold to the public at reasonable prices to be fixed by the council. Following publication of the first Dumfries Town Code and at all times thereafter, the ordinances, resolutions and charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable in form for integration therein. The council shall make such further arrangements as it deems desirable with respect to reproduction and distribution of any current changes in or additions to the provisions of the Constitution and other laws of the Commonwealth of Virginia, or the codes of technical regulations and other rules and regulations included in the town code.

§ 3.10. Committees, boards and commissions.

Creation and appointment. The council may create committees, boards, and commissions to be composed of such numbers of ~~citizens~~ *members* as the council may deem expedient *or* as authorized by law. The council shall appoint the members, prescribe the compensation, if any, and the powers and duties of such committees, boards and commissions consistent with the general law. *Any member of a committee, board, or commission appointed by the council for a specified term shall serve at the pleasure of the council and may be removed by the council prior to the expiration of said term for any or no reason, unless removal authority is limited by general law.*

§ 4.01. Appointment of manager; qualifications.

There is hereby created the office of the town manager. The council may appoint a town manager who shall be the chief executive officer and the chief administrative officer of the town government *and execute the executive and administrative functions of the position under the direction and supervision of the council*. The town manager shall be chosen solely on the basis of executive and administrative qualifications and shall serve at the pleasure of the council. *No person elected to membership on the council shall be eligible for appointment as town manager until one year has elapsed following the expiration of the term for which the member was elected.*

In the event of the death, resignation, or extended absence, including due to incapacity, of the town manager, the council may appoint an acting town manager to serve at the pleasure of the council until the return of the town manager or the appointment of his or her successor.

§ 4.02. Powers and duties of the town manager.

(a) The town manager shall have the administrative and executive powers and duties vested in the town manager by the council. *Except as otherwise specified by general law or this charter, the town manager shall appoint and remove qualified officers and employees of the town, including to head all of the departments of the town, in accordance with the town's personnel regulations, unless otherwise specified by general law or this charter. The town manager may delegate and authorize the head of a department responsible to the town manager to appoint or remove subordinate officers and employees in such department. Department heads appointed by the town manager serve at the pleasure of the town manager. Unless for provisional, temporary, or emergency service, all appointments by or through the town manager shall be without a definite term.*

(b) Except for the purposes of inquiry and information, no member of the council shall participate in the hiring and removal of administrative department heads. The council shall deal with the administrative services of the town solely through the town manager and shall not interfere with the performance of any employee who is under the direct or indirect supervision of the town manager. Neither the mayor nor a council member shall give orders either publicly or privately to any subordinate of the town manager. This section shall not prohibit the council from discussing with the town manager its views concerning a personnel action and the internal administration of town government.

(c) The town manager shall be authorized to designate any officer or employee within an administrative department under the town manager's control to temporarily perform the duties of any office or position that is vacant due to the absence or disability of the incumbent.

(d) The town manager, or designee, shall attend all meetings of the council with the right to speak but not to vote, including closed meetings unless council determines that the inclusion of the town manager would be detrimental to the purposes of the council discussion and deliberations in the closed meeting.

(e) The town manager shall have the right to attend and to speak, but not to vote, in the meetings of the authorities, boards, and commissions created by the council.

(f) The town manager shall keep the council advised of the financial condition and future needs of the town, and all other matters pertaining to its proper administration and to make such other recommendations thereto as may be required or desirable.

(g) The town manager shall oversee the preparation and submission of the annual budget.

(h) The town manager shall perform all other such duties as may be required by the council, this charter, or conferred on a chief executive or chief administrative officer by the general laws of the Commonwealth.

§ 4.03. Town attorney.

~~An attorney shall be appointed by and serve at the pleasure of the council.~~ *There is hereby created the office of the town attorney. The council may appoint a town attorney.* The ~~appointed~~ *town* attorney shall be qualified to practice law in the Commonwealth of Virginia~~,~~ *and* shall serve as chief legal advisor to the council, ~~and shall also serve as legal advisor to the town administration~~ *the town manager, and all of the town's departments and officers in matters affecting the interests of the town and relating to their official duties. The town attorney shall serve at the pleasure of the council and under its general direction and supervision. The town attorney shall perform the particular duties and functions of the office as assigned by the council or as otherwise required by law. The town attorney shall be authorized to appoint and remove assistants or any other employees in his or her office as may be authorized by the council and to authorize any assistant or special counsel to perform any of the duties imposed upon the town attorney by this charter or under general law.*

Except for the purposes of inquiry and information, no member of the council shall participate in the hiring and removal of assistants or employees of the town attorney. The council shall deal with the legal and legislative services of the town solely through the town attorney and shall not interfere with the performance of any assistant or employee who is under the direct supervision of the town attorney. Neither the mayor nor a council member shall give orders whether publicly or privately to any subordinate of the town attorney. This section shall not prohibit the council from making requests for emergency legal services to an assistant or employee of the town attorney in the absence or disability of the town attorney or otherwise discussing with the town attorney its views concerning the performance of an assistant or employee in the delivery of legal services.

In the event of the death, resignation, or extended absence, including due to incapacity, of the town attorney, the council may hire or appoint a qualified attorney to perform duties of the town attorney until return of the town attorney or the appointment of his or her successor.

§ 4.04. Town clerk.

There is hereby created the office of the town clerk. The town manager shall appoint the town clerk who shall serve under the town manager's general direction and supervision and serve at the pleasure of the town manager. The town clerk shall be the clerk of the council and keep the journal of its proceedings, file the original draft of all ordinances of the town, and shall maintain and index all of such ordinances. The town clerk shall be the custodian of the town seal and shall be the officer authorized to use and authenticate it, and shall have and exercise all such other powers and duties as may be required by this charter, by the general laws of the Commonwealth, or by ordinance. Upon the advice and consent of the town manager, the town clerk shall be authorized to appoint and remove employees in the clerk's office, including a deputy clerk. The deputy clerk shall be authorized to act as the acting town clerk in the absence or disability of the town clerk.

§ 5.01. Creation of departments.

The council may establish all departments, offices, and agencies ~~they determine~~ *it determines* are necessary for the proper administration of the town with such powers and duties and subject to those regulations it deems proper, consistent with the provisions of this charter and the Constitution and general laws of the Commonwealth.

§ 5.02. Departments of the town.

Administrative departments shall include, but shall not be limited to, departments concerned with police, finance, public works, planning, zoning and code enforcement, ~~and community service~~ *and recreation and civic engagement*.

§ 9.02. Power of town, as to ordinances, etc., to carry enumerated charter powers into effect and as to punishment for violation of ordinance, etc.

The town is empowered to make ordinances and ~~bylaws~~ *resolutions* for the purpose of carrying into effect the enumerated powers conferred upon the town by this Charter, including police powers, and to prescribe *suitable* punishments for violations thereof, *whether civil or criminal misdemeanor,* provided that no such *criminal misdemeanor* punishment shall exceed the maximum punishment prescribed by general law for a *criminal* misdemeanor~~, and provided further, that all bylaws and resolutions~~. *No civil penalty shall exceed a fine of $5,000. A civil penalty for a civil violation shall be in lieu of criminal sanctions. All actions, including ordinances, resolutions, and bylaws* made and adopted by the council shall become effective ~~thirty days after their passage~~ *on the date of their passage*, unless a different *effective* date is specified in any such ~~bylaw~~ *ordinance* or resolution~~, upon which the same shall become effective~~.

CHAPTER 662

An Act to amend and reenact §§ 22.1-253.13:1 and 22.1-253.13:4 of the Code of Virginia, relating to high school diploma seal of biliteracy; designation as high-demand industry workforce credential for certain purposes.

[H 2360]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-253.13:1 and 22.1-253.13:4 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-253.13:1. Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives.

A. The General Assembly and the Board believe that the fundamental goal of the public schools of the Commonwealth must be to enable each student to develop the skills that are necessary for success in school, preparation for life, and reaching their full potential. The General Assembly and the Board find that the quality of education is dependent upon the provision of (i) the appropriate working environment, benefits, and salaries necessary to ensure the availability of high-quality instructional personnel; (ii) the appropriate learning environment designed to promote student achievement; (iii) quality instruction that enables each student to become a productive and educated citizen of Virginia and the United States of America; and (iv) the adequate commitment of other resources. In keeping with this goal, the General Assembly shall provide for the support of public education as set forth in Article VIII, § 1 of the Constitution of Virginia.

B. The Board shall establish educational objectives known as the Standards of Learning, which shall form the core of Virginia's educational program, and other educational objectives, which together are designed to ensure the development of the skills that are necessary for success in school and for preparation for life in the years beyond. At a minimum, the Board shall establish Standards of Learning for English, mathematics, science, and history and social science. The Standards of Learning shall not be construed to be regulations as defined in § 2.2-4001.

The Board shall seek to ensure that the Standards of Learning are consistent with a high-quality foundation educational program. The Standards of Learning shall include, but not be limited to, the basic skills of communication (listening, speaking, reading, and writing); computation and critical reasoning, including problem solving and decision making; proficiency in the use of computers and related technology; computer science and computational thinking, including computer coding; and the skills to manage personal finances and to make sound financial decisions.

The English Standards of Learning for reading in kindergarten through grade eight shall align with evidence-based literacy instruction and science-based reading research.

The Standards of Learning in all subject areas shall be subject to regular review and revision to maintain rigor and to reflect a balance between content knowledge and the application of knowledge in preparation for eventual employment and lifelong learning. The Board shall establish a regular schedule, in a manner it deems appropriate, for the review, and revision as may be necessary, of the Standards of Learning in all subject areas. Such review of each subject area shall occur at least once every seven years. Nothing in this section shall be construed to prohibit the Board from conducting such review and revision on a more frequent basis.

To provide appropriate opportunity for input from the general public, teachers, and local school boards, the Board shall conduct public hearings prior to establishing revised Standards of Learning. Thirty days prior to conducting such hearings, the Board shall give notice of the date, time, and place of the hearings to all local school boards and any other persons requesting to be notified of the hearings and publish notice of its intention to revise the Standards of Learning in the Virginia Register of Regulations. Interested parties shall be given reasonable opportunity to be heard and present information prior to final adoption of any revisions of the Standards of Learning.

In addition, the Department shall make available and maintain a website, either separately or through an existing website utilized by the Department, enabling public elementary, middle, and high school educators to submit recommendations for improvements relating to the Standards of Learning, when under review by the Board according to its established schedule, and related assessments required by the Standards of Quality pursuant to this chapter. Such website shall facilitate the submission of recommendations by educators.

School boards shall implement the Standards of Learning or objectives specifically designed for their school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to achieve the educational objectives established by the school division at appropriate age or grade levels. The curriculum adopted by the local school division shall be aligned to the Standards of Learning.

The Board shall include in the Standards of Learning for history and social science the study of contributions to society of diverse people. For the purposes of this subsection, "diverse" includes consideration of disability, ethnicity, race, and gender.

The Board shall include in the Standards of Learning for health instruction in emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator, including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Such instruction shall be based on the current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a program developed by the American Heart Association or the American Red Cross. No teacher who is in compliance with

subdivision D 3 of § 22.1-298.1 shall be required to be certified as a trainer of cardiopulmonary resuscitation to provide instruction for non-certification.

The Board shall include in the Standards of Learning for physical and health education for grade nine or 10 research-based hazing prevention instruction, in accordance with the Standards of Learning and curriculum guidelines for research-based hazing prevention instruction developed by the Board pursuant to subsection B of § 22.1-207.

With such funds as are made available for this purpose, the Board shall regularly review and revise the competencies for career and technical education programs to require the full integration of English, mathematics, science, and history and social science Standards of Learning. Career and technical education programs shall be aligned with industry and professional standard certifications, where they exist.

The Board shall establish content standards and curriculum guidelines for courses in career investigation in elementary school, middle school, and high school. Each school board shall (i) require each middle school student to take at least one course in career investigation or (ii) select an alternate means of delivering the career investigation course to each middle school student, provided that such alternative is equivalent in content and rigor and provides the foundation for such students to develop their academic and career plans. Any school board may require (a) such courses in career investigation at the high school level as it deems appropriate, subject to Board approval as required in subsection A of § 22.1-253.13:4, and (b) such courses in career investigation at the elementary school level as it deems appropriate. The Board shall develop and disseminate to each school board career investigation resource materials that are designed to ensure that students have the ability to further explore interest in career and technical education opportunities in middle and high school. In developing such resource materials, the Board shall consult with representatives of career and technical education, industry, skilled trade associations, chambers of commerce or similar organizations, and contractor organizations.

C. Local school boards shall develop and implement a program of instruction for grades K through 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related technology, computer science and computational thinking, including computer coding, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues, and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or training in a career or technical field; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

Local school boards shall also develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk including, but not limited to, those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include components that are research-based.

Any student who achieves a passing score on one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program.

Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit shall be required to attend a remediation program or to participate in another form of remediation. Division superintendents shall require such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs, in accordance with clause (ii) of subsection A of § 22.1-254 and § 22.1-254.01.

Remediation programs shall include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board, or other forms of remediation. Summer school remediation programs or other forms of remediation shall be chosen by the division superintendent to be appropriate to the academic needs of the student. Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition by the school division.

The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation that has been selected by his parent, in consultation with the division superintendent or his designee, and is either (i) conducted by an accredited private school or (ii) a special program that has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such private school remediation program or other special remediation program shall be borne by the student's parent.

The Board shall establish standards for full funding of summer remedial programs that shall include, but not be limited to, the minimum number of instructional hours or the equivalent thereof required for full funding and an assessment system designed to evaluate program effectiveness. Based on the number of students attending and the Commonwealth's share of the per pupil instructional costs, state funds shall be provided for the full cost of summer and other remediation programs as set forth in the appropriation act, provided such programs comply with such standards as shall be established by the Board, pursuant to § 22.1-199.2.

D. Local school boards shall also implement the following:

1. Programs in grades K through three that emphasize developmentally appropriate learning to enhance success.

2. Programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school. Such programs shall include components that are research-based.

3. Career and technical education programs incorporated into the K through 12 curricula that include:

a. Knowledge of careers and all types of employment opportunities, including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;

b. Career exploration opportunities in the middle school grades;

c. Competency-based career and technical education programs that integrate academic outcomes, career guidance, and job-seeking skills for all secondary students. Programs shall be based upon labor market needs and student interest. Career guidance shall include counseling about available employment opportunities and placement services for students exiting school. Each school board shall develop and implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be developed with the input of area business and industry representatives and local comprehensive community colleges and shall be submitted to the Superintendent in accordance with the timelines established by federal law;

d. Annual notice on its website to enrolled high school students and their parents of (i) the availability of the postsecondary education and employment data published by the State Council of Higher Education on its website pursuant to § 23.1-204.1 and (ii) the opportunity for such students to obtain a nationally recognized career readiness certificate at a local public high school, comprehensive community college, or workforce center; and

e. As part of each student's academic and career plan, a list of (i) the top 100 professions in the Commonwealth by median pay and the education, training, and skills required for each such profession and (ii) the top 10 degree programs at institutions of higher education in the Commonwealth by median pay of program graduates. The Department shall annually compile such lists and provide them to each local school board.

4. Educational objectives in middle and high school that emphasize economic education and financial literacy pursuant to § 22.1-200.03.

5. Early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law.

6. Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs.

7. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in these standards. Such students shall be counted in average daily membership (ADM) in accordance with the regulations of the Board.

8. Adult education programs for individuals functioning below the high school completion level. Such programs may be conducted by the school board as the primary agency or through a collaborative arrangement between the school board and other agencies.

9. A plan to make achievements for students who are educationally at risk a divisionwide priority that shall include procedures for measuring the progress of such students.

10. An agreement for postsecondary credit and degree attainment with any comprehensive community college in the Commonwealth specifying the options for students to complete an associate degree, a one-year Uniform Certificate of General Studies, or the Passport Program from a comprehensive community college concurrent with a high school diploma, consistent with the requirements for the College and Career Ready Virginia Program set forth in Article 5.1 (§ 22.1-237.1 et seq.) of Chapter 13. Such agreement shall specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher.

11. A plan to notify students and their parents of the availability of dual enrollment and advanced placement classes; career and technical education programs, including internships, externships, apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based learning experiences; the International Baccalaureate Program and Academic Year Governor's School Programs; the qualifications for enrolling in such classes, programs, and experiences; and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations. This plan shall include notification to students and parents of the College and Career Ready Virginia Program established pursuant to Article 5.1. (§ 22.1-237.1 et seq.) of Chapter 13 and its agreement with a comprehensive community college in the Commonwealth pursuant to subdivision 10 to enable students to complete an associate degree, a one-year Uniform Certificate of General Studies, or the Passport Program concurrent with a high school diploma.

12. Identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs, which programs may include dual language programs whereby such students receive instruction in English and in a second language.

13. Early identification, diagnosis, and assistance for students with mathematics problems and provision of instructional strategies and mathematics practices that benefit the development of mathematics skills for all students.

Local school divisions shall provide algebra readiness intervention services to students in grades six through nine who are at risk of failing the Algebra I end-of-course test, as demonstrated by their individual performance on any diagnostic test that has been approved by the Department. Local school divisions shall report the results of the diagnostic tests to the Department on an annual basis, at a time to be determined by the Superintendent. Each student who receives algebra

readiness intervention services will be assessed again at the end of that school year. Funds appropriated for prevention, intervention, and remediation; summer school remediation; at-risk; or algebra readiness intervention services may be used to meet the requirements of this subdivision.

14. Incorporation of art, music, and physical education as a part of the instructional program at the elementary school level.

15. A program of physical activity available to all students in grades kindergarten through five consisting of at least 20 minutes per day or an average of 100 minutes per week during the regular school year and available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year. Such program may include any combination of (i) physical education classes, (ii) extracurricular athletics, (iii) recess, or (iv) other programs and physical activities deemed appropriate by the local school board. Each local school board shall implement such program during the regular school year. Any physical education class offered to students in grades seven and eight shall include at least one hour of personal safety training per school year in each such grade level that is developed and delivered in partnership with the local law-enforcement agency and consists of situational safety awareness training and social media education. Each local school board shall offer to all students in grade nine or 10 a physical education class that includes research-based hazing prevention instruction pursuant to subsection C of § 22.1-207, unless such hazing prevention instruction is provided as part of a separate health education class offered to students in grade nine or 10. Each local school board may accept participation in the Junior Reserve Officers' Training Corps as fulfillment of any physical education requirements applicable to students in grades nine through 12.

16. A program of student services for kindergarten through grade 12 that shall be designed to aid students in their educational, social, and career development.

17. The collection and analysis of data and the use of the results to evaluate and make decisions about the instructional program.

18. A program of instruction in the high school Virginia and U.S. Government course on all information and concepts contained in the civics portion of the U.S. Naturalization Test.

E. From such funds as may be appropriated or otherwise received for such purpose, there shall be established within the Department a unit to (i) conduct evaluative studies; (ii) provide the resources and technical assistance to increase the capacity for school divisions to deliver quality instruction; and (iii) assist school divisions in implementing those programs and practices that will enhance pupil academic performance and improve family and community involvement in the public schools. Such unit shall identify and analyze effective instructional programs and practices and professional development initiatives; evaluate the success of programs encouraging parental and family involvement; assess changes in student outcomes prompted by family involvement; and collect and disseminate among school divisions information regarding effective instructional programs and practices, initiatives promoting family and community involvement, and potential funding and support sources. Such unit may also provide resources supporting professional development for administrators and teachers. In providing such information, resources, and other services to school divisions, the unit shall give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards of Learning assessments.

F. The Board shall, in collaboration with the Virginia Community College System, Career and Technical Education directors, and industry partners, develop and maintain a current, comprehensive, and uniform list of industry-recognized workforce credentials that students may take as a substitute for certain credits required for graduation pursuant to 8VAC20-131-51 of the Virginia Administrative Code, including industry-recognized workforce credentials that students may take as a substitute for elective credits and industry-recognized workforce credentials completed outside of regular school hours. *The Board shall include on such list its diploma seal of biliteracy established pursuant to subdivision E 4 of § 22.1-253.13:4 and shall consider such seal to be a high-demand industry workforce credential for the purpose of satisfying graduation requirements.* The Board, in collaboration with the Virginia Community College System, shall ensure that such list reflects the current credit requirements for graduation and the current credentials accepted as substitutes. The Board shall post such list in a publicly accessible location on its website. Each school board shall accept as a substitute for a required credit any credential listed as an accepted substitute for such required credit.

G. Each local school board may enter into agreements for postsecondary course credit, credential, certification, or license attainment, hereinafter referred to as College and Career Access Pathways Partnerships (Partnerships), with comprehensive community colleges or other public institutions of higher education or educational institutions established pursuant to Title 23.1 that offer a career and technical education curriculum. Such Partnerships shall (i) specify the options for students to take courses as part of the career and technical education curriculum that lead to course credit or an industry-recognized credential, certification, or license concurrent with a high school diploma; (ii) specify the credit, credentials, certifications, or licenses available for such courses; (iii) specify the industry-recognized credentials that are accepted as substitutes for certain credits required for high school graduation, consistent with the list developed and maintained by the Board pursuant to subsection F; and (iv) specify available options for students to participate in pre-apprenticeship and apprenticeship programs at comprehensive community colleges concurrent with the pursuit of a high school diploma and receive college credit and high school credit for successful completion of any such program.

H. Each local school board shall provide a program of literacy instruction that is aligned with science-based reading research and provides evidenced-based literacy instruction to students in kindergarten through grade eight and is consistent with the school board's literacy plan as required by subsection B of § 22.1-253.13:6. Pursuant to such program:

1. Each local school board shall provide reading intervention services to students in kindergarten through grade eight who demonstrate substantial deficiencies based on their individual performance on the Standards of Learning reading assessment or a literacy screener provided by the Department. Such reading intervention services shall consist of evidence-based literacy instruction, align with science-based reading research, and be documented for each student in a written student reading plan, consistent with the requirements in subdivision 2 and the list developed by the Department pursuant to subdivision I 2.

2. A reading specialist, in collaboration with the teacher of any student who receives reading intervention services pursuant to subdivision 1, shall develop, oversee implementation of, and monitor student progress on a student reading plan. The parent of each student who receives reading intervention services pursuant to subdivision 1 shall receive notice of and have the opportunity to participate in the development of the student reading plan. Each student reading plan (i) shall follow the Department template created pursuant to subdivision I 3; (ii) shall document such reading intervention services; (iii) shall include, at a minimum, (a) the student's specific, diagnosed reading skill deficiencies as determined or identified by diagnostic assessment data or the literacy screener provided by the Department; (b) the goals and benchmarks for student growth in reading; (c) a description of the specific measures that will be used to evaluate and monitor the student's reading progress; (d) the specific evidence-based literacy instruction that the student will receive; (e) the strategies, resources, and materials that will be provided to the student's parent to support the student to make reading progress; and (f) any additional services the teacher deems available and appropriate to accelerate the student's reading skill development; and (iv) may include the following services for the student: instruction from a reading specialist, trained aide, computer-based reading tutorial program, or classroom teacher with support from an aide, extended instructional time in the school day or school year, or, for students in grades six through eight, a literacy course, in addition to the course required by the Standards of Learning in English, that provides the specific evidence-based literacy instruction identified in the student's reading plan. In accordance with § 22.1-215.2, the parent of each student shall receive notice before services begin and a copy of the student reading plan.

3. Each student who receives such reading intervention services shall be assessed utilizing either the literacy screener provided by the Department or the grade-level reading Standards of Learning assessment again at the end of that school year.

Funds appropriated for prevention, intervention, and remediation, summer school remediation, the at-risk add-on, or early intervention reading may be used to meet the requirements of this subsection.

I. In order to assist local school boards to implement the provisions of subsection H:

1. The Board shall provide guidance on the content of student reading plans;

2. The Department shall develop a list of core literacy curricula for students in kindergarten through grade five and supplemental instruction practices and programs and intervention programs for students in kindergarten through grade eight that consist of evidence-based literacy instruction aligned with science-based reading research. The list shall be approved by the Board;

3. The Department shall develop a template for student reading plans that aligns with the requirements of subsection H;

4. The Department shall develop and implement a plan for the annual collection and public reporting of division-level and school-level literacy data, at a time to be determined by the Superintendent, to include results on the literacy screeners provided by the Department and the reading Standards of Learning assessments; and

5. The Department shall provide free online evidence-based literacy instruction resources that can be accessed by parents and local school boards to support student literacy development at home.

§ 22.1-253.13:4. Standard 4. Student achievement and graduation requirements.

A. Each local school board shall award diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who meet the requirements prescribed by the Board and meet such other requirements as may be prescribed by the local school board and approved by the Board. Provisions shall be made to facilitate the transfer and appropriate grade placement of students from other public secondary schools, from nonpublic schools, or from home instruction as outlined in the standards for accreditation. The standards for accreditation shall include provisions relating to the completion of graduation requirements through Virtual Virginia. Further, reasonable accommodation to meet the requirements for diplomas shall be provided for otherwise qualified students with disabilities as needed.

In addition, each local school board may devise, vis-a-vis the award of diplomas to secondary school students, a mechanism for calculating class rankings that takes into consideration whether the student has taken a required class more than one time and has had any prior earned grade for such required class expunged.

Each local school board shall notify the parents of rising eleventh and twelfth grade students of (i) the requirements for graduation pursuant to the standards for accreditation and (ii) the requirements that have yet to be completed by the individual student.

B. Students identified as disabled who:

1. Complete alternative requirements, in the form of credit accommodations specified in their individualized education programs, to earn required standard and verified credits shall be awarded standard diplomas by local school boards. Such credit accommodations may include (i) approval of alternative courses to meet standard credit requirements, (ii) modifications to the requirements for local school divisions to award locally awarded verified credits, (iii) approval of additional tests to earn verified credits, (iv) adjusted cut scores required to earn verified credits, (v) allowance of work-based learning experiences, and (vi) special permission credit accommodations for locally awarded verified credits; and

2. Complete the requirements of their individualized education programs and meet certain requirements prescribed by the Board pursuant to regulations but do not meet the requirements for any named diploma shall be awarded Applied Studies diplomas by local school boards. The Board shall develop and implement statewide requirements for earning an Applied Studies diploma for implementation at the beginning of the 2022-2023 school year.

The Department shall develop guidance, in multiple languages, for students and parents (i) informing them of the alternative path to earn a standard diploma through credit accommodations, including special permission credit accommodations for locally awarded verified credits; (ii) conveying (a) the limitations of the applied studies diploma, (b) key curriculum and testing decisions that reduce the likelihood that a student will be able to obtain a standard diploma, and (c) a statement that the pursuit of an applied studies diploma may preclude a student's ability to pursue a standard diploma; and (iii) supporting them to discuss these diploma options at the student's individualized education program meetings.

Each local school board shall develop a process for awarding locally verified credits to students with disabilities, require individualized education program teams to consider credit accommodations, including locally awarded verified credits, for students with disabilities to enable them to earn a standard diploma, and provide guidance from the Department to parents of students with disabilities regarding the availability of credit accommodations to earn a standard diploma and the limitations of the Applied Studies diploma at a student's annual individualized education program meeting corresponding to grades three through 12 when curriculum or statewide assessment decisions are being made that impact the type of diploma for which the student can qualify.

Each local school board shall notify the parent of such students with disabilities who have an individualized education program and who fail to meet the graduation requirements of the student's right to a free and appropriate education to age 21, inclusive, pursuant to Article 2 (§ 22.1-213 et seq.) of Chapter 13.

C. Students who have completed a prescribed course of study as defined by the local school board shall be awarded certificates of program completion by local school boards if they are not eligible to receive a Board-approved diploma.

Each local school board shall provide notification of the right to a free public education for students who have not reached 20 years of age on or before August 1 of the school year, pursuant to Chapter 1 (§ 22.1-1 et seq.), to the parent of students who fail to graduate or who have failed to achieve graduation requirements as provided in the standards for accreditation. If such student who does not graduate or complete such requirements is a student for whom English is a second language, the local school board shall notify the parent of the student's opportunity for a free public education in accordance with § 22.1-5.

D. In establishing graduation requirements, the Board shall:

1. Develop and implement, in consultation with stakeholders representing elementary and secondary education, higher education, and business and industry in the Commonwealth and including parents, policymakers, and community leaders in the Commonwealth, a Profile of a Virginia Graduate that identifies the knowledge and skills that students should attain during high school in order to be successful contributors to the economy of the Commonwealth, giving due consideration to critical thinking, creative thinking, collaboration, communication, and citizenship.

2. Emphasize the development of core skill sets in the early years of high school.

3. Establish multiple paths toward college and career readiness for students to follow in the later years of high school. Each such pathway shall include opportunities for internships, externships, and credentialing.

4. Provide for the selection of integrated learning courses meeting the Standards of Learning and approved by the Board to satisfy graduation requirements, which shall include Standards of Learning testing, as necessary.

5. Require students to complete at least one course in fine or performing arts or career and technical education, one course in United States and Virginia history, and two sequential elective courses chosen from a concentration of courses selected from a variety of options that may be planned to ensure the completion of a focused sequence of elective courses that provides a foundation for further education or training or preparation for employment.

6. Require that students (i) complete an Advanced Placement, honors, International Baccalaureate, or dual enrollment course; (ii) complete a high-quality work-based learning experience, as defined by the Board; or (iii) earn a career and technical education credential that has been approved by the Board, *including its diploma seal of biliteracy established pursuant to subdivision E 4,* except when a career and technical education credential in a particular subject area is not readily available or appropriate or does not adequately measure student competency, in which case the student shall receive satisfactory competency-based instruction in the subject area to earn credit. The career and technical education credential, when required, could include the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, the Armed Services Vocational Aptitude Battery, ~~or~~ the Virginia workplace readiness skills assessment*, or, in the case of the diploma seal of biliteracy, any examination set forth in subdivision E 4*. The Department shall develop, maintain, and make available to each local school board a catalogue of the testing accommodations available to English language learners for each such certification, examination, assessment, and battery. Each local school board shall develop and implement policies to require each high school principal or his designee to notify each English language learner of the availability of such testing accommodations prior to the student's participation in any such certification, examination, assessment, or battery.

7. Require students to be trained in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators, including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation.

8. Make provision in its regulations for students with disabilities to earn a diploma.

9. Require students to complete one virtual course, which may be a noncredit-bearing course.

10. Provide that students who complete elective classes into which the Standards of Learning for any required course have been integrated and achieve a passing score on the relevant Standards of Learning test for the relevant required course receive credit for such elective class.

11. Establish a procedure to facilitate the acceleration of students that allows qualified students, with the recommendation of the division superintendent, without completing the 140-hour class, to obtain credit for such class upon demonstrating mastery of the course content and objectives and receiving a passing score on the relevant Standards of Learning assessment. Nothing in this section shall preclude relevant school division personnel from enforcing compulsory attendance in public schools.

12. Provide for the award of credit for passing scores on industry certifications, state licensure examinations, and national occupational competency assessments approved by the Board.

School boards shall report annually to the Board the number of Board-approved industry certifications obtained, state licensure examinations passed, national occupational competency assessments passed, Armed Services Vocational Aptitude Battery assessments passed, and Virginia workplace readiness skills assessments passed, and the number of career and technical education completers who graduated. These numbers shall be reported as separate categories on the School Performance Report Card.

For the purposes of this subdivision, "career and technical education completer" means a student who has met the requirements for a career and technical concentration or specialization and all requirements for high school graduation or an approved alternative education program.

In addition, the Board may:

a. For the purpose of awarding credit, approve the use of additional or substitute tests for the correlated Standards of Learning assessment, such as academic achievement tests, industry certifications, or state licensure examinations; and

b. Permit students completing career and technical education programs designed to enable such students to pass such industry certification examinations or state licensure examinations to be awarded, upon obtaining satisfactory scores on such industry certification or licensure examinations, appropriate credit for one or more career and technical education classes into which relevant Standards of Learning for various classes taught at the same level have been integrated. Such industry certification and state licensure examinations may cover relevant Standards of Learning for various required classes and may, at the discretion of the Board, address some Standards of Learning for several required classes.

13. Provide for the waiver of certain graduation requirements and the subsequent award of a high school diploma (i) upon the Board's initiative, (ii) at the request of a local school board, or (iii) upon the request of the parent of any high school senior who died in good standing prior to graduation during the student's senior year. Such waivers shall be granted only for good cause and shall be considered on a case-by-case basis.

14. Consider all computer science course credits earned by students to be science course credits, mathematics course credits, or career and technical education credits. The Board shall develop guidelines addressing how computer science courses can satisfy graduation requirements.

15. Permit local school divisions to waive the requirement for students to receive 140 clock hours of instruction upon providing the Board with satisfactory proof, based on Board guidelines, that the students for whom such requirements are waived have learned the content and skills included in the relevant Standards of Learning.

16. Provide for the award of verified units of credit for a satisfactory score, as determined by the Board, on the Preliminary ACT (PreACT) or Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) examination.

17. Permit students to exceed a full course load in order to participate in courses offered by an institution of higher education that lead to a degree, certificate, or credential at such institution.

18. Permit local school divisions to waive the requirement for students to receive 140 clock hours of instruction after the student has completed the course curriculum and relevant Standards of Learning end-of-course assessment, or Board-approved substitute, provided that such student subsequently receives instruction, coursework, or study toward an industry certification approved by the local school board.

19. Permit any English language learner who previously earned a sufficient score on an Advanced Placement or International Baccalaureate foreign language examination or an SAT II Subject Test in a foreign language to substitute computer coding course credit for any foreign language course credit required to graduate, except in cases in which such foreign language course credit is required to earn an advanced diploma offered by a nationally recognized provider of college-level courses.

20. Permit a student who is pursuing an advanced diploma and whose individualized education program specifies a credit accommodation for world language to substitute two standard units of credit in computer science for two standard units of credit in a world language. For any student that elects to substitute a credit in computer science for credit in world language, his or her school counselor must provide notice to the student and parent or guardian of possible impacts related to college entrance requirements.

21. Permit any student to substitute elective credits for completion of any industry-approved workforce credential, provided that such credential is included on the list of credentials that are uniformly accepted as substitutes for such required credits developed and maintained by the Board pursuant to subsection F of § 22.1-253.13:1.

E. In the exercise of its authority to recognize exemplary performance by providing for diploma seals:

1. The Board shall develop criteria for recognizing exemplary performance in career and technical education programs by students who have completed the requirements for a Board of Education-approved diploma and shall award seals on the diplomas of students meeting such criteria.

2. The Board shall establish criteria for awarding a diploma seal for science, technology, engineering, and mathematics (STEM) for the Board-approved diplomas. The Board shall consider including criteria for (i) relevant coursework; (ii) technical writing, reading, and oral communication skills; (iii) relevant training; and (iv) industry, professional, and trade association national certifications.

3. The Board shall establish criteria for awarding a diploma seal for excellence in civics education and understanding of our state and federal constitutions and the democratic model of government for the Board-approved diplomas. The Board shall consider including criteria for (i) successful completion of history, government, and civics courses, including courses that incorporate character education; (ii) voluntary participation in community service or extracurricular activities that includes the types of activities that shall qualify as community service and the number of hours required; and (iii) related requirements as it deems appropriate.

4. The Board shall establish criteria for awarding a diploma seal of biliteracy to any student who demonstrates proficiency in English and at least one other language for the Board-approved diplomas. The Board shall consider criteria including the student's (i) score on a College Board Advanced Placement foreign language examination, (ii) score on an SAT II Subject Test in a foreign language, (iii) proficiency level on an ACTFL Assessment of Performance toward Proficiency in Languages (AAPPL) measure or another nationally or internationally recognized language proficiency test, or (iv) cumulative grade point average in a sequence of foreign language courses approved by the Board.

F. The Board shall establish, by regulation, requirements for the award of a general achievement adult high school diploma for those persons who are not subject to the compulsory school attendance requirements of § 22.1-254 and have (i) achieved a passing score on a high school equivalency examination approved by the Board; (ii) successfully completed an education and training program designated by the Board; (iii) earned a Board-approved career and technical education credential such as the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, the Armed Services Vocational Aptitude Battery, or the Virginia workplace readiness skills assessment; and (iv) satisfied other requirements as may be established by the Board for the award of such diploma.

G. To ensure the uniform assessment of high school graduation rates, the Board shall collect, analyze, report, and make available to the public high school graduation and dropout data using a formula prescribed by the Board.

H. The Board shall also collect, analyze, report, and make available to the public high school graduation and dropout data using a formula that excludes any student who fails to graduate because such student is in the custody of the Department of Corrections, the Department of Juvenile Justice, or local law enforcement. For the purposes of the Standards of Accreditation, the Board shall use the graduation rate required by this subsection.

I. The Board may promulgate such regulations as may be necessary and appropriate for the collection, analysis, and reporting of such data required by subsections G and H.

CHAPTER 663

An Act to amend and reenact §§ 19.2-327.15, 19.2-327.17, 19.2-327.18, and 19.2-327.19 of the Code of Virginia, relating to issuance of writ of vacatur for victims of human trafficking.

[H 2393]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 19.2-327.15, 19.2-327.17, 19.2-327.18, and 19.2-327.19 of the Code of Virginia are amended and reenacted as follows:

CHAPTER 19.4.

ISSUANCE OF WRIT OF VACATUR FOR VICTIMS OF ~~COMMERCIAL~~ ~~SEX~~ *HUMAN* TRAFFICKING.

§ 19.2-327.15. Definitions.

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

"Labor trafficking" means the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to debt bondage, involuntary servitude, peonage, or slavery.

"Qualifying offense" means a conviction or adjudication of delinquency for any *attempted, completed, or conspired (i)* violation of *§ 18.2-250 or (ii) misdemeanor violation of § 18.2-96, 18.2-102, or 18.2-103; subsection A of § 18.2-108; § 18.2-108.01, 18.2-117, 18.2-118, 18.2-119, 18.2-137, 18.2-146, 18.2-147, 18.2-160.2, 18.2-173, 18.2-178, 18.2-181, or 18.2-186.2; subdivision B 1 of § 18.2-186.3; § 18.2-195, 18.2-197, 18.2-206, 18.2-258, 18.2-266.1,* 18.2-346 ~~or~~, 18.2-347, *18.2-349, 18.2-388, 18.2-415, 46.2-300, or 46.2-301; or subdivision A 1, 2, or 3 of § 46.2-346*.

"Sex trafficking" means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act that is induced by force, fraud, or coercion or in which the person induced to perform such act has not attained 18 years of age.

"Victim of ~~sex~~ *human* trafficking" means any person ~~convicted or adjudicated delinquent of a qualifying offense in the Commonwealth who committed such offense as a direct result of being solicited, invited, recruited, encouraged, forced, intimidated, or deceived by another to engage in acts of prostitution or unlawful sexual intercourse for money or its equivalent, as described in subsection A of § 18.2-346~~ *subjected to an act or the practice of labor trafficking or sex trafficking*, regardless of whether any other person has been charged or convicted of an offense related to the *labor trafficking or* sex trafficking of such person.

§ 19.2-327.17. Contents and form of the petition for vacatur.

A. Any victim of ~~sex~~ *human* trafficking may file a petition for vacatur setting forth the relevant facts and requesting that the judgment of a conviction or adjudication of delinquency be vacated. Such petition shall allege categorically and with specificity, under oath, all of the following:

1. The petitioner was convicted or adjudicated delinquent of a qualifying offense, including the date on which the qualifying offense occurred, the date of final disposition on which the conviction or adjudication of delinquency was entered, the petitioner's date of birth, and the full name used by the petitioner at the time of the offense;

2. The petitioner *was a victim of human trafficking at the time he* committed the qualifying offense ~~as a direct result of being~~ *and his status as* a victim of ~~sex~~ *human* trafficking *was the proximate cause of the commission of the qualifying offense*; and

3. Whether the petitioner has previously filed any other petition in accordance with this chapter in any circuit court and, if so, the disposition of such petition.

B. Such petition shall contain all relevant allegations of facts that are known to the petitioner at the time of filing, *which shall include a short, plain statement demonstrating (i) that the petitioner is entitled to relief under this chapter; (ii) the identity of the human trafficker, to the best of the petitioner's knowledge; (iii) the approximate date, time, place, and manner in which the petitioner became a victim of human trafficking; (iv) the petitioner's age at the time he became a victim of human trafficking; (v) how the petitioner became involved in the activities resulting in his arrest, prosecution, and conviction or adjudication; and (vi) that the petitioner has ceased to be a victim of human trafficking or has sought rehabilitative services. Such statement shall be filed under seal and provided only to the circuit court and the attorney for the Commonwealth of the city or county in which the petition is filed. The attorney for the Commonwealth may provide the information provided in such statement, with the exception of the petitioner's identity, to any law-enforcement agency to investigate or prosecute criminal activity. The identity of the petitioner shall only be provided to law enforcement upon notice to the petitioner and an order of the circuit court authorizing such disclosure. Nothing in this subsection shall be construed to mandate a petitioner's cooperation with law enforcement in any resulting investigation or prosecution.*

The petition shall be filed on a form provided by the Supreme Court. If the petitioner fails to submit a completed form, the circuit court may allow the petitioner to amend the petition to correct any deficiency. If the petitioner fails to submit a completed form containing the allegations set forth in subsection A, or if the circuit court has previously dismissed a petition for vacatur from the same petitioner for the same qualifying offense following a hearing conducted pursuant to § 19.2-327.18, the court may dismiss the petition. Any false statement in the petition, if such statement is knowingly or willfully made, shall be a ground for prosecution of perjury as provided for in § 18.2-434.

C. The petitioner shall obtain from a law-enforcement agency one complete set of the petitioner's fingerprints and shall file those fingerprints with the circuit court with the petition.

D. The Commonwealth shall be made party defendant to the proceeding. The petitioner shall provide a copy of the petition by delivery or by first-class mail, postage prepaid, to the attorney for the Commonwealth of the city or county in which the petition is filed. The attorney for the Commonwealth may file an objection or answer to the petition or may give written notice to the court that he does not object to the petition within 30 days after receipt of the petition. Upon the motion of the attorney for the Commonwealth and for good cause shown, the court may allow the attorney for the Commonwealth up to an additional 30 days to respond to the petition.

E. A person convicted or adjudicated delinquent of multiple qualifying offenses shall include all qualifying offenses in one petition, if such convictions or adjudications were all entered in the same city or county. A person convicted or adjudicated delinquent of qualifying offenses in different cities or counties shall file petitions in the circuit courts of the cities or counties in which the convictions or adjudications of delinquency were entered.

§ 19.2-327.18. Hearing on petition for vacatur.

A. If the attorney for the Commonwealth of the county or city in which the petition is filed (i) gives written notice to the court that he does not object to the petition and (ii) stipulates in such written notice that the petitioner was convicted or adjudicated delinquent of a qualifying offense and that the petitioner *was a victim of human trafficking at the time he* committed the qualifying offense ~~as a direct result of being~~ *and his status as* a victim of ~~sex~~ *human* trafficking *was the proximate cause of the commission of the qualifying offense*, the circuit court may grant the writ and vacate the qualifying offense without conducting a hearing.

B. If the attorney for the Commonwealth of the county or city in which the petition is filed objects to the petition or does not file an answer, the court shall conduct a hearing on the petition after reasonable notice has been provided to both the petitioner and the attorney for the Commonwealth. The attorney for the Commonwealth shall make reasonable efforts to notify any victim, as defined in § 19.2-11.01, of any qualifying offense of such hearing. *In any such hearing, the attorney for the Commonwealth may proffer any evidence pertaining to the guilt or innocence of the petitioner, including evidence*

that was suppressed at trial. The circuit court shall not be required to conduct a hearing if it has previously dismissed a petition for vacatur from the same petitioner for the same qualifying offense.

C. Upon finding that the petitioner has by a preponderance of the evidence proven the elements contained in subsection A of § 19.2-327.17, the circuit court shall grant the writ and vacate the qualifying offense. If the petitioner fails to prove any of these elements, the court shall dismiss the petition.

D. *Prior to any decision to grant the writ, the court shall determine whether any restitution is unpaid under the terms of the sentencing order for the qualifying offense. If the court grants the writ, the petitioner shall be forever discharged from any such restitution obligation, and the victim, as defined in § 19.2-11.01, of the qualifying offense shall be deemed a victim of crime as defined in § 19.2-368.2. Such victim shall be eligible to petition for awards pursuant to Chapter 21.1 (§ 19.2-368.1 et seq.), and his claim for restitution reimbursement shall be deemed to accrue on the date the court grants the writ.*

E. The court may grant the writ and vacate the qualifying offense regardless of whether any person other than the petitioner has been charged or convicted of an offense related to the petitioner being a victim of ~~sex~~ *human* trafficking.

§ 19.2-327.19. Relief under writ of vacatur.

A. Upon granting a writ of vacatur pursuant to subsection C of § 19.2-327.18, the circuit court shall provide the petitioner with a copy of the writ, and such copy shall be sufficient proof that the person named in the writ is no longer under any disability, disqualification, or other adverse consequence resulting from the vacated conviction or adjudication of delinquency.

B. If a writ of vacatur is granted, and no appeal is made to the Supreme Court, or the Supreme Court refuses or denies the Commonwealth's petition for appeal or upholds the decision of the circuit court, an order of expungement for the qualifying offense shall be entered by the circuit court. Upon entry of the order of expungement, the clerk of court shall cause a copy of the writ of vacatur, the order of expungement, and the complete set of petitioner's fingerprints to be forwarded to the Department of State Police, which shall expunge the qualifying offense.

C. The writ to vacate the qualifying offense *and the record of the proceedings* shall not be expunged pursuant to subsection B and shall be maintained by the circuit court. Access to the writ *or the record of the proceedings* may be provided only upon court order. Any person seeking access to the writ *or the record of the proceedings* may file a written motion setting forth why such access is needed. The court shall issue an order to disclose the writ *or the record of the proceedings* upon the written motion of the petitioner named in the writ *or the attorney for the Commonwealth of the city or county in which the petition is filed*. The court may issue an order to disclose the writ *or the record of the proceedings* if it finds that such disclosure best serves the interests of justice. *Court-ordered disclosure of the record of the proceedings pursuant to this subsection shall not subject the recipient of the disclosure to the provisions of § 19.2-392.3.*

D. Costs shall be as provided in § 17.1-275 but shall not be recoverable against the Commonwealth. A petitioner shall not be required to pay any fees or costs for filing a petition pursuant to this chapter if the petitioner is found to be unable to pay fees or costs pursuant to § 17.1-606. If the circuit court enters a writ of vacatur, the clerk of the court shall refund to the petitioner such costs paid by the petitioner.

E. If the court enters a writ of vacatur, the petitioner shall be entitled to a refund of all fines~~, costs, forfeitures,~~ and penalties paid in relation to the qualifying offense that was vacated. If the clerk of the court where the conviction was entered is in possession of any records detailing any fines~~, costs, forfeitures,~~ and penalties paid by the petitioner for a qualifying offense that was vacated, the petitioner shall be entitled to a refund of such amount. If the clerk of the court where the conviction was entered is no longer in possession of any records detailing any fines~~, costs, forfeitures,~~ and penalties paid by the petitioner for a qualifying offense that was vacated, a refund shall be provided only upon a showing by the petitioner of the amount of fines~~, costs, forfeitures,~~ and penalties paid.

CHAPTER 664

An Act to amend and reenact § 59.1-557 of the Code of Virginia, relating to gaming; fantasy contests; age restrictions.

[H 2493]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 59.1-557 of the Code of Virginia is amended and reenacted as follows:

§ 59.1-557. Registration of fantasy contest operators required; application for registration; issuance of registration certificate; penalty.

A. No fantasy contest operator shall offer any fantasy contest in the Commonwealth without first being registered with the Department. Applications for registration shall be on forms prescribed by the Department. Any registration issued by the Department shall be valid for one year from the date of issuance.

B. The application for registration submitted by a fantasy contest operator shall contain the following information:

1. The name and principal address of the applicant; if a corporation, the state of its incorporation, the full name and address of each officer and director thereof, and, if a foreign corporation, whether it is qualified to do business in the Commonwealth; if a partnership or joint venture, the name and address of each officer thereof;

2. The address of any offices of the applicant in the Commonwealth and its designated agent for process within the Commonwealth. If no such agent is designated, the applicant shall be deemed to have designated the Commissioner of the Department. If the operator does not maintain an office, the name and address of the person having custody of its financial records;

3. The place where and the date when the applicant was legally established and the form of its organization;

4. The names and addresses of the officers, directors, trustees, and principal salaried executive staff officer;

5. The name and address of each principal stockholder or member of such corporation; and

6. Such information as the Department deems necessary to ensure compliance with the provisions of this chapter.

C. Every registration filed under this chapter shall be accompanied by a nonrefundable, initial application fee set by the Department.

D. As a condition of registration, a fantasy contest operator shall submit evidence satisfactory to the Department that the operator has established and will implement procedures for fantasy contests that:

1. Prevent him or his employees and relatives living in the same household as the operator from competing in any public fantasy contest offered by such operator in which the operator offers a cash prize;

2. Prevent the sharing of confidential information that could affect fantasy contest play with third parties until the information is made publicly available;

3. Verify that any fantasy contest player is ~~18~~ *21* years of age or older;

4. Ensure that players who are the subject of a fantasy contest are restricted from entering a fantasy contest that is determined, in whole or part, on the accumulated statistical results of a team of individuals in which such players are participants;

5. Allow individuals to restrict themselves from entering a fantasy contest upon request and take reasonable steps to prevent those individuals from entering the operator's fantasy contests;

6. Disclose the number of entries a single fantasy contest player may submit to each fantasy contest and take reasonable steps to prevent such players from submitting more than the allowable number; and

7. Segregate player funds from operational funds in separate accounts and maintain a reserve in the form of cash, cash equivalents, irrevocable letter of credit, bond, or a combination thereof in an amount sufficient to pay all prizes and awards offered to winning participants.

E. If the registration forms are filed online using a website approved by the Commissioner of the Department, the operator shall follow the procedures on that website for signing the forms.

F. Any operator that allows its registration to lapse, without requesting an extension of time to file, shall be required to resubmit an initial registration. An extension may be granted by the Department upon receipt of a written request.

2. That the provisions of § 59.1-557 of the Code of Virginia, as amended by this act, shall not apply to any individual between the ages of 18 and 21 who created a fantasy contest account with a registered fantasy account operator prior to July 1, 2025.

CHAPTER 665

An Act to amend the Code of Virginia by adding a section numbered 46.2-203.3, relating to Department of Motor Vehicles; driver communication improvement program.

[H 2501]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 46.2-203.3 as follows:

§ 46.2-203.3. Driver communication improvement program.

The Department shall develop and implement a program for the promotion, printing, and distribution of envelopes for use by drivers diagnosed with autism spectrum disorder, as that term is defined in § 38.2-3418.17, to provide to a law-enforcement officer for the purpose of easing communication during a traffic stop or upon such law-enforcement officer's arrival at the scene of a traffic accident. Such envelope may (i) clearly state that the driver has been diagnosed with autism spectrum disorder and have printed directions for law-enforcement officers on best practices for interacting with such driver; (ii) provide space for more information to be written about the driver's communication needs; (iii) be of a sufficient size to fit a vehicle registration card, vehicle insurance card, and emergency contact information; and (iv) have printed directions instructing the driver to place his proof of vehicle registration and insurance in the envelope and provide such envelope and his driver's license to law enforcement if he is ever involved in a traffic stop or traffic accident.

The Department shall not collect or store information identifying any person who has requested or received such envelope, except any information necessary to distribute such envelope to the requestor. No such information shall be stored in any form after the distribution of such envelope is complete.

Nothing herein shall require the Department to verify any information provided on the envelope. No action taken by any person, whether private citizen or public officer or employee, with regard to any information provided on the envelope shall create a warranty of the reliability or accuracy of the document, nor shall it create any liability on the part of the Commonwealth or of any department, office, or agency or of any officer, employee, or agent thereof.

CHAPTER 666

An Act to amend and reenact § 22.1-272.2 of the Code of Virginia, relating to Department of Education; model memorandum of understanding; partnerships with community mental health services providers or a nationally recognized school-based telehealth provider; counseling from school counselors by way of telehealth.

[H 2543]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-272.2 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-272.2. Department; model memorandum of understanding; partnerships with community mental health services providers or a nationally recognized school-based telehealth provider.

The Department, in consultation with the Department of Behavioral Health and Developmental Services and the Department of Medical Assistance Services, shall develop, adopt, and distribute to each school board a model memorandum of understanding between a school board and a public or private community mental health services provider or a nationally recognized school-based telehealth provider that *(i)* sets forth parameters for the provision of mental health services to public school students enrolled in the local school division by such provider, including the provision of mental health teletherapy for students~~,~~ *and the provision of counseling for students by school counselors by way of telehealth and including a requirement for parental consent before the provision of any such services to any student who is under 18 years of age; (ii)* reflects effective practices~~,~~*;* and *(iii)* addresses privacy considerations related to the exchange of information between the parties to the memorandum of understanding and relevant laws and regulations. The Department shall maintain and update as necessary the model memorandum of understanding to ensure that it remains current, useful, and relevant.

CHAPTER 667

An Act to amend and reenact § 9.1-102 of the Code of Virginia, relating to Department of Criminal Justice Services; standards and training for security at certain nonprofit institutions.

[H 2594]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 9.1-102 of the Code of Virginia is amended and reenacted as follows:

§ 9.1-102. Powers and duties of the Board and the Department.

The Department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to:

1. Adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the administration of this chapter including the authority to require the submission of reports and information by law-enforcement officers within the Commonwealth. Any proposed regulations concerning the privacy, confidentiality, and security of criminal justice information shall be submitted for review and comment to any board, commission, or committee or other body which may be established by the General Assembly to regulate the privacy, confidentiality, and security of information collected and maintained by the Commonwealth or any political subdivision thereof;

2. Establish compulsory minimum training standards subsequent to employment as a law-enforcement officer in (i) permanent positions and (ii) temporary or probationary status and establish the time required for completion of such training. Such compulsory minimum training standards shall include crisis intervention training in accordance with clause (i) of § 9.1-188;

3. Establish minimum training standards and qualifications for certification and recertification for law-enforcement officers serving as field training officers;

4. Establish compulsory minimum curriculum requirements for in-service and advanced courses and programs for schools, whether located in or outside the Commonwealth, which are operated for the specific purpose of training law-enforcement officers;

5. Establish (i) compulsory minimum training standards for law-enforcement officers who utilize radar or an electrical or microcomputer device to measure the speed of motor vehicles as provided in § 46.2-882 and establish the time required for completion of the training and (ii) compulsory minimum qualifications for certification and recertification of instructors who provide such training;

6. [Repealed];

7. Establish compulsory minimum entry-level, in-service and advanced training standards for those persons designated to provide courthouse and courtroom security pursuant to the provisions of § 53.1-120, and to establish the time required for completion of such training;

8. Establish compulsory minimum entry-level, in-service and advanced training standards for deputy sheriffs designated to serve process pursuant to the provisions of § 8.01-293, and establish the time required for the completion of such training;

9. Establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the time required for completion of such training, for persons employed as deputy sheriffs and jail officers by local criminal justice agencies and correctional officers employed by the Department of Corrections under the provisions of Title 53.1. For correctional officers employed by the Department of Corrections, such standards shall include training on the general care of pregnant women, the impact of restraints on pregnant inmates and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant inmates, and the impact of body cavity searches on pregnant inmates;

10. Establish compulsory minimum training standards for all dispatchers employed by or in any local or state government agency, whose duties include the dispatching of law-enforcement personnel. Such training standards shall apply only to dispatchers hired on or after July 1, 1988. Such training shall include training in the identification of, communication with, and facilitation of the safe return of individuals diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and returning them to their caregivers;

11. Establish compulsory minimum training standards for all auxiliary police officers employed by or in any local or state government agency. Such training shall be graduated and based on the type of duties to be performed by the auxiliary police officers. Such training standards shall not apply to auxiliary police officers exempt pursuant to § 15.2-1731;

12. Consult and cooperate with counties, municipalities, agencies of the Commonwealth, other state and federal governmental agencies, and institutions of higher education within or outside the Commonwealth, concerning the development of police training schools and programs or courses of instruction;

13. Approve institutions, curricula and facilities, whether located in or outside the Commonwealth, for school operation for the specific purpose of training law-enforcement officers; but this shall not prevent the holding of any such school whether approved or not;

14. Establish and maintain police training programs through such agencies and institutions as the Board deems appropriate;

15. Establish compulsory minimum qualifications of certification and recertification for instructors in criminal justice training academies approved by the Department;

16. Conduct and stimulate research by public and private agencies which shall be designed to improve police administration and law enforcement;

17. Make recommendations concerning any matter within its purview pursuant to this chapter;

18. Coordinate its activities with those of any interstate system for the exchange of criminal history record information, nominate one or more of its members to serve upon the council or committee of any such system, and participate when and as deemed appropriate in any such system's activities and programs;

19. Conduct inquiries and investigations it deems appropriate to carry out its functions under this chapter and, in conducting such inquiries and investigations, may require any criminal justice agency to submit information, reports, and statistical data with respect to its policy and operation of information systems or with respect to its collection, storage, dissemination, and usage of criminal history record information and correctional status information, and such criminal justice agencies shall submit such information, reports, and data as are reasonably required;

20. Conduct audits as required by § 9.1-131;

21. Conduct a continuing study and review of questions of individual privacy and confidentiality of criminal history record information and correctional status information;

22. Advise criminal justice agencies and initiate educational programs for such agencies with respect to matters of privacy, confidentiality, and security as they pertain to criminal history record information and correctional status information;

23. Maintain a liaison with any board, commission, committee, or other body which may be established by law, executive order, or resolution to regulate the privacy and security of information collected by the Commonwealth or any political subdivision thereof;

24. Adopt regulations establishing guidelines and standards for the collection, storage, and dissemination of criminal history record information and correctional status information, and the privacy, confidentiality, and security thereof necessary to implement state and federal statutes, regulations, and court orders;

25. Operate a statewide criminal justice research center, which shall maintain an integrated criminal justice information system, produce reports, provide technical assistance to state and local criminal justice data system users, and provide analysis and interpretation of criminal justice statistical information;

26. Develop a comprehensive, statewide, long-range plan for strengthening and improving law enforcement and the administration of criminal justice throughout the Commonwealth, and periodically update that plan;

27. Cooperate with, and advise and assist, all agencies, departments, boards and institutions of the Commonwealth, and units of general local government, or combinations thereof, including planning district commissions, in planning,

developing, and administering programs, projects, comprehensive plans, and other activities for improving law enforcement and the administration of criminal justice throughout the Commonwealth, including allocating and subgranting funds for these purposes;

28. Define, develop, organize, encourage, conduct, coordinate, and administer programs, projects and activities for the Commonwealth and units of general local government, or combinations thereof, in the Commonwealth, designed to strengthen and improve law enforcement and the administration of criminal justice at every level throughout the Commonwealth;

29. Review and evaluate programs, projects, and activities, and recommend, where necessary, revisions or alterations to such programs, projects, and activities for the purpose of improving law enforcement and the administration of criminal justice;

30. Coordinate the activities and projects of the state departments, agencies, and boards of the Commonwealth and of the units of general local government, or combination thereof, including planning district commissions, relating to the preparation, adoption, administration, and implementation of comprehensive plans to strengthen and improve law enforcement and the administration of criminal justice;

31. Do all things necessary on behalf of the Commonwealth and its units of general local government, to determine and secure benefits available under the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351, 82 Stat. 197), as amended, and under any other federal acts and programs for strengthening and improving law enforcement, the administration of criminal justice, and delinquency prevention and control;

32. Receive, administer, and expend all funds and other assistance available to the Board and the Department for carrying out the purposes of this chapter and the Omnibus Crime Control and Safe Streets Act of 1968, as amended;

33. Apply for and accept grants from the United States government or any other source in carrying out the purposes of this chapter and accept any and all donations both real and personal, and grants of money from any governmental unit or public agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same. Any arrangements pursuant to this section shall be detailed in the annual report of the Board. Such report shall include the identity of the donor, the nature of the transaction, and the conditions, if any. Any moneys received pursuant to this section shall be deposited in the state treasury to the account of the Department. To these ends, the Board shall have the power to comply with conditions and execute such agreements as may be necessary;

34. Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and execution of its powers under this chapter, including but not limited to, contracts with the United States, units of general local government or combinations thereof, in Virginia or other states, and with agencies and departments of the Commonwealth;

35. Adopt and administer reasonable regulations for the planning and implementation of programs and activities and for the allocation, expenditure and subgranting of funds available to the Commonwealth and to units of general local government, and for carrying out the purposes of this chapter and the powers and duties set forth herein;

36. Certify and decertify law-enforcement officers in accordance with §§ 15.2-1706 and 15.2-1707 and provide for a decertification review process in accordance with § 15.2-1708;

37. Establish training standards and publish and periodically update model policies for law-enforcement personnel in the following subjects:

a. The handling of family abuse, domestic violence, sexual assault, and stalking cases, including standards for determining the predominant physical aggressor in accordance with § 19.2-81.3. The Department shall provide technical support and assistance to law-enforcement agencies in carrying out the requirements set forth in subsection A of § 9.1-1301;

b. The identification of, communication with, and facilitation of the safe return of individuals diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and returning them to their caregivers;

c. Sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

d. Protocols for local and regional sexual assault and human trafficking response teams;

e. Communication of death notifications;

f. The questioning of individuals suspected of driving while intoxicated concerning the physical location of such individual's last consumption of an alcoholic beverage and the communication of such information to the Virginia Alcoholic Beverage Control Authority;

g. Vehicle patrol duties that embody current best practices for pursuits and for responding to emergency calls;

h. Criminal investigations that embody current best practices for conducting photographic and live lineups;

i. Sensitivity to and awareness of human trafficking offenses and the identification of victims of human trafficking offenses for personnel involved in criminal investigations or assigned to vehicle or street patrol duties;

j. The recognition, prevention, and reporting of human trafficking;

k. Missing children, missing adults, and search and rescue protocol;

l. The handling and use of tear gas or other gases and kinetic impact munitions, as defined in § 19.2-83.3, that embody current best practices for using such items as a crowd control measure or during an arrest or detention of another person; and

m. The use of naloxone or other opioid antagonists to prevent opioid overdose deaths, in coordination with statewide naloxone training programs developed by the Department of Behavioral Health and Developmental Services and the Virginia Department of Health;

38. Establish compulsory training standards for basic training and the recertification of law-enforcement officers to ensure (i) sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability; (ii) training in de-escalation techniques; and (iii) training in the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the law-enforcement officer or another person;

39. Review and evaluate community-policing programs in the Commonwealth, and recommend where necessary statewide operating procedures, guidelines, and standards that strengthen and improve such programs, including sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

40. Establish a Virginia Law-Enforcement Accreditation Center. The Center may, in cooperation with Virginia law-enforcement agencies, provide technical assistance and administrative support, including staffing, for the establishment of voluntary state law-enforcement accreditation standards. The Center may provide accreditation assistance and training, resource material, and research into methods and procedures that will assist the Virginia law-enforcement community efforts to obtain Virginia accreditation status;

41. Promote community policing philosophy and practice throughout the Commonwealth by providing community policing training and technical assistance statewide to all law-enforcement agencies, community groups, public and private organizations and citizens; developing and distributing innovative policing curricula and training tools on general community policing philosophy and practice and contemporary critical issues facing Virginia communities; serving as a consultant to Virginia organizations with specific community policing needs; facilitating continued development and implementation of community policing programs statewide through discussion forums for community policing leaders, development of law-enforcement instructors; promoting a statewide community policing initiative; and serving as a statewide information source on the subject of community policing including, but not limited to periodic newsletters, a website and an accessible lending library;

42. Establish, in consultation with the Department of Education and the Virginia State Crime Commission, compulsory minimum standards for employment and job-entry and in-service training curricula and certification requirements for school security officers, including school security officers described in clause (b) of § 22.1-280.2:1, which training and certification shall be administered by the Virginia Center for School and Campus Safety (VCSCS) pursuant to § 9.1-184. Such training standards shall be specific to the role and responsibility of school security officers and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques such as a physical alternative to restraint; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, and past traumatic experiences; and (viii) student behavioral dynamics, including child and adolescent development and brain research. The Department shall establish an advisory committee consisting of local school board representatives, principals, superintendents, and school security personnel to assist in the development of the standards and certification requirements in this subdivision. The Department shall require any school security officer who carries a firearm in the performance of his duties to provide proof that he has completed a training course provided by a federal, state, or local law-enforcement agency that includes training in active shooter emergency response, emergency evacuation procedure, and threat assessment;

43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with Article 11 (§ 9.1-185 et seq.);

44. License and regulate bail enforcement agents in accordance with Article 12 (§ 9.1-186 et seq.);

45. In conjunction with the Virginia State Police and the State Compensation Board, advise criminal justice agencies regarding the investigation, registration, and dissemination of information requirements as they pertain to the Sex Offender and Crimes Against Minors Registry Act (§ 9.1-900 et seq.);

46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula, and (iii) certification requirements for campus security officers. Such training standards shall include, but not be limited to, the role and responsibility of campus security officers, relevant state and federal laws, school and personal liability issues, security awareness in the campus environment, and disaster and emergency response. The Department shall provide technical support and assistance to campus police departments and campus security departments on the establishment and implementation of policies and procedures, including but not limited to: the management of such departments, investigatory

procedures, judicial referrals, the establishment and management of databases for campus safety and security information sharing, and development of uniform record keeping for disciplinary records and statistics, such as campus crime logs, judicial referrals and Clery Act statistics. The Department shall establish an advisory committee consisting of college administrators, college police chiefs, college security department chiefs, and local law-enforcement officials to assist in the development of the standards and certification requirements and training pursuant to this subdivision;

47. Assess and report, in accordance with § 9.1-190, the crisis intervention team programs established pursuant to § 9.1-187;

48. In conjunction with the Office of the Attorney General, advise law-enforcement agencies and attorneys for the Commonwealth regarding the identification, investigation, and prosecution of human trafficking offenses using the common law and existing criminal statutes in the Code of Virginia;

49. Register tow truck drivers in accordance with § 46.2-116 and carry out the provisions of § 46.2-117;

50. Administer the activities of the Virginia Sexual and Domestic Violence Program Professional Standards Committee by providing technical assistance and administrative support, including staffing, for the Committee;

51. In accordance with § 9.1-102.1, design and approve the issuance of photo-identification cards to private security services registrants registered pursuant to Article 4 (§ 9.1-138 et seq.);

52. In consultation with the State Council of Higher Education for Virginia and the Virginia Association of Campus Law Enforcement Administrators, develop multidisciplinary curricula on trauma-informed sexual assault investigation;

53. In consultation with the Department of Behavioral Health and Developmental Services, develop a model addiction recovery program that may be administered by sheriffs, deputy sheriffs, jail officers, administrators, or superintendents in any local or regional jail. Such program shall be based on any existing addiction recovery programs that are being administered by any local or regional jails in the Commonwealth. Participation in the model addiction recovery program shall be voluntary, and such program may address aspects of the recovery process, including medical and clinical recovery, peer-to-peer support, availability of mental health resources, family dynamics, and aftercare aspects of the recovery process;

54. Establish compulsory minimum training standards for certification and recertification of law-enforcement officers serving as school resource officers. Such training shall be specific to the role and responsibility of a law-enforcement officer working with students in a school environment and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, or past traumatic experiences; and (viii) student behavioral dynamics, including current child and adolescent development and brain research;

55. Establish a model policy for the operation of body-worn camera systems as defined in § 15.2-1723.1 that also addresses the storage and maintenance of body-worn camera system records;

56. Establish compulsory minimum training standards for detector canine handlers employed by the Department of Corrections, standards for the training and retention of detector canines used by the Department of Corrections, and a central database on the performance and effectiveness of such detector canines that requires the Department of Corrections to submit comprehensive information on each canine handler and detector canine, including the number and types of calls and searches, substances searched for and whether or not detected, and the number of false positives, false negatives, true positives, and true negatives;

57. Establish compulsory training standards for basic training of law-enforcement officers for recognizing and managing stress, self-care techniques, and resiliency;

58. Establish guidelines and standards for psychological examinations conducted pursuant to subsection C of § 15.2-1705;

59. Establish compulsory in-service training standards, to include frequency of retraining, for law-enforcement officers in the following subjects: (i) relevant state and federal laws; (ii) awareness of cultural diversity and the potential for bias-based profiling as defined in § 52-30.1; (iii) de-escalation techniques; (iv) working with individuals with disabilities, mental health needs, or substance use disorders; and (v) the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the law-enforcement officer or another person;

60. Develop a model curriculum and lesson plans for the compulsory minimum entry-level, in-service, and advanced training standards to be employed by criminal justice training academies approved by the Department when conducting training;

61. Adopt statewide professional standards of conduct applicable to all certified law-enforcement officers and certified jail officers and appropriate due process procedures for decertification based on serious misconduct in violation of those standards and provide for a decertification review process in accordance with § 15.2-1708;

62. Establish and administer a waiver process, in accordance with §§ 2.2-5515 and 15.2-1721.1, for law-enforcement agencies to use certain military property. Any waivers granted by the Criminal Justice Services Board shall be published by the Department on the Department's website;

63. Establish compulsory training standards for basic training and the recertification of law-enforcement officers to include crisis intervention training in accordance with clause (ii) of § 9.1-188;

64. Advise and assist the Department of Behavioral Health and Developmental Services, and support local law-enforcement cooperation, with the development and implementation of the Marcus alert system, as defined in

§ 37.2-311.1, including the establishment of local protocols for law-enforcement participation in the Marcus alert system pursuant to § 9.1-193 and for reporting requirements pursuant to §§ 9.1-193 and 37.2-311.1;

65. Develop an online course to train hotel proprietors and their employees to recognize and report instances of suspected human trafficking;

66. Develop an online course to train unarmed security officers, armed security officers, couriers, security canine handlers, and alarm respondents to recognize and report instances of suspected human trafficking to meet the compulsory minimum, entry-level, and in-service training standards as required by § 9.1-141;

67. Establish standards and procedures for when the Board may grant a petition for reinstatement of certification of a decertified officer pursuant to subsection E of § 15.2-1708;

68. Establish compulsory minimum and in-service training standards for law-enforcement officers on communicating with individuals with an intellectual disability or a developmental disability as defined in § 37.2-100, such as autism spectrum disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, which shall include (i) an overview and behavioral recognition of autism spectrum disorder, (ii) best practices for crisis prevention and de-escalation techniques, (iii) an objective review of any relevant tools and technology available to assist in communication, and (iv) education on law-enforcement agency and community resources for the autism community on future crisis prevention. Such training standards shall be established in consultation with at least one individual with autism spectrum disorder, one family member of an individual with autism spectrum disorder, one specialist who works with individuals with autism spectrum disorder, one representative from the Department of Behavioral Health and Developmental Services, and one representative from a state or local law-enforcement agency; ~~and~~

69. *Establish a model policy for the provision of security at nonprofit institutions that serve individuals and communities at risk of hate crimes as defined in § 52-8.5 within the Commonwealth, incorporating relevant information about various traditions, services, or activities that any law-enforcement officer, unarmed security officer, or armed security officer providing such security may encounter; and*

70. Perform such other acts as may be necessary or convenient for the effective performance of its duties.

CHAPTER 668

An Act to amend the Code of Virginia by adding in Chapter 9 of Title 22.1 an article numbered 4, consisting of sections numbered 22.1-141.3, 22.1-141.4, and 22.1-141.5, relating to public school buildings; indoor air quality; inspection and evaluation.

[H 2618]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 9 of Title 22.1 an article numbered 4, consisting of sections numbered 22.1-141.3, 22.1-141.4, and 22.1-141.5, as follows:

Article 4.

Indoor Air Quality; Inspection and Evaluation.

§ 22.1-141.3. Scope of article.

The provisions of this article apply to matters relating to indoor air quality in public school buildings occupied by school board employees and students during regular work and school hours.

§ 22.1-141.4. Definitions.

As used in this article, unless the context requires a different meaning:

"Certified testing, adjusting, and balancing technician" means (i) a technician, tradesperson, or apprentice certified to perform testing, adjusting, and balancing of heating, ventilation, and air conditioning systems by the Associated Air Balance Council, the National Environmental Balancing Bureau, or the Testing, Adjusting and Balancing Bureau or (ii) a person certified to perform ventilation assessments of heating, ventilation, and air conditioning systems through a certification body accredited by the American National Standards Institute.

"Heating, ventilation, and air conditioning system" means the equipment, distribution network, controls, and terminals that provide, either collectively or individually, heating, ventilation, or air conditioning to a building.

"Indoor air quality" means air quality within buildings and structures, especially as it relates to the health and comfort of building occupants.

§ 22.1-141.5. Industry-recognized uniform inspection and evaluation.

A. At least once every four years, each local school division shall provide for an industry-recognized uniform inspection and evaluation of the heating, ventilation, and air conditioning system in each public school building in the local school division. Such inspection and evaluation shall be performed by a certified testing, adjusting, and balancing technician, an industrial hygienist certified by the American Board of Industrial Hygiene, a technician with a Master HVAC License from the Department of Professional and Occupational Regulation, or a mechanical engineer. Such heating, ventilation, and air conditioning systems inspection and evaluation shall include:

1. Testing for maximum filter efficiency;

2. Physical measurements of outside air delivery rate;

3. Verification of the appropriate condition and operation of ventilation components;

4. Measurement of air distribution system outside air, return air, and supply air and static pressure readings across all air handling unit components, including filters, coils, and fans;

5. Verification of unit operation and that required maintenance has been performed in accordance with the most recent indoor ventilation standards promulgated by the American Society of Heating, Refrigerating and Air-Conditioning Engineers;

6. Verification of carbon dioxide sensors and acceptable carbon dioxide concentrations indoors; and

7. Collection of field data for the installation of mechanical ventilation if none exists.

B. The portion of the uniform inspection and evaluation required pursuant to subsection A that relates to the ventilation system shall identify the extent to which each school's current ventilation system components, including any existing central or noncentral mechanical ventilation system, are operating in such a manner as to provide appropriate ventilation to the school building in accordance with the most recent indoor ventilation standards promulgated by the American Society of Heating, Refrigerating and Air-Conditioning Engineers.

C. Each local school division shall prepare a written report of the results of the uniform inspection and evaluation required pursuant to subsection A that includes any corrective actions necessary to be performed on the mechanical ventilation system or the heating, ventilation, and air conditioning infrastructure, including installation of filters meeting the most optimal level of filtration available for a given heating, ventilation, and air conditioning system, installation of carbon dioxide sensors, and additional maintenance, repairs, upgrades, or replacement. Each local school division shall make such report available for public inspection at a regularly scheduled local school board meeting and on the local school board's public website.

D. No local school division is required to provide for a uniform inspection and evaluation pursuant to subsection A for any school building that will cease to be used as a school within one year of such a planned inspection and evaluation.

CHAPTER 669

An Act to amend and reenact § 16.1-247.1 of the Code of Virginia, relating to custodial interrogations; false statements to a child prohibited; inauthentic replica documents prohibited.

[H 2692]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-247.1 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-247.1. Custodial interrogation of a child; parental notification and contact; inadmissibility of statement.

A. Prior to any custodial interrogation of a child by a law-enforcement officer who has arrested such child pursuant to subsection C, C1, or D of § 16.1-246, the child's parent, guardian, or legal custodian shall be notified of his arrest and the child shall have contact with his parent, guardian, or legal custodian. The notification and contact required by this subsection may be in person, electronically, by telephone, or by video conference.

B. Notwithstanding the provisions of subsection A, a custodial interrogation may be conducted (i) if the child's parent, guardian, or legal custodian is a codefendant in the alleged offense; (ii) if the child's parent, guardian, or legal custodian has been arrested for, has been charged with, or is being investigated for a crime against the child; (iii) if, after every reasonable effort has been made to comply with subsection A, the child's parent, guardian, or legal custodian cannot be located or refuses contact with the child; or (iv) if the law-enforcement officer conducting the custodial interrogation reasonably believes the information sought is necessary to protect life, limb, or property from an imminent danger and the law-enforcement officer's questions are limited to those that are reasonably necessary to obtain such information.

C. *A law-enforcement officer shall be prohibited from knowingly and intentionally making false statements about any known material fact, including by use of inauthentic replica documents, prior to or during a custodial interrogation of a child in order to secure the cooperation, confession, or conviction of such child. As used in this subsection, "inauthentic replica documents" means any documents, including computer-generated documents, created by any means, including artificial intelligence, by a law-enforcement officer or his agent that (i) contain a false statement, signature, seal, letterhead, or contact information or (ii) materially misrepresent any fact.*

D. Except as provided in subsection B, if a law-enforcement officer knowingly violates the provisions of subsection A *or C*, any statements made by such child shall be inadmissible in any delinquency proceeding or criminal proceeding against such child, unless the attorney for the Commonwealth proves by a preponderance of the evidence that the statement was made knowingly, intelligently, and voluntarily.

CHAPTER 670

An Act to amend and reenact § 46.2-882.1 of the Code of Virginia, relating to photo speed monitoring devices; school crossing zones.

[H 2718]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-882.1 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-882.1. Use of photo speed monitoring devices in highway work zones, school crossing zones, and high-risk intersection segments; civil penalty.

A. For the purposes of this section:

"High-risk intersection segment" means any highway or portion thereof located not more than 1,000 feet from the limits of the property of a school that is part of or adjacent to an intersection containing a marked crosswalk that is identified in the manner provided in this section as one in which a traffic fatality has occurred since January 1, 2014.

"Highway work zone" has the same meaning ascribed to it in § 46.2-878.1.

"Photo speed monitoring device" means equipment that uses radar or LIDAR-based speed detection and produces one or more photographs, microphotographs, videotapes, or other recorded images of vehicles.

"School crossing zone" has the same meaning ascribed to it in § 46.2-873.

"Vehicle speed violation" means a violation of this title resulting from the operation of a vehicle in excess of the speed limit, including a violation of § 46.2-873 or 46.2-878.1.

B. A state or local law-enforcement agency may place and operate a photo speed monitoring device in school crossing zones for the purposes of recording violations of § 46.2-873 and in highway work zones for the purposes of recording violations of § 46.2-878.1.

A state or local law-enforcement agency may place and operate a photo speed monitoring device at a high-risk intersection segment located within the locality for the purpose of recording vehicle speed violations, provided that such law-enforcement agency certifies that a traffic fatality has occurred since January 1, 2014, in such segment.

C. The operator of a vehicle shall be liable for a monetary civil penalty imposed pursuant to this section if such vehicle is found, as evidenced by information obtained from a photo speed monitoring device, to be traveling at speeds of at least 10 miles per hour above the posted speed limit in the zone monitored by the photo speed monitoring device. Such civil penalty shall not exceed $100, and any prosecution shall be instituted and conducted in the same manner as prosecution for traffic infractions. Civil penalties collected under this section resulting from a summons issued by a local law-enforcement officer shall be paid to the locality in which such violation occurred. Civil penalties collected under this section resulting from a summons issued by a law-enforcement officer employed by the Department of State Police shall be paid into the Literary Fund. However, all civil penalties collected under this section resulting from a summons issued based on evidence obtained from a photo speed monitoring device placed and operated at a high-risk intersection segment shall be paid to the Commonwealth Transportation Board to be used for the Virginia Highway Safety Improvement Program established pursuant to § 33.2-373.

D. If a photo speed monitoring device is used, proof of a vehicle speed violation shall be evidenced by information obtained from such device. A certificate, or a facsimile thereof, sworn to or affirmed by a law-enforcement officer, based upon inspection of photographs, microphotographs, videotapes, or other recorded images produced by a photo speed monitoring device, shall be prima facie evidence of the facts contained therein. *However, for any photo speed monitoring device placed in a school crossing zone, such sworn certificate or facsimile thereof shall not be prima facie evidence of the facts contained therein unless such photographs, microphotographs, videotapes, or other recorded images, or documentation, depict or confirm a portable sign or tilt-over sign that is in position or blinking sign that is activated, indicating the school crossing zone pursuant to § 46.2-873, at the time of such vehicle speed violation.* Any photographs, microphotographs, videotapes, or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such vehicle speed violation.

E. In the prosecution for a vehicle speed violation in which a summons was issued by mail, prima facie evidence that the vehicle described in the summons issued pursuant to this section was operated in a manner constituting a vehicle speed violation, together with proof that the defendant was at the time of such violation the owner, lessee, or renter of the vehicle, shall constitute in evidence a rebuttable presumption that such owner, lessee, or renter of the vehicle was the person who committed the violation. Such presumption shall be rebutted if the owner, lessee, or renter of the vehicle (i) files an affidavit by regular mail with the clerk of the general district court that he was not the operator of the vehicle at the time of the alleged violation and provides the name and address of the person who was operating the vehicle at the time of the alleged violation or (ii) testifies in open court under oath that he was not the operator of the vehicle at the time of the alleged violation and provides the name and address of the person who was operating the vehicle at the time of the alleged violation. Such presumption shall also be rebutted if a certified copy of a police report, showing that the vehicle had been reported to the police as stolen prior to the time of the alleged vehicle speed violation, is presented, prior to the return date established on the summons issued pursuant to this section, to the court adjudicating the alleged violation.

F. Imposition of a penalty pursuant to this section by mailing a summons shall not be deemed a conviction as an operator and shall not be made part of the operating record of the person upon whom such liability is imposed, nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage. However, if a law-enforcement officer uses a photo speed monitoring device to record a vehicle speed violation and personally issues a summons at the time of the violation, the conviction that results shall be made a part of such driver's driving record and used for insurance purposes in the provision of motor vehicle insurance coverage.

G. A summons for a vehicle speed violation issued by mail pursuant to this section may be executed pursuant to § 19.2-76.2. Notwithstanding the provisions of § 19.2-76, a summons issued by mail pursuant to this section may be

executed by mailing by first-class mail a copy thereof to the owner, lessee, or renter of the vehicle. In the case of a vehicle owner, the copy shall be mailed to the address contained in the records of or accessible to the Department. In the case of a vehicle lessee or renter, the copy shall be mailed to the address contained in the records of the lessor or renter. Every such mailing shall include, in addition to the summons, a notice of (i) the summoned person's ability to rebut the presumption that he was the operator of the vehicle at the time of the alleged violation through the filing of an affidavit as provided in subsection E and (ii) instructions for filing such affidavit, including the address to which the affidavit is to be sent. If the summoned person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons shall be executed in the manner set out in § 19.2-76.3. No proceedings for contempt or arrest of a person summoned by mailing shall be instituted for failure to appear on the return date of the summons. If the summons is issued to an owner, lessee, or renter of a vehicle with a registration outside the Commonwealth and such person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons will be eligible for all legal collections activities. Any summons executed for a vehicle speed violation issued pursuant to this section shall provide to the person summoned at least 30 days from the mailing of the summons to inspect information collected by a photo speed monitoring device in connection with the violation. If the law-enforcement agency that was operating the photo speed monitoring device does not execute a summons for a vehicle speed violation issued pursuant to this section within 30 days from the date of the violation, all information collected pertaining to that suspected violation shall be purged within 60 days from the date of the violation.

H. A private vendor may enter into an agreement with a law-enforcement agency to be compensated for providing a photo speed monitoring device and all related support services, including consulting, operations, and administration. However, only a law-enforcement officer may swear to or affirm the certificate required by this section. Any such agreement for compensation shall be based on the value of the goods and services provided, not on the number of violations paid or monetary penalties imposed. Any private vendor contracting with a law-enforcement agency pursuant to this section may enter into an agreement with the Department, in accordance with the provisions of subdivision B 31 of § 46.2-208, to obtain vehicle owner information regarding the registered owners of vehicles that committed a vehicle speed violation. Any such information provided to such private vendor shall be protected in a database.

I. Information collected by a photo speed monitoring device operated pursuant to this section shall be limited exclusively to that information that is necessary for the enforcement of vehicle speed violations. Information provided to the operator of a photo speed monitoring device shall be protected in a database and used only for enforcement of vehicle speed violations and enforcement against individuals who violate the provisions of this section. Notwithstanding any other provision of law, all photographs, microphotographs, videotapes, or other recorded images collected by a photo speed monitoring device shall be used exclusively for enforcing vehicle speed violations and shall not be (i) open to the public; (ii) sold or used for sales, solicitation, or marketing purposes; (iii) disclosed to any other entity except as may be necessary for the enforcement of a vehicle speed violation or to a vehicle owner or operator as part of a challenge to the violation; or (iv) used in a court in a pending action or proceeding unless the action or proceeding relates to a vehicle speed violation or a violation of this section, or such information is requested upon order from a court of competent jurisdiction. Information collected under this section pertaining to a specific violation shall be purged and not retained later than 60 days after the collection of any civil penalties. Any law-enforcement agency using photo speed monitoring devices shall annually certify compliance with this section and make all records pertaining to such system available for inspection and audit by the Commissioner of Highways or the Commissioner of the Department of Motor Vehicles or his designee. Any person who discloses personal information in violation of the provisions of this subsection shall be subject to a civil penalty of $1,000 per disclosure.

J. A conspicuous sign shall be placed within 1,000 feet of any school crossing zone, highway work zone, or high-risk intersection segment at which a photo speed monitoring device is used, indicating the use of the device. There shall be a rebuttable presumption that such sign was in place at the time of the commission of the speed limit violation.

K. Any state or local law-enforcement agency that places and operates a photo speed monitoring device pursuant to the provisions of this section shall report to the Department of State Police, in a format to be determined by the Department of State Police, by January 15 of each year on the number of traffic violations prosecuted, the number of successful prosecutions, and the total amount of monetary civil penalties collected. The Department of State Police shall aggregate such information and report it to the General Assembly by February 15 of each year.

CHAPTER 671

An Act to amend and reenact §§ 2.2-3706 and 2.2-3706.1 and §§ 9.1-101, 9.1-128, 17.1-293.1, 17.1-502, 19.2-310.7, 19.2-392.2, 19.2-392.5 through 19.2-392.8, 19.2-392.11 through 19.2-392.14, 19.2-392.16, and 19.2-392.17, as they shall become effective, of the Code of Virginia, the fourth, fifth, sixth, and seventh enactments of Chapter 524 and the fourth, fifth, sixth, and seventh enactments of Chapter 542 of the Acts of Assembly of 2021, Special Session I, and the third, fourth, and fifth enactments of Chapter 554 and the third, fourth, and fifth enactments of Chapter 555 of the Acts of Assembly of 2023; to amend the Code of Virginia by adding sections numbered 19.2-392.6:1 and 19.2-392.12:1; and to repeal § 17.1-205.1 of the Code of Virginia, relating to criminal records; expungement and sealing of records.

[H 2723]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3706 and 2.2-3706.1 and §§ 9.1-101, 9.1-128, 17.1-293.1, 17.1-502, 19.2-310.7, 19.2-392.2, 19.2-392.5 through 19.2-392.8, 19.2-392.11 through 19.2-392.14, 19.2-392.16, and 19.2-392.17, as they shall become effective, of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 19.2-392.6:1 and 19.2-392.12:1 as follows:

§ 2.2-3706. Disclosure of law-enforcement and criminal records; limitations.

A. Records required to be released. All public bodies engaged in criminal law-enforcement activities shall provide the following records when requested in accordance with the provisions of this chapter:

1. Adult arrestee photographs taken during the initial intake following the arrest and as part of the routine booking procedure, except when necessary to avoid jeopardizing an investigation in felony cases until such time as the release of the photograph will no longer jeopardize the investigation;

2. Information relative to the identity of any individual, other than a juvenile, who is arrested and charged, and the status of the charge or arrest; and

3. Records of completed unattended death investigations to the parent or spouse of the decedent or, if there is no living parent or spouse, to the most immediate family member of the decedent, provided the person is not a person of interest or a suspect. For the purposes of this subdivision, "unattended death" means a death determined to be a suicide, accidental or natural death where no criminal charges will be initiated, and "immediate family" means the decedent's personal representative or, if no personal representative has qualified, the decedent's next of kin in order of intestate succession as set forth in § 64.2-200.

B. Discretionary releases. The following records are excluded from the mandatory disclosure provisions of this chapter, but may be disclosed by the custodian, in his discretion, except where such disclosure is prohibited by law:

1. Criminal investigative files, defined as any documents and information, including complaints, court orders, memoranda, notes, diagrams, maps, photographs, correspondence, reports, witness statements, and evidence, relating to a criminal investigation or prosecution not required to be disclosed in accordance with § 2.2-3706.1;

2. Reports submitted in confidence to (i) state and local law-enforcement agencies, (ii) investigators authorized pursuant to Chapter 3.2 (§ 2.2-307 et seq.), and (iii) campus police departments of public institutions of higher education established pursuant to Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1;

3. Records of local law-enforcement agencies relating to neighborhood watch programs that include the names, addresses, and operating schedules of individual participants in the program that are provided to such agencies under a promise of anonymity;

4. All records of persons imprisoned in penal institutions in the Commonwealth provided such records relate to the imprisonment;

5. Records of law-enforcement agencies, to the extent that such records contain specific tactical plans, the disclosure of which would jeopardize the safety or security of law-enforcement personnel or the general public;

6. All records of adult persons under (i) investigation or supervision by a local pretrial services agency in accordance with Article 5 (§ 19.2-152.2 et seq.) of Chapter 9 of Title 19.2; (ii) investigation, probation supervision, or monitoring by a local community-based probation services agency in accordance with Article 9 (§ 9.1-173 et seq.) of Chapter 1 of Title 9.1; or (iii) investigation or supervision by state probation and parole services in accordance with Article 2 (§ 53.1-141 et seq.) of Chapter 4 of Title 53.1;

7. Records of a law-enforcement agency to the extent that they disclose the telephone numbers for cellular telephones, pagers, or comparable portable communication devices provided to its personnel for use in the performance of their official duties;

8. Those portions of any records containing information related to undercover operations or protective details that would reveal the staffing, logistics, or tactical plans of such undercover operations or protective details. Nothing in this subdivision shall operate to allow the withholding of information concerning the overall costs or expenses associated with undercover operations or protective details;

9. Records of (i) background investigations of applicants for law-enforcement agency employment, (ii) administrative investigations relating to allegations of wrongdoing by employees of a law-enforcement agency, and (iii) other administrative investigations conducted by law-enforcement agencies that are made confidential by law;

10. The identity of any victim, witness, or undercover officer, or investigative techniques or procedures. However, the identity of any victim or witness shall be withheld if disclosure is prohibited or restricted under § 19.2-11.2; and

11. Records of the Sex Offender and Crimes Against Minors Registry maintained by the Department of State Police pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, including information obtained from state, local, and regional officials, except to the extent that information is required to be posted on the Internet pursuant to § 9.1-913.

C. Prohibited releases. *The following records shall not be disclosed under the provisions of this chapter:*

1. The identity of any individual providing information about a crime or criminal activity under a promise of anonymity ~~shall not be disclosed~~*;*

2. Any record that has been expunged pursuant to § 19.2-392.2, unless dissemination is authorized pursuant to § 19.2-392.3 or 19.2-392.3:1; and

3. Any record that has been sealed pursuant to § 19.2-392.6:1, 19.2-392.7, 19.2-392.8, 19.2-392.10, 19.2-392.11, 19.2-392.12, 19.2-392.12:1, or 19.2-392.17, unless dissemination is authorized pursuant to § 19.2-392.13 and the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134.

D. Noncriminal records. Public bodies (i) engaged in emergency medical services, (ii) engaged in fire protection services, (iii) engaged in criminal law-enforcement activities, or (iv) engaged in processing calls for service or other communications to an emergency 911 system or any other equivalent reporting system may withhold those portions of noncriminal incident or other noncriminal investigative reports or materials that contain identifying information of a personal, medical, or financial nature where the release of such information would jeopardize the safety or privacy of any person. Access to personnel records of persons employed by a public body engaged in emergency medical services or fire protection services, a law-enforcement agency, or an emergency 911 system or any other equivalent reporting system shall be governed by the provisions of subdivision B 9 and subdivision 1 of § 2.2-3705.1, as applicable.

E. Records of any call for service or other communication to an emergency 911 system or communicated with any other equivalent reporting system shall be subject to the provisions of this chapter.

F. Conflict resolution. In the event of conflict between this section as it relates to requests made under this section and other provisions of law, this section shall control.

§ 2.2-3706.1. Disclosure of law-enforcement records; criminal incident information and certain criminal investigative files; limitations.

A. For purposes of this section:

"Criminal investigative files" means any documents and information, including complaints, court orders, memoranda, notes, diagrams, maps, photographs, correspondence, reports, witness statements, and evidence, relating to a criminal investigation or prosecution, other than criminal incident information subject to disclosure in accordance with subsection B.

"Family representative" means the decedent's personal representative or, if no personal representative as set forth in § 64.2-100 has qualified, the decedent's next of kin in order of intestate succession as set forth in § 64.2-200.

"Immediate family members" means the decedent's family representative, spouse, child, sibling, parent, grandparent, or grandchild. "Immediate family members" include a stepparent, stepchild, stepsibling, and adoptive relationships.

"Ongoing" refers to a case in which the prosecution has not been finally adjudicated, the investigation continues to gather evidence for a possible future criminal case, and such case would be jeopardized by the premature release of evidence.

B. All public bodies engaged in criminal law-enforcement activities shall provide records and information when requested in accordance with the provisions of this chapter regarding criminal incident information relating to felony offenses contained in any report, notes, electronic communication, or other document, including filings through an incident-based reporting system, which shall include:

1. A general description of the criminal activity reported;

2. The date and time the alleged crime was committed;

3. The general location where the alleged crime was committed;

4. The identity of the investigating officer or other point of contact; and

5. A description of any injuries suffered or property damaged or stolen.

A verbal response as agreed to by the requester and the public body is sufficient to satisfy the requirements of this subsection.

C. Criminal investigative files relating to an ongoing criminal investigation or proceeding are excluded from the mandatory disclosure provisions of this chapter, but may be disclosed by the custodian, in his discretion, except as provided in subsection E or where such disclosure is prohibited by law.

D. Criminal investigative files relating to a criminal investigation or proceeding that is not ongoing are excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian, in his discretion, except as provided in subsection E; however, such records shall be disclosed, by request, to the following persons, regardless of whether any such person is a citizen of the Commonwealth:

1. The victim;

2. The victim's immediate family members, if the victim is deceased and the immediate family member to which the records are to be disclosed is not a person of interest or a suspect in the criminal investigation or proceeding;

3. The parent or guardian of the victim, if the victim is a minor and the parent or guardian is not a person of interest or a suspect in the criminal investigation or proceeding;

4. An attorney representing a petitioner in a petition for a writ of habeas corpus or writ of actual innocence pursuant to Chapter 19.2 (§ 19.2-327.2 et seq.) of Title 19.2 or any other federal or state post-conviction proceeding or pardon; and

5. For the sole purpose of inspection at the location where such records are maintained by the public body that is the custodian of the records, (i) an attorney or his agent when such attorney is considering representing a petitioner in a post-conviction proceeding or pardon, (ii) an attorney who provides a sworn declaration that the attorney has been retained by an individual for purposes of pursuing a civil or criminal action and has a good faith basis to believe that the records being requested are material to such action, or (iii) a person who is proceeding pro se in a petition for a writ of habeas corpus or writ of actual innocence pursuant to Chapter 19.2 (§ 19.2-327.2 et seq.) of Title 19.2 or any other federal or state post-conviction proceeding or pardon, who provides a sworn affidavit that the records being requested are material to such action.

An attorney or his agent who is in receipt of criminal investigative files or has inspected criminal investigative files pursuant to subdivision 4 or 5 shall not release such criminal investigative files or any information contained therein except as necessary to provide adequate legal advice or representation to a person whom the attorney either represents or is considering representing in a post-conviction proceeding or pardon or represents in a civil or criminal action.

An attorney who is in receipt of criminal investigative files pursuant to subdivision 4 shall return the criminal investigative files to the public body that is the custodian of such records within 90 days of a final determination of any writ of habeas corpus, writ of actual innocence, or other federal or state post-conviction proceeding or pardon or, if no petition for such writ or post-conviction proceeding or pardon was filed, within six months of the attorney's receipt of the records.

No disclosure for the purpose of inspection pursuant to clause (iii) of subdivision 5 shall be made unless an appropriate circuit court has reviewed the affidavit provided and determined the records requested are material to the action being pursued. The court shall order the person not to disclose or otherwise release any information contained in a criminal investigative file except as necessary for the pending action and may include other conditions as appropriate.

E. The provisions of subsections C and D shall not apply if the release of such information:

1. Would interfere with a particular ongoing criminal investigation or proceeding in a particularly identifiable manner;

2. Would deprive a person of a right to a fair trial or an impartial adjudication;

3. Would constitute an unwarranted invasion of personal privacy;

4. Would disclose (i) the identity of a confidential source or (ii) in the case of a record compiled by a law-enforcement agency in the course of a criminal investigation, information furnished only by a confidential source;

5. Would disclose law-enforcement investigative techniques and procedures, if such disclosure could reasonably be expected to risk circumvention of the law; or

6. Would endanger the life or physical safety of any individual.

Nothing in this subsection shall be construed to authorize the withholding of those portions of such information that are unlikely to cause any effect listed herein.

F. Notwithstanding the provisions of subsection C or D, no criminal investigative file or portion thereof, except disclosure of records under subdivision D 4 or clause (i) of subdivision D 5, shall be disclosed to any requester pursuant to this section, unless the public body has made reasonable efforts to notify (i) the victim; (ii) the victim's immediate family members, if the victim is deceased and the immediate family member to be notified is not a person of interest or a suspect in the criminal investigation or proceeding; or (iii) the victim's parent or guardian, if the victim is a minor and the parent or guardian to be notified is not a person of interest or a suspect in the criminal investigation or proceeding.

Upon receipt of notice that a public body has received a request for criminal investigative files pursuant to this section, an individual listed in clause (i), (ii), or (iii) shall have 14 days to file in an appropriate court a petition for an injunction to prevent the disclosure of the records as set forth in § 8.01-622.2. The public body shall not respond to the request until at least 14 days has passed from the time notice was received by an individual listed in clause (i), (ii), or (iii) unless such individual has waived the 14-day period or at the request of the victim's insurance company or attorney. The period within which the public body shall respond to the underlying request pursuant to § 2.2-3704 shall be tolled pending the notification process and any subsequent disposition by the court.

G. No photographic, audio, video, or other record depicting a victim or allowing for a victim to be readily identified shall be released pursuant to subsection C or D to anyone except (i) the victim; (ii) the victim's family representative, if the victim is deceased and the family representative to which the records are to be disclosed is not a person of interest or a suspect in the criminal investigation or proceeding; (iii) the victim's parent or guardian, if the victim is a minor and the parent or guardian is not a person of interest or a suspect in the criminal investigation or proceeding; or (iv) the victim's insurance company or attorney.

H. Nothing in this section shall prohibit the disclosure of current anonymized, aggregate location and demographic data collected pursuant to § 52-30.2 or similar data documenting law-enforcement officer encounters with members of the public.

I. In the event of a conflict between this section as it relates to requests made under this section and other provisions of law, the other provisions of law~~, including court sealing orders,~~ that restrict disclosure of criminal investigative files shall control.

J. The following records shall not be released under the provisions of this section:

1. Any record that has been expunged pursuant to § 19.2-392.2, unless dissemination is authorized pursuant to § 19.2-392.3 or 19.2-392.3:1; and

2. Any record that has been sealed pursuant to § 19.2-392.6:1, 19.2-392.7, 19.2-392.8, 19.2-392.10, 19.2-392.11, 19.2-392.12, 19.2-392.12:1, or 19.2-392.17, unless dissemination is authorized pursuant to § 19.2-392.13 and the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134.

§ 9.1-101. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Definitions.

As used in this chapter or in Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, unless the context requires a different meaning:

"Administration of criminal justice" means performance of any activity directly involving the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders or the collection, storage, and dissemination of criminal history record information.

"Board" means the Criminal Justice Services Board.

"Conviction data" means information in the custody of any criminal justice agency relating to a judgment of conviction, and the consequences arising therefrom, in any court.

"Correctional status information" means records and data concerning each condition of a convicted person's custodial status, including probation, confinement, work release, study release, escape, or termination of custody through expiration of sentence, parole, pardon, or court decision.

"Criminal history record information" means records and data collected by criminal justice agencies on adult individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal charges, and any disposition arising therefrom. The term shall not include juvenile record information which is controlled by Chapter 11 (§ 16.1-226 et seq.) of Title 16.1, criminal justice intelligence information, criminal justice investigative information, or correctional status information.

"Criminal justice agency" means (i) a court or any other governmental agency or subunit thereof which as its principal function performs the administration of criminal justice and any other agency or subunit thereof which performs criminal justice activities, but only to the extent that it does so; (ii) for the purposes of Chapter 23 (§ 19.2-387 et seq.) of Title 19.2, any private corporation or agency which, within the context of its criminal justice activities, employs special conservators of the peace appointed under Chapter 2 (§ 19.2-12 et seq.) of Title 19.2, provided that (a) such private corporation or agency requires its officers or special conservators to meet compulsory training standards established by the Criminal Justice Services Board and submits reports of compliance with the training standards and (b) the private corporation or agency complies with the provisions of Article 3 (§ 9.1-126 et seq.), but only to the extent that the private corporation or agency so designated as a criminal justice agency performs criminal justice activities; and (iii) the Office of the Attorney General, for all criminal justice activities otherwise permitted under clause (i) and for the purpose of performing duties required by the Civil Commitment of Sexually Violent Predators Act (§ 37.2-900 et seq.).

"Criminal justice agency" includes any program certified by the Commission on VASAP pursuant to § 18.2-271.2.

"Criminal justice agency" includes the Department of Criminal Justice Services.

"Criminal justice agency" includes the Virginia Criminal Sentencing Commission.

"Criminal justice agency" includes the Virginia State Crime Commission.

"Criminal justice information system" means a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation, or dissemination of criminal history record information. The operations of the system may be performed manually or by using electronic computers or other automated data processing equipment.

"Department" means the Department of Criminal Justice Services.

"Dissemination" means any transfer of information, whether orally, in writing, or by electronic means. The term shall not include access to the information by officers or employees of a criminal justice agency maintaining the information who have both a need and right to know the information.

"Law-enforcement officer" means any full-time or part-time employee of a police department or sheriff's office which is a part of or administered by the Commonwealth or any political subdivision thereof, or any full-time or part-time employee of a private police department, and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth, and shall include any (i) special agent of the Virginia Alcoholic Beverage Control Authority; (ii) police agent appointed under the provisions of § 56-353; (iii) officer of the Virginia Marine Police; (iv) conservation police officer who is a full-time sworn member of the enforcement division of the Department of Wildlife Resources; (v) investigator who is a sworn member of the security division of the Virginia Lottery; (vi) conservation officer of the Department of Conservation and Recreation commissioned pursuant to § 10.1-115; (vii) full-time sworn member of the enforcement division of the Department of Motor Vehicles appointed pursuant to § 46.2-217; (viii) animal protection police officer employed under § 15.2-632 or 15.2-836.1; (ix) campus police officer appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1; (x) member of the investigations unit designated by the State Inspector General pursuant to § 2.2-311 to investigate allegations of criminal behavior affecting the operations of a state or nonstate agency; (xi) employee with internal investigations authority designated by the Department of Corrections pursuant to subdivision 11 of § 53.1-10 or by the Department of Juvenile Justice pursuant to subdivision A 7 of § 66-3; (xii) private police officer employed by a private police department; or (xiii) person designated as a sworn unit investigator by the Attorney General pursuant to subsection A of § 32.1-320.1. Part-time employees are those compensated officers who are not full-time employees as defined by the employing police department, sheriff's office, or private police department.

"Private police department" means any police department, other than a department that employs police agents under the provisions of § 56-353, that employs private police officers operated by an entity authorized by statute or an act of assembly to establish a private police department or such entity's successor in interest, provided it complies with the requirements set forth herein. No entity is authorized to operate a private police department or represent that it is a private police department unless such entity has been authorized by statute or an act of assembly or such entity is the successor in interest of an entity that has been authorized pursuant to this section, provided it complies with the requirements set forth herein. The authority of a private police department shall be limited to real property owned, leased, or controlled by the entity and, if approved by the local chief of police or sheriff, any contiguous property; such authority shall not supersede the authority, duties, or jurisdiction vested by law with the local police department or sheriff's office including as provided in §§ 15.2-1609 and 15.2-1704. The chief of police or sheriff who is the chief local law-enforcement officer shall enter into a

memorandum of understanding with the private police department that addresses the duties and responsibilities of the private police department and the chief law-enforcement officer in the conduct of criminal investigations. Private police departments and private police officers shall be subject to and comply with the Constitution of the United States; the Constitution of Virginia; the laws governing municipal police departments, including the provisions of §§ 9.1-600, 15.2-1705 through 15.2-1708, 15.2-1719, 15.2-1721, 15.2-1721.1, and 15.2-1722; and any regulations adopted by the Board that the Department designates as applicable to private police departments. Any person employed as a private police officer pursuant to this section shall meet all requirements, including the minimum compulsory training requirements, for law-enforcement officers pursuant to this chapter. A private police officer is not entitled to benefits under the Line of Duty Act (§ 9.1-400 et seq.) or under the Virginia Retirement System, is not a "qualified law enforcement officer" or "qualified retired law enforcement officer" within the meaning of the federal Law Enforcement Officers Safety Act, 18 U.S.C. § 926B et seq., and shall not be deemed an employee of the Commonwealth or any locality. An authorized private police department may use the word "police" to describe its sworn officers and may join a regional criminal justice academy created pursuant to Article 5 (§ 15.2-1747 et seq.) of Chapter 17 of Title 15.2. Any private police department in existence on January 1, 2013, that was not otherwise established by statute or an act of assembly and whose status as a private police department was recognized by the Department at that time is hereby validated and may continue to operate as a private police department as may such entity's successor in interest, provided it complies with the requirements set forth herein.

"School resource officer" means a certified law-enforcement officer hired by the local law-enforcement agency to provide law-enforcement and security services to Virginia public elementary and secondary schools.

"School security officer" means an individual who is employed by the local school board or a private or religious school for the singular purpose of maintaining order and discipline, preventing crime, investigating violations of the policies of the school board or the private or religious school, and detaining students violating the law or the policies of the school board or the private or religious school on school property, school buses, or at school-sponsored events and who is responsible solely for ensuring the safety, security, and welfare of all students, faculty, staff, and visitors in the assigned school.

"Sealing" means *to prohibit public access to records relating to an arrest, charge, or conviction, including any ancillary matter ordered to be sealed, in the possession of* (i) ~~restricting dissemination of criminal history record information contained in~~ the Central Criminal Records Exchange~~, including any records relating to an arrest, charge, or conviction, in accordance with the purposes set forth in § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134 and~~*,* (ii) ~~prohibiting dissemination of~~ *any* court ~~records related to an arrest, charge, or conviction~~*; (iii) any police department, sheriff's office, or campus police department; or (iv) the Department of Motor Vehicles* unless ~~such~~ dissemination is authorized ~~by a court order~~ for one or more of the purposes set forth in § 19.2-392.13 *and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134*.

"Unapplied criminal history record information" means information pertaining to criminal offenses submitted to the Central Criminal Records Exchange that cannot be applied to the criminal history record of an arrested or convicted person (i) because such information is not supported by fingerprints or other accepted means of positive identification or (ii) due to an inconsistency, error, or omission within the content of the submitted information.

§ 9.1-128. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Dissemination of criminal history record information; Board to adopt regulations and procedures.

A. Criminal history record information shall be disseminated, whether directly or through an intermediary, only in accordance with § 19.2-389.

B. The Board shall adopt regulations and procedures for the interstate dissemination of criminal history record information by which criminal justice agencies of the Commonwealth shall ensure that the limitations on dissemination of criminal history record information set forth in § 19.2-389 are accepted by recipients and will remain operative in the event of further dissemination.

C. The Board shall adopt regulations and procedures for the validation of an interstate recipient's right to obtain criminal history record information from criminal justice agencies of the Commonwealth.

D. The Board shall adopt regulations and procedures for the dissemination of sealed criminal history record information, including any *(i)* records relating to an arrest, charge, or conviction *and (ii) ancillary matter ordered to be sealed*, by which the criminal justice agencies of the Commonwealth and other persons, agencies, and employers can access such sealed records and shall ensure that access to and dissemination of such sealed records are made in accordance with the limitations on dissemination and use set forth in §§ 19.2-389~~,~~ and 19.2-392.13.

§ 17.1-293.1. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524, 542) Online case information system; exceptions.

A. The Executive Secretary shall make available a publicly viewable online case information system of certain nonconfidential information entered into the case management system for criminal cases in the circuit courts participating in the Executive Secretary's case management system and in the general district courts. Such system shall be searchable by defendant name across all participating courts, and search results shall be viewable free of charge.

B. Upon entry of a sealing order pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1*, the Executive Secretary shall not make any offense that was ordered to be sealed available for online public viewing in an appellate court, circuit court, or district court case management system maintained by the Executive Secretary. *Any offense*

that was sealed without a court order pursuant to § 19.2-392.6:1 or 19.2-392.17 shall not be available for online public viewing in any such system.

C. Upon entry of a sealing order pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1*, any circuit court clerk who maintains a viewable online case management or case information system shall not make any offense that was ordered to be sealed available for online public viewing. *Any offense that was sealed without a court order pursuant to § 19.2-392.6:1 or 19.2-392.17 shall not be available for online public viewing in any such system.*

§ 17.1-502. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Administrator of circuit court system.

A. The Executive Secretary of the Supreme Court shall be the administrator of the circuit court system, which includes the operation and maintenance of a case management system and financial management system and related technology improvements.

B. Any circuit court clerk may establish and maintain his own case management system, financial management system, or other independent technology using automation or technology improvements provided by a private vendor or the locality. Any data from the clerk's independent system may be provided directly from such clerk to designated state agencies. The data from the clerk's independent system may also be provided to designated state agencies through an interface with the technology systems operated by the Executive Secretary.

B1. If the data from a case management system established under subsection B is not provided to the Executive Secretary of the Supreme Court through an interface, such data shall be provided to the Department of State Police through an interface for purposes of complying with §§ 19.2-392.7, *19.2-392.8,* 19.2-392.10, 19.2-392.11, ~~and~~ 19.2-392.12*, and 19.2-392.12:1*. The parameters of such interface shall be determined by the Department of State Police. The costs of designing, implementing, and maintaining such interface shall be the responsibility of the circuit court clerk.

C. The Executive Secretary shall provide an electronic interface with his case management system, financial management system, or other technology improvements upon written request of any circuit court clerk. The circuit court clerk and the clerk's designated application service provider shall comply with the security and data standards established by the Executive Secretary for any such electronic interface. The Executive Secretary shall establish security and data standards for such electronic interfaces on or before June 30, 2013, and such standards shall be consistent with the policies, standards, and guidelines established pursuant to § 2.2-2009.

D. The costs of designing, implementing, and maintaining any such interface with the systems of the Executive Secretary shall be the responsibility of the circuit court clerk. Prior to incurring any costs, the Office of the Executive Secretary shall provide the circuit court clerk a written explanation of the options for providing such interfaces and provide the clerk with a proposal for such costs and enter into a written contract with the clerk to provide such services.

E. The Executive Secretary shall assist the chief judges in the performance of their administrative duties. He may employ such staff and other assistants, from state funds appropriated to him for the purpose, as may be necessary to carry out his duties, and may secure such office space as may be requisite, to be located in an appropriate place to be selected by the Executive Secretary.

§ 19.2-310.7. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Expungement when DNA taken for a conviction.

A. A person whose DNA profile has been included in the data bank pursuant to § 19.2-310.2 may request expungement on the grounds that the conviction on which the authority for including his DNA profile was based has been reversed and the case dismissed. Provided that the person's DNA profile is not otherwise required to be included in the data bank pursuant to § 9.1-903, 16.1-299.1, 19.2-310.2, or 19.2-310.2:1, the Department of Forensic Science shall purge all records and identifiable information in the data bank pertaining to the person and destroy all samples from the person upon receipt of (i) a written request for expungement pursuant to this section and (ii) a certified copy of the court order reversing and dismissing the conviction.

B. Entry of a sealing order pursuant to § 19.2-392.7 ~~or~~*,* 19.2-392.12*, or 19.2-392.12:1* shall not serve as grounds for expungement of a person's DNA profile or any records in the data bank relating to that DNA profile.

§ 19.2-392.2. (Effective pursuant to Acts 2023, cc. 554 and 555, cl. 4) Expungement of police and court records.

A. If a person is charged with the commission of a crime, a civil offense, or any offense defined in Title 18.2, and

1. Is acquitted, or

2. A nolle prosequi is taken or the charge is otherwise dismissed, including dismissal by accord and satisfaction pursuant to § 19.2-151, he may file a petition setting forth the relevant facts and requesting expungement of the police records and the court records relating to the charge. *A person shall not be required to pay any court fees or costs for filing a petition under this subsection.*

B. If any person whose name or other identification has been used without his consent or authorization by another person who has been charged or arrested using such name or identification, he may file a petition with the court disposing of the charge for relief pursuant to this section. ~~Such~~ *A* person shall not be required to pay any *court* fees *or costs* for ~~the~~ filing ~~of~~ a petition under this subsection. A petition filed under this subsection shall include one complete set of the petitioner's fingerprints obtained from a law-enforcement agency.

C. The petition with a copy of the warrant, summons, or indictment if reasonably available shall be filed in the circuit court of the county or city in which the case was disposed of by acquittal or being otherwise dismissed and shall contain, except when not reasonably available, the date of arrest and the name of the arresting agency. When this information is not

reasonably available, the petition shall state the reason for such unavailability. The petition shall further state the specific criminal charge or civil offense to be expunged, the date of final disposition of the charge as set forth in the petition, the petitioner's date of birth, and the full name used by the petitioner at the time of arrest. If the petition is filed under this subsection, the petitioner shall request that the Central Criminal Records Exchange (CCRE) electronically forward a copy of the petitioner's Virginia criminal history record to the circuit court in which the petition was filed. Upon receiving such request, the CCRE shall electronically forward such record to the circuit court; however, if the circuit court is unable to receive an electronic transmission, the CCRE shall forward a copy of such record to the circuit court which shall be maintained under seal by the clerk unless otherwise ordered by the court.

D. A copy of the petition shall be served on the attorney for the Commonwealth of the city or county in which the petition is filed. The attorney for the Commonwealth may file an objection or answer to the petition or may give written notice to the court that he does not object to the petition within 21 days after it is served on him.

E. If the petition is filed under subsection B, the petitioner shall obtain from a law-enforcement agency one complete set of the petitioner's fingerprints and shall provide that agency with a copy of the petition for expungement. The law-enforcement agency shall submit the set of fingerprints to the CCRE with a copy of the petition for expungement attached. The CCRE shall forward under seal to the court a copy of the petitioner's criminal history and the set of fingerprints. Upon completion of the hearing, the court shall return the fingerprint card to the petitioner. If no hearing was conducted, upon the entry of an order of expungement or an order denying the petition for expungement, the court shall cause the fingerprint card to be destroyed unless, within 30 days of the date of the entry of the order, the petitioner requests the return of the fingerprint card in person from the clerk of the court or provides the clerk of the court a self-addressed, stamped envelope for the return of the fingerprint card.

F. After receiving the criminal history record information, the court shall conduct a hearing on the petition. If the court finds that the continued existence and possible dissemination of information relating to the arrest of the petitioner causes or may cause circumstances which constitute a manifest injustice to the petitioner, it shall enter an order requiring the expungement of the police and court records, including electronic records, relating to the charge. Otherwise, it shall deny the petition. However, if the petitioner has no prior criminal record and the arrest was for a misdemeanor violation or the charge was for a civil offense, the petitioner shall be entitled, in the absence of good cause shown to the contrary by the Commonwealth, to expungement of the police and court records relating to the charge, and the court shall enter an order of expungement. If the attorney for the Commonwealth of the county or city in which the petition is filed (i) gives written notice to the court pursuant to subsection D that he does not object to the petition and (ii) when the charge to be expunged is a felony, stipulates in such written notice that the continued existence and possible dissemination of information relating to the arrest of the petitioner causes or may cause circumstances which constitute a manifest injustice to the petitioner, the court may enter an order of expungement without conducting a hearing.

G. The Commonwealth shall be made party defendant to the proceeding. Any party aggrieved by the decision of the court may appeal, as provided by law in civil cases.

H. Notwithstanding any other provision of this section, when the charge is dismissed because the court finds that the person arrested or charged is not the person named in the summons, warrant, indictment or presentment, the court dismissing the charge shall, upon motion of the person improperly arrested or charged, enter an order requiring expungement of the police and court records relating to the charge. Such order shall contain a statement that the dismissal and expungement are ordered pursuant to this subsection and shall be accompanied by the complete set of the petitioner's fingerprints filed with his petition. Upon the entry of such order, it shall be treated as provided in subsection K.

I. Notwithstanding any other provision of this section, upon receiving a copy pursuant to § 2.2-402 of an absolute pardon for the commission of a crime that a person did not commit, the court shall enter an order requiring expungement of the police and court records relating to the charge and conviction. Such order shall contain a statement that the expungement is ordered pursuant to this subsection. Upon the entry of such order, it shall be treated as provided in subsection K.

J. Upon receiving a copy of a writ vacating a conviction pursuant to § 19.2-327.5 or 19.2-327.13, the court shall enter an order requiring expungement of the police and court records relating to the charge and conviction. Such order shall contain a statement that the expungement is ordered pursuant to this subsection. Upon the entry of the order, it shall be treated as provided in subsection K.

K. Upon the entry of an order of expungement, the clerk of the court shall cause a copy of such order to be forwarded to the Department of State Police, which shall, pursuant to rules and regulations adopted pursuant to § 9.1-134, direct the manner by which the appropriate expungement or removal of such records shall be effected. *The Department of State Police shall validate the accuracy of any criminal history record ordered to be expunged pursuant to this section but shall not validate whether such record is eligible for expungement.*

L. ~~Costs shall be as provided by § 17.1-275, but shall not be recoverable against the Commonwealth. If the court enters an order of expungement, the clerk of the court shall refund to the petitioner such costs paid by the petitioner.~~

~~M.~~ Any order entered where (i) the court or parties failed to strictly comply with the procedures set forth in this section or (ii) the court enters an order of expungement contrary to law, shall be voidable upon motion and notice made within three years of the entry of such order.

~~N.~~ *M.* A petition filed under this section and any responsive pleadings filed by the attorney for the Commonwealth shall be maintained under seal by the clerk unless otherwise ordered by the court. Any order to expunge issued pursuant to

this section shall be sealed and may only be disseminated for the purposes set forth in § 19.2-392.3 pursuant to regulations and procedures adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134.

§ 19.2-392.5. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Sealing defined; effect of sealing.

A. As used in this chapter, unless the context requires a different meaning~~,~~ ~~"sealing"~~*:*

"Ancillary matter" means any (i) violation or alleged violation of the terms and conditions of a suspended sentence, probation, or parole; (ii) violation or alleged violation of contempt of court; (iii) charge or conviction for failure to appear; or (iv) appeal from a bail, bond, or recognizance order.

"Records related to an arrest, charge, or conviction" means (i) the record of any specific arrest, charge, or conviction that has been sealed pursuant to § 19.2-392.6:1, 19.2-392.7, 19.2-392.8, 19.2-392.10, 19.2-392.11, 19.2-392.12, 19.2-392.12:1, or 19.2-392.17 or (ii) any ancillary matter that was sealed pursuant to § 19.2-392.12 or 19.2-392.12:1.

"Sealing" means to *prohibit public access to records relating to an arrest, charge, or conviction, including any ancillary matter ordered to be sealed, in the possession of* (i) ~~restricting dissemination of criminal history record information contained in~~ the Central Criminal Records Exchange~~, including any records relating to an arrest, charge, or conviction, in accordance with the purposes set forth in § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134 and~~*;* (ii) ~~prohibiting dissemination of~~ *any* court ~~records related to an arrest, charge, or conviction.~~*; (iii) any police department, sheriff's office, or campus police department; or (iv) the Department of Motor Vehicles* unless ~~such~~ dissemination is authorized ~~by a court order~~ for one or more of the purposes set forth in § 19.2-392.13 *and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134*. ~~"~~Sealing~~"~~ may be required either by the issuance of a court order following the filing of a petition or automatically by operation of law under the processes set forth in this chapter. *"Sealing" does not prohibit or limit dissemination of records within or between any department, division, board, bureau, commission, branch, authority, or other agency created by the Commonwealth, or to which the Commonwealth is a party or any political subdivision thereof, or with any federal agency, for the purpose of administering any duties or functions required by state or federal law.*

B. The provisions of this chapter shall only apply to adults who were arrested, charged, or convicted of a criminal offense and to juveniles who were tried in circuit court pursuant to § 16.1-269.1.

C. Records relating to an arrest, charge, or conviction that have been sealed may be disseminated only for purposes set forth in § 19.2-392.13 and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134. ~~The court, except as provided in subsection B of § 19.2-392.14, and any~~ *Any* law-enforcement agency shall reply to any inquiry that no record exists with respect to an arrest, charge, or conviction that has been sealed, unless such information is permitted to be disclosed pursuant to § 19.2-392.13 and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134. *As provided in subsection B of § 19.2-392.14, a clerk of any court shall reply to any inquiry requesting access to a sealed court record that such court record has been sealed and can only be accessed pursuant to a court order.* A clerk of any court and the Executive Secretary of the Supreme Court shall be immune from any cause of action arising from the production of sealed court records, including electronic records, absent gross negligence or willful misconduct. This subsection shall not be construed to limit, withdraw, or overturn any defense or immunity already existing in statutory or common law or to affect any cause of action accruing prior to the effective date of this section.

D. Except as otherwise provided in this section, upon entry of an order for sealing, the person who was arrested, charged, or convicted of the offense that was ordered to be sealed may deny or not disclose to any state or local government agency or to any private employer in the Commonwealth that such an arrest, charge, or conviction occurred. Except as otherwise provided in this section, no person as to whom an order for sealing has been entered shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of that person's denial or failure to disclose any information concerning an arrest, charge, or conviction that has been sealed.

E. A person who is the subject of the order of sealing entered pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1, or the sealing of an offense without the entry of an order pursuant to § 19.2-392.6:1 or 19.2-392.17,* may not deny or fail to disclose information to any employer or prospective employer about an offense that has been ordered to be sealed if:

1. The person is applying for full-time employment or part-time employment with, or to be a volunteer with, the State Police or a police department or sheriff's office that is a part of or administered by the Commonwealth or any political subdivision thereof;

2. This Code requires the employer to make such an inquiry;

3. Federal law requires the employer to make such an inquiry;

4. The position, or access to the premises in or upon which any part of the duties of such position is performed or is to be performed, is subject to any requirement imposed in the interest of the national security of the United States under any security program in effect pursuant to or administered under any contract with, or statute or regulation of, the United States or any Executive Order of the President; or

5. The rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134 allow the employer to access such sealed records.

Failure to disclose such sealed arrest, charge, or conviction, if such failure to disclose was knowing or willful, shall be a ground for prosecution of perjury as provided for in § 18.2-434.

F. An order to seal an arrest, charge, or conviction entered pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1, or the sealing of an offense without the entry of an order pursuant to § 19.2-392.6:1 or 19.2-392.17,* shall not relieve the person who was arrested, charged, or convicted of any obligation to pay all fines, costs, forfeitures, penalties, or restitution in relation to the offense that was ordered to be sealed. *Additionally, no order to seal an arrest, charge, or conviction pursuant to § 19.2-392.12 shall be entered unless such person has fully paid his restitution in relation to the offense to be sealed.*

G. Any arrest, charge, or conviction sealed pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1, or sealed without the entry of an order pursuant to § 19.2-392.6:1 or 19.2-392.17,* may be admissible and considered in proceedings relating to the care and custody of a child. A person as to whom an order for sealing has been entered may be required to disclose a sealed arrest, charge, or conviction as part of such proceedings. Failure to disclose such sealed arrest, charge, or conviction, if such failure to disclose was knowing or willful, shall be a ground for prosecution of perjury as provided for in § 18.2-434.

H. Any arrest, charge, or conviction sealed pursuant to § *19.2-392.6:1,* 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, 19.2-392.12:1, or 19.2-392.17* shall ~~not~~ be (i) disclosed in any *pretrial or* sentencing report*, including any discretionary sentencing guidelines*; (ii) considered when ascertaining the punishment of a defendant; or (iii) considered in any hearing on the issue of bail, release, or detention of a defendant.

I. Any arrest, charge, or conviction sealed pursuant to § *19.2-392.6:1,* 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1* shall not constitute a barrier crime as defined in § 19.2-392.02, except as otherwise required under federal law.

J. A person shall be required to disclose any felony conviction sealed pursuant to § 19.2-392.12 for purposes of determining that person's eligibility to be empaneled as a member of a jury. Failure to disclose such conviction, if such failure to disclose was knowing or willful, shall be a ground for prosecution of perjury as provided for in § 18.2-434.

K. An order to seal a charge or conviction entered pursuant to § 19.2-392.7, 19.2-392.12, or 19.2-392.12:1, or the sealing of an offense without the entry of an order pursuant to § 19.2-392.6:1, shall not serve to restore a person's civil rights or a person's right to possess, transport, or carry a firearm, ammunition for a firearm, or a stun weapon.

§ 19.2-392.6. (For effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Automatic sealing of offenses resulting in conviction.

A. If a person was convicted of a violation of any of the following sections *with an offense date on or after January 1, 1986*, such conviction, including any records relating to such conviction, shall be ordered to be automatically sealed in the manner set forth in § 19.2-392.7, subject to the provisions of subsections B and C: *a misdemeanor violation of* § 18.2-96~~,~~ *or* 18.2-103~~,~~*; §* 18.2-119, 18.2-120, or 18.2-134; a misdemeanor violation of § 18.2-248.1; or § 18.2-415.

B. Subject to the provisions of subsection C, any conviction listed under subsection A shall be ordered to be automatically sealed if seven years have passed since the date of the conviction and the person convicted of such offense has not been convicted of violating any law of the Commonwealth that requires a report to the Central Criminal Records Exchange under subsection A of § 19.2-390 or any other state, the District of Columbia, or the United States or any territory thereof, excluding traffic infractions under Title 46.2, during that time period.

C. No conviction listed under subsection A shall be automatically sealed if, on the date of the conviction, the person was convicted of another offense that is not eligible for automatic sealing under subsection A.

D. ~~If a person was charged with any criminal offense and such offense concluded with any final disposition as a violation of former § 18.2-250.1, such offense shall be ordered to be automatically sealed in the manner set forth in § 19.2-392.7.~~

~~E.~~ This section shall not be construed as prohibiting a person from seeking sealing in the circuit court pursuant to the provisions of § 19.2-392.12 *or 19.2-392.12:1*.

§ 19.2-392.6:1. Sealing of former possession of marijuana offenses without entry of a court order.

A. Any criminal or civil offense that concluded with any final disposition as a charge or conviction of former § 18.2-250.1 shall be sealed without the entry of a court order. The Central Criminal Records Exchange, any court, any law-enforcement agency, and the Department of Motor Vehicles shall identify and seal the records of any such offense in its possession.

B. The Department of Motor Vehicles shall not seal any charge or conviction under subsection A in violation of (i) federal regulatory record retention requirements or (ii) federal program requirements if the Department of Motor Vehicles is required to suspend a person's driving privileges as a result of the charge or conviction to be sealed.

§ 19.2-392.7. (For effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Process for automatic sealing of offenses resulting in a conviction or deferred disposition.

A. ~~Except as provided in subsection A1, on~~ *On* at least a monthly basis, the Department of State Police shall *electronically* determine which offenses *with an offense date on or after January 1, 1986,* in the Central Criminal Records Exchange meet the criteria for automatic sealing set forth in subsections A, B, and C of § 19.2-392.6.

~~A1. No later than July 1, 2025, the Department of State Police shall determine which offenses in the Central Criminal Records Exchange meet the criteria for automatic sealing set forth in subsection D of § 19.2-392.6.~~

B. After reviewing the offenses under ~~subsections~~ *subsection* A ~~and A1~~, the Department of State Police shall provide an electronic list of all offenses that meet the criteria for automatic sealing set forth in § 19.2-392.6 to the Executive Secretary of the Supreme Court and to any circuit court clerk who maintains a case management system that interfaces with the Department of State Police under subsection B1 of § 17.1-502. *The Department of State Police shall not be required to include an offense on such list if (i) it cannot be determined by an electronic review whether the offense is eligible for automatic sealing or (ii) an electronic review of the person's criminal history record indicates that the person was charged with violating the law of any other state, the District of Columbia, the United States or any territory thereof, excluding traffic infractions under Title 46.2, during the seven-year time period set forth in subsection B of § 19.2-392.6.*

C. Upon receipt of the electronic list from the Department of State Police provided under subsection B, on at least a monthly basis the Executive Secretary of the Supreme Court shall provide an electronic list of all offenses that meet the criteria for automatic sealing set forth in § 19.2-392.6 to the clerk of each circuit court in the jurisdiction where the case was finalized, if such circuit court clerk participates in the case management system maintained by the Executive Secretary.

D. Upon receipt of the electronic list provided under subsection B or C, on at least a monthly basis the clerk of each circuit court shall prepare an order and the chief judge *or presiding judge* of that circuit court shall enter such order directing that the offenses that meet the criteria for automatic sealing set forth in § 19.2-392.6 be automatically sealed under the process described in § 19.2-392.13. Such order shall contain the names of the persons charged with or convicted of such offenses. The clerk of each circuit court shall maintain a copy of all orders entered pursuant to this subsection under seal.

E. The clerk of each circuit court shall provide an electronic notification of any order entered under subsection D to the Department of State Police on at least a monthly basis. Upon receipt of such electronic notification, the Department of State Police shall proceed as set forth in § 19.2-392.13.

F. Any order to seal issued pursuant to this section shall be sealed and may only be disseminated for the purposes set forth in § 19.2-392.13 and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134.

G. If an offense is automatically sealed contrary to law, the automatic sealing of that particular offense shall be voidable upon motion and notice made within two years of the entry of the order to automatically seal such offense.

§ 19.2-392.8. (For contingent effective date see Acts 2021, Sp. Sess. I, cc. 524 and 542) Automatic sealing of offenses resulting in acquittal or dismissal.

A. If a person is charged with the commission of a misdemeanor offense, excluding traffic infractions under Title 46.2, and ~~(i)~~ the person is acquitted, ~~(ii) a nolle prosequi is entered,~~ or ~~(iii)~~ the charge ~~is otherwise dismissed, excluding any charge that is deferred and dismissed after a finding of facts sufficient to justify a finding of guilt~~ *against him is dismissed with prejudice*, the court disposing of the matter shall, ~~at the time the acquittal, nolle prosequi, or dismissal is entered,~~ order that the charge be automatically sealed under the process described in § 19.2-392.13, unless the ~~attorney for the Commonwealth or any other person advises the court at the time the acquittal, nolle prosequi, or dismissal is entered that:~~

~~1. The charge is ancillary to another charge that resulted in a conviction or a finding of facts sufficient to justify a finding of guilt;~~

~~2. A nolle prosequi is entered or the charge is dismissed as part of a plea agreement;~~

~~3. Another charge arising out of the same facts and circumstances is pending against the person;~~

~~4. The Commonwealth intends to reinstitute the charge or any other charge arising out of the same facts and circumstances within three months;~~

~~5. Good cause exists, as established by the Commonwealth by a preponderance of the evidence, that such charge should not be automatically sealed; or~~

~~6. The~~ person charged with the offense objects to such automatic sealing.

B. If a person is charged with the commission of a felony offense and is acquitted, or the charge against him is dismissed with prejudice, he may immediately upon the acquittal or dismissal orally request that the records relating to the charge be sealed. Upon such request and with the concurrence of the attorney for the Commonwealth, the court shall order the automatic sealing of records relating to the arrest or charge under the process described in § 19.2-392.13.

C. If the court enters an order of sealing pursuant to subsection A or B, the court shall advise the person that the offense has been ordered to be automatically sealed.

D. Any denial by the court to enter a sealing order under subsection A or B shall be without prejudice, and the person may seek expungement in the circuit court pursuant to the provisions of § 19.2-392.2. Entry of a sealing order under subsection A or B shall not prohibit the person from seeking expungement in the circuit court pursuant to the provisions of § 19.2-392.2.

E. Any order to seal issued pursuant to this section shall be sealed and may only be disseminated for the purposes set forth in § 19.2-392.13 and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134.

F. If an offense is automatically sealed contrary to law, the automatic sealing of that particular offense shall be voidable upon motion and notice made within two years of the entry of the order to automatically seal such offense.

§ 19.2-392.11. (For effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Automatic sealing of misdemeanor offenses resulting in acquittal, nolle prosequi, or dismissal for persons with no convictions or deferred and dismissed offenses on their criminal history record.

A. On at least an annual basis, the Department of State Police shall *electronically* review the Central Criminal Records Exchange and identify all persons with finalized misdemeanor case dispositions *with an offense date on or after January 1, 1986,* that resulted in (i) an acquittal, (ii) a nolle prosequi, or (iii) a dismissal, excluding any charge that was deferred and dismissed after a finding of facts sufficient to justify a finding of guilt, where the criminal history record of such person contains no convictions for any criminal offense for a violation of any law of the Commonwealth that requires a report to the Central Criminal Records Exchange under subsection A of § 19.2-390 and where such criminal history record contains no arrests or charges for a violation of any law of the Commonwealth that requires a report to the Central Criminal Records Exchange under subsection A of § 19.2-390 in the past three years, excluding traffic infractions under Title 46.2. For purposes of this subsection, any offense on the person's criminal history record that has previously been ordered to be sealed shall not be deemed a conviction.

B. Upon identification of the finalized case dispositions under subsection A, the Department of State Police shall provide an electronic list of such offenses to the Executive Secretary of the Supreme Court and to any circuit court clerk who maintains a case management system that interfaces with the Department of State Police under subsection B1 of § 17.1-502. *The Department of State Police shall not be required to include an offense on such list if it cannot be determined by an electronic review whether the offense is eligible for automatic sealing.*

C. Upon receipt of the electronic list from the Department of State Police provided under subsection B, on at least an annual basis the Executive Secretary of the Supreme Court shall provide an electronic list of such offenses to the clerk of each circuit court in the jurisdiction where the case was finalized, if such circuit court clerk participates in the case management system maintained by the Executive Secretary.

D. Upon receipt of the electronic list provided under subsection B or C, on at least an annual basis the clerk of each circuit court shall prepare an order and the chief judge *or presiding judge* of that circuit court shall enter such order directing that the offenses be automatically sealed under the process described in § 19.2-392.13. Such order shall contain the names of the persons charged with such offenses. The clerk of each circuit court shall maintain a copy of all orders entered pursuant to this subsection under seal.

E. The clerk of each circuit court shall provide an electronic notification of any order entered under subsection D to the Department of State Police on at least an annual basis. Upon receipt of such electronic notification, the Department of State Police shall proceed as set forth in § 19.2-392.13.

F. Any order to seal issued pursuant to this section shall be sealed and may only be disseminated for the purposes set forth in § 19.2-392.13 and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134.

G. This section shall not be construed as prohibiting a person from seeking expungement in the circuit court pursuant to the provisions of § 19.2-392.2. Entry of a sealing order pursuant to this section shall not prohibit a person from seeking expungement in the circuit court pursuant to the provisions of § 19.2-392.2.

H. If an offense is automatically sealed contrary to law, the automatic sealing of that particular offense shall be voidable upon motion and notice made within two years of the entry of the order to automatically seal such offense.

~~I. If an offense is automatically sealed pursuant to the procedure set forth in this section and such offense was not ordered to be automatically sealed at the time of acquittal, nolle prosequi, or dismissal for one or more of the reasons set forth in § 19.2-392.8, the automatic sealing of such offense shall be voidable upon motion and notice made within two years of the entry of the order to automatically seal such offense.~~

§ 19.2-392.12. (For effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Sealing of offenses resulting in a deferred and dismissed disposition or conviction by petition.

A. Except ~~for a conviction or deferral and dismissal of a violation of § 18.2-36.1, 18.2-36.2, 18.2-51.4, 18.2-51.5, 18.2-57.2, 18.2-266, or 46.2-341.24~~ *as provided in subsection L*, a person who has been convicted of or had a charge deferred and dismissed for a (i) misdemeanor ~~offense~~, (ii) Class 5 or 6 felony, or (iii) violation of § 18.2-95 or any other felony offense in which the defendant is deemed guilty of larceny and punished as provided in § 18.2-95*, where the offense date for such misdemeanor or felony was on or after January 1, 1986,* may file a petition setting forth the relevant facts and requesting sealing of the criminal history record information and court records ~~relating~~ *related* to the charge or conviction~~, provided that such person has (a) never been convicted of a Class 1 or 2 felony or any other felony punishable by imprisonment for life, (b) not been convicted of a Class 3 or 4 felony within the past 20 years, and (c) not been convicted of any other felony within the past 10 years of his petition~~. *In addition to requesting the sealing of a charge or conviction, such petition may also request the sealing of any specifically identified ancillary matter related to such charge or conviction.*

B. A person shall not be required to pay any *court* fees or costs for filing a petition pursuant to this section ~~if such person files a petition to proceed without the payment of fees and costs, and the court with which such person files his petition finds such person to be indigent pursuant to § 19.2-159~~.

C. The petition with a copy of the warrant, summons, or indictment, if reasonably available, shall be filed in the circuit court of the county or city in which the case was disposed of and shall contain, except when not reasonably available, the date of arrest, the name of the arresting agency, ~~and~~ the date of conviction *or deferred dismissal, and the case number associated with each court record that is the subject of the petition*. When this information is not reasonably available, the petition shall state the reason for such unavailability. The petition shall further state the charge or conviction *and any ancillary matters* to be sealed; the date of final disposition of the charge or conviction *and any ancillary matters* as set forth in the petition; the petitioner's date of birth, sex, race, and social security number, if available; and the full name used by the

petitioner at the time of arrest or summons. A petition may request the sealing of the criminal history record information and court records for multiple charges or convictions *and ancillary matters* as set forth in subsection A provided that all such charges and convictions arose out of the same transaction or occurrence and all such charges *and convictions* are eligible for sealing. A petition may not request the sealing of the criminal history record information and court records for multiple charges or convictions that arose out of different transactions or occurrences*, except that ancillary matters shall not be treated as separate transactions or occurrences*. A petitioner may only have two petitions granted pursuant to this section within his lifetime. ~~Any petition that is granted (i) solely to seal a violation of subsection A of § 18.2-265.3 as it relates to marijuana, (ii) solely to seal a violation of § 4.1-305, or (iii) to seal a violation of both subsection A of § 18.2-265.3 as it relates to marijuana and § 4.1-305 arising out of the same transaction or occurrence shall not count against the petitioners' lifetime maximum.~~

D. The Commonwealth shall be made party to the proceeding. The petitioner shall provide a copy of the petition by delivery or by first-class mail, postage prepaid, to the attorney for the Commonwealth of the city or county in which the petition is filed. The attorney for the Commonwealth may file an objection or answer to the petition or may give written notice to the court that he does not object to the petition within ~~21~~ *30* days after it is delivered to him or received in the mail.

E. In addition to the filing of the petition under subsection C, the petitioner shall request that the Central Criminal Records Exchange (CCRE) electronically forward a copy of the petitioner's Virginia *and national* criminal history record to the circuit court in which the petition was filed. Upon receiving such request, the CCRE shall electronically forward such record to the circuit court; however, if the circuit court is unable to receive an electronic transmission, the CCRE shall forward a copy of such record to the circuit court which shall be maintained under seal by the clerk unless otherwise ordered by the court. Upon completion of the hearing, the court shall cause the criminal history record to be destroyed unless, within 30 days of the date of the entry of the final order in the matter, the petitioner or the attorney for the Commonwealth notes an appeal ~~to the Supreme Court of Virginia~~ *as provided by law in civil cases*.

F. After receiving the criminal history record of the petitioner, the court may conduct a hearing on the petition. The court shall enter an order requiring the sealing of the criminal history record information and court records, including electronic records, ~~relating~~ *related* to the charge or conviction, only if the court finds that all criteria in subdivisions 1 through ~~4~~ *6* are met, as follows:

1. *The petitioner has (i) never been convicted of a Class 1 or 2 felony or any other felony punishable by imprisonment for life, (ii) not been convicted of a Class 3 or 4 felony within the past 20 years, and (iii) not been convicted of any other felony within the past 10 years from the date the petition was filed.*

2. During a period after the date of (i) dismissal of a deferred charge, (ii) conviction, ~~or~~ (iii) release from incarceration ~~of~~ *on* the charge or conviction set forth in the petition*, (iv) a finding that the person was in violation of a suspended sentence, probation, or parole related to the charge or conviction set forth in the petition, or (v) release from incarceration following a finding that the person was in violation of a suspended sentence, probation, or parole related to the charge or conviction set forth in the petition*, whichever date occurred later, the ~~person~~ *petitioner* has not been convicted of violating any law of the Commonwealth that requires a report to the Central Criminal Records Exchange under subsection A of § 19.2-390 or any other state, the District of Columbia, or the United States or any territory thereof, excluding traffic infractions under Title 46.2, for:

a. Seven years for any misdemeanor offense; or

b. Ten years for any felony offense;

~~2.~~ *3.* If the records relating to the offense indicate that the occurrence leading to the deferral or conviction involved the use or dependence upon alcohol or any narcotic drug or any other self-administered intoxicant or drug of whatsoever nature, the petitioner has demonstrated his rehabilitation;

~~3.~~ *4. If the petitioner was ordered by a court to pay restitution as a condition of any charge, conviction, or ancillary matter that is the subject of the petition, such restitution has been paid in full;*

5. The petitioner has not previously obtained the sealing of two other deferrals or convictions arising out of different sentencing events *under this section*; and

~~4.~~ *6.* The continued existence and possible dissemination of information relating to the charge or conviction of the petitioner causes or may cause circumstances that constitute a manifest injustice to the petitioner.

G. If the attorney for the Commonwealth of the county or city in which the petition is filed (i) gives written notice to the court pursuant to subsection D that he does not object to the petition and (ii) stipulates in such written notice that the petitioner is eligible to have such offense sealed, and the continued existence and possible dissemination of information relating to the charge or conviction of the petitioner causes or may cause circumstances that constitute a manifest injustice to the petitioner, the court may enter an order of sealing without conducting a hearing.

H. Any party aggrieved by the decision of the court may appeal, as provided by law in civil cases.

I. Upon the entry of an order of sealing, the clerk of the court shall maintain a copy of such order under seal and shall cause an electronic notification of such order to be forwarded to the Department of State Police. Such electronic notification shall contain the petitioner's full name, date of birth, sex, race, and social security number, if available, and the full name used by the petitioner at the time of arrest or summons, as well as the petitioner's state identification number from the criminal history record, the court case number of the charge ~~or~~*,* conviction*, or ancillary matter* to be sealed, if available, and the document control number, if available. *The Department of State Police shall validate the accuracy of any criminal history record ordered to be sealed pursuant to this section but shall not validate whether such record is eligible for sealing.*

Upon receipt of such electronic notification, the Department of State Police shall seal such records in accordance with § 19.2-392.13. When sealing such charge ~~or~~, conviction*, or ancillary matter*, the Department of State Police shall include a notation on the criminal history record that such offense was sealed pursuant to this section. The Department of State Police shall also electronically notify the Office of the Executive Secretary of the Supreme Court and any other agencies and individuals known to maintain or to have obtained such a record that such record has been ordered to be sealed and may only be disseminated in accordance with § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134.

J. ~~Costs shall be as provided by § 17.1-275 but shall not be recoverable against the Commonwealth. Any costs collected pursuant to this section shall be deposited in the Sealing Fee Fund created pursuant to § 17.1-205.1.~~

~~K.~~ Any order entered where (i) the court or parties failed to strictly comply with the procedures set forth in this section or (ii) the court enters an order for the sealing of records contrary to law shall be voidable upon motion and notice made within two years of the entry of such order.

~~L. If a petitioner qualifies to file a petition for sealing of records without the payment of fees and costs pursuant to subsection B and has requested court-appointed counsel, the court shall then appoint counsel to file the petition for sealing of records and represent the petitioner in the sealed records proceedings. Counsel appointed to represent such a petitioner shall be compensated for his services subject to guidelines issued by the Executive Secretary of the Supreme Court of Virginia, in a total amount not to exceed $120, as determined by the court, and such compensation shall be paid from the Sealing Fee Fund as provided in § 17.1-205.1.~~

~~M.~~ *K.* A petition filed under this section and any responsive pleadings filed by the attorney for the Commonwealth shall be maintained under seal by the clerk unless otherwise ordered by the court. Any order to seal issued pursuant to this section shall be sealed and may only be disseminated for the purposes set forth in § 19.2-392.13 and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134.

~~N. A conviction or deferral and dismissal of § 18.2-36.1, 18.2-36.2, 18.2-51.4, 18.2-51.5, 18.2-57.2, 18.2-266, or 46.2-341.24 is~~ *L. The following offenses are* ineligible for ~~the~~ sealing ~~of records~~ under this section*:*

1. Sections 4.1-309.1, 5.1-13, 18.2-36, 18.2-36.1, 18.2-36.2, and 18.2-47; subsection A of § 18.2-49.1; § 18.2-51.5; subsection C of § 18.2-57; §§ 18.2-57.2, 18.2-57.3, 18.2-59.1, 18.2-60, 18.2-60.3, 18.2-60.5, 18.2-130, 18.2-130.1, 18.2-144, 18.2-144.1, 18.2-154, 18.2-178.1, 18.2-266, 18.2-266.1, 18.2-268.3, 18.2-282.1, and 18.2-324.2; former subsection B of 18.2-346; and §§ 18.2-405, 18.2-406, 18.2-472.1, 19.2-62, 29.1-738, 29.1-738.02, 29.1-738.2, 37.2-912, 40.1-100.2, 40.1-103, 46.2-341.24, and 46.2-341.26:3;

2. Any violation of any offense under § 9.1-902 for which registration with the Sex Offender and Crimes Against Minors Registry is required;

3. Any violation of any violent felony offense listed under subsection C of § 17.1-805;

4. Any violation of any felony offense not listed as a violent felony under subsection C of § 17.1-805 where the person utilized a firearm, as defined in § 18.2-308.2:2, as part of the transaction or occurrence in the underlying offense to be sealed, unless such person's right to possess, transport, or carry a firearm, ammunition for a firearm, or a stun weapon has been restored pursuant to § 18.2-308.2;

5. Any violation of an emergency, preliminary, or permanent protective order issued pursuant to Article 4 (§ 16.1-246 et seq.) of Chapter 11 of Title 16.1 or Chapter 9.1 (§ 19.2-152.7:1 et seq.) or any family abuse protective order issued pursuant to Article 9 (§ 16.1-278 et seq.) of Chapter 11 of Title 16.1;

6. Any violation of any hate crime as defined in § 52-8.5;

7. Any violation of Article 9 (§ 3.2-6570 et seq.) of Chapter 65 of Title 3.2;

8. Any violation of Title 24.2 (§ 24.2-100 et seq.);

9. Any violation involving the possession and distribution of flunitrazepam pursuant to § 18.2-251.2 or the possession of Gamma hydroxybutyric acid (some other names include GHB; gamma hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate) pursuant to § 18.2-250;

10. Any violation where a person was found not guilty by reason of insanity;

11. Any conspiracy, attempt, or solicitation, and any principal in the second degree, accessory before the fact, or accessory after the fact, or any similar ordinance of any county, city, or town, for any offense deemed ineligible under this subsection;

12. Any conspiracy, attempt, or solicitation, and any principal in the second degree, accessory before the fact, or accessory after the fact where the completed substantive offense would be punishable as a Class 1, 2, 3, or 4 felony or by a term of imprisonment of more than 10 years, with the exception of a violation of § 18.2-95 or any other felony offense in which the defendant is deemed guilty of larceny and punished as provided in § 18.2-95;

13. Any violation of any offense where the person was prohibited by the court from possessing or owning a companion animal as a result of the transaction or occurrence in the underlying offense to be sealed, while such prohibition remains in effect;

14. Any violation of Article 6 (§ 3.2-6537 et seq.) of Chapter 65 of Title 3.2 that involved a dangerous or vicious dog as a part of the transaction or occurrence in the underlying offense to be sealed, while the person continues to own or possess such dog;

15. Any violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2;

16. Any violation of Article 3 (§ 18.2-346 et seq.) of Chapter 8 of Title 18.2, with the exception of § 18.2-346, former subsection A of § 18.2-346, and § 18.2-347;

17. Any violation of Article 4 (§ 18.2-362 et seq.) of Chapter 8 of Title 18.2, with the exception of §§ 18.2-365, 18.2-371.2, 18.2-371.3, and 18.2-371.4;

18. Any violation of Article 5 (§ 18.2-372 et seq.) of Chapter 8 of Title 18.2, with the exception of § 18.2-388; and

19. Any offense where the victim of the crime to be sealed was a family or household member, as defined in § 16.1-228, of the person.

~~O.~~ *M.* Nothing in this chapter shall prohibit the circuit court from entering an order to seal a charge ~~or~~, conviction, *or ancillary matter* under this section when such charge ~~or~~, conviction, *or ancillary matter* is eligible for sealing under some other section of this chapter.

§ 19.2-392.12:1. Sealing of charges and convictions related to automatic sealing; petition.

A. A person who has been convicted of or had a charge deferred and dismissed for a violation of § 4.1-305; a misdemeanor violation of § 18.2-96 or 18.2-103; a violation of § 18.2-119, 18.2-120, or 18.2-134; a misdemeanor violation of § 18.2-248.1; a violation of subsection A of § 18.2-265.3; or a violation of § 18.2-415, where the offense date for any such offense was on or after January 1, 1986, may file a petition setting forth the relevant facts and requesting the sealing of the criminal history record information and court records relating to the charge or conviction. In addition to requesting the sealing of a charge or conviction, such petition may also request the sealing of any specifically identified ancillary matter related to such charge or conviction.

B. A person who had a conviction or offense automatically sealed pursuant to § 19.2-392.7 or 19.2-392.11 where the offense date for such conviction or offense was on or after January 1, 1986, or who had an offense sealed pursuant to § 19.2-392.6:1 regardless of the date of the offense, may file a petition setting forth the relevant facts and requesting sealing of the criminal history record information and court records of any specifically identified ancillary matter related to that charge or conviction.

C. A person shall not be required to pay any court fees or costs for filing a petition pursuant to this section.

D. The petition under subsection A or B, with a copy of the warrant, summons, or indictment, if reasonably available, shall be filed in the circuit court of the county or city in which the case was disposed of and shall contain, except when not reasonably available, (i) the date of arrest; (ii) the name of the arresting agency; (iii) the date of conviction, deferred dismissal, or final disposition of any ancillary matter; and (iv) the case number associated with each court record that is the subject of the petition. When this information is not reasonably available, the petition shall state the reason for such unavailability. The petition shall further state (a) the charge, conviction, or ancillary matter to be sealed; (b) the date of final disposition of the charge, conviction, or ancillary matter as set forth in the petition; (c) the petitioner's date of birth, sex, race, and social security number, if available; and (d) the full name used by the petitioner at the time of arrest or summons. A petition may request the sealing of the criminal history record information and court records for multiple charges, convictions, or ancillary matters as set forth in subsections A and B, provided that all such charges, convictions, and ancillary matters are eligible for sealing under this section. A petition may not request the sealing of the criminal history record information and court records where the charge, conviction, or ancillary matter was finalized on the same date as a conviction or deferred dismissal that is not eligible for sealing under this section.

E. A petitioner is not limited in the number of petitions that may be granted pursuant to this section within his lifetime. Any petition granted pursuant to this section shall not be counted toward the lifetime maximum of two petitions set forth in § 19.2-392.12.

F. The Commonwealth shall be made party to the proceeding. The petitioner shall provide a copy of the petition under subsection A or B by delivery or by first-class mail, postage prepaid, to the attorney for the Commonwealth of the county or city in which the petition is filed. The attorney for the Commonwealth may file an objection or answer to the petition or may give written notice to the court that he does not object to the petition within 30 days after it is delivered to him or received in the mail.

G. In addition to the filing of the petition under subsection D, the petitioner shall request that the Central Criminal Records Exchange (CCRE) electronically forward a copy of the petitioner's Virginia and national criminal history record to the circuit court in which the petition was filed. Upon receiving such request, the CCRE shall electronically forward such record to the circuit court; however, if the circuit court is unable to receive an electronic transmission, the CCRE shall forward a copy of such record to the circuit court which shall be maintained under seal by the clerk unless otherwise ordered by the court. Upon completion of the hearing, the court shall cause the criminal history record to be destroyed unless, within 30 days of the date of the entry of the final order in the matter, the petitioner or the attorney for the Commonwealth notes an appeal as provided by law in civil cases.

H. After receiving the criminal history record of the petitioner, the court may conduct a hearing on the petition.

I. For a petition filed pursuant to subsection A, the court shall enter an order requiring the sealing of the records related to the charge, conviction, or ancillary matter if the court finds that seven years have passed since the date of conviction or of dismissal of the deferred charge listed in subsection A and the petitioner has not been convicted of violating any law of the Commonwealth that requires a report to the Central Criminal Records Exchange under subsection A of § 19.2-390 or any other state, the District of Columbia, or the United States or any territory thereof, excluding traffic infractions under Title 46.2, during that time period.

J. For a petition filed pursuant to subsection B, the court shall enter an order to seal the ancillary matter if the charge or conviction identified in the petition has been sealed pursuant to § 19.2-392.6:1, 19.2-392.7, or 19.2-392.11.

K. If the attorney for the Commonwealth of the county or city in which the petition is filed (i) gives written notice to the court pursuant to subsection F that he does not object to the petition and (ii) stipulates in such written notice that the petitioner is eligible to have such charge, conviction, or ancillary matter sealed, the court may enter an order of sealing without conducting a hearing.

L. Any party aggrieved by the decision of the court may appeal, as provided by law in civil cases.

M. Upon the entry of an order of sealing, the clerk of the court shall maintain a copy of such order under seal and shall cause an electronic notification of such order to be forwarded to the Department of State Police. Such electronic notification shall contain (i) the petitioner's full name, date of birth, sex, race, and social security number, if available; (ii) the full name used by the petitioner at the time of arrest or summons; (iii) the petitioner's state identification number from the criminal history record; (iv) the court case number of the charge, conviction, or ancillary matter to be sealed, if available; and (v) the document control number, if available. The Department of State Police shall validate the accuracy of any criminal history record ordered to be sealed pursuant to this section but shall not validate whether such record is eligible for sealing. Upon receipt of such electronic notification, the Department of State Police shall seal such records in accordance with § 19.2-392.13. The Department of State Police shall also electronically notify the Office of the Executive Secretary of the Supreme Court and any other agencies and individuals known to maintain or to have obtained such a record that such record has been ordered to be sealed and may only be disseminated in accordance with § 19.2-392.13.

N. Any order entered where (i) the court or parties failed to strictly comply with the procedures set forth in this section or (ii) the court entered an order for the sealing of records contrary to law shall be voidable upon motion and notice made within two years of the entry of such order.

O. A petition filed under this section and any responsive pleadings filed by the attorney for the Commonwealth shall be maintained under seal by the clerk unless otherwise ordered by the court. Any order to seal issued pursuant to this section shall be sealed and may only be disseminated for the purposes set forth in § 19.2-392.13.

P. Nothing in this chapter shall prohibit the circuit court from entering an order to seal a charge, conviction, or ancillary matter under this section when such charge, conviction, or ancillary matter is eligible for sealing under some other section of this chapter.

§ 19.2-392.13. (For effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Disposition of records when an offense is sealed; permitted uses of sealed records.

A. Upon electronic notification that a court order for sealing has been entered pursuant to § 19.2-392.7, ~~19.2-392.8~~ *19.2-392.10*, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1, or upon the sealing of an offense without a court order pursuant to § 19.2-392.6:1 or 19.2-392.17*, the Department of State Police shall not disseminate any criminal history record information contained in the Central Criminal Records Exchange, including any records relating to an arrest, charge, or conviction, that was ordered to be sealed, except for purposes set forth in this section and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134. Upon receipt of such electronic notification, the Department of State Police shall electronically notify those agencies and individuals known to maintain or to have obtained such a record that such record has been ordered to be sealed and may only be disseminated for purposes set forth in this section and pursuant to rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134. Any records maintained electronically that are transformed or transferred by whatever means to an offline system or to a confidential and secure area inaccessible from normal use within the system in which the record is maintained shall be considered sealed, provided that such records are accessible only to the manager of the records or their designee.

B. Upon entry of a court order for sealing pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1, or upon the sealing of an offense without a court order pursuant to § 19.2-392.6:1 or 19.2-392.17*, the Executive Secretary of the Supreme Court and any circuit court clerk who maintains a case management system that interfaces with the Department of State Police under subsection B1 of § 17.1-502 shall ensure that the court record of such arrest, charge, or conviction is not available for public online viewing as directed by subsections B and C of § 17.1-293.1. Additionally, upon entry of such an order for sealing, the clerk of *the* court shall not disseminate any court record of such arrest, charge, or conviction, except as provided in subsections D and E.

C. Records relating to an arrest, charge, or conviction that was ordered to be sealed pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, 19.2-392.12:1, or upon the sealing of an offense without a court order pursuant to § 19.2-392.6:1 or 19.2-392.17,* shall not be open for public inspection or otherwise disclosed, provided that such records may be disseminated and used for the following purposes: (i) to make the determination as provided in § 18.2-308.2:2 *or through the National Instant Criminal Background Check System* of eligibility to possess or purchase a firearm; (ii) for fingerprint comparison utilizing the fingerprints maintained in the Automated Fingerprint Information System; (iii) to the Virginia Criminal Sentencing Commission, the Virginia State Crime Commission, and the Joint Legislative Audit and Review Commission for research purposes; (iv) to any full-time or part-time employee of the State Police or a police department or sheriff's office that is a part of or administered by the Commonwealth or any political subdivision thereof for the purpose of screening any person for full-time employment or part-time employment with, or to be a volunteer with, the State Police or a police department or sheriff's office that is a part of or administered by the Commonwealth or any political subdivision thereof; (v) to the State Health Commissioner or his designee for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency as provided in § 32.1-111.5; (vi) to

any full-time or part-time employee of the Department of Forensic Science for the purpose of screening any person for full-time or part-time employment with the Department of Forensic Science; (vii) to the chief law-enforcement officer of a locality, or his designee who shall be an individual employed as a public safety official of the locality, that has adopted an ordinance in accordance with §§ 15.2-1503.1 and 19.2-389 for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency as provided in § 32.1-111.5; (viii) to any full-time or part-time employee of the Department of Motor Vehicles, any employer as defined in § 46.2-341.4, or any medical examiner as defined in 49 C.F.R. § 390.5 for the purpose of complying with the regulations of the Federal Motor Carrier Safety Administration; (ix) to any employer or prospective employer or its designee where federal law requires the employer to inquire about prior criminal charges or convictions; (x) to any employer or prospective employer or its designee where the position that a person is applying for, or where access to the premises in or upon which any part of the duties of such position is performed or is to be performed, is subject to any requirement imposed in the interest of the national security of the United States under any security program in effect pursuant to or administered under any contract with, or statute or regulation of, the United States or any Executive Order of the President; (xi) to any person authorized to engage in the collection of court costs, fines, or restitution under subsection C of § 19.2-349 for purposes of collecting such court costs, fines, or restitution; (xii) to administer and utilize the DNA Analysis and Data Bank set forth in Article 1.1 (§ 19.2-310.2 et seq.) of Chapter 18; (xiii) to publish decisions of the Supreme Court, Court of Appeals, or any circuit court; (xiv) to any full-time or part-time employee of a court, the Office of the Executive Secretary, the Division of Legislative Services, or the Chairs of the House and Senate Committees for Courts of Justice for the purpose of screening any person for full-time or part-time employment as a clerk, magistrate, or judge with a court or the Office of the Executive Secretary; (xv) to any employer or prospective employer or its designee where this Code or a local ordinance requires the employer to inquire about prior criminal charges or convictions; (xvi) to any employer or prospective employer or its designee that is allowed access to such sealed records in accordance with the rules and regulations adopted pursuant to § 9.1-128 and procedures adopted pursuant to § 9.1-134; (xvii) to any business screening service for purposes of complying with § 19.2-392.16; (xviii) to any attorney for the Commonwealth and any person accused of a violation of law, or counsel for the accused, in order to comply with any constitutional and statutory duties to provide exculpatory, mitigating, and impeachment evidence to an accused; (xix) to any party in a criminal or civil proceeding for use as authorized by law in such proceeding; (xx) to any party for use in a protective order hearing as authorized by law; (xxi) to the Department of Social Services or any local department of social services for purposes of performing any statutory duties as required under Title 63.2; (xxii) to any party in a proceeding relating to the care and custody of a child for use as authorized by law in such proceeding; (xxiii) to the attorney for the Commonwealth and the court for purposes of determining eligibility for sealing pursuant to the provisions of § 19.2-392.12, whether the court or parties failed to strictly comply with sealing procedures, or whether an order for sealing was entered contrary to law; (xxiv) to determine a person's eligibility to be empaneled as a juror; ~~and~~ (xxv) *to the Auditor of Public Accounts for audit purposes; (xxvi) to the Department of Behavioral Health and Developmental Services and any entity defined under § 37.2-100 for purposes of providing any services or functions as defined in such section; (xxvii) to the attorney for the Commonwealth, the defendant or his counsel, any magistrate, any local community-based probation services agency or pretrial services agency, the Department of State Police, any police department, any sheriff's office, any campus police department, the Department of Corrections, any court, and the Virginia Criminal Sentencing Commission for the purposes set forth in subsection H of § 19.2-392.5; and (xxviii)* to the person arrested, charged, or convicted of the offense that was sealed.

C1. In addition to the purposes set forth in subsection C, a sealed record may be disseminated without a court order within or between any department, division, board, bureau, commission, branch, authority or other agency created by the Commonwealth, or to which the Commission is a party or any political subdivision thereof, or with any federal agency, for the purpose of administering any duties or functions required by state or federal law. Nothing in this subsection shall authorize a business screening service to allow dissemination of a sealed record due to its continued existence in any such record.

D. Upon request from any person to access a paper or a digital image of a court record, the clerk of *the* court shall determine whether such record is open to public access and inspection. If the clerk of *the* court determines that the court record has been sealed, such record shall not be provided to the requestor without an order from the court that entered the order to seal the court record *or from the court in which the final disposition was entered if the offense was sealed without the entry of a court order*. Any order from a court that allows access to a paper or a digital image of a court record that has been sealed shall only be issued for one or more of the purposes set forth in subsection C. Such order to access a paper or a digital image of a court record that has been sealed shall allow the requestor to photocopy such court record. No fee shall be charged to any person filing a motion to access a paper or a digital image of a court record that has been sealed if the person filing such motion is the same person who was arrested, charged, or convicted of the offense that was sealed.

E. No access shall be provided to electronic records in an appellate court, circuit court, or district court case management system *or other system containing electronic case information* maintained by the Executive Secretary of the Supreme Court or in a case management system maintained by a clerk of the circuit court for any arrest, charge, or conviction that was ordered to be sealed pursuant to § 19.2-392.7, 19.2-392.8, 19.2-392.11, ~~or~~ 19.2-392.12*, 19.2-392.12:1, or upon the sealing of an offense without a court order pursuant to § 19.2-392.6:1 or 19.2-392.17*, except to *(i)* the Virginia Criminal Sentencing Commission, the Virginia State Crime Commission, and the Joint Legislative Audit and Review Commission for research purposes*; (ii) the Auditor of Public Accounts for audit purposes; (iii) any person authorized to*

engage in the collection of court costs, fines, or restitution under subsection C of § 19.2-349 for the purposes of collection of such court costs, fines, or restitution; and (iv) any person authorized to submit a request for payment to the Office of the Executive Secretary of the Supreme Court for services provided in a criminal case. ~~Such electronic~~ *Electronic* records may be disseminated ~~to the Virginia Criminal Sentencing Commission, the Virginia State Crime Commission, and the Joint Legislative Audit and Review Commission~~ *as authorized in this subsection* without a court order.

F. If a pleading or case document in a court record that was sealed is included among other court records that have not been ordered to be sealed, the clerk of *the* court shall not be required to prohibit dissemination of that record. ~~The Supreme Court, Court of Appeals, and any~~ *If an appellate court record contains court records that have been sealed, with or without a court order, and court records that have not been sealed, the clerk of the Supreme Court or Court of Appeals shall not be required to prohibit dissemination of such appellate record. Any* circuit court shall not be required to prohibit dissemination of any published or unpublished opinion relating to an arrest, charge, or conviction that was ordered to be sealed. *The Supreme Court and Court of Appeals shall not be required to prohibit dissemination of any (i) published or unpublished opinion, order, or summary of a case; (ii) court records for matters in which the Supreme Court or Court of Appeals has original jurisdiction; or (iii) appellate court record of a traffic infraction under Title 46.2 that is not punishable as a criminal offense relating to an arrest, charge, or conviction that was sealed. A clerk of the court shall not be required to redact information pertaining to a court record that has been sealed in any reports or electronic transmissions of case information that are required by statute or prepared and distributed to a state or local government entity in the normal course of business. Nothing in this subsection shall authorize a business screening service to allow dissemination of a sealed record due to its continued existence in any appellate record.*

G. *The clerk of any circuit court shall not be required to redact any sealed record contained in (i) an order book or order book index; (ii) a land record, as defined in subsection B of § 17.1-292; or (iii) on microfilm or microfiche. The clerk of any circuit court shall not be required to redact or seal any paper record for an offense that has been sealed pursuant to § 19.2-392.6:1 or 19.2-392.17. The clerk of any circuit court who physically removes the paper record of the primary case file for any other charge or conviction that has been sealed and maintains that file in a physically secure location that is not accessible to the public shall be in compliance with the requirement to seal the paper record. For the purposes of this subsection, the primary case file includes the indictment or warrant and any other papers relating to any proceedings on such indictment or warrant. Nothing in this subsection shall authorize a business screening service to allow dissemination of a sealed record due to its continued existence in any such record.*

H. The Department of Motor Vehicles shall not seal any conviction or any charge that was deferred and dismissed after a finding of facts sufficient to justify a finding of guilt (i) in violation of federal regulatory record retention requirements or (ii) in violation of federal program requirements if the Department of Motor Vehicles is required to suspend a person's driving privileges as a result of a conviction or deferral and dismissal ordered to be sealed. Upon receipt of *an electronic notification of* an order directing that an offense be sealed, the Department of Motor Vehicles shall seal all records if the federal regulatory record retention period has run and all federal program requirements associated with a suspension have been satisfied. However, if the Department of Motor Vehicles cannot seal an offense pursuant to this subsection at the time it is ordered, the Department of Motor Vehicles shall (a) notify the Department of State Police of the reason the record cannot be sealed and cite the authority prohibiting sealing at the time it is ordered; (b) notify the Department of State Police of the date, if known at the time when the sealing is ordered, on which such record can be sealed; (c) seal such record on that date; and (d) notify the Department of State Police when such record has been sealed within the Department of Motor Vehicles' records.

I. The Library of Virginia shall not be required to seal any court records in its possession, provided that such records are not accessible or disseminated to the public.

~~H.~~ *J.* No arrest, charge, or conviction that has been sealed may be used to impeach the credibility of a testifying witness at any hearing or trial unless (i) its probative value, supported by specific facts and circumstances, substantially outweighs its prejudicial effect and (ii) the proponent gives an adverse party reasonable written notice of the intent to use it so that the party has a fair opportunity to contest its use.

~~I.~~ *K.* The provisions of this section shall not prohibit the disclosure of sealed criminal history record information or any information from such records among law-enforcement officers and attorneys when such disclosures are made by such officers or attorneys while engaged in the performance of their duties for purposes solely relating to the disclosure or use of exculpatory, mitigating, and impeachment evidence or between attorneys for the Commonwealth when related to the prosecution of a separate crime.

§ 19.2-392.14. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Disclosure of sealed records; penalty.

A. It is unlawful for any ~~person~~ *employee of any department, division, board, bureau, commission, branch, authority, or other agency created by the Commonwealth, or to which the Commonwealth is a party or any political subdivision thereof,* having or acquiring access to sealed criminal history record information or a court record, including any records relating to an arrest, charge, or conviction, that was ordered to be sealed pursuant to § 19.2-392.7, 19.2-392.8, *19.2-392.10,* 19.2-392.11, ~~or~~ 19.2-392.12*, or 19.2-392.12:1, or that was sealed without entry of a court order pursuant to § 19.2-392.6:1 or 19.2-392.17*, to disclose such record or any information from such record to another person, except in accordance with the purposes set forth in § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134.

B. A clerk of *the* court shall not be in violation of this section if such clerk informs a person requesting access to a sealed court record that such court record has been sealed and can only be accessed pursuant to a court order.

C. Any person who ~~willfully~~ *knowingly and intentionally* violates this section is guilty of a Class 1 misdemeanor. ~~Any person who maliciously and intentionally violates this section is guilty of a Class 6 felony.~~

§ 19.2-392.16. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Dissemination of criminal history records and traffic history records by business screening services.

A. For the purposes of this section:

"Business screening service" means a person engaged in the business of collecting, assembling, evaluating, or disseminating Virginia criminal history records or traffic history records on individuals.

"Business screening service" does not include any government entity or the news media.

"Criminal history record" means any information collected by a business screening service on individuals containing any personal identifying information, photograph, or other identifiable descriptions pertaining to an individual and any information regarding arrests, detentions, indictments, or other formal criminal charges, and any disposition arising therefrom, including acquittal, sentencing, correctional supervision, or release.

"Delete" means that a criminal history record *or a traffic history record* shall not be disseminated in any manner, except to any entity authorized to receive and use such information pursuant to § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134, but may be retained in order to resolve any disputes relating to this section, the accuracy of the record consistent with the federal Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq., or the Gramm-Leach-Bliley Act, 15 U.S.C. § 6801 et seq.

"Sealed possession of marijuana record" means any criminal or civil offense that concluded with any final disposition as a charge or conviction of former § 18.2-250.1 which has been sealed without the entry of a court order pursuant to § 19.2-392.6:1.

"Sealed record" means a Virginia criminal history record or a traffic history record that has been sealed pursuant to § 19.2-392.7, *19.2-392.8,* 19.2-392.10, 19.2-392.11, ~~or~~ 19.2-392.12*, 19.2-392.12:1, or 19.2-392.17*.

"Traffic history record" means any information collected by a business screening service on individuals containing any personal identifying information, photograph, or other identifiable descriptions pertaining to an individual and any information regarding arrests, detentions, indictments, or other formal traffic infraction charges, and any disposition arising therefrom.

B. If a business screening service knows that a criminal history record or a traffic history record ~~has been~~ *is a* sealed *record or a sealed possession of marijuana record, regardless of the source of the record*, the business screening service shall promptly delete the record.

C. A business screening service shall register with the Department of State Police to electronically receive ~~copies~~ *notifications* of orders of sealing provided to the Department of State Police pursuant to §§ 19.2-392.7, *19.2-392.8,* 19.2-392.10, 19.2-392.11, ~~and~~ 19.2-392.12*, and 19.2-392.12:1*. The Department of State Police may charge an annual licensing fee to the business screening service for accessing such information, with ~~a portion of~~ such fee to be used to cover the cost of providing such records ~~and the remainder of such fee to be deposited into the Sealing Fee Fund pursuant to § 17.1-205.1~~. The contract between the Department of State Police and the business screening service shall prohibit dissemination *of the electronic notifications* of the orders of sealing and shall require compliance by the business screening service with the provisions of subsections D, E, and F. The *electronic notifications of the* orders of sealing received by the business screening service *and all information contained therein* shall remain confidential and shall not be disseminated or resold. The *electronic notifications of the* orders of sealing shall be used for the sole purpose of deleting criminal history records that have been sealed. The business screening service shall ~~destroy~~ *delete* the ~~copies~~ *electronic notifications* of the orders of sealing after deleting the information contained in such orders from sealed records. The Department of State Police shall require that the business screening service seeking access to the information identify themselves, certify the purposes for which the information is sought, and certify that the information will be used for no other purpose. The Department of State Police shall further require that a business screening service acknowledge receipt of all electronic ~~copies~~ *notifications* of *the* orders of sealing provided by the Department of State Police. The Department of State Police shall maintain *and publicly post* a ~~public~~ list ~~within~~ *on* its website identifying the business screening services that are licensed to receive such records.

D. A business screening service that disseminates a criminal history record or a traffic history record on or after the effective date of this section shall include the date when the record was collected by the business screening service and a notice that the information may include records that have been sealed since that date.

E. A business screening service shall implement and follow reasonable procedures to assure that it does not maintain or sell criminal history records or traffic history records that are inaccurate or incomplete. If the completeness or accuracy of a criminal history record or traffic history record maintained by a business screening service is disputed by the individual who is the subject of the record, the business screening service shall, without charge, investigate the disputed record. If, upon investigation, the business screening service determines that the record does not accurately reflect the content of the official record, the business screening service shall correct the disputed record so as to accurately reflect the content of the official record. If the disputed record is found to have been sealed pursuant to § *19.2-392.6:1,* 19.2-392.7, *19.2-392.8,* 19.2-392.10, 19.2-392.11, ~~or~~ 19.2-392.12*, 19.2-392.12:1, or 19.2-392.17*, the business screening service shall promptly delete the record. A business screening service may terminate an investigation of a disputed record if the business screening service

reasonably determines that the dispute is frivolous, which may be based on the failure of the subject of the record to provide sufficient information to investigate the disputed record. Upon making a determination that the dispute is frivolous, the business screening service shall inform the subject of the record of the specific reasons why it has determined that the dispute is frivolous and shall provide a description of any information required to investigate the disputed record. The business screening service shall notify the subject of the disputed record of the correction or deletion of the record or of the termination or completion of the investigation related to the record within 30 days of the date when the business screening service receives notice of the dispute from the subject of the record.

F. A business screening service shall implement procedures for individuals to submit a request to obtain their own criminal history record and traffic history record information maintained by the business screening service and any other information that may be sold to another entity by the business screening service regarding the individual.

G. A business screening service that violates this section is liable to the person who is the subject of the criminal history record or traffic history record for a penalty of $1,000 or actual damages caused by the violation, whichever is greater, plus costs and reasonable attorney fees. Within 10 days of service of any suit by an individual, the business screening service may make a cure offer in writing to the individual claiming to have suffered a loss as a result of a violation of this section. Such offer shall be in writing and include one or more things of value, including the payment of money. A cure offer shall be reasonably calculated to remedy a loss claimed by the individual, as well as any attorney fees or other fees, expenses, or other costs of any kind that such individual may incur in relation to such loss. No cure offer shall be admissible in any proceeding initiated under this section, unless the cure offer is delivered by the business screening service to the individual claiming loss or to any attorney representing such individual prior to the filing of the business screening service's initial responsive pleading in such proceeding. The business screening service shall not be liable for such individual's attorney fees and court costs incurred following delivery of the cure offer unless the actual damages found to have been sustained and awarded, without consideration of attorney fees and court costs, exceed the value of the cure offer.

H. The Attorney General may file a civil action to enforce this section. If the court finds that a business screening service has willfully engaged in an act or practice in violation of this section, the Attorney General may recover for the Literary Fund, upon petition to the court, a civil penalty of not more than $2,500 per violation. For the purposes of this section, prima facie evidence of a willful violation may be shown when the Attorney General notifies the alleged violator by certified mail that an act or practice is a violation of this section and the alleged violator, after receipt of said notice, continues to engage in the act or practice. In any civil action pursuant to this subsection, in addition to any civil penalty awarded, the Attorney General may also recover any costs and reasonable expenses incurred by the state in investigating and preparing the case, not to exceed $1,000 per violation, and attorney fees. Such additional costs and expenses shall be paid into the general fund of the Commonwealth.

I. A business screening service that disseminates criminal history records or traffic history records in the Commonwealth is deemed to have consented to service of process in the Commonwealth and to the jurisdiction of courts of the Commonwealth for actions involving a violation of this section or for the recovery of remedies under this section.

J. A business screening service that is a consumer reporting agency and that is in compliance with the applicable provisions of the federal Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq., or the Gramm-Leach-Bliley Act, 15 U.S.C. § 6801 et seq., is considered to be in compliance with the comparable provisions of this section. A business screening service is subject to the state remedies under this section if its actions would violate this section and federal law.

K. Any business screening service or person who engages in the conduct of a business screening service, as set forth this this section, that fails to register with the Department of State Police as required by subsection C and that disseminates criminal history records or traffic history records in the Commonwealth may be subject to (i) suit by any person injured by such dissemination and (ii) enforcement actions by the Attorney General as set forth in subsection H.

L. Nothing in this section shall prohibit the prosecution of any person who knowingly and intentionally violates the provisions of § 19.2-392.14.

§ 19.2-392.17. (For contingent effective date, see Acts 2021, Sp. Sess. I, cc. 524 and 542) Traffic infractions deemed sealed.

A. ~~Any~~ *Except as provided in subsection F of § 19.2-392.13, any* record of a traffic infraction under Title 46.2 *with an offense date on or after January 1, 1986,* that is not punishable as a criminal offense shall be deemed to be sealed after 11 years from the date of final disposition of the offense, unless such sealing is prohibited under federal or state law. *The Central Criminal Records Exchange, any court, any police department, sheriff's office, or campus police department, and the Department of Motor Vehicles shall identify and seal the records of any such infraction in its possession.* No record of any such traffic infraction shall be disseminated, unless such dissemination is authorized pursuant to § 19.2-392.13 and pursuant to the rules and regulations adopted pursuant to § 9.1-128 and the procedures adopted pursuant to § 9.1-134.

B. The Department of Motor Vehicles shall not seal any traffic infraction under Title 46.2 (i) in violation of federal regulatory record retention requirements or (ii) in violation of federal program requirements if the Department of Motor Vehicles is required to suspend a person's driving privileges as a result of the traffic infraction that was ~~ordered to be~~ *deemed* sealed *pursuant to subsection A*. ~~Upon receipt of an order directing that a traffic infraction be sealed, the~~ *The* Department of Motor Vehicles shall seal all records *deemed to be sealed pursuant to subsection A* if the federal regulatory record retention period has run and all federal program requirements associated with a suspension have been satisfied. ~~However, if the Department of Motor Vehicles cannot seal a traffic infraction pursuant to this subsection at the time it is ordered, the Department of Motor Vehicles shall (a) notify the Department of State Police of the reason the record cannot be sealed and~~

~~cite the authority prohibiting sealing at the time it is ordered; (b) notify the Department of State Police of the date, if known at the time when the sealing is ordered, on which such record can be sealed; (c) seal such record on that date; and (d) notify the Department of State Police when such record has been sealed within the Department of Motor Vehicles' records.~~

C. The Department of Motor Vehicles shall not seal a record of a traffic infraction if a customer is subject to an administrative suspension order issued pursuant to Driver Improvement Program requirements under § 46.2-498, 46.2-499, or 46.2-506, issued in part or in whole, as a result of an accumulation of traffic infractions, and less than two years has passed since the date that the suspension order was complied with.

2. That the Department of State Police shall develop a secure portal for the purpose of allowing government agencies to determine whether a record has been sealed prior to responding to a request under § 2.2-3706 or 2.2-3706.1 of the Code of Virginia, as amended by this act, by October 1, 2026.

3. That the Virginia Indigent Defense Commission shall (i) educate and provide support to public defenders and certified court-appointed counsel on expungement and sealing, (ii) conduct trainings on expungement and sealing across the Commonwealth, (iii) develop a library of resources on expungement and sealing for use by public defenders and certified court-appointed counsel, and (iv) post information regarding expungement and sealing for use by the public on its website.

4. That § 17.1-205.1 of the Code of Virginia is repealed, and that any money in the Sealing Fee Fund created in such section shall revert to the general fund.

5. That the provisions of §§ 2.2-3706 and 2.2-3706.1 and §§ 9.1-101, 9.1-128, 17.1-293.1, 17.1-502, 19.2-310.7, 19.2-392.2, 19.2-392.5 through 19.2-392.8, 19.2-392.11 through 19.2-392.14, 19.2-392.16, and 19.2-392.17, as they shall become effective, of the Code of Virginia, as amended by the first enactment of this act, shall become effective on July 1, 2026.

6. That the provisions of §§ 19.2-392.6:1 and 19.2-392.12:1 of the Code of Virginia, as created by this act, shall become effective on July 1, 2026.

7. That the fourth enactment of Chapter 524 and the fourth enactment of Chapter 542 of the Acts of Assembly of 2021, Special Session I, are amended and reenacted as follows:

4. That the provisions of §§ 9.1-101, 9.1-128, 9.1-134, 17.1-293.1, 17.1-502, *and* 19.2-310.7~~, and 19.2-389.3~~ of the Code of Virginia, as amended by this act, and Chapter 23.2 (§ 19.2-392.5 et seq.) of Title 19.2 of the Code of Virginia, as created by this act, shall become effective on ~~the earlier of (i) the first day of the fourth month following notification of the Chair of the Virginia Code Commission and the Chairs of the Senate Committee on the Judiciary and the House Committee for Courts of Justice by the Superintendent of State Police that the Executive Secretary of the Supreme Court of Virginia, the Department of State Police, and any circuit court clerk who maintains a case management system that interfaces with the Department of State Police under subsection B1 of § 17.1-502 of the Code of Virginia, as amended by this act, have automated systems to exchange information as required by §§ 19.2-392.7, 19.2-392.10, 19.2-392.11, and 19.2-392.12 of the Code of Virginia, as created by this act, or (ii)~~ July 1, ~~2025~~ *2026*.

8. That the fifth enactment of Chapter 524 and the fifth enactment of Chapter 542 of the Acts of Assembly of 2021, Special Session I, are amended and reenacted as follows:

5. That the Department of State Police shall first transmit the list required under subsection B of § 19.2-392.7 of the Code of Virginia, as created by this act, not later than ~~the earlier of (i) the first day of the third month following the effective date of this act as provided in clause (i) of the fourth enactment of this act or (ii)~~ October 1, ~~2025~~ *2026*.

9. That the sixth enactment of Chapter 524 and the sixth enactment of Chapter 542 of the Acts of Assembly of 2021, Special Session I, are amended and reenacted as follows:

6. That the Executive Secretary of the Supreme Court of Virginia, the Department of State Police, and any circuit court clerk who maintains a case management system that interfaces with the Department of State Police under subsection B1 of § 17.1-502 of the Code of Virginia, as amended by this act, shall automate systems to exchange information as required by §§ 19.2-392.7, 19.2-392.10, 19.2-392.11, and 19.2-392.12 of the Code of Virginia, as created by this act, not later than July 1, ~~2025~~ *2026*.

10. That the seventh enactment of Chapter 524 and the seventh enactment of Chapter 542 of the Acts of Assembly of 2021, Special Session I, are amended and reenacted as follows:

7. That the Executive Secretary of the Supreme Court of Virginia shall develop a form for requesting and authorizing access to a sealed court record as set forth in section D of § 19.2-392.13 of the Code of Virginia, as created by this act, not later than July 1, ~~2025~~ *2026*.

11. That the third enactment of Chapter 554 and the third enactment of Chapter 555 of the Acts of Assembly of 2023 are amended and reenacted as follows:

3. That § 19.2-389.3 of the Code of Virginia is repealed effective ~~on the earlier of (i) the date on which the processes to seal criminal history record information and court records pursuant to Chapters 524 and 542 of the Acts of Assembly of 2021, Special Session I, become effective or (ii)~~ July 1, ~~2025~~ *2026*.

12. That the fourth enactment of Chapter 554 and the fourth enactment of Chapter 555 of the Acts of Assembly of 2023 are amended and reenacted as follows:

4. That the provisions of *§ 19.2-392.3 of the Code of Virginia, as amended by this act, shall become effective on July 1, 2025, and that the provisions of* §§ 9.1-128, 19.2-392.2, ~~19.2-392.3,~~ 19.2-392.6, 19.2-392.7, 19.2-392.10, 19.2-392.11, 19.2-392.12, and 19.2-392.13 of the Code of Virginia, as amended by this act, shall become effective on ~~the earlier of (i) the date on which the processes to seal criminal history record information and court records pursuant to Chapters 524 and 542 of the Acts of Assembly of 2021, Special Session I, become effective or (ii)~~ July 1, ~~2025~~ *2026*.

13. That the fifth enactment of Chapter 554 and the fifth enactment of Chapter 555 of the Acts of Assembly of 2023 are amended and reenacted as follows:

5. That the Department of State Police shall first transmit the lists required under subsection B of § 19.2-392.7 of the Code of Virginia, as amended by this act, not later than ~~the earlier of (i) the first day of the third month following the date on which the processes to seal criminal history record information and court records pursuant to Chapters 524 and 542 of the Acts of Assembly of 2021, Special Session I, become effective or (ii)~~ October 1, ~~2025~~ *2026*.

14. That the Department of State Police, Department of Motor Vehicles, Office of the Executive Secretary of the Supreme Court of Virginia, and clerk of any circuit court shall provide data and information on sealing upon request of the Virginia State Crime Commission for purposes of monitoring and evaluating the implementation and impact of the sealing processes.

15. That the Office of the Executive Secretary of the Supreme Court of Virginia shall collect data related to petitions filed pursuant to § 19.2-392.12 of the Code of Virginia, as amended by this act, and § 19.2-392.12:1 of the Code of Virginia, as created by this act, by July 1, 2026. Such data shall include the number of sealing petitions filed; whether such petitions were filed pursuant to § 19.2-392.12 or 19.2-392.12:1 of the Code of Virginia; the number of petitions in which a hearing was held; the number of charges ordered sealed or denied to be sealed; the number of petitioners represented by counsel; the date of birth, sex, and race of petitioners; and, to the extent available, data relating to the specifically identified charges, convictions, and ancillary matters for which sealing was granted or denied. The Office of the Executive Secretary of the Supreme Court of Virginia shall report such data to the Virginia State Crime Commission by October 1 of each year, beginning October 1, 2027.

16. That the Virginia State Crime Commission, in consultation with the Senate Committee on Finance and Appropriations, House Committee on Appropriations, Department of State Police, Department of Motor Vehicles, Office of the Executive Secretary of the Supreme Court of Virginia, Compensation Board, Virginia Court Clerks Association, and Virginia Association of Commonwealth's Attorneys, shall analyze data and information collected on automatic and petition sealing to identify the workloads required to perform such sealing, including the sufficiency of staffing and resources of state agencies, branches, and constitutional officers, and shall report its findings by the first day of the 2026 Regular Session of the General Assembly and for the following three years thereafter. The Virginia State Crime Commission shall share this data with the Senate Committee on Finance and Appropriations, House Committee on Appropriations, Department of State Police, Department of Motor Vehicles, Office of the Executive Secretary of the Supreme Court of Virginia, Compensation Board, Virginia Court Clerks Association, and Virginia Association of Commonwealth's Attorneys as necessary for the purpose of determining staffing and workload needs.

17. That the Virginia State Crime Commission shall continue its study on the sealing of criminal records and shall (i) identify methods to educate the public on sealing eligibility requirements and processes; (ii) consult with the Virginia State Bar and other stakeholders to identify methods to provide information, resources, and pro bono legal consultations and assistance with sealing to the public; (iii) to the extent possible, conduct trainings on sealing for stakeholders upon request; (iv) review any other relevant matters that arise during the course of the study; and (v) report on its work on the study by the first day of the 2026 Regular Session of the General Assembly.

18. That nothing in this act shall be construed to authorize the Department of State Police to require the Office of the Executive Secretary of the Supreme Court of Virginia or a clerk of any circuit court that maintains a case management system that interfaces with the Department of State Police under subsection B1 of § 17.1-502 of the Code of Virginia, as amended by this act, to include additional data in electronic notifications of sealing orders forwarded pursuant to Chapter 23.2 (§ 19.2-392.5 et seq.) of Title 19.2 of the Code of Virginia, as amended by this act, or in dispositions of criminal or traffic cases transmitted to the Central Criminal Records Exchange other than the data identified by the Department of State Police and the Office of the Executive Secretary as necessary to implement Chapters 524 and 542 of the Acts of Assembly of 2021, Special Session I, and Chapters 554 and 555 of the Acts of Assembly of 2023. Nothing in this act shall be construed to authorize the Department of State Police to require (i) the implementation of new procedures or (ii) modifications of existing procedures followed by a clerk of any circuit court for entering information into case management systems.

CHAPTER 672

An Act to amend the Code of Virginia by adding a section numbered 32.1-174.5, relating to Department of Health Office of Drinking Water; waterworks; mandatory reporting; monthly operation report.

[H 2749]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 32.1-174.5 as follows:

§ 32.1-174.5. Mandatory reporting of contaminant releases and equipment failures and malfunctions.

A. As used in this section:

"Contaminant release" means an unplanned or uncontrolled release by a waterworks of a chemical contaminant or petroleum or synthetic oil into the water that is treated by or distributed from the waterworks to customers. "Contaminant release" includes any such release at treatment facilities and raw or finished water pump stations.

"Critical equipment failure or malfunction" means any equipment failure or malfunction that has significant potential for serious adverse effects on human health as a result of short-term exposure or to cause a widespread disruption of water service.

"Equipment failure" means an unplanned condition when the equipment cannot perform or is unable to perform as designed because of a problem with such equipment. "Equipment failure" does not mean a planned (i) removal from service, (ii) repair, or (iii) maintenance.

"Equipment malfunction" means an unplanned condition during which the equipment cannot perform or is unable to perform as designed due to a problem originating from outside the waterworks rather than a problem associated or originating with the equipment itself, including an issue with third-party provided gas or electric power feeds or a cyberattack.

"Monthly operating report" means the report submitted by a waterworks to the Office at least once each month that describes the waterworks' operational status and compliance with applicable laws, regulations, and policies, as directed by the Department.

"Noncritical equipment failure or malfunction" means an equipment failure or malfunction that is not a critical equipment failure or malfunction, regardless of whether such anomaly is noticeable to customers of the waterworks.

"Office" means the Department's Office of Drinking Water.

B. The owner of a waterworks shall report any critical equipment failure or malfunction or contaminant release to the Office as soon as practicable but no more than two hours after discovery.

C. Any owner of a waterworks that is required to submit a monthly operating report to the Office shall include any noncritical equipment failure or malfunction that could adversely affect water quality, public health, or service continuity that occurred during the applicable reporting month and was not resolved by the reporting deadline. For the purposes of this subsection, any noncritical equipment failure or malfunction that is effectively addressed by equipment repair or replacement, alternative equipment use, alternative system operation, or such other response shall be considered resolved.

CHAPTER 673

An Act to amend and reenact § 18.2-423.1 of the Code of Virginia, relating to placing Nazi symbols or emblems on certain property with intent to intimidate; penalty.

[H 2783]

Approved April 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-423.1 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-423.1. Placing Nazi symbol or emblem on certain property with intent to intimidate; penalty; prima facie evidence of intent.

A. It ~~shall be~~ *is* unlawful for any person or persons, with the intent of intimidating another person or group of persons, to place or cause to be placed a *Hakenkreuz, hooked cross, or Nazi symbol or emblem, sometimes referred to as the Nazi* swastika, on *(i)* any church, synagogue, or other building or place used for religious worship~~, or on~~*; (ii)* any school, educational facility, or community center owned or operated by a church or religious body*; or (iii) the private property of another without permission.*

B. It is unlawful for any person or persons, with the intent of intimidating another person or group of persons, to place or cause to be placed a Hakenkreuz, hooked cross, or Nazi symbol or emblem, sometimes referred to as the Nazi swastika, on a highway or other public place in a manner having a direct tendency to place another person in reasonable fear or apprehension of death or bodily injury.

C. A violation of this section ~~shall be~~ *is* punishable as a Class 6 felony.

D. For the purposes of this section, any such placing of a *Hakenkreuz, hooked cross, or Nazi symbol or emblem, sometimes referred to as the Nazi* swastika, shall be prima facie evidence of an intent to intimidate another person or group of persons*. However, these terms do not include and are distinct from the sacred swastika word and symbol of peace and prosperity used by Hinduism, Buddhism, Jainism, Zoroastrianism, or Native American religions.*

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 674

An Act to amend the Code of Virginia by adding a section numbered 22.1-289.05:1, relating to Small Family Day Home Provider Incentive Pilot Program established.

[H 1833]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-289.05:1 as follows:

§ 22.1-289.05:1. Small Family Day Home Provider Incentive Pilot Program.

A. With such funds as may be provided for such purpose pursuant to the general appropriation act, there is hereby established the Small Family Day Home Provider Incentive Pilot Program whereby funds are provided to the Ready Region Chesapeake Bay lead to work in conjunction with public and private partners, including the U.S. Department of Defense, Early Childhood Navigators at the Department, local governing bodies, and nonprofit organizations with experience in supporting childcare providers to become licensed, to:

1. Cover the cost of hiring a Navigator focused on providing training and support to small family day homes in the region, including weekend training sessions to provide information on first aid and cardiopulmonary resuscitation (CPR) certification, medication administration, safe sleep practices, emergency planning, recordkeeping, insurance, and compliance with relevant local ordinances; and

2. Provide incentive payments of $500 to any small family day home in the region:

a. That is not licensed or voluntarily registered when such home achieves voluntary registration pursuant to § 22.1-289.015;

b. That is voluntarily registered or otherwise unlicensed when such home achieves licensure pursuant to § 22.1-289.011; and

c. When such home first participates in the Virginia Quality Birth to Five (VQB5) system established pursuant to § 22.1-289.05 and meets the standards to qualify for subsidies under the Virginia Child Care Subsidy Program and the Military Child Care in Your Neighborhood-PLUS program.

B. The Ready Region Chesapeake Bay lead shall annually collect and make publicly available data on the number of small family day homes in the region that (i) participated in the weekend trainings provided by the Navigator and (ii) received incentive payments for first achieving voluntary registration or licensure or participating in VQB5.

2. That the provisions of this act shall expire on July 1, 2029.

CHAPTER 675

An Act to amend and reenact §§ 2.2-3705.3 and 22.1-253.13:3 of the Code of Virginia, relating to Board of Education; Standards of Learning assessments and related student assessment methods; assessment development, implementation, and administration reform.

[H 1957]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3705.3 and 22.1-253.13:3 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-3705.3. Exclusions to application of chapter; records relating to administrative investigations.

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01.

1. Information relating to investigations of applicants for licenses and permits, and of all licensees and permittees, made by or submitted to the Virginia Alcoholic Beverage Control Authority, the Virginia Cannabis Control Authority, the Virginia Lottery pursuant to Chapter 40 (§ 58.1-4000 et seq.) and Chapter 41 (§ 58.1-4100 et seq.) of Title 58.1, the Virginia Racing Commission, the Department of Agriculture and Consumer Services relating to investigations and applications pursuant to Article 1.1:1 (§ 18.2-340.15 et seq.) of Chapter 8 of Title 18.2, or the Private Security Services Unit of the Department of Criminal Justice Services.

2. Records of active investigations being conducted by the Virginia Cannabis Control Authority or by the Department of Health Professions or any health regulatory board in the Commonwealth pursuant to § 54.1-108.

3. Investigator notes, and other correspondence and information, furnished in confidence with respect to an active investigation of individual employment discrimination complaints made to the Department of Human Resource Management, to such personnel of any local public body, including local school boards, as are responsible for conducting such investigations in confidence, or to any public institution of higher education. However, nothing in this subdivision shall prevent the disclosure of information taken from inactive reports in a form that does not reveal the identity of charging parties, persons supplying the information, or other individuals involved in the investigation.

4. Records of active investigations being conducted by the Department of Medical Assistance Services pursuant to Chapter 10 (§ 32.1-323 et seq.) of Title 32.1.

5. Investigative notes and other correspondence and information furnished in confidence with respect to an investigation or conciliation process involving an alleged unlawful discriminatory practice under the Virginia Human Rights Act (§ 2.2-3900 et seq.) or under any local ordinance adopted in accordance with the authority specified in § 2.2-524, or adopted pursuant to § 15.2-965, or adopted prior to July 1, 1987, in accordance with applicable law, relating to local human rights or human relations commissions. However, nothing in this subdivision shall prevent the distribution of information taken from inactive reports in a form that does not reveal the identity of the parties involved or other persons supplying information.

6. Information relating to studies and investigations by the Virginia Lottery of (i) lottery agents, (ii) lottery vendors, (iii) lottery crimes under §§ 58.1-4014 through 58.1-4018, (iv) defects in the law or regulations that cause abuses in the administration and operation of the lottery and any evasions of such provisions, or (v) the use of the lottery as a subterfuge for organized crime and illegal gambling where such information has not been publicly released, published or copyrighted. All studies and investigations referred to under clauses (iii), (iv), and (v) shall be open to inspection and copying upon completion of the study or investigation.

7. Investigative notes, correspondence and information furnished in confidence, and records otherwise exempted by this chapter or any Virginia statute, provided to or produced by or for (i) the Auditor of Public Accounts; (ii) the Joint Legislative Audit and Review Commission; (iii) an appropriate authority as defined in § 2.2-3010 with respect to an allegation of wrongdoing or abuse under the Fraud and Abuse Whistle Blower Protection Act (§ 2.2-3009 et seq.); (iv) the Office of the State Inspector General with respect to an investigation initiated through the Fraud, Waste and Abuse Hotline or an investigation initiated pursuant to Chapter 3.2 (§ 2.2-307 et seq.); (v) internal auditors appointed by the head of a state agency or by any public institution of higher education; (vi) the committee or the auditor with respect to an investigation or audit conducted pursuant to § 15.2-825; (vii) the auditors, appointed by the local governing body of any county, city, or town or a school board, who by charter, ordinance, or statute have responsibility for conducting an investigation of any officer, department, or program of such body; or (viii) the Behavioral Health Commission. Information contained in completed investigations shall be disclosed in a form that does not reveal the identity of the complainants or persons supplying information to investigators. Unless disclosure is excluded by this subdivision, the information disclosed shall include the agency involved, the identity of the person who is the subject of the complaint, the nature of the complaint, and the actions taken to resolve the complaint. If an investigation does not lead to corrective action, the identity of the person who is the subject of the complaint may be released only with the consent of the subject person. Local governing bodies shall adopt guidelines to govern the disclosure required by this subdivision.

8. The names and personal contact information of complainants furnished in confidence with respect to an investigation of individual zoning enforcement complaints or complaints relating to the Uniform Statewide Building Code (§ 36-97 et seq.) or the Statewide Fire Prevention Code (§ 27-94 et seq.) made to a local governing body. As used in this subdivision, "personal contact information" includes the complainant's home or business (i) address, (ii) email address, or (iii) telephone number or comparable number assigned to any other electronic communication device.

9. Records of active investigations being conducted by the Department of Criminal Justice Services pursuant to Article 4 (§ 9.1-138 et seq.), Article 4.1 (§ 9.1-150.1 et seq.), Article 11 (§ 9.1-185 et seq.), and Article 12 (§ 9.1-186 et seq.) of Chapter 1 of Title 9.1.

10. Information furnished to or prepared by the Board of Education pursuant to subsection ~~D~~ *F* of § 22.1-253.13:3 in connection with the review or investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests by local school board employees responsible for the distribution or administration of the tests. However, this section shall not prohibit the disclosure of such information to (i) a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regard to an employee or (ii) any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the identity of any person making a complaint or supplying information to the Board on a confidential basis and (b) does not compromise the security of any test mandated by the Board.

11. Information contained in (i) an application for licensure or renewal of a license for teachers and other school personnel, including transcripts or other documents submitted in support of an application, and (ii) an active investigation conducted by or for the Board of Education related to the denial, suspension, cancellation, revocation, or reinstatement of teacher and other school personnel licenses including investigator notes and other correspondence and information, furnished in confidence with respect to such investigation. However, this subdivision shall not prohibit the disclosure of such (a) application information to the applicant at his own expense or (b) investigation information to a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regard to an employee. Information contained in completed investigations shall be disclosed in a form that does not reveal the identity of any complainant or person supplying information to investigators. The completed investigation information disclosed shall include information regarding the school or facility involved, the identity of the person who was the subject of the complaint, the nature of the complaint, and the actions taken to resolve the complaint. If an investigation fails to support a complaint or does not lead to corrective action, the identity of the person who was the subject of the complaint may be released only with the consent of the subject person. No personally identifiable information regarding a current or former student shall be released except as permitted by state or federal law.

12. Information provided in confidence and related to an investigation by the Attorney General under Article 1 (§ 3.2-4200 et seq.) or Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2, Article 10 (§ 18.2-246.6 et seq.) of Chapter 6 or Chapter 13 (§ 18.2-512 et seq.) of Title 18.2, or Article 1 (§ 58.1-1000) of Chapter 10 of Title 58.1. However, information related to an investigation that has been inactive for more than six months shall, upon request, be disclosed provided such disclosure is not otherwise prohibited by law and does not reveal the identity of charging parties, complainants, persons supplying information, witnesses, or other individuals involved in the investigation.

13. Records of active investigations being conducted by the Department of Behavioral Health and Developmental Services pursuant to Chapter 4 (§ 37.2-400 et seq.) of Title 37.2.

§ 22.1-253.13:3. Standard 3. Accreditation, other standards, assessments, and releases from state regulations.

A. The Board shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), which shall include (i) student outcome and growth measures, (ii) requirements and guidelines for instructional programs and for the integration of educational technology into such instructional programs, (iii) administrative and instructional staffing levels and positions, including staff positions for supporting educational technology, (iv) student services, (v) auxiliary education programs such as library and media services, (vi) requirements for graduation from high school, (vii) community relations, and (viii) the philosophy, goals, and objectives of public education in the Commonwealth.

The Board shall promulgate regulations establishing standards for accreditation of public virtual schools under the authority of the local school board that enroll students full time.

The Board's regulations establishing standards for accreditation shall ensure that the accreditation process is transparent and based on objective measurements and that any appeal of the accreditation status of a school is heard and decided by the Board.

The Board shall review annually the accreditation status of all schools in the Commonwealth. The Board shall review the accreditation status of a school once every three years if the school has been fully accredited for three consecutive years. Upon such triennial review, the Board shall review the accreditation status of the school for each individual year within that triennial review period. If the Board finds that the school would have been accredited every year of that triennial review period the Board shall accredit the school for another three years. The Board may review the accreditation status of any other school once every two years or once every three years, provided that any school that receives a multiyear accreditation status other than full accreditation shall be covered by a Board-approved multiyear corrective action plan for the duration of the period of accreditation. Such multiyear corrective action plan shall include annual written progress updates to the Board. A multiyear accreditation status shall not relieve any school or division of annual reporting requirements.

Each local school board shall maintain schools that are fully accredited pursuant to the standards for accreditation as prescribed by the Board. Each local school board shall report the accreditation status of all schools in the local school division annually in public session.

The Board shall establish a review process to assist any school that does not meet the standards established by the Board. The relevant school board shall report the results of such review and any annual progress reports in public session and shall implement any actions identified through such review and utilize them for improvement planning.

The Board shall establish a corrective action plan process for any school that does not meet the standards established by the Board. Such process shall require (a) each school board to submit a corrective action plan for any school in the local school division that does not meet the standards established by the Board and (b) any school board that fails to demonstrate progress in developing or implementing any such corrective action plan to enter into a memorandum of understanding with the Board.

When the Board determines through its review process that the failure of schools within a division to meet the standards established by the Board is related to division-level failure to implement the Standards of Quality or other division-level action or inaction, the Board may require a division-level academic review. After the conduct of such review and within the time specified by the Board, each school board shall enter into a memorandum of understanding with the Board and shall subsequently submit to the Board for approval a corrective action plan, consistent with criteria established by the Board setting forth specific actions and a schedule designed to ensure that schools within its school division meet the standards established by the Board. If the Board determines that the proposed corrective action plan is not sufficient to enable all schools within the division to meet the standards established by the Board, the Board may return the plan to the local school board with directions to submit an amended plan pursuant to Board guidance. Such corrective action plans shall be part of the relevant school division's comprehensive plan pursuant to § 22.1-253.13:6.

B. The Superintendent shall develop, subject to revision by the Board, criteria for determining and recognizing educational performance in the Commonwealth's local school divisions and public schools. The portion of such criteria that measures individual student growth shall become an integral part of the accreditation process for schools in which any grade level in the grade three through eight range is taught. The Superintendent shall annually report to the Board on the accreditation status of all school divisions and schools. Such report shall include an analysis of the strengths and weaknesses of public education programs in the various school divisions in Virginia and recommendations to the General Assembly for further enhancing student learning uniformly across the Commonwealth. In recognizing educational performance and individual student growth in the school divisions, the Board shall include consideration of special school division accomplishments, such as numbers of dual enrollments and students in Advanced Placement and International Baccalaureate courses, and participation in academic year Governor's Schools.

The Superintendent shall assist local school boards in the implementation of action plans for increasing educational performance and individual student growth in those school divisions and schools that are identified as not meeting the approved criteria. The Superintendent shall monitor the implementation of and report to the Board on the effectiveness of the corrective actions taken to improve the educational performance in such school divisions and schools.

C. With such funds as are available for this purpose, the Board shall prescribe assessment methods to determine the level of achievement of the Standards of Learning objectives by all students *in grades three through 12*. Such assessments shall evaluate knowledge, application of knowledge, critical thinking, and skills related to the Standards of Learning being assessed. ~~The~~ *In prescribing such assessment methods, the* Board shall~~, with~~*:*

1. With the assistance of independent testing experts, conduct a regular analysis and validation process for these assessments~~. In~~*;*

2. In lieu of a one-time end-of-year assessment, ~~the Board shall~~ establish, for the purpose of providing measures of individual student growth over the course of the school year, a through-year growth assessment system, aligned with the Standards of Learning, for the administration of reading and mathematics assessments in grades three through eight. Such through-year growth assessment system shall include at least one beginning-of-year, one mid-year, and one end-of-year assessment in order to provide individual student growth scores over the course of the school year, but the total time scheduled for taking all such assessments shall not exceed 150 percent of the time scheduled for taking a single end-of-year proficiency assessment. The Department shall ensure adequate training for teachers and principals on how to interpret and use student growth data from such assessments to improve reading and mathematics instruction in grades three through eight throughout the school year. With such funds and content as are available for such purpose, such through-year growth assessment system shall provide accurate measurement of a student's performance, through computer adaptive technology, using test items at, below, and above the student's grade level as necessary~~.~~

~~The Board shall also provide~~*;*

3. Provide the option of industry certification and state licensure examinations as a student-selected credit~~.~~

~~The Department shall make~~*;*

4. Make available to school divisions Standards of Learning assessments typically administered by high schools by December 1 of the school year in which such assessments are to be administered or when newly developed assessments are available, whichever is later~~.~~*;*

~~The Board shall make~~

5. Make publicly available such assessments in a timely manner and as soon as practicable following the administration of such tests, so long as the release of such assessments does not compromise test security or deplete the bank of assessment questions necessary to construct subsequent tests, or limit the ability to test students on demand and provide immediate results in the web-based assessment system~~.~~

~~The Board shall prescribe~~*;*

6. Prescribe alternative methods of Standards of Learning assessment administration for children with disabilities, as that term is defined in § 22.1-213, who meet criteria established by the Board to demonstrate achievement of the Standards of Learning. An eligible student's Individual Education Program team shall make the final determination as to whether an alternative method of administration is appropriate for the student*;*

7. To assess the educational progress of students, (i) develop appropriate assessments, which may include criterion-referenced tests and other assessment instruments that may be used by classroom teachers; (ii) select appropriate industry certification and state licensure examinations; and (iii) prescribe and provide measures, which may include nationally normed tests to be used to identify students who score in the bottom quartile at selected grade levels;

8. Not include in its calculation of the passage rate for a Standards of Learning assessment or the level of achievement of the Standards of Learning objectives for an individual student growth assessment for the purposes of state accountability any student whose parent has decided to not have his child take such Standards of Learning assessment, unless such exclusions would result in the school's not meeting any required state or federal participation rate;

9. Permit any teacher providing instruction in a Standards of Learning subject area who scores any such Standards of Learning assessments to earn professional development points toward renewal of his license for his time spent scoring such assessments;

10. Require each assessment, including each Standards of Learning assessment administered as a part of the through-year growth assessment system established pursuant to subdivision 2, each mandatory local alternative assessment implemented by a school board pursuant to subdivision E 1 a (2), and each permissive local alternative assessment administered by a school board pursuant to subdivision E 3 b, to be scored on a 100-point scale in accordance with statewide scoring rubrics;

11. Make available to each student and his parents within 45 days of any state assessment window closing for any such assessment administration an individualized student score report for each such assessment, developed in accordance with the Board's guidelines, that shall include, at a minimum: (i) a description of the applicable assessment; (ii) individualized data on such student's assessment performance; (iii) a comparison of such student's performance on such assessment with the performance of the student's school, school division, and the Commonwealth; and (iv) guidance to assist the student and his parents in interpreting such student's assessment results; and

12. Publicly release the statewide Standards of Learning assessment results and any associated data no later than the date on which individual Standards of Learning assessment scores for the applicable assessment administration period are released to individual students and parents.

For any period during which the Standards of Learning contents or assessments in a specific content area are being revised or phased in, the Board may adopt special provisions related to the administration and use of any Standards of Learning test or tests in such content area as applied to accreditation ratings for such period. Prior to statewide administration of such tests, the Board shall provide notice to local school boards regarding such special provisions. The Department shall develop processes for informing school divisions of changes in the Standards of Learning requirements, including any revisions to Standards of Learning contents or assessments.

D. The Board shall include in the student outcome and growth measures that are required by the standards of accreditation the required assessments for various grade levels and classes, including the completion of the *mandatory local* alternative assessments implemented by each local school board *pursuant to subdivision E 1 a (2)*, in accordance with the Standards of Learning. These assessments shall include end-of-course ~~or end-of-grade~~ tests for English, mathematics, science, and history and social science and may be integrated to include multiple subject areas.

~~The Standards of Learning assessments administered to students~~ *E. All assessment methods prescribed by the Board to determine the level of achievement of the Standards of Learning objectives, pursuant to subsections C and D, shall be developed, implemented, and administered in accordance with the following:*

1. The assessments administered to students in grades three through eight*, except for those students with disabilities, as that term is defined in § 22.1-213, who participate in an alternative assessment pursuant to subdivision C 6,* shall ~~not~~*:*

a. Consist of:

(1) Standards of Learning assessments, including end-of-year assessments administered as part of the through-year growth assessment system established pursuant to subdivision C 2. The Standards of Learning assessments shall not exceed (i) reading and mathematics in grades three and four; (ii) reading, mathematics, and science in grade five; (iii) reading and mathematics in grades six and seven; (iv) reading, writing, and mathematics in grade eight; (v) science after the student receives instruction in the grade six science, life science, and physical science Standards of Learning and before the student completes grade eight; and (vi) Virginia Studies and Civics and Economics once each at the grade levels deemed appropriate by each local school board. The reading and mathematics assessments administered to students in grades three through eight shall be through-year growth assessments *pursuant to subdivision C 2*.

~~Each~~ *The Department shall award recovery credit to any student in grades three through eight who performs below grade level on a Standards of Learning assessment in English reading or mathematics, receives remediation, and subsequently retakes and performs at or above grade level on such an assessment, including any such student who subsequently retakes such an assessment on an expedited basis; and*

(2) Local alternative assessments, including any permissive local alternative assessments administered in accordance with subdivision 3 b and mandatory local alternative assessments administered by each school board in each Standards of Learning subject area in which a Standards of Learning assessment is not available for administration during the school year. Each school board shall annually certify that it has provided instruction and administered ~~an~~ *each mandatory local* alternative assessment~~, consistent with Board guidelines, to students in grades three through eight in each Standards of Learning subject area in which a Standards of Learning assessment was not administered during the school year~~ *in accordance with this subdivision and Board guidelines*. Such guidelines shall ~~(a)~~ *(i)* incorporate options for age-appropriate, authentic performance assessments and portfolios with rubrics and other methodologies designed to ensure that students are making adequate academic progress in the subject area and that the Standards of Learning content is being taught; ~~(b)~~ *(ii)* permit and encourage integrated assessments that include multiple subject areas; ~~and~~ ~~(c)~~ *(iii) establish criteria for mandatory local alternative assessments, including the core content, concepts, and skills that shall be prioritized on each such assessment and specific parameters for any performance assessment administered by a school board in accordance with this subdivision, relating to the structure and format of and content and items that shall be included in such assessments; (iv) include a comprehensive grading rubric for each mandatory local alternative assessment that (a) clearly defines student performance objectives and achievement targets, (b) provides scoring criteria that emphasizes student performance and subject-matter proficiency, and (c) for any performance assessment, includes criteria and student performance objectives designed to emphasize a student's performance and subject-matter proficiency as demonstrated through completion of the tested tasks in ways that are authentic to the academic discipline; and (v)* emphasize collaboration between teachers to administer and substantiate the assessments and the professional development of teachers to enable them to make the best use of *mandatory local* alternative assessments.

~~Local~~ *b. With such funds as may be appropriated for such purpose, except as provided in subdivision C 6, be developed consistent with Board guidelines and in accordance with subdivision 5; and*

c. Be used to identify students who show deficiencies or a need for academic support in a specific subject area or skill for the purpose of ensuring such students receive appropriate remediation or intervention. Local school divisions shall provide targeted mathematics remediation and intervention to students in grades six through eight who show computational deficiencies as demonstrated by their individual performance on any diagnostic test or grade-level Standards of Learning mathematics test that measures non-calculator computational skills.

~~The Department shall award recovery credit to any student in grades three through eight who performs below grade level on a Standards of Learning assessment in English reading or mathematics, receives remediation, and subsequently~~

~~retakes and performs at or above grade level on such an assessment, including any such student who subsequently retakes such an assessment on an expedited basis.~~

~~In addition, to assess the educational progress of students, the Board shall (1) develop appropriate assessments, which may include criterion-referenced tests and other assessment instruments that may be used by classroom teachers; (2) select appropriate industry certification and state licensure examinations; and (3) prescribe and provide measures, which may include nationally normed tests to be used to identify students who score in the bottom quartile at selected grade level.~~

~~The Standards of Learning requirements, including all related assessments, shall be waived for~~.

2. The assessments administered to students in grades nine through 12, except for those students with disabilities, as that term is defined in § 22.1-213, who participate in an alternative assessment pursuant to subdivision C 6:

a. Shall consist, for each student, of only the end-of-course Standards of Learning assessments necessary to meet federal accountability requirements established by the federal Elementary and Secondary Education Act of 1965, P.L. 89-10, as amended, and to meet Virginia high school graduation requirements. For the purposes of this subdivision, any student who receives a passing score on a permissive local alternative assessment administered pursuant to subdivision 3 b in lieu of any end-of-course Standards of Learning assessment corresponding to any graduation requirement shall be deemed to meet the applicable graduation requirement; and

b. With such funds as may be appropriated for such purpose, except as provided in subdivision C 6, shall be developed consistent with Board guidelines and in accordance with the provisions of subdivision 5.

3. Any end-of-course Standards of Learning assessment administered to students in grades three through 12, except for those students with disabilities, as that term is defined in § 22.1-213, who participate in an alternative assessment pursuant to subdivision C 6, shall be subject to the following requirements:

a. A school board may, but need not, elect to administer any available end-of-course Standards of Learning assessment in a specific Standards of Learning subject area to students in a specific grade level the administration of which is (i) not necessary to meet federal accountability requirements established by the federal Elementary and Secondary Education Act of 1965, P.L. 89-10, as amended, and (ii) is not required by the provisions of subdivision E 1 or 2 or by any other applicable state law or regulation. However, any school board that elects to administer such an end-of-course Standards of Learning assessment pursuant to this subdivision shall be required to administer such assessment to each student receiving instruction in that subject area at that grade level;

b. Any school board may, but need not, administer a permissive local alternative assessment in a specific subject area to students in a specific grade level in lieu of any end-of-course Standards of Learning assessment the administration of which is not necessary to meet federal accountability requirements established by the federal Elementary and Secondary Education Act of 1965, P.L. 89-10, as amended, but which may be required in that subject area and at that grade level pursuant to state law or regulation; and

c. Any student who performs below grade level on any such Standards of Learning assessment or any permissive local alternative assessment administered pursuant to subdivision b shall be eligible to retake such assessment, provided that (i) no student may retake an assessment after June 30 of the calendar year in which the applicable assessment was administered, unless the school board of the school in which the student is enrolled grants such student permission to retake such assessment at a later date; (ii) any student who, pursuant to applicable Board regulations, is eligible for an expedited retake of an assessment shall retake such assessment within two weeks of the date on which scoring was completed for such student's assessment, unless it is determined that additional time is necessary in order for such student to complete the comprehensive remediation program required to establish eligibility for an expedited retake in accordance with Board regulations; and (iii) if applicable, the score any student receives on any assessment retake shall not replace the initial score the student received on the assessment taken during the regular assessment administration period for the purpose of calculating the student's final grade in the course in accordance with subdivision 4.

4. For students in grades seven through 12, except in the case of any assessments administered as a part of a competency-based assessment system, any Standards of Learning assessment or permissive local alternative assessment permitted pursuant to subdivision 3 b or, if any such assessment consists of more than one part, each of which has a separate administration period, the final part of any such end-of-course assessment shall be administered no earlier than two weeks prior to the last day of the school year. No additional end-of-course assessment shall be administered for any such Standards of Learning subject area. Each student's score on any such assessment shall account for at least 10 percent of the student's final grade in such course.

5. For the purpose of maximizing instructional time, the frequency of assessment administration for any assessment administered pursuant to the provisions of this section, including any Standards of Learning assessment, mandatory local alternative assessment administered in accordance with subdivision 1 a (2), permissive local alternative assessment administered in accordance with subdivision 3 b, or performance assessment administered as a part of any school board's mandatory local alternative assessment plan, or any combination thereof, for each Standards of Learning subject area in a single school year shall not exceed one such assessment per academic quarter, or a total of four assessments per year.

6. For any student awarded a scholarship under the Brown v. Board of Education Scholarship Program, pursuant to § 30-231.2, who is enrolled in a preparation program for a high school equivalency examination approved by the Board or in an adult basic education program or an adult secondary education program to obtain the high school diploma or a high school equivalency certificate~~.~~

~~The Department shall develop processes for informing school divisions of changes in the Standards of Learning.~~

~~The Board may adopt special provisions related to the administration and use of any Standards of Learning test or tests in a content area as applied to accreditation ratings for any period during which the Standards of Learning content or assessments in that area are being revised and phased in. Prior to statewide administration of such tests, the Board shall provide notice to local school boards regarding such special provision The Board shall not include in its calculation of the passage rate for a Standards of Learning assessment or the level of achievement of the Standards of Learning objectives for an individual student growth assessment for the purposes of state accountability any student whose parent has decided to not have his child take such Standards of Learning assessment, unless such exclusions would result in the schools' not meeting any required state or federal participation rate~~*, the Standards of Learning requirements, including all related assessments, shall be waived*.

~~D.~~ *F.* The Board may pursue all available civil remedies pursuant to § 22.1-19.1 or administrative action pursuant to § 22.1-292.1 for breaches in test security and unauthorized alteration of test materials or test results.

The Board may initiate or cause to be initiated a review or investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests, including the exclusion of students from testing who are required to be assessed, by local school board employees responsible for the distribution or administration of the tests.

Records and other information furnished to or prepared by the Board during the conduct of a review or investigation may be withheld pursuant to subdivision 10 of § 2.2-3705.3. However, this section shall not prohibit the disclosure of records to (i) a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regard to an employee or (ii) any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the identity of any person making a complaint or supplying information to the Board on a confidential basis and (b) does not compromise the security of any test mandated by the Board. Any local school board or division superintendent receiving such records or other information shall, upon taking personnel action against a relevant employee, place copies of such records or information relating to the specific employee in such person's personnel file.

Notwithstanding any other provision of state law, no test or examination authorized by this section, including the Standards of Learning assessments, shall be released or required to be released as minimum competency tests, if, in the judgment of the Board, such release would breach the security of such test or examination or deplete the bank of questions necessary to construct future secure tests.

~~E.~~ *G.* With such funds as may be appropriated, the Board may provide, through an agreement with vendors having the technical capacity and expertise to provide computerized tests and assessments, and test construction, analysis, and security, for (i) web-based computerized tests and assessments, including computer-adaptive Standards of Learning assessments, for the evaluation of student progress during and after remediation and (ii) the development of a remediation item bank directly related to the Standards of Learning.

~~F.~~ *H.* To assess the educational progress of students as individuals and as groups, each local school board shall require the use of Standards of Learning assessments, alternative assessments, and other relevant data, such as industry certification and state licensure examinations, to evaluate student progress and to determine educational performance. Each local school *board* shall require the administration of appropriate assessments to students, which may include criterion-referenced tests and teacher-made tests and shall include the Standards of Learning assessments, the local school board's alternative assessments, and the National Assessment of Educational Progress state-by-state assessment. Each school board shall provide teachers, parents, principals, and other school leaders with their students' results on any Standards of Learning assessment or Virginia Alternate Assessment Program assessment as soon as practicable after the assessment is administered. Each school board shall analyze and report annually, in compliance with any criteria that may be established by the Board, the results from industry certification examinations and the Standards of Learning assessments to the public.

The Board shall include requirements for the reporting of the Standards of Learning assessment data, regardless of accreditation frequency, as part of the Board's requirements relating to the School Performance Report Card. Such scores shall be disaggregated for each school by student subgroups on the Virginia assessment program as appropriate and shall be reported to the public within three months of their receipt. These reports (i) shall be posted on the portion of the Department's website relating to the School Performance Report Card, in a format and in a manner that allows year-to-year comparisons, and (ii) may include the National Assessment of Educational Progress state-by-state assessment.

~~G.~~ *I.* Each local school division superintendent shall regularly review the division's submission of data and reports required by state and federal law and regulations to ensure that all information is accurate and submitted in a timely fashion. The Superintendent shall provide a list of the required reports and data to division superintendents annually. The status of compliance with this requirement shall be included in the Board's annual report to the Governor and the General Assembly as required by § 22.1-18.

~~H.~~ *J.* Any school board may request the Board for release from state regulations or, on behalf of one or more of its schools, for approval of an Individual School Accreditation Plan for the evaluation of the performance of one or more of its schools as authorized for certain other schools by the Standards for Accreditation pursuant to 8VAC20-131-280 C of the Virginia Administrative Code. Waivers of regulatory requirements may be granted by the Board based on submission of a request from the division superintendent and chairman of the local school board. The Board may grant, for a period up to five years, a waiver of regulatory requirements that are not (i) mandated by state or federal law or (ii) designed to promote health or safety. The school board shall provide in its waiver request a description of how the releases from state regulations are designed to increase the quality of instruction and improve the achievement of students in the affected school or schools.

The Department shall provide (a) guidance to any local school division that requests releases from state regulations and (b) information about opportunities to form partnerships with other agencies or entities to any local school division in which the school or schools granted releases from state regulations have demonstrated improvement in the quality of instruction and the achievement of students.

The Board may also grant local school boards waivers of specific requirements in § 22.1-253.13:2, based on submission of a request from the division superintendent and chairman of the local school board, permitting the local school board to assign instructional personnel to the schools with the greatest needs, so long as the school division employs a sufficient number of personnel divisionwide to meet the total number required by § 22.1-253.13:2 and all pupil/teacher ratios and class size maximums set forth in subsection C of § 22.1-253.13:2 are met. The school board shall provide in its request a description of how the waivers from specific Standards of Quality staffing standards are designed to increase the quality of instruction and improve the achievement of students in the affected school or schools. The waivers may be renewed in up to five-year increments, or revoked, based on student achievement results in the affected school or schools.

K. The Board shall:

1. Make available to each local school division each Standards of Learning assessment for each subject area administered during the previous school year, including the applicable answer key or grading rubric for each such assessment, by the beginning of the current school year for the purpose of ensuring that such assessments are available to each teacher for use as practice assessments for students; and

2. Perform an annual audit of a certain percentage, as determined by the Board, of such mandatory local alternative assessments implemented by a school board pursuant to subdivision E 1 a (2) for the purpose of ensuring such assessments are consistent with Board guidelines and ensuring the quality and rigor of such assessments are consistent across school divisions and years. Any school board, in order to administer a permissive local alternative assessment, shall (i) submit to the Board by July 31 of each year for which it plans on administering a permissive local alternative assessment notice of its intent to administer such permissive local alternative assessment, including an acknowledgement that such permissive local alternative assessment may be selected for a random audit as a part of the annual Board audit required pursuant to this subdivision and that failure of such audit shall result in an additional audit of any such permissive local alternative assessment administered by the school board the succeeding school year, the failure of which shall result in such school board being prohibited from administering a permissive local alternative assessment for the next four years and (ii) after administering such permissive local alternative assessment, annually certify to the Board that it has provided instruction in the applicable Standards of Learning subject area and developed and administered the permissive local alternative assessment in accordance with this subdivision and Board guidelines. The Board shall perform an annual audit of a certain percentage, as determined by the Board, of such permissive local alternative assessments administered by any school board for the purpose of ensuring such assessments are developed and administered in accordance with this subdivision and Board guidelines and ensuring the quality and rigor of such assessments are consistent across school divisions and years. Failure of the Board audit for any permissive local alternative assessment shall have no impact on the grade or credits earned in the applicable subject area or course by any student to whom such permissive local alternative assessment was administered. Any permissive local alternative assessment administered by a school board, regardless of whether it is selected for and fails a Board audit, shall for each student to whom it was administered be scored, weighted, and factored into each student's grade, and, if applicable, result in the award of the same amount and type of verified credits as any other end-of-course assessment administered in that subject area and at that grade level.

L. Any assessment administered to students in grades three through 12, except for those students with disabilities, as that term is defined in § 22.1-213, who participate in an alternative assessment pursuant to subdivision C 6, shall be subject to the following requirements:

1. Any assessment shall, with such funds as may be appropriated for such purpose, include (i) items that require the student to apply knowledge, critical thinking skills, and logic in preparing a response, including open-ended questions and long-form writing, and other tasks, as appropriate for the applicable subject, and (ii) different items and questions on each assessment administered during the same school year and in the same grade and Standards of Learning subject area such that such students are not tested on the same items or questions on one assessment as they were on a previous assessment administered during that school year in that grade or subject area; and

2. Any multiple choice questions included as a part of (i) any such assessment shall be representative of the Standards of Learning objectives and content for the applicable subject area for the school year; (ii) any end-of-course Standards of Learning assessment or permissive local alternative assessment administered pursuant to subdivision E 3 b shall be narrowly tailored to test students only on the most significant content for the applicable subject area, in accordance with the Board's guidelines; and (iii) any performance assessment administered as a part of a mandatory local alternative assessment in accordance with subdivision E 1 a (2) or otherwise administered as the final performance assessment for that course or school year shall consist of no more than 40 thematic questions focused on the broad, overarching themes and topics of the applicable subject area and shall either be developed in accordance with or selected from the multiple choice question test bank developed by the Board.

M. As used in this section:

"End-of-course Standards of Learning assessment" means any end-of-course, end-of-grade, or end-of-year Standards of Learning assessment or any Standards of Learning assessment administered at the conclusion of a course, grade, or school year.

"Local alternative assessment" means (i) an assessment that measures content and skills within a specific Standards of Learning subject area that is accepted by institutions of higher education as a measure of college readiness, including Advanced Placement, International Baccalaureate, or Cambridge assessments, or (ii) any mandatory local alternative assessment developed, administered, and scored by a local school board, that is approved by the Board as aligned with the rigor of Standards of Learning content, assessments, and the Board's definition of proficiency for any Standards of Learning subject area. "Local alternative assessment" includes any mandatory local alternative assessment and any permissive local alternative assessment.

"Mandatory local alternative assessment" means any local alternative assessment that each local school board is required to develop, administer, and score, consistent with Board guidelines, for any Standards of Learning subject area in which a Standards of Learning assessment is not currently available or administered on a statewide basis. "Mandatory local alternative assessment" includes any performance assessment implemented by a local school board as a part of its local alternative assessment plan in accordance with Department guidelines.

"Performance assessment" means an assessment that is approved by the Board as aligned with both the rigor of the content of the Standards of Learning and the Board's definition of proficiency and is scored using a set rubric or set of criteria and that is designed to measure subject-matter proficiency by requiring students to demonstrate learning acquisition and apply content, skills, and processes in the applicable subject area through performing a task or creating a project.

"Permissive local alternative assessment" means any local alternative assessment that a local school board may, consistent with Board guidelines and in accordance with the provisions of this section, develop, administer, and score in lieu of any Standards of Learning assessment that is otherwise administered on a statewide basis but the administration of which is not necessary to meet federal accountability requirements.

"Standards of Learning assessment" means those criterion-referenced assessments approved by the Board that measure attainment of knowledge and skills required by the Standards of Learning. "Standards of Learning assessment" includes any end-of-course standards of learning assessment.

2. That the Board of Education (the Board) shall amend its guidelines for school boards on the administration of local alternative assessments in accordance with subsection E of § 22.1-253.13:3 of the Code of Virginia, as amended by this act, to distinguish between mandatory local alternative assessments and permissive local alternative assessments, as those terms are defined in subsection M of § 22.1-253.13:3 of the Code of Virginia, as amended by this act, and establish criteria and parameters for the development and administration of such local alternative assessments, as that term includes any performance assessment administered by a school board as a part of any such mandatory local alternative assessment. Such guidelines shall establish (i) criteria and parameters for the development and administration of mandatory local alternative assessments, including (a) criteria for the core content, concepts, and skills that a mandatory local alternative assessment shall measure in each Standards of Learning subject area for which the administration of a mandatory local alternative assessment is required; (b) clear parameters relating to the content, structure, and format of such assessments, including requiring any assessment items that require students to provide written responses, such as long-form writing and open-ended questions, to test on broad, overarching concepts, themes, and ideas central to the subject area on which the assessment is testing; and (c) clear criteria and parameters specifically for any performance assessment administered as a part of any mandatory local alternative assessment and (ii) criteria and parameters for the development and administration of permissive local alternative assessments, including (a) the process and procedures by which each local school board shall submit to the Board notice of its intent to administer a permissive local alternative assessment, pursuant to subdivision E 3 b of § 22.1-253.13:3 of the Code of Virginia, as amended by this act, including the required form and content of such notice and (b) criteria for the development and administration of a permissive local alternative assessment for each Standards of Learning subject area in which such permissive local alternative assessment may be administered, including criteria for the core content, concepts, and skills that shall be prioritized on each such assessment in order to ensure that such permissive local alternative assessment is aligned with the applicable Standards of Learning objectives and that the rigor and quality of such permissive local alternative assessment is consistent with the corresponding end-of-course Standards of Learning assessment administered on a statewide basis. The Board shall make such amended guidelines available to each school board by the beginning of the 2026-2027 school year.

3. That the Board of Education shall promulgate regulations relating to secure assessment scoring processes and procedures designed to protect the security and integrity of the assessment scoring process, individual student scoring data, or other assessment data or information the release of which could compromise the integrity of such assessment administration or the administration of future assessments.

4. That the provisions of the first enactment of this act adding subsections K and L of § 22.1-253.13:3 of the Code of Virginia shall not become effective unless reenacted by the 2026 Session of the General Assembly. The remainder of the provisions of the first enactment of this act that amend §§ 2.2-3705.3 and 22.1-253.13:3 of the Code of Virginia shall become effective on July 1, 2026.

5. That it is the sense of the General Assembly that, to the extent practicable, the Board of Education shall prioritize the incorporation of the requirements set forth in subsections K and L of § 22.1-253.13:3 of the Code of Virginia, as

amended by this act, into its statewide student assessment system and any contract that it enters into with a third party for the development, establishment, and maintenance thereof.

CHAPTER 676

An Act to amend and reenact § 22.1-298.1, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to Board of Education; teacher licensure; career and technical education; alternative pathway to provisional licensure.

[H 2018]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-298.1, as it is currently effective and as it shall become effective, of the Code of Virginia is amended and reenacted as follows:

§ 22.1-298.1. (Effective until July 1, 2030) Regulations governing licensure.

A. As used in this section:

"Alternate route to licensure" means a nontraditional route to teacher licensure available to individuals who meet the criteria specified in the guidelines developed pursuant to subsection P or regulations issued by the Board.

"Industry certification credential" means an active career and technical education credential that is earned by successfully completing a Board-approved industry certification examination, being issued a professional license in the Commonwealth, or successfully completing an occupational competency examination.

"Licensure by reciprocity" means the issuance of a license as a teacher in the Commonwealth to an individual coming into the Commonwealth from another state when that individual meets certain conditions specified in the Board's regulations.

"Local eligibility license" means a nonrenewable license issued in accordance with subsection M, not to exceed one year, to an individual who needs to take additional coursework but otherwise meets certain conditions for licensure set forth in the Board's regulations and subsection M, and who may be employed by a school division in the Commonwealth with the intention of such individual, upon satisfaction of the applicable requirements set forth in Board regulations, receiving full licensure with a renewable license.

"Professional teacher's assessment" means those tests mandated for licensure as prescribed by the Board.

"Provisional license" means a nonrenewable license issued by the Board or by a division superintendent as permitted pursuant to subdivision D 5 for a specified period of time, not to exceed three years, to an individual who may be employed by a school division in the Commonwealth and who generally meets the requirements specified in the Board's regulations for licensure, but who may need to take additional coursework, pass additional assessments, or meet alternative evaluation standards to be fully licensed with a renewable license.

"Renewable license" means a license issued by the Board for 10 years to an individual who meets the requirements specified in the Board's regulations.

"Universal licensure by reciprocity" means the issuance of a license as a teacher in the Commonwealth to any individual who holds a valid out-of-state teaching license with full credentials and without deficiencies that has been in force and in use by the individual as an employed teacher in a non-virtual classroom setting at a public or private elementary or secondary school for at least three years prior to and is in force at the time the Department receives such individual's application for a license as a teacher in the Commonwealth.

B. The Board shall prescribe, by regulation, the requirements for the licensure of teachers and other school personnel required to hold a license. Such regulations shall include procedures for (i) the denial, suspension, cancellation, revocation, and reinstatement of licensure; (ii) written reprimand of license holders on grounds established by the Board, in accordance with law, notice of which shall be made by the Superintendent to division superintendents or their designated representatives; and (iii) the immediate and thorough investigation by the division superintendent or his designee of any complaint alleging that a license holder has engaged in conduct that may form the basis for the revocation of his license. At a minimum, such procedures for investigations contained in such regulations shall require (a) the division superintendent to petition for the revocation of the license upon completing such investigation and finding that there is reasonable cause to believe that the license holder has engaged in conduct that forms the basis for revocation of a license; (b) the school board to proceed to a hearing on such petition for revocation within 90 days of the mailing of a copy of the petition to the license holder, unless the license holder requests the cancellation of his license in accordance with Board regulations; and (c) the school board to provide a copy of the investigative file and such petition for revocation to the Superintendent at the time that the hearing is scheduled. The Board shall revoke the license of any person for whom it has received a notice of dismissal or resignation pursuant to subsection F of § 22.1-313 and, in the case of a person who is the subject of a founded complaint of child abuse or neglect, after all rights to any administrative appeal provided by § 63.2-1526 have been exhausted. In the case of a teacher who is the subject of a founded complaint of child abuse or neglect and whose license has been revoked pursuant to this subsection, in the event that a court reverses such finding of abuse or neglect and the individual submits to the Department an application for the reinstatement of his license as a teacher, the Board shall consider and act upon such application no later than 90 days after the date of submission. Regardless of the authority of any other agency of the

Commonwealth to approve educational programs, only the Board shall have the authority to license teachers to be regularly employed by school boards, including those teachers employed to provide nursing education.

The Board shall prescribe by regulation the licensure requirements for teachers who teach only online courses, as defined in § 22.1-212.23. Such license shall be valid only for teaching online courses. Teachers who hold a 10-year renewable license issued by the Board may teach online courses for which they are properly endorsed.

C. The Board's regulations shall include requirements that a person seeking initial licensure:

1. Demonstrate proficiency in the relevant content area and other core skills for educators by achieving a qualifying score on professional assessments or meeting alternative evaluation standards as prescribed by the Board. Such assessments for any individual seeking initial licensure with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness/visual impairments preschool through grade 12 or as a reading specialist shall include a rigorous test of science-based reading research and evidence-based literacy instruction;

2. Complete study in attention deficit disorder;

3. Complete study in gifted education, including the use of multiple criteria to identify gifted students; and

4. Complete study in methods of improving communication between schools and families and ways of increasing family involvement in student learning at home and at school.

D. In addition, such regulations shall include requirements that:

1. Every person seeking initial licensure and persons seeking licensure renewal as teachers who have not completed such study shall complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Board in consultation with the Department of Social Services that are relevant to the specific teacher licensure routes;

2. Every person seeking renewal of a license shall complete all renewal requirements, including professional development in a manner prescribed by the Board, except that no person seeking renewal of a license shall be required to satisfy any such requirement by completing coursework and earning credit at an institution of higher education;

3. Every person seeking initial licensure or renewal of a license shall provide evidence of completion of certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators. The certification or training program shall (i) be based on the current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a program developed by the American Heart Association or the American Red Cross, and (ii) include hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. The Board shall provide a waiver for this requirement for any person with a disability whose disability prohibits such person from completing the certification or training;

4. Every person seeking licensure with an endorsement as a teacher of the blind and visually impaired shall demonstrate proficiency in reading and writing Braille;

5. Every teacher seeking an initial license in the Commonwealth with an endorsement in the area of career and technical education shall have an industry certification credential in the area in which the teacher seeks endorsement. If a teacher seeking an initial license in the Commonwealth *with an endorsement in the area of career and technical education* has *(i)* not attained an industry certification credential in the area in which the teacher seeks endorsement, the division superintendent may issue the teacher a provisional license to allow time for the teacher to attain such credential *or (ii) a high school diploma or a high school equivalency certificate and an industry-recognized credential, certification, or license in the area in which such person seeks an endorsement but has not completed all requirements specified in the Board's regulations for licensure, the Board shall issue the person a provisional license to allow time for such person to complete, in lieu of the outstanding requirements specified in the Board's regulations for licensure, coursework in classroom management, curriculum and instruction in career and technical education, and human growth and development or educational technology*;

6. Every person seeking initial licensure or renewal of a license shall complete awareness training, provided by the Department, on the indicators of dyslexia, as that term is defined by the Board pursuant to regulations, and the evidence-based interventions and accommodations for dyslexia;

7. Every person seeking initial licensure or renewal of a license with an endorsement as a school counselor shall complete training in the recognition of mental health disorder and behavioral distress, including depression, trauma, violence, youth suicide, and substance abuse;

8. Every person seeking initial licensure as a teacher who has not received the instruction described in subsection D of § 23.1-902 shall receive instruction or training on positive behavior interventions and supports; crisis prevention and de-escalation; the use of physical restraint and seclusion, consistent with regulations of the Board; and appropriate alternative methods to reduce and prevent the need for the use of physical restraint and seclusion;

9. Every person seeking initial licensure or renewal of a license shall complete instruction or training in cultural competency;

10. Every person seeking initial licensure or renewal of a license with an endorsement in history and social sciences shall complete instruction in African American history, as prescribed by the Board;

11. Every person seeking renewal of a license as a teacher shall complete training in the instruction of students with disabilities that includes (i) differentiating instruction for students depending on their needs; (ii) understanding the role of

general education teachers on the individualized education program team; (iii) implementing effective models of collaborative instruction, including co-teaching; and (iv) understanding the goals and benefits of inclusive education for all students; and

12. Every person seeking initial licensure with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness/visual impairments preschool through grade 12 or as a reading specialist shall complete study in science-based reading research and evidence-based literacy instruction.

E. No teacher who seeks a provisional license shall be required to meet any requirement set forth in subdivision D 1, 3, 6, or 8 as a condition of such licensure, but each such teacher shall complete each such requirement during the first year of provisional licensure.

F. The Board shall issue a license to an individual seeking initial licensure who has not completed professional assessments as prescribed by the Board, if such individual (i) holds a provisional license that will expire within three months or, at the discretion of the school board and division superintendent, within six months if the individual has received a satisfactory mid-year performance review in the current school year; (ii) is employed by a school board; (iii) is recommended for licensure by the division superintendent; (iv) has attempted, unsuccessfully, to obtain a qualifying score on the professional assessments as prescribed by the Board; (v) has received an evaluation rating of proficient or above on the performance standards for each year of the provisional license, and such evaluation was conducted in a manner consistent with the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents; and (vi) meets all other requirements for initial licensure.

G. Each division superintendent may waive for any individual whom he seeks to employ as a career and technical education teacher and who is also seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education any applicable requirement set forth in subsection C or subdivision D 2, 4, or 6.

H. The Board's regulations shall require that initial licensure for principals and assistant principals be contingent upon passage of an assessment as prescribed by the Board.

I. The Board shall establish criteria in its regulations to effectuate the substitution of experiential learning for coursework for those persons seeking initial licensure through an alternate route as defined in Board regulations. Such alternate routes shall include eligibility for any individual to receive, notwithstanding any provision of law to the contrary, a renewable one-year license to teach in public high schools in the Commonwealth if he has:

1. Received a graduate degree from a regionally accredited institution of higher education;

2. Completed at least 30 credit hours of teaching experience as an instructor at a regionally accredited institution of higher education;

3. Received qualifying scores on the professional teacher's assessments prescribed by the Board, including the content-area assessment for the endorsement sought. Such assessments for any individual seeking initial licensure through an alternate route with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness/visual impairments preschool through grade 12 or as a reading specialist shall include a rigorous test of science-based reading research and evidence-based literacy instruction; and

4. Met the requirements set forth in subdivisions D 1 and 3.

J. Notwithstanding any provision of law to the contrary, the Board (i) may provide for the issuance of a provisional license, valid for a period not to exceed three years, pursuant to *clause (i) of* subdivision D 5 or to any person who does not meet the requirements of this section or any other requirement for licensure imposed by law; (ii) *shall provide for the issuance of a provisional license, valid for a period not to exceed three years, pursuant to clause (ii) of subdivision D 5; (iii)* shall provide for the issuance of a provisional license, valid for a period not to exceed three years, to any former member of the Armed Forces of the United States or the Virginia National Guard who has received an honorable discharge and has the appropriate level of experience or training but does not meet the requirements for a renewable license; and ~~(iii)~~ *(iv)* may provide for the issuance of a provisional license, valid for a period not to exceed three years, to any individual who has held within the last five years a valid and officially issued and recognized license or certification to teach issued by an entity outside of the United States but does not meet the requirements for a renewable license if the individual's license or certification to teach has been evaluated and verified by an entity approved by the Department.

K. The Board's licensure regulations shall also provide for licensure by reciprocity:

1. With comparable endorsement areas for those individuals holding a valid out-of-state teaching license and national certification from the National Board for Professional Teaching Standards or a nationally recognized certification program approved by the Board. The application for such individuals shall require evidence of such valid licensure and national certification and shall not require official student transcripts; and

2. For any spouse of an active duty or reserve member of the Armed Forces of the United States or a member of the Virginia National Guard who has obtained a valid out-of-state license, with full credentials and without deficiencies, that is in force at the time the application for a Virginia license is received by the Department. Each such individual shall establish a file in the Department by submitting a complete application packet, which shall include official student transcripts and an official copy of the military permanent assignment orders of the individual's spouse. No service requirements or licensing

assessments shall be required for any such individual. The Department shall determine and communicate such individual's eligibility for licensure by reciprocity within 15 business days of receipt of the complete application packet.

L. The Board's licensure regulations shall also provide for universal licensure by reciprocity for any individual who holds a valid out-of-state teaching license with full credentials and without deficiencies that has been in force for at least three years prior to and is in force at the time of application. No service requirements or licensing assessments shall be required for any individual who applies for universal licensure by reciprocity. Any individual who applies for universal licensure by reciprocity shall provide a copy of the individual's out-of-state teaching license that meets the criteria set forth in this subsection. Any such individual shall be subject to the provisions of §§ 22.1-296.2 and 22.1-296.4. The Department shall prioritize applications for universal licensure by reciprocity.

M. The Board shall include in its regulations an alternate route to licensure for elementary education preschool through grade six and an alternate route to licensure for special education general curriculum kindergarten through grade 12. Each such alternate route to licensure shall require individuals to (i) meet the qualifying scores on the content area assessment prescribed by the Board for the endorsements sought and (ii) complete an alternative certification program that provides training in the pedagogy and methodology of the respective content or special education areas prescribed by the Board. The curriculum of any such alternative certification program shall be approved by the Board. Nothing in this subsection shall preclude the Board from establishing other alternate routes to licensure.

N. Notwithstanding any provision of law to the contrary, the Board, upon recommendation of the division superintendent or school board, may provide for the issuance of a valid one-year nonrenewable local eligibility license to any individual who (i) received a baccalaureate degree from a regionally accredited institution of higher education and (ii) has experience or training in a subject or content area as the local school board and division superintendent may deem appropriate for the applicable teaching position or endorsement area. Any such one-year nonrenewable local eligibility license shall be issued in accordance with the following criteria:

1. Each school board shall ensure that the number of teachers employed by the school board under such local eligibility license does not exceed five percent of the teachers employed by such school board during the preceding school year;

2. No school board shall issue such local eligibility license to any individual who is (i) seeking to provide instruction in special education or (ii) eligible for a collegiate professional license or postgraduate professional license;

3. Any individual who is issued a local eligibility license pursuant to this subsection shall be required to complete within such one-year period the requirements set forth in subsection C and subdivisions D 1, 3, 6, 8, and 9 as well as any additional training requirements that may be prescribed by the school board and division superintendent;

4. Such local eligibility license shall only be valid within the issuing school division;

5. Each school board may, upon an individual's completion of a local eligibility license, issue a provisional license to such individual upon receiving from the division superintendent (i) a recommendation for such license and (ii) a satisfactory performance evaluation for such individual for the local eligibility licensure period;

6. Any individual issued a one-year local eligibility license shall be considered a probationary teacher and shall be subject to the probationary terms of employment pursuant to § 22.1-303;

7. Any teacher employed under a one-year local eligibility license shall be issued a collegiate professional or postgraduate professional license upon the expiration of the local eligibility license if such teacher, before or by the expiration of such local eligibility license, (i) receives a recommendation from the division superintendent and the school board, (ii) satisfies all requirements for the applicable license pursuant to relevant law and regulations, and (iii) satisfies any other criteria as may be prescribed by the Board; and

8. The Department's Office of Licensure shall review each local eligibility license within a month of issuance to any individual to ensure compliance with all Board regulations.

O. The Board, in its regulations providing for licensure by reciprocity established pursuant to subsections K and L, shall (i) permit applicants to submit third-party employment verification forms and (ii) grant special consideration to individuals who have successfully completed a program offered by a provider that is accredited by the Council for the Accreditation of Educator Preparation.

P. The Board shall develop guidelines that establish a process to permit a school board or any organization sponsored by a school board to petition the Board for approval of an alternate route to licensure that may be used to meet the requirements for a provisional or renewable license or any endorsement. Any such alternate route may include alternatives to the regulatory requirements for teacher preparation, including alternative professional assessments and coursework. The petitioner may proffer or the Board may impose conditions in conjunction with the approval of such petition.

§ 22.1-298.1. (Effective July 1, 2030) Regulations governing licensure.

A. As used in this section:

"Alternate route to licensure" means a nontraditional route to teacher licensure available to individuals who meet the criteria specified in the guidelines developed pursuant to subsection O or regulations issued by the Board.

"Industry certification credential" means an active career and technical education credential that is earned by successfully completing a Board-approved industry certification examination, being issued a professional license in the Commonwealth, or successfully completing an occupational competency examination.

"Licensure by reciprocity" means the issuance of a license as a teacher in the Commonwealth to an individual coming into the Commonwealth from another state when that individual meets certain conditions specified in the Board's regulations.

"Professional teacher's assessment" means those tests mandated for licensure as prescribed by the Board.

"Provisional license" means a nonrenewable license issued by the Board or by a division superintendent as permitted pursuant to subdivision D 5 for a specified period of time, not to exceed three years, to an individual who may be employed by a school division in the Commonwealth and who generally meets the requirements specified in the Board's regulations for licensure, but who may need to take additional coursework, pass additional assessments, or meet alternative evaluation standards to be fully licensed with a renewable license.

"Renewable license" means a license issued by the Board for 10 years to an individual who meets the requirements specified in the Board's regulations.

"Universal licensure by reciprocity" means the issuance of a license as a teacher in the Commonwealth to any individual who holds a valid out-of-state teaching license with full credentials and without deficiencies that has been in force and in use by the individual as an employed teacher in a non-virtual classroom setting at a public or private elementary or secondary school for at least three years prior to and is in force at the time the Department receives such individual's application for a license as a teacher in the Commonwealth.

B. The Board shall prescribe, by regulation, the requirements for the licensure of teachers and other school personnel required to hold a license. Such regulations shall include procedures for (i) the denial, suspension, cancellation, revocation, and reinstatement of licensure; (ii) written reprimand of license holders on grounds established by the Board, in accordance with law, notice of which shall be made by the Superintendent to division superintendents or their designated representatives; and (iii) the immediate and thorough investigation by the division superintendent or his designee of any complaint alleging that a license holder has engaged in conduct that may form the basis for the revocation of his license. At a minimum, such procedures for investigations contained in such regulations shall require (a) the division superintendent to petition for the revocation of the license upon completing such investigation and finding that there is reasonable cause to believe that the license holder has engaged in conduct that forms the basis for revocation of a license; (b) the school board to proceed to a hearing on such petition for revocation within 90 days of the mailing of a copy of the petition to the license holder, unless the license holder requests the cancellation of his license in accordance with Board regulations; and (c) the school board to provide a copy of the investigative file and such petition for revocation to the Superintendent at the time that the hearing is scheduled. The Board shall revoke the license of any person for whom it has received a notice of dismissal or resignation pursuant to subsection F of § 22.1-313 and, in the case of a person who is the subject of a founded complaint of child abuse or neglect, after all rights to any administrative appeal provided by § 63.2-1526 have been exhausted. In the case of a teacher who is the subject of a founded complaint of child abuse or neglect and whose license has been revoked pursuant to this subsection, in the event that a court reverses such finding of abuse or neglect and the individual submits to the Department an application for the reinstatement of his license as a teacher, the Board shall consider and act upon such application no later than 90 days after the date of submission. Regardless of the authority of any other agency of the Commonwealth to approve educational programs, only the Board shall have the authority to license teachers to be regularly employed by school boards, including those teachers employed to provide nursing education.

The Board shall prescribe by regulation the licensure requirements for teachers who teach only online courses, as defined in § 22.1-212.23. Such license shall be valid only for teaching online courses. Teachers who hold a 10-year renewable license issued by the Board may teach online courses for which they are properly endorsed.

C. The Board's regulations shall include requirements that a person seeking initial licensure:

1. Demonstrate proficiency in the relevant content area and other core skills for educators by achieving a qualifying score on professional assessments or meeting alternative evaluation standards as prescribed by the Board. Such assessments for any individual seeking initial licensure with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness/visual impairments preschool through grade 12 or as a reading specialist shall include a rigorous test of science-based reading research and evidence-based literacy instruction;

2. Complete study in attention deficit disorder;

3. Complete study in gifted education, including the use of multiple criteria to identify gifted students; and

4. Complete study in methods of improving communication between schools and families and ways of increasing family involvement in student learning at home and at school.

D. In addition, such regulations shall include requirements that:

1. Every person seeking initial licensure and persons seeking licensure renewal as teachers who have not completed such study shall complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Board in consultation with the Department of Social Services that are relevant to the specific teacher licensure routes;

2. Every person seeking renewal of a license shall complete all renewal requirements, including professional development in a manner prescribed by the Board, except that no person seeking renewal of a license shall be required to satisfy any such requirement by completing coursework and earning credit at an institution of higher education;

3. Every person seeking initial licensure or renewal of a license shall provide evidence of completion of certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators. The certification or training program shall (i) be based on the current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a program

developed by the American Heart Association or the American Red Cross, and (ii) include hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. The Board shall provide a waiver for this requirement for any person with a disability whose disability prohibits such person from completing the certification or training;

4. Every person seeking licensure with an endorsement as a teacher of the blind and visually impaired shall demonstrate proficiency in reading and writing Braille;

5. Every teacher seeking an initial license in the Commonwealth with an endorsement in the area of career and technical education shall have an industry certification credential in the area in which the teacher seeks endorsement. If a teacher seeking an initial license in the Commonwealth *with an endorsement in the area of career and technical education* has *(i)* not attained an industry certification credential in the area in which the teacher seeks endorsement, the division superintendent may issue the teacher a provisional license to allow time for the teacher to attain such credential *or (ii) a high school diploma or a high school equivalency certificate and an industry-recognized credential, certification, or license in the area in which such person seeks an endorsement but has not completed all requirements specified in the Board's regulations for licensure, the Board shall issue the person a provisional license to allow time for such person to complete, in lieu of the outstanding requirements specified in the Board's regulations for licensure, coursework in classroom management, curriculum and instruction in career and technical education, and human growth and development or educational technology*;

6. Every person seeking initial licensure or renewal of a license shall complete awareness training, provided by the Department, on the indicators of dyslexia, as that term is defined by the Board pursuant to regulations, and the evidence-based interventions and accommodations for dyslexia;

7. Every person seeking initial licensure or renewal of a license with an endorsement as a school counselor shall complete training in the recognition of mental health disorder and behavioral distress, including depression, trauma, violence, youth suicide, and substance abuse;

8. Every person seeking initial licensure as a teacher who has not received the instruction described in subsection D of § 23.1-902 shall receive instruction or training on positive behavior interventions and supports; crisis prevention and de-escalation; the use of physical restraint and seclusion, consistent with regulations of the Board; and appropriate alternative methods to reduce and prevent the need for the use of physical restraint and seclusion;

9. Every person seeking initial licensure or renewal of a license shall complete instruction or training in cultural competency;

10. Every person seeking initial licensure or renewal of a license with an endorsement in history and social sciences shall complete instruction in African American history, as prescribed by the Board;

11. Every person seeking renewal of a license as a teacher shall complete training in the instruction of students with disabilities that includes (i) differentiating instruction for students depending on their needs; (ii) understanding the role of general education teachers on the individualized education program team; (iii) implementing effective models of collaborative instruction, including co-teaching; and (iv) understanding the goals and benefits of inclusive education for all students; and

12. Every person seeking initial licensure with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness/visual impairments preschool through grade 12 or as a reading specialist shall complete study in science-based reading research and evidence-based literacy instruction.

E. No teacher who seeks a provisional license shall be required to meet any requirement set forth in subdivision D 1, 3, 6, or 8 as a condition of such licensure, but each such teacher shall complete each such requirement during the first year of provisional licensure.

F. The Board shall issue a license to an individual seeking initial licensure who has not completed professional assessments as prescribed by the Board, if such individual (i) holds a provisional license that will expire within three months or, at the discretion of the school board and division superintendent, within six months if the individual has received a satisfactory mid-year performance review in the current school year; (ii) is employed by a school board; (iii) is recommended for licensure by the division superintendent; (iv) has attempted, unsuccessfully, to obtain a qualifying score on the professional assessments as prescribed by the Board; (v) has received an evaluation rating of proficient or above on the performance standards for each year of the provisional license, and such evaluation was conducted in a manner consistent with the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents; and (vi) meets all other requirements for initial licensure.

G. Each division superintendent may waive for any individual whom he seeks to employ as a career and technical education teacher and who is also seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education any applicable requirement set forth in subsection C or subdivision D 2, 4, or 6.

H. The Board's regulations shall require that initial licensure for principals and assistant principals be contingent upon passage of an assessment as prescribed by the Board.

I. The Board shall establish criteria in its regulations to effectuate the substitution of experiential learning for coursework for those persons seeking initial licensure through an alternate route as defined in Board regulations. Such alternate routes shall include eligibility for any individual to receive, notwithstanding any provision of law to the contrary, a renewable one-year license to teach in public high schools in the Commonwealth if he has:

1. Received a graduate degree from a regionally accredited institution of higher education;

2. Completed at least 30 credit hours of teaching experience as an instructor at a regionally accredited institution of higher education;

3. Received qualifying scores on the professional teacher's assessments prescribed by the Board, including the content-area assessment for the endorsement sought. Such assessments for any individual seeking initial licensure through an alternate route with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness/visual impairments preschool through grade 12 or as a reading specialist shall include a rigorous test of science-based reading research and evidence-based literacy instruction; and

4. Met the requirements set forth in subdivisions D 1 and 3.

J. Notwithstanding any provision of law to the contrary, the Board (i) may provide for the issuance of a provisional license, valid for a period not to exceed three years, pursuant to *clause (i) of* subdivision D 5 or to any person who does not meet the requirements of this section or any other requirement for licensure imposed by law; (ii) *shall provide for the issuance of a provisional license, valid for a period not to exceed three years, pursuant to clause (ii) of subdivision D 5; (iii)* shall provide for the issuance of a provisional license, valid for a period not to exceed three years, to any former member of the Armed Forces of the United States or the Virginia National Guard who has received an honorable discharge and has the appropriate level of experience or training but does not meet the requirements for a renewable license; and ~~(iii)~~ *(iv)* may provide for the issuance of a provisional license, valid for a period not to exceed three years, to any individual who has held within the last five years a valid and officially issued and recognized license or certification to teach issued by an entity outside of the United States but does not meet the requirements for a renewable license if the individual's license or certification to teach has been evaluated and verified by an entity approved by the Department.

K. The Board's licensure regulations shall also provide for licensure by reciprocity:

1. With comparable endorsement areas for those individuals holding a valid out-of-state teaching license and national certification from the National Board for Professional Teaching Standards or a nationally recognized certification program approved by the Board. The application for such individuals shall require evidence of such valid licensure and national certification and shall not require official student transcripts; and

2. For any spouse of an active duty or reserve member of the Armed Forces of the United States or a member of the Virginia National Guard who has obtained a valid out-of-state license, with full credentials and without deficiencies, that is in force at the time the application for a Virginia license is received by the Department. Each such individual shall establish a file in the Department by submitting a complete application packet, which shall include official student transcripts and an official copy of the military permanent assignment orders of the individual's spouse. No service requirements or licensing assessments shall be required for any such individual. The Department shall determine and communicate such individual's eligibility for licensure by reciprocity within 15 business days of receipt of the complete application packet.

L. The Board's licensure regulations shall also provide for universal licensure by reciprocity for any individual who holds a valid out-of-state teaching license with full credentials and without deficiencies that has been in force for at least three years prior to and is in force at the time of applications. No service requirements or licensing assessments shall be required for any individual who applies for universal licensure by reciprocity. Any individual who applies for universal licensure by reciprocity shall provide a copy of the individual's out-of-state teaching license that meets the criteria set forth in this subsection. Any such individual shall be subject to the provisions of §§ 22.1-296.2 and 22.1-296.4. The Department shall prioritize applications for universal licensure by reciprocity.

M. The Board shall include in its regulations an alternate route to licensure for elementary education preschool through grade six and an alternate route to licensure for special education general curriculum kindergarten through grade 12. Each such alternate route to licensure shall require individuals to (i) meet the qualifying scores on the content area assessment prescribed by the Board for the endorsements sought and (ii) complete an alternative certification program that provides training in the pedagogy and methodology of the respective content or special education areas prescribed by the Board. The curriculum of any such alternative certification program shall be approved by the Board. Nothing in this subsection shall preclude the Board from establishing other alternate routes to licensure.

N. The Board, in its regulations providing for licensure by reciprocity established pursuant to subsections K and L, shall (i) permit applicants to submit third-party employment verification forms and (ii) grant special consideration to individuals who have successfully completed a program offered by a provider that is accredited by the Council for the Accreditation of Educator Preparation.

O. The Board shall develop guidelines that establish a process to permit a school board or any organization sponsored by a school board to petition the Board for approval of an alternate route to licensure that may be used to meet the requirements for a provisional or renewable license or any endorsement. Any such alternate route may include alternatives to the regulatory requirements for teacher preparation, including alternative professional assessments and coursework. The petitioner may proffer or the Board may impose conditions in conjunction with the approval of such petition.

2. That the Board of Education shall amend its regulations as necessary in accordance with the provisions of this act.

CHAPTER 677

An Act to require the Board of Education to amend its Regulations Governing Allowable Credit for Teaching Experience to require the allowance of certain teaching experience credit substitutions.

[H 2103]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Board of Education shall amend 8VAC20-410-10 of the Virginia Administrative Code to provide that, for the purpose of salary placement credit, teachers in the field of career and technical education, where the licensure requirement calls for occupational work experience beyond the apprenticeship level, may, be allowed credit for one year of teaching experience for each two years of work experience or may be allowed credit for one year of teaching experience for each year of work experience.*

2. That the Board of Education shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

3. That the provisions of this act shall not become effective unless reenacted by the 2026 Session of the General Assembly.

CHAPTER 678

An Act to direct the Board of Education to revise its Three "E" Readiness Framework to include and incentivize participation in work-based learning experiences.

[H 2454]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Board of Education shall revise its Three "E" Readiness Framework: Employment, Enlistment, and Enrollment, adopted pursuant to the Department of Education's public school accountability system to measure high school student postsecondary readiness, to include as an indicator of postsecondary readiness and incentivize participation in and completion of work-based learning experiences, with the maximum number of points for such indicator awarded to students who participate in a minimum of 90 hours of work-based learning experiences.*

CHAPTER 679

An Act to amend and reenact § 42.1-3.1 of the Code of Virginia, relating to the Library Board; conferral of honorary degree of patron of letters.

[H 2695]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 42.1-3.1 of the Code of Virginia is amended and reenacted as follows:

§ 42.1-3.1. Authority of Board generally.

The Board shall be vested with full authority (i) to establish policy concerning what books and other library materials are to be kept, housed, or exhibited by The Library of Virginia; (ii) to enter into agreements with institutions and organizations with purposes similar to its own; (iii) to adopt and amend bylaws; (iv) to charge for such services as deemed proper; and (v) to do such other things as it deems proper to promote education in the realm of history and library and archival science throughout the Commonwealth through The Library of Virginia.

The Board is hereby authorized to sell, grant, and convey or to change the form of investments or control of any funds, securities or other property, provided such action is not inconsistent with the terms of the instrument under which the property may have been acquired.

The Board may confer the honorary degree of patron of letters on any person who has, in its opinion, made an outstanding contribution in the realm of *arts,* history, *humanities,* or *information,* library, or archival science.

CHAPTER 680

An Act to amend and reenact §§ 22.1-1, 22.1-238, 22.1-239, 22.1-241, 22.1-242, 22.1-243, 22.1-253.13:1, 22.1-253.13:2, 22.1-253.13:3, 22.1-253.13:5, 22.1-253.13:6, and 23.1-902.1 of the Code of Virginia, relating to public schools; textbooks and other high-quality instructional materials.

[H 2777]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-1, 22.1-238, 22.1-239, 22.1-241, 22.1-242, 22.1-243, 22.1-253.13:1, 22.1-253.13:2, 22.1-253.13:3, 22.1-253.13:5, 22.1-253.13:6, and 23.1-902.1 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-1. Definitions.

As used in this title, unless the context requires a different meaning:

"Board" or "State Board" means the Board of Education.

"Department" means the Department of Education.

"Division superintendent" means the division superintendent of schools of a school division.

"Dual enrollment" means the enrollment of a qualified high school student in a postsecondary course that is creditable toward high school completion and a career certificate or an associate or baccalaureate degree at a public institution of higher education. "Dual enrollment" does not include the enrollment of a qualified high school student in a postsecondary course that is not creditable toward high school completion.

"Elementary" includes kindergarten.

"Elementary and secondary" and "elementary or secondary" include elementary, middle, and high school grades.

"Evidence-based literacy instruction" means structured instructional practices, including sequential, systematic, explicit, and cumulative teaching, that (i) are based on reliable, trustworthy, and valid evidence consistent with science-based reading research; (ii) are used in core or general instruction, supplemental instruction, intervention services, and intensive intervention services; (iii) have a demonstrated record of success in adequately increasing students' reading competency, vocabulary, oral language, and comprehension and in building mastery of the foundational reading skills of phonological and phonemic awareness, alphabetic principle, phonics, spelling, and text reading fluency; and (iv) are able to be differentiated in order to meet the individual needs of students. "Evidence-based literacy instruction" does not include practices that instruct students to gain meaning from print through the use of ~~(i)~~ *(a)* three-cueing, which includes semantic, syntactic, and graphophonic cues; ~~(ii)~~ *(b)* meaning, structure, and visual cues; or ~~(iii)~~ *(c)* visual memory for word recognition.

"Governing body" or "local governing body" means the board of supervisors of a county, council of a city, or council of a town, responsible for appropriating funds for such locality, as the context may require.

"Middle school" means separate schools for early adolescents and the middle school grades that might be housed at elementary or high schools.

"Parent" or "parents" means any parent, guardian, legal custodian, or other person having control or charge of a child.

"Person of school age" means a person who will have reached his fifth birthday on or before September 30 of the school year and who has not reached twenty years of age on or before August 1 of the school year.

"School board" means the school board that governs a school division.

"Science-based reading research" means research that (i) applies rigorous, systematic, and objective observational or experimental procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading and writing difficulties and (ii) explains how proficient reading and writing develop, why some children have difficulties developing key literacy skills, and how schools can best assess and instruct early literacy, including the use of evidence-based literacy instruction practices to promote reading and writing achievement.

"Superintendent" means the Superintendent of Public Instruction.

"Textbooks and other high-quality instructional materials" means systematic print or digital curricula that serve as the primary curriculum basis for a grade-level subject or course and that provide (i) adequate content and materials for student mastery of corresponding Standards of Learning; (ii) instructional practices that are aligned with general and discipline-specific research evidence; (iii) assessments to monitor student mastery of curriculum content; (iv) guidance for meeting student needs including enrichment for above-grade-level students and intensification for students who are at-risk of not mastering curriculum content, including English language learners and students with disabilities; and (v) resources for teachers that develop content knowledge, support implementation of instructional practices that are based on reliable, trustworthy, and valid evidence and have a demonstrated record of success, and build understanding of the rationale for curricula components.

§ 22.1-238. Approval of textbooks and other high-quality instructional materials.

A. The Board of Education shall have the authority to approve textbooks *and other high-quality instructional materials* suitable for use in the public schools and shall have authority to approve instructional aids and materials for use in the public schools. The Board shall publish a list of all approved textbooks *and other high-quality instructional materials* on its website and shall list the publisher and the current lowest wholesale price of such textbooks *and other high-quality instructional materials*.

B. Any school board may use textbooks *and other high-quality instructional materials* not approved by the Board provided the school board selects such ~~books~~ *textbooks and other high-quality instructional materials* in accordance with regulations promulgated by the Board.

~~C. For the purposes of this chapter, the term "textbooks" means print or electronic media for student use that serve as the primary curriculum basis for a grade-level subject or course.~~

§ 22.1-239. Basal textbooks and other high-quality instructional materials.

In approving basal textbooks *and other high-quality instructional materials* for reading in kindergarten and first grade, the Board shall report to local school boards those textbooks *and other high-quality instructional materials* with a minimum

decodability standard based on words that students can correctly read by properly attaching speech sounds to each letter to formulate the word at 70 percent or above for such textbooks *and other high-quality instructional materials*.

§ 22.1-241. Contracts with publishers.

A. Local school boards shall either enter into written term contracts or issue purchase orders on an as-needed basis with publishers of textbooks *and other high-quality instructional materials* approved by the Board for use in the public schools. Such written contracts or purchase orders for textbooks *and other high-quality instructional materials* approved by the Board shall be exempt from the Virginia Public Procurement Act (§ 2.2-4300 et seq.).

The contract price shall not exceed the lowest wholesale price at which the ~~textbook or~~ textbooks *and other high-quality instructional materials* involved in the contract are currently bid under contract anywhere in the United States.

If, subsequent to the date of any contract entered into by a local school board, the prices of textbooks *and other high-quality instructional materials* named in the contract are reduced ~~or~~, the terms of the contract are made more favorable to purchase anywhere in the United States, or a special or other edition of any ~~book~~ *textbook or other high-quality instructional material* named in the contract is sold outside of ~~Virginia~~ *the Commonwealth* at a lower price than contracted in the Commonwealth, the publisher shall grant the same reduction or terms to the local school board and give the local school board the option of using such special or other edition adapted for use in ~~Virginia~~ *the Commonwealth* and at the lowest price at which such special edition is sold elsewhere and the contract shall so state.

B. Contracts and purchase orders with publishers of textbooks *and other high-quality instructional materials* approved by the Board shall require the publisher to furnish ~~an~~ electronic ~~file~~ *files* of the ~~textbook~~ *textbooks and other high-quality instructional materials* in the National Instructional Materials Accessibility Standards (NIMAS) format that will then be deposited in the National Instructional Materials Access Center (NIMAC) from which accessible versions of the particular ~~textbook~~ *textbooks and other high-quality instructional materials* may be produced for students with print disabilities, as defined in 20 U.S.C. § 1474. Publishers shall deliver the NIMAS ~~file~~ *files* of the ~~textbook~~ *textbooks and other high-quality instructional materials* on or before the date of delivery of the regular text ~~version~~ *versions*.

Contracts and purchase orders with publishers of textbooks *and other high-quality instructional materials* approved by the Board for use in grades 6-12 shall allow for the purchase of printed textbooks *and other high-quality instructional materials*, printed textbooks *and other high-quality instructional materials* with electronic files, or electronic textbooks *and other high-quality instructional materials* separate and apart from printed versions of the same ~~textbook~~ *textbooks and other high-quality instructional materials*. Each school board shall have the authority to purchase an assortment of textbooks *and other high-quality instructional materials* in any of the three forms listed above.

C. Every school board shall order directly from the respective publishers the textbooks *and other high-quality instructional materials* needed to supply the public schools in the school division. The publishers shall ship the textbooks *and other high-quality instructional materials* to the school board. The purchase price of such textbooks *and other high-quality instructional materials* shall be paid directly to the publishers by the school board.

D. With the approval of the local school board and the publisher, any private school within the school division that so requests may purchase from the local school board's contract with the publisher. Such private school shall be fully responsible for ordering, purchasing, and receiving shipments of ~~books~~ *textbooks and other high-quality instructional materials* to be provided from the publisher pursuant to this section. The local school board shall be immune from any civil liability as a result of a private school purchasing from the local school board's contract.

§ 22.1-242. State Board to adopt regulations.

The Board shall adopt regulations governing (i) the purchase of textbooks *and other high-quality instructional materials* approved by it for use in the public schools directly from the publishers by school boards and (ii) the distribution of such textbooks *and other high-quality instructional materials* for the use by children attending public schools in ~~Virginia~~ *the Commonwealth*.

§ 22.1-243. Distribution of textbooks and other high-quality instructional materials; charges for loss or damage; consumable materials.

A. Each school board shall provide, free of charge, such textbooks *and other high-quality instructional materials* required for courses of instruction for each child attending public schools. However, a local school board may assess a reasonable fee or charge for damages or loss of school property when such property has been provided to students without charge.

B. Consumable materials such as workbooks, writing books, and drawing books may be purchased by school boards and either provided to students at no cost or sold to students at a retail price not to exceed seven percent added to the publisher's price. If sold, the local school board shall develop a policy ensuring that workbooks, writing books, and drawing books are furnished to students who are unable to afford them at a reduced price or free of charge.

C. Nothing in this section shall be construed to authorize a school board to charge fees to students for ~~instructional materials,~~ textbooks~~,~~ *and other high-quality instructional materials* or other materials used by a school board employee that are not directly used by a public school student.

§ 22.1-253.13:1. Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives.

A. The General Assembly and the Board believe that the fundamental goal of the public schools of the Commonwealth must be to enable each student to develop the skills that are necessary for success in school, preparation for life, and reaching their full potential. The General Assembly and the Board find that the quality of education is dependent upon the

provision of (i) the appropriate working environment, benefits, and salaries necessary to ensure the availability of high-quality instructional personnel; (ii) the appropriate learning environment designed to promote student achievement; (iii) quality instruction that enables each student to become a productive and educated citizen of Virginia and the United States of America; and (iv) the adequate commitment of other resources. In keeping with this goal, the General Assembly shall provide for the support of public education as set forth in Article VIII, § 1 of the Constitution of Virginia.

B. The Board shall establish educational objectives known as the Standards of Learning, which shall form the core of Virginia's educational program, and other educational objectives, which together are designed to ensure the development of the skills that are necessary for success in school and for preparation for life in the years beyond. At a minimum, the Board shall establish Standards of Learning for English, mathematics, science, and history and social science. The Standards of Learning shall not be construed to be regulations as defined in § 2.2-4001.

The Board shall seek to ensure that the Standards of Learning are consistent with a high-quality foundation educational program. The Standards of Learning shall include, but not be limited to, the basic skills of communication (listening, speaking, reading, and writing); computation and critical reasoning, including problem solving and decision making; proficiency in the use of computers and related technology; computer science and computational thinking, including computer coding; and the skills to manage personal finances and to make sound financial decisions.

The English Standards of Learning for reading in kindergarten through grade eight shall align with evidence-based literacy instruction and science-based reading research.

The Standards of Learning in all subject areas shall be subject to regular review and revision to maintain rigor and to reflect a balance between content knowledge and the application of knowledge in preparation for eventual employment and lifelong learning. The Board shall establish a regular schedule, in a manner it deems appropriate, for the review, and revision as may be necessary, of the Standards of Learning in all subject areas. Such review of each subject area shall occur at least once every seven years. Nothing in this section shall be construed to prohibit the Board from conducting such review and revision on a more frequent basis.

To provide appropriate opportunity for input from the general public, teachers, and local school boards, the Board shall conduct public hearings prior to establishing revised Standards of Learning. Thirty days prior to conducting such hearings, the Board shall give notice of the date, time, and place of the hearings to all local school boards and any other persons requesting to be notified of the hearings and publish notice of its intention to revise the Standards of Learning in the Virginia Register of Regulations. Interested parties shall be given reasonable opportunity to be heard and present information prior to final adoption of any revisions of the Standards of Learning.

In addition, the Department shall make available and maintain a website, either separately or through an existing website utilized by the Department, enabling public elementary, middle, and high school educators to submit recommendations for improvements relating to the Standards of Learning, when under review by the Board according to its established schedule, and related assessments required by the Standards of Quality pursuant to this chapter. Such website shall facilitate the submission of recommendations by educators.

School boards shall implement the Standards of Learning or objectives specifically designed for their school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to achieve the educational objectives established by the school division at appropriate age or grade levels. The curriculum adopted by the local school division shall be aligned to the Standards of Learning.

The Board shall include in the Standards of Learning for history and social science the study of contributions to society of diverse people. For the purposes of this subsection, "diverse" includes consideration of disability, ethnicity, race, and gender.

The Board shall include in the Standards of Learning for health instruction in emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator, including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Such instruction shall be based on the current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a program developed by the American Heart Association or the American Red Cross. No teacher who is in compliance with subdivision D 3 of § 22.1-298.1 shall be required to be certified as a trainer of cardiopulmonary resuscitation to provide instruction for non-certification.

The Board shall include in the Standards of Learning for physical and health education for grade nine or 10 research-based hazing prevention instruction, in accordance with the Standards of Learning and curriculum guidelines for research-based hazing prevention instruction developed by the Board pursuant to subsection B of § 22.1-207.

With such funds as are made available for this purpose, the Board shall regularly review and revise the competencies for career and technical education programs to require the full integration of English, mathematics, science, and history and social science Standards of Learning. Career and technical education programs shall be aligned with industry and professional standard certifications, where they exist.

The Board shall establish content standards and curriculum guidelines for courses in career investigation in elementary school, middle school, and high school. Each school board shall (i) require each middle school student to take at least one course in career investigation or (ii) select an alternate means of delivering the career investigation course to each middle school student, provided that such alternative is equivalent in content and rigor and provides the foundation for such students to develop their academic and career plans. Any school board may require (a) such courses in career investigation at the high school level as it deems appropriate, subject to Board approval as required in subsection A of § 22.1-253.13:4,

and (b) such courses in career investigation at the elementary school level as it deems appropriate. The Board shall develop and disseminate to each school board career investigation resource materials that are designed to ensure that students have the ability to further explore interest in career and technical education opportunities in middle and high school. In developing such resource materials, the Board shall consult with representatives of career and technical education, industry, skilled trade associations, chambers of commerce or similar organizations, and contractor organizations.

C. Local school boards shall develop and implement a program of instruction for grades K through 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related technology, computer science and computational thinking, including computer coding, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues, and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or training in a career or technical field; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

Local school boards shall also develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk including, but not limited to, those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include components that are research-based.

Any student who achieves a passing score on one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program.

Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit shall be required to attend a remediation program or to participate in another form of remediation. Division superintendents shall require such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs, in accordance with clause (ii) of subsection A of § 22.1-254 and § 22.1-254.01.

Remediation programs shall include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board, or other forms of remediation. Summer school remediation programs or other forms of remediation shall be chosen by the division superintendent to be appropriate to the academic needs of the student. Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition by the school division.

The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation that has been selected by his parent, in consultation with the division superintendent or his designee, and is either (i) conducted by an accredited private school or (ii) a special program that has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such private school remediation program or other special remediation program shall be borne by the student's parent.

The Board shall establish standards for full funding of summer remedial programs that shall include, but not be limited to, the minimum number of instructional hours or the equivalent thereof required for full funding and an assessment system designed to evaluate program effectiveness. Based on the number of students attending and the Commonwealth's share of the per pupil instructional costs, state funds shall be provided for the full cost of summer and other remediation programs as set forth in the appropriation act, provided such programs comply with such standards as shall be established by the Board, pursuant to § 22.1-199.2.

D. Local school boards shall also implement the following:

1. Programs in grades K through three that emphasize developmentally appropriate learning to enhance success.

2. Programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school. Such programs shall include components that are research-based.

3. Career and technical education programs incorporated into the K through 12 curricula that include:

a. Knowledge of careers and all types of employment opportunities, including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;

b. Career exploration opportunities in the middle school grades;

c. Competency-based career and technical education programs that integrate academic outcomes, career guidance, and job-seeking skills for all secondary students. Programs shall be based upon labor market needs and student interest. Career guidance shall include counseling about available employment opportunities and placement services for students exiting school. Each school board shall develop and implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be developed with the input of area business and industry representatives and local comprehensive community colleges and shall be submitted to the Superintendent in accordance with the timelines established by federal law;

d. Annual notice on its website to enrolled high school students and their parents of (i) the availability of the postsecondary education and employment data published by the State Council of Higher Education on its website pursuant to § 23.1-204.1 and (ii) the opportunity for such students to obtain a nationally recognized career readiness certificate at a local public high school, comprehensive community college, or workforce center; and

e. As part of each student's academic and career plan, a list of (i) the top 100 professions in the Commonwealth by median pay and the education, training, and skills required for each such profession and (ii) the top 10 degree programs at institutions of higher education in the Commonwealth by median pay of program graduates. The Department shall annually compile such lists and provide them to each local school board.

4. Educational objectives in middle and high school that emphasize economic education and financial literacy pursuant to § 22.1-200.03.

5. Early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law.

6. Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs.

7. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in these standards. Such students shall be counted in average daily membership (ADM) in accordance with the regulations of the Board.

8. Adult education programs for individuals functioning below the high school completion level. Such programs may be conducted by the school board as the primary agency or through a collaborative arrangement between the school board and other agencies.

9. A plan to make achievements for students who are educationally at risk a divisionwide priority that shall include procedures for measuring the progress of such students.

10. An agreement for postsecondary credit and degree attainment with any comprehensive community college in the Commonwealth specifying the options for students to complete an associate degree, a one-year Uniform Certificate of General Studies, or the Passport Program from a comprehensive community college concurrent with a high school diploma, consistent with the requirements for the College and Career Ready Virginia Program set forth in Article 5.1 (§ 22.1-237.1 et seq.) of Chapter 13. Such agreement shall specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher.

11. A plan to notify students and their parents of the availability of dual enrollment and advanced placement classes; career and technical education programs, including internships, externships, apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based learning experiences; the International Baccalaureate Program and Academic Year Governor's School Programs; the qualifications for enrolling in such classes, programs, and experiences; and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations. This plan shall include notification to students and parents of the College and Career Ready Virginia Program established pursuant to Article 5.1. (§ 22.1-237.1 et seq.) of Chapter 13 and its agreement with a comprehensive community college in the Commonwealth pursuant to subdivision 10 to enable students to complete an associate degree, a one-year Uniform Certificate of General Studies, or the Passport Program concurrent with a high school diploma.

12. Identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs, which programs may include dual language programs whereby such students receive instruction in English and in a second language.

13. Early identification, diagnosis, and assistance for students with mathematics problems and provision of instructional strategies and mathematics practices that benefit the development of mathematics skills for all students.

Local school divisions shall provide algebra readiness intervention services to students in grades six through nine who are at risk of failing the Algebra I end-of-course test, as demonstrated by their individual performance on any diagnostic test that has been approved by the Department. Local school divisions shall report the results of the diagnostic tests to the Department on an annual basis, at a time to be determined by the Superintendent. Each student who receives algebra readiness intervention services will be assessed again at the end of that school year. Funds appropriated for prevention, intervention, and remediation; summer school remediation; at-risk; or algebra readiness intervention services may be used to meet the requirements of this subdivision.

14. Incorporation of art, music, and physical education as a part of the instructional program at the elementary school level.

15. A program of physical activity available to all students in grades kindergarten through five consisting of at least 20 minutes per day or an average of 100 minutes per week during the regular school year and available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year. Such program may include any combination of (i) physical education classes, (ii) extracurricular athletics, (iii) recess, or (iv) other programs and physical activities deemed appropriate by the local school board. Each local school board shall implement such program during the regular school year. Any physical education class offered to students in grades seven and eight shall include at least one hour of personal safety training per school year in each such grade level that is developed and delivered in partnership with the local law-enforcement agency and consists of situational safety awareness training and social media education. Each local school board shall offer to all students in grade nine or 10 a physical education class that includes research-based hazing prevention instruction pursuant to subsection C of § 22.1-207, unless such hazing

prevention instruction is provided as part of a separate health education class offered to students in grade nine or 10. Each local school board may accept participation in the Junior Reserve Officers' Training Corps as fulfillment of any physical education requirements applicable to students in grades nine through 12.

16. A program of student services for kindergarten through grade 12 that shall be designed to aid students in their educational, social, and career development.

17. The collection and analysis of data and the use of the results to evaluate and make decisions about the instructional program.

18. A program of instruction in the high school Virginia and U.S. Government course on all information and concepts contained in the civics portion of the U.S. Naturalization Test.

E. From such funds as may be appropriated or otherwise received for such purpose, there shall be established within the Department a unit to (i) conduct evaluative studies; (ii) provide the resources and technical assistance to increase the capacity for school divisions to deliver quality instruction; and (iii) assist school divisions in implementing those programs and practices that will enhance pupil academic performance and improve family and community involvement in the public schools. Such unit shall identify and analyze effective instructional programs and practices and professional development initiatives; evaluate the success of programs encouraging parental and family involvement; assess changes in student outcomes prompted by family involvement; and collect and disseminate among school divisions information regarding effective instructional programs and practices, initiatives promoting family and community involvement, and potential funding and support sources. Such unit may also provide resources supporting professional development for administrators and teachers. In providing such information, resources, and other services to school divisions, the unit shall give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards of Learning assessments.

F. The Board shall, in collaboration with the Virginia Community College System, Career and Technical Education directors, and industry partners, develop and maintain a current, comprehensive, and uniform list of industry-recognized workforce credentials that students may take as a substitute for certain credits required for graduation pursuant to 8VAC20-131-51 of the Virginia Administrative Code, including industry-recognized workforce credentials that students may take as a substitute for elective credits and industry-recognized workforce credentials completed outside of regular school hours. The Board, in collaboration with the Virginia Community College System, shall ensure that such list reflects the current credit requirements for graduation and the current credentials accepted as substitutes. The Board shall post such list in a publicly accessible location on its website. Each school board shall accept as a substitute for a required credit any credential listed as an accepted substitute for such required credit.

G. Each local school board may enter into agreements for postsecondary course credit, credential, certification, or license attainment, hereinafter referred to as College and Career Access Pathways Partnerships (Partnerships), with comprehensive community colleges or other public institutions of higher education or educational institutions established pursuant to Title 23.1 that offer a career and technical education curriculum. Such Partnerships shall (i) specify the options for students to take courses as part of the career and technical education curriculum that lead to course credit or an industry-recognized credential, certification, or license concurrent with a high school diploma; (ii) specify the credit, credentials, certifications, or licenses available for such courses; (iii) specify the industry-recognized credentials that are accepted as substitutes for certain credits required for high school graduation, consistent with the list developed and maintained by the Board pursuant to subsection F; and (iv) specify available options for students to participate in pre-apprenticeship and apprenticeship programs at comprehensive community colleges concurrent with the pursuit of a high school diploma and receive college credit and high school credit for successful completion of any such program.

H. Each local school board shall provide a program of literacy instruction that is aligned with science-based reading research and provides evidenced-based literacy instruction to students in kindergarten through grade eight and is consistent with the school board's literacy plan as required by subsection B of § 22.1-253.13:6. Pursuant to such program:

1. Each local school board shall provide reading intervention services to students in kindergarten through grade eight who demonstrate substantial deficiencies based on their individual performance on the Standards of Learning reading assessment or a literacy screener provided by the Department. Such reading intervention services shall consist of evidence-based literacy instruction, align with science-based reading research, and be documented for each student in a written student reading plan, consistent with the requirements in subdivision 2 and the list developed by the Department pursuant to subdivision I 2.

2. A reading specialist, in collaboration with the teacher of any student who receives reading intervention services pursuant to subdivision 1, shall develop, oversee implementation of, and monitor student progress on a student reading plan. The parent of each student who receives reading intervention services pursuant to subdivision 1 shall receive notice of and have the opportunity to participate in the development of the student reading plan. Each student reading plan (i) shall follow the Department template created pursuant to subdivision I 3; (ii) shall document such reading intervention services; (iii) shall include, at a minimum, (a) the student's specific, diagnosed reading skill deficiencies as determined or identified by diagnostic assessment data or the literacy screener provided by the Department; (b) the goals and benchmarks for student growth in reading; (c) a description of the specific measures that will be used to evaluate and monitor the student's reading progress; (d) the specific evidence-based literacy instruction that the student will receive; (e) the strategies, resources, and materials that will be provided to the student's parent to support the student to make reading progress; and (f) any additional services the teacher deems available and appropriate to accelerate the student's reading skill development; and (iv) may include the following services for the student: instruction from a reading specialist, trained aide, computer-based reading

tutorial program, or classroom teacher with support from an aide, extended instructional time in the school day or school year, or, for students in grades six through eight, a literacy course, in addition to the course required by the Standards of Learning in English, that provides the specific evidence-based literacy instruction identified in the student's reading plan. In accordance with § 22.1-215.2, the parent of each student shall receive notice before services begin and a copy of the student reading plan.

3. Each student who receives such reading intervention services shall be assessed utilizing either the literacy screener provided by the Department or the grade-level reading Standards of Learning assessment again at the end of that school year.

Funds appropriated for prevention, intervention, and remediation, summer school remediation, the at-risk add-on, or early intervention reading may be used to meet the requirements of this subsection.

I. In order to assist local school boards to implement the provisions of subsection H:

1. The Board shall provide guidance on the content of student reading plans;

2. The Department shall develop a list of core literacy curricula for students in kindergarten through grade five and supplemental instruction practices and programs and intervention programs for students in kindergarten through grade eight that consist of evidence-based literacy instruction aligned with science-based reading research. The list shall be approved by the Board;

3. The Department shall develop a template for student reading plans that aligns with the requirements of subsection H;

4. The Department shall develop and implement a plan for the annual collection and public reporting of division-level and school-level literacy data, at a time to be determined by the Superintendent, to include results on the literacy screeners provided by the Department and the reading Standards of Learning assessments; and

5. The Department shall provide free online evidence-based literacy instruction resources that can be accessed by parents and local school boards to support student literacy development at home.

J. Each local school board shall adopt and implement textbooks and other high-quality instructional materials in English language arts for grades six through 12 and mathematics, science, and history and social science for grades kindergarten through 12. Except as otherwise provided in subdivision I 2 and subsection B of § 22.1-253.13:6, such textbooks and other high-quality instructional materials shall be selected from the list approved by the Board pursuant to § 22.1-238 or through a local adoption process that incorporates requirements for textbooks and other high-quality instructional materials in accordance with regulations promulgated by the Board.

K. To support local adoption and implementation of textbooks and other high-quality instructional materials, the Department shall:

1. Review and update its "Virginia's Textbook Review Process" document to identify textbooks and other high-quality instructional materials for Board approval pursuant to § 22.1-238. Such review process shall include guidelines and timelines for the submission of, review of, comment on, and evaluation of textbooks and instructional materials, the development and update at least every seven years of evaluation rubrics to determine the extent to which submitted textbooks and instructional materials meet the definition of textbooks and other high-quality instructional materials, the selection and training of Virginia review teams that represent educators from various geographical regions of the Commonwealth and the diversity of the Commonwealth's schools, opportunity for public comment, and the publication of ratings and reports based on the reviews;

2. Implement the review process developed pursuant to subdivision 1 to develop a list of textbooks and other high-quality instructional materials for English language arts for grades six through 12 and mathematics, science, and history and social science for grades kindergarten through 12;

3. Develop, adopt, and publish a list of approved vendors of professional learning resources that support teachers to implement the textbooks and other high-quality instructional materials approved by the Board pursuant to § 22.1-238;

4. For any school that requires improvement, based on federal indicators or a failure to meet Board standards pursuant to § 22.1-253.13:3, (i) complete a review of the curricula in use at such school, (ii) from such funds as may be appropriated, develop a grant program to support the school to adopt textbooks and other high-quality instructional materials from the list approved by the Board pursuant to § 22.1-238 and contract with vendors of professional learning resources from the list approved in accordance with subdivision 3, and (iii) monitor implementation of the adopted textbooks and high-quality instructional materials and professional learning resources; and

5. Publish annually a list of the textbooks and other high-quality instructional materials and professional learning resources adopted and procured by each local school board.

§ 22.1-253.13:2. Standard 2. Instructional, administrative, and support personnel.

A. The Board shall establish requirements for the licensing of teachers, principals, superintendents, and other professional personnel.

B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

C. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, school counselors or certain other licensed individuals as set forth in subdivision H 4, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to one

in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12. After September 30 of any school year, anytime the number of students in a class exceeds the class size limit established by this subsection, the local school division shall notify the parent of each student in such class of such fact no later than 10 days after the date on which the class exceeded the class size limit. Such notification shall state the reason that the class size exceeds the class size limit and describe the measures that the local school division will take to reduce the class size to comply with this subsection.

Within its regulations governing special education programs, the Board shall seek to set pupil/teacher ratios for pupils with intellectual disability that do not exceed the pupil/teacher ratios for self-contained classes for pupils with specific learning disabilities.

Further, school boards shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools. School divisions shall provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

D. Each local school board shall employ with state and local basic, special education, gifted, and career and technical education funds a minimum number of licensed, full-time equivalent instructional personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation act.

E. In addition to the positions supported by basic aid and in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to fund certain full-time equivalent instructional positions for each 1,000 students in grades K through 12 who are identified as needing prevention, intervention, and remediation services. State funding for prevention, intervention, and remediation programs provided pursuant to this subsection and the appropriation act may be used to support programs for educationally at-risk students as identified by the local school boards.

To provide algebra readiness intervention services required by § 22.1-253.13:1, school divisions may employ mathematics teacher specialists to provide the required algebra readiness intervention services. School divisions using the Standards of Learning Algebra Readiness Initiative funding in this manner shall only employ instructional personnel licensed by the Board.

F. In addition to the positions supported by basic aid and those in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the general appropriation act, shall be provided to support ratios of instructional positions to English language learner students, based on each such student's English proficiency level, as established in the general appropriation act, which positions may include dual language teachers who provide instruction in English and in a second language.

To provide flexibility in the instruction of English language learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to employ additional English language learner teachers or dual language teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner is intended to supplement the instructional services provided in this section. School divisions using the SOQ Prevention, Intervention, and Remediation funds in this manner shall employ only instructional personnel licensed by the Board.

G. In addition to the full-time equivalent positions required elsewhere in this section, each local school board shall employ one reading specialist for each 550 students in kindergarten through grade five and one reading specialist for each 1,100 students in grades six through eight. Each such reading specialist shall have training in science-based reading research and evidence-based literacy instruction practices. In addition, each such reading specialist shall have training in the identification of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder and shall serve as an advisor on dyslexia and related disorders. Such reading specialist shall have an understanding of the definition of dyslexia and a working knowledge of (i) techniques to help a student on the continuum of skills with dyslexia; (ii) dyslexia characteristics that may manifest at different ages and grade levels; (iii) the basic foundation of the keys to reading, including multisensory, explicit, systemic, and structured reading instruction; and (iv) appropriate interventions, accommodations, and assistive technology supports for students with dyslexia.

To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed by the Board. Local school divisions that employ a sufficient number of reading specialists to meet this staffing standard may assign reading specialists to grade levels according to grade levels with greatest need, regardless of the individual staffing standards established for grades kindergarten through five and six through eight.

H. Each local school board shall employ, at a minimum, the following full-time equivalent positions for any school that reports fall membership, according to student enrollment:

1. Principals, one full-time in each elementary school, middle school, and high school, to be employed on a 12-month basis;

2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals in high schools, one full-time for each 600 students; and school divisions that employ a sufficient number of assistant principals to meet this staffing requirement

may assign assistant principals to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary;

3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students; librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two full-time at 1,000 students. Local school divisions that employ a sufficient number of librarians to meet this staffing requirement may assign librarians to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary; and

4. School counselors, one full-time equivalent position per 325 students in grades kindergarten through 12.

However, in order to meet the staffing requirements set forth in this subdivision, any local school board (i) may employ, under a provisional license issued by the Department for three school years with an allowance for an additional two-year extension with the approval of the division superintendent, any professional counselor licensed by the Board of Counseling, clinical social worker licensed by the Board of Social Work, psychologist licensed by the Board of Psychology, or other licensed counseling professional with appropriate experience and training, provided that any such individual makes progress toward completing the requirements for full licensure as a school counselor during such period of employment or (ii) in the event that the school board does not receive any application from a licensed school counselor, professional counselor, clinical social worker, or psychologist or another licensed counseling professional with appropriate experience and training to fill a school counselor vacancy in the school division, may enter into an annual contract with another entity for the provision of school counseling services by a licensed professional counselor, clinical social worker, or psychologist or another licensed counseling professional with appropriate experience and training. Local school boards that employ a sufficient number of individuals to meet the staffing requirements set forth in this subdivision may assign such individuals to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or high schools.

I. Local school boards shall employ five full-time equivalent positions per 1,000 students in grades kindergarten through five to serve as elementary resource teachers in art, music, and physical education.

J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades kindergarten through 12, one to provide technology support and one to serve as an instructional technology resource teacher.

To provide flexibility, school divisions may use the state and local funds for instructional technology resource teachers to employ a data coordinator position, an instructional technology resource teacher position, or a data coordinator/instructional resource teacher blended position. The data coordinator position is intended to serve as a resource to principals and classroom teachers in the area of data analysis and interpretation for instructional and school improvement purposes, as well as for overall data management and administration of state assessments. School divisions using these funds in this manner shall employ only instructional personnel licensed by the Board.

K. Local school boards may employ additional positions that exceed these minimal staffing requirements. These additional positions may include, but are not limited to, those funded through the state's incentive and categorical programs as set forth in the appropriation act.

L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing requirements for the highest grade level in that school; this requirement shall apply to all staff, except for school counselors or certain other licensed individuals as set forth in subdivision H 4, and shall be based on the school's total enrollment. The Board may grant waivers from these staffing levels upon request from local school boards seeking to implement experimental or innovative programs that are not consistent with these staffing levels.

M. School boards shall, however, annually, on or before December 31, report to the public (i) the actual pupil/teacher ratios in elementary school classrooms in the local school division by school for the current school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local school division by school for the current school year. Actual pupil/teacher ratios shall include only the teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any classes funded through the voluntary kindergarten through third grade class size reduction program shall be identified as such classes. Any classes having waivers to exceed the requirements of this subsection shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to ensure the confidentiality of all teacher and pupil identities.

N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time basis in any mathematics, science, English, history, social science, career and technical education, fine arts, foreign language, or health education or physical education course shall be counted in the ADM in the relevant school division on a pro rata basis as provided in the appropriation act. Each such course enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home school student shall be counted as more than one-half a student for purposes of such pro rata calculation. Such calculation shall not include enrollments of such students in any other public school courses.

O. Each school board shall provide at least three specialized student support positions per 1,000 students. For purposes of this subsection, specialized student support positions include school social workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior analysts, and other licensed health and behavioral positions, which may either be employed by the school board or provided through contracted services.

In order to fill vacant school psychologist positions, any local school board may employ, under a provisional license issued by the Department for three school years with an allowance for an additional two-year extension with the approval of the division superintendent, clinical psychologists licensed by the Board of Psychology, provided that any such individual makes progress toward completing the requirements for full licensure as a school psychologist during such period of employment.

P. Each local school board shall provide those support services that are necessary for the efficient and cost-effective operation and maintenance of its public schools.

For the purposes of this title, unless the context otherwise requires, "support services positions" shall include the following:

1. Executive policy and leadership positions, including school board members, superintendents and assistant superintendents;

2. Fiscal and human resources positions, including fiscal and audit operations;

3. Student support positions, including (i) social work administrative positions not included in subsection O; (ii) school counselor administrative positions not included in subdivision H 4; (iii) homebound administrative positions supporting instruction; (iv) attendance support positions related to truancy and dropout prevention; and (v) health and behavioral administrative positions not included in subsection O;

4. Instructional personnel support, including professional development positions and library and media positions not included in subdivision H 3;

5. Technology professional positions not included in subsection J;

6. Operation and maintenance positions, including facilities; pupil transportation positions; operation and maintenance professional and service positions; and security service, trade, and laborer positions;

7. Technical and clerical positions for fiscal and human resources, student support, instructional personnel support, operation and maintenance, administration, and technology; and

8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students. Local school divisions that employ a sufficient number of school-based clerical personnel to meet this staffing requirement may assign the clerical personnel to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary.

Pursuant to the appropriation act, support services shall be funded from basic school aid.

School divisions may use the state and local funds for support services to provide additional instructional services.

Q. Notwithstanding the provisions of this section, when determining the assignment of instructional and other licensed personnel in subsections C through J, a local school board shall not be required to include full-time students of approved virtual school programs.

R. Each local school board shall designate a faculty member to serve as a special education parent/family liaison. The special education parent/family liaison shall serve as a resource to parents and families to understand and engage in (i) the referral, evaluation, reevaluation, and eligibility process if they suspect that their child has a disability and (ii) the IEP process and shall work in collaboration with the special education family support centers established pursuant to § 22.1-214.5. Each school board shall post the name of the designated special education parent/family liaison publicly on its website.

S. Each local school board shall designate a faculty member to serve as the high-quality instructional materials liaison. Such liaison shall receive support from the Department to serve as a resource for the division and its schools to select and implement textbooks and other high-quality instructional materials and aligned professional learning resources.

§ 22.1-253.13:3. Standard 3. Accreditation, other standards, assessments, and releases from state regulations.

A. The Board shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), which shall include (i) student outcome and growth measures, (ii) requirements and guidelines for instructional programs and for the integration of educational technology into such instructional programs, (iii) administrative and instructional staffing levels and positions, including staff positions for supporting educational technology, (iv) student services, (v) auxiliary education programs such as library and media services, (vi) requirements for graduation from high school, (vii) community relations, and (viii) the philosophy, goals, and objectives of public education in the Commonwealth.

The Board shall promulgate regulations establishing standards for accreditation of public virtual schools under the authority of the local school board that enroll students full time.

The Board's regulations establishing standards for accreditation shall ensure that the accreditation process is transparent and based on objective measurements and that any appeal of the accreditation status of a school is heard and decided by the Board.

The Board shall review annually the accreditation status of all schools in the Commonwealth. The Board shall review the accreditation status of a school once every three years if the school has been fully accredited for three consecutive years. Upon such triennial review, the Board shall review the accreditation status of the school for each individual year within that triennial review period. If the Board finds that the school would have been accredited every year of that triennial review

period the Board shall accredit the school for another three years. The Board may review the accreditation status of any other school once every two years or once every three years, provided that any school that receives a multiyear accreditation status other than full accreditation shall be covered by a Board-approved multiyear corrective action plan for the duration of the period of accreditation. Such multiyear corrective action plan shall include annual written progress updates to the Board. A multiyear accreditation status shall not relieve any school or division of annual reporting requirements.

Each local school board shall maintain schools that are fully accredited pursuant to the standards for accreditation as prescribed by the Board. Each local school board shall report the accreditation status of all schools in the local school division annually in public session.

The Board shall establish a review process to assist any school that does not meet the standards established by the Board. The relevant school board shall report the results of such review and any annual progress reports in public session and shall implement any actions identified through such review and utilize them for improvement planning.

The Board shall establish a corrective action plan process for any school that does not meet the standards established by the Board. Such process shall require (a) each school board to submit a corrective action plan for any school in the local school division that does not meet the standards established by the Board and (b) any school board that fails to demonstrate progress in developing or implementing any such corrective action plan to enter into a memorandum of understanding with the Board.

When the Board determines through its review process that the failure of schools within a division to meet the standards established by the Board is related to division-level failure to implement the Standards of Quality or other division-level action or inaction, the Board may require a division-level academic review. After the conduct of such review and within the time specified by the Board, each school board shall enter into a memorandum of understanding with the Board and shall subsequently submit to the Board for approval a corrective action plan, consistent with criteria established by the Board setting forth specific actions and a schedule designed to ensure that schools within its school division meet the standards established by the Board. If the Board determines that the proposed corrective action plan is not sufficient to enable all schools within the division to meet the standards established by the Board, the Board may return the plan to the local school board with directions to submit an amended plan pursuant to Board guidance. Such corrective action plans shall be part of the relevant school division's comprehensive plan pursuant to § 22.1-253.13:6.

B. The Superintendent shall develop, subject to revision by the Board, criteria for determining and recognizing educational performance in the Commonwealth's local school divisions and public schools. The portion of such criteria that measures individual student growth shall become an integral part of the accreditation process for schools in which any grade level in the grade three through eight range is taught. The Superintendent shall annually report to the Board on the accreditation status of all school divisions and schools. Such report shall include an analysis of the strengths and weaknesses of public education programs in the various school divisions in Virginia and recommendations to the General Assembly for further enhancing student learning uniformly across the Commonwealth. In recognizing educational performance and individual student growth in the school divisions, the Board shall include consideration of special school division accomplishments, such as numbers of dual enrollments and students in Advanced Placement and International Baccalaureate courses, and participation in academic year Governor's Schools.

The Superintendent shall assist local school boards in the implementation of action plans for increasing educational performance and individual student growth in those school divisions and schools that are identified as not meeting the approved criteria*, including, when applicable, providing assistance with the review, grant, and monitoring process set forth in subdivision K 4 of § 22.1-253.13:1*. The Superintendent shall monitor the implementation of and report to the Board on the effectiveness of the corrective actions taken to improve the educational performance in such school divisions and schools.

C. With such funds as are available for this purpose, the Board shall prescribe assessment methods to determine the level of achievement of the Standards of Learning objectives by all students. Such assessments shall evaluate knowledge, application of knowledge, critical thinking, and skills related to the Standards of Learning being assessed. The Board shall, with the assistance of independent testing experts, conduct a regular analysis and validation process for these assessments. In lieu of a one-time end-of-year assessment, the Board shall establish, for the purpose of providing measures of individual student growth over the course of the school year, a through-year growth assessment system, aligned with the Standards of Learning, for the administration of reading and mathematics assessments in grades three through eight. Such through-year growth assessment system shall include at least one beginning-of-year, one mid-year, and one end-of-year assessment in order to provide individual student growth scores over the course of the school year, but the total time scheduled for taking all such assessments shall not exceed 150 percent of the time scheduled for taking a single end-of-year proficiency assessment. The Department shall ensure adequate training for teachers and principals on how to interpret and use student growth data from such assessments to improve reading and mathematics instruction in grades three through eight throughout the school year. With such funds and content as are available for such purpose, such through-year growth assessment system shall provide accurate measurement of a student's performance, through computer adaptive technology, using test items at, below, and above the student's grade level as necessary.

The Board shall also provide the option of industry certification and state licensure examinations as a student-selected credit.

The Department shall make available to school divisions Standards of Learning assessments typically administered by high schools by December 1 of the school year in which such assessments are to be administered or when newly developed assessments are available, whichever is later.

The Board shall make publicly available such assessments in a timely manner and as soon as practicable following the administration of such tests, so long as the release of such assessments does not compromise test security or deplete the bank of assessment questions necessary to construct subsequent tests, or limit the ability to test students on demand and provide immediate results in the web-based assessment system.

The Board shall prescribe alternative methods of Standards of Learning assessment administration for children with disabilities, as that term is defined in § 22.1-213, who meet criteria established by the Board to demonstrate achievement of the Standards of Learning. An eligible student's Individual Education Program team shall make the final determination as to whether an alternative method of administration is appropriate for the student.

The Board shall include in the student outcome and growth measures that are required by the standards of accreditation the required assessments for various grade levels and classes, including the completion of the alternative assessments implemented by each local school board, in accordance with the Standards of Learning. These assessments shall include end-of-course or end-of-grade tests for English, mathematics, science, and history and social science and may be integrated to include multiple subject areas.

The Standards of Learning assessments administered to students in grades three through eight shall not exceed (i) reading and mathematics in grades three and four; (ii) reading, mathematics, and science in grade five; (iii) reading and mathematics in grades six and seven; (iv) reading, writing, and mathematics in grade eight; (v) science after the student receives instruction in the grade six science, life science, and physical science Standards of Learning and before the student completes grade eight; and (vi) Virginia Studies and Civics and Economics once each at the grade levels deemed appropriate by each local school board. The reading and mathematics assessments administered to students in grades three through eight shall be through-year growth assessments.

Each school board shall annually certify that it has provided instruction and administered an alternative assessment, consistent with Board guidelines, to students in grades three through eight in each Standards of Learning subject area in which a Standards of Learning assessment was not administered during the school year. Such guidelines shall (a) incorporate options for age-appropriate, authentic performance assessments and portfolios with rubrics and other methodologies designed to ensure that students are making adequate academic progress in the subject area and that the Standards of Learning content is being taught; (b) permit and encourage integrated assessments that include multiple subject areas; and (c) emphasize collaboration between teachers to administer and substantiate the assessments and the professional development of teachers to enable them to make the best use of alternative assessments.

Local school divisions shall provide targeted mathematics remediation and intervention to students in grades six through eight who show computational deficiencies as demonstrated by their individual performance on any diagnostic test or grade-level Standards of Learning mathematics test that measures non-calculator computational skills.

The Department shall award recovery credit to any student in grades three through eight who performs below grade level on a Standards of Learning assessment in English reading or mathematics, receives remediation, and subsequently retakes and performs at or above grade level on such an assessment, including any such student who subsequently retakes such an assessment on an expedited basis.

In addition, to assess the educational progress of students, the Board shall (1) develop appropriate assessments, which may include criterion-referenced tests and other assessment instruments that may be used by classroom teachers; (2) select appropriate industry certification and state licensure examinations; and (3) prescribe and provide measures, which may include nationally normed tests to be used to identify students who score in the bottom quartile at selected grade levels.

The Standards of Learning requirements, including all related assessments, shall be waived for any student awarded a scholarship under the Brown v. Board of Education Scholarship Program, pursuant to § 30-231.2, who is enrolled in a preparation program for a high school equivalency examination approved by the Board or in an adult basic education program or an adult secondary education program to obtain the high school diploma or a high school equivalency certificate.

The Department shall develop processes for informing school divisions of changes in the Standards of Learning.

The Board may adopt special provisions related to the administration and use of any Standards of Learning test or tests in a content area as applied to accreditation ratings for any period during which the Standards of Learning content or assessments in that area are being revised and phased in. Prior to statewide administration of such tests, the Board shall provide notice to local school boards regarding such special provisions.

The Board shall not include in its calculation of the passage rate for a Standards of Learning assessment or the level of achievement of the Standards of Learning objectives for an individual student growth assessment for the purposes of state accountability any student whose parent has decided to not have his child take such Standards of Learning assessment, unless such exclusions would result in the school's not meeting any required state or federal participation rate.

D. The Board may pursue all available civil remedies pursuant to § 22.1-19.1 or administrative action pursuant to § 22.1-292.1 for breaches in test security and unauthorized alteration of test materials or test results.

The Board may initiate or cause to be initiated a review or investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests, including the exclusion of students from testing who are required to be assessed, by local school board employees responsible for the distribution or administration of the tests.

Records and other information furnished to or prepared by the Board during the conduct of a review or investigation may be withheld pursuant to subdivision 10 of § 2.2-3705.3. However, this section shall not prohibit the disclosure of records to (i) a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regard to an employee or (ii) any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the identity of any person making a complaint or supplying information to the Board on a confidential basis and (b) does not compromise the security of any test mandated by the Board. Any local school board or division superintendent receiving such records or other information shall, upon taking personnel action against a relevant employee, place copies of such records or information relating to the specific employee in such person's personnel file.

Notwithstanding any other provision of state law, no test or examination authorized by this section, including the Standards of Learning assessments, shall be released or required to be released as minimum competency tests, if, in the judgment of the Board, such release would breach the security of such test or examination or deplete the bank of questions necessary to construct future secure tests.

E. With such funds as may be appropriated, the Board may provide, through an agreement with vendors having the technical capacity and expertise to provide computerized tests and assessments, and test construction, analysis, and security, for (i) web-based computerized tests and assessments, including computer-adaptive Standards of Learning assessments, for the evaluation of student progress during and after remediation and (ii) the development of a remediation item bank directly related to the Standards of Learning.

F. To assess the educational progress of students as individuals and as groups, each local school board shall require the use of Standards of Learning assessments, alternative assessments, and other relevant data, such as industry certification and state licensure examinations, to evaluate student progress and to determine educational performance. Each local school shall require the administration of appropriate assessments to students, which may include criterion-referenced tests and teacher-made tests and shall include the Standards of Learning assessments, the local school board's alternative assessments, and the National Assessment of Educational Progress state-by-state assessment. Each school board shall provide teachers, parents, principals, and other school leaders with their students' results on any Standards of Learning assessment or Virginia Alternate Assessment Program assessment as soon as practicable after the assessment is administered. Each school board shall analyze and report annually, in compliance with any criteria that may be established by the Board, the results from industry certification examinations and the Standards of Learning assessments to the public.

The Board shall include requirements for the reporting of the Standards of Learning assessment data, regardless of accreditation frequency, as part of the Board's requirements relating to the School Performance Report Card. Such scores shall be disaggregated for each school by student subgroups on the Virginia assessment program as appropriate and shall be reported to the public within three months of their receipt. These reports (i) shall be posted on the portion of the Department's website relating to the School Performance Report Card, in a format and in a manner that allows year-to-year comparisons, and (ii) may include the National Assessment of Educational Progress state-by-state assessment.

G. Each local school division superintendent shall regularly review the division's submission of data and reports required by state and federal law and regulations to ensure that all information is accurate and submitted in a timely fashion. The Superintendent shall provide a list of the required reports and data to division superintendents annually. The status of compliance with this requirement shall be included in the Board's annual report to the Governor and the General Assembly as required by § 22.1-18.

H. Any school board may request the Board for release from state regulations or, on behalf of one or more of its schools, for approval of an Individual School Accreditation Plan for the evaluation of the performance of one or more of its schools as authorized for certain other schools by the Standards for Accreditation pursuant to 8VAC20-131-280 C of the Virginia Administrative Code. Waivers of regulatory requirements may be granted by the Board based on submission of a request from the division superintendent and chairman of the local school board. The Board may grant, for a period up to five years, a waiver of regulatory requirements that are not (i) mandated by state or federal law or (ii) designed to promote health or safety. The school board shall provide in its waiver request a description of how the releases from state regulations are designed to increase the quality of instruction and improve the achievement of students in the affected school or schools. The Department shall provide (a) guidance to any local school division that requests releases from state regulations and (b) information about opportunities to form partnerships with other agencies or entities to any local school division in which the school or schools granted releases from state regulations have demonstrated improvement in the quality of instruction and the achievement of students.

The Board may also grant local school boards waivers of specific requirements in § 22.1-253.13:2, based on submission of a request from the division superintendent and chairman of the local school board, permitting the local school board to assign instructional personnel to the schools with the greatest needs, so long as the school division employs a sufficient number of personnel divisionwide to meet the total number required by § 22.1-253.13:2 and all pupil/teacher ratios and class size maximums set forth in subsection C of § 22.1-253.13:2 are met. The school board shall provide in its request a description of how the waivers from specific Standards of Quality staffing standards are designed to increase the quality of instruction and improve the achievement of students in the affected school or schools. The waivers may be renewed in up to five-year increments, or revoked, based on student achievement results in the affected school or schools.

§ 22.1-253.13:5. Standard 5. Quality of classroom instruction and educational leadership.

A. Each member of the Board shall participate in high-quality professional development programs on personnel, curriculum and current issues in education as part of his service on the Board.

B. Consistent with the finding that leadership is essential for the advancement of public education in the Commonwealth, teacher, principal, and superintendent evaluations shall be consistent with the performance standards included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents. Evaluations shall include student academic progress as a significant component and an overall summative rating. Teacher evaluations shall include regular observation and evidence that instruction is aligned with the school's curriculum. Evaluations shall include identification of areas of individual strengths and weaknesses and recommendations for appropriate professional activities. Evaluations shall include an evaluation of cultural competency.

C. The Board shall provide guidance on high-quality professional development for (i) teachers, principals, supervisors, division superintendents, and other school staff; (ii) principals, supervisors, and division superintendents in the evaluation and documentation of teacher and principal performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel; (iii) school board members on personnel, curriculum and current issues in education; (iv) teachers of the blind and visually impaired, in cooperation with the Virginia Department for the Blind and Vision Impaired, in Braille; (v) any individual with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, special education blindness/visual impairments preschool through grade 12, or English as a second language preschool through grade 12, or as a reading specialist that builds proficiency in science-based reading research and evidence-based literacy instruction; (vi) each teacher with an endorsement in middle education grades six through eight who teaches English that builds proficiency in evidence-based literacy instruction and science-based reading research; (vii) each middle school principal and teacher with an endorsement in middle education grades six through eight who teaches mathematics, science, or history and social science that builds an awareness of evidence-based literacy instruction and science-based reading research; (viii) each teacher with a provisional general education or special education license or an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, middle education grades six through eight, and secondary education grades six through 12; each principal with an endorsement in administration and supervision preschool through grade 12; and each teacher's aide or other paraprofessional that builds proficiency in instructional practices to support specially designed instruction in inclusive settings; and (ix) each teacher with a provisional special education license or an endorsement in special education general curriculum preschool through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness and visual impairments preschool through grade 12 that builds proficiency in implementing the Virginia IEP established pursuant to subdivision 11 of § 22.1-214.4 and the referral, evaluation, reevaluation, and eligibility forms and worksheets referenced in subdivision 6 of § 22.1-214.4.

The Board shall also provide technical assistance on high-quality professional development to local school boards designed to ensure that all instructional personnel are proficient in the use of educational technology consistent with its comprehensive plan for educational technology.

The Department shall provide technical assistance, including literacy coaching, to local school divisions to provide professional development in science-based reading research and evidence-based literacy instruction for students in kindergarten through grade eight. The Department shall also create a list of professional development programs aligned with science-based reading research and evidence-based literacy instruction that includes programs that provide training in dyslexia for reading specialists as required by subsection G of § 22.1-253.13:2. The list shall be approved by the Board. The Department shall provide resources to local school divisions to ensure that each division is able to provide professional development to teachers and reading specialists listed in subdivision E 2 in one of the programs enumerated in the list approved by the Board pursuant to this subdivision and that such professional development is provided at no cost to the teachers and reading specialists.

The Department shall provide technical assistance to local school divisions to implement professional learning resources from the list of vendors approved by the Department pursuant to subdivision K 3 of § 22.1-253.13:1.

The Department shall provide technical assistance, including special education coaching, to local school divisions to provide professional development in special education and related services and in instructional practices to support specially designed instruction in inclusive settings. The Department shall provide resources to local school divisions to ensure that each division is able to provide professional development to the teachers, principals, teacher's aides, and other paraprofessionals listed in subdivisions E 4 and 5 at no cost to such individuals.

D. Each local school board shall require (i) its members to participate annually in high-quality professional development activities at the state, local, or national levels on governance, including, but not limited to, personnel policies and practices; the evaluation of personnel, curriculum, and instruction; use of data in planning and decision making; and current issues in education as part of their service on the local board and (ii) the division superintendent to participate annually in high-quality professional development activities at the local, state, or national levels, including the Standards of Quality, Board regulations, and the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents.

E. Each local school board shall provide a program of high-quality professional development (i) in the use and documentation of performance standards and evaluation criteria based on student academic progress and skills for teachers,

principals, and superintendents to clarify roles and performance expectations and to facilitate the successful implementation of instructional programs that promote student achievement at the school and classroom levels; (ii) as part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency and to increase student achievement and expand the knowledge and skills students require to meet the standards for academic performance set by the Board; (iii) in educational technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula; and (iv) for principals and supervisors designed to increase proficiency in instructional leadership and management, including training in the evaluation and documentation of teacher and principal performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel.

In addition, each local school board shall provide:

1. Teachers and principals with high-quality professional development programs each year in (i) instructional content; (ii) the preparation of tests and other assessment measures; (iii) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives; (iv) instruction and remediation techniques in English, mathematics, science, and history and social science; (v) interpreting test data for instructional purposes; (vi) technology applications to implement the Standards of Learning; and (vii) effective classroom management;

2. High-quality professional development and training in science-based reading research and evidence-based literacy instruction, from the list developed and the resources provided by the Department pursuant to subsection C or an alternative program that consists of evidence-based literacy instruction and aligns with science-based reading research approved by the Department, for each elementary school principal and each teacher with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, special education blindness/visual impairments preschool through grade 12, or English as a second language preschool through grade 12, or as a reading specialist that builds proficiency in evidence-based literacy instruction and science-based reading research in order to aid in the licensure renewal process for such individuals;

3. High-quality professional development and training in science-based reading research and evidence-based literacy instruction, from the list developed and the resources provided by the Department pursuant to subsection C, or an alternative program that consists of evidence-based literacy instruction and aligns with science-based reading research approved by the Department, for (i) each teacher with an endorsement in middle education grades six through eight who teaches English that builds proficiency in evidence-based literacy instruction and science-based reading research and (ii) each middle school principal and teacher with an endorsement in middle education grades six through eight who teaches mathematics, science, or history and social science that builds an awareness of evidence-based literacy instruction and science-based reading research;

4. (Effective July 1, 2027) High-quality professional development in implementing the Virginia IEP established pursuant to subdivision 11 of § 22.1-214.4 and the referral, evaluation, reevaluation, and eligibility forms and worksheets referenced in subdivision 6 of § 22.1-214.4 for each teacher with a provisional special education license or an endorsement in special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, and special education blindness and visual impairments preschool through grade 12; and

5. (Effective July 1, 2027) High-quality professional development in instructional practices to support specially designed instruction in inclusive settings for each teacher with a provisional general education license or an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, and secondary education grades six through 12; each principal with an endorsement in administration and supervision preschool through grade 12; each teacher's aide or other paraprofessional; and any teacher with a provisional special education license for whom the school board determines there is a need for such professional development.

F. Schools and school divisions shall include as an integral component of their comprehensive plans required by § 22.1-253.13:6, high-quality professional development programs that support the recruitment, employment, and retention of qualified teachers and principals. Each school board shall require all instructional personnel to participate each year in these professional development programs.

G. Each local school board shall annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division. *Such review shall consider the extent to which the professional development program supports teachers in implementing the textbooks and other high-quality instructional materials adopted for division and school use.*

§ 22.1-253.13:6. Standard 6. Planning and public involvement.

A. The Board shall adopt a statewide comprehensive, unified, long-range plan based on data collection, analysis, and evaluation. Such plan shall be developed with statewide participation. The Board shall review the plan biennially and adopt any necessary revisions. The Board shall post the plan on the Department's website if practicable, and, in any case, shall make a hard copy of such plan available for public inspection and copying.

This plan shall include the objectives of public education in Virginia, including strategies for first improving student achievement, particularly the achievement of educationally at-risk students, then maintaining high levels of student

achievement; an assessment of the extent to which these objectives are being achieved; a forecast of enrollment changes; and an assessment of the needs of public education in the Commonwealth. In the annual report required by § 22.1-18, the Board shall include an analysis of the extent to which these Standards of Quality have been achieved and the objectives of the statewide comprehensive plan have been met. The Board shall also develop, consistent with, or as a part of, its comprehensive plan, a detailed comprehensive, long-range plan to integrate educational technology into the Standards of Learning and the curricula of the public schools in Virginia, including career and technical education programs. The Board shall review and approve the comprehensive plan for educational technology and may require the revision of such plan as it deems necessary.

B. Each local school board shall adopt a divisionwide comprehensive, unified, long-range plan based on data collection, an analysis of the data, and how the data will be utilized to improve classroom instruction and student achievement. The plan shall be developed with staff and community involvement and shall include, or be consistent with, all other divisionwide plans required by state and federal laws and regulations. Each local school board shall review the plan biennially and adopt any necessary revisions. Prior to the adoption of any divisionwide comprehensive plan or revisions thereto, each local school board shall post such plan or revisions on the division's Internet website if practicable, and, in any case, shall make a hard copy of the plan or revisions available for public inspection and copying and shall conduct at least one public hearing to solicit public comment on the divisionwide plan or revisions.

The divisionwide comprehensive plan shall include~~, but shall not be limited to,~~ (i) the objectives of the school division, including strategies for ~~first~~ *(a)* improving student achievement, particularly the achievement of educationally at-risk students, ~~then~~ *(b)* maintaining high levels of student achievement*, and (c) supporting student achievement through the adoption and implementation of textbooks and other high-quality instructional materials*; (ii) an assessment of the extent to which these objectives are being achieved; (iii) a forecast of enrollment changes; (iv) a plan for projecting and managing enrollment changes including consideration of the consolidation of schools to provide for a more comprehensive and effective delivery of instructional services to students and economies in school operations; (v) an evaluation of the appropriateness of establishing regional programs and services in cooperation with neighboring school divisions; (vi) a plan for implementing such regional programs and services when appropriate; (vii) a technology plan designed to integrate educational technology into the instructional programs of the school division, including the school division's career and technical education programs, consistent with, or as a part of, the comprehensive technology plan for Virginia adopted by the Board; (viii) an assessment of the needs of the school division and evidence of community participation, including parental participation, in the development of the plan; (ix) any corrective action plan required pursuant to § 22.1-253.13:3; and (x) a plan for parent and family involvement to include building successful school and parent partnerships that shall be developed with staff and community involvement, including participation by parents.

The divisionwide comprehensive plan shall also include a divisionwide literacy plan for pre-kindergarten through grade eight. The Board shall issue guidance on the contents of such plans. The Department shall develop a template for such plans. Each divisionwide literacy plan shall follow such template and address how the local school board will align (a) literacy professional development; (b) core reading and literacy curriculum for students in kindergarten through grade five; and (c) screening, supplemental instruction, and interventions for students in kindergarten through grade eight with evidence-based literacy instruction practices aligned with science-based reading research and how the school board will support parents to support the literacy development of their children. When developing such divisionwide literacy plan, each local school board shall use programs from the lists developed by the Department pursuant to subsection C of § 22.1-253.13:5 and subdivision ~~H~~ *I* 2 of § 22.1-253.13:1 or seek approval from the Department for the use of alternative programs that consist of evidence-based literacy instruction and align with science-based reading research. Each such divisionwide literacy plan shall be submitted to the Department and shall identify which core literacy curricula, supplemental instructional practices and programs, and intervention programs from the list developed by the Department pursuant to subdivision ~~H~~ *I* 2 of § 22.1-253.13:1 or alternative programs approved by the Department that consist of evidence-based literacy instruction and align with science-based reading research will be used in each grade level, kindergarten through 12, at each of the schools within such school division. Each local school board shall post, maintain, and update as necessary on such school board's website a copy of its divisionwide literacy plan and the job description and contact information for any reading specialist employed by such school division pursuant to subsection G of § 22.1-253.13:2 and for any dyslexia specialist employed by such school division. The Department shall post each divisionwide literacy plan on its website.

A report shall be presented by each school board to the public by November 1 of each odd-numbered year on the extent to which the objectives of the divisionwide comprehensive plan have been met during the previous two school years.

C. Each public school shall also prepare a comprehensive, unified, long-range plan, which the relevant school board shall consider in the development of its divisionwide comprehensive plan.

D. The Board shall, in a timely manner, make available to local school boards information about where current Virginia school laws, Board regulations and revisions, and copies of relevant Opinions of the Attorney General of Virginia may be located online.

§ 23.1-902.1. Education preparation programs; coursework; audit.

A. As used in this section:

"Evidence-based literacy instruction" and "science-based reading research" have the same meanings as provided in § 22.1-1.

"Instructional practices to support specially designed instruction in inclusive settings" has the same meaning as provided in § 22.1-213.

"Textbooks and other high-quality instructional materials" means systematic print or digital curricula that serve as the primary curriculum basis for a grade-level subject or course and that provide (i) adequate content and materials for student mastery of corresponding Standards of Learning; (ii) instructional practices that are aligned with general and discipline-specific research evidence; (iii) assessments to monitor student mastery of curriculum content; (iv) guidance for meeting student needs including enrichment for above-grade-level students and intensification for students who are at-risk of not mastering curriculum content, including English language learners and students with disabilities; and (v) resources for teachers that develop content knowledge, support implementation of instructional practices that are based on reliable, trustworthy, and valid evidence and have a demonstrated record of success, and build understanding of the rationale for curricula components.

B. Each education preparation program offered by a public institution of higher education or private institution of higher education or alternative certification program that provides training for any student seeking initial licensure by the Board of Education or a certificate or microcredential in early literacy or literacy coaching shall:

1. Include a program of coursework and require all such students to demonstrate mastery in science-based reading research and evidence-based literacy instruction. Each such program of coursework and the student mastery required to be demonstrated therein shall be consistent with definitions and expectations established by the Board of Education and the Department of Education after consultation with a commission consisting of independent literacy experts and stakeholders with knowledge of science-based reading research and evidence-based literacy instruction that has reviewed the requirements established in subdivision 6 of 8VAC20-23-130, subdivision 6 of 8VAC20-23-190, subdivision 2 a of 8VAC20-23-350, 8VAC20-23-510 through 8VAC20-23-580, and 8VAC20-23-660; and

2. For any such student seeking initial licensure by the Board of Education as a teacher with an endorsement in early childhood, elementary education, or special education or with an endorsement as a reading specialist, ensure that reading coursework and field practice opportunities are a significant focus of the education preparation program.

C. Each education preparation program offered by a public institution of higher education or private institution of higher education or alternative certification program that provides training for any student seeking initial licensure by the Board of Education with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, middle education grades six through eight, and secondary education grades six through 12 shall:

1. Include a program of coursework and require all such students to demonstrate mastery in instructional practices to support specially designed instruction in inclusive settings. Each such program of coursework and the student mastery required to be demonstrated therein shall be consistent with definitions and expectations established by the Board of Education and the Department of Education after consultation with a commission consisting of independent special education experts and stakeholders that has reviewed the requirements established in 8VAC20-23-510 through 8VAC20-23-580;

2. Include a program of coursework and clinical experience and require all such students to demonstrate mastery in identifying and implementing textbooks and other high-quality instructional materials. Each such program of coursework and clinical experience and the student mastery required to be demonstrated therein shall be consistent with definitions and expectations established by the Board of Education and the Department of Education after consultation with a commission consisting of independent experts and stakeholders with knowledge of the research and evidence base to support the identification and implementation of high-quality curricula as a strategy for improving student learning that has reviewed the requirements established in subdivision 2 of 8VAC20-23-130 of the Virginia Administrative Code and subdivision 2 of 8VAC20-23-190 of the Virginia Administrative Code; and

~~2.~~ *3.* For any such student seeking initial licensure by the Board of Education as a teacher with an endorsement in early/primary, elementary, or secondary education, ensure that coursework and, as available, field practice opportunities that build knowledge of instructional practices to support specially designed instruction in inclusive settings are a significant focus of the education preparation program.

D. The Department of Education shall audit at least once every seven years each education preparation program, in alignment with each program's accreditation cycle, for compliance with the requirements set forth in subsection B.

E. Each education preparation program offered by a public institution of higher education or private institution of higher education that leads to a degree, concentration, endorsement, or certificate for reading specialists shall include a program of coursework and other training in the identification of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder. Such program shall (i) include coursework in the constructs and pedagogy underlying remediation of reading, spelling, and writing and (ii) require reading specialists to demonstrate mastery of science-based reading research and evidence-based literacy instruction, including appropriate application of instructional supports and services and reading literacy interventions to ensure reading proficiency.

2. That the Board of Education shall amend its regulations as necessary to implement and comply with the provisions of §§ 22.1-238 and 22.1-242 of the Code of Virginia, as amended by this act.

3. That the Department of Education shall develop, adopt, and publish the list of approved vendors of professional learning resources as required pursuant to subdivision K 3 of § 22.1-253.13:1 of the Code of Virginia, as amended by this act, (i) no later than January 1, 2027, for English language arts for grades six through 12; (ii) no later than

January 1, 2028, for mathematics; (iii) no later than January 1, 2029, for science; and (iv) no later than January 1, 2030, for history and social science.

4. That the Department of Education and the Board of Education shall complete the process of reviewing and approving textbooks and other high-quality instructional materials as required pursuant to § 22.1-238 of the Code of Virginia, as amended by this act, and subdivisions K 1 and 2 of § 22.1-253.13:1 of the Code of Virginia, as amended by this act, (i) no later than January 1, 2027, for English language arts for grades six through 12; (ii) no later than January 1, 2028, for mathematics; (iii) no later than January 1, 2029, for science; and (iv) no later than January 1, 2030, for history and social science. Such deadlines may be adjusted to achieve better alignment with the relevant Standards of Learning review and revision schedule.

5. That each local school board shall adopt and implement textbooks and other high-quality instructional materials as required pursuant to subsection J of § 22.1-253.13:1 of the Code of Virginia, as amended by this act, in each required content area and grade level as soon as practicable after the relevant deadline for Department of Education and Board of Education review and approval set forth in the fourth enactment of this act.

6. That the provisions of the first through fifth enactments of this act shall become effective on July 1, 2026.

7. That the Department of Education (the Department) shall, in consultation with experienced teachers, division-level content specialists, and subject matter experts, evaluate any changes to its current textbook review and approval process that may be necessary to address challenges presented by such process, improve such process, and fully comply with the provisions of this act. In conducting such evaluation, the Department shall (i) identify and consider best practices for textbook review and approval, including textbook review and approval practices utilized in other states, and (ii) make recommendations on (a) revising the "Virginia's Textbook Review Process" document; (b) improving the selection and training process for statewide textbook review committees; (c) increasing opportunities for public comment on review and approval of textbooks and other high-quality instructional materials, as that term is defined in § 22.1-1 of the Code of Virginia, as amended by this act; and (d) updating Department procedures to support the process of reviewing and approving textbooks and other high-quality instructional materials. The Department shall report its findings and recommendations to the Governor and the Chairs of the Senate Committee on Finance and Appropriations, the Senate Committee on Education and Health, the House Committee on Appropriations, and the House Committee on Education by November 1, 2025. The Department and the Board of Education shall utilize such findings and recommendations to inform the process of reviewing and approving textbooks and other high-quality instructional materials as required pursuant to § 22.1-238 of the Code of Virginia, as amended by this act, and subdivisions K 1 and 2 of § 22.1-253.13:1 of the Code of Virginia, as amended by this act.

CHAPTER 681

An Act to direct the Board of Education to revise its Three "E" Readiness Framework to include and incentivize participation in work-based learning experiences.

[S 784]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Board of Education shall revise its Three "E" Readiness Framework: Employment, Enlistment, and Enrollment, adopted pursuant to the Department of Education's public school accountability system to measure high school student postsecondary readiness, to include as an indicator of postsecondary readiness and incentivize participation in and completion of work-based learning experiences, with the maximum number of points for such indicator awarded to students who participate in a minimum of 90 hours of work-based learning experiences.*

CHAPTER 682

An Act to amend and reenact § 22.1-298.1, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to Board of Education; teacher licensure; career and technical education; alternative pathway to provisional licensure.

[S 879]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-298.1, as it is currently effective and as it shall become effective, of the Code of Virginia is amended and reenacted as follows:

§ 22.1-298.1. (Effective until July 1, 2030) Regulations governing licensure.

A. As used in this section:

"Alternate route to licensure" means a nontraditional route to teacher licensure available to individuals who meet the criteria specified in the guidelines developed pursuant to subsection P or regulations issued by the Board.

"Industry certification credential" means an active career and technical education credential that is earned by successfully completing a Board-approved industry certification examination, being issued a professional license in the Commonwealth, or successfully completing an occupational competency examination.

"Licensure by reciprocity" means the issuance of a license as a teacher in the Commonwealth to an individual coming into the Commonwealth from another state when that individual meets certain conditions specified in the Board's regulations.

"Local eligibility license" means a nonrenewable license issued in accordance with subsection M, not to exceed one year, to an individual who needs to take additional coursework but otherwise meets certain conditions for licensure set forth in the Board's regulations and subsection M, and who may be employed by a school division in the Commonwealth with the intention of such individual, upon satisfaction of the applicable requirements set forth in Board regulations, receiving full licensure with a renewable license.

"Professional teacher's assessment" means those tests mandated for licensure as prescribed by the Board.

"Provisional license" means a nonrenewable license issued by the Board or by a division superintendent as permitted pursuant to subdivision D 5 for a specified period of time, not to exceed three years, to an individual who may be employed by a school division in the Commonwealth and who generally meets the requirements specified in the Board's regulations for licensure, but who may need to take additional coursework, pass additional assessments, or meet alternative evaluation standards to be fully licensed with a renewable license.

"Renewable license" means a license issued by the Board for 10 years to an individual who meets the requirements specified in the Board's regulations.

"Universal licensure by reciprocity" means the issuance of a license as a teacher in the Commonwealth to any individual who holds a valid out-of-state teaching license with full credentials and without deficiencies that has been in force and in use by the individual as an employed teacher in a non-virtual classroom setting at a public or private elementary or secondary school for at least three years prior to and is in force at the time the Department receives such individual's application for a license as a teacher in the Commonwealth.

B. The Board shall prescribe, by regulation, the requirements for the licensure of teachers and other school personnel required to hold a license. Such regulations shall include procedures for (i) the denial, suspension, cancellation, revocation, and reinstatement of licensure; (ii) written reprimand of license holders on grounds established by the Board, in accordance with law, notice of which shall be made by the Superintendent to division superintendents or their designated representatives; and (iii) the immediate and thorough investigation by the division superintendent or his designee of any complaint alleging that a license holder has engaged in conduct that may form the basis for the revocation of his license. At a minimum, such procedures for investigations contained in such regulations shall require (a) the division superintendent to petition for the revocation of the license upon completing such investigation and finding that there is reasonable cause to believe that the license holder has engaged in conduct that forms the basis for revocation of a license; (b) the school board to proceed to a hearing on such petition for revocation within 90 days of the mailing of a copy of the petition to the license holder, unless the license holder requests the cancellation of his license in accordance with Board regulations; and (c) the school board to provide a copy of the investigative file and such petition for revocation to the Superintendent at the time that the hearing is scheduled. The Board shall revoke the license of any person for whom it has received a notice of dismissal or resignation pursuant to subsection F of § 22.1-313 and, in the case of a person who is the subject of a founded complaint of child abuse or neglect, after all rights to any administrative appeal provided by § 63.2-1526 have been exhausted. In the case of a teacher who is the subject of a founded complaint of child abuse or neglect and whose license has been revoked pursuant to this subsection, in the event that a court reverses such finding of abuse or neglect and the individual submits to the Department an application for the reinstatement of his license as a teacher, the Board shall consider and act upon such application no later than 90 days after the date of submission. Regardless of the authority of any other agency of the Commonwealth to approve educational programs, only the Board shall have the authority to license teachers to be regularly employed by school boards, including those teachers employed to provide nursing education.

The Board shall prescribe by regulation the licensure requirements for teachers who teach only online courses, as defined in § 22.1-212.23. Such license shall be valid only for teaching online courses. Teachers who hold a 10-year renewable license issued by the Board may teach online courses for which they are properly endorsed.

C. The Board's regulations shall include requirements that a person seeking initial licensure:

1. Demonstrate proficiency in the relevant content area and other core skills for educators by achieving a qualifying score on professional assessments or meeting alternative evaluation standards as prescribed by the Board. Such assessments for any individual seeking initial licensure with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness/visual impairments preschool through grade 12 or as a reading specialist shall include a rigorous test of science-based reading research and evidence-based literacy instruction;

2. Complete study in attention deficit disorder;

3. Complete study in gifted education, including the use of multiple criteria to identify gifted students; and

4. Complete study in methods of improving communication between schools and families and ways of increasing family involvement in student learning at home and at school.

D. In addition, such regulations shall include requirements that:

1. Every person seeking initial licensure and persons seeking licensure renewal as teachers who have not completed such study shall complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Board in consultation with the Department of Social Services that are relevant to the specific teacher licensure routes;

2. Every person seeking renewal of a license shall complete all renewal requirements, including professional development in a manner prescribed by the Board, except that no person seeking renewal of a license shall be required to satisfy any such requirement by completing coursework and earning credit at an institution of higher education;

3. Every person seeking initial licensure or renewal of a license shall provide evidence of completion of certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators. The certification or training program shall (i) be based on the current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a program developed by the American Heart Association or the American Red Cross, and (ii) include hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. The Board shall provide a waiver for this requirement for any person with a disability whose disability prohibits such person from completing the certification or training;

4. Every person seeking licensure with an endorsement as a teacher of the blind and visually impaired shall demonstrate proficiency in reading and writing Braille;

5. Every teacher seeking an initial license in the Commonwealth with an endorsement in the area of career and technical education shall have an industry certification credential in the area in which the teacher seeks endorsement. If a teacher seeking an initial license in the Commonwealth *with an endorsement in the area of career and technical education* has *(i)* not attained an industry certification credential in the area in which the teacher seeks endorsement, the division superintendent may issue the teacher a provisional license to allow time for the teacher to attain such credential *or (ii) a high school diploma or a high school equivalency certificate and an industry-recognized credential, certification, or license in the area in which such person seeks an endorsement but has not completed all requirements specified in the Board's regulations for licensure, the Board shall issue the person a provisional license to allow time for such person to complete, in lieu of the outstanding requirements specified in the Board's regulations for licensure, coursework in classroom management, curriculum and instruction in career and technical education, and human growth and development or educational technology*;

6. Every person seeking initial licensure or renewal of a license shall complete awareness training, provided by the Department, on the indicators of dyslexia, as that term is defined by the Board pursuant to regulations, and the evidence-based interventions and accommodations for dyslexia;

7. Every person seeking initial licensure or renewal of a license with an endorsement as a school counselor shall complete training in the recognition of mental health disorder and behavioral distress, including depression, trauma, violence, youth suicide, and substance abuse;

8. Every person seeking initial licensure as a teacher who has not received the instruction described in subsection D of § 23.1-902 shall receive instruction or training on positive behavior interventions and supports; crisis prevention and de-escalation; the use of physical restraint and seclusion, consistent with regulations of the Board; and appropriate alternative methods to reduce and prevent the need for the use of physical restraint and seclusion;

9. Every person seeking initial licensure or renewal of a license shall complete instruction or training in cultural competency;

10. Every person seeking initial licensure or renewal of a license with an endorsement in history and social sciences shall complete instruction in African American history, as prescribed by the Board;

11. Every person seeking renewal of a license as a teacher shall complete training in the instruction of students with disabilities that includes (i) differentiating instruction for students depending on their needs; (ii) understanding the role of general education teachers on the individualized education program team; (iii) implementing effective models of collaborative instruction, including co-teaching; and (iv) understanding the goals and benefits of inclusive education for all students; and

12. Every person seeking initial licensure with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness/visual impairments preschool through grade 12 or as a reading specialist shall complete study in science-based reading research and evidence-based literacy instruction.

E. No teacher who seeks a provisional license shall be required to meet any requirement set forth in subdivision D 1, 3, 6, or 8 as a condition of such licensure, but each such teacher shall complete each such requirement during the first year of provisional licensure.

F. The Board shall issue a license to an individual seeking initial licensure who has not completed professional assessments as prescribed by the Board, if such individual (i) holds a provisional license that will expire within three months or, at the discretion of the school board and division superintendent, within six months if the individual has received a satisfactory mid-year performance review in the current school year; (ii) is employed by a school board; (iii) is recommended for licensure by the division superintendent; (iv) has attempted, unsuccessfully, to obtain a qualifying score on the professional assessments as prescribed by the Board; (v) has received an evaluation rating of proficient or above on the performance standards for each year of the provisional license, and such evaluation was conducted in a manner

consistent with the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents; and (vi) meets all other requirements for initial licensure.

G. Each division superintendent may waive for any individual whom he seeks to employ as a career and technical education teacher and who is also seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education any applicable requirement set forth in subsection C or subdivision D 2, 4, or 6.

H. The Board's regulations shall require that initial licensure for principals and assistant principals be contingent upon passage of an assessment as prescribed by the Board.

I. The Board shall establish criteria in its regulations to effectuate the substitution of experiential learning for coursework for those persons seeking initial licensure through an alternate route as defined in Board regulations. Such alternate routes shall include eligibility for any individual to receive, notwithstanding any provision of law to the contrary, a renewable one-year license to teach in public high schools in the Commonwealth if he has:

1. Received a graduate degree from a regionally accredited institution of higher education;

2. Completed at least 30 credit hours of teaching experience as an instructor at a regionally accredited institution of higher education;

3. Received qualifying scores on the professional teacher's assessments prescribed by the Board, including the content-area assessment for the endorsement sought. Such assessments for any individual seeking initial licensure through an alternate route with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness/visual impairments preschool through grade 12 or as a reading specialist shall include a rigorous test of science-based reading research and evidence-based literacy instruction; and

4. Met the requirements set forth in subdivisions D 1 and 3.

J. Notwithstanding any provision of law to the contrary, the Board (i) may provide for the issuance of a provisional license, valid for a period not to exceed three years, pursuant to *clause (i) of* subdivision D 5 or to any person who does not meet the requirements of this section or any other requirement for licensure imposed by law; (ii) *shall provide for the issuance of a provisional license, valid for a period not to exceed three years, pursuant to clause (ii) of subdivision D 5; (iii)* shall provide for the issuance of a provisional license, valid for a period not to exceed three years, to any former member of the Armed Forces of the United States or the Virginia National Guard who has received an honorable discharge and has the appropriate level of experience or training but does not meet the requirements for a renewable license; and ~~(iii)~~ *(iv)* may provide for the issuance of a provisional license, valid for a period not to exceed three years, to any individual who has held within the last five years a valid and officially issued and recognized license or certification to teach issued by an entity outside of the United States but does not meet the requirements for a renewable license if the individual's license or certification to teach has been evaluated and verified by an entity approved by the Department.

K. The Board's licensure regulations shall also provide for licensure by reciprocity:

1. With comparable endorsement areas for those individuals holding a valid out-of-state teaching license and national certification from the National Board for Professional Teaching Standards or a nationally recognized certification program approved by the Board. The application for such individuals shall require evidence of such valid licensure and national certification and shall not require official student transcripts; and

2. For any spouse of an active duty or reserve member of the Armed Forces of the United States or a member of the Virginia National Guard who has obtained a valid out-of-state license, with full credentials and without deficiencies, that is in force at the time the application for a Virginia license is received by the Department. Each such individual shall establish a file in the Department by submitting a complete application packet, which shall include official student transcripts and an official copy of the military permanent assignment orders of the individual's spouse. No service requirements or licensing assessments shall be required for any such individual. The Department shall determine and communicate such individual's eligibility for licensure by reciprocity within 15 business days of receipt of the complete application packet.

L. The Board's licensure regulations shall also provide for universal licensure by reciprocity for any individual who holds a valid out-of-state teaching license with full credentials and without deficiencies that has been in force for at least three years prior to and is in force at the time of application. No service requirements or licensing assessments shall be required for any individual who applies for universal licensure by reciprocity. Any individual who applies for universal licensure by reciprocity shall provide a copy of the individual's out-of-state teaching license that meets the criteria set forth in this subsection. Any such individual shall be subject to the provisions of §§ 22.1-296.2 and 22.1-296.4. The Department shall prioritize applications for universal licensure by reciprocity.

M. The Board shall include in its regulations an alternate route to licensure for elementary education preschool through grade six and an alternate route to licensure for special education general curriculum kindergarten through grade 12. Each such alternate route to licensure shall require individuals to (i) meet the qualifying scores on the content area assessment prescribed by the Board for the endorsements sought and (ii) complete an alternative certification program that provides training in the pedagogy and methodology of the respective content or special education areas prescribed by the Board. The curriculum of any such alternative certification program shall be approved by the Board. Nothing in this subsection shall preclude the Board from establishing other alternate routes to licensure.

N. Notwithstanding any provision of law to the contrary, the Board, upon recommendation of the division superintendent or school board, may provide for the issuance of a valid one-year nonrenewable local eligibility license to

any individual who (i) received a baccalaureate degree from a regionally accredited institution of higher education and (ii) has experience or training in a subject or content area as the local school board and division superintendent may deem appropriate for the applicable teaching position or endorsement area. Any such one-year nonrenewable local eligibility license shall be issued in accordance with the following criteria:

1. Each school board shall ensure that the number of teachers employed by the school board under such local eligibility license does not exceed five percent of the teachers employed by such school board during the preceding school year;

2. No school board shall issue such local eligibility license to any individual who is (i) seeking to provide instruction in special education or (ii) eligible for a collegiate professional license or postgraduate professional license;

3. Any individual who is issued a local eligibility license pursuant to this subsection shall be required to complete within such one-year period the requirements set forth in subsection C and subdivisions D 1, 3, 6, 8, and 9 as well as any additional training requirements that may be prescribed by the school board and division superintendent;

4. Such local eligibility license shall only be valid within the issuing school division;

5. Each school board may, upon an individual's completion of a local eligibility license, issue a provisional license to such individual upon receiving from the division superintendent (i) a recommendation for such license and (ii) a satisfactory performance evaluation for such individual for the local eligibility licensure period;

6. Any individual issued a one-year local eligibility license shall be considered a probationary teacher and shall be subject to the probationary terms of employment pursuant to § 22.1-303;

7. Any teacher employed under a one-year local eligibility license shall be issued a collegiate professional or postgraduate professional license upon the expiration of the local eligibility license if such teacher, before or by the expiration of such local eligibility license, (i) receives a recommendation from the division superintendent and the school board, (ii) satisfies all requirements for the applicable license pursuant to relevant law and regulations, and (iii) satisfies any other criteria as may be prescribed by the Board; and

8. The Department's Office of Licensure shall review each local eligibility license within a month of issuance to any individual to ensure compliance with all Board regulations.

O. The Board, in its regulations providing for licensure by reciprocity established pursuant to subsections K and L, shall (i) permit applicants to submit third-party employment verification forms and (ii) grant special consideration to individuals who have successfully completed a program offered by a provider that is accredited by the Council for the Accreditation of Educator Preparation.

P. The Board shall develop guidelines that establish a process to permit a school board or any organization sponsored by a school board to petition the Board for approval of an alternate route to licensure that may be used to meet the requirements for a provisional or renewable license or any endorsement. Any such alternate route may include alternatives to the regulatory requirements for teacher preparation, including alternative professional assessments and coursework. The petitioner may proffer or the Board may impose conditions in conjunction with the approval of such petition.

§ 22.1-298.1. (Effective July 1, 2030) Regulations governing licensure.

A. As used in this section:

"Alternate route to licensure" means a nontraditional route to teacher licensure available to individuals who meet the criteria specified in the guidelines developed pursuant to subsection O or regulations issued by the Board.

"Industry certification credential" means an active career and technical education credential that is earned by successfully completing a Board-approved industry certification examination, being issued a professional license in the Commonwealth, or successfully completing an occupational competency examination.

"Licensure by reciprocity" means the issuance of a license as a teacher in the Commonwealth to an individual coming into the Commonwealth from another state when that individual meets certain conditions specified in the Board's regulations.

"Professional teacher's assessment" means those tests mandated for licensure as prescribed by the Board.

"Provisional license" means a nonrenewable license issued by the Board or by a division superintendent as permitted pursuant to subdivision D 5 for a specified period of time, not to exceed three years, to an individual who may be employed by a school division in the Commonwealth and who generally meets the requirements specified in the Board's regulations for licensure, but who may need to take additional coursework, pass additional assessments, or meet alternative evaluation standards to be fully licensed with a renewable license.

"Renewable license" means a license issued by the Board for 10 years to an individual who meets the requirements specified in the Board's regulations.

"Universal licensure by reciprocity" means the issuance of a license as a teacher in the Commonwealth to any individual who holds a valid out-of-state teaching license with full credentials and without deficiencies that has been in force and in use by the individual as an employed teacher in a non-virtual classroom setting at a public or private elementary or secondary school for at least three years prior to and is in force at the time the Department receives such individual's application for a license as a teacher in the Commonwealth.

B. The Board shall prescribe, by regulation, the requirements for the licensure of teachers and other school personnel required to hold a license. Such regulations shall include procedures for (i) the denial, suspension, cancellation, revocation, and reinstatement of licensure; (ii) written reprimand of license holders on grounds established by the Board, in accordance with law, notice of which shall be made by the Superintendent to division superintendents or their designated representatives; and (iii) the immediate and thorough investigation by the division superintendent or his designee of any

complaint alleging that a license holder has engaged in conduct that may form the basis for the revocation of his license. At a minimum, such procedures for investigations contained in such regulations shall require (a) the division superintendent to petition for the revocation of the license upon completing such investigation and finding that there is reasonable cause to believe that the license holder has engaged in conduct that forms the basis for revocation of a license; (b) the school board to proceed to a hearing on such petition for revocation within 90 days of the mailing of a copy of the petition to the license holder, unless the license holder requests the cancellation of his license in accordance with Board regulations; and (c) the school board to provide a copy of the investigative file and such petition for revocation to the Superintendent at the time that the hearing is scheduled. The Board shall revoke the license of any person for whom it has received a notice of dismissal or resignation pursuant to subsection F of § 22.1-313 and, in the case of a person who is the subject of a founded complaint of child abuse or neglect, after all rights to any administrative appeal provided by § 63.2-1526 have been exhausted. In the case of a teacher who is the subject of a founded complaint of child abuse or neglect and whose license has been revoked pursuant to this subsection, in the event that a court reverses such finding of abuse or neglect and the individual submits to the Department an application for the reinstatement of his license as a teacher, the Board shall consider and act upon such application no later than 90 days after the date of submission. Regardless of the authority of any other agency of the Commonwealth to approve educational programs, only the Board shall have the authority to license teachers to be regularly employed by school boards, including those teachers employed to provide nursing education.

The Board shall prescribe by regulation the licensure requirements for teachers who teach only online courses, as defined in § 22.1-212.23. Such license shall be valid only for teaching online courses. Teachers who hold a 10-year renewable license issued by the Board may teach online courses for which they are properly endorsed.

C. The Board's regulations shall include requirements that a person seeking initial licensure:

1. Demonstrate proficiency in the relevant content area and other core skills for educators by achieving a qualifying score on professional assessments or meeting alternative evaluation standards as prescribed by the Board. Such assessments for any individual seeking initial licensure with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness/visual impairments preschool through grade 12 or as a reading specialist shall include a rigorous test of science-based reading research and evidence-based literacy instruction;

2. Complete study in attention deficit disorder;

3. Complete study in gifted education, including the use of multiple criteria to identify gifted students; and

4. Complete study in methods of improving communication between schools and families and ways of increasing family involvement in student learning at home and at school.

D. In addition, such regulations shall include requirements that:

1. Every person seeking initial licensure and persons seeking licensure renewal as teachers who have not completed such study shall complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Board in consultation with the Department of Social Services that are relevant to the specific teacher licensure routes;

2. Every person seeking renewal of a license shall complete all renewal requirements, including professional development in a manner prescribed by the Board, except that no person seeking renewal of a license shall be required to satisfy any such requirement by completing coursework and earning credit at an institution of higher education;

3. Every person seeking initial licensure or renewal of a license shall provide evidence of completion of certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators. The certification or training program shall (i) be based on the current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a program developed by the American Heart Association or the American Red Cross, and (ii) include hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. The Board shall provide a waiver for this requirement for any person with a disability whose disability prohibits such person from completing the certification or training;

4. Every person seeking licensure with an endorsement as a teacher of the blind and visually impaired shall demonstrate proficiency in reading and writing Braille;

5. Every teacher seeking an initial license in the Commonwealth with an endorsement in the area of career and technical education shall have an industry certification credential in the area in which the teacher seeks endorsement. If a teacher seeking an initial license in the Commonwealth *with an endorsement in the area of career and technical education* has *(i)* not attained an industry certification credential in the area in which the teacher seeks endorsement, the division superintendent may issue the teacher a provisional license to allow time for the teacher to attain such credential *or (ii) a high school diploma or a high school equivalency certificate and an industry-recognized credential, certification, or license in the area in which such person seeks an endorsement but has not completed all requirements specified in the Board's regulations for licensure, the Board shall issue the person a provisional license to allow time for such person to complete, in lieu of the outstanding requirements specified in the Board's regulations for licensure, coursework in classroom management, curriculum and instruction in career and technical education, and human growth and development or educational technology*;

6. Every person seeking initial licensure or renewal of a license shall complete awareness training, provided by the Department, on the indicators of dyslexia, as that term is defined by the Board pursuant to regulations, and the evidence-based interventions and accommodations for dyslexia;

7. Every person seeking initial licensure or renewal of a license with an endorsement as a school counselor shall complete training in the recognition of mental health disorder and behavioral distress, including depression, trauma, violence, youth suicide, and substance abuse;

8. Every person seeking initial licensure as a teacher who has not received the instruction described in subsection D of § 23.1-902 shall receive instruction or training on positive behavior interventions and supports; crisis prevention and de-escalation; the use of physical restraint and seclusion, consistent with regulations of the Board; and appropriate alternative methods to reduce and prevent the need for the use of physical restraint and seclusion;

9. Every person seeking initial licensure or renewal of a license shall complete instruction or training in cultural competency;

10. Every person seeking initial licensure or renewal of a license with an endorsement in history and social sciences shall complete instruction in African American history, as prescribed by the Board;

11. Every person seeking renewal of a license as a teacher shall complete training in the instruction of students with disabilities that includes (i) differentiating instruction for students depending on their needs; (ii) understanding the role of general education teachers on the individualized education program team; (iii) implementing effective models of collaborative instruction, including co-teaching; and (iv) understanding the goals and benefits of inclusive education for all students; and

12. Every person seeking initial licensure with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness/visual impairments preschool through grade 12 or as a reading specialist shall complete study in science-based reading research and evidence-based literacy instruction.

E. No teacher who seeks a provisional license shall be required to meet any requirement set forth in subdivision D 1, 3, 6, or 8 as a condition of such licensure, but each such teacher shall complete each such requirement during the first year of provisional licensure.

F. The Board shall issue a license to an individual seeking initial licensure who has not completed professional assessments as prescribed by the Board, if such individual (i) holds a provisional license that will expire within three months or, at the discretion of the school board and division superintendent, within six months if the individual has received a satisfactory mid-year performance review in the current school year; (ii) is employed by a school board; (iii) is recommended for licensure by the division superintendent; (iv) has attempted, unsuccessfully, to obtain a qualifying score on the professional assessments as prescribed by the Board; (v) has received an evaluation rating of proficient or above on the performance standards for each year of the provisional license, and such evaluation was conducted in a manner consistent with the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents; and (vi) meets all other requirements for initial licensure.

G. Each division superintendent may waive for any individual whom he seeks to employ as a career and technical education teacher and who is also seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education any applicable requirement set forth in subsection C or subdivision D 2, 4, or 6.

H. The Board's regulations shall require that initial licensure for principals and assistant principals be contingent upon passage of an assessment as prescribed by the Board.

I. The Board shall establish criteria in its regulations to effectuate the substitution of experiential learning for coursework for those persons seeking initial licensure through an alternate route as defined in Board regulations. Such alternate routes shall include eligibility for any individual to receive, notwithstanding any provision of law to the contrary, a renewable one-year license to teach in public high schools in the Commonwealth if he has:

1. Received a graduate degree from a regionally accredited institution of higher education;

2. Completed at least 30 credit hours of teaching experience as an instructor at a regionally accredited institution of higher education;

3. Received qualifying scores on the professional teacher's assessments prescribed by the Board, including the content-area assessment for the endorsement sought. Such assessments for any individual seeking initial licensure through an alternate route with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness/visual impairments preschool through grade 12 or as a reading specialist shall include a rigorous test of science-based reading research and evidence-based literacy instruction; and

4. Met the requirements set forth in subdivisions D 1 and 3.

J. Notwithstanding any provision of law to the contrary, the Board (i) may provide for the issuance of a provisional license, valid for a period not to exceed three years, pursuant to *clause (i) of* subdivision D 5 or to any person who does not meet the requirements of this section or any other requirement for licensure imposed by law; (ii) *shall provide for the issuance of a provisional license, valid for a period not to exceed three years, pursuant to clause (ii) of subdivision D 5; (iii)* shall provide for the issuance of a provisional license, valid for a period not to exceed three years, to any former

member of the Armed Forces of the United States or the Virginia National Guard who has received an honorable discharge and has the appropriate level of experience or training but does not meet the requirements for a renewable license; and ~~(iii)~~ *(iv)* may provide for the issuance of a provisional license, valid for a period not to exceed three years, to any individual who has held within the last five years a valid and officially issued and recognized license or certification to teach issued by an entity outside of the United States but does not meet the requirements for a renewable license if the individual's license or certification to teach has been evaluated and verified by an entity approved by the Department.

K. The Board's licensure regulations shall also provide for licensure by reciprocity:

1. With comparable endorsement areas for those individuals holding a valid out-of-state teaching license and national certification from the National Board for Professional Teaching Standards or a nationally recognized certification program approved by the Board. The application for such individuals shall require evidence of such valid licensure and national certification and shall not require official student transcripts; and

2. For any spouse of an active duty or reserve member of the Armed Forces of the United States or a member of the Virginia National Guard who has obtained a valid out-of-state license, with full credentials and without deficiencies, that is in force at the time the application for a Virginia license is received by the Department. Each such individual shall establish a file in the Department by submitting a complete application packet, which shall include official student transcripts and an official copy of the military permanent assignment orders of the individual's spouse. No service requirements or licensing assessments shall be required for any such individual. The Department shall determine and communicate such individual's eligibility for licensure by reciprocity within 15 business days of receipt of the complete application packet.

L. The Board's licensure regulations shall also provide for universal licensure by reciprocity for any individual who holds a valid out-of-state teaching license with full credentials and without deficiencies that has been in force for at least three years prior to and is in force at the time of applications. No service requirements or licensing assessments shall be required for any individual who applies for universal licensure by reciprocity. Any individual who applies for universal licensure by reciprocity shall provide a copy of the individual's out-of-state teaching license that meets the criteria set forth in this subsection. Any such individual shall be subject to the provisions of §§ 22.1-296.2 and 22.1-296.4. The Department shall prioritize applications for universal licensure by reciprocity.

M. The Board shall include in its regulations an alternate route to licensure for elementary education preschool through grade six and an alternate route to licensure for special education general curriculum kindergarten through grade 12. Each such alternate route to licensure shall require individuals to (i) meet the qualifying scores on the content area assessment prescribed by the Board for the endorsements sought and (ii) complete an alternative certification program that provides training in the pedagogy and methodology of the respective content or special education areas prescribed by the Board. The curriculum of any such alternative certification program shall be approved by the Board. Nothing in this subsection shall preclude the Board from establishing other alternate routes to licensure.

N. The Board, in its regulations providing for licensure by reciprocity established pursuant to subsections K and L, shall (i) permit applicants to submit third-party employment verification forms and (ii) grant special consideration to individuals who have successfully completed a program offered by a provider that is accredited by the Council for the Accreditation of Educator Preparation.

O. The Board shall develop guidelines that establish a process to permit a school board or any organization sponsored by a school board to petition the Board for approval of an alternate route to licensure that may be used to meet the requirements for a provisional or renewable license or any endorsement. Any such alternate route may include alternatives to the regulatory requirements for teacher preparation, including alternative professional assessments and coursework. The petitioner may proffer or the Board may impose conditions in conjunction with the approval of such petition.

2. That the Board of Education shall amend its regulations as necessary in accordance with the provisions of this act.

CHAPTER 683

An Act to amend and reenact §§ 22.1-1, 22.1-238, 22.1-239, 22.1-241, 22.1-242, 22.1-243, 22.1-253.13:1, 22.1-253.13:2, 22.1-253.13:3, 22.1-253.13:5, 22.1-253.13:6, and 23.1-902.1 of the Code of Virginia, relating to public schools; textbooks and other high-quality instructional materials.

[S 955]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-1, 22.1-238, 22.1-239, 22.1-241, 22.1-242, 22.1-243, 22.1-253.13:1, 22.1-253.13:2, 22.1-253.13:3, 22.1-253.13:5, 22.1-253.13:6, and 23.1-902.1 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-1. Definitions.

As used in this title, unless the context requires a different meaning:

"Board" or "State Board" means the Board of Education.

"Department" means the Department of Education.

"Division superintendent" means the division superintendent of schools of a school division.

"Dual enrollment" means the enrollment of a qualified high school student in a postsecondary course that is creditable toward high school completion and a career certificate or an associate or baccalaureate degree at a public institution of

higher education. "Dual enrollment" does not include the enrollment of a qualified high school student in a postsecondary course that is not creditable toward high school completion.

"Elementary" includes kindergarten.

"Elementary and secondary" and "elementary or secondary" include elementary, middle, and high school grades.

"Evidence-based literacy instruction" means structured instructional practices, including sequential, systematic, explicit, and cumulative teaching, that (i) are based on reliable, trustworthy, and valid evidence consistent with science-based reading research; (ii) are used in core or general instruction, supplemental instruction, intervention services, and intensive intervention services; (iii) have a demonstrated record of success in adequately increasing students' reading competency, vocabulary, oral language, and comprehension and in building mastery of the foundational reading skills of phonological and phonemic awareness, alphabetic principle, phonics, spelling, and text reading fluency; and (iv) are able to be differentiated in order to meet the individual needs of students. "Evidence-based literacy instruction" does not include practices that instruct students to gain meaning from print through the use of ~~(i)~~ *(a)* three-cueing, which includes semantic, syntactic, and graphophonic cues; ~~(ii)~~ *(b)* meaning, structure, and visual cues; or ~~(iii)~~ *(c)* visual memory for word recognition.

"Governing body" or "local governing body" means the board of supervisors of a county, council of a city, or council of a town, responsible for appropriating funds for such locality, as the context may require.

"Middle school" means separate schools for early adolescents and the middle school grades that might be housed at elementary or high schools.

"Parent" or "parents" means any parent, guardian, legal custodian, or other person having control or charge of a child.

"Person of school age" means a person who will have reached his fifth birthday on or before September 30 of the school year and who has not reached twenty years of age on or before August 1 of the school year.

"School board" means the school board that governs a school division.

"Science-based reading research" means research that (i) applies rigorous, systematic, and objective observational or experimental procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading and writing difficulties and (ii) explains how proficient reading and writing develop, why some children have difficulties developing key literacy skills, and how schools can best assess and instruct early literacy, including the use of evidence-based literacy instruction practices to promote reading and writing achievement.

"Superintendent" means the Superintendent of Public Instruction.

"Textbooks and other high-quality instructional materials" means systematic print or digital curricula that serve as the primary curriculum basis for a grade-level subject or course and that provide (i) adequate content and materials for student mastery of corresponding Standards of Learning; (ii) instructional practices that are aligned with general and discipline-specific research evidence; (iii) assessments to monitor student mastery of curriculum content; (iv) guidance for meeting student needs including enrichment for above-grade-level students and intensification for students who are at-risk of not mastering curriculum content, including English language learners and students with disabilities; and (v) resources for teachers that develop content knowledge, support implementation of instructional practices that are based on reliable, trustworthy, and valid evidence and have a demonstrated record of success, and build understanding of the rationale for curricula components.

§ 22.1-238. Approval of textbooks and other high-quality instructional materials.

A. The Board of Education shall have the authority to approve textbooks *and other high-quality instructional materials* suitable for use in the public schools and shall have authority to approve instructional aids and materials for use in the public schools. The Board shall publish a list of all approved textbooks *and other high-quality instructional materials* on its website and shall list the publisher and the current lowest wholesale price of such textbooks *and other high-quality instructional materials*.

B. Any school board may use textbooks *and other high-quality instructional materials* not approved by the Board provided the school board selects such ~~books~~ *textbooks and other high-quality instructional materials* in accordance with regulations promulgated by the Board.

~~C. For the purposes of this chapter, the term "textbooks" means print or electronic media for student use that serve as the primary curriculum basis for a grade-level subject or course.~~

§ 22.1-239. Basal textbooks and other high-quality instructional materials.

In approving basal textbooks *and other high-quality instructional materials* for reading in kindergarten and first grade, the Board shall report to local school boards those textbooks *and other high-quality instructional materials* with a minimum decodability standard based on words that students can correctly read by properly attaching speech sounds to each letter to formulate the word at 70 percent or above for such textbooks *and other high-quality instructional materials*.

§ 22.1-241. Contracts with publishers.

A. Local school boards shall either enter into written term contracts or issue purchase orders on an as-needed basis with publishers of textbooks *and other high-quality instructional materials* approved by the Board for use in the public schools. Such written contracts or purchase orders for textbooks *and other high-quality instructional materials* approved by the Board shall be exempt from the Virginia Public Procurement Act (§ 2.2-4300 et seq.).

The contract price shall not exceed the lowest wholesale price at which the ~~textbook or~~ textbooks *and other high-quality instructional materials* involved in the contract are currently bid under contract anywhere in the United States.

If, subsequent to the date of any contract entered into by a local school board, the prices of textbooks *and other high-quality instructional materials* named in the contract are reduced ~~or~~, the terms of the contract are made more favorable to purchase anywhere in the United States, or a special or other edition of any ~~book~~ *textbook or other high-quality instructional material* named in the contract is sold outside of ~~Virginia~~ *the Commonwealth* at a lower price than contracted in the Commonwealth, the publisher shall grant the same reduction or terms to the local school board and give the local school board the option of using such special or other edition adapted for use in ~~Virginia~~ *the Commonwealth* and at the lowest price at which such special edition is sold elsewhere and the contract shall so state.

B. Contracts and purchase orders with publishers of textbooks *and other high-quality instructional materials* approved by the Board shall require the publisher to furnish ~~an~~ electronic ~~file~~ *files* of the ~~textbook~~ *textbooks and other high-quality instructional materials* in the National Instructional Materials Accessibility Standards (NIMAS) format that will then be deposited in the National Instructional Materials Access Center (NIMAC) from which accessible versions of the particular ~~textbook~~ *textbooks and other high-quality instructional materials* may be produced for students with print disabilities, as defined in 20 U.S.C. § 1474. Publishers shall deliver the NIMAS ~~file~~ *files* of the ~~textbook~~ *textbooks and other high-quality instructional materials* on or before the date of delivery of the regular text ~~version~~ *versions*.

Contracts and purchase orders with publishers of textbooks *and other high-quality instructional materials* approved by the Board for use in grades 6-12 shall allow for the purchase of printed textbooks *and other high-quality instructional materials*, printed textbooks *and other high-quality instructional materials* with electronic files, or electronic textbooks *and other high-quality instructional materials* separate and apart from printed versions of the same ~~textbook~~ *textbooks and other high-quality instructional materials*. Each school board shall have the authority to purchase an assortment of textbooks *and other high-quality instructional materials* in any of the three forms listed above.

C. Every school board shall order directly from the respective publishers the textbooks *and other high-quality instructional materials* needed to supply the public schools in the school division. The publishers shall ship the textbooks *and other high-quality instructional materials* to the school board. The purchase price of such textbooks *and other high-quality instructional materials* shall be paid directly to the publishers by the school board.

D. With the approval of the local school board and the publisher, any private school within the school division that so requests may purchase from the local school board's contract with the publisher. Such private school shall be fully responsible for ordering, purchasing, and receiving shipments of ~~books~~ *textbooks and other high-quality instructional materials* to be provided from the publisher pursuant to this section. The local school board shall be immune from any civil liability as a result of a private school purchasing from the local school board's contract.

§ 22.1-242. State Board to adopt regulations.

The Board shall adopt regulations governing (i) the purchase of textbooks *and other high-quality instructional materials* approved by it for use in the public schools directly from the publishers by school boards and (ii) the distribution of such textbooks *and other high-quality instructional materials* for the use by children attending public schools in ~~Virginia~~ *the Commonwealth*.

§ 22.1-243. Distribution of textbooks and other high-quality instructional materials; charges for loss or damage; consumable materials.

A. Each school board shall provide, free of charge, such textbooks *and other high-quality instructional materials* required for courses of instruction for each child attending public schools. However, a local school board may assess a reasonable fee or charge for damages or loss of school property when such property has been provided to students without charge.

B. Consumable materials such as workbooks, writing books, and drawing books may be purchased by school boards and either provided to students at no cost or sold to students at a retail price not to exceed seven percent added to the publisher's price. If sold, the local school board shall develop a policy ensuring that workbooks, writing books, and drawing books are furnished to students who are unable to afford them at a reduced price or free of charge.

C. Nothing in this section shall be construed to authorize a school board to charge fees to students for ~~instructional materials,~~ textbooks~~,~~ *and other high-quality instructional materials* or other materials used by a school board employee that are not directly used by a public school student.

§ 22.1-253.13:1. Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives.

A. The General Assembly and the Board believe that the fundamental goal of the public schools of the Commonwealth must be to enable each student to develop the skills that are necessary for success in school, preparation for life, and reaching their full potential. The General Assembly and the Board find that the quality of education is dependent upon the provision of (i) the appropriate working environment, benefits, and salaries necessary to ensure the availability of high-quality instructional personnel; (ii) the appropriate learning environment designed to promote student achievement; (iii) quality instruction that enables each student to become a productive and educated citizen of Virginia and the United States of America; and (iv) the adequate commitment of other resources. In keeping with this goal, the General Assembly shall provide for the support of public education as set forth in Article VIII, § 1 of the Constitution of Virginia.

B. The Board shall establish educational objectives known as the Standards of Learning, which shall form the core of Virginia's educational program, and other educational objectives, which together are designed to ensure the development of the skills that are necessary for success in school and for preparation for life in the years beyond. At a minimum, the Board

shall establish Standards of Learning for English, mathematics, science, and history and social science. The Standards of Learning shall not be construed to be regulations as defined in § 2.2-4001.

The Board shall seek to ensure that the Standards of Learning are consistent with a high-quality foundation educational program. The Standards of Learning shall include, but not be limited to, the basic skills of communication (listening, speaking, reading, and writing); computation and critical reasoning, including problem solving and decision making; proficiency in the use of computers and related technology; computer science and computational thinking, including computer coding; and the skills to manage personal finances and to make sound financial decisions.

The English Standards of Learning for reading in kindergarten through grade eight shall align with evidence-based literacy instruction and science-based reading research.

The Standards of Learning in all subject areas shall be subject to regular review and revision to maintain rigor and to reflect a balance between content knowledge and the application of knowledge in preparation for eventual employment and lifelong learning. The Board shall establish a regular schedule, in a manner it deems appropriate, for the review, and revision as may be necessary, of the Standards of Learning in all subject areas. Such review of each subject area shall occur at least once every seven years. Nothing in this section shall be construed to prohibit the Board from conducting such review and revision on a more frequent basis.

To provide appropriate opportunity for input from the general public, teachers, and local school boards, the Board shall conduct public hearings prior to establishing revised Standards of Learning. Thirty days prior to conducting such hearings, the Board shall give notice of the date, time, and place of the hearings to all local school boards and any other persons requesting to be notified of the hearings and publish notice of its intention to revise the Standards of Learning in the Virginia Register of Regulations. Interested parties shall be given reasonable opportunity to be heard and present information prior to final adoption of any revisions of the Standards of Learning.

In addition, the Department shall make available and maintain a website, either separately or through an existing website utilized by the Department, enabling public elementary, middle, and high school educators to submit recommendations for improvements relating to the Standards of Learning, when under review by the Board according to its established schedule, and related assessments required by the Standards of Quality pursuant to this chapter. Such website shall facilitate the submission of recommendations by educators.

School boards shall implement the Standards of Learning or objectives specifically designed for their school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to achieve the educational objectives established by the school division at appropriate age or grade levels. The curriculum adopted by the local school division shall be aligned to the Standards of Learning.

The Board shall include in the Standards of Learning for history and social science the study of contributions to society of diverse people. For the purposes of this subsection, "diverse" includes consideration of disability, ethnicity, race, and gender.

The Board shall include in the Standards of Learning for health instruction in emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator, including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Such instruction shall be based on the current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a program developed by the American Heart Association or the American Red Cross. No teacher who is in compliance with subdivision D 3 of § 22.1-298.1 shall be required to be certified as a trainer of cardiopulmonary resuscitation to provide instruction for non-certification.

The Board shall include in the Standards of Learning for physical and health education for grade nine or 10 research-based hazing prevention instruction, in accordance with the Standards of Learning and curriculum guidelines for research-based hazing prevention instruction developed by the Board pursuant to subsection B of § 22.1-207.

With such funds as are made available for this purpose, the Board shall regularly review and revise the competencies for career and technical education programs to require the full integration of English, mathematics, science, and history and social science Standards of Learning. Career and technical education programs shall be aligned with industry and professional standard certifications, where they exist.

The Board shall establish content standards and curriculum guidelines for courses in career investigation in elementary school, middle school, and high school. Each school board shall (i) require each middle school student to take at least one course in career investigation or (ii) select an alternate means of delivering the career investigation course to each middle school student, provided that such alternative is equivalent in content and rigor and provides the foundation for such students to develop their academic and career plans. Any school board may require (a) such courses in career investigation at the high school level as it deems appropriate, subject to Board approval as required in subsection A of § 22.1-253.13:4, and (b) such courses in career investigation at the elementary school level as it deems appropriate. The Board shall develop and disseminate to each school board career investigation resource materials that are designed to ensure that students have the ability to further explore interest in career and technical education opportunities in middle and high school. In developing such resource materials, the Board shall consult with representatives of career and technical education, industry, skilled trade associations, chambers of commerce or similar organizations, and contractor organizations.

C. Local school boards shall develop and implement a program of instruction for grades K through 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related

technology, computer science and computational thinking, including computer coding, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues, and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or training in a career or technical field; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

Local school boards shall also develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk including, but not limited to, those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include components that are research-based.

Any student who achieves a passing score on one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program.

Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit shall be required to attend a remediation program or to participate in another form of remediation. Division superintendents shall require such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs, in accordance with clause (ii) of subsection A of § 22.1-254 and § 22.1-254.01.

Remediation programs shall include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board, or other forms of remediation. Summer school remediation programs or other forms of remediation shall be chosen by the division superintendent to be appropriate to the academic needs of the student. Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition by the school division.

The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation that has been selected by his parent, in consultation with the division superintendent or his designee, and is either (i) conducted by an accredited private school or (ii) a special program that has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such private school remediation program or other special remediation program shall be borne by the student's parent.

The Board shall establish standards for full funding of summer remedial programs that shall include, but not be limited to, the minimum number of instructional hours or the equivalent thereof required for full funding and an assessment system designed to evaluate program effectiveness. Based on the number of students attending and the Commonwealth's share of the per pupil instructional costs, state funds shall be provided for the full cost of summer and other remediation programs as set forth in the appropriation act, provided such programs comply with such standards as shall be established by the Board, pursuant to § 22.1-199.2.

D. Local school boards shall also implement the following:

1. Programs in grades K through three that emphasize developmentally appropriate learning to enhance success.

2. Programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school. Such programs shall include components that are research-based.

3. Career and technical education programs incorporated into the K through 12 curricula that include:

a. Knowledge of careers and all types of employment opportunities, including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;

b. Career exploration opportunities in the middle school grades;

c. Competency-based career and technical education programs that integrate academic outcomes, career guidance, and job-seeking skills for all secondary students. Programs shall be based upon labor market needs and student interest. Career guidance shall include counseling about available employment opportunities and placement services for students exiting school. Each school board shall develop and implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be developed with the input of area business and industry representatives and local comprehensive community colleges and shall be submitted to the Superintendent in accordance with the timelines established by federal law;

d. Annual notice on its website to enrolled high school students and their parents of (i) the availability of the postsecondary education and employment data published by the State Council of Higher Education on its website pursuant to § 23.1-204.1 and (ii) the opportunity for such students to obtain a nationally recognized career readiness certificate at a local public high school, comprehensive community college, or workforce center; and

e. As part of each student's academic and career plan, a list of (i) the top 100 professions in the Commonwealth by median pay and the education, training, and skills required for each such profession and (ii) the top 10 degree programs at institutions of higher education in the Commonwealth by median pay of program graduates. The Department shall annually compile such lists and provide them to each local school board.

4. Educational objectives in middle and high school that emphasize economic education and financial literacy pursuant to § 22.1-200.03.

5. Early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law.

6. Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs.

7. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in these standards. Such students shall be counted in average daily membership (ADM) in accordance with the regulations of the Board.

8. Adult education programs for individuals functioning below the high school completion level. Such programs may be conducted by the school board as the primary agency or through a collaborative arrangement between the school board and other agencies.

9. A plan to make achievements for students who are educationally at risk a divisionwide priority that shall include procedures for measuring the progress of such students.

10. An agreement for postsecondary credit and degree attainment with any comprehensive community college in the Commonwealth specifying the options for students to complete an associate degree, a one-year Uniform Certificate of General Studies, or the Passport Program from a comprehensive community college concurrent with a high school diploma, consistent with the requirements for the College and Career Ready Virginia Program set forth in Article 5.1 (§ 22.1-237.1 et seq.) of Chapter 13. Such agreement shall specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher.

11. A plan to notify students and their parents of the availability of dual enrollment and advanced placement classes; career and technical education programs, including internships, externships, apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based learning experiences; the International Baccalaureate Program and Academic Year Governor's School Programs; the qualifications for enrolling in such classes, programs, and experiences; and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations. This plan shall include notification to students and parents of the College and Career Ready Virginia Program established pursuant to Article 5.1. (§ 22.1-237.1 et seq.) of Chapter 13 and its agreement with a comprehensive community college in the Commonwealth pursuant to subdivision 10 to enable students to complete an associate degree, a one-year Uniform Certificate of General Studies, or the Passport Program concurrent with a high school diploma.

12. Identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs, which programs may include dual language programs whereby such students receive instruction in English and in a second language.

13. Early identification, diagnosis, and assistance for students with mathematics problems and provision of instructional strategies and mathematics practices that benefit the development of mathematics skills for all students.

Local school divisions shall provide algebra readiness intervention services to students in grades six through nine who are at risk of failing the Algebra I end-of-course test, as demonstrated by their individual performance on any diagnostic test that has been approved by the Department. Local school divisions shall report the results of the diagnostic tests to the Department on an annual basis, at a time to be determined by the Superintendent. Each student who receives algebra readiness intervention services will be assessed again at the end of that school year. Funds appropriated for prevention, intervention, and remediation; summer school remediation; at-risk; or algebra readiness intervention services may be used to meet the requirements of this subdivision.

14. Incorporation of art, music, and physical education as a part of the instructional program at the elementary school level.

15. A program of physical activity available to all students in grades kindergarten through five consisting of at least 20 minutes per day or an average of 100 minutes per week during the regular school year and available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year. Such program may include any combination of (i) physical education classes, (ii) extracurricular athletics, (iii) recess, or (iv) other programs and physical activities deemed appropriate by the local school board. Each local school board shall implement such program during the regular school year. Any physical education class offered to students in grades seven and eight shall include at least one hour of personal safety training per school year in each such grade level that is developed and delivered in partnership with the local law-enforcement agency and consists of situational safety awareness training and social media education. Each local school board shall offer to all students in grade nine or 10 a physical education class that includes research-based hazing prevention instruction pursuant to subsection C of § 22.1-207, unless such hazing prevention instruction is provided as part of a separate health education class offered to students in grade nine or 10. Each local school board may accept participation in the Junior Reserve Officers' Training Corps as fulfillment of any physical education requirements applicable to students in grades nine through 12.

16. A program of student services for kindergarten through grade 12 that shall be designed to aid students in their educational, social, and career development.

17. The collection and analysis of data and the use of the results to evaluate and make decisions about the instructional program.

18. A program of instruction in the high school Virginia and U.S. Government course on all information and concepts contained in the civics portion of the U.S. Naturalization Test.

E. From such funds as may be appropriated or otherwise received for such purpose, there shall be established within the Department a unit to (i) conduct evaluative studies; (ii) provide the resources and technical assistance to increase the capacity for school divisions to deliver quality instruction; and (iii) assist school divisions in implementing those programs and practices that will enhance pupil academic performance and improve family and community involvement in the public schools. Such unit shall identify and analyze effective instructional programs and practices and professional development initiatives; evaluate the success of programs encouraging parental and family involvement; assess changes in student outcomes prompted by family involvement; and collect and disseminate among school divisions information regarding effective instructional programs and practices, initiatives promoting family and community involvement, and potential funding and support sources. Such unit may also provide resources supporting professional development for administrators and teachers. In providing such information, resources, and other services to school divisions, the unit shall give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards of Learning assessments.

F. The Board shall, in collaboration with the Virginia Community College System, Career and Technical Education directors, and industry partners, develop and maintain a current, comprehensive, and uniform list of industry-recognized workforce credentials that students may take as a substitute for certain credits required for graduation pursuant to 8VAC20-131-51 of the Virginia Administrative Code, including industry-recognized workforce credentials that students may take as a substitute for elective credits and industry-recognized workforce credentials completed outside of regular school hours. The Board, in collaboration with the Virginia Community College System, shall ensure that such list reflects the current credit requirements for graduation and the current credentials accepted as substitutes. The Board shall post such list in a publicly accessible location on its website. Each school board shall accept as a substitute for a required credit any credential listed as an accepted substitute for such required credit.

G. Each local school board may enter into agreements for postsecondary course credit, credential, certification, or license attainment, hereinafter referred to as College and Career Access Pathways Partnerships (Partnerships), with comprehensive community colleges or other public institutions of higher education or educational institutions established pursuant to Title 23.1 that offer a career and technical education curriculum. Such Partnerships shall (i) specify the options for students to take courses as part of the career and technical education curriculum that lead to course credit or an industry-recognized credential, certification, or license concurrent with a high school diploma; (ii) specify the credit, credentials, certifications, or licenses available for such courses; (iii) specify the industry-recognized credentials that are accepted as substitutes for certain credits required for high school graduation, consistent with the list developed and maintained by the Board pursuant to subsection F; and (iv) specify available options for students to participate in pre-apprenticeship and apprenticeship programs at comprehensive community colleges concurrent with the pursuit of a high school diploma and receive college credit and high school credit for successful completion of any such program.

H. Each local school board shall provide a program of literacy instruction that is aligned with science-based reading research and provides evidenced-based literacy instruction to students in kindergarten through grade eight and is consistent with the school board's literacy plan as required by subsection B of § 22.1-253.13:6. Pursuant to such program:

1. Each local school board shall provide reading intervention services to students in kindergarten through grade eight who demonstrate substantial deficiencies based on their individual performance on the Standards of Learning reading assessment or a literacy screener provided by the Department. Such reading intervention services shall consist of evidence-based literacy instruction, align with science-based reading research, and be documented for each student in a written student reading plan, consistent with the requirements in subdivision 2 and the list developed by the Department pursuant to subdivision I 2.

2. A reading specialist, in collaboration with the teacher of any student who receives reading intervention services pursuant to subdivision 1, shall develop, oversee implementation of, and monitor student progress on a student reading plan. The parent of each student who receives reading intervention services pursuant to subdivision 1 shall receive notice of and have the opportunity to participate in the development of the student reading plan. Each student reading plan (i) shall follow the Department template created pursuant to subdivision I 3; (ii) shall document such reading intervention services; (iii) shall include, at a minimum, (a) the student's specific, diagnosed reading skill deficiencies as determined or identified by diagnostic assessment data or the literacy screener provided by the Department; (b) the goals and benchmarks for student growth in reading; (c) a description of the specific measures that will be used to evaluate and monitor the student's reading progress; (d) the specific evidence-based literacy instruction that the student will receive; (e) the strategies, resources, and materials that will be provided to the student's parent to support the student to make reading progress; and (f) any additional services the teacher deems available and appropriate to accelerate the student's reading skill development; and (iv) may include the following services for the student: instruction from a reading specialist, trained aide, computer-based reading tutorial program, or classroom teacher with support from an aide, extended instructional time in the school day or school year, or, for students in grades six through eight, a literacy course, in addition to the course required by the Standards of Learning in English, that provides the specific evidence-based literacy instruction identified in the student's reading plan. In accordance with § 22.1-215.2, the parent of each student shall receive notice before services begin and a copy of the student reading plan.

3. Each student who receives such reading intervention services shall be assessed utilizing either the literacy screener provided by the Department or the grade-level reading Standards of Learning assessment again at the end of that school year.

Funds appropriated for prevention, intervention, and remediation, summer school remediation, the at-risk add-on, or early intervention reading may be used to meet the requirements of this subsection.

I. In order to assist local school boards to implement the provisions of subsection H:

1. The Board shall provide guidance on the content of student reading plans;

2. The Department shall develop a list of core literacy curricula for students in kindergarten through grade five and supplemental instruction practices and programs and intervention programs for students in kindergarten through grade eight that consist of evidence-based literacy instruction aligned with science-based reading research. The list shall be approved by the Board;

3. The Department shall develop a template for student reading plans that aligns with the requirements of subsection H;

4. The Department shall develop and implement a plan for the annual collection and public reporting of division-level and school-level literacy data, at a time to be determined by the Superintendent, to include results on the literacy screeners provided by the Department and the reading Standards of Learning assessments; and

5. The Department shall provide free online evidence-based literacy instruction resources that can be accessed by parents and local school boards to support student literacy development at home.

J. Each local school board shall adopt and implement textbooks and other high-quality instructional materials in English language arts for grades six through 12 and mathematics, science, and history and social science for grades kindergarten through 12. Except as otherwise provided in subdivision I 2 and subsection B of § 22.1-253.13:6, such textbooks and other high-quality instructional materials shall be selected from the list approved by the Board pursuant to § 22.1-238 or through a local adoption process that incorporates requirements for textbooks and other high-quality instructional materials in accordance with regulations promulgated by the Board.

K. To support local adoption and implementation of textbooks and other high-quality instructional materials, the Department shall:

1. Review and update its "Virginia's Textbook Review Process" document to identify textbooks and other high-quality instructional materials for Board approval pursuant to § 22.1-238. Such review process shall include guidelines and timelines for the submission of, review of, comment on, and evaluation of textbooks and instructional materials, the development and update at least every seven years of evaluation rubrics to determine the extent to which submitted textbooks and instructional materials meet the definition of textbooks and other high-quality instructional materials, the selection and training of Virginia review teams that represent educators from various geographical regions of the Commonwealth and the diversity of the Commonwealth's schools, opportunity for public comment, and the publication of ratings and reports based on the reviews;

2. Implement the review process developed pursuant to subdivision 1 to develop a list of textbooks and other high-quality instructional materials for English language arts for grades six through 12 and mathematics, science, and history and social science for grades kindergarten through 12;

3. Develop, adopt, and publish a list of approved vendors of professional learning resources that support teachers to implement the textbooks and other high-quality instructional materials approved by the Board pursuant to § 22.1-238;

4. For any school that requires improvement, based on federal indicators or a failure to meet Board standards pursuant to § 22.1-253.13:3, (i) complete a review of the curricula in use at such school, (ii) from such funds as may be appropriated, develop a grant program to support the school to adopt textbooks and other high-quality instructional materials from the list approved by the Board pursuant to § 22.1-238 and contract with vendors of professional learning resources from the list approved in accordance with subdivision 3, and (iii) monitor implementation of the adopted textbooks and high-quality instructional materials and professional learning resources; and

5. Publish annually a list of the textbooks and other high-quality instructional materials and professional learning resources adopted and procured by each local school board.

§ 22.1-253.13:2. Standard 2. Instructional, administrative, and support personnel.

A. The Board shall establish requirements for the licensing of teachers, principals, superintendents, and other professional personnel.

B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

C. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, school counselors or certain other licensed individuals as set forth in subdivision H 4, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12. After September 30 of any school year, anytime the number of students in a class exceeds the class size limit established by this subsection, the local school division shall notify the parent of each student in such class of such fact no later than 10 days after the date on which the class exceeded the class size limit. Such notification shall state the reason that the class size exceeds the class size limit and describe the measures that the local school division will take to reduce the class size to comply with this subsection.

Within its regulations governing special education programs, the Board shall seek to set pupil/teacher ratios for pupils with intellectual disability that do not exceed the pupil/teacher ratios for self-contained classes for pupils with specific learning disabilities.

Further, school boards shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools. School divisions shall provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

D. Each local school board shall employ with state and local basic, special education, gifted, and career and technical education funds a minimum number of licensed, full-time equivalent instructional personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation act.

E. In addition to the positions supported by basic aid and in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to fund certain full-time equivalent instructional positions for each 1,000 students in grades K through 12 who are identified as needing prevention, intervention, and remediation services. State funding for prevention, intervention, and remediation programs provided pursuant to this subsection and the appropriation act may be used to support programs for educationally at-risk students as identified by the local school boards.

To provide algebra readiness intervention services required by § 22.1-253.13:1, school divisions may employ mathematics teacher specialists to provide the required algebra readiness intervention services. School divisions using the Standards of Learning Algebra Readiness Initiative funding in this manner shall only employ instructional personnel licensed by the Board.

F. In addition to the positions supported by basic aid and those in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the general appropriation act, shall be provided to support ratios of instructional positions to English language learner students, based on each such student's English proficiency level, as established in the general appropriation act, which positions may include dual language teachers who provide instruction in English and in a second language.

To provide flexibility in the instruction of English language learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to employ additional English language learner teachers or dual language teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner is intended to supplement the instructional services provided in this section. School divisions using the SOQ Prevention, Intervention, and Remediation funds in this manner shall employ only instructional personnel licensed by the Board.

G. In addition to the full-time equivalent positions required elsewhere in this section, each local school board shall employ one reading specialist for each 550 students in kindergarten through grade five and one reading specialist for each 1,100 students in grades six through eight. Each such reading specialist shall have training in science-based reading research and evidence-based literacy instruction practices. In addition, each such reading specialist shall have training in the identification of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder and shall serve as an advisor on dyslexia and related disorders. Such reading specialist shall have an understanding of the definition of dyslexia and a working knowledge of (i) techniques to help a student on the continuum of skills with dyslexia; (ii) dyslexia characteristics that may manifest at different ages and grade levels; (iii) the basic foundation of the keys to reading, including multisensory, explicit, systemic, and structured reading instruction; and (iv) appropriate interventions, accommodations, and assistive technology supports for students with dyslexia.

To provide reading intervention services required by § 22.1-253.13:1, school divisions may employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall employ only instructional personnel licensed by the Board. Local school divisions that employ a sufficient number of reading specialists to meet this staffing standard may assign reading specialists to grade levels according to grade levels with greatest need, regardless of the individual staffing standards established for grades kindergarten through five and six through eight.

H. Each local school board shall employ, at a minimum, the following full-time equivalent positions for any school that reports fall membership, according to student enrollment:

1. Principals, one full-time in each elementary school, middle school, and high school, to be employed on a 12-month basis;

2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals in high schools, one full-time for each 600 students; and school divisions that employ a sufficient number of assistant principals to meet this staffing requirement may assign assistant principals to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary;

3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students; librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two full-time at 1,000 students. Local school divisions that employ a sufficient number of librarians to meet this staffing requirement may assign librarians to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary; and

4. School counselors, one full-time equivalent position per 325 students in grades kindergarten through 12.

However, in order to meet the staffing requirements set forth in this subdivision, any local school board (i) may employ, under a provisional license issued by the Department for three school years with an allowance for an additional two-year extension with the approval of the division superintendent, any professional counselor licensed by the Board of Counseling, clinical social worker licensed by the Board of Social Work, psychologist licensed by the Board of Psychology, or other licensed counseling professional with appropriate experience and training, provided that any such individual makes progress toward completing the requirements for full licensure as a school counselor during such period of employment or (ii) in the event that the school board does not receive any application from a licensed school counselor, professional counselor, clinical social worker, or psychologist or another licensed counseling professional with appropriate experience and training to fill a school counselor vacancy in the school division, may enter into an annual contract with another entity for the provision of school counseling services by a licensed professional counselor, clinical social worker, or psychologist or another licensed counseling professional with appropriate experience and training. Local school boards that employ a sufficient number of individuals to meet the staffing requirements set forth in this subdivision may assign such individuals to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or high schools.

I. Local school boards shall employ five full-time equivalent positions per 1,000 students in grades kindergarten through five to serve as elementary resource teachers in art, music, and physical education.

J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades kindergarten through 12, one to provide technology support and one to serve as an instructional technology resource teacher.

To provide flexibility, school divisions may use the state and local funds for instructional technology resource teachers to employ a data coordinator position, an instructional technology resource teacher position, or a data coordinator/instructional resource teacher blended position. The data coordinator position is intended to serve as a resource to principals and classroom teachers in the area of data analysis and interpretation for instructional and school improvement purposes, as well as for overall data management and administration of state assessments. School divisions using these funds in this manner shall employ only instructional personnel licensed by the Board.

K. Local school boards may employ additional positions that exceed these minimal staffing requirements. These additional positions may include, but are not limited to, those funded through the state's incentive and categorical programs as set forth in the appropriation act.

L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing requirements for the highest grade level in that school; this requirement shall apply to all staff, except for school counselors or certain other licensed individuals as set forth in subdivision H 4, and shall be based on the school's total enrollment. The Board may grant waivers from these staffing levels upon request from local school boards seeking to implement experimental or innovative programs that are not consistent with these staffing levels.

M. School boards shall, however, annually, on or before December 31, report to the public (i) the actual pupil/teacher ratios in elementary school classrooms in the local school division by school for the current school year; and (ii) the actual pupil/teacher ratios in middle school and high school in the local school division by school for the current school year. Actual pupil/teacher ratios shall include only the teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any classes funded through the voluntary kindergarten through third grade class size reduction program shall be identified as such classes. Any classes having waivers to exceed the requirements of this subsection shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to ensure the confidentiality of all teacher and pupil identities.

N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time basis in any mathematics, science, English, history, social science, career and technical education, fine arts, foreign language, or health education or physical education course shall be counted in the ADM in the relevant school division on a pro rata basis as provided in the appropriation act. Each such course enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home school student shall be counted as more than one-half a student for purposes of such pro rata calculation. Such calculation shall not include enrollments of such students in any other public school courses.

O. Each school board shall provide at least three specialized student support positions per 1,000 students. For purposes of this subsection, specialized student support positions include school social workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior analysts, and other licensed health and behavioral positions, which may either be employed by the school board or provided through contracted services.

In order to fill vacant school psychologist positions, any local school board may employ, under a provisional license issued by the Department for three school years with an allowance for an additional two-year extension with the approval of the division superintendent, clinical psychologists licensed by the Board of Psychology, provided that any such individual makes progress toward completing the requirements for full licensure as a school psychologist during such period of employment.

P. Each local school board shall provide those support services that are necessary for the efficient and cost-effective operation and maintenance of its public schools.

For the purposes of this title, unless the context otherwise requires, "support services positions" shall include the following:

1. Executive policy and leadership positions, including school board members, superintendents and assistant superintendents;

2. Fiscal and human resources positions, including fiscal and audit operations;

3. Student support positions, including (i) social work administrative positions not included in subsection O; (ii) school counselor administrative positions not included in subdivision H 4; (iii) homebound administrative positions supporting instruction; (iv) attendance support positions related to truancy and dropout prevention; and (v) health and behavioral administrative positions not included in subsection O;

4. Instructional personnel support, including professional development positions and library and media positions not included in subdivision H 3;

5. Technology professional positions not included in subsection J;

6. Operation and maintenance positions, including facilities; pupil transportation positions; operation and maintenance professional and service positions; and security service, trade, and laborer positions;

7. Technical and clerical positions for fiscal and human resources, student support, instructional personnel support, operation and maintenance, administration, and technology; and

8. School-based clerical personnel in elementary schools; part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools; one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students. Local school divisions that employ a sufficient number of school-based clerical personnel to meet this staffing requirement may assign the clerical personnel to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary.

Pursuant to the appropriation act, support services shall be funded from basic school aid.

School divisions may use the state and local funds for support services to provide additional instructional services.

Q. Notwithstanding the provisions of this section, when determining the assignment of instructional and other licensed personnel in subsections C through J, a local school board shall not be required to include full-time students of approved virtual school programs.

R. Each local school board shall designate a faculty member to serve as a special education parent/family liaison. The special education parent/family liaison shall serve as a resource to parents and families to understand and engage in (i) the referral, evaluation, reevaluation, and eligibility process if they suspect that their child has a disability and (ii) the IEP process and shall work in collaboration with the special education family support centers established pursuant to § 22.1-214.5. Each school board shall post the name of the designated special education parent/family liaison publicly on its website.

S. Each local school board shall designate a faculty member to serve as the high-quality instructional materials liaison. Such liaison shall receive support from the Department to serve as a resource for the division and its schools to select and implement textbooks and other high-quality instructional materials and aligned professional learning resources.

§ 22.1-253.13:3. Standard 3. Accreditation, other standards, assessments, and releases from state regulations.

A. The Board shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), which shall include (i) student outcome and growth measures, (ii) requirements and guidelines for instructional programs and for the integration of educational technology into such instructional programs, (iii) administrative and instructional staffing levels and positions, including staff positions for supporting educational technology, (iv) student services, (v) auxiliary education programs such as library and media services, (vi) requirements for graduation from high school, (vii) community relations, and (viii) the philosophy, goals, and objectives of public education in the Commonwealth.

The Board shall promulgate regulations establishing standards for accreditation of public virtual schools under the authority of the local school board that enroll students full time.

The Board's regulations establishing standards for accreditation shall ensure that the accreditation process is transparent and based on objective measurements and that any appeal of the accreditation status of a school is heard and decided by the Board.

The Board shall review annually the accreditation status of all schools in the Commonwealth. The Board shall review the accreditation status of a school once every three years if the school has been fully accredited for three consecutive years. Upon such triennial review, the Board shall review the accreditation status of the school for each individual year within that triennial review period. If the Board finds that the school would have been accredited every year of that triennial review period the Board shall accredit the school for another three years. The Board may review the accreditation status of any other school once every two years or once every three years, provided that any school that receives a multiyear accreditation status other than full accreditation shall be covered by a Board-approved multiyear corrective action plan for the duration of the period of accreditation. Such multiyear corrective action plan shall include annual written progress updates to the Board. A multiyear accreditation status shall not relieve any school or division of annual reporting requirements.

Each local school board shall maintain schools that are fully accredited pursuant to the standards for accreditation as prescribed by the Board. Each local school board shall report the accreditation status of all schools in the local school division annually in public session.

The Board shall establish a review process to assist any school that does not meet the standards established by the Board. The relevant school board shall report the results of such review and any annual progress reports in public session and shall implement any actions identified through such review and utilize them for improvement planning.

The Board shall establish a corrective action plan process for any school that does not meet the standards established by the Board. Such process shall require (a) each school board to submit a corrective action plan for any school in the local school division that does not meet the standards established by the Board and (b) any school board that fails to demonstrate progress in developing or implementing any such corrective action plan to enter into a memorandum of understanding with the Board.

When the Board determines through its review process that the failure of schools within a division to meet the standards established by the Board is related to division-level failure to implement the Standards of Quality or other division-level action or inaction, the Board may require a division-level academic review. After the conduct of such review and within the time specified by the Board, each school board shall enter into a memorandum of understanding with the Board and shall subsequently submit to the Board for approval a corrective action plan, consistent with criteria established by the Board setting forth specific actions and a schedule designed to ensure that schools within its school division meet the standards established by the Board. If the Board determines that the proposed corrective action plan is not sufficient to enable all schools within the division to meet the standards established by the Board, the Board may return the plan to the local school board with directions to submit an amended plan pursuant to Board guidance. Such corrective action plans shall be part of the relevant school division's comprehensive plan pursuant to § 22.1-253.13:6.

B. The Superintendent shall develop, subject to revision by the Board, criteria for determining and recognizing educational performance in the Commonwealth's local school divisions and public schools. The portion of such criteria that measures individual student growth shall become an integral part of the accreditation process for schools in which any grade level in the grade three through eight range is taught. The Superintendent shall annually report to the Board on the accreditation status of all school divisions and schools. Such report shall include an analysis of the strengths and weaknesses of public education programs in the various school divisions in Virginia and recommendations to the General Assembly for further enhancing student learning uniformly across the Commonwealth. In recognizing educational performance and individual student growth in the school divisions, the Board shall include consideration of special school division accomplishments, such as numbers of dual enrollments and students in Advanced Placement and International Baccalaureate courses, and participation in academic year Governor's Schools.

The Superintendent shall assist local school boards in the implementation of action plans for increasing educational performance and individual student growth in those school divisions and schools that are identified as not meeting the approved criteria*, including, when applicable, providing assistance with the review, grant, and monitoring process set forth in subdivision K 4 of § 22.1-253.13:1*. The Superintendent shall monitor the implementation of and report to the Board on the effectiveness of the corrective actions taken to improve the educational performance in such school divisions and schools.

C. With such funds as are available for this purpose, the Board shall prescribe assessment methods to determine the level of achievement of the Standards of Learning objectives by all students. Such assessments shall evaluate knowledge, application of knowledge, critical thinking, and skills related to the Standards of Learning being assessed. The Board shall, with the assistance of independent testing experts, conduct a regular analysis and validation process for these assessments. In lieu of a one-time end-of-year assessment, the Board shall establish, for the purpose of providing measures of individual student growth over the course of the school year, a through-year growth assessment system, aligned with the Standards of Learning, for the administration of reading and mathematics assessments in grades three through eight. Such through-year growth assessment system shall include at least one beginning-of-year, one mid-year, and one end-of-year assessment in order to provide individual student growth scores over the course of the school year, but the total time scheduled for taking all such assessments shall not exceed 150 percent of the time scheduled for taking a single end-of-year proficiency assessment. The Department shall ensure adequate training for teachers and principals on how to interpret and use student growth data from such assessments to improve reading and mathematics instruction in grades three through eight throughout the school year. With such funds and content as are available for such purpose, such through-year growth assessment system shall provide accurate measurement of a student's performance, through computer adaptive technology, using test items at, below, and above the student's grade level as necessary.

The Board shall also provide the option of industry certification and state licensure examinations as a student-selected credit.

The Department shall make available to school divisions Standards of Learning assessments typically administered by high schools by December 1 of the school year in which such assessments are to be administered or when newly developed assessments are available, whichever is later.

The Board shall make publicly available such assessments in a timely manner and as soon as practicable following the administration of such tests, so long as the release of such assessments does not compromise test security or deplete the bank of assessment questions necessary to construct subsequent tests, or limit the ability to test students on demand and provide immediate results in the web-based assessment system.

The Board shall prescribe alternative methods of Standards of Learning assessment administration for children with disabilities, as that term is defined in § 22.1-213, who meet criteria established by the Board to demonstrate achievement of the Standards of Learning. An eligible student's Individual Education Program team shall make the final determination as to whether an alternative method of administration is appropriate for the student.

The Board shall include in the student outcome and growth measures that are required by the standards of accreditation the required assessments for various grade levels and classes, including the completion of the alternative assessments implemented by each local school board, in accordance with the Standards of Learning. These assessments shall include end-of-course or end-of-grade tests for English, mathematics, science, and history and social science and may be integrated to include multiple subject areas.

The Standards of Learning assessments administered to students in grades three through eight shall not exceed (i) reading and mathematics in grades three and four; (ii) reading, mathematics, and science in grade five; (iii) reading and mathematics in grades six and seven; (iv) reading, writing, and mathematics in grade eight; (v) science after the student receives instruction in the grade six science, life science, and physical science Standards of Learning and before the student completes grade eight; and (vi) Virginia Studies and Civics and Economics once each at the grade levels deemed appropriate by each local school board. The reading and mathematics assessments administered to students in grades three through eight shall be through-year growth assessments.

Each school board shall annually certify that it has provided instruction and administered an alternative assessment, consistent with Board guidelines, to students in grades three through eight in each Standards of Learning subject area in which a Standards of Learning assessment was not administered during the school year. Such guidelines shall (a) incorporate options for age-appropriate, authentic performance assessments and portfolios with rubrics and other methodologies designed to ensure that students are making adequate academic progress in the subject area and that the Standards of Learning content is being taught; (b) permit and encourage integrated assessments that include multiple subject areas; and (c) emphasize collaboration between teachers to administer and substantiate the assessments and the professional development of teachers to enable them to make the best use of alternative assessments.

Local school divisions shall provide targeted mathematics remediation and intervention to students in grades six through eight who show computational deficiencies as demonstrated by their individual performance on any diagnostic test or grade-level Standards of Learning mathematics test that measures non-calculator computational skills.

The Department shall award recovery credit to any student in grades three through eight who performs below grade level on a Standards of Learning assessment in English reading or mathematics, receives remediation, and subsequently retakes and performs at or above grade level on such an assessment, including any such student who subsequently retakes such an assessment on an expedited basis.

In addition, to assess the educational progress of students, the Board shall (1) develop appropriate assessments, which may include criterion-referenced tests and other assessment instruments that may be used by classroom teachers; (2) select appropriate industry certification and state licensure examinations; and (3) prescribe and provide measures, which may include nationally normed tests to be used to identify students who score in the bottom quartile at selected grade levels.

The Standards of Learning requirements, including all related assessments, shall be waived for any student awarded a scholarship under the Brown v. Board of Education Scholarship Program, pursuant to § 30-231.2, who is enrolled in a preparation program for a high school equivalency examination approved by the Board or in an adult basic education program or an adult secondary education program to obtain the high school diploma or a high school equivalency certificate.

The Department shall develop processes for informing school divisions of changes in the Standards of Learning.

The Board may adopt special provisions related to the administration and use of any Standards of Learning test or tests in a content area as applied to accreditation ratings for any period during which the Standards of Learning content or assessments in that area are being revised and phased in. Prior to statewide administration of such tests, the Board shall provide notice to local school boards regarding such special provisions.

The Board shall not include in its calculation of the passage rate for a Standards of Learning assessment or the level of achievement of the Standards of Learning objectives for an individual student growth assessment for the purposes of state accountability any student whose parent has decided to not have his child take such Standards of Learning assessment, unless such exclusions would result in the school's not meeting any required state or federal participation rate.

D. The Board may pursue all available civil remedies pursuant to § 22.1-19.1 or administrative action pursuant to § 22.1-292.1 for breaches in test security and unauthorized alteration of test materials or test results.

The Board may initiate or cause to be initiated a review or investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests, including the exclusion of students from testing who are required to be assessed, by local school board employees responsible for the distribution or administration of the tests.

Records and other information furnished to or prepared by the Board during the conduct of a review or investigation may be withheld pursuant to subdivision 10 of § 2.2-3705.3. However, this section shall not prohibit the disclosure of records to (i) a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regard to an employee or (ii) any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the identity of any person making a complaint or supplying information to the Board on a confidential basis and (b) does not compromise the security of any test mandated by the Board. Any local school board or division superintendent receiving such records or other information shall, upon taking personnel action

against a relevant employee, place copies of such records or information relating to the specific employee in such person's personnel file.

Notwithstanding any other provision of state law, no test or examination authorized by this section, including the Standards of Learning assessments, shall be released or required to be released as minimum competency tests, if, in the judgment of the Board, such release would breach the security of such test or examination or deplete the bank of questions necessary to construct future secure tests.

E. With such funds as may be appropriated, the Board may provide, through an agreement with vendors having the technical capacity and expertise to provide computerized tests and assessments, and test construction, analysis, and security, for (i) web-based computerized tests and assessments, including computer-adaptive Standards of Learning assessments, for the evaluation of student progress during and after remediation and (ii) the development of a remediation item bank directly related to the Standards of Learning.

F. To assess the educational progress of students as individuals and as groups, each local school board shall require the use of Standards of Learning assessments, alternative assessments, and other relevant data, such as industry certification and state licensure examinations, to evaluate student progress and to determine educational performance. Each local school shall require the administration of appropriate assessments to students, which may include criterion-referenced tests and teacher-made tests and shall include the Standards of Learning assessments, the local school board's alternative assessments, and the National Assessment of Educational Progress state-by-state assessment. Each school board shall provide teachers, parents, principals, and other school leaders with their students' results on any Standards of Learning assessment or Virginia Alternate Assessment Program assessment as soon as practicable after the assessment is administered. Each school board shall analyze and report annually, in compliance with any criteria that may be established by the Board, the results from industry certification examinations and the Standards of Learning assessments to the public.

The Board shall include requirements for the reporting of the Standards of Learning assessment data, regardless of accreditation frequency, as part of the Board's requirements relating to the School Performance Report Card. Such scores shall be disaggregated for each school by student subgroups on the Virginia assessment program as appropriate and shall be reported to the public within three months of their receipt. These reports (i) shall be posted on the portion of the Department's website relating to the School Performance Report Card, in a format and in a manner that allows year-to-year comparisons, and (ii) may include the National Assessment of Educational Progress state-by-state assessment.

G. Each local school division superintendent shall regularly review the division's submission of data and reports required by state and federal law and regulations to ensure that all information is accurate and submitted in a timely fashion. The Superintendent shall provide a list of the required reports and data to division superintendents annually. The status of compliance with this requirement shall be included in the Board's annual report to the Governor and the General Assembly as required by § 22.1-18.

H. Any school board may request the Board for release from state regulations or, on behalf of one or more of its schools, for approval of an Individual School Accreditation Plan for the evaluation of the performance of one or more of its schools as authorized for certain other schools by the Standards for Accreditation pursuant to 8VAC20-131-280 C of the Virginia Administrative Code. Waivers of regulatory requirements may be granted by the Board based on submission of a request from the division superintendent and chairman of the local school board. The Board may grant, for a period up to five years, a waiver of regulatory requirements that are not (i) mandated by state or federal law or (ii) designed to promote health or safety. The school board shall provide in its waiver request a description of how the releases from state regulations are designed to increase the quality of instruction and improve the achievement of students in the affected school or schools. The Department shall provide (a) guidance to any local school division that requests releases from state regulations and (b) information about opportunities to form partnerships with other agencies or entities to any local school division in which the school or schools granted releases from state regulations have demonstrated improvement in the quality of instruction and the achievement of students.

The Board may also grant local school boards waivers of specific requirements in § 22.1-253.13:2, based on submission of a request from the division superintendent and chairman of the local school board, permitting the local school board to assign instructional personnel to the schools with the greatest needs, so long as the school division employs a sufficient number of personnel divisionwide to meet the total number required by § 22.1-253.13:2 and all pupil/teacher ratios and class size maximums set forth in subsection C of § 22.1-253.13:2 are met. The school board shall provide in its request a description of how the waivers from specific Standards of Quality staffing standards are designed to increase the quality of instruction and improve the achievement of students in the affected school or schools. The waivers may be renewed in up to five-year increments, or revoked, based on student achievement results in the affected school or schools.

§ 22.1-253.13:5. Standard 5. Quality of classroom instruction and educational leadership.

A. Each member of the Board shall participate in high-quality professional development programs on personnel, curriculum and current issues in education as part of his service on the Board.

B. Consistent with the finding that leadership is essential for the advancement of public education in the Commonwealth, teacher, principal, and superintendent evaluations shall be consistent with the performance standards included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents. Evaluations shall include student academic progress as a significant component and an overall summative rating. Teacher evaluations shall include regular observation and evidence that instruction is aligned with the school's

curriculum. Evaluations shall include identification of areas of individual strengths and weaknesses and recommendations for appropriate professional activities. Evaluations shall include an evaluation of cultural competency.

C. The Board shall provide guidance on high-quality professional development for (i) teachers, principals, supervisors, division superintendents, and other school staff; (ii) principals, supervisors, and division superintendents in the evaluation and documentation of teacher and principal performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel; (iii) school board members on personnel, curriculum and current issues in education; (iv) teachers of the blind and visually impaired, in cooperation with the Virginia Department for the Blind and Vision Impaired, in Braille; (v) any individual with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, special education blindness/visual impairments preschool through grade 12, or English as a second language preschool through grade 12, or as a reading specialist that builds proficiency in science-based reading research and evidence-based literacy instruction; (vi) each teacher with an endorsement in middle education grades six through eight who teaches English that builds proficiency in evidence-based literacy instruction and science-based reading research; (vii) each middle school principal and teacher with an endorsement in middle education grades six through eight who teaches mathematics, science, or history and social science that builds an awareness of evidence-based literacy instruction and science-based reading research; (viii) each teacher with a provisional general education or special education license or an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, middle education grades six through eight, and secondary education grades six through 12; each principal with an endorsement in administration and supervision preschool through grade 12; and each teacher's aide or other paraprofessional that builds proficiency in instructional practices to support specially designed instruction in inclusive settings; and (ix) each teacher with a provisional special education license or an endorsement in special education general curriculum preschool through grade 12, special education deaf and hard of hearing preschool through grade 12, or special education blindness and visual impairments preschool through grade 12 that builds proficiency in implementing the Virginia IEP established pursuant to subdivision 11 of § 22.1-214.4 and the referral, evaluation, reevaluation, and eligibility forms and worksheets referenced in subdivision 6 of § 22.1-214.4.

The Board shall also provide technical assistance on high-quality professional development to local school boards designed to ensure that all instructional personnel are proficient in the use of educational technology consistent with its comprehensive plan for educational technology.

The Department shall provide technical assistance, including literacy coaching, to local school divisions to provide professional development in science-based reading research and evidence-based literacy instruction for students in kindergarten through grade eight. The Department shall also create a list of professional development programs aligned with science-based reading research and evidence-based literacy instruction that includes programs that provide training in dyslexia for reading specialists as required by subsection G of § 22.1-253.13:2. The list shall be approved by the Board. The Department shall provide resources to local school divisions to ensure that each division is able to provide professional development to teachers and reading specialists listed in subdivision E 2 in one of the programs enumerated in the list approved by the Board pursuant to this subdivision and that such professional development is provided at no cost to the teachers and reading specialists.

The Department shall provide technical assistance to local school divisions to implement professional learning resources from the list of vendors approved by the Department pursuant to subdivision K 3 of § 22.1-253.13:1.

The Department shall provide technical assistance, including special education coaching, to local school divisions to provide professional development in special education and related services and in instructional practices to support specially designed instruction in inclusive settings. The Department shall provide resources to local school divisions to ensure that each division is able to provide professional development to the teachers, principals, teacher's aides, and other paraprofessionals listed in subdivisions E 4 and 5 at no cost to such individuals.

D. Each local school board shall require (i) its members to participate annually in high-quality professional development activities at the state, local, or national levels on governance, including, but not limited to, personnel policies and practices; the evaluation of personnel, curriculum, and instruction; use of data in planning and decision making; and current issues in education as part of their service on the local board and (ii) the division superintendent to participate annually in high-quality professional development activities at the local, state, or national levels, including the Standards of Quality, Board regulations, and the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents.

E. Each local school board shall provide a program of high-quality professional development (i) in the use and documentation of performance standards and evaluation criteria based on student academic progress and skills for teachers, principals, and superintendents to clarify roles and performance expectations and to facilitate the successful implementation of instructional programs that promote student achievement at the school and classroom levels; (ii) as part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency and to increase student achievement and expand the knowledge and skills students require to meet the standards for academic performance set by the Board; (iii) in educational technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula; and (iv) for principals and supervisors designed to increase proficiency in instructional leadership and management, including training in the evaluation and documentation of teacher

and principal performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel.

In addition, each local school board shall provide:

1. Teachers and principals with high-quality professional development programs each year in (i) instructional content; (ii) the preparation of tests and other assessment measures; (iii) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives; (iv) instruction and remediation techniques in English, mathematics, science, and history and social science; (v) interpreting test data for instructional purposes; (vi) technology applications to implement the Standards of Learning; and (vii) effective classroom management;

2. High-quality professional development and training in science-based reading research and evidence-based literacy instruction, from the list developed and the resources provided by the Department pursuant to subsection C or an alternative program that consists of evidence-based literacy instruction and aligns with science-based reading research approved by the Department, for each elementary school principal and each teacher with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, special education blindness/visual impairments preschool through grade 12, or English as a second language preschool through grade 12, or as a reading specialist that builds proficiency in evidence-based literacy instruction and science-based reading research in order to aid in the licensure renewal process for such individuals;

3. High-quality professional development and training in science-based reading research and evidence-based literacy instruction, from the list developed and the resources provided by the Department pursuant to subsection C, or an alternative program that consists of evidence-based literacy instruction and aligns with science-based reading research approved by the Department, for (i) each teacher with an endorsement in middle education grades six through eight who teaches English that builds proficiency in evidence-based literacy instruction and science-based reading research and (ii) each middle school principal and teacher with an endorsement in middle education grades six through eight who teaches mathematics, science, or history and social science that builds an awareness of evidence-based literacy instruction and science-based reading research;

4. (Effective July 1, 2027) High-quality professional development in implementing the Virginia IEP established pursuant to subdivision 11 of § 22.1-214.4 and the referral, evaluation, reevaluation, and eligibility forms and worksheets referenced in subdivision 6 of § 22.1-214.4 for each teacher with a provisional special education license or an endorsement in special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, and special education blindness and visual impairments preschool through grade 12; and

5. (Effective July 1, 2027) High-quality professional development in instructional practices to support specially designed instruction in inclusive settings for each teacher with a provisional general education license or an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, and secondary education grades six through 12; each principal with an endorsement in administration and supervision preschool through grade 12; each teacher's aide or other paraprofessional; and any teacher with a provisional special education license for whom the school board determines there is a need for such professional development.

F. Schools and school divisions shall include as an integral component of their comprehensive plans required by § 22.1-253.13:6, high-quality professional development programs that support the recruitment, employment, and retention of qualified teachers and principals. Each school board shall require all instructional personnel to participate each year in these professional development programs.

G. Each local school board shall annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division. *Such review shall consider the extent to which the professional development program supports teachers in implementing the textbooks and other high-quality instructional materials adopted for division and school use.*

§ 22.1-253.13:6. Standard 6. Planning and public involvement.

A. The Board shall adopt a statewide comprehensive, unified, long-range plan based on data collection, analysis, and evaluation. Such plan shall be developed with statewide participation. The Board shall review the plan biennially and adopt any necessary revisions. The Board shall post the plan on the Department's website if practicable, and, in any case, shall make a hard copy of such plan available for public inspection and copying.

This plan shall include the objectives of public education in Virginia, including strategies for first improving student achievement, particularly the achievement of educationally at-risk students, then maintaining high levels of student achievement; an assessment of the extent to which these objectives are being achieved; a forecast of enrollment changes; and an assessment of the needs of public education in the Commonwealth. In the annual report required by § 22.1-18, the Board shall include an analysis of the extent to which these Standards of Quality have been achieved and the objectives of the statewide comprehensive plan have been met. The Board shall also develop, consistent with, or as a part of, its comprehensive plan, a detailed comprehensive, long-range plan to integrate educational technology into the Standards of Learning and the curricula of the public schools in Virginia, including career and technical education programs. The Board shall review and approve the comprehensive plan for educational technology and may require the revision of such plan as it deems necessary.

B. Each local school board shall adopt a divisionwide comprehensive, unified, long-range plan based on data collection, an analysis of the data, and how the data will be utilized to improve classroom instruction and student achievement. The plan shall be developed with staff and community involvement and shall include, or be consistent with, all other divisionwide plans required by state and federal laws and regulations. Each local school board shall review the plan biennially and adopt any necessary revisions. Prior to the adoption of any divisionwide comprehensive plan or revisions thereto, each local school board shall post such plan or revisions on the division's Internet website if practicable, and, in any case, shall make a hard copy of the plan or revisions available for public inspection and copying and shall conduct at least one public hearing to solicit public comment on the divisionwide plan or revisions.

The divisionwide comprehensive plan shall include~~, but shall not be limited to,~~ (i) the objectives of the school division, including strategies for ~~first~~ *(a)* improving student achievement, particularly the achievement of educationally at-risk students, ~~then~~ *(b)* maintaining high levels of student achievement*, and (c) supporting student achievement through the adoption and implementation of textbooks and other high-quality instructional materials*; (ii) an assessment of the extent to which these objectives are being achieved; (iii) a forecast of enrollment changes; (iv) a plan for projecting and managing enrollment changes including consideration of the consolidation of schools to provide for a more comprehensive and effective delivery of instructional services to students and economies in school operations; (v) an evaluation of the appropriateness of establishing regional programs and services in cooperation with neighboring school divisions; (vi) a plan for implementing such regional programs and services when appropriate; (vii) a technology plan designed to integrate educational technology into the instructional programs of the school division, including the school division's career and technical education programs, consistent with, or as a part of, the comprehensive technology plan for Virginia adopted by the Board; (viii) an assessment of the needs of the school division and evidence of community participation, including parental participation, in the development of the plan; (ix) any corrective action plan required pursuant to § 22.1-253.13:3; and (x) a plan for parent and family involvement to include building successful school and parent partnerships that shall be developed with staff and community involvement, including participation by parents.

The divisionwide comprehensive plan shall also include a divisionwide literacy plan for pre-kindergarten through grade eight. The Board shall issue guidance on the contents of such plans. The Department shall develop a template for such plans. Each divisionwide literacy plan shall follow such template and address how the local school board will align (a) literacy professional development; (b) core reading and literacy curriculum for students in kindergarten through grade five; and (c) screening, supplemental instruction, and interventions for students in kindergarten through grade eight with evidence-based literacy instruction practices aligned with science-based reading research and how the school board will support parents to support the literacy development of their children. When developing such divisionwide literacy plan, each local school board shall use programs from the lists developed by the Department pursuant to subsection C of § 22.1-253.13:5 and subdivision ~~H~~ *I* 2 of § 22.1-253.13:1 or seek approval from the Department for the use of alternative programs that consist of evidence-based literacy instruction and align with science-based reading research. Each such divisionwide literacy plan shall be submitted to the Department and shall identify which core literacy curricula, supplemental instructional practices and programs, and intervention programs from the list developed by the Department pursuant to subdivision ~~H~~ *I* 2 of § 22.1-253.13:1 or alternative programs approved by the Department that consist of evidence-based literacy instruction and align with science-based reading research will be used in each grade level, kindergarten through 12, at each of the schools within such school division. Each local school board shall post, maintain, and update as necessary on such school board's website a copy of its divisionwide literacy plan and the job description and contact information for any reading specialist employed by such school division pursuant to subsection G of § 22.1-253.13:2 and for any dyslexia specialist employed by such school division. The Department shall post each divisionwide literacy plan on its website.

A report shall be presented by each school board to the public by November 1 of each odd-numbered year on the extent to which the objectives of the divisionwide comprehensive plan have been met during the previous two school years.

C. Each public school shall also prepare a comprehensive, unified, long-range plan, which the relevant school board shall consider in the development of its divisionwide comprehensive plan.

D. The Board shall, in a timely manner, make available to local school boards information about where current Virginia school laws, Board regulations and revisions, and copies of relevant Opinions of the Attorney General of Virginia may be located online.

§ 23.1-902.1. Education preparation programs; coursework; audit.

A. As used in this section:

"Evidence-based literacy instruction" and "science-based reading research" have the same meanings as provided in § 22.1-1.

"Instructional practices to support specially designed instruction in inclusive settings" has the same meaning as provided in § 22.1-213.

"Textbooks and other high-quality instructional materials" means systematic print or digital curricula that serve as the primary curriculum basis for a grade-level subject or course and that provide (i) adequate content and materials for student mastery of corresponding Standards of Learning; (ii) instructional practices that are aligned with general and discipline-specific research evidence; (iii) assessments to monitor student mastery of curriculum content; (iv) guidance for meeting student needs including enrichment for above-grade-level students and intensification for students who are at-risk of not mastering curriculum content, including English language learners and students with disabilities; and (v) resources

for teachers that develop content knowledge, support implementation of instructional practices that are based on reliable, trustworthy, and valid evidence and have a demonstrated record of success, and build understanding of the rationale for curricula components.

B. Each education preparation program offered by a public institution of higher education or private institution of higher education or alternative certification program that provides training for any student seeking initial licensure by the Board of Education or a certificate or microcredential in early literacy or literacy coaching shall:

1. Include a program of coursework and require all such students to demonstrate mastery in science-based reading research and evidence-based literacy instruction. Each such program of coursework and the student mastery required to be demonstrated therein shall be consistent with definitions and expectations established by the Board of Education and the Department of Education after consultation with a commission consisting of independent literacy experts and stakeholders with knowledge of science-based reading research and evidence-based literacy instruction that has reviewed the requirements established in subdivision 6 of 8VAC20-23-130, subdivision 6 of 8VAC20-23-190, subdivision 2 a of 8VAC20-23-350, 8VAC20-23-510 through 8VAC20-23-580, and 8VAC20-23-660; and

2. For any such student seeking initial licensure by the Board of Education as a teacher with an endorsement in early childhood, elementary education, or special education or with an endorsement as a reading specialist, ensure that reading coursework and field practice opportunities are a significant focus of the education preparation program.

C. Each education preparation program offered by a public institution of higher education or private institution of higher education or alternative certification program that provides training for any student seeking initial licensure by the Board of Education with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, middle education grades six through eight, and secondary education grades six through 12 shall:

1. Include a program of coursework and require all such students to demonstrate mastery in instructional practices to support specially designed instruction in inclusive settings. Each such program of coursework and the student mastery required to be demonstrated therein shall be consistent with definitions and expectations established by the Board of Education and the Department of Education after consultation with a commission consisting of independent special education experts and stakeholders that has reviewed the requirements established in 8VAC20-23-510 through 8VAC20-23-580;

2. Include a program of coursework and clinical experience and require all such students to demonstrate mastery in identifying and implementing textbooks and other high-quality instructional materials. Each such program of coursework and clinical experience and the student mastery required to be demonstrated therein shall be consistent with definitions and expectations established by the Board of Education and the Department of Education after consultation with a commission consisting of independent experts and stakeholders with knowledge of the research and evidence base to support the identification and implementation of high-quality curricula as a strategy for improving student learning that has reviewed the requirements established in subdivision 2 of 8VAC20-23-130 of the Virginia Administrative Code and subdivision 2 of 8VAC20-23-190 of the Virginia Administrative Code; and

~~2.~~ *3.* For any such student seeking initial licensure by the Board of Education as a teacher with an endorsement in early/primary, elementary, or secondary education, ensure that coursework and, as available, field practice opportunities that build knowledge of instructional practices to support specially designed instruction in inclusive settings are a significant focus of the education preparation program.

D. The Department of Education shall audit at least once every seven years each education preparation program, in alignment with each program's accreditation cycle, for compliance with the requirements set forth in subsection B.

E. Each education preparation program offered by a public institution of higher education or private institution of higher education that leads to a degree, concentration, endorsement, or certificate for reading specialists shall include a program of coursework and other training in the identification of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder. Such program shall (i) include coursework in the constructs and pedagogy underlying remediation of reading, spelling, and writing and (ii) require reading specialists to demonstrate mastery of science-based reading research and evidence-based literacy instruction, including appropriate application of instructional supports and services and reading literacy interventions to ensure reading proficiency.

2. That the Board of Education shall amend its regulations as necessary to implement and comply with the provisions of §§ 22.1-238 and 22.1-242 of the Code of Virginia, as amended by this act.

3. That the Department of Education shall develop, adopt, and publish the list of approved vendors of professional learning resources as required pursuant to subdivision K 3 of § 22.1-253.13:1 of the Code of Virginia, as amended by this act, (i) no later than January 1, 2027, for English language arts for grades six through 12; (ii) no later than January 1, 2028, for mathematics; (iii) no later than January 1, 2029, for science; and (iv) no later than January 1, 2030, for history and social science.

4. That the Department of Education and the Board of Education shall complete the process of reviewing and approving textbooks and other high-quality instructional materials as required pursuant to § 22.1-238 of the Code of Virginia, as amended by this act, and subdivisions K 1 and 2 of § 22.1-253.13:1 of the Code of Virginia, as amended by this act, (i) no later than January 1, 2027, for English language arts for grades six through 12; (ii) no later than January 1, 2028, for mathematics; (iii) no later than January 1, 2029, for science; and (iv) no later than January 1, 2030, for history and social science. Such deadlines may be adjusted to achieve better alignment with the relevant Standards of Learning review and revision schedule.

5. That each local school board shall adopt and implement textbooks and other high-quality instructional materials as required pursuant to subsection J of § 22.1-253.13:1 of the Code of Virginia, as amended by this act, in each required content area and grade level as soon as practicable after the relevant deadline for Department of Education and Board of Education review and approval set forth in the fourth enactment of this act.

6. That the provisions of the first through fifth enactments of this act shall become effective on July 1, 2026.

7. That the Department of Education (the Department) shall, in consultation with experienced teachers, division-level content specialists, and subject matter experts, evaluate any changes to its current textbook review and approval process that may be necessary to address challenges presented by such process, improve such process, and fully comply with the provisions of this act. In conducting such evaluation, the Department shall (i) identify and consider best practices for textbook review and approval, including textbook review and approval practices utilized in other states, and (ii) make recommendations on (a) revising the "Virginia's Textbook Review Process" document; (b) improving the selection and training process for statewide textbook review committees; (c) increasing opportunities for public comment on review and approval of textbooks and other high-quality instructional materials, as that term is defined in § 22.1-1 of the Code of Virginia, as amended by this act; and (d) updating Department procedures to support the process of reviewing and approving textbooks and other high-quality instructional materials. The Department shall report its findings and recommendations to the Governor and the Chairs of the Senate Committee on Finance and Appropriations, the Senate Committee on Education and Health, the House Committee on Appropriations, and the House Committee on Education by November 1, 2025. The Department and the Board of Education shall utilize such findings and recommendations to inform the process of reviewing and approving textbooks and other high-quality instructional materials as required pursuant to § 22.1-238 of the Code of Virginia, as amended by this act, and subdivisions K 1 and 2 of § 22.1-253.13:1 of the Code of Virginia, as amended by this act.

CHAPTER 684

An Act to amend and reenact §§ 16.1-107, 55.1-1208, and 55.1-1245, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to public housing authorities; indigent parties; unlawful detainer.

[H 2415]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-107, 55.1-1208, and 55.1-1245, as it is currently effective and as it shall become effective, of the Code of Virginia are amended and reenacted as follows:

§ 16.1-107. Requirements for appeal.

A. No appeal shall be allowed unless and until the party applying for the same or someone for him shall give bond, in an amount and with sufficient surety approved by the judge or by his clerk if there is one, or in an amount sufficient to satisfy the judgment of the court in which it was rendered. Either such amount shall include the award of attorney fees, if any. Such bond shall be posted within 30 days from the date of judgment, except for an appeal from the judgment of a general district court on an unlawful detainer pursuant to § 8.01-129. However, no appeal bond shall be required of a plaintiff in a civil case where the defendant has not asserted a counterclaim, the Commonwealth or when an appeal is proper to protect the estate of a decedent, an infant, a convict, or an insane person, or the interest of a county, city, town or transportation district created pursuant to the Transportation District Act of 1964 (§ 33.2-1900 et seq.) of Title 33.2. In a case where a defendant with indemnity coverage through a policy of liability insurance appeals, the bond required by this section shall not exceed the amount of the judgment that is covered by a policy of indemnity coverage.

B. In all civil cases, except trespass, ejectment, unlawful detainer against a former owner based upon a foreclosure against that owner, or any action involving the recovering *of* rents, no indigent person shall be required to post an appeal bond. In cases of unlawful detainer against a former owner based upon a foreclosure against that owner, a person who has been determined to be indigent pursuant to the guidelines set forth in § 19.2-159 shall post an appeal bond within 30 days from the date of judgment.

C. *Notwithstanding the provisions of subsection B, no indigent person shall be required to post a bond to appeal any unlawful detainer action brought by a public housing authority.*

D. In cases of unlawful detainer for a residential dwelling unit, notwithstanding the provisions of § 8.01-129, an appeal bond shall be posted by the defendant with payment into the general district court in the amount of outstanding rent, late charges, attorney fees, and any other charges or damages due, as contracted for in the rental agreement, and as amended on the unlawful detainer by the court. If such amount is not so paid, any such appeal shall not be perfected as a matter of law. Upon perfection of an appeal, the defendant shall pay the rental amount as contracted for in the rental agreement to the plaintiff on or before the fifth day of each month. If any such rental payment is not so paid, upon written motion of the plaintiff with a copy of such written motion mailed by regular mail to the tenant, the judge of the circuit court shall, without hearing, enter judgment for the amount of outstanding rent, late charges, attorney fees, and any other charges or damages due as of that date, subtracting any payments made by such tenant as reflected in the court accounts and on a written affidavit submitted by the plaintiff, plaintiff's managing agent, or plaintiff's attorney with a copy of such affidavit mailed by

regular mail to the tenant, and an order of possession without further hearings or proceedings in such court. Any funds held in a court account shall be released to the plaintiff without further hearing or proceeding of the court unless the defendant has filed a motion to retain some or all of such funds and the court, after a hearing, enters an order finding that the defendant is likely to succeed on the merits of a counterclaim alleging money damages against the plaintiff, in which case funds shall be held by order of such court.

~~D.~~ *E.* If such bond is furnished by or on behalf of any party against whom judgment has been rendered for money or property or both, the bond shall be conditioned for the performance and satisfaction of such judgment or order as may be entered against such party on appeal, and for the payment of all costs and damages which may be awarded against him in the appellate court. If the appeal is by a party against whom there is no recovery except for costs, the bond shall be conditioned for the payment of such costs and damages as may be awarded against him on the appeal.

~~E.~~ *F.* In addition to the foregoing, any party applying for appeal shall, within 30 days from the date of the judgment, pay to the clerk of the court from which the appeal is taken the amount of the writ tax of the court to which the appeal is taken and costs as required by subdivision A 13 of § 17.1-275, including all fees for service of process of the notice of appeal in the circuit court pursuant to § 16.1-112.

G. For purposes of this section, "indigent" means that the defendant has been determined to be indigent pursuant to the guidelines set forth in § 19.2-159.

§ 55.1-1208. Prohibited provisions in rental agreements.

A. A rental agreement shall not contain provisions that the tenant:

1. Agrees to waive or forgo rights or remedies under this chapter;

2. Agrees to waive or forgo rights or remedies pertaining to the 120-day conversion or rehabilitation notice required in the Virginia Condominium Act (§ 55.1-1900 et seq.) or the Virginia Real Estate Cooperative Act (§ 55.1-2100 et seq.) or under § 55.1-1410;

3. Authorizes any person to confess judgment on a claim arising out of the rental agreement;

4. Agrees to pay the landlord's attorney fees except as provided in this chapter;

5. Agrees to the exculpation or limitation of any liability of the landlord to the tenant arising under law or to indemnify the landlord for that liability or any associated costs;

6. Agrees as a condition of tenancy in public housing to a prohibition or restriction of any lawful possession of a firearm within individual dwelling units unless required by federal law or regulation;

7. Agrees to the payment of a security deposit, insurance premiums for damage insurance, and insurance premiums for renter's insurance prior to the commencement of the tenancy that exceed the amount of two months' periodic rent; or

8. Agrees to waive remedies or rights under the Servicemembers Civil Relief Act, 50 U.S.C. § 3901 et seq., prior to the occurrence of a dispute between landlord and tenant. Execution of leases shall not be contingent upon the execution of a waiver of rights under the Servicemembers Civil Relief Act; however, upon the occurrence of any dispute, the landlord and tenant may execute a waiver of such rights and remedies as to that dispute in order to facilitate a resolution.

B. Any provision prohibited by subsection A that is included in a rental agreement is unenforceable. If a landlord brings an action to enforce any such provision, the tenant may recover actual damages sustained by him and reasonable attorney fees.

C. If the landlord is a public housing authority, the landlord shall not require a tenant to pay any fee for the maintenance or repair of any dwelling unit unless the repair is necessitated by the tenant's action or omission.

§ 55.1-1245. (Effective until the later of July 1, 2028, or seven years after the COVID-19 pandemic state of emergency expires) Noncompliance with rental agreement; monetary penalty.

A. Except as otherwise provided in this chapter, if there is a material noncompliance by the tenant with the rental agreement or a violation of § 55.1-1227 materially affecting health and safety, the landlord may serve a written notice on the tenant specifying the acts and omissions constituting the breach and stating that the rental agreement will terminate upon a date not less than 30 days after receipt of the notice if the breach is not remedied in 21 days and that the rental agreement shall terminate as provided in the notice.

B. If the breach is remediable by repairs or the payment of damages or otherwise and the tenant adequately remedies the breach prior to the date specified in the notice, the rental agreement shall not terminate.

C. If the tenant commits a breach that is not remediable, the landlord may serve a written notice on the tenant specifying the acts and omissions constituting the breach and stating that the rental agreement will terminate upon a date not less than 30 days after receipt of the notice. Notwithstanding anything to the contrary, when a breach of the tenant's obligations under this chapter or the rental agreement involves or constitutes a criminal or a willful act that is not remediable and that poses a threat to health or safety, the landlord may terminate the rental agreement immediately and proceed to obtain possession of the premises. For purposes of this subsection, any illegal drug activity involving a controlled substance, as used or defined by the Drug Control Act (§ 54.1-3400 et seq.), or any activity that involves or constitutes a criminal or willful act that also poses a threat to health and safety, by the tenant, an authorized occupant, or a guest or invitee of the tenant shall constitute an immediate nonremediable violation for which the landlord may proceed to terminate the tenancy without the necessity of waiting for a conviction of any criminal offense that may arise out of the same actions. In order to obtain an order of possession from a court of competent jurisdiction terminating the tenancy for illegal drug activity or for any other activity that involves or constitutes a criminal or willful act that also poses a threat to health and safety, the landlord shall prove any such violations by a preponderance of the evidence. However, where the illegal drug activity or any

activity that involves or constitutes a criminal or willful act that also poses a threat to health and safety is engaged in by an authorized occupant or a guest or invitee of the tenant, the tenant shall be presumed to have knowledge of such activities unless the presumption is rebutted by a preponderance of the evidence. The initial hearing on the landlord's action for immediate possession of the premises shall be held within 15 calendar days from the date of service on the tenant; however, the court shall order an earlier hearing when emergency conditions are alleged to exist upon the premises that constitute an immediate threat to the health or safety of the other tenants. After the initial hearing, if the matter is scheduled for a subsequent hearing or for a contested trial, the court, to the extent practicable, shall order that the matter be given priority on the court's docket. Such subsequent hearing or contested trial shall be heard no later than 30 calendar days from the date of service on the tenant. During the interim period between the date of the initial hearing and the date of any subsequent hearing or contested trial, the court may afford any further remedy or relief as is necessary to protect the interests of parties to the proceeding or the interests of any other tenant residing on the premises. Failure by the court to hold either of the hearings within the time limits set out in this section shall not be a basis for dismissal of the case.

D. If the tenant is a victim of family abuse as defined in § 16.1-228 that occurred in the dwelling unit or on the premises and the perpetrator is barred from the dwelling unit pursuant to § 55.1-1246 on the basis of information provided by the tenant to the landlord, or by a protective order from a court of competent jurisdiction pursuant to § 16.1-253.1 or 16.1-279.1 or subsection B of § 20-103, the lease shall not terminate solely due to an act of family abuse against the tenant. However, these provisions shall not be applicable if (i) the tenant fails to provide written documentation corroborating the tenant's status as a victim of family abuse and the exclusion from the dwelling unit of the perpetrator no later than 21 days from the alleged offense or (ii) the perpetrator returns to the dwelling unit or the premises, in violation of a bar notice, and the tenant fails to promptly notify the landlord within 24 hours that the perpetrator has returned to the dwelling unit or the premises, unless the tenant proves by a preponderance of the evidence that the tenant had no actual knowledge that the perpetrator violated the bar notice, or it was not possible for the tenant to notify the landlord within 24 hours, in which case the tenant shall promptly notify the landlord, but in no event later than seven days. If the provisions of this subsection are not applicable, the tenant shall remain responsible for the acts of the other co-tenants, authorized occupants, or guests or invitees pursuant to § 55.1-1227 and is subject to termination of the tenancy pursuant to the lease and this chapter.

E. If the tenant has been served with a prior written notice that required the tenant to remedy a breach, and the tenant remedied such breach, where the tenant intentionally commits a subsequent breach of a like nature as the prior breach, the landlord may serve a written notice on the tenant specifying the acts and omissions constituting the subsequent breach, make reference to the prior breach of a like nature, and state that the rental agreement will terminate upon a date not less than 30 days after receipt of the notice.

F. If rent is unpaid when due, and the tenant fails to pay rent within five days after written notice is served on him notifying the tenant of his nonpayment, and of the landlord's intention to terminate the rental agreement if the rent is not paid within the five-day period, the landlord may terminate the rental agreement and proceed to obtain possession of the premises as provided in § 55.1-1251. If a check for rent is delivered to the landlord drawn on an account with insufficient funds, or if an electronic funds transfer has been rejected because of insufficient funds or a stop-payment order has been placed in bad faith by the authorizing party, and the tenant fails to pay rent within five days after written notice is served on him notifying the tenant of his nonpayment and of the landlord's intention to terminate the rental agreement if the rent is not paid by cash, cashier's check, certified check, or a completed electronic funds transfer within the five-day period, the landlord may terminate the rental agreement and proceed to obtain possession of the premises as provided in § 55.1-1251. Nothing shall be construed to prevent a landlord from seeking an award of costs or attorney fees under § 8.01-27.1 or civil recovery under § 8.01-27.2, as a part of other damages requested on the unlawful detainer filed pursuant to § 8.01-126, provided that the landlord has given notice in accordance with § 55.1-1202, which notice may be included in the five-day termination notice provided in accordance with this section.

G. *If a public housing authority issues a notice of nonpayment of rent to a tenant, such public housing authority shall also provide to the tenant along with the notice of nonpayment written information printed on pink or orange paper explaining how the tenant may recertify the tenant's income, including how the tenant can, in accordance with federal law and policy, report changes in income, request a minimum rent hardship exemption, and file grievances. Such information shall be posted by the public housing authority in conspicuous locations in each public housing community under its authority.*

H. Except as otherwise provided in this chapter, the landlord may recover damages and obtain injunctive relief for any noncompliance by the tenant with the rental agreement or § 55.1-1227. In the event of a breach of the rental agreement or noncompliance by the tenant, the landlord shall be entitled to recover from the tenant the following, regardless of whether a lawsuit is filed or an order is obtained from a court: (i) rent due and owing as contracted for in the rental agreement, (ii) other charges and fees as contracted for in the rental agreement, (iii) late charges contracted for in the rental agreement, (iv) reasonable attorney fees as contracted for in the rental agreement or as provided by law, (v) costs of the proceeding as contracted for in the rental agreement or as provided by law only if court action has been filed, and (vi) damages to the dwelling unit or premises as contracted for in the rental agreement.

~~H.~~ *I.* In a case where a lawsuit is pending before the court upon a breach of the rental agreement or noncompliance by the tenant and the landlord prevails, the court shall award a money judgment to the landlord and against the tenant for the relief requested, which may include the following: (i) rent due and owing as of the court date as contracted for in the rental agreement; (ii) other charges and fees as contracted for in the rental agreement; (iii) late charges contracted for in the rental

agreement; (iv) reasonable attorney fees as contracted for in the rental agreement or as provided by law, unless in any such action the tenant proves by a preponderance of the evidence that the tenant's failure to pay rent or vacate was reasonable; (v) costs of the proceeding as contracted for in the rental agreement or as provided by law; and (vi) damages to the dwelling unit or premises.

~~I.~~ *J.* 1. A landlord who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, shall not take any adverse action, as defined in 15 U.S.C. § 1681a(k), against an applicant for tenancy based solely on payment history or an eviction for nonpayment of rent that occurred during the period beginning on March 12, 2020, and ending 30 days after the expiration or revocation of any state of emergency declared by the Governor related to the COVID-19 pandemic.

2. If such a landlord denies an applicant for tenancy, then the landlord shall provide to the applicant written notice of the denial and of the applicant's right to assert that his failure to qualify was based upon payment history or an eviction based on nonpayment of rent that occurred during the period beginning on March 12, 2020, and ending 30 days after the expiration or revocation of any state of emergency related to the COVID-19 pandemic. The written notice of denial shall include the statewide legal aid telephone number and website address and shall inform the applicant that he must assert his right to challenge the denial within seven days of the postmark date. If the landlord does not receive a response from the applicant within seven days of the postmark date, the landlord may proceed. If, in addition to the written notice, the landlord provides notice to the applicant by electronic or telephonic means using an email address, telephone number, or other contact information provided by the applicant informing the applicant of his denial and right to assert that his failure to qualify was based upon payment history or an eviction based on nonpayment of rent that occurred during the period beginning on March 12, 2020, and ending 30 days after the expiration or revocation of any state of emergency related to the COVID-19 pandemic and the tenant does not make such assertion that the failure to qualify was the result of such payment history or eviction prior to the close of business on the next business day, the landlord may proceed. The landlord must be able to validate the date and time that any communication sent by electronic or telephonic means was sent to the applicant. If a landlord does receive a response from the applicant asserting such a right, and the landlord relied upon a consumer or tenant screening report, the landlord shall make a good faith effort to contact the generator of the report to ascertain whether such determination was due solely to the applicant for tenancy's payment history or an eviction for nonpayment that occurred during the period beginning on March 12, 2020, and ending 30 days after the expiration or revocation of any state of emergency declared by the Governor related to the COVID-19 pandemic. If the landlord does not receive a response from the generator of the report within three business days of requesting the information, the landlord may proceed with using the information from the report without additional action.

3. If such a landlord does not comply with the provisions of this subsection, the applicant for tenancy may recover statutory damages of $1,000, along with attorney fees.

§ 55.1-1245. (Effective the later of July 1, 2028, or 7 years after the COVID-19 pandemic state of emergency expires) Noncompliance with rental agreement; monetary penalty.

A. Except as otherwise provided in this chapter, if there is a material noncompliance by the tenant with the rental agreement or a violation of § 55.1-1227 materially affecting health and safety, the landlord may serve a written notice on the tenant specifying the acts and omissions constituting the breach and stating that the rental agreement will terminate upon a date not less than 30 days after receipt of the notice if the breach is not remedied in 21 days and that the rental agreement shall terminate as provided in the notice.

B. If the breach is remediable by repairs or the payment of damages or otherwise and the tenant adequately remedies the breach prior to the date specified in the notice, the rental agreement shall not terminate.

C. If the tenant commits a breach that is not remediable, the landlord may serve a written notice on the tenant specifying the acts and omissions constituting the breach and stating that the rental agreement will terminate upon a date not less than 30 days after receipt of the notice. Notwithstanding anything to the contrary, when a breach of the tenant's obligations under this chapter or the rental agreement involves or constitutes a criminal or a willful act that is not remediable and that poses a threat to health or safety, the landlord may terminate the rental agreement immediately and proceed to obtain possession of the premises. For purposes of this subsection, any illegal drug activity involving a controlled substance, as used or defined by the Drug Control Act (§ 54.1-3400 et seq.), or any activity that involves or constitutes a criminal or willful act that also poses a threat to health and safety, by the tenant, an authorized occupant, or a guest or invitee of the tenant shall constitute an immediate nonremediable violation for which the landlord may proceed to terminate the tenancy without the necessity of waiting for a conviction of any criminal offense that may arise out of the same actions. In order to obtain an order of possession from a court of competent jurisdiction terminating the tenancy for illegal drug activity or for any other activity that involves or constitutes a criminal or willful act that also poses a threat to health and safety, the landlord shall prove any such violations by a preponderance of the evidence. However, where the illegal drug activity or any activity that involves or constitutes a criminal or willful act that also poses a threat to health and safety is engaged in by an authorized occupant or a guest or invitee of the tenant, the tenant shall be presumed to have knowledge of such activities unless the presumption is rebutted by a preponderance of the evidence. The initial hearing on the landlord's action for immediate possession of the premises shall be held within 15 calendar days from the date of service on the tenant; however, the court shall order an earlier hearing when emergency conditions are alleged to exist upon the premises that constitute an immediate threat to the health or safety of the other tenants. After the initial hearing, if the matter is scheduled for a subsequent hearing or for a contested trial, the court, to the extent practicable, shall order that the matter be given priority on

the court's docket. Such subsequent hearing or contested trial shall be heard no later than 30 calendar days from the date of service on the tenant. During the interim period between the date of the initial hearing and the date of any subsequent hearing or contested trial, the court may afford any further remedy or relief as is necessary to protect the interests of parties to the proceeding or the interests of any other tenant residing on the premises. Failure by the court to hold either of the hearings within the time limits set out in this section shall not be a basis for dismissal of the case.

D. If the tenant is a victim of family abuse as defined in § 16.1-228 that occurred in the dwelling unit or on the premises and the perpetrator is barred from the dwelling unit pursuant to § 55.1-1246 on the basis of information provided by the tenant to the landlord, or by a protective order from a court of competent jurisdiction pursuant to § 16.1-253.1 or 16.1-279.1 or subsection B of § 20-103, the lease shall not terminate solely due to an act of family abuse against the tenant. However, these provisions shall not be applicable if (i) the tenant fails to provide written documentation corroborating the tenant's status as a victim of family abuse and the exclusion from the dwelling unit of the perpetrator no later than 21 days from the alleged offense or (ii) the perpetrator returns to the dwelling unit or the premises, in violation of a bar notice, and the tenant fails to promptly notify the landlord within 24 hours that the perpetrator has returned to the dwelling unit or the premises, unless the tenant proves by a preponderance of the evidence that the tenant had no actual knowledge that the perpetrator violated the bar notice, or it was not possible for the tenant to notify the landlord within 24 hours, in which case the tenant shall promptly notify the landlord, but in no event later than seven days. If the provisions of this subsection are not applicable, the tenant shall remain responsible for the acts of the other co-tenants, authorized occupants, or guests or invitees pursuant to § 55.1-1227 and is subject to termination of the tenancy pursuant to the lease and this chapter.

E. If the tenant has been served with a prior written notice that required the tenant to remedy a breach, and the tenant remedied such breach, where the tenant intentionally commits a subsequent breach of a like nature as the prior breach, the landlord may serve a written notice on the tenant specifying the acts and omissions constituting the subsequent breach, make reference to the prior breach of a like nature, and state that the rental agreement will terminate upon a date not less than 30 days after receipt of the notice.

F. If rent is unpaid when due, and the tenant fails to pay rent within five days after written notice is served on him notifying the tenant of his nonpayment, and of the landlord's intention to terminate the rental agreement if the rent is not paid within the five-day period, the landlord may terminate the rental agreement and proceed to obtain possession of the premises as provided in § 55.1-1251. If a check for rent is delivered to the landlord drawn on an account with insufficient funds, or if an electronic funds transfer has been rejected because of insufficient funds or a stop-payment order has been placed in bad faith by the authorizing party, and the tenant fails to pay rent within five days after written notice is served on him notifying the tenant of his nonpayment and of the landlord's intention to terminate the rental agreement if the rent is not paid by cash, cashier's check, certified check, or a completed electronic funds transfer within the five-day period, the landlord may terminate the rental agreement and proceed to obtain possession of the premises as provided in § 55.1-1251. Nothing shall be construed to prevent a landlord from seeking an award of costs or attorney fees under § 8.01-27.1 or civil recovery under § 8.01-27.2, as a part of other damages requested on the unlawful detainer filed pursuant to § 8.01-126, provided that the landlord has given notice in accordance with § 55.1-1202, which notice may be included in the five-day termination notice provided in accordance with this section.

G. *If a public housing authority issues a notice of nonpayment of rent to a tenant, such public housing authority shall also provide to the tenant along with the notice of nonpayment written information printed on pink or orange paper explaining how the tenant may recertify the tenant's income, including how the tenant can, in accordance with federal law and policy, report changes in income, request a minimum rent hardship exemption, and file grievances. Such information shall be posted by the public housing authority in conspicuous locations in each public housing community under its authority.*

H. Except as otherwise provided in this chapter, the landlord may recover damages and obtain injunctive relief for any noncompliance by the tenant with the rental agreement or § 55.1-1227. In the event of a breach of the rental agreement or noncompliance by the tenant, the landlord shall be entitled to recover from the tenant the following, regardless of whether a lawsuit is filed or an order is obtained from a court: (i) rent due and owing as contracted for in the rental agreement, (ii) other charges and fees as contracted for in the rental agreement, (iii) late charges contracted for in the rental agreement, (iv) reasonable attorney fees as contracted for in the rental agreement or as provided by law, (v) costs of the proceeding as contracted for in the rental agreement or as provided by law only if court action has been filed, and (vi) damages to the dwelling unit or premises as contracted for in the rental agreement.

~~H.~~ *I.* In a case where a lawsuit is pending before the court upon a breach of the rental agreement or noncompliance by the tenant and the landlord prevails, the court shall award a money judgment to the landlord and against the tenant for the relief requested, which may include the following: (i) rent due and owing as of the court date as contracted for in the rental agreement; (ii) other charges and fees as contracted for in the rental agreement; (iii) late charges contracted for in the rental agreement; (iv) reasonable attorney fees as contracted for in the rental agreement or as provided by law, unless in any such action the tenant proves by a preponderance of the evidence that the tenant's failure to pay rent or vacate was reasonable; (v) costs of the proceeding as contracted for in the rental agreement or as provided by law; and (vi) damages to the dwelling unit or premises.

CHAPTER 685

An Act to amend and reenact §§ 59.1-200, as it is currently effective and as it shall become effective, 59.1-586, and 59.1-587 of the Code of Virginia and to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 58, consisting of sections numbered 59.1-607 through 59.1-610, relating to Virginia Consumer Protection Act; prohibited practices; mandatory fees or surcharges disclosure.

[H 2515]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 59.1-200, as it is currently effective and as it shall become effective, 59.1-586, and 59.1-587 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 58, consisting of sections numbered 59.1-607 through 59.1-610, as follows:

§ 59.1-200. (Effective until July 1, 2025) Prohibited practices.

A. The following fraudulent acts or practices committed by a supplier in connection with a consumer transaction are hereby declared unlawful:

1. Misrepresenting goods or services as those of another;

2. Misrepresenting the source, sponsorship, approval, or certification of goods or services;

3. Misrepresenting the affiliation, connection, or association of the supplier, or of the goods or services, with another;

4. Misrepresenting geographic origin in connection with goods or services;

5. Misrepresenting that goods or services have certain quantities, characteristics, ingredients, uses, or benefits;

6. Misrepresenting that goods or services are of a particular standard, quality, grade, style, or model;

7. Advertising or offering for sale goods that are used, secondhand, repossessed, defective, blemished, deteriorated, or reconditioned, or that are "seconds," irregulars, imperfects, or "not first class," without clearly and unequivocally indicating in the advertisement or offer for sale that the goods are used, secondhand, repossessed, defective, blemished, deteriorated, reconditioned, or are "seconds," irregulars, imperfects, or "not first class";

8. Advertising goods or services with intent not to sell them as advertised, or with intent not to sell at the price or upon the terms advertised.

In any action brought under this subdivision, the refusal by any person, or any employee, agent, or servant thereof, to sell any goods or services advertised or offered for sale at the price or upon the terms advertised or offered, shall be prima facie evidence of a violation of this subdivision. This paragraph shall not apply when it is clearly and conspicuously stated in the advertisement or offer by which such goods or services are advertised or offered for sale, that the supplier or offeror has a limited quantity or amount of such goods or services for sale, and the supplier or offeror at the time of such advertisement or offer did in fact have or reasonably expected to have at least such quantity or amount for sale;

9. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions;

10. Misrepresenting that repairs, alterations, modifications, or services have been performed or parts installed;

11. Misrepresenting by the use of any written or documentary material that appears to be an invoice or bill for merchandise or services previously ordered;

12. Notwithstanding any other provision of law, using in any manner the words "wholesale," "wholesaler," "factory," or "manufacturer" in the supplier's name, or to describe the nature of the supplier's business, unless the supplier is actually engaged primarily in selling at wholesale or in manufacturing the goods or services advertised or offered for sale;

13. Using in any contract or lease any liquidated damage clause, penalty clause, or waiver of defense, or attempting to collect any liquidated damages or penalties under any clause, waiver, damages, or penalties that are void or unenforceable under any otherwise applicable laws of the Commonwealth, or under federal statutes or regulations;

13a. Failing to provide to a consumer, or failing to use or include in any written document or material provided to or executed by a consumer, in connection with a consumer transaction any statement, disclosure, notice, or other information however characterized when the supplier is required by 16 C.F.R. Part 433 to so provide, use, or include the statement, disclosure, notice, or other information in connection with the consumer transaction;

14. Using any other deception, fraud, false pretense, false promise, or misrepresentation in connection with a consumer transaction;

15. Violating any provision of § 3.2-6509, 3.2-6512, 3.2-6513, 3.2-6513.1, 3.2-6514, 3.2-6515, 3.2-6516, or 3.2-6519 is a violation of this chapter;

16. Failing to disclose all conditions, charges, or fees relating to:

a. The return of goods for refund, exchange, or credit. Such disclosure shall be by means of a sign attached to the goods, or placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the person obtaining the goods from the supplier. If the supplier does not permit a refund, exchange, or credit for return, he shall so state on a similar sign. The provisions of this subdivision shall not apply to any retail merchant who has a policy of providing, for a period of not less than 20 days after date of purchase, a cash refund or credit to the purchaser's credit card account for the return of defective, unused, or undamaged merchandise upon presentation of proof of purchase. In the case of merchandise paid for by check, the purchase shall be treated as a cash purchase and any refund may be delayed for a

period of 10 banking days to allow for the check to clear. This subdivision does not apply to sale merchandise that is obviously distressed, out of date, post season, or otherwise reduced for clearance; nor does this subdivision apply to special order purchases where the purchaser has requested the supplier to order merchandise of a specific or unusual size, color, or brand not ordinarily carried in the store or the store's catalog; nor shall this subdivision apply in connection with a transaction for the sale or lease of motor vehicles, farm tractors, or motorcycles as defined in § 46.2-100;

b. A layaway agreement. Such disclosure shall be furnished to the consumer (i) in writing at the time of the layaway agreement, or (ii) by means of a sign placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the consumer, or (iii) on the bill of sale. Disclosure shall include the conditions, charges, or fees in the event that a consumer breaches the agreement;

16a. Failing to provide written notice to a consumer of an existing open-end credit balance in excess of $5 (i) on an account maintained by the supplier and (ii) resulting from such consumer's overpayment on such account. Suppliers shall give consumers written notice of such credit balances within 60 days of receiving overpayments. If the credit balance information is incorporated into statements of account furnished consumers by suppliers within such 60-day period, no separate or additional notice is required;

17. If a supplier enters into a written agreement with a consumer to resolve a dispute that arises in connection with a consumer transaction, failing to adhere to the terms and conditions of such an agreement;

18. Violating any provision of the Virginia Health Club Act, Chapter 24 (§ 59.1-294 et seq.);

19. Violating any provision of the Virginia Home Solicitation Sales Act, Chapter 2.1 (§ 59.1-21.1 et seq.);

20. Violating any provision of the Automobile Repair Facilities Act, Chapter 17.1 (§ 59.1-207.1 et seq.);

21. Violating any provision of the Virginia Lease-Purchase Agreement Act, Chapter 17.4 (§ 59.1-207.17 et seq.);

22. Violating any provision of the Prizes and Gifts Act, Chapter 31 (§ 59.1-415 et seq.);

23. Violating any provision of the Virginia Public Telephone Information Act, Chapter 32 (§ 59.1-424 et seq.);

24. Violating any provision of § 54.1-1505;

25. Violating any provision of the Motor Vehicle Manufacturers' Warranty Adjustment Act, Chapter 17.6 (§ 59.1-207.34 et seq.);

26. Violating any provision of § 3.2-5627, relating to the pricing of merchandise;

27. Violating any provision of the Pay-Per-Call Services Act, Chapter 33 (§ 59.1-429 et seq.);

28. Violating any provision of the Extended Service Contract Act, Chapter 34 (§ 59.1-435 et seq.);

29. Violating any provision of the Virginia Membership Camping Act, Chapter 25 (§ 59.1-311 et seq.);

30. Violating any provision of the Comparison Price Advertising Act, Chapter 17.7 (§ 59.1-207.40 et seq.);

31. Violating any provision of the Virginia Travel Club Act, Chapter 36 (§ 59.1-445 et seq.);

32. Violating any provision of §§ 46.2-1231 and 46.2-1233.1;

33. Violating any provision of Chapter 40 (§ 54.1-4000 et seq.) of Title 54.1;

34. Violating any provision of Chapter 10.1 (§ 58.1-1031 et seq.) of Title 58.1;

35. Using the consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use an alternate number not associated with the consumer's social security number;

36. Violating any provision of Chapter 18 (§ 6.2-1800 et seq.) of Title 6.2;

37. Violating any provision of § 8.01-40.2;

38. Violating any provision of Article 7 (§ 32.1-212 et seq.) of Chapter 6 of Title 32.1;

39. Violating any provision of Chapter 34.1 (§ 59.1-441.1 et seq.);

40. Violating any provision of Chapter 20 (§ 6.2-2000 et seq.) of Title 6.2;

41. Violating any provision of the Virginia Post-Disaster Anti-Price Gouging Act, Chapter 46 (§ 59.1-525 et seq.). For the purposes of this subdivision, "consumer transaction" has the same meaning as provided in § 59.1-526;

42. Violating any provision of Chapter 47 (§ 59.1-530 et seq.);

43. Violating any provision of § 59.1-443.2;

44. Violating any provision of Chapter 48 (§ 59.1-533 et seq.);

45. Violating any provision of Chapter 25 (§ 6.2-2500 et seq.) of Title 6.2;

46. Violating the provisions of clause (i) of subsection B of § 54.1-1115;

47. Violating any provision of § 18.2-239;

48. Violating any provision of Chapter 26 (§ 59.1-336 et seq.);

49. Selling, offering for sale, or manufacturing for sale a children's product the supplier knows or has reason to know was recalled by the U.S. Consumer Product Safety Commission. There is a rebuttable presumption that a supplier has reason to know a children's product was recalled if notice of the recall has been posted continuously at least 30 days before the sale, offer for sale, or manufacturing for sale on the website of the U.S. Consumer Product Safety Commission. This prohibition does not apply to children's products that are used, secondhand or "seconds";

50. Violating any provision of Chapter 44.1 (§ 59.1-518.1 et seq.);

51. Violating any provision of Chapter 22 (§ 6.2-2200 et seq.) of Title 6.2;

52. Violating any provision of § 8.2-317.1;

53. Violating subsection A of § 9.1-149.1;

54. Selling, offering for sale, or using in the construction, remodeling, or repair of any residential dwelling in the Commonwealth, any drywall that the supplier knows or has reason to know is defective drywall. This subdivision shall not

apply to the sale or offering for sale of any building or structure in which defective drywall has been permanently installed or affixed;

55. Engaging in fraudulent or improper or dishonest conduct as defined in § 54.1-1118 while engaged in a transaction that was initiated (i) during a declared state of emergency as defined in § 44-146.16 or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is licensed as a contractor in the Commonwealth pursuant to Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1;

56. Violating any provision of Chapter 33.1 (§ 59.1-434.1 et seq.);

57. Violating any provision of § 18.2-178, 18.2-178.1, or 18.2-200.1;

58. Violating any provision of Chapter 17.8 (§ 59.1-207.45 et seq.). For the purposes of this subdivision, "consumer transaction" also includes transactions involving an automatic renewal or continuous service offer by a supplier to a small business, as those terms are defined in § 59.1-207.45;

59. Violating any provision of subsection E of § 32.1-126;

60. Violating any provision of § 54.1-111 relating to the unlicensed practice of a profession licensed under Chapter 11 (§ 54.1-1100 et seq.) or Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1;

61. Violating any provision of § 2.2-2001.5;

62. Violating any provision of Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1;

63. Violating any provision of § 6.2-312;

64. Violating any provision of Chapter 20.1 (§ 6.2-2026 et seq.) of Title 6.2;

65. Violating any provision of Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2;

66. Violating any provision of Chapter 54 (§ 59.1-586 et seq.);

67. Knowingly violating any provision of § 8.01-27.5;

68. Failing to, in accordance with § 59.1-207.46, (i) make available a conspicuous online option to cancel a recurring purchase of a good or service or (ii) with respect to a free trial lasting more than 30 days, notify a consumer of his option to cancel such free trial within 30 days of the end of the trial period to avoid an obligation to pay for the goods or services;

69. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains a synthetic derivative of tetrahydrocannabinol. As used in this subdivision, "synthetic derivative" means a chemical compound produced by man through a chemical transformation to turn a compound into a different compound by adding or subtracting molecules to or from the original compound. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

70. Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

71. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol, unless such substance is (i) contained in child-resistant packaging, as defined in § 4.1-600; (ii) equipped with a label that states, in English and in a font no less than 1/16 of an inch, (a) that the substance contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (b) all ingredients contained in the substance, (c) the amount of such substance that constitutes a single serving, and (d) the total percentage and milligrams of tetrahydrocannabinol included in the substance and the number of milligrams of tetrahydrocannabinol that are contained in each serving; and (iii) accompanied by a certificate of analysis, produced by an independent laboratory that is accredited pursuant to standard ISO/IEC 17025 of the International Organization of Standardization by a third-party accrediting body, that states the tetrahydrocannabinol concentration of the substance or the tetrahydrocannabinol concentration of the batch from which the substance originates. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

72. Manufacturing, offering for sale at retail, or selling at retail an industrial hemp extract, as defined in § 3.2-5145.1, a food containing an industrial hemp extract, or a substance containing tetrahydrocannabinol that depicts or is in the shape of a human, animal, vehicle, or fruit;

73. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol and, without authorization, bears, is packaged in a container or wrapper that bears, or is otherwise labeled to bear the trademark, trade name, famous mark as defined in 15 U.S.C. § 1125, or other identifying mark, imprint, or device, or any likeness thereof, of a manufacturer, processor, packer, or distributor of a product intended for human consumption other than the manufacturer, processor, packer, or distributor that did in fact so manufacture, process, pack, or distribute such substance;

74. Selling or offering for sale a topical hemp product, as defined in § 3.2-4112, that does not include a label stating that the product is not intended for human consumption. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.), (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1, or (iii) apply to topical hemp products that were manufactured prior to July 1, 2023, provided that the person provides documentation of the date of manufacture if requested;

75. Violating any provision of § 59.1-466.8;

76. Violating subsection F of § 36-96.3:1;

77. Selling or offering for sale (i) any kratom product to a person younger than 21 years of age or (ii) any kratom product that does not include a label listing all ingredients and with the following guidance: "This product may be harmful to your health, has not been evaluated by the FDA, and is not intended to diagnose, treat, cure, or prevent any disease." As used in this subdivision, "kratom" means any part of the leaf of the plant Mitragyna speciosa or any extract thereof;

78. Advertising of any ignition interlock system in Virginia by an ignition interlock vendor not approved by the Commission on the Virginia Alcohol Safety Action Program to operate in Virginia; targeted advertising of any ignition interlock system to a person before determination of guilt; and any advertising, whether before or after determination of guilt, without a conspicuous statement that such advertisement is not affiliated with any government agency. For purposes of this subdivision, "ignition interlock system" has the same meaning as ascribed to that term in § 18.2-270.1 and "targeted advertising" has the same meaning ascribed to that term in § 59.1-575 and includes direct mailings to an individual. This provision shall not apply to ignition interlock service vendor ads, pamphlets, or kiosk advertisements approved by the Commission on the Virginia Alcohol Safety Action Program and provided at a Commission-approved location;

79. Failing to disclose the total cost of a good or continuous service, as defined in § 59.1-207.45, to a consumer, including any mandatory fees or charges, prior to entering into an agreement for the sale of any such good or provision of any such continuous service;

80. Violating any provision of the Unfair Real Estate Service Agreement Act (§ 55.1-3200 et seq.);

81. Selling or offering for sale services as a professional mold remediator to be performed upon any residential dwelling without holding a mold remediation certification from the Institute of Inspection, Cleaning and Restoration Certification (IICRC); ~~and~~

82. Willfully violating any provision of § 59.1-444.4*; and*

83. Violating any provision of Chapter 58 (§ 59.1-607 et seq.).

B. Nothing in this section shall be construed to invalidate or make unenforceable any contract or lease solely by reason of the failure of such contract or lease to comply with any other law of the Commonwealth or any federal statute or regulation, to the extent such other law, statute, or regulation provides that a violation of such law, statute, or regulation shall not invalidate or make unenforceable such contract or lease.

§ 59.1-200. (Effective July 1, 2025) Prohibited practices.

A. The following fraudulent acts or practices committed by a supplier in connection with a consumer transaction are hereby declared unlawful:

1. Misrepresenting goods or services as those of another;

2. Misrepresenting the source, sponsorship, approval, or certification of goods or services;

3. Misrepresenting the affiliation, connection, or association of the supplier, or of the goods or services, with another;

4. Misrepresenting geographic origin in connection with goods or services;

5. Misrepresenting that goods or services have certain quantities, characteristics, ingredients, uses, or benefits;

6. Misrepresenting that goods or services are of a particular standard, quality, grade, style, or model;

7. Advertising or offering for sale goods that are used, secondhand, repossessed, defective, blemished, deteriorated, or reconditioned, or that are "seconds," irregulars, imperfects, or "not first class," without clearly and unequivocally indicating in the advertisement or offer for sale that the goods are used, secondhand, repossessed, defective, blemished, deteriorated, reconditioned, or are "seconds," irregulars, imperfects, or "not first class";

8. Advertising goods or services with intent not to sell them as advertised, or with intent not to sell at the price or upon the terms advertised.

In any action brought under this subdivision, the refusal by any person, or any employee, agent, or servant thereof, to sell any goods or services advertised or offered for sale at the price or upon the terms advertised or offered, shall be prima facie evidence of a violation of this subdivision. This paragraph shall not apply when it is clearly and conspicuously stated in the advertisement or offer by which such goods or services are advertised or offered for sale, that the supplier or offeror has a limited quantity or amount of such goods or services for sale, and the supplier or offeror at the time of such advertisement or offer did in fact have or reasonably expected to have at least such quantity or amount for sale;

9. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions;

10. Misrepresenting that repairs, alterations, modifications, or services have been performed or parts installed;

11. Misrepresenting by the use of any written or documentary material that appears to be an invoice or bill for merchandise or services previously ordered;

12. Notwithstanding any other provision of law, using in any manner the words "wholesale," "wholesaler," "factory," or "manufacturer" in the supplier's name, or to describe the nature of the supplier's business, unless the supplier is actually engaged primarily in selling at wholesale or in manufacturing the goods or services advertised or offered for sale;

13. Using in any contract or lease any liquidated damage clause, penalty clause, or waiver of defense, or attempting to collect any liquidated damages or penalties under any clause, waiver, damages, or penalties that are void or unenforceable under any otherwise applicable laws of the Commonwealth, or under federal statutes or regulations;

13a. Failing to provide to a consumer, or failing to use or include in any written document or material provided to or executed by a consumer, in connection with a consumer transaction any statement, disclosure, notice, or other information

however characterized when the supplier is required by 16 C.F.R. Part 433 to so provide, use, or include the statement, disclosure, notice, or other information in connection with the consumer transaction;

14. Using any other deception, fraud, false pretense, false promise, or misrepresentation in connection with a consumer transaction;

15. Violating any provision of § 3.2-6509, 3.2-6512, 3.2-6513, 3.2-6513.1, 3.2-6514, 3.2-6515, 3.2-6516, or 3.2-6519 is a violation of this chapter;

16. Failing to disclose all conditions, charges, or fees relating to:

a. The return of goods for refund, exchange, or credit. Such disclosure shall be by means of a sign attached to the goods, or placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the person obtaining the goods from the supplier. If the supplier does not permit a refund, exchange, or credit for return, he shall so state on a similar sign. The provisions of this subdivision shall not apply to any retail merchant who has a policy of providing, for a period of not less than 20 days after date of purchase, a cash refund or credit to the purchaser's credit card account for the return of defective, unused, or undamaged merchandise upon presentation of proof of purchase. In the case of merchandise paid for by check, the purchase shall be treated as a cash purchase and any refund may be delayed for a period of 10 banking days to allow for the check to clear. This subdivision does not apply to sale merchandise that is obviously distressed, out of date, post season, or otherwise reduced for clearance; nor does this subdivision apply to special order purchases where the purchaser has requested the supplier to order merchandise of a specific or unusual size, color, or brand not ordinarily carried in the store or the store's catalog; nor shall this subdivision apply in connection with a transaction for the sale or lease of motor vehicles, farm tractors, or motorcycles as defined in § 46.2-100;

b. A layaway agreement. Such disclosure shall be furnished to the consumer (i) in writing at the time of the layaway agreement, or (ii) by means of a sign placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the consumer, or (iii) on the bill of sale. Disclosure shall include the conditions, charges, or fees in the event that a consumer breaches the agreement;

16a. Failing to provide written notice to a consumer of an existing open-end credit balance in excess of $5 (i) on an account maintained by the supplier and (ii) resulting from such consumer's overpayment on such account. Suppliers shall give consumers written notice of such credit balances within 60 days of receiving overpayments. If the credit balance information is incorporated into statements of account furnished consumers by suppliers within such 60-day period, no separate or additional notice is required;

17. If a supplier enters into a written agreement with a consumer to resolve a dispute that arises in connection with a consumer transaction, failing to adhere to the terms and conditions of such an agreement;

18. Violating any provision of the Virginia Health Club Act, Chapter 24 (§ 59.1-294 et seq.);

19. Violating any provision of the Virginia Home Solicitation Sales Act, Chapter 2.1 (§ 59.1-21.1 et seq.);

20. Violating any provision of the Automobile Repair Facilities Act, Chapter 17.1 (§ 59.1-207.1 et seq.);

21. Violating any provision of the Virginia Lease-Purchase Agreement Act, Chapter 17.4 (§ 59.1-207.17 et seq.);

22. Violating any provision of the Prizes and Gifts Act, Chapter 31 (§ 59.1-415 et seq.);

23. Violating any provision of the Virginia Public Telephone Information Act, Chapter 32 (§ 59.1-424 et seq.);

24. Violating any provision of § 54.1-1505;

25. Violating any provision of the Motor Vehicle Manufacturers' Warranty Adjustment Act, Chapter 17.6 (§ 59.1-207.34 et seq.);

26. Violating any provision of § 3.2-5627, relating to the pricing of merchandise;

27. Violating any provision of the Pay-Per-Call Services Act, Chapter 33 (§ 59.1-429 et seq.);

28. Violating any provision of the Extended Service Contract Act, Chapter 34 (§ 59.1-435 et seq.);

29. Violating any provision of the Virginia Membership Camping Act, Chapter 25 (§ 59.1-311 et seq.);

30. Violating any provision of the Comparison Price Advertising Act, Chapter 17.7 (§ 59.1-207.40 et seq.);

31. Violating any provision of the Virginia Travel Club Act, Chapter 36 (§ 59.1-445 et seq.);

32. Violating any provision of §§ 46.2-1231 and 46.2-1233.1;

33. Violating any provision of Chapter 40 (§ 54.1-4000 et seq.) of Title 54.1;

34. Violating any provision of Chapter 10.1 (§ 58.1-1031 et seq.) of Title 58.1;

35. Using the consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use an alternate number not associated with the consumer's social security number;

36. Violating any provision of Chapter 18 (§ 6.2-1800 et seq.) of Title 6.2;

37. Violating any provision of § 8.01-40.2;

38. Violating any provision of Article 7 (§ 32.1-212 et seq.) of Chapter 6 of Title 32.1;

39. Violating any provision of Chapter 34.1 (§ 59.1-441.1 et seq.);

40. Violating any provision of Chapter 20 (§ 6.2-2000 et seq.) of Title 6.2;

41. Violating any provision of the Virginia Post-Disaster Anti-Price Gouging Act, Chapter 46 (§ 59.1-525 et seq.). For the purposes of this subdivision, "consumer transaction" has the same meaning as provided in § 59.1-526;

42. Violating any provision of Chapter 47 (§ 59.1-530 et seq.);

43. Violating any provision of § 59.1-443.2;

44. Violating any provision of Chapter 48 (§ 59.1-533 et seq.);

45. Violating any provision of Chapter 25 (§ 6.2-2500 et seq.) of Title 6.2;

46. Violating the provisions of clause (i) of subsection B of § 54.1-1115;

47. Violating any provision of § 18.2-239;

48. Violating any provision of Chapter 26 (§ 59.1-336 et seq.);

49. Selling, offering for sale, or manufacturing for sale a children's product the supplier knows or has reason to know was recalled by the U.S. Consumer Product Safety Commission. There is a rebuttable presumption that a supplier has reason to know a children's product was recalled if notice of the recall has been posted continuously at least 30 days before the sale, offer for sale, or manufacturing for sale on the website of the U.S. Consumer Product Safety Commission. This prohibition does not apply to children's products that are used, secondhand or "seconds";

50. Violating any provision of Chapter 44.1 (§ 59.1-518.1 et seq.);

51. Violating any provision of Chapter 22 (§ 6.2-2200 et seq.) of Title 6.2;

52. Violating any provision of § 8.2-317.1;

53. Violating subsection A of § 9.1-149.1;

54. Selling, offering for sale, or using in the construction, remodeling, or repair of any residential dwelling in the Commonwealth, any drywall that the supplier knows or has reason to know is defective drywall. This subdivision shall not apply to the sale or offering for sale of any building or structure in which defective drywall has been permanently installed or affixed;

55. Engaging in fraudulent or improper or dishonest conduct as defined in § 54.1-1118 while engaged in a transaction that was initiated (i) during a declared state of emergency as defined in § 44-146.16 or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is licensed as a contractor in the Commonwealth pursuant to Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1;

56. Violating any provision of Chapter 33.1 (§ 59.1-434.1 et seq.);

57. Violating any provision of § 18.2-178, 18.2-178.1, or 18.2-200.1;

58. Violating any provision of Chapter 17.8 (§ 59.1-207.45 et seq.). For the purposes of this subdivision, "consumer transaction" also includes transactions involving an automatic renewal or continuous service offer by a supplier to a small business, as those terms are defined in § 59.1-207.45;

59. Violating any provision of subsection E of § 32.1-126;

60. Violating any provision of § 54.1-111 relating to the unlicensed practice of a profession licensed under Chapter 11 (§ 54.1-1100 et seq.) or Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1;

61. Violating any provision of § 2.2-2001.5;

62. Violating any provision of Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1;

63. Violating any provision of § 6.2-312;

64. Violating any provision of Chapter 20.1 (§ 6.2-2026 et seq.) of Title 6.2;

65. Violating any provision of Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2;

66. Violating any provision of Chapter 54 (§ 59.1-586 et seq.);

67. Knowingly violating any provision of § 8.01-27.5;

68. Failing to, in accordance with § 59.1-207.46, (i) make available a conspicuous online option to cancel a recurring purchase of a good or service or (ii) with respect to a free trial lasting more than 30 days, notify a consumer of his option to cancel such free trial within 30 days of the end of the trial period to avoid an obligation to pay for the goods or services;

69. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains a synthetic derivative of tetrahydrocannabinol. As used in this subdivision, "synthetic derivative" means a chemical compound produced by man through a chemical transformation to turn a compound into a different compound by adding or subtracting molecules to or from the original compound. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

70. Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

71. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol, unless such substance is (i) contained in child-resistant packaging, as defined in § 4.1-600; (ii) equipped with a label that states, in English and in a font no less than 1/16 of an inch, (a) that the substance contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (b) all ingredients contained in the substance, (c) the amount of such substance that constitutes a single serving, and (d) the total percentage and milligrams of tetrahydrocannabinol included in the substance and the number of milligrams of tetrahydrocannabinol that are contained in each serving; and (iii) accompanied by a certificate of analysis, produced by an independent laboratory that is accredited pursuant to standard ISO/IEC 17025 of the International Organization of Standardization by a third-party accrediting body, that states the tetrahydrocannabinol concentration of the substance or the tetrahydrocannabinol concentration of the batch from which the substance originates. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

72. Manufacturing, offering for sale at retail, or selling at retail an industrial hemp extract, as defined in § 3.2-5145.1, a food containing an industrial hemp extract, or a substance containing tetrahydrocannabinol that depicts or is in the shape of a human, animal, vehicle, or fruit;

73. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol and, without authorization, bears, is packaged in a container or wrapper that bears, or is otherwise labeled to bear the trademark, trade name, famous mark as defined in 15 U.S.C. § 1125, or other identifying mark, imprint, or device, or any likeness thereof, of a manufacturer, processor, packer, or distributor of a product intended for human consumption other than the manufacturer, processor, packer, or distributor that did in fact so manufacture, process, pack, or distribute such substance;

74. Selling or offering for sale a topical hemp product, as defined in § 3.2-4112, that does not include a label stating that the product is not intended for human consumption. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.), (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1, or (iii) apply to topical hemp products that were manufactured prior to July 1, 2023, provided that the person provides documentation of the date of manufacture if requested;

75. Violating any provision of § 59.1-466.8;

76. Violating subsection F of § 36-96.3:1;

77. Selling or offering for sale (i) any kratom product to a person younger than 21 years of age or (ii) any kratom product that does not include a label listing all ingredients and with the following guidance: "This product may be harmful to your health, has not been evaluated by the FDA, and is not intended to diagnose, treat, cure, or prevent any disease." As used in this subdivision, "kratom" means any part of the leaf of the plant Mitragyna speciosa or any extract thereof;

78. Advertising of any ignition interlock system in Virginia by an ignition interlock vendor not approved by the Commission on the Virginia Alcohol Safety Action Program to operate in Virginia; targeted advertising of any ignition interlock system to a person before determination of guilt; and any advertising, whether before or after determination of guilt, without a conspicuous statement that such advertisement is not affiliated with any government agency. For purposes of this subdivision, "ignition interlock system" has the same meaning as ascribed to that term in § 18.2-270.1 and "targeted advertising" has the same meaning ascribed to that term in § 59.1-575 and includes direct mailings to an individual. This provision shall not apply to ignition interlock service vendor ads, pamphlets, or kiosk advertisements approved by the Commission on the Virginia Alcohol Safety Action Program and provided at a Commission-approved location;

79. Failing to disclose the total cost of a good or continuous service, as defined in § 59.1-207.45, to a consumer, including any mandatory fees or charges, prior to entering into an agreement for the sale of any such good or provision of any such continuous service;

80. Violating any provision of the Unfair Real Estate Service Agreement Act (§ 55.1-3200 et seq.);

81. Selling or offering for sale services as a professional mold remediator to be performed upon any residential dwelling without holding a mold remediation certification from the Institute of Inspection, Cleaning and Restoration Certification (IICRC);

82. Willfully violating any provision of § 59.1-444.4; ~~and~~

83. Violating any provision of Chapter 23.2 (§ 59.1-293.10 et seq.)*; and*

84. Violating any provision of Chapter 58 (§ 59.1-607 et seq.).

B. Nothing in this section shall be construed to invalidate or make unenforceable any contract or lease solely by reason of the failure of such contract or lease to comply with any other law of the Commonwealth or any federal statute or regulation, to the extent such other law, statute, or regulation provides that a violation of such law, statute, or regulation shall not invalidate or make unenforceable such contract or lease.

§ 59.1-586. Definitions.

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

"Additional fee or percentage" has the same meaning as "mandatory fees or surcharges" in § 59.1-607.

"Clear and conspicuous" has the same meaning as provided in § 59.1-607.

"Food delivery platform" means a person that operates a mobile application or other online service to act as an intermediary between consumers and multiple restaurants to submit food orders on behalf of a consumer to a participating restaurant and to arrange for the delivery of the order from the restaurant to the consumer.

"Restaurant" has the same meaning as provided in § 35.1-1 and excludes establishments listed in § 35.1-25.

§ 59.1-587. Food delivery platform; agreements required; disclosure of price and fees.

A. No food delivery platform shall submit an order on behalf of a consumer to a restaurant or arrange for the delivery of an order from a restaurant without first obtaining an agreement with the restaurant expressly authorizing the food delivery platform to submit orders to and deliver food prepared by the restaurant.

B. A food delivery platform shall:

1. At the point when a consumer views and selects a vendor or items for purchase, include a clear and conspicuous disclosure of any additional fee or percentage charged; and

2. Prior to checkout, display a subtotal page that itemizes the price of the selected items for purchase and any additional fee or percentage included in the total cost.

C. It shall not be a violation of this chapter for a food delivery platform to (i) reduce the total cost that was previously advertised or displayed, (ii) display a promotion or discount, including an offer to waive one or more mandatory fees, or (iii) advertise or display a price for goods and services in compliance with specific state or federal laws applicable to food delivery platforms.

D. A food delivery platform that is a price-variable supplier, as defined in § 59.1-607, is compliant with subdivision B 1 if such supplier includes a disclosure at the point when a consumer selects items for purchase of (i) the factors determining the final price; (ii) any mandatory fees or surcharges, as defined in § 59.1-607, associated with the transaction; and (iii) that the total cost of services may vary.

CHAPTER 58.

MANDATORY FEES OR SURCHARGES.

§ 59.1-607. Definitions.

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

"Auction" has the same meaning as provided in § 54.1-600.

"Broadband Internet access service" has the same meaning as provided in 47 C.F.R. § 8.1(b).

"Cable operator" has the same meaning as provided in 47 U.S.C. § 522.

"Clear and conspicuous" and "clearly and conspicuously" have the same meaning as provided for those terms in § 59.1-207.45.

"Consumer transaction" has the same meaning as provided in § 59.1-198.

"Electric utility" has the same meaning as provided in § 56-576.

"Federal broadband consumer requirements" means the broadband consumer requirements adopted by the Federal Communications Commission in FCC 22-86 on November 14, 2022.

"Hotel" has the same meaning as provided in § 35.1-1.

"Mandatory fees or surcharges" includes any additional fee or surcharge that must be paid in order to purchase the good or service being advertised. "Mandatory fees or surcharges" does not include (i) taxes or fees imposed on the consumer by a government or government-approved entity or assessment fees of a government-created special district or program paid to the government or government-approved entity or (ii) reasonable postage or shipping fees.

"Motor vehicle dealer" has the same meaning as provided in § 46.2-1500.

"Natural gas utility" has the same meaning as provided in § 56-610.

"Price-variable supplier" means a supplier that offers services the total price of which is determined by consumer selections or preferences or dependent on distance or time.

"Restaurant" has the same meaning as provided in § 35.1-1.

"Settlement services" has the same meaning as provided in 12 U.S.C. § 2602(3).

"Supplier" has the same meaning as provided in § 59.1-198.

"Telecommunications service provider" has the same meaning as provided in § 56-466.1.

§ 59.1-608. Mandatory fees or surcharges; disclosure required.

A. No supplier shall, in connection with a consumer transaction, advertise or display a price for goods or services without clearly and conspicuously displaying the total price, which shall include all mandatory fees or surcharges. A supplier that provides both a good and a service to consumers may comply with this section by displaying or advertising the total price of the good separately from the total price or rate charged for providing the service.

B. A supplier offering goods or services in an auction is compliant with this section if such supplier clearly and conspicuously discloses any mandatory fees associated with the transaction and that the total cost of such goods or services may vary.

C. A restaurant or hotel is compliant with this section if, in every offer or advertisement for the purchase of a good or service that includes pricing information, such restaurant or hotel includes a clear and conspicuous disclosure of the percentage of any automatic and mandatory gratuities charged.

D. A price-variable supplier is compliant with this section if such supplier clearly and conspicuously discloses (i) the factors determining the final price, (ii) any mandatory fees or surcharges associated with the transaction, and (iii) that the total cost of services may vary.

E. A provider of broadband Internet access service on its own or as part of a bundle that complies with federal broadband consumer requirements codified in 47 C.F.R. § 8.2(a) shall be deemed compliant with this section.

F. A cable operator that complies with the pricing requirements of 47 U.S.C. § 552 shall be deemed compliant with this section.

G. A direct broadcast satellite provider that complies with the pricing requirements of 47 C.F.R. 76.310 shall be deemed compliant with this section.

H. A provider of live-event tickets that complies with the provisions of 16 C.F.R. Part 464 relating to live-event tickets shall be deemed compliant with this section.

I. A food delivery platform that complies with the provisions of Chapter 54 (§ 59.1-586 et seq.) shall be deemed compliant with this section.

§ 59.1-609. Limitations; exclusions.

A. It shall not be a violation of this chapter for any supplier to (i) reduce the total price that was previously advertised or displayed; (ii) display a promotion or discount, including an offer to waive one or more mandatory fees; or (iii) advertise or display a price for goods and services in compliance with specific state or federal laws applicable to such supplier.

B. No provision of this chapter shall apply to (i) fees authorized by law related to the purchase or lease of a motor vehicle that are charged by a motor vehicle dealer; (ii) fees, surcharges, or costs charged by any electric utility, natural gas utility, or telecommunications service provider; (iii) any fees, surcharges, or other costs associated with settlement services, provided that such associated costs do not include real estate broker commissions and fees; or (iv) the provision of air transportation by air carriers, as such terms are defined in 49 U.S.C. § 40102.

C. No provision of this chapter shall apply to a supplier if such application is expressly preempted by federal law.

§ 59.1-610. Enforcement; penalties.

Any violation of this chapter shall constitute a prohibited practice under the provisions of § 59.1-200 and shall be subject to any and all of the enforcement provisions of the Virginia Consumer Protection Act (§ 59.1-196 et seq.).

CHAPTER 686

An Act to amend and reenact §§ 59.1-200, as it is currently effective and as it shall become effective, 59.1-586, and 59.1-587 of the Code of Virginia and to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 58, consisting of sections numbered 59.1-607 through 59.1-610, relating to Virginia Consumer Protection Act; prohibited practices; mandatory fees or surcharges disclosure.

[S 1212]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 59.1-200, as it is currently effective and as it shall become effective, 59.1-586, and 59.1-587 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 58, consisting of sections numbered 59.1-607 through 59.1-610, as follows:

§ 59.1-200. (Effective until July 1, 2025) Prohibited practices.

A. The following fraudulent acts or practices committed by a supplier in connection with a consumer transaction are hereby declared unlawful:

1. Misrepresenting goods or services as those of another;

2. Misrepresenting the source, sponsorship, approval, or certification of goods or services;

3. Misrepresenting the affiliation, connection, or association of the supplier, or of the goods or services, with another;

4. Misrepresenting geographic origin in connection with goods or services;

5. Misrepresenting that goods or services have certain quantities, characteristics, ingredients, uses, or benefits;

6. Misrepresenting that goods or services are of a particular standard, quality, grade, style, or model;

7. Advertising or offering for sale goods that are used, secondhand, repossessed, defective, blemished, deteriorated, or reconditioned, or that are "seconds," irregulars, imperfects, or "not first class," without clearly and unequivocally indicating in the advertisement or offer for sale that the goods are used, secondhand, repossessed, defective, blemished, deteriorated, reconditioned, or are "seconds," irregulars, imperfects, or "not first class";

8. Advertising goods or services with intent not to sell them as advertised, or with intent not to sell at the price or upon the terms advertised.

In any action brought under this subdivision, the refusal by any person, or any employee, agent, or servant thereof, to sell any goods or services advertised or offered for sale at the price or upon the terms advertised or offered, shall be prima facie evidence of a violation of this subdivision. This paragraph shall not apply when it is clearly and conspicuously stated in the advertisement or offer by which such goods or services are advertised or offered for sale, that the supplier or offeror has a limited quantity or amount of such goods or services for sale, and the supplier or offeror at the time of such advertisement or offer did in fact have or reasonably expected to have at least such quantity or amount for sale;

9. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions;

10. Misrepresenting that repairs, alterations, modifications, or services have been performed or parts installed;

11. Misrepresenting by the use of any written or documentary material that appears to be an invoice or bill for merchandise or services previously ordered;

12. Notwithstanding any other provision of law, using in any manner the words "wholesale," "wholesaler," "factory," or "manufacturer" in the supplier's name, or to describe the nature of the supplier's business, unless the supplier is actually engaged primarily in selling at wholesale or in manufacturing the goods or services advertised or offered for sale;

13. Using in any contract or lease any liquidated damage clause, penalty clause, or waiver of defense, or attempting to collect any liquidated damages or penalties under any clause, waiver, damages, or penalties that are void or unenforceable under any otherwise applicable laws of the Commonwealth, or under federal statutes or regulations;

13a. Failing to provide to a consumer, or failing to use or include in any written document or material provided to or executed by a consumer, in connection with a consumer transaction any statement, disclosure, notice, or other information

however characterized when the supplier is required by 16 C.F.R. Part 433 to so provide, use, or include the statement, disclosure, notice, or other information in connection with the consumer transaction;

14. Using any other deception, fraud, false pretense, false promise, or misrepresentation in connection with a consumer transaction;

15. Violating any provision of § 3.2-6509, 3.2-6512, 3.2-6513, 3.2-6513.1, 3.2-6514, 3.2-6515, 3.2-6516, or 3.2-6519 is a violation of this chapter;

16. Failing to disclose all conditions, charges, or fees relating to:

a. The return of goods for refund, exchange, or credit. Such disclosure shall be by means of a sign attached to the goods, or placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the person obtaining the goods from the supplier. If the supplier does not permit a refund, exchange, or credit for return, he shall so state on a similar sign. The provisions of this subdivision shall not apply to any retail merchant who has a policy of providing, for a period of not less than 20 days after date of purchase, a cash refund or credit to the purchaser's credit card account for the return of defective, unused, or undamaged merchandise upon presentation of proof of purchase. In the case of merchandise paid for by check, the purchase shall be treated as a cash purchase and any refund may be delayed for a period of 10 banking days to allow for the check to clear. This subdivision does not apply to sale merchandise that is obviously distressed, out of date, post season, or otherwise reduced for clearance; nor does this subdivision apply to special order purchases where the purchaser has requested the supplier to order merchandise of a specific or unusual size, color, or brand not ordinarily carried in the store or the store's catalog; nor shall this subdivision apply in connection with a transaction for the sale or lease of motor vehicles, farm tractors, or motorcycles as defined in § 46.2-100;

b. A layaway agreement. Such disclosure shall be furnished to the consumer (i) in writing at the time of the layaway agreement, or (ii) by means of a sign placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the consumer, or (iii) on the bill of sale. Disclosure shall include the conditions, charges, or fees in the event that a consumer breaches the agreement;

16a. Failing to provide written notice to a consumer of an existing open-end credit balance in excess of $5 (i) on an account maintained by the supplier and (ii) resulting from such consumer's overpayment on such account. Suppliers shall give consumers written notice of such credit balances within 60 days of receiving overpayments. If the credit balance information is incorporated into statements of account furnished consumers by suppliers within such 60-day period, no separate or additional notice is required;

17. If a supplier enters into a written agreement with a consumer to resolve a dispute that arises in connection with a consumer transaction, failing to adhere to the terms and conditions of such an agreement;

18. Violating any provision of the Virginia Health Club Act, Chapter 24 (§ 59.1-294 et seq.);

19. Violating any provision of the Virginia Home Solicitation Sales Act, Chapter 2.1 (§ 59.1-21.1 et seq.);

20. Violating any provision of the Automobile Repair Facilities Act, Chapter 17.1 (§ 59.1-207.1 et seq.);

21. Violating any provision of the Virginia Lease-Purchase Agreement Act, Chapter 17.4 (§ 59.1-207.17 et seq.);

22. Violating any provision of the Prizes and Gifts Act, Chapter 31 (§ 59.1-415 et seq.);

23. Violating any provision of the Virginia Public Telephone Information Act, Chapter 32 (§ 59.1-424 et seq.);

24. Violating any provision of § 54.1-1505;

25. Violating any provision of the Motor Vehicle Manufacturers' Warranty Adjustment Act, Chapter 17.6 (§ 59.1-207.34 et seq.);

26. Violating any provision of § 3.2-5627, relating to the pricing of merchandise;

27. Violating any provision of the Pay-Per-Call Services Act, Chapter 33 (§ 59.1-429 et seq.);

28. Violating any provision of the Extended Service Contract Act, Chapter 34 (§ 59.1-435 et seq.);

29. Violating any provision of the Virginia Membership Camping Act, Chapter 25 (§ 59.1-311 et seq.);

30. Violating any provision of the Comparison Price Advertising Act, Chapter 17.7 (§ 59.1-207.40 et seq.);

31. Violating any provision of the Virginia Travel Club Act, Chapter 36 (§ 59.1-445 et seq.);

32. Violating any provision of §§ 46.2-1231 and 46.2-1233.1;

33. Violating any provision of Chapter 40 (§ 54.1-4000 et seq.) of Title 54.1;

34. Violating any provision of Chapter 10.1 (§ 58.1-1031 et seq.) of Title 58.1;

35. Using the consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use an alternate number not associated with the consumer's social security number;

36. Violating any provision of Chapter 18 (§ 6.2-1800 et seq.) of Title 6.2;

37. Violating any provision of § 8.01-40.2;

38. Violating any provision of Article 7 (§ 32.1-212 et seq.) of Chapter 6 of Title 32.1;

39. Violating any provision of Chapter 34.1 (§ 59.1-441.1 et seq.);

40. Violating any provision of Chapter 20 (§ 6.2-2000 et seq.) of Title 6.2;

41. Violating any provision of the Virginia Post-Disaster Anti-Price Gouging Act, Chapter 46 (§ 59.1-525 et seq.). For the purposes of this subdivision, "consumer transaction" has the same meaning as provided in § 59.1-526;

42. Violating any provision of Chapter 47 (§ 59.1-530 et seq.);

43. Violating any provision of § 59.1-443.2;

44. Violating any provision of Chapter 48 (§ 59.1-533 et seq.);

45. Violating any provision of Chapter 25 (§ 6.2-2500 et seq.) of Title 6.2;

46. Violating the provisions of clause (i) of subsection B of § 54.1-1115;

47. Violating any provision of § 18.2-239;

48. Violating any provision of Chapter 26 (§ 59.1-336 et seq.);

49. Selling, offering for sale, or manufacturing for sale a children's product the supplier knows or has reason to know was recalled by the U.S. Consumer Product Safety Commission. There is a rebuttable presumption that a supplier has reason to know a children's product was recalled if notice of the recall has been posted continuously at least 30 days before the sale, offer for sale, or manufacturing for sale on the website of the U.S. Consumer Product Safety Commission. This prohibition does not apply to children's products that are used, secondhand or "seconds";

50. Violating any provision of Chapter 44.1 (§ 59.1-518.1 et seq.);

51. Violating any provision of Chapter 22 (§ 6.2-2200 et seq.) of Title 6.2;

52. Violating any provision of § 8.2-317.1;

53. Violating subsection A of § 9.1-149.1;

54. Selling, offering for sale, or using in the construction, remodeling, or repair of any residential dwelling in the Commonwealth, any drywall that the supplier knows or has reason to know is defective drywall. This subdivision shall not apply to the sale or offering for sale of any building or structure in which defective drywall has been permanently installed or affixed;

55. Engaging in fraudulent or improper or dishonest conduct as defined in § 54.1-1118 while engaged in a transaction that was initiated (i) during a declared state of emergency as defined in § 44-146.16 or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is licensed as a contractor in the Commonwealth pursuant to Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1;

56. Violating any provision of Chapter 33.1 (§ 59.1-434.1 et seq.);

57. Violating any provision of § 18.2-178, 18.2-178.1, or 18.2-200.1;

58. Violating any provision of Chapter 17.8 (§ 59.1-207.45 et seq.). For the purposes of this subdivision, "consumer transaction" also includes transactions involving an automatic renewal or continuous service offer by a supplier to a small business, as those terms are defined in § 59.1-207.45;

59. Violating any provision of subsection E of § 32.1-126;

60. Violating any provision of § 54.1-111 relating to the unlicensed practice of a profession licensed under Chapter 11 (§ 54.1-1100 et seq.) or Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1;

61. Violating any provision of § 2.2-2001.5;

62. Violating any provision of Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1;

63. Violating any provision of § 6.2-312;

64. Violating any provision of Chapter 20.1 (§ 6.2-2026 et seq.) of Title 6.2;

65. Violating any provision of Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2;

66. Violating any provision of Chapter 54 (§ 59.1-586 et seq.);

67. Knowingly violating any provision of § 8.01-27.5;

68. Failing to, in accordance with § 59.1-207.46, (i) make available a conspicuous online option to cancel a recurring purchase of a good or service or (ii) with respect to a free trial lasting more than 30 days, notify a consumer of his option to cancel such free trial within 30 days of the end of the trial period to avoid an obligation to pay for the goods or services;

69. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains a synthetic derivative of tetrahydrocannabinol. As used in this subdivision, "synthetic derivative" means a chemical compound produced by man through a chemical transformation to turn a compound into a different compound by adding or subtracting molecules to or from the original compound. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

70. Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

71. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol, unless such substance is (i) contained in child-resistant packaging, as defined in § 4.1-600; (ii) equipped with a label that states, in English and in a font no less than 1/16 of an inch, (a) that the substance contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (b) all ingredients contained in the substance, (c) the amount of such substance that constitutes a single serving, and (d) the total percentage and milligrams of tetrahydrocannabinol included in the substance and the number of milligrams of tetrahydrocannabinol that are contained in each serving; and (iii) accompanied by a certificate of analysis, produced by an independent laboratory that is accredited pursuant to standard ISO/IEC 17025 of the International Organization of Standardization by a third-party accrediting body, that states the tetrahydrocannabinol concentration of the substance or the tetrahydrocannabinol concentration of the batch from which the substance originates. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

72. Manufacturing, offering for sale at retail, or selling at retail an industrial hemp extract, as defined in § 3.2-5145.1, a food containing an industrial hemp extract, or a substance containing tetrahydrocannabinol that depicts or is in the shape of a human, animal, vehicle, or fruit;

73. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol and, without authorization, bears, is packaged in a container or wrapper that bears, or is otherwise labeled to bear the trademark, trade name, famous mark as defined in 15 U.S.C. § 1125, or other identifying mark, imprint, or device, or any likeness thereof, of a manufacturer, processor, packer, or distributor of a product intended for human consumption other than the manufacturer, processor, packer, or distributor that did in fact so manufacture, process, pack, or distribute such substance;

74. Selling or offering for sale a topical hemp product, as defined in § 3.2-4112, that does not include a label stating that the product is not intended for human consumption. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.), (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1, or (iii) apply to topical hemp products that were manufactured prior to July 1, 2023, provided that the person provides documentation of the date of manufacture if requested;

75. Violating any provision of § 59.1-466.8;

76. Violating subsection F of § 36-96.3:1;

77. Selling or offering for sale (i) any kratom product to a person younger than 21 years of age or (ii) any kratom product that does not include a label listing all ingredients and with the following guidance: "This product may be harmful to your health, has not been evaluated by the FDA, and is not intended to diagnose, treat, cure, or prevent any disease." As used in this subdivision, "kratom" means any part of the leaf of the plant Mitragyna speciosa or any extract thereof;

78. Advertising of any ignition interlock system in Virginia by an ignition interlock vendor not approved by the Commission on the Virginia Alcohol Safety Action Program to operate in Virginia; targeted advertising of any ignition interlock system to a person before determination of guilt; and any advertising, whether before or after determination of guilt, without a conspicuous statement that such advertisement is not affiliated with any government agency. For purposes of this subdivision, "ignition interlock system" has the same meaning as ascribed to that term in § 18.2-270.1 and "targeted advertising" has the same meaning ascribed to that term in § 59.1-575 and includes direct mailings to an individual. This provision shall not apply to ignition interlock service vendor ads, pamphlets, or kiosk advertisements approved by the Commission on the Virginia Alcohol Safety Action Program and provided at a Commission-approved location;

79. Failing to disclose the total cost of a good or continuous service, as defined in § 59.1-207.45, to a consumer, including any mandatory fees or charges, prior to entering into an agreement for the sale of any such good or provision of any such continuous service;

80. Violating any provision of the Unfair Real Estate Service Agreement Act (§ 55.1-3200 et seq.);

81. Selling or offering for sale services as a professional mold remediator to be performed upon any residential dwelling without holding a mold remediation certification from the Institute of Inspection, Cleaning and Restoration Certification (IICRC); ~~and~~

82. Willfully violating any provision of § 59.1-444.4*; and*

83. Violating any provision of Chapter 58 (§ 59.1-607 et seq.).

B. Nothing in this section shall be construed to invalidate or make unenforceable any contract or lease solely by reason of the failure of such contract or lease to comply with any other law of the Commonwealth or any federal statute or regulation, to the extent such other law, statute, or regulation provides that a violation of such law, statute, or regulation shall not invalidate or make unenforceable such contract or lease.

§ 59.1-200. (Effective July 1, 2025) Prohibited practices.

A. The following fraudulent acts or practices committed by a supplier in connection with a consumer transaction are hereby declared unlawful:

1. Misrepresenting goods or services as those of another;

2. Misrepresenting the source, sponsorship, approval, or certification of goods or services;

3. Misrepresenting the affiliation, connection, or association of the supplier, or of the goods or services, with another;

4. Misrepresenting geographic origin in connection with goods or services;

5. Misrepresenting that goods or services have certain quantities, characteristics, ingredients, uses, or benefits;

6. Misrepresenting that goods or services are of a particular standard, quality, grade, style, or model;

7. Advertising or offering for sale goods that are used, secondhand, repossessed, defective, blemished, deteriorated, or reconditioned, or that are "seconds," irregulars, imperfects, or "not first class," without clearly and unequivocally indicating in the advertisement or offer for sale that the goods are used, secondhand, repossessed, defective, blemished, deteriorated, reconditioned, or are "seconds," irregulars, imperfects, or "not first class";

8. Advertising goods or services with intent not to sell them as advertised, or with intent not to sell at the price or upon the terms advertised.

In any action brought under this subdivision, the refusal by any person, or any employee, agent, or servant thereof, to sell any goods or services advertised or offered for sale at the price or upon the terms advertised or offered, shall be prima facie evidence of a violation of this subdivision. This paragraph shall not apply when it is clearly and conspicuously stated in the advertisement or offer by which such goods or services are advertised or offered for sale, that the supplier or offeror

has a limited quantity or amount of such goods or services for sale, and the supplier or offeror at the time of such advertisement or offer did in fact have or reasonably expected to have at least such quantity or amount for sale;

9. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions;

10. Misrepresenting that repairs, alterations, modifications, or services have been performed or parts installed;

11. Misrepresenting by the use of any written or documentary material that appears to be an invoice or bill for merchandise or services previously ordered;

12. Notwithstanding any other provision of law, using in any manner the words "wholesale," "wholesaler," "factory," or "manufacturer" in the supplier's name, or to describe the nature of the supplier's business, unless the supplier is actually engaged primarily in selling at wholesale or in manufacturing the goods or services advertised or offered for sale;

13. Using in any contract or lease any liquidated damage clause, penalty clause, or waiver of defense, or attempting to collect any liquidated damages or penalties under any clause, waiver, damages, or penalties that are void or unenforceable under any otherwise applicable laws of the Commonwealth, or under federal statutes or regulations;

13a. Failing to provide to a consumer, or failing to use or include in any written document or material provided to or executed by a consumer, in connection with a consumer transaction any statement, disclosure, notice, or other information however characterized when the supplier is required by 16 C.F.R. Part 433 to so provide, use, or include the statement, disclosure, notice, or other information in connection with the consumer transaction;

14. Using any other deception, fraud, false pretense, false promise, or misrepresentation in connection with a consumer transaction;

15. Violating any provision of § 3.2-6509, 3.2-6512, 3.2-6513, 3.2-6513.1, 3.2-6514, 3.2-6515, 3.2-6516, or 3.2-6519 is a violation of this chapter;

16. Failing to disclose all conditions, charges, or fees relating to:

a. The return of goods for refund, exchange, or credit. Such disclosure shall be by means of a sign attached to the goods, or placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the person obtaining the goods from the supplier. If the supplier does not permit a refund, exchange, or credit for return, he shall so state on a similar sign. The provisions of this subdivision shall not apply to any retail merchant who has a policy of providing, for a period of not less than 20 days after date of purchase, a cash refund or credit to the purchaser's credit card account for the return of defective, unused, or undamaged merchandise upon presentation of proof of purchase. In the case of merchandise paid for by check, the purchase shall be treated as a cash purchase and any refund may be delayed for a period of 10 banking days to allow for the check to clear. This subdivision does not apply to sale merchandise that is obviously distressed, out of date, post season, or otherwise reduced for clearance; nor does this subdivision apply to special order purchases where the purchaser has requested the supplier to order merchandise of a specific or unusual size, color, or brand not ordinarily carried in the store or the store's catalog; nor shall this subdivision apply in connection with a transaction for the sale or lease of motor vehicles, farm tractors, or motorcycles as defined in § 46.2-100;

b. A layaway agreement. Such disclosure shall be furnished to the consumer (i) in writing at the time of the layaway agreement, or (ii) by means of a sign placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the consumer, or (iii) on the bill of sale. Disclosure shall include the conditions, charges, or fees in the event that a consumer breaches the agreement;

16a. Failing to provide written notice to a consumer of an existing open-end credit balance in excess of $5 (i) on an account maintained by the supplier and (ii) resulting from such consumer's overpayment on such account. Suppliers shall give consumers written notice of such credit balances within 60 days of receiving overpayments. If the credit balance information is incorporated into statements of account furnished consumers by suppliers within such 60-day period, no separate or additional notice is required;

17. If a supplier enters into a written agreement with a consumer to resolve a dispute that arises in connection with a consumer transaction, failing to adhere to the terms and conditions of such an agreement;

18. Violating any provision of the Virginia Health Club Act, Chapter 24 (§ 59.1-294 et seq.);

19. Violating any provision of the Virginia Home Solicitation Sales Act, Chapter 2.1 (§ 59.1-21.1 et seq.);

20. Violating any provision of the Automobile Repair Facilities Act, Chapter 17.1 (§ 59.1-207.1 et seq.);

21. Violating any provision of the Virginia Lease-Purchase Agreement Act, Chapter 17.4 (§ 59.1-207.17 et seq.);

22. Violating any provision of the Prizes and Gifts Act, Chapter 31 (§ 59.1-415 et seq.);

23. Violating any provision of the Virginia Public Telephone Information Act, Chapter 32 (§ 59.1-424 et seq.);

24. Violating any provision of § 54.1-1505;

25. Violating any provision of the Motor Vehicle Manufacturers' Warranty Adjustment Act, Chapter 17.6 (§ 59.1-207.34 et seq.);

26. Violating any provision of § 3.2-5627, relating to the pricing of merchandise;

27. Violating any provision of the Pay-Per-Call Services Act, Chapter 33 (§ 59.1-429 et seq.);

28. Violating any provision of the Extended Service Contract Act, Chapter 34 (§ 59.1-435 et seq.);

29. Violating any provision of the Virginia Membership Camping Act, Chapter 25 (§ 59.1-311 et seq.);

30. Violating any provision of the Comparison Price Advertising Act, Chapter 17.7 (§ 59.1-207.40 et seq.);

31. Violating any provision of the Virginia Travel Club Act, Chapter 36 (§ 59.1-445 et seq.);

32. Violating any provision of §§ 46.2-1231 and 46.2-1233.1;

33. Violating any provision of Chapter 40 (§ 54.1-4000 et seq.) of Title 54.1;

34. Violating any provision of Chapter 10.1 (§ 58.1-1031 et seq.) of Title 58.1;

35. Using the consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use an alternate number not associated with the consumer's social security number;

36. Violating any provision of Chapter 18 (§ 6.2-1800 et seq.) of Title 6.2;

37. Violating any provision of § 8.01-40.2;

38. Violating any provision of Article 7 (§ 32.1-212 et seq.) of Chapter 6 of Title 32.1;

39. Violating any provision of Chapter 34.1 (§ 59.1-441.1 et seq.);

40. Violating any provision of Chapter 20 (§ 6.2-2000 et seq.) of Title 6.2;

41. Violating any provision of the Virginia Post-Disaster Anti-Price Gouging Act, Chapter 46 (§ 59.1-525 et seq.). For the purposes of this subdivision, "consumer transaction" has the same meaning as provided in § 59.1-526;

42. Violating any provision of Chapter 47 (§ 59.1-530 et seq.);

43. Violating any provision of § 59.1-443.2;

44. Violating any provision of Chapter 48 (§ 59.1-533 et seq.);

45. Violating any provision of Chapter 25 (§ 6.2-2500 et seq.) of Title 6.2;

46. Violating the provisions of clause (i) of subsection B of § 54.1-1115;

47. Violating any provision of § 18.2-239;

48. Violating any provision of Chapter 26 (§ 59.1-336 et seq.);

49. Selling, offering for sale, or manufacturing for sale a children's product the supplier knows or has reason to know was recalled by the U.S. Consumer Product Safety Commission. There is a rebuttable presumption that a supplier has reason to know a children's product was recalled if notice of the recall has been posted continuously at least 30 days before the sale, offer for sale, or manufacturing for sale on the website of the U.S. Consumer Product Safety Commission. This prohibition does not apply to children's products that are used, secondhand or "seconds";

50. Violating any provision of Chapter 44.1 (§ 59.1-518.1 et seq.);

51. Violating any provision of Chapter 22 (§ 6.2-2200 et seq.) of Title 6.2;

52. Violating any provision of § 8.2-317.1;

53. Violating subsection A of § 9.1-149.1;

54. Selling, offering for sale, or using in the construction, remodeling, or repair of any residential dwelling in the Commonwealth, any drywall that the supplier knows or has reason to know is defective drywall. This subdivision shall not apply to the sale or offering for sale of any building or structure in which defective drywall has been permanently installed or affixed;

55. Engaging in fraudulent or improper or dishonest conduct as defined in § 54.1-1118 while engaged in a transaction that was initiated (i) during a declared state of emergency as defined in § 44-146.16 or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is licensed as a contractor in the Commonwealth pursuant to Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1;

56. Violating any provision of Chapter 33.1 (§ 59.1-434.1 et seq.);

57. Violating any provision of § 18.2-178, 18.2-178.1, or 18.2-200.1;

58. Violating any provision of Chapter 17.8 (§ 59.1-207.45 et seq.). For the purposes of this subdivision, "consumer transaction" also includes transactions involving an automatic renewal or continuous service offer by a supplier to a small business, as those terms are defined in § 59.1-207.45;

59. Violating any provision of subsection E of § 32.1-126;

60. Violating any provision of § 54.1-111 relating to the unlicensed practice of a profession licensed under Chapter 11 (§ 54.1-1100 et seq.) or Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1;

61. Violating any provision of § 2.2-2001.5;

62. Violating any provision of Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1;

63. Violating any provision of § 6.2-312;

64. Violating any provision of Chapter 20.1 (§ 6.2-2026 et seq.) of Title 6.2;

65. Violating any provision of Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2;

66. Violating any provision of Chapter 54 (§ 59.1-586 et seq.);

67. Knowingly violating any provision of § 8.01-27.5;

68. Failing to, in accordance with § 59.1-207.46, (i) make available a conspicuous online option to cancel a recurring purchase of a good or service or (ii) with respect to a free trial lasting more than 30 days, notify a consumer of his option to cancel such free trial within 30 days of the end of the trial period to avoid an obligation to pay for the goods or services;

69. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains a synthetic derivative of tetrahydrocannabinol. As used in this subdivision, "synthetic derivative" means a chemical compound produced by man through a chemical transformation to turn a compound into a different compound by adding or subtracting molecules to or from the original compound. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

70. Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol. This subdivision shall not (i) apply to products that

are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

71. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol, unless such substance is (i) contained in child-resistant packaging, as defined in § 4.1-600; (ii) equipped with a label that states, in English and in a font no less than 1/16 of an inch, (a) that the substance contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (b) all ingredients contained in the substance, (c) the amount of such substance that constitutes a single serving, and (d) the total percentage and milligrams of tetrahydrocannabinol included in the substance and the number of milligrams of tetrahydrocannabinol that are contained in each serving; and (iii) accompanied by a certificate of analysis, produced by an independent laboratory that is accredited pursuant to standard ISO/IEC 17025 of the International Organization of Standardization by a third-party accrediting body, that states the tetrahydrocannabinol concentration of the substance or the tetrahydrocannabinol concentration of the batch from which the substance originates. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

72. Manufacturing, offering for sale at retail, or selling at retail an industrial hemp extract, as defined in § 3.2-5145.1, a food containing an industrial hemp extract, or a substance containing tetrahydrocannabinol that depicts or is in the shape of a human, animal, vehicle, or fruit;

73. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol and, without authorization, bears, is packaged in a container or wrapper that bears, or is otherwise labeled to bear the trademark, trade name, famous mark as defined in 15 U.S.C. § 1125, or other identifying mark, imprint, or device, or any likeness thereof, of a manufacturer, processor, packer, or distributor of a product intended for human consumption other than the manufacturer, processor, packer, or distributor that did in fact so manufacture, process, pack, or distribute such substance;

74. Selling or offering for sale a topical hemp product, as defined in § 3.2-4112, that does not include a label stating that the product is not intended for human consumption. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.), (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1, or (iii) apply to topical hemp products that were manufactured prior to July 1, 2023, provided that the person provides documentation of the date of manufacture if requested;

75. Violating any provision of § 59.1-466.8;

76. Violating subsection F of § 36-96.3:1;

77. Selling or offering for sale (i) any kratom product to a person younger than 21 years of age or (ii) any kratom product that does not include a label listing all ingredients and with the following guidance: "This product may be harmful to your health, has not been evaluated by the FDA, and is not intended to diagnose, treat, cure, or prevent any disease." As used in this subdivision, "kratom" means any part of the leaf of the plant Mitragyna speciosa or any extract thereof;

78. Advertising of any ignition interlock system in Virginia by an ignition interlock vendor not approved by the Commission on the Virginia Alcohol Safety Action Program to operate in Virginia; targeted advertising of any ignition interlock system to a person before determination of guilt; and any advertising, whether before or after determination of guilt, without a conspicuous statement that such advertisement is not affiliated with any government agency. For purposes of this subdivision, "ignition interlock system" has the same meaning as ascribed to that term in § 18.2-270.1 and "targeted advertising" has the same meaning ascribed to that term in § 59.1-575 and includes direct mailings to an individual. This provision shall not apply to ignition interlock service vendor ads, pamphlets, or kiosk advertisements approved by the Commission on the Virginia Alcohol Safety Action Program and provided at a Commission-approved location;

79. Failing to disclose the total cost of a good or continuous service, as defined in § 59.1-207.45, to a consumer, including any mandatory fees or charges, prior to entering into an agreement for the sale of any such good or provision of any such continuous service;

80. Violating any provision of the Unfair Real Estate Service Agreement Act (§ 55.1-3200 et seq.);

81. Selling or offering for sale services as a professional mold remediator to be performed upon any residential dwelling without holding a mold remediation certification from the Institute of Inspection, Cleaning and Restoration Certification (IICRC);

82. Willfully violating any provision of § 59.1-444.4; ~~and~~

83. Violating any provision of Chapter 23.2 (§ 59.1-293.10 et seq.)*; and*

84. Violating any provision of Chapter 58 (§ 59.1-607 et seq.).

B. Nothing in this section shall be construed to invalidate or make unenforceable any contract or lease solely by reason of the failure of such contract or lease to comply with any other law of the Commonwealth or any federal statute or regulation, to the extent such other law, statute, or regulation provides that a violation of such law, statute, or regulation shall not invalidate or make unenforceable such contract or lease.

§ 59.1-586. Definitions.

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

"Additional fee or percentage" has the same meaning as "mandatory fees or surcharges" in § 59.1-607.

"Clear and conspicuous" has the same meaning as provided in § 59.1-607.

"Food delivery platform" means a person that operates a mobile application or other online service to act as an intermediary between consumers and multiple restaurants to submit food orders on behalf of a consumer to a participating restaurant and to arrange for the delivery of the order from the restaurant to the consumer.

"Restaurant" has the same meaning as provided in § 35.1-1 and excludes establishments listed in § 35.1-25.

§ 59.1-587. Food delivery platform; agreements required; disclosure of price and fees.

A. No food delivery platform shall submit an order on behalf of a consumer to a restaurant or arrange for the delivery of an order from a restaurant without first obtaining an agreement with the restaurant expressly authorizing the food delivery platform to submit orders to and deliver food prepared by the restaurant.

B. A food delivery platform shall:

1. At the point when a consumer views and selects a vendor or items for purchase, include a clear and conspicuous disclosure of any additional fee or percentage charged; and

2. Prior to checkout, display a subtotal page that itemizes the price of the selected items for purchase and any additional fee or percentage included in the total cost.

C. It shall not be a violation of this chapter for a food delivery platform to (i) reduce the total cost that was previously advertised or displayed, (ii) display a promotion or discount, including an offer to waive one or more mandatory fees, or (iii) advertise or display a price for goods and services in compliance with specific state or federal laws applicable to food delivery platforms.

D. A food delivery platform that is a price-variable supplier, as defined in § 59.1-607, is compliant with subdivision B 1 if such supplier includes a disclosure at the point when a consumer selects items for purchase of (i) the factors determining the final price; (ii) any mandatory fees or surcharges, as defined in § 59.1-607, associated with the transaction; and (iii) that the total cost of services may vary.

CHAPTER 58.

MANDATORY FEES OR SURCHARGES.

§ 59.1-607. Definitions.

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

"Auction" has the same meaning as provided in § 54.1-600.

"Broadband Internet access service" has the same meaning as provided in 47 C.F.R. § 8.1(b).

"Cable operator" has the same meaning as provided in 47 U.S.C. § 522.

"Clear and conspicuous" and "clearly and conspicuously" have the same meaning as provided for those terms in § 59.1-207.45.

"Consumer transaction" has the same meaning as provided in § 59.1-198.

"Electric utility" has the same meaning as provided in § 56-576.

"Federal broadband consumer requirements" means the broadband consumer requirements adopted by the Federal Communications Commission in FCC 22-86 on November 14, 2022.

"Hotel" has the same meaning as provided in § 35.1-1.

"Mandatory fees or surcharges" includes any additional fee or surcharge that must be paid in order to purchase the good or service being advertised. "Mandatory fees or surcharges" does not include (i) taxes or fees imposed on the consumer by a government or government-approved entity or assessment fees of a government-created special district or program paid to the government or government-approved entity or (ii) reasonable postage or shipping fees.

"Motor vehicle dealer" has the same meaning as provided in § 46.2-1500.

"Natural gas utility" has the same meaning as provided in § 56-610.

"Price-variable supplier" means a supplier that offers services the total price of which is determined by consumer selections or preferences or dependent on distance or time.

"Restaurant" has the same meaning as provided in § 35.1-1.

"Settlement services" has the same meaning as provided in 12 U.S.C. § 2602(3).

"Supplier" has the same meaning as provided in § 59.1-198.

"Telecommunications service provider" has the same meaning as provided in § 56-466.1.

§ 59.1-608. Mandatory fees or surcharges; disclosure required.

A. No supplier shall, in connection with a consumer transaction, advertise or display a price for goods or services without clearly and conspicuously displaying the total price, which shall include all mandatory fees or surcharges. A supplier that provides both a good and a service to consumers may comply with this section by displaying or advertising the total price of the good separately from the total price or rate charged for providing the service.

B. A supplier offering goods or services in an auction is compliant with this section if such supplier clearly and conspicuously discloses any mandatory fees associated with the transaction and that the total cost of such goods or services may vary.

C. A restaurant or hotel is compliant with this section if, in every offer or advertisement for the purchase of a good or service that includes pricing information, such restaurant or hotel includes a clear and conspicuous disclosure of the percentage of any automatic and mandatory gratuities charged.

D. A price-variable supplier is compliant with this section if such supplier clearly and conspicuously discloses (i) the factors determining the final price, (ii) any mandatory fees or surcharges associated with the transaction, and (iii) that the total cost of services may vary.

E. A provider of broadband Internet access service on its own or as part of a bundle that complies with federal broadband consumer requirements codified in 47 C.F.R. § 8.2(a) shall be deemed compliant with this section.

F. A cable operator that complies with the pricing requirements of 47 U.S.C. § 552 shall be deemed compliant with this section.

G. A direct broadcast satellite provider that complies with the pricing requirements of 47 C.F.R. 76.310 shall be deemed compliant with this section.

H. A provider of live-event tickets that complies with the provisions of 16 C.F.R. Part 464 relating to live-event tickets shall be deemed compliant with this section.

I. A food delivery platform that complies with the provisions of Chapter 54 (§ 59.1-586 et seq.) shall be deemed compliant with this section.

§ 59.1-609. Limitations; exclusions.

A. It shall not be a violation of this chapter for any supplier to (i) reduce the total price that was previously advertised or displayed; (ii) display a promotion or discount, including an offer to waive one or more mandatory fees; or (iii) advertise or display a price for goods and services in compliance with specific state or federal laws applicable to such supplier.

B. No provision of this chapter shall apply to (i) fees authorized by law related to the purchase or lease of a motor vehicle that are charged by a motor vehicle dealer; (ii) fees, surcharges, or costs charged by any electric utility, natural gas utility, or telecommunications service provider; (iii) any fees, surcharges, or other costs associated with settlement services, provided that such associated costs do not include real estate broker commissions and fees; or (iv) the provision of air transportation by air carriers, as such terms are defined in 49 U.S.C. § 40102.

C. No provision of this chapter shall apply to a supplier if such application is expressly preempted by federal law.

§ 59.1-610. Enforcement; penalties.

Any violation of this chapter shall constitute a prohibited practice under the provisions of § 59.1-200 and shall be subject to any and all of the enforcement provisions of the Virginia Consumer Protection Act (§ 59.1-196 et seq.).

CHAPTER 687

An Act to amend and reenact § 30-19.11 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1.1 of Title 30 an article numbered 2, consisting of sections numbered 30-19.21 and 30-19.22, relating to General Assembly; Legislator Compensation Commission established.

[S 1219]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 30-19.11 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 1.1 of Title 30 an article numbered 2, consisting of sections numbered 30-19.21 and 30-19.22, as follows:

Article 1.

Salaries and Expenses Generally.

§ 30-19.11. Salaries of Speaker of House of Delegates and members of General Assembly.

The Speaker of the House of Delegates and *all* other members of the General Assembly shall each receive an annual salary as shall be set forth in the general ~~appropriations~~ *appropriation* act. Such salaries shall be payable not more often than biweekly.

Article 2.

Legislator Compensation Commission.

§ 30-19.21. Legislator Compensation Commission; purpose; establishment; membership; staffing.

A. The Legislator Compensation Commission (the Commission) is established in the legislative branch of state government. The Commission shall convene every four years for the purpose of reviewing the salaries, expense allowances, retirement benefits, and other emoluments received by members of the General Assembly and making recommendations for any adjustments to such salaries or allowance amounts.

B. The Commission shall consist of 11 members who shall be appointed as follows:

1. Two former members of the Senate of Virginia, with equal representation given to each of the political parties having the highest and next highest number of members in the Senate, appointed by the Joint Rules Committee;

2. Four former members of the House of Delegates, with equal representation given to each of the political parties having the highest and next highest number of members in the House of Delegates, appointed by the Joint Rules Committee; and

3. Five nonlegislative citizen members, of whom one shall be appointed by the Governor, one shall be appointed by the Speaker of the House of Delegates, one shall be appointed by the House Minority Leader, one shall be appointed by the Senate Majority Leader, and one shall be appointed by the Senate Minority Leader.

C. Appointments of Commission members shall be made no later than July 1 of the year in which a gubernatorial election is scheduled. Members shall serve until the submission of the report required pursuant to § 30-19.22 and may be reappointed to any subsequent convening of the Commission. Vacancies shall be filled in the same manner as the original appointments.

The Commission shall elect a chairman and vice-chairman from among its membership. A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

D. Commission members shall serve without compensation but shall be reimbursed as provided in §§ 2.2-2813 and 2.2-2825 for reasonable and necessary expenses that are incurred in the performance of their duties pursuant to this article.

E. Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the chairman of the Commission serves. The Division of Legislative Services shall provide legal, research, and policy analysis to the Commission. The staffs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations shall provide technical assistance to the Commission. All agencies of the Commonwealth shall provide assistance to the Commission, upon request.

§ 30-19.22. Powers and duties; report.

A. The Commission shall convene every four years in the year in which a gubernatorial election is scheduled for the purpose of reviewing the salaries, expense allowances, retirement benefits, and other emoluments received by members of the General Assembly. In conducting its review, the Commission shall (i) review the current salaries, expense allowances, retirement benefits, and any other emoluments for members of the General Assembly; (ii) examine the Commonwealth's history of legislative compensation; (iii) gather information regarding the compensation, expenses, and benefits for legislative service in other states; (iv) assess various state methodologies for determining reasonable legislative compensation, including tying salaries to certain indexes or economic indicators; and (v) seek assistance and input of legislators and other citizens by conducting surveys or holding public hearings as may be appropriate.

B. The Commission shall determine whether any adjustments to the salaries, expense allowances, retirement benefits, or other emoluments are indicated and shall submit its findings and recommendations in a report to the Governor and the General Assembly on or before October 1 of the year following a gubernatorial election.

C. Any adjustments made to the salaries, expense allowances, or other emoluments or benefits that are recommended by the Commission and included in a budget bill that is subsequently adopted by the General Assembly shall not be effective until January 1 of the year immediately following the general election for all members of the General Assembly.

2. That the initial appointment of members to the Legislator Compensation Commission established pursuant to § 30-19.21 of the Code of Virginia, as created by this act, shall take place within 30 days of the effective date of this act.

CHAPTER 688

An Act to amend and reenact §§ 16.1-107, 55.1-1208, and 55.1-1245, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to public housing authorities; indigent parties; unlawful detainer.

[S 1221]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-107, 55.1-1208, and 55.1-1245, as it is currently effective and as it shall become effective, of the Code of Virginia are amended and reenacted as follows:

§ 16.1-107. Requirements for appeal.

A. No appeal shall be allowed unless and until the party applying for the same or someone for him shall give bond, in an amount and with sufficient surety approved by the judge or by his clerk if there is one, or in an amount sufficient to satisfy the judgment of the court in which it was rendered. Either such amount shall include the award of attorney fees, if any. Such bond shall be posted within 30 days from the date of judgment, except for an appeal from the judgment of a general district court on an unlawful detainer pursuant to § 8.01-129. However, no appeal bond shall be required of a plaintiff in a civil case where the defendant has not asserted a counterclaim, the Commonwealth or when an appeal is proper to protect the estate of a decedent, an infant, a convict, or an insane person, or the interest of a county, city, town or transportation district created pursuant to the Transportation District Act of 1964 (§ 33.2-1900 et seq.) of Title 33.2. In a case where a defendant with indemnity coverage through a policy of liability insurance appeals, the bond required by this section shall not exceed the amount of the judgment that is covered by a policy of indemnity coverage.

B. In all civil cases, except trespass, ejectment, unlawful detainer against a former owner based upon a foreclosure against that owner, or any action involving the recovering *of* rents, no indigent person shall be required to post an appeal bond. In cases of unlawful detainer against a former owner based upon a foreclosure against that owner, a person who has been determined to be indigent pursuant to the guidelines set forth in § 19.2-159 shall post an appeal bond within 30 days from the date of judgment.

C. *Notwithstanding the provisions of subsection B, no indigent person shall be required to post a bond to appeal any unlawful detainer action brought by a public housing authority.*

D. In cases of unlawful detainer for a residential dwelling unit, notwithstanding the provisions of § 8.01-129, an appeal bond shall be posted by the defendant with payment into the general district court in the amount of outstanding rent, late charges, attorney fees, and any other charges or damages due, as contracted for in the rental agreement, and as amended on the unlawful detainer by the court. If such amount is not so paid, any such appeal shall not be perfected as a matter of law. Upon perfection of an appeal, the defendant shall pay the rental amount as contracted for in the rental agreement to the

plaintiff on or before the fifth day of each month. If any such rental payment is not so paid, upon written motion of the plaintiff with a copy of such written motion mailed by regular mail to the tenant, the judge of the circuit court shall, without hearing, enter judgment for the amount of outstanding rent, late charges, attorney fees, and any other charges or damages due as of that date, subtracting any payments made by such tenant as reflected in the court accounts and on a written affidavit submitted by the plaintiff, plaintiff's managing agent, or plaintiff's attorney with a copy of such affidavit mailed by regular mail to the tenant, and an order of possession without further hearings or proceedings in such court. Any funds held in a court account shall be released to the plaintiff without further hearing or proceeding of the court unless the defendant has filed a motion to retain some or all of such funds and the court, after a hearing, enters an order finding that the defendant is likely to succeed on the merits of a counterclaim alleging money damages against the plaintiff, in which case funds shall be held by order of such court.

~~D.~~ *E.* If such bond is furnished by or on behalf of any party against whom judgment has been rendered for money or property or both, the bond shall be conditioned for the performance and satisfaction of such judgment or order as may be entered against such party on appeal, and for the payment of all costs and damages which may be awarded against him in the appellate court. If the appeal is by a party against whom there is no recovery except for costs, the bond shall be conditioned for the payment of such costs and damages as may be awarded against him on the appeal.

~~E.~~ *F.* In addition to the foregoing, any party applying for appeal shall, within 30 days from the date of the judgment, pay to the clerk of the court from which the appeal is taken the amount of the writ tax of the court to which the appeal is taken and costs as required by subdivision A 13 of § 17.1-275, including all fees for service of process of the notice of appeal in the circuit court pursuant to § 16.1-112.

G. For purposes of this section, "indigent" means that the defendant has been determined to be indigent pursuant to the guidelines set forth in § 19.2-159.

§ 55.1-1208. Prohibited provisions in rental agreements.

A. A rental agreement shall not contain provisions that the tenant:

1. Agrees to waive or forgo rights or remedies under this chapter;

2. Agrees to waive or forgo rights or remedies pertaining to the 120-day conversion or rehabilitation notice required in the Virginia Condominium Act (§ 55.1-1900 et seq.) or the Virginia Real Estate Cooperative Act (§ 55.1-2100 et seq.) or under § 55.1-1410;

3. Authorizes any person to confess judgment on a claim arising out of the rental agreement;

4. Agrees to pay the landlord's attorney fees except as provided in this chapter;

5. Agrees to the exculpation or limitation of any liability of the landlord to the tenant arising under law or to indemnify the landlord for that liability or any associated costs;

6. Agrees as a condition of tenancy in public housing to a prohibition or restriction of any lawful possession of a firearm within individual dwelling units unless required by federal law or regulation;

7. Agrees to the payment of a security deposit, insurance premiums for damage insurance, and insurance premiums for renter's insurance prior to the commencement of the tenancy that exceed the amount of two months' periodic rent; or

8. Agrees to waive remedies or rights under the Servicemembers Civil Relief Act, 50 U.S.C. § 3901 et seq., prior to the occurrence of a dispute between landlord and tenant. Execution of leases shall not be contingent upon the execution of a waiver of rights under the Servicemembers Civil Relief Act; however, upon the occurrence of any dispute, the landlord and tenant may execute a waiver of such rights and remedies as to that dispute in order to facilitate a resolution.

B. Any provision prohibited by subsection A that is included in a rental agreement is unenforceable. If a landlord brings an action to enforce any such provision, the tenant may recover actual damages sustained by him and reasonable attorney fees.

C. If the landlord is a public housing authority, the landlord shall not require a tenant to pay any fee for the maintenance or repair of any dwelling unit unless the repair is necessitated by the tenant's action or omission.

§ 55.1-1245. (Effective until the later of July 1, 2028, or seven years after the COVID-19 pandemic state of emergency expires) Noncompliance with rental agreement; monetary penalty.

A. Except as otherwise provided in this chapter, if there is a material noncompliance by the tenant with the rental agreement or a violation of § 55.1-1227 materially affecting health and safety, the landlord may serve a written notice on the tenant specifying the acts and omissions constituting the breach and stating that the rental agreement will terminate upon a date not less than 30 days after receipt of the notice if the breach is not remedied in 21 days and that the rental agreement shall terminate as provided in the notice.

B. If the breach is remediable by repairs or the payment of damages or otherwise and the tenant adequately remedies the breach prior to the date specified in the notice, the rental agreement shall not terminate.

C. If the tenant commits a breach that is not remediable, the landlord may serve a written notice on the tenant specifying the acts and omissions constituting the breach and stating that the rental agreement will terminate upon a date not less than 30 days after receipt of the notice. Notwithstanding anything to the contrary, when a breach of the tenant's obligations under this chapter or the rental agreement involves or constitutes a criminal or a willful act that is not remediable and that poses a threat to health or safety, the landlord may terminate the rental agreement immediately and proceed to obtain possession of the premises. For purposes of this subsection, any illegal drug activity involving a controlled substance, as used or defined by the Drug Control Act (§ 54.1-3400 et seq.), or any activity that involves or constitutes a criminal or willful act that also poses a threat to health and safety, by the tenant, an authorized occupant, or a guest or invitee

of the tenant shall constitute an immediate nonremediable violation for which the landlord may proceed to terminate the tenancy without the necessity of waiting for a conviction of any criminal offense that may arise out of the same actions. In order to obtain an order of possession from a court of competent jurisdiction terminating the tenancy for illegal drug activity or for any other activity that involves or constitutes a criminal or willful act that also poses a threat to health and safety, the landlord shall prove any such violations by a preponderance of the evidence. However, where the illegal drug activity or any activity that involves or constitutes a criminal or willful act that also poses a threat to health and safety is engaged in by an authorized occupant or a guest or invitee of the tenant, the tenant shall be presumed to have knowledge of such activities unless the presumption is rebutted by a preponderance of the evidence. The initial hearing on the landlord's action for immediate possession of the premises shall be held within 15 calendar days from the date of service on the tenant; however, the court shall order an earlier hearing when emergency conditions are alleged to exist upon the premises that constitute an immediate threat to the health or safety of the other tenants. After the initial hearing, if the matter is scheduled for a subsequent hearing or for a contested trial, the court, to the extent practicable, shall order that the matter be given priority on the court's docket. Such subsequent hearing or contested trial shall be heard no later than 30 calendar days from the date of service on the tenant. During the interim period between the date of the initial hearing and the date of any subsequent hearing or contested trial, the court may afford any further remedy or relief as is necessary to protect the interests of parties to the proceeding or the interests of any other tenant residing on the premises. Failure by the court to hold either of the hearings within the time limits set out in this section shall not be a basis for dismissal of the case.

D. If the tenant is a victim of family abuse as defined in § 16.1-228 that occurred in the dwelling unit or on the premises and the perpetrator is barred from the dwelling unit pursuant to § 55.1-1246 on the basis of information provided by the tenant to the landlord, or by a protective order from a court of competent jurisdiction pursuant to § 16.1-253.1 or 16.1-279.1 or subsection B of § 20-103, the lease shall not terminate solely due to an act of family abuse against the tenant. However, these provisions shall not be applicable if (i) the tenant fails to provide written documentation corroborating the tenant's status as a victim of family abuse and the exclusion from the dwelling unit of the perpetrator no later than 21 days from the alleged offense or (ii) the perpetrator returns to the dwelling unit or the premises, in violation of a bar notice, and the tenant fails to promptly notify the landlord within 24 hours that the perpetrator has returned to the dwelling unit or the premises, unless the tenant proves by a preponderance of the evidence that the tenant had no actual knowledge that the perpetrator violated the bar notice, or it was not possible for the tenant to notify the landlord within 24 hours, in which case the tenant shall promptly notify the landlord, but in no event later than seven days. If the provisions of this subsection are not applicable, the tenant shall remain responsible for the acts of the other co-tenants, authorized occupants, or guests or invitees pursuant to § 55.1-1227 and is subject to termination of the tenancy pursuant to the lease and this chapter.

E. If the tenant has been served with a prior written notice that required the tenant to remedy a breach, and the tenant remedied such breach, where the tenant intentionally commits a subsequent breach of a like nature as the prior breach, the landlord may serve a written notice on the tenant specifying the acts and omissions constituting the subsequent breach, make reference to the prior breach of a like nature, and state that the rental agreement will terminate upon a date not less than 30 days after receipt of the notice.

F. If rent is unpaid when due, and the tenant fails to pay rent within five days after written notice is served on him notifying the tenant of his nonpayment, and of the landlord's intention to terminate the rental agreement if the rent is not paid within the five-day period, the landlord may terminate the rental agreement and proceed to obtain possession of the premises as provided in § 55.1-1251. If a check for rent is delivered to the landlord drawn on an account with insufficient funds, or if an electronic funds transfer has been rejected because of insufficient funds or a stop-payment order has been placed in bad faith by the authorizing party, and the tenant fails to pay rent within five days after written notice is served on him notifying the tenant of his nonpayment and of the landlord's intention to terminate the rental agreement if the rent is not paid by cash, cashier's check, certified check, or a completed electronic funds transfer within the five-day period, the landlord may terminate the rental agreement and proceed to obtain possession of the premises as provided in § 55.1-1251. Nothing shall be construed to prevent a landlord from seeking an award of costs or attorney fees under § 8.01-27.1 or civil recovery under § 8.01-27.2, as a part of other damages requested on the unlawful detainer filed pursuant to § 8.01-126, provided that the landlord has given notice in accordance with § 55.1-1202, which notice may be included in the five-day termination notice provided in accordance with this section.

G. *If a public housing authority issues a notice of nonpayment of rent to a tenant, such public housing authority shall also provide to the tenant along with the notice of nonpayment written information printed on pink or orange paper explaining how the tenant may recertify the tenant's income, including how the tenant can, in accordance with federal law and policy, report changes in income, request a minimum rent hardship exemption, and file grievances. Such information shall be posted by the public housing authority in conspicuous locations in each public housing community under its authority.*

H. Except as otherwise provided in this chapter, the landlord may recover damages and obtain injunctive relief for any noncompliance by the tenant with the rental agreement or § 55.1-1227. In the event of a breach of the rental agreement or noncompliance by the tenant, the landlord shall be entitled to recover from the tenant the following, regardless of whether a lawsuit is filed or an order is obtained from a court: (i) rent due and owing as contracted for in the rental agreement, (ii) other charges and fees as contracted for in the rental agreement, (iii) late charges contracted for in the rental agreement, (iv) reasonable attorney fees as contracted for in the rental agreement or as provided by law, (v) costs of the proceeding as

contracted for in the rental agreement or as provided by law only if court action has been filed, and (vi) damages to the dwelling unit or premises as contracted for in the rental agreement.

~~H.~~ *I.* In a case where a lawsuit is pending before the court upon a breach of the rental agreement or noncompliance by the tenant and the landlord prevails, the court shall award a money judgment to the landlord and against the tenant for the relief requested, which may include the following: (i) rent due and owing as of the court date as contracted for in the rental agreement; (ii) other charges and fees as contracted for in the rental agreement; (iii) late charges contracted for in the rental agreement; (iv) reasonable attorney fees as contracted for in the rental agreement or as provided by law, unless in any such action the tenant proves by a preponderance of the evidence that the tenant's failure to pay rent or vacate was reasonable; (v) costs of the proceeding as contracted for in the rental agreement or as provided by law; and (vi) damages to the dwelling unit or premises.

~~I.~~ *J.* 1. A landlord who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, shall not take any adverse action, as defined in 15 U.S.C. § 1681a(k), against an applicant for tenancy based solely on payment history or an eviction for nonpayment of rent that occurred during the period beginning on March 12, 2020, and ending 30 days after the expiration or revocation of any state of emergency declared by the Governor related to the COVID-19 pandemic.

2. If such a landlord denies an applicant for tenancy, then the landlord shall provide to the applicant written notice of the denial and of the applicant's right to assert that his failure to qualify was based upon payment history or an eviction based on nonpayment of rent that occurred during the period beginning on March 12, 2020, and ending 30 days after the expiration or revocation of any state of emergency related to the COVID-19 pandemic. The written notice of denial shall include the statewide legal aid telephone number and website address and shall inform the applicant that he must assert his right to challenge the denial within seven days of the postmark date. If the landlord does not receive a response from the applicant within seven days of the postmark date, the landlord may proceed. If, in addition to the written notice, the landlord provides notice to the applicant by electronic or telephonic means using an email address, telephone number, or other contact information provided by the applicant informing the applicant of his denial and right to assert that his failure to qualify was based upon payment history or an eviction based on nonpayment of rent that occurred during the period beginning on March 12, 2020, and ending 30 days after the expiration or revocation of any state of emergency related to the COVID-19 pandemic and the tenant does not make such assertion that the failure to qualify was the result of such payment history or eviction prior to the close of business on the next business day, the landlord may proceed. The landlord must be able to validate the date and time that any communication sent by electronic or telephonic means was sent to the applicant. If a landlord does receive a response from the applicant asserting such a right, and the landlord relied upon a consumer or tenant screening report, the landlord shall make a good faith effort to contact the generator of the report to ascertain whether such determination was due solely to the applicant for tenancy's payment history or an eviction for nonpayment that occurred during the period beginning on March 12, 2020, and ending 30 days after the expiration or revocation of any state of emergency declared by the Governor related to the COVID-19 pandemic. If the landlord does not receive a response from the generator of the report within three business days of requesting the information, the landlord may proceed with using the information from the report without additional action.

3. If such a landlord does not comply with the provisions of this subsection, the applicant for tenancy may recover statutory damages of $1,000, along with attorney fees.

§ 55.1-1245. (Effective the later of July 1, 2028, or 7 years after the COVID-19 pandemic state of emergency expires) Noncompliance with rental agreement; monetary penalty.

A. Except as otherwise provided in this chapter, if there is a material noncompliance by the tenant with the rental agreement or a violation of § 55.1-1227 materially affecting health and safety, the landlord may serve a written notice on the tenant specifying the acts and omissions constituting the breach and stating that the rental agreement will terminate upon a date not less than 30 days after receipt of the notice if the breach is not remedied in 21 days and that the rental agreement shall terminate as provided in the notice.

B. If the breach is remediable by repairs or the payment of damages or otherwise and the tenant adequately remedies the breach prior to the date specified in the notice, the rental agreement shall not terminate.

C. If the tenant commits a breach that is not remediable, the landlord may serve a written notice on the tenant specifying the acts and omissions constituting the breach and stating that the rental agreement will terminate upon a date not less than 30 days after receipt of the notice. Notwithstanding anything to the contrary, when a breach of the tenant's obligations under this chapter or the rental agreement involves or constitutes a criminal or a willful act that is not remediable and that poses a threat to health or safety, the landlord may terminate the rental agreement immediately and proceed to obtain possession of the premises. For purposes of this subsection, any illegal drug activity involving a controlled substance, as used or defined by the Drug Control Act (§ 54.1-3400 et seq.), or any activity that involves or constitutes a criminal or willful act that also poses a threat to health and safety, by the tenant, an authorized occupant, or a guest or invitee of the tenant shall constitute an immediate nonremediable violation for which the landlord may proceed to terminate the tenancy without the necessity of waiting for a conviction of any criminal offense that may arise out of the same actions. In order to obtain an order of possession from a court of competent jurisdiction terminating the tenancy for illegal drug activity or for any other activity that involves or constitutes a criminal or willful act that also poses a threat to health and safety, the landlord shall prove any such violations by a preponderance of the evidence. However, where the illegal drug activity or any activity that involves or constitutes a criminal or willful act that also poses a threat to health and safety is engaged in by an

authorized occupant or a guest or invitee of the tenant, the tenant shall be presumed to have knowledge of such activities unless the presumption is rebutted by a preponderance of the evidence. The initial hearing on the landlord's action for immediate possession of the premises shall be held within 15 calendar days from the date of service on the tenant; however, the court shall order an earlier hearing when emergency conditions are alleged to exist upon the premises that constitute an immediate threat to the health or safety of the other tenants. After the initial hearing, if the matter is scheduled for a subsequent hearing or for a contested trial, the court, to the extent practicable, shall order that the matter be given priority on the court's docket. Such subsequent hearing or contested trial shall be heard no later than 30 calendar days from the date of service on the tenant. During the interim period between the date of the initial hearing and the date of any subsequent hearing or contested trial, the court may afford any further remedy or relief as is necessary to protect the interests of parties to the proceeding or the interests of any other tenant residing on the premises. Failure by the court to hold either of the hearings within the time limits set out in this section shall not be a basis for dismissal of the case.

D. If the tenant is a victim of family abuse as defined in § 16.1-228 that occurred in the dwelling unit or on the premises and the perpetrator is barred from the dwelling unit pursuant to § 55.1-1246 on the basis of information provided by the tenant to the landlord, or by a protective order from a court of competent jurisdiction pursuant to § 16.1-253.1 or 16.1-279.1 or subsection B of § 20-103, the lease shall not terminate solely due to an act of family abuse against the tenant. However, these provisions shall not be applicable if (i) the tenant fails to provide written documentation corroborating the tenant's status as a victim of family abuse and the exclusion from the dwelling unit of the perpetrator no later than 21 days from the alleged offense or (ii) the perpetrator returns to the dwelling unit or the premises, in violation of a bar notice, and the tenant fails to promptly notify the landlord within 24 hours that the perpetrator has returned to the dwelling unit or the premises, unless the tenant proves by a preponderance of the evidence that the tenant had no actual knowledge that the perpetrator violated the bar notice, or it was not possible for the tenant to notify the landlord within 24 hours, in which case the tenant shall promptly notify the landlord, but in no event later than seven days. If the provisions of this subsection are not applicable, the tenant shall remain responsible for the acts of the other co-tenants, authorized occupants, or guests or invitees pursuant to § 55.1-1227 and is subject to termination of the tenancy pursuant to the lease and this chapter.

E. If the tenant has been served with a prior written notice that required the tenant to remedy a breach, and the tenant remedied such breach, where the tenant intentionally commits a subsequent breach of a like nature as the prior breach, the landlord may serve a written notice on the tenant specifying the acts and omissions constituting the subsequent breach, make reference to the prior breach of a like nature, and state that the rental agreement will terminate upon a date not less than 30 days after receipt of the notice.

F. If rent is unpaid when due, and the tenant fails to pay rent within five days after written notice is served on him notifying the tenant of his nonpayment, and of the landlord's intention to terminate the rental agreement if the rent is not paid within the five-day period, the landlord may terminate the rental agreement and proceed to obtain possession of the premises as provided in § 55.1-1251. If a check for rent is delivered to the landlord drawn on an account with insufficient funds, or if an electronic funds transfer has been rejected because of insufficient funds or a stop-payment order has been placed in bad faith by the authorizing party, and the tenant fails to pay rent within five days after written notice is served on him notifying the tenant of his nonpayment and of the landlord's intention to terminate the rental agreement if the rent is not paid by cash, cashier's check, certified check, or a completed electronic funds transfer within the five-day period, the landlord may terminate the rental agreement and proceed to obtain possession of the premises as provided in § 55.1-1251. Nothing shall be construed to prevent a landlord from seeking an award of costs or attorney fees under § 8.01-27.1 or civil recovery under § 8.01-27.2, as a part of other damages requested on the unlawful detainer filed pursuant to § 8.01-126, provided that the landlord has given notice in accordance with § 55.1-1202, which notice may be included in the five-day termination notice provided in accordance with this section.

G. *If a public housing authority issues a notice of nonpayment of rent to a tenant, such public housing authority shall also provide to the tenant along with the notice of nonpayment written information printed on pink or orange paper explaining how the tenant may recertify the tenant's income, including how the tenant can, in accordance with federal law and policy, report changes in income, request a minimum rent hardship exemption, and file grievances. Such information shall be posted by the public housing authority in conspicuous locations in each public housing community under its authority.*

H. Except as otherwise provided in this chapter, the landlord may recover damages and obtain injunctive relief for any noncompliance by the tenant with the rental agreement or § 55.1-1227. In the event of a breach of the rental agreement or noncompliance by the tenant, the landlord shall be entitled to recover from the tenant the following, regardless of whether a lawsuit is filed or an order is obtained from a court: (i) rent due and owing as contracted for in the rental agreement, (ii) other charges and fees as contracted for in the rental agreement, (iii) late charges contracted for in the rental agreement, (iv) reasonable attorney fees as contracted for in the rental agreement or as provided by law, (v) costs of the proceeding as contracted for in the rental agreement or as provided by law only if court action has been filed, and (vi) damages to the dwelling unit or premises as contracted for in the rental agreement.

~~H.~~ *I.* In a case where a lawsuit is pending before the court upon a breach of the rental agreement or noncompliance by the tenant and the landlord prevails, the court shall award a money judgment to the landlord and against the tenant for the relief requested, which may include the following: (i) rent due and owing as of the court date as contracted for in the rental agreement; (ii) other charges and fees as contracted for in the rental agreement; (iii) late charges contracted for in the rental agreement; (iv) reasonable attorney fees as contracted for in the rental agreement or as provided by law, unless in any such

action the tenant proves by a preponderance of the evidence that the tenant's failure to pay rent or vacate was reasonable; (v) costs of the proceeding as contracted for in the rental agreement or as provided by law; and (vi) damages to the dwelling unit or premises.

CHAPTER 689

An Act to direct the Health Insurance Reform Commission to consider coverage for infertility treatment in its 2025 essential health benefits benchmark plan review.

[H 1609]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That notwithstanding subsection D of § 30-343.1 of the Code of Virginia, the Health Insurance Reform Commission (the Commission) shall consider in its 2025 review of the essential health benefits benchmark plan, conducted pursuant to § 30-343.1 of the Code of Virginia, coverage for (i) diagnosis and treatment of infertility, (ii) standard fertility preservation procedures, and (iii) embryo transfer of an embryo that was created as a result of another individual's treatment for infertility and donated to a covered individual. Diagnosis and treatment of infertility shall include the recommended procedures and medications at the direction of a licensed physician that are consistent with established, published, or approved medical practices or professional guidelines published by the American College of Obstetricians and Gynecologists or the American Society for Reproductive Medicine. Standard fertility preservation procedures shall include procedures to preserve fertility that are consistent with established medical practices and professional guidelines published by the American Society for Reproductive Medicine or the American Society of Clinical Oncology for a person who has a medical condition or is expected to undergo medication therapy, surgery, radiation, chemotherapy, or other medical treatment that is recognized by medical professionals to cause a risk of impairment to fertility. As used in this act, "embryo transfer" has the same meaning as provided in § 20-156 of the Code of Virginia.*

CHAPTER 690

An Act to amend and reenact § 32.1-325 of the Code of Virginia, relating to Department of Medical Assistance Services; state plan for medical assistance services; postpartum doula care; report.

[H 1614]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-325 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-325. Board to submit plan for medical assistance services to U.S. Secretary of Health and Human Services pursuant to federal law; administration of plan; contracts with health care providers.

A. The Board, subject to the approval of the Governor, is authorized to prepare, amend from time to time, and submit to the U.S. Secretary of Health and Human Services a state plan for medical assistance services pursuant to Title XIX of the United States Social Security Act and any amendments thereto. The Board shall include in such plan:

1. A provision for payment of medical assistance on behalf of individuals, up to the age of 21, placed in foster homes or private institutions by private, nonprofit agencies licensed as child-placing agencies by the Department of Social Services or placed through state and local subsidized adoptions to the extent permitted under federal statute;

2. A provision for determining eligibility for benefits for medically needy individuals which disregards from countable resources an amount not in excess of $3,500 for the individual and an amount not in excess of $3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by (i) the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources and (ii) the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses;

3. A requirement that, in determining eligibility, a home shall be disregarded. For those medically needy persons whose eligibility for medical assistance is required by federal law to be dependent on the budget methodology for Aid to Families with Dependent Children, a home means the house and lot used as the principal residence and all contiguous property. For all other persons, a home shall mean the house and lot used as the principal residence, as well as all contiguous property, as long as the value of the land, exclusive of the lot occupied by the house, does not exceed $5,000. In any case in which the definition of home as provided here is more restrictive than that provided in the state plan for medical assistance services in Virginia as it was in effect on January 1, 1972, then a home means the house and lot used as the principal residence and all contiguous property essential to the operation of the home regardless of value;

4. A provision for payment of medical assistance on behalf of individuals up to the age of 21, who are Medicaid eligible, for medically necessary stays in acute care facilities in excess of 21 days per admission;

5. A provision for deducting from an institutionalized recipient's income an amount for the maintenance of the individual's spouse at home;

6. A provision for payment of medical assistance on behalf of pregnant women which provides for payment for inpatient postpartum treatment in accordance with the medical criteria outlined in the most current version of or an official update to the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists or the "Standards for Obstetric-Gynecologic Services" prepared by the American College of Obstetricians and Gynecologists. Payment shall be made for any postpartum home visit or visits for the mothers and the children which are within the time periods recommended by the attending physicians in accordance with and as indicated by such Guidelines or Standards. For the purposes of this subdivision, such Guidelines or Standards shall include any changes thereto within six months of the publication of such Guidelines or Standards or any official amendment thereto;

7. A provision for the payment for family planning services on behalf of women who were Medicaid-eligible for prenatal care and delivery as provided in this section at the time of delivery. Such family planning services shall begin with delivery and continue for a period of 24 months, if the woman continues to meet the financial eligibility requirements for a pregnant woman under Medicaid. For the purposes of this section, family planning services shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions;

8. A provision for payment of medical assistance for high-dose chemotherapy and bone marrow transplants on behalf of individuals over the age of 21 who have been diagnosed with lymphoma, breast cancer, myeloma, or leukemia and have been determined by the treating health care provider to have a performance status sufficient to proceed with such high-dose chemotherapy and bone marrow transplant. Appeals of these cases shall be handled in accordance with the Department's expedited appeals process;

9. A provision identifying entities approved by the Board to receive applications and to determine eligibility for medical assistance, which shall include a requirement that such entities (i) obtain accurate contact information, including the best available address and telephone number, from each applicant for medical assistance, to the extent required by federal law and regulations, and (ii) provide each applicant for medical assistance with information about advance directives pursuant to Article 8 (§ 54.1-2981 et seq.) of Chapter 29 of Title 54.1, including information about the purpose and benefits of advance directives and how the applicant may make an advance directive;

10. A provision for breast reconstructive surgery following the medically necessary removal of a breast for any medical reason. Breast reductions shall be covered, if prior authorization has been obtained, for all medically necessary indications. Such procedures shall be considered noncosmetic;

11. A provision for payment of medical assistance for annual pap smears;

12. A provision for payment of medical assistance services for prostheses following the medically necessary complete or partial removal of a breast for any medical reason;

13. A provision for payment of medical assistance which provides for payment for 48 hours of inpatient treatment for a patient following a radical or modified radical mastectomy and 24 hours of inpatient care following a total mastectomy or a partial mastectomy with lymph node dissection for treatment of disease or trauma of the breast. Nothing in this subdivision shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate;

14. A requirement that certificates of medical necessity for durable medical equipment and any supporting verifiable documentation shall be signed, dated, and returned by the physician, physician assistant, or advanced practice registered nurse and in the durable medical equipment provider's possession within 60 days from the time the ordered durable medical equipment and supplies are first furnished by the durable medical equipment provider;

15. A provision for payment of medical assistance to (i) persons age 50 and over and (ii) persons age 40 and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for one PSA test in a 12-month period and digital rectal examinations, all in accordance with American Cancer Society guidelines. For the purpose of this subdivision, "PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen;

16. A provision for payment of medical assistance for low-dose screening mammograms for determining the presence of occult breast cancer. Such coverage shall make available one screening mammogram to persons age 35 through 39, one such mammogram biennially to persons age 40 through 49, and one such mammogram annually to persons age 50 and over. The term "mammogram" means an X-ray examination of the breast using equipment dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression device, screens, film and cassettes, with an average radiation exposure of less than one rad mid-breast, two views of each breast;

17. A provision, when in compliance with federal law and regulation and approved by the Centers for Medicare & Medicaid Services (CMS), for payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the state plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who

provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services;

18. A provision for payment of medical assistance services for liver, heart and lung transplantation procedures for individuals over the age of 21 years when (i) there is no effective alternative medical or surgical therapy available with outcomes that are at least comparable; (ii) the transplant procedure and application of the procedure in treatment of the specific condition have been clearly demonstrated to be medically effective and not experimental or investigational; (iii) prior authorization by the Department of Medical Assistance Services has been obtained; (iv) the patient selection criteria of the specific transplant center where the surgery is proposed to be performed have been used by the transplant team or program to determine the appropriateness of the patient for the procedure; (v) current medical therapy has failed and the patient has failed to respond to appropriate therapeutic management; (vi) the patient is not in an irreversible terminal state; and (vii) the transplant is likely to prolong the patient's life and restore a range of physical and social functioning in the activities of daily living;

19. A provision for payment of medical assistance for colorectal cancer screening, specifically screening with an annual fecal occult blood test, flexible sigmoidoscopy or colonoscopy, or in appropriate circumstances radiologic imaging, in accordance with the most recently published recommendations established by the American College of Gastroenterology, in consultation with the American Cancer Society, for the ages, family histories, and frequencies referenced in such recommendations;

20. A provision for payment of medical assistance for custom ocular prostheses;

21. A provision for payment for medical assistance for infant hearing screenings and all necessary audiological examinations provided pursuant to § 32.1-64.1 using any technology approved by the United States Food and Drug Administration, and as recommended by the national Joint Committee on Infant Hearing in its most current position statement addressing early hearing detection and intervention programs. Such provision shall include payment for medical assistance for follow-up audiological examinations as recommended by a physician, physician assistant, advanced practice registered nurse, or audiologist and performed by a licensed audiologist to confirm the existence or absence of hearing loss;

22. A provision for payment of medical assistance, pursuant to the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (P.L. 106-354), for certain women with breast or cervical cancer when such women (i) have been screened for breast or cervical cancer under the Centers for Disease Control and Prevention (CDC) Breast and Cervical Cancer Early Detection Program established under Title XV of the Public Health Service Act; (ii) need treatment for breast or cervical cancer, including treatment for a precancerous condition of the breast or cervix; (iii) are not otherwise covered under creditable coverage, as defined in § 2701 (c) of the Public Health Service Act; (iv) are not otherwise eligible for medical assistance services under any mandatory categorically needy eligibility group; and (v) have not attained age 65. This provision shall include an expedited eligibility determination for such women;

23. A provision for the coordinated administration, including outreach, enrollment, re-enrollment and services delivery, of medical assistance services provided to medically indigent children pursuant to this chapter, which shall be called Family Access to Medical Insurance Security (FAMIS) Plus and the FAMIS Plan program in § 32.1-351. A single application form shall be used to determine eligibility for both programs;

24. A provision, when authorized by and in compliance with federal law, to establish a public-private long-term care partnership program between the Commonwealth of Virginia and private insurance companies that shall be established through the filing of an amendment to the state plan for medical assistance services by the Department of Medical Assistance Services. The purpose of the program shall be to reduce Medicaid costs for long-term care by delaying or eliminating dependence on Medicaid for such services through encouraging the purchase of private long-term care insurance policies that have been designated as qualified state long-term care insurance partnerships and may be used as the first source of benefits for the participant's long-term care. Components of the program, including the treatment of assets for Medicaid eligibility and estate recovery, shall be structured in accordance with federal law and applicable federal guidelines;

25. A provision for the payment of medical assistance for otherwise eligible pregnant women during the first five years of lawful residence in the United States, pursuant to § 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111-3);

26. A provision for the payment of medical assistance for medically necessary health care services provided through telemedicine services, as defined in § 38.2-3418.16, regardless of the originating site or whether the patient is accompanied by a health care provider at the time such services are provided. No health care provider who provides health care services through telemedicine services shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.

For the purposes of this subdivision, a health care provider duly licensed by the Commonwealth who provides health care services exclusively through telemedicine services shall not be required to maintain a physical presence in the Commonwealth to be considered an eligible provider for enrollment as a Medicaid provider.

For the purposes of this subdivision, a telemedicine services provider group with health care providers duly licensed by the Commonwealth shall not be required to have an in-state service address to be eligible to enroll as a Medicaid vendor or Medicaid provider group.

For the purposes of this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any

public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

27. A provision for the payment of medical assistance for the dispensing or furnishing of up to a 12-month supply of hormonal contraceptives at one time. Absent clinical contraindications, the Department shall not impose any utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished to an amount less than a 12-month supply. Nothing in this subdivision shall be construed to (i) require a provider to prescribe, dispense, or furnish a 12-month supply of self-administered hormonal contraceptives at one time or (ii) exclude coverage for hormonal contraceptives as prescribed by a prescriber, acting within his scope of practice, for reasons other than contraceptive purposes. As used in this subdivision, "hormonal contraceptive" means a medication taken to prevent pregnancy by means of ingestion of hormones, including medications containing estrogen or progesterone, that is self-administered, requires a prescription, and is approved by the U.S. Food and Drug Administration for such purpose;

28. A provision for payment of medical assistance for remote patient monitoring services provided via telemedicine, as defined in § 38.2-3418.16, for (i) high-risk pregnant persons; (ii) medically complex infants and children; (iii) transplant patients; (iv) patients who have undergone surgery, for up to three months following the date of such surgery; and (v) patients with a chronic or acute health condition who have had two or more hospitalizations or emergency department visits related to such health condition in the previous 12 months when there is evidence that the use of remote patient monitoring is likely to prevent readmission of such patient to a hospital or emergency department. For the purposes of this subdivision, "remote patient monitoring services" means the use of digital technologies to collect medical and other forms of health data from patients in one location and electronically transmit that information securely to health care providers in a different location for analysis, interpretation, and recommendations, and management of the patient. "Remote patient monitoring services" includes monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other patient physiological data, treatment adherence monitoring, and interactive videoconferencing with or without digital image upload;

29. A provision for the payment of medical assistance for provider-to-provider consultations that is no more restrictive than, and is at least equal in amount, duration, and scope to, that available through the fee-for-service program;

30. A provision for payment of the originating site fee to emergency medical services agencies for facilitating synchronous telehealth visits with a distant site provider delivered to a Medicaid member. As used in this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

31. A provision for the payment of medical assistance for targeted case management services for individuals with severe traumatic brain injury;

32. A provision for payment of medical assistance for the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories, as defined by the Department's durable medical equipment program policy, for patients who reside in nursing facilities. Initial purchase or replacement may be contingent upon (i) determination of medical necessity; (ii) requirements in accordance with regulations established through the Department's durable medical equipment program policy; and (iii) exclusive use by the nursing facility resident. Recipients of medical assistance shall not be required to pay any deductible, coinsurance, copayment, or patient costs related to the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories; ~~and~~

33. A provision for payment of medical assistance for remote ultrasound procedures and remote fetal non-stress tests. Such provision shall utilize established CPT codes for these procedures and shall apply when the patient is in a residence or other off-site location from the patient's provider that provides the same standard of care. The provision shall provide for reimbursement only when a provider uses digital technology (i) to collect medical and other forms of health data from a patient and electronically transmit that information securely to a health care provider in a different location for interpretation and recommendation; (ii) that is compliant with the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.); and (iii) that is approved by the U.S. Food and Drug Administration. For fetal non-stress tests under CPT Code 59025, the provision shall provide for reimbursement only if such test (a) is conducted with a place of service modifier for at-home monitoring and (b) uses remote monitoring solutions that are approved by the U.S. Food and Drug Administration for on-label use to monitor fetal heart rate, maternal heart rate, and uterine activity*; and*

34. A provision for payment of medical assistance for postpartum doula care. Postpartum doula care covered under such provision shall include (i) emotional and physical support for the birthing individual and family during the postpartum period; (ii) assistance with infant care, breastfeeding, and safe sleeping practices; (iii) education on postpartum mental health and referrals to mental health resources as needed; (iv) guidance on physical recovery, nutrition, and self-care for the birthing individual; (v) connection to community resources and social support systems; and (vi) culturally appropriate and individualized care tailored to the birthing individual's needs. Such provision shall ensure that eligible individuals receive payment of medical assistance services for up to 10 doula visits, with up to four doula visits during pregnancy and up to six doula visits during the 12 months after the individual gives birth, with additional visits permitted if such visits are deemed medically necessary.

B. In preparing the plan, the Board shall:

1. Work cooperatively with the State Board of Health to ensure that quality patient care is provided and that the health, safety, security, rights and welfare of patients are ensured.

2. Initiate such cost containment or other measures as are set forth in the appropriation act.

3. Make, adopt, promulgate and enforce such regulations as may be necessary to carry out the provisions of this chapter.

4. Examine, before acting on a regulation to be published in the Virginia Register of Regulations pursuant to § 2.2-4007.05, the potential fiscal impact of such regulation on local boards of social services. For regulations with potential fiscal impact, the Board shall share copies of the fiscal impact analysis with local boards of social services prior to submission to the Registrar. The fiscal impact analysis shall include the projected costs/savings to the local boards of social services to implement or comply with such regulation and, where applicable, sources of potential funds to implement or comply with such regulation.

5. Incorporate sanctions and remedies for certified nursing facilities established by state law, in accordance with 42 C.F.R. § 488.400 et seq., Enforcement of Compliance for Long-Term Care Facilities With Deficiencies.

6. On and after July 1, 2002, require that a prescription benefit card, health insurance benefit card, or other technology that complies with the requirements set forth in § 38.2-3407.4:2 be issued to each recipient of medical assistance services, and shall upon any changes in the required data elements set forth in subsection A of § 38.2-3407.4:2, either reissue the card or provide recipients such corrective information as may be required to electronically process a prescription claim.

C. In order to enable the Commonwealth to continue to receive federal grants or reimbursement for medical assistance or related services, the Board, subject to the approval of the Governor, may adopt, regardless of any other provision of this chapter, such amendments to the state plan for medical assistance services as may be necessary to conform such plan with amendments to the United States Social Security Act or other relevant federal law and their implementing regulations or constructions of these laws and regulations by courts of competent jurisdiction or the United States Secretary of Health and Human Services.

In the event conforming amendments to the state plan for medical assistance services are adopted, the Board shall not be required to comply with the requirements of Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2. However, the Board shall, pursuant to the requirements of § 2.2-4002, (i) notify the Registrar of Regulations that such amendment is necessary to meet the requirements of federal law or regulations or because of the order of any state or federal court, or (ii) certify to the Governor that the regulations are necessitated by an emergency situation. Any such amendments that are in conflict with the Code of Virginia shall only remain in effect until July 1 following adjournment of the next regular session of the General Assembly unless enacted into law.

D. The Director of Medical Assistance Services is authorized to:

1. Administer such state plan and receive and expend federal funds therefor in accordance with applicable federal and state laws and regulations; and enter into all contracts necessary or incidental to the performance of the Department's duties and the execution of its powers as provided by law.

2. Enter into agreements and contracts with medical care facilities, physicians, dentists and other health care providers where necessary to carry out the provisions of such state plan. Any such agreement or contract shall terminate upon conviction of the provider of a felony. In the event such conviction is reversed upon appeal, the provider may apply to the Director of Medical Assistance Services for a new agreement or contract. Such provider may also apply to the Director for reconsideration of the agreement or contract termination if the conviction is not appealed, or if it is not reversed upon appeal.

3. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with any provider who has been convicted of or otherwise pled guilty to a felony, or pursuant to Subparts A, B, and C of 42 C.F.R. Part 1002, and upon notice of such action to the provider as required by 42 C.F.R. § 1002.212.

4. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with a provider who is or has been a principal in a professional or other corporation when such corporation has been convicted of or otherwise pled guilty to any violation of § 32.1-314, 32.1-315, 32.1-316, or 32.1-317, or any other felony or has been excluded from participation in any federal program pursuant to 42 C.F.R. Part 1002.

5. Terminate or suspend a provider agreement with a home care organization pursuant to subsection E of § 32.1-162.13.

For the purposes of this subsection, "provider" may refer to an individual or an entity.

E. In any case in which a Medicaid agreement or contract is terminated or denied to a provider pursuant to subsection D, the provider shall be entitled to appeal the decision pursuant to 42 C.F.R. § 1002.213 and to a post-determination or post-denial hearing in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). All such requests shall be in writing and be received within 15 days of the date of receipt of the notice.

The Director may consider aggravating and mitigating factors including the nature and extent of any adverse impact the agreement or contract denial or termination may have on the medical care provided to Virginia Medicaid recipients. In cases in which an agreement or contract is terminated pursuant to subsection D, the Director may determine the period of exclusion and may consider aggravating and mitigating factors to lengthen or shorten the period of exclusion, and may reinstate the provider pursuant to 42 C.F.R. § 1002.215.

F. When the services provided for by such plan are services which a marriage and family therapist, clinical psychologist, clinical social worker, professional counselor, or clinical nurse specialist is licensed to render in Virginia, the

Director shall contract with any duly licensed marriage and family therapist, duly licensed clinical psychologist, licensed clinical social worker, licensed professional counselor or licensed clinical nurse specialist who makes application to be a provider of such services, and thereafter shall pay for covered services as provided in the state plan. The Board shall promulgate regulations which reimburse licensed marriage and family therapists, licensed clinical psychologists, licensed clinical social workers, licensed professional counselors and licensed clinical nurse specialists at rates based upon reasonable criteria, including the professional credentials required for licensure.

G. The Board shall prepare and submit to the Secretary of the United States Department of Health and Human Services such amendments to the state plan for medical assistance services as may be permitted by federal law to establish a program of family assistance whereby children over the age of 18 years shall make reasonable contributions, as determined by regulations of the Board, toward the cost of providing medical assistance under the plan to their parents.

H. The Department of Medical Assistance Services shall:

1. Include in its provider networks and all of its health maintenance organization contracts a provision for the payment of medical assistance on behalf of individuals up to the age of 21 who have special needs and who are Medicaid eligible, including individuals who have been victims of child abuse and neglect, for medically necessary assessment and treatment services, when such services are delivered by a provider which specializes solely in the diagnosis and treatment of child abuse and neglect, or a provider with comparable expertise, as determined by the Director.

2. Amend the Medallion II waiver and its implementing regulations to develop and implement an exception, with procedural requirements, to mandatory enrollment for certain children between birth and age three certified by the Department of Behavioral Health and Developmental Services as eligible for services pursuant to Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.).

3. Utilize, to the extent practicable, electronic funds transfer technology for reimbursement to contractors and enrolled providers for the provision of health care services under Medicaid and the Family Access to Medical Insurance Security Plan established under § 32.1-351.

4. Require any managed care organization with which the Department enters into an agreement for the provision of medical assistance services to include in any contract between the managed care organization and a pharmacy benefits manager provisions prohibiting the pharmacy benefits manager or a representative of the pharmacy benefits manager from conducting spread pricing with regards to the managed care organization's managed care plans. For the purposes of this subdivision:

"Pharmacy benefits management" means the administration or management of prescription drug benefits provided by a managed care organization for the benefit of covered individuals.

"Pharmacy benefits manager" means a person that performs pharmacy benefits management.

"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a managed care plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.

I. The Director is authorized to negotiate and enter into agreements for services rendered to eligible recipients with special needs. The Board shall promulgate regulations regarding these special needs patients, to include persons with AIDS, ventilator-dependent patients, and other recipients with special needs as defined by the Board.

J. Except as provided in subdivision A 1 of § 2.2-4345, the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not apply to the activities of the Director authorized by subsection I of this section. Agreements made pursuant to this subsection shall comply with federal law and regulation.

K. When the services provided for by such plan are services by a pharmacist, pharmacy technician, or pharmacy intern (i) performed under the terms of a collaborative agreement as defined in § 54.1-3300 and consistent with the terms of a managed care contractor provider contract or the state plan or (ii) related to services and treatment in accordance with § 54.1-3303.1, the Department shall provide reimbursement for such service.

2. That the Department of Medical Assistance Services shall report annually to the Governor and the General Assembly on the implementation and outcomes of this act. The report shall include (i) the number of postpartum individuals who utilized doula care services; (ii) analysis of the impact of doula care services on maternal and infant health outcomes; (iii) feedback from birthing individuals, families, and doula service providers; and (iv) recommendations for improvement or expansion. The first report prepared pursuant to this act shall be submitted by December 31, 2026.

CHAPTER 691

An Act to direct the Department of Social Services to convene a work group to evaluate methods to improve access to and maximize participation in federal public assistance programs relating to assistance with food access and improving food security; report.

[H 1723]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Social Services shall convene a work group with such members as it deems necessary or appropriate to evaluate methods to improve access to and maximize participation in all federal public assistance programs administered by the U.S. Department of Agriculture relating to assistance with food access and improving food security. The work group shall collaborate with relevant stakeholders, including the Commission to End Hunger, to evaluate the following: (i) removing administrative barriers to applying for participation in federal public assistance programs administered by the U.S. Department of Agriculture relating to assistance with food access and improving food security; (ii) improving outreach to increase awareness of such programs among individuals who would otherwise be eligible to participate in such programs but may not be aware of such programs; and (iii) collecting relevant data. In conducting its work, the work group shall consider the specific needs and circumstances of different populations and demographics in the Commonwealth and how those needs and circumstances could increase barriers to program access and impact the efficacy of outreach campaigns and methods. The Department of Social Services shall report the work group's findings and recommendations to the Chairs of the House Committees on Health and Human Services and Appropriations and the Senate Committees on Education and Health and Finance and Appropriations by December 1, 2025.*

CHAPTER 692

An Act to amend and reenact § 59.1-200, as it is currently effective and as it shall become effective, of the Code of Virginia and to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 58, consisting of sections numbered 59.1-607, 59.1-608, and 59.1-609, relating to Medical Debt Protection Act established; prohibited practices; penalties.

[H 1725]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 59.1-200, as it is currently effective and as it shall become effective, of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 58, consisting of sections numbered 59.1-607, 59.1-608, and 59.1-609, as follows:

§ 59.1-200. (Effective until July 1, 2025) Prohibited practices.

A. The following fraudulent acts or practices committed by a supplier in connection with a consumer transaction are hereby declared unlawful:

1. Misrepresenting goods or services as those of another;

2. Misrepresenting the source, sponsorship, approval, or certification of goods or services;

3. Misrepresenting the affiliation, connection, or association of the supplier, or of the goods or services, with another;

4. Misrepresenting geographic origin in connection with goods or services;

5. Misrepresenting that goods or services have certain quantities, characteristics, ingredients, uses, or benefits;

6. Misrepresenting that goods or services are of a particular standard, quality, grade, style, or model;

7. Advertising or offering for sale goods that are used, secondhand, repossessed, defective, blemished, deteriorated, or reconditioned, or that are "seconds," irregulars, imperfects, or "not first class," without clearly and unequivocally indicating in the advertisement or offer for sale that the goods are used, secondhand, repossessed, defective, blemished, deteriorated, reconditioned, or are "seconds," irregulars, imperfects, or "not first class";

8. Advertising goods or services with intent not to sell them as advertised, or with intent not to sell at the price or upon the terms advertised.

In any action brought under this subdivision, the refusal by any person, or any employee, agent, or servant thereof, to sell any goods or services advertised or offered for sale at the price or upon the terms advertised or offered, shall be prima facie evidence of a violation of this subdivision. This paragraph shall not apply when it is clearly and conspicuously stated in the advertisement or offer by which such goods or services are advertised or offered for sale, that the supplier or offeror has a limited quantity or amount of such goods or services for sale, and the supplier or offeror at the time of such advertisement or offer did in fact have or reasonably expected to have at least such quantity or amount for sale;

9. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions;

10. Misrepresenting that repairs, alterations, modifications, or services have been performed or parts installed;

11. Misrepresenting by the use of any written or documentary material that appears to be an invoice or bill for merchandise or services previously ordered;

12. Notwithstanding any other provision of law, using in any manner the words "wholesale," "wholesaler," "factory," or "manufacturer" in the supplier's name, or to describe the nature of the supplier's business, unless the supplier is actually engaged primarily in selling at wholesale or in manufacturing the goods or services advertised or offered for sale;

13. Using in any contract or lease any liquidated damage clause, penalty clause, or waiver of defense, or attempting to collect any liquidated damages or penalties under any clause, waiver, damages, or penalties that are void or unenforceable under any otherwise applicable laws of the Commonwealth, or under federal statutes or regulations;

13a. Failing to provide to a consumer, or failing to use or include in any written document or material provided to or executed by a consumer, in connection with a consumer transaction any statement, disclosure, notice, or other information

however characterized when the supplier is required by 16 C.F.R. Part 433 to so provide, use, or include the statement, disclosure, notice, or other information in connection with the consumer transaction;

14. Using any other deception, fraud, false pretense, false promise, or misrepresentation in connection with a consumer transaction;

15. Violating any provision of § 3.2-6509, 3.2-6512, 3.2-6513, 3.2-6513.1, 3.2-6514, 3.2-6515, 3.2-6516, or 3.2-6519 is a violation of this chapter;

16. Failing to disclose all conditions, charges, or fees relating to:

a. The return of goods for refund, exchange, or credit. Such disclosure shall be by means of a sign attached to the goods, or placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the person obtaining the goods from the supplier. If the supplier does not permit a refund, exchange, or credit for return, he shall so state on a similar sign. The provisions of this subdivision shall not apply to any retail merchant who has a policy of providing, for a period of not less than 20 days after date of purchase, a cash refund or credit to the purchaser's credit card account for the return of defective, unused, or undamaged merchandise upon presentation of proof of purchase. In the case of merchandise paid for by check, the purchase shall be treated as a cash purchase and any refund may be delayed for a period of 10 banking days to allow for the check to clear. This subdivision does not apply to sale merchandise that is obviously distressed, out of date, post season, or otherwise reduced for clearance; nor does this subdivision apply to special order purchases where the purchaser has requested the supplier to order merchandise of a specific or unusual size, color, or brand not ordinarily carried in the store or the store's catalog; nor shall this subdivision apply in connection with a transaction for the sale or lease of motor vehicles, farm tractors, or motorcycles as defined in § 46.2-100;

b. A layaway agreement. Such disclosure shall be furnished to the consumer (i) in writing at the time of the layaway agreement, or (ii) by means of a sign placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the consumer, or (iii) on the bill of sale. Disclosure shall include the conditions, charges, or fees in the event that a consumer breaches the agreement;

16a. Failing to provide written notice to a consumer of an existing open-end credit balance in excess of $5 (i) on an account maintained by the supplier and (ii) resulting from such consumer's overpayment on such account. Suppliers shall give consumers written notice of such credit balances within 60 days of receiving overpayments. If the credit balance information is incorporated into statements of account furnished consumers by suppliers within such 60-day period, no separate or additional notice is required;

17. If a supplier enters into a written agreement with a consumer to resolve a dispute that arises in connection with a consumer transaction, failing to adhere to the terms and conditions of such an agreement;

18. Violating any provision of the Virginia Health Club Act, Chapter 24 (§ 59.1-294 et seq.);

19. Violating any provision of the Virginia Home Solicitation Sales Act, Chapter 2.1 (§ 59.1-21.1 et seq.);

20. Violating any provision of the Automobile Repair Facilities Act, Chapter 17.1 (§ 59.1-207.1 et seq.);

21. Violating any provision of the Virginia Lease-Purchase Agreement Act, Chapter 17.4 (§ 59.1-207.17 et seq.);

22. Violating any provision of the Prizes and Gifts Act, Chapter 31 (§ 59.1-415 et seq.);

23. Violating any provision of the Virginia Public Telephone Information Act, Chapter 32 (§ 59.1-424 et seq.);

24. Violating any provision of § 54.1-1505;

25. Violating any provision of the Motor Vehicle Manufacturers' Warranty Adjustment Act, Chapter 17.6 (§ 59.1-207.34 et seq.);

26. Violating any provision of § 3.2-5627, relating to the pricing of merchandise;

27. Violating any provision of the Pay-Per-Call Services Act, Chapter 33 (§ 59.1-429 et seq.);

28. Violating any provision of the Extended Service Contract Act, Chapter 34 (§ 59.1-435 et seq.);

29. Violating any provision of the Virginia Membership Camping Act, Chapter 25 (§ 59.1-311 et seq.);

30. Violating any provision of the Comparison Price Advertising Act, Chapter 17.7 (§ 59.1-207.40 et seq.);

31. Violating any provision of the Virginia Travel Club Act, Chapter 36 (§ 59.1-445 et seq.);

32. Violating any provision of §§ 46.2-1231 and 46.2-1233.1;

33. Violating any provision of Chapter 40 (§ 54.1-4000 et seq.) of Title 54.1;

34. Violating any provision of Chapter 10.1 (§ 58.1-1031 et seq.) of Title 58.1;

35. Using the consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use an alternate number not associated with the consumer's social security number;

36. Violating any provision of Chapter 18 (§ 6.2-1800 et seq.) of Title 6.2;

37. Violating any provision of § 8.01-40.2;

38. Violating any provision of Article 7 (§ 32.1-212 et seq.) of Chapter 6 of Title 32.1;

39. Violating any provision of Chapter 34.1 (§ 59.1-441.1 et seq.);

40. Violating any provision of Chapter 20 (§ 6.2-2000 et seq.) of Title 6.2;

41. Violating any provision of the Virginia Post-Disaster Anti-Price Gouging Act, Chapter 46 (§ 59.1-525 et seq.). For the purposes of this subdivision, "consumer transaction" has the same meaning as provided in § 59.1-526;

42. Violating any provision of Chapter 47 (§ 59.1-530 et seq.);

43. Violating any provision of § 59.1-443.2;

44. Violating any provision of Chapter 48 (§ 59.1-533 et seq.);

45. Violating any provision of Chapter 25 (§ 6.2-2500 et seq.) of Title 6.2;

46. Violating the provisions of clause (i) of subsection B of § 54.1-1115;

47. Violating any provision of § 18.2-239;

48. Violating any provision of Chapter 26 (§ 59.1-336 et seq.);

49. Selling, offering for sale, or manufacturing for sale a children's product the supplier knows or has reason to know was recalled by the U.S. Consumer Product Safety Commission. There is a rebuttable presumption that a supplier has reason to know a children's product was recalled if notice of the recall has been posted continuously at least 30 days before the sale, offer for sale, or manufacturing for sale on the website of the U.S. Consumer Product Safety Commission. This prohibition does not apply to children's products that are used, secondhand or "seconds";

50. Violating any provision of Chapter 44.1 (§ 59.1-518.1 et seq.);

51. Violating any provision of Chapter 22 (§ 6.2-2200 et seq.) of Title 6.2;

52. Violating any provision of § 8.2-317.1;

53. Violating subsection A of § 9.1-149.1;

54. Selling, offering for sale, or using in the construction, remodeling, or repair of any residential dwelling in the Commonwealth, any drywall that the supplier knows or has reason to know is defective drywall. This subdivision shall not apply to the sale or offering for sale of any building or structure in which defective drywall has been permanently installed or affixed;

55. Engaging in fraudulent or improper or dishonest conduct as defined in § 54.1-1118 while engaged in a transaction that was initiated (i) during a declared state of emergency as defined in § 44-146.16 or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is licensed as a contractor in the Commonwealth pursuant to Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1;

56. Violating any provision of Chapter 33.1 (§ 59.1-434.1 et seq.);

57. Violating any provision of § 18.2-178, 18.2-178.1, or 18.2-200.1;

58. Violating any provision of Chapter 17.8 (§ 59.1-207.45 et seq.). For the purposes of this subdivision, "consumer transaction" also includes transactions involving an automatic renewal or continuous service offer by a supplier to a small business, as those terms are defined in § 59.1-207.45;

59. Violating any provision of subsection E of § 32.1-126;

60. Violating any provision of § 54.1-111 relating to the unlicensed practice of a profession licensed under Chapter 11 (§ 54.1-1100 et seq.) or Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1;

61. Violating any provision of § 2.2-2001.5;

62. Violating any provision of Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1;

63. Violating any provision of § 6.2-312;

64. Violating any provision of Chapter 20.1 (§ 6.2-2026 et seq.) of Title 6.2;

65. Violating any provision of Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2;

66. Violating any provision of Chapter 54 (§ 59.1-586 et seq.);

67. Knowingly violating any provision of § 8.01-27.5;

68. Failing to, in accordance with § 59.1-207.46, (i) make available a conspicuous online option to cancel a recurring purchase of a good or service or (ii) with respect to a free trial lasting more than 30 days, notify a consumer of his option to cancel such free trial within 30 days of the end of the trial period to avoid an obligation to pay for the goods or services;

69. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains a synthetic derivative of tetrahydrocannabinol. As used in this subdivision, "synthetic derivative" means a chemical compound produced by man through a chemical transformation to turn a compound into a different compound by adding or subtracting molecules to or from the original compound. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

70. Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

71. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol, unless such substance is (i) contained in child-resistant packaging, as defined in § 4.1-600; (ii) equipped with a label that states, in English and in a font no less than 1/16 of an inch, (a) that the substance contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (b) all ingredients contained in the substance, (c) the amount of such substance that constitutes a single serving, and (d) the total percentage and milligrams of tetrahydrocannabinol included in the substance and the number of milligrams of tetrahydrocannabinol that are contained in each serving; and (iii) accompanied by a certificate of analysis, produced by an independent laboratory that is accredited pursuant to standard ISO/IEC 17025 of the International Organization of Standardization by a third-party accrediting body, that states the tetrahydrocannabinol concentration of the substance or the tetrahydrocannabinol concentration of the batch from which the substance originates. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

72. Manufacturing, offering for sale at retail, or selling at retail an industrial hemp extract, as defined in § 3.2-5145.1, a food containing an industrial hemp extract, or a substance containing tetrahydrocannabinol that depicts or is in the shape of a human, animal, vehicle, or fruit;

73. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol and, without authorization, bears, is packaged in a container or wrapper that bears, or is otherwise labeled to bear the trademark, trade name, famous mark as defined in 15 U.S.C. § 1125, or other identifying mark, imprint, or device, or any likeness thereof, of a manufacturer, processor, packer, or distributor of a product intended for human consumption other than the manufacturer, processor, packer, or distributor that did in fact so manufacture, process, pack, or distribute such substance;

74. Selling or offering for sale a topical hemp product, as defined in § 3.2-4112, that does not include a label stating that the product is not intended for human consumption. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.), (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1, or (iii) apply to topical hemp products that were manufactured prior to July 1, 2023, provided that the person provides documentation of the date of manufacture if requested;

75. Violating any provision of § 59.1-466.8;

76. Violating subsection F of § 36-96.3:1;

77. Selling or offering for sale (i) any kratom product to a person younger than 21 years of age or (ii) any kratom product that does not include a label listing all ingredients and with the following guidance: "This product may be harmful to your health, has not been evaluated by the FDA, and is not intended to diagnose, treat, cure, or prevent any disease." As used in this subdivision, "kratom" means any part of the leaf of the plant Mitragyna speciosa or any extract thereof;

78. Advertising of any ignition interlock system in Virginia by an ignition interlock vendor not approved by the Commission on the Virginia Alcohol Safety Action Program to operate in Virginia; targeted advertising of any ignition interlock system to a person before determination of guilt; and any advertising, whether before or after determination of guilt, without a conspicuous statement that such advertisement is not affiliated with any government agency. For purposes of this subdivision, "ignition interlock system" has the same meaning as ascribed to that term in § 18.2-270.1 and "targeted advertising" has the same meaning ascribed to that term in § 59.1-575 and includes direct mailings to an individual. This provision shall not apply to ignition interlock service vendor ads, pamphlets, or kiosk advertisements approved by the Commission on the Virginia Alcohol Safety Action Program and provided at a Commission-approved location;

79. Failing to disclose the total cost of a good or continuous service, as defined in § 59.1-207.45, to a consumer, including any mandatory fees or charges, prior to entering into an agreement for the sale of any such good or provision of any such continuous service;

80. Violating any provision of the Unfair Real Estate Service Agreement Act (§ 55.1-3200 et seq.);

81. Selling or offering for sale services as a professional mold remediator to be performed upon any residential dwelling without holding a mold remediation certification from the Institute of Inspection, Cleaning and Restoration Certification (IICRC); ~~and~~

82. Willfully violating any provision of § 59.1-444.4*; and*

83. Violating any provision of the Medical Debt Protection Act (§ 59.1-607 et seq.).

B. Nothing in this section shall be construed to invalidate or make unenforceable any contract or lease solely by reason of the failure of such contract or lease to comply with any other law of the Commonwealth or any federal statute or regulation, to the extent such other law, statute, or regulation provides that a violation of such law, statute, or regulation shall not invalidate or make unenforceable such contract or lease.

§ 59.1-200. (Effective July 1, 2025) Prohibited practices.

A. The following fraudulent acts or practices committed by a supplier in connection with a consumer transaction are hereby declared unlawful:

1. Misrepresenting goods or services as those of another;

2. Misrepresenting the source, sponsorship, approval, or certification of goods or services;

3. Misrepresenting the affiliation, connection, or association of the supplier, or of the goods or services, with another;

4. Misrepresenting geographic origin in connection with goods or services;

5. Misrepresenting that goods or services have certain quantities, characteristics, ingredients, uses, or benefits;

6. Misrepresenting that goods or services are of a particular standard, quality, grade, style, or model;

7. Advertising or offering for sale goods that are used, secondhand, repossessed, defective, blemished, deteriorated, or reconditioned, or that are "seconds," irregulars, imperfects, or "not first class," without clearly and unequivocally indicating in the advertisement or offer for sale that the goods are used, secondhand, repossessed, defective, blemished, deteriorated, reconditioned, or are "seconds," irregulars, imperfects, or "not first class";

8. Advertising goods or services with intent not to sell them as advertised, or with intent not to sell at the price or upon the terms advertised.

In any action brought under this subdivision, the refusal by any person, or any employee, agent, or servant thereof, to sell any goods or services advertised or offered for sale at the price or upon the terms advertised or offered, shall be prima facie evidence of a violation of this subdivision. This paragraph shall not apply when it is clearly and conspicuously stated in the advertisement or offer by which such goods or services are advertised or offered for sale, that the supplier or offeror

has a limited quantity or amount of such goods or services for sale, and the supplier or offeror at the time of such advertisement or offer did in fact have or reasonably expected to have at least such quantity or amount for sale;

9. Making false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions;

10. Misrepresenting that repairs, alterations, modifications, or services have been performed or parts installed;

11. Misrepresenting by the use of any written or documentary material that appears to be an invoice or bill for merchandise or services previously ordered;

12. Notwithstanding any other provision of law, using in any manner the words "wholesale," "wholesaler," "factory," or "manufacturer" in the supplier's name, or to describe the nature of the supplier's business, unless the supplier is actually engaged primarily in selling at wholesale or in manufacturing the goods or services advertised or offered for sale;

13. Using in any contract or lease any liquidated damage clause, penalty clause, or waiver of defense, or attempting to collect any liquidated damages or penalties under any clause, waiver, damages, or penalties that are void or unenforceable under any otherwise applicable laws of the Commonwealth, or under federal statutes or regulations;

13a. Failing to provide to a consumer, or failing to use or include in any written document or material provided to or executed by a consumer, in connection with a consumer transaction any statement, disclosure, notice, or other information however characterized when the supplier is required by 16 C.F.R. Part 433 to so provide, use, or include the statement, disclosure, notice, or other information in connection with the consumer transaction;

14. Using any other deception, fraud, false pretense, false promise, or misrepresentation in connection with a consumer transaction;

15. Violating any provision of § 3.2-6509, 3.2-6512, 3.2-6513, 3.2-6513.1, 3.2-6514, 3.2-6515, 3.2-6516, or 3.2-6519 is a violation of this chapter;

16. Failing to disclose all conditions, charges, or fees relating to:

a. The return of goods for refund, exchange, or credit. Such disclosure shall be by means of a sign attached to the goods, or placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the person obtaining the goods from the supplier. If the supplier does not permit a refund, exchange, or credit for return, he shall so state on a similar sign. The provisions of this subdivision shall not apply to any retail merchant who has a policy of providing, for a period of not less than 20 days after date of purchase, a cash refund or credit to the purchaser's credit card account for the return of defective, unused, or undamaged merchandise upon presentation of proof of purchase. In the case of merchandise paid for by check, the purchase shall be treated as a cash purchase and any refund may be delayed for a period of 10 banking days to allow for the check to clear. This subdivision does not apply to sale merchandise that is obviously distressed, out of date, post season, or otherwise reduced for clearance; nor does this subdivision apply to special order purchases where the purchaser has requested the supplier to order merchandise of a specific or unusual size, color, or brand not ordinarily carried in the store or the store's catalog; nor shall this subdivision apply in connection with a transaction for the sale or lease of motor vehicles, farm tractors, or motorcycles as defined in § 46.2-100;

b. A layaway agreement. Such disclosure shall be furnished to the consumer (i) in writing at the time of the layaway agreement, or (ii) by means of a sign placed in a conspicuous public area of the premises of the supplier, so as to be readily noticeable and readable by the consumer, or (iii) on the bill of sale. Disclosure shall include the conditions, charges, or fees in the event that a consumer breaches the agreement;

16a. Failing to provide written notice to a consumer of an existing open-end credit balance in excess of $5 (i) on an account maintained by the supplier and (ii) resulting from such consumer's overpayment on such account. Suppliers shall give consumers written notice of such credit balances within 60 days of receiving overpayments. If the credit balance information is incorporated into statements of account furnished consumers by suppliers within such 60-day period, no separate or additional notice is required;

17. If a supplier enters into a written agreement with a consumer to resolve a dispute that arises in connection with a consumer transaction, failing to adhere to the terms and conditions of such an agreement;

18. Violating any provision of the Virginia Health Club Act, Chapter 24 (§ 59.1-294 et seq.);

19. Violating any provision of the Virginia Home Solicitation Sales Act, Chapter 2.1 (§ 59.1-21.1 et seq.);

20. Violating any provision of the Automobile Repair Facilities Act, Chapter 17.1 (§ 59.1-207.1 et seq.);

21. Violating any provision of the Virginia Lease-Purchase Agreement Act, Chapter 17.4 (§ 59.1-207.17 et seq.);

22. Violating any provision of the Prizes and Gifts Act, Chapter 31 (§ 59.1-415 et seq.);

23. Violating any provision of the Virginia Public Telephone Information Act, Chapter 32 (§ 59.1-424 et seq.);

24. Violating any provision of § 54.1-1505;

25. Violating any provision of the Motor Vehicle Manufacturers' Warranty Adjustment Act, Chapter 17.6 (§ 59.1-207.34 et seq.);

26. Violating any provision of § 3.2-5627, relating to the pricing of merchandise;

27. Violating any provision of the Pay-Per-Call Services Act, Chapter 33 (§ 59.1-429 et seq.);

28. Violating any provision of the Extended Service Contract Act, Chapter 34 (§ 59.1-435 et seq.);

29. Violating any provision of the Virginia Membership Camping Act, Chapter 25 (§ 59.1-311 et seq.);

30. Violating any provision of the Comparison Price Advertising Act, Chapter 17.7 (§ 59.1-207.40 et seq.);

31. Violating any provision of the Virginia Travel Club Act, Chapter 36 (§ 59.1-445 et seq.);

32. Violating any provision of §§ 46.2-1231 and 46.2-1233.1;

33. Violating any provision of Chapter 40 (§ 54.1-4000 et seq.) of Title 54.1;

34. Violating any provision of Chapter 10.1 (§ 58.1-1031 et seq.) of Title 58.1;

35. Using the consumer's social security number as the consumer's account number with the supplier, if the consumer has requested in writing that the supplier use an alternate number not associated with the consumer's social security number;

36. Violating any provision of Chapter 18 (§ 6.2-1800 et seq.) of Title 6.2;

37. Violating any provision of § 8.01-40.2;

38. Violating any provision of Article 7 (§ 32.1-212 et seq.) of Chapter 6 of Title 32.1;

39. Violating any provision of Chapter 34.1 (§ 59.1-441.1 et seq.);

40. Violating any provision of Chapter 20 (§ 6.2-2000 et seq.) of Title 6.2;

41. Violating any provision of the Virginia Post-Disaster Anti-Price Gouging Act, Chapter 46 (§ 59.1-525 et seq.). For the purposes of this subdivision, "consumer transaction" has the same meaning as provided in § 59.1-526;

42. Violating any provision of Chapter 47 (§ 59.1-530 et seq.);

43. Violating any provision of § 59.1-443.2;

44. Violating any provision of Chapter 48 (§ 59.1-533 et seq.);

45. Violating any provision of Chapter 25 (§ 6.2-2500 et seq.) of Title 6.2;

46. Violating the provisions of clause (i) of subsection B of § 54.1-1115;

47. Violating any provision of § 18.2-239;

48. Violating any provision of Chapter 26 (§ 59.1-336 et seq.);

49. Selling, offering for sale, or manufacturing for sale a children's product the supplier knows or has reason to know was recalled by the U.S. Consumer Product Safety Commission. There is a rebuttable presumption that a supplier has reason to know a children's product was recalled if notice of the recall has been posted continuously at least 30 days before the sale, offer for sale, or manufacturing for sale on the website of the U.S. Consumer Product Safety Commission. This prohibition does not apply to children's products that are used, secondhand or "seconds";

50. Violating any provision of Chapter 44.1 (§ 59.1-518.1 et seq.);

51. Violating any provision of Chapter 22 (§ 6.2-2200 et seq.) of Title 6.2;

52. Violating any provision of § 8.2-317.1;

53. Violating subsection A of § 9.1-149.1;

54. Selling, offering for sale, or using in the construction, remodeling, or repair of any residential dwelling in the Commonwealth, any drywall that the supplier knows or has reason to know is defective drywall. This subdivision shall not apply to the sale or offering for sale of any building or structure in which defective drywall has been permanently installed or affixed;

55. Engaging in fraudulent or improper or dishonest conduct as defined in § 54.1-1118 while engaged in a transaction that was initiated (i) during a declared state of emergency as defined in § 44-146.16 or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is licensed as a contractor in the Commonwealth pursuant to Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1;

56. Violating any provision of Chapter 33.1 (§ 59.1-434.1 et seq.);

57. Violating any provision of § 18.2-178, 18.2-178.1, or 18.2-200.1;

58. Violating any provision of Chapter 17.8 (§ 59.1-207.45 et seq.). For the purposes of this subdivision, "consumer transaction" also includes transactions involving an automatic renewal or continuous service offer by a supplier to a small business, as those terms are defined in § 59.1-207.45;

59. Violating any provision of subsection E of § 32.1-126;

60. Violating any provision of § 54.1-111 relating to the unlicensed practice of a profession licensed under Chapter 11 (§ 54.1-1100 et seq.) or Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1;

61. Violating any provision of § 2.2-2001.5;

62. Violating any provision of Chapter 5.2 (§ 54.1-526 et seq.) of Title 54.1;

63. Violating any provision of § 6.2-312;

64. Violating any provision of Chapter 20.1 (§ 6.2-2026 et seq.) of Title 6.2;

65. Violating any provision of Chapter 26 (§ 6.2-2600 et seq.) of Title 6.2;

66. Violating any provision of Chapter 54 (§ 59.1-586 et seq.);

67. Knowingly violating any provision of § 8.01-27.5;

68. Failing to, in accordance with § 59.1-207.46, (i) make available a conspicuous online option to cancel a recurring purchase of a good or service or (ii) with respect to a free trial lasting more than 30 days, notify a consumer of his option to cancel such free trial within 30 days of the end of the trial period to avoid an obligation to pay for the goods or services;

69. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains a synthetic derivative of tetrahydrocannabinol. As used in this subdivision, "synthetic derivative" means a chemical compound produced by man through a chemical transformation to turn a compound into a different compound by adding or subtracting molecules to or from the original compound. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

70. Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol. This subdivision shall not (i) apply to products that

are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

71. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol, unless such substance is (i) contained in child-resistant packaging, as defined in § 4.1-600; (ii) equipped with a label that states, in English and in a font no less than 1/16 of an inch, (a) that the substance contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age, (b) all ingredients contained in the substance, (c) the amount of such substance that constitutes a single serving, and (d) the total percentage and milligrams of tetrahydrocannabinol included in the substance and the number of milligrams of tetrahydrocannabinol that are contained in each serving; and (iii) accompanied by a certificate of analysis, produced by an independent laboratory that is accredited pursuant to standard ISO/IEC 17025 of the International Organization of Standardization by a third-party accrediting body, that states the tetrahydrocannabinol concentration of the substance or the tetrahydrocannabinol concentration of the batch from which the substance originates. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.) or (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1;

72. Manufacturing, offering for sale at retail, or selling at retail an industrial hemp extract, as defined in § 3.2-5145.1, a food containing an industrial hemp extract, or a substance containing tetrahydrocannabinol that depicts or is in the shape of a human, animal, vehicle, or fruit;

73. Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol and, without authorization, bears, is packaged in a container or wrapper that bears, or is otherwise labeled to bear the trademark, trade name, famous mark as defined in 15 U.S.C. § 1125, or other identifying mark, imprint, or device, or any likeness thereof, of a manufacturer, processor, packer, or distributor of a product intended for human consumption other than the manufacturer, processor, packer, or distributor that did in fact so manufacture, process, pack, or distribute such substance;

74. Selling or offering for sale a topical hemp product, as defined in § 3.2-4112, that does not include a label stating that the product is not intended for human consumption. This subdivision shall not (i) apply to products that are approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act (§ 54.1-3400 et seq.), (ii) be construed to prohibit any conduct permitted under Chapter 16 (§ 4.1-1600 et seq.) of Title 4.1, or (iii) apply to topical hemp products that were manufactured prior to July 1, 2023, provided that the person provides documentation of the date of manufacture if requested;

75. Violating any provision of § 59.1-466.8;

76. Violating subsection F of § 36-96.3:1;

77. Selling or offering for sale (i) any kratom product to a person younger than 21 years of age or (ii) any kratom product that does not include a label listing all ingredients and with the following guidance: "This product may be harmful to your health, has not been evaluated by the FDA, and is not intended to diagnose, treat, cure, or prevent any disease." As used in this subdivision, "kratom" means any part of the leaf of the plant Mitragyna speciosa or any extract thereof;

78. Advertising of any ignition interlock system in Virginia by an ignition interlock vendor not approved by the Commission on the Virginia Alcohol Safety Action Program to operate in Virginia; targeted advertising of any ignition interlock system to a person before determination of guilt; and any advertising, whether before or after determination of guilt, without a conspicuous statement that such advertisement is not affiliated with any government agency. For purposes of this subdivision, "ignition interlock system" has the same meaning as ascribed to that term in § 18.2-270.1 and "targeted advertising" has the same meaning ascribed to that term in § 59.1-575 and includes direct mailings to an individual. This provision shall not apply to ignition interlock service vendor ads, pamphlets, or kiosk advertisements approved by the Commission on the Virginia Alcohol Safety Action Program and provided at a Commission-approved location;

79. Failing to disclose the total cost of a good or continuous service, as defined in § 59.1-207.45, to a consumer, including any mandatory fees or charges, prior to entering into an agreement for the sale of any such good or provision of any such continuous service;

80. Violating any provision of the Unfair Real Estate Service Agreement Act (§ 55.1-3200 et seq.);

81. Selling or offering for sale services as a professional mold remediator to be performed upon any residential dwelling without holding a mold remediation certification from the Institute of Inspection, Cleaning and Restoration Certification (IICRC);

82. Willfully violating any provision of § 59.1-444.4; ~~and~~

83. Violating any provision of Chapter 23.2 (§ 59.1-293.10 et seq.)*; and*

84. Violating any provision of the Medical Debt Protection Act (§ 59.1-607 et seq.).

B. Nothing in this section shall be construed to invalidate or make unenforceable any contract or lease solely by reason of the failure of such contract or lease to comply with any other law of the Commonwealth or any federal statute or regulation, to the extent such other law, statute, or regulation provides that a violation of such law, statute, or regulation shall not invalidate or make unenforceable such contract or lease.

CHAPTER 58.

MEDICAL DEBT PROTECTION ACT.

§ 59.1-607. Definitions.

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

"Consumer reporting agency" has the same meaning as provided in § 59.1-444.1.

"Emergency services" has the same meaning as provided in § 38.2-3438.

"Extraordinary collection action" means any action taken to obtain payment of a medical debt that:

1. Involves selling an individual's medical debt to another party;

2. Involves reporting adverse information about an individual to consumer reporting agencies;

3. Involves deferring, denying, or requiring a payment before providing emergency services or urgent services because of an individual's nonpayment of medical debt; or

4. Requires a legal or judicial process, including placing a lien on an individual's property, foreclosing on an individual's real property, attaching or seizing an individual's bank account or any other personal property, commencing a civil action against an individual, causing an individual's arrest, causing an individual to be subject to a writ of body attachment, or garnishing an individual's wages.

"Financial assistance policy" means a written policy made pursuant to 26 C.F.R. § 1.501(r)-1 or § 32.1-137.010 or other written policy for providing financial assistance to patients adopted by a large health care facility or medical creditor voluntarily or otherwise as required by applicable federal or state law or regulation.

"Health care services" has the same meaning as provided in § 59.1-444.1.

"Large health care facility" includes:

1. Any hospital licensed by the Department of Health pursuant to Chapter 5 (§ 32.1-123 et seq.) of Title 32.1 and any outpatient clinic or facility operating under the license of such a hospital; and

2. Any practice that provides outpatient medical, surgical, behavioral, optical, radiology, laboratory, dental, or other health care services with revenues of at least $20 million annually.

"Medical creditor" means any entity that provides health care services for which a consumer (i) owes medical debt or (ii) if such medical debt has been sold, previously owed medical debt.

"Medical debt" has the same meaning as provided in § 59.1-444.1.

"Medical debt buyer" means a person that is engaged in the business of purchasing medical debt or collecting medical debt on behalf of another entity, whether such person collects the medical debt directly or hires an attorney or other third party to collect such medical debt.

"Medical debt collector" means any person that regularly collects or attempts to collect, directly or indirectly, medical debts originally owed, due, or asserted to be owed or due to another. "Medical debt collector" includes a medical debt buyer.

"Patient" means the individual who received health care services and includes a parent if the patient is a minor or a legal guardian if the patient is an adult under guardianship.

"Urgent services" means health care services the delay of which could seriously jeopardize an individual's life, health, or ability to regain maximum function.

§ 59.1-608. Billing and collection rules; limits on creditors.

A. No large health care facility or medical debt buyer shall charge a patient any interest or late fees on medical debt until 90 days following the due date applicable to the final invoice, and no such interest or late fees shall exceed three percent of the amount of such medical debt per annum.

B. No medical creditor or medical debt collector shall use any of the following extraordinary collection actions to collect medical debts:

1. Causing an individual's arrest;

2. Causing an individual to be subject to a writ of body attachment;

3. Foreclosing on an individual's real property;

4. Placing a lien on an individual's personal property; or

5. Garnishing the wages of any individual qualifying for financial assistance under the financial assistance policy applicable to the underlying medical debt.

C. No medical creditor shall sell an individual's medical debt to a medical debt buyer except if, prior to such sale, the medical creditor has entered into a legally binding written agreement with the medical debt buyer under which all of the following apply:

1. The medical debt buyer is prohibited from engaging in any extraordinary collection action described in subsection B to obtain payment;

2. The medical debt buyer is prohibited from charging interest on the debt at a rate higher than three percent per annum;

3. The debt is returnable to or recallable by the medical creditor upon a determination by the medical debt buyer that the individual is eligible for financial assistance under the financial assistance policy applicable to the underlying medical debt; and

4. The medical debt buyer is required to adhere to specified procedures that ensure that the individual does not pay, and has no obligation to pay, the medical debt buyer more than such individual is responsible for paying in compliance with this chapter.

D. A medical creditor that sells medical debt to a medical debt buyer under an agreement described in subsection C remains liable for any actions taken by such medical debt buyer in relation to such medical debt, subject to any indemnification provisions as may be agreed to by such parties.

E. No medical creditor or medical debt collector shall take any extraordinary collection action until 120 days following the due date applicable to the final invoice for a health care service. At least 30 days before taking any extraordinary collection action, a medical creditor or medical debt collector shall provide the patient a notice including:

1. If the medical debt resulted from health care services provided by a large health care facility, a statement of whether financial assistance is available for eligible individuals and a plain language summary of any financial assistance policy;

2. A list of any extraordinary collection actions that will be taken to obtain payment; and

3. A deadline after which such extraordinary collection actions will be initiated, which shall be at least 30 days after the date such notice is provided.

F. No large health care facility or medical debt collector collecting medical debt for health care services provided by a large health care facility shall use any extraordinary collection action unless such action is described in the large health care facility's billing and collections policy.

G. If a patient has paid any part of a medical debt in excess of the amount owed after any financial assistance offered by a large health care facility, the large health care facility or medical debt collector, as specified in the agreement required by subsection C, shall refund any excess amount to the patient within 60 days after determination of such excess payment.

§ 59.1-609. Enforcement; penalties.

Any violation of this chapter shall constitute a prohibited practice under the provisions of § 59.1-200 and shall be subject to any and all of the enforcement provisions of the Virginia Consumer Protection Act (§ 59.1-196 et seq.).

2. That the provisions of this act shall become effective on July 1, 2026.

CHAPTER 693

An Act to amend the Code of Virginia by adding a section numbered 3.2-5125.1, relating to Baby Food Protection Act; testing and labeling requirements for toxic heavy metals.

[H 1844]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 3.2-5125.1 as follows:

§ 3.2-5125.1. Baby Food Protection Act; testing and labeling requirements for toxic heavy metals.

A. As used in this section:

"Baby food product" means any food manufactured, packaged, and labeled in a jar, pouch, tub, or box sold specifically for babies and children younger than two years of age. "Baby food product" does not include infant formula, as defined in § 54.1-4300.

"FDA" means the U.S. Food and Drug Administration.

"Production aggregate" means a quantity of product that is intended to have uniform composition, character, and quality and is produced according to a master manufacturing order.

"Proficient laboratory" means a laboratory that (i) is accredited under the standards of the International Organization for Standardization or the International Electrotechnical Commission pursuant to standard ISO/IEC 17025:2017, (ii) uses an analytical method as sensitive as the analytical method described in the FDA's Elemental Analysis Manual for Food and Related Products, and (iii) demonstrates proficiency in quantifying each toxic element to at least six micrograms of the toxic element to kilogram of food through an independent proficiency test by achieving a z-score that is less than or equal to plus or minus two.

"QR code" means a two-dimension matrix barcode consisting of blocks arranged in a grid that can be read by an imaging device.

"Representative sample" means a sample that consists of a number of units that are drawn based on rational criteria, including random sampling, and intended to ensure that the sample accurately portrays the material being sampled.

"Toxic heavy metal" means arsenic, cadmium, lead, and mercury.

"URL" means uniform resource locater.

B. No person shall sell, distribute, or offer for sale any baby food that contains a toxic heavy metal that exceeds the limits established by the FDA. The provisions of this subsection shall not restrict the continued sale of such baby food product by a retailer of any existing inventory in stock before January 1, 2026.

C. A manufacturer of baby food shall test a representative sample of each production aggregate of the manufacturer's final baby food product for a toxic heavy metal. Testing of a baby food product shall be conducted by a proficient laboratory at least once a month. Such manufacturer may test the final baby food product before packaging individual units of baby food for sale or distribution. Upon request of the Commissioner, a manufacturer shall provide the results of the test conducted pursuant to this subsection.

D. A manufacturer shall make publicly available on its website for the duration of the product shelf life of a final baby food product, plus one month, for each baby food product sold, manufactured, delivered, held, or offered for sale in the Commonwealth:

1. The name and level of each toxic heavy metal present in the final baby food product as determined by the testing conducted under subsection C;

2. Sufficient information, including the product name, universal product code, or lot or batch number, to enable consumers to identify the final baby food product; and

3. A link to the FDA's website that provides the most recent FDA guidance and information about the health effects of toxic heavy metals on children.

E. If the baby food product is tested for a toxic heavy metal subject to an action level, regulatory limit, or tolerance established by the FDA under 21 C.F.R. § 109, the manufacturer shall display on the baby food product:

1. A label that states in a clear, legible, and conspicuous form, the following:

"For Information About Toxic Element Testing On This Product, Scan the QR Code."; and

2. A QR code or other machine-readable code that directs the consumers to the manufacturer's website or the baby food product information page providing (i) the test results for the toxic heavy metal and (ii) a URL to the webpage on the FDA's website that includes the most recent guidance and information about the health effects of toxic heavy metals on children.

F. If a consumer reasonably believes based on the information provided on the baby food product that such baby food product is being sold in the Commonwealth in violation of this section, the consumer shall report such baby food product to the Commissioner.

2. That the provisions of the first enactment of this act shall become effective on January 1, 2026.

3. That the Department of Agriculture and Consumer Services shall convene a work group to study and make recommendations on the current enforcement of laws related to the use of toxic heavy metals in baby food products, as those terms are defined in § 3.2-5125.1 of the Code of Virginia, as created by this act, and any further action needed to address the issue of the presence of toxic heavy metals in baby food products. Such work group shall consist of a representative from the Department of Agriculture and Consumer Services, a representative from the Department of Health, one member of the Senate and one member of the House of Delegates, a manufacturer of baby food products, and any other relevant stakeholders. The work group shall complete its meetings by November 1, 2025, and report its findings and recommendations to the Chairmen of the Senate Committee on Agriculture, Conservation and Natural Resources and the House Committee on Agriculture, Chesapeake and Natural Resources no later than the first day of the 2026 Regular Session of the General Assembly.

CHAPTER 694

An Act to amend the Code of Virginia by adding in Chapter 2 of Title 32.1 an article numbered 23, consisting of a section numbered 32.1-73.28, relating to Women's Menstrual Health Program established; provision of education and resources.

[H 1918]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 2 of Title 32.1 an article numbered 23, consisting of a section numbered 32.1-73.28, as follows:

Article 23.

Women's Menstrual Health Program.

§ 32.1-73.28. Women's Menstrual Health Program.

A. For the purposes of this section:

"Endometriosis" means a systemic disease generally occurring in menstruating individuals, which may also occur in premenarchal and postmenopausal individuals.

"Menstrual disorder" means any menstruation-related disorder or menstruation-related condition and includes endometriosis and polycystic ovary syndrome.

B. The Commissioner shall establish within the Department the Women's Menstrual Health Program to identify and assist patients who have displayed symptoms related to menstrual disorders.

C. The Department shall, in accordance with evidence-based industry best practices, guidelines, and screening tools, as recommended by the American College of Obstetricians and Gynecologists or another nationally recognized body as may be designated by the Commissioner:

1. Provide education and training to health care providers, hospital staff who encounter patients in emergency situations, and the public concerning menstrual health, menstrual health screening, and menstrual health care; and

2. Provide information and resources on the Department's website for health care providers and patients, which shall include:

a. Evidence-based clinical practice guidelines for health care providers for the screening, referral, treatment, and follow-up care of patients who have displayed symptoms related to menstrual disorders; and

b. Educational materials for health care providers and the public concerning menstrual disorders.

CHAPTER 695

An Act to amend and reenact §§ 38.2-3408 and 38.2-4221 of the Code of Virginia, relating to health insurance; reimbursement for services rendered by certain practitioners other than physicians.

[H 1923]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 38.2-3408 and 38.2-4221 of the Code of Virginia are amended and reenacted as follows:

§ 38.2-3408. Policy providing for reimbursement for services that may be performed by certain practitioners other than physicians.

A. If an accident and sickness insurance policy provides reimbursement for any service that may be legally performed by a person licensed in this Commonwealth as a chiropractor, optometrist, optician, professional counselor, psychologist, clinical social worker, podiatrist, physical therapist, chiropodist, clinical nurse specialist, audiologist, speech pathologist, certified nurse midwife or other advanced practice registered nurse, *licensed certified midwife, licensed midwife,* marriage and family therapist, athletic trainer, or licensed acupuncturist, reimbursement under the policy shall not be denied because the service is rendered by the licensed practitioner, provided that, for services performed by an athletic trainer, such service is performed in an office setting.

B. If an accident and sickness insurance policy provides reimbursement for a service that may be legally performed by a licensed pharmacist, reimbursement under the policy shall not be denied because the service is rendered by the licensed pharmacist, provided that (i) the service is performed for an insured for a condition under the terms of a collaborative agreement, as defined in § 54.1-3300, (ii) the service is for the administration of vaccines for immunization, or (iii) the service is provided in accordance with § 54.1-3303.1.

C. *The reimbursement for a service provided by a licensed certified midwife or licensed midwife shall be in the same amount as the reimbursement paid under the policy to a certified nurse midwife for performing such service in the area served, provided that the claim is submitted using (i) the diagnoses and procedure codes applicable to the service; (ii) such licensed certified midwife's or licensed midwife's name; (iii) the national provider identifier for the licensed certified midwife or licensed midwife providing the service; and (iv) if required by the insurer, the facility in which the service is provided.*

D. No insurer shall reduce the reimbursement paid to a certified nurse midwife in order to comply with the provisions of this section.

E. This section shall not apply to Medicaid, or any state fund.

§ 38.2-4221. Services of certain practitioners other than physicians to be covered.

A. A nonstock corporation shall not fail or refuse, either directly or indirectly, to allow or to pay to a subscriber for all or any part of the health services rendered by any doctor of podiatry, doctor of chiropody, optometrist, optician, chiropractor, professional counselor, psychologist, physical therapist, clinical social worker, clinical nurse specialist, audiologist, speech pathologist, certified nurse midwife or other advanced practice registered nurse, *licensed certified midwife, licensed midwife,* marriage and family therapist, athletic trainer, or licensed acupuncturist licensed to practice in Virginia, if the services rendered (i) are services provided for by the subscription contract; (ii) are services which the doctor of podiatry, doctor of chiropody, optometrist, optician, chiropractor, professional counselor, psychologist, physical therapist, clinical social worker, clinical nurse specialist, audiologist, speech pathologist, certified nurse midwife or other advanced practice registered nurse, *licensed certified midwife, licensed midwife,* marriage and family therapist, athletic trainer, or licensed acupuncturist is licensed to render in this Commonwealth; and (iii) are, for any services rendered by an athletic trainer, rendered in an office setting.

B. If a subscription contract provides reimbursement for a service that may be legally performed by a licensed pharmacist, reimbursement under the subscription contract by the nonstock corporation shall not be denied because the service is rendered by the licensed pharmacist provided that (i) the service is performed for a subscriber for a condition under the terms of a collaborative agreement, as defined in § 54.1-3300, between a pharmacist and the physician with whom the subscriber is undergoing a course of treatment or (ii) the service is for the administration of vaccines for immunization. Notwithstanding the provisions of § 38.2-4209, the nonstock corporation may require the pharmacist, any pharmacy or provider that may employ such pharmacist, or the collaborating physician to enter into a written agreement with the nonstock corporation as a condition for reimbursement for such services. In addition, reimbursement to pharmacists acting under the terms of a collaborative agreement under this subsection shall not be subject to the provisions of § 38.2-4209.1.

C. The payment for a service provided by a licensed certified midwife or licensed midwife shall be in the same amount as the payment paid under the subscription contract for a certified nurse midwife performing such service in the area served, provided that the claim is submitted using (i) the diagnoses and procedure codes applicable to the service; (ii) such licensed certified midwife's or licensed midwife's name; (iii) the national provider identifier for the licensed certified midwife or licensed midwife providing the service; and (iv) if required by the nonstock corporation, the facility in which the service is provided.

D. No nonstock corporation shall reduce the reimbursement paid to a certified nurse midwife in order to comply with the provisions of this section.

CHAPTER 696

An Act to direct the Department of Medical Assistance Services to partner with a mobile pregnancy application to promote awareness of state government maternal and infant health programs and information available to prenatal, pregnant, and postpartum individuals who are eligible for Medicaid.

[H 1929]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Medical Assistance Services (the Department) shall partner with a mobile pregnancy application to promote awareness of state government maternal and infant health programs and information available to prenatal, pregnant, and postpartum individuals who are enrolled in Medicaid. The Department shall be authorized to contract for such application on a statewide basis following a competitive bidding process pursuant to the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia). The Department, in consultation with the General Assembly, shall include the following application deliverables in its request for proposal:*

1. The application shall have the capability to deliver education, resources, and support to prenatal, pregnant, and postpartum individuals and their families, including information specific to the Commonwealth such as links to Department and other state agency programs and resources available to prenatal, pregnant, and postpartum individuals;

2. The application shall demonstrate a consistent workflow to increase awareness of state agency programs and resources available to users of the mobile application;

3. The platform shall be able to survey the mobile application user's specific questions as determined by the Department or other agencies in the Commonwealth;

4. The selected application shall include information and resources that meet acceptable clinical standards, including standards defined by:

a. The Centers for Disease Control and Prevention;

b. The National Institutes of Health;

c. The American College of Obstetricians and Gynecologists;

d. The American Medical Association; and

e. The American Academy of Pediatrics;

5. The application shall provide information in multiple languages;

6. The application shall be made available on both Android and iOS platforms; and

7. The selected vendor for the mobile application shall regularly provide the Department with aggregate, deidentified data concerning:

a. The number of users of the mobile application that are eligible for Medicaid;

b. The number of users of the mobile application that are engaging with Virginia-specific content;

c. The number of users of the mobile application seeking additional information about enrollment in the Medicaid program or other available resources;

d. The number of monthly users of the mobile application;

e. The number of daily users of the mobile application;

f. The average length of time a user uses the mobile application; and

g. Any other information requested by the Department or other agencies in the Commonwealth.

2. That the Department of Medical Assistance Services shall issue a request for proposals pursuant to this act within 180 days of the effective date of this act.

3. That the Department of Medical Assistance Services is authorized to contract for a mobile pregnancy application pursuant to the first enactment of this act with an implementation date no later than October 1, 2026, from a vendor selected from the request for proposals issued pursuant to the second enactment of this act that best meets the requirements pursuant to the first enactment of this act and that such contract is limited to the appropriation provided through a general appropriation act.

4. That the Department of Medical Assistance Services shall submit a request for funding for the future costs of the mobile pregnancy application pursuant to the first enactment of this act to be considered as part of the process for the submission of the Budget Bill pursuant to § 2.2-1509 of the Code of Virginia.

CHAPTER 697

An Act to reestablish the Task Force on Maternal Health Data and Quality Measures; report.

[H 2109]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the State Health Commissioner shall reestablish the Task Force on Maternal Health Data and Quality Measures (the Task Force) for the purpose of evaluating maternal health data collection processes to guide policies in the*

Commonwealth to improve maternal care, quality, and outcomes for all birthing people in the Commonwealth. The Task Force shall consist of three members of the Senate to be appointed by the Senate Committee on Rules and five members of the House of Delegates to be appointed by the Speaker of the House of Delegates; the Director of the Department of Medical Assistance Services or his designee; the Director of the Office of Health Equity or his designee; the Director of the Virginia Neonatal Perinatal Collaborative or his designee; the Chief Executive Officer of Virginia Health Information or his designee; two individuals who are licensed obstetricians or gynecologists practicing in the Commonwealth appointed by the Governor; two individuals who are licensed nurse practitioners or registered nurses who work in the area of maternal health in the Commonwealth appointed by the Governor; two individuals who are certified nurse midwives in the Commonwealth appointed by the Governor; two individuals who are licensed certified midwives in the Commonwealth appointed by the Governor; two experts in postpartum care and depression in the Commonwealth appointed by the Governor, ensuring regional representation; at least one individual who is an expert in maternal health data collection processes appointed by the Governor; four representatives from organizations or groups in the Commonwealth that specialize in serving vulnerable populations and improving equity and outcomes in maternal health appointed by the Governor; individuals who are licensed in neonatal and premature infant care and nutrition appointed by the Governor; a representative in maternal health from each of the health care payers in the Commonwealth appointed by the Governor; health care experts who serve underserved and minority populations in the Commonwealth appointed by the Governor; two members of the Virginia Hospital and Healthcare Association appointed by the Governor; the Program Manager for the Maternal Mortality Review Team; and any other stakeholders as may be appropriate appointed by the Governor. The Task Force shall:

1. Monitor progress and evaluate all data from state-level stakeholders, including third-party payers, and all available electronic claims data to examine quality of care with regard to race, ethnicity, and other demographic and clinical outcome data;

2. Monitor progress and evaluate all data from existing state-level sources mandated for maternal care, including new Healthcare Effectiveness Data and Information Set (HEDIS) measure updates to Postpartum Depression Screening and Follow-up Care;

3. Examine the barriers preventing the collection and reporting of timely maternal health data from all stakeholders, including payers;

4. Examine current maternal health benefit requirements and determine the need for additional benefits to protect the health of birthing people;

5. Evaluate the impact of social determinants of health screening on pregnant women and its impact on outcomes data;

6. Collect and analyze data one year after delivery; and

7. Develop recommendations for standard quality metrics on maternal care.

All agencies of the Commonwealth shall provide assistance to the Task Force upon request. The Task Force shall report its findings and conclusions to the Governor and General Assembly by November 1 of each year regarding its activities and shall conclude its work by November 1, 2026.

CHAPTER 698

An Act to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 3 of Title 53.1 an article numbered 7.1, consisting of sections numbered 53.1-133.06 through 53.1-133.09, relating to local and regional correctional facilities; treatment of prisoners known to be pregnant.

[H 2235]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 9.1-102 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 3 of Title 53.1 an article numbered 7.1, consisting of sections numbered 53.1-133.06 through 53.1-133.09, as follows:

§ 9.1-102. Powers and duties of the Board and the Department.

The Department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to:

1. Adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the administration of this chapter including the authority to require the submission of reports and information by law-enforcement officers within the Commonwealth. Any proposed regulations concerning the privacy, confidentiality, and security of criminal justice information shall be submitted for review and comment to any board, commission, or committee or other body which may be established by the General Assembly to regulate the privacy, confidentiality, and security of information collected and maintained by the Commonwealth or any political subdivision thereof;

2. Establish compulsory minimum training standards subsequent to employment as a law-enforcement officer in (i) permanent positions and (ii) temporary or probationary status and establish the time required for completion of such training. Such compulsory minimum training standards shall include crisis intervention training in accordance with clause (i) of § 9.1-188;

3. Establish minimum training standards and qualifications for certification and recertification for law-enforcement officers serving as field training officers;

4. Establish compulsory minimum curriculum requirements for in-service and advanced courses and programs for schools, whether located in or outside the Commonwealth, which are operated for the specific purpose of training law-enforcement officers;

5. Establish (i) compulsory minimum training standards for law-enforcement officers who utilize radar or an electrical or microcomputer device to measure the speed of motor vehicles as provided in § 46.2-882 and establish the time required for completion of the training and (ii) compulsory minimum qualifications for certification and recertification of instructors who provide such training;

6. [Repealed];

7. Establish compulsory minimum entry-level, in-service and advanced training standards for those persons designated to provide courthouse and courtroom security pursuant to the provisions of § 53.1-120, and to establish the time required for completion of such training;

8. Establish compulsory minimum entry-level, in-service and advanced training standards for deputy sheriffs designated to serve process pursuant to the provisions of § 8.01-293, and establish the time required for the completion of such training;

9. Establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the time required for completion of such training, for persons employed as deputy sheriffs and jail officers by local criminal justice agencies and correctional officers employed by the Department of Corrections under the provisions of Title 53.1. For *deputy sheriffs and jail officers who are employees of local or regional correctional facilities and* correctional officers employed by the Department of Corrections, such standards shall include training on the general care of pregnant women, the impact of restraints on pregnant inmates and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant inmates, and the impact of body cavity searches on pregnant inmates;

10. Establish compulsory minimum training standards for all dispatchers employed by or in any local or state government agency, whose duties include the dispatching of law-enforcement personnel. Such training standards shall apply only to dispatchers hired on or after July 1, 1988. Such training shall include training in the identification of, communication with, and facilitation of the safe return of individuals diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective communication with individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and returning them to their caregivers;

11. Establish compulsory minimum training standards for all auxiliary police officers employed by or in any local or state government agency. Such training shall be graduated and based on the type of duties to be performed by the auxiliary police officers. Such training standards shall not apply to auxiliary police officers exempt pursuant to § 15.2-1731;

12. Consult and cooperate with counties, municipalities, agencies of the Commonwealth, other state and federal governmental agencies, and institutions of higher education within or outside the Commonwealth, concerning the development of police training schools and programs or courses of instruction;

13. Approve institutions, curricula and facilities, whether located in or outside the Commonwealth, for school operation for the specific purpose of training law-enforcement officers; but this shall not prevent the holding of any such school whether approved or not;

14. Establish and maintain police training programs through such agencies and institutions as the Board deems appropriate;

15. Establish compulsory minimum qualifications of certification and recertification for instructors in criminal justice training academies approved by the Department;

16. Conduct and stimulate research by public and private agencies which shall be designed to improve police administration and law enforcement;

17. Make recommendations concerning any matter within its purview pursuant to this chapter;

18. Coordinate its activities with those of any interstate system for the exchange of criminal history record information, nominate one or more of its members to serve upon the council or committee of any such system, and participate when and as deemed appropriate in any such system's activities and programs;

19. Conduct inquiries and investigations it deems appropriate to carry out its functions under this chapter and, in conducting such inquiries and investigations, may require any criminal justice agency to submit information, reports, and statistical data with respect to its policy and operation of information systems or with respect to its collection, storage, dissemination, and usage of criminal history record information and correctional status information, and such criminal justice agencies shall submit such information, reports, and data as are reasonably required;

20. Conduct audits as required by § 9.1-131;

21. Conduct a continuing study and review of questions of individual privacy and confidentiality of criminal history record information and correctional status information;

22. Advise criminal justice agencies and initiate educational programs for such agencies with respect to matters of privacy, confidentiality, and security as they pertain to criminal history record information and correctional status information;

23. Maintain a liaison with any board, commission, committee, or other body which may be established by law, executive order, or resolution to regulate the privacy and security of information collected by the Commonwealth or any political subdivision thereof;

24. Adopt regulations establishing guidelines and standards for the collection, storage, and dissemination of criminal history record information and correctional status information, and the privacy, confidentiality, and security thereof necessary to implement state and federal statutes, regulations, and court orders;

25. Operate a statewide criminal justice research center, which shall maintain an integrated criminal justice information system, produce reports, provide technical assistance to state and local criminal justice data system users, and provide analysis and interpretation of criminal justice statistical information;

26. Develop a comprehensive, statewide, long-range plan for strengthening and improving law enforcement and the administration of criminal justice throughout the Commonwealth, and periodically update that plan;

27. Cooperate with, and advise and assist, all agencies, departments, boards and institutions of the Commonwealth, and units of general local government, or combinations thereof, including planning district commissions, in planning, developing, and administering programs, projects, comprehensive plans, and other activities for improving law enforcement and the administration of criminal justice throughout the Commonwealth, including allocating and subgranting funds for these purposes;

28. Define, develop, organize, encourage, conduct, coordinate, and administer programs, projects and activities for the Commonwealth and units of general local government, or combinations thereof, in the Commonwealth, designed to strengthen and improve law enforcement and the administration of criminal justice at every level throughout the Commonwealth;

29. Review and evaluate programs, projects, and activities, and recommend, where necessary, revisions or alterations to such programs, projects, and activities for the purpose of improving law enforcement and the administration of criminal justice;

30. Coordinate the activities and projects of the state departments, agencies, and boards of the Commonwealth and of the units of general local government, or combination thereof, including planning district commissions, relating to the preparation, adoption, administration, and implementation of comprehensive plans to strengthen and improve law enforcement and the administration of criminal justice;

31. Do all things necessary on behalf of the Commonwealth and its units of general local government, to determine and secure benefits available under the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351, 82 Stat. 197), as amended, and under any other federal acts and programs for strengthening and improving law enforcement, the administration of criminal justice, and delinquency prevention and control;

32. Receive, administer, and expend all funds and other assistance available to the Board and the Department for carrying out the purposes of this chapter and the Omnibus Crime Control and Safe Streets Act of 1968, as amended;

33. Apply for and accept grants from the United States government or any other source in carrying out the purposes of this chapter and accept any and all donations both real and personal, and grants of money from any governmental unit or public agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same. Any arrangements pursuant to this section shall be detailed in the annual report of the Board. Such report shall include the identity of the donor, the nature of the transaction, and the conditions, if any. Any moneys received pursuant to this section shall be deposited in the state treasury to the account of the Department. To these ends, the Board shall have the power to comply with conditions and execute such agreements as may be necessary;

34. Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and execution of its powers under this chapter, including but not limited to, contracts with the United States, units of general local government or combinations thereof, in Virginia or other states, and with agencies and departments of the Commonwealth;

35. Adopt and administer reasonable regulations for the planning and implementation of programs and activities and for the allocation, expenditure and subgranting of funds available to the Commonwealth and to units of general local government, and for carrying out the purposes of this chapter and the powers and duties set forth herein;

36. Certify and decertify law-enforcement officers in accordance with §§ 15.2-1706 and 15.2-1707 and provide for a decertification review process in accordance with § 15.2-1708;

37. Establish training standards and publish and periodically update model policies for law-enforcement personnel in the following subjects:

a. The handling of family abuse, domestic violence, sexual assault, and stalking cases, including standards for determining the predominant physical aggressor in accordance with § 19.2-81.3. The Department shall provide technical support and assistance to law-enforcement agencies in carrying out the requirements set forth in subsection A of § 9.1-1301;

b. The identification of, communication with, and facilitation of the safe return of individuals diagnosed with Alzheimer's disease and dementia, which shall include (i) techniques for respectful and effective communication with

individuals with Alzheimer's disease and dementia and their caregivers; (ii) techniques for addressing the behavioral symptoms of Alzheimer's disease and dementia, including alternatives to physical restraint; (iii) protocols for identifying and reporting incidents of abuse, neglect, and exploitation of individuals with Alzheimer's disease and dementia to adult protective services; (iv) protocols for contacting caregivers when an individual with Alzheimer's disease or dementia is found wandering or during an emergency or crisis situation; (v) a reference list of local resources available for individuals with Alzheimer's disease and dementia; and (vi) a reference list of local and national organizations that assist law-enforcement personnel with locating missing and wandering individuals with Alzheimer's disease and dementia and returning them to their caregivers;

c. Sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

d. Protocols for local and regional sexual assault and human trafficking response teams;

e. Communication of death notifications;

f. The questioning of individuals suspected of driving while intoxicated concerning the physical location of such individual's last consumption of an alcoholic beverage and the communication of such information to the Virginia Alcoholic Beverage Control Authority;

g. Vehicle patrol duties that embody current best practices for pursuits and for responding to emergency calls;

h. Criminal investigations that embody current best practices for conducting photographic and live lineups;

i. Sensitivity to and awareness of human trafficking offenses and the identification of victims of human trafficking offenses for personnel involved in criminal investigations or assigned to vehicle or street patrol duties;

j. The recognition, prevention, and reporting of human trafficking;

k. Missing children, missing adults, and search and rescue protocol;

l. The handling and use of tear gas or other gases and kinetic impact munitions, as defined in § 19.2-83.3, that embody current best practices for using such items as a crowd control measure or during an arrest or detention of another person; and

m. The use of naloxone or other opioid antagonists to prevent opioid overdose deaths, in coordination with statewide naloxone training programs developed by the Department of Behavioral Health and Developmental Services and the Virginia Department of Health;

38. Establish compulsory training standards for basic training and the recertification of law-enforcement officers to ensure (i) sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability; (ii) training in de-escalation techniques; and (iii) training in the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the law-enforcement officer or another person;

39. Review and evaluate community-policing programs in the Commonwealth, and recommend where necessary statewide operating procedures, guidelines, and standards that strengthen and improve such programs, including sensitivity to and awareness of systemic and individual racism, cultural diversity, and the potential for racially biased policing and bias-based profiling as defined in § 52-30.1, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

40. Establish a Virginia Law-Enforcement Accreditation Center. The Center may, in cooperation with Virginia law-enforcement agencies, provide technical assistance and administrative support, including staffing, for the establishment of voluntary state law-enforcement accreditation standards. The Center may provide accreditation assistance and training, resource material, and research into methods and procedures that will assist the Virginia law-enforcement community efforts to obtain Virginia accreditation status;

41. Promote community policing philosophy and practice throughout the Commonwealth by providing community policing training and technical assistance statewide to all law-enforcement agencies, community groups, public and private organizations and citizens; developing and distributing innovative policing curricula and training tools on general community policing philosophy and practice and contemporary critical issues facing Virginia communities; serving as a consultant to Virginia organizations with specific community policing needs; facilitating continued development and implementation of community policing programs statewide through discussion forums for community policing leaders, development of law-enforcement instructors; promoting a statewide community policing initiative; and serving as a statewide information source on the subject of community policing including, but not limited to periodic newsletters, a website and an accessible lending library;

42. Establish, in consultation with the Department of Education and the Virginia State Crime Commission, compulsory minimum standards for employment and job-entry and in-service training curricula and certification requirements for school security officers, including school security officers described in clause (b) of § 22.1-280.2:1, which training and certification shall be administered by the Virginia Center for School and Campus Safety (VCSCS) pursuant to § 9.1-184. Such training standards shall be specific to the role and responsibility of school security officers and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques such as a physical alternative to restraint; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, and past traumatic

experiences; and (viii) student behavioral dynamics, including child and adolescent development and brain research. The Department shall establish an advisory committee consisting of local school board representatives, principals, superintendents, and school security personnel to assist in the development of the standards and certification requirements in this subdivision. The Department shall require any school security officer who carries a firearm in the performance of his duties to provide proof that he has completed a training course provided by a federal, state, or local law-enforcement agency that includes training in active shooter emergency response, emergency evacuation procedure, and threat assessment;

43. License and regulate property bail bondsmen and surety bail bondsmen in accordance with Article 11 (§ 9.1-185 et seq.);

44. License and regulate bail enforcement agents in accordance with Article 12 (§ 9.1-186 et seq.);

45. In conjunction with the Virginia State Police and the State Compensation Board, advise criminal justice agencies regarding the investigation, registration, and dissemination of information requirements as they pertain to the Sex Offender and Crimes Against Minors Registry Act (§ 9.1-900 et seq.);

46. Establish minimum standards for (i) employment, (ii) job-entry and in-service training curricula, and (iii) certification requirements for campus security officers. Such training standards shall include, but not be limited to, the role and responsibility of campus security officers, relevant state and federal laws, school and personal liability issues, security awareness in the campus environment, and disaster and emergency response. The Department shall provide technical support and assistance to campus police departments and campus security departments on the establishment and implementation of policies and procedures, including but not limited to: the management of such departments, investigatory procedures, judicial referrals, the establishment and management of databases for campus safety and security information sharing, and development of uniform record keeping for disciplinary records and statistics, such as campus crime logs, judicial referrals and Clery Act statistics. The Department shall establish an advisory committee consisting of college administrators, college police chiefs, college security department chiefs, and local law-enforcement officials to assist in the development of the standards and certification requirements and training pursuant to this subdivision;

47. Assess and report, in accordance with § 9.1-190, the crisis intervention team programs established pursuant to § 9.1-187;

48. In conjunction with the Office of the Attorney General, advise law-enforcement agencies and attorneys for the Commonwealth regarding the identification, investigation, and prosecution of human trafficking offenses using the common law and existing criminal statutes in the Code of Virginia;

49. Register tow truck drivers in accordance with § 46.2-116 and carry out the provisions of § 46.2-117;

50. Administer the activities of the Virginia Sexual and Domestic Violence Program Professional Standards Committee by providing technical assistance and administrative support, including staffing, for the Committee;

51. In accordance with § 9.1-102.1, design and approve the issuance of photo-identification cards to private security services registrants registered pursuant to Article 4 (§ 9.1-138 et seq.);

52. In consultation with the State Council of Higher Education for Virginia and the Virginia Association of Campus Law Enforcement Administrators, develop multidisciplinary curricula on trauma-informed sexual assault investigation;

53. In consultation with the Department of Behavioral Health and Developmental Services, develop a model addiction recovery program that may be administered by sheriffs, deputy sheriffs, jail officers, administrators, or superintendents in any local or regional jail. Such program shall be based on any existing addiction recovery programs that are being administered by any local or regional jails in the Commonwealth. Participation in the model addiction recovery program shall be voluntary, and such program may address aspects of the recovery process, including medical and clinical recovery, peer-to-peer support, availability of mental health resources, family dynamics, and aftercare aspects of the recovery process;

54. Establish compulsory minimum training standards for certification and recertification of law-enforcement officers serving as school resource officers. Such training shall be specific to the role and responsibility of a law-enforcement officer working with students in a school environment and shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques; (v) disaster and emergency response; (vi) awareness of systemic and individual racism, cultural diversity, and implicit bias; (vii) working with students with disabilities, mental health needs, substance use disorders, or past traumatic experiences; and (viii) student behavioral dynamics, including current child and adolescent development and brain research;

55. Establish a model policy for the operation of body-worn camera systems as defined in § 15.2-1723.1 that also addresses the storage and maintenance of body-worn camera system records;

56. Establish compulsory minimum training standards for detector canine handlers employed by the Department of Corrections, standards for the training and retention of detector canines used by the Department of Corrections, and a central database on the performance and effectiveness of such detector canines that requires the Department of Corrections to submit comprehensive information on each canine handler and detector canine, including the number and types of calls and searches, substances searched for and whether or not detected, and the number of false positives, false negatives, true positives, and true negatives;

57. Establish compulsory training standards for basic training of law-enforcement officers for recognizing and managing stress, self-care techniques, and resiliency;

58. Establish guidelines and standards for psychological examinations conducted pursuant to subsection C of § 15.2-1705;

59. Establish compulsory in-service training standards, to include frequency of retraining, for law-enforcement officers in the following subjects: (i) relevant state and federal laws; (ii) awareness of cultural diversity and the potential for bias-based profiling as defined in § 52-30.1; (iii) de-escalation techniques; (iv) working with individuals with disabilities, mental health needs, or substance use disorders; and (v) the lawful use of force, including the use of deadly force, as defined in § 19.2-83.3, only when necessary to protect the law-enforcement officer or another person;

60. Develop a model curriculum and lesson plans for the compulsory minimum entry-level, in-service, and advanced training standards to be employed by criminal justice training academies approved by the Department when conducting training;

61. Adopt statewide professional standards of conduct applicable to all certified law-enforcement officers and certified jail officers and appropriate due process procedures for decertification based on serious misconduct in violation of those standards and provide for a decertification review process in accordance with § 15.2-1708;

62. Establish and administer a waiver process, in accordance with §§ 2.2-5515 and 15.2-1721.1, for law-enforcement agencies to use certain military property. Any waivers granted by the Criminal Justice Services Board shall be published by the Department on the Department's website;

63. Establish compulsory training standards for basic training and the recertification of law-enforcement officers to include crisis intervention training in accordance with clause (ii) of § 9.1-188;

64. Advise and assist the Department of Behavioral Health and Developmental Services, and support local law-enforcement cooperation, with the development and implementation of the Marcus alert system, as defined in § 37.2-311.1, including the establishment of local protocols for law-enforcement participation in the Marcus alert system pursuant to § 9.1-193 and for reporting requirements pursuant to §§ 9.1-193 and 37.2-311.1;

65. Develop an online course to train hotel proprietors and their employees to recognize and report instances of suspected human trafficking;

66. Develop an online course to train unarmed security officers, armed security officers, couriers, security canine handlers, and alarm respondents to recognize and report instances of suspected human trafficking to meet the compulsory minimum, entry-level, and in-service training standards as required by § 9.1-141;

67. Establish standards and procedures for when the Board may grant a petition for reinstatement of certification of a decertified officer pursuant to subsection E of § 15.2-1708;

68. Establish compulsory minimum and in-service training standards for law-enforcement officers on communicating with individuals with an intellectual disability or a developmental disability as defined in § 37.2-100, such as autism spectrum disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, which shall include (i) an overview and behavioral recognition of autism spectrum disorder, (ii) best practices for crisis prevention and de-escalation techniques, (iii) an objective review of any relevant tools and technology available to assist in communication, and (iv) education on law-enforcement agency and community resources for the autism community on future crisis prevention. Such training standards shall be established in consultation with at least one individual with autism spectrum disorder, one family member of an individual with autism spectrum disorder, one specialist who works with individuals with autism spectrum disorder, one representative from the Department of Behavioral Health and Developmental Services, and one representative from a state or local law-enforcement agency; and

69. Perform such other acts as may be necessary or convenient for the effective performance of its duties.

Article 7.1.

Treatment of Prisoners Known to Be Pregnant.

§ 53.1-133.06. Definitions.

As used in this article, unless the context requires a different meaning:

"Postpartum recovery" means the eight-week period, or longer as determined by a health care professional responsible for the health and safety of the prisoner, following childbirth.

"Restraints" means any mechanical device, medication, physical intervention, or hands-on hold to prevent an individual from moving her body.

§ 53.1-133.07. Treatment of prisoners known to be pregnant.

A. No restraints shall be used on any prisoner known to be pregnant, beginning upon notification or diagnosis by a health care provider about such pregnancy and for the duration of such prisoner's pregnancy, unless a deputy sheriff or jail officer makes an individualized determination that (i) such prisoner will harm herself, the fetus, or any other person; (ii) such prisoner poses a flight risk; or (iii) the totality of the circumstances creates a serious security risk. If such individualized determination is made that restraints are necessary, such restraints shall be the least restrictive possible.

B. No restraints shall be used on any prisoner known to be pregnant while such prisoner is in labor or during delivery unless a deputy sheriff or jail officer makes an individualized determination that (i) such prisoner will harm herself, the fetus, the newborn child, or any other person; (ii) such prisoner poses a flight risk; or (iii) the totality of the circumstances creates a serious security risk. If such individualized determination is made that restraints are necessary, the deputy sheriff or jail officer shall consult with the health care provider treating such prisoner to ensure that such restraints are the least restrictive possible. In such case, the deputy sheriff or jail officer ordering the use of restraints on any prisoner known to be pregnant while in labor or during delivery shall notify a supervisor as soon as reasonably practicable and shall submit a report indicating the reason for the use of such restraints and what type of restraints were used no later than the conclusion of such deputy sheriff's or jail officer's shift. The supervisor shall submit a written report to the sheriff in charge of the local

correctional facility, or his designee, or the jail superintendent of the regional correctional facility, or his designee, within 72 hours following the use of restraints, containing the justification for restraining such prisoner. If restraints are used on a prisoner as authorized by subsection A or this subsection, such restraints shall be immediately removed upon the request of any doctor, nurse, or other health care provider treating such prisoner if the restraints present a threat to the life or health of the prisoner, the fetus, or the newborn child.

C. No employee of a local or regional correctional facility other than a licensed health care provider shall conduct a body cavity search of a prisoner known to be pregnant unless the employee has a reasonable belief that such prisoner is concealing contraband. If an employee conducts such body cavity search of a pregnant prisoner, the employee shall submit a written report to the sheriff or jail superintendent in charge of such correctional facility within 72 hours of such body cavity search and shall include in such report the justification for such body cavity search and what contraband was found, if any.

D. The sheriff or jail superintendent of a local or regional correctional facility shall ensure that prisoners known to be pregnant are provided sufficient food and dietary supplements that meet generally accepted prenatal nutritional guidelines for pregnant people as ordered by a licensed health care provider or such health care provider's staff.

E. A prisoner known to be pregnant shall be assigned to the lowest bed available.

§ 53.1-133.08. Treatment of prisoners during postpartum recovery.

A. No restraints shall be used on any prisoner who is in postpartum recovery unless a deputy sheriff or jail officer makes an individualized determination that (i) such prisoner will harm herself, the fetus, the newborn child, or any other person; (ii) such prisoner poses a flight risk; or (iii) the totality of the circumstances creates a serious security risk. If such individualized determination is made that restraints are necessary, the deputy sheriff or jail officer shall consult with the health care provider treating such prisoner to ensure that such restraints are the least restrictive possible. In such case, the deputy sheriff or jail officer ordering the use of restraints shall notify a supervisor as soon as reasonably practicable and shall submit a report indicating the reason for the use of such restraints and what type of restraints were used no later than the conclusion of such deputy sheriff's or jail officer's shift. The supervisor shall submit a written report to the sheriff in charge of the local correctional facility, or his designee, or the jail superintendent of the regional correctional facility, or his designee, within 72 hours following the use of restraints, containing justification for restraining the prisoner. If restraints are used on a prisoner as authorized by this subsection, such restraints shall be immediately removed upon the request of any doctor, nurse, or other health care provider treating such prisoner if the restraints present a threat to the life or health of the prisoner, the fetus, or the newborn child.

B. Following the delivery of a newborn child by a prisoner, the sheriff or jail superintendent shall permit the newborn child to remain with the mother until discharge from the health care facility unless a licensed medical or mental health care professional has a reasonable belief that the newborn child remaining with the mother poses a health or safety risk to the newborn child.

§ 53.1-133.09. Training of deputy sheriffs and jail officers regarding pregnant prisoners.

For deputy sheriffs and jail officers employed in local or regional correctional facilities who may have contact with pregnant prisoners, the compulsory minimum entry-level training standards established pursuant to § 9.1-102 shall include training on the general care of pregnant women, the impact of restraints on pregnant prisoners and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant prisoners, and the impact of body cavity searches on pregnant prisoners. All staff shall annually review policies related to restraining pregnant prisoners.

CHAPTER 699

An Act to amend and reenact §§ 40.1-2, 40.1-79.01, and 40.1-80.1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 40.1-109.1 and 40.1-109.2, relating to child labor; child engaged in the work of content creation; trust account.

[H 2401]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 40.1-2, 40.1-79.01, and 40.1-80.1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 40.1-109.1 and 40.1-109.2 as follows:

§ 40.1-2. Definitions.

As used in this title, unless the context clearly requires otherwise, the following terms have the following meanings:

"Board" means the Safety and Health Codes Board.

"Business establishment" means any proprietorship, firm, or corporation where people are employed, permitted, or suffered to work, including agricultural employment on a farm.

"Commission" means the Safety and Health Codes Board.

"Commissioner" means the Commissioner of Labor and Industry. Except where the context clearly indicates the contrary, any reference to "Commissioner" shall include his authorized representatives.

"Content" means audiovisual content shared on an online platform in exchange for compensation.

"Content creator" means an individual or individuals 18 years of age or older, including family members, who create video content performed in the Commonwealth in exchange for compensation, and includes any proprietorship, partnership, company, or other corporate entity assuming the name or identity of a particular individual or family for the purposes of the content creation. "Content creator" does not include a child who produces his own video content.

"Department" means the Department of Labor and Industry.

"Domestic service" means services related to the care of an individual in a private home or the maintenance of a private home or its premises, on a permanent or temporary basis, including services performed by individuals such as companions, cooks, waiters, butlers, maids, valets, and chauffeurs. "Domestic service" does not include work that is irregular, uncertain, or incidental in nature and duration.

"Employ" shall include to permit or suffer to work.

"Employee" means any person who, in consideration of wages, salaries, or commissions, may be permitted, required, or directed by any employer to engage in any employment directly or indirectly.

"Employer" means an individual, partnership, association, corporation, legal representative, receiver, trustee, or trustee in bankruptcy doing business in or operating within this Commonwealth who employs another to work for wages, salaries, or on commission and shall include any similar entity acting directly or indirectly in the interest of an employer in relation to an employee.

"Female" or "woman" means a female 18 years of age or over.

"Machinery" means machines, belts, pulleys, motors, engines, gears, vats, pits, elevators, conveyors, shafts, *or* tunnels, including machinery being operated on farms in connection with the production or harvesting of agricultural products.

"Online platform" means any public-facing website, web application, or digital application, including a mobile application. "Online platform" includes a social network, advertising network, mobile operating system, search engine, email service, or Internet access service.

§ 40.1-79.01. Exemptions from chapter generally.

A. Nothing in this chapter, except the provisions of ~~§§~~ *subsection A of §* 40.1-100 ~~A,~~ *and §§* 40.1-100.1, 40.1-100.2, and 40.1-103, shall apply to:

1. A child engaged in domestic work when such work is performed in connection with the child's own home and directly for his parent or a person standing in place of his parent;

2. A child employed in occasional work performed outside school hours where such work is in connection with the employer's home but not in connection with the employer's business, trade, or profession;

3. A child 12 or 13 years of age employed outside school hours on farms, in orchards, or in gardens with the consent of his parent or a person standing in place of his parent;

4. A child between the ages of 12 and 18 employed as a page or clerk for either the House of Delegates or the Senate of Virginia;

5. A child participating in the activities of a volunteer emergency medical services agency;

6. A child under 16 years of age employed by his parent in an occupation other than manufacturing; or

7. A child 12 years of age or older employed by an eleemosynary organization or unit of state or local government as a referee for sports programs sponsored by that eleemosynary, state, or local organization or by an organization of referees sponsored by an organization recognized by the United States Olympic Committee under 36 U.S.C. § 220522.

B. Nothing in this chapter, except §§ 40.1-100.1, 40.1-100.2, and 40.1-103, shall be construed to apply to a child employed by his parent or a person standing in place of his parent on farms, in orchards or in gardens owned or operated by such parent or person.

C. Nothing in this chapter, except subsection A of § 40.1-100 and §§ 40.1-100.1, 40.1-100.2, 40.1-103, and 40.1-109.2, shall apply to a child engaged in the work of content creation as described in § 40.1-109.1. For the purposes of this subsection, a child engaged in the work of content creation shall not be considered to be "employed, permitted, or suffered to work" in any setting described in subsection A of § 40.1-100 solely due to such child's presence in such setting, provided that:

1. Such child is not exposed to a hazard capable of causing serious physical harm or death to such child in violation of § 40.1-100.1;

2. Such child is under the direct supervision of an adult who ensures compliance with all applicable safety requirements; and

3. Such child's engagement in the work of content creation does not require direct interaction with hazardous equipment or conditions.

§ 40.1-80.1. Employment of children.

A. Except as provided in §§ 40.1-79.01, 40.1-88, 40.1-102, ~~and~~ 40.1-109*, 40.1-109.1, and 40.1-109.2*, no child under ~~sixteen~~ *16* years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation more than the number of hours per week or more than the number of hours per day or during the hours of the day that the Commissioner shall determine by regulations to be detrimental to the lives, health, safety, or welfare of children. These regulations shall incorporate the standards contained in regulations promulgated by the ~~United~~ ~~States~~ *U.S.* Secretary of Labor pursuant to the Fair Labor Standards Act (29 U.S.C. § 201 et seq.) concerning the number of hours per week, hours per day, and the hours of the day that children under the age of ~~sixteen~~ *16* may work in, about, or in connection with, any gainful occupation.

B. No child shall be employed or permitted to work for more than five hours continuously without an interval of at least ~~thirty~~ *30* minutes for a lunch period, and no period of less than ~~thirty~~ *30* minutes shall be deemed to interrupt a continuous period of work.

§ 40.1-109.1. Child engaged in the work of content creation; criteria.

A. A child under the age of 16 is considered engaged in the work of content creation when the following criteria are met at any time during the previous 12-month period:

1. At least 30 percent of the content creator's compensated video content produced within a 30-day period included the likeness, name, or photograph of the child. Content percentage is measured by the percentage of time the likeness, name, or photograph of the child or, if more than one child regularly appears in the creator's content, any of the children visually appears or is the subject of an oral narrative in a video segment as compared to the total length of the segment; and

2. The number of views received per video segment on any online platform met the online platform's threshold for the generation of compensation or the content creator received actual compensation for video content equal to or greater than $0.10 per view.

B. All content creators whose content features a child under the age of 16 engaged in the work of content creation shall maintain the following records and shall provide them to the child and the holder of the trust account required pursuant to § 40.1-109.2 on an ongoing basis:

1. The name and documentary proof of the age of the child engaged in the work of content creation;

2. The number of videos that generated compensation as described in subsection A during the reporting period;

3. The total number of minutes of the video content that the content creator received compensation for during the reporting period;

4. The total number of minutes each child was featured in video content during the reporting period;

5. The total compensation generated from video content featuring a child during the reporting period; and

6. The amount deposited into the trust account for the benefit of the child engaged in the work of content creation, as required by § 40.1-109.2.

C. If a content creator whose video content features a child under the age of 16 engaged in the work of content creation fails to maintain the records as provided in subsection B, the child, or his parent or guardian on behalf of such child, may commence a civil action to enforce the provisions of this section. No action shall be commenced under this section more than two years after the date on which the child engaged in the work of content creation attained 18 years of age.

§ 40.1-109.2. Child engaged in the work of content creation; trust account.

A. A child engaged in the work of content creation as described in subsection A of § 40.1-109.1 shall be compensated by the content creator. The content creator shall set aside gross earnings on the video content that includes the likeness, name, or photograph of the child in a trust account to be preserved for the benefit of the child upon attaining 18 years of age or having been declared emancipated, according to the following distribution:

1. Where only one child meets the content threshold described in § 40.1-109.1, the percentage of total gross earnings on any video segment including the likeness, name, or photograph of the child that is equal to or greater than half of the content percentage that includes the child as described in § 40.1-109.1; or

2. Where more than one child meets the content threshold described in § 40.1-109.1 and a video segment includes more than one of those children, the percentage described in subdivision 1 for all children in any segment shall be equally divided among the children, regardless of differences in percentage of content provided by the individual children.

B. A trust account required under this section shall provide, at a minimum, the following:

1. That the funds in the account shall be available only to the child engaged in the work of content creation;

2. That the account shall be held by a financial institution, corporate fiduciary, or trust company;

3. That the funds in the account shall become available to the child engaged in the work of content creation upon the child attaining the age of 18 years or when the child is declared emancipated; and

4. That the account meets the requirements of the Virginia Uniform Transfers to Minors Act (§ 64.2-1900 et seq.).

C. If a content creator knowingly or recklessly violates this section, a child engaged in the work of content creation as described in subsection A of § 40.1-109.1, or his parent or guardian on behalf of such child, may commence an action to enforce the provisions of this section regarding the trust account. The court may award, to a child who prevails in any action brought in accordance with this section, the following damages: (i) compensatory damages; (ii) punitive damages; and (iii) the costs of the action, including reasonable attorney fees and costs. No action shall be commenced under this section more than two years after the date on which the child engaged in the work of content creation attained 18 years of age.

D. This section does not affect any right or remedy available under any other provision of law.

E. Nothing in this section shall be construed to have any effect on a party that is neither the content creator nor the child engaged in the work of content creation.

CHAPTER 700

An Act to amend the Code of Virginia by adding in Chapter 2 of Title 32.1 an article numbered 23, consisting of sections numbered 32.1-73.28 through 32.1-73.31, relating to Postpartum Depression Education Act; report.

[H 2446]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 2 of Title 32.1 an article numbered 23, consisting of sections numbered 32.1-73.28 through 32.1-73.31, as follows:

Article 23.

Postpartum Depression Education Act.

§ 32.1-73.28. Public awareness campaign; Department authorized to seek funding.

A. The Department, in collaboration with the Department of Behavioral Health and Developmental Services, shall develop and implement a statewide public awareness campaign on perinatal and postpartum depression. Such campaign shall:

1. Increase awareness about the symptoms, risk factors, and treatment options for perinatal and postpartum depression;

2. Provide culturally appropriate and accessible materials for diverse populations;

3. Provide information to health care providers, birthing individuals, families, and community organizations;

4. Utilize multiple platforms, including digital media, print materials, and community outreach programs, to maximize public engagement; and

5. Highlight the importance of seeking early treatment for and reducing the stigma associated with perinatal and postpartum depression.

B. The Department may seek and accept funding from any public or private entities to implement the provisions of this article.

§ 32.1-73.29. Development of educational materials and resources.

A. The Department shall create and distribute educational materials on perinatal and postpartum depression. Such materials shall include:

1. Fact sheets on symptoms, causes, and available treatment options;

2. Contact information for local, state, and national resources, including crisis hotlines, counseling services, and support groups;

3. Guidance for health care providers on screening, diagnosing, and managing perinatal and postpartum depression; and

4. Information on the impact of untreated perinatal and postpartum depression on maternal and infant health outcomes.

B. The Department shall distribute materials prepared pursuant to subsection A to:

1. Health care providers, including obstetricians, midwives, pediatricians, and primary care physicians;

2. Hospitals, birthing centers, and clinics;

3. Community organizations, including faith-based groups and nonprofit organizations; and

4. Public health offices and other relevant government agencies.

§ 32.1-73.30. Online resource hub.

The Department shall develop and maintain an online resource hub that provides:

1. Up-to-date information on perinatal and postpartum depression;

2. A directory of mental health providers specializing in perinatal and postpartum care;

3. Information on available support groups, counseling services, and treatment options; and

4. A platform for individuals and families to share experiences and connect with community resources.

§ 32.1-73.31. Annual report.

A. The Department shall submit an annual report to the Governor and the General Assembly that includes:

1. Metrics on public engagement with the programs implemented pursuant to this article;

2. Feedback from health care providers, community organizations, and individuals served by programs implemented pursuant to this article;

3. Progress in reducing stigma and increasing early detection and treatment of perinatal and postpartum depression; and

4. Recommendations for improving or expanding programs implemented pursuant to this article.

B. The Department shall publish the annual report prepared pursuant to subsection A on its website.

2. That the Department of Health shall submit the first report prepared pursuant to § 32.1-73.31 of the Code of Virginia, as created by this act, by November 1, 2026.

CHAPTER 701

An Act to amend and reenact § 32.1-325 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 32.1-325.5, relating to Department of Medical Assistance Services; state pharmacy benefits manager.

[H 2610]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-325 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 32.1-325.5 as follows:

§ 32.1-325. Board to submit plan for medical assistance services to U.S. Secretary of Health and Human Services pursuant to federal law; administration of plan; contracts with health care providers.

A. The Board, subject to the approval of the Governor, is authorized to prepare, amend from time to time, and submit to the U.S. Secretary of Health and Human Services a state plan for medical assistance services pursuant to Title XIX of the United States Social Security Act and any amendments thereto. The Board shall include in such plan:

1. A provision for payment of medical assistance on behalf of individuals, up to the age of 21, placed in foster homes or private institutions by private, nonprofit agencies licensed as child-placing agencies by the Department of Social Services or placed through state and local subsidized adoptions to the extent permitted under federal statute;

2. A provision for determining eligibility for benefits for medically needy individuals which disregards from countable resources an amount not in excess of $3,500 for the individual and an amount not in excess of $3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by (i) the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources and (ii) the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses;

3. A requirement that, in determining eligibility, a home shall be disregarded. For those medically needy persons whose eligibility for medical assistance is required by federal law to be dependent on the budget methodology for Aid to Families with Dependent Children, a home means the house and lot used as the principal residence and all contiguous property. For all other persons, a home shall mean the house and lot used as the principal residence, as well as all contiguous property, as long as the value of the land, exclusive of the lot occupied by the house, does not exceed $5,000. In any case in which the definition of home as provided here is more restrictive than that provided in the state plan for medical assistance services in Virginia as it was in effect on January 1, 1972, then a home means the house and lot used as the principal residence and all contiguous property essential to the operation of the home regardless of value;

4. A provision for payment of medical assistance on behalf of individuals up to the age of 21, who are Medicaid eligible, for medically necessary stays in acute care facilities in excess of 21 days per admission;

5. A provision for deducting from an institutionalized recipient's income an amount for the maintenance of the individual's spouse at home;

6. A provision for payment of medical assistance on behalf of pregnant women which provides for payment for inpatient postpartum treatment in accordance with the medical criteria outlined in the most current version of or an official update to the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists or the "Standards for Obstetric-Gynecologic Services" prepared by the American College of Obstetricians and Gynecologists. Payment shall be made for any postpartum home visit or visits for the mothers and the children which are within the time periods recommended by the attending physicians in accordance with and as indicated by such Guidelines or Standards. For the purposes of this subdivision, such Guidelines or Standards shall include any changes thereto within six months of the publication of such Guidelines or Standards or any official amendment thereto;

7. A provision for the payment for family planning services on behalf of women who were Medicaid-eligible for prenatal care and delivery as provided in this section at the time of delivery. Such family planning services shall begin with delivery and continue for a period of 24 months, if the woman continues to meet the financial eligibility requirements for a pregnant woman under Medicaid. For the purposes of this section, family planning services shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions;

8. A provision for payment of medical assistance for high-dose chemotherapy and bone marrow transplants on behalf of individuals over the age of 21 who have been diagnosed with lymphoma, breast cancer, myeloma, or leukemia and have been determined by the treating health care provider to have a performance status sufficient to proceed with such high-dose chemotherapy and bone marrow transplant. Appeals of these cases shall be handled in accordance with the Department's expedited appeals process;

9. A provision identifying entities approved by the Board to receive applications and to determine eligibility for medical assistance, which shall include a requirement that such entities (i) obtain accurate contact information, including the best available address and telephone number, from each applicant for medical assistance, to the extent required by federal law and regulations, and (ii) provide each applicant for medical assistance with information about advance directives pursuant to Article 8 (§ 54.1-2981 et seq.) of Chapter 29 of Title 54.1, including information about the purpose and benefits of advance directives and how the applicant may make an advance directive;

10. A provision for breast reconstructive surgery following the medically necessary removal of a breast for any medical reason. Breast reductions shall be covered, if prior authorization has been obtained, for all medically necessary indications. Such procedures shall be considered noncosmetic;

11. A provision for payment of medical assistance for annual pap smears;

12. A provision for payment of medical assistance services for prostheses following the medically necessary complete or partial removal of a breast for any medical reason;

13. A provision for payment of medical assistance which provides for payment for 48 hours of inpatient treatment for a patient following a radical or modified radical mastectomy and 24 hours of inpatient care following a total mastectomy or a partial mastectomy with lymph node dissection for treatment of disease or trauma of the breast. Nothing in this subdivision

shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate;

14. A requirement that certificates of medical necessity for durable medical equipment and any supporting verifiable documentation shall be signed, dated, and returned by the physician, physician assistant, or advanced practice registered nurse and in the durable medical equipment provider's possession within 60 days from the time the ordered durable medical equipment and supplies are first furnished by the durable medical equipment provider;

15. A provision for payment of medical assistance to (i) persons age 50 and over and (ii) persons age 40 and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for one PSA test in a 12-month period and digital rectal examinations, all in accordance with American Cancer Society guidelines. For the purpose of this subdivision, "PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen;

16. A provision for payment of medical assistance for low-dose screening mammograms for determining the presence of occult breast cancer. Such coverage shall make available one screening mammogram to persons age 35 through 39, one such mammogram biennially to persons age 40 through 49, and one such mammogram annually to persons age 50 and over. The term "mammogram" means an X-ray examination of the breast using equipment dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression device, screens, film and cassettes, with an average radiation exposure of less than one rad mid-breast, two views of each breast;

17. A provision, when in compliance with federal law and regulation and approved by the Centers for Medicare & Medicaid Services (CMS), for payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the state plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services;

18. A provision for payment of medical assistance services for liver, heart and lung transplantation procedures for individuals over the age of 21 years when (i) there is no effective alternative medical or surgical therapy available with outcomes that are at least comparable; (ii) the transplant procedure and application of the procedure in treatment of the specific condition have been clearly demonstrated to be medically effective and not experimental or investigational; (iii) prior authorization by the Department of Medical Assistance Services has been obtained; (iv) the patient selection criteria of the specific transplant center where the surgery is proposed to be performed have been used by the transplant team or program to determine the appropriateness of the patient for the procedure; (v) current medical therapy has failed and the patient has failed to respond to appropriate therapeutic management; (vi) the patient is not in an irreversible terminal state; and (vii) the transplant is likely to prolong the patient's life and restore a range of physical and social functioning in the activities of daily living;

19. A provision for payment of medical assistance for colorectal cancer screening, specifically screening with an annual fecal occult blood test, flexible sigmoidoscopy or colonoscopy, or in appropriate circumstances radiologic imaging, in accordance with the most recently published recommendations established by the American College of Gastroenterology, in consultation with the American Cancer Society, for the ages, family histories, and frequencies referenced in such recommendations;

20. A provision for payment of medical assistance for custom ocular prostheses;

21. A provision for payment for medical assistance for infant hearing screenings and all necessary audiological examinations provided pursuant to § 32.1-64.1 using any technology approved by the United States Food and Drug Administration, and as recommended by the national Joint Committee on Infant Hearing in its most current position statement addressing early hearing detection and intervention programs. Such provision shall include payment for medical assistance for follow-up audiological examinations as recommended by a physician, physician assistant, advanced practice registered nurse, or audiologist and performed by a licensed audiologist to confirm the existence or absence of hearing loss;

22. A provision for payment of medical assistance, pursuant to the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (P.L. 106-354), for certain women with breast or cervical cancer when such women (i) have been screened for breast or cervical cancer under the Centers for Disease Control and Prevention (CDC) Breast and Cervical Cancer Early Detection Program established under Title XV of the Public Health Service Act; (ii) need treatment for breast or cervical cancer, including treatment for a precancerous condition of the breast or cervix; (iii) are not otherwise covered under creditable coverage, as defined in § 2701 (c) of the Public Health Service Act; (iv) are not otherwise eligible for medical assistance services under any mandatory categorically needy eligibility group; and (v) have not attained age 65. This provision shall include an expedited eligibility determination for such women;

23. A provision for the coordinated administration, including outreach, enrollment, re-enrollment and services delivery, of medical assistance services provided to medically indigent children pursuant to this chapter, which shall be called Family Access to Medical Insurance Security (FAMIS) Plus and the FAMIS Plan program in § 32.1-351. A single application form shall be used to determine eligibility for both programs;

24. A provision, when authorized by and in compliance with federal law, to establish a public-private long-term care partnership program between the Commonwealth of Virginia and private insurance companies that shall be established through the filing of an amendment to the state plan for medical assistance services by the Department of Medical Assistance Services. The purpose of the program shall be to reduce Medicaid costs for long-term care by delaying or eliminating dependence on Medicaid for such services through encouraging the purchase of private long-term care insurance policies that have been designated as qualified state long-term care insurance partnerships and may be used as the first source of benefits for the participant's long-term care. Components of the program, including the treatment of assets for Medicaid eligibility and estate recovery, shall be structured in accordance with federal law and applicable federal guidelines;

25. A provision for the payment of medical assistance for otherwise eligible pregnant women during the first five years of lawful residence in the United States, pursuant to § 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111-3);

26. A provision for the payment of medical assistance for medically necessary health care services provided through telemedicine services, as defined in § 38.2-3418.16, regardless of the originating site or whether the patient is accompanied by a health care provider at the time such services are provided. No health care provider who provides health care services through telemedicine services shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.

For the purposes of this subdivision, a health care provider duly licensed by the Commonwealth who provides health care services exclusively through telemedicine services shall not be required to maintain a physical presence in the Commonwealth to be considered an eligible provider for enrollment as a Medicaid provider.

For the purposes of this subdivision, a telemedicine services provider group with health care providers duly licensed by the Commonwealth shall not be required to have an in-state service address to be eligible to enroll as a Medicaid vendor or Medicaid provider group.

For the purposes of this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

27. A provision for the payment of medical assistance for the dispensing or furnishing of up to a 12-month supply of hormonal contraceptives at one time. Absent clinical contraindications, the Department shall not impose any utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished to an amount less than a 12-month supply. Nothing in this subdivision shall be construed to (i) require a provider to prescribe, dispense, or furnish a 12-month supply of self-administered hormonal contraceptives at one time or (ii) exclude coverage for hormonal contraceptives as prescribed by a prescriber, acting within his scope of practice, for reasons other than contraceptive purposes. As used in this subdivision, "hormonal contraceptive" means a medication taken to prevent pregnancy by means of ingestion of hormones, including medications containing estrogen or progesterone, that is self-administered, requires a prescription, and is approved by the U.S. Food and Drug Administration for such purpose;

28. A provision for payment of medical assistance for remote patient monitoring services provided via telemedicine, as defined in § 38.2-3418.16, for (i) high-risk pregnant persons; (ii) medically complex infants and children; (iii) transplant patients; (iv) patients who have undergone surgery, for up to three months following the date of such surgery; and (v) patients with a chronic or acute health condition who have had two or more hospitalizations or emergency department visits related to such health condition in the previous 12 months when there is evidence that the use of remote patient monitoring is likely to prevent readmission of such patient to a hospital or emergency department. For the purposes of this subdivision, "remote patient monitoring services" means the use of digital technologies to collect medical and other forms of health data from patients in one location and electronically transmit that information securely to health care providers in a different location for analysis, interpretation, and recommendations, and management of the patient. "Remote patient monitoring services" includes monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other patient physiological data, treatment adherence monitoring, and interactive videoconferencing with or without digital image upload;

29. A provision for the payment of medical assistance for provider-to-provider consultations that is no more restrictive than, and is at least equal in amount, duration, and scope to, that available through the fee-for-service program;

30. A provision for payment of the originating site fee to emergency medical services agencies for facilitating synchronous telehealth visits with a distant site provider delivered to a Medicaid member. As used in this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

31. A provision for the payment of medical assistance for targeted case management services for individuals with severe traumatic brain injury;

32. A provision for payment of medical assistance for the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories, as defined by the Department's durable medical equipment program policy, for patients who reside in nursing facilities. Initial purchase or replacement may be contingent

upon (i) determination of medical necessity; (ii) requirements in accordance with regulations established through the Department's durable medical equipment program policy; and (iii) exclusive use by the nursing facility resident. Recipients of medical assistance shall not be required to pay any deductible, coinsurance, copayment, or patient costs related to the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories; and

33. A provision for payment of medical assistance for remote ultrasound procedures and remote fetal non-stress tests. Such provision shall utilize established CPT codes for these procedures and shall apply when the patient is in a residence or other off-site location from the patient's provider that provides the same standard of care. The provision shall provide for reimbursement only when a provider uses digital technology (i) to collect medical and other forms of health data from a patient and electronically transmit that information securely to a health care provider in a different location for interpretation and recommendation; (ii) that is compliant with the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.); and (iii) that is approved by the U.S. Food and Drug Administration. For fetal non-stress tests under CPT Code 59025, the provision shall provide for reimbursement only if such test (a) is conducted with a place of service modifier for at-home monitoring and (b) uses remote monitoring solutions that are approved by the U.S. Food and Drug Administration for on-label use to monitor fetal heart rate, maternal heart rate, and uterine activity.

B. In preparing the plan, the Board shall:

1. Work cooperatively with the State Board of Health to ensure that quality patient care is provided and that the health, safety, security, rights and welfare of patients are ensured.

2. Initiate such cost containment or other measures as are set forth in the appropriation act.

3. Make, adopt, promulgate and enforce such regulations as may be necessary to carry out the provisions of this chapter.

4. Examine, before acting on a regulation to be published in the Virginia Register of Regulations pursuant to § 2.2-4007.05, the potential fiscal impact of such regulation on local boards of social services. For regulations with potential fiscal impact, the Board shall share copies of the fiscal impact analysis with local boards of social services prior to submission to the Registrar. The fiscal impact analysis shall include the projected costs/savings to the local boards of social services to implement or comply with such regulation and, where applicable, sources of potential funds to implement or comply with such regulation.

5. Incorporate sanctions and remedies for certified nursing facilities established by state law, in accordance with 42 C.F.R. § 488.400 et seq., Enforcement of Compliance for Long-Term Care Facilities With Deficiencies.

6. On and after July 1, 2002, require that a prescription benefit card, health insurance benefit card, or other technology that complies with the requirements set forth in § 38.2-3407.4:2 be issued to each recipient of medical assistance services, and shall upon any changes in the required data elements set forth in subsection A of § 38.2-3407.4:2, either reissue the card or provide recipients such corrective information as may be required to electronically process a prescription claim.

C. In order to enable the Commonwealth to continue to receive federal grants or reimbursement for medical assistance or related services, the Board, subject to the approval of the Governor, may adopt, regardless of any other provision of this chapter, such amendments to the state plan for medical assistance services as may be necessary to conform such plan with amendments to the United States Social Security Act or other relevant federal law and their implementing regulations or constructions of these laws and regulations by courts of competent jurisdiction or the United States Secretary of Health and Human Services.

In the event conforming amendments to the state plan for medical assistance services are adopted, the Board shall not be required to comply with the requirements of Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2. However, the Board shall, pursuant to the requirements of § 2.2-4002, (i) notify the Registrar of Regulations that such amendment is necessary to meet the requirements of federal law or regulations or because of the order of any state or federal court, or (ii) certify to the Governor that the regulations are necessitated by an emergency situation. Any such amendments that are in conflict with the Code of Virginia shall only remain in effect until July 1 following adjournment of the next regular session of the General Assembly unless enacted into law.

D. The Director of Medical Assistance Services is authorized to:

1. Administer such state plan and receive and expend federal funds therefor in accordance with applicable federal and state laws and regulations; and enter into all contracts necessary or incidental to the performance of the Department's duties and the execution of its powers as provided by law.

2. Enter into agreements and contracts with medical care facilities, physicians, dentists and other health care providers where necessary to carry out the provisions of such state plan. Any such agreement or contract shall terminate upon conviction of the provider of a felony. In the event such conviction is reversed upon appeal, the provider may apply to the Director of Medical Assistance Services for a new agreement or contract. Such provider may also apply to the Director for reconsideration of the agreement or contract termination if the conviction is not appealed, or if it is not reversed upon appeal.

3. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with any provider who has been convicted of or otherwise pled guilty to a felony, or pursuant to Subparts A, B, and C of 42 C.F.R. Part 1002, and upon notice of such action to the provider as required by 42 C.F.R. § 1002.212.

4. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with a provider who is or has been a principal in a professional or other corporation when such corporation has been convicted of

or otherwise pled guilty to any violation of § 32.1-314, 32.1-315, 32.1-316, or 32.1-317, or any other felony or has been excluded from participation in any federal program pursuant to 42 C.F.R. Part 1002.

5. Terminate or suspend a provider agreement with a home care organization pursuant to subsection E of § 32.1-162.13.

For the purposes of this subsection, "provider" may refer to an individual or an entity.

E. In any case in which a Medicaid agreement or contract is terminated or denied to a provider pursuant to subsection D, the provider shall be entitled to appeal the decision pursuant to 42 C.F.R. § 1002.213 and to a post-determination or post-denial hearing in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). All such requests shall be in writing and be received within 15 days of the date of receipt of the notice.

The Director may consider aggravating and mitigating factors including the nature and extent of any adverse impact the agreement or contract denial or termination may have on the medical care provided to Virginia Medicaid recipients. In cases in which an agreement or contract is terminated pursuant to subsection D, the Director may determine the period of exclusion and may consider aggravating and mitigating factors to lengthen or shorten the period of exclusion, and may reinstate the provider pursuant to 42 C.F.R. § 1002.215.

F. When the services provided for by such plan are services which a marriage and family therapist, clinical psychologist, clinical social worker, professional counselor, or clinical nurse specialist is licensed to render in Virginia, the Director shall contract with any duly licensed marriage and family therapist, duly licensed clinical psychologist, licensed clinical social worker, licensed professional counselor or licensed clinical nurse specialist who makes application to be a provider of such services, and thereafter shall pay for covered services as provided in the state plan. The Board shall promulgate regulations which reimburse licensed marriage and family therapists, licensed clinical psychologists, licensed clinical social workers, licensed professional counselors and licensed clinical nurse specialists at rates based upon reasonable criteria, including the professional credentials required for licensure.

G. The Board shall prepare and submit to the Secretary of the United States Department of Health and Human Services such amendments to the state plan for medical assistance services as may be permitted by federal law to establish a program of family assistance whereby children over the age of 18 years shall make reasonable contributions, as determined by regulations of the Board, toward the cost of providing medical assistance under the plan to their parents.

H. The Department of Medical Assistance Services shall:

1. Include in its provider networks and all of its health maintenance organization contracts a provision for the payment of medical assistance on behalf of individuals up to the age of 21 who have special needs and who are Medicaid eligible, including individuals who have been victims of child abuse and neglect, for medically necessary assessment and treatment services, when such services are delivered by a provider which specializes solely in the diagnosis and treatment of child abuse and neglect, or a provider with comparable expertise, as determined by the Director.

2. Amend the Medallion II waiver and its implementing regulations to develop and implement an exception, with procedural requirements, to mandatory enrollment for certain children between birth and age three certified by the Department of Behavioral Health and Developmental Services as eligible for services pursuant to Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.).

3. Utilize, to the extent practicable, electronic funds transfer technology for reimbursement to contractors and enrolled providers for the provision of health care services under Medicaid and the Family Access to Medical Insurance Security Plan established under § 32.1-351.

~~4. Require any managed care organization with which the Department enters into an agreement for the provision of medical assistance services to include in any contract between the managed care organization and a pharmacy benefits manager provisions prohibiting the pharmacy benefits manager or a representative of the pharmacy benefits manager from conducting spread pricing with regards to the managed care organizations' managed care plans. For the purposes of this subdivision:~~

~~"Pharmacy benefits management" means the administration or management of prescription drug benefits provided by a managed care organization for the benefit of covered individuals.~~

~~"Pharmacy benefits manager" means a person that performs pharmacy benefits management.~~

~~"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a managed care plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.~~

I. The Director is authorized to negotiate and enter into agreements for services rendered to eligible recipients with special needs. The Board shall promulgate regulations regarding these special needs patients, to include persons with AIDS, ventilator-dependent patients, and other recipients with special needs as defined by the Board.

J. Except as provided in subdivision A 1 of § 2.2-4345, the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not apply to the activities of the Director authorized by subsection I of this section. Agreements made pursuant to this subsection shall comply with federal law and regulation.

K. When the services provided for by such plan are services by a pharmacist, pharmacy technician, or pharmacy intern (i) performed under the terms of a collaborative agreement as defined in § 54.1-3300 and consistent with the terms of a managed care contractor provider contract or the state plan or (ii) related to services and treatment in accordance with § 54.1-3303.1, the Department shall provide reimbursement for such service.

§ 32.1-325.5. State pharmacy benefits manager.

A. As used in this section:

"Pharmacy benefits manager" means the same as that term is defined in § 38.2-3465.

"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a managed care plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.

"State pharmacy benefits manager" means the pharmacy benefits manager contracted by the Department pursuant to this section to administer pharmacy benefits for all Medicaid recipients in the Commonwealth.

B. By July 1, 2026, the Department shall select and contract with a single third-party administrator to serve as the state pharmacy benefits manager to administer all pharmacy benefits for Medicaid recipients, including those enrolled in a managed care organization by such date with whom the Department contracts for the delivery of Medicaid services. Each managed care contract entered into or renewed by the Department for the delivery of Medicaid services by a managed care organization shall require the managed care organization to contract with and utilize the state pharmacy benefits manager for the purpose of administering all pharmacy benefits for Medicaid recipients enrolled with the managed care organization. Notwithstanding the provisions of § 38.2-3470, the state pharmacy benefits manager shall adhere to subdivision A 5 of § 38.2-3467 unless otherwise prohibited by federal law.

C. The Department's contract with the state pharmacy benefits manager shall:

1. Establish the state pharmacy benefits manager's fiduciary duty owed to the Department;

2. Require the use of pass-through pricing;

3. Require the state pharmacy benefits manager to use the common formulary, reimbursement methodologies, and dispensing fees negotiated by the Department;

4. Require transparency in drug costs, rebates collected and paid, dispensing fees paid, administrative fees, and all other charges, fees, costs, and holdbacks; and

5. Prohibit the use of spread pricing.

2. That the Department of Medical Assistance Services (the Department) shall engage an independent consultant with direct experience (i) advising Medicaid fraud control units and (ii) working with states that have established a single pharmacy benefits manager for their Medicaid program for the implementation of a contract with a third-party pharmacy benefits manager for the administration of pharmacy benefits for the Virginia Medicaid managed care and fee-for-services programs. The consultant shall not be engaged by any Virginia Medicaid managed care organization or by any pharmacy benefits manager contracted with a Virginia Medicaid managed care organization. The evaluation shall not affect the implementation date of July 1, 2026.

CHAPTER 702

An Act to amend and reenact § 20-108.2 of the Code of Virginia, relating to determination of child support.

[S 805]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 20-108.2 of the Code of Virginia is amended and reenacted as follows:

§ 20-108.2. Guideline for determination of child support; quadrennial review by Child Support Guidelines Review Panel; executive summary.

A. There shall be a rebuttable presumption in any judicial or administrative proceeding for child support under this title or Title 16.1 or 63.2, including cases involving split custody, shared custody, or multiple custody arrangements pursuant to subdivisions G 4, 5, and 6, that the amount of the award which would result from the application of the guidelines set forth in this section is the correct amount of child support to be awarded. In order to rebut the presumption, the court shall make written findings in the order as set out in § 20-108.1, which findings may be incorporated by reference, that the application of the guidelines would be unjust or inappropriate in a particular case as determined by relevant evidence pertaining to the factors set out in § 20-108.1. The Department of Social Services shall set child support at the amount resulting from computations using the guidelines set out in this section pursuant to the authority granted to it in Chapter 19 (§ 63.2-1900 et seq.) of Title 63.2 and subject to the provisions of § 63.2-1918.

B. For purposes of application of the guideline, a basic child support obligation shall be computed using the schedule set out below. For combined monthly gross income amounts falling between amounts shown in the schedule, basic child support obligation amounts shall be extrapolated. However, unless one of the following exemptions applies where the sole custody child support obligation as computed pursuant to subdivision G 1 is less than the statutory minimum per month, there shall be a presumptive minimum child support obligation of the statutory minimum per month payable by the payor parent. If the gross income of the obligor is equal to or less than 150 percent of the federal poverty level promulgated by the U.S. Department of Health and Human Services from time to time, then the court, upon hearing evidence that there is no ability to pay the presumptive statutory minimum, may set an obligation below the presumptive statutory minimum provided doing so does not create or reduce a support obligation to an amount which seriously impairs the custodial parent's ability to maintain minimal adequate housing and provide other basic necessities for the child. Exemptions from this presumptive minimum monthly child support obligation shall include: parents unable to pay child support because they lack

sufficient assets from which to pay child support and who, in addition, are institutionalized in a psychiatric facility; are imprisoned for life with no chance of parole; are medically verified to be totally and permanently disabled with no evidence of potential for paying child support, including recipients of Supplemental Security Income (SSI); or are otherwise involuntarily unable to produce income. "Number of children" means the number of children for whom the parents share joint legal responsibility and for whom support is being sought. The guidelines worksheet relied upon by the court or the Department of Social Services to compute a child support obligation for a support order issued by such court or the Department shall be placed in the court's file or the Department's file, and a copy of such guidelines worksheet shall be provided to the parties.

SCHEDULE OF MONTHLY BASIC CHILD SUPPORT OBLIGATIONS

COMBINED MONTHLY GROSS INCOME	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
0-350	68	104	126	141	155	169
400	78	119	144	161	177	192
450	88	133	162	181	199	216
500	97	148	179	200	220	239
550	107	162	197	220	242	263
600	116	177	215	240	264	287
650	126	191	232	259	285	310
700	135	206	250	279	307	333
750	145	220	267	298	328	357
800	154	234	284	317	349	379
850	163	248	300	336	369	401
900	171	260	316	353	388	422
950	179	273	331	369	406	442
1000	187	285	346	386	425	462
1050	196	298	361	403	443	482
1100	204	310	375	419	461	501
1150	212	323	390	436	480	521
1200	220	335	405	453	498	541
1250	228	347	420	469	516	561
1300	237	360	435	486	535	581
1350	245	372	450	503	553	601
1400	253	385	465	519	571	621
1450	261	397	480	536	589	641
1500	269	410	495	552	608	661
1550	278	422	509	569	626	680
1600	286	434	524	585	644	700
1650	293	446	538	601	661	718
1700	301	457	552	616	678	737
1750	309	469	566	632	695	756
1800	316	481	579	647	712	774
1850	324	492	593	663	729	792
1900	331	504	607	678	746	811
1950	339	515	621	693	763	829
2000	347	527	635	709	780	848
2050	354	538	648	724	797	866
2100	362	550	662	740	814	884
2150	369	561	676	755	830	903

2200	377	573	690	770	847	921
2250	385	584	703	786	864	940
2300	392	596	717	801	881	958
2350	400	607	731	817	898	976
2400	407	619	745	832	915	995
2450	415	630	759	847	932	1013
2500	423	642	772	863	949	1032
2550	430	653	786	878	966	1050
2600	438	665	800	894	983	1068
2650	445	676	814	909	1000	1087
2700	453	688	828	924	1017	1105
2750	460	699	841	940	1034	1124
2800	468	711	855	955	1051	1142
2850	476	722	869	971	1068	1160
2900	483	734	883	986	1084	1179
2950	491	745	896	1001	1101	1197
3000	498	757	910	1017	1118	1216
3050	506	768	924	1032	1135	1234
3100	514	780	938	1047	1152	1252
3150	521	791	952	1063	1169	1271
3200	529	803	965	1078	1186	1289
3250	536	814	979	1094	1203	1308
3300	544	826	993	1109	1220	1326
3350	551	837	1006	1123	1236	1343
3400	559	848	1019	1138	1252	1361
3450	566	859	1032	1152	1268	1378
3500	574	870	1045	1167	1283	1395
3550	581	881	1057	1181	1299	1412
3600	588	892	1070	1196	1315	1430
3650	596	903	1083	1210	1331	1447
3700	603	914	1096	1224	1347	1464
3750	611	925	1109	1239	1363	1481
3800	618	936	1122	1253	1379	1499
3850	626	947	1135	1268	1395	1516
3900	632	956	1146	1280	1408	1531
3950	638	966	1157	1293	1422	1546
4000	645	975	1168	1305	1436	1561
4050	651	985	1180	1318	1449	1575
4100	658	994	1191	1330	1463	1590
4150	664	1004	1202	1342	1477	1605
4200	670	1013	1213	1355	1490	1620
4250	677	1023	1224	1367	1504	1635
4300	682	1030	1233	1377	1515	1647
4350	687	1038	1242	1387	1526	1658
4400	693	1046	1251	1397	1537	1670
4450	698	1054	1260	1407	1548	1682
4500	704	1062	1268	1417	1559	1694

4550	709	1069	1277	1427	1569	1706
4600	714	1077	1286	1437	1580	1718
4650	720	1085	1295	1447	1591	1730
4700	725	1093	1304	1457	1602	1742
4750	731	1100	1313	1466	1613	1753
4800	736	1108	1322	1476	1624	1765
4850	741	1116	1331	1486	1635	1777
4900	747	1124	1339	1496	1646	1789
4950	752	1131	1348	1506	1656	1800
5000	755	1136	1353	1511	1662	1807
5050	759	1141	1358	1516	1668	1813
5100	762	1145	1362	1522	1674	1820
5150	766	1150	1367	1527	1680	1826
5200	769	1155	1372	1533	1686	1833
5250	773	1159	1377	1538	1692	1839
5300	776	1164	1382	1544	1698	1846
5350	780	1169	1387	1549	1704	1852
5400	783	1173	1392	1554	1710	1859
5450	787	1178	1397	1560	1716	1865
5500	790	1183	1401	1565	1722	1872
5550	794	1187	1406	1571	1728	1878
5600	797	1192	1411	1576	1734	1885
5650	800	1196	1416	1582	1740	1891
5700	803	1201	1421	1587	1746	1897
5750	806	1205	1425	1592	1751	1904
5800	809	1209	1430	1598	1757	1910
5850	812	1213	1435	1603	1763	1917
5900	815	1217	1440	1608	1769	1923
5950	818	1221	1444	1613	1775	1929
6000	821	1226	1449	1619	1781	1936
6050	823	1230	1454	1624	1787	1942
6100	826	1234	1459	1629	1792	1948
6150	829	1238	1464	1635	1798	1955
6200	832	1242	1468	1640	1804	1961
6250	835	1246	1473	1645	1810	1967
6300	838	1251	1478	1651	1816	1974
6350	841	1255	1483	1656	1822	1980
6400	844	1259	1487	1661	1827	1986
6450	847	1263	1492	1667	1833	1993
6500	849	1267	1497	1672	1839	1999
6550	852	1271	1502	1677	1845	2005
6600	855	1276	1506	1683	1851	2012
6650	858	1280	1511	1688	1857	2018
6700	861	1285	1517	1694	1864	2026
6750	865	1291	1524	1703	1873	2036
6800	869	1297	1532	1711	1882	2046
6850	873	1303	1539	1719	1891	2056

~~6900~~	~~877~~	~~1309~~	~~1547~~	~~1728~~	~~1900~~	~~2066~~
~~6950~~	~~881~~	~~1315~~	~~1554~~	~~1736~~	~~1909~~	~~2076~~
~~7000~~	~~885~~	~~1321~~	~~1561~~	~~1744~~	~~1919~~	~~2085~~
~~7050~~	~~889~~	~~1328~~	~~1569~~	~~1752~~	~~1928~~	~~2095~~
~~7100~~	~~893~~	~~1334~~	~~1576~~	~~1761~~	~~1937~~	~~2105~~
~~7150~~	~~897~~	~~1340~~	~~1584~~	~~1769~~	~~1946~~	~~2115~~
~~7200~~	~~901~~	~~1346~~	~~1591~~	~~1777~~	~~1955~~	~~2125~~
~~7250~~	~~905~~	~~1352~~	~~1599~~	~~1786~~	~~1964~~	~~2135~~
~~7300~~	~~909~~	~~1358~~	~~1606~~	~~1794~~	~~1973~~	~~2145~~
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~~7400~~	~~917~~	~~1370~~	~~1621~~	~~1810~~	~~1991~~	~~2165~~
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~~7500~~	~~925~~	~~1382~~	~~1636~~	~~1827~~	~~2010~~	~~2185~~
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~~7750~~	~~944~~	~~1411~~	~~1670~~	~~1865~~	~~2051~~	~~2230~~
~~7800~~	~~946~~	~~1413~~	~~1672~~	~~1867~~	~~2054~~	~~2233~~
~~7850~~	~~948~~	~~1416~~	~~1674~~	~~1870~~	~~2057~~	~~2236~~
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34350	1981	2918	3403	3801	4181	4545
34400	1981	2919	3403	3801	4182	4545
34450	1982	2919	3404	3802	4182	4546
34500	1983	2920	3404	3802	4183	4546
34550	1983	2921	3405	3803	4183	4547
34600	1984	2921	3405	3803	4184	4548
34650	1984	2922	3405	3804	4184	4548
34700	1985	2923	3406	3804	4185	4549
34750	1986	2923	3406	3805	4185	4549
34800	1986	2924	3407	3805	4186	4550
34850	1987	2925	3407	3806	4186	4550
34900	1988	2925	3407	3806	4187	4551
34950	1988	2926	3408	3807	4187	4552
35000	1989	2927	3408	3807	4188	4552

COMBINED MONTHLY GROSS INCOME	*ONE CHILD*	*TWO CHILDREN*	*THREE CHILDREN*	*FOUR CHILDREN*	*FIVE CHILDREN*	*SIX CHILDREN*
0-350	*68*	*104*	*126*	*141*	*155*	*169*
400	*78*	*119*	*144*	*161*	*177*	*192*
450	*88*	*133*	*162*	*181*	*199*	*216*
500	*97*	*148*	*179*	*200*	*220*	*239*
550	*114*	*172*	*215*	*240*	*264*	*287*
600	*124*	*188*	*234*	*262*	*288*	*313*
650	*135*	*203*	*254*	*284*	*312*	*339*
700	*145*	*219*	*273*	*305*	*336*	*365*
750	*155*	*234*	*293*	*327*	*360*	*391*
800	*166*	*250*	*312*	*349*	*384*	*417*
850	*176*	*265*	*332*	*370*	*407*	*443*
900	*186*	*281*	*351*	*392*	*431*	*468*
950	*196*	*296*	*370*	*413*	*454*	*494*
1000	*206*	*311*	*389*	*434*	*478*	*519*
1050	*216*	*326*	*408*	*456*	*501*	*545*
1100	*226*	*341*	*427*	*477*	*524*	*570*
1150	*236*	*357*	*446*	*498*	*548*	*595*
1200	*246*	*372*	*465*	*519*	*571*	*621*
1250	*255*	*385*	*482*	*538*	*592*	*643*
1300	*264*	*398*	*498*	*556*	*612*	*665*
1350	*273*	*412*	*514*	*575*	*632*	*687*
1400	*281*	*425*	*531*	*593*	*652*	*709*
1450	*290*	*438*	*547*	*611*	*672*	*731*
1500	*299*	*451*	*563*	*629*	*692*	*753*
1550	*307*	*464*	*580*	*648*	*712*	*774*
1600	*316*	*477*	*596*	*666*	*733*	*796*
1650	*325*	*490*	*613*	*684*	*753*	*818*
1700	*333*	*503*	*629*	*703*	*773*	*840*
1750	*342*	*516*	*645*	*721*	*793*	*862*
1800	*351*	*529*	*662*	*739*	*813*	*884*
1850	*359*	*542*	*678*	*757*	*833*	*906*
1900	*368*	*556*	*694*	*776*	*853*	*927*
1950	*377*	*569*	*711*	*794*	*873*	*949*
2000	*385*	*582*	*727*	*812*	*893*	*971*
2050	*394*	*595*	*743*	*830*	*913*	*993*
2100	*403*	*608*	*760*	*849*	*934*	*1015*
2150	*411*	*621*	*776*	*867*	*954*	*1037*
2200	*420*	*634*	*792*	*885*	*974*	*1058*
2250	*428*	*647*	*808*	*903*	*993*	*1079*
2300	*437*	*659*	*824*	*920*	*1012*	*1100*
2350	*445*	*672*	*840*	*938*	*1032*	*1122*

2400	*453*	*684*	*856*	*956*	*1051*	*1143*
2450	*462*	*697*	*871*	*973*	*1071*	*1164*
2500	*470*	*710*	*887*	*991*	*1090*	*1185*
2550	*479*	*722*	*903*	*1008*	*1109*	*1206*
2600	*487*	*735*	*919*	*1026*	*1129*	*1227*
2650	*495*	*748*	*934*	*1044*	*1148*	*1248*
2700	*504*	*760*	*950*	*1061*	*1167*	*1269*
2750	*512*	*773*	*966*	*1079*	*1187*	*1290*
2800	*520*	*785*	*982*	*1097*	*1206*	*1311*
2850	*529*	*798*	*998*	*1114*	*1226*	*1332*
2900	*537*	*811*	*1013*	*1132*	*1245*	*1353*
2950	*545*	*823*	*1029*	*1149*	*1264*	*1374*
3000	*554*	*836*	*1045*	*1167*	*1284*	*1396*
3050	*562*	*849*	*1061*	*1185*	*1303*	*1417*
3100	*571*	*861*	*1076*	*1202*	*1323*	*1438*
3150	*579*	*874*	*1092*	*1220*	*1342*	*1459*
3200	*587*	*886*	*1108*	*1238*	*1361*	*1480*
3250	*596*	*899*	*1124*	*1255*	*1381*	*1501*
3300	*604*	*912*	*1140*	*1273*	*1400*	*1522*
3350	*612*	*924*	*1155*	*1290*	*1420*	*1543*
3400	*621*	*937*	*1171*	*1308*	*1439*	*1564*
3450	*629*	*950*	*1187*	*1326*	*1458*	*1585*
3500	*637*	*962*	*1203*	*1343*	*1478*	*1606*
3550	*646*	*975*	*1218*	*1361*	*1497*	*1627*
3600	*654*	*987*	*1234*	*1379*	*1516*	*1648*
3650	*663*	*1000*	*1250*	*1396*	*1536*	*1669*
3700	*671*	*1013*	*1266*	*1414*	*1555*	*1691*
3750	*679*	*1025*	*1282*	*1431*	*1575*	*1712*
3800	*688*	*1038*	*1297*	*1449*	*1594*	*1733*
3850	*696*	*1051*	*1313*	*1467*	*1613*	*1754*
3900	*704*	*1063*	*1329*	*1484*	*1633*	*1775*
3950	*713*	*1076*	*1345*	*1502*	*1652*	*1796*
4000	*721*	*1088*	*1360*	*1520*	*1672*	*1817*
4050	*729*	*1101*	*1376*	*1537*	*1691*	*1838*
4100	*738*	*1114*	*1392*	*1555*	*1710*	*1859*
4150	*746*	*1126*	*1407*	*1572*	*1729*	*1879*
4200	*753*	*1136*	*1420*	*1586*	*1745*	*1897*
4250	*760*	*1146*	*1433*	*1601*	*1761*	*1914*
4300	*768*	*1156*	*1447*	*1616*	*1777*	*1932*
4350	*775*	*1166*	*1460*	*1631*	*1794*	*1950*
4400	*782*	*1176*	*1473*	*1645*	*1810*	*1967*
4450	*789*	*1186*	*1486*	*1660*	*1826*	*1985*
4500	*796*	*1197*	*1499*	*1675*	*1842*	*2002*
4550	*804*	*1207*	*1512*	*1689*	*1858*	*2020*
4600	*811*	*1217*	*1526*	*1704*	*1874*	*2038*
4650	*818*	*1227*	*1539*	*1719*	*1891*	*2055*
4700	*825*	*1237*	*1552*	*1733*	*1907*	*2073*

4750	*833*	*1247*	*1565*	*1748*	*1923*	*2090*
4800	*840*	*1257*	*1578*	*1763*	*1939*	*2108*
4850	*848*	*1268*	*1592*	*1779*	*1957*	*2127*
4900	*856*	*1280*	*1607*	*1795*	*1975*	*2147*
4950	*864*	*1292*	*1622*	*1812*	*1993*	*2167*
5000	*872*	*1304*	*1637*	*1829*	*2012*	*2187*
5050	*880*	*1315*	*1652*	*1845*	*2030*	*2206*
5100	*888*	*1327*	*1667*	*1862*	*2048*	*2226*
5150	*896*	*1339*	*1682*	*1878*	*2066*	*2246*
5200	*903*	*1349*	*1695*	*1893*	*2082*	*2263*
5250	*910*	*1359*	*1707*	*1907*	*2098*	*2280*
5300	*917*	*1369*	*1720*	*1922*	*2114*	*2298*
5350	*924*	*1379*	*1733*	*1936*	*2130*	*2315*
5400	*931*	*1389*	*1746*	*1950*	*2146*	*2332*
5450	*938*	*1400*	*1759*	*1965*	*2161*	*2349*
5500	*945*	*1410*	*1772*	*1979*	*2177*	*2367*
5550	*952*	*1420*	*1785*	*1994*	*2193*	*2384*
5600	*957*	*1428*	*1795*	*2005*	*2206*	*2398*
5650	*962*	*1436*	*1805*	*2016*	*2218*	*2411*
5700	*967*	*1443*	*1815*	*2027*	*2229*	*2423*
5750	*973*	*1451*	*1824*	*2038*	*2241*	*2436*
5800	*978*	*1458*	*1834*	*2048*	*2253*	*2449*
5850	*983*	*1466*	*1843*	*2059*	*2265*	*2462*
5900	*988*	*1474*	*1853*	*2070*	*2277*	*2475*
5950	*993*	*1481*	*1863*	*2081*	*2289*	*2488*
6000	*999*	*1489*	*1872*	*2092*	*2301*	*2501*
6050	*1004*	*1497*	*1882*	*2102*	*2313*	*2514*
6100	*1009*	*1504*	*1892*	*2113*	*2324*	*2527*
6150	*1014*	*1512*	*1901*	*2124*	*2336*	*2540*
6200	*1019*	*1519*	*1911*	*2135*	*2348*	*2553*
6250	*1025*	*1527*	*1921*	*2146*	*2360*	*2565*
6300	*1030*	*1535*	*1930*	*2156*	*2372*	*2578*
6350	*1035*	*1542*	*1940*	*2167*	*2384*	*2591*
6400	*1038*	*1547*	*1946*	*2173*	*2391*	*2599*
6450	*1041*	*1551*	*1951*	*2179*	*2397*	*2606*
6500	*1045*	*1556*	*1957*	*2186*	*2404*	*2613*
6550	*1048*	*1560*	*1962*	*2192*	*2411*	*2621*
6600	*1051*	*1564*	*1968*	*2198*	*2418*	*2628*
6650	*1054*	*1569*	*1973*	*2204*	*2424*	*2635*
6700	*1057*	*1573*	*1979*	*2210*	*2431*	*2643*
6750	*1060*	*1578*	*1984*	*2216*	*2438*	*2650*
6800	*1064*	*1582*	*1990*	*2222*	*2445*	*2657*
6850	*1067*	*1587*	*1995*	*2228*	*2451*	*2665*
6900	*1070*	*1591*	*2001*	*2235*	*2458*	*2672*
6950	*1073*	*1595*	*2006*	*2241*	*2465*	*2679*
7000	*1076*	*1600*	*2012*	*2247*	*2472*	*2687*
7050	*1079*	*1604*	*2017*	*2253*	*2478*	*2694*

7100	*1083*	*1609*	*2023*	*2259*	*2485*	*2701*
7150	*1086*	*1613*	*2028*	*2265*	*2491*	*2708*
7200	*1087*	*1614*	*2031*	*2268*	*2495*	*2712*
7250	*1089*	*1615*	*2034*	*2272*	*2499*	*2716*
7300	*1091*	*1616*	*2037*	*2275*	*2503*	*2720*
7350	*1093*	*1617*	*2040*	*2279*	*2507*	*2725*
7400	*1095*	*1619*	*2043*	*2282*	*2510*	*2729*
7450	*1097*	*1620*	*2046*	*2286*	*2514*	*2733*
7500	*1099*	*1621*	*2049*	*2289*	*2518*	*2737*
7550	*1101*	*1622*	*2052*	*2293*	*2522*	*2741*
7600	*1103*	*1624*	*2056*	*2296*	*2526*	*2745*
7650	*1105*	*1625*	*2059*	*2300*	*2529*	*2750*
7700	*1106*	*1626*	*2062*	*2303*	*2533*	*2754*
7750	*1108*	*1627*	*2065*	*2306*	*2537*	*2758*
7800	*1110*	*1628*	*2068*	*2310*	*2541*	*2762*
7850	*1112*	*1630*	*2071*	*2313*	*2545*	*2766*
7900	*1114*	*1631*	*2074*	*2317*	*2549*	*2770*
7950	*1117*	*1635*	*2080*	*2323*	*2555*	*2778*
8000	*1121*	*1642*	*2089*	*2334*	*2567*	*2790*
8050	*1126*	*1649*	*2099*	*2344*	*2578*	*2803*
8100	*1130*	*1657*	*2108*	*2354*	*2590*	*2815*
8150	*1134*	*1664*	*2117*	*2365*	*2601*	*2828*
8200	*1139*	*1671*	*2127*	*2375*	*2613*	*2840*
8250	*1143*	*1679*	*2136*	*2386*	*2624*	*2853*
8300	*1147*	*1686*	*2145*	*2396*	*2636*	*2865*
8350	*1152*	*1693*	*2155*	*2407*	*2647*	*2878*
8400	*1156*	*1700*	*2164*	*2417*	*2659*	*2890*
8450	*1160*	*1708*	*2173*	*2428*	*2670*	*2903*
8500	*1165*	*1715*	*2183*	*2438*	*2682*	*2915*
8550	*1169*	*1722*	*2192*	*2448*	*2693*	*2928*
8600	*1173*	*1730*	*2201*	*2459*	*2705*	*2940*
8650	*1178*	*1737*	*2211*	*2469*	*2716*	*2953*
8700	*1182*	*1744*	*2220*	*2480*	*2728*	*2965*
8750	*1185*	*1749*	*2225*	*2486*	*2734*	*2972*
8800	*1187*	*1751*	*2228*	*2488*	*2737*	*2975*
8850	*1190*	*1753*	*2230*	*2491*	*2740*	*2978*
8900	*1192*	*1756*	*2232*	*2494*	*2743*	*2982*
8950	*1194*	*1758*	*2235*	*2496*	*2746*	*2985*
9000	*1196*	*1760*	*2237*	*2499*	*2749*	*2988*
9050	*1199*	*1763*	*2240*	*2502*	*2752*	*2991*
9100	*1201*	*1765*	*2242*	*2504*	*2755*	*2995*
9150	*1203*	*1767*	*2244*	*2507*	*2758*	*2998*
9200	*1206*	*1770*	*2247*	*2510*	*2761*	*3001*
9250	*1208*	*1772*	*2249*	*2512*	*2764*	*3004*
9300	*1210*	*1775*	*2252*	*2515*	*2767*	*3007*
9350	*1212*	*1777*	*2254*	*2518*	*2770*	*3011*
9400	*1215*	*1779*	*2257*	*2521*	*2773*	*3014*

9450	*1217*	*1782*	*2259*	*2523*	*2776*	*3017*
9500	*1219*	*1784*	*2261*	*2526*	*2778*	*3020*
9550	*1222*	*1788*	*2266*	*2531*	*2784*	*3026*
9600	*1225*	*1792*	*2270*	*2536*	*2790*	*3032*
9650	*1229*	*1796*	*2275*	*2541*	*2795*	*3039*
9700	*1232*	*1800*	*2280*	*2546*	*2801*	*3045*
9750	*1235*	*1804*	*2284*	*2552*	*2807*	*3051*
9800	*1238*	*1808*	*2289*	*2557*	*2813*	*3057*
9850	*1241*	*1812*	*2294*	*2562*	*2818*	*3063*
9900	*1245*	*1816*	*2298*	*2567*	*2824*	*3070*
9950	*1248*	*1820*	*2303*	*2572*	*2830*	*3076*
10000	*1251*	*1824*	*2308*	*2578*	*2835*	*3082*
10050	*1254*	*1828*	*2312*	*2583*	*2841*	*3088*
10100	*1258*	*1832*	*2317*	*2588*	*2847*	*3094*
10150	*1261*	*1836*	*2322*	*2593*	*2853*	*3101*
10200	*1264*	*1840*	*2326*	*2598*	*2858*	*3107*
10250	*1267*	*1844*	*2331*	*2604*	*2864*	*3113*
10300	*1270*	*1848*	*2336*	*2609*	*2870*	*3119*
10350	*1274*	*1853*	*2342*	*2616*	*2878*	*3128*
10400	*1279*	*1859*	*2350*	*2625*	*2888*	*3139*
10450	*1283*	*1865*	*2358*	*2634*	*2898*	*3150*
10500	*1288*	*1871*	*2366*	*2643*	*2907*	*3160*
10550	*1293*	*1877*	*2374*	*2652*	*2917*	*3171*
10600	*1297*	*1883*	*2383*	*2661*	*2927*	*3182*
10650	*1302*	*1889*	*2391*	*2670*	*2937*	*3193*
10700	*1306*	*1895*	*2399*	*2679*	*2947*	*3204*
10750	*1311*	*1901*	*2407*	*2688*	*2957*	*3214*
10800	*1315*	*1908*	*2415*	*2697*	*2967*	*3225*
10850	*1320*	*1914*	*2423*	*2706*	*2977*	*3236*
10900	*1325*	*1920*	*2431*	*2715*	*2987*	*3247*
10950	*1329*	*1926*	*2439*	*2725*	*2997*	*3258*
11000	*1334*	*1932*	*2447*	*2734*	*3007*	*3269*
11050	*1338*	*1938*	*2455*	*2743*	*3017*	*3279*
11100	*1343*	*1944*	*2463*	*2752*	*3027*	*3290*
11150	*1347*	*1950*	*2472*	*2761*	*3037*	*3301*
11200	*1352*	*1956*	*2480*	*2770*	*3047*	*3312*
11250	*1357*	*1962*	*2488*	*2779*	*3057*	*3323*
11300	*1361*	*1968*	*2496*	*2788*	*3067*	*3333*
11350	*1366*	*1974*	*2504*	*2797*	*3077*	*3344*
11400	*1370*	*1980*	*2512*	*2806*	*3086*	*3355*
11450	*1375*	*1986*	*2520*	*2815*	*3096*	*3366*
11500	*1379*	*1992*	*2528*	*2824*	*3106*	*3377*
11550	*1384*	*1999*	*2536*	*2833*	*3116*	*3387*
11600	*1388*	*2005*	*2544*	*2842*	*3126*	*3398*
11650	*1392*	*2012*	*2552*	*2851*	*3136*	*3409*
11700	*1396*	*2019*	*2560*	*2860*	*3146*	*3420*
11750	*1400*	*2025*	*2569*	*2869*	*3156*	*3431*

11800	*1404*	*2032*	*2577*	*2878*	*3166*	*3441*
11850	*1408*	*2039*	*2585*	*2887*	*3176*	*3452*
11900	*1412*	*2046*	*2593*	*2896*	*3186*	*3463*
11950	*1416*	*2052*	*2601*	*2905*	*3196*	*3474*
12000	*1420*	*2059*	*2609*	*2914*	*3206*	*3485*
12050	*1424*	*2066*	*2617*	*2923*	*3216*	*3495*
12100	*1428*	*2072*	*2625*	*2932*	*3226*	*3506*
12150	*1432*	*2079*	*2633*	*2941*	*3236*	*3517*
12200	*1436*	*2086*	*2641*	*2950*	*3245*	*3528*
12250	*1440*	*2093*	*2649*	*2959*	*3255*	*3539*
12300	*1444*	*2099*	*2658*	*2968*	*3265*	*3549*
12350	*1448*	*2106*	*2666*	*2977*	*3275*	*3560*
12400	*1452*	*2113*	*2674*	*2987*	*3285*	*3571*
12450	*1456*	*2119*	*2682*	*2996*	*3295*	*3582*
12500	*1460*	*2126*	*2690*	*3005*	*3305*	*3593*
12550	*1465*	*2133*	*2698*	*3014*	*3315*	*3603*
12600	*1469*	*2140*	*2706*	*3023*	*3325*	*3614*
12650	*1473*	*2146*	*2714*	*3032*	*3335*	*3625*
12700	*1477*	*2153*	*2722*	*3041*	*3345*	*3636*
12750	*1481*	*2160*	*2730*	*3050*	*3355*	*3647*
12800	*1484*	*2165*	*2736*	*3056*	*3362*	*3654*
12850	*1487*	*2169*	*2741*	*3061*	*3367*	*3660*
12900	*1490*	*2173*	*2745*	*3066*	*3373*	*3666*
12950	*1493*	*2178*	*2749*	*3071*	*3378*	*3672*
13000	*1496*	*2182*	*2754*	*3076*	*3384*	*3678*
13050	*1499*	*2186*	*2758*	*3081*	*3389*	*3684*
13100	*1502*	*2190*	*2763*	*3086*	*3395*	*3690*
13150	*1505*	*2194*	*2767*	*3091*	*3400*	*3696*
13200	*1508*	*2198*	*2772*	*3096*	*3405*	*3702*
13250	*1511*	*2203*	*2776*	*3101*	*3411*	*3708*
13300	*1514*	*2207*	*2780*	*3106*	*3416*	*3714*
13350	*1517*	*2211*	*2785*	*3111*	*3422*	*3719*
13400	*1520*	*2215*	*2789*	*3116*	*3427*	*3725*
13450	*1523*	*2219*	*2794*	*3121*	*3433*	*3731*
13500	*1526*	*2224*	*2798*	*3126*	*3438*	*3737*
13550	*1529*	*2228*	*2803*	*3130*	*3444*	*3743*
13600	*1532*	*2232*	*2807*	*3135*	*3449*	*3749*
13650	*1535*	*2236*	*2811*	*3140*	*3454*	*3755*
13700	*1538*	*2240*	*2816*	*3145*	*3460*	*3761*
13750	*1541*	*2244*	*2820*	*3150*	*3465*	*3767*
13800	*1544*	*2249*	*2825*	*3155*	*3471*	*3773*
13850	*1547*	*2253*	*2829*	*3160*	*3476*	*3779*
13900	*1550*	*2257*	*2834*	*3165*	*3482*	*3785*
13950	*1553*	*2261*	*2838*	*3170*	*3487*	*3790*
14000	*1556*	*2265*	*2843*	*3175*	*3493*	*3797*
14050	*1559*	*2270*	*2848*	*3181*	*3499*	*3804*
14100	*1563*	*2275*	*2854*	*3187*	*3506*	*3811*

14150	*1567*	*2281*	*2859*	*3194*	*3513*	*3819*
14200	*1571*	*2286*	*2865*	*3200*	*3520*	*3827*
14250	*1575*	*2291*	*2871*	*3207*	*3527*	*3834*
14300	*1579*	*2296*	*2877*	*3213*	*3535*	*3842*
14350	*1583*	*2301*	*2882*	*3220*	*3542*	*3850*
14400	*1587*	*2307*	*2888*	*3226*	*3549*	*3857*
14450	*1591*	*2312*	*2894*	*3233*	*3556*	*3865*
14500	*1595*	*2317*	*2900*	*3239*	*3563*	*3873*
14550	*1599*	*2322*	*2905*	*3245*	*3570*	*3880*
14600	*1603*	*2327*	*2911*	*3252*	*3577*	*3888*
14650	*1607*	*2332*	*2917*	*3258*	*3584*	*3896*
14700	*1611*	*2338*	*2923*	*3265*	*3591*	*3904*
14750	*1615*	*2343*	*2928*	*3271*	*3598*	*3911*
14800	*1619*	*2348*	*2934*	*3278*	*3605*	*3919*
14850	*1623*	*2353*	*2940*	*3284*	*3612*	*3927*
14900	*1627*	*2358*	*2946*	*3290*	*3619*	*3934*
14950	*1631*	*2364*	*2952*	*3297*	*3627*	*3942*
15000	*1635*	*2369*	*2957*	*3303*	*3634*	*3950*
15050	*1639*	*2374*	*2963*	*3310*	*3641*	*3957*
15100	*1643*	*2379*	*2969*	*3316*	*3648*	*3965*
15150	*1647*	*2384*	*2975*	*3323*	*3655*	*3973*
15200	*1651*	*2390*	*2980*	*3329*	*3662*	*3981*
15250	*1655*	*2395*	*2986*	*3336*	*3669*	*3988*
15300	*1659*	*2400*	*2992*	*3342*	*3676*	*3996*
15350	*1663*	*2405*	*2998*	*3348*	*3683*	*4004*
15400	*1667*	*2410*	*3003*	*3355*	*3690*	*4011*
15450	*1671*	*2415*	*3009*	*3361*	*3697*	*4019*
15500	*1675*	*2420*	*3014*	*3367*	*3703*	*4025*
15550	*1677*	*2423*	*3017*	*3370*	*3707*	*4030*
15600	*1680*	*2426*	*3020*	*3374*	*3711*	*4034*
15650	*1682*	*2429*	*3024*	*3377*	*3715*	*4038*
15700	*1685*	*2432*	*3027*	*3381*	*3719*	*4043*
15750	*1688*	*2435*	*3030*	*3385*	*3723*	*4047*
15800	*1690*	*2438*	*3033*	*3388*	*3727*	*4051*
15850	*1693*	*2442*	*3036*	*3392*	*3731*	*4056*
15900	*1695*	*2445*	*3040*	*3395*	*3735*	*4060*
15950	*1698*	*2448*	*3043*	*3399*	*3739*	*4064*
16000	*1700*	*2451*	*3046*	*3403*	*3743*	*4068*
16050	*1703*	*2454*	*3049*	*3406*	*3747*	*4073*
16100	*1705*	*2457*	*3053*	*3410*	*3751*	*4077*
16150	*1708*	*2460*	*3056*	*3413*	*3755*	*4081*
16200	*1710*	*2463*	*3059*	*3417*	*3759*	*4086*
16250	*1713*	*2466*	*3062*	*3421*	*3763*	*4090*
16300	*1715*	*2469*	*3065*	*3424*	*3767*	*4094*
16350	*1718*	*2473*	*3069*	*3428*	*3770*	*4099*
16400	*1720*	*2476*	*3072*	*3431*	*3774*	*4103*
16450	*1723*	*2479*	*3075*	*3435*	*3778*	*4107*

16500	*1726*	*2482*	*3078*	*3438*	*3782*	*4111*
16550	*1728*	*2485*	*3082*	*3442*	*3786*	*4116*
16600	*1731*	*2488*	*3085*	*3446*	*3790*	*4120*
16650	*1733*	*2491*	*3088*	*3449*	*3794*	*4124*
16700	*1736*	*2494*	*3091*	*3453*	*3798*	*4129*
16750	*1738*	*2497*	*3094*	*3456*	*3802*	*4133*
16800	*1741*	*2500*	*3098*	*3460*	*3806*	*4137*
16850	*1743*	*2503*	*3101*	*3463*	*3810*	*4141*
16900	*1746*	*2506*	*3104*	*3467*	*3814*	*4146*
16950	*1748*	*2509*	*3107*	*3471*	*3818*	*4150*
17000	*1752*	*2515*	*3113*	*3477*	*3825*	*4158*
17050	*1756*	*2521*	*3121*	*3486*	*3834*	*4168*
17100	*1761*	*2527*	*3128*	*3495*	*3844*	*4178*
17150	*1765*	*2534*	*3136*	*3503*	*3853*	*4189*
17200	*1770*	*2540*	*3144*	*3512*	*3863*	*4199*
17250	*1774*	*2546*	*3151*	*3520*	*3872*	*4208*
17300	*1778*	*2551*	*3158*	*3527*	*3880*	*4217*
17350	*1782*	*2557*	*3165*	*3535*	*3888*	*4227*
17400	*1786*	*2563*	*3171*	*3542*	*3897*	*4236*
17450	*1790*	*2568*	*3178*	*3550*	*3905*	*4245*
17500	*1793*	*2574*	*3185*	*3558*	*3913*	*4254*
17550	*1797*	*2579*	*3192*	*3565*	*3922*	*4263*
17600	*1801*	*2585*	*3199*	*3573*	*3930*	*4272*
17650	*1805*	*2590*	*3205*	*3580*	*3938*	*4281*
17700	*1809*	*2596*	*3212*	*3588*	*3947*	*4290*
17750	*1813*	*2602*	*3219*	*3596*	*3955*	*4299*
17800	*1817*	*2607*	*3226*	*3603*	*3963*	*4308*
17850	*1821*	*2613*	*3233*	*3611*	*3972*	*4317*
17900	*1825*	*2618*	*3239*	*3618*	*3980*	*4326*
17950	*1829*	*2624*	*3246*	*3626*	*3989*	*4336*
18000	*1833*	*2630*	*3253*	*3634*	*3997*	*4345*
18050	*1837*	*2635*	*3260*	*3641*	*4005*	*4354*
18100	*1841*	*2641*	*3267*	*3649*	*4014*	*4363*
18150	*1845*	*2646*	*3273*	*3656*	*4022*	*4372*
18200	*1849*	*2652*	*3280*	*3664*	*4030*	*4381*
18250	*1852*	*2658*	*3287*	*3672*	*4039*	*4390*
18300	*1856*	*2663*	*3294*	*3679*	*4047*	*4399*
18350	*1860*	*2669*	*3301*	*3687*	*4055*	*4408*
18400	*1864*	*2674*	*3307*	*3694*	*4064*	*4417*
18450	*1868*	*2680*	*3314*	*3702*	*4072*	*4426*
18500	*1872*	*2686*	*3321*	*3709*	*4080*	*4435*
18550	*1876*	*2691*	*3328*	*3717*	*4089*	*4445*
18600	*1880*	*2697*	*3335*	*3725*	*4097*	*4454*
18650	*1884*	*2702*	*3341*	*3732*	*4105*	*4463*
18700	*1888*	*2708*	*3348*	*3740*	*4114*	*4472*
18750	*1892*	*2713*	*3355*	*3747*	*4122*	*4481*
18800	*1896*	*2719*	*3362*	*3755*	*4131*	*4490*

18850	*1900*	*2725*	*3369*	*3763*	*4139*	*4499*
18900	*1904*	*2730*	*3375*	*3770*	*4147*	*4508*
18950	*1908*	*2736*	*3382*	*3778*	*4156*	*4517*
19000	*1911*	*2741*	*3389*	*3785*	*4164*	*4526*
19050	*1915*	*2747*	*3396*	*3793*	*4172*	*4535*
19100	*1919*	*2753*	*3403*	*3801*	*4181*	*4544*
19150	*1923*	*2758*	*3409*	*3808*	*4189*	*4553*
19200	*1927*	*2764*	*3416*	*3816*	*4197*	*4563*
19250	*1931*	*2769*	*3423*	*3823*	*4206*	*4572*
19300	*1935*	*2775*	*3430*	*3831*	*4214*	*4581*
19350	*1939*	*2781*	*3437*	*3839*	*4222*	*4590*
19400	*1943*	*2786*	*3443*	*3846*	*4231*	*4599*
19450	*1947*	*2792*	*3450*	*3854*	*4239*	*4608*
19500	*1951*	*2797*	*3457*	*3861*	*4248*	*4617*
19550	*1955*	*2803*	*3464*	*3869*	*4256*	*4626*
19600	*1959*	*2809*	*3471*	*3877*	*4264*	*4635*
19650	*1963*	*2814*	*3477*	*3884*	*4273*	*4644*
19700	*1967*	*2820*	*3484*	*3892*	*4281*	*4653*
19750	*1970*	*2825*	*3491*	*3899*	*4289*	*4662*
19800	*1974*	*2831*	*3498*	*3907*	*4298*	*4672*
19850	*1978*	*2837*	*3505*	*3915*	*4306*	*4681*
19900	*1982*	*2842*	*3511*	*3922*	*4314*	*4690*
19950	*1986*	*2848*	*3518*	*3930*	*4323*	*4699*
20000	*1990*	*2853*	*3525*	*3937*	*4331*	*4708*
20050	*1994*	*2859*	*3532*	*3945*	*4339*	*4717*
20100	*1998*	*2864*	*3539*	*3953*	*4348*	*4726*
20150	*2002*	*2870*	*3545*	*3960*	*4356*	*4735*
20200	*2006*	*2876*	*3552*	*3968*	*4365*	*4744*
20250	*2010*	*2881*	*3559*	*3975*	*4373*	*4753*
20300	*2014*	*2887*	*3566*	*3983*	*4381*	*4762*
20350	*2018*	*2892*	*3573*	*3991*	*4390*	*4771*
20400	*2022*	*2898*	*3579*	*3998*	*4398*	*4781*
20450	*2026*	*2904*	*3586*	*4006*	*4406*	*4790*
20500	*2029*	*2909*	*3593*	*4013*	*4415*	*4799*
20550	*2033*	*2915*	*3600*	*4021*	*4423*	*4808*
20600	*2037*	*2920*	*3607*	*4028*	*4431*	*4817*
20650	*2041*	*2926*	*3613*	*4036*	*4440*	*4826*
20700	*2045*	*2932*	*3620*	*4044*	*4448*	*4835*
20750	*2049*	*2937*	*3627*	*4051*	*4456*	*4844*
20800	*2053*	*2943*	*3634*	*4059*	*4465*	*4853*
20850	*2057*	*2948*	*3641*	*4066*	*4473*	*4862*
20900	*2061*	*2954*	*3647*	*4074*	*4481*	*4871*
20950	*2065*	*2960*	*3654*	*4082*	*4490*	*4880*
21000	*2069*	*2965*	*3661*	*4089*	*4498*	*4890*
21050	*2073*	*2971*	*3668*	*4097*	*4507*	*4899*
21100	*2077*	*2976*	*3675*	*4104*	*4515*	*4908*
21150	*2081*	*2982*	*3681*	*4112*	*4523*	*4917*

21200	*2084*	*2987*	*3688*	*4120*	*4532*	*4926*
21250	*2087*	*2992*	*3694*	*4126*	*4539*	*4934*
21300	*2090*	*2997*	*3700*	*4133*	*4546*	*4942*
21350	*2093*	*3002*	*3706*	*4140*	*4554*	*4950*
21400	*2096*	*3006*	*3712*	*4147*	*4561*	*4958*
21450	*2099*	*3011*	*3718*	*4154*	*4569*	*4966*
21500	*2102*	*3016*	*3725*	*4160*	*4576*	*4974*
21550	*2105*	*3020*	*3730*	*4167*	*4584*	*4982*
21600	*2108*	*3025*	*3736*	*4173*	*4591*	*4990*
21650	*2111*	*3029*	*3742*	*4180*	*4598*	*4998*
21700	*2113*	*3034*	*3748*	*4186*	*4605*	*5006*
21750	*2116*	*3038*	*3754*	*4193*	*4612*	*5013*
21800	*2119*	*3042*	*3759*	*4199*	*4619*	*5021*
21850	*2122*	*3047*	*3765*	*4206*	*4626*	*5029*
21900	*2125*	*3051*	*3771*	*4212*	*4633*	*5036*
21950	*2127*	*3056*	*3777*	*4219*	*4640*	*5044*
22000	*2130*	*3060*	*3782*	*4225*	*4647*	*5052*
22050	*2133*	*3065*	*3788*	*4231*	*4655*	*5060*
22100	*2136*	*3069*	*3794*	*4238*	*4662*	*5067*
22150	*2139*	*3074*	*3800*	*4244*	*4669*	*5075*
22200	*2141*	*3078*	*3806*	*4251*	*4676*	*5083*
22250	*2144*	*3083*	*3811*	*4257*	*4683*	*5090*
22300	*2147*	*3087*	*3817*	*4264*	*4690*	*5098*
22350	*2150*	*3092*	*3823*	*4270*	*4697*	*5106*
22400	*2153*	*3096*	*3829*	*4277*	*4704*	*5113*
22450	*2155*	*3100*	*3834*	*4283*	*4711*	*5121*
22500	*2158*	*3105*	*3840*	*4289*	*4718*	*5129*
22550	*2161*	*3109*	*3846*	*4296*	*4725*	*5137*
22600	*2164*	*3114*	*3852*	*4302*	*4733*	*5144*
22650	*2167*	*3118*	*3857*	*4309*	*4740*	*5152*
22700	*2169*	*3123*	*3863*	*4315*	*4747*	*5160*
22750	*2172*	*3127*	*3869*	*4322*	*4754*	*5167*
22800	*2175*	*3132*	*3875*	*4328*	*4761*	*5175*
22850	*2178*	*3136*	*3881*	*4335*	*4768*	*5183*
22900	*2181*	*3141*	*3886*	*4341*	*4775*	*5191*
22950	*2183*	*3145*	*3892*	*4347*	*4782*	*5198*
23000	*2186*	*3150*	*3898*	*4354*	*4789*	*5206*
23050	*2189*	*3154*	*3904*	*4360*	*4796*	*5214*
23100	*2192*	*3158*	*3909*	*4367*	*4804*	*5221*
23150	*2195*	*3163*	*3915*	*4373*	*4811*	*5229*
23200	*2197*	*3167*	*3921*	*4380*	*4818*	*5237*
23250	*2200*	*3172*	*3927*	*4386*	*4825*	*5245*
23300	*2203*	*3176*	*3933*	*4393*	*4832*	*5252*
23350	*2206*	*3181*	*3938*	*4399*	*4839*	*5260*
23400	*2209*	*3185*	*3944*	*4406*	*4846*	*5268*
23450	*2211*	*3190*	*3950*	*4412*	*4853*	*5275*
23500	*2214*	*3194*	*3956*	*4418*	*4860*	*5283*

23550	*2217*	*3199*	*3961*	*4425*	*4867*	*5291*
23600	*2220*	*3203*	*3967*	*4431*	*4874*	*5299*
23650	*2223*	*3208*	*3973*	*4438*	*4882*	*5306*
23700	*2225*	*3212*	*3979*	*4444*	*4889*	*5314*
23750	*2228*	*3216*	*3984*	*4451*	*4896*	*5322*
23800	*2231*	*3221*	*3990*	*4457*	*4903*	*5329*
23850	*2234*	*3225*	*3996*	*4464*	*4910*	*5337*
23900	*2237*	*3230*	*4002*	*4470*	*4917*	*5345*
23950	*2239*	*3234*	*4008*	*4476*	*4924*	*5352*
24000	*2242*	*3239*	*4013*	*4483*	*4931*	*5360*
24050	*2245*	*3243*	*4019*	*4489*	*4938*	*5368*
24100	*2248*	*3248*	*4025*	*4496*	*4945*	*5376*
24150	*2251*	*3252*	*4031*	*4502*	*4952*	*5383*
24200	*2253*	*3257*	*4036*	*4509*	*4960*	*5391*
24250	*2256*	*3261*	*4042*	*4515*	*4967*	*5399*
24300	*2259*	*3266*	*4048*	*4522*	*4974*	*5406*
24350	*2262*	*3270*	*4054*	*4528*	*4981*	*5414*
24400	*2264*	*3274*	*4060*	*4534*	*4988*	*5422*
24450	*2267*	*3279*	*4065*	*4541*	*4995*	*5430*
24500	*2270*	*3283*	*4071*	*4547*	*5002*	*5437*
24550	*2273*	*3288*	*4077*	*4554*	*5009*	*5445*
24600	*2276*	*3292*	*4083*	*4560*	*5016*	*5453*
24650	*2278*	*3297*	*4088*	*4567*	*5023*	*5460*
24700	*2281*	*3301*	*4094*	*4573*	*5030*	*5468*
24750	*2284*	*3306*	*4100*	*4580*	*5038*	*5476*
24800	*2287*	*3310*	*4106*	*4586*	*5045*	*5484*
24850	*2290*	*3315*	*4111*	*4592*	*5052*	*5491*
24900	*2292*	*3319*	*4117*	*4599*	*5059*	*5499*
24950	*2295*	*3324*	*4123*	*4605*	*5066*	*5507*
25000	*2298*	*3328*	*4129*	*4612*	*5073*	*5514*
25050	*2301*	*3332*	*4135*	*4618*	*5080*	*5522*
25100	*2304*	*3337*	*4140*	*4625*	*5087*	*5530*
25150	*2306*	*3341*	*4146*	*4631*	*5094*	*5538*
25200	*2309*	*3346*	*4152*	*4638*	*5101*	*5545*
25250	*2312*	*3350*	*4158*	*4644*	*5108*	*5553*
25300	*2315*	*3355*	*4163*	*4651*	*5116*	*5561*
25350	*2318*	*3359*	*4169*	*4657*	*5123*	*5568*
25400	*2320*	*3364*	*4175*	*4663*	*5130*	*5576*
25450	*2323*	*3368*	*4181*	*4670*	*5137*	*5584*
25500	*2326*	*3373*	*4186*	*4676*	*5144*	*5591*
25550	*2329*	*3377*	*4192*	*4683*	*5151*	*5599*
25600	*2332*	*3382*	*4198*	*4689*	*5158*	*5607*
25650	*2334*	*3386*	*4204*	*4696*	*5165*	*5615*
25700	*2337*	*3390*	*4210*	*4702*	*5172*	*5622*
25750	*2340*	*3395*	*4215*	*4709*	*5179*	*5630*
25800	*2343*	*3399*	*4221*	*4715*	*5187*	*5638*
25850	*2346*	*3404*	*4227*	*4721*	*5194*	*5645*

25900	*2348*	*3408*	*4233*	*4728*	*5201*	*5653*
25950	*2351*	*3413*	*4238*	*4734*	*5208*	*5661*
26000	*2354*	*3417*	*4244*	*4741*	*5215*	*5669*
26050	*2357*	*3422*	*4250*	*4747*	*5222*	*5676*
26100	*2360*	*3426*	*4256*	*4754*	*5229*	*5684*
26150	*2362*	*3431*	*4262*	*4760*	*5236*	*5692*
26200	*2365*	*3435*	*4267*	*4767*	*5243*	*5699*
26250	*2368*	*3440*	*4273*	*4773*	*5250*	*5707*
26300	*2371*	*3444*	*4279*	*4779*	*5257*	*5715*
26350	*2374*	*3448*	*4285*	*4786*	*5265*	*5723*
26400	*2376*	*3453*	*4290*	*4792*	*5272*	*5730*
26450	*2379*	*3457*	*4296*	*4799*	*5279*	*5738*
26500	*2382*	*3462*	*4302*	*4805*	*5286*	*5746*
26550	*2385*	*3466*	*4308*	*4812*	*5293*	*5753*
26600	*2388*	*3471*	*4313*	*4818*	*5300*	*5761*
26650	*2390*	*3475*	*4319*	*4825*	*5307*	*5769*
26700	*2393*	*3480*	*4325*	*4831*	*5314*	*5777*
26750	*2396*	*3484*	*4331*	*4838*	*5321*	*5784*
26800	*2399*	*3489*	*4337*	*4844*	*5328*	*5792*
26850	*2402*	*3493*	*4342*	*4850*	*5335*	*5800*
26900	*2404*	*3498*	*4348*	*4857*	*5343*	*5807*
26950	*2407*	*3502*	*4354*	*4863*	*5350*	*5815*
27000	*2410*	*3506*	*4360*	*4870*	*5357*	*5823*
27050	*2413*	*3511*	*4365*	*4876*	*5364*	*5830*
27100	*2416*	*3515*	*4371*	*4883*	*5371*	*5838*
27150	*2418*	*3520*	*4377*	*4889*	*5378*	*5846*
27200	*2421*	*3524*	*4383*	*4896*	*5385*	*5854*
27250	*2424*	*3529*	*4389*	*4902*	*5392*	*5861*
27300	*2427*	*3533*	*4394*	*4908*	*5399*	*5869*
27350	*2430*	*3538*	*4400*	*4915*	*5406*	*5877*
27400	*2432*	*3542*	*4406*	*4921*	*5413*	*5884*
27450	*2435*	*3547*	*4412*	*4928*	*5421*	*5892*
27500	*2438*	*3551*	*4417*	*4934*	*5428*	*5900*
27550	*2441*	*3556*	*4423*	*4941*	*5435*	*5908*
27600	*2444*	*3560*	*4429*	*4947*	*5442*	*5915*
27650	*2446*	*3564*	*4435*	*4954*	*5449*	*5923*
27700	*2449*	*3569*	*4440*	*4960*	*5456*	*5931*
27750	*2452*	*3573*	*4446*	*4966*	*5463*	*5938*
27800	*2455*	*3578*	*4452*	*4973*	*5470*	*5946*
27850	*2458*	*3582*	*4458*	*4979*	*5477*	*5954*
27900	*2460*	*3587*	*4464*	*4986*	*5484*	*5962*
27950	*2463*	*3591*	*4469*	*4992*	*5491*	*5969*
28000	*2466*	*3596*	*4475*	*4999*	*5499*	*5977*
28050	*2469*	*3600*	*4481*	*5005*	*5506*	*5985*
28100	*2472*	*3605*	*4487*	*5012*	*5513*	*5992*
28150	*2474*	*3609*	*4492*	*5018*	*5520*	*6000*
28200	*2477*	*3614*	*4498*	*5025*	*5527*	*6008*

28250	*2480*	*3618*	*4504*	*5031*	*5534*	*6016*
28300	*2483*	*3622*	*4510*	*5037*	*5541*	*6023*
28350	*2486*	*3627*	*4516*	*5044*	*5548*	*6031*
28400	*2488*	*3631*	*4520*	*5049*	*5554*	*6037*
28450	*2491*	*3635*	*4525*	*5055*	*5560*	*6044*
28500	*2494*	*3639*	*4530*	*5060*	*5566*	*6050*
28550	*2497*	*3643*	*4535*	*5065*	*5572*	*6057*
28600	*2500*	*3648*	*4540*	*5071*	*5578*	*6063*
28650	*2503*	*3652*	*4544*	*5076*	*5584*	*6069*
28700	*2506*	*3656*	*4549*	*5081*	*5589*	*6076*
28750	*2509*	*3660*	*4554*	*5087*	*5595*	*6082*
28800	*2512*	*3664*	*4559*	*5092*	*5601*	*6088*
28850	*2514*	*3668*	*4563*	*5097*	*5607*	*6095*
28900	*2517*	*3672*	*4568*	*5103*	*5613*	*6101*
28950	*2520*	*3676*	*4573*	*5108*	*5619*	*6108*
29000	*2523*	*3680*	*4578*	*5113*	*5625*	*6114*
29050	*2526*	*3685*	*4583*	*5119*	*5631*	*6120*
29100	*2529*	*3689*	*4587*	*5124*	*5636*	*6127*
29150	*2532*	*3693*	*4592*	*5129*	*5642*	*6133*
29200	*2535*	*3697*	*4597*	*5135*	*5648*	*6140*
29250	*2538*	*3701*	*4602*	*5140*	*5654*	*6146*
29300	*2541*	*3705*	*4606*	*5145*	*5660*	*6152*
29350	*2543*	*3709*	*4611*	*5151*	*5666*	*6159*
29400	*2546*	*3713*	*4616*	*5156*	*5672*	*6165*
29450	*2549*	*3718*	*4621*	*5161*	*5677*	*6171*
29500	*2552*	*3722*	*4625*	*5167*	*5683*	*6178*
29550	*2555*	*3726*	*4630*	*5172*	*5689*	*6184*
29600	*2558*	*3730*	*4635*	*5177*	*5695*	*6191*
29650	*2561*	*3734*	*4640*	*5183*	*5701*	*6197*
29700	*2564*	*3738*	*4645*	*5188*	*5707*	*6203*
29750	*2567*	*3742*	*4649*	*5193*	*5713*	*6210*
29800	*2570*	*3746*	*4654*	*5199*	*5719*	*6216*
29850	*2572*	*3750*	*4659*	*5204*	*5724*	*6222*
29900	*2575*	*3755*	*4664*	*5209*	*5730*	*6229*
29950	*2578*	*3759*	*4668*	*5215*	*5736*	*6235*
30000	*2581*	*3763*	*4673*	*5220*	*5742*	*6242*
30050	*2584*	*3767*	*4678*	*5225*	*5748*	*6248*
30100	*2587*	*3771*	*4683*	*5231*	*5754*	*6254*
30150	*2590*	*3775*	*4688*	*5236*	*5760*	*6261*
30200	*2593*	*3779*	*4692*	*5241*	*5766*	*6267*
30250	*2596*	*3783*	*4697*	*5247*	*5771*	*6273*
30300	*2599*	*3787*	*4702*	*5252*	*5777*	*6280*
30350	*2601*	*3792*	*4707*	*5257*	*5783*	*6286*
30400	*2604*	*3796*	*4711*	*5263*	*5789*	*6293*
30450	*2607*	*3800*	*4716*	*5268*	*5795*	*6299*
30500	*2610*	*3804*	*4721*	*5273*	*5801*	*6305*
30550	*2613*	*3808*	*4726*	*5279*	*5807*	*6312*

30600	*2616*	*3812*	*4731*	*5284*	*5812*	*6318*
30650	*2619*	*3816*	*4735*	*5289*	*5818*	*6325*
30700	*2622*	*3820*	*4740*	*5295*	*5824*	*6331*
30750	*2625*	*3825*	*4745*	*5300*	*5830*	*6337*
30800	*2628*	*3829*	*4750*	*5305*	*5836*	*6344*
30850	*2630*	*3833*	*4754*	*5311*	*5842*	*6350*
30900	*2633*	*3837*	*4759*	*5316*	*5848*	*6356*
30950	*2636*	*3841*	*4764*	*5321*	*5854*	*6363*
31000	*2639*	*3845*	*4769*	*5327*	*5859*	*6369*
31050	*2642*	*3849*	*4774*	*5332*	*5865*	*6376*
31100	*2645*	*3853*	*4778*	*5337*	*5871*	*6382*
31150	*2648*	*3857*	*4783*	*5343*	*5877*	*6388*
31200	*2651*	*3862*	*4788*	*5348*	*5883*	*6395*
31250	*2654*	*3866*	*4793*	*5353*	*5889*	*6401*
31300	*2657*	*3870*	*4797*	*5359*	*5895*	*6407*
31350	*2659*	*3874*	*4802*	*5364*	*5901*	*6414*
31400	*2662*	*3878*	*4807*	*5369*	*5906*	*6420*
31450	*2665*	*3882*	*4812*	*5375*	*5912*	*6427*
31500	*2668*	*3886*	*4817*	*5380*	*5918*	*6433*
31550	*2671*	*3890*	*4821*	*5385*	*5924*	*6439*
31600	*2674*	*3894*	*4826*	*5391*	*5930*	*6446*
31650	*2677*	*3899*	*4831*	*5396*	*5936*	*6452*
31700	*2680*	*3903*	*4836*	*5401*	*5942*	*6459*
31750	*2683*	*3907*	*4840*	*5407*	*5947*	*6465*
31800	*2686*	*3911*	*4845*	*5412*	*5953*	*6471*
31850	*2688*	*3915*	*4850*	*5417*	*5959*	*6478*
31900	*2691*	*3919*	*4855*	*5423*	*5965*	*6484*
31950	*2694*	*3923*	*4860*	*5428*	*5971*	*6490*
32000	*2697*	*3927*	*4864*	*5433*	*5977*	*6497*
32050	*2700*	*3932*	*4869*	*5439*	*5983*	*6503*
32100	*2703*	*3936*	*4874*	*5444*	*5989*	*6510*
32150	*2706*	*3940*	*4879*	*5449*	*5994*	*6516*
32200	*2709*	*3944*	*4883*	*5455*	*6000*	*6522*
32250	*2712*	*3948*	*4888*	*5460*	*6006*	*6529*
32300	*2715*	*3952*	*4893*	*5465*	*6012*	*6535*
32350	*2717*	*3956*	*4898*	*5471*	*6018*	*6541*
32400	*2720*	*3960*	*4903*	*5476*	*6024*	*6548*
32450	*2723*	*3964*	*4907*	*5481*	*6030*	*6554*
32500	*2726*	*3969*	*4912*	*5487*	*6035*	*6561*
32550	*2729*	*3973*	*4917*	*5492*	*6041*	*6567*
32600	*2732*	*3977*	*4922*	*5497*	*6047*	*6573*
32650	*2735*	*3981*	*4926*	*5503*	*6053*	*6580*
32700	*2738*	*3985*	*4931*	*5508*	*6059*	*6586*
32750	*2741*	*3989*	*4936*	*5513*	*6065*	*6592*
32800	*2744*	*3993*	*4941*	*5519*	*6071*	*6599*
32850	*2746*	*3997*	*4946*	*5524*	*6077*	*6605*
32900	*2749*	*4002*	*4950*	*5529*	*6082*	*6612*

32950	*2752*	*4006*	*4955*	*5535*	*6088*	*6618*
33000	*2755*	*4010*	*4960*	*5540*	*6094*	*6624*
33050	*2758*	*4014*	*4965*	*5546*	*6100*	*6631*
33100	*2761*	*4018*	*4969*	*5551*	*6106*	*6637*
33150	*2764*	*4022*	*4974*	*5556*	*6112*	*6644*
33200	*2767*	*4026*	*4979*	*5562*	*6118*	*6650*
33250	*2770*	*4030*	*4984*	*5567*	*6124*	*6656*
33300	*2773*	*4034*	*4989*	*5572*	*6129*	*6663*
33350	*2775*	*4039*	*4993*	*5578*	*6135*	*6669*
33400	*2778*	*4043*	*4998*	*5583*	*6141*	*6675*
33450	*2781*	*4047*	*5003*	*5588*	*6147*	*6682*
33500	*2784*	*4051*	*5008*	*5594*	*6153*	*6688*
33550	*2787*	*4055*	*5012*	*5599*	*6159*	*6695*
33600	*2790*	*4059*	*5017*	*5604*	*6165*	*6701*
33650	*2793*	*4063*	*5022*	*5610*	*6170*	*6707*
33700	*2796*	*4067*	*5027*	*5615*	*6176*	*6714*
33750	*2799*	*4071*	*5032*	*5620*	*6182*	*6720*
33800	*2802*	*4076*	*5036*	*5626*	*6188*	*6726*
33850	*2804*	*4080*	*5041*	*5631*	*6194*	*6733*
33900	*2807*	*4084*	*5046*	*5636*	*6200*	*6739*
33950	*2810*	*4088*	*5051*	*5642*	*6206*	*6746*
34000	*2813*	*4092*	*5055*	*5647*	*6212*	*6752*
34050	*2816*	*4096*	*5060*	*5652*	*6217*	*6758*
34100	*2819*	*4100*	*5065*	*5658*	*6223*	*6765*
34150	*2822*	*4104*	*5070*	*5663*	*6229*	*6771*
34200	*2825*	*4109*	*5075*	*5668*	*6235*	*6777*
34250	*2828*	*4113*	*5079*	*5674*	*6241*	*6784*
34300	*2831*	*4117*	*5084*	*5679*	*6247*	*6790*
34350	*2833*	*4121*	*5089*	*5684*	*6253*	*6797*
34400	*2836*	*4125*	*5094*	*5690*	*6259*	*6803*
34450	*2839*	*4129*	*5098*	*5695*	*6264*	*6809*
34500	*2842*	*4133*	*5103*	*5700*	*6270*	*6816*
34550	*2845*	*4137*	*5108*	*5706*	*6276*	*6822*
34600	*2848*	*4141*	*5113*	*5711*	*6282*	*6829*
34650	*2851*	*4146*	*5117*	*5716*	*6288*	*6835*
34700	*2854*	*4150*	*5122*	*5722*	*6294*	*6841*
34750	*2857*	*4154*	*5127*	*5727*	*6300*	*6848*
34800	*2860*	*4158*	*5132*	*5732*	*6305*	*6854*
34850	*2862*	*4162*	*5137*	*5738*	*6311*	*6860*
34900	*2865*	*4166*	*5141*	*5743*	*6317*	*6867*
34950	*2868*	*4170*	*5146*	*5748*	*6323*	*6873*
35000	*2871*	*4174*	*5151*	*5754*	*6329*	*6880*
35050	*2874*	*4179*	*5156*	*5759*	*6335*	*6886*
35100	*2877*	*4183*	*5160*	*5764*	*6341*	*6892*
35150	*2880*	*4187*	*5165*	*5770*	*6347*	*6899*
35200	*2883*	*4191*	*5170*	*5775*	*6352*	*6905*
35250	*2886*	*4195*	*5175*	*5780*	*6358*	*6911*

35300	*2889*	*4199*	*5180*	*5786*	*6364*	*6918*
35350	*2891*	*4203*	*5184*	*5791*	*6370*	*6924*
35400	*2894*	*4207*	*5189*	*5796*	*6376*	*6931*
35450	*2897*	*4211*	*5194*	*5802*	*6382*	*6937*
35500	*2900*	*4216*	*5199*	*5807*	*6388*	*6943*
35550	*2903*	*4220*	*5203*	*5812*	*6394*	*6950*
35600	*2906*	*4224*	*5208*	*5818*	*6399*	*6956*
35650	*2909*	*4228*	*5213*	*5823*	*6405*	*6963*
35700	*2912*	*4232*	*5218*	*5828*	*6411*	*6969*
35750	*2915*	*4236*	*5223*	*5834*	*6417*	*6975*
35800	*2918*	*4240*	*5227*	*5839*	*6423*	*6982*
35850	*2920*	*4244*	*5232*	*5844*	*6429*	*6988*
35900	*2923*	*4248*	*5237*	*5850*	*6435*	*6994*
35950	*2926*	*4253*	*5242*	*5855*	*6440*	*7001*
36000	*2929*	*4257*	*5246*	*5860*	*6446*	*7007*
36050	*2932*	*4261*	*5251*	*5866*	*6452*	*7014*
36100	*2935*	*4265*	*5256*	*5871*	*6458*	*7020*
36150	*2938*	*4269*	*5261*	*5876*	*6464*	*7026*
36200	*2941*	*4273*	*5266*	*5882*	*6470*	*7033*
36250	*2944*	*4277*	*5270*	*5887*	*6476*	*7039*
36300	*2947*	*4281*	*5275*	*5892*	*6482*	*7045*
36350	*2949*	*4286*	*5280*	*5898*	*6487*	*7052*
36400	*2952*	*4290*	*5285*	*5903*	*6493*	*7058*
36450	*2955*	*4294*	*5289*	*5908*	*6499*	*7065*
36500	*2958*	*4298*	*5294*	*5914*	*6505*	*7071*
36550	*2961*	*4302*	*5299*	*5919*	*6511*	*7077*
36600	*2964*	*4306*	*5304*	*5924*	*6517*	*7084*
36650	*2967*	*4310*	*5309*	*5930*	*6523*	*7090*
36700	*2970*	*4314*	*5313*	*5935*	*6529*	*7096*
36750	*2973*	*4318*	*5318*	*5940*	*6534*	*7103*
36800	*2976*	*4323*	*5323*	*5946*	*6540*	*7109*
36850	*2978*	*4327*	*5328*	*5951*	*6546*	*7116*
36900	*2981*	*4331*	*5332*	*5956*	*6552*	*7122*
36950	*2984*	*4335*	*5337*	*5962*	*6558*	*7128*
37000	*2987*	*4339*	*5342*	*5967*	*6564*	*7135*
37050	*2990*	*4343*	*5347*	*5972*	*6570*	*7141*
37100	*2993*	*4347*	*5352*	*5978*	*6575*	*7148*
37150	*2996*	*4351*	*5356*	*5983*	*6581*	*7154*
37200	*2999*	*4356*	*5361*	*5988*	*6587*	*7160*
37250	*3002*	*4360*	*5366*	*5994*	*6593*	*7167*
37300	*3005*	*4364*	*5371*	*5999*	*6599*	*7173*
37350	*3007*	*4368*	*5375*	*6004*	*6605*	*7179*
37400	*3010*	*4372*	*5380*	*6010*	*6611*	*7186*
37450	*3013*	*4376*	*5385*	*6015*	*6617*	*7192*
37500	*3016*	*4380*	*5390*	*6020*	*6622*	*7199*
37550	*3019*	*4384*	*5395*	*6026*	*6628*	*7205*
37600	*3022*	*4388*	*5399*	*6031*	*6634*	*7211*

37650	*3025*	*4393*	*5404*	*6036*	*6640*	*7218*
37700	*3028*	*4397*	*5409*	*6042*	*6646*	*7224*
37750	*3031*	*4401*	*5414*	*6047*	*6652*	*7230*
37800	*3034*	*4405*	*5418*	*6052*	*6658*	*7237*
37850	*3036*	*4409*	*5423*	*6058*	*6663*	*7243*
37900	*3039*	*4413*	*5428*	*6063*	*6669*	*7250*
37950	*3042*	*4417*	*5433*	*6068*	*6675*	*7256*
38000	*3045*	*4421*	*5438*	*6074*	*6681*	*7262*
38050	*3048*	*4425*	*5442*	*6079*	*6687*	*7269*
38100	*3051*	*4430*	*5447*	*6084*	*6693*	*7275*
38150	*3054*	*4434*	*5452*	*6090*	*6699*	*7282*
38200	*3057*	*4438*	*5457*	*6095*	*6705*	*7288*
38250	*3060*	*4442*	*5461*	*6100*	*6710*	*7294*
38300	*3063*	*4446*	*5466*	*6106*	*6716*	*7301*
38350	*3065*	*4450*	*5471*	*6111*	*6722*	*7307*
38400	*3068*	*4454*	*5476*	*6116*	*6728*	*7313*
38450	*3071*	*4458*	*5481*	*6122*	*6734*	*7320*
38500	*3074*	*4463*	*5485*	*6127*	*6740*	*7326*
38550	*3077*	*4467*	*5490*	*6132*	*6746*	*7333*
38600	*3080*	*4471*	*5495*	*6138*	*6752*	*7339*
38650	*3083*	*4475*	*5500*	*6143*	*6757*	*7345*
38700	*3086*	*4479*	*5504*	*6148*	*6763*	*7352*
38750	*3089*	*4483*	*5509*	*6154*	*6769*	*7358*
38800	*3092*	*4487*	*5514*	*6159*	*6775*	*7364*
38850	*3094*	*4491*	*5519*	*6164*	*6781*	*7371*
38900	*3097*	*4495*	*5524*	*6170*	*6787*	*7377*
38950	*3100*	*4500*	*5528*	*6175*	*6793*	*7384*
39000	*3103*	*4504*	*5533*	*6180*	*6798*	*7390*
39050	*3106*	*4508*	*5538*	*6186*	*6804*	*7396*
39100	*3109*	*4512*	*5543*	*6191*	*6810*	*7403*
39150	*3112*	*4516*	*5547*	*6196*	*6816*	*7409*
39200	*3115*	*4520*	*5552*	*6202*	*6822*	*7415*
39250	*3118*	*4524*	*5557*	*6207*	*6828*	*7422*
39300	*3121*	*4528*	*5562*	*6212*	*6834*	*7428*
39350	*3123*	*4533*	*5567*	*6218*	*6840*	*7435*
39400	*3126*	*4537*	*5571*	*6223*	*6845*	*7441*
39450	*3129*	*4541*	*5576*	*6228*	*6851*	*7447*
39500	*3132*	*4545*	*5581*	*6234*	*6857*	*7454*
39550	*3135*	*4549*	*5586*	*6239*	*6863*	*7460*
39600	*3138*	*4553*	*5590*	*6244*	*6869*	*7467*
39650	*3141*	*4557*	*5595*	*6250*	*6875*	*7473*
39700	*3144*	*4561*	*5600*	*6255*	*6881*	*7479*
39750	*3147*	*4565*	*5605*	*6260*	*6887*	*7486*
39800	*3150*	*4570*	*5610*	*6266*	*6892*	*7492*
39850	*3152*	*4574*	*5614*	*6271*	*6898*	*7498*
39900	*3155*	*4578*	*5619*	*6276*	*6904*	*7505*
39950	*3158*	*4582*	*5624*	*6282*	*6910*	*7511*

40000	*3161*	*4586*	*5629*	*6287*	*6916*	*7518*
40050	*3164*	*4590*	*5633*	*6292*	*6922*	*7524*
40100	*3167*	*4594*	*5638*	*6298*	*6928*	*7530*
40150	*3170*	*4598*	*5643*	*6303*	*6933*	*7537*
40200	*3173*	*4602*	*5648*	*6309*	*6939*	*7543*
40250	*3176*	*4607*	*5652*	*6314*	*6945*	*7549*
40300	*3179*	*4611*	*5657*	*6319*	*6951*	*7556*
40350	*3181*	*4615*	*5662*	*6325*	*6957*	*7562*
40400	*3184*	*4619*	*5667*	*6330*	*6963*	*7569*
40450	*3187*	*4623*	*5672*	*6335*	*6969*	*7575*
40500	*3190*	*4627*	*5676*	*6341*	*6975*	*7581*
40550	*3193*	*4631*	*5681*	*6346*	*6980*	*7588*
40600	*3196*	*4635*	*5686*	*6351*	*6986*	*7594*
40650	*3199*	*4640*	*5691*	*6357*	*6992*	*7600*
40700	*3202*	*4644*	*5695*	*6362*	*6998*	*7607*
40750	*3205*	*4648*	*5700*	*6367*	*7004*	*7613*
40800	*3208*	*4652*	*5705*	*6373*	*7010*	*7620*
40850	*3210*	*4656*	*5710*	*6378*	*7016*	*7626*
40900	*3213*	*4660*	*5715*	*6383*	*7022*	*7632*
40950	*3216*	*4664*	*5719*	*6389*	*7027*	*7639*
41000	*3219*	*4668*	*5724*	*6394*	*7033*	*7645*
41050	*3222*	*4672*	*5729*	*6399*	*7039*	*7652*
41100	*3225*	*4677*	*5734*	*6405*	*7045*	*7658*
41150	*3228*	*4681*	*5738*	*6410*	*7051*	*7664*
41200	*3231*	*4685*	*5743*	*6415*	*7057*	*7671*
41250	*3234*	*4689*	*5748*	*6421*	*7063*	*7677*
41300	*3237*	*4693*	*5753*	*6426*	*7068*	*7683*
41350	*3239*	*4697*	*5758*	*6431*	*7074*	*7690*
41400	*3242*	*4701*	*5762*	*6437*	*7080*	*7696*
41450	*3245*	*4705*	*5767*	*6442*	*7086*	*7703*
41500	*3248*	*4710*	*5772*	*6447*	*7092*	*7709*
41550	*3251*	*4714*	*5777*	*6453*	*7098*	*7715*
41600	*3254*	*4718*	*5781*	*6458*	*7104*	*7722*
41650	*3257*	*4722*	*5786*	*6463*	*7110*	*7728*
41700	*3260*	*4726*	*5791*	*6469*	*7115*	*7734*
41750	*3263*	*4730*	*5796*	*6474*	*7121*	*7741*
41800	*3266*	*4734*	*5801*	*6479*	*7127*	*7747*
41850	*3268*	*4738*	*5805*	*6485*	*7133*	*7754*
41900	*3271*	*4742*	*5810*	*6490*	*7139*	*7760*
41950	*3274*	*4747*	*5815*	*6495*	*7145*	*7766*
42000	*3277*	*4751*	*5820*	*6501*	*7151*	*7773*
42050	*3280*	*4755*	*5824*	*6506*	*7157*	*7779*
42100	*3283*	*4759*	*5829*	*6511*	*7162*	*7786*
42150	*3286*	*4763*	*5834*	*6517*	*7168*	*7792*
42200	*3289*	*4767*	*5839*	*6522*	*7174*	*7798*
42250	*3292*	*4771*	*5844*	*6527*	*7180*	*7805*
42300	*3295*	*4775*	*5848*	*6533*	*7186*	*7811*

42350	*3297*	*4779*	*5853*	*6538*	*7192*	*7817*
42400	*3300*	*4784*	*5858*	*6543*	*7198*	*7824*
42450	*3303*	*4788*	*5863*	*6549*	*7203*	*7830*
42500	*3306*	*4792*	*5867*	*6554*	*7209*	*7837*

For gross monthly incomes above ~~$35,000~~ *$42,500*, add the amount of child support for ~~$35,000~~ *$42,500* to the following percentages of gross income above ~~$35,000~~ *$42,500*.

ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
2.6%	3.4%	3.8%	4.2%	4.6%	5.0%

C. For purposes of this section, "gross income" means all income from all sources, and shall include, but not be limited to, income from salaries, wages, commissions, royalties, bonuses, dividends, severance pay, pensions, interest, trust income, annuities, capital gains, social security benefits except as listed below, workers' compensation benefits, unemployment insurance benefits, disability insurance benefits, veterans' benefits, spousal support, rental income except as listed below, gifts, prizes, or awards.

If a parent's gross income includes disability insurance benefits, it shall also include any amounts paid to or for the child who is the subject of the order and derived by the child from the parent's entitlement to disability insurance benefits. To the extent that such derivative benefits are included in a parent's gross income, that parent shall be entitled to a credit against his or her ongoing basic child support obligation for any such amounts, and, if the amount of the credit exceeds the parent's basic child support obligations, the credit may be used to reduce arrearages.

Gross income shall be subject to deduction of reasonable business expenses for persons with income from self-employment, a partnership, or a closely held business. Gross rental income from any property owned individually, jointly, or by any entity shall be subject to deduction of reasonable expenses; however, the deduction shall not include the cost of acquisition, depreciation, or the principal portion of any mortgage payment. The party claiming any deduction for reasonable business expenses or reasonable expenses for rental property shall have the burden of proof to establish such expenses by a preponderance of the evidence.

"Gross income" shall not include:

1. Benefits from public assistance and social services programs as defined in § 63.2-100;

2. Federal supplemental security income benefits;

3. Child support received; or

4. Income received by the payor from secondary employment income not previously included in "gross income," where the payor obtained the income to discharge a child support arrearage established by a court or administrative order and the payor is paying the arrearage pursuant to the order. "Secondary employment income" includes but is not limited to income from an additional job, from self-employment, or from overtime employment. The cessation of such secondary income upon the payment of the arrearage shall not be the basis for a material change in circumstances upon which a modification of child support may be based.

For purposes of this subsection: (i) spousal support received shall be included in gross income and spousal support paid shall be deducted from gross income when paid pursuant to an order or written agreement and (ii) one-half of any self-employment tax paid shall be deducted from gross income.

Where there is an existing court or administrative order or written agreement relating to the child or children of a party to the proceeding, who are not the child or children who are the subject of the present proceeding, then there is a presumption that there shall be deducted from the gross income of the party subject to such order or written agreement, the amount that the party is actually paying for the support of a child or children pursuant to such order or agreement.

Where a party to the proceeding has a natural or adopted child or children in the party's household or primary physical custody, and the child or children are not the subject of the present proceeding, there is a presumption that there shall be deducted from the gross income of that party the amount as shown on the Schedule of Monthly Basic Child Support Obligations contained in subsection B that represents that party's support obligation based solely on that party's income as being the total income available for the natural or adopted child or children in the party's household or primary physical custody, who are not the subject of the present proceeding. Provided, however, that the existence of a party's financial responsibility for such a child or children shall not of itself constitute a material change in circumstances for modifying a previous order of child support in any modification proceeding. Any adjustment to gross income under this subsection shall not create or reduce a support obligation to an amount which seriously impairs the custodial parent's ability to maintain minimal adequate housing and provide other basic necessities for the child, as determined by the court.

In cases in which retroactive liability for support is being determined, the court or administrative agency may use the gross monthly income of the parties averaged over the period of retroactivity.

D. Except for good cause shown or the agreement of the parties, in addition to any other child support obligations established pursuant to this section, any child support order shall provide that the parents pay in proportion to their gross incomes, as used for calculating the monthly support obligation, any reasonable and necessary unreimbursed medical or dental expenses. The method of payment of those expenses shall be contained in the support order. Each parent shall pay his

respective share of expenses as those expenses are incurred. Any amount paid under this subsection shall not be adjusted by, nor added to, the child support calculated in accordance with subsection G. For the purposes of this section, medical or dental expenses shall include but not be limited to eyeglasses, prescription medication, prosthetics, orthodontics, and mental health or developmental disabilities services, including but not limited to services provided by a social worker, psychologist, psychiatrist, counselor, or therapist.

D1. In any initial child support proceeding commenced within six months of the birth of a child, except for good cause shown or the agreement of the parties, in addition to any other child support obligations established pursuant to this section, the child support order shall provide that the parents pay in proportion to their gross incomes, as used for calculating the monthly support obligation, any reasonable and necessary unpaid expenses of the mother's pregnancy and the delivery of such child. Any amount paid under this subsection shall not be adjusted by, nor added to, the child support calculated in accordance with subsection G.

E. The costs for health care coverage as defined in § 63.2-1900, vision care coverage, and dental care coverage for the child or children who are the subject of the child support order that are being paid by a parent or that parent's spouse shall be added to the basic child support obligation. To determine the cost to be added to the basic child support obligation, the cost per person shall be applied to the child or children who are subject of the child support order. If the per child cost is provided by the insurer, that is the cost per person. Otherwise, to determine the cost per person, the cost of individual coverage for the policy holder shall be subtracted from the total cost of the coverage, and the remaining amount shall be divided by the number of remaining covered persons.

F. Any child-care costs incurred on behalf of the child or children due to employment of the custodial parent shall be added to the basic child support obligation. Child-care costs shall not exceed the amount required to provide quality care from a licensed source. When requested by the noncustodial parent, the court may require the custodial parent to present documentation to verify the costs incurred for child care under this subsection. Where appropriate, the court shall consider the willingness and availability of the noncustodial parent to provide child care personally in determining whether child-care costs are necessary or excessive. Upon the request of either party, and upon a showing of the tax savings a party derives from child-care cost deductions or credits, the court shall factor actual tax consequences into its calculation of the child-care costs to be added to the basic child support obligation.

G. 1. Sole custody support. The sole custody total monthly child support obligation shall be established by adding (i) the monthly basic child support obligation, as determined from the schedule contained in subsection B, (ii) costs for health care coverage to the extent allowable by subsection E, and (iii) work-related child-care costs and taking into consideration all the factors set forth in subsection B of § 20-108.1. The total monthly child support obligation shall be divided between the parents in the same proportion as their monthly gross incomes bear to their monthly combined gross income. The monthly obligation of each parent shall be computed by multiplying each parent's percentage of the parents' monthly combined gross income by the total monthly child support obligation.

However, the monthly obligation of the noncustodial parent shall be reduced by the cost for health care coverage to the extent allowable by subsection E when paid directly by the noncustodial parent or that parent's spouse. Unreimbursed medical and dental expenses shall be calculated and allocated in accordance with subsection D.

2. Split custody support. In cases involving split custody, the amount of child support to be paid shall be the difference between the amounts owed by each parent as a noncustodial parent, computed in accordance with subdivision 1, with the noncustodial parent owing the larger amount paying the difference to the other parent. Unreimbursed medical and dental expenses shall be calculated and allocated in accordance with subsection D.

For the purpose of this section and § 20-108.1, split custody shall be limited to those situations where each parent has physical custody of a child or children born of the parents, born of either parent and adopted by the other parent or adopted by both parents. For the purposes of calculating a child support obligation where split custody exists, a separate family unit exists for each parent, and child support for that family unit shall be calculated upon the number of children in that family unit who are born of the parents, born of either parent and adopted by the other parent or adopted by both parents. Where split custody exists, a parent is a custodial parent to the children in that parent's family unit and is a noncustodial parent to the children in the other parent's family unit.

3. Shared custody support.

(a) Where a party has custody or visitation of a child or children for more than 90 days of the year, as such days are defined in subdivision G 3 (c), a shared custody child support amount based on the ratio in which the parents share the custody and visitation of any child or children shall be calculated in accordance with this subdivision. The presumptive support to be paid shall be the shared custody support amount, unless a party affirmatively shows that the sole custody support amount calculated as provided in subdivision G 1 is less than the shared custody support amount. If so, the lesser amount shall be the support to be paid. For the purposes of this subsection, the following shall apply:

(i) Income share. "Income share" means a parent's percentage of the combined monthly gross income of both parents. The income share of a parent is that parent's gross income divided by the combined gross incomes of the parties.

(ii) Custody share. "Custody share" means the number of days that a parent has physical custody, whether by sole custody, joint legal or joint residential custody, or visitation, of a shared child per year divided by the number of days in the year. The actual or anticipated "custody share" of the parent who has or will have fewer days of physical custody shall be calculated for a one-year period. The "custody share" of the other parent shall be presumed to be the number of days in the year less the number of days calculated as the first parent's "custody share." For purposes of this calculation, the year may

begin on such date as is determined in the discretion of the court, and the day may begin at such time as is determined in the discretion of the court. For purposes of this calculation, a day shall be as defined in subdivision G 3 (c).

(iii) Shared support need. "Shared support need" means the presumptive guideline amount of needed support for the shared child or children calculated pursuant to subsection B of this section, for the combined gross income of the parties and the number of shared children, multiplied by 1.4.

(iv) Sole custody support. "Sole custody support" means the support amount determined in accordance with subdivision G 1.

(b) Support to be paid. The shared support need of the shared child or children shall be calculated pursuant to subdivision G 3 (a) (iii). This amount shall then be multiplied by the other parent's custody share. To that sum for each parent shall be added the other parent's or that parent's spouse's cost of health care coverage to the extent allowable by subsection E, plus the other parent's work-related child-care costs to the extent allowable by subsection F. This total for each parent shall be multiplied by that parent's income share. The support amounts thereby calculated that each parent owes the other shall be subtracted one from the other and the difference shall be the shared custody support one parent owes to the other, with the payor parent being the one whose shared support is the larger. Unreimbursed medical and dental expenses shall be calculated and allocated in accordance with subsection D.

(c) Definition of a day. For the purposes of this section, "day" means a period of 24 hours; however, where the parent who has the fewer number of overnight periods during the year has an overnight period with a child, but has physical custody of the shared child for less than 24 hours during such overnight period, there is a presumption that each parent shall be allocated one-half of a day of custody for that period.

(d) Minimum standards. Any calculation under this subdivision shall not create or reduce a support obligation to an amount which seriously impairs the custodial parent's ability to maintain minimal adequate housing and provide other basic necessities for the child. If the gross income of either party is equal to or less than 150 percent of the federal poverty level promulgated by the U.S. Department of Health and Human Services from time to time, then the shared custody support calculated pursuant to this subsection shall not be the presumptively correct support and the court may consider whether the sole custody support or the shared custody support is more just and appropriate.

(e) Support modification. When there has been an award of child support based on the shared custody formula and one parent consistently fails to exercise custody or visitation in accordance with the parent's custody share upon which the award was based, there shall be a rebuttable presumption that the support award should be modified.

(f) In the event that the shared custody support calculation indicates that the net support is to be paid to the parent who would not be the parent receiving support pursuant to the sole custody calculation, then the shared support shall be deemed to be the lesser support.

4. Multiple shared custody support. In cases with different shared custody arrangements for two or more minor children of the parties, the procedures in subdivision G 3 shall apply, except that one shared guideline shall be used to determine the total amount of child support owed by one parent to the other by:

(a) Calculating each parent's custody share by adding the total number of days, as defined in subdivision G 3 (c), that each parent has with each child and dividing such total number of days by the number of children of the parties to determine the average number of shared custody days; and

(b) Using each parent's custody share as determined in subdivision G 4 (a) for each parent to calculate the child support owed, in accordance with the provisions of subdivision G 3.

5. Sole and shared custody support. In cases where one parent has sole custody of one or more minor children of the parties, and the parties share custody of one or more other minor children of the parties, the procedures in subdivisions G 1 and 3 shall apply, except that one sole custody support guideline calculation and one shared custody support guideline calculation shall be used to determine the total amount of child support owed by one parent to the other by:

(a) Calculating the sole custody support obligation by:

(i) Calculating the per child monthly basic child support obligation by determining, for the number of children of the parties, the scheduled monthly basic child support obligation and dividing that amount by the number of children of the parties;

(ii) Calculating the sole custody pro rata monthly basic child support obligation by multiplying the per child monthly basic child support obligation determined in subdivision G 5 (a) (i) by the number of children subject to the sole custody support obligation; and

(iii) Applying the sole custody pro rata monthly basic child support obligation determined in subdivision G 5 (a) (ii) to the procedures in subdivision G 1.

(b) Calculating the shared custody child support obligation by:

(i) Calculating the per child monthly basic child support obligation by determining, for the number of children of the parties, the scheduled monthly basic child support obligation and dividing that amount by the number of children of the parties;

(ii) Calculating the shared custody pro rata monthly basic child support obligation by multiplying the per child monthly basic child support obligation determined in subdivision G 5 (b) (i) by the number of children subject to the shared custody support obligation; and

(iii) Applying the shared custody pro rata monthly basic child support obligation determined in subdivision G 5 (b) (ii) to the procedures in subdivision G 3.

(c) Determining the total amount of child support owed by one parent to the other. Where one parent owes both the sole custody support obligation and the shared custody support obligation to the other parent, the total of both such obligations calculated pursuant to subdivisions G 5 (a) and G 5 (b) shall be added to determine the total amount of child support owed by one parent to the other. Where one parent owes one such obligation to the other parent, and such other parent owes the other such obligation to the other such parent, the parent owing the greater obligation amount to the other parent shall pay the difference between the obligations to such other parent.

6. Split and shared custody support. In cases where the parents have split custody of two or more children, and there is a shared custody arrangement with one or more other minor children of the parties, the procedures set forth in subdivisions G 2 and G 3 shall apply, except that one split custody child support guideline calculation and one shared custody child support guideline calculation shall be used to calculate the total amount of child support owed by one parent to the other by:

(a) Calculating the split custody child support obligation by:

(i) Calculating the per child monthly basic child custody support obligation by determining, for the number of children of the parties, the scheduled monthly basic child support obligation and dividing that amount by the number of children of the parties;

(ii) Calculating the split custody pro rata monthly basic child support obligation by multiplying the per child monthly basic child support obligation determined in subdivision G 6 (a) (i) by the number of children subject to the split custody support obligation; and

(iii) Applying the split custody pro rata monthly basic child support obligation determined in subdivision G 6 (a) (ii) for each parent to the procedures in subdivision G 2.

(b) Calculating the shared custody child support obligation by:

(i) Calculating the per child monthly basic child custody support obligation by determining, for the number of children of the parties, the scheduled monthly basic child support obligation and dividing that amount by the number of children of the parties;

(ii) Calculating the shared custody pro rata monthly basic child custody support obligation by multiplying the per child monthly basic child support obligation determined in subdivision G 6 (b) (i) by the number of children subject to the shared custody support obligation; and

(iii) Applying the shared custody pro rata monthly basic child support obligation determined in subdivision G 6 (b) (ii) to the procedures in subdivision G 3.

(c) Determining the total amount of child support owed by one parent to the other. Where one parent owes both the split custody support obligation and the shared custody support obligation to the other parent, the total of both such obligations calculated pursuant to subdivisions G 6 (a) and G 6 (b) shall be added to determine the total amount of child support owed by one parent to the other. Where one parent owes one such obligation to the other parent, and such other parent owes the other such obligation to the other such parent, the parent owing the greater obligation amount to the other parent shall pay the difference between the obligations to such other parent.

H. The Secretary of Health and Human Resources shall ensure that the guideline set out in this section is reviewed by October 31, 2001, and every four years thereafter, by the Child Support Guidelines Review Panel, consisting of 15 members comprised of four legislative members and 11 nonlegislative citizen members. Members shall be appointed as follows: three members of the House Committee for Courts of Justice, upon the recommendation of the Chairman of such committee, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; one member of the Senate Committee for Courts of Justice, upon the recommendation of the Chairman of such committee, to be appointed by the Senate Committee on Rules; and one representative of a juvenile and domestic relations district court, one representative of a circuit court, one representative of the Department of Social Services' Division of Child Support Enforcement, three members of the Virginia State Bar, two custodial parents, two noncustodial parents, and one child advocate, upon the recommendation of the Secretary of Health and Human Resources, to be appointed by the Governor. The Panel shall determine the adequacy of the guideline for the determination of appropriate awards for the support of children by considering current research and data on the cost of and expenditures necessary for rearing children, and any other resources it deems relevant to such review. The Panel shall report its findings to the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports before the General Assembly next convenes following such review.

Legislative members shall serve terms coincident with their terms of office. Nonlegislative citizen members shall serve at the pleasure of the Governor. All members may be reappointed. Appointments to fill vacancies, other than by expiration of a term, shall be made for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

Legislative members shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the Department of Social Services.

The Department of Social Services shall provide staff support to the Panel. All agencies of the Commonwealth shall provide assistance to the Panel, upon request.

The chairman of the Panel shall submit to the Governor and the General Assembly a quadrennial executive summary of the interim activity and work of the Panel no later than the first day of 2006 regular session of the General Assembly and every four years thereafter. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

2. That the Child Support Guidelines Review Panel, in collaboration with the Division of Child Support Enforcement, shall examine the current outstanding amount of child support arrearages and make recommendations to the General Assembly about measures the General Assembly can consider regarding (i) helping child support obligors pay outstanding arrearages and (ii) whether existing penalties that place restrictions on such obligors' drivers licenses or other professional restrictions unnecessarily impair the obligor's ability to repay outstanding child support arrearages. The Child Support Guidelines Review Panel shall report its conclusions to the Chairmen of the House and Senate Committees for Courts of Justice by November 15, 2025.

CHAPTER 703

An Act to amend and reenact § 59.1-575 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 59.1-577.1, relating to Consumer Data Protection Act; social media platforms; responsibilities and prohibitions related to minors.

[S 854]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 59.1-575 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 59.1-577.1 as follows:

§ 59.1-575. Definitions.

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

"Affiliate" means a legal entity that controls, is controlled by, or is under common control with another legal entity or shares common branding with another legal entity. For the purposes of this definition, "control" or "controlled" means (i) ownership of, or the power to vote, more than 50 percent of the outstanding shares of any class of voting security of a company; (ii) control in any manner over the election of a majority of the directors or of individuals exercising similar functions; or (iii) the power to exercise controlling influence over the management of a company.

"Authenticate" means verifying through reasonable means that the consumer, entitled to exercise his consumer rights in § 59.1-577, is the same consumer exercising such consumer rights with respect to the personal data at issue.

"Biometric data" means data generated by automatic measurements of an individual's biological characteristics, such as a fingerprint, voiceprint, eye retinas, irises, or other unique biological patterns or characteristics that is used to identify a specific individual. "Biometric data" does not include a physical or digital photograph, a video or audio recording or data generated therefrom, or information collected, used, or stored for health care treatment, payment, or operations under HIPAA.

"Business associate" means the same meaning as the term established by HIPAA.

"Child" means any natural person younger than 13 years of age.

"Consent" means a clear affirmative act signifying a consumer's freely given, specific, informed, and unambiguous agreement to process personal data relating to the consumer. Consent may include a written statement, including a statement written by electronic means, or any other unambiguous affirmative action.

"Consumer" means a natural person who is a resident of the Commonwealth acting only in an individual or household context. It does not include a natural person acting in a commercial or employment context.

"Controller" means the natural or legal person that, alone or jointly with others, determines the purpose and means of processing personal data.

"Covered entity" means the same as the term is established by HIPAA.

"Decisions that produce legal or similarly significant effects concerning a consumer" means a decision made by the controller that results in the provision or denial by the controller of financial and lending services, housing, insurance, education enrollment, criminal justice, employment opportunities, health care services, or access to basic necessities, such as food and water.

"De-identified data" means data that cannot reasonably be linked to an identified or identifiable natural person, or a device linked to such person. A controller that possesses "de-identified data" shall comply with the requirements of subsection A of § 59.1-581.

"Health record" means the same as that term is defined in § 32.1-127.1:03.

"Health care provider" means the same as that term is defined in § 32.1-276.3.

"HIPAA" means the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.).

"Identified or identifiable natural person" means a person who can be readily identified, directly or indirectly.

"Institution of higher education" means a public institution and private institution of higher education, as those terms are defined in § 23.1-100.

"Nonprofit organization" means any corporation organized under the Virginia Nonstock Corporation Act (§ 13.1-801 et seq.) or any organization exempt from taxation under § 501(c)(3), 501(c)(6), or 501(c)(12) of the Internal Revenue Code, any political organization, any organization exempt from taxation under § 501(c)(4) of the Internal Revenue Code that is identified in § 52-41, and any subsidiary or affiliate of entities organized pursuant to Chapter 9.1 (§ 56-231.15 et seq.) of Title 56.

"Online service, product, or feature" means any service, product, or feature that is provided online. "Online service, product, or feature" does not include telecommunications service, as defined in 47 U.S.C. § 153, broadband Internet access service, as defined in 47 C.F.R. § 54.400, or delivery or use of a physical product.

"Parent" means a parent or legal guardian of a child or minor.

"Personal data" means any information that is linked or reasonably linkable to an identified or identifiable natural person. "Personal data" does not include de-identified data or publicly available information.

"Political organization" means a party, committee, association, fund, or other organization, whether or not incorporated, organized and operated primarily for the purpose of influencing or attempting to influence the selection, nomination, election, or appointment of any individual to any federal, state, or local public office or office in a political organization or the election of a presidential/vice-presidential elector, whether or not such individual or elector is selected, nominated, elected, or appointed.

"Precise geolocation data" means information derived from technology, including but not limited to global positioning system level latitude and longitude coordinates or other mechanisms, that directly identifies the specific location of a natural person with precision and accuracy within a radius of 1,750 feet. "Precise geolocation data" does not include the content of communications or any data generated by or connected to advanced utility metering infrastructure systems or equipment for use by a utility.

"Process" or "processing" means any operation or set of operations performed, whether by manual or automated means, on personal data or on sets of personal data, such as the collection, use, storage, disclosure, analysis, deletion, or modification of personal data.

"Processor" means a natural or legal entity that processes personal data on behalf of a controller.

"Profiling" means any form of automated processing performed on personal data to evaluate, analyze, or predict personal aspects related to an identified or identifiable natural person's economic situation, health, personal preferences, interests, reliability, behavior, location, or movements.

"Protected health information" means the same as the term is established by HIPAA.

"Pseudonymous data" means personal data that cannot be attributed to a specific natural person without the use of additional information, provided that such additional information is kept separately and is subject to appropriate technical and organizational measures to ensure that the personal data is not attributed to an identified or identifiable natural person.

"Publicly available information" means information that is lawfully made available through federal, state, or local government records, or information that a business has a reasonable basis to believe is lawfully made available to the general public through widely distributed media, by the consumer, or by a person to whom the consumer has disclosed the information, unless the consumer has restricted the information to a specific audience.

"Sale of personal data" means the exchange of personal data for monetary consideration by the controller to a third party. "Sale of personal data" does not include:

1. The disclosure of personal data to a processor that processes the personal data on behalf of the controller;

2. The disclosure of personal data to a third party for purposes of providing a product or service requested by the consumer;

3. The disclosure or transfer of personal data to an affiliate of the controller;

4. The disclosure of information that the consumer (i) intentionally made available to the general public via a channel of mass media and (ii) did not restrict to a specific audience; or

5. The disclosure or transfer of personal data to a third party as an asset that is part of a merger, acquisition, bankruptcy, or other transaction in which the third party assumes control of all or part of the controller's assets.

"Sensitive data" means a category of personal data that includes:

1. Personal data revealing racial or ethnic origin, religious beliefs, mental or physical health diagnosis, sexual orientation, or citizenship or immigration status;

2. The processing of genetic or biometric data for the purpose of uniquely identifying a natural person;

3. The personal data collected from a known child; or

4. Precise geolocation data.

"Social media platform" means a public or semipublic Internet-based service or application that has users in the Commonwealth and that meets the following criteria:

1. Connects users in order to allow users to interact socially with each other within such service or application. No service or application that exclusively provides email or direct messaging services shall be considered to meet this criterion on the basis of that function alone; and

2. Allows users to do all of the following:

a. Construct a public or semipublic profile for purposes of signing into and using such service or application;

b. Populate a public list of other users with whom such user shares a social connection within such service or application; and

c. Create or post content viewable by other users, including content on message boards, in chat rooms, or through a landing page or main feed that presents the user with content generated by other users. No service or application that consists primarily of news, sports, entertainment, ecommerce, or content preselected by the provider and not generated by users, and for which any chat, comments, or interactive functionality is incidental to, directly related to, or dependent on the provision of such content, or that is for interactive gaming, shall be considered to meet this criterion on the basis of that function alone.

"State agency" means the same as that term is defined in § 2.2-307.

"Targeted advertising" means displaying advertisements to a consumer where the advertisement is selected based on personal data obtained from that consumer's activities over time and across nonaffiliated websites or online applications to predict such consumer's preferences or interests. "Targeted advertising" does not include:

1. Advertisements based on activities within a controller's own websites or online applications;

2. Advertisements based on the context of a consumer's current search query, visit to a website, or online application;

3. Advertisements directed to a consumer in response to the consumer's request for information or feedback; or

4. Processing personal data processed solely for measuring or reporting advertising performance, reach, or frequency.

"Third party" means a natural or legal person, public authority, agency, or body other than the consumer, controller, processor, or an affiliate of the processor or the controller.

"User" means a person not acting as an agent of a controller or processor.

§ 59.1-577.1. Social media platforms; responsibilities and prohibitions related to minors.

A. For purposes of this section, "minor" means any natural person younger than 16 years of age.

B. Any controller or processor that operates a social media platform shall (i) use commercially reasonable methods, such as a neutral age screen mechanism, to determine whether a user is a minor and (ii) limit a minor's use of such social media platform to one hour per day, per service or application, and allow a parent to give verifiable parental consent to increase or decrease the daily time limit.

C. Information collected for the purpose of determining a user's age shall not be used for any purpose other than age determination and provision of age-appropriate experiences. For purposes of this section, any controller or processor that operates a social media platform shall treat a user as a minor if the user's device communicates or signals that the user is or shall be treated as a minor, including through a browser plug-in or privacy setting, device setting, or other mechanism.

D. Nothing in this section shall be construed as requiring any controller or processor that operates a social media platform to give a parent who grants verifiable parental consent pursuant to subsection B any additional or special access to or control over the data or accounts of the minor.

E. No controller or processor that operates a social media platform shall withhold, degrade, lower the quality of, or increase the price of any online service, product, or feature to a user due to the controller or processor not being permitted to provide use of such social media platform beyond the one hour per day, per service or application, daily time limit under subsection B. However, nothing in this section shall be construed as (i) requiring a social media platform to provide an online service, product, or feature that requires the personal information of a known minor or (ii) prohibiting a social media platform from offering a different price, rate, level, quality, or selection of goods or services to a known minor, including offering goods or services for no fee, if such behavior is reasonably related to the exercise of rights pursuant to or compliance with the requirements of this chapter.

2. That the provisions of this act shall become effective on January 1, 2026.

CHAPTER 704

An Act to amend and reenact § 32.1-325 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 32.1-325.5, relating to Department of Medical Assistance Services; state pharmacy benefits manager.

[S 875]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-325 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 32.1-325.5 as follows:

§ 32.1-325. Board to submit plan for medical assistance services to U.S. Secretary of Health and Human Services pursuant to federal law; administration of plan; contracts with health care providers.

A. The Board, subject to the approval of the Governor, is authorized to prepare, amend from time to time, and submit to the U.S. Secretary of Health and Human Services a state plan for medical assistance services pursuant to Title XIX of the United States Social Security Act and any amendments thereto. The Board shall include in such plan:

1. A provision for payment of medical assistance on behalf of individuals, up to the age of 21, placed in foster homes or private institutions by private, nonprofit agencies licensed as child-placing agencies by the Department of Social Services or placed through state and local subsidized adoptions to the extent permitted under federal statute;

2. A provision for determining eligibility for benefits for medically needy individuals which disregards from countable resources an amount not in excess of $3,500 for the individual and an amount not in excess of $3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall

be reduced by (i) the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources and (ii) the amount of any other revocable or irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses;

3. A requirement that, in determining eligibility, a home shall be disregarded. For those medically needy persons whose eligibility for medical assistance is required by federal law to be dependent on the budget methodology for Aid to Families with Dependent Children, a home means the house and lot used as the principal residence and all contiguous property. For all other persons, a home shall mean the house and lot used as the principal residence, as well as all contiguous property, as long as the value of the land, exclusive of the lot occupied by the house, does not exceed $5,000. In any case in which the definition of home as provided here is more restrictive than that provided in the state plan for medical assistance services in Virginia as it was in effect on January 1, 1972, then a home means the house and lot used as the principal residence and all contiguous property essential to the operation of the home regardless of value;

4. A provision for payment of medical assistance on behalf of individuals up to the age of 21, who are Medicaid eligible, for medically necessary stays in acute care facilities in excess of 21 days per admission;

5. A provision for deducting from an institutionalized recipient's income an amount for the maintenance of the individual's spouse at home;

6. A provision for payment of medical assistance on behalf of pregnant women which provides for payment for inpatient postpartum treatment in accordance with the medical criteria outlined in the most current version of or an official update to the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists or the "Standards for Obstetric-Gynecologic Services" prepared by the American College of Obstetricians and Gynecologists. Payment shall be made for any postpartum home visit or visits for the mothers and the children which are within the time periods recommended by the attending physicians in accordance with and as indicated by such Guidelines or Standards. For the purposes of this subdivision, such Guidelines or Standards shall include any changes thereto within six months of the publication of such Guidelines or Standards or any official amendment thereto;

7. A provision for the payment for family planning services on behalf of women who were Medicaid-eligible for prenatal care and delivery as provided in this section at the time of delivery. Such family planning services shall begin with delivery and continue for a period of 24 months, if the woman continues to meet the financial eligibility requirements for a pregnant woman under Medicaid. For the purposes of this section, family planning services shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions;

8. A provision for payment of medical assistance for high-dose chemotherapy and bone marrow transplants on behalf of individuals over the age of 21 who have been diagnosed with lymphoma, breast cancer, myeloma, or leukemia and have been determined by the treating health care provider to have a performance status sufficient to proceed with such high-dose chemotherapy and bone marrow transplant. Appeals of these cases shall be handled in accordance with the Department's expedited appeals process;

9. A provision identifying entities approved by the Board to receive applications and to determine eligibility for medical assistance, which shall include a requirement that such entities (i) obtain accurate contact information, including the best available address and telephone number, from each applicant for medical assistance, to the extent required by federal law and regulations, and (ii) provide each applicant for medical assistance with information about advance directives pursuant to Article 8 (§ 54.1-2981 et seq.) of Chapter 29 of Title 54.1, including information about the purpose and benefits of advance directives and how the applicant may make an advance directive;

10. A provision for breast reconstructive surgery following the medically necessary removal of a breast for any medical reason. Breast reductions shall be covered, if prior authorization has been obtained, for all medically necessary indications. Such procedures shall be considered noncosmetic;

11. A provision for payment of medical assistance for annual pap smears;

12. A provision for payment of medical assistance services for prostheses following the medically necessary complete or partial removal of a breast for any medical reason;

13. A provision for payment of medical assistance which provides for payment for 48 hours of inpatient treatment for a patient following a radical or modified radical mastectomy and 24 hours of inpatient care following a total mastectomy or a partial mastectomy with lymph node dissection for treatment of disease or trauma of the breast. Nothing in this subdivision shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate;

14. A requirement that certificates of medical necessity for durable medical equipment and any supporting verifiable documentation shall be signed, dated, and returned by the physician, physician assistant, or advanced practice registered nurse and in the durable medical equipment provider's possession within 60 days from the time the ordered durable medical equipment and supplies are first furnished by the durable medical equipment provider;

15. A provision for payment of medical assistance to (i) persons age 50 and over and (ii) persons age 40 and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for one PSA test in a 12-month period and digital rectal examinations, all in accordance with American Cancer Society guidelines. For the purpose of this subdivision, "PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen;

16. A provision for payment of medical assistance for low-dose screening mammograms for determining the presence of occult breast cancer. Such coverage shall make available one screening mammogram to persons age 35 through 39, one such mammogram biennially to persons age 40 through 49, and one such mammogram annually to persons age 50 and over. The term "mammogram" means an X-ray examination of the breast using equipment dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression device, screens, film and cassettes, with an average radiation exposure of less than one rad mid-breast, two views of each breast;

17. A provision, when in compliance with federal law and regulation and approved by the Centers for Medicare & Medicaid Services (CMS), for payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the state plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services;

18. A provision for payment of medical assistance services for liver, heart and lung transplantation procedures for individuals over the age of 21 years when (i) there is no effective alternative medical or surgical therapy available with outcomes that are at least comparable; (ii) the transplant procedure and application of the procedure in treatment of the specific condition have been clearly demonstrated to be medically effective and not experimental or investigational; (iii) prior authorization by the Department of Medical Assistance Services has been obtained; (iv) the patient selection criteria of the specific transplant center where the surgery is proposed to be performed have been used by the transplant team or program to determine the appropriateness of the patient for the procedure; (v) current medical therapy has failed and the patient has failed to respond to appropriate therapeutic management; (vi) the patient is not in an irreversible terminal state; and (vii) the transplant is likely to prolong the patient's life and restore a range of physical and social functioning in the activities of daily living;

19. A provision for payment of medical assistance for colorectal cancer screening, specifically screening with an annual fecal occult blood test, flexible sigmoidoscopy or colonoscopy, or in appropriate circumstances radiologic imaging, in accordance with the most recently published recommendations established by the American College of Gastroenterology, in consultation with the American Cancer Society, for the ages, family histories, and frequencies referenced in such recommendations;

20. A provision for payment of medical assistance for custom ocular prostheses;

21. A provision for payment for medical assistance for infant hearing screenings and all necessary audiological examinations provided pursuant to § 32.1-64.1 using any technology approved by the United States Food and Drug Administration, and as recommended by the national Joint Committee on Infant Hearing in its most current position statement addressing early hearing detection and intervention programs. Such provision shall include payment for medical assistance for follow-up audiological examinations as recommended by a physician, physician assistant, advanced practice registered nurse, or audiologist and performed by a licensed audiologist to confirm the existence or absence of hearing loss;

22. A provision for payment of medical assistance, pursuant to the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (P.L. 106-354), for certain women with breast or cervical cancer when such women (i) have been screened for breast or cervical cancer under the Centers for Disease Control and Prevention (CDC) Breast and Cervical Cancer Early Detection Program established under Title XV of the Public Health Service Act; (ii) need treatment for breast or cervical cancer, including treatment for a precancerous condition of the breast or cervix; (iii) are not otherwise covered under creditable coverage, as defined in § 2701 (c) of the Public Health Service Act; (iv) are not otherwise eligible for medical assistance services under any mandatory categorically needy eligibility group; and (v) have not attained age 65. This provision shall include an expedited eligibility determination for such women;

23. A provision for the coordinated administration, including outreach, enrollment, re-enrollment and services delivery, of medical assistance services provided to medically indigent children pursuant to this chapter, which shall be called Family Access to Medical Insurance Security (FAMIS) Plus and the FAMIS Plan program in § 32.1-351. A single application form shall be used to determine eligibility for both programs;

24. A provision, when authorized by and in compliance with federal law, to establish a public-private long-term care partnership program between the Commonwealth of Virginia and private insurance companies that shall be established through the filing of an amendment to the state plan for medical assistance services by the Department of Medical Assistance Services. The purpose of the program shall be to reduce Medicaid costs for long-term care by delaying or eliminating dependence on Medicaid for such services through encouraging the purchase of private long-term care insurance policies that have been designated as qualified state long-term care insurance partnerships and may be used as the first source of benefits for the participant's long-term care. Components of the program, including the treatment of assets for Medicaid eligibility and estate recovery, shall be structured in accordance with federal law and applicable federal guidelines;

25. A provision for the payment of medical assistance for otherwise eligible pregnant women during the first five years of lawful residence in the United States, pursuant to § 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111-3);

26. A provision for the payment of medical assistance for medically necessary health care services provided through telemedicine services, as defined in § 38.2-3418.16, regardless of the originating site or whether the patient is accompanied by a health care provider at the time such services are provided. No health care provider who provides health care services through telemedicine services shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.

For the purposes of this subdivision, a health care provider duly licensed by the Commonwealth who provides health care services exclusively through telemedicine services shall not be required to maintain a physical presence in the Commonwealth to be considered an eligible provider for enrollment as a Medicaid provider.

For the purposes of this subdivision, a telemedicine services provider group with health care providers duly licensed by the Commonwealth shall not be required to have an in-state service address to be eligible to enroll as a Medicaid vendor or Medicaid provider group.

For the purposes of this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

27. A provision for the payment of medical assistance for the dispensing or furnishing of up to a 12-month supply of hormonal contraceptives at one time. Absent clinical contraindications, the Department shall not impose any utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished to an amount less than a 12-month supply. Nothing in this subdivision shall be construed to (i) require a provider to prescribe, dispense, or furnish a 12-month supply of self-administered hormonal contraceptives at one time or (ii) exclude coverage for hormonal contraceptives as prescribed by a prescriber, acting within his scope of practice, for reasons other than contraceptive purposes. As used in this subdivision, "hormonal contraceptive" means a medication taken to prevent pregnancy by means of ingestion of hormones, including medications containing estrogen or progesterone, that is self-administered, requires a prescription, and is approved by the U.S. Food and Drug Administration for such purpose;

28. A provision for payment of medical assistance for remote patient monitoring services provided via telemedicine, as defined in § 38.2-3418.16, for (i) high-risk pregnant persons; (ii) medically complex infants and children; (iii) transplant patients; (iv) patients who have undergone surgery, for up to three months following the date of such surgery; and (v) patients with a chronic or acute health condition who have had two or more hospitalizations or emergency department visits related to such health condition in the previous 12 months when there is evidence that the use of remote patient monitoring is likely to prevent readmission of such patient to a hospital or emergency department. For the purposes of this subdivision, "remote patient monitoring services" means the use of digital technologies to collect medical and other forms of health data from patients in one location and electronically transmit that information securely to health care providers in a different location for analysis, interpretation, and recommendations, and management of the patient. "Remote patient monitoring services" includes monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other patient physiological data, treatment adherence monitoring, and interactive videoconferencing with or without digital image upload;

29. A provision for the payment of medical assistance for provider-to-provider consultations that is no more restrictive than, and is at least equal in amount, duration, and scope to, that available through the fee-for-service program;

30. A provision for payment of the originating site fee to emergency medical services agencies for facilitating synchronous telehealth visits with a distant site provider delivered to a Medicaid member. As used in this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

31. A provision for the payment of medical assistance for targeted case management services for individuals with severe traumatic brain injury;

32. A provision for payment of medical assistance for the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories, as defined by the Department's durable medical equipment program policy, for patients who reside in nursing facilities. Initial purchase or replacement may be contingent upon (i) determination of medical necessity; (ii) requirements in accordance with regulations established through the Department's durable medical equipment program policy; and (iii) exclusive use by the nursing facility resident. Recipients of medical assistance shall not be required to pay any deductible, coinsurance, copayment, or patient costs related to the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories; and

33. A provision for payment of medical assistance for remote ultrasound procedures and remote fetal non-stress tests. Such provision shall utilize established CPT codes for these procedures and shall apply when the patient is in a residence or other off-site location from the patient's provider that provides the same standard of care. The provision shall provide for reimbursement only when a provider uses digital technology (i) to collect medical and other forms of health data from a

patient and electronically transmit that information securely to a health care provider in a different location for interpretation and recommendation; (ii) that is compliant with the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.); and (iii) that is approved by the U.S. Food and Drug Administration. For fetal non-stress tests under CPT Code 59025, the provision shall provide for reimbursement only if such test (a) is conducted with a place of service modifier for at-home monitoring and (b) uses remote monitoring solutions that are approved by the U.S. Food and Drug Administration for on-label use to monitor fetal heart rate, maternal heart rate, and uterine activity.

B. In preparing the plan, the Board shall:

1. Work cooperatively with the State Board of Health to ensure that quality patient care is provided and that the health, safety, security, rights and welfare of patients are ensured.

2. Initiate such cost containment or other measures as are set forth in the appropriation act.

3. Make, adopt, promulgate and enforce such regulations as may be necessary to carry out the provisions of this chapter.

4. Examine, before acting on a regulation to be published in the Virginia Register of Regulations pursuant to § 2.2-4007.05, the potential fiscal impact of such regulation on local boards of social services. For regulations with potential fiscal impact, the Board shall share copies of the fiscal impact analysis with local boards of social services prior to submission to the Registrar. The fiscal impact analysis shall include the projected costs/savings to the local boards of social services to implement or comply with such regulation and, where applicable, sources of potential funds to implement or comply with such regulation.

5. Incorporate sanctions and remedies for certified nursing facilities established by state law, in accordance with 42 C.F.R. § 488.400 et seq., Enforcement of Compliance for Long-Term Care Facilities With Deficiencies.

6. On and after July 1, 2002, require that a prescription benefit card, health insurance benefit card, or other technology that complies with the requirements set forth in § 38.2-3407.4:2 be issued to each recipient of medical assistance services, and shall upon any changes in the required data elements set forth in subsection A of § 38.2-3407.4:2, either reissue the card or provide recipients such corrective information as may be required to electronically process a prescription claim.

C. In order to enable the Commonwealth to continue to receive federal grants or reimbursement for medical assistance or related services, the Board, subject to the approval of the Governor, may adopt, regardless of any other provision of this chapter, such amendments to the state plan for medical assistance services as may be necessary to conform such plan with amendments to the United States Social Security Act or other relevant federal law and their implementing regulations or constructions of these laws and regulations by courts of competent jurisdiction or the United States Secretary of Health and Human Services.

In the event conforming amendments to the state plan for medical assistance services are adopted, the Board shall not be required to comply with the requirements of Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2. However, the Board shall, pursuant to the requirements of § 2.2-4002, (i) notify the Registrar of Regulations that such amendment is necessary to meet the requirements of federal law or regulations or because of the order of any state or federal court, or (ii) certify to the Governor that the regulations are necessitated by an emergency situation. Any such amendments that are in conflict with the Code of Virginia shall only remain in effect until July 1 following adjournment of the next regular session of the General Assembly unless enacted into law.

D. The Director of Medical Assistance Services is authorized to:

1. Administer such state plan and receive and expend federal funds therefor in accordance with applicable federal and state laws and regulations; and enter into all contracts necessary or incidental to the performance of the Department's duties and the execution of its powers as provided by law.

2. Enter into agreements and contracts with medical care facilities, physicians, dentists and other health care providers where necessary to carry out the provisions of such state plan. Any such agreement or contract shall terminate upon conviction of the provider of a felony. In the event such conviction is reversed upon appeal, the provider may apply to the Director of Medical Assistance Services for a new agreement or contract. Such provider may also apply to the Director for reconsideration of the agreement or contract termination if the conviction is not appealed, or if it is not reversed upon appeal.

3. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with any provider who has been convicted of or otherwise pled guilty to a felony, or pursuant to Subparts A, B, and C of 42 C.F.R. Part 1002, and upon notice of such action to the provider as required by 42 C.F.R. § 1002.212.

4. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with a provider who is or has been a principal in a professional or other corporation when such corporation has been convicted of or otherwise pled guilty to any violation of § 32.1-314, 32.1-315, 32.1-316, or 32.1-317, or any other felony or has been excluded from participation in any federal program pursuant to 42 C.F.R. Part 1002.

5. Terminate or suspend a provider agreement with a home care organization pursuant to subsection E of § 32.1-162.13.

For the purposes of this subsection, "provider" may refer to an individual or an entity.

E. In any case in which a Medicaid agreement or contract is terminated or denied to a provider pursuant to subsection D, the provider shall be entitled to appeal the decision pursuant to 42 C.F.R. § 1002.213 and to a post-determination or post-denial hearing in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). All such requests shall be in writing and be received within 15 days of the date of receipt of the notice.

The Director may consider aggravating and mitigating factors including the nature and extent of any adverse impact the agreement or contract denial or termination may have on the medical care provided to Virginia Medicaid recipients. In cases in which an agreement or contract is terminated pursuant to subsection D, the Director may determine the period of exclusion and may consider aggravating and mitigating factors to lengthen or shorten the period of exclusion, and may reinstate the provider pursuant to 42 C.F.R. § 1002.215.

F. When the services provided for by such plan are services which a marriage and family therapist, clinical psychologist, clinical social worker, professional counselor, or clinical nurse specialist is licensed to render in Virginia, the Director shall contract with any duly licensed marriage and family therapist, duly licensed clinical psychologist, licensed clinical social worker, licensed professional counselor or licensed clinical nurse specialist who makes application to be a provider of such services, and thereafter shall pay for covered services as provided in the state plan. The Board shall promulgate regulations which reimburse licensed marriage and family therapists, licensed clinical psychologists, licensed clinical social workers, licensed professional counselors and licensed clinical nurse specialists at rates based upon reasonable criteria, including the professional credentials required for licensure.

G. The Board shall prepare and submit to the Secretary of the United States Department of Health and Human Services such amendments to the state plan for medical assistance services as may be permitted by federal law to establish a program of family assistance whereby children over the age of 18 years shall make reasonable contributions, as determined by regulations of the Board, toward the cost of providing medical assistance under the plan to their parents.

H. The Department of Medical Assistance Services shall:

1. Include in its provider networks and all of its health maintenance organization contracts a provision for the payment of medical assistance on behalf of individuals up to the age of 21 who have special needs and who are Medicaid eligible, including individuals who have been victims of child abuse and neglect, for medically necessary assessment and treatment services, when such services are delivered by a provider which specializes solely in the diagnosis and treatment of child abuse and neglect, or a provider with comparable expertise, as determined by the Director.

2. Amend the Medallion II waiver and its implementing regulations to develop and implement an exception, with procedural requirements, to mandatory enrollment for certain children between birth and age three certified by the Department of Behavioral Health and Developmental Services as eligible for services pursuant to Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.).

3. Utilize, to the extent practicable, electronic funds transfer technology for reimbursement to contractors and enrolled providers for the provision of health care services under Medicaid and the Family Access to Medical Insurance Security Plan established under § 32.1-351.

~~4. Require any managed care organization with which the Department enters into an agreement for the provision of medical assistance services to include in any contract between the managed care organization and a pharmacy benefits manager provisions prohibiting the pharmacy benefits manager or a representative of the pharmacy benefits manager from conducting spread pricing with regards to the managed care organizations' managed care plans. For the purposes of this subdivision:~~

~~"Pharmacy benefits management" means the administration or management of prescription drug benefits provided by a managed care organization for the benefit of covered individuals.~~

~~"Pharmacy benefits manager" means a person that performs pharmacy benefits management.~~

~~"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a managed care plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.~~

I. The Director is authorized to negotiate and enter into agreements for services rendered to eligible recipients with special needs. The Board shall promulgate regulations regarding these special needs patients, to include persons with AIDS, ventilator-dependent patients, and other recipients with special needs as defined by the Board.

J. Except as provided in subdivision A 1 of § 2.2-4345, the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not apply to the activities of the Director authorized by subsection I of this section. Agreements made pursuant to this subsection shall comply with federal law and regulation.

K. When the services provided for by such plan are services by a pharmacist, pharmacy technician, or pharmacy intern (i) performed under the terms of a collaborative agreement as defined in § 54.1-3300 and consistent with the terms of a managed care contractor provider contract or the state plan or (ii) related to services and treatment in accordance with § 54.1-3303.1, the Department shall provide reimbursement for such service.

§ 32.1-325.5. State pharmacy benefits manager.

A. As used in this section:

"Pharmacy benefits manager" means the same as that term is defined in § 38.2-3465.

"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a managed care plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.

"State pharmacy benefits manager" means the pharmacy benefits manager contracted by the Department pursuant to this section to administer pharmacy benefits for all Medicaid recipients in the Commonwealth.

B. By July 1, 2026, the Department shall select and contract with a single third-party administrator to serve as the state pharmacy benefits manager to administer all pharmacy benefits for Medicaid recipients, including those enrolled in a managed care organization by such date with whom the Department contracts for the delivery of Medicaid services. Each managed care contract entered into or renewed by the Department for the delivery of Medicaid services by a managed care organization shall require the managed care organization to contract with and utilize the state pharmacy benefits manager for the purpose of administering all pharmacy benefits for Medicaid recipients enrolled with the managed care organization. Notwithstanding the provisions of § 38.2-3470, the state pharmacy benefits manager shall adhere to subdivision A 5 of § 38.2-3467 unless otherwise prohibited by federal law.

C. The Department's contract with the state pharmacy benefits manager shall:

1. Establish the state pharmacy benefits manager's fiduciary duty owed to the Department;

2. Require the use of pass-through pricing;

3. Require the state pharmacy benefits manager to use the common formulary, reimbursement methodologies, and dispensing fees negotiated by the Department;

4. Require transparency in drug costs, rebates collected and paid, dispensing fees paid, administrative fees, and all other charges, fees, costs, and holdbacks; and

5. Prohibit the use of spread pricing.

2. That the Department of Medical Assistance Services (the Department) shall engage an independent consultant with direct experience (i) advising Medicaid fraud control units and (ii) working with states that have established a single pharmacy benefits manager for their Medicaid program for the implementation of a contract with a third-party pharmacy benefits manager for the administration of pharmacy benefits for the Virginia Medicaid managed care and fee-for-services programs. The consultant shall not be engaged by any Virginia Medicaid managed care organization or by any pharmacy benefits manager contracted with a Virginia Medicaid managed care organization. The evaluation shall not affect the implementation date of July 1, 2026.

CHAPTER 705

An Act to amend and reenact §§ 40.1-2, 40.1-79.01, and 40.1-80.1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 40.1-109.1 and 40.1-109.2, relating to child labor; child engaged in the work of content creation; trust account.

[S 998]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 40.1-2, 40.1-79.01, and 40.1-80.1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 40.1-109.1 and 40.1-109.2 as follows:

§ 40.1-2. Definitions.

As used in this title, unless the context clearly requires otherwise, the following terms have the following meanings:

"Board" means the Safety and Health Codes Board.

"Business establishment" means any proprietorship, firm, or corporation where people are employed, permitted, or suffered to work, including agricultural employment on a farm.

"Commission" means the Safety and Health Codes Board.

"Commissioner" means the Commissioner of Labor and Industry. Except where the context clearly indicates the contrary, any reference to "Commissioner" shall include his authorized representatives.

"Content" means audiovisual content shared on an online platform in exchange for compensation.

"Content creator" means an individual or individuals 18 years of age or older, including family members, who create video content performed in the Commonwealth in exchange for compensation, and includes any proprietorship, partnership, company, or other corporate entity assuming the name or identity of a particular individual or family for the purposes of the content creation. "Content creator" does not include a child who produces his own video content.

"Department" means the Department of Labor and Industry.

"Domestic service" means services related to the care of an individual in a private home or the maintenance of a private home or its premises, on a permanent or temporary basis, including services performed by individuals such as companions, cooks, waiters, butlers, maids, valets, and chauffeurs. "Domestic service" does not include work that is irregular, uncertain, or incidental in nature and duration.

"Employ" shall include to permit or suffer to work.

"Employee" means any person who, in consideration of wages, salaries, or commissions, may be permitted, required, or directed by any employer to engage in any employment directly or indirectly.

"Employer" means an individual, partnership, association, corporation, legal representative, receiver, trustee, or trustee in bankruptcy doing business in or operating within this Commonwealth who employs another to work for wages, salaries, or on commission and shall include any similar entity acting directly or indirectly in the interest of an employer in relation to an employee.

"Female" or "woman" means a female 18 years of age or over.

"Machinery" means machines, belts, pulleys, motors, engines, gears, vats, pits, elevators, conveyors, shafts, *or* tunnels, including machinery being operated on farms in connection with the production or harvesting of agricultural products.

"Online platform" means any public-facing website, web application, or digital application, including a mobile application. "Online platform" includes a social network, advertising network, mobile operating system, search engine, email service, or Internet access service.

§ 40.1-79.01. Exemptions from chapter generally.

A. Nothing in this chapter, except the provisions of ~~§§~~ *subsection A of §* 40.1-100 ~~A,~~ *and §§* 40.1-100.1, 40.1-100.2, and 40.1-103, shall apply to:

1. A child engaged in domestic work when such work is performed in connection with the child's own home and directly for his parent or a person standing in place of his parent;

2. A child employed in occasional work performed outside school hours where such work is in connection with the employer's home but not in connection with the employer's business, trade, or profession;

3. A child 12 or 13 years of age employed outside school hours on farms, in orchards, or in gardens with the consent of his parent or a person standing in place of his parent;

4. A child between the ages of 12 and 18 employed as a page or clerk for either the House of Delegates or the Senate of Virginia;

5. A child participating in the activities of a volunteer emergency medical services agency;

6. A child under 16 years of age employed by his parent in an occupation other than manufacturing; or

7. A child 12 years of age or older employed by an eleemosynary organization or unit of state or local government as a referee for sports programs sponsored by that eleemosynary, state, or local organization or by an organization of referees sponsored by an organization recognized by the United States Olympic Committee under 36 U.S.C. § 220522.

B. Nothing in this chapter, except §§ 40.1-100.1, 40.1-100.2, and 40.1-103, shall be construed to apply to a child employed by his parent or a person standing in place of his parent on farms, in orchards or in gardens owned or operated by such parent or person.

C. Nothing in this chapter, except subsection A of § 40.1-100 and §§ 40.1-100.1, 40.1-100.2, 40.1-103, and 40.1-109.2, shall apply to a child engaged in the work of content creation as described in § 40.1-109.1. For the purposes of this subsection, a child engaged in the work of content creation shall not be considered to be "employed, permitted, or suffered to work" in any setting described in subsection A of § 40.1-100 solely due to such child's presence in such setting, provided that:

1. Such child is not exposed to a hazard capable of causing serious physical harm or death to such child in violation of § 40.1-100.1;

2. Such child is under the direct supervision of an adult who ensures compliance with all applicable safety requirements; and

3. Such child's engagement in the work of content creation does not require direct interaction with hazardous equipment or conditions.

§ 40.1-80.1. Employment of children.

A. Except as provided in §§ 40.1-79.01, 40.1-88, 40.1-102, ~~and~~ 40.1-109*, 40.1-109.1, and 40.1-109.2*, no child under ~~sixteen~~ *16* years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation more than the number of hours per week or more than the number of hours per day or during the hours of the day that the Commissioner shall determine by regulations to be detrimental to the lives, health, safety, or welfare of children. These regulations shall incorporate the standards contained in regulations promulgated by the ~~United States~~ *U.S.* Secretary of Labor pursuant to the Fair Labor Standards Act (29 U.S.C. § 201 et seq.) concerning the number of hours per week, hours per day, and the hours of the day that children under the age of ~~sixteen~~ *16* may work in, about, or in connection with, any gainful occupation.

B. No child shall be employed or permitted to work for more than five hours continuously without an interval of at least ~~thirty~~ *30* minutes for a lunch period, and no period of less than ~~thirty~~ *30* minutes shall be deemed to interrupt a continuous period of work.

§ 40.1-109.1. Child engaged in the work of content creation; criteria.

A. A child under the age of 16 is considered engaged in the work of content creation when the following criteria are met at any time during the previous 12-month period:

1. At least 30 percent of the content creator's compensated video content produced within a 30-day period included the likeness, name, or photograph of the child. Content percentage is measured by the percentage of time the likeness, name, or photograph of the child or, if more than one child regularly appears in the creator's content, any of the children visually appears or is the subject of an oral narrative in a video segment as compared to the total length of the segment; and

2. The number of views received per video segment on any online platform met the online platform's threshold for the generation of compensation or the content creator received actual compensation for video content equal to or greater than $0.10 per view.

B. All content creators whose content features a child under the age of 16 engaged in the work of content creation shall maintain the following records and shall provide them to the child and the holder of the trust account required pursuant to § 40.1-109.2 on an ongoing basis:

1. The name and documentary proof of the age of the child engaged in the work of content creation;

2. The number of videos that generated compensation as described in subsection A during the reporting period;

3. The total number of minutes of the video content that the content creator received compensation for during the reporting period;

4. The total number of minutes each child was featured in video content during the reporting period;

5. The total compensation generated from video content featuring a child during the reporting period; and

6. The amount deposited into the trust account for the benefit of the child engaged in the work of content creation, as required by § 40.1-109.2.

C. If a content creator whose video content features a child under the age of 16 engaged in the work of content creation fails to maintain the records as provided in subsection B, the child, or his parent or guardian on behalf of such child, may commence a civil action to enforce the provisions of this section. No action shall be commenced under this section more than two years after the date on which the child engaged in the work of content creation attained 18 years of age.

§ 40.1-109.2. Child engaged in the work of content creation; trust account.

A. A child engaged in the work of content creation as described in subsection A of § 40.1-109.1 shall be compensated by the content creator. The content creator shall set aside gross earnings on the video content that includes the likeness, name, or photograph of the child in a trust account to be preserved for the benefit of the child upon attaining 18 years of age or having been declared emancipated, according to the following distribution:

1. Where only one child meets the content threshold described in § 40.1-109.1, the percentage of total gross earnings on any video segment including the likeness, name, or photograph of the child that is equal to or greater than half of the content percentage that includes the child as described in § 40.1-109.1; or

2. Where more than one child meets the content threshold described in § 40.1-109.1 and a video segment includes more than one of those children, the percentage described in subdivision 1 for all children in any segment shall be equally divided among the children, regardless of differences in percentage of content provided by the individual children.

B. A trust account required under this section shall provide, at a minimum, the following:

1. That the funds in the account shall be available only to the child engaged in the work of content creation;

2. That the account shall be held by a financial institution, corporate fiduciary, or trust company;

3. That the funds in the account shall become available to the child engaged in the work of content creation upon the child attaining the age of 18 years or when the child is declared emancipated; and

4. That the account meets the requirements of the Virginia Uniform Transfers to Minors Act (§ 64.2-1900 et seq.).

C. If a content creator knowingly or recklessly violates this section, a child engaged in the work of content creation as described in subsection A of § 40.1-109.1, or his parent or guardian on behalf of such child, may commence an action to enforce the provisions of this section regarding the trust account. The court may award, to a child who prevails in any action brought in accordance with this section, the following damages: (i) compensatory damages; (ii) punitive damages; and (iii) the costs of the action, including reasonable attorney fees and costs. No action shall be commenced under this section more than two years after the date on which the child engaged in the work of content creation attained 18 years of age.

D. This section does not affect any right or remedy available under any other provision of law.

E. Nothing in this section shall be construed to have any effect on a party that is neither the content creator nor the child engaged in the work of content creation.

CHAPTER 706

An Act to amend and reenact § 32.1-325 of the Code of Virginia, relating to Department of Medical Assistance Services; state plan for medical assistance services; postpartum doula care; report.

[S 1418]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-325 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-325. Board to submit plan for medical assistance services to U.S. Secretary of Health and Human Services pursuant to federal law; administration of plan; contracts with health care providers.

A. The Board, subject to the approval of the Governor, is authorized to prepare, amend from time to time, and submit to the U.S. Secretary of Health and Human Services a state plan for medical assistance services pursuant to Title XIX of the United States Social Security Act and any amendments thereto. The Board shall include in such plan:

1. A provision for payment of medical assistance on behalf of individuals, up to the age of 21, placed in foster homes or private institutions by private, nonprofit agencies licensed as child-placing agencies by the Department of Social Services or placed through state and local subsidized adoptions to the extent permitted under federal statute;

2. A provision for determining eligibility for benefits for medically needy individuals which disregards from countable resources an amount not in excess of $3,500 for the individual and an amount not in excess of $3,500 for his spouse when such resources have been set aside to meet the burial expenses of the individual or his spouse. The amount disregarded shall be reduced by (i) the face value of life insurance on the life of an individual owned by the individual or his spouse if the cash surrender value of such policies has been excluded from countable resources and (ii) the amount of any other revocable or

irrevocable trust, contract, or other arrangement specifically designated for the purpose of meeting the individual's or his spouse's burial expenses;

3. A requirement that, in determining eligibility, a home shall be disregarded. For those medically needy persons whose eligibility for medical assistance is required by federal law to be dependent on the budget methodology for Aid to Families with Dependent Children, a home means the house and lot used as the principal residence and all contiguous property. For all other persons, a home shall mean the house and lot used as the principal residence, as well as all contiguous property, as long as the value of the land, exclusive of the lot occupied by the house, does not exceed $5,000. In any case in which the definition of home as provided here is more restrictive than that provided in the state plan for medical assistance services in Virginia as it was in effect on January 1, 1972, then a home means the house and lot used as the principal residence and all contiguous property essential to the operation of the home regardless of value;

4. A provision for payment of medical assistance on behalf of individuals up to the age of 21, who are Medicaid eligible, for medically necessary stays in acute care facilities in excess of 21 days per admission;

5. A provision for deducting from an institutionalized recipient's income an amount for the maintenance of the individual's spouse at home;

6. A provision for payment of medical assistance on behalf of pregnant women which provides for payment for inpatient postpartum treatment in accordance with the medical criteria outlined in the most current version of or an official update to the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists or the "Standards for Obstetric-Gynecologic Services" prepared by the American College of Obstetricians and Gynecologists. Payment shall be made for any postpartum home visit or visits for the mothers and the children which are within the time periods recommended by the attending physicians in accordance with and as indicated by such Guidelines or Standards. For the purposes of this subdivision, such Guidelines or Standards shall include any changes thereto within six months of the publication of such Guidelines or Standards or any official amendment thereto;

7. A provision for the payment for family planning services on behalf of women who were Medicaid-eligible for prenatal care and delivery as provided in this section at the time of delivery. Such family planning services shall begin with delivery and continue for a period of 24 months, if the woman continues to meet the financial eligibility requirements for a pregnant woman under Medicaid. For the purposes of this section, family planning services shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions;

8. A provision for payment of medical assistance for high-dose chemotherapy and bone marrow transplants on behalf of individuals over the age of 21 who have been diagnosed with lymphoma, breast cancer, myeloma, or leukemia and have been determined by the treating health care provider to have a performance status sufficient to proceed with such high-dose chemotherapy and bone marrow transplant. Appeals of these cases shall be handled in accordance with the Department's expedited appeals process;

9. A provision identifying entities approved by the Board to receive applications and to determine eligibility for medical assistance, which shall include a requirement that such entities (i) obtain accurate contact information, including the best available address and telephone number, from each applicant for medical assistance, to the extent required by federal law and regulations, and (ii) provide each applicant for medical assistance with information about advance directives pursuant to Article 8 (§ 54.1-2981 et seq.) of Chapter 29 of Title 54.1, including information about the purpose and benefits of advance directives and how the applicant may make an advance directive;

10. A provision for breast reconstructive surgery following the medically necessary removal of a breast for any medical reason. Breast reductions shall be covered, if prior authorization has been obtained, for all medically necessary indications. Such procedures shall be considered noncosmetic;

11. A provision for payment of medical assistance for annual pap smears;

12. A provision for payment of medical assistance services for prostheses following the medically necessary complete or partial removal of a breast for any medical reason;

13. A provision for payment of medical assistance which provides for payment for 48 hours of inpatient treatment for a patient following a radical or modified radical mastectomy and 24 hours of inpatient care following a total mastectomy or a partial mastectomy with lymph node dissection for treatment of disease or trauma of the breast. Nothing in this subdivision shall be construed as requiring the provision of inpatient coverage where the attending physician in consultation with the patient determines that a shorter period of hospital stay is appropriate;

14. A requirement that certificates of medical necessity for durable medical equipment and any supporting verifiable documentation shall be signed, dated, and returned by the physician, physician assistant, or advanced practice registered nurse and in the durable medical equipment provider's possession within 60 days from the time the ordered durable medical equipment and supplies are first furnished by the durable medical equipment provider;

15. A provision for payment of medical assistance to (i) persons age 50 and over and (ii) persons age 40 and over who are at high risk for prostate cancer, according to the most recent published guidelines of the American Cancer Society, for one PSA test in a 12-month period and digital rectal examinations, all in accordance with American Cancer Society guidelines. For the purpose of this subdivision, "PSA testing" means the analysis of a blood sample to determine the level of prostate specific antigen;

16. A provision for payment of medical assistance for low-dose screening mammograms for determining the presence of occult breast cancer. Such coverage shall make available one screening mammogram to persons age 35 through 39, one such mammogram biennially to persons age 40 through 49, and one such mammogram annually to persons age 50 and over.

The term "mammogram" means an X-ray examination of the breast using equipment dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression device, screens, film and cassettes, with an average radiation exposure of less than one rad mid-breast, two views of each breast;

17. A provision, when in compliance with federal law and regulation and approved by the Centers for Medicare & Medicaid Services (CMS), for payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the state plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services;

18. A provision for payment of medical assistance services for liver, heart and lung transplantation procedures for individuals over the age of 21 years when (i) there is no effective alternative medical or surgical therapy available with outcomes that are at least comparable; (ii) the transplant procedure and application of the procedure in treatment of the specific condition have been clearly demonstrated to be medically effective and not experimental or investigational; (iii) prior authorization by the Department of Medical Assistance Services has been obtained; (iv) the patient selection criteria of the specific transplant center where the surgery is proposed to be performed have been used by the transplant team or program to determine the appropriateness of the patient for the procedure; (v) current medical therapy has failed and the patient has failed to respond to appropriate therapeutic management; (vi) the patient is not in an irreversible terminal state; and (vii) the transplant is likely to prolong the patient's life and restore a range of physical and social functioning in the activities of daily living;

19. A provision for payment of medical assistance for colorectal cancer screening, specifically screening with an annual fecal occult blood test, flexible sigmoidoscopy or colonoscopy, or in appropriate circumstances radiologic imaging, in accordance with the most recently published recommendations established by the American College of Gastroenterology, in consultation with the American Cancer Society, for the ages, family histories, and frequencies referenced in such recommendations;

20. A provision for payment of medical assistance for custom ocular prostheses;

21. A provision for payment for medical assistance for infant hearing screenings and all necessary audiological examinations provided pursuant to § 32.1-64.1 using any technology approved by the United States Food and Drug Administration, and as recommended by the national Joint Committee on Infant Hearing in its most current position statement addressing early hearing detection and intervention programs. Such provision shall include payment for medical assistance for follow-up audiological examinations as recommended by a physician, physician assistant, advanced practice registered nurse, or audiologist and performed by a licensed audiologist to confirm the existence or absence of hearing loss;

22. A provision for payment of medical assistance, pursuant to the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (P.L. 106-354), for certain women with breast or cervical cancer when such women (i) have been screened for breast or cervical cancer under the Centers for Disease Control and Prevention (CDC) Breast and Cervical Cancer Early Detection Program established under Title XV of the Public Health Service Act; (ii) need treatment for breast or cervical cancer, including treatment for a precancerous condition of the breast or cervix; (iii) are not otherwise covered under creditable coverage, as defined in § 2701 (c) of the Public Health Service Act; (iv) are not otherwise eligible for medical assistance services under any mandatory categorically needy eligibility group; and (v) have not attained age 65. This provision shall include an expedited eligibility determination for such women;

23. A provision for the coordinated administration, including outreach, enrollment, re-enrollment and services delivery, of medical assistance services provided to medically indigent children pursuant to this chapter, which shall be called Family Access to Medical Insurance Security (FAMIS) Plus and the FAMIS Plan program in § 32.1-351. A single application form shall be used to determine eligibility for both programs;

24. A provision, when authorized by and in compliance with federal law, to establish a public-private long-term care partnership program between the Commonwealth of Virginia and private insurance companies that shall be established through the filing of an amendment to the state plan for medical assistance services by the Department of Medical Assistance Services. The purpose of the program shall be to reduce Medicaid costs for long-term care by delaying or eliminating dependence on Medicaid for such services through encouraging the purchase of private long-term care insurance policies that have been designated as qualified state long-term care insurance partnerships and may be used as the first source of benefits for the participant's long-term care. Components of the program, including the treatment of assets for Medicaid eligibility and estate recovery, shall be structured in accordance with federal law and applicable federal guidelines;

25. A provision for the payment of medical assistance for otherwise eligible pregnant women during the first five years of lawful residence in the United States, pursuant to § 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111-3);

26. A provision for the payment of medical assistance for medically necessary health care services provided through telemedicine services, as defined in § 38.2-3418.16, regardless of the originating site or whether the patient is accompanied

by a health care provider at the time such services are provided. No health care provider who provides health care services through telemedicine services shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.

For the purposes of this subdivision, a health care provider duly licensed by the Commonwealth who provides health care services exclusively through telemedicine services shall not be required to maintain a physical presence in the Commonwealth to be considered an eligible provider for enrollment as a Medicaid provider.

For the purposes of this subdivision, a telemedicine services provider group with health care providers duly licensed by the Commonwealth shall not be required to have an in-state service address to be eligible to enroll as a Medicaid vendor or Medicaid provider group.

For the purposes of this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

27. A provision for the payment of medical assistance for the dispensing or furnishing of up to a 12-month supply of hormonal contraceptives at one time. Absent clinical contraindications, the Department shall not impose any utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished to an amount less than a 12-month supply. Nothing in this subdivision shall be construed to (i) require a provider to prescribe, dispense, or furnish a 12-month supply of self-administered hormonal contraceptives at one time or (ii) exclude coverage for hormonal contraceptives as prescribed by a prescriber, acting within his scope of practice, for reasons other than contraceptive purposes. As used in this subdivision, "hormonal contraceptive" means a medication taken to prevent pregnancy by means of ingestion of hormones, including medications containing estrogen or progesterone, that is self-administered, requires a prescription, and is approved by the U.S. Food and Drug Administration for such purpose;

28. A provision for payment of medical assistance for remote patient monitoring services provided via telemedicine, as defined in § 38.2-3418.16, for (i) high-risk pregnant persons; (ii) medically complex infants and children; (iii) transplant patients; (iv) patients who have undergone surgery, for up to three months following the date of such surgery; and (v) patients with a chronic or acute health condition who have had two or more hospitalizations or emergency department visits related to such health condition in the previous 12 months when there is evidence that the use of remote patient monitoring is likely to prevent readmission of such patient to a hospital or emergency department. For the purposes of this subdivision, "remote patient monitoring services" means the use of digital technologies to collect medical and other forms of health data from patients in one location and electronically transmit that information securely to health care providers in a different location for analysis, interpretation, and recommendations, and management of the patient. "Remote patient monitoring services" includes monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other patient physiological data, treatment adherence monitoring, and interactive videoconferencing with or without digital image upload;

29. A provision for the payment of medical assistance for provider-to-provider consultations that is no more restrictive than, and is at least equal in amount, duration, and scope to, that available through the fee-for-service program;

30. A provision for payment of the originating site fee to emergency medical services agencies for facilitating synchronous telehealth visits with a distant site provider delivered to a Medicaid member. As used in this subdivision, "originating site" means any location where the patient is located, including any medical care facility or office of a health care provider, the home of the patient, the patient's place of employment, or any public or private primary or secondary school or postsecondary institution of higher education at which the person to whom telemedicine services are provided is located;

31. A provision for the payment of medical assistance for targeted case management services for individuals with severe traumatic brain injury;

32. A provision for payment of medical assistance for the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories, as defined by the Department's durable medical equipment program policy, for patients who reside in nursing facilities. Initial purchase or replacement may be contingent upon (i) determination of medical necessity; (ii) requirements in accordance with regulations established through the Department's durable medical equipment program policy; and (iii) exclusive use by the nursing facility resident. Recipients of medical assistance shall not be required to pay any deductible, coinsurance, copayment, or patient costs related to the initial purchase or replacement of complex rehabilitative technology manual and power wheelchair bases and related accessories; ~~and~~

33. A provision for payment of medical assistance for remote ultrasound procedures and remote fetal non-stress tests. Such provision shall utilize established CPT codes for these procedures and shall apply when the patient is in a residence or other off-site location from the patient's provider that provides the same standard of care. The provision shall provide for reimbursement only when a provider uses digital technology (i) to collect medical and other forms of health data from a patient and electronically transmit that information securely to a health care provider in a different location for interpretation and recommendation; (ii) that is compliant with the federal Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. § 1320d et seq.); and (iii) that is approved by the U.S. Food and Drug Administration. For fetal non-stress tests under CPT Code 59025, the provision shall provide for reimbursement only if such test (a) is conducted

with a place of service modifier for at-home monitoring and (b) uses remote monitoring solutions that are approved by the U.S. Food and Drug Administration for on-label use to monitor fetal heart rate, maternal heart rate, and uterine activity*; and*

34. A provision for payment of medical assistance for postpartum doula care. Postpartum doula care covered under such provision shall include (i) emotional and physical support for the birthing individual and family during the postpartum period; (ii) assistance with infant care, breastfeeding, and safe sleeping practices; (iii) education on postpartum mental health and referrals to mental health resources as needed; (iv) guidance on physical recovery, nutrition, and self-care for the birthing individual; (v) connection to community resources and social support systems; and (vi) culturally appropriate and individualized care tailored to the birthing individual's needs. Such provision shall ensure that eligible individuals receive payment of medical assistance services for up to 10 doula visits, with up to four doula visits during pregnancy and up to six doula visits during the 12 months after the individual gives birth, with additional visits permitted if such visits are deemed medically necessary.

B. In preparing the plan, the Board shall:

1. Work cooperatively with the State Board of Health to ensure that quality patient care is provided and that the health, safety, security, rights and welfare of patients are ensured.

2. Initiate such cost containment or other measures as are set forth in the appropriation act.

3. Make, adopt, promulgate and enforce such regulations as may be necessary to carry out the provisions of this chapter.

4. Examine, before acting on a regulation to be published in the Virginia Register of Regulations pursuant to § 2.2-4007.05, the potential fiscal impact of such regulation on local boards of social services. For regulations with potential fiscal impact, the Board shall share copies of the fiscal impact analysis with local boards of social services prior to submission to the Registrar. The fiscal impact analysis shall include the projected costs/savings to the local boards of social services to implement or comply with such regulation and, where applicable, sources of potential funds to implement or comply with such regulation.

5. Incorporate sanctions and remedies for certified nursing facilities established by state law, in accordance with 42 C.F.R. § 488.400 et seq., Enforcement of Compliance for Long-Term Care Facilities With Deficiencies.

6. On and after July 1, 2002, require that a prescription benefit card, health insurance benefit card, or other technology that complies with the requirements set forth in § 38.2-3407.4:2 be issued to each recipient of medical assistance services, and shall upon any changes in the required data elements set forth in subsection A of § 38.2-3407.4:2, either reissue the card or provide recipients such corrective information as may be required to electronically process a prescription claim.

C. In order to enable the Commonwealth to continue to receive federal grants or reimbursement for medical assistance or related services, the Board, subject to the approval of the Governor, may adopt, regardless of any other provision of this chapter, such amendments to the state plan for medical assistance services as may be necessary to conform such plan with amendments to the United States Social Security Act or other relevant federal law and their implementing regulations or constructions of these laws and regulations by courts of competent jurisdiction or the United States Secretary of Health and Human Services.

In the event conforming amendments to the state plan for medical assistance services are adopted, the Board shall not be required to comply with the requirements of Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2. However, the Board shall, pursuant to the requirements of § 2.2-4002, (i) notify the Registrar of Regulations that such amendment is necessary to meet the requirements of federal law or regulations or because of the order of any state or federal court, or (ii) certify to the Governor that the regulations are necessitated by an emergency situation. Any such amendments that are in conflict with the Code of Virginia shall only remain in effect until July 1 following adjournment of the next regular session of the General Assembly unless enacted into law.

D. The Director of Medical Assistance Services is authorized to:

1. Administer such state plan and receive and expend federal funds therefor in accordance with applicable federal and state laws and regulations; and enter into all contracts necessary or incidental to the performance of the Department's duties and the execution of its powers as provided by law.

2. Enter into agreements and contracts with medical care facilities, physicians, dentists and other health care providers where necessary to carry out the provisions of such state plan. Any such agreement or contract shall terminate upon conviction of the provider of a felony. In the event such conviction is reversed upon appeal, the provider may apply to the Director of Medical Assistance Services for a new agreement or contract. Such provider may also apply to the Director for reconsideration of the agreement or contract termination if the conviction is not appealed, or if it is not reversed upon appeal.

3. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with any provider who has been convicted of or otherwise pled guilty to a felony, or pursuant to Subparts A, B, and C of 42 C.F.R. Part 1002, and upon notice of such action to the provider as required by 42 C.F.R. § 1002.212.

4. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with a provider who is or has been a principal in a professional or other corporation when such corporation has been convicted of or otherwise pled guilty to any violation of § 32.1-314, 32.1-315, 32.1-316, or 32.1-317, or any other felony or has been excluded from participation in any federal program pursuant to 42 C.F.R. Part 1002.

5. Terminate or suspend a provider agreement with a home care organization pursuant to subsection E of § 32.1-162.13.

For the purposes of this subsection, "provider" may refer to an individual or an entity.

E. In any case in which a Medicaid agreement or contract is terminated or denied to a provider pursuant to subsection D, the provider shall be entitled to appeal the decision pursuant to 42 C.F.R. § 1002.213 and to a post-determination or post-denial hearing in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). All such requests shall be in writing and be received within 15 days of the date of receipt of the notice.

The Director may consider aggravating and mitigating factors including the nature and extent of any adverse impact the agreement or contract denial or termination may have on the medical care provided to Virginia Medicaid recipients. In cases in which an agreement or contract is terminated pursuant to subsection D, the Director may determine the period of exclusion and may consider aggravating and mitigating factors to lengthen or shorten the period of exclusion, and may reinstate the provider pursuant to 42 C.F.R. § 1002.215.

F. When the services provided for by such plan are services which a marriage and family therapist, clinical psychologist, clinical social worker, professional counselor, or clinical nurse specialist is licensed to render in Virginia, the Director shall contract with any duly licensed marriage and family therapist, duly licensed clinical psychologist, licensed clinical social worker, licensed professional counselor or licensed clinical nurse specialist who makes application to be a provider of such services, and thereafter shall pay for covered services as provided in the state plan. The Board shall promulgate regulations which reimburse licensed marriage and family therapists, licensed clinical psychologists, licensed clinical social workers, licensed professional counselors and licensed clinical nurse specialists at rates based upon reasonable criteria, including the professional credentials required for licensure.

G. The Board shall prepare and submit to the Secretary of the United States Department of Health and Human Services such amendments to the state plan for medical assistance services as may be permitted by federal law to establish a program of family assistance whereby children over the age of 18 years shall make reasonable contributions, as determined by regulations of the Board, toward the cost of providing medical assistance under the plan to their parents.

H. The Department of Medical Assistance Services shall:

1. Include in its provider networks and all of its health maintenance organization contracts a provision for the payment of medical assistance on behalf of individuals up to the age of 21 who have special needs and who are Medicaid eligible, including individuals who have been victims of child abuse and neglect, for medically necessary assessment and treatment services, when such services are delivered by a provider which specializes solely in the diagnosis and treatment of child abuse and neglect, or a provider with comparable expertise, as determined by the Director.

2. Amend the Medallion II waiver and its implementing regulations to develop and implement an exception, with procedural requirements, to mandatory enrollment for certain children between birth and age three certified by the Department of Behavioral Health and Developmental Services as eligible for services pursuant to Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.).

3. Utilize, to the extent practicable, electronic funds transfer technology for reimbursement to contractors and enrolled providers for the provision of health care services under Medicaid and the Family Access to Medical Insurance Security Plan established under § 32.1-351.

4. Require any managed care organization with which the Department enters into an agreement for the provision of medical assistance services to include in any contract between the managed care organization and a pharmacy benefits manager provisions prohibiting the pharmacy benefits manager or a representative of the pharmacy benefits manager from conducting spread pricing with regards to the managed care organization's managed care plans. For the purposes of this subdivision:

"Pharmacy benefits management" means the administration or management of prescription drug benefits provided by a managed care organization for the benefit of covered individuals.

"Pharmacy benefits manager" means a person that performs pharmacy benefits management.

"Spread pricing" means the model of prescription drug pricing in which the pharmacy benefits manager charges a managed care plan a contracted price for prescription drugs, and the contracted price for the prescription drugs differs from the amount the pharmacy benefits manager directly or indirectly pays the pharmacist or pharmacy for pharmacist services.

I. The Director is authorized to negotiate and enter into agreements for services rendered to eligible recipients with special needs. The Board shall promulgate regulations regarding these special needs patients, to include persons with AIDS, ventilator-dependent patients, and other recipients with special needs as defined by the Board.

J. Except as provided in subdivision A 1 of § 2.2-4345, the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not apply to the activities of the Director authorized by subsection I of this section. Agreements made pursuant to this subsection shall comply with federal law and regulation.

K. When the services provided for by such plan are services by a pharmacist, pharmacy technician, or pharmacy intern (i) performed under the terms of a collaborative agreement as defined in § 54.1-3300 and consistent with the terms of a managed care contractor provider contract or the state plan or (ii) related to services and treatment in accordance with § 54.1-3303.1, the Department shall provide reimbursement for such service.

2. That the Department of Medical Assistance Services shall report annually to the Governor and the General Assembly on the implementation and outcomes of this act. The report shall include (i) the number of postpartum individuals who utilized doula care services; (ii) analysis of the impact of doula care services on maternal and infant health outcomes; (iii) feedback from birthing individuals, families, and doula service providers; and

(iv) recommendations for improvement or expansion. The first report prepared pursuant to this act shall be submitted by December 31, 2026.

CHAPTER 707

An Act to amend and reenact § 56-585.5 of the Code of Virginia, relating to electric utilities; accelerated renewable energy buyers; zero-carbon electricity; energy storage resources.

[H 1821]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 56-585.5 of the Code of Virginia is amended and reenacted as follows:

§ 56-585.5. Generation of electricity from renewable and zero carbon sources.

A. As used in this section:

"Accelerated renewable energy buyer" means a commercial or industrial customer of a Phase I or Phase II Utility, irrespective of generation supplier, with an aggregate load over 25 megawatts in the prior calendar year, that enters into arrangements pursuant to subsection G, as certified by the Commission.

"Aggregate load" means the combined electrical load associated with selected accounts of an accelerated renewable energy buyer with the same legal entity name as, or in the names of affiliated entities that control, are controlled by, or are under common control of, such legal entity or are the names of affiliated entities under a common parent.

"Control" has the same meaning as provided in § 56-585.1:11.

"Falling water" means hydroelectric resources, including run-of-river generation from a combined pumped-storage and run-of-river facility. "Falling water" does not include electricity generated from pumped-storage facilities.

"Low-income qualifying projects" means a project that provides a minimum of 50 percent of the respective electric output to low-income utility customers as that term is defined in § 56-576.

"Phase I Utility" has the same meaning as provided in subdivision A 1 of § 56-585.1.

"Phase II Utility" has the same meaning as provided in subdivision A 1 of § 56-585.1.

"Previously developed project site" means any property, including related buffer areas, if any, that has been previously disturbed or developed for non-single-family residential, nonagricultural, or nonsilvicultural use, regardless of whether such property currently is being used for any purpose. "Previously developed project site" includes a brownfield as defined in § 10.1-1230 or any parcel that has been previously used (i) for a retail, commercial, or industrial purpose; (ii) as a parking lot; (iii) as the site of a parking lot canopy or structure; (iv) for mining, which is any lands affected by coal mining that took place before August 3, 1977, or any lands upon which extraction activities have been permitted by the Department of Energy under Title 45.2; (v) for quarrying; or (vi) as a landfill.

"Total electric energy" means total electric energy sold to retail customers in the Commonwealth service territory of a Phase I or Phase II Utility, other than accelerated renewable energy buyers, by the incumbent electric utility or other retail supplier of electric energy in the previous calendar year, excluding an amount equivalent to the annual percentages of the electric energy that was supplied to such customer from nuclear generating plants located within the Commonwealth in the previous calendar year, provided such nuclear units were operating by July 1, 2020, or from any zero-carbon electric generating facilities not otherwise RPS eligible sources and placed into service in the Commonwealth after July 1, 2030.

"Zero-carbon electricity" means electricity generated by any generating unit that does not emit carbon dioxide as a by-product of combusting fuel to generate electricity.

B. 1. By December 31, 2024, except for any coal-fired electric generating units (i) jointly owned with a cooperative utility or (ii) owned and operated by a Phase II Utility located in the coalfield region of the Commonwealth that co-fires with biomass, any Phase I and Phase II Utility shall retire all generating units principally fueled by oil with a rated capacity in excess of 500 megawatts and all coal-fired electric generating units operating in the Commonwealth.

2. By December 31, 2045, except for biomass-fired electric generating units that do not co-fire with coal, each Phase I and II Utility shall retire all other electric generating units located in the Commonwealth that emit carbon as a by-product of combusting fuel to generate electricity.

3. A Phase I or Phase II Utility may petition the Commission for relief from the requirements of this subsection on the basis that the requirement would threaten the reliability or security of electric service to customers. The Commission shall consider in-state and regional transmission entity resources and shall evaluate the reliability of each proposed retirement on a case-by-case basis in ruling upon any such petition.

C. Each Phase I and Phase II Utility shall participate in a renewable energy portfolio standard program (RPS Program) that establishes annual goals for the sale of renewable energy to all retail customers in the utility's service territory, other than accelerated renewable energy buyers pursuant to subsection G, regardless of whether such customers purchase electric supply service from the utility or from suppliers other than the utility. To comply with the RPS Program, each Phase I and Phase II Utility shall procure and retire Renewable Energy Certificates (RECs) originating from renewable energy standard eligible sources (RPS eligible sources). For purposes of complying with the RPS Program from 2021 to 2024, a Phase I and Phase II Utility may use RECs from any renewable energy facility, as defined in § 56-576, provided that such facilities are located in the Commonwealth or are physically located within the PJM Interconnection, LLC (PJM) region. However, at no

time during this period or thereafter may any Phase I or Phase II Utility use RECs from (i) renewable thermal energy, (ii) renewable thermal energy equivalent, or (iii) biomass-fired facilities that are outside the Commonwealth. From compliance year 2025 and all years after, each Phase I and Phase II Utility may only use RECs from RPS eligible sources for compliance with the RPS Program.

In order to qualify as RPS eligible sources, such sources must be (a) electric-generating resources that generate electric energy derived from solar or wind located in the Commonwealth or off the Commonwealth's Atlantic shoreline or in federal waters and interconnected directly into the Commonwealth or physically located within the PJM region; (b) falling water resources located in the Commonwealth or physically located within the PJM region that were in operation as of January 1, 2020, that are owned by a Phase I or Phase II Utility or for which a Phase I or Phase II Utility has entered into a contract prior to January 1, 2020, to purchase the energy, capacity, and renewable attributes of such falling water resources; (c) non-utility-owned resources from falling water that (1) are less than 65 megawatts, (2) began commercial operation after December 31, 1979, or (3) added incremental generation representing greater than 50 percent of the original nameplate capacity after December 31, 1979, provided that such resources are located in the Commonwealth or are physically located within the PJM region; (d) waste-to-energy or landfill gas-fired generating resources located in the Commonwealth and in operation as of January 1, 2020, provided that such resources do not use waste heat from fossil fuel combustion; (e) geothermal heating and cooling systems located in the Commonwealth; or (f) biomass-fired facilities in operation in the Commonwealth and in operation as of January 1, 2023, that (1) supply no more than 10 percent of their annual net electrical generation to the electric grid or no more than 15 percent of their annual total useful energy to any entity other than the manufacturing facility to which the generating source is interconnected and are fueled by forest-product manufacturing residuals, including pulping liquor, bark, paper recycling residuals, biowastes, or biomass, as described in subdivisions A 1, 2, and 4 of § 10.1-1308.1, provided that biomass as described in subdivision A 1 of § 10.1-1308.1 results from harvesting in accordance with best management practices for the sustainable harvesting of biomass developed and enforced by the State Forester pursuant to § 10.1-1105, or (2) are owned by a Phase I or Phase II Utility, have less than 52 megawatts capacity, and are fueled by forest-product manufacturing residuals, biowastes, or biomass, as described in subdivisions A 1, 2, and 4 of § 10.1-1308.1, provided that biomass as described in subdivision A 1 of § 10.1-1308.1 results from harvesting in accordance with best management practices for the sustainable harvesting of biomass developed and enforced by the State Forester pursuant to § 10.1-1105. Regardless of any future maintenance, expansion, or refurbishment activities, the total amount of RECs that may be sold by any RPS eligible source using biomass in any year shall be no more than the number of megawatt hours of electricity produced by that facility in 2022; however, in no year may any RPS eligible source using biomass sell RECs in excess of the actual megawatt-hours of electricity generated by such facility that year. In order to comply with the RPS Program, each Phase I and Phase II Utility may use and retire the environmental attributes associated with any existing owned or contracted solar, wind, falling water, or biomass electric generating resources in operation, or proposed for operation, in the Commonwealth or solar, wind, or falling water resources physically located within the PJM region, with such resource qualifying as a Commonwealth-located resource for purposes of this subsection, as of January 1, 2020, provided that such renewable attributes are verified as RECs consistent with the PJM-EIS Generation Attribute Tracking System.

1. The RPS Program requirements shall be a percentage of the total electric energy sold in the previous calendar year and shall be implemented in accordance with the following schedule:

Phase I Utilities		Phase II Utilities	
Year	RPS Program Requirement	Year	RPS Program Requirement
2021	6%	2021	14%
2022	7%	2022	17%
2023	8%	2023	20%
2024	10%	2024	23%
2025	14%	2025	26%
2026	17%	2026	29%
2027	20%	2027	32%
2028	24%	2028	35%
2029	27%	2029	38%
2030	30%	2030	41%
2031	33%	2031	45%
2032	36%	2032	49%
2033	39%	2033	52%

2034	42%	2034	55%
2035	45%	2035	59%
2036	53%	2036	63%
2037	53%	2037	67%
2038	57%	2038	71%
2039	61%	2039	75%
2040	65%	2040	79%
2041	68%	2041	83%
2042	71%	2042	87%
2043	74%	2043	91%
2044	77%	2044	95%
2045	80%	2045 and thereafter	100%
2046	84%		
2047	88%		
2048	92%		
2049	96%		
2050 and thereafter	100%		

2. A Phase II Utility shall meet one percent of the RPS Program requirements in any given compliance year with solar, wind, or anaerobic digestion resources of one megawatt or less located in the Commonwealth, with not more than 3,000 kilowatts at any single location or at contiguous locations owned by the same entity or affiliated entities and, to the extent that low-income qualifying projects are available, then no less than 25 percent of such one percent shall be composed of low-income qualifying projects.

3. Beginning with the 2025 compliance year and thereafter, at least 75 percent of all RECs used by a Phase II Utility in a compliance period shall come from RPS eligible resources located in the Commonwealth.

4. Any Phase I or Phase II Utility may apply renewable energy sales achieved or RECs acquired in excess of the sales requirement for that RPS Program to the sales requirements for RPS Program requirements in the year in which it was generated and the five calendar years after the renewable energy was generated or the RECs were created. To the extent that a Phase I or Phase II Utility procures RECs for RPS Program compliance from resources the utility does not own, the utility shall be entitled to recover the costs of such certificates at its election pursuant to § 56-249.6 or subdivision A 5 d of § 56-585.1.

5. Energy from a geothermal heating and cooling system is eligible for inclusion in meeting the requirements of the RPS Program. RECs from a geothermal heating and cooling system are created based on the amount of energy, converted from BTUs to kilowatt-hours, that is generated by a geothermal heating and cooling system for space heating and cooling or water heating. The Commission shall determine the form and manner in which such RECs are verified.

D. Each Phase I or Phase II Utility shall petition the Commission for necessary approvals to procure zero-carbon electricity generating capacity as set forth in this subsection and energy storage resources as set forth in subsection E. To the extent that a Phase I or Phase II Utility constructs or acquires new zero-carbon generating facilities or energy storage resources, the utility shall petition the Commission for the recovery of the costs of such facilities, at the utility's election, either through its rates for generation and distribution services or through a rate adjustment clause pursuant to subdivision A 6 of § 56-585.1. All costs not sought for recovery through a rate adjustment clause pursuant to subdivision A 6 of § 56-585.1 associated with generating facilities provided by sunlight or onshore or offshore wind are also eligible to be applied by the utility as a customer credit reinvestment offset as provided in subdivision A 8 of § 56-585.1. Costs associated with the purchase of energy, capacity, or environmental attributes from facilities owned by the persons other than the utility required by this subsection shall be recovered by the utility either through its rates for generation and distribution services or pursuant to § 56-249.6.

1. Each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of 600 megawatts of generating capacity using energy derived from sunlight or onshore wind.

a. By December 31, 2023, each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 200 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase I Utility.

b. By December 31, 2027, each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 200 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase I Utility.

c. By December 31, 2030, each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 200 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase I Utility.

d. Nothing in this subdivision 1 shall prohibit such Phase I Utility from constructing, acquiring, or entering into agreements to purchase the energy, capacity, and environmental attributes of more than 600 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, provided the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

2. By December 31, 2035, each Phase II Utility shall petition the Commission for necessary approvals to (i) construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of 16,100 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, which shall include 1,100 megawatts of solar generation of a nameplate capacity not to exceed three megawatts per individual project and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar facilities owned by persons other than a utility, including utility affiliates and deregulated affiliates and (ii) pursuant to § 56-585.1:11, construct or purchase one or more offshore wind generation facilities located off the Commonwealth's Atlantic shoreline or in federal waters and interconnected directly into the Commonwealth with an aggregate capacity of up to 5,200 megawatts. At least 200 megawatts of the 16,100 megawatts shall be placed on previously developed project sites.

a. By December 31, 2024, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 3,000 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

b. By December 31, 2027, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 3,000 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

c. By December 31, 2030, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 4,000 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

d. By December 31, 2035, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 6,100 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

e. Nothing in this subdivision 2 shall prohibit such Phase II Utility from constructing, acquiring, or entering into agreements to purchase the energy, capacity, and environmental attributes of more than 16,100 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, provided the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

3. Nothing in this section shall prohibit a utility from petitioning the Commission to construct or acquire zero-carbon electricity or from entering into contracts to procure the energy, capacity, and environmental attributes of zero-carbon electricity generating resources in excess of the requirements in subsection B. The Commission shall determine whether to approve such petitions on a stand-alone basis pursuant to §§ 56-580 and 56-585.1, provided that the Commission's review shall also consider whether the proposed generating capacity (i) is necessary to meet the utility's native load, (ii) is likely to lower customer fuel costs, (iii) will provide economic development opportunities in the Commonwealth, and (iv) serves a need that cannot be more affordably met with demand-side or energy storage resources.

Each Phase I and Phase II Utility shall, at least once every year, conduct a request for proposals for new solar and wind resources. Such requests shall quantify and describe the utility's need for energy, capacity, or renewable energy certificates. The requests for proposals shall be publicly announced and made available for public review on the utility's website at least 45 days prior to the closing of such request for proposals. The requests for proposals shall provide, at a minimum, the following information: (a) the size, type, and timing of resources for which the utility anticipates contracting; (b) any minimum thresholds that must be met by respondents; (c) major assumptions to be used by the utility in the bid evaluation process, including environmental emission standards; (d) detailed instructions for preparing bids so that bids can be evaluated on a consistent basis; (e) the preferred general location of additional capacity; and (f) specific information concerning the factors involved in determining the price and non-price criteria used for selecting winning bids. A utility may evaluate responses to requests for proposals based on any criteria that it deems reasonable but shall at a minimum consider the following in its selection process: (1) the status of a particular project's development; (2) the age of existing generation facilities; (3) the demonstrated financial viability of a project and the developer; (4) a developer's prior experience in the field; (5) the location and effect on the transmission grid of a generation facility; (6) benefits to the Commonwealth that are associated with particular projects, including regional economic development and the use of goods and services from Virginia businesses; and (7) the environmental impacts of particular resources, including impacts on air quality within the Commonwealth and the carbon intensity of the utility's generation portfolio.

4. In connection with the requirements of this subsection, each Phase I and Phase II Utility shall, commencing in 2020 and concluding in 2035, submit annually a plan and petition for approval for the development of new solar and onshore wind generation capacity. Such plan shall reflect, in the aggregate and over its duration, the requirements of subsection D concerning the allocation percentages for construction or purchase of such capacity. Such petition shall contain any request for approval to construct such facilities pursuant to subsection D of § 56-580 and a request for approval or update of a rate adjustment clause pursuant to subdivision A 6 of § 56-585.1 to recover the costs of such facilities. Such plan shall also include the utility's plan to meet the energy storage project targets of subsection E, including the goal of installing at least 10 percent of such energy storage projects behind the meter. In determining whether to approve the utility's plan and any associated petition requests, the Commission shall determine whether they are reasonable and prudent and shall give due consideration to (i) the RPS and carbon dioxide reduction requirements in this section; (ii) the promotion of new renewable generation and energy storage resources within the Commonwealth, and associated economic development; and (iii) fuel savings projected to be achieved by the plan. Notwithstanding any other provision of this title, the Commission's final order regarding any such petition and associated requests shall be entered by the Commission not more than six months after the date of the filing of such petition.

5. If, in any year, a Phase I or Phase II Utility is unable to meet the compliance obligation of the RPS Program requirements or if the cost of RECs necessary to comply with RPS Program requirements exceeds $45 per megawatt hour, such supplier shall be obligated to make a deficiency payment equal to $45 for each megawatt-hour shortfall for the year of noncompliance, except that the deficiency payment for any shortfall in procuring RECs for solar, wind, or anaerobic digesters located in the Commonwealth shall be $75 per megawatts hour for resources one megawatt and lower. The amount of any deficiency payment shall increase by one percent annually after 2021. A Phase I or Phase II Utility shall be entitled to recover the costs of such payments as a cost of compliance with the requirements of this subsection pursuant to subdivision A 5 d of § 56-585.1. All proceeds from the deficiency payments shall be deposited into an interest-bearing account administered by the Department of Energy. In administering this account, the Department of Energy shall manage the account as follows: (i) 50 percent of total revenue shall be directed to job training programs in historically economically disadvantaged communities; (ii) 16 percent of total revenue shall be directed to energy efficiency measures for public facilities; (iii) 30 percent of total revenue shall be directed to renewable energy programs located in historically economically disadvantaged communities; and (iv) four percent of total revenue shall be directed to administrative costs.

For any project constructed pursuant to this subsection or subsection E, a utility shall, subject to a competitive procurement process, procure equipment from a Virginia-based or United States-based manufacturer using materials or product components made in Virginia or the United States, if reasonably available and competitively priced.

E. To enhance reliability and performance of the utility's generation and distribution system, each Phase I and Phase II Utility shall petition the Commission for necessary approvals to construct or acquire new, utility-owned energy storage resources.

1. By December 31, 2035, each Phase I Utility shall petition the Commission for necessary approvals to construct or acquire 400 megawatts of energy storage capacity. Nothing in this subdivision shall prohibit a Phase I Utility from constructing or acquiring more than 400 megawatts of energy storage, provided that the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

2. By December 31, 2035, each Phase II Utility shall petition the Commission for necessary approvals to construct or acquire 2,700 megawatts of energy storage capacity. Nothing in this subdivision shall prohibit a Phase II Utility from constructing or acquiring more than 2,700 megawatts of energy storage, provided that the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

3. No single energy storage project shall exceed 500 megawatts in size, except that a Phase II Utility may procure a single energy storage project up to 800 megawatts.

4. All energy storage projects procured pursuant to this subsection shall meet the competitive procurement protocols established in subdivision D 3.

5. After July 1, 2020, at least 35 percent of the energy storage facilities placed into service shall be (i) purchased by the public utility from a party other than the public utility or (ii) owned by a party other than a public utility, with the capacity from such facilities sold to the public utility. By January 1, 2021, the Commission shall adopt regulations to achieve the deployment of energy storage for the Commonwealth required in subdivisions 1 and 2, including regulations that set interim targets and update existing utility planning and procurement rules. The regulations shall include programs and mechanisms to deploy energy storage, including competitive solicitations, behind-the-meter incentives, non-wires alternatives programs, and peak demand reduction programs.

F. All costs incurred by a Phase I or Phase II Utility related to compliance with the requirements of this section or pursuant to § 56-585.1:11, including (i) costs of generation facilities powered by sunlight or onshore or offshore wind, or energy storage facilities, that are constructed or acquired by a Phase I or Phase II Utility after July 1, 2020, (ii) costs of capacity, energy, or environmental attributes from generation facilities powered by sunlight or onshore or offshore wind, or falling water, or energy storage facilities purchased by the utility from persons other than the utility through agreements after July 1, 2020, and (iii) all other costs of compliance, including costs associated with the purchase of RECs associated with RPS Program requirements pursuant to this section shall be recovered from all retail customers in the service territory of a Phase I or Phase II Utility as a non-bypassable charge, irrespective of the generation supplier of such customer, except (a) as provided in subsection G for an accelerated renewable energy buyer or (b) as provided in subdivision C 3 of § 56-585.1:11, with respect to the costs of an offshore wind generation facility, for a PIPP eligible utility customer or an advanced clean energy buyer or qualifying large general service customer, as those terms are defined in § 56-585.1:11. If a Phase I or Phase II Utility serves customers in more than one jurisdiction, such utility shall recover all of the costs of compliance with the RPS Program requirements from its Virginia customers through the applicable cost recovery mechanism, and all associated energy, capacity, and environmental attributes shall be assigned to Virginia to the extent that such costs are requested but not recovered from any system customers outside the Commonwealth.

By September 1, 2020, the Commission shall direct the initiation of a proceeding for each Phase I and Phase II Utility to review and determine the amount of such costs, net of benefits, that should be allocated to retail customers within the utility's service territory which have elected to receive electric supply service from a supplier of electric energy other than the utility, and shall direct that tariff provisions be implemented to recover those costs from such customers beginning no later than January 1, 2021. Thereafter, such charges and tariff provisions shall be updated and trued up by the utility on an annual basis, subject to continuing review and approval by the Commission.

G. 1. An accelerated renewable energy buyer may contract with a Phase I or Phase II Utility, or a person other than a Phase I or Phase II Utility, to obtain (i) RECs from RPS eligible resources or (ii) bundled capacity, energy, and RECs from solar or wind generation resources located within the PJM region and initially placed in commercial operation after January 1, 2015, including any contract with a utility for such generation resources that does not allocate *the cost of such resources* to or recover *the cost of such resources* from any other ~~customer~~ *customers* of the utility ~~the cost of such resources~~ *that have not voluntarily agreed to pay such cost*. Such an accelerated renewable energy buyer may offset all or a portion of its electric load for purposes of RPS compliance through such arrangements. An accelerated renewable energy buyer shall be exempt from the assignment of non-bypassable RPS compliance costs pursuant to subsection F, with the exception of the costs of an offshore wind generating facility pursuant to § 56-585.1:11, based on the amount of RECs obtained pursuant to this subsection in proportion to the customer's total electric energy consumption, on an annual basis. *An accelerated renewable energy buyer may also contract with a Phase I or Phase II Utility, or a person other than a Phase I or Phase II Utility, to obtain capacity from energy storage facilities located within the network service area of the Phase II Utility pursuant to this subsection, provided that the costs of such resources are not recovered from any of the utility's customers who have not voluntarily agreed to pay for such costs. Such accelerated renewable energy buyer shall be exempt from the assignment of non-bypassable RPS Program compliance costs specifically associated with energy storage facilities pursuant to this subsection in proportion to the customer's total capacity demand on an annual basis.* An accelerated renewable energy buyer obtaining RECs only shall not be exempt from costs related to procurement of new solar or onshore wind generation capacity, energy, or environmental attributes, or energy storage facilities, by the utility pursuant to subsections D and E, however, an accelerated renewable energy buyer that is a customer of a Phase II Utility and was subscribed, as of March 1, 2020, to a voluntary companion experimental tariff offering of the utility for the purchase of renewable attributes from renewable energy facilities that requires a renewable facilities agreement and the purchase of a minimum of 2,000 renewable attributes annually, shall be exempt from allocation of the net costs related to procurement of new solar or onshore wind generation capacity, energy, or environmental attributes, or energy storage facilities, by the utility pursuant to subsections D and E, based on the amount of RECs associated with the customer's renewable facilities agreements associated with such tariff offering as of that date in proportion to the customer's total electric energy consumption, on an annual basis. To the extent that an accelerated renewable energy buyer contracts for the capacity of new solar or wind generation resources *or energy storage facilities* pursuant to this subsection, the aggregate amount of such nameplate capacity shall be offset from the utility's procurement requirements pursuant to subsection D. All RECs associated with contracts entered into by an accelerated renewable energy buyer with the utility, or a person other than the utility, for an RPS Program shall not be credited to the utility's compliance with its RPS requirements, and the calculation of the utility's RPS Program requirements shall not include the electric load covered by customers certified as accelerated renewable energy buyers.

2. Each Phase I or Phase II Utility shall certify, and verify as necessary, to the Commission that the accelerated renewable energy buyer has satisfied the exemption requirements of this subsection for each year, or an accelerated renewable energy buyer may choose to certify satisfaction of this exemption by reporting to the Commission individually. The Commission may promulgate such rules and regulations as may be necessary to implement the provisions of this subsection.

3. Provided that no incremental costs associated with any contract between a Phase I or Phase II Utility and an accelerated renewable energy buyer is allocated to or recovered from any other customer of the utility, any such contract with an accelerated renewable energy buyer that is a jurisdictional customer of the utility shall not be deemed a special rate or contract requiring Commission approval pursuant to § 56-235.2.

H. No customer of a Phase II Utility with a peak demand in excess of 100 megawatts in 2019 that elected pursuant to subdivision A 3 of § 56-577 to purchase electric energy from a competitive service provider prior to April 1, 2019, shall be allocated any non-bypassable charges pursuant to subsection F for such period that the customer is not purchasing electric energy from the utility, and such customer's electric load shall not be included in the utility's RPS Program requirements. No customer of a Phase I Utility that elected pursuant to subdivision A 3 of § 56-577 to purchase electric energy from a competitive service provider prior to February 1, 2019, shall be allocated any non-bypassable charges pursuant to subsection F for such period that the customer is not purchasing electric energy from the utility, and such customer's electric load shall not be included in the utility's RPS Program requirements.

I. In any petition by a Phase I or Phase II Utility for a certificate of public convenience and necessity to construct and operate an electrical generating facility that generates electric energy derived from sunlight submitted pursuant to § 56-580, such utility shall demonstrate that the proposed facility was subject to competitive procurement or solicitation as set forth in subdivision D 3.

J. Notwithstanding any contrary provision of law, for the purposes of this section, any falling water generation facility located in the Commonwealth and commencing commercial operations prior to July 1, 2024, shall be considered a renewable energy portfolio standard (RPS) eligible source.

K. Nothing in this section shall apply to any entity organized under Chapter 9.1 (§ 56-231.15 et seq.).

L. The Commission shall adopt such rules and regulations as may be necessary to implement the provisions of this section, including a requirement that participants verify whether the RPS Program requirements are met in accordance with this section.

2. That the State Corporation Commission shall promulgate any rules or regulations necessary to ensure that accelerated renewable energy buyers receive fair credit for any energy storage resources procured pursuant to subsection G of § 56-585.5 of the Code of Virginia, as amended by this act, which credit shall be based on capacity provided rather than energy consumed and shall consider the effective load-carrying capacity provided by such resources.

3. That the State Corporation Commission shall ensure that any distribution and transmission costs associated with new energy generation resources procured pursuant to subsection G of § 56-585.5 of the Code of Virginia, as amended by this act, are justly and reasonably allocated.

CHAPTER 708

An Act to amend and reenact § 56-585.5 of the Code of Virginia, relating to electric utilities; generation of electricity from renewable and zero carbon sources; projects on or adjacent to public elementary or secondary schools.

[H 1934]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 56-585.5 of the Code of Virginia is amended and reenacted as follows:

§ 56-585.5. Generation of electricity from renewable and zero-carbon sources.

A. As used in this section:

"Accelerated renewable energy buyer" means a commercial or industrial customer of a Phase I or Phase II Utility, irrespective of generation supplier, with an aggregate load over 25 megawatts in the prior calendar year, that enters into arrangements pursuant to subsection G, as certified by the Commission.

"Aggregate load" means the combined electrical load associated with selected accounts of an accelerated renewable energy buyer with the same legal entity name as, or in the names of affiliated entities that control, are controlled by, or are under common control of, such legal entity or are the names of affiliated entities under a common parent.

"Control" has the same meaning as provided in § 56-585.1:11.

"Elementary or secondary" has the same meaning as provided in § 22.1-1.

"Falling water" means hydroelectric resources, including run-of-river generation from a combined pumped-storage and run-of-river facility. "Falling water" does not include electricity generated from pumped-storage facilities.

"Low-income qualifying projects" means a project that provides a minimum of 50 percent of the respective electric output to low-income utility customers as that term is defined in § 56-576.

"Phase I Utility" has the same meaning as provided in subdivision A 1 of § 56-585.1.

"Phase II Utility" has the same meaning as provided in subdivision A 1 of § 56-585.1.

"Previously developed project site" means any property, including related buffer areas, if any, that has been previously disturbed or developed for non-single-family residential, nonagricultural, or nonsilvicultural use, regardless of whether such property currently is being used for any purpose. "Previously developed project site" includes a brownfield as defined in § 10.1-1230 or any parcel that has been previously used (i) for a retail, commercial, or industrial purpose; (ii) as a parking lot; (iii) as the site of a parking lot canopy or structure; (iv) for mining, which is any lands affected by coal mining that took place before August 3, 1977, or any lands upon which extraction activities have been permitted by the Department of Energy under Title 45.2; (v) for quarrying; or (vi) as a landfill.

"Total electric energy" means total electric energy sold to retail customers in the Commonwealth service territory of a Phase I or Phase II Utility, other than accelerated renewable energy buyers, by the incumbent electric utility or other retail supplier of electric energy in the previous calendar year, excluding an amount equivalent to the annual percentages of the electric energy that was supplied to such customer from nuclear generating plants located within the Commonwealth in the previous calendar year, provided such nuclear units were operating by July 1, 2020, or from any zero-carbon electric generating facilities not otherwise RPS eligible sources and placed into service in the Commonwealth after July 1, 2030.

"Zero-carbon electricity" means electricity generated by any generating unit that does not emit carbon dioxide as a by-product of combusting fuel to generate electricity.

B. 1. By December 31, 2024, except for any coal-fired electric generating units (i) jointly owned with a cooperative utility or (ii) owned and operated by a Phase II Utility located in the coalfield region of the Commonwealth that co-fires with biomass, any Phase I and Phase II Utility shall retire all generating units principally fueled by oil with a rated capacity in excess of 500 megawatts and all coal-fired electric generating units operating in the Commonwealth.

2. By December 31, 2045, except for biomass-fired electric generating units that do not co-fire with coal, each Phase I and II Utility shall retire all other electric generating units located in the Commonwealth that emit carbon as a by-product of combusting fuel to generate electricity.

3. A Phase I or Phase II Utility may petition the Commission for relief from the requirements of this subsection on the basis that the requirement would threaten the reliability or security of electric service to customers. The Commission shall consider in-state and regional transmission entity resources and shall evaluate the reliability of each proposed retirement on a case-by-case basis in ruling upon any such petition.

C. Each Phase I and Phase II Utility shall participate in a renewable energy portfolio standard program (RPS Program) that establishes annual goals for the sale of renewable energy to all retail customers in the utility's service territory, other than accelerated renewable energy buyers pursuant to subsection G, regardless of whether such customers purchase electric supply service from the utility or from suppliers other than the utility. To comply with the RPS Program, each Phase I and Phase II Utility shall procure and retire Renewable Energy Certificates (RECs) originating from renewable energy standard eligible sources (RPS eligible sources). For purposes of complying with the RPS Program from 2021 to 2024, a Phase I and Phase II Utility may use RECs from any renewable energy facility, as defined in § 56-576, provided that such facilities are located in the Commonwealth or are physically located within the PJM Interconnection, LLC (PJM) region. However, at no time during this period or thereafter may any Phase I or Phase II Utility use RECs from (i) renewable thermal energy, (ii) renewable thermal energy equivalent, or (iii) biomass-fired facilities that are outside the Commonwealth. From compliance year 2025 and all years after, each Phase I and Phase II Utility may only use RECs from RPS eligible sources for compliance with the RPS Program.

In order to qualify as RPS eligible sources, such sources must be (a) electric-generating resources that generate electric energy derived from solar or wind located in the Commonwealth or off the Commonwealth's Atlantic shoreline or in federal waters and interconnected directly into the Commonwealth or physically located within the PJM region; (b) falling water resources located in the Commonwealth or physically located within the PJM region that were in operation as of January 1, 2020, that are owned by a Phase I or Phase II Utility or for which a Phase I or Phase II Utility has entered into a contract prior to January 1, 2020, to purchase the energy, capacity, and renewable attributes of such falling water resources; (c) non-utility-owned resources from falling water that (1) are less than 65 megawatts, (2) began commercial operation after December 31, 1979, or (3) added incremental generation representing greater than 50 percent of the original nameplate capacity after December 31, 1979, provided that such resources are located in the Commonwealth or are physically located within the PJM region; (d) waste-to-energy or landfill gas-fired generating resources located in the Commonwealth and in operation as of January 1, 2020, provided that such resources do not use waste heat from fossil fuel combustion; (e) geothermal heating and cooling systems located in the Commonwealth; or (f) biomass-fired facilities in operation in the Commonwealth and in operation as of January 1, 2023, that (1) supply no more than 10 percent of their annual net electrical generation to the electric grid or no more than 15 percent of their annual total useful energy to any entity other than the manufacturing facility to which the generating source is interconnected and are fueled by forest-product manufacturing residuals, including pulping liquor, bark, paper recycling residuals, biowastes, or biomass, as described in subdivisions A 1, 2, and 4 of § 10.1-1308.1, provided that biomass as described in subdivision A 1 of § 10.1-1308.1 results from harvesting in accordance with best management practices for the sustainable harvesting of biomass developed and enforced by the State Forester pursuant to § 10.1-1105, or (2) are owned by a Phase I or Phase II Utility, have less than 52 megawatts capacity, and are fueled by forest-product manufacturing residuals, biowastes, or biomass, as described in subdivisions A 1, 2, and 4 of § 10.1-1308.1, provided that biomass as described in subdivision A 1 of § 10.1-1308.1 results from harvesting in accordance with best management practices for the sustainable harvesting of biomass developed and enforced by the State

Forester pursuant to § 10.1-1105. Regardless of any future maintenance, expansion, or refurbishment activities, the total amount of RECs that may be sold by any RPS eligible source using biomass in any year shall be no more than the number of megawatt hours of electricity produced by that facility in 2022; however, in no year may any RPS eligible source using biomass sell RECs in excess of the actual megawatt-hours of electricity generated by such facility that year. In order to comply with the RPS Program, each Phase I and Phase II Utility may use and retire the environmental attributes associated with any existing owned or contracted solar, wind, falling water, or biomass electric generating resources in operation, or proposed for operation, in the Commonwealth or solar, wind, or falling water resources physically located within the PJM region, with such resource qualifying as a Commonwealth-located resource for purposes of this subsection, as of January 1, 2020, provided that such renewable attributes are verified as RECs consistent with the PJM-EIS Generation Attribute Tracking System.

1. The RPS Program requirements shall be a percentage of the total electric energy sold in the previous calendar year and shall be implemented in accordance with the following schedule:

Phase I Utilities		Phase II Utilities	
Year	RPS Program Requirement	Year	RPS Program Requirement
2021	6%	2021	14%
2022	7%	2022	17%
2023	8%	2023	20%
2024	10%	2024	23%
2025	14%	2025	26%
2026	17%	2026	29%
2027	20%	2027	32%
2028	24%	2028	35%
2029	27%	2029	38%
2030	30%	2030	41%
2031	33%	2031	45%
2032	36%	2032	49%
2033	39%	2033	52%
2034	42%	2034	55%
2035	45%	2035	59%
2036	53%	2036	63%
2037	53%	2037	67%
2038	57%	2038	71%
2039	61%	2039	75%
2040	65%	2040	79%
2041	68%	2041	83%
2042	71%	2042	87%
2043	74%	2043	91%
2044	77%	2044	95%
2045	80%	2045 and thereafter	100%
2046	84%		
2047	88%		
2048	92%		
2049	96%		
2050 and thereafter	100%		

2. A Phase II Utility shall meet one percent of the RPS Program requirements in any given compliance year with solar, wind, or anaerobic digestion resources of one megawatt or less located in the Commonwealth, with not more than 3,000 kilowatts at any single location or at contiguous locations owned by the same entity or affiliated entities and, to the extent that low-income qualifying projects are available, then no less than 25 percent of such one percent shall be composed

of low-income qualifying projects. *To the extent that low-income qualifying projects are not available and projects located on or adjacent to public elementary or secondary schools are available, the remainder of no less than 25 percent of such one percent shall be composed of projects located on or adjacent to public elementary or secondary schools. A project located on or adjacent to a public elementary or secondary school shall have a contractual relationship with such school in order to qualify for the provisions of this section.*

3. Beginning with the 2025 compliance year and thereafter, at least 75 percent of all RECs used by a Phase II Utility in a compliance period shall come from RPS eligible resources located in the Commonwealth.

4. Any Phase I or Phase II Utility may apply renewable energy sales achieved or RECs acquired in excess of the sales requirement for that RPS Program to the sales requirements for RPS Program requirements in the year in which it was generated and the five calendar years after the renewable energy was generated or the RECs were created. To the extent that a Phase I or Phase II Utility procures RECs for RPS Program compliance from resources the utility does not own, the utility shall be entitled to recover the costs of such certificates at its election pursuant to § 56-249.6 or subdivision A 5 d of § 56-585.1.

5. Energy from a geothermal heating and cooling system is eligible for inclusion in meeting the requirements of the RPS Program. RECs from a geothermal heating and cooling system are created based on the amount of energy, converted from BTUs to kilowatt-hours, that is generated by a geothermal heating and cooling system for space heating and cooling or water heating. The Commission shall determine the form and manner in which such RECs are verified.

D. Each Phase I or Phase II Utility shall petition the Commission for necessary approvals to procure zero-carbon electricity generating capacity as set forth in this subsection and energy storage resources as set forth in subsection E. To the extent that a Phase I or Phase II Utility constructs or acquires new zero-carbon generating facilities or energy storage resources, the utility shall petition the Commission for the recovery of the costs of such facilities, at the utility's election, either through its rates for generation and distribution services or through a rate adjustment clause pursuant to subdivision A 6 of § 56-585.1. All costs not sought for recovery through a rate adjustment clause pursuant to subdivision A 6 of § 56-585.1 associated with generating facilities provided by sunlight or onshore or offshore wind are also eligible to be applied by the utility as a customer credit reinvestment offset as provided in subdivision A 8 of § 56-585.1. Costs associated with the purchase of energy, capacity, or environmental attributes from facilities owned by the persons other than the utility required by this subsection shall be recovered by the utility either through its rates for generation and distribution services or pursuant to § 56-249.6.

1. Each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of 600 megawatts of generating capacity using energy derived from sunlight or onshore wind.

a. By December 31, 2023, each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 200 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase I Utility.

b. By December 31, 2027, each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 200 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase I Utility.

c. By December 31, 2030, each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 200 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase I Utility.

d. Nothing in this subdivision 1 shall prohibit such Phase I Utility from constructing, acquiring, or entering into agreements to purchase the energy, capacity, and environmental attributes of more than 600 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, provided the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

2. By December 31, 2035, each Phase II Utility shall petition the Commission for necessary approvals to (i) construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of 16,100 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, which shall include 1,100 megawatts of solar generation of a nameplate capacity not to exceed three megawatts per individual project and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar facilities owned by persons other than a utility, including utility affiliates and deregulated affiliates and (ii) pursuant to § 56-585.1:11, construct or purchase one or more offshore wind generation facilities located off the Commonwealth's Atlantic shoreline or in federal waters and interconnected directly into the Commonwealth with an

aggregate capacity of up to 5,200 megawatts. At least 200 megawatts of the 16,100 megawatts shall be placed on previously developed project sites.

a. By December 31, 2024, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 3,000 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

b. By December 31, 2027, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 3,000 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

c. By December 31, 2030, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 4,000 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

d. By December 31, 2035, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 6,100 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

e. Nothing in this subdivision 2 shall prohibit such Phase II Utility from constructing, acquiring, or entering into agreements to purchase the energy, capacity, and environmental attributes of more than 16,100 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, provided the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

3. Nothing in this section shall prohibit a utility from petitioning the Commission to construct or acquire zero-carbon electricity or from entering into contracts to procure the energy, capacity, and environmental attributes of zero-carbon electricity generating resources in excess of the requirements in subsection B. The Commission shall determine whether to approve such petitions on a stand-alone basis pursuant to §§ 56-580 and 56-585.1, provided that the Commission's review shall also consider whether the proposed generating capacity (i) is necessary to meet the utility's native load, (ii) is likely to lower customer fuel costs, (iii) will provide economic development opportunities in the Commonwealth, and (iv) serves a need that cannot be more affordably met with demand-side or energy storage resources.

Each Phase I and Phase II Utility shall, at least once every year, conduct a request for proposals for new solar and wind resources. Such requests shall quantify and describe the utility's need for energy, capacity, or renewable energy certificates. The requests for proposals shall be publicly announced and made available for public review on the utility's website at least 45 days prior to the closing of such request for proposals. The requests for proposals shall provide, at a minimum, the following information: (a) the size, type, and timing of resources for which the utility anticipates contracting; (b) any minimum thresholds that must be met by respondents; (c) major assumptions to be used by the utility in the bid evaluation process, including environmental emission standards; (d) detailed instructions for preparing bids so that bids can be evaluated on a consistent basis; (e) the preferred general location of additional capacity; and (f) specific information concerning the factors involved in determining the price and non-price criteria used for selecting winning bids. A utility may evaluate responses to requests for proposals based on any criteria that it deems reasonable but shall at a minimum consider the following in its selection process: (1) the status of a particular project's development; (2) the age of existing generation facilities; (3) the demonstrated financial viability of a project and the developer; (4) a developer's prior experience in the field; (5) the location and effect on the transmission grid of a generation facility; (6) benefits to the Commonwealth that are associated with particular projects, including regional economic development and the use of goods and services from Virginia businesses; and (7) the environmental impacts of particular resources, including impacts on air quality within the Commonwealth and the carbon intensity of the utility's generation portfolio.

4. In connection with the requirements of this subsection, each Phase I and Phase II Utility shall, commencing in 2020 and concluding in 2035, submit annually a plan and petition for approval for the development of new solar and onshore wind generation capacity. Such plan shall reflect, in the aggregate and over its duration, the requirements of subsection D concerning the allocation percentages for construction or purchase of such capacity. Such petition shall contain any request for approval to construct such facilities pursuant to subsection D of § 56-580 and a request for approval or update of a rate adjustment clause pursuant to subdivision A 6 of § 56-585.1 to recover the costs of such facilities. Such plan shall also include the utility's plan to meet the energy storage project targets of subsection E, including the goal of installing at least 10 percent of such energy storage projects behind the meter. In determining whether to approve the utility's plan and any

associated petition requests, the Commission shall determine whether they are reasonable and prudent and shall give due consideration to (i) the RPS and carbon dioxide reduction requirements in this section; (ii) the promotion of new renewable generation and energy storage resources within the Commonwealth, and associated economic development; and (iii) fuel savings projected to be achieved by the plan. Notwithstanding any other provision of this title, the Commission's final order regarding any such petition and associated requests shall be entered by the Commission not more than six months after the date of the filing of such petition.

5. If, in any year, a Phase I or Phase II Utility is unable to meet the compliance obligation of the RPS Program requirements or if the cost of RECs necessary to comply with RPS Program requirements exceeds $45 per megawatt hour, such supplier shall be obligated to make a deficiency payment equal to $45 for each megawatt-hour shortfall for the year of noncompliance, except that the deficiency payment for any shortfall in procuring RECs for solar, wind, or anaerobic digesters located in the Commonwealth shall be $75 per megawatts hour for resources one megawatt and lower. The amount of any deficiency payment shall increase by one percent annually after 2021. A Phase I or Phase II Utility shall be entitled to recover the costs of such payments as a cost of compliance with the requirements of this subsection pursuant to subdivision A 5 d of § 56-585.1. All proceeds from the deficiency payments shall be deposited into an interest-bearing account administered by the Department of Energy. In administering this account, the Department of Energy shall manage the account as follows: (i) 50 percent of total revenue shall be directed to job training programs in historically economically disadvantaged communities; (ii) 16 percent of total revenue shall be directed to energy efficiency measures for public facilities; (iii) 30 percent of total revenue shall be directed to renewable energy programs located in historically economically disadvantaged communities; and (iv) four percent of total revenue shall be directed to administrative costs.

For any project constructed pursuant to this subsection or subsection E, a utility shall, subject to a competitive procurement process, procure equipment from a Virginia-based or United States-based manufacturer using materials or product components made in Virginia or the United States, if reasonably available and competitively priced.

E. To enhance reliability and performance of the utility's generation and distribution system, each Phase I and Phase II Utility shall petition the Commission for necessary approvals to construct or acquire new, utility-owned energy storage resources.

1. By December 31, 2035, each Phase I Utility shall petition the Commission for necessary approvals to construct or acquire 400 megawatts of energy storage capacity. Nothing in this subdivision shall prohibit a Phase I Utility from constructing or acquiring more than 400 megawatts of energy storage, provided that the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

2. By December 31, 2035, each Phase II Utility shall petition the Commission for necessary approvals to construct or acquire 2,700 megawatts of energy storage capacity. Nothing in this subdivision shall prohibit a Phase II Utility from constructing or acquiring more than 2,700 megawatts of energy storage, provided that the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

3. No single energy storage project shall exceed 500 megawatts in size, except that a Phase II Utility may procure a single energy storage project up to 800 megawatts.

4. All energy storage projects procured pursuant to this subsection shall meet the competitive procurement protocols established in subdivision D 3.

5. After July 1, 2020, at least 35 percent of the energy storage facilities placed into service shall be (i) purchased by the public utility from a party other than the public utility or (ii) owned by a party other than a public utility, with the capacity from such facilities sold to the public utility. By January 1, 2021, the Commission shall adopt regulations to achieve the deployment of energy storage for the Commonwealth required in subdivisions 1 and 2, including regulations that set interim targets and update existing utility planning and procurement rules. The regulations shall include programs and mechanisms to deploy energy storage, including competitive solicitations, behind-the-meter incentives, non-wires alternatives programs, and peak demand reduction programs.

F. All costs incurred by a Phase I or Phase II Utility related to compliance with the requirements of this section or pursuant to § 56-585.1:11, including (i) costs of generation facilities powered by sunlight or onshore or offshore wind, or energy storage facilities, that are constructed or acquired by a Phase I or Phase II Utility after July 1, 2020, (ii) costs of capacity, energy, or environmental attributes from generation facilities powered by sunlight or onshore or offshore wind, or falling water, or energy storage facilities purchased by the utility from persons other than the utility through agreements after July 1, 2020, and (iii) all other costs of compliance, including costs associated with the purchase of RECs associated with RPS Program requirements pursuant to this section shall be recovered from all retail customers in the service territory of a Phase I or Phase II Utility as a non-bypassable charge, irrespective of the generation supplier of such customer, except (a) as provided in subsection G for an accelerated renewable energy buyer or (b) as provided in subdivision C 3 of § 56-585.1:11, with respect to the costs of an offshore wind generation facility, for a PIPP eligible utility customer or an advanced clean energy buyer or qualifying large general service customer, as those terms are defined in § 56-585.1:11. If a Phase I or Phase II Utility serves customers in more than one jurisdiction, such utility shall recover all of the costs of compliance with the RPS Program requirements from its Virginia customers through the applicable cost recovery mechanism, and all associated energy, capacity, and environmental attributes shall be assigned to Virginia to the extent that such costs are requested but not recovered from any system customers outside the Commonwealth.

By September 1, 2020, the Commission shall direct the initiation of a proceeding for each Phase I and Phase II Utility to review and determine the amount of such costs, net of benefits, that should be allocated to retail customers within the

utility's service territory which have elected to receive electric supply service from a supplier of electric energy other than the utility, and shall direct that tariff provisions be implemented to recover those costs from such customers beginning no later than January 1, 2021. Thereafter, such charges and tariff provisions shall be updated and trued up by the utility on an annual basis, subject to continuing review and approval by the Commission.

G. 1. An accelerated renewable energy buyer may contract with a Phase I or Phase II Utility, or a person other than a Phase I or Phase II Utility, to obtain (i) RECs from RPS eligible resources or (ii) bundled capacity, energy, and RECs from solar or wind generation resources located within the PJM region and initially placed in commercial operation after January 1, 2015, including any contract with a utility for such generation resources that does not allocate to or recover from any other customer of the utility the cost of such resources. Such an accelerated renewable energy buyer may offset all or a portion of its electric load for purposes of RPS compliance through such arrangements. An accelerated renewable energy buyer shall be exempt from the assignment of non-bypassable RPS compliance costs pursuant to subsection F, with the exception of the costs of an offshore wind generating facility pursuant to § 56-585.1:11, based on the amount of RECs obtained pursuant to this subsection in proportion to the customer's total electric energy consumption, on an annual basis. An accelerated renewable energy buyer obtaining RECs only shall not be exempt from costs related to procurement of new solar or onshore wind generation capacity, energy, or environmental attributes, or energy storage facilities, by the utility pursuant to subsections D and E, however, an accelerated renewable energy buyer that is a customer of a Phase II Utility and was subscribed, as of March 1, 2020, to a voluntary companion experimental tariff offering of the utility for the purchase of renewable attributes from renewable energy facilities that requires a renewable facilities agreement and the purchase of a minimum of 2,000 renewable attributes annually, shall be exempt from allocation of the net costs related to procurement of new solar or onshore wind generation capacity, energy, or environmental attributes, or energy storage facilities, by the utility pursuant to subsections D and E, based on the amount of RECs associated with the customer's renewable facilities agreements associated with such tariff offering as of that date in proportion to the customer's total electric energy consumption, on an annual basis. To the extent that an accelerated renewable energy buyer contracts for the capacity of new solar or wind generation resources pursuant to this subsection, the aggregate amount of such nameplate capacity shall be offset from the utility's procurement requirements pursuant to subsection D. All RECs associated with contracts entered into by an accelerated renewable energy buyer with the utility, or a person other than the utility, for an RPS Program shall not be credited to the utility's compliance with its RPS requirements, and the calculation of the utility's RPS Program requirements shall not include the electric load covered by customers certified as accelerated renewable energy buyers.

2. Each Phase I or Phase II Utility shall certify, and verify as necessary, to the Commission that the accelerated renewable energy buyer has satisfied the exemption requirements of this subsection for each year, or an accelerated renewable energy buyer may choose to certify satisfaction of this exemption by reporting to the Commission individually. The Commission may promulgate such rules and regulations as may be necessary to implement the provisions of this subsection.

3. Provided that no incremental costs associated with any contract between a Phase I or Phase II Utility and an accelerated renewable energy buyer is allocated to or recovered from any other customer of the utility, any such contract with an accelerated renewable energy buyer that is a jurisdictional customer of the utility shall not be deemed a special rate or contract requiring Commission approval pursuant to § 56-235.2.

H. No customer of a Phase II Utility with a peak demand in excess of 100 megawatts in 2019 that elected pursuant to subdivision A 3 of § 56-577 to purchase electric energy from a competitive service provider prior to April 1, 2019, shall be allocated any non-bypassable charges pursuant to subsection F for such period that the customer is not purchasing electric energy from the utility, and such customer's electric load shall not be included in the utility's RPS Program requirements. No customer of a Phase I Utility that elected pursuant to subdivision A 3 of § 56-577 to purchase electric energy from a competitive service provider prior to February 1, 2019, shall be allocated any non-bypassable charges pursuant to subsection F for such period that the customer is not purchasing electric energy from the utility, and such customer's electric load shall not be included in the utility's RPS Program requirements.

I. In any petition by a Phase I or Phase II Utility for a certificate of public convenience and necessity to construct and operate an electrical generating facility that generates electric energy derived from sunlight submitted pursuant to § 56-580, such utility shall demonstrate that the proposed facility was subject to competitive procurement or solicitation as set forth in subdivision D 3.

J. Notwithstanding any contrary provision of law, for the purposes of this section, any falling water generation facility located in the Commonwealth and commencing commercial operations prior to July 1, 2024, shall be considered a renewable energy portfolio standard (RPS) eligible source.

K. Nothing in this section shall apply to any entity organized under Chapter 9.1 (§ 56-231.15 et seq.).

L. The Commission shall adopt such rules and regulations as may be necessary to implement the provisions of this section, including a requirement that participants verify whether the RPS Program requirements are met in accordance with this section.

CHAPTER 709

An Act to direct certain electric utilities to petition the State Corporation Commission for approval to conduct a virtual power plant pilot program.

[H 2346]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That no later than December 1, 2025, each Phase II Utility shall petition the State Corporation Commission (the Commission) for approval to conduct a pilot program to evaluate methods to optimize demand through various technology applications including the establishment of virtual power plants. Such pilot program shall evaluate electric grid capacity needs and the ability of such virtual power plants to provide grid services, including peak-shaving, during times of peak electric demand. Such pilot program shall consist of aggregations of distributed energy resources totaling up to 450 megawatts for a Phase II Utility and shall include distributed energy resources located in multiple geographic regions of the Commonwealth. An electric utility may utilize any existing or proposed distributed energy programs as part of the pilot program and to further the development of virtual power plants in the Commonwealth. An electric utility that petitions the Commission for such pilot program shall demonstrate that the utility has evaluated funding opportunities from the U.S. Department of Energy. In furthering the goals of such pilot program, the electric utility shall (i) propose programs of at least 15 megawatts incentivizing residential customers to purchase battery storage devices and (ii) notwithstanding the provisions of § 56-585.1:13 of the Code of Virginia, propose a broader electric school bus program as part of a grid transformation filing no later than December 31, 2027, and the Commission may require competitive solicitation open to utility-owned and non-utility-owned resources. The electric utility shall not own the electric school buses as a part of its proposed program, but such electric utility may own the related storage batteries. The electric utility shall only use the bus storage batteries to access the stored electricity at times when the participating school system determines that the electric school buses are not needed to transport students.*

In conducting such pilot program, the electric utility shall evaluate methods to holistically optimize demand, including: a stakeholder process to receive feedback on program design; a review of reasonable enrollment and performance incentives for participating customers; potential incentives for the purchase of a battery storage device, including increased incentives for customers in historically economically disadvantaged communities; operational parameters for grid services, including the annual maximum number of grid events, the maximum duration of such grid events, and conditions under which a participating customer may opt out of a grid event; reasonable mechanisms to disenroll customers for nonperformance; and preliminary development of a program tariff that is designed to (a) allow customers with technologies, including battery storage, non-battery storage, smart thermostat, or managed electric vehicle charging technologies, to enroll their eligible technologies in the pilot program; (b) provide a mechanism to incorporate existing programs, including smart thermostat demand response, electric vehicle charging programs, and battery storage programs, into such tariff; (c) specify compensable grid services for each eligible technology, including peak demand reduction, voltage support, and emergency services; and (d) specify pay-for-performance compensation mechanisms for such grid services.

No later than November 15, 2026, the electric utility shall petition the Commission for a program tariff or variations of a tariff structure through which residential and commercial and industrial customers may enroll, either directly or through an aggregator.

Each pilot program shall conclude its initial phase by July 1, 2028, at which time the Commission shall undertake a review of the data and results of the pilot programs and shall evaluate the effectiveness of the pilot programs in providing grid services during times of peak demand. In addition, the Commission shall consider lessons learned from the programs in relation to implementation of Federal Energy Regulatory Commission Order No. 2222 by PJM Interconnection and the complementary role of virtual power plants in the retail electricity market in the Commonwealth. As part of its evaluation, the Commission shall initiate a proceeding to establish a permanent program for the electric utility, which shall include procurement targets applicable to the electric utility for each such permanent program with corresponding performance metrics associated with either achievement of such targets or failure to achieve such targets.

As used in this act:

"Aggregator" means an individual or entity, other than the electric utility, that enrolls customers in the pilot program and coordinates the operation of enrolled energy resources. An aggregator shall not be considered an electric utility by virtue of participating in the pilot program but shall be given nondiscriminatory access to necessary customer and grid data from the utility to participate in the pilot program.

"Distributed energy resource" means a resource of up to five megawatts that is located on the customer's premises or is interconnected with the distribution system and produces or stores electricity or modifies the timing or amount of a customer's electricity consumption.

"Electric utility" means a Phase II Utility as defined in subdivision A 1 of § 56-585.1 of the Code of Virginia.

"Eligible technology" means a distributed energy resource that meets the requirements for participation in the pilot program and does not emit carbon dioxide as a byproduct of combusting fuel or manufacturing fuel for combustion to generate electricity.

"Grid event" means a grid condition for which the electric utility schedules or remotely dispatches enrolled devices to respond.

"Grid service" means a capacity, energy, or ancillary service that supports grid operations.

"Historically economically disadvantaged community" has the same meaning as provided in § 56-576 of the Code of Virginia.

"Virtual power plant" means an aggregation of distributed energy resources, enrolled either directly with an electric utility or indirectly through an aggregator, that are operated in coordination to provide one or more grid services.

CHAPTER 710

An Act to amend and reenact § 10.1-1197.5 of the Code of Virginia, relating to small renewable energy projects; permit by rule.

[H 2426]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-1197.5 of the Code of Virginia is amended and reenacted as follows:

§ 10.1-1197.5. Definitions.

As used in this article:

"Energy storage facility" means energy storage equipment or technology that is capable of absorbing energy, storing such energy for a period of time, and redelivering energy after it has been stored.

"Interconnection facilities" means generation tie lines, collector lines, substations, switching stations, and any other component required to connect an electrical generation facility with the electrical grid.

"Small renewable energy project" means (i) an electrical generation facility with a rated capacity not exceeding 150 megawatts that generates electricity only from sunlight or wind *and its dedicated associated interconnection facilities*; (ii) an electrical generation facility with a rated capacity not exceeding 100 megawatts that generates electricity only from falling water, wave motion, tides, or geothermal power *and its dedicated associated interconnection facilities*; (iii) an electrical generation facility with a rated capacity not exceeding 20 megawatts that generates electricity only from biomass, energy from waste, or municipal solid waste *and its dedicated associated interconnection facilities*; (iv) an energy storage facility that uses electrochemical cells to convert chemical energy with a rated capacity not exceeding 150 megawatts *and its dedicated* associated *interconnection facilities*; or (v) a hybrid project composed of an electrical generation facility that meets the parameters established in clause (i), (ii), or (iii) and an energy storage facility that meets the parameters established in clause (iv).

2. That the Department of Environmental Quality and the State Corporation Commission shall enter into a memorandum of understanding to implement the provisions of this act.

3. That the provisions of this act shall become effective on July 1, 2026.

CHAPTER 711

An Act to amend and reenact § 58.1-2900 of the Code of Virginia, relating to electricity consumption tax; rate adjustments.

[H 2663]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-2900 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-2900. Imposition of tax.

A. Effective January 1, 2001, there is hereby imposed, in addition to the local consumer utility tax of Article 4 (§ 58.1-3812 et seq.) of Chapter 38 and subject to the adjustments authorized by subdivision A 5 and by § 58.1-2902, a tax on the consumers of electricity in the Commonwealth based on kilowatt hours delivered by the incumbent distribution utility and used per month as follows:

1. Each consumer of electricity in the Commonwealth shall pay electric utility consumption tax on all electricity consumed per month not in excess of 2,500 kWh at the rate of $0.001595 per kWh, as follows:

State consumption tax rate	Special regulatory tax rate	Local consumption tax rate
$0.00102/kWh	$0.000195/kWh	$0.00038/kWh

2. Each consumer of electricity in the Commonwealth shall pay electric utility consumption tax on all electricity consumed per month in excess of 2,500 kWh but not in excess of 50,000 kWh at the rate of ~~$0.00102~~ *$0.001085* per kWh, as follows:

State consumption tax rate	Special regulatory tax rate	Local consumption tax rate
$0.00065/kWh	~~$0.00013/kWh~~ *$0.000195/kWh*	$0.00024/kWh

3. Each consumer of electricity in the Commonwealth shall pay electric utility consumption tax on all electricity consumed per month in excess of 50,000 kWh at the rate of ~~$0.000771~~ *$0.000875* per kWh, as follows:

State consumption tax rate	Special regulatory tax rate	Local consumption tax rate
$0.00050/kWh	~~$0.000091/kWh~~ *$0.000195/kWh*	$0.00018/kWh

4. The tax rates set forth in subdivisions 1, 2, and 3 are in lieu of and replace the state gross receipts tax (§ 58.1-2626), the special regulatory revenue tax (§ 58.1-2660), and the local license tax (§ 58.1-3731) levied on corporations furnishing heat, light or power by means of electricity.

5. The tax on consumers under this section shall not be imposed on consumers served by an electric utility owned or operated by a municipality if such municipal electric utility elects to have an amount equivalent to the tax added on the bill such utility (or an association or agency of which it is a member) pays for bundled or unbundled transmission service as a separate item. Such amount, equivalent to the tax, shall be calculated under the tax rate schedule as if the municipal electric utility were selling and collecting the tax from its consumers, adjusted to exclude the amount which represents the local consumption tax if the locality in which a consumer is located does not impose a license fee rate pursuant to § 58.1-3731, and shall be remitted to the Commission pursuant to § 58.1-2901. Municipal electric utilities may bundle the tax in the rates charged to their retail customers. Notwithstanding anything contained herein to the contrary, the election permitted under this subdivision shall not be exercised by any municipal electric utility if the entity to whom the municipal electric utility (or an association or agency of which it is a member) pays for transmission service is not subject to the taxing jurisdiction of the Commonwealth, unless such entity agrees to remit to the Commonwealth all amounts equivalent to the tax pursuant to § 58.1-2901.

6. The tax on consumers set forth in subdivisions 1, 2, and 3 shall only be imposed in accordance with this subdivision on consumers of electricity purchased from a utility consumer services cooperative to the extent that such cooperative purchases, for the purpose of resale within the Commonwealth, electricity from a federal entity that made payments in accordance with federal law (i) in lieu of taxes during such taxable period to the Commonwealth and (ii) on the basis of such federal entity's gross proceeds resulting from the sale of such electricity. Such tax shall instead be calculated by deducting from each of the respective tax amounts calculated in accordance with subdivisions 1, 2, and 3 an amount equal to the calculated tax amount multiplied by the ratio of the total cost of power supplied by the federal entity, including facilities rental, during the taxable period to the utility consumer services cooperative's total operating revenue within the Commonwealth during the taxable period. The State Corporation Commission may audit the records and books of any utility consumer services cooperative that determines the tax on consumers in accordance with this subdivision to verify that the tax imposed has been correctly determined and properly remitted.

B. The tax authorized by this chapter shall not apply to municipalities' own use or to use by divisions or agencies of federal, state and local governments.

C. For purposes of this section, "kilowatt hours delivered" means in the case of eligible customer-generators, as defined in § 56-594, those kilowatt hours supplied from the electric grid to such customer-generators, minus the kilowatt hours generated and fed back to the electric grid by such customer-generators.

CHAPTER 712

An Act to direct certain electric utilities to petition the State Corporation Commission for approval to conduct a virtual power plant pilot program.

[S 1100]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That no later than December 1, 2025, each Phase II Utility shall petition the State Corporation Commission (the Commission) for approval to conduct a pilot program to evaluate methods to optimize demand through various technology applications including the establishment of virtual power plants. Such pilot program shall evaluate electric grid capacity needs and the ability of such virtual power plants to provide grid services, including peak-shaving, during times of peak electric demand. Such pilot program shall consist of aggregations of distributed energy resources totaling up to 450 megawatts for a Phase II Utility and shall include distributed energy resources located in multiple geographic regions*

of the Commonwealth. An electric utility may utilize any existing or proposed distributed energy programs as part of the pilot program and to further the development of virtual power plants in the Commonwealth. An electric utility that petitions the Commission for such pilot program shall demonstrate that the utility has evaluated funding opportunities from the U.S. Department of Energy. In furthering the goals of such pilot program, the electric utility shall (i) propose programs of at least 15 megawatts incentivizing residential customers to purchase battery storage devices and (ii) notwithstanding the provisions of § 56-585.1:13 of the Code of Virginia, propose a broader electric school bus program as part of a grid transformation filing no later than December 31, 2027, and the Commission may require competitive solicitation open to utility-owned and non-utility-owned resources. The electric utility shall not own the electric school buses as a part of its proposed program, but such electric utility may own the related storage batteries. The electric utility shall only use the bus storage batteries to access the stored electricity at times when the participating school system determines that the electric school buses are not needed to transport students.

In conducting such pilot program, the electric utility shall evaluate methods to holistically optimize demand, including: a stakeholder process to receive feedback on program design; a review of reasonable enrollment and performance incentives for participating customers; potential incentives for the purchase of a battery storage device, including increased incentives for customers in historically economically disadvantaged communities; operational parameters for grid services, including the annual maximum number of grid events, the maximum duration of such grid events, and conditions under which a participating customer may opt out of a grid event; reasonable mechanisms to disenroll customers for nonperformance; and preliminary development of a program tariff that is designed to (a) allow customers with technologies, including battery storage, non-battery storage, smart thermostat, or managed electric vehicle charging technologies, to enroll their eligible technologies in the pilot program; (b) provide a mechanism to incorporate existing programs, including smart thermostat demand response, electric vehicle charging programs, and battery storage programs, into such tariff; (c) specify compensable grid services for each eligible technology, including peak demand reduction, voltage support, and emergency services; and (d) specify pay-for-performance compensation mechanisms for such grid services.

No later than November 15, 2026, the electric utility shall petition the Commission for a program tariff or variations of a tariff structure through which residential and commercial and industrial customers may enroll, either directly or through an aggregator.

Each pilot program shall conclude its initial phase by July 1, 2028, at which time the Commission shall undertake a review of the data and results of the pilot programs and shall evaluate the effectiveness of the pilot programs in providing grid services during times of peak demand. In addition, the Commission shall consider lessons learned from the programs in relation to implementation of Federal Energy Regulatory Commission Order No. 2222 by PJM Interconnection and the complementary role of virtual power plants in the retail electricity market in the Commonwealth. As part of its evaluation, the Commission shall initiate a proceeding to establish a permanent program for the electric utility, which shall include procurement targets applicable to the electric utility for each such permanent program with corresponding performance metrics associated with either achievement of such targets or failure to achieve such targets.

As used in this act:

"Aggregator" means an individual or entity, other than the electric utility, that enrolls customers in the pilot program and coordinates the operation of enrolled energy resources. An aggregator shall not be considered an electric utility by virtue of participating in the pilot program but shall be given nondiscriminatory access to necessary customer and grid data from the utility to participate in the pilot program.

"Distributed energy resource" means a resource of up to five megawatts that is located on the customer's premises or is interconnected with the distribution system and produces or stores electricity or modifies the timing or amount of a customer's electricity consumption.

"Electric utility" means a Phase II Utility as defined in subdivision A 1 of § 56-585.1 of the Code of Virginia.

"Eligible technology" means a distributed energy resource that meets the requirements for participation in the pilot program and does not emit carbon dioxide as a byproduct of combusting fuel or manufacturing fuel for combustion to generate electricity.

"Grid event" means a grid condition for which the electric utility schedules or remotely dispatches enrolled devices to respond.

"Grid service" means a capacity, energy, or ancillary service that supports grid operations.

"Historically economically disadvantaged community" has the same meaning as provided in § 56-576 of the Code of Virginia.

"Virtual power plant" means an aggregation of distributed energy resources, enrolled either directly with an electric utility or indirectly through an aggregator, that are operated in coordination to provide one or more grid services.

CHAPTER 713

An Act to amend and reenact § 56-585.5 of the Code of Virginia, relating to electric utilities; generation of electricity from renewable and zero carbon sources; projects on or adjacent to public elementary or secondary schools.

[S 1192]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 56-585.5 of the Code of Virginia is amended and reenacted as follows:

§ 56-585.5. Generation of electricity from renewable and zero-carbon sources.

A. As used in this section:

"Accelerated renewable energy buyer" means a commercial or industrial customer of a Phase I or Phase II Utility, irrespective of generation supplier, with an aggregate load over 25 megawatts in the prior calendar year, that enters into arrangements pursuant to subsection G, as certified by the Commission.

"Aggregate load" means the combined electrical load associated with selected accounts of an accelerated renewable energy buyer with the same legal entity name as, or in the names of affiliated entities that control, are controlled by, or are under common control of, such legal entity or are the names of affiliated entities under a common parent.

"Control" has the same meaning as provided in § 56-585.1:11.

"Elementary or secondary" has the same meaning as provided in § 22.1-1.

"Falling water" means hydroelectric resources, including run-of-river generation from a combined pumped-storage and run-of-river facility. "Falling water" does not include electricity generated from pumped-storage facilities.

"Low-income qualifying projects" means a project that provides a minimum of 50 percent of the respective electric output to low-income utility customers as that term is defined in § 56-576.

"Phase I Utility" has the same meaning as provided in subdivision A 1 of § 56-585.1.

"Phase II Utility" has the same meaning as provided in subdivision A 1 of § 56-585.1.

"Previously developed project site" means any property, including related buffer areas, if any, that has been previously disturbed or developed for non-single-family residential, nonagricultural, or nonsilvicultural use, regardless of whether such property currently is being used for any purpose. "Previously developed project site" includes a brownfield as defined in § 10.1-1230 or any parcel that has been previously used (i) for a retail, commercial, or industrial purpose; (ii) as a parking lot; (iii) as the site of a parking lot canopy or structure; (iv) for mining, which is any lands affected by coal mining that took place before August 3, 1977, or any lands upon which extraction activities have been permitted by the Department of Energy under Title 45.2; (v) for quarrying; or (vi) as a landfill.

"Total electric energy" means total electric energy sold to retail customers in the Commonwealth service territory of a Phase I or Phase II Utility, other than accelerated renewable energy buyers, by the incumbent electric utility or other retail supplier of electric energy in the previous calendar year, excluding an amount equivalent to the annual percentages of the electric energy that was supplied to such customer from nuclear generating plants located within the Commonwealth in the previous calendar year, provided such nuclear units were operating by July 1, 2020, or from any zero-carbon electric generating facilities not otherwise RPS eligible sources and placed into service in the Commonwealth after July 1, 2030.

"Zero-carbon electricity" means electricity generated by any generating unit that does not emit carbon dioxide as a by-product of combusting fuel to generate electricity.

B. 1. By December 31, 2024, except for any coal-fired electric generating units (i) jointly owned with a cooperative utility or (ii) owned and operated by a Phase II Utility located in the coalfield region of the Commonwealth that co-fires with biomass, any Phase I and Phase II Utility shall retire all generating units principally fueled by oil with a rated capacity in excess of 500 megawatts and all coal-fired electric generating units operating in the Commonwealth.

2. By December 31, 2045, except for biomass-fired electric generating units that do not co-fire with coal, each Phase I and II Utility shall retire all other electric generating units located in the Commonwealth that emit carbon as a by-product of combusting fuel to generate electricity.

3. A Phase I or Phase II Utility may petition the Commission for relief from the requirements of this subsection on the basis that the requirement would threaten the reliability or security of electric service to customers. The Commission shall consider in-state and regional transmission entity resources and shall evaluate the reliability of each proposed retirement on a case-by-case basis in ruling upon any such petition.

C. Each Phase I and Phase II Utility shall participate in a renewable energy portfolio standard program (RPS Program) that establishes annual goals for the sale of renewable energy to all retail customers in the utility's service territory, other than accelerated renewable energy buyers pursuant to subsection G, regardless of whether such customers purchase electric supply service from the utility or from suppliers other than the utility. To comply with the RPS Program, each Phase I and Phase II Utility shall procure and retire Renewable Energy Certificates (RECs) originating from renewable energy standard eligible sources (RPS eligible sources). For purposes of complying with the RPS Program from 2021 to 2024, a Phase I and Phase II Utility may use RECs from any renewable energy facility, as defined in § 56-576, provided that such facilities are located in the Commonwealth or are physically located within the PJM Interconnection, LLC (PJM) region. However, at no time during this period or thereafter may any Phase I or Phase II Utility use RECs from (i) renewable thermal energy, (ii) renewable thermal energy equivalent, or (iii) biomass-fired facilities that are outside the Commonwealth. From compliance year 2025 and all years after, each Phase I and Phase II Utility may only use RECs from RPS eligible sources for compliance with the RPS Program.

In order to qualify as RPS eligible sources, such sources must be (a) electric-generating resources that generate electric energy derived from solar or wind located in the Commonwealth or off the Commonwealth's Atlantic shoreline or in federal waters and interconnected directly into the Commonwealth or physically located within the PJM region; (b) falling water resources located in the Commonwealth or physically located within the PJM region that were in operation as of January 1, 2020, that are owned by a Phase I or Phase II Utility or for which a Phase I or Phase II Utility has entered into a

contract prior to January 1, 2020, to purchase the energy, capacity, and renewable attributes of such falling water resources; (c) non-utility-owned resources from falling water that (1) are less than 65 megawatts, (2) began commercial operation after December 31, 1979, or (3) added incremental generation representing greater than 50 percent of the original nameplate capacity after December 31, 1979, provided that such resources are located in the Commonwealth or are physically located within the PJM region; (d) waste-to-energy or landfill gas-fired generating resources located in the Commonwealth and in operation as of January 1, 2020, provided that such resources do not use waste heat from fossil fuel combustion; (e) geothermal heating and cooling systems located in the Commonwealth; or (f) biomass-fired facilities in operation in the Commonwealth and in operation as of January 1, 2023, that (1) supply no more than 10 percent of their annual net electrical generation to the electric grid or no more than 15 percent of their annual total useful energy to any entity other than the manufacturing facility to which the generating source is interconnected and are fueled by forest-product manufacturing residuals, including pulping liquor, bark, paper recycling residuals, biowastes, or biomass, as described in subdivisions A 1, 2, and 4 of § 10.1-1308.1, provided that biomass as described in subdivision A 1 of § 10.1-1308.1 results from harvesting in accordance with best management practices for the sustainable harvesting of biomass developed and enforced by the State Forester pursuant to § 10.1-1105, or (2) are owned by a Phase I or Phase II Utility, have less than 52 megawatts capacity, and are fueled by forest-product manufacturing residuals, biowastes, or biomass, as described in subdivisions A 1, 2, and 4 of § 10.1-1308.1, provided that biomass as described in subdivision A 1 of § 10.1-1308.1 results from harvesting in accordance with best management practices for the sustainable harvesting of biomass developed and enforced by the State Forester pursuant to § 10.1-1105. Regardless of any future maintenance, expansion, or refurbishment activities, the total amount of RECs that may be sold by any RPS eligible source using biomass in any year shall be no more than the number of megawatt hours of electricity produced by that facility in 2022; however, in no year may any RPS eligible source using biomass sell RECs in excess of the actual megawatt-hours of electricity generated by such facility that year. In order to comply with the RPS Program, each Phase I and Phase II Utility may use and retire the environmental attributes associated with any existing owned or contracted solar, wind, falling water, or biomass electric generating resources in operation, or proposed for operation, in the Commonwealth or solar, wind, or falling water resources physically located within the PJM region, with such resource qualifying as a Commonwealth-located resource for purposes of this subsection, as of January 1, 2020, provided that such renewable attributes are verified as RECs consistent with the PJM-EIS Generation Attribute Tracking System.

1. The RPS Program requirements shall be a percentage of the total electric energy sold in the previous calendar year and shall be implemented in accordance with the following schedule:

Phase I Utilities		Phase II Utilities	
Year	RPS Program Requirement	Year	RPS Program Requirement
2021	6%	2021	14%
2022	7%	2022	17%
2023	8%	2023	20%
2024	10%	2024	23%
2025	14%	2025	26%
2026	17%	2026	29%
2027	20%	2027	32%
2028	24%	2028	35%
2029	27%	2029	38%
2030	30%	2030	41%
2031	33%	2031	45%
2032	36%	2032	49%
2033	39%	2033	52%
2034	42%	2034	55%
2035	45%	2035	59%
2036	53%	2036	63%
2037	53%	2037	67%
2038	57%	2038	71%
2039	61%	2039	75%
2040	65%	2040	79%

2041	68%	2041	83%
2042	71%	2042	87%
2043	74%	2043	91%
2044	77%	2044	95%
2045	80%	2045 and thereafter	100%
2046	84%		
2047	88%		
2048	92%		
2049	96%		
2050 and thereafter	100%		

2. A Phase II Utility shall meet one percent of the RPS Program requirements in any given compliance year with solar, wind, or anaerobic digestion resources of one megawatt or less located in the Commonwealth, with not more than 3,000 kilowatts at any single location or at contiguous locations owned by the same entity or affiliated entities and, to the extent that low-income qualifying projects are available, then no less than 25 percent of such one percent shall be composed of low-income qualifying projects. *To the extent that low-income qualifying projects are not available and projects located on or adjacent to public elementary or secondary schools are available, the remainder of no less than 25 percent of such one percent shall be composed of projects located on or adjacent to public elementary or secondary schools. A project located on or adjacent to a public elementary or secondary school shall have a contractual relationship with such school in order to qualify for the provisions of this section.*

3. Beginning with the 2025 compliance year and thereafter, at least 75 percent of all RECs used by a Phase II Utility in a compliance period shall come from RPS eligible resources located in the Commonwealth.

4. Any Phase I or Phase II Utility may apply renewable energy sales achieved or RECs acquired in excess of the sales requirement for that RPS Program to the sales requirements for RPS Program requirements in the year in which it was generated and the five calendar years after the renewable energy was generated or the RECs were created. To the extent that a Phase I or Phase II Utility procures RECs for RPS Program compliance from resources the utility does not own, the utility shall be entitled to recover the costs of such certificates at its election pursuant to § 56-249.6 or subdivision A 5 d of § 56-585.1.

5. Energy from a geothermal heating and cooling system is eligible for inclusion in meeting the requirements of the RPS Program. RECs from a geothermal heating and cooling system are created based on the amount of energy, converted from BTUs to kilowatt-hours, that is generated by a geothermal heating and cooling system for space heating and cooling or water heating. The Commission shall determine the form and manner in which such RECs are verified.

D. Each Phase I or Phase II Utility shall petition the Commission for necessary approvals to procure zero-carbon electricity generating capacity as set forth in this subsection and energy storage resources as set forth in subsection E. To the extent that a Phase I or Phase II Utility constructs or acquires new zero-carbon generating facilities or energy storage resources, the utility shall petition the Commission for the recovery of the costs of such facilities, at the utility's election, either through its rates for generation and distribution services or through a rate adjustment clause pursuant to subdivision A 6 of § 56-585.1. All costs not sought for recovery through a rate adjustment clause pursuant to subdivision A 6 of § 56-585.1 associated with generating facilities provided by sunlight or onshore or offshore wind are also eligible to be applied by the utility as a customer credit reinvestment offset as provided in subdivision A 8 of § 56-585.1. Costs associated with the purchase of energy, capacity, or environmental attributes from facilities owned by the persons other than the utility required by this subsection shall be recovered by the utility either through its rates for generation and distribution services or pursuant to § 56-249.6.

1. Each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of 600 megawatts of generating capacity using energy derived from sunlight or onshore wind.

a. By December 31, 2023, each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 200 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase I Utility.

b. By December 31, 2027, each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 200 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase I Utility.

c. By December 31, 2030, each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 200 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase I Utility.

d. Nothing in this subdivision 1 shall prohibit such Phase I Utility from constructing, acquiring, or entering into agreements to purchase the energy, capacity, and environmental attributes of more than 600 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, provided the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

2. By December 31, 2035, each Phase II Utility shall petition the Commission for necessary approvals to (i) construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of 16,100 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, which shall include 1,100 megawatts of solar generation of a nameplate capacity not to exceed three megawatts per individual project and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar facilities owned by persons other than a utility, including utility affiliates and deregulated affiliates and (ii) pursuant to § 56-585.1:11, construct or purchase one or more offshore wind generation facilities located off the Commonwealth's Atlantic shoreline or in federal waters and interconnected directly into the Commonwealth with an aggregate capacity of up to 5,200 megawatts. At least 200 megawatts of the 16,100 megawatts shall be placed on previously developed project sites.

a. By December 31, 2024, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 3,000 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

b. By December 31, 2027, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 3,000 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

c. By December 31, 2030, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 4,000 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

d. By December 31, 2035, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 6,100 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

e. Nothing in this subdivision 2 shall prohibit such Phase II Utility from constructing, acquiring, or entering into agreements to purchase the energy, capacity, and environmental attributes of more than 16,100 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, provided the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

3. Nothing in this section shall prohibit a utility from petitioning the Commission to construct or acquire zero-carbon electricity or from entering into contracts to procure the energy, capacity, and environmental attributes of zero-carbon electricity generating resources in excess of the requirements in subsection B. The Commission shall determine whether to approve such petitions on a stand-alone basis pursuant to §§ 56-580 and 56-585.1, provided that the Commission's review shall also consider whether the proposed generating capacity (i) is necessary to meet the utility's native load, (ii) is likely to lower customer fuel costs, (iii) will provide economic development opportunities in the Commonwealth, and (iv) serves a need that cannot be more affordably met with demand-side or energy storage resources.

Each Phase I and Phase II Utility shall, at least once every year, conduct a request for proposals for new solar and wind resources. Such requests shall quantify and describe the utility's need for energy, capacity, or renewable energy certificates. The requests for proposals shall be publicly announced and made available for public review on the utility's website at least 45 days prior to the closing of such request for proposals. The requests for proposals shall provide, at a minimum, the following information: (a) the size, type, and timing of resources for which the utility anticipates contracting; (b) any minimum thresholds that must be met by respondents; (c) major assumptions to be used by the utility in the bid evaluation

process, including environmental emission standards; (d) detailed instructions for preparing bids so that bids can be evaluated on a consistent basis; (e) the preferred general location of additional capacity; and (f) specific information concerning the factors involved in determining the price and non-price criteria used for selecting winning bids. A utility may evaluate responses to requests for proposals based on any criteria that it deems reasonable but shall at a minimum consider the following in its selection process: (1) the status of a particular project's development; (2) the age of existing generation facilities; (3) the demonstrated financial viability of a project and the developer; (4) a developer's prior experience in the field; (5) the location and effect on the transmission grid of a generation facility; (6) benefits to the Commonwealth that are associated with particular projects, including regional economic development and the use of goods and services from Virginia businesses; and (7) the environmental impacts of particular resources, including impacts on air quality within the Commonwealth and the carbon intensity of the utility's generation portfolio.

4. In connection with the requirements of this subsection, each Phase I and Phase II Utility shall, commencing in 2020 and concluding in 2035, submit annually a plan and petition for approval for the development of new solar and onshore wind generation capacity. Such plan shall reflect, in the aggregate and over its duration, the requirements of subsection D concerning the allocation percentages for construction or purchase of such capacity. Such petition shall contain any request for approval to construct such facilities pursuant to subsection D of § 56-580 and a request for approval or update of a rate adjustment clause pursuant to subdivision A 6 of § 56-585.1 to recover the costs of such facilities. Such plan shall also include the utility's plan to meet the energy storage project targets of subsection E, including the goal of installing at least 10 percent of such energy storage projects behind the meter. In determining whether to approve the utility's plan and any associated petition requests, the Commission shall determine whether they are reasonable and prudent and shall give due consideration to (i) the RPS and carbon dioxide reduction requirements in this section; (ii) the promotion of new renewable generation and energy storage resources within the Commonwealth, and associated economic development; and (iii) fuel savings projected to be achieved by the plan. Notwithstanding any other provision of this title, the Commission's final order regarding any such petition and associated requests shall be entered by the Commission not more than six months after the date of the filing of such petition.

5. If, in any year, a Phase I or Phase II Utility is unable to meet the compliance obligation of the RPS Program requirements or if the cost of RECs necessary to comply with RPS Program requirements exceeds $45 per megawatt hour, such supplier shall be obligated to make a deficiency payment equal to $45 for each megawatt-hour shortfall for the year of noncompliance, except that the deficiency payment for any shortfall in procuring RECs for solar, wind, or anaerobic digesters located in the Commonwealth shall be $75 per megawatts hour for resources one megawatt and lower. The amount of any deficiency payment shall increase by one percent annually after 2021. A Phase I or Phase II Utility shall be entitled to recover the costs of such payments as a cost of compliance with the requirements of this subsection pursuant to subdivision A 5 d of § 56-585.1. All proceeds from the deficiency payments shall be deposited into an interest-bearing account administered by the Department of Energy. In administering this account, the Department of Energy shall manage the account as follows: (i) 50 percent of total revenue shall be directed to job training programs in historically economically disadvantaged communities; (ii) 16 percent of total revenue shall be directed to energy efficiency measures for public facilities; (iii) 30 percent of total revenue shall be directed to renewable energy programs located in historically economically disadvantaged communities; and (iv) four percent of total revenue shall be directed to administrative costs.

For any project constructed pursuant to this subsection or subsection E, a utility shall, subject to a competitive procurement process, procure equipment from a Virginia-based or United States-based manufacturer using materials or product components made in Virginia or the United States, if reasonably available and competitively priced.

E. To enhance reliability and performance of the utility's generation and distribution system, each Phase I and Phase II Utility shall petition the Commission for necessary approvals to construct or acquire new, utility-owned energy storage resources.

1. By December 31, 2035, each Phase I Utility shall petition the Commission for necessary approvals to construct or acquire 400 megawatts of energy storage capacity. Nothing in this subdivision shall prohibit a Phase I Utility from constructing or acquiring more than 400 megawatts of energy storage, provided that the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

2. By December 31, 2035, each Phase II Utility shall petition the Commission for necessary approvals to construct or acquire 2,700 megawatts of energy storage capacity. Nothing in this subdivision shall prohibit a Phase II Utility from constructing or acquiring more than 2,700 megawatts of energy storage, provided that the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

3. No single energy storage project shall exceed 500 megawatts in size, except that a Phase II Utility may procure a single energy storage project up to 800 megawatts.

4. All energy storage projects procured pursuant to this subsection shall meet the competitive procurement protocols established in subdivision D 3.

5. After July 1, 2020, at least 35 percent of the energy storage facilities placed into service shall be (i) purchased by the public utility from a party other than the public utility or (ii) owned by a party other than a public utility, with the capacity from such facilities sold to the public utility. By January 1, 2021, the Commission shall adopt regulations to achieve the deployment of energy storage for the Commonwealth required in subdivisions 1 and 2, including regulations that set interim targets and update existing utility planning and procurement rules. The regulations shall include programs and mechanisms

to deploy energy storage, including competitive solicitations, behind-the-meter incentives, non-wires alternatives programs, and peak demand reduction programs.

F. All costs incurred by a Phase I or Phase II Utility related to compliance with the requirements of this section or pursuant to § 56-585.1:11, including (i) costs of generation facilities powered by sunlight or onshore or offshore wind, or energy storage facilities, that are constructed or acquired by a Phase I or Phase II Utility after July 1, 2020, (ii) costs of capacity, energy, or environmental attributes from generation facilities powered by sunlight or onshore or offshore wind, or falling water, or energy storage facilities purchased by the utility from persons other than the utility through agreements after July 1, 2020, and (iii) all other costs of compliance, including costs associated with the purchase of RECs associated with RPS Program requirements pursuant to this section shall be recovered from all retail customers in the service territory of a Phase I or Phase II Utility as a non-bypassable charge, irrespective of the generation supplier of such customer, except (a) as provided in subsection G for an accelerated renewable energy buyer or (b) as provided in subdivision C 3 of § 56-585.1:11, with respect to the costs of an offshore wind generation facility, for a PIPP eligible utility customer or an advanced clean energy buyer or qualifying large general service customer, as those terms are defined in § 56-585.1:11. If a Phase I or Phase II Utility serves customers in more than one jurisdiction, such utility shall recover all of the costs of compliance with the RPS Program requirements from its Virginia customers through the applicable cost recovery mechanism, and all associated energy, capacity, and environmental attributes shall be assigned to Virginia to the extent that such costs are requested but not recovered from any system customers outside the Commonwealth.

By September 1, 2020, the Commission shall direct the initiation of a proceeding for each Phase I and Phase II Utility to review and determine the amount of such costs, net of benefits, that should be allocated to retail customers within the utility's service territory which have elected to receive electric supply service from a supplier of electric energy other than the utility, and shall direct that tariff provisions be implemented to recover those costs from such customers beginning no later than January 1, 2021. Thereafter, such charges and tariff provisions shall be updated and trued up by the utility on an annual basis, subject to continuing review and approval by the Commission.

G. 1. An accelerated renewable energy buyer may contract with a Phase I or Phase II Utility, or a person other than a Phase I or Phase II Utility, to obtain (i) RECs from RPS eligible resources or (ii) bundled capacity, energy, and RECs from solar or wind generation resources located within the PJM region and initially placed in commercial operation after January 1, 2015, including any contract with a utility for such generation resources that does not allocate to or recover from any other customer of the utility the cost of such resources. Such an accelerated renewable energy buyer may offset all or a portion of its electric load for purposes of RPS compliance through such arrangements. An accelerated renewable energy buyer shall be exempt from the assignment of non-bypassable RPS compliance costs pursuant to subsection F, with the exception of the costs of an offshore wind generating facility pursuant to § 56-585.1:11, based on the amount of RECs obtained pursuant to this subsection in proportion to the customer's total electric energy consumption, on an annual basis. An accelerated renewable energy buyer obtaining RECs only shall not be exempt from costs related to procurement of new solar or onshore wind generation capacity, energy, or environmental attributes, or energy storage facilities, by the utility pursuant to subsections D and E, however, an accelerated renewable energy buyer that is a customer of a Phase II Utility and was subscribed, as of March 1, 2020, to a voluntary companion experimental tariff offering of the utility for the purchase of renewable attributes from renewable energy facilities that requires a renewable facilities agreement and the purchase of a minimum of 2,000 renewable attributes annually, shall be exempt from allocation of the net costs related to procurement of new solar or onshore wind generation capacity, energy, or environmental attributes, or energy storage facilities, by the utility pursuant to subsections D and E, based on the amount of RECs associated with the customer's renewable facilities agreements associated with such tariff offering as of that date in proportion to the customer's total electric energy consumption, on an annual basis. To the extent that an accelerated renewable energy buyer contracts for the capacity of new solar or wind generation resources pursuant to this subsection, the aggregate amount of such nameplate capacity shall be offset from the utility's procurement requirements pursuant to subsection D. All RECs associated with contracts entered into by an accelerated renewable energy buyer with the utility, or a person other than the utility, for an RPS Program shall not be credited to the utility's compliance with its RPS requirements, and the calculation of the utility's RPS Program requirements shall not include the electric load covered by customers certified as accelerated renewable energy buyers.

2. Each Phase I or Phase II Utility shall certify, and verify as necessary, to the Commission that the accelerated renewable energy buyer has satisfied the exemption requirements of this subsection for each year, or an accelerated renewable energy buyer may choose to certify satisfaction of this exemption by reporting to the Commission individually. The Commission may promulgate such rules and regulations as may be necessary to implement the provisions of this subsection.

3. Provided that no incremental costs associated with any contract between a Phase I or Phase II Utility and an accelerated renewable energy buyer is allocated to or recovered from any other customer of the utility, any such contract with an accelerated renewable energy buyer that is a jurisdictional customer of the utility shall not be deemed a special rate or contract requiring Commission approval pursuant to § 56-235.2.

H. No customer of a Phase II Utility with a peak demand in excess of 100 megawatts in 2019 that elected pursuant to subdivision A 3 of § 56-577 to purchase electric energy from a competitive service provider prior to April 1, 2019, shall be allocated any non-bypassable charges pursuant to subsection F for such period that the customer is not purchasing electric energy from the utility, and such customer's electric load shall not be included in the utility's RPS Program requirements. No customer of a Phase I Utility that elected pursuant to subdivision A 3 of § 56-577 to purchase electric energy from a

competitive service provider prior to February 1, 2019, shall be allocated any non-bypassable charges pursuant to subsection F for such period that the customer is not purchasing electric energy from the utility, and such customer's electric load shall not be included in the utility's RPS Program requirements.

I. In any petition by a Phase I or Phase II Utility for a certificate of public convenience and necessity to construct and operate an electrical generating facility that generates electric energy derived from sunlight submitted pursuant to § 56-580, such utility shall demonstrate that the proposed facility was subject to competitive procurement or solicitation as set forth in subdivision D 3.

J. Notwithstanding any contrary provision of law, for the purposes of this section, any falling water generation facility located in the Commonwealth and commencing commercial operations prior to July 1, 2024, shall be considered a renewable energy portfolio standard (RPS) eligible source.

K. Nothing in this section shall apply to any entity organized under Chapter 9.1 (§ 56-231.15 et seq.).

L. The Commission shall adopt such rules and regulations as may be necessary to implement the provisions of this section, including a requirement that participants verify whether the RPS Program requirements are met in accordance with this section.

CHAPTER 714

An Act to amend and reenact §§ 56-576 and 56-585.5 of the Code of Virginia, relating to renewable energy portfolio standard eligible sources; geothermal electric generating resources.

[S 1316]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 56-576 and 56-585.5 of the Code of Virginia are amended and reenacted as follows:

§ 56-576. Definitions.

As used in this chapter:

"Affiliate" means any person that controls, is controlled by, or is under common control with an electric utility.

"Aggregator" means a person that, as an agent or intermediary, (i) offers to purchase, or purchases, electric energy or (ii) offers to arrange for, or arranges for, the purchase of electric energy, for sale to, or on behalf of, two or more retail customers not controlled by or under common control with such person. The following activities shall not, in and of themselves, make a person an aggregator under this chapter: (i) furnishing legal services to two or more retail customers, suppliers or aggregators; (ii) furnishing educational, informational, or analytical services to two or more retail customers, unless direct or indirect compensation for such services is paid by an aggregator or supplier of electric energy; (iii) furnishing educational, informational, or analytical services to two or more suppliers or aggregators; (iv) providing default service under § 56-585; (v) engaging in activities of a retail electric energy supplier, licensed pursuant to § 56-587, which are authorized by such supplier's license; and (vi) engaging in actions of a retail customer, in common with one or more other such retail customers, to issue a request for proposal or to negotiate a purchase of electric energy for consumption by such retail customers.

"Business park" means a land development containing a minimum of 100 contiguous acres classified as a Tier 4 site under the Virginia Economic Development Partnership's Business Ready Sites Program that is developed and constructed by a locality, an industrial development authority, or a similar political subdivision of the Commonwealth created pursuant to § 15.2-4903 or other act of the General Assembly, in order to promote business development.

"Combined heat and power" means a method of using waste heat from electrical generation to offset traditional processes, space heating, air conditioning, or refrigeration.

"Commission" means the State Corporation Commission.

"Community in which a majority of the population are people of color" means a U.S. Census tract where more than 50 percent of the population comprises individuals who identify as belonging to one or more of the following groups: Black, African American, Asian, Pacific Islander, Native American, other non-white race, mixed race, Hispanic, Latino, or linguistically isolated.

"Cooperative" means a utility formed under or subject to Chapter 9.1 (§ 56-231.15 et seq.).

"Covered entity" means a provider in the Commonwealth of an electric service not subject to competition but does not include default service providers.

"Covered transaction" means an acquisition, merger, or consolidation of, or other transaction involving stock, securities, voting interests or assets by which one or more persons obtains control of a covered entity.

"Curtailment" means inducing retail customers to reduce load during times of peak demand so as to ease the burden on the electrical grid.

"Customer choice" means the opportunity for a retail customer in the Commonwealth to purchase electric energy from any supplier licensed and seeking to sell electric energy to that customer.

"Demand response" means measures aimed at shifting time of use of electricity from peak-use periods to times of lower demand by inducing retail customers to curtail electricity usage during periods of congestion and higher prices in the electrical grid.

"Distribute," "distributing," or "distribution of" electric energy means the transfer of electric energy through a retail distribution system to a retail customer.

"Distributor" means a person owning, controlling, or operating a retail distribution system to provide electric energy directly to retail customers.

"Electric distribution grid transformation project" means a project associated with electric distribution infrastructure, including related data analytics equipment, that is designed to accommodate or facilitate the integration of utility-owned or customer-owned renewable electric generation resources with the utility's electric distribution grid or to otherwise enhance electric distribution grid reliability, electric distribution grid security, customer service, or energy efficiency and conservation, including advanced metering infrastructure; intelligent grid devices for real time system and asset information; automated control systems for electric distribution circuits and substations; communications networks for service meters; intelligent grid devices and other distribution equipment; distribution system hardening projects for circuits, other than the conversion of overhead tap lines to underground service, and substations designed to reduce service outages or service restoration times; physical security measures at key distribution substations; cyber security measures; energy storage systems and microgrids that support circuit-level grid stability, power quality, reliability, or resiliency or provide temporary backup energy supply; electrical facilities and infrastructure necessary to support electric vehicle charging systems; LED street light conversions; and new customer information platforms designed to provide improved customer access, greater service options, and expanded access to energy usage information.

"Electric utility" means any person that generates, transmits, or distributes electric energy for use by retail customers in the Commonwealth, including any investor-owned electric utility, cooperative electric utility, or electric utility owned or operated by a municipality.

"Electrification" means measures that (i) electrify space heating, water heating, cooling, drying, cooking, industrial processes, and other building and industrial end uses that would otherwise be served by onsite, nonelectric fuels, provided that the electrification measures reduce site energy consumption; (ii) to the maximum extent practical, seek to combine with federally authorized customer rebates for heat pump technology; and (iii) for those measures that provide measurable and verifiable energy savings to low-income customers or elderly customers, to the maximum extent practical, seek to combine with either contemporaneously installed measures or previously installed measures that are or were provided under federally funded weatherization programs or state-provided, locality-provided, or utility-provided energy efficiency programs.

"Energy efficiency program" means a program that reduces the total amount of energy that is required for the same process or activity implemented after the expiration of capped rates but does not include electrification of any process or activity primarily fueled by natural gas. Energy efficiency programs include equipment, physical, or program change designed to produce measured and verified reductions in the amount of site energy required to perform the same function and produce the same or a similar outcome. Energy efficiency programs may include (i) electrification; (ii) programs that result in improvements in lighting design, heating, ventilation, and air conditioning systems, appliances, building envelopes, and industrial and commercial processes; (iii) measures, such as the installation of advanced meters, implemented or installed by utilities, that reduce fuel use or losses of electricity and otherwise improve internal operating efficiency in generation, transmission, and distribution systems; and (iv) customer engagement programs that result in measurable and verifiable energy savings that lead to efficient use patterns and practices. Energy efficiency programs include demand response, combined heat and power and waste heat recovery, curtailment, or other programs that are designed to reduce site energy consumption so long as they reduce the total amount of site energy that is required for the same process or activity. Utilities shall be authorized to install and operate such advanced metering technology and equipment on a customer's premises; however, nothing in this chapter establishes a requirement that an energy efficiency program be implemented on a customer's premises and be connected to a customer's wiring on the customer's side of the inter-connection without the customer's expressed consent. Electricity consumption increases that result from Commission-approved electrification measures shall not be considered as a reduction in energy savings under the energy savings requirements set forth in subsection B of § 56-596.2. Utilities may apply verified total site energy reductions that are attributable to Commission-approved electrification measures to the energy savings requirements set forth in subsection B of § 56-596.2, subject to a conversion of British thermal unit-based energy savings to an equivalent kilowatt-hour-based energy savings, which conversion shall be subject to Commission approval.

"Generate," "generating," or "generation of" electric energy means the production of electric energy.

"Generator" means a person owning, controlling, or operating a facility that produces electric energy for sale.

"Geothermal electric generating resource" means an electric generating unit that is powered by geothermal energy as defined in § 45.2-2000.

"Geothermal heating and cooling system" means a system that:

1. Exchanges thermal energy from groundwater or a shallow ground source to generate thermal energy through an electric geothermal heat pump or a system of electric geothermal heat pumps interconnected with any geothermal extraction facility that is (i) a closed loop or a series of closed loop systems in which fluid is permanently confined within a pipe or tubing and does not come in contact with the outside environment or (ii) an open loop system in which ground or surface water is circulated in an environmentally safe manner directly into the facility and returned to the same aquifer or surface water source;

2. Meets or exceeds the current federal Energy Star product specification standards;

3. Replaces or displaces less efficient space or water heating systems, regardless of fuel type;

4. Replaces or displaces less efficient space cooling systems that do not meet federal Energy Star product specification standards; and

5. Does not feed electricity back to the grid.

"Historically economically disadvantaged community" means (i) a community in which a majority of the population are people of color or (ii) a low-income geographic area.

"Incremental annual savings" means the total combined kilowatt-hour savings achieved by electric utility energy efficiency and demand response programs and measures in the program year in which they are installed.

"Incumbent electric utility" means each electric utility in the Commonwealth that, prior to July 1, 1999, supplied electric energy to retail customers located in an exclusive service territory established by the Commission.

"Independent system operator" means a person that may receive or has received, by transfer pursuant to this chapter, any ownership or control of, or any responsibility to operate, all or part of the transmission systems in the Commonwealth.

"In the public interest," for purposes of assessing energy efficiency programs prior to the 2029 program year, describes an energy efficiency program if the Commission determines that the net present value of the benefits exceeds the net present value of the costs as determined by not less than any three of the following four tests: (i) the Total Resource Cost Test; (ii) the Utility Cost Test (also referred to as the Program Administrator Test); (iii) the Participant Test; and (iv) the Ratepayer Impact Measure Test. Such determination shall include an analysis of all four tests, and a program or portfolio of programs shall be approved if the net present value of the benefits exceeds the net present value of the costs as determined by not less than any three of the four tests. For programs proposed for the 2029 program year and all subsequent years, the Commission shall establish targets pursuant to subdivision B 4 of § 56-596.2, and a program shall be approved if the Commission determines it is cost-effective pursuant to applicable Commission regulations and that the net present value of the benefits exceeds the net present value of the costs as determined by the Total Resource Cost Test. If the Commission determines that an energy efficiency program or portfolio of programs is not in the public interest, its final order shall include all work product and analysis conducted by the Commission's staff in relation to that program, including testimony relied upon by the Commission's staff, that has bearing upon the Commission's decision. If the Commission reduces the proposed budget for a program or portfolio of programs, its final order shall include an analysis of the impact such budget reduction has upon the cost-effectiveness of such program or portfolio of programs. An order by the Commission (a) finding that a program or portfolio of programs is not in the public interest or (b) reducing the proposed budget for any program or portfolio of programs shall adhere to existing protocols for extraordinarily sensitive information. In addition, an energy efficiency program may be deemed to be "in the public interest" if the program (1) provides measurable and verifiable energy savings to low-income customers or elderly customers or (2) is a pilot program of limited scope, cost, and duration, that is intended to determine whether a new or substantially revised program or technology would be cost-effective.

"Low-income geographic area" means any locality, or community within a locality, that has a median household income that is not greater than 80 percent of the local median household income, or any area in the Commonwealth designated as a qualified opportunity zone by the U.S. Secretary of the Treasury via his delegation of authority to the Internal Revenue Service.

"Low-income utility customer" means any person or household whose income is no more than 80 percent of the median income of the locality in which the customer resides. The median income of the locality is determined by the U.S. Department of Housing and Urban Development.

"Measured and verified" means a process determined pursuant to methods accepted for use by utilities and industries to measure, verify, and validate energy savings and peak demand savings. This may include the protocol established by the United States Department of Energy, Office of Federal Energy Management Programs, Measurement and Verification Guidance for Federal Energy Projects, measurement and verification standards developed by the American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE), or engineering-based estimates of energy and demand savings associated with specific energy efficiency measures, as determined by the Commission.

"Municipality" means a city, county, town, authority, or other political subdivision of the Commonwealth.

"New underground facilities" means facilities to provide underground distribution service. "New underground facilities" includes underground cables with voltages of 69 kilovolts or less, pad-mounted devices, connections at customer meters, and transition terminations from existing overhead distribution sources.

"Peak-shaving" means measures aimed solely at shifting time of use of electricity from peak-use periods to times of lower demand by inducing retail customers to curtail electricity usage during periods of congestion and higher prices in the electrical grid.

"Percentage of Income Payment Program (PIPP) eligible utility customer" means any person or household whose income does not exceed 150 percent of the federal poverty level.

"Person" means any individual, corporation, partnership, association, company, business, trust, joint venture, or other private legal entity, and the Commonwealth or any municipality.

"Previously developed project site" means any property, including related buffer areas, if any, that has been previously disturbed or developed for non-single-family residential, non-agricultural, or non-silvicultural use, regardless of whether such property currently is being used for any purpose.

"Previously developed project site" includes a brownfield as defined in § 10.1-1230 or any parcel that has been previously used (i) for a retail, commercial, or industrial purpose; (ii) as a parking lot; (iii) as the site of a parking lot canopy

or structure; (iv) for mining, which is any lands affected by coal mining that took place before August 3, 1977, or any lands upon which extraction activities have been permitted by the Department of Energy under Title 45.2; (v) for quarrying; or (vi) as a landfill.

"Qualified waste heat resource" means (i) exhaust heat or flared gas from an industrial process that does not have, as its primary purpose, the production of electricity and (ii) a pressure drop in any gas for an industrial or commercial process.

"Renewable energy" means energy derived from sunlight, wind, falling water, biomass, sustainable or otherwise, (the definitions of which shall be liberally construed), energy from waste, landfill gas, municipal solid waste, wave motion, tides, geothermal heating and cooling systems, and geothermal ~~power~~ *electric generating resources* and does not include energy derived from coal, oil, natural gas, or nuclear power. "Renewable energy" also includes the proportion of the thermal or electric energy from a facility that results from the co-firing of biomass. "Renewable energy" does not include waste heat from fossil-fired facilities or electricity generated from pumped storage but includes run-of-river generation from a combined pumped-storage and run-of-river facility.

"Renewable thermal energy" means the thermal energy output from (i) a renewable-fueled combined heat and power generation facility that is (a) constructed, or renovated and improved, after January 1, 2012, (b) located in the Commonwealth, and (c) utilized in industrial processes other than the combined heat and power generation facility or (ii) a solar energy system, certified to the OG-100 standard of the Solar Ratings and Certification Corporation or an equivalent certification body, that (a) is constructed, or renovated and improved, after January 1, 2013, (b) is located in the Commonwealth, and (c) heats water or air for residential, commercial, institutional, or industrial purposes.

"Renewable thermal energy equivalent" means the electrical equivalent in megawatt hours of renewable thermal energy calculated by dividing (i) the heat content, measured in British thermal units (BTUs), of the renewable thermal energy at the point of transfer to a residential, commercial, institutional, or industrial process by (ii) the standard conversion factor of 3.413 million BTUs per megawatt hour.

"Renovated and improved facility" means a facility the components of which have been upgraded to enhance its operating efficiency.

"Retail customer" means any person that purchases retail electric energy for its own consumption at one or more metering points or nonmetered points of delivery located in the Commonwealth.

"Retail electric energy" means electric energy sold for ultimate consumption to a retail customer.

"Revenue reductions related to energy efficiency programs" means reductions in the collection of total non-fuel revenues, previously authorized by the Commission to be recovered from customers by a utility, that occur due to measured and verified decreased consumption of electricity caused by energy efficiency programs approved by the Commission and implemented by the utility, less the amount by which such non-fuel reductions in total revenues have been mitigated through other program-related factors, including reductions in variable operating expenses.

"Rooftop solar installation" means a distributed electric generation facility, storage facility, or generation and storage facility utilizing energy derived from sunlight, with a rated capacity of not less than 50 kilowatts, that is installed on the roof structure of an incumbent electric utility's commercial or industrial class customer, including host sites on commercial buildings, multifamily residential buildings, school or university buildings, and buildings of a church or religious body.

"Solar energy system" means a system of components that produces heat or electricity, or both, from sunlight.

"Supplier" means any generator, distributor, aggregator, broker, marketer, or other person who offers to sell or sells electric energy to retail customers and is licensed by the Commission to do so, but it does not mean a generator that produces electric energy exclusively for its own consumption or the consumption of an affiliate.

"Supply" or "supplying" electric energy means the sale of or the offer to sell electric energy to a retail customer.

"Total annual energy savings" means (i) the total combined kilowatt-hour savings achieved by electric utility energy efficiency and demand response programs and measures installed in that program year, as well as savings still being achieved by measures and programs implemented in prior years, or (ii) savings attributable to newly installed combined heat and power facilities, including waste heat-to-power facilities, and any associated reduction in transmission line losses, provided that biomass is not a fuel and the total efficiency, including the use of thermal energy, for eligible combined heat and power facilitates must meet or exceed 65 percent and have a nameplate capacity rating of less than 25 megawatts.

"Transmission of," "transmit," or "transmitting" electric energy means the transfer of electric energy through the Commonwealth's interconnected transmission grid from a generator to either a distributor or a retail customer.

"Transmission system" means those facilities and equipment that are required to provide for the transmission of electric energy.

"Waste heat to power" means a system that generates electricity through the recovery of a qualified waste heat resource.

§ 56-585.5. Generation of electricity from renewable and zero-carbon sources.

A. As used in this section:

"Accelerated renewable energy buyer" means a commercial or industrial customer of a Phase I or Phase II Utility, irrespective of generation supplier, with an aggregate load over 25 megawatts in the prior calendar year, that enters into arrangements pursuant to subsection G, as certified by the Commission.

"Aggregate load" means the combined electrical load associated with selected accounts of an accelerated renewable energy buyer with the same legal entity name as, or in the names of affiliated entities that control, are controlled by, or are under common control of, such legal entity or are the names of affiliated entities under a common parent.

"Control" has the same meaning as provided in § 56-585.1:11.

"Falling water" means hydroelectric resources, including run-of-river generation from a combined pumped-storage and run-of-river facility. "Falling water" does not include electricity generated from pumped-storage facilities.

"Low-income qualifying projects" means a project that provides a minimum of 50 percent of the respective electric output to low-income utility customers as that term is defined in § 56-576.

"Phase I Utility" has the same meaning as provided in subdivision A 1 of § 56-585.1.

"Phase II Utility" has the same meaning as provided in subdivision A 1 of § 56-585.1.

"Previously developed project site" means any property, including related buffer areas, if any, that has been previously disturbed or developed for non-single-family residential, nonagricultural, or nonsilvicultural use, regardless of whether such property currently is being used for any purpose. "Previously developed project site" includes a brownfield as defined in § 10.1-1230 or any parcel that has been previously used (i) for a retail, commercial, or industrial purpose; (ii) as a parking lot; (iii) as the site of a parking lot canopy or structure; (iv) for mining, which is any lands affected by coal mining that took place before August 3, 1977, or any lands upon which extraction activities have been permitted by the Department of Energy under Title 45.2; (v) for quarrying; or (vi) as a landfill.

"Total electric energy" means total electric energy sold to retail customers in the Commonwealth service territory of a Phase I or Phase II Utility, other than accelerated renewable energy buyers, by the incumbent electric utility or other retail supplier of electric energy in the previous calendar year, excluding an amount equivalent to the annual percentages of the electric energy that was supplied to such customer from nuclear generating plants located within the Commonwealth in the previous calendar year, provided such nuclear units were operating by July 1, 2020, or from any zero-carbon electric generating facilities not otherwise RPS eligible sources and placed into service in the Commonwealth after July 1, 2030.

"Zero-carbon electricity" means electricity generated by any generating unit that does not emit carbon dioxide as a by-product of combusting fuel to generate electricity.

B. 1. By December 31, 2024, except for any coal-fired electric generating units (i) jointly owned with a cooperative utility or (ii) owned and operated by a Phase II Utility located in the coalfield region of the Commonwealth that co-fires with biomass, any Phase I and Phase II Utility shall retire all generating units principally fueled by oil with a rated capacity in excess of 500 megawatts and all coal-fired electric generating units operating in the Commonwealth.

2. By December 31, 2045, except for biomass-fired electric generating units that do not co-fire with coal, each Phase I and II Utility shall retire all other electric generating units located in the Commonwealth that emit carbon as a by-product of combusting fuel to generate electricity.

3. A Phase I or Phase II Utility may petition the Commission for relief from the requirements of this subsection on the basis that the requirement would threaten the reliability or security of electric service to customers. The Commission shall consider in-state and regional transmission entity resources and shall evaluate the reliability of each proposed retirement on a case-by-case basis in ruling upon any such petition.

C. Each Phase I and Phase II Utility shall participate in a renewable energy portfolio standard program (RPS Program) that establishes annual goals for the sale of renewable energy to all retail customers in the utility's service territory, other than accelerated renewable energy buyers pursuant to subsection G, regardless of whether such customers purchase electric supply service from the utility or from suppliers other than the utility. To comply with the RPS Program, each Phase I and Phase II Utility shall procure and retire Renewable Energy Certificates (RECs) originating from renewable energy standard eligible sources (RPS eligible sources). For purposes of complying with the RPS Program from 2021 to 2024, a Phase I and Phase II Utility may use RECs from any renewable energy facility, as defined in § 56-576, provided that such facilities are located in the Commonwealth or are physically located within the PJM Interconnection, LLC (PJM) region. However, at no time during this period or thereafter may any Phase I or Phase II Utility use RECs from (i) renewable thermal energy, (ii) renewable thermal energy equivalent, or (iii) biomass-fired facilities that are outside the Commonwealth. From compliance year 2025 and all years after, each Phase I and Phase II Utility may only use RECs from RPS eligible sources for compliance with the RPS Program.

In order to qualify as RPS eligible sources, such sources must be (a) electric-generating resources that generate electric energy derived from solar or wind located in the Commonwealth or off the Commonwealth's Atlantic shoreline or in federal waters and interconnected directly into the Commonwealth or physically located within the PJM region; (b) falling water resources located in the Commonwealth or physically located within the PJM region that were in operation as of January 1, 2020, that are owned by a Phase I or Phase II Utility or for which a Phase I or Phase II Utility has entered into a contract prior to January 1, 2020, to purchase the energy, capacity, and renewable attributes of such falling water resources; (c) non-utility-owned resources from falling water that (1) are less than 65 megawatts, (2) began commercial operation after December 31, 1979, or (3) added incremental generation representing greater than 50 percent of the original nameplate capacity after December 31, 1979, provided that such resources are located in the Commonwealth or are physically located within the PJM region; (d) waste-to-energy or landfill gas-fired generating resources located in the Commonwealth and in operation as of January 1, 2020, provided that such resources do not use waste heat from fossil fuel combustion; (e) geothermal heating and cooling systems located in the Commonwealth; *(f) geothermal electric generating resources located in the Commonwealth or physically located within the PJM region;* or ~~(f)~~ *(g)* biomass-fired facilities in operation in the Commonwealth and in operation as of January 1, 2023, that (1) supply no more than 10 percent of their annual net electrical generation to the electric grid or no more than 15 percent of their annual total useful energy to any entity other than the manufacturing facility to which the generating source is interconnected and are fueled by forest-product

manufacturing residuals, including pulping liquor, bark, paper recycling residuals, biowastes, or biomass, as described in subdivisions A 1, 2, and 4 of § 10.1-1308.1, provided that biomass as described in subdivision A 1 of § 10.1-1308.1 results from harvesting in accordance with best management practices for the sustainable harvesting of biomass developed and enforced by the State Forester pursuant to § 10.1-1105, or (2) are owned by a Phase I or Phase II Utility, have less than 52 megawatts capacity, and are fueled by forest-product manufacturing residuals, biowastes, or biomass, as described in subdivisions A 1, 2, and 4 of § 10.1-1308.1, provided that biomass as described in subdivision A 1 of § 10.1-1308.1 results from harvesting in accordance with best management practices for the sustainable harvesting of biomass developed and enforced by the State Forester pursuant to § 10.1-1105. Regardless of any future maintenance, expansion, or refurbishment activities, the total amount of RECs that may be sold by any RPS eligible source using biomass in any year shall be no more than the number of megawatt hours of electricity produced by that facility in 2022; however, in no year may any RPS eligible source using biomass sell RECs in excess of the actual megawatt-hours of electricity generated by such facility that year. In order to comply with the RPS Program, each Phase I and Phase II Utility may use and retire the environmental attributes associated with any existing owned or contracted solar, wind, falling water, or biomass electric generating resources in operation, or proposed for operation, in the Commonwealth or solar, wind, or falling water resources physically located within the PJM region, with such resource qualifying as a Commonwealth-located resource for purposes of this subsection, as of January 1, 2020, provided that such renewable attributes are verified as RECs consistent with the PJM-EIS Generation Attribute Tracking System.

1. The RPS Program requirements shall be a percentage of the total electric energy sold in the previous calendar year and shall be implemented in accordance with the following schedule:

Phase I Utilities		Phase II Utilities	
Year	RPS Program Requirement	Year	RPS Program Requirement
2021	6%	2021	14%
2022	7%	2022	17%
2023	8%	2023	20%
2024	10%	2024	23%
2025	14%	2025	26%
2026	17%	2026	29%
2027	20%	2027	32%
2028	24%	2028	35%
2029	27%	2029	38%
2030	30%	2030	41%
2031	33%	2031	45%
2032	36%	2032	49%
2033	39%	2033	52%
2034	42%	2034	55%
2035	45%	2035	59%
2036	53%	2036	63%
2037	53%	2037	67%
2038	57%	2038	71%
2039	61%	2039	75%
2040	65%	2040	79%
2041	68%	2041	83%
2042	71%	2042	87%
2043	74%	2043	91%
2044	77%	2044	95%
2045	80%	2045 and thereafter	100%
2046	84%		
2047	88%		
2048	92%		

2049	96%
2050 and thereafter	100%

2. A Phase II Utility shall meet one percent of the RPS Program requirements in any given compliance year with solar, wind, or anaerobic digestion resources of one megawatt or less located in the Commonwealth, with not more than 3,000 kilowatts at any single location or at contiguous locations owned by the same entity or affiliated entities and, to the extent that low-income qualifying projects are available, then no less than 25 percent of such one percent shall be composed of low-income qualifying projects.

3. Beginning with the 2025 compliance year and thereafter, at least 75 percent of all RECs used by a Phase II Utility in a compliance period shall come from RPS eligible resources located in the Commonwealth.

4. Any Phase I or Phase II Utility may apply renewable energy sales achieved or RECs acquired in excess of the sales requirement for that RPS Program to the sales requirements for RPS Program requirements in the year in which it was generated and the five calendar years after the renewable energy was generated or the RECs were created. To the extent that a Phase I or Phase II Utility procures RECs for RPS Program compliance from resources the utility does not own, the utility shall be entitled to recover the costs of such certificates at its election pursuant to § 56-249.6 or subdivision A 5 d of § 56-585.1.

5. Energy from a geothermal heating and cooling system is eligible for inclusion in meeting the requirements of the RPS Program. RECs from a geothermal heating and cooling system are created based on the amount of energy, converted from BTUs to kilowatt-hours, that is generated by a geothermal heating and cooling system for space heating and cooling or water heating. The Commission shall determine the form and manner in which such RECs are verified.

D. Each Phase I or Phase II Utility shall petition the Commission for necessary approvals to procure zero-carbon electricity generating capacity as set forth in this subsection and energy storage resources as set forth in subsection E. To the extent that a Phase I or Phase II Utility constructs or acquires new zero-carbon generating facilities or energy storage resources, the utility shall petition the Commission for the recovery of the costs of such facilities, at the utility's election, either through its rates for generation and distribution services or through a rate adjustment clause pursuant to subdivision A 6 of § 56-585.1. All costs not sought for recovery through a rate adjustment clause pursuant to subdivision A 6 of § 56-585.1 associated with generating facilities provided by sunlight or onshore or offshore wind are also eligible to be applied by the utility as a customer credit reinvestment offset as provided in subdivision A 8 of § 56-585.1. Costs associated with the purchase of energy, capacity, or environmental attributes from facilities owned by the persons other than the utility required by this subsection shall be recovered by the utility either through its rates for generation and distribution services or pursuant to § 56-249.6.

1. Each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of 600 megawatts of generating capacity using energy derived from sunlight or onshore wind.

a. By December 31, 2023, each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 200 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase I Utility.

b. By December 31, 2027, each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 200 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase I Utility.

c. By December 31, 2030, each Phase I Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 200 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase I Utility.

d. Nothing in this subdivision 1 shall prohibit such Phase I Utility from constructing, acquiring, or entering into agreements to purchase the energy, capacity, and environmental attributes of more than 600 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, provided the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

2. By December 31, 2035, each Phase II Utility shall petition the Commission for necessary approvals to (i) construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of 16,100 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, which shall include 1,100 megawatts of solar generation of a nameplate capacity not to exceed three megawatts per individual project and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes

from solar facilities owned by persons other than a utility, including utility affiliates and deregulated affiliates and (ii) pursuant to § 56-585.1:11, construct or purchase one or more offshore wind generation facilities located off the Commonwealth's Atlantic shoreline or in federal waters and interconnected directly into the Commonwealth with an aggregate capacity of up to 5,200 megawatts. At least 200 megawatts of the 16,100 megawatts shall be placed on previously developed project sites.

a. By December 31, 2024, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 3,000 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

b. By December 31, 2027, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 3,000 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

c. By December 31, 2030, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 4,000 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

d. By December 31, 2035, each Phase II Utility shall petition the Commission for necessary approvals to construct, acquire, or enter into agreements to purchase the energy, capacity, and environmental attributes of at least 6,100 megawatts of additional generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, and 35 percent of such generating capacity procured shall be from the purchase of energy, capacity, and environmental attributes from solar or onshore wind facilities owned by persons other than the utility, with the remainder, in the aggregate, being from construction or acquisition by such Phase II Utility.

e. Nothing in this subdivision 2 shall prohibit such Phase II Utility from constructing, acquiring, or entering into agreements to purchase the energy, capacity, and environmental attributes of more than 16,100 megawatts of generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind, provided the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

3. Nothing in this section shall prohibit a utility from petitioning the Commission to construct or acquire zero-carbon electricity or from entering into contracts to procure the energy, capacity, and environmental attributes of zero-carbon electricity generating resources in excess of the requirements in subsection B. The Commission shall determine whether to approve such petitions on a stand-alone basis pursuant to §§ 56-580 and 56-585.1, provided that the Commission's review shall also consider whether the proposed generating capacity (i) is necessary to meet the utility's native load, (ii) is likely to lower customer fuel costs, (iii) will provide economic development opportunities in the Commonwealth, and (iv) serves a need that cannot be more affordably met with demand-side or energy storage resources.

Each Phase I and Phase II Utility shall, at least once every year, conduct a request for proposals for new solar and wind resources. Such requests shall quantify and describe the utility's need for energy, capacity, or renewable energy certificates. The requests for proposals shall be publicly announced and made available for public review on the utility's website at least 45 days prior to the closing of such request for proposals. The requests for proposals shall provide, at a minimum, the following information: (a) the size, type, and timing of resources for which the utility anticipates contracting; (b) any minimum thresholds that must be met by respondents; (c) major assumptions to be used by the utility in the bid evaluation process, including environmental emission standards; (d) detailed instructions for preparing bids so that bids can be evaluated on a consistent basis; (e) the preferred general location of additional capacity; and (f) specific information concerning the factors involved in determining the price and non-price criteria used for selecting winning bids. A utility may evaluate responses to requests for proposals based on any criteria that it deems reasonable but shall at a minimum consider the following in its selection process: (1) the status of a particular project's development; (2) the age of existing generation facilities; (3) the demonstrated financial viability of a project and the developer; (4) a developer's prior experience in the field; (5) the location and effect on the transmission grid of a generation facility; (6) benefits to the Commonwealth that are associated with particular projects, including regional economic development and the use of goods and services from Virginia businesses; and (7) the environmental impacts of particular resources, including impacts on air quality within the Commonwealth and the carbon intensity of the utility's generation portfolio.

4. In connection with the requirements of this subsection, each Phase I and Phase II Utility shall, commencing in 2020 and concluding in 2035, submit annually a plan and petition for approval for the development of new solar and onshore wind generation capacity. Such plan shall reflect, in the aggregate and over its duration, the requirements of subsection D concerning the allocation percentages for construction or purchase of such capacity. Such petition shall contain any request for approval to construct such facilities pursuant to subsection D of § 56-580 and a request for approval or update of a rate

adjustment clause pursuant to subdivision A 6 of § 56-585.1 to recover the costs of such facilities. Such plan shall also include the utility's plan to meet the energy storage project targets of subsection E, including the goal of installing at least 10 percent of such energy storage projects behind the meter. In determining whether to approve the utility's plan and any associated petition requests, the Commission shall determine whether they are reasonable and prudent and shall give due consideration to (i) the RPS and carbon dioxide reduction requirements in this section; (ii) the promotion of new renewable generation and energy storage resources within the Commonwealth, and associated economic development; and (iii) fuel savings projected to be achieved by the plan. Notwithstanding any other provision of this title, the Commission's final order regarding any such petition and associated requests shall be entered by the Commission not more than six months after the date of the filing of such petition.

5. If, in any year, a Phase I or Phase II Utility is unable to meet the compliance obligation of the RPS Program requirements or if the cost of RECs necessary to comply with RPS Program requirements exceeds $45 per megawatt hour, such supplier shall be obligated to make a deficiency payment equal to $45 for each megawatt-hour shortfall for the year of noncompliance, except that the deficiency payment for any shortfall in procuring RECs for solar, wind, or anaerobic digesters located in the Commonwealth shall be $75 per megawatts hour for resources one megawatt and lower. The amount of any deficiency payment shall increase by one percent annually after 2021. A Phase I or Phase II Utility shall be entitled to recover the costs of such payments as a cost of compliance with the requirements of this subsection pursuant to subdivision A 5 d of § 56-585.1. All proceeds from the deficiency payments shall be deposited into an interest-bearing account administered by the Department of Energy. In administering this account, the Department of Energy shall manage the account as follows: (i) 50 percent of total revenue shall be directed to job training programs in historically economically disadvantaged communities; (ii) 16 percent of total revenue shall be directed to energy efficiency measures for public facilities; (iii) 30 percent of total revenue shall be directed to renewable energy programs located in historically economically disadvantaged communities; and (iv) four percent of total revenue shall be directed to administrative costs.

For any project constructed pursuant to this subsection or subsection E, a utility shall, subject to a competitive procurement process, procure equipment from a Virginia-based or United States-based manufacturer using materials or product components made in Virginia or the United States, if reasonably available and competitively priced.

E. To enhance reliability and performance of the utility's generation and distribution system, each Phase I and Phase II Utility shall petition the Commission for necessary approvals to construct or acquire new, utility-owned energy storage resources.

1. By December 31, 2035, each Phase I Utility shall petition the Commission for necessary approvals to construct or acquire 400 megawatts of energy storage capacity. Nothing in this subdivision shall prohibit a Phase I Utility from constructing or acquiring more than 400 megawatts of energy storage, provided that the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

2. By December 31, 2035, each Phase II Utility shall petition the Commission for necessary approvals to construct or acquire 2,700 megawatts of energy storage capacity. Nothing in this subdivision shall prohibit a Phase II Utility from constructing or acquiring more than 2,700 megawatts of energy storage, provided that the utility receives approval from the Commission pursuant to §§ 56-580 and 56-585.1.

3. No single energy storage project shall exceed 500 megawatts in size, except that a Phase II Utility may procure a single energy storage project up to 800 megawatts.

4. All energy storage projects procured pursuant to this subsection shall meet the competitive procurement protocols established in subdivision D 3.

5. After July 1, 2020, at least 35 percent of the energy storage facilities placed into service shall be (i) purchased by the public utility from a party other than the public utility or (ii) owned by a party other than a public utility, with the capacity from such facilities sold to the public utility. By January 1, 2021, the Commission shall adopt regulations to achieve the deployment of energy storage for the Commonwealth required in subdivisions 1 and 2, including regulations that set interim targets and update existing utility planning and procurement rules. The regulations shall include programs and mechanisms to deploy energy storage, including competitive solicitations, behind-the-meter incentives, non-wires alternatives programs, and peak demand reduction programs.

F. All costs incurred by a Phase I or Phase II Utility related to compliance with the requirements of this section or pursuant to § 56-585.1:11, including (i) costs of generation facilities powered by sunlight or onshore or offshore wind, or energy storage facilities, that are constructed or acquired by a Phase I or Phase II Utility after July 1, 2020, (ii) costs of capacity, energy, or environmental attributes from generation facilities powered by sunlight or onshore or offshore wind, or falling water, or energy storage facilities purchased by the utility from persons other than the utility through agreements after July 1, 2020, and (iii) all other costs of compliance, including costs associated with the purchase of RECs associated with RPS Program requirements pursuant to this section shall be recovered from all retail customers in the service territory of a Phase I or Phase II Utility as a non-bypassable charge, irrespective of the generation supplier of such customer, except (a) as provided in subsection G for an accelerated renewable energy buyer or (b) as provided in subdivision C 3 of § 56-585.1:11, with respect to the costs of an offshore wind generation facility, for a PIPP eligible utility customer or an advanced clean energy buyer or qualifying large general service customer, as those terms are defined in § 56-585.1:11. If a Phase I or Phase II Utility serves customers in more than one jurisdiction, such utility shall recover all of the costs of compliance with the RPS Program requirements from its Virginia customers through the applicable cost recovery

mechanism, and all associated energy, capacity, and environmental attributes shall be assigned to Virginia to the extent that such costs are requested but not recovered from any system customers outside the Commonwealth.

By September 1, 2020, the Commission shall direct the initiation of a proceeding for each Phase I and Phase II Utility to review and determine the amount of such costs, net of benefits, that should be allocated to retail customers within the utility's service territory which have elected to receive electric supply service from a supplier of electric energy other than the utility, and shall direct that tariff provisions be implemented to recover those costs from such customers beginning no later than January 1, 2021. Thereafter, such charges and tariff provisions shall be updated and trued up by the utility on an annual basis, subject to continuing review and approval by the Commission.

G. 1. An accelerated renewable energy buyer may contract with a Phase I or Phase II Utility, or a person other than a Phase I or Phase II Utility, to obtain (i) RECs from RPS eligible resources or (ii) bundled capacity, energy, and RECs from solar or wind generation resources located within the PJM region and initially placed in commercial operation after January 1, 2015, including any contract with a utility for such generation resources that does not allocate to or recover from any other customer of the utility the cost of such resources. Such an accelerated renewable energy buyer may offset all or a portion of its electric load for purposes of RPS compliance through such arrangements. An accelerated renewable energy buyer shall be exempt from the assignment of non-bypassable RPS compliance costs pursuant to subsection F, with the exception of the costs of an offshore wind generating facility pursuant to § 56-585.1:11, based on the amount of RECs obtained pursuant to this subsection in proportion to the customer's total electric energy consumption, on an annual basis. An accelerated renewable energy buyer obtaining RECs only shall not be exempt from costs related to procurement of new solar or onshore wind generation capacity, energy, or environmental attributes, or energy storage facilities, by the utility pursuant to subsections D and E, however, an accelerated renewable energy buyer that is a customer of a Phase II Utility and was subscribed, as of March 1, 2020, to a voluntary companion experimental tariff offering of the utility for the purchase of renewable attributes from renewable energy facilities that requires a renewable facilities agreement and the purchase of a minimum of 2,000 renewable attributes annually, shall be exempt from allocation of the net costs related to procurement of new solar or onshore wind generation capacity, energy, or environmental attributes, or energy storage facilities, by the utility pursuant to subsections D and E, based on the amount of RECs associated with the customer's renewable facilities agreements associated with such tariff offering as of that date in proportion to the customer's total electric energy consumption, on an annual basis. To the extent that an accelerated renewable energy buyer contracts for the capacity of new solar or wind generation resources pursuant to this subsection, the aggregate amount of such nameplate capacity shall be offset from the utility's procurement requirements pursuant to subsection D. All RECs associated with contracts entered into by an accelerated renewable energy buyer with the utility, or a person other than the utility, for an RPS Program shall not be credited to the utility's compliance with its RPS requirements, and the calculation of the utility's RPS Program requirements shall not include the electric load covered by customers certified as accelerated renewable energy buyers.

2. Each Phase I or Phase II Utility shall certify, and verify as necessary, to the Commission that the accelerated renewable energy buyer has satisfied the exemption requirements of this subsection for each year, or an accelerated renewable energy buyer may choose to certify satisfaction of this exemption by reporting to the Commission individually. The Commission may promulgate such rules and regulations as may be necessary to implement the provisions of this subsection.

3. Provided that no incremental costs associated with any contract between a Phase I or Phase II Utility and an accelerated renewable energy buyer is allocated to or recovered from any other customer of the utility, any such contract with an accelerated renewable energy buyer that is a jurisdictional customer of the utility shall not be deemed a special rate or contract requiring Commission approval pursuant to § 56-235.2.

H. No customer of a Phase II Utility with a peak demand in excess of 100 megawatts in 2019 that elected pursuant to subdivision A 3 of § 56-577 to purchase electric energy from a competitive service provider prior to April 1, 2019, shall be allocated any non-bypassable charges pursuant to subsection F for such period that the customer is not purchasing electric energy from the utility, and such customer's electric load shall not be included in the utility's RPS Program requirements. No customer of a Phase I Utility that elected pursuant to subdivision A 3 of § 56-577 to purchase electric energy from a competitive service provider prior to February 1, 2019, shall be allocated any non-bypassable charges pursuant to subsection F for such period that the customer is not purchasing electric energy from the utility, and such customer's electric load shall not be included in the utility's RPS Program requirements.

I. In any petition by a Phase I or Phase II Utility for a certificate of public convenience and necessity to construct and operate an electrical generating facility that generates electric energy derived from sunlight submitted pursuant to § 56-580, such utility shall demonstrate that the proposed facility was subject to competitive procurement or solicitation as set forth in subdivision D 3.

J. Notwithstanding any contrary provision of law, for the purposes of this section, any falling water generation facility located in the Commonwealth and commencing commercial operations prior to July 1, 2024, shall be considered a renewable energy portfolio standard (RPS) eligible source.

K. Nothing in this section shall apply to any entity organized under Chapter 9.1 (§ 56-231.15 et seq.).

L. The Commission shall adopt such rules and regulations as may be necessary to implement the provisions of this section, including a requirement that participants verify whether the RPS Program requirements are met in accordance with this section.

CHAPTER 715

An Act to amend and reenact § 58.1-2900 of the Code of Virginia, relating to electricity consumption tax; rate adjustments.

[S 1336]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-2900 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-2900. Imposition of tax.

A. Effective January 1, 2001, there is hereby imposed, in addition to the local consumer utility tax of Article 4 (§ 58.1-3812 et seq.) of Chapter 38 and subject to the adjustments authorized by subdivision A 5 and by § 58.1-2902, a tax on the consumers of electricity in the Commonwealth based on kilowatt hours delivered by the incumbent distribution utility and used per month as follows:

1. Each consumer of electricity in the Commonwealth shall pay electric utility consumption tax on all electricity consumed per month not in excess of 2,500 kWh at the rate of $0.001595 per kWh, as follows:

State consumption tax rate	Special regulatory tax rate	Local consumption tax rate
$0.00102/kWh	$0.000195/kWh	$0.00038/kWh

2. Each consumer of electricity in the Commonwealth shall pay electric utility consumption tax on all electricity consumed per month in excess of 2,500 kWh but not in excess of 50,000 kWh at the rate of ~~$0.00102~~ *$0.001085* per kWh, as follows:

State consumption tax rate	Special regulatory tax rate	Local consumption tax rate
$0.00065/kWh	~~$0.00013/kWh~~ *$0.000195/kWh*	$0.00024/kWh

3. Each consumer of electricity in the Commonwealth shall pay electric utility consumption tax on all electricity consumed per month in excess of 50,000 kWh at the rate of ~~$0.000771~~ *$0.000875* per kWh, as follows:

State consumption tax rate	Special regulatory tax rate	Local consumption tax rate
$0.00050/kWh	~~$0.000091/kWh~~ *$0.000195/kWh*	$0.00018/kWh

4. The tax rates set forth in subdivisions 1, 2, and 3 are in lieu of and replace the state gross receipts tax (§ 58.1-2626), the special regulatory revenue tax (§ 58.1-2660), and the local license tax (§ 58.1-3731) levied on corporations furnishing heat, light or power by means of electricity.

5. The tax on consumers under this section shall not be imposed on consumers served by an electric utility owned or operated by a municipality if such municipal electric utility elects to have an amount equivalent to the tax added on the bill such utility (or an association or agency of which it is a member) pays for bundled or unbundled transmission service as a separate item. Such amount, equivalent to the tax, shall be calculated under the tax rate schedule as if the municipal electric utility were selling and collecting the tax from its consumers, adjusted to exclude the amount which represents the local consumption tax if the locality in which a consumer is located does not impose a license fee rate pursuant to § 58.1-3731, and shall be remitted to the Commission pursuant to § 58.1-2901. Municipal electric utilities may bundle the tax in the rates charged to their retail customers. Notwithstanding anything contained herein to the contrary, the election permitted under this subdivision shall not be exercised by any municipal electric utility if the entity to whom the municipal electric utility (or an association or agency of which it is a member) pays for transmission service is not subject to the taxing jurisdiction of the Commonwealth, unless such entity agrees to remit to the Commonwealth all amounts equivalent to the tax pursuant to § 58.1-2901.

6. The tax on consumers set forth in subdivisions 1, 2, and 3 shall only be imposed in accordance with this subdivision on consumers of electricity purchased from a utility consumer services cooperative to the extent that such cooperative purchases, for the purpose of resale within the Commonwealth, electricity from a federal entity that made payments in accordance with federal law (i) in lieu of taxes during such taxable period to the Commonwealth and (ii) on the basis of such federal entity's gross proceeds resulting from the sale of such electricity. Such tax shall instead be calculated by deducting from each of the respective tax amounts calculated in accordance with subdivisions 1, 2, and 3 an amount equal to the calculated tax amount multiplied by the ratio of the total cost of power supplied by the federal entity, including facilities rental, during the taxable period to the utility consumer services cooperative's total operating revenue within the Commonwealth during the taxable period. The State Corporation Commission may audit the records and books of any utility consumer services cooperative that determines the tax on consumers in accordance with this subdivision to verify that the tax imposed has been correctly determined and properly remitted.

B. The tax authorized by this chapter shall not apply to municipalities' own use or to use by divisions or agencies of federal, state and local governments.

C. For purposes of this section, "kilowatt hours delivered" means in the case of eligible customer-generators, as defined in § 56-594, those kilowatt hours supplied from the electric grid to such customer-generators, minus the kilowatt hours generated and fed back to the electric grid by such customer-generators.

CHAPTER 716

An Act to amend and reenact §§ 18.2-10, 19.2-295.2, 19.2-390, 53.1-134, 53.1-134.1, 53.1-136, 53.1-145, 53.1-157, 53.1-161, 53.1-162, 53.1-164, and 53.1-165 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-3707.02, relating to powers and duties of Virginia Parole Board; voting requirements; meetings.

[H 1589]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-10, 19.2-295.2, 19.2-390, 53.1-134, 53.1-134.1, 53.1-136, 53.1-145, 53.1-157, 53.1-161, 53.1-162, 53.1-164, and 53.1-165 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 2.2-3707.02 as follows:

§ 2.2-3707.02. Meetings of Virginia Parole Board.

Except for a public meeting convened pursuant to subdivision 10 of § 53.1-136 for conducting the final deliberation and vote regarding whether the Virginia Parole Board will grant parole to a prisoner, a meeting of the Virginia Parole Board members, regardless of whether such members invite staff or other guests to participate in such meeting, shall not be deemed a meeting subject to the provisions of this chapter.

§ 18.2-10. Punishment for conviction of felony; penalty.

The authorized punishments for conviction of a felony are:

(a) For Class 1 felonies, imprisonment for life and, subject to subdivision (g), a fine of not more than $100,000. Any person who was 18 years of age or older at the time of the offense and who is sentenced to imprisonment for life upon conviction of a Class 1 felony shall not be eligible for (i) parole, (ii) any good conduct allowance or any earned sentence credits under Chapter 6 (§ 53.1-186 et seq.) of Title 53.1, or (iii) conditional release pursuant to § 53.1-40.01 or 53.1-40.02.

(b) For Class 2 felonies, imprisonment for life or for any term not less than 20 years and, subject to subdivision (g), a fine of not more than $100,000.

(c) For Class 3 felonies, a term of imprisonment of not less than five years nor more than 20 years and, subject to subdivision (g), a fine of not more than $100,000.

(d) For Class 4 felonies, a term of imprisonment of not less than two years nor more than 10 years and, subject to subdivision (g), a fine of not more than $100,000.

(e) For Class 5 felonies, a term of imprisonment of not less than one year nor more than 10 years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for not more than 12 months and a fine of not more than $2,500, either or both.

(f) For Class 6 felonies, a term of imprisonment of not less than one year nor more than five years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for not more than 12 months and a fine of not more than $2,500, either or both.

(g) Except as specifically authorized in subdivision (e) or (f), the court shall impose either a sentence of imprisonment together with a fine, or imprisonment only. However, if the defendant is not a natural person, the court shall impose only a fine.

For any felony offense committed (i) on or after January 1, 1995, the court may, and (ii) on or after July 1, 2000, shall, except in cases in which the court orders a suspended term of confinement of at least six months, impose an additional term of incarceration of not less than six months nor more than three years, which shall be suspended conditioned upon successful completion of a period of ~~post-release supervision~~ *probation* pursuant to § 19.2-295.2 and compliance with such other terms as the sentencing court may require. However, such additional term may only be imposed when the sentence includes an active term of incarceration in a correctional facility.

For a felony offense prohibiting proximity to children as described in subsection A of § 18.2-370.2, the sentencing court is authorized to impose the punishment set forth in that section in addition to any other penalty provided by law.

§ 19.2-295.2. Probation of felons sentenced for offenses committed on and after January 1, 1995, and on and after July 1, 2000.

A. At the time the court imposes sentence upon a conviction for any felony offense committed (i) on or after January 1, 1995, the court may, and (ii) on or after July 1, 2000, shall, in addition to any other punishment imposed if such other punishment includes an active term of incarceration in a state or local correctional facility, except in cases in which the court orders a suspended term of confinement of at least six months, impose a term of incarceration, in addition to the active term, of not less than six months nor more than three years, as the court may determine. Such additional term shall be suspended and the defendant shall be ordered to be placed under ~~postrelease supervision~~ *probation pursuant to § 19.2-303* upon release from the active term of incarceration. The period of ~~supervision~~ *probation* shall be established by the court; however, such period shall not be less than six months nor more than three years. Periods of ~~postrelease supervision~~

probation imposed pursuant to this section upon more than one felony conviction may be ordered to run concurrently. ~~Periods of postrelease supervision imposed pursuant to this section may be ordered to run concurrently with any period of probation the defendant may also be subject to serve.~~

B. ~~The period of postrelease supervision shall be under the supervision and review of the Virginia Parole Board. The Board shall review each felon prior to release and establish conditions of postrelease supervision.~~ Failure to successfully ~~abide by such terms and conditions shall be grounds to terminate~~ *complete* the period of ~~postrelease supervision and recommit the defendant to the Department of Corrections or to the local correctional facility from which he was previously released. Procedures for any such termination and recommitment~~ *probation in accordance with this section* shall be ~~conducted in the same manner as procedures for the~~ *subject to* revocation of ~~parole~~ *such probation pursuant to §§ 19.2-306 and 19.2-306.1*.

C. ~~Postrelease supervision programs shall be operated through the probation and parole districts established pursuant to § 53.1-141.~~

~~D.~~ Nothing in this section shall be construed to prohibit the court from exercising any authority otherwise granted by law.

§ 19.2-390. Reports to be made by local law-enforcement officers, conservators of the peace, clerks of court, Secretary of the Commonwealth and Corrections officials to State Police; material submitted by other agencies.

A. 1. Every state official or agency having the power to arrest, the sheriffs of counties, the police officials of cities and towns, and any other local law-enforcement officer or conservator of the peace having the power to arrest for a felony shall make a report to the Central Criminal Records Exchange, on forms provided by it, of any arrest, including those arrests involving the taking into custody of, or service of process upon, any person on charges resulting from an indictment, presentment or information, the arrest on capias or warrant for failure to appear, and the service of a warrant for another jurisdiction, for each charge when any person is arrested on any of the following charges:

a. Treason;

b. Any felony;

c. Any offense punishable as a misdemeanor under Title 54.1;

d. Any misdemeanor punishable by confinement in jail (i) under Title 18.2 or 19.2, or any similar ordinance of any county, city or town, (ii) under § 20-61, or (iii) under § 16.1-253.2; or

e. Any offense in violation of § 3.2-6570, 4.1-309.1, 5.1-13, 15.2-1612, 22.1-289.041, 46.2-339, 46.2-341.21, 46.2-341.24, 46.2-341.26:3, 46.2-817, 58.1-3141, 58.1-4018.1, 60.2-632, or 63.2-1509.

The reports shall contain such information as is required by the Exchange and shall be accompanied by fingerprints of the individual arrested for each charge. Effective January 1, 2006, the corresponding photograph of the individual arrested shall accompany the report. Fingerprint cards prepared by a law-enforcement agency for inclusion in a national criminal justice file shall be forwarded to the Exchange for transmittal to the appropriate bureau. Nothing in this section shall preclude each local law-enforcement agency from maintaining its own separate photographic database. Fingerprints and photographs required to be taken pursuant to this subsection or subdivision A 3c of § 19.2-123 may be taken at the facility where the magistrate is located, including a regional jail, even if the accused is not committed to jail.

Law-enforcement agencies and clerks of court shall only submit reports to the Central Criminal Records Exchange only for those offenses enumerated in this subsection. Only reports received for those offenses enumerated in this subsection shall be included in the Central Criminal Records Exchange.

2. For persons arrested and released on summonses in accordance with subsection B of § 19.2-73 or § 19.2-74, such report shall not be required until (i) a conviction is entered and no appeal is noted or if an appeal is noted, the conviction is upheld upon appeal or the person convicted withdraws his appeal; (ii) the court defers or dismisses the proceeding pursuant to § 18.2-57.3, 18.2-251, or 19.2-303.2; or (iii) an acquittal by reason of insanity pursuant to § 19.2-182.2 is entered. Upon such conviction or acquittal, the court shall remand the individual to the custody of the office of the chief law-enforcement officer of the county or city. It shall be the duty of the chief law-enforcement officer, or his designee who may be the arresting officer, to ensure that such report is completed for each charge after a determination of guilt or acquittal by reason of insanity. The court shall require the officer to complete the report immediately following the person's conviction or acquittal, and the individual shall be discharged from custody forthwith, unless the court has imposed a jail sentence to be served by him or ordered him committed to the custody of the Commissioner of Behavioral Health and Developmental Services.

3. For persons arrested on a capias for any allegation of a violation of the terms or conditions of a suspended sentence or probation for a felony offense pursuant to § 18.2-456, 19.2-306, or 53.1-165, a report shall be made to the Central Criminal Records Exchange pursuant to subdivision 1. Upon finding such person in violation of the terms or conditions of a suspended sentence or probation for such felony offense, the court shall order that the fingerprints and photograph of such person be taken by a law-enforcement officer for each such offense and submitted to the Central Criminal Records Exchange.

4. For any person served with a show cause for any allegation of a violation of the terms or conditions of a suspended sentence or probation for a felony offense pursuant to § 18.2-456, 19.2-306, or 53.1-165, such report to the Central Criminal Records Exchange shall not be required until such person is found to be in violation of the terms or conditions of a suspended sentence or probation for such felony offense. Upon finding such person in violation of the terms or conditions of a suspended sentence or probation for such felony offense, the court shall order that the fingerprints and photograph of such

person be taken by a law-enforcement officer for each such offense and submitted to the Central Criminal Records Exchange.

5. If the accused is in custody when an indictment or presentment is found or made, or information is filed, and no process is awarded, the attorney for the Commonwealth shall so notify the court of such at the time of first appearance for each indictment, presentment, or information for which a report is required upon arrest pursuant to subdivision 1, and the court shall order that the fingerprints and photograph of the accused be taken for each offense by a law-enforcement officer or by the agency that has custody of the accused at the time of first appearance. The law-enforcement officer or agency taking the fingerprints and photograph shall submit a report to the Central Criminal Records Exchange for each offense.

B. Within 72 hours following the receipt of (i) a warrant or capias for the arrest of any person on a charge of a felony or (ii) a Governor's warrant of arrest of a person issued pursuant to § 19.2-92, the law-enforcement agency which received the warrant shall enter the person's name and other appropriate information required by the Department of State Police into the "information systems" known as the Virginia Criminal Information Network (VCIN), established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52 and the National Crime Information Center (NCIC), maintained by the Federal Bureau of Investigation. The report shall include the person's name, date of birth, social security number and such other known information which the State Police or Federal Bureau of Investigation may require. Where feasible and practical, the magistrate or court issuing the warrant or capias may transfer information electronically into VCIN. When the information is electronically transferred to VCIN, the court or magistrate shall forthwith forward the warrant or capias to the local police department or sheriff's office. When criminal process has been ordered destroyed pursuant to § 19.2-76.1, the law-enforcement agency destroying such process shall ensure the removal of any information relating to the destroyed criminal process from the VCIN and NCIC.

B1. Within 72 hours following the receipt of a written statement issued by a parole officer pursuant to § 53.1-149 ~~or 53.1-162~~ authorizing the arrest of a person who has violated the provisions of his ~~post-release supervision or~~ probation, the law-enforcement agency that received the written statement shall enter, or cause to be entered, the person's name and other appropriate information required by the Department of State Police into the "information systems" known as the Virginia Criminal Information Network (VCIN), established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52.

C. For offenses not charged on a summons in accordance with subsection B of § 19.2-73 or § 19.2-74, the clerk of each circuit court and district court shall make an electronic report to the Central Criminal Records Exchange of (i) any dismissal, including a dismissal pursuant to § 18.2-57.3, 18.2-251, or 19.2-303.2, indefinite postponement or continuance, charge still pending due to mental incompetency or incapacity, deferral, nolle prosequi, acquittal, or conviction of, including any sentence imposed, or failure of a grand jury to return a true bill as to, any person charged with an offense listed in subsection A, including any action that may have resulted from an indictment, presentment or information, or any finding that the person is in violation of the terms or conditions of a suspended sentence or probation for a felony offense and (ii) any adjudication of delinquency based upon an act that, if committed by an adult, would require fingerprints to be filed pursuant to subsection A. For offenses listed in subsection A and charged on a summons in accordance with subsection B of § 19.2-73 or § 19.2-74, such electronic report by the clerk of each circuit court and district court to the Central Criminal Records Exchange may be submitted but shall not be required until (a) a conviction is entered and no appeal is noted or, if an appeal is noted, the conviction is upheld upon appeal or the person convicted withdraws his appeal; (b) the court defers or dismisses the proceeding pursuant to § 18.2-57.3, 18.2-251, or 19.2-303.2; or (c) an acquittal by reason of insanity pursuant to § 19.2-182.2 is entered. The clerk of each circuit court shall make an electronic report to the Central Criminal Records Exchange of any finding that a person charged on a summons is in violation of the terms or conditions of a suspended sentence or probation for a felony offense. Upon conviction of any person, including juveniles tried and convicted in the circuit courts pursuant to § 16.1-269.1, whether sentenced as adults or juveniles, for an offense for which registration is required as defined in § 9.1-902, the clerk shall within seven days of sentencing submit a report to the Sex Offender and Crimes Against Minors Registry. The report to the Registry shall include the name of the person convicted and all aliases that he is known to have used, the date and locality of the conviction for which registration is required, his date of birth, social security number, and last known address, and specific reference to the offense for which he was convicted. No report of conviction or adjudication in a district court shall be filed unless the period allowed for an appeal has elapsed and no appeal has been perfected. In the event that the records in the office of any clerk show that any conviction or adjudication has been nullified in any manner, he shall also make a report of that fact to the Exchange and, if appropriate, to the Registry. In addition, each clerk of a circuit court, upon receipt of certification thereof from the Supreme Court, shall report to the Exchange or the Registry, or to the law-enforcement agency making the arrest in the case of offenses not required to be reported to the Exchange, on forms provided by the Exchange or Registry, as the case may be, any reversal or other amendment to a prior sentence or disposition previously reported. When criminal process is ordered destroyed pursuant to § 19.2-76.1, the clerk shall report such action to the law-enforcement agency that entered the warrant or capias into the VCIN.

D. In addition to those offenses enumerated in subsection A, the Central Criminal Records Exchange may receive, classify, and file any other fingerprints, photographs, and records of confinement submitted to it by any correctional institution or the Department of Corrections. Unless otherwise prohibited by law, any such fingerprints, photographs, and records received by the Central Criminal Records Exchange from any correctional institution or the Department of Corrections may be classified and filed as criminal history record information.

E. Corrections officials, sheriffs, and jail superintendents of regional jails, responsible for maintaining correctional status information, as required by the regulations of the Department of Criminal Justice Services, with respect to individuals about whom reports have been made under the provisions of this chapter shall make reports of changes in correctional status information to the Central Criminal Records Exchange. The reports to the Exchange shall include any commitment to or release or escape from a state or local correctional facility, including commitment to or release from a parole or probation agency.

F. Any pardon, reprieve or executive commutation of sentence by the Governor shall be reported to the Exchange by the office of the Secretary of the Commonwealth.

G. Officials responsible for reporting disposition of charges, and correctional changes of status of individuals under this section, including those reports made to the Registry, shall adopt procedures reasonably designed at a minimum (i) to ensure that such reports are accurately made as soon as feasible by the most expeditious means and in no instance later than 30 days after occurrence of the disposition or correctional change of status and (ii) to report promptly any correction, deletion, or revision of the information.

H. Upon receiving a correction, deletion, or revision of information, the Central Criminal Records Exchange shall notify all criminal justice agencies known to have previously received the information.

I. As used in this section:

"Chief law-enforcement officer" means the chief of police of cities and towns and sheriffs of counties, unless a political subdivision has otherwise designated its chief law-enforcement officer by appropriate resolution or ordinance, in which case the local designation shall be controlling.

"Electronic report" means a report transmitted to, or otherwise forwarded to, the Central Criminal Records Exchange in an electronic format approved by the Exchange. The report shall contain the name of the person convicted and all aliases which he is known to have used, the date and locality of the conviction, his date of birth, social security number, last known address, and specific reference to the offense including the Virginia Code section and any subsection, the Virginia crime code for the offense, and the offense tracking number for the offense for which he was convicted.

§ 53.1-134. Virginia Parole Board; appointment of members.

There shall be a *Virginia* Parole Board ~~which~~ *(the Board) that* shall consist of up to five members appointed by the Governor and subject to confirmation by the General Assembly, if in session when such appointment is made, and if not in session, then at its next succeeding session. At least one member of the ~~Parole~~ Board shall be a representative of a crime victims' organization or a victim of crime as defined in subsection B of § 19.2-11.01. *The term of each member of the Board shall be four years. When a vacancy on the Board occurs, the Governor shall appoint a member to fill such vacancy within 60 days.*

The members of the ~~Parole~~ Board shall serve at the pleasure of the Governor.

§ 53.1-134.1. Board decisions; voting requirements.

~~Notwithstanding any other provision of law or regulation, if the Parole Board adopts a rule or regulation requiring the concurrence~~ *In the case of a person serving life imprisonment for murder of the first degree pursuant to § 18.2-32, the final deliberation and vote of whether to grant such person parole shall be attended by a panel* of four or more members of the ~~Parole~~ Board ~~to grant discretionary parole or conditional release, in the event that there are less than four members but at least~~. *In all other cases, the final deliberation and vote shall be attended by a panel of no fewer than* three members ~~on~~ *of* the ~~Parole~~ Board~~, then such requirement shall be satisfied upon a unanimous vote of all members on the Parole~~. *The* Board *shall promulgate rules to ensure that such members are randomly assigned to panels and to serve on an equal number of panels, as is reasonably possible.*

A decision to grant discretionary parole shall require the concurrence of a majority of members present for the final deliberation and vote, except that in cases of a person serving life imprisonment for murder of the first degree pursuant to § 18.2-32, a decision to grant discretionary parole shall require the concurrence of four or more of the members present for the final deliberation and vote.

§ 53.1-136. Powers and duties of Board; notice of release of certain inmates; report.

In addition to the other powers and duties imposed upon the Board by this article, the Board shall:

1. Adopt, subject to approval by the Governor, general rules governing the granting of parole and eligibility requirements, which shall be published and posted for public review. Such eligibility rules shall require consideration of the prisoner's demonstrated rehabilitation, economic and educational development, commitment to prosocial behavior, and community and family supports;

2. Adopt, subject to approval by the Governor, rules providing for the granting of parole to those prisoners who are eligible for parole pursuant to § 53.1-165.1 on the basis of demonstrated maturity and rehabilitation and the lesser culpability of juvenile offenders;

3. a. Release on parole for such time and upon such terms and conditions as the Board shall prescribe, persons convicted of felonies and confined under the laws of the Commonwealth in any correctional facility in Virginia when those persons become eligible and are found suitable for parole, according to those rules adopted pursuant to subdivisions 1 and 2;

b. ~~Establish the conditions of postrelease supervision authorized pursuant to § 18.2-10 and subsection A of § 19.2-295.2;~~

~~c.~~ Notify the Department of Corrections of its decision to grant discretionary parole or conditional release to an inmate. The Department of Corrections shall set the release date for such inmate no sooner than 30 business days from the date that

the Department of Corrections receives such notification from the Chairman of the Board, except that the Department of Corrections may set an earlier release date in the case of an inmate granted conditional release pursuant to § 53.1-40.02. In the case of an inmate granted parole who was convicted of a felony and sentenced to a term of 10 or more years, or an inmate granted conditional release, the Board shall notify the attorney for the Commonwealth in the jurisdiction where the inmate was sentenced (i) by electronic means at least 21 business days prior to such inmate's release that such inmate has been granted discretionary parole or conditional release pursuant to § 53.1-40.01 or 53.1-40.02 or (ii) by telephone or other electronic means prior to such inmate's release that such inmate has been granted conditional release pursuant to § 53.1-40.02 where death is imminent. Nothing in this section shall be construed to alter the obligations of the Board under § 53.1-155 for investigation prior to release on discretionary parole;

~~d.~~ *c.* Provide that in any case where a person who is released on parole ~~or postrelease supervision~~ has been committed to the Department of Behavioral Health and Developmental Services under the provisions of Chapter 9 (§ 37.2-900 et seq.) of Title 37.2 the conditions of his parole ~~or postrelease supervision~~ shall include the requirement that the person comply with all conditions given him by the Department of Behavioral Health and Developmental Services and that he follow all of the terms of his treatment plan;

4. Revoke parole ~~and any period of postrelease~~ and order the reincarceration of any parolee ~~or felon serving a period of postrelease supervision~~ or impose a condition of participation in any component of the Statewide Community-Based Corrections System for State-Responsible Offenders (§ 53.1-67.2 et seq.) on any eligible parolee, when, in the judgment of the Board, he has violated the conditions of his parole ~~or postrelease supervision~~ or is otherwise unfit to be on parole ~~or on postrelease supervision~~;

5. Issue final discharges to persons released by the Board on parole when the Board is of the opinion that the discharge of the parolee will not be incompatible with the welfare of such person or of society. Final discharges granted prior to the expiration of a period of parole shall be granted only upon approval by a majority of Board members. The Board shall publish an annual report regarding final discharges issued by the Board during the previous 12 months. The report shall include (i) the name of each prisoner granted final discharge, (ii) the offense of which the prisoner was convicted, (iii) the jurisdiction in which such offense was committed, (iv) the length of the prisoner's sentence and the date such sentence was imposed, (v) the amount of time the prisoner has been on parole ~~or postrelease supervision~~ in the community, (vi) the basis for the final discharge, and (vii) the vote of each Board member;

6. Make investigations and reports with respect to any commutation of sentence, pardon, reprieve or remission of fine, or penalty when requested by the Governor;

7. Publish a statement by the fifteenth day of each month regarding the actions taken by the Board on the parole of prisoners during the prior month. The statement shall list (i) the name of each prisoner considered for parole, (ii) the offense of which the prisoner was convicted, (iii) the jurisdiction in which such offense was committed, (iv) the length of the prisoner's sentence and the date such sentence was imposed, (v) the amount of time the prisoner has served, (vi) whether the prisoner was granted or denied parole, (vii) individualized reasons for the grant or denial of parole, and (viii) the final vote and the names of the Board members who voted in favor of granting parole and those who voted against. However, in the case of a prisoner granted parole, the information set forth in clauses (i) through (viii) regarding such prisoner shall be included in the statement published in the month immediately succeeding the month in which notification of the decision to grant parole was given to the attorney for the Commonwealth and any victims;

8. Publish an annual report regarding actions taken by the Board on the parole of prisoners during the prior year. Such report shall contain each monthly statement published by the Board pursuant to subdivision 7 and a summary that identifies (i) the total number of prisoners considered for parole, (ii) the number of persons granted parole, (iii) the number of persons denied parole, and (iv) the most common reasons for which parole was granted or denied;

9. Ensure that each person eligible for parole receives a timely and thorough review of his suitability for release on parole, including a review of any relevant post-sentencing information. If parole is denied, the basis for the denial of parole shall be in writing and shall give specific, individualized reasons for such denial to such inmate; and

10. Convene a public meeting, either in person or via video conference, when conducting the final deliberation and vote regarding whether the Board will grant parole to a prisoner. The prisoner being considered for parole or his attorney shall be permitted to attend such meeting either, in the Board's discretion, in person or via video conference. The victim shall be permitted to attend and participate in such meeting either, in the Board's discretion, in person or via video or phone conference or to provide written or recorded testimony. No decision to grant discretionary parole shall be made by the Board unless such decision was discussed and debated at a meeting at which ~~a majority~~ *no fewer than three* of the Board members were present. Whether the Board grants or denies discretionary parole to an inmate, each Board member shall identify his reasoning for such decision at the time such member's vote is cast.

§ 53.1-145. Powers and duties of probation and parole officers.

In addition to other powers and duties prescribed by this article, each probation and parole officer shall:

1. Investigate and report on any case pending in any court or before any judge in his jurisdiction referred to him by the court or judge;

2. Supervise and assist all persons within his territory placed on probation, secure, as appropriate and when available resources permit, placement of such persons in a substance abuse treatment program which may include utilization of acupuncture and other treatment modalities, and furnish every such person with a written statement of the conditions of his probation and instruct him therein; if any such person has been committed to the Department of Behavioral Health and

Developmental Services under the provisions of Chapter 9 (§ 37.2-900 et seq.) of Title 37.2, the conditions of probation shall include the requirement that the person comply with all conditions given him by the Department of Behavioral Health and Developmental Services, and that he follow all of the terms of his treatment plan;

3. Supervise and assist all persons within his territory released on parole ~~or postrelease supervision~~, secure, as appropriate and when available resources permit, placement of such persons in a substance abuse treatment program which may include utilization of acupuncture and other treatment modalities, and, in his discretion, assist any person within his territory who has completed his parole~~, postrelease supervision,~~ or has been mandatorily released from any correctional facility in the Commonwealth and requests assistance in finding a place to live, finding employment, or in otherwise becoming adjusted to the community;

4. Arrest and recommit to the place of confinement from which he was released, or in which he would have been confined but for the suspension of his sentence or of its imposition, for violation of the terms of probation~~, post-release supervision pursuant to § 19.2-295.2~~ or parole, any probationer~~, person subject to post-release~~ supervision or parolee under his supervision, or as directed by the Chairman, Board member or the court, pending a hearing by the Board or the court, as the case may be;

5. Keep such records, make such reports, and perform other duties as may be required of him by the Director and the court or judge by whom he was authorized;

6. Order and conduct, in his discretion, drug and alcohol screening tests of any probationer~~, person subject to post-release supervision pursuant to § 19.2-295.2~~ or parolee under his supervision who the officer has reason to believe is engaged in the illegal use of controlled substances or marijuana, or the abuse of alcohol. The cost of the test may be charged to the person under supervision. Regulations governing the officer's exercise of this authority shall be promulgated by the Director;

7. Have the power to carry a concealed weapon in accordance with regulations promulgated by the Director and upon the certification of appropriate training and specific authorization by a judge of a circuit court;

8. Provide services in accordance with any contract entered into between the Department of Corrections and the Department of Behavioral Health and Developmental Services pursuant to § 37.2-912;

9. Pursuant to any contract entered into between the Department of Corrections and the Department of Behavioral Health and Developmental Services, probation and parole officers shall have the power to provide intensive supervision services to persons placed on conditional release, regardless of whether the person has any time remaining to serve on any criminal sentence, pursuant to Chapter 9 (§ 37.2-900 et seq.);

10. Determine by reviewing the Department of Forensic Science DNA data bank sample tracking system upon intake and again prior to release whether a blood, saliva, or tissue sample is stored in the data bank for each person placed on probation or parole required to submit a sample pursuant to Article 1.1 (§ 19.2-310.2 et seq.) of Chapter 18 of Title 19.2 and, if a person's sample is not stored in the data bank, require the person placed on probation or parole to submit a sample for DNA analysis;

11. For every offender accepted pursuant to the Interstate Compact for the Supervision of Adult Offenders (§ 53.1-176.1 et seq.) who has been convicted of an offense that, if committed in Virginia, would require the offender to submit a sample pursuant to Article 1.1 (§ 19.2-310.2 et seq.) of Chapter 18 of Title 19.2, take a sample or verify that a sample has been taken and accepted into the data bank for DNA analysis in the Commonwealth;

12. Monitor the collection and payment of restitution to the victims of crime for offenders placed on supervised probation;

13. Prior to the release from supervision of any offender on probation as of July 1, 2019, review the criminal history record of the offender at least 60 days prior to release from supervision, or immediately if the offender is scheduled to be released from supervision within less than 60 days, to determine whether all offenses for which the offender is being supervised appear on such record and, if any such offense that is required to be reported to the Central Criminal Records Exchange pursuant to § 19.2-390 does not appear, (i) take and provide fingerprints and a photograph of the offender to the Central Criminal Records Exchange to be classified and filed as part of the criminal history record information pursuant to subsection D of § 19.2-390 and (ii) provide written or electronic notification to the Central Criminal Records Exchange within the Department of State Police that such offense does not appear on the offender's criminal history record; and

14. Upon intake of any offender on or after July 1, 2019, (i) take and provide fingerprints and a photograph of the offender to the Central Criminal Records Exchange to be classified and filed as part of the criminal history record information pursuant to subsection D of § 19.2-390, (ii) review the criminal history record of the offender to determine whether all offenses for which the offender is being supervised appear on such record, and (iii) if any such offense that is required to be reported to the Central Criminal Records Exchange pursuant to § 19.2-390 does not appear, provide written or electronic notification to the Central Criminal Records Exchange within the Department of State Police that such offense does not appear on the offender's criminal history record.

Nothing in this article shall require probation and parole officers to investigate or supervise cases before general district or juvenile and domestic relations district courts.

§ 53.1-157. Parolees to comply with terms; furnishing copies.

Each parolee ~~or felon serving a period of postrelease supervision~~ while on parole ~~or period of postrelease supervision~~ shall comply with such terms and conditions as may be prescribed by the Board. When any prisoner is released on parole ~~or postrelease period of supervision~~, the Board shall furnish the parolee and the probation and parole officer having

supervision of the parolee ~~or felon serving a period of postrelease supervision~~ a copy of the terms and conditions of the parole ~~or postrelease period of supervision~~ and any changes ~~which~~ *that* may from time to time be made therein.

§ 53.1-161. Arrest and return of parolee; warrant; release pending adjudication of violation.

~~A.~~ The Chairman or any member of the Board may at any time upon information or a showing of a violation or a probable violation by any parolee of any of the terms or conditions upon which he was released on parole issue, or cause to be issued, a warrant for the arrest and return of the parolee to the institution from which he was paroled, or to any other correctional facility that may be designated by the Chairman or member. However, a determination of whether a parolee returned to a correctional facility pursuant to this subsection shall be returned to a state or local correctional facility shall be made based on the length of the parolee's original sentence as set forth in § 53.1-20. Each such warrant shall authorize all officers named therein to arrest and return the parolee to actual custody in the facility from which he was paroled, or to any other facility designated by the Chairman or member.

In any case in which the parolee is charged with the violation of any law, the violation of which caused the issuance of such warrant, upon request of the parolee or his attorney, the Chairman or member shall as soon as practicable consider all the circumstances surrounding the allegations of such violation, including the probability of conviction thereof, and may, after such consideration, release the parolee, pending adjudication of the violation charged.

~~B. Upon information or a showing of a violation or a probable violation by any felon serving a period of postrelease supervision of any of the terms or conditions upon which he was released on a postrelease period of supervision, the circuit court of the sentencing jurisdiction may issue, or cause to be issued, a warrant for the arrest and return of the felon serving a period of postrelease supervision to the institution from which he was released, or to any other correctional facility that may be designated by the circuit court. However, a determination of whether a felon serving a period of postrelease supervision returned to a correctional facility pursuant to this subsection shall be returned to a state or local correctional facility shall be made based on the length of the period of postrelease supervision as set at sentencing. Each such warrant shall authorize all officers named therein to arrest and return the felon to actual custody in the facility from which he was released, or to any other facility designated by the circuit court.~~

~~In any case in which the felon serving a period of postrelease supervision is charged with the violation of any law, the violation of which caused the issuance of such warrant, upon request of the felon or his attorney, the circuit court of the sentencing jurisdiction shall as soon as practicable consider all the circumstances surrounding the allegations of such violation, including the probability of conviction thereof, and may, after such consideration, release the felon, pending adjudication of the violation charged.~~

§ 53.1-162. Arrest of parolee without warrant; written statement.

Any probation and parole officer may arrest a parolee ~~or felon serving a period of postrelease supervision~~ without a warrant or may deputize any other officer with power of arrest to do so by a written statement setting forth that the parolee ~~or felon serving a period of postrelease supervision~~ has, in the judgment of the probation and parole officer, violated one or more of the terms or conditions of his parole ~~or postrelease period of supervision~~. Such a written statement by a probation and parole officer delivered to the officer in charge of any state or local correctional facility shall be sufficient warrant for the detention of the parolee ~~or felon serving a period of postrelease supervision~~. Any officer deputized upon receipt of the written statement shall, in accordance with § 19.2-390, enter, or cause to be entered, the person's name and other appropriate information required by the Department of State Police into the "information systems" known as the Virginia Criminal Information Network (VCIN), established and maintained by the Department pursuant to Chapter 2 (§ 52-12 et seq.) of Title 52. Such information shall be deemed a warrant authorizing the arrest of the person anywhere in the Commonwealth.

§ 53.1-164. Procedure for return of parolee.

When any parolee ~~or felon serving a period of postrelease supervision~~ is returned to any facility in accordance with the provisions of § 53.1-161, he shall be held in accordance with rules of the Director and subject to further action of the ~~Parole~~ Board. The officer in charge of the facility shall see that the ~~Parole~~ Board is notified promptly of each such parolee's ~~or felons~~' return.

§ 53.1-165. Revocation of parole; hearing; procedure for parolee in another state; appointment of attorney.

A. Whenever any parolee ~~or felon serving a period of postrelease supervision~~ is arrested and recommitted as provided herein, a preliminary hearing to determine probable cause that such parolee has violated one or more of the terms or conditions upon which he was released on parole ~~or postrelease period of supervision~~ shall be held by any hearing officer who has been designated as such by the Director of the Department to conduct such hearings. However, if a nolle prosequi is to be entered in a case where a parole violation is alleged, no preliminary hearing shall be required.

Upon request of the hearing officer, the attorney for the Commonwealth of the jurisdiction within which such hearings are to be held shall request the circuit court of such jurisdiction to appoint one or more discreet attorneys-at-law to represent parolees in any proceedings held before him. Each attorney so appointed shall be available to serve upon request of the hearing officer. The term of each attorney's appointment shall continue until such time as a successor may be appointed. A hearing officer shall be authorized to issue subpoenas requiring the attendance of witnesses and the production of records, memoranda, papers and other documents before him and to administer oaths and to take testimony thereunder.

Upon a finding of probable cause by the hearing officer, the Board or its authorized representative shall conduct a hearing, consider the case and act with reference thereto within a reasonable time thereafter. Upon request of the Board, the attorney for the Commonwealth of the jurisdiction within which such hearings are to be held shall request the circuit court of that jurisdiction to appoint one or more discreet attorneys-at-law to represent parolees in proceedings held or to be held

before the Board. Each attorney shall be available to serve upon request of the Board. The term of each attorney's appointment shall continue until such time as a successor may be appointed. The Board, in its discretion, may revoke the parole and order the reincarceration of the prisoner for the unserved portion of the term of imprisonment originally imposed upon him, or it may reinstate the parole either upon such terms and conditions as were originally prescribed, or as may be prescribed in addition thereto or in lieu thereof. When a parole violation is based on a new felony conviction for which the individual has been sentenced to two or more years, excluding any time of said sentence which has been suspended, any individual Board member, so authorized by the Board, may after such hearing revoke the individual's parole as otherwise provided herein.

Upon revocation of parole for any felony offense, the Board or its authorized representative shall order that the Department of Corrections take fingerprints and a photograph of the person for each offense and transmit such information to the Central Criminal Records Exchange pursuant to subsection D of § 19.2-390.

B. In cases in which a parolee ~~or felon serving a period of postrelease supervision~~ is in another state, any hearing officer who has been designated as such by the Director of the Department may be sent to that state to conduct a preliminary hearing to determine probable cause that the parolee has violated one or more of the terms and conditions upon which he was released upon parole.

C. Any attorney-at-law appointed pursuant to this section shall be paid as directed by the court making the appointment, from funds appropriated for court costs and expenses, reasonable compensation on an hourly basis and necessary expenses, based upon a report to be furnished to it by such attorney. In the event an attorney-at-law is appointed in another state, he shall be paid out of funds appropriated to the Department.

2. That the Virginia Parole Board (the Board) shall (i) notify any person serving a period of postrelease supervision under the Board's supervision as of July 1, 2025, that the duration of such person's postrelease supervision shall be moved to the supervision of probation and (ii) provide information on how such person should report to the appropriate probation officer. Any failure of such person serving a period of postrelease supervision to successfully complete the period of postrelease supervision shall be subject to revocation of a suspended sentence pursuant to §§ 19.2-306 and 19.2-306.1 of the Code of Virginia, and the procedures for such revocation shall be conducted in the same manner as the procedures for revocation of probation.

3. That any rules adopted by the Virginia Parole Board in accordance with the provisions of § 53.1-136 of the Code of Virginia, as amended by this act, shall be approved by the Governor by July 1, 2025.

CHAPTER 717

An Act to amend and reenact § 19.2-120 of the Code of Virginia, relating to admission to bail; pregnant persons or persons who have recently given birth.

[H 2328]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-120 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-120. Admission to bail.

A. Prior to conducting any hearing on the issue of bail, release, or detention, the judicial officer shall, to the extent feasible, obtain the person's criminal history.

B. A person who is held in custody pending trial or hearing for an offense, civil or criminal contempt, or otherwise shall be admitted to bail by a judicial officer, unless there is probable cause to believe that:

1. He will not appear for trial or hearing or at such other time and place as may be directed; or

2. His liberty will constitute an unreasonable danger to himself, family or household members as defined in § 16.1-228, or the public.

C. In making a determination under subsection B, the judicial officer shall consider all relevant information, including (i) the nature and circumstances of the offense; (ii) whether a firearm is alleged to have been used in the commission of the offense; (iii) the weight of the evidence; (iv) the history of the accused or juvenile, including his family ties or involvement in employment, education, or medical, mental health, or substance abuse treatment; (v) his length of residence in, or other ties to, the community; (vi) his record of convictions; (vii) his appearance at court proceedings or flight to avoid prosecution or convictions for failure to appear at court proceedings; ~~and~~ (viii) whether the person is likely to obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate, a prospective witness, juror, victim, or family or household member as defined in § 16.1-228*; and (ix) any evidence the person provided indicating that such person (a) is currently pregnant, (b) has recently given birth, or (c) is currently nursing a child*.

D. A judicial officer who admits a person to bail who is charged with an act of violence as defined in § 19.2-297.1 shall notify the attorney for the Commonwealth for the jurisdiction in which such person's case is filed contemporaneously with such person's grant of bail or release. Notice to the attorney for the Commonwealth may be made by facsimile or other electronic means.

E. The judicial officer shall inform the person of his right to appeal from the order denying bail or fixing terms of bond or recognizance consistent with § 19.2-124.

F. If the judicial officer sets a secured bond and the person engages the services of a licensed bail bondsman, the magistrate executing recognizance for the accused shall provide the bondsman, upon request, with a copy of the person's Virginia criminal history record, if readily available, to be used by the bondsman only to determine appropriate reporting requirements to impose upon the accused upon his release. The bondsman shall pay a $15 fee payable to the state treasury to be credited to the Literary Fund, upon requesting the defendant's Virginia criminal history record issued pursuant to § 19.2-389. The bondsman shall review the record on the premises and promptly return the record to the magistrate after reviewing it.

CHAPTER 718

An Act to amend and reenact § 46.2-1088.5 of the Code of Virginia, relating to vehicles used for agricultural purposes.

[H 2458]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-1088.5 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-1088.5. Reflectors or reflectorized material required on rear end of certain trailers.

A. There shall be affixed to the rear end of every utility trailer that does not require state inspection either *(i)* two or more reflectors of a type approved by the Superintendent or *(ii)* at least 100 square inches of solid reflectorized material. The reflectors or reflective material shall be applied so as to outline the rear end of the trailer.

B. Notwithstanding the provisions of § 46.2-1013 or 46.2-1014, any trailer or semitrailer exempt from registration pursuant to § 46.2-665, 46.2-666, 46.2-670, 46.2-672, or 46.2-673 may be operated without tail lights or brake lights on the highways of the Commonwealth located in Planning Districts 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 22, and 23, except interstate highways, between sunrise and sunset, provided that such trailer or semitrailer has affixed to the rear end either (i) two or more reflectors of a type approved by the Superintendent or (ii) at least 100 square inches of solid reflectorized material. Such a trailer or semitrailer operated without tail lights or brake lights shall keep to the rightmost lane when operating on such a highway, except when turning at an intersection or avoiding any hazard. However, any such trailer or semitrailer operated without tail lights or brake lights shall not be operated on the highways of the Commonwealth (a) during any time when, because of rain, smoke, fog, snow, sleet, insufficient light, or other unfavorable atmospheric conditions, visibility is reduced to a degree whereby persons or vehicles on the highway are not clearly discernible at a distance of 500 feet or (b) whenever windshield wipers are in use as a result of fog, rain, sleet, or snow.

C. For the purposes of this section, "utility trailer" means a trailer whose body and tailgate consist largely or exclusively of a metal mesh.

CHAPTER 719

An Act to amend and reenact § 18.2-251.03 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-36.3, relating to involuntary manslaughter; certain drug offenses.

[H 2657]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-251.03 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 18.2-36.3 as follows:

§ 18.2-36.3. Involuntary manslaughter; certain drug offenses.

A. Any person who knowingly, intentionally, and feloniously manufactures, sells, or distributes a controlled substance knowing that such controlled substance contains a detectable amount of fentanyl, including its derivatives, isomers, esters, ethers, salts, and salts of isomers, in violation of Article 1 (§ 18.2-247 et seq.) of Chapter 7 and unintentionally causes the death of another person is guilty of involuntary manslaughter if (i) such death results from the use of the controlled substance and (ii) such controlled substance is the proximate cause of the death regardless of the time or place death occurred in relation to the commission of the underlying manufacturing, sale, or distribution of a controlled substance that contains a detectable amount of fentanyl, including its derivatives, isomers, esters, ethers, salts, and salts of isomers.

B. It is not a defense to a prosecution under this section that the decedent contributed to his own death by his knowing or voluntary use of the controlled substance. Venue for a prosecution under this section shall lie in the locality where the manufacturing, sale, or distribution of a controlled substance that contains a detectable amount of fentanyl, including its derivatives, isomers, esters, ethers, salts, and salts of isomers, occurred, where the use of the controlled substance occurred, or where death occurred.

C. However, if any person proves that he gave or distributed a controlled substance that contains a detectable amount of fentanyl, including its derivatives, isomers, esters, ethers, salts, and salts of isomers, in violation of Article 1 (§ 18.2-247 et seq.) of Chapter 7 only as an accommodation to another individual who is not an inmate in a community correctional facility, local correctional facility, or state correctional facility as defined in § 53.1-1 or in the custody of an employee thereof, and not with intent to profit thereby from any consideration received or expected nor to induce the recipient or

intended recipient of the controlled substance to use or become addicted to or dependent upon such controlled substance, he shall not be guilty of involuntary manslaughter but is guilty of an accommodation sale punishable as a Class 6 felony.

D. No person convicted pursuant to this section for conduct described in subsection A shall be subject to a prosecution for a violation of subsection D of § 18.2-46.6 or § 18.2-248.01, 18.2-250, or 18.2-256 for the same transaction or occurrence.

§ 18.2-251.03. Arrest and prosecution when experiencing or reporting overdoses.

A. For purposes of this section, "overdose" means a life-threatening condition resulting from the consumption or use of a controlled substance, alcohol, or any combination of such substances.

B. No individual shall be subject to arrest or prosecution for the unlawful purchase, possession, or consumption of alcohol pursuant to § 4.1-305, unlawful purchase, possession, or consumption of marijuana pursuant to § 4.1-1105.1, *involuntary manslaughter pursuant to § 18.2-36.3,* possession of a controlled substance pursuant to § 18.2-250, intoxication in public pursuant to § 18.2-388, or possession of controlled paraphernalia pursuant to § 54.1-3466 if:

1. Such individual (i) in good faith, seeks or obtains emergency medical attention (a) for himself, if he is experiencing an overdose, or (b) for another individual, if such other individual is experiencing an overdose; (ii) is experiencing an overdose and another individual, in good faith, seeks or obtains emergency medical attention for such individual, by contemporaneously reporting such overdose to a firefighter, as defined in § 65.2-102, emergency medical services personnel, as defined in § 32.1-111.1, a law-enforcement officer, as defined in § 9.1-101, or an emergency 911 system; or (iii) in good faith, renders emergency care or assistance, including cardiopulmonary resuscitation (CPR) or the administration of naloxone or other opioid antagonist for overdose reversal, to an individual experiencing an overdose while another individual seeks or obtains emergency medical attention in accordance with this subdivision;

2. Such individual remains at the scene of the overdose or at any alternative location to which he or the person requiring emergency medical attention has been transported until a law-enforcement officer responds to the report of an overdose. If no law-enforcement officer is present at the scene of the overdose or at the alternative location, then such individual shall cooperate with law enforcement as otherwise set forth herein;

3. Such individual identifies himself to the law-enforcement officer who responds to the report of the overdose; and

4. The evidence for the prosecution of an offense enumerated in this subsection was obtained as a result of the individual seeking or obtaining emergency medical attention or rendering emergency care or assistance.

C. The provisions of this section shall not apply to any person who seeks or obtains emergency medical attention for himself or another individual, to a person experiencing an overdose when another individual seeks or obtains emergency medical attention for him, or to a person who renders emergency care or assistance to an individual experiencing an overdose while another person seeks or obtains emergency medical attention during the execution of a search warrant or during the conduct of a lawful search or a lawful arrest.

D. This section does not establish protection from arrest or prosecution for any individual or offense other than those listed in subsection B.

E. No law-enforcement officer acting in good faith shall be found liable for false arrest if it is later determined that the person arrested was immune from prosecution under this section.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 720

An Act to amend and reenact § 52-30.2 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.6, consisting of a section numbered 2.2-5517, relating to use of automatic license plate recognition systems; reports; penalty.

[H 2724]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 52-30.2 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Title 2.2 a chapter numbered 55.6, consisting of a section numbered 2.2-5517, as follows:

CHAPTER 55.6.

USE OF AUTOMATIC LICENSE PLATE RECOGNITION SYSTEMS.

§ 2.2-5517. Use of automatic license plate recognition systems by law-enforcement agencies.

A. For purposes of this section:

"Audit trail" means all records of queries and responses in an automatic license plate recognition system, and all records of actions in which system data is accessed, entered, updated, shared, or disseminated, including the (i) date and time of access; (ii) license plate number or other data elements used to query the system; (iii) specific purpose, as set forth

in subsection D, for accessing or querying the system, including the offense type for any criminal investigation; (iv) associated call for service or case number; and (v) username of the person or persons who accessed or queried the system.

"Audit trail data" means all forms of data collected or generated by an automatic license plate recognition system for purposes of producing an audit trail.

"Automatic license plate recognition system" or "system" means a system of one or more high-speed cameras used in combination with computer algorithms to convert images of license plates, vehicles, or a combination of both into computer-readable data.

"Division" means the Division of Purchases and Supply of the Department of General Services.

"Law-enforcement agency" means any agency or entity that employs law-enforcement officers as defined in § 9.1-101.

"Missing or endangered person" means a person who has been identified as missing or endangered based on information provided by the National Criminal Information Center, the National Center for Missing and Exploited Children, or the Missing Children Information Clearinghouse (§ 52-31 et seq.) or pursuant to a Virginia Amber Alert (§ 52-34.1 et seq.), a Virginia Critical Operation for a Disappeared Child Initiative Alert (§ 52-34.3:1 et seq.), a Virginia Senior Alert (§ 52-34.4 et seq.), a Virginia Blue Alert (§ 52-34.7 et seq.), a Virginia Critically Missing Adult Alert (§ 52-34.10 et seq.), a Virginia Missing Person with Autism Alert (§ 52-34.13 et seq.), or any substantially similar alert under the laws of another state or territory of the United States, the District of Columbia, or the United States.

"Notification" means an alert from an automatic license plate recognition system that a license plate or vehicle matches a license plate or vehicle in a database utilized by the automatic license plate recognition system for comparison purposes.

"Person associated with human trafficking" means a person who is either a suspected victim or an alleged perpetrator of either commercial sex trafficking or labor trafficking.

"Publicly post" means to post on a website that is maintained by the agency or on any other website on which the agency generally posts information and that is available to the public or that clearly describes how the public may access such information.

"Query" means a search of automatic license plate recognition system data based on information entered by the user, including a full or partial license plate number, any identifying characteristics of a vehicle, the date, time, or location of an image, or any other data that is searchable within the automatic license plate recognition system.

"System data" means all forms of data collected or generated by an automatic license plate recognition system, including images of license plates, vehicles, any identifying characteristics of vehicles, the date, time, and location of an image, and any peripheral images collected from which analytical data may be extracted.

"Vendor" means a business, company, corporation, or other nongovernmental entity that contracts with a law-enforcement agency for the installation, use, or maintenance of an automatic license plate recognition system.

B. Pursuant to § 2.2-1112, the Division of Purchases and Supply shall determine the automatic license plate recognition systems for use in the Commonwealth in accordance with this section. An automatic license plate recognition system shall not be approved by the Division for use by a law-enforcement agency unless:

1. The vendor certifies that it will not sell or share any system data or audit trail data gathered in the Commonwealth, except upon request of the contracting law-enforcement agency for a purpose set forth in subsection F, and will only access system data or audit trail data upon request of the contracting law-enforcement agency for maintenance and quality assurance purposes;

2. The vendor certifies that its system is capable of purging system data collected or generated in the Commonwealth after 21 days of the date of its capture, or earlier if requested by the contracting law-enforcement agency, in such a manner that the system data is destroyed and not recoverable by either the vendor or the contracting law-enforcement agency;

3. The vendor certifies that its system is capable of producing an audit trail and purging audit trail data collected or generated in the Commonwealth after two years of the date of its capture in such a manner that the audit trail data is destroyed and not recoverable by either the vendor or the contracting law-enforcement agency;

4. The databases used by the system to provide notifications as set forth in subsection D are updated at least every 24 hours, or as soon as practicable after such updates become available; and

5. The system meets information security standards as established by the Virginia Information Technologies Agency.

C. A law-enforcement agency may enter into a contract with a vendor for the installation, use, or maintenance of a system approved by the Division. The contract shall specify that system data and audit trail data will be the property of the law-enforcement agency and that the system meets the requirements set forth in subsection B. The contract shall further specify that the vendor will immediately notify the law-enforcement agency upon receipt of any subpoena duces tecum, execution of any search warrant, or any other request from a third party for such system data or audit trail data, unless disclosure of such subpoena duces tecum, search warrant, or request is otherwise prohibited by law.

D. A law-enforcement agency may use a system only (i) as part of a criminal investigation into an alleged violation of the Code of Virginia or any ordinance of any county, city, or town where there is a reasonable suspicion that a crime was committed; (ii) as part of an active investigation related to a missing or endangered person, including whether to issue an alert for such person, or a person associated with human trafficking; or (iii) to receive notifications related to a missing or endangered person, a person with an outstanding warrant, a person associated with human trafficking, a stolen vehicle, or a stolen license plate. All information necessary for the creation of an audit trail shall be entered in order to query system

data. A law-enforcement agency shall not query or download system data unless such data is related to at least one of these purposes. A law-enforcement agency may download audit trail data for purposes of generating audit reports. A stop of a motor vehicle based on a notification from the system shall be consistent with subsection M.

E. System data shall be purged after 21 days of the date of its capture in such a manner that such data is destroyed and not recoverable by either the vendor or the law-enforcement agency. Audit trail data shall be purged after two years of the date of its capture in such a manner that such data is destroyed and not recoverable by either the vendor or the law-enforcement agency. However, if the system data or the audit trail data is part of an ongoing investigation, prosecution, or civil action, such data shall be retained by the law-enforcement agency until (i) the investigation concludes without any criminal charges or (ii) the final disposition of any criminal or civil matter related to the data, including any direct appeals and any writs of habeas corpus pursuant to Article 3 (§ 8.01-654 et seq.) of Chapter 25 of Title 8.01 or federal law, in accordance with applicable records retention law and policy.

F. System data and audit trail data shall not be subject to disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.). A law-enforcement agency shall not sell any system data or audit trail data. A law-enforcement agency shall not share system data or audit trail data with, or disseminate such data to, any database of any other state, federal, private, or commercial entity. A law-enforcement agency may share system data or audit trail data for the following purposes:

1. With another law-enforcement agency for purposes set forth in subsection D, which may include allowing another law-enforcement agency to query system data, provided that the agency receiving such data shall comply with all of the provisions of this section;

2. With the attorney for the Commonwealth for purposes set forth in subsection D or for complying with discovery or a court order in a criminal proceeding;

3. With a defendant or his counsel for purposes of complying with discovery or a court order in a criminal proceeding;

4. Pursuant to a court order or a court-issued subpoena duces tecum in any criminal or civil proceeding;

5. With the vendor for maintenance or quality assurance purposes; or

6. To alert the public to an emergency situation, a missing or endangered person, a person associated with human trafficking, or a person with an outstanding warrant.

In addition, the Department of State Police shall share system data obtained from any system installed, maintained, and operated on any limited access highway or any bridge, tunnel, or special structure under the jurisdiction of the Commonwealth Transportation Board or the Department of Transportation with any law-enforcement agency in the locality where such system is installed, maintained, or operated, and such law-enforcement agency may share such system data for the purposes set forth in this subsection.

G. A law-enforcement agency that uses a system shall maintain records sufficient to facilitate public reporting as required by this section, the production of an audit trail, and discovery in criminal and civil proceedings, appeals, and post-conviction proceedings.

H. A law-enforcement agency that uses a system shall establish a policy governing such use that is consistent with this section that includes:

1. Training requirements for individuals who will use or access the system;

2. The purposes for which the system can be used or accessed;

3. Procedures to ensure that the databases used by the system to provide notifications as set forth in subsection D are updated at least every 24 hours, or as soon as practicable after such updates become available;

4. Procedures to confirm the accuracy of any notifications made by the system before stopping a vehicle that are consistent with subsection M;

5. A prohibition against downloading system data that is not related to at least one of the purposes set forth in subsection D, except for downloads of audit trail data for purposes of generating audit reports;

6. An internal auditing procedure that occurs at least once every 30 days;

7. Procedures for the retention and destruction of system data and audit trail data that are consistent with subsection E;

8. A prohibition on the sale of system data and audit trail data and restrictions on the sharing of system data and audit trail data that are consistent with subsection F; and

9. Security procedures to protect the system, system data, and audit trail data from unauthorized access, destruction, use, modification, or disclosure.

I. A law-enforcement agency that uses a system shall report to the Department of State Police by April 1 of each year, in a format to be determined by the Department of State Police, on its use of the system during the preceding calendar year, which shall include the following data:

1. The total number of cameras owned or leased by an agency as part of a system at the conclusion of each calendar year, including the number of such cameras designed to be affixed inside or on a motor vehicle, permanently affixed adjacent to a highway, or temporarily affixed or placed adjacent to a highway for purposes of capturing system data;

2. A list of all state and federal databases with which the system data was compared, unless the existence of any such database itself is not public;

3. The total number of times the system was queried, including the specific purposes of the queries, as set forth in subsection D, and the offense types for any criminal investigation;

4. The race, ethnicity, age, and gender of any individual identified as a suspect and charged with a criminal offense as a result of a query of the system as part of a criminal investigation;

5. The number of motor vehicles stopped based on notifications from the system, including the specific reasons for the notifications as set forth in subsection D;

6. The race, ethnicity, age, and gender of the driver of any motor vehicle stopped based on a notification from the system;

7. Whether the agency allows any other law-enforcement agencies to access its system data, and if so, which other agencies have been granted such access;

8. The number of identified instances of unauthorized use of or access to the system, including the nature and circumstances of such instances; and

9. The number of subpoena duces tecum, search warrants, and any other requests received from a third party for system data or audit trail data, including the identity of the entity that requested the issuance of such subpoena duces tecum, executed such search warrant, or requested such data, and whether any data was provided to such entity, unless disclosure of such subpoena duces tecum, search warrant, or request is otherwise prohibited by law.

J. The Department of State Police shall aggregate the data provided pursuant to subsection I and report it to the Governor, the General Assembly, and the Virginia State Crime Commission by July 1 of each year.

K. A law-enforcement agency that uses a system shall publicly post the policy set forth in subsection H and the report set forth in subsection I. Data shall not be publicly posted if it contains personal or case identifying information. If any data (i) contains an articulable concern for any person's safety, (ii) is otherwise prohibited from public disclosure by federal or state statute, or (iii) may compromise sensitive criminal justice information if disclosed, such data may be excluded from being publicly posted.

L. A law-enforcement agency shall not use a system for the purpose of interfering with individuals engaged in lawful activities or tracking individuals on the basis of the content of lawfully protected speech.

M. A notification by a system for purposes set forth in subsection D does not, by itself, constitute reasonable suspicion as grounds for law enforcement to stop a vehicle. Prior to stopping a vehicle based on a notification, a law-enforcement officer shall:

1. Develop independent reasonable suspicion for the stop; or

2. Confirm that the license plate or identifying characteristics of a vehicle match the information contained in the database used to generate the notification.

N. Any person who willfully and intentionally queries, accesses, or uses a system for a purpose other than set forth in subsection D, or who willfully and intentionally sells, shares, or disseminates system data or audit trail data in violation of subsection F, is guilty of a Class 1 misdemeanor.

O. Any evidence obtained as the result of a violation of subsection D, F, L, or M is not admissible by the Commonwealth in any criminal or civil proceeding, but such evidence may be admitted by a defendant in a criminal proceeding or a litigant, other than the Commonwealth, in a civil proceeding.

P. This section does not apply to systems used:

1. For the enforcement of traffic laws, which includes parking regulations, speed limits, tolling requirements, high-occupancy vehicle requirements, or on-road emissions monitoring;

2. By the Department of Motor Vehicles at permanent weighing stations and in mobile weighing operations; or

3. By any state or local agency or any private entity for non-criminal justice purposes.

Q. A law-enforcement agency shall obtain a permit from the Department of Transportation in accordance with regulations of the Commonwealth Transportation Board before installing a system on a state right-of-way. The Department of State Police shall have sole and exclusive authority to install, maintain, and operate systems for law-enforcement purposes in the right-of-way of any limited access highway or any bridge, tunnel, or special structure under the jurisdiction of the Commonwealth Transportation Board or the Department of Transportation in accordance with the provisions of this section and upon compliance with the regulations of the Commonwealth Transportation Board governing activities in the right-of-way as authorized by § 33.2-210. A vendor may submit a permit application on behalf of the law-enforcement agency if the vendor has obtained a letter of authorization signed by the law-enforcement agency. The provisions of this subsection shall not prevent or limit the use of any system that is authorized by any other provision of law.

R. A vendor shall immediately notify the contracting law-enforcement agency under subsection C upon receipt of a subpoena duces tecum, execution of a search warrant, or any other request from a third party for any system data or audit trail data, unless disclosure of such subpoena duces tecum, search warrant, or request is otherwise prohibited by law.

S. Prior to or coincident with the implementation of an automatic license plate recognition system, a local law-enforcement agency shall take measures to promote public awareness on the use of such system.

§ 52-30.2. Prohibited practices; collection of data.

A. No State Police officer shall engage in bias-based profiling in the performance of his official duties.

B. State Police officers shall collect data pertaining to (i) all investigatory motor vehicle stops, (ii) all stop-and-frisks of a person based on reasonable suspicion, and (iii) all other investigatory detentions that do not result in an arrest or the issuance of a summons to be reported into the Community Policing Reporting Database. State Police officers shall submit the data to their commanding officers, who shall forward it to the Superintendent of State Police.

C. Each time a law-enforcement officer or State Police officer stops a driver of a motor vehicle, stops and frisks a person based on reasonable suspicion, or temporarily detains a person during any other investigatory stop, such officer shall

collect the following data based on the officer's observation or information provided to the officer by the driver: (i) the race, ethnicity, age, gender of the person stopped, and whether the person stopped spoke English; (ii) the reason for the stop; (iii) *whether a notification from an automatic license plate recognition system, as defined in § 2.2-5517, was received for the motor vehicle prior to such stop, and if so, the specific reason for the notification as set forth in subsection D of § 2.2-5517; (iv)* the location of the stop; ~~(iv)~~ *(v)* whether a warning, written citation, or summons was issued or whether any person was arrested; ~~(v)~~ *(vi)* if a warning, written citation, or summons was issued or an arrest was made, the warning provided, violation charged, or crime charged; ~~(vi)~~ *(vii)* whether the vehicle or any person was searched; and ~~(vii)~~ *(viii)* whether the law-enforcement officer or State Police officer used physical force against any person and whether any person used physical force against any officers.

D. Each state and local law-enforcement agency shall collect the number of complaints the agency receives alleging the use of excessive force.

2. That the provisions of subsection C of § 2.2-5517 of the Code of Virginia, as created by this act, shall become effective on July 1, 2026. Any law-enforcement agency may enter into or continue an existing contract with a vendor for the installation, use, or maintenance of an automatic license plate recognition system prior to July 1, 2026; however, after such date the terms of such contract must comply with the provisions of subsection C of § 2.2-5517 of the Code of Virginia, as created by this act.

3. That the provisions of subsection C of § 52-30.2 of the Code of Virginia, as amended by this act, shall become effective on January 1, 2026.

4. That the Division of Purchases and Supply of the Department of General Services, in consultation with the Virginia Information Technologies Agency, shall determine the automatic license plate recognition systems for use in the Commonwealth as set forth in subsection B of § 2.2-5517 of the Code of Virginia, as created by this act, and shall publicly post a list of such systems on its website by January 1, 2026.

5. That the provisions of this act shall apply to the use of automatic license plate recognition systems on or after July 1, 2025, and are not retroactive.

6. That the Department of State Police shall develop a model policy for the use of automatic license plate recognition systems by law-enforcement agencies that is consistent with the provisions of this act and shall publicly post such model policy by July 1, 2025.

7. That the first report from law-enforcement agencies as required by subsection I of § 2.2-5517 of the Code of Virginia, as created by this act, shall be due by April 1, 2027.

8. That the first report from the Department of State Police as required by subsection J of § 2.2-5517 of the Code of Virginia, as created by this act, shall be due by July 1, 2027.

9. That the Commonwealth Transportation Board's initial adoption of regulations pursuant to this act shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code Virginia).

10. That any automatic license plate recognition systems in a Commonwealth Transportation Board controlled right-of-way that were installed prior to the effective date of this act shall be subject to then-existing regulations of the Commonwealth Transportation Board issued pursuant to § 33.2-210 of the Code of Virginia and shall, in order to remain in the right-of-way, obtain land use permits from the Virginia Department of Transportation no later than August 1, 2025.

11. That the Department of State Police shall, beginning April 1, 2027, provide the data reported by law-enforcement agencies pursuant to subsection I of § 2.2-5517 of the Code of Virginia, as created by this act, in non-aggregate form to the Virginia State Crime Commission for the purpose of monitoring and evaluating the use of automatic license plate recognition systems. The Department of Transportation shall provide the Virginia State Crime Commission with data on the number of applications submitted for a land use permit for the installation of an automatic license plate recognition system by or on behalf of a law-enforcement agency, and the number of such permits issued, (i) by January 5, 2026, for the time period between July 1, 2025, and December 31, 2025, and (ii) by April 1 of each year thereafter for the previous calendar year, broken down by each individual law-enforcement agency applying for and being issued such a permit. The Virginia State Crime Commission shall report on the use of automatic license plate recognition systems in the Commonwealth by July 1, 2027, and by July 1 of each of the following five years.

12. That any local law-enforcement agency using an automatic license plate recognition system when the provisions of this act take effect on July 1, 2025, shall take measures to promote public awareness of such use and shall commence such measures by September 1, 2025, unless such agency has previously taken measures to promote such public awareness.

13. That the Virginia State Crime Commission shall collect data and conduct surveys of law-enforcement agencies to assess the use of automatic license plate recognition systems in the Commonwealth, to include obtaining each such agency's policy on the use of such systems. The Virginia State Crime Commission shall report its findings by the first day of the 2026 Regular Session of the General Assembly and again on November 1, 2026.

14. That the provisions of subsection Q of § 2.2-5517 of the Code of Virginia, as created by this act, shall not become effective unless reenacted by the 2026 Session of the General Assembly.

CHAPTER 721

An Act to amend and reenact § 18.2-251.03 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-36.3, relating to involuntary manslaughter; certain drug offenses.

[S 746]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-251.03 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 18.2-36.3 as follows:

§ 18.2-36.3. Involuntary manslaughter; certain drug offenses.

A. Any person who knowingly, intentionally, and feloniously manufactures, sells, or distributes a controlled substance knowing that such controlled substance contains a detectable amount of fentanyl, including its derivatives, isomers, esters, ethers, salts, and salts of isomers, in violation of Article 1 (§ 18.2-247 et seq.) of Chapter 7 and unintentionally causes the death of another person is guilty of involuntary manslaughter if (i) such death results from the use of the controlled substance and (ii) such controlled substance is the proximate cause of the death regardless of the time or place death occurred in relation to the commission of the underlying manufacturing, sale, or distribution of a controlled substance that contains a detectable amount of fentanyl, including its derivatives, isomers, esters, ethers, salts, and salts of isomers.

B. It is not a defense to a prosecution under this section that the decedent contributed to his own death by his knowing or voluntary use of the controlled substance. Venue for a prosecution under this section shall lie in the locality where the manufacturing, sale, or distribution of a controlled substance that contains a detectable amount of fentanyl, including its derivatives, isomers, esters, ethers, salts, and salts of isomers, occurred, where the use of the controlled substance occurred, or where death occurred.

C. However, if any person proves that he gave or distributed a controlled substance that contains a detectable amount of fentanyl, including its derivatives, isomers, esters, ethers, salts, and salts of isomers, in violation of Article 1 (§ 18.2-247 et seq.) of Chapter 7 only as an accommodation to another individual who is not an inmate in a community correctional facility, local correctional facility, or state correctional facility as defined in § 53.1-1 or in the custody of an employee thereof, and not with intent to profit thereby from any consideration received or expected nor to induce the recipient or intended recipient of the controlled substance to use or become addicted to or dependent upon such controlled substance, he shall not be guilty of involuntary manslaughter but is guilty of an accommodation sale punishable as a Class 6 felony.

D. No person convicted pursuant to this section for conduct described in subsection A shall be subject to a prosecution for a violation of subsection D of § 18.2-46.6 or § 18.2-248.01, 18.2-250, or 18.2-256 for the same transaction or occurrence.

§ 18.2-251.03. Arrest and prosecution when experiencing or reporting overdoses.

A. For purposes of this section, "overdose" means a life-threatening condition resulting from the consumption or use of a controlled substance, alcohol, or any combination of such substances.

B. No individual shall be subject to arrest or prosecution for the unlawful purchase, possession, or consumption of alcohol pursuant to § 4.1-305, unlawful purchase, possession, or consumption of marijuana pursuant to § 4.1-1105.1, *involuntary manslaughter pursuant to § 18.2-36.3,* possession of a controlled substance pursuant to § 18.2-250, intoxication in public pursuant to § 18.2-388, or possession of controlled paraphernalia pursuant to § 54.1-3466 if:

1. Such individual (i) in good faith, seeks or obtains emergency medical attention (a) for himself, if he is experiencing an overdose, or (b) for another individual, if such other individual is experiencing an overdose; (ii) is experiencing an overdose and another individual, in good faith, seeks or obtains emergency medical attention for such individual, by contemporaneously reporting such overdose to a firefighter, as defined in § 65.2-102, emergency medical services personnel, as defined in § 32.1-111.1, a law-enforcement officer, as defined in § 9.1-101, or an emergency 911 system; or (iii) in good faith, renders emergency care or assistance, including cardiopulmonary resuscitation (CPR) or the administration of naloxone or other opioid antagonist for overdose reversal, to an individual experiencing an overdose while another individual seeks or obtains emergency medical attention in accordance with this subdivision;

2. Such individual remains at the scene of the overdose or at any alternative location to which he or the person requiring emergency medical attention has been transported until a law-enforcement officer responds to the report of an overdose. If no law-enforcement officer is present at the scene of the overdose or at the alternative location, then such individual shall cooperate with law enforcement as otherwise set forth herein;

3. Such individual identifies himself to the law-enforcement officer who responds to the report of the overdose; and

4. The evidence for the prosecution of an offense enumerated in this subsection was obtained as a result of the individual seeking or obtaining emergency medical attention or rendering emergency care or assistance.

C. The provisions of this section shall not apply to any person who seeks or obtains emergency medical attention for himself or another individual, to a person experiencing an overdose when another individual seeks or obtains emergency medical attention for him, or to a person who renders emergency care or assistance to an individual experiencing an overdose while another person seeks or obtains emergency medical attention during the execution of a search warrant or during the conduct of a lawful search or a lawful arrest.

D. This section does not establish protection from arrest or prosecution for any individual or offense other than those listed in subsection B.

E. No law-enforcement officer acting in good faith shall be found liable for false arrest if it is later determined that the person arrested was immune from prosecution under this section.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

CHAPTER 722

An Act to amend and reenact §§ 54.1-2200, 54.1-2200.2, and 54.1-2208.1 through 54.1-2208.4 of the Code of Virginia, relating to professions and occupations; regulation of geologists; licensure; penalty.

[H 1835]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2200, 54.1-2200.2, and 54.1-2208.1 through 54.1-2208.4 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2200. Definitions.

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

"Board" means the Board for Professional Soil Scientists, Wetland Professionals, and Geologists.

"Department" means the Department of Professional and Occupational Regulation.

"Eligible soil scientist" means a person who possesses the qualifications specified in this chapter to become licensed.

"Eligible wetland professional" means a person who possesses the qualifications specified in this chapter to become certified.

"Geological mapping" means the process of creating a map on which is recorded geological information, such as the distribution, nature, and age of relationships of rock units, in which surficial deposits may or may not be mapped separately, and the occurrence of structural features such as folds, faults, and joints; mineral deposits; and fossil localities. "Geological mapping" may indicate geologic structure by means of formational outcrop patterns, by conventional symbols giving the direction and amount of dip at certain points, or by structure-contour lines.

"Geologist" means a person engaged in the practice of geology.

"Geology" means the science encompassing those principles and methods related to (i) the earth and its history in general; (ii) the investigation, prediction, evaluation, and location of materials and structures that compose the earth; (iii) the natural processes that cause changes in the earth; and (iv) the application of knowledge of the earth, its processes, and its constituent rocks, minerals, liquids, gases, and other natural materials.

"Practice of geology" means the performance of any professional service or work wherein the principles and methods of geology are applied, including (i) investigating, evaluating, and consulting; (ii) geological mapping; (iii) describing the natural processes that act upon the earth's materials; (iv) predicting the probable occurrence of natural processes; and (v) inspecting, planning, and performing and supervising geological work in order to enhance and protect the health, safety, and welfare of the public and the environment.

"Practice of soil evaluation" means the evaluation of soil by accepted principles and methods including, observation, investigation, and consultation on measured, observed, and inferred soils and their properties; analysis of the effects of these properties on the use and management of various kinds of soil; and preparation of soil descriptions, maps, reports, and interpretive drawings.

"Practice of wetland delineation" means the delineation of wetlands by accepted principles and methods including, observation, investigation, and consultation on soil, vegetation, and hydrologic parameters; and preparation of wetland delineations, descriptions, reports, and interpretive drawings.

"Qualified geologist" means an ~~uncertified~~ *unlicensed* person who possesses all the qualifications specified in this chapter for ~~certification~~ *licensure*.

"Soil" means the groups of natural bodies occupying the unconsolidated portion of the earth's surface which are capable of supporting plant life and have properties caused by the combined effects, as modified by topography and time, of climate and living organisms upon parent materials.

"Soil evaluation" means plotting soil boundaries, describing and evaluating the kinds of soil, and predicting their suitability for and response to various uses.

"Soil science" means the science dealing with the physical, chemical, mineralogical, and biological properties of soils as natural bodies.

"Soil scientist" means a person having special knowledge of soil science and the methods and principles of soil evaluation as acquired by education and experience in the formation, description, and mapping of soils.

~~"Virginia certified professional geologist" means a person who possesses all qualifications specified in this chapter for certification and whose competence has been attested by the Board through certification.~~

"Virginia certified professional wetland delineator" means a person who possesses the qualifications required for certification by the provisions of this chapter and the regulations of the Board and who is granted certification by the Board.

"Virginia licensed professional geologist" means a person who possesses all qualifications specified in this chapter for licensure and whose competence has been attested by the Board through licensure.

"Virginia licensed professional soil scientist" means a person who possesses the qualifications required for licensure by the provisions of this chapter and the regulations of the Board and who has been granted a license by the Board.

"Wetland delineation" means delineating wetland limits in accordance with prevailing state and federal regulatory guidance and describing wetland types.

"Wetland professional" means a person having special knowledge of wetland science and the methods and principles of wetland delineation as acquired by education and experience in the formation, description, and mapping of wetlands.

"Wetland science" means the science dealing with the physical, chemical, and biological properties of wetland systems integrated through ecological and morphological relationships.

"Wetlands" means the same as that term is defined in §§ 28.2-1300 and 62.1-44.3.

§ 54.1-2200.2. Board for Professional Soil Scientists, Wetland Professionals, and Geologists; membership; quorum.

A. Notwithstanding the provisions of § 54.1-200, the Board for Professional Soil Scientists, Wetland Professionals, and Geologists shall be composed of 13 members as follows: three licensed professional soil scientists, three certified professional wetland delineators, three *licensed professional* geologists, and three citizen members. The State Geologist shall serve as an ex officio member of the Board. The *professional* geologist members shall be of varied backgrounds. The professional soil scientist members shall have experience in at least one of the following areas: (i) soil mapping and classification, (ii) soil suitability and land use, (iii) teaching and research in soil science, and (iv) environmental protection regulations. Of the wetland professional members, one shall have experience in wetland delineation and description, one shall have experience in teaching and research in wetland science, and one shall have experience with natural resource regulations. Terms of the members shall be for four years.

B. The Board shall annually elect a chairman from its membership. Seven board members, consisting of at least two *professional* soil scientists, two professional wetland delineators, two *professional* geologists, and one citizen, shall constitute a quorum.

C. The Governor may select the professional soil scientist members from a list of at least three names for each vacancy submitted by the Virginia Association of Professional Soil Scientists. The Governor may notify the Virginia Association of Professional Soil Scientists of any professional vacancy other than by expiration among the professional soil scientist members of the Board and nominations may be made for the filling of the vacancy.

D. The Governor may select the wetland professionals from a list of at least three names for each vacancy submitted by the Virginia Association of Wetland Professionals. The Governor may notify and request nominations from the Virginia Association of Wetland Professionals of any professional vacancy other than by expiration among the wetland professional members.

§ 54.1-2208.1. Purpose; exemptions.

A. The ~~certification program set forth in this article is voluntary and shall not be construed to prevent or affect the practice of geology by uncertified geologists; however, no person may represent himself as a Virginia certified professional geologist unless he has been so certified by the Board~~ *licensing of professional geologists as set forth in this article shall serve any or all of the following purposes:*

1. The maintenance of educational, experiential, and ethical standards in the practice of geology;

2. The maintenance of standards of objectivity, truthfulness, and reliability in the practice of geology;

3. The restriction of the professional geologist from association with any person engaging in illegal or dishonest activities in the practice of geology; and

4. The limitation of the practice of geology and any offer of the practice of geology to those persons licensed pursuant to this article.

B. This article shall not *be construed to* prevent or affect ~~the~~*:*

1. The practice of any profession or trade for which licensing, certification, or registration is required under any other Virginia law, including the practice of licensed professional engineers lawfully practicing engineering in its various specialized branches*;*

2. The work of any archeologist, chemist, geographer, or oceanographer who is in responsible charge of geological work or the drawing of geological conclusions and recommendations, provided such work does not include the design and execution of geological investigations;

3. The practice of geology by any person under the direct supervision and control of a professional geologist licensed pursuant to this article, provided such practice does not include being in responsible charge of final geological reports or decisions; or

4. The practice of geology by any person certified as a professional geologist before July 1, 2025.

§ 54.1-2208.2. Licensure; minimum qualifications; penalty.

A. Any person practicing or offering to practice as a *professional* geologist or in a geological specialty in this Commonwealth may submit reasonable evidence to the Board that he is qualified to practice and to be ~~certified~~ *licensed* as provided in this article. The Board shall approve the application for ~~certification~~ *licensure* of any person who, in the opinion of the Board, has satisfactorily met the requirements of this article and who has paid any applicable fees fixed by the Board.

~~Certifications~~ *Licenses* shall expire at intervals as designated by the Board. A ~~certification~~ *license* may be renewed by the Board upon receipt of a formal request accompanied by any applicable fees.

B. To be eligible for ~~certification~~ *licensure* as a professional geologist, an applicant shall meet each of the following minimum qualifications:

1. Be of ethical character.

2. Have a baccalaureate or higher degree from an accredited institution of higher education with either a major in geology, engineering geology, geological engineering, or related geological sciences; or have completed at least 30 semester hours or the equivalent in geological science courses leading to a major in geology.

3. Have at least seven years of geological work that shall include either a minimum of three years of geological work under the supervision of a qualified or ~~certified~~ *licensed* professional geologist or a minimum of three years of experience in responsible charge of geological work. The adequacy of the position and the required supervision and experience shall be determined by the Board in accordance with standards set forth in its regulations. The following criteria of education and experience qualify toward the required seven years of geological work:

a. Each year of full-time undergraduate study in the geological sciences shall count as one-half year of experience up to a maximum of two years, and each year of full-time graduate study shall count as a year of experience up to a maximum of three years. Credit for undergraduate and graduate study shall in no case exceed a total of four years toward meeting the requirements for at least seven years of geological work.

b. The Board may consider, in lieu of the above-described geological work, the cumulative total of geological work or geological research of persons occupying research or post-graduate positions as well as those teaching geology courses at an institution of higher education, provided such work or research can be demonstrated to be of a sufficiently responsible nature to be equivalent to the geological work required in this section.

4. Have successfully passed an appropriate examination approved by the Board and designed to demonstrate that the applicant has the necessary knowledge and skill to exercise the responsibilities of the public practice of geology.

At the discretion of the Board, separate examinations may be prepared for various subspecialities of geology; however, there will be no specialty ~~certification~~ *licensure*, only ~~certification~~ *licensure* as a professional geologist.

C. The Board shall issue a license to practice as a geologist in the Commonwealth to any individual who holds an unexpired certification to practice as a geologist issued prior to July 1, 2025.

D. No person shall represent himself as a licensed professional geologist unless he has been so licensed by the Board. Any person practicing or offering to practice geology within the meaning of this article who, through verbal claim, sign, advertisement, or letterhead, represents himself as a licensed professional geologist without holding such license from the Board is guilty of a Class 1 misdemeanor.

§ 54.1-2208.3. Waiver of examination.

The Board may waive the examination requirement for ~~certification~~ *licensure* as a professional geologist for an applicant who otherwise meets the requirements of this article and who also meets any of the following conditions:

1. Makes written application to the Board and has at least 12 years of geological work that includes the geological work as specified in subsection B of § 54.1-2208.2.

2. Makes written application to the Board and holds an unexpired certificate of registration, certification, or license to engage in the practice of geology issued to him on the basis of comparable requirements by a proper authority of a state, territory, or possession of the United States or the District of Columbia.

§ 54.1-2208.4. Professional ethics and conduct.

A. The Board, in coordination with an ad hoc panel of ~~certified~~ *licensed* professional geologists convened by the Board and representing various geological interests in Virginia, shall have prepared and adopted a Code of Professional Ethics and Conduct that shall be published and made known in writing to every Virginia ~~certified~~ *licensed* professional geologist and applicant for ~~certification~~ *licensure* under this article. The Board may revise and amend this code as needed and shall forthwith notify each ~~certified~~ *licensed* professional geologist in writing of such revisions or amendments.

B. The full Board, by majority vote, shall have the power to suspend, revoke, or refuse to renew the ~~certification~~ *license* of any professional geologist who, after an appropriate formal hearing, is found to have been involved in:

1. Any fraud or deceit in obtaining ~~certification~~ *licensure*;

2. Any violation of the Code of Professional Ethics and Conduct or other regulations of the Board;

3. Demonstrated gross negligence, incompetence, or misconduct in the practice of geology as a professional geologist; or

4. Any conviction of a felony which, in the opinion of the Board, would adversely affect the practice of geology.

C. The Board, by majority vote of the quorum, may reinstate a revoked or suspended ~~certification~~ *license* to any professional geologist who makes written application to the Board showing good cause for such action.

2. That the Board for Professional Soil Scientists, Wetland Professionals, and Geologists shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

CHAPTER 723

An Act to amend and reenact § 62.1-44.15:39 of the Code of Virginia, relating to Virginia Erosion and Stormwater Management Program authority; right of entry.

[H 2008]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 62.1-44.15:39 of the Code of Virginia is amended and reenacted as follows:

§ 62.1-44.15:39. Right of entry.

In addition to the Board's authority set forth in § 62.1-44.20, a locality serving as a VESMP authority *or as an operator of a regulated municipal separate storm sewer system* or any duly authorized agent thereof may, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this article. For ~~localities that operate~~ *operators of* regulated municipal separate storm sewer systems *that are not a locality or any duly authorized agent thereof*, this authority shall apply only to those properties from which a discharge enters their municipal separate storm sewer systems.

In accordance with a performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement, a VESMP authority may also enter any establishment or upon any property, public or private, for the purpose of initiating or maintaining appropriate actions that are required by conditions imposed by the VESMP authority on a land-disturbing activity when an owner, after proper notice, has failed to take acceptable action within the time specified.

CHAPTER 724

An Act to amend and reenact § 62.1-44.15:39 of the Code of Virginia, relating to Virginia Erosion and Stormwater Management Program authority; right of entry.

[S 1093]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 62.1-44.15:39 of the Code of Virginia is amended and reenacted as follows:

§ 62.1-44.15:39. Right of entry.

In addition to the Board's authority set forth in § 62.1-44.20, a locality serving as a VESMP authority *or as an operator of a regulated municipal separate storm sewer system* or any duly authorized agent thereof may, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this article. For ~~localities that operate~~ *operators of* regulated municipal separate storm sewer systems *that are not a locality or any duly authorized agent thereof*, this authority shall apply only to those properties from which a discharge enters their municipal separate storm sewer systems.

In accordance with a performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement, a VESMP authority may also enter any establishment or upon any property, public or private, for the purpose of initiating or maintaining appropriate actions that are required by conditions imposed by the VESMP authority on a land-disturbing activity when an owner, after proper notice, has failed to take acceptable action within the time specified.

CHAPTER 725

[H 1600]

Approved May 2, 2025

An Act to amend and reenact Chapter 2 of the Acts of Assembly of 2024, Special Session I, as amended by Chapters 3 and 4 of the Acts of Assembly of 2024, Special Session I, which appropriates the public revenues for two years ending, respectively, on June 30, 2025, and June 30, 2026; an Act to amend and reenact § 58.1-332.03, § 58.1-339.8, § 58.1-390.3, § 58.1-439.29, § 58.1-439.30, § 58.1-492, § 59.1-376, § 59.1-391, § 59.1-392 and § 65.2-107 of the Code of Virginia; and to amend and reenact the second enactment of Chapter 763 of the Acts of Assembly of 2023 and the second enactment of Chapter 791 of the Acts of Assembly of 2023.

Be it enacted by the General Assembly of Virginia:

1. That Items 0, 1, 6, 7, 10, 12, 13, 16, 20, 23, 24, 25, 26, 27, 31, 33, 34, 35, 40, 44, 58, 59, 60, 61, 63, 64, 65, 66, 67, 68, 70, 71, 74, 75, 77, 79, 80, 81, 82, 85, 86, 87, 91, 93, 95, 96, 101, 102, 103, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 123, 124, 125, 125.10, 126, 129, 130, 132, 136, 137, 140, 141, 144, 145, 148, 151, 152, 155, 156, 157, 159, 160, 161, 163, 164, 166, 167, 168, 172, 173, 176, 177, 183, 184, 187, 190, 191, 192, 193, 194, 195, 196, 197, 198, 200, 201, 203, 204, 206, 207, 209, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 223, 225, 226, 227, 229, 230, 231, 233, 234, 236, 237, 243, 244, 246, 247, 254, 257, 258, 259, 260, 261, 262, 264, 268, 269, 270, 271, 272, 274, 275, 276, 277, 278, 279, 280, 281, 283, 285, 286, 287, 288, 290, 291, 292, 293, 294, 295, 296, 297, 300, 301, 302, 307, 314, 315, 320, 324, 325, 326, 327, 328, 329, 330, 331, 332, 334, 337, 339, 341, 343, 344, 349, 352, 353, 354, 355, 356, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 370, 371, 372, 373, 376, 383, 384, 385, 388, 389, 390, 391, 392, 394, 399, 404, 406, 407, 408, 411, 413, 415, 416, 417, 419, 421, 422, 423, 424, 425, 426, 428, 430, 433, 436, 437, 438, 439, 440, 441, 442, 443, 444, 446, 450, 451, 452, 455, 456, 458, 460, 462, 463, 466, 469, 470, 471, 473, 475, 476, 479, 480, 481, 482, 483, 484, 489.10, 489.20, 489.30, 489.40, § 2-0, C-2, C-3.50, C-5, C-24, C-25, C-33, C-34, C-46, C-47, C-48, C-49, C-51, C-52, C-53.50, C-53.60, C-54, C-55, C-58, C-59, § 3-1.01, § 3-1.03, § 3-5.01, § 3-5.03, § 3-5.15, § 3-5.23, § 4-1.02, § 4-6.01, § 4-7.01 and § 4-14 of Chapter 2 of the 2024 Acts of Assembly, Special Session I, as amended by Chapters 3 and 4 of the 2024 Acts of Assembly, Special Session I, be hereby amended and reenacted and that the cited chapter be further amended by adding Items 142.10, 252.10, C-3.60, C-4.10, C-7.20, C-7.80, C-8.60, C-10.50, C-11.10, C-16.10, C-16.20, C-21.50, C-21.60, C-22.40, C-22.50, C-29.30, C-32.10, C-39.10, C-43.50, C-45.10, C-45.20, C-45.30, C-52.10, C-52.20, C-53.70, C-53.80, § 3-5.25, and § 3-5.26, and that the cited chapter be further amended by striking therefrom § 3-5.04, § 3-5.16 and § 4-5.08.

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

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

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

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

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

	First Year	Second Year	Total
Unreserved Beginning Balance	~~$2,989,627,272~~	$0	~~$2,989,627,272~~
	$12,757,442,466		*$12,757,442,466*
Additions to Balance	~~$47,000,000~~	~~($500,000)~~	~~$46,500,000~~
	($8,243,470,953)	*$19,500,000*	*($8,223,970,953)*
Official Revenue Estimates	~~$28,563,750,000~~	~~$30,275,550,000~~	~~$59,839,300,000~~
	$30,661,036,462	*$31,360,409,381*	*$62,021,445,843*
Transfer	~~$1,128,073,149~~	~~$1,714,755,410~~	~~$2,842,828,559~~
	$1,390,285,768	*$1,572,043,937*	*$2,962,329,705*
Total General Fund Resources Available for			

Appropriation	~~$32,728,450,421~~	~~$31,989,805,410~~	~~$64,718,255,831~~
	$36,565,293,743	*$32,951,953,318*	*$69,517,247,061*

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

	First Year	Second Year	Total
Balance, June 30, 2024	~~$12,189,205,926~~	$0	~~$12,189,205,926~~
	$12,329,216,528		*$12,329,216,528*
Official Revenue Estimates	~~$50,242,785,460~~	~~$52,470,704,871~~	~~$102,713,490,331~~
	$55,952,484,636	*$57,955,178,841*	*$113,907,663,477*
Lottery Proceeds Fund	~~$877,926,201~~	~~$852,926,201~~	~~$1,730,852,402~~
	$943,824,250	*$875,335,350*	*$1,819,159,600*
Internal Service Fund	~~$2,547,892,953~~	~~$2,613,216,074~~	~~$5,161,109,027~~
	$2,548,392,953	*$2,661,451,414*	*$5,209,844,367*
Bond Proceeds	~~$834,497,540~~	~~$200,000,000~~	~~$1,034,497,540~~
	$930,193,760	*$406,085,243*	*$1,336,279,003*
Total Nongeneral Fund Revenues Available for Appropriation	~~$66,692,308,080~~	~~$56,136,847,146~~	~~$122,829,155,226~~
	$72,704,112,127	*$61,898,050,848*	*$134,602,162,975*
TOTAL PROJECTED REVENUES	~~$99,420,758,501~~	~~$88,126,652,556~~	~~$187,547,411,057~~
	$109,269,405,870	*$94,850,004,166*	*$204,119,410,036*

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

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

§ 6. When used in this act the term:

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

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

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

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

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

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

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

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

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

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

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

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

BIENNIUM 2024-26

	General Fund	Nongeneral Fund	Total
OPERATING EXPENSES	~~$63,748,960,781~~	~~$112,919,222,182~~	~~$176,668,182,963~~
	$67,475,321,135	*$117,834,227,778*	*$185,309,548,913*
LEGISLATIVE DEPARTMENT	~~$280,791,734~~	~~$10,610,590~~	~~$291,402,324~~
	$283,333,301	*$10,885,915*	*$294,219,216*
JUDICIAL DEPARTMENT	~~$1,313,054,042~~	~~$82,450,502~~	~~$1,395,504,544~~
	$1,323,020,345	*$85,770,523*	*$1,408,790,686*
EXECUTIVE DEPARTMENT	~~$62,040,651,847~~	~~$107,222,685,248~~	~~$169,263,337,095~~
	$65,826,480,706	*$111,767,286,620*	*$177,593,767,326*
INDEPENDENT AGENCIES	~~$114,463,158~~	~~$5,603,475,842~~	~~$5,717,939,000~~
	$42,486,783	*$5,970,284,720*	*$6,012,771,503*
STATE GRANTS TO NONSTATE AGENCIES	$0	$0	$0
CAPITAL OUTLAY EXPENSES	~~$951,677,311~~	~~$1,805,819,634~~	~~$2,757,496,945~~
	$1,994,911,493	*$2,704,413,256*	*$4,699,324,749*
TOTAL	~~$64,700,638,092~~	~~$114,725,041,816~~	~~$179,425,679,908~~
	$69,470,232,628	*$120,538,641,034*	*$190,008,873,662*

§ 8. This chapter shall be known and may be cited as the "2025 Appropriation Act."

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PART 1: OPERATING EXPENSES

LEGISLATIVE DEPARTMENT

§ 1-1. GENERAL ASSEMBLY OF VIRGINIA (101)

1.	Enactment of Laws (78200)			
	a sum sufficient, estimated at		~~$65,305,825~~ *$66,855,825*	$65,280,825
	Legislative Sessions (78204)	~~$65,305,825~~ *$66,855,825*	$65,280,825	
	Fund Sources: General	~~$65,305,825~~ *$66,855,825*	$65,280,825	

Authority: Article IV, Constitution of Virginia.

A. Out of this appropriation, the House of Delegates is funded ~~$39,373,969~~*$40,148,969* the first year and $39,359,683 the second year from the general fund. The Senate is funded ~~$25,931,856~~*$26,706,856* the first year and $25,921,142 the second year from the general fund.

B. Out of this appropriation shall be paid:

1. The salaries of the Speaker of the House of Delegates and other members, and personnel employed by each House; the mileage of members, officers and employees, including salaries and mileage of members of legislative committees sitting during recess; public printing and related expenses required by or for the General Assembly; and the incidental expenses of the General Assembly (§§ 30-19.11 through 30-19.20, inclusive, and § 30-19.4, Code of Virginia). The salary of the Speaker of the House of Delegates shall be $36,321 per year. The salaries of other members of the House of Delegates shall be $17,640 per year. The salaries of the members of the Senate shall be $18,000 per year.

2. Expenses of the Speaker of the House of Delegates not otherwise reimbursed, $16,200 each year, to be paid in equal monthly installments during the year.

3. In accordance with § 30-19.4, Code of Virginia, and subject to all other conditions of that section except as otherwise provided in the following paragraphs:

a. $126,160 per calendar year for the compensation of one or more secretaries of the Speaker of the House of Delegates. Salary increases shall be governed by the provisions of Item 469 of this act.

b. $344,216 per calendar year for the compensation of one or more legislative assistants of the Speaker of the House of Delegates. Salary increases shall be governed by the provisions of Item 469 of this act.

c. $240,613 per calendar year for the compensation of one or more secretaries or legislative assistants for the Senate majority and minority leadership, as determined by the Majority Leader in consultation with the Chairman of the Senate Committee on Rules. Salary increases shall be governed by the provisions of Item 469 of this act.

d.1. $52,102 per calendar year for the compensation of legislative assistants for each member of the House of Delegates and $60,409 for the compensation of legislative assistants for each member of the Senate. Salary increases granted shall be governed by the provisions of Item 469 of this act.

2. In addition, $19,538 per calendar year for each member of the House of Delegates and $11,583 per calendar year for each member of the Senate to provide compensation for additional legislative assistant support costs incurred during the legislative session and in the operation of legislative offices within members' districts. Salary increases granted shall be governed by the provisions of Item 469 of this act.

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e. The per diem for each legislative assistant of each member of the General Assembly, including the Speaker of the House of Delegates. Such per diem shall equal the amount authorized per session day for General Assembly members in paragraph B.5, if such legislative assistant maintains a temporary residence during the legislative session or an extension thereof and if the establishment of such temporary residence results from the person's employment by the member. The per diem for a legislative assistant who is domiciled in the City of Richmond or whose domicile is within twenty miles of the Capitol shall equal thirty-five percent of the amount paid to a legislative assistant who maintains a temporary residence during such session. For purposes of this paragraph, (i) a session day shall include such days as shall be established by the Rules Committee of each respective House and (ii) a temporary residence is defined as a residence certified by the member served by the legislative assistant as occupied only by reason of employment during the legislative session or extension thereof. Notwithstanding the provisions of (i) of the preceding sentence, if the House from which the legislative assistant is paid is in adjournment during a regular or special session, he must show to the satisfaction of the Clerk that he worked each day during such adjournment for which such per diem is claimed.

f. A mileage allowance as provided in § 2.2-2823 A, Code of Virginia, and as certified by the member. Such mileage allowance shall be paid to a legislative assistant for one round trip between the City of Richmond and such person's home each week during the legislative session or an extension thereof when such person is maintaining a temporary residence.

g. Per diem and mileage shall be paid only to a person who is paid compensation pursuant to § 30-19.4, Code of Virginia.

h. Not more than one person shall be paid per diem or mileage during a single weekly pay period for serving a member as legislative assistant during a legislative session or extension thereof.

i. No person, by virtue of concurrently serving more than one member, shall be paid mileage or per diem in excess of the daily rates specified in this Item.

j. $83,336 per calendar year additional allowance for secretaries or legislative assistants to the Majority and Minority Leaders of the House of Delegates and the Senate and for secretaries or legislative assistants to the President Pro Tempore of the Senate, Chair of the Senate Committee on Rules, and to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. Salary increases shall be governed by the provisions of Item 469 of this act.

4.a All compensation and reimbursement of expenses to members of the General Assembly and non-General Assembly members for attending a meeting described in paragraphs B.4.c., B.4.d., B.5., and B.6. shall be paid solely as provided pursuant to this item.

b. The provisions of paragraphs B.4.c. and B.4.d. of this item shall not apply during any regular session of the General Assembly or extension thereof, or during any special session of the General Assembly; provided, however, that the provisions of such paragraphs shall apply during any recess of the same.

c. Notwithstanding any other provision of law, each General Assembly member shall receive compensation for each day, or portion thereof, of attendance at an official meeting of any joint subcommittee, board, commission, authority, council, compact, or other body that has been created or established by the General Assembly or by resolution of a house of the General Assembly, provided that the member has been appointed to, or designated an official member of, such joint subcommittee, board, commission, authority, council, compact, or other body pursuant to an act of the General Assembly or a resolution of a house of the General Assembly that provides for the appointment or designation.

Notwithstanding any other provision of law, each General Assembly member shall also receive compensation for each day, or portion thereof, of attendance at an official meeting of (i) any standing committee or subcommittee thereof of the House of Delegates to which the member has been appointed, (ii) any standing committee or subcommittee thereof or Committee on Rules of the Senate to which the member has been appointed, or (iii) the Joint Rules Committee of the General Assembly. Any official meeting of a subcommittee of any of the committees described in clauses (i), (ii), or (iii) shall also be an official meeting for which

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the member shall receive compensation.

Notwithstanding any other provision of law, any General Assembly member whose attendance, in the written opinion of the chairman of (a) any joint subcommittee, board, commission, authority, council, or other body that has been created or established in the legislative branch of state government by the General Assembly or by resolution of a house of the General Assembly; (b) any such standing committee of the House of Delegates or of the Senate; (c) the Committee on Rules of the Senate; or (d) the Joint Rules Committee of the General Assembly, is required at an official meeting of the body shall also receive compensation for each day, or portion thereof, of attendance at such official meeting.

Any General Assembly member receiving compensation pursuant to this paragraph for attending an official meeting shall be reimbursed for his or her reasonable and necessary expenses incurred in attending such meeting. Notwithstanding any other provision of law, the reimbursement shall be provided by the respective body holding the meeting or by the entity that supports the work of the body.

d. Compensation to General Assembly members for attendance at any official meeting described under B.4.c.of this item may be at a rate equal to $300 for each day, or portion thereof, of attendance. If the member attends two or more official meetings during the same day, and at least one of which occurs in the morning and one of which occurs in the afternoon, then the member shall be compensated at a rate of $400 for the entire day, otherwise compensation is capped at the $300 per day. The payment of such compensation shall be subject to the restrictions and limitations set forth in subsections B., C., and G. of § 30-19.12, Code of Virginia. Notwithstanding any other provision of law, compensation to General Assembly members for attendance at such official meetings shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. The body holding the meeting shall as soon as practicable report the member's attendance at any official meeting of such body to the Clerk of the House of Delegates or the Clerk of the Senate, as applicable, in order to facilitate payment of the compensation. Such body shall report the member's attendance in such manner as prescribed by the respective Clerk.

5. Notwithstanding any other provision of law, whenever any General Assembly member is required to travel for official attendance as a representative of the General Assembly at any meeting, conference, seminar, workshop, or conclave, which is not conducted by the Commonwealth of Virginia or any of its agencies or instrumentalities, such member shall be entitled to (i) compensation in an amount not to exceed the per day rate set forth in paragraph B.4.d., and (ii) reimbursement for reasonable and necessary expenses incurred. Such compensation and reimbursement for expenses shall be set by the Speaker of the House of Delegates for members of the House of Delegates and by the Senate Committee on Rules for members of the Senate.

6. The provisions of this paragraph shall apply only to non-General Assembly members (hereinafter, "citizen members") of any (i) board, commission, authority, council, or other body created or established in the legislative branch of state government by the General Assembly or by resolution of a house of the General Assembly, or (ii) joint legislative committee or subcommittee.

Notwithstanding any other provision of law, any citizen member of any body described in this paragraph who is appointed at the state level, or designated an official member of such body, pursuant to an act of the General Assembly or a resolution of a house of the General Assembly that provides for the appointment or designation, shall receive compensation solely for each day, or portion thereof, of attendance at an official meeting of the same. In no event shall any citizen member be paid compensation for attending a meeting of an advisory committee or other advisory body. Subject to any contrary law that provides for a higher amount of compensation to be paid, compensation shall be paid at the rate of $50 for each day, or portion thereof, of attendance at an official meeting.

Such citizen members shall also be reimbursed for reasonable and necessary expenses incurred in attending (i) an official meeting of any body described in this paragraph, or (ii) a meeting of an advisory committee or advisory body of any body described in this paragraph.

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Compensation and reimbursement of expenses to such citizen members shall be paid by the body holding the meeting (or for meetings of advisory committees or advisory bodies, the body on whose behalf the meeting is being held) or by the entity that supports the work of the body.

A citizen member, however, who is a full-time employee of the Commonwealth or any of its local political subdivisions, including any full-time faculty member of a public institution of higher education, shall not be entitled to compensation under this paragraph and shall be limited to reimbursement for his reasonable and necessary expenses incurred, which shall be reimbursed by his employer. If such full-time employee who is a citizen member is required by his employer to take annual, family and personal, or other paid leave or unpaid leave to attend an official meeting under this paragraph, then such person shall be reimbursed for his reasonable and necessary expenses incurred by the body holding the meeting, or for meetings of advisory committees or advisory bodies, the body on whose behalf the meeting is being held, or by the entity that supports the work of the body. For the purposes of this paragraph, reasonable and necessary expenses shall exclude the reimbursement for leave taken by a citizen member who is a full-time employee of the Commonwealth.

A citizen member who is also currently a treasurer, sheriff, clerk of court, commissioner of the revenue, or attorney for the Commonwealth by reason of election of the qualified county or city voters shall not be entitled to compensation under this paragraph and shall be limited to reimbursement for his reasonable and necessary expenses incurred, which shall be reimbursed within the budget already established by the Compensation Board and in the same manner as other reasonable and necessary expenses of his office are reimbursed. Full-time employees of one of the foregoing constitutional offices shall also not be entitled to compensation under this paragraph and shall be limited to reimbursement for their reasonable and necessary expenses incurred, which shall be reimbursed within the budget already established by the Compensation Board and in the same manner as other reasonable and necessary expenses of the constitutional office are reimbursed.

7. Pursuant to § 30-19.13, Code of Virginia, allowances for expenses of members of the General Assembly during any regular session of the General Assembly or extension thereof or during any special session of the General Assembly shall be paid in an amount not to exceed the maximum daily amount permitted by the Internal Revenue Service under rates established by the U.S. General Services Administration.

8. Allowance for office expenses and supplies of members of the General Assembly, in the amount of $1,250 for each month of each calendar year. An additional $500 for each month of each calendar year shall be paid to the Majority and Minority Leaders of the House of Delegates and the Senate and to the President Pro Tempore of the Senate, the Chair of the Senate Committee on Rules, the Chair or Chairs of the Senate Finance and Appropriations Committee, and the Chair of the House Appropriations Committee.

9. Members may utilize state transportation options as needed to attend regular or special sessions of the General Assembly; however, in such cases, members are not eligible to request travel reimbursement.

C. One legislative assistant of a member of the General Assembly regularly employed on a twelve (12) consecutive month salary basis receiving 60 percent or more of the salary allotted pursuant to paragraph B.3.d.1, may, for the purposes of §§ 51.1-124.3 and 51.1-152, Code of Virginia, be deemed a "state employee" and as such will be eligible for participation in the Virginia Retirement System, the group life insurance plan, the VRS short and long term disability plans, and the state health insurance plan. Upon approval by the Joint Rules Committee, legislative assistants shall be eligible to participate in the short and long-term disability plans sponsored by the Virginia Retirement System pursuant to Chapter 11 of Title 51.1, Code of Virginia. Such legislative assistants shall not receive sick leave and family and personal leave benefits under this plan. Short-term disability benefits shall be payable from the Legislative Reversion Clearing Account.

D.1. Out of this appropriation the Clerk of the House of Delegates shall pay the routine maintenance and operating expenses of the General Assembly Building, *Old City Hall, and Lot 27* as apportioned to the Senate, House of Delegates, Division of Legislative Services, ~~Joint Legislative Audit and Review Commission,~~ or other legislative agencies. The funds appropriated to each agency in the Legislative Department for routine maintenance and

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operating expenses during the current biennium shall be transferred to the account established for this purpose.

2. The Offices of the Clerk of the House and the Clerk of the Senate, in collaboration with the Department of General Services, may survey the subbasement of the parking deck at the corner of 9th Street and Broad Street in Richmond for suitability for storage.

E. An amount of up to $10,000 per year shall be transferred from Item 38 of this act, to reflect equivalent compensation allowances for the Lieutenant Governor as were authorized by the 1994 General Assembly. The Lieutenant Governor shall report such increases to the Speaker of the House and the Chair of the House Appropriations Committee and the Chair of the Senate Finance and Appropriations Committee.

F. The Speaker of the House shall establish the salary for the Clerk of the House of Delegates.

G. The Senate Committee on Rules shall establish the salary for the Clerk of the Senate.

H. Notwithstanding the salaries set out in Items 2, 4, 5, and 6, the Committee on Joint Rules may establish salary ranges for such agency heads consistent with the provisions and salary ranges included in § 4-6.01 of this act.

I. The Joint Commission on Transportation Accountability shall regularly review, and provide oversight of the usage of funding generated pursuant to the provisions of House Bill 2313, 2013 Session of the General Assembly. To this end, by November 15 the Director of the Department of Rail and Public Transportation, the Northern Virginia Transportation Authority and the Hampton Roads Transportation Accountability Commission shall each prepare a report on the uses of the Commonwealth Rail Fund, the Northern Virginia Transportation Authority Fund, and the Hampton Roads Transportation Fund, respectively, each year to be presented to the Joint Commission on Transportation Accountability.

J.1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint up to five members from their respective committees to a Joint Subcommittee for Early Childhood Care and Education to provide ongoing oversight of the implementation of Virginia's unified public-private system for early childhood care and education. The members of the Joint Subcommittee shall elect a chairman and vice chairman annually.

2. The goals and objectives of the Joint Subcommittee shall be to (i) review the cost-effectiveness of federal and state funding used to improve Virginia's early childhood care and education system, (ii) ensure that the transition of child care regulation from the Board of Social Services to the Board of Education occurs seamlessly without impacting health and safety oversight functions, (iii) ensure that the transition of functions from the Department of Social Services to the Department of Education occurs seamlessly without the interruption of the provision of state services or undue impact on the operation of either agency, (iv) review the implementation of the Board of Education's Quality Rating Implementation System, (v) review workforce needs for Virginia's early childhood education system, (vi) further facilitate partnerships between school divisions and private providers for the Virginia Preschool Initiative, (vii) consider recommendations and options included in the 2017 JLARC report on Improving Virginia's Early Childhood Development Programs, and (viii) consider funding methodology changes to transition the Virginia Preschool Initiative funding model to maximize the number of children served, while recognizing prevailing costs.

3. The staff of the Elementary and Secondary Education subcommittees for the House Appropriations and Senate Finance and Appropriations Committees and the Department of Education will help with facilitating the scope of work to be completed by the Joint Subcommittee. The Virginia Early Childhood Foundation will provide support and resources to the members and staff of the Joint Subcommittee. Other stakeholders, such as those from the Virginia Department of Social Services, the Virginia Community College System, local school divisions, private and faith-based child day-care providers, accredited organizations, education associations and businesses may provide additional information if requested. A report of any findings and recommendations shall be submitted to the

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Chairs of House Appropriations and Senate Finance and Appropriations Committees.

K.1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint five members from their respective committees to a Joint Subcommittee for Health and Human Resources Oversight to respond to federal health care changes, provide ongoing oversight of the Medicaid and children's health insurance programs and oversight of Health and Human Resources agencies. The members of the Joint Subcommittee shall elect a Chair and Vice Chair annually.

2. The Joint Subcommittee shall monitor, evaluate and respond to federal legislation that repeals, amends or replaces the Affordable Care Act (ACA), Medicaid (Title XIX of the Social Security Act), the Children's Health Insurance Program (Title XXI of the Social Security Act) or any proposals to block grant or change the method by which these programs are funded. The Joint Subcommittee shall recommend actions to be taken by the General Assembly to address the impact of any such federal legislation that would affect the state budget and health care coverage now available to Virginians. Furthermore, the Subcommittee shall evaluate federal changes for opportunities to improve Virginia's Medicaid and other health insurance programs.

3. The Joint Subcommittee shall provide ongoing oversight of initiatives and operations of the Health and Human Resources agencies. The Joint Subcommittee shall examine progress made in implementing changes to: (i) Medicaid managed care, including managed long-term supports and services; (ii) Medicaid waiver programs including the Medicaid waivers serving individuals with developmental disabilities; (iii) the Medicaid Enterprise System; (iv) improve eligibility, enrollment and renewal processes in the Medicaid and CHIP programs; (v) the organizational structure and realignment of staff and resources of the Department of Medical Assistance Services resulting from the change from a fee-for-service to a managed care delivery system; (vi) improve the cost effective delivery of services through the Comprehensive Services Act; and (vii) initiatives and programmatic changes across the Health and Human Resources agencies to ensure efficient and effective use of resources across the Secretariat.

4. The Joint Subcommittee may seek support and technical assistance from staff of the House Appropriations and Senate Finance and Appropriations Committees, the staff of the Joint Legislative Audit and Review Commission, the staff of the Joint Commission on Health Care, and the staff of the Department of Medical Assistance Services. Other state agency staff shall provide support upon request.

5. The staff of the House Appropriations and Senate Finance and Appropriations Committees and the Joint Commission on Health Care shall help facilitate the scope of work to be completed by the Joint Subcommittee for Health and Human Resources Oversight.

L.1. The Chair of the Senate Finance and Appropriations Committee shall appoint five members from their Committee and the Chair of the House Appropriations Committee shall appoint four members from his Committee and two members of the House Finance Committee to a Joint Subcommittee on Local Government Fiscal Stress. The Joint Subcommittee shall elect a chairman and vice-chairman from among its membership.

2. The goals and objectives of the Joint Subcommittee will be to review (i) savings opportunities from increased regional cooperation and consolidation of services, including by jointly operating or merging small school divisions; (ii) local responsibilities for service delivery of state-mandated or high priority programs, (iii) causes of fiscal stress among local governments, (iv) potential financial incentives and other governmental reforms to encourage increased regional cooperation; and (v) the different taxing authorities of cities and counties.

3. Administrative staff support shall be provided by the Office of the Clerks of the House and Senate. The Joint Subcommittee may seek support and technical assistance from the staff of the Division of Legislative Services, House Appropriations and Senate Finance and Appropriations Committees, and the Commission on Local Government. All agencies of the Commonwealth shall provide assistance to the Joint Subcommittee for this study, upon request.

4. No recommendation of the Joint Subcommittee shall be adopted if a majority votes against the recommendation. The Joint Subcommittee shall submit to the Division of Legislative

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Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year.

M. Any nonlegislative citizen member appointed by either the Speaker of the House, the Senate Committee on Rules or the Joint Rules Committee to any Authority, Board, Commission, Committee, or other deliberative body in the Commonwealth shall serve at the pleasure of such appointing authority. Any such member may be relieved of his appointment at any time, with or without cause.

N.1. The Chair of the Senate Finance and Appropriations Committee shall appoint six members from the Senate Committee on Finance and Appropriations and the Chair of the House Appropriations Committee shall appoint three members from the House Committee on Appropriations and three members of the House Committee on Finance to a Joint Subcommittee on Tax Policy. The Joint Subcommittee shall elect a chairman and vice-chairman from among its membership.

2. The goals and objectives of the Joint Subcommittee shall include (i) evaluating the fiscal impact of amendments to tax brackets, tax rates, credits, deductions, and exemptions, as well as any other factors it deems relevant to making Virginia's individual income tax system more fair and equitable; (ii) giving consideration to the fairness, certainty, convenience of payment, economy in collection, simplicity, neutrality, and economic efficiency of the Commonwealth's tax policies and any changes thereto; and (iii) recommending whether the General Assembly should amend the Code of Virginia.

3. To assist the Joint Subcommittee, the Chair of the Joint Subcommittee may appoint a workgroup which includes the staff of the House Committee on Finance, the House Committee on Appropriations, the Senate Committee on Finance and Appropriations, and any other stakeholders deemed appropriate. All agencies of the Commonwealth shall provide technical assistance to the Joint Subcommittee, upon request.

4. The Joint Subcommittee shall explore efforts to modernize the Commonwealth’s income and sales and use taxes during the 2024 interim. The goals and objectives shall include: (i) evaluating existing sales and use tax exemptions; (ii) applying sales and use tax to digital goods and services, including transactions involving businesses; (iii) evaluating efforts to increase the progressivity of the income tax; (iv) and long-term revenue growth to maintain core government services.

5. *The Joint Subcommittee on Tax Policy shall study the data center sales and use tax exemption during the 2025 interim. The goals and objectives shall include: (i) reviewing Virginia's status as a leader for data center development and tax preferences; (ii) competitive advantages provided by existing and future exemptions; (iii) approaches taken in other states to provide stability and continuity for the impacted firms; (iv) investigating methods to attract data center investment to non-urbanized areas of the Commonwealth; (v) reviewing the recommendations and options in the 2024 JLARC study on Data Centers in Virginia; and (vi) reviewing the estimated direct and indirect economic benefits of data center investment in the Commonwealth.*

O.1. The Virginia Minority Business Commission (the Commission) shall promote the growth and competitiveness of Virginia minority-owned businesses.

2.a. The Commission shall consist of 13 members that include seven legislative members and six nonlegislative citizen members. Members shall be appointed as follows: four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Rules; three nonlegislative citizen members with expertise in entrepreneurship, economics, and business to be appointed by the Speaker of the House of Delegates; and three nonlegislative citizen members with expertise in entrepreneurship, economics, and business to be appointed by the Senate Committee on Rules. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the Chair of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

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b. Legislative members and ex officio members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members and nonlegislative citizen members may be reappointed. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments. The Commission shall elect a Chair and Vice-Chair from among its membership, who shall be members of the General Assembly.

c. Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in § 2.2-2813 and § 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission.

3. The Commission shall: (i) Evaluate the impact of existing statutes and proposed legislation on minority businesses; (ii) Assess the Commonwealth's minority business assistance programs and examine ways to enhance their effectiveness; (iii) Provide minority business owners and advocates with a forum to address their concerns; (iv) Develop strategies and recommendations to promote the growth and competitiveness of Virginia minority-owned businesses; and, (v) Collaborate with the Department of Small Business and Supplier Diversity and other appropriate entities to facilitate the Commission's work and mission.

4. The Chair shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than November 1st of each year. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

P. Included within this appropriation is ~~$496,094~~*$696,094* the first year and ~~$496,094~~ *$501,494* the second year from the general fund for operational support for the following legislative commissions:

Legislative Commission/Council	Authority	FY 2025	FY 2026
American Revolution 250 Commission (Legislative Member Expenses)	Title 30, Chapter 25, Code of Virginia	$12,200	$12,200
Autism Advisory Council	Title 30, Chapter 50, Code of Virginia	$6,330	$6,330
Commission on Civics Education	Title 30, Chapter 55, Code of Virginia	$15,000	$15,000
Commission on School Construction and Modernization	Title 30, Chapter 60, Code of Virginia	$34,340	$34,340
Commission on Unemployment Compensation	Title 30, Chapter 33, Code of Virginia	$6,019	$6,019
Commission on Updating Virginia Law to Reflect Federal Recognition of Virginia Tribes	Title 30, Chapter 65, Code of Virginia	$37,540	$37,540
Commission to End Hunger	House Bill 607, 2024 General Assembly	$25,648	$25,648
Commission to Evaluate Opportunity for Minority Business Expansion	Discretionary Inclusion	$20,000	$20,000

ITEM 1.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Commission to Study the History of the Uprooting of Black Communities by Public Institutions of Higher Education	Discretionary Inclusion		~~$28,760~~ *$228,760*		$28,760
Joint Commission on Administrative Rules	Title 30, Chapter 8.1, Code of Virginia		$10,065		$10,065
Joint Commission on Transportation Accountability	Title 30, Chapter 43, Code of Virginia		$40,302		$40,302
Joint Subcommittee for Early Childhood Care and Education	Chapter 1289, 2020 Acts of Assembly (Item 1, Paragraph Q)		$24,400		$24,400
Joint Subcommittee for Health and Human Resources Oversight	Chapter 836, 2017 Acts of Assembly (Item 1, Paragraph T)		$24,400		$24,400
Joint Subcommittee on Coastal Flooding	HJR 16, SJR 35, 2022 Acts of Assembly		$20,000		$20,000
Joint Subcommittee on Local Government Fiscal Stress	Chapter 836, 2017 Acts of Assembly (Item 1, Paragraph U)		$26,840		$26,840
Joint Subcommittee on Tax Policy	Chapter 552, 2021 Acts of Assembly, Special Session I (Item 1, Paragraph AA)		$29,280		$29,280
Joint Subcommittee to Study the Feasibility of Establishing the Virginia Gaming Commission	House Joint Resolution 10, 2024 Acts of Assembly		$15,000		$15,000
Legislative Support Commission	Title 30, Chapter 3.1, Code of Virginia		$7,320		$7,320
Legislator Compensation Commission	*Senate Bill 1219, 2025 Acts of Assembly*		*$0*		*$5,400*
Manufacturing Development Commission	Title 30, Chapter 41, Code of Virginia		$12,020		$12,020
School Health Services Committee	Title 30, Chapter 64, Code of Virginia		$28,040		$28,040
Small Business Commission	Title 30, Chapter 22, Code of Virginia		$15,131		$15,131
State Water Commission	Title 30, Chapter 24, Code of Virginia		$10,222		$10,222
Virginia Coal and Energy Commission	Title 30, Chapter 25, Code of Virginia		$21,629		$21,629
Virginia Disability Commission	Title 30, Chapter 35, Code of Virginia		$25,608		$25,608
Total			**~~$496,094~~** ***$696,094***		**~~$496,094~~** ***$501,494***

Q. The Division of Legislative Services shall provide staffing and operational support, as needed, for the legislative commissions listed within the table of the preceding paragraph of this item.

~~R.1. There is hereby established a workgroup to review the recommendations of a November 2022 report from the Joint Legislative and Audit Review Commission (JLARC) regarding the actuarial surplus of the VA529 Defined Benefit Trust Fund (the Fund). The workgroup shall be comprised of the staff directors of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, the investment director of the Virginia College Savings Plan, the State Treasurer, three nonlegislative citizen members who are citizens of the Commonwealth and have investment or actuarial expertise, one each of which is to be appointed by the Governor,~~

ITEM 1.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

~~and by the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations.~~

~~2. The workgroup shall review the considerations set forth in the JLARC report and produce recommendations with regard to: (i) the method, timing, and amount of any withdrawals from the Fund, including the appropriate funded status at which withdrawals should be considered, with consideration to maintaining sufficient assets to ensure Fund solvency for future obligations; (ii) provide guidelines for the appropriate allocation and subsequent use of monies withdrawn from the Fund, to include returning funds to Legacy Prepaid529 account holders, and for programs supporting higher education access and affordability; and (iii) ongoing oversight of Fund balances to determine availability of any future actuarial surpluses.~~

~~3. The workgroup shall submit its findings and recommendations to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15, 2024.~~

R.1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint four members from their respective committees to a joint subcommittee to review the recommendations of the November 2022 report from the Joint Legislative and Audit Review Commission (JLARC) regarding the actuarial surplus of the VA529 Defined Benefit Trust Fund (the Fund).

2. The Joint Subcommittee on VA529 Surplus Funds shall review the considerations set forth in the JLARC report and produce recommendations with regard to: (i) the method, timing, and amount of any withdrawals from the Fund, including the appropriate funded status at which withdrawals should be considered, with consideration to maintaining sufficient assets to ensure Fund solvency for future obligations; (ii) development of guidelines for the appropriate allocation and subsequent use of monies withdrawn from the Fund, including consideration of returning funds to Legacy Prepaid529 account holders and programs that support higher education access and affordability; and (iii) ongoing oversight of Fund balances to determine availability of any future actuarial surpluses.

3. The Subcommittee shall submit its findings and recommendations to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15, 2025.

S.1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint up to five members from their respective committees to a Joint Subcommittee on Elementary and Secondary Education Funding to provide on-going direction and oversight of the Standards of Quality funding cost policies and to make recommendations to their respective committees.

2. As part of its oversight, the Joint Subcommittee shall: (i) review the recommendations and policy options offered in the Joint Legislative Audit and Review Commission's July 2023 report, “Virginia's K-12 Funding Formula"; (ii) determine the appropriateness of implementing each recommendation or policy option, (iii) propose appropriate amendments to each recommendation or policy option and (iv) develop a long-range plan for the phased implementation of its recommendations. In its deliberations, the Joint Subcommittee shall consider the long-term fiscal implications of each recommendation.

3. The Joint Subcommittee shall submit initial recommendations and an implementation plan to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than November 1, 2024.

4. The school divisions, the staff of the Virginia Department of Education, and staff of the Joint Legislative Audit and Review Commission, are directed to provide technical assistance, as required, to the joint subcommittee.

5. Out of this appropriation, $1,000,000 the first year from the general fund is provided to support public engagement, facilitation and technical support for the Joint Subcommittee.

I VETO ITEM 1.S.5. ON PAGE 1700 /s/ Glenn Youngkin 3-24-2025

T.1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint four members from their respective committees to a joint subcommittee to review public higher education funding policies and make recommendations to their respective committees.

ITEM 1.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

2. The initial review of the Joint Subcommittee on Higher Education Funding Policies shall: (i) prioritize the review of funding related to operations and financial aid; (ii) provide recommendations to improve funding models; and (iii) develop a short- and long-term plan for phased implementation of any recommendations. As part of its review, the Joint Subcommittee shall consider the recommendations provided in reports related to higher education funding, including recent Joint Legislative Audit and Review Commission reports and the State Council of Higher Education for Virginia's report on Cost and Funding Needs.

3. The Joint Subcommittee shall convene after December 1, 2024 and shall submit initial recommendations to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than September 15, 2025.

4. The Joint Subcommittee may seek support from the staff of the Senate Finance and Appropriations and House Appropriations Committees, the State Council of Higher Education for Virginia, public institutions of higher education, and other higher education and state agency representatives. At its discretion, the Joint Subcommittee may contract for consulting services.

U.1. The Commission to Study the History of the Uprooting of Black Communities by Public Institutions of Higher Education in the Commonwealth (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to study and determine (i) whether any public institution of higher education has purchased, expropriated, or otherwise taken possession of property owned by any individual or entity within the boundaries of a community in which a majority of the residents are Black in order to establish or expand the institution's campus and (ii) whether and what form of compensation or relief would be appropriate for any individual described in clause (i) or any of his lineal descendants. As used in this chapter, "public institution of higher education" has the same meaning as provided in § 23.1-100, Code of Virginia.

2. The Commission shall consist of 19 members that include ten legislative members, seven nonlegislative citizen members, and 2 ex officio members. Members shall be appointed as follows: six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; four members of the Senate to be appointed by the Senate Committee on Rules; four nonlegislative citizen members to be appointed by the Speaker of the House of Delegates; three nonlegislative citizen members to be appointed by the Senate Committee on Rules; and the Secretary of Education and the Director of the State Council of Higher Education for Virginia or their designees to serve ex officio with voting privileges. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth. Unless otherwise approved in writing by the chair of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending meetings.

3. Legislative members and ex officio members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members and nonlegislative citizen members may be reappointed. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments. The Commission shall elect a chair and vice-chair from among its membership, who shall be members of the General Assembly.

4. Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the

ITEM 1.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee.

5. The Commission shall have the following duties:

a. Consult with each public institution of higher education to determine whether the institution has purchased, expropriated, or otherwise taken possession of property owned by any individual within the boundaries of a community in which a majority of the residents are Black in order to establish or expand the institution's campus;

b. Research whether acquisitions similar to those described in subdivision 1 have occurred in other states;

c. Analyze, in conjunction with the relevant public institution of higher education and such other stakeholders as it deems appropriate, whether and what form of compensation or relief would be appropriate for any individual described in subdivision 1 or any of his lineal descendants; and

d. Consult with such experts as it deems appropriate to assist it in carrying out its duties as set forth in this section.

V. There is hereby established a workgroup to review the rate and distrubtion of pari-mutuel pools generated by wagering on historic horse racing at satellite facilities pursuant to § 59.1-392, Code of Virginia. The workgroup shall be comprised of three members each of the House Appropriations and Senate Finance and Appropriations Committees to be appointed by their respective chairs. The workgroup shall assess trends in pari-mutuel pools generated by historic horse racing wagering at satellite facilities, including the corresponding distribution of revenues to localities, and make recommendations regarding future distributions of such revenues beginning July 1, 2025. The workgroup shall provide its findings and recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15, 2024.

W.1. There is hereby established a Legislative Information Technology (IT) Council to oversee the operations and implementation of technology for the legislative branch. Membership of the Council shall include: the Clerk of the House, the Clerk of the Senate, the Staff Directors of the House Appropriations and Senate Finance and Appropriations Committees, the Director of the Division of Legislative Services, the Director of the Joint Legislative Audit and Review Commission, and the Director of the Division of Legislative Automated Systems (DLAS) as an ex officio non-voting member. Members of the Council may be represented by a designee. Meetings of the Council may occur at least four times a year to review, discuss, and make recommendations regarding services provided by DLAS, such as: (i) ongoing operational support; (ii) system development, implementation, refresh, and maintenance; (iii) information technology security; (iv) incident response; and (v) any other services provided to legislative agencies. The workgroup may direct DLAS to seek input from non-legislative stakeholders as needed to enhance the efficiency, effectiveness, and user-friendly capabilities of public-facing legislative systems. The Council may conduct an annual survey to evaluate the customer service that DLAS provides to legislative agencies. Finally, the Council shall, as needed, provide updates to the Joint Committee on Rules with regard to operational or performance issues, recommendations, or other feedback as needed to ensure the optimal operation of legislative entities.

2. The sole priority of DLAS shall be, through fiscal year 2026, to resolve outstanding issues with the Legislative Information System (LIS) and Lobbyist in a Box. DLAS shall cease development of all other systems unless otherwise directed by the Joint Committee on Rules or the Legislative IT Council.

Total for General Assembly of Virginia			~~$65,305,825~~ *$66,855,825*	$65,280,825
General Fund Positions	230.00	230.00		
Position Level	230.00	230.00		
Fund Sources: General	~~$65,305,825~~ *$66,855,825*	$65,280,825		

ITEM 1.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	§ 1-2. AUDITOR OF PUBLIC ACCOUNTS (133)				
2.	Legislative Evaluation and Review (78300)			$17,273,164	$17,073,164
	Financial and Compliance Audits (78301)	$17,273,164	$17,073,164		
	Fund Sources: General	$15,212,162	$15,012,162		
	Special	$2,061,002	$2,061,002		

Authority: Article IV, Section 18, Constitution of Virginia; Title 30, Chapter 14, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Auditor of Public Accounts, $241,024 from June 10, 2024 to June 9, 2025 and $248,255 from June 10, 2025 to June 30, 2026.

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

C. The specifications of the Auditor of Public Accounts for the independent certified public accountants auditing localities shall include requirements for any money received by the sheriff. These requirements shall include that the independent certified public accountant must submit a letter to the Auditor of Public Accounts annually providing assurance as to whether the sheriff has maintained a proper system of internal controls and records in accordance with the Code of Virginia. This letter shall be submitted along with the locality's audit report.

D. The Auditor of Public Accounts shall include in the Specifications for Audits of Counties, Cities, and Towns regulations for all local governments establishing a utility or enacting a system of service charges to support a local stormwater management program pursuant to § 15.2-2114, Code of Virginia, a requirement to ensure that each impacted local government is in compliance with the provisions of § 15.2-2114 A., Code of Virginia. Any such adjustment to the Specifications for Audits of Counties, Cities, and Towns regulations shall be exempt from the Administrative Process Act and shall be required for all audits completed after July 1, 2014.

E. The Auditor of Public Accounts' Specifications for Audits of Counties, Cities, and Towns and the Specifications for Audits of Authorities, Boards, and Commissions, for the independent certified public accountants auditing localities and local government entities, shall include requirements related to the communication of other internal control deficiencies or financial matters, commonly referred to as a management letter. These requirements shall include that any such communication issued by the independent certified public accountants related to other internal control deficiencies or other financial matters that merit the attention of management and the governing body must be made in the form of official, written communication.

F. The Auditor of Public Accounts shall include in the annual Specifications for Audits of Counties, Cities, and Towns, and Specifications for Audits of Authorities, Boards, and Commissions, for the independent certified public accountants auditing localities and local government entities, requirements to ensure that each city and county and applicable local government entity comply with the provisions of Article 12 (§ 2.2-2365 et seq.) of Chapter 22 of Title 2.2, Code of Virginia, and any guidelines, procedures, and criteria set forth by the Opioid Abatement Authority relating to opioid abatement funds. Any such adjustment to the requirements in the Specifications for Audits of Counties, Cities, and Towns and the Specifications for Audits of Authorities, Boards, and Commissions, shall be exempt from the Administrative Process Act and shall be required for audits effective for fiscal years beginning on July 1, 2023, and thereafter.

Total for Auditor of Public Accounts			**$17,273,164**	**$17,073,164**

ITEM 2.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
General Fund Positions	120.00	120.00		
Nongeneral Fund Positions	16.00	16.00		
Position Level	136.00	136.00		
Fund Sources: General	$15,212,162	$15,012,162		
Special	$2,061,002	$2,061,002		

§ 1-3. COMMISSION ON THE VIRGINIA ALCOHOL SAFETY ACTION PROGRAM (413)

3.	Ground Transportation System Safety Services (60500)		$2,634,239	$2,634,239
	Ground Transportation Safety Promotion (60503)	$2,634,239	$2,634,239	
	Fund Sources: Special	$2,634,239	$2,634,239	

Authority: §§ 18.2-271.1 and 18.2-271.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Executive Director, $155,5108 from June 10, 2024 to June 9, 2025 and $159,761 from June 10, 2025 to June 30, 2026.

B. Notwithstanding the salaries listed in paragraph A. of this item, the Commission on the Virginia Alcohol Safety Action Program may establish a salary range for the Executive Director of the program.

	Total for Commission on the Virginia Alcohol Safety Action Program		**$2,634,239**	**$2,634,239**
	Nongeneral Fund Positions	11.50	11.50	
	Position Level	11.50	11.50	
	Fund Sources: Special	$2,634,239	$2,634,239	

§ 1-4. DIVISION OF CAPITOL POLICE (961)

4.	Administrative and Support Services (39900)		$16,927,134	$16,927,134
	Security Services (39923)	$16,927,134	$16,927,134	
	Fund Sources: General	$16,927,134	$16,927,134	

Authority: Title 30, Chapter 3.1, Code of Virginia.

Out of this appropriation shall be paid the annual salary of the Chief, Division of Capitol Police, $243,241 from June 10, 2024 to June, 9, 2025 and $250,538 from June 10, 2025 to June 30, 2026.

	Total for Division of Capitol Police		**$16,927,134**	**$16,927,134**
	General Fund Positions	122.00	122.00	
	Position Level	122.00	122.00	
	Fund Sources: General	$16,927,134	$16,927,134	

§ 1-5. DIVISION OF LEGISLATIVE AUTOMATED SYSTEMS (109)

5.	Information Technology Development and Operations (82000)		$6,950,723	$7,100,723
	Computer Operations Services (82001)	$6,950,723	$7,100,723	
	Fund Sources: General	$6,663,128	$6,813,128	
	Special	$287,595	$287,595	

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

A. Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Automated Systems, $210,452 from June 10, 2024 to June 9, 2025 and $216,766 from June 10, 2025 to June 30, 2026.

ITEM 5.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

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

C. The Director, Division of Legislative Automated Systems, shall provide a detailed accounting of funding provided since fiscal year 2020 for the replacement of the legacy legislative tracking system, and separately for other legislative system replacements and upgrades. Such accounting shall be provided to the Chairs of the Joint Rules Committee, the House Appropriations Committee, and the Senate Finance and Appropriations Committee by October 1, 2024.

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

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

Total for Division of Legislative Automated Systems			**$6,950,723**	**$7,100,723**
General Fund Positions	21.00	21.00		
Position Level	21.00	21.00		
Fund Sources: General	$6,663,128	$6,813,128		
Special	$287,595	$287,595		

§ 1-6. DIVISION OF LEGISLATIVE SERVICES (107)

6.	Legislative Research and Analysis (78400)			~~$9,640,479~~ *$9,915,804*	~~$9,640,479~~ *$9,760,479*
	Bill Drafting and Preparation (78401)	~~$9,640,479~~ *$9,915,804*	~~$9,640,479~~ *$9,760,479*		
	Fund Sources: General	$9,620,449	~~$9,620,449~~ *$9,740,449*		
	Special	~~$20,030~~ *$295,355*	$20,030		

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

A. Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Services, $202,701 from June 10, 2024 to June 9, 2025 and ~~$208,782~~*$219,221* from June 10, 2025 to June 30, 2026.

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

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

D. Notwithstanding any other provision of law, the Senate Joint Resolution 10 (2022

ITEM 6.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Session) Joint Subcommittee to Examine the Commonwealth's Pandemic Response shall continue conducting its study and meet as needed to provide a final report by December 1, 2024. Any remaining appropriation at year end shall be carried forward to the subsequent fiscal year to support the Joint Subcommittee.				
E. The Division shall procure additional expertise as necessary in its role as staff support to the Virginia Gaming Commission established by House Joint Resolution 548, 2023 Acts of Assembly. In addition to the activities directed in HJR 548, the Joint Subcommittee shall evaluate all potential options to consolidate gaming regulation and oversight in the Commonwealth and provide a detailed transition plan in support of recommendations.				
F. Out of this appropriation, $275,325 the first year from dedicated special revenue is provided to implement the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee.				
G. Out of this appropriation, $120,000 from the general fund the second year shall be provided for one position to support the Commission on Women's Health.				
Total for Division of Legislative Services			~~**$9,640,479**~~ ***$9,915,804***	~~**$9,640,479**~~ ***$9,760,479***
General Fund Positions	63.00	~~63.00~~ *67.00*		
Position Level	63.00	~~63.00~~ *67.00*		
Fund Sources: General	$9,620,449	~~$9,620,449~~ *$9,740,449*		
Special	~~$20,030~~ *$295,355*	$20,030		
Capitol Square Preservation Council (820)				
7. Architectural and Antiquity Research Planning and Coordination (74800)			~~$262,288~~ *$0*	~~$262,288~~ *$0*
Architectural Research (74801)	~~$262,288~~ *$0*	~~$262,288~~ *$0*		
Fund Sources: General	~~$262,288~~ *$0*	~~$262,288~~ *$0*		
~~Authority: Title 30, Chapter 28, Code of Virginia.~~				
Total for Capitol Square Preservation Council			~~**$262,288**~~ ***$0***	~~**$262,288**~~ ***$0***
~~General Fund Positions~~	~~2.00~~	~~2.00~~		
~~Position Level~~	~~2.00~~	~~2.00~~		
Fund Sources: General	~~$262,288~~ *$0*	~~$262,288~~ *$0*		
Dr. Martin Luther King, Jr. Memorial Commission (845)				
8. Human Relations Management (14600)			$100,379	$100,379
Human Relations Management (14601)	$100,379	$100,379		
Fund Sources: General	$100,379	$100,379		
Authority: Title 30, Chapter 27, Code of Virginia.				
Total for Dr. Martin Luther King, Jr. Memorial Commission			**$100,379**	**$100,379**
Fund Sources: General	$100,379	$100,379		
Joint Commission on Technology and Science (847)				

ITEM 8.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
9.	Technology Research, Planning, and Coordination (53700)			$456,028	$456,028
	Technology Research (53701)	$456,028	$456,028		
	Fund Sources: General	$456,028	$456,028		
	Authority: Title 30, Chapter 11, Code of Virginia.				
	Total for Joint Commission on Technology and Science			**$456,028**	**$456,028**
	General Fund Positions	2.00	2.00		
	Position Level	2.00	2.00		
	Fund Sources: General	$456,028	$456,028		
	Commissioners for the Promotion of Uniformity of Legislation in the United States (145)				
10.	Governmental Affairs Services (70100)			$87,522	~~$87,522~~ *$105,122*
	Interstate Affairs (70103)	$87,522	~~$87,522~~ *$105,122*		
	Fund Sources: General	$87,522	~~$87,522~~ *$105,122*		
	Authority: Title 30, Chapter 29, Code of Virginia.				
	Commissioners shall receive no compensation for their services from the funds appropriated in this item, but their necessary travel and hotel expenses shall be reimbursed, subject to the approval of the Joint Rules Committee or to the joint approval of the Speaker of the House of Delegates and the Chair of the Senate Committee on Rules.				
	Total for Commissioners for the Promotion of Uniformity of Legislation in the United States			**$87,522**	~~**$87,522**~~ ***$105,122***
	Fund Sources: General	$87,522	~~$87,522~~ *$105,122*		
	Virginia Code Commission (108)				
11.	Enactment of Laws (78200)			$93,341	$93,341
	Code Modernization (78201)	$93,341	$93,341		
	Fund Sources: General	$69,333	$69,333		
	Special	$24,008	$24,008		
	Authority: Title 30, Chapter 15, Code of Virginia.				
	The Code Commission shall not authorize, or undertake, a re-numbering or re-codification of the Code of Virginia, 1950 as amended unless there is a specific appropriation included in a general Appropriation Act addressing the fiscal impact of such an action. The Commission is authorized to develop a proposal, for review by the Committee on Joint Rules, to re-number the Code of Virginia, including the proposed re-numbering structure and a detailed estimate of any potential fiscal impact on state agencies from the restructuring.				
	Total for Virginia Code Commission			**$93,341**	**$93,341**
	Fund Sources: General	$69,333	$69,333		
	Special	$24,008	$24,008		
	Virginia Freedom of Information Advisory Council (834)				
12.	Governmental Affairs Services (70100)			$269,146	~~$269,146~~ *$535,136*

ITEM 12.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Public Information Services (70109)	$269,146	~~$269,146~~ *$535,136*		
	Fund Sources: General	$269,146	~~$269,146~~ *$535,136*		
	Authority: Title 30, Chapter 21, Code of Virginia.				
	Total for Virginia Freedom of Information Advisory Council			**$269,146**	~~**$269,146**~~ ***$535,136***
	General Fund Positions	2.00	~~2.00~~ *4.00*		
	Position Level	2.00	~~2.00~~ *4.00*		
	Fund Sources: General	$269,146	~~$269,146~~ *$535,136*		
	Virginia Housing Commission (840)				
13.	Housing Assistance Services (45800)			$423,763	~~$423,763~~ *$498,763*
	Housing Research and Planning (45803)	$423,763	~~$423,763~~ *$498,763*		
	Fund Sources: General	$423,763	~~$423,763~~ *$498,763*		
	Authority: § 30-257, Code of Virginia.				
	Total for Virginia Housing Commission			**$423,763**	~~**$423,763**~~ ***$498,763***
	General Fund Positions	3.00	3.00		
	Position Level	3.00	3.00		
	Fund Sources: General	$423,763	~~$423,763~~ *$498,763*		
	Brown v. Board of Education Scholarship Committee (858)				
14.	Human Relations Management (14600)			$1,025,312	$1,025,312
	Human Relations Management (14601)	$1,025,312	$1,025,312		
	Fund Sources: General	$1,025,312	$1,025,312		
	Authority: Title 30, Chapter 34.1, Code of Virginia.				
	Total for Brown v. Board of Education Scholarship Committee			**$1,025,312**	**$1,025,312**
	Fund Sources: General	$1,025,312	$1,025,312		
	Virginia Conflict of Interest and Ethics Advisory Council (876)				
15.	Personnel Management Services (70400)			$896,933	$896,933
	Personnel Management Services (70400)	$813,320	$813,320		
	Agency Human Resource Services (70401)	$83,613	$83,613		
	Fund Sources: General	$896,933	$896,933		
	Authority: Chapters 792 and 804 of the 2014 Acts of Assembly.				
	Out of the amounts appropriated to the Council, an amount estimated at $195,000 each year is from lobbyist registration fees pursuant to § 2.2-424, Code of Virginia.				
	Total for Virginia Conflict of Interest and Ethics Advisory Council			**$896,933**	**$896,933**

ITEM 15.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	General Fund Positions	7.00	7.00		
	Position Level	7.00	7.00		
	Fund Sources: General	$896,933	$896,933		
	Virginia-Israel Advisory Board (330)				
16.	Economic Development Services (53400)			$244,872	~~$244,872~~ *$302,425*
	Economic Development Research, Planning, and Coordination (53401)	$217,125	~~$217,125~~ *$274,678*		
	Economic Development Services (53412)	$27,747	$27,747		
	Fund Sources: General	$244,872	~~$244,872~~ *$302,425*		
	Total for Virginia-Israel Advisory Board			**$244,872**	~~**$244,872**~~ ***$302,425***
	General Fund Positions	1.00	1.00		
	Position Level	1.00	1.00		
	Fund Sources: General	$244,872	~~$244,872~~ *$302,425*		
	Commission on the May 31, 2019 Virginia Beach Mass Shooting (879)				
17.	Research, Planning, and Coordination (78800)			$38,506	$38,506
	Policy Research and Planning (78801)	$38,506	$38,506		
	Fund Sources: General	$38,506	$38,506		

Authority: Discretionary Inclusion

A. The Commission to Investigate the May 31, 2019, Virginia Beach Mass Shooting is established as an independent commission. The purpose of the Commission is to conduct an independent, thorough, objective incident review of the May 31, 2019, tragedy and make recommendations regarding improvements that can be made in the Commonwealth's laws, policies, procedures, systems, and institutions, as well as those of other governmental agencies and private providers.

B.1. The Commission shall consist of 22 members appointed as follows: five nonlegislative citizen members to be appointed by the Speaker of the House of Delegates; five nonlegislative citizen members to be appointed by the Senate Committee on Rules; and 11 nonlegislative citizen members to be appointed by the Governor. The Superintendent of State Police shall serve ex officio as a nonvoting member of the Commission. One of the nonlegislative citizen members shall serve as a victim advocate; all other nonlegislative citizen member of the Commission shall have significant experience as either a (i) law-enforcement officer, (ii) jurist, (iii) local government administrator, (iv) qualified, licensed forensic psychologist, (v) first responder, (vi) security expert, or (vii) IT specialist, and no nonlegislative citizen members of the Commission shall be currently serving in an elected capacity. The Governor shall appoint at least one person from each of the occupations and professions described in clauses (i) through (vii). Every effort shall be made to ensure that appointees do not have a conflict of interest yet can provide the best insight into their specialization. The Commission shall elect a chairman and vice-chairman from among its membership.

2. Unless otherwise approved in writing by the chairman of the Commission, Commission members shall only be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending meetings.

C.1. The Commission shall: (i) investigate the underlying motive for the May 31, 2019, Virginia Beach mass shooting; (ii) investigate the gunman's personal background and entire prior employment history with the City of Virginia Beach and his interactions with

ITEM 17.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
coworkers and supervisors, including but not limited to formal documentation and informal incidents; (iii) determine how the gunman was able to carry out his actions; (iv) identify any obstacles confronted by first responders; (v) identify and examine the security procedures and protocols in place immediately prior to the mass shooting; (vi) examine the post-shooting communications between law enforcement and the families of the victims; (vii) assess such other matters as it deems necessary to gain a comprehensive understanding of the tragic events of May 31, 2019, and (viii) develop recommendations regarding improvements that can be made in the Commonwealth's laws, policies, procedures, systems, and institutions, as well as those of other government agencies and private providers, to minimize the risk of a tragedy of this nature from ever occurring again in the Commonwealth.				
2. To the extent required by law, the Commission shall (i) protect the confidentiality of any individual's or family member's personal or health information and (ii) make public or publish information and findings only in summary or aggregate form without identifying personal or health information related to any individual or family member unless authorization is obtained from an individual or family member that specifically permits the Commission to disclose that person's personal or health information; and (iii) ensure that its investigation does not impede any investigation into the matter being conducted by law enforcement.				
D. The Office of the State Inspector General shall provide staff support to the Commission. All agencies of the Commonwealth shall provide assistance to the Office of the State Inspector General upon request. Upon the request of the Chairman, the Director of the Department of Planning and Budget may authorize a transfer of this appropriation to the Office of the State Inspector General to support the work of the Commission.				
E. Beginning in 2021, the Chairman shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than November 1 of each year. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.				
Total for Commission on the May 31, 2019 Virginia Beach Mass Shooting			**$38,506**	**$38,506**
Fund Sources: General	$38,506	$38,506		
Commission to Study Slavery and Subsequent De Jure and De Facto Racial and Economic Discrimination Against African Americans (880)				
18. Research, Planning, and Coordination (78800)			$94,169	$94,169
Policy Research and Planning (78801)	$94,169	$94,169		
Fund Sources: General	$94,169	$94,169		
Authority: Title 2.2, Chapter 25, Article 11, Code of Virginia.				
Total for Commission to Study Slavery and Subsequent De Jure and De Facto Racial and Economic Discrimination Against African Americans			**$94,169**	**$94,169**
Fund Sources: General	$94,169	$94,169		
Grand Total for Division of Legislative Services			~~**$13,632,738**~~ ***$13,645,775***	~~**$13,632,738**~~ ***$13,906,593***
General Fund Positions	~~80.00~~ *78.00*	~~80.00~~ *84.00*		
Position Level	~~80.00~~ *78.00*	~~80.00~~ *84.00*		
Fund Sources: General	~~$13,588,700~~ *$13,326,412*	~~$13,588,700~~ *$13,862,555*		
Special	~~$44,038~~ *$319,363*	$44,038		

§ 1-7. CHESAPEAKE BAY COMMISSION (842)

ITEM 18.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
19.	Resource Management Research, Planning, and Coordination (50700)			$370,000	$370,000
	Resource Management Policy and Program Development (50701)	$370,000	$370,000		
	Fund Sources: General	$370,000	$370,000		
	Authority: Title 30, Chapter 36, Code of Virginia.				
	Total for Chesapeake Bay Commission			**$370,000**	**$370,000**
	General Fund Positions	1.00	1.00		
	Position Level	1.00	1.00		
	Fund Sources: General	$370,000	$370,000		
	§ 1-8. JOINT COMMISSION ON HEALTH CARE (844)				
20.	Health Research, Planning, and Coordination (40600)			$1,041,882	~~$1,041,882~~ *$1,216,882*
	Health Policy Research (40606)	$1,041,882	~~$1,041,882~~ *$1,216,882*		
	Fund Sources: General	$1,041,882	~~$1,041,882~~ *$1,216,882*		
	Authority: Title 30, Chapter 18, Code of Virginia.				
	Total for Joint Commission on Health Care			**$1,041,882**	~~**$1,041,882**~~ ***$1,216,882***
	General Fund Positions	7.00	~~7.00~~ *8.00*		
	Position Level	7.00	~~7.00~~ *8.00*		
	Fund Sources: General	$1,041,882	~~$1,041,882~~ *$1,216,882*		
	§ 1-9. BEHAVIORAL HEALTH COMMISSION (882)				
21.	Health Research, Planning, and Coordination (40600)			$767,883	$767,883
	Behavioral Health Policy Research (40610)	$767,883	$767,883		
	Fund Sources: General	$767,883	$767,883		
	Authority: Title 30, Chapter 63, Code of Virginia.				
	Total for Behavioral Health Commission			**$767,883**	**$767,883**
	General Fund Positions	5.00	5.00		
	Position Level	5.00	5.00		
	Fund Sources: General	$767,883	$767,883		
	§ 1-10. VIRGINIA COMMISSION ON YOUTH (839)				
22.	Social Services Research, Planning, and Coordination (45000)			$514,807	$414,807
	Social Services Research and Planning (45003)	$514,807	$414,807		
	Fund Sources: General	$514,807	$414,807		
	Authority: Title 30, Chapter 20, Code of Virginia.				
	Total for Virginia Commission on Youth			**$514,807**	**$414,807**

ITEM 22.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
General Fund Positions	3.00	3.00		
Position Level	3.00	3.00		
Fund Sources: General	$514,807	$414,807		

§ 1-11. VIRGINIA STATE CRIME COMMISSION (142)

23. Criminal Justice Research, Planning and Coordination (30500)			$1,844,034	~~$1,844,034~~ *$1,919,034*
Criminal Justice Research (30503)	$1,844,034	~~$1,844,034~~ *$1,919,034*		
Fund Sources: General	$1,706,521	~~$1,706,521~~ *$1,781,521*		
Federal Trust	$137,513	$137,513		

Authority: Title 30, Chapter 16, Code of Virginia.

A.1. The Virginia State Crime Commission shall review cases at the Virginia Department of Forensic Science (Department), in consultation with the Department's Scientific Advisory Committee, where testing or analysis was performed by Mary Jane Burton and report on the total number of the following: (i) case files that contain at least one named suspect; (ii) cases where scientific testimony was provided; and (iii) named suspects who were convicted of an offense related to such testing, categorized by persons: (a) currently incarcerated, on probation, or on parole; (b) executed; or, (c) deceased.

2. Notwithstanding any other provision of law, the Crime Commission and other state and local agencies may receive and disseminate to individuals, state and local agencies, and private organizations involved in the completion of this review (i) personal or case identifying information related to the named suspects, (ii) Virginia criminal history record information related to the named suspects, (iii) expunged or sealed police and court records related to the Department case file of a named suspect, and (iv) any other information that may be necessary to the successful and timely completion of the review. Information received or disseminated for purposes of this review shall not be subject to the Virginia Freedom of Information Act (§ 2.2-3700).

3. The Virginia State Crime Commission shall have the authority to review additional case files to address related matters as deemed appropriate, in consultation with the House Appropriations and Senate Finance and Appropriations Committees. The Crime Commission shall report on its findings by the first day of each General Assembly Session until completion of this review.

B.1. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, the Virginia State Crime Commission shall have the legal authority to access the records, information, facilities, and employees of every department, division, board, bureau, commission, authority, or other agency created by the Commonwealth or to which the Commonwealth is a party or from any political subdivision of the Commonwealth. Upon request, such entities shall provide the Virginia State Crime Commission with records and any other information deemed necessary by the Virginia State Crime Commission for the performance of its duties. Additionally, upon request, such entities shall allow the Virginia State Crime Commission access to their facilities and ample opportunity to observe their operations. Such entities may not require the Virginia State Crime Commission to pay a fee to obtain records or any other information, or to access their facilities or observe their operations. Upon request, the Executive Secretary of the Supreme Court of Virginia shall provide the Virginia State Crime Commission with case data, in an electronic format, from its district and circuit court case management systems for all adults and juveniles charged with a criminal offense, civil offense, or traffic violation. If a clerk of the circuit court does not participate in the statewide Circuit Case Management System maintained by the Executive Secretary of the Supreme Court of Virginia, then upon request such clerk of the circuit court shall provide the Virginia State Crime Commission with case data, in an electronic format, from its own case management system for all adults and juveniles charged with a criminal offense, civil offense, or traffic violation.

2. The Virginia State Crime Commission may use the data provided by the Executive

ITEM 23.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Secretary of the Supreme Court of Virginia or any clerk of the circuit court for research, evaluation, or statistical purposes only and shall ensure the confidentiality and security of the data. The Virginia State Crime Commission shall not publish personal or case identifying information, including names, social security numbers, and dates of birth, which may be included in the data from the case management systems. Upon transfer to the Virginia State Crime Commission, such data shall not be subject to the Virginia Freedom of Information Act. Except for the publishing of personal or case identifying information, including names, social security numbers, and dates of birth, the restrictions in this section shall not prohibit the Virginia State Crime Commission from publishing aggregate data as part of its reports or presentations, or from sharing aggregate data when requested by a member of the General Assembly, a member of the Virginia State Crime Commission, the Office of the Attorney General, the Office of the Governor, or a member of the Governor's Cabinet.				
	Total for Virginia State Crime Commission			**$1,844,034**	**~~$1,844,034~~ *$1,919,034***
	General Fund Positions	11.00	11.00		
	Nongeneral Fund Positions	4.00	4.00		
	Position Level	15.00	15.00		
	Fund Sources: General	$1,706,521	~~$1,706,521~~ *$1,781,521*		
	Federal Trust	$137,513	$137,513		

I VETO ITEM 24 ON PAGE 1713
/s/ Glenn Youngkin
5-2-25

§ 1-12. COMMISSION ON ELECTRIC UTILITY REGULATION (863)

24.	Research, Planning, and Coordination (78800)			$691,050	~~$691,050~~ *$766,050*
	Policy Research and Planning (78801)	$691,050	~~$691,050~~ *$766,050*		
	Fund Sources: General	$691,050	~~$691,050~~ *$766,050]*		
	Total for Commission on Electric Utility Regulation			**$691,050**	**~~$691,050~~ *$766,050***
	General Fund Positions	6.00	6.00		
	Position Level	6.00	6.00		
	Fund Sources: General	$691,050	~~$691,050~~ *$766,050*		

§ 1-13. AMERICAN REVOLUTION 250 COMMISSION (883)

24.50	Historic and Commemorative Attraction Management (50200)			$20,000,000	$0
	Revolutionary War Commemoration (50210)	$20,000,000	$0		
	Fund Sources: General	$20,000,000	$0		

A. All agencies and institutions of the Commonwealth shall, upon request, designate liaisons and provide assistance and advice to the American Revolution 250 Commission and the Virginia Commemorations, Inc. for the planning, coordination, and implementation of the 250th anniversary of the American Revolution.

B. Any employees paid from this appropriation shall be exempt from the Virginia Personnel Act. Employees shall not be entitled to severance and unemployment as stipulated in hiring agreements.

C. The American Revolution 250 Commission and the Virginia Commemorations, Inc. may perform the following actions directly relating to the planning, coordination, and implementation of the 250th anniversary of the American Revolution:

1. Solicit and accept donations of materials and services to defray expenses;

ITEM 24.50.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

2. Retain all nongeneral funds from grants, donations, contributions, gifts, fees, sales, or other funds received, collected, or undertaken by the American Revolution 250 Commission for the 250th anniversary commemoration. Such nongeneral funds shall be retained and not reverted back to the general fund at the end of the fiscal year;

3. Procure, with the maximum delegated authority available to any executive branch agency or institution in the Commonwealth, any goods and services with which there are minimum procurement requirements associated;

4. Hire employees up to the Maximum Employment Level for the Foundation as provided in the general appropriation act, despite any potential suspension from hiring that may be mandated for state agencies;

5. Receive assistance and advice from agencies and institutions of the Commonwealth without charge; and

6. Contact international, national, interstate, state, regional, and local elected and appointed officials.

D. The American Revolution 250 Commission and the Virginia Commemorations, Inc. may enter into agreements or contracts with private entities for the promotion of tourism through marketing without competitive sealed bidding or competitive negotiation provided a demonstrable cost savings can be realized by the Commission and such agreements or contracts are based on competitive principles.

E. Except as provided otherwise in this paragraph, the provisions of the Virginia Public Procurement Act shall not apply to the expenditure of funds from the 250th anniversary commemoration. However, the provisions of this paragraph shall not be effective until such time as the American Revolution 250 Commission has adopted guidelines generally applicable to the procurement of goods and services by the Commonwealth. The guidelines shall implement a system of competitive negotiation for goods and services that: (i) shall prohibit discrimination because of race, religion, color, sex, age, disability, national origin, sexual orientation, gender identity, political affiliation, veteran status, or any other basis prohibited by state law relating to discrimination; (ii) may take into account in all cases the dollar amount of the intended procurement, the term of the anticipated contract, and the likely extent of competition; (iii) may implement a prequalification procedure for contractors or products; (iv) may include provisions for cooperative procurement arrangements; shall incorporate the prompt payment principles of §§ 2.2-4350 and 2.2-4354, Code of Virginia; and may implement provisions of law.

F. The American Revolution 250 Commission shall establish guidelines, procedures, and objective criteria for the award and distribution of grants from the appropriation to state agencies, localities, and non-government organizations. Activities eligible for grants from the appropriation shall be focused on high-impact, collaborative projects that focus on the ideals of the American Revolution. The American Revolution 250 Commission shall advertise the availability of grant funds and shall solicit, receive, and review grant applications as defined by adopted guidelines. The decisions regarding who receives the grant awards shall be the responsibility of the American Revolution 250 Commission.

G. All general funds received by the American Revolution 250 Commission shall be retained and not reverted back to the general fund at the end of any fiscal year.

Total for American Revolution 250 Commission			**$20,000,000**	**$0**
Fund Sources: General	$20,000,000	$0		

§ 1-14. JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION (110)

25.	Legislative Evaluation and Review (78300)			$6,244,847	~~$6,244,847~~ *$6,069,847*
	Performance Audits and Evaluation (78303)	$6,244,847	~~$6,244,847~~ *$6,069,847*		
	Fund Sources: General	$6,103,939	~~$6,103,939~~ *$5,928,939*		

ITEM 25.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Trust and Agency.....	$140,908	$140,908		

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

A. Out of this appropriation shall be paid the annual salary of the Director, Joint Legislative Audit and Review Commission (JLARC), $206,186 from June 10, 2024 to June 9, 2025 and $212,372 from June 10, 2025 to June 30, 2026.

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

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

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

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

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

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

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

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

Except as specifically provided in this item, nothing in this item shall be construed to authorize the withholding of (a) procurement records as required by § 56-575.17; (b)

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information concerning the terms and conditions of any interim or comprehensive agreement, service contract, lease, partnership, or any agreement of any kind entered into by VITA and the private entity; (c) information concerning the terms and conditions of any financing arrangement that involves the use of any public funds; or (d) information concerning the performance of the private entity under the comprehensive infrastructure agreement, or any successor contract, or any contractual amendments thereto for the operation of the Commonwealth's information technology infrastructure.

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

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

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

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

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

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

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

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

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

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

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intent of the General Assembly and provides the data and evaluation in a meaningful manner for decision-makers.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. All agencies of the Commonwealth shall cooperate as requested by JLARC in the

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performance of its duties under this authority.

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

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

Total for Joint Legislative Audit and Review Commission			**$6,244,847**	**~~$6,244,847~~** ***$6,069,847***
General Fund Positions	41.00	~~41.00~~ *40.00*		
Nongeneral Fund Positions	1.00	1.00		
Position Level	42.00	~~42.00~~ *41.00*		
Fund Sources: General	$6,103,939	~~$6,103,939~~ *$5,928,939*		
Trust and Agency	$140,908	$140,908		

§ 1-15. VIRGINIA COMMISSION ON INTERGOVERNMENTAL COOPERATION (105)

26.	Governmental Affairs Services (70100)			$880,021	~~$880,021~~ *$960,021*
	Interstate Affairs (70103)	$880,021	~~$880,021~~ *$960,021*		
	Fund Sources: General	$880,021	~~$880,021~~ *$960,021*		

Authority: Title 30, Chapter 19, Code of Virginia.

Out of this appropriation may be paid from the general fund the annual assessments:

1. To the National Conference of State Legislatures;

2. To the Council of State Governments;

3. To the Southern Regional Education Board; and

4. To the Education Commission of the States.

Total for Virginia Commission on Intergovernmental Cooperation			**$880,021**	**~~$880,021~~** ***$960,021***
Fund Sources: General	$880,021	~~$880,021~~ *$960,021*		

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§ 1-16. LEGISLATIVE DEPARTMENT REVERSION CLEARING ACCOUNT (102)				
27. Enactment of Laws (78200)			~~$710,315~~ *$1,460,315*	$710,315
Undesignated Support for Enactment of Laws Services (78205)	~~$710,315~~ *$1,460,315*	$710,315		
Fund Sources: General	~~$710,315~~ *$1,460,315*	$710,315		

Authority: Discretionary Inclusion.

A. Transfers out of this appropriation may be made to fund unanticipated costs in the budgets of legislative agencies or other such costs approved by the Joint Rules Committee.

B. Included within this appropriation is an amount estimated at ~~$200,000~~*$250,000* the first year and ~~$200,000~~*$250,000* the second year from the general fund and one position for the operation of the Capitol Guides program. The allocation of these funds shall be subject to the approval of the Committee on Joint Rules. The Capitol Guides program shall be jointly administered by the Clerk of the House of Delegates and the Clerk of the Senate.

C. Out of the amounts in this Item, $750,000 the first year from the general fund may be utilized to contract for the construction of a statue that commemorates the legacy of former Governor L. Douglas Wilder. The allocation of these funds shall be subject to the approval of the Committee on Joint Rules. The Virginia Capitol Foundation may accept donations for this purpose.

D. On or before June 30, 2025, the Committee on Joint Rules shall authorize a reversion to the general fund of $2,264,114 representing savings generated by legislative agencies in the first year of the 2024-2026 biennium. The total savings amount includes estimated savings within the following legislative agencies:

Legislative Agency	***Estimated Savings - FY2025***	***Estimated Savings - FY2026***
107: Division of Legislative Services	*$500,000*	*$0*
110: Joint Legislative Audit and Review Commission	*$1,000,000*	*$0*
820: Capitol Square Preservation Council	*$764,114*	*$0*
Total	***$2,264,114***	***$0***

Total for Legislative Department Reversion Clearing Account			**~~$710,315~~** ***$1,460,315***	**$710,315**
General Fund Positions	1.00	1.00		
Position Level	1.00	1.00		
Fund Sources: General	~~$710,315~~ *$1,460,315*	$710,315		
TOTAL FOR LEGISLATIVE DEPARTMENT			**~~$155,788,662~~** ***$158,101,699***	**~~$135,613,662~~** ***$136,117,517***
General Fund Positions	~~648.00~~ *646.00*	~~648.00~~ *652.00*		
Nongeneral Fund Positions	32.50	32.50		
Position Level	~~680.50~~ *678.50*	~~680.50~~ *684.50*		
Fund Sources: General	~~$150,483,367~~ *$152,521,079*	~~$130,308,367~~ *$130,812,222*		
Special	~~$5,026,874~~ *$5,302,199*	$5,026,874		
Trust and Agency	$140,908	$140,908		

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Federal Trust.....	$137,513	$137,513		

ITEM 28.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	JUDICIAL DEPARTMENT				
	§ 1-17. SUPREME COURT (111)				
28.	Pre-Trial, Trial, and Appellate Processes (32100)			$16,544,935	$16,544,935
	Appellate Review (32101)	$11,259,035	$11,259,035		
	Other Court Costs And Allowances (Criminal Fund) (32104)	$5,285,900	$5,285,900		
	Fund Sources: General	$16,365,655	$16,365,655		
	Special	$179,280	$179,280		
	Authority: Article VI, Sections 1 through 6, Constitution of Virginia; Title 17.1, Chapter 3 and § 19.2-163, Code of Virginia.				
	A. Out of the amounts for Appellate Review shall be paid:				
	1. The annual salary of the Chief Justice, $245,577 from June 10, 2024 to June 9, 2025, $252,944 from June 10, 2025 to June 30, 2026.				
	2. The annual salaries of the six (6) Associate Justices, each $230,342 from June 10, 2024 to June 9, 2025, $237,252 from June 10, 2025 to June 30, 2026.				
	3. To each justice, $13,500 the first year and $13,500 the second year, for expenses not otherwise reimbursed, said expenses to be paid out of the current appropriation to the Court.				
	B. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2024, in the appropriation made in Item 39, Chapter 1, Acts of Assembly of 2023, Special Session I, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2025.				
	C.1. Out of the amounts appropriated in this Item, $5,175,000 the first year and $5,175,000 the second year from the general fund is included for increased reimbursements for court-appointed counsel pursuant to § 19.2-163, Code of Virginia.				
	2. The Director, Department of Planning and Budget, shall upon the request of the Executive Secretary of the Supreme Court of Virginia, transfer from the second year amount identified in Paragraph C.1. of this item to the first year an amount equal to the estimated shortfall for criminal fund waivers in the first year. Any such request shall be submitted by the Executive Secretary no later than May 1st of any fiscal year. Any amounts transferred shall be communicated to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than 30 days following any such transfer.				
	D. The Executive Secretary of the Supreme Court of Virginia shall encourage training of Juvenile and Domestic Relations District Court judges regarding the options available for court-ordered services for families in truancy cases prior to the initiation of other remedies.				
29.	Law Library Services (32300)			$1,156,387	$1,156,387
	Law Library Services (32301)	$1,156,387	$1,156,387		
	Fund Sources: General	$1,156,387	$1,156,387		
	Authority: §§ 42.1-60 through 42.1-64, Code of Virginia.				
30.	Adjudication Training, Education, and Standards (32600)			$899,140	$899,140
	Judicial Training (32603)	$899,140	$899,140		
	Fund Sources: General	$899,140	$899,140		
	Authority: Title 16.1, Chapter 9; Title 17.1, Chapter 7; §§ 2.2-4025, 19.2-38.1 and 19.2-43, Code of Virginia.				

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31.	Administrative and Support Services (39900)			~~$53,003,053~~ *$54,377,883*	~~$53,293,491~~ *$59,079,165*
	General Management and Direction (39901)	~~$53,003,053~~ *$54,377,883*	~~$53,293,491~~ *$59,079,165*		
	Fund Sources: General	~~$42,650,189~~ *$44,025,019*	~~$42,940,627~~ *$48,726,301*		
	Special	$124,375	$124,375		
	Dedicated Special Revenue	$8,913,744	$8,913,744		
	Federal Trust	$1,314,745	$1,314,745		

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

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

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

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

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

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

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

G. In addition to any filing fee or other fee permitted by law, an electronic access fee may be charged for each case filed electronically pursuant to Rule 1:17 of the Rules of the Supreme Court of Virginia. The amount of this fee shall be set by the Supreme Court of Virginia. Moneys collected pursuant to this fee shall be deposited into the State Treasury to the credit of the Courts Technology Fund established pursuant to § 17.1-132, to be used to support the costs of statewide electronic filing systems.

H. 1. No state funds used to support the operation of drug court programs shall be provided to programs that serve first-time substance abuse offenders only or do not include probation violators. This restriction shall not apply to juvenile drug court programs.

2. Notwithstanding the provisions of subsection O. of § 18.2-254.1, Code of Virginia, any locality is authorized to establish a drug treatment court supported by existing state resources and by federal or local resources that may be available. This authorization is subject to the

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requirements and conditions regarding the establishment and operation of a local drug treatment court advisory committee as provided by § 18.2-254.1 and the requirements and conditions established by the state Drug Treatment Court Advisory Committee. Any drug court treatment program established after July 1, 2012, shall limit participation in the program to offenders who have been determined, through the use of a nationally recognized, validated assessment tool, to be addicted to or dependent on drugs. However, no such drug court treatment program shall limit its participation to first-time substance abuse offenders only; nor shall it exclude probation violators from participation.

3. The evaluation of drug treatment court programs required by § 18.2-254.1 shall include the collection of data needed for outcome measures, including recidivism. Drug treatment court programs shall provide to the Office of the Executive Secretary of the Supreme Court the information needed to conduct such an evaluation.

4. Included within this appropriation is $960,000 the first year and $960,000 the second year from the general fund for drug courts in jurisdictions with high drug caseloads, to be allocated by the State Drug Treatment Court Advisory Committee to existing drug courts which have been approved by the Supreme Court of Virginia but have not previously received state funding.

I. Notwithstanding the provisions of § 16.1-69.48, Code of Virginia, the Executive Secretary of the Supreme Court shall ensure the deposit of all Commonwealth collections directly into the State Treasury for Item 34 General District Courts, Item 35 Juvenile and Domestic Relations District Courts, Item 36 Combined District Courts, and Item 37 Magistrate System.

J. Included in this appropriation, $289,000 the first year and $289,000 the second year from the general fund is provided to implement the Judicial Performance Evaluation Program established by § 17.1-100 of the Code of Virginia.

K. Included in this appropriation, $175,321 the first year and $175,321 the second year from nongeneral funds and two positions to support drug treatment court evaluation and monitoring. The source of funds is the Drug Offender Assessment Fund.

L. Included in the amounts appropriated for this item are $400,000 the first year and $400,000 the second year from the general fund to be allocated by the State Drug Treatment Court Advisory Committee for the establishment of drug courts in jurisdictions with high drug-related caseloads, or to increase funding provided to existing drug court programs experiencing high caseload growth.

M. Included in this appropriation is $500,000 the first year and $500,000 the second year from the general fund to support the creation and expansion of mental health court dockets in jurisdictions with high caseloads, to be allocated by the Virginia Supreme Court.

N.1. There is hereby created in the state treasury a special nonreverting fund to be known as the Attorney Wellness Fund, hereinafter referred to as the Fund. The Fund shall be established on the books of the Comptroller. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of the fiscal year shall not revert to the general fund, but shall remain in the Fund. Except for transfers pursuant to this Item, there shall be no transfers out of the Fund, including transfers to the general fund.

2. Notwithstanding the provisions of § 54.1-3912, Code of Virginia, in addition to any other fee permitted by law, the Supreme Court of Virginia may adopt rules assessing members of the Virginia State Bar an annual fee of up to $30 to be deposited in the State Bar Fund and transferred to the Attorney Wellness Fund.

3.Moneys in the Fund shall be allocated at the direction of the Supreme Court of Virginia solely for the purposes of wellness initiatives for attorneys, judges, and law students, to prevent substance abuse and behavioral health disorders. The revenue raised in support of the Fund shall not be used to supplant current funding to the judicial branch. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request of the Executive Secretary of the Supreme Court of Virginia.

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O. The Office of the Executive Secretary of the Supreme Court shall prepare and distribute evaluation forms in all Circuit Court cases that are overseen by a retired judge for the purpose of collecting information on the number and types of cases referred to retired judges, and use such information to prepare and annually publish a report to be distributed to the members of the House Committee on Courts of Justice and the Senate Committee on the Judiciary, on or about January 1, each year.

P. Included in this appropriation is $1,539,033 the first year and $1,539,033 the second year for the implementation of an automatic expungement process pursuant to House Bill 2113 and Senate Bill 1339 of the 2021 Session of the General Assembly.

Q. Included in the amounts appropriated for this item is $94,963 the first year and $94,963 the second year from the general fund to implement the Hope Card Program in all circuit and district courts in the Commonwealth.

R. The Office of the Executive Secretary (OES), in consultation with the Veterans Docket Advisory Committee established pursuant to Virginia Supreme Court Rule 1:25(e) and the Virginia Department of Veterans Services, will promote localized training to enable correctional and other criminal justice system entities to identify inmates or defendants who have served in the United States military. Such training will encourage use of the Virginia Reentry Search Services (VRSS) developed by the U.S. Veterans Administration to facilitate direct outreach to these veterans, and to inform the development of veteran-specific programs in the criminal justice system including the establishment of a Veterans Docket pursuant to Rule 1:25(b). OES will offer support for jurisdictions applying for funding consistent with Virginia Code 18.2-254.2 (B).

S. Included in the amounts appropriated for this item is $679,649 the first year and $679,649 the second year from the general fund to increase per diem compensation to $350 for substitute judges in district courts when working a full day and $175 if the substitute judge serves for less than a full court docket or less than four hours, notwithstanding § 16.1-69.44, Code of Virginia.

T. The Office of the Executive Secretary of the Supreme Court (OES) shall contract with the National Center for State Courts (NCSC) and collaborate with the Department of Behavioral Health and Developmental Services (DBHDS) to study existing statewide jail diversion programs and initiatives for individuals with a serious mental illness in Virginia and other states, and the feasibility of implementing an expedited diversion to court-ordered treatment (EDCOT) process to divert individuals with a serious mental illness to court-supervised mental health treatment. In conducting such study, OES shall work with DBHDS to (i) identify existing statewide jail diversion programs and initiatives for individuals with a serious mental illness in Virginia and determine the scope and effectiveness of such programs and initiatives, including the populations served; (ii) assess in what ways and to what extent an EDCOT process could divert individuals with a serious mental illness who are not currently served by existing programs in Virginia; (iii) examine the operational, legal, funding, and other barriers identified by stakeholders that would be required to address EDCOT implementation; and (iv) determine the feasibility of implementing an EDCOT process or similar diversion program in Virginia to allow for diversion of individuals with a serious mental illness not currently served by existing statewide diversion programs. OES shall work with NCSC to evaluate whether other states use diversion best practices that could more effectively and efficiently serve individuals with a mental illness who could be diverted to mental health treatment through an EDCOT process, and who are not currently served by existing statewide diversion programs in the Commonwealth. OES and DBHDS shall provide ample opportunities for meaningful collaboration and cooperation with stakeholders impacted by the potential implementation of an EDCOT process and changes to diversion programs in Virginia. OES shall report on its findings to the Behavioral Health Commission by November 1, 2025.

U. Included in this appropriation is $750,000 the first year and $750,000 the second year from the general fund to support specialty dockets.

V. Included in this appropriation is $75,000 the first year from the general fund for the Office of the Executive Secretary of the Supreme Court (OES) to contract with the National Center for State Courts (NCSC) to perform a study on juvenile restitution, including: (i) the frequency of court-ordered juvenile restitution in the Commonwealth; (ii) the average amount

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	of restitution ordered; (iii) the percentage of juveniles who pay court-ordered restitution in full; (iv) the percentage of juveniles penalized for failure to pay restitution; (v) the percentage of victims completely compensated with restitution; and (vi) the demographics of juveniles ordered to pay restitution and make recommendations based on its findings to make the juvenile restitution process more rehabilitative while ensuring victims of crimes are compensated. OES shall report its findings and recommendations by September 1, 2025.				
	Total for Supreme Court			~~$71,603,515~~ *$72,978,345*	~~$71,893,953~~ *$77,679,627*
	General Fund Positions	243.63	~~243.63~~ *246.63*		
	Nongeneral Fund Positions	8.00	8.00		
	Position Level	251.63	~~251.63~~ *254.63*		
	Fund Sources: General	~~$61,071,371~~ *$62,446,201*	~~$61,361,809~~ *$67,147,483*		
	Special	$303,655	$303,655		
	Dedicated Special Revenue	$8,913,744	$8,913,744		
	Federal Trust	$1,314,745	$1,314,745		
	Court of Appeals of Virginia (125)				
32.	Pre-Trial, Trial, and Appellate Processes (32100)			$21,937,991	$21,937,991
	Appellate Review (32101)	$21,932,991	$21,932,991		
	Other Court Costs And Allowances (Criminal Fund) (32104)	$5,000	$5,000		
	Fund Sources: General	$21,937,991	$21,937,991		
	Authority: Title 17.1, Chapter 4 and § 19.2-163, Code of Virginia.				
	A. Out of the amounts in this Item for Appellate Review shall be paid:				
	1. The annual salary of the Chief Judge, $221,915 from June 10, 2024 to June 9, 2025, $228,572 from June 10, 2025 to June 30, 2026.				
	2. The annual salaries of the sixteen (16) judges, each at $218,825 from June 10, 2024 to June 9, 2025, $225,390 from June 10, 2025 to June 30, 2026.				
	3. Salaries of the judges are to be 95 percent of the salaries of justices of the Supreme Court except for the Chief Judge, who shall receive an additional $3,000 annually.				
	4. To each judge, $6,500 the first year and $6,500 the second year, for expenses not otherwise reimbursed, said expenses to be paid out of the current appropriation to the Court.				
	B. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2024, in the appropriation made in Item 43, Chapter 1, Acts of Assembly of 2023, Special Session I, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2025.				
	C. The amount of attorney's fees allowed counsel to indigent defendants in appeals to the Court of Appeals shall be in the discretion of the court.				
	D. Out of the amounts appropriated in this Item, $9,493,443 the first year and $9,493,443 the second year from the general fund to support additional judges and associated staff to address anticipated workload increases related to legislation adopted by the 2021 Session of the General Assembly that expands the jurisdiction and organization of the Court of Appeals of Virginia.				
	E. The Court of Appeals shall examine options for workload metrics that could be used to objectively determine the necessary number of positions, including judgeships and personnel in the Clerk's Office and the Office of the Chief Attorney. The Court of Appeals				

ITEM 32.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	shall provide a report to the General Assembly on its findings and recommendations by November 15, 2025.				
	Total for Court of Appeals of Virginia			**$21,937,991**	**$21,937,991**
	General Fund Positions	142.13	142.13		
	Position Level	142.13	142.13		
	Fund Sources: General	$21,937,991	$21,937,991		
	Circuit Courts (113)				
33.	Pre-Trial, Trial, and Appellate Processes (32100)			$131,392,451	~~$137,464,210~~ *$138,814,210*
	Trial Processes (32103)	$58,997,219	~~$59,084,019~~ *$58,984,019*		
	Other Court Costs And Allowances (Criminal Fund) (32104)	$72,395,232	~~$78,380,191~~ *$79,830,191*		
	Fund Sources: General	$131,392,451	~~$137,464,210~~ *$138,814,210*		

Authority: Article VI, Section 1, Constitution of Virginia; Title 17.1, Chapter 5; § 19.2-163, Code of Virginia.

A. Out of the amounts in this Item for Trial Processes shall be paid:

1. The annual salaries of Circuit Court judges, each at $213,839 from June 10, 2024 to June 10, 2025, $220,254 from June 10, 2025 to June 30, 2026. Such salaries shall represent the total compensation from all sources for Circuit Court judges.

2. Expenses necessarily incurred for the position of judge of the Circuit Court, including clerk hire not exceeding $1,500 a year for each judge.

3. The state's share of expenses incident to the prosecution of a petition for a writ of habeas corpus by an indigent petitioner, including payment of counsel fees as fixed by the Court; the expenses shall be paid upon receipt of an appropriate order from a Circuit Court.

4. A circuit court judge shall only be reimbursed for mileage for commuting if the judge has to travel to a courthouse in a county or city other than the one in which the judge resides and the distance between the judge's residence and the courthouse is greater than 25 miles.

B. The Chief Circuit Court Judge shall restrict the appointment of special justices to conduct involuntary mental commitment hearings to those unusual instances when no General District Court or Juvenile and Domestic Relations District Court Judge can be made available or when the volume of the hearings would require more than eight hours a week.

C. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2024, in the appropriation made in Item 44, Chapter 1, Acts of Assembly of 2023, Special Session I, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2025.

D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund) shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.

E.1. General fund appropriations for Other Court Costs and Allowances (Criminal Fund) total $139,541,179 the first year and ~~$145,526,138~~ *$146,976,138* the second year in this Item and Items 28, 32, 34, 35 and 36.

2. The Chief Justice of the Supreme Court of Virginia shall determine how the amounts appropriated to Other Courts Costs and Allowances (Criminal Fund) will be allocated, consistent with statutory provisions in the Code of Virginia. Funds within these appropriations are to be used to fund fully the statutory caps on compensation applicable to attorneys appointed by the court to defend criminal charges. Should this appropriation not be sufficient to fund fully all of the statutory caps on compensation as established by § 19.2-163, Code of Virginia, that this appropriation shall be applied first to fully fund the statutory caps for the

ITEM 33.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

most serious noncapital felonies and then, should funds still remain in this appropriation, to the other statutory caps, in declining order of the severity of the charges to which each cap is applicable.

3. Notwithstanding the provisions of § 19.2-163, Code of Virginia, the amount of compensation allowed to counsel appointed by the court to defend a felony charge that may be punishable by death shall be calculated on an hourly basis at a rate set by the Supreme Court of Virginia.

4. The Department of Planning and Budget is authorized to transfer appropriations between the Criminal Fund and the Involuntary Mental Commitment Fund, as appropriated in any item within the courts system, to support authorized program expenses in the event of an unanticipated shortfall in either fund. Any such transfers shall be made only as needed and shall be reported to the House Appropriations and Senate Finance and Appropriations Committees within 60 days.

F. Mandated changes or improvements to court facilities pursuant to § 15.2-1643, Code of Virginia, or otherwise, including any new construction, shall be delayed at the request of the local governing body in which the court is located until June 30, 2026. The provisions of this item shall not apply to facilities that were subject to litigation on or before November 30, 2008.

G. In order to reduce expenditures through the Criminal Fund for court-appointed counsel, compensation paid to attorneys appointed pursuant to Virginia Code § 53.1-40 shall be limited to $55 per hour, with a maximum per diem compensation of $200, except in cases where the appointed attorney is appointed to represent indigent prisoners at more than one state prison, and in such cases their billing shall be capped monthly at $6,000, plus reasonable expenses, to be paid from the Criminal Fund.

H.1. Notwithstanding the provisions of § 19.2-155, Code of Virginia, in cases where an Attorney for the Commonwealth must recuse himself from a case or a special prosecutor must be appointed, the circuit court judge must appoint an Attorney for the Commonwealth or an Assistant Attorney for the Commonwealth from another jurisdiction. If the circuit court judge determines that the appointment of such Attorney for the Commonwealth or such Assistant Attorney for the Commonwealth is not appropriate or that such an attorney or assistant is unavailable then the judge must request approval from the Executive Secretary of the Supreme Court for an exception to this requirement.

2. The Executive Secretary of the Supreme Court shall include in the annual report required in paragraph A. of Item 31 information on the number of exceptions granted related to special prosecutors and the related expenditures.

I. Notwithstanding any other provisions of Chapter 23 of Title 8.1 of the Code of Virginia, a reasonable fee not to exceed $150 may be charged by Commissioners of Accounts for any foreclosures on a timeshare estate to reimburse them for the reasonable costs associated therewith.

~~J. The Executive Secretary of the Supreme Court shall deposit $100,000 the second year from the general fund to the Sealing Fee Fund established in § 17.1-205.1, Code of Virginia.~~

J. Out of the amounts appropriated in this Item, $1,000,000 the second year from the general fund is provided to support an increase in the rate paid to guardian ad litems from the Criminal Fund to $78.75 per hour for time spent in court and $57.50 for time spent out of court.

K. As part of the annual Criminal Fund forecasting process conducted by the Office of the Executive Secretary (OES) in consultation with staff from the Department of Planning and Budget and the House Appropriations and Senate Finance and Appropriations Committees, the OES shall continue to include notice of any intended rate changes that would have an impact on Criminal Fund expenditures in materials provided to support the forecasting process. OES may approve a rate increase if (i) it will not require an increase in subsequent Criminal Fund appropriations, as determined by the group consensus on the six-year Criminal Fund forecast; or (ii) if sufficient funding is provided to the Criminal Fund to accommodate anticipated cost impacts from the increase.

ITEM 33.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Total for Circuit Courts			**$131,392,451**	**~~$137,464,210~~ *$138,814,210***
	General Fund Positions	158.00	158.00		
	Position Level	158.00	158.00		
	Fund Sources: General	$131,392,451	~~$137,464,210~~ *$138,814,210*		
	General District Courts (114)				
34.	Pre-Trial, Trial, and Appellate Processes (32100)			$153,148,993	~~$153,148,993~~ *$153,773,397*
	Trial Processes (32103)	$128,250,476	~~$128,250,476~~ *$128,874,880*		
	Other Court Costs And Allowances (Criminal Fund) (32104)	$17,935,793	$17,935,793		
	Involuntary Mental Commitments (32105)	$6,962,724	$6,962,724		
	Fund Sources: General	$153,148,993	~~$153,148,993~~ *$153,773,397*		

Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-137, 19.2-163 and 37.2-809 et seq., Code of Virginia.

A. Out of the amounts in this Item for Trial Processes shall be paid:

1. The annual salaries of all General District Court judges, $192,457 from June 10, 2024 to June 9, 2025, $198,231 from June 10, 2025 to June 30, 2026. Such salary shall be 90 percent of the annual salary fixed by law for judges of the Circuit Courts and shall represent the total compensation for General District Court Judges and incorporate all supplements formerly paid by the various localities.

2. The salaries of substitute judges and court personnel.

B. There is hereby reappropriated the unexpended balances remaining at the close of business on June 30, 2024, in the appropriation made in Item 45, Chapter 1, Acts of Assembly of 2023, Special Session I, in the item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2025.

C. Any balance, or portion thereof, in the item detail Involuntary Mental Commitments, may be transferred between Items 34, 35, 36, and 286, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.

D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund) shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.

E. A district court judge shall only be reimbursed for mileage for commuting if the judge has to travel to a courthouse in a county or city other than the one in which the judge resides and the distance between the judge's residence and the courthouse is greater than 25 miles.

F. Upon the retirement or separation from employment of any chief general district court clerks from the 7th judicial district or the 13th judicial district, any vacant chief clerk positions in excess of one chief clerk for each general district court shall be reallocated by the Committee on District Courts to district courts with the highest documented unmet staffing requirements.

	Total for General District Courts			**$153,148,993**	**~~$153,148,993~~ *$153,773,397***
	General Fund Positions	1,200.60	~~1,200.60~~ *1,202.60*		
	Position Level	1,200.60	~~1,200.60~~ *1,202.60*		

ITEM 34.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Fund Sources: General	$153,148,993	~~$153,148,993~~ *$153,773,397*		
	Juvenile and Domestic Relations District Courts (115)				
35.	Pre-Trial, Trial, and Appellate Processes (32100)			$121,722,928	~~$121,716,328~~ *$122,028,530*
	Trial Processes (32103)	$85,276,430	~~$85,269,830~~ *$85,582,032*		
	Other Court Costs And Allowances (Criminal Fund) (32104)	$36,181,751	$36,181,751		
	Involuntary Mental Commitments (32105)	$264,747	$264,747		
	Fund Sources: General	$121,722,928	~~$121,716,328~~ *$122,028,530*		

Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-69.58, 16.1-226 through 16.1-334, 19.2-163 and 37.2-809 through 37.2-813., Code of Virginia.

A. Out of the amounts in this Item for Trial Processes shall be paid:

1. The annual salaries of all full-time Juvenile and Domestic Relations District Court Judges, $192,457 from June 10, 2024 to June 9, 2025, $198,231 from June 10, 2025 to June 30, 2026. Such salary shall be 90 percent of the annual salary fixed by law for judges of the Circuit Courts and shall represent the total compensation for Juvenile and Domestic Relations District Court Judges.

2. The salaries of substitute judges and court personnel.

B. There is hereby reappropriated the unexpended balances remaining at the close of business on June 30, 2024, in the appropriation made in Item 46, Chapter 1, Acts of Assembly of 2023, Special Session I, in the Item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2025.

C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may be transferred between Items 34, 35, 36, and 286, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.

D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund) shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.

E. Out of the amounts appropriated in this Item, $310,300 the first year and $310,300 the second year from the general fund is included to cover the cost of fee changes to mediators appointed in any custody and support or visitation cases.

F. Notwithstanding the provisions of § 20-124.4, Code of Virginia, the fee paid to mediators shall be $120 per appointment mediated. For such purpose, $303,000 the first year and $303,000 the second year from the general fund is included in the appropriation for this item.

G. Notwithstanding any other provision of law, during a declared judicial state of emergency as defined in § 17.1-330, Code of Virginia, and for up to 90 days after the declaration has been rescinded or expires, a chief judge may waive the ceremonial requirements pursuant to § 46.2-336, Code of Virginia, or otherwise conduct juvenile licensing ceremonies in an alternative manner prescribed by the court. The judge may mail or otherwise deliver driver's licenses to licensees at the time such licenses are received by the judge. The Chief judge may also coordinate with the Department of Motor Vehicles to have licenses mailed directly to licensees.

	Total for Juvenile and Domestic Relations District Courts		**$121,722,928**	**~~$121,716,328~~** ***$122,028,530***

ITEM 35.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	General Fund Positions	672.80	~~672.80~~ *673.80*		
	Position Level	672.80	~~672.80~~ *673.80*		
	Fund Sources: General	$121,722,928	~~$121,716,328~~ *$122,028,530*		
	Combined District Courts (116)				
36.	Pre-Trial, Trial, and Appellate Processes (32100)			$25,948,249	$25,948,249
	Trial Processes (32103)	$16,661,686	$16,661,686		
	Other Court Costs And Allowances (Criminal Fund) (32104)	$7,737,503	$7,737,503		
	Involuntary Mental Commitments (32105)	$1,549,060	$1,549,060		
	Fund Sources: General	$25,948,249	$25,948,249		
	Authority: Article VI, Section 8, Constitution of Virginia, §§ 16.1-69.1 through 16.1-137, 16.1-226 through 16.1-334, 19.2-163, and 37.2-809 through 37.2-813, Code of Virginia.				
	A. Out of the amounts in this Item for Trial Processes shall be paid the salaries of substitute judges and court personnel.				
	B. There is hereby reappropriated the unexpended balances remaining at the close of business on June 30, 2024, in the appropriation made in Item 47, Chapter 1, Acts of Assembly of 2023, Special Session I, in the item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2025.				
	C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may be transferred between Items 34, 35, 36, and 286, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.				
	D. The appropriation in this Item for Other Court Costs and Allowances shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.				
	Total for Combined District Courts			**$25,948,249**	**$25,948,249**
	General Fund Positions	212.35	212.35		
	Position Level	212.35	212.35		
	Fund Sources: General	$25,948,249	$25,948,249		
	Magistrate System (103)				
37.	Pre-Trial, Trial, and Appellate Processes (32100)			$41,537,062	$41,537,062
	Pre-Trial Assistance (32102)	$41,537,062	$41,537,062		
	Fund Sources: General	$41,537,062	$41,537,062		
	Authority: Article VI, Section 8, Constitution of Virginia; Title 19.2, Chapter 3, Code of Virginia.				
	Total for Magistrate System			**$41,537,062**	**$41,537,062**
	General Fund Positions	423.20	423.20		
	Position Level	423.20	423.20		
	Fund Sources: General	$41,537,062	$41,537,062		
	Grand Total for Supreme Court			**~~$567,291,189~~** ***$568,666,019***	**~~$573,646,786~~** ***$581,719,066***
	General Fund Positions	3,052.71	~~3,052.71~~ *3,058.71*		

ITEM 37.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Nongeneral Fund Positions	8.00	8.00		
	Position Level	3,060.71	~~3,060.71~~ *3,066.71*		
	Fund Sources: General	~~$556,759,045~~ *$558,133,875*	~~$563,114,642~~ *$571,186,922*		
	Special	$303,655	$303,655		
	Dedicated Special Revenue	$8,913,744	$8,913,744		
	Federal Trust	$1,314,745	$1,314,745		
	§ 1-18. BOARD OF BAR EXAMINERS (233)				
38.	Regulation of Professions and Occupations (56000)			$1,930,184	$1,930,184
	Lawyer Regulation (56019)	$1,930,184	$1,930,184		
	Fund Sources: Special	$1,930,184	$1,930,184		
	Authority: Title 54.1, Chapter 39, Articles 3 and 4 and § 54.1-3934, Code of Virginia.				
	The State Comptroller shall continue the Board of Bar Examiners Fund on the Cardinal system. Revenues collected from fees paid by applicants for admission to the bar shall be deposited into the Board of Bar Examiners Fund. The source of nongeneral funds included in this item is the Board of Bar Examiners Fund. Interest generated by the fund shall be retained by the fund.				
	Total for Board of Bar Examiners			**$1,930,184**	**$1,930,184**
	Nongeneral Fund Positions	9.00	9.00		
	Position Level	9.00	9.00		
	Fund Sources: Special	$1,930,184	$1,930,184		
	§ 1-19. JUDICIAL INQUIRY AND REVIEW COMMISSION (112)				
39.	Adjudication Training, Education, and Standards (32600)			$779,882	$779,882
	Judicial Standards (32602)	$779,882	$779,882		
	Fund Sources: General	$779,882	$779,882		
	Authority: Article VI, Section 10, Constitution of Virginia; Title 17.1, Chapter 9, Code of Virginia.				
	Total for Judicial Inquiry and Review Commission.			**$779,882**	**$779,882**
	General Fund Positions	3.00	3.00		
	Position Level	3.00	3.00		
	Fund Sources: General	$779,882	$779,882		
	§ 1-20. INDIGENT DEFENSE COMMISSION (848)				
40.	Legal Defense (32700)			~~$86,671,159~~ *$88,330,106*	~~$87,214,744~~ *$89,395,011*
	Criminal Indigent Defense Services (32701)	~~$82,327,585~~ *$83,986,532*	~~$82,871,170~~ *$84,913,244*		
	Legal Defense Regulatory Services (32703)	$246,405	$246,405		
	Administrative Services (32722)	$4,097,169	~~$4,097,169~~ *$4,235,362*		
	Fund Sources: General	$84,520,523	~~$85,064,108~~ *$85,583,301*		
	Special	~~$2,150,636~~ *$3,809,583*	~~$2,150,636~~ *$3,811,710*		
	Authority: §§ 19.2-163.01 through 19.2-163.8, Code of Virginia				

ITEM 40.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

A. Pursuant to § 19.2-163.01, Code of Virginia, the Executive Director of the Indigent Defense Commission shall serve at the pleasure of the commission.

B. Out of the amounts in this Item, $200,000 the first year and $200,000 the second year from the general fund is provided to support two positions to enforce and monitor compliance with the new Standards of Practice for court-appointed counsel.

C. Out of the amounts in this item, $6,558,009 the first year and $6,558,009 the second year from the general fund is provided to hire additional public defender positions to address increased workloads and reduce turnover in offices across the Commonwealth. The Commission may direct a portion of the funding for salary adjustments, including increasing starting salaries for attorneys and adjusting salaries for current staff to address turnover rates within the offices.

D. The Commission shall convene a workgroup to assess the feasibility of creating an Appellate Defender Office.

E. Out of the amounts in this item, funding is provided for three positions for the Fairfax Indigent Defense Commission to provide public defender services to the Town of Herndon, the Town of Vienna, and the City of Fairfax.

Total for Indigent Defense Commission			~~$86,671,159~~ *$88,330,106*	~~$87,214,744~~ *$89,395,011*
General Fund Positions	727.00	~~727.00~~ *731.00*		
Nongeneral Fund Positions	~~2.00~~ *4.00*	~~2.00~~ *4.00*		
Position Level	~~729.00~~ *731.00*	~~729.00~~ *735.00*		
Fund Sources: General	$84,520,523	~~$85,064,108~~ *$85,583,301*		
Special	~~$2,150,636~~ *$3,809,583*	~~$2,150,636~~ *$3,811,710*		

§ 1-21. VIRGINIA CRIMINAL SENTENCING COMMISSION (160)

41.	Adjudicatory Research, Planning, and Coordination (32400)			$1,859,578	$1,859,578
	Adjudicatory Research And Planning (32403)	$1,859,578	$1,859,578		
	Fund Sources: General	$1,789,506	$1,789,506		
	Special	$70,072	$70,072		

Authority: Title 17.1, Chapter 8, Code of Virginia

A. For any fiscal impact statement prepared by the Virginia Criminal Sentencing Commission pursuant to § 30-19.1:4, Code of Virginia, for which the commission does not have sufficient information to project the impact, the commission shall assign a minimum fiscal impact of $50,000 to the bill and this amount shall be printed on the face of each such bill, but shall not be codified. The provisions of § 30-19.1:4, paragraph H. shall be applicable to any such bill.

B. The clerk of each circuit court shall provide the Virginia Criminal Sentencing Commission case data in an electronic format from its own case management system or the statewide Circuit Case Management System. If the statewide Circuit Case Management System is used by the clerk, when requested by the Commission, the Executive Secretary of the Supreme Court shall provide for the transfer of such data to the Commission. The Commission may use the data for research, evaluation, or statistical purposes only and shall ensure the confidentiality and security of the data. The Commission shall only publish statistical reports and analyses based on this data as needed for its annual reports or for other reports as required by the General Assembly. The Commission shall not publish personal or case identifying information, including names, social security numbers and dates of birth, that may be included in the data from a case management system. Upon transfer to the Virginia Criminal Sentencing Commission, such data shall not be subject to the Virginia Freedom of

ITEM 41.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

Information Act. Except for the publishing of personal or case identifying information, including names, social security numbers and dates of birth, the restrictions in this section shall not prohibit the Commission from sharing aggregate data when requested by a member of the General Assembly, the Office of the Attorney General, the Office of the Governor, or a member of the Governor's Cabinet.

C. The Executive Secretary of the Supreme Court shall provide for the transfer of juvenile case information maintained in electronic format in a case management system to the Virginia Criminal Sentencing Commission. Such information shall include: (i) case identifying information, including names, complete dates of birth and social security numbers, and case or docket numbers; (ii) charges, including statutes, descriptions, and Virginia Crime Codes established by § 19.2-390.01; (iii) offenses for which the juvenile was found delinquent, including statutes, descriptions, and Virginia Crime Codes; (iv) dispositions in delinquency cases, and; (v) information to identify cases in which a preliminary hearing was held pursuant to § 16.1-269.1 and cases transferred for trial in circuit court. The Commission may use the data only for research, evaluation, or statistical purposes, for the preparation or assistance with the preparation of sentencing guidelines required by § 19.2-298.01, or for aggregate analysis necessary for the development or revision of sentencing guidelines as provided in § 17.1-806. The data may also be used in the preparation of aggregate reports required by law or requested by a member or office of the General Assembly, the Office of the Attorney General, the Office of the Governor, or a member of the Governor's Cabinet. The Commission shall ensure the confidentiality and security of the data. The Commission shall not publish personal or case identifying information, including names, social security numbers, and dates of birth, included in the data. Upon transfer, such data shall not be subject to the Virginia Freedom of Information Act.

Total for Virginia Criminal Sentencing Commission			**$1,859,578**	**$1,859,578**
General Fund Positions	12.00	12.00		
Position Level	12.00	12.00		
Fund Sources: General	$1,789,506	$1,789,506		
Special	$70,072	$70,072		

§ 1-22. VIRGINIA STATE BAR (117)

42.	Legal Defense (32700)		$18,578,474	$18,578,474
	Indigent Defense, Civil (32704)	$18,578,474	$18,578,474	
	Fund Sources: General	$9,228,474	$9,228,474	
	Special	$8,350,000	$8,350,000	
	Dedicated Special Revenue	$1,000,000	$1,000,000	

Authority: § 17.1-278, Code of Virginia.

A.1. The amounts for Indigent Defense, Civil, include up to $75,000 the first year and up to $75,000 the second year from the general fund for the Community Tax Law Project, to provide indigent defense services in matters related to taxation disputes, and educational services involving the rights and responsibilities of taxpayers.

2. The amounts for Indigent Defense, Civil, include up to $9,131,100 the first year and up to $9,131,100 the second year from the general fund to provide grants for high quality civil legal assistance to low income Virginians and to promote equal access to justice.

B. The Virginia State Bar and the Legal Services Corporation of Virginia shall annually, on or about January 1, provide a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget regarding the status of legal services assistance programs in the Commonwealth. The report shall include, but not be limited to, efforts to maintain and improve the accuracy of caseload data, case opening and case closure information, and program activity levels as it relates to clients.

ITEM 43.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
43.	Regulation of Professions and Occupations (56000)			$17,192,215	$17,192,215
	Lawyer Regulation (56019)	$17,192,215	$17,192,215		
	Fund Sources: Dedicated Special Revenue	$17,192,215	$17,192,215		

Authority: Title 54.1, Chapter 39, Article 2 and §§ 54.1-3935 through 54.1-3938, Code of Virginia.

A. It is the intention of the General Assembly that the Virginia State Bar strictly direct its activities toward the purposes of regulating the legal profession and improving the quality of legal services available to the people of the Commonwealth, and that, insofar as reasonably possible, the Virginia State Bar shall refrain from commercial or other undertakings not necessarily or reasonably related to the above stated purposes.

B. Out of the amounts appropriated for this Item, $1,000,000 the first year and $1,000,000 the second year from revenues generated from the assessment of annual fees by the Supreme Court of Virginia upon members of the Virginia State Bar, pursuant to Chapter 847, 2007 Acts of Assembly, is provided for transfer to the Clients' Protection Fund of the Virginia State Bar.

C. The Virginia State Bar shall review its member fee structure and make changes necessary to ensure fees are set at amounts needed only to cover costs and to provide for an appropriate balance.

Total for Virginia State Bar			**$35,770,689**	**$35,770,689**
Nongeneral Fund Positions	89.00	89.00		
Position Level	89.00	89.00		
Fund Sources: General	$9,228,474	$9,228,474		
Special	$8,350,000	$8,350,000		
Dedicated Special Revenue	$18,192,215	$18,192,215		
TOTAL FOR JUDICIAL DEPARTMENT			**~~$694,302,681~~** ***$697,336,458***	**~~$701,201,863~~** ***$711,454,410***
General Fund Positions	3,794.71	~~3,794.71~~ *3,804.71*		
Nongeneral Fund Positions	~~108.00~~ *110.00*	~~108.00~~ *110.00*		
Position Level	~~3,902.71~~ *3,904.71*	~~3,902.71~~ *3,914.71*		
Fund Sources: General	~~$653,077,430~~ *$654,452,260*	~~$659,976,612~~ *$668,568,085*		
Special	~~$12,804,547~~ *$14,463,494*	~~$12,804,547~~ *$14,465,621*		
Dedicated Special Revenue	$27,105,959	$27,105,959		
Federal Trust	$1,314,745	$1,314,745		

ITEM 44.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
EXECUTIVE DEPARTMENT				
EXECUTIVE OFFICES				
§ 1-23. OFFICE OF THE GOVERNOR (121)				
44. Administrative and Support Services (79900)			$7,522,963	$7,522,963
General Management and Direction (79901)	$7,522,963	$7,522,963		
Fund Sources: General	$7,493,839	$7,493,839		
Federal Trust	$29,124	$29,124		

Authority: Article V, Constitution of Virginia; Title 2.2, Chapter 1, Code of Virginia.

A. This appropriation includes $175,000 the first year and $175,000 the second year from the general fund to pay the salary of the Governor.

B. Out of the amounts for General Management and Direction, $75,000 each year is included for the Governor's discretionary expenses.

C. Out of the appropriation for this item $103,800 from the general fund is provided each year for the Governor's Fellows program. Any balances remaining from the appropriation identified in this paragraph shall be brought forward and made available to support the Governor's Fellows in the subsequent fiscal year. The Department of Planning and Budget is authorized to transfer amounts from the appropriation in this paragraph to applicable state agencies as required to execute the purposes of this paragraph.

D. This item includes $728,985 the first year and $728,985 the second year from the general fund and five and a half positions for the Office of the Children's Ombudsman.

E. The Governor shall designate a member of the Executive Branch to be an advisor on Health Workforce Development in Virginia. This advisor may or may not have other duties and responsibilities. The Health Workforce Development advisor shall gather information to evaluate the status of health workforce development in the Commonwealth. The advisor also shall recommend options to improve such workforce development to make Virginia's health workforce the best it can be to maximize the health status of Virginians and the quality of health care provided to Virginians. The advisor shall work with Secretariats and state agencies, with designated boards, with the Virginia Health Workforce Development Authority, with regional bodies in Virginia, with private entities involved in health workforce development, and with charitable entities working to promote development of an outstanding health workforce. The advisor shall work with designated persons in the offices of the Secretaries of Labor, Health and Human Resources, Education, and Commerce and Trade. The Health Workforce Development advisor shall produce any reports requested by the Governor to help use the workforce to improve the health of Virginians and the quality of care provided.

F. The Governor shall ensure that Executive Branch rulemakings that are exempt from Article 2 of the Administrative Process Act shall not be subject to the Executive Branch Review process. Furthermore, the Governor shall ensure that any agencies and regulations with a full or partial exemption from either Article 1 or Article 2 of the Administrative Process Act not be required to comply with any requirements other than those specifically required by the Code of Virginia pertaining to other regulatory activity, including petitions for rulemaking, meeting notices, agendas and minutes, the periodic review of existing regulations, and guidance documents.

G. The Governor shall direct the Director, Department of Human Resources Management to include in the quarterly report required by § 2.2-607, Code of Virginia. the funding amount, including fund sources from the agencies that are covering the payroll for such employee, for state employees that are transferred from one state agency to another without transferring appropriations.

H. From the amounts initially appropriated in Chapter 2, 2022 Special Session I, $1,000,000 of the carryforward balances shall revert to the general fund. The executive

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ITEM 44.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	branch shall not issue any procurement related to development of a model simulator to predict effects of K-12 formula changes.				
44.50	Human Relations Management (14600)			$1,816,772	$1,816,772
	Diversity, Equity, and Inclusion Services (14602)	$1,816,772	$1,816,772		
	Fund Sources: General	$1,816,772	$1,816,772		
	Authority: Title 2.2, Chapter 6, Article 1, Code of Virginia.				
	If the Governor has not appointed a Director of the Office of Diversity, Equity, and Inclusion by July 1, 2024, pursuant to § 2.2-435.12, Code of Virginia, the Director, Department of Planning and Budget shall transfer the appropriation in this Item to the Virginia Cannabis Equity Business Loan Fund.				
45.	Historic and Commemorative Attraction Management (50200)			$885,246	$885,246
	Executive Mansion Operations (50207)	$885,246	$885,246		
	Fund Sources: General	$885,246	$885,246		
	Authority: Title 2.2, Chapter 1, Code of Virginia.				
46.	Governmental Affairs Services (70100)			$587,109	$587,109
	Intergovernmental Relations (70101)	$587,109	$587,109		
	Fund Sources: General	$387,218	$387,218		
	Commonwealth Transportation	$199,891	$199,891		
	Authority: Title 2.2, Chapter 3, Code of Virginia.				
47.	Disaster Planning and Operations (72200)			~~a sum sufficient~~ *a sum sufficient*	
	Disaster Operations (72202)	a sum sufficient			
	Disaster Assistance (72203)	a sum sufficient			
	Authority: Title 44, Chapter 3.2, Code of Virginia.				
	A.1. The amount for Disaster Assistance is from all funds of the state treasury, not constitutionally restricted, and is to be effective only in the event of a declared state of emergency or authorization by the Governor of the sum sufficient, pursuant to § 44-146.28, Code of Virginia. Any appropriation authorized by this Item shall be transferred to state agencies for payment of eligible costs according to written directions of the Governor or by such other person or persons as may be designated by him for this purpose.				
	2. Any amount authorized for expenditure pursuant to § 44-146.28, Code of Virginia, shall be paid to eligible jurisdictions in accordance with guidelines and procedures established by the Department of Emergency Management, pursuant to § 44-146.28, Code of Virginia.				
	3. The amount calculated for disaster assistance for any event provided under this authority shall be made in consultation with the Secretary of Finance, and, as deemed appropriate by the Secretary, the Department of Planning and Budget.				
	B. In the event of a Presidentially declared disaster, the state and local share of any federal assistance, hazard mitigation, or flood control programs in which the state participates will be determined in accordance with the procedures in the "Commonwealth of Virginia Emergency Operations Plan, Basic Plan," promulgated by the Department of Emergency Management. The state share of any such program shall be no less than 10 percent.				
	Total for Office of the Governor			**$10,812,090**	**$10,812,090**
	General Fund Positions	62.17	62.17		
	Nongeneral Fund Positions	1.33	1.33		
	Position Level	63.50	63.50		
	Fund Sources: General	$10,583,075	$10,583,075		
	Commonwealth Transportation	$199,891	$199,891		

ITEM 47.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Federal Trust	$29,124	$29,124		
	§ 1-24. LIEUTENANT GOVERNOR (119)				
48.	Administrative and Support Services (79900)			$566,920	$566,920
	General Management and Direction (79901)	$566,920	$566,920		
	Fund Sources: General	$566,920	$566,920		
	Authority: Article V, Sections 13, 14, and 16, Constitution of Virginia; and Title 24.2, Chapter 2, Article 3, Code of Virginia.				
	Out of this appropriation shall be paid:				
	1. The salary of the Lieutenant Governor, $36,321 the first year and $36,321 the second year;				
	2. Expenses of the Lieutenant Governor during sessions of the General Assembly on the same basis as for the members of the General Assembly;				
	3. Salaries and benefits for compensation of up to three staff positions in the Office of the Lieutenant Governor.				
	Total for Lieutenant Governor			**$566,920**	**$566,920**
	General Fund Positions	4.00	4.00		
	Position Level	4.00	4.00		
	Fund Sources: General	$566,920	$566,920		
	§ 1-25. ATTORNEY GENERAL AND DEPARTMENT OF LAW (141)				
49.	Legal Advice (32000)			$57,435,842	$57,435,842
	State Agency/Local Legal Assistance and Advice (32002)	$57,435,842	$57,435,842		
	Fund Sources: General	$39,535,700	$39,535,700		
	Special	$16,149,310	$16,149,310		
	Dedicated Special Revenue	$500,000	$500,000		
	Federal Trust	$1,250,832	$1,250,832		
	Authority: Title 2.2 Chapter 5, Code of Virginia.				
	A. Out of this appropriation shall be paid:				
	1. The salary of the Attorney General, $150,000 the first year and $150,000 the second year.				
	2. Expenses of the Attorney General not otherwise reimbursed, $9,000 each year in equal monthly installments.				
	3. Salary expenses necessary to provide legal services pursuant to Title 2.2, Chapter 5, Code of Virginia.				
	B. Out of this appropriation, $738,536 the first year and $738,536 the second year from the general fund is designated for efforts to enforce the 1998 Tobacco Master Settlement Agreement and Article 1 (§ 3.2-4200, et seq.), Chapter 42, Title 3.2, Code of Virginia. The Department of Law shall be responsible for enforcement of Article 1 (§ 3.2-4200, et seq.), Chapter 42, Title 3.2, Code of Virginia and the 1998 Tobacco Master Settlement Agreement. The general fund shall be reimbursed on a proportional basis from the Tobacco Indemnification and Community Revitalization Fund and the Virginia Tobacco Settlement Fund for costs associated with the enforcement of the 1998 Tobacco Master Settlement Agreement pursuant to transfers directed by Item 468 and § 3-1.01, Paragraph N of this act.				
	C. Upon notification by the Attorney General, agencies that administer programs which				

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are funded wholly or partially from nongeneral fund appropriations shall transfer to the Department of Law the necessary funds to cover the costs of legal services that are related to such nongeneral funds. The Attorney General, in consultation with the respective agency heads, shall determine the amounts for transfer. It is the intent of the General Assembly that legal services provided by the Office of the Attorney General for general fund-supported programs shall be provided out of this appropriation.

D. At the request of the Attorney General, the Director, Department of Planning and Budget, shall provide an amount not to exceed $100,000 per year from the Miscellaneous Contingency Reserve Account to pay the compensation, fees, and expenses of (i) counsel appointed by the Office of the Attorney General in actions brought pursuant to § 15.2-1643, Code of Virginia, to cause court facilities to be made secure, or put in good repair, or rendered otherwise safe, and (ii) counsel representing court personnel, including clerks, judges, and Justices in actions arising out of their official duties.

E.1. Pursuant to Chapter 577 of the Acts of Assembly of 2008, the Office of the Attorney General shall provide legal service in civil matters and consultation and legal advice in suits and other legal actions to soil and water conservation district directors and districts upon the request of those district directors or districts at no charge, inclusive of all fees, expenses, or other costs associated with litigation, excluding the payment of damages.

2. If the Office of the Attorney General is unable to provide legal services to the soil and water conservation districts, and as a result the districts incur costs from retaining other counsel, then the Director of the Department of Planning and Budget shall transfer general fund appropriations from the Office of the Attorney General to the Department of Conservation and Recreation in an amount equal to the cost incurred by the soil and water conservation districts to be used to reimburse the districts for costs incurred.

F. The Attorney General shall prepare and submit a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1 of each year detailing expenditures in the prior fiscal year for special outside counsel by any executive branch agencies. The report shall include the reasoning why outside counsel is necessary, the hourly rate charged by outside counsel, total expenditures, and funding source.

G. Except as otherwise specifically provided by law, all legal services of the Office of the Attorney General shall be performed exclusively by (i) an employee of the Office, (ii) an employee of another Virginia governmental entity as may be provided by law, (iii) an employee of a federal governmental entity pursuant to an agreement between the Office of the Attorney General and such federal governmental entity, or (iv) law students who receive a non-salary stipend from their law school or another institution or recent law school graduates who graduated within the past two years sponsored by their graduating institution with a non-salary stipend. Except as otherwise specifically provided under this act, the sole source of compensation paid to employees of the Office of the Attorney General for performing legal services on behalf of the Commonwealth shall be from the appropriations provided under this act. In any case in which the Office of the Attorney General is authorized under law to contract with, hire, or engage a person other than a person described in clauses (i), (ii), (iii), or (iv) to perform legal services on behalf of the Commonwealth, the sole consideration for such legal services shall be a monetary amount bargained for in an arm's length transaction with such person and the Office of the Attorney General or another Virginia governmental entity, stating under what authority that office enters the contract. Only persons described in clauses (i), (ii), (iii), or (iv) shall perform legal services on premises leased by the Office of the Attorney General. Nothing in this paragraph shall prohibit the Office of the Attorney General from entering into a settlement agreement with a defendant arising from a case litigated or prosecuted by a federal governmental entity, local governmental entity, or an Attorney General's Office in another state or United States territory. Nothing in this paragraph shall prohibit the Office of the Attorney General from employing and providing office space to an unpaid intern assisting in performing legal services, provided that such intern does not possess a current license to practice law in the Commonwealth, any other state, or any United States territory.

H.1. There is hereby created in the state treasury a special, nonreverting fund to be known as the Electronic Nicotine Delivery Systems Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund at the end of each fiscal year, including interest thereon, shall not revert to the general fund but shall remain in

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the Fund.

2. Notwithstanding any other provision of law, upon receipt of amounts from a settlement, judgment, verdict, or other court order relating to consumer protection claims regarding the marketing and distribution of electronic nicotine delivery systems (ENDS) products toward youth, such amounts shall be deposited into the Fund. Any amounts appropriated from the Fund shall be used, to the maximum extent possible, for efforts to prevent, abate, and cease the use of ENDS and other related nicotine products.

I. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the Electronic Nicotine Delivery Systems Fund shall be transferred to the Virginia Foundation for Healthy Youth to support a youth vaping prevention campaign.

J. Out of this appropriation, $500,000 the first year and $500,000 the second year from the Commonwealth Opioid Abatement and Remediation Fund shall be transferred to the Virginia Foundation for Healthy Youth to address the opioid crisis through a marketing campaign and classroom-based programmatic efforts.

K. Out of this appropriation, $1,300,000 the first year and $1,300,000 the second year from the general fund is designated for supporting group violence intervention efforts as defined in Item 394, subection N of this act.

50.	Medicaid Program Services (45600)			$14,429,831	$14,429,831
	Medicaid Fraud Investigation and Prosecution (45614)	$14,429,831	$14,429,831		
	Fund Sources: Special	$3,826,794	$3,826,794		
	Federal Trust	$10,603,037	$10,603,037		
	Authority: Title 32.1, Chapter 9, Code of Virginia.				
51.	Regulation of Business Practices (55200)			$6,786,546	$6,786,546
	Regulatory and Consumer Advocacy (55201)	$6,786,546	$6,786,546		
	Fund Sources: General	$4,491,015	$4,491,015		
	Special	$2,295,531	$2,295,531		

Authority: Title 2.2, Chapter 5, Code of Virginia.

Included in this Item is $1,250,000 the first year and $1,250,000 the second year from special funds for the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund as established in Item 48 of Chapter 966 of the Acts of Assembly 1994 and amended herein. The Department of Law is authorized to deposit to the fund any fees, civil penalties, costs, recoveries, or other moneys which from time to time may become available as a result of regulatory and consumer advocacy litigation, litigation in which the Office of the Attorney General participates, or civil enforcement efforts including, but not limited to, those brought pursuant to Article 1 (§ 3.2-4200 et seq.) and Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2 of the Code of Virginia. The Department of Law is also authorized to deposit to the fund any attorneys' fees which from time to time may be obtained. Any deposit to, and interest earnings on, the fund shall be retained in the fund, provided, however, that any amounts contained in the fund that exceed $1,250,000 on the final day of the fiscal year shall be deposited to the credit of the general fund. In addition to the uses of the fund permitted by Item 48 of Chapter 966 of the Acts of Assembly of 1994, the fund may be used to pay costs associated with enforcement efforts pursuant to Article 1 (§ 3.2-4200 et seq.) and Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2 of the Code of Virginia, costs associated with litigation initiated by the Office of the Attorney General, and costs associated with civil commitment procedures pursuant to Chapter 9 of Title 37.2 of the Code of Virginia.

52. Any judgment rendered pursuant to the Virginia Tort Claims Act shall be paid out of the state treasury under the direction of the Attorney General. Claims against agencies funded solely from the general fund shall be paid from the general fund. Claims against agencies funded by both general and nongeneral funds shall be paid from a combination of funds based upon the appropriations from such funds.

ITEM 53.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
53.	Personnel Management Services (70400)			$1,399,535	$1,399,535
	Compliance and Enforcement (70414)	$1,399,535	$1,399,535		
	Fund Sources: General	$1,323,086	$1,323,086		
	Federal Trust	$76,449	$76,449		
	Authority: Title 2.2, Chapter 26, Article 12, and Chapter 39; Title 15.2, Chapter 16, § 15.2-1604, Code of Virginia.				
	Total for Attorney General and Department of Law			**$80,051,754**	**$80,051,754**
	General Fund Positions	346.75	346.75		
	Nongeneral Fund Positions	203.25	203.25		
	Position Level	550.00	550.00		
	Fund Sources: General	$45,349,801	$45,349,801		
	Special	$22,271,635	$22,271,635		
	Dedicated Special Revenue	$500,000	$500,000		
	Federal Trust	$11,930,318	$11,930,318		
	Division of Debt Collection (143)				
54.	Collection Services (74000)			$3,653,502	$3,653,502
	State Collection Services (74001)	$3,339,287	$3,339,287		
	State Fraud Recovery Services (74002)	$314,215	$314,215		
	Fund Sources: Special	$3,653,502	$3,653,502		

Authority: Title 2.2, Chapter 5 and Title 8.01, Chapter 3, Code of Virginia.

A. 1. The Division of Debt Collection shall provide legal services and advice related to the collection of funds owed the Commonwealth, including the recovery of certain funds pursuant to the Virginia Fraud Against Taxpayers Act (FATA) (§ 8.01-216.1 et seq.) by the Commonwealth as defined by 8.01-216.2. All agencies and institutions shall follow the procedures for collection of funds owed the Commonwealth as specified in §§ 2.2-518 and 2.2-4800 et seq. of the Code of Virginia, and all agencies, institutions, and political subdivisions shall follow the procedures for recovery of funds as specified in §§ 2.2-518 and 8.01-216.1 et seq. of the Code of Virginia, except as provided otherwise therein or in this act.

2. The provisions of this section shall not apply to any investigations, litigation, or recoveries related to matters handled under the authority granted to the Medicaid Fraud Control Unit within the Department of Law pursuant to the provisions of 42 C.F.R. § 1007 et seq. All matters pertaining to the recovery of such Medicaid funds, including damages, fines, and penalties received pursuant to FATA, are specifically excluded from the provisions of this section.

B.1. The Division of Debt Collection is entitled to retain as fees up to 30 percent of any revenues generated by its collection services pursuant to paragraph A. to pay operating costs supported by the appropriation in this item.

2. Upon closing its books at the end of the fiscal year, after the execution of all transfers to state agencies having claims collected by the Division of Debt Collection, the Division may retain up to a $400,000 balance in its operating accounts. Any amounts contained in the operating accounts that exceed $400,000 on the final day of the fiscal year shall be deposited to the credit of the general fund no later than September 1 of the succeeding fiscal year.

3. The Division of Debt Collection is entitled to retain as special revenue up to 30 percent of any funds recovered on behalf of the Commonwealth as well as any separate attorney's fees awarded to the Commonwealth pursuant to FATA for its fraud recovery services pursuant to paragraph A., to pay operating costs supported by the appropriation in this item.

4. There shall be created on the books of the Comptroller a special, nonreverting, revolving fund to be known as the Fraud Recovery Fund (FATA Fund). The Division is authorized to deposit to the FATA Fund any revenue, fees, civil penalties, costs, recoveries, or other moneys which from time to time may become available as a result of its fraud recovery

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	services. The Division is also authorized to deposit to the FATA Fund any attorneys' fees which from time to time may be awarded to the Commonwealth. Any deposit to, and interest earnings on, the FATA Fund shall be retained in the FATA Fund. The Division shall retain 30% of any funds recovered as well as any separate attorney's fees awarded to the Commonwealth pursuant to FATA, and shall transfer the remaining funds to the appropriate state agencies and political subdivisions on a periodic basis or such other period of time approved by the Division.				
	5. The Director, Department of Planning and Budget, may grant an exception to the provisions in paragraph B.2. if the Division of Debt Collection can show just cause.				
	C. The Division of Debt Collection may contract with private collection agents for the collection of debts amounting to less than $15,000.				
	Total for Division of Debt Collection			**$3,653,502**	**$3,653,502**
	Nongeneral Fund Positions	27.00	27.00		
	Position Level	27.00	27.00		
	Fund Sources: Special	$3,653,502	$3,653,502		
	Grand Total for Attorney General and Department of Law			**$83,705,256**	**$83,705,256**
	General Fund Positions	346.75	346.75		
	Nongeneral Fund Positions	230.25	230.25		
	Position Level	577.00	577.00		
	Fund Sources: General	$45,349,801	$45,349,801		
	Special	$25,925,137	$25,925,137		
	Dedicated Special Revenue	$500,000	$500,000		
	Federal Trust	$11,930,318	$11,930,318		
	§ 1-26. SECRETARY OF THE COMMONWEALTH (166)				
55.	Central Records Retention Services (73800)			$3,161,712	$3,161,712
	Appointments (73801)	$3,161,712	$3,161,712		
	Fund Sources: General	$3,054,298	$3,054,298		
	Dedicated Special Revenue	$107,414	$107,414		
	Authority: §§ 2.2-400 through 2.2-435, 2.2-3106, Code of Virginia.				
	A. The fee charged by the Secretary of the Commonwealth under the provisions of § 2.2-409, Code of Virginia, for a Service of Process shall be $28.00.				
	B. Included in the general fund appropriation for this item is $18,470 each year for costs related to the Virginia Indian Advisory Board, pursuant to § 2.2-401.01, Code of Virginia.				
	Total for Secretary of the Commonwealth			**$3,161,712**	**$3,161,712**
	General Fund Positions	20.00	20.00		
	Position Level	20.00	20.00		
	Fund Sources: General	$3,054,298	$3,054,298		
	Dedicated Special Revenue	$107,414	$107,414		
	§ 1-27. OFFICE OF THE STATE INSPECTOR GENERAL (147)				
56.	Inspection, Monitoring, and Auditing Services (78700)			$8,829,568	$8,760,908
	Inspection and Compliance of Program Operations (78701)	$8,829,568	$8,760,908		
	Fund Sources: General	$6,292,984	$6,224,324		
	Special	$282,390	$282,390		

ITEM 56.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Commonwealth Transportation.....	$2,254,194	$2,254,194		

Authority: Title 2.2, Chapter 3.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the State Inspector General $177,142 from July 1, 2024 to June 30, 2025 and $177,142 from July 1, 2025 to June 30, 2026.

B. The Office of the State Inspector General shall be responsible for investigating the management and operations of state agencies and nonstate agencies to determine whether acts of fraud, waste, abuse, or corruption have been committed or are being committed by state officers or employees or any officers or employees of a nonstate agency, including any allegations of criminal acts affecting the operations of state agencies or nonstate agencies. However, no investigation of an elected official of the Commonwealth to determine whether a criminal violation has occurred, is occurring, or is about to occur under the provisions of § 52-8.1 shall be initiated, undertaken, or continued except upon the request of the Governor, the Attorney General, or a grand jury.

C. The Office of the State Inspector General shall be responsible for coordinating and recommending standards for those internal audit programs in existence as of July 1, 2012, and developing and maintaining other internal audit programs in state agencies and nonstate agencies as needed in order to ensure that the Commonwealth's assets are subject to appropriate internal management controls. The State Inspector General shall assess the condition of the accounting, financial, and administrative controls of state agencies and nonstate agencies.

D. The Office of the State Inspector General shall be responsible for providing timely notification to the appropriate attorney for the Commonwealth and law-enforcement agencies whenever the State Inspector General has reasonable grounds to believe there has been a violation of state criminal law.

E. The Office of the State Inspector General shall be responsible for assisting citizens in understanding their rights and the processes available to them to express concerns regarding the activities of a state agency or nonstate agency or any officer or employee of the foregoing;

F.1. The Office of the State Inspector General shall be responsible for development, coordination and management of a program to train internal auditors. The Office of the State Inspector General shall assist internal auditors of state agencies and institutions in receiving continued professional education as required by professional standards. The Office of the State Inspector General shall coordinate its efforts with state institutions of higher education and offer training programs to the internal auditors as well as coordinate any special training programs for the internal auditors.

2. To fund the direct costs of hiring training instructors, the Office of the State Inspector General is authorized to collect fees from training participants to provide training events for internal auditors.

G.1. Out of the amounts appropriated in this item is $1,037,515 the first year and $968,555 the second year from the general fund to support the Office of the Department of Corrections Ombudsman and the Corrections Oversight Committee.

2. The Ombudsman shall develop a short-term and long-term strategic plan that (i) is informed by visits to Department facilities, at least two public meetings, consultation with stakeholders, and review of best practices in other states; (ii) includes procedures for coordination with existing employees at the Office of the State Inspector General and the Department, in collaboration with those employees and with the goal of complementing existing efforts; and (iii) includes potential options and recommendations for legislation and budget actions that would support its short-term and long-term goals. The Office shall provide a report on its initial activities and strategic plan to the Governor and the General Assembly on or before November 15, 2025.

Total for Office of the State Inspector General.....			**$8,829,568**	**$8,760,908**
General Fund Positions.....	30.00	30.00		
Nongeneral Fund Positions.....	16.00	16.00		

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	Position Level	46.00	46.00		
	Fund Sources: General	$6,292,984	$6,224,324		
	Special	$282,390	$282,390		
	Commonwealth Transportation	$2,254,194	$2,254,194		
	§ 1-28. INTERSTATE ORGANIZATION CONTRIBUTIONS (921)				
57.	Governmental Affairs Services (70100)			$210,940	$210,940
	Interstate Affairs (70103)	$210,940	$210,940		
	Fund Sources: General	$210,940	$210,940		
	Authority: Discretionary Inclusion.				
	Out of the amounts for Interstate Affairs funding is provided for the following organizational memberships:				
	1. National Association of State Budget Officers				
	2. National Governors' Association				
	3. Federal Funds Information for States				
	Total for Interstate Organization Contributions			**$210,940**	**$210,940**
	Fund Sources: General	$210,940	$210,940		
	TOTAL FOR EXECUTIVE OFFICES			**$107,286,486**	**$107,217,826**
	General Fund Positions	462.92	462.92		
	Nongeneral Fund Positions	247.58	247.58		
	Position Level	710.50	710.50		
	Fund Sources: General	$66,058,018	$65,989,358		
	Special	$26,207,527	$26,207,527		
	Commonwealth Transportation	$2,454,085	$2,454,085		
	Dedicated Special Revenue	$607,414	$607,414		
	Federal Trust	$11,959,442	$11,959,442		

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	OFFICE OF ADMINISTRATION				
	§ 1-29. SECRETARY OF ADMINISTRATION (180)				
58.	Administrative and Support Services (79900)			$1,989,547	~~$1,989,547~~ *$2,254,310*
	General Management and Direction (79901)	$824,272	~~$824,272~~ *$1,089,035*		
	Accounting and Budgeting Services (79903)	$1,165,275	$1,165,275		
	Fund Sources: General	$1,989,547	~~$1,989,547~~ *$2,254,310*		
	Authority: Title 2.2, Chapter 2, Code of Virginia.				
59.	Central Support Services for Business Solutions (82400)			$5,554,231	~~$5,554,231~~ *$0*
	Information Technology Services for Data Exchange Programs (82401)	$5,554,231	~~$5,554,231~~ *$0*		
	Fund Sources: General	$264,763	~~$264,763~~ *$0*		
	Internal Service	$5,289,468	~~$5,289,468~~ *$0*		
	Authority: § 2.2-203.2:4, Code of Virginia				
	A. The nongeneral funds appropriated to this Item shall be used to support a data sharing and analytics program for the purposes of developing a database to identify data elements and document user access patterns. The database will also support the creation of an enterprise data dictionary and a cloud-based data catalog platform. Agencies, as defined in § 2.2-3801, Code of Virginia, shall cooperate with the Office of Data Governance and Analytics to further develop the data sharing and analytics program.				
	B. Notwithstanding the provisions of § 2.2-203.2:4., Code of Virginia, the Office of Data Governance and Analytics is hereby moved to the Virginia Information Technologies Agency.				
	Total for Secretary of Administration			**$7,543,778**	~~**$7,543,778**~~ ***$2,254,310***
	General Fund Positions	14.00	14.00		
	Nongeneral Fund Positions	7.00	~~7.00~~ *0.00*		
	Position Level	21.00	~~21.00~~ *14.00*		
	Fund Sources: General	$2,254,310	$2,254,310		
	Internal Service	$5,289,468	~~$5,289,468~~ *$0*		
	§ 1-30. COMPENSATION BOARD (157)				
60.	Financial Assistance for Sheriffs' Offices and Regional Jails (30700)			$649,570,737	~~$641,570,737~~ *$642,458,772*
	Financial Assistance for Regional Jail Operations (30710)	$206,647,181	$203,823,929		
	Financial Assistance for Local Law Enforcement (30712)	$123,968,344	~~$122,485,228~~ *$123,359,423*		
	Financial Assistance for Local Court Services (30713)	$76,543,743	$75,565,615		
	Financial Assistance to Sheriffs (30716)	$16,945,625	~~$16,945,625~~ *$16,959,465*		

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Financial Assistance for Local Jail Operations (30718)	$225,465,844	$222,750,340		
Fund Sources: General	$641,568,079	~~$633,568,079~~ *$634,456,114*		
Dedicated Special Revenue	$8,002,658	$8,002,658		

Authority: Title 15.2, Chapter 16, Articles 3 and 6.1; and §§ 53.1-83.1 and 53.1-85, Code of Virginia.

A.1. The annual salaries of the sheriffs of the counties and cities of the Commonwealth shall be as hereinafter prescribed, according to the population of the city or county served and whether the sheriff is charged with civil processing and courtroom security responsibilities only, or the added responsibilities of law enforcement or operation of a jail, or both. Execution of arrest warrants shall not, in and of itself, constitute law enforcement responsibilities for the purpose of determining the salary for which a sheriff is eligible.

2. Whenever a sheriff is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such sheriff under the provisions of this item and such sheriff shall receive as additional compensation the sum of one thousand dollars.

	July 1, 2024 to June 30, 2025	July 1, 2025 to November 30, 2025	December 1, 2025 to June 30, 2026
Law Enforcement and Jail Responsibility			
0 to 69,999	$119,424	$123,007	$123,007
70,000 to 99,999	$132,693	$136,674	$136,674
100,000 to 174,999	$147,441	$151,864	$151,864
175,000 to 249,999	$155,196	$159,852	$159,852
250,000 and above	$172,442	$177,615	$177,615
Law Enforcement or Jail			
0 to 69,999	$117,037	$120,548	$120,548
70,000 to 99,999	$130,040	$133,941	$133,941
100,000 to 174,999	$144,488	$148,823	$148,823
175,000 to 249,999	$152,095	$156,658	$156,658
250,000 and above	$169,856	$174,952	$174,952
No Law Enforcement or Jail Responsibility			
0 to 69,999	$109,871	$113,167	$113,167
70,000 to 99,999	$122,080	$125,742	$125,742
100,000 to 174,999	$135,641	$139,710	$139,710
175,000 to 249,999	$142,779	$147,062	$147,062
250,000 and above	$160,371	$165,182	$165,182

B. Out of the amounts provided for in this Item, no expenditures shall be made to provide security devices such as magnetometers in standard use in major metropolitan airports. Personnel expenditures for operation of such equipment incidental to the duties of courtroom and courthouse security deputies may be authorized, provided that no additional expenditures for personnel shall be approved for the principal purpose of operating these devices.

C. In accordance with the provisions of § 53.1-120, Code of Virginia, sheriffs are

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responsible for ensuring courtroom safety and chief judges are responsible, by agreement with the sheriff of the jurisdiction, for the designation of courtroom security deputies for their respective courts. However, unless a judge provides the sheriff with a written order stating that a substantial security risk exists in a particular case, no courtroom security deputies may be ordered by a judge for civil cases, not more than one deputy may be ordered by a judge for criminal cases in a district court, and not more than two deputies may be ordered by a judge for criminal cases in a circuit court. In complying with such orders for additional security, the sheriff may consider other deputies present in the courtroom as part of his security force.

D. Should the scheduled opening date of any facility be delayed for which funds are available in this Item, the Director, Department of Planning and Budget, may allot such funds as the Compensation Board may request to allow the employment of staff for training purposes not more than 45 days prior to the rescheduled opening date for the facility.

E. Consistent with the provisions of paragraph B of Item 67, the board shall allocate the additional jail deputies provided in this appropriation using a ratio of one jail deputy for every 3.0 beds of operational capacity. Operational capacity shall be determined by the State Board of Local and Regional Jails. No additional deputy sheriffs shall be provided from this appropriation to a local jail in which the present staffing exceeds this ratio unless the jail is overcrowded. Overcrowding for these purposes shall be defined as when the average annual daily population exceeds the operational capacity. In those jails experiencing overcrowding, the board may allocate one additional jail deputy for every five average annual daily prisoners above operational capacity. Should overcrowding be reduced or eliminated in any jail, the Compensation Board shall reallocate positions previously assigned due to overcrowding to other jails in the Commonwealth that are experiencing overcrowding.

F. Two-thirds of the salaries set by the Compensation Board of medical, treatment, and inmate classification positions approved by the Compensation Board for local correctional facilities shall be paid out of this appropriation.

G.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a master deputy pay grade to those sheriffs' offices which had certified, on or before January 1, 1997, having a career development plan for deputy sheriffs that meet the minimum criteria set forth by the Compensation Board for such plans. The Compensation Board shall allow for additional grade 9 positions, at a level not to exceed one grade 9 master deputy per every five Compensation Board grade 7 and 8 deputy positions in each sheriff's office.

2. Each sheriff who desires to participate in the Master Deputy Program who had not certified a career development plan on or before January 1, 1997, may elect to participate by certifying to the Compensation Board that the career development plan in effect in his office meets the minimum criteria for such plans as set by the Compensation Board. Such election shall be made by February 1 for an effective date of participation the following July 1.

3. Subject to appropriations by the General Assembly for this purpose, funding shall be provided by the Compensation Board for participation in the Master Deputy Program to sheriffs' offices electing participation after January 1, 1997, according to the date of receipt by the Compensation Board of the election by the sheriff.

H. The Compensation Board shall estimate biannually the number of additional law enforcement deputies which will be needed in accordance with § 15.2-1609.1, Code of Virginia. Such estimate of the number of positions and related costs shall be included in the board's biennial budget request submission to the Governor and General Assembly. The allocation of such positions, established by the Governor and General Assembly in Item 67 of this act, shall be determined by the Compensation Board on an annual basis. The annual allocation of these positions to local sheriffs' offices shall be based upon the most recent final population estimate for the locality that is available to the Compensation Board at the time when the agency's annual budget request is completed. The source of such population estimates shall be the Weldon Cooper Center for Public Service of the University of Virginia or the United States Bureau of the Census. For the first year of the biennium, the Compensation Board shall allocate positions based upon the most recent provisional population estimates available at the time the agency's annual budget is completed.

I. Any amount in the program Financial Assistance for Sheriffs' Offices and Regional Jails

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may be transferred between Items 60 and 61, as needed, to cover any deficits incurred in the programs Financial Assistance for Confinement of Inmates in Local and Regional Facilities, and Financial Assistance for Sheriffs' Offices and Regional Jails.

J.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Sheriffs' Career Development Program.

2. Following receipt of a sheriff's certification that the minimum requirements of the Sheriffs' Career Development Program have been met, and provided that such certification is submitted by sheriffs as part of their annual budget request to the Compensation Board on or before February 1 of each year, the Compensation Board shall increase the annual salary shown in paragraph A of this Item by the percentage shown herein for a twelve-month period effective the following July 1.

a. 9.3 percent increase for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program where such criteria includes that a sheriff has achieved certification in a program agreed upon by the Compensation Board and the Virginia Sheriffs' Institute by Virginia Commonwealth University , or, where such criteria include that a sheriff's office seeking accreditation has been assessed and will be considered for accreditation by the accrediting body no later than March 1, and have achieved accreditation by March 1 from the Virginia Law Enforcement Professional Standards Commission, or the Commission on Accreditation of Law Enforcement agencies, or the American Correctional Association.

3. Other constitutional officers' associations may request the General Assembly to include certification in a program agreed upon by the Compensation Board and the officers' associations by the Weldon Cooper Center for Public Service to the requirements for participation in their respective career development programs.

K. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, $8,000,000 the first year and $8,000,000 the second year from the Wireless E-911 Fund is included in this appropriation for local law enforcement dispatchers to offset dispatch center operations and related costs.

L. Notwithstanding the provisions of §§ 53.1-131 through 53.1 -131.3, Code of Virginia, local and regional jails may charge inmates participating in inmate work programs a reasonable daily amount, not to exceed the actual daily cost, to operate the program.

M.1. Included in this appropriation is $2,042,314 the first year and $2,042,314 the second year from the general fund for the Compensation Board to contract for services to be provided by the Virginia Center for Policing Innovation to implement and maintain the interface between all local and regional jails in the Commonwealth and the Statewide Automated Victim Information and Notification (SAVIN) system, to provide for SAVIN program coordination, and to maintain the interface between SAVIN and the Virginia Sex Offender Registry and provide for automated protective order notifications. All law enforcement agencies receiving general funds pursuant to this item shall provide the data requirements necessary to participate in the SAVIN system.

2. The data collected for purposes of the Statewide Automated Victim Information and Notification (SAVIN) system may be used to support additional public safety systems authorized by statute or the Appropriation Act. In support of these systems, the data may be used to determine or supplement risk factors, provide notifications, or data-driven information. The Commonwealth of Virginia's Chief Data Officer and the Compensation Board shall be permitted access to, and extraction of, such raw state data provided for these purposes, under terms agreed to by both the vendor collecting data under contract with the Virginia Center for Policing Innovation and the Commonwealth of Virginia's Chief Data Officer. No raw data shall be transferred beyond the SAVIN system except that which is shared with the Commonwealth of Virginia's Chief Data Officer in such mutually agreed upon manner.

3. Notwithstanding § 18.2-308.2:2, Code of Virginia, the Department of State Police may operate telephone, mail, VCheck, or other authorized communication response systems to provide dealers in firearms with information on the legal eligibility of prospective purchasers to possess or transport firearms covered under these regulations. This

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information may be released only to authorized dealers and/or those who have registered to receive notifications through the Virginia VINE Protective Order Notification System, including victims (or a legal representative of a victim), crime victim and witness assistance program employees, law enforcement officials and court officials.

N. Out of the amounts appropriated in this item, $9,835,820 the first year and $9,835,820 the second year from the general fund is provided for additional behavioral health case managers and medical treatment positions in local and regional jails.

O. Notwithstanding the provisions of paragraph H. of Item 67 of this act, included in this appropriation is $2,053,904 the first year and $2,053,904 the second year from the general fund to support new staffing associated with an increase in the rated operating capacity resulting from former expansions at the Piedmont Regional Jail that were not previously provided in base staffing and related funding by the Compensation Board.

P.1. The Compensation Board shall report on the allocation of funds first appropriated in Chapter 2, 2022 Special Session I, to increase compensation for sworn officers, including specific measures of effectiveness that indicate the degree to which these salary adjustments reduce the number of departures and vacancies. A report is due to the Governor, the Chairs of the House Appropriation and Senate Finance and Appropriation Committees, and the Director, Department of Planning and Budget no later than October 15, 2023.

2. The Compensation Board shall report on retention data for deputies with law enforcement duties compared to deputies without law enforcement duties, including information on local salary supplements. The report shall include information on the distribution of time allocated for law enforcement, court security and jail responsibilities in localities in which the sheriff has law enforcement authority. The report shall also include data on the degree to which individual deputies are moved across the different responsibilities or assigned to one specific responsibility. The report shall be provided to such committees and agencies no later than October 15, 2024.

Q. Included in this appropriation is $874,195 the second year from the general fund to provide a 6.0 percent salary increase for sheriffs' dispatchers and dispatcher supervisors as of July 1, 2025.

61.	Financial Assistance for Confinement of Inmates in Local and Regional Facilities (35600)			$43,714,791	~~$43,714,791~~ *$43,814,791*
	Financial Assistance for Local Jail Per Diem (35601)	$17,953,054	~~$17,953,054~~ *$18,053,054*		
	Financial Assistance for Regional Jail Per Diem (35604)	$25,761,737	$25,761,737		
	Fund Sources: General	$43,714,791	~~$43,714,791~~ *$43,814,791*		

Authority: §§ 53.1-83.1, 53.1-84 and 53.1-85, Code of Virginia.

A. In the event the appropriation in this Item proves to be insufficient to fund all of its provisions, any amount remaining as of June 1, 2025, and June 1, 2026, may be reallocated among localities on a pro rata basis according to such deficiency.

B. For the purposes of this Item, the following definitions shall be applicable:

1. Effective sentence--a convicted offender's sentence as rendered by the court less any portion of the sentence suspended by the court.

2. Local responsible inmate--(a) any person arrested on a state warrant and incarcerated in a local correctional facility, as defined by § 53.1-1, Code of Virginia, prior to trial; (b) any person convicted of a misdemeanor offense and sentenced to a term in a local correctional facility; or (c) any person convicted of a felony offense and given an effective sentence of (i) twelve months or less or (ii) less than one year.

3. State responsible inmate--any person convicted of one or more felony offenses and (a) the sum of consecutive effective sentences for felonies, committed on or after January 1, 1995, is

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(i) more than 12 months or (ii) one year or more, or (b) the sum of consecutive effective sentences for felonies, committed before January 1, 1995, is more than two years.

C. The individual or entity responsible for operating any facility which receives funds from this Item may, if requested by the Department of Corrections, enter into an agreement with the department to accept the transfer of convicted felons, from other local facilities or from facilities operated by the Department of Corrections. In entering into any such agreements, or in effecting the transfer of offenders, the Department of Corrections shall consider the security requirements of transferred offenders and the capability of the local facility to maintain such offenders. For purposes of calculating the amount due each locality, all funds earned by the locality as a result of an agreement with the Department of Corrections shall be included as receipts from these appropriations.

D. Out of this appropriation, an amount not to exceed $377,010 the first year and $377,010 the second year from the general fund, is designated to be held in reserve for unbudgeted medical expenses incurred by local correctional facilities in the care of state responsible felons.

E. The following amounts shall be paid out of this appropriation to compensate localities for the cost of maintaining prisoners in local correctional facilities, as defined by § 53.1-1, Code of Virginia, or if the prisoner is not housed in a local correctional facility, in an alternative to incarceration program operated by, or under the authority of, the sheriff or jail board:

1. For local responsible inmates--$5 per inmate day, or, if the inmate is housed and maintained in a jail farm not under the control of the sheriff, the rate shall be $19 per inmate day.

2. For state responsible inmates--$15 per inmate day.

F. For the payment specified in paragraph E.1. of this Item for prisoners in alternative punishment or alternative to incarceration programs:

1. Such payment is intended to be made for prisoners that would otherwise be housed in a local correctional facility. It is not intended for prisoners that would otherwise be sentenced to community service or placed on probation.

2. No such payment shall be made unless the program has been approved by the Department of Corrections or the Department of Criminal Justice Services. Alternative punishment or alternative to incarceration programs, however, may include supervised work experience, treatment, and electronic monitoring programs.

G.1. Except as provided for in paragraph G.2., and notwithstanding any other provisions of this Item, the Compensation Board shall provide payment to any locality with an average daily jail population of under ten in FY 1995 an inmate per diem rate of $18 per day for local responsible inmates and $12 per day for state responsible inmates held in these jails in lieu of personal service costs for corrections' officers.

2. Any locality covered by the provisions of this paragraph shall be exempt from the provisions thereof provided that the locally elected sheriff, with the assistance of the Compensation Board, enters into good faith negotiations to house his prisoners in an existing local or regional jail. In establishing the per diem rate and capital contribution, if any, to be charged to such locality by a local or regional jail, the Compensation Board and the local sheriff or regional jail authority shall consider the operating support and capital contribution made by the Commonwealth, as required by §§ 15.2-1613, 15.2-1615.1, 53.1-80, and 53.1-81, Code of Virginia. The Compensation Board shall report periodically to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the progress of these negotiations and may withhold the exemption granted by this paragraph if, in the board's opinion, the local sheriff fails to negotiate in good faith.

H.1. The Compensation Board shall recover the state-funded costs associated with housing federal inmates, District of Columbia inmates or contract inmates from other states. The Compensation Board shall determine, by individual jail, the amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this population by the

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proportion of the jail's per inmate day salary funds provided by the Commonwealth, as identified in the most recent Jail Cost Report prepared by the Compensation Board. Beginning July 1, 2009, the Compensation Board shall determine, by individual jail, the amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this population by the proportion of the jail's per inmate day operating costs provided by the Commonwealth, excluding payments otherwise provided for in this Item, as identified in the most recent Jail Cost Report prepared by the Compensation Board. If a jail is not included in the most recent Jail Cost Report, the Compensation Board shall use the statewide average of per inmate day salary funds provided by the Commonwealth.

2. The Compensation Board shall deduct the amount to be recovered by the Commonwealth from the facility's next quarterly per diem payment for state-responsible and local-responsible inmates. Should the next quarterly per diem payment owed the locality not be sufficient against which to net the total quarterly recovery amount, the locality shall remit the remaining amount not recovered to the Compensation Board.

3. Any local or regional jail which receives funding from the Compensation Board shall give priority to the housing of local-responsible, state-responsible, and state contract inmates, in that order, as provided in paragraph H.1.

4. The Compensation Board shall not provide any inmate per diem payments to any local or regional jail which holds federal inmates in excess of the number of beds contracted for with the Department of Corrections, unless the Director, Department of Corrections, certifies to the Chairman of the Compensation Board that a) such contract beds are not required; b) the facility has operational capacity built under contract with the federal government; c) the facility has received a grant from the federal government for a portion of the capital costs; or d) the facility has applied to the Department of Corrections for participation in the contract bed program with a sufficient number of beds to meet the Department of Corrections' need or ability to fund contract beds at that facility in any given fiscal year.

5. The Compensation Board shall apply the cost recovery methodology set out in paragraph H.1. of this Item to any jail which holds inmates from another state on a contractual basis. However, recovery in such circumstances shall not be made for inmates held pending extradition to other states or pending transfer to the Virginia Department of Corrections.

6. The provisions of this paragraph shall not apply to any local or regional jail where the cumulative federal share of capital costs exceeds the Commonwealth's cumulative capital contribution.

7. For a local or regional jail which operates bed space specifically built utilizing federal capital or grant funds for the housing of federal inmates and for which Compensation Board funding has never been authorized for staff for such bed space, the Compensation Board shall allow an exemption from the recovery provided in paragraph H.1. for a defined number of federal prisoners upon certification by the sheriff or superintendent that the federal government has paid for the construction of bed space in the facility or provided a grant for a portion of the capital cost. Such certification shall include specific funding amounts paid by the federal government, localities, and/or regional jail authorities, and the Commonwealth for the construction of bed space specifically built for the housing of federal inmates and for the construction of the jail facility in its entirety. The defined number of federal prisoners to be exempted from the recovery provided in paragraph H.1. shall be based upon the proportion of funding paid by the federal government and localities and/or regional jail authorities for the construction of bed space to house federal prisoners to the total funding paid by all sources, including the Commonwealth, for all construction costs for the jail facility in its entirety. For Western Tidewater Regional Jail, exemption from the recovery provided in paragraph H.1. shall apply to the first 76 federal inmates housed at the jail and for any inmate above 130 housed at the jail at any given time.

8. Beginning March 1, 2013, federal inmates placed in the custody of a regional jail pursuant to a work release program operated by the federal Bureau of Prisons shall be exempt from the recovery of costs associated with housing federal inmates pursuant to paragraph H.1. of this item if such federal inmates have been assigned by the federal Bureau of Prisons to a home electronic monitoring program in place for such inmates by agreement with the jail on or before January 1, 2012 and are not housed in the jail facility. However, no such exemption shall apply to any federal inmate while they are housed in the regional jail facility.

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I. Any amounts in the program Financial Assistance for Confinement of Inmates in Local and Regional Facilities, may be transferred between Items 60 and 61, as needed, to cover any deficits incurred in the programs Financial Assistance for Sheriffs' Offices and Regional Jails and Financial Assistance for Confinement of Inmates in Local and Regional Facilities.

J.1. The Compensation Board shall provide an annual report on the number and diagnoses of inmates with mental illnesses in local and regional jails, the treatment services provided, and expenditures on jail mental health programs. The report shall be prepared in cooperation with the Virginia Sheriffs Association, the Virginia Association of Regional Jails, the Virginia Association of Community Services Boards, and the Department of Behavioral Health and Developmental Services, and shall be coordinated with the data submissions required for the annual jail cost report. Copies of this report shall be provided by November 1 of each year to the Governor, Director, Department of Planning and Budget, and the Chairs of the Senate Finance and Appropriations and House Appropriations Committees.

2. Whenever a person is admitted to a local or regional correctional facility, the staff of the facility shall screen such person for mental illness using a scientifically validated instrument. The Commissioner of Behavioral Health and Developmental Services shall designate the instrument to be used for the screenings and such instrument shall be capable of being administered by an employee of the local or regional correctional facility, other than a health care provider, provided that such employee is trained in the administration of such instrument.

K. Out of the amounts appropriated in this item, $215,939 the first year and ~~$215,939~~ *$315,939* the second year from the general fund is provided for the purpose of reimbursing the County of Nottoway for the expense of confining residents of the Virginia Center for Behavioral Rehabilitation arrested for new offenses and held in Piedmont Regional Jail at the expense of the County. Reimbursements by the Board are to be made quarterly, and shall be equal to demonstrated costs incurred by the County of Nottoway for confinement of these individuals, and shall not exceed the amounts provided in this paragraph for each fiscal year. Demonstrated costs may include expenses incurred in the last month of the prior fiscal year if not previously reimbursed. The County of Nottoway, the Virginia Center for Behavioral Rehabilitation, and Piedmont Regional Jail shall upon request provide the Compensation Board any information and assistance it determines is necessary to calculate amounts to be reimbursed to the County of Nottoway.

L. The Compensation Board, in conjunction with the Board of Local and Regional Jails, shall survey local and regional jails to identify the jail staffing and jail space impacts of making inmates available to appear in virtual court hearings from within the jail facility where such inmate is housed. All local and regional jails shall cooperate in providing requested survey information, and the Office of the Executive Secretary of the Supreme Court shall assist in providing information regarding the prevalence of virtual court hearings for inmates incarcerated in jails, as well as assist the Compensation Board and the Board of Local and Regional Jails in evaluating jail impacts. The Compensation Board, in conjunction with the Board of Local and Regional Jails, shall report the results of such jail surveys and virtual court hearing information and potential recommendations for staffing needs in local and regional jails to address the identified frequency of virtual hearings requested by the court. The Board of Local and Regional Jails shall report potential recommendations for space needs to address such identified frequency. The reports shall be submitted to the Secretary of Administration and the Secretary of Public Safety and Homeland Security and to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by June 30, 2026.

62.	Financial Assistance for Local Finance Directors (71700)				$6,930,692	$6,930,692
	Financial Assistance to Local Finance Directors (71701)	$851,111	$851,111			
	Financial Assistance for Operations of Local Finance Directors (71702)	$6,079,581	$6,079,581			
	Fund Sources: General	$6,930,692	$6,930,692			

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Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

A.1. The annual salaries of elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2024 to June 30, 2025	July 1, 2025 to November 30, 2025	December 1, 2025 to June 30, 2026
Less than 10,000	$78,322	$80,672	$80,672
10,000-19,999	$87,029	$89,640	$89,640
20,000-39,999	$96,698	$99,599	$99,599
40,000-69,999	$107,439	$110,662	$110,662
70,000-99,999	$119,379	$122,960	$122,960
100,000-174,999	$132,638	$136,617	$136,617
175,000 to 249,999	$139,624	$143,813	$143,813
250,000 and above	$158,664	$163,424	$163,424

2. Whenever any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such officer under the provisions of this Item.

B.1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia.

2. The Compensation Board may increase the annual salary in paragraph A 1 of this Item following receipt of the appointed officer's certification that the minimum requirements of the Treasurers' Career Development Program have been met, provided that such certifications are submitted by appointed officers as part of their annual budget request to the Compensation Board on February 1 of each year.

63.	Financial Assistance for Local Commissioners of the Revenue (77100)			$27,235,570	~~$27,235,570~~ *$27,274,953*
	Financial Assistance to Local Commissioners of the Revenue for Tax Value Certification (77101)	$13,042,056	~~$13,042,056~~ *$13,081,439*		
	Financial Assistance for Operations of Local Commissioners of the Revenue (77102)	$13,804,425	$13,804,425		
	Financial Assistance for State Tax Services by Commissioners of the Revenue (77103)	$389,089	$389,089		
	Fund Sources: General	$27,235,570	~~$27,235,570~~ *$27,274,953*		

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

A. The annual salaries of county or city commissioners of the revenue shall be as hereinafter prescribed, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2024 to June 30, 2025	July 1, 2025 to November 30, 2025	December 1, 2025 to June 30, 2026
Less than 10,000	$78,322	$80,672	$80,672
10,000-19,999	$87,029	$89,640	$89,640

ITEM 63.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
20,000-39,999	$96,698	$99,599		$99,599
40,000-69,999	$107,439	$110,662		$110,662
70,000-99,999	$119,379	$122,960		$122,960
100,000-174,999	$132,638	$136,617		$136,617
175,000 to 249,999	$139,624	$143,813		$143,813
250,000 and above	$158,664	$163,424		$163,424

B. 1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Commissioners of the Revenue Career Development Program.

2. Following receipt of the commissioner's certification that the minimum requirements of the Commissioners of the Revenue Career Development Program have been met, and provided that such certification is submitted by commissioners of the revenue as part of their annual budget request to the Compensation Board on or before February 1 of each year, the Compensation Board may increase the annual salary in paragraph A of this item by 9.3 percent following receipt of the commissioner's certification that the minimum requirements of the Commissioners' Career Development Program have been met, provided that such certifications are submitted by commissioners as part of their annual budget request to the Compensation Board on February 1 of each year.

C.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Deputy Commissioners Career Development Program.

2. For each deputy commissioner selected by the commissioner of the revenue for participation in the Deputy Commissioners Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent, following receipt of the commissioner of the revenue's certification that the minimum requirements of the Deputy Commissioners Career Development Program have been met, and provided that such certification is submitted by the commissioner of the revenue as part of the annual budget request to the Compensation Board on or before February 1st of each year for an effective date of salary increase of the following July 1.

64.	Financial Assistance for Attorneys for the Commonwealth (77200)			$105,282,499	~~$104,843,976~~ *$110,628,942*
	Financial Assistance to Attorneys for the Commonwealth (77201)	$20,427,630	~~$20,427,630~~ *$20,607,967*		
	Financial Assistance for Operations of Local Attorneys for the Commonwealth (77202)	$84,854,869	~~$84,416,346~~ *$90,020,975*		
	Fund Sources: General	$104,692,649	~~$104,254,126~~ *$110,039,092*		
	Dedicated Special Revenue	$589,850	$589,850		

Authority: Title 15.2, Chapter 16, Articles 4 and 6.1, Code of Virginia.

A.1. The annual salaries of attorneys for the Commonwealth shall be as hereinafter prescribed according to the population of the city or county served except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2024 to June 30, 2025	July 1, 2025 to November 30, 2025	December 1, 2025 to June 30, 2026
Less than 10,000	$69,409	$71,491	$71,491
10,000-19,999	$77,132	$79,446	$79,446
20,000-34,999	$84,842	$87,387	$87,387
35,000-44,999	$152,710	$157,291	$157,291
45,000-99,999	$169,675	$174,765	$174,765

ITEM 64.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
100,000-249,999	$176,038	$181,319		$181,319
250,000 and above	$182,406	$187,878		$187,878

2. The attorneys for the Commonwealth and their successors who serve on a full-time basis pursuant to §§ 15.2-1627.1, 15.2-1628, 15.2-1629, 15.2-1630 or § 15.2-1631, Code of Virginia, shall receive salaries as if they served localities with populations between 35,000 and 44,999.

3. Whenever an attorney for the Commonwealth is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such attorney for the Commonwealth under the provisions of this paragraph and such attorney for the Commonwealth shall receive as additional compensation the sum of one thousand dollars.

B. No expenditure shall be made out of this Item for the employment of investigators, clerk-investigators or other investigative personnel in the office of an attorney for the Commonwealth.

C. Consistent with the provisions of § 19.2-349, Code of Virginia, attorneys for the Commonwealth may, in addition to the options otherwise provided by law, employ individuals to assist in collection of outstanding fines, costs, forfeitures, penalties, and restitution. Notwithstanding any other provision of law, beginning on the date upon which the order or judgment is entered, the costs associated with employing such individuals may be paid from the proceeds of the amounts collected provided that the cost is apportioned on a pro rata basis according to the amount collected which is due the state and that which is due the locality. The attorneys for the Commonwealth shall account for the amounts collected and apportion costs associated with the collections consistent with procedures issued by the Auditor of Public Accounts.

D. The provisions of this act notwithstanding, no Commonwealth's attorney, public defender or employee of a public defender, shall be paid or receive reimbursement for the state portion of a salary in excess of the salary paid to judges of the circuit court. Nothing in this paragraph shall be construed to limit the ability of localities to supplement the salaries of locally elected constitutional officers or their employees.

E. The Statewide Juvenile Justice project positions, as established under the provisions of Item 74 E, of Chapter 912, 1996 Acts of Assembly, and Chapter 924, 1997 Acts of Assembly, are continued under the provisions of this act. The Commonwealth's attorneys receiving such positions shall annually certify to the Compensation Board that the positions are used primarily, if not exclusively, for the prosecution of delinquency and domestic relations felony cases, as defined by Chapters 912 and 924. In the event the positions are not primarily or exclusively used for the prosecution of delinquency and domestic relations felony cases, the Compensation Board shall reallocate such positions by using the allocation provisions as provided for the board in Item 74 E of Chapters 912 and 924.

F. The Compensation Board shall monitor the Department of Taxation program regarding the collection of unpaid fines and court costs by private debt collection firms contracted by Commonwealth's attorneys and shall include, in its annual report to the General Assembly on the collection of court-ordered fines and fees for clerks of the courts and Commonwealth's attorneys, the amount of unpaid fines and costs collected by this program.

G. Out of this appropriation, $685,705 the first year and $685,705 the second year from the general fund is designated for the Compensation Board to fund five additional positions in Commonwealth's attorney's offices that shall be dedicated to prosecuting gang-related criminal activities. The board shall ensure that these positions work across jurisdictional lines, serving the Northern Virginia area (counties of Fairfax, Loudoun, Prince William, and Arlington and the cities of Falls Church, Alexandria, Manassas, Manassas Park and Fairfax).

H. In accordance with the provisions of § 19.2-349, Code of Virginia, attorneys for the Commonwealth may employ individuals, or contract with private attorneys, private collection agencies, or other state or local agencies, to assist in collection of delinquent fines, costs, forfeitures, penalties, and restitution. If the attorney for the Commonwealth employs individuals, the costs associated with employing such individuals may be paid from the

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proceeds of the amounts collected provided that the cost is apportioned on a pro rata basis according to the amount collected which is due the state and that which is due the locality. If the attorney for the Commonwealth does not undertake collection, the attorney for the Commonwealth shall, as soon as practicable, take steps to ensure that any agreement or contract with an individual, attorney or agency complies with the terms of the current Master Guidelines Governing Collection of Unpaid Delinquent Court-Ordered Fines and Costs Pursuant to Virginia Code § 19.2-349 promulgated by the Office of the Attorney General, the Executive Secretary of the Supreme Court, the Department of Taxation, and the Compensation Board ("the Master Guidelines"). Notwithstanding any other provision of law, the delinquent amounts owed shall be increased by seventeen (17) percent to help offset the costs associated with employing such individuals or contracting with such agencies or individuals. If such increase would exceed the contracted collection agent's fee, then the delinquent amount owed shall be increased by the percentage or amount of the collection agent's fee. Effective July 1, 2015, as provided in § 19.2-349, Code of Virginia, treasurers not being compensated on a contingency basis as of January 1, 2015 shall be prohibited from being compensated on a contingency basis but shall instead be compensated for administrative costs pursuant to § 58.1-3958, Code of Virginia. Treasurers currently collecting a contingency fee shall be eligible to contract on a contingency fee basis. Effective July 1, 2015, any treasurer collecting a contingency fee shall retain only the expenses of collection, and the excess collection shall be divided between the state and the locality in the same manner as if the collection had been done by the attorney for the Commonwealth. The attorneys for the Commonwealth shall account for the amounts collected and the fees and costs associated with the collections consistent with procedures issued by the Auditor of Public Accounts.

I. Notwithstanding the provisions of Article 7, Chapter 4, Title 38, Code of Virginia, beginning July 1, 2018, $600,000 each year from the Insurance Fraud Fund is included in this appropriation to fund multi-jurisdictional Assistant Commonwealth's Attorney positions that shall be dedicated to prosecuting insurance fraud and related criminal activities. The Department of State Police shall identify those jurisdictions most affected by insurance fraud based upon data provided by the Virginia State Police Insurance Fraud Program. The Virginia State Police Insurance Fraud Program shall ensure that these positions work across jurisdictional lines, serving jurisdictions identified as most in need of these resources as supported by data. These funds shall remain unallocated until the Compensation Board and Virginia State Police notify the Director of the Department of Planning and Budget of the joint agreements reached with the Commonwealth's Attorneys of the jurisdictions receiving the additional Assistant Commonwealth's Attorney positions and the jurisdictions to be served by these positions. The Commonwealth's Attorneys receiving such positions shall annually certify to the Compensation Board that these positions are used primarily, if not exclusively, for the prosecution of insurance fraud and related criminal activities.

J. Any locality in the Commonwealth that employs the use of body worn cameras for its law enforcement officers shall be required to establish and fund one full-time equivalent entry-level Assistant Commonwealth's Attorney, at a salary no less than that established by the Compensation Board for an entry-level Commonwealth's Attorney, at a rate of one Assistant Commonwealth's Attorney for up to 75 body worn cameras employed for use by local law enforcement officers, and one Assistant Commonwealth's Attorney for every 75 body worn cameras employed for use by local law enforcement officers, thereafter. However, with the consent of the Commonwealth's Attorney, a locality may provide their Commonwealth's Attorney's office with additional funding, using a different formula than stated above, as needed to accommodate the additional workload resulting from the requirement to review, redact and present footage from body worn cameras. If, as of July 1, 2019, a locality is providing additional funding to the Commonwealth's Attorney's office specifically to address the staffing and workload impact of the implementation of body worn cameras on that office, that additional funding shall be credited to the formula used in that locality. Any agreed upon funding formula between the impacted Commonwealth's Attorney and the locality employing body worn cameras shall be filed with the Compensation Board by July 1 of each year and shall remain in effect unless modified by the agreement of both parties until June 30th of the following year. The term "locality" means every county or independent city with an Attorney for the Commonwealth. The term "employed for use" includes all body worn cameras maintained by the law enforcement agency or agencies of that locality, regardless of any temporary

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inoperability.

K. Included in this appropriation is $2,989,659 the first year and $3,351,136 the second year from the general fund for the allocation of 18 additional paralegal positions and 29 additional Assistant Commonwealth Attorney positions.

L.1. Out of the amounts in this item, $5,506,783 from the general fund the second year is for the allocation of 70 additional Assistant Commonwealth's Attorney positions, to be distributed in accordance with current staffing standard needs to assist with anticipated workload increases resulting from implementation of House Bill 2723 and Senate Bill 1466 of the 2025 Acts of Assembly. Localities shall utilize such funding to supplement, not supplant, local funds provided for salaries of Commonwealth's Attorneys and their employees. Any amounts provided in this paragraph not expended by June 30, 2026, shall not revert to the general fund and shall carryforward to support anticipated expenses in the next biennium.

2. If directed by the Compensation Board to do so, all Commonwealth's Attorneys' offices shall report, in such format and on such timeline as prescribed by the Board, required information regarding workloads directly resulting from implementation of the bills' provisions.

M. Included in this appropriation is $270,970 the second year from the general fund to convert the Bath County Commonwealth's Attorney's Office and the Highland County Commonwealth's Attorney's Office from part- to full-time status, effective July 1, 2025.

65. Financial Assistance for Circuit Court Clerks (77300)			$73,013,961	~~$72,413,961~~ *$77,969,198*
Financial Assistance to Circuit Court Clerks (77301)	$17,425,753	~~$17,425,753~~ *$17,456,650*		
Financial Assistance for Operations for Circuit Court Clerks (77302)	$33,428,501	~~$32,850,109~~ *$38,374,449*		
Financial Assistance for Circuit Court Clerks' Land Records (77303)	$22,159,707	$22,138,099		
Fund Sources: General	$65,010,591	~~$64,410,591~~ *$69,965,828*		
Trust and Agency	$8,003,370	$8,003,370		

Authority: Title 15.2, Chapter 16, Article 6.1; §§ 51.1-706 and 51.1-137, Title 17.1, Chapter 2, Article 7, Code of Virginia.

A.1. The annual salaries of clerks of circuit courts shall be as hereinafter prescribed.

	July 1, 2024 to June 30, 2025	July 1, 2025 to November 30, 2025	December 1, 2025 to June 30, 2026
Less than 10,000	$99,783	$102,776	$102,776
10,000 to 19,999	$122,634	$126,313	$126,313
20,000-39,999	$140,210	$144,416	$144,416
40,000-69,999	$147,235	$151,652	$151,652
70,000-99,999	$159,533	$164,319	$164,319
100,000-174,999	$173,594	$178,802	$178,802
175,000-249,999	$178,938	$184,306	$184,306
250,000 and above	$184,141	$189,665	$189,665

2. Whenever a clerk of a circuit court is such for a county and a city, for two or more counties, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of the circuit court clerk under the provisions of this Item.

3. Except as provided in Item 67 A 2, the annual salary herein prescribed shall be full

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compensation for services performed by the office of the circuit court clerk as prescribed by general law, and for the additional services of acting as general receiver of the court pursuant to § 8.01-582, Code of Virginia, indexing and filing land use application fees pursuant to § 58.1-3234, Code of Virginia, and all other services provided from, or utilizing the facilities of, the office of the circuit court clerk. Pursuant to § 8.01-589, Code of Virginia, the court shall provide reasonable compensation to the office of the clerk of the circuit court for acting as general receiver of the court. Out of the compensation so allowed, the clerk shall pay his bond or bonds. The remainder of the compensation so allowed shall be fee and commission income to the office of the circuit court clerk.

4. In any county or city operating under provisions of law which authorizes the governing body to fix the compensation of the clerk on a salary basis, such clerk shall receive such salary as shall be allowed by the governing body. Such salary shall not be fixed at an amount less than the amount that would be allowed the clerk under paragraphs A 1 through A 3 of this Item.

5. All clerks shall deposit all clerks' fees and state revenue with the State Treasurer in a manner consistent with § 2.2-806, Code of Virginia, unless otherwise provided by the Compensation Board as set forth in § 17.1-284, Code of Virginia or otherwise provided by law.

B. The reports filed by each circuit court clerk pursuant to § 17.1-283, Code of Virginia, for each calendar year shall include all income derived from the performance of any office, function or duty described or authorized by the Code of Virginia whether directly or indirectly related to the office of circuit court clerk, including, by way of description and not limitation, services performed as a commissioner of accounts, receiver, or licensed agent, but excluding private services performed on a personal basis which are completely unrelated to the office. The Compensation Board may suspend the allowance for office expenses for any clerk who fails to file such reports within the time prescribed by law, or when the board determines that such report does not comply with the provisions of this paragraph.

C. Each clerk of the circuit court shall submit to the Compensation Board a copy of the report required pursuant to § 19.2-349, Code of Virginia, at the same time that it is submitted to the Commonwealth's attorney.

D. Included within this appropriation are Trust and Agency funds necessary to support one position to assist circuit court clerks in implementing the recommendations of the Land Records Management Task Force Report dated January 1, 1998.

E. Notwithstanding the provisions of § 17.1-279 E, Code of Virginia, the Compensation Board may allocate to the clerk of any circuit court funds for the acquisition of equipment and software for a pilot project for the automated application for, and issuance of, marriage licenses by such court. Any such funds allocated shall be deemed to have been expended pursuant to clause (iii) of § 17.1-279 E for the purposes of the limitation on allocations set forth in that subsection.

F. Notwithstanding the provisions of § 17.1-279, Code of Virginia, the Compensation Board when distributing funds to the Circuit Court Clerk's Offices from the Technology Trust Fund shall ensure that each office has at least $1,000 per year for technology related expenditures.

G. Notwithstanding § 17.1-287, Code of Virginia, any elected official funded through this Item may elect to relinquish any portion of his state funded salary established in paragraph A 1 of this Item. In any office where the official elects this option, the Compensation Board shall ensure the amount relinquished is used to fund salaries of other office staff.

H.1. For audits of clerks of the circuit court completed after July 1, 2004, the Auditor of Public Accounts shall report any internal control matter that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability. The Auditor of Public Accounts will also report on compliance with appropriate law and other financial matters of the clerks' office.

2. For internal control matters that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability, the clerk shall provide

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the Auditor of Public Accounts a written corrective action plan to any such audit findings within 10 business days of the audit exit conference, which will state what actions the clerk will take to remediate the finding. The clerk's response may also address the other matters in the report. During the next audit, the Auditor of Public Accounts shall determine and report if the clerk has corrected the finding related to internal control matters that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability.

3. Notwithstanding the provisions of Item 469, the Compensation Board shall not provide any salary increase to any circuit court clerk identified by the Auditor of Public Accounts who has not taken corrective action for the matters reported above, however, upon taking into consideration the size of the office of a circuit court clerk and their staffing capacity, the Compensation Board may determine there are extenuating circumstances in which any salary increases should not be withheld.

I.1. Subject to appropriation by the General Assembly for this purpose, the Compensation Board may implement a Circuit Court Clerks' Career Development Program.

2. Following receipt of a clerk's certification that the minimum requirements of the Clerks' Career Development Program have been met, and provided that such certification is submitted by Clerks as part of their annual budget request to the Compensation Board by February 1 of each year, the Compensation Board shall increase the annual salary shown in Paragraph A.1. of this item by 9.3 percent with the salary increase becoming effective on the following July 1 for a 12-month period.

J.1. Subject to appropriation by the General Assembly for this purpose, the Compensation Board may implement a Deputy Clerks of Circuit Courts' Career Development Program.

2. For each deputy clerk selected by the clerk for participation in the Deputy Clerks' Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent following receipt of the clerk's certification that the minimum requirements of the Deputy Clerks' Career Development Program have been met and provided that such certification is submitted by clerks as part of their annual budget request to the Compensation Board by February 1 of each year.

K. Upon request of the attorney for the Commonwealth, the clerk of the circuit court shall contemporaneously provide the attorney for the Commonwealth copies of all documents provided to the Virginia Criminal Sentencing Commission pursuant to § 19.2-298.01 E, Code of Virginia.

L. The Compensation Board may obligate Trust and Agency funds in excess of the current biennium appropriation for the automation efforts of the clerks' offices from the Technology Trust Fund provided that sufficient cash is available to cover projected costs in each year and that sufficient revenues are projected to meet all cash obligations for new obligations as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.

M. Offices of the Clerks of the Circuit Court, jails, adult detention centers, and the Department of Corrections are further authorized to enter into agreements to electronically transmit and process criminal court orders to assure timely and accurate recordation and processing of such records.

N. Notwithstanding any other provision of law, subdivision plats deemed valid through July 1, 2020 pursuant to § 15.2-2209.1.A., Code of Virginia, that were unable to be recorded prior to the commencement of the Judicial Emergency that extended from March 16, 2020 through July 19, 2020, hereby have validity extended to December 31, 2024.

O.1. Out of the amounts in this item, $5,524,340 the second year from the general fund is for the allocation of 117 Deputy Clerk IV positions to assist with anticipated workload increases resulting from implementation of House Bill 2723 and Senate Bill 1466 of the 2025 Acts of Assembly. Localities shall utilize such funding to supplement, not supplant, local funds provided for salaries of Circuit Court Clerks and their employees. Any amounts provided in this paragraph not expended by June 30, 2026, shall not revert to the general fund and shall carryforward to support anticipated expenses in the next biennium.

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	2. If directed by the Compensation Board to do so, all Circuit Court Clerk offices shall report, in such format and on such timeline as prescribed by the Board, information with regard to workloads directly resulting from the bills that are not otherwise collected in the staffing study authorized by paragraph V. of Item 67 of this act.				
66.	Financial Assistance for Local Treasurers (77400)..			$27,395,833	~~$27,395,833~~ *$27,435,216*
	Financial Assistance to Local Treasurers (77401)....	$12,969,591	~~$12,969,591~~ *$13,008,974*		
	Financial Assistance for Operations of Local Treasurers (77402).....	$14,053,997	$14,053,997		
	Financial Assistance for State Tax Services by Local Treasurers (77403).....	$372,245	$372,245		
	Fund Sources: General.....	$27,395,833	~~$27,395,833~~ *$27,435,216*		

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

A.1. The annual salaries of treasurers, elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2024 to June 30, 2025	July 1, 2025 to November 30, 2025	December 1, 2025 to June 30, 2026
Less than 10,000	$78,322	$80,672	$80,672
10,000 to 19,999	$87,029	$89,640	$89,640
20,000-39,999	$96,698	$99,599	$99,599
40,000-69,999	$107,439	$110,662	$110,662
70,000-99,999	$119,379	$122,960	$122,960
100,000-174,999	$132,638	$136,617	$136,617
175,000-249,999	$139,624	$143,813	$143,813
250,000 and above	$158,664	$163,424	$163,424

2. Provided, however, that in cities having a treasurer who neither collects nor disburses local taxes or revenue or who distributes local revenues but does not collect the same, such salaries shall be seventy-five percent of the salary prescribed above for the population range in which the city falls except that in no case shall any such treasurer, or any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, receive an increase in salary less than the annual percentage increase provided from state funds to any other treasurer, within the same population range, who was at the maximum prescribed salary in effect for the fiscal year 1980.

3. Whenever a treasurer is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such treasurer under the provisions of this Item.

B.1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia.

2. The Compensation Board may increase the annual salary in paragraph A 1 of this Item by 9.3 percent following receipt of the treasurer's certification that the minimum requirements of the Treasurers' Career Development Program have been met, provided that such certifications are submitted by treasurers as part of their annual budget request to

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the Compensation Board on February 1 of each year.

C.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Deputy Treasurers' Career Development Program.

2. For each deputy treasurer selected by the treasurer for participation in the Deputy Treasurers' Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent following receipt of the treasurer's certification that the minimum requirements of the Deputy Treasurers' Career Development Program have been met, and provided that such certification is submitted by the treasurer as part of the annual budget request to the Compensation Board on or before February 1 of each year for an effective date of salary increase of the following July 1st.

D. Notwithstanding the provisions of § 8.01-490, Code of Virginia, a treasurer, sheriff or other officer distraining or levying upon personal property may employ a licensed auctioneer or auction firm, as defined in § 54.1-600, Code of Virginia, to sell such property on behalf of the officer, and may transport such property to the site of an auction for such purpose, regardless of whether the site is within or outside the officer's county or city.

67.	Administrative and Support Services (79900)			~~$5,897,945~~ *$6,024,931*	~~$5,497,945~~ *$5,661,741*
	General Management and Direction (79901)	$4,448,961	~~$4,048,961~~ *$4,186,136*		
	Information Technology Services (79902)	~~$1,413,834~~ *$1,540,820*	~~$1,413,834~~ *$1,440,455*		
	Training Services (79925)	$35,150	$35,150		
	Fund Sources: General	~~$5,897,945~~ *$6,024,931*	~~$5,497,945~~ *$5,661,741*		

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

A.1. In determining the salary of any officer specified in Items 60, 62, 63, 64, 65, and 66 of this act, the Compensation Board shall use the greater of the most recent actual United States census count or the most recent provisional population estimate from the United States Bureau of the Census or the Weldon Cooper Center for Public Service of the University of Virginia available when fixing the officer's annual budget and shall adjust such population estimate, where applicable, for any annexation or consolidation order by a court when such order becomes effective. There shall be no reduction in salary by reason of a decline in population during the terms in which the incumbent remains in office.

2. In determining the salary of any officer specified in Items 60, 62, 63, 64, 65, and 66 of this act, nothing herein contained shall prevent the governing body of any county or city from supplementing the salary of such officer in such county or city for the provisions of Chapter 822, 2012 Acts of Assembly or for additional services not required by general law; provided, however, that any such supplemental salary shall be paid wholly by such county or city.

3. Any officer whose salary is specified in Items 60, 62, 63, 64, 65, and 66 of this act shall provide reasonable access to his work place, files, records, and computer network as may be requested by his duly elected successor after the successor has been certified.

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

	FY 2025	FY 2026
Sheriffs	11,780	11,780
Partially Funded: Jail Medical, Treatment, and Classification and Records Positions	939	939
Commissioners of the Revenue	851	851
Treasurers	861	861
Directors of Finance	383	383

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Commonwealth's Attorneys		1,379		~~1,379~~*1,449*
Clerks of the Circuit Court		1,158		~~1,158~~ *1,275*
TOTAL		**17,351**		~~**17,351**~~ ***17,538***

2. The Compensation Board is authorized to provide funding for 581 temporary positions the first year and 581 temporary positions the second year.

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

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

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

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

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

E. Any new positions established in Item 67 of this act shall be allocated by the Compensation Board upon request of the constitutional officers in accordance with staffing standards and ranking methodologies approved by the Compensation Board to fulfill the requirements of any court order occurring from proceedings under § 15.2-1636.8, Code of Virginia, in accordance with the provisions of Item 60 of this act.

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

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

H. The Compensation Board shall not approve or commit additional funds for the operational cost, including salaries, for any local or regional jail construction, renovation, or expansion project which was not approved for reimbursement by the State Board of Local and Regional Jails prior to January 1, 1996, unless: (1) the Secretary of Public Safety and Homeland Security certifies that such additional funding results in an actual cost savings to the Commonwealth or (2) an exception has been granted as provided for in Item 385 of this act.

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

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superintendents.

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

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

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

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

L. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 (§ 15.2-4100 et seq.) of Title 15.2, Code of Virginia, or the consolidation of a city and a county into a single city pursuant to the provisions of Chapter 35 (§ 15.2-3500 et seq.) of Title 15.2, Code of Virginia, subsequent to July 1, 1999, the Compensation Board shall provide funding from Items 60, 63, 64, 65, and 66 of this act, consistent with the requirements of § 15.2-1302, Code of Virginia. Notwithstanding the provisions of paragraph E of this Item, any positions in the constitutional offices of the former city or former county which are available for reallocation as a result of the transition or consolidation shall be first reallocated in accordance with Compensation Board staffing standards to the constitutional officers in the county in which the town is situated or to the consolidated city, without regard to the Compensation Board's priority of need ranking for reallocated positions. The salary and fringe benefit costs for these positions shall be deducted from any amounts due the county or to the consolidated city, as provided in § 15.2-1302, Code of Virginia.

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

N. The Compensation Board is hereby authorized to deduct, from reimbursements made each year to localities out of the amounts in Items 60, 62, 63, 64, 65, and 66 of this act, an amount equal to 100 percent of each locality's share of the insurance premium paid by the Compensation Board on behalf of the constitutional officers, directors of finance, and regional jails. From sheriffs and regional jails, the Compensation Board shall deduct an additional $80,000 each year for the costs of conducting training on managing risk in the operation of local and regional jails.

O. Effective July 1, 2007, the Compensation Board is authorized to withhold reimbursements due the locality for sheriff and jail expenses upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by a locality to the Department of State Police in accordance with § 52-28, Code of Virginia, is missing, incomplete or incorrect. Upon subsequent notification by the Superintendent that the data is accurate, the Compensation Board shall make reimbursement of withheld funding due the

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locality when such corrections are made within the same fiscal year that funds have been withheld.

P. Notwithstanding the provisions of § 51.1-1403 A, Code of Virginia, the Compensation Board is hereby authorized to deduct, from reimbursements made each year to localities out of the amounts in Items 60, 62, 63, 64, 65, and 66 of this act, an amount equal to each locality's retiree health premium paid by the Compensation Board on behalf of the constitutional offices, directors of finance, and regional jails.

Q.1. Compensation Board payments of, or reimbursements for, the employer paid contribution to the Virginia Retirement System, or any system offering like benefits, shall not exceed the Commonwealth's proportionate share of the following, whichever is less: (a) the actual retirement rate for the local constitutional officer's office or regional correctional facility as set by the Board of the Virginia Retirement System or (b) the employer rate established for the general classified workforce of the Commonwealth covered under and payable to the Virginia Retirement System.

2. The rate specified in paragraph Q.1. shall exclude the cost of any early retirement program implemented by the Commonwealth.

3. Any employer paid contribution costs for rates exceeding those specified in paragraph Q.1. shall be borne by the employer.

4. The benefits rate reimbursed by the Compensation Board to localities and regional jails shall not exceed the rate identified for fiscal year 2011 in Chapter 890, Item 469, paragraph I.1.

R. Localities shall not utilize Compensation Board funding to supplant local funds provided for the salaries of constitutional officers and their employees under the provisions of Chapter 822, 2012 Acts of Assembly, who were affected members in service on June 30, 2012.

S. Effective July 1, 2016, the Compensation Board is authorized to withhold reimbursements due to the locality for sheriff's law enforcement expenses if the sheriff fails to certify to the Board that the sheriff's office is compliant with the sex offender registration requirements of § 9.1-903, Code of Virginia. Upon subsequent certification by the sheriff that the sheriff's office is compliant with the sex offender registration requirements of § 9.1-903, Code of Virginia, the Compensation Board shall make reimbursement of withheld funding due to the locality when such subsequent certification is made within the same fiscal year that funds have been withheld.

T. Consistent with the provisions of Chapter 198 of the 2017 Session of the General Assembly, the Executive Secretary of the State Compensation Board shall implement the recommendations relating to the State Compensation Board made by the Department of Medical Assistance Services in its November 30, 2017 report on streamlining the Medicaid application and enrollment process for incarcerated individuals.

U. Out of the amounts appropriated in Items 60, 64, and 65 of this Act, a total of $9,400,000 the first year from the general fund shall be deposited into a newly created special Constitutional Officer Reserve Fund (The Fund). The Fund is to be held in reserve for the reimbursement of budgeted amounts for salaries and expenses in constitutional offices, should such expenses incurred for reimbursement exceed the amounts appropriated in Items 60, 64, and 65 of this Act. Amounts in The Fund shall be transferred among Items 60, 64, and 65 of this Act as determined by the Compensation Board to meet reimbursement requirements. Notwithstanding the provisions of § 15.2-1636.8, Code of Virginia, the Compensation Board may establish fiscal year budgets for constitutional offices in accordance with the amounts appropriated in their designated Items in this Act, along with funds appropriated and available in The Fund for each fiscal year. If the balance of The Fund falls below the amounts required to fully reimburse constitutional offices, the Compensation Board should request additional general fund appropriation to be deposited into The Fund.

V.1. The Compensation Board shall work with the Virginia Circuit Court Clerks' Association to examine the staffing standards used to determine and distribute funding and positions allocated to circuit court clerks' offices. The examination shall identify funding

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needs to support staffing for statutorily prescribed duties, as well as any discretionary duties and current local supplemental funds allocated. To assist in this goal, the Compensation Board shall contract with the National Center for State Courts (the Center) to perform a time study as to the comprehensive duties and responsibilities of circuit court clerks including, but not limited to, expungement/rights restoration and sealing volume as well as other obligations reflected in the Code of Virginia (e.g. duties prescribed under Title 17.1 et seq). The Compensation Board shall develop a revised staffing standard for circuit court clerks' offices based on the results of the study. Included within this appropriation is $400,000 the first year from the general fund for the purpose of contracting with the Center to perform the study. All circuit court clerks shall participate in the study as needed and as identified by the Compensation Board and the Center.

2. The Compensation Board shall provide a status report on the progress of the study and participants to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2024. The Compensation Board shall submit a report containing the results of the study, anticipated costs, and staffing standards methodology revisions under review or approved by the Compensation Board to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2025.

W. The Compensation Board, in consultation with staff representatives from the Department of Human Resources Management, the Senate Finance and Appropriations Committee, the House Appropriations Committee, and the Department of Planning and Budget, shall assess potential options for additional information to be provided to the General Assembly to include: (i) any state roles whose duties are similar to duties performed by employees in each constitutional office and the state salaries for any similar roles; and (ii) any information available on local salary supplements provided in addition to state salaries that may provide a more comprehensive understanding of local constitutional officer salaries, including geographic differences. The Compensation Board shall report its recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2026, and shall provide an interim report to the Chairs by November 1, 2025, on the plan for assessing such information.

Total for Compensation Board			~~$939,042,028~~ *$939,169,014*	~~$929,603,505~~ *$942,174,305*
General Fund Positions	21.00	~~21.00~~ *22.00*		
Nongeneral Fund Positions	1.00	1.00		
Position Level	22.00	~~22.00~~ *23.00*		
Fund Sources: General	~~$922,446,150~~ *$922,573,136*	~~$913,007,627~~ *$925,578,427*		
Trust and Agency	$8,003,370	$8,003,370		
Dedicated Special Revenue	$8,592,508	$8,592,508		

§ 1-31. DEPARTMENT OF GENERAL SERVICES (194)

68.	Laboratory Services (72600)			$50,306,598	~~$50,306,598~~ *$50,594,998*
	Statewide Laboratory Services (72604)	$32,738,585	~~$32,738,585~~ *$33,026,985*		
	Newborn Screening Laboratory Services (72607)	$14,434,732	$14,434,732		
	Laboratory Accreditation Services (72608)	$727,848	$727,848		
	Drinking Water Testing Services (72609)	$2,405,433	$2,405,433		
	Fund Sources: General	$20,363,179	~~$20,363,179~~ *$20,651,579*		
	Enterprise	$16,770,043	$16,770,043		
	Internal Service	$5,509,322	$5,509,322		
	Federal Trust	$7,664,054	$7,664,054		

Authority: Title 2.2, Chapter 11, Article 2, Code of Virginia.

A. The provisions of § 2.2-1104, Code of Virginia, notwithstanding, the Division of

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Consolidated Laboratory Services shall ensure that no individual is denied the benefits of laboratory tests mandated by the Department of Health for reason of inability to pay for such services.

B. Out of this appropriation, $5,509,322 the first year and $5,509,322 the second year for Statewide Laboratory Services is sum sufficient and these amounts are estimates from an internal service fund which shall be paid from revenues derived from charges collected from state agencies and institutions of higher education for laboratory testing services. The internal service fund shall also consist of revenues transferred from the Department of Transportation for motor fuel testing as stated in § 3-1.02 of this act.

C.1. The provisions of § 2.2-1104 B, Code of Virginia, notwithstanding, the Division of Consolidated Laboratory Services may charge a fee for the limited and specific purpose of analyses of water samples where (i) testing is required by Department of Health regulations as mandated by the federal Safe Drinking Water Act, (ii) funding to support such testing is not otherwise provided for in this act, and (iii) fees shall not be increased unless a plan is first approved by the Governor.

2. The Division of Consolidated Laboratory Services may charge a fee to recover its costs to certify laboratories under the requirements of §§ 2.2-1104 A. 4 and 2.2-1105, Code of Virginia, where certification of these laboratories is required by the Department of Health regulations mandated by the federal Safe Drinking Water Act, Chapter 13 (§ 10.1-1300 et seq.) of Title 10.1, the Virginia Waste Management Act (§ 10.1-1400 et seq.), or the State Water Control Law (§ 62.1-44.2 et seq.), Code of Virginia.

3.a. Any regulations or guidelines necessary to implement or change the amount of the fees charged for testing of water samples or certification of laboratories may be adopted without complying with the Administrative Process Act (§ 2.2-4000 et seq.) provided that input is solicited from the public. Such input requires only that notice and an opportunity to submit written comments be given.

b. Notwithstanding any other provision of law, changes to fees charged for testing of water samples or certification of laboratories shall be subject to the provisions of § 4-5.03 of this act, effective July 1, 2016.

c. Fees charged for testing of water samples or certification of laboratories shall not exceed the cost of providing such services.

69.	Real Estate Services (72700)				$73,099,266	$73,099,266
	Statewide Leasing and Disposal Services (72705)	$73,099,266	$73,099,266			
	Fund Sources: Internal Service	$73,099,266	$73,099,266			

Authority: Title 2.2, Chapter 11, Article 4, § 2.2-1156, Code of Virginia.

A. Out of this appropriation, $73,099,266 the first year and $73,099,266 the second year for Statewide Leasing and Disposal Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues from rent payments or fees to be paid by state agencies and institutions for their occupancy of facilities and management of real property transactions, including, but not necessarily limited to, leases of non-state owned office space throughout the Commonwealth for use by such agencies and institutions. Also included are funds to pay costs associated with the disposal of state-owned real property and interests therein. In implementing the program, the Department of General Services may utilize brokerage services, portfolio management strategies, personnel policies, and compensation practices generally consistent with prevailing industry best practices.

B.1. The costs paid for each sale of state-owned property shall be returned to the fund upon sale of the property in an amount calculated at 115 percent of such costs.

2. The rate charged for administration of single-agency leases shall be three percent of lease costs and the rate for administration of master leases shall be five percent of lease costs. Fees approved in accordance with § 4-5.03 of this act may also be charged for one-time transactions.

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70.	Procurement Services (73000)			$67,972,051	$67,972,051
	Statewide Procurement Services (73002)	$31,426,329	$31,426,329		
	Surplus Property Programs (73007)	$2,146,653	$2,146,653		
	Statewide Cooperative Procurement and Distribution Services (73008)	$34,399,069	$34,399,069		
	Fund Sources: General	$150,298	$150,298		
	Special	$4,848,524	$4,848,524		
	Enterprise	$26,427,507	$26,427,507		
	Internal Service	$36,545,722	$36,545,722		

Authority: Title 2.2, Chapter 11, Articles 3 and 6, Code of Virginia.

A. 1. Out of this appropriation, $618,386 the first year and $618,386 the second year for federal surplus property is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues derived from charges for services.

2. Out of this appropriation, $1,528,267 the first year and $1,528,267 the second year for state surplus property is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues derived from charges for services.

B. Out of this appropriation, $34,399,069 the first year and $34,399,069 the second year for Statewide Cooperative Procurement and Distribution Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues derived from charges for services.

C. The Commonwealth's statewide electronic procurement system and program known as eVA will be financed by fees assessed to state agencies and institutions of higher education and vendors.

D. The Department of General Services shall allow nonprofit food banks operating in Virginia and granted tax-exempt status under § 501(c)(3) of the Internal Revenue Code to purchase directly from the Virginia Distribution Center.

E. The Department of General Services, for goods and services requirements identified by the Virginia Department of Social Services and the Virginia Department of Emergency Management, pursuant to Item 333, is directed to develop and maintain a list of emergency contracts for use by state agencies responsible for emergency response and recovery, and to establish contracts for resources, goods and services, as identified by the Virginia Department of Social Services and the Virginia Department of Emergency Management in the event of state shelter activation during a declaration of state emergency.

71.	Physical Plant Management Services (74100)			$61,649,076	~~$55,166,571~~ *$61,253,302*
	Parking Facilities Management (74105)	$5,502,742	$5,502,742		
	Statewide Building Management (74106)	$47,770,536	~~$41,788,031~~ *$47,874,762*		
	Statewide Engineering and Architectural Services (74107)	$7,247,997	$6,747,997		
	Seat of Government Mail Services (74108)	$1,127,801	$1,127,801		
	Fund Sources: General	$3,628,101	$3,128,101		
	Special	$5,502,742	$5,502,742		
	Internal Service	$52,518,233	~~$46,535,728~~ *$52,622,459*		

Authority: Title 2.2, Chapter 11, Articles 4, 6, and 8; § 58.1-3403, Code of Virginia.

A.1. Out of this appropriation, $46,234,318 the first year and ~~$40,251,813~~ *$46,338,544* the second year for Statewide Building Management represent a sum sufficient internal service fund which shall be paid from revenues from rental charges assessed to occupants of seat of government buildings controlled, maintained, and operated by the Department of General Services and fees paid for other building maintenance and operation services provided through service agreements and special work orders. The internal service fund shall support the facilities at the seat of government and maintenance and operation of such other state-

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owned facilities as the Governor or department may direct, as otherwise provided by law.

2. The rent rate for occupants of office space in seat of government facilities operated and maintained by the Department of General Services, excluding the building occupants that currently have maintenance service agreements with the department, shall be $18.70 per square foot the first year and ~~$16.78~~ *$15.50* the second year. *The Department of General Services may charge agencies occupying space managed by the Department, excluding space covered by separate service agreements, an additional component rate to recover the costs of maintenance and repair activities that are not otherwise eligible uses of maintenance reserve funds as defined in Item C-46 of this act.*

3. On or before September 1 of each year, the Department of General Services shall report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Administration, and the Department of Planning and Budget regarding the operations and maintenance costs of all buildings controlled, maintained, and operated by the Department of General Services. The report shall include, but not be limited to, the cost and fund source associated with the following: utilities, maintenance and repairs, security, custodial services, groundskeeping, direct administration and other overhead, and any other operations or maintenance costs for the most recently concluded fiscal year. The amount of unleased space in each building shall also be reported.

4. Further, out of the estimated cost for Statewide Building Management, amounts estimated at $3,061,776 the first year and $3,061,776 the second year shall be paid for Payment in Lieu of Taxes. In addition to the amounts for Statewide Building Management, the following sums, estimated at the amounts shown for this purpose, are included in the appropriations for the agencies identified:

	FY 2025	**FY 2026**
Department of Motor Vehicles	$252,815	$252,815
Department of State Police	$797	$797
Department of Transportation	$229,540	$229,540
Department for the Blind and Vision Impaired	$5,788	$5,788
Science Museum of Virginia	$102,171	$102,171
Virginia Museum of Fine Arts	$158,513	$158,513
Virginia Retirement System	$53,425	$53,425
Veterans Services	$174,799	$174,799
TOTAL	**$977,848**	**$977,848**

B.1. Out of this appropriation, $6,283,915 the first year and $6,283,915 the second year for Statewide Engineering and Architectural Services provided by the Division of Engineering and Buildings represent a sum sufficient internal service fund which shall be paid from revenues from fees paid by state agencies and institutions of higher education for the review of architectural, mechanical, and life safety plans of capital outlay projects.

2. In administering this internal service fund, the Division of Engineering and Buildings (DEB) shall provide capital project cost review services to state agencies and institutions of higher education and produce capital project cost analysis work products for the Department of Planning and Budget. DEB shall collect fees, consistent with those fees authorized above in paragraph B.1, from state agencies and institutions of higher education for completed capital project cost review services or work products.

3. The hourly rate for engineering and architectural services shall be $192.00 the first year and ~~$192.00~~ *$201.00* the second year, excluding contracted services and other special rates as authorized pursuant to § 4-5.03 of this act.

4. Out of the amounts appropriated in this Item, ~~$464,182~~ *$464,082* the first year and ~~$464,182~~ *$464,082* the second year from the general fund is provided for the Division of Engineering and Buildings to support the Commonwealth's capital budget and capital pool process for which fees authorized in this paragraph cannot otherwise be assessed.

C. Interest on the employee vehicle parking fund authorized by § 4-6.04 c of this act shall

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be added to the fund as earned.

D. The Department of General Services shall, in conjunction with affected agencies, develop, implement, and administer a consolidated mail function to process inbound and outbound mail for agencies located in the Richmond metropolitan area. The consolidated mail function shall include the establishment of a centralized mail receiving and outbound processing location or locations, and the enhancement of mail security capabilities within these location(s).

E. All new and renovated state-owned facilities, if the renovations are in excess of 50 percent of the structure's assessed value, that are over 5,000 gross square feet shall be designed and constructed consistent with energy performance standards at least as stringent as the U.S. Green Building Council's LEED rating system or the Green Globes rating system.

F. The total service charge for payment in lieu of taxes to the City of Richmond for the property known as the General Assembly Building and the State Capitol Building shall not exceed $70,000 per fiscal year.

G. The Director of the Department of General Services shall work with the Commissioner of the Department of Transportation and other agencies to maximize the use of light-emitting diodes (LEDs) instead of traditional incandescent light bulbs when any state agency installs new outdoor lighting fixtures or replaces nonfunctioning light bulbs on existing outdoor lighting fixtures as long as the LEDs lights are determined to be cost effective.

H. Notwithstanding the provisions of Acts of Assembly 1889, Chapter 24, which is hereby repealed, the Department of General Services, in accordance with the direction and instruction of the Governor, shall remove and store the Robert E. Lee Monument or any part thereof.

I. Out of the appropriation in this item, $500,000 the first year is provided for the assessment of existing systems associated with the management of Commonwealth capital assets for potential upgrades and increased capabilities.

72.	Transportation Pool Services (82300)			$19,964,863	$19,964,863
	Statewide Vehicle Management Services (82302)	$19,964,863	$19,964,863		
	Fund Sources: Internal Service	$19,964,863	$19,964,863		

Authority: Title 2.2, Chapter 11, Article 7; § 2.2-120, Code of Virginia.

A. The appropriation for Statewide Vehicle Management Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues derived from charges to agencies for fleet management services.

B. Charges for central fleet vehicles leased by state agencies and institutions shall be the vehicle purchase cost and interest charges amortized over a period of 84 months or less, in addition to a standard monthly operating charge of $110.00 the first year and $110.00 the second year per vehicle for the cost of maintenance and support.

C. In addition to providing services to state agencies and institutions, fleet management services may also be provided to local public bodies on a fee for service basis in accordance with established Department of General Services Fleet Management policies and procedures.

D. The Department of General Services shall manage the Commonwealth's consolidation of bulk and commercial fuel contracts awarded in response to Chapter 879, Acts of Assembly of 2008, Item 1-83 C. The intent of this consolidation is to leverage the Commonwealth's state and local public entities, gasoline and diesel fuel purchase volume to achieve the most favored pricing from private sector fuel providers, and reduce procurement administration workload from state agencies, institutions, local government entities, and other authorized users of awarded contracts that would have otherwise procured and contracted separately for these commodities.

73.	Administrative and Support Services (79900)			$7,327,840	$7,327,840
	General Management and Direction (79901)	$4,312,520	$4,312,520		
	Information Technology Services (79902)	$3,015,320	$3,015,320		
	Fund Sources: General	$7,165,761	$7,165,761		

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	Enterprise	$162,079	$162,079		

Authority: Title 2.2, Chapter 11 and Chapter 24, Article 1, Code of Virginia.

1. The Department shall lead, provide administrative support to, and convene an annual public body procurement workgroup to review and study proposed changes to the Code of Virginia in areas of non-technology goods and services, technology goods and services, construction, transportation, and professional services procurements. The workgroup shall consist of the Director of the Department of Small Business and Supplier Diversity, Director of the Department of General Services, the Chief Information Officer of Virginia Information Technology Agency, Commissioner of the Virginia Department of Transportation, Director of the Department of Planning and Budget, the President of the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP), the President of the Virginia Association of Governmental Purchasing or their designees; a representative from the Office of the Attorney General Government Operations and Transactions Division, a staff member of the Virginia House Appropriations Committee, Senate Finance and Appropriations Committee, and Division of Legislative Services.

2. The workgroup is charged with hearing legislation referred by letter from the Chairs of the House Rules, General Laws, and Appropriations Committees, and Chairs of the Senate Rules, General Laws and Technology, and Finance and Appropriations Committees. The workgroup will hear from stakeholders identified by the patron of the referred legislation and other interested individuals to discuss the legislation's impacts to: 1) small businesses to include women and minorities; 2) the Commonwealth's budget; and 3) the Commonwealth's procurement processes. Such meetings will be open to the public. In addition, the Chairs of the House Rules and House Appropriations Committees and Chairs of Senate Rules and Senate Finance and Appropriations Committees may request the workgroup review procurement related proposals in advance of upcoming legislative sessions to better understand potential impacts prior to the start of the annual General Assembly Session.

	Total for Department of General Services			**$280,319,694**	**~~$273,837,189~~ *$280,212,320***
	General Fund Positions	280.00	~~280.00~~ *281.00*		
	Nongeneral Fund Positions	440.00	440.00		
	Position Level	720.00	~~720.00~~ *721.00*		
	Fund Sources: General	$31,307,339	~~$30,807,339~~ *$31,095,739*		
	Special	$10,351,266	$10,351,266		
	Enterprise	$43,359,629	$43,359,629		
	Internal Service	$187,637,406	~~$181,654,901~~ *$187,741,632*		
	Federal Trust	$7,664,054	$7,664,054		

§ 1-32. DEPARTMENT OF HUMAN RESOURCE MANAGEMENT (129)

74.	Personnel Management Services (70400)			$122,374,053	~~$122,423,194~~ *$122,720,610*
	Agency Human Resource Services (70401)	$2,044,271	$2,168,412		
	Human Resource Service Center (70402)	$1,182,896	~~$1,182,896~~ *$1,332,896*		
	Equal Employment Services (70403)	$490,314	$490,314		
	Health Benefits Services (70406)	$19,477,333	~~$19,477,333~~ *$19,551,041*		
	Personnel Development Services (70409)	$837,565	$837,565		
	Personnel Management Information Services (70410)	$1,280,566	$1,280,566		
	Employee Dispute Resolution Services (70416)	$1,214,290	$1,214,290		
	State Employee Program Services (70417)	$1,812,011	$1,812,011		

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State Employee Workers' Compensation Services (70418)	$91,625,492	$91,625,492		
Administrative and Support Services (70419)	$2,409,315	~~$2,334,315~~ *$2,408,023*		
Fund Sources: General	$8,049,112	~~$8,098,253~~ *$8,171,961*		
Special	$1,643,220	~~$1,643,220~~ *$1,793,220*		
Enterprise	$5,221,908	$5,221,908		
Internal Service	$15,293,578	~~$15,293,578~~ *$15,367,286*		
Trust and Agency	$92,166,235	$92,166,235		

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

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

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

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

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

4. The rates for the human resource service center shall be $1,593.00 per full-time equivalent and $637.00 per wage employee the first year and ~~$1,593.00~~*$2,000.00* per full-time equivalent and ~~$637.00~~*$800.00* per wage employee the second year.

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

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

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

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

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

2. Beginning July 1, 2015, the Department of Human Resource Management shall conduct an annual review of each state agency's loss control history, to include the severity of workers'

ITEM 74.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

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

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

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

G. The Department of Human Resource Management shall report to the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, by ~~October 15~~*September 30* of each year, on the renewal cost of the state employee health insurance program premiums that will go into effect on July 1 of the following year. This report shall include the impact of the renewal cost on employee and employer premiums and a valuation of liabilities as required by Other Post Employment Benefits reporting standards.

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

I. The Director of the Department of Human Resource Management shall communicate to all executive branch agencies the requirement that all employees with state email addresses and state phone numbers include contact information in their email signature, which shall include, at a minimum, an office phone number and/or state cell phone number.

J. The Department of Human Resource Management shall gather data from the localities concerning Workers' Compensation Claims files pursuant to § 65.2-107, Code of Virginia. The Department shall report to the General Assembly on the number of claims, average cost of claims and the number of claims which are limited based on the 52 week cap. The Department shall submit a report detaling its findings to the Governor and the General Assembly by November 15, 2024.

K.1. As a part of the Department's biennial report on employee compensation, recruitment and retention pursuant to § 2.2-1202, Code of Virginia, the Director of the Department of Human Resource Management, with support from the Virginia Retirement System (VRS), shall include an evaluation of total compensation, including retirement benefits for law enforcement officers employed by the Commonwealth and covered under the VaLORS retirement system. The analysis shall consider (i) current levels of compensation and benefits, specifically access to hazardous duty plans relative to Virginia State Police and local police officers; (ii) recruitment and retention issues faced by these Departments caused by any differences in compensation and benefits identified in (i); and (iii) recommendations and the associated fiscal impact to change compensation and benefits.

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2. Additionally, the Department and the VRS shall complete an analysis to determine whether the elimination of the traditional Virginia Retirement System defined benefit pension has affected the Commonwealth's ability to retain and recruit government employees and include their findings in the biennial report.				
3. The Department shall separately solicit input from the Department of Education and the VRS on their assessments on whether the elimination of the traditional Virginia Retirement System defined benefit pension has affected the Commonwealth's ability to retain and recruit teachers. The Department shall submit this as a separate report at the same time as the biennial report referenced in paragraph K.1.				
Total for Department of Human Resource Management			**$122,374,053**	**~~$122,423,194~~ *$122,720,610***
General Fund Positions	55.35	~~55.35~~ *55.85*		
Nongeneral Fund Positions	61.65	~~61.65~~ *62.15*		
Position Level	117.00	~~117.00~~ *118.00*		
Fund Sources: General	$8,049,112	~~$8,098,253~~ *$8,171,961*		
Special	$1,643,220	~~$1,643,220~~ *$1,793,220*		
Enterprise	$5,221,908	$5,221,908		
Internal Service	$15,293,578	~~$15,293,578~~ *$15,367,286*		
Trust and Agency	$92,166,235	$92,166,235		
Administration of Health Insurance (149)				
75. Personnel Management Services (70400)			$2,481,071,067	$2,556,071,067
Health Benefits Services (70406)	$1,858,195,823	$1,933,195,823		
Local Health Benefit Services (70407)	$587,455,244	$587,455,244		
Health Insurance Benefit Payment Under the Line of Duty Act (70408)	$35,420,000	$35,420,000		
Fund Sources: Enterprise	$587,455,244	$587,455,244		
Internal Service	$1,858,195,823	$1,933,195,823		
Trust and Agency	$35,420,000	$35,420,000		
Authority: § 2.2-2818, § 2.2-1204, and Title 9.1, Chapter 4, Code of Virginia.				
A. The appropriation for Health Benefits Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid from revenues paid by state agencies to the Department of Human Resource Management.				
B. The amounts for Local Health Benefits Services include estimated revenues received from localities for the local choice health benefits program.				
C.1. In the event that the total of all eligible claims exceeds the balance in the state employee medical reimbursement account, there is hereby appropriated a sum sufficient from the general fund of the state treasury to enable the payment of such eligible claims.				
2. The term "employee medical reimbursement account" means the account administered by the Department of Human Resource Management pursuant to § 125 of the Internal Revenue Code in connection with the health insurance program for state employees (§ 2.2-2818, Code of Virginia).				
D. Any balances remaining in the reserved component of the Employee Health Insurance Fund shall be considered part of the overall Health Insurance Fund. It is the intent of the General Assembly that future premiums for the state employee health insurance program shall be set in a manner so that the balance in the Health Insurance Fund will be sufficient to meet the estimated Incurred But Not Paid liability for the Fund and maintain a contingency reserve				

ITEM 75.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

at a level recommended by the Department of Human Resource Management for a self-insured plan subject to the approval of the General Assembly.

E. The Department of Human Resource Management shall implement a Medication Therapy Management pilot program for state employees with certain disease states including Type II diabetes. The department shall continue to consult with all provider stakeholders in order to establish program parameters.

F. Concurrent with the date the Governor introduces the budget bill, the Directors of the Departments of Planning and Budget and Human Resource Management shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees a report detailing the assumptions included in the Governor's introduced budget for the state employee health insurance plan. The report shall include the proposed premium schedule that would be effective for the upcoming fiscal year and any proposed changes to the benefit structure.

G. In addition to such other payments as may be available, the full cost of group health insurance, net of any deductions and credits, for the surviving spouses and dependents of certain public safety officers killed in the line of duty and for certain public safety officers disabled in the line of duty, and the spouses and dependents of such disabled officers, are payable from this Item pursuant to Title 9.1, Chapter 4, Code of Virginia, effective July 1, 2017.

H. The Department of Human Resource Management shall notify the General Assembly at least 30 days prior to any proposed modifications to the benefit structure or any solicitation for health insurance for state employees, and shall include on the evaluation committee for any solicitation the staff directors, or their designees, of the House Appropriations and Senate Finance and Appropriations Committees, and a designated staff member from the office of the Executive Secretary of the Supreme Court of Virginia.

I.1. The Department of Human Resource Management shall establish a State Health Plan Advisory Council. The Council shall be comprised of seven members that include: the Secretary of Administration, the Secretary of Finance, the Secretary of Health and Human Resources, the Director of the Department of Human Resource Management, the Director of the Department of Planning and Budget, the staff director of the House Appropriations Committee, and the staff director of the Senate Finance and Appropriations Committee. Any member of the Council may send a designee in their place as a member of the Council.

2. The Council shall meet at least once each year to: (i) review the performance of the state health plans for the prior fiscal year including claims payments, cost drivers, and access to providers; (ii) review plan benefits and cost sharing provisions; and (iii) review growth in premiums and the financial status of Health Insurance Fund. The Council shall annually make recommendations to the Governor and the General Assembly regarding any changes to the state health plans.

J. No expenditure of funds out of this item shall be made to make any payments to a vendor pursuant to any contingency fee contract. The Department of Human Resource Management shall not contract with any vendor using a contingency fee payment model.

Total for Administration of Health Insurance			**$2,481,071,067**	**$2,556,071,067**
Fund Sources: Enterprise	$587,455,244	$587,455,244		
Internal Service	$1,858,195,823	$1,933,195,823		
Trust and Agency	$35,420,000	$35,420,000		

Virginia Management Fellows Program Administration (164)

76.	Administrative and Support Services (79900)			$1,588,503	$1,588,503
	General Management and Direction (79901)	$1,588,503	$1,588,503		
	Fund Sources: General	$1,588,503	$1,588,503		

Authority: Discretionary Inclusion

ITEM 76.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
A. Out of the appropriation for this Item is included $1,588,503 the first year and $1,588,503 the second year from the general fund for a joint internship and management training program to assist in improving leadership, management, and succession planning capabilities of all branches of state government. The Department of Human Resource Management shall contract with a Virginia public university for the continuation of the program. The Department of Planning and Budget is authorized to transfer amounts from the appropriation in this item in amounts consistent with any contract or Memorandum of Agreement with a Virginia public university for administration of the program. Any balances remaining from the appropriation identified in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to support the Virginia Management Fellows program in the subsequent fiscal year.				
B. The Department of Planning and Budget is authorized to transfer amounts from the appropriation in this item to applicable state agencies as required to execute the purposes of this item.				
C. The Secretary of Administration shall establish an advisory group to oversee the program composed of one representative from the program's leadership team within the contracted Virginia public university, agency mentors from agencies that actively participate in the programs, and the staff directors, or their designees, of the House Appropriations and Senate Finance and Appropriations Committees.				
Total for Virginia Management Fellows Program Administration			**$1,588,503**	**$1,588,503**
General Fund Positions	18.00	18.00		
Position Level	18.00	18.00		
Fund Sources: General	$1,588,503	$1,588,503		
Grand Total for Department of Human Resource Management			**$2,605,033,623**	**~~$2,680,082,764~~ *$2,680,380,180***
General Fund Positions	73.35	~~73.35~~ *73.85*		
Nongeneral Fund Positions	61.65	~~61.65~~ *62.15*		
Position Level	135.00	~~135.00~~ *136.00*		
Fund Sources: General	$9,637,615	~~$9,686,756~~ *$9,760,464*		
Special	$1,643,220	~~$1,643,220~~ *$1,793,220*		
Enterprise	$592,677,152	$592,677,152		
Internal Service	$1,873,489,401	~~$1,948,489,401~~ *$1,948,563,109*		
Trust and Agency	$127,586,235	$127,586,235		

§ 1-33. DEPARTMENT OF ELECTIONS (132)

77.	Electoral Services (72300)			~~$22,206,957~~ *$22,956,957*	$22,029,363
	Electoral Administration, Uniformity, Legality, and Quality Assurance Services (72302)	$2,044,462	$2,056,868		
	Statewide Voter Registration System and Associated Information Technology Services (72304)	$11,486,491	$11,486,491		
	Campaign Finance Disclosure Administration Services (72309)	~~$313,174~~ *$563,174*	$313,174		
	Voter Services and Communications (72311)	$2,288,631	$2,098,631		
	Administrative Services (72312)	~~$6,074,199~~ *$6,574,199*	$6,074,199		

ITEM 77.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Fund Sources: General	~~$19,154,707~~ *$19,904,707*	$18,977,113		
Special	$52,250	$52,250		
Trust and Agency	$3,000,000	$3,000,000		

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

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

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

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

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

E. 1. It is the intent of the General Assembly that federal awards from the Help America Vote Act of 2002 (HAVA) under P.L. 116-93 be used to replace the Virginia Election and Registration Information System (VERIS). Any remaining balances out of the amounts appropriated in Item 86, paragraph I, of Chapter 552, 2021 Acts of Assembly, Special Session I, may be used to support VERIS replacement and shall serve as the state's required match to receive the federal HAVA award.

2. The Secretary of Finance and Secretary of Administration shall approve the allotment of remaining balances out of the amount appropriated in Item 86, paragraph I.3, of Chapter 552, 2021 Acts of Assembly, Special Session, to be used for VERIS replacement costs after the exhaustion of all available HAVA funding eligible for this purpose and the initial required state match component of $2,035,142.

3. Any balances remaining from the appropriation identified in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to support VERIS replacement in the subsequent fiscal year.

F.1. Notwithstanding the provisions of subsections C and D of § 24.2-671.2., Code of Virginia, a risk-limiting audit of a presidential election or an election for the nomination of candidates for the office of President shall not be conducted.

2. Notwithstanding the provisions of §§ 24.2-653.01, 24.2-671, and 24.2-678 of the Code of Virginia, local electoral boards shall, no more than 10 days following the date of the November 2024 general election, meet to determine the validity of provisional ballots, certify the results of the election, and submit the abstract of votes to the State Board of Elections.

G. Out of this appropriation, $190,000 the first year from the general fund is provided to effectuate the provisions of House Bill 588, Senate Bill 4, and House Joint Resolution 45 of the 2024 General Assembly.

H. Out of this appropriation, $500,000 the first year from the general fund is provided for increases in the cost of information technology services associated with continued migration of information and systems to the Cloud. Any amounts remaining from the general fund appropriation identified in this paragraph that remain unspent at the end of the first year shall be reappropriated in the next fiscal year.

I. Out of this appropriation, $250,000 the first year from the general fund is provided to develop a plan for the replacement of the Committee Electronic Tracking (COMET) and Campaign Finance Management (CFM) systems. The Department of Elections shall

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provide a report on the plan for the replacement of these systems to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2025. Any amounts remaining from the general fund appropriation identified in this paragraph that remain unspent at the end of the first year shall be reappropriated in the next fiscal year.

78.	Financial Assistance for Electoral Services (78000)			$11,349,961	$11,349,961
	Financial Assistance for General Registrar Compensation (78001)	$10,226,485	$10,226,485		
	Financial Assistance for Local Electoral Board Compensation and Expenses (78002)	$1,123,476	$1,123,476		
	Fund Sources: General	$11,349,961	$11,349,961		

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

A.1.a. In determining the salary for each general registrar, the Department of Elections shall use the most recent provisional population estimate from the Weldon Cooper Center for Public Service of the University of Virginia. The Department of Elections shall adjust such population estimate, where applicable, for any annexation or consolidation order by a court when such order becomes effective. There shall be no reduction in salary by reason of a decline in population during the terms in which the incumbent general registrar remains in office.

b. The annual salaries of general registrars, in accordance with the provisions of § 24.2-111, Code of Virginia, shall be as hereinafter prescribed.

Population	July 1, 2024 to June 30, 2025	July 1, 2025 to June 30,2026
0-9,999	$78,322	$80,672
10,000-19,999	$87,029	$89,640
20,000-39,999	$96,698	$99,599
40,000-69,999	$107,439	$110,662
70,000-99,999	$119,379	$122,960
100,000-174,999	$132,638	$136,617
175,000-249,999	$139,624	$143,813
250,000 and above	$158,664	$163,424

c. Any locality required to supplement the salary of a general registrar on June 30, 1981, shall continue that supplement at the identical annual amount as paid in FY 1982. This supplement shall continue as long as the incumbent general registrar on July 1, 1982, continues in office. Further, any locality may supplement the annual salary of the general registrar. There shall be no reimbursement out of the state treasury for such supplements.

2. General registrars in the Counties of Arlington, Fairfax, Loudoun, and Prince William and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park shall receive a cost of competition supplement equal to 15 percent of the salaries authorized in paragraph A.1.a. The cost of this supplement shall be paid out of the general fund of the state treasury.

B.1.a. The Department of Elections shall set the annual compensation for secretaries and members of local electoral boards on July 1 of each year. In determining such compensation, the Department of Elections shall use the most recent provisional population estimate from the Weldon Cooper Center for Public Service of the University of Virginia.

b. The annual compensation of the secretary of each local electoral board shall be as hereinafter prescribed.

Population	July 1, 2024 to June 30, 2025	July 1, 2025 to June 30, 2026
0-10,000	$2,693	$2,774

ITEM 78.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
10,001-25,000		$4,037		$4,158
25,001-50,000		$5,381		$5,542
50,001-100,000		$6,727		$6,929
100,001-150,000		$8,070		$8,312
150,001-200,000		$9,438		$9,721
200,001-350,000		$10,771		$11,094
Above 350,000		$12,111		$12,474

c. The annual compensation of other members of local electoral boards shall be fixed at one-half the annual compensation provided to the secretary of the board.

d. The governing body of any county or city may pay to a full-time secretary of an electoral board such supplemental compensation as it deems appropriate. There shall be no reimbursement out of the state treasury for such supplements.

2. Nothing herein contained shall prevent the governing body of any county or city from paying the secretary of its electoral board such additional allowance for expenses as it deems appropriate but there shall be no reimbursement out of the state treasury for such expenses.

3. Notwithstanding § 24.2-108, Code of Virginia, counties and cities shall not be reimbursed for mileage paid to members of electoral boards.

Total for Department of Elections			~~**$33,556,918**~~ ***$34,306,918***	**$33,379,324**
General Fund Positions	67.00	67.00		
Position Level	67.00	67.00		
Fund Sources: General	~~$30,504,668~~ *$31,254,668*	$30,327,074		
Special	$52,250	$52,250		
Trust and Agency	$3,000,000	$3,000,000		

§ 1-34. VIRGINIA INFORMATION TECHNOLOGIES AGENCY (136)

79.	Information Technology Development and Operations (82000)		$374,177,047	~~$369,903,708~~ *$393,090,543*
	Network Services -- Data, Voice, and Video (82003)	$102,443,212	~~$108,274,344~~ *$94,309,599*	
	Data Center Services (82005)	$27,781,021	~~$26,077,573~~ *$28,553,455*	
	Desktop and End User Services (82006)	$168,207,877	~~$159,806,854~~ *$190,500,646*	
	Multisourcing Service Integrator (MSI) Oversight Services (82009)	$37,763,552	~~$37,763,552~~ *$38,418,734*	
	Computer Operations Security Services (82010)	$37,981,385	~~$37,981,385~~ *$41,308,109*	
	Fund Sources: Internal Service	$374,177,047	~~$369,903,708~~ *$393,090,543*	

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

A. Out of this appropriation, $374,177,047 the first year and $~~369,903,708~~*393,090,543* the second year for Information Technology Development and Operations is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from revenues derived from charges for services.

B. Political subdivisions and local school divisions are hereby authorized to purchase information technology goods and services of every description from the Virginia Information Technologies Agency and its vendors, provided that such purchases are not

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prohibited by the terms and conditions of the contracts for such goods and services.

C. 1. The Secretary of Finance and Secretary of Administration shall approve the draw downs from the agency's line of credit authorized in § 3-2.03 of this act prior to the expenditure of funds for costs associated with replacing or implementing information technology services currently provided by the multi-supplier vendor model.

2. The Director, Department of Planning and Budget, is authorized to administratively adjust the appropriation in this item and Item 81 of this act for approved transition costs associated with replacing or implementing information technology services currently provided by the multi-supplier vendor model.

D. The Virginia Information Technologies Agency shall continue to identify the charge-back structure to allocate costs based on agencies' consumption of data storage. The funds from this charge-back structure shall be used to support the Chief Data Officer's efforts to create a Commonwealth data inventory, and enterprise data dictionary and catalog.

E. The Virginia Information Technologies Agency shall provide a network infrastructure report to the House Appropriations Committee, Senate Finance and Appropriations Committee, and Joint Legislative Audit and Review Commission by November 1 of each year. The report shall indicate whether the Commonwealth's network infrastructure is adequate to meet the needs of state agencies, and if not, identify any needed upgrades. For each network infrastructure upgrade identified, the report shall specify the estimated cost and whether the upgrade is to the portion of the network maintained by the Virginia Information Technologies Agency or another state agency.

F.1. The Secretary of Administration, in cooperation with the Secretary of Health and Human Resources, the Secretary of Public Safety and Homeland Security, the Virginia Information Technologies Agency (VITA), and the Office of Data Governance and Analytics (ODGA), shall conduct a needs assessment of the cost and options to implement a data analytics platform that collects, analyzes, interprets, and shares opioid related data from relevant agencies across the Commonwealth of Virginia. The needs assessment shall include a review of existing state software platforms, data sets, and functional requirements, as well as utility among state agencies and local governments and other interested stakeholders. The following agencies shall support the needs assessment effort: Department of Health, Opioid Abatement Authority (OAA), Department of Criminal Justice Services, Department of Behavioral Health and Developmental Services, Department of Social Services, Department of Corrections, Department of Health Professions, Department of Medical Assistance Services, and any other state agency that may house opioid related data or programs. The VITA and ODGA shall solicit stakeholder involvement in the needs assessment from organizations that represent local governments, addiction service providers and others such as, the Virginia Association of Counties, the Virginia Municipal League, the Virginia Association of Community Services Boards, the Virginia Association of Recovery Residences, and the Substance Abuse and Addiction Recovery Alliance, among others.

2. If the needs assessment concludes that such a platform is necessary and can be implemented in a cost effective manner, the Virginia Information Technologies Agency (VITA), in conjunction with the Office of Data Governance and Analytics (ODGA), is authorized to pursue a grant from the Opioid Abatement Authority to procure the platform. The platform shall provide the comprehensive capture of substance use disorder and opioid public data across the Commonwealth, utilizing common methodologies, metrics, and indicators to implement a statewide substance use disorder abatement enterprise data platform.

80.	Central Support Services for Business Solutions (82400)		~~$9,841,983~~ *$10,341,983*	~~$7,841,983~~ *$24,743,348*
	Information Technology Services for Data Exchange Programs (82401)	$9,632,234	~~$7,632,234~~ *$12,921,702*	
	Information Technology Services for Productivity Improvements (82402)	~~$209,749~~ *$709,749*	~~$209,749~~ *$11,821,646*	

ITEM 80.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Fund Sources: Special	$3,000,000	~~$1,000,000~~ *$0*		
	Internal Service	~~$6,841,983~~ *$7,341,983*	~~$6,841,983~~ *$23,743,348*		
	Dedicated Special Revenue	*$0*	*$1,000,000*		

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

A. The appropriation for Central Support Services for Business Solutions is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from revenues derived from charges for services. Included in these amounts are the projected first and second year costs for workplace productivity and collaboration solutions. These solutions are offered as optional services to executive branch agencies and other customers.

B. Included in the amounts provided in paragraph A. of this item is $75,000 the first year and $75,000 the second year shall be used to implement a training curriculum for state employees on best practices for cyber security.

C.1. The Virginia IT Agency (VITA), in conjunction with the Office of Data Governance and Analytics (ODGA), shall procure a cloud-based data analytics platform that collects, analyzes, interprets, and shares all opioid related data from relevant agencies across the Commonwealth. This platform shall provide the comprehensive capture of substance use disorder and opioid public data across the Commonwealth, utilizing common methodologies, metrics, and indicators to implement a statewide substance use disorder abatement enterprise data platform.

2. Prior to procurement, VITA and ODGA shall conduct a needs assessment that includes a review of existing state software platforms, data sets, and functional requirements. The following agencies shall support the needs assessment effort: Department of Medical Assistance Services, Virginia Department of Health, Opioid Abatement Authority (OAA), Virginia Department of Criminal Justice Services, Virginia Department of Behavioral Health and Developmental Services, Virginia Department of Social Services, and Virginia Department of Corrections, Virginia Health Professions, and any other state agency that may house opioid related data or programs. VITA and ODGA shall solicit stakeholder involvement in the needs assessment from organizations that represent local governments and addiction service providers such as Virginia Associations of Counties, Virginia Municipal League, Virginia Community Services Boards, and Virginia Association of Recovery Residences.

3. Out of this appropriation, $3,000,000 the first year and $1,000,000 the second year from the Commonwealth Opioid Abatement and Remediation (COAR) Fund shall be provided for the procurement of the the cloud-based data analytics platform.

D.1. Notwithstanding the provisions of § 2.2-203.2:4., Code of Virginia, the Office of Data Governance and Analytics (ODGA) is hereby moved to the Virginia Information Technologies Agency.

2. Out of this appropriation $5,289,468 the second year is provided for the operational needs of ODGA.

81.	Administrative and Support Services (89900)			~~$52,843,793~~ *$55,101,374*	~~$52,843,793~~ *$62,288,610*
	General Management and Direction (89901)	~~$28,155,258~~ *$30,047,614*	~~$28,155,258~~ *$35,090,427*		
	Accounting and Budgeting Services (89903)	$11,662,770	$11,662,770		
	Human Resources Services (89914)	$956,817	$956,817		
	Planning and Evaluation Services (89916)	$3,442,826	$3,442,826		
	Procurement and Contracting Services (89918)	$5,422,342	~~$5,422,342~~ *$6,382,342*		
	Web Development and Support Services (89940)	~~$3,203,780~~ *$3,569,005*	~~$3,203,780~~ *$4,753,428*		
	Fund Sources: *General*	*$1,892,356*	*$2,000,000*		

ITEM 81.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Special	~~$12,796,928~~ *$13,162,153*	~~$12,796,928~~ *$15,306,576*		
Internal Service	$40,046,865	~~$40,046,865~~ *$44,982,034*		

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

A.1. Out of this appropriation, $40,046,865 the first year and $~~40,046,865~~*44,982,034* the second year for Administrative and Support Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from charges to other programs within this agency.

2. In accordance with § 2.2-2013 D, Code of Virginia, the surcharge rate used to fund expenses for operations and staff of services administered by the Virginia Information Technologies Agency shall be no more than 12.06 percent the first year and ~~12.43~~*12.30* percent the second year.

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

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

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

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

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

2. Notwithstanding any other provision of law and effective July 1, 2015, the Virginia Information Technologies Agency (VITA) shall maintain and update quarterly a list of major

ITEM 81.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

information technology projects that are active or are expected to become active in the next fiscal year and have been approved and recommended for funding by the Secretary of Administration. Such list shall serve as the official repository for all ongoing information technology projects in the Commonwealth and shall include all information required by § 2.2-1509.3 (B)(1)-(8), Code of Virginia. VITA shall make such list publically available on its website, updated on a quarterly basis, and shall submit electronically such quarterly update to the Chairs of the House Appropriations and Senate Finance and Appropriation Committee and the Director, Department of Planning and Budget, in a format mutually agreeable to them. To ensure such list can be maintained and updated quarterly, state agencies with major information technology projects that are active or are expected to become active in the next fiscal year shall provide in a timely manner all data and other information requested by VITA.

F.1. The Virginia Information Technologies Agency (the agency) shall take the necessary steps to obtain and use the cybersecurity grant funding that is available to Virginia under State and Local Cybersecurity Improvement Act subtitle of the Infrastructure Investment and Jobs Act of 2021, P.L. 117-58. Any remaining balances out of the amounts appropriated in Item 93, paragraph F.1. of Chapter 1 of the Acts of Assembly of 2023 is intended to serve as the full program match for grant availability under this program. Any balances remaining from the general fund appropriation referenced in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to serve as state matching dollars pursuant to securing the federal grant awards.

2. In accordance with the federal grant requirements, the agency shall establish and identify candidates for appointment by the Governor to a planning committee that includes members from (i) state government; counties, cities, and towns; institutions of public education and health within Virginia; and (ii) suburban, rural, and high-population jurisdictions. No less than half of the members shall have substantial professional experience in cybersecurity or information technology. The Chief Information Officer of the Commonwealth, or the Chief Information Security Officer as designee, shall be the Chair of the planning committee. Staffing for the planning committee shall be provided by the agency. In addition, the agency shall: (i) develop a cybersecurity plan, present such plan to the planning committee for approval, and submit such plan to the appropriate federal officials in compliance with the federal program requirements; (ii) propose priorities for grant funding for the planning committee's consideration and approval, in establishing priorities, the committee shall consider the needs of local school divisions; (iii) approve, manage, and allocate grant funding once received, ensuring that the grants fit within the priorities approved by the planning committee; and (iv) report on program's activities to the House Appropriations Committee and the Senate Finance and Appropriations Committee by October 1 of each year of the program. To the extent permitted by federal grant guidelines, the agency may retain a portion of the federal grant funding to reimburse actual costs incurred in providing support and administration of the provisions of this paragraph.

3. Out of this appropriation, $1,892,356 the first year from the general fund is provided for the additional state matching funds required to receive the full grant funding that is available. Any balances remaining from the general fund appropriation referenced in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to serve as state matching dollars pursuant to securing the federal grant awards.

G.1. Out of this appropriation, $2,000,000 the second year from the general fund is provided for the creation and operational costs of the Project Management Center of Excellence. Any balances remaining from the general fund appropriation shall not revert to the general fund at the end of a fiscal year, but shall be brought forward and made available until the funds are spent.

2. Out of the general fund amounts provided in this paragraph, the agency shall first utilize funds as needed to support implementation costs associated with House Bill 2541 of the 2025 General Assembly.

ITEM 82.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
82.	Information Technology Security Oversight (82900)			$11,552,120	~~$11,552,120~~ *$13,893,120*
	Technology Security Oversight Services (82901)	$7,828,676	$7,828,676		
	Information Technology Security Service Center (82902)	$3,008,926	~~$3,008,926~~ *$3,849,926*		
	Cloud Based Services Oversight (82903)	$714,518	~~$714,518~~ *$2,214,518*		
	Fund Sources: General	$318,676	$318,676		
	Special	$295,414	$295,414		
	Internal Service	$10,938,030	~~$10,938,030~~ *$13,279,030*		

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

A. Out of this appropriation, $7,631,481 the first year and $7,631,481 the second year for Technology Security Oversight Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from charges to other programs within this agency.

B.1. The Virginia Information Technologies Agency shall operate an information technology security service center to support the information technology security needs of agencies electing to participate in the information technology security service center. Support for participating agencies shall include, but not be limited to, vulnerability scans, information technology security audits, and Information Security Officer services. Participating agencies shall cooperate with the Virginia Information Technologies Agency by transferring such records and functions as may be required.

2.a. The Virginia Information Technologies Agency shall perform vulnerability scans of all public-facing websites and systems operated by state agencies. All state agencies which operate such websites and systems shall cooperate with the Virginia Information Technologies Agency in order to complete the vulnerability scans. However, the State Corporation Commission shall not be required to disable, in full or in part, any software system, process, or other tool utilized to protect such public-facing websites and systems. All state agencies shall mitigate or resolve website risks and vulnerabilities identified by the Virginia Information Technologies Agency.

b. Out of this appropriation, $318,676 the first year and $318,676 the second year from the general fund shall be used to support vulnerability scanning of public-facing websites and systems of the Commonwealth.

3. Agencies electing to participate in the information technology security service center shall enter into a memorandum of understanding with the Virginia Information Technologies Agency. Such memorandums shall outline the services to be provided by the Virginia Information Technologies Agency and the costs to provide those services. If a participating agency elects to not renew its memorandum of understanding, the agency shall notify the Virginia Information Technologies Agency twelve months prior to the scheduled renewal date of its intent to become a non-participating agency.

4. Non-participating agencies shall be required by July 1 each year to notify the Chief Information Officer of the Commonwealth that the agency has met the requirements of the Commonwealth's information security standards. If the agency has not met the requirements of the Commonwealth's information security standards, the agency shall report to the Chief Information Officer of the Commonwealth the steps and procedures the agency is implementing in order to satisfy the requirements.

5. Out of this appropriation, $2,690,250 the first year and $~~2,690,250~~*3,531,250* the second year for Information Technology Security Service Center is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from internal service fund revenues.

6. Notwithstanding any other provision of state law, and to the extent and in the manner permitted by federal law, the Virginia Information Technologies Agency shall have the legal

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authority to access, use, and view data and other records transferred to or in the custody of the information technology security service center pursuant to this item. The services of the center are intended to enhance data security, and no state law or regulation imposing data security or dissemination restrictions on particular records shall prevent or burden the custodian agency's authority under this item to transfer such records to the center for the purpose of receiving the center's services. All such transfers and any access, use, or viewing of data by center personnel in support of the center's provision of such services to the transferring agency shall be deemed necessary to assist in valid administrative needs of the transferring agency's program that received, used, or created the records transferred, and personnel of the center shall, to the extent necessary, be deemed agents of the transferring agency's administrative unit that is responsible for the program. Without limiting the foregoing, no transfer of records under this item shall trigger any requirement for notice or consent under the Government Data Collection and Dissemination Practices Act (GDCDPA) (§ 2.2-3800 et. Seq.) or other law or regulation of the Commonwealth. The transferring agency shall continue to be deemed the custodian of any record transferred to the center for purposes of the GDCDPA, the Freedom Of Information Act, and other laws or regulations of the Commonwealth pertaining to agencies that administer the transferred records and associated programs. Custody of such records for security purposes shall not make the Virginia Information Technologies Agency a custodian of such records. Any memorandum of understanding under authority of this item shall specify the records to be transferred, security requirements, and permitted use of data provided. VITA and any contractor it uses in the provision of the center's services shall hold such data in confidence and implement and maintain all information security safeguards defined in the memorandum of understanding or required by federal or state laws, regulations, or policies for the protection of sensitive data.

7. The rates required to recover the costs of the information technology security service center shall be provided by the Virginia Information Technologies Agency to the Department of Planning and Budget by September 1 each year for review and approval of the subsequent fiscal year's rate.

C.1. Out of this appropriation, $616,299 the first year and $~~616,299~~*2,116,299* the second year for Cloud Based Services Oversight is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from internal service fund revenues for a program to support the use of cloud service providers by state agencies served by the Virginia Information Technologies Agency.

2. As part of the program, the Virginia Information Technologies Agency shall develop policies, standards, and procedures for the use of cloud services providers by state agencies served by the Virginia Information Technologies Agency. These policies, standards, and procedures shall address the security and privacy of Commonwealth and citizen data; ensure compliance with federal and state laws and regulations; and provide for ongoing oversight and management of cloud services to verify performance through service level agreements or other means. VITA shall also establish a statewide contract of approved vendors authorized to offer cloud based services to state agencies.

3. Requests to use cloud providers shall be submitted by participating agencies to the Virginia Information Technologies Agency, which shall review such requests in accordance with the Commonwealth's policies, standards, and procedures. For approved requests, and consistent with Chapter 20.1 of Title 2.2, the Virginia Information Technologies Agency will procure cloud services on behalf of other agencies or may, upon request, authorize other state agencies to undertake such procurements on their own. The Virginia Information Technologies Agency shall also administer and oversee all contracts for cloud services used by agencies participating in the cloud services center, including verification of security and performance.

4. The Virginia Information Technologies Agency shall work with state agencies to assess opportunities for additional use of cloud services, including infrastructure, platform, and software as a service. This assessment shall include a review of options for use of service brokers and integrators, and options for providing storage and server services through cloud or on-premises means.

5. The rates required to recover the costs associated with providing oversight and management of cloud based services shall be included in the submission required by § 4-

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5.03 of this act.				
D. The Joint Subcommittee on Cyber Risk is hereby established to provide confidential information to the General Assembly regarding current and emerging cybersecurity risks to the Commonwealth and recommended risk reduction initiatives. The Virginia Information Technologies Agency (VITA) and the Virginia Fusion Center, in consultation with the Secretaries of Administration, Finance, and Public Safety and Homeland Security, shall provide a semi-annual confidential briefing to the Joint Subcommittee. Members of the Joint Subcommittee on Cyber Risk shall include members designated by the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the chairs and vice-chairs (or their designees) of the Joint Legislative Audit and Review Commission (JLARC) and the Joint Commission on Technology and Science. In addition, two legislative members of the Information Technology Advisory Council, and other legislative or executive branch staff determined to be necessary participants, including JLARC staff conducting oversight of VITA, may attend and receive the briefing. Such briefing shall be confidential and exempt from the Virginia Freedom of Information Act, and all those with knowledge of the briefing information shall maintain such confidentiality. Additional meetings of the Joint Subcommittee shall be held as directed by the chairs, upon the written request of the Chief Information Officer of the Commonwealth. Any request for additional meetings shall include a confidential summary of the reasons further briefings are needed, and such request shall be exempt from the requirements of the Freedom of Information Act.				
Total for Virginia Information Technologies Agency.			~~$448,414,943~~ *$451,172,524*	~~$442,141,604~~ *$494,015,621*
General Fund Positions	2.00	~~2.00~~ *3.00*		
Nongeneral Fund Positions	335.40	~~335.40~~ *367.40*		
Position Level	337.40	~~337.40~~ *370.40*		
Fund Sources: General	~~$318,676~~ *$2,211,032*	~~$318,676~~ *$2,318,676*		
Special	~~$16,092,342~~ *$16,457,567*	~~$14,092,342~~ *$15,601,990*		
Internal Service	~~$432,003,925~~ *$432,503,925*	~~$427,730,586~~ *$475,094,955*		
Dedicated Special Revenue	*$0*	*$1,000,000*		
TOTAL FOR OFFICE OF ADMINISTRATION			~~$4,313,910,984~~ *$4,317,545,551*	~~$4,366,588,164~~ *$4,432,416,060*
General Fund Positions	457.35	~~457.35~~ *460.85*		
Nongeneral Fund Positions	845.05	~~845.05~~ *870.55*		
Position Level	1,302.40	~~1,302.40~~ *1,331.40*		
Fund Sources: General	~~$996,468,758~~ *$999,238,100*	~~$986,401,782~~ *$1,001,334,690*		
Special	~~$28,139,078~~ *$28,504,303*	~~$26,139,078~~ *$27,798,726*		
Enterprise	$636,036,781	$636,036,781		
Internal Service	~~$2,498,420,200~~ *$2,498,920,200*	~~$2,563,164,356~~ *$2,611,399,696*		
Trust and Agency	$138,589,605	$138,589,605		
Dedicated Special Revenue	$8,592,508	~~$8,592,508~~ *$9,592,508*		
Federal Trust	$7,664,054	$7,664,054		

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OFFICE OF AGRICULTURE AND FORESTRY				
§ 1-35. SECRETARY OF AGRICULTURE AND FORESTRY (193)				
83. Administrative and Support Services (79900)			$599,235	$599,235
General Management and Direction (79901)	$599,235	$599,235		
Fund Sources: General	$599,235	$599,235		
Authority: Title 2.2, Chapter 2, Article 2.1; § 2.2-203.3, Code of Virginia.				
Total for Secretary of Agriculture and Forestry			**$599,235**	**$599,235**
General Fund Positions	3.00	3.00		
Position Level	3.00	3.00		
Fund Sources: General	$599,235	$599,235		
§ 1-36. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (301)				
84. Nutritional Services (45700)			$6,744,821	$6,744,821
Distribution of USDA Donated Food (45708)	$6,744,821	$6,744,821		
Fund Sources: General	$1,976,772	$1,976,772		
Federal Trust	$4,768,049	$4,768,049		
Authority: Title 3.2, Chapters 1 and 47, Code of Virginia.				
Out of the appropriation in this Item, $1,600,000 the first year and $1,600,000 the second year from the general fund shall be deposited to the Virginia Agriculture Food Assistance Fund for the award of grants to assist Virginia farmers and food producers with donating, selling, or otherwise providing agriculture products to Virginia's charitable food assistance organizations in accordance with § 3.2-4781, Code of Virginia.				
85. Animal and Poultry Disease Control (53100)			$9,421,357	~~$9,421,357~~ *$9,871,357*
Animal Disease Prevention and Control (53101)	$3,790,654	$3,790,654		
Diagnostic Services (53102)	$5,130,554	~~$5,130,554~~ *$5,580,554*		
Animal Welfare (53104)	$500,149	$500,149		
Fund Sources: General	$6,510,667	~~$6,510,667~~ *$6,960,667*		
Special	$1,809,426	$1,809,426		
Federal Trust	$1,101,264	$1,101,264		
Authority: Title 3.2, Chapters 60 and 65, Code of Virginia.				
A. Out of the amounts in this Item, $150,000 the first year and $150,000 the second year from the general fund is included for the purchase of laboratory equipment through the Commonwealth's Master Equipment Leasing Program.				
B. Out of the amounts in this item, $450,000 the second year from the general fund is provided to implement a Large Animal Veterinary Grant Program under the provisions of Senate Bill 921 and House Bill 2303 of the 2025 General Assembly.				
86. Agricultural Industry Marketing, Development, Promotion, and Improvement (53200)			~~$26,424,197~~ *$26,774,567*	~~$26,204,897~~ *$27,435,267*
Grading and Certification of Virginia Products (53201)	$9,757,718	$9,757,718		
Milk Marketing Regulation (53204)	$921,955	$921,955		
Marketing Research (53205)	$329,851	$329,851		

ITEM 86.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Market Virginia Agricultural and Forestry Products Nationally and Internationally (53206)	~~$5,273,780~~ *$5,573,780*	$5,273,780		
Agricultural Commodity Boards (53208)	~~$9,200,884~~ *$9,251,254*	~~$8,981,584~~ *$10,211,954*		
Agribusiness Development Services and Farmland Preservation (53209)	$940,009	$940,009		
Fund Sources: General	~~$10,832,184~~ *$11,182,554*	~~$10,612,884~~ *$10,663,254*		
Special	$98,125	$98,125		
Trust and Agency	$9,146,467	$9,146,467		
Dedicated Special Revenue	$5,626,523	~~$5,626,523~~ *$6,806,523*		
Federal Trust	$720,898	$720,898		

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

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

1. To the Tobacco Board, $143,000 the first year and $143,000 the second year.

2. To the Corn Board, $390,000 the first year and ~~$390,000~~ *$500,000* the second year.

3. To the Egg Board, $210,000 the first year and $210,000 the second year.

4. To the Soybean Board, $1,164,000 the first year and ~~$1,164,000~~ *$1,500,000* the second year.

5. To the Peanut Board, $320,000 the first year and $320,000 the second year.

6. To the Cattle Industry Board, $800,000 the first year and $800,000 the second year.

7. To the Virginia Small Grains Board, $400,000 the first year and $400,000 the second year.

8. To the Virginia Horse Industry Board, $320,000 the first year and ~~$320,000~~ *$1,500,000* the second year.

9. To the Virginia Sheep Industry Board, $35,000 the first year and $35,000 the second year.

10. To the Virginia Potato Board, $25,000 the first year and $25,000 the second year.

11. To the Virginia Cotton Board, $180,000 the first year and $180,000 the second year.

12. To the State Apple Board, $150,000 the first year and $150,000 the second year.

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

C. Each commodity board specified in this Item shall provide an annual notification to its excise tax paying producers which summarizes the purpose of the board and the excise tax, current tax rate, amount of excise taxes collected in the previous tax year, the previous fiscal year expenditures and the board's past year activities. The manner of notification shall be determined by each board.

D. Out of the amounts in this Item shall be paid from certain special fund license taxes, license fees, and permit fees levied or imposed under Title 28.2, Chapters 2, 3, 4, 5, 6 and 7, Code of Virginia, to the Virginia Marine Products Board, $402,543 and two positions the first year and $402,543 and two positions the second year.

E. Out of the amounts in this Item, ~~$2,369,734~~ *$2,330,810* the first year and ~~$2,369,734~~ *$2,330,810* the second year from the general fund shall be deposited to the Virginia Wine Promotion Fund as established in § 3.2-3005, Code of Virginia.

F. Out of the amounts in this Item, ~~$1,151,899~~ *$1,241,193* the first year and ~~$1,151,899~~ *$1,241,193* the second year from the general fund shall be deposited to the Virginia Spirits

ITEM 86.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Promotion Fund established pursuant to § 3.2-3012, Code of Virginia.				
	G. Out of the amounts in this Item, $30,000 the first year and $30,000 the second year from the general fund is provided to support a pilot partnership between the Department and Virginia State University's Small Farm Management Agents to increase diversity of program participants, with an emphasis on small, socially disadvantaged, BIPOC, new and beginning, veteran and women farmers and landowners.				
	H. Out of the amounts in this Item, the Commissioner is authorized to expend from the general fund amounts not to exceed $25,000 the first year and $25,000 the second year for entertainment expenses commonly borne by businesses. Further, such expenses shall be recorded separately by the agency.				
	I. Out of the amounts in this Item, the Commissioner is authorized to expend $1,120,226 the first year and $1,120,226 the second year from the general fund for the promotion of Virginia's agricultural products overseas. Such efforts shall be conducted in concert with the international offices opened by the Virginia Economic Development Partnership.				
	J. Out of the amounts in this Item, $25,000 the first year and $25,000 the second year from the general fund shall be provided to support 4-H and Future Farmers of America youth participation educational costs at the State Fair of Virginia. These funds shall not be used for administrative costs by the State Fair.				
	K. The Department shall transfer the June 30, 2024, fund balances in the Virginia Farmland Preservation Fund (02013) and the Agricultural Vitality Program Fund (09092) to the Department of Forestry (411) following final close of Fiscal Year 2024 in accordance with House Bill 892 of the 2024 General Assembly Session.				
	L. Out of the amounts in this item, $300,000 the first year from the general fund shall be provided to the Shenandoah County Agricultural Foundation to support the promotion, education, maintenance, and safety of horse racing through equine facility infrastructure improvements.				
87.	Economic Development Services (53400)			~~$3,452,698~~ *$3,702,698*	$2,452,698
	Financial Assistance for Economic Development (53410)	~~$3,452,698~~ *$3,702,698*	$2,452,698		
	Fund Sources: General	~~$3,452,698~~ *$3,702,698*	$2,452,698		
	Authority: Title 3.2, Chapter 3.1, Code of Virginia.				
	A. Out of the amounts in this Item, ~~$2,250,000~~*$2,500,000* the first year and ~~$1,250,000~~ *$1,500,000* the second year from the general fund shall be deposited to the Governor's Agriculture and Forestry Industries Development Fund for the payment of grants or loans in accordance § 3.2-303 et seq., Code of Virginia. *Out of these amounts, $250,000 the first year and $250,000 the second year shall be used to support the Blue Catfish Processing, Flash Freezing, and Infrastructure Grant Program established pursuant to § 3.2-312, Code of Virginia.* Notwithstanding any other provision of law, at the discretion of the Governor, the cap on the amount of funding that may be awarded to an individual project as provided in § 3.2-305, Code of Virginia, may be waived for qualifying projects of regional or statewide interest.				
	B. Out of the amounts in this Item, $600,000 the first year and $600,000 the second year from the general fund shall be deposited to the Dairy Producer Margin Coverage Premium Assistance Fund established pursuant to § 3.2-3305.1, Code of Virginia.				
	C. Out of the amounts in this Item, $250,000 the first year ~~and $250,000 the second year~~ from the general fund is provided for the Blue Catfish Processing, Flash Freezing, and Infrastructure Grant Program established pursuant to § 3.2-312, Code of Virginia.				
88.	Plant Pest and Disease Control (53500)			$5,883,196	$5,883,196
	Plant Pest and Disease Prevention and Control Services (53504)	$5,883,196	$5,883,196		

ITEM 88.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Fund Sources: General	$3,772,389	$3,772,389		
	Special	$661,660	$661,660		
	Federal Trust	$1,449,147	$1,449,147		

Authority: Title 3.2, Chapters 7, 8, 9, 10, 28, 38, 41.1 and 44; Title 15.2, Chapter 18, Code of Virginia.

A.1. The Commissioner may enter into agreements with local and state agencies, or other persons, for the control of black vultures, coyotes, and other wildlife that pose danger to agricultural animals. The Commissioner shall enter into an agreement with the federal government to establish and maintain the Virginia Cooperative Wildlife Damage Management Program.

2. Out of the appropriation in this item, $292,525 the first year and $292,525 the second year from the general fund is provided to enhance the cooperative agreement between the U.S. Department of Agriculture and the department regarding the Wildlife Damage Cooperative Program to maintain the technical assistance provided to help landowners with wildlife depredation from coyotes, black vultures and other wildlife.

B. Out of the amounts in this Item, $200,000 the first year and $200,000 the second year from the general fund shall be deposited to the Beehive Grant Fund established pursuant to § 3.2-4415, Code of Virginia. Notwithstanding the provisions of § 3.2-4416, Code of Virginia, the department shall not accept applications for grants from the Beehive Grant Program if funds are not appropriated for such purposes nor shall the department be required to continue to accept applications for the program if funds appropriated have been fully allocated to grantees for a given fiscal year.

C. Notwithstanding the provisions of §§ 3.2-4114.2 and 3.2-4115, Code of Virginia, the Commissioner shall charge an annual nonrefundable fee of $150 on each application for registration, or renewal of registration, as an industrial hemp grower, an annual nonrefundable fee of $200 on each application for registration as an industrial hemp processor, and an annual nonrefundable fee of $250 for registration as an industrial hemp dealer pursuant to Chapter 41 of Title 3.2, Code of Virginia.

D. Out of the amounts appropriated in this item, $485,000 the first year and $485,000 the second year from the general fund and one position is provided to the department to support one additional staff position and related expenses for invasive species management and to take steps to eradicate or slow the spread of priority species.

89.	Agriculture and Food Homeland Security (54100)			$186,026	$186,026
	Agricultural and Food Emergencies Prevention and Response (54101)	$186,026	$186,026		
	Fund Sources: General	$182,705	$182,705		
	Special	$3,321	$3,321		

Authority: Title 3.2, Chapters 7, 51, 59, 60, and 65, Code of Virginia.

90.	Consumer Affairs Services (55000)			$1,860,287	$1,860,287
	Consumer Affairs - Regulation and Consumer Education (55001)	$1,860,287	$1,860,287		
	Fund Sources: General	$33,726	$33,726		
	Special	$1,826,561	$1,826,561		

Authority: Title 3.2, Chapter 1; Title 57, Chapter 5; Title 59.1, Chapters 24, 25, 33.1, 34, 34.1 and 36, Code of Virginia.

91.	Regulation of Business Practices (55200)			~~$3,976,398~~ *$4,758,109*	$3,976,398
	Regulation of Grain Commodity Sales (55207)	$124,974	$124,974		
	Regulation of Weights and Measures and Motor Fuels (55212)	~~$3,851,424~~ *$4,633,135*	$3,851,424		

ITEM 91.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Fund Sources: General	~~$3,743,293~~ *$4,525,004*	$3,743,293		
	Special	$233,105	$233,105		

Authority: Title 3.2, Chapters 43, 47, 55.1, 56, 57, and 58; and Title 59.1, Chapter 12, Code of Virginia.

A. In lieu of periodic inspections by the Commissioner, Department of Agriculture and Consumer Services, any person whose weights and measures devices, as defined in § 3.2-5600, et seq., Code of Virginia, which are used for a commercial purpose may select to provide for the inspection and testing of all such weights and measures to determine the accuracy and correct operation of the equipment or device. The owner shall have all such weights and measures devices tested at least annually by a service agency that is registered pursuant to § 3.2-5703, Code of Virginia. Weights and measures that have been rejected by a service agency shall not be used again commercially until they have been officially reexamined by the rejecting authority or an inspector employed by the Commissioner, and found to be in compliance with Title 3.2, Chapter 56, Code of Virginia. The owner of such weights and measures devices, or third-party agencies on behalf of the owner, shall report to the Commissioner on an annual basis in a manner prescribed by the Commissioner the results of all testing, including (i) the number of inspections completed, (ii) the number of failures in the weights and measures equipment or devices, and (iii) the actions taken to correct any inaccuracies in the equipment or devices.

92.	Food Safety and Security (55400)			$16,724,887	$16,724,887
	Regulation of Food Establishments and Processors (55401)	$9,366,281	$9,366,281		
	Regulation of Meat Products (55402)	$5,826,821	$5,826,821		
	Regulation of Milk and Dairy Industry (55403)	$1,531,785	$1,531,785		
	Fund Sources: General	$10,863,882	$10,863,882		
	Special	$803,823	$803,823		
	Federal Trust	$5,057,182	$5,057,182		

Authority: Title 3.2, Chapters 51, 51.1, 52, 53, 54, 55, and 60, Code of Virginia.

A. Each establishment under the authority of the Regulation of Meat Products that is requesting overtime or holiday inspection shall pay that part of the actual cost of the inspection services.

B. The Commissioner, Department of Agriculture and Consumer Services, is authorized to collect an annual inspection fee, not to exceed $40, from all establishments that are subject to inspection pursuant to Title 3.2, Chapter 51, Code of Virginia. However, any such establishment that is subject to any permit fee, application fee, inspection fee, risk assessment fee, or similar fee imposed by any locality shall be subject to this annual inspection fee only to the extent that the annual inspection fee and the locally imposed fee, when combined, do not exceed $40. This fee structure shall be subject to the approval of the Secretary of Agriculture and Forestry. Any food bank, second harvest certified food bank, food bank member charity, or other food related activity which is exempt from taxation under 26 U.S.C. § 501 (c) (3), which maintains a food handling or storage facility, or any food-related program operated by any Community Services Board, as defined in Title 37.2, Chapter 5, Code of Virginia, shall be exempt from this inspection fee. Also, a producer of fruits and herbs that are dried, without the addition of any other ingredients, and sold only at a local farmers' market shall be exempt from the fee.

C. Out of the amounts in this item, $700,000 the first year and $700,000 the second year from the general fund and seven positions are provided for investigation and enforcement activities related to hemp product violations at food product establishments regulated by the department.

D. Out of the amounts in this item, $416,130 the first year and $416,130 the second year from the general fund, $416,130 the first year and $416,130 the second year in federal funds, and eight positions are provided for meat and poultry inspection activities.

E. Out of the amounts in this item, $2,172,909 the first year and $2,172,909 the second year from the general fund and 15 positions are provided for the registration and

ITEM 92.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	inspection of facilities selling certain hemp products, pursuant to Chapter 744, 2023 Acts of Assembly.				
93.	Regulation of Products (55700)			$6,945,385	~~$6,945,385~~ *$7,445,385*
	Pesticide Regulation and Applicator Certification (55704)	$4,324,021	~~$4,324,021~~ *$4,824,021*		
	Regulation of Feed, Seed, and Fertilizer Products (55706)	$2,621,364	$2,621,364		
	Fund Sources: General	$863,014	$863,014		
	Dedicated Special Revenue	$5,382,208	~~$5,382,208~~ *$5,882,208*		
	Federal Trust	$700,163	$700,163		
	Authority: Title 3.2, Chapters 1, 36, 37, 39, 40, 43, 47, 48, and 49; Title 18.2, Chapter 6; and Title 59.1, Chapter 12, Code of Virginia.				
	The Office of Pesticide Services shall publish a report on the activities, educational programs, research, and grants administered through the Pesticide Control Act Fund to the Board of Agriculture and Consumer Services by October 15 of each year.				
94.	Regulation of Charitable Gaming Organizations (55900)			$2,282,350	$2,282,350
	Charitable Gaming Regulation and Enforcement (55907)	$2,282,350	$2,282,350		
	Fund Sources: General	$2,170,863	$2,170,863		
	Dedicated Special Revenue	$111,487	$111,487		
	Authority: Title 2.2, Chapter 24; Title 18.2, Chapter 8; and Title 59.1, Chapter 51, Code of Virginia.				
	A. Notwithstanding § 18.2-340.31, Code of Virginia, any and all fees paid by any organization conducting charitable gaming under a permit issued by the department, including audit and administrative fees and permit fees, shall be deposited to the general fund.				
	B. The department shall deposit into the Investigation Fund any assets it receives as a result of a law enforcement seizure and subsequent forfeiture by either a state or federal court. The fund shall be used to defray the expenses of investigation and enforcement actions and to purchase equipment for enforcement purposes.				
	C. Included in these amounts is $100,000 the first year and $100,000 the second year in nongeneral funds from annual registration fees paid by operators of fantasy contests to support both direct and indirect expenses of the department in the regulation of fantasy contests in Virginia.				
95.	Administrative and Support Services (59900)			~~$13,970,126~~ *$14,120,126*	~~$13,970,126~~ *$16,759,556*
	General Management and Direction (59901)	~~$13,970,126~~ *$14,120,126*	~~$13,970,126~~ *$16,759,556*		
	Fund Sources: General	~~$11,232,089~~ *$11,382,089*	~~$11,232,089~~ *$14,021,519*		
	Special	$2,409,853	$2,409,853		
	Trust and Agency	$188,557	$188,557		
	Federal Trust	$139,627	$139,627		
	Authority: Title 3.2, Chapters 1, 4, 5, 6 and 29; Title 10.1, Chapter 5, Code of Virginia.				
	Out of the amounts in this Item, $150,000 the first year and $2,789,430 the second year from the general fund is provided for the phased modernization of the agency's general fund supported regulatory programs.				

ITEM 95.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Total for Department of Agriculture and Consumer Services			~~$97,871,728~~ *$99,403,809*	~~$96,652,428~~ *$101,622,228*
	General Fund Positions	374.99	374.99		
	Nongeneral Fund Positions	235.01	235.01		
	Position Level	610.00	610.00		
	Fund Sources: General	~~$55,634,282~~ *$57,166,363*	~~$54,414,982~~ *$57,704,782*		
	Special	$7,845,874	$7,845,874		
	Trust and Agency	$9,335,024	$9,335,024		
	Dedicated Special Revenue	$11,120,218	~~$11,120,218~~ *$12,800,218*		
	Federal Trust	$13,936,330	$13,936,330		
	§ 1-37. DEPARTMENT OF FORESTRY (411)				
96.	Forest Management (50100)			~~$48,898,648~~ *$49,168,648*	~~$46,198,648~~ *$46,430,648*
	Reforestation Incentives to Private Forest Land Owners (50102)	$4,345,039	$4,345,039		
	Forest Conservation, Wildfire & Watershed Services (50103)	~~$34,644,395~~ *$34,914,395*	~~$34,444,395~~ *$34,676,395*		
	Tree Restoration and Improvement, Nurseries & State-Owned Forest Lands (50104)	$6,509,214	$6,509,214		
	Financial Assistance for Forest Land Management (50105)	$3,400,000	$900,000		
	Fund Sources: General	~~$30,104,282~~ *$30,374,282*	~~$27,404,282~~ *$27,636,282*		
	Special	$14,219,213	$14,219,213		
	Dedicated Special Revenue	$285,000	$285,000		
	Federal Trust	$4,290,153	$4,290,153		

Authority: Title 10.1, Chapter 11, and Title 58.1, Chapter 32, Article 4, Code of Virginia.

A. The State Forester is hereby authorized to utilize any unobligated balances in the fire suppression fund authorized by § 10.1-1124, Code of Virginia, for the purpose of acquiring replacement equipment for forestry management and protection operations.

B. In the event that budgeted amounts for forest fire suppression are insufficient to meet forest fire suppression demands, such amounts as may be necessary for this purpose may be transferred from Item 471 of this act to the Department of Forestry, with the approval of the Director, Department of Planning and Budget.

C. The department shall provide technical assistance and project supervision in the aerial spraying of herbicides on timberland on landowner property. In addition to recovering the direct cost associated with the spraying contract, the department may charge an administrative fee for this service.

D. The Department of Forestry, in cooperation with the Department of Corrections, shall continue the use of inmate labor for routine and special work projects in state forests.

E. The appropriation in Reforestation Incentives to Private Forest Land Owners includes $1,945,239 the first year and $1,945,239 the second year from the general fund for the Reforestation of Timberlands Program. This appropriation shall be deemed sufficient to meet the provisions of Titles 10.1 and 58.1, Code of Virginia.

F. Out of this appropriation, $2,126,126 the first year and $2,126,126 the second year from the general fund is included for the purchase of forest fire protection equipment through the state's master equipment lease purchase program.

G. The department is authorized to enter into agreements with private entities for the active operational life of the tower located at 900 Natural Resources Drive in Albemarle

ITEM 96.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

County, Virginia. Notwithstanding any other provision of law, any revenues received from such agreements shall be retained by the department and used for forest land management.

H.1. The State Comptroller shall continue the Virginia State Forest Mitigation and Acquisition Fund and the Long Term Mitigation Fund as established in Item 102, Chapter 806, 2013 Acts of Assembly. All moneys in these funds shall be used as provided for in this Item and in Item 102, Chapter 806, 2013 Acts of Assembly, and Item 98, Chapter 665, 2015 Acts of Assembly.

2.a. With the exception of the amounts prescribed in paragraph H.2.b. of this item, the Virginia State Forest Mitigation and Acquisition Fund shall be used solely for forest land or conservation easement acquisition.

b. The Long Term Mitigation Fund shall be used solely for long term management of the Cumberland State Forest Stream Buffer Preservation Stewardship Plan.

3. For any such future mitigation projects, no state forest land shall be used to provide compensatory mitigation for wetland or stream impacts of any public or private project until such time as due consideration has been given to the availability of mitigation credits available from private sources. State forest land means all sites, roadways, game food patches, ponds, lakes, streams, rivers, beaches, and lakes to which the Department of Forestry holds title for use, development, and administration.

I. The department is authorized to sell properties and timber located at the following: 16520 Five Forks Road, Amelia, Virginia, 23002; 26401 Blue Star Highway, Emporia, Virginia, 23847; 11260 Jessie Dupont Memorial Highway, Kilmarnock, Virginia, 22482; 152 Maury River Road, Lexington, Virginia, 24450; and 2080 Sowers Road NE, Floyd, Virginia, 24091. Notwithstanding any other provision of law, the net proceeds of these transactions shall be deposited into the general fund.

J. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund is provided for the Virginia Natural Resources Leadership Institute.

K. Out of this appropriation, $175,000 the first year and $175,000 the second year from the general fund is provided to increase bandwidth capacity at the agency's offices.

L. Out of the amounts in this item, $487,842 the first year and $487,482 the second year from the general fund is provided for a Hardwood Forest Habitat initiative.

M. Out of the amounts in this item, $940,000 the first year and $940,000 the second year from the general fund and two positions are provided to support the implementation of strategies and to determine metrics to mitigate the impact of invasive species in support of the objectives outlined in the Virginia Invasive Species Management Plan (2018). The Department shall take steps to eradicate or slow the spread of priority species on private and public lands; support the creation of additional Partnerships for Regional Invasive Species Management (PRISMs); and provide statewide coordination of invasive species management working with VDACS, DCR, and DWR, in collaboration with relevant stakeholders.

N. Out of the amounts in this item, $437,500 the first year and $437,500 the second year from the general fund shall be deposited to the Virginia Farmland and Forestland Preservation Fund established in § 10.1-119.3, Code of Virginia.

O. Out of the amounts of this item, $2,500,000 the first year from the general fund shall be deposited to the Forest Sustainability Fund established pursuant to § 58.1-3242.1, Code of Virginia.

Total for Department of Forestry			~~$48,898,648~~ *$49,168,648*	~~$46,198,648~~ *$46,430,648*
General Fund Positions	170.59	170.59		
Nongeneral Fund Positions	113.41	113.41		
Position Level	284.00	284.00		
Fund Sources: General	~~$30,104,282~~ *$30,374,282*	~~$27,404,282~~ *$27,636,282*		
Special	$14,219,213	$14,219,213		

ITEM 96.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Dedicated Special Revenue	$285,000	$285,000		
	Federal Trust	$4,290,153	$4,290,153		
	§ 1-38. AGRICULTURAL COUNCIL (307)				
97.	Agricultural and Seafood Product Promotion and Development Services (53000)			$490,422	$490,422
	Grants for Agriculture, Research, Education and Services (53001)	$490,422	$490,422		
	Fund Sources: Dedicated Special Revenue	$490,422	$490,422		
	Authority: Title 3.2, Chapter 29, Code of Virginia.				
	Total for Agricultural Council			**$490,422**	**$490,422**
	Fund Sources: Dedicated Special Revenue	$490,422	$490,422		
	§ 1-39. VIRGINIA RACING COMMISSION (405)				
98.	Economic Development Services (53400)			$3,700,000	$3,700,000
	Financial Assistance to the Horse Breeding Industry (53411)	$3,700,000	$3,700,000		
	Fund Sources: General	$300,000	$0		
	Special	$3,400,000	$3,700,000		
	Authority: Title 59.1, Chapter 29, Code of Virginia.				
	Out of this appropriation, $300,000 the first year from the general fund is provided to the County of Rockbridge to support the Virginia Horse Center.				
99.	Regulation of Horse Racing and Pari-Mutuel Betting (55800)			$4,661,561	$4,661,561
	License and Regulate Horse Racing and Pari-mutuel Wagering (55801)	$4,661,561	$4,661,561		
	Fund Sources: Special	$4,661,561	$4,661,561		
	Authority: Title 59.1, Chapter 29, Code of Virginia.				
	A. Out of this appropriation, the members of the Virginia Racing Commission shall receive compensation and reimbursement for their reasonable expenses in the performance of their duties, as provided in § 2.2-2104, Code of Virginia.				
	B. Notwithstanding the provisions of § 59.1-392, Code of Virginia, up to $255,000 the first year and $255,000 the second year shall be transferred to Virginia Polytechnic Institute and State University to support the Virginia-Maryland Regional College of Veterinary Medicine.				
	C. Any revenues received during the biennium and which are due to the commission pursuant to § 59.1-364 et seq., Code of Virginia, shall be used first to fund the operating expenses of the commission as appropriated in this Item. A year-end fund balance of $900,000 shall be maintained for payment of authorized commission obligations for operating expenses as appropriated under the provisions of this act and amounts payable to specific entities pursuant to § 59.1-392 and appropriated in paragraphs B and D of this Item prior to the reversion of nongeneral fund balances. Any fund balances in this Item at the end of each fiscal year in excess of $900,000 shall revert to the general fund.				
	D. Out of these amounts, the obligations set out in § 59.1-392 D. 5., D.6., G.5., G.6., K.3., K.4., K.5., N.3., N.4., and N.5., Code of Virginia, shall be fully funded.				
	E. In the event revenues exceed the appropriated amounts in this Item, the Virginia Racing Commission is authorized to seek an administrative appropriation, up to $700,000, from the Director, Department of Planning and Budget, to develop programs or award grants for the promotion, marketing, sustenance, and growth of the Virginia horse industry,				

ITEM 99.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
including horse breeding.				
F.1. The Virginia Racing Commission shall report monthly to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the gross gaming revenues generated from traditional horse racing wagering and from historical horse racing (HHR) wagering from any significant infrastructure limited licensee facility and each satellite facility licensee authorized for operation in the Commonwealth. This monthly reporting shall include the actual dollar amount of the (i) total prize payout, (ii) total contributions to purses for thoroughbred and harness racing, (iii) amount of state and local taxes collected and remitted by jurisdiction, (iv) amount retained by the Virginia Racing Commission, and (v) amount retained by any licensee or operator.				
2. Included within the monthly report required in F.1., from the amounts included in clause (v) of F.1., the Commission shall specifically identify the actual dollar amounts allocated pursuant to a Revenue Sharing Agreement dated April 13, 2018, or any amendments thereto, or for an Amended Memorandum of Understanding dated December 4, 2017, or any amendments thereto, for (i) contributions to the Virginia Equine Alliance and other parties collectively referred to in the Revenue Sharing Agreement as the Horsemen, (ii) all HHR gross commission, (iii) any amounts or rebates from Advanced Deposit Wagering to service providers, (iv) deposits to the Virginia Breeders Fund, (v) deposits to the Virginia-Certified Residency Program, and (vi) any allocation of funds for problem gaming.				
3. In addition to the reporting requirements in F.1. and F.2., the Commission shall report quarterly to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the actual number of days of live racing conducted across the Commonwealth for the preceding quarter, including all reporting requirements identified in F.1 and F.2 resulting from each day of live racing pursuant to 11 VAC 10-47-190.				
G. Notwithstanding any other provision of law, the percentage of the pool to be retained by the licensee for distribution as provided in subsection U of § 59.1-392 and subsection 9 of 11 VAC l0-47-180 shall be distributed as follows: (1) the amount to be distributed to any locality shall remain as provided in subdivision 2 of subsection U of § 59.1-392 and subdivision (b) of subsection 9 of 11 VAC l0-47-180; (2) the Virginia Breeders Fund, the Virginia-Maryland Regional College of Veterinary Medicine for equine programs, the Virginia Horse Center Foundation, and the Virginia Horse Industry Board shall each receive twenty-five one-thousandths percent; and (3) the Commonwealth shall receive the remainder as a license tax.				
Total for Virginia Racing Commission			**$8,361,561**	**$8,361,561**
Nongeneral Fund Positions	10.00	10.00		
Position Level	10.00	10.00		
Fund Sources: General	$300,000	$0		
Special	$8,061,561	$8,361,561		
TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY			~~**$156,221,594**~~ ***$158,023,675***	~~**$152,302,294**~~ ***$157,504,094***
General Fund Positions	548.58	548.58		
Nongeneral Fund Positions	358.42	358.42		
Position Level	907.00	907.00		
Fund Sources: General	~~$86,637,799~~ *$88,439,880*	~~$82,418,499~~ *$85,940,299*		
Special	$30,126,648	$30,426,648		
Trust and Agency	$9,335,024	$9,335,024		
Dedicated Special Revenue	$11,895,640	~~$11,895,640~~ *$13,575,640*		
Federal Trust	$18,226,483	$18,226,483		

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	OFFICE OF COMMERCE AND TRADE				
	§ 1-40. SECRETARY OF COMMERCE AND TRADE (192)				
100.	Administrative and Support Services (79900)			$1,235,106	$1,235,106
	General Management and Direction (79901)	$1,235,106	$1,235,106		
	Fund Sources: General	$1,235,106	$1,235,106		
	Authority: Title 2.2, Chapter 2, Article 3; § 2.2-201, Code of Virginia.				
	It is the intent of the General Assembly that state programs providing financial, technical, or training assistance to local governments for economic development projects or directly to businesses seeking to relocate or expand operations in Virginia should not be used to help a company relocate or expand its operations in one or more Virginia communities when the same company is simultaneously closing facilities in other Virginia communities. It is the responsibility of the Secretary of Commerce and Trade to enforce this policy and to inform the Chairs of the Senate Finance and Appropriations and House Appropriations Committees in writing of the justification to override this policy for any exception.				
	Total for Secretary of Commerce and Trade			**$1,235,106**	**$1,235,106**
	General Fund Positions	9.00	9.00		
	Position Level	9.00	9.00		
	Fund Sources: General	$1,235,106	$1,235,106		
	Economic Development Incentive Payments (312)				
101.	Economic Development Services (53400)			~~$93,986,649~~ *$150,472,331*	~~$86,185,426~~ *$61,731,826*
	Financial Assistance for Economic Development (53410)	~~$93,986,649~~ *$150,472,331*	~~$86,185,426~~ *$61,731,826*		
	Fund Sources: General	~~$93,836,649~~ *$150,322,331*	~~$86,035,426~~ *$61,581,826*		
	Dedicated Special Revenue	$150,000	$150,000		
	Authority: Discretionary Inclusion.				
	A.1. Out of the appropriation for this Item, $19,750,000 the first year and $19,750,000 the second year from the general fund shall be deposited to the Commonwealth's Development Opportunity Fund, as established in § 2.2-115, Code of Virginia. Such funds shall be used at the discretion of the Governor, subject to prior consultation with the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, to attract economic development prospects to locate or expand in Virginia. If the Governor, pursuant to the provisions of § 2.2-115, E.1., Code of Virginia, determines that a project is of regional or statewide interest and elects to waive the requirement for a local matching contribution, such action shall be included in the report on expenditures from the Commonwealth's Development Opportunity Fund required by § 2.2-115, F., Code of Virginia. Such report shall include an explanation on the jobs anticipated to be created, the capital investment made for the project, and why the waiver was provided.				
	2. The Governor may allocate these funds as grants or loans to political subdivisions. Loans shall be approved by the Governor and made in accordance with procedures established by the Virginia Economic Development Partnership and approved by the State Comptroller. Loans shall be interest-free unless otherwise determined by the Governor and shall be repaid to the general fund of the state treasury. The Governor may establish the interest rate to be charged, otherwise, any interest charged shall be at market rates as determined by the State Treasurer and shall be indicative of the duration of the loan. The Virginia Economic Development Partnership shall be responsible for monitoring repayment of such loans and reporting the receivables to the State Comptroller as				

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required.

3. Funds may be used for public and private utility extension or capacity development on and off site; road, rail, or other transportation access costs beyond the funding capability of existing programs; site acquisition; grading, drainage, paving, and other activity required to prepare a site for construction; construction or build-out of publicly-owned buildings; grants or loans to an industrial development authority, housing and redevelopment authority, or other political subdivision pursuant to their duties or powers; training; or anything else permitted by law.

4. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

5. It is the intent of the General Assembly that the Virginia Economic Development Partnership shall work with localities awarded grants from the Commonwealth's Development Opportunity Fund to recover such moneys when the economic development projects fail to meet minimal agreed-upon capital investment and job creation targets. All such recoveries shall be deposited and credited to the Commonwealth's Development Opportunity Fund.

B.1. Out of the appropriation for this Item, ~~$3,076,350~~ *$2,686,350* the first year and ~~$3,612,850~~ *$3,209,250* the second year from the general fund shall be deposited to the Investment Performance Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment performance grants in accordance with § 2.2-5101, Code of Virginia. *Notwithstanding any other provision of law, any excess funds remaining in the subfund from prior fiscal years for projects previously approved shall be appropriated for expenditure in subsequent fiscal years.*

2. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

C. Out of the appropriation for this Item, ~~$5,000,000~~ *$6,000,000* the first year and $4,000,000 the second year from the general fund and an amount estimated at $150,000 the first year and $150,000 the second year from nongeneral funds shall be deposited to the Governor's Motion Picture Opportunity Fund, as established in § 2.2-2320, Code of Virginia. These nongeneral fund revenues shall be deposited to the fund from revenues generated by the digital media fee established pursuant to § 58.1-1731, et seq., Code of Virginia. Such funds shall be used at the discretion of the Governor to attract film industry production activity to the Commonwealth.

D.1. Out of the appropriation for this Item, ~~$2,239,000~~ *$2,269,000* the first year and ~~$2,539,000~~ *$2,239,000* the second year from the general fund shall be deposited to the Virginia Economic Development Incentive Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment performance grants in accordance with § 2.2-5102.1, Code of Virginia. Notwithstanding any other provision of law, any excess funds remaining in the subfund from prior fiscal years for projects previously approved shall be appropriated for expenditure in subsequent fiscal years.

2. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

E. Out of the appropriation for this Item, $4,669,833 the first year and $4,669,833 the second year from the general fund shall be available for eligible businesses under the Virginia Jobs Investment Program. Pursuant to § 2.2-1611, Code of Virginia, the appropriation provided for the Virginia Jobs Investment Program for eligible businesses shall be deposited to the Virginia Jobs Investment Program Fund.

F. Out of the appropriation for this Item, $500,000 the first year and $500,000 the second year from the general fund may be provided to the Virginia Economic Development Partnership to facilitate additional domestic and international marketing and trade missions approved by the Governor. The Director, Department of Planning and Budget, is authorized to provide these funds to the Virginia Economic Development Partnership upon written approval of the Governor.

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G. Out of the appropriation in this Item, $8,000,000 the first year from the general fund shall be deposited to the Advanced Shipbuilding Production Facility Grant Fund for grants to be paid in accordance with § 59.1-284.29, Code of Virginia.

H. Out of the appropriation in this Item, $313,750 the first year from the general fund shall be deposited to the Pharmaceutical Manufacturing Grant Fund for grants to be paid in accordance with § 59.1-284.36, Code of Virginia.

I.1. Out of the amounts in this Item, $825,000 the first year and $825,000 the second year from the general fund shall be deposited to the Governor's New Airline Service Incentive Fund to assist in the provision of marketing, advertising, or promotional activities by airlines in connection with the launch of new air passenger service at Virginia airports, and to incentivize airlines that have committed to commencing new air passenger service in Virginia, pursuant to the provisions of § 2.2-2320.1, Code of Virginia.

2. Notwithstanding the provisions of § 2.2-2320.1, Code of Virginia, 25 percent of the annual appropriation to the Governor's New Airline Service Incentive Fund shall be set aside for projects in Virginia commercial airports with less than 400,000 enplanements per calendar year for the purposes of economic development in these areas. Enplanement data shall come from the Federal Aviation Administration.

J. Out of the appropriation in this Item, $5,625,000 the first year from the general fund shall be deposited to the Technology Development Grant Fund for grants to be paid in accordance with § 59.1-284.38, Code of Virginia.

K. Out of the appropriation in this Item, $954,500 the first year and $954,500 the second year from the general fund shall be deposited to the Shipping and Logistics Headquarters Grant Fund for grants to be paid in accordance with § 59.1-284.39, Code of Virginia.

L. Out of the appropriation in this Item, ~~$21,250,000~~*$28,700,000* the first year ~~and $21,250,000 the second year~~ from the general fund shall be deposited to the Major Headquarters Workforce Grant Fund for grants to be paid in accordance with § 59.1-284.31, Code of Virginia.

M.1. Out of the appropriation in this Item, ~~$20,000,000~~ *$40,000,000* the first year, and $20,000,000 the second year from the general fund shall be provided for the Virginia Business Ready Sites Program Fund, and shall be used in accordance with the provisions of § 2.2-2240.2:1., Code of Virginia. As a condition of the grants awarded from these funds, the Virginia Economic Development Partnership Authority shall require grant recipients to provide matching funds.

2. It is the intent of the General Assembly that the Virginia Economic Development Partnership Authority consider investing these funds in economic development sites over 1,000 acres ("mega-sites"), and smaller sites of at least 50 acres. *The authority may determine a site of at least 25 contiguous acres to be an eligible site provided that the site is located in a locality with an area of 35 square miles of land or less.*

3. Notwithstanding the provisions of § 2.2-2240.2:1., Code of Virginia, the Virginia Economic Development Partnership Authority may reimburse localities, without a local match requirement, for fees associated with rezoning land for the purpose of building a portfolio of strategic economic development sites in Virginia from the funds provided in this paragraph.

4. For purposes of the definition of "eligible site" under the Virginia Business Ready Sites Program Fund set forth in § 2.2-2240.2:1, Code of Virginia, an otherwise eligible site shall not be considered noncontiguous solely because it is bisected by a roadway and other utility related infrastructure.

N. The State Comptroller shall continue the Property Analytics Firm Infrastructure Fund as established in Item 112, Paragraph S. of House Bill 29, 2022 General Assembly, Special Session I. All moneys in this Fund shall be used as provided for in Item 112, Paragraph S. of House Bill 29, 2022 General Assembly, Special Session I.

O. Out of the appropriation in this Item, $4,000,000 the second year from the general fund shall be deposited to the Cloud Computing Cluster Infrastructure Grant Fund for grants to

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be paid in accordance with § 59.1-284.42, Code of Virginia. The funds provided in this paragraph are directed to a company made eligible for grants from the Cloud Computing Infrastructure Grant Fund in Item 113, Paragraph S., Chapter 1, 2023 Acts of Assembly, Special Session I. The eligibility criteria, methodology for calculating the grant payments owed to the company, and total aggregate cap of grant payments that may be awarded to the eligible company as directed in Item 113, Paragraph S., Chapter 1, 2023 Acts of Assembly, Special Session I, shall continue.

P.1. Out of this appropriation, $2,500,000 the ~~second~~ *first* year from the general fund is provided for the development of an inland port in the Mount Rogers Planning District. The Virginia Port Authority shall acquire, plan, design, and develop a site for the establishment of an inland port in the Mount Rogers Planning District. The Virginia Port Authority and the Virginia Economic Development Partnership Authority shall develop a business recruitment strategy for the inland port and the surrounding area to provide for rapid development and utilization of the facility.

2. The Director of the Department of Planning and Budget is authorized to transfer moneys from this paragraph on a quarterly basis to the Virginia Port Authority. The Virginia Port Authority shall verify to the Secretary of Finance and the Director of the Department of Planning and Budget estimated quarterly expenses prior to the release of these funds. Any funding remaining at the end of either fiscal year shall be carried forward into the next fiscal year for the purposes described in this paragraph.

3. The Virginia Port Authority may collaborate with the Virginia Department of Rail and Public Transportation, Virginia Department of Transportation, the Virginia Economic Development Partnership Authority, and any federal, state, or local agency as may be necessary to support the development and utilization of an inland port. The Virginia Port Authority shall engage in negotiations with necessary parties, including railroads and beneficial cargo owners, for development of the inland port.

4. The Virginia Port Authority shall report quarterly to the Governor, the Secretary of Transportation, the Secretary of Commerce and Trade, and the Virginia Economic Development Partnership Authority, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the timeline, progress to date, and overall cost for the construction of the inland port.

Q. Out of the appropriation in this Item, $1,633,216 the first year and $1,404,243 the second year from the general fund shall be deposited to ~~a special, nonreverting fund~~ *the Financial Services Expansion Grant Fund* for ~~the~~ grants to be paid ~~to a qualified financial services company~~ in accordance with *§ 59.1-284.43, Code of Virginia.* ~~legislation to be considered by the 2024 General Assembly and subject to performance metrics agreed to in a memorandum of understanding with the Commonwealth.~~

R.1. The Secretary of Finance shall approve a short-term, interest-free, state-supported treasury loan in an amount up to $40,000,000 to the City of Newport News to support a capital investment from the United States Navy related to housing infrastructure.

2. The Secretary of Finance shall approve and release the loan under the following conditions: (i) the United States Navy has committed sufficient resources to fund the project; (ii) the City has provided matching funds for the project; and (iii) seventy-five percent of non-state funds secured for the project have been expended.

S.1. Out of the appropriation in this Item, $3,895,682 the first year from the general fund shall be provided to the County of Wythe for expenses incurred prior to June 30, 2024, related to the installation of a water tank for Progress Park, wastewater treatment plant improvements, and wastewater line extensions in the County. The improvements are meant to enhance the infrastructure for businesses in Progress Park and properties in the surrounding area.

2. Disbursement of these funds shall be at the discretion of the Virginia Economic Development Partnership Authority, based upon an executed Memorandum of Understanding with the County of Wythe.

T. Any unexpended balances carried forward from fiscal year 2024, pursuant to paragraph V., Item 113, Chapter 1, 2024 Special Session I, shall be made available to the Department of

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General Services to demolish derelict structures, perform remediation, and market for sale the Central Virginia Training Center property in Madison Heights, Virginia. Proceeds from the sale of the property shall be deposited in the Behavioral Health and Developmental Services Trust Fund. Any funding remaining at the end of fiscal year 2025 shall be carried forward to the next fiscal year and reappropriated for the purposes described in this paragraph.

U. Out of this appropriation, $7,500,000 the first year from the general fund is provided to the University of Virginia Medical Center for the improvement of a facility to create advanced laboratory space to support the scale up of fast-growing life sciences companies. Prior to the release of any funding in this paragraph, the University of Virginia Medical Center shall enter into a Memorandum of Understanding (MOU) with the Virginia Economic Development Partnership Authority, demonstrate a match of non-state funds equal to the amount provided in this paragraph, and the Department of Housing and Community Development shall verify to the Virginia Economic Development Partnership Authority that the Virginia Growth and Opportunity Fund grantee subject to GO Virginia Statewide Competitive Grant Contract Number 25-GOVA-10 has successfully completed the milestones required of the contract through the fourth quarter of 2025. The MOU shall include: (i) the names of the prospective occupants of the renovated lab space; and (ii) provisions related to annual reporting by the University of Virginia Medical Center on activities occurring in the renovated lab for a duration of no longer than five years including a sustainability plan for the long-term operations of the laboratory space. Any funding remaining at the end of the fiscal year 2025 shall be carried forward into the next fiscal year and reappropriated for the purposes described in this paragraph U.

V. Out of the amounts in this item, $1,000,000 the first year from the general fund shall be provided to Chesterfield County to support site design and engineering activities for a major energy related economic development project. Such funding shall be contingent upon the execution of a Memorandum of Understanding between the Virginia Economic Development Partnership Authority and Chesterfield County that requires an equal local match and structures this funding on a reimbursement basis. The amounts provided in this paragraph V. shall not revert to the general fund at the end of any fiscal year, but shall be carried forward and reappropriated.

W. Out of this appropriation, $3,000,000 the first year from the general fund is provided to the Virginia Economic Development Partnership Authority to support a non-profit operating a pharmaceutical manufacturing facility in developing a fast-acting insulin. Prior to any funds being disbursed, the authority shall enter into a Memorandum of Understanding (MOU) with a non-profit organization and the company shall demonstrate a match of non-state funds equal to the amount provided in this paragraph. The MOU shall include: (i) a commitment by the company to produce a fast-acting biosimilar insulin at a price of not more than $30 per vial and not more than $55 for five pre-filled insulin pens; (ii) provisions related to the repayment of the funds provided in this paragraph should the company fail to produce and distribute a low-cost insulin; and (iii) annual reporting by the company to the authority on the development of the fast-acting biosimilar insulin. At the conclusion of the project, the company shall be required to report to the authority on the: (i) jobs created as a result of the investment; (ii) estimated savings to residents of the Commonwealth from purchase of low-cost insulin; and, (iii) estimated potential savings to the Commonwealth as a self-insured employer from the availability of affordable insulin manufactured at a non-profit facility in Virginia. Any funding remaining at the end of the fiscal year 2025 shall be carried forward into the next fiscal year and reappropriated for the purposes described in this paragraph W.

X. Out of this appropriation, $4,000,000 the first year from the general fund is provided to the City of Roanoke for the improvement of an existing facility to create advanced laboratory space for new cell/gene therapy companies across southwestern Virginia. Prior to the release of any funding in this paragraph, the City of Roanoke shall enter into a Memorandum of Understanding (MOU) with the Virginia Economic Development Partnership Authority, demonstrate a match of non-state funds equal to the amount provided in this paragraph from either cash or in-kind contributions, and confirm the commitment of an anchor tenant that specializes in new cell/gene therapy research and is affiliated with a nationally recognized hospital to locate in the space. The MOU shall

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include: (i) the name and activities of the anchor tenant that specializes in new cell/gene therapy research and is affiliated with a nationally recognized hospital; and (ii) provisions related to annual reporting by the City on activities occurring in the renovated lab for a duration of no longer than five years. Any funding remaining at the end of the fiscal year 2025 shall be carried forward into the next fiscal year and reappropriated for the purposes described in this paragraph X.				
Y. Out of this appropriation, $6,500,000 the first year from the general fund shall be transferred to the Secretary of Commerce and Trade for disbursement to Accomack County to establish a natural gas infrastructure expansion into Accomack County. The funding may be applied to engineering, land, right-of-way, permitting, and other related costs to facilitate natural gas delivery to Accomack County. The amounts provided in this paragraph Y. shall not revert to the general fund at the end of any fiscal year, but shall be carried forward and reappropriated.				
Total for Economic Development Incentive Payments			~~$93,986,649~~ *$150,472,331*	~~$86,185,426~~ *$61,731,826*
Fund Sources: General	~~$93,836,649~~ *$150,322,331*	~~$86,035,426~~ *$61,581,826*		
Dedicated Special Revenue	$150,000	$150,000		
Grand Total for Secretary of Commerce and Trade			~~$95,221,755~~ *$151,707,437*	~~$87,420,532~~ *$62,966,932*
General Fund Positions	9.00	9.00		
Position Level	9.00	9.00		
Fund Sources: General	~~$95,071,755~~ *$151,557,437*	~~$87,270,532~~ *$62,816,932*		
Dedicated Special Revenue	$150,000	$150,000		

§ 1-41. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (165)

102.	Housing Assistance Services (45800)			~~$310,850,885~~ *$412,350,885*	$310,725,885
	Housing Assistance (45801)	~~$242,142,776~~ *$341,642,776*	$242,017,776		
	Homeless Assistance (45804)	~~$17,836,107~~ *$19,836,107*	$17,836,107		
	Financial Assistance for Housing Services (45805)	$50,872,002	$50,872,002		
	Fund Sources: General	~~$108,192,368~~ *$209,692,368*	$108,067,368		
	Special	$95,412,243	$95,412,243		
	Dedicated Special Revenue	$100,000	$100,000		
	Federal Trust	$107,146,274	$107,146,274		

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

A. Out of the amounts in this Item, $3,482,705 from the general fund, $100,000 from dedicated special revenue, and $3,427,000 from federal trust funds the first year and $3,482,705 from the general fund, $100,000 from dedicated special revenue, and $3,427,000 from federal trust funds the second year shall be provided to support services for persons at risk of or experiencing homelessness and housing for populations with special needs, and $4,050,000 the first year and $4,050,000 the second year from the general fund shall be provided for homeless prevention. Of the general fund amount provided, the department is authorized to use up to two percent in each year for program administration. The amounts allocated for services for persons at risk of or experiencing homelessness may be matched through local or private sources. Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2025, and June 30, 2026, shall not revert to the general fund but shall be carried forward and reappropriated.

B. The department shall report to the Chairs of the Senate Finance and Appropriations, the

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

C. Out of the amounts in this Item, $1,775,000 the first year and ~~$1,775,000~~ *$1,100,000* the second year from the general fund shall be provided for rapid re-housing efforts. In keeping with the specific goals of the Balance of State Continuum of Care, $200,000 of this amount in each year shall be focused on ensuring that no veteran is homeless or in a shelter for more than 30 days. These funds shall be used to supplement other state and federal programs, shall be directed to areas throughout the state where federal funds are not available, and shall be used to serve those veterans ineligible for federal benefits. The department shall provide these funds as grants in a formula determined by the department with input from stakeholders. Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2025, and June 30, 2026, shall not revert to the general fund but shall be carried forward and reappropriated.

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

E.1. Out of the amounts in this Item, $87,500,000 the first year and $87,500,000 the second year from the general fund shall be deposited to the Virginia Housing Trust Fund, established pursuant to § 36-142 et seq., Code of Virginia. Notwithstanding § 36-142, Code of Virginia, when awarding grants through eligible organizations for targeted efforts to reduce homelessness, priority consideration shall be given to efforts to reduce the number of homeless youth and families and to expand permanent supportive housing.

2. As part of the plan required by § 36-142 E., Code of Virginia, the department shall also report on the impact of the loans and grants awarded through the fund, including but not limited to: (i) the number of affordable rental housing units repaired or newly constructed, (ii) the number of individuals receiving down payments and/or closing assistance, (iii) the progress and accomplishments in reducing homelessness achieved by the additional support provided through the fund, and (iv) the progress in expanding permanent supportive housing options.

3. In any year where claims for the Virginia Housing Opportunity Tax credit exceed revenue loss assumptions in "The Economic Outlook and Revenue Forecast" report (GACRE Report) prepared by the Secretary of Finance and submitted to the General Assembly annually in December (net lost revenues), the Governor is authorized to direct the State Comptroller to transfer an amount equal to these net lost revenues from the Virginia Housing Trust Fund to the general fund.

F. Out of the amounts in this Item, $15,800,000 the first year and $15,800,000 the second year from federal trust funds shall be provided to support Virginia affordable housing programs and the Indoor Plumbing Program.

G. Out of the amounts in this Item, $50,000 the first year and $50,000 the second year from the general fund and one position shall be provided to support the administrative costs associated with administering the tax credits authorized pursuant to § 58.1-439.12:04, Code of Virginia.

H. The department shall develop and implement strategies, that may include potential Medicaid financing, for housing individuals with serious mental illness. The department shall include other agencies in the development of such strategies including the Virginia Housing Development Authority, Department of Behavioral Health and Developmental Services, Department of Aging and Rehabilitative Services, Department of Medical Assistance Services, and Department of Social Services. The department shall also include

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stakeholders whose constituents have an interest in expanding supportive housing for people with serious mental illness, including the National Alliance on Mental Illness Virginia, the Virginia Housing Alliance and the Virginia Sheriff's Association. An annual report on such strategies and the progress on implementation shall be provided to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by the first day of each General Assembly Regular Session.

I. Out of the amounts appropriated in this Item, $3,450,000 the first year and $3,450,000 the second year from the general fund shall be used to establish a competitive Eviction Prevention and Diversion Pilot Program that will support local or regional eviction prevention and diversion programs that utilize a systems approach with linkages to local departments of social services and legal aid resources. This program shall prioritize grant applications that provide a local match at an amount deemed appropriate by the Department.

J. The authorization provided under Item 113, Paragraph L., Chapter 1, 2022 General Assembly, Special Session I, that directs the department to use up to $11,400,000 of unobligated balances in the Low-Income Energy Efficiency Program Fund (02017) for flood relief is hereby continued. Using these funds, the department shall continue to administer a program established for the purposes of providing relief to residents of Virginia that lost or sustained property damage as a result of a flood disaster, mudslide, or landslide occurring on or after August 1, 2021, but before September 31, 2021, and subject to a Major Disaster Declaration (FEMA-4628-DR) issued by President Biden on October 26, 2021.

K. The authorization provided under Item 113, Paragraph O., Chapter 1, 2023 General Assembly, Special Session I, that directs the department to use up to $18,000,000 of unobligated balances in the Low-Income Energy Efficiency Program Fund (02017) for flood relief is hereby continued. Using these funds, the department shall continue to administer a program established for the purposes of providing relief to residents of Virginia that lost or sustained property damage as a result of a flood disaster, mudslide, or landslide occurring on or after July 1, 2022, but before August 31, 2022, and subject to a Major Disaster Declaration (FEMA-4674-DR) issued by President Biden on September 30, 2022

L. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund is provided for the department to support the comprehensive statewide housing assessment, pursuant to § 36-139, Code of Virginia**.**

M.1. Notwithstanding the provisions of § 10.1-1330, Code of Virginia, the department shall utilize $5,000,000 of unobligated balances in the Low-Income Energy Efficiency Program Fund (02017) for the purpose of establishing a pilot program to assist residents of a manufacturing home park or organizations exempt from taxation under 501(c)3 of the Internal Revenue Code with acquiring manufactured home parks located in Virginia.

2. The department shall award the funds provided in this paragraph as revolving loans to either: (i) associations consisting of residents of one or more manufactured home parks in Virginia, or (ii) organizations exempt from taxation under 501(c)3 of the Internal Revenue Code that provide, construct, or renovate affordable housing in Virginia.

3. The department shall develop criteria and guidelines for this pilot program on or before December 1, 2024. At a minimum, the guidelines shall prohibit any loans that result in the involuntary displacement of any person residing in the park at the time of its acquisition. The interest rate of loans issued under this pilot program shall not exceed the lowest annual interest rate offered on a loan from the Virginia Housing Trust Fund.

4. Up to twenty-five percent of funds provided in this paragraph may be distributed to organizations exempt from taxation under 501(c)3 of the Internal Revenue Code that provide, construct, or renovate affordable housing in Virginia that have been assigned a right of first refusal to purchase a manufactured home park by a locality, pursuant to the provisions of House Bill 1397 of the 2024 General Assembly. Upon receipt of notice from a nonprofit that they have: (i) been assigned right of first refusal by a locality to purchase manufactured home parks, or (ii) received notice from the locality that such owner has entered into a contract to sell the park contingent upon providing the right of first refusal, the department shall expedite the application for a loan, and notify the applicant of its decision within 30 days of receiving the application.

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5. The department shall report to the General Assembly on or before December 1, 2025, the results of the pilot program. At a minimum, the report shall contain information on the number of applications, the number and dollar amount of loans made, number of parks acquired, and the estimated costs of continuing the program.

6. The department may recover administrative costs from the amounts provided in this paragraph.

7. The department shall implement this program no later than May 4, 2025. Such implementation shall include making funds available to successful applicants.

N.1. Notwithstanding the provisions of § 10.1-1330, Code of Virginia, the department shall utilize $5,000,000 of unobligated balances in the Low-Income Energy Efficiency Program Fund (02017) for the purpose of creating a down payment assistance pilot program. The grants awarded under this pilot program shall be issued as a forgivable, second trust mortgage. New homes purchases with a grant from this program must meet Earth Craft or Energy Star energy efficiency standards or their equivalent.

2. The department, in administrating the funds provided in this paragraph, may elect to contract with an organization exempt from taxation under 501(c)3 of the Internal Revenue Code with expertise in providing, constructing, or renovating affordable housing.

3. The department shall develop criteria and guidelines for the pilot program on or before December 1, 2024. At a minimum, the guidelines shall include eligibility criteria that targets grants to recipients earning less than 60 percent of the Area Median Income. The guidelines shall also stipulate a process for forgiving the grants awarded by the department that includes: (i) regular payments by the recipients on the first mortgage and (ii) residing in the home for at least fifteen years from date of closing. The guidelines shall detail a process for recovering any awards made under the pilot program.

4. The department shall develop performance metrics and monitoring mechanism to evaluate the long term effectiveness of the program and its outcomes.

5. The department shall report on or before December 1, 2025, to the General Assembly the results of this pilot program. The report, at a minimum, shall contain information on the number of applicants, number and dollar amount of grants made, number of homes purchased, and an estimated cost of continuing the program.

6. The department may recover administrative costs from the amounts provided in this paragraph.

7. The department shall implement this program no later than May 4, 2025. Such implementation shall include making funds available to successful applicants.

O. Out of this appropriation, $150,000 the first year and $150,000 the second year from the general fund is provided to the department's housing division.

P. Out this appropriation, $125,000 the first year from the general fund is provided to the City of Richmond for Housing Opportunities Made Equal to provide statewide education and outreach about the protected classes covered under Virginia's Fair Housing law.

Q.1. Out of this appropriation, $50,000,000 the first year from the general fund is provided for disaster mitigation and relief for qualified communities. Of the amounts in this paragraph, $25,000,000 is provided for the department to establish and administer a program for the purposes of providing relief to residents of Virginia that lost or sustained residential or commercial property damage as a result of (i) a disaster occurring on or after September 25, 2024, but before October 3, 2024, and subject to a Major Disaster Declaration (FEMA-4831-DR) issued by President Biden on October 1, 2024 and (ii) storms occurring during the State of Emergency declared by Governor Youngkin on February 10, 2025, including, without limitation the heavy rains occurring on or around February 15 and 16, 2025.

a. The department shall establish procedures for filing and resolving claims, which shall include measures to prevent fraud, and which may include any criteria the department determines reasonable to carry out the provisions of this paragraph. The amount of relief

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provided to an eligible applicant shall be up to 100 percent of the property value for the realty that represents a total loss and up to 50 percent of the property value for the realty that sustained major damage, as defined by Q.1.f. and Q.1.g. below, not to exceed $500,000. If an eligible applicant owns multiple, noncontiguous properties in an area affected by the disaster in paragraph Q.1. of this item, the eligible applicant may file separate claims for each parcel, and the maximums described in this paragraph shall apply to each separate claim. The department shall reduce payments by any federal or state relief or insurance payments received by the eligible applicant for property repairs or damage related to the disaster described in paragraph Q.1. of this item.

b. Payments under paragraph Q.1. of this item shall be subject to the availability of funds. If claims exceed available funds, the department shall make payments in the order that claims were received.

c. The department shall not provide relief under this section for a residential or commercial realty that was abandoned or uninhabited at the time of the disaster described in paragraph Q.1 of this item.

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

e. Relief awarded pursuant to this paragraph is excluded from gross income and is not subject to taxation.

f. "Total loss" means real property that has been destroyed, such that there is a total loss of the structure, the structure is not economically feasible to repair, or there is a complete failure to major structural components, such as the collapse of the basement, wall, or roof.

g. "Major damage" means real property that has substantial failure to its structural elements, such as walls, floor, or foundation, or that has sustained damage that will take more than 30 days to repair.

h. "Eligible applicant" means any individual property owner that lost or sustained residential or commercial real property damage as a result of a disaster occurring on or after September 25, 2024, but before October 3, 2024, and subject to a Major Disaster Declaration (FEMA-4831-DR) issued by President Biden on October 1, 2024 and storms occurring during the State of Emergency declared by Governor Youngkin on February 10, 2025, including, without limitation the heavy rains occurring on or around February 15 and 16, 2025.

i. The department may provide relief under this section for commercial real property loss and also loss of fencing and crop loss as a result of the disaster described by paragraph Q.1. of this item. The program provisions of this paragraph Q.1. shall apply to any commercial assistance provided by the department; however, the maximum assistance awarded for commercial property loss shall not exceed 100 percent of the property value lost or damaged by the disaster described in by paragraph Q.1. of this item.

2. Of the amounts in this paragraph, $25,000,000 is provided for the department to supply major weather event disaster mitigation funding to affected communities to counter the cycle of disaster damage, reconstruction, and repeated damage. Grants under this paragraph shall be made to local governments, nonprofit entities, or individuals to supplement disaster recovery funding by improving the characteristics of the physical structures of houses and multi-family dwellings including the building materials, energy efficiency profile, and hazard mitigation features which influence the accessibility of the home, cost of cooling and heating, and the likelihood that the structure withstands hazards.

a. The department, in administering the funds provided in this paragraph, may elect to contract with organizations exempt from taxation under 501(c)3 of the Internal Revenue Code with expertise in planning for, providing, constructing, or renovating, weather resilient housing.

b. The department shall develop criteria and guidelines for the program on or before

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December 1, 2025, which shall include eligible recipients and identify permitted sources of matching funds as necessary, which may include federal, state and other funding programs and sources as sources for match for funding from the program. Eligible activities shall be construction and improvement projects designed to mitigate the impacts of future disasters. Funding under paragraph Q.2. of this item shall be available for projects within communities eligible under paragraph Q.1.and those communities whose residents sustained property damage as a result of a flood disaster, mudslide, storm damage, wind damage, or landslide that was subject to a Major Disaster Declaration occurring on or after August 1, 2021. Grants to individuals shall not exceed $500,000. Funding may be used to satisfy match requirements for federal, state and other funding programs and sources, including U.S. Federal Emergency Management Agency public assistance and hazard mitigation grant funding, U.S. Department of Housing and Urban Development community development block grants, and funding from U.S. Environmental Protection Agency, the U.S. Economic Development Administration, and the U.S. Department of Agriculture.

c. Out of the amounts in this paragraph, the department shall direct $350,000 to pilot a statewide emergency management mobile application communications platform in Health Service Area 3. The platform shall provide care coordination across local, regional, and state entities for mass casualty, evacuation, and other events involving patient transport. The pilot program will evaluate the effectiveness of an emergency management mobile application communications platform in Southwest Virginia by measuring its impact on key performance indicators, including: number of participating organizations/personnel, platform usage, time to treatment, and user satisfaction. An interim report detailing the pilot program launch will be submitted to the Chairs of the Senate Finance and Appropriations Committee and the House Appropriations Committee by December 1, 2025. A final report including quantitative data and qualitative feedback gathered from participating organizations and personnel will be submitted to the Chairs by October 1, 2026.

3. The Director of the Department of Housing and Community Development is authorized to reduce funds provided for major weather event disaster mitigation in paragraph Q.2. if eligible claims for relief as provided in paragraph Q.1. exceed $25,000,000, to the extent that unobligated funds from paragraph Q.2. are available.

4. The department shall report to the General Assembly on the expenditure of funds from paragraph Q.1. within 90 days of the completion of this assistance program to include total assistance deployed by type of loss, total victims served, and completion of funded repairs or new residential construction. The department shall report to the General Assembly on the expenditure of funds from paragraph Q.2. on or before December 1, 2026, except as provided in Q.2.c. At a minimum the report shall contain information on the number and type of applicants, the number of grants made, and expenditure of grant funding, and the projects completed.

5. The department may recover administrative costs from the amounts provided in this paragraph including any necessary costs for partnerships with individuals and entities, including local departments of social services, entities of local government, planning district commissions, and non-profits to effectuate the provisions of this paragraph. The amounts provided in this paragraph Q. shall not revert to the general fund at the end of any fiscal year.

R. Out of this appropriation, $675,000 the second year from the general fund shall be provided to support the organizational capacity and administrative needs of the Continuum of Care lead agencies in Virginia, including local planning groups in the Balance of State Continuum of Care, as they serve persons at risk of or experiencing homelessness in their regions. The department shall determine, with input from Continuum of Care lead agencies and other stakeholders, the activities that are eligible for funding, which shall include but are not limited to: (i) the development and management of homeless crisis response systems; (ii) grant administration and reporting; (iii) staff training; and (iv) essential operational tasks. The department shall provide these funds as grants in a formula determined by the department with input from stakeholders.

S.1. Out of the amounts appropriated in this item, $20,000,000 the first year from the general fund shall be used to establish and implement a rental assistance pilot program in

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Planning District Commission Regions 8 and 23. The department may utilize up to five percent of the funding for the administrative costs associated with implementing the program. The amounts provided in this paragraph S. shall not revert to the general fund at the end of any fiscal year, but shall be carried forward and reappropriated.

2. For the purposes of this paragraph, "qualifying household" means a family unit that resides together in one dwelling (i) that includes at least one person 16 years of age or younger and (ii) whose income does not exceed 50 percent of the area median income for the locality in which such family resides, as calculated by the U.S. Department of Housing and Urban Development.

3. The department shall establish criteria and guidelines for this pilot program on or before December 1, 2025. The guidelines shall provide that qualifying households may receive monthly rental assistance equal to the lesser of (i) the amount necessary to reduce their housing costs to 30 percent of the monthly adjusted net income of the household or (ii) the applicable payment standard as determined by the department. Rental assistance issued pursuant to this paragraph may be used for housing in any locality in Planning District Commission Regions 8 and 23, and for housing costs other than rent, such as security deposits and application fees.

4. The guidelines for the administration of the pilot program shall be informed by the 2022 Virginia Housing Stability Fund Model Program Guidelines report and by consultations with various stakeholders, including the Department of Social Services, Virginia Housing, the Department of Education, McKinney-Vento liaisons, Continuum of Care lead agencies, housing providers, public housing authorities, tenants, and others. The department may administer the pilot program in partnership with local and regional agencies, with a priority for partnerships with local school divisions and McKinney-Vento liaisons. The department shall determine rental assistance payment standards for each size of a dwelling unit in a market area, which shall be greater than or equal to the Small Area Fair Market Rent, as established annually by the U.S. Department of Housing and Urban Development, for the same size of dwelling unit in the same market area. The department shall develop a process to ensure that each dwelling unit for which rental assistance is used is safe and habitable.

5. The department shall collect data on the utilization of the rental assistance issued in each fiscal year under the pilot program and submit an annual report to the General Assembly on or before December 1 of each year with an update on the implementation and impact of the pilot program.

6. The department shall convene a group of stakeholders to consider and make recommendations regarding potential funding sources to support the program's continuation beyond the initial pilot stage, and it shall submit the recommendations of the stakeholder group to the Chairs of the Senate Finance and Appropriations Committee and House Appropriations Committee on or before November 1, 2025. The department shall convene this stakeholder group no later than June 1, 2025, and shall include as members of the stakeholder group representatives of the following: Virginia Housing, McKinney-Vento liaisons, legal aid, affordable housing providers, public housing authorities, residential landlords, residential tenants, and others identified by the department.

7. Any funds remaining on June 30 of either fiscal year shall carryforward to the next fiscal year and be reappropriated for the same purpose.

T. Out of this appropriation, $1,500,000 the first year from the general fund is provided to the City of Charlottesville to support the repurposing of an existing facility to create a low-barrier emergency shelter to address urgent need. The funding in this paragraph shall be contingent on the approval of the project by the Charlottesville City Council. Any funding remaining at the end of the fiscal year 2025 shall be carried forward to the next fiscal year and reappropriated for the purposes described in this paragraph T.

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U. Out of the appropriation in this item, $1,500,000 the first year from the general fund is provided to the City of Portsmouth to support ForKids' expansion of eviction prevention programs and targeted support for McKinney-Vento children in Portsmouth, Chesapeake, and the surrounding areas. The amounts provided in this paragraph U. shall not revert to the general fund at the end of any fiscal year, but shall be carried forward and reappropriated.

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V.1. Out of this appropriation, $15,000,000 the first year from the general fund is provided for the department to establish the First-Time Homebuyer Grant Program to assist eligible first-time homebuyers in paying for first-time homebuyer expenses. The department shall award eligible first-time homebuyers a grant in an amount equal to five percent of first-time homebuyer expenses incurred during the calendar year, not to exceed $10,000, on a first-come, first-served basis. Any grant awarded pursuant to this paragraph shall be repaid to the Commonwealth in the event that the residential real property for which first-time homebuyer expenses were incurred and such grant was awarded is sold within three years from the purchase date of such property. Repayment pursuant to this subsection shall not be required if such sale was made following a natural disaster or other act of God that made such residential real property uninhabitable. The Department shall develop guidelines for administering the program and for any repayment requirements provided by this paragraph on or before August 1, 2025. Such guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

2. For the purposes of this paragraph, "First-time homebuyer expenses" means costs incurred by a first-time homebuyer in the purchase of direct ownership in residential real property in an amount equal to the purchase price value of such property detailed on the standard purchase agreement.

3. For the purposes of this paragraph, "Eligible first-time homebuyer" means an individual or married individuals filing jointly (i) who has had no ownership interest in a principal residence during the preceding three-year period ending on the date of purchase of the residential real property detailed on the standard purchase agreement and (ii) who has an annual household income in the most recent taxable year that does not exceed the greater of (a) $100,000 or (b) the median annual household income for the locality in which such residential real property is situated according to the most recent data available from the U.S. Census Bureau.

4. Of the amounts in this paragraph, the department may use up to $300,000 to administer this program. The amounts provided in this paragraph V. shall not revert to the general fund at the end of any fiscal year, but shall be carried forward and reappropriated.

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W. Out of this appropriation, $13,000,000 the first year from the general fund is provided for the department to award grants to localities or planning district commissions that have established or will establish by December 31, 2025, a local Housing Trust Fund for long-term local investments related to affordable housing. The department shall develop criteria and guidelines for these one-time grants on or before August 1, 2025. Of the amounts in this paragraph, $5,000,000 shall be provided to Prince William County to support affordable housing. Of the amounts in this paragraph, $1,000,000 shall be provided to the City of Emporia to support an affordable housing project. Of the amounts in this paragraph, $250,000 shall be provided to Tazewell County for remediation of blighted properties in the Town of Richlands to create affordable housing construction sites. The amounts provided in this paragraph W. shall not revert to the general fund at the end of any fiscal year, but shall be carried forward and reappropriated.

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X. The department shall identify programs designed to keep long-term residents in their primary homes as real property tax liabilities increase, including the Longtime Owner Occupancy Program (LOOP) as implemented in Philadelphia, Pennsylvania. The department shall review and provide recommendations for eligibility criteria based on financial indicators, financing options including voluntary locality contributions or offsets, and assess feasibility, equity, and efficiency of administration and implementation at the local, regional, or state level. The department shall convene a group of national, state, and local tax and housing experts to assist with developing recommendations, with the support of the Department of Taxation and the Commission on Local Government. The department shall submit their findings to the Chairs of House General Laws and Senate General Laws and Technology by September 1, 2025.

Y. Out of this appropriation, $500,000 the first year from the general fund is provided to the City of Suffolk to support the construction of a homeless shelter. The amounts provided in this paragraph Y. shall not revert to the general fund at the end of any fiscal year, but shall be carried forward and reappropriated.

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103.	Community Development Services (53300)			~~$124,652,325~~ *$159,702,325*	~~$93,477,325~~ *$81,477,325*
	Community Development and Revitalization (53301)	~~$69,166,159~~ *$100,216,159*	~~$39,166,159~~ *$27,166,159*		
	Financial Assistance for Regional Cooperation (53303)	$35,960,497	$35,960,497		
	Financial Assistance for Community Development (53305)	~~$19,525,669~~ *$23,525,669*	$18,350,669		
	Fund Sources: General	~~$94,927,401~~ *$129,977,401*	~~$63,752,401~~ *$51,752,401*		
	Special	$5,246,590	$5,246,590		
	Trust and Agency	$150,000	$150,000		
	Federal Trust	$24,328,334	$24,328,334		

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

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

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

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

1. To the Lenowisco Planning District Commission, $114,971 the first year and $114,971 the second year, which includes $38,610 the first year and $38,610 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.

2. To the Cumberland Plateau Planning District Commission, $114,971 the first year and $114,971 the second year, which includes $42,390 the first year and $42,390 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.

3. To the Mount Rogers Planning District Commission, $114,971 the first year and $114,971 the second year.

4. To the New River Valley Planning District Commission, $114,971 the first year and $114,971 the second year.

5. To the Roanoke Valley-Alleghany Regional Commission, $114,971 the first year and $114,971 the second year.

6. To the Central Shenandoah Planning District Commission, $114,971 the first year and $114,971 the second year.

7. To the Northern Shenandoah Valley Regional Commission, $114,971 the first year and $114,971 the second year.

8. To the Northern Virginia Regional Commission, $190,943 the first year and $190,943 the second year.

9. To the Rappahannock-Rapidan Regional Commission, $114,971 the first year and $114,971 the second year.

10. To the Thomas Jefferson Planning District Commission, $114,971 the first year and $114,971 the second year.

11. To the Region 2000 Local Government Council, $114,971 the first year and $114,971 the

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second year.

12. To the West Piedmont Planning District Commission, $114,971 the first year and $114,971 the second year.

13. To the Southside Planning District Commission, $114,971 the first year and $114,971 the second year.

14. To the Commonwealth Regional Council, $114,971 the first year and $114,971 the second year.

15. To the Richmond Regional Planning District Commission, $152,957 the first year and $152,957 the second year.

16. To the George Washington Regional Commission, $114,971 the first year and $114,971 the second year.

17. To the Northern Neck Planning District Commission, $114,971 the first year and $114,971 the second year.

18. To the Middle Peninsula Planning District Commission, $114,971 the first year and $114,971 the second year.

19. To the Crater Planning District Commission, $114,971 the first year and $114,971 the second year.

20. To the Accomack-Northampton Planning District Commission, $114,971 the first year and $114,971 the second year.

21. To the Hampton Roads Planning District Commission $190,943 the first year, and $190,943 the second year.

D. Out of the amounts in this Item, $1,568,442 the first year and $1,568,442 the second year from the general fund shall be provided for the Southeast Rural Community Assistance Project (formerly known as the Virginia Water Project) operating costs and water and wastewater grants. The department shall disburse the total payment each year in twelve equal monthly installments.

E. The department shall leverage any appropriation provided for the capital costs for safe drinking water and wastewater treatment in the Lenowisco, Cumberland Plateau, or Mount Rogers planning districts with other state moneys, federal grants or loans, local contributions, and private or nonprofit resources.

F. Out of the amounts in this Item, $470,000 the first year and $470,000 the second year from the general fund shall be provided for the Center for Rural Virginia, which shall be referred to in this act as the Senator Frank Ruff Center for Rural Virginia. The department shall report periodically to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees on the status, needs and accomplishments of the center.

G. Out of the amounts in this Item, $171,250 the first year and $171,250 the second year from the general fund shall be provided to support The Crooked Road: Virginia's Heritage Music Trail.

H.1. Out of the amounts in this Item, ~~$7,000,000~~ *$9,000,000* the first year and ~~$7,000,000~~ *$5,000,000* the second year from the general fund shall be deposited to the Virginia Removal or Rehabilitation of Derelict Structures Fund to support industrial site revitalization. Out of the amounts in this paragraph, $2,400,000 the first year and $2,400,000 the second year from the general fund is designated for removing, renovating or modernizing port-related buildings and facilities in the cities of Portsmouth, Norfolk, Newport News, Richmond or Front Royal.

2. Notwithstanding § 36-153, Code of Virginia, or any other provision of law, moneys in the Virginia Removal or Rehabilitation of Derelict Structures Fund and moneys appropriated to support the Industrial Revitalization Fund Program shall be used to support the inclusion of solar panels or solar canopies for parking lots as a component of a real property project awarded a grant through the program. These conditions shall not

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apply to projects funded with the amounts provided in the preceding paragraph for removing, renovating, or modernizing port-related buildings and facilities in the cities of Portsmouth, Norfolk, Newport News, Richmond, or Front Royal, and the projects supported with funds in the paragraphs below.

3. Out of the amounts in this paragraph, $1,500,000 the first year is provided for Charles City County to support the redevelopment and rehabilitation of a site on John Tyler Memorial Highway into a retail and public engagement space to increase visitation to the area. Notwithstanding § 36-155, Code of Virginia, the maximum grant award and local match requirements shall not apply to the amounts provided in this paragraph.

4. Out the amounts in this paragraph, $2,000,000 the ~~second~~ *first* year is provided for the City of Danville to develop property along the Dan River, known as White Mill. The funding provided in this paragraph may be used to establish a recreation and first responder training facility as a part of the overall redevelopment of White Mill, to promote tourism and market driven economic development activity in the city. The department shall require the city to provide a one for two match from non-state sources as certified by the department or a minimum investment of non-state funds of $4,000,000 prior to releasing any of these funds. Notwithstanding § 36-155, Code of Virginia, the maximum grant award shall not apply to the amounts provided in this paragraph.

I. Out of the amounts in this Item, $500,000 the first year and $500,000 the second year from the general fund shall be provided for the Virginia Main Street Program. This amount shall be in addition to other appropriations for this activity.

J. Of the general fund amounts provided for the Virginia Main Street Program, the Indoor Plumbing Rehabilitation Program, and the water and wastewater planning and construction projects in Southwest Virginia, the department is authorized to use up to two percent of the appropriation in each year for program administration.

K.1. Out of the amounts in this Item, $875,000 the first year and $875,000 the second year from the general fund shall be provided for the Southwest Virginia Cultural Heritage Foundation.

2. The foundation shall report by September 1 of each year to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the expenditures of the foundation and its ongoing efforts to generate revenues sufficient to sustain operations.

L.1. Out of the amounts in this Item, ~~$40,000,000~~ *$50,000,000* the first year ~~and $10,000,000 the second year~~ from the general fund is provided for the Virginia Telecommunication Initiative. The funds shall be used for providing financial assistance to supplement construction costs by private sector broadband service providers to extend service to areas that presently are unserved by any broadband provider. Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2025, and June 30, 2026, shall not revert to the general fund but shall be carried forward and reappropriated with the exception of the amounts designated in 7. of this paragraph L. *It is the intent of the General Assembly that the funding provided in this paragraph L.1. shall be continued in the next biennium.*

2. The department shall develop appropriate criteria and guidelines for the use of the funding provided to the Virginia Telecommunication Initiative. Such criteria and guidelines shall: (i) facilitate the extension of broadband networks by the private sector and shall focus on unserved areas; (ii) attempt to identify the most cost-effective solutions, given the proposed technology and speed that is desired; (iii) give consideration to proposals that are public-private partnerships in which the private sector will own and operate the completed project; (iv) consider the number of locations where the applicant states that service will be made available, in addition to whether customers take the service in both evaluating applications and in establishing completion and accountability requirements; and, (v) require investment from the private sector partner in the project prior to making any award from the fund at an appropriate level determined by the department. The department shall encourage additional assistance from the local governments in areas designated to receive funds to lower the overall cost and further assist in the timely completion of construction, including assistance with permits, rights of way, easement and other issues that may hinder or delay timely construction and increase the cost.

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3. The department shall post electronic copies of all submitted applications to the department's website after the deadline for application submissions has passed but before project approval and shall establish a process for providers to challenge applications where providers assert the proposed area is served by another broadband provider.

4. The department shall consult with the Broadband Advisory Council to designate the unserved areas to receive funds.

5. Notwithstanding the foregoing, the department shall allow public broadband authorities to apply directly for Virginia Telecommunications Initiative funds without investment from the private sector. The cumulative total of any grants awarded to public broadband authorities shall not exceed 10 percent of total available funding in any fiscal year.

6. For grants awarded from the amounts appropriated in paragraphs B.2.b.2) and C.1. of Chapter 1 of the 2021 Acts of Assembly, Special Session II, Item 114, Paragraph L. of Chapter 552, 2021 Acts of Assembly, Special Session I, and this paragraph, for the construction of broadband infrastructure through the Virginia Telecommunications Initiative (VATI), the Department of Housing and Community Development shall deliver a quarterly performance report to the Governor, Secretary of Commerce and Trade, Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee, and Broadband Advisory Council, starting in Calendar Year 2022. To the extent possible, the quarterly performance report shall contain information by grant recipient and year on the following metrics: (1) Number of passings; (2) Grant dollars expended by fund source (State and Local Recovery Fund, Capital Project Fund, general fund state grants and match); (3) Contract performance period, and on-time progress towards project delivery; (4) Maximum advertised project speeds available; and, (5) Achievement of key project milestones. The quarterly report shall be due within 30 days of the close of the quarter. The quarterly performance report shall include an evaluation of any projects under risk of incompletion or underperformance. The department in providing such risk assessment shall include a reason for the project's delay. The Department of Housing and Community Development shall develop a public facing dashboard to be updated quarterly that contains key performance information by grant recipient and year and includes the key performance indicators outlined above. Information in this public facing tool shall contain data beginning with grants awarded in the fiscal year 2022 Virginia Telecommunications Initiative grant cycle, and any future VATI grant cycles.

7.a. Out of the amounts in this paragraph, the department shall utilize up to $30,000,000 in the first year from the general fund to establish a program to provide supplements to current Virginia Telecommunication Initiative grant projects for “make ready" costs. Projects receiving money from these funds shall be limited to projects funded with resources from the State and Local Fiscal Recovery Fund or the Capital Projects Fund of the American Rescue Plan Act of 2021, which were awarded during the fiscal year 2022 Virginia Telecommunication Initiative grant round. The department shall limit “make ready" costs to utility pole replacements and mid-span pole installations. Any balances, for the purposes specified in this paragraph 7., which are unexpended on June 30, 2025, shall revert to the general fund.

b. The department shall establish an application process for the unit of government under contract with the department for the delivery of passings in mutual agreement with its private-sector partner to apply for a grant to supplement “make ready" costs occurring on or after January 1, 2024. Applicants shall be required to submit the following information: (i) the number, cost, and location of pole replacements or mid-span pole installations; (ii) documentation sufficient to establish that the pole replacements or mid-span pole installations described in the application have been completed or will be completed within 120 days of the receipt of funds; (iii) documentation sufficient to establish the costs for which funds are requested; (iv) documentation that demonstrates estimated project costs for utility pole replacements and mid-span pole installations included in the approved fiscal year 2022 Virginia Telecommunication Initiative grant application; and (v) any other information, protections, or criteria determined by the department as necessary to effectuate the provisions of this paragraph 7.

c. The department shall award funds on a competitive basis to projects that, in the determination of the department, are “at-risk" for completion by December 31, 2026.

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d. The department shall develop scoring criteria to prioritize eligible applications that (i) facilitate broadband service to the greatest number of unserved/underserved contiguous locations per mile; (ii) include a match from the project's private sector partner, which will be determined by the department; (iii) will accelerate the completion of projects; (iv) are cost effective; and (v) incorporate other criteria determined by the department. The department shall review and award funds monthly starting on September 1, 2024, and award funds no later than June 1, 2025.

e. Any awards made to an eligible applicant shall be limited to a percentage of the make ready costs included in the unit of government's fiscal year 2022 Virginia Telecommunication Initiative grant application as determined by the department. In no circumstance shall the department award more than $30,000 per mile for pole replacements and/or mid-span installation costs included in any application for these funds.

f. The department may award the funds provided in this paragraph 7. to supplement undergrounding costs for redesigned projects that change the deployment method from aerial to underground. Redesigned projects must be approved by the department prior to any release of these funds for undergrounding costs. The relevant provisions of paragraphs 7.a. through 7.e. shall apply for any undergrounding application process established by the department. No more than $30,000 per mile shall be awarded for undergrounding costs.

M. Out of the amounts in this Item, $1,408,647 the first year and $1,408,647 the second year from the general fund is provided for administrative support for the Virginia Telecommunications Initiative.

N.1. Out of the amounts in this Item, $30,000,000 the first year and $30,000,000 the second year from the general fund shall be deposited to the Virginia Growth and Opportunity Fund to encourage regional cooperation among business, education, and government on strategic economic and workforce development efforts in accordance with § 2.2-2487, Code of Virginia.

2. Of the amounts provided in this paragraph, the appropriation shall be distributed as follows: (i) $2,250,000 the first year and $2,250,000 the second year from the general fund shall be allocated to qualifying regions to support organizational and capacity building activities, which, notwithstanding § 2.2-2489, Code of Virginia, may not require matching funds if a waiver is granted by the Virginia Growth and Opportunity Board to a qualifying region upon request; (ii) $16,900,000 the first year and $16,900,000 the second year from the general fund shall be allocated to qualifying regions based on each region's share of the state population; and (iii) $10,850,000 the first year and $10,850,000 the second year from the general fund shall be awarded to regional councils on a competitive basis.

3. The Virginia Growth and Opportunity Board may allocate monies among the distributions outlined in paragraph N.2. of this item to meet demonstrated demand for funds. However, only those regional councils whose allocation is less than $1,000,000 in a fiscal year based on the region's share of state population shall be eligible to receive an additional allocation, and the amount shall be limited such that the total allocation does not exceed $1,000,000 in a fiscal year.

4. The Virginia Growth and Opportunity Board may approve grants for assessments of commercial economic development demand and current access, and to advance the planning and engineering of broadband infrastructure that are aligned with the framework recommended by the working group, established in Chapter 2, 2018 Special Session I, Acts of Assembly and shall give priority consideration for broadband technology development and deployment to facilitate the connectivity or upgrade of services to current and proposed business-ready sites in areas of high unemployment in qualifying regions.

5. The Virginia Growth and Opportunity Board may rescind funds allocated to regional councils on a per capita basis, if the unobligated balances of a regional council exceed its average annual per capita distribution award. Any funds rescinded pursuant to this paragraph shall be retained in the Virginia Growth and Opportunity Fund (09272) and may be used by the Virginia Growth and Opportunity Board for grant awards to competitive projects. The Department shall notify the Chairs of the House Appropriations and Senate Finance and Appropriations Committees within 10 days of the decision by the Virginia Growth and Opportunity Board to rescind regional per capital allocations. The regional council, the

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amount, and reason for unused funds shall be included in such notice.

6.a. The department shall report one month after the close of each calendar quarter to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on grant awards and expenditures from the Virginia Growth and Opportunity Fund. The report shall include, but not be limited to, total appropriations made or transferred to the fund, total grants awarded, total expenditures from the fund, total per capita allocations rescinded and repurposed to competitive awards, cash balances, and balances available for future commitments. The report shall further summarize such amounts by the allocations provided in paragraph N.2. of this item, including amounts allocated to support organizational and capacity building activities, amounts allocated to regional councils based on each region's share of the state population, and amounts to be awarded on a competitive basis by fiscal year. The report shall include details on the cash balances available in the Virginia Growth and Opportunity Fund including the unobligated balances by the per capita allocation and competitive allocation of paragraph N.2., which shall be further disaggregated by fiscal year and regional council, as appropriate.

b. The department shall report at the close of each fiscal year to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the outcomes associated with closed projects that received a grant from the Virginia Growth and Opportunity Fund on or before December 1st of each year. This report shall include itemized information that details the project name, the Regional Council, GO Virginia investment type (regional per capita, competitive, or Economic Resilience and Recovery), GO Virginia strategy, program year, date of award, committed match, anticipated project outcomes, and actual project outcomes. The department shall utilize the information provided in this report to create a public facing performance dashboard to be updated annually that, at a minimum, includes individual projects organized by Region, total GO Virginia resources committed to the project, anticipated outcomes, and final outcomes submitted to the department at the close of the project. This information shall further be disaggregated by year and shall feature all projects receiving GO Virginia grants.

O.1. Out of the amounts in this Item, $424,000 the first year and $424,000 the second year from the general fund is provided to support the creation of a statewide broadband map. The department shall, in coordination with the Office of the Chief Broadband Advisor, develop a statewide broadband availability map indicating broadband coverage, including maximum broadband speeds available in service territories in the Commonwealth. The department and Chief Advisor shall update the map at least annually.

2. Broadband service providers shall be required to submit updated service territory data to the department annually. The department shall establish a process, timeline, and specific data requirements for broadband providers to submit their data. All public bodies shall cooperate with the department, or any agent thereof, to furnish data requested by the Department for the initial improvement and maintenance of the map.

3. In no instance may the department require broadband providers to submit any data, in either substantive content or form, beyond that which the provider is required to submit to the Federal Communications Commission pursuant to the federal Broadband Deployment Accuracy and Technological Availability Act, 47 U.S.C. § 641 et. seq., provided, however, that satellite-based broadband providers that have been designated as an eligible telecommunications carrier pursuant to 47 U.S.C. § 214(e)(6) for any portion of the Commonwealth shall be required to submit comparable data as other broadband providers. Public bodies and broadband providers shall not be required to submit any customer information, such as names, addresses, or account numbers.

4. The department may publish only anonymized versions of the map, showing locations served and unserved by broadband without reference to any specific provider. The map shall not include information regarding ownership or control over the network or networks providing service. The department shall establish a process for broadband providers to petition the Department to correct inaccuracies in the map. Any determination made by the department pursuant to any specific petition with respect to any specific map to correct inaccuracies shall be final and not subject to further review.

5. Maps published by the department pursuant to this section may be considered, but shall

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not be considered conclusive, for purposes of determining eligibility for funding for Commonwealth broadband expansion grant or loan programs, including the Virginia Telecommunication Initiative, or challenges thereto.

6. The department: (i) may contract with private parties to make the necessary improvements to the existing map and to maintain the map. Such private parties may include any entities and individuals selected by the department to assist the department in improving and maintaining such a map; (ii) shall consult existing broadband maps, particularly those published by the Federal Communications Commission; and (iii) may acquire existing, privately held data or mapping information that may contribute to the accuracy of the map.

7. Information submitted by a broadband provider in connection with this section shall be excluded from the requirements of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.). Information submitted by a broadband provider pursuant to this section shall be used solely for the purposes stated under this section and shall not be released by the department, or any other public records custodian, without the express written permission of the submitting broadband provider.

8. The department shall annually evaluate federal mapping data and shall waive the requirement for broadband providers to submit territory data if a map of near identical or greater quality is made publicly available by the Federal Communications Commission as part of the federal Digital Opportunity Data Collection program or its successor. This waiver shall not be unreasonably withheld.

9. For the purposes of the initiative outlined in paragraph O. of this item, "Broadband" means Internet access at speeds equal to or greater than the broadband Internet speed benchmark set by the Federal Communications Commission. "Broadband provider" means a provider of fixed or mobile broadband Internet access service and includes any entity required to provide the federal government with information on Federal Communications Commission Form 477 or as part of the federal Digital Opportunity Data Collection program or a provider of satellite-based broadband Internet access service that has been designated as an eligible telecommunications carrier pursuant to 47 U.S.C. § 214(e)(6) for any portion of the Commonwealth. "Chief Advisor" means the Commonwealth Broadband Chief Advisor as established in § 2.2-205.2, Code of Virginia. "Map" means the statewide broadband availability map developed and maintained pursuant to paragraph O. of this item.

10. The department shall add layers to the Map to demonstrate broadband availability in: (i) rural areas and (ii) on farmlands. The department, in collaboration with the Center for Rural Virginia, shall determine an appropriate definition of rural for effectuating the purposes of this paragraph. The Map shall utilize information from the Virginia Land and Energy Navigator, produced by the Virginia Cooperative Extension at Virginia Tech to showcase broadband availability on Virginia prime farmland. The Virginia Cooperative Extension at Virginia Tech shall provide this data to the department at no cost.

P.*1.* Out of this appropriation, ~~$150,000~~*$2,650,000* the first year and $150,000 the second year from the general fund is provided for the Community Development Financial Institutions Fund, as established by § 36-140.01, Code of Virginia. Of these amounts, the department is authorized to use up to $150,000 to administer these funds.

2. The department shall use up to 20 percent, but no less than 10 percent, of the fund to provide low-interest, non-forgivable loans to qualifying institutions, as defined by § 36-140.01, Code of Virginia. Interest on loans made from the fund shall not exceed three percent.

3. The department shall require (a) qualifying institutions receiving a loan from the fund to finance eligible program projects through loans, and (b) repayment of loan awards no sooner than five years after its execution of a loan contract with the qualifying institution.

Q. Out of the amounts in this Item, $250,000 the first year and $250,000 the second year from the general fund is provided for the Lenowisco Planning District Commission and Cumberland Plateau Planning District Commission designated for operations of the Coalfield Expressway Authority. Such funds for grants shall be managed by the Virginia Coalfield Economic Development Authority.

R. The department shall continue the talent pathways planning grant program established in Item 114, Paragraph S. in House Bill 29 of the 2022 General Assembly, Special Session I.

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S.1. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund is provided for the Lenowisco Planning District Commission and the Cumberland Plateau Planning District Commission (PDC), in equal amounts, to identify, plan, and support economic development efforts within each PDC that align with federal funding opportunities, including Assistance to Coal Communities funding. In fulfilling the purposes of this paragraph, the PDCs may hire an additional position to help coordinate efforts and activities designed to maximize the receipt of federal funding by the region. These economic development initiatives may be coordinated Virginia Economic Development Partnership Authority and other regional economic development organizations as applicable. The PDCs shall provide quarterly reports to the department on the activities supported and federal investment secured as a result of the funding provided in this paragraph.

2. The department shall establish an Inter-Agency Task Force chaired by the Secretary of Commerce and Trade, or their designee, and comprised of designees from the Virginia Economic Development Partnership Authority, Virginia Energy, the Virginia Tourism Corporation, the Department of Housing and Community Development, the Virginia Department of Agriculture and Consumer Services, the Virginia Department of Environmental Quality, the Secretary of Labor, the Virginia Coalfield Economic Development Authority, the Tobacco Region Revitalization Commission, and the Virginia Community College System. The purpose of the Inter-Agency Task Force is to review and make recommendations to support economic development in Southwest Virginia. In conducting its review, the department's Division of Economic Development and Community Vitality shall conduct regular stakeholder outreach with impacted communities and regional stakeholders to identify the necessary programs, resources, and policy changes required to support transitioning workers and communities. The Inter-Agency Task Force shall consult with impacted stakeholders including residents of the coalfield counties, employers in the coalfield counties, local government representatives, and representatives of regional nonprofit entities.

T. l. The department is hereby authorized to use federal funding received by Virginia from the Broadband Equity, Access, and Deployment (BEAD) Program of the Federal Infrastructure and Jobs Act (Public Law 117-58).

2. In its implementation of Public Law 117-58, the department shall first confirm that sufficient funds are allocated to ensure the deployment of service to all unserved locations and all underserved locations, followed by coverage to Community Anchor Institutions in a manner consistent with Public Law 117-58 and related federal guidance.

3. Of the federal funding remaining after Paragraph T.2., the department shall take such measures as necessary to allocate the additional funding to include the purposes outlined below, drawn from the National Telecommunications Information Administration BEAD Notice of Funding Opportunity ("NOFO"):

(i) User training with respect to cybersecurity, privacy, and other digital safety matters;

(ii) Remote learning or telehealth services/facilities;

(iii) Digital literacy/upskilling (from beginner-level to advanced);

(iv) Computer science, coding and cybersecurity education programs;

(v) Implementation of Eligible Entity digital equity plans to supplement, but not to duplicate or supplant, Planning Grant funds received by the Eligible Entity in connection with the Digital Equity Act of 2021;

(vi) Broadband sign-up assistance and programs that provide technology support;

(vii) Multi-lingual outreach to support adoption and digital literacy;

(viii) Prisoner education to promote pre-release digital literacy, job skills, online job acquisition skills, etc.;

(ix) Digital navigators;

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(x) Direct subsidies for use toward broadband subscription, where the Eligible Entity shows the subsidies will improve affordability for the end user population and to supplement, but not to duplicate or supplant, the subsidies provided by the Affordable Connectivity Program;

(xi) Costs associated with stakeholder engagement, including travel, capacity-building, or contract support;

(xii) Other allowable costs necessary to carrying out programmatic activities of an award, not to include ineligible costs described in Section V.H.2 of the NOFO; and

(xiii) Broadband resiliency to include utility pole replacements, mid-span pole installations, and undergrounding.

4. Prior to entering a contract with a sub recipient from the Broadband Equity, Access, and Deployment (BEAD) Program of the Federal Infrastructure and Jobs Act (Public Law 117-58), the department shall receive approval from the National Telecommunications Information Administration (NTIA) validating eligibility under the BEAD program.

~~U.1. Out of this appropriation, $1,000,000 the first year from the general fund is provided for the department to enter into a Memorandum of Understanding (MOU) with Reynolds Community College to establish a child care facility for the benefit of state employees near the seat of state government in Richmond, Virginia.~~

~~2. The funds provided in this paragraph shall be used to retrofit space on the campus for the child care facility. At a minimum, the department, in negotiating the MOU with Reynolds Community College, shall: (i) establish market rates by child care age groups to support center operations; (ii) develop a detailed operations plan to include class size and appropriate staff ratios; (iii) provide training opportunities for community college students; (iv) set a timeline for the development of the center and its opening; (v) accept the child care subsidy as defined § 22.1-289.02, Code of Virginia; and (vi) provide frequent reporting and updates on center operations.~~

~~3. The department shall provide annual reports on or before November 1, 2024, and thereafter on the status of this center including operations, development timeline, and state employees served or expected to be served. The department shall also provide recommendations on utilizing additional state resources for retrofitting space on community college campuses for child care across the Commonwealth to serve community college students and the broader public in its 2025 annual report.~~

~~4. The funding provided in this paragraph shall be used for no other purpose than those outlined above.~~

V. Out of this appropriation, $100,000 the first year from the general fund is provided to Prince William County to support workforce development training programs in the eastern part of the county.

W. Out of the amounts in this item, $125,000 the second year from the general fund is provided to the Virginia Coalfield Economic Development Authority to address telehealth and telemedicine needs in Planning Districts 1 and 2.

X.1. Out of the amounts in this item, $100,000 the first year from the general fund is provided to Tazewell County to explore expansion of a natural gas pipeline to the Wardell Industrial Park to determine if utilizing available natural gas resources benefits economic development of the County.

2. Out of the amounts in this item, $100,000 the first year from the general fund is provided to Russell County to explore expansion of a natural gas pipeline from the connection point of the current natural gas pipeline near Castlewood, Virginia, west along US Highway 58 to the Russell and Wise County line to determine if using available natural gas resources benefits economic development of the County.

Y.1. The provisions of Item 115, paragraph Y.1. through Y.6. of House Bill 29 of the 2024 General Assembly shall continue in the event the state's subgrantee selection process for the Broadband Equity, Access, and Deployment (BEAD) Program is delayed beyond June 1, 2024, and shall last until the subgrantee process for BEAD begins.

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2. Any American Rescue Plan Act funds returned during this process shall be deposited to the State and Local Fiscal Recovery Fund (12110) or the Capital Projects Fund (12120) for transfer in accordance with the provisions of Item 472 of this act.

Z. Out of the appropriation in this item, $100,000 the first year from the general fund is provided to Patrick County for a natural gas study.

AA. Out of this appropriation, $7,500,000 the first year from the general fund is provided to Pulaski County for site readiness improvements including a road extension, grading, and natural gas pipeline extension. Prior to the release of any funding in this paragraph, Pulaski County shall enter into a Memorandum of Understanding (MOU) with the department; demonstrate at a minimum a dollar-for-dollar match of non-state resources for these site readiness improvements; and attest to the department the commitment of a company to locate or expand operations on the site, which may include a data center company, data center operator, manufacturer, logistics company or a company specializing in maintenance, repair, and operations. The amounts provided in this paragraph AA. shall not revert to the general fund at the end of any fiscal year, but shall be carried forward and reappropriated.

BB. Out of this appropriation, $2,500,000 the first year from the general fund is provided for the Urban Public-Private Partnership Redevelopment Fund. Notwithstanding the provisions of § 15.2-2417, Code of Virginia, the department shall develop appropriate criteria and guidelines for the administration of the grant program. Such criteria shall include (i) how to prioritize awards for (a) localities experiencing an above average and high level of fiscal stress as designated by the Commission on Local Government in its most recent "Report on Comparative Revenue Capacity, Revenue Effort, and Fiscal Stress of Virginia's Cities and Counties" and (b) localities experiencing a significant decrease in commercial real estate assessments and (ii) the amount and type of local match, to include both requirements that consider monetary contributions and requirements that consider nonmonetary contributions. Eligible project partners for local governments shall include private developers including limited partnerships, limited liability companies, or domestic corporations, nonprofit organizations that are exempt from taxation under § 501(c)(3) of the Internal Revenue Code, local government and regional authorities, land bank entities as defined by § 15.2-7500, and common interest communities as defined by § 54.1-2345, including property owners' associations as defined by the Property Owners' Association Act (§ 55.1-1800 et seq.), condominium unit owners' associations established pursuant to the Virginia Condominium Act (§ 55.1-1900 et seq.), and real estate cooperative associations established pursuant to the Virginia Real Estate Cooperative Act (§ 55.1-2100 et seq.). Of the amounts in this paragraph, $200,000 is provided to the department for program administration.

I VETO ITEM 103.BB. ON PAGE 1817 /s/ Glenn Youngkin 5-2-25

CC. Out of this appropriation, $1,200,000 the first year from the general fund is provided to Prince William County to support the Occoquan Riverwalk project. The amounts provided in this paragraph CC. shall not revert to the general fund at the end of any fiscal year, but shall be carried forward and reappropriated.

I VETO ITEM 103.CC. ON PAGE 1817 /s/ Glenn Youngkin 5-2-25

DD. Out of the amounts in this item, $4,250,000 the first year from the general fund is provided to the City of Portsmouth for sanitary sewer pump station upgrades. The amounts provided in this paragraph DD. shall not revert to the general fund at the end of any fiscal year, but shall be carried forward and reappropriated.

EE. Out of the amounts in this item, $6,000,000 the first year from the general fund is provided to the City of Portsmouth to support the Prentis Street transmission water main improvements project. The amounts provided in this paragraph EE. shall not revert to the general fund at the end of any fiscal year, but shall be carried forward and reappropriated.

I VETO ITEM 103.EE. ON PAGE 1817 /s/ Glenn Youngkin 5-2-25

104.	Economic Development Services (53400)				$16,313,490	$15,313,490
	Financial Assistance for Economic Development (53410)	$16,313,490	$15,313,490			
	Fund Sources: General	$16,313,490	$15,313,490			

Authority: Title 59.1, Chapters 22 and 49, Code of Virginia.

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	A. Out of the amounts in this Item, $15,750,000 the first year and $14,750,000 the second year from the general fund shall be provided to carry out the provisions of §§ 59.1-547 and 59.1-548, Code of Virginia, related to the Enterprise Zone Grant Act. Notwithstanding the provisions of §§ 59.1-547 and 59.1-548, Code of Virginia, the department is authorized to prorate, with no payment of the unpaid portion of the grant necessary in the next fiscal year, the amount of awards each business receives to match the appropriation for this Item. Should actual grants awarded in each fiscal year be less than the amounts provided in this Item, the excess shall not revert to the general fund but shall be reappropriated to support the provisions of this Item. Notwithstanding the provisions of § 59.1-548, Code of Virginia, or any other provision of law, moneys for enterprise zone real property investment grants shall be used to support the inclusion of rooftop solar or solar canopies for parking lots as a component of a real property project awarded a grant through the program.				
105.	Regulation of Structure Safety (56200)			$3,352,665	$3,352,665
	State Building Code Administration (56202)	$3,352,665	$3,352,665		
	Fund Sources: General	$814,292	$814,292		
	Special	$2,238,373	$2,238,373		
	Dedicated Special Revenue	$300,000	$300,000		
	Authority: Title 15.2, Chapter 9; Title 27, Chapters 1, 6, and 9; Title 36, Chapters 4, 4.1, 4.2, 6, and 8; Title 58.1, Chapter 36, Article 5; and Title 63.2, Chapter 17, Code of Virginia.				
106.	Governmental Affairs Services (70100)			$568,822	$568,822
	Intergovernmental Relations (70101)	$568,822	$568,822		
	Fund Sources: General	$568,822	$568,822		
	Authority: Title 15.2, Subtitle III, Code of Virginia.				
	Out of the amounts in this item, $150,000 the first year and $150,000 the second year from the general fund and one position is provided for the Commission on Local Government pursuant to Senate Bill 645 of the 2024 General Assembly Session.				
107.	Administrative and Support Services (59900)			$5,387,695	$5,387,695
	General Management and Direction (59901)	$5,387,695	$5,387,695		
	Fund Sources: General	$4,812,687	$4,812,687		
	Special	$564,424	$564,424		
	Federal Trust	$10,584	$10,584		
	Authority: Title 36, Chapter 8, Code of Virginia.				
	Total for Department of Housing and Community Development			~~$461,125,882~~ *$597,675,882*	~~$428,825,882~~ *$416,825,882*
	General Fund Positions	111.25	111.25		
	Nongeneral Fund Positions	104.75	104.75		
	Position Level	216.00	216.00		
	Fund Sources: General	~~$225,629,060~~ *$362,179,060*	~~$193,329,060~~ *$181,329,060*		
	Special	$103,461,630	$103,461,630		
	Trust and Agency	$150,000	$150,000		
	Dedicated Special Revenue	$400,000	$400,000		
	Federal Trust	$131,485,192	$131,485,192		
	§ 1-42. DEPARTMENT OF ENERGY (409)				
108.	Minerals Management (50600)			~~$44,797,427~~ *$45,022,427*	$44,797,427
	Geologic and Mineral Resource Investigations, Mapping, and Utilization (50601)	~~$1,826,270~~ *$2,051,270*	$1,826,270		

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Mineral Mining Environmental Protection, Worker Safety and Land Reclamation (50602)	$3,276,419	$3,276,419		
Gas and Oil Environmental Protection, Worker Safety and Land Reclamation (50603)	$1,668,668	$1,668,668		
Coal Environmental Protection and Land Reclamation (50604)	$32,911,581	$32,911,581		
Coal Worker Safety (50605)	$5,114,489	$5,114,489		
Fund Sources: General	~~$11,174,960~~ *$11,399,960*	$11,174,960		
Special	$6,196,107	$6,196,107		
Trust and Agency	$525,000	$525,000		
Dedicated Special Revenue	$173,000	$173,000		
Federal Trust	$26,728,360	$26,728,360		

Authority: Title 45.2, Code of Virginia.

A. Out of this appropriation, $31,224 the first year and $31,224 the second year from special funds shall be provided for annual membership dues to the Interstate Mining Compact Commission.

B. Out of this appropriation shall be provided reimbursement for expenses associated with administrative and judicial review when so ordered by a court of competent jurisdiction.

C. Out of this appropriation, $6,119 the first year and $6,119 the second year from the general fund shall be provided for annual membership dues to the Interstate Oil and Gas Compact Commission.

D. The application fee for a coal mine license or a renewal or transfer of a license pursuant to ~~§ 45.1-161.58~~ *§ 45.2-535*, Code of Virginia, shall be in the amount of $350.

E. The application fee for a mineral mine license or a renewal or transfer of a license pursuant to ~~§ 45.1-161.292:31~~ *§ 45.2-1205*, Code of Virginia, shall be in the amount of $400, except applications submitted electronically, which shall be accompanied by a fee of $330. However, the fee for any person engaged in mining sand or gravel on an area of five acres or less shall be required to pay a fee of $100, except applications submitted electronically, which shall be accompanied by a fee of $80.

F. The application fee for a new oil or gas well permit pursuant to ~~§ 45.1-361.29~~ *§ 45.2-1631*, Code of Virginia, shall be in the amount of $600 and the application fee for permit modifications shall be $300.

G. The department shall identify and apply for any available federal or other non-general funds for the purposes of waste coal and garbage of bituminous coal remediation in the coal fields region of the Commonwealth. The department shall report on such efforts and resulting funding by November 1, 2024, and by November 1 of each succeeding year to the Governor and General Assembly.

109.	Resource Management Research, Planning, and Coordination (50700)			$4,766,189	$4,766,189
	Energy Conservation and Alternative Energy Supply Programs (50705)	$4,766,189	$4,766,189		
	Fund Sources: General	$2,504,912	$2,504,912		
	Special	$114,407	$114,407		
	Federal Trust	$2,146,870	$2,146,870		

Authority: Title 45.2, Chapter 17, Code of Virginia.

A. Out of this appropriation, $38,362 the first year and $38,362 the second year from the general fund shall be provided for dues and expenses for the Southern States Energy Board.

B. To defray the costs of implementing the Virginia Energy Management Program, the Department of Energy is authorized to have included in state fuel oil, natural gas, electricity, and similar energy contracts a provision for suppliers to collect from using

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agencies and remit to the department an administrative surcharge. The surcharge shall reflect the department's actual costs to administer the program. Additionally, the department is authorized, consistent with federal funding rules, to distribute energy-related federal funds as grants or as loans to other state or nonstate agencies for use in financing energy-related projects, and to recover from the recipient an administrative service charge to recover the department's costs of administering such grant or loan programs.

C. Out of this appropriation, $137,000 the first year and $137,000 the second year from the general fund is provided to support one position within the Division of Energy to assist localities with siting, procurement, land use concerns, and other solar energy-related issues.

D. Out of this appropriation, $387,500 the first year and $387,500 the second year from the general fund is provided to support the Office of Offshore Wind to coordinate state agency activities to develop and execute strategies that reduce barriers for deployment of offshore wind and attract offshore wind supply chain businesses for Virginia's benefit, promote Virginia's infrastructure and workforce development assets, work with public and private sector partners to make Virginia a regional hub for offshore wind, and to provide staff support for the Virginia Offshore Wind Development Authority.

E. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund is provided to expand capacity at the department to focus on solar and energy efficiency projects. This funding shall support the following activities: (i) securing and maximizing federal grants; (ii) building relationships with federal agencies; and (iii) supporting economic development of renewable energy industries and their relevant supply chains.

F. Upon the effective date of this act, in accordance with § 4-14.00, the State Comptroller shall revert to the general fund $10,000,000 from the general fund balances of this department.

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110.	Administrative and Support Services (59900)			$5,866,474	$5,866,474
	General Management and Direction (59901)	$5,866,474	$5,866,474		
	Fund Sources: General	$2,683,617	$2,683,617		
	Special	$2,266,574	$2,266,574		
	Dedicated Special Revenue	$916,283	$916,283		
	Authority: Title 45.2, Chapter 1, Code of Virginia.				
	Total for Department of Energy			~~$55,430,090~~ *$55,655,090*	**$55,430,090**
	General Fund Positions	113.47	113.47		
	Nongeneral Fund Positions	123.53	123.53		
	Position Level	237.00	237.00		
	Fund Sources: General	~~$16,363,489~~ *$16,588,489*	$16,363,489		
	Special	$8,577,088	$8,577,088		
	Trust and Agency	$525,000	$525,000		
	Dedicated Special Revenue	$1,089,283	$1,089,283		
	Federal Trust	$28,875,230	$28,875,230		

§ 1-43. DEPARTMENT OF SMALL BUSINESS AND SUPPLIER DIVERSITY (350)

111.	Economic Development Services (53400)			~~$9,326,797~~ *$9,476,797*	~~$8,826,797~~ *$8,912,875*
	Minority Business Enterprise Procurement Reporting and Coordination (53406)	$6,098	$6,098		
	Minority Business Enterprise Outreach (53407)	~~$193,625~~ *$112,440*	~~$193,625~~ *$112,440*		
	Minority Business Enterprise Certification (53414)	~~$1,987,080~~ *$1,923,131*	~~$1,987,080~~ *$2,041,459*		
	Business Information Services (53418)	~~$2,012,607~~ *$1,979,143*	~~$1,990,887~~ *$2,294,802*		

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Administrative Services (53422)	~~$2,811,108~~ *$3,001,469*	~~$2,337,828~~ *$2,401,321*		
Financial Services for Economic Development (53423)	~~$2,316,279~~ *$2,454,516*	~~$2,311,279~~ *$2,056,755*		
Fund Sources: General	~~$6,180,690~~ *$6,330,690*	~~$5,680,690~~ *$5,766,768*		
Special	$1,180,540	$1,180,540		
Commonwealth Transportation	$1,800,567	$1,800,567		
Trust and Agency	$100,000	$100,000		
Dedicated Special Revenue	$65,000	$65,000		

Authority: Title 2.2, Chapters 16.1 and 22, Code of Virginia.

A. The Department, in conjunction with the Department of General Services, the Virginia Employment Commission, and the Virginia Department of Transportation, is authorized to conduct analyses of the availability of minority business enterprises in Virginia and the utilization of such businesses by the Commonwealth of Virginia, localities, or private industry in the acquisition of goods and services. The Department also is authorized to receive and accept from the United States government, or any agency thereof, and from any other source, private or public, any and all gifts, grants, allotments, bequests or devises of any nature that would assist the Department in conducting such analyses or otherwise strengthen its services to minority business enterprises. The Director, Department of Planning and Budget, is authorized to establish a nongeneral fund appropriation for the purposes of expending revenues that may be received for this effort.

B. Out of the amounts in this Item, $819,753 the first year and $819,753 the second year from the general fund shall be deposited to the Small Business Investment Grant Fund pursuant to § 2.2-1616, Code of Virginia. Notwithstanding the provisions of § 2.2-1616, Code of Virginia, an eligible investor that makes a qualified investment in a small business on or after July 1, 2020, but prior to January 1, 2023, that has been certified by the Authority pursuant to subsection D of § 2.2-1616, Code of Virginia shall be eligible for a grant in an amount equal to the lesser of 25 percent of the qualified investment or $50,000. The Department shall aggressively market the program and shall report to the Governor and the Secretary of Commerce and Trade on the status of the program by November 1 of each year.

C. Out of the amounts in this Item, $83,000 the first year and $83,000 the second year from the general fund shall be provided to support the Business One-Stop Program.

D.1. Out of the amounts in this Item, $1,345,540 from nongeneral funds the first year and $1,345,540 from nongeneral funds the second year shall be provided for the Virginia Small Business Financing Authority.

2. The Virginia Small Business Financing Authority is authorized to insure additional loans for eligible small businesses, pursuant to § 2.2-2290, Code of Virginia, up to an aggregate amount not to exceed four times the principal amount in the Insurance or Guarantee Fund, or up to an aggregate amount of $15,000,000. In the event that the authority is called upon to pay on guaranties of loans of more than 10 percent of the aggregate amount of all outstanding insured loans, the authority shall not insure any further loans and shall immediately notify the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. Pursuant to § 4-1.03 of this act, the Director, Department of Planning and Budget, is authorized to transfer a sum sufficient to the Insurance or Guarantee Fund in the event the amount in the fund falls below the amount needed to honor any guarantee.

3. For the I-95 HOV/HOT Lanes project as evidenced by the Comprehensive Agreement approved pursuant to the Public-Private Transportation Act of 1995, the maximum fee and/or premium charged by the Virginia Small Business Financing Authority pursuant to §§ 2.2-2285 and 2.2-2291, Code of Virginia, for acting as the conduit issuer for any bond financing is not to exceed $25,000 per annum.

E. The Department shall include employment services organizations within the development and operation of any state procurement program or program goal and targets

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for small, women-owned, and minority-owned businesses consistent with requirements in the Code of Virginia requiring the Department to certify employment service organizations.

F. Notwithstanding any other provision of law, any business certified on or after July 1, 2017, by the Department as a small, women-owned, or minority-owned business, shall be certified for a period of five years unless (i) the certification is revoked before the end of the five-year period, (ii) the business ceases operation, or (iii) the business no longer qualifies as a small, women- or minority-owned business.

G. Beginning with the calendar quarter ending September 30, 2018, the Director of the Department shall report to the Secretary of Commerce and Trade and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the agency's efforts to maximize job creation and retention among the Commonwealth's small businesses. The report shall include, at a minimum, measures of (i) the effectiveness of programs administered by the Small Business Financing Authority in assisting borrowers to create jobs and enable increased capital investment; (ii) the efficiency and effectiveness of Small, Women-owned, and Minority-owned Business and Disadvantaged Business Enterprise programs; (iii) the success of the agency's outreach and technical assistance activities; and, (iv) the number of businesses certified, and the average number of business days to process a certification application each month. The report shall be in a format prescribed by the Secretary but shall include specific data breakouts for rural areas and service-disabled veteran businesses currently certified in the SWaM certification and shall be due within thirty days of the close of each calendar quarter.

H. Notwithstanding § 2.2-1604, Code of Virginia, any cooperative association organized pursuant to Chapter 3 (§ 13.1-301 et seq.) of Title 13.1 of the Code of Virginia as a nonstock corporation that was certified as a small business by the Department prior to July 1, 2017, may be recertified as a small business by the Department, provided that such cooperative association otherwise meets the requirements for certification as a small business pursuant to Article 1 (§ 2.2-1603 et seq.) of Chapter 16.1 of Title 2.2 of the Code of Virginia and any other applicable provision of the Code of Virginia.

I. Out of the amounts in this Item, $500,000 the first year from the general fund shall be used by the department to produce a new statewide disparity study.

J. Out of this appropriation, $150,000 the first year from the general fund is provided to the City of Richmond for the Metropolitan Business League's and Bridging Virginia's Capital Access Program. Any funding remaining at the end of the fiscal year 2025 shall be carried forward into the next fiscal year and reappropriated for the purposes described in this paragraph J.

Total for Department of Small Business and Supplier Diversity			~~$9,326,797~~ *$9,476,797*	~~$8,826,797~~ *$8,912,875*
General Fund Positions	45.00	~~45.00~~ *46.00*		
Nongeneral Fund Positions	24.00	24.00		
Position Level	69.00	~~69.00~~ *70.00*		
Fund Sources: General	~~$6,180,690~~ *$6,330,690*	~~$5,680,690~~ *$5,766,768*		
Special	$1,180,540	$1,180,540		
Commonwealth Transportation	$1,800,567	$1,800,567		
Trust and Agency	$100,000	$100,000		
Dedicated Special Revenue	$65,000	$65,000		

§ 1-44. FORT MONROE AUTHORITY (360)

112.	Economic Development Services (53400)			$7,793,263	$7,740,610
	Administrative Services (53422)	$7,793,263	$7,740,610		
	Fund Sources: General	$7,793,263	$7,740,610		

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Authority: Title 2.2, Chapter 22, Code of Virginia.				
A.1. Out of the amounts in this Item, $7,793,263 the first year and $7,740,610 the second year from the general fund shall be provided for the Commonwealth's share of the estimated operating expenses of the Fort Monroe Authority (FMA). This appropriation represents the Commonwealth's share of the FMA's estimated operating expenses. These expenses may not be reimbursed by the federal government and shall be reduced by any federal funding the authority may receive for expenditures funded through the Commonwealth's contribution that ultimately qualify for federal reimbursement. Any such reimbursements shall be repaid to the general fund. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments.				
2. All moneys of the FMA, from whatever source derived, shall be paid to the treasurer of the FMA. The Auditor of Public Accounts or his legally authorized representatives shall annually examine the accounts of the books of the FMA.				
3. Employees of the FMA shall be eligible for membership in the Virginia Retirement System and participation in all of the health and related insurance and other benefits, including premium conversion and flexible benefits, available to state employees as provided by law.				
4. Pursuant to § 2.2-2338, Code of Virginia, the Board of Trustees of the FMA shall be deemed a state public body and may meet by electronic communication means in accordance with the requirements set forth in § 2.2-3708, Code of Virginia. Electronic communication shall mean the same as that term is defined in § 2.2-3701, Code of Virginia.				
5. Notwithstanding any other provision of law or agreement, the amount paid from all sources of funds by the FMA to the City of Hampton pursuant to § 2.2-2342, Code of Virginia, shall not exceed $983,960 the first year and $983,960 the second year.				
B. Out of this appropriation, $301,753 the first year and $301,753 the second year from the general fund is provided for the facilities maintenance department.				
C. Out of this appropriation, $318,981 the first year and $359,982 the second year from the general fund is provided for the authority to address the costs of its public works contracts.				
D. Out of this appropriation, $93,654 the first year from the general fund is provided for the authority to address critical tree maintenance.				
E. FMA and the Department of General Services (the Department) shall execute a Memorandum of Understanding allowing up to $60,000 annually from capital authorizations for infrastructure upgrades, deferred maintenance, and improvements at Fort Monroe to be expended by the Department. Of these authorizations, annually, up to $30,000 in total may be used by the Department for dedicated support for FMA as fiscal agent and up to $30,000, annually, in total may be expended by the Department in the review of capital outlay infrastructure upgrades, deferred maintenance, and improvement projects at Fort Monroe.				
Total for Fort Monroe Authority			**$7,793,263**	**$7,740,610**
Fund Sources: General	$7,793,263	$7,740,610		

§ 1-45. VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP (310)

113.	Economic Development Services (53400)			~~$52,951,862~~ *$54,451,862*	~~$53,451,862~~ *$59,451,862*
	Financial Assistance for Economic Development (53410)	$5,374,070	$5,874,070		
	Economic Development Services (53412)	~~$47,577,792~~ *$49,077,792*	~~$47,577,792~~ *$53,577,792*		
	Fund Sources: General	~~$52,951,862~~ *$54,451,862*	~~$53,451,862~~ *$59,451,862*		

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

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

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

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

D. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments. The Director, Department of Planning and Budget, may authorize an increase in disbursements for any month, not to exceed the total appropriation for the fiscal year, if such an advance is necessary to meet payment obligations.

E. The Virginia Economic Development Partnership shall provide administrative and support services for the Virginia Tourism Authority as prescribed in the Memorandum of Agreement until July 1, 2026, or until the authority is able to provide such services.

F. The Virginia Economic Development Partnership shall report one month after the close of each quarter to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees on the Commonwealth's Development Opportunity Fund. The report shall include, but not be limited to, total appropriations made or transferred to the fund, total grants awarded, cash balances, and balances available for future commitments.

G. Prior to purchasing airline and hotel accommodations related to overseas trade shows, the Virginia Economic Development Partnership shall provide an itemized list of projected costs for review by the Secretary of Commerce and Trade.

H.1. Out of the amounts in this Item, $2,250,000 in the first year and $2,250,000 in the second year from the general fund shall be deposited in the Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund established pursuant to § 10.1-1237, Code of Virginia.

2. Guidelines developed by the Virginia Economic Development Partnership, in consultation with the Department of Environmental Quality, governing the use of the Fund shall provide for grants of up to $500,000 for site remediation and include a requirement that sites with potential for redevelopment and economic benefits to the surrounding community be prioritized for consideration of such grants.

I. Any requests for administrative or staff support for the Committee on Business Development and Marketing or the Committee on International Trade established to advise the Virginia Economic Development Partnership shall be directed to, and are subject to the approval of, the Chair or the Chief Executive Officer of the Virginia Economic Development Partnership.

J. Out of the amounts in this Item, $9,000,000 the first year and $9,000,000 the second year from the general fund is provided to support the development of a workforce program to

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provide training and recruitment services to select companies locating or expanding in the Commonwealth.

K. Out of the amounts in this Item, $1,562,500 the first year and $1,562,500 the second year from the general fund is provided for the Virginia Economic Development Partnership Authority to administer a comprehensive Virginia Business Ready Sites program. The funds in this paragraph may be used to administer the program established by § 2.2-2240.2:1, Code of Virginia, § 2.2-2761, Code of Virginia, and House Bill 1125 of the 2024 General Assembly and characterize, inventory, develop, market and deploy economic sites in the Commonwealth, which includes business investment activities.

L.1. Out of the amounts in this Item, $1,983,600 the first year and $2,233,600 the second year from the general fund is provided to support the Office of Education and Labor Market Alignment in accordance with § 2.2-2238, Code of Virginia.

2. Notwithstanding any provision of law, the Office of Labor Market Alignment (the Office) shall serve as a resource for education and workforce programs administered by state government to better inform programmatic decisions on workforce education and training. Additionally, the Office shall serve as a guide and resource for the Governor and the General Assembly in determining strategic education and workforce investments in current and future education and workforce training programs with a particular focus on those programs supported with state general fund dollars.

3. The Office shall develop and report an annual research agenda to the Governor and General Assembly on or before June 30th of each year in collaboration with the Secretaries of Education, Labor, and Commerce and Trade, the State Council of Higher Education for Virginia, institutions of higher education, the Virginia Department of Education, the Virginia Employment Commission, the Virginia Initiative for Growth and Opportunity Board, and the Department of Workforce Development and Advancement, members of or staff to the House Committee on Education, Senate Committee on Education and Health, House Committee on Appropriations, and the Senate Committee on Finance and Appropriations.

4. The Virginia Economic Development Partnership Authority shall include in its annual report, due on November 1st of each year, an update on the activities of the Office of Labor Market Alignment.

M. Out of the amounts in this Item, $4,600,000 the first year and $4,600,000 the second year from the general fund is provided to fully implement Virginia's International Trade Plan.

N. Out of this appropriation, $1,158,969 the first year and $1,158,969 the second year from the general fund is provided to establish the Division of Incentives consistent with the provisions of § 2.2-2237.3, Code of Virginia.

O. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund is provided to establish an internal audit function for the authority, consistent with the provisions of § 2.2-2236.1, Code of Virginia.

P. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund is provided for the authority to enhance cyber security initiatives.

Q. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund is provided to support the opening of the Virginia-Taiwan Trade Office.

R. Notwithstanding any provision of subsection D of § 2.2-2237.1, Code of Virginia, to the contrary, the Virginia Economic Development Partnership Authority may include in its annual report on its operational plan the most recent audit report from the Auditor of Public Account's examination of the Authority's accounts and books pursuant to § 2.2-2242, Code of Virginia, in lieu of the audited financial statements of the Authority for the year ending the previous June 30.

S. Out of this appropriation, $1,000,000 the first year and $1,250,000 the second year from the general fund is provided to support reorganizing economic development services at the authority.

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T.1. Out of this appropriation, $6,000,000 the second year from the general fund is provided to support employer-focused activities that further the goal of providing all postsecondary students in Virginia with one or more paid internships during their undergraduate course of study.

2. Out of the amounts provided in this paragraph, up to $500,000 in fiscal year 2026 may be transferred by the Director of the Department of Planning and Budget to the Department of Workforce Development and Advancement (Virginia Works) to support the development and deployment of the jobseeker/individual focused portal, Virginia Has Jobs, for higher education related internships. Such transfer will be coordinated and assessed for approval by the Board of the Virginia Economic Development Partnership (VEDP). If an amount is approved for the stated purposed, Virginia Works shall use the one-time funds provided in this paragraph to increase the capabilities of the Virginia Has Jobs platform to collect information from employers on available higher education internships and connect students to these internship opportunities. To provide guidance on functionality, feature requirements, and user experience considerations of the higher education related internship component of the Virginia Has Jobs platform, Virginia Works shall convene an advisory group consisting of the State Council of Higher Education for Virginia (SCHEV), institutions of higher education, VEDP, Virginia Chamber of Commerce, Virginia Business Higher Education Council, and other statewide local government and non-profit education partners. The advisory group will confirm that the the Virginia Has Jobs platform is not duplicative of existing platforms used by any of the advisory group members. Virginia Works shall not use these funds for the marketing or promotion of the Virginia Has Jobs platform.

3. Out of the amounts provided in this paragraph, up to $2,000,000 in fiscal year 2026 may be designated for VEDP to conduct initial outreach and marketing to increase employer participation in paid internship and other work-based learning programs pursuant to § 23.1-903.4, Code of Virginia, including developing and implementing a statewide promotion, convening, and marketing program to encourage, assist, and recognize employers that increase employment of undergraduate student interns. Such amounts will be subject to approval by the Board of VEDP.

4. Out of this amounts provided in this paragraph, up to $3,500,000 in fiscal year 2026 and up to $6,000,000 each year thereafter, is provided for VEDP to support the following activities: (i) arranging for administration of the matching grant program for certain employers of higher education related student interns as provided in this paragraph; (ii) coordinating regional collaboratives to serve as intermediaries for employers seeking to initiate or expand employment of higher education related student interns in a region; and (iii) measuring and reporting program participation and progress toward identified goals through the Virginia Office of Education and Workforce Alignment. VEDP shall convene a stakeholder group from business, industry, education, economic and workforce development, and government, including the following primary partners for employer engagement: Virginia Chamber of Commerce; Virginia Business Higher Education Council; and other statewide local government and non-profit education partners to design these activities. At the recommendation of the stakeholder group, VEDP may enter into a Memorandum of Understanding (MOU) with Virginia Works to carry out the activities listed in paragraphs T.4. and 5. of this item; however, VEDP shall remain the fiscal agent for these activities. The MOU shall provide for ongoing collaboration by and with SCHEV and institutions of higher education to integrate the employer-focused activities authorized in this paragraph with campus internship centers and other activities related to postsecondary paid and credit-bearing internships that are implemented pursuant to Item 132.I. Such amounts to be authorized and the MOU will be subject to annual approval by the Board of VEDP.

5. VEDP shall provide for implementation of a program of matching grants for small and midsize Virginia-based employers that hire undergraduate student interns and shall establish criteria for the grants in consultation with the partners identified in paragraph T.4. of this item. Such criteria shall include: (i) a limitation of eligibility to for-profit business and nonprofit organizations, excluding institutions of higher education, with physical operations and facilities in Virginia and 150 or fewer Virginia-based employees; (ii) certification of employer eligibility by the authority following a training program of reasonable duration and agreement by the employer to reasonable mentoring and reporting obligations; (iii) a limitation of grant awards to reimbursement, not to exceed $7,500 per higher education related internship, for a maximum of one-half of wages, including FICA, and workplace

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subsidies, including transportation, housing, and other internship-related expenses, paid to or for the benefit of a student participating in a qualifying internship; (iv) the minimum and maximum number of hours required to ensure the student gains valuable work experience; (v) a limitation of the qualifying number of higher education related internships per employer; and (vi) the maximum timeframe for employers to be eligible to receive the grants. Prioritization of grant awards may consider employers of 50 or fewer employees. The authority may provide other services to employers, including arranging for one or more staffing agencies to provide services related to higher education related intern recruitment and placement, but eligibility for matching grants shall not be conditioned on an employer's engagement with or use of such staffing agency or other services.				
6. VEDP may employ a program administrator, contract for professional services related to marketing and communications, and take such other actions within its existing authority as it deems appropriate to accomplish the purposes of this paragraph and facilitate the partnerships and collaboration described herein. All activities and amounts are subject to annual approval by the Board of VEDP.				
U. Out of this appropriations, $1,500,000 the first year from the general fund is provided to the authority to promote Virginia to national and international site consultants, corporate executives, and others tasked with making business location recommendations and decisions.			**I VETO ITEM 113.U. ON PAGE 1827 5-2-25**	
Total for Virginia Economic Development Partnership			~~$52,951,862~~ *$54,451,862*	~~$53,451,862~~ *$59,451,862*
Fund Sources: General	~~$52,951,862~~ *$54,451,862*	~~$53,451,862~~ *$59,451,862*		

§ 1-46. VIRGINIA TOURISM AUTHORITY (320)

114.	Tourist Promotion (53600)			~~$32,214,929~~ *$37,284,929*	~~$26,014,929~~ *$26,139,929*
	Tourist Promotion Services (53607)	~~$32,214,929~~ *$37,284,929*	~~$26,014,929~~ *$26,139,929*		
	Fund Sources: General	~~$32,214,929~~ *$37,284,929*	~~$26,014,929~~ *$26,139,929*		

Authority: Title 2.2, Chapter 22, Article 8, Code of Virginia.

A.1. The Department of Transportation shall pay to the Virginia Tourism Authority $1,425,000 the first year and $1,425,000 the second year for continued operation of the Welcome Centers, of which $225,000 the first year and $225,000 the second year is for maintenance of the Danville Welcome Center. The Department of Transportation shall fund maintenance at each state Welcome Center based on the agreed-upon service levels contained in the Memorandum of Agreement between the Virginia Tourism Authority and the Department of Transportation.

2. To the extent necessary to fund the operations of the Welcome Centers, the Virginia Tourism Authority is authorized to collect fees paid by businesses for display space at the Welcome Centers.

B. Upon authorization of the Governor, the Virginia Tourism Authority may transfer funds appropriated to it by this act to a nonstock corporation.

C. Prior to July 1 of each fiscal year, the Virginia Tourism Authority shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget a report of its operating plan. Prior to September 1 of each fiscal year, the authority shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget a detailed expenditure report and a listing of the salaries and bonuses for all authority employees for the prior fiscal year. All three reports shall be prepared in the formats as previously approved by the Department of Planning and Budget.

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D. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments. The Director, Department of Planning and Budget may authorize an increase in disbursements for any month, not to exceed the total appropriation for the fiscal year, if such an advance is necessary to meet payment obligations.

E.1. Out of the amounts in this Item, ~~$5,050,000~~ *$5,695,000* the first year and $4,250,000 the second year from the general fund is provided for grants to regional and local tourism authorities and other tourism entities to support their efforts. From the grants provided from the amounts included in this paragraph, priority consideration shall be given to funding for the Daniel Boone Visitor Center, as well as ~~$450,000~~ *$700,000* the first year and $450,000 the second year to the Heart of Appalachia Tourism Authority, and $50,000 the first year and $50,000 the second year for events sponsored by Special Olympics Virginia, and ~~$2,900,000~~ *$3,295,000* the first year and $2,100,000 the second year to the Southwest Virginia Regional Recreation Authority for the Spearhead Trails initiative. *From the amounts provided for the Heart of Appalachia Tourism Authority, $250,000 the first year is provided to support the development of the Three Rivers Destination – Discover Center in St Paul, Virginia.*

2. Out of the amounts in this paragraph provided for the Southwest Virginia Regional Recreation Authority, up to $25,000 the first year and up to $25,000 the second year from the general fund, shall be provided to support a peer-support program for Virginia veterans in partnership with the Spearhead Trails initiative. The Virginia Department of Behavioral Health and Developmental Services and the Virginia Department of Veterans Services shall provide assistance in establishing such program upon the request of the board of the Southwest Regional Recreation Authority.

3. It is the intent of the General Assembly that the amounts in this paragraph provided for the Southwest Virginia Regional Recreation Authority ~~in the second year~~ to support the Spearhead Trails initiative shall be provided in its entirety in the first quarter of the fiscal year. The Southwest Virginia Regional Recreation Authority shall submit annual financial statements to the Virginia Tourism Authority by September 1 each year.

F. The Virginia Tourism Authority shall place a high priority on marketing rural areas of the state.

G. Out of the amounts in this Item, $3,100,000 in the first year and $3,100,000 in the second year from the general fund is provided to supplement appropriations to promote Virginia's tourism industries through an enhanced advertising campaign. Of these amounts, at least $1,000,000 the first year and $1,000,000 the second year shall be used to support a cooperative advertising program to partner with private sector tourism businesses and regional tourism entities to advertise Virginia as a tourism destination. The state dollars shall be used to incentivize private and regional tourism marketing funds on a $1.00 for $1.00 basis whereby the Virginia Tourism Corporation shall enter into agreements to undertake joint advertising purchases to promote Virginia and specific facilities with private sector and regional partners.

H. Out of the amounts in this Item, $150,000 the first year and $150,000 the second year from the general fund is provided to support a tourism development initiative in the County of Henrico.

I. Out of the amounts in this Item, $25,000 the first year and $25,000 the second year from the general fund is provided to support the Carver Price Legacy Museum.

J. With such funds as are available, the Virginia Tourism Authority shall collaborate with "Opening Doors for Virginians with Disabilities" to maintain and update the Opening Doors for Virginians with Disabilities travel guide and establish a more user-friendly link to this information on the Virginia Tourism Corporation website home page.

K. Out of the amounts in this Item, $2,140,000 the first year and $2,140,000 the second year from the general fund is provided for grants to promote tourism in accordance with the provisions of § 2.2-2320.2, Code of Virginia.

L. The Virginia Tourism Authority shall provide technical assistance to the City of Danville on how best to plan for increased tourism in the Southside region due to infrastructure improvements at the Virginia International Raceway and the opening of a casino in the City.

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M. Out of this appropriation, $300,000 the first year from the general fund shall be used by the authority to develop a marketing and promotional campaign to increase visitation to the Carter Family Fold. The authority will develop, create, and manage the campaign and may coordinate with existing regional marketing organizations and other state tourism agencies to maximize the economic impact of this campaign.

N. Out of this appropriation, $100,000 the first year from the general fund is provided to the City of Virginia Beach for the development of a Hampton Roads African American Heritage travel guide.

O. Out of this appropriation, $5,000,000 the first year from the general fund is provided for sponsorship and partnership with and promotion of the Ladies Professional Golf Association's (LPGA) 2024 Solheim Cup hosted in Gainesville, Virginia. The authority shall use these funds to: (i) promote Prince William County and other Virginia Tourism assets during this event, and (ii) provide grants to Prince William County to address public safety and transportation services required for the domestic and international travelers attending the event.

P. Out of the amounts in this item, $330,012 the first year and $330,012 the second year from the general fund is provided to promote and advertise tourism in Virginia. These amounts include $130,012 in the first year and $130,012 in the second year for a partnership operated by the Virginia Association of Broadcasters to advertise Virginia Tourism, provided the Association contributes a total of at least $390,036 in television and radio advertising value to promote tourism in Virginia in the first year and $390,036 in the second year. Also included in these amounts is $100,000 the first year and $100,000 the second year to promote Virginia Parks, and $100,000 the first year and $100,000 the second year to promote Virginia's wineries.

Q. Out of the amounts in this item, $497,544 the first year and $497,544 the second year from the general fund is provided to purchase media in the Washington, D.C., Virginia, and Baltimore, Maryland markets through a partnership operated by the Virginia Association of Broadcasters, in association with its affiliates in other states in the region, provided that the Association can obtain contributions of at least $1,492,632 the first year and $1,492,632 the second year in television, radio, and station-related internet advertising value to promote tourism in Virginia.

R. Out of this appropriation, $3,000,000 the first year from the general fund is provided to Prince William County to support the promotion of a major sporting event occurring between June 6th through June 8th of 2025. Any funding remaining at the end of the fiscal year 2025 shall be carried forward into the next fiscal year and reappropriated for the purposes described in this paragraph R., and shall not revert to the general fund.

S. Out of this appropriation, $50,000 the first year from the general fund is provided to Wise County for the Blue Highway Festival. Any funding remaining at the end of the fiscal year 2025 shall be carried forward into the next fiscal year and reappropriated for the purposes described in this paragraph S., and shall not revert to the general fund.

T. Out of this appropriation, $125,000 the first year and $125,000 the second year from the general fund is provided to the City of Norfolk for Nauticus to support education programming for Schooner Virginia. Any funding remaining at the end of the fiscal year 2025 shall be carried forward into the next fiscal year and reappropriated for the purposes described in this paragraph T., and shall not revert to the general fund.

U. Out of this appropriation, $1,250,000 the first year from the general fund is provided for the Virginia Tourism Authority to develop a marketing campaign to attract out of state visitors from Black, Indigenous, and Hispanic communities. The amounts provided in this paragraph U. shall not revert to the general fund at the end of any fiscal year, but shall be carried forward and reappropriated.

I VETO ITEM 114.U. ON PAGE 1829 /s/ Glenn Youngkin 5-2-25

Total for Virginia Tourism Authority.....			~~$32,214,929~~ *$37,284,929*	~~$26,014,929~~ *$26,139,929*
Fund Sources: General.....	~~$32,214,929~~ *$37,284,929*	~~$26,014,929~~ *$26,139,929*		

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	§ 1-47. VIRGINIA INNOVATION PARTNERSHIP AUTHORITY (309)				
115.	Economic Development Services (53400)			~~$63,488,565~~ *$132,539,319*	~~$111,536,839~~ *$42,486,085*
	Economic Development Services (53412)	~~$63,488,565~~ *$132,539,319*	~~$111,536,839~~ *$42,486,085*		
	Fund Sources: General	~~$63,488,565~~ *$132,539,319*	~~$111,536,839~~ *$42,486,085*		

Authority: Discretionary Inclusion.

A. The Virginia Innovation Partnership Authority (VIPA) is hereby authorized to transfer funds in this appropriation to an established managing non-profit to expend said funds for realizing the statutory purposes of the Authority, by contracting with governmental and private entities, notwithstanding the provisions of § 4-1.05 b of this act.

B. This appropriation shall be disbursed in twelve equal monthly disbursements each fiscal year. The Director, Department of Planning and Budget, may authorize an increase in disbursements for any month not to exceed the total appropriation for the fiscal year if such an advance is necessary to meet payment obligations.

C.1. No later than June 15 of each year, the Authority shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Commerce and Trade, and the Director, Department of Planning and Budget, a report of its operating plan for each year of the biennium. No later than September 30 of each year, the Authority shall submit to the same entities a detailed expenditure report and a listing of the salaries and bonuses for all authority employees for the concluded fiscal year. Both reports shall be prepared in the formats as approved by the Director, Department of Planning and Budget, and include, but not be limited, to the following:

a. All planned and actual revenue and expenditures along with funding sources, including state, federal, and other revenue sources of both the Authority and the managing non-profit entity;

b. By activity or program, total grants made and investments awarded for each grant and investment program;

c. By activity or program, recoveries of previous grants or investments and sales of equity positions;

d. Cash balances by funding source, and a report, by program, of available, committed and projected expenditures of all cash balance; and,

e. Private investment activity related to the fund of funds established in U. of this item.

2. The President of the managing non-profit entity shall report quarterly to the entity's board of directors, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Commerce and Trade, and the Director, Department of Planning and Budget, in a format approved by the Board the following:

a. The quarterly financial performance, determined by comparing the budgeted and actual revenues and expenditures to planned revenues and expenditures for the fiscal year;

b. All investments and grants executed compared to projected investment closings, return on prior investments and grants, including all gains and losses; and

c. The financial and programmatic performance of all operating entities owned by the managing non-profit entity.

D.1. By November 1 of each year, the President of the Authority shall report to the Governor and the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, the Secretary of Commerce and Trade, and to the Director, Department of Planning and Budget, on key programs and funds managed directly by VIPA. The report shall summarize performance on the outcomes of public and private research investment in applied research projects, capital investment in Virginia companies, job

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creation, and new company formation.

2. To the extent possible, the annual performance report shall contain information on the metrics outlined below.

a. For activities associated with the Virginia Venture Partners (VVP): (i) the number of companies receiving investments from the fund, (ii) the state investment and amount of privately leveraged investments per company, (iii) the estimated number of jobs created, (iv) the estimated tax revenue generated, (v) the number of companies who have received investments from the VVP fund still operating in Virginia, (vi) return on investment, to include the value of proceeds from the sale of equity in companies that received support from the program and economic benefits to the Commonwealth, (vii) the number of state investments that failed and the state investment associated with failed investments, (viii) the number of new companies created or expanded and the number of patents filed, and (ix) the geographic distribution of investments.

b. For activities associated with the Regional Innovation Fund: (i) the type and number of capacity building projects, (ii) the total state investment per project, (iii) the anticipated results of the investment, (iv) number of jobs created, (v) number of businesses founded, (vi) additional sources of investment in the projects receiving support from the fund, and (vii) the geographic distribution of the investments.

c. For activities associated with the Commonwealth Commercialization Fund: (i) the number of research grants awarded by domain area, (ii) the state investment per research project, (iii) the number of eminent researchers attracted and retained, (iv) additional research dollars leveraged as a result of the state investment, (v) number of new products completed/released to production, (vi) start-ups created from the research investment, (vii) new licenses granted to companies within Virginia, (viii) new licenses granted to companies outside Virginia, and (ix) the geographic distribution of the investments.

3. Such report shall include the prior fiscal year outcomes as well as the outcomes of each program managed directly by VIPA since inception. In addition, the report shall also include program changes anticipated in the subsequent fiscal year.

E.1. Out of the appropriation in this Item, $3,100,000 the first year and $3,100,000 the second year from the general fund shall be allocated to the Division of Investment to support the Virginia Venture Partners fund and other indirect investment mechanisms to foster the development of Virginia-based technology companies.

2. Funds returned, including proceeds received due to the sale of a company that previously received a VVP investment, shall remain in the program and be used to make future early stage financing investments consistent with the goals of the program. The managing non-profit may recover the direct costs incurred associated with securing the return of such funds from the moneys returned.

F. A total of $3,000,000 the first year and $3,000,000 the second year from the general fund shall be allocated to the Entrepreneurial Ecosystems Division to support and promote technology-based entrepreneurial activities in the Commonwealth as specified in § 2.2-2357, Code of Virginia. Out of these amounts, $2,000,000 the first year and $2,000,000 the second year shall establish the Regional Innovation Fund which may be used to provide follow-on sustaining funding to promising entrepreneurial ecosystem projects identified by the Virginia Initiative for Growth and Opportunity in Each Region (GO Virginia) Board.

G. A total of $5,000,000 the first year and $5,000,000 the second year from the general fund shall be allocated to the Commonwealth Commercialization Fund to foster innovative and collaborative research, development, and commercialization efforts in the Commonwealth in projects and programs with a high potential for economic development and job creation as specified in § 2.2-2359, Code of Virginia.

H. A total of $1,000,000 the first year and $1,000,000 the second year from the general fund shall be allocated to the Technology Industry Development Services to support strategic initiatives to advance the Authority's public purpose. These initiatives may include: (i) seeking, or supporting others in seeking, federal grants, contracts, or other funding sources; (ii) assuming responsibility for strategic initiatives and partnerships with

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federal and local governments; (iii) taking a lead role in defining, promoting, and implementing policies that advance innovation and entrepreneurial activity; and (iv) contracting with federal and private entities to further innovation, commercialization, and entrepreneurship in the Commonwealth.

I. Out of the appropriation in this Item, $1,000,000 the first year and $1,000,000 the second year from the general fund shall be made available for the Virginia Center for Unmanned Systems. The Center shall serve as a catalyst for growth of unmanned and autonomous systems vehicles and technologies in Virginia. The Center will establish collaboration between businesses, investors, universities, entrepreneurs and government organizations to increase the Commonwealth's position as a leader of the Autonomous Systems community.

J.1. Out of the appropriation in this Item, $3,750,000 the first year and $3,750,000 the second year from the general fund shall be provided for the Virginia Biosciences Health Research Corporation (VBHRC), a non-stock corporation research consortium initially comprised of the University of Virginia, Virginia Commonwealth University, Virginia Polytechnic Institute and State University, George Mason University and the Eastern Virginia Health Sciences Center. The consortium will contract with private entities, foundations and other governmental sources to capture and perform research in the biosciences, as well as promote the development of bioscience infrastructure tools which can be used to facilitate additional research activities. The Department of Planning and Budget is authorized to provide these funds to the non-stock corporation research consortium referenced in this paragraph upon request filed with the Department of Planning and Budget by VBHRC.

2. Of the amounts provided in J.1. for the research consortium, up to $3,750,000 the first year and $3,750,000 the second year may be used to develop or maintain investments in research infrastructure tools to facilitate bioscience research.

3. The remaining funding shall be used to capture and perform research in the biosciences and must be matched at least dollar-for-dollar by funding provided by such private entities, foundations and other governmental sources. No research will be funded by the consortium unless at least two of the participating institutions, including the five founding institutions and any other institutions choosing to join, are actively and significantly involved in collaborating on the research. No research will be funded by the consortium unless the research topic has been vetted by a scientific advisory board and holds potential for high impact near-term success in generating other sponsored research, creating spin-off companies or otherwise creating new jobs. The consortium will set guidelines to disburse research funds based on advisory board findings. The consortium will have near-term sustainability as a goal, along with corporate-sponsored research gains, new Virginia company start-ups, and job creation milestones.

4. Other publicly-supported institutions of higher education in the Commonwealth may choose to join the consortium as participating institutions. Participation in the consortium by the five founding institutions and by other participating institutions choosing to join will require a cash contribution from each institution in each year of participation of at least $50,000.

5. Of these funds, up to $500,000 the first year and $500,000 the second year may be used to pay the administrative, promotional and legal costs of establishing and administering the consortium, including the creation of intellectual property protocols, and the publication of research results.

6. VHBRC, in consultation with the publicly-supported institutions of higher education in the Commonwealth participating in the consortium, shall provide to the Secretary of Commerce and Trade, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Director of the Department of Planning and Budget, and VIPA by October 1 of each year a written report summarizing the activities of the consortium, including, but not limited to, a summary of how any funds disbursed to the consortium during the previous fiscal year were spent, and the consortium's progress during the fiscal year in expanding upon existing research opportunities and stimulating new research opportunities in the Commonwealth.

7. The accounts and records of the consortium shall be made available for review and audit by the Auditor of Public Accounts upon request.

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~~8. Up to $2,500,000 of the funds managed by the Commonwealth Health Research Board (CHRB), created pursuant to § 32.1-162.23, Code of Virginia, shall be directed toward collaborative research projects, approved by the boards of the VBHRC and CHRB, to support Virginia's core bioscience strengths, improve human health, and demonstrate commercial viability and a high likelihood of creating new companies and jobs in Virginia.~~

9. On or before August 1st of each year, the Virginia Bioscience Health Research Corporation shall submit information on the financial performance of the organization to the Virginia Innovation Partnership Authority to include (i) budgeted and actual revenues and expenditures to planned revenues and expenditures for the fiscal year; (ii) total investments broken out into various investment activities; and (iii) cash balances by funding source.

K.1. Out of the appropriation in this Item, $925,000 the first year and $925,000 the second year from the general fund shall be made available to the Commonwealth Center for Advanced Manufacturing (CCAM) for rent, operating support, and maintenance. These funds shall not revert back to the general fund at the end of the fiscal year.

2. Out of the appropriation in this Item, VIPA shall provide $1,100,000 the first year and $1,100,000 the second year from the general fund to CCAM for the purpose of providing private sector incentive grants to industry members of the CCAM as follows: (i) incentive grants for new industry members with no prior membership at CCAM; (ii) incentive grants to small manufacturing members who locate their primary job center in the Commonwealth, as determined by VEDP, in order to mitigate inaugural, industry membership costs associated with joining CCAM; (iii) grants dedicated to CCAM industry members to be used exclusively for research project costs and require a minimum one-to-one match in funds to conduct additional directed research at the CCAM facility after their base amount of directed research is programmed; and (iv) grants to CCAM for seedling research project costs that enable CCAM to market new research programs to prospective and existing industry members. These funds shall not revert back to the general fund at the end of the fiscal year.

3. Out of the appropriation in this Item, VIPA shall provide $600,000 the first year and $600,000 the second year from the general fund to CCAM for (i) university research grants requiring a minimum one-to-one match in funds that bring in external research funds from federal or private organizations for research to be conducted at the CCAM facility and (ii) follow-on efforts, including road mapping activities, marketing and proposal development, to leverage project activities for the pursuit of CCAM/University jointly funded federal programs. All project approvals are contingent upon each university partner entering into a memorandum of understanding (MOU) with CCAM that includes specific details about the university's anticipated commitment of financial and human resources, as well as programming and academic credentialing plans, to the CCAM facility. These funds shall not revert back to the general fund at the end of the fiscal year.

4. Out of the appropriation in this Item, VIPA shall provide $1,000,000 the first year and $1,000,000 the second year from the general fund to CCAM for the purposes of: (i) attracting federal funds for research projects to be conducted at CCAM, including marketing, travel, grant proposal writing, and business development costs; (ii) matching funds for federal research programs; and (iii) federal research program costs not reimbursable on federal research awards. These funds shall not revert back to the general fund at the end of the fiscal year.

5. CCAM shall submit a report on October 1 of each year to the Secretary of Finance, Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and VIPA containing a status update of all new incentive programs, including but not limited to the following: (i) MOUs it has entered into with each university partner; (ii) funds disbursed to both university and private sector partners of CCAM, as well as any other recipients; (iii) any other agreements CCAM has entered into with representatives of the public and private sectors that may impact current and future incentive fund disbursements; (iv) all efforts and costs associated with obtaining federal research grants; and (v) any additional information requested by the Secretary of Finance, or the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

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6. On or before August 1st of each year, the Commonwealth Center for Advanced Manufacturing shall submit information on the financial performance of the organization to the Virginia Innovation Partnership Authority to include (i) budgeted and actual revenues and expenditures to planned revenues and expenditures for the fiscal year; (ii) total investments broken out into various investment activities; and (iii) cash balances by funding source.

L.1. Out of the appropriation in this Item, $10,000,000 the first year and $10,000,000 the second year from the general fund is provided to scale the Commonwealth Cyber Initiative (CCI) and provide resources for faculty recruiting at both the Hub, Virginia Polytechnic Institute and State University, and Node sites. The amounts provided in this paragraph are non-reverting and shall constitute the base budget for subsequent fiscal years.

2. Out of the appropriation in this Item, $7,500,000 the first year and $7,500,000 the second year from the general fund is provided for the leasing of space and establishment of the Hub by the anchoring institution and for the establishment of research faculty, entrepreneurship programs, student internships and educational programming, and operations of the Hub. The amounts provided in this paragraph are non-reverting and shall constitute the base budget for subsequent fiscal years.

3. Nothing shall prevent the Hub and certified Node sites from seeking matching funds for faculty recruitment and support for renovations and equipment from previous bond authorizations for higher education equipment or grant programs managed by the Authority, including but not limited to the Commonwealth Commercialization Fund. Certified institutions shall submit their funding request application to the Authority for review and authorization under the application procedures relevant for the program or bond authorization. After completing its review, VIPA shall approve or deny the request for an allocation of funds.

4. CCI shall submit a report by October 1st of each year to the Secretary of Commerce and Trade, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Director of the Department of Planning and Budget, and VIPA detailing the use and leverage of the investment in this item in strengthening the state's cyber economy. The state report shall contain information on: (i) external research grants attracted to support the work of CCI, (ii) research grants awarded from the funds contained in this item, (iii) research faculty recruited, (iv) results of entrepreneurship and workforce programming, (v) collaborative partnerships and projects, (vi) correlated economic outcomes (jobs and new business formation), and (vii) the geographic distribution of awards from the funding contained in this item.

5. On or before August 1st of each year, the Commonwealth Cyber Initiative shall submit information on the financial performance of the organization to the Virginia Innovation Partnership Authority to include (i) budgeted and actual revenues and expenditures to planned revenues and expenditures for the fiscal year; (ii) total investments broken out into various investment activities; and (iii) cash balances by funding source.

M.1. Out of the appropriation in this Item, $350,000 the first year and $350,000 the second year from the general fund is designated for the Commonwealth Center for Advanced Logistics (CCALS) to provide seed money for collaborative public sector projects with partners, such as the Port of Virginia, Department of Corrections, and the Virginia Department of Transportation.

2. CCALS shall submit a report by October 1st of each year to the Secretary of Commerce and Trade, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Director of the Department of Planning and Budget, and VIPA to include (i) all planned and actual revenue and expenditures along with funding sources, including state, federal, and other revenue sources for CCALS, (ii) the research activities of CCALS, and (iii) relevant economic outcomes as a result of the CCALS' work in each fiscal year.

3. On or before August 1st of each year, the Commonwealth Center for Advanced Logistics shall submit information on the financial performance of the organization to the Virginia Innovation Partnership Authority to include (i) budgeted and actual revenues and expenditures to planned revenues and expenditures for the fiscal year; (ii) total investments broken out into various investment activities; and (iii) cash balances by funding source.

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N. Out of the appropriation in this Item, $125,000 the first year and $125,000 the second year is designated for the Virginia Academy of Engineering, Science and Medicine to provide technical assistance to VIPA.

O. Out of the appropriation in this Item, $750,000 the first year and $750,000 the second year from the general fund is provided for the annual lease and operating costs for the Authority's Richmond headquarters and other locations throughout the Commonwealth.

P.*1.* Out of this appropriation, ~~$6,500,000~~ *$46,500,000* the first year ~~and $40,000,000 the second year~~ from the general fund is provided for the University of Virginia's Institute for Biotechnology. The University of Virginia shall enter into a Memorandum of Understanding (MOU) with the Virginia Innovation Partnership Authority that includes performance objectives for the hiring of up to 30 researchers or more over the biennium, including research faculty and staff, to support the work of the Institute, with a final target to be established during the MOU process, and additional near-term and long-term performance objectives agreed to by both parties. In addition to performance metrics for the state's investments, the MOU shall also identify: (i) the research specialization of the initiative; (ii) sources of private philanthropic and other funding; (iii) opportunities for joint research projects and clinical trials; and (iv) commitments to non-competition for research in life sciences. These amounts shall remain unallotted by the Director of the Department of Planning and Budget until such time as an executed MOU has been received from the Virginia Innovation Partnership Authority. On or before August 1st of each year, upon the signature of the MOU, the University of Virginia shall submit information on the financial performance of the initiative to the Virginia Innovation Partnership Authority to include: (i) budgeted and actual revenues and expenditures to planned revenues and expenditures for the fiscal year; (ii) total investments broken out into various investment activities; and (iii) cash balances.

2. Any balances in this paragraph remaining at end of the fiscal year shall be carried forward and reappropriated.

Q.*1.* Out of this appropriation, ~~$6,000,000~~ *$26,500,000* the first year ~~and $20,500,000 the second year~~ from the general fund is provided for Virginia Polytechnic Institute and State University's Patient Research Center. Virginia Polytechnic Institute and State University shall enter into a Memorandum of Understanding (MOU) with the Virginia Innovation Partnership Authority that includes performance objectives for the hiring of up to 40 researchers or more over five years, including research faculty and staff to support the work of the Center, with a final target to be established during the MOU process, and additional near-term and long-term performance objectives agreed to by both parties. In addition to performance metrics for the state's investments, the MOU shall also identify: (i) the research specialization of the initiative; (ii) sources of private philanthropic and other funding; (iii) opportunities for joint research projects and clinical trials; and (iv) commitments to non-competition for research in life sciences. These amounts shall remain unallotted by the Director of the Department of Planning and Budget until such time as an executed MOU has been received from the Virginia Innovation Partnership Authority. On or before August 1st of each year, upon the signature of the MOU, the Virginia Polytechnic Institute and State University shall submit information on the financial performance of the initiative to the Virginia Innovation Partnership Authority to include (i) budgeted and actual revenues and expenditures to planned revenues and expenditures for the fiscal year; (ii) total investments broken out into various investment activities; and (iii) cash balances.

2. Any balances in this paragraph remaining at end of the fiscal year shall be carried forward and reappropriated.

R.*1.* Out of this appropriation, ~~$6,500,000~~ *$13,000,000* the first year ~~and $6,500,000 the second year~~ from the general fund is provided for Virginia Commonwealth University's Medicines for All Institute. Virginia Commonwealth University shall enter into a Memorandum of Understanding (MOU) with the Virginia Innovation Partnership Authority that includes performance objectives for the hiring of up to 20 or more researchers over five years, including research faculty and staff to support the work of the Institute, with a final target to be established during the MOU process, and additional near-term and long-term performance objectives agreed to by both parties. In addition to performance metrics for the state's investments, the MOU shall also identify: (i) the

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research specialization of the initiative; (ii) sources of private philanthropic and other funding; (iii) opportunities for joint research projects and clinical trials; and (iv) commitments to non-competition for research in life sciences. These amounts shall remain unallotted by the Director of the Department of Planning and Budget until such time as an executed MOU has been received from the Virginia Innovation Partnership Authority. On or before August 1st of each year, upon the signature of the MOU, the Virginia Commonwealth University shall submit information on the financial performance of the initiative to the Virginia Innovation Partnership Authority to include: (i) budgeted and actual revenues and expenditures to planned revenues and expenditures for the fiscal year; (ii) total investments broken out into various investment activities; and (iii) cash balances.

2. Any balances in this paragraph remaining at end of the fiscal year shall be carried forward and reappropriated.

S.*1.* Out of this appropriation, ~~$2,002,480~~ *$4,053,234* the first year ~~and $2,050,754 the second year~~ from the general fund is provided for Old Dominion University's Digital Patient Model. Old Dominion University shall enter into a Memorandum of Understanding (MOU) with the Virginia Innovation Partnership Authority that includes performance objectives on new models developed through this investment, researcher collaborations, number of new technologies conceptualized, developed or tested, and additional near-term and long-term performance objectives agreed to by both parties. In addition to performance metrics for the state's investments, the MOU shall also identify: (i) the research specialization of the initiative; (ii) sources of private philanthropic and other funding; (iii) opportunities for joint research projects and clinical trials; and (iv) commitments to non-competition for research in life sciences. These amounts shall remain unallotted by the Director of the Department of Planning and Budget until such time as an executed MOU has been received from the Virginia Innovation Partnership Authority. On or before August 1st of each year, upon the signature of the MOU, Old Dominion University shall submit information on the financial performance of the organization to the Virginia Innovation Partnership Authority to include (i) budgeted and actual revenues and expenditures to planned revenues and expenditures for the fiscal year; (ii) total investments broken out into various investments activities; and (iii) cash balances.

2. Any balances in this paragraph remaining at end of the fiscal year shall be carried forward and reappropriated.

T. The institutions listed in paragraphs P., Q., R., and S. of this item shall work in collaboration with the Virginia Innovation Partnership Authority, Virginia Health Bioscience Research Corporation, and Virginia Biotechnology Research Partnership Authority to develop a proposal for a research center of life science in Virginia. This proposal shall include at a minimum: (i) an estimate of costs to continue the initiatives funded in paragraphs P., Q., R., and S. of this item; (ii) opportunities for joint research projects and clinical trials between the initiatives; (iii) a model that centralizes the funding for these initiatives, similar to the Commonwealth Cyber Initiative; (iv) opportunities to consolidate state funded life science efforts, programs, and initiatives; and (v) options for including additional higher education institutions, especially Historically Black Colleges and Universities in the statewide effort. The proposal shall be submitted on or before June 30, 2025, to the General Assembly, the Chairs of the House Committee on Appropriations and Senate Finance and Appropriations Committee.

U. Any additional funds transferred to the Authority as a result of actions pursuant to Item 126.10, paragraph S.5 of the Chapter 854, 2019 Acts of Assembly may be used: (1) to enable the establishment of a fund of funds that will permit the Commonwealth to invest in one or more syndicated private investment funds; (2) to enhance direct investment programs by placing additional investments in partnership with Virginia accelerators and university technology commercialization programs; and (3) to enable the establishment of a sustainable program to enhance discovery of, and early investment in, technologies aligned with the Virginia Innovation Index. Decisions to invest in private funds shall be subject to approval by the Board of Directors. Investments in such funds shall be monitored by the Board of Directors.

Total for Virginia Innovation Partnership Authority....			~~$63,488,565~~ *$132,539,319*	~~$111,536,839~~ *$42,486,085*

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Fund Sources: General	~~$63,488,565~~ *$132,539,319*	~~$111,536,839~~ *$42,486,085*		
TOTAL FOR OFFICE OF COMMERCE AND TRADE			~~$777,553,143~~ ***$1,046,584,579***	~~$779,247,541~~ ***$679,954,265***
General Fund Positions	278.72	~~278.72~~ *279.72*		
Nongeneral Fund Positions	252.28	252.28		
Position Level	531.00	~~531.00~~ *532.00*		
Fund Sources: General	~~$499,693,613~~ *$768,725,049*	~~$501,388,011~~ *$402,094,735*		
Special	$113,219,258	$113,219,258		
Commonwealth Transportation	$1,800,567	$1,800,567		
Trust and Agency	$775,000	$775,000		
Dedicated Special Revenue	$1,704,283	$1,704,283		
Federal Trust	$160,360,422	$160,360,422		

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OFFICE OF EDUCATION

§ 1-48. SECRETARY OF EDUCATION (185)

116.	Administrative and Support Services (79900)			$848,147	$848,147
	General Management and Direction (79901)	$848,147	$848,147		
	Fund Sources: General	$848,147	$848,147		

Authority: Title 2.2, Chapter 2, § 2.2-208 Code of Virginia.

A. The Secretary of Education is hereby authorized to make allocations of the portion of the tax-exempt private activity bond limitation amount to be allocated annually to the Commonwealth of Virginia pursuant to the Economic Growth and Tax Relief Reconciliation Act of 2001 (PL 107-16)(Section 142(k)(5) of the Internal Revenue Code of 1986, as amended) for the development of education facilities using public-private partnerships, and to provide for carryovers of any unused limitation amount. In making such allocations, the Secretary is directed to give priority to public-private partnership proposals that will serve as demonstration projects concerning the leveraging of private sector contributions and resources, the achievement of economies or efficiencies associated with private sector innovation, and other benefits that are or may be derived from public-private partnerships in contrast to more traditional approaches to public school construction and renovation. The Secretary is directed to report annually not later than August 31 to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees regarding any guidelines implemented and any allocations made pursuant to this paragraph.

B. For the funds identified for reallocation in each of the higher education institutions' educational and general programs, each respective institution shall report the amounts and the specific purposes for which they were used in its six-year academic plans finalized in the fall of 2024 and the fall of 2025.

C. The Offices of the Secretary of Education and the Secretary of Finance shall evaluate the feasibility and determine the initial and ongoing fiscal impact of converting the Virginia Museum of Transportation into a state agency or authority and develop a plan for the conversion if determined to be financially feasible and beneficial to the Commonwealth. The Secretary may consult representatives from the Virginia Museum of Transportation, the City of Roanoke, the Roanoke Regional Chamber of Commerce, and any other appropriate stakeholders. The Offices of the Secretary of Education and Secretary of Finance shall report the findings to the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees by November 1, ~~2024~~*2025*.

	Total for Secretary of Education			**$848,147**	**$848,147**
	General Fund Positions	5.00	5.00		
	Position Level	5.00	5.00		
	Fund Sources: General	$848,147	$848,147		

§ 1-49. DEPARTMENT OF EDUCATION, CENTRAL OFFICE OPERATIONS (201)

117.	Instructional Services (18100)			~~$169,062,783~~ *$180,062,783*	~~$165,316,073~~ *$168,083,520*
	Public Education Instructional Services (18101)	~~$22,863,760~~ *$33,863,760*	~~$20,763,760~~ *$21,763,760*		
	Program Administration and Assistance for Instructional Services (18102)	$144,427,394	~~$142,780,684~~ *$144,548,131*		
	Adult Education and Literacy (18104)	$1,771,629	$1,771,629		
	Fund Sources: General	~~$22,391,683~~ *$33,391,683*	~~$20,291,683~~ *$21,291,683*		
	Special	$775,000	$775,000		
	Commonwealth Transportation	$301,676	$301,676		
	Trust and Agency	$5,000	$5,000		

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Dedicated Special Revenue	$0	$0		
Federal Trust	$145,589,424	~~$143,942,714~~ *$145,710,161*		

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

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

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

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

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

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

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

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

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

2. The funds provided in this initiative shall be used to support the following priority objectives: a) increase the percentage of students enrolled in career and technical education courses who receive instruction in information technology leading to an increased number of students achieving industry recognized certifications in information technology; b) increase the number of high schools and regional career and technical education programs that receive the training and technical support to be ready to implement information technology curricula leading to increased statewide implementation and use; c) increase the number of teachers teaching targeted career and technical education courses and other high school teachers who receive training in information technology and in industry recognized certifications leading to an increased number of teachers achieving industry recognized certifications in information technology; and, d) support implementation of information technology curricula in school divisions in Southside and Southwest Virginia so that implementation in those regions is at least comparable to implementation in other regions of Virginia.

F. Out of the appropriation in this Item, $413,000 the first year and $413,000 the second year from the general fund is provided for the Department of Education to continue a professional development program intended to increase the capacity of principals as school leaders in under-performing schools.

G. Out of the appropriation in this Item, $366,000 the first year and $366,000 the second year from the general fund is provided to the Department of Education to assist local school divisions, as needed, to establish criteria for the professional development of

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teachers and principals on the subject of issues related to high-needs students.

H. Out of this appropriation, $3,652,000 the first year and $3,652,000 the second year from the general fund is provided for the Virginia Kindergarten Readiness Program.

a. Of this amount, $1,377,000 the first year and $1,377,000 the second year from the general fund is provided through the Department of Education to the University of Virginia to continue statewide implementation of the Virginia Kindergarten Readiness Program conducted in the fall, and to continue to support a post-assessment upon the conclusion of the kindergarten year.

b. The Department of Education shall coordinate with the University of Virginia's Center for Advanced Study of Teaching and Learning to ensure that all school divisions shall be required to have their kindergarten students assessed annually during the school year using the multi-dimensional kindergarten readiness assessment model. All school divisions shall be required to have their kindergarten students assessed with such model.

c. Of this amount, $1,050,000 the first year and $1,050,000 the second year shall be allocated to the University of Virginia to support implementation of a pre-kindergarten version of the Virginia Kindergarten Readiness Program for four-year-old children enrolled in publicly-funded pre-kindergarten programs, and for piloting the use and development of a pre-kindergarten version of the Virginia Kindergarten Readiness Program for three-year-old children enrolled in publicly-funded pre-kindergarten programs.

d. Of this amount, $350,000 the first year and $350,000 the second year from the general fund shall be allocated to University of Virginia's Center for Advanced Study of Teaching and Learning to provide training to school divisions annually on how to effectively use Virginia Kindergarten Readiness Program data to improve instructional practices and student learning. Such teacher focused professional development and training shall be prioritized for the school divisions that would most benefit from state assistance in order to provide more time for classroom instruction and student learning for kindergarten and pre-kindergarten students, including both three- and four-year-old pre-kindergarten classrooms.

e. The Department and the University of Virginia's Center for Advanced Study of Teaching and Learning shall use the results of the multi-dimensional Virginia Kindergarten Readiness Program assessments to determine how well the Virginia Preschool Initiative promotes readiness in all key developmental domains assessed. The Department shall submit such findings using data from the prior year's fall assessment to the Chairs of House Appropriations and Senate Finance and Appropriations Committees no later than October 1 each year.

f. Of this amount, $875,000 the first year and $875,000 the second year from the general fund is provided through the Department of Education to the University of Virginia in partnership with the Department and school divisions to support an assessment in literacy, math, social skills and self-regulation in grades one, two and three to help teachers, parents and divisions identify students' strengths, deficiencies and support student growth longitudinally.

I. Out of this appropriation, $700,000 the first year and $700,000 the second year from the general fund is provided through the Department of Education to the University of Virginia's Center for Advanced Study of Teaching and Learning to ensure that teachers in select publicly-funded early childhood programs, including Virginia Preschool Initiative classrooms, receive appropriate individualized professional development training from professional development specialists to support quality teacher-child interactions and effective implementation of high-quality curriculum. Funding and professional development assistance shall be prioritized for classrooms that have demonstrated need based on the Unified Measurement and Improvement System, known as VQB5, established pursuant to § 22.1-289.05, Code of Virginia, which is based on observing teachers with the Classroom Assessment Scoring System (CLASS) observation tool and use of standards-aligned curriculum. The University of Virginia's Center for Advanced Study of Teaching and Learning, assisted on an as needed basis by the Department of Education, Virginia Early Childhood Foundation, and Elevate Early Education shall hire and train specialists to provide such individualized professional development. The University of Virginia's Center for Advanced Study of Teaching and Learning and the Training and Technical Assistance Centers funded by the Individuals with Disabilities Act (IDEA) through the Department of

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Education shall coordinate to ensure alignment of professional development and supports for teachers of children with special needs.

J. Out of this appropriation, $1,047,000 the first year and $1,047,000 the second year from the general fund is provided to ensure that select publicly-funded early childhood programs, including Virginia Preschool Initiative programs, have the quality of their teacher-child interactions assessed through a rigorous and research-based classroom observational instrument using the CLASS observational instrument for such assessment. These observations shall be used to verify accuracy and maintain reliability of the measurements required within Virginia's Unified Measurement and Improvement System, known as VQB5, established pursuant to § 22.1-289.05, Code of Virginia.

K.1 Out of this appropriation, $9,978,283 the first year and $7,978,283 the second year from the general fund is provided to the University of Virginia's Virginia Literacy Partnership for implementation of literacy instruction aligned with science-based reading research. The Director of Planning and Budget shall transfer this amount to the University of Virginia to support the Virginia Literacy Partnership for the activities within this Item.

2. To maximize remaining federal pandemic relief funds in the first year, remaining balances from the Learning Acceleration Grants program after its May 31, 2024 expiration shall be used to supplant the general funds in paragraph K.1 and such supplanted general fund amounts shall be unallotted.

3. Of this amount, $3,400,000 the first year and $3,400,000 the second year shall be used to support literacy coaching, technical assistance and professional development.

4. Of this amount, $6,578,283 the first year and $4,578,283 the second year shall be used to support development and implementation of a statewide literacy screener.

5. For the review of literacy materials conducted by the University of Virginia's Virginia Literacy Partnership on behalf of the Department of Education, the Partnership shall be authorized to collect reasonable fees from applicants to offset costs incurred as part of such review. Prior to the collection of any such fees, the Partnership shall establish a schedule of fees.

6. Notwithstanding §22.1-253.13:1 G and H of the Code of Virginia, for students in grades 4 through 8, the administration of literacy screeners and development of student literacy plans shall not be required until the 2025-2026 school year.

L. The Superintendent of Public Instruction shall enter into a statewide contract with one or more telehealth providers to provide high-quality mental health care services to public school students. School divisions may opt to purchase such services through this contract.

M. The Department of Education shall work collaboratively with the Department of Behavioral Health and Developmental Services and the Department of Medical Assistance Services on a plan for creating a new program to deliver flexible mental health funds to divisions. The program should provide flexible funding to participating divisions for maintaining school-based mental health services and supports as well as technical assistance and evaluation capabilities to build out their mental health programs within a multi-tiered system of supports and consider maximizing existing funding and positions funded through the Standards of Quality such as specialized student support positions. The plan should include: (i) a proposed vision and goals for Virginia's school-based mental health program and action steps to meet these goals; (ii) proposed outcome measures to determine program success; (iii) a recommendation on the amount of funding that should be appropriated annually; (iv) a proposed funding mechanism to ensure funding flexibility and consistency over time; and (v) a structure for providing technical assistance and evaluation capabilities that will ensure the program is positively impacting the outcomes of students. The Department of Education shall provide such plan to the Chairs of the Senate Finance and Appropriations Committee and the House Appropriations Committee and the Behavioral Health Commission no later than December 1, 2024.

N. Out of this appropriation, $100,000 the first year from the general fund is provided to identify and create model curriculum, tools, and resources to support local school divisions in teaching Asian American history, including the history of Virginians of Asian descent, as part of the History and Social Science Standards of Learning and supporting

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programming for Asian American and Pacific Islander History Month.

O. The Superintendent of Public Instruction shall enter into a statewide contract with a provider experienced in attendance recovery services for at-risk students to assist public school divisions with outreach and support for disengaged, chronically absent, or struggling students. The provider should be able to scale up the number of students served if necessary based on demand from school divisions. School divisions may opt to purchase services through this contract.

P.1. Out of this appropriation, $11,000,000 the first year and $1,000,000 the second year from the general fund is provided to improve student performance in mathematics in public elementary and secondary schools in the Commonwealth.

2. The Department shall: (i) oversee and track mathematics instruction, assessment scores, and learning outcomes in the Commonwealth to identify potential areas for improvement; (ii) identify evidence-based and proven best practices to improve mathematics instruction and student performance; (iii) establish the framework for and support the implementation of professional development strategies for educators and school systems; (iv) administer state funds provided to school divisions as appropriate; (v) collaborate with school boards and division superintendents to support the implementation of competency-based and evidence-based mathematics learning, provide recommendations on best practices, and facilitate professional development opportunities for educators; (vi) oversee the statewide professional development framework for evidence-based teacher training, provide instructional guides and evidence-based resources, and facilitate regional professional development networks on improving mathematics; and (vii) collect data to analyze student mathematics progress and report the impact on student success across the Commonwealth.

3. The Department shall establish and oversee a Mathematics Advisory Task Force to provide recommendations on improving mathematics education in elementary, middle, and high school. Task Force members shall include mathematics teachers, instructional coaches, school administrators, parents, business leaders, a division superintendent, a higher education representative, a school board member, and other stakeholders.

4.a. Of this amount, $10,000,000 the first year from the general fund is provided for grants to local school divisions for mathematics curriculum, high quality instructional materials, competency-based/mastery learning models, and regional network support to improve instruction for high-need student groups. Priority shall be given to schools preliminarily identified as off track and needs intensive support and that had performance gaps in overall grade level math or math student group performance as identified in 2024 Standards of Learning (SOL) mathematics assessment results.

b. Any funds appropriated for this purpose that are unexpended by June 30, 2025, shall not revert and shall be reappropriated in the second year for the same purpose. The Department shall administer grant funds and establish guidelines and an application process by November 1, 2025.

5. Of this amount, $1,000,000 the first year from the general fund is provided for expanded access to online advanced math programming and expanded math experts through innovative math teacher credentialing options. Any funds appropriated for this purpose that are unexpended by June 30, 2025, shall not revert to the general fund and shall be reappropriated in the second year for the same purpose.

6. The Department shall report to the Board of Education and the Chairs of the Senate Finance and Appropriations, Senate Education and Health, House Appropriations, and House Education Committees by November 1, 2025, and annually thereafter on: (i) the overall program activities and strategies used to impact student mathematics outcomes; (ii) the status of grant funds provided to school divisions and related outcomes; (iii) the impact of expanded advanced virtual mathematics course offerings and increased math educator professionals; (iv) the activities and recommendations of the Mathematics Advisory Task Force; and (v) recommendations for future improvements to mathematics instruction and support programs.

118.	Special Education and Student Services (18200).....		~~$20,828,186~~ *$25,828,186*	~~$20,828,186~~ *$21,090,079*

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Special Education Instructional Services (18201)	~~$13,245,301~~ *$18,245,301*	$13,245,301		
Special Education Administration and Assistance Services (18202)	$1,055,230	$1,055,230		
Special Education Compliance and Monitoring Services (18203)	$3,881,827	$3,881,827		
Student Assistance and Guidance Services (18204)	$2,645,828	~~$2,645,828~~ *$2,907,721*		
Fund Sources: General	~~$4,922,758~~ *$9,922,758*	$4,922,758		
Special	$120,000	$120,000		
Federal Trust	$15,785,428	~~$15,785,428~~ *$16,047,321*		

Authority: Special Education Instructional Services: §§ 22.1-213 through 22.1-221, 22.1-253.13:1 through 22.1-253.13:8, 22.1-319 through 22.1-332, Code of Virginia; P.L. 108-446, Federal Code.

Special Education Administration and Assistance Services: §§ 22.1-253.13:1 through 22.1-253.13:8, Code of Virginia; P.L. 108-446, Federal Code.

Special Education Compliance and Monitoring Services: §§ 22.1-213 through 22.1-221, 22.1-253.13:1 through 22.1-253.13:8, 22.1-319 through 22.1-332, Code of Virginia; P.L. 108-446, Federal Code.

Student Assistance and Guidance Services: Title 22.1, Chapters 1, 13, 14, 16; §§ 22.1-16.2, 22.1-17.1, 22.1-17.2, 22.1-199.4, 22.1-206, 22.1-207.1, 22.1-208.01, 22.1-209.2, Code of Virginia; P.L. 107-110 and P.L. 108-446, Federal Code.

A. The Department of Education, in collaboration with the Office of Children's Services, shall provide training to local staff serving on Family Assessment and Planning Teams and Community Policy and Management Teams. Training shall include, but need not be limited to, the federal and state requirements pertaining to the provision of the special education services funded under § 2.2-5211, Code of Virginia. The training shall also include written guidance concerning which services remain the financial responsibility of the local school divisions. In addition, the Department of Education shall provide ongoing local oversight of its federal and state requirements related to the provision of services funded under § 2.2-5211, Code of Virginia.

B. The Board of Education shall consider the caseload standards for speech-language pathologists as part of its review of the Standards of Quality, pursuant to § 22.1-18.01, Code of Virginia.

C. The Board of Education shall consider the inclusion of instructional positions needed for blind and visually impaired students enrolled in public schools and shall consider developing a caseload requirement for these instructional positions as part of its review of the Standards of Quality, pursuant to § 22.1-18.01, Code of Virginia.

D. Out of this appropriation, $447,416 the first year and $447,416 the second year from the general fund is provided to the Department of Education to provide training, technical assistance, and on-site coaching to public school teachers and administrators on implementation of a positive behavioral interventions and supports program with the goal of improving school climate and reducing disruptive behavior in the classroom. Such training and other assistance may be provided as part of the Department's ongoing efforts to assist schools with implementation of a tiered system of supports that addresses both academic and behavioral needs.

E. Out of this appropriation, $290,000 the first year and $290,000 the second year from the general fund and $290,000 the first year and $290,000 the second year from federal funds shall be used for Multisensory Structured Literacy teacher training.

F. Out of this appropriation, $592,755 the first year and $592,755 the second year from the general fund is provided to support statewide training and assistance for local school divisions to implement the Board of Education's Regulations Governing the Use of

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Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia.

G.1. The Department of Education shall serve as the lead agency to collect and report data that succinctly measures the progress and outcomes of students that are placed in private provider settings by such student's public school of residence in Virginia or have been placed in a private provider facility by other legal means for which the Commonwealth is responsible for providing education. In keeping with the November 1, 2018, Private Day Special Education Outcomes report's findings and recommendations, the data shall include at least student attendance rates, graduation rates, individual student progress improvement rates relative to student individual education plans, standardized test scores, return to public school setting percentages, suspension and expulsion rates, transition to enrolling in post-secondary education percentages, and parental and student perspectives.

2. The Department of Education, in collaboration with the Office of Children's Services, shall establish an implementation advisory group to assist in refining the outcome measures contained in paragraph G.1 of this item and the collection of any additional information that is beneficial in determining and measuring outcomes of such students in private day school settings that ensure a consistent set of comparable and compatible data relative to such data of students enrolled in the public schools in Virginia and who have an individualized education plan. The advisory workgroup shall include a representative number of various stakeholders that includes, but is not limited to, private day schools, local school divisions, associations that represent private providers, and others as necessary. The advisory group shall assist in the development of data collection protocols, requirements, and outcome reporting mechanisms. The relevant data shall be provided to the department annually by each private provider that receives state funding for the purpose of providing services as prescribed in such student's individualized education plan.

3. The department shall collect outcome data for private day special education schools and, if warranted, other state agencies shall provide appropriate support to facilitate the collection of such data. All public school divisions that have students enrolled in such a private provider facility shall include in their contract for services with the private provider a requirement for the department to receive the data necessary to satisfy the data collections and subsequent reporting requirements. The department shall report annually on the outcome data for students enrolled in special education private day schools to Chairs of the House Appropriations, House Education, Senate Finance and Appropriations, and Senate Education and Health Committees by the first day of the regular General Assembly Session.

4. The Department of Education shall enter into a data sharing Memorandum of Understanding with the Office of Children's Services to allow linkage of specific student data to specific private day schools.

5. The Department of Education and the Office of Children's Services shall have authority to implement these changes prior to the completion of any regulatory process undertaken in order to effect such changes.

6. The Department of Education shall collect and publish data annually from each private special education day school on: (i) the number of teachers who are not fully endorsed in the content that they are teaching; (ii) the number of teachers who have less than one year of classroom experience; (iii) the number of teachers who are provisionally licensed; (iv) the type of academic credentials attained by each teacher and in what subjects; (v) the number of career and technical education credentials conferred by each school on its graduating students in each of the three prior academic years; (vi) each school's accreditation status, including the accrediting body; and (vii) the number of incidents of restraint and seclusion occurring in each of the previous three academic years.

H. The Board of Education shall develop and promulgate regulations for private special education day schools on restraint and seclusion that establish the same requirements for restraint and seclusion as those for public schools.

I. The Department of Education shall revise the state's special education complaint procedures and practices to ensure the Department requires and enforces corrective actions that (i) achieve full and appropriate remedies for school divisions' non-compliance with special education laws and regulations, including, at a minimum, requiring school divisions to provide compensatory services to students with disabilities when the Department determines

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divisions did not provide legally obligated services; and (ii) ensure that relevant personnel understand how to avoid similar non-compliance in the future.

J.1. Out of this appropriation, $2,200,000 the first year and $2,200,000 the second year from the general fund is provided to support families of special education students, and professional development and coaching as required by House Bill 1089 and Senate Bill 220.

2. To maximize remaining federal pandemic relief funds, in the first year, remaining balances from the Learning Acceleration Grants program after its May 31, 2024 expiration shall be used to supplant the general funds in paragraph J.1 and such supplanted general fund amounts shall be unallotted.

3. Out of this amount, $1,100,000 the first year and $1,100,000 the second year shall be provided to Virginia's Parent Training and Information Center in the Commonwealth designated pursuant to 20 U.S.C. § 1471(e) to support eight regional special education family support centers.

4. Out of this amount, $1,100,000 the first year and $1,100,000 the second year shall be provided to support the development of professional development materials and ongoing special education coaching.

K. Out of this appropriation, $5,000,000 the first year from the general fund is provided for enhancements to the Virginia Individualized Education Plan (IEP) system, including modules to support student progress tracking, document translation, family engagement, IEP and 504 processes, and a dashboard to support performance monitoring. Any balances appropriated for the purposes specified in this paragraph that are unexpended on June 30, 2025, shall not revert to the general fund but shall be reappropriated for expenditure for the same purpose.

119.	Pupil Assessment Services (18400)			~~$40,051,012~~ *$46,777,393*	~~$40,051,012~~ *$66,458,987*
	Test Development and Administration (18401)	~~$40,051,012~~ *$46,777,393*	~~$40,051,012~~ *$66,458,987*		
	Fund Sources: General	~~$28,858,849~~ *$35,585,230*	~~$28,858,849~~ *$48,400,000*		
	Special	$293,607	$293,607		
	Federal Trust	$10,898,556	~~$10,898,556~~ *$17,765,380*		

Authority: § 22.1-253.13:3, sections C and E, Code of Virginia; P.L. 107-110, Federal Code.

A.1. Out of this appropriation, ~~$25,380,678~~ *$31,607,059* the first year and ~~$25,380,678~~*$44,921,829* the second year from the general fund is provided to support the costs of contracts for test development, administration, scoring, and reporting as well as other program-related costs of the Standards of Learning testing program. *Of this amount, $6,226,381 the first year and $19,541,151 the second year shall be unallotted. Prior to the allotment of these funds, the Department of Education shall provide an updated report to the Secretary of Education, the Secretary of Finance, and the Department of Planning and Budget on the annual contract cost, including any extensions through December 31, 2027, as directed in paragraph A.2.b., and the Department's available general fund and nongeneral fund sources to support those costs. The Department of Education shall maximize available nongeneral funds to support the cost of the existing assessment contract and the directed extensions. Any balances for the purposes specified in this paragraph and paragraph A.2.b. that are unexpended on June 30, 2025, or June 30, 2026, that are required to meet contract obligations through December 31, 2027, shall not revert to the general fund but shall be reappropriated for expenditure in the next fiscal year for the same purpose. Any general fund not required to meet contract obligations shall remain unallotted.*

2. a. Pursuant to Chapter 760, 2022 Acts of ~~the~~ the General Assembly, the Department shall include in its annual report a plan to implement a new state assessment system, including a revised timeframe; estimated short- and long-term costs, including the costs to

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transition to the new system; staffing and training needs; key milestones; and project deliverables. The Department shall request the funding needed to implement the new contract for inclusion in the Governor's introduced budget bill for the 2025 Regular Session. The Department may consider issuing a request for information (RFI) as part of the process to better determine the costs and requirements of the new system. The Department shall submit the annual report no later than November 1, 2024.

b. Notwithstanding any contrary provisions of law, the Department ~~of Education is authorized to extend current assessment contracts for one additional year to provide sufficient time for the Department to initiate procurement processes as necessary to select an assessment vendor.~~*is directed and authorized to pursue an extension to the current assessment contracts through December 31, 2027 to allow sufficient time for the Department to complete procurement processes as necessary to select an assessment vendor. Extensions to the existing assessment contracts shall not be subject to the provisions for renewals of high risk contracts.*

3. a. Out of this appropriation, $500,000 the first year from the general fund is provided for the Department and Secretary of Education to procure a vendor to analyze options for implementing an innovative new statewide assessment system to support high-quality teaching and learning in public K-12 schools in Virginia. The new assessment system shall align with Virginia's Standards of Learning with the goal of implementation by the 2027-2028 school year. The selected vendor shall have demonstrated expertise in K-12 statewide assessment systems and the development of comprehensive reports with recommendations for state education agencies.

b. The Department and Secretary of Education shall establish a workgroup to provide input on the needs of the assessment system, participate in the work of the vendor, and consist, at a minimum, of representatives of statewide organizations that represent superintendents, teachers, principals, and curriculum development and assessment, and individuals with experience implementing statewide assessment systems.

c. The scope of work for the vendor shall include:

1. An analysis of high-quality assessment systems in other states, emphasizing models that incorporate: (a) alignment with state standards and instructional goals; (b) non-traditional assessments, such as project-based or performance-based approaches; (c) accessibility for English learners and students with disabilities, with examples of accommodations and multilingual assessments from other states; (d) advanced technology integration, such as adaptive testing and online platforms, including infrastructure requirements and associated costs; (e) integration of authentic growth measures that provide formative feedback for educators and could be integrated into a statewide assessment system; (f) feedback on the application of knowledge and higher-level reasoning skills as described in the standards; and (g) best practices for release of rubrics, sample items and tasks, anchor papers, exemplars, and other resources that clarify the benchmarks for success.

2. An evaluation of the feasibility and cost-effectiveness of pilot testing components of the proposed assessment system before full implementation.

3. Guidance and recommendations for the Department to develop a competitive RFP for vendors to redesign and manage the statewide assessment system, and recommendations for the Department and school divisions to implement best practices in change management, proposed training, and staffing to ensure a successful transition to a new system.

4. A proposed implementation timeline and identification of key performance indicators for a successful transition to a new system.

5. Compliance with federal requirements, including the Every Student Succeeds Act (ESSA).

d. The Department and Secretary of Education shall provide a detailed project plan of the work of the vendor and monthly email status updates to the Chairs and staff of the Senate Finance and Appropriations, Senate Education and Health, House Appropriations, and House Education Committees, and submit a final report that includes options for building a high-quality assessment system and associated costs, to the Chairs of the Senate Finance and Appropriations, Senate Education and Health, House Appropriations, and House Education Committees by November 1, 2025.

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B. Out of this appropriation, $1,551,416 the first year and $1,551,416 the second year from the general fund is provided for continued computer adaptive test transition and revision.

C. Notwithstanding any contrary provisions of law, the Department of Education shall not be required to administer the Stanford 9 norm-referenced test.

D. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund is provided for assessment related materials for a verified credit in high school history and social science. In establishing graduation requirements, the State Board of Education shall require students to earn one verified credit in history and social science. Such verified credit shall be earned by (i) the successful completion of a state-developed end-of-course Standards of Learning assessment; (ii) achievement of a passing score on a Board-approved standardized test administered on a statewide, multistate, or international basis that measures content that incorporates or exceeds the Standards of Learning content in the course for which the verified credit is given; (iii) achievement of criteria for the receipt of a locally awarded verified credit from the local school board in accordance with criteria established in Board guidelines when the student has not passed a corresponding Standards of Learning assessment; or (iv) successful completion of assessments that include state-developed performance tasks scored locally in accordance with Board guidelines using state-developed rubrics.

120.	School and Division Assistance (18500)				$10,039,341	~~$10,039,341~~ *$15,024,149*
	School Improvement (18501)	$4,641,016	$4,641,016			
	School Nutrition (18502)	$4,871,374	~~$4,871,374~~ *$9,856,182*			
	Pupil Transportation (18503)	$526,951	$526,951			
	Fund Sources: General	$5,240,740	$5,240,740			
	Special	$31,010	$31,010			
	Federal Trust	$4,767,591	~~$4,767,591~~ *$9,752,399*			

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/s/ Glenn Youngkin
5-2-25

Authority: School Improvement: § 22.1-253.13:1 et seq., Code of Virginia; P. L. 107-110, Federal Code.

School Nutrition: §§ 22.1-24, 22.1-89.1, and 22.1-207.3, Code of Virginia; P.L. 79-396, P.L. 89-642, P.L. 95-627, as amended, P.L. 108-265, Federal Code.

Pupil Transportation: Title 22.1, Chapter 12, and Title 46.2, Code of Virginia; P. L. 103-272 and P.L. 109-20, Federal Code.

A. This appropriation includes $1,100,183 the first year and $1,100,183 the second year from the general fund for contractual services related to assisting schools that do not meet the Standards of Accreditationas prescribed by the Board of Education.

B. Notwithstanding the provisions of § 2.2-1502.1, Code of Virginia, the Board of Education, in cooperation with the Department of Planning and Budget, is authorized to invite a school division to participate in the school efficiency review program described in § 2.2-1502.1, Code of Virginia, as a component of a division level academic review pursuant to § 22.1-253.13:3, Code of Virginia.

C. 1. Out of this appropriation, $1,922,461 the first year and $1,922,461 the second year from the general fund is provided to the Office of School Quality to assist low performing schools.

2. The Department of Education shall submit an initial report that contains: (i) the level of staffing, amount of funding, and opportunities and challenges of the Office for FY 2023 and FY 2024; (ii) the planned organizational structure, staffing, and resource needs of the Office over the next five years; (iii) the goals and expected outcomes of the Office and how the Office will collaborate with staff and units within the Department of Education to support schools based on their specific needs; and (iv) a plan to evaluate the effectiveness of the Office, including feedback from school divisions and stakeholders to determine both the impact and quality of the assistance received.

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	3. The Superintendent shall submit the initial report by July 1, 2024, to the Chairs of the Senate Education and Health and Finance and Appropriations Committees, and the Chairs of the House Education and Appropriations Committees. The Superintendent shall submit a report on the progress of implementing the goals of the Office by June 1, 2025. Funding for the first year and second year shall be unallotted and the Department of Planning and Budget shall transfer funds allocated to the Office in the corresponding year upon submission of the reports.			**I VETO ITEM 120. ON PAGES 1847 AND 1848 /s/ Glenn Youngkin 5-2-25**	
	D. The Department of Education shall maintain at least 30 full-time employees in the Office of School Quality to support schools and school divisions not meeting state benchmarks. At least six of these positions shall be deployed as regional support specialists focused on academic improvement in math, literacy, and science.				
121.	Technology Assistance Services (18600)			$18,962,424	$18,962,424
	Instructional Technology (18601)	$707,600	$707,600		
	Distance Learning and Electronic Classroom (18602)	$18,254,824	$18,254,824		
	Fund Sources: General	$6,073,882	$6,073,882		
	Special	$105,000	$105,000		
	Trust and Agency	$12,719,402	$12,719,402		
	Federal Trust	$64,140	$64,140		
	Authority: Instructional Technology: §§ 22.1-20.1, 22.1-70.2, 22.1-199.1, 22.1-253.13:1 through 22.1-253.13:8, Code of Virginia; P.L. 107-110, Federal Code.				
	Distance Learning and Electronic Classroom: § 22.1-212.2, Code of Virginia.				
	Virtual Virginia Payments				
	1. From appropriations in this Item, the Department of Education shall provide assistance for the Virtual Virginia program.				
	2. This appropriation includes $498,000 the first year and $498,000 the second year from the general fund to support the Virtual Virginia full-time program for 200 students in grades nine through 12.				
	3. This appropriation includes $330,000 the first year and $330,000 the second year from the general fund to support the virtual mathematics outreach program.				
	4. The local share of costs associated with the operation of the Virtual Virginia program shall be computed using the composite index of local ability-to-pay.				
	5. The Department of Education shall maintain a plan to support the per-student, per-course fee schedule for local school divisions to participate in Virtual Virginia (VVA) coursework for elementary, middle, and high school students. Such fee schedule plan shall provide (i) an allotment of slots, determined by the Department, per course to a school division free of charge, and (ii) for any slots a school division wishes to use beyond the free slots, a per-course, per-student fee that may include discounts for school divisions based upon the composite index of local ability to pay. The department shall also include in its plan the current student participation enrollment by grade level in each VVA course, the number of students enrolled in VVA courses that a fee of any kind is charged and how such fee is currently paid for in each participating school division.				
122.	Teacher Licensure and Education (56600)			$3,687,518	$3,687,518
	Teacher Licensure and Certification (56601)	$2,908,581	$2,908,581		
	Teacher Education and Assistance (56602)	$778,937	$778,937		
	Fund Sources: General	$1,413,218	$1,413,218		
	Special	$2,274,300	$2,274,300		
	Authority: Teacher Licensure and Certification: §§ 22.1-16, 22.1-298.1, 22.1-299, 22.1-299.2, 22.1-302, 22.1-303, 22.1-305.2, 22.1-316 to 22.1-318, Code of Virginia; P.L. 107-110, Federal Code.				

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Teacher Education and Assistance: §§ 22.1-290; 22.1-290.01; 22.1-290.1, 22.1-298, 22.1-305.2, 22.1-305.1, Code of Virginia; P. L. 108-446 and P. L. 107-110, Federal Code.

A. Proceeds from the fee schedule for the issuance of teaching certificates shall be utilized to defray all, or any part of, the expenses incurred by the Department of Education in issuing or accounting for teaching certificates. The fee schedule shall take into account the actual costs of issuing certificates. Any portion of the general fund appropriation for this Item may be supplemented by such fees.

B. The Board of Education is authorized to approve changes in the licensure fee amounts charged to school personnel pursuant to 8VAC20-23-40 A.2.

C. In furtherance of the General Assembly's interest in understanding trends in Virginia's teaching work force, teacher turnover rates, and the market for teachers, as evidenced by such metrics as the number of applicants per position, the Department shall develop and provide a model exit questionnaire that Virginia school divisions may administer to their exiting teachers.

D. Out of this appropriation, $93,084 the first year and $93,084 the second year from the general fund is provided to support local school division access to the National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse to research educator misconduct.

E. Out of this appropriation, $558,000 the first year and $558,000 the second year from the general fund is provided to support the automated teacher licensure application and intake process.

F. Out of this appropriation, $395,991 the first year and $395,991 the second year from the general fund is provided to strengthen the Department of Education's role in helping school divisions with the most substantial teacher recruitment and retention challenges and to implement a statewide strategic plan for recruiting and retaining teachers in the most critical shortage areas.

G. Statewide non-profit organizations that are affiliated with established national professional associations shall be permitted to apply for state funds to support teacher training for educators.

123.	Administrative and Support Services (19900)			~~$27,294,418~~ *$32,432,418*	~~$27,294,418~~ *$28,169,584*
	General Management and Direction (19901)	~~$6,824,835~~ *$4,998,310*	~~$6,824,835~~ *$4,998,310*		
	Information Technology Services (19902)	~~$12,783,632~~ *$17,921,632*	~~$12,783,632~~ *$13,658,798*		
	Accounting and Budgeting Services (19903)	~~$4,745,795~~ *$6,572,320*	~~$4,745,795~~ *$6,572,320*		
	Policy, Planning, and Evaluation Services (19929)	$2,940,156	$2,940,156		
	Fund Sources: General	~~$24,080,790~~ *$29,218,790*	$24,080,790		
	Special	$3,097,669	$3,097,669		
	Federal Trust	$115,959	~~$115,959~~ *$991,125*		

Authority: Article VIII, Sections 2, 4, 5, 6, 8, Constitution of Virginia; Title 2.2, Chapters 10, 12, 29, 30, 31, and 32; Title 22.1, 22.1-8 through 20, 22.1-21 through 24; Title 51.1, Chapters 4, 5, 6.1, and 11; Title 60.2, Chapters 60.2-100, 60.2-106; Title 65.2, Chapters 1, 6, and 9, Code of Virginia; P.L. 108-446, P.L. 107-110, Federal Code.

A. Out of this appropriation, $9,000 the first year and $9,000 the second year from the general fund is designated to support annual membership dues to the Southern Regional Education Board. In addition, $5,000 the first year and $5,000 the second year from the general fund is designated to pay registration and travel expenses of citizens appointed as Virginia commissioners for the Southern Regional Education Board.

B. Out of this appropriation $79,000 the first year and $79,000 the second year from the general fund is provided for the fees and travel expenses associated with the Interstate

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Compact on Educational Opportunity for Military Children, established pursuant to Chapter 187, of the 2009 Acts of Assembly.

C. The Department of Education is authorized to collect proceeds from the sale of educational resources it has developed, such as technology applications, on-line course content, assessments, and other educational content, to out-of-state individuals or entities and to in-state, for-profit entities. The Department of Education is further authorized to deposit such proceeds in a non-reverting special fund account established in its financial records for this purpose. Net proceeds from such sales shall be expended by the Department of Education to further develop existing educational resources or to create new educational resources for the benefit of the commonwealth's public schools and which may also be sold under the provisions of this paragraph. The Secretary of Administration shall authorize any licensing agreements executed by the Department of Education pursuant to this paragraph.

D. Out of this appropriation, $34,625 the first year and $34,625 the second year from the general fund shall be used to provide performance evaluation training to teachers, principals, division superintendents, and other affected school division personnel in support of the transition from continuing employment contracts to annual employment contracts for teachers and principals.

E. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund is provided for the Board of Education, in consultation with the Standards of Learning Innovation Committee, to continue redesigning the School Performance Report Card so that it is more effective in communicating to parents and the public regarding information about the status and achievements of the schools and school divisions.

F. Out of this appropriation, $300,000 the first year and $300,000 the second year is provided from the general fund for the Department of Education to develop and implement a growth scale for the existing Standards of Learning mathematics and reading assessments. This growth scale should facilitate data-driven school improvement efforts and support the state's accountability and accreditation systems.

G. Out of the amounts in this item, the Department of Education shall develop and administer biennially to individuals holding a license from the Department in each public elementary and secondary school in the Commonwealth a voluntary and anonymous school personnel survey to evaluate school-level teaching conditions and the impact such conditions have on teacher retention and student achievement. Such survey may include questions regarding school leadership, teacher leadership, teacher autonomy, demands on teachers' time, student conduct management, professional development, instructional practices and support, new teacher support, community engagement and support, and facilities and other resources. The Superintendent of Public Instruction shall report the results of any school personnel survey to the Chairs of the House Committees on Appropriations and Education and to the Senate Committees on Finance and Appropriations and Education and Health annually before the first day of each General Assembly Regular Session.

H. Out of this appropriation, $132,932 the first year from the general fund and $132,932 the second year from the general fund is provided for the Department of Education, in consultation with the Department of General Services, to develop or adopt and maintain a data collection tool to assist each school board to determine the relative age of each public school building in the local school division and the amount of maintenance reserve funds that are necessary to restore each such building. The Department of Education shall transfer these funds or a portion of these funds to the Department of General Services if the Department of Education determines that the Department of General Services shall develop and collect maintenance reserve data from each local school division. The Department of Education shall report the data on an annual basis as part of the Superintendent's Annual Report.

I. The Office of Community Schools shall provide an annual report and make it publicly available on its website that includes: the number of schools that have adopted the Community School framework; the status of these schools in implementing and evaluating the framework; an update and outcome of state grants awarded; and an assessment of the services provided by the Office to support schools.

J. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund is provided for staffing and contracted services through the finance office to

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support activities related to the Joint Subcommittee on Elementary and Secondary Education Funding. These positions may also be used to support the Department's fiscal operations following the conclusion of the Joint Subcommittee's work.				
K. Out of this appropriation, $5,138,000 the first year from the general fund is provided for the continued implementation of a statewide learning management system (LMS) and resources. These funds shall not revert to the general fund at the end of fiscal year 2025 but shall be reappropriated for expenditure for the same purpose in fiscal year 2026.				
Total for Department of Education, Central Office Operations			~~$289,925,682~~ *$317,790,063*	~~$286,178,972~~ *$321,476,261*
General Fund Positions	184.17	~~184.17~~ *201.67*		
Nongeneral Fund Positions	335.83	~~335.83~~ *362.33*		
Position Level	520.00	~~520.00~~ *564.00*		
Fund Sources: General	~~$92,981,920~~ *$120,846,301*	~~$90,881,920~~ *$111,423,071*		
Special	$6,696,586	$6,696,586		
Commonwealth Transportation	$301,676	$301,676		
Trust and Agency	$12,724,402	$12,724,402		
Federal Trust	$177,221,098	~~$175,574,388~~ *$190,330,526*		
Direct Aid to Public Education (197)				
124. Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300)			~~$80,019,567~~ *$90,684,567*	~~$51,404,567~~ *$51,944,567*
Financial Assistance for Supplemental Education (14304)	~~$80,019,567~~ *$90,684,567*	~~$51,404,567~~ *$51,944,567*		
Fund Sources: General	~~$80,019,567~~ *$90,684,567*	~~$51,404,567~~ *$51,944,567*		
Authority: Discretionary Inclusion.				

Appropriation Detail of Educational, Cultural, Community, and Artistic Affairs (14300)

Supplemental Education Assistance Programs (14304)	FY 2025	FY 2026
Achievable Dream - Newport News	$500,000	$500,000
Achievable Dream - Virginia Beach	$500,000	$500,000
Active Learning Grants	$250,000	$250,000
Advancing Computer Science Education	$1,350,000	$1,350,000
American Civil War Museum	$200,000	$200,000
AP, IB, and Cambridge Assessment Exam Fee Reduction	$750,000	~~$750,000~~ *$900,000*
Black History Museum and Cultural Center of Virginia	$700,000	$700,000
Blue Ridge PBS	~~$850,000~~ *$1,600,000*	$850,000
Career and Technical Education Initiatives - Portsmouth, Chesapeake, Fredericksburg, Stafford County	$6,000,000	$0
Career and Technical Education Regional Centers	~~$660,000~~ *$600,000*	~~$660,000~~ *$600,000*

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Career and Technical Education Resource Center	$498,021			$498,021
Career and Technical Education Student Organizations	$718,957			$718,957
Career Council at Northern Neck Career & Technical Center	$60,300			$60,300
Chesterfield Recovery High School	$500,000			$500,000
Children's Museum of Richmond	*$750,000*			*$0*
Communities in Schools (CIS)	$2,004,400			$2,004,400
Community Builders Pilot Program	$500,000			$300,000
Community Schools Development and Implementation Planning Grant	~~$2,500,000~~ *$5,000,000*			$2,500,000
Computer Science Teacher Training	$550,000			$550,000
Connect Plus	$600,000			$600,000
Critical National Security Language Grant Program	$250,000			$250,000
Dolly Parton's Imagination Library For Kids	~~$1,157,065~~ *$1,657,065*			$1,157,065
Early Childhood Educator Incentive	$20,000,000			$0
EduTutorVA	$250,000			$250,000
eMediaVA	~~$1,200,000~~ *$1,950,000*			$1,200,000
Excel Center - Goodwill Industries of the Valleys	*$500,000*			*$0*
Great Aspirations Scholarship Program (GRASP)	$500,000			$500,000
Greater Peninsula C.A.R.E.S.	*$500,000*			*$0*
Grow Your Own Teacher	$240,000			$240,000
Hampton Roads Recovery High School	$500,000			$250,000
Jobs for Virginia Graduates (JVG)	$2,243,776			$2,243,776
Loudoun County Recovery High School	$500,000			$250,000
Mathews County - Asbestos Removal	*$1,000,000*			*$0*
Milk and Cookies (MAC) Children's Program	$250,000			$250,000
National Board Certification Program	$4,997,500			$4,997,500
New Chesapeake Men for Progress Education Foundation	*$100,000*			*$0*
Opportunity Scholars	*$500,000*			*$0*
PBS Appalachia	~~$250,000~~ *$1,000,000*			$250,000
Petersburg Executive Leadership Recruitment Incentives	$350,000			$350,000
Pittsylvania County Public Library	$160,000			$0
Positive Behavioral Interventions & Support (PBIS)	$1,598,000			$1,598,000
Power Scholars Academy- YMCA BELL	$1,200,000			$1,200,000
Praxis and Virginia Communication and Literacy Assessment Assistance for Provisionally Licensed Minority Teachers	$50,000			$50,000
Project Discovery	$987,500			$987,500
Public Safety Training Center - Prince William County	$50,000			$50,000
Reach Virginia	$630,000			$0
Reck League	$150,000			$150,000

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School Program Innovation		$500,000		$500,000
Small School Division Assistance		$145,896		$145,896
Soundscapes - Newport News		$90,000		$90,000
Southside Virginia Regional Technology Consortium		$108,905		$108,905
Southwest Virginia Public Education Consortium		$124,011		$124,011
STEM Program / Research Study (VA Air & Space Center)		$1,181,975		$1,181,975
STEM Competition Team Grants		$200,000		$200,000
Targeted Extended/Enriched School Year and Year-round School Grants		$7,763,312		$7,763,312
Teach for America		~~$500,000~~ *$750,000*		$500,000
Teacher Recruitment & Retention Grant Programs		$2,281,000		$2,281,000
Teacher Residency Program		$2,850,000		$2,850,000
21st Century Community Learning Centers		$3,000,000		$2,000,000
UBU 100/My Life Coach Academy		*$250,000*		*$0*
Van Gogh Outreach Program		$71,849		$71,849
Virginia Alliance of Boys and Girls Clubs		*$1,000,000*		*$0*
Virginia Early Childhood Foundation (VECF)		$1,250,000		$1,250,000
Virginia Holocaust Museum		~~$250,000~~ *$375,000*		$125,000
Virginia Leads Innovation Network		*$0*		*$250,000*
Virginia Student Training and Refurbishment (VA STAR) Program		$300,000		$300,000
Vision Screening Grants		$591,000		~~$591,000~~ *$791,000*
VPI Provisional Teacher Licensure		$306,100		$306,100
Wolf Trap Model STEM Program		$1,300,000		$1,300,000
YMCA of South Hampton Roads		*$500,000*		*$0*
Total		~~**$80,019,567**~~ ***$90,684,567***		~~**$51,404,567**~~ ***$51,944,567***

A. Out of this appropriation, the Department of Education shall provide $2,243,776 the first year and $2,243,776 the second year from the general fund for the Jobs for Virginia Graduates initiative.

B. Out of this appropriation, the Department of Education shall provide $124,011 the first year and $124,011 the second year from the general fund for the Southwest Virginia Public Education Consortium at the University of Virginia's College at Wise. An additional $71,849 the first year and $71,849 the second year from the general fund is provided to the Consortium to continue the Van Gogh Outreach program with Lee and Wise County Public Schools and expand the program to the twelve school divisions in Southwest Virginia.

C. This appropriation includes $108,905 the first year and $108,905 the second year from the general fund for the Southside Virginia Regional Technology Consortium to expand the research and development phase of a technology linkage.

D. An additional state payment of $145,896 the first year and $145,896 the second year from the general fund is provided as a Small School Division Assistance grant for the City of Norton. To receive these funds, the local school board shall certify to the Superintendent of Public Instruction that its division has entered into one or more

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educational, administrative or support service cost-sharing arrangements with another local school division.

E. Out of this appropriation, $498,021 the first year and $498,021 the second year from the general fund shall be allocated for the Career and Technical Education Resource Center to provide vocational curriculum and resource instructional materials free of charge to all school divisions.

F.1. It is the intent of the General Assembly that the Department of Education provide bonuses from state funds to classroom teachers in Virginia's public schools who have obtained national certification from the National Board for Professional Teaching Standards and grants for candidates working in a Title I school or a school eligible for participation in the Community Eligibility Provision pursuant to § 22.1-207.4:1 who are candidates for initial national certification or maintenance of national certification (MOC) from the National Board for Professional Teaching Standards. This appropriation includes an amount estimated at $4,997,500 the first year and $4,997,500 the second year from the general fund for the purpose of paying these bonuses and grants. The Board shall establish procedures for determining amounts of awards if the moneys are not sufficient to award each eligible teacher the appropriate award amount.

2. Any public school staff member who has obtained national certification from the National Board for Professional Teaching Standards shall be eligible to receive an initial grant award of $5,000 and a subsequent award of $2,500 each year for the life of the certificate.

3. Any candidate (i) working in a Title 1 school or a school eligible for participation in the Community Eligibility Provision pursuant to § 22.1-207.4:1 and (ii) who is pursuing initial national certification from the National Board for Professional Teaching Standards is eligible to apply to the Department for a grant to cover (a) half of the total initial national certification fee, equal to the sum of the cost of the four components and the registration fee for initial national certification, to be disbursed upon initial registration for such certification and (b) the remaining half of such total initial national certification fee to be disbursed upon successful achievement of initial national certification as verified by the National Board for Professional Teaching Standards.

4. Any candidate (i) working in a Title 1 school or a school eligible for participation in the Community Eligibility Provision pursuant to § 22.1-207.4:1 and (ii) who is pursuing MOC from the National Board for Professional Teaching Standards is eligible to apply to the Department for an incentive grant to cover the total MOC fee, equal to the sum of the cost of MOC and the registration fee for MOC, to be disbursed upon successful completion of the MOC process as verified by the National Board for Professional Teaching Standards.

5. By October 15 of each year, school divisions shall notify the Department of Education of the number of eligible candidates under contract for that school year that hold or are pursuing such certification.

G. This appropriation includes $2,281,000 the first year and $2,281,000 the second year from the general fund for grants, scholarships, and incentive payments to attract, recruit, and retain high-quality teachers and fill critical teacher shortage disciplines in Virginia's public schools.

1. Out of this appropriation, $708,000 the first year and $708,000 the second year from the general fund is provided for teaching scholarship loans. These scholarships shall be for undergraduate students in college with a cumulative grade point average of at least 2.7 on a 4.0 scale or its equivalent, who are nominated by their Virginia regionally accredited college or university, and who meet the criteria and qualifications, pursuant to § 22.1-290.01, Code of Virginia, except as provided herein. Awards shall be made to students who are enrolled full-time or part-time in approved undergraduate or graduate teacher education programs for the top ten critical teacher shortage disciplines, however minority students may be enrolled in any content area for teacher preparation. Upon program completion, scholarship recipients may fulfill the scholarship loan obligation by teaching in the public schools of the Commonwealth in the first full academic year after becoming eligible for a renewable teaching license in the appropriate endorsement area and teaching for at least two years in a school division (i) in one of the critical teacher shortage disciplines as established by the Board of Education; or (ii) in a Virginia public school or program with 50 percent or more of the students eligible for free or reduced price lunch; or (iii) in a school division designated critical shortage subject area, as

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defined in the Board of Education's Regulations Governing the Determination of Critical Teacher Shortage Areas. Scholarship recipients who only complete one year of the teaching obligation shall be forgiven for one-half of the scholarship loan amount. Scholarship amounts are based on up to $10,000 per year for full-time students, and shall be prorated for part-time students based on the number of credit hours. The Department of Education shall report annually on the critical shortage teaching areas in Virginia.

a. The Department of Education shall make payments on behalf of the scholarship recipients directly to the Virginia institution of higher education where the scholarship recipient is enrolled full-time or part-time in an approved undergraduate or graduate teacher education program.

b. The Department of Education is authorized to recover total funds awarded as scholarships, or the appropriate portion thereof, in the event that scholarship recipients fail to honor the stipulated teaching obligation.

c. Within the fiscal year, any funds not awarded from this program may be applied toward the other teacher preparation, recruitment, and retention programs under paragraph G.

2. Out of this appropriation, $808,000 the first year and $808,000 the second year from the general fund is provided to attract, recruit, and retain high-quality diverse individuals to teach science, technology, engineering, or mathematics (STEM) subjects in Virginia's middle and high schools experiencing difficulty in recruiting qualified teachers. Eligible teachers must (i) be employed full-time in a Virginia school division or school with more than 40 percent of the students eligible for free or reduced price lunch; (ii) be entering their first, second, or third year of teaching experience; and (iii) hold a five- or ten-year valid Virginia teaching license with an endorsement in Middle Education 6-8: Mathematics, Mathematics-Algebra-I, Mathematics, Middle Education 6-8: Science, Biology, Chemistry, Earth and Space Science, Physics, Engineering, or Technology Education and be assigned to a teaching position in a corresponding STEM subject area. Selected eligible teachers will receive a $5,000 incentive award after the completion of each year of full-time teaching experience, up to three consecutive years under the grant, in an eligible school division or school with a satisfactory performance evaluation and a written commitment to return in the same school division for the following school year. The maximum incentive award for each eligible teacher is $15,000. Eligibility for these incentives shall be determined through an application process whereby school divisions shall apply to the Department of Education. Priority for distribution of these incentives shall be to school divisions experiencing the most acute difficulties in recruiting qualified teachers, as determined using Department of Education criteria. For individuals who received funds under this program prior to July 1, 2020, the criteria provided in Chapter 854, 2019 Acts of Assembly, shall continue to apply. Within the fiscal year, any funds not awarded from this program may be applied toward the other teacher preparation, recruitment, and retention programs under paragraph G.

3. Out of this appropriation, $415,000 the first year and $415,000 the second year from the general fund is provided to help school divisions recruit and retain qualified middle-school mathematics teachers. Within the fiscal year, any funds not awarded from this program may be applied toward the other teacher preparation, recruitment, and retention programs under paragraph G.

4. a. Out of this appropriation, $350,000 the first year and $350,000 the second year from the general fund is provided to support costs for teachers to become qualified to teach dual enrollment and industry credential courses in local school divisions. Qualifying teachers are 1) licensed public high school teachers pursuing additional credentialing requirements necessary to be considered faculty who are qualified to teach dual enrollment courses in high schools in their local school division, or 2) high school teachers employed by a local school division and pursing additional training or coursework to earn a Board of Education-approved industry recognized credential that will lead to instruction in high schools in their local school division of regionally in-demand industry credentials. The Department of Education shall collaborate with the Virginia Office of Education Economics to determine regionally in-demand industry credentials.

b. For teachers pursuing credentialing requirements to teach dual enrollment courses, the Department of Education shall make payments on behalf of the scholarship recipients

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directly to the regionally accredited Virginia institution of higher education where the scholarship recipient is enrolled in courses for credit applicable to dual enrollment course curriculum available for public high school students. The lifetime maximum dual enrollment tuition scholarship award for each approved eligible teacher is $12,000. Eligibility for access to these dual enrollment tuition scholarship awards shall be determined through an application process whereby school divisions shall apply to the Department of Education. In the application process, the applying school division shall include: i) an explanation of why such dual enrollment tuition scholarship is warranted, ii) the dual enrollment course or courses that shall be offered by the scholarship recipient's high school and taught by the recipient upon the recipient's successful completion of required coursework for appropriate credentialing to teach such dual enrollment courses, and iii) the projected student enrollment in the recipient taught public high school dual enrollment courses.

c. For teachers pursuing additional training or coursework to teach an industry credential, the Department of Education shall make payments on behalf of the awardees directly to the employing school division for reimbursement of training, coursework, or assessment costs. The lifetime maximum credentialing award for each approved eligible teacher is $12,000. Eligibility for access to these reimbursement awards shall be determined through an application process whereby school divisions shall apply to the Department of Education. In the application process, the applying school division shall include: i) an explanation of why such reimbursement is warranted, ii) the career and technical course or courses that shall be offered by the awardee's high school and taught by the awardee upon successful acquirement of the industry credential, and iii) the projected student enrollment in the awardee's employing public high school career and technical courses.

d. The Department of Education shall compile and report the application information for each applying school division, and shall also report the number of recipients and amount of tuition or reimbursement awarded to each school division, the institution of higher education receiving tuition, the credentialing area pursued by recipients, and dual enrollment or career and technical courses offered after the recipient's successful completion of the pursued credentialing. The Department shall submit the report by June 30 annually to the Secretary of Education, the House Committees on Education and Appropriations and the Senate Committees on Finance and Appropriations and Education and Health.

H. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund shall be distributed to the Great Aspirations Scholarship Program (GRASP) to provide students and families in need access to financial aid, scholarships, and counseling to maximize educational opportunities for students.

I. Out of this appropriation, the Department of Education shall provide $2,004,400 the first year and $2,004,400 the second year from the general fund to Communities in Schools. These funds shall be used to strengthen and sustain existing programming in Hampton Roads, Northern Virginia, Petersburg, Richmond City, and Southwest Virginia and to expand programming to new schools. Further, Communities in Schools is directed to assist the Community School organization with developing opportunities to establish a Community School program in interested school divisions.

J. 1. Out of this appropriation, the Department of Education shall provide $987,500 the first year and $987,500 the second year from the general fund for Project Discovery. These funds are towards the cost of the program in Abingdon, Accomack/Northampton, Alexandria, Amherst, Appomattox, Arlington, Bedford, Bland, Campbell, Charlottesville, Cumberland, Danville/Pittsylvania, Fairfax, Franklin/Patrick, Fredericksburg/Spotsylvania, Goochland/Powhatan, Lynchburg, Newport News, Norfolk, Richmond City, Roanoke City, Smyth, Surry/Sussex, Tazewell, Williamsburg/James City, Wythe, and Madison/Orange and the salary of a fiscal officer for Project Discovery. The Department of Education shall administer the Project Discovery funding distributions to each community action agency. Distributions to each community action agency shall be based on performance measures established by the Board of Directors of Project Discovery. The contract with Project Discovery should specify the allocations to each local program and require the submission of a financial and budget report and program evaluation performance measures.

2. Each participating community action agency shall submit annual performance metrics for services provided through the Project Discovery program that provide measurable evaluations and outcomes of participating students. Such performance metrics shall include evidenced-

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based data that effectively measure academic improvement outcomes. In addition, the performance metrics shall also include evidenced-based data to evaluate the specific effectiveness of the program for participating students on a longitudinal basis. Further, the performance metrics shall include the coordination and collaboration efforts the program staff regularly have with the school-based personnel, such as teachers and guidance counselors, that support and maximize opportunities of participating students to successfully graduate from high school and then to enroll and graduate from an institution of higher learning. Project Discovery shall submit a comprehensive and cumulative program performance metrics evaluation to the Department of Education no later than October 1 each year.

K. Out of this appropriation, the Department of Education shall provide $300,000 the first year and $300,000 the second year from the general fund for the Virginia Student Training and Refurbishment Program.

L. Out of this appropriation, $1,598,000 the first year and $1,598,000 the second year from the general fund is provided to expand the number of schools implementing a system of positive behavioral interventions and supports with the goal of improving school climate and reducing disruptive behavior in the classroom. Such a system may be implemented as part of a tiered system of supports that utilizes evidence-based, system-wide practices to provide a response to academic and behavioral needs. Any school division which desires to apply for this competitive grant must submit a proposal to the Department of Education by June 1 preceding the school-year in which the program is to be implemented. The proposal must define student outcome objectives including, but not limited to, reductions in disciplinary referrals and out-of-school suspension rates. In making the competitive grant awards, the Department of Education shall give priority to school divisions proposing to serve schools identified by the Department as having high suspension rates. No funds awarded to a school division under this grant may be used to supplant funding for schools already implementing the program.

M. Targeted Extended/Enriched School Year and Year-round School Grants Payments

1. Out of this appropriation, $7,150,000 the first year and $7,150,000 the second year from the general fund is provided for a targeted extended/enriched school year or year-round school incentive in order to improve student achievement. Annual start-up grants of up to $300,000 per school may be awarded for a period of up to two years after the initial implementation year. The per school amount may be up to $400,000 in the case of schools that have an Accredited with Conditions status and are rated at Level Three in two or more Academic Achievement for All Students school quality indicators, or schools that had an Accredited with Conditions status and were rated at Level Three in two or more Academic Achievement for All Students school quality indicators when the initial application was made. Schools that qualified for the per school grant up to $400,000 under the previous Standards of Accreditation Denied Accreditation status remain eligible for funding for the initial three year period; after that period, such schools are subject to eligibility under the current Standards of Accreditation. After the third consecutive year of successful participation, an eligible school's grant amount shall be based on a shared split of the grant between the state and participating school division's local composite index. Such continuing schools shall remain eligible to receive a grant based on the 2012 JLARC Review of Year Round Schools' researched base findings.

2. Except for school divisions with schools that are in an Accredited with Conditions status and are rated at Level Three in two or more Academic Achievement for All Students school quality indicators or in a Denied Accreditation status, any other school division applying for such a grant shall be required to provide a twenty percent local match to the grant amount received from either an extended/enriched school year or year-round school start-up or planning grant.

3. In the case of any school division with schools that are in an Accredited with Conditions status and are rated at Level Three in two or more Academic Achievement for All Students school quality indicators or in a Denied Accreditation status that apply for funds, the school division shall also consult with the Superintendent of Public Instruction or designee on all recommendations regarding instructional programs or instructional personnel prior to submission to the local board for approval.

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4. Out of this appropriation, $613,312 the first year and $613,312 the second year from the general fund is provided for planning grants of no more than $50,000 each for local school divisions pursuing the creation of new extended/enriched school year or year-round school programs for divisions or individual schools in support of the findings from the 2012 JLARC Review of Year Round Schools. School divisions must submit applications to the Department of Education by August 1 of each year. Priority shall be given to schools based on need, relative to the state accreditation ratings or similar federal designations. Applications shall include evidence of commitment to pursue implementation in the upcoming school year. If balances exist, existing extended school year programs may be eligible to apply for remaining funds.

5. A school division that has been awarded an extended/enriched school year or year-round school start-up grant or planning grant for the development of an extended/enriched school year or year-round school program may spend the awarded grant over two consecutive fiscal years.

6. a) Any such school division receiving funding from a Targeted Extended/Enriched School Year and Year-round School grant shall provide an annual progress report to the Department of Education that evaluates end of year success of the extended/enriched school year or year-round school model implemented as compared to the prior school year performance as measured by an appropriate evaluation matrix no later than September 1 each year.

b) The Department of Education shall develop such evaluation matrix that would be appropriate for a comprehensive evaluation for such models implemented. Further, the Department of Education is directed to submit the annual progress reports from the participating school divisions and an executive summary of the program's overall status and levels of measured success to the Chairs of House Appropriations and Senate Finance and Appropriations Committees no later than November 1 each year.

7. Any funds remaining in this paragraph following grant awards may be disbursed by the Department of Education as grants to school divisions to support innovative approaches to instructional delivery or school governance models.

N. Out of this appropriation, ~~$500,000~~ *$750,000* the first year and $500,000 the second year from the general fund is provided through grants or contracts for the cost of fees and financial incentives associated with *the Teach for America Program to support* hiring teachers in challenged schools. *The additional support in the first year shall be used to grow teacher placement in hard-to-staff schools in Northern Virginia and explore an expansion to the Hampton Roads area. These funds shall not revert to the general fund at the end of fiscal year 2025 but shall be reappropriated for expenditure for the same purpose in fiscal year 2026.* ~~These funds may be used for grants or contracts awarded and expenses associated with supporting the Teach for America program. School divisions or their partners may apply for those funds through applications submitted to the Department of Education. Applications must be submitted to the Department of Education by September 1 each year.~~ Within the fiscal year, any unobligated balance may be used for the Teacher Residency program.

O. Out of this appropriation, $1,300,000 the first year and $1,300,000 the second year from the general fund is provided to the Wolf Trap Foundation for the Performing Arts to administer STEM Arts and early literacy programs for preschool, kindergarten, and first grade students in Accomack, Albemarle, Arlington, Chesterfield, Fairfax, Henrico, Loudoun, Norfolk, Petersburg, Richmond, Suffolk, and Wythe Public Schools. The model will also support growth in the 5C skills identified in the Profile of a Virginia Graduate. Within this appropriation, funds may support the phase in of services into currently unserved divisions in an equitable manner, with a special focus on capacity building and establishing new services in Regions 3, 6, or 8. The Wolf Trap Foundation shall work with the Department of Education and currently served divisions to determine need and phase programs into unserved divisions. The Wolf Trap Foundation shall report annually to the Chairs of the House Committee on Education and the Senate Committee on Education and Health and the Superintendent of Public Instruction on its activities, including number of divisions served, number of students served, number of educators, and number of families impacted.

P. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is provided for the Achievable Dream partnership with Newport News School Division.

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Q. Out of this appropriation, $2,850,000 the first year and $2,850,000 the second year from the general fund is provided for grants for teacher residency partnerships between university teacher preparation programs and the Petersburg, Norfolk, and Richmond City school divisions and any other university teacher preparation programs and hard-to-staff school divisions to help improve new teacher training and retention for hard-to-staff schools. The grants will support a site-specific residency model program for preparation, planning, development and implementation, including possible stipends in the program to attract qualified candidates and mentors. Applications must be submitted to the Department of Education by August 1 each year.

1. Of this amount, $1,100,000 the first year and $1,100,000 the second year is provided for Virginia Commonwealth University to continue and expand a program to support residents in partnership with the Richmond Teacher Residency program. Virginia Commonwealth University shall include this program in its annual report to the Department of Education, pursuant to paragraph Q.2. of this Item.

2. Partner school divisions shall provide at least one-third of the cost of each program and shall provide data requested by the university partner in order to evaluate program effectiveness by the mutually agreed upon timelines. Each university partner shall report annually, no later than June 30, to the Department of Education on available outcome measures, including student performance indicators, as well as additional data needs requested by the Department of Education. The Department of Education shall provide, directly to the university partners, relevant longitudinal data that may be shared. The Department of Education shall consolidate all submissions from the participating university partners and school divisions and submit such consolidated annual report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than November 1 each year.

R. Out of this appropriation, $60,300 the first year and $60,300 the second year from the general fund is provided to the Northern Neck Regional Technical Center to expand the workforce readiness education and industry based skills and certification development efforts supporting that region in the state. These funds support the Center's programs that serve high school students from the surrounding counties of Essex, Lancaster, Northumberland, Rappahannock, Westmoreland and Colonial Beach.

S. Out of this appropriation, $1,250,000 the first year and $1,250,000 the second year from the general fund is provided to the Virginia Early Childhood Foundation.

1. Of this amount, $250,000 the first year and $250,000 the second year is provided for general operations of the Foundation's grant program to strengthen the capacity of local communities to promote school readiness for young children through innovative regional partnerships.

2. Of this amount, $1,000,000 the first year and $1,000,000 the second year is provided to operate a scholarship program to increase the skills of Virginia's early education workforce.

T. This appropriation includes $500,000 the first year and $500,000 the second year from the general fund to support ten competitive grants, not to exceed $50,000 each, for planning the implementation of systemic Elementary, Middle, and/or High School Program Innovation by either individual school divisions or consortia of school divisions or implementing a plan for public pre-kindergarten through Grade 12 School Program Innovation previously approved by the Department of Education. The local applicant(s) selected to conduct this systemic approach to school reform, in consultation with the Department of Education, will develop and plan or implement innovative approaches to engage and to motivate students through personalized learning and instruction leading to demonstrated mastery of content, as well as skills development of career readiness. Essential elements of school innovation include: (1) student centered learning, with progress based on student demonstrated proficiency; (2) 'real-world' connections that promote alignment with community work-force needs and emphasize transition to college and/or career; and (3) varying models for educator supports and staffing. Individual school divisions or consortia will be invited to apply on a competitive basis by submitting a grant application that includes descriptions of key elements of innovations, a detailed budget,

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expectations for outcomes and student achievement benefits, evaluation methods, and plans for sustainability. The Department of Education will make the final determination of which individual school divisions or consortia of divisions will receive the year-long planning grant for public pre-kindergarten through Grade 12 School Innovation or a grant to implement an Elementary, Middle, and/or High School Program Innovation plan previously approved by the Department of Education. Any school division or consortium of divisions which desires to apply for this competitive grant must submit a proposal to the Department of Education by June 1 preceding the school year in which the planning or implementation for systemic school innovation is to take place.

U. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund is provided for STEM Competition Team Grants as part of the STEM C Competition Team Grant Fund. Grants may not exceed $5,000 each. At least half of this appropriation should be provided to public elementary and secondary schools in the Commonwealth at which at least 60 percent of students qualify for free or reduced-price lunch.

V. Out of this appropriation, $1,181,975 the first year and $1,181,975 the second year from the general fund is provided to support a multi-platform STEM education engagement program and research study and other educational programs at the Virginia Air & Space Center.

W. Out of this appropriation, $350,000 the first year and $350,000 the second year from the general fund is provided for executive leadership incentives in the Petersburg City Public Schools to strengthen the impact of division and school level executive leadership on student achievement in the school division. Such incentives may include, but not be limited to, supplements to locally funded salaries, deferred salary compensation, bonuses, housing and commuting supplements, and professional development supplements. The Department of Education shall provide such executive management incentive payments directly to the Petersburg City Public Schools accounts pursuant to a Memorandum of Understanding entered into between the Board of Education and the Petersburg City School Board, which shall cover no less than both years of the biennium and may be amended with the consent of both parties. Such Agreement shall include operational and student achievement metrics and include provisions for the achievement of such metrics as a condition of payment of the incentive funds by the Department of Education. The Department of Education shall provide updates on the Agreement to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees.

X. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund is provided for praxis assistance and Virginia Communication and Literacy Assessment assistance for provisionally licensed minority teachers seeking full licensure in Virginia. Grants of up to $10,000 shall be awarded to school divisions, teacher preparation programs, or nonprofit organizations in all regions of the state to subsidize test fees and the cost of tutoring for provisionally licensed minority teachers seeking full licensure in Virginia.

Y. Out of this appropriation, $591,000 the first year and ~~$591,000~~ *$791,000* the second year from the general fund is provided to school divisions to pay for a portion of the vision screening of students in kindergarten, grade two or three and grades seven and ten, pursuant to Chapter 312, 2017 Session Acts of Assembly. Eligible school divisions may receive the state's share of $7.00 for each student reported in average daily membership and enrolled in kindergarten, grades three, seven and ten and who has received such vision screening test. The Department of Education shall administrator and distribute reimbursements to school divisions and the funding shall be prorated if needed, such that the appropriation is not exceeded. Prioritization shall be given the schools that would most benefit from state assistance in order to provide such vision screening service to students that are eligible for free lunch.

Z. Out of this appropriation, ~~$660,000~~ *$600,000* the first year and ~~$660,000~~ *$600,000* the second year from the general fund is provided for annual grants of $60,000 to each of the ~~nine~~ *eight* regional career and technical centers, Winchester Public Schools' Innovation Center and Norfolk Public Schools' Norfolk Technical Center, to expand workforce readiness education and industry based skills.

AA. 1. Out of this appropriation, $550,000 the first year and $550,000 the second year from

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the general fund is provided to CodeVA for the development, marketing, and implementation of high-quality and effective computer science training and professional development activities for public school teachers throughout the Commonwealth for the purpose of improving the computer science literacy of all public school students in the Commonwealth using the Computer Science Standards of Learning For Virginia Public Schools, which were reviewed and endorsed by the Virginia Board of Education in November 2017. The provided funds may be utilized for planning, preparing and materials needed for teacher training sessions provided during the biennium.

2. CodeVA shall report, no later than October 1, each year to the Chairmen of the House Education and Senate Education & Health Committees, Secretary of Education and the Superintendent of Public Instruction on its activities in the previous year to support computer science teacher training and curriculum development, including on collaboration with other stakeholders to avoid duplication of efforts.

BB. To strengthen quality, attract new educators, and reduce turnover in hard-to-serve preschool classrooms, $20,000,000 the first year from the general fund shall be used to supplement the Early Childhood Educator Incentive created through the Preschool Development Grant Birth to Five and in support of the implementation of the Unified Measurement and Improvement System, known as VQB5, established pursuant to § 22.1-289.05, Code of Virginia. The Virginia Department of Education shall set the specific guidelines for the program and funds.

CC. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund shall be provided for grants to school divisions for encouraging active-in class, remote and hybrid learning for students in pre-kindergarten through the second grade. School divisions seeking to apply for this grant shall submit a proposal to the Department of Education outlining the intended use of funds and a projected number of students to be served. The Department shall establish criteria for awarding these funds. The funds may be used to purchase a platform featuring on-demand activities that integrate math and English Standards of Learning content into movement-rich activities that can be used at school, home and on all devices (i.e. computers, tablets, and phones).

DD. Out of this appropriation, ~~$850,000~~ *$1,600,000* the first year and $850,000 the second year from the general fund is provided to Blue Ridge PBS for educational outreach programming. *These funds shall not revert to the general fund at the end of fiscal year 2025 but shall be reappropriated for expenditure for the same purpose in fiscal year 2026.*

EE. Out of this appropriation, $1,200,000 the first year and $1,200,000 the second year from the general fund is provided to support ~~pilot~~ public-private partnerships between local school divisions and the Virginia Alliance of YMCAs to expand student participation opportunities in *curriculum based learning loss programs through* existing summer Power Scholars Academies *or after school programs* in such partnered school divisions.

FF. Out of this appropriation, $718,957 the first year and $718,957 the second year from the general fund is provided to support Career and Technical Education Student Organizations. These Student Organizations extend Career and Technical Education in Virginia through networks of programs, business and community partnerships, and leadership experiences at the school, state, and national levels and provide Virginia students with opportunities to apply academic, technical, and employability knowledge and skills necessary in today's workforce.

GG. Out of this appropriation, ~~$1,200,000~~*$1,950,000* the first year and $1,200,000 the second year from the general fund is provided for the Hampton Roads Education Telecommunications Association's eMediaVA program for statewide digital content development, online learning, and related support services. All digital content produced and delivery of online learning shall *be determined by July 1 of each year in consultation with division superintendents or their designee and shall* meet criteria established by the Department of Education, meet or exceed applicable Standards of Learning, and be correlated to such state standards. The eMedia VA program shall incorporate ~~consultation with division superintendents or their designated representatives to assess~~ school divisions' needs for digital content, online learning, teacher training, and support services that advance technology integration into the K-12 classroom, as well as for additional

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educational resources that may be made available to school divisions throughout the Commonwealth. *These funds shall not revert to the general fund at the end of the first year but shall be reappropriated for expenditure for the same purpose in the second year.*

HH. Out of this appropriation, $1,350,000 the first year and $1,350,000 the second year from the general fund is provided to support the advancement of computer science education and implementation of the Commonwealth's computer science standards across the public education continuum. These funds are intended to provide high quality professional development to current and future teachers; create, curate, and disseminate high quality computer science curriculum, instructional resources, and assessments; support summer and after-school computer science related programming for students; and facilitate meaningful career exposure and work-based learning opportunities in computer science fields for high school students. Funds shall be disbursed through a competitive grant process and shall prioritize at-risk students and schools. The Department of Education shall develop a process to award these funds in accordance with the provisions of this language.

II. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is provided for the Achievable Dream partnership with Virginia Beach School Division.

JJ. Out of this appropriation, ~~$1,157,065~~ *$1,657,065* the first year and $1,157,065 the second year from the general fund is provided to support Dolly Parton's Imagination Library for Kids program. *These funds shall not revert to the general fund at the end of fiscal year 2025 but shall be reappropriated for expenditure for the same purpose in fiscal year 2026.*

KK. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund is provided to EduTutorVA to support targeted tutoring to help K-12 students recover from COVID-19 learning gaps.

LL. Out of this appropriation, $250,000 the first year and $250,000 the second year is provided to the Milk and Cookies (MAC) Children's Program to support expansion of the support program for children of parents who are incarcerated.

MM. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is provided to Chesterfield County Public Schools to assist with establishing a recovery high school as a year-round high school with enrollment open to any high school student residing in Superintendent's Region 1 who is in the early stages of recovery from substance use disorder or dependency. Students in the high school shall be provided academic, emotional, and social support needed to progress toward earning a high school diploma and reintegrating into a traditional high school setting. Chesterfield County Public Schools shall submit a report regarding the planning, implementation, and outcomes of the recovery high school to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee by December 1 each year.

NN. Out of this appropriation, $240,000 the first year and $240,000 the second year from the general fund is provided for a Grown Your Own Teacher program to provide grants to low-income high school graduates who attended an institution of higher education in the Commonwealth and subsequently teach in high-need public schools in the school divisions from which they graduated high school. The Department of Education shall establish a process by which school divisions may apply for grants from the Grow Your Own Teacher Program to provide a grant of $7,500 per academic year for up to four years for individuals who (i) graduated from a public high school in the local school division; (ii) were eligible for free lunch during the individual's attendance at a public high school in the local school division; and (iii) teach, within one year of graduating from an institution of higher education in the Commonwealth for a period of at least four years, at a public school at which at least 50 percent of students qualify for free lunch in the school division from which such individual graduated high school. In developing such process, the Department will ensure that at least one school division within each of the eight superintendent regions, applying for such grants, be awarded prior to awarding grants to multiple school divisions within a single superintendent region. Each superintendent region shall be permitted to apply for up to four tuition grant awards. The Department is authorized to offer and award any remaining unallotted awards to other applying school divisions within a superintendent region. In the event that any nominee fails or refuses to comply with the teaching commitment, no grant shall be disbursed to the nominee.

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OO. Out of this appropriation, ~~$250,000~~*$375,000* the first year and $125,000 the second year from the general fund is provided for the Virginia Holocaust Museum. These funds will support the Alexander Lebenstein Teacher Education Institute and expand the professional development of educators across the Commonwealth and the advancement of experiential learning opportunities for K-12 students. Additionally, these funds are intended to support high-quality, off-site learning experiences, educational content, and exhibitions for students to engage in educational content, aligned to the Virginia Standards of Learning, related to the history of the Holocaust, hate crimes and other genocides. *These funds shall not revert to the general fund at the end of fiscal year 2025 but shall be reappropriated for expenditure for the same purpose in fiscal year 2026.*

PP. Out of this appropriation, $630,000 the first year from the general fund is provided for Reach Virginia to provide teacher retention services to Virginia public school divisions.

QQ. Out of this appropriation, $90,000 the first year and $90,000 the second year from the general fund is provided to Newport News Public Schools to expand the Soundscapes program and increase student participation in intensive music study and ensemble performances.

RR. Out of this appropriation, $306,100 the first year and $306,100 the second year from the general fund is allocated for the Department of Education to provide grants of no more than $30,000 each for local school divisions that have applied for such funds for the sole purpose of providing financial incentives to provisionally licensed teachers teaching students enrolled in the Virginia Preschool Initiative or other publicly-funded preschool programs operated by the school division and who are actively engaged in coursework and professional development, toward achieving the required degree and license that satisfy the licensure requirements reflected in § 22.1-299, Code of Virginia. School divisions must submit applications to the Department of Education by December 1 of each year. Priority for awarding grants shall be given to hard-to-staff schools and schools with the highest number of provisionally licensed teachers teaching students enrolled in the Virginia Preschool Initiative or other publicly-funded preschool programs operated by the school division. The Department of Education shall develop the application process to be provided to school divisions that have provisionally licensed preschool teachers employed and are teaching students enrolled in the Virginia Preschool Initiative or other publicly-funded preschool programs operated by the school division.

SS. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund is provided to Prince William County Public Schools for a Public Safety Training Center at Unity Reed High School, which prepares students for a career in fire fighting.

TT. Out of this appropriation, ~~$250,000~~*$1,000,000* the first year and $250,000 the second year from the general fund is provided for PBS Appalachia for educational outreach programming. *These funds shall not revert to the general fund at the end of fiscal year 2025 but shall be reappropriated for expenditure for the same purpose in fiscal year 2026.*

UU. 1. Out of this appropriation, $1,000,000 the first year and $500,000 the second year from the general fund is provided to support the establishment of year-round high schools that are open to any student residing in the defined region who is in the early stages of recovery from substance use disorder or dependency. Students in the high school shall be provided academic, emotional, and social support needed to progress toward earning a high school diploma and reintegrating into a traditional high school setting. School divisions and regions are encouraged to use their Opioid Abatement Authority City/County Settlement Funds to support operations of the high schools.

2. Of this amount, $500,000 the first year and $250,000 the second year is provided to Loudoun County Public Schools to support the establishment of a school for students residing in Superintendent's Region 4.

3. Of this amount, $500,000 the first year and $250,000 the second year is provided to Virginia Beach Public Schools to support the establishment of a school for students residing in Superintendent's Region 2.

4. Loudoun County and Virginia Beach Public Schools shall submit a report regarding the

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planning, implementation, and outcomes of the recovery high school to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee by December 1 each year.

VV. Out of this appropriation, $6,000,000 the first year from the general fund is provided to support public school career and technical education initiatives. Of this amount, $2,000,000 is provided to support career and technical education programs in Portsmouth; $2,000,000 is provided to support career and technical education programs in Chesapeake; $1,000,000 is provided to support career and technical education programs in Fredericksburg; and $1,000,000 is provided to support career and technical education programs in Stafford County. Funds shall be used only for equipment.

WW. Out of this appropriation, $150,000 the first year and $150,000 the second year from the general fund is provided to Reck League to support students in underperforming schools in the Hampton Roads region.

XX. Out of this appropriation, $3,000,000 the first year and $2,000,000 the second year from the general fund is provided to supplement the 21st Century Community Learning Centers Program in Item 126. These funds shall be awarded to community-based organizations partnering with school divisions for afterschool, before-school, and summer learning programs to provide additional instructional opportunities to combat learning loss for school-age children attending high-poverty, low-performing schools. The Department may contract with the Virginia Partnership for Out-of-School Time to assist applicants with obtaining the required licensure and to provide best practices and support to grantees.

YY. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund is provided for the American Civil War Museum to support the advancement of experiential learning opportunities for K-12 students. These funds are intended to support free high-quality, evidence-based learning experiences, educational content, and exhibitions for students, educators and parents to engage in educational content, aligned to the Virginia Standards of Learning.

ZZ. Out of this appropriation, $160,000 the first year from the general fund is designated for the Pittsylvania County Public Library Gretna Branch.

AAA. Out of this appropriation, ~~$2,500,000~~*$5,000,000* the first year and $2,500,000 the second year from the general fund is provided to support Community Schools Development and Implementation Planning Grants. *The Department shall award grants to school divisions and Communities in Schools and its affiliates to support the development and implementation of community schools initiatives that provide a framework for integrated student supports, expanded and enriched learning time and opportunities, active family and community engagement, and collaborative leadership practices. These funds shall not revert to the general fund at the end of fiscal year 2025 but shall be reappropriated for expenditure for the same purpose in fiscal year 2026.*

BBB. Out of this appropriation, $750,000 the first year and ~~$750,000~~ *$900,000* the second year from the general fund is provided for the Advanced Placement (AP), International Baccalaureate (IB), and Cambridge Assessment International Education Exam Fee Reduction Program (the Program) for the purpose of covering all but $20 of the last dollar cost of applicable fees associated with taking an AP, IB or Cambridge examination for any public high school student who is eligible to receive free or reduced price lunch after all other applicable discounts and financial assistance are taken into account. For students attending a school participating in the Community Eligibility Provision, eligibility shall be based on an individual student's family income. The Program shall be administered by the Department. Pursuant to the Program, the Department shall annually transfer to each local school board a grant in a sum sufficient to cover such portion of such fees for each such student in the local school division. The Department shall establish such rules, policies, and procedures as it deems necessary or appropriate for the administration of the Program, including an annual process whereby each local school board demonstrates its grant funding needs. Each local school board shall provide notification to eligible students and parents of the availability of this assistance at the time of enrollment in a course associated with such examination and at the time of test registration of the opportunity for the student to take an AP, IB or Cambridge examination at such reduced fee.

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CCC. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund is provided for the Critical National Security Language Grant program. The department shall create and publish an application and process for local school divisions to apply for the existing funding by October 1, 2024.

DDD. Out of this appropriation, $500,000 the first year and $300,000 the second year from the general fund is provided for the Community Builders Pilot Program in the cities of Roanoke and Petersburg. Funds shall be distributed among the two localities based on prior year final average daily membership.

EEE. Out of this appropriation, $700,000 the first year and $700,000 the second year from the general fund is provided to the Black History Museum and Cultural Center of Virginia to support the advancement of experiential learning opportunities for K-12 students and their communities.

FFF. Out of this appropriation, $600,000 the first year and $600,000 the second year from the general fund is provided to establish the Connect Plus program to support wraparound services for youth and families in the St. Luke community of Henrico County through targeted curriculum and programming.

GGG. Out of this appropriation, $100,000 the first year from the general fund is provided to support the New Chesapeake Men for Progress Education Foundation to provide mentoring for young men in the community and enhanced services for underserved youth. These funds shall not revert to the general fund at the end of fiscal year 2025 but shall be reappropriated for expenditure for the same purpose in fiscal year 2026.

HHH. Out of this appropriation, $1,000,000 the first year from the general fund is provided to the Virginia Alliance of Boys and Girls Clubs to expand student access to Clubs and extend traditional learning beyond the traditional school day with a focus on workforce development, mental health and wellness, safety, and leadership. These funds shall not revert to the general fund at the end of fiscal year 2025 but shall be reappropriated for expenditure for the same purpose in fiscal year 2026.

III. Out of this appropriation, $250,000 the first year from the general fund is provided to support the My Life Coach Academy and the UBU 100 Program in the City of Richmond to provide advanced educational opportunities and career readiness through comprehensive support and resources provided to at-risk youth. These funds shall not revert to the general fund at the end of the first year but shall be reappropriated for expenditure for the same purpose in the second year.

JJJ. Out of this appropriation, $500,000 the first year from the general fund is provided to Opportunity Scholars to support program expansion in Hampton Roads and Northern Virginia. These funds shall not revert to the general fund at the end of the first year but shall be reappropriated for expenditure for the same purpose in the second year.

KKK. Out of this appropriation, $500,000 the first year from the general fund is provided to the Greater Peninsula C.A.R.E.S. Learning Recovery Program to support students experiencing significant learning loss in Hampton and Newport News with a focus on academic recovery, social development, and equitable access to educational resources. These funds shall not revert to the general fund at the end of the first year but shall be reappropriated for expenditure for the same purpose in the second year.

LLL. Out of this appropriation, $250,000 the second year from the general fund is provided for the Virginia Leads Innovation Network (VaLIN) to enable the network to support a regional center model supporting the needs of Virginia's educators, students, and families.

MMM. Out of this appropriation, $500,000 the first year from the general fund is provided to support the Diplomas for All Program at the Goodwill Industries of the Valley's Excel Center to help adults earn high school diplomas and workforce credentials. These funds shall not revert to the general fund at the end of fiscal year 2025 but shall be reappropriated for expenditure for the same purpose in fiscal year 2026.

NNN. Out of this appropriation, $500,000 the first year from the general fund is provided to the YMCA of South Hampton Roads to support youth programming.

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OOO. Out of this appropriation, $1,000,000 the first year from the general fund is provided to Mathews County Public Schools to support asbestos removal from a middle school.

PPP. Out of this appropriation, $750,000 the first year from the general fund is provided to support the Children's Museum of Richmond's educational programming. These funds shall not revert to the general fund at the end of fiscal year 2025 but shall be reappropriated for expenditure for the same purpose in fiscal year 2026.

125.	State Education Assistance Programs (17800)			~~$10,210,145,291~~ *$10,581,610,874*	~~$10,395,058,322~~ *$10,796,667,828*
	Standards of Quality for Public Education (SOQ) (17801)	~~$8,674,694,615~~ *$8,700,123,680*	~~$8,721,616,902~~ *$9,031,364,659*		
	Financial Incentive Programs for Public Education (17802)	~~$572,051,419~~ *$876,897,932*	~~$756,596,388~~ *$801,751,774*		
	Financial Assistance for Categorical Programs (17803)	~~$60,473,056~~ *$60,765,012*	~~$63,918,831~~ *$64,216,050*		
	Distribution of Lottery Funds (17805)	~~$902,926,201~~ *$943,824,250*	~~$852,926,201~~ *$899,335,345*		
	Fund Sources: General	~~$9,224,703,860~~ *$9,385,271,394*	~~$9,309,616,891~~ *$9,609,817,253*		
	Special	$1,020,000	$1,020,000		
	Commonwealth Transportation	$1,495,230	$1,495,230		
	Trust and Agency	~~$902,926,201~~ *$993,824,250*	~~$1,002,926,201~~ *$1,074,335,345*		
	Dedicated Special Revenue	~~$80,000,000~~ *$200,000,000*	~~$80,000,000~~ *$110,000,000*		

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

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

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

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

Appropriation Detail of Education Assistance Programs (17800)

Standards of Quality (17801)	FY 2025	FY 2026
Basic Aid	~~$4,572,898,168~~ *$4,556,200,098*	~~$4,520,122,320~~ *$4,693,027,373*
Sales Tax	~~$1,710,600,000~~ *$1,755,500,000*	~~$1,780,100,000~~ *$1,821,500,000*
Textbooks	~~$108,042,215~~ *$108,201,736*	~~$107,777,357~~ *$108,020,593*
Vocational Education	~~$94,455,795~~ *$94,910,721*	~~$94,007,303~~ *$94,639,010*

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Gifted Education	~~$43,971,754~~ *$44,034,788*			~~$43,893,312~~ *$43,987,798*
Special Education	~~$527,612,453~~ *$528,261,934*			~~$526,268,049~~ *$527,339,469*
Special Education Add-On	*$0*			*$52,782,732*
At-Risk Add-On (split funded)	~~$616,036,160~~ *$566,390,188*			~~$648,037,570~~ *$628,692,979*
English Learner Teachers	~~$165,982,653~~ *$213,236,555*			~~$170,304,480~~ *$228,451,867*
VRS Retirement (includes RHCC)	~~$534,619,604~~ *$535,427,199*			~~$533,370,957~~ *$534,586,237*
Social Security	~~$248,783,023~~ *$249,159,066*			~~$248,156,354~~ *$248,722,333*
Group Life	~~$15,333,750~~ *$15,357,012*			~~$15,287,368~~ *$15,322,436*
Remedial Summer School	~~$36,359,040~~ *$33,444,383*			$34,291,832
Total	~~**$8,674,694,615**~~ ***$8,700,123,680***			~~**$8,721,616,902**~~ ***$9,031,364,659***
Incentive Programs (17802)				
Compensation Supplement	~~$178,149,562~~ *$178,824,244*			~~$361,023,394~~ *$376,360,450*
Governor's Schools	~~$28,771,866~~ *$28,543,740*			~~$29,943,003~~ *$29,761,333*
Clinical Faculty	$318,750			$318,750
Career Switcher Mentoring Grants	$279,983			$279,983
Special Education - Endorsement Program	$437,186			$437,186
Special Education – Vocational Education	$200,089			$200,089
Virginia Workplace Readiness Skills Assessment	$308,655			$308,655
Math/Reading Instructional Specialists Initiative	$1,834,538			$1,834,538
Early Reading Specialists Initiative	$3,476,790			$3,476,790
Breakfast After the Bell Incentive	$1,074,000			$1,074,000
School Meals Expansion	$4,100,000			$4,100,000
Alleghany County - Covington City School Division Consolidation Incentive	$600,000			$0
School Construction Assistance Program	~~$80,000,000~~ *$250,000,000*			~~$80,000,000~~ *$110,000,000*
Supplemental Payment in Lieu of Sales Tax on Food and Personal Hygiene Products	$272,500,000			$273,600,000
Bonus Payment	*$134,399,957*			*$0*
Total	~~**$572,051,419**~~ ***$876,897,932***			~~**$756,596,388**~~ ***$801,751,774***
Categorical Programs (17803)				
Adult Education	$1,051,800			$1,051,800
Adult Literacy	$2,480,000			$2,480,000
American Indian Treaty Commitment	~~$61,930~~ *$54,383*			~~$66,484~~ *$61,202*

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School Lunch Program	$5,801,932			$5,801,932
Special Education - Homebound	~~$5,334,701~~ *$5,634,204*			~~$5,388,049~~ *$5,690,550*
Special Education - Jails	$4,356,532			$4,560,383
Special Education - State Operated Programs	$41,386,161			$44,570,183
Total	***~~$60,473,056~~*** ***$60,765,012***			***~~$63,918,831~~*** ***$64,216,050***
Lottery Funded Programs (17805)				
At-Risk Add-On (split funded)	~~$225,180,150~~ *$274,024,247*			~~$192,396,464~~ *$242,477,896*
Foster Care	~~$12,019,296~~ *$12,193,067*			~~$12,470,476~~ *$12,281,254*
Special Education - Regional Tuition	~~$93,967,863~~ *$95,778,547*			~~$98,967,863~~ *$99,778,547*
Early Reading Intervention	~~$42,597,923~~ *$39,834,324*			~~$42,479,126~~ *$39,775,832*
Mentor Teacher	$1,000,000			$1,000,000
K-3 Primary Class Size Reduction	~~$163,843,284~~ *$156,375,875*			~~$164,595,097~~ *$163,084,946*
School Breakfast Program	~~$11,246,873~~ *$11,456,532*			~~$12,437,264~~ *$12,619,194*
SOL Algebra Readiness	~~$18,646,449~~ *$18,807,402*			~~$18,604,551~~ *$18,767,429*
Infrastructure and Operations Per Pupil Funds	~~$301,361,277~~ *$301,361,275*			~~$276,361,284~~ *$276,361,278*
Regional Alternative Education	~~$10,680,318~~ *$10,682,684*			~~$11,247,727~~ *$10,949,677*
Individualized Student Alternative Education Program (ISAEP)	$2,247,581			$2,247,581
Career and Technical Education – Categorical	$11,681,872			$11,681,872
Project Graduation	$1,387,240			$1,387,240
Race to GED (NCLB/EFAL)	$2,410,988			$2,410,988
Path to Industry Certification (NCLB/EFAL)	$1,831,464			$1,831,464
Supplemental Basic Aid	~~$1,073,623~~ *$1,001,152*			~~$1,057,204~~ *$930,147*
Supplemental Support for Accomack and Northampton	$1,750,000			$1,750,000
Total	***~~$902,926,201~~*** ***$943,824,250***			***~~$852,926,201~~*** ***$899,335,345***
Technology – VPSA	~~$56,054,800~~ *$55,764,000*			~~$56,215,600~~ *$55,924,800*
Security Equipment - VPSA	$12,000,000			$12,000,000

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

A. Definitions

1. "March 31 Average Daily Membership," or "March 31 ADM" - The responsible school division's average daily membership for grades K-12 including (1) handicapped students ages 5-21 and (2) students for whom English is a second language who entered school for the first time after reaching their twelfth birthday, and who have not reached twenty-two years of age

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on or before August 1 of the school year, for the first seven (7) months (or equivalent period) of the school year through March 31 in which state funds are distributed from this appropriation. Preschool and postgraduate students shall not be included in March 31 ADM.

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

b. Except as otherwise provided herein, by statute, or by precedent, all appropriations to the Department of Education shall be calculated using March 31 ADM unadjusted for half-day kindergarten programs, estimated at ~~1,212,152.38~~ *1,214,292.30* the first year and ~~1,209,772.52~~ *1,213,645.50* the second year. March 31 ADM for half-day kindergarten shall be adjusted at 85 percent.

c. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § 22.1-254.1 and who are enrolled in a public school on less than a full-time basis in any mathematics, science, English, history, social science, vocational education, health education or physical education, fine arts or foreign language course, or receiving special education services required by a student's individualized education plan, shall be counted in the funded fall membership and March 31 ADM of the responsible school division. Each course shall be counted as 0.25, up to a cap of 0.5 of a student.

d. Students enrolled in an Individualized Student Alternative Education Program (ISAEP) pursuant to § 22.1-254 E shall be counted in the March 31 Average Daily Membership of the responsible school division. School divisions shall report these students separately in their March 31 reports of Average Daily Membership.

2. "Standards of Quality" - Operations standards for grades kindergarten through 12 as prescribed by the Board of Education subject to revision by the General Assembly.

3.a. "Basic Operation Cost" - The cost per pupil, including provision for the number of instructional personnel required by the Standards of Quality for each school division with a minimum ratio of 51 professional personnel for each 1,000 pupils or proportionate number thereof, in March 31 ADM for the same fiscal year for which the costs are computed, and including provision for driver, gifted, occupational-vocational, and special education, library materials and other teaching materials, teacher sick leave, general administration, division superintendents' salaries, free textbooks (including those for free and reduced price lunch pupils), operation and maintenance of school plant, transportation of pupils, instructional television, professional and staff improvement, remedial work, fixed charges and other costs in programs not funded by other state and/or federal aid.

4.a. "Composite Index of Local Ability-to-Pay" - An index figure computed for each locality. The composite index is the sum of 2/3 of the index of wealth per pupil in unadjusted March 31 ADM reported for the first seven (7) months of the 2021-2022 school year and 1/3 of the index of wealth per capita (population estimates for 2021 as determined by the Weldon Cooper Center for Public Service of the University of Virginia) multiplied by the local nominal share of the costs of the Standards of Quality of 0.45 in each year. The indices of wealth are determined by combining the following constituent index elements with the indicated weighting: (1) true values of real estate and public service corporations as reported by the State Department of Taxation for the calendar year 2021 - 50 percent; (2) adjusted gross income for the calendar year 2021 as reported by the State Department of Taxation - 40 percent; (3) the sales for the calendar year 2021 which are subject to the state general sales and use tax, as reported by the State Department of Taxation - 10 percent. Each constituent index element for a locality is its sum per March 31 ADM, or per capita, expressed as a percentage of the state average per March 31 ADM, or per capita, for the same element. A locality whose composite index exceeds 0.8000 shall be considered as having an index of 0.8000 for purposes of distributing all payments based on the composite index of local ability-to-pay. Each constituent index element for a locality used to determine the composite index of local ability-to-pay for the current biennium shall be the latest available data for the specified official base year provided to the Department of Education by the responsible source agencies no later than November 15, 2023.

b. For any locality whose total calendar year 2021 Virginia Adjusted Gross Income is

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comprised of at least 3 percent or more by nonresidents of Virginia, such nonresident income shall be excluded in computing the composite index of ability-to-pay. The Department of Education shall compute the composite index for such localities by using adjusted gross income data which exclude nonresident income, but shall not adjust the composite index of any other localities. The Department of Taxation shall furnish to the Department of Education such data as are necessary to implement this provision.

c.1) Notwithstanding the funding provisions in § 22.1-25 D, Code of Virginia, additional state funding for future consolidations shall be as set forth in future Appropriation Acts.

2) In the case of the consolidation of Bedford County and Bedford City school divisions, the fifteen year period for the application of a new composite shall apply beginning with the fiscal year that starts on July 1, 2013. The composite index established by the Board of Education shall equal the lowest composite index that was in effect prior to July 1, 2013, of any individual localities involved in such consolidation, and this index shall remain in effect for a period of fifteen years, unless a lower composite index is calculated for the combined division through the process for computing an index as set forth above.

3) If the composite index of a consolidated school division is reduced during the course of the fifteen year period to a level that would entitle the school division to a lower interest rate for a Literary Fund loan than it received when the loan was originally released, the Board of Education shall reduce the interest rate of such loan for the remainder of the period of the loan. Such reduction shall be based on the interest rate that would apply at the time of such adjustment. This rate shall remain in effect for the duration of the loan and shall apply only to those years remaining to be paid.

d. When it is determined that a substantial error exists in a constituent index element, the Department of Education will make adjustments in funding for the current school year only in the division where the error occurred. The composite index of any other locality shall not be changed as a result of the adjustment. No adjustment during the biennium will be made as a result of updating of data used in a constituent index element.

e. In the event that any school division consolidates two or more small schools, the division shall continue to receive Standards of Quality funding and provide for the required local expenditure for a period of five years as if the schools had not been consolidated. Small schools are defined as any elementary, middle, or high school with enrollment below 200, 300 and 400 students, respectively.

5. "Required Local Expenditure for the Standards of Quality" - The locality's share based on the composite index of local ability-to-pay of the cost required by all the Standards of Quality minus its estimated revenues from the state sales and use tax dedicated to public education, and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item, both of which are returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item, collected by the Department of Education and distributed to school divisions in the fiscal year in which the school year begins.

6. "Required Local Match" - The locality's required share of program cost based on the composite index of local ability-to-pay for all Lottery and Incentive programs, where required, in which the school division has elected to participate in a fiscal year.

7. "Planning District Eight" - The nine localities which comprise Planning District Eight are Arlington County, Fairfax County, Loudoun County, Prince William County, Alexandria City, Fairfax City, Falls Church City, Manassas City, and Manassas Park City.

8. "State Share of the Standards of Quality" - The state share of the Standards of Quality (SOQ) shall be equal to the total funded SOQ cost for a school division less the school division's estimated revenues from the state sales and use tax dedicated to public education based on the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, adjusted for the state's share of the composite index of local ability to pay.

9. Entitlements under this Item that use school-level or division-level Free Lunch eligibility percentages to determine the entitlement amounts are based on the most recent data available

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as of the biennial rebenchmarking calculations made for the current biennium. For schools that participate in the Community Eligibility Provision program, such entitlements are based on the most recent Free Lunch eligibility data available prior to that school's enrollment in the Community Eligibility Provision program.

10. In the event that the general fund appropriations in this Item are not sufficient to meet the entitlements payable to school divisions pursuant to the provisions of this Item, the Department of Education is authorized to transfer any available general fund funds between these Items to address such insufficiencies. If the total general fund appropriations after such transfers remain insufficient to meet the entitlements of any program funded with general fund dollars, the Department of Education is authorized to prorate such shortfall proportionately across all of the school divisions participating in any program where such shortfall occurred.

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

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

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

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

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

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

17. To provide additional flexibility, notwithstanding the provisions of § 22.1-79.1, Code of Virginia, any school division that was granted a waiver regarding the opening date of the school year for the 2011-2012 school year under the good cause requirements shall continue to be granted a waiver for the 2024-2025 school year and the 2025-2026 school year.

B. General Conditions

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

Instructional Position	First Year Salary	Second Year Salary
Elementary Teachers	$61,514	$61,514
Elementary Assistant Principals	$84,990	$84,990
Elementary Principals	$105,277	$105,277

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Secondary Teachers	$65,655		$65,655	
Secondary Assistant Principals	$91,978		$91,978	
Secondary Principals	$115,271		$115,271	
Instructional Aides	$24,673		$24,673	

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

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

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

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

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

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

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

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

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

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

7.a. Appropriations of state funds in this Item include the number of positions required by the Standards of Quality. This Item includes a minimum of 51 professional instructional positions and aide positions (C 5); Education of the Gifted, 1.0 professional instructional position (C 6); Occupational-Vocational Education Payments and Special Education Payments; a minimum of 6.0 professional instructional positions and aide positions (C 7 and C 8) for each 1,000 pupils in March 31 ADM each year in support of the current Standards of Quality. ~~Funding in support of one hour of additional instruction per day based on the percent of students eligible for the federal free lunch program with a pupil-teacher ratio range of 18:1 to 10:1, depending upon a school division's combined failure rate on the English and Math Standards of Learning, is included in Remedial Education Payments (C 9).~~

b. No actions provided in this section signify any intent of the General Assembly to mandate an increase in the number of instructional personnel per 1,000 students above the numbers explicitly stated in the preceding paragraph.

c. Appropriations in this Item include programs supported in part by transfers to the general

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fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this Act. These transfers combined together with other appropriations from the general fund in this Item funds the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support technology position per 1,000 students; one instructional technology position per 1,000 students; and a full daily planning period for teachers at the middle and high school levels in order to relieve the financial pressure these education programs place on local real estate taxes.

d. To provide flexibility, school divisions may use the state and local funds for instructional technology resource teachers required by the Standards of Quality to employ a data coordinator position, an instructional technology resource teacher position, or a data coordinator/instructional resource teacher blended position. The data coordinator position is intended to serve as a resource to principals and classroom teachers in the area of data analysis and interpretation for instructional and school improvement purposes, as well as for overall data management and administration of state assessments. School divisions using these SOQ funds in this manner shall only employ instructional personnel licensed by the Board of Education.

e. To provide flexibility in the provision of reading intervention services, school divisions may use the state Early Reading Intervention initiative funding provided from the Lottery Proceeds Fund and the required local matching funds to employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall only employ instructional personnel licensed by the Board of Education.

f. To provide flexibility in the provision of mathematics intervention services, school divisions may use the state Standards of Learning Algebra Readiness initiative funding provided from the Lottery Proceeds Fund and the required local matching funds to employ mathematics teacher specialists to provide the required mathematics intervention services. School divisions using the Standards of Learning Algebra Readiness initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.

g. Notwithstanding the provisions of subsection H 1 of § 22.1-253.13:2 of the Code of Virginia, each local school board shall employ, at a minimum, one full-time principal in each elementary school.

h. Notwithstanding the provisions of subsection G of § 22.1-253.13:2 of the Code of Virginia, school boards may employ other staff such as reading coaches or other instructional staff who are working towards obtaining the training and licensure requirements necessary to fulfill the reading specialist staffing standards.

8.a.1) Pursuant to § 22.1-97, Code of Virginia, the Department of Education is required to make calculations at the start of the school year to ensure that school divisions have appropriated adequate funds to support their estimated required local expenditure for the corresponding state fiscal year. In an effort to reduce the administrative burden on school divisions resulting from state data collections, such as the one needed to make the aforementioned calculations, the requirements of § 22.1-97, Code of Virginia, pertaining to the adequacy of estimated required local expenditures, shall be satisfied by signed certification by each division superintendent at the beginning of each school year that sufficient local funds have been budgeted to meet all state required local effort and required local match amounts. This provision shall only apply to calculations required of the Department of Education related to estimated required local expenditures and shall not pertain to the calculations associated with actual required local expenditures after the close of the school year.

2) The Department of Education shall also make calculations after the close of the school year to verify that the required local effort level, based on actual March 31 Average Daily Membership, was met. Pursuant to § 22.1-97, Code of Virginia, the Department of Education shall report annually, no later than the first day of the General Assembly session, to the House Committees on Education and Appropriations and the Senate Committees on Finance and Appropriations and Education and Health, the results of such calculations made after the close of the school year and the degree to which each school

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division has met, failed to meet, or surpassed its required local expenditure. The Department of Education shall specify the calculations to determine if a school division has expended its required local expenditure for the Standards of Quality. This calculation may include but is not limited to the following calculations:

b. The total expenditures for operation, defined as total expenditures less all capital outlays, expenditures for debt service, facilities, non-regular day school programs (such as adult education, preschool, and non-local education programs), and any transfers to regional programs will be calculated.

c. The following state funds will be deducted from the amount calculated in paragraph a. above: revenues from the state sales and use tax (returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item) for sales in the fiscal year in which the school year begins; total receipts from state funds (except state funds for non-regular day school programs and state funds used for capital or debt service purposes); and the state share of any balances carried forward from the previous fiscal year. Any qualifying state funds that remain unspent at the end of the fiscal year will be added to the amount calculated in paragraph a. above.

d. Federal funds, and any federal funds carried forward from the previous fiscal year, will also be deducted from the amount calculated in paragraph a. above. Any federal funds that remain unspent at the end of the fiscal year and any capital expenditures paid from federal funds will be added to the amount calculated in paragraph a. above.

e. Tuition receipts, receipts from payments from other cities or counties, and fund transfers will also be deducted from the amount calculated in paragraph a, then

f. The final amount calculated as described above must be equal to or greater than the required local expenditure defined in paragraph A. 5.

g. The Department of Education shall collect the data necessary to perform the calculations of required local expenditure as required by this section.

h. A locality whose expenditure in fact exceeds the required amount from local funds may not reduce its expenditures unless it first complies with all of the Standards of Quality.

9.a. Any required local matching funds which a locality, as of the end of a school year, has not expended, pursuant to this Item, for the Standards of Quality shall be paid by the locality into the general fund of the state treasury. Such payments shall be made not later than the end of the school year following that in which the under expenditure occurs.

b. Whenever the Department of Education has recovered funds as defined in the preceding paragraph a., the Secretary of Education is authorized to repay to the locality affected by that action, seventy-five percent (75%) of those funds upon his determination that:

1) The local school board agrees to include the funds in its June 30 ending balance for the year following that in which the under expenditure occurs;

2) The local governing body agrees to reappropriate the funds as a supplemental appropriation to the approved budget for the second year following that in which the under expenditure occurs, in an appropriate category as requested by the local school board, for the direct benefit of the students;

3) The local school board agrees to expend these funds, over and above the funds required to meet the required local expenditure for the second year following that in which the under expenditure occurs, for a special project, the details of which must be furnished to the Department of Education for review and approval;

4) The local school board agrees to submit quarterly reports to the Department of Education on the use of funds provided through this project award; and

5) The local governing body and the local school board agree that the project award will be cancelled and the funds withdrawn if the above conditions have not been met as of June 30 of the second year following that in which the under expenditure occurs.

c. There is hereby appropriated, for the purposes of the foregoing repayment, a sum sufficient,

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not to exceed 75 percent of the funds deposited in the general fund pursuant to the preceding paragraph a.

10. The Department of Education shall specify the manner for collecting the required information and the method for determining if a school division has expended the local funds required to support the actual local match based on all Lottery and Incentive programs in which the school division has elected to participate. Unless specifically stated otherwise in this Item, school divisions electing to participate in any Lottery or Incentive program that requires a local funding match in order to receive state funding, shall certify to the Department of Education its intent to participate in each program by July 1 each fiscal year in a manner prescribed by the Department of Education. As part of this certification process, each division superintendent must also certify that adequate local funds have been appropriated, above the required local effort for the Standards of Quality, to support the projected required local match based on the Lottery and Incentive programs in which the school division has elected to participate. State funding for such program(s) shall not be made until such time that the school division can certify that sufficient local funding has been appropriated to meet required local match. The Department of Education shall make calculations after the close of the fiscal year to verify that the required local match was met based on the state funds that were received.

11. Any sum of local matching funds for Lottery and Incentive program which a locality has not expended as of the end of a fiscal year in support of the required local match pursuant to this Item shall be paid by the locality into the general fund of the state treasury unless the carryover of those unspent funds is specifically permitted by other provisions of this act. Such payments shall be made no later than the end of the school year following that in which the under expenditure occurred.

12. The Superintendent of Public Instruction shall provide a report annually, no later than the first day of the General Assembly session, on the status of teacher salaries, by local school division, to the Governor and the Chairs of the Senate Finance and Appropriations and House Appropriations Committees. In addition to information on average salaries by school division and statewide comparisons with other states, the report shall also include information on starting salaries by school division and average teacher salaries by school.

13. All state and local matching funds required by the programs in this Item shall be appropriated to the budget of the local school board.

14. By November 1 of each year, the Department of Planning and Budget, in cooperation with the Department of Education, shall prepare and submit a preliminary forecast of Standards of Quality expenditures, based upon the most current data available, to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. In odd-numbered years, the forecast for the current and subsequent two fiscal years shall be provided. In even-numbered years, the forecast for the current and subsequent fiscal year shall be provided. The forecast shall detail the projected March 31 Average Daily Membership and the resulting impact on the education budget.

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

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

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

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

19. Notwithstanding § 58.1-638 D., Code of Virginia, and other language in this Item, the Department of Education shall, for purposes of calculating the state and local shares of the Standards of Quality, apportion state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education

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Standards of Quality/ Local Real Estate Property Tax Relief Fund in the first year based on the July 1, 2022, estimate of school age population provided by the Weldon Cooper Center for Public Service and, in the second year, based on the July 1, 2023, estimate of school age population provided by the Weldon Cooper Center for Public Service.

Notwithstanding § 58.1-638 D., Code of Virginia, and other language in this Item, the State Comptroller shall distribute the state sales and use tax revenues dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/ Local Real Estate Property Tax Relief Fund in the first year based on the July 1, 2022, estimate of school age population provided by the Weldon Cooper Center for Public Service and, in the second year, based on the July 1, 2023, estimate of school age population provided by the Weldon Cooper Center for Public Service.

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

21. This Item includes appropriations totaling an estimated ~~$902,926,201~~*$943,824,250* the first year and ~~$852,926,201~~*$899,335,345* the second year from the revenues deposited to the Lottery Proceeds Fund. These amounts are appropriated for distribution to counties, cities, and towns to support public education programs pursuant to Article X, Section 7-A Constitution of Virginia. Any county, city, or town which accepts a distribution from this fund shall provide its portion of the cost of maintaining an educational program meeting the Standards of Quality pursuant to Section 2 of Article VIII of the Constitution without the use of distributions from the fund.

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

23.a. Any locality that has met its required local effort for the Standards of Quality accounts for FY 2025 and that has met its required local match for incentive or Lottery-funded programs in which the locality elected to participate in FY 2025 may carry over into FY 2026 any remaining state Direct Aid to Public Education fund balances available to help minimize any FY 2026 revenue adjustments that may occur in state funding to that locality. Localities electing to carry forward such unspent state funds must appropriate the funds to the school division for expenditure in FY 2026.

b. Any locality that has met its required local effort for the Standards of Quality accounts for FY 2026 and that has met its required local match for incentive or Lottery-funded programs in which the locality elected to participate in FY 2026 may carry over into FY 2027 any remaining state Direct Aid to Public Education fund balances available to help minimize any FY 2027 revenue adjustments that may occur in state funding to that locality. Localities electing to carry forward such unspent state funds must appropriate the funds to the school division for expenditure in FY 2027.

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

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

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

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

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student charges for dual enrollment courses, and will ensure that public school students and home-school students are treated in the same manner.

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

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

30. Each school division shall report to the Department of Education information on the use of funds appropriated in fiscal year 2024 for the Flexible Funding Supplement and on the use of pass-through federal Elementary and Secondary School Emergency Relief funds used since 2020. Such reporting shall specify amounts obligated and expensed based on reporting categories as prescribed by the Department of Education. School divisions also shall report how funds address performance gains or losses related to reading and mathematics and support preparation and implementation of the Virginia Literacy Act. The Department of Education shall compile this information and submit it to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committee no later than October 1, 2024, 2025, and 2026.

31. a. Notwithstanding the provisions of subsection A of § 22.1-349.1, Code of Virginia, for the purpose of this Item and the College Partnership Laboratory School Fund, a "college partnership laboratory school" means a public, nonsectarian, nonreligious school in the Commonwealth established by a baccalaureate public institution of higher education.

b. Institutions not eligible for funding under paragraph ~~C~~*B*.31.a. of this Item may partner with a public baccalaureate institution of higher education in Virginia to operate a college partnership laboratory school if they wish to access funding from the College Partnership Laboratory School Fund. The public baccalaureate institution must have an approved college partnership laboratory school application to serve as the fiscal agent and partner by June 30, 2024. The Department of Education shall require resubmission of contracts to meet the fiscal agent and partnership requirements of this paragraph. The Department shall report to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees of any submissions and prior contracts.

c. College partnership laboratory schools shall (i) reach financial sustainability by the end of their initial approval period as defined in § 22.1-349.8 of the Code of Virginia such that no additional state funding other than state funds received by a school division in support of Direct Aid for Public Education is required to support ongoing operations after the first contract renewal, and (ii) submit supporting information to the Board of Education demonstrating progress toward financial sustainability. The Board of Education shall report annually by November 1 to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees on progress of college laboratory schools in meeting this financial sustainability requirement.

C. Apportionment

1. Subject to the conditions stated in this paragraph and in paragraph B of this Item, each

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

2. School Employee Retirement Contributions

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

b. Notwithstanding § 51.1-1401, Code of Virginia, the Commonwealth shall provide payments for only the state share of the Standards of Quality fringe benefit cost of the retiree health care credit. This Item includes payments in both years based on the state share of fringe benefit costs of 55 percent of the employer's cost on funded Standards of Quality instructional and support positions, distributed based on the composite index of the local ability-to-pay.

c. The appropriation for school employee retirement contributions includes payments from funds derived from the principal of the Literary Fund in accordance with Article VIII, Section 8, of the Constitution of Virginia. The amounts set aside from the Literary Fund for this purpose shall not exceed ~~$150,000,000~~ *$175,000,000* the second year.

3. School Employee Social Security Contributions

This Item provides funds to each local school board for the state share of the employer's Social Security cost incurred by it, on behalf of the instructional personnel for subsequent transfer to the Contribution Fund pursuant to Title 51.1, Chapter 7, Code of Virginia.

4. School Employee Insurance Contributions

This Item provides funds to each local school board for the state share of the employer's Group Life Insurance cost incurred by it on behalf of instructional personnel who participate in group insurance under the provisions of Title 51.1, Chapter 5, Code of Virginia.

5. Basic Aid Payments

a.1) A state share of the Basic Operation Cost, which cost per pupil in March 31 ADM is established individually for each local school division based on the number of instructional personnel required by the Standards of Quality and the statewide prevailing salary levels (adjusted in Planning District Eight for the cost of competing) as well as recognized support costs calculated on a prevailing basis for an estimated March 31 ADM.

2) This appropriation includes funding to recognize the common labor market in the Washington-Baltimore-Northern Virginia, DC-MD-VA-WV Combined Statistical Area. Standards of Quality salary payments for instructional and support positions in school divisions of the localities set out below have been adjusted for the equivalent portion of the Cost of Competing Adjustment (COCA) rates that are paid to local school divisions in Planning District Eight. For the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, the SOQ payments for instructional and support positions have been increased by 25 percent each year of the COCA rates paid to school divisions in Planning District Eight.

The support COCA rate is 18.0 percent.

b. The state share for a locality shall be equal to the Basic Operation Cost for that locality less the locality's estimated revenues from the state sales and use tax and the Supplemental General Fund Payment In Lieu of Sales Tax on Food and Personal Hygiene Products (returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item), in the fiscal year in which the school year begins and less the required local expenditure.

c. For the purpose of this paragraph, the Department of Taxation's fiscal year sales and use tax estimates are as cited in this Item.

d. 1) In accordance with the provisions of § 37.2-713, Code of Virginia, the Department of Education shall deduct the locality's share for the education of handicapped pupils residing in

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institutions within the Department of Behavioral Health and Developmental Services from the locality's Basic Aid payments.

2) The amounts deducted from Basic Aid for the education of intellectually disabled persons shall be transferred to the Department of Behavioral Health and Developmental Services in support of the cost of educating such persons; the amount deducted from Basic Aid for the education of emotionally disturbed persons shall be used to cover extraordinary expenses incurred in the education of such persons. The Department of Education shall establish guidelines to implement these provisions and shall provide for the periodic transfer of sums due from each local school division to the Department of Behavioral Health and Developmental Services and for Special Education categorical payments. The amount of the actual transfers will be based on data accumulated during the prior school year.

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

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

f. Textbooks

1) The appropriation in this Item includes ~~$108,042,215~~*$108,201,736* the first year and ~~$107,777,357~~*$108,020,593* the second year from the general fund as the state's share of the cost of textbooks based on a per pupil amount of $160.14 the first year and $160.14 the second year. A school division shall appropriate these funds for textbooks or any other public education instructional expenditure by the school division. The state's distributions for textbooks shall be based on adjusted March 31 ADM. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.

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

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

4) Any funds provided to school divisions for textbook costs that are unexpended as of June 30, 2025, or June 30, 2026, shall be carried on the books of the locality to be appropriated to the school division the following year to be used for same purpose. School divisions are permitted to carry forward any remaining balance of textbook funds until the funds are expensed for a qualifying purpose.

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

h. The appropriation for the Standards of Quality for Public Education (SOQ) includes amounts estimated at ~~$571,700,000~~*$586,000,000* the first year and ~~$595,100,000~~*$608,900,000* the second year from the amounts transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax

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Relief Fund pursuant to Part 3 of this act which are derived from the 0.375 cent increase in the state sales and use tax levied pursuant to § 58.1-638, Code of Virginia. These additional funds are provided to local school divisions and local governments in order to relieve the financial pressure education programs place on local real estate taxes.

i. From the total amounts in paragraph h. above, an amount estimated at ~~$381,200,000~~*$390,600,000* the first year and ~~$396,700,000~~*$405,900,000* the second year (approximately 1/4 cent of sales and use tax) is appropriated to support a portion of the cost of the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support and one instructional technology position per 1,000 students; a full daily planning period for teachers at the middle and high school levels in order to relieve the pressure on local real estate taxes and shall be taken into account by the governing body of the county, city, or town in setting real estate tax rates.

j. From the total amounts in paragraph h. above, an amount estimated at ~~$190,600,000~~*$195,300,000* the first year and ~~$198,400,000~~*$203,000,000* the second year (approximately 1/8 cent of sales and use tax) is appropriated in this Item to distribute the remainder of the revenues collected and deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service as specified in this Item.

k. For the purposes of funding certain support positions in Basic Aid, a funding ratio methodology is used based upon 24 support positions per 1,000 ADM to funded SOQ instructional positions in the first year and *27.89 support positions per 1,000 ADM to funded SOQ instrucitonal positions* in the second year. Such methodology shall not apply to the following SOQ support positions: division superintendent, school board members, pupil transportation positions, or specialized student support positions established in Chapter 454, 2021 Acts of Assembly, Special Session I.

6. Education of the Gifted Payments

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

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

7. Occupational-Vocational Education Payments

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

b. An amount estimated at $173,439,108 the first year and $174,563,383 the second year from the general fund included in Basic Aid Payments relates to vocational education programs in support of the Standards of Quality.

8. Special Education Payments

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

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

c. In addition to the funds provided to support the state share of Special Education instructors in paragraphs a and b, an add-on payment shall be provided to support each special

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education student, based on a 4.75 percent add-on to basic aid per service Level I students and a 5.25 percent add-on to basic aid for Service Level II students, as defined in 8VAC20-81-10.

9. At Risk Add-On

a. Out of this appropriation, ~~$616,036,160~~*$566,390,188* the first year and ~~$648,037,570~~*$628,692,979* the second year from the general fund and ~~$225,180,150~~*$274,024,247* the first year and ~~$192,396,464~~*$242,477,896* the second year from the Lottery Proceeds Fund is provided to distribute the state share of funds for the At-Risk Program. These payments shall be distributed based on the estimated number of At-Risk students, based on (1) the most recent three-year average Identified Student Percentage, applying a 1.25 multiplier factor , and (2) including one quarter of students identified as English language learners.

b. The At-Risk Program shall provide each school division the state share of an 11.0 percent basic-aid add-on per estimated At-Risk student. In addition, the program shall provide each school division the state share of a payment equal to a 0.0 to 37.0 percent basic-aid add-on per estimated At-Risk student, with each school division's add-on percentage determined based upon the school division's concentration of At-Risk students relative to all other school divisions. Funding shall be matched by the local government based on the composite index of local ability-to-pay.

c. These funds may be used for the purposes established in general law, including supporting programs and services for students who are educationally at risk, including prevention, intervention, or remediation activities required pursuant to Standard 1 (§ 22.1-253.13:1); teacher recruitment programs and incentives; targeted compensation adjustments to assist in recruiting and retaining experienced teachers in high poverty schools; Dropout Prevention; community and school-based truancy officer programs; Advancement Via Individual Determination (AVID); Project Discovery; programs for English language learners; the hiring of additional school counselors, testing coordinators, and licensed behavior analysts; programs relating to increasing the success of disadvantaged students in completing a high school degree and providing opportunities to encourage further education and training; and programs designed to reduce chronic absenteeism.

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

10. Regional Alternative Education Programs

a. An additional state payment of ~~$10,680,318~~*$10,682,684* the first year and ~~$11,247,727~~*$10,949,677* the second year from the Lottery Proceeds Fund shall be disbursed for Regional Alternative Education programs. Such programs shall be for the purpose of educating certain expelled students and, as appropriate, students who have

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received suspensions from public schools and students returned to the community from the Department of Juvenile Justice.

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

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

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

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

(b) However, no requesting school division shall receive more tuition funding from the state for any requested unused slot than what would have been the calculated amount for the requesting school division had the unused slot been allocated to the requesting school division in the original budget. Furthermore, the requesting school division shall pay for any remaining tuition payment necessary for using a previously unused slot.

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

d. Out of the appropriation included in paragraph C.38. of this item, ~~$549,105~~*$549,281* the first year and ~~$1,113,010~~*$1,115,929* the second year from the Lottery Proceeds Fund is provided for a compensation supplement payment equal to 3.0 percent of base pay on July 1, 2024, and 3.0 percent of base pay on July 1, 2025, for Regional Alternative Education Program instructional and support positions.

e. In the second year, the Department of Education shall conduct a biennial application process to determine the slot allocation of the regional alternative education program for the subsequent biennium. Each school division, or the fiscal agent for each regional program, shall apply for the desired number of student slots from the statewide total number of slots funded in the state formula. The approved number of slots shall be set for both years of the biennium. The Department of Education shall prorate initial application requests if the initial application demand for slots exceeds the number of slots available. In each fiscal year, the Department of Education shall reallocate any unused student slots as prescribed in this item.

11. Remedial Summer School

a. This appropriation includes ~~$36,359,040~~*$33,444,383* the first year and $34,291,832 the second year from the general fund for the state's share of Remedial Summer School Programs. These funds are available to school divisions for the operation of programs designed to remediate students who are required to attend such programs during a summer school session or during an intersession in the case of year-round schools. These funds may be used in conjunction with other sources of state funding for remediation or intervention. School divisions shall have maximum flexibility with respect to the use of these funds and the types of remediation programs offered; however, in exercising this flexibility, students attending

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these programs shall not be charged tuition and no high school credit may be awarded to students who participate in this program.

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

12. K-3 Primary Class Size Reduction Payments

a. An additional payment estimated at $~~163,843,284~~*$156,375,875* the first year and ~~$164,595,097~~*$163,084,946* the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education as an incentive for reducing class sizes in the primary grades.

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

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

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

Qualifying School Percentage of Students Approved Eligible for Free Lunch, Three-Year Average	Grades K-3 School Ratio	Maximum Individual K-3 Class Size
30% but less than 45%	19 to 1	24
45% but less than 55%	18 to 1	23
55% but less than 65%	17 to 1	22
65% but less than 70%	16 to 1	21
70% but less than 75%	15 to 1	20
75% or more	14 to 1	19

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

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

13. Literary Fund Subsidy Program Payments

a. The Department of Education and the Virginia Public School Authority (VPSA) shall provide a program of funding for school construction and renovation through the Literary Fund and through VPSA bond sales. Notwithstanding 8VAC-20-100, the program shall be used to provide funds, through Literary Fund loans and subsidies, and through VPSA bond sales, to fund a portion of the projects submitted by localities during the annual open enrollment process, or other critical projects that may receive priority as identified by the Board of Education. Interest rate subsidies will provide school divisions with the present value difference in debt service between a Literary Fund loan and a borrowing through the VPSA. To qualify for an interest rate subsidy, the school division's project must be eligible for a Literary Fund loan and shall be subject to the same restrictions. The VPSA shall work with the Department of Education in selecting those projects to be funded through the interest rate subsidy/bond financing program, so as to ensure the maximum

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leverage of Literary Fund moneys and a minimum impact on the VPSA Bond Pool.

b. Notwithstanding §§ 22.1-146.1 through 22.1-153, Code of Virginia, and 8VAC-20-100, the Board of Education shall: 1) issue loans from the designated and uncommitted balances of the Literary Fund to the school boards of local school divisions that apply for such loans, authorized by the governing body and the school board, for the purposes of a) erecting, altering, or enlarging school buildings in local school divisions, or b) refinancing or redemption of negotiable notes, bonds, and other evidences of indebtedness or obligations incurred by a locality on behalf of a school division which has an application for a Literary Fund loan for an approved school project pending before the Board of Education; 2) establish a maximum Literary Fund loan amount per project of $25.0 million; 3) in consultation with the Department of Treasury, establish loan interest rates that are benchmarked to a market index on an annual basis for all tiers of localities and provide interest rates that are reasonably below such market index; 4) replace the existing First Priority and Second Priority waiting lists with an annual open enrollment process for loans, with priority based on the local composite index of ability-to-pay; and 5) offer a loan add-on not to exceed $5.0 million per loan for projects that will result in school consolidation and the net reduction of at least one existing school. The Department of Education, in cooperation with the Department of the Treasury, shall provide an update on Literary Fund loan issuance to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1 each year. This report shall include detail of: 1) loan applications received in the prior fiscal year by locality, project, and amount; 2) loans issued in the prior fiscal year by locality, project, and amount; 3) the schedule of loan interest rates and the basis for those rates; 4) loans issued for school consolidation projects and the projected impact of those school consolidations; and 5) the impact of loans issued to date on the Literary Fund cash balance, outstanding loan balance, and projected asset base.

c. The Board of Education may offer up to $200,000,000 the first year and up to $50,000,000 the second year from the Literary Fund in school construction loans, subject to the availability of funds. Amounts designated for school construction loans that are not obligated in the first year may be obligated in the second year. In addition, the Department of Education may offer Literary Fund loans from the uncommitted balances of the Literary Fund after meeting the obligations of the interest rate subsidy sales and the amounts set aside from the Literary Fund for Debt Service Payments for Education Technology and Security Equipment in this Item.

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

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

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

14. Educational Technology Payments

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

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

Table 1

Grant Year	FY 2025	FY 2026
2020	$11,392,500	
2021	$11,356,600	$11,351,600
2022	$12,068,000	$12,066,750
2023	$12,040,000	$12,044,750
2024	~~$12,894,859~~	~~$12,894,859~~
	$12,223,431	*$12,222,500*
2025		$12,939,920

c. It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for education technology grant programs. In developing the proposed 2026-2028, 2028-2030, and 2030-2032 biennial budgets for public education, the Department of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for these programs in fiscal years 2027, 2028, 2029, 2030, and 2031.

d. 1) An education technology grant program shall be conducted through the Virginia Public School Authority, through the issuance of equipment notes in an amount estimated at ~~$56,054,800~~*$55,764,000* in fiscal year 2025 and ~~$56,215,600~~*$55,924,000* in fiscal year 2026. Proceeds of the notes will be used to establish a computer-based instructional and testing system for the Standards of Learning (SOL) and to develop the capability for high speed Internet connectivity at high schools followed by middle schools followed by elementary schools. School divisions shall use these funds first to develop and maintain the capability to support the administration of online SOL testing for all students with the exception of students with a documented need for a paper SOL test.

2) Grant funds from the issuance of ~~$56,054,800~~*$55,764,000* in fiscal year 2025 and ~~$56,215,600~~*$55,924,000* in fiscal year 2026 in equipment notes are based on a grant of $26,000 per school and $50,000 per school division. For purposes of this grant program, eligible schools shall include schools that are subject to state accreditation and reporting membership in grades K through 12 as of September 30, 2024, for the fiscal year 2025 issuance, and September 30, 2025, for the fiscal year 2026 issuance, as well as regional vocational centers, special education centers, alternative education centers, regular school year Governor's Schools, CodeRVA Regional High School, and the School for the Deaf and the Blind. Schools that serve only pre-kindergarten students shall not be eligible for this grant.

3. a.) Supplemental grants shall be allocated to eligible divisions to support schools that are not fully accredited in accordance with this paragraph. Schools that include a ninth grade that administer SOL tests in Spring 2024 and that are not fully accredited for the second consecutive year, based on school accreditation ratings in effect for fiscal year 2024 and fiscal year 2025 will qualify to participate in the Virginia e-Learning Backpack Initiative in fiscal year 2025 and receive: (1) a supplemental grant of $400 per student reported in ninth grade fall membership in a qualifying school for the purchase of a laptop or tablet for that student and (2) a supplemental grant of $2,400 per qualifying school to purchase two content creation packages for teachers. Schools eligible to receive this supplemental grant in fiscal year 2025 shall continue to receive the grant for the number of subsequent years equaling the number of grades 9 through 12 in the qualifying school up to a maximum of four years. Schools that administer SOL tests in Spring 2025 and that are not fully accredited for the second consecutive year based on school accreditation ratings in effect for fiscal year 2025 and fiscal year 2026 will qualify to participate in the initiative in fiscal year 2026. Schools eligible for the supplemental grants in previous fiscal years shall continue to be eligible for the remaining years of their grant award. Schools eligible to receive this supplemental grant in fiscal year 2026 shall continue to

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receive the grant for the number of subsequent years equaling the number of grades 9 through 12 in the qualifying school up to a maximum of four years. Grants awarded to qualifying schools that do not have grades 10, 11, or 12 may transition with the students to the primary receiving school for all years subsequent to grade 9. Schools are eligible to receive these grants for a period of up to four years and shall not be eligible to receive a separate award in the future once the original award period has concluded. Schools that are fully accredited or that are new schools with conditional accreditation in their first year shall not be eligible to receive this supplemental grant.

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

4) Required local match:

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

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

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

6) Funds shall be used in the following manner:

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

b) When each high school in a division meets the goals established in paragraph a) above, the remaining funds shall be used to develop similar capability in first the middle schools and then the elementary schools.

c) For purposes of establishing or enhancing a computer-based instructional program supporting the Standards of Learning pursuant to paragraph g. 1) above, these grant funds may be used to purchase handheld multifunctional computing devices that support a broad range of applications and that are controlled by operating systems providing full multimedia support and mobile Internet connectivity. School divisions that elect to use these grant funds to purchase such qualifying handheld devices must continue to meet the on-line testing requirements stated in paragraph g. 1) above.

d) School divisions shall be eligible to receive supplemental grants pursuant to paragraph g.5) above. These supplemental grants shall be used in qualifying schools for the purchase of laptops and tablets for ninth grade students reported in fall membership and content creation packages for teachers. Participating school divisions will be required to select a core set of electronic textbooks, applications and online services for productivity, learning management, collaboration, practice, and assessment to be included on all devices. In addition, participating

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school divisions will assume recurring costs for electronic textbook purchases and maintenance.

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

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

e. The Department of Education shall maintain criteria to determine if high schools, middle schools, or elementary schools have the capacity to meet the goals of this initiative. The Department of Education shall be responsible for the project management of this program.

f. 1) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public School Authority (VPSA) issued for the purpose described in § 22.1-166.2, Code of Virginia, and not benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less than the amounts authorized for debt service due on such bonds or notes of the VPSA on such date, there is hereby appropriated to the VPSA from the general fund a sum equal to such deficiency.

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

g. Unobligated proceeds of the notes, including investment income derived from the proceeds of the notes may be used to pay interest on, or to decrease principal of the notes or to fund a portion of such other educational technology grants as authorized by the General Assembly.

h. 1) For the purposes of § 56-232, Code of Virginia, "Contracts of Telephone Companies with State Government" and for the purposes of § 56-234 "Contracts for Service Rendered by a Telephone Company for the State Government" shall be deemed to include communications lines into public schools which are used for educational technology. The rate structure for such lines shall be negotiated by the Superintendent of Public Instruction and the Chief Information Officer of the Virginia Information Technologies Agency. Further, the Superintendent and Director are authorized to encourage the development of "by-pass" infrastructure in localities where it fails to obtain competitive prices or prices consistent with the best rates obtained in other parts of the state.

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

15. Security Equipment Payments

1) A security equipment grant program shall be conducted through the Virginia Public School Authority, through the issuance of equipment notes in an amount estimated at up to $12,000,000 in fiscal year 2025 and $12,000,000 in fiscal year 2026 in conjunction with

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the Virginia Public School Authority technology notes program authorized in C.12. of this Item. Proceeds of the notes will be used to help offset the related costs associated with the purchase of appropriate security equipment that will improve and help ensure the safety of students attending public schools in Virginia.

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

Table 1

Grant Year	FY 2025	FY 2026
2020	$2,430,750	
2021	$2,424,400	$2,428,400
2022	$2,581,250	$2,579,750
2023	$2,583,000	$2,581,750
2024	~~$2,768,425~~ *$2,626,373*	~~$2,768,425~~ *$2,625,250*
2025		$2,768,425

3) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for this program. In developing the proposed 2026-2028, 2028-2030, and 2030-2032 biennial budgets for public education, the Department of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for these programs in fiscal years 2027, 2028, 2029, 2030, and 2031.

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

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

6) Grant award funds from the issuance of up to $12,000,000 in fiscal year 2025 and $12,000,000 in fiscal year 2026 in equipment notes shall be distributed to eligible school divisions. The grant awards will be based on a competitive grant basis of up to $250,000 per school division. School divisions will be permitted to apply annually for grant funding. For purposes of this program, eligible schools shall include schools that are subject to state accreditation and reporting membership in grades K through 12 as of September 30, 2024, for the fiscal year 2025 issuance, and September 30, 2025, for the fiscal year 2026 issuance, as well as regional vocational centers, special education centers, alternative education centers, regular school year Governor's Schools, and the Virginia School for the Deaf and the Blind.

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

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

9) Required local match:

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

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

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

16. Early Reading Intervention Payments

a. An additional payment of ~~$42,597,923~~*$39,834,324* the first year and ~~$42,479,126~~*$39,775,832* the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing early reading intervention services to students in grades kindergarten through 3 who demonstrate deficiencies based on their individual performance on diagnostic tests which have been approved by the Department of Education. The Department of Education shall review the tests of any local school board that requests authority to use a test other than the state-provided test to ensure that such local test uses criteria for the early diagnosis of reading deficiencies that are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.

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

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

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

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

f. Funds appropriated for Standards of Quality Remedial Summer School or At-Risk Add-

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On may also be used to meet the requirements of this program.

17. Standards of Learning Algebra Readiness Payments

a. An additional payment of ~~$18,646,449~~*$18,807,402* the first year and ~~$18,604,551~~*$18,767,429* the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing math intervention services to students in grades 6, 7, 8 and 9 who are at-risk of failing the Algebra I end-of-course test, as demonstrated by their individual performance on diagnostic tests which have been approved by the Department of Education. These amounts reflect $200,000 the first year and $200,000 the second year apportioned to each school division to account for the cost of the diagnostic test. The Department of Education shall review the tests to ensure that such local test uses state-provided criteria for diagnosis of math deficiencies which are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.

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

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

18. English Learner Teacher Payments

A payment of ~~$165,982,653~~*$213,236,555* the first year and ~~$170,304,480~~*$228,451,867* the second year from the general fund shall be disbursed by the Department of Education to local school divisions to support the state's share of professional instructional positions for English Learner teachers. Local school divisions shall provide a local match based on the composite index of local ability-to-pay. The number of such English Learner teacher positions required pursuant to the Standards of Quality are as established below:

EL Student Proficiency Level	SOQ Staffing Required
One	1 position per 20 EL students
Two	1 position per 30 EL students
Three	1 position per 40 EL students
Four	1 position per 50 EL students
All Other Identified EL Students	1 position per 100 EL students

To provide flexibility in implementing this new staffing standard in the first year, the number of English Learner teachers required for each school division for the first year shall be equal to the number of such teachers that were required during the 2023-2024 school year, plus one half of the additional positions required in the above table for the first year.

19. Special Education Instruction Payments

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

b. Out of the appropriations in this Item, the Department of Education shall make available, subject to implementation by the Superintendent of Public Instruction, an amount estimated at ~~$93,967,863~~*$95,778,547* the first year and ~~$98,967,863~~*$99,778,547* the second year from the Lottery Proceeds Fund for the purpose of the state's share of the tuition rates for approved public Special Education Regional Tuition school programs. Notwithstanding any contrary provision of law, the state's share of the tuition rates shall be based on the composite index of local ability-to-pay.

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c. Out of the amounts for Financial Assistance for Categorical Programs, $41,386,161 the first year and $44,570,183 the second year from the general fund is appropriated to permit the Department of Education to enter into agreements with selected local school boards for the provision of educational services to children residing in certain hospitals, clinics, and detention homes by employees of the local school boards. The portion of these funds provided for educational services to children residing in local or regional detention homes shall only be determined on the basis of children detained in such facilities through a court order issued by a court of the Commonwealth. The selection and employment of instructional and administrative personnel under such agreements will be the responsibility of the local school board in accordance with procedures as prescribed by the local school board. State payments for the first year to the local school boards operating these programs will be based on certified expenditures from the fourth quarter of FY 2024 and the first three quarters of FY 2025. State payments for the second year to the local school boards operating these programs will be based on certified expenditures from the fourth quarter of FY 2025 and the first three quarters of FY 2026.

20. Vocational Education Instruction Payments

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

b. This appropriation includes $1,800,000 the first year and $1,800,000 the second year from the Lottery Proceeds Fund for secondary vocational-technical equipment. A base allocation of $2,000 each year shall be available for all divisions, with the remainder of the funding distributed on the basis of student enrollment in secondary vocational-technical courses. State funds received for secondary vocational-technical equipment must be used to supplement, not supplant, any funds currently provided for secondary vocational-technical equipment within the locality. Local school divisions are not required to provide a local match in order to receive these state funds.

c.1) This appropriation includes an additional $2,000,000 the first year and $2,000,000 the second year from the Lottery Proceeds Fund to update vocational-technical equipment to industry standards providing students with classroom experience that translates to the workforce.

2) Of this amount, $1,400,000 the first year and $1,400,000 the second year is provided for vocational-technical equipment in high-demand, high-skill, and fast-growth industry sectors as identified by the Virginia Board of Workforce Development and based on data from the Bureau of Labor Statistics and the Virginia Employment Commission.

3) Of this amount, $600,000 the first year and $600,000 the second year will be awarded based on competitive innovative program grants for high-demand and fast-growth industry sectors with priority given to state-identified challenged schools, the Governor's Science Technology, Engineering, and Mathematics (STEM) academies, and the Governor's Health Science Academies.

d. This appropriation includes $1,831,464 the first year and $1,831,464 the second year from the Lottery Proceeds Fund to support the Path to Industry Certification program. Of this amount, $500,000 the first year and $500,000 the second year shall support credentialing testing materials for students and professional development for instructors in science, technology, engineering, and mathematics-health sciences (STEM-H) career and technical education programs.

21. Adult Education Payments

State funds shall be used to reimburse general adult education programs on a fixed cost per pupil or cost per class basis. No state funds shall be used to support vocational noncredit courses.

22. General Education Payments

a. This appropriation includes $2,410,988 the first year and $2,410,988 the second year from the Lottery Proceeds Fund to support Race to GED. Out of this appropriation,

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$465,375 the first year and $465,375 the second year shall be used for PluggedIn VA.

b. This appropriation includes $1,387,240 the first year and $1,387,240 the second year from the Lottery Proceeds Fund to support Project Graduation and any associated administrative and contractual service expenditures related to this initiative.

23. Individual Student Alternative Education Program (ISAEP) Payments

Out of this appropriation, $2,247,581 the first year and $2,247,581 in the second year from the Lottery Proceeds Fund shall be provided for the secondary schools' Individual Student Alternative Education Program (ISAEP), pursuant to Chapter 488 and Chapter 552 of the 1999 Session of the General Assembly.

24. Foster Children Education Payments

a. An additional state payment is provided from the Lottery Proceeds Fund for the prior year's local operations costs, as determined by the Department of Education, for each pupil not a resident of the school division providing his education (a) who has been placed in foster care or other custodial care within the geographical boundaries of such school division by a Virginia agency, whether state or local, which is authorized under the laws of this Commonwealth to place children; (b) who has been placed in an orphanage or children's home which exercises legal guardianship rights; (c) who is a resident of Virginia and has been placed, not solely for school purposes, in a child-caring institution or group home; or (d) who is a student that was formerly in foster care upon reaching 18 years of age but who has not yet reached 22 years of age. For pupils included in subsection (d), the school division shall keep an accurate record of the number of days in which such child was enrolled in its public schools and shall be included in the division's certification provided to the Board of Education by July 1 each school year per § 22.1-101.1 C, Code of Virginia.

b. This appropriation provides ~~$12,019,296~~*$12,193,067* the first year and ~~$12,470,476~~*$12,281,254* the second year from the Lottery Proceeds Fund to support children attending public school who have been placed in foster care or other such custodial care across jurisdictional lines, as provided by subsections A and B of § 22.1-101.1, Code of Virginia. To the extent these funds are not adequate to cover the full costs specified therein, the Department is authorized to expend unobligated balances in this Item for this support.

25. Sales Tax Payments

a. This is a sum-sufficient appropriation for distribution to counties, cities and towns a portion of net revenue from the state sales and use tax, in support of the Standards of Quality (Title 22.1, Chapter 13.2, Code of Virginia) (See the Attorney General's opinion of August 3, 1982).

b. Certification of payments and distribution of this appropriation shall be made by the State Comptroller.

c. The distribution of state sales tax funds shall be made in equal bimonthly payments at the middle and end of each month.

26. Adult Literacy Payments

a. Appropriations in this Item include $125,000 the first year and $125,000 the second year from the general fund for the ongoing literacy programs conducted by Mountain Empire Community College.

b. Out of this appropriation, the Department of Education shall provide $100,000 the first year and $100,000 the second year from the general fund for the Virginia Literacy Foundation grants to support programs for adult literacy including those delivered by community-based organizations and school divisions providing services for adults with 0-9th grade reading skills.

27. Governor's School Payments

a. Out of the amounts for Governor's School Payments, the Department of Education shall provide assistance for the state share of the incremental cost of regular school year Governor's Schools based on each participating locality's composite index of local ability-to-pay. Participating school divisions must certify that no tuition is assessed to students for

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participation in this program.

b.1) Out of the amounts for Governor's School Payments, the Department of Education shall provide assistance for the state share of the incremental cost of summer residential Governor's Schools and Foreign Language Academies to be based on the greater of the state's share of the composite index of local ability-to-pay or 50 percent. Participating school divisions must certify that no tuition is assessed to students for participation in this program if they are enrolled in a public school.

2) Out of the amounts for Governor's School Payments, $41,000 the first year and $41,000 the second year is provided to support the Hanover Regional Summer Governor's School for Career and Technical Advancement, which was established pursuant to Chapter 425, 2014 Acts of Assembly, and Chapter 665, 2015 Acts of Assembly.

c. For the Summer Governor's Schools and Foreign Language Academies programs, the Superintendent of Public Instruction is authorized to adjust the tuition rates, types of programs offered, length of programs, and the number of students enrolled in order to maintain costs within the available state and local funds for these programs.

d. It shall be the policy of the Commonwealth that state general fund appropriations not be used for capital outlay, structural improvements, renovations, or fixed equipment costs associated with initiation of existing or proposed Governor's schools. State general fund appropriations may be used for the purchase of instructional equipment for such schools, subject to certification by the Superintendent of Public Instruction that at least an equal amount of funds has been committed by participating school divisions to such purchases.

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

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

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

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

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

h. Out of the appropriation included in paragraph C.38. of this item, ~~$818,874~~*$811,727* the first year and ~~$1,699,942~~*$1,722,016* the second year from the general fund is provided in the Academic Year Governor's School funding allocation to increase the per pupil amount as an add-on for a compensation supplement equal to 3.0 percent of base pay on July 1, 2024, and 3.0 percent of base pay on July 1, 2025, for Academic Year Governor's School instructional and support positions.

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

28. School Nutrition Payments

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

29. School Breakfast Payments

a. Out of this appropriation, ~~$11,246,873~~*$11,456,532* the first year and ~~$12,437,264~~*$12,619,194* the second year from the Lottery Proceeds Fund is included to continue a state funded incentive program to maximize federal school nutrition revenues and increase student participation in the school breakfast program. These funds are available to any school division as a reimbursement for breakfast meals served that are in excess of the baseline established by the Department of Education. The per meal reimbursement shall be $0.28; however, the department is authorized, but not required to reduce this amount proportionately in the event that the actual number of meals to be reimbursed exceeds the number on which this appropriation is based so that this appropriation is not exceeded.

b. In order to receive these funds, school divisions must certify that these funds will be used to supplement existing funds provided by the local governing body and that local funds derived from sources that are not generated by the school nutrition programs have not been reduced or eliminated. The funds shall be used to improve student participation in the school breakfast program. These efforts may include, but are not limited to, reducing the per meal price paid by students, reducing competitive food sales in order to improve the quality of nutritional offerings in schools, increasing access to the school breakfast program, or providing programs to increase parent and student knowledge of good nutritional practices. In no event shall these funds be used to reduce local tax revenues below the level appropriated to school nutrition programs in the prior year. Further, these funds must be provided to the school nutrition programs and may not be used for any other school purpose.

c.1) Out of this appropriation, $1,074,000 the first year and $1,074,000 the second year from the general fund is provided to fund an After-the-Bell Model breakfast program available on a voluntary basis to elementary, middle, and high schools where student eligibility for free or reduced lunch exceeds 45.0 percent for the participating eligible school, and to provide additional reimbursement for eligible meals served in the current traditional school breakfast program at all grade levels in any participating school. The Department of Education is directed to ensure that only eligible schools receive reimbursement funding for participating in the After-the-Bell school breakfast model. The schools participating in the program shall evaluate the educational impact of the models implemented that provide school breakfasts to students after the first bell of the school day, based on the guidelines developed by the Department of Education and submit the required report to the Department of Education no later than August 31 each year.

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2) The Department of Education shall communicate, through Superintendent's Memo, to school divisions the types of breakfast serving models and the criteria that will meet the requirements for this State reimbursement, which may include, but are not limited to, breakfast in the classroom, grab and go breakfast, or a breakfast after first period. School divisions may determine the breakfast serving model that best applies to its students, so long as it occurs after the instructional day has begun. The Department of Education shall monthly transfer to each school division a reimbursement rate of $0.05 per breakfast meal that meets either of the established criteria in elementary schools and a reimbursement rate of $0.10 per breakfast meal that meets either of the established criteria in middle or high schools.

3) No later than July 1 each year, the Department of Education shall provide for a breakfast program application process for school divisions with eligible schools, including guidelines regarding specified required data to be compiled from the prior school year or years and for the upcoming school year program. The number of approved applications shall be based on the estimated number of sites that can be accommodated within the approved funding level. The Department of Education shall set criteria for establishing priority should the number of applications from eligible schools exceed the approved funding level. The reporting requirements must include: chronic absenteeism rates, student attendance and tardy arrivals, office discipline referrals, student achievement measures, teachers' and administrators' responses to the impact of the program on student hunger, student attentiveness, and overall classroom learning environment before and after implementation, and the financial impact on the division's school food program. Funded schools that do not provide data by August 31 are subject to exclusion from funding in the following year. The Department of Education shall collect and compile the results of the breakfast program and shall submit the report to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than November 1 following each school year.

30. Clinical Faculty and Mentor Teacher Program Payments

This appropriation includes $1,000,000 the first year and $1,000,000 the second year from the Lottery Proceeds Fund to be paid to local school divisions for statewide Mentor Teacher Programs to assist pre-service teachers and beginning teachers to make a successful transition into full-time teaching. This appropriation also includes $318,750 the first year and $318,750 the second year from the general fund for Clinical Faculty programs to assist pre-service teachers and beginning teachers to make a successful transition into full-time teaching. Such programs shall include elements which are consistent with the following:

a. An application process for localities and school/higher education partnerships that wish to participate in the programs;

b. For Clinical Faculty programs only, provisions for a local funding or institutional commitment of 50 percent, to match state grants of 50 percent;

c. Program plans which include a description of the criteria for selection of clinical faculty and mentor teachers, training, support, and compensation for clinical faculty and mentor teachers, collaboration between the school division and institutions of higher education, the clinical faculty and mentor teacher assignment process, and a process for evaluation of the programs;

d. The Department of Education shall allow flexibility to local school divisions and higher education institutions regarding compensation for clinical faculty and mentor teachers consistent with these elements of the programs; and

e. It is the intent of the General Assembly that no preference between pre-service or beginning teacher programs be construed by the language in this Item. School divisions operating beginning teacher mentor programs shall receive equal consideration for funding.

31. Career Switcher/Alternative Licensure Payments

Appropriations in this Item include $279,983 the first year and $279,983 the second year from the general fund to provide grants to school divisions that employ mentor teachers

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for new teachers entering the profession through the alternative route to licensure as prescribed by the Board of Education.

32. Virginia Workplace Readiness Skills Assessment

Appropriations in this Item include $308,655 the first year and $308,655 the second year from the general fund to provide support grants to school divisions for standard diploma graduates. To provide flexibility, school divisions may use the state grants for the actual assessment or for other industry certification preparation and testing.

33. Early Reading Specialists Initiative

a. An additional payment of $3,476,790 the first year and $3,476,790 the second year from the general fund shall be disbursed by the Department of Education to qualifying local school divisions for the purpose of providing a reading specialist for schools with a third grade that rank lowest statewide on the reading Standards of Learning (SOL) assessments. Funding for a reading specialist during the 2024-2026 biennium shall be based on the results of the Spring 2023 reading SOL assessments. Such schools shall be eligible to receive the state share of funding for both years of the biennium. Following certification from a school division that it will not participate in the program, the Department is authorized to identify additional eligible schools based upon the list of schools that rank lowest on the Spring 2023 SOL reading assessment.

b. These payments shall be based on the state's share of the cost of providing one reading specialist per qualifying school.

c. These payments are available to any school division with a qualifying school that certifies to the Department of Education that the division has hired a reading specialist or reading coach to provide direct services to children reading below grade level in the school to improve reading achievement for the purpose of creating additional instructional time for reading specialists or reading coaches to work with students reading below grade level to improve reading achievement. Additionally, school divisions shall certify that the reading specialists or reading coaches hired pursuant to this program are in addition to the reading specialist positions funded through Basic Aid and required pursuant to B.7.h. of this Item to serve students at the qualifying school.

d. These payments also are available to any school division with a qualifying school that certifies to the Department of Education that the division is supporting tuition for collegiate programs and instruction for currently employed instructional school personnel to earn the credentials necessary to meet licensure requirements to be endorsed as a reading specialist. Additionally, school divisions shall certify that the currently employed instructional school personnel whose tuition is supported pursuant to this program are in addition to the reading specialist positions funded through Basic Aid and required pursuant to B.7.h. of this Item to serve students at the qualifying school.

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

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

34. Math/Reading Instructional Specialist Initiative

a. Included in this appropriation is $1,834,538 the first year and $1,834,538 the second year from the general fund in additional payments for reading or math instructional specialists at underperforming schools. From this amount, the state share of one reading or math specialist shall be provided to local school divisions with schools which rank lowest statewide on the Spring Standards of Learning (SOL) math or reading assessment. Funding for one math or reading specialist during the 2024-2026 biennium shall be based on the results of the Spring 2023 SOL assessments. Such schools shall be eligible to receive the state share of funding for both years of the biennium. If, following certification from a school division that it will not participate in the program, the Department is authorized to identify additional eligible schools based upon the list of schools that rank lowest on the Spring 2023 SOL math or reading assessment.

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

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

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

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

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

35. Broadband Connectivity Capabilities

By November 1 each year, school divisions shall report to the Department of Education the status of broadband connectivity capability of schools in the division on a form to be provided by the Department. Such report shall include school-level information on the method of Internet service delivery, the level of bandwidth capacity and the degree such capacity is sufficient for delivery of school-wide digital resources and instruction, degree of internet connectivity via Wi-Fi, cost information related to Internet connectivity, data security, and such other pertinent information as determined by the Department of Education. The Department shall provide a summary of the division responses in a report to be made available on its agency Web site.

36. Infrastructure and Operations Per Pupil Funds

a. Out of this appropriation, an amount estimated at ~~$301,361,277~~*$301,361,275* the first year and ~~$276,361,284~~*$276,361,278* the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions to support the state share of an estimated ~~$446.67~~*$446.01* per pupil the first year and ~~$410.62~~*$409.70* per pupil the second year in adjusted March 31 average daily membership. These per pupil amounts are subject to change for the purpose of payment to school divisions based on the actual March 31 ADM collected each year. These funds shall be matched by the local government, based on the composite index of local ability-to-pay. Further, in order to receive this funding, the locality in which the school division is located shall appropriate these funds solely for educational purposes and shall not use such funds to reduce total local operating expenditures for public education below the amount expended by the locality for such purposes in the year upon which the 2020-2022 biennial Standards of Quality expenditure data were based; provided however that no locality shall be required to maintain a per-pupil expenditure which is greater than the per pupil amount expended by the locality for such purposes in the year upon which the 2020-2022 biennial Standards of Quality expenditure data were based. The Department of Education is authorized each year to temporarily suspend Infrastructure and Operations Per Pupil Allocation payments made to school divisions from Lottery funds to ensure that any shortfall in Lottery revenue can be accounted for in the remaining Infrastructure and Operations Per Pupil Allocation payments to be made for the year.

b. From the amounts listed above, funds are provided to ensure that small school divisions

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receive an Infrastructure and Operations payment of at least $200,000 each year. Divisions receiving additional funds for a payment of at least $200,000 shall only be required to provide the local match on the per pupil amount distributed in paragraph C.35.a.

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

d. Any funds provided to school divisions that are unexpended as of June 30, 2025, and June 30, 2026, shall not revert to the Commonwealth but shall be carried on the books of the locality in local escrow accounts pursuant to § 22.1-175.5, to be appropriated to the school division for use for the same purpose.

37. Special Education Endorsement Program

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

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

38. Compensation Supplement

a. Out of this appropriation, ~~$178,149,562~~*$178,824,244* the first year and ~~$361,023,394~~*$376,360,450* the second year from the general fund is provided for the state share of the following salary increases and related fringe benefit costs:

1) For the first year, a 3.0 percent salary increase effective July 1, 2024, for funded SOQ instructional and support positions. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of up to a 3.0 percent salary increase effective July 1, 2024, to school divisions that certify to the Department of Education that an equivalent increase will be provided to instructional and support personnel the first year. The state share of funding provided to a school division in support of this compensation supplement shall be prorated for school divisions that provide less than an average 3.0 percent salary increase the first year; however, to access these funds, a school division must provide at least an average 1.5 percent salary increase the first year.

2) For the second year, an additional 3.0 percent salary increase effective July 1, 2025, for funded SOQ instructional and support positions. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of up to an additional 3.0 percent salary increase effective July 1, 2025, to school divisions that certify to the Department of Education that an equivalent increase will be provided to instructional and support personnel the second year. The state share of funding provided to a school division in support of this compensation supplement shall be prorated for school divisions that provide less than an additional average 3.0 percent salary increase the second year; however, to access these funds, a school division must provide at least an additional average 1.5 percent salary increase the second year. School divisions that provided an average increase in excess of 3.0 percent in the first year may credit the excess portion of the increase toward the second year for the purpose of accessing these funds in the second year.

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3) Payments in the second year to any school division shall be based on providing the funds needed to continue the first year increase actually provided by the division plus the increase provided by the division in the second year.

b. Out of this appropriation, ~~$818,874~~*$811,727* the first year and ~~$1,699,942~~*$1,722,016* the second year from the general fund is provided for the state share of the salary increases stated in paragraph a. above for Academic Year Governor's Schools, and ~~$549,105~~*$549,281* the first year and ~~$1,113,010~~*$1,115,929* the second year from the Lottery Proceeds fund is provided for the state share of these salary increases for Regional Alternative Education Programs.

c. It is the intent that the average instructional and support position salaries are increased in local school divisions throughout the state by at least 3.0 percent the first year, at least an additional 3.0 percent the second year, resulting in a combined increase of at least 6.09 percent during the biennium.

d. The state funds that the school division is eligible to receive shall be matched by the local government based on the composite index of local ability-to-pay. This local match shall be calculated for funded SOQ instructional and support positions using an effective date of July 1, 2024, the first year and July 1, 2025, the second year. Local school divisions shall certify to the Department of Education that funds used as the local match are derived solely from local revenue sources.

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

39. School Meals Expansion

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

40. Alleghany County - Covington City School Division Consolidation Incentive

Out of this appropriation, $600,000 the first year from the general fund is provided as an incentive for the consolidation of the Alleghany County and Covington City school divisions. This incentive payment represent the fifth installment of five $600,000 payments as recommended for this consolidation incentive through the methodology contained in the Study on School Division Joint Contracting Incentives (Report Document 548, 2016).

41. Supplemental Support for Accomack and Northampton

Out of this appropriation, $1,750,000 the first year and $1,750,000 the second year from the Lottery Proceeds Fund shall be disbursed to provide support to Accomack and Northampton school divisions for teacher recruitment and retention efforts, including adjustments to salary scales to minimize the misalignment to salary scales of adjacent counties.

42. School Construction Assistance Program.

a. Out of this appropriation, ~~$80,000,000~~*$200,000,000* the first year and ~~$80,000,000~~*$110,000,000* the second year from the School Construction Fund *and $50,000,000 the first year from the Literary Fund that shall be transferred into the School Construction Fund* is provided for the Board of Education to award grants on a competitive basis from the Fund to local school boards that demonstrate poor building conditions, commitment, and need in order for such local school boards to fund the construction, expansion, or modernization of public school buildings. Any unobligated balance for this program on June 30, each year shall be reappropriated for expenditure in the second year for the same purpose.

b. The Board of Education shall develop guidelines for the administration of this program, which shall provide at a minimum that:

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1. Grants shall be provided only for projects that conform to the Department of Education's "Guidelines for School Facilities in Virginia's Public Schools," as amended.

2. Grant awards shall be based on project costs, including planning, design, site acquisition and construction, the school division's local composite index, and the fiscal stress category as designated by the Virginia Commission on Local Government in its most recent "Report on Comparative Revenue Capacity, Revenue Effort, and Fiscal Stress of Virginia's Counties and Cities" for the locality that contains the school division, as follows:

School Division	Grant Award Amount
School divisions with a local composite index value below .3000, or contained in a locality designated with high fiscal stress	30 percent of project costs
School divisions with a local composite index value at or above .3000 and below .4000, or contained in a locality designated with above average fiscal stress	20 percent of project costs
All other school divisions	10 percent of project costs

3. A minimum qualifying score shall be met for a project to qualify for a grant award based on Board-developed scoring criteria. The Board shall set such minimum score at a level to ensure funds are reserved for critical school construction projects. Such scoring criteria shall provide appropriate weight to the following categories for the award of grants:

a.) Commitment, which may be demonstrated by factors such as: (i) an agreement by the local governing body to maintain or increase the percentage of local revenues dedicated to public education throughout the duration of the financing proposed for the project and (ii) the extent of project design and site acquisition for such project that has been completed prior to application of anticipated grant funds.

b.) Need, which may consider factors such as: (i) the percentage of students in the local school division eligible to receive free price meals; (ii) the percentage of residents of the locality in which the local school division is located with incomes at or below the federal poverty guidelines established by the U.S. Department of Health and Human Services; (iii) the local composite index of local ability-to-pay for the local school division; (iv) debt capacity of the locality in which the school division is located; and (v) the most recent fiscal stress score of the locality that includes the local school division as designated by the Virginia Commission on Local Government.

c.) Poor school building conditions, which may consider factors such as: (i) the condition of the facilities proposed to be replaced or upgraded using these funds, including the current level of compliance of the existing facility with the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.) and the facilities potential threat to the health or safety of building occupants; (ii) the school division maintenance reserve tool established pursuant to Chapter 650 of the 2022 General Assembly; and (iii) the overall condition of other facilities within the school division.

4. If qualifying grant award requests exceed the amount of funds available, grants shall be awarded based on ranked project scores, and shall not be prorated.

5. The release of funds to grant awardees shall be reasonably aligned with the timing of incurred expenses.

6. A specific project shall only receive one grant award. The total project cost eligible to receive a grant shall be up to $100,000,000. Grant awards shall not be amended for any additional reasonable project costs after the Board awards a grant to a division.

c. For the purpose of this program, "project costs" shall include reasonable project construction costs as defined by the Board, including planning, design, site acquisition and construction, and not to include financing costs, outdoor facilities predominantly used for extracurricular athletic activities, loose equipment, and furniture.

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d. The Board of Education shall submit an executive summary of the program, including details on projects funded each year and any necessary legislative or budget recommendations to improve the program, no later than December 1 of each year to the Chairs of the House Education Committee, Senate Education and Health Committee, House Appropriations Committee, and Senate Finance and Appropriations Committee.

43. Supplemental General Fund Payment in Lieu of Sales Tax on Food and Personal Hygiene Products

Out of this appropriation, $272,500,000 the first year and $273,600,000 the second year from the general fund shall be distributed to localities on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service as specified in this item for SOQ sales tax payments pursuant to § 58.1-611.1.C of the Code of Virginia. These funds represent the reduction of sales tax distributions to school divisions resulting from the exemption of the state sales and use tax on food for human consumption and essential personal hygiene products. These payments shall be applied in the same manner as sales tax payments to offset the state and local shares of basic aid and shall require no local match.

44. Bonus Payment

a. Out of this appropriation, $134,399,957 the first year from the general fund is provided for a one-time bonus payment of $1,000 by no later than June 1, 2025, per funded SOQ instructional position and per Academic Year Governor's School and Regional Alternative Education Program instructional and support position. Funded SOQ instructional positions shall include all teacher, guidance counselor, librarian, instructional aide, principal, and assistant principal positions.

b. Sufficient funding is provided for the entire cost of an average $1,000 bonus per funded SOQ instructional and support position in this act. Sufficient funding is provided for the entire cost of an average $1,000 bonus per Academic Year Governor's School and Regional Alternative Education Program instructional and support position based on the most-recently available full-time equivalent position counts, as reported to the Department of Education. School divisions shall have discretion to determine the amount of bonuses per employee to maximize the use of these funds to promote retention among instructional and support positions in this act. The funds a division is eligible to receive shall require no match by the local government. Localities are encouraged to use additional available funds to provide bonuses to other eligible instructional and support positions.

125.10	Early Childhood Care and Education Programs (17600)			~~$560,180,474~~ *$585,580,474*	$593,210,086
	Early Childhood Care and Education Programs (17601)	~~$560,180,474~~ *$585,580,474*	$593,210,086		
	Fund Sources: General	~~$366,312,192~~ *$391,712,192*	$461,691,610		
	Federal Trust	$193,868,282	$131,518,476		

Authority: Early Childhood Care and Education: Title 22.1, Chapter 14, Code of Virginia; P.L. 113-186, Federal Code

A. Out of this appropriation, ~~$366,312,192~~ *$391,312,192* the first year and $461,691,610 the second year from the general fund is provided to support ~~the Child Care Subsidy Program, Mixed Delivery Program, and Virginia Preschool Initiative~~ *Early Childhood Care and Education Programs* as provided below.

Item 472 (2) of this act and Item 486 (2) of the 2022-2024 Appropriation Act provide that federal ARPA-SLRF funds returned to the State and Local Recovery Fund may be used to supplement the Child Care Subsidy Program. General funds in this Item shall be unallotted in the first year in an amount equivalent to the supplemental funds provided from the State and Local Recovery Fund*, and the Director, Department of Planning and Budget, shall revert such unallotted amounts to the general fund on or before June 30,*

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2025.				
Program	**FY 2025**		**FY 2026**	
Child Care Subsidy Program	**~~42,719~~ slots**		**~~45,159~~ slots**	
General Fund		~~$169,836,446~~ *$174,992,388*		$266,500,894
Federal CCDF		$129,871,766		$131,518,476
Federal ARPA-SLRF		~~$63,996,516~~ *$69,014,425*		$0
TANF/VIEW & Fee for Service (GF appropriated through Department of Social Services)		$26,864,671		$26,864,671
CCDF Total		**~~$390,569,399~~ *$400,743,250***		**$424,884,041**
Mixed Delivery Grant Program	**~~2,530~~ slots**		**~~2,530~~ slots**	
General Fund		$38,837,720		$38,837,720
Virginia Preschool Initiative				
General Fund: Four Year Olds		~~$124,521,106~~ *$128,616,155*		$123,236,076
General Fund: VPI Expansion		~~$33,116,920~~ *$23,865,929*		$33,116,920
VPI Total		**~~$157,638,026~~ *$152,482,084***		**$156,352,996**
Employee Child Care Assistance Pilot Program		***$25,000,000***		***$0***
Total General Funds		**~~$366,312,192~~ *$391,312,192***		**$461,691,610**

I VETO ITEM 125.10.J. ON PAGE 1902 AND PAGE 1910 /s/ Glenn Youngkin 5-2-25

B. Child Care Subsidy Program

1. The Department of Education and the Department of Social Services shall determine the amount of nongeneral funds to be transferred to the Department of Social Services to address costs associated with administration of the Child Care and Development Fund each year *from amounts appropriated in Item 117. Additionally, the Department of Education and the Department of Social Services shall determine the amount of general and nongeneral funds to be transferred to the Department of Social Services to support the budgeted slots in the Child Care Subsidy Program from amounts appropriated in this Item.*

2. ~~The Department of Education, in collaboration with the Department of Social Services, shall prepare an annual Child Care and Development Fund (CCDF) report that reflects all CCDF expenditures from the previous fiscal year, current grant balances and obligation and liquidation deadlines, as well as all anticipated spending for the current and two subsequent fiscal years. Identified spending should, at a minimum, be broken down by subsidies (mandated and discretionary), administrative costs, and quality efforts. The plan also shall include a certification from the Department that the maximum amount of federal funds were drawn down in the preceding fiscal year. Should the Department be unable to certify that maximum federal funds were drawn down, the Department shall identify strategies for Virginia to obtain the maximum amount of federal funds in the following fiscal year(s) as part of this plan. In addition, this plan should report, by locality, the number of subsidies (mandated and discretionary) provided, number of providers receiving CCDF dollars, the overall number of child care providers, and the waitlist for services. This information should be provided the previous fiscal year, current fiscal year, and two subsequent fiscal years. The plan shall also include an appendix with the most recently completed CCDF annual report as required by the federal Office of Child Care. The department shall submit the report by October 1 of each year to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. In addition, the department shall post this report on its website along with any reports from previous fiscal years.~~

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~~3.~~ Notwithstanding 8VAC-20-790, the Department of Education shall establish an annual target at the local level for the number of children that may be served by available funds and ensure that each locality has mechanisms in place for maintaining waitlists if family demand exceeds the targets.

4. Family copayment rates for ~~the 2024-2026 biennium~~ *fiscal year 2025* shall not exceed those that were in effect at the beginning of fiscal year 2024. *Family copayment rates for fiscal year 2026 shall be $5 per month for households whose income is below 100% of the federal poverty level and up to 5% of annual income for all other households with no household exceeding 5% of their income.*

5. Parental work and job search requirements for ~~the 2024-2026 biennium~~ *fiscal year 2025* shall not exceed those that were in effect at the beginning of fiscal year 2024. *Parental work and job search requirements for fiscal year 2026 shall include a time limit of 90 days for job search. Households are eligible for up to one extension for extraordinary circumstances, which shall be defined and tracked by the Department of Education.*

6. The Department of Education shall revise attendance requirements for the Child Care Subsidy Program, subject to review by the Early Childhood Care and Education Commission, to ensure participating children fully benefit and maximization of available resources. The Department shall report proposed changes to the General Assembly by December 1, 2025.

C. Mixed Delivery Grant Program

1. A Mixed-Delivery initiative is established to support public-private delivery of early learning services for birth to five-year-old children. Programs must provide full-day or half-day services. The Department of Education is authorized to prorate payment for this program so as not to exceed available appropriation. Actual funding provided to the Virginia Early Childhood Foundation shall be based on the actual use of allocated slots. Lead agencies shall report to the Virginia Early Childhood Foundation on actual use of allocated slots, and any funds allocated but not used on the actual provision of early childhood services shall be returned to the Department of Education.

a) The Department of Education shall establish academic standards that are in accordance with appropriate preparation for students to be ready to successfully enter kindergarten. These standards shall be established in such a manner as to be measurable for student achievement and success. Students shall be required to be evaluated in the fall and in the spring by each participating provider and grantees must certify that the Virginia Preschool Initiative standards are followed in order to receive the funding for quality preschool education and criteria for the service components. Such standards shall align with the Virginia Standards of Learning for Kindergarten.

b) The Department of Education shall require and ensure that all participating classrooms have the quality of their teacher-child interactions assessed through a rigorous and research-based observation instrument in accordance with the statewide measurement and improvement system VQB5.

c) Any locality that desires to participate in this grant program must submit a proposal each year to the Virginia Early Childhood Foundation. The application must be submitted by May 15 to align with the Virginia Preschool Initiative timeline. Each application shall identify a lead agency for this program within the locality. The lead agency shall be responsible for developing a local plan for the delivery of quality preschool services to at-risk birth to five-year-old children in private settings that demonstrates the coordination of resources in an effort to serve the greatest number of at-risk children.

d) The proposal must demonstrate: (i) coordination with all parties necessary for the successful delivery of comprehensive services, including schools, child care providers, local social services agencies, Head Start, local health departments, and other groups identified by the lead agency, (ii) a plan for supporting inclusive practices for children with identified special needs, (iii) a plan to transition the Mixed-Delivery local model into a sustainable program, and (iv) a mechanism for annually measuring and reporting unmet parental demand and preference, including establishing waitlists.

e) Local plans must indicate the number of at-risk children to be served, and the eligibility

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criteria for participation in this program shall be consistent with the economic and educational risk factors stated in the current program guidelines that are specific to: (i) family income at or below 200 percent of federal poverty guidelines, (ii) homelessness, (iii) student's parents or guardians are school dropouts, or (iv) children with disabilities or delays who are eligible for special education services under the Individuals with Disabilities Education Act, regardless of household income. Up to 15 percent of slots may be filled based on locally established eligibility criteria so as to meet the unique needs of at-risk children in the community. Localities that can demonstrate that more than 15 percent of slots are needed to meet the needs of at-risk children in their community may apply for a waiver from the Superintendent of Public Instruction to use a larger percentage of their slots. Localities must demonstrate that increasing eligibility will enable the maximization of federal funds and will not have a negative impact on access for other individuals currently being served.

f) Notwithstanding any provisions of § 22.1-299, Code of Virginia, and in order to achieve the priorities of the Joint Subcommittee on Early Childhood Care and Education for exploring the feasibility of and barriers to mixed delivery preschool systems in Virginia, recipients of a Mixed-Delivery Preschool grant shall be provided maximum flexibility within their respective local initiative in order to fully implement the associated goals and objectives of Mixed-Delivery Models. Recipients of a Mixed-Delivery Preschool grant and divisions participating in such grant activities shall be exempted from all regulatory and statutory provisions related to teacher licensure requirements and qualifications when paid by public funds within the confines of the Mixed-Delivery Preschool initiative.

g) Children served by the Mixed-Delivery initiative shall be assigned student identification numbers as provided in § 22.1-287.03 B of the Code of Virginia to evaluate program outcomes and to permit comparison with Virginia Preschool Initiative outcomes.

h) Mixed-Delivery providers shall provide information to the Department of Education as necessary to fulfill the reporting requirement established.

i) The Department of Education shall report to the Governor and the Chairs of the House Committee on Education and the Senate Committee on Education and Health by July 1, 2025, on the efficacy of the Mixed-Delivery Initiative since the inception of the program and compare its outcomes relative to the Virginia Preschool Initiative and the Child Care Subsidy Program.

2. Providers in the program may collect copayments from participating families. Such copayments shall be based on the same schedule provided for the Child Care Subsidy Program.

3. Parental work and job search requirements shall be the same as required for the Child Care Subsidy Program.

4. The Department of Education, in consultation with the Virginia Early Childhood Foundation and subject to review by the Early Childhood Care and Education Commission, shall revise attendance requirements for the Mixed-Delivery initiative to ensure participating children fully benefit and maximization of available resources. The Department shall report proposed changes to the General Assembly by December 1, 2025.

D. Virginia Preschool Initiative

1.a. Funds shall be disbursed by the Department of Education to schools and community-based organizations to provide quality preschool programs for at-risk four-year-olds who are residents of Virginia and unserved by Head Start program funding and for at-risk five-year-olds who are not eligible to attend kindergarten, or who did not have access to a sufficient preschool experience and whose families request preschool as the most appropriate placement. Final Virginia Preschool Initiative placement decisions for eligible children shall be based on family and program leader input.

b. These state funds and required local matching funds shall be used to provide programs for at-risk four-year-old children, which include quality preschool education, health services, social services, parental involvement and transportation. It shall be the policy of the Commonwealth that state funds and required local matching funds for the Virginia Preschool Initiative not be used for capital outlay, not be used to supplant any Head Start federal funds provided for local early education programs, and not be used until the local Head Start grantee

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certifies that all local Head Start slots are filled. Programs must provide full-day or half-day and, at least, school-year services.

c. The Department of Education shall establish academic standards that are in accordance with appropriate preparation for students to be ready to successfully enter kindergarten. These standards shall be established in such a manner as to be measurable for student achievement and success. Students shall be required to be evaluated in the fall and in the spring by each participating school division and the school divisions must certify that the Virginia Preschool Initiative program follows the established standards in order to receive the funding for quality preschool education and criteria for the service components. Such standards shall align with the Virginia Standards of Learning for Kindergarten.

d. The Department of Education shall revise attendance requirements for the Virginia Preschool Initiative, subject to review by the Early Childhood Care and Education Commission, to ensure participating children fully benefit and maximization of available resources. The Department shall report proposed changes to the General Assembly by December 1, 2025.

~~d~~*e*.(i) Grants shall be distributed based on an allocation formula providing the state share of a $9,968 per pupil grant in the first year and a $9,968 per pupil grant in the second year for 100 percent of the unserved at-risk four-year-olds in each locality for a full-day program. Grants to half-day programs shall be funded based on the state share of $4,984 in the first year and $4,984 in the second year per unserved at-risk four-year-old in each locality.

For Planning District Eight localities, grants shall be distributed based on an allocation formula providing the state share of a $10,701 per pupil grant in the first year and a $10,701 per pupil grant in the second year for 100 percent of the unserved at-risk four-year-olds in each locality for a full-day program; grants to half-day programs for these localities shall be funded based on the state share of $5,351 in the first year and $5,351 in the second year per unserved at-risk four-year-old in each locality.

For the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, grants shall be distributed based on an allocation formula providing the state share of a $10,151 per pupil grant in the first year and a $10,151 per pupil grant in the second year for 100 percent of the unserved at-risk four-year-olds in each locality for a full-day program; grants to half-day programs for these localities shall be funded based on the state share of $5,076 in the first year and $5,076 in the second year per unserved at-risk four-year-old in each locality.

The number of unserved at-risk four-year-olds in each locality shall be based on the projected number of kindergarten students, updated once each biennium for the Governor's introduced biennial budget. The Department of Education shall biennially rebenchmark the Virginia Preschool Initiative per pupil amounts using a formula similar to the current formula supporting public K-12 education in Virginia.

For slots filled as of September 30 each year, grants shall be based on the state share of 100 percent of the per pupil amount for a full-day or half-day program. For slots filled between October 1 and December 31 each year, grants shall be based on the state share of the per pupil amount for a full-day or half-day program prorated for the portion of the school year each child is served. Following the Department of Education's fall student record collection each year, the Department shall project the number of additional slots that may be filled between October 1 and December 31 each year. The Department of Education is authorized to prorate state funding for slots filled between October 1 and December 31 each year if demand exceeds available appropriation.

(ii) VPI Expansion funds are provided to serve at-risk three-year-olds who are residents of Virginia and unserved by Head Start funding using criteria determined by the Department of Education and subject to available appropriation. Localities may apply to participate by May 15 each year and shall be selected on a competitive basis. Localities shall be required to: (i) demonstrate broad stakeholder support, (ii) track outcomes for participating children, (iii) demonstrate how they will maximize federal and state funds to preserve existing birth to five slots, including certifying that all local Head Start slots are filled, (iv) support inclusive practices of children with identified special needs, and (v) collaborate

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among the school division, local department of social services, programs accepting child care subsidy payments, and providers for Head Start, private child care, and early childhood special education and early intervention programs. Localities that meet the following characteristics shall be prioritized for participation: (i) communities with limited child care options; (ii) programs serving children in private, mixed-delivery settings; or (iii) communities that demonstrate full support of public and private providers. Grants shall be distributed based on an allocation formula providing the state share of the per pupil amounts as provided for four-year old slots.

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

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

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

2.a. Any locality that desires to participate in this grant program must submit a proposal through its chief administrator (county administrator or city manager) by May 15 of each year. The chief administrator, in conjunction with the school superintendent, shall identify a lead agency for this program within the locality. The lead agency shall be responsible for developing a local plan for the delivery of quality preschool services to at-risk children, which demonstrates the coordination of resources and the combination of funding streams in an effort to serve the greatest number of at-risk four-year-old children and, if applicable, to serve at-risk three-year-old children. The plan shall also include a mechanism for annually measuring and reporting unmet parental demand and preference, including establishing waitlists.

b. The proposal must demonstrate coordination with all parties necessary for the successful delivery of comprehensive services, including the schools, child care providers, local social services agency, Head Start, local health department, and other groups identified by the lead agency. The proposal must identify which entities were consulted and how the locality will ensure that federal funds are preserved and maximized including demonstrating compliance with Title I of the federal Elementary and Secondary Education Act to ensure that a Local Educational Agency receiving Title I funding coordinates with Head Start programs and other early learning programs receiving federal funds by developing Memorandums of Understanding with such agencies to coordinate services. The proposal must also demonstrate a plan for supporting inclusive practices for children with identified special needs.

c. A local match, based on the composite index of local ability-to-pay, shall be required. For purposes of meeting the local match, localities may use local expenditures for existing qualifying programs, however, at least fifty percent of the local match will be cash and no more than fifty percent will be in-kind. In-kind contributions are defined as cash outlays that are made by the locality that benefit the program but are not directly charged to the program. The value of fixed assets cannot be considered as an in-kind contribution. Philanthropic or other private funds may be contributed to the locality to be appropriated in their local budget and then utilized as local match. Localities shall also continue to pursue and coordinate other

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funding sources, including child care subsidies. Funds received through this program must be used to supplement, not supplant, any funds currently provided for programs within the locality. However, in the event a locality is unable to continue the previous level of support to programs for at-risk four-year-olds from Title I of the federal Elementary and Secondary Education Act (ESEA), the state and local funds provided in this grants program may be used to continue services to these Title I students. Such inability may occur due to adjustments to the allocation formula in the reauthorization of ESEA as the Every Student Succeeds Act of 2015, or due to a percentage reduction in a locality's Title I allocation in a particular year. Any locality so affected shall provide written evidence to the Superintendent of Public Instruction and request his approval to continue the services to Title I students.

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

Examples of these include:

a. "Wraparound Services" - methods for combining funds such as child care subsidy dollars administered by local social service agencies with dollars for quality preschool education programs.

b. "Wrap-out Services" - methods for using grant funds to purchase quality preschool services to at-risk four-year-old children through an existing child care setting by purchasing comprehensive services within a setting which currently provides quality preschool education.

c. "Expansion of Service" - methods for using grant funds to purchase slots within existing programs, such as Head Start, which provides comprehensive services to at-risk three- and four-year-old children.

4. Local plans must indicate the number of at-risk four-year-old children to be served, and the eligibility criteria for participation in this program shall be consistent with the economic and educational risk factors stated in the current program guidelines that are specific to: (i) family income at or below 200 percent of federal poverty guidelines, (ii) homelessness, (iii) student's parents or guardians are school dropouts, or (iv) children with disabilities or delays who are eligible for special education services under the Individuals with Disabilities Education Act, regardless of household income. Up to 15 percent of a division's slots may be filled based on locally established eligibility criteria so as to meet the unique needs of at-risk children in the community. If applicable, local plans must also indicate the number of at-risk three-year-old children to be served using the same eligibility criteria listed above. Localities that can demonstrate that more than 15 percent of slots are needed to meet the needs of at-risk children in their community may apply for a waiver from the Superintendent of Public Instruction to use a larger percentage of their slots. Localities must demonstrate that increasing eligibility will enable the maximization of federal funds and will not have a negative impact on access for other individuals currently being served.

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

b. The Department shall provide interested localities with information on models for service delivery, methods of coordinating funding streams, such as funds to match federal IV-A child care dollars, to maximize funding without supplanting existing sources of funding for the provision of services to at-risk three- and four-year-old children. A priority for technical assistance in the design of programs shall be given to localities where the majority of the at-risk three- and four-year-old population is currently unserved.

6. VPI Expansion funds are provided to support Virginia Preschool Initiative slots to serve children on wait lists. In each year, unused grants distributed as provided in for four-year old slots shall be redistributed based on guidelines established by the Department of Education subject to the appropriation available for this purpose. Such guidelines shall provide the criteria used to redistribute grants and provide for the notification of grants

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redistribution to programs no later than July 1 of each year. The Department shall conduct this process annually, and the redistribution shall not affect the allocation formula for the subsequent year.

7.a. VPI Expansion funds are provided to support an add-on grant per child for approximately 2,000 children to incentivize mixed-delivery of services through private providers. These add-on grants are intended to provide funds to minimize the difference between the amount of the per-pupil grant allocation and the per-pupil cost to serve a child in a community-based or private provider setting. Recipients of the add-on grants will be encouraged to support classrooms that support inclusive practices of children with special needs. Localities shall indicate in their plans submitted pursuant to this Item how many of their Virginia Preschool Initiative slots will be provided in community-based or private provider settings to receive the add-on grant. Community-based providers that are recipients of Virginia Preschool Initiative grants shall be exempted from all regulatory and statutory provisions related to teacher licensure requirements and qualifications when paid by public funds within the confines of the Virginia Preschool Initiative community-add-on partnerships and provided that the provider meets the expectations of the statewide measurement and improvement system.

b. The amount of these add-on grants for community-based providers shall be informed by the Department of Education's methodology to estimate the actual cost of providing high-quality early childhood education services in community-based settings. This is not intended as a mandate to increase the individual amounts of these add-on grants or to increase the state appropriation supporting these add-on grants. The amount of the add-on grant plus the Virginia Preschool Initiative per pupil amount shall not exceed prevailing child care market rates in a particular region and shall align with Child Care Subsidy Program rates. The Department of Education is authorized to prorate payments for these add-on grants so as not to exceed the available appropriation.

8. VPI Expansion funds are provided to support increased Virginia Preschool Initiative teacher to student ratios and class sizes, as follows:

a. Any classroom that exceeds benchmarks set by the Board of Education shall be staffed as follows: (i) one teacher shall be provided for any class of ten students or less; (ii) if the enrollment in any class exceeds ten students but does not exceed 20, a full-time teacher's aide shall be assigned to the class; and (iii) the maximum class size shall be 20 students.

b. All other classrooms shall be staffed as follows: (i) one teacher shall be employed for any class of nine students or less; (ii) if the enrollment in any class exceeds nine students but does not exceed 18, a full-time teacher's aide shall be assigned to the class; and (iii) the maximum class size shall be 18 students.

~~9.a. The Department of Education shall collect information from local Virginia Preschool Initiative programs and from providers participating in the Virginia Early Childhood Foundation's Mixed-Delivery Preschool Initiative as needed to compile a comprehensive report on the usage of state funds detailing, but not limited to the number of calculated slots and funding allocated to each local program or provider, and the number of such slots that have been filled.~~

~~b. Such comprehensive report shall be aggregated in a manner to identify: (i) funding and the number of slots used to serve a student in a public school and non-public school setting, (ii) the number of three-year olds served, (iii) waitlist slots requested, offered, and provided, (iv) the number of students served whose families are at or below 130 percent poverty, above 130 percent but at or below 200 percent of poverty, above 200 percent but at or below 350 percent of poverty, and above 350 percent of poverty.~~

~~c. Such comprehensive report shall describe the Virginia Preschool Initiative programs' progress towards the target inclusion rate, such that 10 percent of all children enrolled in each program are children with disabilities, defined as those with an Individualized Education Plan. Virginia Preschool Initiative programs shall report the share of children with Individualized Education Plans in inclusive classrooms annually starting with the 2020-2021 school year. If the program's current inclusion rate falls below 10 percent, the program shall provide reasons a 10 percent inclusion rate was not achieved in the given school year and what actions the program could implement to increase its rate of inclusion in the next year.~~

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~~d. The Department shall submit such comprehensive report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than December 31 each year.~~

~~e. The Department shall develop a plan for comprehensive public reporting on early childhood expenditures, outcomes, and program quality to replace this reporting requirement. Such plan and subsequent reports shall consider the components included in this reporting requirement, and include all publicly-funded providers as defined in Chapter 860 and Chapter 861, 2020 Acts of Assembly. The plan shall identify any fiscal, legislative, or regulatory barriers to implementing such public reporting, and shall consider integration with the Department's School Quality Profiles. The Department of Education shall submit an update on implementation of the plan to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1 each year. Once fully implemented, the Department of Education shall update and submit the report by December 1 of each year.~~

G. Notwithstanding 8VAC-20-780, or any other requirement in state law or regulation, the Superintendent of Public Instruction shall have the authority to alter staff-to-child ratios and group sizes for licensed child day centers and child day centers that participate in the Child Care Subsidy Program or Mixed Delivery Grant Program by increasing the number of children per staff by (1) one child for groups of children from birth to the age of eligibility to attend public school, and (2) two children for groups of children from the age of eligibility to attend public school through 12 years. Child day centers that take advantage of this flexibility must notify families in writing of the temporary increase in ratios and group size. This authority and any resultant waiver of state law or regulation shall expire June 30, 2026. The Superintendent of Public Instruction shall ensure that any action taken under this provision is permissible under federal requirements.

H. The Early Childhood Care and Education Commission shall review and recommend updates to the current copayment schedule, parental work requirements, and attendance expectations applicable to the Child Care Subsidy Program and Mixed Delivery Grant Program. In its review, the Commission shall consider: (i) leveraging state general funds to minimize the fiscal cliff as family income increases beyond program eligibility, (ii) use of reasonable family copayments to minimize the need for additional general funds. No later than December 1, 2024, the Commission shall submit its recommendations to the to the Governor and the Chairmen of the House Committee on Appropriations, the Senate Committee on Finance and Appropriations, the House Committee on Commerce and Energy, the Senate Committee on Commerce and Labor, the House Committee on Education, and the Senate Committee on Education and Health.

I. The Early Childhood Care and Education Commission shall review and recommend:

1. Adjustments to CCSP reimbursement rates for school age children and the appropriateness of continuing to provide services through CCSP to school age children. Such review must also include an update on the current structure of publicly-funded out-of-school time learning and extracurricular programs and should evaluate how to: (i) maximize public dollars while ensuring parent choice; (ii) quantify impact and return on investment including evaluating cost and cost factors in comparison to birth-to-five programming; (iii) strengthen quality of afterschool and summer options and whether a statewide measurement system is needed; (iv) identify out-of-school time deserts; and (v) develop innovative approaches to reduce deserts, better support working parents, and ensure sustainability. In conducting this review, the Commission shall consult representatives of school divisions, 21st Century Learning grantees, private childcare providers, Virginia Partnership for Out-of-School Time, local Parks and Recreation entities, the YMCA, Communities in Schools, Boys and Girls Clubs, and other non-profit organizations that provide out-of-school time programming.

2. Approaches to maximize state and federal resources by adjusting income eligibility requirements to reflect regional costs of living variations.

The Commission shall provide a report on its recommendations to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2025.

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J. The Employee Child Care Assistance Pilot Program (the Pilot Program) is established for the purpose of providing matching funds in order to incentivize employers to contribute to the child care costs of their employees. The Pilot Program shall be administered by the Virginia Early Childhood Foundation (the Foundation). The Foundation shall establish such guidelines and procedures as it deems necessary for the administration of the Pilot Program, subject to the following conditions and requirements:

1. To participate in the Pilot Program, an employer shall agree to make child care contributions to an eligible mixed delivery provider on behalf of the employee and shall provide any other information deemed necessary by the Foundation. The Foundation shall issue a state match directly to an eligible mixed delivery provider, or to a third-party administrator, that has entered into an agreement with a participating employer.

2. The Foundation shall, in consultation with the Early Childhood Care and Education Commission, establish guidelines for the pilot program. Such guidelines shall: (i) limit eligibility for state contributions for slots serving households with income at or below 85 percent of the state median income; (ii) establish a schedule of expected family copayments not to exceed 5 percent of household income for households with income at or below 300 percent of the federal poverty level and between 5 percent and 10 percent of family income for households with incomes above 300 percent of the federal poverty level and below 85 percent of the state median income; and (iii) provide that the state match does not exceed 40 percent of the cost of the slot remaining after application of family copayments.

3. Pilot Program funds shall be provided on a first-come, first-served basis. The Foundation is encouraged to prioritize participation of small businesses and serving a variety of employers and employees representing each Ready Region.

4. The Foundation may combine the Pilot Program with or incorporate the Pilot Program into a program or initiative related to the Mixed Delivery Program provided that such a combination allows for the maximization of funds used for the purposes in this item.

5. The Foundation shall provide a report to the General Assembly by September 1 each year on the effectiveness and impact of the program.

6. Any balances appropriated for the Pilot Program that are unexpended on June 30, 2025, June 30, 2026 and June 30, 2027, shall not revert to the general fund but shall be reappropriated for expenditure for the same purpose until June 30, 2028.

7. For the purpose of the Pilot Program, "Eligible mixed delivery provider" means a child day center or family day home that has been selected or identified to deliver mixed delivery services through a local agreement with the relevant regional entity established pursuant to subsection D of § 22.1-289.05 of the Code of Virginia, "Employer" means an employer with at least one employee who works in the Commonwealth in each of 20 or more calendar weeks in the current or preceding calendar year, and "Small business" means an employer with fewer than 50 employees.

I VETO ITEM 125.10.J. ON PAGE 1902 AND PAGE 1910 /s/ Glenn Youngkin 5-2-25

K. Out of this appropriation, $400,000 the first year from the general fund is provided for the Small Family Day Home Provider Incentive Pilot Program established in House Bill 1833. This is a one-time appropriation, and unexpended funds shall be carried forward into subsequent fiscal years and be used to support the pilot program until its expiration at the end of fiscal year 2029.

L. The Department of Education, in collaboration with the Department of Social Services, shall prepare and submit an annual report to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than December 15 each year. Such annual report shall include the following information:

1. All CCDF expenditures from the previous fiscal year, current grant balances and obligation and liquidation deadlines, as well as all anticipated spending for the current and two subsequent fiscal years. Identified spending should, at a minimum, be broken down by subsidies (mandated, discretionary and general fund), administrative costs, and quality efforts.

2. Certification from the Department that the maximum amount of federal funds were drawn down in the preceding fiscal year. Should the Department be unable to certify that maximum

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federal funds were drawn down, the Department shall identify strategies for Virginia to obtain the maximum amount of federal funds in the following fiscal year(s) as part of this plan.

3. The number of subsidies (mandate, discretionary and general fund) provided, by locality, the number of providers receiving subsidy funds, the overall number of child care providers, and the waitlist for services. This information should be provided the previous fiscal year, current fiscal year, and two subsequent fiscal years.

4. The recently completed CCDF annual report as required by the federal Office of Child Care.

5. For the Virginia Preschool Initiative and Mixed Delivery Programs, information detailing the use of state funds, including the number of calculated slots and funding allocated to each local program or provider, and the number of such slots that have been filled. Such information shall be aggregated in a manner to identify: (i) funding and the number of slots used to serve a student in a public school and non-public school setting; (ii) the number of three-year olds served; (iii) waitlist slots requested, offered, and provided; and (iv) the number of students served whose families are at or below 130 percent poverty, above 130 percent but at or below 200 percent of poverty, above 200 percent but at or below 350 percent of poverty, and above 350 percent of poverty.

6. For Virginia Preschool Initiative, a description of the programs' progress towards the target inclusion rate, such that 10 percent of all children enrolled in each program are children with disabilities, defined as those with an Individualized Education Plan. To compile this information, Virginia Preschool Initiative programs shall report the share of children with Individualized Education Plans in inclusive classrooms annually, and if the program's current inclusion rate falls below 10 percent, the program shall provide reasons a 10 percent inclusion rate was not achieved in the given school year and what actions the program could implement to increase its rate of inclusion in the next year.

7. Waitlist information for the CCSP, Mixed Delivery Program, and the Virginia Preschool Initiative, including an estimate of how many children on the waitlist could be served immediately if a slot became available based on eligibility and regional capacity.

126.	Federal Education Assistance Programs (17900).....			~~$1,123,329,873~~ *$1,479,997,315*	~~$1,123,329,873~~ *$1,479,997,315*
	Federal Assistance to Local Education Programs (17901).....	~~$1,123,329,873~~ *$1,479,997,315*	~~$1,123,329,873~~ *$1,479,997,315*		
	Fund Sources: Federal Trust.....	~~$1,123,329,873~~ *$1,479,997,315*	~~$1,123,329,873~~ *$1,479,997,315*		

Authority: PL 107-110, PL 108-446, PL 105-332, PL 105-220, PL 105-220, Federal Code.

a. The appropriation to support payments to school divisions from federal program grant funds is contained in this Item. Such federal program grant funds are based on the latest estimates available to the Department of Education and are provided here for informational purposes and are subject to change within each state fiscal year by the awarding federal agency. The Department of Education is directed to update the estimated federal program grant fund amounts contained in the table in this item on a periodic basis throughout the biennium.

b. The Department of Education will encourage localities to apply for Medicaid reimbursements for eligible special education expenditures which will help to increase available state and local funding for other educational activities and expenditures.

c. It is the intent of the General Assembly that in any fiscal year when revenues received or budgeted by the Commonwealth, applicable to any public education program, which were derived from a federally funded grant or program and subsequently realize a decrease in such funding levels, that the Commonwealth will not supplant any of the decreased federal funding received or budgeted with any general fund revenues from the Commonwealth.

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Assistance Program Awards (17900)				
School Nutrition - Breakfast, Lunch, Special Milk	~~$369,078,569~~ *$591,045,484*		~~$369,078,569~~ *$591,045,484*	
School Nutrition - Summer Food Service Program and After School At-risk Program	~~$14,250,000~~ *$131,711,985*		~~$14,250,000~~ *$131,711,985*	
Fresh Fruit and Vegetables	~~$5,274,822~~ *$4,366,271*		~~$5,274,822~~ *$4,366,271*	
~~Child Nutrition Programs~~ Team Nutrition *Grants*	~~$276,840~~ *$23,217*		~~$276,840~~ *$23,217*	
Special Education - IDEA - Part B Section 611	~~$299,665,859~~ *$302,820,655*		~~$299,665,859~~ *$302,820,655*	
Special Education - IDEA - Part B Section 619 - Preschool	~~$9,086,006~~ *$9,298,696*		~~$9,086,006~~ *$9,298,696*	
Migration Education - Basic Grant	~~$706,221~~ *$844,427*		~~$706,221~~ *$844,427*	
Migrant Education - Consortium Incentive Grants	~~$81,457~~ *$85,698*		~~$81,457~~ *$85,698*	
Title I - Neglected & Delinquent Children	~~$1,322,125~~ *$1,138,422*		~~$1,322,125~~ *$1,138,422*	
Title I Part A - Improving Basic Programs	~~$283,711,358~~ *$289,755,309*		~~$283,711,358~~ *$289,755,309*	
Title II Part A - Improving Teacher Quality	~~$38,829,605~~ *$39,130,373*		~~$38,829,605~~ *$39,130,373*	
Title III Part A - Language Acquisition State Grant	~~$14,410,456~~ *$14,646,871*		~~$14,410,456~~ *$14,646,871*	
Title IV Part A - Student Support and Academic Enrichment Grant	~~$19,221,969~~ *$20,953,032*		~~$19,221,969~~ *$20,953,032*	
Title IV Part B - 21st Century Community Learning Centers	~~$19,328,073~~ *$19,998,488*		~~$19,328,073~~ *$19,998,488*	
Title VI - Rural and Low-Income Schools	~~$2,334,440~~ *$2,337,621*		~~$2,334,440~~ *$2,337,621*	
Adult Literacy	~~$14,171,358~~ *$14,966,487*		~~$14,171,358~~ *$14,966,487*	
Vocational Education - Basic Grant	~~$26,483,927~~ *$26,697,851*		~~$26,483,927~~ *$26,697,851*	
~~School Climate Transformation~~	~~$749,701~~		~~$749,701~~	
~~Education for Homeless Children and Youth~~	~~$1,860,209~~		~~$1,860,209~~	
~~Empowering Educators through a Systems Approach~~	~~$1,524,000~~		~~$1,524,000~~	
~~Virginia School Mental Health Providers Recruitment and Retention~~	~~$962,878~~		~~$962,878~~	
School Improvement Grants	*$3,834,584*		*$3,834,584*	
Safe Drug-Free Schools	*$3,013,243*		*$3,013,243*	
Special Education Program Improvement	*$1,355,569*		*$1,355,569*	
Special Education - Personnel Development	*$184,381*		*$184,381*	
Schools and Roads - Grants to States	*$1,420,679*		*$1,420,679*	
Troops to Teachers Grant	*$262,905*		*$262,905*	
Chesapeake Bay Studies	*$13,807*		*$13,807*	
Payments in Lieu of Real Estate Taxes	*$91,260*		*$91,260*	
Total	~~**$1,123,329,873**~~ ***$1,479,997,315***		~~**$1,123,329,873**~~ ***$1,479,997,315***	

ITEM 126.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Total for Direct Aid to Public Education			~~$11,973,675,205~~ *$12,737,873,230*	~~$12,163,002,848~~ *$12,921,819,796*
	Fund Sources: General	~~$9,671,035,619~~ *$9,867,668,153*	~~$9,822,713,068~~ *$10,123,453,430*		
	Special	$1,020,000	$1,020,000		
	Commonwealth Transportation	$1,495,230	$1,495,230		
	Trust and Agency	~~$902,926,201~~ *$993,824,250*	~~$1,002,926,201~~ *$1,074,335,345*		
	Dedicated Special Revenue	~~$80,000,000~~ *$200,000,000*	~~$80,000,000~~ *$110,000,000*		
	Federal Trust	~~$1,317,198,155~~ *$1,673,865,597*	~~$1,254,848,349~~ *$1,611,515,791*		
	Grand Total for Department of Education, Central Office Operations			~~$12,263,600,887~~ *$13,055,663,293*	~~$12,449,181,820~~ *$13,243,296,057*
	General Fund Positions	184.17	~~184.17~~ *201.67*		
	Nongeneral Fund Positions	335.83	~~335.83~~ *362.33*		
	Position Level	520.00	~~520.00~~ *564.00*		
	Fund Sources: General	~~$9,764,017,539~~ *$9,988,514,454*	~~$9,913,594,988~~ *$10,234,876,501*		
	Special	$7,716,586	$7,716,586		
	Commonwealth Transportation	$1,796,906	$1,796,906		
	Trust and Agency	~~$915,650,603~~ *$1,006,548,652*	~~$1,015,650,603~~ *$1,087,059,747*		
	Dedicated Special Revenue	~~$80,000,000~~ *$200,000,000*	~~$80,000,000~~ *$110,000,000*		
	Federal Trust	~~$1,494,419,253~~ *$1,851,086,695*	~~$1,430,422,737~~ *$1,801,846,317*		
	§ 1-50. VIRGINIA SCHOOL FOR THE DEAF AND THE BLIND (218)				
127.	Instruction (19700)			$6,826,265	$6,826,265
	Classroom Instruction (19701)	$6,626,005	$6,626,005		
	Occupational-Vocational Instruction (19703)	$158,065	$158,065		
	Outreach and Community Assistance (19710)	$42,195	$42,195		
	Fund Sources: General	$5,838,198	$5,838,198		
	Special	$135,239	$135,239		
	Federal Trust	$852,828	$852,828		
	Authority: §§ 22.1-346 through 22.1-349, Code of Virginia.				
128.	Residential Support (19800)			$6,242,437	$6,242,437
	Food and Dietary Services (19801)	$540,638	$540,638		
	Medical and Clinical Services (19802)	$477,698	$477,698		
	Physical Plant Services (19803)	$2,540,144	$2,540,144		
	Residential Services (19804)	$2,307,938	$2,307,938		
	Transportation Services (19805)	$376,019	$376,019		
	Fund Sources: General	$6,099,724	$6,099,724		
	Special	$104,220	$104,220		
	Federal Trust	$38,493	$38,493		
	Authority: Title 22.1, Chapter 19, Code of Virginia.				
129.	Administrative and Support Services (19900)			$3,988,607	~~$3,437,434~~ *$3,512,434*
	General Management and Direction (19901)	$3,988,607	~~$3,437,434~~ *$3,512,434*		

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Fund Sources: General	$3,715,900	~~$3,164,727~~ *$3,239,727*		
Special	$219,237	$219,237		
Federal Trust	$53,470	$53,470		

Authority: Title 22.1, Chapter 19, Code of Virginia.

A. Notwithstanding any other provision of law, the Virginia School for the Deaf and *the* Blind is authorized to retain the income generated by the rental of facilities on the Staunton campus to outside entities.

B. Notwithstanding any other provision of law, the Board of Visitors of the Virginia School for the Deaf and the Blind may establish, in compliance with the provisions of Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1, Code of Virginia, a campus police department and employ campus police officers upon appointment as provided in § 23.1-812, Code of Virginia. Campus police officers appointed and employed by the Virginia School for the Deaf and the Blind shall be eligible for the Virginia Law Officers' Retirement System pursuant to Chapter 2.1 of Title 51.1 (§ 51.1-211 et seq.), Code of Virginia, and Line of Duty Act benefits pursuant to Chapter 4 of Title 9.1 (§ 9.1-400 et seq.), Code of Virginia.

Total for Virginia School for the Deaf and the Blind			**$17,057,309**	**~~$16,506,136~~ *$16,581,136***
General Fund Positions	179.00	179.00		
Position Level	179.00	179.00		
Fund Sources: General	$15,653,822	~~$15,102,649~~ *$15,177,649*		
Special	$458,696	$458,696		
Federal Trust	$944,791	$944,791		

§ 1-51. STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA (245)

130. Higher Education Student Financial Assistance (10800)			~~$201,688,512~~ *$275,788,512*	~~$203,188,512~~ *$265,288,512*
Scholarships (10810)	~~$201,498,512~~ *$275,598,512*	~~$202,998,512~~ *$265,098,512*		
Regional Financial Assistance for Education (10813)	$190,000	$190,000		
Fund Sources: General	~~$196,428,512~~ *$255,528,512*	~~$197,928,512~~ *$260,028,512*		
Special	~~$5,010,000~~ *$20,010,000*	$5,010,000		
Dedicated Special Revenue	$250,000	$250,000		

Authority: Title 23.1, Chapter 6, Code of Virginia, Regional Grants and Contracts: Discretionary Inclusion; Undergraduate and Graduate Assistance: Discretionary Inclusion

A. Those private institutions which participate in the programs provided by the appropriations in this Item shall, upon request by the State Council of Higher Education, submit financial and other information which the Council deems appropriate.

B. Out of the amounts for Scholarships the following sums shall be made available for:

1. Tuition Assistance Grant Program, ~~$102,325,881~~ *$104,125,881* the first year and ~~$102,325,881~~*$112,325,881* the second year from the general fund is designated for full-time undergraduate and graduate students.

2. a. Virginia Space Grant Consortium Scholarships, $795,000 the first year and $795,000 the second year from the general fund.

b. Out of the amounts included in this item, $100,000 the first year and $100,000 the second year from the general fund shall be provided to the Virginia Space Grant Consortium (VSGC) to provide scholarships for select high school students to participate in immersive ground and

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flight training through the solo experience as a step in addressing the critical pilot shortage. The VSGC shall work with Averett University and Liberty University to provide two sessions of its New Horizons solo academy giving 30 high school students the opportunity to accomplish their first solo flight.

c. Out of the amounts included in this item, $220,375 the first year and $220,375 the second year from the general fund shall be provided to the Virginia Space Grant Consortium to provide scholarships for high school students to participate in the Virginia Earth System Science Scholars program.

3. Out of this appropriation, $20,000 the first year and $20,000 the second year from the general fund is designated to provide grants of up to $5,000 per year for Virginia students who attend schools and colleges of optometry. Each student receiving a grant shall agree to set up practice in the Commonwealth for a period of not less than two years upon completion of instruction.

4. No amount, or part of an amount, listed for any program specified under paragraph B shall be expended for any other program in this appropriation.

C. Tuition Assistance Grant Program

1. Payments to students out of this appropriation shall not exceed $5,125 the first year and $5,250 the second year for qualified undergraduate students and $5,000 the first year and $5,000 the second year for qualified graduate and medical students attending not-for-profit, independent institutions in accordance with § 23.1-628 through § 23.1-635, Code of Virginia. However, for those undergraduate students pursuing a career in teaching, payments shall be increased by an additional $500 in their senior year.

2. The private institutions which participate in this program shall, during the spring semester previous to the commencement of a new academic year or as soon as a student is admitted for that year, whichever is later, notify their enrolled and newly admitted Virginia students about the availability of tuition assistance awards under the program. The information provided to students and their parents must include information about the eligibility requirements, the application procedures, and the fact that the amount of the award is an estimate and is not guaranteed. The number of students applying for participation and the funds appropriated for the program determine the amount of the award. Conditions for reduction of award amount and award eligibility are described in this Item and in the regulations issued by the State Council of Higher Education. The institutions shall certify to the council that such notification has been completed and shall indicate the method by which it was carried out. Upon consultation with and approval from SCHEV, private institutions which participate in this program may develop and distribute the Tuition Assistance Grant application form for electronic administration.

3. Institutions participating in this program must submit annually to the council copies of audited financial statements.

4. To be eligible for a fall or full-year award out of this appropriation, a student's application must have been received by a participating independent college or by the State Council of Higher Education by September 15. Returning students who received the award in the previous year will be prioritized. Applications for a fall or full-year award received after September 15 but no later than October 1 will be held for consideration if funds are available and returning student awards have been made. Applications for spring semester only awards must be received by December 1 and will be considered only if funds remain available.

5. No limitations shall be placed on the award of Tuition Assistance Grants other than those set forth herein or in the Code of Virginia.

6. All eligible institutions not previously approved by the State Council of Higher Education to participate in the Tuition Assistance Grant Program shall have received accreditation by a nationally recognized regional accrediting agency, prior to participation in the program or by the Commission on Osteopathic College Accreditation of the American Osteopathic Association in the case of freestanding institutions of higher education that offer the Doctor of Osteopathic Medicine as the sole degree program.

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7. Payments to undergraduate students shall be greater than payments to graduate and medical students and shall be based on a differential established by the State Council of Higher Education for Virginia.

8. No awards shall be provided to graduate students except in health-related professional programs to include allied health, nursing, pharmacy, medicine, and osteopathic medicine.

9. Notwithstanding any other provisions of law, Eastern Virginia Medical School is not eligible to participate in the Tuition Assistance Grant Program.

10. Any general fund appropriation in the Tuition Assistance Grant Program which is unexpended at the close of business June 30 of any fiscal year shall be reappropriated for use in the program in the following year.

11. a. New incoming students enrolled exclusively in an online education or distance learning program are eligible to receive awards up to $2,560 the first year and $2,625 the second year from the Tuition Assistance Grant Program. However, existing students enrolled exclusively in online education or distance learning programs as of the 2019-20 academic year shall remain eligible to receive awards of up to the 2019-2020 award amounts for as long as the student maintains enrollment in each successive fiscal year, unless granted an exception for cause by SCHEV, until current degree completion or current degree program eligibility limits have otherwise expired, whichever comes first.

b. It is the intent of the General Assembly that awards under this paragraph related to new incoming students shall be calculated and granted at 50 percent of the undergraduate residential level.

12. All students eligible and receiving an award under this program enrolled into a TAG-eligible private not-for-profit Virginia Historically Black College and University (HBCU) accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) shall receive an additional award of up to $7,500 the first year and up to $7,500 the second year.

13. Out of this appropriation, $1,800,000 the first year from the general fund is designated for an additional award up to $2,000 for all students eligible and receiving an award under this program and enrolled into a TAG-eligible private not-for-profit Virginia institution, designated by the U.S. Department of Education as a Hispanic-Serving Institution (HSI), and accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).

D.1. Regional Grants and Contracts: Out of this appropriation, $170,000 the first year and $170,000 the second year from the general fund is designated to support Virginia's participation in the Southern Regional Education Board initiative to increase the number of minority doctoral graduates.

2. The amounts listed in paragraph D.1. shall be expended in accordance with the agreements between the Commonwealth of Virginia and the Southern Regional Education Board.

E.1. Out of this appropriation, ~~$9,680,000~~ *$11,980,000* the first year and ~~$9,680,000~~ *$16,780,000* the second year from the general fund is designated to support the Virginia Military Survivors and Dependents program, § 23.1-608, Code of Virginia, to provide up to a $2,200 annual stipend to offset the costs of room, board, books and supplies for qualified survivors and dependents of military service members.

2. The amount of the stipend is an estimate depending on the number of students eligible under § 23.1-608, Code of Virginia. Changes that increase or decrease the grant amount shall be determined by the State Council of Higher Education for Virginia.

3. The Director, State Council of Higher Education for Virginia, shall allocate these funds to public institutions of higher education on behalf of students qualifying under this provision.

4. Each institution of higher education shall report the number of recipients for this program to the State Council of Higher Education for Virginia by April 1 of each year. The State Council of Higher Education for Virginia shall report this information to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by ~~May 15~~ *June*

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30 of each year.

5. The Department of Veterans Services shall consult with the State Council of Higher Education for Virginia prior to the dissemination of any information related to the financial benefits provided under this program.

F.1. Out of the appropriation for this Item, $3,085,256 the first year and $3,285,256 the second year from the general fund is designated to support the Two-Year College Transfer Grant Program.

2. The State Council of Higher Education for Virginia shall disburse these funds for full-time students consistent with § 23.1-623 through § 23.1-627, Code of Virginia. Beginning with students who are entering a senior institution as a two-year transfer student for the first time in the fall 2013 academic year, and who otherwise meet the eligibility criteria of § 23.1-624, Code of Virginia, the maximum EFC is raised to $12,000 or its equivalent.

3. The actual amount of the award depends on the number of students eligible under § 23.1-623 through § 23.1-627, Code of Virginia. Changes that decrease the grant amount shall be determined by the State Council of Higher Education for Virginia.

4. Out of this appropriation, up to $600,000 the first year and $600,000 the second year from the general fund is designated to support students eligible for the first time under § 23.1-623 through § 23.1-627, Code of Virginia. The State Council of Higher Education for Virginia shall transfer these funds to Norfolk State University, Old Dominion University, Radford University, University of Virginia's College at Wise, Virginia Commonwealth University and Virginia State University so that each institution can provide for grants of $1,000 from these funds for these students.

a. Each institution shall award grants from these funds for one year and students shall not receive subsequent awards until they have satisfied the requirements to move to the next class level. Each recipient may receive a maximum of one year of support per class level for a maximum total of two years of support.

b. Any balances remaining from the appropriation identified in paragraph F.4. shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and made available to the State Council of Higher Education for Virginia to support the purposes specified in paragraphs F.1. and F.4. in the subsequent fiscal year.

c. It is anticipated that the institutions shift by a total of 600 the number of students each enrolls from first time freshman to transfers eligible under § 23.1-623 through § 23.1-627, Code of Virginia. Institutional goals under this fund are estimated as follows:

Institution	Transfer Target
Norfolk State University	80
Old Dominion University	140
Radford University	140
University of Virginia's College at Wise	20
Virginia Commonwealth University	140
Virginia State University	80

d. The State Council of Higher Education for Virginia may allocate these funds among the institutions in Paragraph F.4.c. as necessary to meet the actual number of transfers each institution generates for students eligible for the first time under § 23.1-623 through § 23.1-627, Code of Virginia. Each institution shall report its progress toward the targets in Paragraph F.4.c. to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by May 1 each year.

e. The report shall include a detailed accounting of the use of the funds provided and a plan for achieving the goals identified in this item.

G. 1. Out of this appropriation, $22,450,000 the first year and $23,750,000 the second year from the general fund *and $15,000,000 the first year from nongeneral funds* is designated for the New Economy Workforce Credential Grant Program.

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2. The State Council of Higher Education for Virginia shall develop guidelines for the program, collect data, evaluate and approve grant funds for allocation to eligible institutions.

3. Local community colleges shall not start new workforce programs that would duplicate existing high school and adult Career and Technical Education (CTE) programs for high-demand occupations in order to receive funding under this Grant.

4. No more than 25 percent of Grant funds may be used in one occupational field.

H. Out of this appropriation, $5,000,000 the first year and $5,000,000 the second year from nongeneral funds is designated for scholarships for eligible students participating in the Gaining Early Awareness and Readiness for Undergraduate Program (GearUp).

I.1. Out of this appropriation $37,500,000 the first year and $37,500,000 the second year from the general fund is provided to enhance efforts to recruit and retain students eligible for Pell grant assistance at public institutions of higher education.

2. The State Council of Higher Education for Virginia shall work with institutions with below average enrollment of Pell-eligible students to develop individualized recruitment and retention plans targeting low-income students.

3. Any Virginia public institution of higher education may apply for funding through a competitive grant process. Applications must demonstrate efforts to restructure outreach, recruitment, admission, and retention procedures. Funds are intended to support initiatives that attract, enroll, and retain low-income students. Institutions that request funds for need-based financial aid must specify that aid may be used to support internship opportunities. Priority shall be given to institutions with below-average Pell enrollment. Any unexpended balance in this item at the close of business on June 30 each year shall not revert to the general fund, but shall be carried forward and reappropriated. Out of the amount in paragraph I.1. of this item, the Council may use up to one percent of the funds for the administration and evaluation of the activities described in this item.

4. Any institutional grant under this initiative shall be subject to performance outcomes established in paragraph I.5. Funds shall be ongoing to ensure successful enrollment and completion for students. Initiatives demonstrating successful outcomes may be prioritized in future base funding requests.

5. The Council shall establish eligibility criteria, evaluate proposals, determine award sizes, establish performance outcomes and monitor performance in consultation with staff from the House Appropriations and the Senate Finance and Appropriations Committees, the Office of the Secretary of Education, and the Department of Planning and Budget. The Council shall notify the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee 30 days prior to releasing funds to institutions.

6. The Council shall report periodically on activities related to this initiative and make recommendations for any potential future support to institutions that successfully meet their defined outcomes. Additionally, by ~~October 1~~ *November 1* of each year within the performance period of any awarded institutional grant, the Council shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Secretary of Education on the outcomes and effectiveness of the awarded funds. Such report shall include, at minimum, data on recruitment, retention, and graduation of Pell-eligible students at institutions receiving funding and performance against the outcomes established in paragraph I.5.

J. 1. As a condition of this appropriation, ~~$20,000,000 each year~~ *$75,000,000 the first year and $65,000,000 the second year* from the general fund is designated to offset the impact of programs under Title 23.1, Chapter 6, Code of Virginia.

2. The State Council of Education for Virginia shall work with public higher education institutions to determine the appropriate allocation of these funds.

3. Any unexpended balance in this item at the close of business on June 30 each year shall not revert to the general fund, but shall be carried forward and reappropriated to support the purposes specified in paragraphs J.1. and J.4. in the subsequent fiscal year.

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	4. By November 1 of each year, the Council shall report on the status of programs under Title 23.1, Chapter 6, Code of Virginia.				
131.	Financial Assistance For Educational and General Services (11000)			$104,410	$104,410
	Sponsored Programs (11004)	$4,410	$4,410		
	Outstanding Faculty Recognition (11009)	$100,000	$100,000		
	Fund Sources: Special	$104,410	$104,410		
	Authority: Outstanding Faculty Recognition Program: Discretionary Inclusion.				
	The State Council of Higher Education for Virginia shall annually provide a grant to faculty members selected to be honored under the Outstanding Faculty Recognition program from such private funds as may be designated for this purpose. The faculty members shall be selected from public and private institutions of higher education in Virginia, but recipients of Outstanding Faculty Recognition Awards shall not be eligible for the awards in subsequent years.				
132.	Higher Education Academic, Fiscal, and Facility Planning and Coordination (11100)			~~$34,546,518~~ *$35,046,518*	~~$37,371,518~~ *$31,677,467*
	Higher Education Coordination and Review (11104)	$20,764,493	~~$23,264,493~~ *$17,570,442*		
	Regulation of Private and Out-of-State Institutions (11105)	$1,486,763	$1,486,763		
	Institutional Program Support (11107)	~~$12,295,262~~ *$12,795,262*	$12,620,262		
	Fund Sources: General	~~$32,904,189~~ *$33,404,189*	~~$35,729,189~~ *$30,035,138*		
	Special	$1,452,329	$1,452,329		
	Trust and Agency	$190,000	$190,000		
	Authority: § 23.1-200, § 23.1-203, § 23.1-1107, § 23.1-629, § 23.1-903.4.				
	A. 1. It is the intent of the General Assembly to provide general fund support to contract at a level equivalent to the Tuition Assistance Grant undergraduate award with Mary Baldwin University for Virginia women resident students to participate in the Virginia Women's Institute for Leadership at Mary Baldwin University.				
	2. The amounts included in this Item are $372,899 the first year and $372,899 the second year from the general fund for the programmatic and financial administration of this program.				
	3. General fund appropriations provided under this contract may include financial incentive for the participating students at Mary Baldwin University in the Virginia Women's Institute for Leadership Program and funds to support programmatic administration. Students receiving this financial incentive will not be eligible for Tuition Assistance Grants.				
	4. By October 1 of each year, Mary Baldwin University shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Director, State Council of Higher Education for Virginia, and the Director, Department of Planning and Budget, on the number of students participating in the Virginia Women's Leadership Program, the number of in-state and out-of-state students receiving awards, the amount of the awards, the number of students graduating, and the number of students receiving commissions in the military.				
	B. In discharging the responsibilities specified in § 23.1-219, Code of Virginia, the State Council of Higher Education for Virginia shall provide exemptions to individual proprietorships, associations, co-partnerships or corporations which are now or in the future will be using the words "college" or "university" in their training programs solely for their employees or customers, which do not offer degree-granting programs, and whose name includes the word "college" or "university" in a context from which it clearly				

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appears that such entity is not an educational institution.

C. Out of the appropriation for Higher Education Coordination and Review, $11,287,363 the first year and $11,612,363 the second year from the general fund is provided for continuation of the Virtual Library of Virginia. Funding for the Virtual Library of Virginia is provided for the benefit of students and faculty at the Commonwealth's public institutions of higher education and participating nonprofit, independent private colleges and universities. Out of this amount, $461,946 the first year and $461,946 the second year is earmarked to allow the participation of nonprofit, independent private colleges and universities.

D. Out of this appropriation, $950,366 and ten positions the first year and $950,366 and ten positions the second year from nongeneral funds is provided to support higher education coordination and review services, including expenses incurred in the regulation and oversight of the private and out-of-state postsecondary institutions and proprietary schools operating in Virginia. These funds will be generated through fee schedules developed pursuant to § 23.1-224, Code of Virginia. Out of this amount, $190,000 the first year and $190,000 the second year from nongeneral funds is designated to administration of the Student Tuition Guarantee Fund.

E. The State Council of Higher Education for Virginia, in consultation with the House Appropriations Committee, the Senate Finance and Appropriations Committee, the Department of General Services, and the Department of Planning and Budget, shall develop a six-year capital outlay plan for higher education institutions including affiliated entities. As a part of this plan SCHEV shall consider (i) current funding mechanisms for capital projects and improvements at the Commonwealth's institutions of higher education, including general obligation bonds and other viable funding methods; (ii) mechanisms to assist private institutions of higher education in the Commonwealth with their capital needs.

F. The Executive Director, State Council of Higher Education for Virginia, may appoint an advisory committee to assist the council with technology-enriched learning initiatives. The advisory committee may assist the council in (i) developing innovative, cost-effective, technology-enriched teaching and learning initiatives, including distance and distributed learning initiatives; (ii) improving cooperation among and between the public and private institutions of higher education in the Commonwealth; (iii) improving efficiency and expand the availability of technology-enriched courses; and (iv) facilitating the sharing of research and experience to improve student learning.

G. In addition to the reviews conducted under § 23.1-206 and § 23.1-306, Code of Virginia, the State Council of Higher Education shall evaluate the progress of individual initiatives funded in this act as part of the incentive funding provided to colleges and universities with regard to improvements in retention, graduation, degree production and other criteria the Council deems appropriate.

H. Out of this appropriation, $330,687 the first year and ~~$330,687~~ *$835,047* the second year from the general fund is designated to support research and analysis and the administration of a multi-agency longitudinal data system to improve consumer information and policy recommendations.

~~I.1. As a condition of this appropriation, $12,000,000 the first year and $14,500,000 the second year from the general fund is designated for the Innovative Internship Fund and Program, § 23.1-903.4, Code of Virginia. The funding is designed to expand paid or credit-bearing student internship and other work-based learning opportunities in collaboration with Virginia employers. In furtherance of the goal of providing all postsecondary students in Virginia with one or more paid internships during their undergraduate course of study, funding shall be used for: (a) institutional grants to enhance engagement with employers related to internship placement and to assist students in securing and successfully completing internships, including students that traditionally do not participate in such programs; (b) matching grants to small and midsize Virginia-based employers to enable increased paid internship participation by small and midsize businesses and nonprofit organizations; (c) promotional expenditures to encourage expansion of internship programs and participation by business and nonprofit organizations in Virginia and to increase recruitment and retention of students; and (d) administrative and other expenditures to accomplish the purposes of the Innovative Internship Fund and Program and this paragraph.~~

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I.1. As a condition of this appropriation, $12,000,000 the first year and $8,500,000 the second year from the general fund is designated for the Innovative Internship Fund and Program, § 23.1-903.4, Code of Virginia. The funding is designed to expand paid or credit-bearing student internship and other work-based learning opportunities in collaboration with Virginia employers. In furtherance of the goal of providing all postsecondary students in Virginia with one or more paid internships during their undergraduate course of study, funding shall be used for: (a) institutional grants to enhance engagement with employers related to internship placement and to assist students in securing and successfully completing internships, including students that traditionally do not participate in such programs; (b) administrative and other expenditures to accomplish the purposes of the Innovative Internship Fund and Program and this paragraph.The Council shall establish a Memorandum of Understanding (MOU) with the Virginia Economic Development Partnership (VEDP) to transition the employer-focused outreach and engagement components of the Program to those entities in accordance with Item 113.T. The Council and VEDP shall consult with the partners identified in Item 113.T in the development of the MOU to facilitate their continuing collaboration. The MOU shall be completed and reported to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than June 30, 2025.

2. Institutional grants shall be awarded to support initiatives that establish or enhance an on-campus internship center or similar one-stop service to assist students and employers with intern placement and that are expected to produce a demonstrated increase in student participation in paid internship programs and work-based learning opportunities. Institutions shall be eligible for grants upon demonstrating that it is a key priority of the institution and its senior academic and administrative leadership to have a coordinated plan to expand internship participation by students, to incorporate internships in curricula, to report completion of internships and courses that include internships on student transcripts, and to remove administrative and financial barriers to internship opportunities. The plan shall include: (i) an implementation timeline, (ii) the allocation of resources and funding strategies to support internships, (iii) the assignment of dedicated personnel to facilitate placement of students in internships and engage with employers, (iv) the identification of how the institution will support students that are less likely to participate in internships and work-based learning opportunities, to be employed in an occupation related to their major upon completion of their certificate or degree, or to earn at or above the average earnings of graduates in their program major; (v) opportunities to align existing student employment opportunities on campus to include best practices of an internship program; and (vi) metrics for measuring, reporting, and regularly reviewing progress on the plan. Institutions that have not developed a plan may be eligible for planning grants as long as the planning grants are led by senior academic and administrative leadership. In determining the amount of grant awards, the Council shall consider the number of undergraduate students enrolled at the institution, the number of students at the institution who participate in internships, and the numerical and percentage increase in internship participation expected to result from the initiative. In addition, the Council shall increase grant awards based upon the following factors: (i) an institution's emphasis on internships that are part of pathways to full-time employment with Virginia-based employers; (ii) the institutional initiative's alignment with specific state or regional programs or partnerships related to economic growth and diversification or workforce development in Virginia; (iii) an institution's strength of commitment as reflected in its reallocation of institutional funds or solicitation of philanthropic support or business partnerships to support the initiative. This funding is intended to be recurring for institutions that demonstrate substantial yearly progress in achieving the objectives of the initiative as measured by the number of internships successfully completed by students.

3. In administering the program authorized in this paragraph, the Council shall (i) engage stakeholders from business and industry, secondary and higher education, economic development, and state agencies and entities that are successfully engaging employers or successfully operating internship programs; (ii) cooperate with the Virginia Economic Development Partnership and identified partners in carrying out the authority's responsibilities under Item 113.T for employer-focused activities that expand availability of and access to paid and credit-bearing internships and corresponding pathways leading to full-time Virginia-based employment; (iii) explore strategies in Virginia and elsewhere on successful institutional, regional, statewide or sector-based internship programs; (iv) gather and report consistent data across institutions regarding current institutional

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internship practices, scale, and outcomes; (v) develop internship readiness educational resources, delivery methods, and outreach and awareness activities for students and institutional career development personnel; and (vi) pursue shared services or other efficiency initiatives, including technological solutions. The Council and VEDP, in consultation with partners, shall establish goals and metrics for internships and work-based learning opportunities for employers, students, and institutions that support an increased number of students and employers participating in internships and work-based learning opportunities while ensuring the quality of the program. Institutions shall set goals and progress measures aligned with the metrics established by the Council and VEDP related to increasing the number of students participating in internships and work-based learning opportunities and shall develop a plan to ensure that existing programs and any new programs developed include internships or a work-based learning opportunity where appropriate. Institutions shall report to the Council annually regarding progress on these goals. Beginning in fiscal year 2027, the Council and VEDP shall submit an annual report to the Governor and the Chairs of the House Committee on Appropriations and Senate Committee on Finance and Appropriations on progress of meeting the goals and metrics, including institutional progress, and expenses incurred for the activities outlined in this item by November 1 of each year.

~~2. Institutional grants shall be awarded to support initiatives that are expected to produce a demonstrated increase in student participation in paid internship programs and work-based learning opportunities. Institutions shall be eligible for grants upon demonstrating that it is a key priority of the institution and its senior academic and administrative leadership to have a coordinated plan to expand internship participation by students, to incorporate internships in curricula, to report completion of internships and courses that include internships on student transcripts, and to remove administrative and financial barriers to internship opportunities. The plan shall include: (i) an implementation timeline, (ii) the allocation of resources and funding strategies to support internships, (iii) the assignment of dedicated personnel to facilitate placement of students in internships and engage with employers, (iv) the identification of how the institution will support students that are less likely to participate in internships and work-based learning opportunities, to be employed in an occupation related to their major upon completion of their certificate or degree, or to earn at or above the average earnings of graduates in their program major; (v) opportunities to align existing student employment opportunities on campus to include best practices of an internship program; and (vi) metrics for measuring, reporting, and regularly reviewing progress on the plan. Institutions that have not developed a plan may be eligible for planning grants as long as the planning grants are led by senior academic and administrative leadership. In determining the amount of grant awards, the Council shall consider the number of undergraduate students enrolled at the institution, the number of students at the institution who participate in internships, and the numerical and percentage increase in internship participation expected to result from the initiative. In addition, the Council shall increase grant awards based upon the following factors: (i) an institution's emphasis on internships that are part of pathways to full-time employment with Virginia-based employers; (ii) the institutional initiative's alignment with specific state or regional programs or partnerships related to economic growth and diversification or workforce development in Virginia; (iii) an institution's strength of commitment as reflected in its reallocation of institutional funds or solicitation of philanthropic support or business partnerships to support the initiative. This funding is intended to be recurring for institutions that demonstrate substantial yearly progress in achieving the objectives of the initiative as measured by the number of internships successfully completed by students.~~

~~3. Matching grants may be provided to small and midsize Virginia-based employers that agree to provide paid internships according to criteria established by the Council in consultation with the Virginia Department of Workforce Development and Advancement and the Virginia Talent and Opportunity Partnership. Such criteria shall include: (i) a limitation of eligibility to for-profit business and nonprofit organizations, excluding institutions of higher education, with physical operations and facilities in Virginia and 150 or fewer Virginia-based employees; (ii) certification of employer eligibility by the Council following a training program of reasonable duration and agreement by the employer to reasonable mentoring and reporting obligations; (iii) a limitation of grant awards to reimbursement, not to exceed $7,500 per internship, for a maximum of one-half of wages, including FICA, and workplace subsidies, including transportation, housing, and other internship-related expenses, paid to or for the benefit of a student participating in a qualifying internship; (iv) the minimum and~~

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~~maximum number of hours required to ensure the student gains valuable work experience; (v) a limitation of the qualifying number of internships per employer; and (vi) the maximum timeframe for employers to be eligible to receive the grants. Prioritization of grant awards may consider employers of 50 or fewer employees. Funding may also be used to support staffing agency services related to intern recruitment for employers with 250 or fewer Virginia-based employees who are not otherwise eligible for matching grants under this paragraph.~~

~~4. The Council, through the Virginia Talent and Opportunity Partnership, and in consultation with the Virginia Department of Workforce Development and Advancement and other stakeholders, shall develop and execute a promotional plan to raise awareness and foster expanded internship programs and participation by business and nonprofit organizations. The plan shall highlight the Commonwealth's goal to provide paid internship opportunities to all postsecondary students and shall provide for public recognition of employers based on their level of participation in internship programs. The plan shall include continued development of regional collaboratives among employers, educational organizations, and other regional stakeholders for the purpose of expanding internships in alignment with regional growth and diversification strategies and state and regional economic and workforce development initiatives. The plan also shall address the objective of encouraging secondary students in Virginia and outside Virginia to attend Virginia-based institutions of higher education and remain in the Commonwealth after completion through paid internships and pathways to full-time Virginia-based employment.~~

~~5. In administering the program authorized in this paragraph, the Council shall (i) engage stakeholders from business and industry, secondary and higher education, economic development, and state agencies and entities that are successfully engaging employers or successfully operating internship programs; (ii) explore strategies in Virginia and elsewhere on successful institutional, regional, statewide or sector-based internship programs; (iii) gather data on current institutional internship practices, scale, and outcomes; (iv) develop internship readiness educational resources, delivery methods, and outreach and awareness activities for employer partners, students, and institutional career development personnel; (v) pursue shared services or other efficiency initiatives, including technological solutions; and (vi) create a process to prioritize industry sectors and track key measures of performance in collaboration with the Virginia Office of Education Economics.~~

J. In addition to the exceptions pursuant to § 2.2-3815, the provisions of the section shall not be construed to prevent the release of a social security number to the U.S. Census, U.S. Education Department, or other agency of the federal government, by the State Council of Higher Education for the purposes of data-matching to improve knowledge of the outcomes of education programs of the Commonwealth, including, but not limited, to earnings and education-related debt. In addition, the office of the workforce development advisor shall also have access to wage records collected by the Council.

K. The State Council of Higher Education for Virginia shall collect annual dues on behalf of Virginia Sea Grant to support its operational costs. The Council shall make payments out of nongeneral funds in this appropriation to Virginia Sea Grant, and shall enter into a memorandum of understanding with Virginia Sea Grant to define fiscal responsibilities and establish reimbursement rates and processes for the delivery of services.

L.1. The State Council of Higher Education for Virginia, in consultation with staff from the House Appropriations and Senate Finance and Appropriations Committee, Department of Planning and Budget, Secretary of Finance and Secretary of Education, as well as representatives of public higher education institutions, shall review financial aid awarding practices and tuition discounting strategies.

2. The Council shall review current state financial aid awarding policies and make recommendations to: (1) appropriately prioritize and address affordability for low- and middle-income students; (2) increase program efficiency and effectiveness in meeting state goals that align with The Virginia Plan; and (3) simplify communication and improve student understanding of eligibility criteria. The review shall also: (1) assess financial aid by income level and the utilization and reporting of tuition revenue used for financial aid and unfunded scholarships; and (2) consider the pros and cons of authorizing remittance of

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tuition and fees for merit scholarships for students of high academic achievement.

M.1. The State Council of Higher Education for Virginia shall develop a plan for implementing a statewide survey on institutional expenditures by program and academic discipline at Virginia's public institutions to determine the effectiveness of spending related to the attainment of state and institutional goals and inform strategic decision-making.

2. The Council may review existing reporting capacities and other state examples of cost analysis by program and academic discipline in higher education to: (1) determine the Council's current capacity to conduct the survey; (2) determine any additional staff and financial support necessary for conducting such a survey; (3) determine the potential for long-range cost containments; and (4) detail a plan for survey implementation.

N. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund is designated for the Guidance to Postsecondary Success program. The program coordinates statewide efforts to increase college access and student success.

O. The State Council of Higher Education for Virginia, in fulfilling the requirements under § 23.1-1304, Code of Virginia, may use online training modules that expand training beyond the initial orientation for Boards of Visitor members.

P. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is provided to support a mental health workforce pilot at institutions of higher education in consultation with the Virginia Health Care Foundation. The pilot shall support the costs of required supervision for graduates of Masters of Social Work and Masters of Counseling programs seeking licensure. Eligible institutions include public institutions of higher education operating in Virginia. The State Council of Higher Education for Virginia shall report the outcomes of the pilot annually to the Governor and General Assembly.

Q.1. As part of the biennial six-year financial plan required in the provisions of § 23.1-306, Code of Virginia, each public four-year institution of higher education, Richard Bland College, and the Virginia Community College System shall include in its six-year plan and amendments to its plan submitted to the State Council of Higher Education for Virginia (SCHEV) an official commitment and set of policies and practices to support freedom of expression and inquiry, free speech, academic freedom, and diversity of thought.

2. Each public four-year institution of higher education, Richard Bland College, and the Virginia Community College System shall also submit an annual report on freedom of expression and inquiry, free speech, academic freedom, and diversity of thought to the Secretary of Education, including related incidents and statistics from the prior academic year.

R. As a condition of this appropriation, $174,000 and one position the first year and $174,000 and one position the second year from the general fund is designated for the establishment of a student loan ombudsman to provide timely assistance to student borrowers of any student education loan in the Commonwealth. The ombudsman will also be responsible for establishing and maintaining an online student loan borrower education course, which would cover key loan terms, documentation requirements, monthly payment obligations, income-based repayment options, loan forgiveness, and disclosure requirements.

S. The Council shall (i) survey each public institution of higher education to determine how each such institution is addressing on-campus food insecurity, including specific methods, programs, sources of funding, expenditures, communications strategies, and staffing; (ii) Compile and make available to each such institution a guidance document containing best practices for leveraging all available resources and opportunities, including public benefits programs and donation programs, to ensure that students do not face food insecurity on campus; and (iii) report its findings and any recommendations to the Chairs of the House Committee on Appropriations, the House Committee on Education, the Senate Committee on Education and Health, and the Senate Committee on Finance and Appropriations no later than November 1, 2024.

T. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund is designated to establish and maintain a fund for excellence and innovation. The fund is designed to stimulate collaboration among public school divisions, community colleges, and universities to create and expand affordable student pathways and to pursue shared services and other efficiency initiatives at colleges and universities that lead to

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	measurable cost reductions. Grants will be awarded on a competitive basis, with eligibility criteria determined by the State Council of Higher Education for Virginia.				
	U. Out of this appropriation, $500,000 the first year from the general fund is provided to support a Hunger-Free Campus Food Pantry Grant Program. Funds shall not revert to the general fund at the end of fiscal year and shall be reappropriated for expenditure for the same purpose in the next fiscal year.				
133.	Higher Education Federal Programs Coordination (11200)			$2,440,426	$2,440,426
	Higher Education Federal Programs Coordination (11201)	$2,440,426	$2,440,426		
	Fund Sources: Federal Trust	$2,440,426	$2,440,426		
	Authority: Title 23.1, Chapter 2, Code of Virginia.				
	Out of this appropriation, $2,440,426 the first year and $2,440,426 the second year from nongeneral funds is designated for grants to improve teacher quality (No Child Left Behind Act grant).				
134.	Financial Assistance for Public Education (Categorical) (17100)			$3,000,000	$3,000,000
	Early Awareness and Readiness Programs (17117)	$3,000,000	$3,000,000		
	Fund Sources: Federal Trust	$3,000,000	$3,000,000		
	Authority: Discretionary Inclusion.				
	Out of this appropriation, $3,000,000 the first year and $3,000,000 the second year from nongeneral funds is designated for the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR-UP) grant.				
135.	Technology Assistance Services (18600)			$200,000	$200,000
	Distance Learning and Electronic Classroom (18602)	$200,000	$200,000		
	Fund Sources: Special	$200,000	$200,000		
	Authority: Code of Virginia, § 23.1-211				
	Out of this appropriation, $200,000 the first year and $200,000 the second year from nongeneral funds is designated to cover the costs of coordination and administration of the Virginia State Authorization Reciprocity Agreement (SARA) program as administered by the Southern Regional Education Board (SREB) and the National Council on State Authorization Reciprocity Agreements (NC-SARA).				
	Total for State Council of Higher Education for Virginia			~~$241,979,866~~ *$316,579,866*	~~$246,304,866~~ *$302,710,815*
	General Fund Positions	52.00	~~52.00~~ *53.00*		
	Nongeneral Fund Positions	25.00	25.00		
	Position Level	77.00	~~77.00~~ *78.00*		
	Fund Sources: General	~~$229,332,701~~ *$288,932,701*	~~$233,657,701~~ *$290,063,650*		
	Special	~~$6,766,739~~ *$21,766,739*	$6,766,739		
	Trust and Agency	$190,000	$190,000		
	Dedicated Special Revenue	$250,000	$250,000		
	Federal Trust	$5,440,426	$5,440,426		

§ 1-52. CHRISTOPHER NEWPORT UNIVERSITY (242)

ITEM 136.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
136.	Educational and General Programs (10000)			~~$109,137,716~~ *$115,578,516*	$109,137,716
	Higher Education Instruction (100101)	~~$57,933,969~~ *$63,009,769*	$57,933,969		
	Higher Education Research (100102)	$1,961,180	$1,961,180		
	Higher Education Academic (100104)	$12,495,329	$12,495,329		
	Higher Education Student Services (100105)	$8,051,133	$8,051,133		
	Higher Education Institutional Support (100106)	$12,275,046	$12,275,046		
	Operation and Maintenance Of Plant (100107)	~~$16,421,059~~ *$17,786,059*	$16,421,059		
	Fund Sources: General	~~$54,590,295~~ *$60,491,095*	$54,590,295		
	Higher Education Operating	~~$54,547,421~~ *$55,087,421*	$54,547,421		

Authority: Title 23.1, Chapter 14, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C. 1. Out of this appropriation, $667,670 the first year and $667,670 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Science (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. Christopher Newport University is expected to maintain increases in:

a. Data Science and Technology awards of 5 annually over the base year.

b. Science and Engineering awards of 15 annually over the base year.

c. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.

137.	Higher Education Student Financial Assistance (10800)			~~$12,429,410~~ *$12,759,410*	$12,419,360

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	Scholarships (10810)	~~$12,400,347~~ *$12,730,347*	$12,390,297		
	Fellowships (10820)	$29,063	$29,063		
	Fund Sources: General	~~$8,499,410~~ *$8,829,410*	$8,489,360		
	Higher Education Operating	$3,930,000	$3,930,000		
	Authority: Title 23.1, Chapter 14, Code of Virginia.				
	Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
138.	Financial Assistance For Educational and General Services (11000)			$1,498,882	$1,498,882
	Sponsored Programs (11004)	$1,498,882	$1,498,882		
	Fund Sources: Higher Education Operating	$1,498,882	$1,498,882		
	Authority: Title 23.1, Chapter 14, Code of Virginia.				
	The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
139.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$83,343,033	$83,343,033
	Food Services (80910)	$18,627,397	$18,627,397		
	Bookstores And Other Stores (80920)	$709,796	$709,796		
	Residential Services (80930)	$31,066,459	$31,066,459		
	Parking And Transportation Systems And Services (80940)	$1,836,269	$1,836,269		
	Student Unions And Recreational Facilities (80970)	$6,035,251	$6,035,251		
	Recreational And Intramural Programs (80980)	$173,677	$173,677		
	Other Enterprise Functions (80990)	$14,514,653	$14,514,653		
	Intercollegiate Athletics (80995)	$10,379,531	$10,379,531		
	Fund Sources: Higher Education Operating	$63,639,164	$63,639,164		
	Debt Service	$19,703,869	$19,703,869		
	Authority: Title 23.1, Chapter 14, Code of Virginia.				
	Total for Christopher Newport University			**~~$206,409,041~~ *$213,179,841***	**$206,398,991**
	General Fund Positions	356.06	356.06		
	Nongeneral Fund Positions	603.68	603.68		
	Position Level	959.74	959.74		
	Fund Sources: General	~~$63,089,705~~ *$69,320,505*	$63,079,655		
	Higher Education Operating	~~$123,615,467~~ *$124,155,467*	$123,615,467		
	Debt Service	$19,703,869	$19,703,869		

§ 1-53. THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA (204)

140.	Educational and General Programs (10000)			~~$283,622,885~~ *$291,471,785*	$283,622,885
	Higher Education Instruction (100101)	~~$158,987,081~~ *$166,835,981*	$158,987,081		

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Higher Education Research (100102)	$2,431,621	$2,431,621		
Higher Education Public Services (100103)	$31,293	$31,293		
Higher Education Academic (100104)	$41,415,059	$41,415,059		
Higher Education Student Services (100105)	$14,697,505	$14,697,505		
Higher Education Institutional Support (100106)	$39,281,523	$39,281,523		
Operation and Maintenance Of Plant (100107)	$26,778,803	$26,778,803		
Fund Sources: General	~~$75,466,460~~ *$83,315,360*	$75,466,460		
Higher Education Operating	$204,592,625	$204,592,625		
Debt Service	$3,563,800	$3,563,800		

Authority: Title 23.1, Chapter 28, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C. Out of this appropriation, $245,000 the first year and $245,000 the second year from the general fund is designated to support the Lewis B. Puller Jr. Veterans Benefits Clinic.

D. Out of this appropriation, $287,850 and two positions the first year and $287,850 and two positions the second year from the general fund is designated to develop a specialization in military and veterans counseling within the existing clinical mental health counseling degree program and a post-graduate certificate in veterans counseling.

E. The College of William and Mary may extend the authority granted to it under the Restructured Higher Education Financial and Administrative Operations Act (Title 23.1, Chapter 10, Code of Virginia) to Richard Bland College in a manner that is consistent with the Management Agreement By and Between the Commonwealth of Virginia and the College of William and Mary in Virginia, executed November 15, 2005 and subsequently amended to the provisions of the memorandum of understanding related to financial operations and other related administrative areas as executed by the presidents of both institutions on November 15, 2017 and as may subsequently be amended.

F. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the College of William and Mary and the Commonwealth, as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.

G. 1. Out of this appropriation, $1,221,670 the first year and $1,221,670 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

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c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. The College of William and Mary is expected to maintain increases in:

a. Data Science and Technology awards of 20 annually over the base year.

b. Science and Engineering awards of 15 annually over the base year.

c. Education awards of 5 annually over the base year.

d. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees annually.

H. Out of this appropriation, $250,000 and two positions the first year and $250,000 and two positions the second year from the general fund is designated for the development of the Public Policy's Whole of Government program. This program will provide a hybrid Master of Public Policy degree that will allow the first year to be completed online.

I. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.

J. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is designated to support operating expenses for research efforts connected with the Bray School in partnership with the Colonial Williamsburg Foundation.

K. Out of this appropriation, $500,000 the first year from the general fund is designated to endow the Gamage Democracy Fellowship at the Colonial Williamsburg Foundation. The Fellowship will provide an international hub for education and advocacy of democracy through the continual, one-year salaried residency at the Colonial Williamsburg Foundation of an outstanding William and Mary graduate. Each fellow while in residency at the Colonial Williamsburg Foundation will develop international education programs in conjunction with The College of William and Mary and the Presidential Precinct.

141.	Higher Education Student Financial Assistance (10800)			~~$61,423,650~~ *$61,589,650*	$61,417,020
	Scholarships (10810)	~~$44,738,792~~ *$44,904,792*	$44,699,662		
	Fellowships (10820)	$16,684,858	$16,717,358		
	Fund Sources: General	~~$6,542,876~~ *$6,708,876*	$6,536,246		
	Higher Education Operating	$54,880,774	$54,880,774		

Authority: Title 23.1, Chapter 28, Code of Virginia.

A. Higher education operating funds appropriated in this program may be allocated for need-based aid to Virginia undergraduate students to enhance the quality and diversity of the student body.

B. The appropriation for the fund source Higher Education Operating in this Item shall be

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	considered sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between the university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.				
	C. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
142.	Financial Assistance For Educational and General Services (11000)			$32,339,735	$32,339,735
	Sponsored Programs (11004)	$32,339,735	$32,339,735		
	Fund Sources: General	$75,000	$75,000		
	Higher Education Operating	$32,264,735	$32,264,735		
	Authority: Title 23.1, Chapter 28, Code of Virginia.				
	A. Out of this appropriation, $75,000 the first year and $75,000 the second year from the general fund and $400,000 the first year and $400,000 the second year from nongeneral funds are designated to build research capacity in biomedical research and biomaterials engineering.				
	B. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
142.10	*Historic and Commemorative Attraction Management (50200)*			*$500,000*	*$0*
	Historic Landmarks and Facilities Management (50203)	*$500,000*	*$0*		
	Fund Sources: General	*$500,000*	*$0*		
	Authority: Title 23.1, Chapter 28, Code of Virginia.				
	The amounts provided in this appropriation are designated for the support of James Monroe's Highland.				
143.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$96,034,440	$96,034,440
	Food Services (80910)	$23,465,746	$23,465,746		
	Bookstores And Other Stores (80920)	$799,578	$799,578		
	Residential Services (80930)	$35,836,373	$35,836,373		
	Parking And Transportation Systems And Services (80940)	$1,900,309	$1,900,309		
	Telecommunications Systems And Services (80950)	$2,257,550	$2,257,550		
	Student Health Services (80960)	$5,575,127	$5,575,127		
	Student Unions And Recreational Facilities (80970)	$8,565,528	$8,565,528		
	Recreational And Intramural Programs (80980)	$1,148,078	$1,148,078		
	Other Enterprise Functions (80990)	$6,694,508	$6,694,508		
	Intercollegiate Athletics (80995)	$9,791,643	$9,791,643		
	Fund Sources: Higher Education Operating	$79,851,600	$79,851,600		
	Debt Service	$16,182,840	$16,182,840		
	Authority: Title 23.1, Chapter 28, Code of Virginia.				
	Total for The College of William and Mary in Virginia			**~~$473,420,710~~ *$481,935,610***	**$473,414,080**
	General Fund Positions	558.16	558.16		
	Nongeneral Fund Positions	882.96	882.96		

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	Position Level	1,441.12	1,441.12		
	Fund Sources: General	~~$82,084,336~~ *$90,599,236*	$82,077,706		
	Higher Education Operating	$371,589,734	$371,589,734		
	Debt Service	$19,746,640	$19,746,640		
	Richard Bland College (241)				
144.	Educational and General Programs (10000)			~~$21,280,884~~ *$21,589,584*	$21,280,884
	Higher Education Instruction (100101)	~~$11,405,938~~ *$11,714,638*	$11,405,938		
	Higher Education Public Services (100103)	$4,500	$4,500		
	Higher Education Academic (100104)	$1,076,911	$1,076,911		
	Higher Education Student Services (100105)	$1,283,878	$1,283,878		
	Higher Education Institutional Support (100106)	$5,234,735	$5,234,735		
	Operation and Maintenance Of Plant (100107)	$2,274,922	$2,274,922		
	Fund Sources: General	~~$14,571,445~~ *$14,880,145*	$14,571,445		
	Higher Education Operating	$6,709,439	$6,709,439		

Authority: Title 23.1, Chapter 28, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C. In order to advance the goals of the Commonwealth of Virginia, the Virginia Plan for Higher Education and Richard Bland College, Richard Bland College may develop and deliver new, collaborative educational pathways and innovative educational models, including distance learning, technology-based instruction, prior learning assessments, work-based learning, and competency-based programs that lead to high-demand fields and industries critical to the economic development of the Petersburg region and Virginia. In addition, Richard Bland College may:

1. Continue to explore new and expanded partnership opportunities with the College of William and Mary as well as identify potential new higher education partners to pursue shared services and other options for cost reduction and increased efficiencies for any non-core business functions of the college. Unitization of shared services functions in the areas of Collections, Enterprise Resource Program (ERP), Procurement, and Accounts Payable will reduce overhead expenses and enable re-investment in the College's core business;

2. Identify higher education partners to strategically merge and align academic programming to advance the credential and completion goals outlined in the Virginia Plan for Higher Education;

3. Broker agreements between and among educational, industry, and non-profit partners and establish collaborative, innovative partnership agreements with school districts, public and private colleges and universities, economic development agencies, employers, philanthropic organizations, veterans organizations, public agencies and other partners as necessary to strengthen and streamline educational pathways from high school, to work-based learning, to baccalaureate and advanced degrees that prepare individuals, including nontraditional students and veterans, for entry into STEM-H and other high-demand

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careers in the Commonwealth;

4. Pilot and implement innovative educational approaches and technologies, and promote the development, delivery, and ongoing assessment of innovative, cost-effective degree programs and stackable credentials, including industry-recognized, competency-based credentials that are aligned with and responsive to the educational and workforce development needs of traditional and non-traditional students, including veterans and military personnel, and advance the economic development needs of employers and industries statewide;

5. Identify and implement new strategies to support economic and community development in Virginia and to expand opportunities for traditional and non-traditional students, including veterans, to prepare for high-demand fields.

6. The President of Richard Bland College shall submit a report on the institution's progress in exploring and expanding partnership opportunities for shared services and academic programming with other higher education partners to the Chairs of the House Committee on Appropriations, the House Committee on Education, the Senate Committee on Education and Health, and the Senate Committee on Finance and Appropriations no later than July 1 of each year.

D. Out of this appropriation, $1,557,350 and 13 positions the first year and $1,557,350 and 13 positions the second year from the general fund is designated to address the staffing recommendations of the Auditor of Public Accounts related to financial management, information technology, human resources, financial aid, and operations.

E. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund is designated to support student success initiatives at Richard Bland College. Supported activities may include: (i) the implementation of Guided Pathways; (ii) the increase of course offerings related to diversity, equity, and inclusion; (iii) expansion of the College's health care service offerings for students; and (iv) expansion of student employment opportunities on campus.

145.	Higher Education Student Financial Assistance (10800)			~~$2,479,810~~ *$2,531,810*	$2,474,630
	Scholarships (10810)	~~$2,479,810~~ *$2,531,810*	$2,474,630		
	Fund Sources: General	~~$2,419,810~~ *$2,471,810*	$2,414,630		
	Higher Education Operating	$60,000	$60,000		

Authority: Title 23.1, Chapter 28, Code of Virginia.

Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.

146.	Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at			$15,000	$15,000
	Sponsored Programs (11004)	$15,000	$15,000		
	Fund Sources: Higher Education Operating	$15,000	$15,000		

Authority: Title 23.1, Chapter 28, Code of Virginia.

147.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$4,799,782	$4,799,782
	Food Services (80910)	$660,905	$660,905		
	Bookstores And Other Stores (80920)	$200,000	$200,000		
	Residential Services (80930)	$2,392,254	$2,392,254		

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	Parking And Transportation Systems And Services (80940)	$248,000	$248,000		
	Recreational And Intramural Programs (80980)	$29,000	$29,000		
	Other Enterprise Functions (80990)	$882,500	$882,500		
	Intercollegiate Athletics (80995)	$387,123	$387,123		
	Fund Sources: Higher Education Operating	$4,799,782	$4,799,782		
	Authority: Title 23.1, Chapter 28, Code of Virginia.				
	Total for Richard Bland College			**~~$28,575,476~~** ***$28,936,176***	**$28,570,296**
	General Fund Positions	84.43	84.43		
	Nongeneral Fund Positions	41.41	41.41		
	Position Level	125.84	125.84		
	Fund Sources: General	~~$16,991,255~~ *$17,351,955*	$16,986,075		
	Higher Education Operating	$11,584,221	$11,584,221		
	Virginia Institute of Marine Science (268)				
148.	Educational and General Programs (10000)			~~$32,716,726~~ *$34,181,726*	~~$32,716,726~~ *$33,627,498*
	Higher Education Instruction (100101)	$1,145,998	$1,145,998		
	Higher Education Research (100102)	~~$14,516,788~~ *$15,981,788*	~~$14,516,788~~ *$15,427,560*		
	Higher Education Academic (100104)	$6,833,162	$6,833,162		
	Higher Education Institutional Support (100106)	$4,510,683	$4,510,683		
	Operation and Maintenance Of Plant (100107)	$5,710,095	$5,710,095		
	Fund Sources: General	~~$30,588,919~~ *$32,053,919*	~~$30,588,919~~ *$31,499,691*		
	Higher Education Operating	$2,127,807	$2,127,807		

Authority: Title 23.1, Chapter 28, and Title 28.2, Chapter 11, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. If sufficient appropriations are not made available by the Commonwealth, it shall not be necessary for the Virginia Institute of Marine Science to reallocate funds from existing research projects to provide the funding for research mandated in the Code of Virginia or in the Appropriation Act.

C. Out of this appropriation, $212,772 and four positions the first year and ~~$212,772~~ *$637,876* and ~~four~~ *6.85* positions the second year from the general fund is designated to support an Aquaculture Genetics and Breeding Technology Center at the Virginia Institute of Marine Science. The center shall coordinate its efforts with the repletion program of the Virginia Marine Resources Commission.

D. It is the intent of the General Assembly that the development of a disease resistant native oyster remains a high priority for oyster-related research activities at the Virginia Institute of Marine Science.

E. Out of this appropriation, $68,391 the first year and $68,391 the second year from the general fund is provided for the continuation of the Clean Marina Program. This additional funding will allow the Virginia Institute of Marine Science to provide education, outreach, and technical assistance to the Commonwealth's marinas in an effort to improve water quality.

F. Out of this appropriation, $289,096 the first year and $289,096 the second year from the general fund is designated for the monitoring of the Chesapeake Bay's blue crab

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population. This additional support will permit the Virginia Institute of Marine Science to generate the data necessary to develop fishery management plans, determine in-danger habitats, and project the annual blue crab catch.

G. Notwithstanding Chapter 719, 1999 Acts of Assembly, out of this appropriation, $159,579 the first year and $159,579 the second year from the general fund shall be provided to the Virginia Institute of Marine Science to support the Fishery Resource Grant Fund and Program. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the State Comptroller upon written request of the President of the College of William and Mary.

H. Out of this appropriation, $432,894 and 3.15 positions the first year and $432,894 and 3.15 positions the second year from the general fund is designated to support research on sea level rise and state-of-the-art storm surge modeling, as well as for subcontracting with the College of William and Mary's Virginia Coastal Resilience Collaborative (VCRC) to conduct policy and legal analyses of stakeholder-driven adaptation responses to sea level rise, in support of the Commonwealth Center for Recurrent Flooding Resiliency. The center, a collaborative partnership involving the Virginia Institute of Marine Science, Old Dominion University, and the VCRC, shall work with municipalities both along coastal Virginia and throughout the Commonwealth to develop useful resilience strategies.

I. Out of this appropriation, $125,000 the first year and $125,000 the second year from the general fund is designated for the establishment of a marine conservation fellowship program in partnership with Virginia-based marine science education programs and conservation museums.

J. Out of this appropriation, $188,086 and one position the first year and $188,086 and one position the second year from the general fund is designated for supporting a network engineer, maintenance contracts, and staff training.

K. Out of this appropriation, $406,075 and 2.70 positions the first year and $406,075 and 2.70 positions the second year from the general fund is designated for a postdoctoral researcher and two research technicians, research-related supplies and materials, and ongoing service center costs to monitor the water quality of the Chesapeake Bay and its tributaries.

L. Out of this appropriation, $403,000 the first year and $403,000 the second year from the general fund is designated for evaluating the ecological health of the Elizabeth River, monitoring the performance of past restoration projects, and providing scientific guidance on development of new restoration projects. Every fifth year a State of the Elizabeth River Scorecard report on pollution levels in the Elizabeth River shall be produced. The scorecard shall include, at a minimum, an assessment of fish health data including cancer levels, polycyclic aromatic hydrocarbons levels, and benthic community condition, in correlation with water and sediment contaminant analyses from the Elizabeth River.

M. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the College of William and Mary and the Commonwealth, as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.

N. Out of this appropriation, $386,668 and 2.75 positions the first year and $386,668 and 2.75 positions the second year from the general fund is provided for an annual survey of submerged bay grasses and the development of best management practices for oyster aquaculture that supports co-existence with bay grasses. The survey is also intended to assist in evaluating attainment of water quality standards, permitting efforts of other state agencies, and evaluating progress towards meeting the Chesapeake Bay Program goals.

O. Out of this appropriation, $185,000 the first year and $185,000 the second year from the general fund is provided for a cooperative research program on shellfish aquaculture and seagrass. The research program is intended to determine how aquaculture activity affects the recovery rate of ecologically functional eelgrass beds and develop a landscape-level ecological model that can inform management decisions about how to apportion habitats within the entire coastal bay system on Virginia's Eastern Shore.

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149.	Higher Education Student Financial Assistance (10800)			$425,002	$437,502
	Fellowships (10820)	$425,002	$437,502		
	Fund Sources: General	$425,002	$437,502		
	Authority: Title 23.1, Chapter 28, Code of Virginia.				
150.	Financial Assistance For Educational and General Services (11000)			$30,312,794	$30,312,794
	Eminent Scholars (11001)	$75,496	$75,496		
	Sponsored Programs (11004)	$30,237,298	$30,237,298		
	Fund Sources: Higher Education Operating	$30,312,794	$30,312,794		
	Authority: Title 23.1, Chapter 28 and Title 28.2, Chapter 11, Code of Virginia.				
	A. Out of the amounts for sponsored programs, $50,000 the first year and $50,000 the second year from nongeneral funds shall be paid from the Marine Fishing Improvement Fund to support the Mariculture and Marine Product Advisory Program.				
	B. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the institute to cover sponsored program operations.				
	Total for Virginia Institute of Marine Science			~~$63,454,522~~ *$64,919,522*	~~$63,467,022~~ *$64,377,794*
	General Fund Positions	322.57	~~322.57~~ *329.42*		
	Nongeneral Fund Positions	101.60	101.60		
	Position Level	424.17	~~424.17~~ *431.02*		
	Fund Sources: General	~~$31,013,921~~ *$32,478,921*	~~$31,026,421~~ *$31,937,193*		
	Higher Education Operating	$32,440,601	$32,440,601		
	Grand Total for The College of William and Mary in Virginia			~~$565,450,708~~ *$575,791,308*	~~$565,451,398~~ *$566,362,170*
	General Fund Positions	965.16	~~965.16~~ *972.01*		
	Nongeneral Fund Positions	1,025.97	1,025.97		
	Position Level	1,991.13	~~1,991.13~~ *1,997.98*		
	Fund Sources: General	~~$130,089,512~~ *$140,430,112*	~~$130,090,202~~ *$131,000,974*		
	Higher Education Operating	$415,614,556	$415,614,556		
	Debt Service	$19,746,640	$19,746,640		
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151.	Educational and General Programs (10000)			~~$797,500,881~~ *$808,632,881*	$832,000,881
	Higher Education Instruction (100101)	~~$495,627,745~~ *$506,759,745*	$513,141,418		
	Higher Education Research (100102)	$12,326,172	$12,940,192		
	Higher Education Public Services (100103)	$3,072,097	$3,152,788		
	Higher Education Academic (100104)	$99,114,872	$104,455,384		
	Higher Education Student Services (100105)	$33,889,225	$35,584,904		
	Higher Education Institutional Support (100106)	$86,808,792	$92,953,605		
	Operation and Maintenance Of Plant (100107)	$66,661,978	$69,772,590		

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Fund Sources: General	~~$251,619,051~~ *$262,751,051*	$251,619,051		
Higher Education Operating	$545,881,830	$580,381,830		

Authority: Title 23.1, Chapter 15, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals as described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Out of this appropriation, an amount estimated at $289,614 the first year and $289,614 the second year from the general fund and $124,120 the first year and $124,120 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.

C. Out of this appropriation, $459,125 the first year and $459,125 the second year from the general fund is designated for the Institute for Conflict Analysis.

D. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

E. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund is designated to support the Potomac Bay Science Center.

F. Out of this appropriation, $400,000 the first year and $400,000 the second year from the general fund is designated to develop a pathway program to attract and train veterans for cyber security careers.

G. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.

H. 1. Out of this appropriation, $4,685,320 the first year and $4,685,320 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

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c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. George Mason University is expected to maintain increases in:

a. Data Science and Technology awards of 50 annually over the base year.

b. Science and Engineering awards of 35 annually over the base year.

c. Healthcare awards of 35 annually over the base year.

d. Education awards of 40 annually over the base year.

e. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees annually.

I. Out of this appropriation $50,000 the first year and $50,000 the second year from the general fund is designated for campus lighting, generators and other infrastructure at the School of Conflict Resolution at the Point of View facility.

J. The Board of Visitors of George Mason University may participate in a joint venture or innovation agreement with an individual, corporation, governmental body or agency, partnership, association, or other entity to develop and deliver new, collaborative distance learning and technology-based instruction programs for traditional and non-traditional students, including veterans and military personnel. The Board may create or operate such entity accordingly. In the course of any venture or agreement, the Board may authorize a pilot and implementation of distance learning and technology-based instruction programs that are aligned with and responsive to the educational and workforce needs of traditional and non-traditional students. If the Board determines it is necessary to the development and delivery of distance learning and technology-based instruction programs, the Board may create or assist in the creation of; own in whole or in part or otherwise control; participate in or with any entities, public or private; and purchase, receive, subscribe for, own, use, employ, sell, pledge or otherwise acquire or dispose of (i) shares or obligations of, or interests in, any entity organized for any purpose within or outside the Commonwealth and (ii) obligations of any person or corporation. Prior to the execution of any joint venture or innovation agreement, George Mason University shall formally seek and receive approval from the State Council of Higher Education for Virginia and report on whether there will be any impact on current or future operations of the Online Virginia Network Authority.

K. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between George Mason University and the Commonwealth, as set forth in Chapters 76 and 77, 2021 Acts of Assembly, Special Session I.

152.	Higher Education Student Financial Assistance (10800)		~~$122,877,744~~ *$124,861,744*	$123,262,124
	Scholarships (10810)	~~$115,890,428~~ *$117,874,428*	$116,052,308	
	Fellowships (10820)	$6,987,316	$7,209,816	
	Fund Sources: General	~~$81,181,744~~ *$83,165,744*	$81,566,124	
	Higher Education Operating	$41,696,000	$41,696,000	

Authority: Title 23.1, Chapter 15, Code of Virginia.

A. Notwithstanding the provisions of § 4-5.01.5.b) of this Act, George Mason University is hereby authorized to transfer the balance of its discontinued student loan funds to an

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endowment fund established by the University to be used for undergraduate and graduate students in the Higher Education Student Financial Assistance Program.

B. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.

C. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between George Mason University and the Commonwealth, as set forth in Chapters 76 and 77, 2021 Acts of Assembly, Special Session I.

153.	Financial Assistance For Educational and General Services (11000)			$318,335,000	$343,825,000
	Eminent Scholars (11001)	$1,000,000	$1,000,000		
	Sponsored Programs (11004)	$317,335,000	$342,825,000		
	Fund Sources: General	$2,106,250	$2,106,250		
	Higher Education Operating	$316,228,750	$341,718,750		

Authority: Title 23.1, Chapter 15, Code of Virginia.

A. 1. Out of this appropriation, $956,250 the first year and $956,250 the second year from the general fund and $5,850,000 the first year and $5,850,000 the second year from nongeneral funds are designated to build research capacity in biomedical research and biomaterials engineering.

2. Out of this appropriation, $750,000 the first year and $750,000 the second year from the general fund is designated for applied research in simulation modeling and gaming.

B. Out of this appropriation, $125,000 the first year and $125,000 the second year from the general fund is designated for Lyme Disease research and medical test development.

C. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.

D. Out of this appropriation, $275,000 the first year and $275,000 the second year from the general fund is designated for George Mason University, in collaboration with the Eastern Virginia Health Sciences Center, Old Dominion University, the University of Virginia, Virginia Commonwealth University, Virginia Tech-Carilion, INOVA, and Sentara Health System, to create the Virginia Commonwealth Clinical Research Network to serve as a network of institutions to conduct significant clinical trials in areas that include oncology, mental health and substance abuse. The Virginia Commonwealth Clinical Research Network would facilitate identifying and recruiting patients and expand access for researchers to a clinical base thereby creating greater opportunities for grant funding and the development commercialization of breakthrough products and services.

154.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$278,915,856	$295,655,856
	Food Services (80910)	$41,218,370	$43,087,921		
	Bookstores And Other Stores (80920)	$2,122,995	$2,181,352		
	Residential Services (80930)	$46,635,293	$49,056,482		
	Parking And Transportation Systems And Services (80940)	$17,015,720	$17,768,150		
	Telecommunications Systems And Services (80950)	$850,898	$951,654		
	Student Health Services (80960)	$7,981,514	$9,050,887		
	Student Unions And Recreational Facilities (80970)	$12,758,869	$13,350,658		
	Recreational And Intramural Programs (80980)	$20,711,938	$21,539,848		
	Other Enterprise Functions (80990)	$98,713,775	$105,174,937		

ITEM 154.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Intercollegiate Athletics (80995)	$30,906,484	$33,493,967		
	Fund Sources: Higher Education Operating	$224,773,656	$241,513,656		
	Debt Service	$54,142,200	$54,142,200		
	Authority: Title 23.1, Chapter 15, Code of Virginia.				
	Total for George Mason University			~~$1,517,629,481~~ *$1,530,745,481*	$1,594,743,861
	General Fund Positions	1,082.14	1,082.14		
	Nongeneral Fund Positions	4,185.49	4,185.49		
	Position Level	5,267.63	5,267.63		
	Fund Sources: General	~~$334,907,045~~ *$348,023,045*	$335,291,425		
	Higher Education Operating	$1,128,580,236	$1,205,310,236		
	Debt Service	$54,142,200	$54,142,200		
	§ 1-55. JAMES MADISON UNIVERSITY (216)				
155.	Educational and General Programs (10000)			~~$422,492,335~~ *$427,431,235*	$422,492,335
	Higher Education Instruction (100101)	~~$226,132,936~~ *$231,071,836*	$226,132,936		
	Higher Education Research (100102)	$929,467	$929,467		
	Higher Education Public Services (100103)	$1,818,665	$1,818,665		
	Higher Education Academic (100104)	$55,988,950	$55,988,950		
	Higher Education Student Services (100105)	$30,276,297	$30,276,297		
	Higher Education Institutional Support (100106)	$60,667,831	$60,667,831		
	Operation and Maintenance Of Plant (100107)	$46,678,189	$46,678,189		
	Fund Sources: General	~~$158,056,836~~ *$162,995,736*	$158,056,836		
	Higher Education Operating	$262,484,846	$262,484,846		
	Debt Service	$1,950,653	$1,950,653		
	Authority: Title 23.1, Chapter 16, Code of Virginia.				

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.

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D. 1. Out of this appropriation, $2,445,920 the first year and $2,445,920 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. James Madison University is expected to maintain increases in:

a. Data Science and Technology awards of 10 annually over the base year.

b. Science and Engineering awards of 15 annually over the base year.

c. Healthcare awards of 45 annually over the base year.

d. Education awards of 15 annually over the base year.

e. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.

E. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between James Madison University and the Commonwealth, as set forth in Chapters 124 and 125 of the 2019 Acts of Assembly.

156.	Higher Education Student Financial Assistance (10800)		~~$36,710,476~~ *$37,678,476*	$37,051,466
	Scholarships (10810)	~~$35,485,855~~ *$36,453,855*	$35,801,845	
	Fellowships (10820)	$1,224,621	$1,249,621	
	Fund Sources: General	~~$23,107,676~~ *$24,075,676*	$23,448,666	
	Higher Education Operating	$13,602,800	$13,602,800	

Authority: Title 23.1, Chapter 16, Code of Virginia.

A. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.

B. The appropriation for the fund source Higher Education Operating in this Item shall be considered sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between James Madison University and the Commonwealth as set forth in Chapters 124 and 125 of the 2019 Acts of Assembly.

ITEM 156.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
157.	Financial Assistance For Educational and General Services (11000)				
	a sum sufficient, estimated at			$58,250,000	~~$58,250,000~~ *$59,859,363*
	Eminent Scholars (11001)	$350,000	$350,000		
	Sponsored Programs (11004)	$57,900,000	~~$57,900,000~~ *$59,509,363*		
	Fund Sources: Higher Education Operating	$58,250,000	~~$58,250,000~~ *$59,859,363*		
	Authority: Title 23.1, Chapter 16, Code of Virginia.				
158.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at			$275,698,469	$295,187,690
	Food Services (80910)	$87,349,003	$92,559,066		
	Bookstores And Other Stores (80920)	$1,618,899	$1,635,088		
	Residential Services (80930)	$45,505,956	$51,530,275		
	Parking And Transportation Systems And Services (80940)	$8,997,820	$9,457,150		
	Telecommunications Systems And Services (80950)	$2,021,213	$2,081,850		
	Student Health Services (80960)	$7,743,772	$8,179,051		
	Student Unions And Recreational Facilities (80970)	$8,786,996	$9,489,118		
	Recreational And Intramural Programs (80980)	$16,493,445	$17,405,096		
	Other Enterprise Functions (80990)	$24,101,299	$25,565,873		
	Intercollegiate Athletics (80995)	$73,080,066	$77,285,123		
	Fund Sources: Higher Education Operating	$233,166,347	$250,761,294		
	Debt Service	$42,532,122	$44,426,396		
	Authority: Title 23.1, Chapter 16, Code of Virginia.				
	Total for James Madison University			~~$793,151,280~~ ***$799,058,180***	~~$812,981,491~~ ***$814,590,854***
	General Fund Positions	1,309.22	1,309.22		
	Nongeneral Fund Positions	2,873.38	2,873.38		
	Position Level	4,182.60	4,182.60		
	Fund Sources: General	~~$181,164,512~~ *$187,071,412*	$181,505,502		
	Higher Education Operating	$567,503,993	~~$585,098,940~~ *$586,708,303*		
	Debt Service	$44,482,775	$46,377,049		
	§ 1-56. LONGWOOD UNIVERSITY (214)				
159.	Educational and General Programs (10000)			~~$96,676,027~~ *$97,857,927*	$96,676,027
	Higher Education Instruction (100101)	~~$53,097,133~~ *$54,279,033*	$53,097,133		
	Higher Education Public Services (100103)	$674,032	$674,032		
	Higher Education Academic (100104)	$8,981,684	$8,981,684		
	Higher Education Student Services (100105)	$5,892,626	$5,892,626		
	Higher Education Institutional Support (100106)	$17,423,203	$17,423,203		
	Operation and Maintenance Of Plant (100107)	$10,607,349	$10,607,349		
	Fund Sources: General	~~$48,448,206~~ *$49,630,106*	$48,448,206		
	Higher Education Operating	$48,227,821	$48,227,821		
	Authority: Title 23.1, Chapter 17, Code of Virginia.				

ITEM 159.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C. 1. Out of this appropriation, $547,000 the first year and $547,000 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. Longwood University is expected to maintain increases in:

a. Science and Engineering awards of 5 annually over the base year.

b. Healthcare awards of 5 annually over the base year.

c. Education awards of 5 annually over the base year.

d. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairman of the House Appropriations and Senate Finance and Appropriations Committees annually.

160.	Higher Education Student Financial Assistance (10800)		~~$12,693,088~~ *$13,044,088*	$12,718,568
	Scholarships (10810)	~~$12,651,824~~ *$13,002,824*	$12,672,304	
	Fellowships (10820)	$41,264	$46,264	
	Fund Sources: General	~~$9,697,449~~ *$10,048,449*	$9,722,929	
	Higher Education Operating	$2,995,639	$2,995,639	

Authority: Title 23.1, Chapter 17, Code of Virginia.

Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.

ITEM 160.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
161.	Financial Assistance For Educational and General Services (11000)				
	a sum sufficient, estimated at			$5,678,393	~~$5,678,393~~ *$5,828,393*
	Sponsored Programs (11004)	$5,678,393	~~$5,678,393~~ *$5,828,393*		
	Fund Sources: Higher Education Operating	$5,678,393	~~$5,678,393~~ *$5,828,393*		
	Authority: Title 23.1, Chapter 17, Code of Virginia.				
162.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at			$64,882,672	$64,882,672
	Food Services (80910)	$8,139,258	$8,139,258		
	Bookstores And Other Stores (80920)	$273,195	$273,195		
	Residential Services (80930)	$22,354,254	$22,354,254		
	Parking And Transportation Systems And Services (80940)	$989,591	$989,591		
	Telecommunications Systems And Services (80950)	$951,620	$951,620		
	Student Health Services (80960)	$974,226	$974,226		
	Student Unions And Recreational Facilities (80970)	$3,179,541	$3,179,541		
	Recreational And Intramural Programs (80980)	$2,172,334	$2,172,334		
	Other Enterprise Functions (80990)	$16,807,306	$16,807,306		
	Intercollegiate Athletics (80995)	$9,041,347	$9,041,347		
	Fund Sources: Higher Education Operating	$57,295,361	$57,295,361		
	Debt Service	$7,587,311	$7,587,311		
	Authority: Title 23.1, Chapter 17, Code of Virginia.				
	Total for Longwood University			~~**$179,930,180**~~ ***$181,463,080***	~~**$179,955,660**~~ ***$180,105,660***
	General Fund Positions	291.39	291.39		
	Nongeneral Fund Positions	471.67	471.67		
	Position Level	763.06	763.06		
	Fund Sources: General	~~$58,145,655~~ *$59,678,555*	$58,171,135		
	Higher Education Operating	$114,197,214	~~$114,197,214~~ *$114,347,214*		
	Debt Service	$7,587,311	$7,587,311		

§ 1-57. NORFOLK STATE UNIVERSITY (213)

163.	Educational and General Programs (10000)			~~$144,350,199~~ *$159,766,399*	$144,350,199
	Higher Education Instruction (100101)	~~$77,247,725~~ *$92,663,925*	$77,247,725		
	Higher Education Research (100102)	$199,975	$199,975		
	Higher Education Public Services (100103)	$1,326,879	$1,326,879		
	Higher Education Academic (100104)	$18,253,032	$18,253,032		
	Higher Education Student Services (100105)	$7,234,752	$7,234,752		
	Higher Education Institutional Support (100106)	$22,893,297	$22,893,297		
	Operation and Maintenance Of Plant (100107)	$17,194,539	$17,194,539		
	Fund Sources: General	~~$94,150,359~~ *$109,566,559*	$94,150,359		
	Higher Education Operating	$50,199,840	$50,199,840		
	Authority: Title 23.1, Chapter 19, Code of Virginia.				

ITEM 163.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B.1. Out of this appropriation, $5,350,128 the first year and $5,350,128 the second year from the general fund is designated for the Bachelor of Science academic programs in Electronics Engineering and Optical Engineering and Master of Science academic programs in Electronics Engineering, Optical Engineering, Computer Science, and Criminal Justice.

2. Out of the amounts for Educational and General Programs, $37,500 the first year and $37,500 the second year from the general fund is provided to serve in lieu of endowment income from the Eminent Scholars Program.

C.1. Out of the amounts for Educational and General Programs, a maximum of $70,000 the first year and $70,000 the second year from the general fund is designated for the Dozoretz National Institute for Minorities in Applied Sciences.

2. Any unexpended balances in paragraphs B.1., B.2., and C.1. in this Item at the close of business on June 30 each year shall not revert to the surplus of the general fund, but shall be carried forward on the books of the State Comptroller and reappropriated in the succeeding year. Norfolk State University may expend any prior year end balances to support its educational and general activities or its auxiliary enterprise activities.

D. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

E. Out of this appropriation, $220,000 the first year and $220,000 the second year from the general fund is designated to increase retention and graduation of juniors and seniors in good academic standing and who have additional demonstrated need.

F. 1. Out of this appropriation, $826,570 the first year and $826,570 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. Norfolk State University is expected to maintain increases in:

a. Data Science and Technology awards of 5 annually over the base year.

b. Science and Engineering awards of 5 annually over the base year.

c. Healthcare awards of 5 annually over the base year.

ITEM 163.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

d. Education awards of 5 annually over the base year.

e. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees annually.

G. Out of this appropriation, $548,000 the first year and $548,000 the second year from the general fund is designated for the Center for African American Policy to provide non-partisan research on public policy issues affecting African Americans and other people of color.

H. Norfolk State University, in partnership with Virginia State University, shall collaborate with Virginia Union University and Hampton University and various localities throughout the Commonwealth to (a) create Minority Small Business Launch and Innovation Centers that support entrepreneurship customized to minority community needs, (b) improve health outcomes of vulnerable and marginalized populations in their surrounding localities through research, education, workforce development and outreach, (c) expand and upgrade broadband and technology in order to close the digital divide and provide students with additional tech job training, (d) actively engage with local public school districts to provide opportunities and awareness of post-secondary programs and curriculum, and (e) support the creation of an HBCU NoVA Campus by establishing an off-campus instruction site at Northern Virginia Community College in order to provide an opportunity to expand the HBCU presence in Northern Virginia, and access and opportunity to an increasing population of students seeking a four-year degree.

I. 1. Notwithstanding any other provisions of law, Norfolk State University is authorized to remit tuition and fees for merit scholarships for students of high academic achievement subject to the following limitations and restrictions:

2. The number of such scholarships annually awarded to undergraduate Virginia students shall not exceed 20 percent of the fall headcount enrollment of Virginia students in undergraduate studies in the institution from the preceding academic year. The total value of such merit scholarships annually awarded shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by 20 percent of the headcount enrollment of Virginia students in undergraduate studies in the institution for the fall semester from the preceding academic year.

3. The number of such scholarships annually awarded to undergraduate non-Virginia students shall not exceed 20 percent of the fall headcount enrollment of non-Virginia students in undergraduate studies in the institution from the preceding academic year. The total value of such merit scholarships annually awarded shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by 20 percent of the fall headcount enrollment of non-Virginia students in undergraduate studies in the institution during the preceding academic year.

4. A scholarship awarded under this program shall entitle the holder to receive an annual remission of an amount not to exceed the cost of tuition and required fees to be paid by the student.

164.	Higher Education Student Financial Assistance (10800)		~~$39,769,371~~ *$40,506,371*	$39,833,271
	Scholarships (10810)	~~$39,257,069~~ *$39,994,069*	$39,310,969	
	Fellowships (10820)	$512,302	$522,302	
	Fund Sources: General	~~$34,636,504~~ *$35,373,504*	$34,700,404	
	Higher Education Operating	$5,132,867	$5,132,867	

Authority: Title 23.1, Chapter 19, Code of Virginia.

A. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education

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programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
B. 1. Out of this appropriation up to $7,222,765 the first year and $7,222,765 from the general fund is provided for an affordability program to offer financial assistance to Virginia students who are Pell grant eligible, meet university admissions requirements, and live within a 45 mile radius of the university. The program is designed to address regional needs relating to access and completion. Funds shall be used to provide last dollar or reduced tuition and fees to students for up to 150 percent of required credits to complete a certificate or degree. Priority shall be placed on students from Norfolk, Portsmouth, and Newport News and remaining funds may be used for room and board if available. It is the intention that the program may include up to 300 students at any one time. In the event that financial aid remains available after recruiting new students for fall semester, the remaining financial aid may be used to fund current students who meet the criteria and/or for eligible new students that enroll in the spring semester.				
2. As part of the six-year plan process, the university shall submit an annual report of the program that includes number of students served, average financial need of students, total expenditures, average award per student, retention and completion rates, other student outcomes as defined by the university, and planned outcomes for the upcoming year.				
3. The University shall submit a detailed budget and implementation plan, including how the institution will disseminate information about the program to area students, the projected size of each cohort, and how the institution will monitor and report on the success of the program.				
165. Financial Assistance For Educational and General Services (11000)				
a sum sufficient, estimated at			$20,231,943	$20,231,943
Sponsored Programs (11004)	$20,231,943	$20,231,943		
Fund Sources: Higher Education Operating	$20,231,943	$20,231,943		
Authority: Title 23.1, Chapter 19, Code of Virginia.				
166. Higher Education Auxiliary Enterprises (80900)				
a sum sufficient, estimated at			$49,312,878	~~$49,312,878~~ *$64,312,878*
Food Services (80910)	$1,368,865	~~$1,368,865~~ *$7,983,023*		
Bookstores And Other Stores (80920)	$393,740	$393,740		
Residential Services (80930)	$14,529,508	$14,529,508		
Parking And Transportation Systems And Services (80940)	$458,180	$458,180		
Student Health Services (80960)	$1,000,000	$1,000,000		
Student Unions And Recreational Facilities (80970)	$9,570,213	$9,570,213		
Other Enterprise Functions (80990)	$14,824,504	$14,824,504		
Intercollegiate Athletics (80995)	$7,167,868	~~$7,167,868~~ *$15,553,710*		
Fund Sources: Higher Education Operating	$40,488,242	~~$40,488,242~~ *$55,488,242*		
Debt Service	$8,824,636	$8,824,636		
Authority: Title 23.1, Chapter 19, Code of Virginia.				
Total for Norfolk State University			~~$253,664,391~~ ***$269,817,591***	~~$253,728,291~~ ***$268,728,291***
General Fund Positions	531.15	531.15		
Nongeneral Fund Positions	689.97	689.97		
Position Level	1,221.12	1,221.12		
Fund Sources: General	~~$128,786,863~~ *$144,940,063*	$128,850,763		

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	Higher Education Operating	$116,052,892	~~$116,052,892~~ *$131,052,892*		
	Debt Service	$8,824,636	$8,824,636		

§ 1-58. OLD DOMINION UNIVERSITY (221)

167.	Educational and General Programs (10000)			~~$386,519,897~~ *$398,280,097*	$386,519,897
	Higher Education Instruction (100101)	~~$237,353,685~~ *$249,113,885*	$237,353,685		
	Higher Education Research (100102)	$8,271,813	$8,271,813		
	Higher Education Public Services (100103)	$311,015	$311,015		
	Higher Education Academic (100104)	$53,531,014	$53,531,014		
	Higher Education Student Services (100105)	$21,323,500	$21,323,500		
	Higher Education Institutional Support (100106)	$35,120,760	$35,120,760		
	Operation and Maintenance Of Plant (100107)	$30,608,110	$30,608,110		
	Fund Sources: General	~~$203,150,681~~ *$214,910,881*	$203,150,681		
	Higher Education Operating	$183,369,216	$183,369,216		

Authority: Title 23.1, Chapter 20, Code of Virginia.

A.1. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

2. Out of this appropriation, the university may allocate funds to expand enrollment capacity through expansion of distance learning, TELETECHNET and summer school.

B. Out of this appropriation, $431,013 the first year and $431,013 the second year from the general fund and $198,244 the first year and $198,244 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.

C. Notwithstanding § 1-610, Code of Virginia, Old Dominion University is hereby designated as the administrative agency for the Virginia Coordinate System.

D. Notwithstanding § 23.1-506, Code of Virginia, the governing board of Old Dominion University may charge reduced tuition to any person enrolled in one of Old Dominion University's TELETECHNET sites or higher education centers who lives within a 50-mile radius of the site/center, is domiciled in, and is entitled to in-state tuition charges in the institutions of higher learning in any state, or the District of Columbia, which is contiguous to Virginia and which has similar reciprocal provisions for persons domiciled in Virginia.

E. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

F. Out of this appropriation, $320,000 the first year and $320,000 the second year from the general fund is designated to provide opportunity for 80 students per year to be engaged in STEM education using aerospace, high tech science, technology and engineering in partnership with NASA Wallops Flight Facility. Old Dominion University will collaborate with the Virginia Space Grant Consortium and STEM educators to identify the students

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who will participate in the program each year. The designated funding in this paragraph will not be considered as a resource for purposes of funding guidelines.

G. Out of this appropriation, $409,200 and four positions the first year and $409,200 and four positions the second year from the general fund is designated to support modeling of socioeconomic impacts of recurrent flooding in support of the Commonwealth Center for Recurrent Flooding Resiliency. The center, a collaborative partnership involving Old Dominion University, the Virginia Institute of Marine Science, and the College of William and Mary's Virginia Coastal Resilience Collaborative, shall work with municipalities both along coastal Virginia and throughout the Commonwealth to develop useful resilience strategies.

H. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.

I. 1. Out of this appropriation, $3,611,790 the first year and $3,611,790 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. Old Dominion University is expected to maintain increases in:

a. Data Science and Technology awards of 15 annually over the base year.

b. Science and Engineering awards of 40 annually over the base year.

c. Healthcare awards of 40 annually over the base year.

d. Education awards of 30 annually over the base year.

e. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees annually.

J. Out of this appropriation, $25,000 the first year and $25,000 the second year from the general fund is designated for the Marine Rescue Program, a collaborative program between Old Dominion University and the Virginia Aquarium and Marine Science Foundation to support rescue efforts for stranded and sick marine animals throughout the entire Virginia coastline region of the Chesapeake Bay.

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K. Out of this appropriation, $264,000 the first year and $264,000 the second year from the general fund is designated to provide more targeted internship experiences through the Commonwealth Science, Technology, Engineering, and Mathematics (STEM) Industry Internship Program, managed by the Virginia Space Grant Consortium.				
168. Higher Education Student Financial Assistance (10800)			~~$68,446,117~~ *$70,581,117*	$69,350,997
Scholarships (10810)	~~$64,750,272~~ *$66,885,272*	$65,550,152		
Fellowships (10820)	$3,695,845	$3,800,845		
Fund Sources: General	~~$65,118,599~~ *$67,253,599*	$66,023,479		
Higher Education Operating	$3,327,518	$3,327,518		
Authority: Title 23.1, Chapter 20, Code of Virginia.				
Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
169. Financial Assistance For Educational and General Services (11000)			$26,223,883	$26,223,883
Eminent Scholars (11001)	$421,387	$421,387		
Sponsored Programs (11004)	$25,802,496	$25,802,496		
Fund Sources: General	$12,000,895	$12,000,895		
Higher Education Operating	$14,222,988	$14,222,988		
Authority: Title 23.1, Chapter 20, Code of Virginia.				
A.1. Out of this appropriation, $2,099,838 and 14 positions the first year and $2,099,838 and 14 positions the second year from the general fund and $4,500,000 the first year and $4,500,000 the second year from nongeneral funds are designated to build research capacity in modeling and simulation, which shall include efforts to improve traffic management through modeling.				
2. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund is designated to support science, technology, engineering and mathematics (STEM), and health-related programs. Old Dominion University shall use these funds to promote the use of modeling and simulation in the medical industry.				
B. Out of this appropriation, $1,500,000 the first year and $1,500,000 the second year from the general fund is designated to expand research efforts at the Center for Bioelectrics, which uses electrical stimuli in the biomedical area to eliminate cancer cells and tumors without damaging healthy surrounding tissue, accelerate wound healing, and efficiently deliver DNA vaccines. Non-biomedical areas of research include reducing pollutants in exhaust and establishing effective ground penetrating radar.				
C. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
D. Out of this appropriation, $370,000 the first year and $370,000 the second year from the general fund is designated to the Virginia SmallSat Data Consortium, to support development of the Virginia Institute for Spaceflight and Autonomy.				
E. Out of this appropriation, $4,000,000 the first year and $4,000,000 the second year from the general fund is provided for the Hampton Roads Biomedical Research Consortium.				
F. Out of this appropriation, $250,000 the first year and $250,000 the second year from the				

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general fund is designated to support a minority fellowship program partnership between Old Dominion University and the Virginia Symphony Orchestra.				
G. Out of this appropriation, $500,000 each year from the general fund is designated to support the Maritime Center for Mission Engineering Solutions and Workforce Training.				
H. Out of this appropriation, $1,500,000 each year from the general fund is designated to support the Institute for Coastal Adaptation and Resilience at Old Dominion University and its collaboration with the Chesapeake Bay Foundation.				
I. Out of this appropriation, $500,000 each year from the general fund is designated to support the necessary staffing, equipment, and related services for the Potomac Aquifer Recharge Monitoring Laboratory established in § 62.1-274, Code of Virginia.				
170. Higher Education Auxiliary Enterprises (80900)				
a sum sufficient, estimated at			$121,861,551	$121,861,551
Food Services (80910)	$5,271,296	$5,271,296		
Bookstores And Other Stores (80920)	$655,764	$655,764		
Residential Services (80930)	$38,607,137	$38,607,137		
Parking And Transportation Systems And Services (80940)	$6,732,078	$6,732,078		
Telecommunications Systems And Services (80950)	$906,134	$906,134		
Student Health Services (80960)	$3,754,531	$3,754,531		
Student Unions And Recreational Facilities (80970)	$8,398,826	$8,398,826		
Recreational And Intramural Programs (80980)	$4,215,657	$4,215,657		
Other Enterprise Functions (80990)	$19,151,860	$19,151,860		
Intercollegiate Athletics (80995)	$34,168,268	$34,168,268		
Fund Sources: Higher Education Operating	$95,386,189	$95,386,189		
Debt Service	$26,475,362	$26,475,362		
Authority: Title 23.1, Chapter 20, Code of Virginia.				
Old Dominion University is authorized to establish a self-supporting "instructional enterprise" fund to account for the revenues and expenditures of TELETECHNET classes offered at locations outside the Commonwealth of Virginia. Consistent with the self-supporting concept of an "enterprise fund," student tuition and fee revenues for TELETECHNET students at locations outside Virginia shall exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the University's Board of Visitors. Revenue and expenditures of the fund shall be accounted for in such a manner as to be auditable by the State Council of Higher Education for Virginia. Revenues in excess of expenditures shall be retained in the fund to support the entire TELETECHNET program. Full-time equivalent students generated through these programs shall be accounted for separately. Additionally, revenues which remain unexpended on the last day of the previous biennium and the last day of the first year of the current biennium shall be reappropriated and allotted for expenditure in the respective succeeding fiscal year.				
Total for Old Dominion University			**~~$603,051,448~~** ***$616,946,648***	**$603,956,328**
General Fund Positions	1,090.51	1,090.51		
Nongeneral Fund Positions	1,531.98	1,531.98		
Position Level	2,622.49	2,622.49		
Fund Sources: General	~~$280,270,175~~ *$294,165,375*	$281,175,055		
Higher Education Operating	$296,305,911	$296,305,911		
Debt Service	$26,475,362	$26,475,362		
Eastern Virginia Medical School (274)				
171. Financial Assistance For Educational and General Services (11000)			$70,835,159	$65,835,159
Sponsored Programs (11004)	$595,612	$595,612		

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Medical Education (11005)	$70,239,547	$65,239,547		
Fund Sources: General	$70,835,159	$65,835,159		

Authority: Title 23.1, Chapter 30 and Chapter 87, Acts of Assembly of 2002, Chapter 756 and Chapter 778, Acts of Assembly of 2023.

A. The appropriation in this item shall provide financial support for the continued operations of the schools and divisions existing as the Eastern Virginia Medical School prior to the effective date of Chapter 756 and Chapter 778 of the 2023 Acts of Assembly.

B. The Department of Planning and Budget may transfer the appropriation from this item to Agency 221 Old Dominion University as necessary to facilitate the operations of the Eastern Virginia Health Sciences Center at Old Dominion University.

C. Out of this appropriation, $595,612 the first year and $595,612 the second year from the general fund is designated to build research capacity in medical modeling and simulation.

D. Out of this appropriation, $6,158,108 the first year and $6,158,108 the second year from the general fund is designated for treatment, care and maintenance of indigent Virginia patients through the medical school. The aid is to be apportioned on the basis of a plan to be approved, at the beginning of each biennium, by the Director, Department of Medical Assistance Services.

E. Out of this appropriation, $1,225,700 the first year and $1,225,700 the second year from the general fund is designated to support financial aid for in-state medical and health professions students.

F. Out of this appropriation, $658,597 the first year and $658,597 the second year from the general fund is designated for the operation of the Family Practice Residency program and Family Practice Medical Student programs.

G. Out of this appropriation, $60,620 the first year and $60,620 the second year from the general fund is designated to support the Eastern Virginia Area Health Education Center.

H. The Eastern Virginia Health Sciences Center at Old Dominion University shall transfer funds to the Department of Medical Assistance Services to fully fund the state share for Medicaid supplemental payments to physicians affiliated with Eastern Virginia Medical School or the Eastern Virginia Health Sciences Center for Medicaid supplemental capitation payments to managed care organizations for the purpose of securing access to Medicaid physician's services in Eastern Virginia. The funds to be transferred must comply with 42 CFR 433.51.

I. The Eastern Virginia Health Sciences Center at Old Dominion University is hereby authorized to transfer funds to the Department of Medical Assistance Services to fully fund the state share for Medicaid supplemental payments to the primary teaching hospitals affiliated with Eastern Virginia Medical School or the Eastern Virginia Health Sciences Center. These Medicaid supplemental fee-for-service and/or capitation payments to managed care organizations are for the purpose of securing access to hospital services in Eastern Virginia. The funds to be transferred must comply with 42 CFR 433.51.

J. 1. Out of this appropriation, $1,250,000 the first year and $1,250,000 the second year from the general fund is designated to support accreditation requirements at the Eastern Virginia Health Sciences Center at Old Dominion University.

2. Out of this appropriation, $1,250,000 the first year and $1,250,000 the second year from the general fund is designated to support community health programs in partnership with Sentara Healthcare.

K. Eastern Virginia Health Sciences Center is hereby authorized to transfer funds to the Department of Medical Assistance Services to fully fund the state share for Medicaid supplemental payments and managed care directed payments to primary teaching hospitals affiliated with Eastern Virginia Health Sciences Center. The funds to be transferred must comply with 42 CFR 433.51 and 433.54. Such funds may not be paid from any private agreements with Eastern Virginia Medical School that are in excess of fair market value or

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that alleviate pre-existing financial burdens of the school. Eastern Virginia Medical School is authorized to use general fund dollars to accomplish this transfer. As part of interagency agreements, the department shall require the public entities to attest to compliance with applicable CMS criteria.

L. The unexpended balance from the $9,000,000 general fund appropriation provided in Chapter 1, 2023 Acts of Assembly, Special Session I, for costs associated with the conversion of employees into the state personnel system shall not be reappropriated in fiscal year 2025, but shall revert to the general fund.

M. Out of this appropriation $35,000,000 the first year and $30,000,000 the second year from the general fund is provided to support ongoing operations of the Eastern Virginia Health Sciences Center at Old Dominion University.

N. State employee as defined by § 2.2-2818 of the Code of Virginia includes the residents and fellows employed by the Eastern Virginia Health Sciences Center at Old Dominion University.

Total for Eastern Virginia Medical School			**$70,835,159**	**$65,835,159**
Fund Sources: General	$70,835,159	$65,835,159		
Grand Total for Old Dominion University			~~**$673,886,607**~~ ***$687,781,807***	**$669,791,487**
General Fund Positions	1,090.51	1,090.51		
Nongeneral Fund Positions	1,531.98	1,531.98		
Position Level	2,622.49	2,622.49		
Fund Sources: General	~~$351,105,334~~ *$365,000,534*	$347,010,214		
Higher Education Operating	$296,305,911	$296,305,911		
Debt Service	$26,475,362	$26,475,362		

§ 1-59. RADFORD UNIVERSITY (217)

172.	Educational and General Programs (10000)		~~$182,341,578~~ *$186,224,678*	$182,341,578
	Higher Education Instruction (100101)	~~$124,623,413~~ *$128,506,513*	$124,623,413	
	Higher Education Public Services (100103)	$659,253	$659,253	
	Higher Education Academic (100104)	$13,363,088	$13,363,088	
	Higher Education Student Services (100105)	$6,986,590	$6,986,590	
	Higher Education Institutional Support (100106)	$24,843,646	$24,843,646	
	Operation and Maintenance Of Plant (100107)	$11,865,588	$11,865,588	
	Fund Sources: General	~~$94,266,288~~ *$98,149,388*	$94,266,288	
	Higher Education Operating	$88,075,290	$88,075,290	

Authority: Title 23.1, Chapter 21, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

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C. 1. Out of this appropriation, $1,028,460 the first year and $1,028,460 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. Radford University is expected to maintain increases in:

a. Data Science and Technology awards of 5 annually over the base year.

b. Science and Engineering awards of 5 annually over the base year.

c. Healthcare awards of 10 annually over the base year.

d. Education awards of 10 annually over the base year.

e. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.

5. Out of the amounts designated for degree production $300,000 the first year and $300,000 the second year is designated to support a flat-fee degree initiative for education programs. Radford University shall offer alternative tuition or fee structures, including discounted tuition, flat tuition rates, discounted student fees, or student fee and student services flexibility, to any first-time, incoming freshman undergraduate student who (i) has established domicile, as that term is defined in § 23.1-500 et seq., in the Commonwealth and (ii) enrolls full time with the intent to earn a degree in a program that leads to employment as a teacher in the region. Such an alternative tuition or fee structure may be renewed each year if the recipient maintains continuous full-time enrollment. If a recipient fails to maintain continuous full-time enrollment, subsequently enrolls in a noneligible degree program, or fails to complete the eligible degree program within four years, the institution shall convert the financial benefit received by the student to a financial obligation payable by the student to the institution on terms established by the institution.

173.	Higher Education Student Financial Assistance (10800)		~~$31,763,383~~ *$32,372,383*	$31,622,983
	Scholarships (10810)	~~$30,525,236~~ *$31,134,236*	$30,354,836	
	Fellowships (10820)	$1,238,147	$1,268,147	
	Fund Sources: General	~~$29,855,912~~ *$30,464,912*	$29,715,512	
	Higher Education Operating	$1,907,471	$1,907,471	

Authority: Title 23.1, Chapter 21, Code of Virginia.

Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data

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	Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
174.	Financial Assistance For Educational and General Services (11000)				
	a sum sufficient, estimated at			$9,010,037	$9,010,037
	Eminent Scholars (11001)	$48,397	$48,397		
	Sponsored Programs (11004)	$8,961,640	$8,961,640		
	Fund Sources: Higher Education Operating	$9,010,037	$9,010,037		
	Authority: Title 23.1, Chapter 21, Code of Virginia.				
175.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at			$68,977,308	$68,977,308
	Food Services (80910)	$19,251,178	$19,251,178		
	Bookstores And Other Stores (80920)	$605,227	$605,227		
	Residential Services (80930)	$16,275,025	$16,275,025		
	Parking And Transportation Systems And Services (80940)	$1,657,550	$1,657,550		
	Telecommunications Systems And Services (80950)	$659,898	$659,898		
	Student Health Services (80960)	$3,242,356	$3,242,356		
	Student Unions And Recreational Facilities (80970)	$6,101,566	$6,101,566		
	Recreational And Intramural Programs (80980)	$1,659,883	$1,659,883		
	Other Enterprise Functions (80990)	$5,324,675	$5,324,675		
	Intercollegiate Athletics (80995)	$14,199,950	$14,199,950		
	Fund Sources: Higher Education Operating	$64,777,308	$64,777,308		
	Debt Service	$4,200,000	$4,200,000		
	Authority: Title 23.1, Chapter 21, Code of Virginia.				
	Total for Radford University			**~~$292,092,306~~ *$296,584,406***	**$291,951,906**
	General Fund Positions	631.39	631.39		
	Nongeneral Fund Positions	964.69	964.69		
	Position Level	1,596.08	1,596.08		
	Fund Sources: General	~~$124,122,200~~ *$128,614,300*	$123,981,800		
	Higher Education Operating	$163,770,106	$163,770,106		
	Debt Service	$4,200,000	$4,200,000		

§ 1-60. UNIVERSITY OF MARY WASHINGTON (215)

176.	Educational and General Programs (10000)			~~$104,389,010~~ *$109,800,310*	$104,389,010
	Higher Education Instruction (100101)	~~$59,505,688~~ *$64,916,988*	$59,505,688		
	Higher Education Research (100102)	$449,316	$449,316		
	Higher Education Public Services (100103)	$580,981	$580,981		
	Higher Education Academic (100104)	$11,251,355	$11,251,355		
	Higher Education Student Services (100105)	$10,793,474	$10,793,474		
	Higher Education Institutional Support (100106)	$13,570,733	$13,570,733		
	Operation and Maintenance Of Plant (100107)	$8,237,463	$8,237,463		
	Fund Sources: General	~~$48,787,432~~ *$54,198,732*	$48,787,432		
	Higher Education Operating	$55,601,578	$55,601,578		
	Authority: Title 23.1, Chapter 18, Code of Virginia.				

ITEM 176.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Out of this appropriation an amount estimated at $80,483 the first year and $80,483 the second year from the general fund and $36,130 the first year and $36,130 the second year nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. The participating institutions and centers shall jointly submit an annual report and operating plan to the State Council of Higher Education for Virginia in support of these funded activities.

C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

D. Notwithstanding any other provision of law, the University of Mary Washington may enter into an agreement with the Fredericksburg Regional Alliance, a nonprofit organization dedicated to cooperative economic development efforts in the Fredericksburg region, for the purpose of expanding regional efforts in the field of economic development and research.

E. 1. Out of this appropriation, $338,550 the first year and $338,550 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. University of Mary Washington is expected to maintain increases in:

a. Science and Engineering awards of 5 annually over the base year.

b. Education awards of 5 annually over the base year.

c. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriation Committees annually.

F. Out of this appropriation, $568,000 the first year and $568,000 the second year from the general fund is designated to support an educational partnership between regional K-12 school divisions, community colleges, University of Mary Washington and industry to develop a curriculum that accelerates time to degree, lowers cost, eliminates the skills gap and reduces reliance on student debt in the areas of Education, Healthcare and Cybersecurity.

ITEM 176.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
177.	Higher Education Student Financial Assistance (10800)			~~$17,299,722~~ *$17,533,722*	$17,330,602
	Scholarships (10810)	~~$17,260,189~~ *$17,494,189*	$17,291,069		
	Fellowships (10820)	$39,533	$39,533		
	Fund Sources: General	~~$7,099,722~~ *$7,333,722*	$7,130,602		
	Higher Education Operating	$10,200,000	$10,200,000		
	Authority: Title 23.1, Chapter 18, Code of Virginia.				
	Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
178.	Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at			$809,533	$809,533
	Eminent Scholars (11001)	$57,396	$57,396		
	Sponsored Programs (11004)	$752,137	$752,137		
	Fund Sources: Higher Education Operating	$809,533	$809,533		
	Authority: Title 23.1, Chapter 18, Code of Virginia.				
179.	Museum and Cultural Services (14500)			$1,099,138	$1,099,138
	Collections Management and Curatorial Services (14501)	$1,099,138	$1,099,138		
	Fund Sources: General	$781,117	$781,117		
	Special	$318,021	$318,021		
	Authority: Title 23.1, Chapter 18 and Chapter 51, Acts of Assembly of 1960; § 23.1-1310, Code of Virginia.				
	The amounts provided in this appropriation are designated for the support of Belmont, the estate and memorial gallery of American artist Gari Melchers.				
180.	Administrative and Support Services (19900)			$1,700,000	$1,700,000
	Operation of Higher Education Centers (19931)	$1,700,000	$1,700,000		
	Fund Sources: General	$1,250,000	$1,250,000		
	Special	$450,000	$450,000		
	Authority: Title 23.1, Chapter 18, Code of Virginia.				
181.	Historic and Commemorative Attraction Management (50200)			$527,898	$527,898
	Historic Landmarks and Facilities Management (50203)	$527,898	$527,898		
	Fund Sources: General	$473,948	$473,948		
	Special	$53,950	$53,950		
	Authority: Title 2.2, Chapter 2, § 2.2-208 Code of Virginia.				
	The amounts provided in this appropriation are designated for the support of the James Monroe Museum and Memorial Library.				
182.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$54,283,446	$54,283,446
	Food Services (80910)	$9,250,229	$9,250,229		

ITEM 182.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Residential Services (80930)	$21,837,387	$21,837,387		
Parking And Transportation Systems And Services (80940)	$697,640	$697,640		
Telecommunications Systems And Services (80950)	$2,856,953	$2,856,953		
Student Health Services (80960)	$622,506	$622,506		
Student Unions And Recreational Facilities (80970)	$5,412,958	$5,412,958		
Recreational And Intramural Programs (80980)	$1,074,831	$1,074,831		
Other Enterprise Functions (80990)	$9,762,736	$9,762,736		
Intercollegiate Athletics (80995)	$2,768,206	$2,768,206		
Fund Sources: Higher Education Operating	$48,844,818	$48,844,818		
Debt Service	$5,438,628	$5,438,628		
Authority: Title 23.1, Chapter 18, Code of Virginia.				
Total for University of Mary Washington			~~$180,108,747~~ *$185,754,047*	**$180,139,627**
General Fund Positions	231.66	231.66		
Nongeneral Fund Positions	465.00	465.00		
Position Level	696.66	696.66		
Fund Sources: General	~~$58,392,219~~ *$64,037,519*	$58,423,099		
Special	$821,971	$821,971		
Higher Education Operating	$115,455,929	$115,455,929		
Debt Service	$5,438,628	$5,438,628		

§ 1-61. UNIVERSITY OF VIRGINIA (207)

				~~$1,282,901,982~~ *$1,288,878,682*	~~$1,381,431,976~~ *$1,416,844,750*
183.	Educational and General Programs (10000)				
	Higher Education Instruction (100101)	~~$652,475,806~~ *$658,452,506*	~~$694,110,641~~ *$718,772,327*		
	Higher Education Research (100102)	$28,144,903	$29,416,005		
	Higher Education Public Services (100103)	$20,052,601	$22,597,224		
	Higher Education Academic (100104)	$224,449,075	$246,641,523		
	Higher Education Student Services (100105)	$78,906,675	$91,966,748		
	Higher Education Institutional Support (100106)	$138,171,304	$150,065,684		
	Operation and Maintenance Of Plant (100107)	$140,701,618	~~$146,634,151~~ *$157,385,239*		
	Fund Sources: General	~~$202,357,058~~ *$208,333,758*	$202,357,058		
	Higher Education Operating	$1,080,544,924	~~$1,179,074,918~~ *$1,214,487,692*		

Authority: Title 23.1, Chapter 22, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B.1. This appropriation includes an amount not to exceed $1,393,959 the first year and $1,393,959 the second year from the general fund for the operation of the Family Practice Residency Program and Family Practice medical student programs. This appropriation for Family Practice programs, whether ultimately implemented by contract, agreement or other means, is considered to be a grant.

2. The university shall report by July 1 annually to the Department of Planning and Budget an operating plan for the Family Practice Residency Program.

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3. The University of Virginia, in cooperation with the Virginia Commonwealth University Health System Authority, shall establish elective Family Practice Medicine experiences in Southwest Virginia for both students and residents.

4. In the event the Governor imposes across-the-board general fund reductions, pursuant to his executive authority in § 4-1.02 of this act, the general fund appropriation for the Family Practice programs shall be exempt from any reductions, provided the general fund appropriation for the family practice program is excluded from the total general fund appropriation for the University of Virginia for purposes of determining the university's portion of the statewide general fund reduction requirement.

C. 1. Out of this appropriation, $2,476,467 the first year and $2,476,467 the second year from the general fund and $1,714,900 the first year and $1,714,900 the second year from nongeneral funds is designated for the Virginia Foundation for Humanities and Public Policy.

2. Out of the total funding in paragraph C.1., $250,000 and two positions the first year and $250,000 and two positions the second year from the general fund and $714,900 and four positions the first year and $714,900 and four positions the second year from nongeneral funds is provided to support Discovery Virginia, an online archive to preserve elements of Virginia history, culture, and heritage, and make the materials accessible to the public.

3. Out of the total funding in paragraph C.1., $500,000 and 2.00 positions the first year and $500,000 and 2.00 positions the second year from the general fund and $1,000,000 and 4.15 positions the first year and $1,000,0000 and 4.15 positions the second year from nongeneral funds is provided to create curriculum materials for K-12 schools, establish a network of Humanities Ambassadors in public schools and libraries across the state, and support classroom visits by Foundation program staff to support student use of the Foundation for the Humanities resources.

4. Pursuant to House Joint Resolution 762, 1999 Session of the General Assembly, funds in this Item begin to address the objective of appropriating one dollar per capita for the support of the Foundation.

D. Out of this appropriation, an amount estimated at $390,647 the first year and $390,647 the second year from the general fund and at least $468,850 the first year and at least $468,850 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.

E. Out of this appropriation, $183,306 the first year and $183,306 the second year from the general fund, and at least $283,500 the first year and at least $283,500 the second year from nongeneral funds are designated for the independent Virginia Institute of Government at the University of Virginia Center for Public Service.

F. Out of this appropriation, at least $148,577 the first year and $148,577 the second year from the general fund is designated for support of diabetes education and public service at the Virginia Center for Diabetes Professional Education at the University of Virginia.

G. Out of this appropriation $304,927 the first year and $304,927 the second year from the general fund and $53,189 the first year and $53,189 the second year from nongeneral funds are designated for support of the State Arboretum at Blandy Farm.

H. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

I. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia

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Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.

J. Out of this appropriation, $190,000 the first year and $190,000 the second year from the general fund is designated for a program to expand health care services to rural and medically underserved areas through the use of physicians, nurse practitioners, other providers, and telemedicine.

K. Out of this appropriation, $175,000 the first year and $175,000 the second year is designated to support the efforts of the Weldon Cooper Center to produce population estimates at least every other year in between census years.

L. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the University of Virginia and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.

M. 1. Out of this appropriation, $2,661,340 the first year and $2,661,340 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. The University of Virginia is expected to maintain increases in:

a. Data Science and Technology awards of 20 annually over the base year.

b. Science and Engineering awards of 30 annually over the base year.

c. Healthcare awards of 20 annually over the base year.

d. Education awards of 10 annually over the base year.

e. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.

N. Out of this appropriation, $150,000 the first year and $150,000 the second year from the general fund is designated to the Weldon Cooper Center for Public Service to increase its demographic projection capacity.

ITEM 184.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
184.	Higher Education Student Financial Assistance (10800)			~~$160,626,072~~ *$160,938,072*	$167,940,896
	Scholarships (10810)	~~$69,462,253~~ *$69,774,253*	$76,624,577		
	Fellowships (10820)	$91,163,819	$91,316,319		
	Fund Sources: General	~~$18,423,384~~ *$18,735,384*	$18,628,074		
	Higher Education Operating	$142,202,688	$149,312,822		

Authority: Title 23.1, Chapter 22, Code of Virginia.

A. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund, shall be provided to support public-private sector partnerships in order to maximize the number of newly licensed nurses and increase the supply of nursing faculty.

B. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between the university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.

C. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.

185.	Financial Assistance For Educational and General Services (11000)			$591,649,129	$623,074,705
	Sponsored Programs (11004)	$591,649,129	$623,074,705		
	Fund Sources: General	$29,306,715	$29,306,715		
	Higher Education Operating	$538,047,199	$568,015,062		
	Debt Service	$24,295,215	$25,752,928		

Authority: Title 23.1, Chapter22, Code of Virginia.

A. Out of this appropriation, $1,744,245 the first year and $1,744,245 the second year from the general fund and $14,350,000 the first year and $14,350,000 the second year from nongeneral funds are designated to build research capacity in the areas of bioengineering and biosciences.

B.1. Out of this appropriation, $22,500,000 the first year and $22,500,000 the second year from the general fund is designated for the support of cancer research. From this allocation, $2,500,000 the first year and $2,500,000 the second year from the general fund is designated for the support of pediatric cancer research.

2. The University of Virginia shall submit an annual report to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on its use of state funds in cancer research.

C. Out of this appropriation, $4,112,500 the first year and $4,112,500 the second year from the general fund is designated for support of the Focused Ultrasound Center to support core programs and research activities. The funding provided in this paragraph supports the activities and research at the University of Virginia as designated by the Focused Ultrasound Foundation, including coordinated activities with Virginia Tech.

D. Out of this appropriation, $950,000 the first year and $950,000 the second year from the general fund is designated to support the creation of the UVA Economic Development Accelerator.

E. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover

ITEM 185.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	sponsored program operations.				
186.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$190,840,682	$200,382,717
	Food Services (80910)	$5,370,300	$5,370,300		
	Residential Services (80930)	$14,893,801	$24,435,836		
	Parking And Transportation Systems And Services (80940)	$12,559,388	$12,559,388		
	Telecommunications Systems And Services (80950)	$15,564,808	$15,564,808		
	Student Health Services (80960)	$9,988,673	$9,988,673		
	Student Unions And Recreational Facilities (80970)	$7,764,975	$7,764,975		
	Recreational And Intramural Programs (80980)	$9,719,717	$9,719,717		
	Other Enterprise Functions (80990)	$61,430,758	$61,430,758		
	Intercollegiate Athletics (80995)	$53,548,262	$53,548,262		
	Fund Sources: Higher Education Operating	$175,368,733	$184,137,170		
	Debt Service	$15,471,949	$16,245,547		
	Authority: Title 23.1, Chapter 22, Code of Virginia.				
	Total for University of Virginia			~~$2,226,017,865~~ *$2,232,306,565*	~~$2,372,830,294~~ *$2,408,243,068*
	General Fund Positions	1,088.78	1,088.78		
	Nongeneral Fund Positions	5,955.32	5,955.32		
	Position Level	7,044.10	7,044.10		
	Fund Sources: General	~~$250,087,157~~ *$256,375,857*	$250,291,847		
	Higher Education Operating	$1,936,163,544	~~$2,080,539,972~~ *$2,115,952,746*		
	Debt Service	$39,767,164	$41,998,475		
	University of Virginia Medical Center (209)				
187.	State Health Services (43000)			~~$3,069,386,506~~ *$3,077,701,260*	~~$3,201,715,712~~ *$3,322,163,011*
	Inpatient Medical Services (43007)	~~$1,242,475,124~~ *$1,250,789,878*	~~$1,298,483,888~~ *$1,418,931,187*		
	Outpatient Medical Services (43011)	$825,890,054	$863,164,350		
	Administrative Services (43018)	$1,001,021,328	$1,040,067,474		
	Fund Sources: Higher Education Operating	~~$3,051,740,041~~ *$3,060,054,795*	~~$3,184,069,247~~ *$3,304,516,546*		
	Debt Service	$17,646,465	$17,646,465		
	Authority: §§ 23.1, Chapter 22, Article 3 , Code of Virginia and Chapter 38, Acts of Assembly of 1978.				
	A. The appropriation to the University of Virginia Medical Center provides for the care, treatment, health related services and education activities associated with Virginia patients, including indigent and medically indigent patients. Inasmuch as the University of Virginia Medical Center is a state teaching hospital, this appropriation is to be used to jointly support the education of health students through patient care provided by this appropriation.				
	B. By July 1 of each year, the Director, Department of Medical Assistance Services shall approve a common criteria and methodology for determining free care attributable to the appropriations in this Item. The Medical Center will report to the Department of Medical Assistance Services expenditures for indigent, medically indigent, and other patients. The Auditor of Public Accounts and the State Comptroller shall monitor the implementation of these procedures. The Medical Center shall report by October 31 annually to the Department of Medical Assistance Services, the Comptroller and the Auditor of Public				

ITEM 187.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

Accounts on expenditures related to this Item. Reporting shall be by means of the indigent care cost report and shall follow criteria approved by the Director, Department of Medical Assistance Services.

C. Funding for Family Practice is included in the University of Virginia's Educational and General appropriation. Support for other residencies is included in the hospital appropriation.

D. It is the intent of the General Assembly that the University of Virginia Medical Center – Hospital maintain its efforts to staff residencies and fellow positions to produce sufficient generalist physicians in medically underserved regions of the state.

E. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover medical center operations.

F. Notwithstanding anything contrary to law, the University of Virginia has authority to determine compensation paid to Medical Center employees in accordance with policies established by the Board of Visitors.

G. In order to provide the state share for Medicaid supplemental payments to Medicaid provider private hospitals in which the University of Virginia Medical Center has a non-majority interest, the University of Virginia shall transfer to the Department of Medical Assistance Services public funds that comply with 42 C.F.R. § 433.51.

188. The June 30, 2024 and June 30, 2025 unexpended balances of the University of Virginia Medical Center are hereby reappropriated; their use is subject to approval of allotments by the Department of Planning and Budget.

189. A full accrual system of accounting shall be effected by the institution, subject to the authority of the State Comptroller, as stated in § 2.2-803, Code of Virginia, with the provison that appropriations for operating expenses may not be used for capital projects.

Total for University of Virginia Medical Center			~~$3,069,386,506~~ *$3,077,701,260*	~~$3,201,715,712~~ *$3,322,163,011*
Nongeneral Fund Positions	~~8,142.22~~ *8,762.22*	~~8,206.22~~ *9,059.22*		
Position Level	~~8,142.22~~ *8,762.22*	~~8,206.22~~ *9,059.22*		
Fund Sources: Higher Education Operating	~~$3,051,740,041~~ *$3,060,054,795*	~~$3,184,069,247~~ *$3,304,516,546*		
Debt Service	$17,646,465	$17,646,465		

University of Virginia's College at Wise (246)

190. Educational and General Programs (10000)			~~$45,349,883~~ *$46,331,683*	~~$45,349,883~~ *$46,753,570*
Higher Education Instruction (100101)	~~$23,811,671~~ *$24,793,471*	~~$23,811,671~~ *$25,215,358*		
Higher Education Public Services (100103)	$701,211	$701,211		
Higher Education Academic (100104)	$5,407,991	$5,407,991		
Higher Education Student Services (100105)	$3,586,959	$3,586,959		
Higher Education Institutional Support (100106)	$6,530,833	$6,530,833		
Operation and Maintenance Of Plant (100107)	$5,311,218	$5,311,218		
Fund Sources: General	~~$31,037,503~~ *$32,019,303*	$31,037,503		
Higher Education Operating	$14,312,380	~~$14,312,380~~ *$15,716,067*		

Authority: Title 23.1, Chapter 22, Article 2, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education

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Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).				
B. The software engineering curriculum being established to insure success of recent economic development projects in Southwest Virginia, shall be considered on its merits by the State Council of Higher Education for Virginia and shall not be dependent on funding by the Commonwealth.				
C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.				
D. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the University of Virginia and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.				
E. Notwithstanding § 23.1-203(3) of the Code of Virginia, the escalation of the University of Virginia's College at Wise (the College) to offer master's level degree programs is approved. Any new master's degree program proposed by the College shall be reviewed and approved or disapproved by the State Council of Higher Education for Virginia consistent with the Council's duties per § 23.1-203(5) of the Code of Virginia.				
191. Higher Education Student Financial Assistance (10800)			~~$6,385,755~~ *$6,526,755*	$6,339,175
Scholarships (10810)	~~$6,385,755~~ *$6,526,755*	$6,339,175		
Fund Sources: General	~~$6,335,755~~ *$6,476,755*	$6,289,175		
Higher Education Operating	$50,000	$50,000		
Authority: Title 23.1. Chapter 22, Article 2, Code of Virginia.				
Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
192. Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at			$5,663,186	~~$5,663,186~~ *$12,345,227*
Sponsored Programs (11004)	$5,663,186	~~$5,663,186~~ *$12,345,227*		
Fund Sources: Higher Education Operating	$5,663,186	~~$5,663,186~~ *$12,345,227*		
Authority: Title 23.1 Chapter 22, Article 2, Code of Virginia.				
193. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$12,828,932	~~$12,828,932~~ *$13,643,732*
Food Services (80910)	$294,528	$294,528		
Bookstores And Other Stores (80920)	$268,500	$268,500		
Residential Services (80930)	$4,876,119	$4,876,119		

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Parking And Transportation Systems And Services (80940)	$165,211	$165,211		
Student Health Services (80960)	$211,363	$211,363		
Student Unions And Recreational Facilities (80970)	$1,354,660	$1,354,660		
Recreational And Intramural Programs (80980)	$123,400	$123,400		
Other Enterprise Functions (80990)	$2,056,994	~~$2,056,994~~ *$2,871,794*		
Intercollegiate Athletics (80995)	$3,478,157	$3,478,157		
Fund Sources: Higher Education Operating	$9,838,932	~~$9,838,932~~ *$10,653,732*		
Debt Service	$2,990,000	$2,990,000		
Authority: Title 23.1, Chapter 22, Article 2, Code of Virginia.				
Total for University of Virginia's College at Wise			~~**$70,227,756**~~ ***$71,350,556***	~~**$70,181,176**~~ ***$79,081,704***
General Fund Positions	223.46	223.46		
Nongeneral Fund Positions	211.24	211.24		
Position Level	434.70	434.70		
Fund Sources: General	~~$37,373,258~~ *$38,496,058*	$37,326,678		
Higher Education Operating	$29,864,498	~~$29,864,498~~ *$38,765,026*		
Debt Service	$2,990,000	$2,990,000		
Grand Total for University of Virginia			~~**$5,365,632,127**~~ ***$5,381,358,381***	~~**$5,644,727,182**~~ ***$5,809,487,783***
General Fund Positions	1,312.24	1,312.24		
Nongeneral Fund Positions	~~14,308.78~~ *14,928.78*	~~14,372.78~~ *15,225.78*		
Position Level	~~15,621.02~~ *16,241.02*	~~15,685.02~~ *16,538.02*		
Fund Sources: General	~~$287,460,415~~ *$294,871,915*	$287,618,525		
Higher Education Operating	~~$5,017,768,083~~ *$5,026,082,837*	~~$5,294,473,717~~ *$5,459,234,318*		
Debt Service	$60,403,629	$62,634,940		

§ 1-62. VIRGINIA COMMONWEALTH UNIVERSITY (236)

194.	Educational and General Programs (10000)			~~$778,096,233~~ *$785,359,433*	~~$778,096,233~~ *$757,096,233*
	Higher Education Instruction (100101)	~~$494,323,196~~ *$501,586,396*	~~$494,323,196~~ *$473,323,196*		
	Higher Education Research (100102)	$16,528,253	$16,528,253		
	Higher Education Public Services (100103)	$9,799,053	$9,799,053		
	Higher Education Academic (100104)	$112,139,634	$112,139,634		
	Higher Education Student Services (100105)	$27,207,829	$27,207,829		
	Higher Education Institutional Support (100106)	$60,312,944	$60,312,944		
	Operation and Maintenance Of Plant (100107)	$57,785,324	$57,785,324		
	Fund Sources: General	~~$295,566,208~~ *$302,829,408*	$295,566,208		
	Higher Education Operating	$482,530,025	~~$482,530,025~~ *$461,530,025*		
	Authority: Title 23.1, Chapter 23, Code of Virginia.				

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of

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Assembly).

B.1. Out of this appropriation, $4,336,607 the first year and $4,336,607 the second year from the general fund is provided for the operation of the Family Practice Residency Program and Family Practice medical student programs. This appropriation for Family Practice programs, whether ultimately implemented by contract, agreement or other means, is considered to be a grant.

2. The university shall report by July 1 annually to the Department of Planning and Budget an operating plan for the Family Practice Residency Program.

3. The university, in cooperation with the University of Virginia, shall establish elective Family Practice Medicine experiences in Southwest Virginia for both students and residents.

4. In the event the Governor imposes across-the-board general fund reductions, pursuant to his executive authority in § 4-1.02 of this act, the general fund appropriation for the Family Practice programs shall be exempt from any reductions, provided the general fund appropriation for the family practice program is excluded from the total general fund appropriation for Virginia Commonwealth University for purposes of determining the University's portion of the statewide general fund reduction requirement.

C. Out of this appropriation, an amount estimated at $332,140 the first year and $332,140 the second year from the general fund and $168,533 the first year and $168,533 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.

D.1. Out of this appropriation, not less than $386,685 the first year and not less than $536,685 the second year from the general fund is designated for the Virginia Center on Aging. This includes $319,750 the first year and $319,750 the second year for the Alzheimer's and Related Diseases Research Award Fund.

2. Out of this appropriation, $253,244 the first year and $253,244 the second year from the general fund and $356,250 the first year and $356,250 the second year from nongeneral funds are designated for the operation of the Virginia Geriatric Education Center and the Geriatric Academic Career Awards Program, both to be administered by the Virginia Center on Aging.

3. Funding designated in paragraphs D.1. and D.2. of this item are intended as a pass-through payment to support the Center on Aging and dementia-related research by investigators throughout the Commonwealth. These funds shall be exempt from supplantation assessment or other budget management plans at Virginia Commonwealth University. All other funding support for the center shall be maintained by the university at least at the level provided in fiscal year 2019.

E. All costs for maintenance and operation of the physical plant of the School of Engineering, Phase I and future renovations, repairs, and improvements as they become necessary shall be financed from nongeneral funds.

F. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund is designated for support of the Council on Economic Education.

G. Out of this appropriation, $192,753 the first year and $192,753 the second year from the general fund is designated for support of the Education Policy Institute.

H.1. Notwithstanding any other provisions of law, Virginia Commonwealth University is authorized to remit tuition and fees for merit scholarships for students of high academic achievement subject to the following limitations and restrictions:

2. The number of such scholarships annually awarded to undergraduate Virginia students shall not exceed 20 percent of the fall headcount enrollment of Virginia students in undergraduate studies in the institution from the preceding academic year. The total value

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of such merit scholarships annually awarded shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by 20 percent of the headcount enrollment of Virginia students in undergraduate studies in the institution for the fall semester from the preceding academic year.

3. The number of such scholarships annually awarded to undergraduate non-Virginia students shall not exceed 20 percent of the fall headcount enrollment of non-Virginia students in undergraduate studies in the institution from the preceding academic year. The total value of such merit scholarships annually awarded shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by 20 percent of the fall headcount enrollment of non-Virginia students in undergraduate studies in the institution during the preceding academic year.

4. A scholarship awarded under this program shall entitle the holder to receive an annual remission of an amount not to exceed the cost of tuition and required fees to be paid by the student.

I. Out of this appropriation, $252,595 the first year and $252,595 the second year from the general fund is provided for the Medical College of Virginia Palliative Care Partnership.

J. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

K. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is designated for the Virginia Commonwealth University School of Pharmacy to support the Center for Compounding Practice and Research. The allocation will serve to support any costs associated with creating the Center including facility-related expenses as well as the purchase of the compounding equipment necessary for this state of the art teaching and research facility and will be leveraged as a matching gift with private funds. The Center will train Pharm.D. students to meet technical compounding demands, provide continuing education to registered pharmacists and conduct ongoing research on compounded medications.

L. Out of this appropriation, $255,000 the first year and $255,000 the second year from the general fund is designated to support a substance abuse fellowship program and a sickle cell opiod management program at the Virginia Commonwealth University School of Medicine.

M. Out of this appropriation, $235,000 the first year and $235,000 the second year from the general fund is designated to support a partnership between Virginia Commonwealth University and the Virginia Repertory Theatre at the historic November Theatre (formally known as the Empire Theatre).

N. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between Virginia Commonwealth University and the Commonwealth, as set forth in Chapters 594 and 616, of the 2008 Acts of Assembly.

O. 1. Out of this appropriation, $4,273,380 the first year and $4,273,380 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State

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Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. Virginia Commonwealth University is expected to maintain increases in:

a. Data Science and Technology awards of 20 annually over the base year.

b. Science and Engineering awards of 30 annually over the base year.

c. Healthcare awards of 40 annually over the base year.

d. Education awards of 20 annually over the base year.

e. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees annually.

P. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.

Q. Out of this appropriation, $3,000,000 the first year and $3,000,000 the second year from the general fund is designated to fund research and programming activities at the Research Institute for Social Equity within the L. Douglas Wilder School of Government and Public Affairs at Virginia Commonwealth University. The University shall conduct social equity research and analysis, work collaboratively with Virginia Union University, expand the Minority Political Leadership Institute, expand social equity training and development, and increase its racial equity and social justice tools and resources.

R. As a condition of this appropriation, $475,000 each year from the general fund is designated to support a program between Rappahannock Community College and Virginia Commonwealth University Health System to create a certified sonographer education and training program in order to address significant workforce shortages across the Commonwealth. Funding shall support capital, equipment, and staffing needs to create two training labs in the Rappahannock Community College service region.

195.	Higher Education Student Financial Assistance (10800)		~~$116,312,595~~ *$118,427,595*	~~$116,770,495~~ *$137,770,495*
	Scholarships (10810)	~~$111,571,411~~ *$113,686,411*	~~$111,866,811~~ *$132,866,811*	
	Fellowships (10820)	$4,741,184	$4,903,684	
	Fund Sources: General	~~$61,664,006~~ *$63,779,006*	$62,121,906	
	Higher Education Operating	$54,648,589	~~$54,648,589~~ *$75,648,589*	

Authority: Title 23.1, Chapter 23, Code of Virginia.

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A. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between the university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.				
B. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
196. Financial Assistance For Educational and General Services (11000)			$356,394,910	~~$356,394,910~~ *$387,394,910*
Eminent Scholars (11001)	$3,063,732	$3,063,732		
Sponsored Programs (11004)	$353,331,178	~~$353,331,178~~ *$384,331,178*		
Fund Sources: General	$26,762,500	$26,762,500		
Higher Education Operating	$319,526,130	~~$319,526,130~~ *$350,526,130*		
Debt Service	$10,106,280	$10,106,280		
Authority: Title 23.1, Chapter 23, Code of Virginia.				
A. Out of this appropriation, $1,162,500 the first year and $1,162,500 the second year from the general fund and $6,600,000 the first year and $6,600,000 the second year from nongeneral funds are designated to build research capacity in the areas of biomedical engineering and regenerative medicine.				
B. Out of this appropriation, $22,500,000 the first year and $22,500,000 the second year from the general fund is designated for the support of cancer research. Virginia Commonwealth University shall submit an annual report to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on its use of state funds in cancer research.				
C. Out of this appropriation, $350,000 the first year and $350,000 the second year from the general fund is designated to support the Parkinson's and Movement Disorders Center.				
D. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
197. State Health Services (43000)			$39,152,534	~~$39,152,534~~ *$54,152,534*
State Health Services Technical Support And Administration (43012)	$39,152,534	~~$39,152,534~~ *$54,152,534*		
Fund Sources: Higher Education Operating	$39,152,534	~~$39,152,534~~ *$54,152,534*		
Authority: Discretionary Inclusion.				
This appropriation includes funding to support 238 instructional and administrative faculty positions and for administrative and classified positions which provide services, through internal service agreements, to the Virginia Commonwealth University Health System Authority.				
198. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$167,953,274	~~$167,953,274~~ *$182,953,274*
Food Services (80910)	$22,040,916	~~$22,040,916~~ *$37,040,916*		
Bookstores And Other Stores (80920)	$5,338,412	$5,338,412		

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	Residential Services (80930)	$32,237,397	$32,237,397		
	Parking And Transportation Systems And Services (80940)	$24,869,578	$24,869,578		
	Telecommunications Systems And Services (80950)	$5,676,016	$5,676,016		
	Student Health Services (80960)	$6,471,205	$6,471,205		
	Student Unions And Recreational Facilities (80970)	$14,560,559	$14,560,559		
	Recreational And Intramural Programs (80980)	$11,859,159	$11,859,159		
	Other Enterprise Functions (80990)	$26,835,845	$26,835,845		
	Intercollegiate Athletics (80995)	$18,064,187	$18,064,187		
	Fund Sources: Higher Education Operating	$149,624,317	~~$149,624,317~~ *$164,624,317*		
	Debt Service	$18,328,957	$18,328,957		
	Authority: Title 23.1, Chapter 23, Code of Virginia.				
199.	Administrative and Support Services (19900)			$47,597,562	$47,597,562
	Operation of Higher Education Centers (19931)	$47,597,562	$47,597,562		
	Fund Sources: Higher Education Operating	$47,597,562	$47,597,562		
	Authority: Title 23.1, Chapter 23, Code of Virginia.				

A.1. Out of this appropriation, $45,058,639 the first year and $45,058,639 the second year from nongeneral funds is designated to support the university's branch campus in Qatar.

2. Notwithstanding § 2.2-1802 of the Code of Virginia, Virginia Commonwealth University is authorized to maintain a local bank account in Qatar and non-U.S. countries to facilitate business operations the VCU Qatar Campus. These accounts are exempt from the Securities for Public Deposits Act, Title 2.2, Chapter 44 of the Code of Virginia.

3. Procurements and expenditures from the local bank account(s) are not subject to the Virginia Public Procurement Act and the Commonwealth Accounting Policies and Procedures (CAPP) Manual. Virginia Commonwealth University will institute procurement policies based on competitive procurement principles, except as otherwise stated within these policies. Expenditures from the local bank account will be recorded in the Commonwealth Accounting and Reporting System by Agency Transaction Vouchers, as appropriated herewith with revenue recognized as equal to the expenditures.

4. Notwithstanding § 2.2-1149 of the Code of Virginia, Virginia Commonwealth University is authorized to approve operating, income and capital leases in Qatar under policies and procedures developed by the University.

5. Virginia Commonwealth University is authorized to establish and hire staff (non-faculty) positions in Qatar under policies and procedures developed by the University. These employees, who are employed solely to support the Qatar Campus are not considered employees of the Commonwealth of Virginia and are not subject to the Virginia Personnel Act. Employees hired as University and Academic Professionals are considered employees of the Commonwealth of Virginia and are subject to the university's policies, Management Agreement, and applicable law.

6. The Board of Visitors of Virginia Commonwealth University is authorized to establish policies for the Qatar Campus.

Total for Virginia Commonwealth University			~~**$1,505,507,108**~~ ***$1,514,885,308***	~~**$1,505,965,008**~~ ***$1,566,965,008***
General Fund Positions	1,507.80	1,507.80		
Nongeneral Fund Positions	3,792.29	3,792.29		
Position Level	5,300.09	5,300.09		
Fund Sources: General	~~$383,992,714~~ *$393,370,914*	$384,450,614		

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	Higher Education Operating	$1,093,079,157	~~$1,093,079,157~~ *$1,154,079,157*		
	Debt Service	$28,435,237	$28,435,237		

§ 1-63. VIRGINIA COMMUNITY COLLEGE SYSTEM (260)

200.	Educational and General Programs (10000)			~~$1,080,055,383~~ *$1,089,558,483*	$1,080,055,383
	Higher Education Instruction (100101)	~~$482,400,381~~ *$491,903,481*	$482,400,381		
	Higher Education Public Services (100103)	$5,001,741	$5,001,741		
	Higher Education Academic (100104)	$107,868,991	$107,868,991		
	Higher Education Student Services (100105)	$118,564,801	$118,564,801		
	Higher Education Institutional Support (100106)	$262,405,451	$262,405,451		
	Operation and Maintenance Of Plant (100107)	$103,814,018	$103,814,018		
	Fund Sources: General	~~$571,752,212~~ *$581,255,312*	$571,752,212		
	Higher Education Operating	$508,303,171	$508,303,171		

Authority: Title 23.1, Chapter 29, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. It is the objective of the Commonwealth that a standard of 70 percent full-time faculty be established for the Virginia Community College System. Consistent with higher education funding guidelines, it is expected that the Virginia Community College System will utilize the funds provided for base operating support to achieve this objective. In addition, the first priority for new funding provided to the community college system shall be for operating support at individual community colleges. Thirty days prior to the beginning of each fiscal year, the Virginia Community College System shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the allocation of all new general funds and nongeneral funds in this item and any cost recovery plans between the individual community colleges and the system office.

C. It is the intent of the General Assembly that funds available to the Virginia Community College System be reallocated to accommodate changes in enrollment and other cost factors at each of the community colleges.

D. Tuition and fee revenues from out-of-state students taking distance education courses through the Virginia Community College System must exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the State Board for Community Colleges.

E. Out of this appropriation, amounts for the following special programs are designated: at J. Sargeant Reynolds Community College, the Program for the Deaf, $64,547 and four positions the first year and $64,547 and four positions the second year from the general fund and the Program for the Intellectually Disabled, $91,004 and four positions the first year and $91,004 and four positions the second year from the general fund; and, at New River Community College, the Program for the Deaf, $78,328 and four positions the first year and $78,328 and four positions the second year from the general fund, and the Program for the Intellectually Disabled, $69,682 and 4.5 positions the first year and $69,682 and 4.5 positions the second year from the general fund; and, at Danville Community College, the Program for the Deaf, $26,001 and one position the first year and $26,001 and one position the second year from the general fund.

F. Out of this appropriation, $39,001 the first year and $39,001 the second year from the general fund is designated to support the Southwest Virginia Telecommunications Network.

G. Out of this appropriation, $261,370 and four positions the first year and $261,370 and four positions the second year from the general fund is provided to support Virginia Western Community College's participation in the Roanoke Higher Education Center and the Botetourt

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County Education and Training Center at Greenfield.

H. Out of this appropriation, $130,005 the first year and $130,005 the second year from the general fund is designated to support the Southwestern Virginia Advanced Manufacturing Technology Center at Wytheville Community College.

I.1. Out of this appropriation, $345,000 the first year and $345,000 the second year from the general fund is provided for the annual lease or rental costs of space in the Botetourt County Education and Training Center at Greenfield.

2. The general fund amounts provided for in this paragraph for workforce training, retraining, programming, and community education facilities at the Botetourt County Education and Training Center shall be matched by local or private sources in a ratio of two-thirds state funds to at least one-third local or private funds, as approved by the State Board for Community Colleges.

J. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

K. Out of this appropriation, $191,884 the first year and $191,884 the second year from the general fund shall be provided to Northern Virginia Community College to support public-private sector partnerships in order to maximize the number of newly licensed nurses and increase the supply of nursing faculty.

L. Out of this appropriation, $489,000 the first year and $489,000 the second year from the general fund is designated for Northern Virginia Community College to implement the SySTEMic Solutions initiative which will enable expansion of dual enrollment courses with a STEM focus in all Northern Virginia school districts; opportunities to earn industry-aligned certifications; professional development opportunities for STEM teachers; part-time employment and internship opportunities for students in STEM programs; hands-on SOL-based science lessons at the elementary level with industry input and support; and collaborative robotics programs between the community college and K-12 schools. It is expected that an equal amount of private funds will be generated as a match for the state support.

M. Out of this appropriation, $19,560 the first year and $19,560 the second year from the general fund shall be provided to Southside Virginia Community College. Out of this amount, $9,780 each year from the general fund shall be provided to the Estes Community Center in Chase City, $9,780 each year from the general fund shall be provided to the Lake Country Advanced Knowledge Center in South Hill.

N. Out of this appropriation, $115,130 the first year and $115,130 the second year from the general fund is provided for the Mecklenburg County Job Retraining Center.

O. Out of this appropriation, $255,000 the first year and $255,000 the second year from the general fund and $163,000 the first year and $163,000 the second year from nongeneral funds is designated for the operation of the Amherst Center of Central Virginia Community College. Central Virginia Community College shall report annually to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the number of students enrolled, the programs provided with number of students served and the number of degrees and certificates awarded by program.

P. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund is designated for Laurel Ridge Community College. Of this amount $100,000 the first year and $100,000 the second year is designated to support the career and technical education programs at the Middletown Campus and $100,000 the first year and $100,000 the second year is designated for workforce training programs at the Fauquier Campus. The programs will be designed in collaboration with regional employers and high schools.

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Q. Out of this appropriation, $1,100,000 and seven positions the first year and $1,100,000 and seven positions the second year from the general fund is designated for veterans resource centers at Northern Virginia Community College, Tidewater Community College, Virginia Peninsula Community College, Germanna Community College, J. Sargeant Reynolds Community College, Brightpoint Community College, and Virginia Western Community College.

R. Out of this appropriation, $250,000 and nine positions the first year and $250,000 and nine positions the second year from the general fund is designated to support the Rural Horseshoe Initiative.

S. Out of this appropriation, $480,000 and two positions the first year and $480,000 and two positions the second year from the general fund are designated for the Virginia Community College System, in partnership with the State Council of Higher Education for Virginia, to develop and maintain a mandated online repository for all transfer agreements, course equivalency tools, Passport Credit Program Guidelines and other informational resources related to transferring from a public two-year institution to a public four-year institution. The repository shall also include a Dual Enrollment Guide, Exam Equivalency Guide, Degree Searcher, and other transfer tools and components that support student transfer.

T. Out of this appropriation, $1,413,689 the first year and $1,413,689 the second year from the general fund is designated for costs of three associate degree programs in Occupational Therapy Assistant, Physical Therapy Assistant, and Surgical Technology that have transferred to Virginia Western Community College as a result of the merger of Radford University and the Jefferson College of Health Sciences authorized in Chapter 60 of the 2019 Acts of Assembly.

U. Out of this appropriation, $4,000,000 the first year and $4,000,000 the second year from the general fund is designated for advising, marketing, outreach and public awareness efforts for the G3 program in Item 201.

V. Out of this appropriation, $1,050,000 the first year and $1,050,000 the second year from the general fund is designated for health science and technology education at Virginia Western, New River, Central Virginia and Mountain Gateway Community Colleges.

W. Out of this appropriation, $296,314 the first year and $296,314 the second year from the general fund is designated for Southside Virginia Community College to implement the Solar Hands-On Instructional Network of Excellence (SHINE) workforce program.

X. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is designated for the Virginia Community College System (VCCS) to support a state-funded grant program to support the Great Expectations Program in the following areas: the hiring of college coaches or mentors, housing stipends, child care, and transportation needs. VCCS shall report to the Commission on Youth the outcomes of the grant program by November 30 of each year. The Great Expectations Program serves young adults who have experienced foster care.

Y. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the general fund is designated for enhancements to the cyber-security infrastructure.

Z. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is designated for Virginia Peninsula Community College to support its collaboration with the Coastal Virginia Science, Technology, Engineering, and Mathematics Hub.

AA. Out of this appropriation, $1,500,000 and two positions the first year and $1,500,000 and two positions the second year from the general fund is designated for Danville Community College to support an aviation maintenance technology program. Danville Community College shall develop a comprehensive work plan which includes an implementation plan, projected expenditures, performance benchmarks and partnership responsibilities. Danville Community College shall initiate the program and accreditation approval through federal and state entities and complete partnership agreements with Danville Regional Airport, Averett University, other higher education partners, participating K-12 school divisions, businesses and any public bodies necessary for program.

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BB. Out of this appropriation $7,750,000 the first year and $7,750,000 the second year from the general fund is provided for support of workforce programs in regions with high labor demand and low supply. Funds may be used for startup costs related to new program development and shall include an employer match to ensure alignment to workforce needs. Funds also may be used to support new program development for career and technical dual enrollment courses.

CC. Out of this appropriation, ~~$250,000~~*$500,000* the first year and $250,000 the second year from the general fund is designated for Northern Virginia Community College to provide technical ~~instruction~~*assistance* for ~~an automotive apprenticeship program~~ *automotive and building maintenance training programs* coordinated by the Prince William County Department of Facilities and Fleet Management, to address workforce shortages.

DD. Out of this appropriation, $350,000 the first year and $350,000 the second year from the general fund is provided to the Virginia Community College System to support mixed-delivery programs and classroom equipment and materials at Virginia Peninsula Community College. Of this amount, $100,000 the first year and $100,000 the second year is provided to support early childhood instructional delivery, equipment, and program operating costs. Virginia Peninsula Community College is authorized to enter into a partnership agreement with a third-party provider to facilitate in-practice early childhood educational training. Funds shall be ongoing and incorporated into the institution's base budget for the next biennium.

201.	Higher Education Student Financial Assistance (10800)			
	a sum sufficient, estimated at		~~$166,169,861~~ *$169,005,861*	$167,100,971
	Scholarships (10810)	~~$166,169,861~~ *$169,005,861*	$167,100,971	
	Fund Sources: General	~~$127,722,555~~ *$130,558,555*	$128,653,665	
	Higher Education Operating	$38,447,306	$38,447,306	

Authority: Title 23.1, Chapter 29, Code of Virginia.

A. Out of this appropriation, $150,000 the first year and $150,000 the second year from the general fund is designated for Tidewater Community College to support an apprenticeship program for Virginia's shipyard workers. All general fund amounts appropriated for this apprenticeship program shall be used to provide scholarships to shipyard workers enrolled in the program. The conditions for receiving a scholarship shall be those conditions described in § 23.1-2912, Code of Virginia.

B. Funding in this Item shall be allocated for the Virginia Guarenteed Assistance Program, the Commonwealth Award and need-based student financial assistance for industry-based certifications or related programs that do not qualify for other sources of student financial assistance.

C. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.

D.1. Out of this appropriation, $34,500,000 the first year and $34,500,000 the second year from the general fund is designated for the Get Skilled, Get a Job, Give Back Program (G3 Program) pursuant to § 23.1-2911.2.

The programs covered under the G3 Program by Classification of Instructional Program (CIP) Codes are as follows:

CIP Code	Description
11.0101	Computer and Information

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	Sciences, General				
11.0103	Information Technology				
11.0201	Computer Programming/ Programmer, General				
11.0701	Computer Science				
11.0801	Web Page, Digital/Multimedia and Information Resources Design				
11.0901	Computer Systems Networking and Telecommunications				
11.1001	Network and System Administration/ Administrator				
11.1003	Computer and Information Systems Security/Information Assurance				
12.0500	Cooking and Related Culinary Arts, General				
13.0101	Education, General				
13.1013	Education/Teaching of Individuals with Autism				
13.1501	Teacher Assistant/Aide				
13.1202	Elementary Education and Teaching				
13.1205	Secondary Education and Teaching				
14.0101	Engineering, General				
15.0000	Engineering and Engineering-Related Fields				
15.0101	Architectural Engineering Technology/Technician				
15.0201	Civil Engineering Technology/Technician				
15.0303	Electrical, Electronic and Communications Engineering Technology/Technician				
15.0305	Telecommunications Technology/Technician				
15.0599	Environmental Control Technologies/Technicians, Other				
15.0612	Industrial Technology/Technician				
15.0613	Manufacturing Engineering Technology/Technician				
15.0699	Industrial Production Technologies/Technicians, Other				
15.0899	Mechanical Engineering Related Technologies/Technicians, Other				
15.0901	Mining Technology/Technician				
15.1301	Drafting and Design Technology/Technician, General				
15.1302	CAD/CADD Drafting and/or				

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		Design Technology/Technician			
	15.1303	Architectural Drafting and Architectural CAD/CADD			
	15.1401	Nuclear Engineering Technology/Technician			
	15.9999	Engineering Technologies and Engineering-Related Fields, Other			
	19.0707	Family and Community Services			
	19.0709	Child Care Provider/Assistant			
	30.0101	Biological and Physical Sciences			
	41.0101	Biology Technician/Biotechnology Laboratory Technician			
	43.0102	Corrections			
	43.0103	Criminal Justice/Law Enforcement Administration			
	43.0104	Criminal Justice/Safety Studies			
	43.0106	Forensic Science and Technology			
	43.0107	Criminal Justice/Police Science			
	43.0203	Fire Science/Fire-fighting			
	43.0303	Critical Infrastructure Protection			
	43.0406	Homeland Security, Other			
	43.9999	Homeland Security, Law Enforcement, Firefighting and Related Protective Services, Other			
	46.0000	Construction Trades			
	46.0302	Electrician			
	47.0000	Mechanic and Repair Technologies / Technicians			
	47.0101	Electrical/Electronics Equipment Installation and Repair, General			
	47.0105	Industrial Electronics Technology/Technician			
	47.0201	Heating, Air Conditioning, Ventilation and Refrigeration Maintenance Technology/Technician			
	47.0603	Autobody/Collision and Repair Technology/Technician			
	47.0604	Automobile/Automotive Mechanics Technology/Technician			
	47.0605	Diesel Mechanics Technology/Technician			
	47.0607	Airframe Mechanics and			

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	Aircraft Maintenance Technology/Technician				
48.0000	Precision Production				
48.0501	Machine Tool Technology/Machinist				
48.0508	Welding Technology/Welder				
48.0599	Precision Metal Working, Other				
48.0701	Woodworking, General				
51.0601	Dental Assisting/Assistant				
51.0602	Dental Hygiene/Hygienist				
51.0603	Dental Laboratory Technology/Technician				
51.0707	Health Information/Medical Records Technology/Technician				
51.0708	Medical Transcription/ Transcriptionist				
51.0713	Medical Insurance Coding Specialist/Coder				
51.0799	Health and Medical Administrative Services, Other				
51.0801	Medical/Clinical Assistant				
51.0803	Occupational Therapist Assistant				
51.0805	Pharmacy Technician/Assistant				
51.0806	Physical Therapy Technician/Assistant				
51.0808	Veterinary/Animal Health Technology/Technician and Veterinary Assistant				
51.0904	Emergency Medical Technology/Technician (EMT Paramedic)				
51.0907	Medical Radiologic Technology/Science - Radiation Therapist				
51.0908	Respiratory Care Therapy/Therapist				
51.0909	Surgical Technology/Technologist				
51.0910	Diagnostic Medical Sonography/Sonographer and Ultrasound Technician				
51.0911	Radiologic Technology/Science - Radiographer				
51.0912	Physician Assistant				
51.0999	Allied Health Diagnostic, Intervention, and Treatment Professions, Other				
51.1004	Clinical/Medical Laboratory Technician				
51.1005	Clinical Laboratory Science/Medical Technology/Technologist				

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	51.1009 Phlebotomy Technician/Phlebotomist				
	51.1105 Pre-Nursing Studies				
	51.1501 Substance Abuse/Addiction Counseling				
	51.1504 Community Health Services/Liaison/Counseling				
	51.1508 Mental Health Counseling/Counselor				
	51.1599 Mental and Social Health Services and Allied Professions, Other				
	51.1801 Opticianry/Ophthalmic Dispensing Optician				
	51.2706 Medical Informatics				
	51.3101 Dietetics/Dietitian				
	51.3501 Massage Therapy/Therapeutic Massage				
	51.3801 Registered Nursing/Registered Nurse				
	51.3899 Registered Nursing, Nursing Administration, Nursing Research and Clinical Nursing, Other				
	51.3901 Licensed Practical/Vocational Nurse Training				
	51.3902 Nursing Assistant/Aide and Patient Care Assistant/Aide				
	52.0901 Hospitality Administration / Management, General				

2. a. By December 1 of each year, the Office of Education and Labor Market Alignment within the Virginia Economic Development Partnership Authority System shall evaluate the skills and training including those provided through high school career and technical education, credentials, certifications, apprenticeships, internships, and other degree and non-degree programs needed for Virginians to fill jobs available in certified regional council areas.

b. Based on this evaluation, the Office of Education and Labor Market Alignment within the Virginia Economic Development Partnership Authority System shall make recommendations to the Governor and General Assembly what programs should be offered in each region that qualify for financial assistance under the G3 Program.

c. All additions and changes to the eligible high-demand fields for which programs may be offered pursuant to this item shall be approved by the General Assembly prior to implementation.

3. In order to be eligible for financial assistance under this program at a qualified public institution, an applicant shall:

a. Receive a total household income less than or equal to four hundred percent of the Federal Poverty Level;

b. Be enrolled or accepted for enrollment as a full-time or part-time student at an approved institution in an approved program specific to a high-demand field, as specified in paragraph D.1., and shall be enrolled in a minimum of six credit hours per semester, or in an eligible non-credit program;

c. Have submitted complete applications for federal and state student financial aid programs for which they may be eligible.

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d. In addition, healthcare workers, first responders and other essential workers as defined under Phase 1a and 1b of the Center for Disease Control (CDC) and Virginia Department of Health (VDH) and that are serving in the frontline of the COVID-19 pandemic shall, subject to the provisions of paragraph D.1. of this item, be eligible for programs offered under the G-3 initiative that enhance or upgrade their skills at no cost during the period that is covered under the state of emergency and for two years thereafter.

4. In order to remain eligible for financial assistance under this program at an approved institution, a participating student shall:

a. Meet standards for Satisfactory Academic Progress and maintain the required grade point average established by federal Higher Education Act of 1965 Title IV requirements;

b. Demonstrate reasonable progress to complete their specific program of study to earn an associate degree in no more than three years;

c. Not exceed 150 percent of required credits of certificate or degree.

5. a. Payments out of this appropriation shall provide (i) grants up to the amount necessary to pay for the last-dollar cost of the enrolled institution's tuition, mandatory fees, and textbook stipend for eligible students after all other qualified federal and state financial aid, and (ii) a Student Support Incentive Grant up to $2,250 per year for eligible students who are enrolled full-time and receive full Federal Pell Grants.

b. Each Student Support Incentive Grant shall be distributed to the eligible students in two equal payments, with the first disbursement after the census date for the enrollment period is reached, and the final disbursement at the end of the term of which the students qualified. Students who withdraw or stop attending during the term shall not receive additional payments and shall be subject to repayment of the funds already received. An eligible student may receive up to $900 per semester and up to $450 per Summer Term.

6. a. Funds for marketing and public awareness efforts to increase participation in the program are contained in Item 200 of this act.

b. The governing boards of Virginia's public associate degree-granting institutions shall ensure that program participation does not exceed budget appropriation.

7. a. No later than September 1 of each year, each Virginia public associate degree-granting institution shall submit to the State Council of Higher Education for Virginia and the Virginia Community College System a report with data from the previous fiscal year on program participation and completion, including data on what high-demand fields are supported by students at each institution.

b. The Council and System shall work collaboratively to compile the data provided by each public associate degree-granting institution and report such data, in aggregate and by institution annually, to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Senate Education and Health Committee, and the House Education Committee. The report must include student enrollment, retention rates between terms and academic years, wage data including median wages prior to enrollment and one year after completion of a credential or degree, wage rates of students who have not enrolled in over a year and did not complete a credential, and a comparison of demand of jobs and completion rates. The report must disaggregate the information above by program of study, college, and student income level at start of program.

8. a. No later than May 1, 2025, the Director, Department of Planning and Budget shall transfer $15,000,000 from G3 Program fund balances to Item 130 G. for use in the New Economy Workforce Credential Grant Program.

b. No later than May 1, 2025, the Director, Department of Planning and Budget shall transfer $500,000 from G3 Program fund balances to Item 203 B.3. for the A.L. Philpott Manufacturing Extension Partnership, with Patrick and Henry Community College currently acting as fiscal agent, as a match for a grant from the U.S. Department of Energy to develop the Virginia Smart Manufacturing Accelerator program, covering all of Virginia.

ITEM 202.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
202.	Financial Assistance For Educational and General Services (11000)			$60,736,044	$60,736,044
	Sponsored Programs (11004)	$60,736,044	$60,736,044		
	Fund Sources: Higher Education Operating	$60,736,044	$60,736,044		
	Authority: Title 23.1, Chapter 29, Code of Virginia.				
	The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
203.	Economic Development Services (53400)			~~$74,027,341~~ *$75,027,341*	~~$74,027,341~~ *$94,027,341*
	Management of Workforce Development Program Services (53427)	~~$74,027,341~~ *$75,027,341*	~~$74,027,341~~ *$94,027,341*		
	Fund Sources: General	~~$11,876,314~~ *$12,376,314*	$11,876,314		
	Higher Education Operating	~~$62,151,027~~ *$62,651,027*	~~$62,151,027~~ *$82,151,027*		
	Authority: Title 23.1, Chapter 29, Code of Virginia.				

A. Out of this appropriation, $125,000 the first year and $125,000 the second year from the general fund is provided to continue planning for the advanced integrated manufacturing technology program at Virginia Peninsula Community College.

B.1. Out of this appropriation, $666,162 the first year and $666,162 the second year from the general fund is designated for the A.L. Philpott Manufacturing Extension Partnership, *a political subdivision of the Commonwealth per § 23.1-3101, Code of Virginia, doing business as Genedge Alliance,* ~~at~~ *with* Patrick and Henry Community College *currently acting as fiscal agent.*

2. Out of this appropriation, $1,086,350 the first year and $1,086,350 the second year from the general fund is designated for the A.L. Philpott Manufacturing Extension Partnership ~~at~~*, with* Patrick and Henry Community College *currently acting as fiscal agent,* for an ongoing match for a grant from the U.S. Department of Commerce to develop a manufacturer assistance program covering ~~most~~ *all* of Virginia.

C. It is the intent of the General Assembly that noncredit business and industry work-related training courses and programs offered by community colleges be funded at a ratio of 30 percent from the general fund and 70 percent from nongeneral funds. Out of this appropriation, $664,647 in the first year and $664,647 in the second year from the general fund is designated for this purpose. These funds may be combined with funds of $249,243 the first year and $249,243 the second year already included in the Virginia Community College System budget for the "Virginia Works" program. The funds will be allocated by formula to all colleges based on the number of individuals served by non-credit activities.

D.1. As recommended by House Joint Resolution No. 622 (1997), the Joint Subcommittee to Study Noncredit Education for Workforce Training in the Commonwealth, the Virginia Community College System is directed to establish one or more Institutes of Excellence responsible for development of statewide training programs to meet current, high demand workforce needs of the Commonwealth. Out of this appropriation, at least $664,647 the first year and $664,647 the second year from the general fund is available to support the Institutes of Excellence.

2. Under the guidance of the Virginia Workforce Council, authorized in Title 2.2, Chapter 26, Article 25, Code of Virginia, the Virginia Community College System shall submit to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees by November 4 of each year a report detailing the financing, activities, accomplishments and plans for the Institutes of Excellence and the four workforce development centers, and outcomes of the appropriations for 23 workforce coordinators and for non-credit training. The report shall include, but not be limited to:

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a. performance measures to be used to evaluate the effectiveness of the workforce coordinators at all 23 colleges;

b. detailed information on number of students trained, employers served and courses offered; the types of certifications awarded; and the participation by local governments and the public or private sector, and other data relevant to the activities of the four regional workforce development centers;

c. the number of students trained, employers served and courses offered through noncredit instruction, and the amounts of local government, public or private sector funding used to match this appropriation; and

d. the amount or percentage of private and public funding contributed for the institutes' programming and operating needs; the number of private and public partnerships involved in the institutes' programming; the number of faculty and colleges affected by the institutes' programming; and performance measures to be used to evaluate the sharing or broadcasting of information and new/improved/updated curricula to other Virginia Community College campuses.

E. Out of this appropriation, $1,196,820 and 23 positions the first year and $1,196,820 and 23 positions the second year from the general fund is provided for staff who will be responsible for coordinating workforce training in the campus service area. The staff will work with local business and industry to determine training needs, coordinate with local economic development personnel, the local workforce training council, and other providers. It is the General Assembly's intent that the Virginia Community College System maximize these positions by encouraging funding matches at the local level.

F. Out of this appropriation, $470,880 and four positions the first year and $470,880 and four positions the second year from the general fund is provided for four workforce training centers: the Peninsula Workforce Development Center (Virginia Peninsula Community College), $78,480 and one position the first year and $78,480 and one position the second year; the Regional Center for Applied Technology Training (Danville Community College), $156,960 and one position the first year and $156,960 and one position the second year; a Workforce Development Center at Paul D. Camp Community College, $156,960 and one position the first year and $156,960 and one position the second year; and the Central Virginia Manufacturing Technology Training Center in the Lynchburg area, $78,480 and one position the first year and $78,480 and one position the second year. Each center shall provide a 25 percent match prior to the release of state funding.

G. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund is designated to continue the pre-hire immersion training program.

H. Out of this appropriation, $460,000 the first year and $460,000 the second year from the general fund is designated to support the veteran's credit for prior learning application.

I. Out of this appropriation, $104,950 the first year and $104,950 the second year from the general fund is designated to support career and technical education at Laurel Ridge Community College's Luray-Page County Center with a focus on healthcare and medical programs.

J. Out of this appropriation, $310,000 the first year and $310,000 the second year from the general fund is designated to support a program between Virginia Western Community College, Botetourt County Public Schools, and local industry partners to meet the demand for mechatronic technicians. The program goal is to prepare 100 Mechatronic Engineering Technicians over five years using established career pathways with Botetourt County Public Schools and Virginia Western Community College and a sustainable faculty preparation program.

K. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund is designated to support a program between Virginia Western Community College, Roanoke City Public Schools and local industry partners to create a Career Technical dual track program to allow high school students the opportunity to complete high school with both a diploma and a workforce credential / certificate.

L. Out of this appropriation, $500,000 the first year and $500,000 the second year from the

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general fund is designated towards supporting a construction pre-hire immersion training program at two community colleges.				
M. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover workforce development program operations.				
204. Higher Education Auxiliary Enterprises (80900)				
a sum sufficient, estimated at			$53,821,317	~~$53,821,317~~ *$33,821,317*
Food Services (80910)	$1,238,576	$1,238,576		
Bookstores And Other Stores (80920)	$14,447,297	~~$14,447,297~~ *$4,447,297*		
Parking And Transportation Systems And Services (80940)	$18,487,416	~~$18,487,416~~ *$8,487,416*		
Student Unions And Recreational Facilities (80970)	$19,648,028	$19,648,028		
Fund Sources: Higher Education Operating	$37,710,554	~~$37,710,554~~ *$17,710,554*		
Debt Service	$16,110,763	$16,110,763		
Authority: Title 23.1, Chapter 29, Code of Virginia.				

205. The appropriations in this section are for the following community colleges:

College I.D.	Community College	College I.D.	Community College
61	System Office	80	Northern Virginia
70	Shared Services Center	85	Patrick and Henry
91	Blue Ridge	77	Paul D. Camp
92	Central Virginia	82	Piedmont
87	Mountain Gateway	78	Rappahannock
79	Danville	76	Southside Virginia
84	Eastern Shore	94	Southwest Virginia
97	Germanna	93	Virginia Peninsula
83	J. Sargeant Reynolds	95	Tidewater
90	Brightpoint	96	Virginia Highlands
98	Laurel Ridge	86	Virginia Western
99	Mountain Empire	88	Wytheville
75	New River		

Total for Virginia Community College System			**~~$1,434,809,946~~** ***$1,448,149,046***	**$1,435,741,056**
General Fund Positions	5,635.57	5,635.57		
Nongeneral Fund Positions	5,258.58	5,258.58		
Position Level	10,894.15	10,894.15		
Fund Sources: General	~~$711,351,081~~ *$724,190,181*	$712,282,191		
Higher Education Operating	~~$707,348,102~~ *$707,848,102*	$707,348,102		
Debt Service	$16,110,763	$16,110,763		

§ 1-64. VIRGINIA MILITARY INSTITUTE (211)

206. Educational and General Programs (10000)			~~$57,906,536~~ *$58,742,636*	$58,406,536
Higher Education Instruction (100101)	~~$29,003,625~~ *$29,839,725*	$29,003,625		
Higher Education Public Services (100103)	$97,554	$97,554		

ITEM 206.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Higher Education Academic (100104)	$1,846,302	$2,346,302		
Higher Education Student Services (100105)	$4,353,155	$4,353,155		
Higher Education Institutional Support (100106)	$12,161,025	$12,161,025		
Operation and Maintenance Of Plant (100107)	$10,444,875	$10,444,875		
Fund Sources: General	~~$24,082,775~~ *$24,918,875*	$24,082,775		
Higher Education Operating	$33,423,761	$33,923,761		
Debt Service	$400,000	$400,000		

Authority: Title 23.1, Chapter 25, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals as described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C. Resources determined by the State Council of Higher Education for Virginia to be uniquely military shall be excluded from the base adequacy funding guidelines.

D. 1. Out of this appropriation, $395,740 the first year and $395,740 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. Virginia Military Institute is expected to maintain increases in:

a. Data Science and Technology awards of 5 annually over the base year.

b. Science and Engineering awards of 5 annually over the base year.

c. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.

E. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining

ITEM 206.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.				
F. Out of this appropriation, $3,120,387 the first year and $3,120,387 the second year from the general fund is designated to address the One Corps initiatives related to Title IX Coordination, the Commandant Staff, the Legal Affairs Office, Academic and Student Programs, Compliance and Reporting and Commemorations and Memorials as well as targeted staff salary compression issues.				
207. Higher Education Student Financial Assistance (10800)			~~$6,226,568~~ *$6,291,568*	$6,230,388
Scholarships (10810)	~~$6,226,568~~ *$6,291,568*	$6,230,388		
Fund Sources: General	~~$1,626,568~~ *$1,691,568*	$1,630,388		
Higher Education Operating	$4,600,000	$4,600,000		
Authority: Title 23.1, Chapter 25, § 23.1-2506, Code of Virginia.				
A. Out of the amounts for Scholarships and Loans, the institute shall provide for State Cadetships and for discretionary student aid.				
B. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.				
208. Financial Assistance For Educational and General Services (11000) a sum sufficient, estimated at			$894,898	$894,898
Eminent Scholars (11001)	$200,000	$200,000		
Sponsored Programs (11004)	$694,898	$694,898		
Fund Sources: Higher Education Operating	$894,898	$894,898		
Authority: Title 23.1, Chapter 25, Code of Virginia.				
209. Unique Military Activities (11300)			~~$10,764,162~~ *$11,089,162*	$10,764,162
Fund Sources: General	~~$5,859,671~~ *$6,184,671*	$5,859,671		
Higher Education Operating	$4,904,491	$4,904,491		
Authority: Discretionary Inclusion.				
A.1. Personnel associated with performance of activities designated by the State Council of Higher Education for Virginia to be uniquely military shall be excluded from the calculation of employment guidelines.				
2. It is the intent of the General Assembly that nonresident cadets receive the same general fund support in the Unique Military program as resident cadets.				
210. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$30,418,510	$30,418,510
Food Services (80910)	$7,497,369	$7,497,369		
Bookstores And Other Stores (80920)	$1,174,021	$1,174,021		
Residential Services (80930)	$2,080,471	$2,080,471		
Student Health Services (80960)	$232,440	$232,440		

ITEM 210.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Student Unions And Recreational Facilities (80970)	$1,838,039	$1,838,039		
Recreational And Intramural Programs (80980)	$955,874	$955,874		
Other Enterprise Functions (80990)	$11,245,395	$11,245,395		
Intercollegiate Athletics (80995)	$5,394,901	$5,394,901		
Fund Sources: Higher Education Operating	$27,920,510	$27,920,510		
Debt Service	$2,498,000	$2,498,000		
Authority: Title 23.1, Chapter 25, Code of Virginia.				
Total for Virginia Military Institute			~~$106,210,674~~ *$107,436,774*	**$106,714,494**
General Fund Positions	203.71	203.71		
Nongeneral Fund Positions	292.06	292.06		
Position Level	495.77	495.77		
Fund Sources: General	~~$31,569,014~~ *$32,795,114*	$31,572,834		
Higher Education Operating	$71,743,660	$72,243,660		
Debt Service	$2,898,000	$2,898,000		

§ 1-65. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)

211.	Educational and General Programs (10000)			~~$1,018,752,882~~ *$1,031,635,882*	~~$1,018,752,882~~ *$1,059,268,911*
	Higher Education Instruction (100101)	~~$627,276,084~~ *$640,159,084*	~~$627,276,084~~ *$652,360,889*		
	Higher Education Research (100102)	$26,063,840	~~$26,063,840~~ *$27,105,825*		
	Higher Education Public Services (100103)	$26,826,751	~~$26,826,751~~ *$27,195,069*		
	Higher Education Academic (100104)	$108,025,045	~~$108,025,045~~ *$112,418,797*		
	Higher Education Student Services (100105)	$29,498,030	~~$29,498,030~~ *$30,702,494*		
	Higher Education Institutional Support (100106)	$101,561,931	~~$101,561,931~~ *$105,921,807*		
	Operation and Maintenance Of Plant (100107)	$99,501,201	~~$99,501,201~~ *$103,564,030*		
	Fund Sources: General	~~$260,638,674~~ *$273,521,674*	$260,638,674		
	Higher Education Operating	$758,114,208	~~$758,114,208~~ *$798,630,237*		

Authority: Title 23.1, Chapter 26, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Out of this appropriation shall be expended an amount estimated at $869,882 the first year and $869,882 the second year from the general fund and $436,357 the first year and $436,357 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.

C. Out of this appropriation, $301,219 the first year and $301,219 the second year from the general fund is designated to support the Marion duPont Scott Equine Center of the Virginia-Maryland Regional College of Veterinary Medicine.

ITEM 211.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

D. Out of this appropriation, $225,588 the first year and $225,588 the second year from the general fund is designated to support tobacco research for medicinal purposes and field tests at sites in Blackstone and Abingdon.

E. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

F. Out of this appropriation, $288,000 the first year and $288,000 the second year from the general fund is designated to develop a STEM Industry Internship program in partnership with the Virginia Space Grant Consortium, Virginia Regional Technology Councils and industry. The program will provide 75 undergraduate students across the Commonwealth an opportunity to centrally apply for real world work experience and provide Virginia's industries with access to qualified interns. Virginia Tech will partner with the Virginia Space Grant Consortium and work with Virginia's Regional Technology Councils who will serve as the program's conduit to industry, advertising the program and linking with interested industry partners.

G. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech, Old Dominion University, Virginia Military Institute, Virginia Commonwealth University, the College of William and Mary, and CISCO Systems, Inc., utilizes emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the eight institutions is leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. The 4-VA Management Board can expand this partnership to additional institutions as appropriate to meet the goals of the 4-VA initiative. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.

H. Out of this appropriation, $2,000,000 the first year and $2,000,000 the second year from the general fund is designated to support a cyber range platform to be used for cyber security training by students in Virginia's public high schools, community colleges, and four-year institutions. Virginia Tech shall form a consortium among participating institutions, and shall serve as the coordinating entity for use of the platform. The consortium should initially include all Virginia public institutions with a certification of academic excellence from the federal government.

I. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between Virginia Polytechnic Institute and State University and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.

J. 1. Out of this appropriation, $5,215,880 the first year and $5,215,880 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

ITEM 211.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. Virginia Tech is expected to maintain increases in:

a. Data Science and Technology awards of 60 annually over the base year.

b. Science and Engineering awards of 100 annually over the base year.

c. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.

K. The Virginia Tech Carilion School of Medicine is hereby authorized to transfer funds to the Department of Medical Assistance Services to fully fund the state share for Medicaid supplemental payments and managed care directed payments to primary teaching hospitals affiliated with Virginia Tech Carilion School of Medicine. The funds to be transferred must comply with 42 CFR 433.51 and 433.54. Such funds may not be paid from any private agreements with Virginia Tech Carilion School of Medicine that are in excess of fair market value or that alleviate pre-existing financial burdens of the school. The Virginia Tech Carilion School of Medicine is authorized to use general fund dollars to accomplish this transfer. As part of interagency agreements, the department shall require the public entities to attest to compliance with applicable CMS criteria.

212.	Higher Education Student Financial Assistance (10800)		~~$51,005,454~~ *$52,342,454*	~~$51,729,334~~ *$63,597,615*
	Scholarships (10810)	~~$43,998,129~~ *$45,335,129*	~~$44,484,509~~ *$56,352,790*	
	Fellowships (10820)	$7,007,325	$7,244,825	
	Fund Sources: General	~~$37,576,596~~ *$38,913,596*	$38,300,476	
	Higher Education Operating	$13,428,858	~~$13,428,858~~ *$25,297,139*	

Authority: Soil Scientist Scholarships: Title 23.1, Chapter 26, and § 23.1-615, Code of Virginia.,

A. Out of the amount for Scholarships, the following sums shall be made available from the general fund for:

1. Soil Scientist Scholarships, $11,000 the first year and $11,000 the second year.

2. Scholarships, internships, and graduate assistantships administered by the Multicultural Academic Opportunities Program at the university, $86,500 the first year and $86,500 the second year. Eligible students must have financial need and participate in an academic support program.

B. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between the university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.

C. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.

ITEM 213.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
213.	Financial Assistance For Educational and General Services (11000)			$426,237,963	~~$426,237,963~~ *$494,528,874*
	Sponsored Programs (11004)	$426,237,963	~~$426,237,963~~ *$494,528,874*		
	Fund Sources: General	$10,388,544	$10,388,544		
	Higher Education Operating	$415,849,419	~~$415,849,419~~ *$484,140,330*		

Authority: Title 23.1, Chapter 26, Code of Virginia.

A. Out of this appropriation, $2,388,544 the first year and $2,388,544 the second year from the general fund and $15,000,000 the first year and $15,000,000 the second year from nongeneral funds are designated to build research capacity in the areas of bioengineering, biomaterials and nanotechnology.

B. Virginia Polytechnic Institute and State University is authorized to establish a self-supporting "instructional enterprise" fund to account for the revenues and expenditures of the Institute for Distance and Distributed Learning (IDDL) classes offered to students at locations outside the Commonwealth of Virginia. Consistent with the self-supporting concept of an "enterprise fund," student tuition and fee revenues for IDDL students at locations outside Virginia shall exceed all direct and indirect costs of providing instruction to those students. The Board of Visitors shall set tuition and fee rates to meet this requirement and shall set other policies regarding the IDDL as may be appropriate. Revenue and expenditures of the fund shall be accounted for in such a manner as to be auditable by the Auditor of Public Accounts. As a part of this "instructional enterprise" fund Virginia Tech is authorized to establish a program in which Internet-based (on-line) courses, certificate, and entire degree programs, primarily at the graduate level, are offered to students in Virginia who are not enrolled for classes on the Blacksburg campus or one of the extended campus locations. Tuition generated by Virginia students taking these on-line courses and tuition from IDDL students at locations outside Virginia shall be retained in the fund to support the entire IDDL program and shall not be used by the state to offset other Educational and General costs. Revenues in excess of expenditures shall be retained in the fund to support the entire IDDL program. Full-time equivalent students generated through these programs shall be accounted for separately. Additionally, revenues which remain unexpended on the last day of the previous biennium and the last day of the first year of the current biennium shall be reappropriated and allotted for expenditure in the respective succeeding fiscal year.

C. 1. Out of this appropriation, $4,000,000 the first year and $4,000,000 the second year from the general fund is designated to support and enhance brain disorder research.

2. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the general fund is designated for the Fralin Biomedical Research Institute to research the efficacy of making electroencephalogram combined transcranial magnetic stimulation available for veterans, first responders, and law-enforcement officers.

D. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.

E. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the general fund is designated for support of the Focused Ultrasound Research Program to support core programs and research activities. The funding in this paragraph supports the activities and research at Virginia Tech as designated by the Focused Ultrasound Foundation, including coordinated activities with the University of Virginia.

F. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is designated to support the necessary staffing, equipment, and related services for the Potomac Aquifer Recharge Monitoring Laboratory established in § 62.1-274, Code of Virginia.

214.	Unique Military Activities (11300)			~~$3,649,074~~ *$3,974,074*	$3,649,074

ITEM 214.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Fund Sources: General	~~$3,649,074~~ *$3,974,074*	$3,649,074		

Authority: Discretionary Inclusion.

A.1. Personnel associated with performance of activities designated by the State Council of Higher Education for Virginia to be uniquely military shall be excluded from the calculation of employment guidelines.

2. It is the intent of the General Assembly that nonresident cadets receive the same general fund support in the Unique Military program as resident cadets.

215.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			$340,047,023	~~$340,047,023~~ *$357,972,180*
	Food Services (80910)	$66,468,292	~~$66,468,292~~ *$70,752,771*		
	Residential Services (80930)	$58,232,659	~~$58,232,659~~ *$61,986,282*		
	Parking And Transportation Systems And Services (80940)	$15,410,327	~~$15,410,327~~ *$16,403,663*		
	Telecommunications Systems And Services (80950)	$22,688,606	~~$22,688,606~~ *$24,151,092*		
	Student Health Services (80960)	$12,823,082	~~$12,823,082~~ *$13,649,647*		
	Student Unions And Recreational Facilities (80970)	$21,146,032	~~$21,146,032~~ *$22,509,086*		
	Recreational And Intramural Programs (80980)	$9,666,642	~~$9,666,642~~ *$10,289,746*		
	Other Enterprise Functions (80990)	$69,379,269	~~$69,379,269~~ *$73,997,779*		
	Intercollegiate Athletics (80995)	$64,232,114	$64,232,114		
	Fund Sources: Higher Education Operating	$340,047,023	~~$340,047,023~~ *$357,972,180*		

Authority: Title 23.1, Chapter 26, Code of Virginia.

	Total for Virginia Polytechnic Institute and State University			~~**$1,839,692,396**~~ ***$1,854,237,396***	~~**$1,840,416,276**~~ ***$1,979,016,654***
	General Fund Positions	1,890.53	1,890.53		
	Nongeneral Fund Positions	4,933.45	4,933.45		
	Position Level	6,823.98	6,823.98		
	Fund Sources: General	~~$312,252,888~~ *$326,797,888*	$312,976,768		
	Higher Education Operating	$1,527,439,508	~~$1,527,439,508~~ *$1,666,039,886*		

Virginia Cooperative Extension and Agricultural Experiment Station (229)

216.	Educational and General Programs (10000)			~~$110,096,190~~ *$110,846,190*	$110,096,190
	Higher Education Research (100102)	~~$48,349,270~~ *$49,099,270*	$48,349,270		
	Higher Education Public Services (100103)	$56,988,720	$56,988,720		
	Higher Education Academic (100104)	$847,669	$847,669		
	Operation and Maintenance Of Plant (100107)	$3,910,531	$3,910,531		
	Fund Sources: General	~~$90,418,035~~ *$91,168,035*	$90,418,035		
	Higher Education Operating	$19,678,155	$19,678,155		

Authority: Title 23.1,Chapter 26, Article 2 , Code of Virginia.

ITEM 216.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
A. Appropriations for this agency shall include operating expenses for research and investigations, and the several regional and county agricultural experiment stations under its control, in accordance with law.				
B.1. It is the intent of the General Assembly that the Cooperative Extension Service gives highest priority to programs and services which comprised the original mission of the Extension Service, especially agricultural programs at the local level. The university shall ensure that the service utilizes information technology to the extent possible in the delivery of programs.				
2. The budget of this agency shall include and separately account for local payments. Virginia Polytechnic Institute and State University, in conjunction with Virginia State University, shall report, by fund source, actual expenditures for each program area and total actual expenditures for the agency, annually, by September 1, to the Department of Planning and Budget and the House Appropriations and Senate Finance Committees. The report shall include all expenditures from local support funds.				
C. The Virginia Cooperative Extension and Agricultural Experiment Station shall not charge a fee for testing the soil on property used for commercial farming.				
D. It is the intent of the General Assembly that the general fund share for the Virginia Cooperative Extension and Agriculture Experiment Station shall be 95 percent.				
E. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between Virginia Polytechnic Institute and State University and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.				
Total for Virginia Cooperative Extension and Agricultural Experiment Station			~~$110,096,190~~ *$110,846,190*	$110,096,190
General Fund Positions	731.24	731.24		
Nongeneral Fund Positions	388.27	388.27		
Position Level	1,119.51	1,119.51		
Fund Sources: General	~~$90,418,035~~ *$91,168,035*	$90,418,035		
Higher Education Operating	$19,678,155	$19,678,155		
Grand Total for Virginia Polytechnic Institute and State University			~~$1,949,788,586~~ *$1,965,083,586*	~~$1,950,512,466~~ *$2,089,112,844*
General Fund Positions	2,621.77	2,621.77		
Nongeneral Fund Positions	5,321.72	5,321.72		
Position Level	7,943.49	7,943.49		
Fund Sources: General	~~$402,670,923~~ *$417,965,923*	$403,394,803		
Higher Education Operating	$1,547,117,663	~~$1,547,117,663~~ *$1,685,718,041*		

§ 1-66. VIRGINIA STATE UNIVERSITY (212)

217.	Educational and General Programs (10000)			~~$122,276,343~~ *$133,486,443*	$122,276,343
	Higher Education Instruction (100101)	~~$77,599,046~~ *$88,809,146*	$77,599,046		
	Higher Education Research (100102)	$2,275,250	$2,275,250		
	Higher Education Public Services (100103)	$120,473	$120,473		
	Higher Education Academic (100104)	$7,371,728	$7,371,728		
	Higher Education Student Services (100105)	$8,311,200	$8,311,200		
	Higher Education Institutional Support (100106)	$18,004,746	$18,004,746		
	Operation and Maintenance Of Plant (100107)	$8,593,900	$8,593,900		

ITEM 217.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Fund Sources: General	~~$77,075,140~~ *$88,285,240*	$77,075,140		
Higher Education Operating	$45,201,203	$45,201,203		

Authority: Title 23.1, Chapter 27, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B.1. Out of this appropriation, $3,790,639 the first year and $3,790,639 the second year from the general fund is designated for continued enhancement of the existing Bachelor of Science academic programs in Computer Science, Manufacturing Engineering, Computer Engineering, Mass Communications and Criminal Justice, and the doctoral program in Education.

2. Out of this appropriation, $37,500 the first year and $37,500 the second year from the general fund is provided to serve in lieu of endowment income for the Eminent Scholars Program.

3. Any unexpended balances in paragraphs B.1. and B.2. in this Item at the close of business on June 30 each year shall not revert to the surplus of the general fund but shall be carried forward on the books of the State Comptroller and reappropriated in the succeeding year. Virginia State University may expend any prior year end balances to support its educational and general activities or its auxiliary enterprise activities.

C. This appropriation includes $200,000 the first year and $200,000 the second year from the general fund to increase the number of faculty with terminal degrees to at least 85 percent of the total teaching faculty.

D. Out of this appropriation, Virginia State University is authorized to use up to $600,000 the first year and $600,000 the second year from the general fund to address extremely critical deferred maintenance deficiencies in its facilities, including residence halls and dining facilities.

E. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

F. Out of this appropriation, $1,300,000 the first year and $1,300,000 the second year from the general fund is designated to support the Manufacturing Engineering and Logistics Technology program.

G. 1. Out of this appropriation, $480,710 the first year and $480,710 the second year from the general fund is designated to address increased degree production in Data Science and Technology, Science and Engineering, Healthcare, and Education.

2. Degree production shall be measured for Bachelors, Masters, Doctorates and First Professional awards as follows:

a. Data Science and Technology awards shall be based on completion data contained in the State Council of Higher Education for Virginia, C-16 completion report;

b. Science and Engineering awards shall be based on completion data contained in the State Council of Higher Education for Virginia (SCHEV), C-1 A1 completion report for the following programs Biological and Biomedical Science (26), Engineering (14) less those already counted in paragraph 2 a., Engineering Technologies (15), and Physical Sciences (40);

c. Healthcare awards shall be based on completion data contained in the SCHEV C-1 A1

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completion report for the Health Professions and Related Programs (51); and

d. Education awards shall be based on completion data contained in the SCHEV C-1 A1 completion report for the Education Programs (13).

3. Virginia State University is expected to maintain increases in:

a. Data Science and Technology awards of 5 annually over the base year.

b. Science and Engineering awards of 5 annually over the base year.

c. Education awards of 5 annually over the base year.

d. The 2016-17 year will serve as the base year for these purposes.

4. SCHEV shall report on the progress toward these goals to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually.

H. Out of this appropriation, an amount estimated at $299,286 the first year and $299,286 the second year from the general fund and $224,464 the first year and $224,464 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.

I. Virginia State University, in partnership with Norfolk State University, shall collaborate with Virginia Union University and Hampton University and various localities throughout the Commonwealth to (a) create Minority Small Business Launch and Innovation Centers that support entrepreneurship customized to minority community needs, (b) improve health outcomes of vulnerable and marginalized populations in their surrounding localities through research, education, workforce development and outreach, (c) expand and upgrade broadband and technology in order to close the digital divide and provide students with additional tech job training, (d) actively engage with local public school districts to provide opportunities and awareness of post-secondary programs and curriculum, and (e) support the creation of an HBCU NoVA Campus by establishing an off-campus instruction site at Northern Virginia Community College in order to provide an opportunity to expand the HBCU presence in Northern Virginia, and access and opportunity to an increasing population of students seeking a four-year degree.

218.	Higher Education Student Financial Assistance (10800)			~~$33,392,448~~ *$34,020,448*	$33,516,878
	Scholarships (10810)	~~$32,790,089~~ *$33,418,089*	$32,909,519		
	Fellowships (10820)	$602,359	$607,359		
	Fund Sources: General	~~$26,795,421~~ *$27,423,421*	$26,919,851		
	Higher Education Operating	$6,597,027	$6,597,027		

Authority: Title 23.1, Chapter 27, Code of Virginia.

A. Up to 15 percent of the funding in this item may be used to support Virginia Guaranteed Assistance Program eligible students for (1) priority funding who are enrolled in Data Science and Technology, Science and Engineering, Healthcare and Education programs and (2) as a grant for students in innovative internship programs provided that the institutions has at least one private sector partner and the grant is matched equally by the partner with non-state funding and / or the institution from private funds.

B. 1. Out of this appropriation up to $7,222,765 the first year and $7,222,765 the second year from the general fund is provided for an affordability program to offer financial assistance to Virginia students who are Pell grant eligible, meet university admissions requirements, and live within a 45 mile radius of the university. The program is designed to address regional needs relating to access and completion. Funds shall be used to provide last dollar or reduced tuition and fees to students for up to 150 percent of required credits

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to complete a certificate or degree. Priority shall be placed on students from Matoaca, Petersburg, and Colonial Heights high schools, and remaining funds may be used for room and board if available. It is the intention that the program may include up to 300 students total at any one time. In the first and second year, in the event that financial aid remains available after recruiting new students for fall semester, the remaining financial aid may be used to fund current students who meet the criteria and/or for eligible new students that enroll in the spring semester.				
2. As part of the six-year plan process, the university shall submit an annual report of the program that includes number of students served, average financial need of students, total expenditures, average award per student, retention and completion rates, other student outcomes as defined by the university, and planned outcomes for the upcoming year.				
219. Financial Assistance For Educational and General Services (11000)				
a sum sufficient, estimated at			$35,638,161	~~$35,638,161~~ *$42,138,161*
Sponsored Programs (11004)	$35,638,161	~~$35,638,161~~ *$42,138,161*		
Fund Sources: Higher Education Operating	$35,638,161	~~$35,638,161~~ *$42,138,161*		
Authority: Title 23.1, Chapter 27, Code of Virginia.				
220. Higher Education Auxiliary Enterprises (80900)				
a sum sufficient, estimated at			$55,715,794	~~$55,715,794~~ *$77,715,794*
Food Services (80910)	$13,489,606	~~$13,489,606~~ *$17,489,606*		
Bookstores And Other Stores (80920)	$1,451,001	$1,451,001		
Residential Services (80930)	$20,574,870	~~$20,574,870~~ *$27,444,870*		
Parking And Transportation Systems And Services (80940)	$417,467	~~$417,467~~ *$767,467*		
Telecommunications Systems And Services (80950)	*$0*	*$115,000*		
Student Health Services (80960)	$1,046,036	$1,046,036		
Student Unions And Recreational Facilities (80970)	$3,278,662	$3,278,662		
Other Enterprise Functions (80990)	$6,705,300	~~$6,705,300~~ *$13,205,300*		
Intercollegiate Athletics (80995)	$8,752,852	~~$8,752,852~~ *$12,917,852*		
Fund Sources: Higher Education Operating	$45,383,249	~~$45,383,249~~ *$67,383,249*		
Debt Service	$10,332,545	$10,332,545		
Authority: Title 23.1, Chapter 27, Code of Virginia.				
Total for Virginia State University			~~**$247,022,746**~~ ***$258,860,846***	~~**$247,147,176**~~ ***$275,647,176***
General Fund Positions	391.47	391.47		
Nongeneral Fund Positions	489.89	489.89		
Position Level	881.36	881.36		
Fund Sources: General	~~$103,870,561~~ *$115,708,661*	$103,994,991		
Higher Education Operating	$132,819,640	~~$132,819,640~~ *$161,319,640*		
Debt Service	$10,332,545	$10,332,545		
Cooperative Extension and Agricultural Research Services (234)				
221. Educational and General Programs (10000)			$16,897,121	~~$16,897,121~~ *$18,297,121*

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	Higher Education Research (100102)	$7,008,216	~~$7,008,216~~ *$7,463,216*		
	Higher Education Public Services (100103)	$9,125,777	~~$9,125,777~~ *$10,070,777*		
	Higher Education Institutional Support (100106)	$95,531	$95,531		
	Operation and Maintenance Of Plant (100107)	$667,597	$667,597		
	Fund Sources: General	$9,332,567	$9,332,567		
	Higher Education Operating	$7,564,554	~~$7,564,554~~ *$8,964,554*		

Authority: Title 23.1, Chapter 27, § 23.1-2704, Title 23, Chapter 13, Code of Virginia.

A. Out of this appropriation, $392,107 the first year and $392,107 the second year from the general fund is designated for support of research and extension activities aimed at the production of hybrid striped bass in Virginia farm ponds. No expenditures will be made from these funds for other purposes without the prior written permission of the Secretary of Education.

B. The Extension Division budgets shall include and separately account for local payments. Virginia State University, in conjunction with Virginia Polytechnic Institute and State University, shall report, by fund source, actual expenditures for each program area and total actual expenditures for the Extension Division, annually, by September 1, to the Department of Planning and Budget and the House Appropriations and Senate Finance and Appropriations Committees. The report shall include all expenditures from local support funds.

C. Out of this appropriation, $394,000 the first year and $394,000 the second year from the general fund is designated for the Small-Farmer Outreach Training and Technical Assistance Program to provide outreach and business management education to small farmers.

D. All appropriation not otherwise obligated in this Item may be used for any Extension related activities or operational expenses.

Total for Cooperative Extension and Agricultural Research Services			**$16,897,121**	~~**$16,897,121**~~ ***$18,297,121***
General Fund Positions	58.75	58.75		
Nongeneral Fund Positions	86.00	86.00		
Position Level	144.75	144.75		
Fund Sources: General	$9,332,567	$9,332,567		
Higher Education Operating	$7,564,554	~~$7,564,554~~ *$8,964,554*		
Grand Total for Virginia State University			~~**$263,919,867**~~ ***$275,757,967***	~~**$264,044,297**~~ ***$293,944,297***
General Fund Positions	450.22	450.22		
Nongeneral Fund Positions	575.89	575.89		
Position Level	1,026.11	1,026.11		
Fund Sources: General	~~$113,203,128~~ *$125,041,228*	$113,327,558		
Higher Education Operating	$140,384,194	~~$140,384,194~~ *$170,284,194*		
Debt Service	$10,332,545	$10,332,545		

§ 1-67. FRONTIER CULTURE MUSEUM OF VIRGINIA (239)

222.	Museum and Cultural Services (14500)			$3,715,305	$3,715,305
	Collections Management and Curatorial Services (14501)	$78,986	$78,986		
	Education and Extension Services (14503)	$1,397,664	$1,397,664		

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	Operational and Support Services (14507)	$2,238,655	$2,238,655		
	Fund Sources: General	$2,914,884	$2,914,884		
	Special	$800,421	$800,421		

Authority: Title 23.1, Chapter 32, Article 2, Code of Virginia.

A. Any revenue generated by the Frontier Culture Museum of Virginia from the development of its properties pursuant to § 23.1-3203, Code of Virginia, may be retained by the museum to support agency operations. Such revenues shall be deposited into a special fund which shall be created on the books of the State Comptroller. Amounts in this fund shall be appropriated consistent with the provisions of this act.

B. The Governor may authorize the conveyance of any interest in property or improvements thereon held by the Commonwealth to the American Frontier Culture Foundation.

	Total for Frontier Culture Museum of Virginia			**$3,715,305**	**$3,715,305**
	General Fund Positions	22.50	22.50		
	Nongeneral Fund Positions	15.00	15.00		
	Position Level	37.50	37.50		
	Fund Sources: General	$2,914,884	$2,914,884		
	Special	$800,421	$800,421		

§ 1-68. GUNSTON HALL (417)

223.	Museum and Cultural Services (14500)			$1,605,931	$1,605,931
	Education and Extension Services (14503)	$369,202	$369,202		
	Operational and Support Services (14507)	$1,236,729	$1,236,729		
	Fund Sources: General	$1,374,193	$1,374,193		
	Special	$231,738	$231,738		

Authority: Title 23.1, Chapter 32, Article 3, Code of Virginia.

A. The Offices of the Secretary of Education and the Secretary of Finance shall perform a programmatic and financial review of Gunston Hall, including a review of their capital projects and their ongoing operations. The Office of the Secretary of Education shall report its findings to the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees by November 1, 2025.

	Total for Gunston Hall			**$1,605,931**	**$1,605,931**
	General Fund Positions	12.00	12.00		
	Nongeneral Fund Positions	3.00	3.00		
	Position Level	15.00	15.00		
	Fund Sources: General	$1,374,193	$1,374,193		
	Special	$231,738	$231,738		

§ 1-69. JAMESTOWN-YORKTOWN FOUNDATION (425)

224.	Museum and Cultural Services (14500)			$22,656,275	$22,656,275
	Collections Management and Curatorial Services (14501)	$816,645	$816,645		
	Education and Extension Services (14503)	$9,021,406	$9,021,406		
	Operational and Support Services (14507)	$12,818,224	$12,818,224		
	Fund Sources: General	$13,073,744	$13,073,744		
	Special	$9,582,531	$9,582,531		

Authority: Title 23.1, Chapter 32, Article 4, Code of Virginia.

A. Out of the amounts for Operational and Support Services, the Director is authorized to expend from special funds amounts not to exceed $3,500 the first year and $3,500 the second

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year for entertainment expenses commonly borne by businesses. Such expenses shall be recorded separately by the agency.				
B. With the prior written approval of the Director, Department of Planning and Budget, nongeneral fund revenues which are unexpended by the end of the fiscal year may be paid to the Jamestown-Yorktown Foundation, Inc. for the specific purposes determined by the Board of Trustees in support of Foundation programs.				
C. It is the intent of the General Assembly that the Jamestown-Yorktown Foundation be authorized to fill all positions authorized in this act and all part-time (wage) positions funded in this act, notwithstanding § 4-7.01 of this act.				
Total for Jamestown-Yorktown Foundation			**$22,656,275**	**$22,656,275**
General Fund Positions	113.00	113.00		
Nongeneral Fund Positions	63.00	63.00		
Position Level	176.00	176.00		
Fund Sources: General	$13,073,744	$13,073,744		
Special	$9,582,531	$9,582,531		
§ 1-70. THE LIBRARY OF VIRGINIA (202)				
225. Archives Management (13700)			$7,754,857	~~$7,754,857~~ *$12,554,857*
Management of Public Records (13701)	$1,236,882	$1,236,882		
Management of Archival Records (13702)	$2,417,166	$2,417,166		
Historical and Cultural Publications (13703)	$781,141	$781,141		
Archival Research Services (13704)	$1,419,861	$1,419,861		
Conservation-Preservation of Historic Records (13705)	$887,762	$887,762		
Circuit Court Record Preservation (13706)	$1,012,045	~~$1,012,045~~ *$5,812,045*		
Fund Sources: General	$4,006,290	$4,006,290		
Special	$3,418,110	~~$3,418,110~~ *$8,218,110*		
Federal Trust	$330,457	$330,457		
Authority: Title 42.1, Chapters 1 and 7, Code of Virginia.				
A. The Librarian of Virginia shall report annually to the Secretary of Education on progress in the processing and preserving of circuit court records.				
B. The Librarian of Virginia and the State Archivist shall conduct an annual study of The Library of Virginia's archival preservation needs and priorities, and shall report annually by December 1 to the Governor and the Chairs of the Senate Finance and Appropriations and House Appropriations Committees of the General Assembly on The Library of Virginia's progress to date in reducing its archival backlog.				
226. Statewide Library Services (14200)			~~$7,019,811~~ *$12,174,124*	$7,019,811
Cooperative Library Services (14201)	$2,651,222	$2,651,222		
Consultation to Libraries (14203)	$781,927	$781,927		
Research Library Services (14206)	~~$3,586,662~~ *$8,740,975*	$3,586,662		
Fund Sources: General	~~$3,530,025~~ *$8,684,338*	$3,530,025		
Special	$289,602	$289,602		
Federal Trust	$3,200,184	$3,200,184		
Authority: Title 42.1, Chapters 1 and 3, Code of Virginia.				
A. It is the intent of the General Assembly to continue to provide electronic resources for public libraries and to provide universal access to all citizens of the Commonwealth. First				

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priority shall be the ability to access the Internet in local public libraries.

B. Out of this appropriation, $5,154,313 the first year from the general fund is provided to support the Print Collections Inventory Control Project. Any balances for the purposes specified in this paragraph that are unexpended on June 30, 2025, and June 30, 2026, shall not revert to the general fund but shall be carried forward and reappropriated for the same purpose.

227.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300)			$26,797,584	~~$26,797,584~~ *$27,429,726*
	State Formula Aid for Local Public Libraries (14301)	$26,797,584	~~$26,797,584~~ *$27,429,726*		
	Fund Sources: General	$26,797,584	~~$26,797,584~~ *$27,429,726*		

Authority: Title 42.1, Chapter 3, Code of Virginia.

A. It is the objective of the Commonwealth that all local public libraries receiving state aid provide access to their patrons to worldwide electronic information on the Internet. It is the intent of the General Assembly that local public libraries receiving state aid invest in the technology necessary to provide or enhance this service.

B. Included in this appropriation is $190,070 the first year and $190,070 the second year from the general fund to supplement the state formula aid distribution provided in Title 42.1, Code of Virginia, for Fairfax Public Library System.

C. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the general fund of the total amounts for aid to libraries may be used for summer reading materials and programs or for STEAM instructional materials.

D. It is the objective of the Commonwealth to fully fund the state formula for state aid to local libraries. It is the objective of the General Assembly to complete a phase-in of additional funding in fiscal year 2026.

228.	Administrative and Support Services (19900)			$13,297,009	$13,297,009
	General Management and Direction (19901)	$4,855,709	$4,855,709		
	Information Technology Services (19902)	$4,916,687	$4,916,687		
	Physical Plant Services (19915)	$3,524,613	$3,524,613		
	Fund Sources: General	$10,994,720	$10,994,720		
	Special	$1,259,199	$1,259,199		
	Federal Trust	$1,043,090	$1,043,090		

Authority: Title 42.1, Chapter 1, Code of Virginia.

A. In the event that any budget reduction actions are required, the Director, Department of Planning and Budget, shall exclude from any reduction target calculations the rent plan included in the Library of Virginia budget.

B. Out of this appropriation, $1,436,000 the first year and $1,436,000 the second year from the general fund is provided to support the cost of fees incurred from necessary information technology services that are out of scope of the Virginia Information and Technologies Agency.

Total for The Library Of Virginia			~~**$54,869,261**~~ ***$60,023,574***	~~**$54,869,261**~~ ***$60,301,403***
General Fund Positions	143.09	143.09		
Nongeneral Fund Positions	63.91	63.91		
Position Level	207.00	207.00		
Fund Sources: General	~~$45,328,619~~ *$50,482,932*	~~$45,328,619~~ *$45,960,761*		

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	Special	$4,966,911	~~$4,966,911~~ *$9,766,911*		
	Federal Trust	$4,573,731	$4,573,731		

§ 1-71. THE SCIENCE MUSEUM OF VIRGINIA (146)

229.	Museum and Cultural Services (14500)			$12,299,708	~~$12,299,708~~ *$12,549,708*
	Collections Management and Curatorial Services (14501)	$10,000	$10,000		
	Education and Extension Services (14503)	$5,550,693	$5,550,693		
	Operational and Support Services (14507)	$6,739,015	~~$6,739,015~~ *$6,989,015*		
	Fund Sources: General	$6,732,165	~~$6,732,165~~ *$6,982,165*		
	Special	$5,317,543	$5,317,543		
	Federal Trust	$250,000	$250,000		

Authority: Title 23.1, Chapter 32, Article 5, Code of Virginia.

A. This appropriation from the general fund shall be in addition to any appropriation from nongeneral funds, notwithstanding any contrary provisions in this act.

B. Out of this appropriation, $351,314 the first year and $351,314 the second year from the general fund is designated for debt service costs for payments under the Master Equipment Lease Program (MELP) for the purchase of new equipment for the Dome.

C. Out of this appropriation, $150,000 the first year and $150,000 the second year is provided to pilot a STEM partnership between the Science Museum of Virginia, the Virginia Air and Space Center, and the Virginia Living Museum for programs that promote achievement for K-12 students in Hampton Roads and across the state, leveraging technology in the vital STEM component of the workforce pipeline.

D. Purchase of items for resale at retail outlets and food services operations open to the public operated by the Science Museum of Virginia shall be exempt from the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et. seq.) of the Code of Virginia. However, such purchase procedures shall provide for competition where practicable.

	Total for The Science Museum of Virginia			**$12,299,708**	~~**$12,299,708**~~ ***$12,549,708***
	General Fund Positions	59.84	~~59.84~~ *62.84*		
	Nongeneral Fund Positions	34.16	34.16		
	Position Level	94.00	~~94.00~~ *97.00*		
	Fund Sources: General	$6,732,165	~~$6,732,165~~ *$6,982,165*		
	Special	$5,317,543	$5,317,543		
	Federal Trust	$250,000	$250,000		

§ 1-72. VIRGINIA MUSEUM OF NATURAL HISTORY (942)

230.	Museum and Cultural Services (14500)			$4,152,902	~~$4,156,827~~ *$4,229,827*
	Collections Management and Curatorial Services (14501)	$231,335	~~$231,335~~ *$304,335*		
	Education and Extension Services (14503)	$347,174	$347,174		
	Operational and Support Services (14507)	$2,529,609	$2,529,609		
	Scientific Research (14508)	$1,044,784	$1,048,709		
	Fund Sources: General	$3,505,220	~~$3,505,220~~ *$3,578,220*		

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	Special	$552,086	$556,011		
	Federal Trust	$95,596	$95,596		
	Authority: Title 10.1, Chapter 20, Code of Virginia.				
	Total for Virginia Museum of Natural History			**$4,152,902**	**~~$4,156,827~~ *$4,229,827***
	General Fund Positions	41.00	41.00		
	Nongeneral Fund Positions	10.50	10.50		
	Position Level	51.50	51.50		
	Fund Sources: General	$3,505,220	~~$3,505,220~~ *$3,578,220*		
	Special	$552,086	$556,011		
	Federal Trust	$95,596	$95,596		
	§ 1-73. VIRGINIA COMMISSION FOR THE ARTS (148)				
231.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300)			~~$6,180,398~~ *$8,330,398*	$5,430,398
	Financial Assistance to Cultural Organizations (14302)	~~$5,775,463~~ *$7,925,463*	$5,025,463		
	Administration of Grants for Cultural and Artistic Affairs (14307)	$404,935	$404,935		
	Fund Sources: General	~~$5,340,172~~ *$7,490,172*	$4,590,172		
	Dedicated Special Revenue	$11,000	$11,000		
	Federal Trust	$829,226	$829,226		
	Authority: Title 23.1, Chapter 32, Article 7, Code of Virginia.				
	A. In the allocation of grants to arts organizations, the Commission shall give preference to the performing arts.				
	B. It is the objective of the Commonwealth to fund the Virginia Commission for the Arts at an amount that equals one dollar for each resident of Virginia.				
	C. Any unexpended balance in this item at the close of business on June 30 each year shall not revert to the general fund, but shall be carried forward and reappropriated.				
	D. Out of this appropriation, $750,000 the first year from the general fund is provided to the town of Abingdon to support the William King Museum.				
	E. Out of this appropriation, $150,000 the first year from the general fund is provided to the City of Richmond for the Elegba Folklore Society to support cultural education and enrichment through the arts.				
232.	Museum and Cultural Services (14500)			$926,451	$926,451
	Operational and Support Services (14507)	$926,451	$926,451		
	Fund Sources: General	$796,222	$796,222		
	Federal Trust	$130,229	$130,229		
	Authority: Title 23.1, Chapter 32, Article 7, Code of Virginia.				
	A. Any unexpended balance in this item at the close of business on June 30 each year shall not revert to the general fund, but shall be carried forward and reappropriated.				
	Total for Virginia Commission for the Arts			**~~$7,106,849~~ *$9,256,849***	**$6,356,849**
	General Fund Positions	6.00	6.00		
	Position Level	6.00	6.00		

ITEM 232.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Fund Sources: General	~~$6,136,394~~ *$8,286,394*	$5,386,394		
	Dedicated Special Revenue	$11,000	$11,000		
	Federal Trust	$959,455	$959,455		

§ 1-74. VIRGINIA MUSEUM OF FINE ARTS (238)

233.	Museum and Cultural Services (14500)			~~$47,542,825~~ *$47,791,734*	$47,542,825
	Collections Management and Curatorial Services (14501)	$9,280,128	$9,280,128		
	Education and Extension Services (14503)	$9,651,165	$9,651,165		
	Operational and Support Services (14507)	~~$28,611,532~~ *$28,860,441*	$28,611,532		
	Fund Sources: General	~~$13,286,032~~ *$13,534,941*	$13,286,032		
	Special	$6,452,595	$6,452,595		
	Enterprise	$7,479,910	$7,479,910		
	Dedicated Special Revenue	$20,074,288	$20,074,288		
	Federal Trust	$250,000	$250,000		

Authority: Title 23.1, Chapter 32, Article 6, Code of Virginia.

A. The appropriation in this Item from the general fund shall be in addition to any appropriation from nongeneral funds, notwithstanding any contrary provision of this act.

B. Nongeneral fund revenues included in this Item under Dedicated Special Revenue will be restricted for the uses specified by the donors and shall not be subject to interagency transfers or appropriation reductions.

C. The Comptroller of Virginia shall establish a special revenue account fund detail code for nongeneral funds donated to the Virginia Museum of Fine Arts by private donors and volunteers who sponsor fundraising activities to support the museum's general operations, exhibitions, and programs, and entertainment expenses commonly borne by businesses. Such expenses shall be recorded separately by the museum.

D. Out of this appropriation, $158,513 in the first year and $158,513 in the second year from the general fund is provided to cover the service fee in lieu of taxes levied by the City of Richmond.

E. Purchase of items for resale at retail outlets and food services operations open to the public operated by the Virginia Museum of Fine Arts shall be exempt from the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et. seq.) of the Code of Virginia. However, such purchase procedures shall provide for competition where practicable.

	Total for Virginia Museum of Fine Arts			**~~$47,542,825~~** ***$47,791,734***	**$47,542,825**
	General Fund Positions	141.50	141.50		
	Nongeneral Fund Positions	212.00	212.00		
	Position Level	353.50	353.50		
	Fund Sources: General	~~$13,286,032~~ *$13,534,941*	$13,286,032		
	Special	$6,452,595	$6,452,595		
	Enterprise	$7,479,910	$7,479,910		
	Dedicated Special Revenue	$20,074,288	$20,074,288		
	Federal Trust	$250,000	$250,000		

I VETO ITEM 234 ON PAGES 1999 AND 2000
/s/ Glenn Youngkin
5-2-25

§ 1-75. NEW COLLEGE INSTITUTE (938)

234.	Administrative and Support Services (19900)			~~$4,686,850~~ *$5,186,850*	$4,686,850
	Operation of Higher Education Centers (19931)	~~$4,686,850~~ *$5,186,850*	$4,686,850		

ITEM 234.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Fund Sources: General	~~$3,101,809~~ *$3,601,809*	$3,101,809		
Special	$1,585,041	$1,585,041		

Authority: Title 23.1, Chapter 31, Article 4, Code of Virginia.

A. It is the intent of the General Assembly that the New College Institute, the Institute for Advanced Learning and Research, and the Southern Virginia Higher Education Center coordinate their activities, both instructional and research, to the maximum extent possible to best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to the Secretary of Education and the State Council of Higher Education and the Department of Planning and Budget on their joint efforts in this regard.

B. The requirements of § 4-5.05 shall not apply to this appropriation.

C. Notwithstanding any other provision of law, New College Institute is authorized to retain the income generated by the rental of space at the Building on Baldwin in Martinsville, VA to outside entities.

Total for New College Institute			**~~$4,686,850~~ *$5,186,850***	**$4,686,850**
General Fund Positions	23.00	23.00		
Nongeneral Fund Positions	6.00	6.00		
Position Level	29.00	29.00		
Fund Sources: General	~~$3,101,809~~ *$3,601,809*	$3,101,809		
Special	$1,585,041	$1,585,041		

§ 1-76. INSTITUTE FOR ADVANCED LEARNING AND RESEARCH (885)

235.	Economic Development Services (53400)		$8,041,336	$8,246,336
	Regional Research, Technology, Education, and Commercialization Services (53421)	$8,041,336	$8,246,336	
	Fund Sources: General	$8,041,336	$8,246,336	

Authority: Title 23.1, Chapter 31, Article 3, Code of Virginia.

A. It is the intent of the General Assembly that the Institute for Advanced Learning and Research, the New College Institute, and the Southern Virginia Higher Education Center coordinate their activities, both instructional and research, to the maximum extent possible to best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to the Secretary of Education and the State Council of Higher Education on their joint efforts in this regard.

B. The requirements of § 4-5.05 shall not apply to this appropriation.

C. This Item includes no funds for the agency's use of leased property for engagement activities.

	Total for Institute for Advanced Learning and Research		**$8,041,336**	**$8,246,336**
	Fund Sources: General	$8,041,336	$8,246,336	

§ 1-77. ROANOKE HIGHER EDUCATION AUTHORITY (935)

236.	Administrative and Support Services (19900)		~~$2,802,652~~ *$3,447,824*	$2,884,652
	Operation of Higher Education Centers (19931)	~~$2,802,652~~ *$3,447,824*	$2,884,652	

ITEM 236.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Fund Sources: General	~~$2,802,652~~ *$3,447,824*	$2,884,652		
	Authority: Title 23.1, Chapter 31, Article 5, Code of Virginia.				
	A. The requirements of § 4-5.05 shall not apply to this appropriation.				
	Total for Roanoke Higher Education Authority			**~~$2,802,652~~ *$3,447,824***	**$2,884,652**
	Fund Sources: General	~~$2,802,652~~ *$3,447,824*	$2,884,652		

§ 1-78. SOUTHERN VIRGINIA HIGHER EDUCATION CENTER (937)

237.	Administrative and Support Services (19900)			$10,079,222	~~$10,079,222~~ *$8,879,222*
	Operation of Higher Education Centers (19931)	$10,079,222	~~$10,079,222~~ *$8,879,222*		
	Fund Sources: General	$5,793,075	$5,793,075		
	Special	$4,286,147	~~$4,286,147~~ *$3,086,147*		

Authority: Title 23.1, Chapter 31, Article 6, Code of Virginia.

A. It is the intent of the General Assembly that the Southern Virginia Higher Education Center, the Institute for Advanced Learning and Research, and the New College Institute coordinate their activities, both instructional and research, to the maximum extent possible to best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to the Secretary of Education and the State Council of Higher Education for Virginia on their joint efforts in this regard.

B. Out of this appropriation, $139,633 the first year and $139,633 the second year from the general fund is designated for the educational telecommunications project to provide graduate engineering education. For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and the General Assembly.

C. Out of this appropriation, $266,000 and four positions the first year and $266,000 and four positions the second year from the general fund is designated for additional operational support of the Southern Virginia Higher Education Center and its efforts to provide STEM programs and specialized workforce training to the citizens of Southside Virginia.

D. Out of this appropriation, $731,250 and eight positions the first year and $731,250 and eight positions the second year from the general fund and $782,100 and 3.5 positions the first year and $782,100 and 3.5 positions the second year from nongeneral funds are designated to maintain workforce advancement programs in the areas of health care, manufacturing, information technology, and STEM that were originally established through short-term grants in order to expand the credentials-to-career pipeline for key industry sectors in Southside Virginia.

E. Out of this appropriation, $127,055 the first year and $127,055 the second year from the general fund is designated for debt service costs under the Master Equipment Leasing Program (MELP) for the acquisition of technical training equipment. In addition to these costs, $394,125 and six positions the first year and $394,125 and six positions the second year from the general fund and $233,375 the first year and $233,375 the second year from nongeneral funds are designated for the staff and operational costs associated with the Career Tech Academy, providing automation and robotics technical training to high school students from the counties of Charlotte, Halifax, and Mecklenburg.

F. The Southern Virginia Higher Education Center is authorized to provide specialized workforce training consistent with grant agreements and memoranda of understanding

ITEM 237.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
with employers that existed as of January 1, 2016. The center will seek opportunities to collaborate with local community colleges in meeting the continuing goals of these programs and on new training needs identified by employers. If the local community colleges are unable to meet the training needs identified by employers, then the center is authorized to seek other education providers or to offer specialized workforce training independent of the local community colleges.				
G. The requirements of § 4-5.05 shall not apply to this appropriation.				
Total for Southern Virginia Higher Education Center.			**$10,079,222**	~~**$10,079,222**~~ ***$8,879,222***
General Fund Positions	41.80	41.80		
Nongeneral Fund Positions	29.50	29.50		
Position Level	71.30	71.30		
Fund Sources: General	$5,793,075	$5,793,075		
Special	$4,286,147	~~$4,286,147~~ *$3,086,147*		
§ 1-79. SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER (948)				
238. Administrative and Support Services (19900)			$5,599,447	$5,599,447
General Management and Direction (19901)	$46,831	$46,831		
Operation of Higher Education Centers (19931)	$5,552,616	$5,552,616		
Fund Sources: General	$4,316,600	$4,316,600		
Special	$1,282,847	$1,282,847		
Authority: Title 23.1, Chapter 31, Article 7, Code of Virginia.				
A. The board of trustees of the Southwest Virginia Higher Education Center may establish and administer agreements with out-of-state institutions certified to operate in Virginia pursuant to § 23.1-219 Code of Virginia for such institutions to provide undergraduate-level and graduate-level instructional programs at the Center.				
B. Out of the appropriation for this item, $1,500,000 the first year and $1,500,000 the second year from the general fund shall be deposited to the Virginia Rural Information Technology Apprenticeship Grant Fund, as established in § 23.1-3129.1 Code of Virginia, for the purpose of awarding grants on a competitive basis from the Fund to small, rural information technology businesses in qualifying localities to establish apprenticeship programs.				
Total for Southwest Virginia Higher Education Center			**$5,599,447**	**$5,599,447**
General Fund Positions	29.00	29.00		
Nongeneral Fund Positions	3.00	3.00		
Position Level	32.00	32.00		
Fund Sources: General	$4,316,600	$4,316,600		
Special	$1,282,847	$1,282,847		
§ 1-80. SOUTHEASTERN UNIVERSITIES RESEARCH ASSOCIATION DOING BUSINESS FOR JEFFERSON SCIENCE ASSOCIATES, LLC (936)				
239. Financial Assistance For Educational and General Services (11000)			$1,547,651	$1,547,651
Sponsored Programs (11004)	$1,547,651	$1,547,651		
Fund Sources: General	$1,547,651	$1,547,651		
Authority: Discretionary Inclusion.				
A. This appropriation represents the Commonwealth of Virginia's contribution to the Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC, for the support of the Thomas Jefferson National Accelerator Facility				

ITEM 239.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
(Jefferson Lab) located at Newport News, Virginia. This contribution includes funds to support faculty positions and industry-led research that will promote economic development opportunities in the Commonwealth.				
B. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is designated to provide funding to expand a center for nuclear femtography and to support high performance data facility related programs in partnership with the Commonwealth's research universities.				
C. This nonstate agency is exempt from the match requirement of § 2.2-1505, Code of Virginia and § 4-5.05 of this act.				
Total for Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC			**$1,547,651**	**$1,547,651**
Fund Sources: General	$1,547,651	$1,547,651		

240. Not set out.

§ 1-81. VIRGINIA COLLEGE BUILDING AUTHORITY (941)

241. Authority: Chapter 597, Acts of Assembly of 1986.

A.1. The purpose of this Item is to provide an ongoing program for the acquisition and replacement of instructional and research equipment at state-supported institutions of higher education in accordance with the intent and purpose of Chapter 597, Acts of Assembly of 1986.

2. The Governor shall annually present to the General Assembly through the Commonwealth's budget process, the estimated payments and the corresponding total value of equipment to be acquired.

B.1. The State Council of Higher Education for Virginia shall establish and maintain procedures through which institutions of higher education apply for allocations made available under the program, and shall develop guidelines and recommendations for the apportionment of such equipment to each state-supported institution of higher education.

2. The Authority shall finance equipment for educational institutions in accordance with § 23.1-1207, Code of Virginia, and according to terms and conditions approved through the Commonwealth's budget and appropriation process. Bonds or notes issued by the Virginia College Building Authority to finance equipment may be sold and issued at the same time with other obligations of the Authority as separate issues or as a combined issue. Each institution shall make available such additional detail on specific equipment to be purchased as may be requested by the Governor or the General Assembly. If emergency acquisitions are necessary when the General Assembly is not in session, the Governor may approve such acquisitions. The Governor shall report his approval of such acquisitions to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

3. Amounts for debt service payments for allocations provided by this Item shall be provided pursuant to Item 264 of this act.

C.1. Transfer of the appropriation in Item 264 of this act to the Virginia College Building Authority shall be subject to the approval of the Secretary of Finance. An allocation of $183,300,000 made in the 2022-2024 biennium brings the total amount of equipment acquired through the program to approximately $1,999,964,424.

2. Allocations of $95,150,000 the first year and $97,650,000 the second year will be made to support the purchase of additional equipment to enhance instructional and research activity at Virginia's public colleges and universities. Allocations are as follows:

	Prior	FY 2025	FY 2026	FY 2025 Research	FY 2026 Research

ITEM 241.		Item Details($)		Appropriations($)	
		First Year FY2025	Second Year FY2026	First Year FY2025	Second Year FY2026
Institution	Allocations	Allocation	Allocation	Allocation	Allocation
George Mason University	$119,169,755	$3,947,024	$3,947,024	$474,407	$474,407
Old Dominion University	$131,016,213	$5,016,192	$5,016,192	$329,078	$329,078
University of Virginia	$369,970,226	$10,458,476	$10,458,476	$12,689,341	$12,689,341
Virginia Commonwealth University	$237,978,749	$6,853,430	$6,853,430	$5,995,552	$4,995,552
Virginia Polytechnic Institute and State University	$367,195,402	$10,331,639	$10,331,639	$5,240,458	$9,240,458
College of William and Mary	$67,071,124	$2,300,493	$2,300,493	$595,857	$595,857
Christopher Newport University	$19,405,141	$754,464	$754,464	$0	$0
University of Virginia's College at Wise	$7,646,857	$250,681	$250,681	$0	$0
James Madison University	$61,588,787	$2,309,646	$2,309,646	$0	$0
Longwood University	$19,347,567	$743,433	$743,433	$0	$0
University of Mary Washington	$20,593,398	$655,746	$655,746	$0	$0
Norfolk State University	$54,133,439	$2,350,108	$2,350,108	$0	$0
Radford University	$44,558,626	1,744,993	$1,744,993	$0	$0
Virginia Military Institute	$22,571,018	$886,084	$886,084	$0	$0
Virginia State University	$34,199,643	$1,342,189	$1,342,189	$0	$0
Richard Bland College	$4,577,156	$160,149	$160,149	$0	$0
Virginia Community College System	$384,874,381	$17,596,542	$17,596,542	$0	$0
Virginia Institute of Marine Science	$12,333,958	$362,100	$362,100	$175,307	$175,307
Virginia Cooperative Extension and Agricultural Experiment Station	$4,000,000	$0	$0	$0	$0
Southwest Virginia Higher Education Center	$1,944,051	$80,111	$80,111	$0	$0
Roanoke Higher Education Authority	$1,615,331	$77,623	$77,623	$0	$0
Institute for Advanced Learning and Research	$7,661,688	$274,172	$274,172	$0	$0
Southern Virginia Higher Education Center	$1,199,316	$595,790	$95,790	$0	$0
New College Institute	$617,166	$34,486	$34,486	$0	$0

ITEM 241.			Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Eastern Virginia Medical School	$4,695,432	$524,429	$524,429		$0	$0
TOTAL	**$1,999,964,424**	**$69,650,000**	**$69,150,000**		**$25,500,000**	**$28,500,000**

D. Out of the allocations for the Virginia Community College System, $5,000,000 the first year and $5,000,000 the second year is designated to support the equipment needs of Workforce Development activities, including those related to the New Economy Industry Credential Assistance Training Grant Program.

E. The allocations for Eastern Virginia Medical School may be utilized by Old Dominion University to ensure the continued operations of the schools and divisions existing as Eastern Virginia Medical School prior to the effective date of Chapters 756 and 778, 2023 Acts of Assembly.

F. Out of this allocation, $10,500,000 the first year and $13,500,000 the second year is designated to support the equipment needs of institutions involved in the Bioscience Research initiative. Of these amounts, $7,500,000 each year is allocated to the University of Virginia for the Manning Institute for Biotechnology, $4,000,000 the second year is allocated to Virginia Tech for the Patient Research Center and $3,000,000 the first year and $2,000,000 the second year is allocated to Virginia Commonwealth University for the Medicines for All Institute.

G. Out of this allocation, $500,000 the first year is designated to support replacement equipment in the Welding Lab at Southern Virginia Higher Education Center to serve adult and high school welding students.

Total for Virginia College Building Authority			**$0**	**$0**
TOTAL FOR OFFICE OF EDUCATION			~~**$27,998,383,472**~~ ***$29,018,400,026***	~~**$28,561,935,323**~~ ***$29,829,016,765***
General Fund Positions	19,272.89	~~19,272.89~~ *19,301.24*		
Nongeneral Fund Positions	~~43,162.05~~ *43,782.05*	~~43,226.05~~ *44,105.55*		
Position Level	~~62,434.94~~ *63,054.94*	~~62,498.94~~ *63,406.79*		
Fund Sources: General	~~$13,487,856,903~~ *$13,915,953,212*	~~$13,639,745,179~~ *$14,019,373,555*		
Special	~~$50,821,852~~ *$65,821,852*	~~$50,825,777~~ *$54,425,777*		
Higher Education Operating	~~$11,618,537,163~~ *$11,627,891,917*	~~$11,990,067,744~~ *$12,401,088,086*		
Commonwealth Transportation	$1,796,906	$1,796,906		
Enterprise	$7,479,910	$7,479,910		
Trust and Agency	~~$915,840,603~~ *$1,006,738,652*	~~$1,015,840,603~~ *$1,087,249,747*		
Debt Service	$308,781,595	$312,907,180		
Dedicated Special Revenue	~~$100,335,288~~ *$220,335,288*	~~$100,335,288~~ *$130,335,288*		
Federal Trust	~~$1,506,933,252~~ *$1,863,600,694*	~~$1,442,936,736~~ *$1,814,360,316*		

ITEM 242.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	OFFICE OF FINANCE				
	§ 1-82. SECRETARY OF FINANCE (190)				
242.	Administrative and Support Services (79900)			$816,339	$816,339
	General Management and Direction (79901)	$816,339	$816,339		
	Fund Sources: General	$816,339	$816,339		
	Authority: Title 2.2, Chapter 2, Article 5; § 2.2-201, Code of Virginia.				
	A. The Secretary of Finance, in consultation with other affected secretaries, is hereby authorized to order the State Comptroller to transfer to the general fund a reasonable sum, as determined by the State Comptroller, from annual charges of internal service funds and enterprise funds that exceed the cost of providing services or that represent over-recoveries from the general fund.				
	B. The Secretary of Finance shall engage internal or third-party assistance to perform a risk assessment of executive branch agency internal controls for administering and disbursing federal pandemic relief funds, economic stimulus, or loan funds. Upon engaging internal or third-party assistance, the Secretary of Finance shall consult with the Auditor of Public Accounts and executive branch agencies conducting similar risk assessments or audits regarding the scope of work performed by the Auditor of Public Accounts and such executive branch agencies over federal funds. The Secretary of Finance shall provide oversight over any resulting contracts and compile the findings and provide a report to the Governor, the Chair of the House Appropriations Committee and the Chair of the Senate Finance and Appropriations Committee by November 1 of each year.				
	Total for Secretary of Finance			**$816,339**	**$816,339**
	General Fund Positions	4.00	4.00		
	Position Level	4.00	4.00		
	Fund Sources: General	$816,339	$816,339		
	§ 1-83. DEPARTMENT OF ACCOUNTS (151)				
243.	Financial Systems Development and Management (72400)			$3,501,869	~~$3,501,869~~ *$4,377,782*
	Financial Systems Development (72401)	$246,492	~~$246,492~~ *$410,007*		
	Financial Systems Maintenance (72402)	$668,729	~~$668,729~~ *$913,996*		
	Computer Services (72404)	$2,586,648	~~$2,586,648~~ *$3,053,779*		
	Fund Sources: General	$3,501,869	~~$3,501,869~~ *$4,377,782*		
	Authority: Title 2.2, Chapter 8, Code of Virginia.				
244.	Accounting Services (73700)			$11,471,240	~~$11,471,240~~ *$11,924,553*
	General Accounting (73701)	$5,438,769	$5,438,769		
	Disbursements Review (73702)	$1,118,558	$1,118,558		
	Payroll Operations (73703)	$1,501,367	~~$1,501,367~~ *$1,693,461*		
	Financial Reporting (73704)	$3,412,546	~~$3,412,546~~ *$3,673,765*		
	Fund Sources: General	$10,362,948	~~$10,362,948~~ *$10,816,261*		
	Special	$1,108,292	$1,108,292		

ITEM 244.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

Authority: Title 2.2, Chapter 8, and § 2.2-1822, Code of Virginia.

A.1. There is hereby created on the books of the State Comptroller the Commonwealth Charge Card Rebate Fund. Rebates earned in any fiscal year on the Commonwealth's statewide charge card program shall be deposited to the Commonwealth Charge Card Rebate Fund. The cost of administration of the program as well as rebates due to political subdivisions and payments due to the federal government are hereby appropriated from the fund. All remaining rebate revenue in the fund shall be deposited to the general fund by June 30 of each year.

2. The Department of Accounts is authorized to include the administrative costs estimated at $80,000 per year for executing entries in the Commonwealth's accounting system for Level III institutions as defined in Chapter 675, 2009 Acts of Assembly, in the program costs appropriated from the fund.

B. Notwithstanding the provisions of §§ 17.1-286 and 58.1-3176, Code of Virginia, the State Comptroller shall not make payments to the Circuit Court clerks on amounts directly deposited into the State Treasury by General District Courts, Juvenile and Domestic Relations General District Courts, Combined District Courts, and the Magistrates System. The State Comptroller shall continue to make payments, in accordance with §§ 17.1-286 and 58.1-3176, Code of Virginia, to the respective clerks on those amounts directly deposited into the state treasury by the Circuit Courts.

C.1. There is hereby created in the state treasury a special nonreverting fund that shall be known as the Federal Repayment Reserve Fund. The Fund shall be established on the books of the Comptroller and shall consist of such moneys as the State Comptroller determines will be required to repay the federal government its share of any rebates, Internal Service Fund profits, transfers to the general fund or amounts arising from other sources. Interest earned on the moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of the fiscal year shall not revert to the general fund but shall remain in the Fund. The Comptroller shall hold all moneys in this Fund until such payment is required by the federal government.

2. On an ongoing basis, agencies shall coordinate with the State Comptroller to identify amounts due to be returned to the federal government. The State Comptroller shall transfer those amounts to the Fund on or before June 30 of each year.

D. The Department of Accounts is authorized to charge employees a mandatory fee of up to 15 cents for each payroll deduction administered under the Supplemental Insurance and Annuities program. Reimbursement by the employing agency is prohibited.

245.	Service Center Administration (82600)			$4,050,220	$4,241,035
	Payroll Service Bureau (82601)	$4,050,220	$4,241,035		
	Fund Sources: Internal Service	$4,050,220	$4,241,035		

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

A. The appropriation for the Payroll Service Bureau is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from revenues derived from charges for services.

B.1. The Department of Accounts shall operate the payroll service center to support the salaried and wage employees of all agencies identified by the Department of Planning and Budget. The agencies so identified shall cooperate with the Department of Accounts in transferring such records and functions as may be required. The payroll service center shall provide services to employees to include, but not be limited to, payroll, benefit enrollment and leave accounting. The Department of Accounts shall be responsible for all accounting reconciliations for these services; however, each employing agency shall remain fully responsible for certifying the accuracy of each payroll paid to its employees. This certification shall be in such form as the Comptroller directs.

2.a. The Department of Accounts shall recover the cost of services provided by the payroll service center through interagency transactions as determined by the State Comptroller.

ITEM 245.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

b. The Department of Accounts is authorized to charge the following rates to agencies participating in the payroll service center based on the type and number of W-2 forms processed in the Cardinal Human Capital Management (HCM) system.

Criteria	FY 2025	FY 2026
Wage employees	$132.59	$142.92
Salaried employees	$155.99	$168.14
Non-Virginia employees	$545.97	$588.49

C.1. The Department of Accounts shall operate a fiscal service center to support the operations of all agencies identified by the Department of Planning and Budget. The agencies so identified shall cooperate with the Department of Accounts in transferring such records and functions as may be required. The service center shall provide services to agencies to include accounts payable processing, travel voucher processing, related reconciliations, and such other fiscal services as may be appropriate.

2. The Department of Accounts shall recover the cost of services provided by the fiscal service center through interagency transactions as determined by the State Comptroller.

D. Nothing in this section shall prohibit additional agencies from using the services of the centers; however, such additions shall be subject to approval by the affected cabinet secretary and the Secretary of Finance.

246.	Information Systems Management and Direction (71100)			$45,422,533	$45,810,683
	Financial Oversight for Performance Budgeting System (71107)	$3,272,531	$3,400,931		
	Financial Oversight for Cardinal System (71108)	$42,150,002	$42,409,752		
	Fund Sources: Internal Service	$45,422,533	$45,810,683		

Authority: Title 2.2 Chapter 8, Code of Virginia

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

1. Out of this appropriation, the Performance Budgeting System is appropriated $3,272,531 the first year and $3,400,931 the second year from internal service fund revenues.

2. Out of this appropriation, the Cardinal Financial System is appropriated $20,493,396 the first year and $20,678,421 the second year from internal service fund revenues.

3. Out of this appropriation, the Cardinal Human Capital Management (HCM) system is appropriated $21,656,606 the first year and $21,731,331 the second year from internal service fund revenues.

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

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

B. 1. In order to capitalize on the efficiencies and benefits of the successfully implemented Commonwealth Enterprise Resource Planning system, Cardinal, a Cardinal Governance Committee (CGC) shall be established to evaluate and recommend expansion options for the

ITEM 246.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Cardinal Financials and Human Capital Management (HCM) applications. The CGC shall analyze expansion opportunities in both the financial and human resources arenas that will most benefit Commonwealth state agencies in meeting their agency missions and core objectives. Additionally, this evaluation will analyze opportunities that could possibly allow for the decommissioning of agency-based systems in favor of the Commonwealth's enterprise system to improve efficiency and cost effectiveness. Once these opportunities are evaluated and finalized, the CGC shall present recommendations to the Commonwealth's Secretary of Finance and Secretary of Administration for review. Upon their approval of any such recommendations, the Cardinal Program will have the authority to proceed with these projects, subject to available funding.				
	2. In order to support and maintain the Cardinal project initiative, a working capital advance (WCA) of up to $12,000,000 is provided to the Cardinal program as start-up funding in anticipation of final approved funding. No funds shall be drawn and expended from this WCA without the prior approval of the Secretary of Finance.				
	3. The State Comptroller shall report on the plan to upgrade Cardinal Financials with the latest functional updates, including the cost of upgrades, timeline, and opportunities to deactivate other agency stand-alone accounting systems. This report shall also include options and cost estimates for restoring a Business Intelligence application for Cardinal Financials. The State Comptroller shall submit this report by no later than October 1, 2025, to the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.				
247.	Administrative and Support Services (79900).....			$1,734,964	~~$1,734,964~~ *$2,399,555*
	General Management and Direction (79901).....	$1,734,964	~~$1,734,964~~ *$2,399,555*		
	Fund Sources: General.....	$1,734,964	~~$1,734,964~~ *$2,399,555*		
	Authority: Title 2.2, Chapter 8, Code of Virginia.				
	As a condition of the appropriation in this Item, the department shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees the expenditure and revenue reports necessary for timely legislative oversight of state finances. The necessary reports include monthly and year-end versions and shall be provided in an interactive electronic format agreed upon by the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, or their designees, and the Comptroller. Delivery of these reports shall occur by way of electronic mail or other methods to ensure their receipt within 48 hours of their initial run after the close of the business month.				
248.	In the event of default by a unit, as defined in § 15.2-2602, Code of Virginia, on payment of principal of or interest on any of its general obligation bonded indebtedness when due, the State Comptroller, in accordance with § 15.2-2659, Code of Virginia, is hereby authorized to make such payment to the bondholder, or paying agent for the bondholder, and to recover such payment and associated costs of publication and mailing from any funds appropriated and payable by the Commonwealth to the unit for any and all purposes.				
249.	In the event of default by any employer participating in the health insurance program authorized by § 2.2-1204, Code of Virginia, in the remittance of premiums or other fees and costs of the program, the State Comptroller is hereby authorized to pay such premiums and costs and to recover such payments from any funds appropriated and payable by the Commonwealth to the employer for any purpose. The State Comptroller shall make such payments upon receipt of notice from the Director, Department of Human Resource Management, that such payments are due and unpaid from the employer.				
250.	The State Comptroller shall make calculations of payments and transfers related to interest earned on federal funds, interest receivable on state funds advanced on behalf of federal programs, and direct cost reimbursements due from the federal government pursuant to Item 263 of this act.				

ITEM 250.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Total for Department of Accounts			**$66,180,826**	**~~$66,759,791~~ *$68,753,608***
General Fund Positions	115.00	~~115.00~~ *126.00*		
Nongeneral Fund Positions	54.00	54.00		
Position Level	169.00	~~169.00~~ *180.00*		
Fund Sources: General	$15,599,781	~~$15,599,781~~ *$17,593,598*		
Special	$1,108,292	$1,108,292		
Internal Service	$49,472,753	$50,051,718		

Department of Accounts Transfer Payments (162)

251.	Financial Assistance to Localities - General (72800) a sum sufficient, estimated at		$495,380,000	$495,380,000
	Distribution of Rolling Stock Taxes (72806)	$6,530,000	$6,530,000	
	Distribution of Recordation Taxes (72808)	$20,000,000	$20,000,000	
	Financial Assistance to Localities - Rental Vehicle Tax (72810)	$50,000,000	$50,000,000	
	Distribution of Sales Tax Revenues from Certain Public Facilities (72811)	$2,000,000	$2,000,000	
	Distribution of Tennessee Valley Authority Payments in Lieu of Taxes (72812)	$1,250,000	$1,250,000	
	Distribution of the Virginia Communications Sales and Use Tax (72816)	$350,000,000	$350,000,000	
	Distribution of Payments to Localities for Enhanced Emergency Communications Services (72817)	$37,000,000	$37,000,000	
	Distribution of Sales Tax Revenues from Certain Tourism Projects (72819)	$600,000	$600,000	
	Distribution of Historic Triangle Sales Tax Collections (72820)	$28,000,000	$28,000,000	
	Fund Sources: General	$30,380,000	$30,380,000	
	Trust and Agency	$50,000,000	$50,000,000	
	Dedicated Special Revenue	$415,000,000	$415,000,000	

Authority: §§ 15.2-5914, 58.1-608.3, 58.1-662, 58.1-816, 58.1-1736, 58.1-1741, 58.1-2658.1, and 58.1-3406, Code of Virginia.

A.1. In order to carry out the provisions of § 58.1-645 et seq., Code of Virginia, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at $350,000,000 in the first year and $350,000,000 in the second year equal to the revenues collected pursuant to § 58.1-645 et seq., Code of Virginia, from the Virginia Communications Sales and Use Tax. All revenue received by the Commonwealth pursuant to the provisions of § 58.1-645 et seq., Code of Virginia, shall be paid into the state treasury and deposited to the Virginia Communications Sales and Use Tax Fund and shall be distributed pursuant to § 58.1-662, Code of Virginia, and Item 270 of this act. For the purposes of the State Comptroller's preliminary and final annual reports required by § 2.2-813, Code of Virginia, however, all deposits to and disbursements from the fund shall be accounted for as part of the general fund of the state treasury.

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

B. In order to carry out the provisions of § 58.1-1734 et seq., Code of Virginia, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at $50,000,000 in the first year and $50,000,000 in the second year equal to the revenues collected pursuant to A. 2. of § 58.1-1736 Code of Virginia, from the Virginia Motor Vehicle Rental Tax.

C. In order to carry out the provisions of § 56-484:17 et seq., Code of Virginia, there is hereby

ITEM 251.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	appropriated a sum sufficient amount of nongeneral fund revenues estimated at $37,000,000 in the first year and $37,000,000 in the second year equal to the revenues collected pursuant to § 56-484.17:1, Code of Virginia, from the Virginia Wireless Tax.				
	D. In order to carry out the provisions of § 58.1-603.2, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at $28,000,000 the first year and $28,000,000 the second year equal to the revenues collected pursuant to § 58.1-603.2, Code of Virginia, from the additional state sales and use tax in the Historic Triangle.				
	E.1. Out of this appropriation, amounts estimated at $20,000,000 the first year and $20,000,000 the second year from the general fund shall be deposited into the Hampton Roads Regional Transit Fund, as provided in § 33.2-2600.1, Code of Virginia, from revenues collected pursuant to § 58.1-816 B., Code of Virginia.				
	2. Notwithstanding the provisions of § 58.1-816, Code of Virginia, the appropriation in this Item for the distribution of recordation taxes is not subject to the sum sufficient provisions of this Item.				
252.	Revenue Stabilization Fund (73500)				
	Authority: Title 2.2, Chapter 18, Article 4, Code of Virginia.				
	On or before November 1 of each year, the Auditor of Public Accounts shall report to the General Assembly the certified tax revenues collected in the most recently ended fiscal year. The auditor shall, at the same time, provide his report on the 15 percent limitation and the amount that could be paid into the fund in order to satisfy the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia as well as the additional deposit requirement of § 2.2-1829, Code of Virginia.				
252.10	*Revenue Cash Reserve (23700)*			*$294,482,240*	*$0*
	Appropriated Revenue Reserve (23701)	*$294,482,240*	*$0*		
	Fund Sources: General	*$294,482,240*	*$0*		
	Authority: Title 2.2, Chapter 18, Article 4.1, Code of Virginia				
	Out of this appropriation, $294,482,240 the first year from the general fund attributable to actual tax collections for fiscal year 2024 shall be paid by the State Comptroller on or before June 30, 2025, into the Revenue Reserve Fund pursuant to § 2.2-1831.3, Code of Virginia.				
253.	Personnel Management Services (70400)			$31,359,934	$31,359,934
	Employee Flexible Benefits Services (70420)	$31,359,934	$31,359,934		
	Fund Sources: Trust and Agency	$31,359,934	$31,359,934		
	Authority: Title 2.2, Chapter 8, Code of Virginia.				
254.	Financial Assistance for Health Research (40700)			~~$1,846,151~~ *$2,346,151*	$1,846,151
	Health Research Grant Administration Services (40701)	~~$1,846,151~~ *$2,346,151*	$1,846,151		
	Fund Sources: *General*	*$500,000*	*$0*		
	Dedicated Special Revenue	$1,846,151	$1,846,151		
	Authority: Title 2.2, Chapter 8, Code of Virginia.				
	A. The Department of Accounts is authorized to disburse, as fiscal agent for the Commonwealth Health Research Board, funds received from the Virginia Retirement System pursuant to § 32.1-162.28, Code of Virginia.				
	B. Out of this appropriation, $500,000 the first year from the general fund is provided for deposit to the Florence Neal Cooper Smith Sickle Cell Research Endowment Fund, established by House Bill 2500 of the 2025 Acts of Assembly, held on the books of the Commonwealth, as administered by the Commonwealth Health Research Board.				

ITEM 255.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
255.	Personal Property Tax Relief Program (74600)			$950,000,000	$950,000,000
	Reimbursements to Localities for Personal Property Tax Relief (74601)	$950,000,000	$950,000,000		
	Fund Sources: General	$950,000,000	$950,000,000		

Authority: Discretionary Inclusion.

A.1. Out of this appropriation, $950,000,000 the first year and $950,000,000 the second year from the general fund is provided to be used to implement a program which provides equitable tax relief from the personal property tax on vehicles.

2. The amounts appropriated in this Item provide for a local reimbursement level of 70 percent in tax years 2004 and 2005. The local reimbursement level for tax year 2006 is set at $950,000,000 pursuant Chapter 1, 2004 Acts of Assembly, Special Session I. Payments to localities with calendar year 2006 car tax payment due dates prior to July 1, 2006, shall not be reimbursed until after July 1, 2006, except as otherwise provided in paragraph D of this Item.

B. Notwithstanding the provisions of subsection B of § 58.1-3524, Code of Virginia, as amended by Chapter 1, 2004 Acts of Assembly, Special Session I, the determination of each county's, city's and town's share of the total funds available for reimbursement for personal property tax relief pursuant to that subsection shall be pro rata based upon the actual payments to such county, city or town pursuant to Title 58.1, Chapter 35.1, Code of Virginia, for tax year 2004 as compared to the actual payments to all counties, cities and towns pursuant to that chapter for tax year 2004, made with respect to reimbursement requests submitted on or before December 31, 2005, as certified in writing by the Auditor of Public Accounts not later than March 1, 2006. Notwithstanding the provisions of the second enactment of Chapter 1, 2004 Acts of Assembly, Special Session I, this paragraph shall become effective upon the effective date of this act.

C. The requirements of subsection C 2 of § 58.1-3524 and subsection E of § 58.1-3912, Code of Virginia, as amended by Chapter 1, 2004 Acts of Assembly, Special Session I, with respect to the establishment of tax rates for qualifying vehicles and the format of tax bills shall be deemed to have been satisfied if the locality provides by ordinance or resolution, or as part of its annual budget adopted pursuant to Title 15.2, Chapter 25, Code of Virginia, or the provisions of a local government charter or Title 15.2, Chapter 4, 5, 6, 7 or 8, Code of Virginia, if applicable, specific criteria for the allocation of the Commonwealth's payments to such locality for tangible personal property tax relief among the owners of qualifying vehicles, and such locality's tax bills provide a general description of the criteria upon which relief has been allocated and set out, for each qualifying vehicle that is the subject of such bill, the specific dollar amount of relief so allocated.

D. The Secretary of Finance may authorize advance payment, from funds appropriated in this Item, of sums otherwise due a town on and after July 1, 2006, for personal property tax relief under the provisions of Chapter 1, 2004 Acts of Assembly, Special Session I, if the Secretary finds that such town (1) had a due date for tangible personal property taxes on qualified vehicles for tax year 2006 falling between January 1 and June 30, 2006, (2) had a due date for tangible personal property taxes on qualified vehicles for tax year 2004 falling between January 1 and June 30, 2004, (3) received reimbursements pursuant to the provisions of Title 58.1, Chapter 35.1, Code of Virginia, between January 1 and June 30, 2004, (4) utilizes the cash method of accounting, and (5) would suffer fiscal hardship in the absence of such advance payment.

E. It is the intention of the General Assembly that reimbursements to counties, cities and towns that had a billing date for tax year 2004 tangible personal property taxes with respect to qualifying vehicles falling between January 1 and June 30, 2004, and received personal property tax relief reimbursement with respect to tax year 2004 from the Commonwealth between January 1 and June 30, 2004, pursuant to the provisions of Title 58.1, Chapter 35.1, Code of Virginia, as it existed prior to the amendments effected by Chapter 1, 2004 Acts of Assembly, Special Session I, be made by the Commonwealth with respect to sums attributable to such spring billing dates not later than August 15 of each fiscal year.

Total for Department of Accounts Transfer Payments			~~$1,478,586,085~~ *$1,773,568,325*	$1,478,586,085

ITEM 255.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Nongeneral Fund Positions	1.00	1.00		
	Position Level	1.00	1.00		
	Fund Sources: General	~~$980,380,000~~ *$1,275,362,240*	$980,380,000		
	Trust and Agency	$81,359,934	$81,359,934		
	Dedicated Special Revenue	$416,846,151	$416,846,151		
	Grand Total for Department of Accounts			~~**$1,544,766,911**~~ ***$1,839,749,151***	~~**$1,545,345,876**~~ ***$1,547,339,693***
	General Fund Positions	115.00	~~115.00~~ *126.00*		
	Nongeneral Fund Positions	55.00	55.00		
	Position Level	170.00	~~170.00~~ *181.00*		
	Fund Sources: General	~~$995,979,781~~ *$1,290,962,021*	~~$995,979,781~~ *$997,973,598*		
	Special	$1,108,292	$1,108,292		
	Internal Service	$49,472,753	$50,051,718		
	Trust and Agency	$81,359,934	$81,359,934		
	Dedicated Special Revenue	$416,846,151	$416,846,151		

§ 1-84. DEPARTMENT OF PLANNING AND BUDGET (122)

256.	Planning, Budgeting, and Evaluation Services (71500)			$9,315,486	$9,315,486
	Budget Development and Budget Execution Services (71502)	$6,482,200	$6,558,244		
	Forecasting and Regulatory Review Services (71505)	$1,471,791	$1,463,419		
	Program Evaluation Services (71506)	$704,561	$712,133		
	Administrative Services (71598)	$656,934	$581,690		
	Fund Sources: General	$9,315,486	$9,315,486		

Authority: Title 2.2, Chapter 15, Code of Virginia.

A. The Department of Planning and Budget shall be responsible for continued development and coordination of an integrated, systematic policy analysis, planning, budgeting, performance measurement and evaluation process within state government.

B. The Department of Planning and Budget shall be responsible for the continued development and coordination of a review process for strategic plans and performance measures of the state agencies. The review process shall assess on a periodic basis the structure and content of the plans and performance measures, and the processes used to develop and implement the plans and measures with the goal of improving the efficiency and effectiveness of state government operations.

C.1. Notwithstanding § 2.2-1508, Code of Virginia, or any other provisions of law, on or before December 20, the Department of Planning and Budget shall deliver to the presiding officer of each house of the General Assembly a copy of the budget document containing the explanation of the Governor's budget recommendations. This copy may be in electronic format.

2. The Department of Planning and Budget shall include in the budget document the amount of projected spending and projected net tax-supported state debt for each year of the biennium on a per capita basis. For this purpose, "spending" is defined as total appropriations from all funds for the cited fiscal years as shown in the Budget Bill. The most current population estimates from the Weldon Cooper Center for Public Services shall be used to make the calculations.

D. Notwithstanding any contrary provision of law, any school division may request the Department of Planning and Budget to assist in the coordination of a school efficiency

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review for the division. Such assistance shall be at the discretion of the Director of the Department of Planning and Budget. Each participating school division shall pay 100 percent of the cost of the review.

E. The Department of Planning and Budget shall provide a time and date stamp on all fiscal impact statements on bills to be considered by the General Assembly and posted on the Legislative Information System. If a fiscal impact statement is revised the new version shall clearly indicate as such. Each fiscal impact statement shall include a descriptive total of the general fund and nongeneral fund amounts of all paragraphs contained in the fiscal impact statement which describe how the costs were calculated. This descriptive total may be included in a final paragraph or table labeled with the discrete cost items by fund source and totaled.

Total for Department of Planning and Budget			**$9,315,486**	**$9,315,486**
General Fund Positions	59.00	59.00		
Position Level	59.00	59.00		
Fund Sources: General	$9,315,486	$9,315,486		

§ 1-85. DEPARTMENT OF TAXATION (161)

257. Planning, Budgeting, and Evaluation Services (71500)			$6,176,511	~~$5,176,511~~ *$5,946,893*
Tax Policy Research and Analysis (71507)	$3,899,793	$2,899,793		
Appeals and Rulings (71508)	$1,415,043	~~$1,415,043~~ *$2,185,425*		
Revenue Forecasting (71509)	$861,675	$861,675		
Fund Sources: General	$6,176,511	~~$5,176,511~~ *$5,946,893*		

Authority: §§ 2.2-1503, 15.2-2502, 58.1-202, 58.1-207, 58.1-210, 58.1-213, 58.1-816, and 58.1-3406, and Title 10.1, Chapter 14, Code of Virginia.

A. The Department of Taxation shall continue the staffing and responsibility for the revenue forecasting of the Commonwealth Transportation Funds, including the Department of Motor Vehicles Special Fund, as provided in § 2.2-1503, Code of Virginia. The Department of Motor Vehicles shall provide the Department of Taxation with direct access to all data records and systems required to perform this function. The Department of Planning and Budget shall effectuate the transfer of three full-time equivalent positions and sufficient funding to ensure the successful consolidation of this function.

B. Notwithstanding the provisions of § 58.1-202.2, Code of Virginia, no report on public-private partnership contracts shall be required in years following the final report upon the completion of contract or when no such contract is active.

C. The Department of Taxation shall report no later than September 1 on an annual basis, to the Chairmen of the House Appropriations, House Finance and Senate Finance and Appropriation Committees, on the amount of state sales and use tax revenues authorized to be remitted for the preceding fiscal year under the provisions of § 58.1-608.3, § 58.1-3851.1, and § 58.1-3851.2, of the Code of Virginia, as amended by the 2015 General Assembly.

D. Out of this appropriation, $1,000,000 the first year from the general fund shall be used for initial costs associated with the replacement of the Department of Taxation's Integrated Revenue Management System (IRMS). Such funds shall be allocated in accordance with continued efforts related to the workgroup required by Item 273 Paragraph D of the 2022 and 2023 Appropriation Acts. Accordingly, the workgroup is hereby continued and directed to review the plan for implementation of an IRMS modernization project as developed by the Department of Taxation based upon recommendations of the workgroup's 2022 assessment. Such review shall include consideration of methodologies for refactoring and replacement, the project roadmap and timeline, costs and funding structure, and the governance structure required for the modernization effort. In addition, the workgroup shall provide periodic oversight of the implementation of the IRMS modernization project. The workgroup shall

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include the Secretary of Finance or his designee, staff from the House Appropriations and Senate Finance and Appropriations Committees, the Director of the Department of Planning and Budget, and the Chief Information Officer of the Virginia Information Technologies Agency. The workgroup shall submit an update on its findings and recommendations to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2024, with an annual executive summary of the interim activity of the project implementation by November 1 of each subsequent year until implementation of a new system is complete.

E. The Department of Taxation shall assess implementing market-based sourcing for sales in the corporate income apportionment formula. The Department shall assess the administrative feasibility, the impact on major classifications of corporations operating in Virginia, the impact on corporate expansion within and into Virginia, and the projected impact on Virginia's tax revenue as a result of adopting market-based sourcing. The Department shall present recommendations to the Joint Subcommittee on Tax Policy for evaluation of the fiscal implications and incorporate any feedback from the Joint Subcommittee prior to the submission of the final report. The Department may establish a work group of stakeholders with the Secretary of Finance and the Chairs of the House Finance, House Appropriations, and Senate Finance and Appropriations Committees participating in selecting its members. The Department shall submit a report with recommendations by November 15, 2025 to the Chairs of House Finance, House Appropriations, and Senate Finance and Appropriations Committees.

F. The Department of Taxation shall convene a work group composed of tax practitioners experienced in the preparation of corporate tax returns involving net operating losses, including members recommended by the Taxation Section of the Virginia Bar Association and the Virginia Society of Certified Public Accountants. The work group shall study the treatment of net operating losses in Virginia when compared to other states and shall make recommendations to simplify such treatment in Virginia. The work group shall consider at a minimum: (i) transition rules to the proposed simplified method of determining net operating losses; (ii) the effective date of any such transition; and (iii) what legislative, regulatory, or guideline amendments would be necessary to best effectuate such transition. The work group shall complete its meetings by October 1, 2025, and the Department shall submit a report of the work group's findings and recommendations to the Chairs of the Senate Finance and Appropriations, House Finance, and House Appropriations Committee by November 1, 2025.

258.	Revenue Administration Services (73200)			~~$70,323,247~~ *$1,048,866,247*	~~$69,918,101~~ *$71,430,406*
	Tax Return Processing (73214)	~~$7,428,573~~ *$10,388,685*	~~$7,392,923~~ *$12,134,439*		
	Customer Services (73217)	~~$15,014,313~~ *$990,597,201*	~~$15,014,313~~ *$11,785,102*		
	Compliance Audit (73218)	$26,718,919	$26,718,919		
	Compliance Collections (73219)	$16,186,507	$16,186,507		
	Legal and Technical Services (73222)	$4,974,935	$4,605,439		
	Fund Sources: General	~~$58,592,613~~ *$1,037,135,613*	~~$58,074,467~~ *$59,586,772*		
	Special	$10,282,214	~~$10,282,214~~ *$10,940,214*		
	Dedicated Special Revenue	$1,448,420	~~$1,561,420~~ *$903,420*		

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

A. Pursuant to § 58.1-1803, Code of Virginia, the Tax Commissioner is hereby authorized to contract with private collection agencies for the collection of delinquent accounts. The State Comptroller is hereby authorized to deposit collections from such agencies into the Contract Collector Fund (§ 58.1-1803, Code of Virginia). Revenue in the Contract Collector Fund may be used to pay private collection agencies/attorneys and perform oversight of their operations, upgrade systems and data interfaces, and retain experts to perform analysis of receivables and collection techniques. Any balance in the fund remaining after such payment shall be deposited into the appropriate general, nongeneral,

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or local fund no later than June 30 of each year.

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

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

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

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

E. The Department of Taxation is hereby appropriated Land Conservation Incentive Act fees imposed under § 58.1-513 C. 2., Code of Virginia, on the transferring of the value of the donated interest. The Code of Virginia specifies such fees will be used by the Departments of Taxation and Conservation and Recreation to recover the direct cost of administration incurred in implementing the Virginia Land Conservation Act.

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

G. 1. All revenue received by the Commonwealth pursuant to the provisions of § 58.1-645 et seq., Code of Virginia, shall be paid into the state treasury and deposited to the Virginia Communications Sales and Use Tax Fund and shall be distributed pursuant to § 58.1-662, Code of Virginia, and Items 251 and 270 of this act. For the purposes of the Comptroller's preliminary and final annual reports required by § 2.2-813, Code of Virginia, however, all deposits to and disbursements from the Fund shall be accounted for as part of the general fund of the state treasury.

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

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

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

J.1. Notwithstanding the provisions of § 58.1-609.12, Code of Virginia, no report on the fiscal, economic and policy impact of the miscellaneous Retail Sales and Use Tax exemptions under § 58.1-609.10, Code of Virginia, shall be required after the completion of the final

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report in the first five-year cycle of the study, due December 1, 2011. The Department of Taxation shall satisfy the requirement of § 58.1-609.12 that it study and report on the annual fiscal impact of the Retail Sales and Use Tax exemptions for nonprofit entities provided for in § 58.1-609.11, Code of Virginia, by publishing such fiscal impact on its website.

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

K. 1. Notwithstanding any provision of the Code of Virginia or this act to the contrary,

a. Effective January 1, 2013, all corporations are required to file estimated tax payments and their annual income tax return and final payment using an electronic medium in a format prescribed by the Tax Commissioner .

b. Effective July 1, 2013, every employer shall file the annual report required by § 58.1-478 and all forms required by § 58.1-472, Code of Virginia, using an electronic medium in a format prescribed by the Tax Commissioner.

c. Effective January 1, 2015, for taxable years beginning on and after January 1, 2014, every pass-through entity shall file the annual return required by § 58.1-392, Code of Virginia, and make related payments using an electronic medium in a format prescribed by the Tax Commissioner.

d. i. Effective until January 1, 2020, all estates and trusts are required to file estimated tax payments pursuant to § 58.1-490 et seq., Code of Virginia, and their annual income tax return pursuant to § 58.1-381, Code of Virginia, and final payment using an electronic medium in a format prescribed by the Tax Commissioner.

ii. Effective January 1, 2020, annual income tax returns of estates and trusts required pursuant to § 58.1-381, Code of Virginia, that are prepared by an income tax return preparer, as defined in § 58.1-302, Code of Virginia, must be filed using an electronic medium in a format prescribed by the Tax Commissioner.

e. Taxpayers subject to the taxes imposed pursuant to § 58.1-320 and required to pay estimated tax pursuant to § 58.1-490 et seq., shall be required to file and remit using an electronic medium in a format prescribed by the Tax Commissioner all installment payments of estimated tax and all payments made with regard to a return or an extension of time to file if (i) any one such payment exceeds or is required to exceed $1,500, or if (ii) the taxpayer's total tax liability exceeds or can be reasonably expected to exceed $6,000 in any taxable year beginning on or after January 1, 2022. This requirement shall apply to any payments made on and after July 1, 2022. The Department of Taxation shall provide reasonable advanced notice to taxpayers affected by this requirement.

2. The Tax Commissioner shall have the authority to waive the requirement to file or pay by electronic means. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the person required to use an electronic medium. All requests for waiver shall be submitted to the Tax Commissioner in writing.

L.1. Notwithstanding any other provision of law, Retail Sales and Use Tax returns and payments shall be made using an electronic medium prescribed by the Tax Commissioner beginning with the June 2012 return, due July 2012, for monthly filers and, for less frequent filers, with the first return they are required to file after July 1, 2013.

2. Notwithstanding any other provision of law, Out-of-State Dealer's Use Tax and Business Consumer's Use Tax returns and payments shall be made using an electronic medium prescribed by the Tax Commissioner beginning with the July 2017 return, due August 2017, for monthly filers and, for less frequent filers, with the first return they are required to file after August 1, 2017.

3. The Tax Commissioner shall have the authority to waive the requirement to file by

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electronic means upon a determination that the requirement would cause an undue hardship. All requests for waiver shall be transmitted to the Tax Commissioner in writing.

M. The Department of Taxation is hereby appropriated revenues from the Virginia Motor Vehicle Rental Tax to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-1741, Code of Virginia.

N. Notwithstanding the provisions of § 58.1-490 et seq., Code of Virginia,

1. Effective for taxable years beginning on or after January 1, 2015, a taxpayer shall be permitted to file a declaration of estimated tax with the Department of Taxation instead of with the commissioner of the revenue and notwithstanding the provisions of § 58.1-306, Code of Virginia, the department may so advise taxpayers.

2. Effective January 1, 2015, every treasurer who receives an estimated income tax return, declaration or voucher pursuant to § 58.1-495 of the Code of Virginia shall transmit such return, declaration or voucher to the Department of Taxation using an electronic medium in a format prescribed by the Tax Commissioner.

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

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

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

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

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

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

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

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

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

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3. Notwithstanding any other provision of law, Form R-1 Business Registration Form shall be filed using an electronic medium prescribed by the Tax Commissioner beginning July 1, 2024.

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

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

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

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

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

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

2. The Tax Commissioner shall have the authority to waive the requirement to submit this information upon a determination that the requirement would cause an unreasonable burden. In addition, the Tax Commissioner shall have the authority to waive the requirement to submit this information electronically upon a determination that the requirement would cause an unreasonable burden. All requests for waiver shall be transmitted to the Tax Commissioner in writing.

Y. The Department of Taxation is hereby appropriated revenues from the Disposable Plastic Bag Tax to recover any administrative costs for collecting the tax incurred by the Department of Taxation as provided by § 58.1-3835 (C), Code of Virginia.

Z. The Department of Taxation is hereby appropriated revenues from the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia to recover any administrative costs for implementing the tax on heated tobacco products incurred by the Department of Taxation as provided by Item 3-5.19(D) of this Act.

AA.1. Notwithstanding § 58.1-1803 A, or any other provision of law, the Department of Taxation may appoint a collector in any county or city, including the treasurer thereof, to collect delinquent state taxes at any time, even if such delinquent state taxes were not assessed at least 90 days previously therein.

2. Notwithstanding § 58.1-1803 B, or any other provision of law, the Department of Taxation may appoint collectors or contract with collection agencies to collect delinquent state taxes at any time, even if such delinquent state taxes were not assessed at least 90 days previously therein.

~~BB. In order to carry out the provisions of § 58.1-4200 et seq., Code of Virginia, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at $16,700,000 in the first year and $23,000,000 in the second year equal to the revenues collected pursuant to § 58.1-4216, Code of Virginia, from the gross receipts tax on skill~~

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~~game machines.~~

~~CC. Notwithstanding the provisions of § 4-3.02 of this act, the State Comptroller may authorize an interest-free treasury loan for the Department of Taxation to fund costs associated with the implementation of skill game oversight as enacted by the 2024 General Assembly of Virginia. The amount of the treasury loan may include costs as estimated to be incurred by the Department for the administration, regulation, enforcement, and oversight of skill game machines in accordance with legislation passed by the 2024 General Assembly. The Secretary of Finance may extend the repayment plan for any such interest-free treasury loan for a period of longer than twelve months as needed to support state costs associated with the administration and regulation of skill game machines. Intended repayment of the treasury loan is with revenues anticipated from fines, fees, and taxes collected pursuant to the legislation.~~

~~DD.The Director, Department of Planning and Budget, is authorized to provide nongeneral fund appropriation to the Authority in the amounts necessary to reflect expenditures in accordance with this paragraph.~~

EE. Out of this appropriation, $658,000 the first year and $771,000 the second year from the Electronic Nicotine Delivery Systems Fund, which shall be transferred from the Office of the Attorney General, shall be used for the costs associated with the implementation of House Bill 790 and Senate Bill 582 from the 2024 Session.

FF. Notwithstanding any other provision of law, beginning July 1, 2017, fees collected by the Department of Taxation for the cigarette exemption certificate application authorized by Code of Virginia § 58.1-623.2 shall be used to offset the Department's direct costs of administration related to the cigarette exemption certificate. Any amount collected from such fees in excess of the Department's direct costs as of June 30 in even-numbered years, beginning with the fiscal year ending June 30, 2026, shall be deposited to the general fund.

GG.1. There is hereby established in the state treasury and on the books of the State Comptroller a special nonreverting fund known as the Income Tax Rebate Fund. Interest earned on moneys in the Fund shall be credited to the general fund.

2. Out of this appropriation, $977,780,000 the first year from the general fund shall be deposited into the Income Tax Rebate Fund. Moneys in the Fund shall be used solely for the purpose of providing the tax rebate authorized in subparagraph 3 below. The information statement attached to the tax rebate checks issued pursuant with this item shall state, "the enclosed Tax Relief for Working Virginians was authorized by the 2025 General Assembly."

3. In addition to any refund due pursuant to § 58.1-309 of the Code of Virginia, and for taxable years beginning on and after January 1, 2024, but before January 1, 2025, an individual filing a return on or before November 3, 2025 or married persons filing a joint return on or before November 3, 2025 shall be issued a refund in an amount up to $200 for an individual, or $400 for married persons filing a joint return. An individual shall only be allowed a refund pursuant to this Item up to the amount of such individual's tax liability after the application of any deductions, subtractions, or credits to which the individual is entitled pursuant to Chapter 3 (§ 58.1-300 et seq.) of Title 58.1 of the Code of Virginia. Married persons filing a joint return shall only be allowed a refund pursuant to this Item up to the amount of such married persons tax liability after the application of any deductions, subtractions, or credits to which the married persons are entitled pursuant to Chapter 3 of Title 58.1 of the Code of Virginia. Any refund issued pursuant to this Item shall be subject to collection under the provisions of the Setoff Debt Collection Act (§ 58.1-520 et seq. of the Code of Virginia). For taxpayers filing a return before July 1, 2025, refunds due pursuant to this Item shall be issued on or before October 15, 2025. In no case shall any interest be paid on any refund due pursuant to this Item.

HH. Notwithstanding any other provision of the Code of Virginia or this act to the contrary, the Department of Taxation shall not be required to comply with the provisions of Virginia Code § 59.1-293.12 requiring unannounced investigations every 24 months to verify that a retail dealer is not selling retail tobacco products to persons under 21 years of age.

259.	Tax Value Assistance to Localities (73400).....		$2,377,024	~~$2,377,024~~ *$2,513,062*

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	Training for Local Assessors (73401)	$160,394	~~$160,394~~ *$296,432*		
	Valuation and Assessment Assistance for Localities (73410)	$2,216,630	$2,216,630		
	Fund Sources: General	$835,047	~~$835,047~~ *$971,085*		
	Special	$1,541,977	$1,541,977		

Authority: Title 58.1, Chapters 32, 34, 35, 36, and 39 and §§ 58.1-202, subdivisions 6, 10, and 11, 58.1-206; §§ 58.1-2655, 58.1-3239, 58.1-3278, and 58.1-3374, Code of Virginia.

A. The department is hereby authorized to recover from participating localities, as special funds, the direct costs associated with assessor/property tax and local valuation and assessments training classes. In accordance with § 58.1-206, Code of Virginia, the assessing officers and board members attending shall continue to be reimbursed for the actual expenses incurred by their attendance at the programs.

B. In the expenditure of funds out of its appropriations for determination of true values of locally taxable real estate for use by the Board of Education in state school fund distributions, the Department of Taxation shall use a sufficiently representative sampling of parcels, in accordance with the classification system as established in § 58.1-208, Code of Virginia, to reflect actual true values; further, the department shall, upon request of any local school board, review its initial determination and promptly inform the Board of Education of corrections in such determination.

C. Notwithstanding any other provision of law, the requirement that the Department of Taxation print and distribute local tax forms, instructions, and property tax books shall be satisfied by the posting of such documents on the department's web site.

260.	Administrative and Support Services (79900)			~~$54,864,665~~ *$188,328,909*	~~$54,864,665~~ *$60,630,056*
	General Management and Direction (79901)	~~$30,066,690~~ *$30,630,934*	~~$30,066,690~~ *$30,812,012*		
	Information Technology Services (79902)	~~$24,797,975~~ *$157,697,975*	~~$24,797,975~~ *$29,818,044*		
	Fund Sources: General	~~$54,711,211~~ *$188,175,455*	~~$54,711,211~~ *$60,476,602*		
	Special	$153,454	$153,454		

Authority: §§ 58.1-200, 58.1-202, and 58.1-213, Code of Virginia.

A. To defray the costs of administration for voluntary contributions made on individual income tax returns for taxable years beginning on or after January 1, 2003, the Department of Taxation may retain up to five percent of the contributions made to each organization, not to exceed a total of $50,000 from all organizations in any taxable year.

B. The Department is hereby authorized to request and receive a treasury loan to fund the necessary start-up costs associated with the implementation of a sales and use tax modification or other state or local tax imposed pursuant to Chapter 766, 2013 Acts of Assembly. The treasury loan shall be repaid for these costs from the tax revenues. The Department shall also retain sufficient revenues to recover its costs incurred administering these taxes.

C. Notwithstanding the provisions of §§ 2.2-507 and 2.2-510, when the Tax Commissioner determines that an issue may have a major impact on tax policies, revenues or expenditures, he may request that the Attorney General appoint special counsel to render such assistance or representation as needed. The compensation for such special counsel shall be paid out of the funds appropriated for the administration of the Department of Taxation.

D. The Department of Taxation is required to provide, at the beginning of an audit, detailed information on the audit process and tax policies that are being examined. Furthermore, the Department shall compile and make available on their website a list of common issues which are identified in a large number of audits.

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E. Out of this appropriation, $131,000,000 the first year from the general fund is provided for costs associated with the replacement of the Department of Taxation's (TAX) Integrated Revenue Management System (IRMS). This appropriation is contingent on TAX including in its contract with the selected vendor an electronic filing system for individual income tax that can be used by all Virginians. The Director, Department of Planning and Budget shall unallot any amounts of this appropriation not needed to perform required actions necessary for work prior to, and in support of, the procurement. The remaining funding may be allotted at such time when TAX demonstrates in its final contractual terms for the replacement of IRMS that it contains a provision for an electronic filing system for individual income tax that can be used by all Virginians. After the contingency is met the Director, Department of Planning and Budget shall allot the amount that is needed in each fiscal year based on a reasonable funding schedule provided by TAX for each fiscal year. Any amounts remaining from the general fund appropriation identified in this paragraph that remain unspent at the end of any fiscal year shall be reappropriated in the next fiscal year until the project is completed. TAX shall report by September 1, of each year to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the current status of the IRMS replacement, the funding expended in the prior fiscal year, project milestones achieved in the prior fiscal year, and any potential concerns that may impact the project's timeline and success.

Total for Department of Taxation			~~$133,741,447~~ *$1,245,748,691*	~~$132,336,301~~ *$140,520,417*
General Fund Positions	930.00	~~930.00~~ *933.00*		
Nongeneral Fund Positions	56.00	56.00		
Position Level	986.00	~~986.00~~ *989.00*		
Fund Sources: General	~~$120,315,382~~ *$1,232,322,626*	~~$118,797,236~~ *$126,981,352*		
Special	$11,977,645	~~$11,977,645~~ *$12,635,645*		
Dedicated Special Revenue	$1,448,420	~~$1,561,420~~ *$903,420*		

§ 1-86. DEPARTMENT OF THE TREASURY (152)

261.	Investment, Trust, and Insurance Services (72500)			~~$68,012,631~~ *$69,627,631*	~~$65,212,631~~ *$74,428,875*
	Debt Management (72501)	$5,193,546	$1,393,546		
	Insurance Services (72502)	~~$57,759,448~~ *$59,374,448*	~~$58,759,448~~ *$67,774,482*		
	Banking and Investment Services (72503)	$5,059,637	~~$5,059,637~~ *$5,260,847*		
	Fund Sources: General	~~$7,798,672~~ *$9,413,672*	~~$3,998,672~~ *$13,103,039*		
	Special	$126,365	$126,365		
	Commonwealth Transportation	$185,187	$185,187		
	Trust and Agency	$59,852,407	~~$60,852,407~~ *$60,964,284*		
	Dedicated Special Revenue	$50,000	$50,000		

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

A. The Department of the Treasury shall take into account the claims experience of each agency and institution when setting premiums for the general liability program.

B. Coverage provided by the VARISK plan for constitutional officers shall be extended to any action filed against a constitutional officer or appointee of a constitutional officer before the Equal Employment Opportunity Commission or the Virginia State Bar.

C. Notwithstanding the provisions of § 33.2-1919 and § 33.2-1927, Code of Virginia, the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission are authorized to obtain liability policies for the Commissions'

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joint project, the Virginia Railway Express, consisting of liability insurance and a program of self-insurance maintained by the Commissions and administered by the Department of the Treasury's Division of Risk Management or by an independent third party selected by the Commissions, which liability policies shall be deemed to meet the requirements of § 8.01-195.3, Code of Virginia. In addition, the Director of the Department of Rail and Public Transportation is authorized to work with the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission to obtain the foregoing liability policies for the Commissions. In obtaining liability policies, the Director of the Department of Rail and Public Transportation shall advise the Commissions regarding compliance with all applicable public procurement and administrative guidelines.

D. The Virginia Public School Authority shall transfer to the Department of the Treasury each year an amount necessary to recover the direct and indirect costs incurred by the department in the administration of the Virginia Public School Authority programs.

E. The Department of the Treasury shall provide to the State Compensation Board the premiums, by local constitutional office and individual regional jail, required to fund the Constitutional Officer and Regional Jail Fund of the State Insurance Reserve Trust Fund. The premiums provided to the Department of the Treasury by the actuary shall be calculated using factors such as claims experience by local constitutional office and individual regional jail, each local constitutional office and individual regional jail's total number of positions, and local and regional jail average daily populations.

F. Notwithstanding § 2.2-1836, Code of Virginia the Department of the Treasury, Division of Risk Management is authorized to initiate Cyber coverage for state agencies under the Property Plan after July 1, 2020.

G. The Department of the Treasury, in consultation with the the Department of Taxation, is directed to review surplus lines insurance policies procured by state agencies and authorities and submit a report to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee. The review shall estimate the benefit from exempting state agencies and authorities from being charged the insurance premium license tax by licensed surplus line brokers on insurance policies procured.

H. Included in the appropriation for this item is a total amount not to exceed $3,800,000 the first year from the general fund to be utilized towards loan payoffs of water and wastewater infrastructure debt incurred by the Town of Craigsville. The Department of Treasury is directed to utilize funds from the appropriation in this paragraph to directly pay lenders of the Town through which water and sewer infrastructure was financed.

I.1. Out of this appropriation, $9,003,762 the second year from the general fund is provided to make payments to individuals in accordance with § 8.01-195.11, Code of Virginia, and corresponding legislation passed by the 2025 General Assembly. Notwithstanding subsection D. of § 8.01-195.11 of the Code of Virginia, no amounts shall be deducted for transition grants received.

2. Out of the amounts in this paragraph shall be paid $398,655 the second year from the general fund for the relief of Mr. Keshawn Clarence Duffy pursuant to § 8.01-195.11 of the Code of Virginia.

3. Out of the amounts in this paragraph shall be paid $5,835,758 the second year from the general fund for the relief of Mr. Marvin Leon Grimm, Jr. pursuant to § 8.01-195.11 of the Code of Virginia.

4. Out of the amounts in this paragraph shall be paid $134,045 the second year from the general fund for the relief of Mr. Michael Haas pursuant to § 8.01-195.11 of the Code of Virginia.

5. Out of the amounts in this paragraph shall be paid $2,635,304 the second year from the general fund for the relief of Mr. Gilbert Merritt, III, pursuant to § 8.01-195.11 of the Code of Virginia.

262.	Revenue Administration Services (73200).....		~~$16,063,613~~ *$16,278,613*	~~$15,607,347~~ *$16,418,648*

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Unclaimed Property Administration (73207)	~~$8,011,292~~ *$8,226,292*	~~$8,011,292~~ *$8,638,063*		
Accounting and Trust Services (73213)	$2,103,014	~~$2,103,014~~ *$2,255,137*		
Check Processing and Bank Reconciliation (73216)	$2,579,482	$2,579,482		
Administrative Services (73220)	$3,369,825	~~$2,913,559~~ *$2,945,966*		
Fund Sources: General	$5,008,056	~~$4,551,790~~ *$4,698,289*		
Special	$467,004	$467,004		
Trust and Agency	~~$9,989,189~~ *$10,204,189*	~~$9,989,189~~ *$10,653,991*		
Dedicated Special Revenue	$599,364	$599,364		

Authority: Title 2.2, Chapter 18 and Title 55.1, Chapter 25, Code of Virginia.

A. Included in this Item is a sum sufficient nongeneral fund appropriation for personal services and other operating expenses to process checks issued by the Department of Social Services. The estimated cost, excluding actual postage costs, is $170,000 the first year and $170,000 the second year.

B. Included in this Item is a sum sufficient nongeneral fund appropriation for administrative expenses to process the Virginia Employment Commission (VEC) and Virginia Retirement System (VRS) checks. The estimated cost for VEC is $1,500 the first year and $1,500 the second year, and for VRS is $15,000 the first year and $15,000 the second year.

C.1. The amounts for Unclaimed Property Administration are for administrative and related support costs of the Uniform Disposition of Unclaimed Property Act, to be paid solely from revenues derived pursuant to the act.

2. The amounts also include a sum sufficient nongeneral fund amount estimated at $2,000,000 the first year and $2,000,000 the second year to pay fees for compliance services and securities portfolio custody services for unclaimed property administration.

3. Notwithstanding § 55.1-2525.C of the Uniform Disposition of Unclaimed Property Act, the State Treasurer is not required to publish any item of less than $250.

D. The State Treasurer is authorized to charge institutions of higher education participating in the private college financing program of the Virginia College Building Authority an annual administrative fee of up to 10 basis points of the then outstanding principal amount financed for each project in addition to a share of direct costs of issuance as determined by the State Treasurer. Revenue collected from this administrative fee shall be deposited to a special fund in the Department of the Treasury to compensate the department for direct and indirect staff time and expenses involved with this program.

E.1. The State Treasurer is authorized to charge qualified public depositories holding public deposits, as defined in § 2.2-4401, Code of Virginia, an annual administrative fee of not more than one-half of one basis point of their average public deposit balances over a twelve month period. The State Treasurer shall issue guidelines to effect the implementation of this fee. However, the total fees collected from all qualified depositories shall not exceed $200,000 in any one year.

2. Any regulations or guidelines necessary to implement or change the amount of the fee may be adopted without complying with the Administrative Process Act (§ 2.2-4000 et seq.) provided that input is solicited from qualified public depositories. Such input requires only that notice and an opportunity to submit written comments be given.

F. The State Treasurer shall work with universities and community colleges to develop policies and procedures which minimize the use of paper checks when issuing any reimbursements of student loan balances. These efforts should include reimbursement through debit cards, direct deposits, or other electronic means.

G. The Virginia Public School Authority shall transfer to the Department of the Treasury each year an amount necessary to recover the direct and indirect cost incurred by the department in the accounting and financial reporting of the Virginia Public School Authority programs.

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H. The State Treasurer shall transfer funds as set forth in § 10.1-1330(C), Code of Virginia.				
263. 1. There is hereby appropriated to the Department of the Treasury a sum sufficient for the transfer to the federal government, in accordance with the provisions of the federal Cash Management Improvement Act of 1990 and related federal regulations, of the interest owed by the state on federal funds advanced to the state for federal assistance programs, where such funds are held by the state from the time they are deposited in the state's bank account until they are paid out to redeem warrants, checks or payments by other means. This sum sufficient appropriation is funded from the interest earned on federal funds deposited and invested by the state. The actual amount for transfer shall be established by the State Comptroller.				
2. When permitted by applicable federal laws or administrative regulations, the State Comptroller shall first offset and reduce the amount to be transferred by any and all amounts of interest payments calculated to be received by the state from the federal government, where such payments are due to the state because the state was required to disburse its own funds for federal program purposes prior to the receipt of federal funds.				
3. Should the interest payments calculated to be made by the federal government to the state exceed the interest calculated to be transferred from the state to the federal government, reduced by the federally approved direct cost reimbursement to the state, the State Comptroller shall then notify the federal government of the net amount of interest due to the state and shall record such net interest, upon its receipt, as interest revenue earned by the general fund.				
Total for Department of the Treasury			~~$84,076,244~~ *$85,906,244*	~~$80,819,978~~ *$90,847,523*
General Fund Positions	31.70	~~31.70~~ *32.95*		
Nongeneral Fund Positions	87.30	~~87.30~~ *88.05*		
Position Level	119.00	~~119.00~~ *121.00*		
Fund Sources: General	~~$12,806,728~~ *$14,421,728*	~~$8,550,462~~ *$17,801,328*		
Special	$593,369	$593,369		
Commonwealth Transportation	$185,187	$185,187		
Trust and Agency	~~$69,841,596~~ *$70,056,596*	~~$70,841,596~~ *$71,618,275*		
Dedicated Special Revenue	$649,364	$649,364		

§ 1-87. TREASURY BOARD (155)

264. Bond and Loan Retirement and Redemption (74300)			~~$1,055,120,400~~ *$1,043,008,147*	~~$1,089,441,170~~ *$1,047,160,071*
Debt Service Payments on General Obligation Bonds (74301)	~~$41,187,314~~ *$40,958,214*	~~$33,743,986~~ *$33,517,136*		
Debt Service Payments on Public Building Authority Bonds (74303)	~~$369,073,180~~ *$364,877,486*	~~$379,077,905~~ *$375,705,634*		
Debt Service Payments on College Building Authority Bonds (74304)	~~$644,859,906~~ *$637,172,447*	~~$676,619,279~~ *$637,937,301*		
Fund Sources: General	~~$1,018,988,890~~ *$1,006,876,637*	~~$1,053,890,028~~ *$1,011,608,929*		
Higher Education Operating	$31,526,576	$31,526,576		
Dedicated Special Revenue	$645,000	$645,000		
Federal Trust	$3,959,934	$3,379,566		

ITEM 264.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

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

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

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

Series	FY 2025		FY 2026	
	General Fund	Federal Funds	General Fund	Federal Funds
2013 Refunding	~~$23,779,600~~ *$0*	$0	~~$13,028,600~~ *$0*	$0
2015B Refunding	$11,340,750	$0	$14,880,000	$0
2016B Refunding	$4,842,700	$0	$4,682,950	$0
2019C Refunding	$1,124,264	$0	$1,052,436	$0
2024B Refunding	*$23,550,500*		*$12,801,750*	
Projected debt service & expenses	$100,000	$0	$100,000	$0
Total Service Area	**~~$41,187,314~~** ***$40,958,214***	**$0**	**~~$33,743,986~~** ***$33,517,136***	**$0**

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

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

Series	FY 2025		FY 2026	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
2010B	$21,717,048	$2,088,467	$21,436,829	$1,806,640
2012A Refunding	$10,337,125	$0	$0	$0
2013A	$8,745,050	$0	$1,354,800	$0
2014A	~~$8,414,675~~ *$5,889,375*	$645,000	~~$8,417,675~~ *$0*	~~$645,000~~ *$0*
2014B	$2,014,388	$0	$2,012,972	$0
2014C Refunding	~~$34,601,050~~ *$31,600,750*	$0	~~$34,600,400~~ *$0*	$0
2015A	$17,297,845	$0	$17,296,720	$0
2015B Refunding	$11,263,075	$0	$11,263,075	$0
2016A	$14,377,100	$0	$14,379,225	$0
2016B Refunding	$31,946,700	$0	$31,953,825	$0
2016C	$11,656,750	$0	$11,656,750	$0
2016D	$906,482	$0	$903,176	$0
2017A Refunding	$5,899,700	$0	$12,065,800	$0
2018A	$11,742,369	$0	$11,745,244	$0
2018B	$1,232,590	$0	$1,232,990	$0
2019A	$13,433,275	$0	$13,431,150	$0
2019B	$10,157,150	$0	$10,159,775	$0
2019C	$5,106,276	$0	$0	$0
2020A	$15,718,050	$0	$15,718,925	$0
2020B Refunding	$33,784,375	$0	$34,228,625	$0

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2020C	$6,617,714	$0	$6,618,540		$0
2021A	$38,488,625	$0	$38,485,750		$0
2021B Refunding	$1,186,304	$0	$1,184,866		$0
2022A	$33,093,050	$0	$33,092,550		$0
2022B	$5,346,540	$0	$5,210,290		$0
2024A	*$7,070,534*	*$0*	*$13,601,500*		*$0*
2024B Refunding	*$4,324,443*	*$0*	*$42,706,000*		*$645,000*
2024C	*$941,336*	*$0*	*$6,351,330*		*$0*
Projected debt service and expenses	~~$11,256,407~~ *$250,000*	$0	~~$38,176,313~~ *$15,163,287*		$0
Total Service Area	**~~$366,339,713~~ *$362,144,019***	**$2,733,467**	**~~$376,626,265~~ *$373,253,994***		**$2,451,640**

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

Project	**Commonwealth Share of Approved Capital Costs**
Fairfax County Adult Detention Center - Security and Mechanical Upgrades	$14,479,670
Loudoun County Adult Detention Center - Expansion and Renovation	$9,975,250
Albemarle-Charlottesville Regional Jail - Renovation	$11,689,250
Total Approved Capital Costs	**$36,144,170**

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

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

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

Project	***Maximum Capital Costs***
Chesapeake Correctional Center	*$437,603*
Chesterfield County Jail - Resubmittal	*$340,320*
Montgomery County Jail	*$221,051*
New River Valley Regional Jail	*$144,022*
New River Valley Regional Jail - Resubmittal	*$321,177*
Norfolk City Jail	*$843,243*
Piedmont Regional Jail	*$411,855*
Pittsylvania County Jail	*$15,076,753*
Portsmouth City Jail	*$26,420,944*
Prince William-Manassas Regional ADC	*$541,250*
Total	***$44,758,218***

b.i. The Commonwealth's share of the total construction cost of the projects listed in the table in paragraph C.3.a. shall not exceed the amount listed for each project.

ii. Projects with a total cost less than $12,000,000, shall have reimbursement of the

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Commonwealth's portion of the construction costs of these projects be subject to the approval of the Department of Corrections (DOC) of the final expenditures.

iii. Projects with a total cost equal to or exceeding $12,000,000 shall undergo a cost and design review by the Department of General Services (DGS) in accordance with Item 385 of this act. The cost target set by DGS shall include capital project costs as defined in § 53.1-82.2. Upon completion of the cost review, DGS shall inform the Department of Planning and Budget (DPB), Department of Corrections (DOC), and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees of the outcome of its review. Based on the DGS review and allowable costs pursuant to §§ 53.1-80 through 53.1-82.2, DPB shall set a maximum reimbursement of the Commonwealth's portion of the construction costs amount, not to exceed the amount set forth in the above table and communicate such amount to DOC. Such reimbursement shall then be subject to the approval of DOC of the final expenditures. Notwithstanding any other approval provisions in § 53.1-80, Code of Virginia, these projects are hereby authorized for reimbursement in accordance with the provisions of C.3.a. and b. of this item.

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

D.1. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds shall be paid to the Virginia College Building Authority the following amounts for use by the Authority for payments on obligations issued for financing authorized projects under the 21st Century College Program:

Series	**FY 2025**	**FY 2026**
2010B	$27,288,516	$26,692,000
2012B	$399,100	$20,354,100
2014A	$412,050	$14,147,050
2014B Refunding	$5,080,400	$0
2015A	$23,556,450	$241,600
2015B Refunding	$30,686,153	$30,688,347
2015D	$12,457,685	$18,547,435
2016A	$16,792,150	$16,791,400
2016B Refunding	$1,972,000	$1,972,000
2016C	$4,431,155	$4,433,558
2017B Refunding	$23,952,750	$24,070,500
2017C	$31,468,500	$31,465,500
2017D	$11,316,888	$11,318,600
2017E Refunding	$79,348,750	$65,166,500
2019A	$31,126,350	$31,126,600
2019B	$9,987,000	$9,984,500
2019C Refunding	$29,061,250	$29,067,000
2020A ~~& B~~	$20,154,950	$20,155,700
2020B Refunding	$7,477,287	$6,206,018
2021A	$32,914,300	$32,915,050
2022A	$38,214,663	$42,806,913
2022B	$4,591,955	$0
2023A	$41,846,525	$41,847,525
2023B Refunding	$17,090,500	$17,090,500
2024A	*$42,386,087*	*$42,385,800*
Projected 21st Century debt service & expenses	~~$49,113,641~~ *$250,000*	~~$82,501,695~~ *$4,652,563*
Subtotal 21st Century	~~**$550,740,968**~~ ***$544,263,414***	~~**$579,590,091**~~ ***$544,126,759***

2. Out of the amounts for Debt Service Payments on Virginia College Building Authority

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

Series	FY 2025	FY 2026
2018A	$12,862,500	$0
2019A	$12,568,750	$12,573,750
2020A	$12,062,500	$12,061,500
2021A	$12,513,750	$12,514,000
2022A	$13,943,500	$13,942,250
2023A	$14,400,000	$14,402,750
2024A	*$14,558,033*	*$14,554,000*
Projected debt service & expenses	~~$15,767,938~~	~~$31,534,938~~
	$0	*$13,762,292*
Subtotal Equipment	~~$94,118,938~~	~~$97,029,188~~
	$92,909,033	*$93,810,542*
Total Service Area	~~**$644,859,906**~~	~~**$676,619,279**~~
	$637,172,447	***$637,937,301***

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

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

Institution	FY 2025	FY 2026
George Mason University	$2,804,490	$2,804,490
Old Dominion University	$1,108,899	$1,108,899
University of Virginia	$5,006,754	$5,006,754
Virginia Polytechnic Institute and State University	$5,192,295	$5,192,295
Virginia Commonwealth University	$2,359,266	$2,359,266
College of William and Mary	$1,639,845	$1,639,845
Christopher Newport University	$131,508	$131,508
University of Virginia's College at Wise	$48,330	$48,330
James Madison University	$2,843,787	$2,843,787
Norfolk State University	$420,789	$420,789
Longwood University	$106,149	$106,149
University of Mary Washington	$234,834	$234,834
Radford University	$300,486	$300,486
Virginia Military Institute	$400,470	$400,470
Virginia State University	$773,577	$773,577
Richard Bland College	$10,830	$10,830
Virginia Community College System	$3,301,665	$3,301,665
TOTAL	**$26,683,974**	**$26,683,974**

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

	FY 2025	FY 2026

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	First Year FY2025	Second Year FY2026	First Year FY2025	Second Year FY2026
Institution	**General Fund**	**Nongeneral Fund**	**General Fund**	**Nongeneral Fund**
College of William & Mary	~~$3,020,288~~ *$2,957,968*	$259,307	~~$3,118,744~~ *$3,098,080*	$259,307
University of Virginia	~~$13,730,800~~ *$13,447,481*	$1,088,024	~~$14,178,399~~ *$14,084,454*	$1,088,024
Virginia Polytechnic Institute and State University	~~$13,564,278~~ *$13,410,836*	$992,321	~~$14,006,448~~ *$13,913,645*	$992,321
Virginia Military Institute	~~$1,163,328~~ *$1,139,325*	$88,844	~~$1,201,251~~ *$1,193,292*	$88,844
Virginia State University	~~$1,762,143~~ *$1,725,783*	$108,886	~~$1,819,586~~ *$1,807,529*	$108,886
Norfolk State University	~~$1,575,607~~ *$1,543,096*	$108,554	~~$1,626,969~~ *$1,616,188*	$108,554
Longwood University	~~$976,044~~ *$955,904*	$54,746	~~$1,007,861~~ *$1,001,183*	$54,746
University of Mary Washington	~~$860,921~~ *$843,157*	$97,063	~~$888,985~~ *$883,095*	$97,063
James Madison University	~~$3,032,305~~ *$2,969,737*	$254,504	~~$3,131,153~~ *$3,110,406*	$254,504
Radford University	~~$2,290,979~~ *$2,243,707*	$135,235	~~$2,365,661~~ *$2,349,987*	$135,235
Old Dominion University	~~$6,585,695~~ *$6,702,689*	$374,473	~~$6,800,377~~ *$6,755,319*	$374,473
Virginia Commonwealth University	~~$8,997,781~~ *$8,812,123*	$401,647	~~$9,291,093~~ *$9,229,532*	$401,647
Richard Bland College	~~$210,258~~ *$205,919*	$2,027	~~$217,112~~ *$215,673*	$2,027
Christopher Newport University	~~$990,526~~ *$970,088*	$17,899	~~$1,022,816~~ *$1,016,039*	$17,899
University of Virginia's College at Wise	~~$329,116~~ *$322,325*	$19,750	~~$339,844~~ *$337,593*	$19,750
George Mason University	~~$5,181,998~~ *$5,327,956*	$205,665	~~$5,350,922~~ *$5,315,467*	$205,665
Virginia Community College System	~~$23,102,276~~ *$22,625,588*	$633,657	~~$23,855,369~~ *$23,697,308*	$633,657
Virginia Institute of Marine Science	~~$475,396~~ *$465,587*	$0	~~$490,894~~ *$487,641*	$0
Roanoke Higher Education Authority	~~$101,910~~ *$99,807*	$0	~~$105,232~~ *$104,535*	$0
Southwest Virginia Higher Education Center	~~$105,177~~ *$103,007*	$0	~~$108,605~~ *$107,886*	$0
Institute for Advanced Learning and Research	~~$359,957~~ *$352,530*	$0	~~$371,691~~ *$369,228*	$0
Southern Virginia Higher Education Center	~~$125,761~~ *$123,167*	$0	~~$129,861~~ *$129,001*	$0
New College Institute	~~$45,276~~ *$44,342*	$0	~~$46,752~~ *$46,442*	$0
Eastern Virginia Medical School	~~$688,516~~ *$674,309*	$0	~~$710,961~~ *$706,250*	$0
TOTAL	**~~$89,276,336~~ *$88,066,431***	**$4,842,602**	**~~$92,186,586~~ *$91,575,773***	**$4,842,602**

6. Old Dominion University may be responsible for the share of debt service issued to Eastern Virginia Medical School in this item to continue the financing of equipment for the schools and divisions existing as Eastern Virginia Medical School prior to the effective date of

ITEM 264.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Chapters 756 and 778, 2023 Acts of Assembly.				
E. Pursuant to various Payment Agreements between the Treasury Board and the Commonwealth Transportation Board, funds required to pay the debt service due on Commonwealth Transportation Board bonds shall be paid to the Trustee for the bondholders by the Treasury Board after transfer of these funds to the Treasury Board from the Commonwealth Transportation Board pursuant to Item 443, paragraph E of this act and §§ 33.2-2300, 33.2-2400, and 58.1-816.1, Code of Virginia.				
F. Under the authority of this act, an agency may transfer funds to the Treasury Board for use as lease, rental, or debt service payments to be used for any type of financing where the proceeds are used to acquire equipment and to finance associated costs, including but not limited to issuance and other financing costs. In the event such transfers occur, the transfers shall be deemed an appropriation to the Treasury Board for the purpose of making the lease, rental, or debt service payments described herein.				
G. Notwithstanding the provisions of 2.2-1156, Code of Virginia, if tax-exempt bonds were used by the Commonwealth or its authorities, boards, or institutions to finance the acquisition, construction, improvement or equipping of real property, proceeds from the subsequent sale or disposition of such property and any improvements may first be applied toward remediation options available under federal law in order to maintain the tax-exempt status of such bonds.				
265. A. There is hereby appropriated to the Treasury Board a sum sufficient from the general fund to pay obligations incurred pursuant to Article X, Sections 9 (a), 9 (c), and 9 (d), of the Constitution of Virginia, as follows:				
1. Section 9 (a) To meet emergencies and redeem previous debt obligations.				
2. Section 9 (c) Debt for certain revenue-producing capital projects.				
3. Section 9 (d) Debt for variable rate obligations secured by general fund appropriations and a payment agreement with the Treasury Board.				
4. For payment of the principal of and the interest on obligations, issued in accordance with the cited Sections 9 (c) and 9 (d), in the event pledged revenues are insufficient to meet the obligation of the Commonwealth.				
B. There is hereby appropriated to the Treasury Board a sum sufficient to pay debt service expected at the time of issuance to be paid from subsidies under federal programs and for arbitrage rebate amounts and other penalties to the United States Government for bonds issued by the Commonwealth pursuant to Article X, Sections 9 (a), 9 (b), 9 (c), and 9 (d) (obligations secured by General Fund appropriations to Treasury Board) of the Constitution of Virginia.				
Total for Treasury Board			~~$1,055,120,400~~ *$1,043,008,147*	~~$1,089,441,170~~ *$1,047,160,071*
Fund Sources: General	~~$1,018,988,890~~ *$1,006,876,637*	~~$1,053,890,028~~ *$1,011,608,929*		
Higher Education Operating	$31,526,576	$31,526,576		
Dedicated Special Revenue	$645,000	$645,000		
Federal Trust	$3,959,934	$3,379,566		
§ 1-88. BOARD OF ACCOUNTANCY (226)				
266. Regulation of Professions and Occupations (56000)			$2,767,913	$2,767,913
Accountant Regulation (56001)	$2,767,913	$2,767,913		
Fund Sources: Dedicated Special Revenue	$2,767,913	$2,767,913		
Authority: Title 54.1, Chapter 44, Code of Virginia.				
Total for Board of Accountancy			**$2,767,913**	**$2,767,913**

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Nongeneral Fund Positions	15.00	15.00		
Position Level	15.00	15.00		
Fund Sources: Dedicated Special Revenue	$2,767,913	$2,767,913		
TOTAL FOR OFFICE OF FINANCE			~~$2,830,604,740~~ *$4,227,311,971*	~~$2,860,843,063~~ *$2,838,767,442*
General Fund Positions	1,139.70	~~1,139.70~~ *1,154.95*		
Nongeneral Fund Positions	213.30	~~213.30~~ *214.05*		
Position Level	1,353.00	~~1,353.00~~ *1,369.00*		
Fund Sources: General	~~$2,158,222,606~~ *$3,554,714,837*	~~$2,187,349,332~~ *$2,164,497,032*		
Special	$13,679,306	~~$13,679,306~~ *$14,337,306*		
Higher Education Operating	$31,526,576	$31,526,576		
Commonwealth Transportation	$185,187	$185,187		
Internal Service	$49,472,753	$50,051,718		
Trust and Agency	~~$151,201,530~~ *$151,416,530*	~~$152,201,530~~ *$152,978,209*		
Dedicated Special Revenue	$422,356,848	~~$422,469,840~~ *$421,811,848*		
Federal Trust	$3,959,934	$3,379,566		

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OFFICE OF HEALTH AND HUMAN RESOURCES				
§ 1-89. SECRETARY OF HEALTH AND HUMAN RESOURCES (188)				
267. Administrative and Support Services (79900).....			$964,759	$964,759
General Management and Direction (79901).....	$964,759	$964,759		
Fund Sources: General.....	$964,759	$964,759		

Authority: Title 2.2, Chapter 2; Article 6, and § 2.2-200, Code of Virginia.

A.1. The Secretary of Health and Human Resources, in collaboration with the Office of the Attorney General and the Secretary of Public Safety and Homeland Security, shall present a six-year forecast of the adult offender population presently incarcerated in the Department of Corrections and approaching release who meet the criteria set forth in Chapter 863 and Chapter 914 of the 2006 Acts of Assembly, and who may be eligible for evaluation as sexually violent predators (SVPs) for each fiscal year within the six-year forecasting period. As part of the forecast, the secretary shall report on: (i) the number of Commitment Review Committee (CRC) evaluations to be completed; (ii) the number of eligible inmates recommended by the CRC for civil commitment, conditional release, and full release; (iii) the number of civilly committed residents of the Virginia Center for Behavioral Rehabilitation who are eligible for annual review; and (iv) the number of individuals civilly committed to the Virginia Center for Behavioral Rehabilitation and granted conditional release from civil commitment in a state SVP facility. The secretary shall complete a summary report of current SVP cases and a forecast of SVP eligibility, civil commitments, and SVP conditional releases, including projected bed space requirements, to the Governor and Senate Finance and Appropriations and House Appropriations Committees by November 15 of each year.

2. As part of the forecast process, the Department of Corrections shall administer a STATIC-99 screening to all potential Sexually Violent Predators eligible for civil commitment pursuant to § 37.2-900 et seq., Code of Virginia, within six months of admission to the Department of Corrections. The results of such screenings shall be provided to the commissioner of the Department of Behavioral Health and Developmental Services (DBHDS) on a monthly basis and used for the SVP population forecast process.

3. The Office of the Attorney General shall also provide to the commissioner of DBHDS, on a monthly basis, the status of all SVP cases pending before their office for purposes of forecasting the SVP population.

B.1. The Secretary of Health and Human Resources, in collaboration with the Secretary of Administration and the Secretary of Public Safety and Homeland Security, shall convene an interagency workgroup to oversee the development of a statewide integrated electronic health record (EHR) system. The workgroup shall include the Department of Behavioral Health and Developmental Services (DBHDS), the Virginia Department of Health, the Department of Corrections, the Department of Planning and Budget, staff of the House Appropriations and Senate Finance and Appropriations Committees, and other agencies as deemed appropriate by the respective Secretaries. The purpose of the workgroup shall be to evaluate common business requirements for electronic health records to ensure consistency and interoperability with other partner state and local agencies and public and private health care entities to the extent allowed by federal and state law and regulations. The goal of the workgroup is to develop an integrated EHR which may be shared as appropriate with other partner state and local agencies and public and private health care entities. The workgroup shall evaluate the DBHDS statement of work developed for its EHR system and the DBHDS platform for potential adaption and/or use by state agencies in order to develop an integrated statewide EHR.

2. The workgroup shall also maintain an implementation timeline, cost estimates, and assess other issues that may need to be addressed in order to implement an integrated statewide EHR system. The timeline and cost estimates shall be used by the respective agencies to coordinate implementation. The workgroup shall report on its activities and any recommendations to the Joint Subcommittee on Heath and Human Resources Oversight by November 1 of each year.

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C.1. The Secretary of Health and Human Resources shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and to the Behavioral Health Commission by December 1, 2024 a plan detailing how funds appropriated during the 2023 and 2024 Sessions of the General Assembly shall be expended to expand and modernize the comprehensive crisis services system.

2. The plan shall include how funding for new crisis stabilization units and crisis receiving centers are being strategically deployed and the information provided shall include: (i) the unmet needs the new unit will address; (ii) the capacity of community services boards or private providers to staff the proposed unit; (iii) the unit's ability to serve individuals under a temporary detention order; (iv) the expected initial and ongoing costs of the proposed unit; and (v) the planned timeframe for when the unit would become operational.

D. The Secretary of Health and Human Resources shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and to the Behavioral Health Commission by December 1, 2024, on plans to implement the Certified Community Behavioral Health Clinic (CCBHC) model in the Commonwealth, how adopting the CCBHC model could improve access to community-based behavioral health services and their quality, and barriers to implementation of the CCBHC model in the Commonwealth.

E. The Secretary of Health and Human Resources shall take an inventory of all call centers operated or contracted by agencies, including contracted Medicaid managed care organizations, in the Health and Human Resources Secretariat. Specifically, the inventory shall include for each call center: (i) the purpose of the call center; (ii) the annual contract amount and agency fund sources used to pay the contract; (iii) the term and expiration date of the contract; (iv) an assessment of any duplication between the call centers; and (v) any recommendations for potential consolidation. The Secretary shall report the detailed list of call centers with requested information by September 1, 2024, to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

Total for Secretary of Health and Human Resources			**$964,759**	**$964,759**
General Fund Positions	5.00	5.00		
Position Level	5.00	5.00		
Fund Sources: General	$964,759	$964,759		

Children's Services Act (200)

268.	Protective Services (45300)			~~$435,341,242~~ *$472,383,965*	~~$435,341,242~~ *$498,650,250*
	Financial Assistance for Child and Youth Services (45303)	~~$435,341,242~~ *$472,383,965*	~~$435,341,242~~ *$498,650,250*		
	Fund Sources: General	~~$377,708,913~~ *$414,751,636*	~~$377,708,913~~ *$441,017,921*		
	Federal Trust	$57,632,329	$57,632,329		

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

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

B.1.a. Out of this appropriation, $319,037,048 the first year and ~~$319,037,048~~*$438,012,921* the second year from the general fund and $57,632,329 the first year and ~~$57,632,329~~*$58,632,329* the second year from nongeneral funds shall be used for the state pool of funds pursuant to § 2.2-5211, Code of Virginia. This appropriation shall consist of a Medicaid pool allocation, and a non-Medicaid pool allocation.

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

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c. The non-Medicaid state pool allocation shall consist of $287,822,698 the first year and ~~$287,822,698~~*$406,798,571* the second year from the general fund and $8,419,998 the first year and ~~$8,419,998~~*$9,419,998* the second year from nongeneral funds. The nongeneral funds shall be transferred from the Department of Social Services.

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

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

f. Of the amounts in paragraph B.1.c., the Director, Office of Children's Services, shall allocate up to $2,200,000 the first year and $2,200,000 the second year from the general fund to localities for wrap-around services for students with disabilities as defined in the Children's Services Act policy manual.

2.a. Out of this appropriation, ~~$55,666,865~~*$92,709,588* the first year ~~and $55,666,865 the second year~~ from the general fund and $1,000,000 the first year ~~and $1,000,000 the second year~~ from nongeneral funds shall be set aside to pay for the state share of supplemental requests from localities that have exceeded their state allocation for mandated services. The nongeneral funds shall be transferred from the Department of Social Services.

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

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

d. Pursuant to § 2.2-5200, Code of Virginia, Community Policy and Management Teams shall seek to ensure that services and funding are consistent with the Commonwealth's policies of preserving families and providing appropriate services in the least restrictive environment, while protecting the welfare of children and maintaining the safety of the public. Each locality shall submit to the Office of Children's Services information on utilization of residential facilities for treatment of children and length of stay in such facilities. By December 15 of each year, the Office of Children's Services shall report to the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on utilization rates and average lengths of stays statewide and for each locality.

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

4. The Secretary of Health and Human Resources, in consultation with the Secretary of Education and the Secretary of Public Safety and Homeland Security, shall direct the actions for the Departments of Social Services, Education, and Juvenile Justice, Medical

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Assistance Services, Health, and Behavioral Health and Developmental Services, to implement, as part of ongoing information systems development and refinement, changes necessary for state and local agencies to fulfill CSA reporting needs.

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

6. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund is provided for a combination of regional and statewide meetings for technical assistance to local community policy and management teams, family assessment and planning teams, and local fiscal agents. Training shall include, but not be limited to, cost containment measures, building community-based services, including creation of partnerships with private providers and non-profit groups, utilization management, use of alternate revenue sources, and administrative and fiscal issues. A state-supported institution of higher education, in cooperation with the Virginia Association of Counties, the Virginia Municipal League, and the State Executive Council, may assist in the provisions of this paragraph. A training plan shall be presented to and approved by the State Executive Council before the beginning of each fiscal year. A training calendar and timely notice of programs shall be provided to Community Policy and Management Teams and family assessment and planning team members statewide as well as to local fiscal agents and chief administrative officers of cities and counties. A report on all regional and statewide training sessions conducted during the fiscal year, including (i) a description of each program and trainers, (ii) the dates of the training and the number of attendees for each program, (iii) a summary of evaluations of these programs by attendees, and (iv) the funds expended, shall be made to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and to the members of the State Executive Council by December 1 of each year. Any funds unexpended for this purpose in the first year shall be reappropriated for the same use in the second year.

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

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

9. The Office of Children's Services, in conjunction with the Department of Social Services, shall determine a mechanism for reporting Temporary Assistance for Needy Families Maintenance of Effort eligible costs incurred by the Commonwealth and local governments for the Children's Services Act.

10. For purposes of defining cases involving only the payment of foster care maintenance, pursuant to § 2.2-5209, Code of Virginia, the definition of foster care maintenance used by the Virginia Department of Social Services for federal Title IV-E shall be used.

C. *1.a. For services provided prior to July 1, 2025,* the funding formula to carry out the provisions of the Children's Services Act is as follows:

~~1.a. Allocations.~~ ~~T~~*t*he allocations for the Medicaid and non-Medicaid pools shall be the amounts specified in paragraphs B.1.b. and B.1.c. in this Item. These funds shall be distributed to each locality in each year of the biennium based on the greater of that locality's percentage of actual 1997 Children's Services Act pool fund program expenditures to total 1997 pool fund program expenditures or the latest available three-year average of actual pool fund program expenditures as reported to the state fiscal agent.

b. For the fiscal year beginning July 1, 2025, the Office of Children's Services shall cease the allocation process and reimburse localities for eligible services as requests are submitted.

2. ~~Local Match.~~ All localities are required to appropriate a local match for the base year funding consisting of the actual aggregate local match rate based on actual total 1997 program expenditures for the Children's Services Act. This local match rate shall also apply to all reimbursements from the state pool of funds in this Item and carryforward expenditures submitted prior to September 30 each year for the preceding fiscal year, including administrative reimbursements under paragraph C.4. in this Item.

3.a. Notwithstanding the provisions of C.2. of this Item, beginning July 1, 2008, the local

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match rate for community based services for each locality shall be reduced by 50 percent.

b. Localities shall review their caseloads for those individuals who can be served appropriately by community-based services and transition those cases to the community for services. Beginning July 1, 2009, the local match rate for non-Medicaid residential services for each locality shall be 25 percent above the fiscal year 2007 base. Beginning July 1, 2011, the local match rate for Medicaid residential services for each locality shall be 25 percent above the fiscal year 2007 base.

c. By December 1 of each year, The State Executive Council (SEC) shall provide an update to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the outcomes of this initiative.

d. At the direction of the State Executive Council, local Community Policy and Management Teams (CPMTs) and Community Services Boards (CSBs) shall work collaboratively in their service areas to develop a local plan for intensive care coordination (ICC) services that best meets the needs of the children and families. If there is more than one CPMT in the CSB's service area, the CPMTs and the CSB may work together as a region to develop a plan for ICC services. Local CPMTs and CSBs shall also work together to determine the most appropriate and cost-effective provider of ICC services for children in their community who are placed in, or at-risk of being placed in, residential care through the Children's Services Act, in accordance with guidelines developed by the State Executive Council. The State Executive Council and Office of Children's Services shall establish guidelines for reasonable rates for ICC services and provide training and technical assistance to CPMTs and fiscal agents regarding these services.

e. The local match rate for all non-Medicaid services provided in the public schools after June 30, 2011 shall equal the fiscal year 2007 base.

4. ~~Local Administrative Costs.~~ Out of this appropriation, an amount equal to two percent of the fiscal year 1997 pool fund allocations, not to exceed $2,560,000 the first year and $2,560,000 the second year from the general fund, shall be allocated among all localities for administrative costs. Every locality shall be required to appropriate a local match based on the local match contribution in paragraph C.2. of this Item. Inclusive of the state allocation and local matching funds, every locality shall receive the larger of $12,500 or an amount equal to two percent of the total pool allocation. Localities are encouraged to use administrative funding to hire a full-time or part-time local coordinator for the Children's Services Act program. Localities may pool this administrative funding to hire regional coordinators.

5. ~~Definition.~~ For purposes of the funding formula in the Children's Services Act, "locality" means city or county.

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

E. Pursuant to subdivision 3 of § 2.2-5206, Code of Virginia, Community Policy and Management Teams shall enter into agreements with the parents or legal guardians of children receiving services under the Children's Services Act. The Office of Children's Services shall be a party to any such agreement.

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

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

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Medicaid services related to medical necessity and utilization review activities.

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

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

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

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

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

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

L. Notwithstanding any other provision of law, for services provided on or after July 1, 2025, the rate of reimbursement to localities for private day educational services shall not increase more than 5.0 percent over the rates for such services provided the previous year.

269.	Administrative and Support Services (49900).....			$2,939,446	~~$2,939,446~~ *$2,997,986*
	General Management and Direction (49901).....	$2,939,446	~~$2,939,446~~ *$2,997,986*		
	Fund Sources: General.....	$2,939,446	~~$2,939,446~~ *$2,997,986*		

Authority: Title 2.2, Chapter 26, Code of Virginia.

A. The Office of Children's Services may enter into a memorandum of understanding with the Department of Social Services for the provision of routine administrative support services.

B.*1.* Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund shall be provided to the Office of Children's Services (OCS) to contract with the Virginia Department of Education's Office of Special Education to conduct a review of private day placement decisions in those localities with a higher than average number of placements and make recommendations to the local education agency. OCS shall, on its website by October 1 of each year, (i) show the number of students in private day placements by locality; (ii) calculate the ratio of children in private day placements to the number of students in the local education agency (LEA); and (iii) identify the LEAs that exceed the statewide average of private day placements compared to the LEA's enrollment.

2. The Office of Comprehensive Services, in coordination with the Virginia Department of Education's Office of Special Education, shall report to the General Assembly by October 1 of each year: (i) recommendations made to each LEA and progress made in improving the LEA's ability to serve students; (ii) an assessment of barriers to students returning to a LEA from a private day placement including instances when the LEA refuses or is unable to provide a less restrictive environment due to a lack of available transition services and

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recommendations for returning students to public school who are deemed eligible; and (iii) trends in behavioral and emotional diagnoses including students on home-based instruction that may require private day placements.				
C. The Office of Children's Services shall collect annually from each local Children's Services Act program the number of program staff by full- and part-time status and the administrative budget broken out by state and local funding to understand local program resources and target technical assistance to the most under-sourced local programs.				
Total for Children's Services Act			~~$438,280,688~~ *$475,323,411*	~~$438,280,688~~ *$501,648,236*
General Fund Positions	16.00	16.00		
Position Level	16.00	16.00		
Fund Sources: General	~~$380,648,359~~ *$417,691,082*	~~$380,648,359~~ *$444,015,907*		
Federal Trust	$57,632,329	$57,632,329		
Grand Total for Secretary of Health and Human Resources			~~$439,245,447~~ *$476,288,170*	~~$439,245,447~~ *$502,612,995*
General Fund Positions	21.00	21.00		
Position Level	21.00	21.00		
Fund Sources: General	~~$381,613,118~~ *$418,655,841*	~~$381,613,118~~ *$444,980,666*		
Federal Trust	$57,632,329	$57,632,329		

§ 1-90. DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING (751)

270.	Social Services Research, Planning, and Coordination (45000)		~~$3,651,778~~ *$3,701,778*	~~$3,651,778~~ *$3,726,322*
	Technology Services for Deaf and Hard-of-Hearing (45004)	~~$2,062,834~~ *$2,112,834*	$2,062,834	
	Consumer, Interpreter, and Community Support Services (45005)	$1,112,541	$1,112,541	
	Administrative Services (45006)	$476,403	~~$476,403~~ *$550,947*	
	Fund Sources: General	~~$1,394,496~~ *$1,444,496*	~~$1,394,496~~ *$1,469,040*	
	Special	$2,081,782	$2,081,782	
	Federal Trust	$175,500	$175,500	

Authority: Title 51.5, Chapter 13, Code of Virginia.

A. Up to $48,529 the first year and up to $~~48,529~~*123,073* the second year from the general fund is provided to the Department ~~of~~*for the* Deaf and Hard-of-Hearing (DDHH) to contract with the Department for Aging and Rehabilitative Services (DARS) for the provision of shared administrative services. The scope of the services and specific costs shall be outlined in a memorandum of understanding (MOU) between DDHH and DARS subject to the approval of the respective agency heads. Any revision to the MOU shall be reported by DARS to the Director, Department of Planning and Budget within 30 days.

B. Out of this appropriation, an amount estimated at $1,581,782 the first year and $1,581,782 the second year from special funds shall be used to cover the cost of providing telecommunications relay service as defined in §51.5-115, Code of Virginia.

C.1. Notwithstanding § 58.1-662 of the Code of Virginia, prior to the distribution of monies from the Communications Sales and Use Tax Trust Fund to counties, cities and towns, there shall be distributed monies in the fund to pay for the Technology Assistance Program. This requirement shall not change any other distributions required by law from the Communications Sales and Use Tax Trust Fund.

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2. Out of this appropriation, $500,000 the first year and $500,000 the second year from special funds shall be used for the Technology Assistance Program.				
D. Out of this appropriation, $40,000 the first year and $40,000 the second year from the general fund shall be used to contract with a provider for the provision of equipment distribution and community services to deaf and hard-of-hearing individuals in the southwest Virginia region.				
E. Out of this appropriation, $238,200 the first year and $238,200 the second year from the general fund shall be used to support the cost of a deaf mentor program for children.				
F.1. The Department for the Deaf and Hard-of-Hearing (DDHH) shall report on the anticipated statewide transition to Real-Time Text (RTT) and associated forms of digital telecommunication technology as related to relay services. The report shall include information on: (i) the features of RTT and any other digital telecommunication technology that is being considered for use as related to statewide relay services; (ii) the estimated cost for the Commonwealth to transition from analog to digital relay services and an accompanying explanation of the methodology used for the cost estimate; (iii) a six-year projection of anticipated operating costs for a statewide digital relay platform and an accompanying explanation of the methodology used for the cost estimate; (iv) a proposed timeline for transitioning from analog to digital relay services and an operationalization plan for the agency's preferred digital relay platform; (v) a description of any potential legislative impacts or proposed changes associated with a transition to digital relay services; (vi) a description of any potential impact (including cost) to existing DDHH programming, including the Technology Assistance Program; and (vii) a description of any potential impact (including cost) to relay service providers, users, state agencies, or relevant third parties resulting from a transition to digital relay services. The department shall submit the report with all requested information by September 15, 2025, to the Director, Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. The department shall not initiate any transition from analog to digital relay services prior to submitting the above report, nor shall they do so without obtaining authorization from the General Assembly.				
2. Out of this appropriation, $50,000 the first year from the general fund shall be used to contract with a third party to assist in developing the report on the anticipated statewide transition to RTT and digital relay services as defined in Item 270 F.1. The appropriation in this paragraph shall be used to fulfill contract costs associated with developing the report and shall not be used for any other purpose. The Director, Department of Planning and Budget, shall unallot this appropriation until DDHH provides documentation of contract costs, and shall only allot the amount needed to satisfy the contract. Any unexpended balance in this paragraph at year end intended to pay remaining contract costs shall not revert to the general fund but shall be carried forward to the subsequent fiscal year.				
Total for Department for the Deaf and Hard-Of-Hearing			~~$3,651,778~~ *$3,701,778*	~~$3,651,778~~ *$3,726,322*
General Fund Positions	8.37	~~8.37~~ *9.37*		
Nongeneral Fund Positions	2.63	2.63		
Position Level	11.00	~~11.00~~ *12.00*		
Fund Sources: General	~~$1,394,496~~ *$1,444,496*	~~$1,394,496~~ *$1,469,040*		
Special	$2,081,782	$2,081,782		
Federal Trust	$175,500	$175,500		

§ 1-91. DEPARTMENT OF HEALTH (601)

271.	Higher Education Student Financial Assistance (10800)		$20,007,021	~~$20,007,021~~ *$20,107,021*

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Scholarships (10810)	$20,007,021	~~$20,007,021~~ *$20,107,021*		
Fund Sources: General	$18,321,000	~~$18,321,000~~ *$18,421,000*		
Dedicated Special Revenue	$85,000	$85,000		
Federal Trust	$1,601,021	$1,601,021		

Authority: §§ 23.1-614 and 32.1-122.5:1 through 32.1-122.10, Code of Virginia.

A. This appropriation shall only be used for the provision of loans or scholarships in accordance with regulations promulgated by the Board of Health, or for the administration, management, and reporting thereof. The department may move appropriation between scholarship or loan repayment programs as long as the scholarship or loan repayment is in accordance with the regulations promulgated by the Board of Health.

B. Any unexpended balance in this item at the close of business on June 30 each year shall not revert to the general fund, but shall be carried forward and reappropriated.

C.1. Out of this appropriation, $7,350,000 the first year and $7,350,000 the second year from the general fund shall be provided to the Virginia Department of Health for the Virginia Behavioral Health Loan Repayment Program. Eligible practitioners include: psychiatrists, licensed clinical psychologists, licensed clinical social workers, licensed professional counselors, child and adolescent psychiatrists, child and adolescent psychiatry Fellows, psychiatric physician assistants, psychiatric pharmacists, psychiatric registered nurses, and psychiatric nurse practitioners. The program shall include a tiered incentive system as follows: (i) Tier I providers: child and adolescent psychiatrists, child and adolescent psychiatry Fellows, psychiatric nurse practitioners, psychiatric registered nurses, and psychiatrists; (ii) Tier II providers: licensed clinical psychologists, licensed clinical social workers, and licensed professional counselors; and (iii) Tier III providers: mental health service professionals defined in § 54.1-2400.1 of the Code of Virginia who are not set forth in C.1. as Tier I or Tier II providers.

2. For each eligible year of service provided, the practitioner shall receive a year of applicable loan repayment award in return. Loan repayment checks will be submitted at the end of each year of service. Payments will be made directly to the lender. Practitioners must agree to a minimum of two years of practice for the behavioral health provider with the ability for two one-year renewals. The program shall require preference be given to applicants choosing to practice in underserved areas which must be a federally designated mental Health Professional Shortage Area or Medically Underserved Area within the Commonwealth. Practitioners are required to practice at Community Services Boards, behavioral health authorities, state mental health facilities, free clinics, federally qualified health centers, academic medical centers, stand-alone inpatient psychiatric facilities that serve uninsured or medically underserved populations and/or communities, and other similar health safety net organizations in order to be eligible for the program. The award amount is up to 25 percent of student loan debt, not to exceed $50,000 per year for Tier I professionals or $20,000 per year for Tier II professionals. In no instance shall the loan repayment exceed the total student loan debt.

3. No match contribution from practice sites or the community is required. Loan repayment awards shall be tax exempt.

4. The program shall have an Advisory Board, composed of representatives from stakeholder organizations and community members as determined by the department. The Advisory Board will meet annually and provide guidance regarding effective outreach and feedback on both programmatic processes and impact. The department shall provide an annual report to the Advisory Board on successes, challenges and opportunities with the program.

5. The Board of Health shall develop regulations consistent with this language in order for the department to administer the program.

D.1. Out of this appropriation, $3,500,000 the first year and ~~$3,500,000~~ *$3,600,000* the second year from the general fund shall be provided to the Virginia Department of Health

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to establish a Nursing Preceptor Incentive Program. The department shall collaborate with the State Council of Higher Education for Virginia, the Virginia Nurses Association, the Virginia Healthcare and Hospital Association, and other relevant stakeholders on a nursing student preceptor grant program. The program shall offer up to a $5,000 incentive for any Virginia licensed physician, physician's assistant, licensed practical nurse, registered nurse, or advanced practice registered nurse (APRN) who, in conjunction with a licensed and accredited Virginia public or private not-for-profit school of nursing, provides a clinical education rotation of 250 hours, which is certified as having been completed by the school. The amount of the incentive may be adjusted based on the actual number of hours completed during the clinical education rotation. The program shall seek to reduce the shortage of registered nurse clinical education opportunities and establish new preceptor rotations for nursing students, especially in high demand fields such as psychiatry *and anesthesiology*.

2. The Virginia Health Workforce Development Authority shall develop the process for the consideration of requests for funding from the Nursing Preceptor Incentive Program.

E. Out of this appropriation, $35,000 the first year and $35,000 the second year from the general fund is provided for the Nurse Loan Repayment Program to provide loan repayments for certified nurse aides. The total loan repayment allowed per certified nurse aide is limited to no more than $1,000.

F.1. Out of this appropriation, $1,936,000 the first year and $1,936,000 the second year from the general fund shall be used to fund nursing scholarship and loan repayment programs to recruit and retain nurses and nurse faculty, consistent with § 32.1-122.6:01 of the Code of Virginia, the Nursing Preceptor Incentive Program established in Chapter 552, 2021 Special Session I, Acts of Assembly, the Virginia Nurse Practitioner/Nurse Midwife scholarship program, the Nurse Educator Scholarship Program pursuant to 12VAC5-545-10, the Nurse Loan Repayment Program authorized in § 32.1-122.6:04, Code of Virginia, and the Long-Term Facility Nursing Scholarship Program, authorized in § 54.1-3011.2, Code of Virginia.

2. Of the appropriation in paragraph F.1., $64,000 the first year and $64,000 the second year from the general fund shall be provided to fund the Long-Term Facility Nursing Scholarship, authorized in § 54.1-3011.2, Code of Virginia. The program shall offer a scholarship for any Virginia student accepted for enrollment or enrolled in an approved education program in the Commonwealth of Virginia to become a certified nurse aide, licensed practical nurse, or registered nurse, and who commits to work in a long-term care facility after graduation. For each year of scholarship money received, the participant agrees to engage in the equivalent of one year of full-time nursing practice in a long-term care facility in the Commonwealth.

3. Of the appropriation in paragraph F.1., $936,000 the first year and $936,000 the second year from the general fund shall be provided for nursing scholarship, loan repayment and incentive programs based on priorities as identified by the Commissioner of Health and the ability of the department to expedite funding to recipients.

4. Of the appropriation in paragraph F.1., $300,000 the first year and $300,000 the second year from the general fund may be provided to create a scholarship to support licensed practical nurses serving as a school nurse or school nurse assistant to become a registered nurse, as funds are available. The department shall collaborate with the Department of Education in developing the scholarship program in accordance with the recommendations from the 2021 "Report of the Department of Education on School Health Personnel in Virginia Public Schools: Recommendations for Qualifications and Training". The program shall offer a scholarship, not greater than $10,000, for any licensed practical nurse currently serving as a Virginia school nurse to complete the training and education requirements to become a registered nurse in an approved education program in the Commonwealth of Virginia. For each year of the scholarship money received, the student must maintain employment as a school nurse and agree to engage in the equivalent of one year of full-time employment as a school nurse after graduation. Full-time employment during school is not required and does not count towards the required one-year service obligation.

G. The Virginia Department of Health shall publish and regularly update on its website information about all health and behavioral health care scholarship and loan repayment programs so that information is readily available to the public. In addition, the department shall notify nursing schools and nursing programs throughout the Commonwealth of the availability of nursing scholarship and loan repayment program funding, including

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information about the Nursing Preceptor Incentive Program, prior to each academic year in a timely manner to accept applications and process them.

H. Out of this appropriation, $4,000,000 the first year and $4,000,000 the second year from the general fund shall be provided to the Earn to Learn Nursing Education Acceleration program. The department shall establish criteria for making grants from the program, including application guidelines and metrics for evaluation. Grants shall be awarded for the purpose of forming collaborative clinical training arrangements between high schools, colleges and universities, hospitals, and health providers, increasing the number of nursing students receiving necessary clinical training to achieve certification, and creating and ensuring employment opportunities for nursing students. To be eligible for grants, applicants must provide employment opportunities to students at each student's current certification level with compensation consistent with other employees at identical certification levels and must demonstrate that the grant application will increase on a net basis the number of nursing graduates achieving sufficient clinical hours to achieve higher nursing certifications when compared to averages over the past five years.

I. The Virginia Department of Health (VDH) shall expand the Mary Marshall Scholarship Program to include humanitarian parolees as eligible participants. In addition, VDH shall expand the program to provide scholarships of up to 100 percent of the fees required to obtain a Credential Service Evaluation Profession Report and the English Language Proficiency Report for those individuals who graduated from a nursing education program in a foreign country as required by VDH prior to admission for licensure.

272.	Emergency Medical Services (40200)				$51,079,420	$51,079,420
	Financial Assistance for Non Profit Emergency Medical Services Organizations and Localities (40203)	$33,892,001	$33,892,001			
	State Office of Emergency Medical Services (40204)	$17,187,419	$17,187,419			
	Fund Sources: General	$430,000	$430,000			
	Special	$21,223,640	$21,223,640			
	Dedicated Special Revenue	$29,016,692	$29,016,692			
	Federal Trust	$409,088	$409,088			

Authority: §§ 32.1-111.1 through 32.1-111.16, 32.1-116.1 through 32.1-116.3, and 46.2-694 A 13, Code of Virginia.

A. Distributions made under § 46.2-694 A 13 b (iii), Code of Virginia, shall be made only to nonprofit emergency medical services organizations. The Virginia Department of Health shall develop and implement a plan to ensure timely quarterly distributions of $4.25 for Life funding to the Virginia Association of Volunteer Rescue Squads beginning quarterly in May 2021.

B.1. Out of this appropriation, $1,045,375 the first year and $1,045,375 the second year from the Virginia Rescue Squad Assistance Fund and $2,052,723 the first year and $2,052,723 the second year from the special emergency medical services fund shall be provided to the Department of State Police for aviation (med-flight) operations.

2. The Office of Emergency Medical Services shall determine an amount of funding for each hospital, eligible for funding from the Trauma Center Fund, that receives patients through Virginia State Police's (VSP) med-flight operations in the Richmond area in order to support the paramedics or flight nurses provided by Chesterfield County. The Office shall take into account the overall costs of such paramedics or flight nurses, excluding any direct state appropriation, and determine a cost allocation for the hospital based on their share of the total number of VSP med-flight patients transported to the hospital for the prior fiscal year. Effective July 1, 2025, the amount assessed for a hospital shall reduce the amount of the hospital's Trauma Center Fund payment for the fiscal year. The Office shall transfer the assessed amount from the Trauma Center Fund to Chesterfield County as appropriate during the fiscal year. The Office of Emergency Medical Services shall provide a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2024, describing their planned cost allocation pursuant to this paragraph.

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C. The State Health Commissioner shall review current funding provided to trauma centers to offset uncompensated care losses, report on feasible long-term financing mechanisms, and examine and identify potential funding sources on the federal, state and local level that may be available to Virginia's trauma centers to support the system's capacity to provide quality trauma services to Virginia citizens. As sources are identified, the commissioner shall work with any federal and state agencies and the Trauma System Oversight and Management Committee to assist in securing additional funding for the trauma system.

D. The Virginia Department of Health shall make at least one annual distribution from the Trauma Center Fund, established pursuant to § 18.2-270.01, Code of Virginia, to eligible hospitals based on the available funding at the time of distribution.

E.*1.*~~Notwithstanding any other provision of law or regulation, the Board of Health shall not modify the geographic or designated service areas of designated regional emergency medical services councils in effect on January 1, 2008, or make such modifications a criterion in approving or renewing applications for such designation or receiving and disbursing state funds.~~

E.2. Notwithstanding any other provision of law, the Board of Health shall not modify the geographic or designated service areas of designated regional emergency medical services councils without consulting relevant stakeholders, including existing regional councils, the Director of the Office of Emergency Medical Services, Emergency Medical Services personnel, community leaders, and any other public, private, and volunteer agency relevant to the decision.

3. Prior to making any change to the boundaries of existing regional emergency medical services councils, the Board of Health shall notify the existing councils of the changes it seeks to make.

4. The Board of Health shall report annually by September 1 to the General Assembly on (i) the status of existing regional emergency medical services councils; (ii) any changes it plans on making to regional council boundaries; and (iii) the actions it has taken to gather stakeholder input before implementing any changes.

F. Notwithstanding any other provision of law or regulation, funds from the $0.25 of the $4.25 for Life fee shall be provided for the payment of the initial basic level emergency medical services certification examination provided by the National Registry of Emergency Medical Technicians (NREMT). The Board of Health shall determine an allocation methodology upon recommendation by the State EMS Advisory Board to ensure that funds are available for the payment of initial NREMT testing and distributed to those individuals seeking certification as an Emergency Medical Services provider in the Commonwealth of Virginia.

G. Out of this appropriation, $190,000 the first year and $190,000 the second year from the Virginia Rescue Squad Assistance Fund shall be provided for national background checks on persons applying to serve as a certified or non-certified provider in a licensed emergency medical services agency. The Office of Emergency Medical Services may transfer funding to the Office of State Police for national background checks as necessary.

H.1. Out of this appropriation, $430,000 the first year and $430,000 the second year from the general fund shall be provided to the Virginia Department of Health to implement the Northern Virginia Firefighter Occupational Cancer Screening Pilot Program. Funding shall be contingent on the demonstration of an equal amount of matching funds each year provided by a health system-affiliated cancer screening center that has a contractual agreement to conduct the pilot program. *Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2025, shall not revert to the general fund but shall be carried forward and reappropriated.*

2. The pilot program shall be designed to (i) contract with a health system-affiliated cancer screening center located in Planning District 8 to implement the pilot program, (ii) be multi-year, and (iii) screen at least 450 firefighters annually, distributed among firefighters serving localities in Planning District 8. The design of the pilot program should include: (i) the use of an occupational cancer screening and risk assessment for eligible firefighters within a defined age and risk band; (ii) a randomized clinical trial investigating the optimal type of full-body

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imaging for cancer early-detection for the unique occupational cancer risk of firefighters; and (iii) an independent evaluation of the pilot program, assessing the effectiveness of the screening program and results of the clinical trials and their potential for use by other hospitals and health systems across Virginia, in partnership with the public safety divisions in their localities.				
3. The Virginia Department of Health shall provide an interim report on the pilot program to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee by December 1, 2025 and a report on the evaluation upon completion of the pilot program.				
273. Medical Examiner and Anatomical Services (40300)			$20,974,550	$20,974,550
Anatomical Services (40301)	$755,257	$755,257		
Medical Examiner Services (40302)	$20,219,293	$20,219,293		
Fund Sources: General	$17,994,475	$17,994,475		
Special	$1,492,740	$1,492,740		
Federal Trust	$1,487,335	$1,487,335		
Authority: §§ 32.1-277 through 32.1-304, Code of Virginia.				
Any unexpended general fund appropriation for the purpose of providing salaries to employees and for unfilled positions in the Office of the Chief Medical Examiner remaining in this Item on the last day of each fiscal year shall not revert to the general fund, but shall be reappropriated in the following fiscal year.				
274. Vital Records and Health Statistics (40400)			$9,470,393	$9,470,393
Health Statistics (40401)	$1,135,593	$1,135,593		
Vital Records (40402)	$8,334,800	$8,334,800		
Fund Sources: Special	$8,803,837	$8,803,837		
Federal Trust	$666,556	$666,556		
Authority: §§ 8.01-217, 32.1-249 through 32.1-276, Code of Virginia; and P.L. 93-353, as amended, Federal Code.				
A. Effective July 1, ~~2004~~*2025*, the standard vital records fee shall be $12.00 and the fee for the expedited record search shall be ~~$48.00~~*$53.00*.				
B. Notwithstanding § 32.1-273.D, Code of Virginia, the revenues generated from the sale of birth, marriage, or divorce records in state administered health districts shall be distributed between the districts that issue the records and the Division of Vital Records. The revenues will be split with 65 percent remaining in the district to support the costs of that district and 35 percent to be transferred to the Division of Vital Records to support ongoing infrastructure costs associated with the collection, retention and issuance of the Commonwealth's vital records.				
C. Notwithstanding § 32.1-273.1., Code of Virginia, two dollars of each fee collected by the State Registrar shall be deposited by the Comptroller to the Virginia Vital Statistics Automation Fund.				
275. Communicable Disease Prevention and Control (40500)			$253,718,468	~~$253,763,468~~ *$191,148,466*
Immunization Program (40502)	$62,778,087	~~$62,778,087~~ *$19,640,225*		
Tuberculosis Prevention and Control (40503)	$2,520,820	$2,520,820		
Sexually Transmitted Disease Prevention and Control (40504)	$5,004,150	~~$5,004,150~~ *$6,004,150*		
Disease Investigation and Control Services (40505)	$85,764,259	~~$85,764,259~~ *$63,987,119*		
HIV/AIDS Prevention and Treatment Services (40506)	$81,273,631	$81,273,631		

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Pharmacy Services (40507)	$16,377,521	~~$16,422,521~~ *$17,722,521*		
Fund Sources: General	$15,585,003	~~$15,585,003~~ *$16,585,003*		
Special	$2,900,493	$2,900,493		
Dedicated Special Revenue	$13,519,145	$13,564,145		
Federal Trust	$221,713,827	~~$221,713,827~~ *$158,098,825*		

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

A. Out of this appropriation, $90,000 the first year and $90,000 the second year from the general fund shall be used to purchase medication and supplies for individuals who have drug-susceptible or drug-resistant tuberculosis but who do not qualify for free or reduced prescription drugs and who do not have adequate income or insurance coverage to purchase the required prescription drugs.

B. The requirement for testing of tuberculosis isolates set out in § 32.1-50 E, Code of Virginia, shall be satisfied by the submission of samples to the Division of Consolidated Laboratory Services, or such other laboratory as may be designated by the Board of Health.

C. Out of this appropriation, $840,288 the first year and $840,288 the second year from nongeneral funds shall be used to purchase the Tdap (tetanus/diphtheria/pertussis) vaccine for children without insurance.

D. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund shall be provided to the State Pharmaceutical Assistance Program (SPAP) for insurance premium payments, coinsurance payments, and other out-of-pocket costs for individuals participating in the Virginia Medication Assistance Program (VA MAP), formerly AIDS Drug Assistance Program, with incomes meeting the VA MAP's current requirements and who are Medicare prescription drug coverage beneficiaries. *These funds may also be used for the purchase of medications, co-insurance payments and other out-of-pocket costs for individuals served by the Virginia Department of Health's HIV Pre-Exposure Prophylaxis (PrEP) and non-occupational Post Exposure Prophylaxis (n-PEP) programs to prevent HIV infection.*

E. The State Health Commissioner shall monitor patients who have been removed or diverted from the Virginia Medication Assistance Program (VA MAP), formerly AIDS Drug Assistance Program, due to budget considerations. At a minimum the Commissioner shall monitor patients to determine if they have been successfully enrolled in a private Pharmacy Assistance Program or other program to receive appropriate anti-retroviral medications. The commissioner shall also monitor the program to assess whether a waiting list has developed for services provided through the VA MAP program. The commissioner shall report findings to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees annually on October 1.

F. The Virginia Department of Health shall report for each month within 30 days after the end of each month, on the number of procedures approved for payment pursuant to § 32.1-92.2, Code of Virginia, and include a description of the nature of the fetal abnormality, to the extent permitted by law, as required for eligibility under § 32.1-92.2, Code of Virginia. The department shall report the information by letter to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

G. Out of this appropriation, $1,600,011 the first year and $1,600,011 the second year shall be provided to the Virginia Department of Health from available federal funding in the Department of Behavioral Health and Developmental Services, including the State Opioid Response Grant, as available, to purchase and provide opioid reversal drugs to support community rescue efforts for those who deal with vulnerable populations.

H. Out of this appropriation, $1,300,000 the first year and $1,300,000 the second year from the general fund shall be used to purchase opioid reversal drugs.

I. The Virginia Department of Health shall review and update their data collection and

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reporting protocols for COVID-19 or other infectious disease data to report actual deaths not an extrapolated projection of deaths.

J. The State Health Commissioner shall ensure that residents and employees of any nursing home or assisted living facility receive priority for testing indicating the existence of the COVID-19 virus in the Commonwealth. The Commissioner shall make available public health testing, if necessary, in order to ensure that nursing homes or assisted living facilities have access to testing that can provide the most rapid results in order to prevent or contain outbreaks of COVID-19. Such testing shall be provided, as needed, by the Division of Consolidated Laboratory Services or other public health testing agencies of the Commonwealth. Any testing costs through the public health system for employees or residents of nursing homes or assisted living facilities may be billed to responsible third-parties.

K. The Virginia Department of Health shall work with the Department of Behavioral Health and Developmental Services (DBHDS) to ensure that adequate funding, estimated at $2,111,670 the first year, is provided for COVID-19 testing and surveillance at DBHDS state-operated facilities. Any amount not expended in the first year may be appropriated in the second year to continue services. The Virginia Department of Health shall include such activity in its plan to the Centers for Disease Control and Prevention for the use of the federal Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases (ELC) funds received pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-260). The Virginia Department of Health shall transfer such funds to the Department of Behavioral Health and Developmental Services as necessary for such activities.

L.1. Out of this appropriation, $5,519,145 the first year and $5,519,145 the second year from the Commonwealth Opioid Abatement and Remediation fund shall be provided for the purchase and distribution of opioid reversal agents and test kits and for the development of tracking software.

2. Of the amounts provided in L.1., $1,000,000 the first year and $1,000,000 the second year shall be provided to purchase and distribute eight milligram naloxone nasal spray.

M. Out of this appropriation, $100,000 the second year from the Commonwealth Opioid and Abatement and Remediation fund shall be provided for the purchase and distribution of additional opioid reversal agents for public school divisions by the Virginia Department of Health.

N.1. The Virginia Department of Health shall establish and execute the Opioid Overdose Reversal Agent Program, a manufacturing program for a quality, lowest sustainable cost, opioid overdose reversal agent. Out of this appropriation, $8,000,000 the first year and $8,000,000 the second year from the Commonwealth Opioid Abatement and Remediation fund shall be provided to administer the Program. The Virginia Department of Health shall coordinate the Program with the Virginia Opioid Abatement Authority. Key objectives of the Program shall be: (i) providing a long-term, sustainable supply of opioid overdose reversal agent to help combat Virginia's opioid epidemic; (ii) providing pricing stability and increase access for this critical life-saving medication; and, (iii) leveraging, when possible, existing federal and state investments building the advanced pharmaceutical development and manufacturing CAMPUS in Petersburg.

2. The Program shall contract with the private sector to lead an end-to-end opioid overdose reversal agent nasal spray development program to provide a new FDA-approved generic version resulting in a lower cost product to help drive down state and locality budgets for opioid overdose reversal agent and improve access, quality, and availability through a domestic supply. Funding provided to the contracting entity may be used for: (i) investment in research and development activities supporting an opioid overdose reversal agent API, formulation development, manufacturing process qualification and validation, and regulatory approval; and (ii) capital expenditures, including custom machinery for assembly of the drug/device combination product and semi-automated packaging. All intellectual property developed by the program would be owned by the private entity and all capital expenditures, including custom equipment, would be owned by the Authority or partner agency.

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276.	Health Research, Planning, and Coordination (40600)			$24,441,725	~~$24,331,725~~ *$25,030,406*
	Health Research, Planning and Coordination (40603)	$4,833,106	$4,723,106		
	Regulation of Health Care Facilities (40607)	$16,912,088	~~$16,912,088~~ *$17,610,769*		
	Certificate of Public Need (40608)	$1,805,325	$1,805,325		
	Cooperative Agreement Supervision (40609)	$891,206	$891,206		
	Fund Sources: General	$6,387,762	~~$6,277,762~~ *$7,450,743*		
	Special	$3,593,948	$3,593,948		
	Dedicated Special Revenue	$627,006	$627,006		
	Federal Trust	$13,833,009	~~$13,833,009~~ *$13,358,709*		

Authority: §§ 32.1-102.1 through 32.1-102.11; 32.1-122.01 through 32.1-122.08; and 32.1-123 through 32.1-138.5, Code of Virginia; and P.L. 96-79, as amended, Federal Code; and Title XVIII and Title XIX of the U.S. Social Security Act, Federal Code.

A.1. Supplemental funding for the regional health planning agencies shall be provided from the following sources:

2. Special funds from Certificate of Public Need (40608) application fees in excess of those required to operate the COPN Program, provided the program may retain special fund balances each year equal to three months operational needs in case of revenue shortfalls in the subsequent year.

3. The Department of Health shall revise annual agreements with the regional health planning agencies to require an annual independent financial audit to examine the use of state funds and the reasonableness of those expenditures.

B. Failure of any regional health planning agency to establish or sustain business operations shall cause funds to revert to the Central Office to support health planning and Certificate of Public Need functions.

C. Out of this appropriation, $690,000 the first year and $690,000 the second year from the general fund shall be provided to the Virginia Office of Rural Health, as the state match for the federal Office of Rural Health Policy Grant.

D. Out of this appropriation, $278,000 the first year and $278,000 the second year shall be provided to the department from statewide indirect cost recoveries to match federal funds and support the programs of the Office of Licensure and Certification. Amounts recovered in excess of the special fund appropriation shall be deposited to the general fund.

E. The Virginia Department of Health (VDH) in collaboration with the Department of Health Professions shall issue risk mitigation guidelines on the prescription of the class of potent pain medicines known as extended-release and long-acting (ER/LA) opioid analgesics to include co-prescription of an opioid antagonist, approved by the U.S. Food and Drug Administration (FDA), for administration by family members or caregivers in a non-medically supervised environment.

F. The Virginia Department of Health shall provide administrative and technical support to the Virginia Partners in Prayer Program through its Office of Health Equity. The cost of this support is estimated to be approximately $20,000 per year and shall be funded within its existing appropriation.

G. The provisions of § 32.1-102.4 (B), Code of Virginia, shall not apply to nursing homes.

H. Out of this appropriation, $60,000 the first year and $60,000 the second year from the general fund shall be provided to contract with the Virginia Telehealth Network to provide consultation to advisory groups, track implementation and facilitate changes to the Statewide Telehealth Plan.

I. Out of this appropriation, $319,883 the second year from the general fund shall be provided to establish and administer uniform options for intermediate disciplinary actions on

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hospitals, nursing homes, hospices, home care organizations, managed care health insurance plan licensees, and private review agents.				
J. Prior to the Board of Health establishment of or changes to the fees for the issuance, change or renewal of a nursing home license to cover the cost of operating the hospital and nursing home licensure and inspection program, the Commissioner of Health shall convene a stakeholder meeting to examine options for phasing in changes in fees to mitigate the impact on nursing homes, including options which would include state support.				
277. State Health Services (43000)			$166,335,152	~~$167,001,819~~ *$170,281,207*
Child and Adolescent Health Services (43002)	$14,055,383	$14,722,050		
Women's and Infant's Health Services (43005)	$11,965,510	~~$11,965,510~~ *$12,518,710*		
Chronic Disease Prevention, Health Promotion, and Oral Heath (43015)	$13,883,833	~~$13,883,833~~ *$16,383,833*		
Injury and Violence Prevention (43016)	$4,522,981	~~$4,522,981~~ *$4,749,169*		
Women, Infants, and Children (WIC) and Community Nutrition Services (43017)	$121,907,445	$121,907,445		
Fund Sources: General	$9,011,554	~~$9,178,221~~ *$12,357,609*		
Special	$3,254,327	$3,254,327		
Dedicated Special Revenue	$59,343,095	~~$59,343,095~~ *$59,443,095*		
Federal Trust	$94,726,176	$95,226,176		

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

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

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

C. Out of this appropriation, $450,000 the first year and $450,000 the second year from the general fund shall be provided to the department's sickle cell program to address rising pediatric caseloads in the current program. Any remaining funds shall be used to develop transition services for youth who will require adult services to ensure appropriate medical services are available and provided for youth who age out of the current program.

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

E.1. Out of this appropriation, $124,470 the first year and $124,470 the second year from the general fund and $82,980 the first year and $82,980 the second year from nongeneral funds shall be provided for the Virginia Department of Health to establish and administer a Perinatal Quality Collaborative. The Perinatal Quality Collaborative shall work to improve pregnancy outcomes for women and newborns by advancing evidence-based clinical practices and processes through continuous quality improvement with an initial focus on pregnant women with substance use disorder and infants impacted by neonatal abstinence syndrome.

2. Out of this appropriation, $315,000 the first year and $315,000 the second year from the general fund shall be provided to support efforts by the Virginia Neonatal Perinatal

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Collaborative (VNPC) to decrease maternal mortality and morbidity. Funding shall be used for a coordinator position for community engagement, training and education; the development of a pilot program of the Centers for Disease Control's levels of care assessment *tool* (LOCATe) ~~tool~~ in the Richmond metropolitan region and Tidewater region; and development of a Project ECHO tele-education model for education and training. Funding shall also be used to assist the VNPC with expanding capacity to address these issues through the use of software to advance data analytics.

F. Out of this appropriation, $880,000 the first year and $880,000 the second year from the general fund is provided for a comprehensive adult program for sickle cell disease.

G. Out of this appropriation, $333,333 the first year and $500,000 the second year from the general fund is provided as state match for additional federal awards to support evidence-based home visiting services from the federal Maternal Infant Early Childhood Home Visiting program.

H.1. Out of this appropriation, $2,500,000 the second year from the general fund shall be provided to pilot perinatal health hub programs throughout the Commonwealth. The Virginia Department of Health, in collaboration with the Virginia Neonatal Perinatal Collaborative, shall provide two-year grant awards for community-based providers (hubs) to improve perinatal outcomes and to reduce maternal and infant mortality in their communities.

2. The Virginia Department of Health, in collaboration with the Virginia Neonatal Perinatal Collaborative, and in consultation with the Department of Medical Assistance Services, shall establish grant application selection and award criteria. Essential elements shall include: (i) a description of how the funds will be utilized and a description of the services to be provided, (ii) a description of the populations who will be served, (iii) a requirement for collaboration with local and regional stakeholders, (iv) a required physical presence in the region in which a hub will be located, (v) a contractual collaboration with a regional birthing hospital and/or obstetrical clinic for pregnant and postpartum families in the region which the hub is located, (vi) partnerships and/or contracts with Medicaid managed care organizations for the purpose of sharing data and collaboration, (vii) the use of evidence based quality standards as defined by the Virginia Neonatal Perinatal Collaborative and the Health Resources Services Administration, (viii) an evaluation of program impact on populations served, and (ix) a plan for future sustainability.

3. The Virginia Department of Health, in collaboration with the Virginia Neonatal Perinatal Collaborative, shall develop a report that includes, but is not limited to, a listing of participating community providers and award amounts, a description of services provided, a description of populations served, the number of individuals served, and an assessment of health outcomes and program effectiveness. This report shall be provided to the Governor, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on or before June 30, 2026. Any unexpended balance in this paragraph at the close of business on June 30, 2026, associated with perinatal hubs shall not revert to the general fund but shall be carried forward and reappropriated.

I. Out of this appropriation, $100,000 the second year from the Commonwealth Opioid Abatement and Remediation fund shall be provided for one-time costs associated with the development of the Opioid Impact Reduction Registry.

J. The Virginia Department of Health shall maintain a list of all agencies and organizations that submit requests for and receive opioid antagonists through its distribution program. At least quarterly, the department shall submit a report to the Chairs of the House Appropriations Subcommittee on Health and Human Resources, House Health and Human Services Committee, Senate Finance and Appropriations Subcommittee on Health and Human Resources, and Senate Subcommittee on Health, and the Chair of the Virginia Opioid Abatement Authority with the following information: (i) name of the agency or organization; (ii) county or town/city service area; (iii) quantity, along with the specific formulation and dosage of opioid antagonist, requested by the agency or organization in its most recent order, and the date the request was made; and (iv) quantity, along with the specific formulation and dosage of opioid antagonist, received by the agency or organization in response to its most recent order, and the date the request was fulfilled.

K. Out of this appropriation, $126,188 the second year from the general fund is provided to

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	support the provisions of House Bill 2088 and Senate Bill 2041, as passed during the 2025 Regular Session of the General Assembly.				
278.	Community Health Services (44000)			$333,295,343	~~$333,295,343~~ *$330,778,122*
	Local Dental Services (44002)	$4,014,643	$4,014,643		
	Restaurant and Food Safety, Well and Septic Permitting and Other Environmental Health Services (44004)	$46,797,821	$46,797,821		
	Local Family Planning Services (44005)	$34,786,538	$34,786,538		
	Support for Local Management, Business, and Facilities (44009)	$90,342,635	~~$90,342,635~~ *$91,310,581*		
	Local Maternal and Child Health Services (44010)	$42,503,017	$42,503,017		
	Local Immunization Services (44013)	$25,178,843	~~$25,178,843~~ *$21,193,676*		
	Local Communicable Disease Investigation, Treatment, and Control (44014)	$33,214,596	$33,214,596		
	Local Personal Care Services (44015)	$5,135,030	$5,135,030		
	Local Chronic Disease and Prevention Control (44016)	$12,025,317	$12,025,317		
	Local Nutrition Services (44018)	$33,391,871	$33,391,871		
	Population Health (44019)	$5,905,032	~~$5,905,032~~ *$6,405,032*		
	Fund Sources: General	$145,054,440	~~$149,054,440~~ *$150,100,706*		
	Special	$125,999,794	~~$125,999,794~~ *$126,421,474*		
	Dedicated Special Revenue	$3,828,640	$3,828,640		
	Federal Trust	$58,412,469	~~$54,412,469~~ *$50,427,302*		

Authority: §§ 32.1-11 through 32.1-12, 32.1-31, 32.1-163 through 32.1-176, 32.1-198 through 32.1-211, 32.1-246, and 35.1-1 through 35.1-26, Code of Virginia; Title V of the U.S. Social Security Act; and Title X of the U.S. Public Health Service Act.

A.1. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $425.00, for a construction permit for on-site sewage systems designed for less than 1,000 gallons per day, and alternative discharging systems not supported with certified work from an onsite soil evaluator or a professional engineer working in consultation with an onsite soil evaluator.

2. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $350.00, for the certification letter for less than 1,000 gallons per day not supported with certified work from an onsite soil evaluator or a professional engineer working in consultation with an onsite soil evaluator.

3. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $225.00, for a construction permit for an onsite sewage system designed for less than 1,000 gallons per day when the application is supported with certified work from a licensed onsite soil evaluator.

4. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $320.00, for the certification letter for less than 1,000 gallons per day supported with certified work from an onsite soil evaluator or a professional engineer working in consultation with an onsite soil evaluator.

5. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $300.00, for a construction permit for a private well.

6. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $1,400.00, for a construction permit or certification letter designed for more than 1,000 gallons per day.

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7. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of $425.00, for a permit to repair an onsite sewage system or an alternative discharging system designed for less than 1,000 gallons per day not supported with certified work from an onsite soil evaluator or a professional engineer working in consultation with an onsite soil evaluator. This fee shall be waived for persons with income below 200 percent of the federal poverty guidelines as established by the United States Department of Health and Human Services when the application is for a pit privy or for a repair of a failing onsite or alternative discharging sewage system.

8. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of $225.00, for a permit to repair or voluntarily upgrade an onsite sewage system or alternative discharging system designed for less than 1,000 gallons per day supported with certified work from an onsite soil evaluator or a professional engineer. This fee shall be waived for persons with income below 200 percent of the federal poverty guidelines as established by the United States Department of Health and Human Services when the application is for a pit privy or for a repair of a failing onsite or alternative discharging sewage system.

9. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of $150.00, to provide written authorizations pursuant to § 32.1-165 not supported with certified work from a qualified professional.

10. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of $100.00, to provide written authorizations pursuant to § 32.1-165 supported with certified work from a qualified professional.

11. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, and starting July 1, 2019, the State Health Commissioner shall charge a fee of $1,400.00, for a permit to repair or voluntarily upgrade an onsite sewage system designed for more than 1,000 gallons per day.

B. The State Health Commissioner shall appoint two manufacturers to the Advisory Committee on Sewage Handling and Disposal, representing one system installer and the Association of Onsite Soil Engineers.

C. The State Health Commissioner is authorized to develop, in consultation with the regulated entities, a hotel, campground, and summer camp plan and specification review fee, not to exceed $40.00, a restaurant plan and specification review fee, not to exceed $40.00, an annual hotel, campground, and summer camp permit renewal fee, not to exceed $40.00, and an annual restaurant permit renewal fee, not to exceed $40.00 to be collected from all establishments, except K-12 public schools, that are subject to inspection by the Department of Health pursuant to §§ 35.1-13, 35.1-14, 35.1-16, and 35.1-17, Code of Virginia. However, any such establishment that is subject to any health permit fee, application fee, inspection fee, risk assessment fee or similar fee imposed by any locality as of January 1, 2002, shall be subject to this annual permit renewal fee only to the extent that the Department of Health fee and the locally imposed fee, when combined, do not exceed the fee amount listed in this paragraph. This fee structure shall be subject to the approval of the Secretary of Health and Human Resources.

D. Pursuant to the Department of Health's Policy Implementation Manual (#07-01), individuals who participate in a local festival, fair, or other community event where food is sold, shall be exempt from the annual temporary food establishment permit fee of $40.00 provided the event is held only one time each calendar year and the event takes place within the locality where the individual resides.

E. The State Health Commissioner shall work with public and private dental providers to develop options for delivering dental services in underserved areas, including the use of public-private partnerships in the development and staffing of facilities, the use of dental hygiene and dental students to expand services and enhance learning experiences, and the availability of reimbursement mechanisms and other public and private resources to expand services.

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F.1. Out of this appropriation, $3,000,000 the first year from the Temporary Assistance for Needy Families (TANF) block grant and $3,000,000 the second year from the general fund shall be provided for the purpose of expanding access to long acting reversible contraceptives (LARC). The Virginia Department of Health shall establish and manage memorandums of understanding with qualified health care providers who will provide access to LARCs to patients whose income is below 250 percent of the federal poverty level, the Title X family planning program income eligibility requirement. Providers shall be reimbursed for the insertion and removal of LARCs at Medicaid rates. As part of the pilot program, the department, in cooperation with the Department of Medical Assistance Services and stakeholders, shall develop a plan to improve awareness and utilization of the Plan First program and include outreach efforts to refer women who have a diagnosis of substance use disorder and who seek family planning services to the Plan First program or participating providers in the pilot program.

2. The Virginia Department of Health shall report on metrics to measure the effectiveness of the program such as impacts on morbidity, reduction in abortions and unplanned pregnancies, and impacts on maternal health such as an increase in the length of time between births, among others. In addition, the department shall collect data on the number of women served who also sought treatment for substance use disorder. The department shall submit a report to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Health and Human Resources, and the Director, Department of Planning and Budget, that describes the program, and metrics used to measure results, actual program expenditures, and projected expenditures by September 1 of each year.

3. Out of this appropriation, $1,000,000 the first year from the Temporary Assistance for Needy Families (TANF) block grant and $1,000,000 the second year from the general fund shall be made available to supplement the funding provided under paragraph F.1. of this Item to expand access to FDA-approved contraceptives, that are not long acting reversible contraceptives. The Virginia Department of Health shall establish and manage memoranda of understanding with qualified health care providers who have existing contracts pursuant to paragraph F.1. of this Item or to new ones if funding is available. Providers shall be reimbursed for the cost of the contraceptives, as provided under this paragraph, at Medicaid rates.

4. The appropriation as described under paragraphs F.1. and F.3. of this Item shall be used to expand access to both LARC and non-LARC contraceptives and the Virginia Department of Health is authorized to use funds in either paragraph to supplement the funds in the other paragraph for the purposes described.

G. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the general fund shall be provided to the Department of Health for the operation of the Resource Mothers program.

H.1. The Department of Health, in cooperation with the Department of Environmental Quality, shall work with the Middle Peninsula Planning District Commission to initiate a three-year pilot program to analyze an engineered septic unit that houses and treats all sewage effluent in a vertically elevated, self-contained unit suitable for areas with high water tables and flooding in Coastal Virginia. Such vertically elevated septic system, including holding tank and treatment unit, shall have no physical contact with land; shall be vertically elevated on columns, piers, or other structures that provide for the flow of surface water underneath the septic unit; shall be elevated above the storm surge and flood inundation levels; and shall be designed to meet pollution removal standards of the Department of Health and Department of Environmental Quality. The treated sewage discharge from the vertically elevated septic system may include surface, engineered wetland, or other appropriate discharge approaches that comply with regulations for alternative onsite sewage systems (12VAC5-613 et seq.). Such vertically elevated septic system shall be installed in an upland location in the Middle Peninsula outside of any designated Resource Protection Area or floodplain.

2. By December 1 of each year, the Middle Peninsula Planning District Commission shall submit a report to the Governor and General Assembly with the following information: (i) the feasibility of elevating the parts of septic systems vulnerable to rising sea levels; (ii) optimal system design, or range of designs, for vertically elevated septic systems capable

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of withstanding sea level rise and chronic flooding that meets effluent standards; (iii) recommendations for legal or regulatory changes, if any, to authorize the use of vertically elevated septic systems; (iv) recommendations for amending current septic system permit requirements to allow for the use of vertically elevated septic systems; (v) recommendations for financing the installation of vertically elevated septic systems; (vi) the expected date of completion of the pilot program; (vii) installation and projected average annual maintenance costs for a vertically elevated septic system over 10 years; and (viii) any other pertinent information.

I. The Virginia Department of Health shall prepare a request for funding the state share of new or escalated rent increases at local health departments and submit the request for inclusion in the Governor's introduced budget annually.

J. Out of this appropriation, $3,200,000 the first year and $3,200,000 the second year from the general fund shall be provided to support Community Health Worker positions at Virginia's local health districts. The agency shall prioritize supporting Community Health Worker positions at local health districts that serve localities with the highest rates of maternal mortality. If the Virginia Department of Health receives approval to continue to use federal funds to support these positions in the first year, the Director, Department of Planning and Budget shall unallot this appropriation in the first year equivalent to the amount of federal funds received for this purpose.

279.	Financial Assistance to Community Human Services Organizations (49200)			~~$37,479,983~~ *$39,179,983*	~~$31,479,983~~ *$34,239,983*
	Payments to Human Services Organizations (49204)	~~$37,479,983~~ *$39,179,983*	~~$31,479,983~~ *$34,239,983*		
	Fund Sources: General	~~$37,479,983~~ *$39,179,983*	~~$31,479,983~~ *$34,239,983*		

Authority: § 32.1-2, Code of Virginia.

A.1. Out of this appropriation, $3,232,946 the first year and $3,232,946 the second year from the general fund shall be used to contract with Families Forward. In the event that the Families Forward changes its name; the provisions of this item shall apply to the successor organization provided that the required program purposes outlined in paragraph A.2. through A.4. are still achieved.

2. The purpose of the program is to develop, expand, and operate a network of local public-private partnerships providing comprehensive care coordination, family support and preventive medical and dental services to low-income, at-risk children.

3. The general fund appropriation in this Item for the Families Forward projects shall not be used for administrative costs.

4. Families Forward shall continue to pursue raising funds and in-kind contributions from local communities. It is the intent of the General Assembly that the Families Forward program increases its efforts to raise funds from local communities and other private or public sources with the goal of reducing reliance on general fund appropriations in the future.

5. Of this appropriation, from the amounts in paragraph A.1., $24,679 the first year and $24,679 the second year from the general fund shall be used to contract with CHIP of Roanoke and shall be used as matching funds to support three full-time equivalent public health nurse positions to services in the Roanoke Valley and Allegheny Highlands.

B. Out of this appropriation $53,241 the first year and $53,241 the second year from the general fund shall be used to contract with the Alexandria Neighborhood Health Services, Inc. to promote the health of women in Alexandria, Arlington, Fairfax County, and Falls Church, to prevent illness and injury and provide early treatment for serious health conditions. The contract with Alexandria Neighborhood Health Services Inc. (ANHSI) shall require that ANHSI provide comprehensive women's health care with a focus on preventative health services and screenings to low income, uninsured women. Women's health care services shall focus on preventative screenings. Blood pressure screening and body mass index shall be performed at each visit. The organization shall pursue raising funds and in-kind contributions from the local community.

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C. Out of this appropriation $5,982 the first year and $5,982 the second year from the general fund shall be used to contract with the Louisa County Resource Council to promote, develop, and encourage activities to deliver community-based services to disadvantaged Louisa County residents. The contract with Louisa County Resource Council shall require that the council provide assistance to income-eligible residents in meeting various needs of the clients including medication assistance, outreach assistance, and medical care referrals by exploring affordable options. The council shall continue to pursue raising funds and in-kind contributions from the local community.

D. Out of this appropriation, $7,837 the first year and $7,837 the second year from the general fund shall be used to contract with the Olde Towne Medical Center. The contract with Olde Towne Medical Center shall require that the center provide cost effective, comprehensive primary and preventive health care (including obstetrical care) and oral health care to the uninsured, Medicaid, and Medicare residents in the City of Williamsburg, James City County, and York County. The population served shall include adults and children.

E.1. Out of this appropriation, $433,750 the first year and $433,750 the second year from the general fund shall be used to contract with the Virginia Community Healthcare Association (VCHA). The contract with VCHA shall require that the association purchase pharmaceuticals and medically necessary pharmacy supplies, and to provide pharmacy services to low-income, uninsured patients of the Community and Migrant Health Centers throughout Virginia. The uninsured patients served with these funds shall have family incomes no greater than 200 percent of the federal poverty level. The amount allocated to each Community and Migrant Health Center shall be determined through an allocation methodology developed by the Virginia Community Healthcare Association. The allocation methodology shall ensure that funds are distributed such that the Community and Migrant Health Centers are able to serve the pharmacy needs of the greatest number of low-income, uninsured persons. The Virginia Community Healthcare Association shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

2. Out of this appropriation, $175,000 the first year and $175,000 the second year from the general fund shall be used to contract with the Virginia Community Healthcare Association. The contract with VCHA shall require that the association expand access to care provided through community health centers.

3. Out of this appropriation, $4,300,000 the first year and $4,300,000 the second year from the general fund shall be used to contract with the Virginia Community Healthcare Association. The contract with VCHA shall require that the association support community health center operating costs for services provided to uninsured clients. The amount allocated to each Community and Migrant Health Center shall be determined through an allocation methodology developed by the Virginia Community Healthcare Association. The allocation methodology shall ensure that funds are distributed such that the Community and Migrant Health Centers are able to serve the needs of the greatest number of uninsured persons. The Virginia Community Healthcare Association shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

4. Out of this appropriation, $500,000 the second year from the general fund shall be provided to contract with the Virginia Community Healthcare Association (VCHA). The contract with VCHA shall require that the association use additional funding to enable Federally Qualified Health Centers to continue providing comprehensive medical, dental, maternal, and mental health services to the most vulnerable and uninsured Virginians, primarily in rural and urban settings.

5. Out of this appropriation $1,000,000 from the general fund the second year shall be provided for a pilot program to provide non-emergency medical transportation services for uninsured Virginians living in medically underserved or unserved areas in the catchment area of a federally qualified health center. Priority shall be given to serving persons living in rural localities.

F.1. Out of this appropriation, $1,321,400 the first year and $1,321,400 the second year

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from the general fund shall be used to contract with the Virginia Association of Free and Charitable Clinics (VAFCC). The contract with VAFCC shall require that the organization purchase pharmaceuticals and medically necessary pharmacy supplies, and to provide pharmacy services to low-income, uninsured patients of the Free Clinics throughout Virginia. The amount allocated to each Free Clinic shall be determined through an allocation methodology developed by the Virginia Association of Free and Charitable Clinics. The allocation methodology shall ensure that funds are distributed such that the Free Clinics are able to serve the pharmacy needs of the greatest number of low-income, uninsured adults. The Virginia Association of Free and Charitable Clinics shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

2. Out of this appropriation, $175,000 the first year and $175,000 the second year from the general fund shall be used to contract with the Virginia Association of Free and Charitable Clinics (VAFCC). The contract with VAFCC shall require the organization to expand access to health care services.

3. Out of this appropriation, $6,800,000 the first year and ~~$6,800,000~~ *$7,300,000* the second year from the general fund shall be used to contract with the Virginia Association of Free and Charitable Clinics (VAFCC). The contract with VAFCC shall require that the organization support free clinic operating costs for services provided to uninsured clients. The amount allocated to each free clinic shall be determined through an allocation methodology developed by the Virginia Association of Free and Charitable Clinics. The allocation methodology shall ensure that funds are distributed such that the free clinics are able to serve the needs of the greatest number of uninsured persons. The Virginia Association of Free and Charitable Clinics shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

G. Out of this appropriation, $29,303 the first year and $29,303 the second year from the general fund shall be used to contract with HealthWorks of Herndon. The contract with HealthWorks of Herndon (HWH) shall require that HWH provide treatment and prevention services, including health care services and mental health counseling, to low income and uninsured adults and children residing in the communities of Herndon, Reston, Chantilly, and Centreville in Fairfax County. These services shall include comprehensive primary health care with integrated behavioral health care to adult and children, prescription medications, diagnostic and lab testing, specialty referrals, and preventive screenings. Children's services shall include school physicals and sports physicals. Patients will also have access to oral health care through HealthWorks Dental Program.

H. Out of this appropriation, $164,758 the first year and $164,758 the second year from the general fund shall be used to contract with the Southwest Virginia Graduate Medical Education Consortium. The contract with Southwest Virginia Graduate Medical Education (GMEC) shall require GMEC to create and support medical residency preceptor sites in rural and underserved communities in Southwest Virginia.

I. Out of this appropriation, $355,555 the first year and $355,555 the second year from the general fund shall be used to contract with the regional AIDS resource and consultation centers and one local early intervention and treatment center.

J. Out of this appropriation, $57,963 the first year and $57,963 the second year from the general fund shall be used to contract with the Arthur Ashe Health Center in Richmond. The contract with the Arthur Ashe Health Center shall require that the center provide HIV early intervention and treatment for HIV infected patients who reside within the City of Richmond.

K. Out of this appropriation, $10,663 the first year and $10,663 the second year from the general fund shall be used to contract with the Health Brigade for AIDS related services. The contract with the Health Brigade shall require that the clinic provide financial assistance and support groups and conduct an education and outreach program for HIV positive clients in Central Virginia.

L.1. Out of this appropriation, $4,680,571 the first year and ~~$4,680,571~~ *$5,180,571* the second year from the general fund shall be used to contract with the Virginia Health Care Foundation. The contract with the Virginia Health Care Foundation (VHCF) shall require that the general fund shall be matched with local public and private resources and shall be awarded to proposals which enhance access to primary health care for Virginia's uninsured and medically

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underserved residents, through innovative service delivery models. The foundation, in coordination with the Virginia Department of Health, the Area Health Education Centers program, the Joint Commission on Health Care, and other appropriate organizations, is encouraged to undertake initiatives to reduce health care workforce shortages. The foundation shall account for the expenditure of these funds by providing the Governor, the Secretary of Health and Human Resources, the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, the State Health Commissioner, and the Chairman of the Joint Commission on Health Care with a certified audit and full report on the foundation's initiatives and results, including evaluation findings, not later than October 1 of each year for the preceding fiscal year ending June 30.

2. The contract with the Virginia Health Care Foundation shall require that on or before October 1 of each year, the foundation shall submit to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees a report on the actual amount, by fiscal year, of private and local government funds received by the foundation since its inception. The report shall include certification that an amount equal to the state appropriation for the preceding fiscal year ending June 30 has been matched from private and local government sources during that fiscal year.

3. Of this appropriation, from the amounts in paragraph L.1., $125,000 the first year and $125,000 the second year from the general fund shall be used to contract with the Virginia Health Care Foundation (VHCF). The contract with VHCF shall require that the general fund shall be provided to the foundation to expand the Pharmacy Connection software program to unserved or underserved regions of the Commonwealth.

4. Of this appropriation, from the amounts in paragraph L.1., $205,000 the first year and $205,000 the second year from the general fund shall be used to contract with the Virginia Health Care Foundation (VHCF). The contract with VHCF shall require that the general fund shall be used to contract with the foundation for the Rx Partnership to improve access to free medications for low-income Virginians.

5. Of this appropriation, from the amounts in paragraph L.1., $2,350,000 the first year and $2,350,000 the second year from the general fund shall be used to contract with the Virginia Health Care Foundation (VHCF). The contract with VHCF shall require that the general fund be provided to the foundation to increase the capacity of the Commonwealth's health safety net providers to expand services to unserved or underserved Virginians. Of this amount, (i) $850,000 the first year and $850,000 the second year shall be used to underwrite service expansions and/or increase the number of patients served at existing sites or at new sites, (ii) $1,350,000 the first year and $1,350,000 the second year shall be used for Medication Assistance Coordinators who provide outreach assistance, and (iii) $150,000 the first year and $150,000 the second year shall be made available for locations with existing medication assistance programs.

6. Of this appropriation, from the amounts in paragraph L.1., $500,000 the second year from the general fund shall be used to contract with the Virginia Health Care Foundation (VHCF) for community grants to expand access to maternal mental health services through (i) community organizations serving individuals residing in health care deserts or low income communities, and (ii) community organizations with less than $5,000,000 in annual revenue.

M.1. Out of this appropriation, $1,272,313 the first year and $1,272,313 the second year from the general fund shall be used to support the administration of the patient level data base, including the outpatient data reporting system. The department shall establish a contract for this service.

2. Out of this appropriation from the amounts in paragraph M.1., $1,025,000 the first year and $1,025,000 the second year from the general fund the second year shall be used to contract with the Virginia All Payer Claims Database.

3. The Virginia Department of Health shall amend its contracts with Virginia Health Information requiring the organization to develop a strategic plan to expand the Emergency Department Care Coordination Program to a statewide comprehensive health information exchange making pertinent data available to all verified providers and the state including the Virginia Department of Health, the Department of Medical Assistance

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Services, and the Department of Behavioral Health and Developmental Services. The plan shall address how to appropriately and securely share data in order to facilitate care, improve continuity, and reduce costly duplicate testing and procedures. The plan shall prioritize connection to the Virginia Department of Health for hospital admission data as soon as possible to contribute to accurate COVID reporting and response.

4. Out of this appropriation, $110,000 the second year from the general fund shall be used to contract with Virginia Health Information to allow for a data sharing agreement with the Prescription Monitoring Program to use data from the Virginia All Payer Claims Database to display patient non-fatal overdose information, pursuant to the passage of House Bill 1902 in the 2025 Session. The Department of Health shall include in its budget submissions to the Governor for the 2026-28 budget any necessary general fund requirements for ongoing support for the data sharing agreement.

N. Out of this appropriation, $105,000 the first year and $105,000 the second year from the general fund shall be used to contract with the Statewide Sickle Cell Chapters of Virginia (SSCCV). The contract with SSCCV shall require that the general fund shall be used to provide for grants to community-based programs that provide patient assistance, education, and family-centered support for individuals suffering from sickle cell disease. The SSCCV shall develop criteria for distributing these funds including specific goals and outcome measures. A report shall be submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees detailing program outcomes by October 1 of each year.

O. Out of this appropriation, $141,280 the first year and $141,280 the second year from the general fund shall be used to contract with the Virginia Dental Health Foundation for the Mission of Mercy (M.O.M.) dental project. The contract with the Virginia Dental Health Foundation for the Mission of Mercy (M.O.M.) dental project shall require the Foundation to conduct Mission of Mercy (M.O.M) Projects that provide no cost dental services in identified underserved areas.

P. Out of this appropriation, $32,559 the first year and $32,559 the second year from the general fund shall be used to contract with the Community Health Center of the Rappahannock Region to provide medical, dental, and behavioral health services to low income and/or uninsured residents in the Rappahannock region. The contract with the center shall require the center to include acute and chronic disease management services, lab and diagnostic services, medication assistance, physical examinations, diagnosis and treatment of sexually transmitted infections, immunizations, women's health services (including family planning and pap smears), preventive and restorative dental services, and behavioral health services.

Q. Out of this appropriation, $4,071,750 the first year and $1,571,750 the second year from the general fund shall be used to contract with the Hampton Roads Proton Beam Therapy Institute at Hampton University, LLC. The contract with Hampton Roads Proton Beam Therapy Institute shall require that the institute support efforts for proton therapy in the treatment of cancerous tumors with fewer side effects.

R.1. Out of this appropriation, $75,000 the first year and $75,000 the second year from the general fund shall be provided to Special Olympics Virginia for the Special Olympics Healthy Athlete Program.

2. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund shall be provided to Special Olympics Virginia for Unified Champion Schools.

S. Out of this appropriation, $600,000 the first year and $600,000 the second year from the general fund shall be provided to contract with the Riverside Shore Memorial Hospital (RSMH) for obstetrical healthcare services. The contract shall require that the RSMH provide obstetrical services to the residents of the Eastern Shore of Virginia.

T. Out of this appropriation, $393,801 the first year and $393,801 the second year from the general fund shall be provided to develop a new data collection program to address prescription drug price transparency, pursuant to the provisions of House Bill 2007, 2021 Special Session I. The department shall establish a contract for this service.

U. Out of this appropriation, $700,289 the first year and $700,289 the second year from the

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general fund shall be used to contract with the ASK Childhood Cancer Foundation to facilitate the provision of pediatric cancer support services by pediatric cancer treatment centers in Virginia.

V. ~~The Virginia Department of Health shall~~*Out of this appropriation, $816,750 the first year and $816,750 the second year from the general fund shall be provided to* contract with the Virginia Center for Health Innovation for actions necessary to facilitate and continue the work of the Virginia Task Force on Primary Care. The purpose of the task force is to enhance the financing, quality and delivery of primary care in the Commonwealth. The task force shall continue work on: (i) building stakeholder coalitions; (ii) advancing the use of data/communication systems; (iii) defining payment models; (iv) describing primary care infrastructure; (v) identifying markers of high value care; and (vi) promoting innovations in telehealth.

W. Out of this appropriation, $750,000 the first year and $750,000 the second year from the general fund shall be provided to the Amyotrophic Lateral Sclerosis (ALS) Association for ALS assistance including support for a durable medical equipment loan program, multidisciplinary ALS clinics, adaptive communication programming, transportation stipends, and grants for respite care.

X. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund shall be provided to Samaritan House to support services to victims of domestic and sexual violence, human trafficking, and homelessness in Southeast Virginia.

Y. Out of this appropriation, $500,000 the first year from the general fund shall be provided to Prince William UVA Health to purchase a Hologic 3Dimensions Mammography System to provide 3D mammograms through mobile van outreach services in Prince William County.

Z. Out of this appropriation, $1,617,272 the first year and $1,617,272 the second year from the general fund shall be provided to the Virginia Health Workforce Development Authority as state match for federal Health Resources and Services Administration grant to support the Area Health Education Centers Program and health workforce responsibilities pursuant to legislation passed during the 2024 Regular Session of the Virginia General Assembly.

AA. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund shall be provided to Healthier757 to promote health literacy in Medicaid and lower-income populations of Hampton Roads.

BB. Out of this appropriation, $3,000,000 the first year from the general fund shall be provided to Greene County to support the construction of the White Run Reservoir water impoundment to provide drought mitigation, protect Rapidan River stream flow, and create water supply sustainability. The funding shall be matched on a three-to-one ratio. The Director, Department of Planning and Budget shall unallot the funding until the County provides documentation that it has secured at least $9,000,000 in other funding for the project. Any remaining balance for this purpose that remains on June 30, 2025, shall be reappropriated in the following fiscal year for the same purpose.

CC. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund shall be used to contract with Capital Caring Health to provide inpatient hospice and palliative care at the Adler Inpatient Hospice Center in Aldie, Virginia.

DD. Out of this appropriation, $1,250,000 the first year from the general fund shall be provided to Greensville County to improve emergency response time for the Liberty Road community. Any unexpended balances in this paragraph at the close of business on June 30, 2025, shall not revert to the general fund but shall be carried forward and reappropriated for this purpose.

EE. Out of this appropriation, $450,000 the first year from the general fund shall be provided to contract with the Free Clinic of Central Virginia in Lynchburg. The contract with the Free Clinic of Central Virginia shall require that the clinic establish an emergency dental location and provide comprehensive dental treatment. Any unexpended balances in this paragraph at the close of business on June 30, 2025, shall not revert to the general fund but shall be carried forward and reappropriated for this purpose. The

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funds shall be used solely for costs not covered by insurance.				
FF. Out of this appropriation, $150,000 from the general fund the second year shall be provided to Birmingham Green to establish the Birmingham Green Workforce Development Training Center to improve the Certified Nurses Assistant (CNA) program, introduce new career training opportunities for its workforce and to further health care career opportunities for staff from other health care operations.				
280. Drinking Water Improvement (50800)			~~$139,436,004~~ *$164,436,004*	~~$138,936,004~~ *$140,739,602*
Drinking Water Regulation (50801)	$15,521,324	~~$15,521,324~~ *$17,324,922*		
Drinking Water Construction Financing (50802)	~~$122,918,859~~ *$147,918,859*	$122,918,859		
Public Health Toxicology (50805)	$995,821	$495,821		
Fund Sources: General	~~$17,419,071~~ *$42,419,071*	~~$16,919,071~~ *$18,722,669*		
Special	$6,941,130	$6,941,130		
Dedicated Special Revenue	$19,864,132	$19,864,132		
Federal Trust	$95,211,671	$95,211,671		

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

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

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

C. Any positions necessary for the Office of Drinking Water to perform regulatory functions in dispersing federal State and Local Recovery Funds (SLRF) pursuant to the American Rescue Plan Act of 2021 (ARPA) for drinking water infrastructure shall be restricted positions and shall expire at the end of the grant period.

D. Out of this appropriation, $1,500,000 the first year and $1,500,000 the second year from the general fund shall be provided to the Virginia Department of Health to implement a Water Sampling Verification Program. The program shall ensure sampling is valid and representative of the actual water quality and conditions at the waterworks.

E. Out of this appropriation, $6,464,800 the first year and $6,464,800 the second year from the general fund is provided as state match for additional federal awards for the Drinking Water State Revolving Fund from the Infrastructure Investment and Jobs Act (P.L. 117-58).

F. Out of this appropriation, $3,624,600 the first year and $3,624,600 the second year from the general fund is provided as state match for additional federal awards for the Drinking Water State Revolving Fund from the Safe Drinking Water Act.

G. Out of this appropriation, $500,000 the first year from the general fund shall be provided for the Virginia Department of Health to conduct a cost analysis of implementing pending federal Per- and Polyfluorinated Substances (PFAS) regulations for Virginia local water systems and to implement pending federal Environmental Protection Agency Copper Rules for water system lead service lines. The report shall include the results of the cost analysis, possible funding models, and identify federal funding that may be available. The department shall submit the report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2024.

H. Out of this appropriation, $1,803,598 the second year from the general fund shall be provided to ensure compliance with the Safe Drinking Water Act, National Primary Drinking Water Regulations, Virginia Public Water Supplies Law, Virginia Waterworks Regulations, and to support Office of Drinking Water programs. The Office of Drinking Water shall

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provide a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2025, describing actions taken to maintain compliance with federal and state regulations.

I.1. Out of this appropriation, $25,000,000 the first year from the general fund shall be provided for the Virginia Department of Health to provide one-time grants to localities to upgrade or replace existing drinking water infrastructure. The Department shall develop guidelines establishing: (i) criteria for grant eligibility; (ii) conditions to be included in the grants; and (iii) grant distribution priorities. Among the factors that shall be included in criteria for grant eligibility and in the grant distribution priorities shall be the financial condition of the locality wherein a grant is sought and a locality's effort to access additional funding for the proposed drinking water infrastructure project from other sources. Localities must be able to provide evidence of critical drinking water needs, such as occurrences of boil advisories, systems failures, or evidence of contaminants, such as polyfloroalkyl substances (PFAS) and gross alpha reactivity, in the drinking water.

2. To receive a grant, localities must provide proof of at least a 25.0 percent match for the cost of a project. No grant to a locality shall fully fund a drinking water project.

3. The Department shall report to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees on the number of applications received for grants, the total grants and grant amounts awarded, the localities to which grants will be awarded, and the description of drinking water infrastructure projects for which the grants will be used no later than December 1, 2025.

4. The Department shall give priority consideration for grants to Greene County and the Town of Bowling Green, as both localities have demonstrated outstanding critical drinking water needs.

5. The Department may use up to $250,000 of the funds in paragraph I.1. for administration costs of providing drinking water infrastructure grants to localities.

6. Any unexpended balances in paragraph I.1. at the close of business on June 30, 2025, shall not revert to the general fund but shall be carried forward and reappropriated for this purpose.

281.	Environmental Health Hazards Control (56500)			~~$16,139,037~~ *$16,257,588*	~~$15,739,037~~ *$15,857,588*
	State Office of Environmental Health Services (56501)	~~$6,796,977~~ *$6,915,528*	~~$6,396,977~~ *$6,515,528*		
	Shellfish Sanitation (56502)	$3,685,755	$3,685,755		
	Bedding and Upholstery Inspection (56503)	$954,406	$954,406		
	Radiological Health and Safety Regulation (56504)	$4,701,899	$4,701,899		
	Fund Sources: General	~~$8,551,846~~ *$8,670,397*	~~$8,551,846~~ *$8,670,397*		
	Special	$3,616,036	$3,616,036		
	Dedicated Special Revenue	$2,574,148	$2,174,148		
	Federal Trust	$1,397,007	$1,397,007		

Authority: §§ 2.2-4002 B 16; 28.2-800 through 28.2-825; and 32.1-212 through 32.1-245, Code of Virginia.

A. Out of this appropriation, $12,500 the first year and $12,500 the second year from the general fund shall be provided for the activities of the Sewage Appeals Review Board.

B. Out of this appropriation, $1,013,720 the first year and $1,013,720 the second year from the general fund shall be provided to establish, operate, and develop necessary databases for a Chesapeake Bay Septic Pilot program. The pilot program, through local health departments, shall provide oversight of the septic tank pump out and inspection programs in the Eastern Shore, Middle Peninsula, and Northern Neck regions of Virginia.

C. Out of this appropriation, $400,000 the first year is provided from the Commonwealth

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	Opioid Abatement and Remediation fund to establish a one-year demonstration project to implement testing for the analysis of fentanyl and norfentanyl in wastewater in up to three geographically diverse localities. The agency shall provide a report on the findings and conclusions of the demonstration project to the Governor, the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and Director, Department of Planning and Budget at the conclusion of the demonstration project.				
	D. Out of this appropriation, $118,551 the first year and $118,551 the second year from the general fund shall be provided to establish, operate, and develop necessary databases for a rainwater harvesting system permitting program.				
282.	Emergency Preparedness (77500)			$35,035,546	$35,035,546
	Emergency Preparedness and Response (77504)	$35,035,546	$35,035,546		
	Fund Sources: Federal Trust	$35,035,546	$35,035,546		
	Authority: §§ 32.1-2, 32.1-39, and 32.1-42, Code of Virginia.				
283.	Administrative and Support Services (49900)			$35,292,057	~~$35,292,057~~ *$36,439,586*
	General Management and Direction (49901)	$16,495,071	~~$16,495,071~~ *$16,795,071*		
	Information Technology Services (49902)	$5,821,624	~~$5,821,624~~ *$6,669,153*		
	Accounting and Budgeting Services (49903)	$7,819,344	$7,819,344		
	Human Resources Services (49914)	$3,056,363	$3,056,363		
	Procurement and Distribution Services (49918)	$2,099,655	$2,099,655		
	Fund Sources: General	$23,580,043	~~$23,580,043~~ *$24,727,572*		
	Special	$10,229,479	$10,229,479		
	Federal Trust	$1,482,535	$1,482,535		
	Authority: §§ 3.2-5206 through 3.2-5216, 32.1-11.3 through 32.1-23, 35.1-1 through 35.1-7, and 35.1-9 through 35.1-28, Code of Virginia.				
	A. Out of this appropriation, $150,000 the first year and $150,000 the second year from the general fund shall be provided for agency costs related to onboarding to ConnectVirginia, transition costs to convert the agency's node on ConnectVirginia to the state agency node, and provide support to other state agencies in their onboarding efforts.				
	B.1. The Emergency Department Care Coordination Advisory Council (ED Council), under the department's governance and direction shall: advise the State Health Commissioner regarding the operation of, changes to, and outcome measures for the Emergency Department Care Coordination Program (EDCC) for the purpose of improving the quality of patient care services. The ED Council shall include representatives from the following, as required in the ED Council Bylaws; the Commonwealth, hospitals & health systems, health plans, and providers.				
	2. Neither the department nor its contractor shall be obligated to enhance or expand the program without HITECH Act funds or alternative funds.				
	3. The department, in coordination with the ED Council, shall report annually to the Secretary of Health and Human Resources and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on progress, including, but not limited to: (i) the participation rate of hospitals and health systems, providers and subscribing health plans; (ii) strategies for sustaining the program and methods to continue to improve care coordination; and (iii) the impact on health care utilization and quality goals such as reducing the frequency of visits by high-volume Emergency Department utilizers and avoiding duplication of health care services.				
	C. Inpatient hospitals shall report the admission source of any individuals meeting the criteria for voluntary or involuntary psychiatric commitment as outlined in § 16.1-338, 16.1-339, 16.1-340.1, 16.1-345, 37.2-805, 37.2-809, or 37.2-904, Code of Virginia, to the Board of Health. The Board shall collect and share any and all data regarding the admission source of				

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individuals admitted to inpatient hospitals as a psychiatric patient, pursuant to § 32.1-276.6, Code of Virginia, with the Department of Behavioral Health and Developmental Services.

D. The Virginia Department of Health shall report a detailed accounting, annually, of the agency's organization and operations. This report shall include an organizational chart that shows all full- and part-time positions (by job title) employed by the agency as well as the current management structure and unit responsibilities. The report shall also provide a summary of organization changes implemented over the previous year. The report shall be made available on the department's website by August 15 of each year.

E. The State Health Commissioner shall establish a task force to assist with the promulgation of regulations and the certification process of doulas, as well as to serve as an informational resource for policy related matters for the Virginia Department of Health (VDH). The task force will include private provider organizations such as Birth in Color RVA, Urban Baby Beginnings, Motherhood Collective and any other organization or agency representatives deemed appropriate by VDH.

F. Out of this appropriation, $557,010 the first year and $557,010 the second year from the general fund shall be provided to establish the Office of Grants Administration. The office shall collaborate with Virginia Department of Health programs for the coordination of grant proposals, tracking the status of current grant awards and grant funded positions, providing training on grant administration, and ensuring compliance with federal, state, and local regulations. The Department shall provide a report on the status of current grants, which shall include the grantor and grant name, award amount, duration, expenditure data, number of grant funded positions, and commitment of state funds to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget by October 15 each year.

G.1. On or before November 1, 2024, the Virginia Department of Health shall review the financial and operational status of the agency, including a review of each program area. This review shall include, at a minimum, an assessment of budget, fiscal, procurement, human resources, and grant management functions. In addition, the review shall identify all measures that have been put in place to ensure adequate central oversight and internal controls. The department shall develop and implement a corrective action plan for any organizational deficiencies uncovered during this review. The State Health Commissioner of the Virginia Department of Health shall provide the results of the review to the Director, Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 15, 2024.

2. The Virginia Department of Health shall conduct a quarterly review of each program area to ensure that projected spending is on track to not exceed its total appropriation. The Commissioner of the Virginia Department of Health shall provide a quarterly update including, no later than 30 days after the end of each quarter, a status report on program spending that indicates whether spending is consistent with the available appropriation to the Director, Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

H. The Virginia Department of Health shall inventory all fees collected by the agency for its operations. The Department shall provide a report: (i) that lists every fee collected by the agency; (ii) provides the legal authority for each fee and whether or not the agency has discretion to change it; (iii) that contains the amount of the fee and the revenue generated by the fee over the prior three fiscal years; (iv) that lists the last time the fee was increased or decreased; and (v) on whether the fee is sufficient to cover the costs of the activity for which it is collected and to include a recommendation on the fee amount that is appropriate. The Department shall submit the report to the Director, Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2024.

I. The Virginia Department of Health (VDH) shall report on progress made on implementing the recommendations based on the Department of Planning and Budget's evaluation of VDH's grant management practices to improve its grants management capabilities to the Joint Subcommittee on Health and Human Resources Oversight no

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later than September 1, 2025.				
J. VDH shall (i) identify the causes for problems related to late payments and funding underutilization for VDH-administered nursing incentive programs; (ii) develop and implement a plan to address the causes; and (iii) report to the Joint Subcommittee on Health and Human Resources Oversight on its progress in addressing identified problems, including the percentage of payments made within 30 days and the proportion of available funding that VDH has utilized.				
K. The State Health Commissioner shall provide semi-annual written and in-person reports on the agency's progress implementing the recommendations from the Joint Legislative and Audit Review Commission to the Joint Subcommittee on Health and Human Resources Oversight through at least December 2026 and each year thereafter, until the Joint Subcommittee is satisfied with the implementation of the recommendations.				
L. Out of this appropriation, $300,000 the second year from the general fund shall be provided to hire at least two full-time positions to support internal audit and information security audit functions.				
Total for Department of Health			~~$1,142,704,699~~ *$1,169,523,250*	~~$1,136,406,366~~ *$1,081,181,890*
General Fund Positions	1,614.50	~~1,614.50~~ *1,615.50*		
Nongeneral Fund Positions	2,271.00	2,271.00		
Position Level	3,885.50	~~3,885.50~~ *3,886.50*		
Fund Sources: General	~~$299,815,177~~ *$326,633,728*	~~$297,371,844~~ *$309,700,157*		
Special	$188,055,424	~~$188,055,424~~ *$188,477,104*		
Dedicated Special Revenue	$128,857,858	~~$128,502,858~~ *$128,602,858*		
Federal Trust	$525,976,240	~~$522,476,240~~ *$454,401,771*		
§ 1-92. DEPARTMENT OF HEALTH PROFESSIONS (223)				
284. Higher Education Student Financial Assistance (10800)			$65,000	$65,000
Scholarships (10810)	$65,000	$65,000		
Fund Sources: Special	$65,000	$65,000		
Authority: § 54.1-3011.2, Chapter 30, Code of Virginia.				
285. Regulation of Professions and Occupations (56000)			$49,901,385	~~$49,901,385~~ *$51,076,385*
Technical Assistance to Regulatory Boards (56044)	$49,901,385	~~$49,901,385~~ *$51,076,385*		
Fund Sources: *Special*	*$0*	*$1,175,000*		
Trust and Agency	$1,688,791	$1,688,791		
Dedicated Special Revenue	$48,212,594	$48,212,594		
Authority: Title 54.1, Chapter 25, Code of Virginia.				
A. That the regulations the Board of Dentistry is required to promulgate pursuant to Chapter 413, 2023 Acts of Assembly, shall be promulgated to be effective within 280 days of enactment.				
B.*1.*~~Effective July 1, 2024, as a condition for licensure, the Board of Medicine and the Board of Nursing shall require all practitioners with authority to prescribe behavioral health medications to children and adolescents to provide families with (i) a plan on medication management and access after hours and on weekends and holidays or in emergencies, (ii) a working means of contacting the prescriber either telephonically or electronically with a~~				

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~~response time within 48 hours to address questions or concerns with prescribed behavioral health medications for children and adolescents, and (iii) guidance documents either in a paper format or through a website on how to obtain help related to medication management, prescription refills or medication overdose after hours. In addition, the Boards shall require that any provider that closes their practice must make medical records available to families no later than one week after closure. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.~~

B.2. The Board of Medicine and the Board of Nursing shall convene a workgroup to study best practices regarding patient medication management for behavioral health medications to children and adolescents, provider-patient communication with respect to medication management, and provider availability when a child or adolescent is prescribed a behavioral health medication. The workgroup shall include representatives from relevant professional organizations, healthcare stakeholders, subject matter experts, and parents of children receiving behavioral health medications. The workgroup shall report its findings and recommendations to the Chairs of the House Committee of Health and Human Services and the Senate Committee on Education and Health by December 1, 2025.

C. The Board of Counseling shall promulgate regulations that align with the regulations adopted by the Department of Behavioral Health and Developmental Services for peer recovery specialist-trainees in accordance with this Act. The department shall have the authority to promulgate emergency regulations to implement these changes within 280 days or less from the enactment of this Act.

D.1. Out of this appropriation, up to $600,000 the second year from the Commonwealth Opioid Abatement and Remediation (COAR) opioid settlement funds shall be provided to the Department of Health Professions for systems changes to the Prescription Monitoring Program to implement the provisions of House Bill 1902, passed by the 2025 General Assembly. These funds shall remain unallotted until the cost estimates for such systems changes are reviewed and approved by the Director, Department of Planning and Budget.

2.The Department of Health Professions shall include in its budget submissions to the Governor for the 2026-28 budget any necessary general fund requirements for ongoing support for the data sharing agreement.

E.1. By June 30, 2026, the Department of Health Professions (DHP) shall provide the Virginia Health Care Foundation (VHCF) a useable electronic file (CSV, Excel spreadsheet) with record-level, de-identified data collected via the most recent license renewal period for each individual licensed behavioral health (BH) professional practicing in Virginia as a psychiatrist, child and adolescent psychiatrist, psychiatric-mental health nurse practitioner, psychiatric physician assistant, licensed clinical social worker, licensed professional counselor, licensed clinical psychologist and, if available, licensed marriage and family therapist.

2. The following specific data fields shall be provided to VHCF for each licensee: unique record identifier; birthyear; race and ethnicity; gender; practice site information (each locality of practice; number of hours worked/week at each site; hours/week worked virtually at each Virginia work site); forms of payment accepted (with ability to identify the proportion of each type of BH profession accepting only cash, and the proportion of each type of BH profession accepting only Medicaid as a payment source, as well as Medicaid in combination with each other payer source option available to licensees – e.g., Medicaid + Medicare, Medicaid + Medicare + Private Insurance); plans to reduce clinical hours in next two years; and anticipated time to retirement.

3. DHP shall also provide VHCF a code book, data definitions and/or user guides in an electronic format (Word, Excel, PDF) so it can clearly understand the data elements and their structure (alphanumeric, multiple responses – to include all possible options a licensee may select, open/free response). This code book shall also include record length and record count; known data quality issues and related documentation regarding resolution and, to the extent possible, impact on the data set and/or data functionality; and changes to policy and/or administrative practices that may have impacted the data set and implementation date.

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4. VHCF shall protect the confidentiality and security of record-level data provided by the DHP and interim or working documents and/or data files consistent with state and federal law.				
Total for Department of Health Professions			**$49,966,385**	**~~$49,966,385~~ *$51,141,385***
Nongeneral Fund Positions	306.00	306.00		
Position Level	306.00	306.00		
Fund Sources: Special	$65,000	~~$65,000~~ *$1,240,000*		
Trust and Agency	$1,688,791	$1,688,791		
Dedicated Special Revenue	$48,212,594	$48,212,594		

§ 1-93. DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (602)

286.	Pre-Trial, Trial, and Appellate Processes (32100)			~~$12,787,539~~ *$11,924,436*	~~$14,373,976~~ *$13,678,267*
	Reimbursements for Medical Services Related to Involuntary Mental Commitments (32107)	~~$12,787,539~~ *$11,924,436*	~~$14,373,976~~ *$13,678,267*		
	Fund Sources: General	~~$12,787,539~~ *$11,924,436*	~~$14,373,976~~ *$13,678,267*		
	Authority: § 37.2-809, Code of Virginia.				
	A. Any balance, or portion thereof, in Reimbursements for Medical Services Related to Involuntary Mental Commitments (32107), may be transferred between Items 34, 35, 36, and 286 as needed, to address any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.				
	B. Out of this appropriation, payments may be made to licensed health care providers for medical screening and assessment services provided to persons with mental illness while in emergency custody pursuant to § 37.2-808, Code of Virginia.				
	C. To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation, as needed, from Children's Health Insurance Program Delivery (44600), Medicaid Program Services (45600), and Medical Assistance Services for Low Income Children (46600), if available, into this Item.				
287.	Children's Health Insurance Program Delivery (44600)			~~$397,018,729~~ *$448,492,560*	~~$419,474,431~~ *$477,247,425*
	Reimbursements for Medical Services Provided Under the Family Access to Medical Insurance Security Plan (44602)	~~$396,504,165~~ *$447,842,497*	~~$418,939,801~~ *$476,531,297*		
	CHIP Health Services Initiatives for Family Access to Medical Insurance Security Medical Services (44636)	~~$514,564~~ *$650,063*	~~$534,630~~ *$716,128*		
	Fund Sources: General	~~$119,830,013~~ *$138,300,003*	~~$127,669,711~~ *$149,922,961*		
	Dedicated Special Revenue	$14,065,627	$14,065,627		
	Federal Trust	~~$263,123,089~~ *$296,126,930*	~~$277,739,093~~ *$313,258,837*		
	Authority: Title 32.1, Chapter 13, Code of Virginia; Title XXI, Social Security Act, Federal Code.				
	A. Pursuant to Chapter 679, Acts of Assembly of 1997, the State Corporation Commission shall annually, on or before June 30, 1998, and each year thereafter, calculate the premium differential between: (i) 0.75 percent of the direct gross subscriber fee income derived from eligible contracts and (ii) the amount of license tax revenue generated pursuant to subdivision				

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A 4 of § 58.1-2501 for the immediately preceding taxable year and notify the Comptroller of the Commonwealth to transfer such amounts to the Family Access to Medical Insurance Security Plan Trust Fund as established on the books of the State Comptroller.

B. As a condition of this appropriation, revenues from the Family Access to Medical Insurance Security Plan Trust Fund, shall be used to match federal funds for the Children's Health Insurance Program.

C. Every eligible applicant for health insurance as provided for in Title 32.1, Chapter 13, Code of Virginia, shall be enrolled and served in the program.

D. To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation, as needed, from Medicaid Program Services (45600) and Medical Assistance Services for Low Income Children (46600), if available, into this Item to be used as state match for federal Title XXI funds.

E. The Department of Medical Assistance Services shall make the monthly capitation payment to managed care organizations for the member months of each month in the first week of the subsequent month.

F. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application thereof is declared by the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation, such decisions shall not affect the validity of the remaining portions of this Item, which shall remain in force as if this Item had passed without the conflicting part, section, subsection, paragraph, clause, or phrase. Further, if the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services determines that the process for accomplishing the intent of a part, section, subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict with federal law and regulation and recommends another method of accomplishing the same intent, the Director, Department of Medical Assistance Services, after consultation with the Attorney General, is authorized to pursue the alternative method.

G. The Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to offer medically necessary treatment for substance use disorder in an Institution for Mental Diseases (IMD) for individuals enrolled in FAMIS MOMS, equivalent to such benefits offered to pregnant women under the Medicaid state plan and 1115 substance use disorder demonstration waiver. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.

H. The Department of Medical Assistance Services shall amend the Virginia Family Access to Medical Insurance Security (FAMIS) State Plan to allow for the payment of prenatal, labor and delivery, and postpartum care pursuant to provisions in Title XXI of the federal 2009 CHIP Reauthorization Act that includes care of all children who upon birth will be U.S. citizens, U.S. nationals, or qualified aliens. The Department shall have the authority to implement this change effective July 1, 2021, or consistent with the effective date in the State Plan Amendment approved by the Centers for Medicare and Medicaid Services (CMS), and prior to completion of any regulatory process.

I. 1. The Department of Medical Assistance Services is authorized to amend the FAMIS MOMS and FAMIS Select demonstration waiver (No. 21-W-00058/3) for FAMIS MOMS enrollees to add coverage for dental services to align with pregnant women's coverage under Medicaid.

2. The Department of Medical Assistance Services is authorized to amend the State Plan under Title XXI of the Social Security Act to plan to allow enrollment for dependent children of state employees who are otherwise eligible for coverage.

3. The department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such changes.

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288.	Medicaid Program Services (45600)			~~$23,551,886,420~~ *$25,132,314,024*	~~$25,120,006,619~~ *$26,316,442,804*
	Payments for Graduate Medical Education Residencies (45606)	$11,700,000	$11,700,000		
	Reimbursements to State-Owned Mental Health and Intellectual Disabilities Facilities (45607)	$59,169,094	$59,169,094		
	Reimbursements for Behavioral Health Services (45608)	~~$33,170,217~~ *$41,620,380*	~~$34,139,694~~ *$51,309,093*		
	Reimbursements for Medical Services (45609)	~~$13,135,903,244~~ *$13,824,223,326*	~~$13,736,364,318~~ *$14,205,862,824*		
	Reimbursements for Long-Term Care Services (45610)	~~$2,563,379,249~~ *$2,715,130,659*	~~$2,802,074,125~~ *$2,968,979,072*		
	Payments for Healthcare Coverage for Low-Income Uninsured Adults (45611)	~~$7,748,564,616~~ *$8,480,470,565*	~~$8,476,559,388~~ *$9,019,422,721*		
	Fund Sources: General	~~$6,569,608,332~~ *$6,857,733,973*	~~$6,938,713,631~~ *$7,240,645,423*		
	Dedicated Special Revenue	~~$2,063,554,209~~ *$2,259,799,827*	~~$2,186,985,425~~ *$2,291,018,540*		
	Federal Trust	~~$14,918,723,879~~ *$16,014,780,224*	~~$15,994,307,563~~ *$16,784,778,841*		

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

A. Out of this appropriation, $28,964,751 the first year and $28,998,773 the second year from the general fund and $30,204,343 the first year and $30,170,321 the second year from the federal trust fund is provided for reimbursement to the institutions within the Department of Behavioral Health and Developmental Services.

B.1. Included in this appropriation is $2,095,498 the first year and $4,422,228 the second year from the general fund and $21,798,953 the first year and $24,169,583 the second year from nongeneral funds to reimburse the Virginia Commonwealth University Health System for indigent health care costs as reported by the hospital and adjusted by the department for indigent care savings related to Medicaid expansion. This funding is composed of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.

2. Included in this appropriation is $13,916,579 the first year and $14,900,252 the second year from the general fund and $29,552,860 the first year and $30,508,352 the second year from nongeneral funds to reimburse the University of Virginia Health System for indigent health care costs as reported by the hospital and adjusted by the department for indigent care savings related to Medicaid expansion. This funding is comprised of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.

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

4. The Department of Medical Assistance Service shall have the authority to increase Medicaid payments for Type One hospitals and physicians consistent with the appropriations to compensate for limits on disproportionate share hospital (DSH) payments to Type One hospitals that the department would otherwise make. In particular, the department shall have the authority to amend the State Plan for Medical Assistance to increase physician supplemental payments for physician practice plans affiliated with Type One hospitals up to the average commercial rate as demonstrated by University of Virginia Health System and

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Virginia Commonwealth University Health System, to change reimbursement for Graduate Medical Education to cover costs for Type One hospitals, to case mix adjust the formula for indirect medical education reimbursement for HMO discharges for Type One hospitals and to increase the adjustment factor for Type One hospitals to 1.0. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

5. Effective July 1, 2022, any hospitals acquired by or that become fully-owned by designated Type One hospitals shall be considered Type Two facilities for reimbursement including, but not limited to: Indirect Medical Education payments, Graduate Medical Education Payments, Direct Medical Education payments, Disproportionate Share Hospital payments, hospital rate-setting purposes, aggregated cost settlements, and physician supplemental payments. Facilities acquired prior to July 1, 2022, by Type One hospitals shall continue to be designated as Type One hospitals for reimbursement purposes.

C.1. The estimated revenue for the Virginia Health Care Fund is ~~$451,670,000~~*$500,515,662* the first year and ~~$455,960,000~~*$440,500,000* the second year, to be used pursuant to the uses stated in § 32.1-367, Code of Virginia.

2. Notwithstanding any other provision of law, revenues deposited to the Virginia Health Care Fund shall only be used as the state share of Medicaid unless specifically authorized by this Act.

3. Notwithstanding § 32.1-366, Code of Virginia, the State Comptroller shall deposit 41.5 percent of the Commonwealth's allocation of the Master Settlement Agreement with tobacco product manufacturers, as defined in § 3.2-3100, Code of Virginia, to the Virginia Health Care Fund.

4. The state share, not including hospital assessment dollars, of any repayment by managed care organizations resulting from exceeding their profit caps for not meeting the medical loss ratios pursuant to their contracts with the Department of Medical Assistance Services, shall be deposited to the Health Care Fund.

D. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application thereof is declared by the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation, such decisions shall not affect the validity of the remaining portions of this Item, which shall remain in force as if this Item had passed without the conflicting part, section, subsection, paragraph, clause, or phrase. Further, if the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services determines that the process for accomplishing the intent of a part, section, subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict with federal law and regulation and recommends another method of accomplishing the same intent, the Director, Department of Medical Assistance Services, after consultation with the Attorney General, is authorized to pursue the alternative method.

E. At least 45 days prior to the submission of any State Plan or waiver amendment or renewal of such, to the Centers for Medicare and Medicaid Services (CMS) or change in the contracts with managed care organizations (MCO) that may impact the capitation rates, the Department of Medical Assistance Services (DMAS) shall provide written notification to the Director, Department of Planning and Budget as to the purpose of such change. This notice shall also assess whether the amendment will require any future state regulatory action or expenditure beyond that which is appropriated in this Act. If the Department of Planning and Budget, after review of the proposed change, determines that it may likely result in a material fiscal impact on the general fund, for which no legislative appropriation has been provided, then the Department of Medical Assistance Services shall delay the proposed change until the General Assembly authorizes such action and notify the Chairs of the House Appropriations and Senate Finance and Appropriations Committees of such action.

F.1. The Director, Department of Medical Assistance Services shall seek the necessary waivers from the United States Department of Health and Human Services to authorize the Commonwealth to cover health care services and delivery systems, as may be permitted

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by Title XIX of the Social Security Act, which may provide less expensive alternatives to the State Plan for Medical Assistance.

2. At least 30 days prior to the submission of an application for any new waiver of Title XIX or Title XXI of the Social Security Act, the Department of Medical Assistance Services shall notify the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees of such pending application and provide information on the purpose and justification for the waiver along with any fiscal impact. If the department receives an official letter from either Chairmen raising an objection about the waiver during the 30-day period, the department shall not submit the waiver application and shall request authority for such waiver as part of the normal legislative or budgetary process. If the department receives no objection, then the application may be submitted. Any waiver specifically authorized elsewhere in this Item is not subject to this provision. Waiver renewals are not subject to the provisions of this paragraph.

3. The director shall promulgate such regulations as may be necessary to implement those programs which may be permitted by Titles XIX and XXI of the Social Security Act, in conformance with all requirements of the Administrative Process Act.

G. To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation, as needed, from Children's Health Insurance Program Delivery (44600) and Medical Assistance Services for Low Income Children (46600), if available, into this Item to be used as state match for federal Title XIX funds.

H. Notwithstanding any other provision of law, any unexpended general fund appropriation remaining in this Item on the last day of each fiscal year shall revert to the general fund and shall not be reappropriated in the following fiscal year.

I.1. The Department of Medical Assistance Services shall delay the last quarterly payment of certain quarterly amounts paid to hospitals, from the end of each state fiscal year to the first quarter of the following year. Quarterly payments that shall be delayed from each June to each July shall be Disproportionate Share Hospital payments, Indirect Medical Education payments, and Direct Medical Education payments. The department shall have the authority to implement this reimbursement change effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such change.

2. The Department of Medical Assistance Services shall make the monthly capitation payment to managed care organizations for the member months of each month in the first week of the subsequent month. The department shall have the authority to implement this reimbursement schedule change effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such change.

3. In every June, the remittance that would normally be paid to providers on the last remittance date of the state fiscal year shall be delayed one week longer than is normally the practice. This change shall apply to the remittances of Medicaid and FAMIS providers. This change does not apply to providers who are paid a per-month capitation payment. The department shall have the authority to implement this reimbursement change effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such change.

J.1. Notwithstanding § 30-347, Code of Virginia, or any other provision of law, the Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance under Title XIX of the Social Security Act, and any waivers thereof, to implement coverage for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act (PPACA).

2. In the event that the increased federal medical assistance percentages for newly eligible individuals included in 42 U.S.C. § 1396d(y)(1)[2010] of the PPACA are modified through federal law or regulation from the methodology in effect on January 1, 2014, resulting in a reduction in federal medical assistance as determined by the department in consultation with the Department of Planning and Budget, the Department of Medical Assistance Services shall disenroll and eliminate coverage for individuals who obtained coverage through 42 U.S.C. § 1396d(y)(1) [2010] of the PPACA. The disenrollment process shall include written

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notification to affected Medicaid beneficiaries, Medicaid managed care plans, and other providers that coverage will cease as soon as allowable under federal law following the date the department is notified of a reduction in Federal Medical Assistance Percentage.

K. The Department of Medical Assistance Services shall adjust the medically needy income limits for the Medicaid program annually to account for changes in the Consumer Price Index.

L.1.a. As of July 1, 2024, the Community Living (CL) waiver authorizes 12,176 slots.

b. As of July 1, 2024, the Family and Individuals Support (FIS) waiver authorizes 5,463 slots.

c. As of July 1, 2021, the Building Independence (BI) waiver authorizes 400 slots.

2. Notwithstanding Chapters 228 and 303 of the 2009 Virginia Acts of Assembly and §32.1-323.2 of the Code of Virginia, the Department of Medical Assistance Services shall not add any slots to the Intellectual Disabilities Medicaid Waiver or the Individual and Family Developmental Disabilities and Support Medicaid Waiver other than those slots authorized specifically to support the Money Follows the Person Demonstration, individuals who are exiting state institutions, any slots authorized under Chapters 724 and 729 of the 2011 Virginia Acts of Assembly or §37.2-319, Code of Virginia, or authorized elsewhere in this Act.

3. Upon approval by the Centers for Medicare and Medicaid Services of the application for renewal of the CL, FIS and BI waivers, expeditious implementation of any revisions shall be deemed an emergency situation pursuant to § 2.2-4002 of the Administrative Process Act. Therefore, to meet this emergency situation, the Department of Medical Assistance Services shall promulgate emergency regulations to implement the provisions of this Act.

4.a. The Department of Medical Assistance Services (DMAS) shall amend the CL waiver to add 172 slots in fiscal year 2025 and 172 slots in fiscal year 2026. Effective July 1, 2024, 172 slots shall be phased in with 43 slots added each quarter beginning on July 1, 2024. Effective July 1, 2025, 172 slots shall be phased in with 43 slots added each quarter beginning on July 1, 2025. An amount estimated at $6,614,153 the first year and $17,196,797 the second year from the general fund and $6,881,364 the first year and $17,891,546 the second year from nongeneral funds is provided to cover the anticipated costs of the new slots.

b. The Department of Medical Assistance Services (DMAS) shall amend the FIS waiver to add 1,548 slots in fiscal year 2025 and 1,548 slots in fiscal year 2026. Effective July 1, 2024, 1,548 slots shall be phased in with 387 slots added each quarter beginning on July 1, 2024. Effective July 1, 2025, 1,548 slots shall be phased in with 387 slots added each quarter beginning on July 1, 2025. An amount estimated at $25,504,080 the first year and $71,882,928 the second year from the general fund and $26,534,443 the first year and $74,786,992 the second year from nongeneral funds is provided to cover the anticipated costs of the new slots.

c. The Department of Medical Assistance Services, in collaboration with the Department of Behavioral Health and Developmental Services, shall separately track all costs associated with the additional slots added in paragraphs 4.a. and 4.b. above. By December 1 of each year, the department shall report this data to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget.

M. The Department of Medical Assistance Services shall seek federal authority through the necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act to merge the Commonwealth Coordinated Care Plus and Medallion 4.0 managed care programs, effective July 1, 2022, into a single, streamlined managed care program that links seamlessly with the fee-for-service program, ensuring an efficient and well-coordinated Virginia Medicaid delivery system that provides high-quality care to its members and adds value for providers and the Commonwealth. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act. The department shall have

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authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

N. Effective July 1, 2024, the Department of Medical Assistance Services shall have the authority to include modifications to the Cardinal Care Managed Care Contract as necessary to implement actions specifically authorized through language included in this Act.

O. The department shall track and report on compliance with NCQA response time standards for each MCO, broken down by service type. Such tracking shall include: (i) How often total response time, from initial submittal until service authorization or denial, exceeds the NCQA standards; and (ii) How often appeals are filed, and of those, how often are services subsequently approved and how often they are denied. The department shall publish the data on these items on a quarterly basis to the department's website.

P. The Department of Medical Assistance Services shall modify its contracts with managed care organizations to require annual reporting with regard to Medicaid Community Mental Health Rehabilitation Services on: (i) the number of providers in their network and their geographic locations; (ii) the total number of provider terminations by year since fiscal year 2018 and the number terminated with and without cause; (iii) the localities the terminated providers served; and (iv) the number of Medicaid members the providers were serving prior to termination of their provider contract. The department shall report this data annually, not later than November 1, to the Joint Subcommittee for Health and Human Resources Oversight.

Q. Cardinal Care Managed Care plans shall upgrade their Medicare Dual Special Needs Plans (D-SNPs) to Fully Integrated Dual Eligible Special Needs Plans (FIDE-SNPS), unless otherwise prohibited to do so by federal rule.

R.1. Effective January 1, 2018, the Department of Medical Assistance Services shall include in all its contracts with managed care organizations (MCO) the following:

a. A provision requiring the MCOs to return one-half of the underwriting gain in excess of three percent of Medicaid premium income up to 10 percent. The MCOs shall return 100 percent of the underwriting gain above 10 percent.

b. A requirement for detailed financial and utilization reporting. The reported data shall include: (i) income statements that show expenses by service category; (ii) balance sheets; (iii) information about related-party transactions; and (iv) information on service utilization metrics.

c. Upon the inclusion of behavioral health care in managed care, behavioral health-specific metrics to identify undesirable trends in service utilization.

d. Upon the inclusion of behavioral health care in managed care, a report on their policies and processes for identifying behavioral health providers who provide inappropriate services and the number of such providers that are disenrolled.

2. For rate periods effective January 1, 2018 and thereafter, the Department of Medical Assistance Services shall direct its actuary as part of the rate setting process to:

a. Identify potential inefficiencies in the Cardinal Care program and adjust capitation rates for expected efficiencies. The department is authorized to phase-in this adjustment over time based on the portion of identified inefficiencies that MCOs can reasonably reduce each year.

b. Monitor medical spending for related-party arrangements and adjust historical medical spending when deemed necessary to ensure that capitation rates do not cover excessively high spending as compared to benchmarks. Related-party arrangements shall mean those in which there is common ownership or control between the entities, and shall not include Medicaid payments otherwise authorized in this Item.

c. Adjust capitation rates in the Cardinal Care program to account for a portion of expected savings from required initiatives.

d. Allow negative historical trends in medical spending to be carried forward when setting capitation rates.

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e. Annually rebase administrative expenses per member per month for projected enrollment changes.

f. Annually incorporate findings on unallowable administrative expenses from audits of MCOs into its calculations of underwriting gain and administrative loss ratios for the purposes of ongoing financial monitoring, including enforcement of the underwriting gain cap.

g. Adjust calculations of underwriting gain and medical loss ratio by classifying as profit medical spending that is excessively high due to related-party arrangements.

3. The Department of Medical Assistance Services shall report to the General Assembly on spending and utilization trends within Medicaid managed care, with detailed population and service information and include an analysis and report on the underlying reasons for these trends, the agency's and MCOs' initiatives to address undesirable trends, and the impact of those initiatives. The report shall be submitted each year by September 1.

S. The Department of Medical Assistance Services (DMAS) shall amend its July 1, 2016, managed care contracts in order to conform to the requirement pursuant to House Bill 1942 / Senate Bill 1262, passed during the 2015 Regular Session, for prior authorization of drug benefits.

T.1. The Department of Medical Assistance Services is authorized to reprocure *or amend* the Commonwealth's managed care service delivery system through a single managed care contract with the selected managed care organizations with an ~~implementation~~ *effective* date of July 1, ~~2024~~*2025*.

2. ~~In development of a single~~*The* managed care contract with the selected managed care organizations~~, the department~~ shall not include the following services, which shall remain in fee-for-service: (i) dental services; (ii) developmental disability waiver services; (iii) and other services currently excluded from the managed care contracts. DMAS shall not include any new services in the contract unless explicitly authorized by the General Assembly.

3. The department shall ensure that the cost of any programmatic and/or contractual changes are fully accounted for in the Appropriation Act. Contract and program changes associated with this reprocurement *or amendments* shall not create any future funding commitments unless authorized by the General Assembly.

4. The department shall have its contracted actuary review the new managed care contract and report on all program changes as compared to the existing contract and estimate any fiscal impact of such changes no later than 30 days prior to the effective date of the contract.

5. The department shall provide regular updates on ~~implementation of~~ *efforts to reprocure* the new managed care contract~~s~~ on a quarterly basis to the ~~the~~ Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

6.a. As part of the reprocured *or amended* Cardinal Care Managed Care Contract~~s~~, DMAS shall be authorized to include the following changes provided such modifications do not alter cost factors, *increase costs used in managed care rate development,* or add future costs to the Commonwealth. *Prior to implementation, DMAS shall have its actuarial contractor review these changes to ensure that the provisions of this paragraph are met.*

1) Revise managed care organization staffing requirements.

2) Require DSNPs to operate with exclusively aligned enrollment starting January 1, 2025.

3) Make changes to member intelligent assignment process, however ~~upon contract implementation~~ *under a reprocurement* no members shall be reassigned from their existing managed care plan unless the member so chooses. Members in a managed care plan not awarded a new contract shall be assigned by DMAS to other plans that are in the best interest of the member. DMAS may suspend random assignments to a managed care

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organization if the MCO has 40 percent of enrolled lives within an operational region. DMAS shall make no changes in the reassignment methodology unless specifically authorized by the General Assembly.

4) Require managed care organizations to collaborate with DMAS as part of community and programmatic initiatives, however any locality partnership initiatives must be specifically authorized by the General Assembly through a general appropriation act.

5) Add language related to readiness review requirements.

6) Add a foster care specialty plan *via a competitive procurement process among the current contractors*.

7) Require managed care organizations to invite ombudsman representatives to advisory committee meetings.

8) Revise EPSDT sections to increase care coordination, reporting, member outreach and monitoring, working with community stakeholders to ensure quality of care and monitoring or providers.

9) Require managed care organizations to use the Council for Affordable Quality Healthcare (CAQH) standardized credentialing form if available for their provider type.

10) Add requirement that managed care organizations inform providers 30 priors to any policy or procedure change and must train providers on changes.

11) Increase MCO care coordination screening requirements for Health-Related Social Needs, Behavioral Health and Cancer.

12) Add language requiring managed care organizations to account for specific needs and actions in the plan for identifying, assessing and engaging members on Health-Related Social Needs as part of care coordination activities.

13) Increase value-based payment models and requirements.

14) Revise quality withhold program including but not limited to increasing withhold amount from one percent to three percent as well as DMAS internal processes and reporting responsibilities, however the withhold amount shall not exceed one percent in the first and second years of the contract. In years three and four of the contract the withhold amount shall not exceed two percent. Beginning in year five of the contract, the withhold shall not exceed three percent.

15) Revise underwriting gain section to add that if managed care organization underwriting gain percentage exceeds three percent up to six percent the MCO must return 50 percent of the Medicaid adjusted premium revenue, if the underwriting gain percentage exceeds six percent the MCO must return 75 percent of the Medicaid adjusted premium revenue up to eight percent, and 100 percent of Medicaid adjusted premium revenue above eight percent will be returned.

16) Make changes as required by the Virginia Information Technology Agencies and Office of Attorney General high-risk reviews.

17) Make technical changes necessary to implement behavioral health policies and processes that are authorized and appropriated in this Act.

b. In addition, DMAS shall have the authority to include the following changes in the reprocured *or amended* managed care contract*s*.

1) Add requirement for timely processing of clean claims.

2) Require managed care organizations to work with DMAS on future locality partnerships if the General Assembly has specifically authorized such work in a specific locality through a general appropriation act.

3) Implement changes to the Maternal and Child Health policies and processes, including, implementing CMS' Maternal Core Quality Measure set, increase VBP targets, require MCO

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outreach to members.

4) Require an annual plan on how managed care organizations are going to coordinate with the dental benefit administrator.

5) Add network adequacy/access reporting requirement.

7. Effective for the July 1, 2024, through June 30, 2025, contract year, the Department of Medical Assistance Services shall amend its contracts with managed care organizations (MCOs) to suspend the requirements for the Performance Withhold Program and the Clinical Efficiencies program, such that the withhold amounts shall be fully paid to the MCO's for this period; however any data reporting required under these programs shall be submitted in accordance with contractual requirements.

U. The Department of Medical Assistance Services shall implement continued enhancements to the drug utilization review (DUR) program. The department shall continue the Pharmacy Liaison Committee and the DUR Board. The department shall continue to work with the Pharmacy Liaison Committee, meeting at least semi-annually, to implement initiatives for the promotion of cost-effective services delivery as may be appropriate. The department shall solicit input from the Pharmacy Liaison Committee regarding pharmacy provisions in the development and enforcement of all managed care contracts. The Pharmacy Liaison Committee shall include a representative from the Virginia Community Healthcare Association to represent pharmacy operations and issues at federally qualified health centers in Virginia. The department shall report on the Pharmacy Liaison Committee's and the DUR Board's activities to the Board of Medical Assistance Services and to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the Department of Planning and Budget no later than December 15 each year of the biennium.

V.1. The Department of Medical Assistance Services shall develop and pursue cost saving strategies internally and with the cooperation of the Department of Social Services, Virginia Department of Health, Office of the Attorney General, Children's Services Act program, Department of Education, Department of Juvenile Justice, Department of Behavioral Health and Developmental Services, Department for Aging and Rehabilitative Services, Department of the Treasury, University of Virginia Health System, Virginia Commonwealth University Health System Authority, Department of Corrections, federally qualified health centers, local health departments, local school divisions, community service boards, local hospitals, and local governments, that focus on optimizing Medicaid claims and cost recoveries. Any revenues generated through these activities shall be transferred to the Virginia Health Care Fund to be used for the purposes specified in this Item.

2. The Department of Medical Assistance Services shall retain the savings necessary to reimburse a vendor for its efforts to implement paragraph V.1. of this Item. However, prior to reimbursement, the department shall identify for the Secretary of Health and Human Resources each of the vendor's revenue maximization efforts and the manner in which each vendor would be reimbursed. No reimbursement shall be made to the vendor without the prior approval of the above plan by the Secretary.

W. The Department of Medical Assistance Services shall have the authority to pay contingency fee contractors, engaged in cost recovery activities, from the recoveries that are generated by those activities. All recoveries from these contractors shall be deposited to a special fund. After payment of the contingency fee any prior year recoveries shall be transferred to the Virginia Health Care Fund. The Director, Department of Medical Assistance Services, shall report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees the increase in recoveries associated with this program as well as the areas of audit targeted by contractors by November 1 each year.

X.1. The Department of Medical Assistance Services shall reimburse school divisions who sign an agreement to provide administrative support to the Medicaid program and who provide documentation of administrative expenses related to the Medicaid program 50 percent of the Federal Financial Participation by the department.

2. The Department of Medical Assistance Services shall retain five percent of the Federal

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Financial Participation for reimbursement to school divisions for medical and transportation services.

3. The Department shall amend the State Plan for Medical Assistance to allow payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. Such services shall include those covered under the State Plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services, as defined in § 38.2-3418.16. No health care provider who provides health care services through telemedicine shall be required to use proprietary technology or applications in order to be reimbursed for providing telemedicine services.

Y. The Department of Medical Assistance Services shall impose an assessment equal to 6.0 percent of revenue on all ICF-ID providers. The department shall determine procedures for collecting the assessment, including penalties for non-compliance. The department shall have the authority to adjust interim rates to cover new Medicaid costs as a result of this assessment.

Z. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services to implement a modified emergency room utilization program, consistent with the requirements necessary for approval by the Centers for Medicare and Medicaid Services, effective January 1, 2024. The department shall have the authority to implement this change effective January 1, 2024, and prior to the completion of any regulatory process undertaken in order to effect such change.

AA. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services under Title XIX to modify the definition of readmissions to include cases when patients are readmitted to a hospital for the same or a similar diagnosis within 30 days of discharge, excluding planned readmissions, obstetrical readmissions, admissions to critical access hospitals, or in any case where the patient was originally discharged against medical advice. If the patient is readmitted to the same hospital for a potentially preventable readmission then the payment for such cases shall be paid at 50 percent of the normal rate, except that a readmission within five days of discharge shall be considered a continuation of the same stay and shall not be treated as a new case. Similar diagnoses shall be defined as ICD diagnosis codes possessing the same first three digits. The department shall have the authority to implement this reimbursement change effective July 1, 2020, and prior to the completion of any regulatory process undertaken in order to effect such change. The department shall report quarterly on the number of hospital readmissions, the cost, and the primary diagnosis of such readmissions to the Joint Subcommittee for Health and Human Resources Oversight.

BB. Free-standing emergency departments, also referred to as dedicated emergency departments as defined in 42 C.F.R. § 489.24(b) that operate as a department of a hospital subject to requirements of the federal Emergency Medical Treatment and Labor Act (42 U.S.C.§ 1395dd), and is located off the main hospital campus or in an independent facility, shall submit to the payor upon billing for services rendered (i) the campus location in which their services were rendered, and (ii) an indicator specifying that the services were rendered in a free-standing emergency department.

CC.1. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, the Department of Medical Assistance Services, in consultation with the Department of Behavioral Health and Developmental Services, shall amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a Preferred Drug List. In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, and others, as appropriate.

2.a. The department shall utilize a Pharmacy and Therapeutics Committee to assist in the development and ongoing administration of the Preferred Drug List program. The Pharmacy and Therapeutics Committee shall be composed of 8 to ~~12~~*16* members, including the Commissioner, Department of Behavioral Health and Developmental Services, or his designee. Other members shall be selected or approved by the department *and shall include*

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one physician from each contracted managed care organization. The membership shall include a ratio of physicians to pharmacists of 2:1 and the department shall ensure that at least one-half of the physicians and pharmacists are either direct providers or are employed with organizations that serve recipients for all segments of the Medicaid population. Physicians on the committee shall be licensed in Virginia, one of whom shall be a psychiatrist, and one of whom specializes in care for the aging. Pharmacists on the committee shall be licensed in Virginia, one of whom shall have clinical expertise in mental health drugs, and one of whom has clinical expertise in community-based mental health treatment. The Pharmacy and Therapeutics Committee shall recommend to the department (i) which therapeutic classes of drugs should be subject to the Preferred Drug List program and prior authorization requirements; (ii) specific drugs within each therapeutic class to be included on the preferred drug list; (iii) appropriate exclusions for medications, including atypical anti-psychotics, used for the treatment of serious mental illnesses such as bi-polar disorders, schizophrenia, and depression; (iv) appropriate exclusions for medications used for the treatment of brain disorders, cancer and HIV-related conditions; (v) appropriate exclusions for therapeutic classes in which there is only one drug in the therapeutic class or there is very low utilization, or for which it is not cost-effective to include in the Preferred Drug List program; and (vi) appropriate grandfather clauses when prior authorization would interfere with established complex drug regimens that have proven to be clinically effective. In developing and maintaining the preferred drug list, the cost effectiveness of any given drug shall be considered only after it is determined to be safe and clinically effective.

b. The Pharmacy and Therapeutics Committee shall schedule meetings at least semi-annually and may meet at other times at the discretion of the chairperson and members. At the meetings, the Pharmacy and Therapeutics committee shall review any drug in a class subject to the Preferred Drug List that is newly approved by the Federal Food and Drug Administration, provided there is at least thirty (30) days notice of such approval prior to the date of the quarterly meeting.

3. The department shall establish a process for acting on the recommendations made by the Pharmacy and Therapeutics Committee, including documentation of any decisions which deviate from the recommendations of the committee.

4. The Preferred Drug List program shall include provisions for (i) the dispensing of a 72-hour emergency supply of the prescribed drug when requested by a physician and a dispensing fee to be paid to the pharmacy for such supply; (ii) prior authorization decisions to be made within 24 hours and timely notification of the recipient and/or the prescribing physician of any delays or negative decisions; (iii) an expedited review process of denials by the department; and (iv) consumer and provider education, training and information regarding the Preferred Drug List prior to implementation, and ongoing communications to include computer access to information and multilingual material.

5. The Preferred Drug List program shall generate savings as determined by the department that are net of any administrative expenses to implement and administer the program.

6. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, to implement these changes, the Department of Medical Assistance Services shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this Act. With respect to such State Plan amendments and regulations, the provisions of § 32.1-331.12 et seq., Code of Virginia, shall not apply. In addition, the department shall work with the Department of Behavioral Health and Development Services to consider utilizing a Preferred Drug List program for its non-Medicaid clients.

7. The Department of Medical Assistance Services shall (i) continually review utilization of behavioral health medications under the State Medicaid Program for Medicaid recipients; and (ii) ensure appropriate use of these medications according to federal Food and Drug Administration (FDA) approved indications and dosage levels. The department may also require retrospective clinical justification according to FDA approved indications and dosage levels for the use of multiple behavioral health drugs for a Medicaid patient. For individuals 18 years of age and younger who are prescribed three or more behavioral health drugs, the department may implement clinical edits that target inefficient, ineffective, or potentially harmful prescribing patterns in accordance with

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FDA-approved indications and dosage levels.

8. The Department of Medical Assistance Services shall ensure that in the process of developing the Preferred Drug List, the Pharmacy and Therapeutics Committee considers the value of including those prescription medications which improve drug regimen compliance, reduce medication errors, or decrease medication abuse through the use of medication delivery systems that include, but are not limited to, transdermal and injectable delivery systems.

9. The Pharmacy and Therapeutics Committee shall ensure that when making recommendations to the Department of Medical Assistance Services related to any non opioid drug approved by the federal Food and Drug Administration for the treatment or management of pain, the drug shall be considered for safety and clinical efficacy, as supported by available clinical data, and cost effectiveness pursuant to 12VAC30-13-1000 of the Virginia Administrative Code.

10. Recommendations made by the Pharmacy and Therapeutics Committee that result in changes to the Common Core Formulary shall not be implemented by the Department of Medical Assistance Services until a fiscal impact review is conducted by the agency's fiscal division and is reviewed by the Chief Financial Officer and the Director.

DD.1. The Department of Medical Assistance Services may amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a specialty drug program. In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, the Pharmacy Liaison Committee, and others as appropriate.

2. In developing the specialty drug program to implement appropriate care management and control drug expenditures, the department shall contract with a vendor who will develop a methodology for the reimbursement and utilization through appropriate case management of specialty drugs and distribute the list of specialty drug rates, authorized drugs and utilization guidelines to medical and pharmacy providers in a timely manner prior to the implementation of the specialty drug program and publish the same on the department's website.

3. In the event that the Department of Medical Assistance Services contracts with a vendor, the department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings generated under the benefit management of services.

4. The department shall: (i) review, update and publish the list of authorized specialty drugs, utilization guidelines, and rates at least quarterly; (ii) implement and maintain a procedure to revise the list or modify specialty drug program utilization guidelines and rates, consistent with changes in the marketplace; and (iii) provide an administrative appeals procedure to allow dispensing or prescribing providers to contest the listed specialty drugs and rates.

5. The department shall have authority to enact emergency regulations under § 2.2-4011 of the Administrative Process Act to effect these provisions.

EE. In the event that the Department of Medical Assistance Services decides to contract for pharmaceutical benefit management services to administer, develop, manage, or implement Medicaid pharmacy benefits, the department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings generated under the benefit management of services.

FF. The Department of Medical Assistance Services, in cooperation with the Department of Social Services' Division of Child Support Enforcement (DSCE), shall identify and report

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third party coverage where a medical support order has required a custodial or noncustodial parent to enroll a child in a health insurance plan. The Department of Medical Assistance Services shall also report to the DCSE third party information that has been identified through their third party identification processes for children handled by DCSE.

GG.1. Notwithstanding the provisions of § 32.1-325.1:1, Code of Virginia, upon identifying that an overpayment for medical assistance services has been made to a provider, the Director, Department of Medical Assistance Services shall notify the provider of the amount of the overpayment. Such notification of overpayment shall be issued within the earlier of (i) four years after payment of the claim or other payment request, or (ii) four years after filing by the provider of the complete cost report as defined in the Department of Medical Assistance Services' regulations, or (iii) 15 months after filing by the provider of the final complete cost report as defined in the Department of Medical Assistance Services' regulations subsequent to sale of the facility or termination of the provider.

2. Notwithstanding the provisions of § 32.1-325.1, Code of Virginia, the director shall issue an informal fact-finding conference decision concerning provider reimbursement in accordance with the State Plan for Medical Assistance, the provisions of § 2.2-4019, Code of Virginia, and applicable federal law. The informal fact-finding conference decision shall be issued within 180 days of the receipt of the appeal request, except as provided herein. If the agency does not render an informal fact-finding conference decision within 180 days of the receipt of the appeal request or, in the case of a joint agreement to stay the appeal decision as detailed below, within the time remaining after the stay expires and the appeal timeframes resume, the decision is deemed to be in favor of the provider. An appeal of the director's informal fact-finding conference decision concerning provider reimbursement shall be heard in accordance with § 2.2-4020 of the Administrative Process Act (§ 2.2-4020 et seq.) and the State Plan for Medical Assistance provided for in § 32.1-325, Code of Virginia. The Department of Medical Assistance Services and the provider may jointly agree to stay the deadline for the informal appeal decision or for the formal appeal recommended decision of the Hearing Officer for a period of up to sixty (60) days to facilitate settlement discussions. If the parties reach a resolution as reflected by a written settlement agreement within the sixty-day period, then the stay shall be extended for such additional time as may be necessary for review and approval of the settlement agreement in accordance § 2.2-514 of the Code of Virginia. Once a final agency case decision has been made, the director shall undertake full recovery of such overpayment whether or not the provider disputes, in whole or in part, the informal fact-finding conference decision or the final agency case decision. Interest charges on the unpaid balance of any overpayment shall accrue pursuant to § 32.1-313, Code of Virginia, from the date the Director's agency case decision becomes final.

HH.1. Effective July 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to revise per diem rates paid to psychiatric residential treatment facilities (PRTF) using the provider's audited cost per day from the facility's cost report for provider fiscal years ending in state fiscal year 2018. New Virginia-based residential psychiatric facilities must submit proforma cost report data, which will be used to set the initial per diem rate for up to two years. After this period, the department shall establish a per diem rate based on an audited cost report for a 12-month period within the first two years of operation. Providers that do not submit cost reports shall be paid at 75% of the established rate ceiling. If necessary to enroll out-of-state providers for network adequacy, the department shall negotiate rates. If there is sufficient utilization, the department may require out-of-state providers to submit a cost report to establish a per diem rate. In-state and out-of-state provider per diem rates shall be subject to a ceiling based on the statewide weighted average cost per day from fiscal year 2018 cost reports. The department shall have the authority to implement these changes effective July 1, 2021, and prior to the completion of any regulatory process undertaken in order to effect such change.

2. The Department of Medical Assistance Services shall have the authority to establish rebasing of PRTF rates every three years. The first rebasing of rates shall take effect July 1, 2023. All PRTF and Addiction and Rehabilitation Treatment Services (ARTS) providers who offer qualifying services under 12VAC30-70-418(C) shall be required to

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submit cost reports as a part of rebasing. Out of state providers with more than 1,500 paid days for Virginia Medicaid members in the most recently completed state fiscal year shall also be required to submit a cost report. A rate ceiling shall be established based on a statewide weighted average cost per day. Rate ceilings shall be established independently for PRTFs and participating ARTS residential services. The department shall have the authority to implement these changes effective July 1, 2022 and prior to the completion of any regulatory process to effect such change.

3. DMAS shall also establish inflation increases for each non-rebasing fiscal year for both PRTF and qualifying ARTS providers. Inflation rates shall be tied to the Nursing Facility Moving Average as established by IHS Markit (or its successor). The most recent four quarters will be averaged to create the PRTF inflation rate. The department shall have the authority to implement these changes effective July 1, 2023, and prior to the completion of any regulatory process to effect such change.

4. Effective July 1, 2022, the department shall adjust PRTF rates by 8.89% to account for inflation since the last audited cost report of fiscal year 2018. The rate ceiling shall increase to $460.89 per day. The department shall have the authority to implement these changes effective July 1, 2022, and prior to the completion of any regulatory process to effect such change.

5. The department shall revise reimbursement methodologies for PRTF rates to implement inflation increases for each fiscal year to be effective July 1, 2024. Inflation rates shall be tied to the Nursing Facility Moving Average as established by IHS Markit (or its successor). The most recent four quarters will be averaged to create the PRTF inflation rate. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such change.

II. Effective July 1, 2013, the Department of Medical Assistance Services shall establish a Medicaid Physician and Managed Care Liaison Committee including, but not limited to, representatives from the following organizations: the Virginia Academy of Family Physicians; the American Academy of Pediatricians – Virginia Chapter; the Virginia College of Emergency Physicians; the American College of Obstetrics and Gynecology – Virginia Section; Virginia Chapter, American College of Radiology; the Psychiatric Society of Virginia; the Virginia Medical Group Management Association; and the Medical Society of Virginia. The committee shall also include representatives from each of the department's contracted managed care organizations and a representative from the Virginia Association of Health Plans. The committee will work with the department to investigate the implementation of quality, cost-effective health care initiatives, to identify means to increase provider participation in the Medicaid program, to remove administrative obstacles to quality, cost-effective patient care, and to address other matters as raised by the department or members of the committee. The committee shall establish an Emergency Department Care Coordination work group comprised of representatives from the committee, including the Virginia College of Emergency Physicians, the Medical Society of Virginia, the Virginia Hospital and Healthcare Association, the Virginia Academy of Family Physicians and the Virginia Association of Health Plans to review the following issues: (i) how to improve coordination of care across provider types of Medicaid "super utilizers"; (ii) the impact of primary care provider incentive funding on improved interoperability between hospital and provider systems; and (iii) methods for formalizing a statewide emergency department collaboration to improve care and treatment of Medicaid recipients and increase cost efficiency in the Medicaid program, including recognized best practices for emergency departments. The committee shall meet semi-annually, or more frequently if requested by the department or members of the committee. The department, in cooperation with the committee, shall report on the committee's activities annually to the Board of Medical Assistance Services and to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the Department of Planning and Budget no later than October 1 each year.

JJ.1. The Department of Medical Assistance Services shall monitor the capacity available under the Upper Payment Limit (UPL) for all hospital supplemental payments and adjust payments accordingly when the UPL cap is reached. The department shall make an adjustment to stay under the UPL cap by reducing or eliminating as necessary supplemental payments to hospitals based on when the first supplemental payments were actually made so that the newest supplemental payments to hospitals would be impacted first and so on.

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2. The Department of Medical Assistance Services shall have the authority to implement reimbursement changes deemed necessary to meet the requirements of this paragraph prior to the completion of any regulatory process in order to effect such changes.

KK. The Department of Medical Assistance Services shall submit a report annually on all supplemental payments made to hospitals through the Medicaid program. This report shall include information for each hospital and by type of supplemental payment (Disproportionate Share Hospital, Graduate Medical Education, Indirect Medical Education, Upper Payment Limit program, and others). The report shall include total Medicaid payments from all sources and calculate the percent of overall payments that are supplemental payments. Furthermore, it shall include a description of each type of supplemental payment and the methodology used to calculate the payments. Each report shall reflect the data for the prior three fiscal years and shall be submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by September 1 each year.

LL. The Department of Medical Assistance Services shall have the authority to amend the state plan for medical assistance services and associated regulations to remove any obsolete provider supplemental payments that were authorized prior to July 1, 2021. This includes any supplemental payments that have no qualifying providers, have sunset or for which no payments have ever been made. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.

MM. The Department of Medical Assistance Service shall have the authority to amend the State Plan for Medical Assistance to implement a supplemental disproportionate share hospital (DSH) redistribution methodology for DSH funds that allows the redistribution of excess DSH payments to other eligible DSH hospitals that have not met their uncompensated care costs. This supplemental redistribution shall be budget neutral and not use state funds in excess of those already appropriated for DSH payments. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

NN. The Disproportionate Share Hospital (DSH) per diem for Type One hospitals shall be 17 times the DSH per diem for Type Two hospitals. The department shall have the authority to implement these reimbursement changes effective July 1, 2014, and prior to completion of any regulatory process in order to effect such changes.

OO.1.a. There is hereby appropriated sum-sufficient nongeneral funds for the Department of Medical Assistance Services (DMAS) to pay the state share of supplemental payments for qualifying private hospital partners of Type One hospitals (consisting of state-owned teaching hospitals) as provided in the State Plan for Medical Assistance Services. Qualifying private hospitals shall consist of any hospital currently enrolled as a Virginia Medicaid provider and owned or operated by a private entity in which a Type One hospital has a non-majority interest. The supplemental payments shall be based upon the reimbursement methodology established for such payments in Attachments 4.19-A and 4.19-B of the State Plan for Medical Assistance Services. DMAS shall enter into a transfer agreement with any Type One hospital whose private hospital partner qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments to the private hospital partner. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment approved by the Centers for Medicare and Medicaid Services (CMS) and prior to completion of any regulatory process in order to effect such changes.

b. The department shall adjust capitation payments to Medicaid managed care organizations for the purpose of securing access to Medicaid hospital services for the qualifying private hospital partners of Type One hospitals (consisting of state-owned teaching hospitals). The department shall revise its contracts with managed care organizations to incorporate these supplemental capitation payments and provider payment requirements. DMAS shall enter into a transfer agreement with any Type One hospital whose private hospital partner qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments to the private hospital partner. The

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department shall have the authority to implement these reimbursement changes consistent with the effective date approved by the Centers for Medicare and Medicaid Services (CMS). No payment shall be made without approval from CMS.

2.a. The Department of Medical Assistance Services shall promulgate regulations to make supplemental payments to Medicaid physician providers with a medical school located in Eastern Virginia that is a political subdivision of the Commonwealth. The amount of the supplemental payment shall be based on the difference between the average commercial rate approved by CMS and the payments otherwise made to physicians. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment approved by CMS and prior to completion of any regulatory process in order to effect such changes.

b. The department shall increase payments to Medicaid managed care organizations for the purpose of securing access to Medicaid physician services in Eastern Virginia, through higher rates to physicians affiliated with a medical school located in Eastern Virginia that is a political subdivision of the Commonwealth subject to applicable limits. The department shall revise its contracts with managed care organizations to incorporate these supplemental capitation payments, and provider payment requirements, subject to approval by CMS. No payment shall be made without approval from CMS.

c. Funding for the state share for these Medicaid payments is authorized in Item 171.

3.a. The Department of Medical Assistance Services (DMAS) shall have the authority to amend the State Plan for Medical Assistance Services (State Plan) to implement a supplemental Medicaid payment for local government-owned nursing homes. The total supplemental Medicaid payment for local government-owned nursing homes shall be based on the difference between the Upper Payment Limit of 42 CFR §447.272 as approved by CMS and all other Medicaid payments subject to such limit made to such nursing homes. There is hereby appropriated sum-sufficient funds for DMAS to pay the state share of the supplemental Medicaid payment hereunder. However, DMAS shall not submit such State Plan amendment to CMS until it has entered into an intergovernmental agreement with eligible local government-owned nursing homes or the local government itself which requires them to transfer funds to DMAS for use as the state share for the supplemental Medicaid payment each nursing home is entitled to and to represent that each has the authority to transfer funds to DMAS and that the funds used will comply with federal law for use as the state share for the supplemental Medicaid payment. If a local government-owned nursing home or the local government itself is unable to comply with the intergovernmental agreement, DMAS shall have the authority to modify the State Plan. The department shall have the authority to implement the reimbursement change consistent with the effective date in the State Plan amendment approved by CMS and prior to the completion of any regulatory process undertaken in order to effect such change.

b. If by June 30, 2017, the Department of Medical Assistance Services has not secured approval from the Centers for Medicare and Medicaid Services to use a minimum fee schedule pursuant to 42 C.F.R. § 438.6(c)(1)(iii) for local government-owned nursing homes participating in Cardinal Care Managed Care (Cardinal Care) at the same level as and in lieu of the supplemental Medicaid payments authorized in Section OO.3.a., then DMAS shall: (i) exclude Medicaid recipients who elect to receive nursing home services in local government-owned nursing homes from Cardinal Care; (ii) pay for such excluded recipient's nursing home services on a fee-for-service basis, including the related supplemental Medicaid payments as authorized herein; and (iii) prohibit Cardinal Care contracted health plans from in any way limiting Medicaid recipients from electing to receive nursing home services from local government-owned nursing homes. The department may include in Cardinal Care Medicaid recipients who elect to receive nursing home services in local government-owned nursing homes in the future when it has secured federal CMS approval to use a minimum fee schedule as described above.

4. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance Services to implement a supplemental payment for clinic services furnished by the Virginia Department of Health (VDH) effective July 1, 2015. The total supplemental Medicaid payment shall be based on the Upper Payment Limit approved by the Centers for Medicare and Medicaid Services and all other Medicaid payments. VDH may transfer general fund to the department from funds already appropriated to VDH to cover the

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non-federal share of the Medicaid payments. The department shall have the authority to implement the reimbursement change effective July 1, 2015, and prior to the completion of any regulatory process undertaken in order to effect such changes.

5. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the supplemental physician payments for physicians employed at a freestanding children's hospital serving children in Planning District 8 with more than 50 percent Medicaid inpatient utilization in fiscal year 2014 to the maximum allowed by the Centers for Medicare and Medicaid Services within the limit of the appropriation provided for this purpose. The total supplemental Medicaid payment shall be based on the Upper Payment Limit approved by the Centers for Medicare and Medicaid Services and all other Virginia Medicaid fee-for-service payments. The department shall have the authority to implement these reimbursement changes effective July 1, 2016, and prior to the completion of any regulatory process undertaken in order to effect such change.

6.a. The department shall amend the State plan for Medical Assistance to implement a supplemental inpatient and outpatient payment for Chesapeake Regional Hospital based on the difference between reimbursement with rates using an adjustment factor of 100% minus current authorized reimbursement subject to the inpatient and outpatient Upper Payment Limits for non-state government owned hospitals, and for managed care claims based on the difference between the amount included in the capitation rates for inpatient and outpatient services based on historical paid claims for non-state government hospitals and the maximum managed care directed payment supported by the department's calculations and allowed by CMS, subject to CMS approval under 42 C.F.R. section 438.6(c). The department shall include in its contracts with managed care organizations a percentage increase for Chesapeake Regional Hospital consistent with the approved managed care directed percentage increase. The department shall adjust capitation payments to Medicaid managed care organizations to fund this percentage increase. Both the contract changes and capitation rate adjustments shall be compliant with 42 C.F.R. 438.6(c)(1)(iii) and subject to CMS approval.

b. The department shall also amend the State Plan for Medical Assistance to implement supplemental physician payments for practice plans employed by or under contract with Chesapeake Regional Hospital to the maximum allowed by the Centers for Medicare and Medicaid Services. The department shall increase payments to Medicaid managed care organizations for the purpose of providing higher rates to physicians employed by or under contract with Chesapeake Regional Hospital based on the maximum allowed by CMS. The department shall revise its contracts with managed care organizations to incorporate these managed care directed payments, subject to approval by CMS. The department shall have the authority to implement these reimbursement changes effective July 1, 2022, and prior to completion of any regulatory process undertaken in order to effect such change.

c. Prior to submitting the State Plan Amendment or making the managed care contract changes, Chesapeake Regional Hospital shall enter into an agreement with the department to transfer the non-federal share for these payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date(s) approved by the Centers for Medicare and Medicaid (CMS).

7.a. There is hereby appropriated sum-sufficient nongeneral funds for the department to pay the state share of supplemental payments for nursing homes owned by Type One hospitals (consisting of state-owned teaching hospitals) as provided in the State Plan for Medical Assistance Services. The total supplemental payment shall be based on the difference between the Upper Payment Limit of 42 CFR § 447.272 as approved by CMS and all other Medicaid payments subject to such limit made to such nursing homes. DMAS shall enter into a transfer agreement with any Type One hospital whose nursing home qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment approved by CMS and prior to completion of any regulatory process in order to effect such changes.

b. The department shall adjust capitation payments to Medicaid managed care organizations to fund a minimum fee schedule compliant with requirements in 42 C.F.R. §

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438.6(c)(1)(iii) at a level consistent with the State Plan amendment authorized above for nursing homes owned by Type One hospitals. The department shall revise its contracts with managed care organizations to incorporate these supplemental capitation payments and provider payment requirements. DMAS shall enter into a transfer agreement with any Type One hospitals whose nursing home qualifies for such supplemental payments, under which the Type One hospital shall provide the state share in order to match federal Medicaid funds for the supplemental payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date approved by CMS. No payment shall be made without approval from CMS.

8. The department shall amend the State plan for Medical Assistance to implement a supplemental inpatient payment for Lake Taylor Transitional Care Hospital based on the difference between Medicaid reimbursement and the inpatient Upper Payment Limit for non-state government owned hospitals, and for managed care claims based on the difference between the amount included in the capitation rates for inpatient and outpatient services based on historical paid claims for non-state government hospitals and the maximum managed care directed payment supported by the department's calculations and allowed by CMS, subject to CMS approval under 42 C.F.R. section 438.6(c). The department shall include in its contracts with managed care organizations a percentage increase for Lake Taylor Transitional Care Hospital consistent with the approved managed care directed fee for service supplemental payment percentage increase. The department shall adjust capitation payments to Medicaid managed care organizations to fund this percentage increase. Both the contract changes and capitation rate adjustments shall be compliant with 42 C.F.R. 438.6(c)(1)(iii) and subject to CMS approval. Prior to submitting the State Plan Amendment or making the managed care contract changes, Lake Taylor Transitional Care Hospital shall enter into an agreement with the department to transfer the non-federal share for these payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date(s) approved by the Centers for Medicare and Medicaid (CMS). The originating funding for this program will come entirely from Lake Taylor.

9.a. The Department of Medical Assistance Services shall develop a State Plan for Medical Assistance amendment to make supplemental payments to private hospitals and related health systems who intend to execute affiliation agreements with public entities that are capable of transferring funds to the department for purposes of covering the non-federal share of the authorized payments. Virginia community colleges, Virginia public institutions of higher education, local governments, and instrumentalities of local government are public entities that are authorized to transfer funds to the department for purposes of covering the non-federal share of the authorized payments. Such public entities would enter into an Interagency Agreement with the department for this purpose. The department shall develop a plan, that could take effect July 1, 2023, for making managed care directed payments or supplemental payments as follows: Physician fee-for-service (FFS) supplemental payments through a state plan amendment and physician managed care directed payments through managed care contracts up to the Average Commercial Rate for practice plans that are a component of the participating hospitals or health system. The plan shall identify the public entity who will transfer funds to the department, the amount and duration of such transfers, the purpose and amount of any supplemental payment or managed care direct payments made to private hospitals and related health systems, and the impact, if any, on other supplemental payment programs currently in effect. The plan shall also include the appropriate references that provide authority for such payments.

b. The department shall have the authority to amend the State Plan for Medical Assistance and managed care contracts to make supplemental payments and managed care directed payments to private hospitals for physician services effective July 1, 2024. Reimbursement changes shall be effective prior to completion of any regulatory process in order to effect such changes. No payment shall be made without approval from CMS and an Interagency Agreement with a public entity capable of transferring the non-federal share of authorized payments to the department. The funds to be transferred must comply with 42 CFR 433.51 and 433.54. Such funds may not be paid from any private agreements with public entities that are in excess of fair market value or that alleviate pre-existing financial burdens of such public entities. Public entities are authorized to use general fund dollars to accomplish this transfer. As part of the Interagency Agreements the department shall require the public entities to attest to compliance with applicable CMS criteria. The department shall also require any private hospital and related health systems receiving payments under this Item to

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attest to compliance with applicable CMS criteria. Upon notification by the Department of any deferral or disallowance issued by CMS regarding the supplemental or managed care directed payment arrangement, the hospital provider will return the entire balance of the payment to the Department within 30 days of notification. If the hospital does not return the entire balance of the payment to the Department within the specified timeframe, a judgement rate of interest set forth in Title 6.2-302 will be applied to the entire balance, regardless of whatever portion has been repaid. In addition, the non-federal share of the agency's administrative costs directly related to administration of the programs authorized in this paragraph, including staff and contractors, shall be funded by participating public entities. These funds shall be deposited into a special fund created by the Comptroller and used to support the administrative costs associated with managing this program. Any funds received for this purpose but unexpended at the end of the fiscal year shall remain in the fund for use in accordance with this provision.

c. The purposes to which the additional payments authorized in paragraph OO.9.b. of this Item shall be applied include: (i) increasing and enhancing access to outpatient care for Medicaid recipients; (ii) stabilizing and supporting critical healthcare workforce needs; and (iii) advancing the department's health and quality improvement goals; these shall contain specific measurable outcomes that will be approved, and monitored by the Department quarterly. Payment shall be dependent on progress towards goal attainment on all three purposes. Participating organizations must submit quarterly updates and annual reports on programs no later than October 1. The department, with the assistance of the participating organizations, shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1 of each year on the impact of this initiative.

d. Notwithstanding any other provision of law, due to the complexities of federal Medicaid financial support policies, public entities, including Virginia public institutions, Virginia public institutions of higher education and Virginia community colleges, that wish to participate in the program referenced in Item 288, paragraph OO.9., may employ or retain private legal counsel, in consultation with the Division of Risk Management, to advise or represent the public entity in such participation. Costs for such legal counsel shall be borne by program participants.

I VETO ITEM 288.OO.9.d. ON PAGE 2085 /s/ Glenn Youngkin 5-2-25

10. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance to make supplemental payments through an adjustment to the formula for indirect medical education (IME) reimbursement, using managed care discharge days, for an acute care hospital chain with a level one trauma center in the Tidewater Metropolitan Statistical Area (MSA) in 2020, upon the execution of affiliation agreements with public entities that are capable of transferring funds to the department for purposes of covering the non-federal share of the authorized payments. Such public entities would enter into an Interagency Agreement with the department for this purpose. Public entities are authorized to use general fund dollars to accomplish this transfer. The funds to be transferred must comply with 42 CFR 433.51 and 433.54. As part of the Interagency Agreements the department shall require the public entities to attest to compliance with applicable CMS criteria. The department shall also require any private hospital and related health systems receiving payments under this Item to attest to compliance with applicable CMS criteria. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

11. The Department of Medical Assistance Services shall periodically assess the quality measures that are submitted to the Centers for Medicare and Medicaid Services for supplemental payments to ensure that appropriate quality measures are being included for supplemental payments such that the additional funding is improving the Medicaid program's quality and delivery of health care services. The department shall report on quality measures and outcomes for the programs to the Joint Subcommittee for Health and Human Resources Oversight no later than November 15, 2024.

PP.1. Effective July 1, 2017, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the formula for indirect medical education (IME) for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 as a substitute for disproportionate share hospital (DSH)

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payments. The formula for these hospitals for IME for inpatient hospital services provided to Medicaid patients but reimbursed by capitated managed care providers shall be identical to the formula for Type One hospitals. The IME payments shall continue to be limited such that total payments to freestanding children's hospitals with greater than 50 percent Medicaid utilization do not exceed the federal uncompensated care cost limit to which DSH payments are subject, excluding third party reimbursement for Medicaid eligible patients. The department shall have the authority to implement these changes effective July 1, 2017, and prior to completion of any regulatory action to effect such changes.

2. The Department of Medical Assistance Services (DMAS) shall have the authority to create additional hospital supplemental payments for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 to replace payments that have been reduced due to the federal regulation on the definition of uncompensated care costs effective June 2, 2017. Effective July 1, 2024, these new payments shall equal the greater of what would have been paid to the freestanding children's hospitals under the current disproportionate share hospital (DSH) formula or $16,000,000 annually, the average DSH that CHKD was due by formula prior to Medicaid expansion without regard to the uncompensated care cost limit. These additional hospital supplemental payments shall take precedence over supplemental payments for private acute care hospitals. If the federal regulation is voided, DMAS shall continue DSH payments to the impacted hospitals and adjust the additional hospital supplemental payments authorized in this paragraph accordingly. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effectuate such change.

QQ. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance to adjust the formula for indirect medical education (IME) reimbursement for managed care discharges for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 by increasing the case mix adjustment factor to the greater of 3.2962 or the most recent rebasing. Total payments for IME in combination with other payments for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 may not exceed the hospital's Medicaid costs. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

RR. The Department of Medical Assistance Services shall implement managed care directed payments for physician services for practice plans affiliated with a freestanding children's hospital with more than 50 percent Medicaid utilization in fiscal year 2009 for $11,050,000 annually but not to exceed the average commercial rate. The department shall have the authority to implement this reimbursement change effective July 1, 2023, and prior to the completion of any regulatory process undertaken in order to effect such changes. The agency shall implement this by determining at the beginning of each year the percent of Medicaid that will result in estimated payments of $11,050,000 annually.

SS. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to implement a supplemental disproportionate share hospital (DSH) payment for Chesapeake Regional Hospital up to its hospital-specific disproportionate share hospital limit (OBRA '93 DSH limit) as determined pursuant to 42 U.S.C. Section 1396r-4. The payment shall be made annually based upon the hospital's disproportionate share limit for the most recent year for which the disproportionate share limit has been calculated subject to the availability of DSH funds under the federal allotment of such funds to the department. Prior to submitting the State Plan amendment, Chesapeake Regional Hospital shall enter into an agreement with the department to transfer the non-federal share of the supplemental DSH payment. Payment of the supplemental DSH payment is contingent upon receipt of intergovernmental transfer of funds or certified public expenditures from Chesapeake Regional Hospital. In the event that Chesapeake Regional Hospital is ineligible to transfer or certify necessary funds pursuant to federal law, the department may amend the State Plan for Medical Assistance to terminate the supplemental DSH payment program. The department shall have the authority to implement these reimbursement changes consistent with effective date(s) approved by the Centers for Medicare and Medicaid Services (CMS). No payments shall be made without CMS approval. In the event that CMS recoups supplemental DSH hospital funds from the department, Chesapeake Regional Hospital shall reimburse such funds to the department.

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TT. The Department of Medical Assistance Services (DMAS) is authorized to amend the State Plan for Medical Assistance Services to implement a supplemental Medicaid payment for Department of Veterans Services (DVS) state government-owned nursing facilities. The total supplemental Medicaid payment for DVS state government owned nursing homes shall be based on the difference between the Upper Payment Limit of 42 CFR 447.272, as approved by the Centers for Medicare and Medicaid Services (CMS), and all other Medicaid payments subject to such limit made to such nursing homes. DMAS shall not submit any State Plan amendment to CMS that implements this payment until DMAS enters into an intergovernmental agreement with DVS. This agreement shall include the following provisions: 1) DVS shall transfer funds to DMAS for use as the state share of the full cost of the supplemental Medicaid payment for which each nursing home is entitled; 2) DVS must demonstrate that it has the authority and ability to transfer the necessary funds to DMAS; and, 3) DVS shall attest that any funds provided for state match will comply with federal law for use as the state share for the supplemental Medicaid payment. If DVS is unable to enter into or comply with the provisions of such an intergovernmental agreement, then DMAS shall immediately modify the Medicaid State Plan and adjust any supplemental payments accordingly. DMAS shall have the authority to implement the reimbursement changes consistent with the effective date in the State Plan amendment approved by CMS and prior to the completion of any regulatory process undertaken in order to effect such change.

UU.1.a. Out of this appropriation, $5,850,000 the first year and $5,850,000 the second year from the general fund and $5,850,000 the first year and $5,850,000 the second year from nongeneral funds shall be used for supplemental payments to fund graduate medical education for 3 residents who began their residencies in July 2021; ~~19~~*18* residents who began their residencies in July 2022; ~~30~~*40* residents who began their residencies in July 2024*; and 55 residents who began their residencies in July 2025*.

b. Of the amounts appropriated in UU.1.a., ~~$1,000,000~~*$300,000* the first year and ~~$1,000,000~~*$450,000* the second year from the general fund and ~~$1,000,000~~*$300,000* the first year and ~~$1,000,000~~*$450,000* the second year from nongeneral funds shall be used for supplemental payments to fund graduate medical residencies for ~~20~~*6* psychiatric residents who began their residencies in July 2024 *and 3 additional psychiatric residents who began their residencies in July 2025*. The Department of Medical Assistance Services shall pursue available administrative processes to initiate these residencies in FY 2025.

c. Of the amounts appropriated in UU.1.a., ~~$500,000~~*$300,000* the first year and ~~$500,000~~*$400,000* the second year from the general fund and ~~$500,000~~*$300,000* the first year and ~~$500,000~~*$400,000* the second year from nongeneral funds shall be used for supplemental payments to fund graduate medical residencies for ~~10~~*6* obstetric-gynecological residents *who began their residencies in July 2024 and 2 additional obstetric-gynecological residents who began their residencies in July 2025*. The Department of Medical Assistance Services shall work with the Virginia Health Workforce Development Authority to pursue available administrative processes to initiate these residencies in fiscal year 2025. ~~Two of these residencies shall be awarded to Johnston Memorial Hospital contingent on the hospital's intent to apply for and accept the residencies.~~

2.*a.* The supplemental payment for each qualifying residency slot shall be $100,000 annually minus any Medicare residency payment for which the sponsoring institution is eligible. For any residency program at a facility whose number of residency slots are above the cap set by the Centers for Medicare and Medicaid Services or have exceeded the Upper Payment Limit (UPL) set by CMS, the supplemental payments for each qualifying residency slot shall be $50,000 from the general fund annually minus any Medicare residency payments for which the residency program is eligible. Supplemental payments shall be made for up to four years for each qualifying resident. Payments shall be made quarterly following the same schedule used for other medical education payments

b. Effective July 1, 2026, and notwithstanding § 32.1-325 et seq., Code of Virginia, the Department of Medical Assistance Services (DMAS) is authorized to amend the Medicaid state plan to increase the supplemental payment for all qualifying obstetric-gynecological and psychiatric residencies to $150,000 annually. DMAS shall begin taking applications for these two specialties at the enhanced rate upon enactment of this Act. Enhanced

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supplemental payments shall not begin before July 1, 2026, and are subject to available appropriation in service area 45606. Should the number of applications for these two specialties exceed available funding, then DMAS shall request sufficient resources through the budget process.

3.a. By July 1 of each year, the Department of Medical Assistance Services shall determine the number of residency slots that could be funded in the next two fiscal years within the resources provided in this Item. In addition, DMAS shall issue a call for applications to all hospitals in the Commonwealth to determine the number of residency slots, by hospital, that could be filled in the following fiscal year.

b. The Department of Medical Assistance Service, in cooperation with the Virginia Health Workforce Development Authority, shall determine which new residency slots to fund based on priorities developed by the authority. Preference shall be given for residency slots located in underserved areas. Applications for slots that involve multiple medical care providers collaborating in training residents and that involve providing residents the opportunity to train in underserved areas are encouraged. A majority of the new residency slots funded each year shall be for primary care. The department shall adopt criteria for primary care, high need specialties and underserved areas as developed by the Virginia Health Workforce Development Authority. The department shall also review and consider applications from non-hospital sponsoring institutions, such as Federally Qualified Health Centers (FQHCs).

c. By ~~August 15~~*October 1* of each year, the Department of Medical Assistance Services shall develop a prioritized list of hospitals for which residencies are recommended. Using this list, DMAS shall request budget authorization for those residencies that can be supported with the funds as appropriated in this Item.

4. The sponsoring institution will be eligible for the supplemental payments as long as it maintains the number of residency slots in total and by category as a result of the increase. The sponsoring institutions must certify by June 1 each year that they continue to meet the criteria for the supplemental payments and report any changes during the year to the number of residents.

5. The department shall require all sponsoring institutions receiving Medicaid medical education funding to report annually by September 15 on the number of residents in total and by specialty/subspecialty. Medical education funding includes payments for graduate medical education (GME) and indirect medical education (IME). The department shall make the report available to the Virginia Health Workforce Development Authority to assist in their efforts to set priorities for and manage graduate medical education programs overseen by the Commonwealth.

6.a. Effective July 1, 2021, the department shall make remaining supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Carilion Medical Center (7 residencies) and Centra Health (3 residencies). The department shall make supplemental payments to Sentara Norfolk General for 1 OB/GYN residency and 1 emergency medicine residency. The department shall make supplemental payments to Carilion Medical Center for 2 psychiatry residencies. The department shall make supplemental payments to Riverside Regional Medical Center for 8 emergency medicine residencies.

b. Effective July 1, 2022, the department shall make remaining supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Carilion Medical Center (5 Internal Medicine residencies), Centra Health (~~3~~*2* Family Medicine residencies), and Riverside Regional Medical Center (1 Family Medicine residency). The department shall make supplemental payments to Carilion Medical Center for 2 Psychiatry residencies. The department shall make supplemental payments to Children's Hospital of the King's Daughters for 2 Pediatric residences. The department shall make supplemental payments to Sentara Norfolk General for 2 Psychiatry residencies. The department shall make supplemental payments to Riverside for 4 Emergency Medicine ~~and 1 OB/GYN~~ residencies.

c. Effective July 1, 2024, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Carilion Medical Center (6 Internal Medicine residencies), Centra Health (3 Family Medicine residencies),

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Riverside Regional Medical Center (1 Family Medicine residency and 6 Internal Medicine residencies), Sentara Norfolk General (1 Internal Medicine residency), ~~and the~~ University of Virginia Health System (2 Family Medicine residencies), *and Johnston Memorial Hospital (2 family medicine residencies)*. The department shall make supplemental payments to Carilion Medical Center for ~~2~~*4* Psychiatry residencies. The department shall make supplemental payments to Children's Hospital of the King's Daughters for 3 Pediatric ~~residences~~*residencies* and 2 Child ~~&~~*and* Adolescent Psychiatry ~~residencies~~ *fellowships*. The department shall make supplemental payments to Riverside Regional Medicine Center for 4 Emergency Medicine residencies. *The department shall make supplemental payments to Macon and Joan Brock Virginia Health Sciences for 1 Obstetrics and Gynecology residency, Virginia Commonwealth University for 2 Obstetrics and Gynecology residencies, and INOVA Fairfax Hospital for 3 Obstetrics and Gynecology residencies.*

d. Effective July 1, 2025, the department shall make supplemental payments to the following sponsoring institutions for the specified number of primary care residencies: Augusta Health (12 Internal Medicine residencies), Carilion Medical Center (7 Internal Medicine residencies), Centra Health (3 Family Medicine residencies), Mary Washington Healthcare (6 Family Medicine residencies), and Riverside Regional Medical Center (1 Family Medicine residency and 13 Internal Medicine residencies). The department shall make supplemental payments to Carilion Medical Center for 2 Psychiatry residencies. The department shall make supplemental payments to Children's Hospital of the King's Daughters for 1 Child and Adolescent Psychiatry fellowship. The department shall make supplemental payments to Riverside Regional Medicine Center for 8 Emergency Medicine residencies. The department shall make supplemental payments to Macon and Joan Brock Virginia Health Sciences for 1 Obstetrics and Gynecology residency and to Riverside Regional Medical Center for 1 Obstetrics and Gynecology residency.

VV.1. The Department of Medical Assistance Services shall work with stakeholders to review and adjust medical necessity criteria for Medicaid-funded nursing services including private duty nursing, skilled nursing, and home health. The department shall adjust the medical necessity criteria to reflect advances in medical treatment, new technologies, and use of integrated care models including behavioral supports. The department shall have the authority to amend the necessary waiver(s) and the State Plan under Titles XIX and XXI of the Social Security Act to include changes to services covered, provider qualifications, medical necessity criteria**,** and rates and rate methodologies for private duty nursing. The adjustments to these services shall meet the needs of members and maintain budget neutrality by not requiring any additional expenditure of general fund beyond the current projected appropriation for such nursing services.

2. The department shall have authority to implement these changes to be effective July 1, 2022. The department shall also have authority to promulgate any emergency regulations required to implement these necessary changes within 280 days or less from the enactment date of this Act. The department shall submit a report and estimates of any projected cost savings to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees 30 days prior to implementation of such changes.

WW.1. The Department of Medical Assistance Services (DMAS) shall have the authority to implement programmatic changes to service definitions, prior authorization and utilization review criteria, provider qualifications, and reimbursement rates for the following existing Medicaid behavioral health services: assertive community treatment, mental health partial hospitalization programs, crisis intervention and crisis stabilization services.

2. The department shall have the authority to develop new service definitions, prior authorization and utilization review criteria, provider qualifications, and reimbursement rates for the following new Medicaid behavioral health services: multi-systemic therapy, family functional therapy, intensive outpatient services, mobile crisis intervention services, 23 hour temporary observation services and residential crisis stabilization unit services.

3. Effective on or after July 1, 2021, DMAS shall implement programmatic changes and reimbursement rates for the following services: assertive community treatment, multi-

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systemic therapy and family functional therapy.

4. Effective on or after July 1, 2021, DMAS shall implement programmatic changes and reimbursement rates for the following services: intensive outpatient services, partial hospitalization programs, mobile crisis intervention services, 23 hour temporary observation services, crisis stabilization services and residential crisis stabilization unit services.

5. In the development and implementation of these changes, the department shall ensure appropriate utilization and cost efficiency. Reimbursement rate changes shall be budget neutral and must not exceed the funding appropriated in the Act for these services.

6. The Department of Medical Assistance Services shall, prior to the submission of any State Plan amendment or waivers to implement these paragraphs, submit a plan detailing the changes in provider rates, new services added and other programmatic changes to the Director, Department of Planning and Budget and the Chairmen of the House Appropriation and Senate Finance and Appropriations Committees.

7. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act.

XX. 1. Effective July 1, 2024, the Department of Medical Assistance Services (DMAS) shall have the authority to modify Medicaid behavioral health services such that: (1) legacy services that predate the current service delivery system, including Mental Health Skill Building, Psychosocial Rehabilitation, Intensive In Home Services, and Therapeutic Day Treatment are phased out; (2) legacy youth services are replaced with the implementation of tiered community based supports for youth and families with and at-risk for behavioral health disorders appropriate for delivery in homes and schools, (3) legacy services for adults are replaced with a comprehensive array of psychiatric rehabilitative services for adults with Serious Mental Illness (SMI), including community-based and center-based services such as independent living and resiliency supports, community support teams, and psychosocial rehabilitation services, (4) legacy Targeted Case Management- SMI and Targeted Case Management- Serious Emotional Disturbance (SED) are replaced with Tiered Case Management Services. All new and modified services shall be evidence based and trauma informed. To facilitate this transition, DMAS shall have the authority to implement programmatic changes to service definitions, prior authorization and utilization review criteria, provider qualifications, and reimbursement rates for the legacy and redesigned services identified in this paragraph. DMAS shall only proceed with the provisions of this paragraph if the authorized Medicaid behavioral health modifications and programmatic changes can be implemented in a budget neutral manner within appropriation provided in this Act for the identified legacy services. Moreover, any new or modified services shall be designed such that out-year costs are in line with the current legacy service spending projections. No new Medicaid behavioral health services or rates shall be implemented until corresponding legacy services have ended. Implementation of the redesigned services authorized in this paragraph shall be completed no later than June 30, 2026. The Department of Medical Assistance Services shall have the authority to seek federal authorization through waiver and state plan amendments under Titles XIX and XXI of the Social Security Act, as necessary, to meet the requirements of this paragraph. The department shall have authority to implement the changes authorized in this paragraph upon federal approval and prior to the completion of any regulatory process.

2. The Department of Medical Assistance Services, in collaboration with the Department of Behavioral Health and Developmental Services, shall continue efforts to qualify for a section 1115 serious mental illness (SMI) waiver. The department is authorized to develop an 1115 SMI waiver application at the appropriate time. In addition to the waiver application, the department shall maintain a plan that includes any proposed service modifications, all potential fiscal implications (including cost savings) and a timeline for implementation. DMAS shall not implement any aspect of this proposed 1115 waiver without direct authorization by the General Assembly. The department shall provide the current version of the waiver plan by September 1 of each year to the Director, Department of Planning and Budget and Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

3. The Department of Medical Assistance Services shall have the authority to add coverage for services provided to Medicaid beneficiaries (ages 21 through 64) during short term stays

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(not to exceed 60 days) for acute care in psychiatric hospitals or residential treatment settings that qualify as Institutes of Mental Disease through an 1115 serious mental illness waiver. The department shall have the authority to implement these changes consistent with the effective date in the state plan amendment approved by the Centers for Medicare and Medicaid Services and prior to completion of any regulatory process in order to effect such changes.

4. The Department of Medical Assistance Services shall review and report on all monthly expenditures associated with services provided through the 1115 serious mental illness waiver. The department shall post this information on its website on a quarterly basis. Data should include, but not be limited to, expenditures by service for all services provided through state-run freestanding psychiatric hospitals, private freestanding psychiatric hospitals, and residential crisis stabilization units. In addition, data should include the number of individuals served and expenditures by facility.

YY.1. Effective January 1, 2021, the Department of Medical Assistance Services shall develop and implement an actuarially sound risk adjustment model that addresses the behavioral health acuity differences among the Medicaid managed care organizations for the community well population of individuals who are dually eligible for Medicare and Medicaid currently served through the Cardinal Care program. Behavioral health services shall be defined to include the following: case management services, community behavioral health, early intervention services, and addiction and recovery treatment services. The risk adjustment shall be based on nationally accepted models, such as the Chronic Illness and Disability Payment System (COPS) or Clinical Classifications Software Refined (CCSR) and shall incorporate variables predictive of behavioral health service utilization. Managed care experience shall be utilized as the basis for the risk adjustment.

2. Effective January 1, 2021, the Department of Medical Assistance Services shall develop and implement differential capitation rates for members in behavioral health treatment versus those who are not, for the community well population of individuals who are dually eligible for Medicare and Medicaid currently served through the Cardinal Care program. The rates shall be actuarially sound and the behavioral health rates shall additionally incorporate risk adjustment to account for acuity differences amongst the managed care organizations. Behavioral health services shall be defined to include the following: case management services, community behavioral health, early intervention services, and addiction and recovery treatment services. The risk adjustment shall be based on nationally accepted models, such as The Chronic Illness and Disability Payment System (COPS) or Clinical Classifications Software Refined (CCSR), and shall incorporate variables predictive of behavioral health service utilization. Managed care experience shall be utilized as the basis for the establishment of the capitation rates and the risk adjustment.

3. The risk adjustment model and differential capitation rates in these paragraphs shall be implemented such that the impact is budget neutral.

ZZ. The Department of Medical Assistance Services shall update its regulations to reflect the Department of Behavioral Health and Developmental Services licensing criteria for the American Society of Addiction Medicine (ASAM) Level of Care 4.0. The Department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

AAA. The Department of Medical Assistance Services is authorized to amend the State Plan under Title XIX of the Social Security Act to add coverage for the current procedural terminology (CPT) codes for Applied Behavioral Analysis that were added to the CPT list in January 2019, or any future updates to these CPT codes. The department shall have the authority to implement related programmatic changes to service definitions, prior authorization and utilization review criteria, provider qualifications, and reimbursement rates for the Behavioral Therapy Program. The department shall have the authority to implement these changes effective December 1, 2021, and prior to completion of any regulatory process to effect such changes.

BBB. Effective July 1, 2021, the Department of Medical Assistance Services shall seek

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federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act, as necessary, to provide continuous coverage to enrollees for the duration of pregnancy and through 12 months postpartum. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act. The department shall have authority to implement these amendments upon federal approval and prior to the completion of any regulatory process.

CCC. Effective July 1, 2021, the Department of Medical Assistance Services shall increase rates by 14.7 percent for psychiatric services to the equivalent of 110 percent of Medicare rates. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process to effect such changes.

DDD. Effective on and after July 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to modify reimbursement for nursing facility services such that the direct peer group price percentage shall be increased to 109.3 percent and the indirect peer group price percentage shall be increased to 103.3 percent. The department shall have the authority to implement these changes effective July 1, 2021 and prior to the completion of any regulatory process undertaken in order to effect such change.

EEE. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to provide that any nursing facility which thereafter loses its Medicaid capital reimbursement status as a hospital-based nursing facility because a replacement hospital was built at a different location and Medicare rules no longer allow the nursing home's cost to be included on the hospital's Medicare cost report shall have its first fair rental value (FRV) capital payment rate set at the maximum FRV rental rate for a new free-standing nursing facility with the date of acquisition for its capital assets being the date the replacement hospital is licensed. The department shall have the authority to implement these reimbursement changes effective July 1, 2021 and prior to the completion of the regulatory process.

FFF. Effective July 1, 2022, the department shall amend the State Plan for Medical Assistance to establish a new direct and indirect care peer group for nursing facilities operating with at least 80% of the resident population having one or more of the following diagnoses: quadriplegia, traumatic brain injury, multiple sclerosis, paraplegia, or cerebral palsy. In addition, a qualifying facility must have at least 90% Medicaid utilization and a case mix index of 1.15 or higher in fiscal year 2014. The department shall utilize the data from the most recent rebasing to make this change effective for fiscal year 2023 and subsequent rate years until this change is incorporated into the next scheduled rebasing. This change shall not affect rates established in the most recent rebasing for facilities in any other direct and indirect care peer groups. The department shall have the authority to implement this reimbursement change prior to completion of any regulatory process in order to effect such change. To the extent federal approval requires alternative approaches to achieve the same general results, the department shall have the authority to follow the federal guidance effecting this change.

GGG. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to establish Specialized Care operating rates for fiscal years 2021, 2022 and 2023 by inflating the fiscal year 2020 rates using Virginia nursing home inflation. After fiscal year 2023, the department shall revert to the existing prospective methodology. The department has the authority to implement this change notwithstanding current regulations and consistent with the approved State Plan amendment.

HHH. The Department of Medical Assistance Services shall require Medicaid managed care organizations to reimburse at no less than 90 percent of the state Medicaid program Durable Medical Equipment fee schedule for the same service or item of durable medical equipment, prosthetics, orthotics, and supplies. The department shall have the authority to implement this reimbursement change effective July 1, 2021 and prior to the completion of any regulatory process undertaken in order to effect such change.

III. The Department of Medical Assistance Services shall adjust the post eligibility special earnings allowance for individuals in the CCC Plus, Community Living, Family and Individual Support and Building Independence waiver programs to incentivize employment for individuals receiving waiver services. DMAS shall lower the number of hours from at least eight hours but less than 20 hours per week requirement to at least four hours but less than 20 hours per week. The Special Earnings Allowance for waiver participants allows a

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percentage of earned income to be disregarded when calculating an individual's contribution to the cost of their waiver services when earning income. The current requirement is at least eight hours but less than 20 hours per week for a disregard of up to 200 percent of Supplemental Security Income (SSI) and a disregard of up to 300 percent for individuals that work 20 hours or more per week.

JJJ.1. Effective May 1, 2021, the Department of Medical Assistance Services shall increase the rates for agency- and consumer-directed personal care, respite and companion services in the home and community-based services waivers and Early Periodic Screening, and Diagnosis and Treatment (EPSDT) program by 6.4 percent. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

2. Effective January 1, 2022, the Department of Medical Assistance Services shall increase the rates for agency- and consumer-directed personal care, respite and companion services in the home and community-based services waivers and Early Periodic Screening, and Diagnosis and Treatment (EPSDT) program by 12.5 percent. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

KKK. Effective July 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the practitioner rates for anesthesiologists to reflect the equivalent of 70 percent of the 2019 Medicare rates. The department shall ensure through its contracts with managed care organizations that the rate increase is reflected in their rates to providers. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process undertaken in order to effect such changes.

LLL. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance or any waiver under Title XIX of the Social Security Act to increase the income eligibility for participation in the Medicaid Works program to 138 percent of the Federal Poverty Level. The department shall have the authority to implement this change prior to the completion of the regulatory process necessary to implement such change.

MMM. Effective July 1, 2021, the Department of Medical Assistance Services shall increase rates for skilled and private duty nursing services to 80 percent of the benchmark rate developed by the department and consistent with the appropriation available for this purpose. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such changes.

NNN. Effective, January 1, 2021, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance under Title XIX of the Social Security Act, and any necessary waivers, to authorize time and a half up to eight hours and effective July 1, 2021, up to 16 hours for a single attendant who works more than 40 hours per week for attendants providing Medicaid-reimbursed consumer-directed (CD) personal assistance, respite and companion services. The department shall have authority to implement this provision prior to the completion of any regulatory process undertaken in order to effect such change.

OOO. Effective July 1, 2021, the Department of Medical Assistance Services shall have the authority to amend the State Plan of Medical Assistance under Title XIX of the Social Security Act to provide a comprehensive dental benefit to adults. The department shall work with its Dental Advisory Committee, including members of the Virginia Dental Association, the Virginia Health Catalyst, the Virginia Commonwealth University School of Dentistry, the Virginia Dental Hygienists Association, the Virginia Health Care Association, a representative of the developmental and intellectual disability community, the Virginia Department of Health and the administrator of the Smiles for Children program to develop the benefit. The benefit shall be modeled after the existing benefit for pregnant women. The benefit shall include preventive and restorative services and shall not include any cosmetic services or orthodontic services. The Dental Advisory Committee shall design a benefit that does not exceed the appropriated funds to provide such services. The department shall work with its dental benefit administrator, the Virginia Dental Association, the Virginia Association of Free and Charitable Clinics, the

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Virginia Community Healthcare Association and other stakeholders to ensure an adequate network of providers and awareness among beneficiaries. The department shall have authority to promulgate emergency regulations to implement these changes within 280 days or less from the enactment date of this Act.

PPP. The Department of Medical Assistance Services, in collaboration with the Virginia Department of Social Services, state workforce agencies and programs, and appropriate stakeholders, shall develop a referral system designed to connect current and newly eligible Medicaid enrollees to employment, training, education assistance and other support services. The department shall review current federal law and regulations that may allow, through State Plan amendments, contracts, or other policy changes, the department to support such a referral program. The department shall provide new enrollees in the Medicaid program, that have been identified as being potentially unemployed or underemployed with information on all available state and federal programs available to them that offer training, education assistance or other types of employment support services. The department shall work with its contracted managed care organizations to facilitate referrals to employment related services. To the degree that resources are available in other state agencies or from federal grants to support the referral program and existing authority permits such use, the department shall coordinate the use of such programs to provide assistance to Medicaid enrollees.

QQQ.1. The Department of Medical Assistance Services shall increase nursing home and specialized care per diem rates by $20 per day per patient effective until June 30, 2021, and by $15 per day effective July 1, 2021. Such adjustment shall be made through existing managed care capitation rates as a mandated specified rate increase. DMAS shall adjust capitation rates to account for the nursing facility rate increase. The department shall have the authority to file all necessary regulatory authorities without delay, make any necessary contract changes, and implement these reimbursement changes without regard to existing regulations. The specified rate increase in this paragraph applies across fee-for-service and Medicaid managed care.

2.a. The Department of Medical Assistance Services (DMAS) shall work with appropriate nursing facility (NF) stakeholders and the Cardinal Care managed care organizations (MCOs) to develop a unified, value-based purchasing (VBP) program that includes enhanced funding for facilities that meet or exceed performance and/or improvement thresholds as developed, reported, and consistently measured by DMAS in cooperation with participating facilities. The methodology and timing for the Virginia nursing facility VBP program, including structures for nursing facility performance accountability and disbursement of earned financial incentives, shall be completed no later than December 31, 2021, with the program targeted to begin no later than July 1, 2022. Nursing facility performance evaluation under the program shall prioritize maintenance of adequate staffing levels and avoidance of negative care events, such as hospital admissions and emergency department visits. The program may also consider performance evaluation in the areas of preventive care, utilization of home and community-based services, including community transitions, and other relevant domains of care.

b. During the first year of this program, half of the available funding shall be distributed to participating nursing facilities to be invested in functions, staffing, and other efforts necessary to build their capacity to enhance the quality of care furnished to Medicaid members. This funding shall be administered as a Medicaid rate add-on in the same manner as in paragraph 1. above. The remaining funding shall be allocated based on performance criteria as designated under the nursing facility VBP program. The amount of funding devoted to nursing facility quality of care investments shall be 25 percent of available funding in the second year of the program before the program transitions to payments based solely on nursing facility performance criteria in the third year of the program. In the third year of this program, such funds as appropriated for this purpose shall be fully disbursed according to the aforementioned unified VBP arrangement to participating nursing facilities that qualify for the enhanced funding.

c. The department shall convene the stakeholders no less than annually through at least the first two years of the program to review program progress and discuss potential modifications to components of the arrangement, including, but not limited to, timing of enhanced payments, performance metrics, and threshold determinations. The department shall implement the necessary regulatory changes and other necessary measures to be consistent

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with federal approval of any appropriate changes to the State Plan or relevant waivers thereof, and prior to the completion of any regulatory process undertaken to effect such change.

d. Out of this appropriation, $20,000,000 the first year and $20,000,000 the second year from the general fund and $20,807,998 the first year and $20,807,998 the second year from nongeneral funds shall be provided to increase nursing facility value-based payments effective July 1, 2024 pursuant to paragraph QQQ.2.b. in this item. To the extent that this increase each year meets or exceeds the amount otherwise required under clause 3 of Chapters 482 and 438 of the 2023 Acts of Assembly, this increase shall be considered to satisfy that requirement.

e. The department shall work with stakeholders to develop recommendations on modifying the timing and structure of the value-based payment (VBP) program's metric-based payment methodology. Recommendations will consider alternatives to the existing annual retrospective lump sum payment arrangement. These will include, but are not limited to, the structure and frequency of payments to ensure that the annual appropriation to the VBP program will not be overspent. The department's work with stakeholders shall be completed by November 1, 2025, and the department shall report its findings to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 15, 2025.

RRR. The Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to expand the definition of durable medical equipment per 42 CFR 440.70 (b) (3), so that the definition is no longer limited to items primarily used in the home but also extends to any setting where normal activities take place. The Department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

SSS. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize the reimbursement, using a budget neutral methodology, of pharmacy-administered immunizations for all vaccinations covered under the medical benefit for Medicaid members. Reimbursement for fee-for-service members shall be the cost of the vaccine plus an administration fee not to exceed $16. Reimbursement for pharmacy-administered vaccinations for pediatric Medicaid members eligible for free vaccinations through the Vaccines For Children (VFC) program shall include only the administration fee. The department is authorized to set the administration fee for COVID-19 vaccines at the same level as Medicare reimbursement for such vaccines. The Department shall promulgate regulations to become effective within 280 days or less from the enactment date of this Act to implement this change.

TTT. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize coverage for clinically appropriate audio-only services, provider-to-provider consultations, store-and-forward, and virtual check-ins with patients. The Department shall promulgate regulations to become effective within 280 days or less from the enactment date of this Act to implement this change.

UUU. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize coverage of community doula services for Medicaid-enrolled pregnant women. Services shall include up to 8 prenatal/postpartum visits, and support during labor and delivery. The department shall also implement up to two linkage-to-care incentive payments for postpartum and newborn care.

VVV. The Department of Medical Assistance Services (DMAS) shall have the authority to make necessary changes to waivers and/or the Medicaid State Plan to ensure that all adult Medicaid members have access to COVID-19 vaccinations. The department shall have the authority to implement such changes effective upon passage of this Act, and prior to the completion of any regulatory process undertaken in order to effect such changes.

WWW. The Department of Medical Assistance Services shall amend the Medicaid and CHIP State Plans to authorize prescriptions of contraceptives up to a 12-month supply for

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eligible beneficiaries in the Medicaid and CHIP programs. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.

XXX. The Department of Medical Assistance Services, in coordination with the Department of Behavioral Health and Developmental Services, shall submit a request to the Centers for Medicare and Medicaid Services to amend its 1915(c) Home & Community-Based Services (HCBS) waivers to allow telehealth and virtual and/or distance learning as a permanent service option and accommodation for individuals on the Community Living, Family and Individual Services and Building Independence Waivers. The amendment, at a minimum, shall include all services currently authorized for telehealth and virtual options during the COVID-19 pandemic. The departments shall actively work with the established Developmental Disability Waiver Advisory Committee and other appropriate stakeholders in the development of the amendment including service elements and rate methodologies. The department shall have the authority to implement these changes prior to the completion of the regulatory process.

YYY. Effective July 1, 2022, the Department of Medical Assistance Services shall have the authority to increase the rates for agency- and consumer-directed personal care, respite and companion services by 7.5 percent to reflect additional increases in the state minimum wage while maintaining the existing differential between consumer-directed and agency-directed rest-of-state rates as well as the northern Virginia and rest-of-state rates. The department shall have the authority to implement these changes prior to completion of any regulatory process to effect such change.

ZZZ. Effective July 1, 2022, the Department of Medical Assistance Services shall have the authority to amend the State Plan under Title XIX of the Social Security Act, and any waivers thereof as necessary to amend coverage of preventive services for adult, full-benefit Medicaid individuals who are not enrolled pursuant to the Patient Protection and Affordable Care Act (PPACA) to align with the preventive services coverage provided under the PPACA. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such changes.

AAAA. The Department of Medical Assistance Services shall amend the state plans under Titles XIX and XXI of the Social Security Act, and any waivers thereof as necessary to remove *all cost sharing, including* co-payments*, co-insurance, and deductibles* for enrollees. Such change shall be effective April 1, 2022, or upon expiration of the federal public health emergency related to the Coronavirus Disease 2019 (COVID-19) pandemic, whichever is earlier. The department shall have the authority to implement this change prior to the completion of any regulatory process to effect such changes.

BBBB.1. Effective July 1, 2022, the Department of Medical Assistance Services (DMAS) shall have the authority to increase Medicaid Title XIX and CHIP Title XXI reimbursement rates for dental services by 30 percent. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process to effect such changes.

2. Effective July 1, 2024, the Department of Medical Assistance Services shall have the authority to increase Medicaid Title XIX and CHIP Title XXI reimbursement rates for dental services by three percent. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

CCCC. Effective July 1, 2022, the Department of Medical Assistance Services shall have the authority to increase Medicaid Title XIX and CHIP Title XXI reimbursement rates for physician primary care services, excluding those provided in emergency departments, to 80 percent of the federal FY 2021 Medicare equivalent as calculated by the department and consistent with the appropriation available for this purpose. The department shall have the authority to implement these changes prior to the completion of any regulatory process to effect such changes.

DDDD.1. Appropriation amounting to $175,793,045 in FY 2023 and $201,197,348 in FY 2024 from the general fund and $182,060,495 in FY 2023 and $208,539,425 in FY 2024 from nongeneral funds was provided to increase Developmental Disability (DD) waiver rates set forth in the following paragraph.

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2. Effective July 1, 2022, the Department of Medical Assistance Services shall have the authority to update the rates for DD waiver services using the most recent rebasing estimates, based on their review of the model assumptions as appropriate and consistent with efficiency, economy, quality and sufficiency of care and reported no later than July 1, 2022. Rates shall be increased according to Tiered payments contained in the rebasing model, where appropriate for the type of service provided. Rates shall be increased for Group Homes, Sponsored Residential, Supported Living, Independent Living Supports, In-home Supports, Community Engagement, Community Coaching, Therapeutic Consultation, Private Duty and Skilled Nursing, Group Day Support, Group Supported Employment, Workplace Assistance, Community Guide, DD Case Management and Benefits Planning. The department shall have the authority to implement these changes prior to completion of any regulatory process to effect such change.

EEEE. Effective July 1, 2022, the Department of Medical Assistance Services (DMAS) shall have the authority to increase Medicaid Title XIX and CHIP Title XXI reimbursement rates for obstetrics and gynecology covered services by 15 percent. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process to effect such changes.

FFFF. Effective July 1, 2022, the Department of Medical Assistance Services (DMAS) shall have the authority to increase reimbursement rates for children's covered vision services for Medicaid Title XIX and CHIP XXI programs by 30 percent. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process to effect such changes.

GGGG*.1.* The Department of Medical Assistance Services shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to allow enrollment in a Medicaid managed care plan for individuals who are Medicaid eligible 30 days prior to release from incarceration. The department shall modify its contracts with managed care organizations to require a video or telephone conference with incarcerated individuals that are enrolled in a managed care plan in order to create a transition plan during the 30 days prior to release from incarceration. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act.

2. The Department of Medical Assistance Services shall have the authority to make any necessary managed care contract changes and to amend the state plans under Titles XIX and XXI of the Social Security Act, and any waivers thereof, as necessary to provide covered services, including screenings, diagnostic services, and targeted case management, in the 30 days pre-release and immediately post-release to eligible incarcerated youth and young adults in accordance with section 5121 of the federal Consolidated Appropriations Act of 2023. The department shall have the authority to implement this change prior to the completion of any regulatory process.

HHHH. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize coverage for medically necessary general anesthesia and hospitalization or facility charges of a facility licensed to provide outpatient surgical procedures for dental care provided to a Medicaid enrollee who is determined by a licensed dentist in consultation with the enrollee's treating physician to require general anesthesia and admission to a hospital or outpatient surgery facility to effectively and safely provide dental care to an enrollee age ten or younger. The department shall have the authority to implement this change effective July 1, 2022 and prior to the completion of any regulatory process to effect such change.

IIII. Effective July 1, 2022, the Department of Medical Assistance Services shall increase Medicaid rates for peer recovery and family support services in private and public community-based recovery services settings from $6.50 to $13.00 per 15 minutes for individuals and from $2.70 to $5.40 per 15 minutes for groups.

JJJJ. Effective July 1, 2022, the Department of Medical Assistance Services is authorized to increase rates by 12.5%, relative to the rates in effect prior to July 1, 2021, for: (i) adult day health care; (ii) consumer-directed facilitation services; (iii) crisis supervision, crisis stabilization and crisis support services; (v) transition coordinator services; (vi) mental health and early intervention case management services; and (vii) community behavioral

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health and habilitation services. The department shall have the authority to implement these changes prior to the completion of any regulatory process undertaken in order to effect such change. The department shall include any and all Early Periodic Screening Diagnosis and Treatment (EPSDT) Therapeutic Group Homes in such rate increase effective January 1, 2024, regardless of the number of providers and whether or not such facilities were previously included in the list of eligible procedure and revenue codes provided in the Medicaid Bulletin to Providers of Home and Community Based Services Waivers (HCBS) and EPSDT services participating in Virginia Medical Assistance Programs and Medicaid Managed Care Organizations (MCOs) dated October 16, 2021. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

KKKK. Contingent on approval by the Centers for Medicare and Medicaid Services (CMS), the Department of Medical Assistance Services (DMAS) shall allow legally responsible individuals (parents of children under age 18 and spouses) to provide personal care/personal assistance services and be paid for those services. Any legally responsible individual who is a paid aide or attendant for personal care/personal assistance services shall meet all the same requirements as other aides or attendants. The department shall have the authority to implement these changes effective July 1, 2022 and prior to completion of any regulatory process to effect such change.

LLLL. Effective for dates of service on or after January 1, 2024, the Department of Medical Assistance Services shall increase the reimbursement rates for Early Intervention services, excluding case management, by 12.5 percent for all children under age three enrolled in Early Intervention in Virginia Medicaid.

MMMM.1. Effective January 1, 2024, the Department of Medical Assistance Services shall increase rates by 10 percent for the following Medicaid-funded community-based services: Intensive In-Home, Mental Health Skill Building, Psychosocial Rehabilitation, Therapeutic Day Treatment, Outpatient Psychotherapy, Peer Recovery Support Services -- Mental Health.

2. Effective January 1, 2024, the Department of Medical Assistance Services shall increase rates by 10 percent for the following Medicaid-funded community-based services: Comprehensive Crisis Services (which include 23-hour Crisis Stabilization, Community Stabilization, Crisis Intervention, Mobile Crisis Response, and Residential Crisis Stabilization), Assertive Community Treatment, Mental Health - Intensive Outpatient, Mental Health - Partial Hospitalization, Family Functional Therapy and Multisystemic Therapy.

NNNN. The Department of Medical Assistance Services shall increase the rates for mental health partial hospitalization from a per diem rate of $250.62 to $500.00 and shall increase the rate for mental health intensive outpatient programs from a per diem of $159.20 to $250.00. The department shall have the authority to implement this reimbursement change effective January 1, 2024, and prior to the completion of any regulatory process undertaken in order to effect such change.

OOOO. Effective January 1, 2024, the Department of Medical Assistance Services is authorized to amend the State Plan for Medical Assistance Services to: (i) extend the age limitation for children receiving fluoride varnish from non-dental providers from "through age 3" to "through age 5"; (ii) remove the current limitation on the number of times a dentist can bill the behavioral management code when treating adults with disabilities; (iii) provide payment for crowns for patients who received root canal therapy prior to becoming a Medicaid beneficiary; and (iv) provide reimbursement for pre-treatment evaluations performed by dentists treating patients requiring deep sedation or general anesthesia to mirror the Centers for Medicare and Medicaid Services (CMS) guidelines. The department shall have the authority to implement these changes consistent with the effective date in the State Plan amendment approved by CMS and prior to the completion of any regulatory process undertaken in order to effect such change.

PPPP. Effective January 1, 2024, the Department of Medical Assistance Services shall have the authority to increase the rates for agency and consumer-directed personal care, respite and companion services by five percent. The department shall have the authority to implement these changes prior to completion of any regulatory process to effect such change.

QQQQ. The Department of Medical Assistance Services shall amend its regulations and

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guidance on weight loss drugs to require service authorization for covered weight loss drugs to ensure appropriate utilization. The department shall have authority to implement these provisions prior to the completion of any regulatory process undertaken in order to effect such change.

RRRR. Effective January 1, 2024, the Department of Medical Assistance Services shall have the authority to amend the State Plan under Title XIX of the Social Security Act to provide reimbursement for the provision of behavioral health services that are classified by a Current Procedural Terminology code as collaborative care management services.

SSSS. Effective for dates of service on or after July 1, 2024, the Department of Medical Assistance Services shall update the reimbursement methodology for outpatient rehabilitation services to the Resource Based Relative Value Scale. Any changes to the reimbursement methodology shall be budget neutral. To ensure and maintain budget neutrality, a budget neutrality factor shall be applied to any rate calculations.

TTTT.*1.* ~~Effective July 1, 2024, pursuant to the authority granted in 42 USC 1396r-8 Payment for Covered Outpatient Drugs, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services and 12VAC30-50-520 to no longer cover weight loss medication when prescribed for weight loss except: (i) in those instances where an individual has a body mass index (BMI) greater than 40; (ii) in those instances where an individual has a BMI greater than 37 and has at least one of the following weight-related comorbid conditions: hypertension, Type II Diabetes Mellitus, or Dyslipidemia; or (iii) if it is a traditional weight loss medication prescribed for weight loss as FDA approved, excluding Glucagon-like peptide-1 drugs and any other newer weight loss medications. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this Act. The department shall have authority to implement this amendment upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.~~

TTTT.2. Effective July 1, 2025, pursuant to the authority granted in 42 USC 1396r-8 Payment for Covered Outpatient Drugs, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services and 12VAC30-50-520 to cover weight loss medication when prescribed for weight loss (i) in those instances where an individual has a body mass index (BMI) of 35 or greater at the time at the time of being prescribed the requested weight loss drug; or (ii) in those instances where an individual has a BMI greater than 30 at the time of being prescribed the requested weight loss drug and has at least one of the following weight-related comorbid conditions: hypertension, Type II Diabetes Mellitus, or Dyslipidemia; and the individual has tried but was unsuccessful losing weight through a comprehensive lifestyle program for at least six months prior to the request for drug therapy, that included a calorie deficit of approximately 30 percent for at least six months, and an exercise goal of completing 150 minutes of exercise per week has been achieved for at least six months (or exercise requirements cannot be met due to clinical limitations); and the individual was unable to achieve at least a five percent weight reduction with calorie deficit goals, exercise goals, and behavior therapy. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act. The department shall have authority to implement this amendment upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

UUUU. The Department of Medical Assistance Services (DMAS) shall seek federal authority through waiver and State Plan amendments under Titles XIX and XXI of the Social Security Act to implement telehealth service delivery options under the Developmental Disability Waivers for the following services: Benefits Planning, Community Coaching, Community Engagement, Community Guide, Group Day Services, Group and Individual Supported Employment, Independent Living Supports, Individual and family/caregiver training, In-home Support Services, Peer Mentoring, Service Facilitation, Therapeutic Consultation, and Workplace Assistance services. However, DMAS authority is limited to those regulatory changes needed to define service delivery and claims processing requirements for those virtual support services currently authorized by the Appropriation Act or Code of Virginia. Moreover, any such changes shall be

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budget neutral and not increase costs. The department shall have the authority to amend the Developmental Disability Waivers through the Centers for Medicare and Medicaid Services and to promulgate emergency regulations to implement these changes within 280 days or less from the enactment of this Act.

VVVV. The Department of Medical Assistance Services (DMAS) shall seek federal authority through State Plan amendments under Titles XIX and XXI of the Social Security Act to expand provider qualifications such that individuals working on their required hours of supervision for certification through the Department of Behavioral Health and Developmental Services (DBHDS) to be eligible for registration through the Department of Health Professions (DHP), may be approved as Medicaid provider type for the provision of mental health and substance use disorder peer supported services. In addition, to increase access to peer recovery services, DMAS is authorized to adjust caseload limits for peer recovery specialists to align with DBHDS and DHP and revised policies to reflect the need to operate within a crisis or emergency room setting. DMAS shall ensure that any provider caseload limit increase does not have any adverse impact on quality of care or program integrity. The department shall have the authority to promulgate emergency regulations to implement these changes within 280 days or less from the enactment of this Act.

WWWW. The Department of Medical Assistance Services (DMAS) shall implement a process no later than January 1, 2025 for Federally Qualified Health Centers (FQHCs) to notify the department of any changes in the scope of services offered by a FQHC, pursuant to Section 1902(bb)(3) of 42 U.S.C. 1396a. Notifications of changes in the scope of services shall be submitted no later than October 1, 2024 for timely filing allowed by applicable federal law. Thereafter, notification must be received within 12 months of the increase or decrease in the scope of services by the FQHC. The department is authorized to reimburse FQHCs for unreimbursed costs, as allowed by the applicable federal law, prior to an initial request for a change in scope under the new process.

XXXX. Effective July 1, 2024, the Department of Medical Assistance Services shall have the authority to update the rates for consumer-directed facilitation services based on the most recent rebasing estimates as follows: Consumer Directed (CD) Management Training shall be increased to $90.14 per hour in Northern Virginia and to $80.91 per hour in the rest of the state; CD Initial Comprehensive Visit shall be increased to $360.54 per visit in Northern Virginia and to $323.64 per visit in the rest of the state; CD Routine Visit shall be increased to $112.67 per visit in Northern Virginia and to $101.14 per visit in the rest of the state; and CD Reassessment Visit shall be increased to $180.27 per visit in Northern Virginia and to $161.82 per visit in the rest of the state. The department shall have the authority to implement these changes prior to completion of any regulatory process to effect such change.

YYYY. Effective July 1, 2024, the Department of Medical Assistance Services (DMAS) shall set the reimbursement rate to 100 percent of the Medicare rural rates or 100 percent of non-rural rates if a rural rate does not exist for specific Durable Medical Equipment (DME) products, including enteral products and supplies and in the following categories in the DMAS fee schedule for Feeding Kits and Tubes and Nutrition Kits/Feeding Tubes. DMAS shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

ZZZZ. Effective July 1, 2024, the Department of Medical Assistance Services shall increase the rates for peer mentoring consistent with the most recent rate study by Burns and Associates.

AAAAA. The Department of Medical Assistance Services shall develop guidelines for a statewide Collaborative Care Model program. The department shall submit a report on progress developing and implementing the guidelines annually by October 1 to the Joint Commission on Health Care and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

BBBBB. Out of this appropriation, $95,000,000 from the general fund the first year is authorized to be provided to the Department of Medical Assistance Services (DMAS) if the general fund amounts in Item 288 of this act are insufficient to pay all Medicaid costs in the fiscal year due to higher than expected program enrollment. The Director, Department of Planning and Budget (DPB), shall unallot this appropriation until such time the Director of DMAS can demonstrate that the general fund appropriation is insufficient to meet all

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obligations for the fiscal year. In the first year, if the Director of DMAS notifies DPB that payments in the Medicaid program were delayed from fiscal year 2024 into fiscal year 2025 due to insufficient funding, the Director of DPB shall have the authority to allot the general fund share of that shortfall to cover those payments in fiscal year 2025. The Director of DPB shall notify the Chairs of the House Appropriations and Senate Finance and Appropriations Committee within five days of any allotment of appropriation pursuant to these provisions.

CCCCC. The Department of Medical Assistance Services (DMAS) shall modify requirements for Consumer-Directed Services Facilitators to eliminate the requirement that individuals providing these services have an Associate's or Bachelor's Degree in order to provide services. Work experience shall be listed as sufficient in the list of requirements. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

DDDDD. The Department of Medicaid Assistance Services shall have the authority to draw down federal funds to cover unreimbursed Medicaid costs for services provided by nonstate government-owned nursing facilities as certified by the provider through cost reports not to exceed the upper payment limit for each nursing facility. The department shall have the authority to implement this reimbursement change prior to completion of any regulatory process in order to effect such change.

EEEEE. Effective July 1, 2024, the Department of Medical Assistance Services (DMAS) shall have the authority to amend the State Plan for Medical Assistance to increase the per diem rates paid to therapeutic group homes (TGH) that accept children requiring early and periodic screening, diagnosis, and treatment (EPSDT) services by 50 percent.

FFFFF.1. Effective July 1, 2024, the Department of Medical Assistance Services shall have the authority to update the rates for DD waiver services by three percent for Group Homes, Sponsored Residential, Supported Living, Independent Living Supports, In-home Supports, Community Engagement, Community Coaching, Therapeutic Consultation, Private Duty and Skilled Nursing, Group Day Support, Group Supported Employment, Workplace Assistance, Community Guide, and Benefits Planning. The department shall have the authority to implement these changes prior to completion of any regulatory process to effect such change.

2. Effective July 1, 2025, the Department of Medical Assistance Services shall have the authority to update the rates for DD waiver services by three percent for Group Homes, Sponsored Residential, Supported Living, Independent Living Supports, In-home Supports, Community Engagement, Community Coaching, Therapeutic Consultation, Private Duty and Skilled Nursing, Group Day Support, Group Supported Employment, Workplace Assistance, Community Guide, and Benefits Planning. The department shall have the authority to implement these changes prior to completion of any regulatory process to effect such change.

GGGGG.1. Effective July 1, 2024, DMAS shall increase the rates for agency- and consumer-directed personal care, respite and companion services in the home and community-based services waivers and Early Periodic Screening, and Diagnosis and Treatment (EPSDT) program by two percent. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

2. Effective July 1, 2025, DMAS shall increase the rates for agency- and consumer-directed personal care, respite and companion services in the home and community-based services waivers and Early Periodic Screening, and Diagnosis and Treatment (EPSDT) program by two percent. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

HHHHH. The Department of Medical Assistance Services shall have the authority to change the reimbursement methodology for adult day health care from a daily rate to an hourly rate, however, such reimbursement is limited to no more than six hours per day. Any such reimbursement rate adjustment must be budget neutral and not increase the cost of this service. The department shall have the authority to implement this change prior to

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the completion of any regulatory process to effect such changes.

IIIII. The Department of Medical Assistance Services shall modify the nursing facility reimbursement methodology described in 12 VAC 30-90-44 to use the Patient-Driven Payment Model (PDPM) instead of Resource Utilization Groups (RUG). This change to reimbursement methodology shall be implemented in a budget neutral manner no later than October 1, 2025. The department shall have the authority to implement this change prior to the completion of any regulatory process to effect such changes.

JJJJJ. The Department of Medical Assistance Services (DMAS) shall have the authority to submit final exempt regulatory packages to repeal existing provider reimbursement regulations in 12 VAC 30-70, 12 VAC 30-80, and 12 VAC 30-90 and replace them with new sections containing text that is identical to the Medicaid state plan as it was in effect on March 1, 2025. Changes shall not impact any aspect of the Medicaid program or increase costs. These regulatory packages shall be promulgated according to the following schedule: Chapter 70 sections shall be submitted for executive branch review within 30 days from the enactment date of this Act; Chapter 80 sections shall be submitted for executive branch review within 60 days from the enactment date of this Act; Chapter 90 sections shall be submitted for executive branch review within 90 days from the enactment date of this Act.

KKKKK. The Department of Medical Assistance Services shall require that liable third-party payers are barred from refusing payment for an item or service solely on the basis that such item or service did not receive prior authorization under the third-party payer's rules.

LLLLL. The Department of Medical Assistance Services shall amend the state plans under Titles XIX and XXI of the Social Security Act, and any waivers thereof, and make any changes to managed care contracts as necessary to enable children served in psychiatric residential treatment facilities (PRTF) to maintain their enrollment in managed care during their treatment. The payment for PRTF per diem payments and PRTF required services shall be carved out of managed care and paid as a fee-for-service benefit. Required services include assessment and diagnosis, physician medication management and supervision, urine testing and psychological professional services when delivered by facility staff or contractors. Any service eligible for reimbursement through the Children's Services Act shall not be included in managed care. The department shall have the authority to create a new capitation payment structure to reflect this change in managed care service delivery. Costs associated with any carved-out services shall be excluded from managed care payment methodologies. The department shall have the authority to implement this change effective July 1, 2025 and prior to the completion of any regulatory process.

MMMMM. Effective July 1, 2025, the Department of Medical Assistance Services shall amend the state plan for medical assistance services to include a provision for payment of medical assistance for FDA approved long-acting injectable or extended-release medications administered for a serious mental illness or substance use disorder in any hospital emergency department or hospital inpatient setting. This payment shall be unbundled from the hospital daily rate.

NNNNN. The Department of Medical Assistance Services shall convene a workgroup with staff designees from the Department of Planning and Budget and the House Appropriations and Senate Finance and Appropriations Committees to evaluate options for developing a process that recognizes the true costs of policy changes to the Medicaid program and how to integrate such process as part of the development of the state budget.

OOOOO.1. Effective July 1, 2025, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to authorize coverage for a continuous glucose monitor (CGM) and related supplies for the treatment of a Medicaid enrollee under the Medicaid medical and pharmacy benefit if the enrollee: (i) has been diagnosed with diabetes by his or her primary care physician, or another licensed health care practitioner authorized to make such a diagnosis; (ii) is being treated with insulin; and/or (iii) has a history of problematic hypoglycemia; (iv) the enrollee's treating practitioner has concluded that the enrollee (or enrollee's caregiver) has sufficient training using the CGM prescribed as evidenced by providing a prescription; and (v) the CGM is prescribed in accordance with the Food and Drug Administration indications for use.

2. Coverage shall include the cost of any necessary repairs or replacement parts for the

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continuous glucose monitor.

3. To qualify for continued coverage under this section, the Medicaid enrollee must participate in follow-up care with his or her treating health care practitioner, in-person or through telehealth, at least once every six months during the first 18 months after the first prescription of the continuous glucose monitor for the recipient has been issued under this section, to assess the efficacy of using the monitor for treatment of diabetes. After the first 18 months, such follow-up care must occur at least once every 12 months.

PPPPP. The Department of Medical Assistance Services shall ensure the reimbursement for a service provided by a licensed certified midwife or licensed midwife shall be in the same amount as the Medicaid reimbursement paid a licensed physician or certified nurse midwife, whichever is higher, for performing such service in the area served.

QQQQQ.1. Effective, January 1, 2026, the Department of Medical Assistance Services (DMAS) is authorized to establish objective and measurable performance measures for acute care hospitals that are receiving private acute care hospital enhanced payments authorized in § 3-5.15 of this act. These measures shall assess whether the additional payments improve services for Medicaid members. Specifically, DMAS shall include requirements to ensure access to care by Medicaid members through network adequacy requirements to prevent a hospital from reducing its service offerings in a manner that would have an adverse impact on Medicaid members in the community. In addition, DMAS shall include requirements to ensure improved coordination of care for behavioral health patients, including continued participation by hospitals in the acute bed registry. DMAS shall establish a process for measuring progress and may include a process to allow for corrective actions required for hospitals that do not achieve the specific performance measures established by DMAS. DMAS is authorized to measure progress toward these performance measures on a quarterly basis, unless DMAS determines that a specific measure is more appropriately measured on a longer timeframe. DMAS shall consult with impacted stakeholders in developing the performance measures and associated processes. A hospital that does not achieve the specific performance measures established by DMAS and is not able to fulfill the necessary corrective actions in the timeframe required by DMAS, shall lose eligibility for private acute care hospital enhanced payments for the associated period as determined by DMAS. DMAS shall submit a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees on the measures established and associated processes by November 15, 2025.

2. DMAS shall have the authority to seek necessary federal approval for state plan amendments and changes to the preprint to the Centers for Medicare and Medicaid Services to effectuate the provisions of paragraph QQQQQ.1.

RRRRR. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance to make supplemental payments through an adjustment to the formula for indirect medical education (IME) reimbursement, using managed care discharge days, not to exceed $30,000,000 total computable for teaching hospitals affiliated with Virginia Tech Carilion School of Medicine. The public entity shall transfer the non-federal share of the authorized supplemental payments. The funds to be transferred must comply with 42 CFR 433.51 and 433.54. Such funds may not be paid from any private agreements with Virginia Tech Carilion School of Medicine that are in excess of fair market value or that alleviate pre-existing financial burdens of the school. The Virginia Tech Carilion School of Medicine is authorized to use general fund dollars to accomplish this transfer. The Virginia Tech Carilion School of Medicine would enter into an Interagency Agreement with the department for this purpose and must attest to compliance with applicable CMS criteria. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

SSSSS. The Department of Medical Assistance Services shall seek the appropriate waiver authority for a demonstration project to add neurobehavioral and neurorehabilitation facilities to support 20 individuals with traumatic brain injuries and neurocognitive disorders by January 1, 2026. The neurobehavioral and neurorehabilitation facilities shall be considered as a specialized institutional placement for individuals with a traumatic brain injury diagnosis. The department shall set service definitions,

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administrative structure, eligibility criteria, eligibility and enrollment processes, and reimbursement rates required for administration of a program for such facilities. The department shall have authority to implement these changes prior to the completion of any regulatory process undertaken in order to effect such change.

TTTTT. The Department of Medical Assistance Services (DMAS) is authorized to reimburse at the applicable Indian Health Services (IHS) outpatient all-inclusive rate published annually in the Federal Register for clinic services or federally qualified health center (FQHC) services provided to Medicaid-eligible American Indians and Alaska Natives (AI/AN) by facilities operated by Tribal Health Clinics and tribal FQHCs funded by Title I or V of the Indian Self Determination and Education Assistance Act, also known as Tribal 638 facilities, provided such payments are eligible for reimbursement at a federal medical assistance percentage (FMAP) of 100 percent. Any services provided by IHS or Tribal 638 facilities that are not eligible for reimbursement at a 100 percent FMAP shall be reimbursed at standard Medicaid rates (the rates otherwise paid to non-tribal facilities for the same services) and not at the IHS outpatient all-inclusive rate. DMAS is authorized to make any necessary managed care contract changes and seek all necessary federal authority through state plan or waiver amendments submitted to the Centers for Medicare and Medicaid Services under Titles XIX and XXI of the Social Security Act to implement the provisions of this paragraph. The department shall implement this reimbursement change consistent with the effective date of the appropriate federal authority, and prior to the completion of any regulatory process. If the above rate structure is not approved by the Centers for Medicare and Medicaid Services, then DMAS shall seek approval to reimburse IHS facilities, tribal clinics and tribal FQHCs at the standard Medicaid rate for all services.

UUUUU. Effective July 1, 2025, the Department of Medical Assistance services shall increase the rates by 6.5 percent for Office Based Addiction Treatment, Opioid Treatment Services, Partial Hospitalization Services, and Intensive Outpatient Services.

VVVVV. Effective July 1, 2025, the department shall modify nursing facility direct care base rates by redetermining each of the regional peer group prices under the existing methodology, except by using the cost of the relevant facility with the 59th percentile day in place of the cost of the currently mandated facility with the 50th percentile day, or "day-weighted median," cost. This shall be applied using the rebasing model implemented for fiscal year 2025 rates, with resulting direct care rates adjusted for this change and inflated to fiscal year 2026 per existing policy. This methodology change shall be maintained until the next rebasing. The department shall have the authority to implement these changes upon federal approval and prior to the completion of any regulatory process.

WWWWW. The Department of Medical Assistance Services (DMAS) shall amend the Medicaid State Plan for Medical Assistance and regulations to provide supplemental payments for dentists employed by or contracted with Virginia Commonwealth University's School of Dentistry. The total supplemental payment shall be based on the average commercial rate as approved by the federal Centers for Medicare and Medicaid (CMS) and all other Medicaid payments subject to such limit made to such dentists. DMAS shall enter into a transfer agreement with Virginia Commonwealth University for such supplemental payments, in which the University shall provide the non-federal share in order to match federal Medicaid funds for the supplemental payments. The department shall have the authority to implement these reimbursement changes consistent with the effective date in the State Plan amendment approved by CMS and prior to completion of any regulatory process in order to effect such changes.

289.	Medical Assistance Services (Non-Medicaid) (46400)				$821,702	$821,702
	Insurance Premium Payments for HIV-Positive Individuals (46403)	$556,702	$556,702			
	Reimbursements from the Uninsured Medical Catastrophe Fund (46405)	$265,000	$265,000			
	Fund Sources: General	$781,702	$781,702			
	Dedicated Special Revenue	$40,000	$40,000			

Authority: §32.1-330.1 and §32.1-324.3, Code of Virginia.

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A. Out of this appropriation, $556,702 the first year and $556,702 the second year from the general fund shall be provided for insurance payment assistance to HIV-infected persons in accordance with § 32.1-330.1, Code of Virginia, except that the eligibility threshold for assistance shall allow a maximum income of no more than 250 percent of the federal poverty threshold.				
B. Out of this appropriation, $225,000 the first year and $225,000 the second year from the general fund shall be transferred to the Uninsured Medical Catastrophe Fund under § 32.1-324.3, Code of Virginia.				
290. Medical Assistance Services for Low Income Children (46600)			~~$247,129,944~~ *$311,181,127*	~~$266,290,790~~ *$335,777,427*
Reimbursements for Medical Services Provided to Low-Income Children (46601)	~~$247,129,944~~ *$311,181,127*	~~$266,290,790~~ *$335,777,427*		
Fund Sources: General	~~$82,447,645~~ *$104,833,980*	~~$89,206,542~~ *$114,503,632*		
Federal Trust	~~$164,682,299~~ *$206,347,147*	~~$177,084,248~~ *$221,273,795*		
Authority: Title 32.1, Chapters 9, 10 and 13, Code of Virginia; P.L. 89-97, as amended, Titles XIX and XXI, Social Security Act, Federal Code.				
To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation, as needed, from Children's Health Insurance Program Delivery (44600) and Medicaid Program Services (45600), if available, into this Item to be used as state match for federal Title XXI funds.				
291. Medical Assistance Management Services (Forecasted) (49600)			$47,421,627	~~$47,421,627~~ *$48,298,297*
Medicaid payments for enrollment and utilization related contracts (49601)	$44,836,320	~~$44,836,320~~ *$45,712,990*		
CHIP payments for enrollment and utilization related contracts (49632)	$2,585,307	$2,585,307		
Fund Sources: General	$14,392,754	~~$14,392,754~~ *$14,709,915*		
Dedicated Special Revenue	$3,604,941	~~$3,604,941~~ *$3,726,115*		
Federal Trust	$29,423,932	~~$29,423,932~~ *$29,862,267*		
Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Titles XIX and XXI, Social Security Act, Federal Code.				
Amounts appropriated in this Item shall fund administrative expenditures associated with contracts between the department and companies providing dental benefit services, consumer-directed payroll services, claims processing, behavioral health management services and disease state/chronic care programs for Medicaid and FAMIS recipients.				
292. Administrative and Support Services (49900)			~~$317,165,151~~ *$320,635,151*	~~$350,856,604~~ *$356,653,548*
General Management and Direction (49901)	~~$298,478,415~~ *$301,948,415*	~~$332,169,868~~ *$337,966,812*		
Administrative Support for the Family Access to Medical Insurance Security Plan (49932)	$16,186,736	$16,186,736		
CHIP Health Services Initiatives (49936)	$2,500,000	$2,500,000		
Fund Sources: General	~~$80,776,137~~ *$81,923,962*	~~$85,824,654~~ *$88,379,375*		
Special	$7,329,800	$7,329,800		
Dedicated Special Revenue	~~$10,162,173~~ *$10,249,348*	~~$10,218,212~~ *$10,257,513*		

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Federal Trust.....	~~$218,897,041~~ *$221,132,041*	~~$247,483,938~~ *$250,686,860*		

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

A.1.a. Notwithstanding any other provision of law, by November 1 of each year, the Department of Medical Assistance Services (DMAS) shall prepare and submit a forecast of Medicaid expenditures, upon which the Governor's budget recommendations will be based, for the current and subsequent two years to the Director, Department of Planning and Budget (DPB) and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

b. The forecast shall be based on current state and federal laws and regulations.

c. The forecast shall reflect only expenditures for medical services provided in Program 45600 and shall exclude service area 45606, service area 45607, and administrative expenditures.

d. Rebasing and inflation estimates that are required by existing law or regulation for any Medicaid provider shall be included in the forecast.

e. The forecast shall include a projection of the increases or decreases in managed care costs, including the rates that will be reflected in the upcoming July 1 contracts as well as changes in managed care rates for a three-year period including the current year.

f. In preparing for each year's forecast of the managed care portions of the budget, DMAS shall submit to its actuarial contractor a letter of request, with a copy sent to the Director, DPB and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. This letter shall document the department's request for a point estimate of managed care rates and changes in rates, based on the application of actuarial principals and methodologies and information available at the time of the forecast. The letter also shall require that the contractor reflect the years being forecasted, and shall specify the population groupings for which estimates are requested. The department shall request that the contractor reply in writing with a copy to all parties copied on the department's letter of request.

2. In addition to the November 1 forecast submission, DMAS shall provide: 1) a separate accounting of forecasted expenditures by caseload/utilization, inflation and policy changes; and 2) an enrollment forecast for the same period of the forecast.

3. In the development and execution of the official forecast, DMAS shall collaborate with staff from the Department of Planning and Budget (DPB), House Appropriations Committee and Senate Finance and Appropriations Committee. Further, DMAS shall consult with DPB and money committee staff throughout the year, as necessary, to review any issues that may influence the current or upcoming forecasts. Upon request from such staff, DMAS shall provide the information necessary to evaluate factors that may affect the Medicaid forecast; including, but not limited to, program utilization, enrollment, lump sum payments, and rate changes. At a minimum, DMAS shall provide such staff with program updates within 30 days after the end of each General Assembly session and fiscal year. By October 15 of each year, DMAS shall make a preliminary forecast of Medicaid expenditures available for review to staff from DPB and the House Appropriations and Senate Finance and Appropriations Committees. DMAS shall consider feedback generated from this review in the official November 1 forecast.

B.1. The Department of Medical Assistance Services (DMAS) shall submit monthly expenditure reports of the Medicaid program by service that shall compare expenditures to the official Medicaid forecast, adjusted to reflect budget actions from each General Assembly Session. *In addition, the department shall include information on service level detail, including explanations of budget and expenditure variances.* The monthly report shall be submitted to the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees within 20 days after the end of each month.

2. The Department of Medical Assistance Services shall prepare a quarterly report summarizing managed care expenditures by program and service category through the most

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recent quarter with three months of runout. The report shall summarize the data by service date for each quarter in the current fiscal year and the previous two fiscal years and update prior quarter expenditures. The department shall publish the report on the department's website no later than 30 days after the end of each quarter and shall notify the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. *The department shall include in such notification information on unexpected trends that may have a significant budgetary impact.*

3. The Department of Medical Assistance Services shall track expenditures for the prior fiscal year that ended on June 30, that includes the expenditures associated with changes in services and eligibility made in the Medicaid and FAMIS programs adopted by the General Assembly in the past session(s). Expenditures related to changes in services and eligibility adopted in a General Assembly Session shall be included in the report for five fiscal years beginning from the first year the policy impacted expenditures in the Medicaid and FAMIS programs. The department shall report the expenditures of each funding change separately and show the impact by fiscal year. The report shall be submitted to the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by December 1 of each year.

4. ~~The Department of Medical Assistance Services shall convene a meeting three times each fiscal year with the Secretary of Finance, Secretary of Health and Human Resources, or their designees, and appropriate staff from the Department of Planning and Budget, House Appropriations and Senate Finance and Appropriations Committees, and Joint Legislative Audit and Review Commission to explain any material differences in expenditures compared to the official Medicaid forecast, adjusted to reflect budget actions from each General Assembly Session. The main purpose of each meeting shall be to review and discuss the most recent Medicaid expenditures to determine the program's financial status. At each meeting, the department shall report on enrollment trends by eligibility category and indicate differences in actual enrollment as compared to the most recent forecast of enrollment. If necessary, the department shall provide options to bring expenditures in line with available resources. At each meeting, the department shall provide an update on any changes to the managed care programs, or contracts with managed care organizations, that includes detailed information and analysis on any such changes that may have an impact on the capitation rates or overall fiscal impact of the programs, including changes that may result in savings. In addition, the department shall report on utilization and other trends in the managed care programs. During each fiscal year, the meetings shall be held in April, July, and October of each year to review the time period since the last meeting.~~*The Department of Medical Assistance Services (DMAS) shall convene a meeting three times each fiscal year with the Secretary of Finance, Secretary of Health and Human Resources, or their designees, and appropriate staff from the Department of Planning and Budget, House Appropriations and Senate Finance and Appropriations Committees, and Joint Legislative Audit and Review Commission, to monitor Medicaid expenditures and enrollment growth to determine the program's financial status. At each meeting, DMAS shall report on expenditures (at the service level of detail) and enrollment in the Medicaid and children's health insurance programs to explain any material differences in expenditures compared to the official Medicaid forecast or children's health insurance programs forecasts, adjusted to reflect budget actions from each General Assembly Session. In addition, DMAS shall report on enrollment trends by eligibility category and indicate differences in actual enrollment as compared to the most recent forecast of enrollment. If expenditures are exceeding the budget for Medicaid or the children's health insurance programs, the department shall provide options to bring expenditures in line with available resources. At each meeting, DMAS shall provide an update on any changes to the managed care programs, or contracts with managed care organizations, that includes detailed information and analysis on any such changes that may have an impact on the capitation rates or overall fiscal impact of the programs, including changes that may result in savings. In addition, DMAS shall provide an analysis at each meeting on spending and utilization trends within the the managed care programs with a focus on trends that indicate higher growth than was anticipated in the capitation rates. During each fiscal year, the meetings shall be held in April, July, and October of each year to review the time period since the last meeting.*

5. DMAS shall monitor the Medicaid and children's health insurance programs to ensure

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cost-effectiveness of these programs in the delivery of health care services and develop strategies to achieve such cost-effectiveness and report on such strategies to the Governor and the General Assembly on an annual basis, by no later than September 1 of each year.

6. DMAS may only implement policy or programmatic changes to the Medicaid or children's health insurance programs after performing an analysis of potential costs to the Commonwealth. Any policy or programmatic change with a fiscal impact, for which no appropriation has been provided, shall only be implemented if it has been specifically authorized by the General Assembly through a general appropriation act, a statutory requirement, or is otherwise required by federal law. At least 15 days prior to the implementation of any change that may have a cost for which the agency does not have legislative appropriation, DMAS shall notify the Director, Department of Planning and Budget, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

C. The Department of Medical Assistance Services shall report a detailed accounting, annually, of the agency's organization and operations. This report shall include an organizational chart that shows all full- and part-time positions (by job title) employed by the agency as well as the current management structure and unit responsibilities. The report shall also provide a summary of organization changes implemented over the previous year. The report shall be made available on the department's website by August 15 of each year.

D. The Department of Medical Assistance Services shall, within 15 days of receiving a deferral of federal grant funds, or release of a deferral, or a disallowance letter, notify the Director, Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees of such deferral action or disallowance. The notice shall include the amount of the deferral or disallowance and a detailed explanation of the federal rationale for the action. Any federal documentation received by the department shall be attached to the notification.

E.1. It is the intent of the General Assembly that the Department of Medical Assistance Services provide data regarding Medicaid and other programs operated by the department on their public website. The department shall maintain a central website that consolidates data and statistical information to make the information readily available to the general public. At a minimum the information included on such website shall include *(i)* monthly enrollment data~~,~~*; (ii)* expenditures by service~~,~~*; (iii) policy changes authorized by the General Assembly in the prior fiscal year, including the amount appropriated to address the fiscal impact and a 6-year projection of costs; and (iv) a list of programmatic and policy changes, including but not limited to, state plan amendments, federal waiver renewals and amendments, regulatory changes, guidance document changes, provider manuals and memos, managed care contract changes, technical assistance manual changes, or any other communication of official policy proposed by DMAS. The list shall include a brief description of the change, the authority for the change, an assessment of potential costs or savings,* and other relevant data.

2. The department shall make Medicaid and other agency data stored in the agency's data warehouse available through the department's website that includes, at a minimum, interactive tools for the user to select, display, manipulate and export requested data.

3. The Department of Medical Assistance Services shall post on its website the complete State Plan for Medical Assistance along with all amendments in an easily searchable format to be accessible to the public.

4. Within five days of any submission of a State Plan amendment to the Centers for Medicare and Medicaid Services, the Department of Medical Assistance Services shall post such submission on its website. The department shall also post any federal approval documents once the State Plan amendment is approved.

~~5. The department shall publish a document on its website, updated annually, that lists all policy changes, including their fiscal impact, for the Medicaid program for the preceding fiscal year.~~

F. The Department of Medical Assistance Services shall notify the Director, Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees at least 30 days prior to any change in capitated rates for

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managed care companies. The notification shall include the amount of the rate increase or decrease, and the projected impact on the state budget.

G. The Department of Medical Assistance Services, to the extent permissible under federal law, shall enter into an agreement with the Department of Behavioral Health and Developmental Services to share Medicaid claims and expenditure data on all Medicaid-reimbursed mental health, intellectual disability and substance abuse services, and any new or expanded mental health, intellectual disability ~~retardation~~ and substance abuse services that are covered by the State Plan for Medical Assistance. The information shall be used to increase the effective and efficient delivery of publicly funded mental health, intellectual disability and substance abuse services.

H. The Department of Medical Assistance Services (DMAS) shall collect and provide to the Office of Children's Services (OCS) all information and data necessary to ensure the continued collection of local matching dollars associated with payments for Medicaid eligible services provided to children through the Children's Services Act. This information and data shall be collected by DMAS and provided to OCS on a monthly basis.

I. The Department of Medical Assistance Services in cooperation with the State Executive Council, shall provide semi-annual training to local Children's Services Act teams on the procedures for use of Medicaid for residential treatment and treatment foster care services, including, but not limited to, procedures for determining eligibility, billing, reimbursement, and related reporting requirements. The department shall include in this training information on the proper utilization of inpatient and outpatient mental health services as covered by the Medicaid State Plan.

J. The Departments of Medical Assistance Services (DMAS) and Social Services (DSS) shall collaborate with the League of Social Services Executives, and other stakeholders to analyze and report data that demonstrates the accuracy, efficiency, compliance, quality of customer service, and timeliness of determining eligibility for the Medicaid and CHIP programs. Based on this collaboration, the departments shall develop meaningful performance metrics on data in agency systems that shall be used to monitor eligibility trends, address potential compliance problem areas and implement best practices. DMAS shall maintain on its website a public dashboard on eligibility performance that includes performance metrics developed through collaborative efforts as well as the performance of local departments of social services and any centralized eligibility-processing unit. Effective August 1, 2018 this dashboard shall be updated for the previous quarter and 30 days following the end of each quarter thereafter.

K. In addition to any regional offices that may be located across the Commonwealth, any statewide, centralized call center facility that operates in conjunction with a brokerage transportation program for persons enrolled in Medicaid or the Family Access to Medical Insurance Security plan shall be located in Norton, Virginia.

L. The Department of Medical Assistance Services, in collaboration with the Department of Social Services, shall require Medicaid eligibility workers to search for unreported assets at the time of initial eligibility determination and renewal, using all currently available sources of electronic data, including local real estate property databases and the Department of Motor Vehicles for all Medicaid applicants and recipients whose assets are subject to an asset limit under Medicaid eligibility requirements.

M.1. The Department of Medical Assistance Services shall require eligibility workers to verify income, using currently available Virginia Employment Commission data, for applicants and recipients who report no earned or unearned income. The Department shall require all Medicaid eligibility workers to apply the same protocols when verifying income for all applicants and recipients, including those who report no earned or unearned income.

2. The Department shall amend the Virginia Medicaid application, upon approval of the federal Centers for Medicare and Medicaid Services, to require a Medicaid applicant to opt out if such applicant does not want to grant permission to the state to use his federal tax returns for the purposes of renewing eligibility. The department shall implement the necessary regulatory changes and other necessary measures to be consistent with federal

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approval of any appropriate State Plan changes, and prior to the completion of any regulatory process undertaken in order to effect such change.

N.1. The Department of Medical Assistance Services shall report on the operations and costs of the Medicaid call center (also known as the Cover Virginia Call Center). This report shall include the number of calls received on a monthly basis, the purpose of the call, the number of applications for Medicaid submitted through the call center, and the costs of the contract. The department shall submit the report by August 15 of each year to the Director, Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

2. Out of this appropriation, $3,889,800 the first year and $3,889,800 the second year from the general fund and $10,868,700 the first year and $10,868,700 the second year from nongeneral funds is provided for the enhanced operation of the Cover Virginia Call Center as a centralized eligibility processing unit (CPU) that shall be limited to processing Medicaid applications received from the Federally Facilitated Marketplace, telephonic applications through the call center, or electronically submitted Medicaid-only applications. The department shall report the number of applications processed on a monthly basis and payments made to the contractor to the Director, Department of Planning and Budget and the Chairman of the House Appropriations and Senate Finance and Appropriations Committees. The report shall be submitted no later than 60 days after the end of each quarter of the fiscal year.

O. Out of this appropriation, $15,462,264 the first year and $15,462,264 the second year from the general fund and $62,407,632 the first year and $62,407,632 the second year from nongeneral funds shall be provided to maintain and operate the Medicaid Enterprise System.

P.1. Out of this appropriation, $6,035,000 the first year and $6,035,000 the second year from special funds is appropriated to the Department of Medical Assistance Services (DMAS) for the disbursement of civil money penalties (CMP) levied against and collected from Medicaid nursing facilities for violations of rules identified during survey and certification as required by federal law and regulation. Based on the nature and seriousness of the deficiency, the agency or the Centers for Medicare and Medicaid Services may impose a civil money penalty, consistent with the severity of the violations, for the number of days a facility is not in substantial compliance with the facility's Medicaid participation agreement. Civil money penalties collected by the Commonwealth must be applied to the protection of the health or property of residents of nursing facilities found to be deficient. Penalties collected are to be used for (1) the payment of costs incurred by the Commonwealth for relocating residents to other facilities; (2) payment of costs incurred by the Commonwealth related to operation of the facility pending correction of the deficiency or closure of the facility; and (3) reimbursement of residents for personal funds or property lost at a facility as a result of actions by the facility or individuals used by the facility to provide services to residents. These funds are to be administered in accordance with the revised federal regulations and law, 42 CFR 488.400 and the Social Security Act § 1919(h), for Enforcement of Compliance for Long-Term Care Facilities with Deficiencies. Any special fund revenue received for this purpose, but unexpended at the end of the fiscal year, shall remain in the fund for use in accordance with this provision.

2. Of the amounts appropriated in P.1. of this Item, up to $225,000 the first year and $225,000 the second year from special funds may be used for the costs associated with administering CMP funds.

3. Of the amounts appropriated in P.1. of this Item, up to $2,310,000 the first year and $2,310,000 the second year from the special funds may be used for special projects that benefit residents and improve the quality of nursing ~~F~~*f*acilities.

4. Out of the amounts appropriated in P.1. of this Item, $3,500,000 the first year and $3,500,000 the second year from special funds shall be used for a quality improvement program addressing nursing facility capacity building. The program design may be based on the results of the Virginia Gold Quality Improvement Program pilot project, to include peer mentoring, job-related and interpersonal skills training, and work-related benefits. The Department of Medical Assistance Services shall seek approval from the Centers for Medicare & Medicaid Services (CMS) to implement the program.

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5. By October 1 of each year, the department shall provide an annual report of the previous fiscal year that includes the amount of revenue collected and spending activities to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget.

6. No spending or activity authorized under the provisions of paragraph P. of this Item shall necessitate general fund spending or require future obligations to the Commonwealth.

7. The department shall maintain a CMP special fund balance of at least $1.0 million to address emergency situations in Virginia's nursing facilities.

8. The Department of Medical Assistance Services is authorized to administratively request up to $2,000,000 of additional special fund appropriation for special projects if 1) the appropriated amounts in P.3. are insufficient; and 2) such projects and costs are approved by the Centers for Medicare and Medicaid Services (CMS) for the Civil Money Penalty Reinvestment State Plan. The Department of Planning Budget shall approve such requests provided the required conditions are met.

Q. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund shall be provided to contract with the Virginia Center for Health Innovation for research, development and tracking of innovative approaches to healthcare delivery.

R. The Department of Medical Assistance Services shall, prior to the end of each fiscal quarter, determine and properly reflect in the accounting system whether pharmacy rebates received in the quarter are related to fee-for-service or managed care expenditures and whether or not the rebates are prior year recoveries or expenditure refunds for the current year. The state share of pharmacy rebates for the quarter determined to be prior year revenue shall be deposited to the Virginia Health Care Fund before the end of the fiscal quarter. The department shall create and use a separate revenue source code to account for pharmacy rebates in the Virginia Health Care Fund.

S. Out of this appropriation, $87,500 the first year and $87,500 the second year from the general fund and $262,500 the first year and $262,500 second year from nongeneral funds shall be provided for support of the All Payer Claims Database operated by Virginia Health Information. This appropriation is contingent on federal approval of an Operational Advanced Planning Document.

T. Out of this appropriation, $875,000 the first year and $875,000 the second year from the general fund and $1,625,000 the first year and $1,625,000 the second year from nongeneral funds is provided for the Department of Medical Assistance Services to amend the State Plan and any waivers under Title XXI to fund $2,500,000 annually for ~~three~~ *two* Poison Control centers serving Virginia as part of a Health Services Initiative. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.

U. Notwithstanding any other provision of law, the Department of Medical Assistance Services (DMAS) shall have the authority to adjust the date of any agency payments should doing so allow the agency to maximize federal reimbursement. This language shall only apply to the extent that any impacted payments or reimbursements are allowable and appropriate under state and federal rules.

V. The Department of Medical Assistance Services shall amend regulations to clarify (i) the burden of proof in client appeals; (ii) the scope of review for de novo hearings in client appeals, and (iii) the timeframes for submission of documents and decision deadlines for de novo client hearings. The department shall have the authority to promulgate emergency regulations to implement these amendments within 280 days or less from the enactment of this Act.

W. Out of this appropriation, $447,700 the first year and $447,700 the second year from the general fund and $1,212,666 the first year and $1,212,666 the second year from nongeneral funds is provided to implement the Virginia Facilitated Enrollment Program.

X. Out of this appropriation, $1,319,515 the first year and $1,319,515 the second year

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from the general fund and $3,798,129 the first year and $3,798,129 the second year from federal funds is provided to support the Emergency Department Care Coordination Program (EDCC) as allowed by the Centers for Medicare and Medicaid Services. The Department of Medical Assistance Services, in cooperation with the Virginia Department of Health, shall establish a work group comprised of the EDCC contractor, the Virginia Health Information, Medicaid and commercial managed care organizations, health systems with emergency departments and emergency department physicians to optimize the use of the system and any enhancements to the system to facilitate communication and collaboration among physicians, other healthcare providers and other clinical and care management personnel about patients receiving services in hospital emergency departments for the purpose of improving the quality of care.

Y. Out of this appropriation, $90,000 the first year and $90,000 the second year from the general fund and $90,000 the first year and $90,000 the second year from federal funds shall be used by the agency to hire a full time employee in the provider reimbursement division. This employee shall have the actuarial and accounting experience necessary to provide ongoing expertise on nursing facility reimbursement and rate methodology issues.

Z. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund and $300,000 the first year and $300,000 the second year from federal funds shall be used by the agency to hire five additional full-time employees to augment existing staff in the agency's finance division. Specifically, the Department of Medical Assistance Services shall hire three additional positions in the budget division, one additional position in the fiscal division and one additional position in the provider reimbursement division. The agency shall inform the Director, Department of Planning and Budget once these positions are hired. In addition, these positions shall be highlighted in the agency's annual organizational report.

AA. Out of this appropriation, $551,010 the first year and $551,010 the second year from the general fund and $1,530,583 the first year and $1,530,583 the second year from nongeneral funds is provided for 17 positions to improve Third-Party Liability (TPL) recoveries. These additional positions shall augment the existing 17 positions currently utilized by the Department of Medical Assistance Services to support TPL recovery efforts. DMAS shall utilize a minimum of 34 positions to perform TPL recoveries. DMAS shall make information related to TPL activities available on the agency website. This data should be updated quarterly and include, but not be limited to, state and federal compliance status, backlogs and amounts recovered.

BB. Out of this appropriation, $85,000 the first year and $85,000 the second year from the general fund and $85,000 the first year and $85,000 the second year from federal funds is provided for a position to support agency responsibilities associated with developmental disability waiver services. Effective July 1, 2023, the Department of Medical Assistance Services shall be fully responsible for all financial analysis, rates, and budget work associated with Virginia's developmental disability waiver services.

CC. Three positions are provided to replace contractual staff in the eligibility and enrollment unit. The department shall utilize a minimum of four classified positions to support this unit's activities.

DD. Out of this appropriation, $1,000,000 the first year and $2,200,00 the second year from the general fund and $8,000,000 the first year and $19,800,000 the second year from nongeneral funds is provided to replace the agency fiscal agent services system. The Director, Department of Planning and Budget, shall unallot this appropriation until the Department of Medical Assistance Services provides documentation of actual costs to replace the system and shall only allot the amounts needed for actual expenditures in each fiscal year.

EE. Out of this appropriation, $590,000 the first year and $590,000 the second year from the general fund shall be provided to enhance the oversight of the Cardinal Care Managed Care Contract. The department shall increase the staff support for managed care contract operations by three positions.

FF. The Department of Medical Assistance Services shall improve efforts to determine if individuals applying for and enrolled in the Medicaid and CHIP programs are eligible for alternative health care coverage. The department shall report on its efforts, as well as potential

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strategies to enhance coverage identifications, to the Chairmen of the House Appropriations and Senate Appropriations and Finance Committees and the Director, Department of Planning and Budget by October 1 of each year.

GG. The Department of Medical Assistance (DMAS) shall convene a workgroup to evaluate the criteria for hospitals to qualify for disproportionate share hospital (DSH) payments. The workgroup shall evaluate current DSH criteria, including the Medicaid inpatient utilization rate, to determine changes that are necessary to reflect the impact from the Commonwealth's expansion of Medicaid in 2019. The workgroup shall recommend a new Medicaid inpatient utilization threshold to qualify for DSH payments to ensure that those hospitals with the largest uncompensated care costs are receiving appropriate DSH payments. The workgroup shall include representatives from DMAS, the Department of Planning and Budget, and staff from the House Appropriations and Senate Finance and Appropriations Committees. The workgroup shall report its findings to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2024.

HH. Out of this appropriation, $500,000 from the general fund and $500,000 from nongeneral funds the first year shall be provided to the Department of Medical Assistance Services (DMAS) to hire a consultant, with Medicaid-specific knowledge related to eligibility determination, process-design and information technology, to evaluate Medicaid eligibility determination in the Commonwealth. The consultant shall conduct a systematic review and evaluate all aspects of Medicaid eligibility determination as performed by DMAS and local departments of social services (LDSS). This review shall include, but not be limited to, the following: (i) evaluate the current information technology systems; (ii) measure the accuracy, processing times and efficiency of current eligibility determination processes; (iii) determine how well the current structure and systems handle high volumes; (iv) assess the current level of automation and determine processes that could be streamlined; (v) analyze the overall cost-effectiveness of how eligibility is conducted, considering staffing costs and ongoing operational expenses; (vi) examine best practices in other states; and (vii) develop cost-effective options for enhancing eligibility determination in the Commonwealth including alternative delivery models. DMAS, the Department of Social Services, and LDSS shall provide full cooperation with the consultant and provide the necessary assistance to conduct the required evaluation. The consultant shall be required to report their findings and recommendations directly to the Governor, Department of Planning and Budget, and Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 15, 2024. The Director, Department of Planning and Budget, shall unallot this appropriation until the Department of Medical Assistance Services provides documentation of the contract's cost, and shall only allot the amount needed for the contract.

II. Out of this appropriation, $162,825 the first year and $48,871 the second year from the general fund and $337,175 the first year and $48,871 the second year from nongeneral funds is provided to support the administrative cost of implementing an 1115 serious mental illness waiver. Any unexpended balance in this paragraph at the close of business on June 30, 2025 associated with unpaid implementation costs shall not revert to the general fund but shall be carried forward and reappropriated.

JJ. Out of this appropriation, $250,000 the first year from the general fund and $250,000 the first year from federal funds shall be provided to contract with the Virginia Task Force on Primary Care (VTFPC) to conduct research dedicated to guiding Medicaid policy as it relates to primary health care. By October 1, 2025, VTFPC shall provide an update to the Department of Medical Assistance Services (DMAS) on its research activities. DMAS shall provide this update to the Director, Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees upon receipt.

KK. Out of this appropriation, $2,104,607 the first year and $4,065,218 the second year from the general fund and $4,611,459 the first year and $9,070,391 the second year from nongeneral funds is provided for the Department of Medical Assistance Services to contract with a vendor to handle all mail directed to local departments of social services associated with medical assistance services. Any unexpended balance in this paragraph at

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the close of business on June 30, 2025 associated with unpaid implementation costs shall not revert to the general fund but shall be carried forward and reappropriated.

LL. Out of this appropriation, $235,000 from the general fund and $235,000 from nongeneral funds the first year shall be provided to implement the provisions of House Bill 1804, as passed during the 2025 Regular Session. Any unexpended balances for the purposes specified in this paragraph which are unexpended on June 30, 2025, shall not revert to the general fund but shall be carried forward and reappropriated in fiscal year 2026.

MM.1. Out of this appropriation, $500,000 from the general fund and $500,000 from nongeneral funds the first year shall be provided to the Department of Medical Assistance Services (DMAS) to conduct a comprehensive evaluation of the potential benefits, cost savings, and implementation considerations associated with utilizing a single third-party administrator to serve as the pharmacy benefit manager (PBM) for all Medicaid pharmacy benefits. This evaluation shall include an analysis of financial efficiencies, improved transparency, and the impact on patient access to pharmacy services, including community critical access pharmacies, along with timelines and cost for both implementation and ongoing operation and maintenance. As part of this process, DMAS shall engage an independent consultant with direct experience: (i) advising Medicaid fraud control units; and (ii) working with states that have transitioned to a single PBM model, to assess best practices and provide guidance on structuring a model that maximizes cost savings and operational effectiveness. The consultant shall not be currently engaged by any managed care organization or by any PBM contracted with a managed care organization.

2. The evaluation shall also include a detailed assessment of the implementation costs associated with transitioning to a single PBM model. Any such implementation costs shall be analyzed in comparison to the projected cost savings identified in the independent evaluation to ensure fiscal accountability. Additionally, the evaluation shall include a review of fee-for-service and managed care pharmacy dispensing fees and provide recommendations for adjustments necessary to maintain adequate pharmacy participation and patient access. DMAS shall report its findings, including projected implementation and ongoing costs, anticipated cost savings, recommended pharmacy dispensing fees, timeline for implementation, and any other recommendations for improving the administration of Medicaid pharmacy benefits, to the Governor and the General Assembly by December 1, 2025. Any unexpended balances for the purposes specified in paragraph MM.1. and MM.2. which are unexpended on June 30, 2025, shall not revert to the general fund but shall be carried forward and reappropriated in fiscal year 2026.

NN. No appropriation in this item shall be used to fund any study of medical assistance provider rates unless the General Assembly has provided specific authorization for such study. This provision shall not apply to routine rate work that is necessary to administer medical assistance programs under existing state and federal law.

OO. The Department of Medical Assistance Services is authorized to conduct a rate study of Developmental Disabilities Services required pursuant to the Permanent Injunction (Civil Action No. 3:12CV59-JAG). The department shall include stakeholders as part of the rate development process and consider their feedback in the process. The department shall submit a report with the recommended rates and associated fiscal impact to the Governor, the Director of the Department of Planning and Budget, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2025.

PP. Out of this appropriation, $206,889 the first year and $3,094,795 the second year from the general fund and $2,832,111 the first year and $16,216,115 the second year from nongeneral funds shall be provided for the Department of Medical Assistance Services to contract with a vendor to implement identified solutions to assist in timely and accurate Medicaid eligibility determinations and redeterminations. Solutions may include additional data checks to verify financial eligibility, additional data matching capability, and a portal to receive and track coverage corrections for enrollment requests between the 120 local departments of social services. Funding may be used to make enhancements to the Medicaid Management Information System and the Virginia Case Management System to implement the identified solutions. The Director of the Department of Planning and Budget shall unallot this appropriation until the Department of Medical Assistance Services provides documentation of the contract's cost and shall only allot the amount contracted for with such vendor.

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QQ. Effective upon enactment of this act, the Department of Medical Assistance Services, related to appeals administered by and for the department, shall have authority to amend regulations to require provider appeals to be filed only online through the department's appeal portal. Exceptions may be requested before a filing deadline by a provider for good cause for situations, such as lack of internet access in rural areas or other extenuating circumstances explained by the filing provider. The department shall have authority to promulgate regulations to implement these changes within 280 days or less from the enactment date of this act.				
RR. The Department of Medical Assistance Services shall make efforts to ensure that pregnant women that apply for Medicaid coverage utilize the Cover Virginia call center, to the maximum extent possible, in order to reduce the processing time of the application and expedite the applicant into coverage. The department shall collaborate with the Department of Social Services to ensure that local departments of social services have in place procedures and processes to connect pregnant women to the Cover Virginia call center to apply for coverage, unless such person is required to apply through a local department due to eligibility for other benefits programs.				
SS. The Department of Medical Assistance Services, in collaboration with the Department of Social Services, shall develop cost estimates for the options proposed in the "Evaluation of Medicaid Eligibility Determination" report to the General Assembly in December 2024 and report back to the Governor, the Director of the Department of Planning and Budget, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by September 15, 2025.				
TT. The Department of Medical Assistance Services (DMAS) and the Department of Social Services (DSS) shall design and institutionalize a joint Steering Committee on Medicaid Eligibility. The Steering Committee shall: (i) document the areas in which DMAS and DSS need to collaborate; (ii) develop and agree upon a charter for the committee that outlines the types of decision rights each agency has independently versus what the Steering Committee oversees, membership, meeting schedule, topics leadership needs routine visibility on, a process for escalating issues to the Steering Committee, a process for the staff to brief the Steering Committee, and a process for coordinating and briefing the Secretary of Health and Human Resources or other state leaders as needed; (iii) determine when special initiatives or task forces are required to ensure focused collaboration on key issues; (iv) have oversight over Medicaid eligibility improvement efforts; and (v) have the authority to establish a stakeholder advisory forum to inform improvement efforts.				
UU.1. Out of this appropriation, $1,250,000 the second year from the general fund and $1,250,000 the second year from nongeneral funds shall be provided to the Department of Medical Assistance Services, in consultation with Virginia universities and private businesses, to create a pilot program for mobile clinics within maternal health deserts in Virginia, as well as funding for data collection to measure the effectiveness of the program.				
2. The department shall evaluate the program's effectiveness and options for transitioning it to managed care organizations. This evaluation shall be provided to the to the Governor and Chairs of the House Appropriations and Senate Finance and Appropriations Committees by September 1, 2026.				
Total for Department of Medical Assistance Services			~~$24,574,231,112~~ *$26,272,790,627*	~~$26,219,245,749~~ *$27,548,919,470*
General Fund Positions	274.02	~~274.02~~ *276.52*		
Nongeneral Fund Positions	292.98	~~292.98~~ *295.48*		
Position Level	567.00	~~567.00~~ *572.00*		
Fund Sources: General	~~$6,880,624,122~~ *$7,209,890,810*	~~$7,270,962,970~~ *$7,622,621,275*		

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	Special	$7,329,800	$7,329,800		
	Dedicated Special Revenue	~~$2,091,426,950~~ *$2,287,759,743*	~~$2,214,914,205~~ *$2,319,107,795*		
	Federal Trust	~~$15,594,850,240~~ *$16,767,810,274*	~~$16,726,038,774~~ *$17,599,860,600*		

§ 1-94. DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (720)

293.	Regulation of Public Facilities and Services (56100)			$12,396,832	~~$12,396,832~~ *$13,060,590*
	Regulation of Health Care Service Providers (56103)	$12,396,832	~~$12,396,832~~ *$13,060,590*		
	Fund Sources: General	$8,165,639	~~$8,165,639~~ *$8,829,397*		
	Special	$3,467,612	$3,467,612		
	Federal Trust	$763,581	$763,581		

Authority: Title 37.2, Chapter 4, Code of Virginia.

A. The department shall post on its Web site information concerning (i) any application for initial licensure of or renewal of a license, denial of an application for an initial license or renewal of a license, or issuance of provisional licensure of for any residential facility for children located in the locality and (ii) all inspections and investigations of any residential facility for children licensed by the department, including copies of any reports of such inspections or investigations. Information concerning inspections and investigations of residential facilities for children shall be posted on the department's Web site within seven days of the issuance of any report and shall be maintained on the department's website for a period of at least six years from the date on which the report of the inspection or investigation was issued.

B. The Department of Behavioral Health and Developmental Services, in collaboration with the Department of Medical Assistance Services, shall have the authority to promulgate emergency regulations to align licensing regulations with the modifications being made to Medicaid behavioral health services pursuant to Item 288 of this Act. To implement these changes, the Department of Behavioral Health and Developmental Services shall promulgate emergency regulations to become effective within 280 days from the enactment of this Act.

C. The State Board of Behavioral Health and Developmental Services shall amend its regulations as necessary for persons in the process of completing necessary hours of supervision for certification through the Department of Behavioral Health and Developmental Services to be eligible for registration through the Department of Health Professions as a peer recovery specialist-trainee for approval as a Medicaid provider type for the provision of mental health and substance use peer supported services. The board shall promulgate emergency regulations to amend its peer recovery specialist regulations in order to implement the changes for peer support specialist-trainees to become effective within 280 days of the enactment of this Act.

294. A. It is the intent of the General Assembly that the Department of Behavioral Health and Developmental Services proceed in transforming its system of care into a model that embodies best practices and state-of-the art services. The consumer-driven system of services and supports shall promote self-determination, empowerment, recovery, resilience, health, and the highest possible level of consumer participation in all aspects of community life. The transformed system shall include investments in a suitable array and adequate quantity of community-based services, with an emphasis on consumer choice and the appropriate use of facility resources. State facilities shall be redesigned to ensure high quality care, efficient operation, and capacity necessary for persons most in need of such care. Amounts authorized herein, and in related legislation, shall be used to support the transformation of the system of care and to promote the provision of behavioral health and developmental services in the most efficient and appropriate setting. The Department of Behavioral Health and Developmental Services may consider the use of public-private partnerships to deliver behavioral health and intellectual disability services as part of the comprehensive behavioral health and intellectual disability system of care, in facilities that are being planned for renovation or replacement. These partnerships may include contracts with private entities for facility operations, unless

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the Department of Behavioral Health and Developmental Services can demonstrate that continued state operation of the facility is at least as cost effective and provides at least an equivalent or higher level quality care than operation by a private entity.

B. Notwithstanding any law to the contrary, on July 1, of each year, the State Comptroller shall transfer to the general fund any special revenue fund balance accumulated by the Department of Behavioral Health and Developmental Services in excess of $25,000,000. Any special fund revenue alloted for the implementation of electronic health records shall not be counted in the balance.

C.1. Notwithstanding §4-5.10, §4-5.09 of this Act and paragraph C. of § 2.2-1156, Code of Virginia, the Department of Behavioral Health and Developmental Services is hereby authorized to deposit the entire proceeds of the sales of surplus land at state-owned behavioral health and intellectual disability facilities into a revolving trust fund. The trust fund may initially be used for expenses associated with restructuring such facilities. Remaining proceeds after such expenses shall be dedicated to continuing services for current patients as facility services are restructured. Thereafter, the fund will be used to enhance services to individuals with mental illness, intellectual disability and substance abuse problems.

2. Expenditures from the Behavioral Health and Developmental Services Trust Fund shall be subject to appropriation through an appropriations bill passed by the General Assembly.

3. Any remaining appropriation at year end in the Behavioral Health and Developmental Services Trust Fund shall be carried forward to the subsequent fiscal year.

4. The Department of Behavioral Health and Developmental Services may use the Behavioral Health and Developmental Services Trust Fund appropriation for community-based housing for any population currently served by the department.

D.1. Any funds appropriated in this act for the purpose of complying with the settlement agreement with the United States Department of Justice pursuant to civil action no: 3:12cv059-JAG that remain unspent at the end of each fiscal year shall be reported by the Department of Behavioral Health and Developmental Services to the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by September 1 after the close of each fiscal year. The department shall include in its report each item and the amount of funding for such item that remains unspent, with an explanation for the remaining balance at year end.

2. The Department of Behavioral Health and Developmental Services shall report on the status of compliance with the provisions of the settlement agreement with the United States Department of Justice pursuant to civil action no: 3:12cv059-JAG and shall: (i) list each noncompliant provision; (ii) the status of meeting the provision; (iii) the department's planned actions to achieve compliance; and (iv) the date the department expects to achieve compliance with the provision. The department shall report such information to the Director, Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees quarterly, with each report due 30 days after the end of each quarter.

E. The Department of Behavioral Health and Developmental Services shall, in its guidance, regulations and policies for Certified Prescreener Clinicians, related to educational and supervisory qualifications, ensure compliance with the process to allow experienced staff who do not meet the enhanced requirements to continue to practice as a Certified Prescreener Clinician as outlined in the 2016 memos and guidance from the department. The department shall not alter such requirements until July 1, 2023, or after a comprehensive review of Certified Prescreener Clinicians has been conducted.

295.	Administrative and Support Services (49900).....			$160,942,418	~~$160,172,418~~ *$168,852,377*
	General Management and Direction (49901).....	$20,837,859	$20,837,859		
	Information Technology Services (49902).....	$49,958,236	~~$49,958,236~~ *$50,915,199*		
	Architectural and Engineering Services (49904).....	$2,832,651	$2,832,651		

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Collection and Locator Services (49905)	$3,779,938	$3,779,938		
Human Resources Services (49914)	$839,029	$839,029		
Planning and Evaluation Services (49916)	$3,626	$3,626		
Program Development and Coordination (49933)	$82,691,079	~~$81,921,079~~ *$89,644,075*		
Fund Sources: General	$108,291,390	~~$107,521,390~~ *$112,617,801*		
Special	$17,963,901	$17,963,901		
Dedicated Special Revenue	$4,478,113	~~$4,478,113~~ *$6,439,394*		
Federal Trust	$30,209,014	~~$30,209,014~~ *$31,831,281*		

Authority: Title 16.1, Article 18, and Title 37.2, Chapters 2, 3, 4, 5, 6 and 7, and Title 2.2, Chapters 26 and 53 Code of Virginia; P.L. 102-119, Federal Code.

A. The Commissioner, Department of Behavioral Health and Developmental Services shall, at the beginning of each fiscal year, establish the current capacity for each facility within the system. When a facility becomes full, the commissioner or his designee shall give notice of the fact to all sheriffs.

B. The Department of Behavioral Health and Developmental Services shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of acute-care psychiatric beds for children and adolescents.

C. The Department of Behavioral Health and Developmental Services, in cooperation with the Department of Juvenile Justice, where appropriate, shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of residential beds for the treatment of juveniles with behavioral health treatment needs, including those who are developmentally disabled, aggressive, or sex offenders, and those juveniles who need short-term crisis stabilization but not psychiatric hospitalization.

D. Out of this appropriation, $730,788 the first year and $730,788 the second year from the general fund shall be provided for placement and restoration services for juveniles found to be incompetent to stand trial pursuant to Title 16.1, Chapter 11, Article 18, Code of Virginia.

E. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund shall be used to pay for legal and medical examinations needed for individuals living in the community and in need of guardianship services.

F. Out of this appropriation, $554,975 the first year and $554,975 the second year from the general fund shall be provided for clinical evaluations and court testimony for sexually violent predators who are being considered for release from state correctional facilities and who will be referred to the Clinical Review Committee for psycho-sexual evaluations prior to the state seeking civil commitment.

G. Out of this appropriation, $4,659,066 the first year and $4,659,066 the second year from the general fund shall be provided for conditional release services, including treatment, and costs associated with contracting with Global Positioning System service to closely monitor the movements of individuals who are civilly committed to the sexually violent predator program but conditionally released as provided by the Department of Corrections, outlined in the Memorandum of Understanding between the two agencies and pursuant to §37.2-912 of the Code of Virginia.

H. Out of this appropriation, $146,871 the first year and $146,871 the second year from the general fund shall be used to operate a real-time reporting system for public and private acute psychiatric beds in the Commonwealth.

I. The Department of Behavioral Health and Developmental Services shall submit a report to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees no later than December 1 of each year for the preceding fiscal year that provides information on the operation of Virginia's publicly-funded behavioral

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health and developmental services system. The report shall include a brief narrative and data on the numbers of individuals receiving state facility services or Community Services Boards (CSB) services, including purchased inpatient psychiatric services, the types and amounts of services received by these individuals, and CSB and state facility service capacities, staffing, revenues, and expenditures. The annual report also shall describe major new initiatives implemented during the past year and shall provide information on the accomplishment of systemic outcome and performance measures during the year.

J. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund shall be used for a comprehensive statewide suicide prevention program. The Commissioner of the Department of Behavioral Health and Developmental Services, in collaboration with the Departments of Health, Education, Veterans Services, Aging and Rehabilitative Services, and other partners shall develop and implement a statewide program of public education, evidence-based training, health and behavioral health provider capacity-building, and related suicide prevention activity.

K. The Department of Behavioral Health and Developmental Services in collaboration with the Department of Medical Assistance Services shall provide a detailed report for each fiscal year on the budget, expenditures and number of recipients for each specific intellectual disability (ID) and developmental disability (DD) service provided through the Medicaid program or other programs in the Department of Behavioral Health and Developmental Services. This report shall also include the overall budget and expenditures for the ID, DD and Day Support waivers separately. The Department of Medical Assistance Services shall provide the necessary information to the Department of Behavioral Health and Developmental Services within 90 days of the end of each fiscal year. This information shall be published on the Department of Behavioral Health and Developmental Services' website by December 1 of each year.

2. As part of the annual report, the Department of Behavioral Health and Developmental Services shall report the number of waiver slots, by waiver, that became available for reallocation during the previous fiscal year. In addition, the department shall report on the allocation of emergency waiver slots and reserve slots, which shall include how many slots were allocated in the year and for which waiver. The information on reserve slots shall indicate for which waiver the reserve slot was used and the waiver from which the individual moved that was granted the slot. Furthermore, the report shall show the allocations by each Community Services Board from new waiver slots, emergency slots and reserve slots for the previous fiscal year.

3. As part of the annual report, the Department of Behavioral Health and Developmental Services shall report the number of new slots for the previous fiscal year that were allocated by Community Services Boards and of those how many individuals are accessing waiver services. This information shall be published on the Department of Behavioral Health and Developmental Services' website by December 1 of each year.

L. The Department of Behavioral Health and Developmental Services shall, in any fiscal year that new developmental disability waiver slots are authorized in this act, allocate such slots to the Community Services Boards and a Behavioral Health Authority by the first day of the fiscal year, such that the slots can be assigned to eligible individuals on the Priority One waiting list to access services as soon as possible.

M. Effective July 1, 2015, the Department of Behavioral Health and Developmental Services shall not charge any fee to Community Services Boards or private providers for use of the knowledge center, an on-line training system.

N. Out of this appropriation, $600,000 the first year and $600,000 the second year from the general fund shall be used to provide mental health first aid training and certification to recognize and respond to mental or emotional distress. Funding shall be used to cover the cost of personnel dedicated to this activity, training, manuals, and certification for all those receiving the training.

O. Out of this appropriation, $752,170 the first year and $752,170 the second year from the general fund is provided to establish community support teams responsible for the development and oversight of a continuum of integrated community settings for individuals leaving state hospitals.

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P. The Department of Behavioral Health and Developmental Services and the Department of Medical Assistance Services shall recognize Certified Employment Support Professional (CESP) and Association of Community Rehabilitation Educators (ACRE) certifications in lieu of competency requirements for supported employment staff in the developmental disability Medicaid waiver programs to allow providers that are Department of Aging and Rehabilitative Services (DARS) vendors that hold a national three-year accreditation from the National Council on Accreditation of Rehabilitation Facilities (CARF) to be deemed qualified to meet employment competency requirements.

Q. The Department of General Services, in cooperation with the Department of Behavioral Health and Developmental Services, shall work with James City County to identify a minimum of 10 acres on the Eastern State Hospital site for the location of a new facility for Colonial Behavioral Health, which may or may not include a joint facility with Olde Towne Medical Center. The subject acres shall be transferred to James City County upon such terms and conditions as may be agreed to by the parties.

R.1. Out of this appropriation, $75,000 the first year and $75,000 the second year from the general fund is provided for compensation to individuals who were involuntarily sterilized pursuant to the Virginia Eugenical Sterilization Act and who were living as of February 1, 2015. Any funds that are appropriated but remain unspent at the end of the fiscal year shall be carried forward into the subsequent fiscal year in order to provide compensation to individuals who qualify for compensation.

2. A claim may be submitted on behalf of an individual by a person lawfully authorized to act on the individual's behalf. A claim may be submitted by the estate of or personal representative of an individual who died on or after February 1, 2015.

3. Reimbursement shall be contingent on the individual or their representative providing appropriate documentation and information to certify the claim under guidelines established by the department.

4. Reimbursement per verified claim shall be $25,000 and shall be contingent on funding being available, with disbursements being prioritized based on the date at which sufficient documentation is provided.

5. Should the funding provided in the paragraph be exhausted prior to the end of the fiscal year, the department may use available special fund revenue balances to provide compensation. The department shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis on the number of additional individuals who have applied.

S. The Department of Behavioral Health and Development Services and the Department of Medical Assistance Services shall not implement the proposed individualized supports budget process for the Medicaid Community Living, Family and Individual Support and Building Independence Waiver programs without the explicit authorization of the General Assembly through legislation or authorizing budget language.

T. The Department of Behavioral Health and Developmental Services shall report on the allocation and funding for Programs of Assertive Community Treatment (PACT) in the Commonwealth. The report shall include information on the cost of each team, the cost per individual served and the cost effectiveness of each PACT in diverting individuals from state and local hospitalization and stabilizing individuals in the community. The department shall provide the report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by November 1, of each year.

U. The Department of Behavioral Health and Developmental Services shall work with the Fairfax-Falls Church Community Services Board, and the provider, to ensure that future openings for the Miller House in Falls Church allow residents of Falls Church, that have been allocated a developmental disability waiver slot, be given first choice in the Miller House, if the group home is appropriate to meet their needs. In addition, the department shall work with the Community Services Board and the City of Falls Church to explore options for establishing a special allocation within the Community Services Board allocation of waiver slots for Falls Church residents who are on the Priority One waiting list and could live in the Miller House when future openings occur in the group home.

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V. The Department of Behavioral Health and Developmental Services shall cause the conveyance of 25 acres of land at Eastern State Hospital to Hope Family Village Corporation for one dollar for the development of a village of residence and common areas to create a culture of self-care and neighborly support for families and their loved ones impacted by serious mental illness. The department shall work with the Hope Family Village Corporation to identify a 25 acre plot of land that is suitable for the project.

W. The Department of Behavioral Health and Developmental Services shall report a detailed accounting, annually, of the agency's organization and operations. This report shall include an organizational chart that shows all full- and part-time positions (by job title) employed by the agency as well as the current management structure and unit responsibilities. The report shall also provide a summary of organization changes implemented over the previous year. The report shall be made available on the department's website by August 15, of each year.

X. Out of this appropriation, $150,000 the first year and $150,000 the second year from the general fund is provided to support substance use disorder treatment utilizing appropriate, long-acting, injectable prescription drug treatment regimens ("treatment") used in conjunction with specialty dockets. Such treatment may be utilized in approved specialty dockets. In allocating such funding, the department shall consider the rate of fatalities within the locality, whether a specialty docket is available and whether such program utilizes medication-assisted treatment. The specialty dockets utilizing this funding shall use these resources to support provider fees, counseling, monitoring services, medication management, and the cost of medication for participants for whom the costs of treatment services would not otherwise be covered. The Department of Behavioral Health and Developmental Services shall submit a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than December 1 of each year for the preceding fiscal year that provides information on the number of participants, the number of specialty dockets that utilized the funding and the number of treatments administered. Any adult specialty docket that accesses this funding shall provide all necessary information to the Department of Behavioral Health and Developmental Services to prepare this report.

Y. Out of this appropriation, $940,000 the first year and $940,000 the second year from the general fund shall be provided to Commonwealth Autism Services to assist in coordination of services for people with developmental disabilities in regards to autism assessments and services in Virginia.

Z. The Department of Behavioral Health and Developmental Services shall preserve historic microfiche records at Central State Hospital and work with interested partners to digitize such records to be added to the Central State Hospital Digital Library and Archives Project in order to make such information publicly available to researchers or other interested parties.

AA. Out of this appropriation, $575,000 the first year and ~~$575,000~~*$1,675,000* the second year from the general fund is provided for a contract with the Virginia Health Care Foundation for a pilot to remove barriers to the mental health workforce, including the payment of supervisory hours for those individuals seeking degrees in social work and counseling.

BB. Out of this appropriation $900,000 the first year and $900,000 the second year from the general fund shall be provided for a contract with the Virginia Foundation for Healthy Youth to create a statewide marijuana and cannabis use prevention campaign to prevent underage use.

CC. Out of this appropriation, $1,026,000 the first year and $1,026,000 the second year from the general fund is provided for geriatric behavioral specialists to provide training and consultative services and support.

DD. Out of this appropriation, $2,171,214 the first year and $2,171,214 the second year from the Crisis Call Center Fund is appropriated for costs associated with the establishment and operation of the 988 Crisis Call Center.

EE. Out of this appropriation, $101,970 the first year and $101,970 the second year shall

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be used to increase the number of tobacco retailer compliance inspections to be performed pursuant to a contract with the Virginia Alcoholic Beverage Control Authority.

FF. Out of this appropriation, $15,000,000 the first year and $15,000,000 the second year from the general fund is provided for the Department of Behavioral Health and Developmental Services (DBHDS), in collaboration with the Department of Education, to *(i)* provide grants to contract with federally qualified health centers, or other healthcare organizations, to establish school-based health clinics, *including mobile clinics,* to serve students and their families, as well as school staff. These clinics shall provide mental health services, primary medical care, and other health services in schools*.; or (ii) to allow school districts to contract with a mental telehealth provider.* The departments shall ensure that contracted organizations have the capability to bill third party insurers or public programs for services provided. DBHDS shall report on grants awarded to the Chairs of House Appropriations and Senate Finance and Appropriations Committees by December 1, ~~2024~~*2025* and annually thereafter.

GG. The Department of Behavioral Health and Developmental Services shall report annually, by September 1 of each year, on the revenue collections, expenditures and allocations of the Problem Gambling Treatment and Support Fund for the prior fiscal year to the Department of Planning and Budget and the Chairs of House Appropriations and Senate Finance and Appropriations Committees.

HH. Effective July 1, 2023, the Department of Medical Assistance Services shall be responsible for all aspects of rate setting for Developmental Disability waiver services, which includes developing, analyzing, modifying, rebasing or implementing such rates.

II. Out of this appropriation, $2,585,000 the first year and $2,585,000 the second year from the general fund is provided for the Department of Behavioral Health and Developmental Services to contract with the Virginia Crisis Intervention Team Coalition to facilitate expansion of de-escalation training and skilled knowledge of behavioral health laws and regulations.

JJ. Out of this appropriation, $1,080,000 the first year and $210,000 the second year from the general fund is provided to support the costs of medically monitored high-intensity inpatient services (ASAM 3.7) for youth and adolescents with serious mental illness or substance use disorder who may otherwise require inpatient hospitalization.

KK. Out of this appropriation, $400,000 the second year from the general fund is provided for clinical support to Chesterfield Recovery Academy.

LL. Out of this appropriation, $200,000 the first year and $200,000 the second year from the Opioid Abatement Fund, established pursuant to § 2.2-2374, Code of Virginia, is provided for central office administrative functions for the Opioid Abatement Authority. The Department of Behavioral Health and Developmental Services shall enter into a memorandum of understanding with the Opioid Abatement Authority to outline the administrative and technical assistance to be provided.

MM.1. Out of this appropriation, $7,500,000 the first year and $7,500,000 the second year from the general fund shall be provided to grow the Virginia Community Services Board (CSB) workforce. The Department of Behavioral Health and Developmental Services (DBHDS) shall allocate the funding based on the size of the CSB or behavioral health authority's workforce. The funding may be used to support paid internships and scholarship opportunities for students or staff earning behavioral health or other relevant certifications and degrees at two- and four-year colleges and universities and other educational career development settings, to cover clinical supervision hours, for reimbursement for the costs of obtaining licenses, certification, and exams necessary for employment in relevant careers, to provide loan repayment, and other initiatives that may assist in growing the the CSB workforce.

2. Each CSB or behavioral health authority shall submit a plan by August 1, 2024, detailing the strategies and associated costs on how they would use their allocated funds to support and grow their own workforce. DBHDS shall review and ensure that the plans are reasonable and consistent with the requirements of paragraph MM.1. and will assist in efforts to grow the CSB's workforce. The department shall distribute the funding by no later than October 1,

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2024. Based on the submitted plans, the department is authorized to transfer an amount necessary to cover loan repayment proposals that would otherwise be provided through the state's Behavioral Health Loan Repayment Program, if such program has insufficient funds to cover the loan repayment costs submitted in the CSBs' plans. The Department of Planning and Budget is authorized to transfer appropriation from this Item if DBHDS has indicated such transfer would be necessary to ensure the loan repayment proposals are funded through the Behavioral Health Loan Repayment Program.

NN. The Department of Behavioral Health and Developmental Services shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Joint Subcommittee for Health and Human Resource Oversight, and the Behavioral Health Commission by December 1, 2024, on the changes to STEP-VA performance measures and benchmarks that are anticipated to be included in Community Services Board performance contracts, which will become effective July 1, 2025.

OO.1. The Department of Behavioral Health and Developmental Services (DBHDS) shall report annually on (i) Community Services Boards (CSB) performance in improving the functioning levels of its consumers based on composite and individual item scores from the DLA-20 assessment, or results from another comparable assessment, by CSB, (ii) changes in CSB performance in improving consumer functioning levels over time, by CSB, (iii) any substantial underperformance or non-compliance and associated enforcement actions, and (iv) the use of functional assessment data by the DBHDS to improve CSB performance to the State Board of Behavioral Health and Developmental Services, the Behavioral Health Commission, and each CSB governing board.

2. DBHDS shall (i) identify all current Department requirements related to documentation and reporting of CSB behavioral health services, (ii) identify which of these requirements currently apply to work by CSB direct care staff, (iii) identify any DBHDS requirements of direct care staff that are duplicative of or conflict with other DBHDS requirements, (iv) eliminate any requirements that are not essential to ensuring consumers receive effective and timely services, and (v) report to the State Board of Behavioral Health and Developmental Services and the Behavioral Health Commission on progress made toward eliminating administrative requirements that are not essential, duplicative, or are conflicting.

3. DBHDS shall complete a comprehensive review of the performance contracts with CSBs and revise all performance measures in the base performance contract and addendums to ensure that (i) performance measures are designed to measure outcomes for each service, (ii) performance measures include a relevant benchmark for each measurement, and (iii) DBHDS has given clear direction on how it will monitor performance and enforce compliance with performance requirements. The contracts shall also require that any funding appropriated by the General Assembly to CSBs for staff compensation shall only be used for staff compensation, and that CSBs report annually to DBHDS on any staff compensation actions taken during the prior fiscal year. DBHDS should complete the contract revisions and report on the improvements made to the Behavioral Health Commission by December 1, 2024, and implement changes before the finalization of the fiscal year 2026 performance contract.

4. The Department of Medical Assistance Services, in cooperation with DBHDS, shall (i) develop and implement a targeted review process to assess the extent to which CSBs are billing for Medicaid-eligible services they provide, (ii) determine if additional technical assistance and training, in coordination with Medicaid managed care organizations, is needed on appropriate Medicaid billing and claiming practices to relevant CSB staff, and (iii) evaluate the feasibility of a central billing entity, similar to the Federally Qualified Health Centers, that would handle all Medicaid claims for the entire system. The Department shall report the results of these targeted reviews, any technical assistance or training provided in response, and on the feasibility of central billing to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2024.

5. DBHDS shall report annually to the State Board of Behavioral Health and Developmental Services and the Behavioral Health Commission on average salaries, turnover, and vacancy rates by position type across CSBs.

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PP. Pursuant to the provisions of legislation passed in the 2024 General Assembly, the Department of Behavioral Health and Developmental Services shall cover an individual's expenses if the individual is placed in an assisted living facility, nursing home, group home, or similar placements as part of the pilot program and there is no other public or private assistance available to them.

QQ. The Department of Behavioral Health and Developmental Services (DBHDS) shall: (i) conduct a needs assessment to determine the unmet need for each of the nine service components of STEP-VA; (ii) develop an estimate of the cost of satisfying the unmet need for each of the nine STEP-VA service components statewide; and (iii) report on their findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and to the Behavioral Health Commission by December 1, 2024.

RR. Out of this appropriation, $770,000 the second year from the general fund is provided to improve clinical and financial tracking of Discharge Assistance Planning funds and Local Inpatient Purchase of Services funds through the purchase of an information technology solution.

SS. The Department of Behavioral Health and Developmental Services shall report annually, by September 1, on the expenditure of funding from the Problem Gambling Treatment Fund, including allocations to the Community Services Boards, and include a description of the purposes for which the funding is being used. The department shall evaluate best practices in treating program gambling that may include statewide initiatives to address the negative effects of problem gambling. The department shall report back any findings on best practices and potential statewide initiatives to the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees by October 1, 2025.

TT. The Department of Behavioral Health and Developmental Services and the Department of Planning and Budget may direct a portion of the funding up to $75,000 in the Crisis Call Center Fund to Mental Health Virginia Warmline, a peer support line that reduces the 988 crisis call center volume.

UU. By no later than June 30, 2026, the Department of Behavioral Health and Developmental Services (DBHDS) shall align and monitor the Commonwealth of Virginia's recovery support services, including services offered by recovery residences and other similar providers, with the nationally recognized American Society of Addiction Medicine (ASAM) 4th Edition criteria to ensure quality and consistency in care. This criteria shall be made publicly available to all consumers and accessible on the DBHDS website.

296.	Central Office Managed Community and Individual Health Services (44400)		$178,884,498	~~$146,488,012~~ *$157,904,251*
	Individual and Developmental Disability Services (44401)	$7,169,347	~~$7,169,347~~ *$10,320,331*	
	Mental Health Services (44402)	$169,415,151	~~$137,018,665~~ *$145,283,920*	
	Substance Abuse Services (44403)	$2,300,000	$2,300,000	
	Fund Sources: General	$177,900,843	~~$145,504,357~~ *$156,538,191*	
	Special	$983,655	$983,655	
	Federal Trust	*$0*	*$382,405*	

Authority: Title 16.1, Article 18, and Title 37.2, Chapters 2, 3, 4, 5, 6 and 7, and Title 2.2, Chapters 26 and 53 Code of Virginia; P.L. 102-119, Federal Code.

A. Out of this appropriation, $5,050,000 the first year and $5,050,000 the second year from the general fund shall be used for Developmental Disability Health Support Networks in regions served, or previously served, by Southside Virginia Training Center, Central Virginia Training Center, Northern Virginia Training Center, and Southwestern Virginia Training Center.

B. Out of this appropriation, $705,000 the first year and $705,000 the second year from the general fund shall be used to provide community-based services to individuals transitioning

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from state training centers to community settings who are not eligible for Medicaid.

C.1. Out of this appropriation, $27,722,785 the first year and $27,722,785 the second year from the general fund shall be used to address census issues at state facilities by providing community-based services for those individuals determined clinically ready for discharge or for the diversion of admissions to state facilities by purchasing acute inpatient or community-based psychiatric services.

2. Out of this appropriation, $2,500,000 the first year and $2,500,000 the second year from the general fund is provided for the development or acquisition of clinically appropriate housing options to provide comprehensive community-based care for individuals in state hospitals who have complex and resource-intensive needs who have been clinically determined able to move from a hospital to a more integrated setting. In addition to the funds in this Item, $250,000 the first year and $250,000 the second year from the general fund is provided in Item 295 of this Act for a community support team to assist housing providers in addressing the complex needs of residents who have been discharged from state facilities or individuals who are at risk of institutionalization.

D. Out of this appropriation, $770,000 the first year ~~and $770,000 the second year~~ from the general fund is provided to improve clinical and financial tracking of Discharge Assistance Planning funds and Local Inpatient Purchase of Services funds through the purchase of an information technology solution.

E.*1.* Out of this appropriation, $14,522,552 the first year and ~~$14,522,552~~ *$18,673,707* the second year from the general fund shall be provided for alternative transportation for adults and children under a temporary detention order or involuntary commitment order and for a program of alternative custody for individuals under a*n emergency custody order,* temporary detention order, or involuntary commitment order who are awaiting *evaluation or* transport to an inpatient bed. The Department of Behavioral Health and Developmental Services, in consultation with local law enforcement, community services boards, and other stakeholders as appropriate, shall implement a plan to provide alternative custody options for individuals under temporary detention orders or involuntary commitment orders to reduce the length of time law enforcement resources are involved and improve patient outcomes. The department may contract with private contractors, enter into agreements with local law enforcement organizations, contract with Community Services Boards, or use other methods as necessary to implement the program. The department shall report to the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the effectiveness and outcomes of the program funding by October 1 of each year.

2. Out of the amounts in E.1., up to $10,089,107 the second year from the general fund is provided for contracts with private hospitals or other qualified agencies to hire Special Conservators of the Peace, as defined in §§ 19.2-12 through 19.2-25, Code of Virginia, to provide capacity for emergency departments to maintain custody of individuals under emergency custody orders and/or temporary detention orders until the individual is ready for transport to the bed of temporary detention or released. The department shall prioritize this funding to fund contracts that provide coverage for all of Region Three and Region One and, to the extent that any funding is available after needs are met in Regions Three and One, the department may expand the program into Region Five. Notwithstanding any other provision of law, such contracts shall be exempt from competition as otherwise required by the Virginia Public Procurement Act, §§ 2.2-4300 through 2.2-4377, Code of Virginia.

F. Out of this appropriation, $1,150,000 the first year and $1,150,000 the second year from the general fund shall be provided for costs of transporting individuals from state behavioral health facilities to their homes after being discharged from such facility as a result from an admission under a temporary detention order.

G. Out of this appropriation, $14,785,488 the first year and $14,785,488 the second year from the general fund shall be provided to the Department of Behavioral Health and Developmental Services to contract with the Virginia Mental Health Access Program to develop integrated mental health services for children.

H. Out of this appropriation, $300,000 the first year and $300,000 the second year from

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the general fund shall be used to purchase and distribute additional REVIVE! kits.

I. Out of this appropriation, $7,600,000 in the first year and $7,600,000 the second year from the general fund shall be used to address census issues at state facilities by providing community-based services for children and adolescents determined clinically ready for discharge or for the diversion of admissions of children and adolescents to state facilities by purchasing acute inpatient services, step-down services, or community-based services as an alternative to inpatient care.

J. The Department of Behavioral Health and Developmental Services shall post its annual federal State Targeted Response Report and State Opioid Response (SOR) Report on its website no later than December 31 of each year. The report will describe the amount of any grants received from the Substance Abuse and Mental Health Services Administration as part of any State Opioid Response grant funding, and shall provide information on how the funds are distributed among programs, the number of individuals served if available, and any available outcome-based data specific to treatment engagement and impact on access.

K. Out of this appropriation, $89,396 the first year and $89,396 the second year from the general fund shall be provided to the Department of Behavioral Health and Developmental Services to contract with the Jewish Foundation for Group Homes to expand the Transitioning Youth program for individuals with developmental disability who are aging out and exiting the school system in Loudoun County.

L.1. Out of this appropriation, $1,950,000 the first year and $1,950,000 the second year is provided to make grants to ~~members of the Virginia Association of Recovery Residences (VARR)~~ *recovery residences certified by the Department of Behavioral Health and Developmental Services* for recovery support services. ~~The association must ensure that members accredited by the Council on Accreditation of Peer Recovery Support Services (CAPRSS) receive a share of these funds.~~ ~~VARR~~*Grantees of these funds* will comply in a timely manner with all requirements of the agreement entered into ~~between VARR and~~ *with* the Department of Behavioral Health and Developmental Services as a result of this appropriation. Any violations of the agreement shall be reported to the Chairs of House Appropriations and Senate Finance and Appropriations Committees within thirty days of their occurrence. ~~VARR~~*Grantees* shall report monthly to the Department of Behavioral Health and Development Services providing financial and operational documentation for services provided~~, including documentation and services provided by Oxford Homes~~. The Department of Behavioral Health and Developmental Services shall report annually to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by August 1 on the distribution and use of the funds authorized in this paragraph.

2. The Department of Behavioral Health and Developmental Services shall monitor credentialed recovery homes for regulatory compliance and consult with ~~the Virginia Association of Recovery Residences~~*credentialed entities designated in §37.2-431.1* to keep the agency's public website's list of credentialed recovery homes up to date.

3. The Department of Behavioral Health and Developmental Services may expand the buildout of recovery residences by initiating a bidding process by entity to ensure coverage across the Commonwealth for this support service.

M.1. Out of this appropriation, $3,547,000 the first year and ~~$3,547,000~~*$3,647,000* the second year from the general fund shall be used to support the diversion and discharge of individuals with a diagnosis of dementia. Priority shall be given to those individuals who would otherwise be served by state facilities.

2. Of the amounts in M.1., $2,820,000 the first year and $2,820,000 the second year shall be used to establish contracts to support the diversion and discharge into private settings of individuals with a diagnosis of dementia.

3. Of the amounts in M.1., $727,000 the first year and $727,000 the second year shall be used for mobile crisis program targeted for individuals with a diagnosis of dementia.

N. Out of this appropriation, $1,650,000 the first year and ~~$1,650,000~~*$2,650,000* the second year from the general fund is provided for pilot programs for individuals with dementia or geriatric individuals who may otherwise be admitted to a state facility.

I VETO ITEM 296.N. ON PAGE 2126 /s/ Glenn Youngkin 5-2-25

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O. Out of this appropriation, $7,535,122 the first year and $7,535,122 the second year from the general fund is provided to divert admissions from state hospitals by purchasing acute inpatient or community-based psychiatric services at private facilities. This funding shall be allocated to Community Services Boards and a Behavioral Health Authority for such purpose in an efficient and effective manner so as not to disrupt local service contracts and to allow for expeditious reallocation of unspent funding between Community Services Boards and a Behavioral Health Authority.

P.1. Out of this appropriation, $13,500,000 the first year and $13,500,000 the second year from the general fund is provided for the Department of Behavioral Health and Developmental Services (DBHDS) to pursue alternative inpatient options to state behavioral health hospital care or to increase capacity in the community for patients on the Extraordinary Barriers List through projects that will reduce census pressures on state hospitals. Proposals shall be evaluated on: (i) the expected impact on state hospital bed use, including the impact on the extraordinary barrier list; (ii) the speed by which the project can become operational; (iii) the start-up and ongoing costs of the project; (iv) the sustainability of the project without the use of ongoing general funds; (v) the alignment between the project target population and the population currently being admitted to state hospitals; and (vi) the applicant's history of success in meeting the needs of the target population. No project shall be allocated more than $2,500,000 each year. Projects may include public-private partnerships, to include contracts with private entities. The department shall give preference to projects that serve individuals who would otherwise be admitted to a state hospital operated by DBHDS, that can be rapidly implemented, and provide the best long-term outcomes for patients. Consideration may be given to regional projects addressing comprehensive psychiatric emergency services, complex medical and neuro-developmental needs of children and adolescents receiving inpatient behavioral health services, and addressing complex medical needs of adults receiving inpatient behavioral health services.

2. Of the amounts in P.1., $1,500,000 the first year and $1,500,000 the second year may be utilized to pursue a pilot program to support the discharge of private hospital patients at risk of transfer to state mental health hospitals. The department shall prioritize assistance to patients who can be diverted from state hospital admission through discharge training, planning consultation, and/or one-time financial assistance. Financial assistance from this program shall only be provided as a method of last resort to assist in re-entry to the community.

3. Of the amounts in P.1., $5,000,000 the first year and $5,000,000 the second year may be used to pursue alternative options to state behavioral health hospital care for patients designated as forensic who are admitted to, or at risk of admission to, state hospitals to reduce census pressures on state hospitals.

4. Of the amounts in P.1., $6,000,000 the first year and $6,000,000 the second year shall be used for discharge assistance planning for individuals on the Extraordinary Barriers List to increase capacity in the community for such individuals. The department may, but is not limited to, pursue options such as placements in specialized group homes, assisted living facilities, and other models that provide support to an individual and stabilization in the community to help prevent rehospitalization.

Q. The Department of Behavioral Health and Developmental Services is authorized to enter into a contract for use of up to eight beds of a 20-bed acute, inpatient psychiatric unit at Chesapeake Regional Healthcare for state purposes to increase diversion from state mental health hospitals. The department shall begin developing the contract after Chesapeake Regional Healthcare starts construction of the 20-bed acute, inpatient psychiatric unit. As part of the contracting process, the department shall develop an estimate of the potential cost savings of diversion from state hospital beds that could occur with use of the eight beds and provide an estimated annual state contribution to support Chesapeake Regional Healthcare. The department shall execute the contract contingent on an appropriation by the General Assembly. The department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1 of each year on the status of the contract and any state contribution that has been estimated.

R. The Department of Behavioral Health and Developmental Services is authorized to

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accept unsolicited proposals from private providers to establish a pilot project for the purpose of acquiring clinically appropriate housing options for individuals on the Extraordinary Barriers List or to prevent unnecessary hospitalizations for appropriate individuals to address census issues at state facilities.

S. Out of this appropriation, $64,845,204 the first year and $42,448,718 the second year from the general fund shall be provided to expand and modernize the comprehensive crisis services system, including, but not limited to, investment in additional crisis receiving centers, crisis stabilization units, enhancements to existing sites, and pharmacy improvements. Out of this appropriation, the Department of Behavioral Health and Developmental Services shall award and provide $2,250,000 the first year and $2,250,000 the second year from the general fund to support the Prince William County Youth Crisis Receiving Center. Any amounts remaining unexpended at year end shall be reappropriated in the subsequent fiscal year for this purpose.

T. Out of this appropriation, $8,000,000 the first year and $8,000,000 the second year from the general fund is provided for supervised residential care for 100 individuals. The department shall give priority to projects that prioritize individuals on the state's extraordinary barriers list. Projects may include public-private partnerships, to include contracts with private entities. Notwithstanding any other provision of law, contracts entered into pursuant to this paragraph shall be exempt from competition as otherwise required by the Virginia Public Procurement Act, §§ 2.2-4300 through 2.2-4377, Code of Virginia. The Department shall report quarterly on projects awarded with details on each project and its projected impact on the state's extraordinary barriers list. The report shall be submitted to the Chairs of House Appropriations and Senate Finance and Appropriations Committee no later than 30 days after each quarter ends.

U. Out of this appropriation, $10,000,000 the first year from the general fund is provided for the one-time costs of establishing additional mobile crisis services in underserved areas.

V. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund shall be provided for the Department of Behavioral Health and Developmental Services to contract with Specially Adapted Resources Clubs (SPARC) to support essential day programs for adults with profound disabilities.

W. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund shall be provided for the Department of Behavioral Health and Developmental Services to contract with On Our Own, a peer recovery center and supportive community that serves the community at no charge.

X. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund shall be provided to fund clients assigned to participate in the Bridge Behavioral Health program.

Y. Out of this appropriation, $2,284,100 the second year from the general fund is provided for the Department of Behavioral Health and Developmental Services to contract with the Medical Society of Virginia to maintain the Adult Psychiatric Access Line.

Z. Out of this appropriation, $1,500,000 the second year from the general fund is provided to reimburse Community Services Boards for the restoration of competency to stand trial evaluations, services, and supports in an outpatient setting and to provide training to clinicians.

Total for Department of Behavioral Health and Developmental Services			**$352,223,748**	~~**$319,057,262**~~ ***$339,817,218***
General Fund Positions	521.50	~~521.50~~ *562.50*		
Nongeneral Fund Positions	46.75	46.75		
Position Level	568.25	~~568.25~~ *609.25*		
Fund Sources: General	$294,357,872	~~$261,191,386~~ *$277,985,389*		
Special	$22,415,168	$22,415,168		

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	Dedicated Special Revenue	$4,478,113	~~$4,478,113~~ *$6,439,394*		
	Federal Trust	$30,972,595	~~$30,972,595~~ *$32,977,267*		
	Grants to Localities (790)				
297.	Financial Assistance for Health Services (44500)			$783,058,749	~~$784,617,277~~ *$801,392,721*
	Community Substance Abuse Services (44501)	$135,555,413	$135,555,413		
	Community Mental Health Services (44506)	$532,105,389	~~$533,663,917~~ *$540,281,717*		
	Community Developmental Disability Services (44507)	$115,397,947	~~$115,397,947~~ *$125,555,591*		
	Fund Sources: General	$682,907,931	~~$687,163,479~~ *$703,938,923*		
	Dedicated Special Revenue	$10,150,818	$7,453,798		
	Federal Trust	$90,000,000	$90,000,000		

Authority: Title 37.2, Chapters 5 and 6; Title 2.2, Chapter 53, Code of Virginia.

A. It is the intent of the General Assembly that community mental health, intellectual disability and substance abuse services are to be improved throughout the state. Funds provided in this Item shall not be used to supplant the funding effort provided by localities for services existing as of June 30, 1996.

B. Further, it is the intent of the General Assembly that funds appropriated for this Item may be used by Community Services Boards to purchase, develop, lease, or otherwise obtain, in accordance with §§ 37.2-504 and 37.2-605, Code of Virginia, real property necessary to the provision of residential services funded by this Item.

C. Out of the appropriation for this Item, funds are provided to Community Services Boards in an amount sufficient to reimburse the Virginia Housing Development Authority for principal and interest payments on residential projects for the mentally disabled financed by the Housing Authority.

D. The Department of Behavioral Health and Developmental Services shall make all general fund payments to the Community Services Boards from this Item in twenty-four equal semimonthly installments, except for necessary budget revisions or the operational phase-in of new programs.

E. Failure of a board to participate in Medicaid covered services and to meet all requirements for provider participation shall result in the termination of a like amount of state grant support.

F. Community Services Boards may establish a line of credit loan for up to three months' operating expenses to assure adequate cash flow.

G. Out of this appropriation $190,000 the first year and $190,000 the second year from the general fund shall be provided to Virginia Commonwealth University for the continued operation and expansion of the Virginia Autism Resource Center.

H.1. Out of this appropriation, $29,152,884 the first year and ~~$29,152,884~~*$30,610,528* the second year from the general fund shall be provided for Virginia's Part C Early Intervention System for infants and toddlers with disabilities.

2. By November 15 of each year, the department shall report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the (a) total revenues used to support Part C services, (b) total expenses for all Part C services, (c) total number of infants, toddlers and families served using all Part C revenues, and (d) services provided to those infants, toddlers, and families.

I. Out of this appropriation $6,148,128 the first year and $6,148,128 the second year from the general fund shall be provided for mental health services for children and adolescents

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with serious emotional disturbances, at risk for serious emotional disturbance, and/or with co-occurring disorders with priority placed on those children who, absent services, are at-risk for removal from the home due to placement by a local department of social services, admission to a congregate care facility or acute care psychiatric hospital or crisis stabilization facility, commitment to the Department of Juvenile Justice, or parental custody relinquishment. These funds shall be used exclusively for children and adolescents, not mandated for services under the Children's Services Act. The Department of Behavioral Health and Developmental Services shall provide these funds to Community Services Boards through the annual Performance Contract. The Community Services Boards shall develop a Mental Health Initiative funding plan in collaboration with the local Family and Assessment Planning Teams and/or Community Policy and Management Team. The funding plan shall be approved by the Community Policy and Management Teams of the localities. The department shall provide these funds to the Community Services Boards based on a funding methodology.

J. Out of this appropriation, $13,800,000 the first year and $13,800,000 the second year from the general fund shall be used to provide child psychiatry and children's crisis services for children with behavioral health needs. These funds, divided among the health planning regions based on the current availability of the services, may be used to hire or contract with child psychiatrists who can provide direct clinical services, including crisis services, as well as training and consultation with other children's health care providers in the health planning region. Funds may also be used to create new or enhance existing community-based crisis services in a health planning region. The Department of Behavioral Health and Developmental Services shall include details on the use of these funds in its annual report on the System Transformation, Excellence and Performance in Virginia (STEP-VA) process.

K. Out of this appropriation, $2,780,645 the first year and $2,780,645 the second year from the general fund shall be used to provide outpatient clinician services to children with mental health needs. Each Community Services Board shall receive funding as determined by the commissioner to increase the availability of specialized mental health services for children. The department shall require that each Community Services Board receiving these funds agree to cooperate with Court Service Units in their catchment areas to provide services to mandated and nonmandated children, in their communities, who have been brought before Juvenile and Domestic Relations Courts and for whom treatment services are needed to reduce the risk these children pose to themselves and their communities or who have been referred for services through family assessment and planning teams through the Children's Services Act.

L. Out of this appropriation, $2,750,000 the first year and $2,750,000 the second year from the general fund shall be for crisis services for children with intellectual or developmental disabilities.

M. Out of this appropriation, $4,000,000 the first year and $4,000,000 the second year from the general fund shall be used for community-based mental health outpatient services for youth and young adults.

N. The Commissioner, Department of Behavioral Health and Developmental Services shall allocate $1,000,000 the first year and $1,000,000 the second year from the federal Community Mental Health Services Block Grant for two specialized geriatric mental health services programs. One program shall be located in Health Planning Region II and one shall be located in Health Planning Region V. The programs shall serve elderly populations with mental illness who are transitioning from state mental health geriatric units to the community or who are at risk of admission to state mental health geriatric units. The commissioner is authorized to reduce the allocation in each year in an amount proportionate to any reduction in the federal Community Mental Health Services Block Grant funds awarded to the Commonwealth.

O. The Commissioner, Department of Behavioral Health and Developmental Services shall allocate $750,000 the first year and $750,000 the second year from the federal Community Mental Health Services Block Grant for consumer-directed programs offering specialized mental health services that promote wellness, recovery and improved self-management. The commissioner is authorized to reduce the allocation in each year in an amount proportionate to any reduction in the federal Community Mental Health Services Block Grant funds awarded to the Commonwealth.

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P. Out of this appropriation, $17,701,997 the first year and $17,701,997 the second year from the general fund shall be used to provide emergency services, crisis stabilization services, case management, and inpatient and outpatient mental health services for individuals who are in need of emergency mental health services or who meet the criteria for mental health treatment set forth pursuant to §§ 19.2-169.6, 19.2-176, 19.2-177.1, 37.2-808, 37.2-809, 37.2-813, 37.2-815, 37.2-816, 37.2-817 and 53.1-40.2 of the Code of Virginia. Funding provided in this item also shall be used to offset the fiscal impact of (i) establishing and providing mandatory outpatient treatment, pursuant to House Bill 499 and Senate Bill 246, 2008 Session of General Assembly; and (ii) attendance at involuntary commitment hearings by community services board staff who have completed the prescreening report, pursuant to §§ 19.2-169.6, 19.2-176, 19.2-177.1, 37.2-808, 37.2-809, 37.2-813, 37.2-815, 37.2-816, 37.2-817 and 53.1-40.2 of the Code of Virginia.

Q. Out of this appropriation, $10,475,000 the first year and $10,475,000 the second year from the general fund shall be used to provide community crisis intervention services in each region for individuals with intellectual or developmental disabilities and co-occurring mental health or behavioral disorders.

R. Out of this appropriation, $1,900,000 the first year and $1,900,000 the second year from the general fund shall be used for community-based services in Health Planning Region V. These funds shall be used for services intended to delay or deter placement, or *to* provide discharge assistance for patients in a state mental health facility.

S. Out of this appropriation, $2,197,050 the first year and $2,197,050 the second year from the general fund shall be used for jail diversion and reentry services. Funds shall be distributed to community-based contractors based on need and community preparedness as determined by the commissioner.

T.1. Out of this appropriation, $10,500,000 the first year and $10,500,000 the second year from the general fund shall be used for up to 32 drop-off centers to provide an alternative to incarceration for people with serious mental illness and individuals with acquired brain injury and co-occurring serious mental health illness. Priority for new funding shall be given to programs that have implemented Crisis Intervention Teams pursuant to § 9.1-102 and § 9.1-187 et seq. of the Code of Virginia and have undergone planning to implement drop-off centers.

2. Out of this appropriation, $1,800,000 the first year and $1,800,000 the second year from the general fund is provided for Crisis Intervention assessment centers in six unserved rural communities.

3. Out of this appropriation, $657,648 the first year and $657,648 the second year from the general fund is provided to support CIT initiatives, including basic and advanced CIT training and law enforcement diversion, through one-time awards for advanced concepts in CIT Assessment Site programs. The department shall prioritize programs serving rural communities when determining the distribution of these funds.

U. Out of this appropriation, $3,700,800 the first year and $3,700,800 the second year from the general fund is provided for discharge planning at jails for individuals with serious mental illness. Funding shall be used to create staff positions in Community Services Boards may also be used for emergency client assistance resources and will be implemented in at least five jails with a high percentage of inmates with serious mental illness.

V. Out of this appropriation, $708,663 the first year and $708,663 the second year from the general fund is provided to establish an Intercept 2 diversion program in up to three rural communities. The funding shall be used for staffing and to provide access to treatment services

W. Out of this appropriation, $35,500,411 the first year and $35,500,411 the second year from the general fund shall be used to provide community-based services or acute inpatient services in a private facility to individuals residing in state hospitals who have been determined clinically ready for discharge, and for continued services for those individuals currently being served under a discharge assistance plan. Of this appropriation, $1,305,000 the first year and $1,305,000 the second year shall be allocated for individuals

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currently or previously residing at Western State Hospital.

X. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund shall be used to increase mental health inpatient treatment purchased in community hospitals. Priority shall be given to regions that exhaust available resources before the end of the year in order to ensure treatment is provided in the community and does not result in more restrictive placements.

Y.1. Out of this appropriation, $83,588,710 the first year and $83,588,710 the second year from the general fund is provided for programs for permanent supportive housing for individuals with serious mental illness.

2. The Department of Behavioral Health and Developmental Services shall report on the number of individuals who are discharged from state behavioral health hospitals who receive supportive housing services, the number of individuals who are on the hospitals' extraordinary barrier list who could receive supportive housing services, and the number of individuals in the community who receive supportive housing services and whether they are at risk of institutionalization. In addition, the department shall report on the average length of stay in permanent supportive housing for individuals receiving such services and report how the funding is reinvested when individuals discontinue receiving such services. The report shall be provided to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committee by November 1 of each year.

3. In addition to the amounts provided in Y.1., $2,500,000 the first year and $2,500,000 the second year from the general fund is provided for permanent supportive housing for individuals with serious mental illness residing in the Northern Virginia region.

Z. Out of this appropriation, $17,185,533 the first year and $17,185,533 the second year from the general fund shall be used for a program of rental subsidies for individuals with intellectual or developmental disabilities.

AA. Out of this appropriation, $3,433,727 the first year and $3,433,727 the second year from the general fund shall be used to provide permanent supportive housing to pregnant or parenting women with substance use disorders.

BB. Out of this appropriation, $5,000,000 the first year and $5,000,000 the second year from the general fund is provided to increase access to medication assisted treatment for individuals with substance use disorders. In expending this amount, the department shall ensure that a portion of the funding received by the Community Services Board or Behavioral Health Authority is used for appropriate long-acting, injectable prescription drug treatment regimens for individuals who are in need of medication assisted treatment while (i) on probation, (ii) incarcerated, or (iii) upon their release to the community. The department shall ensure that a portion of the funding received by the Community Services Board or Behavioral Health Authority is used for non-narcotic, non-addictive prescription drug treatment regimens for individuals who are not able for clinical or other reasons to participate in buprenorphine or methadone-based drug treatment regimens. In expending the funding, Community Services Boards or a Behavioral Health Authority shall also prioritize the use of such funds for individuals who are not covered by insurance.

CC. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the general fund is provided for community detoxification and sobriety services for individuals in crisis.

DD. Out of this appropriation, $2,400,000 the first year and $2,400,000 the second year from the general fund shall be used for treatment and support services for substance use disorders, including individuals with acquired brain injury and co-occurring substance use disorders. Funded services shall focus on recovery models and the use of best practices.

EE. Out of this appropriation, $880,000 the first year and $880,000 the second year from the general fund is provided for one regional, multi-disciplinary team for older adults. This team shall provide clinical, medical, nursing, and behavioral expertise and psychiatric services to nursing facilities and assisted living facilities.

FF. Out of this appropriation, $2,250,447 the first year and $2,250,447 the second year from the general fund shall be used to divert admissions from state hospitals by purchasing acute

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inpatient or community-based psychiatric services at private facilities.

GG. Out of this appropriation, $620,000 the first year and $620,000 the second year from the general fund shall be used for telepsychiatry and telemedicine services.

HH. Out of this appropriation, $1,100,000 the second year from the general fund is provided to establish the Appalachian Telemental Health Initiative, a telemental health pilot program. Any funds that remain unspent at the end of each fiscal year shall be carried forward to the subsequent fiscal year for these purposes.

II. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund shall be provided to the Department of Behavioral Health and Developmental Services to contract with Best Buddies Virginia to expand inclusion services for people with intellectual and developmental disabilities to the Richmond and Virginia Beach areas of the state.

JJ. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund is provided to the Fairfax-Falls Church Community Services Board to fully fund its Program of Assertive Community Treatment (PACT) Team.

KK.1. Out of this appropriation, $122,992,845 the first year and $125,689,865 the second year from the general fund and $10,150,818 the first year and $7,453,798 the second year from the Crisis Call Center Fund is provided for services by Community Services Boards and Behavioral Health Authorities pursuant to the System Transformation, Excellence and Performance in Virginia (STEP-VA) process and Chapters 607 and 683, 2017 Acts of Assembly.

2. Of the amounts in KK.1., $13,134,321 the first year and $13,134,321 the second year from the general fund is provided for same day access to mental health screening services.

3. Of the amounts in KK.1., $9,051,734 the first year and $9,051,734 the second year from the general fund is provided for primary care outpatient screening services.

4. Of the amounts in KK.1., $27,855,453 the first year and $27,855,453 the second year from the general fund is provided for outpatient mental health and substance use services.

5. Out of the amounts in KK.1., $2,000,000 the first year and $2,000,000 the second year from the general fund is provided for crisis detoxification services.

6. Out of the amounts in KK.1., $28,730,139 the first year and $28,730,139 the second year from the general fund is provided for crisis services for individuals with mental health or substance use disorders.

7. Out of the amounts in KK.1., $4,242,364 the first year and $4,242,364 the second year from the general fund is provided for military and veterans services.

8. Out of the amounts in KK.1., $5,814,558 the first year and $5,814,558 the second year from the general fund is provided for peer support and family services.

9. Out of the amounts in KK.1., $10,962,375 the first year and $10,962,375 the second year from the general fund is provided for the ancillary costs of expanding services at Community Services Boards and Behavioral Health Authorities.

10. Out of the amounts in KK.1., $2,697,020 the second year from the general fund and $10,150,818 the first year and $7,453,798 the second year from the Crisis Call Center Fund is provided for crisis call center dispatch staff.

11. Out of the amounts in KK.1., $3,970,250 the first year and $3,970,250 second year from the general fund is provided for psychiatric rehabilitation services.

12. Out of the amounts in KK.1., $6,844,427 the first year and $6,844,427 the second year from the general fund is provided for care coordination services.

13. Out of the amounts in KK.1., $4,259,924 the first year and $4,259,924 the second year from the general fund is provided for STEP-VA-specific case management services.

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14. Out of the amounts in KK.1., $937,300 the first year and $937,300 the second year from the general fund is provided for regional management of STEP-VA services.

15. Out of the amounts in KK.1. $5,190,000 the first year and $5,190,000 the second year from the general fund is provided for grants to Community Services Boards for the cost of transitioning data systems and clinical processes.

LL. Out of this appropriation, $9,600,000 the first year and ~~$10,200,000~~*$16,200,000* the second year from the general fund shall be provided to establish mental health awareness response and community understanding services alert system programs and community care teams pursuant to legislation adopted in the 2020 Special Session I of the General Assembly. Each local or regional implementation area program shall receive $600,000 each year for this purpose. Notwithstanding the provisions of §§ 37.2-311.1, Code of Virginia, any requirement to establish community care teams may be met by the establishment of mobile crisis units.

MM. The Department of Behavioral and Health and Developmental Services shall have the authority to promulgate emergency regulations for the Individual and Family Supports Program (IFSP) to ensure an annual public input process that shall include a survey of needs and satisfaction in order to establish plans for the disbursement of IFSP funding in consultation with the IFSP State Council. Based on the Council's recommendation and information gathered during the public input period, the department will draft program guidelines to establish annual funding priorities. The department will establish program criteria for each of the required program categories and publish them as part of the Annual Funding Program Guidelines. Additionally, program guidelines shall establish eligibility criteria, the award process, appeals processes, and any other protocols necessary for ensuring the effective use of state funds. All criteria will be published prior to opening the funding opportunity.

NN. Out of this appropriation, $650,000 the first year and $650,000 the second year from the general fund shall be used to expand and provide additional support to existing mental health dockets.

OO. Out of this appropriation, $5,000,000 the first year and $5,000,000 the second year from the general fund is provided for substance use disorder-specific training of the intellectual disability and developmental disability provider workforce, the development and implementation of substance use disorder treatment services specific to transition age youth up the age of 25, and additional critical substance use disorder services related to the COVID-19 pandemic.

PP. Out of this appropriation, $2,000,000 the first year and $2,000,000 the second year from the general fund shall be used for crisis stabilization and related services statewide intended to delay or deter placement in a state mental health facility.

QQ.1. Out of this appropriation, $9,000,000 the first year and $9,000,000 the second year from the general fund shall be provided for the costs of Crisis Intervention Team Assessment Centers or Crisis Stabilization Units that have expanded, or intend to expand, to 23 hour crisis receiving or observation centers.

2.Out of the amounts appropriated in paragraph QQ.1. of this item, an amount necessary to develop and implement a crisis receiving center serving adults ages 18 and older in the Region 2000 area (Amherst County, Appomattox County, Bedford County, Campbell County, and Lynchburg City) shall be allocated for this purpose by the Department of Behavioral Health and Developmental Services, which shall contract with Horizon Behavioral Health to implement the crisis receiving center. As part of the contract with Horizon Behavioral Health, the department shall require the establishment of an advisory board with law enforcement representatives from the Region 2000 localities to oversee, including financial oversight, and provide governance of the crisis receiving center.

3. The Department of Behavioral Health and Developmental Services shall ensure that health systems, hospitals, and other community providers are eligible to participate in developing and implementing 23-hour crisis receiving or observation centers.

RR. Out of this appropriation, $36,000,000 the first year and $36,000,000 the second year from the general fund is provided for the costs of compensation increases given to Community Services Boards or a Behavioral Health Authority staff as of January 1, 2024.

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The Department of Behavioral Health and Developmental Services may fund up to 100 percent of the costs of the compensation increase.				
SS. Out of this appropriation, $3,433,525 the first year and $3,302,053 the second year from the general fund is provided for peer wellness stay programs.				
TT. Out of this appropriation, $2,500,000 the first year and $2,500,000 the second year from the general fund is provided for Community Services Boards to hire additional staff for crisis stabilization units whose bed capacity is not fully utilized due to lack of staff.				
UU. Out of this appropriation, $777,000 the second year from the general fund is provided to expand peer support services for youth.				
VV. Out of this appropriation, $8,700,000 the second year from the general fund is provided for Community Services Boards to hire additional support coordinators.				
WW. It is the intent of the General Assembly that for any additional state funding provided to Community Services Boards (CSBs) or Behavioral Health Authorities (BHAs) that existing contributions from local governments shall not be supplanted by such additional state funding. The Commissioner, Department of the Behavioral Health and Developmental Services (DBHDS), shall ensure, by monitoring local contributions to CSBs and BHAs, that if local contributions are reduced subsequent to new funding being awarded or provided, that such new funding shall thereafter be forfeited by the CSB or BHA by the amount of the reduced local contribution. The Commissioner may waive this requirement if the locality can prove extreme hardship. Notwithstanding § 37.2-509, Code of Virginia, DBHDS shall not grant a waiver for the operating expense requirement unless the locality can demonstrate hardship in terms of reduced employment, per capita income, or property values (excluding changes in land use taxation).				
Total for Grants to Localities			**$783,058,749**	~~**$784,617,277**~~ ***$801,392,721***
Fund Sources: General	$682,907,931	~~$687,163,479~~ *$703,938,923*		
Dedicated Special Revenue	$10,150,818	$7,453,798		
Federal Trust	$90,000,000	$90,000,000		
Mental Health Treatment Centers (792)				
298. Instruction (19700)			$176,397	$176,397
Facility-Based Education and Skills Training (19708)	$176,397	$176,397		
Fund Sources: General	$34,569	$34,569		
Special	$5,328	$5,328		
Federal Trust	$136,500	$136,500		
Authority: §§ 37.2-312 and 37.2-713, Code of Virginia; P.L. 102-73 and P.L. 102-119, Federal Code.				
299. Secure Confinement (35700)			$22,758,548	$22,758,548
Forensic and Behavioral Rehabilitation Security (35707)	$22,758,548	$22,758,548		
Fund Sources: General	$22,269,242	$22,269,242		
Special	$489,306	$489,306		
Authority: Title 37.2, Chapter 9, Code of Virginia.				
300. Pharmacy Services (42100)			$20,546,637	~~$20,546,637~~ *$23,808,402*
Inpatient Pharmacy Services (42102)	$20,546,637	~~$20,546,637~~ *$23,808,402*		
Fund Sources: General	$10,594,581	~~$10,594,581~~ *$13,856,346*		

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	Special	$9,952,056	$9,952,056		
	Authority: Title 37.2, Chapter 8, Code of Virginia.				
301.	State Health Services (43000)			$322,956,825	~~$322,926,825~~ *$323,727,733*
	Geriatric Care Services (43006)	$53,706,979	$53,706,979		
	Inpatient Medical Services (43007)	$9,816,263	$9,816,263		
	State Mental Health Facility Services (43014)	$259,433,583	~~$259,403,583~~ *$260,204,491*		
	Fund Sources: General	$307,180,637	~~$307,150,637~~ *$307,951,545*		
	Special	$15,776,188	$15,776,188		

Authority: Title 37.2, Chapters 1 through 11, Code of Virginia.

A. The Commissioner, Department of Behavioral Health and Developmental Services, shall ensure continued operation of at least 123 beds at Northern Virginia Mental Health Institute.

B. The Department of Behavioral Health and Developmental Services shall report by November 1 of each year to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the number of individuals served through discharge assistance plans and the types of services provided.

C. Out of this appropriation, $137,000 the first year and $137,000 the second year from the general fund shall be used to provide transition services in alternate settings for children and adolescents who can be diverted or discharged from state facilities.

D. Out of this appropriation, $5,062,489 the first year and $5,062,489 the second year from the general fund is provided for therapeutic intervention and discharge planning services seven days a week at Central State Hospital and Southern Virginia Mental Health Institute. The Department shall report annually by August 1 to the Governor and the Chairmen of House Appropriations and Senate Finance and Appropriations Committees on the impact on length of stay, number of discharges occurring during the expanded service time, and overall impact on discharge planning and the census of the affected facilities.

E. Out of this appropriation, $10,383,859 the first year and $10,383,859 the second year from the general fund is provided for salary increases for clinical staff, including psychologists, social workers, counselors, therapists, medical lab technicians, and pharmacists, at state facilities.

F. Out of this appropriation, $741,889 the first year and $711,989 the second year from the general fund is provided to establish and support formal partnerships between academic institutions and three state-operated facilities to serve as clinical training sites for medical residents, nurses, nurse practitioners, physician assistants, and other licensed mental health professionals.

G. The Department of Behavioral Health and Developmental Services, in consultation with other relevant state and local agencies, shall identify existing and develop new, if necessary, alternative placements that are effective, safe, and therapeutic for children and youth who would otherwise be admitted to the Commonwealth Center for Children and Adolescents (CCCA) and report findings to the Governor and the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees by November 1, 2024. The report shall include information on (i) the types and locations of alternative placements identified, (ii) the number and treatment needs of children and youth who could be admitted at each placement type identified, (iii) the cost and funding sources for each placement type, and (iv) steps that remain to be taken to identify a sufficient number of appropriate alternative placements for all children and youth who would otherwise be admitted to CCCA.

H. The Department of Behavioral Health and Developmental Services (DBHDS) shall develop a plan for the closure of Hiram W. Davis Medical Center, including an analysis for the development of skilled nursing beds at Southeastern Virginia Training Center to care for the patients at Hiram W. Davis Medical Center or in other facilities operated by DBHDS in need of that level of care. DBHDS shall assess the potential number of skilled nursing beds needed based on an assessment of patient needs at its facilities and shall also develop an

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estimate of skilled nursing beds that may be necessary to address future needs. DBHDS shall solicit stakeholder input as part of its skilled nursing bed assessment. DBHDS shall report the plan and assessment to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2025.				
302. Facility Administrative and Support Services (49800)			$203,142,732	~~$200,004,248~~ *$202,209,013*
General Management and Direction (49801)	$106,768,320	$106,053,019		
Information Technology Services (49802)	$14,405,517	$14,318,523		
Food and Dietary Services (49807)	$24,505,614	$24,505,614		
Housekeeping Services (49808)	$16,701,461	$16,701,461		
Linen and Laundry Services (49809)	$1,867,234	$1,867,234		
Physical Plant Services (49815)	$29,618,790	~~$27,282,601~~ *$29,487,366*		
Power Plant Operation (49817)	$5,995,899	$5,995,899		
Training and Education Services (49825)	$3,279,897	$3,279,897		
Fund Sources: General	$181,414,355	~~$178,275,871~~ *$180,480,636*		
Special	$21,664,877	$21,664,877		
Federal Trust	$63,500	$63,500		

Authority: § 37.2-304, Code of Virginia.

A. Out of this appropriation, $759,000 the first year and $759,000 the second year from the general fund shall be used to ensure proper billing and maximum reimbursement for prescription drugs purchased by mental health treatment centers through the Medicare Part D drug program.

B. Notwithstanding § 37.2-319 of the Code of Virginia, the Commissioner shall prepare a plan to address the capital and programmatic needs of other state mental health facilities and state intellectual disability training center when considering expenditures from the trust fund. No less than 30 days prior to the expenditure of funds, the Commissioner shall present an expenditure plan to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees for their review and consideration.

C. Out of this appropriation, $2,354,200 the first year and $2,354,200 the second year from the general fund is provided for 36 security positions at state-operated mental health treatment centers.

D. Out of this appropriation, $1,798,410 the first year and $1,798,410 the second year from the general fund is provide for security positions at Eastern State Hospital and Northern Virginia Mental Health Institute.

E. Out of this appropriation, $48,005,382 the first year and $48,005,382 the second year from the general fund is provided for the ongoing costs of salary increases for direct care staff at state facilities included in Chapter 1, 2023 Acts of Assembly, Special Session I.

F. Out of this appropriation $7,905,714 the first year and $7,905,714 the second year from the general fund is provided for salary increases for food services and environmental services staff at state facilities.

G. Out of this appropriation, $715,301 the first year from the general fund is provided for the educational and training costs of facility employees seeking to pursue additional licensing or certification. Any employee who is a beneficiary of these funds shall sign a written agreement outlining their commitment to continue their employment with the facility after their program has concluded. Any funds for this purpose that remain unexpended at year end shall be reappropriated in the succeeding year for the same purpose.

H. Out of this appropriation, $2,336,189 the first year from the general fund is provided for the costs of temporary kitchen space at Eastern State Hospital.

I. Out of this appropriation, $451,054 the first year and $364,060 the second year from the

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general fund is provided to procure scheduling software to assist state hospitals in scheduling nursing shifts.

J. Out of this appropriation, $2,204,765 the second year from the general fund is provided for salary increases for trades staff at state facilities.

K. The Department of Behavioral Health and Developmental Services shall: identify (i) a suitable building on the Central State Hospital (CSH) campus for storage of historical patient records for patients at CSH; (ii) the costs associated to renovate the identified building(s) to meet archival standards for humidity, light, heat, and air conditioning; and (iii) the costs for a repository for historical records from all mental health institutions in the Commonwealth.

303. The Commissioner, Department of Behavioral Health and Developmental Services, shall report by August 1 of each year to the Secretary of Finance, and the Chairmen of House Appropriations and Senate Finance and Appropriations Committees the general fund and non general fund allocations and authorized position levels for each state-operated behavioral health facility. The report shall be made available on the agency's public website.

Total for Mental Health Treatment Centers			**$569,581,139**	**~~$566,412,655~~ *$572,680,093***
General Fund Positions	4,373.00	4,373.00		
Nongeneral Fund Positions	613.00	613.00		
Position Level	4,986.00	4,986.00		
Fund Sources: General	$521,493,384	~~$518,324,900~~ *$524,592,338*		
Special	$47,887,755	$47,887,755		
Federal Trust	$200,000	$200,000		

Intellectual Disabilities Training Centers (793)

304. Instruction (19700)			$3,424,949	$2,924,949
Facility-Based Education and Skills Training (19708)	$3,424,949	$2,924,949		
Fund Sources: General	$3,062,724	$2,562,724		
Special	$162,225	$162,225		
Federal Trust	$200,000	$200,000		

Authority: Title 37.2, Chapter 3, Code of Virginia.

Out of this appropriation, $500,000 the first year from the general fund shall be provided to maintain the buildings and grounds at Central Virginia Training Center until such time as the property is sold by the Commonwealth.

305. Pharmacy Services (42100)			$2,948,730	$2,948,730
Inpatient Pharmacy Services (42102)	$2,948,730	$2,948,730		
Fund Sources: General	$279,606	$279,606		
Special	$2,669,124	$2,669,124		

Authority: §§ 37.2-312 and 37.2-713, Code of Virginia; P.L. 102-119, Federal Code.

306. State Health Services (43000)			$38,903,304	$38,903,304
Inpatient Medical Services (43007)	$15,983,231	$15,983,231		
State Intellectual Disabilities Training Center Services (43010)	$22,920,073	$22,920,073		
Fund Sources: General	$7,170,875	$7,170,875		
Special	$31,732,429	$31,732,429		

Authority: Title 37.2, Chapters 1 through 11, Code of Virginia.

A. The Commissioner of Behavioral Health and Developmental Services shall comply with all relevant state and federal laws and Supreme Court decisions that govern the discharge of

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residents from state intellectual disability training centers and the granting of intellectual disability waiver slots.				
B. Out of this appropriation, $726,826 the first year and $726,826 the second year from the general fund is provided for salary increases for clinical staff, including psychologists, social workers, counselors, therapists, medical lab technicians, and pharmacists, at state facilities.				
307. Facility Administrative and Support Services (49800)			$23,290,243	~~$23,219,729~~ *$23,366,377*
General Management and Direction (49801)	$9,284,318	$9,213,804		
Information Technology Services (49802)	$2,038,021	$2,038,021		
Food and Dietary Services (49807)	$2,890,778	$2,890,778		
Housekeeping Services (49808)	$2,928,717	$2,928,717		
Linen and Laundry Services (49809)	$746,376	$746,376		
Physical Plant Services (49815)	$3,785,352	~~$3,785,352~~ *$3,932,000*		
Power Plant Operation (49817)	$832,104	$832,104		
Training and Education Services (49825)	$784,577	$784,577		
Fund Sources: General	$4,261,138	~~$4,190,624~~ *$4,337,272*		
Special	$19,029,105	$19,029,105		
Authority: Title 37.1, Chapters 1 and 2, Code of Virginia; P.L. 74-320, Federal Code.				
A. Out of this appropriation, $948,576 the first year and $948,576 the second year from the general fund and $7,784,608 the first year and $7,784,608 the second year from nongeneral funds is provided for the ongoing costs of salary increases for direct care staff included in Chapter 1, 2023 Acts of Assembly, Special Session I.				
B. Out of this appropriation, $567,627 the first year and $567,627 the second year from the general fund is provided for salary increases for food services and environmental services staff at state facilities.				
C. Out of this appropriation, $70,514 the first year from the general fund is provided for the educational and training costs of facility employees seeking to pursue additional licensing or certification. Any employee who is a beneficiary of these funds shall sign a written agreement outlining their commitment to continue their employment with the facility after their program has concluded. Any funds for this purposes that remain unexpended at year end shall be reappropriated in the succeeding year for the same purpose.				
D. Out of this appropriation, $146,648 the second year from the general fund is provided for salary increases for trades staff at state facilities.				
308. The Commissioner, Department of Behavioral Health and Developmental Services, shall report by August 1 of each year to the Secretary of Finance, and the Chairmen of House Appropriations and Senate Finance and Appropriations Committees the general fund and non general fund allocations and authorized position levels for each state-operated training center. The report shall be made available on the agency's public website.				
Total for Intellectual Disabilities Training Centers			**$68,567,226**	~~**$67,996,712**~~ ***$68,143,360***
General Fund Positions	107.00	107.00		
Nongeneral Fund Positions	603.00	603.00		
Position Level	710.00	710.00		
Fund Sources: General	$14,774,343	~~$14,203,829~~ *$14,350,477*		
Special	$53,592,883	$53,592,883		
Federal Trust	$200,000	$200,000		

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	Virginia Center for Behavioral Rehabilitation (794)				
309.	Instruction (19700)			$291,064	$291,064
	Facility-Based Education and Skills Training (19708)	$291,064	$291,064		
	Fund Sources: General	$291,064	$291,064		
	Authority: Title 37.2, Chapter 1 and 9, Code of Virginia.				
310.	Secure Confinement (35700)			$23,063,379	$23,063,379
	Forensic and Behavioral Rehabilitation Security (35707)	$23,063,379	$23,063,379		
	Fund Sources: General	$23,063,379	$23,063,379		
	Authority: Title 37.2, Chapter 9, Code of Virginia.				
311.	Pharmacy Services (42100)			$1,557,890	$1,557,890
	Inpatient Pharmacy Services (42102)	$1,557,890	$1,557,890		
	Fund Sources: General	$1,557,890	$1,557,890		
	Authority: Title 37.2, Chapter 1 and 9, Code of Virginia.				
312.	State Health Services (43000)			$20,508,931	$20,508,931
	State Mental Health Facility Services (43014)	$20,508,931	$20,508,931		
	Fund Sources: General	$20,508,931	$20,508,931		
	Authority: Title 37.2, Chapters 1 and 9, Code of Virginia.				
	A. Out of this appropriation, $5,639,346 the first year and $5,639,346 the second year from the general fund is provided for the ongoing costs of salary increases for direct care staff included in Chapter 1, 2023 Acts of Assembly, Special Session I.				
	B. Out of this appropriation, $263,261 the first year and $263,261 the second year from the general fund is provided for salary increases for clinical staff, including psychologists, social workers, counselors, therapists, medical lab technicians, and pharmacists, at state facilities.				
313.	Facility Administrative and Support Services (49800)			$17,743,011	$17,722,198
	General Management and Direction (49801)	$4,707,780	$4,686,967		
	Information Technology Services (49802)	$1,171,654	$1,171,654		
	Food and Dietary Services (49807)	$3,427,666	$3,427,666		
	Housekeeping Services (49808)	$505,584	$505,584		
	Physical Plant Services (49815)	$7,804,707	$7,804,707		
	Training and Education Services (49825)	$125,620	$125,620		
	Fund Sources: General	$17,717,765	$17,696,952		
	Special	$25,246	$25,246		
	Authority: Title 37.2, Chapters 1 through 11, Code of Virginia.				
	A. In the event that services are not available in Virginia to address the specific needs of an individual committed for treatment at the VCBR or conditionally released, or additional capacity cannot be met at the VCBR, the Commissioner is authorized to seek such services from another state.				
	B. Out of this appropriation, $540,000 the first year and $540,000 the second year from the general fund is provided for the treatment costs of residents diagnosed with hepatitis. The facility shall make efforts to use certified federal 340B providers for the dispensing of any associated pharmaceuticals.				
	C. Within 15 days of any appropriation transfer to the Virginia Center for Behavioral Rehabilitation from any other sub-agency within the Department of Behavioral Health and Developmental Services, the Department of Planning and Budget shall notify the Chairmen of				

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the House Appropriations and Senate Finance and Appropriations Committees. The notice shall include the amount, fund source and reason for the transfer with an explanation of why the funding being transferred has no impact on the sub-agency from which it is transferred.				
D. Out of this appropriation, $20,813 the first year from the general fund is provided for the educational and training costs of facility employees seeking to pursue additional licensing or certification. Any employee who is a beneficiary of these funds shall sign a written agreement outlining their commitment to continue their employment with the facility after their program has concluded. Any funds for this purpose that remain unexpended at year end shall be reappropriated in the succeeding year for the same purpose.				
E. Out of this appropriation, $33,045 the first year and $33,045 the second year from the general fund is provided for salary increases for food services and environmental services staff at state facilities				
Total for Virginia Center for Behavioral Rehabilitation			**$63,164,275**	**$63,143,462**
General Fund Positions	886.50	886.50		
Position Level	886.50	886.50		
Fund Sources: General	$63,139,029	$63,118,216		
Special	$25,246	$25,246		
Grand Total for Department of Behavioral Health and Developmental Services			**$1,836,595,137**	**~~$1,801,227,368~~ *$1,845,176,854***
General Fund Positions	5,888.00	~~5,888.00~~ *5,929.00*		
Nongeneral Fund Positions	1,262.75	1,262.75		
Position Level	7,150.75	~~7,150.75~~ *7,191.75*		
Fund Sources: General	$1,576,672,559	~~$1,544,001,810~~ *$1,583,985,343*		
Special	$123,921,052	$123,921,052		
Dedicated Special Revenue	$14,628,931	~~$11,931,911~~ *$13,893,192*		
Federal Trust	$121,372,595	~~$121,372,595~~ *$123,377,267*		
§ 1-95. DEPARTMENT FOR AGING AND REHABILITATIVE SERVICES (262)				
314. Rehabilitation Assistance Services (45400)			$110,245,959	~~$110,245,959~~ *$118,410,793*
Vocational Rehabilitation Services (45404)	$85,956,102	~~$85,956,102~~ *$92,470,936*		
Community Rehabilitation Programs (45406)	$24,289,857	~~$24,289,857~~ *$25,939,857*		
Fund Sources: General	$40,678,785	~~$40,678,785~~ *$42,328,785*		
Special	$464,647	$464,647		
Dedicated Special Revenue	$1,626,616	$1,626,616		
Federal Trust	$67,475,911	~~$67,475,911~~ *$73,990,745*		
Authority: Title 51.5, Chapter 14, Code of Virginia; P.L. 93-112, Federal Code.				
A.1. Out of this appropriation, $11,307,671 the first year and $11,307,671 the second year from the general fund shall be used as state matching dollars for the federal Vocational Rehabilitation State Grant provided under the Rehabilitation Act of 1973, as amended, hereafter referred to as the federal vocational rehabilitation grant. The Department for Aging and Rehabilitative Services (DARS) shall not transfer or expend these dollars for				

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any purpose other than to support activities related to vocational rehabilitation.

2. The annual federal vocational rehabilitation grant award that will be received by DARS is estimated at $72,740,773 for federal fiscal year 2024; $72,740,773 for federal fiscal year 2025; and $72,740,773 for federal fiscal year 2026. In addition to the base annual award amount, DARS is authorized to request up to $4,000,000 of additional federal reallotment dollars in each of these years. Assuming these amounts, the annual 21.3 percent state matching requirement would equate to $20,769,739 for federal fiscal year 2024; $20,769,739 for federal fiscal year 2025; and $20,769,739 for federal fiscal year 2026.

3. Based on the projection of federal award funding in paragraph A.2., DARS shall not request federal vocational rehabilitation grant dollars in excess of $76,740,773 for federal fiscal year 2024; $76,740,773 for federal fiscal year 2025; and $76,740,773 for federal fiscal year 2026, without prior written concurrence from the Director, Department of Planning and Budget. Any approved increases in grant award requests shall be reported by DARS to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees within 30 days. Any federal reallotment dollars received by the agency shall not be used for any purpose that creates an on-going fiscal obligation to the Commonwealth.

4. By October 1 of each year, the department shall submit an annual report that details all vocational rehabilitation program revenues and spending from the prior fiscal year. The report shall also provide spending projections for the current and upcoming fiscal years. This report shall be provided to the Director, Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

B. Out of this appropriation, $1,280,512 the first year and $1,280,512 the second year from the general fund shall be used to provide vocational rehabilitation services for persons recovering from mental health issues, alcohol and other substance abuse issues pursuant to an interagency agreement between the Department of Behavioral Health and Developmental Services and the Department for Aging and Rehabilitative Services.

C. The Department for Aging and Rehabilitative Services shall use non-federal appropriation in this item to fulfill any necessary match requirement for the federal Supported Employment grant.

D. Out of this appropriation, ~~$2,658,198~~*8,952,766* the first year and ~~$2,658,198~~*8,952,766* the second year from the general fund is provided for the *Long Term Employment Support Services (LTESS) and* Extended Employment Services (EES) programs. The funding allocated to employment services organizations shall be allocated consistent with the recommendations of the Employment Service Organizations Steering Committee. The appropriation for *LTESS and* EES shall be used for the ~~program and shall not be used for any other purpose.~~*programs and for recovery of administrative costs, which are limited to 1.20 percent the first year and 1.20 percent the second year. The appropriation shall not be used for any other purposes apart from those described in this Item.*

~~E. Out of this appropriation, $6,294,568 the first year and $6,294,568 the second year from the general fund is provided for the Long Term Employment Support Services (LTESS) program.~~

~~F. Recovery of administrative costs for the Long Term Employment Support Services program shall be limited to 1.70 percent the first year and 1.70 percent the second year.~~

G. In allocating funds for Extended Employment Services, Long Term Employment Support Services (LTESS) and Economic Development, the Department for Aging and Rehabilitative Services shall consider recommendations from the established Employment Service Organizations/LTESS Steering Committee.

H. Of this appropriation, $200,000 the first year and $200,000 the second year from the general fund shall be used to contract with Didlake Inc., for the purpose of extended employment services and Long Term Employment Support Services for people with disabilities.

I. An employment services organization that had a CARF accreditation may continue to receive funding for Long-Term Employment Support Services (LTESS) and Extended Employment Services (EES) for up to six months after their accreditation expires if the

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organization is actively pursuing CARF reaccreditation.

J. The Employment Services Organization Steering Committee (ESOSC), as established in §51.5-169.2, Code of Virginia, shall report to and advise the Commissioner on policy, funding, and the allocation of funds to employment services organizations (ESOs) for Long Term Employment Support Services and Extended Employment Services pursuant to § 51.5-169.1, Code of Virginia, as well as all other services of which ESOs are current or proposed vendors.

K.1. A minimum of ~~$7,680,502~~*7,803,293* the first year and ~~$7,680,502~~ *$8,363,722* the second year from general fund dollars is allocated to support Centers for Independent Living.

2. The Department of Aging and Rehabilitative Services (DARS) shall collect data on the total operating budget of each Centers for Independent Living (CIL) funded in this Item, including total amount of state dollars provided to each. In addition, DARS shall have available an annual summary of how each CIL utilizes state dollars, including a position level breakdown of those classified positions funded with state dollars. DARS shall update this information by August 15 of each year with the previous year's data.

L. The Department for Aging and Rehabilitative Services shall fulfill the administrative responsibilities pertaining to the Personal Attendant Services program, without interruption or discontinuation of personal attendant services currently provided.

M. Out of this appropriation, it is estimated that $2,462,759 the first year and $2,462,759 the second year from the general fund shall be used for personal assistance services for individuals with disabilities.

N.1. Out of this appropriation, $10,396,719 the first year and ~~$10,396,719~~ *$11,746,719* the second year from the general fund shall be provided for expanding the continuum of services used to assist persons with brain injuries in returning to work and community living.

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2. Of this amount, $1,830,000 the first year and $1,830,000 the second year from the general fund shall be used to provide a continuum of brain injury services to individuals in unserved or underserved regions of the Commonwealth. Up to $150,000 each year shall be awarded to successful program applicants. Programs currently receiving more than $250,000 from the general fund each year are ineligible for additional assistance under this section. To be determined eligible for a grant under this section, program applicants shall submit plans to pursue non-state resources to complement the provision of general fund support.

3. Of this amount, $285,000 the first year and $285,000 the second year shall be provided from the general fund to support case management services for brain injured individuals and their families in Southwestern Virginia.

4. Of this amount, $720,000 the first year and $720,000 the second year from the general fund shall be used to support case management services for individuals with brain injuries in unserved or underserved regions of the Commonwealth.

5. Of this amount, $775,000 the first year and ~~$775,000~~*$1,375,000* the second year from the general fund shall be used for workforce retention for brain injury service providers.

6. Of this amount, $1,875,000 the first year and $1,875,000 the second year from the general fund shall be provided to: (i) strengthen and expand the existing state contracted safety net brain injury services system by increasing the numbers of case managers, clubhouse staff, clinical professional staff and/or program support staff and/or (ii) develop new safety net services in unserved areas of the state.

7. In allocating additional funds for brain injury services, the Department for Aging and Rehabilitative Services shall consider recommendations from the Virginia Brain Injury Council (VBIC).

8. The Department for Aging and Rehabilitative Services (DARS) shall submit an annual report, by September 1 of each year, to the Chairmen of the Senate Finance and

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Appropriations and House Appropriations Committees documenting the number of individuals served, services provided, and success in attracting non-state resources.

O.1. For Commonwealth Neurotrauma Initiative Trust Fund grants awarded after July 1, 2004, the commissioner shall require applicants to submit a plan to achieve self-sufficiency by the end of the grant award cycle in order to receive funding consideration.

2. Notwithstanding any other law to the contrary, the commissioner may reallocate up to $500,000 from unexpended balances in the Commonwealth Neurotrauma Initiative Trust Fund to fund new grant awards for research on traumatic brain and spinal cord injuries.

P. Out of this appropriation, $446,618 the first year and $446,618 the second year from the general fund shall be allocated to the Long-Term Rehabilitation Case Management Services Program.

Q. Every county and city, either singly or in combination with another political subdivision, may establish a local disability services board to provide input to state agencies on service needs and priorities of persons with physical and sensory disabilities, to provide information and resource referral to local governments regarding the Americans with Disabilities Act, and to provide such other assistance and advice to local governments as may be requested.

315.	Individual Care Services (45500)			~~$40,439,449~~ *$41,739,449*	~~$40,439,449~~ *$41,989,449*
	Financial Assistance for Local Services to the Elderly (45504)	~~$32,782,787~~ *$34,082,787*	~~$32,782,787~~ *$34,332,787*		
	Rights and Protection for the Elderly (45506)	$7,656,662	$7,656,662		
	Fund Sources: General	~~$20,653,634~~ *$21,953,634*	~~$20,653,634~~ *$22,203,634*		
	Special	$90,000	$90,000		
	Dedicated Special Revenue	$200,000	$200,000		
	Federal Trust	$19,495,815	$19,495,815		

Authority: Title 51.5, Chapter 14, Code of Virginia.

A. Out of this appropriation, $456,209 the first year and $456,209 the second year from the general fund shall be provided to continue a statewide Respite Care Initiative program for the elderly and persons suffering from Alzheimer's Disease.

B.1. Out of this appropriation, $3,785,000 the first year and $3,785,000 the second year from the general fund shall be provided to support local and regional programs of the Virginia Public Guardian and Conservator Program. This funding is estimated to provide 757 client slots the first year and 757 client slots the second year for unrestricted guardianship services.

2. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund shall be used to provide services through the Virginia Public Guardian and Conservator Program for individuals with mental illness or intellectual disability (ID). This funding is estimated to provide 40 client slots the first year and 40 client slots the second year for guardianship services for individuals with mental illness or intellectual disabilities.

3. Out of this appropriation, $2,270,000 the first year and $2,270,000 the second year from the general fund shall be used to provide services through the Virginia Public Guardian and Conservator Program for individuals with intellectual disabilities (ID) and developmental disabilities (DD). This funding shall be expended pursuant to an interagency agreement between the Department of Behavioral Health and Developmental Services (DBHDS) and the Department for Aging and Rehabilitative Services. This funding is estimated to provide 454 client slots the first year and 454 client slots the second year for guardianship services for individuals with ID/DD, as authorized by DBHDS.

4. Out of this appropriation, $686,000 the first year and $686,000 the second year from the general fund shall be used to provide services through the Virginia Public Guardian and Conservator Program for individuals with mental illness. This funding shall be expended pursuant to an interagency agreement between the Department of Behavioral Health and Developmental Services (DBHDS) and the Department for Aging and Rehabilitative Services.

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This funding is estimated to provide 98 client slots the first year and 98 client slots the second year for guardianship services for individuals with mental illness, as authorized by DBHDS.

C.1. Area Agencies on Aging that are authorized to use funding for the Care Coordination for the Elderly Program, shall be authorized to use funding to conduct a program providing mobile, brief intervention and service linking as a form of care coordination. The Department for Aging and Rehabilitative Services, in collaboration with the Area Agencies on Aging, shall analyze the resulting impact in these agencies and determine if this model of service delivery is an appropriate and beneficial use of these funds.

2. The Department for Aging and Rehabilitative Services, in collaboration with Area Agencies on Aging (AAAs) that are authorized to use funding for the Care Coordination for Elderly Program, shall examine and analyze existing state and national care coordination models to determine best practice models. The department and designated AAAs shall determine which models of service delivery are appropriate and demonstrate beneficial use of these funds and develop the accompanying service standards. Each AAA receiving care coordination funding shall submit its plan for care coordination with the annual area plan.

D. Area Agencies on Aging shall be designated as the lead agency in each respective area for No Wrong Door.

E. The Department for Aging and Rehabilitative Services shall (i) recommend strategies to coordinate services and resources among agencies involved in the delivery of services to Virginians with dementia; (ii) monitor the implementation of the Dementia State Plan; (iii) recommend policies, legislation, and funding needed to implement the Plan; (iv) collect and monitor data related to the impact of dementia on Virginians; and (v) determine the services, resources, and policies that may be needed to address services for individuals with dementia.

F. Out of this appropriation, $201,875 the first year and $201,875 the second year from the general fund shall be provided to support the distribution of comprehensive health and aging information to Virginia's senior population, their families and caregivers.

G. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund shall be provided for the Pharmacy Connect Program in Southwest Virginia, administered by Mountain Empire Older Citizens, Inc.

H. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund shall be used to contract with the Jewish Social Services Agency to provide assistance to low-income seniors who have experienced trauma.

I. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund shall be provided to contract with Birmingham Green to provide residential services to low-income, disabled individuals.

J. Out of this appropriation, $262,500 the first year and $262,500 the second year from the general fund shall be provided for an interdisciplinary plan of care and dementia care management for 88 individuals diagnosed with dementia. This service shall be provided through a partnership between the Memory and Aging Care Clinic at the University of Virginia and the Alzheimer's Association. The Department for Aging and Rehabilitative Services shall report the status and provide an update on the results of the dementia case management program to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1 of each year.

K. Out of this appropriation, $600,000 the first year and $600,000 the second year from the general fund shall be provided to contract with Area Agencies on Aging utilizing the Virginia Insurance Counseling and Assistance Program (VICAP) to provide counseling to Medicare beneficiaries about health insurance options and plans.

L. Out of this appropriation, $700,000 the first year and $700,000 the second year from the general fund shall be provided to hold harmless the Area Agencies on Aging due to the impact of 2020 census changes on the distribution formula for federal Older Americans Act funding.

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M. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general shall be provided for an interdisciplinary plan of care and dementia case management for 100 individuals diagnosed with dementia. This service shall be provided through a partnership between the Martha W. Goodson Center of Riverside Health Services and the Peninsula Agency on Aging. The Department for Aging and Rehabilitative Services shall report the status and provide an update on the results of the dementia case management program to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1 of each year.

N. Out of this appropriation, $750,000 from the general fund the second year shall be provided to increase support to Area Agencies on Aging.

O. Out of this appropriation, $1,300,000 the first year from the general fund is provided to the Eastern Shore Area Agency on Aging/Community Action Agency Inc. to replace the roof on Hare Valley School and make other critical building improvements. Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2025, shall not revert to the general fund but shall be carried forward and reappropriated in fiscal year 2026.

P. Out of this appropriation, $400,000 the second year from the general fund shall be provided to the County of Fairfax to support the Washington Area Villages Exchange for the creation of a pilot program to reduce the public health risk of social isolation among older Virginians by expanding the availability of Villages to additional sites.

Q. Out of this appropriation, $400,000 from the general fund the second year shall be provided to the Capitol Area Agency on Aging and Local Office on Aging, Inc. for an interdisciplinary plan of care and dementia case management for 200 individuals diagnosed with dementia. Funding shall be allocated evenly between the two Area Agencies on Aging. The Department for Aging and Rehabilitative Services shall report the status of the program and provide an update on the results of the dementia case management program to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1 of each year.

316.	Nutritional Services (45700)			$22,144,603	$22,144,603
	Meals Served in Group Settings (45701)	$9,521,747	$9,521,747		
	Distribution of Food (45702)	$549,342	$549,342		
	Delivery of Meals to Home-Bound Individuals (45703)	$12,073,514	$12,073,514		
	Fund Sources: General	$6,403,648	$6,403,648		
	Federal Trust	$15,740,955	$15,740,955		

Authority: Title 51.5, Chapter 14, Code of Virginia.

Home delivered meals shall not require cost-sharing until such time as federal law permits cost-sharing with Older Americans Act funding.

317. A. Area Agencies on Aging are encouraged to continue seeking funds from a variety of sources which include cost-sharing in programs where not prohibited by funding sources; private sector voluntary contributions from older persons receiving services; families of individuals receiving services; and churches, service groups and other organizations. Such appropriations shall not be included in the appropriations used to match Older Americans Act funding. Revenue generated as a result of these projects shall be retained by the participating area agencies for use in meeting critical care needs of older Virginians. These revenues shall supplement, not supplant, general fund resources.

B. It is the intent of the General Assembly that all Area Agencies on Aging use any new general fund revenue, with the exception of funding provided for the Long-term Care Ombudsman program, to implement sliding fees for services. However, priority for services should be given to applicants in the greatest need, regardless of ability to pay. Revenue from fees shall be retained by the Area Agencies on Aging for use in meeting critical care needs of older Virginians. These revenues shall supplement, not supplant, general fund resources.

C. It is the intent of the General Assembly that Older Americans Act funds and general fund moneys be targeted to services which can assist the elderly to function independently for as

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long as possible. Area Agencies on Aging may use general fund moneys for consumer-directed services.

D. At the request of the Commissioner, Department for Aging and Rehabilitative Services, the Director, Department of Planning and Budget may transfer state general fund appropriations for services provided by Area Agencies on Aging between service categories. Each individual Area Agency on Aging may transfer up to the maximum amount of federal funds and matching state general fund amounts allowed by federal law between service categories. Further, each Area Agency on Aging may transfer undesignated state general fund amounts among service categories. Under no circumstances shall any funds be transferred from direct services to administration. State general fund appropriations shall be available to the area agencies on aging beginning July 1 of each year of the biennium, in compliance with the department's General Fund Cash Management Policy.

318.	Continuing Income Assistance Services (46100)			$58,079,356	$58,079,356
	Social Security Disability Determination (46102)	$58,079,356	$58,079,356		
	Fund Sources: General	$511,783	$511,783		
	Special	$152,258	$152,258		
	Federal Trust	$57,415,315	$57,415,315		

Authority: Title 51.5, Chapter 14, Code of Virginia; Titles II and XVI, P.L. 74-271, Federal Code.

A. The Department for Aging and Rehabilitative Services, in cooperation with the Department of Social Services and local social services agencies, shall develop an expedited process for transitioning hospitalized persons to rehabilitation facilities when the patient may meet the criteria established by the Social Security Administration (SSA) and Medicaid for disability. As part of this expedited process, the Department for Aging and Rehabilitative Services (DARS) shall make Medicaid disability determinations within seven business days of the receipt of social service referrals, when the referrals include sufficient evidence that appropriately documents SSA's definition of disability. If the referrals do not contain sufficient documentation of disability, DARS shall continue to expedite processing of these priority referrals under Medicaid regulations.

B. The general fund appropriation in this item shall only be used for the cost of Medicaid disability determinations and for no other purpose.

319.	Adult Programs and Services (46800)			$9,760,980	$9,693,761
	Management and Quality Assurance of Aging Services (46811)	$3,790,429	$3,790,429		
	Central Oversight and Quality Assurance for Adult Protective Services (46812)	$2,937,788	$2,870,569		
	State Long-Term Care Ombudsman Services (46813)	$1,796,447	$1,796,447		
	No Wrong Door Initiative (46814)	$1,236,316	$1,236,316		
	Fund Sources: General	$5,999,425	$5,932,206		
	Special	$84,232	$84,232		
	Federal Trust	$3,677,323	$3,677,323		

Authority: Title 51.5, Chapter 14, Code of Virginia; P.L. 93-112, Federal Code.

A. 1. Out of this appropriation, $401,330 the first year and $401,330 the second year from the general fund shall be used to administer and oversee public guardianship programs and for no other purpose.

2. Of this amount, $95,263 the first year and $95,263 the second year shall be used to support the administrative costs associated with serving individuals pursuant to interagency agreements for the provision of public guardianship services between the Department of Behavioral Health and Developmental Services (DBHDS) and the Department for Aging and Rehabilitative Services.

B. Out of this appropriation, up to $5,000 the first year and $5,000 the second year from

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the general fund shall be provided to support activities of the Virginia Public Guardianship and Conservator Program Advisory Board, including but not limited to, paying expenses for the members to attend four meetings per year.

C. Out of this appropriation, $124,574 the first year and $124,574 the second year from the general fund is provided to support a position dedicated to monitoring and auditing the auxiliary grant (AG) program. The department shall develop an annual report on the AG program. This report shall include an overview of the program as well as a summary of oversight activities and findings. In addition, the report shall include for each month of the previous fiscal year, the number of Auxiliary Grant recipients living in a supportive housing setting as well as the number of individuals receiving an AG supportive housing slot that were discharged from a state behavioral health facility in the prior 12 months. DARS shall provide this report to the Director, Department of Planning and Budget and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by September 1 of each year.

D. Out of this appropriation, $1,219,943 the first year and $1,219,943 the second year from the general fund is provided for 12 full-time and two part-time positions to support the Office of the State Long-term Care Ombudsman.

E. Out of this appropriation, $545,000 the first year and $545,000 the second year from the general fund is provided to cover PeerPlace license costs for local workers as well as the on-going cost of system modifications.

F. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund is provided for demographic services to obtain reliable data for determining needs and service planning for aging services.

G. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund shall be used to support the Senior Legal Helpline.

H. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund shall be provided for the No Wrong Door (NWD) Dementia Capability Project to improve the identification of people living with dementia, particularly those living alone, to better connect them with supports and services that can help them remain as independent as possible for as long as possible. The Project shall add a cognitive screening question and relevant reports in the technology that underpins the system, the creation and delivery of a training module for NWD staff and users, and financial support for data collection and training.

I. Out of this appropriation, $228,083 the first year and $160,864 the second year from the general fund is provided to the Department for Aging and Rehabilitative Services to develop and provide training for court-appointed guardians and to support one full-time position.

320.	Administrative and Support Services (49900)			$17,375,030	~~$17,375,030~~ *$19,029,484*
	General Management and Direction (49901)	$10,165,409	~~$10,165,409~~ *$11,819,863*		
	Information Technology Services (49902)	$6,401,279	$6,401,279		
	Planning and Evaluation Services (49916)	$808,342	$808,342		
	Fund Sources: General	$1,086,397	$1,086,397		
	Special	$13,137,681	~~$13,137,681~~ *$14,792,135*		
	Federal Trust	$3,150,952	$3,150,952		

Authority: Title 51.5, Chapter 14, Code of Virginia; P.L. 93-112, Federal Code.

321. Included in the Federal Trust appropriation are amounts estimated at $583,541 the first year and $583,541 the second year, to pay for statewide indirect cost recoveries of this agency. Actual recoveries of statewide indirect costs up to the level of these estimates shall be exempt from payment into the general fund, as provided by § 4-2.03 of this Act. Amounts recovered in excess of these estimates shall be deposited to the general fund.

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	Total for Department for Aging and Rehabilitative Services			~~$258,045,377~~ *$259,345,377*	~~$257,978,158~~ *$269,347,446*
	General Fund Positions	97.76	97.76		
	Nongeneral Fund Positions	882.26	882.26		
	Position Level	980.02	980.02		
	Fund Sources: General	~~$75,333,672~~ *$76,633,672*	~~$75,266,453~~ *$78,466,453*		
	Special	$13,928,818	~~$13,928,818~~ *$15,583,272*		
	Dedicated Special Revenue	$1,826,616	$1,826,616		
	Federal Trust	$166,956,271	~~$166,956,271~~ *$173,471,105*		
	Wilson Workforce and Rehabilitation Center (203)				
322.	Rehabilitation Assistance Services (45400)			$13,908,478	$13,908,478
	Vocational Rehabilitation Services (45404)	$8,589,717	$8,589,717		
	Medical Rehabilitative Services (45405)	$5,318,761	$5,318,761		
	Fund Sources: General	$3,686,338	$3,686,338		
	Federal Trust	$10,222,140	$10,222,140		
	Authority: Title 51.5, Chapter 14, Code of Virginia; P.L. 89-313, P.L. 93-112, P.L. 94-482 and P.L. 95-602, Federal Code.				
323.	Facility Administrative and Support Services (49800)			$11,345,651	$11,345,651
	General Management and Direction (49801)	$1,719,730	$1,719,730		
	Information Technology Services (49802)	$682,533	$682,533		
	Security Services (49803)	$666,908	$666,908		
	Residential Services (49804)	$1,683,418	$1,683,418		
	Food and Dietary Services (49807)	$809,738	$809,738		
	Physical Plant Services (49815)	$5,783,324	$5,783,324		
	Fund Sources: General	$2,811,020	$2,811,020		
	Special	$95,000	$95,000		
	Federal Trust	$8,439,631	$8,439,631		
	Authority: Title 51.5, Chapter 14, Code of Virginia; P.L. 93-112 and P.L. 95-602, Federal Code.				
	Comprehensive services available on-site at Wilson Workforce and Rehabilitation Center shall include, but not be limited to, vocational services, including evaluation, prevocational, academic, and vocational training; independent living services; transition from school to work services; rehabilitative engineering and assistive technology; and medical rehabilitation services, including residential, outpatient, supported living, community reentry, and family support.				
	Total for Wilson Workforce and Rehabilitation Center			**$25,254,129**	**$25,254,129**
	General Fund Positions	58.80	58.80		
	Nongeneral Fund Positions	193.20	193.20		
	Position Level	252.00	252.00		
	Fund Sources: General	$6,497,358	$6,497,358		
	Special	$95,000	$95,000		
	Federal Trust	$18,661,771	$18,661,771		
	Grand Total for Department for Aging and Rehabilitative Services			~~$283,299,506~~ *$284,599,506*	~~$283,232,287~~ *$294,601,575*

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General Fund Positions	156.56	156.56		
Nongeneral Fund Positions	1,075.46	1,075.46		
Position Level	1,232.02	1,232.02		
Fund Sources: General	~~$81,831,030~~ *$83,131,030*	~~$81,763,811~~ *$84,963,811*		
Special	$14,023,818	~~$14,023,818~~ *$15,678,272*		
Dedicated Special Revenue	$1,826,616	$1,826,616		
Federal Trust	$185,618,042	~~$185,618,042~~ *$192,132,876*		

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				~~$61,829,363~~ *$61,033,980*	~~$64,913,822~~ *$64,798,852*
324.	Program Management Services (45100)				
	Training and Assistance to Local Staff (45101)	~~$6,833,133~~ *$6,771,335*	~~$9,293,914~~ *$10,005,251*		
	Central Administration and Quality Assurance for Benefit Programs (45102)	~~$21,436,585~~ *$21,701,937*	~~$21,895,585~~ *$22,243,215*		
	Central Administration and Quality Assurance for Family Services (45103)	~~$12,874,119~~ *$13,366,874*	~~$13,038,793~~ *$13,356,548*		
	Central Administration and Quality Assurance for Community Programs (45105)	~~$15,380,509~~ *$14,444,560*	~~$15,380,509~~ *$14,444,560*		
	Central Administration and Quality Assurance for Child Care Activities (45107)	~~$5,305,017~~ *$4,749,274*	~~$5,305,021~~ *$4,749,278*		
	Fund Sources: General	~~$27,002,378~~ *$27,116,445*	~~$28,847,252~~ *$29,559,454*		
	Special	$100,000	$100,000		
	Dedicated Special Revenue	$267,722	~~$267,722~~ *$350,000*		
	Federal Trust	~~$34,459,263~~ *$33,549,813*	~~$35,698,848~~ *$34,789,398*		

Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 2 and 21, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A. The Department of Social Services, in collaboration with the Office of Children's Services, shall provide training to local staff serving on Family Assessment and Planning Teams and Community Policy and Management Teams. Training shall include, but need not be limited to, the federal and state requirements pertaining to the provision of the foster care services funded under § 2.2-5211, Code of Virginia. The training shall also include written guidance concerning which services remain the financial responsibility of the local departments of social services. Training shall be provided on a regional basis at least once per year. Written guidance shall be updated and provided to local Office of Children's Services teams whenever there is a change in allowable expenses under federal or state guidelines. In addition, the Department of Social Services shall provide ongoing local oversight of its federal and state requirements related to the provision of services funded under § 2.2-5211, Code of Virginia.

B.1. By November 1 of each year, the Department of Planning and Budget, in cooperation with the Department of Social Services, shall prepare and submit a forecast of expenditures for cash assistance provided through the Temporary Assistance for Needy Families (TANF) program, mandatory child day care services under TANF, foster care maintenance and adoption subsidy payments, upon which the Governor's budget recommendations will be based, for the current and subsequent two years to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

2. The forecast of expenditures shall detail the incremental general fund and federal fund adjustments required by the forecast each year in the biennial budget. The Department of

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Planning and Budget shall convene a meeting on or before October 15 of each year with the appropriate staff from the Department of Social Services, and the House Appropriations and Senate Finance and Appropriations Committees to review current trends and assumptions used in the forecasts prior to their finalization.

C. The Department of Social Services shall provide administrative support and technical assistance to the Family and Children's Trust Fund (FACT) Board of Trustees established in §§ 63.2-2100 through 63.2-2103, Code of Virginia.

D. Out of this appropriation, $2,420,000 the first year and $2,420,000 the second year from the general fund and $2,420,000 the first year and $2,420,000 the second year from nongeneral funds shall be provided to fund the Supplemental Nutrition Assistance Program (SNAP) Electronic Benefit Transfer (EBT) contract cost.

E.1. Out of this appropriation, 10 positions and the associated funding shall be dedicated to providing on-going financial oversight of foster care services. Each of the 10 positions, with two working out of each regional office, shall assess and review all foster care spending to ensure that state and federal standards are met. None of these positions shall be used for quality, information technology, or clerical functions.

2. By September 1 of each year, the department shall report to the Governor, the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget regarding the foster care program's statewide spending, error rates and compliance with state and federal reviews.

F. The Department of Social Services shall provide an annual report on the activities of the Office of New Americans by December 1 of each year.

G. ~~The Department of Social Services shall not implement~~*The maximum allowable costs for state and local agencies to administer* the Percentage of Income Payment Program (PIPP) *shall not*~~until such time as there is adequate fee revenue from the universal service fee, collected by utility providers, available to fund the administrative costs necessary to implement the program, not to~~ exceed $5.5 million annually *in totality*. ~~Maximum allowable administrative costs are in totality and~~ *This* includes costs borne by the *Department of Social Services, the* Department of Housing and Community Development and local departments of social services for PIPP administration.

H. Out of this appropriation, $54,309 the first year and $54,309 the second year from the general fund and $162,926 the first year and $162,926 the second year from nongeneral funds shall be provided to implement the Virginia Facilitated Enrollment Program.

I.1. Out of this appropriation, $1,438,312 the first year and $1,338,312 the second year from the general fund shall be provided to meet the terms of the settlement agreement between the Department of Social Services and the federal Food and Nutrition Services for an overissuance of Supplemental Nutrition Assistance Program (SNAP) benefits. The amounts provided shall only be used to cover costs outlined in this settlement agreement that expires September 30, 2026.

2. Any unexpended balances from the amounts appropriated in I.1., at the close of business on June 30 of each fiscal year, shall not revert to the general fund, but shall be carried forward and reappropriated for this purpose.

J. Out of this appropriation, $844,524 the first year and $2,225,540 the second year from the general fund and $663,554 the first year and $1,748,639 the second year from nongeneral funds is provided to establish and implement a centralized training academy model for local departments of social services.

K. The Department of Social Services shall develop a strategic plan that includes: (i) a review of best practices for providing treatment and services to trafficking victims; (ii) analysis of data gaps and recommendations for addressing them; (iii) recommendations to improve and establish additional long-term support services for trafficking victims; and (iv) training policies for mandatory reporters of suspected trafficking cases. The Department shall provide the plan to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2025.

ITEM 325.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
325.	Financial Assistance for Self-Sufficiency Programs and Services (45200)			~~$170,846,912~~ *$150,040,168*	~~$170,705,706~~ *$249,720,830*
	Temporary Assistance for Needy Families (TANF) Cash Assistance (45201)	~~$70,750,355~~ *$67,831,905*	~~$60,888,101~~ *$57,186,832*		
	Temporary Assistance for Needy Families (TANF) Employment Services (45212)	$17,045,689	$17,045,689		
	Supplemental Nutrition Assistance Program Employment and Training (SNAPET) Services (45213)	$2,205,341	$2,205,341		
	Temporary Assistance for Needy Families (TANF) Child Care Subsidies (45214)	~~$64,942,235~~ *$45,060,443*	~~$76,259,437~~ *$51,981,727*		
	At-Risk Child Care Subsidies (45215)	$2,864,671	$2,864,671		
	Unemployed Parents Cash Assistance (45216)	~~$13,038,621~~ *$15,032,119*	~~$11,442,467~~ *$13,233,570*		
	Summer Nutrition Benefit for Children (45221)	*$0*	*$105,203,000*		
	Fund Sources: General	~~$87,682,245~~ *$89,675,743*	~~$86,086,091~~ *$87,877,194*		
	Federal Trust	~~$83,164,667~~ *$60,364,425*	~~$84,619,615~~ *$161,843,636*		

Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 1 through 7, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A. It is hereby acknowledged that as of June 30, ~~2023~~*2024* there existed with the federal government an unexpended balance of ~~$60,830,134~~*$46,855,247* in federal Temporary Assistance for Needy Families (TANF) block grant funds which are available to the Commonwealth of Virginia to reimburse expenditures incurred in accordance with the adopted State Plan for the TANF program. Based on projected spending levels and appropriations in this ~~act~~*Act*, the Commonwealth's accumulated balance for authorized federal TANF block grant funds is estimated at ~~$24,552,371~~*$25,302,548* on June 30, ~~2024~~*2025*; ~~$1,729,533~~*$21,828,551* on June 30, ~~2025~~*2026*; and ~~$30,434~~*$18,354,554* on June 30, ~~2026~~*2027*.

B. No less than 30 days prior to submitting any amendment to the federal government related to the State Plan for the Temporary Assistance for Needy Families program, the Commissioner of the Department of Social Services shall provide the Chairmen of the House Appropriations and Senate Finance an Appropriations Committees as well as the Director, Department of Planning and Budget written documentation detailing the proposed policy changes. This documentation shall include an estimate of the fiscal impact of the proposed changes and information summarizing public comment that was received on the proposed changes.

C. Notwithstanding any other provision of state law, the Department of Social Services shall maintain a separate state program, as that term is defined by federal regulations governing the Temporary Assistance for Needy Families (TANF) program, 45 C.F.R. § 260.30, for the purpose of providing welfare cash assistance payments to able-bodied two-parent families. The separate state program shall be funded by state funds and operated outside of the TANF program. Able-bodied two-parent families shall not be eligible for TANF cash assistance as defined at 45 C.F.R. § 260.31 (a)(1), but shall receive benefits under the separate state program provided for in this paragraph. Although various conditions and eligibility requirements may be different under the separate state program, the basic benefit payment for which two-parent families are eligible under the separate state program shall not be less than what they would have received under TANF. The Department of Social Services shall establish regulations to govern this separate state program.

D. As a condition of this appropriation, the Department of Social Services shall disregard the value of one motor vehicle per assistance unit in determining eligibility for cash assistance in the Temporary Assistance for Needy Families (TANF) program and in the separate state program for able-bodied two-parent families.

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E. The Department of Social Services, in collaboration with local departments of social services, shall maintain minimum performance standards for all local departments of social services participating in the Virginia Initiative for Education and Work (VIEW) program. The department shall allocate VIEW funds to local departments of social services based on these performance standards and VIEW caseloads. The allocation formula shall be developed and revised in cooperation with the local social services departments and the Department of Planning and Budget.

F. A participant whose Temporary Assistance for Needy Families (TANF) financial assistance is terminated due to the receipt of 24 months of assistance as specified in § 63.2-612, Code of Virginia, or due to the closure of the TANF case prior to the completion of 24 months of TANF assistance, excluding cases closed with a sanction for noncompliance with the Virginia Initiative for Education and Work program, shall be eligible to receive employment and training assistance for up to 12 months after termination, if needed, in addition to other transitional services provided pursuant to § 63.2-611, Code of Virginia.

G. Out of this appropriation, $2,647,305 the first year and $2,647,305 the second year from the general fund shall be provided to support state child care programs.

H. Out of this appropriation, the Department of Social Services shall use $4,800,000 the first year and $4,800,000 the second year from the federal Temporary Assistance to Needy Families (TANF) block grant to provide to each TANF recipient with two or more children in the assistance unit a monthly TANF supplement equal to the amount the Division of Child Support Enforcement collects up to $200, less the $100 disregard passed through to such recipient. The TANF child support supplement shall be paid within two months following collection of the child support payment or payments used to determine the amount of such supplement. For purposes of determining eligibility for medical assistance services, the TANF supplement described in this paragraph shall be disregarded. In the event there are sufficient federal TANF funds to provide all other assistance required by the TANF State Plan, the Commissioner may use unobligated federal TANF block grant funds in excess of this appropriation to provide the TANF supplement described in this paragraph.

I.1. The Department of Social Services (DSS) and the Department of Education (DOE) shall ensure that the Temporary Assistance for Needy Families (TANF) Virginia Initiative for Employment and Work (VIEW) mandated child care forecast is funded through a combination of general fund, TANF, and Child Care Development Fund (CCDF) grant dollars. The amount of needed CCDF dollars identified in the Memorandum of Agreement (MOA) between the agencies shall be transferred from DOE to DSS within the first thirty days of the fiscal year. DSS shall notify DOE of the required amount of the next fiscal year transfer upon the enrollment of the budget. This amount shall reflect the need identified in the official forecast as well as changes resulting from actions in the final budget.

2. The MOA shall reflect the full cost of the VIEW mandated child care program. From this amount, ~~$64,942,235~~*$45,060,443* the first year and ~~$76,259,437~~*$51,981,727* the second year is appropriated at DSS and the balance shall be transferred from DOE from the CCDF grant to support the VIEW mandated child care program as specified in I.1.

J. Out of this appropriation, $2,120,420 the first year and $2,120,420 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided for the Department of Social Services to implement a program so that TANF-eligible individuals may save funds in an individual development account established for the purposes of home purchase, education, starting a business, transportation, or self-sufficiency. The TANF funds shall be deposited to the individual development accounts at a match rate determined by the department.

K. Out of this appropriation, $105,203,000 the second year from nongeneral funds shall be provided to the Department of Social Services for summer nutrition benefits for children.

ITEM 326.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
326.	Financial Assistance for Local Social Services Staff (46000)			~~$626,286,474~~ *$639,331,145*	~~$626,109,599~~ *$662,264,872*
	Local Staff and Operations (46010)	~~$626,286,474~~ *$639,331,145*	~~$626,109,599~~ *$662,264,872*		
	Fund Sources: General	~~$173,042,015~~ *$172,439,387*	~~$172,969,800~~ *$186,277,343*		
	Dedicated Special Revenue	~~$10,115,072~~ *$10,315,556*	~~$10,115,072~~ *$13,033,278*		
	Federal Trust	~~$443,129,387~~ *$456,576,202*	~~$443,024,727~~ *$462,954,251*		

Authority: Title 63.2, Chapters 1 through 7 and 9 through 16, Code of Virginia; P.L. 104-193, Titles IV A, XIX, and XXI, Social Security Act, Federal Code, as amended.

A. The amounts in this Item shall be expended under regulations of the Board of Social Services to reimburse county and city welfare/social services boards pursuant to § 63.2-401, Code of Virginia, and subject to the same percentage limitations for other administrative services performed by county and city public welfare/social services boards and superintendents of public welfare/social services pursuant to other provisions of the Code of Virginia, as amended.

B. Pursuant to the provisions of §§ 63.2-403, 63.2-406, 63.2-407, 63.2-408, and 63.2-615 Code of Virginia, all moneys deducted from funds otherwise payable out of the state treasury to the counties and cities pursuant to the provisions of § 63.2-408, Code of Virginia, shall be credited to the applicable general fund account.

C. Included in this appropriation are funds to reimburse local social service agencies for eligibility workers who interview applicants to determine qualification for public assistance benefits which include but are not limited to: Temporary Assistance for Needy Families (TANF); Supplemental Nutrition Assistance Program (SNAP); and Medicaid.

D. Included in this appropriation are funds to reimburse local social service agencies for social workers who deliver program services which include but are not limited to: child and adult protective services complaint investigations; foster care and adoption services; and adult services.

E. Out of the federal fund appropriation for local social services staff, amounts estimated at ~~$87,500,000~~*$95,372,148* the first year and ~~$87,500,000~~*$95,372,148* the second year shall be set aside for allowable local costs which exceed available general fund reimbursement and amounts estimated at $28,100,000 the first year and $28,100,000 the second year shall be set aside to reimburse local governments for allowable costs incurred in administering public assistance programs.

F. Out of this appropriation, $712,062 the first year and $712,062 the second year from the general fund and $684,138 the first year and $684,138 the second year from nongeneral funds shall be provided to cover the cost of the health insurance credit for retired local social services employees.

G.1. Out of this appropriation, $4,527,969 the first year and $4,527,969 the second year from the general fund shall be available for the reinvestment of adoption general fund savings as authorized in Title IV, parts B and E of the federal Social Security Act (P.L. 110-351).

2. Of the amount in paragraph G.1. above, $1,333,031 the first year and $1,333,031 the second year from the general fund shall be used to provide Child Protective Services (CPS) assessments and investigations in response to all reports of children born exposed to controlled substances regardless of whether the substance had been prescribed to the mother when she has sought or gained substance abuse counseling or treatment.

H. Out of this appropriation, $594,713 the first year and $594,713 the second year from the general fund and $4,734,573 the first year and $4,734,573 the second year from nongeneral funds shall be provided to implement the Virginia Facilitated Enrollment Program.

I. Out of this appropriation, $360,000 the first year and $360,000 the second year from the general fund shall be used to provide a bonus payment to local departments of social services

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not to exceed $250 for each time a new child enters foster care and is placed with a kinship foster parent or for a child currently in foster care who transitions from a non-kinship placement to the care of a kinship foster parent. Payments provided under the provisions of this paragraph shall not exceed $360,000 per year, in aggregate.

J. Out of this appropriation, $7,310,288 the second year from the general fund and $6,482,709 the second year from nongeneral funds is provided to supplement existing support for employment and income verification services. The Department of Social Services shall investigate alternatives to its current employment and income verification services contract that may provide more cost-effective opportunities. This examination shall include, but not be limited to, an inventory of all potential providers of necessary data, the cost structure for obtaining data from potential providers, the feasibility of using data from potential providers, and the estimated cost of adding new providers to the agency's case management system as to prioritize free or low-cost providers. These alternatives shall be reported to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, in a report due by November 1, 2025. Funding provided in this paragraph shall be unallotted by the Department of Planning and Budget until such time as DSS provides documentation of biennial contract costs.

327.	Child Support Enforcement Services (46300)			~~$805,337,239~~ *$781,659,624*	~~$785,703,563~~ *$762,050,432*
	Support Enforcement and Collection Services (46301)	~~$140,430,930~~ *$141,753,315*	~~$120,797,254~~ *$122,144,123*		
	Public Assistance Child Support Payments (46302)	$11,000,000	$11,000,000		
	Non-Public Assistance Child Support Payments (46303)	~~$653,906,309~~ *$628,906,309*	~~$653,906,309~~ *$628,906,309*		
	Fund Sources: General	~~$14,202,181~~ *$14,672,767*	~~$14,202,181~~ *$14,681,091*		
	Special	~~$705,277,067~~ *$680,728,209*	~~$698,732,508~~ *$674,183,650*		
	Federal Trust	~~$85,857,991~~ *$86,258,648*	~~$72,768,874~~ *$73,185,691*		

Authority: Title 20, Chapters 2 through 3.1 and 4.1 through 9; Title 63.2, Chapter 19, Code of Virginia; P.L. 104-193, as amended; P.L. 105-200, P.L. 106-113, Federal Code.

A. Any net revenue from child support enforcement collections, after all disbursements are made in accordance with state and federal statutes and regulations, and after the state's share of the cost of administering the program is paid, shall be estimated and deposited into the general fund by June 30 of the fiscal year in which it is collected. Any additional moneys determined to be available upon final determination of a fiscal year's costs of administering the program shall be deposited to the general fund by September 1 of the subsequent fiscal year in which it is collected.

B. In determining eligibility and amounts for cash assistance, pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, the department shall continue to disregard up to $100 per month in child support payments and return to recipients of cash assistance up to $100 per month in child support payments collected on their behalf.

C. The state share of amounts disbursed to recipients of cash assistance pursuant to paragraph B of this Item shall be considered part of the Commonwealth's required Maintenance of Effort spending for the federal Temporary Assistance for Needy Families program established by the Social Security Act.

D. The department shall expand collections of child support payments through contracts with private vendors. However, the Department of Social Services and the Office of the Attorney General shall not contract with any private collection agency, private attorney, or other private entity for any child support enforcement activity until the State Board of Social Services has made a written determination that the activity shall be performed

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under a proposed contract at a lower cost than if performed by employees of the Commonwealth.

E. The Division of Child Support Enforcement, in cooperation with the Department of Medical Assistance Services, shall identify cases for which there is a medical support order requiring a noncustodial parent to contribute to the medical cost of caring for a child who is enrolled in the Medicaid or Family Access to Medical Insurance Security (FAMIS) Programs. Once identified, the division shall work with the Department of Medical Assistance Services to take appropriate enforcement actions to obtain medical support or repayments for the Medicaid program. The Department of Social Services shall submit a report on the number of identified cases and the enforcement actions taken to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and Director, Department of Planning and Budget by September 1 each year.

F. Out of this appropriation, $35,554,137 the first year and $15,920,461 the second year from nongeneral funds is appropriated to support the design, development, and implementation of a modernized child support technology system.

328.	Adult Programs and Services (46800)			$62,727,762	$62,727,762
	Auxiliary Grants for the Aged, Blind, and Disabled (46801)	$40,898,009	$40,898,009		
	Adult In-Home and Supportive Services (46802)	$6,822,995	$6,822,995		
	Domestic Violence Prevention and Support Activities (46803)	$15,006,758	$15,006,758		
	Fund Sources: General	$45,522,734	$45,522,734		
	Federal Trust	$17,205,028	$17,205,028		

Authority: Title 63.2, Chapters 1, 16 and 22, Code of Virginia; Title XVI, federal Social Security Act, as amended.

A.1. Effective January 1, ~~2024~~*2025*, the Department of Social Services, in collaboration with the Department for Aging and Rehabilitative Services, is authorized to base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent of licensed capacity, not to exceed a maximum rate of ~~$2,079~~*$2,103* per month, which rate is also applied to approved adult foster care homes, unless modified as indicated below. The department may add a 15 percent differential to the maximum amount for licensed assisted living facilities and adult foster care homes in Planning District Eight.

2. Effective January 1, 2024, the monthly personal care allowance for auxiliary grant recipients who reside in licensed assisted living facilities and approved adult foster care homes shall be $87 per month, unless modified as indicated below.

3. The Department of Social Services, in collaboration with the Department for Aging and Rehabilitative Services, is authorized to increase the assisted living facility and adult foster care home rates and/or the personal care allowance cited above on January 1 of each year in which the federal government increases Supplemental Security Income or Social Security rates or at any other time that the department determines that an increase is necessary to ensure that the Commonwealth continues to meet federal requirements for continuing eligibility for federal financial participation in the Medicaid program. Any such increase is subject to the prior concurrence of the Department of Planning and Budget. Within thirty days after its effective date, the Department of Social Services shall report any such increase to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees with an explanation of the reasons for the increase.

B. Out of this appropriation, $4,185,189 the first year and $4,185,189 in the second year from the federal Social Services Block Grant shall be allocated to provide adult companion services for low-income elderly and disabled adults.

C. The toll-free telephone hotline operated by the Department of Social Services to receive child abuse and neglect complaints shall also be publicized and used by the department to receive complaints of adult abuse and neglect.

D.1. Out of this appropriation, $1,423,750 the first year and $1,423,750 the second year from the general fund and $4,246,792 the first year and $4,246,792 the second year from

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nongeneral funds shall be provided as a grant to local domestic violence programs.

2. Out of the amounts appropriated in D.1., $248,750 the first year and $248,750 the second year from the general fund and $1,346,792 the first year and $1,346,792 the second year from federal Temporary Assistance for Needy Families (TANF) funds shall be provided as a grant to local domestic violence programs for purchase of crisis and core services for victims of domestic violence, including 24-hour hotlines, emergency shelter, emergency transportation, and other crisis services as a first priority.

3. Out of the amounts appropriated in D.1., $1,100,000 the first year and $1,100,000 the second year from the general fund and $2,500,000 the first year and $2,500,000 the second year from federal Temporary Assistance to Needy Families (TANF) funds shall be provided as a grant to local domestic violence programs for services.

4. Out of the amounts appropriated in D.1., $75,000 the first year and $75,000 the second year from the general fund and $400,000 the first year and $400,000 the second year from nongeneral funds shall be provided for the purchase of services for victims of domestic violence as stated in § 63.2-1615, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.

E. Out of this appropriation, $2,650,000 the first year and $2,650,000 the second year from the general fund shall be transferred to the Virginia Sexual and Domestic Violence Prevention Fund. Notwithstanding § 63.2-2300 of the Code of Virginia, the Department of Social Services shall solicit applications for funding by August 1 of each year and shall award the funds by no later than October 1 of each year. Funding shall be awarded for evidence-based services. The department shall report on the allocation of these funds to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1 of each year.

F. The Director, Department of Planning and Budget, shall, on or before June 30, 2025, unallot $1,000,000 from the general fund in this item, which reflects unused balances in the auxiliary grants program.

329.	Child Welfare Services (46900)			~~$312,491,313~~ *$288,867,026*	~~$312,491,313~~ *$293,334,091*
	Foster Care Payments (46901)	~~$60,388,323~~ *$39,235,246*	~~$60,388,323~~ *$42,515,744*		
	Supplemental Child Welfare Activities (46902)	~~$64,554,728~~ *$65,037,928*	~~$64,554,728~~ *$64,737,928*		
	Adoption Subsidy Payments (46903)	~~$170,064,342~~ *$167,109,932*	~~$170,064,342~~ *$168,596,499*		
	Prevention Services (46905)	$17,483,920	$17,483,920		
	Fund Sources: General	~~$160,865,081~~ *$147,004,071*	~~$160,977,417~~ *$149,703,135*		
	Special	$2,434,593	$2,434,593		
	Dedicated Special Revenue	$585,265	$585,265		
	Federal Trust	~~$148,606,374~~ *$138,843,097*	~~$148,494,038~~ *$140,611,098*		

Authority: Title 63.2, Chapters 1, 2, 4 and 8 through 15, Code of Virginia; P.L. 100-294, P.L. 101-126, P.L. 101-226, P.L. 105-89, P.L. 110-351, P.L. 111-320, as amended, Federal Code.

A. Expenditures meeting the criteria of Title IV-E of the Social Security Act shall be fully reimbursed except that expenditures otherwise subject to a standard local matching share under applicable state policy, including local staffing, shall continue to require local match. The commissioner shall ensure that local social service boards obtain reimbursement for all children eligible for Title IV-E coverage.

B. The Commissioner, Department of Social Services, in cooperation with the Department of Planning and Budget, shall establish a reasonable, automatic adjustment for inflation each year to be applied to the room and board maximum rates paid to foster parents. However, this provision shall apply only in fiscal years following a fiscal year in which salary increases are provided for state employees.

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C. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund shall be provided for the purchase of services for victims child abuse and neglect prevention activities as stated in § 63.2-1502, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.

D. Out of this appropriation, $180,200 the first year and $180,200 the second year from the general fund and $99,800 the first year and $99,800 the second year from nongeneral funds shall be provided to continue respite care for foster parents.

E. Notwithstanding the provisions of §§ 63.2-1300 through 63.2-1303, Code of Virginia, adoption assistance subsidies and supportive services shall not be available for children adopted through parental placements, except parental placements where the legal guardian is a child placing agency at the time of the adoption. This restriction does not apply to existing adoption assistance agreements.

F.1. Out of this appropriation, $1,500,000 the first year and $1,500,000 the second year from the general fund shall be provided to implement pilot programs that increase the number of foster care children adopted.

2. Beginning July 1, 2017, the department shall provide an annual report, not later than 45 days after the end of the state fiscal year, on the use and effectiveness of this funding including, but not limited to, the additional number of special needs children adopted from foster care as a result of this effort and the types of ongoing supportive services provided, to the Governor, Chairmen of House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget.

G. Out of this appropriation, ~~$9,630,922~~*$14,329,747* the first year and ~~$9,630,922~~*$14,329,747* the second year from the general fund and $7,000,000 the first year and $7,000,000 the second year from nongeneral funds shall be provided for special needs adoptions.

H. Out of this appropriation ~~$73,972,996~~*$72,805,584* the first year and ~~$74,063,667~~*$72,894,825* the second year from the general fund and ~~$77,146,505~~*$75,929,011* the first year and ~~$77,055,834~~*$75,839,770* the second year from nongeneral funds shall be provided for Title IV-E adoption subsidies.

I. The Commissioner, Department of Social Services, shall ensure that local departments that provide independent living services to persons between 18 and 21 years of age make certain information about and counseling regarding the availability of independent living services is provided to any person who chooses to leave foster care or who chooses to terminate independent living services before his twenty-first birthday. Information shall include the option for restoration of independent living services following termination of independent living services, and the processes whereby independent living services may be restored should he choose to seek restoration of such services in accordance with § 63.2-905.1 of the Code of Virginia.

J.1. Notwithstanding the provisions of § 63.2-1302, Code of Virginia, the Department of Social Services shall negotiate all adoption assistance agreements with both existing and prospective adoptive parents on behalf of local departments of social services. This provision shall not alter the legal responsibilities of the local departments of social services set out in Chapter 13 of Title 63.2, Code of Virginia, nor alter the rights of the adoptive parents to appeal.

2. Out of this appropriation, $342,414 the first year and $342,414 the second year from the general fund and $215,900 the first year and $215,900 the second year from nongeneral funds shall be provided for five positions to execute these negotiations.

K.1. Out of this appropriation, $10,017,668 the first year and $10,017,668 the second year from the general fund and $2,500,000 the first year and $2,500,000 the second year from nongeneral funds shall be available for the reinvestment of adoption general fund savings as authorized in title IV, parts B and E of the federal Social Security Act (P.L. 110-351).

2. Of the amounts in paragraph K.1. above, $3,078,595 the first year and $3,078,595 the second year from the general fund shall be used to develop a case management module for a comprehensive child welfare information system (CCWIS).

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L.1. Out of this appropriation, $7,121,181 the first year and $7,121,181 the second year from the general fund and $7,121,181 the first year and $7,121,181 the second year from nongeneral funds shall be available for the development of a compliant comprehensive child welfare information system (CCWIS). Any unexpended balances in this paragraph at the close of business on June 30 each fiscal year shall not revert to the general fund, but shall be carried forward and reappropriated for this purpose.

2. In the development of the CCWIS, the department shall not create any future obligation that will require the appropriation of general fund in excess of that provided in this Item. Should additional appropriation, in excess of the amounts identified in paragraphs K.2. and L.1. above, be needed to complete development of this or any other module for the CCWIS, the department shall notify the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and Director, Department of Planning and Budget.

3. Beginning September 1, 2018, the department shall also provide semi-annual progress reports that includes current project summary, implementation status, accounting of project expenditures and future milestones. All reports shall be submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and Director, Department of Planning and Budget by February 1 and September 1 each year.

M.*1.* Out of this appropriation, $1,009,563 the first year and $1,009,563 the second year from nongeneral funds shall be used to fund 10 positions that support the child protective services hotline.

2. Out of this appropriation, $500,000 the first year from the general fund shall be provided to enhance the existing interactive voice response system that is utilized by the state child protective services hotline. Any unexpended balance in this paragraph at the close of business on June 30, 2025 associated with unpaid enhancement costs shall not revert to the general fund but shall be carried forward and reappropriated.

N. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund and $50,000 the first year and $50,000 the second year from nongeneral funds shall be used to fund one position that supports Virginia Fosters.

O. Out of this appropriation, $851,000 the first year and $851,000 the second year from the general fund is provided for training, consultation and technical support, and licensing costs associated with establishing evidence-based programming as identified in the federal Family First Prevention Services Act (FFPSA) Evidence-Based Programs Clearinghouse.

P. The Department of Social Services shall develop a plan to provide access statewide to a Kinship Navigator Program which will provide services to kinship caregivers who are having trouble finding assistance for their unique needs and to help these caregivers navigate their locality's service system, as well as federal and state benefits. The plan shall be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and Director, Department of Planning and Budget by September 1, 2024.

Q. The Department of Social Services shall maintain an emergency approval process for kinship caregivers and develop foster home certification standards for kinship caregivers using as a guide the Model Family Foster Home Licensing Standards developed by the American Bar Association Center on Children and the Law, the Annie E. Casey Foundation, Generations United, and the National Association for Regulatory Administration. The adopted standards should align, as much as reasonably possible, to the Model Family Foster Home Licensing Standards, and should ensure that children in foster care: (i) live in safe and appropriate homes under local department of social services and court oversight; (ii) receive monthly financial assistance and supportive services to help meet their needs; and (iii) can access the permanency options offered by Virginia's Kinship Guardianship Assistance Program.

R.1. Out of this appropriation, $12,173,560 the first year and $12,173,560 the second year from the general fund is provided to make relative maintenance payments.

2. In order to ensure timely distribution of relative maintenance payments pursuant to

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legislation passed in the 2024 General Assembly and provisions thereto, the Department of Social Services shall have the authority to implement such changes effective upon passage of this act, and prior to the completion of any regulatory process undertaken in order to effect such changes.

S. Out of this appropriation, $564,000 the first year and $564,000 the second year from the general fund is provided for the department to meet the housing support provisions of §63.2-905.1:1, Code of Virginia.

T. Out of this appropriation, $246,548 the first year and $246,548 the second year from the general fund shall be provided to fund an increase in adult protective services calls to the child protective services hotline.

U. The department shall continue to apply for and utilize federal funding for kinship navigator programs until such time that all available funding has been exhausted.

V. Out of this appropriation, $310,000 the first year and $310,000 the second year from the general fund shall be provided to support the development and implementation of a statewide driver's licensing program to support foster care youth in obtaining a driver's license. Funding shall be made available to local departments of social services to reimburse foster care providers for increases to their existing motor vehicle insurance premiums that occur because a foster care youth in their care has been added to their insurance policy. The program may also reimburse foster care providers for additional coverage that provides liability protection should a foster care youth get into or cause a catastrophic accident. Additionally, funding shall be made available to foster care youth in Virginia's Fostering Futures Program to assist in covering the cost of obtaining motor vehicle insurance. The Department shall develop reimbursement policies for foster care providers and foster care youth. The Department shall coordinate and administer the driver's licensing program based on best practices from similar programs in other states, to include developing educational or training materials that educate foster parents, private providers, and foster youth about (i) liability issues, insurance laws, and common insurance practices (to include laws about renewal and cancellation, how long an accident can affect premiums, how to establish that a foster youth is no longer living in the residence, and other applicable topics); (ii) DMV requirements to obtain a learner's permit and driver's license; (iii) what funding and resources are available to assist in this process, to include, paying school lab fees for "Behind the Wheel" or paying a private driving education company; and (iv) why getting a driver's license on time is important for normalcy and a successful transition to adulthood. The Department shall provide information on how many foster care youth were supported by this program and any recommendations to improve the program to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually on December 1.

W. The Department of Social Services, in consultation with stakeholders, shall develop a process for Virginia localities to enter into memorandums of understanding with localities in surrounding states for the purposes of kinship care.

X. The Department of Social Services shall assess the feasibility of requiring local departments to apply for benefits administered by the Social Security Administration or the Department of Veterans Affairs on behalf of eligible children in foster care and require local departments that are representative payees for children in foster care to conserve such federal benefits in an appropriate trust instrument. The Department shall report its findings to the Chairs of the House Appropriations, House Finance, and Senate Finance and Appropriations Committees by November 1, 2025.

Y. Out of this appropriation, $300,000 the second year from the general fund is provided for the Department of Social Services to expand the existing program to find relative and fictive kin for youth in foster care. Any unexpended balance in this paragraph at the close of business on June 30, 2026, shall not revert back to the general fund but shall be carried forward and reappropriated for this purpose.

330.	Financial Assistance for Supplemental Assistance Services (49100)			~~$251,757,450~~ *$263,374,823*	~~$251,757,450~~ *$260,874,823*
	General Relief (49101)	$500,000	$500,000		
	Resettlement Assistance (49102)	$55,522,000	$55,522,000		

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Emergency and Energy Assistance (49103)	~~$73,735,450~~ *$85,352,823*	~~$73,735,450~~ *$85,352,823*		
Percentage of Income Payment Program (49105)	$122,000,000	~~$122,000,000~~ *$119,500,000*		
Fund Sources: General	$500,000	$500,000		
Dedicated Special Revenue	$122,000,000	~~$122,000,000~~ *$119,500,000*		
Federal Trust	~~$129,257,450~~ *$140,874,823*	~~$129,257,450~~ *$140,874,823*		

Authority: Title 2.2, Chapter 54; Title 56, Chapter 23; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 104-193, as amended, Federal Code.

A. Out of this appropriation, ~~$122,000,000~~*$119,500,000* the first year and ~~$122,000,000~~*$119,500,000* the second year from nongeneral funds shall be used to fund the Percentage of Income Payment Program (PIPP). This program shall distribute payments to Dominion Energy and Appalachian Power Company on behalf of their qualifying low-income customers participating in PIPP. *In addition to PIPP payments, this appropriation includes the full amount of administrative expenditures for Dominion Energy and Appalachian Power Company, as approved by the State Corporation Commission.* The maximum cost of the program shall not exceed $125.0 million annually, including a maximum of $5.5 million for program administration *for state agencies and local departments of social services.*

B. Out of this appropriation, $55,522,000 the first year and $55,522,000 the second year from nongeneral funds shall be used for the refugee assistance program. The department shall report annually on the number of refugees served and types of services provided, along with how much funding was provided for each type of service. The report shall be submitted to the Governor, Chairs of House Appropriations and Senate Finance and Appropriations, and Director, Department of Planning and Budget by December 1 each year.

C. The State Board of Social Services (the Board) is authorized to promulgate regulations to allow applications for the Low-Income Home Energy Assistance Program to be submitted over an application period that provides adequate time for individuals to apply and is extended beyond the current application period in effect as of July 1, 2024, provided adequate funding is available to extend such application period. The Board's initial adoption of regulations necessary to implement the provisions of this act shall be exempt from the provisions of the Administrative Process Act, except that the Board shall provide an opportunity for public comment on the regulations prior to adoption.

331. Financial Assistance to Community Human Services Organizations (49200)			~~$68,565,691~~ *$72,865,691*	~~$70,163,045~~ *$74,588,045*
Community Action Agencies (49201)	$23,213,048	~~$24,338,048~~ *$25,338,048*		
Volunteer Services (49202)	$3,866,340	$3,866,340		
Other Payments to Human Services Organizations (49203)	~~$41,486,303~~ *$45,786,303*	~~$41,958,657~~ *$45,383,657*		
Fund Sources: General	~~$8,339,402~~ *$12,639,402*	~~$17,186,756~~ *$18,036,756*		
Federal Trust	$60,226,289	~~$52,976,289~~ *$56,551,289*		

Authority: Title 2.2, Chapter 54; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A.1. All increased state or federal funds distributed to Community Action Agencies shall be distributed as follows: The funds shall be distributed to all local Community Action Agencies according to the Department of Social Services funding formula (75 percent based on low-income population, 20 percent based on number of jurisdictions served, and five percent based on square mileage served), adjusted to ensure that no agency receives less than 1.5 percent of any increase.

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2. Out of this appropriation, $635,725 the first year and $635,725 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with the Virginia Community Action Partnership to provide outreach, education and tax preparation services via the Virginia Earned Income Tax Coalition and other community non-profit organizations to citizens who may be eligible for the federal Earned Income Tax Credit (EITC). The contract shall require the Virginia Community Action Partnership to report on its efforts to expand the number of Virginians who are able to claim the federal EITC, including the number of individuals identified who could benefit from the credit, the number of individuals counseled on the availability of federal EITC, and the number of individuals assisted with tax preparation to claim the federal EITC. The annual report from the Virginia Community Action Partnership shall also detail actual expenditures for the program including the sub-contractors that were utilized. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by December 1 each year.

3. Out of this appropriation, $9,250,000 the first year and ~~$9,250,000~~*$11,250,000* the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with local Community Action Agencies to provide an array of services designed to meet the needs of low-income individuals and families, including the elderly and migrant workers. Services may include, but are not limited to, child care, community and economic development, education, employment, health and nutrition, housing, and transportation.

4. Out of this appropriation, $1,125,000 the first year and $1,125,000 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided for competitive grants to Community Action Agencies for a Two-Generation/Whole Family Pilot Project and for evaluation of the pilot project. Applicants selected for the pilot project shall provide a match of no less than 20 percent of the grant, including in-kind services. The Department of Social Services shall report to the General Assembly annually on the progress of the pilot project and shall complete a final report on the project no later than six years after the commencement of the project.

B. The department shall continue to fund from this Item all organizations recognized by the Commonwealth as community action agencies as defined in § 2.2-5400 et seq.

C. Out of this appropriation, $9,035,501 the first year and $9,035,501 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with programs that follow the evidence-based Healthy Families America home visiting model that promotes positive parenting, improves child health and development, and reduces child abuse and neglect. The Department of Social Services shall use a portion of the funds from this item to contract with the statewide office of Prevent Child Abuse Virginia for providing the coordination, technical support, quality assurance, training and evaluation of the Virginia Healthy Families programs.

D. Out of this appropriation, $100,000 the first year and $100,000 the second year from nongeneral funds shall be provided for Hugs & Kisses, a child abuse prevention play, administered by Virginia Repertory Theatre. The contract shall include production and live performances of the play that teach child safety awareness to prevent child abuse.

E. Out of this appropriation, $70,000 the first year and $70,000 the second year from the general fund shall be provided to contract with the Virginia Alzheimer's Association Chapters to provide dementia-specific training to long-term care workers in licensed nursing facilities, assisted living facilities and adult day care centers who deal with Alzheimer's disease and related disorders.

F.1. Out of this appropriation, $2,000,000 the first year and ~~$2,000,000~~ *$2,125,000* the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Northern Virginia Family Services (NVFS) to provide supportive services that address the basic needs of families in crisis, including the provision of food, financial assistance to prevent homelessness, access to health services, and adult workforce development programs. The contract shall require NVFS to provide an intake process that identifies the needs and appropriate services for those in crisis. Outcomes will be measured utilizing surveys provided to those who receive services and NVFS will report quarterly on

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survey results.

2. In addition to the amounts in paragraph F. 1., $500,000 the first year and $500,000 the second year from the TANF block grant shall be provided out of the appropriation in this item to Northern Virginia Family Services to deploy a neighborhood-based, mobile service delivery and outreach program.

G. Out of this appropriation, $1,970,402 the first year and $4,317,756 the second year from the general fund and $2,136,500 the first year and ~~$2,136,500~~*$3,136,500* the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with child advocacy centers (CAC) to provide a comprehensive, multidisciplinary team response to allegations of child abuse in a dedicated, child-friendly setting. The contracts shall require CACs to provide forensic interviews, victim support and advocacy services, medical evaluations, and mental health services to victims of child abuse and neglect with the expected outcome of reducing child abuse and neglect. The department shall allocate four percent to Children's Advocacy Centers of Virginia (CACVA), the recognized chapter of the National Children's Alliance for Virginia's Child Advocacy Centers, for the purpose of assisting and supporting the development, continuation, and sustainability of community-coordinated, child-focused services delivered by children's advocacy centers. Of the remaining 96 percent, (i) 65 percent shall be distributed to a baseline allocation determined by the accreditation status of the CAC: (a) developing and associate centers 100 percent of base; (b) accredited centers 150 percent of base; and (c) accredited centers with satellite facilities 175 percent of base; and (ii) 35 percent shall be allocated according to established criteria to include: (a) 25 percent determined by the rate of child abuse per 1,000; (b) 25 percent determined by child population; and (c) 50 percent determined by the number of counties and independent cities serviced.

H.1. Out of this appropriation, $1,250,000 the first year and $1,250,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with the Virginia Early Childhood Foundation (VECF) to support the health and school readiness of Virginia's young children prior to school entry. These funds shall be matched with local public and private resources with a goal of leveraging a dollar for each state dollar provided.

2. Of the amounts in paragraph H.1., $1,250,000 the first year and $1,250,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be used to provide information and assistance to parents and families and to facilitate partnerships with both public and private providers of early childhood services. VECF will track and report statewide and local progress on a biennial basis. The Foundation shall account for the expenditure of these funds by providing the Governor, Secretary of Health and Human Resources, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees with a certified audit and full report on Foundation initiatives and results not later than October 1 of each year for the preceding fiscal year ending June 30.

3. On or before October 1 of each year, the foundation shall submit to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees a report on the actual amount, by fiscal year, of private and local government funds received by the foundation.

I. Out of this appropriation $2,000,000 the first year and $2,000,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to the Virginia Alliance of Boys and Girls Clubs to expand community-based prevention and mentoring programs.

J.1. Out of this appropriation, $7,250,000 the first year from the Temporary Assistance for Needy Families (TANF) block grant and $9,000,000 the second year from the general fund the shall be provided for competitive grants for community employment and training programs designed to move low-income individuals out of poverty through programs designed to assist TANF recipients in obtaining and retaining competitive employment with the prospect of a career path and wage growth and other supportive services designed to break the cycle of poverty and permanently move individuals out of poverty. The local match requirement shall be reduced to 10 percent, including in-kind services, for grant

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recipients located in Virginia counties or cities with high fiscal stress as defined by the Commission on Local Government fiscal stress index.

2. Of the amounts appropriated in J.1., $2,450,000 the first year from the Temporary Assistance for Needy Families block grant and $2,450,000 the second year from the general fund shall be provided for competitive grants provided through Employment Services Organizations (ESOs).

3. Of the amounts appropriated in J.1., at least $300,000 the first year from the Temporary Assistance for Needy Families block grant and $300,000 the second year from the general fund shall be provided through a contract with the City of Richmond, Office of Community Wealth for services provided through the Center for Workforce Innovation.

4. The Department of Social Services shall award grants to qualifying programs through a memorandum of understanding which articulates performance measures and outcomes including the number of individuals participating in services, number of individuals hired into employment, the number of unique employers hiring individuals through organizational programs and activities, the average starting wage of individuals hired, reductions in the rate of poverty, as well as process measures such as how the program targets improvement in poverty over a three to five year period and fits in with long term community goals for reducing poverty. Grants shall require local matching funds of at least 25 percent, including in-kind services.

5. Community employment and training programs and ESOs shall report on annual program performance and outcome measures contained in the memorandum of understanding with the Department of Social Services. The department shall report on the implementation of the programs and any performance and outcome data collected through the memorandum of understanding by June 1 of each year.

K. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund shall be provided to contract with Youth for Tomorrow (YFT) to provide comprehensive residential, education and counseling services to at-risk youth of the Commonwealth of Virginia who have been sexually exploited, including victims of sex trafficking. The contract shall require YFT to provide individual assessments/individual service planning; individual and group counseling; room and board; coordination of medical and mental health services and referrals; independent living services for youth transitioning out of foster care; active supervision; education; and family reunification services. Youth for Tomorrow shall submit monthly progress reports on activities conducted and progress achieved on outputs, outcomes and other functions/activities during the reporting period. On October 1 of each year, YFT shall provide an annual report to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees that details program services, outputs and outcomes.

L. Out of this appropriation, $150,000 the first year and ~~$150,000~~ *$350,000* the second year from the federal Temporary Assistance for Needy Families block grant shall be provided to contract with Visions of Truth Community Development Corporation in Portsmouth, Virginia. The funding will support the Students Taking Responsibility in Valuing Education (STRIVE) suspension/dropout prevention program.

M. Out of this appropriation, $600,000 the first year and $600,000 the second year from the general fund shall be provided to contract with Early Impact Virginia to continue its work in support of Virginia's voluntary home visiting programs. These funds may be used to support three full-time staff, including a director and an evaluator, and to continue Early Impact Virginia's training partnerships. Early Impact Virginia shall have the authority and responsibility to determine, systematically track, and report annually on the key activities and outcomes of Virginia's home visiting programs; conduct systematic and statewide needs assessments for Virginia's home visiting programs at least once every three years; and to support continuous quality improvement, training, and coordination across Virginia's home visiting programs on an ongoing basis. Early Impact Virginia shall report on its findings to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by July 1 annually.

N. Out of this appropriation, $1,250,000 the first year and $1,250,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to

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contract with the Laurel Center in Winchester to provide services to survivors of domestic abuse and sexual violence in Winchester, Frederick County, Clarke County, and Warren County.

O. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund shall be provided for the Department of Social Services to contract with Adoption Share, Inc. for the purpose of a pilot program to operate the Family-Match application, which is an online matching tool for state case workers to use in matching foster care children with the best families.

P. Out of this appropriation, $350,000 the first year and $350,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to FACETS to provide homeless assistance services in Northern Virginia.

Q. Out of this appropriation, $3,000,000 the first year and $3,000,000 the second year from the Temporary Assistance for Needy Families block grant shall be provided to contract with the Virginia Federation of Food Banks to provide child nutrition programs.

R. Out of this appropriation, $500,000 the first year and $500,000 the second year for the Temporary Assistance for Needy Families block grant shall be provided to the Virginia Transit Association to offer competitive grants for public transportation (as defined in Virginia Code §33.2-100) and public transportation demand management service fare passes. The Virginia Transit Association shall report on annual program performance and outcome measures contained in the memorandum of understanding with the Department of Social Services. The department shall report on any performance and outcome data collected through the memorandum of understanding by July 1 of each year. This report shall be provided to the Governor, Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, by September 1 each year.

S. Out of this appropriation, $1,200,000 the first year and $1,200,000 the second year from the Temporary Assistance for Needy Families block grant shall be provided to United Community to offer wrap-around services for low-income families. United Community shall report on annual program performance and outcome measures contained in the memorandum of understanding with the Department of Social Services. The department shall report on any performance and outcome data collected through the memorandum of understanding by July 1 of each year. This report shall be provided to the Governor, Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, by September 1 each year.

T. Out of this appropriation, $500,000 the first year and $500,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to the Lighthouse Community Center, a nonprofit organization in Planning District 11, to provide housing assistance and other eligible services for individuals served by the organization.

U. Out of this appropriation, $750,000 the first year and ~~$750,000~~ *$1,000,000* the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to contract with Cornerstones to provide wrap-around services that solve urgent or on-going requirements for housing, childcare, food or financial assistance that address the needs of families. The contract shall require Cornerstones to report annually on outcomes.

V. Out of this appropriation, $200,000 the first year and $200,000 the second year from the federal Temporary Assistance to Needy Families block grant shall be provided to Good Shepherd Housing and Family Services for housing, emergency services, children's services, budgeting, counseling and other resources for low-income families.

W. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund shall be provided to fund the Judge Swett Learning Center to promote vocational and educational classes for ex-offenders.

X. Out of this appropriation, $2,000,000 the first year from the general fund shall be provided to Prince William County to fund a healthcare worker training program for

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members of the immigrant community.

Y. Out of this appropriation, $2,000,000 the first year and $2,000,000 the second year from the general fund is provided for state agencies to facilitate and improve language access.

Z. Out of this appropriation, $400,000 the first year and $400,000 the second year from the general fund shall be provided to the City of Chesapeake to support Buffalow Family and Friends to provide access to food, clothing, and basic living essentials.

AA. Out of this appropriation, $250,000 the first year *and $250,000 the second year* from the general fund is provided to the City of Charlottesville in support of programming at the Tonsler League.

BB. Out of this appropriation, $250,000 the first year from the general fund is provided to Prince William County for the Nepali Community Center.

CC. Out of this appropriation, $150,000 the second year from the general fund is provided to Hanover County to develop and complete the Health and Human Services Master Plan to address the increasing need for long term planning and high-level human services policy setting in Hanover County and to serve as a resource to address human services needs for individuals in the community.

DD. Out of this appropriation, $4,000,000 the first year from the general fund is provided to Prince William County to support the renovation of the Prince William Welcome Center and the Fairfax Welcome Center. Any unexpended balance in this paragraph at the close of business on June 30, 2025, shall not revert back to the general fund but shall be carried forward and reappropriated for this purpose.

I VETO ITEM 331.DD. ON PAGE 2166 /s/ Glenn Youngkin 3-24-2025

EE. Out of this appropriation, $300,000 the first year from the general fund shall be provided to the City of Williamsburg for Latisha's House to provide long-term, transitional housing services for female survivors of sex trafficking. Any unexpended balances in this paragraph at the close of business on June 30, 2025, shall not revert to the general fund but shall be carried forward and reappropriated for this purpose.

FF. Out of this appropriation, $200,000 the second year from the general fund is provided to the city of Virginia Beach to develop a multipurpose sports court for residents of the Hallow by Samaritan House.

GG. Out of this appropriation, $50,000 the second year from the general fund is provided to Loudoun County for Anna Sudha Community Kitchens to address food insecurity.

HH. Out of this appropriation, $200,000 the second year from the general fund is provided to Fairfax County in support of Lorton Community Action Center.

				Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
332.	Regulation of Public Facilities and Services (56100)			~~$16,129,704~~ *$16,007,808*	~~$16,129,702~~ *$16,007,806*
	Regulation of Adult and Child Welfare Facilities (56101)	~~$12,466,061~~ *$12,405,113*	~~$12,466,059~~ *$12,405,111*		
	Background Investigation Services (56106)	~~$3,663,643~~ *$3,602,695*	~~$3,663,643~~ *$3,602,695*		
	Fund Sources: General	~~$8,526,867~~ *$8,502,488*	~~$8,526,865~~ *$8,502,486*		
	Special	~~$3,566,367~~ *$3,505,419*	~~$3,566,367~~ *$3,505,419*		
	Federal Trust	~~$4,036,470~~ *$3,999,901*	~~$4,036,470~~ *$3,999,901*		

Authority: Title 63.2, Chapters 17 and 18, Code of Virginia.

A. The state nongeneral fund amounts collected and paid into the state treasury pursuant to the provisions of § 63.2-1700, Code of Virginia, shall be used for the development and delivery of training for operators and staff of assisted living facilities, adult day care centers, and child welfare agencies.

B. As a condition of this appropriation, the Department of Social Services shall (i) promptly

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fill all position vacancies that occur in licensing offices so that positions shall not remain vacant for longer than 120 days and (ii) hire sufficient licensing specialists to ensure that all facilities receive, at a minimum, the number of visits per year mandated by § 63.2-1706, Code of Virginia, and that facilities with compliance problems receive additional inspection visits as necessary to ensure compliance with state laws and regulations.				
C. As a condition of this appropriation, the Department of Social Services shall utilize a risk assessment instrument for adult care enforcement. This instrument shall include criteria for determining when the following sanctions may be used: (i) the imposition of intermediate sanctions, (ii) the denial of licensure renewal or revocation of license of a licensed facility, (iii) injunctive relief against a provider, and (iv) additional inspections and intensive oversight of a facility by the Department of Social Services.				
D. Out of this appropriation, the Department of Social Services shall implement training for new assisted living facility owners and managers to focus on health and safety issues, and resident rights as they pertain to adult care residences.				
E. Out of this appropriation, $786,369 the first year and $786,369 the second year from the general fund shall be appropriated to fund the operations and maintenance and application software fees for the agency licensing system.				
333. Emergency Preparedness (77500)			$908,640	$908,640
Emergency Planning Preparedness Assistance (77503)	$908,640	$908,640		
Fund Sources: General	$308,851	$308,851		
Federal Trust	$599,789	$599,789		
Authority: Title 44, Chapter 3.2, Code of Virginia				
A. By October 1 of each year, the sheltering coordinator shall provide a status report on the Commonwealth's emergency shelter capabilities and readiness to the Governor, the Secretary of Health and Human Resources, the Secretary of Public Safety and Homeland Security, the Director of the Department of Planning and Budget, and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.				
B.1. Notwithstanding any other provision of law, the Department of Social Services, in consultation with the Virginia Department of Emergency Management, shall determine and document the specifications of all goods and services required in the event of state shelter activation and provide the specifications to the Department of General Services. In so doing, the Department shall work with each institution of higher education at which a state shelter may be located to identify site-specific goods and services needs to operate the shelter. The Department will identify the extent to which an institution of higher education may have existing contracts for goods and services that could be used to support state shelter operations. In addition, the Department will identify warehousing space that is or may be available at institutions of higher education for the storage of supplies. The department shall revise its specification and warehousing documentation as needed providing updates to the Department of General Services annually thereafter by November 1 each year.				
2. All state agencies are directed to provide all information or assistance requested by the Department to complete or revise this documentation to support state shelters. Immediately following activation of one or more state shelters, the Department shall be responsible for submitting procurement orders as needed on behalf of affected institutions of higher education to the Virginia Department of Emergency Management and the Department of General Services for fulfillment in support of state shelter activation.				
334. Administrative and Support Services (49900)			~~$155,516,608~~ *$158,254,539*	~~$148,191,606~~ *$157,829,417*
General Management and Direction (49901)	~~$12,106,977~~ *$12,906,791*	~~$12,106,977~~ *$16,906,791*		
Information Technology Services (49902)	~~$107,110,114~~ *$104,971,105*	~~$99,785,114~~ *$97,914,235*		
Accounting and Budgeting Services (49903)	~~$10,597,094~~ *$10,658,162*	~~$10,597,092~~ *$10,658,160*		

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Human Resources Services (49914)	~~$6,783,146~~ *$6,967,605*	~~$6,783,146~~ *$6,967,605*		
Planning and Evaluation Services (49916)	~~$6,272,201~~ *$6,651,686*	~~$6,272,201~~ *$6,651,686*		
Procurement and Distribution Services (49918)	~~$3,526,271~~ *$4,912,719*	~~$3,526,271~~ *$5,534,469*		
Public Information Services (49919)	~~$4,218,156~~ *$4,196,529*	~~$4,218,156~~ *$4,596,529*		
Financial and Operational Audits (49929)	~~$4,902,649~~ *$6,989,942*	~~$4,902,649~~ *$8,599,942*		
Fund Sources: General	~~$62,965,777~~ *$63,474,170*	~~$59,040,775~~ *$63,033,173*		
Special	~~$175,000~~ *$975,000*	~~$175,000~~ *$975,000*		
Dedicated Special Revenue	$2,000,000	~~$2,000,000~~ *$2,100,000*		
Federal Trust	~~$90,375,831~~ *$91,805,369*	~~$86,975,831~~ *$91,721,244*		

Authority: Title 63.2, Chapter 1; § 2.2-4000 et seq., Code of Virginia; P.L. 98-502, P.L. 104-156, P.L. 104-193, P.L. 104-327, P.L. 105-33, as amended, P.L. 105-89, Federal Code; Titles IV-A, IV-B, IV-D, IV-E, XIX, XX, XXI of the federal Social Security Act, as amended.

A. The Department of Social Services shall require localities to report all expenditures on designated social services, regardless of reimbursement from state and federal sources. The Department of Social Services is authorized to include eligible costs in its claim for Temporary Assistance for Needy Families Maintenance of Effort requirements.

B. It is the intent of the General Assembly that the Commissioner, Department of Social Services shall work with localities that seek to voluntarily merge and consolidate their respective local departments of social services. No funds appropriated under this act shall be used to require a locality to merge or consolidate local departments of social services.

C.1. Out of this appropriation, $936,149 the first year and $936,149 the second year from the general fund and $1,331,847 the first year and $1,331,847 the second year from nongeneral funds shall be provided to support the statewide 2-1-1 Information and Referral System which provides resource and referral information on many of the specialized health and human resource services available in the Commonwealth, including child day care availability and providers in localities throughout the state, and publish consumer-oriented materials for those interested in learning the location of child day care providers.

2. Of the amounts appropriated in C.1., $100,000 the first year and $100,000 the second year from the general fund is provided for the Department of Social Services to increase interpretation and translation services to help immigrants in Virginia access local resources through 2-1-1, including healthcare, housing, and other social services.

3. The Department of Social Services shall request that all state and local child-serving agencies within the Commonwealth be included in the Virginia Statewide Information and Referral System as well as any agency or entity that receives state general fund dollars and provides services to families and youth. The Secretary of Health and Human Resources, the Secretary of Education, and the Secretary of Public Safety and Homeland Security shall assist in this effort by requesting all affected agencies within their secretariats to submit information to the statewide Information and Referral System and ensure that such information is accurate and updated annually. Agencies shall also notify the Virginia Information and Referral System of any changes in services that may occur throughout the year.

4. The Department of Social Services shall communicate with child-serving agencies within the Commonwealth about the availability of the statewide Information and Referral System. This information shall also be communicated via the Department of Social Services' broadcast system on their agency-wide Intranet so that all local and regional offices can be better informed about the Statewide Information and Referral System. Information on the Statewide Information and Referral System shall also be included within the department's electronic mailings to all local and regional offices at least biannually.

5. Out of this appropriation, $500,000 the second year from the general fund and $500,000

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the second year from nongeneral funds shall be used to support one-time costs associated with modernizing the statewide 2-1-1 Information and Referral System. As part of the required modernization, the Department of Social Services (DSS) shall integrate information that is required to be included in the Opioid Impact Reduction Registry at the Virginia Department of Health (VDH). VDH shall provide DSS with all necessary information and support to accomplish this integration.

D.1. Within 30 days of awarding or amending any contract related to the Virginia Case Management System (VaCMS), the Department of Social Services (DSS) shall provide the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and Director, Department of Planning and Budget with a copy of the contract, including any fiscal implications.

2. Prior to the award of any contract that will potentially obligate the Commonwealth to future unappropriated spending, the department shall receive prior written concurrence from Director, Department of Planning and Budget. Any approved increases in funding requests shall be reported by DSS to the Chairmen of House Appropriations and Senate Finance and Appropriations Committees within 30 days.

E. At least 60 days prior to the modification of any public guidance document, handbook, manual, or state plan, the Department of Social Services (DSS) shall provide written notification to the Governor and the Director of the Department of Planning and Budget as to the purpose of such change. This notice shall also assess whether the amendment may require any 1) future state regulatory action; 2) increase in local costs; and/or 3) any state expenditure beyond that which is appropriated in this Act. This notice does not exempt the agency from any requirements set forth within § 4-5.03 of this Act.

F. The Department of Social Services shall report a detailed accounting, annually, of the agency's organization and operations. This report shall include an organizational chart that shows all full- and part-time positions (by job title) employed by the agency as well as the current management structure and unit responsibilities. The report shall also provide a summary of organization changes implemented over the previous year. The report shall be made available on the department's website by August 15 of each year.

G. Out of this appropriation, $3,500,000 the first year and $350,000 the second year from the general fund and $3,500,000 the first year and $350,000 the second year from nongeneral funds shall be available for the development of an integrated benefits system and replacement for CommonHelp. Any unexpended balances in this paragraph at the close of business on June 30 of each fiscal year shall not revert to the general fund but shall be carried forward and reappropriated for this purpose.

H. Out of this appropriation, $805,000 the second year from the general fund and $805,000 the second year from nongeneral funds are provided to implement enhanced electronic identity validation services. The department shall report the impact of these services to the Director, Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1 of each year.

I. Out of this appropriation, $400,000 the second year from the Commonwealth Opioid Abatement and Remediation Fund shall be provided to the Department of Social Services to create an Addiction Treatment Navigator that will allow members of the public seeking care to determine the proper level of care, access providers in their area, determine insurance coverage, and view provider quality metrics.

J. Out of this appropriation, $1,500,000 the second year from the general fund and $1,500,000 the second year from nongeneral funds shall be provided to transition electronic benefits transfer cards to chip cards to combat fraud.

335. A. In the operation of any program of public assistance, including benefit and service programs in any locality, for which program appropriations are made to the Department of Social Services, it is provided that if a payment or overpayment is made to an individual who is ineligible therefor under federal and/or state statutes and regulations, the amount of such payment or overpayment shall be returned to the Department of Social Services by the locality.

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B. However, no such repayments may be required of the locality if the department determines that such overpayment or payments to ineligibles resulted from the promulgation of vague or conflicting regulations by the department or from the failure of the department to make timely distribution to the localities of the statutes, rules, regulations, and policy decisions, causing the overpayment or payment to ineligible(s) to be made by the locality or from situations where a locality exercised due diligence, yet received incomplete or incorrect information from the client which caused the overpayment or payment to ineligibles. If a locality fails to effect the return, the Department of Social Services shall withhold an equal amount from the next disbursement made by the department to the locality for the same program.

C. The Department of Social Services shall implement the guidance issued by the U.S. Department of Health and Human Services concerning the obligation of recipients of federal financial assistance to comply with Title VI of the Civil Rights Act of 1964 by ensuring that meaningful access to federally-funded programs, activities and services administered by the department is provided to limited English proficient (LEP) persons, 63 Fed. Reg. 47,311-47,323 (August 8, 2003). At a minimum, the department shall (i) identify the need for language assistance by analyzing the following factors: (1) the number or proportion of LEP persons in the eligible service population, (2) the frequency of contact with such persons, (3) the nature and importance of the program, activity or service, and (4) the costs of providing language assistance and resources available; (ii) translate vital documents into the language of each frequently encountered LEP group eligible to be served; (iii) provide accurate and timely oral interpreter services; and (iv) develop an effective implementation plan to address the identified needs of the LEP populations served.

336. A. The amount for the Supplemental Nutrition Assistance Program (SNAP) shall be expended under regulations of the Board of Social Services to reimburse county and city welfare/social services boards pursuant to § 63.2-401, Code of Virginia, and subject to the same percentage limitations for other administrative services performed by county and city public welfare/social services boards and superintendents of public welfare/social services pursuant to other provisions of the Code of Virginia, as amended.

B. Pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, the Department of Social Services shall, in cooperation with local departments of social services, maintain a waiver of the work requirement for Supplemental Nutrition Assistance Program (SNAP) recipients residing in areas that do not have a sufficient number of jobs to provide employment for such individuals, including those areas designated as labor surplus areas by the U.S. Department of Labor.

C. To the extent permitted by federal law, Supplemental Nutrition Assistance Program (SNAP) recipients subject to a work requirement pursuant to § 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, as amended, shall be permitted to satisfy such work requirement by providing volunteer services to a public or private, nonprofit agency for the number of hours per month determined by dividing the household's monthly SNAP allotment by the federal minimum wage.

D. The Department of Social Services shall, to the extent permitted by federal law, disregard the value of at least one motor vehicle per household in determining eligibility for the Supplemental Nutrition Assistance Program (SNAP).

E. The Department of Social Services shall develop a multi-lingual outreach campaign to inform qualified aliens and their children, who are United States citizens, of their eligibility for the federal Supplemental Nutrition Assistance Program (SNAP) and ensure that they have access to benefits under SNAP. To the extent permitted by federal law, the department shall administer SNAP in a way that minimizes the procedural burden on qualified aliens and addresses concerns about the impact of SNAP receipt on their immigration sponsors and status.

Total for Department of Social Services			~~$2,532,397,156~~ *$2,495,071,206*	~~$2,509,802,208~~ *$2,605,105,570*
General Fund Positions	676.50	~~676.50~~ *683.50*		
Nongeneral Fund Positions	~~1,087.00~~ *1,080.00*	~~1,087.00~~ *1,082.00*		

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	Position Level	~~1,763.50~~ *1,756.50*	~~1,763.50~~ *1,765.50*		
	Fund Sources: General	~~$588,957,531~~ *$581,856,058*	~~$594,168,722~~ *$604,002,217*		
	Special	~~$711,553,027~~ *$687,743,221*	~~$705,008,468~~ *$681,198,662*		
	Dedicated Special Revenue	~~$134,968,059~~ *$135,168,543*	~~$134,968,059~~ *$135,568,543*		
	Federal Trust	~~$1,096,918,539~~ *$1,090,303,384*	~~$1,075,656,959~~ *$1,184,336,148*		

§ 1-97. VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES (606)

337.	Social Services Research, Planning, and Coordination (45000)			$1,855,554	~~$1,855,554~~ *$1,887,147*
	Research, Planning, Outreach, Advocacy, and Systems Improvement (45002)	$1,112,362	$1,112,362		
	Administrative Services (45006)	$743,192	~~$743,192~~ *$774,785*		
	Fund Sources: General	$248,796	~~$248,796~~ *$280,389*		
	Federal Trust	$1,606,758	$1,606,758		
	Authority: Title 51.5, Chapter 7, Code of Virginia.				
	Up to $44,474 the first year and up to $~~44,474~~*76,067* the second year is available for the Virginia Board for People with Disabilities (VBPD) to contract with the Department for Aging and Rehabilitative Services (DARS) for the provision of shared administrative services. The scope of the services and specific costs shall be outlined in a memorandum of understanding (MOU) between VBPD and DARS subject to the approval of the respective agency heads. Any revision to the MOU shall be reported by DARS to the Director, Department of Planning and Budget within 30 days.				
338.	Financial Assistance for Individual and Family Services (49000)			$401,475	$401,475
	Financial Assistance to Localities for Individual and Family Services (49001)	$401,475	$401,475		
	Fund Sources: Federal Trust	$401,475	$401,475		
	Authority: Title 51.5, Chapter 7, Code of Virginia.				
	Total for Virginia Board for People with Disabilities			**$2,257,029**	~~**$2,257,029**~~ ***$2,288,622***
	General Fund Positions	1.60	1.60		
	Nongeneral Fund Positions	8.40	8.40		
	Position Level	10.00	10.00		
	Fund Sources: General	$248,796	~~$248,796~~ *$280,389*		
	Federal Trust	$2,008,233	$2,008,233		

§ 1-98. DEPARTMENT FOR THE BLIND AND VISION IMPAIRED (702)

339.	Statewide Library Services (14200)			~~$1,425,674~~ *$1,445,674*	$1,425,674
	Library and Resource Center Services (14202)	~~$1,425,674~~ *$1,445,674*	$1,425,674		
	Fund Sources: General	~~$1,325,674~~ *$1,345,674*	$1,325,674		
	Federal Trust	$100,000	$100,000		

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	Authority: § 51.5-74, Code of Virginia; P.L. 89-522, and P.L. 101-254, Federal Code.				
	A. Out of this appropriation, $266,363 the first year and $266,363 the second year from the general fund shall be used to contract for the provision of radio reading services for the blind and vision impaired.				
	B. Out of this appropriation, $20,000 the first year from the general fund shall be provided for a one-time appropriation for Virginia Voice, a Richmond-based radio reading service, to support its expansion into the Southwest Virginia region.				
340.	State Education Services (19100)			$2,074,435	$2,074,435
	Braille and Instructional Materials (19101)	$869,766	$869,766		
	Educational and Early Childhood Support Services (19102)	$1,204,669	$1,204,669		
	Fund Sources: General	$1,101,679	$1,101,679		
	Federal Trust	$972,756	$972,756		
	Authority: §§ 22.1-214 and 22.1-217, Code of Virginia; P.L. 89-313, P.L. 97-35 and P.L. 102-119, Federal Code.				
341.	Rehabilitation Assistance Services (45400)			$15,524,499	~~$15,524,499~~ *$15,899,499*
	Low Vision Services (45401)	$52,000	$52,000		
	Vocational Rehabilitation Services (45404)	$9,694,010	$9,694,010		
	Community Based Independent Living Services (45407)	$5,307,915	~~$5,307,915~~ *$5,682,915*		
	Vending Stands, Cafeterias, and Snack Bars (45410)	$470,574	$470,574		
	Fund Sources: General	$3,644,238	~~$3,644,238~~ *$4,019,238*		
	Special	$570,218	$570,218		
	Federal Trust	$11,310,043	$11,310,043		
	Authority: § 51.5-1 and Title 51.5, Chapter 1, Code of Virginia; P.L. 93-516 and P.L. 93-112, Federal Code.				
	A. It is the intent of the General Assembly that visually impaired persons who have completed vocational training as food service managers through programs operated by the Department be considered for food service management position openings within the Commonwealth as they arise.				
	B. 1.The annual federal vocational rehabilitation grant award that will be received by the Department for the Blind and Vision Impaired (DBVI) is estimated at $11,869,311 for federal fiscal year 2024; $11,869,311 for federal fiscal year 2025; and $11,869,311 for federal fiscal year 2026. In addition to the base annual award amount, DBVI may request up to $2,000,000 of additional federal reallotment dollars in each of these years. Assuming these amounts, the annual 21.3 percent state matching requirement would equate to $3,753,702 for federal fiscal year 2024; $3,753,702 for federal fiscal year 2025; and $3,753,702 for federal fiscal year 2026.				
	2. Based on the projection of federal award funding in paragraph B.1., DBVI shall not request federal vocational rehabilitation grant dollars in excess of $13,869,311 for federal fiscal year 2024; $13,869,311 for federal fiscal year 2025; and $13,869,311 for federal fiscal year 2026, without prior written concurrence from the Director, Department of Planning and Budget. Any approved increases in grant award requests shall be reported by DARS to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees within 30 days.				
342.	Regional Office Support and Administration (49700)			$3,098,229	$3,098,229
	Regional Office and Field Support Services (49701)	$3,098,229	$3,098,229		
	Fund Sources: General	$1,567,029	$1,567,029		
	Federal Trust	$1,531,200	$1,531,200		

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	Authority: Title 2.2, Chapter 36; Title 51.5, Chapter 13, Code of Virginia; P.L. 93-112 and P.L. 97-35, Federal Code.				
343.	Rehabilitative Industries (81000)			$58,000,000	~~$58,000,000~~ *$63,000,000*
	Manufacturing, Retail, and Contract Operations (81003)	$58,000,000	~~$58,000,000~~ *$63,000,000*		
	Fund Sources: Enterprise	$58,000,000	~~$58,000,000~~ *$63,000,000*		
	Authority: § 51.5-72, Code of Virginia; P.L. 92-29 and P.L. 93-112, Federal Code.				
	A. The Industry Production Workers with the Virginia Industries for the Blind shall not be counted in the classified employment levels of the Department for the Blind and Vision Impaired.				
	B. The Department of Accounts shall provide a treasury loan to the Department for the Blind and Vision Impaired to finance up to $3,500,000 of its enterprise division's contract to supply Naval Station Norfolk Ship Stores with commercial products. This treasury loan shall be limited to financing the cost of procuring wholesale merchandise for retail sale on navy ships. This treasury loan shall be repaid with enterprise revenues, in accordance with the provisions of § 4-3.02 of this Act.				
344.	Administrative and Support Services (49900)			$7,030,241	~~$7,030,241~~ *$8,522,727*
	General Management and Direction (49901)	$4,762,934	~~$4,762,934~~ *$6,255,420*		
	Physical Plant Services (49915)	$2,267,307	$2,267,307		
	Fund Sources: General	$2,186,755	~~$2,186,755~~ *$3,186,721*		
	Special	$1,889,691	$1,889,691		
	Enterprise	$1,968,966	~~$1,968,966~~ *$2,461,486*		
	Trust and Agency	$400,109	$400,109		
	Federal Trust	$584,720	$584,720		
	Authority: Title 63.2, Chapter 4, Code of Virginia; P.L. 89-313, P.L. 93-112, and P.L. 97-35, Federal Code.				
	Up to $1,556,997 the first year and up to $~~1,556,997~~*3,049,483* the second year is available for the Department for the Blind and Vision Impaired (DBVI) to contract with the Department for Aging and Rehabilitative Services (DARS) for the provision of shared administrative services. The scope of the services and specific costs shall be outlined in a memorandum of understanding (MOU) between DBVI and DARS subject to the approval of the respective agency heads. Any revision to the MOU shall be reported by DARS to the Director, Department of Planning and Budget within 30 days.				
	Total for Department for the Blind and Vision Impaired			~~**$87,153,078**~~ ***$87,173,078***	~~**$87,153,078**~~ ***$94,020,564***
	General Fund Positions	69.00	69.00		
	Nongeneral Fund Positions	91.00	~~91.00~~ *95.00*		
	Position Level	160.00	~~160.00~~ *164.00*		
	Fund Sources: General	~~$9,825,375~~ *$9,845,375*	~~$9,825,375~~ *$11,200,341*		
	Special	$2,459,909	$2,459,909		
	Enterprise	$59,968,966	~~$59,968,966~~ *$65,461,486*		
	Trust and Agency	$400,109	$400,109		
	Federal Trust	$14,498,719	$14,498,719		

ITEM 344.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Virginia Rehabilitation Center for the Blind and Vision Impaired (263)				
345.	Rehabilitation Assistance Services (45400)			$1,705,313	$1,705,313
	Social and Personal Adjustment to Blindness Training (45408)	$1,705,313	$1,705,313		
	Fund Sources: General	$172,500	$172,500		
	Special	$6,000	$6,000		
	Enterprise	$50,000	$50,000		
	Federal Trust	$1,476,813	$1,476,813		
	Authority: § 51.5-1, Code of Virginia; P.L. 93-112, Federal Code.				
346.	Administrative and Support Services (49900)			$1,624,799	$1,624,799
	General Management and Direction (49901)	$877,951	$877,951		
	Food and Dietary Services (49907)	$274,000	$274,000		
	Physical Plant Services (49915)	$472,848	$472,848		
	Fund Sources: General	$210,061	$210,061		
	Special	$38,145	$38,145		
	Federal Trust	$1,376,593	$1,376,593		
	Authority: § 51.5-73, Code of Virginia; P.L. 93-112, Federal Code.				
	Out of this appropriation, $172,250 the first year and $172,250 the second year from the general fund shall be used for training individuals whose cost cannot be covered by federal vocational rehabilitation revenue. It is estimated that this funding will support 21 blind, deafblind, and vision impaired individuals.				
347.	Omitted.				
	Total for Virginia Rehabilitation Center for the Blind and Vision Impaired			**$3,330,112**	**$3,330,112**
	Nongeneral Fund Positions	22.00	22.00		
	Position Level	22.00	22.00		
	Fund Sources: General	$382,561	$382,561		
	Special	$44,145	$44,145		
	Enterprise	$50,000	$50,000		
	Federal Trust	$2,853,406	$2,853,406		
	Grand Total for Department for the Blind and Vision Impaired			~~**$90,483,190**~~ ***$90,503,190***	~~**$90,483,190**~~ ***$97,350,676***
	General Fund Positions	69.00	69.00		
	Nongeneral Fund Positions	113.00	~~113.00~~ *117.00*		
	Position Level	182.00	~~182.00~~ *186.00*		
	Fund Sources: General	~~$10,207,936~~ *$10,227,936*	~~$10,207,936~~ *$11,582,902*		
	Special	$2,504,054	$2,504,054		
	Enterprise	$60,018,966	~~$60,018,966~~ *$65,511,486*		
	Trust and Agency	$400,109	$400,109		
	Federal Trust	$17,352,125	$17,352,125		
	TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES			~~**$30,954,831,439**~~ ***$32,681,296,278***	~~**$32,535,517,807**~~ ***$34,032,105,359***

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General Fund Positions	8,709.55	~~8,709.55~~ *8,762.05*		
Nongeneral Fund Positions	~~6,419.22~~ *6,412.22*	~~6,419.22~~ *6,420.72*		
Position Level	~~15,128.77~~ *15,121.77*	~~15,128.77~~ *15,182.77*		
Fund Sources: General	~~$9,821,364,765~~ *$10,208,761,254*	~~$10,181,733,503~~ *$10,663,585,800*		
Special	~~$1,049,533,957~~ *$1,025,724,151*	~~$1,042,989,398~~ *$1,022,430,726*		
Enterprise	$60,018,966	~~$60,018,966~~ *$65,511,486*		
Trust and Agency	$2,088,900	$2,088,900		
Dedicated Special Revenue	~~$2,419,921,008~~ *$2,616,454,285*	~~$2,540,356,243~~ *$2,647,211,598*		
Federal Trust	~~$17,601,903,843~~ *$18,768,248,722*	~~$18,708,330,797~~ *$19,631,276,849*		

ITEM 348.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	OFFICE OF LABOR				
	§ 1-99. SECRETARY OF LABOR (195)				
348.	Administrative and Support Services (79900)			$677,837	$677,837
	General Management and Direction (79901)	$677,837	$677,837		
	Fund Sources: General	$677,837	$677,837		
	Authority: Title 2.2, Chapter 2, Article 6.1; § 2.2-214.2, Code of Virginia.				
	Total for Secretary of Labor			**$677,837**	**$677,837**
	General Fund Positions	4.00	4.00		
	Position Level	4.00	4.00		
	Fund Sources: General	$677,837	$677,837		
	§ 1-100. DEPARTMENT OF LABOR AND INDUSTRY (181)				
349.	Regulation of Business Practices (55200)			$2,253,355	$2,253,355
	Labor Law Services (55206)	$2,253,355	$2,253,355		
	Fund Sources: General	$2,253,355	$2,253,355		

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

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

B.1. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's minimum wage program, including, but not limited to, the number of (i) customer contacts concerning minimum wage, (ii) minimum wage claims processed, (iii) cases with wages collected, (iv) cases with claims ruled invalid, (v) cases with final orders issued, and (vi) cases cleared within 90 days.

2. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's anti-discrimination in payment of wage program, including, but not limited to, the number of (i) customer contacts concerning discrimination involving payment of wage complaints or proceedings, (ii) payment of wage discrimination complaints processed, (iii) meritorious complaints with payment of wage discrimination resolved with either reinstatement or recovery of lost wages, (iv) non meritorious complaints, i.e. cases with no adverse action or no protected activity, and (v) cases taken to court.

3. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's anti-discrimination in worker misclassification program, including, but not limited to, the number of (i) customer contacts concerning discrimination involving worker misclassification, (ii) discrimination in worker misclassification claims processed, (iii) meritorious complaints with worker misclassification wage discrimination resolved with either reinstatement and/or recovery of lost wages, (iv) non meritorious complaints, i.e. cases with no adverse action or no protected activity, and (v) cases taken to court.

4. The Department shall report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, Department of Planning and Budget, by November 1 of each year on the state's prevailing wage rate program, including, but not limited to, the number of (i) contacts from state agencies to determine the proper prevailing wage, (ii) prevailing wage determinations for the involved planning district calculated using Davis-Bacon rates for the cities and counties within the planning district, and (iii) contractor

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	provided scale of pay and fringe benefits certified and received.				
	C. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund is provided for the department to hire an additional compliance officer for child labor law violation enforcement.				
350.	Regulation of Individual Safety (55500)			$13,772,127	$13,772,127
	Virginia Occupational Safety and Health Services (55501)	$13,772,127	$13,772,127		
	Fund Sources: General	$6,595,759	$6,595,759		
	Special	$898,363	$898,363		
	Federal Trust	$6,278,005	$6,278,005		
	Authority: Title 40.1, Chapters 1, 3, 3.2, and 3.3; Title 54.1, Chapter 5; Title 59.1, Chapter 30, Code of Virginia.				
	A. Notwithstanding § 40.1-49.4 D., Code of Virginia, and § 4-2.02 of this act, the Department of Labor and Industry may retain up to $481,350 in civil penalties assessed pursuant to § 40.1-49.4, Code of Virginia, as the required federal grant match for voluntary protection and voluntary compliance programs.				
	B. Of the amounts provided in this item, $650,000 the first year and $650,000 the second year from the general fund is provided to support three positions in the Virginia Occupational Safety and Health Voluntary Protection Program and three positions in the Office of Consultation Services.				
351.	Regulation of Structure Safety (56200)			$670,781	$670,781
	Boiler and Pressure Vessel Safety Services (56201)	$670,781	$670,781		
	Fund Sources: General	$670,781	$670,781		
	Authority: Title 40.1, Chapter 3.1, Code of Virginia.				
352.	Administrative and Support Services (59900)			~~$4,981,995~~ *$5,057,237*	~~$4,981,995~~ *$5,057,237*
	General Management and Direction (59901)	~~$4,981,995~~ *$5,057,237*	~~$4,981,995~~ *$5,057,237*		
	Fund Sources: General	~~$3,788,227~~ *$3,840,597*	~~$3,788,227~~ *$3,840,597*		
	Special	$1,193,768	$1,193,768		
	Federal Trust	*$22,872*	*$22,872*		
	Authority: Title 40.1, Chapters 1, 3, 3.1, 3.2, 3.3, 4, 5, and 6; Title 54.1, Chapter 5; Title 59.1, Chapter 30, Code of Virginia.				
	Total for Department of Labor and Industry			~~**$21,678,258**~~ ***$21,753,500***	~~**$21,678,258**~~ ***$21,753,500***
	General Fund Positions	118.90	118.90		
	Nongeneral Fund Positions	61.10	61.10		
	Position Level	180.00	180.00		
	Fund Sources: General	~~$13,308,122~~ *$13,360,492*	~~$13,308,122~~ *$13,360,492*		
	Special	$2,092,131	$2,092,131		
	Federal Trust	~~$6,278,005~~ *$6,300,877*	~~$6,278,005~~ *$6,300,877*		
	§ 1-101. DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION (222)				
353.	Regulation of Professions and Occupations (56000)			$33,434,533	~~$29,792,427~~ *$32,279,027*

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Licensure, Certification, and Registration of Professions and Occupations (56046)	$8,615,744	$8,615,744		
Enforcement of Licensing, Regulating and Certifying Professions and Occupations (56047)	$9,420,530	$9,420,530		
Administrative Services (56048)	$15,398,259	~~$11,756,153~~ *$14,242,753*		
Fund Sources: Special	$1,328,410	$1,328,410		
Dedicated Special Revenue	$31,556,123	~~$27,914,017~~ *$30,400,617*		
Federal Trust	$550,000	$550,000		

Authority: Title 54.1, Chapters 1, 2, 3, 4, 5, 6, 7, 8.1, 9, 11, 15, 18, 20.1, 20.2, 21, 22, 22.1, 23, 23.1, 23.2, 23.3, and 23.4; Title 55, Chapters 4.1, 4.2, 19, 21, 24, 26, 27, 28, and 29; and Title 36, Chapter 5.1, Code of Virginia.

A. Costs for professional and occupational regulation may be met by fees paid by the respective professions and occupations.

B. Any fund balances currently held in the Dedicated Special Revenue Fund (0900), the Common Interest Community Management Information Fund (0259) and the Special Revenue Fund (0200) shall be held in reserve and may not be disbursed by the Department of Professional and Occupational Regulation, but shall be applied to offset the anticipated, future costs of restructuring its organization, including additional staffing needs and the replacement or upgrade of the Department's information technology systems requirements that may be implemented pursuant to recommendations identified in assessments required in Item 119, paragraphs B. and C., Chapter 854, 2019 Acts of Assembly. Such reserve funds shall be disbursed only to cover expenses of the Department or its regulatory boards as provided in § 54.1-308.

C. The Department is authorized to provide electronic credentials to persons regulated by the Department or its regulatory boards. An "electronic credential" means an electronic method by which a person may display or transmit to another person information that verifies information about a person such as their certification, licensure, registration, or permit. Any statutory or regulatory requirement to display, post, or produce a credential issued by a Department regulatory board or the Department may be satisfied by the proffer of an electronic credential. The Department may use a third-party electronic credential system that is not maintained by the agency. Such electronic credential system shall include a verification system that is operated by the agency or its agent on its behalf for the purpose of verifying the authenticity and validity of electronic credentials issued by the Department. No funds are appropriated for this purpose.

Total for Department of Professional and Occupational Regulation			**$33,434,533**	~~**$29,792,427**~~ ***$32,279,027***
Nongeneral Fund Positions	204.00	204.00		
Position Level	204.00	204.00		
Fund Sources: Special	$1,328,410	$1,328,410		
Dedicated Special Revenue	$31,556,123	~~$27,914,017~~ *$30,400,617*		
Federal Trust	$550,000	$550,000		

§ 1-102. DEPARTMENT OF WORKFORCE DEVELOPMENT AND ADVANCEMENT (327)

354.	Workforce Systems Services (47000)			$74,356,263	~~$72,855,263~~ *$42,915,600*
	Job Placement Services (47001)	$70,855,263	~~$70,855,263~~ *$33,866,551*		
	Unemployment Insurance Services (47002)	*$0*	*$3,379,454*		
	Workforce Development Services (47003)	$3,501,000	~~$2,000,000~~ *$5,669,595*		
	Fund Sources: General	$3,501,000	~~$2,000,000~~ *$2,876,935*		

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	Trust and Agency	$70,855,263	~~$70,855,263~~ *$40,038,665*		

Authority: Title 2.2, Chapter 20.2, Code of Virginia.

A. Out of the amounts in this Item, $1,501,000 the first year from the general fund is provided to support the establishment of the Department.

B.1. Out of the amounts in this Item, $2,000,000 the first year and $2,000,000 the second year from the general fund is designated for economic development programming under the Hampton Roads Skilled Trades Rapid On-ramp Network for Growth (STRONG) initiative. The Department shall collaborate with the Hampton Roads Workforce Council to support career access and training opportunities in the naval shipbuilding, offshore wind, and road and tunnel construction industries.

2. The Virginia Board of Workforce Development in collaboration with the Virginia Department of Workforce Development and Advancement and the Virginia Community College System shall review instructor salaries for noncredit workforce training programs offered as a part of the Hampton Roads Skilled Trades Rapid On-ramp Network for Growth (STRONG) initiative funded in this paragraph. This review shall include examining current instructor salaries for noncredit workforce training compared to current market rates for aligned professor positions; current approaches to funding instructor positions for noncredit and for credit courses offered as a part of the STRONG initiative; and options for increasing instructor salaries in noncredit course offerings, including appropriate funding model reforms. The Virginia Board of Workforce Development shall submit its preliminary review and recommendations to the Chairs of the House Committees on Appropriations and Education and the Senate Committees on Finance and Appropriations and Education and Health on or before November 1, 2024, and a final report of its review and recommendations on or before by June 30, 2025.

C. Included in this appropriation is $376,935 the second year from the general fund for five positions to continue a re-entry job placement collaboration between the Department of Workforce Development and Advancement and the Department of Corrections.

D. Out of this appropriation, $500,000 the second year from the general fund is provided for workforce development programming under the Hampton Roads Partnership for Health Sciences initiative to support talent development for the Hampton Roads healthcare industry. The Hampton Roads Workforce Council will utilize the funding to launch the Regional Healthcare Talent Pipeline focused on identifying and addressing regional talent shortages. The program will work to mitigate ongoing chronic healthcare labor challenges, including the attraction and retention of skilled workers, that are continuously impacting the healthcare industry by increasing the flow of trained healthcare professionals who enter the field. Any funding remaining at the end of the fiscal year shall be carried forward into the next fiscal year and reappropriated for the purposes described in this paragraph.

355.	Economic Development Services (53400)			$59,490,208	~~$59,490,208~~ *$80,306,806*
	Economic Information Services (53402)	$57,474,150	~~$57,474,150~~ *$3,552,997*		
	Apprenticeship Program (53409)	$2,016,058	~~$2,016,058~~ *$9,954,082*		
	Management of Workforce Development Program Services (53427)	*$0*	*$66,799,727*		
	Fund Sources: General	$2,016,058	$2,016,058		
	Special	*$0*	*$537,638*		
	Trust and Agency	$57,474,150	~~$57,474,150~~ *$77,753,110*		

Title 2.2, Chapter 20.2, Code of Virginia.

A. The Office of Registered Apprenticeship within the Department of Workforce Development and Advancement shall provide detailed registered apprenticeship data to the Office of Education and Labor Market Alignment in the Virginia Economic

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Development Partnership Authority quarterly. To the extent possible, all data fields requested by the Office of Education and Labor Market Alignment shall be furnished by the Division of Registered Apprenticeship. Data fields shall include the start date of the apprenticeship, the end date of the apprenticeship, occupation, journeyman certifications issued, and other such elements deemed appropriate by the Office of Education and Labor Market Alignment.

B.1. Out of this appropriation, $53,850,629 and 38 positions the first year, and $53,850,629 and 38 positions the second year from nongeneral funds is provided for the administration and implementation of workforce development programs as part of the federal Workforce Innovation and Opportunity Act of 2014 (WIOA).

2. Out of this appropriation, and consistent with Sections 128 and 133 of WIOA, 15 percent of the nongeneral funds received for the administration of Title I of WIOA shall be reserved by the Governor in a fund to support administration of the Title 1 programs and to support statewide strategic workforce initiatives. At the end of the federal allotment cycle, unobligated Rapid Response funds shall also be transferred to the Governor's fund, consistent with Section 134 of WIOA. The investment strategy and budget for the fund shall be determined by the Governor, in consultation with the Secretary of Labor and the Director of the Department no later than the first day of the federal program year for WIOA Title I. The investment strategy shall be consistent with required and allowable activities under Section 134 of WIOA. By December 15 of each year, the Secretary of Labor shall report on the use of funds and generated outcomes to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

Total for Department of Workforce Development and Advancement			**$133,846,471**	**~~$132,345,471~~ *$123,222,406***
General Fund Positions	21.00	~~21.00~~ *26.00*		
Nongeneral Fund Positions	438.00	438.00		
Position Level	459.00	~~459.00~~ *464.00*		
Fund Sources: General	$5,517,058	~~$4,016,058~~ *$4,892,993*		
Special	*$0*	*$537,638*		
Trust and Agency	$128,329,413	~~$128,329,413~~ *$117,791,775*		

§ 1-103. VIRGINIA EMPLOYMENT COMMISSION (182)

356.	Workforce Systems Services (47000)			$587,411,507	~~$587,136,507~~ *$610,136,064*
	Unemployment Insurance Services (47002)	$587,411,507	~~$587,136,507~~ *$610,136,064*		
	Fund Sources: General	$632,167	$357,167		
	Special	$10,500,443	~~$10,500,443~~ *$23,500,000*		
	Trust and Agency	$576,278,897	~~$576,278,897~~ *$586,278,897*		

Authority: Title 60.2, Chapters 1 through 6, Code of Virginia.

A. Revenues deposited into the Special Unemployment Compensation Administration Fund shall be used for the purposes set out in the following order of priority: 1) to make payment of any interest owed on loans from the U.S. Treasury for payment of unemployment compensation benefits; 2) to support essential services of the Commission, particularly in the event of reductions in federal funding; 3) to finance the cost of capital projects; and 4) to fund the discretionary fund established in § 60.2-315, Code of Virginia. Funding may be transferred from the capital budget to the operating budget consistent with this language.

B.1. Reed Act funds distributed by the Employment Security Financing Act of 1954 with respect to the federal fiscal years 1956, 1957, and 1958 and credited to the agency from the proceeds related to the sale of agency property with federal equity are hereby appropriated (up

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to $600,000) to maintain service levels in the agency's local offices.

2. Reed Act funds distributed by the Balanced Budget Act of 1997 and credited to the unemployment trust fund with respect to federal fiscal years 2000, 2001, and 2002, under § 1103 of the Social Security Act (42 U.S.C.), as amended, shall be used only for the administration of the unemployment compensation program, under the direction of the Virginia Employment Commission, and shall not be subject to the requirements of § 60.2-305, Code of Virginia. Reed Act funds from the Balanced Budget Act are hereby appropriated (up to $2.2 million, not to exceed the balance of said Reed Act funds) to pay for upgrading the information technology systems at the Virginia Employment Commission.

C. There is hereby appropriated out of the funds made available to this state under § 1103 of the Social Security Act (42 U.S.C.) as amended, the balance of the $51,067,866 of Reed Act funds, if any, provided in Item 120 E. of Chapter 847, 2007 Acts of Assembly, for upgrading obsolete information technology systems, to include staff costs. This appropriation is subject to the provisions of § 60.2-305, Code of Virginia. Savings as a result of the new systems shall be retained by the commission.

D. Notwithstanding any other provision of law, all fees incurred by the Virginia Employment Commission with respect to the collection of debts authorized to be collected under § 2.2-4806 of the Code of Virginia, using the Treasury Offset Program of the United States, shall become part of the debt owed the Commission and may be recovered accordingly.

E. Workforce development programs shall give priority to assisting Medicaid enrollees who are required to participate in the Training, Education, Employment and Opportunity Program to the extent allowed by federal law.

F. The Governor shall have the authority to alter the administration of the provisions of the Virginia Unemployment Compensation Act, Title 60.2 of the Code of Virginia, to meet the exigencies of a health emergency crisis.

G. The Virginia Employment Commission shall establish and maintain one dedicated full-time customer service position responsible for investigating and responding to legislative inquiries.

H. Notwithstanding any other provision of law, the Virginia Employment Commission shall compute tax rates by excluding pandemic related claim activity. For purposes of this calculation, pandemic related claim activity is defined as all regular Unemployment Insurance claims activity from April 1, 2020, through June 30, 2021. The pool charge shall be computed using this same methodology excluding pandemic related clause for unemployment insurance tax rates and ensure the Commonwealth maintains conformity with federal law.

I. The Virginia Employment Commission (VEC) shall maintain, at a minimum, two dedicated full-time employees to serve in the Office of the Unemployment Compensation Ombudsman. The Commission shall submit a status update on the activities of this office to the House Commerce and Energy Committee, the Senate Commerce and Labor Committee, the Commission on Unemployment Compensation, and the Governor quarterly. The VEC shall publish subsequent updates on its website.

J. VEC shall regularly collect feedback on the usability of the new Unemployment Insurance benefits information technology system from claimants and employers and make regular improvements to the system that address such feedback. The VEC shall publish this information and subsequent updates on its website.

K.1. Notwithstanding any other provision of law, as of January 1, 2025, tax rates established pursuant to §§ 60.2-531, 60.2-515, 60.2-526, 60.2-527, and 60.2-538, Code of Virginia, are hereby reduced by .05 percent. In addition to these rates, a separate administrative fee equal to .05 percent of taxable wages shall be assessed and paid quarterly. The administrative fee is necessary for the proper and efficient administration of the Virginia Unemployment Compensation Act, § 60.2., Code of Virginia. The administrative fees shall: (i) be deposited to the Special Unemployment Compensation Administration Fund pursuant to § 60.2-314 and will be used solely by the Commission

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for critical technology and staffing requirements; (ii) be due and payable to the Commission by each employer in accordance with such regulation as the Commission may prescribe; (iii) be collected through the same means available for collecting taxes, penalties, and interest. Interest applicable to unpaid taxes will also apply to the administrative fee; (iv) not be used to calculate the employer's amount of state unemployment taxes paid for Federal Unemployment Tax Act (FUTA) tax liability purposes; and, (v) not be deducted, in whole or in part, from employees' wages.

2. Until such time as the revenues collected through the administrative fee authorized in paragraph K.1. are sufficient to support necessary administrative functions, and upon approval of the Secretary of Finance, the Commission is authorized to receive a treasury loan to cover existing necessary administrative functions and processes that cannot be covered due to declining federal funding. The treasury loan shall be repaid within three years from the revenues of the administrative fee.

L. Out of this appropriation, $357,167 the first year and $357,167 the second year from the general fund is provided to effectuate the provisions of House Bill 1261 and Senate Bill 536 of the 2024 General Assembly.

M. Out of this appropriation, $275,000 the first year from the general fund is provided to effectuate the provisions of House Bill 14 of the 2024 General Assembly.

~~N. The Virginia Employment Commission is hereby authorized to request and receive a treasury loan to fund the necessary start-up costs associated with the implementation of a Paid Family and Medical Leave Program for the Commonwealth of Virginia contingent upon the enactment of Senate Bill 373 introduced in the 2024 Session of the General Assembly. The treasury loan shall be repaid for these costs from revenues received from premiums assessed to employers and employees beginning in 2026.~~

O. The commission shall complete the Unemployment Insurance Wage Data Enhancement project by regularly collecting additional data from employers to share with the Virginia Longitudinal Data System, which will then make it available to the Office of Education and Labor Market Alignment. Additional employee data shall include job title, pay rate, and work location. The commission shall use existing federal and state grant funds and complete the Unemployment Insurance Wage Data Enhancement project by December 31, 2025.

357. For payment to the Secretary of the Treasury of the United States to the credit of the federal unemployment trust fund established by the Social Security Act, to be held for the state upon the terms and conditions provided in the said Social Security Act, there is hereby appropriated the amount remaining in the clearing account of the Unemployment Compensation Fund created by § 60.2-301, Code of Virginia, after deducting the refunds payable therefrom pursuant to § 60.2-301, Code of Virginia, a sum sufficient.

Total for Virginia Employment Commission			**$587,411,507**	**~~$587,136,507~~** ***$610,136,064***
General Fund Positions	3.00	3.00		
Nongeneral Fund Positions	470.00	470.00		
Position Level	473.00	473.00		
Fund Sources: General	$632,167	$357,167		
Special	$10,500,443	~~$10,500,443~~ *$23,500,000*		
Trust and Agency	$576,278,897	~~$576,278,897~~ *$586,278,897*		
TOTAL FOR OFFICE OF LABOR			**~~$777,048,606~~** ***$777,123,848***	**~~$771,630,500~~** ***$788,068,834***
General Fund Positions	146.90	~~146.90~~ *151.90*		
Nongeneral Fund Positions	1,173.10	1,173.10		
Position Level	1,320.00	~~1,320.00~~ *1,325.00*		

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Fund Sources: General	~~$20,135,184~~ *$20,187,554*	~~$18,359,184~~ *$19,288,489*		
Special	$13,920,984	~~$13,920,984~~ *$27,458,179*		
Trust and Agency	$704,608,310	~~$704,608,310~~ *$704,070,672*		
Dedicated Special Revenue	$31,556,123	~~$27,914,017~~ *$30,400,617*		
Federal Trust	~~$6,828,005~~ *$6,850,877*	~~$6,828,005~~ *$6,850,877*		

ITEM 358.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	OFFICE OF NATURAL AND HISTORIC RESOURCES				
	§ 1-104. SECRETARY OF NATURAL AND HISTORIC RESOURCES (183)				
358.	Administrative and Support Services (79900)			$1,359,627	$1,359,627
	General Management and Direction (79901)	$1,359,627	$1,359,627		
	Fund Sources: General	$1,235,149	$1,235,149		
	Federal Trust	$124,478	$124,478		

Authority: Title 2.2, Chapter 2, Article 7; and § 2.2-201, Code of Virginia.

A. The Secretary of Natural and Historic Resources shall report to the Chairs of the Senate Committees on Finance and Appropriations, and Agriculture, Conservation, and Natural Resources, and the House Committees on Appropriations and Conservation and Natural Resources, by November 4 of each year on implementation of the Chesapeake Bay nutrient reduction strategies. The report shall include and address the progress and costs of point source and nonpoint source pollution strategies. The report shall include, but not be limited to, information on levels of dissolved oxygen, acres of submerged aquatic vegetation, computer modeling, variety and numbers of living resources, and other relevant measures for the General Assembly to evaluate the progress and effectiveness of the tributary strategies. In addition, the Secretary shall include information on the status of all of Virginia's commitments to the Chesapeake Bay Agreements.

B. It is the intent of the General Assembly that a reserve be created within the Virginia Water Quality Improvement Fund to support the purposes delineated within the Virginia Water Quality Improvement Act of 1997 (WQIA 1997) when year-end general fund surpluses are unavailable. Consequently, 15 percent of any amounts appropriated to the Virginia Water Quality Improvement Fund due to annual general fund revenue collections in excess of the official estimates contained in the general appropriation act shall be withheld from appropriation, unless otherwise specified. When annual general fund revenue collections do not exceed the official revenue estimates contained in the general appropriation act, the reserve fund may be used for WQIA 1997 purposes as directed by the General Assembly within the general appropriation act.

C. The Secretary of Natural and Historic Resources, with the assistance of the Directors of the Department of Conservation and Recreation, the Department of Environmental Quality, the Department of Wildlife Resources, and the Department of Historic Resources, shall provide an annual report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees of all projects undertaken pursuant to a settlement or mitigation agreement upon which the Secretary of Natural and Historic Resources is an authorized signatory on behalf of the Governor by November 15 each year until all terms of the settlement or mitigation agreement are satisfied. In addition, whenever a settlement or mitigation agreement is finalized, the Secretary shall provide a copy of, and explanation of, the terms of such settlement to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees within 15 days.

D. Out of the amounts provided for this item, $500,000 the first year and $500,000 the second year from the general fund and three positions are provided to establish the Office of Commonwealth Resilience.

E.1. The Secretary of Natural and Historic Resources shall convene a workgroup to study the requirements for and historical implementation of the Water Quality Improvement Fund pursuant to § 10.1-2128, Code of Virginia.

2. The workgroup shall review and make recommendations on the Water Quality Improvement Fund including the organizational structure in the Code of Virginia and budget, disposition of funding, feasibility of the incorporation of the Stormwater Local Assistance Fund, grant approval guidelines including cost-effectiveness and co-benefits of practices funded, grant agreement terms, annual reporting requirements, potential improvements to the current funding needs assessments, and outdated or unnecessary requirements.

3. The recommendations on the organizational structure in the Code of Virginia and budget

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shall include streamlining the funding and sub-fund structure, updating terminology and structure to enhance transparency, ensuring consistency with the Commonwealth's commitments to and mandates for water quality, and coordinating Code and budget language. Recommendations shall be made for items appropriate to include in the Code of Virginia and items appropriate to include in the budget.				
4. The review of the allocation of funding shall include mandatory deposits between sectors, discretionary deposits between sectors, the reserve fund and how to best leverage its usage to meet nutrient reduction goals, the use of interest including for administrative costs, and the Natural Resources Commitment Fund including technical assistance funding, the allotment of funding between the Chesapeake Bay and Southern Rivers watersheds, and the redistribution of unobligated funds between watersheds.				
5. The workgroup shall include, but not be limited to, representatives from the Department of Conservation and Recreation, the Department of Environmental Quality, the Virginia Association of Soil and Water Conservation Districts, the Virginia Farm Bureau Federation, Virginia Cattlemen's Association, the Virginia Association of Municipal Wastewater Agencies, the Virginia Municipal Stormwater Association, the Chesapeake Bay Commission, the Chesapeake Bay Foundation, the James River Association, the Virginia Association of Counties, the Virginia Municipal League, and staff of the House Appropriations and Senate Appropriations and Finance Committees.				
6. The workgroup's findings and recommendations shall be reported to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Chairs of the House Agriculture, Chesapeake, and Natural Resources and the Senate Agriculture, Conservation, and Natural Resources Committees, and the Chair of the State Water Commission no later than November 1, 2026.				
Total for Secretary of Natural and Historic Resources			**$1,359,627**	**$1,359,627**
General Fund Positions	8.00	8.00		
Position Level	8.00	8.00		
Fund Sources: General	$1,235,149	$1,235,149		
Federal Trust	$124,478	$124,478		

§ 1-105. DEPARTMENT OF CONSERVATION AND RECREATION (199)

359.	Land and Resource Management (50300)			~~$474,674,264~~ *$552,720,664*	~~$142,858,236~~ *$144,176,170*
	Soil and Water Conservation (50301)	~~$215,897,563~~ *$242,443,963*	~~$14,821,535~~ *$16,139,469*		
	Dam Inventory, Evaluation and Classification and Flood Plain Management (50314)	~~$221,005,274~~ *$272,505,274*	$90,265,274		
	Natural Heritage Preservation and Management (50317)	$6,781,336	$6,781,336		
	Financial Assistance to Soil and Water Conservation Districts (50320)	$15,494,091	$15,494,091		
	Technical Assistance to Soil and Water Conservation Districts (50322)	$6,796,000	$6,796,000		
	Agricultural Best Management Practices Cost Share Assistance (50323)	$8,700,000	$8,700,000		
	Fund Sources: General	~~$305,299,947~~ *$383,346,347*	~~$36,603,919~~ *$37,103,919*		
	Special	$1,040,887	$1,040,887		
	Trust and Agency	$63,000,000	$0		
	Dedicated Special Revenue	$97,251,202	~~$97,251,202~~ *$98,069,136*		
	Federal Trust	$8,082,228	$7,962,228		

Authority: Title 10.1, Chapters 1, 2, 5, 6, 7, and 21.1; Title 62.1, Chapter 3.1, Code of Virginia.

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A.1. Out of the amounts appropriated for Financial Assistance to Virginia Soil and Water Conservation Districts, $15,044,091 the first year and $15,044,091 the second year from the general fund shall be provided to soil and water conservation districts for administrative and operational support. These funds shall be distributed upon approval by the Virginia Soil and Water Conservation Board to the districts in accordance with the Board's established financial allocation policy. Of this amount, $12,809,091 the first year and $12,809,091 the second year from the general fund shall be distributed to the districts for core administrative and operational expenses (personnel, training, travel, rent, utilities, office support, and equipment) based on identified budget projections and in accordance with the Board's financial allocation policy; $468,000 the first year and $468,000 the second year from the general fund shall be distributed at a rate of $4,500 per dam for maintenance; $1,500,000 the first year and $1,500,000 the second year from the general fund for small dam repairs of known or suspected deficiencies; and $267,000 the first year and $267,000 the second year to the department to provide district support in accordance with Board policy, including, but not limited to, services related to auditing, bonding, contracts, and training. The amount appropriated for small dam repairs of known or suspected deficiencies and the purchase and installation of remote monitoring equipment is authorized for transfer to the Soil and Water Conservation District Dam Maintenance, Repair, and Rehabilitation Fund. *Notwithstanding the provisions of § 10.1-611.1, Code of Virginia, the department is authorized to use interest earnings from the Soil and Water Conservation District Dam Maintenance, Repair, and Rehabilitation Fund to support two positions to oversee maintenance, repair, and rehabilitation projects necessary for District-owned dams to be in compliance with the Dam Safety Act (§ 10.1-604 et seq.) and attendant regulations.*

2. Out of the appropriation in this Item, $4,550,000 the first year and $4,550,000 the second year shall be provided for base technical assistance support for the Virginia Soil and Water Conservation Districts. These funds shall be distributed upon approval by the Virginia Soil and Water Conservation Board to the districts in accordance with the Board's established financial allocation policy. These amounts shall be in addition to any other funding provided to the districts for technical assistance for appropriations in excess of $35,000,000. The Virginia Soil and Water Conservation Board is authorized to utilize previous years' unobligated cost-share funds to provide technical assistance funding to Virginia Soil and Water Conservation Districts at a rate no higher than the technical assistance rate percentage funded in the current Appropriation Act.

3. The department shall provide a semi-annual report on or before February 15 and August 15 of each year to the Chairmen of the House Appropriations and Senate and Appropriations Finance Committees on each Virginia soil and water conservation district's budget, revised budget, previous year's balance budget, and expenditure for the following: (i) the federal Conservation Reserve Enhancement Program, (ii) the use of Agricultural Best Management Cost-Share Program funds within the Chesapeake Bay watershed, (iii) the use of Agricultural Best Management Cost-Share Program funds within the Southern Rivers area, and (iv) the amount of Technical Assistance funding. The August 15 report shall reflect cumulative amounts.

4. As part of the semi-annual report, the department shall assess the impact of settlement agreements with the Commonwealth entered into between July 1, 2017, and June 30, 2022, on achieving an effective level of Soil and Water Conservation District technical assistance funding and the implementation of agricultural best management practices pursuant to § 10.1-546.1., Code of Virginia. The department shall include in its report any amounts from the settlements including: 1) estimation of the timeline and amount for each fiscal year to implement agricultural best management practices; and 2) estimation of the timeline and amount for each fiscal year of additional technical assistance provided as a result of the additional funding from the settlements.

C. It is the intent of the General Assembly, that notwithstanding the provisions of § 10.1-2132, Code of Virginia, the department is authorized to make Water Quality Improvement Grants to state agencies.

D.1 Out of the appropriation in this Item, $10,000,000 the first year and $10,000,000 the second year from the Virginia Natural Resources Commitment Fund, a subfund of the Virginia Water Quality Improvement Fund, is hereby appropriated. The funds shall be dispersed by the department pursuant to § 10.1-2128.1, Code of Virginia.

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2. The source of an amount estimated at $10,000,000 the first year and $10,000,000 the second year to support the nongeneral fund appropriation to the Virginia Natural Resources Commitment Fund shall be the recordation tax fee established in Part 3 of this act.

3. Out of this amount, a total of thirteen percent, or $1,300,000, whichever is greater, shall be appropriated to Virginia Soil and Water Conservation Districts for technical assistance to farmers implementing agricultural best management practices, and $8,700,000 for Agricultural Best Management Practices Cost-Share Assistance. Of the amount deposited for Cost-Share Assistance, seventy percent shall be used for matching grants for agricultural best management practices on lands in the Commonwealth exclusively or partly within the Chesapeake Bay watershed, and thirty percent shall be used for matching grants for agricultural best management practices on lands in the Commonwealth exclusively outside of the Chesapeake Bay watershed.

E.1. Out of the appropriation in this Item, $2,583,531 in the first year and $2,583,531 in the second year from the funds designated in Item 3-1.01.C. of this act are hereby appropriated to the Virginia Water Quality Improvement Fund and designated for deposit to the reserve fund established pursuant to paragraph B of Item 358. It is the intent of the General Assembly that all interest earnings of the Water Quality Improvement Fund shall be spent only upon appropriation by the General Assembly, after the recommendation of the Secretary of Natural and Historic Resources, pursuant to § 10.1-2129, Code of Virginia.

2. Notwithstanding the provisions of §§ 10.1-2128, 10.1-2129 and 10.1-2128.1, Code of Virginia, it is the intent of the General Assembly that the department use interest earnings from the Water Quality Improvement Fund and the Virginia Natural Resources Commitment Fund to support ~~two~~ *five* positions to administer *the Virginia Agricultural Best Management Practices Cost-Share Program and provide support to Soil and Water Conservation Districts.* ~~grants from the fund.~~

F. Out of the appropriation in this Item, $15,000 the first year and $15,000 the second year from the general fund is provided to support the Rappahannock River Basin Commission. The funds shall be matched by the participating localities and planning district commissions.

G. Notwithstanding § 10.1-552, Code of Virginia, Soil and Water Conservation Districts are hereby authorized to recover a portion of the direct costs of services rendered to landowners within the district and to recover a portion of the cost for use of district-owned conservation equipment. Such recoveries shall not exceed the amounts expended by a district on these services and equipment.

H. Unless specified otherwise in this Item, it is the intent of the General Assembly that balances in Soil and Water Conservation be used first, and then balances from Agricultural Best Management Practices Cost Share Assistance be used for the Commonwealth's statewide match for participation in the federal Conservation Reserve Enhancement Program (CREP).

I. The Water Quality Agreement Program shall be continued in order to protect the waters of the Commonwealth through voluntary cooperation with lawn care operators across the state. The department shall encourage lawn care operators to voluntarily establish nutrient management plans and annual reporting of fertilizer application. If appropriate, then the program may be transferred to another state agency.

J.1. Out of the appropriation in this Item, $250,000 the first year and ~~$250,000~~*$750,000* the second year from the general fund is provided to the department to make available competitive grants to provide Chesapeake Bay meaningful watershed educational experiences. The department may enter into two-year contracts contingent on funding being available in the second year of the biennium.

2. Out of the appropriation in this item, $350,000 the first year and $350,000 the second year from the general fund is provided to the Department to support two positions in the Office of Environmental Education to provide increased opportunities for education programs on environmental issues across the Commonwealth, pursuant to § 10.1-104,

I VETO ITEM 359.J.1.-2. ON PAGES 2187 AND 2188 /s/ Glenn Youngkin 5-2-25

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Code of Virginia. The Office of Environmental Education shall develop and implement environmental education programs and the Virginia Strategic Plan for environmental literacy in collaboration with the Department of Education, the Science Museum of Virginia STEM program, and other relevant stakeholders.

K. Out of the appropriation in this Item, $200,000 the first year and $200,000 the second year from the general fund is provided to the department for technical assistance to support Shoreline Erosion Advisory Services as established in § 10.1-702, Code of Virginia.

L. Out of the appropriation in this Item, $1,093,352 the first year and $1,093,352 the second year from the general fund shall be provided to the Natural Heritage Program in support of active preserve management activities across Virginia's 66 Natural Area Preserves as identified by the Board of Conservation and Recreation.

M. Notwithstanding § 54.1, Chapter 4, the U.S. Department of Agriculture's Natural Resources Conservation Service and Department of Conservation and Recreation Central Office staff may provide engineering services to the Department of Conservation and Recreation and the local Soil and Water Conservation Districts for design and construction of agriculture best management practices.

N.1. Out of the amounts appropriated for Dam Inventory, Evaluation, and Classification and Flood Plain Management, $5,732,147 the first year and $732,147 the second year from the general fund shall be deposited to the Dam Safety, Flood Prevention and Protection Assistance Fund, established pursuant § 10.1-603.17, Code of Virginia.

2. Unobligated balances in the Dam Safety, Flood Prevention and Protection Assistance Fund may be utilized in an amount not to exceed $60,000 to perform activities necessary to update the flood protection plan for the Commonwealth and to make the plan accessible online. Once these activities are complete, the department will maintain and update the plan as needed within existing resources.

O. Out of the appropriation in this Item, $400,000 the first year and $400,000 the second year from the general fund is provided to support lyngbya remediation efforts at Lake Gaston.

P.1. Notwithstanding § 10.1-2129 A., Code of Virginia, $138,076,028 the first year from the general fund shall be deposited to the Virginia Water Quality Improvement Fund established under the Water Quality Improvement Act of 1997. Of this amount in the first year, $19,200,000 shall be appropriated to the Department for the following specified statewide uses: $700,000 for maintenance of the Conservation Application Suite; $2,000,000 for the Commonwealth's match for participation in the Federal Conservation Reserve Enhancement Program (CREP); $1,000,000 for increased verification efforts of agricultural best management practices; $6,000,000 for nonpoint source projects including direct pay initiatives for nutrient management and resource management plans as well as poultry litter transport; $4,000,000 for the Virginia Conservation Assistance Program administered by the Association of Soil and Water Conservation Districts; $500,000 for voluntary agricultural best management practices data collection by the Virginia Cooperative Extension; $4,000,000 to the Department of Forestry for the Virginia Trees for Clean Water program; and $1,000,000 to the Department of Forestry for water quality grants.

2. Of the remaining amount in the first year, $118,876,028 is authorized for transfer to the Virginia Natural Resources Commitment Fund, a sub fund of the Water Quality Improvement Fund. Notwithstanding any other provision of law, the funds transferred to the Virginia Natural Resources Commitment Fund shall be distributed by the Department upon approval of the Virginia Soil and Water Conservation Board in accordance with the board's developed policies, as follows: $75,979,754 shall be used for matching grants for Agricultural Best Management Practices on lands in the Commonwealth exclusively or partly within the Chesapeake Bay watershed, $32,562,751 shall be used for matching grants for Agricultural Best Management Practices on lands in the Commonwealth exclusively outside the Chesapeake Bay watershed, and an additional $10,333,523 in addition to the base funding provided in A.1. shall be appropriated for Technical Assistance for Virginia Soil and Water Conservation Districts.

Q. Notwithstanding § 10.1-2129 A., Code of Virginia, included in this Item is $63,000,000 the first year from nongeneral funds that shall be transferred to the Virginia Natural Resources

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Commitment Fund, and that shall be distributed by the Department upon approval of the Virginia Soil and Water Conservation Board in accordance with the board's developed policies, as follows: $40,266,524 shall be used for matching grants for Agricultural Best Management Practices on lands in the Commonwealth exclusively or partly within the Chesapeake Bay watershed, $17,257,082 shall be used for matching grants for Agricultural Best Management Practices on lands in the Commonwealth exclusively outside the Chesapeake Bay watershed, and an additional $5,476,394 in addition to the base funding provided in A.1. shall be appropriated for Technical Assistance for Virginia Soil and Water Conservation Districts.

R. Out of the appropriation in this Item, ~~$100,000,000~~*$150,000,000* the first year from the general fund shall be deposited into the Virginia Community Flood Preparedness Fund.

I VETO ITEM 359.R. ON PAGE 2189 /s/ Glenn Youngkin 5-2-25

S. Out of the appropriation in this Item, $25,000,000 the first year from the general fund is provided to the City of Norfolk to support the Coastal Storm Risk Management Project. These funds shall serve as the Commonwealth's contribution to the non-federal match required by the City to begin utilizing available federal funds.

T. Notwithstanding the provisions of § 10.1-2132, Code of Virginia, the department shall allow grant funds allocated for the Virginia Cost Share Assistance Program to be committed and disbursed as cost-share funding in conjunction with the planning and construction of livestock and poultry waste facilities and prior to animals being on-site, provided that the project is otherwise eligible for funding and the applicant has a contract for animals to be placed on-site within six months of the project's completion. The department shall provide guidelines for implementation of this provision.

U. Out of the appropriation in this item, ~~$500,000~~*$750,000* the first year from the general fund is provided to support cyanobacteria mitigation and remediation efforts at Lake Anna.

V. Out of the appropriation in this item, $350,000 the first year and $350,000 the second year from the general fund is provided for the Department to establish (i) a position to expedite the training and certification of Soil and Water Conservation District employees to enable them to provide engineering, agronomic, and technical assistance for the preparation of all conservation practices in the Virginia Agricultural Cost share program; and, (ii) a position to expedite the provision of assistance to Soil and Water Conservation Districts with engineering designs for structural practices.

W. Out of the appropriation in this item, $136,000 the first year and $136,000 the second year from the general fund is provided to the Department to support an additional position in the Division of Soil and Water Conservation for the purpose of nutrient management planning.

X.1. Notwithstanding § 10.1-2129 A., Code of Virginia, $26,296,400 the first year from the general fund shall be deposited to the Virginia Water Quality Improvement Fund established under the Water Quality Improvement Act of 1997. Of this amount in the first year, $8,905,800 is designated for deposit to the reserve within the Virginia Water Quality Improvement Fund.

2. Of the remaining amount in the first year, $17,390,600 is authorized for transfer to the Virginia Natural Resources Commitment Fund, a sub fund of the Water Quality Improvement Fund. Notwithstanding any other provision of law, the funds transferred to the Virginia Natural Resources Commitment Fund shall be distributed by the department upon approval of the Virginia Soil and Water Conservation Board in accordance with the board's developed policies to support Agriculture Best Management Practices needs in the next biennium.

3. The appropriation in this paragraph and in Item 365 of this act meets the mandatory deposit requirements associated with the fiscal year 2024 excess general fund revenue collections and discretionary year-end general fund balances.

Y. Out of the appropriation in this Item, $1,000,000 the first year from the general fund is provided to the Town of Dumfries for Quantico Creek restoration and flood mitigation.

I VETO ITEM 359.Y. ON PAGE 2189 /s/ Glenn Youngkin 5-2-25

Z. Out of the appropriation in this item, $500,000 the first year from the general fund shall

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be provided to the Lake Barcroft Watershed Improvement District to complete engineering and design to bring the Lake Barcroft Dam Flood Mitigation Project to "construction ready" status.

AA.1. In any fiscal year, 50 percent of any funds previously distributed for Agricultural Best Management Practices for the purpose of grants for agriculture best management practices on lands in the Commonwealth that cannot be obligated by June 15 by a soil and water conservation district during such fiscal year, regardless of whether such lands are within or outside of the Chesapeake Bay watershed, may be reallocated by the Virginia Soil and Water Conservation Board to any soil and water conservation district for conservation practices. The Virginia Soil and Water Conservation Board may reallocate the remaining previously distributed funds that cannot be obligated by June 15 to the soil and water conservation districts within the same watershed.

2. Nothing in this section shall prevent any funds distributed to the Virginia Agricultural Best Management Practices Cost-Share Program for the purpose of matching grants for agricultural best management practices on lands in the Commonwealth that cannot be obligated by a soil and water conservation district during a fiscal year to transfer such funds to another soil and water conservation district within the same watershed within the same fiscal year.

360.	Leisure and Recreation Services (50400)			~~$101,226,439~~ *$102,526,439*	~~$98,748,094~~ *$100,248,311*
	Preservation of Open Space Lands (50401)	$26,053,736	$26,053,736		
	Design and Construction of Outdoor Recreational Facilities (50403)	~~$1,149,954~~ *$2,449,954*	~~$1,149,954~~ *$1,473,800*		
	State Park Management and Operations (50404)	$68,140,356	~~$65,662,011~~ *$66,488,382*		
	Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406)	$5,882,393	~~$5,882,393~~ *$6,232,393*		
	Fund Sources: General	~~$59,179,782~~ *$60,479,782*	~~$56,827,737~~ *$58,111,583*		
	Special	$34,979,803	~~$34,853,503~~ *$35,069,874*		
	Dedicated Special Revenue	$1,817,124	$1,817,124		
	Federal Trust	$5,249,730	$5,249,730		

Authority: Title 10.1, Chapters 1, 2, 3, 4, 4.1, and 17; Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5, and 7, Code of Virginia.

A.1. Included in the amounts for Preservation of Open Space Lands is $16,000,000 the first year and $16,000,000 the second year from the general fund to be deposited into the Virginia Land Conservation Fund, § 10.1-1020, Code of Virginia. No less than 50 percent of the appropriations remaining after the transfer to the Virginia Outdoors Foundation's Open-Space Lands Preservation Trust fund has been satisfied are to be used for grants for fee simple acquisitions with public access or acquisitions of easements with public access. This appropriation shall be deemed sufficient to meet the provisions of § 2.2-1509.4, Code of Virginia.

2. Included in the amounts for Preservation of Open Space Lands is $1,500,000 the first year and $1,500,000 the second year from nongeneral funds to be deposited into the Virginia Land Conservation Fund to be distributed by the Virginia Land Conservation Foundation pursuant to the provisions of § 58.1-513, Code of Virginia.

B. Included in the amounts for Preservation of Open-Space Lands is $1,752,750 the first year and $1,752,750 the second year from the general fund and $1,900,000 the first year and $1,900,000 the second year from nongeneral funds for the operating expenses of the Virginia Outdoors Foundation (Title 10.1, Chapter 18, Code of Virginia).

C.1. Out of the amounts appropriated for State Parks Management and Operations, up to $560,000 the first year and $560,000 the second year from the general fund shall be paid for

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the operation and maintenance of Breaks Interstate Park.

2. The Breaks Interstate Park Commission shall submit an annual audit of a fiscal and compliance nature of its accounts and transactions to the Auditor of Public Accounts, the Director, Department of Conservation and Recreation, and the Director, Department of Planning and Budget.

3. The Breaks Interstate Park Commission shall, following the modernization of the Breaks Interstate Park electrical system, enter into negotiations to transfer control of the electrical system serving the park to a local regional electric utility.

D. Notwithstanding the provisions of § 10.1-202, Code of Virginia, amounts deposited to the State Park Conservation Resources Fund may be used for a program of in-state travel advertising. Such travel advertising shall feature Virginia State Parks and the localities or regions in which the parks are located. To the extent possible the department shall enter into cooperative advertising agreements with the Virginia Tourism Authority and local entities to maximize the effectiveness of expenditures for advertising. The department is further authorized to enter into a cooperative advertising agreement with the Virginia Association of Broadcasters.

E. The department is hereby authorized to enter into an agreement with the non-profit organization that currently owns Natural Bridge to open and operate the facility as a Virginia State Park. Included in the amount for this Item is $376,364 the first year and $376,364 and five positions from the general fund to increase the operational capacity of Natural Bridge State Park including additional visitor experience, retail, and maintenance functions.

F. Notwithstanding any other provision of the Code of Virginia, as a condition of the expenditure of all amounts included in this Item, the department shall not initiate or accept by gift, transfer or purchase with nongeneral funds any new lands for use as a State Park without a specific appropriation for such purpose by the General Assembly. However, the department is authorized to acquire land as expressly set out in Items C-27 and C-27.10 of Chapter 854, 2019 Acts of Assembly, as well as in-holdings or lands contiguous to an existing State Park as expressly set out in Item C-25 of this act and as provided for in Section 4-2.01 a.1. of this act provided further that acquisitions authorized in Item C-25 will not cause the department to incur additional operating expenses. It is not the intent of these provisions to prohibit any acquisitions resulting from mitigation settlements or to prohibit any additional operating expenses resulting from such acquisitions.

G.1. Included in the amounts for State Park Management and Operations is $590,944 the first year and $590,944 the second year and six positions from the general fund for the initial start-up and ongoing operational costs for Phase I of Widewater State Park in Stafford County. It is the intent of the General Assembly that, as soon as practicable upon completion of Phase 1A, that the Department shall provide public access and proceed to regular revenue generating operations at the Park.

2. The Department of Conservation and Recreation shall collaborate with Stafford County Public Schools, the Friends of Widewater State Park and other interested stakeholders regarding the Science and Environmental Center at Widewater State Park planned to be constructed as part of Phase III in order to ensure the facility is adequate to meet the needs of the community, curriculum collaboration opportunities with local schools, and other needs; determine whether any design changes would further community environmental education goals; determine the availability of any grant, charitable or co-funding opportunities with Stafford County and/or Virginia higher educational institutions; determine the feasibility and costs of any design changes or the necessity of any Master Plan changes; and produce recommendations, if any, relating to such objectives.

H. Included in the amount for this Item is $198,752 the first year and $198,752 the second year and two positions from the general fund to support the limited operation of Seven Bends State Park.

I. Included in the amount for this Item is $150,000 the first year and $150,000 the second year from the nongeneral fund amounts appropriated in Item 442 A. for recreational access which shall be used to fabricate and install Supplemental Guide Signs for Virginia

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State Parks.

J. The department is hereby authorized to enter into an agreement with the United States Forest Service that owns the Longdale Day Use Area to operate the facility as the Green Pastures Unit of Douthat State Park, an extension of Douthat State Park.

K. Included in the amounts for this Item, $167,776 the first year and $167,776 the second year from the general fund to hire chief ranger and park ranger positions at Powhatan State Park.

L. Included in the amounts for this Item is $613,253 the first year and $613,253 the second year from the general fund for startup and operational costs at Sweet Run State Park.

M. Out of the appropriation in this Item, $150,000 from the general fund the first year is provided for the department to conduct a study of the potential acquisition and development of Oak Hill, the former home of James Monroe, the fifth President of the United States, as a state park. The study shall (i) assess the challenges in acquiring and developing the property, (ii) identify upfront costs and ongoing and future obligations of the Commonwealth, (iii) assess the involvement and contribution of Loudoun County, where the property is located, and (iv) assess potential philanthropic contributions and/or other funding resources to support the project.

N. Out of the amounts appropriated in this item, $250,000 the first year and $250,000 the second year from the general fund is provided to the Department to support two additional staff positions and related expenses for invasive species management.

O. Out of the appropriation in this item, $265,350 the first year and $139,050 the second year from nongeneral funds is provided to establish an all-terrain power wheelchair pilot program consistent with the provisions of House Bill 1186 of the 2024 Session of the General Assembly.

P. Out of the appropriation in this item, $350,000 the second year from the general fund is provided for the Department to develop the Falkland State Conservation Area Master Plan and a Restoration Assessment for the Syndor House Lodge.

Q. Out of the appropriation in this item, $1,300,000 the first year from the general fund is provided to Albemarle County for the design and construction of an Americans with Disabilities Act (ADA) accessible walking trail to connect Biscuit Run Park to the future Monacan Indian Nation Tribute Park.

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361.	Administrative and Support Services (59900)			$13,004,072	~~$13,004,072~~ *$12,947,072*
	General Management and Direction (59901)	$13,004,072	~~$13,004,072~~ *$12,947,072*		
	Fund Sources: General	$12,789,072	~~$12,789,072~~ *$12,732,072*		
	Special	$215,000	$215,000		
	Authority: Title 2.2, Chapters 37, 40, 41, 43; and Title 10.1, Chapter 1, Code of Virginia.				
	Total for Department of Conservation and Recreation			~~**$588,904,775**~~ ***$668,251,175***	~~**$254,610,402**~~ ***$257,371,553***
	General Fund Positions	512.50	~~512.50~~ *514.50*		
	Nongeneral Fund Positions	53.50	~~53.50~~ *57.50*		
	Position Level	566.00	~~566.00~~ *572.00*		
	Fund Sources: General	~~$377,268,801~~ *$456,615,201*	~~$106,220,728~~ *$107,947,574*		
	Special	$36,235,690	~~$36,109,390~~ *$36,325,761*		
	Trust and Agency	$63,000,000	$0		

ITEM 361.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Dedicated Special Revenue	$99,068,326	~~$99,068,326~~ *$99,886,260*		
	Federal Trust	$13,331,958	$13,211,958		

§ 1-106. DEPARTMENT OF ENVIRONMENTAL QUALITY (440)

362.	Land Protection (50900)			$32,107,409	~~$32,107,409~~ *$32,208,045*
	Land Protection Permitting (50925)	$5,144,191	$5,144,191		
	Land Protection Compliance and Enforcement (50926)	$23,877,626	~~$23,877,626~~ *$23,856,887*		
	Land Protection Outreach (50927)	$1,893,134	~~$1,893,134~~ *$1,940,722*		
	Land Protection Planning and Policy (50928)	$1,192,458	~~$1,192,458~~ *$1,266,245*		
	Fund Sources: General	$3,049,408	$3,049,408		
	Special	$1,787,049	~~$1,787,049~~ *$1,729,595*		
	Trust and Agency	$12,415,471	~~$12,415,471~~ *$12,456,797*		
	Dedicated Special Revenue	$8,072,094	~~$8,072,094~~ *$8,103,136*		
	Federal Trust	$6,783,387	~~$6,783,387~~ *$6,869,109*		

Authority: Title 10.1, Chapters 11.1, 11.2, 12.1, 14, and 25; Title 44, Chapter 3.5, Code of Virginia.

A. It is the intent of the General Assembly that balances in the Virginia Environmental Emergency Response Fund be used to meet match requirements for U.S. Environmental Protection Agency Superfund State Support Contracts.

B. Notwithstanding the provisions of § 10.1-1422.3, Code of Virginia, $1,807,575 in the first year and $1,807,575 in the second year from the Waste Tire Trust Fund, and $250,000 in the first year and $250,000 in the second year from the Hazardous Waste Management Permit Fund within the Department of Environmental Quality shall be used for the costs associated with the Department's land protection and water programs. Such funds may be used for the purposes set forth in § 10.1-1422.3, Code of Virginia, at the Director's discretion and only as available after funding other land protection and water programs.

C. Notwithstanding the provisions of § 10.1-1424.3, Code of Virginia, the phased prohibition on the use of polystyrene containers shall be delayed until July 1, 2025 and July 1, 2026 respectively.

363.	Water Protection (51200)			~~$57,982,778~~ *$61,032,778*	~~$58,082,778~~ *$58,219,321*
	Water Protection Permitting (51225)	$13,639,965	$13,639,965		
	Water Protection Compliance and Enforcement (51226)	$9,864,744	~~$9,864,744~~ *$9,799,744*		
	Water Protection Outreach (51227)	$4,482,135	~~$4,482,135~~ *$4,503,258*		
	Water Protection Planning and Policy (51228)	$9,457,712	~~$9,457,712~~ *$9,509,164*		
	Water Protection Monitoring and Assessment (51229)	~~$12,092,882~~ *$15,142,882*	~~$12,192,882~~ *$12,392,882*		
	Water Protection Stormwater Management (51230)	$8,445,340	~~$8,445,340~~ *$8,374,308*		
	Fund Sources: General	~~$31,705,234~~ *$34,755,234*	~~$31,805,234~~ *$31,858,834*		

ITEM 363.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Special	$2,075,480	~~$2,075,480~~ *$2,043,849*		
Trust and Agency	$25,500	$25,500		
Dedicated Special Revenue	$15,120,675	~~$15,120,675~~ *$15,235,249*		
Federal Trust	$9,055,889	$9,055,889		

Authority: Title 10.1, Chapter 11.1; and Title 62.1, Chapters 2, 3.1, 3.2, 3.6, 5, 6, 20, 22, 24, and 25, Code of Virginia.

A. Out of this appropriation, $51,500 the first year and $51,500 the second year from the general fund is designated for annual membership dues for the Ohio River Valley Water Sanitation Commission.

B.1. The permit fee regulations adopted by the State Water Control Board pursuant to paragraphs B.1. and B.2. of § 62.1-44.15:6, Code of Virginia, shall be set at an amount representing not more than 50 percent of the direct costs for the administration, compliance and enforcement of Virginia Pollutant Discharge Elimination System permits and Virginia Pollution Abatement permits.

2. The regulations adopted by the State Water Control Board to initially implement the provisions of this Item shall be exempt from Article 2 (§ 2.2-4006, et seq.) of Chapter 40 of Title 2.2, Code of Virginia, and shall become effective no later than July 1, 2010. Thereafter, any amendments to the fee schedule described by these acts shall not be exempted from Article 2 (§ 2.2-4006, et seq.) of Chapter 40 of Title 2.2, Code of Virginia.

C. Out of the appropriation for this Item, $151,500 the first year and ~~$151,500~~*$205,100* the second year from the general fund is designated for the annual membership dues for the Interstate Commission on the Potomac River Basin.

D.1. Notwithstanding § 62.1-44.15:56, Code of Virginia, public institutions of higher education, including community colleges, colleges, and universities, shall be subject to project review and compliance for state erosion and sediment control requirements by the local program authority of the locality within which the land disturbing activity is located, unless such institution submits annual specifications to the Department of Environmental Quality, in accordance with § 62.1-44.15:56 A (i), Code of Virginia.

2. The State Water Control Board is authorized to amend the Erosion and Sediment Control Regulations (9 VAC 25-840 et seq.) to conform such regulations with this project review requirement and to clarify the process. These amendments shall be exempt from Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act.

E. Beginning October 1, 2015, there shall be a $3.75 fee imposed on each dry ton of exceptional quality biosolids cake sewage sludge that is land applied pursuant to § 62.1-44.19:3P, Code of Virginia, until such fee is altered, amended or rescinded by the State Water Control Board.

F. The Department shall work in conjunction with the Virginia Economic Development Partnership to facilitate the development of long-term offsetting methods within the Virginia Nutrient Credit Exchange as set out in Item 113 of this act.

G. Notwithstanding any other provision of law, any Virginia Stormwater Management Program authority is authorized to charge a voluntary fee of $30,000 for review of sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 100 acres for an expedited stormwater management program plan review. Any individual or firm electing to pay the voluntary fee shall be guaranteed the total government review time shall not exceed 45 days excluding any applicant's time in responding to questions. Any amounts paid to DEQ above the $9,600 fee shall be used by DEQ to increase the staffing level of the reviewers of these applications.

H. Out of the amounts in this Item, $2,736,330 the first year and $2,736,330 the second year from the general fund is included for the purchase of laboratory and field equipment.

I. Out of the amounts appropriated for this Item, $231,000 the first year and $231,000 the second year is provided for regional water resource planning activities.

ITEM 363.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

J.1. Out of the amounts appropriated for this Item, $1,100,000 the first year and $1,100,000 the second year from the general fund is to be deposited in the Virginia Stormwater Management Fund.

2. Notwithstanding § 62.1-44.15:28, as it is currently effective and as it shall become effective, Code of Virginia, the permit fee regulations adopted by the State Water Control Board pursuant to § 62.1-44.15:28, as it is currently effective and as it shall become effective, Code of Virginia, for the Virginia Pollutant Discharge Elimination System Permit for Discharges of Stormwater from Construction Activities and municipal separate storm sewer system permits shall be set at an amount representing no less than 60 percent, not to exceed 62 percent, of the direct costs for the administration, compliance and enforcement of Virginia Pollutant Discharge Elimination System Permit for Discharges of Stormwater from Construction Activities and municipal separate storm sewer system permits. To the extent practicable, the Board shall solicit input from affected stakeholders when establishing the new fee structure.

3. Notwithstanding § 62.1-44.19:20, Code of Virginia, the application fee schedule adopted by the State Water Control Board pursuant to § 62.1-44.19:20, Code of Virginia, shall be set at an amount representing no less than 60 percent, not to exceed 62 percent, of the direct costs for the administration, compliance and enforcement of the nutrient credit certification program. To the extent practicable, the Board shall solicit input from affected stakeholders when establishing the new fee structure.

K. The Director of the Department of Environmental Quality shall convene a working group for the purpose of developing an annual or project-based fee schedule for the review of erosion and sediment control plans related to solar energy project applications. The working group shall include representatives of (i) private sector companies that own or operate solar energy facilities, (ii) local governments that permit solar facilities, and (iii) other stakeholders determined by the Department to be necessary to the development of the fee schedule.

L. Out of the amounts in this item, $750,000 the first year and $750,000 the second year to establish a mitigation trading platform and wetland in-lieu fee mitigation program consistent with the provisions of § 62.1-44.15:23.1, Code of Virginia.

M. Out of the amounts in this item, $150,000 the first year from the general fund is provided for the department, in collaboration with Virginia Polytechnic and State University and the Smith Mountain Lake Association, to conduct a study of the harmful algal blooms occurring at Smith Mountain Lake. The research shall include evaluation of conditions that have led to the appearance of harmful algal blooms and include recommendations for prevention of further occurrences.

N. Out of the amounts in this item, $500,000 the first year from the general fund is provided to support United States Geological Survey monitoring of harmful algal blooms in the Shenandoah River. Any funds remaining at the end of the fiscal year shall carryforward for the same purpose.

O. Out of the amounts in this item, $250,000 the first year from the general fund is provided for the department, in coordination with the Division of Consolidated Laboratory Services, to provide testing of inland waterways in the Commonwealth for the presence of harmful algal blooms, which may include enumeration of cyanobacteria and associated toxicity analyses. Any funds in this paragraph remaining at the end of the fiscal year shall be carried forward and reappropriated for the same purpose.

P. Out of the amounts in this item, $2,300,000 the first year from the general fund is provided for groundwater research in the Eastern Groundwater Management Area. The appropriation shall be distributed as follows: $2,000,000 for the department to install five additional multi-well research stations to gather additional data to study the upper portions of the Eastern Groundwater Management Area; and $300,000 for the department to conduct a study, in coordination with Virginia Polytechnic Institute and State University, to determine technically feasible locations within the Eastern Groundwater Management Area to recommend water treatment upgrades for Virginia municipal water systems modeled on the Hampton Roads Sanitation District SWIFT project and the cost of such upgrades. The analysis shall be provided to the Chairs of the State Water

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ITEM 363.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Commission, House Committee on Agriculture, Chesapeake, and Natural Resources, and Senate Committee on Agriculture, Conservation, and Natural Resources by July 1, 2026. Any funding remaining on June 30 shall be carried forward and reappropriated into the next fiscal year for the purposes described in this paragraph.				
364.	Air Protection (51300)			$30,529,452	~~$30,529,452~~ *$30,466,174*
	Air Protection Permitting (51325)	$7,351,909	$7,351,909		
	Air Protection Compliance and Enforcement (51326)	$6,936,336	$6,936,336		
	Air Protection Outreach (51327)	$1,212,881	~~$1,212,881~~ *$1,149,831*		
	Air Protection Planning and Policy (51328)	$9,451,557	~~$9,451,557~~ *$9,451,329*		
	Air Protection Monitoring and Assessment (51329)	$5,576,769	$5,576,769		
	Fund Sources: General	$3,965,134	$3,965,134		
	Special	$5,582,536	$5,582,536		
	Enterprise	$10,996,784	$10,996,784		
	Dedicated Special Revenue	$5,643,700	~~$5,643,700~~ *$5,580,422*		
	Federal Trust	$4,341,298	$4,341,298		

Authority: Title 10.1, Chapters 11.1 and 13; and Title 46.2, Chapter 10, Code of Virginia.

A. The Department of Environmental Quality is authorized to use up to $300,000 the first year and $300,000 the second year from the Vehicle Emissions Inspection Program Fund to implement the provisions of Chapter 710, Acts of Assembly of 2002, which authorizes the department to operate a program to subsidize repairs of vehicles that fail to meet emissions standards established by the Air Pollution Control Board when the owner of the vehicle is financially unable to have the vehicle repaired.

B.1. All of the permit program emissions fees collected by the State Air Pollution Control Board pursuant to § 10.1-1322, Code of Virginia, shall be assessed and collected on an annual basis notwithstanding the provisions of that section. The State Air Pollution Control Board shall adopt regulations adjusting permit program emissions fees collected pursuant to § 10.1-1322, Code of Virginia, and establish permit application processing fees and permit maintenance fees sufficient to ensure that the revenues collected from fees cover the total direct and indirect costs of the program consistent with the requirements of Title V of the Clean Air Act, except that the initial adjustment to permit program emissions fees shall not be increased by more than 30 percent over current rates. Notwithstanding the provisions of § 10.1-1322, Code of Virginia, the permit application fees collected pursuant to this paragraph shall not be credited towards the amount of annual fees owed pursuant to § 10.1-1322, Code of Virginia. All of the fees adopted pursuant to this section shall be adjusted annually by the Consumer Price Index.

2. The State Air Pollution Control Board shall adopt regulations to prohibit the sale, lease, rent, installation or entry into commerce in Virginia of any products or equipment that use or will use hydrofluorocarbons for the applications and end uses restricted by Appendix U and Appendix V of Subpart G of 40 C.F.R. Part 82, as those read on January 3, 2017. Notwithstanding the foregoing, such regulations shall not prohibit the use of hydrofluorocarbons in the manufacturing process by extruded polystyrene boardstock and billet manufacturers located in Virginia to produce products for sale and distribution outside of the Commonwealth, until the Board has solicited input from such manufacturers in order to determine and set by regulation a feasible date by which such manufacturers must be required to comply. In developing regulations, the Board shall solicit input from a workgroup of relevant stakeholders assembled by the Department.

3. The regulations adopted by the State Air Pollution Control Board to initially implement the provisions of this item shall be exempt from Chapter 40 of Title 2.2, Code of Virginia, and shall become effective no later than July 1, 2021. Thereafter, any amendments to the fee schedule described by these acts shall not be exempted from Chapter 40 of Title 2.2, Code of Virginia.

ITEM 364.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
C. Out of the amounts in this Item, $84,451 the first year and $84,451 the second year from the general fund is included for the purchase of laboratory and field equipment through the Commonwealth's Master Equipment Leasing Program.				
D. The State Air Pollution Control Board shall make modifications to its final regulation prohibiting the use of certain hydrofluorocarbons such that these regulations shall not prohibit the use of hydrofluorocarbons in the manufacturing process by aviation and aerospace businesses located in Virginia to produce products for sale and distribution.				
365. Environmental Financial Assistance (51500)			~~$172,872,954~~ *$216,763,554*	~~$76,031,448~~ *$101,517,698*
Financial Assistance for Environmental Resources Management (51502)	~~$59,717,434~~ *$111,217,434*	~~$12,967,434~~ *$13,453,684*		
Virginia Water Facilities Revolving Fund Loans and Grants (51503)	~~$81,696,263~~ *$74,086,863*	~~$31,604,757~~ *$56,604,757*		
Financial Assistance for Coastal Resources Management (51507)	$1,924,500	$1,924,500		
Litter Control and Recycling Grants (51509)	$4,200,000	$4,200,000		
Petroleum Tank Reimbursement (51511)	$25,334,757	$25,334,757		
Fund Sources: General	~~$111,922,455~~ *$155,813,055*	~~$15,080,949~~ *$40,080,949*		
Trust and Agency	$25,334,757	$25,334,757		
Dedicated Special Revenue	$28,355,097	$28,355,097		
Federal Trust	$7,260,645	~~$7,260,645~~ *$7,746,895*		
Authority: Title 10.1, Chapters 11.1, 14, 21.1, and 25 and Title 62.1, Chapters 3.1, 22, 23.2, and 24, Code of Virginia.				
A. To the extent available, the authorization included in Chapter 781, 2009 Acts of Assembly, Item 368, paragraph E, is hereby continued for the Virginia Public Building Authority to issue revenue bonds in order to finance Virginia Water Quality Improvement Grants, pursuant to Chapter 851, 2007 Acts of Assembly.				
B. To the extent available, the authorization included in Chapter 806, 2013 Acts of Assembly, Item C-39.40, is hereby continued for the Virginia Public Building Authority to issue revenue bonds in order to finance the Stormwater Local Assistance Fund, the Combined Sewer Overflow Matching Fund, Nutrient Removal Grants, and the Hopewell Regional Wastewater Treatment Authority. The administration of several of the water quality programs, including the Stormwater Local Assistance Fund, transferred to the Department of Environmental Quality per Chapter 756, 2013 Acts of Assembly.				
C.1. The State Comptroller is authorized to continue the Stormwater Local Assistance Fund as established in Item 360, Chapter 806, 2013 Acts of Assembly. The fund shall consist of bond proceeds from bonds authorized by the General Assembly and issued pursuant to Item C-39.40 in Chapter 806, 2013 Acts of Assembly, Item C-43 of Chapter 665, 2015 Acts of Assembly, Chapter 759, 2016 Acts of Assembly, Item C-48.10 in Chapter 854, 2019 Acts of Assembly, Item C-70, Chapter 1289, 2020 Acts of Assembly, and Item C-80 in Chapter 2, 2022 Acts of Assembly, Special Session I; sums appropriated to it by the General Assembly; and other grants, gifts, and moneys as may be made available to it from any other source, public or private. Interest earned on the moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund.				
2. The purpose of the Fund is to provide matching grants to local governments for the planning, design, and implementation of stormwater best management practices that address cost efficiency and commitments related to reducing water quality pollutant loads. Moneys in the Fund shall be used to meet: i) obligations related to the Chesapeake Bay total maximum daily load (TMDL) requirements; ii) requirements for local impaired stream TMDLs; iii) water quality requirements of the Chesapeake Bay Watershed Implementation Plan (WIP); and iv) water quality requirements related to the permitting				

ITEM 365.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

of small municipal stormwater sewer systems. The grants shall be used only for the acquisition of certified nonpoint nutrient credits and capital projects meeting all pre-requirements for implementation, including but not limited to: i) new stormwater best management practices; ii) stormwater best management practice retrofits; iii) stream restoration; iv) low impact development projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration.

D. The grants shall be used only for the acquisition of certified nonpoint nutrient credits and capital projects meeting all pre-requirements for implementation, including but not limited to: i) new stormwater best management practices; ii) stormwater best management practice retrofits; iii) stream restoration; iv) low impact development projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration. Such grants shall be in accordance with eligibility determinations made by the State Water Control Board under the authority of the Department of Environmental Quality.

E. Out of such funds available in this Item, the Department shall provide funding to the Virginia Geographic Information Network in an amount necessary to implement statewide digital orthography to improve land coverage data necessary to assist localities in planning and implementing stormwater management programs. As part of this authorization, the Department shall also include data to update prior LIDAR surveys of elevations along coastal areas to support activities related to management of recurrent coastal flooding.

F. Out of the amounts appropriated for Financial Assistance for Environmental Resources Management, $3,292,479 the first year and $3,292,479 the second year from federal funds is provided to implement stormwater management activities.

~~G.1. Each locality establishing a utility or enacting a system of service charges to support a local stormwater management program pursuant to § 15.2-2114, Code of Virginia, shall provide to the Auditor of Public Accounts by October 1 of each year, in a format specified by the Auditor, a report as to each program funded by these fees and the expected nutrient and sediment reductions for each of these programs. The Department of Environmental Quality shall, at the request of the Auditor of Public Accounts, offer assistance to the Auditor's office in the review of the submitted reports.~~

G.~~2.~~ The Auditor of Public Accounts shall include in the Specifications for Audits of Counties, Cities, and Towns regulations for all local governments establishing a utility or enacting a system of service charges to support a local stormwater management program pursuant to § 15.2-2114, Code of Virginia, a requirement to ensure that each impacted local government is in compliance with the provisions of § 15.2-2114 A., Code of Virginia. Any such adjustment to the Specifications for Audits of Counties, Cities, and Towns regulations shall be exempt from the Administrative Process Act and shall be required for all audits completed after July 1, 2014.

H. Out of the amounts in this Item, $8,015,880 the first year and $8,015,880 the second year from the general fund is provided for the Department to meet matching requirements corresponding to anticipated federal funding available through the Virginia Clean Water Revolving Loan Fund as a result of the Infrastructure Investment and Jobs Act.

I. Grantee owners of Enhanced Nutrient Removal Certainty (ENRC) Program and other Water Quality Improvement Fund projects subject to a grant agreement with the Department shall submit a forecast of projected quarterly grant disbursements covering each quarter of the current fiscal year and the next fiscal year thereafter. The Department shall compile the grantee-supplied forecasts of projected quarterly grant disbursements and compare expected disbursements to available appropriations to provide advance notice of any potential shortfall. The Department shall submit each forecast to the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee on a quarterly basis.

J.1.Out of the amounts in this Item, $26,500,000 the first year from the general fund is provided for the City of Bristol to address ongoing health, environmental, and quality of life issues with its landfill. Funding is contingent upon the execution of a memorandum of understanding between the locality and the Department. Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2025, shall not revert to the general fund but shall be carried forward and reappropriated.

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2. The Department shall provide technical assistance to the City of Bristol in resolving ongoing health, environmental, and quality of life issues with its landfill and to facilitate a long-term plan for the operational status of the landfill following the completion of mitigation efforts.

K. Out of the amounts in this Item, ~~$50,000,000~~*$25,000,000* the first year *and $25,000,000 the second year* from the general fund is provided to the City of Richmond to pay a portion of the costs of its combined sewer overflow control project. *Any balances for the purposes specified in this paragraph which are unexpended at year-end shall not revert to the general fund but shall be carried forward and reappropriated.*

L. Out of the amounts in this item, $20,000,000 the first year from the general fund is provided for the establishment of a pay-for-outcomes pilot program in the Chesapeake Bay watershed. The Department shall issue requests for nonpoint source pollution reduction proposals, conduct a transparent proposal selection process based on project ranking criteria, execute contracts with selected entities, verify that the promised nonpoint source pollutant reductions are being achieved, and make payments when contractually defined terms are verified. The project ranking criteria shall include cost per pound of nutrients removed, the level of assurance that nutrient reductions shall be provided, habitat and resilience benefits, readiness to proceed, local government coordination, the provision of long-term maintenance and applicability to locally impaired waters. *Any balances for the purposes specified in this paragraph which are unexpended at year-end shall not revert to the general fund but shall be carried forward and reappropriated.*

M. Out of the amounts in this item, $91,506 the first year from the general fund is provided to the Town of Cleveland for wastewater treatment upgrades.

N.1. Notwithstanding § 10.1-2129 A., Code of Virginia, and any other provision of law, $17,390,600 the first year from the general fund shall be deposited into the Virginia Water Quality Improvement Fund. This amount is provided to reimburse eligible entities for costs incurred in implementing the Enhanced Nutrient Removal Certainty Program as provided for in § 62.1-44.19:14, Code of Virginia.

2. Notwithstanding § 10.1-2129 A., Code of Virginia, and any other provision of law, $50,000,000 the first year from the general fund is provided for the City of Richmond's Combined Sewer Overflow project. Any balances for the purposes specified in this paragraph which are unexpended at year-end shall not revert to the general fund but shall be carried forward and reappropriated.

3. The appropriations made in subparagraph N.1., N.2., and Item 359 meet the mandatory deposit requirements associated with the fiscal year 2024 excess general fund revenue collections and discretionary year-end general fund balances.

O. Out of the amounts in this item, $1,500,000 the first year from the general fund is provided to the Town of Richlands for water treatment plant upgrades.

P. Notwithstanding § 62.1-44.19:14 G. 1., Code of Virginia, the compliance schedule deadline for the Spotsylvania Co.-FMC WWTF and Spotsylvania Co.-Massaponax WWTF projects shall be January 1, 2027, and for the Fredericksburg WWTF project shall be January 1, 2030. For each compliance year from January 1, 2026, until such deadline that each project does not achieve the nutrient removal technology concentration specified in § 62.1-44.19:14 G. 1., Code of Virginia, the facility owner shall be responsible for acquiring sufficient point source credits to comply with its total nitrogen and total phosphorus waste load allocations applicable to that compliance year. In addition, for the Fredericksburg WWTF project, the City of Fredericksburg shall commence construction by July 1, 2025, report its progress to the Department on February 1 and August 1 each year until completion, and place nutrient removal technology in service as soon as practical prior to January 1, 2030. By July 1, 2025, or as soon as possible thereafter, the Department of Environmental Quality shall (a) modify the Virginia Pollutant Discharge Elimination System permits for each facility consistent with the deadlines and requirements of this paragraph and (b) amend any existing water quality improvement agreement pursuant to § 10.1-2131, Code of Virginia, for each project in a manner consistent with the requirements and deadlines of this paragraph.

ITEM 366.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
366.	Administrative and Support Services (59900)			$33,699,415	~~$33,699,415~~ *$33,682,056*
	General Management and Direction (59901)	$23,690,288	~~$23,690,288~~ *$23,823,508*		
	Information Technology Services (59902)	$10,009,127	~~$10,009,127~~ *$9,858,548*		
	Fund Sources: General	$17,922,873	$17,922,873		
	Special	$6,474,783	~~$6,474,783~~ *$6,563,868*		
	Enterprise	$3,325,278	$3,325,278		
	Trust and Agency	$1,281,070	~~$1,281,070~~ *$1,239,744*		
	Dedicated Special Revenue	$1,241,386	~~$1,241,386~~ *$1,159,048*		
	Federal Trust	$3,454,025	~~$3,454,025~~ *$3,471,245*		

Authority: Title 10.1, Chapters 11.1, 13 and 14 and Title 62.1, Chapter 3.1, Code of Virginia.

A. Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the department is authorized to expend funds from the balances in the Virginia Environmental Emergency Response Fund for costs associated with its waste management, air, and water programs.

B. Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the department is authorized to expend up to $600,000 the first year and $600,000 the second year from the balances in the Virginia Environmental Emergency Response Fund to further develop and implement eGovernment services.

Total for Department of Environmental Quality			~~**$327,192,008**~~ ***$374,132,608***	~~**$230,450,502**~~ ***$256,093,294***
General Fund Positions	422.50	423.50		
Nongeneral Fund Positions	564.50	564.50		
Position Level	987.00	988.00		
Fund Sources: General	~~$168,565,104~~ *$215,505,704*	~~$71,823,598~~ *$96,877,198*		
Special	$15,919,848	$15,919,848		
Enterprise	$14,322,062	$14,322,062		
Trust and Agency	$39,056,798	$39,056,798		
Dedicated Special Revenue	$58,432,952	$58,432,952		
Federal Trust	$30,895,244	~~$30,895,244~~ *$31,484,436*		

§ 1-107. DEPARTMENT OF WILDLIFE RESOURCES (403)

367.	Wildlife and Freshwater Fisheries Management (51100)			~~$59,656,987~~ *$64,538,128*	$57,656,987
	Wildlife Information and Education (51102)	$5,022,246	$5,022,246		
	Enforcement of Recreational Hunting and Fishing Laws and Regulations (51103)	$18,202,865	$18,202,865		
	Wildlife Management and Habitat Improvement (51106)	~~$36,431,876~~ *$41,313,017*	$34,431,876		
	Fund Sources: General	~~$200,000~~ *$5,081,141*	$200,000		
	Trust and Agency	$2,000,000	$0		
	Dedicated Special Revenue	$42,248,194	$42,248,194		
	Federal Trust	$15,208,793	$15,208,793		

Authority: Title 29.1, Chapters 1 through 6, Code of Virginia.

A. Out of the amounts appropriated for this Item, $20,000 the first year and $20,000 the

ITEM 367.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

second year from nongeneral funds is provided for the Smith Mountain Lake Water Quality Monitoring Program.

B. Out of the amounts appropriated in this item, $10,000 the first year and $10,000 the second year from nongeneral funds is provided for the Back Bay Submerged Aquatic Vegetation Restoration Project.

C. Out of the amounts appropriated in this item, $200,000 in the first year and $200,000 in the second year from the general fund is provided to the department to support two additional staff biologists to develop and administer a statewide plan to protect and restore native freshwater mussel species. The department is authorized to enter into cooperative agreements with qualified nonprofit and private entities to assist in mussel restoration planning and implementation.

D. Out of the amounts appropriated in this item, $775,000 the first year and $775,000 the second year from the Game Protection Fund is provided to the department to support two additional staff positions and related expenses for invasive species management and to take steps to eradicate or slow the spread of priority species.

E. Out of this appropriation, $4,431,141 the first year from the general fund is provided for the Commonwealth's share of an Army Corps of Engineers project to construct a permanent habitat for Virginia's largest seabird colony. Any unexpended general fund balances designated for payment to the Army Corps of Engineers for the habitat project on June 30, 2024, and June 30, 2025, shall be reappropriated for expenditure for the same purpose.

F. Out of the amounts appropriated in this item, $450,000 the first year from the general fund is provided to the Department to fund high priority wildlife crossing projects. The funding shall be prioritized by the department to implement wildlife crossing projects with the best likelihood of reducing wildlife and vehicle collisions, as determined by the hot spot analysis in the Commonwealth's Wildlife Corridor Action Plan pursuant to § 29.1-579, Code of Virginia.

368.	Boating Safety and Regulation (62500)			$8,895,885	$8,895,885
	Boat Registration and Titling (62501)	$2,727,895	$2,727,895		
	Boating Safety Information and Education (62502)	$732,805	$732,805		
	Enforcement of Boating Safety Laws and Regulations (62503)	$5,435,185	$5,435,185		
	Fund Sources: Dedicated Special Revenue	$6,776,106	$6,776,106		
	Federal Trust	$2,119,779	$2,119,779		

Authority: Title 29.1, Chapters 7 and 8, Code of Virginia.

Notwithstanding § 29.1-113 of the Code of Virginia, access fees at boat ramps owned or managed by the Department of Wildlife Resources (DWR) shall not be assessed prior to July 1, 2022, pending a study by DWR on the costs and benefits of such fees and the impact on recreational users in Virginia. As part of this study, the Department shall convene a stakeholder group for the purpose of developing and providing recommendations on access permit fees, various alternatives, and other issues related to the use and maintenance of Department-owned boat ramp facilities. The stakeholder work group shall be composed of representatives of registered boat owners, paddlecraft liveries, outdoor outfitters, environmental education providers, and other non-registered vessel recreational users of such boat ramps, or other affected parties the Department deems necessary. The work group shall consider mechanisms that will decrease the burden on outfitters, customers, education providers, and non-profit organizations; the usage of access fees to maintain or improve existing boat ramps and to add new boat ramps, paddlecraft launches, and public access points on Department-owned property; and alternative funding mechanisms and strategies that can increase access by economically disadvantaged users.

369.	Administrative and Support Services (59900)			$13,145,586	$13,145,586
	General Management and Direction (59901)	$8,043,115	$8,043,115		
	Information Technology Services (59902)	$5,102,471	$5,102,471		

ITEM 369.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Fund Sources: Dedicated Special Revenue	$11,642,651	$11,642,651		
Federal Trust	$1,502,935	$1,502,935		

Authority: Title 29.1, Chapter 1, Code of Virginia.

A. The department shall recover the cost of reproduction, plus a reasonable fee per record, from persons or organizations requesting copies of computerized lists of licenses issued by the department.

B. Funds previously appropriated to the Lake Anna Advisory Committee for hydrilla control and removal may be used at the discretion of the Lake Anna Advisory Committee upon issues related to maintaining the health, safety, and welfare of Lake Anna.

C.1. Subject to review and approval by the Secretary of Natural and Historic Resources, the Director of the Department of Wildlife Resources may issue to the Department of Transportation an interim permit to relocate the nest and eggs of any state listed threatened bird species from critical areas of the Hampton Roads Bridge Tunnel Expansion Project's South Island associated with the ingress and egress to the island; the delivery, assembly, and immediate operations of the tunnel boring machine; or other project critical locations as mutually agreed to by the Commissioner of Highways and the Director, which, if not relocated, would effectively require all substantial construction activities to cease.

2. Prior to the issuance of an interim permit as described in section 1, (i) the Director must determine that the Department of Transportation and its design-build contractor have taken all reasonable steps to prevent birds from nesting on the South Island, in accordance with the Colonial Nesting Bird Management Plan dated March 27, 2020, (ii) the Commissioner of Highways must determine that substantial construction activities will have to cease if the nest and eggs are not relocated, and (iii) the Director shall require as a condition of the interim permit that the nest and any eggs will be relocated under the supervision of the Department of Wildlife Resources to a location acceptable to the Director that is as close as possible to the original nesting location while allowing construction activities to continue.

3. Within 30 days of the adoption by the Board of Wildlife Resources of any regulation governing the take of migratory birds or threatened and endangered species, the Department of Transportation shall apply for a permit covering such take for the Hampton Roads Bridge-Tunnel expansion project.

D. Any references to the Department of Game and Inland Fisheries within this Act shall convey to the Department of Wildlife Resources.

370. A. Pursuant to §§ 29.1-101, 58.1-638, and 58.1-1410, Code of Virginia, deposits to the Game Protection Fund include an estimated ~~$19,484,600~~ *$20,273,600* the first year and $19,484,600 the second year from revenue originating from the general fund.

B. Pursuant to § 29.1-101.01, Code of Virginia, the Department of Planning and Budget shall transfer such funds as designated by the Board of Wildlife Resources from the Game Protection Fund (§ 29.1-101) to the Capital Improvement Fund (§ 29.1-101.01) up to an amount equal to 50 percent or less of the revenue deposited to the Game Protection Fund by § 3-1.01, subparagraph M, of this act.

C. Out of the amounts transferred pursuant to § 3-1.01, subparagraph K, of this act, $881,753 the first year and $881,753 the second year from the Game Protection Fund shall be used for the enforcement of boating laws, boating safety education, and for improving boating access.

D. Out of the amounts transferred pursuant to § 3-1.01, subparagraph K., of this act, $14,000 the first year from the Game Protection Fund shall be used to install and maintain security lighting and cameras at the Foxhill Boat Ramp, located on Dandy Point Road in Hampton.

Total for Department of Wildlife Resources			**~~$81,698,458~~ *$86,579,599***	**$79,698,458**
General Fund Positions	2.00	2.00		
Nongeneral Fund Positions	498.00	498.00		
Position Level	500.00	500.00		

ITEM 370.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Fund Sources: General	~~$200,000~~ *$5,081,141*	$200,000		
	Trust and Agency	$2,000,000	$0		
	Dedicated Special Revenue	$60,666,951	$60,666,951		
	Federal Trust	$18,831,507	$18,831,507		

§ 1-108. DEPARTMENT OF HISTORIC RESOURCES (423)

371.	Historic and Commemorative Attraction Management (50200)			~~$47,797,227~~ *$59,173,235*	$14,627,427
	Financial Assistance for Historic Preservation (50204)	~~$39,318,900~~ *$49,368,900*	$7,149,100		
	Historic Resource Management (50205)	~~$8,478,327~~ *$9,804,335*	$7,478,327		
	Fund Sources: General	~~$44,247,383~~ *$55,623,391*	$11,077,583		
	Special	$1,234,771	$1,234,771		
	Commonwealth Transportation	$226,807	$226,807		
	Dedicated Special Revenue	$105,010	$105,010		
	Federal Trust	$1,983,256	$1,983,256		

Authority: Title 10.1, Chapters 22 and 23, Code of Virginia.

A. Consistent with the provisions of § 4-13.00 of this act, general fund appropriations for historic and commemorative attractions identified within this item or for the purposes stated in § 10.1-2211.1 or § 10.1-2211.2, Code of Virginia, shall be disbursed as described within this item and shall not be subject to any other restrictions or statutory requirements unless specified within this item. Any other general fund appropriations for historic and commemorative attractions shall be matched by local or private sources, either in cash or in-kind, in amounts at least equal to the appropriation and which are deemed to be acceptable to the department.

B. In emergency situations which shall be defined as those posing a threat to life, safety or property, § 10.1-2213, Code of Virginia, shall not apply.

C. Pursuant to the provisions of § 10.1-2211.1, Code of Virginia, as amended by Chapter 639, 2018 Session of the General Assembly, out of the amounts provided for Financial Preservation shall be paid $23,100 the first year and $23,100 the second year from the general fund grants to the Virginia Society of the Sons of the American Revolution (VASSAR) and the Revolutionary War memorial associations caring for cemeteries as set forth in subsection B of § 10.1-2211.1, Code of Virginia. Such sums shall be expended by the associations for the routine maintenance of their respective Revolutionary War cemeteries and graves and for the graves of Revolutionary War soldiers and sailors not otherwise cared for in other cemeteries, and in erecting and caring for markers, memorials, and monuments to the memory of such soldiers, sailors, and persons rendering service to the Patriot cause in the Revolutionary War.

D. Included in this appropriation is $210,000 the first year and $210,000 the second year in nongeneral funds from the Highway Maintenance and Operating Fund to support the Department of Historic Resources' required reviews of transportation projects.

E. The Department of Historic Resources is authorized to accept a devise of certain real property under the will of Elizabeth Rust Williams known as Clermont Farm located on Route 7 east of the town of Berryville in Clarke County. If, after due consideration of options, the department determines that the property should be sold or leased to a different public or private entity, and notwithstanding the provisions of § 2.2-1156, Code of Virginia, then the department is further authorized to sell or lease such property, provided such sale or lease is not in conflict with the terms of the will. The proceeds of any such sale or lease shall be deposited to the Historic Resources Fund established under § 10.1-2202.1, Code of Virginia.

F. The Department of Historic Resources shall follow and provide input on federal

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legislation designed to establish a new national system of recognizing and funding Presidential Libraries for those entities that are not included in the 1955 Presidential Library Act.

G. Included in this appropriation is $5,250,000 the first year and $5,250,000 the second year from the general fund to be deposited into the Virginia Battlefield Preservation Fund for grants to be made in accordance with § 10.1-2202.4, Code of Virginia. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. This appropriation shall be deemed sufficient to meet the provisions of § 2.2-1509.4, Code of Virginia.

H. The Department of Historic Resources is authorized to require applicants for tax credits for historic rehabilitation projects under § 58.1-339.2, Code of Virginia, to provide an audit by a certified public accountant licensed in Virginia, in accordance with guidelines developed by the department in consultation with the Auditor of Public Accounts. The department is also authorized to contract with tax, financial, and other professionals to assist the department with the oversight of historic rehabilitation projects for which tax credits are anticipated.

I.1. Included in this Item is ~~$250,000~~ *$1,000,000* the first year and $250,000 the second year from the general fund to support the preservation and care of historical African American graves and cemeteries.

2. Pursuant to § 10.1-2211.2., Code of Virginia, $34,875 the first year and $34,875 the second year from the general fund is provided to support the preservation and care of historical African American graves at the East End Cemetery in Henrico County, Virginia and the Evergreen Cemetery in Richmond, Virginia.

3. Pursuant to § 10.1-2211.2., Code of Virginia, $960 the first year and $960 the second year from the general fund is provided to support the preservation and care of historical African American graves at the Daughters of Zion Cemetery in Charlottesville, Virginia.

4. Pursuant to § 10.1-2211.2, Code of Virginia, $1,330 the first year and $1,330 the second year from the general fund is provided to support the preservation and care of historical African American graves at the Mt. Calvary Cemetery in Portsmouth, Virginia.

5. Pursuant to § 10.1-2211.2, Code of Virginia, $385 the first year and $385 the second year from the general fund is provided to support the preservation and care of historical African American graves at the African-American Burial Ground for the Enslaved at Belmont and Mt. Zion Old Baptist Church Cemetery in Loudoun County, Virginia.

6. Pursuant to § 10.1-2211.2, Code of Virginia, $385 the first year and $385 the second year from the general fund is provided to support the preservation and care of historical African American graves at the New River and West Dublin Cemeteries in Pulaski County, Virginia.

7. Pursuant to §10.1-2211.2, Code of Virginia, $2,340 the first year and $2,340 the second year from the general fund is provided to support the preservation and care of historical African American graves at Oak Lawn Cemetery in Suffolk, Virginia.

8. Pursuant to § 10.1-2211.2, Code of Virginia, $3,855 the first year and $3,855 the second year from the general fund is provided to support the preservation and care of historical African American graves at the following cemeteries in Hampton, Virginia: 212 graves at Bassonette's Cemetery, 339 graves at Elmerton Cemetery, 14 graves at Queen Street Cemetery, 29 graves at Pleasant Shade Cemetery, 15 graves at the Tucker Family Cemetery, 125 graves at Union Street Cemetery and 37 graves at Good Samaritan Cemetery.

9. Pursuant to § 10.1-2211.2, Code of Virginia, $975 the first year and $975 the second year from the general fund is provided to support the preservation and care of historical African American graves at Matthews, People's and Smith Street Cemeteries in Martinsville, Virginia.

10. Pursuant to § 10.1-2211.2, Code of Virginia, $9,715 the first year and $9,715 the second year from the general fund is provided to support the preservation and care of historical African American graves at six cemeteries in Alexandria, Virginia.

11. Pursuant to § 10.1-2211.2, Code of Virginia, $485 the first year and $485 the second year from the general fund is provided to support the preservation and care of historical African

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American graves at Wake Forest and Westview Cemeteries in Montgomery County, Virginia.

12. Pursuant to § 10.1-2211.2, Code of Virginia, $455 the first year and $455 the second year from the general fund is provided to support the preservation and care of historical African American graves at Mountain View Cemetery in Radford, Virginia.

13. Pursuant to § 10.1-2211.2, Code of Virginia, $1,330 the first year and $1,330 the second year from the general fund is provided to support the preservation and care of historical African American graves at Calloway, Lomax, and Mount Salvation Cemeteries in Arlington County, Virginia.

14. Pursuant to § 10.1-2211.2, Code of Virginia, $2,000 the first year and $2,000 the second year from the general fund is provided to support the preservation and care of historical African American graves at Newtown Cemetery in Harrisonburg, Virginia.

15. Pursuant to § 10.1-2211.2, Code of Virginia, $260 the first year and $260 the second year from the general fund is provided to support the preservation and care of historical African American graves at Cuffeytown Cemetery in Chesapeake, Virginia.

16. Pursuant to § 10.1-2211.2, Code of Virginia, $180 the first year and $180 the second year from the general fund is provided to support the preservation and care of historical African American graves at Stanton Family Cemetery in Buckingham County, Virginia.

J. The Department of Historic Resources is authorized to collect administrative fees for the provision of easement and stewardship services. Revenues generated from the easement fee schedule shall be deposited into the Preservation Easement Fund pursuant to § 10.1-2202.2., Code of Virginia.

K. The Department of Historic Resources is authorized to enter into an agreement with one or more Virginia-based Historically Black Colleges and Universities to provide paid internships to enrolled students for data collection and outreach activities to expand Virginia's historical property catalogue to include underrepresented African American and indigenous communities. Included within the amounts in this item, $100,000 the first year and $100,000 the second year from the general fund is provided for the internship program.

L. Consistent with the provisions of § 10.1-2214, Code of Virginia, $159,479 the first year and $159,479 the second year from the general fund is provided to maintain an underwater archaeology program.

M. The Department of Historic Resources is authorized to enter into an agreement with one or more indigenous Virginia tribes to identify and protect their cultural properties and *historic resources through grants, consultation, trainings, and*~~to~~ ~~provide~~ paid internships ~~to students for data collection and outreach activities that expand Virginia's historical property catalogue to include underrepresented indigenous properties~~. Included within the amounts in this item, $50,000 the first year and $50,000 the second year from the general fund is provided for *grants, consultation, trainings, and* paid internships ~~for data collection~~ *related to the identification and protection of indigenous cultural properties and historic resources.*

N. Out of the amounts in this Item, ~~$1,000,000~~*$1,500,000* the first year from the general fund shall be deposited to the Virginia Black, Indigenous, and People of Color Historic Preservation Fund, as established in § 10.1-2202.5, Code of Virginia. Such funds and funding authorized in paragraph M, Item 386, Chapter 1, 2023 Acts of Assembly, Special Session I, may be used for the preservation of historic sites. Notwithstanding the provisions of § 10.1-2202.5 F, Code of Virginia, grants from the Fund may be awarded to eligible recipients provided that the grantee provides a perpetual public benefit to be determined by the Director.

O. Out of the amounts in this item, $20,000,000 the first year from the general fund is provided to establish a competitive grant program to support improvements at significant historic sites and history museums in Virginia in anticipation of the country's Semiquincentennial. The department shall develop guidelines and establish procedures for awarding this funding, which shall include eligibility criteria for applicants, a minimum

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one-third match from grantees, and any other criteria the department determines reasonable to carry out the provisions of this paragraph. Of the amount authorized, the department is authorized to recover costs incurred in administering this program. Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2025, shall not revert to the general fund but shall be carried forward and reappropriated.

P. Out of the amounts in this item, $400,000 the first year from the general fund is provided to the Town of Wytheville for structural rehabilitation of the Haller-Gibboney Rock House Museum.

Q. Out of the amounts in this item, $5,000,000 the first year from the general fund is provided to the County of Prince William to support activities undertaken by the National Museum of Americans in Wartime. These funds shall be matched by $2,500,000 provided by the County of Prince William.

R. Out of the amounts in this item, $285,000 the first year from the general fund is provided to the County of Appomattox for renovation of facilities of the Carver Price Legacy Museum.

S. Out of the amounts in this item, $500,000 the first year from the general fund is provided to the City of Roanoke for improvements at the Virginia Museum of Transportation.

T. Out of the amounts in this item, $500,000 the first year and $500,000 the second year from the general fund is provided to the City of Charlottesville for school-based public learning and engagement programs at the Jefferson School African American Heritage Center and the Center for Local Knowledge Programs.

U. Out of the amounts in this item, $500,000 the first year from the general fund is provided to the County of Westmoreland for activities undertaken by Stratford Hall for preservation and expanded interpretation.

V. Out of the amounts in this item, $500,000 the first year from the general fund is provided to the County of Richmond for activities undertaken by the Menokin Foundation for preservation and restoration.

W. Out of the amounts in this item, ~~$100,000~~ *$250,000* the first year from the general fund is provided to the County of Brunswick for the conservation and restoration of Saint Paul's College Museum and Archives.

X. Out of the amounts in this item, ~~$1,500,000~~ *$9,500,000* the first year from the general fund is provided to the County of James City for the Preservation Virginia and its subsidiary, the Jamestown Rediscovery Foundation, to support studies, permitting, schematic designs, and archaeology needed to implement flood protection measures at Jamestown. *Out of this amount, $8,000,000 is provided to address immediate flood protection measures to protect archeological and structural resources.*

Y. Out of the amounts in this item, $884,800 the first year from the general fund is provided to the County of Bedford to support emergency stabilization and restoration measures of the 1857 Slave Dwelling located at Poplar Forest.

Z. Out of the amounts in this item, $500,000 the first year from the general fund is provided to the City of Richmond to support capital improvements at the Valentine Museum.

AA. Out of the amounts in this item, $200,000 the first year from the general fund is provided to the County of Botetourt to support improvements at the Buchanan Theater.

BB. Out of the amounts in this item, $850,000 the first year from the general fund is provided to the County of Clarke for structural repairs to the Burwell-Morgan Mill.

CC. Out of the amounts in this item, $250,000 the first year and $250,000 the second year from the general fund is provided to the County of Fairfax to support Black Women United for Action in the creation of an African American Research Fellowship to be undertaken at the George Washington Presidential Library at Mount Vernon.

DD. Out of the amounts in this item, $950,000 the first year from the general fund is provided to the City of Richmond to support the JXN Project.

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EE. Out of the amounts in this item, $100,000 the first year from the general fund is provided to the City of Norfolk to complete surveys to determine the eligibility for a historic district designation status for Titustown. Any funding remaining at the end of the fiscal year shall be carried forward into the next fiscal year for the purposes described in this paragraph.				
FF. Out of the amounts in this item, $50,000 the first year from the general fund is provided to the County of Arlington to support restoration projects and upgrades at the 1891 Hume School building. Any funding remaining at the end of the fiscal year shall be carried forward into the next fiscal year for the purposes described in this paragraph.				
GG. Out of the amounts in this item, $1,000,000 the first year from the general fund is provided to the City of Virginia Beach to support the Virginia African American Cultural Center. Any funding remaining at the end of the fiscal year shall be carried forward into the next fiscal year for the purposes described in this paragraph.				
HH. Out of the amounts in this item, $500,000 the first year from the general fund is provided to the City of Alexandria to support the restoration of Douglass Cemetery. Any funding remaining at the end of the fiscal year shall be carried forward into the next fiscal year for the purposes described in this paragraph.				
II. Out of the amounts in this item, $76,008 the first year from the general fund is provided to support research on historical lynchings that occurred in Virginia from 1607 through the present, including: (i) identification of descendants or relatives of lynching victims to participate in the memorialization process to ensure victims are respectfully and sensitively identified and remembered; (ii) identification of the precise or approximate geographic location where a lynching occurred and designation of such locations as historic landmarks pursuant to §10.1-2206.1, Code of Virginia; and (iii) placement of historical markers at or near such identified sites. Any funding remaining at the end of the fiscal year shall be carried forward into the next fiscal year for the purposes described in this paragraph.				
372. Administrative and Support Services (59900)			$1,557,678	~~$1,557,678~~ *$1,857,678*
General Management and Direction (59901)	$1,557,678	~~$1,557,678~~ *$1,857,678*		
Fund Sources: General	$1,251,918	~~$1,251,918~~ *$1,551,918*		
Special	$124,776	$124,776		
Federal Trust	$180,984	$180,984		
Authority: Title 10.1, Chapters 10.1, 22 and 23, Code of Virginia.				
Out of the amounts for Administrative and Support Services, the department shall administer state grants to nonstate agencies pursuant to Item 490 of this act.				
Total for Department of Historic Resources			~~**$49,354,905**~~ ***$60,730,913***	~~**$16,185,105**~~ ***$16,485,105***
General Fund Positions	38.00	~~38.00~~ *40.00*		
Nongeneral Fund Positions	19.00	19.00		
Position Level	57.00	~~57.00~~ *59.00*		
Fund Sources: General	~~$45,499,301~~ *$56,875,309*	~~$12,329,501~~ *$12,629,501*		
Special	$1,359,547	$1,359,547		
Commonwealth Transportation	$226,807	$226,807		
Dedicated Special Revenue	$105,010	$105,010		
Federal Trust	$2,164,240	$2,164,240		

§ 1-109. MARINE RESOURCES COMMISSION (402)

ITEM 373.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
373.	Marine Life Management (50500)			$33,016,720	~~$26,266,720~~ *$30,266,720*
	Marine Life Information Services (50501)	$1,469,113	$1,469,113		
	Marine Life Regulation Enforcement (50503)	$11,221,366	$11,221,366		
	Artificial Reef Construction (50506)	$73,079	$73,079		
	Chesapeake Bay Fisheries Management (50507)	$10,113,996	~~$6,363,996~~ *$10,363,996*		
	Oyster Propagation and Habitat Improvement (50508)	$3,500,000	$500,000		
	Shellfish Management (50509)	$6,639,166	$6,639,166		
	Fund Sources: General	$18,121,481	$14,371,481		
	Special	$7,318,507	$7,318,507		
	Commonwealth Transportation	$363,743	$363,743		
	Trust and Agency	$3,000,000	$0		
	Dedicated Special Revenue	$858,396	~~$858,396~~ *$4,858,396*		
	Federal Trust	$3,354,593	$3,354,593		

Authority: Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5 and 7; Title 28.2, Chapters 1 through 10; Title 29.1, Chapter 7; Title 32.1, Chapter 6; Title 33.2, Chapter 1; and Title 62.1, Chapters 18 and 20, Code of Virginia.

A. Out of this appropriation, $54,611 the first year and $54,611 the second year from the general fund is provided for annual membership dues to the Atlantic States Marine Fisheries Commission.

B. Out of this appropriation, $148,750 the first year and $148,750 the second year from the general fund is provided for annual membership dues to the Potomac River Fisheries Commission.

C. Out of the amounts for Marine Life Regulation Enforcement shall be paid into the Marine Patrols Fund, $169,248 the first year and $169,248 the second year, pursuant to § 28.2-108, Code of Virginia. For this purpose, cash shall be transferred from the Commonwealth Transportation Fund.

D. Pursuant to § 58.1-2289 D, Code of Virginia, $144,520 the first year and $144,520 the second year shall be transferred to Marine Life Regulation Enforcement from the Commonwealth Transportation Fund from unrefunded motor fuel taxes for boats and paid into the Marine Patrols Fund.

E.1. Out of this appropriation, $4,000,000 the first year and $4,000,000 the second year from the general fund, and $3,000,000 the first year from nongeneral funds is provided to support oyster replenishment and oyster restoration activities. From these amounts $1,500,000 the first year and $1,500,000 the second year from the general fund shall be used to provide support for oyster restoration.

2. Any unexpended general fund balances designated by the agency for oyster remediation activities remaining in this Item on June 30, 2025, and on June 30, 2026 shall be reappropriated and reallotted to the Marine Resources Commission for expenditure.

3. Out of the amounts provided to support oyster replenishment and oyster restoration activities, the Commission may expend up to $200,000 from the general fund the first year to support the Potomac River Fisheries Commission implementation of an oyster revitalization project in the Potomac River. The funding is contingent on an equal amount of support being provided for the project by the state of Maryland. If the matching funds are not provided, the Commission may use the funding for other oyster replenishment projects.

F. Out of this appropriation, $3,750,000 the first year from the general fund is provided for the non-federal share of costs of an Army Corps of Engineers environmental restoration project at Money Point in the Elizabeth River in the City of Chesapeake. Any remaining balance at year-end shall be carried forward to the subsequent fiscal year.

G.1. Out of amounts in this item, $4,000,000 the second year from amounts transferred to this item pursuant § 3-1.01 M. of this act, the Commission shall award a grant of funds to a

ITEM 373.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	qualified applicant or applicants to support a dredging project or projects that have been approved by the Commission. The source of the grant funds shall be the Virginia Waterway Maintenance Fund created pursuant to § 62.1-132.3:3. Applicants shall be limited to political subdivisions and the governing bodies of Virginia localities. The Commission shall develop guidelines establishing an application process as set out in Chapter 642, 2018 Session of the General Assembly. Projects for which the Commission may award grant funding include (i) feasibility and cost evaluations, pre-project engineering studies, and project permitting and contracting costs for a waterway project conducted by the Commonwealth; (ii) the state portion of a nonfederal sponsor funding requirement for a federal project, which may include the beneficial use of dredged materials that are not covered by federal funding; (iii) the Commonwealth's maintenance of shallow-draft navigable waterway channel maintenance dredging and the design, lease, or purchase of upland containment areas where the material can be selectively excavated and used beneficially for environmental restoration or for mitigation of coastal erosion; and (iv) the beneficial use, for environmental restoration and the mitigation of coastal erosion or flooding, of dredged materials from approved waterway dredging projects conducted by the Commonwealth. Special consideration shall be given to any locality which provides a three-to-one match for any requested funding. Any funding remaining at the end of the fiscal year shall be carried forward for the same purpose.				
	2. Out of the amounts in this paragraph, the Commission may use up to $150,000 each year for administration of the grant program.				
	H. Notwithstanding § 28.2-1209, Code of Virginia, any city or county duly authorized by the Commission or other state agency to install an underground or underwater utility or facility, shall be deemed to possess a legal interest in the lawful use of state-owned waters, bottoms, or subsurface soils sufficient to qualify for any reimbursement for costs associated with relocation, removal, or abandonment of said utility or facility as a result of the construction or maintenance of any Congressionally approved navigation and flood control project undertaken by the Army Corps of Engineers, or other federal agency, to regulate navigable waters or flood control that requires relocation, removal, or abandonment of a permitted utility located on or under state-owned waters, bottoms, or subsurface soils of the Commonwealth.				
374.	Coastal Lands Surveying and Mapping (51000)			$2,698,879	$2,698,879
	Coastal Lands and Bottomlands Management (51001)	$2,698,879	$2,698,879		
	Fund Sources: General	$1,471,259	$1,471,259		
	Special	$30,304	$30,304		
	Dedicated Special Revenue	$1,006,528	$1,006,528		
	Federal Trust	$190,788	$190,788		
	Authority: Title 28.2, Chapters 12, 13, 14, 15 and 16; Title 62.1, Chapters 16 and 19, Code of Virginia.				
375.	Tourist Promotion (53600)			$229,663	$229,663
	Virginia Saltwater Sport Fishing Tournament (53601)	$229,663	$229,663		
	Fund Sources: Special	$229,663	$229,663		
	Authority: Title 28.2, Chapter 2, Code of Virginia				
	Pursuant to the provisions of §28.2-206, Code of Virginia, the Virginia Marine Resources Commission shall conduct the Virginia Saltwater Sport Fishing Tournament in both years of the biennium.				
376.	Administrative and Support Services (59900)			~~$3,153,039~~ *$3,303,039*	$3,153,039
	General Management and Direction (59901)	~~$3,153,039~~ *$3,303,039*	$3,153,039		
	Fund Sources: General	~~$2,860,425~~ *$3,010,425*	$2,860,425		

ITEM 376.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Special	$124,102	$124,102		
Dedicated Special Revenue	$168,512	$168,512		

Authority: Title 28.2, Chapters 1 and 2, Code of Virginia.

A. The Marine Resources Commission shall recover the cost of reproduction, plus a reasonable fee per record, from persons or organizations requesting copies of computerized lists of licenses issued by the commission.

B. From the amounts collected pursuant to § 28.2-200 et seq., Code of Virginia, and deposited into the Virginia Marine Products Fund (§ 3.2-2705, Code of Virginia), the Marine Resources Commission may retain $10,000 the first year and $10,000 the second year for the administrative cost of issuing gear licenses.

C. The Virginia Marine Resources Commission shall report by December 15 of each year all projects and expenditures funded from the Virginia Saltwater Recreational Fishing Development Fund. The report shall be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

Total for Marine Resources Commission			~~**$39,098,301**~~ ***$39,248,301***	~~**$32,348,301**~~ ***$36,348,301***
General Fund Positions	142.50	142.50		
Nongeneral Fund Positions	29.00	~~29.00~~ *30.00*		
Position Level	171.50	~~171.50~~ *172.50*		
Fund Sources: General	~~$22,453,165~~ *$22,603,165*	$18,703,165		
Special	$7,702,576	$7,702,576		
Commonwealth Transportation	$363,743	$363,743		
Trust and Agency	$3,000,000	$0		
Dedicated Special Revenue	$2,033,436	~~$2,033,436~~ *$6,033,436*		
Federal Trust	$3,545,381	$3,545,381		
TOTAL FOR OFFICE OF NATURAL AND HISTORIC RESOURCES			~~**$1,087,608,074**~~ ***$1,230,302,223***	~~**$614,652,395**~~ ***$647,356,338***
General Fund Positions	1,125.50	~~1,126.50~~ *1,130.50*		
Nongeneral Fund Positions	1,164.00	~~1,164.00~~ *1,169.00*		
Position Level	2,289.50	~~2,290.50~~ *2,299.50*		
Fund Sources: General	~~$615,221,520~~ *$757,915,669*	~~$210,512,141~~ *$237,592,587*		
Special	$61,217,661	~~$61,091,361~~ *$61,307,732*		
Commonwealth Transportation	$590,550	$590,550		
Enterprise	$14,322,062	$14,322,062		
Trust and Agency	$107,056,798	$39,056,798		
Dedicated Special Revenue	$220,306,675	~~$220,306,675~~ *$225,124,609*		
Federal Trust	$68,892,808	~~$68,772,808~~ *$69,362,000*		

ACTS

OF THE

GENERAL ASSEMBLY

2025 REGULAR SESSION

VOLUME I

VOLUME II

VOLUME III

ACTS

OF THE

GENERAL ASSEMBLY

OF THE

COMMONWEALTH OF VIRGINIA

2025 REGULAR SESSION

which met at the State Capitol, Richmond

Convened Wednesday, January 8, 2025

Adjourned sine die Saturday, February 22, 2025

Reconvened Wednesday, April 2, 2025

Adjourned sine die Wednesday, April 2, 2025

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2025

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Division of Legislative Services,
and
Division of Legislative Automated Systems

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ITEM 377.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY				
§ 1-110. SECRETARY OF PUBLIC SAFETY AND HOMELAND SECURITY (187)				
377. Administrative and Support Services (79900).....			$932,092	$782,092
General Management and Direction (79901).....	$932,092	$782,092		
Fund Sources: General.....	$932,092	$782,092		

Authority: Title 2.2, Chapter 2, Article 8, and § 2.2-201, Code of Virginia.

A. The Secretary of Public Safety and Homeland Security shall present revised six-year state and local juvenile and state and local responsibility adult offender population forecasts to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Chairs of the House Courts of Justice and Senate Judiciary Committees by October 15 of each year. The secretary shall ensure that the revised forecast for state-responsible adult offenders shall include an estimate of the number of probation violators included each year within the overall population forecast who may be appropriate for alternative sanctions.

B. The secretary shall continue to work with other secretaries to (i) develop services intended to improve the re-entry of offenders from prisons and jails to general society and (ii) enhance the coordination of service delivery to those offenders by all state agencies. The secretary shall provide a status report on actions taken to improve offender transitional and reentry services, as provided in § 2.2-221.1, Code of Virginia, including improvements to the preparation and provision for employment, treatment, and housing opportunities for those being released from incarceration. The report shall be provided to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than November 15 of each year.

C.1. The Secretary of Public Safety and Homeland Security, in collaboration with the Secretary of Education and the Secretary of Health and Human Resources, with the cooperation and assistance of the Department of Planning and Budget, the Virginia Association of Counties, and the Virginia Municipal League, shall evaluate and submit to the General Assembly no later than October 15, 2024, a report on juvenile detention center cost savings strategies. The report shall include a proposal to reduce state formula financial assistance for juvenile confinement in local facilities ("juvenile detention center block grant") in order to incentivize consolidation of juvenile detention centers in the Commonwealth. The proposal shall: (i) recommend five to eight juvenile detention centers for consolidation, identifying the five to eight facilities recommended for closure and alternative facilities recommended to house youth impacted by the closures; (ii) describe the criteria used to identify such facilities including, but not limited to, distance between the facilities recommended for closure and the recommended alternative sites of incarceration, funded and licensed capacity, historical and projected average daily population by region, age and condition of facilities and their electronic security systems, outstanding debt service, deferred maintenance and annual maintenance reserve as a percentage of the replacement asset value, potential for repurposing or sale of facilities recommended for closure, regional distribution of juvenile detention centers, and availability of programming; (iii) estimate the state savings that would result from elimination of juvenile detention center block grant funding for facilities recommended for closure, net any expected increase in block grant or per diem funding for facilities recommended to house additional youth; and (iv) recommend two to five options for reinvesting the net savings in services for youth involved or at-risk of becoming involved in the juvenile justice system.

2. In addition, the report shall assess alternative delivery models for education services at juvenile detention centers, including: (i) determining the extent to which each juvenile detention center currently implements or could further implement cost effective staffing methods, including strategies identified in the 2021 Board of Education report entitled "Recommendations for Appropriate Staffing and Funding Levels Necessary for State Operated Programs (SOPs) in Regional and Local Detention Centers"; (ii) continuing to develop an alternative to the statutorily required 1:12 teacher to student staffing ratio; (iii)

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utilizing full-time special education teachers to coordinate, plan, and substitute for part-time teachers shared with either the local school division or other state operated programs; and (iv) determining and providing the feasibility and potential cost savings of each alternative delivery model, as well as specific actions to implement each model.

D. The Secretary of Public Safety and Homeland Security, with the cooperation and assistance of the Virginia Association of Counties, the Virginia Municipal League, the Virginia Sheriffs' Association, the Virginia Association of the Chiefs of Police, and other appropriate stakeholders, shall evaluate and submit to the General Assembly no later than November 1, 2024, a report to establish authority in the Code of Virginia for local civilian-led units designed to respond, investigate, and handle calls for services related to minor traffic accidents and other duties as assigned. The report shall include potential legislative language, any costs savings to local police and sheriff departments, research around best practices from other states, recommendations for implementation and tasks that could be assigned to local civilian-led units, and a list of potential challenges the units could face being set up by local jurisdictions.

E. The Secretary of Public Safety and Homeland Security shall complete a review and assessment of the sufficiency of fire and emergency medical services funding in the Commonwealth. The review and assessment shall include, but not be limited to, (i) identification of local, state, and federal funding provided to support local fire and emergency medical services by locality or region, and to the extent possible, trends in funding by source; (ii) consideration of identifiable fire or emergency medical service funding needs by locality or region; (iii) identification of factors that influence or differentiate the ability of localities or regions to meet the funding needs of local and regional fire and emergency medical services; (iv) factors influencing the ability of localities or regions to meet fire and emergency medical services funding needs; and, (v) consideration of the costs and benefits of consolidation state-level administration of fire and emergency medical services funding and oversight, to include an assessment of administrative models used in other states. In completing the assessment, the Secretary shall convene at least three stakeholder group meetings whose membership shall include, but not be limited to, representatives from the Department of Fire Programs, the Office of Emergency Medical Services, the Virginia Fire Services Council, Virginia's Regional EMS Councils, the Virginia Fire Chiefs Association, the Virginia Association of Counties, and the Virginia Municipal League. Included in the appropriation for this item is $150,000 the first year from the general fund for the Secretary to procure the services of technical experts to complete the review and assessment. The Secretary shall provide a summary report of the findings of the review and assessment, as well as any recommendations, to the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations no later than November 1, 2024.

378.	Disaster Planning and Operations (72200)			$625,794	$625,794
	Emergency Planning and Homeland Security (72210)	$625,794	$625,794		
	Fund Sources: Federal Trust	$625,794	$625,794		
	Total for Secretary of Public Safety and Homeland Security			**$1,557,886**	**$1,407,886**
	General Fund Positions	6.00	6.00		
	Nongeneral Fund Positions	3.00	3.00		
	Position Level	9.00	9.00		
	Fund Sources: General	$932,092	$782,092		
	Federal Trust	$625,794	$625,794		

§ 1-111. COMMONWEALTH'S ATTORNEYS' SERVICES COUNCIL (957)

379.	Adjudication Training, Education, and Standards (32600)			$2,470,557	$2,463,222
	Prosecutorial Training (32604)	$2,470,557	$2,463,222		
	Fund Sources: General	$835,028	$827,693		
	Special	$1,418,662	$1,418,662		

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	Federal Trust	$216,867	$216,867		
	Authority: Title 2.2, Chapter 26, Article 7, Code of Virginia.				
380.	Omitted.				
381.	Omitted.				
382.	Omitted.				
	Total for Commonwealth's Attorneys' Services Council			**$2,470,557**	**$2,463,222**
	General Fund Positions	7.00	7.00		
	Position Level	7.00	7.00		
	Fund Sources: General	$835,028	$827,693		
	Special	$1,418,662	$1,418,662		
	Federal Trust	$216,867	$216,867		
	§ 1-112. DEPARTMENT OF CORRECTIONS (799)				
383.	Instruction (19700)			~~$34,697,874~~ *$36,797,874*	$34,697,874
	Career and Technical Instructional Services for Youth and Adult Schools (19712)	~~$13,234,500~~ *$15,334,500*	$13,234,500		
	Adult Instructional Services (19713)	$14,358,178	$14,358,178		
	Instructional Leadership and Support Services (19714)	$7,105,196	$7,105,196		
	Fund Sources: General	~~$34,187,596~~ *$36,287,596*	$34,187,596		
	Federal Trust	$510,278	$510,278		
	Authority: §§ 53.1-5 and 53.1-10, Code of Virginia.				
384.	Supervision of Offenders and Re-entry Services (35100)			$130,874,054	~~$130,874,054~~ *$131,779,054*
	Probation and Parole Services (35106)	$119,442,833	~~$119,442,833~~ *$120,347,833*		
	Community Residential Programs (35108)	$6,008,897	$6,008,897		
	Administrative Services (35109)	$5,422,324	$5,422,324		
	Fund Sources: General	$127,522,587	~~$127,522,587~~ *$128,427,587*		
	Dedicated Special Revenue	$2,951,467	$2,951,467		
	Federal Trust	$400,000	$400,000		

Authority: §§ 53.1-67.2 through 53.1-67.6 and §§ 53.1-140 through 53.1-176.3, Code of Virginia.

A. By September 1 of each year, the Department of Corrections shall provide a status report on the Statewide Community-Based Corrections System for State-Responsible Offenders to the Chairs of the House Courts of Justice; Health, Welfare and Institutions; and Appropriations Committees and the Chairs of the Senate Judiciary; Rehabilitation and Social Services; and Finance and Appropriations Committees and to the Department of Planning and Budget. The report shall include a description of the department's progress in implementing evidence-based practices in probation and parole districts, and its plan to continue expanding this initiative into additional districts. The section of the status report on evidence-based practices shall include an evaluation of the effectiveness of these practices in reducing recidivism and how that effectiveness is measured.

B. Included in the appropriation for this Item is $150,000 the first year and $150,000 the

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second year from nongeneral funds to support the implementation of evidence-based practices in probation and parole districts. The source of the funds is the Drug Offender Assessment Fund.

C. The Department of Corrections shall coordinate with the Department of Motor Vehicles (DMV) to provide identification cards to inmates through the DMV Connect program.

385. A. The following process shall be applicable in order for any county, city, or regional jail authority (hereinafter referred to as "the locality") to receive state reimbursement for a portion of the costs of the construction, expansion, or renovation of a jail as provided in §§53.1-80 and 53.1-81, Code of Virginia:

1. The locality shall file with the Department of Corrections, by January 1 of the year in which it wishes its request to be considered, the following information in a format specified by the department:

a. the information and documents required by §53.1-82.1, Code of Virginia;

b. Specifications for the proposed construction or renovation; and

c. Detailed cost estimates.

2. The Department of Corrections shall review the request and make its comments and recommendations to the State Board of Local and Regional Jails.

3. The Departments of Corrections and Criminal Justice Services shall review the community-based corrections plan and jail population forecast submitted by the locality and make their comments and recommendation concerning them to the State Board of Local and Regional Jails.

4. The State Board of Local and Regional Jails shall review and take action on the request, after reviewing the comments and recommendations of the Departments of Corrections and Criminal Justice Services. It may modify any aspect of the request before approving it. The Board shall not approve any request unless the following conditions have been met:

a. the project is consistent with the projected number of local and state responsible offenders to be housed in such facility;

b. the project meets the design criteria set out in the State Board of Local and Regional Jails' Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities;

c. the project is proposed to be built using standards for a minimum security facility, as adopted by the Board, unless the use of more expensive construction standards is justified, based on a documented projection of offender populations that would require a higher level of security;

d. the project can be completed and operated in a cost-efficient manner; and

e. any other criteria established by the Board.

5.a. ~~If~~ *For those projects with a total cost exceeding $12,000,000 for which* the State Board of Local and Regional Jails (the Board) approves a request, the Board shall (i) submit to the Department of General Services (DGS) as soon as is practicable after Board approval, but no later than ~~August~~*July* 1, ~~all submittal elements of a Planning Study or its equivalent, and such other essential documents and forms as may be appropriate to determine building cost summary, costs for upgrades, including, but not limited to, costs for upgrades to doors, windows, HVAC, and security systems, construction, expansion, and renovation of existing jail facilities; any existing design document for each project; the detailed list of the Board-approved costs; and any other~~ *all documents and* information requested by DGS to perform a design and cost review *of the project at the completion of preliminary design*; and (ii) submit to the Department of Planning and Budget by no later than September 15, a summary of the project and a detailed list of the Board-approved costs. Using the project information provided by the ~~Department of Corrections~~ *Board* and the localities, DGS shall provide a cost review of the Board-approved project no later than October 15 and shall inform the Department of

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Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees of the outcome of its review.

b. The State Board of Local and Regional Jails, in consultation with DGS, shall evaluate and amend, if necessary, its Standards for Planning, Design, Construction, and Reimbursement of Local Correctional Facilities, to enable the Board to collect detailed data necessary for DGS to conduct a cost review process of projects approved by the Board.

6. If the State Board of Local and Regional Jails approves a request, the Department of Criminal Justice Services shall submit to the Department of Planning and Budget by October 1 a summary of the alternatives to incarceration included in the community-based corrections plan approved for the project, along with a projection of the state funds needed to implement these programs.

7. The Department of Planning and Budget shall submit to the Governor, for consideration for inclusion in the budget bill to be submitted by the Governor to the General Assembly, its recommendations concerning the approval of the request for reimbursement of jail construction or renovation costs and whether state funding is appropriate to support the alternatives to incarceration included in the community-based corrections plan.

B. The Department of Corrections shall provide an annual report on the status of jail construction and renovation projects as approved for funding by the General Assembly. The report shall be limited to those projects which increase bed capacity. The report shall include a brief summary description of each project, the total capital cost of the project and the approved state share of the capital cost, the number of beds approved, along with the net number of new beds if existing beds are to be removed, and the closure of any existing facilities, if applicable. The report shall include the six-year population forecast, as well as the double-bunking capacity compared to the rated capacity for each project listed. The report shall also include the general fund impact on community corrections programs as reported by the Department of Criminal Justice Services, and the recommended financing arrangements and estimated general fund requirements for debt service as provided by the State Treasurer. Copies of the report shall be provided by October 1 of each year to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees and to the Director, Department of Planning and Budget.

C.1. No city, county, town or regional jail shall authorize the construction, remodeling, renovation or rehabilitation of any facility to house any inmate in secure custody which results in increased jail capacity without the prior approval of the State Board of Local and Regional Jails.

2. Any facility operated by any local or regional jail in the Commonwealth which houses any inmate in secure custody shall be subject to the operational provisions of §§ 53.1-5 and 53.1-68, Code of Virginia, as well as all rules, regulations, and inspections established by the State Board of Local and Regional Jails.

D. The State Board of Local and Regional Jails shall include within its reporting formats on the capacity of each local and regional jail, a measure of the actual jail capacity, which shall include double-bunking, with exceptions as appropriate, in the judgment of the Board, for isolation, segregation, or medical cells, or similar units which would not normally be double-bunked. Exceptions to this measure of capacity may also be made for jails which were constructed prior to 1980. A report including the double-bunking capacity, as well as the standard State Board of Local and Regional Jails measure of rated capacity, for each jail shall be presented to the Secretary of Public Safety and the Chairs of the Senate Finance and Appropriations and House Appropriations Committees by October 1 of each year.

E. The Commonwealth shall reimburse localities or regional jail authorities up to 25 percent of the cost of constructing, enlarging, or renovating local or regional jails, for projects approved by the Governor on or after July 1, 2017.

386.	Financial Assistance for Confinement of Inmates in Local and Regional Facilities (35600).....				$32,401	$0
	Financial Assistance for Construction of Local and Regional Jails (35603).....	$32,401	$0			

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Fund Sources: General	$32,401	$0		

Authority: §§ 53.1-80 and 53.1-81, Code of Virginia

The appropriation in this Item shall be used to pay the Commonwealth's share of the costs to construct, renovate, or expand a local correctional facility. After reviewing requests for reimbursement, the Department of Corrections shall reimburse the Commonwealth's share of costs approved by the Board of Corrections for the following facility, not to exceed the amount shown:

Franklin County Jail - Security Enhancements	$32,401

387.	Operation of State Residential Community Correctional Facilities (36100)			$18,054,579	$16,496,128
	Community Facility Management (36101)	$1,758,043	$1,758,043		
	Supervision and Management of Probates (36102)	$11,464,764	$9,906,313		
	Rehabilitation and Treatment Services - Community Residential Facilities (36103)	$1,734,226	$1,734,226		
	Medical and Clinical Services - Community Residential Facilities (36104)	$985,679	$985,679		
	Food Services - Community Residential Facilities (36105)	$907,784	$907,784		
	Physical Plant Services - Community Residential Facilities (36106)	$1,204,083	$1,204,083		
	Fund Sources: General	$17,154,579	$15,596,128		
	Special	$900,000	$900,000		

Authority: §§ 53.1-67.2 through 53.1-67.8, Code of Virginia.

A. Included within this appropriation is $700,000 the first year and $700,000 the second year from nongeneral funds to be used for operating expenses of diversion centers operated by the Department of Corrections. The nongeneral funds are to come from the fees collected from probationers assigned to the diversion centers to cover a portion of the cost of housing them, pursuant to § 19.2-316.4 D, Code of Virginia.

B. Included in the appropriation for this Item is $1,019,010 the first year and $1,019,010 the second year from the general fund for the establishment of opioid treatment programs in the detention and diversion centers. The department shall report annually to the Governor, the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees, and the Department of Planning and Budget on the status of the program, including recidivism and illegal drug relapse of participants in the program.

388.	Operation of Secure Correctional Facilities (39800)			$917,765,354	$900,644,192
	Supervision and Management of Inmates (39802)	$608,953,929	$598,216,114		
	Rehabilitation and Treatment Services - Prisons (39803)	$56,401,769	$56,401,769		
	Prison Management (39805)	$55,621,210	$49,237,863		
	Food Services - Prisons (39807)	$42,644,437	$42,644,437		
	Agribusiness (39811)	$13,829,336	$13,829,336		
	Correctional Enterprises (39812)	$53,187,596	$53,187,596		
	Physical Plant Services - Prisons (39815)	$87,127,077	$87,127,077		
	Fund Sources: General	$860,952,758	$843,831,596		
	Special	$56,812,596	$56,812,596		

Authority: §§ 53.1-1, 53.1-5, 53.1-8, and 53.1-10, Code of Virginia.

A. Included in this appropriation is $1,920,000 the first year and $1,920,000 the second year from nongeneral funds for the purposes listed below. The source of the funds is commissions generated by prison commissary operations:

1. $220,000 the first year and $220,000 the second year for Assisting Families of Inmates, Inc., to provide transportation for family members to visit offenders in prison and other

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ancillary services to family members;

2. $1,625,000 the first year and $1,625,000 the second year for distribution to organizations that work to enhance faith-based services to inmates; and

3. $75,000 the first year and $75,000 the second year for the “FETCH" program.

B.1. The Department of Corrections is authorized to contract with other governmental entities to house male and female prisoners from those jurisdictions in facilities operated by the department.

2. The State Comptroller shall continue to maintain the Contract Prisoners Special Revenue Fund on the books of the Commonwealth to reflect the activities of contracts between the Commonwealth of Virginia and other governmental entities for the housing of prisoners in facilities operated by the Virginia Department of Corrections.

3. The Department of Corrections shall determine whether it may be possible to contract to house additional federal inmates or inmates from other states in space available within state correctional facilities. The department may, subject to the approval of the Governor, enter into such contracts, to the extent that sufficient bedspace may become available in state facilities for this purpose.

C. The Department of Corrections may enter into agreements with local and regional jails to house state-responsible offenders in such facilities and to affect transfers of convicted state felons between and among such jails. Such agreements shall be governed by the provisions of Item 61 of this act.

D. To the extent that the Department of Corrections privatizes food services, the department shall also seek to maximize agribusiness operations.

E. Notwithstanding the provisions of § 53.1-45, Code of Virginia, the Department of Corrections is authorized to sell on the open market and through the Virginia Farmers' Market Network any dairy, animal, or farm products of which the Commonwealth imports more than it exports.

F. It is the intention of the General Assembly that § 53.1-47, the Code of Virginia, concerning articles and services produced or manufactured by persons confined in state correctional facilities, shall be construed such that the term "manufactured" articles shall include "remanufactured" articles.

G.1. The Department of Corrections, in coordination with the Virginia Supreme Court, shall continue to operate a behavioral correction program. Offenders eligible for such a program shall be those offenders: (i) who have never been convicted of a violent felony as defined in § 17.1-805 of the Code of Virginia and who have never been convicted of a felony violation of §§ 18.2-248 and 18.2-248.1 of the Code of Virginia; (ii) for whom the sentencing guidelines developed by the Virginia Criminal Sentencing Commission would recommend a sentence of four years or more in facilities operated by the Department of Corrections; and (iii) whom the court determines require treatment for drug or alcohol substance abuse. For any such offender, the court may impose the appropriate sentence with the stipulation that the Department of Corrections place the offender in an intensive therapeutic community-style substance abuse treatment program as soon as possible after receiving the offender. Upon certification by the Department of Corrections that the offender has successfully completed such a program of a duration of 24 months or longer, the court may suspend the remainder of the sentence imposed by the court and order the offender released to supervised probation for a period specified by the court.

2. If an offender assigned to the program voluntarily withdraws from the program, is removed from the program by the Department of Corrections for intractable behavior, fails to participate in program activities, or fails to comply with the terms and conditions of the program, the Department of Corrections shall notify the court, outlining specific reasons for the removal and shall reassign the defendant to another incarceration assignment as appropriate. Under such terms, the offender shall serve out the balance of the sentence imposed by the court, as provided by law.

3. The Department of Corrections shall collect the data and develop the framework and

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processes that will enable it to conduct an in-depth evaluation of the program three years after it has been in operation. The department shall submit a report periodically on the program to the Chief Justice as he may require and shall submit a report on the implementation of the program and its usage to the Secretary of Public Safety and Homeland Security and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by June 30 of each year.

H. Included in the appropriation for this Item is $250,000 the first year and $250,000 the second year from nongeneral funds for a culinary arts program in which inmates are trained to operate food service activities serving agency staff and the general public. The source of the funds shall be revenues generated by the program. Any revenues so generated by the program shall not be subject to § 4-2.02 of this act and shall be used by the agency for the costs of operating the program. The State Comptroller shall continue to maintain the Inmate Culinary Arts Training Program Fund on the books of the Commonwealth to reflect the revenue and expenditures of this program.

I. Federal funds received by the Department of Corrections from the federal Residential Substance Abuse Treatment Program shall be exempt from payment of statewide and agency indirect cost recoveries into the general fund.

J. The Department of Corrections shall continue to operate a separate program for inmates under 18 years old who have been tried and convicted as adults and committed to the Department of Corrections. This separation of these offenders from the general prison population is required by the requirements of the federal Prison Rape Elimination Act.

K. Included within the appropriation for this item is $242,923 the first year and $242,923 the second year and two positions from the general fund for the Sex Offender Residential Treatment Program.

L. Out of this appropriation, $471,420 the first year and $471,420 the second year from the general fund and five positions to implement the recommendations of the Secretary of Public Safety and Homeland Security's November 2020 workgroup on Access to Sex Offender Treatment.

M. Included in this appropriation is $250,000 the first year and $250,000 the second year from the general fund for the expansion and subsidization of the family video visitation services in its secure correctional facilities.

N. Included in the appropriation for this Item is $2,425,245 the first year and $2,425,245 the second year and 33 positions from the general fund to reduce the ratio of mental health clinicians to inmates in correctional facilities.

O. The Department of Corrections shall notify the Chairs of the House Appropriations and Senate Finance and Appropriations Committees at least 60 days before any relocation of a unit, including a general population or special purpose unit, to another facility. However, if temporary relocation of the unit is necessary due to extenuating emergency circumstances, the Department shall notify the Chairs no more than seven days after the temporary relocation.

389.	Prison Medical and Clinical Services (39700)			$270,781,966	~~$270,781,966~~ *$275,309,979*
	Offsite Healthcare Costs (39702)	~~$63,988,371~~ *$67,011,171*	~~$64,091,796~~ *$70,124,356*		
	Pharmaceutical Costs (39703)	~~$54,010,612~~ *$57,965,066*	~~$55,388,736~~ *$58,899,969*		
	Department of Corrections-managed Facility Healthcare Costs (39704)	~~$152,782,983~~ *$145,805,729*	~~$151,301,434~~ *$146,285,654*		
	Fund Sources: General	$267,915,789	~~$267,915,789~~ *$272,443,802*		
	Special	$566,137	$566,137		
	Federal Trust	$2,300,040	$2,300,040		

Authority: §§ 53.1-1, 53.1-5, 53.1-8, and 53.1-10, Code of Virginia.

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A. Out of this appropriation, ~~$2,379,000~~*$2,300,040* the first year and ~~$2,379,000~~*$2,300,040* the second year from nongeneral funds is included for inmate medical costs. The source of the nongeneral funds is an award from the State Criminal Alien Assistance Program, administered by the U.S. Department of Justice.

B. The Department of Corrections shall continue to coordinate with the Department of Medical Assistance Services and the Department of Social Services to enroll eligible inmates in Medicaid. To the extent possible, the Department of Corrections shall work to identify potentially eligible inmates on a proactive basis, prior to the time inpatient hospitalization occurs. Procedures shall also include provisions for medical providers to bill the Department of Medical Assistance Services, rather than the Department of Corrections, for eligible inmate inpatient medical expenses. Due to the multiple payor sources associated with inpatient and outpatient health care services, the Department of Corrections and the Department of Medical Assistance Services shall consult with the applicable provider community to ensure that administrative burdens are minimized and payment for health care services is rendered in a prompt manner.

C. Included in the appropriation for this item is funding for the first year and the second year from the general fund for six medical contract monitors. The persons filling these positions shall have the responsibility of closely monitoring the adequacy and quality of inmate medical services in Department of Corrections' facilities.

D. The workgroup convened pursuant to Item 390, Paragraph R of Chapter 854, 2019 Acts of Assembly, shall be continued. The workgroup shall annually report on the progress and outcomes of the university medical pilots authorized in this Item. The report shall be provided to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15 of each year.

390.	Administrative and Support Services (39900)			$206,305,669	~~$203,753,669~~ *$204,403,669*
	General Management and Direction (39901)	$35,358,248	$35,358,248		
	Information Technology Services (39902)	$84,578,086	$82,678,086		
	Accounting and Budgeting Services (39903)	$6,837,931	$6,837,931		
	Architectural and Engineering Services (39904)	$20,764,292	~~$20,214,292~~ *$20,864,292*		
	Jail Regulation, Inspections, and Investigations (39905)	$1,052,444	$1,052,444		
	Human Resources Services (39914)	$15,821,272	$15,821,272		
	Planning and Evaluation Services (39916)	$2,199,728	$2,199,728		
	Procurement and Distribution Services (39918)	$16,451,008	$16,451,008		
	Training Academy (39929)	$11,822,586	$11,822,586		
	Offender Classification and Time Computation Services (39930)	$11,420,074	$11,318,074		
	Fund Sources: General	$195,948,687	~~$192,396,687~~ *$193,046,687*		
	Special	$9,191,064	$10,191,064		
	Dedicated Special Revenue	$165,918	$165,918		
	Federal Trust	$1,000,000	$1,000,000		

Authority: §§ 53.1-1 and 53.1-10, Code of Virginia.

A.1. Any plan to modernize and integrate the automated systems of the Department of Corrections shall be based on developing the integrated system in phases, or modules. Furthermore, any such integrated system shall be designed to provide the department the data needed to evaluate its programs, including that data needed to measure recidivism.

2. The appropriation in this Item includes $600,000 the first year and $600,000 the second year from the Contract Prisoners Special Revenue Fund to defray a portion of the costs of maintaining and enhancing the offender management system.

B. Included in this appropriation is $550,000 the first year and $550,000 the second year from nongeneral funds to be used for installation and operating expenses of the telemedicine program operated by the Department of Corrections. The source of the funds

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is revenue from inmate fees collected for medical services.

C. Included in this appropriation is $3,000,000 the first year and $3,000,000 the second year from nongeneral funds to be used by the Department of Corrections for the operations of its Corrections Construction Unit. The State Comptroller shall continue the Corrections Construction Unit Special Operating Fund on the books of the Commonwealth to reflect the activities of contracts between the Corrections Construction Unit and (i) institutions within the Department of Corrections for work not related to a capital project and (ii) agencies without the Department of Corrections for work performed for those agencies.

D. Notwithstanding the provisions of § 53.1-20 A. and B., Code of Virginia, the Director, Department of Corrections, shall receive offenders into the state correctional system from local and regional jails at such time as he determines that sufficient, secure and appropriate housing is available, placing a priority on receiving inmates diagnosed and being treated for HIV, mental illnesses requiring medication, or Hepatitis C. The director shall maximize, consistent with inmate and staff safety, the use of bed space in the state correctional system. The director shall report monthly to the Secretary of Public Safety and Homeland Security and the Department of Planning and Budget on the number of inmates housed in the state correctional system, the number of inmate beds available, and the number of offenders housed in local and regional jails that meet the criteria set out in § 53.1-20 A. and B.

E. Notwithstanding any requirement to the contrary, any building, fixture, or structure to be placed, erected or constructed on, or removed or demolished from the property of the Commonwealth of Virginia under the control of the Department of Corrections shall not be subject to review and approval by the Art and Architectural Review Board as contemplated by § 2.2-2402, Code of Virginia. However, if the Department of Corrections seeks to construct a facility that is not a secure correctional facility or a structure located on the property of a secure correctional facility, then the Department of Corrections shall submit that structure to the Art and Architectural Review Board for review and approval by that board. Such other structures could include probation and parole district offices or regional offices.

F. The Commonwealth of Virginia shall convey 45 acres (more or less) of property, being a portion of Culpeper County Tax Map No. 75, parcel 32, lying in the Cedar Mountain Magisterial District of Culpeper County, Virginia, in consideration of the County's construction of water capacity and service line(s) adequate to serve the needs of the Department of Corrections' Coffeewood Facility and the Department of Juvenile Justice's Culpeper Juvenile Correctional Facility (hereinafter "the facilities"). The cost of the water improvements necessary to serve the facilities, including an eight-inch water service line, and including engineering and land/easement acquisition costs, shall be paid by the Commonwealth, less and except (i) the value of the property for the jail conveyed by the Commonwealth to the County ($150,382, based on valuation by the Culpeper County Assessor), and (ii) the cost of increasing the size of the water service line from eight inches to twelve inches, in order to accommodate planned county needs.

G. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of Corrections shall be exempt from the payment of service charges levied in lieu of taxes by any county, city, or town.

H. The Department of Corrections shall serve as the Federal Bonding Coordinator and shall work with the Virginia Community College System and its workforce development programs and services to provide fidelity bonds to those offenders released from jails or state correctional centers who are required to provide fidelity bonds as a condition of employment. The department is authorized to use funds from the Contract Prisoners Special Revenue Fund to pay the costs of this activity.

I. In the event the Department of Corrections closes a correctional facility for which it has entered into an agreement with any locality to pay a proportionate share of the debt service for the establishment of utilities to serve the facility, the department shall continue to pay its agreed upon share of the debt service, subject to the schedule previously agreed upon.

J. Included in the appropriation for this Item is $1,000,000 the first year and $1,000,000 the second year from the general fund for the costs of security technology and hardware for the inmate telephone system.

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K. From the appropriation in this Item, $500,000 the first year and $500,000 the second year from the general fund shall be used to present seminars on overcoming obstacles to re-entry and to promote family integration in the correctional centers designated for intensive re-entry programs. The department shall submit a report by October 15 of each year to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Public Safety and Homeland Security, and the Department of Planning and Budget on the use of this funding.

L. Included in the appropriation for this Item is $426,832 the first year and $426,832 the second year from the general fund and four positions to assist the State Board of Local and Regional Jails in carrying out its duties under the authority of § 53.1-69.1, Code of Virginia, to review deaths of inmates in local correctional facilities. One of the positions provided is for an Executive Director.

M.1. Consistent with the provisions of Chapter 198 of the 2017 Session of the General Assembly, the Director, Department of Corrections, shall implement the recommendations relating to the Department of Corrections made by the Department of Medical Assistance Services in its November 30, 2017 report on streamlining the Medicaid application and enrollment process for incarcerated individuals.

2. For the purpose of implementing these recommendations, included in the appropriation for this item are $37,400 the first year and $37,400 the second year from the general fund, and $112,200 the first year and $112,200 the second year from nongeneral funds and two positions.

N. By September 1 of each year, the Department of Corrections shall remit data to the Director of the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees regarding medical treatment provided to offenders at each facility. The data shall include, as a proportion of average daily population at each facility, the levels of inmates who received care, including: the specific proportions of inmates from each facility who were treated as inpatients, the specific proportion of inmates from each facility who were treated as outpatients, data on prescription drug administration, and the proportion of inmates from each facility who received other discrete services. When negotiating contracts with healthcare vendors, the Department of Corrections shall include the reporting of data required under this paragraph as a requirement within the contract.

O. The Commonwealth of Virginia shall convey 65 acres of property consisting of Clarke County Tax Map No. 27, new parcel A, situated in the Greenway Magisterial District of Clarke County, Virginia, to the Virginia Port Authority (VPA), on behalf of the Virginia Inland Port (VIP). The VPA, on behalf of the VIP, shall collaborate with representatives of Clarke County to promote the use of the land for economic development purposes. The VIP shall enter into a memorandum-of-understanding with Clarke County on the development and execution of mutually advantageous economic development proposals.

P. Included within the appropriation for this item is $4,990,000 the first year and $1,988,000 the second year from the general fund and $1,000,000 the first year and $2,000,000 the second year from the Contract Prisoners Special Revenue Fund for implementation of an electronic health records system in all facilities. The Department shall utilize its nongeneral funds appropriated for this purpose prior to using the general fund appropriation.

Q. Included in the appropriation for this item is $8,125,783 in the first year and $8,125,783 in the second year and 105 positions from the general fund for the Department to implement the earned-sentence-credit structure set forth in House Bill 5148 and Senate Bill 5034 of the 2020 Special Session I.

R. Included in the appropriation for this Item is $550,000 the first year from the general fund for the estimated net increase in the operating cost of adult correctional facilities resulting from the enactment of sentencing legislation as listed below. This amount shall be paid into the Corrections Special Reserve Fund, established pursuant to § 30-19.1:4, Code of Virginia.

1. House Bill 18 and Senate Bill 7 -- $50,000

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2. House Bill 22 and Senate Bill 210 -- $50,000

3. House Bill 36 and Senate Bill 44 -- $50,000

4. House Bill 172 -- $50,000

5. House Bill 1187 and Senate Bill 614 -- $50,000

6. House Bill 633 -- $50,000

7. Senate Bill 363 -- $50,000

8. Senate Bill 731 -- $50,000

9. Senate Bill 364 -- $50,000

10. Senate Bill 394 -- $50,000

11. Senate Bill 469 -- $50,000

S. Included in the appropriation for this item is $250,000 the first year and $250,000 the second year from the general fund for a pilot program for the Department of Corrections to expand efforts to engage students in high school and the Virginia Community College System to pursue careers in corrections through education, connection to employers, and awareness of the career trajectory for correctional officers.

T. The Department of Corrections shall provide an ~~assessment~~*assessment* of its use of staffing posts and facility space with the goal of maximizing efficiency in light of the lower inmate population and correctional officer staffing level as compared to a decade ago. The assessment shall include: (i) the Department's authorized, funded, and filled position levels over the past ten years; (ii) a summary of the current methodology for establishing staffing levels for each facility; (iii) an examination of establishing per facility staffing ratios, with distinct measures for double bunked and non-double bunked units, that may be used to set target staffing levels depending on inmate populations; and (iv) facility age, outstanding maintenance needs, and debt services. The Director of the Department of Corrections, or his designees, shall meet quarterly with the appropriate staff from the Department of Planning and Budget, the House Appropriations Committee, and the Senate Finance and Appropriations Committee to provide updates on the ~~assessment~~*assessment*, and shall provide a report by December 1, 2024.

U. Included in the appropriation for this Item is $650,000 the second year from the general fund for the estimated net increase in the operating cost of adult correctional facilities resulting from the enactment of sentencing legislation as listed below. This amount shall be paid into the Corrections Special Reserve Fund, established pursuant to § 30-19.1:4, Code of Virginia.

1. House Bill 1660 and Senate Bill 886 -- $50,000

2. House Bill 1715 and Senate Bill 939 -- $50,000

3. House Bill 1726 and Senate Bill 757 -- $50,000

4. House Bill 2165 and Senate Bill 1002 -- $50,000

5. House Bill 2406 and Senate Bill 861 -- $50,000

6. House Bill 2657 and Senate Bill 746-- $50,000

7. House Bill 1998 -- $50,000

8. House Bill 2036 -- $50,000

9. House Bill 2123 -- $50,000

10. House Bill 2783 -- $50,000

11. Senate Bill 844 -- $50,000

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12. Senate Bill 1271 - $50,000				
13. Senate Bill 1272 -- $50,000				
Total for Department of Corrections			~~$1,578,511,897~~ *$1,580,611,897*	~~$1,557,247,883~~ *$1,563,330,896*
General Fund Positions	~~13,120.00~~ *13,132.00*	~~13,120.00~~ *13,132.00*		
Nongeneral Fund Positions	218.50	218.50		
Position Level	~~13,338.50~~ *13,350.50*	~~13,338.50~~ *13,350.50*		
Fund Sources: General	~~$1,503,714,397~~ *$1,505,814,397*	~~$1,481,450,383~~ *$1,487,533,396*		
Special	$67,469,797	$68,469,797		
Dedicated Special Revenue	$3,117,385	$3,117,385		
Federal Trust	$4,210,318	$4,210,318		

§ 1-113. DEPARTMENT OF CRIMINAL JUSTICE SERVICES (140)

391.	Criminal Justice Training and Standards (30300)			~~$6,944,704~~ *$7,394,704*	~~$6,069,704~~ *$6,343,054*
	Criminal Justice Training Services (30303)	$3,202,244	$2,602,244		
	Standards and Training (30304)	~~$2,595,690~~ *$3,045,690*	~~$2,320,690~~ *$2,594,040*		
	Criminal Justice Academy Inspections and Audit Services (30307)	$1,146,770	$1,146,770		
	Fund Sources: General	~~$5,942,969~~ *$6,392,969*	~~$5,817,969~~ *$6,091,319*		
	Special	$1,001,735	$251,735		

Authority: Title 9.1, Chapter 1, Code of Virginia.

A. The Director of the Department of Criminal Justice Services (the Director) and the Board of Criminal Justice Services (the Board) shall, in conjunction with the relevant stakeholders, review all of the compulsory minimum training standards which are applicable to law-enforcement officers and update them as needed. The Director and the Board shall ensure that the training standards appropriately educate law-enforcement officers in the areas of mental health, community policing, and serving individuals who are disabled. The updated compulsory minimum training standards shall, where appropriate, include consideration of, but not be limited to, the recommendations of the President's Task Force on 21st Century Policing. The Director shall identify current resources available to officers in dealing with situations related to mental health and identify what resources are needed.

B. Included in the amounts appropriated for this item is $280,000 the first year and $280,000 the second year from the general fund for the Department to provide annual trainings on active shooter scenarios to school and community personnel.

C. Included in the amounts appropriated for this item is $427,630 the first year and $427,630 the second year from the general fund for oversight and management of the school resource officer and school security officer certification and training programs, the provision of basic training courses for school resource officers and school personnel, and development and update Virginia-specific training resources for school resource officers and school security officers.

D.1. Included in the amounts appropriated for this item is $595,630 the first year and $595,630 the second year from the general fund for the purpose of expanding training provided to members of threat assessment teams.

2. Included in the amounts appropriated for this item is $125,000 the first year and $125,000 the second year from the general fund for the development of a case management tool for use by threat assessment teams, consistent with the provisions of House Bill 1734 of the 2019 Session of the General Assembly.

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E. Included in the amounts appropriated for this item is $871,890 the first year and $871,890 the second year from the general fund to enhance school safety training provided to Virginia school personnel, to include hosting live trainings and conferences, developing online training and curricula, and developing Virginia-specific school safety resources.

F. Included in the appropriation for this item is $249,695 the first year and $249,695 the second year from the general fund and two positions to support proposed legislation in the 2020 Special Session I of the General Assembly related to the decertification of law-enforcement officers.

G. Included in the appropriation for this item is $113,790 the first year and $113,790 the second year from the general fund and one position to support proposed legislation in the 2020 Special Session I of the General Assembly related to the expansion of the decertification process of law-enforcement personnel.

H. Included in the appropriation for this item is $50,000 the first year and $50,000 the second year from the general fund to support proposed legislation in the 2020 Special Session I of the General Assembly related to the development of a statewide officer database for purposes of sharing information between law-enforcement agencies.

I. Included in the appropriation for this item is $727,122 the first year and $727,122 the second year from the general fund and six positions to support proposed legislation in the 2020 Special Session I of the General Assembly to establish statewide mandatory minimum training standards for law–enforcement training academies.

J. Notwithstanding the provisions of §§ 2.2-5515, 15.2-1721.1, and 52-11.3, a waiver from the Criminal Justice Services Board is only required for the continued use of rifles of .50 caliber or higher or ammunition of .50 caliber or higher for use in such rifles and not for other types of firearms or ammunition of .50 caliber or higher.

K. Included within the appropriation for this item is $273,350 the second year from the general fund to establish statewide best practices and training on the provision of security consistent with the provisions of House Bill 2594 of the 2025 Session of the General Assembly.

392.	Criminal Justice Research, Planning and Coordination (30500)			$3,549,471	~~$3,749,471~~ *$3,855,987*
	Criminal Justice Research, Statistics, Evaluation, and Information Services (30504)	$3,549,471	~~$3,749,471~~ *$3,855,987*		
	Fund Sources: General	$3,549,471	~~$3,749,471~~ *$3,855,987*		

Authority: Title 9.1, Chapter 1; Title 19.2, Chapter 23.1, Code of Virginia.

A. Included in the amounts appropriated for this item is $400,000 the first year and $400,000 the second year from the general fund for the ongoing costs of conducting the School Climate Survey.

B. Included in the appropriation for this item is $515,101 the first year and $515,101 the second year from the general fund and three positions for the sex trafficking response coordination activities of the Department, pursuant to the provisions of House Bill 2576 and Senate Bill 1669 of the 2019 Session of the General Assembly.

C. Out of this appropriation, $149,174 the first year and $149,174 the second year from the general fund is provided to establish the Virginia sexual assault forensic examiner coordination program, pursuant to House Bill 475 and Senate Bill 373 of the 2020 Session of the General Assembly.

D. Included in the appropriation for this item is $1,622,405 the first year and $1,622,405 the second year from the general fund and three positions for crisis intervention team training to law-enforcement officers and dispatchers, and to provide technical assistance in support of the Mental Health Awareness Response and Community Understanding Services (MARCUS) alert system.

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E. Included within the appropriation for this item is $132,254 in the first year and $132,254 in the second year from the general fund and one position to support a data analyst to analyze data from the Community Policing Database.

F. Included within the appropriation for this item is $232,898 the first year and $232,898 the second year from the general fund to provide an online human trafficking recognition training course to hotel employees consistent with the provisions of §§ 9.1-102 and 35.1-15.1, Code of Virginia.

G. Included within the appropriation for this item is $200,000 the first year and $400,000 the second year from the general fund for the Demand Reduction and Safe Harbor for Domestic Minor Sex Trafficked Youth pilot program, consistent with the provisions of Chapter 556 of the 2023 Session of the General Assembly.

H. Included within the appropriation for this item is $106,516 the second year from the general fund to provide human trafficking awareness to Alcoholic Beverage Control licensees consistent with the provisions of House Bill 2033 of the 2025 Session of the General Assembly.

393.	Asset Forfeiture and Seizure Fund Management and Financial Assistance Program (30600)			$6,226,895	$6,226,895
	Coordination of Asset Seizure and Forfeiture Activities (30602)	$6,226,895	$6,226,895		
	Fund Sources: Special	$6,226,895	$6,226,895		
	Authority: Title 19.2, Chapter 22.1, Code of Virginia.				
394.	Financial Assistance for Administration of Justice Services (39000)			~~$226,128,308~~ *$229,978,308*	~~$226,324,784~~ *$235,354,784*
	Criminal Justice Assistance Grants (39002)	~~$211,633,681~~ *$215,483,681*	~~$211,830,157~~ *$220,860,721*		
	Criminal Justice Grants Fiscal Management Services (39003)	$1,256,178	$1,256,178		
	Criminal Justice Policy and Program Services (39004)	$13,238,449	~~$13,238,449~~ *$13,237,885*		
	Fund Sources: General	~~$125,357,491~~ *$129,207,491*	~~$127,553,967~~ *$136,583,967*		
	Special	$2,006,624	$6,624		
	Trust and Agency	$4,298,130	$4,298,130		
	Dedicated Special Revenue	$13,605,820	$13,605,820		
	Federal Trust	$80,860,243	$80,860,243		
	Authority: Title 9.1, Chapter 1, Code of Virginia.				

A.1. This appropriation includes an estimated $4,800,000 the first year and an estimated $4,800,000 the second year from federal funds pursuant to the Omnibus Crime Control Act of 1968, as amended. Of these amounts, ten percent is available for administration, and the remainder is available for grants to state agencies and local units of government. The remaining federal funds are to be passed through as grants to localities, with a required 25 percent local match. Also included in this appropriation is $452,128 the first year and $452,128 the second year from the general fund for the required matching funds for state agencies.

2. The Department of Criminal Justice Services shall provide a summary report on federal anti-crime and related grants which will require state general funds for matching purposes during FY 2013 and beyond. The report shall include a list of each grant and grantee, the purpose of the grant, and the amount of federal and state funds recommended, organized by topical area and fiscal period. The report shall indicate whether each grant represents a new program or a renewal of an existing grant. Copies of this report shall be provided to the Chairs of the Senate Finance and Appropriations and House Appropriations Committees and the Director, Department of Planning and Budget by January 1 of each

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year.

B. The Department of Criminal Justice Services is authorized to make grants and provide technical assistance out of this appropriation to state agencies, local governments, regional, and nonprofit organizations for the establishment and operation of programs for the following purposes and up to the amounts specified:

1.a. Regional training academies for criminal justice training, $1,527,859 the first year and $1,527,859 the second year from the general fund and an estimated $1,122,530 the first year and an estimated $1,122,530 the second year from nongeneral funds. The Criminal Justice Services Board shall adopt such rules as may reasonably be required for the distribution of funds and for the establishment, operation and service boundaries of state-supported regional criminal justice training academies.

b. The Board of Criminal Justice Services, consistent with § 9.1-102, Code of Virginia, and § 6VAC-20-20-61 of the Administrative Code, shall not approve or provide funding for the establishment of any new criminal justice training academy from July 1, 2024, through June 30, 2026.

c. Notwithstanding subsection B.1.b. of this item, the Board of Criminal Justice Services may approve a new regional criminal justice academy serving the Counties of Clarke, Frederick, and Warren; the City of Winchester; the Towns of Berryville, Front Royal, Middletown, Stephens City and Strasburg; the Northwestern Adult Detention Center; and, the Frederick County Emergency Communications Center, to be established and operated consistent with a written agreement, provided to the Board, between the local governing bodies, chief executive officers, and chief law enforcement officers of the aforementioned localities, and the Rappahannock Regional Criminal Justice Academy. The new academy shall be eligible to receive state funding in a manner consistent with the currently existing regional criminal justice training academies. However, no current existing regional criminal justice training academy other than the Rappahannock Regional Criminal Justice Academy will receive less funding as a result of the creation of the new regional academy.

2. Virginia Crime Victim-Witness Fund, $5,692,738 the first year and $5,692,738 the second year from dedicated special revenue, and $5,988,807 the first year and ~~$8,388,807~~*$9,888,807* the second year from the general fund. The Department of Criminal Justice Services shall provide a report on the current and projected status of federal, state and local funding for victim-witness programs supported by the Fund. Copies of the report shall be provided annually to the Secretary of Public Safety and Homeland Security, the Department of Planning and Budget, and the Chairs of the Senate Finance and Appropriations and House Appropriations Committees by October 16 of each year.

3.a. Court Appointed Special Advocate (CASA) programs, $1,615,000 the first year and $1,615,000 the second year from the general fund.

b. In the event that the federal government reduces or removes support for the CASA programs, the Governor is authorized to provide offsetting funding for those impacted programs out of the unappropriated balances in this Act.

c. The Department of Criminal Justice Services (the Department) shall convene a work group to study and make recommendations on requiring a local court-appointed special advocate (CASA) program to be established and available in every judicial district of the Commonwealth. The work group shall include the CASA Program Coordinator, representatives of at least two local CASA programs, at least two volunteer court-appointed special advocates, at least two judges of a juvenile and domestic relations district court and one judge of a circuit court sitting in a judicial district where a local CASA program is established, at least two judges of a juvenile and domestic relations district court and one judge of a circuit court sitting in a judicial district where no local CASA program has been established, a representative from the Department of Social Services, and any other stakeholders deemed appropriate by the Department. The work group shall identify any judicial districts in the Commonwealth where no local CASA program has been established and determine the feasibility, including analyzing any obstacles, of requiring the establishment of a local CASA program in every judicial district. The work group shall report its findings and recommendations to the Governor and the General Assembly by November 1, 2024.

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4. Domestic Violence Fund, established pursuant to § 9.1-116.1, Code of Virginia, $3,000,000 the first year and $3,000,000 the second year from the dedicated special revenue fund, and $1,400,000 the first year and $1,400,000 the second year from the general fund, to provide grants to local programs and prosecutors that provide services to victims of domestic violence. Of this amount, at least $500,000 the first year and at least $500,000 the second year is provided to support sexual assault service providers and hospitals as described in clause (iii) of § 9.1-116.1 B, Code of Virginia, as amended by the 2022 Session of the General Assembly.

5. Pre and Post-Incarceration Services (PAPIS), $3,786,144 the first year and $3,786,144 the second year from general fund to support pre and post incarceration professional services and guidance that increase the opportunity for, and the likelihood of, successful reintegration into the community by adult offenders upon release from prisons and jails.

6. To the Department of Behavioral Health and Developmental Services for the following activities and programs: (i) a partnership program between a local community services board and the district probation and parole office for a jail diversion program; (ii) forensic discharge planners; (iii) advanced training on veterans' issues to local crisis intervention teams; and (iv) cross systems mapping targeting juvenile justice and behavioral health.

7. To the Department of Corrections for the following activities and programs: (i) community residential re-entry programs for female offenders; (ii) establishment of a pilot day reporting center; and (iii) establishment of a pilot program whereby non-violent state offenders would be housed in a local or regional jail, rather than a prison or other state correctional facility, with rehabilitative services provided by the jail.

8. To Drive to Work, $75,000 the first year and $75,000 the second year from the general fund and $75,000 the first year and $75,000 the second year from such federal funds as may be available to provide assistance to low income and previously incarcerated persons to restore their driving privileges so they can drive to work and keep a job.

9. For model addiction recovery programs administered in local or regional jails, $153,600 the first year and $153,600 the second year from the general fund. The Department of Criminal Justice Services, consistent with the provisions of Chapter 758, 2017 Acts of Assembly, shall award grants not to exceed $38,400 to four pilot programs selected in consultation with the Department of Behavioral Health and Developmental Services.

C.1. Out of this appropriation, $28,411,628 the first year and $28,411,628 the second year from the general fund is authorized to make discretionary grants and to provide technical assistance to cities, counties or combinations thereof to develop, implement, operate and evaluate programs, services and facilities established pursuant to the Comprehensive Community Corrections Act for Local-Responsible Offenders (§§ 9.1-173 through 9.1-183 Code of Virginia) and the Pretrial Services Act (§§ 19.2-152.2 through 19.2-152.7, Code of Virginia). Out of these amounts, the Director, Department of Criminal Justice Services, is authorized to expend no more than five percent per year for state administration of these programs.

2. The Department of Criminal Justice Services, in conjunction with the Office of the Executive Secretary of the Supreme Court and the Virginia Criminal Sentencing Commission, shall conduct information and training sessions for judges and other judicial officials on the programs, services and facilities available through the Pretrial Services Act and the Comprehensive Community Corrections Act for Local-Responsible Offenders.

3. Out of this appropriation, $94,750 the first year and $94,750 the second year from the general fund is provided for the expansion of pretrial services to the Counties of Botetourt and Alleghany.

D.1. Out of this appropriation, $225,000 the first year and $225,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Central Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.

2. Out of this appropriation, $600,000 the first year and $600,000 the second year from the

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general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Southwest Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.

E. In the event the federal government should make available additional funds pursuant to the Violence Against Women Act, the department shall set aside 33 percent of such funds for competitive grants to programs providing services to domestic violence and sexual assault victims.

F.1. Out of this appropriation, $23,116,049 the first year and $20,362,525 the second year from the general fund and $1,710,000 the first year and $1,710,000 the second year from such federal funds as are available shall be deposited to the School Resource Officer Incentive Grants Fund established pursuant to § 9.1-110, Code of Virginia.

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2.a. The Director, Department of Criminal Justice Services, is authorized to expend $410,877 the first year and $410,877 the second year from the School Resource Officer Incentive Grants Fund to operate the Virginia Center for School Safety, pursuant to § 9.1-110, Code of Virginia.

b. The Center for School Safety shall provide a grant of $100,000 in the first year and ~~$100,000~~*$130,000* in the second year to the York County-Poquoson Sheriff's Office for the statewide administration of the Drug Abuse Resistance Education (DARE) program.

c. The Director, Department of Criminal Justice Services, is authorized to establish a digital mapping program for Virginia public universities and community colleges, in addition to the existing digital mapping program for local school divisions, which may provide grants to public universities, two-year colleges, and community colleges to support technology that provides visual communication and collaboration tools to coordinate emergency response, such as floor plans that are available on cell phones and enhanced communication during an emergency. *Out of nongeneral fund cash balances in the School Resource Officer Incentive Grants Fund, up to $6,200,000 the second year, dependent on grant applications, is designated for this purpose.*

3. Subject to the development of criteria for the distribution of grants from the fund, including procedures for the application process and the determination of the actual amount of any grant issued by the department, the department shall award grants to either local law-enforcement agencies, where such local law-enforcement agencies and local school boards have established a collaborative agreement for the employment of school resource officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school resource officers, or to local school divisions for the employment of school security officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school security officers in any public school. The application process shall provide for the selection of either school resource officers, school security officers, or both by localities. The department shall give priority to localities requesting school resource officers, school security officers, or both where no such personnel are currently in place. Localities shall match these funds based on the composite index of local ability-to-pay. *Out of nongeneral fund cash balances in the School Resource Officer Incentive Grants Fund, up to $1.5 million the second year, dependent on grant applications, shall be available for fifth- and sixth-year continuation grants, in addition to any funding previously provided for such purpose.*

4. Included in this appropriation is $202,300 the first year and $202,300 the second year from the general fund for the implementation of a model critical incident response training program for public school personnel and others providing services to public schools, and the maintenance of a model policy for the establishment of threat assessment teams for each public school, including procedures for the assessment of and intervention with students whose behavior poses a threat to the safety of public school staff or other students.

5. Included in the amounts appropriated for this item is $132,254 the first year and $132,254 the second year from the general fund for the purposes of collection and analysis of data related to school resource officers, pursuant to House Bill 271 of the 2020 Session of the General Assembly.

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G. Included in the amounts appropriated in this item is $4,568,114 the first year and ~~$8,068,114~~*$10,068,114* the second year from the general fund for grants to local sexual assault crisis centers (SACCs) and domestic violence programs to provide core and comprehensive services to victims of sexual and domestic violence, including ensuring such services are available and accessible to victims of sexual assault and dating violence committed against college students on- and off-campus.

H.1. Out of the amounts appropriated for this item, $1,646,547 the first year and $1,646,547 the second year from the general fund and $2,658,420 the first year and $2,658,420 the second year from nongeneral funds is provided, to be distributed as follows: for the Southern Virginia Internet Crimes Against Children Task Force, $3,096,547 the first year and $3,096,547 the second year; and, for the creation of a grant program to law enforcement agencies for the prevention of internet crimes against children, $1,208,420 the first year and $1,208,420 the second year.

2. The Southern Virginia and Northern Virginia Internet Crimes Against Children Task Forces shall each provide an annual report, in a format specified by the Department of Criminal Justice Services, on their actual expenditures and performance results. Copies of these reports shall be provided to the Secretary of Public Safety and Homeland Security, the Chairs of the Senate Finance and Appropriations and House Appropriations Committees, and Director, Department of Planning and Budget prior to the distribution of these funds each year.

3. Subject to compliance with the reports and distribution thereof as required in paragraph 2 above, the Governor shall allocate all additional funding, not to exceed actual collections, for the prevention of Internet Crimes Against Children, pursuant to § 17.1-275.12, Code of Virginia.

I. Out of the amounts appropriated for this item, $50,000 the first year and $50,000 the second year from the general fund is provided for training to local law enforcement to aid in their identifying and interacting with individuals suffering from Alzheimer's and/or dementia.

J.1. Included in the appropriation for this item is $2,000,000 the first year and $2,000,000 the second year from the general fund to continue the pilot programs authorized in Item 398, Chapter 836, 2017 Acts of Assembly. The number of pilot sites shall not be expanded beyond those participating in the pilot program the first year.

2. The funding provided to each pilot site shall supplement, not supplant, existing local spending on these services. Distribution of grant amounts shall be made quarterly pursuant to the conditions of paragraph J.3. of this item.

3. The Department shall collect on a quarterly basis qualitative and quantitative data of pilot site performance, to include: (i) mental health screenings and assessments provided to inmates, (ii) mental health treatment plans and services provided to inmates, (iii) jail safety incidents involving inmates and jail staff, (iv) the provision of appropriate services after release, (v) the number of inmates re-arrested or re-incarcerated within 90 days after release following a positive identification for mental health disorders in jail or the receipt of mental health treatment within the facility. The Department shall provide a report on its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15th each year.

4. The department is authorized to expend up to $125,000 per year out of the amounts allocated in Paragraph J.1. of this item for costs related to the administration of the jail mental health pilot program.

K. Included in the appropriations for this item is $300,000 the first year and $300,000 the second year from the general fund for the Department of Criminal Justice Services to make competitive grantsto nonprofit organizations to support services for law enforcement including post critical incident seminars and peer-supported critical incident stress management programs to promote officer safety and wellness, under guidelines to be established by the Department.

L. Included in the appropriation for this item is $916,066 in the first year and $916,066 in the second year from the general fund for the Virginia Beach Correctional Center for the

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Jail and Re-entry Service Coordination Pathway, which is a joint operation between the Virginia Beach Department of Human Services and the Virginia Beach Sheriff's Office. The program consists of diversion, screening, assessment, treatment, and re-entry services for all incarcerated individuals with an active mental illness or substance use disorder diagnosis.

M. Included in the appropriation for this item, $193,658 the first year and $193,658 the second year from the general fund and four positions to support evidence-based gun violence intervention and prevention services.

N.1.a. There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Firearm Violence Intervention and Prevention Fund (the Fund). The Fund shall be established on the books of the Comptroller. All moneys accruing to the Fund, including funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf, shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used for the purpose of supporting gun violence intervention and prevention programs. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the Department.

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b. The Firearm Violence Intervention and Prevention Fund shall be administered by the Department, and the Department shall adopt guidelines and make funds available to agencies of local government, community-based organizations, and hospitals for the purpose of supporting implementation of evidence-informed gun violence intervention and prevention efforts, including street outreach, hospital-based violence intervention, and other violence intervention programs. Grant funds shall also support firearm suicide prevention and safe firearm removal practices from persons prohibited from possessing a firearm, including subjects of domestic violence protective orders, persons convicted of prohibitory crimes, and persons subject to substantial risk orders. The Department shall establish a grant procedure to govern funds awarded for this purpose.

c. Out of the amounts appropriated for this item, ~~$9,000,000~~ *$9,350,000* the first year and ~~$9,000,000~~ *$9,500,000* the second year from the general fund shall be deposited into the Firearm Violence Intervention and Prevention Fund. At least $1,500,000 each year shall be provided to localities with disproportionate firearm-related homicides to support crime intervention and prevention through community engagement, including youth programs, to include *(i)* at least $500,000 the first year for the City of Portsmouth; *(ii)* ~~and~~ at least $1,000,000 the first year for the City of Norfolk*; (iii) $350,000 the first year to the City of Newport News to support the VICTOR Program; and (iv) $2,000,000 the second year for the City of Chesapeake, including up to $250,000 for allowable equipment associated with a Real Time Crime Information Center. Amounts for both VICTOR and the City of Chesapeake are designated as one-time.*

2.a. There is hereby created in the state treasury a special nonreverting fund to be known as the Operation Ceasefire Grant Fund (the Fund) and managed by the Department. The Fund shall be established on the books of the Comptroller. All moneys appropriated by the General Assembly for the Fund, and from any other sources, public or private, shall be paid into the state treasury and be credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request of the Director of the Department.

b. Moneys in the Fund shall be used solely for the purposes of implementing violent crime reduction strategies, providing training for law-enforcement officers and prosecutors, providing forensic and related analytical equipment for law-enforcement agencies, and awarding grants to organizations such as local law-enforcement agencies, local attorneys for the Commonwealth, localities, social services providers, and nonprofit organizations that are engaged in group violence intervention efforts. No grants awarded shall be given to state agencies or offices. For the purposes of subsection N.2. of this item, "group violence intervention" means comprehensive law enforcement, prosecutorial, and community-based initiatives, substantially similar to Operation Ceasefire as implemented in Boston,

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Massachusetts and the Gang Reduction Programs implemented in Richmond and Los Angeles, California, which are documented by the Department of Justice and are carried out between members of law enforcement, members of the community, and social services providers. The Department shall establish an application process for awarding grants from the Fund, including criteria and procedures for determining the amount of a grant. Out of the amounts appropriated for this item, $10,000,000 the first year and $10,000,000 the second year from the general fund shall be deposited into the Operation Ceasefire Grant Fund.

3. Out of the amounts in section N of this item, the Director, Department of Criminal Justice Services, is authorized to expend no more than three percent per year for state administration of these programs.

4.a. Out of the amounts appropriated for this item, $14,000,000 the first year and ~~$14,000,000~~ *$19,000,000* the second year from the general fund is provided for the Safer Communities Program to support holistic, community-based strategies that address the root causes and conditions of community violence. Such strategies shall be evidence-informed and/or community-driven and shall include: (i) afterschool programs and mentorships; (ii) connections to education and economic opportunities; (iii) trauma-informed mental health care; (iv) credible messengers and violence interrupters; and (v) strategies to build trust between law enforcement agencies and community stakeholders. Out of this amount*; (i)* at least $13,000,000 the first year and at least $13,000,000 the second year shall be provided to the City of Norfolk, the City of Portsmouth, the City of Roanoke, and the City of Richmond, with a minimum award of $2,500,000 per locality and the remainder allocated to each of the four localities based on population*; and (ii) $5,000,000 the second year shall be provided to the City of Hampton and the City of Newport News, with a minimum award of $2,500,000 per locality*. Recipient localities shall (i) use grant funds to employ a full-time position dedicated to planning, implementation, and coordination of community violence reduction strategies, including utilizing existing violence reduction grants and pursuing additional grant opportunities, and (ii) provide quarterly reports to the Department detailing expenditures to date to ensure alignment with the requirements established in this paragraph. *For the fiscal year 2026 grant awards, recipient localities: (i) shall not use funding for school resource or school safety officers; and (ii) shall prioritize support for community-led solutions.*

b. There is hereby established the Office of Safer Communities ("the Office") in the Department. The Office shall serve as a resource for research, evidence, and best practices for community-based violence intervention, including: (i) providing consultation to the Board of Criminal Justice Services as it administers the Firearm Violence Intervention and Prevention Grant Fund and the Operation Ceasefire Grant Fund; (ii) liaising with Safer Communities Program recipient localities to ensure collection of the expenditure reports required by the preceding paragraph; (iii) conducting outreach to current and potential recipients of violence intervention and prevention grants; and (iv) summarizing violence reduction grantees' use of funds, including any available outcome measures, noting alignment with national promising practices.

c. The Office shall provide quarterly updates to the Virginia Crime Commission and submit an annual report by November 1 of each year to the Chairs of the Virginia Crime Commission, House Courts of Justice Committee, Senate Judiciary Committee, House Appropriations Committee, and Senate Finance and Appropriations Committee. The updates and annual reports shall summarize the efforts of the Office, to include information collected pursuant to provision (iv) of the preceding paragraph and the findings of the Office's research on best practices.

d. Out of the amounts in subsection N.4.a of this item, $925,000 the first year and $900,000 the second year is provided to support the Office, to include positions and support services for research, outreach, and reporting. The Office shall employ at least one position focused on coordination and outreach and at least one position focused on research and evidence. In addition, existing administrative funding and positions authorized under paragraphs M. and N. of this item shall support the Office. Of these amounts designated to support the Office, at least $425,000 the first year and at least $400,000 the second year shall be used for a contract with the Virginia Commonwealth University L. Douglas Wilder School of Government and Public Affairs (the School) for

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the School to collaborate with local entities who have received grant funding appropriated pursuant to subsection N. of this item, including local law enforcement agencies, to provide strategic planning, program evaluation, and data-driven innovations to improve the public sector's response to community violence. The School may collaborate with faculty and students from Virginia State University and Norfolk State University as needed.

e. Grant funding provided pursuant to this subsection N. of this item that is used for law-enforcement equipment may solely be used for forensic and analytical purposes, in addition to other requirements set forth in this subsection N.

O.1. Out of the appropriation in this item, $3,500,000 the first year and $1,500,000 the second year from the general fund is allocated for the Department of Criminal Justices Services to make competitive grants to combat hate crimes, including but not limited to target hardening activities, contractual security services, critical technology infrastructure, cybersecurity resilience activates, monitoring, inspection and screening systems; security-related training for employed or volunteer security staff; and terrorism awareness training for employees. Eligible grant applicants include institutions or nonprofit organizations that have been targets of or are at risk of being targeted for hate crimes, as well as localities engaged in partnership programs with such institutions or nonprofit organizations. The Department shall establish grant guidelines to implement these provisions and shall provide a biennial or annual request for funding, based on the guidelines. For each grant requested, the application shall document the need for the grant, goals, and budget expenditure of these funds and any other sources that may be committed by institutions or nonprofit organizations to combat hate crimes. Funding provided in this item shall be awarded to the applicable locality to distribute to the grant recipient and shall not be used to supplant any other funding provided by localities to combat hate crimes.

2. The Department shall disseminate information about the opportunity to stakeholders in order to ensure awareness of the grant process and timeline for application among interested institutions and nonprofit organizations. The Department may use up to $50,000 out of the appropriation in this item for the dissemination of such information.

P. Included in the appropriation for this item is $400,000 the first year and $400,000 the second year from the general fund to support the Virginia Victim Assistance Network.

Q. Out of the amounts appropriated in this item, $95,000 the first year and $95,000 the second year from the general fund is provided for a contract with Impact Living Services for the Impact First Responders program in Virginia to provide education and training related to trauma, resiliency, and critical incidence stress management, as well as peer and mental health support to first responders.

R. Included in the appropriation for this item is $1,200,000 the first year and $1,200,000 the second year from the general fund for a witness protection program. Subject to the development of criteria for the distribution of grants, including procedures for the application process and determination of the actual amount of any grant issued by the department, the Director shall award grants to local law enforcement agencies, Commonwealth's Attorneys' offices, and other local government agencies as appropriate to provide temporary assistance to help alleviate potential intimidation of witnesses. The purpose of the grant program is to support witnesses and their families who may be in danger because of their cooperation with the investigation and prosecution of serious crimes. Grant awards shall be used to provide time-limited assistance of up to 90 days to witnesses to defray the costs associated with their ability to safely serve as a witness including, but not limited to, lodging, medical, transportation, food, and relocation expenses. The department shall work with the Virginia State Police, Office of the Attorney General, Virginia Sheriffs' Association, Virginia Association of the Chiefs of Police, Virginia Association of Commonwealth's Attorneys, and other appropriate stakeholders to establish an application process for awarding grants, to include criteria and procedures to determine the amount of the grant, eligible expenses, a reasonable maximum amount for witness assistance during the 90-day period, and a verification process to ensure funding is used for eligible witness expenses. The department, in consultation with stakeholders, may also recommend options for potential extensions of the 90-day period in extenuating circumstances for consideration by the General Assembly. Of this amount, the department is authorized to expend up to $400,000 for a position and other expenses related to state administration of this program. Any remaining balance at year-end shall be carried forward to the subsequent fiscal year.

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S. Included in the appropriation for this item is $30,000 the first year and $30,000 the second year from the general fund for the Community Resource Opportunity Project.

T. Included in this appropriation for this item is $3,000,000 the first year and $3,000,000 the second year from the general fund for youth development programs including: (i) $2,000,0000 the first year and $2,000,000 the second year for the Big Heroes of Minority in Every Society (Big H.O.M.I.E.S.) program; and (ii) $1,000,000 the first year and $1,000,000 the second year for the Cleaning Up the Streets Youth Employment Program (C.U.T.S).

U. Included in the appropriation for this item is $125,000 the first year and $125,000 the second year from the general fund to the City of Richmond to support the Help Me Help You program.

V. Included in the appropriation for this item is $500,000 the first year and $500,000 the second year from the general fund to support the REAL LIFE Initiative.

W. Included in the appropriation for this item is $2,000,000 the first year from the Commonwealth Opioid Abatement and Remediation Fund for deposit in the Jail-Based Substance Use Disorder Treatment and Transition Fund.

X.1. Included in the appropriation for this item is $1,250,000 the first year and $2,500,000 the second year from the general fund to increase competitive grants awarded through the Victim Services Grant Program. The Department shall prioritize grants to victim services agencies that did not receive a dedicated appropriation in Chapter 1, 2023 Special Session I Acts of Assembly. This amount shall be in addition to nongeneral funds available through federal grants and special revenue included in this item.

2. In addition to the amounts appropriated in the preceding paragraph, $200,000 the first year from the general fund is included in this item for a contract with Ayuda to provide immigration, legal, and social services to victims of human trafficking in the Commonwealth.

Y. Included in the appropriation for this item is $2,000,000 the first year from the general fund for the Department of Criminal Justice Services to contract with local law enforcement agencies to reimburse them only for time spent transporting an individual under an emergency custody order or a temporary detention order to an identified facility. For the purposes of this program, local law enforcement agencies shall include police departments, jails, regional jails, and sheriffs' offices that have agreed to utilize off-duty or on-duty officers performing overtime. Priority for reimbursement shall be given to localities whose agencies must travel far distances to transport an individual to a state facility. Any remaining balance at year-end shall be carried forward to the subsequent fiscal year.

Z.1. Included in the appropriation for this item is $1,000,000 the first year from the general fund for the Department of Criminal Justice Services to administer and provide grant funding for an Unmanned Aircraft Trade and Replace Program. For the purposes of this program, the Department may only distribute grant funds to local law enforcement agencies, local fire or ambulance service providers, or other local first responders to support the replacement of unmanned aircraft systems manufactured or assembled by an entity, including its subsidiaries, affiliates, or partners, that is domiciled in a country defined as a foreign adversary pursuant to § 55.1-507, Code of Virginia, with unmanned aircraft systems that are not covered unmanned aircraft systems manufactured or assembled by a covered foreign entity as defined in § 1822 of the National Defense Authorization Act of 2024."

2. To be eligible for the grant funding, a local law enforcement agency, local fire or ambulance service provider, or local first responder must relinquish the drone manufactured by the entity domiciled in a country defined as a foreign adversary. Grant funds shall be provided per drone based upon the drone's replacement costs, but shall not exceed $25,000 per drone. Grant funds may only be used to purchase an equal number of drones that are in compliance with, without exception or waiver, the replacement criteria described in subsection Z.1.

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	3. The Department shall coordinate with the Secretary of Public Safety and Homeland Security, Virginia State Police, Virginia Association of Counties, Virginia Municipal League, Virginia Fire Chiefs Association, Virginia Ambulance Association, and the Virginia Sheriffs' Association to set any additional criteria for awarding the grants. This appropriation shall be one-time and shall be removed from the base budget after the biennium. Any remaining balance at year-end shall be carried forward to the subsequent fiscal year. The Department shall seek to distribute available funding geographically and, should multiple grant application rounds be necessary to support that goal, shall prioritze agencies that have not yet received funding under this program.				
	4. Of this amount, the Director is authorized to expend reasonable amounts for state administration of the program including up to one temporary position.				
	AA. Included in the appropriation for this item is $500,000 the first year from the general fund to support the YWCA Richmond with start-up operational costs for a public-private campus to serve survivors of domestic violence, including strategic planning, evaluation of safety protocols, and hiring and training of personnel in advance of alternative revenue sources becoming available upon operation.				
395.	Regulation of Professions and Occupations (56000)...			$4,162,569	$3,662,569
	Towing Licensing Oversight Services (56035).....	$302,150	$302,150		
	Licensure, Certification, and Registration of Professions and Occupations (56046).....	$2,381,040	$1,881,040		
	Enforcement of Licensing, Regulating and Certifying Professions and Occupations (56047).....	$1,479,379	$1,479,379		
	Fund Sources: General.....	$500,000	$0		
	Special.....	$3,662,569	$3,662,569		
	Authority: Title 9.1, Chapter 1, Article 4, §§ 9.1-141, 9.1-139, 9.1-143, and 9.1-149, Code of Virginia.				
396.	Financial Assistance to Localities - General (72800)...			$229,650,081	$229,650,081
	Financial Assistance to Localities Operating Police Departments (72813).....	$229,650,081	$229,650,081		
	Fund Sources: General.....	$229,650,081	$229,650,081		
	Authority: Title 9.1, Chapter 1, Article 8, Code of Virginia.				
	A. The funds appropriated in this Item shall be distributed to localities with qualifying police departments, as defined in §§ 9.1-165 through 9.1-172, Code of Virginia (HB 599), except that, in accordance with the requirements of § 15.2-1302, Code of Virginia, such funds shall also be distributed to a city without a qualifying police force that was created by the consolidation of a city and a county subsequent to July 1, 2011, pursuant to the provisions of § 15.2-3500 et seq. of the Code of Virginia. Notwithstanding the provisions of §§ 9.1-165 through 9.1-172, Code of Virginia, the total amount to be distributed to localities shall be $229,650,081 the first year and $229,650,081 the second year. The amount to be distributed to such a city created by consolidation shall equal the sum distributed to the city during the year prior to the effective date of the consolidation, net of any additional funds allocated by the Compensation Board to the sheriff of the consolidated city as a result of such consolidation, as adjusted in proportion to the increase or decrease in the total amount distributed to all localities during the applicable year. Notwithstanding the provisions of § 9.1-165, Code of Virginia, the amount to be distributed to each locality in each year shall be proportionate to the amount distributed to that locality in FY 2018.				
	B. For purposes of receiving funds in accordance with this program, it is the intention of the General Assembly that the Town of Boone's Mill shall be considered to have had a police department in operation since the 1980-82 biennium and is therefore eligible for financial assistance under Title 9.1, Chapter 1, Article 8, Code of Virginia (House Bill 599).				
	C.1. It is the intent of the General Assembly that state funding provided to localities operating police departments be used to fund local public safety services. Funds provided in this item shall not be used to supplant the funding provided by localities for public safety services.				

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	2. To ensure that state funding provided to localities operating police departments does not supplant local funding for public safety services, all localities shall annually certify to the Department of Criminal Justice Services the amount of funding provided by the locality to support public safety services and that the funding provided in this item was used to supplement that local funding. This certification shall be provided in such manner and on such date as determined by the department. The department shall provide this information to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees within 30 days following the submission of the local certifications.				
	D. The Director of the Department of Criminal Justice Services is authorized to withhold reimbursements due a locality under Title 9.1, Chapter 1, Article 8, Code of Virginia, upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by the locality to the Department of State Police in accordance with § 52-28, Code of Virginia, is missing, incomplete or incorrect. Upon subsequent notification by the superintendent that the data is accurate, the director shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld.				
	E. The Director of the Department of Criminal Justice Services is authorized to withhold reimbursements due to a locality under Title 9.1, Chapter 1, Article 8, Code of Virginia, upon notification from the Superintendent of State Police that there is reason to believe the police department within a locality is not registering sex offenders as required in § 9.1-903, Code of Virginia. Upon subsequent notification by the Superintendent that the local law enforcement agency is compliant with the requirements of § 9.1-903, Code of Virginia, the Director shall make reimbursement of withheld funding due to the locality in the same fiscal year in which the local law enforcement agency comes into compliance.				
397.	Administrative and Support Services (39900)			$5,376,259	$5,376,259
	General Management and Direction (39901)	$1,849,187	$1,849,187		
	Information Technology Services (39902)	$1,600,076	$1,600,076		
	Accounting and Budgeting Services (39903)	$1,926,996	$1,926,996		
	Fund Sources: General	$5,001,545	$5,001,545		
	Special	$374,714	$374,714		
	Authority: Title 9.1, Chapter 1, Code of Virginia.				
	Total for Department of Criminal Justice Services			~~$482,038,287~~ *$486,338,287*	~~$481,059,763~~ *$490,469,629*
	General Fund Positions	99.50	~~99.50~~ *100.50*		
	Nongeneral Fund Positions	81.50	81.50		
	Position Level	181.00	~~181.00~~ *182.00*		
	Fund Sources: General	~~$370,001,557~~ *$374,301,557*	~~$371,773,033~~ *$381,182,899*		
	Special	$13,272,537	$10,522,537		
	Trust and Agency	$4,298,130	$4,298,130		
	Dedicated Special Revenue	$13,605,820	$13,605,820		
	Federal Trust	$80,860,243	$80,860,243		
	§ 1-114. DEPARTMENT OF EMERGENCY MANAGEMENT (127)				
398.	Emergency Preparedness (77500)			$32,180,165	$32,180,165
	Financial Assistance for Emergency Management and Response (77501)	$20,370,257	$20,370,257		
	Emergency Training and Exercises (77502)	$3,923,952	$3,923,952		
	Emergency Planning Preparedness Assistance (77503)	$3,359,630	$3,359,630		
	Emergency Preparedness and Response (77504)	$2,620,019	$2,620,019		
	Emergency Management Regional Coordination (77506)	$1,906,307	$1,906,307		

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Fund Sources: General	$6,428,560	$6,428,560		
Special	$1,932,635	$1,932,635		
Federal Trust	$23,818,970	$23,818,970		

Authority: Title 44, Chapters 3.2, 3.3, 3.4, §§ 44-146.13 through 44-146.28:1 and 44-146.31 through 44-146.40, Code of Virginia.

A. Included within this appropriation is the continuation of $160,810 the first year and $160,810 the second year from the Fire Programs Fund to support the department's hazardous materials training program.

B. This appropriation includes $500,000 in the first year and $500,000 in the second year from the general fund for the Department of Emergency Management to conduct multidisciplinary training, regional training and exercises related to man-made and natural disaster preparedness, including training consistent with the National Incident Management System (NIMS). Training shall involve, but is not to be limited to, local and state law enforcement, fire services, emergency medical services, public health agencies, and affected private and nonprofit entities, including colleges and universities. Training may be conducted with a state, local or federal agency or agencies having the capability or responsibility to coordinate or assist in emergency preparedness.

C.1. The Virginia Department of Emergency Management is directed to identify, review and maintain a comprehensive list of state owned supplies, equipment, commodities, and other resources that may be required in the event of state shelter activation and coordinate the use of such state assets and resources in support of shelter activation.

2. Notwithstanding any other provision of law, the State Coordinator, in consultation with all affected state agencies, shall review all statewide plans related to state shelters, including but not limited to plans developed by the Department of Social Services, institutions of higher education, and all other state agencies. The State Coordinator is responsible for ensuring all plans support a comprehensive and uniform approach to emergency response, are regularly updated, and are aligned with the Commonwealth of Virginia Emergency Operations Plan.

3. Following receipt of procurement orders from the Department of Social Services, pursuant to Item 333, paragraph B of this act, the Virginia Department of Emergency Management shall be responsible for all logistics functions as outlined in the Commonwealth of Virginia Emergency Operations Plan in support of emergency response and recovery related to state shelter activation, including but not limited to tracking and monitoring; personnel assistance; managing of resources; and delivery of equipment, goods and services to state activated shelters. The Department shall perform these logistics functions in coordination with all other state agencies, local government, federal government, and private sector partners.

D. Out of this appropriation, $2,500,000 the first year and $2,500,000 the second year from the general fund shall be transferred to the Emergency Shelter Upgrade Assistance Fund, created pursuant to Senate Bill 350 of the 2020 General Assembly, to aid local governments in proactively preparing for emergency sheltering situations.

E. Out of this appropriation, $96,000 the first year and $96,000 the second year from the general fund to establish the Partners in Preparedness Program.

399.	Emergency Response and Recovery (77600)				~~$26,670,681~~ *$26,844,672*	~~$26,670,681~~ *$26,719,384*
	Emergency Response and Recovery Services (77601)	~~$4,373,706~~ *$4,547,697*	~~$4,373,706~~ *$4,422,409*			
	Financial Assistance for Emergency Response and Recovery (77602)	$20,189,470	$20,189,470			
	Emergency Response Direct Support (77603)	$102,604	$102,604			
	Disaster Recovery Services (77604)	$2,004,901	$2,004,901			
	Fund Sources: General	~~$1,753,933~~ *$1,903,933*	$1,753,933			
	Special	$306,340	$306,340			
	Commonwealth Transportation	~~$1,296,787~~ *$1,320,778*	~~$1,296,787~~ *$1,345,490*			

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	Federal Trust	$23,313,621	$23,313,621		

Authority: Title 44, Chapters 3.2 through 3.5, §§ 44-146.17, 44-146.18(c), 44-146.22, 44-146.28(a) Code of Virginia.

A. Subject to authorization by the Governor, the Department of Emergency Management may employ persons to assist in response and recovery operations for emergencies or disasters declared either by the President of the United States or by the Governor of Virginia. Such employees shall be compensated solely with funds authorized by the Governor or the federal government for the emergency, disaster, or other specific event for which their employment was authorized. The Director, Department of Planning and Budget, is authorized to increase the agency's position level based on the number of positions approved by the Governor.

B. The Secretary of Finance, consistent with any Executive Order signed by the Governor, may provide the department anticipation loans in such amounts as may be needed to appropriately reimburse localities and state agencies for costs associated with Emergency Management Assistance Compact (EMAC) mission assignments. Such loans shall be based on the reimbursements anticipated under the Emergency Management Assistance Compact (EMAC) and, notwithstanding the provisions of § 4-3.02 b of this act, may be extended for a period longer than twelve months.

C.1. Localities receiving reimbursements from the Department of Emergency Management for Emergency Management Assistance Compact (EMAC) mission costs shall reimburse the Department of Emergency Management for any overpayments within sixty (60) days of written notification of such overpayment.

2. Overpayment amounts shall be based on the difference between the amount reimbursed to the locality by the Department of Emergency Management and the amount reimbursed to the Department of Emergency Management by the state requesting emergency aid under the Compact.

3. If the locality does not reimburse the Department of Emergency Management the overpaid amount within sixty (60) days of being notified, the Comptroller is authorized to withhold from any funds to be transferred to the locality the amount overpaid to the locality and transfer such withheld funds to the Department of Emergency Management.

D. Consistent with any Executive Order signed by the Governor, the Secretary of Finance or his designee may provide the Department of Emergency Management anticipation loans in such amounts as may be needed to appropriately reimburse the Department for disaster related costs. Such loans shall be based on the federal reimbursements anticipated in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act and, notwithstanding the provisions of § 4-3.02 b of this act, may be extended for a period longer than twelve months, if necessary.

400.	Virginia Emergency Operations Center (77800)			$4,175,265	$4,175,265
	Emergency Communications and Warning Point (77801)	$4,175,265	$4,175,265		
	Fund Sources: General	$1,907,882	$1,907,882		
	Special	$1,442,414	$1,442,414		
	Federal Trust	$824,969	$824,969		

Authority: Title 44 and § 52-47, Code of Virginia.

A. Included within this appropriation is $424,874 the first year and $424,874 the second year from the general fund to support the Integrated Flood Observation and Warning System (IFLOWS) program.

B. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the general fund is provided for evaluating, upgrading, and maintaining the Integrated Flood Observation and Warning System (IFLOWS).

401.	Administrative and Support Services (79900)			$13,392,967	$13,267,967
	General Management and Direction (79901)	$5,763,297	$5,763,297		

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Information Technology Services (79902)	$4,364,495	$4,364,495		
Accounting and Budgeting Services (79903)	$1,799,698	$1,799,698		
Public Information Services (79919)	$324,705	$324,705		
Telecommunications (79930)	$1,140,772	$1,015,772		
Fund Sources: General	$5,317,291	$5,192,291		
Special	$567,504	$567,504		
Commonwealth Transportation	$63,762	$63,762		
Federal Trust	$7,444,410	$7,444,410		

Authority: Title 44, Chapters 3.2, 3.3, 3.4, Code of Virginia.

A.1. By September 1 of each year, the State Coordinator of Emergency Management shall assess emergencies and disasters that have been authorized sum sufficient funding by the Governor and provide to the Department of Planning and Budget and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees written justification to support continuing sum sufficient funding longer than one year for a locally declared emergency (or disaster), three years for a state declared disaster, and five years for a nationally declared disaster. At the same time, the state coordinator shall identify any disasters that can be closed due to fulfillment of the state's obligations.

2. The Department shall report on annual disaster expenditures and contracting. The report shall at minimum i) specify by event and state agency or locality, the amount spent per year from the Disaster Recovery Fund separate from any other state, local, federal or private contributions; ii) identify any Federal Emergency Management Agency (FEMA) reimbursements received during the previous fiscal year, itemizing for which event such reimbursements were made; iii) any contracts executed during a disaster and the expenditures and purposes for which they were executed. The State Coordinator shall provide the report to the Governor; Director, Department of Planning and Budget; and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1 of each year.

B.1. Localities and eligible private non-profit organizations that have received cost reimbursement through state and/or federal assistance programs to support homeland security and eligible recovery and mitigation projects and initiatives associated with disaster events, that are subsequently notified that either a portion or all of the funds provided are to be returned, shall reimburse the Virginia Department of Emergency Management for such overpayments, including any interest accrued on such funds, within sixty (60) days of being notified and receiving the request for reimbursement.

2. Overpayment amounts shall be based on the difference between the amount reimbursed or prepaid to the entity involved by the Department of Emergency Management and the final amount approved by the granting agency. Localities and eligible private non-profit organizations shall certify that no interest was earned on overpaid funds if no interest is included in the remittance.

3. If the entity does not reimburse the Virginia Department of Emergency Management within 60 days of being notified, the Comptroller is authorized to withhold the amount of overpayment from any eligible funds to be transferred to the locality or organization and redirect the funds withheld to the Virginia Department of Emergency Management to satisfy the outstanding liability.

4. The Department of Emergency Management shall not provide future prepayments to any locality or eligible private non-profit organization once the Comptroller has been required to withhold funding.

C. Included within this appropriation is $570,901 the first year and $570,901 the second year from the general fund that shall only be used for costs associated with transforming the agency's information systems to conform with standards of the Virginia Information Technologies Agency.

D. Out of this appropriation, $281,240 the first year and $281,240 the second year from the general fund is included for the financing costs of purchasing vehicles through the state's master equipment lease purchase program. It is the intent that the Department of Emergency

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Management establish a schedule for replacing emergency response vehicles using the master equipment lease purchase program.

E. Included in this appropriation is $90,000 in the first year and $90,000 in the second year from the general fund to support regional satellite communications used by the agency in the event of an emergency.

F. Included in this appropriation is $42,000 the first year and $42,000 the second year from the general fund to replace radios for regional coordinators, hazardous materials officers, disaster response and recovery officers, and other regional staff. The radios shall be inter-operable with the State Agencies Radio System (STARS), and shall be acquired through the master equipment lease program.

402. A. All funds transferred to the Department of Emergency Management pursuant to the Governor's authority under § 44-146.28, Code of Virginia, shall be deposited into a special fund account to be used only for Disaster Recovery.

B. Included in the Federal Trust appropriation are amounts estimated at $34,592 the first year and $34,592 the second year, to pay for statewide indirect cost recoveries of this agency. Actual recoveries of statewide indirect costs up to the level of these estimates shall be exempt from payment into the general fund, as provided by § 4-2.03 of this act. Amounts recovered in excess of these estimates shall be deposited to the general fund.

403. Information Systems Management and Direction (71100)			$2,755,882	$2,755,882
Geographic Information Access Services (71105)	$2,755,882	$2,755,882		
Fund Sources: Dedicated Special Revenue	$2,755,882	$2,755,882		

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

A.1. All state and nonstate agencies receiving an appropriation in Part 1 shall comply with the guidelines and related procedures issued by Department of Emergency Management for effective management of geographic information systems in the Commonwealth.

2. All state and nonstate agencies identified in paragraph A.1. that have a geographic information system, shall assist the department by providing any requested information on the systems including current and planned expenditures and activities, and acquired resources.

3. The State Corporation Commission, the Virginia Employment Commission, the Department of Game and Inland Fisheries, and other nongeneral fund agencies are encouraged to use their own fund sources for the acquisition of hardware and development of data for the spatial data library in the Virginia Geographic Information Network.

B. The Department of Emergency Management, through its Geographic Information Network Division (VGIN), or its counterpart, shall acquire on a four-year cycle high-resolution digital orthophotography of the land base of Virginia pursuant to VGIN's Virginia Base Mapping Program (VBMP) and digital road centerline files. VGIN shall administer the maintenance of the VBMP and appropriate addressing and standardized attribution in collaboration with local governments. All digital orthophotography, Digital Terrain Models and ancillary data produced by the VBMP, but not including digital road centerline files, shall be the property of the Commonwealth of Virginia and administered by VGIN. The VGIN, or its counterpart, will be responsible for protecting the data through appropriate license agreements and establishing appropriate terms, conditions, charges and any limitations on use of the data. VGIN will license the data at no charge (other than media / transfer costs) to Virginia governmental entities or their agents. Such data shall not be subject to release by such entities under the Freedom of Information Act or similar laws. VGIN in its discretion may release certain data by posting to the Internet. Distribution of the data for commercial or private use or to users outside the Commonwealth will be the sole responsibility of VGIN or its agent(s) and shall require payment of a license fee to be determined by VGIN. All fees collected as a result will be added to the GIS Fund as established in the Code of Virginia § 44-146.18:7. Collected fees and grants are hereby appropriated for future data updates or to cover the costs of

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existing digital ortho acquisition or for other purposes authorized in § 44-146.18:7.				
C. Funding in this item shall be used to support the efforts of the Virginia Geographic Information Network which provides for the development and use of spatial data to support E-911 wireless activities in partnership with Enhanced Emergency Communications Services. Funding is to be earmarked for major updates of the VBMP and digital road centerline files.				
D. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, $1,750,000 the first year and $1,750,000 the second year from Emergency Response Systems Development Technology Services dedicated special revenue shall be used to support the efforts of the Virginia Geographic Information Network, or its counterpart, for providing the development and use of spatial data to support E-911 wireless activities in partnership with Enhanced Emergency Communications Services.				
404. Emergency Response Systems Development Technology Services (71200)			~~$23,290,775~~ *$26,040,775*	$23,290,775
Emergency Communication Systems Development Services (71201)	$7,314,167	$7,314,167		
Financial Assistance to Localities for Enhanced Emergency Communications Services (71202)	~~$10,984,640~~ *$13,734,640*	$10,984,640		
Financial Assistance to Service Providers for Enhanced Emergency Communications Services (71203)	$4,991,968	$4,991,968		
Fund Sources: *General*	*$2,750,000*	*$0*		
Dedicated Special Revenue	$23,290,775	$23,290,775		
Authority: Title 2.2, Chapter 20.1, and Title 56, Chapter 15, Code of Virginia.				
A.1.a. Out of the amounts for Emergency Communication Systems Development Services, $1,000,000 the first year and $1,000,000 the second year from dedicated special revenue shall be used for development and deployment of improvements to the statewide E-911 network.				
b. These funds shall remain unallotted until their expenditure has been approved by the Wireless E-911 Services Board.				
2. Out of the amounts for Emergency Communication Systems Development Services, $4,000,000 the first year and $4,000,000 the second year from dedicated special revenue shall be used for wireless E-911 service costs as determined by the Wireless E-911 Services Board.				
B. The operating expenses, administrative costs, and salaries of the employees of the Public Safety Communications Division shall be paid from the Wireless E-911 Fund created pursuant to § 56-484.17.				
C. During next generation 911 service planning and deployment, the 911 Services Board may reimburse a provider for its wireless E-911 CMRS costs, in lieu of reimbursing the provider's costs to deliver 911 calls to the ESInet points of interconnection pursuant to § 56-484.17(D), Code of Virginia. The 911 Services Board may establish the process, criteria, and duration for such reimbursement of CMRS costs but shall continue to ensure that necessary 911 service and ESInet objectives are achieved.				
D. Out of the amounts in this item, $1,958,000 the first year from the general fund is provided to the County of Craig, $396,000 the first year from the general fund is provided to the County of Bath, and $396,000 the first year from the general fund is provided to the County of Highland to support the critical response system upgrades. Any funding remaining at the end of the fiscal year shall be carried forward into the next fiscal year for the purposes described in this paragraph.				
Total for Department of Emergency Management			~~**$102,465,735**~~ ***$105,389,726***	~~**$102,340,735**~~ ***$102,389,438***
General Fund Positions	73.85	73.85		
Nongeneral Fund Positions	155.15	155.15		
Position Level	229.00	229.00		

ITEM 404.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Fund Sources: General	~~$15,407,666~~ *$18,307,666*	$15,282,666		
	Special	$4,248,893	$4,248,893		
	Commonwealth Transportation	~~$1,360,549~~ *$1,384,540*	~~$1,360,549~~ *$1,409,252*		
	Dedicated Special Revenue	$26,046,657	$26,046,657		
	Federal Trust	$55,401,970	$55,401,970		

§ 1-115. DEPARTMENT OF FIRE PROGRAMS (960)

405.	Fire Training and Technical Support Services (74400)			$11,565,448	$11,565,448
	Fire Services Management and Coordination (74401)	$5,330,060	$5,330,060		
	Virginia Fire Services Research (74402)	$202,274	$202,274		
	Fire Services Training and Professional Development (74403)	$4,654,858	$4,654,858		
	Technical Assistance and Consultation Services (74404)	$338,128	$338,128		
	Emergency Operational Response Services (74405)	$107,073	$107,073		
	Public Fire and Life Safety Educational Services (74406)	$933,055	$933,055		
	Fund Sources: General	$103,800	$103,800		
	Special	$11,461,648	$11,461,648		

Authority: Title 9.1, Chapter 2 and § 38.2-401, Code of Virginia.

A. Notwithstanding the provisions of § 38.2-401, Code of Virginia, up to 25 percent of the revenue available from the Fire Programs Fund, after making the distributions set out in § 38.2-401 D, Code of Virginia, may be used by the Department of Fire Programs to pay for the administrative costs of all activities assigned to it by law.

B. Included in the amounts appropriated for this item is $123,100 the first year and $123,100 the second year from the Fire Programs Fund to implement a modular training program for volunteer firefighters in accordance with House Bill 729 of the 2018 Session of the General Assembly.

406.	Financial Assistance for Fire Services Programs (76400)			~~$50,433,415~~ *$55,433,415*	~~$53,707,527~~ *$53,907,527*
	Fire Programs Fund Distribution (76401)	$47,108,415	$50,382,527		
	Live Fire Training Structure Grant (76402)	$2,500,000	$2,500,000		
	Categorical Grants (76403)	~~$825,000~~ *$5,825,000*	~~$825,000~~ *$1,025,000*		
	Fund Sources: *General*	*$5,000,000*	*$200,000*		
	Special	$50,183,415	$53,457,527		
	Federal Trust	$250,000	$250,000		

Authority: §§ 38.2-401, Code of Virginia.

A.1. Out of this appropriation, $5,000,000 the first year from the general fund is authorized for the Department of Fire Programs, in conjunction with the Virginia Fire Services Board, to provide grants to localities with qualifying fire departments or fire companies, as defined in §§ 27-6.01 and 27-6.02, Code of Virginia, to purchase protective equipment for firefighters. Funds allocated to localities pursuant to this subsection shall not be used directly or indirectly to supplant or replace funding provided to localities through the Fire Programs Fund (§ 38.2-401, Code of Virginia). Such funds shall solely be used for the purpose of purchasing breathing apparatus equipment and other non-vehicular equipment necessary for the protection of firefighters responding to a fire. Any remaining unexpended balance at year-end shall be reappropriated in the subsequent fiscal year.

ITEM 406.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
2. The Department of Fire Programs and the Virginia Fire Services Board shall develop policies and procedures for the distribution of funds from this grant. The allocation shall prioritize localities that (i) score both above average or high on the Virginia Department of Housing and Community Development's (DHCD) fiscal stress index and double-distressed according to the Virginia Economic Development Partnership's (VEDP) Commonwealth Opportunity Funds Distressed Localities Assessment, and (ii) demonstrate the need for such protective non-vehicular equipment. Each receiving locality shall report to the Department on the use of the funds allocated to it.				
B. Out of this appropriation, $200,000 from the general fund in the second year shall be provided to the city of Virginia Beach to support costs related to the provision of fire support services.				
407. Regulation of Structure Safety (56200)			$3,923,932	~~$3,923,932~~ *$4,153,362*
State Fire Prevention Code Administration (56203)	$3,923,932	~~$3,923,932~~ *$4,153,362*		
Fund Sources: General	$3,363,810	~~$3,363,810~~ *$3,593,240*		
Special	$560,122	$560,122		
Authority: §§ 9.1-201, 9.1-206, and 27-94 through 27-99, Code of Virginia.				
A. The State Fire Marshal may charge no fee for any permits or inspections of any school, whether it be public or private.				
B. The State Fire Marshal shall submit a report to the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees, no later than November 1, 2024, that assesses options for increasing fees for fire inspections, other than complaint-based inspections, to align with the actual cost of providing the inspection service. The assessment shall include an analysis of inspection workload, costs incurred, and fees collected organized by categories that are based on the type of organizations and activities being inspected.				
C. The Department of Fire Programs, in cooperation with the State Fire Marshal's Office, the Virginia Fire Services Board, the Department of Housing and Community Development, and the Board of Housing and Community Development, shall conduct an assessment of the fees charged by the State Fire Marshal's Office to conduct fire safety inspections. The assessment shall include a review of (i) existing inspection fees, (ii) the number of inspections conducted by fee category, (iii) the cost of conducting each inspection, and (iv) the total revenue from each fee category to determine whether there is a need to adjust the fees based on the market cost of conducting inspections. The Department of Fire Programs shall submit a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department of Planning and Budget, no later than October 17, 2025, that outlines the findings of the assessment and a joint recommendation from the Virginia Fire Services Board and the Board of Housing and Community Development on whether the fees should be adjusted or not, including a description of which fees, if any, are recommended for an increase based on the market cost and the projected additional fee revenue that would result from such recommended increase.				
Total for Department of Fire Programs			***~~$65,922,795~~ $70,922,795***	***~~$69,196,907~~ $69,626,337***
General Fund Positions	29.25	~~29.25~~ *31.25*		
Nongeneral Fund Positions	~~57.75~~ *61.75*	~~57.75~~ *61.75*		
Position Level	~~87.00~~ *91.00*	~~87.00~~ *93.00*		
Fund Sources: General	~~$3,467,610~~ *$8,467,610*	~~$3,467,610~~ *$3,897,040*		
Special	$62,205,185	$65,479,297		
Federal Trust	$250,000	$250,000		

§ 1-116. DEPARTMENT OF FORENSIC SCIENCE (778)

ITEM 407.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
408.	Law Enforcement Scientific Support Services (30900)			$64,075,932	~~$64,153,890~~ *$64,790,000*
	Biological Analysis Services (30901)	$16,001,547	~~$16,121,606~~ *$16,414,407*		
	Chemical Analysis Services (30902)	$15,469,465	$15,469,465		
	Toxicology Services (30903)	$12,461,265	$12,419,164		
	Physical Evidence Services (30904)	$10,787,289	~~$10,787,289~~ *$10,895,289*		
	Training Services (30905)	$626,015	$626,015		
	Administrative Services (30906)	$8,730,351	~~$8,730,351~~ *$8,965,660*		
	Fund Sources: General	$61,295,876	~~$61,373,834~~ *$62,009,944*		
	Federal Trust	$2,780,056	$2,780,056		

Authority: §§ 9.1-1100 through 9.1-1113, Code of Virginia.

A. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of Forensic Science shall be exempt from the payment of service charges levied in lieu of taxes by any county, city, or town.

B.1. The Forensic Science Board shall ensure that all individuals who were convicted due to criminal investigations, for which its case files for the years between 1973 and 1988 were found to contain evidence possibly suitable for DNA testing, are informed that such evidence exists and is available for testing. To effectuate this requirement, the Board shall prepare two form letters, one sent to each person whose evidence was tested, and one sent to each person whose evidence was not tested. Copies of each such letter shall be sent to the Chair of the Forensic Science Board and to the respective Chairs of the House Committee for Courts of Justice and the Senate Judiciary Committee. The Department of Corrections shall assist the board in effectuating this requirement by providing the addresses for all such persons to whom letters shall be sent, whether currently incarcerated, on probation, or on parole. In cases where the current address of the person cannot be ascertained, the Department of Corrections shall provide the last known address. The Chair of the Forensic Science Board shall report on the progress of this notification process at each meeting of the Forensic Science Board.

2. Upon a request pursuant to the Virginia Freedom of Information Act for a certificate of analysis that has been issued in connection with the Post Conviction DNA Testing Program and that reflects that a convicted person's DNA profile was not indicated on items of evidence tested, the Department of Forensic Science shall make available for inspection and copying such requested record after all personal and identifying information about the victims, their family members, and consensual partners has been redacted, except where disclosure of the information contained therein is expressly prohibited by law or the Commonwealth's Attorney to whom the certificate was issued states that the certificate is critical to an ongoing active investigation and that disclosure jeopardizes the investigation.

C. Out of the appropriation for this Item, $403,250 the first year and $403,250 the second year from the general fund is provided for the ongoing financing costs of scientific equipment in the toxicology, controlled substances, breath alcohol, and DNA sections through the state's master equipment lease purchase program.

D. Included in the appropriation for this item is $144,336 the first year and $144,336 the second year from the general fund for the estimated costs of materials needed for the additional DNA testing required pursuant to Chapters 543 and 544 of the 2018 Session of the General Assembly.

E. Notwithstanding § 9.1-1101.1, Code of Virginia, the Department of Forensic Science shall not enter into contracts or agreements for forensic laboratory services that i) require additional general fund resources for laboratory services that can otherwise be procured at lower costs, or ii) impose additional regulatory burdens on the staff of the Department to implement.

ITEM 408.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	F. Included in the appropriation for this item is $641,200 the first year and $641,200 the second year from the general fund for four additional toxicology positions and associated equipment and supplies to support the Department's tetrahydrocannabinol (THC) data collection initiative. Of the four positions, no fewer than one shall be assigned to the Western Laboratory in the City of Roanoke.				
	G. Beginning January 1, 2025, the Department of Forensic Science shall identify all blood samples submitted in driving under the influence cases that it analyzed for alcohol and tetrahydrocannabinol content but did not screen for the presence of drugs within a drug class. If eligible for destruction pursuant to subsection B of § 18.2-268.7, any personal or case identifying information shall be removed from the identified blood samples and such blood samples shall be screened for the presence of drugs within a drug class. On at least an annual basis based on the calendar year, the Department of Forensic Science shall report the results of such drug screenings, including the number of blood samples screened, the types of drug classes detected, and the judicial districts in which the related driving under the influence cases arose, to the Department of Motor Vehicles in an aggregate manner. Beginning January 1, 2025, the Department of Forensic Science shall provide for the analysis of all blood samples of drivers killed in motor vehicle and commercial motor vehicle accidents, as submitted by the Office of the Chief Medical Examiner, for both alcohol and drug content and shall report such content to the Office of the Chief Medical Examiner.				
	Total for Department of Forensic Science			**$64,075,932**	**~~$64,153,890~~ *$64,790,000***
	General Fund Positions	342.00	~~342.00~~ *347.00*		
	Nongeneral Fund Positions	27.00	27.00		
	Position Level	369.00	~~369.00~~ *374.00*		
	Fund Sources: General	$61,295,876	~~$61,373,834~~ *$62,009,944*		
	Federal Trust	$2,780,056	$2,780,056		
	§ 1-117. DEPARTMENT OF JUVENILE JUSTICE (777)				
409.	Instruction (19700)			$18,388,881	$18,388,881
	Youth Instructional Services (19711)	$11,638,537	$11,638,537		
	Career and Technical Instructional Services for Youth and Adult Schools (19712)	$3,057,271	$3,057,271		
	Instructional Leadership and Support Services (19714)	$3,693,073	$3,693,073		
	Fund Sources: General	$15,939,506	$15,939,506		
	Special	$10,752	$10,752		
	Federal Trust	$2,438,623	$2,438,623		
	Authority: § 66-13.1, Code of Virginia.				
410.	Operation of Community Residential and Nonresidential Services (35000)			$3,320,293	$3,320,293
	Community Residential and Non-residential Custody and Treatment Services (35008)	$3,320,293	$3,320,293		
	Fund Sources: General	$3,247,866	$3,247,866		
	Special	$50,000	$50,000		
	Federal Trust	$22,427	$22,427		
	Authority: §§ 16.1-246 through 16.1-258, 16.1-286, 16.1-291 through 16.1-295, 66-13, 66-14, 66-22 and 66-24, Code of Virginia.				
	A. Services funded out of this appropriation may include intensive supervision, day treatment, boot camp, and aftercare services, and should be integrated into existing services for juveniles.				

ITEM 410.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
B. Included in the appropriation for this Item is $2,920,000 in the first year and $2,920,000 in the second year from the general fund for a Juvenile Community Placement Program, in which the department may contract with local juvenile detention centers to house juveniles committed to the department prior to their release. The funding provided shall support a minimum of 40 juvenile detention center beds. The department shall develop program guidelines that at a minimum will include which juveniles qualify for placement, length of stay, level of security, mental health services, alcohol and substance abuse services, as well as other services that will be provided to the juvenile while in the detention center.				
411. Supervision of Offenders and Re-entry Services (35100)			$73,191,389	~~$73,191,389~~ *$92,281,659*
Juvenile Probation and Aftercare Services (35102)	$15,702,378	~~$15,702,378~~ *$16,973,378*		
Probation and Parole Services (35106)	$46,603,366	~~$46,603,366~~ *$63,424,143*		
Community Residential Programs (35108)	$8,085,438	$8,085,438		
Administrative Services (35109)	$2,800,207	~~$2,800,207~~ *$3,798,700*		
Fund Sources: General	$72,409,440	~~$72,409,440~~ *$91,499,710*		
Special	$45,000	$45,000		
Federal Trust	$736,949	$736,949		
Authority: §§ 16.1-233 through 16.1-238, 16.1-274, 16.1-294, 16.1-322.1 and 66-14, Code of Virginia.				
A. Notwithstanding the provisions of § 16.1-273 of the Code of Virginia, the Department of Juvenile Justice, including locally-operated court services units, shall not be required to provide drug screening and assessment services in conjunction with investigations ordered by the courts.				
B. Included in the appropriation for this Item is $1,626,575 in the first year and $1,626,575 in the second year from the general fund to support mental health and substance abuse evaluation and treatment services for juveniles under state probation or parole. Out of this item, up to $325,315 each year may be used for the provision of inpatient mental health treatment by private providers for residents committed to the Department and found to be in need of mental health treatment pursuant to § 66-20 of the Code of Virginia. The department shall develop a plan to ensure continuation of mental health and substance abuse treatment services, including contracting with local providers as necessary.				
C. Included in the appropriation for this Item is $240,000 in the first year and $240,000 in the second year from the general fund that shall be used for emergency housing upon release from department custody. The department shall develop guidelines which at a minimum includes a juvenile selection process for placement and maximum lengths of stay.				
412. Financial Assistance to Local Governments for Juvenile Justice Services (36000)			$57,262,673	$57,262,673
Financial Assistance for Juvenile Confinement in Local Facilities (36001)	$41,800,199	$41,800,199		
Financial Assistance for Probation and Parole - Local Grants (36002)	$4,632,936	$4,632,936		
Financial Assistance for Community based Alternative Treatment Services (36003)	$10,829,538	$10,829,538		
Fund Sources: General	$55,452,994	$55,452,994		
Federal Trust	$1,809,679	$1,809,679		
Authority: §§ 16.1-233 through 16.1-238, 16.1-274, 16.1-322.1 and 66-14, Code of Virginia.				

ITEM 412.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

A. From July 1, 2024 to June 30, 2026, the Board of Juvenile Justice shall not approve or commit additional funds for the state share of the cost of construction, enlargement or renovation of local or regional detention centers, group homes or related facilities. The board may grant exceptions only to address emergency maintenance projects needed to resolve immediate life safety issues. For such emergency projects, approval by both the Board of Juvenile Justice and the Secretary of Public Safety and Homeland Security is required. Any emergency projects must also comply with Board of Juvenile Justice standards.

B. Each emergency resolution adopted by the Board of Juvenile Justice approving reimbursement of the state share of the cost of construction, maintenance, or operation of local or regional detention centers, group homes, or related facilities or programs shall include a statement noting that such approval is subject to the availability of funds and approval by the General Assembly at its next regular session.

C. The Department of Juvenile Justice shall reimburse localities, pursuant to § 66-15, Code of Virginia, at the rate of $50 per day for housing juveniles who have been committed to the department, for each day after the department has received a valid commitment order and other pertinent information as required by § 16.1-287, Code of Virginia.

D. Notwithstanding the provisions of § 16.1-322.1 of the Code of Virginia, the department shall apportion to localities the amounts appropriated in this Item.

E.1. The appropriation for Financial Assistance for Community Based Alternative Treatment Services includes $10,379,926 the first year and $10,379,926 the second year from the general fund for the implementation of the financial assistance provisions of the Juvenile Community Crime Control Act (VJCCCA), §§ 16.1-309.2 through 16.1-309.10, Code of Virginia. Notwithstanding § 16.1-309.6, Code of Virginia, localities participating in this program and contributing through their local match an amount of local funds which is greater than they receive from the Commonwealth under this program are authorized, but not required, to provide a contribution greater than the state general fund contribution. In no case shall their local match be less than their state share.

2. Notwithstanding the provisions of §§ 16.1-309.2 through 16.1-309.10, Code of Virginia, the Board of Juvenile Justice shall establish guidelines for use in determining the types of programs for which VJCCCA funding may be expended. The department shall establish a format to receive biennial or annual requests for funding from localities, based on these guidelines. For each program requested, the plan shall document the need for the program, goals, and measurable objectives, and a budget for the proposed expenditure of these funds and any other resources to be committed by localities.

3.a. Notwithstanding the provisions of § 16.1-309.7 B, Code of Virginia, unobligated VJCCCA funds must be returned to the department by each grantee locality no later than October 1 of the fiscal year following the fiscal year in which they were received, or a similar amount may be withheld from the current fiscal year's periodic payments designated by the department for that locality. The Director, Department of Planning and Budget, may increase the general fund appropriation for this Item up to the amount of unobligated VJCCCA funds returned to the Department of Juvenile Justice.

b. All such unobligated and reappropriated balances shall be used by the department for the purpose of awarding short-term supplementary grants to localities, for programs and services which have been demonstrated to improve outcomes, including reduced recidivism, of juvenile offenders. Such programs and services must augment and support current VJCCCA-funded programs within each affected locality. The grantee locality shall submit an outcomes report to the department, in accord with a written memorandum of agreement which shall accompany the supplementary grant award. This provision shall apply to funds obligated to and in the possession of the department and its grant recipients. The entity which returns unobligated funds under this provision shall not have a presumptive entitlement to a supplementary grant.

c. The Department of Juvenile Justice, with the assistance of the Department of Corrections, the Virginia Council on Juvenile Detention, juvenile court service unit directors, juvenile and domestic relations district court judges, and juvenile justice advocacy groups, shall provide a report on the types of programs supported by the Juvenile Community Crime Control Act and whether the youth participating in such programs are statistically less likely to be arrested,

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adjudicated or convicted, or incarcerated for either misdemeanors or crimes that would otherwise be considered felonies if committed by an adult.

F. The department shall consolidate the annual reporting requirements in §§ 2.2-222 and 66-13 and in Chapters 755 and 914 of the 1996 Acts of the General Assembly concerning juvenile offender demographics. The consolidated annual report shall address the progress of Virginia Juvenile Community Crime Control Act programs including the requirements in Article 12.1 of Chapter 11 of Title 16.1 (§ 16.1-309.2 et seq.) relating to the number of juveniles served, the average cost for residential and nonresidential services, the number of employees, and descriptions of the contracts entered into by localities. Notwithstanding any other provisions of the Code of Virginia, the consolidated report shall be submitted to the Governor, the General Assembly, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Public Safety and Homeland Security, and the Department of Planning and Budget by the first day of the regular General Assembly session.

413.	Operation of Secure Correctional Facilities (39800)		~~$83,090,889~~ *$84,919,889*	~~$83,090,889~~ *$66,309,000*
	Juvenile Corrections Center Management (39801)	$6,056,992	$6,056,992	
	Food Services - Prisons (39807)	$3,081,967	$3,081,967	
	Medical and Clinical Services - Prisons (39810)	$9,202,724	$9,202,724	
	Physical Plant Services - Prisons (39815)	$7,062,747	$7,062,747	
	Offender Classification and Time Computation Services (39830)	~~$1,624,516~~ *$3,453,516*	$1,624,516	
	Juvenile Supervision and Management Services (39831)	$48,906,417	~~$48,906,417~~ *$32,124,528*	
	Juvenile Rehabilitation and Treatment Services (39832)	$7,155,526	$7,155,526	
	Fund Sources: General	~~$80,575,534~~ *$82,404,534*	~~$80,575,534~~ *$63,793,645*	
	Special	$1,070,067	$1,070,067	
	Federal Trust	$1,445,288	$1,445,288	

Authority: §§ 16.1-278.8, 16.1-285.1, 66-13, 66-16, 66-18, 66-19, 66-22 and 66-25.1, Code of Virginia.

A. The Department of Juvenile Justice shall retain all funds paid for the support of children committed to the department to be used for the security, care, and treatment of said children.

B.1. The Director, Department of Juvenile Justice, (the "Department") shall develop a transformation plan to provide more effective and efficient services for juveniles, using data-based decision-making, that improves outcomes and safely reduces the number of juveniles housed in state-operated juvenile correctional centers, consistent with public safety. To accomplish these objectives, the Department will provide, when appropriate, alternative placements and services for juveniles committed to the Department that offer treatment, supervision and programs that meet the levels of risk and need, as identified by the Department's risk and needs assessment instruments, for each juvenile placed in such placements or programs. Prior to implementation, the plan shall be approved by the Secretary of Public Safety and Homeland Security.

2. The Department shall reallocate any savings from the reduced cost of operating state juvenile correctional centers to support the goals of the transformation plan including, but not limited to: (a) increasing the number of male and female local placement options, and post-dispositional treatment programs and services; (b) ensuring that appropriate placements and treatment programs are available across all regions of the Commonwealth; and (c) providing appropriate levels of educational, career readiness, rehabilitative, and mental health services for these juveniles in state, regional, or local programs and facilities, including but not limited to, community placement programs, independent living programs, and group homes. The goals of such transformation services shall be to reduce

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the risks for reoffending for juveniles supervised or committed to the Department and to improve and promote the skills and resiliencies necessary for the juveniles to lead successful lives in their communities.

3. No later than November 1 of each year, the Department of Juvenile Justice shall provide a report to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, the Secretary of Public Safety and Homeland Security and the Director, Department of Planning and Budget, assessing the impact and results of the transformation plan and its related actions. The report shall include, but is not limited to, assessing juvenile offender recidivism rates, fiscal and operational impact on detention homes; changes (if any) in commitment orders by the courts; and use of the savings redirected as a result of transformation, including the amount expended for contracted programs and treatment services, including the number of juveniles receiving each specific service. The report should also include the average length of stay for juveniles in each placement option.

4. The Director, Department of Planning and Budget, is authorized to transfer appropriations between items and programs within the Department of Juvenile Justice to reallocate any savings achieved through transformation to accomplish the goals of transformation.

5. If the Department of Juvenile Justice deems it necessary, due to facility population decline, efficient use of resources, and the need to further reduce recidivism, to close a state juvenile correctional center, the Department shall (i) work cooperatively with the affected localities to minimize the effect of the closure on those communities and their residents, and (ii) implement a general closure plan, preferably not less than 12 months from announcement of the closure, to create opportunities to place affected state employees in existing departmental vacancies, assist affected employees with placement in other state agencies, create training opportunities for affected employees to increase their qualifications for additional positions, and safely reduce the population of the facility facing closure, consistent with public safety.

C. The Department of Juvenile Justice is authorized to study possible relationships with localities to increase state-run juvenile correctional center bed capacity for committed youth. If a study is pursued by the Department, it shall report its findings and any recommendations to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Director of the Department of Planning and Budget by October 1, 2025. The Department of Juvenile Justice is not authorized to enter into any agreements or take any actions related to the study's findings or recommendations.

D. Included in the appropriation for this item is $1,829,000 the first year from the general fund for costs associated with admissions and placements. Any remaining unexpended balance of amounts in this paragraph at year-end shall be reappropriated in the subsequent fiscal year.

E. Included in the appropriation for this item is $1,037,381 the second year from the general fund to provide a $2,231 salary increase for security positions.

414.	Administrative and Support Services (39900)			$25,787,859	$25,787,859
	General Management and Direction (39901)	$3,400,001	$3,400,001		
	Information Technology Services (39902)	$8,111,377	$8,111,377		
	Accounting and Budgeting Services (39903)	$5,543,992	$5,543,992		
	Architectural and Engineering Services (39904)	$735,703	$735,703		
	Food and Dietary Services (39907)	$324,209	$324,209		
	Human Resources Services (39914)	$4,870,410	$4,870,410		
	Planning and Evaluation Services (39916)	$2,802,167	$2,802,167		
	Fund Sources: General	$24,512,801	$24,512,801		
	Special	$779,387	$779,387		
	Federal Trust	$495,671	$495,671		

Authority: §§ 66-3 and 66-13, Code of Virginia.

A.1. Consistent with the provisions of Chapter 198 of the 2017 Session of the General Assembly, the Director, Department of Juvenile Justice, shall implement the recommendations relating to the Department of Juvenile Justice made by the Department of Medical Assistance Services in its November 30, 2017 report on streamlining the Medicaid

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application and enrollment process for incarcerated individuals.				
2. For the purpose of implementing these recommendations, included in the amounts appropriated for this item is $112,200 the first year and $112,200 the second year from nongeneral funds and two positions.				
B. It is the intent of the General Assembly that the Department of Juvenile Justice base its rehabilitative programming on the best available evidence of effectiveness and routinely evaluate and improve its programming. To that end, the Department shall conduct a comprehensive evaluation of its rehabilitative programs for youth in direct care to ensure they align with national evidence-based practices, in accordance with the recommendations in the Joint Legislative Audit & Review Commission's 2021 report entitled "Virginia's Juvenile Justice System". The evaluation shall include an assessment of whether the Department has sufficient staffing levels to support such evidence-based programming and, if necesary, provide recommendations to address staffing shortfalls based on successful recruitment and retention practices in other states. The Department shall provide a report on its finding and recommendations to the General Assembly no later than December 1, 2024.				
Total for Department of Juvenile Justice			~~$261,041,984~~ *$262,870,984*	~~$261,041,984~~ *$263,350,365*
General Fund Positions	2,149.50	2,149.50		
Nongeneral Fund Positions	14.00	14.00		
Position Level	2,163.50	2,163.50		
Fund Sources: General	~~$252,138,141~~ *$253,967,141*	~~$252,138,141~~ *$254,446,522*		
Special	$1,955,206	$1,955,206		
Federal Trust	$6,948,637	$6,948,637		
§ 1-118. DEPARTMENT OF STATE POLICE (156)				
415. Information Technology Systems, Telecommunications and Records Management (30200)			~~$119,677,845~~ *$122,064,016*	~~$115,794,644~~ *$121,394,525*
Information Technology Systems and Planning (30201)	$36,613,477	$36,613,477		
Criminal Justice Information Services (30203)	~~$31,321,366~~ *$33,707,537*	~~$27,438,165~~ *$31,528,046*		
Telecommunications and Statewide Agencies Radio System (STARS) (30204)	$20,311,369	$20,311,369		
Firearms Purchase Program (30206)	$3,165,823	$3,165,823		
Sex Offender Registry Program (30207)	$14,512,896	~~$14,512,896~~ *$16,022,896*		
Concealed Weapons Program (30208)	$358,481	$358,481		
Dispatch and Telecommunications Support (30209)	$13,394,433	$13,394,433		
Fund Sources: General	~~$92,807,474~~ *$95,193,645*	~~$92,866,833~~ *$93,872,914*		
Special	$18,864,520	~~$16,946,960~~ *$21,290,760*		
Dedicated Special Revenue	$5,741,561	$3,716,561		
Federal Trust	$2,264,290	~~$2,264,290~~ *$2,514,290*		
Authority: §§ 18.2-308.2:2, 19.2-387, 19.2-388, 27-55, 52-4, 52-4.4, 52-8.5, 52-12, 52-13, 52-15, 52-16, 52-25 and 52-31 through 52-34, Code of Virginia.				
A.1. It is the intent of the General Assembly that wireless 911 calls be delivered directly by the Commercial Mobile Radio Service (CMRS) provider to the local Public Safety Answering Point (PSAP), in order that such calls be answered by the local jurisdiction within which the call originates, thereby minimizing the need for call transfers whenever				

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possible.

2. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, $3,700,000 the first year and $3,700,000 the second year from the Wireless E-911 Fund is included in this appropriation for telecommunications to offset dispatch center operations and related costs incurred for answering wireless 911 telephone calls.

B. Out of the Motor Carrier Special Fund, $900,000 the first year and $900,000 the second year shall be disbursed on a quarterly basis to the Department of State Police.

C.1. This appropriation includes $9,175,535 the first year and $9,175,535 the second year from the general fund for maintaining the Statewide Agencies Radio System (STARS).

2. The Secretary of Public Safety and Homeland Security, in conjunction with the STARS Management Group and the Superintendent of State Police, shall provide a status report on (1) annual operating costs; (2) the status of site enhancements to support the system; (3) the project timelines for implementing the enhancements to the system; and (4) other matters as the secretary may deem appropriate. This report shall be provided to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 1 of each year.

3. Any bond proceeds authorized for the STARS project that remain after the full implementation of the STARS network shall be made available for the STARS equipment needs of the Department of Military Affairs.

4. Any general fund appropriation given for STARS operating and maintenance under the service area 30204, is designated for such purposes. If the Department of State Police cannot expend its STARS appropriation within a given fiscal year, there shall remain an appropriation balance at the end of the fiscal year. The Department may request a discretionary re-appropriation in the subsequent year as provided in § 4-1.05 of this act if necessary for the payment of preexisting obligations for the purchase of goods or services.

D. The department shall deposit to the general fund an amount estimated at $100,000 the first year and $100,000 the second year resulting from fees generated by additional criminal background checks of local job applicants and prospective licensees collected pursuant to § 15.2-1503.1 of the Code of Virginia.

E. Notwithstanding the provisions of §§ 19.2-386.14, 38.2-415, 46.2-1167 and 52-4.3, Code of Virginia, the Department of State Police may use revenue from the State Asset Forfeiture Fund, the Insurance Fraud Fund, the Drug Investigation Trust Account – State, and the Safety Fund to modify, enhance or procure automated systems that focus on the Commonwealth's law enforcement activities and information gathering processes.

F. The Superintendent of State Police is authorized to and shall establish a policy and reasonable fee to contract for the bulk transmission of public information from the Virginia Sex Offender Registry. Any fees collected shall be deposited in a special account to be used to offset the costs of administering the registry. The State Superintendent of State Police shall charge no fee for the transfer of any information from the Virginia Sex Offender Registry to the Statewide Automated Victim Notification (SAVIN) system.

G.1. The Virginia State Police shall, upon request, provide to the Department of Behavioral Health and Developmental Services any information it possesses as a result of carrying out the provisions of §§ 19.2-389, 37.2-819 and 64.2-2014, Code of Virginia, to enable the Department to make anonymous the data held pursuant to those provisions and link it with other relevant data held by the Commonwealth for the purpose of evaluating the impact of carrying out these provisions on the public health and safety, pursuant to a grant from the National Science Foundation to Duke University and a subcontract with the University of Virginia.

2. The Department of State Police shall, upon request, provide to the Department of Juvenile Justice any information it possesses as a result of carrying out the provisions of §§ 16.1-337.1, 19.2-389, 19.2-389.1, 37.2-819 and 64.2-2014, Code of Virginia, to enable the Department to link the data held pursuant to those provisions with other relevant data held by the Commonwealth, and then to de-identify it, for the purpose of evaluating the impact of carrying out these provisions on the public health and safety, pursuant to a research grant to

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Duke University and a subcontract with the University of Virginia.

3. The Department of State Police shall, upon request, provide to the Department of Health any information it possesses as a result of carrying out the provisions of §§ 16.1-337.1, 19.2-389, 19.2-389.1, 37.2-819, 19.2-182.2 and 64.2-2014, Code of Virginia, to enable the Department of Health to link the data held pursuant to those provisions with other relevant data held by the Commonwealth. Once received, the Department of Health will provide the linked data to the Department of Juvenile Justice for de-identification and for the purpose of evaluating the impact of carrying out these provisions on the public health and safety, pursuant to a research grant to Duke University and a subcontract with the University of Virginia.

H. Included within this appropriation is $350,200 the first year and $350,200 the second year from the general fund to support maintenance costs of the state's Commonwealth Link to Interoperable Communications (COMLINC) system.

I. Included within this appropriation is $300,000 the first year and $300,000 the second year and four positions to support the COMLINC system.

J. Included within the amounts for this item is $211,947 the first year and $211,947 the second year and three positions from the general fund for the Department to address the recommendation of the Crime Commission to provide a reference to the "Hold File" for criminal history records checks.

K. Included in the amounts appropriated in this item is $1,479,302 the first year and $1,479,302 the second year from the general fund to comply with and implement the provisions of the Community Policing Act pursuant to House Bill 1250 of the 2020 Session of the General Assembly.

L. Included in the appropriation for this Item is $10,209,045 the first year and $10,209,045 the second year from the general fund to implement Phase I and II transformation of select components of the department's information technology in order to comply with § 2.2-2011 of the Code of Virginia.

M. Included in the appropriation for this item is $438,464 the first year and $438,464 the second year from the general fund and four positions for the ongoing costs of operating an automatic expungement process pursuant to legislation adopted by the 2021 Session of the General Assembly.

N. Out of this appropriation, $301,194 the first year and $301,194 the second year from the general fund is provided to the Department of State Police for three positions for cold case investigators to support efforts to resolve such cases.

O.1. The department shall coordinate monitoring and verification activities related to registry requirements with other state and local law enforcement agencies that have responsibility for monitoring or supervising individuals who are also required to comply with the requirements of the Sex Offender Registry.

2. The Secretary of Public Safety and Homeland Security, in conjunction with the Superintendent of State Police, shall report on the implementation of the monitoring of offenders required to comply with the Sex Offender Registry requirements. The report shall include at a minimum: (1) the number of verifications conducted; (2) the number of investigations of violations; (3) the status of coordination with other state and local law enforcement agencies activities to monitor Sex Offender Registry requirements; and (4) an update of the sex offender registration and monitoring section in the department's current "Manpower Augmentation Study." This report shall be provided to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees each year by January 1.

P. Effective July 1, 2015, the Superintendent of State Police shall provide training to all local law enforcement agencies on the proper method to register and re-register persons required to be registered with the Sex Offender and Crimes Against Minors Registry. Should the Superintendent have reason to believe that any local law enforcement agency is not registering sex offenders as required by § 9.1-903, Code of Virginia, the Superintendent shall notify the local law enforcement agency, as well as the Executive

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Secretary of the Compensation Board and the Director of the Department of Criminal Justice Services.				
Q. Notwithstanding any other provision of law, $1,025,000 from the Insurance Fraud Fund and $1,000,000 from the HEAT Fund as one-time appropriation in the first year *and $2,208,800 from the agency's nongeneral funds' cash balances in the second year* shall be used for replacement and upgrades of the Virginia Criminal Information Network's (VCIN) server and software systems.				
416. Law Enforcement and Highway Safety Services (31000)			~~$381,109,850~~ *$382,109,850*	~~$381,147,528~~ *$390,097,528*
Aviation Operations (31001)	~~$12,363,916~~ *$13,363,916*	$12,343,827		
Commercial Vehicle Enforcement (31002)	$5,934,588	$5,934,588		
Counter-Terrorism (31003)	$7,993,452	$7,993,452		
Help Eliminate Auto Theft (HEAT) (31004)	$4,409,144	$4,409,144		
Drug Enforcement (31005)	$29,571,954	$29,571,954		
Crime Investigation and Intelligence Services (31006)	$51,111,170	~~$51,132,352~~ *$52,232,352*		
Uniform Patrol Services (Highway Patrol) (31007)	$229,331,670	~~$229,368,255~~ *$233,368,255*		
Insurance Fraud Program (31009)	$9,592,637	$9,592,637		
Vehicle Safety Inspections (31010)	$30,801,319	~~$30,801,319~~ *$34,651,319*		
Fund Sources: General	~~$296,318,180~~ *$297,318,180*	~~$296,355,858~~ *$299,055,858*		
Special	$48,471,457	~~$48,471,457~~ *$49,221,457*		
Commonwealth Transportation	$9,179,045	$9,179,045		
Dedicated Special Revenue	$17,250,677	~~$17,250,677~~ *$18,000,677*		
Federal Trust	$9,890,491	~~$9,890,491~~ *$14,640,491*		
Authority: §§ 27-56, 33.2-1726, 46.2-1157 through 46.2-1187, 52-1, 52-4, 52-4.2, 52-4.3, 52-8, 52-8.1, 52-8.2, 52-8.4 and 56-334, Code of Virginia.				
A. Included in this appropriation is $810,687 the first year and $810,687 the second year from Commonwealth Transportation Funds for the personal and associated nonpersonal services costs for eight positions. These positions will be dedicated to patrolling the I-95/395/495 Interchange.				
B. Included in this appropriation is $4,831,625 the first year and $4,831,625 the second year from the Commonwealth Transportation Fund to support enforcement operations at weigh stations statewide.				
C. Included in this appropriation is $1,631,282 the first year and $1,631,282 the second year from Commonwealth Transportation Funds that shall be used to support the personal and associated nonpersonal services costs for trooper positions. These positions will be assigned to the “Highway Safety Corridors" and work to supplement the Department of State Police's enforcement efforts in those corridors.				
D. The Department of State Police shall modify the implementation of the division of drug law enforcement established pursuant to § 52-8.1:1, Code of Virginia, and shall redirect, as may be necessary, resources heretofore provided for that purpose by the General Assembly for the purposes of homeland security, the gathering of intelligence on terrorist activities, the preparation for response to a terrorist attack and any other activity determined by the Governor to be crucial to strengthening the preparedness of the Commonwealth against the threat of natural disasters and emergencies. Nothing in this Item shall be construed to prohibit the Department of State Police from performing drug law enforcement or investigation as otherwise provided for by the Code of Virginia.				

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E. Included within this appropriation is $3,098,098 the first year and $3,098,098 the second year from the Rescue Squad Assistance Fund to support the department's aviation (med-flight) operations.

F. Included within this appropriation is $450,000 the first year and $450,000 the second year from the general fund, which shall be provided to the County of Chesterfield for use in funding the paramedics assigned to the Department of State Police for aviation (med-flight) operations, and for related med-flight expenses.

G. In the event that special fund revenues for this Item exceed expenditures, the balance of such revenues may be used for air medical evacuation equipment improvements, information technology upgrades or for motor vehicle replacement.

H. Included in this appropriation is $110,000 the first year and $110,000 the second year from the general fund to maintain increased traffic enforcement on Interstate 81. These funds shall be used to provide overtime payments for extended and additional work shifts so as to maintain the enhanced level of State Police patrols on this and other public highways in the Commonwealth.

I. Included within this appropriation is $23,000,000 the first year and ~~$23,000,000~~*$25,500,000* the second year from nongeneral funds to be used by the Department of State Police to record expenditures related to law enforcement activity that is performed for other entities and is billed and recorded as revenue, which may not be received until the following fiscal year.

J. Included within this appropriation is $100,000 the first year and $100,000 the second year from the general fund for the Department of State Police to enhance its capabilities in recruiting minority troopers. Funding is to support increased marketing and advertising efforts for recruiting minorities.

K. Included within this appropriation is $116,988 the first year and $116,988 the second year from the Department of Aviation's special fund to support the aviation operations of the Department of State Police.

L.1. Out of the amounts appropriated for this Item, $1,450,000 the first year and $1,450,000 the second year from nongeneral funds and $517,000 the first year and $517,000 the second year from the general fund shall be distributed to the department to expand the operations of the Northern Virginia Internet Crimes Against Children Task Force.

2. Pursuant to paragraph H.2 of Item 394, the Northern Virginia Internet Crimes Against Children Task Force shall provide a report on the actual expenditures and performance results achieved each year. Copies of this report shall be provided each year to the Secretary of Public Safety and Homeland Security and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1.

M. Out of the appropriation for this Item, $3,609,365 the first year and $3,609,365 the second year from the general fund is continued for the ongoing financing costs of purchasing four helicopters through the state's master equipment lease purchase program.

N. Included in this appropriation for this item is $1,129,554 the first year and $1,129,554 the second year from the general fund to establish the second Special Operations Division, which shall serve the Sixth Division. Positions from the Sixth Division that are transferred into the Special Operations Sixth Division shall be backfilled in the Sixth Division.

O. Included in this appropriation is $103,470 the first year and $103,470 the second year from the general fund for the Department of State Police to hire an aviation mechanic for the Fourth Aviation Division in Abingdon.

P. Included in this appropriation is $7,177,484 the first year and $7,177,484 the second year from the general fund as supplemental funding to the base funding for patrol vehicle replacement due to the increased costs associated with new replacement vehicles.

Q. Included in this appropriation is $1,573,157 the first year and $1,573,157 the second year from the general fund to establish the Office of the Gaming Enforcement Coordinator

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and regional support consistent with the provisions of § 52-54 and § 18.2-340.35, Code of Virginia.

R. Included in this appropriation is $772,760 the first year and $772,760 the second year from the general fund and five positions to support a software database to address organized retail crime in the Commonwealth.

S. Out of the appropriation for this Item, $1,640,946 the first year and $1,620,857 the second year from the general fund for the ongoing financing costs of replacing three airplanes through the state's master equipment lease purchase program. The Department shall deposit 50 percent of the proceeds from the sale of the planes that are being replaced to the general fund.

T.*1.* Included within the appropriation for this item is $1,463,415 the first year and $1,500,000 the second year from the general fund to provide targeted salary increases to address salary compression among sworn positions. *Also provided in this Item is $2,500,000 the second year from the general fund to provide a pay step increase for sworn positions.*

2. The Department of State Police shall provide a report to the Director of the Department of Planning and Budget and the staff directors of the House Appropriations Committee and the Senate Finance & Appropriations Committee by September 15, 2025, on the amount of turnover and vacancy savings realized in fiscal years 2024 and 2025 as a result of sworn officers separating from the Department and being replaced by officers at a lower pay step on the trooper pay plan.

U. Included within the appropriation for this item is $1,000,000 the first year from the general fund to support the replacement of unmanned aircraft systems manufactured or assembled by an entity, including its subsidiaries, affiliates, or partners, that is domiciled in a country defined as a foreign adversary pursuant to § 55.1-507, Code of Virginia, with unmanned aircraft systems that are not covered unmanned aircraft systems manufactured or assembled by a covered foreign entity as defined in § 1822 of the National Defense Authorization Act of 2024.

417.	Administrative and Support Services (39900)			~~$46,061,017~~ *$45,826,657*	~~$45,826,657~~ *$46,476,657*
	General Management and Direction (39901)	~~$18,033,885~~ *$17,799,525*	$17,799,525		
	Accounting and Budgeting Services (39903)	$2,688,411	$2,688,411		
	Human Resources Services (39914)	$3,610,475	$3,610,475		
	Physical Plant Services (39915)	$7,611,122	$7,611,122		
	Procurement and Distribution Services (39918)	$3,377,426	$3,377,426		
	Training Academy (39929)	$9,943,289	~~$9,943,289~~ *$10,593,289*		
	Cafeteria (39931)	$796,409	$796,409		
	Fund Sources: General	~~$44,768,951~~ *$44,534,591*	$44,534,591		
	Special	$1,256,310	~~$1,256,310~~ *$1,906,310*		
	Dedicated Special Revenue	$35,756	$35,756		

Authority: §§ 52-1 and 52-4, Code of Virginia.

A. The Superintendent of State Police shall establish written procedures for the timely and accurate electronic reporting of crime data reported to the Department of State Police in accordance with the provisions of § 52-28, Code of Virginia. The procedures shall require the principal officer of the reporting organization to certify that the information provided is, to his knowledge and belief, a true and accurate report. Should the superintendent have reason to believe that any crime data is missing, incomplete or incorrect after audit of the data, the superintendent shall notify the reporting organization, as well as the Chairman of the Compensation Board and the Director, Department of Criminal Justice Services. Upon receiving and verifying resubmitted data that corrects the report, the superintendent shall notify the Chairman of the Compensation Board and the Director, Department of Criminal Justice Services that the missing, incomplete or incorrect data has been satisfactorily submitted.

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B.1. The Department of State Police is authorized to charge other law enforcement agencies a fee for the use of the Virginia State Police Blackstone Training Facility related to training activities. The fee structure and subsequent changes must be reviewed and approved by the Secretary of Public Safety and Homeland Security. The Department shall deposit any moneys received from such fees into the Virginia State Police Blackstone Training Facility Fund.				
2. The State Comptroller shall continue the Virginia State Police Blackstone Training Facility Fund on the books of the Commonwealth. Interest earned on the moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of the fiscal year shall not revert to the general fund but shall remain in the Fund. The Department of State Police shall utilize the revenue deposited in the Fund to (1) maintain and repair facilities at the Virginia State Police Blackstone Training Facility, and (2) acquire, maintain, repair or replace equipment at the Virginia State Police Blackstone Training Facility.				
C. Included within the appropriation for this item is $278,976 the first year and $278,976 the second year and three positions from the general fund for the Department to uphold the requirements of Senate Bill 5030 to share information with an attorney for the Commonwealth. Of these amounts, $65,207 the first year and $65,207 the second year for operational support for the positions, including information technology expenses, furniture, and shipping expenses.				
D.1. Included in this appropriation is $1,000,000 the first year and $1,000,000 the second year from the general fund for the Department to provide training to state and local law enforcement officers in Drug Recognition Expert techniques.				
2. Included in this appropriation is $805,050 in the first year and $805,050 in the second year from the general fund to support six positions for the Department to provide expanded impaired driving training for state and local law enforcement officers.				
E. The Department of State Police shall provide a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, no later than November 1, 2024, on current usage and estimated costs of body-worn cameras by sworn personnel. The report shall include: (i) a description of the Department's current usage of body-worn cameras, including an assessment of associated costs and benefits; (ii) the estimated cost of deploying body-worn cameras for all sworn officers, including associated workload impacts; and (iii) a description of the advantages and limitations of the dash cameras currently used by the Department.				
418. All revenue received from the sale of motor vehicles shall be reported separately from that received from the sale of other property of the department.				
Total for Department of State Police			~~$546,848,712~~ *$550,000,523*	~~$542,768,829~~ *$557,968,710*
General Fund Positions	2,703.00	~~2,703.00~~ *2,704.00*		
Nongeneral Fund Positions	397.00	~~397.00~~ *409.00*		
Position Level	3,100.00	~~3,100.00~~ *3,113.00*		
Fund Sources: General	~~$433,894,605~~ *$437,046,416*	~~$433,757,282~~ *$437,463,363*		
Special	$68,592,287	~~$66,674,727~~ *$72,418,527*		
Commonwealth Transportation	$9,179,045	$9,179,045		
Dedicated Special Revenue	$23,027,994	~~$21,002,994~~ *$21,752,994*		
Federal Trust	$12,154,781	~~$12,154,781~~ *$17,154,781*		

§ 1-119. VIRGINIA PAROLE BOARD (766)

ITEM 419.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
419.	Probation and Parole Determination (35200)			$2,851,107	~~$2,851,107~~ *$2,997,022*
	Adult Probation and Parole Services (35201)	$2,851,107	~~$2,851,107~~ *$2,997,022*		
	Fund Sources: General	$2,796,954	~~$2,796,954~~ *$2,942,869*		
	Federal Trust	$54,153	$54,153		

Authority: Title 53.1, Chapter 4, Code of Virginia.

A. Notwithstanding the provisions of § 53.1-40.01, Code of Virginia, the Parole Board shall annually consider for conditional release those inmates who meet the criteria for conditional geriatric release set out in § 53.1-40.01, Code of Virginia, except that upon any such review the Board may schedule the next review as many as three years thereafter. If any such inmate is also eligible for discretionary parole under the provisions of § 53.1-151 et seq., Code of Virginia, the board shall not be required to consider that inmate for conditional geriatric release unless the inmate petitions the board for conditional geriatric release.

B. The Virginia Parole Board shall submit a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, no later than October 1, 2024, assessing the adequacy and functionality of their case system and estimated costs for any necessary system upgrades.

Total for Virginia Parole Board			**$2,851,107**	**~~$2,851,107~~ *$2,997,022***
General Fund Positions	15.00	~~15.00~~ *17.00*		
Position Level	15.00	~~15.00~~ *17.00*		
Fund Sources: General	$2,796,954	~~$2,796,954~~ *$2,942,869*		
Federal Trust	$54,153	$54,153		
TOTAL FOR OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY			**~~$3,107,784,892~~ *$3,127,089,694***	**~~$3,084,532,206~~ *$3,118,793,505***
General Fund Positions	~~18,545.10~~ *18,557.10*	~~18,545.10~~ *18,568.10*		
Nongeneral Fund Positions	~~953.90~~ *957.90*	~~953.90~~ *969.90*		
Position Level	~~19,499.00~~ *19,515.00*	~~19,499.00~~ *19,538.00*		
Fund Sources: General	~~$2,644,483,926~~ *$2,663,764,737*	~~$2,623,649,688~~ *$2,646,368,484*		
Special	$219,162,567	~~$218,769,119~~ *$224,512,919*		
Commonwealth Transportation	~~$10,539,594~~ *$10,563,585*	~~$10,539,594~~ *$10,588,297*		
Trust and Agency	$4,298,130	$4,298,130		
Dedicated Special Revenue	$65,797,856	~~$63,772,856~~ *$64,522,856*		
Federal Trust	$163,502,819	~~$163,502,819~~ *$168,502,819*		

ITEM 420.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
OFFICE OF TRANSPORTATION				
§ 1-120. SECRETARY OF TRANSPORTATION (186)				
420. Administrative and Support Services (79900).....			$1,068,986	$1,068,986
General Management and Direction (79901).....	$1,068,986	$1,068,986		
Fund Sources: Commonwealth Transportation.....	$1,068,986	$1,068,986		

Authority: Title 2.2, Chapter 2, Article 10, § 2.2-201, and Titles 33, 46, and 58, Code of Virginia.

A. The transportation policy goals enumerated in this act shall be implemented by the Secretary of Transportation, including the secretary acting as Chairman of the Commonwealth Transportation Board.

1. The maintenance of existing transportation assets to ensure the safety of the public shall be the first priority in budgeting, allocation, and spending. The highway share of the Transportation Trust Fund shall be used for highway maintenance and operation purposes prior to its availability for new development, acquisition, and construction.

2. It is in the interest of the Commonwealth to have an efficient and cost-effective transportation system that promotes economic development and all modes of transportation, intermodal connectivity, environmental quality, accessibility for people and freight, and transportation safety. The planning, development, construction, and operations of Virginia's transportation facilities will reflect this goal.

3. To the greatest extent possible, the appropriation of transportation revenues shall reflect planned spending of such revenues by agency and by program.

B. The maximization of all federal transportation funds available to the Commonwealth shall be paramount in the budgetary, spending, and allocation processes.

1. Notwithstanding any provision of law to the contrary, the secretary and all agencies within the transportation secretariat are hereby authorized to take all actions necessary to ensure that federal transportation funds are allocated and utilized for the maximum benefit of the Commonwealth, whether such actions or funds or both are authorized under P.L. 117-58 of the 117th Congress, or any successor or related federal transportation legislation, or regulation, rule, or guidance issued by the U.S. Department of Transportation or any federal agency. The secretary and agencies within the transportation secretariat shall utilize, to the maximum extent practicable, the flexibility provided in federal law, regulation, rule, or guidance to use federal funds in a manner consistent with the Code of Virginia. However, neither the secretary nor an agency in the transportation secretariat may materially delay a project selected pursuant to § 33.2-214.1, Code of Virginia, under the authority in this paragraph.

2. The secretary shall ensure that the allocation of transportation funds apportioned and for which obligation authority is expected to be available under federal law shall be in accordance with such laws and in support of the transportation policy goals enumerated in section A. of this Item. Furthermore, the secretary is authorized to take all actions necessary to allocate the required match for federal highway funds to ensure their appropriate and timely obligation and expenditure within the fiscal constraints of state transportation revenues and in support of the efforts addressed in B.1. By June 1 of each year, the secretary, as Chairman of the Board, shall report to the Governor and General Assembly on the allocation of such federal transportation funds and the actions taken to provide the required match.

3. The board shall only make allocations providing the required match for federal Regional Surface Transportation Block Grant Program funds to those Metropolitan Planning Organizations in urbanized areas greater than 200,000 that, in consultation with the Office of Intermodal Planning and Investment, have developed regional transportation and land use performance measures pursuant to Chapters 670 and 690 of the 2009 Acts of Assembly and have been approved by the board.

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4. Projects funded, in whole or part, from federal funds referred to as congestion mitigation and air quality improvement, shall be selected as directed by the board. Such funds shall be federally obligated within 12 months of their allocation by the board and expended within 36 months of such obligation. If the requirements included in this paragraph are not met by such agency or recipient, then the board shall use such federal funds for any other project eligible under 23 USC 149.

5. Funds made available to the Metropolitan Planning Organizations known as the Regional Surface Transportation Block Grant Program for urbanized areas greater than 200,000 shall be federally obligated within 12 months of their allocation by the board and expended within 36 months of such obligation. If the requirements included in this paragraph are not met by the recipient, then the board may rescind the required match for such federal funds.

6. Notwithstanding paragraph B.2. of this Item, the required matching funds for Transportation Alternatives projects are to be provided by the project sponsor of the federal-aid funding.

7. Federal transportation funds as well as the required state matching funds may be allocated by the Commonwealth Transportation Board for transit purposes under the same rules and conditions authorized by federal law in a manner consistent with the Code of Virginia. The Commonwealth Transportation Board, in consultation with the appropriate local and regional entities, may allocate state revenues to local and regional public transit operators, for operating and/or capital purposes.

8. If a regional area (or areas) of the Commonwealth is determined to be not in compliance with Clean Air Act rules regarding conformity and as a result federal and/or state allocations, apportionments or obligations cannot be used to fund or support transportation projects or programs in that area, such funds may be used to finance demand management, conformity, and congestion mitigation projects to the extent allowed by federal law. Any remaining amount of such allocations, apportionments, or obligations shall be set aside to the extent possible under law for use in that regional area.

9. Appropriations in this act related to federal revenues outlined in this section may be adjusted by the Director, Department of Planning and Budget, upon request from the Secretary of Transportation, as needed to utilize and allocate additional federal funds that may become available.

10. The secretary shall ensure that any bonds issued pursuant to Article 4, Chapter 15 of Title 33.2 shall be programmed to projects eligible for funding through the Interstate Operations and Enhancement Program or to the High Priority Projects Program pursuant to § 33.2-370 or the Construction District Grant Program pursuant to §33.2-371.

C. The secretary may ensure that appropriate action is taken to maintain a minimum cash balance and/or cash reserve in the Highway Maintenance and Operating Fund.

D.1. The Office of Intermodal Planning and Investment shall recommend to the Commonwealth Transportation Board all allocations of funds made available in subsections A. and B. of Item 437. The planning and evaluation may be conducted or managed by the Department of Transportation, Department of Rail and Public Transportation, or another qualified entity selected and/or approved by the Commonwealth Transportation Board.

2. The office shall be responsible for implementing the statewide prioritization processes pursuant to §§ 33.2-214.1 and 33.2-372 for the Commonwealth Transportation Board.

3. The office shall work directly with affected Metropolitan Planning Organizations to develop and implement quantifiable and achievable goals relating to congestion reduction and safety, transit and HOV usage, job/housing ratios, job and housing access to transit and pedestrian facilities, air quality, and/or per-capita vehicle miles traveled pursuant to Chapters 670 and 690 of the 2009 Acts of Assembly.

4. For allocation of funds under Paragraph 1, the office may give a higher priority for planning grants to (i) regional organizations to analyze various land development scenarios for their long range transportation plans, (ii) local governments to revise their comprehensive plans and other applicable local ordinances to designate urban development areas pursuant to Chapter 896 of the 2007 Acts of Assembly and incorporate the principles included in such act,

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and (iii) local governments, regional organizations, transit agencies and other appropriate entities to develop plans for transit oriented development and the expansion of transit service. Such analyses, plans, and ordinances shall be shared with the regional planning district commission or metropolitan planning organization and the Commonwealth Transportation Board.

E.1. The Commonwealth Transportation Board is hereby authorized to apply for, execute, and/or endorse applications submitted by private entities or political subdivision of the Commonwealth to obtain federal credit assistance for one or more qualifying transportation infrastructure projects or facilities to be developed pursuant to the Public-Private Transportation Act of 1995, as amended. Any such application, agreement and/or endorsement shall not financially obligate the Commonwealth or be construed to implicate the credit of the Commonwealth as security for any such federal credit assistance.

2. The Commonwealth Transportation Board is hereby authorized to pursue or otherwise apply for, and execute, an agreement to obtain financing using a federal credit instrument for project financings otherwise authorized by this Act or other Acts of Assembly.

F. Revenues generated pursuant to the provisions of § 58.1-3221.3, Code of Virginia, shall only be used to supplement, not supplant, any local funds provided for transportation programs within the localities authorized to impose the fees under the provisions of § 58.1-3221.3, Code of Virginia.

G. The Director, Department of Planning and Budget, is authorized to adjust the appropriation of transportation agencies in order to utilize proceeds from the sale of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds which were authorized in a prior fiscal year but not issued, pursuant to Section 2 of Enactment Clause 2 of Chapter 896 of the 2007 General Assembly Session.

H. The Director, Department of Planning and Budget, is authorized to adjust the appropriation of transportation agencies in order to utilize proceeds from the sale of Commonwealth of Virginia Federal Transportation Grant Anticipation Revenue Notes.

I. All revenues generated under Chapter 896 of the Acts of Assembly of 2007 (HB 3202) and Chapter 766 of the Acts of Assembly of 2013 (HB 2313), Chapters 837 and 846 of the 2019 Acts of Assembly, and Chapters 1230 and 1275 of the 2020 Acts of Assembly that were dedicated to transportation-related funds have been appropriated in conformity with the requirements of those respective chapters.

J. Notwithstanding § 33.2-502, Code of Virginia, the high-occupancy requirement for a HOT lane facility that is constructed as a result of the Public-Private Transportation Act (§ 33.2-1800 et. seq.) (i) with an initial construction cost in excess of $3 billion and whose operation, maintenance, or financing is not a result of the same comprehensive agreement that resulted in the facility's construction shall be not less than two, or (ii) that is located on the same Interstate corridor and partially located within the same urbanized areas.

K. It is the intent of the General Assembly that state funds in the Commonwealth Transportation Fund and federal funds provided on a recurring, non-one-time basis, for surface transportation be distributed and allocated at the discretion of the entities responsible for such funds based on the policy direction and requirements set forth in the Code of Virginia.

L. Notwithstanding the provisions of § 33.2-3603, Code of Virginia, the I-81 Advisory Committee shall be required to meet at a minimum of two times a year, with additional meetings called at the discretion of the Chair.

Total for Secretary of Transportation			**$1,068,986**	**$1,068,986**
Nongeneral Fund Positions	6.00	6.00		
Position Level	6.00	6.00		
Fund Sources: Commonwealth Transportation	$1,068,986	$1,068,986		

§ 1-121. VIRGINIA COMMERCIAL SPACE FLIGHT AUTHORITY (509)

ITEM 421.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
421.	Space Flight Support Services (60800)			~~$23,184,587~~ *$23,281,490*	~~$23,691,458~~ *$24,714,049*
	Maintenance and Operation of Space Flight Facilities (60801)	~~$23,184,587~~ *$23,281,490*	~~$23,691,458~~ *$24,714,049*		
	Fund Sources: Commonwealth Transportation	~~$23,184,587~~ *$23,281,490*	~~$23,691,458~~ *$24,714,049*		
	Authority: Title 2.2, Chapter 22, Code of Virginia.				
	Total for Virginia Commercial Space Flight Authority			***~~$23,184,587~~ $23,281,490***	***~~$23,691,458~~ $24,714,049***
	Fund Sources: Commonwealth Transportation	~~$23,184,587~~ *$23,281,490*	~~$23,691,458~~ *$24,714,049*		
	§ 1-122. DEPARTMENT OF AVIATION (841)				
422.	Financial Assistance for Airports (65400)			$32,157,020	~~$32,157,020~~ *$32,262,020*
	Financial Assistance for Airport Maintenance (65401)	$1,000,000	$1,000,000		
	Financial Assistance for Airport Development (65404)	$30,157,020	$30,157,020		
	Financial Assistance for Aviation Promotion (65405)	$1,000,000	~~$1,000,000~~ *$1,105,000*		
	Fund Sources: Commonwealth Transportation	$32,157,020	~~$32,157,020~~ *$32,262,020*		

Authority: Title 5.1, Chapters 1, 3, and 5; Title 58.1, Chapter 6, Code of Virginia.

A. It is the intent of the General Assembly that the Department of Aviation match federal funds for Airport Assistance to the maximum extent possible. In furtherance of this maximization, the Commonwealth Transportation Board may request funding from the Commonwealth Airport Fund for surface transportation projects that provide airport access. The Aviation Board shall consider such requests and provide funding as it so approves. However, the legislative intent expressed herein shall not be construed to prohibit the Virginia Aviation Board from allocating funds for promotional activities in the event that federal matching funds are unavailable.

B. The department is authorized to expend up to $400,000 the first year and $400,000 the second year from Aviation Special Funds to support a partnership between industry, academia, and Virginia Small Aircraft Transportation System. The project shall target research efforts to promote safety and greater access for rural airports.

C. The department is authorized to pay to the Civil Air Patrol $100,000 the first year and $100,000 the second year from Aviation Special Funds. The provisions of § 2.2-1505, Code of Virginia, and § 4-5.05 of this act shall not apply to the Civil Air Patrol.

D. Out of the amounts included in this Item, $500,000 the first year and $500,000 the second year shall be paid to the Washington Airports Task Force.

E.1. By November 1 of each year, the Virginia Aviation Board shall report to the Governor and the General Assembly on the use of Commonwealth Airport Fund revenues allocated the previous fiscal year. The report shall include at a minimum the following: (i) the use of entitlement funds allocated by each air carrier airport, including the amount of funds that are unobligated; (ii) the award and use of discretionary funds allocated for air carrier and reliever airports by every such airport; and (iii) the award and use of discretionary funds allocated for general aviation airports by every such airport. Such report shall also include the status of ongoing projects funded in whole or in part by the Commonwealth Airport Fund pursuant to subdivision A 3 of § 58.1-638.

2. The Board shall have the right to withhold entitlement funds allocated pursuant to

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	subdivision A 3 a of § 58.1-638 in the event that the entitlement utilization plan is not approved by the Board or the airport uses the funds in a manner that is inconsistent with the approved plan.				
	F. It is the intent of the General Assembly that state moneys allocated pursuant to § 33.2-1526.6 shall not be used for (i) operating costs unless otherwise approved by the Virginia Aviation Board, or (ii) purposes related to supporting the operation of an airline, either directly or indirectly, through grants, credit enhancements, or other related means.				
	G. Out of the appropriation for the Commonwealth's Development Opportunity Fund, as established in § 2.2-115, Code of Virginia, provided in Item 101 Paragraph A. of this act, $1,000,000 the first year shall be transferred to this item to support the development of an Advanced Air Aviation Test Site. The Department, in cooperation with the Virginia Innovation Partnership Authority, shall work with the industry to identify the optimal location or locations and uses of these funds.				
423.	Air Transportation System Planning, Regulation, Communication and Education (65500)			$4,097,545	~~$4,447,545~~ *$4,483,359*
	Aviation Licensing and Regulation (65501)	$401,301	~~$401,301~~ *$419,528*		
	Aviation Communication and Education (65502)	$1,277,961	~~$1,627,961~~ *$1,550,801*		
	General Aviation Personnel Development (65503)	$26,400	$26,400		
	Air Transportation Planning and Development (65504)	$2,391,883	~~$2,391,883~~ *$2,486,630*		
	Fund Sources: Commonwealth Transportation	$3,391,990	~~$3,741,990~~ *$3,777,804*		
	Federal Trust	$705,555	$705,555		
	Authority: Title 5.1, Chapter 1, Code of Virginia.				
424.	State Aircraft Flight Operations (65600)			$3,651,896	~~$3,651,896~~ *$3,745,024*
	State Aircraft Operations and Maintenance (65602)	$3,651,896	~~$3,651,896~~ *$3,745,024*		
	Fund Sources: General	$30,246	$30,246		
	Commonwealth Transportation	$3,621,650	~~$3,621,650~~ *$3,714,778*		
	Authority: Title 5.1, Chapter 1, Code of Virginia.				
425.	Administrative and Support Services (69900)			$3,252,965	~~$2,902,965~~ *$2,988,426*
	General Management and Direction (69901)	$3,252,965	~~$2,902,965~~ *$2,988,426*		
	Fund Sources: Commonwealth Transportation	$3,252,965	~~$2,902,965~~ *$2,988,426*		
	Authority: Title 5.1, Chapter 1, Code of Virginia.				
	A. The Director, Department of Aviation, shall prepare general guidelines regarding aircraft acquisition and use that shall include a requirement for state agencies to develop written policies on usage, charge rates and record-keeping. The Director shall examine the aircraft needs of state agencies and determine the most efficient and effective method of organizing and managing the Commonwealth's aircraft operations. The Director shall implement the aircraft management system he determines to be most suitable and revise it periodically as the need arises.				
	B. The Virginia Aviation Board and the Department of Aviation may obligate funds in excess of the current biennium appropriation for aviation financial assistance programs supported by the Commonwealth Transportation Fund provided 1) sufficient cash is				

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available to cover projected costs in each year and 2) sufficient revenues are projected to meet all cash obligations for new obligations as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.

C.1. Notwithstanding § 33.2-1526.6, Code of Virginia, six percent of the funds in the Commonwealth Aviation Fund shall be allocated as entitlement funds to the Metropolitan Washington Airports Authority (MWAA).

2.a. In fiscal year 2026, of the amounts remaining in the Commonwealth Aviation Fund after the distribution to MWAA pursuant to paragraph C.1., 50 percent of said funds shall be allocated as entitlement funds to commercial service airport sponsors other than MWAA, based upon the percentage of enplanements for each airport to total enplanements at all commercial airports that are not owned or leased by MWAA. No commercial service airport sponsor shall receive more than twenty-five percent or less than eight percent of the funds made available under this paragraph.

b. For the first six months of fiscal year 2026, of the amounts remaining in the Commonwealth Aviation Fund after the distribution to MWAA pursuant to paragraph C.1., (i) 40 percent of the funds shall be allocated by the Virginia Aviation Board for commercial service and regional business airports on a discretionary basis, except airports owned or leased by MWAA, and (ii) 10 percent of the funds made available shall be allocated by the Virginia Aviation Board for community business and local service airports on a discretionary basis.

c. For the second six months of fiscal year 2026, all remaining funds after the allocation pursuant to paragraph C.2.b. shall be allocated by the Virginia Aviation Board for all eligible airports on a discretionary basis, except airports owned or leased by MWAA.

3. The Department of Aviation shall, by November 1, 2025, submit a report of the amounts each airport in the Commonwealth is to receive under the updated allocations pursuant to paragraphs C.1. through C.2. of this item to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. The report shall also include previous allocations of the Commonwealth Aviation Fund to each airport in the Commonwealth dating back to fiscal year 2020. The report shall include recommendations on how to best allocate Commonwealth Aviation Funds in future years to ensure the financial health of all airports in the Commonwealth.

Total for Department of Aviation			**$43,159,426**	~~**$43,159,426**~~ ***$43,478,829***
Nongeneral Fund Positions	37.00	37.00		
Position Level	37.00	37.00		
Fund Sources: General	$30,246	$30,246		
Commonwealth Transportation	$42,423,625	~~$42,423,625~~ *$42,743,028*		
Federal Trust	$705,555	$705,555		

§ 1-123. DEPARTMENT OF MOTOR VEHICLES (154)

426.	Ground Transportation Regulation (60100)			$230,505,286	$230,505,286
	Customer Service Centers Operations (60101)	$165,449,062	$165,449,062		
	Ground Transportation Regulation and Enforcement (60103)	$49,264,535	$49,264,535		
	Motor Carrier Regulation Services (60105)	$15,791,689	$15,791,689		
	Fund Sources: Commonwealth Transportation	$223,058,686	$223,058,686		
	Trust and Agency	$5,446,600	$5,446,600		
	Federal Trust	$2,000,000	$2,000,000		

Authority: Title 46.2, Chapters 1, 2, 3, 6, 8, 10, 12, 15, 16, and 17; §§ 18.2-266 through 18.2-272; Title 58.1, Chapters 21 and 24, Code of Virginia. Title 33, Chapter 4, United States Code.

A. The Department of Motor Vehicles shall work to increase the use of alternative service

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delivery methods, which may include offering discounts on certain transactions conducted online, as determined by the department. As part of its effort to shift customers to internet usage where applicable, the department shall not charge its customers for the use of credit cards for internet or other types of transactions *under $10,000. For credit card transactions $10,000 and over, the agency may impose a 1.5 percent convenience fee.* ~~however,~~ ~~this~~ *No convenience fee* restrictions shall ~~not~~ apply with respect to any credit or debit card transactions the department conducts on behalf of another agency, provided (i) the other agency is authorized to charge customers for the use of credit or debit cards and (ii) the merchant's fees and other transaction costs imposed by the card issuer are charged to the department.

B. In order to provide citizens of the Commonwealth greater access to the Department of Motor Vehicles, the agency is authorized to enter into an agreement with any local constitutional officer or combination of officers to act as a license agent for the department, with the consent of the chief administrative officer of the constitutional officer's county or city, and to negotiate a separate compensation schedule for such office other than the schedule set out in § 46.2-205, Code of Virginia. Notwithstanding any other provision of law, any compensation due to a constitutional officer serving as a license agent shall be remitted by the department to the officer's county or city on a monthly basis, and not less than 80 percent of the sums so remitted shall be appropriated by such county or city to the office of the constitutional officer to compensate such officer for the additional work involved with processing transactions for the department. Funds appropriated to the constitutional office for such work shall not be used to supplant existing local funding for such office, nor to reduce the local share of the Compensation Board-approved budget for such office below the level established pursuant to general law.

C. The base compensation for DMV Select Agents shall be set at 4.5 percent of gross collections for the first $500,000 and 5.0 percent of all gross collections in excess of $500,000 made by the entity during each fiscal year on such state taxes and fees in place as a matter of law. The commissioner shall supply the agents with all necessary agency forms to provide services to the public, and shall cause to be paid all freight and postage, but shall not be responsible for any extra clerk hire or other business-related expenses or business equipment expenses occasioned by their duties.

D. Out of the amounts identified in this Item, an amount estimated at $416,356 the first year and $416,356 the second year from the Commonwealth Transportation Fund shall be paid to the Washington Metropolitan Area Transit Commission.

E.1. Notwithstanding any other provision of law, the department shall assess a minimum fee of $15 for all titles. The revenue generated from this fee shall be set aside to meet the expenses of the department.

2. Notwithstanding any other provision of law, the department shall assess a $10 late fee on all registration renewal transactions that occur after the expiration date. The late fee shall not apply to those exceptions granted under § 46.2-221.4, Code of Virginia. In assessing the late renewal fee the department shall provide a ten day grace period for transactions conducted by mail to allow for administrative processing. This grace period shall not apply to registration renewals for vehicles registered under the International Registration Plan. The revenue generated from this fee shall be set aside to meet the expenses of the department.

3. Notwithstanding any other provision of law, the department shall establish a $20 minimum fee for original driver's licenses and replacements. The revenue generated from this fee shall be set aside to meet the expenses of the department.

F. The Department of Motor Vehicles is hereby granted approval to renew or extend existing capital leases due to expire during the current biennium for existing customer service centers.

G. The Department of Motor Vehicles is hereby appropriated revenues from the additional sales tax on fuel in certain transportation districts to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-2295, Code of Virginia.

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H. The Department of Motor Vehicles is hereby granted approval to distribute the transactional charges of the Cardinal accounting system to state agencies, when the transactions involve funds passed through the department to the benefiting agency. This paragraph shall not pertain to Direct Aid to Public Education.

I. The Department of Motor Vehicles is hereby granted approval to distribute a portion of its indirect cost allocation charge to another state agency when the charge is related to revenue collected and transferred by the department to the state agency. Such transfers shall be based on the agency's proportionate share of the department's total transactions in the immediately preceding fiscal year. The Department shall annually submit to the Department of Planning and Budget a summary of the transfer amounts and the transaction volumes used to allocate the internal cost amounts.

J. Notwithstanding § 46.2-342, Code of Virginia, the Department of Motor Vehicles shall not be required to include organ donation brochures with every driver's license renewal notice or application mailed to licensed drivers.

K. The Commissioner shall only refuse to issue or renew any vehicle registration pursuant to subsection L of § 46.2-819.3:1 of an operator or owner of a vehicle who has no prior resolution, whether that resolution is by settlement or conviction, for offenses under § 46.2-819.3:1 if, in addition to the conditions set forth in subsection L of § 46.2-819.3:1 for such refusal, the toll operator has offered the individual a settlement of no more than $2,200.

L. The Department is authorized to impose a $10 surcharge on all first issuances of REAL ID compliant credentials that are acceptable for federal purposes.

M. Notwithstanding § 4-2.03 of this act, the Virginia Department of Motor Vehicles shall be exempt from recovering statewide and agency indirect costs from the federal grants until an indirect cost plan can be evaluated and developed by the agency.

N. The Commissioner, in consultation with the Secretary of Administration and the Governor's Chief Transformation Officer, is authorized to issue a Request for Information for (i) updating customer-facing web applications; (ii) pursuing the use of artificial intelligence in day-to-day activities; (iii) the issuance of digital passports and mobile driver's licenses; (iv) improving customer service, specifically through smart phone technologies and the use of self-service kiosks; and (v) other innovative technologies to improve the overall customer experience. The Commissioner is further authorized to enter into agreements with surrounding states for the purpose of building a multi-state consortium to improve the overall customer experience across state lines.

O. The Department of Motor Vehicles shall coordinate with the Department of Corrections to provide identification cards to inmates through the DMV Connect program.

P. The Department of Motor Vehicles shall conduct an analysis of the DMV Select Program to evaluate its potential financial impact on participating localities, including any associated costs of program administration and operations. The Department shall complete the analysis and report its findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than December 1, 2025.

427.	Ground Transportation System Safety Services (60500)			$10,581,923	$10,581,923
	Highway Safety Services (60508)	$10,581,923	$10,581,923		
	Fund Sources: Commonwealth Transportation	$5,849,599	$5,849,599		
	Federal Trust	$4,732,324	$4,732,324		
	Authority: §§ 46.2-222 through 46.2-224, Code of Virginia; Chapter 4, United States Code.				
428.	Administrative and Support Services (69900)			$101,648,119	~~$101,648,119~~ *$126,648,119*
	General Management and Direction (69901)	$53,738,529	$53,738,529		
	Information Technology Services (69902)	$42,401,420	~~$42,401,420~~ *$67,401,420*		
	Facilities and Grounds Management Services (69915)	$5,508,170	$5,508,170		

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	Fund Sources: Commonwealth Transportation	$99,311,119	~~$99,311,119~~ *$124,311,119*		
	Dedicated Special Revenue	$100,000	$100,000		
	Federal Trust	$2,237,000	$2,237,000		
	Authority: Title 46.2, Chapters 1 and 2, and § 46.2-214.3; Title 58.1, Chapters 17, 21, and 24, Code of Virginia.				
	A. The Department of Transportation shall reimburse the Department of Motor Vehicles for the operating costs of the Fuels Tax Evasion Program.				
	B. Notwithstanding any other provision of law, the Department of Motor Vehicles is authorized to retain the income generated by the rental of space in agency-owned facilities. The Department shall not exceed the state rental rate in Item 71 for the rental of space in agency-owned facilities to other state agencies.				
	Total for Department of Motor Vehicles			**$342,735,328**	~~**$342,735,328**~~ ***$367,735,328***
	Nongeneral Fund Positions	2,225.00	2,225.00		
	Position Level	2,225.00	2,225.00		
	Fund Sources: Commonwealth Transportation	$328,219,404	~~$328,219,404~~ *$353,219,404*		
	Trust and Agency	$5,446,600	$5,446,600		
	Dedicated Special Revenue	$100,000	$100,000		
	Federal Trust	$8,969,324	$8,969,324		
	Department of Motor Vehicles Transfer Payments (530)				
429.	Ground Transportation System Safety Services (60500)			$23,255,029	$23,255,029
	Financial Assistance for Transportation Safety (60507)	$23,255,029	$23,255,029		
	Fund Sources: Federal Trust	$23,255,029	$23,255,029		
	Authority: §§ 46.2-222 through 46.2-223, Code of Virginia; Chapter 4, United States Code.				
430.	Financial Assistance to Localities - General (72800)			~~$109,591,500~~ *$112,091,500*	~~$109,591,500~~ *$112,091,500*
	Financial Assistance to Localities - Mobile Home Tax (72803)	~~$5,500,000~~ *$8,000,000*	~~$5,500,000~~ *$8,000,000*		
	Financial Assistance to Localities for the Disposal of Abandoned Vehicles (72814)	$391,500	$391,500		
	Distribution of Sales Tax on Fuel in Certain Transportation Districts (72815)	$103,700,000	$103,700,000		
	Fund Sources: Commonwealth Transportation	$391,500	$391,500		
	Trust and Agency	~~$5,500,000~~ *$8,000,000*	~~$5,500,000~~ *$8,000,000*		
	Dedicated Special Revenue	$103,700,000	$103,700,000		
	Authority: §§ 46.2-416, 58.1-2402, and 58.1-2425, and 46.2-1200 through 46.2-1207, Code of Virginia.				
	A. Funds collected pursuant to § 58.1-2291 et seq., Code of Virginia, from the additional sales tax on fuel in certain transportation districts under § 58.1-2291 et seq., Code of Virginia, shall be returned to the respective commissions in amounts equivalent to the shares collected in the respective member jurisdictions. The amounts generated from the sales tax on fuel in certain transportation districts in this item are estimated at $49,950,000 in the Northern Virginia Transportation Commission and $39,250,000 in the Potomac and Rappahannock Transportation Commission in the first year and $51,690,000 in the				

ITEM 430.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Northern Virginia Transportation Commission and $40,610,000 in the Potomac and Rappahannock Transportation Commission in the second year. These estimates are listed for informational purposes only. Pursuant to § 58.1-2299.20, Code of Virginia, $15,000,000 is transferred each year from these amounts to the Commuter Rail Operating and Capital Fund. In addition to these amounts, $22,183,000 generated in the Northern Virginia Transportation Commission is transferred each year in Item 433 to the Washington Metropolitan Area Transit Authority Capital Fund pursuant to § 58.1-2299.20, Code of Virginia. All other funds collected pursuant to § 58.1-2291 et seq. are appropriated in Item 446.				
B. Notwithstanding any other provision of law, the Commissioner may divulge tax information collected pursuant to § 58.1-2291 et seq., Code of Virginia, to the executive director or designee of the Northern Virginia Transportation Commission, the Potomac and Rappahannock Transportation Commission, the Central Virginia Transportation Authority, and the Hampton Roads Transportation Accountability Commission for their confidential use of such tax information as may be necessary to facilitate the collection of the taxes collected in the respective member jurisdictions. Any person to whom tax information is divulged pursuant to this section shall be subject to the prohibitions and penalties prescribed in § 58.1-3, Code of Virginia, as though that person were a tax official as defined in that section.				
Total for Department of Motor Vehicles Transfer Payments			~~$132,846,529~~ *$135,346,529*	~~$132,846,529~~ *$135,346,529*
Fund Sources: Commonwealth Transportation	$391,500	$391,500		
Trust and Agency	~~$5,500,000~~ *$8,000,000*	~~$5,500,000~~ *$8,000,000*		
Dedicated Special Revenue	$103,700,000	$103,700,000		
Federal Trust	$23,255,029	$23,255,029		
Grand Total for Department of Motor Vehicles			~~$475,581,857~~ *$478,081,857*	~~$475,581,857~~ *$503,081,857*
Nongeneral Fund Positions	2,225.00	2,225.00		
Position Level	2,225.00	2,225.00		
Fund Sources: Commonwealth Transportation	$328,610,904	~~$328,610,904~~ *$353,610,904*		
Trust and Agency	~~$10,946,600~~ *$13,446,600*	~~$10,946,600~~ *$13,446,600*		
Dedicated Special Revenue	$103,800,000	$103,800,000		
Federal Trust	$32,224,353	$32,224,353		
§ 1-124. VIRGINIA PASSENGER RAIL AUTHORITY (522)				
431. Financial Assistance for Rail Programs (61000)			$318,312,497	$368,747,920
Passenger Rail Development and Operation Programs (61004)	$318,312,497	$368,747,920		
Fund Sources: Commonwealth Transportation	$318,312,497	$368,747,920		
Authority: Titles 33.2 and 58.1, Code of Virginia				
A. Of the funds appropriated pursuant to Chapters 1019 and 1044 of the 2000 Acts of Assembly for passenger rail capacity improvements in the I-95 passenger rail corridor between Richmond and the District of Columbia, the Virginia Passenger Rail Authority is authorized to utilize any remaining funds along the described corridor for the development of intercity passenger rail enhancements to include rail improvements and passenger station facilities.				
B. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Virginia Passenger Rail Authority to reflect changes in the official revenue estimates for commonwealth transportation funds.				
Total for Virginia Passenger Rail Authority			**$318,312,497**	**$368,747,920**
Fund Sources: Commonwealth Transportation	$318,312,497	$368,747,920		

ITEM 431.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	§ 1-125. DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (505)				
432.	Ground Transportation Planning and Research (60200)			$3,347,198	$3,347,198
	Rail and Public Transportation Planning, Regulation, and Safety (60203)	$3,347,198	$3,347,198		
	Fund Sources: Commonwealth Transportation	$3,347,198	$3,347,198		
	Authority: Titles 33.2 and 58.1, Code of Virginia.				
433.	Financial Assistance for Public Transportation (60900)			~~$909,191,629~~ *$986,091,629*	~~$945,149,660~~ *$860,649,660*
	Public Transportation Programs (60901)	~~$731,187,824~~ *$808,087,824*	~~$767,145,855~~ *$682,645,855*		
	Congestion Management Programs (60902)	$8,741,503	$8,741,503		
	Human Service Transportation Programs (60903)	$9,862,302	$9,862,302		
	Distribution of Washington Metropolitan Area Transit Authority Capital Fund Revenues (60905)	$159,400,000	$159,400,000		
	Fund Sources: General	~~$60,200,000~~ *$137,100,000*	~~$84,500,000~~ *$0*		
	Special	$1,139,844	$1,139,844		
	Commonwealth Transportation	$688,451,785	$700,109,816		
	Dedicated Special Revenue	$159,400,000	$159,400,000		
	Authority: Titles 33.2 and 58.1, Code of Virginia.				

A.1. Except as provided in Item 435, the Commonwealth Transportation Board shall allocate all monies in the Commonwealth Mass Transit Fund, as provided herein and in § 33.2-1526.1, Code of Virginia. The total appropriation for the Commonwealth Mass Transit Fund is estimated to be $533,200,000 the first year and $544,900,000 the second year from the Transportation Trust Fund. From these funds, the following estimated allocations shall be made:

a. $111,700,000 the first year and $114,400,000 the second year to statewide Operating Assistance as provided in § 33.2-1526.1, Code of Virginia.

b. $77,500,000 the first year and $79,400,000 the second year from the Commonwealth Mass Transit Fund to statewide Capital Assistance.

c. $212,000,000 the first year and $217,100,000 the second year from the Commonwealth Mass Transit Fund to the Northern Virginia Transportation Commission to support the operating and capital costs of the Washington Metropolitan Area Transit Authority.

d. $27,400,000 the first year and $28,000,000 the second year from the Commonwealth Mass Transit Fund to the Transit Ridership Incentive Program.

e. $16,000,000 the first year and $16,300,000 the second year from the Commonwealth Mass Transit Fund to Virginia Railway Express Assistance.

f. $11,400,000 the first year and $11,700,000 the second year from the Commonwealth Mass Transit Fund to Special Programs.

g. Notwithstanding the provisions of paragraphs A.1.a-f of this item, prior to the annual adoption of the Six-Year Improvement Program, the Commonwealth Transportation Board may allocate funding from the Commonwealth Mass Transit Fund to implement the transit and transportation demand management improvements identified for the I-95 corridor. Such costs shall include only direct transit capital and operating costs as well as transportation demand management activities.

2. Included in this item is $1,500,000 the first year and $1,500,000 the second year from the Commonwealth Mass Transit Trust Fund. These allocations are designated for “paratransit" capital projects and enhanced transportation services for the elderly and disabled.

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3. Included in this item is an amount estimated at $2,000,000 the first year and $2,000,000 the second year from the Commonwealth Mass Transit Trust Fund. These allocations are designated for federally mandated state safety oversight of fixed rail guideway transit agencies located in the Commonwealth.

4. Included in this item is $50,000,000 the first year as provided in Chapters 854 and 856 of the 2018 Acts of Assembly and $50,000,000 the second year from the Commonwealth Mass Transit Fund for the state match for the Passenger Rail Investment and Improvement Act (PRIIA) funding.

B. Funds from a stable and reliable source, as required in Public Law 96-184, as amended, are to be provided to Metro from payments authorized and allocated in this program and pursuant to §58.1-2295, Code of Virginia. Notwithstanding any other provision of law, funds allocated to Metro under this program may be disbursed by the Department of Rail and Public Transportation directly to Metro or to any other transportation entity that has an agreement to provide funding to Metro as deemed appropriate by the Department. In appointing the Virginia members of the board of directors of the Washington Metropolitan Area Transit Authority (WMATA), the Northern Virginia Transportation Commission shall include the Secretary of Transportation or his designee as a principal member on the WMATA board of directors.

C. All Commonwealth Mass Transit Funds appropriated for Financial Assistance for Public Transportation shall be used only for public transportation purposes as defined by the Federal Transit Administration or outlined in § 33.2-1526.1, Code of Virginia.

D. It is the intent of the General Assembly that no transit operating assistance funding, as provided in A.1.a. of this item, be used to support any new transit system or route at a level higher than such project would be eligible for under the allocation formula set out in § 33.2-1526.1 D. 1., Code of Virginia, beyond the first two years of its operation.

E. Distribution of Washington Metropolitan Area Transit Authority Capital Fund Revenues represents direct payments, of the revenue collected and deposited into the Fund, to the Washington Metropolitan Area Transit Authority for uses pursuant to Chapter 34 of Title 33.2, Code of Virginia.

F.1. Out of the amounts included in this item, ~~$60,200,000~~ *$136,900,000* the first year ~~and $84,500,000 the second year~~ from the general fund ~~are~~ *is* provided for additional operating assistance for the Washington Metropolitan Area Transit Authority. The provisions of Virginia Code § 33.2-1526.1 (K) are temporarily suspended for fiscal years 2025 and 2026. This section of Code shall resume in fiscal year 2027. This Code change provides a two-year suspension of the requirement that limits the annual Virginia operating assistance for the Washington Metropolitan Area Transit Authority to no more than three percent over the prior year's approved budget.

2. The Washington Metropolitan Area Transit Authority shall complete a comparison of its total costs and overhead costs, defined as general administration and non-vehicle maintenance costs, against the cost of similar transit systems providing service in the cities of Boston, MA; Chicago, IL; New York, NY; Philadelphia, PA; San Francisco, CA; and Washington, DC, and submit this comparison to the Joint Subcommittee on Northern Virginia Public Transit.

G. Notwithstanding § 33.2-1915, Code of Virginia, the Potomac and Rappahannock Transportation District Commission may enter into contracts or agreements with the counties, cities or towns, or planning districts that are within an adjacent planning district to provide commuter transit service between such counties, cities or towns, and Washington D.C. in the I-66 and US 29 corridors.

H. Out of this appropriation, $200,000 the first year from the general fund shall be provided to Hampton Roads Transit for a one-time transit investment.

I VETO ITEM 433.H. ON PAGE 2268 /s/ Glenn Youngkin 5-2-25

434.	Financial Assistance for Rail Programs (61000)				$87,768,213	$87,768,213
	Rail Industrial Access (61001)	$3,000,000	$3,000,000			
	Rail Preservation Programs (61002)	$14,523,370	$14,523,370			
	Passenger and Freight Rail Financial Assistance Programs (61003)	$70,244,843	$70,244,843			

ITEM 434.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Fund Sources: Special	$1,000,000	$1,000,000		
	Commonwealth Transportation	$86,768,213	$86,768,213		

Authority: Title 33.2, Code of Virginia.

A. Except as provided in Item 435, the Commonwealth Transportation Board shall operate the Shortline Railway Preservation and Development program in accordance with § 33.2-1602, Code of Virginia. As determined by the board, funds apportioned to the Highway Construction Fund shall be appropriated to the Shortline Railway Preservation and Development Program. Total funding appropriated to the Shortline Railway Preservation and Development Program from this source shall not exceed $4,000,000 the first year and $4,000,000 the second year.

B. The Commonwealth Transportation Board shall operate the Rail Industrial Access Program in accordance with § 33.2-1600, Code of Virginia. The board may allocate funds pursuant to § 33.2-358, Code of Virginia, to the fund for construction of industrial access railroad tracks.

435.	Administrative and Support Services (69900)			$23,041,236	$23,507,558
	General Management and Direction (69901)	$23,041,236	$23,507,558		
	Fund Sources: Commonwealth Transportation	$23,041,236	$23,507,558		

Authority: Titles 33.2 and 58.1, Code of Virginia.

A. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Department of Rail and Public Transportation to reflect changes in the official revenue estimates for commonwealth transportation funds.

B. The Commonwealth Transportation Board may allocate up to 5 percent of the revenues available each year in the funds established pursuant to §§ 33.2-1602, 33.2-1526 and revenues allocated to the Department pursuant to 33.2-1526.4 to support costs of project development, project administration and project compliance incurred by the Department of Rail and Public Transportation in implementing rail, public transportation, and congestion management programs and grants.

C. The Department of Rail and Public Transportation, with assistance from the Virginia Economic Development Partnership, shall conduct a study to evaluate rail-centric economic development opportunities in the Bedford, Campbell, and Lynchburg region of central Virginia, including both passenger and freight rail enhancements that encourage intermodal and other non-intermodal market opportunities that may yield long-term success and growth in the region. The department shall submit the results of the study to the Governor and General Assembly on or before November 1, 2024.

	Total for Department of Rail and Public Transportation			~~$1,023,348,276~~ *$1,100,248,276*	~~$1,059,772,629~~ *$975,272,629*
	Nongeneral Fund Positions	72.00	72.00		
	Position Level	72.00	72.00		
	Fund Sources: General	~~$60,200,000~~ *$137,100,000*	~~$84,500,000~~ *$0*		
	Special	$2,139,844	$2,139,844		
	Commonwealth Transportation	$801,608,432	$813,732,785		
	Dedicated Special Revenue	$159,400,000	$159,400,000		

§ 1-126. DEPARTMENT OF TRANSPORTATION (501)

436.	Environmental Monitoring and Evaluation (51400)			~~$33,403,529~~ *$21,336,888*	~~$20,826,730~~ *$34,001,781*
	Environmental Monitoring and Compliance for Highway Projects (51408)	~~$11,995,970~~ *$12,467,830*	~~$12,220,422~~ *$20,850,096*		

ITEM 436.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Environmental Monitoring Program Management and Direction (51409)	~~$4,335,845~~ *$4,606,181*	~~$4,444,024~~ *$4,762,749*		
	Municipal Separate Storm Sewer System (MS4) Compliance Activities (51410)	~~$17,071,714~~ *$4,262,877*	~~$4,162,284~~ *$8,388,936*		
	Fund Sources: Commonwealth Transportation	~~$33,403,529~~ *$21,336,888*	~~$20,826,730~~ *$34,001,781*		
437.	Ground Transportation Planning and Research (60200)			~~$152,939,813~~ *$153,528,798*	~~$114,126,286~~ *$112,587,022*
	Ground Transportation System Planning (60201)	~~$133,053,472~~ *$132,917,645*	~~$93,818,012~~ *$91,394,702*		
	Ground Transportation System Research (60202)	~~$15,083,335~~ *$15,549,795*	~~$15,390,991~~ *$15,965,452*		
	Ground Transportation Program Management and Direction (60204)	~~$4,803,006~~ *$5,061,358*	~~$4,917,283~~ *$5,226,868*		
	Fund Sources: *General*	*$250,000*	*$0*		
	Commonwealth Transportation	~~$152,939,813~~ *$153,278,798*	~~$114,126,286~~ *$112,587,022*		

Authority: Title 33.2, Code of Virginia.

A. Included in the amount for ground transportation system planning and research is no less than $7,050,000 the first year and no less than $7,050,000 the second year from the highway share of the Transportation Trust Fund for the planning and evaluation of options to address transportation needs. Included in the amounts in this item, $50,000 the first year and $50,000 the second year from the allocation for the Office of Intermodal Planning and Investment is provided for sponsorship of the annual Public Policy Day (formerly Mobility Talks International) at the Washington, DC Auto Show.

B. Notwithstanding the provisions of Chapter 729 and Chapter 733 of the 2012 Acts of Assembly, the Commonwealth Transportation Board shall not reallocate any funds from projects on roadways controlled by any county that has withdrawn or elects to withdraw from the secondary system of state highways, nor from any roadway controlled by a city or town as part of the state's urban roadway system, based on a determination of nonconformity with the Commonwealth Transportation Board's Statewide Transportation Plan or the Six-Year Improvement Program. In jurisdictions that maintain roadways within their boundaries, the provisions of § 33.2-214, Code of Virginia, shall apply only to highways controlled by the Department of Transportation.

C. The prioritization process developed under § 33.2-214.1, Code of Virginia, shall not apply to use of funds provided in this Item from the federal apportionments in the State Planning and Research Program.

D. The Department of Transportation, with the assistance of the Virginia Institute for Marine Science, shall provide an annual update on the status of the Coastal Virginia Transportation Infrastructure Inundation Study no later than December 1 of each year to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, Chairs of the House and Senate Transportation Committees, Chair of the Joint Subcommittee on Coastal Flooding and Adaptation, and the Secretaries of Transportation and Natural Resources. The report shall include at a minimum: an up-to-date identification of at-risk rural, suburban and urban infrastructure, and planning and options to mitigate or eliminate the identified risks; and a report on what work remains to be completed and estimated time frame for the completion of its work.

E. Out of this appropriation, $250,000 the first year from the general fund is provided for the Department to complete a study of the impact of the development of the state's highway systems on African American communities. The study shall include spatial and health analyses, the effects of discriminatory practices, and recommendations for reparative actions and equitable infrastructure planning.

I VETO ITEM 437.E. ON PAGE 2270 /s/ Glenn Youngkin 5-2-25

ITEM 438.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
438.	Highway Construction Programs (60300)			~~$3,999,337,848~~ *$4,230,381,124*	~~$3,599,507,188~~ *$2,937,456,869*
	Highway Construction Program Management (60315)	~~$60,304,093~~ *$63,496,415*	~~$61,760,315~~ *$68,514,378*		
	Virginia Highway Safety Improvement Program (60317)	~~$118,307,520~~ *$96,231,314*	~~$138,192,947~~ *$102,360,395*		
	Interstate Operations and Enhancement Program (60318)	~~$301,465,670~~ *$522,645,954*	~~$608,663,750~~ *$262,661,281*		
	State of Good Repair Program (60320)	~~$390,184,341~~ *$332,166,571*	~~$449,840,621~~ *$351,861,387*		
	High Priority Projects Program (60321)	~~$279,166,528~~ *$209,856,632*	~~$318,937,383~~ *$232,272,276*		
	Construction District Grant Programs (60322)	~~$419,864,983~~ *$352,909,770*	~~$445,419,414~~ *$363,229,574*		
	Specialized State and Federal Programs (60323)	~~$2,323,044,713~~ *$2,546,074,468*	~~$1,469,692,758~~ *$1,449,557,578*		
	Legacy Construction Formula Programs (60324)	$107,000,000	$107,000,000		
	Fund Sources: General	~~$70,000,000~~ *$245,000,000*	$0		
	Commonwealth Transportation	~~$3,346,886,160~~ *$3,542,609,894*	~~$2,896,763,251~~ *$2,511,581,906*		
	Trust and Agency	~~$314,278,856~~ *$220,559,914*	~~$227,856,469~~ *$181,027,800*		
	Dedicated Special Revenue	~~$268,172,832~~ *$222,211,316*	~~$474,887,468~~ *$244,847,163*		

Authority: Title 33.2, Chapter 3; Code of Virginia; Chapters 8, 9, and 12, Acts of Assembly of 1989, Special Session II.

A. From the appropriation for specialized state and federal programs funds shall be distributed as follows:

1. An estimated $139,051,777 the first year and ~~$141,832,808~~ *$126,179,329* the second year in federal state and matching funds shall be allocated for regional Surface Transportation Block Grant Funds and distributed to applicable metropolitan planning organizations pursuant to 23 USC 133;

2. An estimated $39,388,593 the first year and ~~$39,209,948~~ *$35,568,550* the second year in federal funds shall be allocated for the Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation Program pursuant to 23 USC 176;

3. An estimated $88,431,657 the first year and ~~$79,345,583~~ *$71,976,830* the second year in federal and state matching funds shall be allocated for the Congestion Mitigation Air Quality program pursuant to 23 USC 149;

4. $100,000,000 the first year and $100,000,000 the second year shall be allocated for the Revenue Sharing Program pursuant to § 33.2-357, Code of Virginia;

5. An estimated $31,350,242 the first year and ~~$33,327,295~~ *$33,387,796* the second year in federal funds shall be allocated for the Surface Transportation Block Grant Program Set-Aside to 23 USC 133(h).

6. An estimated $1,177,540,736 the first year and ~~$490,484,102~~ *$405,367,239* the second year in appropriation represents the estimated project participation costs from localities and regional entities.

7. $152,200,000 the first year in this appropriation represents the bond proceeds to be used for the Route 58 Corridor Development Program.

8. An estimated $34,640,380 in the first year and ~~$34,483,269~~ *$31,280,836* in the second year in federal and funds shall be allocated for the Carbon Reduction Program pursuant to

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23 USC 175.

B. Notwithstanding § 33.2-358, Code of Virginia, the proceeds from the lease or sale of surplus and residue property purchased under this program in excess of related costs shall be applied to the State of Good Repair Program pursuant to § 33.2-369, Code of Virginia. Proceeds must be used on Federal Title 23 eligible projects.

C. The Director of the Department of Planning and Budget is authorized to increase the appropriation as needed to utilize amounts available from prior year balances in the dedicated funds and adjust items to the most recent Commonwealth Transportation Board budget.

D. Funds appropriated for legacy formula construction programs shall be used for the purposes enumerated in subsection C of § 33.2-358, Code of Virginia, or as previously appropriated.

E. Included in the amounts for specialized state and federal programs is the reappropriation of ~~$492,646,785~~ *$335,612,268* the first year and ~~$442,646,785~~ *$437,346,785* the second year from bond proceeds or dedicated special revenues for anticipated expenditure of amounts collected in prior years. The amounts will be provided from balances in the Capital Projects Revenue Bond Fund, Federal Transportation Grant Anticipation Revenue Bond Fund, Northern Virginia Transportation District Fund, State Route 28 Highway Improvement District Fund, U.S. Route 58 Corridor Development Fund, Interstate 81 Corridor Improvement Program, Interstate Operations and Enhancement Program, Concession Funds from the Interstate 95 Express Lanes and Interstate 66 Outside-the-Beltway Project Agreements and the Priority Transportation Fund. These amounts were originally appropriated when received or forecasted and are not related to estimated revenues of the current biennium.

F. The Director of the Department of Planning and Budget is authorized to increase the appropriation as needed to utilize amounts available from prior year balances in the Concession Payments Account to support project activities.

G. Included in the amounts for district grant programs is $118,900,000 the first year and ~~$122,800,000~~ *$124,900,000* the second year from the regional fuels tax distributed pursuant to subsection E of § 58.1-2299.20.

H. In the instance where there is a reduction in the prescribed weight of any vehicle or combination of vehicles passing over any bridge, or bridges constituting a part of the interstate, primary, or secondary system of highways, in addition to posting signage in accordance with § 46.2-1104, Code of Virginia, the Department shall make a good faith effort to notify businesses in the surrounding area of the reduction in prescribed weight via electronic, telephone or mail as well as posting in local media in the surrounding localities. The Department shall continue to maintain an updated website, and related social media pages, and shall work with its local partners to develop an electronic communication list to facilitate seamless notification of all businesses using the route for transportation purposes in the surrounding area.

I. Appropriations from the general fund provided in this item shall be transferred to the appropriate nongeneral fund detail for expenditure.

J. Notwithstanding any other provision of law, any general fund amounts allocated by the Commonwealth Transportation Board in the Six-Year Improvement Program to a transportation project that are unspent at the end of the fiscal year shall not revert to the general fund, but shall be carried over to the next fiscal year for the identified purposes.

K.1. The Commonwealth Transportation Board shall provide up to $90,000,000, no more than $15,000,000 in any individual year, to the Transportation Partnership Opportunity Fund established pursuant to § 33.2-1529.1, Code of Virginia, out of the revenue of the Commonwealth Transportation Fund in the Six-Year Financial Plan adopted prior to July 1, 2023 for fiscal years 2025 through 2030.

2. Notwithstanding any other provision of law, any proposed direction of funds by the Governor for transportation projects under the Transportation Partnership Opportunity Fund pursuant to § 33.2-1529.1 (C)(2) of the Code of Virginia in excess of $20.0 million for any one project, and any cumulative direction of funds pursuant to that subdivision in excess of

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$50.0 million during a biennium, shall be subject to approval by the MEI Project Approval Commission established pursuant to § 30-309, Code of Virginia, and the Commission shall complete such review within 21 days of submission. Absent a recommendation within such 21-day period that the funds should not be directed, or in the event that the Commission does not provide a recommendation within such 21-day period, the funds shall be directed.

L. Out of this appropriation, $70,000,000 the first year *and $175,000,000 the second year* from the general fund is provided to support the advancement of projects in the Interstate 81 Corridor Improvement Program. *The amount included in the second year represents the appropriation of excess fiscal year 2024 general fund revenues reserved by the Comptroller in the Committed Fund balance pursuant to Item 470 K.1. of this act.*

M. Notwithstanding the provisions of § 33.2-214, E. of the Code of Virginia, the Commonwealth Transportation Board may advance preliminary engineering and right-of-way activities prior to full funding for construction for projects in the Interstate 81 Corridor Improvement Program as adopted by the Board. The anticipated funding for the construction of the project must be planned for within the subsequent three years after the Six-Year Improvement Program. The Department of Transportation shall report to the Chairs of the House Appropriations, House Transportation, Senate Finance and Appropriations, and Senate Transportation Committees on any projects advanced in this manner.

N. Out of the unexpended funds provided during the 2022-24 biennium for the planning and construction of multi-use trails, $7,500,000 from the unobligated balances shall be allocated for the continued development of the Fall Line Trail.

439.	Highway System Maintenance and Operations (60400)				~~$2,417,796,951~~ *$2,572,046,977*	~~$2,316,499,261~~ *$2,706,013,691*
	Interstate Maintenance (60401)	~~$525,631,573~~ *$606,118,003*	~~$505,879,949~~ *$637,184,981*			
	Primary Maintenance (60402)	~~$655,565,331~~ *$734,000,047*	~~$631,239,557~~ *$754,940,516*			
	Secondary Maintenance (60403)	~~$750,333,510~~ *$756,544,041*	~~$714,876,542~~ *$800,419,829*			
	Transportation Operations Services (60404)	~~$385,723,759~~ *$386,170,185*	~~$369,588,212~~ *$414,820,364*			
	Highway Maintenance Operations, Program Management and Direction (60405)	~~$100,542,778~~ *$89,214,701*	~~$94,915,001~~ *$98,648,001*			
	Fund Sources: Commonwealth Transportation	~~$2,417,796,951~~ *$2,572,046,977*	~~$2,316,499,261~~ *$2,706,013,691*			

A. The department is authorized to enter into agreements with state and local law enforcement officials to facilitate the enforcement of high occupancy vehicle (HOV) restrictions throughout the Commonwealth and metropolitan planning regions.

B. Should federal law be changed to permit privatization of rest area operations, the department is hereby authorized to accept or solicit proposals for their development and/or operation.

C. The Director, Department of Planning and Budget, is authorized to increase the appropriation in this Item as needed to utilize amounts available from prior year balances in the dedicated funds.

D. The Commissioner's annual report pursuant to § 33.2-232, Code of Virginia, shall include an assessment of whether the department has met its secondary road pavement targets, by district and on a statewide basis.

440.	Statewide Special Structures (61400)				~~$85,036,880~~ *$87,676,240*	~~$86,737,618~~ *$89,955,822*
	Statewide Special Structures - Maintenance (61402)	~~$85,036,880~~ *$87,676,240*	~~$86,737,618~~ *$89,955,822*			

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	Fund Sources: Commonwealth Transportation	~~$85,036,880~~ *$87,676,240*	~~$86,737,618~~ *$89,955,822*		
441.	Commonwealth Toll Facilities (60600)			~~$174,365,200~~ *$193,695,800*	~~$122,331,321~~ *$141,738,907*
	Toll Facility Maintenance And Operation (60603)	~~$132,615,200~~ *$59,595,800*	~~$80,581,321~~ *$60,638,907*		
	Toll Facilities Revolving Fund (60604)	~~$41,750,000~~ *$134,100,000*	~~$41,750,000~~ *$81,100,000*		
	Fund Sources: General	$77,000,000	$24,000,000		
	Commonwealth Transportation	~~$97,365,200~~ *$116,695,800*	~~$98,331,321~~ *$117,738,907*		

Authority: §§ 33.2-1524 and 33.2-1700 through 33.2-1729, Code of Virginia.

A. Included in this Item are funds for the installation and implementation of a statewide Electronic Toll Customer Service/Violation Enforcement System.

B. The Department shall not charge a fee to customers who have a EZ Pass flex or standard transponder based on the transponder not being used or being infrequently used.

C.1. Out of the amounts in this item, $77,000,000 the first year and $24,000,000 the second year from the general fund is provided to the Department for the purpose of providing additional toll relief to eligible drivers *defined as registered drivers* (a) who earn less than $50,000 per year, (b) whose primary residence is *(i)* in a planning district with at least three tolled bridges or tunnels and *(ii)* within a locality with a score of 104 or higher on the fiscal stress index *and with a median household income between $53,000 and $57,000*, as published by the Department of Housing and Community Development in July 2023, and (c) who drive a two-axle passenger vehicle to utilize the tunnels in a locality described in (b). The Commissioner shall use funds appropriated in this Item i) to establish a program to provide such eligible drivers with an E-ZPass transponder and the required prefunded account balance, for those who have not previously enrolled in the existing Toll Relief program and have not opened a Virginia E-ZPass Account; ii) to provide *such eligible drivers* an additional 50 percent toll relief rebate, that when combined with the existing Toll Relief program, provides *up to* a 100 percent toll rebate on up to 14 trips per week on the Elizabeth River Tunnels; and iii) to redeem outstanding customer balances and fees as of December 31, 2023, due to Elizabeth River Crossings (ERC) *for drivers described in (b) at the time the toll was incurred* ~~for eligible drivers~~ subject to negotiation between the Commissioner and ERC.

2. The toll relief programs authorized in this item will end in fiscal year 2036 in conjunction with the planned end of the existing Toll Relief program in fiscal year 2036. This toll relief is in addition to the current Toll Relief program administered by the Department and funded by ERC. The Department shall implement this additional toll relief program no later than January 1, 2025, and administer such program in the same manner as the existing Toll Relief program.

3. All funding appropriated in this item for toll relief shall be deposited into an Eligible Drivers Toll Relief Fund. Any funds remaining in the Fund at the end of a biennium shall not revert to the general fund but shall remain in the Fund. All interest and dividends that are earned on the account shall be credited to the Fund. Any funds remaining in the Fund at the end of the toll relief program in 2036 shall revert to the general fund.

4. The Department of Transportation and the Department of Treasury shall enter into a memorandum of agreement related to the management and investment of the monies in the Fund.

5. Consistent with the provisions of subdivision C of § 58.1-3, the Tax Commissioner is authorized to provide to the Department of Transportation, upon entering into a written agreement, the adjusted gross income and any additional information supporting validation of the income of drivers eligible to participate in a toll relief program.

6. The Commissioner shall report to the Governor, the Secretary of Transportation, Chairs of the House Committees on Appropriations, Finance, and Transportation and the Senate Committees on Finance and Appropriations and on Transportation annually by the first day of the regular session of the General Assembly on the additional toll relief provided from the Fund.

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7. The Commissioner shall evaluate the cost and feasibility of permitting HOV access at all times and free-of-charge on the Downtown-Midtown Tunnel facility and provide the estimated cost and recommendations for implementation to the Governor, the Secretary of Transportation, Chairs of the House Committees on Appropriations, Finance, and Transportation and the Senate Committees on Finance and Appropriations and on Transportation no later than October 1, 2024.

8. Notwithstanding § 46.2-819.3:1 L, Code of Virginia, the Commissioner of the Department of Motor Vehicles shall not be required to assess a $40 fee for withholding the registration or renewal of vehicles associated with the redemption of outstanding customer balances and fees under this item.

9. The funds provided in paragraph C.1. of this item, to the extent available, may be used to supplement the Toll Relief program administered by the Department and funded by ERC. Based on estimated participation activity, by July 1 of each year the Department will determine if any changes to the program's annual eligibility and toll relief program parameters are needed to maintain the program with the funding provided by ERC. Any shortfall during the year in the funding for the ERC funded toll relief program due to greater than estimated participation shall be provided from the Eligible Drivers Toll Relief Fund. The Department shall notify the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations of any projected shortfall and amounts to be supplemented from the Eligible Drivers Toll Relief Fund 15 days prior to making any allocation or expenditure for such purpose.

D.1. No later than January 1, 2026, all rates, fees, tolls and other charges shall cease to be collected for the use of the George P. Coleman Bridge.

2. Notwithstanding § 33.2-1529 D 1, Code of Virginia, any funds allocated from the Toll Facility Revolving Account to the George P. Coleman Bridge which cannot be reimbursed to the Toll Facility Revolving Account from available George P. Coleman Bridge funds shall not require reimbursement to the Toll Facility Revolving Account.

E. The Commissioner shall work with the Department of Rail and Public Transportation and toll operators throughout the Commonwealth to reduce, or when practical, eliminate the practice of charging tolls for public transit buses, when not in conflict with contractual obligations or other provisions of law.

442.	Financial Assistance to Localities for Ground Transportation (60700)			~~$563,182,042~~ *$636,708,011*	~~$569,800,889~~ *$661,579,434*
	Financial Assistance for City Road Maintenance (60701)	~~$460,298,258~~ *$526,283,488*	~~$469,561,006~~ *$548,450,617*		
	Financial Assistance for County Road Maintenance (60702)	~~$83,833,968~~ *$91,374,707*	~~$81,244,720~~ *$95,247,635*		
	Financial Assistance for Planning, Access Roads, and Special Projects (60704)	$19,049,816	~~$18,995,163~~ *$17,881,182*		
	Fund Sources: Commonwealth Transportation	~~$563,182,042~~ *$636,708,011*	~~$569,800,889~~ *$661,579,434*		

Authority: Title 33.2, Chapter 1, Code of Virginia.

A. Out of the amounts for Financial Assistance for Planning, Access Road, and Special Projects, $7,000,000 the first year and $7,000,000 the second year from the Commonwealth Transportation Fund shall be allocated for purposes set forth in §§ 33.2-1509, 33.2-1600, and 33.2-1510, Code of Virginia. Of this amount, the allocation for Recreational Access Roads shall be $1,500,000 the first year and $1,500,000 the second year. It is the intent of the General Assembly that up to $250,000 of the funds allocated by the Commonwealth Transportation Board for Recreational Access Roads in this Item shall be prioritized for handicapped accessibility improvements at Virginia State Parks, including improvements to handicapped access points and parking facility enhancements as may be requested by the Department of Conservation and Recreation.

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B. The prioritization process developed under § 33.2-214.1, Code of Virginia, shall not apply to use of funds provided in this Item from federal apportionments in the Metropolitan Planning Program.

C. Consistent with § 33.2-366, Code of Virginia, the Commonwealth Transportation Board, when establishing annual rates of payments to Counties that have elected to withdraw from the secondary highway system, shall adjust such rate annually with i) procedures established for adjusting payments to cities, and ii) lane mileage adjustments. It is the express intent of the General Assembly that under no circumstance shall the addition of lane miles to one jurisdiction result in the direct or indirect reduction in the calculation of payment to any other jurisdiction receiving payment from funds appropriated for Financial Assistance for County Road Maintenance (60702).

D. The Department of Transportation shall report on an annual basis to the Commonwealth Transportation Board on the impact of adjusting the payments made as part of Financial Assistance to Localities distributions for inflation consistent with adjustments for highway system maintenance and operations.

E. Of the amounts in this item, $1,000,000 the first year and $1,000,000 the second year from the Commonwealth Transportation Fund is appropriated for service charges to be paid to localities in which the Virginia Port Authority owns tax-exempt real estate for roadway maintenance activities in the jurisdictions hosting Virginia Port Authority facilities. These payments shall be treated the same as other Commonwealth Transportation Board payments to localities for highway maintenance. These funds shall not be used for other activities nor shall they supplant other local government expenditures for roadway maintenance. These funds shall be distributed to the localities on a pro rata basis in accordance with the formula set out in § 58.1-3403 D, Code of Virginia; however, the proportion of the funds distributed based on cargo traveling through each port facility shall be distributed on a pro rata basis according to twenty-foot equivalent units.

F. Notwithstanding the provisions of § 33.2-1509, Code of Virginia, and consistent with the provisions of § 4-13.00 of this Act, no locality that has been allocated funds for a bonded project by the Commonwealth Transportation Board pursuant to § 33.2-1509, Code of Virginia, shall be required to repay such funds during the 48-month period beginning on the effective date of Chapter 552, 2021 Acts of Assembly, Special Session I, provided that all of the other conditions of the Commonwealth Transportation Board's economic development access policy are met.

G. Notwithstanding § 33.2-319, Code of Virginia, any municipality that annexed or incorporated land from an adjacent county pursuant to an annexation order that became effective in 1941, in which the land included a residential subdivision with streets that had been maintained by the county and that are open to and used by the public, shall accept such streets into such municipality's public street system, shall maintain such streets in the same manner as it maintains public streets in other residential subdivisions, and shall qualify for payments under § 33.2-319, Code of Virginia, with respect to such streets, even though such streets may not meet current or previous design standards for streets in such municipality.

443.	Non-Toll Supported Transportation Debt Service (61200)			~~$370,467,161~~ *$370,151,989*	~~$400,539,655~~ *$405,795,729*
	Highway Transportation Improvement District Debt Service (61201)	$8,105,000	$8,105,000		
	Designated Highway Corridor Debt Service (61202)	$37,134,044	$45,737,600		
	Commonwealth Transportation Capital Projects Bond Act Debt Service (61204)	~~$192,768,525~~ *$185,872,225*	~~$198,955,663~~ *$196,188,225*		
	Federal Transportation Grant Anticipation Revenue Notes Debt Service (61205)	~~$127,116,000~~ *$133,697,128*	~~$133,697,128~~ *$143,036,800*		
	Interstate 81 Corridor Improvement Program Debt Service (61206)	$5,343,592	~~$14,044,264~~ *$12,728,104*		

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Fund Sources: Commonwealth Transportation	~~$127,116,000~~ *$133,697,128*	~~$133,697,128~~ *$143,036,800*		
Trust and Agency	~~$238,652,454~~ *$236,454,861*	~~$262,237,581~~ *$262,758,929*		
Federal Trust	~~$4,698,707~~ *$0*	~~$4,604,946~~ *$0*		

Authority: Titles 15.2, 33.2, and 58.1 of the Code of Virginia; Chapters 827 and 914, Acts of Assembly of 1990; Chapters 233 and 662, Acts of Assembly of 1994; Chapter 8, as amended by Chapter 538, Acts of Assembly of 1999; Chapters 1019 and 1044, Acts of Assembly of 2000; Chapter 799, Acts of Assembly of 2002; Chapter 896, Acts of Assembly of 2007; Chapters 830 and 868, Acts of Assembly of 2011; and Chapter 1230, Acts of Assembly of 2020

A.1. The amount shown for Highway Transportation Improvement District Construction shall be derived from payments made to the Transportation Trust Fund pursuant to the Contract between the State Route 28 Highway Transportation Improvement District and the Commonwealth Transportation Board dated September 1, 1988 as amended by the Amended and Restated District Contract by and among the Commonwealth Transportation Board, the Fairfax County Economic Development Authority and the State Route 28 Highway Transportation Improvement District Commission (the "District Commission") dated August 30, 2002, and May 1, 2012 (the "District Contract").

2. There is hereby appropriated for payment immediately upon receipt to a third party approved by the Commonwealth Transportation Board, or a bond trustee selected by such third party, a sum sufficient equal to the special tax revenues collected by the Counties of Fairfax and Loudoun within the State Route 28 Highway Transportation Improvement District and paid to the Commonwealth Transportation Board by or on behalf of the District Commission (the "contract payments") pursuant to § 15.2-4600 et seq., Code of Virginia, and the District Contract between the Commonwealth Transportation Board and the District Commission.

3. The contract payments may be supplemented from the Construction District Grant Program pursuant to § 33.2-371 allocated to the highway construction district in which the project financed is located, or any other lawfully available revenues of the Transportation Trust Fund, as may be necessary to meet debt service obligations. The payment of debt service shall be for the bonds (the Series 2012 Bonds) issued under the "Commonwealth of Virginia Transportation Contract Revenue Bond Act of 1988" (Chapters 653 and 676, Acts of Assembly of 1988 as amended by Chapters 827 and 914 of the Acts of Assembly of 1990). Funds required to pay the total debt service on the Series 2012 Bonds shall be made available in the amounts indicated in paragraph E of this Item.

B.1. Out of the amounts in this Item, $40,000,000 the first year and $40,000,000 the second year from the Commonwealth Transportation Fund shall be paid to the U.S. Route 58 Corridor Development Fund, hereinafter referred to as the "Fund", established pursuant to § 33.2-2300, Code of Virginia. Additional appropriations required for the U.S. Route 58 Corridor Development Fund, an amount estimated at $20,000,000 the first year and $20,000,000 the second year shall be transferred from the highway share of the Transportation Trust Fund.

2. Pursuant to the "U.S. Route 58 Commonwealth of Virginia Transportation Revenue Bond Act of 1989" (as amended by Chapter 538 of the 1999 Acts of Assembly and Chapter 296 of the 2013 Acts of Assembly), the amounts shown in paragraph E of this Item shall be available from the Fund for debt service for the bonds previously issued and additional bonds issued pursuant to said act.

C.1. The Commonwealth Transportation Board shall maintain the Northern Virginia Transportation District Fund, hereinafter referred to as the "Fund." Pursuant to § 33.2-2400, Code of Virginia, and for so long as the Fund is required to support the issuance of bonds, the Fund shall include at least the following elements:

a. Amounts provided from state transportation revenues estimated at $40,000,000 the first year and $40,000,000 the second year to support the debt service and other commitments of the Fund as required under § 33.2-2400.

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b. Any public right-of-way use fees allocated by the Department of Transportation pursuant to § 56-468.1 of the Code of Virginia and attributable to the counties of Fairfax, Loudoun, and Prince William, the amounts estimated at $4,716,118 the first year and ~~$4,716,118~~ *$3,573,920* the second year.

c. Any amounts which may be deposited into the Fund pursuant to a contract between the Commonwealth Transportation Board and a jurisdiction or jurisdictions participating in the Northern Virginia Transportation District Program, the amounts estimated to be $816,000 the first year and $816,000 the second year.

2. The Fund shall support the issuance of bonds at a total authorized level of $500,200,000 for the purposes provided in the "Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993," Chapter 391, Acts of Assembly of 1993 as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly.

3. Pursuant to the Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993, Chapter 391, Acts of Assembly of 1993, and as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly, amounts shown in paragraph D of this Item shall be available from the Fund for debt service for the bonds previously issued and additional bonds issued pursuant to said act.

4. Should the actual distribution of funds from the Commonwealth Transportation Fund be less than the amount required to pay debt service on the bonds, the Commonwealth Transportation Board is authorized to meet such deficiency, to the extent required, from funds identified in Enactment No. 1, Section 11, of Chapter 391, Acts of Assembly of 1993.

D. Pursuant to various Payment Agreements between the Treasury Board and the Commonwealth Transportation Board, funds required to pay the debt service due on the following Commonwealth Transportation Board bonds shall be transferred to the Treasury Board as follows:

	FY 2025	FY 2026
Transportation Contract Revenue Refund Bonds, Series 2002 (Refunding Route 28)	$8,105,000	$8,105,000
Commonwealth of Virginia Transportation Revenue Bonds: U.S. Route 58 Corridor Development Program:		
Series 2016C (Refunding)	$4,724,250	$4,725,000
Series 2022	$7,816,000	$7,815,500
Series 2023	$14,832,950	$14,831,700
Northern Virginia Transportation District Program:		
Series 2016B (Refunding)	$3,610,750	$3,612,000
Series 2019A (Refunding)	$3,951,650	$3,953,400
Capital Projects Revenue Bonds:		
Series 2010 A-2	~~$34,411,350~~ *$0*	~~$34,016,988~~ *$0*
Series 2014	~~$18,225,950~~ *$0*	~~$18,224,200~~ *$0*
Series 2016	$16,799,500	$16,796,750
Series 2017	$16,523,938	$16,521,938
Series 2017A (Refunding)	$69,667,650	$69,662,400
Series 2018	$9,196,600	$9,199,350
Series 2019	$15,062,938	$15,063,438
Series 2022	$5,425,300	$5,421,300

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Series 2022 (Refunding)		$7,455,300		$7,455,300
Series 2024 (Refunding)		*$45,741,000*		*$45,661,000*

E. Out of the amounts provided for in this Item, an estimated ~~$133,697,128~~ *$131,888,863* the first year and ~~$145,487,744~~ *$143,036,800* the second year from federal reimbursements shall be provided for debt service payments on the Federal Transportation Grant Anticipation Revenue Notes.

F. Out of the amounts provided for this Item, an estimated ~~$192,768,525~~ *$185,872,225* the first year and ~~$198,955,663~~ *$198,188,225* the second year from the Priority Transportation Fund shall be provided for debt service payments on the Commonwealth Transportation Capital Projects Revenue Bonds. Any additional amounts needed to offset the debt service payment requirements attributable to the issuance of the Capital Projects Revenue Bonds shall be provided from the Transportation Trust Fund.

G. Out of the amounts provided for in this Item, an estimated ~~$5,343,592~~ *$5,634,342* the first year and ~~$14,044,264~~ *$12,728,104* the second year from the Interstate 81 Corridor Fund shall be provided for debt service payments on the Interstate 81 Corridor Improvement Bonds and ~~anticipated~~ financing from the Transportation Infrastructure Finance and Innovation Act Program.

444.	Administrative and Support Services (69900)			~~$354,169,643~~ *$373,693,618*	~~$349,832,509~~ *$384,202,650*
	General Management and Direction (69901)	~~$187,178,624~~ *$196,694,126*	~~$191,380,013~~ *$207,595,478*		
	Information Technology Services (69902)	~~$137,353,332~~ *$141,065,441*	~~$128,229,477~~ *$138,442,094*		
	Facilities and Grounds Management Services (69915)	~~$17,529,984~~ *$23,349,307*	~~$17,969,216~~ *$25,350,204*		
	Employee Training and Development (69924)	~~$12,107,703~~ *$12,584,744*	~~$12,253,803~~ *$12,814,874*		
	Fund Sources: Commonwealth Transportation	~~$354,169,643~~ *$373,693,618*	~~$349,832,509~~ *$384,202,650*		

Authority: Title 33.2, Code of Virginia.

A. Notwithstanding any other provision of law, the highway share of the Transportation Trust Fund shall be used for highway maintenance and operation purposes prior to its availability for new development, acquisition, and construction.

B. Administrative and Support Services shall include funding for management, direction, and administration to support the department's activities that cannot be directly attributable to individual programs and/or projects.

C. Out of the amounts for General Management and Direction, allocations shall be provided to the Commonwealth Transportation Board to support its operations, the payment of financial advisory and legal services, and the management of the Commonwealth Transportation Fund.

D. Notwithstanding any other provision of law, the department may assess and collect the costs of providing services to other entities, public and private. The department shall take all actions necessary to ensure that all such costs are reasonable and appropriate, recovered, and understood as a condition to providing such service.

E. Each year, as part of the six-year financial planning process, the commissioner shall implement a long-term business strategy that considers appropriate staffing levels for the department. In addition, the commissioner shall identify services, programs, or projects that will be evaluated for devolution or outsourcing in the upcoming year. In undertaking such evaluations, the commissioner is authorized to use the appropriate resources, both public and private, to competitively procure those identified services, programs, or projects and shall identify total costs for such activities.

F. Notwithstanding § 4-2.03 of this act, the Virginia Department of Transportation shall be exempt from recovering statewide and agency indirect costs from the Federal Highway

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Administration until an indirect cost plan can be evaluated and developed by the agency and approved by the Federal Highway Administration.

G. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Virginia Department of Transportation to reflect changes in the official revenue estimates for commonwealth transportation funds.

H. Notwithstanding any other provisions of law, the Commonwealth Transportation Commissioner may enter into a contract with homeowner associations for grounds-keeping, mowing, and litter removal services.

I. Notwithstanding the provisions § 2.2-2402 of the Code of Virginia, no construction, erection, repair, upgrade, removal or demolition of any building, fixture or structure located or to be located on property of the Commonwealth of Virginia under the control of the Virginia Department of Transportation (VDOT) and within the secured area of a residency, area headquarters or district complex shall be subject to review or approval by the Art and Architectural Review Board as contemplated by that section. However, for changes to any building or fixture located on property owned or controlled by VDOT that has been designated or is under consideration for designation as a historic property, then VDOT shall submit such changes to the Art and Architectural Review Board for review and approval by the Board.

J. Notwithstanding any other provisions of law, the Virginia Department of Transportation (VDOT) is hereby authorized to market, sell and convey all or a portion of the Fulton property at 503 and 890 Bickerstaff Road and 421 Old Osborne Turnpike in Henrico, Virginia, containing 21.35 acres, more or less, as shown on a plat of survey entitled, “Commonwealth of Virginia Department of Highways and Transportation Fulton Depot” made by J.D. Hensdill, State Certified Engineer or Land Surveyor, dated October 1976. Any proceeds from the sale of the Fulton property may be used for the construction, staff relocation and other expenses related to the renovation of the VDOT Annex Building located at 1401 East Broad Street, Richmond, VA and any proceeds not so used shall be deposited in the Transportation Trust Fund.

K. Notwithstanding any other provisions law, in addition to the marketing, sale and conveyance of any property pursuant to item C- 41.10 of the 2017 Appropriations Act, the Virginia Department of Transportation (VDOT) is hereby authorized to market, sell and convey all or a portion of the Hampton Roads District Bartlett Area Headquarters in Isle of Wight County, Virginia, containing 10.42 acres, more or less, as shown on a plat of survey entitled, “Newport Magisterial District Isle of Wight Count, Virginia subdivision of property of: Thomas L. Newton, Jr. & Thomas S. Word, Jr. Trustees” made by W. L. Jessee, State Certified Engineer or Land Surveyor, dated January 8, 1981. Any proceeds from the sale of the Bartlett Area Headquarters as well as any proceeds from the sale of any properties pursuant to item C- 41.10 of the 2017 Appropriations Act may be used for the acquisition, construction and other expenses related to the relocation of the Hampton Roads District Office Complex and any proceeds not so used shall be deposited in the Transportation Trust Fund.

L. Notwithstanding any other provision of law, the Commissioner of Highways is hereby authorized to convey to Norfolk Southern Railway Company by deed without consideration a variable width easement for right of way beneath the existing Interstate 264 overpass in the area of the relocated freight rail facilities, across a parcel approximately 0.5 acres in size, on terms acceptable to the Virginia Department of Transportation, Norfolk Southern Railway Company, and the Federal Highway Administration. The conveyance shall be in a form approved by the Office of the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.

M. The Virginia Department of Transportation (VDOT) in coordination with the Secretary of Commerce and Trade (the Secretary) shall review the economic development, transportation, and safety benefits of expanding Van Buren Road, North Extension in Prince William County. The review shall include representatives from Prince William County, the Northern Virginia Transportation Authority, and any private sector interests required to aid in the completion of this review. In addition to assessing the economic benefits of the expansion, VDOT and the Secretary shall determine and communicate any additional benefits, potential

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financing, and time table option for this project. VDOT and the Secretary shall report its findings to the Chairs of the House Transportation, Senate Transportation, House Appropriations, and Senate Finance and Appropriations Committees on or before November 1, 2024.

N. Notwithstanding any other provision of law, the Virginia Department of Transportation (VDOT) is hereby authorized to convey, to the Town of Gordonsville, approximately 2.479 acres of the VDOT Gordonsville Area Headquarters, (which is more specifically described as being that property containing 16.0607 acres, more or less, conveyed to the Commonwealth of Virginia by Deed from H. Watkins Ellerson, III, Trustee, dated October 4, 1988, recorded November 9, 1988, in the Clerk's Office of the Circuit Court of Orange County, Virginia, in Deed Book 417, page 0774), as mutually agreed to by the parties. In sole consideration for the conveyance, the Town of Gordonsville shall, within 120 days of the conveyance and at no cost to VDOT, relocate or cause to be relocated, using its own forces or a contractor, the VDOT security fence currently located on the Gordonsville Area Headquarters boundary line to the new property boundary line established pursuant to the conveyance contemplated hereunder, with said fence being owned and maintained by VDOT thereafter. The Town of Gordonsville shall ensure that all work performed and materials utilized in relocating the boundary line fence shall conform to VDOT specifications. The conveyance and all documentation pursuant thereto shall be in a form approved by the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.

O. The Virginia Department of Transportation, in coordination with the Central Virginia Planning District Commission, shall conduct a study to evaluate the costs to build a connector road from the former Central Virginia Training Center property to the Old Town Connector, Route 210, in Amherst County. The Department is authorized to utilize up to $200,000 in Commonwealth Transportation Funds for the study and shall submit the results of the study to the Central Virginia Planning District Commission, the Governor, and the General Assembly on or before December 1, 2025.

P. Notwithstanding any other provisions of law, the Virginia Department of Transportation (VDOT) is hereby authorized to market, sell and convey all or a portion of the Andersonville AHQ property at 6398 Andersonville Road in Buckingham, Virginia, containing 3.016 acres, more or less, conveyed to the Commonwealth of Virginia by Deed from Julia G, Forbes, dated June 9, 1949 and recorded in the Clerk's Office, Circuit Court of Buckingham County in Book 50 Page 387, and as shown on a plat dated May 23, 1949, recorded in the State Highway Plat Book, marked R/W File #421 in the office of the Virginia Department of Transportation. Any proceeds from the sale of the Andersonville AHQ property may be used to supplement and support existing maintenance reserve and capital project needs for VDOT facilities and any proceeds not so used shall be deposited in the Transportation Trust Fund.

Q. Notwithstanding any other provisions of law, the Virginia Department of Transportation (VDOT) is hereby authorized to market, sell and convey all or a portion of the Manteo AHQ property at 1101 Pattie Road in Buckingham, Virginia, containing 3.035 acres, more or less, conveyed to the Commonwealth of Virginia by Deed from W. A. Llewellyn and Nannie Cl Llewellyn, dated May 10, 1949 and recorded in the Clerk's Office, Circuit Court of Buckingham County in Deed Book 50 Page 165, and as shown on a plat dated April 11, 1949, recorded in the State Highway Plat Book, marked R/W File #416 in the office of the Virginia Department of Transportation. Any proceeds from the sale of the Manteo AHQ property may be used to supplement and support existing maintenance reserve and capital project needs for VDOT facilities and any proceeds not so used shall be deposited in the Transportation Trust Fund.

R. Notwithstanding any other provisions of law, the Virginia Department of Transportation (VDOT) is hereby authorized to market, sell and convey all or a portion of the Yellow Branch AHQ property at 1062 Green House Road in Campbell County, Virginia, containing 5.01 acres, more or less, conveyed to the Commonwealth of Virginia by Deed from L. E. Calohan, dated February 12, 1951 and recorded in the Circuit Court of Campbell County in Book 231 Page 194, and as shown on a plat recorded in the State Highway Plat Book, marked R/W File 495 in the Office of the Virginia Department of

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Transportation. Any proceeds from the sale of the Yellow Branch AHQ property may be used to supplement and support existing maintenance reserve and capital project needs for VDOT facilities and any proceeds not so used shall be deposited in the Transportation Trust Fund.				
S. Notwithstanding any other provisions of law, the Virginia Department of Transportation (VDOT) is hereby authorized to market, sell and convey all or a portion of the two parcels of property located at and adjacent to 10267 Telegraph Road, Ashland, Virginia, known as the "Atlee Maintenance Lot" and "OFF RT 623 ADJ HWY PROP", Hanover County PID #7787-34-5666 and PID #7787-34-5926, respectively, totaling approximately 6.03 acres. Any proceeds from the sale of the Atlee Maintenance Lot and OFF RT 623 ADJ HWY PROP may be used to supplement and support existing maintenance reserve and capital project needs for VDOT facilities and any proceeds not so used shall be deposited in the Transportation Trust Fund.				
445. A full accrual system of accounting shall be effected by the Department, subject to the authority of the State Comptroller, as stated in § 2.2-803, Code of Virginia.				
Total for Department of Transportation			~~$8,150,699,067~~ *$8,639,219,445*	~~$7,580,201,457~~ *$7,473,331,905*
Nongeneral Fund Positions	7,966.00	7,966.00		
Position Level	7,966.00	7,966.00		
Fund Sources: General	~~$147,000,000~~ *$322,250,000*	$24,000,000		
Commonwealth Transportation	~~$7,177,896,218~~ *$7,637,743,354*	~~$6,586,614,993~~ *$6,760,698,013*		
Trust and Agency	~~$552,931,310~~ *$457,014,775*	~~$490,094,050~~ *$443,786,729*		
Dedicated Special Revenue	~~$268,172,832~~ *$222,211,316*	~~$474,887,468~~ *$244,847,163*		
Federal Trust	~~$4,698,707~~ *$0*	~~$4,604,946~~ *$0*		
Department of Transportation Transfer Payments (503)				
446. Financial Assistance to Localities for Ground Transportation (60700)			~~$885,922,124~~ *$881,844,248*	~~$967,321,959~~ *$1,024,310,709*
Distribution of Northern Virginia Transportation Authority Fund Revenues (60706)	~~$405,722,124~~ *$401,644,248*	~~$441,521,959~~ *$464,210,709*		
Distribution of Hampton Roads Transportation Fund Revenues (60707)	~~$283,300,000~~ *$282,900,000*	~~$306,400,000~~ *$314,700,000*		
Distribution of Central Virginia Transportation Fund.Revenues (60710)	~~$196,900,000~~ *$197,300,000*	~~$219,400,000~~ *$245,400,000*		
Fund Sources: Dedicated Special Revenue	~~$885,922,124~~ *$881,844,248*	~~$967,321,959~~ *$1,024,310,709*		
Authority: Title 33.2, Chapter 1, Code of Virginia.				
A. Distribution of Northern Virginia Transportation Authority Fund Revenues represents direct payments of the revenue collected and deposited into the Fund, to the Northern Virginia Transportation Authority for uses contained in Chapter 766, 2013 Acts of Assembly.				
B. Notwithstanding any other provision of law, moneys deposited into the Hampton Roads Transportation Fund shall be transferred to the Hampton Roads Transportation Accountability Commission for use in accordance with § 33.2-2611, Code of Virginia. Moneys deposited into the Hampton Roads Regional Transit Fund shall be transferred to the Hampton Roads Accountability Commission for use in accordance with § 33.2-2600.1, Code of Virginia.				
C. Distribution of the Central Virginia Transportation Authority Fund revenues represents direct payments, of the revenue collected and deposited into the Fund, to the Central Virginia				

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Transportation Authority for uses specified in Chapter 1235, 2020 Acts of Assembly.				
D. Funds collected pursuant to § 58.1-2291 et seq., Code of Virginia, from the additional tax on fuel in certain transportation districts under § 58.1-2291 et seq., Code of Virginia, shall be returned to the respective commissions in amounts equivalent to the shares collected in the respective member jurisdictions. The amounts generated from this additional tax on fuel in certain transportation districts in this item are estimated at ~~$64,200,000~~ *$66,700,000* for the Hampton Roads Transportation Accountability Commission and ~~$51,300,000~~ *$58,100,000* for the Central Virginia Transportation Authority in the first year and ~~$66,500,000~~ *$67,900,000* for the Hampton Roads Transportation Accountability Commission and ~~$52,700,000~~ *$59,300,000* for the Central Virginia Transportation Authority in the second year. All other funds collected pursuant to § 58.1-2291 et seq. are appropriated in Item 430, 438, and 443.				
E. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Virginia Department of Transportation Transfer Payments to reflect changes in the official revenue estimates in the dedicated funds.				
Total for Department of Transportation Transfer Payments			~~**$885,922,124**~~ ***$881,844,248***	~~**$967,321,959**~~ ***$1,024,310,709***
Fund Sources: Dedicated Special Revenue	~~$885,922,124~~ *$881,844,248*	~~$967,321,959~~ *$1,024,310,709*		
Grand Total for Department of Transportation			~~**$9,036,621,191**~~ ***$9,521,063,693***	~~**$8,547,523,416**~~ ***$8,497,642,614***
Nongeneral Fund Positions	7,966.00	7,966.00		
Position Level	7,966.00	7,966.00		
Fund Sources: General	~~$147,000,000~~ *$322,250,000*	$24,000,000		
Commonwealth Transportation	~~$7,177,896,218~~ *$7,637,743,354*	~~$6,586,614,993~~ *$6,760,698,013*		
Trust and Agency	~~$552,931,310~~ *$457,014,775*	~~$490,094,050~~ *$443,786,729*		
Dedicated Special Revenue	~~$1,154,094,956~~ *$1,104,055,564*	~~$1,442,209,427~~ *$1,269,157,872*		
Federal Trust	~~$4,698,707~~ *$0*	~~$4,604,946~~ *$0*		
§ 1-127. MOTOR VEHICLE DEALER BOARD (506)				
447. Consumer Affairs Services (55000)			$324,722	$324,722
Consumer Assistance (55002)	$324,722	$324,722		
Fund Sources: Special	$324,722	$324,722		
Authority: Title 46.2, Chapter 15, Code of Virginia.				
448. Regulation of Professions and Occupations (56000)			$3,261,330	$3,265,536
Motor Vehicle Dealer and Salesman Regulation (56023)	$1,672,574	$1,672,574		
Administrative Services (56048)	$1,588,756	$1,592,962		
Fund Sources: Special	$3,261,330	$3,265,536		
Authority: Title 46.2, Chapter 15, Code of Virginia.				
Total for Motor Vehicle Dealer Board			**$3,586,052**	**$3,590,258**
Nongeneral Fund Positions	25.00	25.00		
Position Level	25.00	25.00		
Fund Sources: Special	$3,586,052	$3,590,258		

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	§ 1-128. VIRGINIA PORT AUTHORITY (407)				
449.	Economic Development Services (53400)			$16,580,786	$17,330,786
	National and International Trade Services (53413)	$14,330,786	$14,330,786		
	Commerce Advertising (53426)	$2,250,000	$3,000,000		
	Fund Sources: General	$750,000	$1,500,000		
	Special	$7,830,786	$7,830,786		
	Commonwealth Transportation	$8,000,000	$8,000,000		
	Authority: Title 62.1, Chapter 10, Code of Virginia.				
	A. Out of this appropriation, $500,000 the first year and $1,000,000 the second year from the general fund shall be deposited to the Virginia Port Volume Increase Grant Fund and awarded under the Virginia Port Volume Increase Grant Program in accordance with the provisions of § 62.1-132.3:5, Code of Virginia.				
	B. Out of this appropriation, $250,000 the first year and $500,000 the second year from the general fund shall be deposited to the Virginia Barge and Rail Usage Grant Fund and awarded under the Virginia Barge and Rail Usage Grant Program in accordance with the provisions of § 62.1-132.3:6, Code of Virginia.				
450.	Port Facilities Planning, Maintenance, Acquisition, and Construction (62600)			$98,666,555	~~$98,666,555~~ *$398,666,555*
	Maintenance and Operations of Ports and Facilities (62601)	$34,968,889	$34,968,889		
	Port Facilities Planning (62606)	$1,280,247	$1,280,247		
	Debt Service for Port Facilities (62607)	$62,417,419	~~$62,417,419~~ *$362,417,419*		
	Fund Sources: Special	$41,280,247	~~$41,280,247~~ *$341,280,247*		
	Commonwealth Transportation	$52,386,308	$52,386,308		
	Federal Trust	$5,000,000	$5,000,000		
	Authority: Title 62.1, Chapter 10; Title 33.2, Chapter 1, Code of Virginia.				
	A.1. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund bonds on January 25, 2012 in the amount of $108,015,000 to refund Commonwealth Port Fund bonds originally issued on July 11, 2002. Debt service on bonds referenced in this paragraph is estimated to be $9,100,000 the first year and $9,100,000 the second year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.				
	2. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund Revenue Refunding Bonds on August 4, 2020 in the amount of $97,615,000 to refund Commonwealth Port Fund bonds originally issued in September 2012 and June 2015. Debt service on bonds referenced in this paragraph is estimated to be $6,200,000 the first year and $6,200,000 the second year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.				
	3. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund Revenue Refunding Bonds on April 26, 2023, in the amount of $148,520,000 to finance improvements to Norfolk International Terminals. Debt service on bonds referenced in this paragraph is estimated to be $7,700,000 the first year and $7,700,000 the second year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.				
	4. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund Revenue Refunding Bonds on April 26, 2023, in the amount of $52,675,000 to refund all of the Commonwealth Port Fund bonds originally issued on July 26, 2018. Debt service on bonds referenced in this paragraph is estimated to be $2,500,000 the first year and $2,500,000 the second year, and all or a portion				

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of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

5. In the event revenues of the Commonwealth Port Fund are insufficient to provide for the debt service on the Virginia Port Authority Commonwealth Port Fund Revenue Bonds authorized by paragraphs A1, A2, A3, and A4; or any bonds payable from the revenues of the Commonwealth Port Fund, there is hereby appropriated a sum sufficient first from the legally available moneys in the Transportation Trust Fund and then from the general fund to provide for this debt service. Total debt service on the bonds referenced in paragraphs A1, A2, A3, and A4 is estimated at $25,500,000 the first year and $25,500,000 the second year.

6. Notwithstanding § 62.1-140, Code of Virginia, the aggregate principal amount of Commonwealth Port Fund bonds, and including any other long-term commitment that utilizes the Commonwealth Port Fund, shall not exceed $440,000,000.

B.1. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority on November 17, 2016, issued Port Facilities Revenue Refunding bonds in the amounts of $143,965,000, $99,230,000 and $37,335,000 for the purposes of defeasing and refunding special fund debt previously authorized. The debt service on these bonds, estimated to be $17,600,000 the first year and $17,600,000 the second year, will be paid from special funds, and all or a portion of such bonds may be refunded by the authority pursuant to § 62.1-140, Code of Virginia, *or defeased or retired by the Authority from available funds authorized in this item.*

2. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue additional bonds, in an amount up to $105,500,000 for purposes of expanding port terminal capacity (capital outlay project 407-17956). All or a portion of such bonds may be refunded by the authority pursuant to § 62.1-140, Code of Virginia. The debt service on these bonds, estimated to be $8,500,000 the first year and $8,500,000 the second year, will be paid from special funds.

3. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority has purchased, through a purchase agreement (master equipment lease program), terminal operating equipment at a total estimated cost of $91,000,000. Total debt service referenced in this paragraph (including any interim financing issued in anticipation of such program), is estimated at $8,500,000 the first year and $8,500,000 the second year from special funds, and such lease purchases may be refunded by the Authority, *or defeased or retired by the Authority from available funds authorized in this item.*

4. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue short-term debt on a revolving basis as interim or anticipation financing in order to cover costs of planning, design, and construction pending the receipt of bond, master equipment lease program, or other loan proceeds authorized in an amount not to exceed the authorized amount for the projects. In the aggregate, the short-term debt shall not exceed ~~$200,000,000~~*$350,000,000* at any point in time and all or a portion of such debt may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia. The debt service, including associated fees, on the short-term debt may be paid, as recommended by the authority and approved by the Board, from the bond or master equipment lease proceeds, special funds, or other revenues or proceeds.

5. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue additional bonds, in an amount up to $350,000,000 for purposes of ensuring operational and investment control, and setting the fixed price option for a privately owned marine terminal in Portsmouth at the end of the lease term in 2065 (Item C-39.10). All or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia, or defeased or retired by the Authority from available funds authorized in this Item. The debt service on these bonds, estimated to be $25,000,000 the second year, will be paid from special funds.

C. In order to remain consistent with the grant of authority as provided in Chapter 10, § 62.1-128 et seq. of the Code of Virginia, the Virginia Port Authority is authorized to maintain independent payroll and nonpayroll disbursement systems and, in connection with such systems, to open and maintain appropriate accounts with a qualified public

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depository, or depositories. As implementation occurs, these systems and related procedures shall be subject to review and approval by the State Comptroller. The Virginia Port Authority shall continue to provide nonpayroll transaction detail to the State Comptroller through the Commonwealth Accounting and Reporting System (Cardinal).

D. Out of the amounts in this Item, $10,000,000 the first year and $10,000,000 the second year from the Commonwealth Port Fund may be used to make lease payments associated with the Virginia International Gateway capital lease.

451.	Financial Assistance for Port Activities (62800)			~~$19,112,325~~ *$20,437,325*	~~$11,612,325~~ *$7,612,325*
	Aid to Localities (62801)	~~$13,500,000~~ *$14,825,000*	~~$6,000,000~~ *$2,000,000*		
	Payment in Lieu of Taxes (62802)	$5,612,325	$5,612,325		
	Fund Sources: General	~~$7,500,000~~ *$8,500,000*	$0		
	Special	~~$1,612,325~~ *$1,937,325*	$1,612,325		
	Commonwealth Transportation	$2,000,000	$2,000,000		
	Dedicated Special Revenue	$8,000,000	~~$8,000,000~~ *$4,000,000*		

Authority: Title 62.1, Chapter 10, Code of Virginia.

A.1. Of the amounts authorized in Item 101 A.1, $2,000,000 the first year from the general fund may be deposited in the Port of Virginia Economic and Infrastructure Development Grant Fund, created pursuant to § 62.1-132.3:2, Code of Virginia. The Executive Director of the Virginia Port Authority shall disburse the funding in the form of grants to qualified companies in accordance with the provisions of § 62.1-132.3:2, Code of Virginia.

2. Of the amounts authorized in Item 101 A.1, $2,000,000 the second year from the general fund may be deposited in the Port of Virginia Economic Development Grant Fund, established pursuant to § 62.1-132.3:2.1, Code of Virginia. These funds shall be used to support the Port of Virginia Economic Development Grant Program, consisting of the following component programs: 1) the Economic Development and Infrastructure Development Grant Program established by § 62.1-132.3:2.2, Code of Virginia, and 2) the International Trade Facility Grant Program established by § 62.1-132.3:2.3, Code of Virginia.

3. Notwithstanding any other provision of law, upon expiration of the Port of Virginia Economic and Infrastructure Development Grant Fund and Program on December 31, 2024, any balance remaining in the Port of Virginia Economic and Infrastructure Development Grant Fund shall be transferred to the Port of Virginia Economic Development Grant Fund, established pursuant to § 62.1-132.3:2.1, Code of Virginia, and used to support the Port of Virginia Economic Development Grant Program and its component programs pursuant to §§ 62.1-132.3:2.1, 62.1-132.3:2.2, and 62.1-132.3:2.3, Code of Virginia.

B. Of the amounts in this Item, $1,000,000 the first year and $1,000,000 the second year from the Commonwealth Port Fund is appropriated for previously awarded Aid to Local Ports which were unreimbursed in the year of the initial award.

C. Out of amounts in this item, $4,000,000 the first year ~~and $4,000,000 the second year~~ from amounts transferred to this item pursuant § 3-1.01 M. of this act, the Authority shall award a grant of funds to a qualified applicant or applicants to support a dredging project or projects that have been approved by the Authority. The source of the grant funds shall be the Virginia Waterway Maintenance Fund created pursuant to § 62.1-132.3:3. Applicants shall be limited to political subdivisions and the governing bodies of Virginia localities. The Authority shall develop guidelines establishing an application process as set out in Chapter 642, 2018 Session of the General Assembly. Projects for which the Authority may award grant funding include (i) feasibility and cost evaluations, pre-project engineering studies, and project permitting and contracting costs for a waterway project conducted by the Commonwealth; (ii) the state portion of a nonfederal sponsor funding requirement for a federal project, which may include the beneficial use of dredged materials that are not covered by federal funding; (iii) the Commonwealth's maintenance of shallow-draft navigable waterway channel maintenance dredging and the design, lease, or purchase of upland containment areas where the material

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can be selectively excavated and used beneficially for environmental restoration or for mitigation of coastal erosion; and (iv) the beneficial use, for environmental restoration and the mitigation of coastal erosion or flooding, of dredged materials from approved waterway dredging projects conducted by the Commonwealth. Special consideration shall be given to any locality which provides a three-to-one match for any requested funding in the first year.

D. Out of the amounts in this item, $7,500,000 the first year from the general fund is provided to fund a pilot municipal dredge program operated by the Middle Peninsula Chesapeake Bay Public Access Authority for the dredging of shovel-ready projects, to be distributed by the Virginia Port Authority upon approval of a Municipal Dredging Operating Program and a Municipal Dredging Operating Agreement. Funding for this program is designated for shovel-ready, shallow-draft dredging projects in localities identified in Chapter 66 of the Code of Virginia, or through the development of operating agreements between the Middle Peninsula Chesapeake Bay Public Access Authority and the Eastern Shore Water Access Authority or the Northern Neck Public Access Authority.

E. Out of the amounts in this item, $1,000,000 the first year from the general fund is provided to support dredging Back Creek off the York River.

F. Effective July 1, 2025, the responsibility for administering shallow dredging projects and the Waterway Maintenance Fund shall be transferred to the Virginia Marine Resources Commission. Any unexpended general or nongeneral funds appropriated in fiscal years prior to fiscal year 2026 shall be transferred to the Commission to support the completion of these projects.

G.1. Of the amounts in the Transportation Partnership Opportunity Fund, up to $8,000,000 the first year is provided to support dredging near the north end of Wallops Island. The Virginia Port Authority shall administer such dredging project to create a navigable water channel for transport of rocket components and other uses to serve all commercial partners at the spaceport until longer term solutions are implemented to ensure that the Virginia spaceport remains competitive. Any project costs that exceed the amounts provided in this paragraph shall be at the expense of the private sector partners referenced in this paragraph. To the extent determined to be cost effective and practicable, the project should include shoreline stabilization to reduce the need for future dredging. The Virginia Port Authority may collaborate with the Virginia Economic Development Partnership Authority, the Virginia Spaceport Authority, commercial partners at the spaceport, and any federal, state, or local agency as may be necessary to complete the marine transport access project. The Director of the Department of Planning and Budget is hereby authorized to transfer moneys pursuant to this paragraph to the Virginia Port Authority. After submission of a project funding schedule to the Secretary of Finance and the Director of the Department of Planning and Budget, only the Virginia Port Authority may request that the Director release the funds according to such schedule.

2. The funding provided in this paragraph is contingent on the Virginia Commercial Space Flight Authority (Virginia Space) providing copies of the executed building and ground leases for and the total construction costs of the Assembly, Integration, and Testing Facility, referenced in Chapter 1, 2022 Acts of Assembly, Special Session I, Item 101, Paragraph T to the Secretary of Commerce and Trade, the Virginia Port Authority, and the Virginia Economic Development Partnership Authority. In executing a ground lease for the property surrounding the Assembly, Integration, and Testing Facility (Lease Parcels 1, 3, and 4), Virginia Space shall charge the tenant no more than one dollar per year for the duration of the performance period outlined in the Memorandum of Understanding executed August 15, 2023, between the Commonwealth, Rocket Lab USA, INC, Virginia Space, and the Virginia Economic Development Partnership Authority. If at the end of the performance period, Rocket Lab assumes ownership of the Assembly, Integration, and Testing Facility, and sells the building, Virginia Space is hereby required to notify the Chair of the Major Employer and Investment Commission by letter of the sale, which shall include the name of the buyer and the sale price.

3. No more than 30 days from completion of the dredging project, the Virginia Port Authority shall submit a report to the Secretary of Finance, Secretary of Transportation, and to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees outlining total project costs and total funding paid by all sources.

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H. Out of the amounts in this item, $325,000 the first year from nongeneral funds is authorized to fund the non-federal sponsorship share of not more than twelve National Oceanic and Atmospheric Administration (NOAA) Physical Oceanographic Real-Time System (PORTS) stations in the southern Chesapeake Bay.				
452. Administrative and Support Services (69900)			$155,556,620	~~$161,556,620~~ *$184,556,620*
General Management and Direction (69901)	$134,356,655	~~$140,356,655~~ *$163,356,655*		
Security Services (69923)	$21,199,965	$21,199,965		
Fund Sources: Special	$145,256,620	~~$151,256,620~~ *$174,256,620*		
Commonwealth Transportation	$1,300,000	$1,300,000		
Federal Trust	$9,000,000	$9,000,000		
Authority: Title 62.1, Chapter 10, Code of Virginia.				
A. Out of the amounts in this Item, the Executive Director is authorized to expend from special funds amounts not to exceed $37,500 the first year and $37,500 the second year, for entertainment expenses commonly borne by businesses. Further, such expenses shall be recorded separately by the agency.				
B. Prior to purchasing airline and hotel accommodations related to overseas travel, the Virginia Port Authority shall provide an itemized list of projected costs for review by the Secretary of Transportation.				
C. It is hereby acknowledged that, in accordance with Item C-40.10 of Chapter 665, 2015 Virginia Acts of Assembly, on November 17, 2016, the Port Authority converted its 20 year operating lease to operate a privately owned marine terminal in Portsmouth to a 49 year capital lease terminating December 31, 2065.*Furthermore, in accordance with Item C-39.10, the capital lease will be amended to ensure operational and investment control, and set the fixed price option at the end of the lease term in 2065.* Included in this Item is an amount estimated at $104,000,000 the first year and ~~$110,000,000~~ *$133,000,000* the second year from special funds to cover the costs of this lease.				
Total for Virginia Port Authority			~~$289,916,286~~ ***$291,241,286***	~~$289,166,286~~ ***$608,166,286***
Nongeneral Fund Positions	260.00	260.00		
Position Level	260.00	260.00		
Fund Sources: General	~~$8,250,000~~ *$9,250,000*	$1,500,000		
Special	~~$195,979,978~~ *$196,304,978*	~~$201,979,978~~ *$524,979,978*		
Commonwealth Transportation	$63,686,308	$63,686,308		
Dedicated Special Revenue	$8,000,000	~~$8,000,000~~ *$4,000,000*		
Federal Trust	$14,000,000	$14,000,000		
TOTAL FOR OFFICE OF TRANSPORTATION			~~$11,214,779,158~~ ***$11,780,043,563***	~~$10,812,302,236~~ ***$11,025,763,428***
Nongeneral Fund Positions	10,591.00	10,591.00		
Position Level	10,591.00	10,591.00		
Fund Sources: General	~~$215,480,246~~ *$468,630,246*	~~$110,030,246~~ *$25,530,246*		
Special	~~$201,705,874~~ *$202,030,874*	~~$207,710,080~~ *$530,710,080*		
Commonwealth Transportation	~~$8,756,791,557~~ *$9,216,735,596*	~~$8,228,576,979~~ *$8,429,001,993*		
Trust and Agency	~~$563,877,910~~ *$470,461,375*	~~$501,040,650~~ *$457,233,329*		

ITEM 452.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Dedicated Special Revenue.....	~~$1,425,294,956~~ *$1,375,255,564*	~~$1,713,409,427~~ *$1,536,357,872*		
	Federal Trust.....	~~$51,628,615~~ *$46,929,908*	~~$51,534,854~~ *$46,929,908*		

ITEM 453.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	OFFICE OF VETERANS AND DEFENSE AFFAIRS				
	§ 1-129. SECRETARY OF VETERANS AND DEFENSE AFFAIRS (454)				
453.	Disaster Planning and Operations (72200)			$1,385,905	$1,385,905
	Emergency Planning (72205)	$1,385,905	$1,385,905		
	Fund Sources: General	$992,287	$992,287		
	Federal Trust	$393,618	$393,618		
	Authority: Title 2.2, Chapter 3.1, Code of Virginia.				
	A. Out of this appropriation, up to $190,000 the first year and $190,000 the second year from the general fund shall be used to support a Military Liaison position under the Secretariat.				
454.	Economic Development Services (53400)			$6,425,150	$3,425,150
	Financial Assistance for Economic Development (53410)	$6,425,150	$3,425,150		
	Fund Sources: General	$3,950,651	$950,651		
	Trust and Agency	$2,474,499	$2,474,499		
	A.1. Any administrative reappropriations or other administrative appropriation increases pursuant to Item 458 of the Appropriation Act for the 2014-2016 biennium to address the encroachment of incompatible uses in localities in which the United States Navy Master Jet Base, an auxiliary landing field, or United States Air Force Base are located shall continue to be governed by the provisions contained in the 2014-2016 Appropriation Act. The recurring, dedicated special (nongeneral) fund component of the U.S. Navy Master Jet Base and Auxiliary Landing Field encroachment mitigation program is continued through June 30, 2024.				
	2. In the event that dedicated special revenues generated pursuant to the provisions of the 2014-16 Appropriations Act exceed the amounts needed to fund the requirements set out in that Act, any excess dedicated special fund revenue a total of $3,000,000 is hereby appropriated as follows:				
	a. $1,700,000 for encroachment mitigation activities in the vicinity of Naval Auxiliary Landing Field Fentress;				
	b. $700,000 for encroachment mitigation activities in the vicinity of Langley Air Force Base; and				
	c. $600,000 for encroachment mitigation activities in the vicinity of Naval Air Station Oceana.				
	3. The amounts identified in paragraph A.2. of this item shall be used to provide additional assistance to the locality in which the United States Navy Master Jet Base auxiliary landing field is located for the purpose of purchasing property or development rights and otherwise converting such property to an appropriate compatible use and prohibiting new uses or development which is deemed incompatible with air operations arising from such Master Jet Base.				
	4. In addition to the amounts identified in paragraph A.1. of this item, $450,000 is hereby appropriated as follows:				
	a. $250,000 for encroachment mitigation activities in the vicinity of Naval Auxiliary Landing Field Fentress; and				
	b. $200,000 for encroachment mitigation activities in the vicinity of Joint Base Langley Eustis.				
	5. Included in this appropriation is $2,500,000 the first year and $2,500,000 the second year from nongeneral funds to be provided through a long-term lease agreement with the City of Virginia Beach as consideration for use of state-owned parcels totaling approximately 12 acres, more or less, and currently leased to the City for use as parking for the Virginia				

ITEM 454.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Aquarium and Marine Science Center and overflow Rudee Inlet boat ramp parking. Such funds shall be used for construction of a new secure access control point, including all desirable or required supporting facilities, to the Camp Pendleton State Military Reservation located in the City of Virginia Beach. As additional consideration, the City of Virginia Beach shall also provide for a new signal-controlled entrance to Camp Pendleton State Military Reservation aligned with the new secure access control point. An initial payment of $2,500,000 shall be made by the City within 30 days of lease execution but no later than June 30, 2021 and an additional payment of $2,500,000 shall be made by the City within 12 months of lease execution but no later than June 30, 2022. Pursuant to Executive Order 20 (2018), authorizing the transfer of administrative authority of the Department of Military Affairs from the Secretary of Public Safety and Homeland Security to the Secretary of Veterans and Defense Affairs, the Secretary of Veterans and Defense Affairs shall be the authorized entity to enter into the initial and any subsequent lease agreement with the City. The term of the lease shall be not less than 50 years upon such terms and conditions as negotiated between the parties to the lease, which may include additional annual payment pursuant to the lease. The Secretary of Veterans and Defense Affairs shall report to the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees on such projects and real property lease agreements executed from funds appropriated in this item by October 15th of each year until completion of the specified improvement projects.				
6. Included in this appropriation is $350,000 the first year and $350,000 the second year from the general fund for encroachment mitigation activities in the vicinity of Joint Base Langley Eustis.				
B. Included in this appropriation is $600,000 in the first year and $600,000 in the second year from the general fund to support the recommendations of the Governor's Commission on Military Installations and Defense Activities.				
C. The Secretary of Veterans and Defense Affairs may submit project requests that improve, expand, develop, or redevelop a federal or state military installation or its supporting infrastructure, to enhance its military value to the MEI Project Approval Commission established pursuant to § 30-309, Code of Virginia. The Commission shall recommend approval or denial of such packages to the General Assembly. The authority of the Commission to consider and evaluate such projects shall be in addition to the authorities provided to the MEI Project Approval Commission and § 30-310, Code of Virginia.				
D. Out of the amounts in this item, $3,000,000 the first year from the general fund is provided for the Virginia Military Community Infrastructure Grant Program.				
Total for Secretary of Veterans and Defense Affairs			**$7,811,055**	**$4,811,055**
General Fund Positions	5.00	5.00		
Nongeneral Fund Positions	1.00	1.00		
Position Level	6.00	6.00		
Fund Sources: General	$4,942,938	$1,942,938		
Trust and Agency	$2,474,499	$2,474,499		
Federal Trust	$393,618	$393,618		
§ 1-130. DEPARTMENT OF VETERANS SERVICES (912)				
455. State Health Services (43000)			~~$118,067,122~~ *$122,727,122*	$98,967,122
Veterans Care Center Operations (43013)	~~$118,067,122~~ *$122,727,122*	$98,967,122		
Fund Sources: General	~~$19,150,000~~ *$20,810,000*	$50,000		
Special	~~$52,411,901~~ *$55,411,901*	$52,411,901		
Federal Trust	$46,505,221	$46,505,221		

ITEM 455.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

Authority: § Title 2.2, Chapters 20, 24, 26, and 27, Code of Virginia.

A. The Department of Veterans Services is authorized to transfer funds to the Department of Medical Assistance Services to fully fund the state share for the Medicaid supplemental payments made for state government owned nursing homes. The funds to be transferred must comply with 42 CFR 447.272.

B. Out of the appropriation in this Item, ~~$19,100,000~~*$20,760,000* the first year from the general fund *and $3,000,000 the first year from nongeneral funds* in one-time support to operate the Puller and Jones & Cabacoy Veterans Care Centers. Of the amount provided in the first year, $3,000,000 shall be used to repay the Treasury Loan authorized in FY 2024 pursuant to Section 4-3.02 b, Chapter 1, 2023 Acts of Assembly, Special Session I, to address start-up and initial operating costs. Of the amount provided in the first year, any unexpended general fund balances shall not revert to the general fund but shall be carried forward and reappropriated.

C. The Department of Veterans Services shall provide to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees: (i) quarterly reports detailing revenues and expenditures; and (ii) by September 1, 2024, a business plan that demonstrates how the veterans care centers will operate using solely nongeneral funds after start-up general fund moneys are exhausted.

456.	Veterans Benefit Services (46700)			$36,990,477	~~$36,969,477~~ *$37,083,219*
	Case Management Services for Veterans Benefits (46701)	$14,437,094	$14,416,094		
	Virginia Veteran and Family Support Services (46702)	$15,361,682	$15,361,682		
	Veterans Education, Transition, and Employment Services (46703)	$6,341,701	~~$6,341,701~~ *$6,455,443*		
	Veterans Services Fund Administration (46704)	$850,000	$850,000		
	Fund Sources: General	$30,305,215	~~$30,284,215~~ *$30,397,957*		
	Special	$1,478,078	$1,478,078		
	Dedicated Special Revenue	$850,000	$850,000		
	Federal Trust	$4,357,184	$4,357,184		

Authority: Title 2.2, Chapters 20, 24, 26, and 27, Code of Virginia.

A. 1. Out of this appropriation, up to $100,000 in the first year and up to $100,000 in the second year from the general fund shall be provided to address the costs associated with support of a grant program to create employment opportunities for veterans by assisting Virginia employers in hiring and retaining veterans. The Department of Veterans Services shall develop program guidelines to ensure that the funding mechanism effectively attracts maximum participation of firms to increase the number of veterans hired.

2. Such funds shall be used to provide grants beginning July 1, 2015, to any business located in Virginia with 300 or fewer employees which has hired a veteran on or after July 1, 2014, with the following additional requirements: (a) each such veteran shall have been hired within five years of the date of his or her discharge from active military service and (b) each such veteran shall have been continuously employed by the business in a full-time job for at least one year. The grant shall equal $1,000 per qualifying business for each veteran who has been hired, and who qualifies under the provisions of this item, up to a maximum grant of $10,000 per business in the fiscal year.

3. Grants shall be issued in the order that each completed eligible application is received. In the event that the amount of eligible grants requested in a fiscal year exceeds the funds available in the Fund, such grants shall be paid in the next fiscal year in which funds are available.

4. The Department shall report no later than October 1 of each fiscal year after the program is implemented on the demand for the program, and any shortage of funding resulting from requests in excess of the available appropriation.

ITEM 456.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

B.1. Notwithstanding § 23.1-608, Code of Virginia, the department shall provide the State Council of Higher Education in Virginia the information these schools need to administer the Virginia Military Survivors and Dependent Education Program. The department shall retain the responsibility to certify the eligibility of those who apply for financial aid under this program.

2. No surviving spouse or child may receive the education benefits provided by § 23.1-608, Code of Virginia, and funded by this or similar state appropriations, for more than four years or its equivalent.

C. Included in the amount provided for this item is $24,000 the first year and $24,000 the second year from the general fund for the Angel Wings for Veterans program.

D. Out of the amounts for this item, $118,000 the first year and $118,000 the second year from the general fund is provided to create a new assistant program manager for the Virginia Women Veterans Program.

E. Out of this appropriation, $5,000,000 the first year and $5,000,000 the second year from the general fund is provided to establish a program for prevention and intervention of suicide and opiate addiction for service members, veterans, and their families in the Commonwealth. The Department shall collaborate with federal, state, local and community organizations, public and private institutions, and other service providers to develop programs to prevent suicide among service members and address opiate addiction suffered by service members and veterans. The Department shall coordinate with the Department of Health, Department of Behavioral Health and Developmental Services, and Department of Criminal Justice Services, where applicable, to promote the use of evidence-based practices and alignment with other suicide and opiate misuse prevention and intervention programs administered by the Commonwealth.

F. Out of the appropriation for this item, $3,750,000 the first year and $3,750,000 the second year from the general fund to expand services, including but not limited to opening additional veterans benefits offices in areas where the need for services is greatest, hiring of benefits staff in both new and established offices, and for additional positions in the Virginia Veteran and Family Support Services and Veterans Education, Transition, and Employment Services program areas as needed.

G. In purchasing and maintaining a new customer relationship management system, the Department shall consider functionality available through the integrated e-referral system managed by the Virginia Department of Health in order to leverage existing systems and avoid duplication to the maximum extent practicable.

H. Out of the appropriation for this item, $113,742 the second year from the general fund is provided to implement the provisions of House Bill 2071 of the 2025 Session of the General Assembly.

457.	Historic and Commemorative Attraction Management (50200)			$7,922,681	$7,922,681
	State Veterans Cemetery Management and Operations (50206)	$5,568,887	$5,568,887		
	Virginia War Memorial Management and Operations (50209)	$2,353,794	$2,353,794		
	Fund Sources: General	$5,501,311	$5,501,311		
	Special	$671,734	$671,734		
	Federal Trust	$1,749,636	$1,749,636		

Authority: Title 2.2, Chapters 20, 24, 26, and 27, Code of Virginia.

A. The Department of General Services shall continue to provide routine building and grounds maintenance for the Virginia War Memorial as part of services provided under the seat of government rental plan.

458.	Administrative and Support Services (49900)			~~$4,670,398~~ *$5,482,540*	~~$4,080,397~~ *$4,322,118*

ITEM 458.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	General Management and Direction (49901)	~~$4,670,398~~ *$5,482,540*	~~$4,080,397~~ *$4,322,118*		
	Fund Sources: General	~~$4,294,964~~ *$5,107,106*	~~$3,704,963~~ *$3,946,684*		
	Special	$375,434	$375,434		
	Authority: Title 2.2, Chapters 20, 24, 26, 27, Code of Virginia.				
	Total for Department of Veterans Services			~~**$167,650,678**~~ ***$173,122,820***	~~**$147,939,677**~~ ***$148,295,140***
	General Fund Positions	271.00	~~271.00~~ *272.00*		
	Nongeneral Fund Positions	1,111.00	~~1,111.00~~ *1,117.00*		
	Position Level	1,382.00	~~1,382.00~~ *1,389.00*		
	Fund Sources: General	~~$59,251,490~~ *$61,723,632*	~~$39,540,489~~ *$39,895,952*		
	Special	~~$54,937,147~~ *$57,937,147*	$54,937,147		
	Dedicated Special Revenue	$850,000	$850,000		
	Federal Trust	$52,612,041	$52,612,041		
	§ 1-131. VETERANS SERVICES FOUNDATION (913)				
459.	Veterans Benefit Services (46700)			$850,165	$850,165
	Veterans Services Fund Administration (46704)	$850,165	$850,165		
	Fund Sources: Dedicated Special Revenue	$850,165	$850,165		
	Authority: §§ 2.2-2715 through 2.2-2718, Code of Virginia				
460.	Administrative and Support Services (49900)			$431,955	~~$431,955~~ *$475,155*
	General Management and Direction (49901)	$431,955	~~$431,955~~ *$475,155*		
	Fund Sources: General	$431,955	~~$431,955~~ *$475,155*		
	Authority: §§ 2.2-2715 through 2.2-2718, Code of Virginia				
	Total for Veterans Services Foundation			**$1,282,120**	~~**$1,282,120**~~ ***$1,325,320***
	General Fund Positions	2.00	2.00		
	Position Level	2.00	2.00		
	Fund Sources: General	$431,955	~~$431,955~~ *$475,155*		
	Dedicated Special Revenue	$850,165	$850,165		
	§ 1-132. DEPARTMENT OF MILITARY AFFAIRS (123)				
461.	Higher Education Student Financial Assistance (10800)			$3,604,647	$3,604,647
	Tuition Assistance (10811)	$3,604,647	$3,604,647		
	Fund Sources: General	$3,604,647	$3,604,647		
	Authority: Title 44, Chapters 1 and 2; § 23.1-506, Code of Virginia.				
462.	At Risk Youth Residential Program (18700)			~~$6,458,333~~ *$7,316,873*	~~$6,458,333~~ *$6,920,833*
	Virginia Commonwealth Challenge Program (18701)	$5,969,333	$5,969,333		

ITEM 462.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Virginia Commonwealth STARBASE Youth Education Program (18702)	~~$489,000~~ *$1,347,540*	~~$489,000~~ *$951,500*		
Fund Sources: General	$1,872,070	$1,872,070		
Federal Trust	~~$4,586,263~~ *$5,444,803*	~~$4,586,263~~ *$5,048,763*		

Authority: Discretionary Inclusion.

A. The Department of Military Affairs is hereby authorized to designate building space at the State Military Reservation as an in-kind match for the receipt of federal funds under the Commonwealth Challenge program, equivalent to a value of $253,040 each year.

B. Out of this appropriation, up to ~~$489,000~~ *$1,347,540* the first year and up to ~~$489,000~~ *$951,500* the second year in nongeneral funds is provided to establish a STARBASE youth education program to improve math and science skills to prepare students for careers in engineering and other science-related fields of study.

463.	Defense Preparedness (72100)				$63,185,619	~~$63,185,619~~ *$63,685,619*
	Armories Operations and Maintenance (72101)	$16,105,203	~~$16,105,203~~ *$16,605,203*			
	Virginia State Defense Force (72104)	$201,217	$201,217			
	Security Services (72105)	$4,880,424	$4,880,424			
	Fort Pickett and Camp Pendleton Operations (72109)	$25,279,130	$25,279,130			
	Other Facilities Operations and Maintenance (72110)	$16,719,645	$16,719,645			
	Fund Sources: General	$3,249,330	$3,249,330			
	Special	$1,784,927	$1,784,927			
	Dedicated Special Revenue	$3,178,859	~~$3,178,859~~ *$3,678,859*			
	Federal Trust	$54,972,503	$54,972,503			

Authority: Title 44, Chapters 1 and 2, Code of Virginia.

A. The Department is authorized to receive payments from localities resulting from reimbursement agreements with the Virginia Defense Force, an organization of the Virginia National Guard. The Department may disburse up to $30,000 the first year and $30,000 the second year from these payments to the Virginia Defense Force. Included in the appropriation for this Item is $30,000 the first year and $30,000 the second year from nongeneral funds for this purpose.

B. The Department of Military Affairs may operate, with nongeneral funds, a Morale, Welfare, and Recreation program for the benefit of the Virginia National Guard, Virginia Defense Force, employees of the Department, family members, and other authorized transient users of the Department's facilities, under such policies as approved by the agency.

464.	Disaster Planning and Operations (72200)		
	Communications and Warning System (72201)	a sum sufficient	
	Disaster Assistance (72203)	a sum sufficient	
	Fund Sources: General	a sum sufficient	

Authority: Title 44, Chapters 1 and 2, Code of Virginia.

A. The amount for Disaster Planning and Operations provides for a military contingent fund, out of which to pay the military forces of the Commonwealth when aiding the civil authorities.

B. In the event units of the Virginia National Guard shall be in federal service, the sum allocated herein for their support shall not be used for any different purpose, except with the prior written approval of the Governor, other than to provide for the Virginia State

ITEM 464.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Defense Force or for safeguarding properties used by the Virginia National Guard.				
	C. Notwithstanding any other provision of law, when called into state active duty, not in the service of the United States, members of the National Guard and members of the Virginia Defense Force shall receive pay and allowances equal to their rank and years of service, as determined by the Department of Military Affairs. The Adjutant General may increase state active duty pay on an annual basis by a rate not to exceed the most recent percentage increase in basic pay for members of the Armed Forces.				
465.	Administrative and Support Services (79900)			$11,307,480	$10,846,480
	General Management and Direction (79901)	$8,370,748	$7,909,748		
	Telecommunications (79930)	$2,936,732	$2,936,732		
	Fund Sources: General	$6,818,401	$6,357,401		
	Dedicated Special Revenue	$1,037,191	$1,037,191		
	Federal Trust	$3,451,888	$3,451,888		
	Authority: Title 44, Chapters 1 and 2, Code of Virginia.				
	A. The Department of Military Affairs shall advise and provide assistance to the Department of Accounts in administering the $20,000 death benefit provided for certain members of the National Guard and United States military reserves killed in action in any armed conflict as of October 7, 2001, pursuant to § 44-93.1.B., Code of Virginia.				
	B. Included in this appropriation is $80,000 the first year and $80,000 the second year from the general fund to maintain communication equipment for emergency operations.				
	C. Included in this appropriation is $50,000 the first year and $50,000 the second year from the general fund for a Referral Enlistment Program to qualifying individuals for the referral of applicants for service in the Virginia National Guard which result in enlistment.				
	D. Included in this appropriation is $150,000 the first year and $150,000 the second year from the general fund for the agency's National Guard Cyber Brigade to conduct cyber security audits of local governments and state agencies.				
	E. The Adjutant General shall facilitate and coordinate efforts to make Virginia National Guard members aware of the state-sponsored group term life insurance program offered to all members of the Virginia National Guard, to include: (i) allowing program representatives to provide briefings to Virginia National Guard units at least annually, to the extent that it does not directly interfere with required training and other duties; and (ii) referring National Guard members to the program upon their request.				
	Total for Department of Military Affairs			~~$84,556,079~~ *$85,414,619*	~~$84,095,079~~ *$85,057,579*
	General Fund Positions	86.47	86.47		
	Nongeneral Fund Positions	~~316.03~~ *320.03*	~~316.03~~ *320.03*		
	Position Level	~~402.50~~ *406.50*	~~402.50~~ *406.50*		
	Fund Sources: General	$15,544,448	$15,083,448		
	Special	$1,784,927	$1,784,927		
	Dedicated Special Revenue	$4,216,050	~~$4,216,050~~ *$4,716,050*		
	Federal Trust	~~$63,010,654~~ *$63,869,194*	~~$63,010,654~~ *$63,473,154*		
	TOTAL FOR OFFICE OF VETERANS AND DEFENSE AFFAIRS			~~$261,299,932~~ *$267,630,614*	~~$238,127,931~~ *$239,489,094*
	General Fund Positions	364.47	~~364.47~~ *365.47*		
	Nongeneral Fund Positions	~~1,428.03~~ *1,432.03*	~~1,428.03~~ *1,438.03*		

ITEM 465.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Position Level	~~1,792.50~~ *1,796.50*	~~1,792.50~~ *1,803.50*		
Fund Sources: General	~~$80,170,831~~ *$82,642,973*	~~$56,998,830~~ *$57,397,493*		
Special	~~$56,722,074~~ *$59,722,074*	$56,722,074		
Trust and Agency	$2,474,499	$2,474,499		
Dedicated Special Revenue	$5,916,215	~~$5,916,215~~ *$6,416,215*		
Federal Trust	~~$116,016,313~~ *$116,874,853*	~~$116,016,313~~ *$116,478,813*		

ITEM 466.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
CENTRAL APPROPRIATIONS				
§ 1-133. CENTRAL APPROPRIATIONS (995)				
466. Higher Education Academic, Fiscal, and Facility Planning and Coordination (11100)			~~$22,624,641~~ *$42,041,701*	$22,624,641
Interest Earned on Educational and General Programs Revenue (11106)	~~$22,624,641~~ *$42,041,701*	$22,624,641		
Fund Sources: General	~~$10,467,019~~ *$20,510,044*	$10,467,019		
Higher Education Operating	~~$12,157,622~~ *$21,531,657*	$12,157,622		

A. The standards upon which the public institutions of higher education are deemed certified to receive the payment of interest earnings from the tuition and fees and other nongeneral fund Educational and General revenues shall be based upon the standards provided in § 4-9.01 of this act, as approved by the General Assembly.

B. The estimated interest earnings and other revenues shall be distributed to those specific public institutions of higher education that have been certified by the State Council of Higher Education for Virginia as having met the standards provided in § 4-9.01 of this act, based on the distribution methodology developed pursuant to Chapter 933, Enactment 2, Acts of Assembly of 2005 and reported to the Chairmen of the House Appropriations Committee and Senate Finance and Appropriations Committee.

C. In accordance with § 23.1-1002, Code of Virginia, this Item provides ~~$7,906,831~~ *$17,769,903* the first year and $7,906,831 the second year from the general fund, and ~~$12,157,622~~ *$21,531,657* from nongeneral funds in the first year and $12,157,622 from nongeneral funds in the second year for the estimated total payment to individual institutions of higher education of the interest earned on tuition and fees and other nongeneral fund Education and General Revenues deposited to the state treasury. Upon certification by the State Council of Higher Education of Virginia that all available performance benchmarks have been successfully achieved by the individual institutions of higher education, the Director, Department of Planning and Budget, shall transfer the appropriation in this Item for such estimated interest earnings to the general fund appropriation of each institution's Educational and General program.

D. This Item also includes ~~$2,560,188~~ *$2,740,141* in the first year and $2,560,188 the second year from the general fund for the payment to individual institutions of higher education of a pro rata amount of the rebate paid to the State Commonwealth on credit card purchases not exceeding $5,000 during the previous fiscal year. The State Comptroller shall determine the amount owed to each certified institution, net of any payments due to the federal government, using a methodology that equates a pro rata share based upon the total transactions of $5,000 or less made by the institution using the state-approved credit card in comparison to all transactions of $5,000 or less using said approved credit card. By October 15, or as soon thereafter as deemed appropriate, following the year of certification, the Comptroller shall reimburse each institution its estimated pro rata share.

E. Once actual financial data from the year of certification are available, the State Comptroller and the Director, Department of Planning and Budget, shall compare the actual data with estimates used to determine the distribution of the interest earnings, nongeneral fund Educational and General revenues, and the pro rata amounts to the certified institutions of higher education. In those cases where variances exist, the Governor shall include in his next introduced budget bill recommended appropriations to make whatever adjustments to each institution's distributed amount to ensure that each institution's incentive payments are accurate based on actual financial data.

467. Revenue Administration Services (73200)			~~a sum sufficient~~ *a sum sufficient*	
Designated Refunds for Taxes and Fees (73215)	a sum sufficient			

ITEM 467.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Fund Sources: General	a sum sufficient			

Authority: Discretionary Inclusion.

A. There is hereby appropriated from the affected funds in the state treasury, for refunds of taxes and fees, and the interest thereon, in accordance with law, a sum sufficient.

B. There is hereby established a special fund in the state treasury to be known as the Refund Suspense Fund, hereinafter referred to as the Fund. The Tax Commissioner is hereby authorized to contract with nongovernmental entities for review of requests for refunds of taxes to enhance, expand and/or modify the administration of the refund review program, and to perform analysis of refund processing techniques. The amount of any refund identified by the nongovernmental entity as potentially erroneous shall be deposited to the Fund pending review of the refund request. Amounts in the Fund may be used to pay refunds subsequently determined to be valid, to pay the contracted nongovernmental entity for its services, to perform oversight of their operations, to upgrade necessary refund processing systems and data interfaces to facilitate the contractor's work, to offset any administrative or other costs related to any contracts authorized under this provision, and to retain experts to perform analysis of refund processing techniques. Any balance in the fund remaining after such payments, or provision therefore, shall be deposited into the appropriate general, nongeneral, or local fund.

C. There is hereby appropriated from the affected funds in the state treasury for, (1) refunds of previously paid taxes imposed by the Commonwealth at 100 percent of face value up to the amount of the coalfield employment enhancement tax credit authorized by § 58.1-439.2, Code of Virginia, (2) refunds of any remaining credit at 90 percent of face value for credits earned in taxable years beginning before January 1, 2002, and 85 percent of face value for credits earned in taxable years beginning on and after January 1, 2002, and (3) payment of the remaining 10 or 15 percent credit to the Coalfields Economic Development Authority, a sum sufficient.

468.	Distribution of Tobacco Settlement (74500)				
	a sum sufficient, estimated at			$41,265,060	$41,265,060
	Payments to Tobacco Producers and Tobacco Growing Communities (74501)	$30,000,000	$30,000,000		
	Payments for Tobacco Usage Prevention (74502)	$11,265,060	$11,265,060		
	Fund Sources: Trust and Agency	$41,265,060	$41,265,060		

Authority: Title 3.2, Chapters 31, 42 and 46, and Title 32.1, Chapter 14, Code of Virginia.

A.1. There is hereby appropriated a sum sufficient estimated at $30,000,000 the first year and $30,000,000 the second year from nongeneral funds for expenditures of securitized proceeds and earnings up to the amount transferred from the endowment to the Tobacco Indemnification and Community Revitalization Fund in accordance with § 3.2-3104, Code of Virginia. Such expenditures shall be made pursuant to § 3.2-3108, Code of Virginia.

2. From the amount deposited into the Tobacco Indemnification and Community Revitalization Fund pursuant to § 3.2-3106, Code of Virginia, shall be paid 50 percent of the costs associated with the diligent enforcement of the non-participating manufacturer statute of the 1998 Tobacco Master Settlement Agreement, § 3.2-4201, Code of Virginia, and Item 49, Paragraph B of this act. These costs shall be paid pursuant to the transfer to the general fund directed by § 3-1.01, Paragraph N.1, of this act.

B.1. Notwithstanding the provisions of §§ 32.1-354, 32.1-360 and 32.1-361.1, Code of Virginia, the State Comptroller shall deposit 8.5 percent of the Commonwealth's Allocation pursuant to the Master Settlement Agreement with tobacco product manufacturers to the Virginia Tobacco Settlement Fund. There is hereby appropriated a sum sufficient estimated at $11,265,060 the first year and $11,265,060 the second year from available balances in the fund for the purposes set forth in § 32.1-361, Code of Virginia. From the amounts deposited in the Virginia Tobacco Settlement Fund, no less than $1,000,000 the first year and $1,000,000 the second year shall be allocated for obesity prevention activities.

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2. From the amount deposited into the Virginia Tobacco Settlement Fund shall be paid 8.5 percent of the costs associated with the diligent enforcement of the non-participating manufacturer statute of the 1998 Tobacco Master Settlement Agreement, § 3.2-4201, Code of Virginia, and Item 49, Paragraph B, of this act. These costs shall be paid pursuant to the transfer to the general fund directed by § 3-1.01, Paragraph N.2, of this Act.

C. The amounts deposited by the State Comptroller pursuant to paragraph B.1. of this Item shall be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524, Code of Virginia.

D. The Virginia Foundation for Healthy Youth shall prioritize in its marketing and education efforts information regarding the health effects of vaping by teens and young adults. The foundation shall include such information in marketing materials, advertising, outreach, and social media channels.

E. The Virginia Foundation for Healthy Youth shall provide or develop additional educational materials, resources, and professional development webinars as necessary for the Department of Education to comply with the eighteenth and nineteenth enactments of Chapter 550 of the 2021 General Assembly, Special Session I.

469.	Compensation and Benefit Adjustments (75700).....				~~$203,436,609~~ *$285,964,060*	~~$394,140,667~~ *$435,995,325*
	Adjustments to Employee Compensation (75701).....	~~$179,824,707~~ *$262,769,823*	~~$369,775,766~~ *$371,788,796*			
	Adjustments to Employee Benefits (75702).....	~~$23,611,902~~ *$23,194,237*	~~$24,364,901~~ *$64,206,529*			
	Fund Sources: General.....	~~$203,436,609~~ *$285,964,060*	~~$394,140,667~~ *$435,995,325*			

Authority: Discretionary Inclusion.

A. Transfers to or from this Item may be made to decrease or supplement general fund appropriations to state agencies for:

1. Adjustments to base rates of pay;

2. Adjustments to rates of pay for budgeted overtime of salaried employees;

3. Salary changes for positions with salaries listed elsewhere in this act;

4. Salary changes for locally elected constitutional officers and their employees;

5. Employer costs of employee benefit programs when required by salary-based pay adjustments;

6. Salary changes for local employees supported by the Commonwealth, other than those funded through appropriations to the Department of Education; and

7. Adjustments to the cost of employee benefits to include but not be limited to health insurance premiums and retirement and related contribution rates.

B. Transfers from this Item may be made when appropriations to the state agencies concerned are insufficient for the purposes stated in paragraph A of this Item, as determined by the Department of Planning and Budget, and subject to guidelines prescribed by the department. Further, the Department of Planning and Budget may transfer appropriations within this Item from the second year of the biennium to the first year, when necessary to accomplish the purposes stated in paragraph A of this Item.

C. Except as provided for elsewhere in this Item, agencies supported in whole or in part by nongeneral fund sources, shall pay the proportionate share of changes in salaries and benefits as required by this Item, subject to the rules and regulations prescribed by the appointing or governing authority of such agencies. Nongeneral fund revenues and balances required for this purpose are hereby appropriated.

D. Any supplemental salary payment to a state employee or class of state employees by a local governing body shall be governed by a written agreement between the agency head of

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the employee or class of employees receiving the supplement and the chief executive officer of the local governing body. Such agreement shall also be reviewed and approved by the Director of the State Department of Human Resource Management. At a minimum, the agreement shall specify the percent of state salary or fixed amount of the supplement, the resultant total salary of the employee or class of employees, the frequency and method of payment to the agency of the supplement, and whether or not such supplement shall be included in the employee's state benefit calculations. A copy of the agreement shall be made available annually to all employees receiving the supplement. The receipt of a local salary supplement shall not subject employees to any personnel or payroll rules and practices other than those promulgated by the State Department of Human Resource Management.

E. The Governor is hereby authorized to transfer funds from agency appropriations to the accounts of participating state employees in such amounts as may be necessary to match the contributions of the qualified participating employees, consistent with the requirements of the Code of Virginia governing the deferred compensation cash match program. Such transfers shall be made consistent with the following:

1. The maximum cash match provided to eligible employees shall not be less than $20.00 per pay period, or $40.00 per month, in each year of the biennium. The Governor may direct the agencies of the Commonwealth to utilize funds contained within their existing appropriations to meet these requirements.

2. The Governor may direct agencies supported in whole or in part with nongeneral funds to utilize existing agency appropriations to meet these requirements. Such nongeneral revenues and balances are hereby appropriated for this purpose, subject to the provisions of § 4-2.01 b of this act. The use of such nongeneral funds shall be consistent with any existing conditions and restrictions otherwise placed upon such nongeneral funds.

3. The procurement of services related to the implementation of this program shall be governed by standards set forth in § 51.1-124.30 C, Code of Virginia, and shall not be subject to the provisions of Chapter 7 (§ 11-35 et seq.), Title 11, Code of Virginia.

F. The Secretary of Administration, in conjunction with the Secretary of Finance, may establish a program that allows for the sharing of cost savings from improved productivity, efficiency, and performance with agencies and employees. Such gain sharing programs require a management philosophy of open communication encouraging employee participation; a system which seeks, evaluates and implements employee input on increasing productivity; and a formula for measuring productivity gains and sharing these gains between employees and the agency. The Department of Human Resource Management, in conjunction with the Department of Planning and Budget, shall develop specific gain sharing program guidelines for use by agencies. The Department of Human Resource Management shall provide to the Governor, the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees an annual report no later than October 1 of each year detailing identified savings and their usage.

G.1. Out of the appropriation for this Item, amounts estimated at $39,621,717 the first year and ~~$39,621,717~~ *$80,484,610* the second year from the general fund shall be transferred to state agencies and institutions of higher education to support the general fund portion of costs associated with changes in the employer's share of premiums paid for the Commonwealth's health benefit plans.

2. Notwithstanding any contrary provision of law, the health benefit plans for state employees resulting from the additional funding in this Item shall allow for a portion of employee medical premiums to be charged to employees.

3. The Department of Human Resource Management shall explore options within the health insurance plan for state employees to promote value-based health choices aimed at creating greater employee satisfaction with lower overall health care costs. It is the General Assembly's intent that any savings associated with this employee health care initiative be retained and used towards funding state employee salary or fringe benefit cost increases.

4. Notwithstanding any other provision of law, it shall be the sole responsibility and

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authority of the Department of Human Resource Management to establish and enforce employer contribution rates for any health insurance plan established pursuant to § 2.2-2818, Code of Virginia.

5. The Department of Human Resource Management is prohibited from establishing a retail maintenance network for maintenance drugs that includes penalties for non-use of the retail maintenance network.

6. The Department of Human Resource Management shall not increase the annual out-of-pocket maximum included in the plans above the limits in effect for the plan year which began on July 1, 2014.

7. The Department of Human Resource Management shall include language in all contracts, signed on or after July 1, 2018, with third party administrators of the state employee health plan requiring the third party administrators to: 1) maintain policies and procedures for transparency in their pharmacy benefit administration programs; 2) transparently provide information to state employees through an explanation of benefits regarding the cost of drug reimbursement; dispensing fees; copayments; coinsurance; the amount paid to the dispensing pharmacy for the claim; the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager; and the amount charged by the third party administrator to the Commonwealth; and 3) provide a report to the Department of Human Resource Management of the aggregate difference in amounts between reimbursements made to pharmacies for claims covered by the state employee insurance plan, the amount charged to the third party administrator for the claim by the third party administrator's pharmacy benefit manager, and the amount charged by the third party administrator to the Commonwealth as well as an explanation for any difference.

8. Notwithstanding the provisions of § 38.2-3418.17 and any other provision of law, effective October 1, 2018, the Department of Human Resource Management shall provide coverage under the state employee health insurance program for the treatment of autism spectrum disorder through the age of eighteen.

H.1. Contribution rates paid to the Virginia Retirement System for the retirement benefits of public school teachers, state employees, state police officers, state judges, and state law enforcement officers eligible for the Virginia Law Officers Retirement System shall be based on a valuation of retirement assets and liabilities that are consistent with the provisions of Title 51.1, Code of Virginia.

2. Retirement defined benefit contribution rates, excluding the applicable employee contribution, shall be as set out below:

	FY 2025	FY 2026
Public school teachers	14.21%	14.21%
State employees	12.52%	12.52%
State Police Officers' Retirement System	31.32%	31.32%
Virginia Law Officers' Retirement System	24.60%	24.60%
Judicial Retirement System	30.67%	30.67%

3. Contribution rates for the defined contribution component of the hybrid retirement program shall be paid in accordance with §§ 51.1-145 and 51.1-169.

4. Payments of all required contributions and insurance premiums to the Virginia Retirement System and its third-party administrators, as applicable, shall be made no later than the tenth day following the close of each month of the fiscal year.

5.a. The Director, Planning and Budget, shall withhold and transfer to this Item amounts estimated at $8,299,411 the first year and $6,938,318 the second year, from the general fund from state agencies and institutions of higher education, to recognize the net general fund portion of savings associated with changes in employer contributions for state employee retirement as provided for in this paragraph.

b. The amounts provided in this paragraph take into account the estimated employer contributions to the defined benefit component of the retirement plans and the defined contribution component of the hybrid retirement plans.

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6. The funding necessary to support the cost of reimbursements to Constitutional Officers for retirement contributions are appropriated elsewhere in this act under the Compensation Board.

7. The funding necessary to support the cost of the employer retirement contribution rate for public school teachers is appropriated elsewhere in this act under Direct Aid to Public Education.

I. Rates paid to the Virginia Retirement System on behalf of employees of participating (i) counties, (ii) cities, (iii) towns, (iv) local public school divisions (only to the extent that the employer contribution rate is not otherwise specified in this act), and (v) other political subdivisions shall be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to § 51.1-145(I), Code of Virginia.

J.1. Contribution rates paid to the Virginia Retirement System for other employee benefits to include the public employee group life insurance program, the Virginia Sickness and Disability Program, the state employee retiree health insurance credit, and the public school teacher retiree health insurance credit, shall be based on a valuation of assets and liabilities that assume an investment return of 6.75 percent and an amortization period of 20 years.

2. Contribution rates paid on behalf of public employees for other programs administered by the Virginia Retirement System shall be:

	FY 2025	FY 2026
State employee retiree health insurance credit	1.12%	1.12%
Public school teacher retiree health insurance credit	1.21%	1.21%
State employee group life insurance program	1.18%	1.18%
Employer share of the public school teacher group life insurance program	0.47%	0.47%
Virginia Sickness and Disability Program	0.50%	0.50%
Constitutional Officers and employees retiree health insurance credit	0.36%	0.36%
General Registrar and employees retiree health insurance credit	0.32%	0.32%
Employees of local social services boards retiree health insurance credit	0.37%	0.37%

3. Funding for the Virginia Sickness and Disability Program is calculated on a rate of 0.46 percent of total payroll.

4. The Director, Department of Planning and Budget, shall withhold and transfer to this item amounts estimated at $8,197,309 the first year and $8,553,709 the second year, from the general fund from state agencies and institutions of higher education to recognize the net general fund portion of savings associated with changes in employer contributions for state employee benefits as provided in this paragraph.

5. The funding necessary to support the cost of reimbursements to Constitutional Officers for public employee group life insurance contributions is appropriated elsewhere in this act under the Compensation Board.

6. The funding necessary to support the cost of the employer public school teacher group life insurance and retiree health insurance credit rates is appropriated elsewhere in this act under Direct Aid to Public Education.

K.1. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced

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retirement benefits provided for in § 2.2-3204(A), Code of Virginia for employees who are involuntarily separated from employment with the Commonwealth if the Director of the Department of Planning and Budget certifies that such action results from 1. budget reductions enacted in the Appropriation Act, 2. budget reductions executed in response to the withholding of appropriations by the Governor pursuant to §4-1.02 of the Act, 3. reorganization or reform actions taken by state agencies to increase efficiency of operations or improve service delivery provided such actions have been previously approved by the Governor, or 4. downsizing actions taken by state agencies as the result of the loss of federal or other grants, private donations, or other nongeneral fund revenue, and if the Director of the Department of Human Resource Management certifies that the action comports with personnel policy. Under these conditions, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.

2. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia, for employees who are involuntarily separated from employment with the Commonwealth if the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules have certified on or after July 1, 2016, that such action results from 1. budget reductions enacted in the Appropriation Act pertaining to the Legislative Department; 2. reorganization or reform actions taken by agencies in the legislative branch of state government to increase efficiency of operations or improve service delivery provided such actions have been approved by the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules; or 3. downsizing actions taken by agencies in the legislative branch of state government as the result of the loss of federal or other grants, private donations, or other nongeneral fund revenue and if the applicable agency certifies that the actions comport with the provisions of and related policies associated with the Workforce Transition Act. Under these conditions, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.

L. The purpose of this paragraph is to provide a transitional severance benefit, under the conditions specified, to eligible city, county, school division or other political subdivision employees who are involuntarily separated from employment with their employer.

1.a. "Involuntary separation" includes, but is not limited to, terminations and layoffs from employment with the employer, or being placed on leave without pay-layoff or equivalent status, due to budget reductions, employer reorganizations, workforce downsizings, or other causes not related to the job performance or misconduct of the employee, but shall not include voluntary resignations. As used in this paragraph, a "terminated employee" shall mean an employee who is involuntarily separated from employment with his employer.

b. The governing authority of a city, county, school division or other political subdivision electing to cover its employees under the provisions of this paragraph shall adopt a resolution, as prescribed by the Board of Trustees of the Virginia Retirement System, to that effect. An election by a school division shall be evidenced by a resolution approved by the Board of such school division and its local governing authority.

2.a. Any (i) “eligible employee” as defined in § 51.1-132, (ii) “teacher” as defined in § 51.1-124.3, and (iii) any “local officer” as defined in § 51.1.124.3 except for the treasurer, commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, or sheriff of any county or city, and (a) for whom reemployment with his employer is not possible because there is no available position for which the employee is qualified or the position offered to the employee requires relocation or a reduction in salary and (b) whose involuntary separation was due to causes other than job performance or misconduct, shall be eligible, under the conditions specified, for the transitional severance benefit conferred by this paragraph. The date of involuntary separation shall mean the date an employee was terminated from employment or placed on leave without pay-layoff or equivalent status.

b. Eligibility shall commence on the date of involuntary separation.

3.a. On his date of involuntary separation, an eligible employee with (i) two years' service or less to the employer shall be entitled to receive a transitional severance benefit equivalent to four weeks of salary; (ii) three years through and including nine years of consecutive service

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to the employer shall be entitled to receive a transitional severance benefit equivalent to four weeks of salary plus one additional week of salary for every year of service over two years; (iii) ten years through and including fourteen years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to twelve weeks of salary plus two additional weeks of salary for every year of service over nine years; or (iv) fifteen years or more of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to two weeks of salary for every year of service, not to exceed thirty-six weeks of salary.

b. Transitional severance benefits shall be computed by the terminating employer's payroll department. Partial years of service shall be rounded up to the next highest year of service.

c. Transitional severance benefits shall be paid by the employer in the same manner as normal salary. In accordance with § 60.2-229, transitional severance benefits shall be allocated to the date of involuntary separation. The right of any employee who receives a transitional severance benefit to also receive unemployment compensation pursuant to § 60.2-100 et seq. shall not be denied, abridged, or modified in any way due to receipt of the transitional severance benefit; however, any employee who is entitled to unemployment compensation shall have his transitional severance benefit reduced by the amount of such unemployment compensation. Any offset to a terminated employee's transitional severance benefit due to reductions for unemployment compensation shall be paid in one lump sum at the time the last transitional severance benefit payment is made.

d. For twelve months after the employee's date of involuntary separation, the employee shall continue to be covered under the (i) health insurance plan administered by the employer for its employees, if he participated in such plan prior to his date of involuntary separation, and (ii) group life insurance plan administered by the Virginia Retirement System pursuant to Chapter 5 (§ 51.1-500 et seq.) of Title 51.1, or such other group life insurance plan as may be administered by the employer. During such twelve months, the terminating employer shall continue to pay its share of the terminated employee's premiums. Upon expiration of such twelve month period, the terminated employee shall be eligible to purchase continuing health insurance coverage under COBRA.

e. Transitional severance benefit payments shall cease if a terminated employee is reemployed or hired in an individual capacity as an independent contractor or consultant by the employer during the time he is receiving such payments.

f. All transitional severance benefits payable pursuant to this section shall be subject to applicable federal laws and regulations.

4.a. In lieu of the transitional severance benefit provided in subparagraph 3 of this paragraph, any otherwise eligible employee who, on the date of involuntary separation, is also (i) a vested member of a defined benefit plan within the Virginia Retirement System, including the hybrid retirement program described in § 51.1-169, and including a member eligible for the benefits described in subsection B of § 51.1-138, and (ii) at least fifty years of age, may elect to have the employer purchase on his behalf years to be credited to either his age or creditable service or a combination of age and creditable service, except that any years of credit purchased on behalf of a member of the Virginia Retirement System, including a member eligible for the benefits described in subsection B of § 51.1-138, who is eligible for unreduced retirement shall be added to his creditable service and not his age. The cost of each year of age or creditable service purchased by the employer shall be equal to fifteen percent of the employee's present annual compensation. The number of years of age or creditable service to be purchased by the employer shall be equal to the quotient obtained by dividing (i) the cash value of the benefits to which the employee would be entitled under subparagraphs 3.a. and 3.d. of this paragraph by (ii) the cost of each year of age or creditable service. Partial years shall be rounded up to the next highest year. Deferred retirement under the provisions of subsection C of §§ 51.1-153 and disability retirement under the provisions of § 51.1-156 et seq., shall not be available under this paragraph.

b. In lieu of the (i) transitional severance benefit provided in subparagraph 3 of this paragraph and (ii) the retirement program provided in this subsection, any employee who is otherwise eligible may take immediate retirement pursuant to §§ 51.1-155.1 or 51.1-155.2.

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c. The retirement allowance for any employee electing to retire under this paragraph who, by adding years to his age, is between ages fifty-five and sixty-five, shall be reduced on the actuarial basis provided in subdivision A. 2. of § 51.1-155.

d. The retirement program provided in this subparagraph shall be otherwise governed by policies and procedures developed by the Virginia Retirement System.

e. Costs associated with the provisions of this subparagraph shall be factored into the employer contribution rates paid to the Virginia Retirement System.

f. Notwithstanding the foregoing, the provisions of this paragraph L shall apply to an otherwise eligible employee who is a person who becomes a member on or after July 1, 2010, a person who does not have 60 months of creditable service as of January 1, 2013, or a person who is enrolled in the hybrid retirement program described in § 51.1-169, mutatis mutandis.

M.1. a. In order to address the potential for stranded liability in the Virginia Retirement System, notwithstanding any other contrary provisions of the Appropriation Act or of § 51.1-145, institutions of higher education that have established their own optional retirement plan under § 51.1-126(B) shall pay, effective July 1, 2019, contributions to the employer's retirement allowance account in an amount equal to that portion of the state employer contribution rate designated to pay down the total unfunded accrued liability, for any positions existing as of December 31, 2011 that are subsequently converted from non-Optional Retirement Plan for Higher Education (ORPHE) eligible positions to ORPHE-eligible positions on or after January 1, 2012 and that are filled by an employee who elects to participate in the ORPHE. In meeting this obligation, each institution shall provide to the Virginia Retirement System by April 1 of each year a list of all positions converted from non-ORPHE eligible positions to ORPHE-eligible positions since January 1, 2012, and whether current employees in such positions have elected ORPHE participation.

b. Such contributions shall not be required for any new position established by the institution after January 1, 2012, that may be eligible for participation in the Optional Retirement Plan for Higher Education.

2. Furthermore, the Department of Accounts, the Virginia Retirement System, and the universities of higher education shall work to develop a methodology to identify and report separately personnel services expenditures for university personnel in positions that use to be classified positions but have been transitioned to university staff positions.

N. The Director, Department of Planning and Budget, shall transfer from this Item general fund amounts estimated at ~~$1,964,846~~ *$1,547,181* the first year and $1,964,846 the second year to state agencies and institutions of higher education to support the general fund portion of costs of Line of Duty Act premiums based on the latest enrollment update from the Virginia Retirement System. The funding included in this item is based on the contribution rate of $1,015.00 per FTE.

O. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, general fund amounts estimated at $1,477,941 the first year and ~~$1,729,635~~ *$2,750,900* the second year from state agencies and institutions of higher education to recognize the general fund portion of savings associated with the latest workers' compensation premiums provided by the Department of Human Resource Management.

P. The following agency heads, at their discretion, may utilize agency funds to implement the provisions of new or existing performance-based pay plans:

1. The heads of agencies in the Legislative and Judicial Departments;

2. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;

3. The Attorney General;

4. The Director of the Virginia Retirement System;

5. The Executive Director of the Virginia Lottery;

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6. The Director of the University of Virginia Medical Center;

7. The Chief Executive Officer of the Virginia College Savings Plan;

8. The Executive Director of the Virginia Port Authority; and

9. The Chief Executive Officer of the Virginia Alcoholic Beverage Control Authority.

Q. Out of the amounts included in this item, amounts estimated at ~~$1,015,507~~ *$902,706* the first year and ~~$3,336,858~~ *$3,069,713* the second year from the general fund is available for transfer to state agencies and institutions of higher education to fund the increases in the Virginia minimum wage scheduled for January 1, 2025 and January 1, 2026.

R.1. Out of the appropriation for this item, $134,502,004 the first year and ~~$273,010,223~~*$275,290,398* the second year from the general fund is provided to increase the base salary of the following employees by three percent on June 10, 2024 and an additional three percent on June 10, 2025:

a. Full-time and other classified employees of the Executive Department subject to the Virginia Personnel Act;

b. Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote;

c. Any official whose salary is listed in § 4-6.01 of this act, subject to the ranges specified in the agency head salary levels in § 4-6.01 c;

d. Full-time staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney General's Office, Cabinet Secretaries' Offices, including the Deputy Secretaries, the Virginia Liaison Office, and the Secretary of the Commonwealth's Office;

e. Heads of agencies in the Legislative Department;

f. Full-time employees in the Legislative Department, other than officials elected by popular vote;

g. Legislative Assistants as provided for in Item 1 of this act;

h. Judges and Justices in the Judicial Department;

i. Heads of agencies in the Judicial Department;

j. Full-time employees in the Judicial Department;

k. Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission, the Chief Executive Officers of the Virginia College Savings Plan, and the Virginia Alcoholic Beverage Control Authority, and the Directors of the Virginia Lottery, the Virginia Retirement System,the Virginia Cannabis Control Authority, and the Opioid Abatement Authority.

l. Full-time employees of the State Corporation Commission, the Virginia College Savings Plan, the Virginia Lottery, Virginia Workers' Compensation Commission, the Virginia Retirement System, the Virginia Alcoholic Beverage Control Authority, the Virginia Cannabis Control Authority, and the Opioid Abatement Authority.

2.a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the salary increases authorized in this paragraph only if they attained at least a rating of "Contributor" on their latest performance evaluation.

b. Salary increases authorized in this paragraph for employees in the Judicial and Legislative Departments, employees of Independent agencies, and employees of the Executive Department not subject to the Virginia Personnel Act shall be consistent with the provisions of this paragraph, as determined by the appointing or governing authority. However, notwithstanding anything herein to the contrary, the governing authorities of those state institutions of higher education with employees not subject to the Virginia Personnel Act may implement salary increases for such employees that may vary based on

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performance and other employment-related factors. The appointing or governing authority shall certify to the Department of Human Resource Management that employees receiving the awards are performing at levels at least comparable to the eligible employees as set out in subparagraph 2.a. of this paragraph.

3. The Department of Human Resource Management shall increase the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan by three percent on June 10, 2024 and an additional three percent on June 10, 2025. No salary increase shall be granted to any employee as a result of this action. The department shall develop policies and procedures to be used in instances when employees fall below the entry level for a job classification due to poor performance. Movement through the revised pay band shall be based on employee performance.

4. The following agency heads, at their discretion, may utilize agency funds or the funds provided pursuant to this paragraph to implement the provisions of new or existing performance-based pay plans:

a. The heads of agencies in the Legislative and Judicial Departments;

b. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;

c. The Attorney General;

d. The Director of the Virginia Retirement System;

e. The Director of the Virginia Lottery;

f. The Director of the University of Virginia Medical Center;

g. The Chief Executive Officer of the Virginia College Savings Plan; and

h. The Executive Director of the Virginia Port Authority. and

i. The Chief Executive Officer of the Virginia Alcoholic Beverage Control Authority

5. The base rates of pay, and related employee benefits, for wage employees may be increased by up to three percent no earlier then June 10, 2024 and an additional three percent no earlier than June 10, 2025. The cost of such increases for wage employees shall be borne by existing funds appropriated to each agency.

6. The governing authorities of the state institutions of higher education may provide a salary adjustment based on performance and other employment-related factors, as long as the increases do not exceed the ~~one~~ *three* percent increase on average for faculty and university staff.

S.1. The appropriations in this item include funds to increase the base salary of the following employees by three percent on July 1, 2024 and an additional three percent on July 1, 2025, provided that the governing authority of such employees use such funds to support salary increases for the following listed employees.

a. Locally-elected constitutional officers;

b. General Registrars and members of local electoral boards;

c. Full-time employees of locally-elected constitutional officers and,

d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and Comprehensive Community Corrections Act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

2. Out of the appropriation for Supplements to Employee Compensation is included $38,018,552 the first year and $80,663,893 the second year from the general fund to support the costs associated with the salary increases provided in this paragraph.

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T. Included in the appropriation for this item is $4,455,837 the first year and $9,044,194 the second year from the general fund to provide a three percent increase in base pay effective June 10, 2024 and an additional three percent increase in base pay effective June 10, 2025, for adjunct faculty at Virginia two-year and four-year public colleges and higher education institutions.

U. Included in the appropriation for this item is $1,832,807 the first year and $3,720,598 the second year from the general fund to provide a three percent increase in base pay effective June 10, 2024 and an additional three percent increase in base pay effective June 10, 2025, for graduate teaching assistants at Virginia two-year and four-year public colleges and higher education institutions.

V.1. Up to $61,990,939 the first year from the general fund appropriation of this item shall be used to provide all classified employees of the Executive Branch and other full-time employees of the Commonwealth, except elected officials, who were employed on or before February 25, 2025, and remained employed until at least May 25, 2025, a one-time bonus payment equal to 1.5 percent of their base pay on June 16, 2025.

2. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the bonus payment authorized in this paragraph only if they have attained an equivalent rating of at least "Contributor" on their performance evaluation and have no active written notices under the Standards of Conduct within the preceding twelve-month period.

3. The governing authorities of the state institutions of higher education may provide the bonus for faculty and university staff based on performance and other employment-related factors, as long as the bonuses do not exceed what the average would have been based on the general methodology authorized in this paragraph.

W.1. Up to $21,066,978 from the general fund the first year is provided for a one-time bonus payment, equal to 1.5 percent of their base salary, on July 1, 2025 provided that the governing authority of such employees use such funds to support the provision of a bonus for the following listed employees:

a. Locally-elected constitutional officers;

b. General Registrars and members of local electoral boards;

c. Full-time employees of locally-elected constitutional officers; and,

d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and Comprehensive Community Corrections Act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

2. Any funds provided in this paragraph for state supported local employees where the state funding is provided on a reimbursement basis, that is not expended during fiscal year 2025, shall not revert to the general fund but shall be reappropriated for disbursements to reimburse for the cost of the bonus.

470.	Adjustments to Designated State Agency Activities (23800)			~~($998,729)~~ *($2,905,199)*	~~($3,691,568)~~ *$19,998,870*
	Undistributed Support for Designated State Agency Activities (23801)	~~($998,729)~~ *($2,905,199)*	~~($3,691,568)~~ *$19,998,870*		
	Fund Sources: General	~~($998,729)~~ *($2,905,199)*	~~($3,691,568)~~ *$19,998,870*		

Authority: Discretionary Inclusion

A. Transfers from this Item may be made when appropriations to the state agencies concerned are insufficient for the purposes of paying rates billed by other agencies as

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internal service funds or for other designated state activities, as determined by the Department of Planning and Budget, and subject to guidelines prescribed by the department. Further, the Department of Planning and Budget may transfer appropriations within this Item from the second year of the biennium to the first year, when necessary to accomplish these purposes.

B. Except as provided for elsewhere in this Item, agencies supported in whole or in part by nongeneral fund sources, shall pay the proportionate share of changes in the designated state agency activities as required by this Item, subject to the rules and regulations prescribed by the appointing or governing authority of such agencies. Nongeneral fund revenues and balances required for this purpose are hereby appropriated.

C. The Director, Department of Planning and Budget, shall transfer from this Item, general fund amounts estimated at ~~$5,083,300~~ *$3,176,830* the first year and ~~$771,994~~ *$6,904,948* the second year to state agencies and institutions of higher education to support the general fund portion of costs resulting from the estimated usage of technology services provided by the Virginia Information Technologies Agency.

D. The Director, Department of Planning and Budget, shall transfer from this item, general fund amounts estimated at $2,070,600 the first year to state agencies, and ~~shall withhold and transfer to this item $815,878~~ *$6,636,572* the second year, to reflect the latest estimates to support the general fund share of state agencies' rental costs for space maintained and operated by the Department of General Services.

E. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, general fund amounts estimated at $3,810,635 the first year and $1,992,046 the second year to state agencies and institutions of higher education to recognize the general fund portion of savings resulting from changes in agency charges for the Cardinal Financial System operated by the Department of Accounts.

F. The Director, Department of Planning and Budget, shall withhold and transfer to this Item general fund amounts estimated at $3,451,862 the first year and $1,037,146 the second year to recognize the general fund share of savings resulting from changes in agency charges for the Cardinal Human Capital Management System operated by the Department of Accounts.

G. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, an amount estimated at $117,792 the first year from the general fund from state agencies and institutions of higher education and shall transfer from this item an amount estimated at $135,054 the second year from the general fund to state agencies and institutions of higher education to support the general fund potion of costs resulting from changes in agency charges for the Performance Budgeting system.

H. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, general fund amounts estimated at $180,062 the first year and $180,062 the second year from state agencies and institutions of higher education to recognize the general fund portion of savings resulting from a reduction in the standard monthly operating charge for fleet vehicles operated by the Department of General Services.

I. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, general fund amounts estimated at $217,089 the first year and $217,089 the second year from state agencies and institutions of higher education to recognize the general fund portion of savings resulting from a reduction in the single-agency lease rate for administration by the Department of General Services.

J. The Director, Department of Planning and Budget, shall withhold and transfer to this Item, general fund amounts estimated at $375,189 the first year and $356,395 the second year from state agencies and institutions of higher education to recognize the general fund portion of savings resulting from changes in premiums charged by the Division of Risk Management for general liability, medical malpractice liability, and automobile liability coverage.

K. From such general fund revenues as are collected for fiscal year 2024 in excess of the official fiscal year 2024 revenue estimate included in the final 2022-2024 biennial appropriation act adopted in the 2024 Special Session I, the first $575,000,000, or portion thereof, that is not required to meet a Constitutionally-mandated deposit to the Revenue Stabilization Fund, and prior to calculating the Revenue Reserve Fund and the Water Quality Improvement Fund Part A deposits, shall be reserved by the Comptroller in the Committed

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Fund Balance for the following purposes in priority order during the first year:

1. $175,000,000 shall be reserved for transfer to Item 438 of this Act to support the I-81 Corridor Improvement Program; and

2. $400,000,000 for matching grants for Water Quality Improvement Fund eligible wastewater projects for Chesapeake Bay nutrient reductions authorized under Code of Virginia §§ 10.1-1186.01.F., 10.1-2131.C., and 62.1- 44.19:14.G.1. To the extent that general fund revenues are available to support the costs for these expenses, the Director, Department of Planning and Budget, shall reduce by an equal amount the bond proceeds for these projects authorized in Item C-53.50 of this act.

L.1. From such general fund revenues as are collected for fiscal year 2025 in excess of the First Year Official Revenue Estimate contained in this Act that is not required to meet (i) a Constitutionally-mandated deposit to the Revenue Stabilization Fund, (ii) or the Water Quality Improvement Fund, Part A deposit, an amount up to $175 million less the amount transferred pursuant to subparagraph K.1. of this Item shall be reserved by the Comptroller in the Restricted Fund Balance for transfer to Item 438 of this Act to support the I-81 Corridor Improvement Program.

2. From such general fund revenues as are collected for fiscal year 2026 in excess of the Official Revenue Estimate contained in the 2025 Appropriation Act that is not required to meet (i) a Constitutionally-mandated deposit to the Revenue Stabilization Fund, (ii) or the Water Quality Improvement Fund, Part A deposit, an amount up to $175 million less the amounts transferred pursuant to subparagraphs K.1. And L.1. of this Item shall be reserved by the Comptroller in the Restricted Fund Balance for transfer to the Department of Transportation to support the I-81 Corridor Improvement Program.

M. The Director, Department of Planning and Budget, shall transfer from this Item, a general fund amount estimated at $10,105,034 the second year to state agencies and institutions of higher education to support the general fund portion of costs resulting from changes in premiums charged by the Division of Risk Management for property insurance coverage.

N. 1) From such general fund revenues as are collected for fiscal year 2025 in excess of the official fiscal year 2025 revenue estimate included in this act, the first $20,000,000, or portion thereof, that is not required to meet a Constitutionally-mandated deposit to the Revenue Stabilization Fund, and prior to calculating the Revenue Reserve Fund and the Water Quality Improvement Fund Part A deposits, shall be reserved by the Comptroller in the Committed Fund Balance for the purposes outlined in Item 130 paragraph J. of this act.

2) Any remaining general fund revenues in excess of the official fiscal year 2025 revenue estimate included in this Act not required to meet the Constitutionally-mandated deposit to the Revenue Stabilization Fund or the Water Quality Improvement Fund Part A deposit, or the reservation set out in paragraph N.1) shall be reserved for action at any Special Session of the General Assembly convened in 2025 or at the 2026 General Assembly Session to address the impacts of any reductions to federal appropriations contained in this act.

3) The State Comptroller shall not exclude the reserved amounts from the maximum deposit amount in subsection C of § 2.2-1831.3.

470.10 From such general fund revenues as are collected for fiscal year 2024 in excess of the official fiscal year 2024 revenue estimate included in the final 2022–2024 biennial appropriation act adopted in the 2024 Special Session I, (i) after the designations in paragraph K of Item 470 of this act are reserved and (ii) after any calculated Revenue Reserve Fund and Water Quality Improvement Fund Part A deposits are made in accordance with Item 470 of this act, $90,000,000, or a portion thereof, shall be reserved by the Comptroller in the Committed Fund Balance for transfer for the purposes of paragraph J of Item 130, relating to offsetting the impact of programs under Title 23.1, Chapter 6, Code of Virginia. Of such $90,000,000 reserved by the Comptroller, no more than $45,000,000 shall be transferred for such purposes in any fiscal year.

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471.	Payments for Special or Unanticipated Expenditures (75800)			$11,300,000	~~$1,300,000~~ *$3,265,382*
	Miscellaneous Contingency Reserve Account (75801)	$1,300,000	$1,300,000		
	Undistributed Support for Designated State Agency Activities (75806)	$10,000,000	~~$0~~ *$1,965,382*		
	Fund Sources: General	$11,300,000	~~$1,300,000~~ *$3,265,382*		

Authority: Discretionary Inclusion.

A. The Governor is hereby authorized to allocate sums from this appropriation, in addition to an amount not to exceed $5,000,000 from the unappropriated balance derived by subtracting the general fund appropriations from the projected general fund revenues in this act, to provide for supplemental funds pursuant to paragraph D hereof. Transfers from this Item shall be made only when (1) sufficient funds are not available within the agency's appropriation and (2) additional funds must be provided prior to the end of the next General Assembly Session.

B.1. The Governor is authorized to allocate from the unappropriated general fund balance in this act such amounts as are necessary to provide for unbudgeted cost increases to state agencies incurred as a result of actions to enhance homeland security, combat terrorism, and to provide for costs associated with the payment of a salary supplement for state classified employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard. Any salary supplement provided to state classified employees ordered to active duty, shall apply only to employees who would otherwise earn less in salary and other cash allowances while on active duty as compared to their base salary as a state classified employee. Guidelines for such payments shall be developed by the Department of Human Resource Management in conjunction with the Departments of Accounts and Planning and Budget.

2. The Governor shall submit a report within thirty days to the Chairmen of House Appropriations and Senate Finance and Appropriations Committees which itemizes any disbursements made from this Item for such costs.

3. The governing authority of the agencies listed in this subparagraph may, at its discretion and from existing appropriations, provide such payments to their employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard, as are necessary to provide comparable pay supplements to its employees.

a. Agencies in the Legislative and Judicial Departments;

b. The State Corporation Commission, the Virginia Workers' Compensation Commission, the Virginia Retirement System, the Virginia Lottery, and the Virginia College Savings Plan;

c. The Office of the Attorney General and the Department of Law; and

d. State-supported institutions of higher education.

C. The Governor is authorized to expend from the unappropriated general fund balance in this act such amounts as are necessary, up to $5,000,000, to provide for indemnity payments to growers, producers, and owners for losses sustained as a result of an infectious disease outbreak or natural disaster in livestock and poultry populations in the Commonwealth. Such payments shall be made in accordance with guidelines established by the Department of Agriculture and Consumer Services. In developing the guidelines to allocate payments, the Commissioner of the Department of Agriculture and Consumer Services shall consult the representatives of the affected industries.

D. Out of the appropriation for this item is included $1,000,000 the first year and $1,000,000 the second year from the general fund to be used by the Governor as he may determine to be needed for the following purposes:

1. To address the six conditions listed in § 4-1.03 c 5 of this act.

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2. To provide for unbudgeted and unavoidable increases in costs to state agencies for essential commodities, services, and training which cannot be absorbed within agency appropriations including unbudgeted benefits associated with Workforce Transition Act requirements.

3. To secure federal funds in the event that additional matching funds are needed for Virginia to participate in the federal Superfund program.

4. To provide a payment of up to $100,000 to the Military Order of the Purple Heart, for the continued operation of the National Purple Heart Hall of Honor, provided that at least half of other states have made similar grants.

5. In addition, if the amounts appropriated in this Item are insufficient to meet the unanticipated events enumerated, the Governor may utilize up to $1,000,000 the first year and $1,000,000 the second year from the general fund amounts appropriated for the Commonwealth's Opportunity Fund for the unanticipated purposes set forth in paragraph D.1. through paragraph D.4. of this Item.

6. In addition, to provide for payment of monetary rewards to persons who have disclosed information of wrongdoing or abuse under the Fraud and Abuse Whistle Blower Protection Act.

7. The Department of Planning and Budget shall submit a quarterly report of any disbursements made from, commitments made against, and requests made for such sums authorized for allocation pursuant to this paragraph to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. This report shall identify each of the conditions specified in this paragraph for which the transfer is made.

E. Included in this appropriation is $300,000 the first year and $300,000 the second year from the general fund to pay for private legal services and the general fund share of unbudgeted costs for enforcement of the 1998 Tobacco Master Settlement Agreement. Transfers for private legal services shall be made by the Director, Department of Planning and Budget upon prior written authorization of the Governor or the Attorney General, pursuant to § 2.2-510, Code of Virginia or Item 49, Paragraph D of this act. Transfers for enforcement of the Master Settlement Agreement shall be made by the Director, Department of Planning and Budget at the request of the Attorney General, pursuant to Item 49, Paragraph B of this act.

F. Notwithstanding the provisions of § 58.1-608.3B.(v), Code of Virginia, any municipality which has issued bonds on or after July 1, 2001, but before July 1, 2006, to pay the cost, or portion thereof, of any public facility pursuant to § 58.1-608.3, Code of Virginia, shall be entitled to all sales tax revenues generated by transactions taking place in such public facility.

G. Any amounts appropriated in this item that remain unspent at the end of any fiscal year shall be reappropriated in the next fiscal year.

H.1. The balances of any amounts originally provided in Item 475, Chapter 2, 2018 Acts of Assembly Special Session I, Item 479, Chapter 552, 2021 Acts of Assembly, and Item 485, Chapter 2, 2022 Acts of Assembly, Special Session I are provided for the City of Richmond for the Slavery and Freedom Heritage Site in Richmond, Virginia. These balances remaining from the general fund originally intended to be provided to the City of Richmond for expenses incurred for the planning and development of the Slavery and Freedom Heritage Site in Richmond, including Lumpkin's Pavilion and Slave Trail improvements may be appropriated by the Director, Department of Planning and Budget, consistent with the provisions of this paragraph. Any unexpended general fund balances remaining from the appropriation in this paragraph shall not revert to the general fund at the end of the fiscal year, but shall be brought forward and reappropriated for its original purpose.

2. The City of Richmond shall provide documentation to the Department of General Services on the progress of this project and actual expenditures incurred for it in a form acceptable to the Secretaries of Finance and Administration.

3. The Department of General Services shall act as the fiscal agent for these funds. The

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director shall oversee the expenditure of state appropriations to ensure that payments to the City of Richmond are made consistent with the purposes set out in paragraphs and the Director, Department of Planning and Budget, is authorized to transfer these funds to the Department of General Services to implement this appropriation.

4. This appropriation shall be exempt from the disbursement procedures specified in § 4-5.05 of the act.

5. Any remaining funds contained in paragraph H.1. above for the purposes enumerated shall be made available to the City of Richmond upon the receipt of planning and development information by the Department of General Services. The Director of the Department of Planning and Budget shall provide the additional funds at the request of the Department of General Services as the fiscal agent for this project.

I.1. The Chief Transformation Officer shall provide quarterly program updates, to include the status of projects and amounts expended per project, to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees beginning October 1, 2022.

2. The Chief Transformation Officer, in consultation with the Virginia Information Technologies Agency, shall report on the use of consultants for transformation and reform initiatives since January 2022. The report shall be submitted by January 1, 2024, and then annually thereafter for each calendar year, to the Chairs of the House Appropriations and Senate Finance and Appropriations Committee and shall include for each instance that a consultant was used, the contract utilized, the amount, the purpose, and consultant name.

~~J. The balances of any funds originally provided for victims of mass violence pursuant to Item 485, Chapter 1, 2023 Acts of Assembly, Special Session I shall be reappropriated. Upon notification from the Director, Department of Criminal Justice Services, that the General Assembly has adopted a structure for administering this funding, the Director, Department of Planning and Budget shall transfer the funds to the appropriate agency or fund.~~

J.1. There is hereby created in the state treasury a special nonreverting fund to be known as the Mass Violence Care Fund (the Fund). The Fund shall be established on the books of the Comptroller. All moneys accruing to the Fund, including funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf, shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used for the purpose of supporting out-of-pocket health expenses for victims of mass violence.

2. The Director, Department of Planning and Budget, shall transfer the balances of the funds originally provided for victims of mass violence pursuant to Item 485, Chapter 1, 2023 Acts of Assembly, Special Session I.

3. Amounts in the Mass Violence Care Fund shall not be transferred or expended unless and until the General Assembly has adopted a structure for administering the Fund.

K.1. Notwithstanding the provisions of § 2.2-115, Code of Virginia, $250,000 the first year shall be transferred from the amounts in Item 101, Paragraph A. of this act to the Virginia Employment Commission on or before July 15, 2024, for the purpose of updating the November 2021 Paid and Family Medical Leave study.

2. The Virginia Employment Commission (the Commission), in collaboration with the Department of Human Resource Management, the Compensation Board, the Virginia Department of Education, and the Department of Planning and Budget, shall update its November 2021 Virginia Paid Family and Medical Leave study, as authorized by Item 111 of Chapter 1289 of the Acts of Assembly of 2020, to include an assessment of the budgetary impacts of extending application of paid family and medical leave benefits as contemplated in Senate Bill 373 of the 2024 General Assembly to exempt individuals, while maintaining the benefits provided in § 2.2-1210 of the Code of Virginia for state employees. Such assessment shall also examine (i) the number of exempt individuals that would receive expanded family and medical leave benefits; (ii) the budgetary impact and salary impact associated with providing each type of benefit to each class of employee described in clause (i); and (iii) the

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budgetary impact on state direct aid to public education. The Commission shall submit the updated study to the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations on or before December 1, 2024.

3. "Exempt individuals" for the purpose of this paragraph means a state employee, the treasurer, commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, sheriff of any county or city, regional jail superintendent or regional jail officer, or local director of finance, or deputy or employee of any such officer, or an employee of a local school division.

4."State employee" means all persons employed by the Commonwealth or a public institution of higher education to provide services, including both salaried and wage employees, whether employed full time or part time.

~~L. Out of the amounts in this item, $10,000,000 the first year from the general fund shall be provided to establish the Virginia Clean Energy Innovation Bank to finance climate initiatives. Up to $2,000,000 of these amounts may be used for administration.~~

I VETO ITEM 471.L. ON PAGE 2315 /s/ Glenn Youngkin 5-2-25

M. Out of this appropriation, the Governor is authorized to expend additional amounts as necessary to support costs associated with the Presidential Debate hosted by Virginia State University in October 2024.

N.1. Included in this Item is $1,312,898 the second year from the general fund to support the transition offices established as a result of the 2025 elections for Governor, Lieutenant Governor, and Attorney General. Out of this amount, $1,149,898 shall be transferred, based on actual expenses, to the Department of General Services and $163,000 to the Division of Executive Administrative Services for the provision of facilities, equipment, services, and supplies required to support the transition activity.

2. The Commonwealth's financial support for the transition is to be allocated as follows:

Office of the Governor: $1,194,410
Office of the Lieutenant Governor: $69,327
Office of the Attorney General: $49,161

O. Included in this Item is $652,484 the second year from the general fund to be transferred, based on actual expenditures, to the Department of General Services to support anticipated costs for the inauguration in January 2026.

P. On or before June 30, 2025, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of $994,429 from the surplus balances of this program.

472. Disaster Planning and Operations (72200).....

1. Agencies must ensure compliance with all use, documentation, and reporting requirements established in state and federal guidelines and laws for the use of revenues from the State and Local Fiscal Recovery Fund (SLFRF) pursuant to the American Rescue Plan Act of 2021 (ARPA).

2.a. Any previously authorized ARPA SLFRF capital project which has dollars remaining unobligated on December 1, 2024, as reported by the Department of Accounts, and which has been assigned a capital project code in the Cardinal Financial System as of March 1, 2024, shall return such unobligated funds to the State and Local Fiscal Recovery Fund (12110). For any previously authorized ARPA SLFRF project which does not have a capital project code in the Cardinal Financial System, any dollars remaining unobligated in such projects as of October 31, 2024, as reported by the Department of Accounts, shall be returned to the State and Local Fiscal Recovery Fund (12110).

b. From the amounts returned to the State and Local Fiscal Recovery Fund, up to $3,000,000 from such amounts shall first be directed to the Virginia Tourism Authority (320) to support accelerating inbound visitor demand through a paid media advertising campaign. The Virginia Tourism Authority shall use $400,000 of these funds for a targeted advertising campaign to promote Virginia wineries and state parks. For any amounts returned after the initial $3,000,000, up to $169,898,356 shall be directed to

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Direct Aid for Public Education (197) to be used to supplement funding for the Child Care Subsidy Program included in Item 125.10.

3. Any amounts that exceed the thresholds established in the previous paragraph shall be directed to the Department of Environmental Quality (440) to be used to support the Enhanced Nutrient Removal Certainty program. If the Department of Environmental Quality, in consultation with the Department of Planning and Budget, determines that all or a portion of such amounts cannot be obligated by the obligation deadline established by the United States Department of the Treasury, the excess amount shall be directed to Direct Aid for Public Education (197) to supplement funding for the Child Care Subsidy Program.

I VETO ITEM 473 ON PAGES 2316 AND 2317 /s/ Glenn Youngkin 5-2-25

4. For any ARPA-SLRF-funded ventilation improvement grants issued pursuant to Chapter 1, Item 479.20 B.2.h.1, 2021 Special Session II, school boards shall obligate such funds no later than July 1, 2024.

473.	Educational and General Programs (10000)			$28,930,454	$28,930,454
	Higher Education Instruction (10001)	$28,930,454	$28,930,454		
	Fund Sources: General	$28,930,454	$28,930,454		

A. Out of this appropriation, $28,930,454 the first year and $28,930,454 the second year from the general fund is designated for the Tech Talent Investment Fund. These funds shall be allocated in accordance with provisions established in §23.1-1239 through §23.1-1243, Code of Virginia, and shall be used to support the efforts of qualified institutions to increase by fiscal year 2039 the number of new eligible degrees by at least 25,000 more degrees than the number of such degrees awarded in 2018 and to improve the readiness of graduates to be employed in technology-related fields and fields that align with traded-sector growth opportunities identified by the Virginia Economic Development Partnership. Funds may be used to support admissions and advising programs designed to convey labor market information to students to guide decisions to enroll in eligible degree programs and academic programs and to fund facility construction, renovation, and enhancement and equipment purchases related to the initiative to increase the number of eligible degrees awarded.

B. Prior to an allocation from the Fund, institutions must enter into a Memorandum of Understanding (MOU) through a negotiation process between the institution and the Commonwealth. The MOU shall contain criteria for eligible degrees, eligible expenses, and degree production goals for a period ending in 2039. In addition, each institution shall (i) submit an enrollment plan detailing the number of eligible degrees produced between July 1, 2013, and June 30, 2018; (ii) develop a detailed plan of how the institution proposes to materially increase the enrollment, retention, and graduation of students pursuing eligible degrees, the resources necessary to accomplish such increase in enrollment, retention, and graduation, and plans to track new enrollment; (iii) provide an accounting of the anticipated number of in-state and out-of-state students enrolling in eligible degree programs; (iv) determine the existing capacity of current eligible degree programs; (v) propose plans to partner with other institutions to provide courses or programs that will lead to the completion of an eligible degree including articulation agreements with the Virginia Community College System to provide guaranteed admission for qualified students with an associate degree for transfer into an eligible degree program; (vi) allocate existing funds held by or appropriated to the institution to meet increased enrollment, retention, and graduation goals in eligible degree programs; and (vii) provide any other information deemed relevant.

C. Failure of an institution to meet the goals, metrics, and requirements set forth in its memorandum of understanding shall result in the adjustment of any future allocations from the Fund to the institution to reflect such discrepancy.

D. *1.* Notwithstanding §23.1-1242 of the Code of Virginia, for the 2024-26 biennium eligibility for grant payments shall be determined by the requirements stipulated in each institution's MOU.

2. Notwithstanding any other provision of law, Memorandum of Understanding (MOU) or provisions therein, funds awarded for the biennium shall be issued based on the amounts shown in the table below and shall not be reduced. The State Council of Higher Education for Virginia and the Virginia Economic Development Partnership, in consultation with staff representatives from participating institutions, the Senate Committee on Finance and

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Appropriations, the House Committee on Appropriations, the Secretary of Finance, and the Secretary of Education, shall review the methodology to determine any award reduction amounts based on performance and provide recommendations to the Secretary of Finance and designated reviewers as outlined in § 23.1-1241, Code of Virginia. The revised methodology shall be communicated to institutions including a list of frequently asked questions at least one year prior to implementing the change.				

Institution	***FY 2026 Allocation***
Christopher Newport University	*$751,702*
College of William and Mary	*1,384,198*
George Mason University	*4,075,259*
James Madison University	*685,381*
Longwood University	*263,415*
University of Mary Washington	*654,911*
Norfolk State University	*241,601*
Old Dominion University	*1,480,916*
University of Virginia	*1,718,369*
University of Virginia's College at Wise	*71,328*
Virginia Commonwealth University	*1,345,125*
Virginia Polytechnic Institute & State University	*9,695,499*
Virginia State University	*305,824*
George Mason University (Masters)	*1,722,478*
Virginia Polytechnic Institute & State University (Masters)	*3,261,805*
Virginia Community College System	*1,272,643*
Total	***$28,930,454***

474. A. The Oil Overcharge Expendable Trust Fund shall be established on the books of the Comptroller and the interest earned by investment of funds credited to the Oil Overcharge Expendable Trust Fund shall be allocated to such fund periodically. This fund represents the Commonwealth's proportionate share of the recoveries from the Exxon Corporation, Diamond Shamrock Refining and Marketing Company, Stripper Well and the Texaco Corporation litigations, for petroleum pricing violations between 1973 and 1981.

B.1. Any expenditure involving oil overcharges by the Exxon Corporation shall be utilized according to regulations and procedures of the five state energy conservation and benefits programs specified in the Warner Amendment (Section 155, P.L. 97-377) to provide restitution to the broad class of parties injured by the alleged overcharges. These programs are:

a. Low Income Home Energy Assistance Program, 42 U.S.C. § 8621 et seq.

b. State Energy Conservation Program, 42 U.S.C. § 6321 et seq.

c. Energy Extension Service, 42 U.S.C. § 7001 et seq.

d. Institutional Conservation Program, 42 U.S.C. § 6371 et seq.

e. Weatherization Assistance Program, 42 U.S.C. § 6861 et seq.

2. Any expenditure involving oil overcharges from the approved settlement In Re: The Department of Energy Stripper Well Litigation (MDL No. 378) or the approved settlement in the case of the Diamond Shamrock Refining and Marketing Company (Civil Action No. C2-84-1432) shall be utilized to fund one or more energy-related programs which are designed to benefit, directly or indirectly, consumers of petroleum products. These programs shall be limited to:

a. Administration and operation of the five energy conservation and benefit programs specified under the Warner Amendment (Section 155, P.L. 97-377),

b. Those programs approved by the U.S. Department of Energy's Office of Hearings and

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Appeals in Subpart V Refund Proceedings,				
c. Those programs referenced in the Chevron consent order (46 FR 52221), and				
d. Such other restitutionary programs approved by the District Court or the U.S. Department of Energy's Office of Hearings and Appeals.				
C. Before appropriations to the Oil Overcharge Expendable Trust Fund can be expended, approval for the use of the funds must be obtained from the United States Department of Energy. Applications to the United States Department of Energy must be made through the Department of Mines, Minerals and Energy.				
D. The Governor shall submit such statements and reports as are required by court orders, settlements, or the Departments of Energy or Health and Human Services regarding use(s) of these funds and shall also report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the activities funded by transfers from this Item only in fiscal years in which activities have occurred.				
Total for Central Appropriations			~~$306,558,035~~ *$406,596,076*	~~$484,569,254~~ *$552,079,732*
Fund Sources: General	~~$253,135,353~~ *$343,799,359*	~~$431,146,572~~ *$498,657,050*		
Higher Education Operating	~~$12,157,622~~ *$21,531,657*	$12,157,622		
Trust and Agency	$41,265,060	$41,265,060		
TOTAL FOR CENTRAL APPROPRIATIONS			~~$306,558,035~~ *$406,596,076*	~~$484,569,254~~ *$552,079,732*
Fund Sources: General	~~$253,135,353~~ *$343,799,359*	~~$431,146,572~~ *$498,657,050*		
Higher Education Operating	~~$12,157,622~~ *$21,531,657*	$12,157,622		
Trust and Agency	$41,265,060	$41,265,060		
TOTAL FOR EXECUTIVE DEPARTMENT			~~$83,893,870,555~~ *$89,145,234,584*	~~$85,369,466,540~~ *$88,448,532,742*
General Fund Positions	~~51,051.68~~ *51,063.68*	~~51,052.68~~ *51,186.28*		
Nongeneral Fund Positions	~~66,807.93~~ *67,428.93*	~~66,871.93~~ *67,810.18*		
Position Level	~~117,859.61~~ *118,492.61*	~~117,924.61~~ *118,996.46*		
Fund Sources: General	~~$30,944,929,522~~ *$33,938,830,888*	~~$31,095,722,325~~ *$31,887,649,818*		
Special	~~$1,864,456,786~~ *$1,859,337,205*	~~$1,861,700,610~~ *$2,189,556,952*		
Higher Education Operating	~~$11,662,221,361~~ *$11,680,950,150*	~~$12,033,751,942~~ *$12,444,772,284*		
Commonwealth Transportation	~~$8,774,158,446~~ *$9,234,126,476*	~~$8,245,943,868~~ *$8,446,417,585*		
Enterprise	$717,857,719	~~$717,857,719~~ *$723,350,239*		
Internal Service	~~$2,547,892,953~~ *$2,548,392,953*	~~$2,613,216,074~~ *$2,661,451,414*		
Trust and Agency	~~$2,641,411,369~~ *$2,639,107,883*	~~$2,611,574,109~~ *$2,639,414,973*		
Debt Service	$308,781,595	$312,907,180		
Dedicated Special Revenue	~~$4,714,284,814~~ *$4,980,778,699*	~~$5,117,280,414~~ *$5,087,660,748*		
Federal Trust	~~$19,717,875,990~~ *$21,237,071,016*	~~$20,759,512,299~~ *$22,055,351,549*		

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	INDEPENDENT AGENCIES				
	§ 1-134. STATE CORPORATION COMMISSION (171)				
475.	Regulation of Business Practices (55200)			$91,038,949	~~$91,038,949~~ *$95,094,279*
	Corporation Commission Clerk's Services (55203)	$20,095,371	~~$20,095,371~~ *$20,648,709*		
	Regulation of Investment Companies, Products and Services (55210)	$10,981,861	~~$10,981,861~~ *$11,345,346*		
	Regulation of Financial Institutions (55215)	$20,369,081	~~$20,369,081~~ *$21,082,470*		
	Regulation of Insurance Industry (55216)	$39,592,636	~~$39,592,636~~ *$42,017,754*		
	Fund Sources: Special	$90,338,949	~~$90,338,949~~ *$94,394,279*		
	Federal Trust	$700,000	$700,000		
	Authority: Article IX, Constitution of Virginia; Title 6.2; Title 8.9A, Part 4; Title 12.1, Chapter 4; Title 13.1; Title 56, Chapter 15, Article 5; Title 58.1, Chapter 28; Title 59.1, Chapter 6.1, Code of Virginia; Title 38.2; Title 58.1, Chapter 25; and Title 65.2, Chapter 8, Code of Virginia.				
	Out of the amounts for this Item, $1,200,000 the first year and $1,200,000 the second year is provided to effectuate the provisions of Chapter 486 of the Acts of Assembly of 2017, which allows the Commission to absorb the credit card and eCheck convenience fees as opposed to passing them on to the filers and also grants the Commission the discretion to not charge a fee for providing copies of certain documents.				
476.	Regulation of Public Utilities (56300)			$35,917,443	~~$35,917,443~~ *$36,937,220*
	Regulation of Utility Companies (56301)	$35,917,443	~~$35,917,443~~ *$36,937,220*		
	Fund Sources: Special	$33,211,228	~~$33,211,228~~ *$34,215,328*		
	Dedicated Special Revenue	$656,215	~~$656,215~~ *$671,892*		
	Federal Trust	$2,050,000	$2,050,000		
	Authority: Title 56, Chapter 10, Code of Virginia.				
477.	Distribution of Fees From and To Regulated Entities and Localities (56400)			$9,176,160	$9,176,160
	Distribution of Uninsured Motorist Fee (56401)	$8,660,064	$8,660,064		
	Distribution of Rolling Stock Taxes (56402)	$516,096	$516,096		
	Fund Sources: Trust and Agency	$9,176,160	$9,176,160		
	Authority: § 58.1-2652, Code of Virginia.				
478.	Administrative and Support Services (59900)				
	Authority: Title 12.1, Code of Virginia; Article IV, Section 14 and Article IX, Constitution of Virginia.				
	A. Operational costs for this program shall be paid solely from charges to agency programs.				
	B. Out of the amounts for this Item, shall be paid the annual salary of the chairman, $214,851 from July 1, 2024 to June 30, 2026, and for the other two Commissioners of the State Corporation Commission, each at $212,498 from July 1, 2024 to June 30, 2026.				
	C. Notwithstanding the provisions of § 13.1-775.1, Code of Virginia, the State				

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Corporation Commission shall continue the following annual registration fees for domestic and foreign corporations. The new annual rates shall be $100 for every foreign and domestic corporation authorized to do business in the Commonwealth whose number of authorized shares is 5,000 shares or less. Any such corporation whose number of authorized shares is more than 5,000 shall pay an annual registration fee of $100 plus $30 for each 5,000 shares or fraction thereof in excess of 5,000 up to a maximum of $1,700. The commission shall deposit these funds into a special fund and transfer three-fourths of the receipts to the general fund semiannually.

479.	Plan Management (40800)			~~$408,828,801~~ *$383,828,801*	~~$475,891,452~~ *$557,076,734*
	Federal Health Benefit Exchange Plan Management (40801)	$115,176	$115,176		
	State Health Benefit Exchange Plan Management (40802)	$51,836,501	~~$54,656,276~~ *$55,020,126*		
	Commonwealth Health Reinsurance Program (40803)	~~$356,877,124~~ *$331,877,124*	~~$421,120,000~~ *$501,941,432*		
	Fund Sources: General	~~$25,530,333~~ *$530,333*	~~$67,530,333~~ *$20,553,958*		
	Dedicated Special Revenue	$51,421,344	~~$54,241,119~~ *$54,581,344*		
	Federal Trust	$331,877,124	~~$354,120,000~~ *$481,941,432*		

Authority: §§ 38.2-316.1 and 38.2-326, Code of Virginia; § 42.18041 c, United States Code.

A. There is hereby appropriated to the State Corporation Commission $115,176 the first year and $115,176 the second year from the general fund to pay for the plan management functions authorized in Chapter 670 of the Acts of Assembly of 2013.

B.1. Notwithstanding the provisions of § 4-3.02 of this act, the Secretary of Finance may authorize either a working capital advance or an interest-free treasury loan in an amount not to exceed $40,000,000 for the State Corporation Commission to fund start-up costs and other costs associated with the implementation of a State Health Benefit Exchange. The Secretary of Finance may extend the repayment plan for any such working capital advance or interest-free treasury loan for a period longer than twelve months.

2. The State Corporation Commission may use a portion of the user fees collected from health insurance carriers participating in the State Health Benefit Exchange to repay the working capital advance or interest-free treasury loan authorized in B.1.

C. Out of this appropriation, ~~$25,000,000 the first year and $67,000,000~~ *$20,000,000* the second year from the general fund shall be transferred to the Commonwealth Health Reinsurance Program Special Fund State Corporation Commission, established pursuant to § 38.2-6604, Code of Virginia.

D. Notwithstanding any other provision of law, the state-mandated health benefit required by Chapter 473 of the Acts of Assembly of 2023 shall apply to all qualified health plans offered in the Commonwealth.

E. The State Corporation Commission shall set the payment parameters for the Commonwealth Health Reinsurance Program at levels to achieve the premium reduction target of 15 percent for Plan Year 2025.

F. The Bureau of Insurance shall request guidance from the Centers for Medicare and Medicaid Services on: (i) how nutritional counseling is defined as a preventive care benefit under the Patient Protection and Affordable Care Act and review whether the current definition of nutritional counseling in Virginia's Essential Health Benefit benchmark plan meets federal guidelines; and (ii) whether removing prior authorization for eating disorder services would be considered an expansion of services that would warrant a state-funded cost defrayal under the Patient Protection and Affordable Care Act. The Bureau of Insurance shall report its findings to the Joint Commission on Health Care and the Health Insurance Reform Commission by September 1, 2024.

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G. Out of this appropriation, $23,625 from the general fund the second year is provided to defray the cost to qualified plans sold on Virginia's Insurance Marketplace pursuant to the passage of House Bill 1641 during the 2025 Regular Session of the General Assembly. Any balances for the purposes specified in this paragraph which are unexpended on June 30, 2025, shall not revert to the general fund but shall be carried forward and reappropriated.				
H. The Director, Department of Planning and Budget, shall, on or before June 30, 2026, unallot $20,000,000 from the general fund in this Item and shall revert to the general fund at year end, which reflects unused appropriation in the Commonwealth Health Reinsurance Plan.				
Total for State Corporation Commission			~~$544,961,353~~ *$519,961,353*	~~$612,024,004~~ *$698,284,393*
Nongeneral Fund Positions	797.00	799.00		
Position Level	797.00	799.00		
Fund Sources: General	~~$25,530,333~~ *$530,333*	~~$67,530,333~~ *$20,553,958*		
Special	$123,550,177	~~$123,550,177~~ *$128,609,607*		
Trust and Agency	$9,176,160	$9,176,160		
Dedicated Special Revenue	$52,077,559	~~$54,897,334~~ *$55,253,236*		
Federal Trust	$334,627,124	~~$356,870,000~~ *$484,691,432*		
§ 1-135. VIRGINIA LOTTERY (172)				
480. State Lottery Operations (81100)			$245,106,034	~~$245,106,034~~ *$268,520,350*
Regulation and Law Enforcement (81105)	$27,113,203	$27,113,203		
Gaming Operations (81106)	$156,315,746	~~$156,315,746~~ *$179,730,062*		
Administrative Services (81107)	$11,677,085	$11,677,085		
Distribution of Casino Taxes (81108)	$50,000,000	$50,000,000		
Fund Sources: Enterprise	$171,575,684	~~$171,575,684~~ *$194,990,000*		
Dedicated Special Revenue	$73,530,350	$73,530,350		

Authority: Title 58.1, Chapter 40 and Chapter 41, Code of Virginia.

A. Out of the amounts for State Lottery Operations shall be paid:

1. Reimbursement for compensation and reasonable expenses of the members of the Virginia Lottery Board in the performance of their duties, as provided in § 2.2-2813, Code of Virginia.

2. The total costs for the operation and administration of the state lottery, pursuant to § 58.1-4022, Code of Virginia.

3. The costs of informing the public of the purposes of the Lottery Proceeds Fund, established pursuant to Article X, Section 7-A, Constitution of Virginia.

B. Expenses related to the regulation and oversight of Casino Gaming shall be paid from the combination of licensing and related fees collected under Title 58.1, Chapter 41, Code of Virginia.

C. Expenses related to the regulation and oversight of Sports Betting shall be paid from a combination of ongoing licensing and fees related to the activities described in Title 58.1, Chapter 40, Code of Virginia.

D. Notwithstanding the provisions of § 58.1-4030 and § 58.1-4037, Code of Virginia, a permit holder, through the first 12 months of sports betting activity, may exclude from

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adjusted gross revenue the value of allowable bonuses or promotions provided to bettors as an incentive to place or as a result of their having placed Internet sports betting wagers. After the first 12 months of sports betting activity, a permit holder is prohibited from excluding from adjusted gross revenue any bonuses or promotions provided to bettors as an incentive to place or as a result of their having placed Internet sports betting wagers. The provisions of this paragraph begin the first month a permit holder collects wagers related to sports betting, as defined in § 58.1-4030, Code of Virginia.

E. The appropriation for the Distribution of Casino Taxes is sum sufficient and amounts shown are estimates of amounts to be distributed pursuant to subsection B.1. of §58.1-4125 from taxes on adjusted gross receipts deposited in the Gaming Proceeds Fund.

F. Notwithstanding any provision of law to the contrary, including § 3-2.03, § 4-3.02, and § 4-13.00 of the Appropriations Act, the State Comptroller shall authorize an interest-free treasury loan for the Virginia Lottery to fund costs associated with the implementation of electronic gaming device oversight pursuant to the provisions of Senate Bill 212 of the 2024 General Assembly. The amount of the Treasury loan may include costs as estimated to be incurred by Virginia Lottery for the administration, regulation, enforcement, and oversight of electronic gaming devices in accordance with § 58.1-4200, Code of Virginia. The Secretary of Finance may extend the repayment plan for any such interest-free treasury loan for a period of longer than twelve months as needed to support state costs associated with the administration and regulation of electronic gaming devices. Intended repayment of the treasury loan is from revenues anticipated from taxes, fees, and fines collected pursuant to the authorizing legislation. The Director, Department of Planning and Budget, is authorized to provide nongeneral fund appropriation to Virginia Lottery in the amounts necessary to reflect expenditures in accordance with this paragraph.

481.	Disbursement of Lottery Prize Payments (81200)				
	a sum sufficient, estimated at			$350,000,000	~~$350,000,000~~ *$550,000,000*
	Payment of Lottery Prizes (81201)	$350,000,000	~~$350,000,000~~ *$550,000,000*		
	Fund Sources: Enterprise	a sum sufficient			
	Authority: Title 58.1, Chapter 40, Code of Virginia.				
	There is hereby appropriated from affected funds in the state treasury, for payment of prizes awarded by the state lottery and of commissions to lottery sales agents, in accordance with law, a sum sufficient.				
	Total for Virginia Lottery			**$595,106,034**	~~**$595,106,034**~~ ***$818,520,350***
	Nongeneral Fund Positions	458.00	458.00		
	Position Level	458.00	458.00		
	Fund Sources: Enterprise	$521,575,684	~~$521,575,684~~ *$744,990,000*		
	Dedicated Special Revenue	$73,530,350	$73,530,350		

~~§ 1-136. VIRGINIA COLLEGE SAVINGS PLAN (174)~~

§ 1-136.1. COMMONWEALTH SAVERS PLAN (174)

482.	Investment, Trust, and Insurance Services (72500)				
	a sum sufficient, estimated at			$250,000,000	$250,000,000
	Payments for Educational Benefits Expense (72505)	$250,000,000	$250,000,000		
	Fund Sources: Enterprise	$250,000,000	$250,000,000		
	Authority: Title 23.1, Chapter 7, Code of Virginia.				

A. Amounts for Payments for Educational Benefits Expense represent the payment of benefits to postsecondary educational institutions and individuals on behalf of program participants under the Defined Benefit 529 Programs, which include Prepaid529 and the Tuition Track Portfolio of Invest529, and under other Education Savings Programs, from nongeneral funds

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pursuant to § 23.1-701, Code of Virginia.

B.1. Any moneys collected, distributed, or held for the benefit of participants under Education Savings Programs other than the Defined Benefit 529 Programs, including any income from such funds, are subject to the provisions of § 23.1-701.B., Code of Virginia.

2. Any moneys collected, distributed, or held for the benefit of participants under the Defined Benefit 529 Programs, and any Plan administrative revenue, including any income from such funds, are subject to § 23.1-701.C., Code of Virginia.

C. Amounts for Payments for Educational Benefits Expense cover the current obligations of the funds as provided in § 23.1-705, Code of Virginia.

483.	Administrative and Support Services (79900)			$50,155,596	$51,170,641
	General Management and Direction (79901)	$24,010,737	$24,646,788		
	Investment, Trust and Related Services for Achieving a Better Life Experience (ABLE) Program (79952)	$2,413,769	$2,413,769		
	Investment, Trust and Related Services for State-Facilitated IRA Savings Program (79953)	$2,000,000	$2,000,000		
	Investment, Trust and Related Services for Defined Benefit 529 Programs and other Education Savings Programs (79955)	$21,731,090	$22,110,084		
	Fund Sources: Enterprise	$50,155,596	$51,170,641		

Authority: Title 23.1, Chapter 7, Code of Virginia.

A. The amounts appropriated to this Item are sufficient to continue funding a comprehensive compensation plan to link pay to performance.

B. Amounts for Investment, Trust and Related Services for Achieving a Better Life Experience (ABLE) Program cover personnel services, variable, and unpredictable costs from nongeneral funds pursuant to § 23.1-701, Code of Virginia.

C. Amounts for Investment, Trust and Related Services for Defined Benefit 529 Programs and other Education Savings Programs cover variable or unpredictable costs from nongeneral funds pursuant to § 23.1-701, Code of Virginia.

D. Included in this appropriation is $2,000,000 the first year and $2,000,000 the second year from nongeneral funds to support SOAR Virginia scholarships. As part of its ongoing review of access and affordability of higher education in Virginia, the Joint Legislative Audit and Review Commission (JLARC) is hereby directed to review (i) evidence of the effectiveness of the SOAR Virginia program and other ~~Virginia College Savings Plan~~ *Commonwealth Savers Plan* access and affordability efforts involving financial aid-related grants and scholarships, and (ii) whether the net operating revenue of *the* ~~Virginia College Savings Plan~~ *Commonwealth Savers Plan* can best support higher education access and affordability through SOAR or other state access and affordability programs.

E. The Investment Director position at the ~~Virginia College Savings Plan~~ *Commonwealth Savers Plan* shall assist the CEO and Board in directing, managing, and administering the Plan's assets. The Investment Director shall serve at the pleasure of the Board and may be removed by a majority vote of the Board.

F. That in accordance with the provisions of Item 4-3.02 of this act and pursuant to § 2.2-2744 et. seq, Code of Virginia, the ~~Virginia College Savings Plan~~ *Commonwealth Savers Plan* shall receive a non-interest-bearing treasury loan in an amount not to exceed $2 million each year of the biennium to cover the costs of designing and implementing a state-facilitated IRA savings program, until such time as the Program is self-sustaining. Such loan may be renegotiated, as appropriate, and the Plan shall commence repayment with the Program fees and revenues once the Program has achieved at least one year of Program cash flow positivity.

G. Notwithstanding any other provision of law, no administrative increases beyond the legislative appropriation shall be made for expenditures in this Item related to college access programs. This language does not apply to administrative adjustments needed to

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support operational activities that are not directly related to support of access programs.				
H. Notwithstanding any other provision of law, the Commonwealth Savers Plan shall not enter into any contracts or obligations to support college access initiatives beyond those already under commitment as of June 30, 2025.				
~~Total for Virginia College Savings Plan~~ ..... *Total for Commonwealth Savers Plan*			**$300,155,596**	**$301,170,641**
Nongeneral Fund Positions	150.00	150.00		
Position Level	150.00	150.00		
Fund Sources: Enterprise	$300,155,596	$301,170,641		

§ 1-137. VIRGINIA RETIREMENT SYSTEM (158)

484.	Personnel Management Services (70400)			~~$23,181,353~~ *$23,257,353*	~~$22,961,363~~ *$23,646,763*
	Administration of Retirement and Insurance Programs (70415)	~~$23,181,353~~ *$23,257,353*	~~$22,961,363~~ *$23,646,763*		
	Fund Sources: Trust and Agency	~~$23,181,353~~ *$23,257,353*	~~$22,961,363~~ *$23,646,763*		

Authority: Title 9.1, Chapter 4; Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.

A. The Board of Trustees of the Virginia Retirement System is hereby authorized to charge a participation fee to each employer served by the Virginia Retirement System for any services provided pursuant to Title 51.1, Code of Virginia. The fee shall be utilized to pay the administrative expenses of all administrative services, including non-retirement programs. Retirement contributions required by the board shall be reduced to pay such fees in a manner prescribed by the Board of Trustees.

B. State agencies and institutions of higher education shall make payments to the Virginia Retirement System (VRS) for VRS-administered benefits no less often than monthly.

C.1. Out of this appropriation, $80,000 the first year and $80,000 the second year from the general fund is provided for expenses associated with the Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund.

2. Gains forfeited prior to July 1, 2016 pursuant to § 51.1-1206, Code of Virginia, and the accumulated earnings thereon shall be used to provide the reimbursement described in § 51.1-1200, Code of Virginia. All future gains forfeited pursuant to § 51.1-1206, Code of Virginia, shall also be used to provide the reimbursement described in § 51.1-1200, Code of Virginia.

D. The Board of Trustees of the Virginia Retirement System shall provide notification to the Chairmen of the House Appropriations Committee and Senate Finance and Appropriations Committee when a political subdivision becomes more than 60 days in arrears in their contributions to the Virginia Retirement System. Such notification shall occur within 15 days of when the 60 day period has occurred.

E.1. Pursuant to the administration of Chapter 4 of Title 9.1, Code of Virginia, the following provisions are effective July 1, 2017:

2. For purposes of this Item, employer contributions for coverage provided to members of the National Guard and Virginia Defense Force on active duty shall be paid by the Department of Military Affairs.

3. In addition to any other benefit provided by law, an additional death benefit in the amount of $20,000 for the surviving spouses and dependents of certain members of the National Guard and United States military reserves killed in action in any armed conflict on or after October 7, 2001, are payable pursuant to § 44-93.1.B., Code of Virginia, from the Line of Duty Death and Health Benefits Trust Fund. The Virginia Retirement System, with support from the Department of Military Affairs, shall determine eligibility for this benefit.

4. Funding for the inclusion of a member of any fire company providing fire protection

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services for facilities of the Virginia National Guard or the Virginia Air National Guard will be paid by the Department of Military Affairs out of its appropriation in Item 463 of this act.

5. Any locality that has established a trust, trusts, or equivalent arrangements for the purpose of accumulating and investing assets to fund post-employment benefits other than pensions under § 15.2-1544, Code of Virginia, may fund Line of Duty Act benefits from the assets of the trust, trusts, or equivalent arrangements.

F. Annually by February 1st, the Virginia Retirement System shall submit to the Secretary of Public Safety and Homeland Security the names of individuals who were determined to be deceased persons, as defined in § 9.1-400 of the Code of Virginia, in the previous calendar year. The name of any individual whose claim has been filed, but not yet approved, may be submitted in a subsequent year by the Virginia Retirement System once the claim is approved. The Secretary of Public Safety and Homeland Security shall be authorized to share the list as necessary for the purposes of the names being inscribed on the Virginia Public Safety Memorial and honored at the Annual Memorial Service. As provided in § 9.1-408 of the Code of the Virginia, the list otherwise shall be deemed confidential, shall be exempt from disclosure under the Virginia Freedom of Information Act, and shall not be released in whole or in part.

G. Notwithstanding the provisions of § 9.l-401(C), Code of Virginia, any disabled person, as defined in § 9.1-400(B), Code of Virginia, who was injured in the line-of-duty in February 2016 but whose date of disability for purposes of the Line-of-Duty Act is in March 2019, shall not be subject to subdivision 4 of such subsection. Also, the spouse of such person as of the date of disability shall be considered an "eligible spouse" for purposes of continued health coverage pursuant to § 9.1-401, Code of Virginia, and will not be subject to the provisions of that definition that disqualify a spouse who ceases to be married to a disabled person, as defined in §9.1-400, Code of Virginia, or the spouse of a deceased person who remarries at any time.

H. The Virginia Retirement System and the Department of Human Resource Management shall report annually on or before January 1 to the Governor and the Virginia General Assembly the detailed aggregate of eligibility determinations for employees in accordance with § 9.1-400. This report shall tabulate claims data, types of injuries and associated costs with provided benefits. In accordance with § 9.1-408, the name of the employer or employee shall not appear in such publications and all documents to determine eligibility shall remain confidential.

I. The Director of the Virginia Retirement System shall convene a workgroup including staff from the House Appropriations Committee, the Senate Finance and Appropriations Committee, and the office of the Executive Secretary of the Supreme Court to examine the impact the hybrid retirement system has had on judicial appointments. The review shall also include an analysis of the structure of other states' retirement benefits for judges, specifically looking at other states which provide a hybrid benefit, and options for modifying the current benefit structure for judges including an analysis of the project cost and impact on the unfunded liability of the potential changes. The workgroup shall provide a report to the General Assembly and Governor by December 1, 2024.

485.	Investment, Trust, and Insurance Services (72500).. Investment Management Services (72504).....	$50,620,839	$51,192,107	$50,620,839	$51,192,107
	Fund Sources: Trust and Agency.....	$50,620,839	$51,192,107		

Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.

By September 30 of each year, the Board of Trustees of the Virginia Retirement System shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on the prior fiscal year's results obtained by the internal investment management program. The report shall include a comparison of investment performance against the board's benchmarks and an estimate of the program's fee savings when compared to similar assets managed externally.

486.	Administrative and Support Services (79900)..... General Management and Direction (79901).....	$27,153,834	$24,106,962	$62,568,586	$59,563,460

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Information Technology Services (79902)	$35,414,752	$35,456,498		
Fund Sources: General	$80,000	$80,000		
Trust and Agency	$62,488,586	$59,483,460		

Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.

Out of the amounts appropriated to this Item, the director is authorized to expend an amount not to exceed $25,000 the first year and $25,000 the second year for expenses commonly borne by business enterprises. Such expenses shall be recorded separately by the agency.

487. In the event any political subdivision of the Commonwealth of Virginia participating in the programs administered by the Virginia Retirement System fails to remit contributions or other fees and costs of the programs as duly prescribed, the Board of Trustees of the Virginia Retirement System shall inform the State Comptroller and the participating political subdivision of the delinquent amount. The State Comptroller shall forthwith transfer such amounts to the appropriate fund from any nonearmarked moneys otherwise distributable to such political subdivision by any department or agency of the state.

Total for Virginia Retirement System			~~$136,370,778~~ *$136,446,778*	~~$133,716,930~~ *$134,402,330*
Nongeneral Fund Positions	434.00	436.00		
Position Level	434.00	436.00		
Fund Sources: General	$80,000	$80,000		
Trust and Agency	~~$136,290,778~~ *$136,366,778*	~~$133,636,930~~ *$134,322,330*		

§ 1-138. VIRGINIA WORKERS' COMPENSATION COMMISSION (191)

488. Employment Assistance Services (46200)			$46,465,724	$46,465,724
Workers Compensation Services (46204)	$46,465,724	$46,465,724		
Fund Sources: Dedicated Special Revenue	$46,465,724	$46,465,724		

Authority: Title 65.2, Chapter 2; Title 38.2, Chapter 50, Code of Virginia.

A. Out of the amounts for Workers' Compensation Services shall be paid the annual salary of the chairman, $217,839 from July 1, 2024 to June 30, 2026, and for each of the other two Commissioners of the Virginia Workers' Compensation Commission, $213,364 from July 1, 2024 to June 30, 2026.

B. In addition, retired Commissioners recalled to active duty will be paid as authorized by § 17.1-327, Code of Virginia.

489. Financial Assistance for Supplemental Assistance Services (49100)			$15,683,368	$15,683,368
Crime Victim Compensation (49104)	$15,683,368	$15,683,368		
Fund Sources: General	$6,593,222	$6,593,222		
Dedicated Special Revenue	$7,078,146	$7,078,146		
Federal Trust	$2,012,000	$2,012,000		

Authority: Title 19.2, Chapters 21.1 and 21.2, Code of Virginia.

A. Out of this appropriation, up to $6,593,222 the first year and up to $6,593,222 the second year from the general fund shall be transferred to the Criminal Injuries Compensation Fund, established pursuant to § 19.2-368.18, Code of Virginia, for the administration of the Virginia Workers' Compensation Commission Sexual Assault Forensic Exam (SAFE) Payment program.

B. The Virginia Workers' Compensation Commission Sexual Assault Forensic Exam (SAFE) program shall make all efforts to access federal and state funds to raise the reimbursement rate cap for acute forensic exams performed by a Sexual Assault Nurse Examiner to sixty percent of the actual cost of the exam. The funds provided in paragraph A. shall be used to help meet

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this reimbursement rate goal, expand existing forensic nursing programs, and develop forensic nursing programs in under-served communities.				
C. The Virginia Workers' Compensation Commission shall prepare a report on the number of forensic acute, non-acute, and follow-up exams performed by medical providers for victims of sexual assault for which reimbursements are sought, billed and paid for, through the Sexual Assault Forensic Exam (SAFE) Payment program. The report shall detail the number of such exams, the amounts billed by medical providers for each exam, and the reimbursements made to providers for such billed exams through the SAFE Payment program. The report shall be delivered on or before November 1 of each year to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.				
D. Notwithstanding the $3,500 limitation in § 19.2-368.11:1 (E)(v), Code of Virginia, survivors of crime victims as defined under subdivisions (A)(2) and (A)(4) of §19.2-368.4, Code of Virginia may be reimbursed from the Criminal Injuries Compensation Fund for mental health counseling not to exceed $5,000 per claim.				
Total for Virginia Workers' Compensation Commission			**$62,149,092**	**$62,149,092**
Nongeneral Fund Positions	299.00	299.00		
Position Level	299.00	299.00		
Fund Sources: General	$6,593,222	$6,593,222		
Dedicated Special Revenue	$53,543,870	$53,543,870		
Federal Trust	$2,012,000	$2,012,000		
§ 1-139. VIRGINIA ALCOHOLIC BEVERAGE CONTROL AUTHORITY (999)				
489.10 Crime Detection, Investigation, and Apprehension (30400)			$36,337,853	~~$34,266,173~~ *$34,416,173*
Enforcement and Regulation of Alcoholic Beverage Control Laws (30403)	$36,337,853	~~$34,266,173~~ *$34,416,173*		
Fund Sources: Enterprise	$35,637,853	~~$33,566,173~~ *$33,716,173*		
Federal Trust	$700,000	$700,000		
Authority: § 4.1-100 through § 4.1-133, Code of Virginia.				
A. No funds appropriated for this program shall be used for enforcement personnel to enforce local ordinances.				
B. Revenues of the fund appropriated in this item and Item 489.20 of this act are limited to those received pursuant to Title 4, Code of Virginia, except taxes collected by the Alcoholic Beverage Control Board.				
C. By September 1 of each year, the Alcoholic Beverage Control Board shall report for the prior fiscal year the dollar amount of total wine liter tax collections in Virginia; the portion, expressed in dollars, of such tax collections attributable to the sale of Virginia wine in both ABC stores and in private stores; and, the percentage of total wine liter tax collections attributable to the sale of Virginia wine. Such report shall be submitted to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, Director, Department of Planning and Budget and the Virginia Wine Board.				
D. Included in this appropriation for this item is $839,752 the first year and $839,752 the second year from the Enterprise Fund to be used to support civilian licensing technicians.				
E. Included in the appropriation for this item is $2,500,000 the first year and $2,500,000 the second year from the Enterprise Fund to support licensing agents in association with the Authority's licensing reform efforts.				
F. Included in the appropriation for this item is $1,000,000 the first year and $1,000,000				

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the second year from the Enterprise Fund to support enforcement activities related to the unlawful direct shipment into Virginia of alcoholic beverages by unlicensed businesses and fulfillment centers.

G. Notwithstanding the provisions of § 4-3.02 of this act, the State Comptroller may authorize an interest-free treasury loan for the Virginia Alcoholic Beverage Control Authority to fund costs associated with the implementation of skill game oversight as enacted by the 2024 General Assembly of Virginia. The amount of the treasury loan may include costs as estimated to be incurred by the Department for the administration, regulation, enforcement, and oversight of skill game machines in accordance with legislation passed by the 2024 General Assembly. The Secretary of Finance may extend the repayment plan for any such interest-free treasury loan for a period of longer than twelve months as needed to support state costs associated with the administration and regulation of skill game machines. Intended repayment of the treasury loan is with revenues anticipated from fines, fees, and taxes collected pursuant to the legislation.

H. Out of this appropriation, $150,000 the second year from the Electronic Nicotine Delivery Systems Fund, which shall be transferred from the Office of the Attorney General, shall be used for the costs associated with conducting unannounced investigations of retailers in the business of selling liquid nicotine or nicotine vapor products, as defined in § 58.1-1021.01, Code of Virginia, to verify that such retailer is not selling liquid nicotine or nicotine vapor products to persons under 21 years of age.

489.20	Alcoholic Beverage Merchandising (80100)			$1,049,870,828	$1,099,910,490
	Administrative Services (80101)	$93,225,125	$93,225,125		
	Alcoholic Beverage Control Retail Store Operations (80102)	$140,965,387	$142,092,342		
	Alcoholic Beverage Purchasing, Warehousing and Distribution (80103)	$815,680,316	$864,593,023		
	Fund Sources: Enterprise	$1,049,870,828	$1,099,910,490		

Authority: § 4.1-100 through § 4.1-133, Code of Virginia.

~~A. By December 15 of each year, the Alcoholic Beverage Control Board shall submit a report to the Staff Directors of the House Appropriations and Senate Finance and Appropriations Committees, Secretary of Public Safety and Homeland Security, the Director, Department of Planning and Budget, the Director, Department of Accounts, the Chief Information Officer of the Commonwealth, and the Auditor of Public Accounts regarding the status of financing, procuring and implementing the information technology systems necessary to sustain the Authority's business enterprise.~~

B. Funds appropriated for services related to state lottery operations shall be used solely for lottery ticket purchases and prize payouts.

C. The Alcoholic Beverage Control Board shall open additional stores in locations deemed to have the greatest potential for total increased sales in order to maximize profitability.

D. Notwithstanding § 4.1-120, Code of Virginia, the Alcoholic Beverage Control Board may open certain government stores, as determined by the Board, for the sale of alcoholic beverages on New Year's Day and on Sundays after 10:00 a.m.

E. Consistent with the provisions of Chapters 730 and 38, 2015 Acts of Assembly, members of the Board shall receive annually such salary, compensation, and reimbursement of expenses for the performance of their official duties as set forth in the general appropriation act for members of the House of Delegates when the General Assembly is not in session, except that the Chair of the Board shall receive annually such salary, compensation, and reimbursement of expenses for the performance of his official duties as set forth in the general appropriation act for a member of the Senate of Virginia when the General Assembly is not in session.

F. Notwithstanding subsection A of § 2.2-221, Code of Virginia, the Alcoholic Beverage Control Authority is considered an independent agency of the Commonwealth.

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	Total for Virginia Alcoholic Beverage Control Authority			**$1,086,208,681**	**~~$1,134,176,663~~** ***$1,134,326,663***
	Nongeneral Fund Positions	1,699.00	1,699.00		
	Position Level	1,699.00	1,699.00		
	Fund Sources: Enterprise	$1,085,508,681	~~$1,133,476,663~~ *$1,133,626,663*		
	Federal Trust	$700,000	$700,000		

§ 1-140. VIRGINIA CANNABIS CONTROL AUTHORITY (977)

489.30	Cannabis Regulation and Enforcement (30800)			$6,220,439	$6,220,439
	Administrative Services (30801)	$6,220,439	$6,220,439		
	Fund Sources: General	$4,028,024	$4,028,024		
	Enterprise	$1,283,597	$1,283,597		
	Dedicated Special Revenue	$908,818	$908,818		

Authority: §§4.1-601 through 4.1-1503, Code of Virginia.

A. Out of the amounts appropriated in this item, $4,028,024 the first year and $4,028,024 the second year from the general fund and $2,192,415 the first year and $2,192,415 the second year from nongeneral funds is provided for the general operations of the Virginia Cannabis Control Authority.

B. The Director, Department of Planning and Budget, is authorized to transfer up to $2,500,000 from any general fund balance originally appropriated in Item 479 U., Chapter 552, 2021 Acts of Assembly, Special Session I to the Cannabis Control Authority to cover one-time costs of a seed-to-sale tracking system.

	Total for Virginia Cannabis Control Authority			**$6,220,439**	**$6,220,439**
	General Fund Positions	17.00	17.00		
	Nongeneral Fund Positions	14.00	14.00		
	Position Level	31.00	31.00		
	Fund Sources: General	$4,028,024	$4,028,024		
	Enterprise	$1,283,597	$1,283,597		
	Dedicated Special Revenue	$908,818	$908,818		

§ 1-141. OPIOID ABATEMENT AUTHORITY (856)

489.40	Financial Assistance for Individual and Family Services (49000)			~~$66,095,847~~ *$73,621,057*	~~$76,107,377~~ *$77,828,565*
	Financial Assistance to Abate and Remediate the Opioid Epidemic (49020)	~~$66,095,847~~ *$73,621,057*	~~$76,107,377~~ *$77,828,565*		
	Fund Sources: Special	~~$66,095,847~~ *$73,621,057*	~~$76,107,377~~ *$77,828,565*		

Authority: Title 2.2-2365 through 2.2-2376

A. The Opioid Abatement Authority shall abate and remediate the opioid epidemic in the Commonwealth through financial support from the Opioid Abatement Fund in accordance with § 2.2-2365 through § 2.2-376, Code of Virginia, in the form of grants, donations, or other assistance, for efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in the Commonwealth.

B. To the extent necessary to fund the operations of the Opioid Abatement Authority, the Authority is authorized to request nongeneral fund appropriation increases in accordance with § 4-1.04 of the Appropriation Act.

C. The Opioid Abatement Authority shall include, as an addendum to its annual executive

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summary required pursuant to § 2.2-2373, Code of Virginia, an update on prior fiscal year activity related to the Commonwealth Opioid Abatement and Remediation Fund (the Fund), established pursuant to § 2.2-2377, Code of Virginia. Specifically, the addendum shall include an account of any deposits, designations, and expenditures made, along with corresponding performance measures, and other applicable data and information related to the use of the Fund settlement proceeds by state agencies.

D. Notwithstanding § 2.2-212, Code of Virginia, the Opioid Abatement Authority is an independent agency of the Commonwealth and is not subject to the provisions of that section.

E. The administrative budget for the Opioid Abatement Authority is estimated at $3,400,000 the first year and $2,400,000 the second year.

F. In awarding grants to state agencies, the Board of the Opioid Abatement Authority shall ensure that the grant funds are within the scope of the statutory authority of the respective agency to administer such grants. In addition, grant funds shall be considered one-time in nature and shall not create an on-going obligation for the Commonwealth.

G. Out of appropriations provided in this act, $19,419,145 the first year and ~~$15,064,145~~*$15,664,145* the second year from nongeneral funds is for disbursement from the Commonwealth Opioid Abatement and Remediation Fund as follows:

Agency	Purpose	FY 2025	FY 2026
Department of Health (601)	Opioid Overdose Reversal Agent Program	$8,000,000	$8,000,000
Department of Health (601)	Opioid Reversal Agents and Test Kits	$5,519,145	$5,464,145
Department of Health (601)	Fentanyl Waste Water Testing	$400,000	$0
Department of Health (601)	Naloxone for Public Schools	$0	$100,000
Department of Criminal Justice Services (140)	Jail-Based Substance Use Disorder Treatment and Transition Fund	$2,000,000	$0
VA Foundation for Healthy Youth (852)	Marketing Efforts for Opioid Crisis	$500,000	$500,000
Virginia Information Technologies Agency (136)	State Agency Opioid Data	$3,000,000	$1,000,000
Department of Health (601)	*Opioid Impact Reduction Registry*	*$0*	*$100,000*
Department of Health Professions (223)	*Prescription Monitoring Program*	*$0*	*$600,000*
Department of Social Services (765)	*Addiction Treatment Navigator*	*$0*	*$400,000*
Total		**$19,419,145**	**~~$15,064,145~~** ***$16,164,145***

Total for Opioid Abatement Authority			**~~$66,095,847~~** ***$73,621,057***	**~~$76,107,377~~** ***$77,828,565***
Nongeneral Fund Positions	7.00	7.00		
Position Level	7.00	7.00		
Fund Sources: Special	~~$66,095,847~~ *$73,621,057*	~~$76,107,377~~ *$77,828,565*		
TOTAL FOR INDEPENDENT AGENCIES			**~~$2,797,267,820~~** ***$2,779,869,030***	**~~$2,920,671,180~~** ***$3,232,902,473***
General Fund Positions	17.00	17.00		
Nongeneral Fund Positions	3,858.00	3,862.00		
Position Level	3,875.00	3,879.00		
Fund Sources: General	~~$36,231,579~~ *$11,231,579*	~~$78,231,579~~ *$31,255,204*		

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	Special	~~$189,646,024~~ *$197,171,234*	~~$199,657,554~~ *$206,438,172*		
	Enterprise	$1,908,523,558	~~$1,957,506,585~~ *$2,181,070,901*		
	Trust and Agency	~~$145,466,938~~ *$145,542,938*	~~$142,813,090~~ *$143,498,490*		
	Dedicated Special Revenue	$180,060,597	~~$182,880,372~~ *$183,236,274*		
	Federal Trust	$337,339,124	~~$359,582,000~~ *$487,403,432*		

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STATE GRANTS TO NONSTATE ENTITIES

§ 1-142. STATE GRANTS TO NONSTATE ENTITIES-NONSTATE AGENCIES (986)

490. Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300)

Authority: Discretionary Inclusion.

A. Grants provided for in this Item shall be administered by the Department of Historic Resources. As determined by the department, projects of museums and historic sites, as provided for in § 10.1-2211, 10.1-2212, and 10.1-2213 of the Code of Virginia, shall be administered under the provisions of those sections. Others listed in this Item shall be administered under the provisions of § 4-5.05 of this act.

B. Prior to the distribution of any funds, the organization or entity shall make application to the department in a format prescribed by the department. The application shall state whether grant funds provided under this item will be used for purposes of operating support or capital outlay and shall include project and spending plans. Unless otherwise specified in this item, the matching share for grants funded from this Item may be cash or in-kind contributions as requested by the nonstate organization in its application for state grant funds, but must be concurrent with the grant period. The department shall use applicable federal guidelines assessing the value and eligibility of in-kind contributions to be used as matching amounts.

C. The appropriation to those entities in this Item that are marked with an asterisk (*) shall not be subject to the matching requirements of § 4-5.05 of this act.

D. Grants are hereby made to each of the following organizations and entities subject to the conditions set forth in paragraphs A., B., and C. of this Item:

Total for State Grants to Nonstate Entities-Nonstate Agencies			**$0**	**$0**
TOTAL FOR STATE GRANTS TO NONSTATE ENTITIES			**$0**	**$0**
TOTAL FOR PART 1: OPERATING EXPENSES			~~**$87,541,229,718**~~ ***$92,780,541,771***	~~**$89,126,953,245**~~ ***$92,529,007,142***
General Fund Positions	~~55,511.39~~ *55,521.39*	~~55,512.39~~ *55,659.99*		
Nongeneral Fund Positions	~~70,806.43~~ *71,429.43*	~~70,874.43~~ *71,814.68*		
Position Level	~~126,317.82~~ *126,950.82*	~~126,386.82~~ *127,474.67*		
Fund Sources: General	~~$31,784,721,898~~ *$34,757,035,806*	~~$31,964,238,883~~ *$32,718,285,329*		
Special	~~$2,071,934,231~~ *$2,076,274,132*	~~$2,079,189,585~~ *$2,415,487,619*		
Higher Education Operating	~~$11,662,221,361~~ *$11,680,950,150*	~~$12,033,751,942~~ *$12,444,772,284*		
Commonwealth Transportation	~~$8,774,158,446~~ *$9,234,126,476*	~~$8,245,943,868~~ *$8,446,417,585*		
Enterprise	$2,626,381,277	~~$2,675,364,304~~ *$2,904,421,140*		
Internal Service	~~$2,547,892,953~~ *$2,548,392,953*	~~$2,613,216,074~~ *$2,661,451,414*		
Trust and Agency	~~$2,787,019,215~~ *$2,784,791,729*	~~$2,754,528,107~~ *$2,783,054,371*		
Debt Service	$308,781,595	$312,907,180		
Dedicated Special Revenue	~~$4,921,451,370~~ *$5,187,945,255*	~~$5,327,266,745~~ *$5,298,002,981*		

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Federal Trust	~~$20,056,667,372~~ *$21,575,862,398*	~~$21,120,546,557~~ *$22,544,207,239*		

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PART 2: CAPITAL PROJECT EXPENSES

§ 2-0. GENERAL CONDITIONS

A.1. The General Assembly hereby authorizes the capital projects listed in this act. The amounts hereinafter set forth are appropriated to the state agencies named for the indicated capital projects. Amounts so appropriated and amounts reappropriated pursuant to paragraph G. of this section shall be available for expenditure during the current biennium, subject to the conditions controlling the expenditures of capital project funds as provided by law. Reappropriated amounts, unless otherwise stated, are limited to the unexpended appropriation balances at the close of the previous biennium, as shown by the records of the Department of Accounts.

2. The Director, Department of Planning and Budget, may transfer appropriations listed in Part 2 of this act from the second year to the first year in accordance with § 4-1.03 c.5. of this act.

B. The five-digit number following the title of a project is the code identification number assigned for the life of the project.

C. Except as herein otherwise expressly provided, appropriations or reappropriations for structures may be used for the purchase of equipment to be used in the structures for which the funds are provided, subject to guidelines prescribed by the Governor.

D. Notwithstanding any other provisions of law, appropriations for capital projects shall be subject to the following:

1. Appropriations or reappropriations of funds made pursuant to this act for planning of capital projects shall not constitute implied approval of construction funds in a future biennium. Funds, other than the reappropriations referred to above, for the preparation of capital project proposals must come from the affected agency's existing resources.

2. No capital project for which appropriations for planning are contained in this act, nor any project for which appropriations for planning have been previously approved, shall be considered for construction funds until preliminary plans and cost estimates are reviewed by the Department of General Services. The purpose of this review is to avoid unnecessary expenditures for each project, in the interest of assuring the overall cost of the project is reasonable in relation to the purpose intended, regardless of discrete design choices.

E.1. Expenditures from Items in this act identified as "Maintenance Reserve" are to be made only for the maintenance of property, plant, and equipment as defined in § 4-4.01 c. of this act to the extent that funds included in the appropriation to the agency for this purpose in Part 1 of this act are insufficient.

2. Agencies and institutions of higher education can expend up to $2,000,000 for a single repair or project, and up to $4,000,000 for a roof replacement project, through the maintenance reserve appropriation. Such expenditures shall be subject to rules and regulations prescribed by the Governor. To the extent an agency or institution of higher education has identified a potential project that exceeds this threshold, the Director, Department of Planning and Budget, can provide exemptions to the threshold as long as the project still meets the definition of a maintenance reserve project as defined by the Department of Planning and Budget.

3. Only facilities supported wholly or in part by the general fund shall utilize general fund maintenance reserve appropriations. Facilities supported entirely by nongeneral funds shall accomplish maintenance through the use of nongeneral funds.

F. Conditions Applicable to Bond Projects

1. The capital projects listed in the 9(C) Revenue Bonds and 9(D) Revenue Bonds sections in Part 2 of this act for the indicated agencies and institutions of higher education are hereby authorized and sums from the sources and in the amount indicated are hereby appropriated and reappropriated. The issuance of bonds in a principal amount plus amounts needed to fund issuance costs, reserve funds, and other financing expenses, including capitalized interest for any project listed in the 9(C) Revenue Bonds and 9(D) Revenue Bonds sections in Part 2 of this act is hereby authorized.

2. The issuance of bonds for any project listed in the 9(C) Revenue Bonds section in Part 2 of this act is to be separately authorized pursuant to Article X, Section 9 (c), Constitution of Virginia.

3. The issuance of bonds for any project listed in the 9(C) Revenue Bonds or 9(D) Revenue Bonds sections in Part 2 of this act shall be authorized pursuant to § 23.1-1106, Code of Virginia.

4. In the event that the cost of any capital project listed in the 9(C) Revenue Bonds and 9(D) Revenue Bonds sections in Part 2 of this act shall exceed the amount appropriated therefore, the Director, Department of Planning and Budget, is hereby authorized, upon request of the affected institution, to approve an increase in appropriation authority of not more than ten percent of the amount designated in the 9(C) Revenue Bonds and 9(D) Revenue Bonds sections in part 2 of this act for such project, from any available nongeneral fund revenues, provided that such increase shall not constitute an increase in debt issuance authorization for such capital project. Furthermore, the Director, Department of Planning and Budget, is hereby authorized to approve the expenditure of all interest

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earnings derived from the investment of bond proceeds in addition to the amount designated in the 9(C) Revenue Bonds and 9(D) Revenue Bonds sections in part 2 of this act for such capital project.

5. The interest on bonds to be issued for these projects may be subject to inclusion in gross income for federal income tax purposes.

6. Inclusion of a project in this act does not imply a commitment of state funds for temporary construction financing. In the absence of such commitment, the institution may be responsible for securing short-term financing and covering the costs from other sources of funds.

7. In the event that the Treasury Board determines not to finance all or any portion of any project listed in the 9(C) Revenue Bonds section in Part 2 of this act with the issuance of bonds pursuant to Article X, Section 9 (c), Constitution of Virginia, and notwithstanding any provision of law to the contrary, this act shall constitute the approval of the General Assembly to finance all or such portion of such project under the authorization of the 9(D) Revenue Bonds section in Part 2 of this act.

8. The General Assembly further declares and directs that, notwithstanding any other provision of law to the contrary, 50 percent of the proceeds from the sale of surplus real property pursuant to § 2.2-1147 et seq., Code of Virginia, which pertain to the general fund, and which were under the control of an institution of higher education prior to the sale, shall be deposited in a special fund set up on the books of the State Comptroller, which shall be known as the Higher Education Capital Projects Fund. Such sums shall be held in reserve, and may be used, upon appropriation, to pay debt service on bonds for the 21st Century College Program as authorized in Item C-7.10 of Chapter 924 of the Acts of Assembly of 1997.

9. Notwithstanding any other provision of law, a public institution of higher education may participate in the United States Department of Education Historically Black College and University Capital Financing Program (HBCU Program), and use federal grant and contract funds as permitted by the Program.

G. Upon certification by the Director, Department of Planning and Budget, there is hereby reappropriated the appropriations unexpended at the close of the previous biennium for all authorized capital projects which meet any of the following conditions:

1. Construction is in progress.

2. Equipment purchases have been authorized by the Governor but not received.

3. Plans and specifications have been authorized by the Governor but not completed.

4. Obligations were outstanding at the end of the previous biennium.

H. Alternative Financing

1. Any agency or institution of the Commonwealth that would construct, purchase, lease, or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, shall provide a report to the Governor and the Chairs of the Senate Finance and Appropriations Committee and the and House Appropriations Committees no less than 30 days prior to entering into such alternative financing agreement. This report shall provide:

a. a description of the purpose to be achieved by the proposal;

b. a description of the financing options available, including the alternative financing, which will delineate the revenue streams or client populations pledged or encumbered by the alternative financing;

c. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the Commonwealth;

d. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the clients of the agency or institution; and

e. a recommendation and planned course of action based on this analysis.

I. Conditions Applicable to Alternative Financing

The following authorizations to construct, purchase, lease or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, are continued until revoked. Projects in this section shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23.1-1106 C.1.d, Code of Virginia. Furthermore, projects in this section shall be submitted for comment to the Six-Year Capital Outlay Plan Advisory Committee, established under § 2.2-1516, Code of Virginia:

1. James Madison University

a. Subject to the provisions of this act, the General Assembly authorizes James Madison University, with the approval of the Governor, to explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational

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related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23.1-1106 C.1.d, Code of Virginia.

b. The General Assembly authorizes James Madison University to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. James Madison University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities.

c. The General Assembly further authorizes James Madison University to enter into a written agreement with the public or private entity for the support of such parking, student housing, and/or operational related facilities by including the facilities in the University's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students, and/or operations to the facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

d. James Madison University is further authorized to convey fee simple title in and to one or more parcels of land to James Madison University Foundation (JMUF), which will develop and use the land for the purpose of developing and establishing residential housing for students and/or faculty and staff, office, retail, athletics, dining, student services, and other auxiliary activities and commercial land use in accordance with the University's Master Plan.

2. Longwood University

a. Subject to the provisions of this act, the General Assembly authorizes Longwood University to enter into a written agreement or agreements with the Longwood University Real Estate Foundation (LUREF) for the development, design, construction and financing of student housing projects, a convocation center, parking, and operational and recreational facilities through alternative financing agreements including public-private partnerships. The facility or facilities may be located on property owned by the Commonwealth.

b. Longwood is further authorized to enter into a written agreement with the LUREF for the support of such student housing, convocation center, parking, and operational and recreational facilities by including the facilities in the University's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students and/or operations to the facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

c. The General Assembly further authorizes Longwood University to enter into a written agreement with a public or private entity to plan, design, develop, construct, finance, manage and operate a facility or facilities to provide additional student housing and/or operational-related facilities. Longwood University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities. The State Treasurer is authorized to make Treasury loans to provide interim financing for planning, construction and other costs of any of the projects. Revenue bonds issued by or for the benefit of LUREF will provide construction and/or permanent financing.

d. Longwood University is further authorized to convey fee simple title in and to one or more parcels of land to LUREF, which will develop and use the land for the purpose of developing and establishing residential housing for students and/or faculty and staff, office, retail, athletics, dining, student services, and other auxiliary activities and commercial land use in accordance with the University's Master Plan.

3. Christopher Newport University

a. Subject to the provisions of this act, the General Assembly authorizes Christopher Newport University to enter into, continue, extend or amend written agreements with the Christopher Newport University Educational Foundation (CNUEF) or the Christopher Newport University Real Estate Foundation (CNUREF) in connection with the refinancing of certain housing and office space projects.

b. Christopher Newport University is further authorized to enter into, continue, extend or amend written agreements with CNUEF or CNUREF to support such facilities including agreements to (i) lease all or a portion of such facilities from CNUEF or CNUREF, (ii) include such facilities in the University's building inventory, (iii) manage the operation and maintenance of the facilities, including collection of any rental fees from University students in connection with the use of such facilities, and (iv) otherwise support the activities at such facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligation under any documents or instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

4. Radford University

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a. Subject to the provisions of this act, the General Assembly authorizes Radford University, with the approval of the Governor, to explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23.1-1106 C.1.d, Code of Virginia.

b. The General Assembly authorizes Radford University to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. Radford University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities.

c. The General Assembly further authorizes Radford University to enter into a written agreement with the public or private entity for the support of such parking, student housing, and/or operational related facilities by including the facilities in the University's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students, and/or operations to the facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

5. University of Mary Washington

a. Subject to the provisions of this act, the General Assembly authorizes the University of Mary Washington to enter into a written agreement or agreements with the University of Mary Washington Foundation (UMWF) to support student housing projects and/or operational-related or other facilities through alternative financing agreements including public-private partnerships and leasehold financing arrangements.

b. The University of Mary Washington is further authorized to enter into written agreements with UMWF to support such student housing facilities; the support may include agreements to (i) include the student housing facilities in the University's students housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees as if those students occupied University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) seek to obtain police power over the student housing as provided by law; and (v) otherwise support the students housing facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligation under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

c. The General Assembly further authorizes the University of Mary Washington to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional student housing and/or operational-related facilities. The facility or facilities may or may not be located on property owned by the Commonwealth. The University of Mary Washington is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities. The State Treasurer is authorized to make Treasury loans to provide interim financing for planning, construction and other costs of any of the projects. Revenue bonds issued by or for UMWF will provide construction and/or permanent financing.

d. The University of Mary Washington is further authorized to convey fee simple title in and to one or more parcels of land to the University of Mary Washington Foundation (UMWF) which will develop and use the land for the purpose of developing and establishing residential housing for students, faculty, or staff, recreational, athletic, and/or operational related facilities including office, retail and commercial, student services, or other auxiliary activities.

6. Norfolk State University

a. Subject to the provisions of this act, the General Assembly authorizes Norfolk State University to enter into a written agreement or agreements with a Foundation of the University for the development of one or more student housing projects on or adjacent to campus, subject to the conditions outlined in the Public-Private Education Facilities Infrastructure Act of 2002.

b. Norfolk State University is further authorized to enter into written agreements with a Foundation of the University to support such student housing facilities; the support may include agreements to (i) include the student housing facilities in the University's student housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees as if those students occupied University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) restrict construction of competing student housing projects; (v) seek to obtain police power over the student housing as provided by law; and (vi) otherwise support the student housing facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

7. Northern Virginia Community College - Alexandria Campus

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The General Assembly authorizes Northern Virginia Community College, Alexandria Campus to enter into a written agreement either with its affiliated foundation or a private contractor to construct a facility to provide on-campus housing on College land to be leased to said foundation or private contractor for such purposes. Northern Virginia Community College, Alexandria Campus, is also authorized to enter into a written agreement with said foundation or private contractor for the support of such student housing facilities and management of the operation and maintenance of the same.

8. Virginia State University

a. Subject to the provisions of this act, the General Assembly authorizes Virginia State University (University) to enter into a written agreement or agreements with the Virginia State University Foundation (VSUF), Virginia State University Real Estate Foundation (VSUREF), and other entities owned or controlled by the university for the development, design, construction, financing, and management of a mixed-use economic development corridor comprising student housing, parking, and dining facilities through alternative financing agreements including public-private partnerships. The facility or facilities may be located on property owned by the Commonwealth.

b. Virginia State University is further authorized to enter into a written agreement with the VSUREF, VSUF, and other entities owned or controlled by the university for the support of such a mixed-use economic development corridor comprising student housing, parking, and dining facilities by including these projects in the university's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students and/or operations to the facility or facilities in preference to other university facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the university shall not be required to take any action that would constitute a breach of the university's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the university or the Commonwealth of Virginia.

9. College of William and Mary

a. Subject to the provisions of this act, the General Assembly authorizes the College of William and Mary, with the approval of the Governor, to explore and evaluate alternative financing scenarios to provide additional parking, student or faculty/staff housing, recreational, athletic and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board guidelines issued pursuant to § 23.1-1106 C.1. (d), Code of Virginia.

b. The General Assembly authorizes the College of William and Mary to enter into written agreements with public or private entities to design, construct, and finance a facility or facilities to provide additional parking, student or faculty/staff housing, recreational, athletic, and/or operational related facilities. The facility or facilities may be on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. The College of William and Mary is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facility.

c. The General Assembly further authorizes the College of William and Mary to enter into written agreements with the public or private entities for the support and operation of such parking, student or faculty/staff housing, recreational, athletic, and /or operational related facilities by including the facilities in the College's facility inventory and managing their operation and maintenance including the assignment of parking authorizations, students, faculty or staff, and operations to the facility in preference to other university facilities, limiting construction of competing projects, and by otherwise supporting the facilities consistent with law, provided that the College shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the College or the Commonwealth of Virginia.

d. The College of William and Mary is further authorized to convey fee simple title in and to one or more parcels of land to the William and Mary Real Estate Foundation (WMREF) which will develop and use the land for the purpose of developing and establishing residential housing for students, faculty, or staff, recreational, athletic, and/or operational related facilities including office, retail and commercial, student services, or other auxiliary activities.

10. Richard Bland College

a. Subject to the provisions of this act, the General Assembly authorizes Richard Bland College to enter into a ground lease, of 186 acres adjacent to the main campus, with a Foundation of the College, which may include the Richard Bland College Foundation, for the purpose of economic development or the development of campus-needed facilities, including but not limited to office, student services, auxiliary activities, athletics, and residential housing.

b. Richard Bland College is further authorized to enter into written agreements with a Foundation of the College to support facilities development. The support may include agreements to: (i) manage the operation and maintenance of the developed facilities, including collection of rental fees for occupied College-owned real estate; (ii) restrict construction of competing projects; (iii) seek to obtain police power over the facilities as provided by law; and (iv) otherwise support the facilities consistent with law, provided that the College shall not be required to take any action that would constitute a breach of the College's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the College or the Commonwealth of Virginia.

11. The following individuals, and members of their immediate family, may not engage in an alternative financing arrangement with

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any agency or institution of the Commonwealth, where the potential for financial gain, or other factors may cause a conflict of interest:

a. A member of the agency or institution's governing body;

b. Any elected or appointed official of the Commonwealth or its agencies and institutions who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement; or

c. Any elected or appointed official of a participating political subdivision, or authority who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement.

J. 1. Appropriations contained in this act for capital project planning shall be used as specified for each capital project and construction funding for the project shall be considered by the General Assembly after determining that (1) project cost is reasonable; (2) the project remains a highly-ranked capital priority for the Commonwealth; and (3) the project is fully justified from a space and programmatic perspective.

2. Appropriations reappropriated for institutions of higher education, in accordance with § 23.1-1002, Code of Virginia, may be used to fund the detailed planning authorized for projects in this act and shall be reimbursed when the project is funded to move into the construction phase.

K. Any capital project that has received a supplemental appropriation due to cost overruns is expected to be completed within the revised budget provided. If a project requires an additional supplement, the Governor should also consider reduction in project scope or cancelling the project before requesting additional appropriations. Agencies and institutions with nongeneral funds may bear the costs of additional overruns from nongeneral funds.

L. The Governor shall consider the project life cycle cost that provides the best long-term benefit to the Commonwealth when conducting capital project reviews, design and construction decisions, and project scope changes.

M. No structure, improvement or renovation shall occur on the state property located at the Carillon in Byrd Park in the City of Richmond without the approval of the General Assembly.

N. All agencies of the Commonwealth and institutions of higher education shall provide information and/or use systems and processes in the method and format as directed by the Director, Department of General Services, on behalf of the Six-Year Capital Outlay Plan Advisory Committee, to provide necessary information for state-wide reporting. This requirement shall apply to all projects, including those funded from general and nongeneral fund sources.

O. The Director, Department of Planning and Budget, in consultation with the Six-Year Capital Outlay Plan Advisory Committee, is authorized to transfer unutilized bond authorizations and appropriations between and among the capital pool projects listed in the table below, in order to address any shortfall in authorization or appropriation in one or more of such projects. This transfer includes authorizing the financing in whole or in part through bonds of the Virginia College Building Authority pursuant to § 23.1-1200 et seq., Code of Virginia, or the Virginia Public Building Authority pursuant to § 2.2-2263 et seq., Code of Virginia. Bonds of the Virginia College Building Authority issued to finance these projects may be sold and issued under the 21st Century College Program at the same time with other obligations of the Authority as separate issues, or as a combined issue. The aggregate principal amounts authorized shall not exceed the aggregate remaining authorized but unissued amounts for the capital pool projects listed in the table below plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, in accordance with § 23.1-1200 and § 2.2-2263, Code of Virginia, as applicable. The Director, Department of Planning and Budget, shall provide to the Chairmen of the Virginia College Building Authority and the Virginia Public Building Authority the specific projects, as well as the amounts for these projects, to be financed by each authority pursuant to this transfer of unutilized authorization and appropriation. Debt service on the projects contained in this Item shall be provided from appropriations to the Treasury Board.

Pool Project No.	Pool Project Title	Authorization
17775	Public Education Institutions Capital Account	Enactment Clause 2, § 4, Chapter 1, 2008 Acts of Assembly, Special Session I
17776	State Agency Capital Account	Enactment Clause 2, § 2, Chapter 1, 2008 Acts of Assembly, Special Session I; amended by Item C-178.05, Chapter 781, 2009 Acts of Assembly.
17861	Supplements for Previously Authorized Higher Education Capital Projects	Item C-85, Chapter 874, 2010 Acts of Assembly; amended by Item C-85, Chapter 890, 2011 Acts of Assembly
17862	Energy Conservation	Item C-86, Chapter 890, 2011 Acts of Assembly
17967	Capital Outlay Project Pool	Item C-38.10, Chapter 3, 2012 Acts of

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			Assembly, Special Session I; amended by: Item C-38.10, Chapter 806, 2013 Acts of Assembly; Item C-38.10, Chapter 1, 2014 Acts of Assembly, Special Session I; Item C-43, Chapter 2, 2014 Acts of Assembly, Special Session I; Item C-43, Chapter 665, 2015 Acts of Assembly; and Item 48.10, Chapter 836, 2017 Acts of Assembly; and Item C-44.10, Chapter 854, 2019 Acts of Assembly.		
18049	Comprehensive Capital Outlay Program		Item C-39.40, Chapter 806, 2013 Acts of Assembly; amended by: Item C-39.40, Chapter 1, 2014 Acts of Assembly, Special Session I; Item C-46.10, Chapter 2, 2014 Acts of Assembly, Special Session I, Item 46.10, Chapter 665, 2015 Acts of Assembly, Item C-46, Chapter 2, 2018 Acts of Assembly, Special Session I, and Item C-77 of Chapter 1, 2023 Acts of Assembly, Special Session.		
18196	Capital Outlay Renovation Pool		Item C-46.15, Chapter 665, 2015 Acts of Assembly; amended by: Item C-49.20, Chapter 836, 2017 Acts of Assembly; and Item C-46.10, Chapter 854, 2019 Acts of Assembly.		
18300	2016 VPBA Capital Construction Pool		§ 1, Chapters 759 and 769, 2016 Acts of Assembly; amended by: Item C-47, Chapter 2, 2018 Acts of Assembly, Special Session I; and Item C-47 of Chapter 1283, 2020 Acts of Assembly.		
18301	2016 VCBA Capital Construction Pool		§ 2, Chapters 759 and 769, 2016 Acts of Assembly; amended by: Item C-48, Chapter 2, 2018 Acts of Assembly, Special Session I and Item C-48 of Chapter 1283, 2020 Acts of Assembly.		
17631	Supplant Capital Projects		Item C-52.40, Chapter 836, 2017 Acts of Assembly.		
18371	2018 Capital Construction Pool		Item C-45, Chapter 2, 2018 Acts of Assembly, Special Session I; amended by: Item C-45, Chapter 854, 2019 Acts of Assembly.		
18382	Supplemental funding: Capitol Complex Infrastructure and Security		Item C-51.50, Chapter 2, 2018 Acts of Assembly, Special Session I; amended by: Item C-51.50, Chapter 854, 2019 Acts of Assembly.		
18408	2019 Capital Construction Pool		Item C-48.10, Chapter 854, 2019 Acts of Assembly.		
18493	2020 VPBA Construction Pool		Item C-67 of Chapter 1289, 2020 Acts of Assembly; amended by Item C-78 of Chapter 1, 2023 Acts of Assembly, Special Session I, *and C-53.60 of this act*.		
18494	2020 VCBA Constructions Pool		Item C-68 of Chapter 1289, 2020 Acts of Assembly; amended by Item C-68, Chapter 552, 2021 Acts of Assembly, Special Session I; ~~amended by~~ C-78.50 of Chapter 1, 2023 Acts of Assembly, Special Session I, *and C-53.70 of this act*.		
18145	Supplement Previously Authorized Capital Project Construction Pools		Item C-69 of Chapter 1289, 2020 Acts of Assembly; amended by: Item C-69, Chapter		

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			552, 2021 Acts of Assembly, Special Session I, Item C-69 of the 2022 Amendments to the 2021 Appropriation Act.		
18540	2021 Capital Construction Pool		Item C-68.50 of Chapter 552, 2021 Acts of Assembly, Special Session I.		
18586	2022 Public Educational Institution Capital Account		Item C-75 of Chapter 1, 2023 Acts of Assembly, Special Session I.		
18587	2022 State Agency Capital Account		Item C-76 of Chapter 1, 2023 Acts of Assembly, Special Session I; amended by Item C-52 of this act.		
18717	2024 Public Educational Institution Capital Account		Item C-50 of this act.		
18718	2024 State Agency Capital Account		Item C-51 of this act.		
18763	*2025 Public Educational Institution Capital Account*		*Item C-52.10 of this act.*		
18764	*2025 State Agency Capital Account*		*Item C-52.20 of this act.*		
17954	*Central Reserve for Capital Equipment Funding*		*Item C-47 of this act and as previously authorized.*		

P. Notwithstanding the second and third enactments of Chapter 294, 2023 Acts of Assembly, the tenth enactment of Chapters 759 and 769, 2016 Acts of Assembly, Item C-39.40 of Chapter 806, 2013 Acts of Assembly, § 2-0 P. of Chapter 552, 2021 Acts of Assembly, Special Session I, or any other provision of law, the Six-Year Capital Outlay Plan Advisory Committee shall review the progress of capital construction pools, including those with annual issuance limits, at least four times annually and may do so electronically.

Q. Notwithstanding § 2.2-1518 of the Code of Virginia or any other provision of law, the Commonwealth's capital outlay plan may be amended annually through the submission of a report to the General Assembly by the Six-Year Capital Outlay Plan Advisory Committee. The plan may reflect projects that have been authorized for planning only, in addition to any other obligations for authorized projects that the Six-Year Capital Outlay Plan Advisory Committee deems appropriate which have not yet been funded. *Notwithstanding § 2.2-1515 et. seq. of the Code of Virginia, the Six-Year Capital Outlay Plan Advisory Committee is not required to make capital recommendations to the Governor or the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.*

R. Notwithstanding any other provision of law, any portion of written communications, including emails, or other documentation shared between Six-Year Capital Outlay Plan Advisory Committee (“Advisory Committee") members and their staff, relating to the availability of funding authorized in capital pools, estimated total capital outlay project costs, supplemental capital pool funding, project authorization, and the transfer of appropriation, including bond appropriation and bond proceeds, between and among any capital pool projects as authorized in the Appropriation Act shall be exempt from the provisions of the Virginia Freedom of Information Act § 2.2-3700 et seq.

EXECUTIVE DEPARTMENT

OFFICE OF ADMINISTRATION

§ 2-1. DEPARTMENT OF GENERAL SERVICES (194)

C-1.	Improvements: Renovate and Repair Fort Monroe (18191)			$50,000,000	$0
	Fund Sources: General	$50,000,000	$0		

A. 1. There is hereby appropriated $50,000,000 the first year from the general fund for infrastructure upgrades, deferred maintenance, and improvements at Fort Monroe. The Department of General Services shall act as fiscal agent for the funds allocated to this capital project. The Fort Monroe Authority is authorized to use a portion of the funding to secure the services of a project manager for overseeing and coordinating the on-site efforts involving the various repairs and renovation activities at Fort Monroe. The project manager shall work in consultation and coordination with the Department of General Services.

2. The provisions of §§ 2-0 and 4-4.01 of this act and the provisions of § 2.2-1132, Code

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of Virginia, shall not apply to activity executed under this project.				
C-2. *New Construction: Commonwealth Courts Building (18537)*			*$14,500,000*	*$0*
Fund Sources: *General*	*$14,500,000*	*$0*		

The capital project titled "New Construction/Renovation: Commonwealth Courts Building" (18537), originally authorized in Item C-1.30, Chapter 552, 2021 Acts of Assembly, Special Session I and amended by Item C-2, Chapter 1, 2023 Acts of Assembly, Special Session I, is hereby amended to include, in the scope of the project, the demolition of both East and West Towers. The Department of General Services shall proceed with appropriated funds for planning, *demolition, working drawings, and site preparation*. The Chief Justice and Associate Justices of the Supreme Court of Virginia, the Chief Judge and Associate Judges of the Court of Appeals of Virginia, and the Executive Secretary of the Supreme Court, in consultation with the Director of the Department of General Services, shall reconsider the size of the Commonwealth Courts Building project and develop a plan to meet the future space needs of both courts. The plan and necessary scope changes shall be reviewed and approved by the Six-Year Capital Outlay Plan Advisory Committee.

C-3. Omitted.

C-3.50 *New Construction: New State Agency Building (18765)*			*$35,000,000*	*$0*
Fund Sources: *General*	*$35,000,000*	*$0*		

A. Notwithstanding the project scope set forth for project 194-18528 as originally authorized in Chapter 552, 2021 Acts of Assembly, Special Session I, and as subsequently amended in Chapter 1, 2022 Acts of Assembly, Special Session I, and Chapter 1, 2023 Acts of Assembly, Special Session, I, the scope of this project shall now be limited to: (i) the full demolition of the existing structure formerly serving as the Virginia Employment Commission Building, and any related site stabilization; and (ii) planning for a new state agency building as hereby set forth in paragraph B. of this item.

B. The Department of General Services (the Department) shall perform a study and make recommendations regarding the utilization of two currently owned state properties for potential development of a new state employee office building; such properties are (i) the site originally designated in project 194-18528 at the corner of 7th and Main Streets (former site of the Virginia Employment Commission), and (ii) the site of the current Virginia Department of Transportation (VDOT) Annex Building, located at 1401 East Broad Street. Specifically, the Department shall provide a report by November 1, 2024, to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee that includes a full evaluation of both properties and details and recommendations on: (i) timeline and cost estimates for options for a new state office building on either site, to include consideration of renovating and/or demolishing any existing structure and steps and timeline of any necessary property transfers, (ii) suggested total facility size and scope requirements as they comply with cited current general industry-acceptable space standards and with consideration to any specific space or operational needs of agencies occupying the Monroe Building and the conference space offered in the Monroe Building; (iii) consideration of whether such new state agency facility requires adjacent additional parking for agency tenants; and (iv) timeline and cost estimates for necessary and critical upkeep to the Monroe Building to ensure ongoing tenant safety. The Department may utilize funds provided to capital project 194-18528 for the work directed in this item. Notwithstanding any other provision of law, the ~~properties~~ *property* in subsection ~~(i) and~~ (ii) shall not be sold, conveyed, or transferred unless authorized in an Appropriation Act.

~~C. With consideration to the study directed in paragraph B. of this item, no executive branch agency shall be relocated permanently from the Monroe Building unless otherwise authorized by the General Assembly.~~

~~D. The Virginia Lottery shall not sign any lease for permanent relocation from their current location prior to July 1, 2025.~~

E.1. Out of this appropriation, the Department of General Services may use up to

ITEM C-3.50.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

$35,000,000 for the cost of renovations to state-owned buildings at the seat of government and associated moving expenses to facilitate the relocation of agencies from the James Monroe Building.

2. These funds shall be unalloted by the Department of Planning and Budget until the Department of General Services (DGS) presents a relocation plan for the agencies in the James Monroe Building to the Six-Year Capital Outlay Plan Advisory Committee for approval. The plan shall include, but not be limited to, (i) the identified relocation space for each state agency, (ii) the anticipated renovation costs of each identified space, (iii) the anticipated impacts to the rent plan and parking fund, and (iv) identified conferencing space for agencies prior to completion of a new state agency building. In developing the plan, DGS shall (i) minimize the impact to the state rent plan by assigning space operated by DGS first, prior to using other state spaces, (ii) minimize the impact to the parking fund by maintaining agencies in downtown Richmond and assigning parking in state parking facilities to the extent practicable, and (iii) provide recommendations to the Six-Year Capital Outlay Plan Advisory Committee on any necessary rent plan changes or parking fee modifications to ensure sufficient funds for the operation of state buildings and parking facilities until the new state agency office building is constructed. These provisions shall not apply to the relocation of the Virginia Department of Health's Division of Pharmacy Services from the James Monroe Building.

F.1. No sooner than January 30, 2026, the property at the corner of 7th and Main Streets in Richmond, Virginia, that was the former site of the Virginia Employment Commission, shall be sold at fair market value.

2. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, or any other provisions of law, the proceeds from the sale of the property at the corner of 7th and Main Streets shall be deposited in the general fund.

G. Any amounts remaining from Project 194-18528 shall be transferred to support detailed planning for a new state office building at 1401 East Broad Street in Richmond, Virginia.

H.1. The scope for this project shall include approximately 220,000 sf of assignable floor area to allow for relocation of tenants in the James Monroe Building, flexibility to adapt to unanticipated program needs, and the provision of swing space for pending renovations of other seat of government buildings. In addition, the scope shall include 21,900 sf of assignable floor area for a conference center to replace that which will be lost with the James Monroe Building, 19,200 sf of assignable floor area for a data center and facility and security offices, space sufficient for the relocation of the health clinic currently in the James Monroe Building, and parking capacity estimated at 836 spaces.

2. The Department of General Services shall provide an update to the Six-Year Capital Outlay Plan Advisory Committee prior to December 15, 2025, on estimated size, cost, and timeline for construction of the facility, as well as for options as to the inclusion of a childcare facility for state employees in the building design and scope.

I.1. On July 1, 2025, the Virginia Department of Transportation (VDOT) shall transfer to the Department of General Services (DGS), the 0.535-acre parcel and the improvements thereon, located at 1401 East Broad Street, in the City of Richmond, Virginia, designated as City of Richmond Tax Parcel E0000153005 (the "Annex Parcel"), as shown and more particularly described on that certain plat entitled "Compiled Map–Commonwealth of Virginia, Vacation of Lot Lines and Consolidation of Multiple Parcels Located in the Blocks Bounded by Broad Street, 14th Street, Bank Street and 9th Street, City of Richmond, Virginia," as recorded on June 4, 2018, in the Office of the Circuit Court Clerk of the City of Richmond with Instrument #18-11067. Additionally, any surface parking areas adjacent to this facility that fall within the intended footprint of the capital project authorized by this item, if not already owned by DGS, shall also transfer in full ownership and control to DGS on July 1, 2025.

2.a. VDOT shall continue to operate the Annex Building and Annex Parcel until it transfers operations to DGS upon the relocation of approximately half of the VDOT staff out of the Annex Building, no later than November 1, 2025. At that time, DGS shall assume operations of the Annex Building and Annex Parcel.

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b. Notwithstanding the provisions of 2.a, above, as of July 1, 2025, DGS shall have control and use of areas designated for transition space for elected officials and staff. DGS and VDOT may enter into an agreement to support activities during the transition. Any such agreement shall recognize as priority use of the building for transition space; such use may continue as needed to accommodate renovations to the Patrick Henry Building (PHB). All efforts should be made so that continued use of the facility by VDOT or to accommodate offices during renovation of the PHB should not delay the advancement of the capital project authorized in this item.				
3. VDOT shall demolish the pedestrian walkway over Old 14th Street after VDOT fully vacates the Annex Building.				
J. Notwithstanding the provisions of § 22.1-13, Code of Virginia, meetings of the Board of Education shall be held in a location as proximate as possible to the seat of government in Richmond during the period in which public meeting space is not readily available due to the transition of state agencies out of the Monroe Building.				
C-3.60 Improvements: Relocate Office of Fleet Management Services (18776)				
The Department of General Services shall undergo a review of potential relocation of its Office of Fleet Management Services (OFMS), currently located at the property at 2400 West Leigh Street in the City of Richmond. The review shall include, but not be limited to, (i) examination of other properties for relocation of OFMS, and (ii) review of potential consolidation with the Virginia State Police and any other sizeable state fleet operations in the Richmond area. Virginia State Police and other affected agencies shall assist with the review as needed, which shall be provided to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 1, 2025.				
Total for Department of General Services			**~~$50,000,000~~** ***$99,500,000***	**$0**
Fund Sources: General	~~$50,000,000~~ *$99,500,000*	$0		
TOTAL FOR OFFICE OF ADMINISTRATION			**~~$50,000,000~~** ***$99,500,000***	**$0**
Fund Sources: General	~~$50,000,000~~ *$99,500,000*	$0		
OFFICE OF EDUCATION				
§ 2-2. THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA (204)				
C-4. Improvements: Renovate Dormitories (18218)			$5,000,000	$0
Fund Sources: Bond Proceeds	$5,000,000	$0		
C-4.10 New Construction: Construct West Woods Phase 2 (18766)			*$0*	*$120,000,000*
Fund Sources: Bond Proceeds	*$0*	*$120,000,000*		
Total for The College of William and Mary in Virginia			**$5,000,000**	**~~$0~~** ***$120,000,000***
Fund Sources: Bond Proceeds	$5,000,000	~~$0~~ *$120,000,000*		
Virginia Institute of Marine Science (268)				
C-4.50 Improvements: Construct Marine Operations Administration Complex (18746)			$6,737,768	$0
Fund Sources: General	$6,737,768	$0		

ITEM C-4.50.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	The funds provided in this item are to support the project, Improvements: Construct Marine Operations Administration Complex (18746), which is hereby authorized to proceed with planning and of dredging of the associated berthing slip. Dredging efforts shall be sufficient to account for the draft depth as needed to allow sufficient passage for affiliated research vehicles, and may include widening of the mouth of the channel, installation of new and deeper pilings, and incorporation of any associated utility costs for the new installation.				
	Total for Virginia Institute of Marine Science			**$6,737,768**	**$0**
	Fund Sources: General	$6,737,768	$0		

I VETO ITEM C-5 ON PAGE 2345 /s/ Glenn Youngkin 5-2-25

§ 2-3. GEORGE MASON UNIVERSITY (247)

C-5.	Improvements: Address Priority Facility Improvements (18720)			~~$8,000,000~~ *$28,250,000*	$0
	Fund Sources: *General*	*$20,250,000*	*$0*		
	Bond Proceeds	$8,000,000	$0		
	Total for George Mason University			~~**$8,000,000**~~ ***$28,250,000***	**$0**
	Fund Sources: *General*	*$20,250,000*	*$0*		
	Bond Proceeds	$8,000,000	$0		

§ 2-4. JAMES MADISON UNIVERSITY (216)

C-6.	Acquisition: Blanket Property Acquisition (17821)			$3,000,000	$0
	Fund Sources: Higher Education Operating	$3,000,000	$0		
C-7.	Improvements: Renovate Spotswood Hall (18710)			$23,820,000	$0
	Fund Sources: Bond Proceeds	$23,820,000	$0		
C-7.10	Planning: Expand College of Health and Behavioral Studies Building (18739)			$7,875,964	$0
	Fund Sources: General	$3,937,982	$0		
	Higher Education Operating	$3,937,982	$0		
C-7.20	*New Construction: Construct Student Housing (18771)*			*$0*	*$86,085,243*
	Fund Sources: Bond Proceeds	*$0*	*$86,085,243*		
	Total for James Madison University			**$34,695,964**	~~**$0**~~ ***$86,085,243***
	Fund Sources: General	$3,937,982	$0		
	Higher Education Operating	$6,937,982	$0		
	Bond Proceeds	$23,820,000	~~$0~~ *$86,085,243*		

§ 2-5. LONGWOOD UNIVERSITY (214)

C-7.80	*Improvements: Replace and Augment IT Network and Security Equipment (18767)*			*$2,712,317*	*$0*
	Fund Sources: General	*$2,160,863*	*$0*		
	Higher Education Operating	*$551,454*	*$0*		
	Total for Longwood University			***$2,712,317***	***$0***
	Fund Sources: *General*	*$2,160,863*	*$0*		
	Higher Education Operating	*$551,454*	*$0*		

ITEM C-7.80.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	§ 2-6. NORFOLK STATE UNIVERSITY (213)				
C-8.	Improvements: Improve Campus Infrastructure (18724)			$14,064,327	$0
	Fund Sources: Bond Proceeds	$14,064,327	$0		
C-8.50	Planning: Living Learning Center (18740)			$2,000,000	$0
	Fund Sources: General	$2,000,000	$0		
	A. Out of this appropriation, $2,000,000 the first year from the general fund is provided for detailed planning for a project at Norfolk State University to construct an approximate 180,000 square foot facility to serve as a Living Learning Center. The planning scope shall include education and general program space and auxiliary funded space. Such planning shall include sufficient auxiliary funding sources to support the construction of the auxiliary enterprises portion of this project. The funds appropriated in this item shall not be deposited into the Central Capital Planning Fund (09650).				
C-8.60	*Improvements: Improve Campus Security (18768)*			*$8,633,223*	*$0*
	Fund Sources: General	*$8,633,223*	*$0*		
	Out of this appropriation, $8,633,223 the first year from the general fund is provided to make campus safety and security improvements. This includes perimeter fencing, lighting, emergency call station installation and improvements, as well as property acquisition, and ensuing demolition and site stabilization/greening of resulting vacant land, as necessary. Any such land acquisitions shall be directly adjacent or in the near vicinity of the campus to make critical improvements to the security and safety of the campus and of its immediate surroundings.				
	Total for Norfolk State University			**~~$16,064,327~~** ***$24,697,550***	**$0**
	Fund Sources: General	~~$2,000,000~~ *$10,633,223*	$0		
	Bond Proceeds	$14,064,327	$0		
	§ 2-7. OLD DOMINION UNIVERSITY (221)				
C-9.	Improvements: Campus Infrastructure Repair- Phase I (18670)			$8,000,000	$0
	Fund Sources: Bond Proceeds	$8,000,000	$0		
	Old Dominion University shall use the Virginia College Building Authority appropriation in this project to address the deferred maintenance of Educational and General buildings.				
C-9.10	Planning: Construct Engineering and Arts Building (18741)			$12,000,000	$0
	Fund Sources: General	$9,000,000	$0		
	Higher Education Operating	$3,000,000	$0		
	Total for Old Dominion University			**$20,000,000**	**$0**
	Fund Sources: General	$9,000,000	$0		
	Higher Education Operating	$3,000,000	$0		
	Bond Proceeds	$8,000,000	$0		
	§ 2-8. RADFORD UNIVERSITY (217)				
C-10.	Omitted.				
C-10.50	*Improvements: Renovate Dalton Hall (18769)*			*$0*	*$52,320,333*

ITEM C-10.50.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Fund Sources: Higher Education Operating	*$0*	*$52,320,333*		
	Total for Radford University			***$0***	***$52,320,333***
	Fund Sources: *Higher Education Operating*	*$0*	*$52,320,333*		
	§ 2-9. UNIVERSITY OF MARY WASHINGTON (215)				
C-11.	Improvements: Address Critical Life/Safety (18725)			$17,500,000	$0
	Fund Sources: Bond Proceeds	$17,500,000	$0		
C-11.10	*Improvements: Improve Energy Infrastructure (18770)*			*$5,000,000*	*$0*
	Fund Sources: General	*$4,350,000*	*$0*		
	Higher Education Operating	*$650,000*	*$0*		
	Total for University of Mary Washington			~~**$17,500,000**~~ ***$22,500,000***	**$0**
	Fund Sources: *General*	*$4,350,000*	*$0*		
	Higher Education Operating	*$650,000*	*$0*		
	Bond Proceeds	$17,500,000	$0		
	§ 2-10. UNIVERSITY OF VIRGINIA (207)				
C-12.	Omitted.				
C-12.10	Planning: Construct Center for the Arts (18602)			$15,300,000	$0
	Fund Sources: Higher Education Operating	$15,300,000	$0		
	Total for University of Virginia			**$15,300,000**	**$0**
	Fund Sources: Higher Education Operating	$15,300,000	$0		
C-13.	Omitted.				
	§ 2-11. VIRGINIA COMMONWEALTH UNIVERSITY (236)				
C-14.	Planning: Construct New School of Dentistry (18676)			$5,200,000	$0
	Fund Sources: General	$5,200,000	$0		
	A. Out of this appropriation, $5,200,000 the first year from the general fund is provided for Virginia Commonwealth University for detailed planning for construction of a replacement facility for the School of Dentistry at the site of the Larrick Student Center.				
	B. Virginia Commonwealth University Health System Authority shall pursue to terminate payments to be made by the Authority to the City of Richmond under the terms of a Multi-Party Agreement dated July 15, 2021. No later than October 1, 2024, the Authority shall provide a report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees as to the feasibility and/or the status of the termination of such agreement.				
	C. This project shall be subject to the requirements of the capital pool process pursuant to § 2.2-1515 et. seq., Code of Virginia.				
C-15.	Omitted.				
	Total for Virginia Commonwealth University			**$5,200,000**	**$0**
	Fund Sources: General	$5,200,000	$0		

ITEM C-15.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	§ 2-12. VIRGINIA COMMUNITY COLLEGE SYSTEM (260)				
C-16.	Improvements: Systemwide Small Renovations (18721)			$24,000,000	$0
	Fund Sources: Bond Proceeds	$24,000,000	$0		
	A. Out of this appropriation, the Virginia Community College System may utilize up to $24,000,000 to repurpose existing property to enhance the learning environment and increase capacity for workforce development programming.				
C-16.10	*Workforce Trades and Innovation Center (18777)*			*$750,000*	*$0*
	Fund Sources: General	*$750,000*	*$0*		
	Out of this appropriation, $750,000 the first year from the general fund is provided to support a capital project to create a Workforce Trades and Innovation Center at Paul D. Camp Community College. The Director, Department of Planning and Budget, is authorized to transfer this amount to the applicable operating program within the Virginia Community College System as needed to effectuate intent of this Item.				
C-16.20	*Construct Aviation Maintenance Technician Facility (18778)*			*$2,500,000*	*$0*
	Fund Sources: General	*$2,500,000*	*$0*		
	Out of this appropriation, $2,500,000 the first year from the general fund is provided to support a project to create a Aviation Maintenance Technician Facility at Danville Community College. The Director, Department of Planning and Budget, is authorized to transfer this amount to the applicable operating program within the Virginia Community College System as needed to effectuate the intent of this item.				
	Total for Virginia Community College System			**~~$24,000,000~~** ***$27,250,000***	**$0**
	Fund Sources: *General*	*$3,250,000*	*$0*		
	Bond Proceeds	$24,000,000	$0		
	§ 2-13. VIRGINIA MILITARY INSTITUTE (211)				
C-17.	Improvements: Renovate Crozet Hall (18707)			$46,851,725	$0
	Fund Sources: Higher Education Operating	$46,851,725	$0		
C-18.	Improvements: Renovate Patchin Field Soccer & Lacrosse Stadium and Paulette Hall (18708)			$21,706,757	$0
	Fund Sources: Higher Education Operating	$21,706,757	$0		
	Total for Virginia Military Institute			**$68,558,482**	**$0**
	Fund Sources: Higher Education Operating	$68,558,482	$0		
	§ 2-14. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)				
C-19.	Improvements: Improve Campus Accessibility (18723)			$8,000,000	$0
	Fund Sources: Bond Proceeds	$8,000,000	$0		
	Total for Virginia Polytechnic Institute and State University			**$8,000,000**	**$0**
	Fund Sources: Bond Proceeds	$8,000,000	$0		
	§ 2-15. VIRGINIA STATE UNIVERSITY (212)				

ITEM C-20.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
C-20.	New Construction: Construct New Student Housing (18709)			$95,465,000	$0
	Fund Sources: Bond Proceeds	$95,465,000	$0		
C-21.	Improvements: Improve South Entrance and Campus Security (18735)			$15,000,000	$0
	Fund Sources: Bond Proceeds	$15,000,000	$0		
	Out of this appropriation, $15,000,000 the first year is provided to make improvements to the campus's South entrance and to make campus security and safety improvements including the acquisition and demolition of property, and sidewalk and fencing improvements.				
C-21.50	*Improvements: Improve Life Safety Systems Campuswide (18772)*			*$6,596,950*	*$0*
	Fund Sources: General	*$6,596,950*	*$0*		
	Out of this appropriation, $6,596,950 the first year from the general fund is provided to improve life safety systems at educational and general buildings across campus.				
C-21.60	*Accept Transfer of Property from Virginia Commonwealth University (18779)*			*$0*	*$0*
	A. Notwithstanding any provision of law, Virginia Commonwealth University (VCU) shall immediately transfer the certain lot of land, commonly known as First African Baptist Church, with church buildings and improvements thereon, lying and being in the City of Richmond, Virginia, specifically parcel VI as described in survey plan T-R99355-01 prepared by Draper Aden Associates stamped September 13, 2001, to Virginia State University (VSU).				
	B. It is the intent of the General Assembly that the reuse of this property by VSU involves academic, historic preservation, and museum purposes.				
	C. VSU assumes, directly or indirectly, all responsibility for the operation and maintenance of the property.				
	D. The transfer of the property pursuant to paragraph A is conditioned upon the existence of a binding agreement between VCU and VSU that (a) provides that if VSU discontinues use for academic, historic preservation or museum purposes or conveys the property other than by lease to Virginia Union University, title to the property will revert to VCU and (b) updates the property survey for the purpose of revising the ownership tax records for the City of Richmond.				
	Total for Virginia State University			**~~$110,465,000~~** ***$117,061,950***	**$0**
	Fund Sources: *General*	*$6,596,950*	*$0*		
	Bond Proceeds	$110,465,000	$0		
	Cooperative Extension and Agricultural Research Services (234)				
C-22.	Improvements: Renovate Wilder Cooperative Extension Building (18711)			$5,875,000	$0
	Fund Sources: Higher Education Operating	$5,875,000	$0		
	Total for Cooperative Extension and Agricultural Research Services			**$5,875,000**	**$0**
	Fund Sources: Higher Education Operating	$5,875,000	$0		
	§ 2-16. GUNSTON HALL (417)				
C-22.20	Planning: Construction of New Archaeology and Maintenance Facilities (18546)			$5,000,000	$0

ITEM C-22.20.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Fund Sources: General	$5,000,000	$0		
	Total for Gunston Hall			**$5,000,000**	**$0**
	Fund Sources: General	$5,000,000	$0		

§ 2-17. THE SCIENCE MUSEUM OF VIRGINIA (146)

C-22.40	*Improvements: Community Green Space (18555)*			*$0*	*$6,300,000*
	Fund Sources: Special	*$0*	*$6,300,000*		
	Total for The Science Museum of Virginia			***$0***	***$6,300,000***
	Fund Sources: *Special*	*$0*	*$6,300,000*		

§ 2-18. SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER (948)

C-22.50	*Property Transfer from VHCC (18780)*			*$0*	*$0*

The State Board for Community Colleges shall transfer, without consideration, the property substantially described as follows at Virginia Highlands Community College to the Board of Trustees of the Southwest Virginia Higher Education Center: a piece of land used as a parking lot, referred as parking lot 3, consisting of approximately 500 parking spaces. The transfer shall be made in a form approved by the Attorney General. The State Board and the Center shall work amicably to perform required land surveying to effectuate this transfer of the property substantially described herein and to resolve any boundary, rights of way, or easement concerns that arise in the course of this transfer. The Center shall be responsible for paying any land surveying and documenting recording costs related to this transfer. The appropriate officials of the Commonwealth shall prepare, execute, and deliver such documents as may be necessary to accomplish this transfer.

	Total for Southwest Virginia Higher Education Center			**$0**	**$0**
	TOTAL FOR OFFICE OF EDUCATION			~~**$350,396,541**~~ ***$396,839,031***	~~**$0**~~ ***$264,705,576***
	Fund Sources: General	~~$31,875,750~~ *$77,116,786*	$0		
	Special	*$0*	*$6,300,000*		
	Higher Education Operating	~~$99,671,464~~ *$100,872,918*	~~$0~~ *$52,320,333*		
	Bond Proceeds	$218,849,327	~~$0~~ *$206,085,243*		

OFFICE OF HEALTH AND HUMAN RESOURCES

§ 2-19. DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (720)

C-23.	Improvements: Improve safety and security at Eastern State Hospital (18680)			$24,340,860	$0
	Fund Sources: Bond Proceeds	$24,340,860	$0		

The Director, Department of Planning and Budget, may transfer funds from this Item to project 194-18660, Renovate Eastern State Hospital, managed by the Department of General Services, as appropriate for the purposes of efficiency in contracting and project management. The Department of Behavioral Health and Developmental Services shall prioritize work within the funding provided in this Item to improve safety and security at Eastern State Hospital.

C-24.	Improvements: Renovate, repair, and upgrade state-operated facilities (18731)			~~$20,000,000~~ *$52,300,000*	$0

ITEM C-24.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Fund Sources: *General*	*$32,300,000*	*$0*		
Bond Proceeds	$20,000,000	$0		

A. Funds in this Item are provided for upgrades, renovations, and repairs to facilities operated by the Department of Behavioral Health and Developmental Services. The department shall prioritize projects within this funding to maximize the security and safety of facility residents, patients, and staff.

B. The Director, Department of Planning and Budget, may transfer funds from this Item to previously funded projects related to the maintenance and improvement of facilities operated by the Department of Behavioral Health and Developmental Services, including security upgrades and life safety projects, that are currently managed by the Department of General Services or the Department of Behavioral Health and Developmental Services, as appropriate for the purposes of efficiency in contracting and project management.

C.1. Out of the amounts provided in this item, $32,300,000 the first year from the general fund is provided to support the following projects to renovate, repair, and/or upgrade facilities, in amounts estimated as follows:

a. $18,200,000 for an HVAC replacement at Catawba Hospital;

b. $10,100,000 to address security, access control, and window replacement at Southwestern Virginia Mental Health Institute; and

c. $3,000,000 to convert 10 existing beds at the Southeastern Virginia Training Center to accommodate a skilled nursing level of care. Agencies responsible for the review and approval of funds, design plans, and procurement documents related to this project shall expedite their work to the extent feasible.

2. The Director, Department of Planning and Budget, is authorized to reallocate funding among projects authorized in paragraph C.1. as needed to accommodate actual costs, or to reflect any federal funds that may be provided to supplant state support.

D. The Department of Behavioral Health and Developmental Services (DBHDS) shall form a workgroup to review and recommend placement for a replacement Northern Virginia Mental Health Institute. The workgroup shall include representatives from the Department of General Services, public stakeholders, and other partners as necessary to make the best determination of appropriate location of a future facility. As needed, DBHDS may use funds appropriated to this item to support research or contractual costs associated with this workgroup. The Department shall report findings and recommendations to the Chairs of the Committees of House Appropriations and Senate Finance and Appropriations, as well as to the Committees of House Health and Human Services and Senate Education and Health, no later than November 1, 2025.

Total for Department of Behavioral Health and Developmental Services			~~**$44,340,860**~~ ***$76,640,860***	**$0**
Fund Sources: *General*	*$32,300,000*	*$0*		
Bond Proceeds	$44,340,860	$0		
TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES			~~**$44,340,860**~~ ***$76,640,860***	**$0**
Fund Sources: *General*	*$32,300,000*	*$0*		
Bond Proceeds	$44,340,860	$0		

OFFICE OF NATURAL AND HISTORIC RESOURCES

§ 2-20. DEPARTMENT OF CONSERVATION AND RECREATION (199)

C-25.	Acquisition: Acquisition of land for State Parks (18236)	$2,660,000	~~$0~~ *$10,399,475*

ITEM C-25.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Fund Sources: Special	$500,000	~~$0~~ *$7,759,475*		
	Dedicated Special Revenue	$800,000	~~$0~~ *$1,000,000*		
	Federal Trust	$1,360,000	~~$0~~ *$1,640,000*		
	It is the intent of the General Assembly that any acquisitions by gift, transfer or purchase, be limited to in-holdings or contiguous properties, consistent with the authorization contained in Item 360 and be limited to property within or contiguous to Seven Bends, Natural Tunnel, Sailor's Creek Battlefield, Shenandoah River, Wilderness Road, Westmoreland, High Bridge Trail, Grayson Highlands, Staunton River, Kiptopeke, Caledon, New River Trail, Natural Bridge, Mayo River, Clinch River, Southwest Virginia Museum, Machicomoco, Middle Peninsula, Sweet Run, Fairy Stone, False Cape, Staunton River Battlefield, James River, Hungry Mother, Hayfields, *Widewater,* and Culpeper Battlefields.				
C-26.	Acquisition: Acquisition of land for Natural Area Preserves (18242)			$18,291,050	$16,100,000
	Fund Sources: Dedicated Special Revenue	$18,291,050	$16,100,000		
C-27.	New Construction: Replace Underground Storage Tanks - Phase I (18673)			$3,000,000	$0
	Fund Sources: Bond Proceeds	$3,000,000	$0		
C-28.	Omitted.				
C-29.	Acquisition: Protect and expand Buffalo Mountain Natural Area Preserve (18733)			$750,000	$0
	Fund Sources: General	$750,000	$0		
	It is the intent of the General Assembly that the Buffalo Mountain Natural Area Preserve shall not become a state park.				
C-29.10	Improvements: Natural Tunnel State Park Renovations (18742)			$4,000,000	$0
	Fund Sources: Bond Proceeds	$4,000,000	$0		
C-29.20	New Construction: Construct new facilities and trails at Widewater State Park (18743)			$10,000,000	$0
	Fund Sources: Bond Proceeds	$10,000,000	$0		
C-29.30	*Improvements: State Park Deferred Maintenance (18654)*			*$20,000,000*	*$0*
	Fund Sources: General	*$20,000,000*	*$0*		
	A. Out of this appropriation, up to $1,800,000 shall be used to renovate lodging facilities at Breaks Interstate Park, including the Catawba Unit.			**I VETO ITEM C-29.30 ON PAGE 2352 /s/ Glenn Youngkin 5-2-25**	
	B. Out of this appropriation, up to $300,000 shall be used for remediation of the breach at Jones Pond in Caledon State Park.				
	Total for Department of Conservation and Recreation			~~$38,701,050~~ *$58,701,050*	~~$16,100,000~~ *$26,499,475*
	Fund Sources: General	~~$750,000~~ *$20,750,000*	$0		
	Special	$500,000	~~$0~~ *$7,759,475*		
	Dedicated Special Revenue	$19,091,050	~~$16,100,000~~ *$17,100,000*		
	Federal Trust	$1,360,000	~~$0~~ *$1,640,000*		

ITEM C-29.30.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Bond Proceeds	$17,000,000	$0		
	§ 2-21. DEPARTMENT OF WILDLIFE RESOURCES (403)				
C-30.	Acquisition: Acquire Land and Property (18624)			$5,000,000	$5,000,000
	Fund Sources: Dedicated Special Revenue	$500,000	$500,000		
	Federal Trust	$4,500,000	$4,500,000		
C-30.10	Improvements: Repair and Upgrade Lake Shenandoah Dam (18744)			$3,000,000	$0
	Fund Sources: Bond Proceeds	$3,000,000	$0		
	Total for Department of Wildlife Resources			**$8,000,000**	**$5,000,000**
	Fund Sources: Dedicated Special Revenue	$500,000	$500,000		
	Federal Trust	$4,500,000	$4,500,000		
	Bond Proceeds	$3,000,000	$0		
	TOTAL FOR OFFICE OF NATURAL AND HISTORIC RESOURCES			**~~$46,701,050~~** ***$66,701,050***	**~~$21,100,000~~** ***$31,499,475***
	Fund Sources: General	~~$750,000~~ *$20,750,000*	$0		
	Special	$500,000	~~$0~~ *$7,759,475*		
	Dedicated Special Revenue	$19,591,050	~~$16,600,000~~ *$17,600,000*		
	Federal Trust	$5,860,000	~~$4,500,000~~ *$6,140,000*		
	Bond Proceeds	$20,000,000	$0		
	OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY				
	§ 2-22. DEPARTMENT OF CORRECTIONS (799)				
C-31.	Improvements: Coffeewood Water Treatment Plant Upgrade (16111)				
	Continue capital project to treat toxicity in the reject stream of the water treatment plant at the Coffeewood Correctional Center. The funds previously appropriated to this project shall be allotted by the Director of the Department of Planning and Budget only after the Department of Corrections has identified the source of the toxicity and developed a plan for treating it. Such a plan should include cost estimates and must be approved by the Director of the Department of Environmental Quality and the Secretary of Public Safety as necessary and appropriate for addressing the toxicity problem.				
C-32.	Improvements: DOC Capital Infrastructure Fund (18480)			$7,669,280	$0
	Fund Sources: Bond Proceeds	$7,669,280	$0		
	A. The appropriation for this project shall be used for the repair, renovation, or improvement of existing correctional facilities including mechanical and security systems. The Department shall submit a report on the use of this funding including: i) the facilities in which the funds were spent; ii) a description of each project; and iii) the total amount spent for each project. The report shall be submitted to the Department of Planning and Budget and the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee by July 15 of each year.				
	B. The Department shall provide a report detailing the intended disposition and/or alternate use of the following facilities slated for closure: Sussex II State Prison, Augusta Correctional Center, Haynesville Field Unit, and Stafford Community Corrections Alternative Program. Any plans to retain facility ownership shall detail costs to maintain				

ITEM C-32.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	the property in habitable condition and, if applicable, costs to renovate or repurpose, and specific repurpose intentions. Alternately, such report shall also provide details on timeline and cost estimates to demolish, sell, or otherwise dispose of any of these facilities. The report shall be submitted to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee no later than November 1, 2024.				
	C. Out of this appropriation, $7,669,280 the first year in bond proceeds is for the Department of Corrections to provide air conditioning for the restrictive housing unit at Greensville Correctional Center.			**I VETO ITEM C-32.10 ON PAGE 2354 /s/ Glenn Youngkin 5-2-25**	
C-32.10	*Improvements: HVAC Improvements and Installations (18781)*			*$25,000,000*	*$0*
	Fund Sources: General	*$25,000,000*	*$0*		
	A. Out of this appropriation, $25,000,000 the first year is provided for the department to conduct necessary improvements at Nottoway Correctional Center to install adequate heating, ventilation, and air conditioning.				
	Total for Department of Corrections			**~~$7,669,280~~ *$32,669,280***	**$0**
	Fund Sources: *General*	*$25,000,000*	*$0*		
	Bond Proceeds	$7,669,280	$0		
	TOTAL FOR OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY			**~~$7,669,280~~ *$32,669,280***	**$0**
	Fund Sources: *General*	*$25,000,000*	*$0*		
	Bond Proceeds	$7,669,280	$0		
	OFFICE OF TRANSPORTATION				
	§ 2-23. DEPARTMENT OF MOTOR VEHICLES (154)				
C-33.	Maintenance Reserve (15021)			~~$2,000,000~~ *$6,000,000*	~~$0~~ *$11,500,000*
	Fund Sources: Commonwealth Transportation	~~$2,000,000~~ *$6,000,000*	~~$0~~ *$11,500,000*		
C-34.	Improvements: Renovate DMV Headquarters (18712)			$14,844,060	~~$0~~ *$16,000,000*
	Fund Sources: Commonwealth Transportation	$14,844,060	~~$0~~ *$16,000,000*		
	Total for Department of Motor Vehicles			**~~$16,844,060~~ *$20,844,060***	**~~$0~~ *$27,500,000***
	Fund Sources: Commonwealth Transportation	~~$16,844,060~~ *$20,844,060*	~~$0~~ *$27,500,000*		
	§ 2-24. DEPARTMENT OF TRANSPORTATION (501)				
C-35.	Maintenance Reserve (15732)			$5,000,000	$5,000,000
	Fund Sources: Commonwealth Transportation	$5,000,000	$5,000,000		
C-36.	Improvements: Acquire, Design, Construct and Renovate Agency Facilities (18130)			$35,000,000	$35,000,000
	Fund Sources: Commonwealth Transportation	$35,000,000	$35,000,000		
	Total for Department of Transportation			**$40,000,000**	**$40,000,000**
	Fund Sources: Commonwealth Transportation	$40,000,000	$40,000,000		

ITEM C-36.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	§ 2-25. VIRGINIA PORT AUTHORITY (407)				
C-37.	Improvements: Cargo Handling Facilities (16048)			$105,000,000	$118,000,000
	Fund Sources: Special	$100,000,000	$113,000,000		
	Commonwealth Transportation	$5,000,000	$5,000,000		
C-38.	Improvements: Expand Empty Yard (16643)			$105,000,000	$118,000,000
	Fund Sources: Special	$100,000,000	$113,000,000		
	Commonwealth Transportation	$5,000,000	$5,000,000		
C-39.	Improvements: Maintain Berths and Wharfs (18713)			$6,000,000	$6,200,000
	Fund Sources: Federal Trust	$6,000,000	$6,200,000		
C-39.10	*Improvements: Capital Lease Amendment for the Virginia International Gateway Terminal (18782)*			*$0*	*$335,000,000*
	Fund Sources: Special	*$0*	*$335,000,000*		
	Total for Virginia Port Authority			**$216,000,000**	**~~$242,200,000~~ *$577,200,000***
	Fund Sources: Special	$200,000,000	~~$226,000,000~~ *$561,000,000*		
	Commonwealth Transportation	$10,000,000	$10,000,000		
	Federal Trust	$6,000,000	$6,200,000		
	TOTAL FOR OFFICE OF TRANSPORTATION			~~**$272,844,060**~~ ***$276,844,060***	~~**$282,200,000**~~ ***$644,700,000***
	Fund Sources: Special	$200,000,000	~~$226,000,000~~ *$561,000,000*		
	Commonwealth Transportation	~~$66,844,060~~ *$70,844,060*	~~$50,000,000~~ *$77,500,000*		
	Federal Trust	$6,000,000	$6,200,000		
	OFFICE OF VETERANS AND DEFENSE AFFAIRS				
	§ 2-26. DEPARTMENT OF MILITARY AFFAIRS (123)				
C-40.	Mjrp Maintenance Reserve (10893)			$2,000,000	$0
	Fund Sources: Federal Trust	$2,000,000	$0		
C-41.	Improve Readiness Centers (18369)			$12,000,000	$0
	Fund Sources: Federal Trust	$9,000,000	$0		
	Bond Proceeds	$3,000,000	$0		
C-42.	Improvements: Convert Southwest Virginia Readiness Center to Regional Field Maintenance Shop (18697)			$6,367,100	$0
	Fund Sources: Federal Trust	$6,367,100	$0		
C-43.	Planning: Construct Microgrid Emergency Backup Generator at the State Military Reservation (18698)			$49,343,135	$0
	Fund Sources: Federal Trust	$49,343,135	$0		
C-43.50	*New Construction: Construct the Army Aviation Support Facility (AASF), Sandston (18668)*			*$2,500,000*	*$0*
	Fund Sources: General	*$2,500,000*	*$0*		

ITEM C-44.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
C-44.	Omitted.				
	Total for Department of Military Affairs			~~$69,710,235~~ *$72,210,235*	**$0**
	Fund Sources: *General*	*$2,500,000*	*$0*		
	Federal Trust	$66,710,235	$0		
	Bond Proceeds	$3,000,000	$0		

§ 2-27. DEPARTMENT OF VETERANS SERVICES (912)

C-45. Improvements: Expand Suffolk Veterans Cemetery (18734)

The Department of Veterans Services is authorized to request federal funds to expand in-ground burial spaces, above-ground columbaria, and construct supporting infrastructure at the Albert G. Horton, Jr. Memorial Veterans Cemetery in Suffolk, Virginia. After the United States Department of Veterans Affairs has determined that federal funds will be allocated for this expansion project, the Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of $5,000,000 to the Department of Veterans Services for design costs and to assist with construction cash flow for the cemetery expansion project. The treasury loan shall be repaid by the Department of Veterans Services upon receipt of federal funds.

C-45.10	*Improvements: Improve Dublin Veterans Cemetery (18773)*			*$0*	*$330,000*
	Fund Sources: Federal Trust	*$0*	*$330,000*		

The Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of up to $100,000 for the Department of Veterans Services for design costs and to assist with cash flow during the reconstruction of the flagpole area and service shield wall at the Southwest Virginia Veterans Cemetery in Dublin, Virginia. The loan shall be repaid by the Department of Veterans Services by June 30, 2026.

C-45.20	*Improvements: Improve Suffolk Veterans Cemetery (18774)*			*$0*	*$330,000*
	Fund Sources: Federal Trust	*$0*	*$330,000*		

The Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of up to $100,000 for the Department of Veterans Services for design costs and to assist with cash flow during the reconstruction of the flagpole area and service shield wall at the Albert G. Horton, Jr. Memorial Veterans Cemetery in Suffolk, Virginia. The loan shall be repaid by the Department of Veterans Services by June 30, 2026.

C-45.30	*Improvements: Improve Amelia Veterans Cemetery (18775)*			*$0*	*$5,500,000*
	Fund Sources: Federal Trust	*$0*	*$5,500,000*		

The Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of up to $1,000,000 for the Department of Veterans Services for design costs and to assist with cash flow during the reconstruction of the flagpole area and service shield wall and the construction of a cemetery operations building, equipment bays, and additional parking spaces at the Virginia Veterans Cemetery in Amelia, Virginia. The loan shall be repaid by the Department of Veterans Services by June 30, 2026.

	Total for Department of Veterans Services			***$0***	***$6,160,000***
	Fund Sources: *Federal Trust*	*$0*	*$6,160,000*		
	TOTAL FOR OFFICE OF VETERANS AND DEFENSE AFFAIRS			~~$69,710,235~~ *$72,210,235*	~~$0~~ *$6,160,000*
	Fund Sources: *General*	*$2,500,000*	*$0*		

ITEM C-45.30.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
	Federal Trust	$66,710,235	~~$0~~ *$6,160,000*		
	Bond Proceeds	$3,000,000	$0		

CENTRAL APPROPRIATIONS

§ 2-28. CENTRAL CAPITAL OUTLAY (949)

C-46.	Central Maintenance Reserve (15776)			~~$204,000,000~~ *$264,000,000*	~~$260,000,000~~ *$200,000,000*
	Fund Sources: General	~~$204,000,000~~ *$264,000,000*	~~$260,000,000~~ *$200,000,000*		

A. Out of this appropriation, $~~204,000,000~~*$264,000,000* the first year and ~~$260,000,000~~*$200,000,000* the second year from the general fund is designated for capital costs of the following maintenance reserve projects:

Agency Name/Code	Project Code	FY 2025	FY 2026
Department of Military Affairs (123)	10893	~~$2,869,016~~ *$3,729,720*	~~$3,729,720~~ *$2,869,016*
The Science Museum of Virginia (146)	13634	~~$1,321,302~~ *$1,717,692*	~~$1,717,692~~ *$1,321,302*
Department of State Police (156)	10886	~~$425,036~~ *$552,547*	~~$552,547~~ *$425,036*
Department of General Services (194)	14260	~~$15,407,765~~ *$18,830,094*	~~$14,830,094~~ *$15,907,765*
Department of General Services (194) on behalf of the Fort Monroe Authority	18644	~~$4,312,942~~ *$5,606,824*	~~$5,606,824~~ *$4,312,942*
Department of Conservation and Recreation (199)	16646	~~$4,244,067~~ *$5,517,286*	~~$5,517,286~~ *$4,244,067*
The Library of Virginia (202)	17423	~~$250,000~~ *$282,118*	~~$250,000~~ *$250,000*
Wilson Workforce and Rehabilitation Center (203)	10885	~~$536,068~~ *$696,888*	~~$696,888~~ *$536,068*
The College of William and Mary (204)	12713	~~$4,677,332~~ *$6,080,531*	~~$6,080,531~~ *$4,677,332*
University of Virginia (207)	12704	~~$14,854,042~~ *$19,310,254*	~~$19,310,254~~ *$14,854,042*
Virginia Polytechnic Institute and State University (208)	12707	~~$18,885,458~~ *$24,551,095*	~~$24,551,095~~ *$18,885,458*
Virginia Military Institute (211)	12732	~~$2,919,609~~ *$3,795,492*	~~$3,795,492~~ *$2,919,609*
Virginia State University (212)	12733	~~$3,824,421~~ *$5,221,747*	~~$4,971,747~~ *$4,574,421*
Norfolk State University (213)	12724	~~$2,994,736~~ *$3,893,157*	~~$3,893,157~~ *$2,994,736*
Longwood University (214)	12722	~~$2,442,242~~ *$2,934,914*	~~$2,134,914~~ *$1,642,242*
University of Mary Washington (215)	12723	~~$7,627,044~~ *$8,265,157*	~~$2,765,157~~ *$2,127,044*
James Madison University (216)	12718	~~$5,012,314~~ *$6,516,008*	~~$6,516,008~~ *$5,012,314*
Radford University (217)	12731	~~$6,223,402~~ *$6,890,423*	~~$2,890,423~~ *$2,223,402*
Virginia School for the Deaf and the Blind (218)	14082	~~$983,159~~ *$1,278,106*	~~$1,278,106,~~ *$983,159*
Old Dominion University	12710	~~$4,941,699~~	~~$6,424,209~~

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(221)			*$6,424,209*		*$4,941,699*
Virginia Commonwealth University (236)	12708		~~$15,974,436~~ *$20,766,767*		~~$20,766,767~~ *$15,974,436*
Virginia Museum of Fine Arts (238)	13633		~~$3,300,000~~ *$4,019,561*		~~$2,184,767~~ *$1,565,206*
Frontier Culture Museum of Virginia (239)	15045		~~$250,000~~ *$320,335*		~~$304,787~~ *$250,000*
Richard Bland College (241)	12716		~~$400,547~~ *$520,711*		~~$520,711~~ *$400,547*
Christopher Newport University (242)	12719		~~$2,701,851~~ *$3,512,406*		~~$3,512,406~~ *$2,701,851*
University of Virginia's College at Wise (246)	12706		~~$2,061,186~~ *$2,529,541*		~~$729,541~~ *$561,186*
George Mason University (247)	12712		~~$4,166,436~~ *$5,416,367*		~~$5,416,367~~ *$4,166,436*
Virginia Community College System (260)	12611		~~$25,438,135~~ *$33,069,575*		~~$33,069,575~~ *$25,438,135*
Virginia Institute of Marine Science (268)	12331		~~$786,767~~ *$1,022,796*		~~$1,022,796~~ *$786,767*
Eastern Virginia Medical School (274)	18190		~~$2,180,212~~ *$2,834,276*		~~$2,834,276~~ *$2,180,212*
Department of Agriculture and Consumer Services (301)	12253		~~$368,106~~ *$478,537*		~~$478,537~~ *$368,106*
Department of Energy (409)	13096		~~$250,000~~ *$272,911*		$250,000
Department of Forestry (411)	13986		~~$1,933,163~~ $2,513,111		~~$2,513,111~~ *$1,933,163*
Gunston Hall (417)	12382		~~$250,000~~ *$525,508*		~~$250,000~~ *$500,000*
Jamestown-Yorktown Foundation (425)	13605		~~$1,528,753~~ *$1,987,379*		~~$1,987,379~~ *$1,528,753*
Department for the Blind and Vision Impaired (702)	13942		~~$320,107~~ *$416,138*		~~$416,138~~ *$320,107*
Department of Behavioral Health and Developmental Services (720)	10880		~~$8,101,746~~ *$10,532,270*		~~$10,532,270~~ *$8,101,746*
Department of Juvenile Justice (777)	15081		~~$1,728,579~~ *$2,247,152*		~~$2,247,152~~ *$1,728,579*
Department of Forensic Science (778)	16320		~~$790,370~~ *$1,027,481*		~~$1,027,481~~ *$790,370*
Department of Corrections (799)	10887		~~$25,129,568~~ *$35,502,827*		~~$50,440,854~~ *$32,414,362*
Institute for Advanced Learning and Research (885)	18044		~~$250,000~~ *$268,884*		$250,000
Department of Veterans Services (912)	17073		~~$250,000~~ *$303,648*		$250,000
Roanoke Higher Education Authority (935)	17916		~~$288,384~~ *$874,899*		~~$374,899~~ *$788,384*
Southern Virginia Higher Education Center (937)	18131		~~$250,000~~ *$282,953*		$250,000
New College Institute (938)	18132		$0		$250,000
Virginia Museum of Natural History (942)	14439		~~$300,000~~ *$338,618*		$300,000
Southwest Virginia Higher Education Center (948)	16499		~~$250,000~~ *$321,087*		~~$308,042~~ *$250,000*
Total			**~~$204,000,000~~**		**~~$260,000,000~~**

ITEM C-46.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
		$264,000,000		***$200,000,000***

B. Expenditures for amounts appropriated in this Item are subject to conditions defined in §2-0 E. of this act.

C. 1. In order to reduce building operation costs and repay capital investments, agencies and institutions of higher education may give priority to maintenance reserve projects which result in guaranteed savings to the agency or institution pursuant to § 45.2-1703, Code of Virginia.

2. Agencies and institutions of higher education may use maintenance reserve funds to finance the following capital costs: to repair or replace damaged or inoperable equipment, components of plant, and utility systems; to correct deficiencies in property and plant required to conform with building and safety codes or those associated with hazardous condition corrections, including asbestos abatement; to correct deficiencies in fire protection, safety and security, energy conservation and handicapped access; and to address such other physical plant deficiencies as the Director, Department of Planning and Budget, may approve. Agencies and institutions of higher education may also use maintenance reserve funds to make other necessary improvements that do not meet the criteria for maintenance reserve funding with the prior approval of the Director, Department of Planning and Budget.

D. The Department of General Services is authorized to use the funds from its maintenance reserve allocation and any balances left from prior maintenance reserve allocations for necessary repairs and improvements in and around Capitol Square for items such as repair and conservation of the historic fence, repair and improvements to the grounds, upkeep and ongoing repairs to the exterior of the Capitol and Bell Tower, needed safety and security upgrades, and conservation and maintenance of monuments and statues. The use of and allocation of these funds shall be as deemed appropriate by the Director, Department of General Services.

E. The Jamestown-Yorktown Foundation may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this Item for the conservation of art and artifacts. Furthermore, it may utilize its annual maintenance reserve allocation to restore, repair or renew exhibits.

F. The Virginia Museum of Fine Arts may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this Item for the conservation of art works owned by the Museum.

G. The Frontier Culture Museum may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this item for the conservation of art and artifacts. Furthermore, it may use its maintenance reserve allocation to pave the loop roads, paths, and parking lots, repair and replace restroom facilities, improve public entrance accessibility, improve the grounds at the museum, and restore, repair or renew exhibits.

H. The Science Museum of Virginia may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this item to restore, repair or renew exhibits and to improve the grounds at the museum.

I. The Virginia Museum of Natural History may use maintenance reserve funds to modify or repair a trailer for use as a mobile museum to further support its mission and outreach.

J.1. Gunston Hall may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this Item to restore, repair, or renew exhibits. Furthermore, it may use its maintenance reserve allocation to pave the roads, paths, and parking lots, improve entrance accessibility, and improve the grounds at the museum.

2. Gunston Hall may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this Item for any maintenance project associated with the preservation and care of historic resources, including the National Historic Landmark, Gunston Hall.

K. The Department of Corrections may use a portion of its annual maintenance reserve

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allocation to make modifications to correctional facilities needed to enable the agency to meet the requirements of the federal Prison Rape Elimination Act.

L.1. The amount in this item allocated for the Department of General Services on behalf of the Fort Monroe Authority under project code 18644 is designated for building and utility repairs at Fort Monroe. After determining those buildings and utilities to be repaired, and the priority in which repairs will be undertaken within the available allocation in this Item, the Fort Monroe Authority shall present an annual plan to the Director, Department of Planning and Budget. The Fort Monroe Authority is authorized to use a portion of this funding allocation to secure the services of a project manager for overseeing and coordinating the on-site efforts involving the various repairs at Fort Monroe. The project manager shall work in consultation and coordination with the Department of General Services. The Department of General Services shall act as fiscal agent for the authorized funds.

2. Fort Monroe may use a portion of its annual maintenance reserve allocation for painting projects that encapsulate exterior lead-based paint to prevent the release of lead-based paint into the environment. Fort Monroe may also use a portion of its annual maintenance reserve allocation for the removal of an elevated water tank, non-historic temporary warehouse buildings, and non-historic brick infill and may install storefront glass windows.

M. The Department of Military Affairs may utilize maintenance reserve funds to renovate facilities at Camp Pendleton for a National Guard youth program.

N. The amount in this item allocated to Eastern Virginia Medical School and any balances left from prior maintenance reserve allocations may be transferred to Old Dominion University to ensure the continued operations of the schools and divisions existing as Eastern Virginia Medical School prior to the effective date of Chapters 756 and 778, 2023 Acts of Assembly.

O. The University of Mary Washington is authorized to use maintenance reserve funding as needed to supplement efforts to address critical life/safety deficiencies in Farmer Hall, Simpson Library, and Monroe Hall.

P. Out of this appropriation, the Department of General Services is authorized to use funds as needed to address critical facility needs in the Monroe Building to ensure tenant safety.

Q. Out of amounts provided in this item, the Department of General Services is authorized to use an amount estimated at $1,000,000 to continue efforts first authorized in Item 71 I. of this act to assess, upgrade, and increase capabilities of systems associated with the management of Commonwealth capital assets.

R. Amounts provided in this item to the Department of General Services may be used as needed, and upon direction of the Clerks of the House and Senate, for renovations for the purposes set out in Item 1.D.2. of this act. Any such project shall be exempt from restrictions applied to maintenance reserve funds.

C-47.	Central Reserve for Capital Equipment Funding (17954)			~~$86,057,000~~ *$100,568,505*	$0
	Fund Sources: General	~~$86,057,000~~ *$100,568,505*	$0		

A. There is hereby appropriated ~~$86,057,000~~ *$100,568,505* in the first year from the general fund to provide funds for equipment for the following projects for which construction was previously authorized.

Agency Code	Agency Name	Project Title
194	Department of General Services	Replace Central State Hospital (18438)
194	Department of General Services	Construct Addition to Current State Records Center Building & Repurpose Workspace in Facility (18515)
199	Department of Conservation and Recreation	Provide Various Utility and ADA Upgrades (18256)

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	212	Virginia State University	Demolish/Replace Daniel Gym and Demolish Harris Hall, Phase I (18333)			
	214	*Longwood University*	*Wygal Hall Replacement (18425)*			
	216	James Madison University	Renovate and Expand Carrier Library (18485)			
	239	Frontier Culture Museum of Virginia	Construct Crossing Gallery (18316)			
	242	Christopher Newport University	Integrated Science Center Phase III (18496)			
	242	*Christopher Newport University*	*Replace Plant Operations and Warehouse Building (18704)*			
	247	George Mason University	Construct Life Sciences and Engineering Building/ Renovate Bull Run Hall (18000)			
	260	Virginia Community College System	Renovate Seefeldt Building, Woodbridge Campus, Northern Virginia (18162)			
	260	Virginia Community College System	Replace Diggs/Moore/Harrison Complex, Hampton, Thomas Nelson (18341)			
	260	*Virginia Community College System*	*Replace French Slaughter Building, Locust Grove, Germanna (18340)*			
	301	*Department of Agriculture and Consumer Services*	*Expand regional animal health laboratories in Harrisonburg, Lynchburg, and Warrenton (18664)*			
	778	Department of Forensic Science	Expand and Renovate Current or Construct New Central Forensic Laboratory and Office of the Chief Medical Examiner (18167)			
C-48.	Planning: Planning Pool for Capital Projects (17968).....				~~$10,908,457~~ *$52,764,207*	$0
	Fund Sources: General.....		~~$8,285,457~~ *$41,010,310*	$0		
	Dedicated Special Revenue.....		~~$2,623,000~~ *$11,753,897*	$0		

A. Included in the appropriation for this item is ~~$8,285,457~~ *$41,010,310* the first year from the general fund and ~~$2,623,000~~ *$11,753,897* the first year from the Central Capital Planning Fund (09650), established under the authority of § 2.2-1520, Code of Virginia, to be used for planning of authorized projects.

B. The following projects are authorized for planning through the schematic design stage and shall be funded from amounts in the Central Capital Planning Fund.

Agency Code	Agency Name	Project Title
194	Department of General Services	Renovate Library Building

C. *1.* Out of this appropriation, $8,285,457 the first year from the general fund shall be used to support the below projects hereby authorized for planning; the general funds authorized per this paragraph shall not be deposited into the Central Capital Planning Fund

ITEM C-48.			Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
(09650):						
	208	Virginia Polytechnic Institute and State University			Renovate Derring Hall	
	212	Virginia State University			Renovate Virginia Hall	
	216	James Madison University			Renovate Johnston Hall	
	229	Virginia Cooperative Extension and Agricultural Experiment Station			Agricultural Research and Extension Center Improvements- Eastern Shore	
	246	University of Virginia's College at Wise			Renovate Darden Hall	

2. The scope of the James Madison University project to Renovate Johnston Hall shall be increased to 33,395 gross square feet, which includes renovation of the existing building consisting of 19,974 gross square feet and an addition of 13,421 gross square feet.

D. Out of this appropriation, $250,000 the first year from the general fund is provided for the Science Museum of Virginia to conduct pre-planning on a project to refurbish and reallocate the interior space of its main location in Richmond, Virginia.

E. Out of this appropriation, $500,000 the first year from the general fund is provided for George Mason University to conduct pre-planning on a project for an Interdisciplinary Science and Engineering Building.

F. Out of this appropriation, $250,000 the first year from the general fund is provided for the Virginia Community College System to conduct pre-planning on a project to replace Buchanan and Tazewell Halls at Southwest Virginia Community College.

G. In accordance with Title 2.2, Chapter 15.1, Code of Virginia, each institution and agency shall follow the capital pool process.

H. Each agency and institution of higher education may use nongeneral funds to complete the planning documents for projects authorized in this item.

I. In accordance with § 2.2-1520, Code of Virginia, the Director, Department of Planning and Budget, shall reimburse the Central Capital Planning Fund for the amounts provided for planning when the project is funded to move into the construction phase.

J.1. The Secretary of Public Safety and Homeland Security shall continue the workgroup established pursuant to Item C-66, paragraph H. of Chapter 1, 2022 Acts of Assembly, Special Session I. The Secretary or his designee shall present the workgroup's assessment, including its recommendations for future utilization of the Beaumont property, the medical facility at Deerfield Correctional Facility, and Powhatan Infirmary, to the Six-Year Capital Outlay Plan Advisory Committee (Committee) and include feedback from the Committee in the workgroup's final report. The workgroup shall report its recommendations to the Governor and Chairs of the House Committee on Appropriations and Senate Committee on Finance and Appropriations no later than November 1, 2024.

2. The Department of Corrections shall not proceed with the Deerfield Correctional Center Expansion or Powhatan Infirmary Replacement planning projects *and authority for the two projects is hereby rescinded.*

K.1. Out of this appropriation, $31,974,853 the first year from the general fund and $9,130,897 from the Central Capital Planning Fund may be used to support the below projects hereby authorized for detailed planning. The $31,974,853 general fund authorized in this paragraph shall be transferred into the Central Capital Planning Fund (09650).

Agency Code	*Agency Name*	*Project Title*
194	*Department of General Services*	*Replace State Laboratory (18706)*
203	*Wilson Workforce and Rehabilitation Center*	*Perform structural repairs on the Birdsall Hoover Medical Building and Watson Student*

ITEM C-48.			Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
		Activities Building				
203	*Wilson Workforce and Rehabilitation Center*	*Replace Switzer student workforce transition (PERT) facility*				
204	*College of William and Mary*	*Renovate Ewell Hall*				
217	*Radford University*	*Construct Roanoke Academic Building*				
221	*Old Dominion University*	*Address Oceanography Building Deferred Maintenance*				
242	*Christopher Newport University*	*Replace Military Sciences Building*				
260	*Virginia Community College System*	*Replace Buchanan and Tazewell Halls, Southwest Virginia CC (18687)*				
720	*Department of Behavioral Health and Developmental Services*	*Food Service Renovations Statewide (18547)*				

2. Out of this appropriation, funding is provided for the following projects to proceed with planning through completion of working drawings:

Agency Code	*Agency Name*	*Project Title*
204	*College of William and Mary*	*Renovate Ewell Hall*
212	*Virginia State University*	*Construct BOLT Leadership Center for Social Responsibility (18703)*

3. Out of this appropriation, funding is provided to initiate detailed planning for a project at Radford University to Construct a Roanoke Academic Building.

L. The scope of the Department of Behavioral Health and Developmental Services Food Service Renovations Statewide project (18547), originally authorized in Item C-66, Chapter 1289, 2020 Acts of Assembly, shall include food service renovations at the Northern Virginia Mental Health Institute, Southwestern Virginia Mental Health Institute, Catawba Hospital, and Southern Virginia Mental Health Institute. The scope of this project shall no longer include the replacement of retherm units, which shall instead be executed in a separate project.

M. Out of this appropriation, $250,000 the first year from the general fund shall be transferred into the Central Capital Planning Fund (09650) and provided for the University of Virginia's College at Wise to conduct pre-planning on a project to construct a technology classroom building.

N. Out of this appropriation, $250,000 the first year from the general fund shall be transferred into the Central Capital Planning Fund (09650) and provided for Virginia State University to conduct pre-planning on a project to replace the Johnston Memorial Library.

O. Out of this appropriation, $250,000 the first year from the general fund shall be transferred into the Central Capital Planning Fund (09650) and provided for Virginia Community College System to conduct pre-planning on a project to renovate the Learning Resource Center at Virginia Highlands Community College.

P.1. The scope of the Department of General Services (DGS) project to Replace State Laboratory (18706) shall be a 298,875 gross square feet lab facility and 401 surface parking spaces. The scope of the project may be expanded to include space to locate state pharmacy operations. Notwithstanding any other provision of law, by no later than December 31, 2025, the Department of Transportation (VDOT) shall transfer to DGS the approximate 21.2 acre portion of Hanover County Tax Parcel 7795-99-9936 located directly south of Tax Parcel 7796-910-0272 for the replacement of the Division of

ITEM C-48.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

Consolidated Laboratory Services facility.

2. Notwithstanding any other provision of law, VDOT shall surplus the remaining 11.4 and 15.3 acre portions of Hanover County Tax Parcel 7795-99-9936 in accordance with the provisions of § 2.2-1156, Code of Virginia. Any proceeds from the sale of the remaining acres may be used to supplement and support existing maintenance reserve and capital project needs for VDOT facilities and any proceeds not so used shall be deposited into the Transportation Trust Fund.

C-49.	2022 Capital Supplement Pool (18646).....			~~$280,000,000~~ *$342,362,850*	$0
	Fund Sources: General.....	~~$280,000,000~~ *$342,362,850*	$0		

A.1. Included in this Item is ~~$280,000,000~~ *$342,362,850* the first year from the general fund designated for project supplements to address shortfalls for projects and central capital construction pools.

2. Funding provided in this Item and remaining from Item C-69.60 of Chapter 1, 2022 Acts of Assembly, Special Session I, and C-79.50 of Chapter 1, 2023 Acts of Assembly, Special Session I, may be transferred and used for the purposes described in paragraph B. of this Item, pursuant to the approval process and requirements in paragraph C. of this Item.

B.1. Notwithstanding § 2.2-1519 E.1., Code of Virginia., funding may be used to address shortfalls for capital projects that (i) were previously authorized for construction in a central construction pool subject to the process delineated in § 2.2-1515 et. seq., Code of Virginia; (ii) have satisfied the requirements of § 2.2-1519 C. and E.2., Code of Virginia; and (iii) have received a funding report from the Department of General Services prior to April 1, 2022.

2. ~~Funding may be used for projects, within the limits of the 105 percent cost threshold set forth in~~ *Notwithstanding* § 2.2-1519 E.1., Code of Virginia, *funding may be used to address shortfalls for capital projects* that (i) were authorized for construction in a central construction pool subject to the process delineated in § 2.2-1515 et. seq., Code of Virginia; (ii) have satisfied the requirements of § 2.2-1519 C. and E.2., Code of Virginia; ~~and~~ (iii) had not received a funding report as of April 1, 2022*; and (iv) meet any other criteria as may be determined by the Six-Year Capital Outlay Plan Advisory Committee*.

3. Funding may be used to address shortfalls for projects that have been authorized in an Appropriation Act or other authorizing legislation for construction that were not budgeted in a central construction pool, provided that the agency is unable to use additional value engineering or reduce the size or scope of the project to remain within available appropriation while meeting the original programmatic intent of the appropriation.

4. Funding may be used to address shortfalls in central capital construction pools that have insufficient funding remaining to meet the outstanding needs of projects authorized within a given pool.

5. Notwithstanding the provisions of paragraph C.3. of this item, $1,000,000 out of this appropriation the first year from the general fund shall be provided as a supplement for project 509-18504, Accomack Airport Regional Hangar.

6. Notwithstanding § 2.2-1519 E.1., Code of Virginia, funding in this Item shall be used to address a shortfall for the Virginia Polytechnic Institute and State University's Replace Randolph Hall project 208-18502, as authorized in Item C-33.10 of Chapter 1289 of the 2020 Acts of Assembly, and amended in Item C-33.10 of Chapter 552 of the 2021 Acts of Assembly, Special Session I, Item C-75 of Chapter 2, 2022 Acts of Assembly, Special Session I, and Item C-75 of Chapter 1, 2023 Acts of Assembly, Special Session I.

7. Notwithstanding § 2.2-1519 E.1., Code of Virginia, funding in this Item shall be used to address a shortfall for the Science Museum of Virginia's Construct Regional Science Center in Northern Virginia project 146-18428, as authorized in Item C-21.75 of Chapter 854 of the 2019 Acts of Assembly and amended in Item C-67 of Chapter 1289 of the 2020 Acts of Assembly.

C.1. A transfer authorized by this Item may only be effectuated if (i) the Director of the

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Department of Planning and Budget provides notice of the amount and purpose of any such proposed transfer to the Six-Year Capital Outlay Plan Advisory Committee; and (ii) no member of the committee or their designee objects, in writing or via email, to the transfer within 14 days of receiving such notice. If an objection is received, the committee may discuss such proposed transfer at its next meeting and vote as to whether to recommend such transfer.

2. Specific project allocations for transfer from this Item shall be based upon recommendations from the Department of General Services.

3. Supplemental amounts determined in accordance with paragraph B.1., B.2., ~~and~~ B.3., *B.6., and B.7.* of this Item shall be adjusted to match the proportion of a project's total cost supported by general fund as set forth in the funding report, *Appendix C commitment*, Appropriation Act, or other authorizing legislation.

4. After receiving funds pursuant to paragraphs B.1., *B.2.*, ~~or~~ B.3., *B.6., or B.7.* of this Item, projects shall comply with the provisions of paragraph K. of § 2.0 of this act.

C-50.	2024 Public Educational Institution Capital Account (18717).....			$317,592,276	$0
	Fund Sources: Higher Education Operating.....	$222,285	$0		
	Bond Proceeds.....	$317,369,991	$0		

A.1. The capital projects in paragraph B. of this Item are hereby authorized and may be financed in whole or in part through bonds of the Virginia College Building Authority pursuant to § 23.1-1200 et seq., Code of Virginia, in a principal amount not to exceed $308,037,036 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses. Bonds of the Virginia College Building Authority issued to finance these projects may be sold and issued under the 21st Century College Program at the same time with other obligations of the Authority as separate issues or as a combined issue.

2. From the list of projects included in paragraph B. of this Item, the Director, Department of Planning and Budget, shall provide to the Chairman of the Virginia College Building Authority with the specific projects, as well as the amounts for these projects, to be financed by the Authority within the dollar limit established by this authorization.

3. Debt service on the projects contained in this Item shall be provided from appropriations to the Treasury Board.

B. There is hereby appropriated $308,037,036 the first year from bond proceeds of the Virginia College Building Authority and $9,555,240 the first year from nongeneral fund resources, including amounts authorized from bonds pursuant to Article X, Section 9(d), Constitution of Virginia, as specified in Item C-59 of this act, to provide funds for the construction and other capital costs of the following projects subject to the pool process delineated in Section 2.2-1515 et. seq., Code of Virginia:

Agency Code	Agency Title	Project Title
204	The College of William and Mary in Virginia	Renovate Historic Campus (18678)
204	The College of William and Mary in Virginia	Improve James Monroe's Highland
211	Virginia Military Institute	Replace Windows in Old and New Barracks (18604)
211	Virginia Military Institute	Construct Moody Hall (18665)
213	Norfolk State University	Renovate/Replace Fine Arts Building

ITEM C-50.			Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
			(18543)			
	214	Longwood University	Replace Steam Distribution Systems To Four Campus Buildings			
	216	James Madison University	Improve East Campus Infrastructure Phase 3 (18738)			
	229	Virginia Cooperative Extension and Agricultural Experiment Station	Improve Center Woods Complex (18699)			
	234	Cooperative Extension and Agricultural Research Services	Renovate Summerseat for Urban Architecture Center (18545)			
	241	Richard Bland College	Replace HVAC System for Statesman Hall			
	242	Christopher Newport University	Replace Integrated Science Center Fume Hoods and Pressurization Valves and Controls			
	242	Christopher Newport University	Replace Plant Operations and Warehouse Building (18704)			

C. Virginia Military Institute is authorized to utilize nongeneral fund resources for any additional costs as needed to complete working drawings for project 211-18665, Construct Moody Hall.

C-51.	2024 State Agency Capital Account (18718).....			$31,823,217	$0
	Fund Sources: General.....	$8,555,135	$0		
	Bond Proceeds.....	$23,268,082	$0		

A.1. The capital projects in paragraph B. of this Item are hereby authorized and may be financed in whole or in part through bonds of the Virginia Public Building Authority pursuant to § 2.2-2260 et seq., Code of Virginia, in a principal amount not to exceed $23,268,082 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, in accordance with § 2.2-2263, Code of Virginia.

2. From the list of projects included in paragraph B. of this Item, the Director, Department of Planning and Budget, shall provide to the Chairman of the Virginia Public Building Authority with the specific projects, as well as the amounts for these projects, to be financed by the Authority within the dollar limit established by this authorization.

3. Debt service on the projects contained in this Item shall be provided from appropriations to the Treasury Board.

B. There is hereby appropriated $8,555,135 the first year from the general fund and $23,268,082 the first year from bond proceeds of the Virginia Public Building Authority to provide funds for the construction and other capital costs of the following projects subject to the pool process delineated in Section § 2.2-1515 et. seq., Code of Virginia:

Agency Code	Agency Title	Project Title
423	Department of Historic	Construct Clermont Farm Barn

ITEM C-51.			Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
		Resources	Replacement (18642)			
	425	Jamestown-Yorktown Foundation	Replace Walkways and Improve Lighting			
	425	Jamestown-Yorktown Foundation	Replace Roofs at Jamestown Settlement and Emerson Central Support Complex			
	425	Jamestown-Yorktown Foundation	Renovate the Susan Constant			
	720	Department of Behavioral Health and Developmental Services	Address heating and hot water requirements at Hiram Davis Medical Center and Central State Hospital building 94			
	777	Department of Juvenile Justice	Renovate Bon Air Juvenile Correctional Center and Oak Ridge Juvenile Correctional Facility			

C. In addition to the appropriation authorized in this Item, the Director, Department of Planning and Budget, shall transfer unutilized Virginia Public Building Authority bond authorization and appropriation in the amount of $2,597,352 from the Department of Corrections "Equip Correctional Center in Culpeper County" project 799-18136, as authorized in Item C-26.10, Chapter 2, 2014 Acts of Assembly, Special Session I, and amended by Item C-33, Chapter 780, 2016 Acts of Assembly, to this project in order to fund projects listed in paragraph B.

D. The Director, Department of Planning and Budget, shall transfer to this item the remaining balance of Virginia Public Building Authority bond proceed authorization from project 995-18495, originally authorized in Item C-72 of Chapter 1289, 2020 Acts of Assembly and subsequently amended in Chapter 552, 2021 Acts of Assembly, Special Session I.

E. Funds authorized in this Item for the Department of Behavioral Health and Developmental Services to address heating and hot water requirements at Hiram Davis Medical Center and Central State Hospital building 94 may be utilized for ancillary and equipment costs of addressing temporary capital needs necessary for the provision of heat and hot water at Hiram Davis Medical Center pending the recommendations of the State and Community Consensus and Planning Team established pursuant to § 37.2-316, Code of Virginia, and final disposition of the facility.

C-52. *2022 State Agency Capital Account (18587)*..... *$10,939,000* *$0*

Fund Sources: *General*..... *$10,939,000* *$0*

A. The authorized scope for project 156-18541, Virginia State Police Training Academy, originally authorized in Item C-72 of Chapter 2, 2022 Acts of Assembly, Special Session I, is hereby amended to planning at a cost not to exceed $2,500,000. Planning shall include options regarding (i) the total size, scope, and cost of the project, and (ii) feasible usage of the proposed training facility by other state and local law enforcement entities, and must be presented to the Six-Year Capital Outlay Plan Advisory Committee for consideration and approval. *Once the project scope is approved by the Six-Year Capital Outlay Plan Advisory Committee, the project is authorized for full planning through working drawings. The Department of General Services shall serve as the project manager responsible for overseeing and coordinating the capital project.*

B. On or before June 30, 2025, the Director, Department of Planning and Budget, shall revert $47,500,000 general fund appropriation from the 2022 State Agency Capital Account (949-18587) to the general fund.

~~C. All language provisions set forth in preceding legislation related to project 194-18516 are hereby continued in their entirety.~~

I VETO ITEM C-52.10 ON PAGES 2367 AND 2368 /s/ Glenn Youngkin 5-2-25

C-52.10 2025 Public Educational Institution Capital Account (18763)..... *$795,375,294* *$0*

ITEM C-52.10.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
Fund Sources: General	*$626,043,774*	*$0*		
Higher Education Operating	*$144,800,000*	*$0*		
Bond Proceeds	*$24,531,520*	*$0*		

A. There is hereby appropriated $626,043,774 the first year from the general fund and $169,331,520 the first year from nongeneral fund resources, including amounts authorized from bonds pursuant to Article X, Section 9(d), Constitution of Virginia, as specified in Item C-59 of this Act, to provide funds for the construction, acquisition, and other capital costs of the following projects subject to the pool process delineated in Section 2.2-1515 et. seq., Code of Virginia:

Agency Code	***Agency Title***	***Project Title***
204	*The College of William and Mary in Virginia*	*Replace Law School Central Utility Plant*
207	*University of Virginia*	*Construct Center for the Arts (18602)*
208	*Virginia Polytechnic Institute and State University*	*Expand Virginia Tech-Carilion School of Medicine and Fralin Biomedical Research Institute (18682)*
212	*Virginia State University*	*Renovate Virginia Hall (18757)*
214	*Longwood University*	*Replace Roof, Windows, and External Doors Lankford Hall*
216	*James Madison University*	*Renovate Johnston Hall (18758)*
236	*Virginia Commonwealth University*	*Acquire Altria Building*
260	*Virginia Community College System*	*Renovate Amherst/Campbell Hall, Central Virginia (18343)*
268	*Virginia Institute of Marine Science*	*Construct Marine Operations Administration Complex (18746)*
885	*Institute for Advanced Learning and Research*	*Expand Center for Manufacturing Advancement (18705)*

B.1. The Department of General Services may serve as the project manager responsible for overseeing and coordinating the project to Renovate Virginia Hall (18757) with Virginia State University.

2. The scope of the project to Renovate Virginia Hall (212-18757) is hereby expanded to include the renovation of four smaller campus buildings at Virginia State University, as follows: Colson Hall, Lindsay Montague, Johnella Jackson, and Memorial Hall. The intent of these renovations is to provide near-term relocation of educational and general faculty and staff relocated from Virginia Hall. The scope of the projects shall include any needed updates to the buildings' critical systems, envelope, and/or other core elements as needed for the buildings to be utilized by the institution in the long term as educational and general office support space.

C. To execute the project titled "Acquire Altria Building," Virginia Commonwealth University (VCU) shall remit lease payments above the actual operating costs of the building to the general fund or shall reduce the general fund portion of the purchase price equal to the amount of such excess lease payments while VCU leases space in the building to Altria or any other entity not related to Virginia Commonwealth University or the Virginia Commonwealth University Health System Authority.

C-52.20	*2025 State Agency Capital Account (18764)*		*$106,566,064*	*$0*
	Fund Sources: General	*$106,566,064*	*$0*	

ITEM C-52.20.	Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026

A. There is hereby appropriated $106,566,064 the first year from the general fund to provide funds for the construction, acquisition, and other capital costs of the following projects subject to the pool process delineated in Section § 2.2-1515 et. seq., Code of Virginia:

Agency Code	*Agency Title*	*Project Title*
156	*Department of State Police*	*Acquire Division Six Headquarters (18326)*
194	*Department of General Services*	*Renovate Patrick Henry Building Administration Offices*
194	*Department of General Services*	*Carillon Tenant Improvements*
218	*Virginia School for the Deaf and the Blind*	*Renovate Main Hall Interior*
238	*Virginia Museum of Fine Arts*	*Install Fire Protection System*
720	*Department of Behavioral Health and Developmental Services*	*Replace retherm units at state facilities*
777	*Department of Juvenile Justice*	*Replace sprinkler system in Bon Air Juvenile Correctional Center expansion building*
912	*Department of Veterans Services*	*Acquire Additional Land for Suffolk Veterans Cemetery*

B. The scope and title of the Department of State Police project to Construct Division Six Headquarters (18326), as previously authorized in the fourth enactment clause of Chapters 759 and 769 of the 2016 Acts of Assembly and amended in Item C-66 of Chapter 552 of the 2021 Acts of Assembly, Special Session I, is hereby changed to Acquire Division Six Headquarters.

C-53. Improvements: Workforce Development Projects (18418) $22,153,969 $0

Fund Sources: General $22,153,969 $0

Included in this Item is $22,153,969 the first year from the general fund, which shall be allocated in accordance with signed Memorandums of Understanding under the provisions established in § 23.1-1239 through § 23.1-1243, Code of Virginia, and shall be used to support the efforts of qualified institutions to increase by fiscal year 2039 the number of new eligible degrees by at least 25,000 more degrees than the number of such degrees awarded in 2018 and to improve the readiness of graduates to be employed in technology-related fields and fields that align with traded-sector growth opportunities identified by the Virginia Economic Development Partnership.

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C-53.50 Improvements: Wastewater Treatments Upgrades (18745) ..... ~~$200,000,000~~ *$231,164,700* $200,000,000

Fund Sources: General $0 $0

Bond Proceeds ..... ~~$200,000,000~~ *$231,164,700* $200,000,000

A.1. Out of this appropriation, ~~$200,000,000~~ *$231,164,700* the first year and $200,000,000 the second year from nongeneral fund bond proceeds areauthorized for transfer to the Department of Environmental Quality to make matching grants for Water Quality Improvement Fund eligible wastewater projects for Chesapeake Bay nutrient reductions authorized under Code of Virginia §§ 10.1-1186.01.F., 10.1-2131.C., and 62.1-44.19:14.G.1.

2. The Virginia Public Building Authority pursuant to § 2.2-2260 et seq., Code of

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Virginia, is hereby authorized to issue bonds in a principal amount not to exceed ~~$200,000,000~~ *$231,164,700* the first year and $200,000,000 the second year plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, in accordance with § 2.2-2263, Code of Virginia, to be provided to the Department of Environmental Quality to make matching grants for Water Quality Improvement Fund eligible wastewater projects for Chesapeake Bay nutrient reduction authorized under Code of Virginia §§ 10.1-1186.01.F., 10.1-2131.C., and 62.1- 44.19:14.G.1.

3. Debt service on the bonds issued under the authorization in this item shall be provided from appropriations to the Treasury Board.

C-53.60	2020 VPBA Capital Construction Pool (18493).....	$0	$0

A. The scope of the capital project for the Virginia Museum of Fine Arts, titled, "Expand and Renovate Museum (18430)" authorized in Item C-67, Chapter 1289, 2020 Acts of Assembly, is hereby changed to: consolidate the proposed annex programs and associated square footage into the museum expansion/renovation; eliminate plans for new underground parking and replace associated square footage with additional museum and administrative support spaces; and provide food service support to the project as required by the program. There shall be no change to the size of the project as previously approved.

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B.1. The scope and title of the Department of General Services project to "Provide water infrastructure to state facilities in Nottoway County, Virginia" (194-18516), as previously authorized in Item C-67 of Chapter 1289 of the 2020 Acts of Assembly, and amended in Item C-78 of Chapter 1 of the 2023 Acts of Assembly, Special Session I, is hereby amended and changed to "Replace water transmission line to state facilities in Nottoway County, Virginia (194-18516)". The scope of the project shall be to replace the main water transmission line and to explore increasing water capacity via wells to support the water needs of Piedmont Geriatric Hospital, the Virginia Center for Behavioral Rehabilitation (Phases 1 and 2), and Nottoway Correctional Center. The Department shall proceed expeditiously to satisfy the scope of the project as described.

2. Funds appropriated to the 2022 Capital Supplement Pool in Item C-49 of this act and remaining from previous appropriation to the 2022 Capital Supplement Pool shall be used to support the cost of this project if needed beyond amounts originally assumed and available from the 2020 VPBA Capital Construction Pool to execute the project as described in paragraph B.1. of this item.

3. The Department is authorized to construct, provide, and improve infrastructure as necessary to implement the project, to acquire by purchase, gift, or power of eminent domain such lands, structures, rights-of-way, franchises, easements, and other interests in lands of any person, association, partnership, corporation, railroad, public service, public utility, municipality or political subdivision, all without obtaining the consent or permission of any locality or public body. Condemnation proceedings authorized by the preceding sentence shall be conducted, at the option of the Department, under the provisions of Chapter 2 or Chapter 3 of Title 25.1 of the Virginia Code. The ownership, construction, and operation of the infrastructure shall not be subject to any state or local permitting requirements or similar ordinances or regulations. Upon completion of construction, the Department is authorized to transfer ownership and/or operation of all or any part of the property to one or more locality, which shall not require the consent or permission of any locality or public body. The exercise of the power of eminent domain for the purposes provided herein shall be and is declared to be a public use of such property.

4. The Virginia Resources Authority (VRA) and the Department of Health (VDH) shall assist the Town of Crewe with exploring and evaluating funding options to upgrade, repair, or replace water infrastructure to increase water capacity, including but not limited to, identifying grants and revolving loans. Upon request, other state agencies shall provide assistance as needed to support this effort. No later than January 1, 2026, VRA and VDH shall provide information to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on the funding options for additional infrastructure upgrades needed to provide water for the Town of Crewe.

ITEM C-53.70.		Item Details($) First Year FY2025	Item Details($) Second Year FY2026	Appropriations($) First Year FY2025	Appropriations($) Second Year FY2026
C-53.70	*2020 VCBA Capital Construction Pool (18494).....*			*$15,545,100*	*$0*
	Fund Sources: General.....	*$15,545,100*	*$0*		
	The title of the capital project for the Virginia Community College System originally authorized for pre-planning in Item C-39.05, Chapter 806, 2013 Acts of Assembly, and authorized for construction in Item C-68, Chapter 1289, 2020 Acts of Assembly, as "Renovate Godwin Building, Annandale Campus, Northern Virginia" (18087) is hereby changed to "Replace Godwin Building, Annandale Campus, Northern Virginia". The project scope shall include replacement of the Godwin Building with a 82,995 square foot facility. There shall be no change to the facility's intended use.				
C-53.80	*Improvements: Local Water Quality and Supply Projects (18050).....*			*$40,000,000*	*$0*
	Fund Sources: Bond Proceeds.....	*$40,000,000*	*$0*		
	A. The Virginia Public Building Authority, pursuant to § 2.2-2260 et seq., Code of Virginia, is authorized to issue bonds in a principal amount not to exceed $40,000,000, plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, to finance the costs of the projects described in paragraph C. of this item.				
	B. Debt service on the bonds issued under the authorization in this item shall be provided from appropriations to the Treasury Board.				
	C. From the appropriation and bond authorization provided in this item, up to $40,000,000 of the bond proceeds shall be provided to the Department of Environmental Quality for the Stormwater Local Assistance Fund, established in accordance with the provisions of Item 365 of this act. In accordance with the purpose of the Fund set out in Item 365, the appropriation shall be used to provide grants solely for capital projects meeting all pre-requirements for implementation, including but not limited to: i) new stormwater best management practices; ii) stormwater best management practice retrofits; iii) stream restoration; iv) low impact development projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration. Such grants shall be in accordance with eligibility determinations made by the State Water Control Board under the authority of the Department of Environmental Quality.				
	D. The provisions of §§ 2-0 and 4-4.01 of this act and the provisions of § 2.2-1132, Code of Virginia, shall not apply to the projects supported by this item.				
C-54.	Authorization of Leases and Financed Purchase Agreements (18715).....			$0	$0
	A. The Department of General Services is authorized to enter into leases or financed purchase agreements that may qualify as a capital project pursuant to § 4-3.03 of this Act as follows:				
	1 . On behalf of the Department of Motor Vehicles, to address lease space needs for a customer service center to replace or renew the lease for the existing facility in Arlington County, Fairfax County, Fauquier County, Russell County, Shenandoah County, Warren County, the City of Petersburg, and the City of Virginia Beach.				
	2. On behalf of the Department of Motor Vehicles, to address customer service needs in the City of Chesapeake by leasing space for an additional customer service center.				
	3. On behalf of the Department of Corrections, to address space needs for probation and parole offices in Alexandria, Arlington, Bedford, Bristol, Danville, Chesapeake, Farmville, *the City of Franklin,* Fredericksburg, Gloucester, Henrico, Harrisonburg, Leesburg, *Lynchburg,* Martinsville, *Newport News,* Prince George/Hopewell, Radford, Roanoke, South Boston, Staunton, Suffolk, *Tazewell, Winchester,* and Wytheville.				
	4. On behalf of the Department of Aging and Rehabilitative Services, to address lease space needs for its headquarters in the greater Richmond area.				

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/s/ Glenn Youngkin
3-24-2025

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5. On behalf of the Department of Health, to address lease space needs for local health departments, WIC offices, and other agency functions in Alexandria, Chesterfield, Colonial Heights, Hampton, Louisa, Newport News, Norfolk, Petersburg, the Rockbridge-Buena Vista-Lexington area, Virginia Beach, Waynesboro, and its Office of Vital Records in the greater Richmond area.

6. On behalf of the Virginia Department of Emergency Management, to address lease space needs for hazardous materials training classroom, storage, and administrative space in York County. Such needs may be met through the lease of modular buildings.

7. On behalf of the Virginia Department of Emergency Management, to address lease space needs for its disaster logistics warehouse in the greater Richmond area. Such needs may be met through the lease of privately-owned warehouse space only if the agency has sufficient existing funding to cover the annual cost of the private space and if the Department of General Services determines that existing state space is not adequate to meet the needs of the Virginia Department of Emergency Management.

C-55.	Transfer Appropriation between Capital Projects and Adjust Authorizations (18716).....		$0	$0

A.1. The Director, Department of Planning and Budget, shall transfer a total of $604.52 unutilized Virginia College Building Authority bond authorization and appropriation from the projects as identified in the subsections below and in the amounts shown to the 2016 VCBA Capital Construction Pool project 18301, as authorized in § 2, Chapters 759 and 769, 2016 Acts of Assembly and amended by Item C-48, Chapter 2, 2018 Acts of Assembly, Special Session I.

2. Longwood University “Construct Addition and Renovate Bedford Hall” project 214-17317, as authorized in C-72, Chapter 847, 2007 Acts of Assembly and amended by C-182.10, Chapter 781, 2009 Acts of Assembly, in the amount of $284.00.

3. Norfolk State University “Information Technology Infrastructure” project 213-18426, as authorized in C-10.20 of Chapter 854, 2019 Acts of Assembly, in the amount of $320.52.

B. 1. The Director, Department of Planning and Budget, shall transfer a total of $522,175.90 unutilized Virginia Public Building Authority bond authorization and appropriation from the projects as identified in the subsections below and in the amounts shown to the 2019 Capital Construction Pool project 18408, as authorized in Item C-48.10, Chapter 854, 2019 Acts of Assembly.

2. The Department of Conservation and Recreation “Land Acquisition” project 199-16779, as authorized in Chapter 855, 2002 Acts of Assembly, in the amount of $74,151.09.

3. The Virgina Museum of Fine Arts “Repair and Replace Deteriorating Plywood in the Mellon Galleries” project 238-18374, as authorized in C-22, Chapter 2, 2018 Acts of Assembly, Special Session I, in the amount of $2,130.08.

4. The Department of Juvenile Justice “Remove Abandoned Underground Fuel Tanks” project 777-17600, as authorized in C-139, Chapter 879, 2008 Acts of Assembly, in the amount of $25,134.58.

5. The Department of Corrections “Women's Multi-Custodial CC” project 799-15461, as authorized in C-122.75, Chapter 1042, 2003 Acts of Assembly, in the amount of $23,980.47.

6. The Department of Corrections “Locking Systems and Cell Door Replacement” project 799-16113, as authorized in C-122 of Chapter 464, 1998 Acts of Assembly, and amended in C-270 of Chapter 847, 2007 Acts of Assembly, and C-122 of Chapter 879, 2008 Acts of Assembly, in the amount of $10,697.76.

7. The Department of Corrections “Remedy Environmental Deficiencies” project 799-17139, as authorized in C-164.10, Chapter 951, 2005 Acts of Assembly, and amended in C-278, Chapter 3, 2006 Acts of Assembly, Special Session I, and C-181.10, Chapter 781, 2009 Acts of Assembly, in the amount of $416,081.92.

C. Authority for the Department of Forestry “Acquire Conway Robinson State Forest Border Tract” project 411-18650, as authorized in C-3.10 of Chapter 2, 2022 Acts of Assembly,

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Special Session I, is hereby rescinded. Unutilized general fund in the amount of $2,500,000 for this project shall be transferred to the 2016 VCBA Capital Construction Pool project 18301, as authorized in § 2, Chapters 759 and 769, 2016 Acts of Assembly and amended by Item C-48, Chapter 2, 2018 Acts of Assembly, Special Session I.

D. Unutilized general fund from the Virginia Cooperative Extension and Agricultural Experiment Station "Relocate Hampton Roads Agricultural Research and Extension Center" project 229-18652 in the amount of $135,089.62 shall be transferred to the 2016 VCBA Capital Construction Pool project 18301, as authorized in § 2, Chapters 759 and 769, 2016 Acts of Assembly and amended by Item C-48, Chapter 2, 2018 Acts of Assembly, Special Session I.

E. Authority for the Wilson Workforce and Rehabilitation Center "Emergency Replacement of HVAC System Mary Switzer Building" project 203-18566, as authorized in Item C-68.50 of Chapter 552, 2021 Acts of Assembly, Special Session I, is hereby rescinded. Unutilized Virginia Public Building Authority bond authorization and appropriation from this project, including those that were assumed in Item C-68.50 of Chapter 552, 2021 Acts of Assembly, Special Session I , and have not yet been transferred to the project, in the amount of $1,478,000 shall be transferred to the 2019 Capital Construction Pool project 18408, as authorized in Item C-48.10, Chapter 854, 2019 Acts of Assembly.

F. Authority for the Department of Juvenile Justice "Construct New Juvenile Correctional Center" project 777-18286, as originally authorized in Chapter 759 and 769, 2016 Acts of Assembly, as amended by Item C-47, Chapter 2, 2018 Acts of Assembly, Special Session I, and Item C-47, Chapter 1283, 2020 Acts of Assembly, is hereby rescinded.

G.1. The Director, Department of Planning and Budget, shall transfer a total of $2,148,546.07 unutilized Virginia College Building Authority (VCBA) bond authorization and appropriation and a total of $6,021,912.22 unutilized general fund appropriation from the projects as identified in the subsections below and in the amounts shown to the 2020 VCBA Capital Construction Pool project 18494, as authorized in Item C-68, Chapter 1289, 2020 Acts of Assembly, and amended in Item C-68, Chapter 552, 2021 Acts of Assembly, Special Session I.

2. Longwood University "Asbestos Abatement" project 214-17448, as authorized in C-80.20 of Chapter 3 of the 2006 Acts of Assembly, Special Session I, and amended in C-182.10 of Chapter 781 of the 2009 Acts of Assembly, in the amount of $404,574.12 in VCBA appropriation.

3. Virginia Community College System "Supplemental Funding for Previously Authorized Capital Projects" project 260-17167, as authorized in C-108.85 of Chapter 951 of the 2005 Acts of Assembly, and amended in C-173 of Chapter 3 of the 2006 Acts of Assembly, Special Session I, C-68 of Chapter 879 of the 2008 Acts of Assembly, and C-182.10 of Chapter 781 of the 2009 Acts of Assembly, in the amount of $1,276,100 in VCBA appropriation.

4. Virginia Polytechnic Institute and State University "Data and Decision Science Building" project 208-18427, as authorized in C-20.20 of Chapter 854 of the 2019 Acts of Assembly, and amended in C-27 of Chapter 1289 of the 2020 Acts of Assembly, in the amount of $467,871.95 in VCBA appropriation.

5. Department of General Services "Improve and Convey Property in Clarke County" project 194-18686, as authorized in C-2.80 of Chapter 1 of the 2023 Acts of Assembly, Special Session I, in the amount of $6,000,000 in general fund appropriation.

6. Department of Corrections "Replace windows and mechanical systems" project 799-17919, as authorized in C-78.30 of Chapter 890 of the 2011 Acts of Assembly, in the amount of $3,466.22 in general fund appropriation.

7. Department of Conservation and Recreation "Acquisition of land for State Parks" project 199-18236, as authorized in C-25 of Chapter 780 of the 2016 Acts of Assembly, and amended in C-25 of Chapter 836 of the 2017 Acts of Assembly, C-25 of Chapter 2 of the 2018 Acts of Assembly, Special Session I, C-25 of Chapter 854 of the 2019 Acts of Assembly, C-40 of Chapter 1289 of the 2020 Acts of Assembly, C-40 of Chapter 552 of the

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2021 Acts of Assembly, Special Session I, and C-25 of Chapter 2 of the 2024 Acts of Assembly, Special Session I, in the amount of $18,446 in general fund appropriation.

H.1. The Director, Department of Planning and Budget, shall transfer a total of $1,940,368.35 unutilized Virginia Public Building Authority (VPBA) bond authorization and appropriation and a total of $442,591.47 unutilized general fund appropriation from the projects as identified in the subsections below and in the amounts shown to the 2020 VPBA Capital Construction Pool project 18493, as authorized in Item C-67 of Chapter 1289 of the 2020 Acts of Assembly, and amended in Item C-78 of Chapter 2 of the 2022 Acts of Assembly, Special Session I.

2. Virginia Port Authority "Enhance Norfolk International Terminals" project 407-18245, as authorized in Enactment 5 of Chapters 759 and 769 of the 2016 Acts of Assembly, in the amount of $175,570.03 in VPBA appropriation.

3. Department of Corrections "Renovate Virginia Correctional Center for Women" project 799-17972, as authorized in C-26 of Chapter 3 of the 2014 Acts of Assembly, Special Session I, in the amount of $260,163.47 in general fund appropriation and in the amount of $827,846.17 in VPBA appropriation.

4. Department of Emergency Management "Environmental Cleanup of the Emergency Fuel Storage Facility" project 127-15163, as authorized in C-95.1 of Chapter 723 of the 1991 Acts of Assembly, and subsequently amended and renamed "Restore Fuel Storage" in C-65.8 of Chapter 994 of the 1993 Acts of Assembly, C-72 of Chapter 912 of the 1996 Acts of Assembly, C-133 of Chapter 464 of the 1998 Acts of Assembly, C-179 of Chapter 1073 of the 2000 Acts of Assembly, and C-123.20 of Chapter 1042 of the 2003 Acts of Assembly, in the amount of $154,893.58 in VPBA appropriation.

5. Department of Juvenile Justice "Upgrade fire alarm and protection systems" project 777-17601, as authorized in C-140 of Chapter 879 of the 2008 Acts of Assembly, in the amount of $96,345.07 in VPBA appropriation.

6. Department of Emergency Management "Maintenance Reserve" project 127-15989, as allocated from Central Maintenance Reserve project 949-15776, in the amount of $182,428 in general fund appropriation and $685,713.50 in VPBA appropriation.

I. Authority for the Department of State Police "Construct Area 39 Office in Rockbridge County" project 156-18421, as authorized in C-34.30 of Chapter 854 of the 2019 Acts of Assembly, is hereby rescinded. Unutilized general fund in the amount of $725,000 for this project shall be transferred to the 2020 VCBA Capital Construction Pool project 18494, as authorized in Item C-68 of Chapter 1289 of the 2020 Acts of Assembly, and amended in Item C-68 of Chapter 552 of the 2021 Acts of Assembly, Special Session I.

C-56. Authorize Bonds for the Virginia Public Building Authority (18736).....

A. The Virginia Public Building Authority, pursuant to § 2.2-2260 et seq. of the Code of Virginia, is authorized to issue bonds in a principal amount not to exceed $75,010,140 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, to finance the capital costs of the projects described in paragraph C. of this Item.

B. Debt service on bonds issued under the authorization in this Item shall be provided from appropriations to the Treasury Board.

C. The appropriations for the following authorized projects are contained in the appropriation Items listed:

Agency Name/Project Title	Project Code	Item	VPBA Bonds
Department of Behavioral Health and Developmental Services (720)			

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Improve Safety and Security at Eastern State Hospital	18680	C-23		$24,340,860		
Renovate, Repair, and Upgrade State-Operated Facilities	18731	C-24		$20,000,000		
Department of Corrections (799)						
DOC Capital Infrastructure Fund	18480	C-32		$7,669,280		
Department of Conservation and Recreation (199)						
Replace Underground Storage Tanks- Phase 1	18673	C-27		$3,000,000		
Natural Tunnel State Park Renovations	18742	C-29.10		$4,000,000		
Construct New Facilities and Trails at Widewater State Park	18743	C-29.20		$10,000,000		
Department of Wildlife Resources						
Repair and Upgrade Lake Shenandoah Dam	18744	C-30.10		$3,000,000		
Department of Military Affairs (123)						
Improve Readiness Centers	18369	C-41		$3,000,000		
Total VPBA Bonds				**$75,010,140**		

C-57. Authorize Bonds for the Virginia College Building Authority (18737).....

A. The Virginia College Building Authority, pursuant to § 23.1-1200 et seq. of the Code of Virginia, is authorized to issue bonds in a principal amount not to exceed $94,564,327 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, to finance the capital costs of the projects described in paragraph C. of this Item.

B. Debt service on bonds issued under the authorization in this Item shall be provided from appropriations to the Treasury Board.

C. The appropriations for the following authorized projects are contained in the appropriation Items listed:

Agency Name/Project Title	Project Code	Item	VCBA Bonds
George Mason University (247)			
Address Priority Facility Improvements	18720	C-5	$8,000,000
Norfolk State University (213)			
Improve Campus Infrastructure	18724	C-8	$14,064,327
Old Dominion University (221)			
Campus Infrastructure	18670	C-9	$8,000,000

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Repair- Phase I						
Virginia State University (212)						
Improve South Entrance and Campus Security	18735	C-21		$15,000,000		
University of Mary Washington (215)						
Address Critical Life/Safety	18725	C-11		$17,500,000		
Virginia Community College System (260)						
Systemwide Small Renovations	18721	C-16		$24,000,000		
Virginia Polytechnic Institute and State University (208)						
Improve Campus Accessibility	18723	C-19		$8,000,000		
Total VCBA Bonds				**$94,564,327**		
Total for Central Capital Outlay					~~**$1,152,534,919**~~ ***$2,330,855,182***	~~**$460,000,000**~~ ***$400,000,000***
Fund Sources: General			~~$609,051,561~~ *$1,537,744,707*	~~$260,000,000~~ *$200,000,000*		
Higher Education Operating			~~$222,285~~ *$145,022,285*	$0		
Dedicated Special Revenue			~~$2,623,000~~ *$11,753,897*	$0		
Bond Proceeds			~~$540,638,073~~ *$636,334,293*	$200,000,000		

§ 2-29. 9(C) REVENUE BONDS (950)

C-58. A.1. This Item authorizes the capital projects listed below to be financed pursuant to Article X, Section 9(c), Constitution of Virginia.

2. The appropriations for said capital projects are contained in the appropriation Items listed below and are subject to the conditions in § 2-0 F. of this act.

3. The total amount listed in this Item includes ~~$124,285,000~~ *$330,370,243* in bond proceeds.

Agency Name/ Project Title	Item	Project Code	Section 9(c) Bonds
The College of William and Mary in Virginia (204)			
Renovate Dormitories	C-4	18218	$5,000,000
Construct West Woods Phase 2	*C-4.10*	*18766*	*$120,000,000*
Virginia State University (212)			
Construct New Student Housing	C-20	18709	$95,465,000
James Madison University (216)			
Renovate Spotswood Hall	C-7	18710	$23,820,000

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Construct Student Housing	*C-7.20*	*18771*		*$86,085,243*		
Total for Nongeneral Fund Obligation Bonds 9(c)				~~**$124,285,000**~~ ***$330,370,243***		
Total for 9(C) Revenue Bonds					**$0**	**$0**

§ 2-30. 9(D) REVENUE BONDS (951)

C-59. 1. This Item authorizes the capital projects listed below to be financed pursuant to Article X, Section 9(d), Constitution of Virginia.

2. The appropriations for said capital projects are contained in the appropriation Items listed below and are subject to the conditions in § 2-0 F. of this act.

3. The total amount listed in this Item includes ~~$9,332,955~~ *$33,864,475* in bond proceeds.

Agency Name/ Project Title	**Item**	**Project Code**	**Section 9(d) Bonds**		
James Madison University (216)					
Improve East Campus Infrastructure Phase 3	C-50	18738	$9,332,955		
Virginia Polytechnic Institute and State University (208)					
Expand Virginia Tech-Carilion School of Medicine and Fralin Biomedical Research Institute	*C-52.10*	*18682*	*$24,531,520*		
Total for Nongeneral Fund Obligation Bonds 9(d)			~~**$9,332,955**~~ ***$33,864,475***		
Total for 9(D) Revenue Bonds				**$0**	**$0**
TOTAL FOR CENTRAL APPROPRIATIONS				~~**$1,152,534,919**~~ ***$2,330,855,182***	~~**$460,000,000**~~ ***$400,000,000***
Fund Sources: General		~~$609,051,561~~ *$1,537,744,707*	~~$260,000,000~~ *$200,000,000*		
Higher Education Operating		~~$222,285~~ *$145,022,285*	$0		
Dedicated Special Revenue		~~$2,623,000~~ *$11,753,897*	$0		
Bond Proceeds		~~$540,638,073~~ *$636,334,293*	$200,000,000		
TOTAL FOR PART 2: CAPITAL PROJECT EXPENSES				~~**$1,994,196,945**~~ ***$3,352,259,698***	~~**$763,300,000**~~ ***$1,347,065,051***
Fund Sources: General		~~$691,677,311~~ *$1,794,911,493*	~~$260,000,000~~ *$200,000,000*		
Special		$200,500,000	~~$226,000,000~~ *$575,059,475*		
Higher Education Operating		~~$99,893,749~~ *$245,895,203*	~~$0~~ *$52,320,333*		

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Commonwealth Transportation	~~$66,844,060~~ *$70,844,060*	~~$50,000,000~~ *$77,500,000*		
Dedicated Special Revenue	~~$22,214,050~~ *$31,344,947*	~~$16,600,000~~ *$17,600,000*		
Federal Trust	$78,570,235	~~$10,700,000~~ *$18,500,000*		
Bond Proceeds	~~$834,497,540~~ *$930,193,760*	~~$200,000,000~~ *$406,085,243*		

PART 3: MISCELLANEOUS
§ 3-1.00 TRANSFERS

§ 3-1.01 INTERFUND TRANSFERS

A.1. In order to reimburse the general fund of the state treasury for expenses herein authorized to be paid therefrom on account of the activities listed below, the State Comptroller shall transfer the sums stated below to the general fund from the nongeneral funds specified, except as noted, on January 1 of each year of the current biennium. Transfers from the Alcoholic Beverage Control Enterprise Fund to the general fund shall be made four times a year, and such transfers shall be made within fifty (50) days of the close of the quarter. The payment for the fourth quarter of each fiscal year shall be made in the month of June.

	FY 2025	FY 2026
1. Alcoholic Beverage Control Enterprise Fund (§ 4.1-116, Code of Virginia)		
a) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies (from Alcoholic Beverage Control gross profits)	$65,375,769	$65,375,769
b) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies (from gross wine liter tax collections as specified in § 4.1-234, Code of Virginia)	$9,141,363	$9,141,363
2. Forest Products Tax Fund (§ 58.1-1609, Code of Virginia)	$23,613	$23,613
For collection by Department of Taxation		
3. Peanut Fund (§3.2-1906, Code of Virginia)	$2,419	$2,419
4. For collection by Department of Taxation		
a) Aircraft Sales & Use Tax (§ 58.1-1509, Code of Virginia)	$39,169	$39,169
b) Soft Drink Excise Tax	$1,596	$1,596
c) Virginia Litter Tax	$9,472	$9,472
5. Proceeds of the Tax on Motor Vehicle Fuels		
For inspection of gasoline, diesel fuel and motor oils	$97,586	$97,586
6. Virginia Retirement System (Trust and Agency)		
For postage by the Department of the Treasury	$34,500	$34,500
7. Alcoholic Beverage Control Authority (Enterprise)		
For services by the:		
a) Auditor of Public Accounts	$75,521	$75,521
b) Department of Accounts	$64,607	$64,607
c) Department of the Treasury	$47,628	$47,628

TOTAL		**$74,913,243**	**$74,913,243**

2.a. Transfers of net profits from the Alcoholic Beverage Control Enterprise Fund to the general fund shall be made four times a year, and such transfers shall be made within fifty (50) days of the close of each quarter. The transfer of fourth quarter profits shall be estimated and made in the month of June. In the event actual net profits are less than the estimate transferred in June, the difference shall be deducted from the net profits of the next quarter and the resulting sum transferred to the general fund. Distributions to localities shall be made within fifty (50) days of the close of each quarter. Net profits are estimated at ~~$162,100,000~~*$161,100,000* the first year and ~~$231,000,000~~*$156,100,000* the second year.

b. Notwithstanding the provisions of § 4.1-116 B, Code of Virginia, the Alcoholic Beverage Control Authority shall properly record the depreciation of all depreciable assets, including approved projects, property, plant and equipment. The State Comptroller shall be notified of the amount of depreciation costs recorded by the Alcoholic Beverage Control Authority. However, such depreciation costs shall not be the basis for reducing the quarterly transfers needed to meet the estimated profits contained in this act.

B.1. If any transfer to the general fund required by any subsections of §§ 3-1.01 through 3-6.04 is subsequently determined to be in violation of any federal statute or regulation, or Virginia constitutional requirement, the State Comptroller is hereby directed to reverse such transfer and to return such funds to the affected nongeneral fund account.

2. There is hereby appropriated from the applicable funds such amounts as are required to be refunded to the federal government for mutually agreeable resolution of internal service fund over-recoveries as identified by the U. S. Department of Health and Human Services' review of the annual Statewide Indirect Cost Allocation Plans.

C. In order to fund such projects for improvement of the Chesapeake Bay and its tributaries as provided in § 58.1-2289 D, Code of Virginia, there is hereby transferred to the general fund of the state treasury the amounts listed below. From these amounts $2,583,531 the first year and $2,583,531 the second year shall be deposited to the Virginia Water Quality Improvement Fund pursuant to § 10.1-2128.1, Code of Virginia, and designated for deposit to the reserve fund, for ongoing improvements of the Chesapeake Bay and its tributaries. The Department of Motor Vehicles shall be responsible for effecting the provisions of this paragraph. The amounts listed below shall be transferred on June 30 of each fiscal year.

154	Department of Motor Vehicles	$10,000,000	$10,000,000

D. The provisions of Chapter 6 of Title 58.1, Code of Virginia notwithstanding, the State Comptroller shall transfer to the general fund from the special fund titled "Collections of Local Sales Taxes" a proportionate share of the costs attributable to increased local sales and use tax compliance efforts, the Property Tax Unit, and State Land Evaluation Advisory Committee (SLEAC) services by the Department of Taxation estimated at $6,130,902 the first year and ~~$6,130,902~~*$6,086,141* the second year.

E. The State Comptroller shall transfer to the general fund from the ~~Transportation Trust Fund~~*Commonwealth Transportation Fund* a proportionate share of the costs attributable to increased sales and use tax compliance efforts and revenue forecasting for the Commonwealth Transportation Fund by the Department of Taxation estimated at $2,975,828 the first year and ~~$2,975,828~~*$2,957,355* the second year.

F.1. On or before June 30 of each year, the State Comptroller shall transfer $14,588,386 the first year and $14,588,386 the second year to the general fund the following amounts from the agencies and fund sources listed below, for expenses incurred by central service agencies:

Agency Name	**Fund Group**	**FY 2025**	**FY 2026**
Administration of Health Insurance (149)	0500	$522,862	$522,862
Department of Forestry (411)	0200	$29,382	$29,382
Department of Forestry (411)	0900	$30,312	$30,312
Tobacco Region Revitalization Commission (851)	0900	$19,510	$19,510
New College Institute (938)	0200	$2,214	$2,214
Southwest Virginia Higher Education Center	0200	$7,465	$7,465

(948)			
The Science Museum of Virginia (146)	0200	$67,330	$67,330
Virginia Museum of Fine Arts (238)	0200	$16,503	$16,503
Virginia Museum of Fine Arts (238)	0500	$19,297	$19,297
Virginia Museum of Natural History (942)	0200	$1,556	$1,556
Board of Accountancy (226)	0900	$10,862	$10,862
Department for Aging and Rehabilitative Services (262)	0200	$32,494	$32,494
Department for the Blind & Vision Impaired (702)	0200	$464	$464
Department of Behavioral Health and Developmental Services (720)	0200	$26,659	$26,659
Department of Health (601)	0900	$159,373	$159,373
Department of Health Professions (223)	0900	$72,226	$72,226
Department of Social Services (765)	0900	$14,063	$14,063
Virginia Foundation for Healthy Youth (852)	0900	$18,604	$18,604
State Corporation Commission (171)	0200	$81,370	$81,370
State Corporation Commission (171)	0900	$30,495	$30,495
Virginia College Savings Plan (174)	0500	$308,984	$308,984
Virginia Lottery (172)	0900	$29,976	$29,976
Virginia Workers' Compensation Commission (191)	0900	$115,796	$115,796
Supreme Court (111)	0900	$275,111	$275,111
Department of Labor and Industry (181)	0200	$1,523	$1,523

Department of Professional and Occupational Regulations (222)	0200	$5,530	$5,530
Department of Professional and Occupational Regulations (222)	0900	$94,452	$94,452
Department of Conservation and Recreation (199)	0200	$108,760	$108,760
Department of Conservation and Recreation (199)	0900	$556,980	$556,980
Department of Wildlife Resources (403)	0900	$150,663	$150,663
Marine Resources Commission (402)	0200	$19,552	$19,552
Marine Resources Commission (402)	0900	$1,679	$1,679
Department of Criminal Justice Services (140)	0200	$53,581	$53,581
Department of Criminal Justice Services (140)	0900	$54,658	$54,658
Department of Emergency Management (127)	0900	$41,382	$41,382
Department of Fire Programs (960)	0200	$102,171	$102,171
Department of State Police (156)	0200	$225,651	$225,651
Department of Aviation (841)	0400	$64,504	$64,504
Department of Motor Vehicles (154)	0400	$3,643,692	$3,643,692
Department of Rail and Public Transportation (505)	0400	$785,053	$785,053
Department of Transportation (501)	0400	$6,462,324	$6,462,324
Motor Vehicle Dealer Board (506)	0200	$14,577	$14,577
Virginia Port Authority (407)	0200	$241,994	$241,994

Virginia Port Authority (407)	0400	$62,722	$62,722
Department of Military Affairs (123)	0900	$4,030	$4,030
		$14,588,386	**$14,588,386**

2. Following the transfers authorized in paragraph F.1. of this section, the State Comptroller shall transfer $2,787,795 each year back to the Department of Motor Vehicles to replace the anticipated loss of driving privilege reinstatement fee revenue.

G.1. The State Comptroller shall transfer to the Lottery Proceeds Fund established pursuant to § 58.1-4022.1, Code of Virginia, an amount estimated at ~~$902,926,201~~*$943,824,250* the first year and ~~$852,926,201~~*$875,335,350* the second year, from the Virginia Lottery Fund. The transfer each year shall be made in two parts: (1) on or before January 1 of each year, the State Comptroller shall transfer from the Virginia Lottery Fund the estimated profits generated for the first five months of the fiscal year and (2) thereafter, the transfer of estimated profits will be made on a monthly basis, or until the amount estimated at ~~$902,926,201~~*$943,824,250* the first year and ~~$852,926,201~~*$875,335,350* the second year has been transferred to the Lottery Proceeds Fund. The final annual transfer of profits necessary to reach the annual estimate noted in this section, not to exceed the amounts estimated in this paragraph, shall be initiated no later than June 20 of each year, so that the estimated profits can be transferred to the Lottery Proceeds Fund prior to June 22.

2. No later than 10 days after receipt of the annual audit report required by § 58.1-4022.1, Code of Virginia, the State Comptroller shall transfer to the Lottery Proceeds Fund the remaining audited balances of the Virginia Lottery Fund profits for the prior fiscal year. If such annual audit discloses that the actual revenue was less than the total transfer of estimated profits for the year, the State Comptroller shall adjust the next transfer from the Virginia Lottery Fund to account for the difference between the actual revenue and the estimate transferred to the Lottery Proceeds Fund. The State Comptroller shall take all actions necessary to effect the transfers required by this paragraph, notwithstanding the provisions of § 58.1-4022, Code of Virginia. In preparing the Comprehensive Annual Financial Report, the State Comptroller shall report the Lottery Proceeds Fund as specified in § 58.1-4022.1, Code of Virginia.

H.1. The State Treasurer is authorized to charge up to 20 basis points for each nongeneral fund account which he manages and which receives investment income. The assessed fees, which are estimated to generate $3,000,000 the first year and $3,000,000 the second year, will be based on a sliding fee structure as determined by the State Treasurer. The amounts shall be paid into the general fund of the state treasury.

2. The State Treasurer is authorized to charge institutions of higher education participating in the pooled bond program of the Virginia College Building Authority an administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected from the public institutions of higher education, which are estimated to generate $100,000 the first year and $100,000 the second year, shall be paid into the general fund of the state treasury.

3. The State Treasurer is authorized to charge agencies, institutions and all other entities that utilize alternative financing structures and require Treasury Board approval, including capital lease arrangements, up to 10 basis points of the amount financed in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected shall be paid into the general fund of the state treasury.

4. The State Treasurer is authorized to charge projects financed under Article X, Section 9(c) of the Constitution of Virginia, an administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected are estimated to generate $50,000 the first year and $50,000 the second year, and shall be paid into the general fund of the state treasury.

I. The State Comptroller shall transfer to the general fund of the state treasury 50 percent of the annual reimbursement received from the Manville Property Damage Settlement Trust for the cost of asbestos abatement at state-owned facilities. The balance of the reimbursement shall be transferred to the state agencies that incurred the expense of the asbestos abatement.

J.1. The State Comptroller shall transfer to the general fund from the Revenue Stabilization Fund in the state treasury any amounts in excess of the limitation specified in § 2.2-1829, Code of Virginia, if applicable.

2.a. The State Comptroller shall transfer to the general fund from the Revenue Reserve Fund in the state treasury any amounts in excess of the limitations specified in §§ 2.2-1829 and 2.2-1831.3, Code of Virginia, if applicable.

b. If a transfer is required pursuant to this subparagraph and the Revenue Stabilization Fund is not in excess of the limitation set by Article X, Section 8, of the Constitution of Virginia, the State Comptroller shall first transfer funds from the Revenue Reserve Fund until the requirement of §§ 2.2-1829 and 2.2-1831.3, Code of Virginia, are met.

3. Notwithstanding any provision of law or J.1. or J.2. of this item, the State Comptroller shall transfer to the general fund

~~$129,359,392~~*$332,312,066* the first year and $675,684,930 the second year from the Revenue Reserve Fund. Notwithstanding the provisions of subsection E of § 2.2-1829 and subsection F of § 2.2-1831.3, Code of Virginia, the combined amount in the Revenue Stabilization Fund and the Revenue Reserve Fund shall not exceed ~~20 percent in either fiscal year~~ *17.53 percent the first year and 15 percent the second year*, of the Commonwealth's average annual tax revenues derived from taxes on income and retail sales, as certified by the Auditor of Public Accounts for the three fiscal years immediately preceding.

K.1. Not later than 30 days after the close of each quarter during the biennium, the State Comptroller shall transfer, notwithstanding the allotment specified in § 58.1-1410, Code of Virginia, funds collected pursuant to § 58.1-1402, Code of Virginia, from the general fund to the Game Protection Fund. This transfer shall not exceed $7,300,000 the first year and $7,300,000 the second year.

2. Notwithstanding the provisions of subparagraph K.1. above, the Governor may, at his discretion, direct the State Comptroller to transfer to the Game Protection Fund, any funds collected pursuant to § 58.1-1402, Code of Virginia, that are in excess of the official revenue forecast for such collections.

L.1. On or before June 30 each year, the State Comptroller shall transfer from the general fund to the Family Access to Medical Insurance Security Plan Trust Fund the amount required by § 32.1-352, Code of Virginia. This transfer shall not exceed $14,065,627 the first year and $14,065,627 the second year. The State Comptroller shall transfer 90 percent of the yearly estimated amounts to the Trust Fund on July 15 of each year.

2. Notwithstanding any other provision of law, interest earnings shall not be allocated to the Family Access to Medical Insurance Security Plan Trust Fund (agency code 602, fund detail 0903) in either the first year or the second year of the biennium.

M. Not later than thirty days after the close of each quarter during the biennium, the State Comptroller shall transfer to the Game Protection Fund the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia. Notwithstanding § 58.1-638 E, this transfer shall not exceed ~~$12,184,600~~ *$12,973,600* the first year and $12,184,600 the second year. Notwithstanding § 58.1-638 E, on or before June 30 of the first year and June 30 of the second year, the State Comptroller shall transfer to the Virginia Port Authority $4,000,000 on or before June 30 of the first year and *transfer to the Virginia Marine Resources Commission* $4,000,000 on or before June 30 of the second year of the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia, to enhance and improve recreation opportunities for boaters, including but not limited to land acquisition, capital projects, maintenance, and facilities for boating access to the waters of the Commonwealth pursuant to the provisions of §§ 62.1-132.3:3 and 62.1-132.3:4.

N.1. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Indemnification and Community Revitalization Fund to the general fund an amount estimated at $244,268 the first year and $244,268 the second year. This amount represents the Tobacco Region Revitalization Commission's 50 percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.2-4201, Code of Virginia.

2. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Settlement Fund to the general fund an amount estimated at $48,854 the first year and $48,854 the second year. This amount represents the Tobacco Settlement Foundation's ten percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.2-4201, Code of Virginia.

O. On or before June 30 each year, the State Comptroller shall transfer to the general fund $3,400,000 the first year and $2,400,000 the second year from the Court Debt Collection Program Fund at the Department of Taxation.

P. On or before June 30 each year, the State Comptroller shall transfer to the general fund $7,400,000 the first year and $7,400,000 the second year from the Department of Motor Vehicles' Uninsured Motorists Fund. These amounts shall be from the share that would otherwise have been transferred to the State Corporation Commission.

Q. On or before June 30 each year, the State Comptroller shall transfer an amount estimated at $5,000,000 the first year and an amount estimated at $5,000,000 the second year to the general fund from the Intensified Drug Enforcement Jurisdictions Fund at the Department of Criminal Justice Services.

R. On or before June 30 each year, the State Comptroller shall transfer to the general fund $3,864,585 the first year and $3,864,585 the second year from operating efficiencies to be implemented by the Alcoholic Beverage Control Authority.

S. On or before June 30 each year, the State Comptroller shall transfer $466,600 the first year and $466,600 the second year to the general fund from the Land Preservation Fund (Fund 0216) at the Department of Taxation.

T. Unless prohibited by federal law or regulation or by the Constitution of Virginia and notwithstanding any contrary provision of state law, on June 30 of each fiscal year, the State Comptroller shall transfer to the general fund of the state treasury the cash balance from any nongeneral fund account that has a cash balance of less than $100. This provision shall not apply to institutions of higher education, bond proceeds, or trust accounts. The State Comptroller shall consult with the Director of the Department of Planning and Budget in implementing this provision and, for just cause, shall have discretion to exclude certain balances from this transfer or to restore certain balances that have been transferred.

U.1. The Brunswick Correctional Center operated by the Department of Corrections shall be sold. The Commonwealth may enter into negotiations with (1) the Virginia Tobacco Region Revitalization Commission, (2) regional local governments, and (3) regional

industrial development authorities for the purchase of this property as an economic development site.

2. Notwithstanding the provisions of § 2.2-1156, Code of Virginia or any other provisions of law, the proceeds of the sale of the Brunswick Correctional Center shall be paid into the general fund.

V. On a monthly basis, in the month subsequent to collection, the State Comptroller shall transfer all amounts collected for the fund created pursuant to § 17.1-275.12 of the Code of Virginia, to Items 329, 394, and 416 of this act, for the purposes enumerated in Section 17.1-275.12.

W. On or before June 30, the State Comptroller shall transfer $12,518,587 the second year to the general fund from the $2.00 increase in the annual vehicle registration fee from the special emergency medical services fund contained in the Department of Health's Emergency Medical Services Program (40200).

X. The provisions of Chapter 6.2, Title 58.1, Code of Virginia, notwithstanding, on or before June 30 each year the State Comptroller shall transfer to the general fund from the proceeds of the Virginia Communications Sales and Use Tax (fund 0926), the Department of Taxation's indirect costs of administering this tax estimated at $90,780 the first year and $90,780 the second year.

Y. Any amount designated by the State Comptroller from the June 30, 2024, or June 30, 2025, general fund balance for transportation pursuant to § 2.2-1514B., Code of Virginia, is hereby appropriated.

Z. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the State Health Insurance Fund (Fund 06200) the balance from the Administration of Health Benefits Services Fund (Fund 06220) at the Department of Human Resource Management.

AA. The Department of General Services is authorized to dispose of the following property currently owned by the Department of Corrections in the manner it deems to be in the best interests of the Commonwealth: Pulaski Correctional Center and White Post Detention and Diversion Center. Such disposal may include sale or transfer to other agencies or to local government entities. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the proceeds from the sale of all or any part of the properties shall be deposited into the general fund.

BB. The State Comptroller shall transfer all revenues collected each year to the general fund from the Firearms Transaction, Concealed Weapons Permit, and Conservator of the Peace Programs at the Department of State Police.

CC. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the Health Insurance Fund - Local (Fund 05200) at the Administration of Health Insurance the balance from the Administration of Local Benefits Services Fund (Fund 05220) at the Department of Human Resource Management.

DD. On or before June 30, of each fiscal year, the State Comptroller shall transfer to the Line of Duty Death and Health Benefits Trust Fund (Fund 07420) at the Administration of Health Insurance the balance from the Administration of Health Benefits Payment - LODA Fund (Fund 07422) at the Department of Human Resource Management.

EE. On or before June 30, of each fiscal year, the State Comptroller shall transfer $154,743 from Special Funds of the Department of Behavioral Health and Developmental Services (720) to Special Funds at the Office of the State Inspector General (147).

FF. On or before June 30 of each fiscal year, the State Comptroller shall transfer to the general fund the portion of the balance of the Disaster Recovery Fund (Fund 02460) at the Virginia Department of Emergency Management that was received as a federal cost recovery. The amount transferred represents repayment of the sum sufficient fund originally appropriated for federally-declared emergencies. The Department of Emergency Management shall report to the State Comptroller the amount of the balance to be transferred by June 1 of each year.

GG. Notwithstanding the provisions of subsection A of § 58.1-662, Code of Virginia, and in addition to clause (i) and (ii) of that subsection, monies in the Communications Sales and Use Tax Trust Fund shall not be allocated to the Commonwealth's counties, cities, and towns until after an amount equal to $2,000,000 the first year is allocated to the general fund. The State Comptroller shall deposit to the general fund $2,000,000 on or before June 30, the first year and an additional $2,000,000 on or before June 30, the second year from the revenues received from the Communications Sales and Use Tax.

HH. The transfer of excess amounts in the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund to the general fund pursuant to Item 51 of this act is estimated at ~~$500,000~~ *$5,907,294* the first year and $500,000 the second year.

II. The Virginia Department of Agriculture and Consumer Services (VDACS) is authorized to transfer the Eastern Shore Farmers Market, including the Market Office Building at 18491 Garey Road and the Produce Warehouse at 18513 Garey Road, Melfa, Virginia 23410, and the Seafood Market Building located at 18555 Garey Road, Melfa, Virginia 23410 for no consideration to the Industrial Authority of Accomack County (IAAC) subject to an appropriation being made satisfactory to the Virginia Department of Treasury for the remediation of tax-advantaged bonds that financed the construction, improvement

and equipping of such facilities. VDACS is further authorized to grant any and all easements necessary to complete the conveyance. IAAC will be responsible for all transaction expenses associated with the transfer.

JJ.1. Following the completion of capital project "18686: Improve and Convey Property in Clarke County", the Department of General Services shall convey parcel 27-A-10-A in Clarke County to the county at fair market value.

2. Notwithstanding the provisions of § 2.2-1156 or any other provision of law, the proceeds from the conveyance of this property shall be deposited in the general fund of the state treasury.

KK. The Culpeper Correctional Center operated by the Department of Corrections shall be sold. Notwithstanding the provisions of § 2.2-1156, Code of Virginia or any other provisions of law, the proceeds of the sale of the Culpeper Correctional Center shall be paid into the general fund.

LL. On or before June 30 the first year, the State Comptroller shall transfer to the general fund $2,500,000 from the VDACS Special Revenue Fund.

MM. On or before June 30 the first year, the State Comptroller shall transfer to the general fund $28,000,000 from the Virginia Growth & Opportunity Fund.

NN. On or before June 30 the first year, the State Comptroller shall transfer all remaining balances from the Edvantage Reserve Fund to the general fund estimated at $271,903.

OO. On or before June 30 the first year, the State Comptroller shall transfer all remaining balances from the DOA Transfer Payments Trust and Agency Fund to the general fund estimated at $189,961.

PP. On or before June 30 the first year, the State Comptroller shall transfer $115,000,000 from the Unclaimed Property Fund at Department of the Treasury to the general fund to be appropriated in Direct Aid to Public Education.

QQ. On or before June 30 the first year, the State Comptroller shall transfer $30,000,000 from the Dominion Energy Offshore Wind Easement Fund at the Department of Military Affairs to the general fund.

~~RR. The State Comptroller shall transfer to the general fund the revenue deposited to the PreK-12 Priority Fund. The Comptroller shall take all actions necessary to effect such transfers monthly, no later than 10 days following the deposit to the Fund. The amounts transferred shall be used to support the distributions to localities in Direct Aid to Public Education of this act.~~

SS. As required by § 4-1.05 b. of Chapter 2, 2024 Acts of Assembly, Special Session I, $94,290 in various inactive nongeneral fund accounts were reverted by the State Comptroller to the general fund in the first year.

TT. On or before June 30, the State Comptroller shall transfer $5,532,568 the first year to the general fund from the 2021 Triennial Review Fund (Fund 02027) at the Department of Energy (409).

UU. On or before June 30, the State Comptroller shall transfer an estimated $4,760,334 the first year to the general fund from the remaining cash balances in the Truck Manufacturing Grant Fund (Fund 02009), Semiconductor Manufacturing Grant Fund (Fund 09045), Special Workforce Grant Fund (Fund 09057), Major Eligible Employer Grant Fund (Fund 09141), and Advanced Shipbuilding Production Facility Grant Fund (Fund 09159) at the Secretary of Commerce and Trade (192).

VV. On or before June 30, 2025, the State Comptroller shall transfer an estimated $1,987,000 from the Virginia Economic Development Partnership Authority to the general fund.

WW. On or before June 30, the State Comptroller shall transfer an estimated $29,000,000 the first year and $31,000,000 the second year to the general fund from the State Racing Operations Fund (02280) at the Virginia Racing Commission (405) in accordance with the provisions in Item 99 of this act and § 59.1-392.

§ 3-1.02 INTERAGENCY TRANSFERS

The Virginia Department of Transportation shall transfer, from motor fuel tax revenues, $388,254 the first year and $388,254 the second year to the Department of General Services for motor fuels testing.

§ 3-1.03 SHORT-TERM ADVANCE TO THE GENERAL FUND FROM NONGENERAL FUNDS

A. To meet the occasional short-term cash needs of the general fund during the course of the year when cumulative year-to-date disbursements exceed temporarily cumulative year-to-date revenue collections, the State Comptroller is authorized to draw cash temporarily from nongeneral fund cash balances deemed to be available, although special dedicated funds related to commodity boards are exempt from this provision. Such cash drawdowns shall be limited to the amounts immediately required by the general fund to meet disbursements made in pursuance of an authorized appropriation. However, the amount of the cash drawdown from any particular nongeneral fund shall be limited to the excess of the cash balance of such fund over the amount otherwise necessary to meet the short-term disbursement requirements of that nongeneral fund. The State Comptroller will ensure that those funds will be replenished in the normal course of business.

B. In the event that nongeneral funds are not sufficient to compensate for the operating cash needs of the general fund, the State Treasurer is authorized to borrow, temporarily, required funds from cash balances within the ~~Transportation Trust Fund~~*Commonwealth Transportation Fund*, where such trust fund balances, based upon assessments provided by the Commonwealth Transportation Commissioner, are not otherwise needed to meet the short-term disbursement needs of the ~~Transportation Trust Fund~~*Commonwealth Transportation Fund,* including any debt service and debt coverage needs, over the life of the borrowing. In addition, the State Treasurer shall ensure that such borrowings are consistent with the terms and conditions of all bond documents, if any, that are relevant to the ~~Transportation Trust Fund~~*Commonwealth Transportation Fund*.

C. The Secretary of Finance, the State Treasurer and the Commonwealth Transportation Commissioner shall jointly agree on the amounts of such interfund borrowings. Such borrowed amounts shall be repaid to the ~~Transportation Trust Fund~~*Commonwealth Transportation Fund* at the earliest practical time when they are no longer needed to meet short-term cash needs of the general fund, provided, however, that such borrowed amounts shall be repaid within the biennium in which they are borrowed. Interest shall accrue daily at the rate per annum equal to the then current one-year United States Treasury Obligation Note rate.

D. Any temporary loan shall be evidenced by a loan certificate duly executed by the State Treasurer and the Commonwealth Transportation Commissioner specifying the maturity date of such loan and the annual rate of interest. Prepayment of temporary loans shall be without penalty and with interest calculated to such prepayment date. The State Treasurer is authorized to make, at least monthly, interest payments to the ~~Transportation Trust Fund~~*Commonwealth Transportation Fund*.

§ 3-2.00 WORKING CAPITAL FUNDS AND LINES OF CREDIT

§ 3-2.01 ADVANCES TO WORKING CAPITAL FUNDS

The State Comptroller shall make available to the Virginia Racing Commission, on July 1 of each year, the amount of $125,000 from the general fund as a temporary cash flow advance, to be repaid by December 30 of each year.

§ 3-2.02 CHARGES AGAINST WORKING CAPITAL FUNDS

The State Comptroller may periodically charge the appropriation of any state agency for the expenses incurred for services received from any program financed and accounted for by working capital funds. Such charge may be made upon receipt of such documentation as in the opinion of the State Comptroller provides satisfactory evidence of a claim, charge or demand against the appropriations made to any agency. The amounts so charged shall be recorded to the credit of the appropriate working capital fund accounts. In the event any portion of the charge so made shall be disputed, the amount in dispute may be restored to the agency appropriation by direction of the Governor.

§ 3-2.03 LINES OF CREDIT

a. The State Comptroller shall provide lines of credit to the following agencies, not to exceed the amounts shown:

Administration of Health Insurance, Health Benefits Services	$75,000,000
Administration of Health Insurance, Line of Duty Act	$10,000,000
Department of Accounts, for the Payroll Service Bureau	$400,000
Department of Accounts, Transfer Payments	$5,250,000
Alcoholic Beverage Control Authority	$80,000,000
Department of Corrections, for Virginia Correctional Enterprises	$1,000,000
Department of Corrections, for Federal Grant Processing	$1,000,000
Department of Emergency Management, for Hazardous Material Incident Response	$150,000
Department of Emergency Management, for Federal Grant Processing	$500,000
Department of Emergency Management, for Next Generation 911 service	$15,000,000
Department of Environmental Quality	$5,000,000
Department of Human Resource Management, for the Workers' Compensation Self Insurance Trust Fund	$10,000,000
Department of Behavioral Health and Developmental Services	$30,000,000
Department of Medical Assistance Services, for the Virginia Health Care Fund	$12,000,000
Department of Motor Vehicles	$30,600,000
Department of the Treasury, for the Unclaimed Property Trust	$5,000,000

Fund	
Department of the Treasury, for the State Insurance Reserve Trust Fund	$25,000,000
Virginia Lottery	$56,000,000
Virginia Information Technologies Agency	$165,000,000
Virginia Tobacco Settlement Foundation	$3,000,000
Department of Historic Resources	$600,000
Department of Fire Programs	$30,000,000
Compensation Board	$8,000,000
Department of Conservation and Recreation	$4,000,000
Department of Military Affairs, for State Active Duty	$5,000,000
Department of Military Affairs, for Federal Cooperative Agreements	$30,000,000
Virginia Parole Board	$50,000
Commonwealth's Attorneys' Services Council	$200,000
Department of State Police, for the Internet Crimes Against Children Grant	$3,700,000
Department of State Police, for Federal Grant Processing	$1,500,000
Department of Social Services, for timing issues related to the receipt of federal grants and other payments	$17,000,000
Virginia Employment Commission	$30,000,000

b. The State Comptroller shall execute an agreement with each agency documenting the procedures for the line of credit, including, but not limited to, applicable interest and the method for the drawdown of funds. The provisions of § 4-3.02 b of this act shall not apply to these lines of credit.

c. The State Comptroller, in conjunction with the Departments of General Services and Planning and Budget, shall establish guidelines for agencies and institutions to utilize a line of credit to support fixed and one-time costs associated with implementation of office space consolidation, relocation and/or office space co-location strategies, where such line of credit shall be repaid by the agency or institution based on the cost savings and efficiencies realized by the agency or institution resulting from the consolidation and/or relocation. In such cases the terms of office space consolidation or co-location strategies shall be approved by the Secretary of Administration, in consultation with the Secretary of Finance, as demonstrating cost benefit to the Commonwealth. In no case shall the advances to an agency or institution exceed $1,000,000 nor the repayment begin more than one year following the implementation or extend beyond a repayment period of seven years.

d. The State Comptroller is hereby authorized to provide lines of credit of up to $2,500,000 to the Department of Motor Vehicles and up to $2,500,000 to the Department of State Police to be repaid from revenues provided under the federal government's establishment of Uniform Carrier Registration.

e. The Virginia Lottery is hereby authorized to use its line of credit to meet cash flow needs for operations at any time during the year and to provide cash to the Virginia Lottery Fund to meet the required transfer of estimated lottery profits to the Lottery Proceeds Fund, as specified in provisions of § 3-1.01G. of this act. The Virginia Lottery shall repay the line of credit as actual cash flows become available. The Secretary of Finance is authorized to increase the line of credit to the Virginia Lottery if necessary to meet operating needs.

f. The State Comptroller is hereby authorized to provide a line of credit of up to $5,000,000 to the Department of Military Affairs to cover the actual costs of responding to State Active Duty. The line of credit will be repaid as the Department of Military Affairs is reimbursed from federal or other funds, other than Department of Military Affairs funds.

g. The Department of Conservation and Recreation may utilize the line of credit authorized in paragraph a. to continue the development of the coastal master plan, including use of a consultant to assist in the plan's development. Any funds spent from the line of credit for this purpose shall be repaid from revenues generated by the Commonwealth's participation in the sale of allowances through the Regional Greenhouse Gas Initiative and deposited to the Virginia Community Flood Preparedness Fund pursuant to § 10.1-603.25, Code of Virginia.

h. The line of credit authorized in paragraph a. for the Virginia Department of Emergency Management, for Next Generation 911 service shall be provided to the 911 Services Board as a temporary cash flow advance. Funds received from the line of credit shall be used only to support implementation of next generation 911 service and shall be distributed in a manner consistent with § 56-484.17 (D), Code of Virginia. The request for the line of credit shall be prepared in the formats as approved by the Secretary of Finance and the Secretary of Public Safety and Homeland Security. The Secretary of Finance and the Secretary of Public Safety and Homeland Security shall approve drawdowns from the Virginia Department of Emergency Management's Next Generation 911 line of credit prior to the expenditure of funds.

i. The Virginia Employment Commission may use the line of credit authorized in paragraph a. with approval from the Secretary of Labor, in consultation with the Secretary of Finance, for operational costs of the administration of Unemployment Compensation programs in times of significant increases in unemployment. For the purposes of this paragraph, significant increases in unemployment shall mean the unemployment rate is five percent or higher and is one-hundred and twenty percent of the average unemployment rate for the same 13-week period in the two previous years.

§ 3-3.00 GENERAL FUND DEPOSITS

§ 3-3.01 PAYMENT BY THE STATE TREASURER

The state Treasurer shall transfer an amount estimated at $50,000 on or before June 30, 2025 and an amount estimated at $50,000 on or before June 30, 2026, to the general fund from excess 9(c) sinking fund balances.

§ 3-4.00 AUXILIARY ENTERPRISES AND SPONSORED PROGRAMS IN INSTITUTIONS OF HIGHER EDUCATION

§ 3-4.01 AUXILIARY ENTERPRISE INVESTMENT YIELDS

A. 1. The educational and general programs in institutions of higher education shall recover the full indirect cost of auxiliary enterprise programs as certified by institutions of higher education to the Comptroller subject to annual audit by the Auditor of Public Accounts. The State Comptroller shall credit those institutions meeting the requirement with the interest earned by the investment of funds of their auxiliary enterprise programs.

2. The University of Virginia's College at Wise is authorized to suspend the transfer of the recovery of the full indirect cost of auxiliary enterprise programs to the educational and general program for the 2024-2026 biennium.

B. No interest shall be credited for that portion of the fund's cash balance that represents any outstanding loans due from the State Treasurer. The provisions of this section shall not apply to the capital projects authorized under Items C-36.21 and C-36.40 of Chapter 924, 1997 Acts of Assembly.

§ 3-5.00 ADJUSTMENTS AND MODIFICATIONS TO TAX COLLECTIONS

§ 3-5.01 RETALIATORY COSTS TO OTHER STATES TAX CREDIT

Notwithstanding any other provision of law, the amount deposited to the ~~Priority Transportation Trust Fund~~*Commonwealth Transportation Fund* pursuant to § 58.1-2531 shall not be reduced by more than $266,667 by any refund of the Tax Credit for Retaliatory Costs to Other States available under § 58.1-2510.

§3-5.02 PAYMENT OF AUTO RENTAL TAX TO THE GENERAL FUND

Notwithstanding the provisions of § 58.1-1741, Code of Virginia, or any other provision of law, all revenues resulting from the fee imposed under subdivision A3 of § 58.1-1736, Code of Virginia, shall be deposited into the general fund after the direct costs of administering the fee are recovered by the Department of Taxation.

§ 3-5.03 IMPLEMENTATION OF CHAPTER 3, ACTS OF ASSEMBLY OF 2004, SPECIAL SESSION I

A. Revenues deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund established under § 58.1-638.1 of the Code of Virginia pursuant to enactments of the 2004 Special Session of the General Assembly shall be transferred to the general fund and used to meet the Commonwealth's responsibilities for the Standards of Quality prescribed pursuant to Article VIII, Section 2, of the Constitution of Virginia. The Comptroller shall take all actions necessary to effect such transfers monthly, no later than 10 days following the deposit to the Fund. The amounts transferred shall be distributed to localities as specified in Direct Aid to Public Education's (197), State Education Assistance Programs (17800) of this Act. The estimated amount of such transfers are ~~$571,700,000~~*$585,967,459* the first year and ~~$595,100,000~~*$608,851,761* the second year.

B. Staff from the Department of Planning and Budget, Department of Taxation, House Appropriations Committee, and Senate Finance and Appropriations Committee shall collaborate to propose statutory amendments and budget language amendments for the 2026-2028 biennial budget as needed to allow the sales tax revenues collected pursuant to § 58.1-638 F to be deposited directly to the general fund for public education purposes in lieu of the current requirement that these funds be first deposited into the fund established in § 58.1-638.1.

§ ~~3-5.04 RETAIL SALES & USE TAX EXEMPTION FOR INTERNET SERVICE PROVIDERS~~

~~Notwithstanding any other provision of law, for purchases made on or after July 1, 2006, any exemption from the retail sales and use tax applicable to production, distribution, and other equipment used to provide Internet-access services by providers of Internet service, as defined in § 58.1-602, Code of Virginia, shall occur as a refund request to the Tax Commissioner. The Tax Commissioner shall develop procedures for such refunds.~~

§ 3-5.05 DISPOSITION OF EXCESS FEES COLLECTED BY CLERKS OF THE CIRCUIT COURTS

Notwithstanding §§ 15.2-540, 15.2-639, 15.2-848, 17.1-285, and any other provision of law general or special, effective July 1, 2009, the Commonwealth shall be entitled to two-thirds of the excess fees collected by the clerks of the circuit courts as required to be reported under § 17.1-283.

§ 3-5.06 DISCOUNTS AND ALLOWANCES

A. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the compensation allowed under § 58.1-622, Code of Virginia, shall be suspended for any dealer required to remit the tax levied under §§ 58.1-603 and 58.1-604, Code of Virginia, by electronic funds transfer pursuant to § 58.1-202.1, Code of Virginia, and the compensation available to all other dealers shall be limited to the following percentages of the first three percent of the tax levied under §§ 58.1-603 and 58.1-604, Code of Virginia:

Monthly Taxable Sales	Percentage
$0 to $62,500	1.6%
$62,501 to $208,000	1.2%
$208,001 and above	0.8%

B. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the compensation available under §§ 58.1-642, 58.1-656, 58.1-1021.03, and 58.1-1730, Code of Virginia, shall be suspended.

C. Beginning with the return for June 2011, due July 2011, the compensation under § 58.1-1021.03 shall be reinstated.

§ 3-5.07 SALES TAX COMMITMENT TO HIGHWAY MAINTENANCE AND OPERATING FUND

The sales and use tax revenue for distribution to the Highway Maintenance and Operating Fund shall be consistent with Chapter 766, 2013 Acts of Assembly.

§ 3-5.08 INTANGIBLE HOLDING COMPANY ADDBACK

Notwithstanding the provisions of § 58.1-402(B)(8), Code of Virginia, for taxable years beginning on and after January 1, 2004:

(i) The exception in § 58.1-402(B)(8)(a)(1) for income that is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government shall be limited to and apply only to the portion of such income received by the related member that owns the intangible property, which portion is attributed to a state or foreign government in which such related member has sufficient nexus to be itself subject to such taxes; and

(ii) The exception in § 58.1-402(B)(8)(a)(2) for a related member deriving at least one-third of its gross revenues from licensing to unrelated parties shall be limited and apply to the portion of such income received by the related member that owns the intangible property and derived from licensing agreements for which the rates and terms are comparable to the rates and terms of agreements that such related member has entered into with unrelated entities.

§ 3-5.09 REGIONAL FUELS TAX

Funds collected pursuant to § 58.1-2291 et seq., Code of Virginia, from the additional sales tax on fuel in certain transportation districts under § 58.1-2291 et seq., Code of Virginia, shall be returned to the respective commissions in amounts equivalent to the shares collected in the respective member jurisdictions. However, no funds shall be collected pursuant to § 58.1-2291 et seq., Code of Virginia, from levying the additional sales tax on aviation fuel as that term is defined in § 58.1-2201, Code of Virginia.

§ 3-5.10 DEDUCTION FOR ABLE ACT CONTRIBUTIONS

A. Effective for taxable years beginning on or after January 1, 2016, an individual shall be allowed a deduction from Virginia adjusted gross income as defined in § 58.1-321, Code of Virginia, for the amount contributed during the taxable year to an ABLE savings trust account entered into with the Virginia College Savings Plan pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1, Code of Virginia. The amount deducted on any individual income tax return in any taxable year shall be limited to $2,000 per ABLE savings trust account. No deduction shall be allowed pursuant to this section if such contributions are deducted on the contributor's federal income tax return. If the contribution to an ABLE savings trust account exceeds $2,000 the remainder may be carried forward and subtracted in future taxable years until the ABLE savings trust contribution has been fully deducted; however, in no event shall the amount deducted in any taxable year exceed $2,000 per ABLE savings trust account.

B. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, Code of Virginia, any deduction taken hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified disability expenses, as defined in § 529A of the Internal Revenue Code; or (ii) the beneficiary's death.

C. A contributor to an ABLE savings trust account who has attained age 70 shall not be subject to the limitation that the amount of the deduction not exceed $2,000 per ABLE savings trust account in any taxable year. Such taxpayer shall be allowed a deduction for

the full amount contributed to an ABLE savings trust account, less any amounts previously deducted.

D. The Tax Commissioner shall develop guidelines implementing the provisions of this section, including but not limited to the computation, carryover, and recapture of the deduction provided under this section. Such guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq., Code of Virginia).

§ 3-5.11 RETAIL SALES AND USE TAX EXEMPTION FOR RESEARCH FOR FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS

A. Notwithstanding any other provision of law or regulation, and beginning July 1, 2016 and ending June 30, 2018, the retail sales and use tax exemption provided for in subdivision 5 of § 58.1-609.3 of the Code of Virginia, applicable to tangible personal property purchased or leased for use or consumption directly and exclusively in basic research or research and development in the experimental or laboratory sense, shall apply to such property used in a federally funded research and development center, regardless of whether such property is used by the purchaser, lessee, or another person or entity.

B. Notwithstanding any other provision of law, beginning July 1, 2018, tangible personal property purchased by a federally funded research and development center sponsored by the U.S. Department of Energy shall be exempt from the retail sales and use tax.

C. Nothing in this section shall be construed to relieve any federally funded research and development center of any liability for retail sales and use tax due for the purchase of tangible personal property pursuant to the law in effect at the time of the purchase.

§ 3-5.12 ADMISSIONS TAX

Notwithstanding the provisions of § 58.1-3818.02, Code of Virginia, or any other provision of law, subject to the execution of a memorandum of understanding between an entertainment venue and the County of Stafford, Stafford County is authorized to impose a tax on admissions to an entertainment venue located in the county that (i) is licensed to do business in the county for the first time on or after July 1, 2015, and (ii) requires at last 75 acres of land for its operations, and (iii) such land is purchased or leased by the entertainment venue owner on or after June 1, 2015. The tax shall not exceed 10 percent of the amount of charge for admission to any such venue. The provisions of this section shall expire on July 1, 2019 if no entertainment venue exists in Stafford County upon which the tax authorized is imposed.

§ 3-5.13 SUNSET DATES FOR INCOME TAX CREDITS AND SALES AND USE TAX EXEMPTIONS

A. Notwithstanding any other provision of law the General Assembly shall not advance the sunset date on any existing sales tax exemption or tax credit beyond June 30, 2030. Any new sales tax exemption or tax credit enacted by the General Assembly after the 2019 regular legislative session, but prior to the 2029 regular legislative session, shall have a sunset date of not later than June 30, 2030. However, this requirement shall not apply to tax exemptions administered by the Department of Taxation under § 58.1-609.11, relating to exemptions for nonprofit entities nor shall it apply to exemptions or tax credits with sunset dates after June 30, 2022, enacted or advanced during the 2016 Session of the General Assembly to the Virginia housing opportunity tax credit under Article 13.4 (§ 58.1-439.29 et seq.) of Chapter 3 of Title 58.1 of the Code of Virginia, or to the Motion Picture Production Tax Credit under § 58.1-439.12:03, Code of Virginia.

B. The Department shall provide an updated revenue impact report no later than November 1, 2025, and every five years thereafter, for sales tax exemptions and tax credits set to expire within two years following the date of the report. Such reports shall be distributed to every member of the General Assembly and to the Joint Subcommittee to Evaluate Tax Preferences.

§ 3-5.14 PROVIDER COVERAGE ASSESSMENT

A. The Department of Medical Assistance Services (DMAS) is authorized to levy an assessment upon private acute care hospitals operating in Virginia in accordance with this Item. Private acute care hospitals operating in Virginia shall pay a coverage assessment beginning on or after October 1, 2018. For the purposes of this coverage assessment, the definition of private acute care hospitals shall exclude public hospitals, freestanding psychiatric and rehabilitation hospitals, children's hospitals, long stay hospitals, long-term acute care hospitals and critical access hospitals.

B.1. The coverage assessment shall be used only to cover the non-federal share of the “full cost of expanded Medicaid coverage" for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act, including the administrative costs of collecting the coverage assessment and implementing and operating the coverage for newly eligible adults which includes the costs of administering the provisions of the Section 1115 waiver.

2.a. The “full cost of expanded Medicaid coverage" shall include: 1) any and all Medicaid expenditures related to individuals eligible for Medicaid pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act, including any federal actions or repayments; and, 2) all administrative costs associated with providing coverage, which includes the costs of administering the provisions of the Section 1115 waiver, and collecting the coverage assessment.

b. The “full cost of expanded Medicaid coverage” shall be updated: 1) on November 1 of each year based on the official

Medicaid forecast and latest administrative cost estimates developed by DMAS; 2) no more than 30 days after the enactment of this Act to reflect policy changes adopted by the latest session of the General Assembly; and 3) on March 1 of any year in which DMAS estimates that the most recent non-federal share of the “full cost of expanded Medicaid coverage” times 1.08 will be insufficient to pay all expenses in 2.a. for that year.

C.1. The “coverage assessment amount" shall equal the non-federal share of the “full cost of expanded Medicaid coverage" times 1.02.

2. The “coverage assessment percentage" shall be calculated quarterly by dividing (i) the “coverage assessment amount" by (ii) the total “net patient service revenue" for hospitals subject to the assessment. The coverage assessment amount used in the quarterly calculation of the “coverage assessment percentage” shall include a reconciliation of the Health Care Coverage Assessment Fund prescribed in D.1 and subtract all prior quarterly assessments paid for that fiscal year before dividing the remainder by the remaining quarters in the fiscal year.

3. Each hospital's “net patient service revenue” equals the amount reported in the most recent Virginia Health Information (VHI) “Hospital Detail Report.” Hospitals shall certify that the net patient service revenue is hospital revenue and this amount shall be the assessment basis for the following fiscal year.

4. Each hospital's coverage assessment amount shall be calculated by multiplying the quarterly “coverage assessment percentage” times each hospital's net patient service revenue.

D.1. DMAS shall, at a minimum, update the “coverage assessment amount” whenever the “full cost of expanded Medicaid coverage” is updated in section B.2.b or to ensure amounts are sufficient to cover the full cost of expanded Medicaid coverage based on the latest estimate. Hospitals shall be given no less than 15 days' notice prior to the beginning of the quarter with associated calculations supporting the change in its coverage assessment amount. Prior to any change to the coverage assessment amount, DMAS shall perform and incorporate a reconciliation of the Health Care Coverage Assessment Fund through the most recent complete quarter. Any estimated excess or shortfall of revenue shall be deducted from or added to the "coverage assessment amount."

2. DMAS shall be responsible for collecting the coverage assessment amount. Hospitals subject to the coverage assessment shall make quarterly payments due no later than July 1, October 1, January 1 and April 1 of each state fiscal year.

3. Hospitals that fail to make the coverage assessment payments within 30 days of the due date shall incur a five percent penalty that shall be deposited in the Virginia Health Care Fund. Any unpaid coverage assessment or penalty will be considered a debt to the Commonwealth and DMAS is authorized to recover it as such.

E. DMAS shall submit a report, due September 1 of each year, to the Director, Department of Planning and Budget and Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Virginia Hospital and Healthcare Association. The report shall include, for the most recently completed fiscal year, the revenue collected from the coverage assessment, expenditures for purposes authorized by this Item, and the year-end coverage assessment balance in the Health Care Coverage Assessment Fund. The report shall also include a complete and itemized listing of all administrative costs included in the coverage assessment.

F. All revenue from the coverage assessment excluding penalties, shall be deposited into the Health Care Coverage Assessment Fund. Proceeds from the coverage assessment, excluding penalties, shall not be used for any other purpose than to cover the non-federal share of the full cost of expanded Medicaid coverage. Notwithstanding any other provision of law, the net state share of any prior year recovery of Medicaid expansion costs that were paid with coverage assessment revenue shall be deposited into the Health Care Coverage Assessment Fund.

G. Any provision of this Item is contingent upon approval by the Centers for Medicare and Medicaid Services if necessary.

H. The Hospital Payment Policy Advisory Council shall meet to consider the implementation and provisions of the Provider Coverage and Payment Rate Assessments in order to consider and make recommendations to ensure the collection and use of such funds are appropriate and consistent with the intent of the General Assembly. Specifically, the Council shall consider the level of detail and format necessary to develop the report pursuant to paragraph E. The Council shall recommend a format and associated level of detail, to be included in the report to the Joint Subcommittee for Health and Human Resources Oversight. The Joint Subcommittee shall approve the final format and associated level of detail of the report to be submitted by the Department of Medical Assistance Services.

§ 3-5.15 PROVIDER PAYMENT RATE ASSESSMENT

A. The Department of Medical Assistance Services (DMAS) is hereby authorized to levy a payment rate assessment upon private ~~acute care~~ hospitals operating in Virginia in accordance with this item. Private ~~acute care~~ hospitals operating in Virginia shall pay a payment rate assessment beginning on or after October 1, 2018 when all necessary state plan amendments are approved by the Centers for Medicare and Medicaid Services (CMS). For purposes of this assessment, the definition of private ~~acute care~~ hospitals *shall include acute care hospitals and critical access hospitals and* shall exclude public hospitals, freestanding psychiatric and rehabilitation hospitals, children's hospitals, long stay hospitals, *and* long-term acute care hospitals ~~and critical access hospitals~~.

B. Proceeds from the payment rate assessment shall be used to (i) fund an increase in inpatient and outpatient payment rates paid to private ~~acute care~~ hospitals operating in Virginia up to the “upper payment limit gap"; and (ii) fill the “managed care organization hospital payment gap" for care provided to recipients of medical assistance services. Payments made under the provisions i and ii of this paragraph shall be referred to as “private ~~acute care~~ hospital enhanced payments".

C.1. The Department of Medical Assistance Services (DMAS) shall calculate each hospital's “payment rate assessment amount” by multiplying the “payment rate assessment percentage" times “net patient service revenue" as defined below.

2. The “payment rate assessment percentage" for hospitals shall be calculated as (i) the non-federal share of funding the “private ~~acute care hospitals~~*hospital* enhanced payments" divided by (ii) the total “net patient service revenue" for hospitals subject to the assessment.

3. Each hospital's “net patient service revenue" equals the amount reported in the most recent Virginia Health Information (VHI) “Hospital Detail Report." Hospitals shall certify that the net patient service revenue is hospital revenue and this amount shall be the assessment basis for the following fiscal year.

4. DMAS is authorized to define hospital classes and set variable assessment rates for different hospital classes in accordance with CMS regulations.

D. DMAS is authorized to update the payment rate assessment amount and payment rate assessment percentage on a quarterly basis to ensure amounts are sufficient to cover the non-federal share of the full cost of the private ~~acute care~~ hospital enhanced payments based on the department's quarterly claims and encounter data. Hospitals shall be given no less than 15 days prior notice of the new assessment amount and be provided with calculations. Prior to any change to the payment rate assessment amount, DMAS shall perform and incorporate a reconciliation of the Health Care Provider Payment Rate Assessment Fund. Any estimated excess or shortfall of revenue since the previous reconciliation shall be deducted from or added to the calculation of the private ~~acute care~~ hospital enhanced payments.

E.1. The "upper payment limit" means the limit on payment for inpatient services for recipients of medical assistance established in accordance with 42 C.F.R. § 447.272 and outpatient services for recipients of medical assistance pursuant to 42 C.F.R. § 447.321 for private hospitals. DMAS shall complete a calculation of the “upper payment limit" for each state fiscal year with a detailed analysis of how it was determined. The "upper payment limit payment gap" means the difference between the amount of the private hospital upper payment limit and the amount otherwise paid pursuant to the state plan for inpatient and outpatient services. The "managed care organization hospital payment gap" means the difference between the amount included in the capitation rates for inpatient and outpatient services based on historical paid claims and the amount that would be included when the projected hospital services furnished by private ~~acute care~~hospitals operating in Virginia are priced for the contract year equivalent to the maximum managed care directed payment amount as allowed by CMS subject to CMS approval under 42 C.F.R. section 438.6(c). As part of the development of the managed care capitation rates, the DMAS shall calculate a “Medicaid managed care organization (MCO) supplemental hospital capitation payment adjustment". This is a distinct additional amount that shall be added to Medicaid MCO capitation rates to fund supplemental payments under this section to private ~~acute care~~ hospitals operating in Virginia for services to Medicaid recipients.

2. DMAS shall contractually direct Medicaid MCOs to disburse supplemental hospital capitation payment funds consistent with this section and 42 C.F.R. § 438.6(c), to ensure that all such funds are disbursed to private ~~acute care~~ hospitals operating in Virginia. In addition, DMAS shall contractually prohibit MCOs from making reductions to or supplanting hospital payments otherwise paid by MCOs.

3. DMAS shall make available quarterly a report of the additional capitation payments that are made to each MCO pursuant to this item. Further, DMAS shall consider recommendations of the Medicaid Hospital Payment Policy and Advisory Council in designing and implementing the specific elements of the payment rate assessment and private ~~acute care~~ hospital supplemental payment program authorized by this item.

F.1. DMAS shall be responsible for collecting the payment rate assessment amount. Hospitals subject to the payment rate assessment shall make quarterly payments due no later than August 15, November 15, February 15 and May 15 of each state fiscal year.

2. Hospitals that fail to make the payment rate assessment payments on or before the due date in subsection F.1. shall incur a five percent penalty that shall be deposited in the Virginia Health Care Fund. Any unpaid payment assessment or penalty will be considered a debt to the Commonwealth and DMAS is authorized to recover it as such.

G. DMAS shall submit a report due September 1 of each year to the Director, Department of Planning and Budget and Chairs of the House Appropriations and Senate Finance and Appropriations Committees. The report shall include, for the most recently completed fiscal year, the revenue collected from the payment rate assessment, expenditures for purposes authorized by this item, and the year-end assessment balance in the Health Care Provider Payment Rate Assessment Fund.

H. All revenue from the payment rate assessment shall be deposited into the Health Care Provider Payment Rate Assessment Fund, a special non-reverting fund in the state treasury. Proceeds from the payment rate assessment, excluding penalties, shall

not be used for any other purpose than to fund (i) an increase in inpatient and outpatient payment rates paid to private ~~acute care~~ hospitals operating in Virginia up to the private hospital “upper payment limit" and “managed care organization hospital payment gap" for care provided to recipients of medical assistance services, and (ii) the administrative costs of collecting the assessment and of implementing and operating the associated payment rate actions.

I. The department shall have the authority to submit a State Plan amendment and preprint to the Centers for Medicare and Medicaid Services (CMS) to revise the “net patient service revenue" calculation for the state in accordance with CMS regulations to include currently excluded providers to attain the maximum assessment allowed under federal law as the upper limit of total assessments. The department shall have the authority to implement this change effective July 1, 2024, and prior to the completion of any regulatory process undertaken in order to effect such change.

~~I.~~*J.* Any provision of this Section is contingent upon approval by the Centers for Medicare and Medicaid Services if necessary.

§ 3-5.16 TOBACCO TAX STUDY

~~The Joint Subcommittee to Evaluate Tax Preferences is hereby directed to continue studying options for the modernization of § 58.1-1001(A), Code of Virginia, to reflect advances in science and technology in the area of tobacco harm reduction, and the role innovative non-combustible tobacco products can play in reducing harm, including products that produce vapor or aerosol from heating tobacco or liquid nicotine. In addition, the Joint Subcommittee shall study possible reforms to the taxation of tobacco products that will provide fairness and equity for all local governments and also ensure stable tax revenues for the Commonwealth. The Joint Subcommittee shall complete its study and submit a final report with recommended reforms to the Finance Committees of the Virginia Senate and Virginia House of Delegates. All agencies of the Commonwealth shall provide assistance for this study, upon request.~~

§3-5.17 HISTORIC PRESERVATION TAX CREDIT

A. Notwithstanding § 58.1-339.2 or any other provision of law, effective for taxable years beginning on and after January 1, 2017, but before January 1, 2025, the amount of the Historic Rehabilitation Tax Credit that may be claimed by each taxpayer, including amounts carried over from prior taxable years, shall not exceed $5 million for any taxable year.

B. Notwithstanding § 58.1-339.2 or any other provision of law, effective for taxable years beginning on and after January 1, 2025, the amount of the Historic Rehabilitation Tax Credit that may be claimed by each taxpayer, including amounts carried over from prior taxable years, shall not exceed $7.5 million for any taxable year.

§ 3-5.18 NEIGHBORHOOD ASSISTANCE ACT TAX CREDIT

A. Notwithstanding § 58.1-439.20 or any other provision of law, for fiscal Year 2025 and fiscal year 2026, the amount of the Neighborhood Assistance Act Tax Credit available under § 58.1-439.18 et seq., Code of Virginia, shall be limited to $20 million allocated as follows: $12.0 million for education proposals for approval by the Superintendent of Public Instruction and $8.0 million for all other proposals for approval by the Commissioner of the State Department of Social Services. In making such equitable allocation of credits, the Commissioner of Social Services and the Superintendent of Public Instruction shall consider the portion of a neighborhood organization's revenues and expenses that are used to serve low-income persons and shall not rely solely on the amount of credits allocated to the neighborhood organization in the prior year in allocating available credits.

B. For purposes of this section, the term "individual" means the same as that term is defined in § 58.1-302, but excluding any individual included in the definition of a "business firm" as such term is defined in § 58.1-439.18.

C. Notwithstanding any other provision of law or regulation, in order to be eligible to receive an allocation of credits pursuant to § 58.1-439.20:1, Code of Virginia, at least 50 percent of the persons served by the neighborhood organization, either directly by the neighborhood organization or through the provision of revenues to other organizations or groups serving such persons, shall be low-income persons or eligible students with disabilities and at least 50 percent of the neighborhood organization's revenues shall be used to provide services to low-income persons or to eligible students with disabilities, either directly by the neighborhood organization or through the provision of revenues to other organizations or groups providing such services. A tax credit shall be issued by the Superintendent of Public Instruction or the Commissioner of Social Services to an individual only upon receipt of a certification made by a neighborhood organization to whom tax credits were allocated for an approved program pursuant to § 58.1-439.20, § 58.1-439.20:1 or this language.

§ 3-5.19 CIGARETTE TAX, TOBACCO PRODUCTS TAX AND TAX ON LIQUID NICOTINE

A.1. Notwithstanding any other provision of law except as provided in subdivision 2, the cigarette tax imposed under subsection A1 of § 58.1-1001 of the Code of Virginia shall be 3.0 cents on each cigarette sold, stored or received on and after July 1, 2020.

2. Notwithstanding any other provision of law, the excise tax imposed under subsection A2 of § 58.1-1001 of the Code of Virginia shall be 2.25 cents per stick on each cigarette intended to be heated, as defined in § 58.1-1000 of the Code of Virginia, sold, stored or received on and after July 1, 2024. No cigarettes intended to be heated shall be certified in accordance with § 3.2-4205 of the Code of Virginia until the Department of Taxation has developed a stamp for purposes of the tax levied on cigarettes intended to be heated.

B.1. Notwithstanding any other provision of law, the rates of the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia in effect on June 30, 2020 shall be doubled beginning July 1, 2020 for taxable sales or purchases occurring on and after such date.

2. Notwithstanding any other provision of law, the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia shall be imposed on any heated tobacco product at the rate of 2.25 cents per stick beginning January 1, 2021 for taxable sales or purchases occurring on and after such date, until July 1, 2024 for taxable sales or purchases occurring before such date.

C.1. Notwithstanding any other provision of law, the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia shall be imposed on liquid nicotine, as defined in § 58.1-1021.01 of the Code of Virginia, at the rate of $0.066 per milliliter beginning July 1, 2020 for taxable sales or purchases occurring on and after such date, until July 1, 2024 for taxable sales occurring before such date.

2. Notwithstanding any other provision of law, the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia shall be imposed on liquid nicotine, as defined in § 58.1-1021.01 of the Code of Virginia, at the rate of $0.11 per milliliter beginning July 1, 2024 for taxable sales or purchases occurring on and after such date.

D. Notwithstanding any other provision of law, the tobacco products tax imposed under § 58.1-1021.02 of the Code of Virginia shall be imposed on any heated tobacco product, as defined in § 58.1-1021.01 of the Code of Virginia, at the rate of 20 percent of the wholesale price beginning July 1, 2024, for taxable sales or purchases occurring on and after such date.

E. The Tax Commissioner shall establish guidelines and rules for (i) transitional procedures in regard to the increase in the cigarette tax, (ii) implementation of the increased tobacco products tax rates, and (iii) implementation of the tobacco products tax on liquid nicotine pursuant to the provisions of this act. The development of such guidelines and rules by the Tax Commissioner shall be exempt from the provisions of the Administrative Process Act (Code of Virginia § 2.2-4000 et seq.)

F. Notwithstanding any other provision of law, beginning January 1, 2021, for the purposes of the Tobacco Products Tax, a Distributor, as defined in § 58.1-1021.01, shall be deemed to have sufficient activity within the Commonwealth to require registration under § 58.1-1021.04:1, if such distributor:

1. Receives more than $100,000 in gross revenue, or other minimum amount as may be required by federal law, from sales of tobacco products in the Commonwealth in the previous or current calendar year, provided that in determining the amount of a dealer's gross revenues, the sales made by all commonly controlled persons as defined in subsection D of § 58.1-612 shall be aggregated; or

2. Engages in 200 or more separate tobacco products sales transactions, or other minimum amount as may be required by federal law, in the Commonwealth in the previous or current calendar year, provided that in determining the total number of a dealer's retail sales transactions, the sales made by all commonly controlled persons as defined in subsection D of § 58.1-612 shall be aggregated.

§ 3-5.20 SALES AND USE TAX HOLIDAY FOR CERTAIN SCHOOL SUPPLIES, HURRICANE PREPAREDNESS EQUIPMENT, AND ENERGY SAVINGS EQUIPMENT

Notwithstanding any other provision of law or regulation, the retail sales and use tax exemption holidays authorized in subdivision 18 of § 58.1-609.1, § 58.1-611.2 and § 58.1-611.3 of the Code of Virginia, applicable to Energy Star or Watersense qualified products, school supplies, clothing and footwear, and certain hurricane preparedness equipment shall remain in effect through July 1, 2025.

§ 3-5.21 REAL PROPERTY TAX

A. Virginia Code § 58.1-3295.3 requires fixtures in a data center, when classified as real estate, to be valued by a locality based on the cost approach (cost less depreciation) rather than the income generated. Fixtures in a data center, when classified as real estate, shall be assessed at one-hundred percent fair market value as determined by the cost approach and consistent with § 58.1-3201.

§ 3-5.22 LAND PRESERVATION TAX CREDIT CLAIMED

A. Notwithstanding § 58.1-512 or any other provision of law, effective for the taxable year beginning on and after January 1, 2017, but before January 1, 2023, the amount of the Land Preservation Tax credit that may be claimed by each taxpayer, including amounts carried over from prior taxable years, shall not exceed $20,000.

B. Notwithstanding § 58.1-512 or any other provision of law, effective for the taxable year beginning on and after January 1, 2024, the amount of the Land Preservation Tax Credit that may be claimed by each taxpayer, including amounts carried over from prior taxable years, shall not exceed $20,000.

§3-5.23 RETAIL SALES AND USE TAX EXEMPTION FOR CERTAIN DRILLING EQUIPMENT

Notwithstanding any other provision of law or regulation, the retail sales and use tax exemption provided for in subdivision 12 of § 58.1-609.3 of the Code of Virginia, applicable to raw materials, fuel, power, energy, supplies, machinery or tools or repair parts therefor or replacements thereof, used directly in the drilling, extraction, or processing of natural gas or oil and the reclamation of the well area shall remain in effect through July 1, ~~2025~~ *2026*.

§3-5.24 ENTITLEMENT TO CERTAIN SALES TAX REVENUES

Notwithstanding § 58.1-608.3 or any other provision of law and for purposes of a municipality entitled to certain sales tax revenues pursuant to § 58.1-608.3, "sales tax revenues" means the revenue generated by the 2.025 percent unrestricted sales and use tax under the Virginia Retail Sales and Use Tax Act (§ 58.1-600 et seq.).

§3-5.25 RETAIL SALES AND USE TAX EXEMPTION FOR BULLION AND LEGAL TENDER COINS

Notwithstanding any other provision of law or regulation, the retail sales and use tax exemption provided for in subdivision 19 of § 58.1-609.1 of the Code of Virginia, applicable to gold, silver, or platinum bullion or legal tender coins shall remain in effect through July 1, 2026.

§ 3-5.26 RECYCLABLE MATERIALS PROCESSING EQUIPMENT TAX CREDIT

Notwithstanding any other provision of law or regulation, the tax credit authorized in § 58.1-439.7 of the Code of Virginia for the purchase of machinery and equipment used for advanced recycling and processing recyclable materials shall remain in effect through taxable years beginning before January 1, 2027.

§ 3-6.00 ADJUSTMENTS AND MODIFICATIONS TO FEES

§ 3-6.01 RECORDATION TAX FEE

There is hereby assessed a twenty dollar fee on (i) every deed for which the state recordation tax is collected pursuant to §§ 58.1-801 A and 58.1-803, Code of Virginia; and (ii) every certificate of satisfaction admitted under § 55.1-345, Code of Virginia. The revenue generated from fifty percent of such fee shall be deposited to the general fund. The revenue generated from the other fifty percent of such fee shall be deposited to the Virginia Natural Resources Commitment Fund, a subfund of the Virginia Water Quality Improvement Fund, as established in § 10.1-2128.1, Code of Virginia. The funds deposited to this subfund shall be disbursed for the agricultural best management practices cost share program, pursuant to § 10.1-2128.1, Code of Virginia.

§ 3-6.02 ANNUAL VEHICLE REGISTRATION FEE ($6.25 FOR LIFE)

Notwithstanding § 46.2-694 paragraph 13 of the Code of Virginia, the additional fee that shall be charged and collected at the time of registration of each pickup or panel truck and each motor vehicle shall be $6.25.

§ 3-6.03 DRIVERS LICENSE REINSTATEMENT FEE

A. Notwithstanding § 46.2-411 of the Code of Virginia, the drivers license reinstatement fee payable to the Trauma Center Fund shall be $100.

B. Notwithstanding the provisions of § 46.2-395 of the Code of Virginia, no court shall suspend any person's privilege to drive a motor vehicle solely for failure to pay any fines, court costs, forfeitures, restitution, or penalties assessed against such person. The Commissioner of the Department of Motor Vehicles shall reinstate a person's privilege to drive a motor vehicle that was suspended prior to July 1, 2019, solely pursuant to § 46.2-395 of the Code of Virginia and shall waive all fees relating to reinstating such person's driving privileges including those paid to the Trauma Center Fund. Nothing herein shall require the Commissioner to reinstate a person's driving privileges if such privileges have been otherwise lawfully suspended or revoked or if such person is otherwise ineligible for a driver's license.

§ 3-6.04 ASSESSMENT OF ELECTRONIC SUMMONS FEE BY LOCALITIES

Nothing in § 17.1-279.1 of the Code of Virginia shall be construed to authorize any county, city, or town to assess the sum set forth therein upon any summons issued by a law-enforcement agency of the Commonwealth.

§ 3-6.05 PROCEDURES FOR PREPAYMENT OF CIVIL PENALTIES IN AN EXECUTIVE ORDER

Any civil penalty under § 44-146.17(1) shall be prepayable in the amount set by executive order and in accordance with § 16.1-69.40:2 B of the Code of Virginia. Any civil penalty amount set by executive order shall not be construed or interpreted so as to limit the discretion of any trial judge trying individual cases at the time fixed for trial.

PART 4: GENERAL PROVISIONS
§ 4-0.00 OPERATING POLICIES

§ 4-0.01 OPERATING POLICIES

a. Each appropriating act of the General Assembly shall be subject to the following provisions and conditions, unless specifically exempt elsewhere in this act.

b. All appropriations contained in this act, or in any other appropriating act of the General Assembly, are declared to be maximum appropriations and conditional on receipt of revenue.

c. The Governor, as chief budget officer of the state, shall ensure that the provisions and conditions as set forth in this section are strictly observed.

d. Public higher education institutions are not subject to the provisions of § 2.2-4800, Code of Virginia, or the provisions of the Department of Accounts' Commonwealth Accounting Policies and Procedures manual (CAPP) topic 20505 with regard to students who are veterans of the United States armed services and National Guard and are in receipt of federal educational benefits under the G.I. Bill. Public higher education shall establish internal procedures for the continued enrollment of such students to include resolution of outstanding accounts receivable.

e. The provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia) shall not apply to grants made in support of the 2019 Commemoration to non-profit entities organized under § 501 (c)(3) of the Internal Revenue Code.

f. 1. The State Council of Higher Education for Virginia shall establish a policy for granting undergraduate course credit to entering freshman students who have taken one or more Advanced Placement, Cambridge Advanced (A/AS), College-Level Examination Program (CLEP), or International Baccalaureate examinations by August 1, 2017. The policy shall:

a) Outline the conditions necessary for each public institution of higher education to grant course credit, including the minimum required scores on such examinations;

b) Identify the course credit or other academic requirements of each public institution of higher education that the student satisfies by achieving the minimum required scores on such examinations; and

c) Ensure, to the extent possible, that the grant of course credit is consistent across each public institution of higher education and each such examination.

2. The Council and each public institution of higher education shall make the policy available to the public on its website.

g. 1. Notwithstanding any other provision of law, any public body, including any state, local, regional, or regulatory body, or a governing board as defined in § 54.1-2345 of the Code of Virginia, or any joint meeting of such entities, may meet by electronic communication means without a quorum of the public body or any member of the governing board physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body or governing board to assemble in a single location; (ii) the purpose of meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body or common interest community association as defined in § 54.1-2345 of the Code of Virginia and the discharge of its lawful purposes, duties, and responsibilities; (iii) a public body shall make available a recording or transcript of the meeting on its website in accordance with the timeframes established in §§ 2.2-3707 and 2.2-3707.1 of the Code of Virginia; and (iv) the governing board shall distribute minutes of a meeting held pursuant to this subdivision to common interest community association members by the same method used to provide notice of the meeting.

2. A public body or governing board convening a meeting in accordance with this subdivision shall:

a) Give notice to the public or common interest community association members using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body or governing board conducting the meeting;

b) Make arrangements for public access or common interest community association members access to such meeting through electronic means including, to the extent practicable, videoconferencing technology. If the means of communication allows, provide the public or common interest community association members with an opportunity to comment; and

3. Public bodies must otherwise comply with the provisions of § 2.2-3708.2 of the Code of Virginia. The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the public body or governing board.

h. To the extent that a public institution of higher education maintains and operates university housing during scheduled

intercessions, the institution shall provide access to housing for students eligible under § 23.1-601, Code of Virginia at no cost to the student provided that the student (i) is a registered student for the immediate following term and (ii) meets the definitions and conditions of the federal McKinney-Vento Homeless Assistance Act.

§ 4-1.00 APPROPRIATIONS

§ 4-1.01 PREREQUISITES FOR PAYMENT

a. The State Comptroller shall not pay any money out of the state treasury except pursuant to appropriations in this act or in any other act of the General Assembly making an appropriation during the current biennium.

b. Moneys shall be spent solely for the purposes for which they were appropriated by the General Assembly, except as specifically provided otherwise by § 4-1.03 Appropriation Transfers, § 4-4.01 Capital Projects, or § 4-5.01 a. Settlement of Claims with Individuals. Should the Governor find that moneys are not being spent in accordance with provisions of the act appropriating them, he shall restrain the State Comptroller from making further disbursements, in whole or in part, from said appropriations. Further, should the Auditor of Public Accounts determine that a state or other agency is not spending moneys in accordance with provisions of the act appropriating them, he shall so advise the Governor or other governing authority, the State Comptroller, the Chairman of the Joint Legislative Audit and Review Commission, and Chairmen of the Senate Finance and Appropriations and House Appropriations Committees.

c. Exclusive of revenues paid into the general fund of the state treasury, all revenues earned or collected by an agency, and contained in an appropriation item to the agency shall be expended first during the fiscal year, prior to the expenditure of any general fund appropriation within that appropriation item, unless prohibited by statute or by the terms and conditions of any gift, grant or donation.

I VETO ITEM 4-1.02 ON PAGES 2398-2401
/s/ Glenn Youngkin
5-2-25

§ 4-1.02 WITHHOLDING OF SPENDING AUTHORITY

a. For purposes of this subsection, withholding of spending authority is defined as any action pursuant to a budget reduction plan approved by the Governor to address a declared shortfall in budgeted revenue that impedes or limits the ability to spend appropriated moneys, regardless of the mechanism used to effect such withholding.

b.1. Changed Expenditure Factors: The Governor is authorized to reduce spending authority, by withholding allotments of appropriations, when expenditure factors, such as enrollments or population in institutions, are smaller than the estimates upon which the appropriation was based. Moneys generated from the withholding action shall not be reallocated for any other purpose, provided the withholding of allotments of appropriations under this provision shall not occur until at least 15 days after the Governor has transmitted a statement of changed factors and intent to withhold moneys to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

2. Moneys shall not be withheld on the basis of reorganization plans or program evaluations until such plans or evaluations have been specifically presented in writing to the General Assembly at its next regularly scheduled session.

c. Increased Nongeneral Fund Revenue:

1. General fund appropriations to any state agency for operating expenses are supplemental to nongeneral fund revenues collected by the agency. To the extent that nongeneral fund revenues collected in a fiscal year exceed the estimate on which the operating budget was based, the Governor is authorized to withhold general fund spending authority, by withholding allotments of appropriations, in an equivalent amount. However, this limitation shall not apply to (a) restricted excess tuition and fees for educational and general programs in the institutions of higher education, as defined in § 4-2.01 c of this act; (b) appropriations to institutions of higher education designated for fellowships, scholarships and loans; (c) gifts or grants which are made to any state agency for the direct costs of a stipulated project; (d) appropriations to institutions for the mentally ill or intellectually disabled payable from the Behavioral Health and Developmental Services Revenue Fund; and (e) general fund appropriations for highway construction and mass transit. Moneys unallotted under this provision shall not be reallocated for any other purpose.

2. To the degree that new or additional grant funds become available to supplement general fund appropriations for a program, following enactment of an appropriation act, the Governor is authorized to withhold general fund spending authority, by withholding allotments of appropriations, in an amount equivalent to that provided from grant funds, unless such action is prohibited by the original provider of the grant funds. The withholding action shall not include general fund appropriations, which are required to match grant funds. Moneys unallotted under this provision shall not be reallocated for any other purpose.

d. Reduced General Fund Resources:

1. The term “general fund resources” as applied in this subsection includes revenues collected and paid into the general fund of the state treasury during the current biennium, transfers to the general fund of the state treasury during the current biennium, and all unexpended balances brought forward from the previous biennium.

2. In the event that general fund resources are estimated by the Governor to be insufficient to pay in full all general fund appropriations authorized by the General Assembly, the Governor shall, subject to the qualifications herein contained, withhold

general fund spending authority, by withholding allotments of appropriations, to prevent any expenditure in excess of the estimated general fund resources available.

3. In making this determination, the Governor shall take into account actual general fund revenue collections for the current fiscal year and the results of a formal written re-estimate of general fund revenues for the current and next biennium, prepared within the previous 90 days, in accordance with the process specified in § 2.2-1503, Code of Virginia. Said re-estimate of general fund revenues shall be communicated to the Chairmen of the Senate Finance and Appropriations, House Appropriations and House Finance Committees, prior to taking action to reduce general fund allotments of appropriations on account of reduced resources.

4.a) In addition to monthly reports on the status of revenue collections relative to the current fiscal year's estimate, the Governor shall provide a written quarterly assessment of the current economic outlook for the remainder of the fiscal year to the Chairmen of the House Appropriations, House Finance, and Senate Finance and Appropriations Committees.

b) Within five business days after the preliminary close of the state accounts at the end of the fiscal year, the State Comptroller shall provide the Governor with the actual total of (1) individual income taxes, (2) corporate income taxes, and (3) sales taxes for the just-completed fiscal year, with a comparison of such actual totals with the total of such taxes in the official budget estimate for that fiscal year. If that comparison indicates that the total of (1) individual income taxes, (2) corporate income taxes, and (3) sales taxes, as shown on the preliminary close, was one percent or more below the amount of such taxes in the official budget estimate for the just-completed fiscal year, the Governor shall prepare a written re-estimate of general fund revenues for the current biennium and the next biennium in accordance with § 2.2-1503, Code of Virginia, to be reported to the Chairmen of the Senate Finance and Appropriations, House Finance and House Appropriations Committees, not later than September 1 following the close of the fiscal year.

c) 1. Within 30 business days after the enactment of amendments to federal income taxes, the Department of Taxation shall provide the estimated fiscal impacts to general fund revenue from such amendments to federal income tax law to the Governor and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

2. Within 20 business days of receiving the estimated fiscal impacts from the Department of Taxation in subsection c) 1., the Governor shall submit a budget bill in accordance with § 2.2-1509, notwithstanding any conflicting requirements in § 2.2-1509, if the cumulative projected impact of such amendments, except any amendment to federal income tax law that is a federal tax extender as defined under subdivision B 11 of § 58.1-301, would decrease general fund revenues by more than $100.0 million in the fiscal year in which the amendments were enacted or the succeeding fiscal year.

3. Notwithstanding c) 2., if the requirements in subsection c) 1., are met on or after November 1 but before the date on which the Governor submits a budget bill in accordance with § 2.2-1509, the Governor shall not be required to submit a budget within 20 business days but instead shall include the estimated fiscal impacts in the budget bill introduced in accordance with § 2.2-1509. If the requirements in subsection c) 2. are met on or after the date on which the Governor submits a budget bill in accordance with § 2.2-1509 but before the adjournment of a regular session of the General Assembly in the following year, the Governor shall not be required to submit a budget within 20 business days.

5.a) The Governor shall take no action to withhold allotments until a written plan detailing specific reduction actions approved by the Governor, identified by program and appropriation item, has been presented to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. Subsequent modifications to the approved reduction plan also must be submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, prior to withholding allotments of appropriations.

b) In addition to the budget reduction plan approved by the Governor, all budget reduction proposals submitted by state agencies to the Governor or the Governor's staff, including but not limited to the Department of Planning and Budget, the Governor's Cabinet secretaries, or the Chief of Staff, whether submitted electronically or otherwise, shall be made available via electronic means to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees concurrently with that budget reduction plan.

6. In effecting the reduction of expenditures, the Governor shall not withhold allotments of appropriations for:

a) More than 15 percent cumulatively of the annual general fund appropriation contained in this act for operating expenses of any one state or nonstate agency or institution designated in this act by title, and the exact amount withheld, by state or nonstate agency or institution, shall be reported within five calendar days to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees. State agencies providing funds directly to grantees named in this act shall not apportion a larger cut to the grantee than the proportional cut apportioned to the agency. Without regard to § 4-5.05 b.4. of this act, the remaining appropriation to the grantee which is not subject to the cut, equal to at least 85 percent of the annual appropriation, shall be made by July 31, or in two equal installments, one payable by July 31 and the other payable by December 31, if the remaining appropriation is less than or equal to $500,000, except in cases where the normal conditions of the grant dictate a different payment schedule.

b) The payment of principal and interest on the bonded debt or other bonded obligations of the Commonwealth, its agencies

and its authorities, or for payment of a legally authorized deficit.

c) The payments for care of graves of Confederate and historical African American dead.

d) The employer contributions, and employer-paid member contributions, to the Social Security System, Virginia Retirement System, Judicial Retirement System, State Police Officers Retirement System, Virginia Law Officers Retirement System, Optional Retirement Plan for College and University Faculty, Optional Retirement Plan for Political Appointees, Optional Retirement Plan for Superintendents, the Volunteer Service Award Program, the Virginia Retirement System's group life insurance, sickness and disability, and retiree health care credit programs for state employees, state-supported local employees and teachers. If the Virginia Retirement System Board of Trustees approves a contribution rate for a fiscal year that is lower than the rate on which the appropriation was based, or if the United States government approves a Social Security rate that is lower than that in effect for the current budget, the Governor may withhold excess contributions. However, employer and employee paid rates or contributions for health insurance and matching deferred compensation for state employees, state-supported local employees and teachers may not be increased or decreased beyond the amounts approved by the General Assembly. Payments for the employee benefit programs listed in this paragraph may not be delayed beyond the customary billing cycles that have been established by law or policy by the governing board.

e) The payments in fulfillment of any contract awarded for the design, construction and furnishing of any state building.

f) The salary of any state officer for whom the Constitution of Virginia prohibits a change in salary.

g) The salary of any officer or employee in the Executive Department by more than two percent (irrespective of the fund source for payment of salaries and wages); however, the percentage of reduction shall be uniformly applied to all employees within the Executive Department.

h) The appropriation supported by the State Bar Fund, as authorized by § 54.1-3913, Code of Virginia, unless the supporting revenues for such appropriation are estimated to be insufficient to pay the appropriation.

7. The Governor is authorized to withhold specific allotments of appropriations by a uniform percentage, a graduated reduction or on an individual basis, or apply a combination of these actions, in effecting the authorized reduction of expenditures, up to the maximum of 15 percent, as prescribed in subdivision 6a of this subsection.

8. Each nongeneral fund appropriation shall be payable in full only to the extent the nongeneral fund revenues from which the appropriation is payable are estimated to be sufficient. The Governor is authorized to reduce allotments of nongeneral fund appropriations by the amount necessary to ensure that expenditures do not exceed the supporting revenues for such appropriations; however, the Governor shall take no action to reduce allotments of appropriations for major nongeneral fund sources on account of reduced revenues until such time as a formal written re-estimate of revenues for the current and next biennium, prepared in accordance with the process specified in § 2.2-1503, Code of Virginia, has been reported to the Chairmen of the Senate Finance and Appropriations, House Finance, and House Appropriations Committees. For purposes of this subsection, major nongeneral fund sources are defined as Highway Maintenance and Operating Fund and Transportation Trust Fund.

9. Notwithstanding any contrary provisions of law, the Governor is authorized to transfer to the general fund on June 30 of each year of the biennium, or within 20 days from that date, any available unexpended balances in other funds in the state treasury, subject to the following:

a) The Governor shall declare in writing to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees that a fiscal emergency exists which warrants the transfer of nongeneral funds to the general fund and reports the exact amount of such transfer within five calendar days of the transfer;

b) No such transfer may be made from retirement or other trust accounts, the State Bar Fund as authorized by § 54.1-3913, Code of Virginia, debt service funds, or federal funds; and

c) The Governor shall include for informative purposes, in the first biennial budget he submits subsequent to the transfer, the amount transferred from each account or fund and recommendations for restoring such amounts.

10. The Director, Department of Planning and Budget, shall make available via electronic means a report of spending authority withheld under the provisions of this subsection to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees within five calendar days of the action to withhold. Said report shall include the amount withheld by agency and appropriation item.

11. If action to withhold allotments of appropriation under this provision is inadequate to eliminate the imbalance between projected general fund resources and appropriations, the Speaker of the House of Delegates and the President pro tempore of the Senate shall be advised in writing by the Governor, so that they may consider requesting a special session of the General Assembly.

e. Reduced Federal Grant Revenue:

1. Within 30 business days after the enactment of federal changes that impact federal grant revenue to the Commonwealth by at

least $100 million in the fiscal year in which the federal changes occur or the succeeding fiscal year, whether by an Act of Congress or by executive action, the Department of Planning and Budget shall provide the estimated fiscal impact from such federal changes to the Governor and the Chairs of the Senate Finance and Appropriations and the House Appropriations Committees.

2. Federal grants shall be payable in full only to the extent the nongeneral fund revenues from which the federal grant is payable are estimated to be sufficient. The Governor is authorized to reduce allotments for the impacted federal grants by the amount necessary to ensure that expenditures do not exceed the supporting revenues for such appropriation.

3. If federal grant reductions result in additional general fund expenditures being required (i.e. mandatory programs) that exceed one percent of the general fund operating budget in the fiscal year in which the federal changes occur or the succeeding fiscal year, the Governor shall consult with the leadership of the General Assembly regarding the need to call the General Assembly into special session for budgetary purposes to respond to the impact from reductions in federal grant revenue.

4. These provisions shall not apply to major nongeneral fund sources as defined as Highway Maintenance and Operating Fund and Transportation Trust Fund.

§ 4-1.03 APPROPRIATION TRANSFERS

GENERAL

a. During any fiscal year, the Director, Department of Planning and Budget, may transfer appropriation authority from one state or other agency to another, to effect the following:

1) distribution of amounts budgeted in the central appropriation to agencies, or withdrawal of budgeted amounts from agencies in accordance with specific language in the central appropriation establishing reversion clearing accounts;

2) distribution of pass-through grants or other funds held by an agency as fiscal agent;

3) correction of errors within this act, where such errors have been identified in writing by the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees;

4) proper accounting between fund sources 0100 and 0300 in higher education institutions;

5) transfers specifically authorized elsewhere in this act or as specified in the Code of Virginia;

6) to supplement capital projects in order to realize efficiencies or provide for cost overruns unrelated to changes in size or scope; or

7) to administer a program for another agency or to effect budgeted program purposes approved by the General Assembly, pursuant to a signed agreement between the respective agencies.

b. During any fiscal year, the Director, Department of Planning and Budget, may transfer appropriation authority within an agency to effect proper accounting between fund sources and to effect program purposes approved by the General Assembly, unless specifically provided otherwise in this act or as specified in the Code of Virginia. However, appropriation authority for local aid programs and aid to individuals, with the exception of student financial aid, shall not be transferred elsewhere without advance notice to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. Further, any transfers between capital projects shall be made only to realize efficiencies or provide for cost overruns unrelated to changes in size or scope.

c.1. In addition to authority granted elsewhere in this act, the Director, Department of Planning and Budget, may transfer operating appropriations authority among sub-agencies within the Judicial System, the Department of Corrections, and the Department of Behavioral Health and Developmental Services to effect changes in operating expense requirements which may occur during the biennium.

2. The Director, Department of Planning and Budget, may transfer appropriations from the Department of Behavioral Health and Developmental Services to the Department of Medical Assistance Services, consisting of the general fund amounts required to match federal funds for reimbursement of services provided by its institutions and Community Services Boards.

3. The Director, Department of Planning and Budget, may transfer appropriations from the Office of Comprehensive Services to the Department of Medical Assistance Services, consisting of the general fund amounts required to match federal funds for reimbursement of services provided to eligible children.

4. The Director, Department of Planning and Budget, may transfer an appropriation or portion thereof within a state or other agency, or from one such agency to another, to support changes in agency organization, program or responsibility enacted by the General Assembly to be effective during the current biennium.

5. The Director, Department of Planning and Budget, may transfer appropriations from the second year to the first year, with

said transfer to be reported in writing to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees within five calendar days of the transfer, when the expenditure of such funds is required to:

a) address a threat to life, safety, health or property, or

b) provide for unbudgeted cost increases for statutorily required services or federally mandated services, in order to continue those services at the present level, or

c) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a situation deemed threatening to life, safety, health, or property, or

d) provide for payments to the beneficiaries of certain public safety officers killed in the line of duty, as authorized in Title 2.2, Chapter 4, Code of Virginia and for payments to the beneficiaries of certain members of the National Guard and United States military reserves killed in action in any armed conflict on or after October 7, 2001, as authorized in § 44-93.1 B., Code of Virginia, or

e) continue a program at the present level of service or at an increased level of service when required to address unanticipated increases in workload such as enrollment, caseload or like factors, or unanticipated costs, or

f) to address unanticipated business or industrial development opportunities which will benefit the state's economy, provided that any such appropriations be used in a manner consistent with the purposes of the program as originally appropriated.

6. An appropriation transfer shall not occur except through properly executed appropriation transfer documents designed specifically for that purpose, and all transactions effecting appropriation transfers shall be entered in the state's computerized budgeting and accounting systems.

7. The Director, Department of Planning and Budget, may transfer from any other agency, appropriations to supplement any project of the Virginia Public Building Authority authorized by the General Assembly and approved by the Governor. Such capital project shall be transferred to the state agency designated as the managing agency for the Virginia Public Building Authority.

8. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 of Title 15.2 of the Code of Virginia (§ 15.2-4100 et seq.) or the consolidation of a city and a county into a single city pursuant to the provisions of Chapter 35 of Title 15.2, Code of Virginia (§ 15.2-3500 et seq.) subsequent to July 1, 1999, the provisions of § 15.2-1302 shall govern distributions from state agencies to the county in which the town is situated or to the consolidated city, and the Director, Department of Planning and Budget, is authorized to transfer appropriations or portions thereof within a state agency, or from one such agency to another, if necessary to fulfill the requirements of § 15.2-1302.

§ 4-1.04 APPROPRIATION INCREASES

a. UNAPPROPRIATED NONGENERAL FUNDS:

1. Sale of Surplus Materials:

The Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of credit resulting from the sale of surplus materials under the provisions of § 2.2-1125, Code of Virginia.

2. Insurance Recovery:

The Director, Department of Planning and Budget, shall increase the appropriation authority for any state agency by the amount of the proceeds of an insurance policy or from the State Insurance Reserve Trust Fund, for expenditures as far as may be necessary, to pay for the repair or replacement of lost, damaged or destroyed property, plant or equipment.

3. Gifts, Grants and Other Nongeneral Funds:

a) Subject to § 4-1.02 c, Increased Nongeneral Fund Revenue, and the conditions stated in this section, the Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of the proceeds of donations, gifts, grants or other nongeneral funds paid into the state treasury in excess of such appropriations during a fiscal year. Such appropriations shall be increased only when the expenditure of moneys is authorized elsewhere in this act or is required to:

1) address a threat to life, safety, health or property or

2) provide for unbudgeted increases in costs for services required by statute or services mandated by the federal government, in order to continue those services at the present level or implement compensation adjustments approved by the General Assembly, or

3) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a situation deemed threatening to life, safety, health, or property, or

4) continue a program at the present level of service or at an increased level of service when required to address unanticipated increases in noncredit instruction at institutions of higher education or business and industrial development opportunities which will

benefit the state's economy, or

5) participate in a federal or sponsored program provided that the provisions of § 4-5.03 shall also apply to increases in appropriations for additional gifts, grants, and other nongeneral fund revenue which require a general fund match as a condition of their acceptance; or

6) realize cost savings in excess of the additional funds provided, or

7) permit a state agency or institution to use a donation, gift or grant for the purpose intended by the donor, or

8) provide for cost overruns on capital projects and for capital projects authorized under § 4-4.01 l of this act, or

9) address caseload or workload changes in programs approved by the General Assembly.

b) The above conditions shall not apply to donations and gifts to the endowment funds of institutions of higher education.

c) Each state agency and institution shall ensure that its budget estimates include a reasonable estimate of receipts from donations, gifts or other nongeneral fund revenue. The Department of Planning and Budget shall review such estimates and verify their accuracy, as part of the budget planning and review process.

d) No obligation or expenditure shall be made from such funds until a revised operating budget request is approved by the Director, Department of Planning and Budget. Expenditures from any gift, grant or donation shall be in accordance with the purpose for which it was made; however, expenditures for property, plant or equipment, irrespective of fund source, are subject to the provisions of §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects General, and 4-5.03 b Services and Clients-New Services, of this act.

e) Nothing in this section shall exempt agencies from complying with § 4-2.01 a Solicitation and Acceptance of Donations, Gifts, Grants, and Contracts of this act.

4. Any nongeneral fund cash balance recorded on the books of the Department of Accounts as unexpended on the last day of the fiscal year may be appropriated for use in the succeeding fiscal year with the prior written approval of the Director, Department of Planning and Budget, unless the General Assembly shall have specifically provided otherwise. Revenues deposited to the Virginia Health Care Fund shall be used only as the state share of Medicaid, unless the General Assembly specifically authorizes an alternate use. With regard to the appropriation of other nongeneral fund cash balances, the Director shall make a listing of such transactions available to the public via electronic means no less than ten business days following the approval of the appropriation of any such balance.

5. Reporting:

The Director, Department of Planning and Budget, shall make available via electronic means a report on increases in unappropriated nongeneral funds in accordance with § 4-8.00, Reporting Requirements, or as modified by specific provisions in this subsection.

b. AGRIBUSINESS EQUIPMENT FOR THE DEPARTMENT OF CORRECTIONS

The Director of the Department of Planning and Budget may increase the Department of Corrections appropriation for the purchase of agribusiness equipment or the repair or construction of agribusiness facilities by an amount equal to fifty percent of any annual amounts in excess of fiscal year 1992 deposits to the general fund from agribusiness operations. It is the intent of the General Assembly that appropriation increases for the purposes specified shall not be used to reduce the general fund appropriations for the Department of Corrections.

§ 4-1.05 REVERSION OF APPROPRIATIONS AND REAPPROPRIATIONS

a. GENERAL FUND OPERATING EXPENSE:

1.a) General fund appropriations which remain unexpended on (i) the last day of the previous biennium or (ii) the last day of the first year of the current biennium, shall be reappropriated and allotted for expenditure where required by the Code of Virginia, where necessary for the payment of preexisting obligations for the purchase of goods or services, or where desirable, in the determination of the Governor, to address any of the six conditions listed in § 4-1.03 c.5 of this act or to provide financial incentives to reduce spending to effect current or future cost savings. With the exception of the unexpended general fund appropriations of agencies in the Legislative Department, the Judicial Department, the Independent Agencies, or institutions of higher education, all other such unexpended general fund appropriations unexpended on the last day of the previous biennium or the last day of the first year of the current biennium shall revert to the general fund.

b) General fund appropriations for agencies in the Legislative Department, the Judicial Department, and the Independent Agencies shall be reappropriated, except as may be specifically provided otherwise by the General Assembly. General fund appropriations shall also be reappropriated for institutions of higher education, subject to § 23.1-1002, Code of Virginia.

c) To improve the stability in institutional planning and predictability for students and families to prepare for the cost of higher education, public higher education institutions are encouraged to employ the financial management strategy of establishing an institutional reserve fund supported by any unexpended education and general appropriations of the institution at the end of the fiscal year. The establishment of such a fund is designed to foster more long-term planning, promote efficient resource utilization and reduce the need for substantial year-to-year increases in tuition, thereby increasing affordability for Virginians. Independent of the provisions of § 23.1-1001, institutions are authorized to carry over education and general unexpended balances to establish and maintain a reserve fund in an amount not to exceed six percent of their general fund appropriation for educational and general programs in the most recently-completed fiscal year. Any use of the reserve fund shall be approved by the Board of Visitors of the affected institution, and the institution shall immediately report the details of the approved plan for use of the reserve fund to the Governor, the Secretary of Education, the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. Any reserve fund shall be subject to the provisions of § 23.1-1303.B.11.

2. a. The Governor shall report within five calendar days after completing the reappropriation process to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees on the reappropriated amounts for each state agency in the Executive Department. He shall provide a preliminary report of reappropriation actions on or before November 1 and a final report on or before December 20 to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

b. The Director, Department of Planning and Budget, may transfer reappropriated amounts within an agency to cover nonrecurring costs.

3. Pursuant to subsection E of § 2.2-1125, Code of Virginia, the determination of compliance by an agency or institution with management standards prescribed by the Governor shall be made by the Secretary of Finance and the Secretary having jurisdiction over the agency or institution, acting jointly.

4. The general fund resources available for appropriation in the first enactment of this act include the reversion of certain unexpended balances in operating appropriations as of June 30 of the prior fiscal year, which were otherwise required to be reappropriated by language in the Appropriation Act.

5. Upon request, the Director, Department of Planning and Budget, shall provide a report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees showing the amount reverted for each agency and the total amount of such reversions.

b. NONGENERAL FUND OPERATING EXPENSE:

Based on analysis by the State Comptroller, when any nongeneral fund has had no increases or decreases in fund balances for a period of 24 months, the State Comptroller shall promptly transfer and pay the balance into the fund balance of the general fund. If it is subsequently determined that an appropriate need warrants repayment of all or a portion of the amount transferred, the Director, Department of Planning and Budget shall include repayment in the next budget bill submitted to the General Assembly. This provision does not apply to funds held in trust by the Commonwealth.

c. CAPITAL PROJECTS:

1. Upon certification by the Director, Department of Planning and Budget, the State Comptroller is hereby authorized to revert to the fund balance of the general fund any portion of the unexpended general fund cash balance and corresponding appropriation or reappropriation for a capital project when the Director determines that such portion is not needed for completion of the project. The State Comptroller may similarly return to the appropriate fund source any part of the unexpended nongeneral fund cash balance and reduce any appropriation or reappropriation which the Director determines is not needed to complete the project.

2. The unexpended general fund cash balance and corresponding appropriation or reappropriation for capital projects shall revert to and become part of the fund balance of the general fund during the current biennium as of the date the Director, Department of Planning and Budget, certifies to the State Comptroller that the project has been completed in accordance with the intent of the appropriation or reappropriation and there are no known unpaid obligations related to the project. The State Comptroller shall return the unexpended nongeneral fund cash balance, if there be any, for such completed project to the source from which said nongeneral funds were obtained. Likewise, he shall revert an equivalent portion of the appropriation or reappropriation of said nongeneral funds.

3. The Director, Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if he shall subsequently verify an unpaid obligation or requirement for completion of the project. In the case of a capital project for which an unexpended cash balance was returned and appropriation or reappropriation was reverted in the prior biennium, he may likewise restore any portion of such amount under the same conditions.

§ 4-1.06 LIMITED ADJUSTMENTS OF APPROPRIATIONS

a. LIMITED CONTINUATION OF APPROPRIATIONS.

Notwithstanding any contrary provision of law, any unexpended balances on the books of the State Comptroller as of the last day of the previous biennium shall be continued in force for such period, not exceeding 10 days from such date, as may be necessary in order to permit payment of any claims, demands or liabilities incurred prior to such date and unpaid at the close of business on such

date, and shown by audit in the Department of Accounts to be a just and legal charge, for values received as of the last day of the previous biennium, against such unexpended balances.

b. LIMITATIONS ON CASH DISBURSEMENTS.

Notwithstanding any contrary provision of law, the State Comptroller may begin preparing the accounts of the Commonwealth for each subsequent fiscal year on or about 10 days before the start of such fiscal year. The books will be open only to enter budgetary transactions and transactions that will not require the receipt or disbursement of funds until after June 30. Should an emergency arise, or in years in which July 1 falls on a weekend requiring the processing of transactions on or before June 30, the State Comptroller may, with notification to the Auditor of Public Accounts, authorize the disbursement of funds drawn against appropriations of the subsequent fiscal year, not to exceed the sum of three million dollars ($3,000,000) from the general fund. This provision does not apply to debt service payments on bonds of the Commonwealth which shall be made in accordance with bond documents, trust indentures, and/or escrow agreements.

§ 4-1.07 ALLOTMENTS

Except when otherwise directed by the Governor within the limits prescribed in §§ 4-1.02 Withholding of Spending Authority, 4-1.03 Appropriation Transfers, and 4-1.04 Appropriation Increases of this act, the Director, Department of Planning and Budget, shall prepare and act upon the allotment of appropriations required by this act, and by § 2.2-1819, Code of Virginia, and the authorizations for rates of pay required by this act. Such allotments and authorizations shall have the same effect as if the personal signature of the Governor were subscribed thereto. This section shall not be construed to prohibit an appeal by the head of any state agency to the Governor for reconsideration of any action taken by the Director, Department of Planning and Budget, under this section.

§ 4-2.00 REVENUES

§ 4-2.01 NONGENERAL FUND REVENUES

a. SOLICITATION AND ACCEPTANCE OF DONATIONS, GIFTS, GRANTS, AND CONTRACTS:

1. a) No state agency shall solicit or accept any donation, gift, grant, or contract without the written approval of the Governor except under written guidelines issued by the Governor which provide for the solicitation and acceptance of nongeneral funds, except that donations or gifts to the Virginia War Memorial Foundation that are small in size and number and valued at less than $5,000, such as library items or small display items, may be approved by the Executive Director of the Virginia War Memorial in consultation with the Secretary of Veterans Affairs and Homeland Security. All other gifts and donations to the Virginia War Memorial Foundation must receive written approval from the Secretary of Veterans Affairs and Homeland Security.

b) The limits on solicitation and acceptance of donations, gifts, grants, and contracts stated in paragraph 1.a) above shall not apply to donations, gifts, grants, and contracts associated with support and/or response to the needs and impacts of the COVID-19 pandemic provided that acceptance of such does not create any ongoing commitments against general or nongeneral fund resources of the Commonwealth.

2. The Governor may issue policies in writing for procedures which allow state agencies to solicit and accept nonmonetary donations, gifts, grants, or contracts except that donations, gifts and grants of real property shall be subject to § 4-4.00 of this act and § 2.2-1149, Code of Virginia. This provision shall apply to donations, gifts and grants of real property to endowment funds of institutions of higher education, when such endowment funds are held by the institution in its own name and not by a separately incorporated foundation or corporation.

3. The preceding subdivisions shall not apply to property and equipment acquired and used by a state agency or institution through a lease purchase agreement and subsequently donated to the state agency or institution during or at the expiration of the lease purchase agreement, provided that the lessor is the Virginia College Building Authority.

4.The use of endowment funds for property, plant or equipment for state-owned facilities is subject to §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects-General and 4-5.03 Services and Clients of this act.

5. Notwithstanding any other provision of law, public institutions of higher education may enter into agreements or contracts with nonprofit organizations that provide funding for research or other mission related activities and require use of binding arbitration or application of the laws of another jurisdiction, upon approval of the Office of the Attorney General.

b. HIGHER EDUCATION TUITION AND FEES

1. Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, all nongeneral fund collections by public institutions of higher education, including collections from the sale of dairy and farm products, shall be deposited in the state treasury in accordance with § 2.2-1802, Code of Virginia, and expended by the institutions of higher education in accordance with the appropriations and provisions of this act, provided, however, that this requirement shall not apply to private gifts, endowment

funds, or income derived from endowments and gifts.

2. a) The Boards of Visitors or other governing bodies of institutions of higher education may set tuition and fee charges at levels they deem to be appropriate for all resident student groups based on, but not limited to, competitive market rates, provided that the total revenue generated by the collection of tuition and fees from all students is within the nongeneral fund appropriation for educational and general programs provided in this act.

b) The Boards of Visitors or other governing bodies of institutions of higher education may set tuition and fee charges at levels they deem to be appropriate for all nonresident student groups based on, but not limited to, competitive market rates, provided that: i) the tuition and mandatory educational and general fee rates for nonresident undergraduate and graduate students cover at least 100 percent of the average cost of their education, as calculated through base adequacy guidelines adopted, and periodically amended, by the Joint Subcommittee Studying Higher Education Funding Policies, and ii) the total revenue generated by the collection of tuition and fees from all students is within the nongeneral fund appropriation for educational and general programs provided in this act.

c) For institutions charging nonresident students less than 100 percent of the cost of education, the State Council of Higher Education for Virginia may authorize a phased approach to meeting this requirement, when in its judgment, it would result in annual tuition and fee increases for nonresident students that would discourage their enrollment.

d) The Boards of Visitors or other governing bodies of institutions of higher education shall not increase the current proportion of nonresident undergraduate students if the institution's nonresident undergraduate enrollment exceeds 25 percent, unless: i) such enrollment is intended to support workforce development needs within the Commonwealth of Virginia as identified in consultation with the Virginia Economic Development Partnership, and ii) the number of in-state undergraduate students does not drop below fall 2018 full-time equivalent census levels as certified by the State Council of Higher Education for Virginia. Norfolk State University, Virginia Military Institute, Virginia State University, and two-year public institutions are exempt from this restriction. Any such increases shall be limited to no more than a one percentage point increase over the prior year.

3. a) In setting the nongeneral fund appropriation for educational and general programs at the institutions of higher education, the General Assembly shall take into consideration the appropriate student share of costs associated with providing full funding of the base adequacy guidelines referenced in subparagraph 2. b), raising average salaries for teaching and research faculty to the 60th percentile of peer institutions, and other priorities set forth in this act.

b) In determining the appropriate state share of educational costs for resident students, the General Assembly shall seek to cover at least 67 percent of educational costs associated with providing full funding of the base adequacy guidelines referenced in subparagraph 2. b), raising average salaries for teaching and research faculty to the 60th percentile of peer institutions, and other priorities set forth in this act.

4. a) Each institution and the State Council of Higher Education for Virginia shall monitor tuition, fees, and other charges, as well as the mix of resident and nonresident students, to ensure that the primary mission of providing educational opportunities to citizens of Virginia is served, while recognizing the material contributions provided by the presence of nonresident students. The State Council of Higher Education for Virginia shall also develop and enforce uniform guidelines for reporting student enrollments and the domiciliary status of students.

b) The State Council of Higher Education for Virginia shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees no later than August 1 of each year the annual change in total charges for tuition and all required fees approved and allotted by the Board of Visitors. As it deems appropriate, the State Council of Higher Education for Virginia shall provide comparative national, peer, and market data with respect to charges assessed students for tuition and required fees at institutions outside of the Commonwealth.

c) Institutions of higher education are hereby authorized to make the technology service fee authorized in Chapter 1042, 2003 Acts of Assembly, part of ongoing tuition revenue. Such revenues shall continue to be used to supplement technology resources at the institutions of higher education.

d) Except for those public institutions of higher education that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act, each institution shall work with the State Council of Higher Education for Virginia and the Virginia College Savings Plan to determine appropriate tuition and fee estimates for tuition savings plans.

5. It is the intent of the General Assembly that each institution's combined general and nongeneral fund appropriation within its educational and general program closely approximate the anticipated annual budget each fiscal year.

6. Nonresident graduate students employed by an institution as teaching assistants, research assistants, or graduate assistants and paid at an annual contract rate of $4,000 or more may be considered resident students for the purposes of charging tuition and fees.

7. The fund source "Higher Education Operating" within educational and general programs for institutions of higher education includes tuition and fee revenues from nonresident students to pay their proportionate share of the amortized cost of the construction of buildings approved by the Commonwealth of Virginia Educational Institutions Bond Act of 1992 and the Commonwealth of Virginia Educational Facilities Bond Act of 2002.

8. a) Except for those public institutions of higher education that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act, mandatory fees for purposes other than educational and general programs shall not be increased for Virginia undergraduates beyond three percent annually, excluding requirements for wage, salary, and fringe benefit increases, authorized by the General Assembly. Fee increases required to carry out actions that respond to mandates of federal agencies are also exempt from this provision, provided that a report on the purposes of the amount of the fee increase is submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by the institution of higher education at least 30 days prior to the effective date of the fee increase.

b) This restriction shall not apply in the following instances: fee increases directly related to capital projects authorized by the General Assembly; fee increases to support student health services; and other fee increases specifically authorized by the General Assembly.

c) Due to the small mandatory non-educational and general program fees currently assessed students in the Virginia Community College System, increases in any one year of no more than $15 shall be allowed on a cost-justified case-by-case basis, subject to approval by the State Board for Community Colleges.

9. Any institution of higher education granting new tuition waivers to resident or nonresident students not authorized by the Code of Virginia must absorb the cost of any discretionary waivers.

10. Tuition and fee revenues from nonresident students taking courses through Virginia institutions from the Southern Regional Education Board's Southern Regional Electronic Campus must exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the Board of Visitors of the institution.

c. HIGHER EDUCATION PLANNED EXCESS REVENUES:

An institution of higher education, except for those public institutions of higher education that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act, may generate and retain tuition and fee revenues in excess of those provided in § 4-2.01 b Higher Education Tuition and Fees, subject to the following:

1. Such revenues are identified by language in the appropriations in this act to any such institution.

2. The use of such moneys is fully documented by the institution to the Governor prior to each fiscal year and prior to allotment.

3. The moneys are supplemental to, and not a part of, ongoing expenditure levels for educational and general programs used as the basis for funding in subsequent biennia.

4. The receipt and expenditure of these moneys shall be recorded as restricted funds on the books of the Department of Accounts and shall not revert to the surplus of the general fund at the end of the biennium.

5. Tuition and fee revenues generated by the institution other than as provided herein shall be subject to the provisions of § 4-1.04 a.3 Gifts, Grants, and Other Nongeneral Funds of this act.

§ 4-2.02 GENERAL FUND REVENUE

a. STATE AGENCY PAYMENTS INTO GENERAL FUND:

1. Except as provided in § 4-2.02 a.2., all moneys, fees, taxes, charges and revenues received at any time by the following agencies from the sources indicated shall be paid immediately into the general fund of the state treasury:

a) Marine Resources Commission, from all sources, except:

1) Revenues payable to the Public Oyster Rocks Replenishment Fund established by § 28.2-542, Code of Virginia.

2) Revenue payable to the Virginia Marine Products Fund established by § 3.2-2705, Code of Virginia.

3) Revenue payable to the Virginia Saltwater Recreational Fishing Development Fund established by § 28.2-302.3, Code of Virginia.

4) Revenue payable to the Marine Fishing Improvement Fund established by § 28.2-208, Code of Virginia.

5) Revenue payable to the Marine Habitat and Waterways Improvement Fund established by § 28.2-1206, Code of Virginia.

6) Revenue payable to the Oyster Leasing Conservation and Replenishment Programs Fund.

b1) Department of Labor and Industry, or any other agency, for the administration of the state labor and employment laws

under Title 40.1, Code of Virginia.

2) Department of Labor and Industry, from boiler and pressure vessel inspection certificate fees, pursuant to § 40.1-51.15, Code of Virginia.

c) All state institutions for the mentally ill or intellectually disabled, from fees or per diem paid employees for the performance of services for which such payment is made, except for a fee or per diem allowed by statute to a superintendent or staff member of any such institution when summoned as a witness in any court.

d) Secretary of the Commonwealth, from all sources.

e) The Departments of Corrections and Juvenile Justice, as required by law, including revenues from sales of dairy and other farm products.

f) Auditor of Public Accounts, from charges for audits or examinations when the law requires that such costs be borne by the county, city, town, regional government or political subdivision of such governments audited or examined.

g) Department of Education, from repayment of student scholarships and loans, except for the cost of such collections.

h) Department of the Treasury, from the following source:

Fees collected for handling cash and securities deposited with the State Treasurer pursuant to § 46.2-454, Code of Virginia.

i) Attorney General, from recoveries of attorneys' fees and costs of litigation.

j) Department of Social Services, from net revenues received from child support collections after all disbursements are made in accordance with state and federal statutes and regulations, and the state's share of the cost of administering the programs is paid.

k) Department of General Services, from net revenues received from refunds of overpayments of utilities charges in prior fiscal years, after deduction of the cost of collection and any refunds due to the federal government.

l) Without regard to paragraph e) above, the following revenues shall be excluded from the requirement for deposit to the general fund and shall be deposited as follows: (1) payments to Virginia Correctional Enterprises shall be deposited into the Virginia Correctional Enterprises Fund; (2) payments to the Departments of Corrections and Juvenile Justice for work performed by inmates, work release prisoners, probationers or wards, which are intended to cover the expenses of these inmates, work release prisoners, probationers, or wards, shall be retained by the respective agencies for their use; and (3) payments to the Departments of Corrections and Juvenile Justice for work performed by inmates in educational programs shall be retained by the agency to increase vocational training activities and to purchase work tools and work clothes for inmates, upon release.

2. The provisions of § 4-2.02 a.1. State Agency Payments into General Fund shall not apply to proceeds from the sale of surplus materials pursuant to § 2.2-1125, Code of Virginia. However, the State Comptroller is authorized to transfer to the general fund of the state treasury, out of the credits under § 4-1.04 a.1 Unappropriated Nongeneral Funds – Sale of Surplus Materials of this act, sums derived from the sale of materials originally purchased with general fund appropriations. The State Comptroller may authorize similar transfers of the proceeds from the sale of property not subject to § 2.2-1124, Code of Virginia, if said property was originally acquired with general fund appropriations, unless the General Assembly provides otherwise.

a. Without regard to § 4-2.02 a.1 above, payments to the Treasurer of Virginia assessed to insurance companies for the safekeeping and handling of securities or surety bonds deposited as insurance collateral shall be deposited into the Insurance Collateral Assessment Fund to defray such safekeeping and handling expenses.

b. DEFINITION OF GENERAL FUND REVENUE FOR PERSONAL PROPERTY RELIEF ACT

Notwithstanding any contrary provision of law, for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia, the term general fund revenues, excluding transfers, is defined as (i) all state taxes, including penalties and interest, required and/or authorized to be collected and paid into the general fund of the state treasury pursuant to Title 58.1, Code of Virginia; (ii) permits, fees, licenses, fines, forfeitures, charges for services, and revenue from the use of money and property required and/or authorized to be paid into the general fund of the treasury; and (iii) amounts required to be deposited to the general fund of the state treasury pursuant to § 4-2.02 a.1., of this act. However, in no case shall (i) lump-sum payments, (ii) one-time payments not generated from the normal operation of state government, or (iii) proceeds from the sale of state property or assets be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia.

c. DATE OF RECEIPT OF REVENUES:

All June general fund collections received under Subtitle I of Title 58.1, Code of Virginia, bearing a postmark date or electronic transactions with a settlement or notification date on or before the first business day in July, when June 30 falls on a Saturday or Sunday, shall be considered as June revenue and recorded under guidelines established annually by the Department of Accounts.

d. RECOVERIES BY THE OFFICE OF THE ATTORNEY GENERAL

1. As a condition of the appropriation for Item 49 of this Act, there is hereby created the Disbursement Review Committee (the "Committee"), the members of which are the Attorney General, who shall serve as chairman; two members of the House of Delegates appointed by the Speaker of the House; two members of the Senate appointed by the Chairman of the Senate Committee on Rules; and two members appointed by the Governor.

2. Whenever forfeitures are available for distribution by the Attorney General through programs overseen by either the U.S. Department of Justice Asset Forfeiture Program or the U.S. Treasury Executive Office for Asset Forfeiture, by virtue of the Attorney General's participation on behalf of the Commonwealth or on behalf of an agency of the Commonwealth, the Attorney General shall seek input from the Committee, to the extent permissible under applicable federal law and guidelines, for the preparation of a proposed Distribution Plan (the "Plan") regarding the distribution and use of money or property, or both. If a federal entity must approve the Plan for such distribution or use, or both, and does not approve the Plan submitted by the Attorney General, the Plan may be revised if deemed appropriate and resubmitted to the federal entity for approval following notification of the Committee. If the federal entity approves the original Plan or a revised Plan, the Attorney General shall inform the Committee, and ensure that such money or property, or both, is distributed or used, or both, in a manner that is consistent with the Plan approved by the federal entity. The distribution of any money or property, or both, shall be done in a manner as prescribed by the State Comptroller and consistent with any federal authorization in order to ensure proper accounting on the books of the Commonwealth.

§ 4-2.03 INDIRECT COSTS

a. INDIRECT COST RECOVERIES FROM GRANTS AND CONTRACTS:

Each state agency, including institutions of higher education, which accepts a grant or contract shall recover full statewide and agency indirect costs unless prohibited by the grantor agency or exempted by provisions of this act.

b. AGENCIES OTHER THAN INSTITUTIONS OF HIGHER EDUCATION:

The following conditions shall apply to indirect cost recoveries received by all agencies other than institutions of higher education:

1. The Governor shall include in the recommended nongeneral fund appropriation for each agency in this act the amount which the agency includes in its revenue estimate as an indirect cost recovery. The recommended nongeneral fund appropriations shall reflect the indirect costs in the program incurring the costs.

2. If actual agency indirect cost recoveries exceed the nongeneral fund amount appropriated in this act, the Director, Department of Planning and Budget, is authorized to increase the nongeneral fund appropriation to the agency by the amount of such excess indirect cost recovery. Such increase shall be made in the program incurring the costs.

3. Statewide indirect cost recoveries shall be paid into the general fund of the state treasury, unless the agency is specifically exempted from this requirement by language in this act. Any statewide indirect cost recoveries received by the agency in excess of the exempted sum shall be deposited to the general fund of the state treasury.

c. INSTITUTIONS OF HIGHER EDUCATION:

The following conditions shall apply to indirect cost recoveries received by institutions of higher education:

1. Seventy percent shall be retained by the institution as an appropriation of moneys for the conduct and enhancement of research and research-related requirements. Such moneys may be used for payment of principal of and interest on bonds issued by or for the institution pursuant to § 23.1-1106, Code of Virginia, for any appropriate purpose of the institution, including, but not limited to, the conduct and enhancement of research and research-related requirements.

2. Thirty percent of the indirect cost recoveries for the level of sponsored programs authorized in the appropriations in Part 1 of Chapter 1042 of the Acts of Assembly of 2003, shall be included in the educational and general revenues of the institution to meet administrative costs.

3. Institutions of higher education may retain 100 percent of the indirect cost recoveries related to research grant and contract levels in excess of the levels authorized in Chapter 1042 of the Acts of Assembly of 2003. This provision is included as an additional incentive for increasing externally funded research activities.

d. REPORTS

The Director, Department of Planning and Budget, shall make available via electronic means a report to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees and the public no later than September 1 of each year on the indirect cost recovery moneys administratively appropriated.

e. REGULATIONS:

The State Comptroller is hereby authorized to issue regulations to carry out the provisions of this subsection, including the

establishment of criteria to certify that an agency is in compliance with the provisions of this subsection.

§ 4-3.00 DEFICIT AUTHORIZATION AND TREASURY LOANS

§ 4-3.01 DEFICITS

a. GENERAL:

1. Except as provided in this section no state agency shall incur a deficit. No state agency receiving general fund appropriations under the provisions of this act shall obligate or expend moneys in excess of its general fund appropriations, nor shall it obligate or expend moneys in excess of nongeneral fund revenues that are collected and appropriated.

2. The Governor is authorized to approve deficit funding for a state agency under the following conditions:

a) an unanticipated federal or judicial mandate has been imposed,

b) insufficient moneys are available in the first year of the biennium for start-up of General Assembly-approved action, or

c) delay pending action by the General Assembly at its next legislative session will result in the curtailment of services required by statute or those required by federal mandate or will produce a threat to life, safety, health or property.

d) Such approval by the Governor shall be in writing under the conditions described in § 4-3.02 a Authorized Deficit Loans of this act and shall be promptly communicated to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees within five calendar days of deficit approval.

3. Deficits shall not be authorized for capital projects.

4. The Department of Transportation may obligate funds in excess of the current biennium appropriation for projects of a capital nature not covered by § 4-4.00 Capital Projects, of this act provided such projects a) are delineated in the Virginia Transportation Six-Year Improvement Program, as approved by the Commonwealth Transportation Board; and b) have sufficient cash allocated to each such project to cover projected costs in each year of the Program; and provided that c) sufficient revenues are projected to meet all cash obligations for such projects as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.

b. UNAUTHORIZED DEFICITS: If any agency contravenes any of the prohibitions stated above, thereby incurring an unauthorized deficit, the Governor is hereby directed to withhold approval of such excess obligation or expenditure. Further, there shall be no reimbursement of said excess, nor shall there be any liability or obligation upon the state to make any appropriation hereafter to meet such unauthorized deficit. Further, those members of the governing board of any such agency who shall have voted therefor, or its head if there be no governing board, making any such excess obligation or expenditure shall be personally liable for the full amount of such unauthorized deficit and, at the discretion of the Governor, shall be deemed guilty of neglect of official duty and be subject to removal therefor. Further, the State Comptroller is hereby directed to make public any such unauthorized deficit, and the Director, Department of Planning and Budget, is hereby directed to set out such unauthorized deficits in the next biennium budget. In addition, the Governor is directed to bring this provision of this act to the attention of the members of the governing board of each state agency, or its head if there be no governing board, within two weeks of the date that this act becomes effective. The governing board or the agency head shall execute and return to the Governor a signed acknowledgment of such notification.

c. TOTAL AUTHORIZED DEFICITS: The amount which the Governor may authorize, under the provisions of this section during the current biennium, to be expended from loans repayable out of the general fund of the state treasury, for all state agencies, or other agencies combined, in excess of general fund appropriations for the current biennium, shall not exceed one and one-half percent (1 1/2%) of the revenues collected and paid into the general fund of the state treasury as defined in § 4-2.02 b. of this act during the last year of the previous biennium and the first year of the current biennium.

d. The Governor shall report any such authorized and unauthorized deficits to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees within five calendar days of deficit approval. By August 15 of each year, the Governor shall provide a comprehensive report to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees detailing all such deficits.

§ 4-3.02 TREASURY LOANS

a. AUTHORIZED DEFICIT LOANS: A state agency requesting authorization for deficit spending shall prepare a plan for the Governor's review and approval, specifying appropriate financial, administrative and management actions necessary to eliminate the deficit and to prevent future deficits. If the Governor approves the plan and authorizes a state agency to incur a deficit under the provisions of this section, the amount authorized shall be obtained by the agency by borrowing the authorized amount on such terms and from such sources as may be approved by the Governor. At the close of business on the last day of the current biennium, any unexpended balance of such loan shall be applied toward repayment of the loan, unless such action is contrary to the conditions of the loan approval. The Director, Department of Planning and Budget, shall set forth in the next biennial budget all such loans which require an appropriation for repayment. A copy of the approved plan to eliminate the deficit shall be transmitted to the Chairmen of

the House Appropriations and the Senate Finance and Appropriations Committees within five calendar days of approval.

b. ANTICIPATION LOANS: Authorization for anticipation loans are limited to the provisions below.

1.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund revenues, any state agency may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans shall not exceed the amount of the anticipated collections of such revenues and shall be repaid only from such revenues when collected.

b) When the payment of authorized obligations for capital expenses is required prior to the collection of nongeneral fund revenues or proceeds from authorized debt, any state agency or body corporate and politic, constituting a public corporation and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans in anticipation of bond proceeds shall not exceed the amount of the anticipated proceeds from debt authorized by the General Assembly and shall be repaid only from such proceeds when collected.

2. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the minimum amount required to meet the projected expenditures. The term of any anticipation loans granted for operating expenses shall not exceed twelve months.

3. Before an anticipation loan for a capital project is authorized, the agency shall develop a plan for financing such capital project; approval of the State Treasurer shall be obtained for all plans to incur authorized debt.

4. Anticipation loans for capital projects shall be in amounts not greater than the sum identified by the agency as required to meet the projected expenditures for the project within the current biennium.

5. To ensure that such loans are repaid as soon as practical and economical, the Department of Planning and Budget shall monitor the construction and expenditure schedules of all approved capital projects that will be paid for with proceeds from authorized debt and have anticipation loans.

6. Unless otherwise prohibited by federal or state law, the State Treasurer shall charge current market interest rates on anticipation loans made for operating purposes and capital projects subject to the following:

a) Anticipation loans for capital projects for which debt service will be paid with general fund appropriations shall be exempt from interest payments on borrowed balances.

b) Interest payments on anticipation loans for nongeneral fund capital projects or nongeneral fund operating expenses shall be made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan or from the proceeds of authorized debt without the approval of the State Treasurer.

c) REPORTING: All outstanding loans shall be reported by the Governor to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by August 15 of each year. The report shall include a status of the repayment schedule for each loan.

c. ANTICIPATION LOANS FOR PROJECTS NOT INCLUDED IN THIS ACT OR FOR PROJECTS AUTHORIZED UNDER § 4-4.01 L: Authorization for anticipation loans for projects not included in this act or for projects authorized under § 4-4.01 l are limited to the provisions below:

1. Such loans are limited to those projects that shall be repaid from revenues derived from nongeneral fund sources.

2.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund revenues, any state agency may borrow from the state treasury the required sum with the prior written approval of the Secretary of Finance or his designee as to the amount, terms, and sources of such funds. Such loans shall not exceed the amount of the anticipated collections of such nongeneral fund revenues and shall be repaid only from such nongeneral fund revenues when collected.

b) When the payment of obligations for capital expenses for projects authorized under § 4-4.01 l is required prior to the collection of nongeneral fund revenues, any state agency or body corporate and politic, constituting a public corporation and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds. Such loans shall be repaid only from nongeneral fund revenues associated with the project.

3. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the minimum amount required to meet projected expenditures. The term of any anticipation loans granted for operating expenses shall not exceed 12 months.

4. Before an anticipation loan is provided for a capital project authorized under § 4-4.01 l, the agency shall develop a plan for repayment of such loan and approval of the Director of the Department of Planning and Budget shall be obtained for all such

plans and reported to the Chairman of the House Appropriations and Senate Finance and Appropriations Committees.

5. Anticipation loans for capital projects authorized under § 4-4.01 l shall be in amounts not greater than the sum identified by the agency as required to meet the projected expenditures for the project within the current biennium. Such loans shall be repaid only from nongeneral fund revenues associated with the project.

6. The State Treasurer shall charge current market interest rates on anticipation loans made for capital projects authorized under § 4-4.01 l. Interest payments on anticipation loans for nongeneral fund capital projects authorized under § 4-4.01 l shall be made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan without the approval of the Director of the Department of Planning and Budget.

a) REPORTING: All outstanding loans shall be reported by the Governor to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees by August 15 of each year. The report shall include a status of the repayment schedule for each loan.

§ 4-3.03 LONG-TERM LEASES

a. GENERAL:

1. As part of their capital budget submission, all agencies and institutions of the Commonwealth proposing building projects that may qualify as long-term lease agreements, as defined in Generally Accepted Accounting Principles (GAAP), and that may be supported in whole, or in part, from appropriations provided for in this act, shall submit copies of such proposals to the Directors of the Departments of Planning and Budget and General Services, the State Comptroller, and the State Treasurer based on guidelines promulgated by the Secretary of Finance. In addition, the Secretary of Finance may promulgate guidelines for the review and approval of such requests.

2. The proposals shall be submitted in such form as the Secretary of Finance may prescribe. The Comptroller and the Director of the Department of General Services shall be responsible for evaluating the proposals to determine if they qualify as long-term lease agreements. The State Treasurer shall be responsible for incorporating existing and authorized long-term lease agreements meeting the approved parameters into the annual Debt Capacity Advisory Committee reports.

b. APPROVAL OF FINANCINGS:

1. For any project which qualifies as a long-term lease, as defined in the preceding subdivisions a. 1 and 2, and which is financed through the issuance of securities, the Treasury Board shall approve the terms and structure of such financing pursuant to § 2.2-2416, Code of Virginia.

2. For any project for which costs will exceed $5,000,000 and which is financed through a long-term lease transaction, the Treasury Board shall approve the financing terms and structure of such long-term lease in addition to such other reviews and approvals as may be required by law. Prior to consideration by the Treasury Board, the Department of Accounts shall notify the Treasury Board of any transaction determined to be a long-term lease. Additionally, the Departments of General Services and Planning and Budget shall notify the Treasury Board upon their approval of any transaction which qualifies as a long-term lease under the terms of this section. The State Treasurer shall notify the Chairs of the House Appropriations and Senate Finance and Appropriations Committees of the action of the Treasury Board as it regards this subdivision within five calendar days of its action.

c. REPORTS: Not later than December 20 of each year, the Secretary of Finance and the Secretary of Administration shall jointly be responsible for providing the Chairs of the House Appropriations and Senate Finance and Appropriations Committees with recommendations involving proposed long-term lease agreements.

d. This section shall not apply to long-term leases that are funded entirely with nongeneral fund revenues and are entered into by public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly. Furthermore, the Department of General Services is authorized to enter into long-term leases for executive branch agencies provided that the resulting long-term lease is funded entirely with nongeneral funds, is approved based on the requirements of § 4-3.03 b.1 and 2 above, and would not be considered tax supported debt of the Commonwealth.

§ 4-4.00 CAPITAL PROJECTS

§ 4-4.01 GENERAL

a. Definition:

1. Unless defined otherwise, when used in this section, "capital project" or "project" means acquisition of property and new construction and improvements related to state-owned property, plant or equipment (including plans therefor), as the terms "acquisition", "new construction", and "improvements" are defined in the instructions for the preparation of the Executive Budget. "Capital project" or "project" shall also mean any improvements to property leased for use by a state agency, and not owned by the state, when such improvements are financed by public funds, except as hereinafter provided in subdivisions 3 and 4 of this subsection.

2. The provisions of this section are applicable equally to acquisition of property and plant by purchase, gift, or any other means, including the acquisition of property through a lease/purchase contract, regardless of the method of financing or the source of funds. Acquisition of property by lease shall be subject to § 4-3.03 of this act.

3. The provisions of this section shall not apply to property or equipment acquired by lease or improvements to leased property and equipment when the improvements are provided by the lessor pursuant to the terms of the lease and upon expiration of the lease remain the property of the lessor.

4. The provisions of this section shall not apply to property leased by state agencies for the purposes described in §§ 2.2-1151 C and 33.2-1010, Code of Virginia.

b. Notwithstanding any other provisions of law, requests for appropriations for capital projects shall be subject to the following:

1. The agency shall submit a capital project proposal for all requested capital projects. Such proposals shall be submitted to the Director, Department of Planning and Budget, for review and approval in accordance with guidelines prescribed by the director. Projects shall be developed to meet agency functional and space requirements within a cost range comparable to similar public and private sector projects.

2. Except for institutions of higher education that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act, financings for capital projects shall comply, where applicable, with the Treasury Board Guidelines issued pursuant to § 2.2-2416, Code of Virginia, and any subsequent amendments thereto.

3. As part of any request for appropriations for an armory, the Department of Military Affairs shall obtain a written commitment from the host locality to share in the operating expense of the armory.

c. Each agency head shall provide annually to the Director, Department of Planning and Budget, a report on the use of the maintenance reserve appropriation of the agency in Part 2 of this act. In the use of its maintenance reserve appropriation, an agency shall give first priority to the repair or replacement of roof on buildings under control of the agency. The agency head shall certify in the agency's annual maintenance reserve report that to the best of his or her knowledge, all necessary roof repairs have been accomplished or are in the process of being accomplished. Such roof repairs and replacements shall be in accord with the technical requirements of the Commonwealth's Construction and Professional Services Manual.

d. The Department of Planning and Budget shall review its approach to capital outlay planning and budgeting from time to time and make available via electronic means a report of any proposed change to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the public prior to its implementation. Such report shall include an analysis of the impact of the suggested change on affected agencies and institutions.

e. Nothing in §§ 2-0 and 4-4.00 of this act shall be deemed to override the provisions of §§ 2.2-1132 and 62.1-132.6, Code of Virginia, amended by Chapter 488, 1997 Acts of Assembly, relating to Virginia Port Authority capital projects and procurement activities.

f. Legislative Approval: It is the intent of the General Assembly that, with the exceptions noted in this paragraph and paragraph m, all capital projects to be undertaken by agencies of the Commonwealth, including institutions of higher education, shall be pursuant to approvals by the General Assembly as provided in the Six-Year Capital Outlay Plan established pursuant to § 2.2-1515, et seq., Code of Virginia. Otherwise, the consideration of capital projects shall be limited to:

1. Supplementing projects which have been bid and determined to have insufficient funding to be placed under contract, and

2. Projects declared by the Governor or the General Assembly to be of an emergency nature, which may avoid an increase in cost or otherwise result in a measurable benefit to the state, and/or which are required for the continued use of existing facilities.

3. This paragraph does not prohibit the initiation of projects authorized by § 4-4.01 l hereof, or projects included under the central appropriations for capital project expenses in this act.

g. Preliminary Requirements: In regard to each capital project for which appropriation or reappropriation is made pursuant to this act, or which is hereafter considered by the Governor for inclusion in the Executive Budget, or which is offered as a gift or is considered for purchase, the Governor is hereby required: (1) to determine the urgency of its need, as compared with the need for other capital projects as herein authorized, or hereafter considered; (2) to determine whether the proposed plans and specifications for each capital project are suitable and adequate, and whether they involve expenditures which are excessive for the purposes intended; (3) to determine whether labor, materials, and other requirements, if any, needed for the acquisition or construction of such project can and will be obtained at reasonable cost; and (4) to determine whether or not the project conforms to a site or master plan approved by the agency head or board of visitors of an institution of higher education for a program approved by the General Assembly.

h. Initiation Generally:

1. No architectural or engineering planning for, or construction of, or purchase of any capital project shall be commenced or revised without the prior written approval of the Governor or his designee.

2. The requirements of § 10.1-1190, Code of Virginia, shall be met prior to the release of funds for a major state project, provided, however, that the Governor or his designee is authorized to release from any appropriation for a major state project made pursuant to this act such sum or sums as may be necessary to pay for the preparation of the environmental impact report required by § 10.1-1188, Code of Virginia.

3. The Governor, at his discretion, or his designee may release from any capital project appropriation or reappropriation made pursuant to this act such sum (or sums) as may be necessary to pay for the preparation of plans and specifications by architects and engineers, provided that the estimated cost of the construction covered by such drawings and specifications does not exceed the appropriation therefor; provided, further, however, that the architectural and engineering fees paid on completion of the preliminary design for any such project may be based on such estimated costs as may be approved by the Governor in writing, where it is shown to the satisfaction of the Governor that higher costs of labor or material, or both, or other unforeseen conditions, have made the appropriation inadequate for the completion of the project for which the appropriation was made, and where in the judgment of the Governor such changed conditions justify the payment of architectural or engineering fees based on costs exceeding the appropriation.

4. Architectural or engineering contracts shall not be awarded in perpetuity for capital projects at any state institution, agency or activity.

i. Capital Projects Financed with Bonds: Capital projects proposed to be financed with (i) 9 (c) general obligation bonds or (ii) 9(d) obligations where debt service is expected to be paid from project revenues or revenues of the agency or institution, shall be reviewed as follows:

1. By August 15 of each year, requests for inclusion in the Executive Budget of capital projects to be financed with 9(c) general obligation bonds shall be submitted to the State Treasurer for evaluation of financial feasibility. Submission shall be in accordance with the instructions prescribed by the State Treasurer. The State Treasurer shall distribute copies of financial feasibility studies to the Director, Department of Planning and Budget, the Secretary for the submitting agency or institution, the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and the Director, State Council of Higher Education for Virginia, if the project is requested by an institution of higher education.

2. By August 15 of each year, institutions shall also prepare and submit copies of financial feasibility studies to the State Council of Higher Education for Virginia for 9(d) obligations where debt service is expected to be paid from project revenues or revenues of the institution. The State Council of Higher Education for Virginia shall identify the impact of all projects requested by the institutions of higher education, and as described in § 4-4.01 j.1. of this act, on the current and projected cost to students in institutions of higher education and the impact of the project on the institution's need for student financial assistance. The State Council of Higher Education for Virginia shall report such information to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees no later than October 1 of each year.

3. Prior to the issuance of debt for 9(c) general obligation projects, when more than one year has elapsed since the review of financial feasibility specified in § 4-4.01 j 1 above, an updated feasibility study shall be prepared by the agency and reviewed by the State Treasurer prior to requesting the Governor's Opinion of Financial Feasibility required under Article X, Section 9 (c), of the Constitution of Virginia.

j. Transfers to supplement capital projects from nongeneral funds may be made under the conditions set forth in §§ 4-1.03 a, 4-1.04 a.3, and 4-4.01 l of this act.

k.1. Change in Size and Scope: Unless otherwise provided by law, the scope, which is the function or intended use, of any capital project may not be substantively changed, nor its size increased or decreased by more than five percent in size beyond the plans and justification which were the basis for the appropriation or reappropriation in this act or for the Governor's authorization pursuant to § 4-4.01 l of this act. However, this prohibition is not applicable to changes in size and scope required because of circumstances determined by the Governor to be an emergency, or requirements imposed by the federal government when such capital project is for armories or other defense-related installations and is funded in whole or in part by federal funds. Furthermore, this prohibition shall not apply to minor increases, beyond five percent, in square footage determined by the Director, Department of General Services, to be reasonable and appropriate based on a written justification submitted by the agency stating the reason for the increase, with the provision that such increase will not increase the cost of the project beyond the amount appropriated; nor to decreases in size beyond five percent to offset unbudgeted costs when such costs are determined by the Director, Department of Planning and Budget, to be reasonable based on a written justification submitted by the agency specifying the amount and nature of the unbudgeted costs and the types of actions that will be taken to decrease the size of the project. The written justification shall also include a certification, signed by the agency head, that the resulting project will be consistent with the original programmatic intent of the appropriations.

2. If space planning, energy conservation, and environmental standards guides for any type of construction have been approved by the Governor or the General Assembly, the Governor shall require capital projects to conform to such planning guides.

l. Projects Not Included In This Act:

1. Authorization by Governor:

a) The Governor may authorize initiation of, planning for, construction of or acquisition of a nongeneral fund capital project not specifically included in this act or provided for a program approved by the General Assembly through appropriations, under one or more of the following conditions:

1) The project is required to meet an emergency situation.

2) The project is to be operated as an auxiliary enterprise or sponsored program in an institution of higher education and will be fully funded by revenues of auxiliary enterprises or sponsored programs.

3) The project is to be operated as an educational and general program in an institution of higher education and will be fully funded by nongeneral fund revenues of educational and general programs or from private gifts and indirect cost recoveries.

4) The project consists of plant or property which has become available or has been received as a gift.

5) The project has been recommended for funding by the Tobacco Indemnification and Community Revitalization Commission or the Virginia Tobacco Settlement Foundation.

b) The foregoing conditions are subject to the following criteria:

1) Funds are available within the appropriations made by this act (including those subject to §§ 4-1.03 a, 4-1.04 a.3, and 4-2.03) without adverse effect on other projects or programs, or from unappropriated nongeneral fund revenues or balances.

2) In the Governor's opinion such action may avoid an increase in cost or otherwise result in a measurable benefit to the state.

3) The authorization includes a detailed description of the project, the project need, the total project cost, the estimated operating costs, and the fund sources for the project and its operating costs.

4) The Chairmen of the House Appropriations and Senate Finance and Appropriations Committees shall be notified by the Governor prior to the authorization of any capital project under the provisions of this subsection.

5) Permanent funding for any project initiated under this section shall only be from nongeneral fund sources.

2. Authorization by Director, Department of Planning and Budget:

a) The Director, Department of Planning and Budget, may authorize initiation of a capital project not included in this act, if the General Assembly has enacted legislation to fund the project from bonds of the Virginia Public Building Authority, Virginia College Building Authority, or from reserves created by refunding of bonds issued by those Authorities.

3. Delegated authorization by Boards of Visitors, Public Institutions of Higher Education:

a) In accordance with § 4-5.06 of this act, the board of visitors of any public institution of higher education that: i) has met the eligibility criteria set forth in Chapters 933 and 945 of the 2005 Acts of Assembly for additional operational and administrative autonomy, including having entered into a memorandum of understanding with the Secretary of Administration for delegated authority of nongeneral fund capital outlay projects, and ii) has received a sum sufficient nongeneral fund appropriation for emergency projects as set out in Part 2: Capital Project Expenses of this act, may authorize the initiation of any capital project that is not specifically set forth in this act provided that the project meets at least one of the conditions and criteria identified in § 4-4.01 l 1 of this act.

b) At least 30 days prior to the initiation of a project under this provision, the board of visitors must notify the Governor and Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and must provide a life-cycle budget analysis of the project. Such analysis shall be in a form to be prescribed by the Auditor of Public Accounts.

c) The Commonwealth of Virginia shall have no general fund obligation for the construction, operation, insurance, routine maintenance, or long-term maintenance of any project authorized by the board of visitors of a public institution of higher education in accordance with this provision.

m. Acquisition, maintenance, and operation of buildings and nonbuilding facilities in colleges and universities shall be subject to the following policies:

1. The anticipated program use of the building or nonbuilding facility should determine the funding source for expenditures for acquisition, construction, maintenance, operation, and repairs.

2. For new campuses to be established within the Virginia Community College System, expenditures for land acquisition, site preparation beyond five feet from a building, and the construction of additional outdoor lighting, sidewalks, outdoor athletic and recreational facilities, and parking lots in the Virginia Community College System shall be made only from appropriated

federal funds, Trust and Agency funds, including local government allocations or appropriations, or the proceeds of indebtedness authorized by the General Assembly.

3. The general policy of the Commonwealth shall be that parking services are to be operated as an auxiliary enterprise by all colleges and universities. Institutions should develop sufficient reserves for ongoing maintenance and replacement of parking facilities.

4. Except as provided in paragraph 2 above, expenditures for maintenance, replacement, and repair of outdoor lighting, sidewalks, and other infrastructure facilities may be made from any appropriated funds.

5. Expenditures for operations, maintenance, and repair of athletic, recreational, and public service facilities, both indoor and outdoor, should be from nongeneral funds. However, this condition shall not apply to any indoor recreational facility existing on a community college campus as of July 1, 1988.

6.a.1. At institutions of higher education that have met the eligibility criteria for additional operational and administrative authority as set forth in Chapters 933 and 945 of the 2005 Acts of Assembly or Chapters 824 and 829 of the 2008 Acts of Assembly, any repair, renovation, or new construction project costing up to $3,000,000 shall be exempt from the capital outlay review and approval process. For purposes of this paragraph, projects shall not include any subset of a series of projects, which in combination would exceed the $3,000,000 maximum.

2. All state agencies and institutions of higher education shall be exempt from the capital review and approval process for repair, renovation, or new construction projects costing up to $3,000,000.

b. Blanket authorizations funded entirely by nongeneral funds may be used for 1) renovation and infrastructure projects costing up to $3,000,000 and 2) the planning of nongeneral fund new construction and renovation projects through bidding, with bid award made after receipt of a construction authorization. The Director, Department of Planning and Budget, may provide exemptions to the threshold.

7. It is the policy of the Commonwealth that the institutions of higher education shall treat the maintenance of their facilities as a priority for the allocation of resources. No appropriations shall be transferred from the "Operation and Maintenance of Plant" subprogram except for closely and definitely related purposes, as approved by the Director, Department of Planning and Budget, or his designee. A report providing the rationale for each approved transfer shall be made to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

n. Legislative Intent and Reporting: Appropriations for capital projects shall be deemed to have been made for purposes which require their expenditure, or being placed under contract for expenditure, during the current biennium. Agencies to which such appropriations are made in this act or any other act are required to report progress as specified by the Governor. If, in the opinion of the Governor, these reports do not indicate satisfactory progress, he is authorized to take such actions as in his judgment may be necessary to meet legislative intent as herein defined. Reporting on the progress of capital projects shall be in accordance with § 4-8.00, Reporting Requirements.

o. No expenditure from a general fund appropriation in this act shall be made to expand or enhance a capital outlay project beyond that anticipated when the project was initially approved by the General Assembly except to comply with requirements imposed by the federal government when such capital project is for armories or other defense-related installations and is funded in whole or in part by federal funds. General fund appropriations in excess of those necessary to complete the project shall not be reallocated to expand or enhance the project, or be reallocated to a different project. The prohibitions in this subsection shall not apply to transfers from projects for which reappropriations have been authorized.

p. Local or private funds to be used for the acquisition, construction or improvement of capital projects for state agency use as owner or lessee shall be deposited into the state treasury for appropriation prior to their expenditure for such projects.

q. State-owned Registered Historic Landmarks: To guarantee that the historical and/or architectural integrity of any state-owned properties listed on the Virginia Landmarks Register and the knowledge to be gained from archaeological sites will not be adversely affected because of inappropriate changes, the heads of those agencies in charge of such properties are directed to submit all plans for significant alterations, remodeling, redecoration, restoration or repairs that may basically alter the appearance of the structure, landscaping, or demolition to the Department of Historic Resources. Such plans shall be reviewed within thirty days and the comments of that department shall be submitted to the Governor through the Department of General Services for use in making a final determination.

r.1. The Governor may authorize the conveyance of any interest in property or improvements thereon held by the Commonwealth to the educational or real estate foundation of any institution of higher education where he finds that such property was acquired with local or private funds or by gift or grant to or for the use of the institution, and not with funds appropriated to the institution by the General Assembly. Any approved conveyance shall be exempt from § 2.2-1156, Code of Virginia, and any other statute concerning conveyance, transfer or sale of state property. If the foundation conveys any interest in the property or any improvements thereon, such conveyance shall likewise be exempt from compliance with any statute concerning disposition of state property. Any income or proceeds from the conveyance of any interest in the property shall be deemed to be local or private funds and may be used by the foundation for any foundation purpose.

2. This section shall not apply to public institutions of higher education that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act.

s.1. Facility Lease Agreements Involving Institutions of Higher Education: In the case of any lease agreement involving state-owned property controlled by an institution of higher education, where the lease has been entered into consistent with the provisions of § 2.2-1155, Code of Virginia, the Governor may amend, adjust or waive any project review and reporting procedures of Executive agencies as may reasonably be required to promote the property improvement goals for which the lease agreement was developed.

2. This section shall not apply to public institutions of higher education that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act.

t. Energy-efficiency Projects: Improvements to state-owned properties for the purpose of energy-efficiency shall be treated as follows:

1. Such improvements shall be considered an operating expense, provided that:

a) the scope of the project meets or exceeds the applicable energy-efficiency standards set forth in the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) standard 90.1-1989 and is limited to measures listed in guidelines issued by the Department of General Services;

b) the project is financed consistent with the provisions of § 2.2-2417, Code of Virginia, which requires Treasury Board approval and is executed through a nonprofessional services contract with a vendor approved by the Department of General Services;

c) the scope of work has been reviewed and recommended by the Department of Energy;

d) the total cost does not exceed $3,000,000; and

e) if the total cost exceeds $3,000,000, but does not exceed $7,000,000, the energy savings from the project offset the total cost of the project, including debt service and interest payments.

2. If (a) the total cost of the improvement exceeds $7,000,000 or (b) the total cost exceeds $3,000,000, but does not exceed $7,000,000, and the energy savings from the project do not fully offset the total cost of the project, including debt services and interest payments, the improvement shall be considered a capital expense regardless of the type of improvement and the following conditions must be met:

a) the scope of the project meets or exceeds the applicable energy-efficiency standards set forth in the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) standard 90.1-1989 and is limited to measures listed in guidelines issued by the Department of General Services;

b) the project is financed consistent with the provisions of § 2.2-2417, Code of Virginia, which requires Treasury Board approval and is executed through a nonprofessional services contract with a vendor approved by the Department of General Services;

c) the scope of work has been reviewed and recommended by the Department of Energy;

d) the project has been reviewed by the Department of Planning and Budget; and

e) the project has been approved by the Governor.

3. If the total project exceeds $250,000, the agency director will submit written notification to the Director, Department of Planning and Budget, verifying that the project meets all of the conditions in subparagraph 1 above.

The provisions of §§ 2.0 and 4-4.01 of this act and the provisions of § 2.2-1132, Code of Virginia, shall not apply to energy conservation projects that qualify as capital expenses.

4. As used in this paragraph, “improvement” does not include (a) constructing, enlarging, altering, repairing or demolishing a building or structure, (b) changing the use of a building either within the same use group or to a different use group when the new use requires greater degrees of structural strength, fire protection, exit facilities or sanitary provisions, or (c) removing or disturbing any asbestos-containing materials during demolition, alteration, renovation of or additions to building or structures, If the projected scope of an energy-efficiency project includes any of these elements, it shall be subject to the capital outlay process as set out in this section.

5. The Director, Department of Planning and Budget, shall notify the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees upon the initiation of any energy-efficiency projects under the provisions of this paragraph.

u. No expenditures shall be authorized for the purchase of fee simple title to any real property to be used for a correctional facility or for the actual construction of a correctional facility provided for in this act, or by reference hereto, that involves acquisition or new construction of youth or adult correctional facilities on real property which was not owned by the Commonwealth on January 1, 1995, until the governing body of the county, city or town wherein the project is to be located has adopted a resolution supporting the location of such project within the boundaries of the affected jurisdiction. The foregoing does not prohibit expenditures for site studies, real estate options, correctional facility design and related expenditures.

v. Except for institutions of higher education that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act, any alternative financing agreement entered into between a state agency or institution of higher education and a private entity or affiliated foundation must be reviewed and approved by the Treasury Board.

w. Prior to requesting authorization for new dormitory capital projects, institutions of higher education shall conduct a cost study to determine whether an alternative financing arrangement or public-private transaction would provide a more effective option for the construction of the proposed facility. This study shall be submitted to the Department of Planning and Budget as part of the budget development process and shall be evaluated by the Governor prior to submitting his proposed budget.

x. Construction or improvement projects of the Department of Military Affairs are not exempt from the capital outlay review process when the state procurement process is utilized, except for those projects with both an estimated cost of $3,000,000 or less and are 100 percent federally reimbursed. The Department of Military Affairs shall submit by July 30 of each year to the Department of Planning and Budget a list of such projects that were funded pursuant to this exemption in the previous fiscal year and any projects that would be eligible for such funding in future fiscal years.

§ 4-4.02 PLANNING AND BUDGETING

a. It shall be the intent of the General Assembly to make biennial appropriations for a capital improvements program sufficient to address the program needs of the Commonwealth. The capital improvements program shall include maintenance and deferred maintenance of the Commonwealth's existing facilities, and of the facility requirements necessary to deliver the programs of state agencies and institutions.

b. In effecting these policies, the Governor shall establish a capital budget plan to address the renewal and replacement of the Commonwealth's physical plant, using such guidelines as recommended by industry or government to maintain the Commonwealth's investment in its property and plant.

§ 4-5.00 SPECIAL CONDITIONS AND RESTRICTIONS ON EXPENDITURES

§ 4-5.01 TRANSACTIONS WITH INDIVIDUALS

a. SETTLEMENT OF CLAIMS: Whenever a dispute, claim or controversy involving the interest of the Commonwealth is settled pursuant to § 2.2-514, Code of Virginia, payment may be made out of any appropriations, designated by the Governor, to the state agency(ies) which is (are) party to the settlement.

b. STUDENT FINANCIAL ASSISTANCE FOR HIGHER EDUCATION:

1. General:

a) The appropriations made in this act to state institutions of higher education within the Items for student financial assistance may be expended for any one, all, or any combination of the following purposes: grants to undergraduate students enrolled at least one-half time in a degree, certificate, industry-based certification and related programs that do not qualify for other sources of student financial assistance or diploma program; grants to full-time graduate students; graduate assistantships: grants to students enrolled full-time in a dual or concurrent undergraduate and graduate program. The institutions may also use these appropriations for the purpose of supporting work study programs. The institution is required to transfer to educational and general appropriations all funds used for work study or to pay graduate assistantships. Institutions may also contribute to federal or private student grant aid programs requiring matching funds by the institution, except for programs requiring work. The State Council of Higher Education for Virginia shall annually review each institution's plan for the expenditures of its general fund appropriation for undergraduate student financial assistance prior to the start of the fall term to determine program compliance. The institution's plan shall include the institution's assumptions and calculations for determining the cost of attendance, student financial need, and student remaining need as well as an award schedule or description of how funds are awarded. For the purposes of the proposed plan, each community college shall be considered independently. No limitations shall be placed on the awarding of nongeneral fund appropriations made in this act to state institutions of higher education within the Items for student financial assistance other than those found previously in this paragraph and as follows: (i) funds derived from in-state student tuition will not subsidize out-of-state students, (ii) students receiving these funds must be making satisfactory academic progress, (iii) awards made to students should be based primarily on financial need, and (iv) institutions should make larger grant and scholarship awards to students taking the number of credit hours necessary to complete a degree in a timely manner.

b) All awards made to undergraduate students from such Items shall be for Virginia students only and such awards shall offset all, or portions of, the costs of tuition and required fees, and, in the case of students qualifying under subdivision b 2 c)1) hereof, the cost of

books. All undergraduate financial aid award amounts funded by this appropriation shall be proportionate to the remaining need of individual students, with students with higher levels of remaining need receiving grants before other students. No criteria other than the need of the student shall be used to determine the award amount. Because of the low cost of attendance and recognizing that federal grants provide a much higher portion of cost than at other institutions, a modified approach and minimum award amount for the neediest VGAP student should be implemented for community college and Richard Bland College students based on remaining need and the combination of federal and grant state aid. Student financial need shall be determined by a need-analysis system approved by the Council.

c)1) All need-based awards made to graduate students shall be determined by the use of a need-analysis system approved by the Council.

2) As part of the six-year financial plans required in the provisions of Chapters 933 and 945 of the 2005 Acts of Assembly, each institution of higher education shall report the extent to which tuition and fee revenues are used to support graduate student aid and graduate compensation and how the use of these funds impacts planned increases in student tuition and fees.

d) A student who receives a grant under such Items and who, during a semester, withdraws from the institution which made the award must surrender the unearned portion. The institution shall calculate the unearned portion of the award based on the percentage used for federal Return to Title IV program purposes.

e) An award made under such Items to assist a student in attending an institution's summer session shall be prorated according to the size of comparable awards made in that institution's regular session.

f) The provisions of this act under the heading "Student Financial Assistance for Higher Education" shall not apply to (1) the soil scientist scholarships authorized under § 23.1-615, Code of Virginia and (2) need-based financial aid programs for industry-based certification and related programs that do not qualify for other sources of student financial assistance, which will be subject to guidelines developed by the State Council of Higher Education for Virginia.

g) Unless noted elsewhere in this act, general fund awards shall be named "Commonwealth" grants.

h) Unless otherwise provided by statute, undergraduate awards shall not be made to students seeking a second or additional baccalaureate degree until the financial aid needs of first-degree seeking students are fully met.

i) In determining financial need for student financial assistance, the institution shall recognize the federal Student Aid Index at no less than zero.

j) Students receiving student financial assistance in 2023-2024 may be considered for Virginia Student Financial Assistance Program awards based on the Expected Family Contribution demonstrated in 2023-2024, or appropriately adjusted need as determined by the institution, for as long as the student maintains continuous enrollment, unless granted an exception for cause by the State Council of Higher Education for Virginia, until current degree completion or current degree program eligibility limits have otherwise expired, whichever comes first.

k) Notwithstanding any other provision of law to the contrary, the Student Aid Index as calculated according to federal Title IV financial aid methodology shall be deemed an approved replacement of any mention or use of the precedent federal Expected Family Contribution for purposes of administrating state higher education financial aid programs.

l) Notwithstanding any other provision of law to the contrary, private institutions admitted on or after January 1, 2024 in any state program of higher education financial assistance shall (i) be a nonprofit private institution of higher education whose primary purpose is to provide collegiate, graduate, or professional education and not to provide religious training or theological education; (ii) be formed, chartered, established, or incorporated within the Commonwealth; (iii) have their principal place of business within the Commonwealth; (iv) conduct their primary educational activity within the Commonwealth; and (v) be accredited by a nationally recognized regional institutional accrediting agency.

2. Grants To Undergraduate Students:

a) Each institution which makes undergraduate grants paid from its appropriation for student financial assistance shall expend such sums as approved for that purpose by the Council.

b) A student receiving an award must be duly admitted and enrolled in a degree, certificate or diploma program at the institution making the award, and shall be making satisfactory academic progress as defined by the institution for the purposes of eligibility under Title IV of the federal Higher Education Act, as amended.

c)1) It is the intent of the General Assembly that students eligible under the Virginia Guaranteed Assistance Program (VGAP) authorized in Title 23.1, Chapter 4.4:2, Code of Virginia, shall receive grants before all other students at the same institution with equivalent remaining need from the appropriations for undergraduate student financial assistance found in Part 1 of this act (service area 1081000 - Scholarships). In each instance, VGAP eligible students shall receive awards greater than other students with equivalent remaining need.

2) The amount of each VGAP grant shall vary according to each student's remaining need and the total of tuition, all required fees and the cost of books at the institution the student will attend upon acceptance for admission. The actual amount of the VGAP award will be determined by the proportionate award schedule adopted by each institution; however, those students with the greatest financial need shall be guaranteed an award at least equal to tuition.

3) It is the intent of the General Assembly that the Virginia Guaranteed Assistance Program serve as an incentive to financially needy students now attending elementary and secondary school in Virginia to raise their expectations and their academic performance and to consider higher education an achievable objective in their futures.

4) Students may not receive a VGAP and a Commonwealth grant in the same semester.

d) Of the amount allocated for undergraduate need-based financial aid, up to one percent may be used for emergency assistance programs for students facing a financial emergency that puts them at risk of dropping out. The Council shall establish reporting guidelines and approve criteria for making student awards.

3. Grants To Graduate Students:

a) An individual award may be based on financial need but may, in addition to or instead of, be based on other criteria determined by the institution making the award. The amount of an award shall be determined by the institution making the award; however, the Council shall annually be notified as to the maximum size of a graduate award that is paid from funds in the appropriation.

b) A student receiving a graduate award paid from the appropriation must be duly admitted into a graduate degree program at the institution making the award.

c) Not more than 50 percent of the funds designated by an institution as graduate grants from the appropriation, and approved as such by the Council, shall be awarded to persons not eligible to be classified as Virginia domiciliary resident students except in cases where the persons meet the criteria outlined in § 4-2.01b.6.

4. Matching Funds: Any institution of higher education may, with the approval of the Council, use funds from its appropriation for fellowships and scholarships to provide the institutional contribution to any student financial aid program established by the federal government or private sources which requires the matching of the contribution by institutional funds, except for programs requiring work.

5. Discontinued Loan Program:

a) If any federal student loan program for which the institutional contribution was appropriated by the General Assembly is discontinued, the institutional share of the discontinued loan program shall be repaid to the fund from which the institutional share was derived unless other arrangements for the use of the funds are recommended by the Council and approved by the Department of Planning and Budget. Should the institution be permitted to retain the federal contributions to the program, the funds shall be used according to arrangements authorized by the Council and approved by the Department of Planning and Budget.

b)1) An institution of higher education may discontinue its student loan fund established pursuant to Title 23.1, Chapter 4.01, Code of Virginia. The full amount of cash in such discontinued loan fund shall be paid into the state treasury into a nonrevertible nongeneral fund account. Prior to such payment, the State Comptroller shall verify its accuracy, including the fact that the cash held by the institution in the loan fund will be fully depleted by such payment. The loan fund shall not be reestablished thereafter for that institution.

2) The cash so paid into the state treasury shall be used only for grants to undergraduate and graduate students in the Higher Education Student Financial Assistance program according to arrangements authorized by the Council and approved by the Department of Planning and Budget.

3) Payments on principal and interest of any promissory notes held by the discontinued loan fund shall continue to be received by the institution, which shall deposit such payments in the state treasury to the nonrevertible nongeneral fund account specified in subdivision (1) preceding, to be used for grants as specified in subdivision (2) preceding.

6. Reporting: The Council shall collect student-specific information for undergraduate students as is necessary for the operation of the Student Financial Assistance Program. The Council shall maintain regulations governing the operation of the Student Financial Assistance Program based on the provisions outlined in this section, the Code of Virginia, and State Council policy.

c. PAYMENTS TO CITIZEN MEMBERS OF NONLEGISLATIVE BODIES:

Notwithstanding any other provision of law, executive branch agencies shall not pay compensation to citizen members of boards, commissions, authorities, councils, or other bodies from any fund for the performance of such members' duties in the work of the board, commission, authority, council, or other body.

d. VIRGINIA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION PROGRAM

Notwithstanding any other provision of law, the Virginia Birth-Related Neurological Injury Compensation Program is authorized to

require each admitted claimant's parent or legal guardian to purchase private health insurance (the “primary payer") to provide coverage for the actual medically necessary and reasonable expenses as described in Virginia Code § 38.2-5009(A)(1) that were, or are, incurred as a result of the admitted claimant's birth-related neurological injury and for the admitted claimant's benefit. Provided, however, that the Program shall reimburse, upon receipt of proof of payment, solely the portion of the premiums that is attributable to the admitted claimant's post-admission coverage from the effective date of this provision forward and paid for by the admitted claimant's parent or legal guardian.

§ 4-5.02 THIRD PARTY TRANSACTIONS

a. EMPLOYMENT OF ATTORNEYS:

1.a) All attorneys authorized by this act to be employed by any state agency and all attorneys compensated out of any moneys appropriated in this session of the General Assembly shall be appointed by the Attorney General and be in all respects subject to the provisions of Title 2.2, Chapter 5, Code of Virginia, to the extent not to conflict with Title 12.1, Chapter 4, Code of Virginia; provided, however, that if the Governor certifies the need for independent legal counsel for any Executive Department agency, such agency shall be free to act independently of the Office of the Attorney General in regard to selection, and provided, further, that compensation of such independent legal counsel shall be paid from the moneys appropriated to such Executive Department agency or from the moneys appropriated to the Office of the Attorney General.

b) For purposes of this act, "attorney" shall be defined as an employee or contractor who represents an agency before a court, board or agency of the Commonwealth of Virginia or political subdivision thereof. This term shall not include members of the bar employed by an agency who perform in a capacity that does not require a license to practice law, including but not limited to, instructing, managing, supervising or performing normal or customary duties of that agency.

2. This section does not apply to attorneys employed by state agencies in the Legislative Department, Judicial Department or Independent Agencies.

3. Reporting on employment of attorneys shall be in accordance with § 4-8.00, Reporting Requirements.

4. Notwithstanding § 2.2-510.1 of the Code of Virginia and any other conflicting provision of law, the Virginia Retirement System may enter into agreements to seek i) recovery of investment losses in foreign jurisdictions, and ii) legal advice related to its investments. Any such agreements shall be reported to the Office of the Attorney General as soon as practicable.

b. STUDIES AND CONSULTATIVE SERVICES REQUIRED BY GENERAL ASSEMBLY: No expenditure for payments on third party nongovernmental contracts for studies or consultative services shall be made out of any appropriation to the General Assembly or to any study group created by the General Assembly, nor shall any such expenditure for third party nongovernmental contracts be made by any Executive Department agency in response to a legislative request for a study, without the prior approval of two of the following persons: the Chairman of the House Appropriations Committee; the Chairman of the Senate Finance and Appropriations Committee; the Speaker of the House of Delegates; the President pro tempore of the Senate. All such expenditures shall be made only in accordance with the terms of a written contract approved as to form by the Attorney General.

c. USE OF CONSULTING SERVICES: All state agencies and institutions of higher education shall make a determination of "return on investment" as part of the criteria for awarding contracts for consulting services.

d. DEBT COLLECTION SERVICES:

1. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Virginia Commonwealth University Health System Authority shall have the option to participate in the Office of the Attorney General's debt collection process. Should the Authority choose not to participate, the Authority shall have the authority to collect its accounts receivable by engaging private collection agents and attorneys to pursue collection actions, and to independently compromise, settle, and discharge accounts receivable claims.

2. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the University of Virginia Medical Center shall have the authority to collect its accounts receivable by engaging private collection agents and attorneys to pursue collection actions, and to independently compromise, settle, and discharge accounts receivable claims, provided that the University of Virginia demonstrates to the Secretary of Finance that debt collection by an agent other than the Office of the Attorney General is anticipated to be more cost effective. Nothing in this paragraph is intended to limit the ability of the University of Virginia Medical Center from voluntarily contracting with the Office of the Attorney General's Division of Debt Collection in cases where the Center would benefit from the expertise of legal counsel and collection services offered by the Office of the Attorney General.

3. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Department of Taxation shall be exempt from participating in the debt collection process of the Office of the Attorney General.

§ 4-5.03 SERVICES AND CLIENTS

a. CHANGED COST FACTORS:

1.a) No state agency, or its governing body, shall alter factors (e.g., qualification level for receipt of payment or service) which may increase the number of eligible recipients for its authorized services or payments, or alter factors which may increase the unit cost of benefit payments within its authorized services, unless the General Assembly has made an appropriation for the cost of such change.

b) The limits on altering or changing cost factors stated in paragraph 1.a) above shall not apply to changes associated with implementing and/or altering services in response to COVID-19 when funding is provided from a nongeneral fund source dedicated to addressing the impact of COVID-19 or from any source when specifically approved by the Governor in response to the COVID-19 pandemic.

2. Notwithstanding any other provision of law, the Department of Planning and Budget, with assistance from agencies that operate internal service funds as requested, shall establish policies and procedures for annually reviewing and approving internal service fund overhead surcharge rates and working capital reserves.

3. By September 1 each year, state agencies that operate an internal service fund, pursuant to §§ 2.2-803, 2.2-1101, and 2.2-2013, Code of Virginia, that have an impact on agency expenditures, shall submit a report to the Department of Planning and Budget to include all information as required by the Department of Planning and Budget to conduct a thorough review of overhead surcharge rates, revenues, expenditures, full-time positions, and working capital reserves for each internal service fund. The report shall include any proposed modifications in rates to be charged by internal service funds for review and approval by the Department of Planning and Budget. In its review, the Department of Planning and Budget shall determine whether the requested rate modifications are consistent with budget assumptions. The format by which agencies submit the operating plan for each internal service fund shall be determined by the Department of Planning and Budget with assistance from agencies that operate internal service funds as requested.

4. State agencies that operate internal service funds may not change a billable overhead surcharge rate to another state agency unless the resulting change is provided in the final General Assembly enacted budget.

5. State agencies that operate more than one internal service fund shall comply with the review and approval requirements detailed in this Item for each internal service fund.

6. As determined by the Director, Department of Planning and Budget, state agencies that operate select programs where an agency provides a service to and bills other agencies shall be subject to the annual review of the agency's internal service funds consistent with the provisions of this Item, unless such payment for services is pursuant to a memorandum of understanding authorized by § 4-1.03 a. 7 of this act.

7. The Governor is authorized to change internal service fund overhead surcharge rates, including the creation of new rates, beyond the rates enacted in the budget in the event of an emergency or to implement actions approved by the General Assembly, upon prior notice to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees. Such prior notice shall be no less than five days prior to enactment of a revised or new rate and shall include the basis of the rate change and the impact on state agencies.

8. Notwithstanding any other provision of law, the Commonwealth's statewide electronic procurement system and program known as eVA shall have all rates and working capital reserves reviewed and approved by the Department of Planning and Budget consistent with the provisions of this Item.

9. State agencies that are partially or fully funded with nongeneral funds and are billed for services provided by another state agency shall pay the nongeneral fund cost for the service from the agency's applicable nongeneral fund revenue source consistent with an appropriation proration of such expenses.

b. NEW SERVICES:

1.a) No state agency shall begin any new service that will call for future additional property, plant or equipment or that will require an increase in subsequent general or nongeneral fund operating expenses without first obtaining the authorization of the General Assembly.

b) The limits on establishing new services stated in paragraph 1.a) above shall not apply to new services established to respond to COVID-19 when funding is provided from a nongeneral fund source dedicated to addressing the impact of COVID-19 or from any source when specifically approved by the Governor in response to the COVID-19 pandemic.

2. Pursuant to the policies and procedures of the State Council of Higher Education regarding approval of academic programs and the concomitant enrollment, no state institution of higher education shall operate any academic program with funds in this act unless approved by the Council and included in the Executive Budget, or approved by the General Assembly. The Council may grant exemptions to this policy in exceptional circumstances.

3. a) The General Assembly is supportive of the increasing commitment by both Virginia Tech and the Carilion Clinic to the success of the programs at the Virginia Tech/Carilion School of Medicine and the Virginia Tech/Carilion Research Institute, and encourages

these two institutions to pursue further developments in their partnership. Therefore, notwithstanding § 4-5.03 c. of the Appropriation Act, if through the efforts of these institutions to further strengthen the partnership, Virginia Tech acquires the Virginia Tech Carilion School of Medicine during the current biennium, the General Assembly approves the creation and establishment of the Virginia Tech/Carilion School of Medicine within the institution notwithstanding § 23.1-203 Code of Virginia. No additional funds are required to implement establishment of the Virginia Tech/Carilion School of Medicine within the institution.

b) Virginia Tech Carilion School of Medicine is hereby authorized to transfer funds to the Department of Medical Assistance Services to fully fund the state share for Medicaid supplemental payments to the teaching hospital affiliated with the Virginia Tech Carilion School of Medicine. These Medicaid supplemental fee-for-service and/or capitation payments to managed care organizations are for the purpose of securing access to Medicaid hospital services in Western Virginia. The funds to be transferred must comply with 42 CFR 433.51.

4. Reporting on all new services shall be in accordance with § 4-8.00, Reporting Requirements.

c. OFF-CAMPUS SITES OF INSTITUTIONS OF HIGHER EDUCATION:

No moneys appropriated by this act shall be used for off-campus sites unless as provided for in this section.

1. A public college or university seeking to create, establish, or operate an off-campus instructional site, funded directly or indirectly from the general fund or with revenue from tuition and mandatory educational and general fees generated from credit course offerings, shall first refer the matter to the State Council of Higher Education for Virginia for its consideration and approval. The State Council of Higher Education for Virginia may provide institutions with conditional approval to operate the site for up to one year, after which time the college or university must receive approval from the Governor and General Assembly, through legislation or appropriation, to continue operating the site.

2. For the colleges of the Virginia Community College System, the State Board for Community Colleges shall be responsible for approving off-campus locations. Sites governed by this requirement are those at any locations not contiguous to the main campus of the institution, including locations outside Virginia.

3. a) The provisions herein shall not apply to credit offerings on the site of a public or private entity if the offerings are supported entirely with private, local, or federal funds or revenue from tuition and mandatory educational and general fees generated entirely by course offerings at the site.

b) Offerings at previously approved off-campus locations shall also not be subject to these provisions.

c) Further, the provisions herein do not govern the establishment and operations of campus sites with a primary function of carrying out grant and contract research where direct and indirect costs from such research are covered through external funding sources. Such locations may offer limited graduate education as appropriate to support the research mission of the site.

d) Nothing herein shall prohibit an institution from offering non-credit continuing education programs at sites away from the main campus of a college or university.

4. The State Council of Higher Education shall establish guidelines to implement this provision.

d. PERFORMANCE MEASUREMENT

1. In accordance with § 2.2-1501, Code of Virginia, the Department of Planning and Budget shall develop a programmatic budget and accounting structure for all new programs and activities to ensure that it provides the appropriate financial and performance measures to determine if programs achieve desired results and outcomes. The Department of Accounts shall provide assistance as requested by the Department of Planning and Budget. The Department of Planning and Budget shall provide this information each year when the Governor submits the budget in accordance with § 2.2-1509, Code of Virginia, to the Chairmen of the House Appropriations, House Finance, and Senate Finance and Appropriations Committees.

2.a) Within thirty days of the enactment of this act, the Director, Department of Planning and Budget, shall make available via electronic means to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the public a list of the new initiatives for which appropriations are provided in this act.

b) Not later than ninety days after the end of the first year of the biennium, the Director, Department of Planning and Budget, shall make available via electronic means a report on the performance of each new initiative contained in the list, to be submitted to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees and the public. The report shall compare the actual results, including expenditures, of the initiative with the anticipated results and the appropriation for the initiative. This information shall be used to determine whether the initiative should be extended beyond the beginning period. In the preparation of this report, all state agencies shall provide assistance as requested by the Department of Planning and Budget.

a. STUDENT ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION:

1. Public Information Encouraged: Each public institution of higher education is expected and encouraged to provide prospective students with accurate and objective information about its programs and services. The institution may use public funds under the control of the institution's Board of Visitors for the development, preparation and dissemination of factual information about the following subjects: academic programs; special programs for minorities; dates, times and procedures for registration; dates and times of course offerings; admission requirements; financial aid; tuition and fee schedules; and other information normally distributed through the college catalog. This information may be presented in any and all media, such as newspapers, magazines, television or radio where the information may be in the form of news, public service announcements or advertisements. Other forms of acceptable presentation would include brochures, pamphlets, posters, notices, bulletins, official catalogs, flyers available at public places and formal or informal meetings with prospective students.

2. Excessive Promotion Prohibited: Each public institution of higher education is prohibited from using public funds under the control of the institution's Board of Visitors for the development, preparation, dissemination or presentation of any material intended or designed to induce students to attend by exaggerating or extolling the institution's virtues, faculty, students, facilities or programs through the use of hyperbole. Artwork and photographs which exaggerate or extol rather than supplement or complement permissible information are prohibited. Mass mailings are generally prohibited; however, either mass mailings or newspaper inserts, but not both, may be used if other methods of distributing permissible information are not economically feasible in the institution's local service area.

3. Remedial Education: Senior institutions of higher education shall make arrangements with community colleges for the remediation of students accepted for admission by the senior institutions.

4. Compliance: The president or chancellor of each institution of higher education is responsible for the institution's compliance with this subsection.

b. INFORMATION TECHNOLOGY FACILITIES AND SERVICES:

1.a) The Virginia Information Technologies Agency shall procure information technology and telecommunications goods and services of every description for its own benefit or on behalf of other state executive branch agencies and institutions, or authorize other state executive branch agencies or institutions to undertake such procurements on their own. For the purposes of § 4-5.04 of this act, “executive branch agency” means the same as that term is defined in § 2.2-2006, Code of Virginia.

b) Except for research projects, research initiatives, or instructional programs at public institutions of higher education, or any non-major information technology project request from the Virginia Community College System, Longwood University, or from an institution of higher education which is a member of the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP) as of July 1, 2003, or any procurement of information technology and telecommunications goods and services by public institutions of higher education governed by some combination of Chapters 933 and 945 of the 2005 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, and those public institutions of higher education that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act, requests for authorization from state agencies and institutions to procure information technology and telecommunications goods and services on their own behalf shall be made in writing to the Chief Information Officer or his designee. Members of VASCUPP as of July 1, 2003, are hereby recognized as: The College of William and Mary, George Mason University, James Madison University, Old Dominion University, Radford University, Virginia Commonwealth University, Virginia Military Institute, Virginia Polytechnic Institute and State University, and the University of Virginia.

c) The Chief Information Officer or his designee may grant the authorization upon a written determination that the request conforms to the statewide information technology plan and the individual information technology plan of the requesting agency or institution.

d) Any procurement authorized by the Chief Information Officer or his designee for information technology and telecommunications goods and services, including geographic information systems, shall be issued by the requesting state agency or institution in accordance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency.

e) Nothing in this subsection shall prevent public institutions of higher education or the Virginia Community College System from using the services of Network Virginia.

f) To ensure that the Commonwealth's research universities maintain a competitive position with access to the national optical research network infrastructure including the National LambdaRail and Internet2, the Network Virginia Contract Administrator is hereby authorized to renegotiate the term of the existing contracts. Additionally, the contract administrator is authorized to competitively negotiate additional agreements in accordance with the Code of Virginia and all applicable regulations, as required, to establish and maintain research network infrastructure.

2. If the billing rates and associated systems for computer, telecommunications and systems development services to state agencies are altered, the Director, Department of Planning and Budget, may transfer appropriations from the general fund between programs affected. These transfers are limited to actions needed to adjust for overfunding or underfunding the program appropriations affected by the altered billing systems.

3. The provisions of this subsection shall not in any way affect the duties and responsibilities of the State Comptroller under the provisions of § 2.2-803, Code of Virginia.

4. It is the intent of the General Assembly that information technology (IT) systems, products, data, and service costs, including geographic information systems (GIS), be contained through the shared use of existing or planned equipment, data, or services which may be available or soon made available for use by state agencies, institutions, authorities, and other public bodies. State agencies, institutions, and authorities shall cooperate with the Virginia Information Technologies Agency in identifying the development and operational requirements for proposed IT and GIS systems, products, data, and services, including the proposed use, functionality, capacity and the total cost of acquisition, operation and maintenance.

5. This section shall not apply to public institutions of higher education governed by some combination of Chapters 933 and 945 of the 2005 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, those public institutions of higher education that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act, or to the Virginia Alcoholic Beverage Control Authority.

6. Notwithstanding any other provision of law, state agencies that do not receive computer services from the Virginia Information Technologies Agency may develop their own policies and procedures governing the sale of surplus computers and laptops to their employees or officials. Any proceeds from the sale of surplus computers or laptops shall be deposited into the appropriate fund or funds used to purchase the equipment.

c. MOTOR VEHICLES AND AIRCRAFT:

1. No motor vehicles shall be purchased or leased with public funds by the state or any officer or employee on behalf of the state without the prior written approval of the Director, Department of General Services.

2. The institutions of higher education and the Alcoholic Beverage Control Authority shall be exempt from this provision but shall be required to report their entire inventory of purchased and leased vehicles including the cost of such to the Director of the Department of General Services by June 30 of each year. The Director of the Department of General Services shall compare the cost of vehicles acquired by institutions of higher education and the Authority to like vehicles under the state contract. If the comparison demonstrates for a given institution or the Authority that the cost to the Commonwealth is greater for like vehicles than would be the case based on a contract of statewide applicability, the Governor or his designee may suspend the exemption granted to the institution or the Authority pursuant to this subparagraph c.

3. The Director, Department of General Services, is hereby authorized to transfer surplus motor vehicles among the state agencies, and determine the value of such surplus equipment for the purpose of maintaining the financial accounts of the state agencies affected by such transfers.

d. MOTION PICTURE, TELEVISION AND RADIO SERVICES PRODUCTION: Except for public institutions of higher education that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act, no state Executive Department agency or the Virginia Lottery Department shall expend any public funds for the production of motion picture films or of programs for television transmission, or for the operation of television or radio transmission facilities, without the prior written approval of the Governor or as otherwise provided in this act, except for educational television programs produced for elementary-secondary education by authority of the Virginia Information Technologies Agency. The Joint Subcommittee on Rules is authorized to provide the approval of such expenditures for legislative agencies. For judicial agencies and independent agencies, other than the Virginia Lottery Department, prior approval action rests with the supervisory bodies of these entities. With respect to television programs which are so approved and other programs which are otherwise authorized or are not produced for television transmission, state agencies may enter into contracts without competitive sealed bidding, or competitive negotiation, for program production and transmission services which are performed by public telecommunications entities, as defined in § 2.2-2006, Code of Virginia.

e. TRAVEL: Reimbursement for the cost of travel on official business of the state government is authorized to be paid pursuant to law and regulations issued by the State Comptroller to implement such law. Notwithstanding any contrary provisions of law:

1. For the use of personal automobiles in the discharge of official duties outside the continental limits of the United States, the State Comptroller may authorize an allowance not exceeding the actual cost of operation of such automobiles;

2. The first 15,000 miles of use during each fiscal year of personal automobiles in the discharge of official duties within the continental limits of the United States shall be reimbursed at an amount equal to the most recent business standard mileage rate as established by the Internal Revenue Service for employees or self-employed individuals to use in computing their income tax deductible costs for operating passenger vehicles owned or leased by them for business purposes, or in the instance of a state employee, at the lesser of (a) the IRS rate or (b) the lowest combined capital and operational trip pool rate charged by the Department of General Services, Office of Fleet Management Services (OFMS), posted on the OFMS website at time of travel, for the use of a compact state-owned vehicle. If the head of the state agency concerned certifies that a state-owned vehicle was not available, or if, according to regulations issued by the State Comptroller, the use of a personal automobile in lieu of a state-owned automobile is considered to be an advantage to the state, the reimbursement shall be at the rate of the IRS rate. For such

use in excess of 15,000 miles in each fiscal year, the reimbursement shall be at a rate of 13.0 cents per mile, unless a state-owned vehicle is not available; then the rate shall be the IRS rate;

3. The State Comptroller may authorize exemptions to restrictions upon use of common carrier accommodations;

4. The State Comptroller may authorize reimbursement by per diem in lieu of actual costs of meals and any other expense category deemed necessary for the efficient and effective operation of state government;

5. State employees traveling on official business of state government shall be reimbursed for their travel costs using the same bank account authorized by the employee in which their net pay is direct deposited; and

6. This section shall not apply to members and employees of public school boards.

f. SMALL PURCHASE CHARGE CARD, ELECTRONIC DATA INTERCHANGE, DIRECT DEPOSIT, AND PAYLINE OPT OUT: The State Comptroller is hereby authorized to charge state agencies a fee of $5 per check or earnings notice when, in his judgment, agencies have failed to comply with the Commonwealth's electronic commerce initiatives to reduce unnecessary administrative costs for the printing and mailing of state checks and earning notices. The fee shall be collected by the Department of Accounts through accounting entries.

g. PURCHASES OF APPLIANCES AND EQUIPMENT: State agencies and institutions shall purchase Energy Star rated appliances and equipment in all cases where such appliances and equipment are available.

h. ELECTRONIC PAYMENTS: Any recipient of payments from the State Treasury who receives six or more payments per year issued by the State Treasurer shall receive such payments electronically. The State Treasurer shall decide the appropriate method of electronic payment and, through his warrant issuance authority, the State Comptroller shall enforce the provisions of this section. The State Comptroller is authorized to grant administrative relief to this requirement when circumstances justify non-electronic payment.

i. LOCAL AND NON-STATE SAVINGS AND EFFICIENCIES: It is the intent of the General Assembly that State agencies shall encourage and assist local governments, school divisions, and other non-state governmental entities in their efforts to achieve cost savings and efficiencies in the provision of mandated functions and services including but not limited to finance, procurement, social services programs, and facilities management.

j. TELECOMMUNICATION SERVICES AND DEVICES:

1. The Chief Information Officer and the State Comptroller shall develop statewide requirements for the use of cellular telephones and other telecommunication devices by executive branch agencies, addressing the assignment, evaluation of need, safeguarding, monitoring, and usage of these telecommunication devices. The requirements shall include an acceptable use agreement template clearly defining an employee's responsibility when they receive and use a telecommunication device. Statewide requirements shall require some form of identification on a device in case it is lost or stolen and procedures to wipe the device clean of all sensitive information when it is no longer in use.

2. Executive branch agencies providing employees with telecommunication devices shall develop agency-specific policies, incorporating the guidance provided in § 4-5.04 k. 1. of this act and shall maintain a cost justification for the assignment or a public health, welfare and safety need.

3. The Chief Information Officer shall determine the optimal number of telecommunication vendors and plans necessary to meet the needs of executive branch agency personnel. The Chief Information Officer shall regularly procure these services and provide statewide contracts for use by all such agencies. These contracts shall require the vendors to provide detailed usage information in a useable electronic format to enable the executive branch agencies to properly monitor usage to make informed purchasing decisions and minimize costs.

4. The Chief Information Officer shall examine the feasibility of providing tools for executive branch agencies to analyze usage and cost data to assist in determining the most cost effective plan combinations for the entity as a whole and individual users.

k. ALTERNATIVE PROCUREMENT: If any payment is declared unconstitutional for any reason or if the Attorney General finds in a formal, written, legal opinion that a payment is unconstitutional, in circumstances where a good or service can constitutionally be the subject of a purchase, the administering agency of such payment is authorized to use the affected appropriation to procure, by means of the Commonwealth's Procurement Act, goods and services, which are similar to those sought by such payment in order to accomplish the original legislative intent.

l. MEDICAL SERVICES: No expenditures from general or nongeneral fund sources may be made out of any appropriation by the General Assembly for providing abortion services, except otherwise as required by federal law or state statute.

m. In an effort to expand cooperative procurement efforts, all public institutions of higher education in the Commonwealth of Virginia may access the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP) contracts regardless of their level of purchasing delegated authority, non-VASCUPP institutions shall amend terms and conditions of

VASCUPP contracts to incorporate Virginia Public Procurement Act, and Commonwealth of Virginia Agency Procurement and Surplus Property Manual.

§ 4-5.05 NONSTATE AGENCIES, INTERSTATE COMPACTS AND ORGANIZATIONAL MEMBERSHIPS

a. The accounts of any agency, however titled, which receives funds from this or any other appropriating act, and is not owned or controlled by the Commonwealth of Virginia, shall be subject to audit or shall present an audit acceptable to the Auditor of Public Accounts when so directed by the Governor or the Joint Legislative Audit and Review Commission.

b.1. For purposes of this subsection, the definition of "nonstate agency" is that contained in § 2.2-1505, Code of Virginia.

2. Allotment of appropriations to nonstate agencies shall be subject to the following criteria:

a) Such agency is located in and operates in Virginia.

b) The agency must be open to the public or otherwise engaged in activity of public interest, with expenditures having actually been incurred for its operation.

3. No allotment of appropriations shall be made to a nonstate agency until such agency has certified to the Secretary of Finance that cash or in-kind contributions are on hand and available to match equally all or any part of an appropriation which may be provided by the General Assembly, unless the organization is specifically exempted from this requirement by language in this act. Such matching funds shall not have been previously used to meet the match requirement in any prior appropriation act.

4. Operating appropriations for nonstate agencies equal to or in excess of $150,000 shall be disbursed to nonstate agencies in twelve or fewer equal monthly installments depending on when the first payment is made within the fiscal year. Operating appropriations for nonstate agencies of less than $150,000 shall be disbursed in one payment once the nonstate agency has successfully met applicable match and application requirements.

5. The provisions of § 2.2-4343 A 14, Code of Virginia shall apply to any expenditure of state appropriations by a nonstate agency.

c.1. Each interstate compact commission and each organization in which the Commonwealth of Virginia or a state agency thereof holds membership, and the dues for which are provided in this act or any other appropriating act, shall submit its biennial budget request to the state agency under which such commission or organization is listed in this act. The state agency shall include the request of such commission or organization within its own request, but identified separately. Requests by the commission or organization for disbursements from appropriations shall be submitted to the designated state agency.

2. Each state agency shall submit by November 1 each year, a report to the Director, Department of Planning and Budget, listing the name and purpose for organizational memberships held by that agency with annual dues of $5,000 or more. The institutions of higher education shall be exempt from this reporting requirement.

§ 4-5.06 DELEGATION OF AUTHORITY

a. The designation in this act of an officer or agency head to perform a specified duty shall not be deemed to supersede the authority of the Governor to delegate powers under the provisions of § 2.2-104 , Code of Virginia.

b. The nongeneral fund capital outlay decentralization programs initiated pursuant to § 4-5.08b of Chapter 912, 1996 Acts of Assembly as continued in subsequent appropriation acts are hereby made permanent. Decentralization programs for which institutions have executed memoranda of understanding with the Secretary of Administration pursuant to the provisions of § 4-5.08b of Chapter 912, 1996 Acts of Assembly shall no longer be considered pilot projects, and shall remain in effect until revoked.

c. Institutions wishing to participate in a nongeneral fund capital outlay decentralization program for the first time shall submit a letter of interest to the appropriate Cabinet Secretary. Within 90 calendar days of the receipt of the institution's request to participate, the responsible Cabinet Secretary shall determine whether the institution meets the eligibility criteria and, if appropriate, establish a decentralization program at the institution. The Cabinet Secretary shall report to the Governor and Chairmen of the Senate Finance and Appropriations and House Appropriations Committees by December 1 of each year all institutions that have applied for inclusion in a decentralization program and whether the institutions have been granted authority to participate in the decentralization program.

d. The provisions identified in § 4-5.08 f and § 4-5.08 h of Chapter 1042 of the Acts of Assembly of 2003 pertaining to pilot programs for selected capital outlay projects and memoranda of understanding in institutions of higher education are hereby continued. Notwithstanding these provisions, those projects shall be insured through the state's risk management liability program.

e. If during an independent audit conducted by the Auditor of Public Accounts, the audit discloses that an institution is not performing within the terms of the memoranda of understanding or their addenda, the Auditor shall report this information to the Governor, the responsible Cabinet Secretary, and the Chairmen of the Senate Finance and Appropriations and House

Appropriations Committees.

f. Institutions that have executed memoranda of understanding with the Secretary of Administration for nongeneral fund capital outlay decentralization programs are hereby granted a waiver from the provisions of § 2.2-4301, Competitive Negotiation, subdivision 3a, Code of Virginia, regarding the not to exceed amount of $100,000 for a single project, the not to exceed sum of $500,000 for all projects performed, and the option to renew for two additional one-year terms.

g. Notwithstanding any contrary provision of law or this act, delegations of authority in this act to the Governor shall apply only to agencies and personnel within the Executive Department, unless specifically stated otherwise.

h. This section shall not apply to public institutions of higher education that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act.

§ 4-5.07 LEASE, LICENSE OR USE AGREEMENTS

a. Agencies shall not acquire or occupy real property through lease, license or use agreement until the agency certifies to the Director, Department of General Services, that (i) funds are available within the agency's appropriations made by this act for the cost of the lease, license or use agreement and (ii) except for good cause as determined by the Department of General Services, the volume of such space conforms with the space planning procedures for leased facilities developed by the Department of General Services and approved by the Governor. The Department of General Services shall acquire and hold such space for use by state departments, agencies and institutions within the Executive Branch and may utilize brokerage services, portfolio management strategies, strategic planning, transaction management, project and construction management, and lease administration strategies consistent with industry best practices as adopted by the Department from time to time. These provisions may be waived in writing by the Director, Department of General Services. However, these provisions shall not apply to institutions of higher education that have met the conditions prescribed in subsection B of § 23.1-1006, Code of Virginia.

b. Agencies acquiring personal property in accordance with § 2.2-2417, Code of Virginia, shall certify to the State Treasurer that funds are available within the agency's appropriations made by this act for the cost of the lease.

c. The Governor is authorized to enter into a Memorandum of Understanding with the United States Department of Agriculture, United States Forest Service (“USFS"), in a form approved by the Office of the Attorney General, regarding a template for use by any agency of the Commonwealth of Virginia (the “Commonwealth") of USFS land by lease, license, or permit. The template may allocate liability, including indemnification, for the use of USFS land between the USFS and the Commonwealth, which liability shall be secured by, and at the discretion of, the Division of Risk Management, Department of the Treasury, pursuant to the provisions of Virginia Code § 2.2-1837(A)(2), through either 1) the Virginia Risk Management Liability Plan (“the Plan"), or 2) a separate insurance policy procured by the Division of Risk Management, the cost of which shall be charged to the agencies using USFS lands.

~~§ 4-5.08 SEMICONDUCTOR MANUFACTURING PERFORMANCE GRANT PROGRAMS~~

~~a. The Comptroller shall not draw any warrants to issue checks for semiconductor manufacturing performance grant programs, pursuant to Title 59.1, Chapter 22.3, Code of Virginia, without a specific legislative appropriation. The appropriation shall be in accordance with the terms and conditions set forth in a memorandum of understanding between a qualified manufacturer and the Commonwealth. These terms and conditions shall supplement the provisions of the Semiconductor Manufacturing Performance Grant Program, the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program, and the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program II, as applicable, and shall include but not be limited to the numbers and types of semiconductor wafers that are produced; the level of investment directly related to the building and equipment for manufacturing of wafers or activities ancillary to or supportive of such manufacturer within the eligible locality; and the direct employment related to these programs. To that end, the Secretary of Commerce and Trade shall certify in writing to the Governor and to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees the extent to which a qualified manufacturer met the terms and conditions. The appropriation shall be made in full or in proportion to a qualified manufacturer's fulfillment of the memorandum of understanding.~~

~~b. The Governor shall consult with the House Appropriations and Senate Finance and Appropriations Committees before amending any existing memorandum of understanding. These Committees shall have the opportunity to review any changes prior to their execution by the Commonwealth.~~

§ 4-5.09 DISPOSITION OF SURPLUS REAL PROPERTY

a. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the departments, divisions, institutions, or agencies of the Commonwealth, or the Governor, shall sell or lease surplus real property only under the following circumstances:

1. Any emergency declared in accordance with §§ 44-146.18:2 or § 44-146.28, Code of Virginia, or

2. Not less than thirty days after the Governor notifies, in writing, the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees regarding the planned conveyance, including a statement of the proceeds to be derived from such conveyance and the individual or entity taking title to such property.

3. Surplus property valued at less than $5,000,000 that is possessed and controlled by a public institution of higher education, pursuant to §§ 2.2-1149 and 2.2-1153, Code of Virginia.

b. In any circumstance provided for in subsection a of this section, the cognizant board or governing body of the agency or institution holding title or otherwise controlling the state-owned property shall approve, in writing, the proposed conveyance of the property.

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

§ 4-5.10 SURPLUS PROPERTY TRANSFERS FOR ECONOMIC DEVELOPMENT

a. The Commonwealth shall receive the fair market value of surplus state property which is designated by the Governor for economic development purposes, and for any properties owned by an Industrial Development Authority in any county where the Commonwealth has a continuing interest based on the deferred portion of the purchase price, which shall be assessed by more than one independent appraiser certified as a Licensed General Appraiser. Such property shall not be disposed of for less than its fair market value as determined by the assessments.

b. Recognizing the commercial, business and industrial development potential of certain lands declared surplus, and for any properties owned by an Industrial Development Authority in any county where the Commonwealth has a continuing interest based on the deferred portion of the purchase price, the Governor shall be authorized to utilize funds available in the Governor's discretion, to meet the requirements of the preceding subsection a. Sale proceeds, together with the money from the Commonwealth's Development Opportunity Fund, shall be deposited as provided in § 2.2-1156 I, Code of Virginia.

c. Within thirty days of closing on the sale of surplus property designated for economic development, the Governor or his designee shall report to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees. The report shall include information on the number of acres sold, sales price, amount of proceeds deposited to the general fund and Conservation Resources Fund, and the fair market value of the sold property.

d. Except for subaqueous lands that have been filled prior to January 1, 2006, the Governor shall not sell or convey those subaqueous lands identified by metes and bounds in Chapter 884 of the Acts of the Assembly of 2006.

e. There is hereby created in the state treasury a special subfund of the Virginia Business Ready Sites Program Fund, known as the Site Replacement Fund. The Site Replacement Fund shall be established on the books of the Comptroller. Any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Site Replacement Fund. Interest earned on moneys in the Site Replacement Fund shall remain in the Site Replacement Fund and be credited to it. In addition, notwithstanding the provisions of the preceding subsection b, with respect to sales of property in Henrico County where the Commonwealth has a continuing interest pursuant to that certain Real Estate Purchase Agreement dated May 20, 1996, and any amendments thereto, sales proceeds received by the Commonwealth in excess of the fair market value, as defined in such Real Estate Purchase Agreement, as amended, shall be deposited to the Site Replacement Fund. Moneys in the Site Replacement Fund shall be used in accordance with Section § 2.2-2240.2:1, Code of Virginia and the guidelines established by the Virginia Economic Development Partnership Authority for the Virginia Business Ready Sites Program Fund, except that moneys, and any interest thereon, deposited into the Site Replacement Fund pursuant to sales of the aforementioned property in Henrico County shall be maintained for and made available only to the Economic Development Authority of Henrico County, Virginia. Any grant made from the Site Replacement Fund to such Economic Development Authority shall only be from moneys, and any interest thereon, deposited into the Site Replacement Fund pursuant to sales of the aforementioned property in Henrico County. Moneys remaining in the Site Replacement Fund at the end of each fiscal year, including interest, shall not revert to the general fund, but shall revert to the general fund at the end of the fiscal year after the fifth anniversary of the deposit of such moneys in the Site Replacement Fund.

§ 4-5.11 SEAT OF GOVERNMENT TRAFFIC AND PEDESTRIAN SAFETY

a. To implement and maintain traffic and pedestrian operational safety and security enhancements and secure the seat of government, and pursuant to the responsibilities of the Department of General Services (DGS) (§ 2.2-1129) and the Division of Capitol Police (DCP) (§ 30-34.2:1), DGS and DCP shall control rights-of-way and pedestrian and vehicular traffic that are in the state's primary highway system located in the capitol complex.

b. All property controlled by the Department of General Services shall require a permit for use by persons, organizations, or groups for events. Such events are eligible for a permit when the use will not interfere with or disrupt a function sponsored by the Commonwealth of Virginia government entity in support of an agency's mission. The Department shall prepare and publish on its website the requirements for the submission, processing, review, and disposition of permit applications for events on property controlled by the Department to ensure the health, safety, and welfare of the public; coordinate multiple uses of the property; preserve the rights of individuals to free expression; and to protect the Commonwealth from financial and property losses.

For the purposes of this subsection, an “event” means the assemblage on property controlled by the Department of ten (10) or more persons for any demonstration, rally, march, performance, picketing, speechmaking, holding of vigils, sit-ins, or other activities that involve the communication or expression of views or ideas having the effect, intent, or propensity to draw a crowd or onlookers. An “event” does not include casual use of the property by visitors or tourists.

All existing regulations for the use of property controlled by the Department shall remain in effect unless amended or rescinded. The Virginia Division of Capitol Police and other law enforcement entities having jurisdiction shall enforce the Department's property use requirements.

§ 4-6.00 POSITIONS AND EMPLOYMENT

§ 4-6.01 EMPLOYEE COMPENSATION

a. The compensation of all kinds and from all sources of each appointee of the Governor and of each officer and employee in the Executive Department who enters the service of the Commonwealth or who is promoted to a vacant position shall be fixed at such rate as shall be approved by the Governor in writing or as is in accordance with rules and regulations established by the Governor. No increase shall be made in such compensation except with the Governor's written approval first obtained or in accordance with the rules and regulations established by the Governor. In all cases where any appointee, officer or employee is employed or promoted to fill a vacancy in a position for which a salary is specified by this act, the Governor may fix the salary of such officer or employee at a lower rate or amount within the respective level than is specified. In those instances where a position is created by an act of the General Assembly but not specified by this act, the Governor may fix the salary of such position in accordance with the provisions of this subsection.

b. Annual salaries of persons appointed to positions by the General Assembly, pursuant to the provisions of §§ 2.2-200 and 2.2-400, Code of Virginia, shall be paid in the amounts shown. However, if an incumbent is reappointed, his or her salary may be as high as his or her prior salary.

	July 1, 2024 to June 10, 2025	**June 11, 2025 to June 30, 2026**
Chief of Staff	$223,610	$230,318
Secretary of Administration	$214,939	$221,387
Secretary of Agriculture and Forestry	$219,775	$226,368
Secretary of Commerce and Trade	$214,939	$221,387
Secretary of the Commonwealth	$219,775	$226,368
Secretary of Education	$214,939	$221,387
Secretary of Finance	$224,861	$231,607
Secretary of Health and Human Resources	$214,939	$221,387
Secretary of Labor	$214,939	$221,387
Secretary of Natural and Historic Resources	$214,939	$221,387
Secretary of Public Safety and Homeland Security	$222,207	$228,873
Secretary of Transportation	$214,939	$221,387
Secretary of Veterans and Defense Affairs	$219,774	$226,367

c.1.a) Annual salaries of persons appointed to positions listed in subdivision c 6 hereof shall be paid in the amounts shown for the current biennium, unless changed in accordance with conditions stated in subdivisions c 2 through c 5 hereof.

b) The starting salary of a new appointee shall not exceed the midpoint of the range, except where the midpoint salary is less than a

ten percent increase from an appointee's preappointment compensation. In such cases, an appointee's starting salary may be set at a rate which is ten percent higher than the preappointment compensation, provided that the maximum of the range is not exceeded. However, in instances where an appointee's preappointment compensation exceeded the maximum of the respective salary range, then the salary for that appointee may be set at the maximum salary for the respective salary range except if the new hire was employed in a state classified position, then the Governor may exceed the maximum salary for the position and set the salary for the employee at a salary level not to exceed the employee's salary at their prior state position.

c) Nothing in subdivision c 1 shall be interpreted to supersede the provisions of § 4-6.01 e, f, g, h, i, j, k, l, and m of this act.

d) For new appointees to positions listed in § 4-6.01c.6., the Governor is authorized to provide for fringe benefits in addition to those otherwise provided by law, including post retirement health care and other non-salaried benefits provided to similar positions in the public sector.

2.a)1) The Governor may increase or decrease the annual salary for incumbents of positions listed in subdivision c 6 below at a rate of up to 10 percent in any single fiscal year between the minimum and the maximum of the respective salary range in accordance with an assessment of performance and service to the Commonwealth.

2) The governing boards of the independent agencies may increase or decrease the annual salary for incumbents of positions listed in subdivision c.7. below at a rate of up to 10 percent in any fiscal year between the minimum and maximum of the respective salary range, in accordance with an assessment of performance and service to the Commonwealth.

b)1) The appointing or governing authority may grant performance bonuses of 0-5 percent for positions whose salaries are listed in §§ 1-1 through 1-9, and 4-6.01 b, c, and d of this act, based on an annual assessment of performance, in accordance with policies and procedures established by such appointing or governing authority. Such performance bonuses shall be over and above the salaries listed in this act, and shall not become part of the base rate of pay.

2) The appointing or governing authority shall report performance bonuses which are granted to executive branch employees to the Department of Human Resource Management for retention in its records.

3. From the effective date of the Executive Pay Plan set forth in Chapter 601, Acts of Assembly of 1981, all incumbents holding positions listed in this § 4-6.01 shall be eligible for all fringe benefits provided to full-time classified state employees and, notwithstanding any provision to the contrary, the annual salary paid pursuant to this § 4-6.01 shall be included as creditable compensation for the calculation of such benefits.

4. Notwithstanding § 4-6.01.c.2.b)1) of this Act, the Board of Commissioners of the Virginia Port Authority may supplement the salary of its Executive Director, with the prior approval of the Governor. The Board should be guided by criteria which provide a reasonable limit on the total additional income of the Executive Director. The criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable ports of other states. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

5.a. With the written approval of the Governor, the Board of Trustees of the Virginia Museum of Fine Arts, the Science Museum of Virginia, the Virginia Museum of Natural History, Gunston Hall, and the Library Board may supplement the salary of the Director of each museum, and the Librarian of Virginia from nonstate funds. In approving a supplement, the Governor should be guided by criteria which provide a reasonable limit on the total additional income and the criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable museums and libraries of other states. The respective Boards shall report approved supplements to the Department of Human Resource Management for retention in its records.

b) The Board of Trustees of the Jamestown-Yorktown Foundation may supplement, using nonstate funds, the salary of the Executive Director of the Foundation. In approving the supplement the Board should be guided by criteria which provides a reasonable limit on the total additional income and the criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable Foundations in other states. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

6.a) The following salaries shall be paid for the current biennium in the amounts shown, however, all salary changes shall be subject to subdivisions c 2 through c 5 above.

	July 1, 2024 to June 10, 2025	**June 11, 2025 to June 30, 2026**
Level I Range	~~**$210,386 - $293,667**~~ ***$215,000 - $293,667***	~~**$216,698 - $302,477**~~ ***$221,450 - $302,477***
Midpoint	~~**$252,027**~~ ***$254,334***	~~**$259,588**~~ ***$261,964***

Chief Information Officer, Virginia Information Technologies Agency	$258,298	$266,047
Commissioner, Department of Motor Vehicles	$215,373	$221,834
Commissioner, Department of Social Services	~~$293,667~~ *$226,000*	~~$302,477~~ *$232,780*
Commissioner, Department of Behavioral Health and Developmental Services	$293,667	$302,477
Commonwealth Transportation Commissioner	$265,750	$273,723
Director, Department of Corrections	$216,424	$222,917
Director, Department of Environmental Quality	$249,711	$257,202
Director, Department of Medical Assistance Services	$252,849	$260,434
Director, Department of Planning and Budget	$220,626	$227,245
State Health Commissioner	$262,650	$270,530
State Tax Commissioner	~~$210,386~~ *$215,000*	~~$216,698~~ *$221,450*
Superintendent of Public Instruction	$262,650	$270,530
Superintendent of State Police	$236,010	$243,090

	July 1, 2024 to June 10, 2025	**June 11, 2025 to June 30, 2026**
Level II Range	~~**$146,088 - $318,530**~~ ***$146,088 - $215,000***	~~**$150,471 - $328,086**~~ ***$150,471 - $221,450***
Midpoint	~~**$232,309**~~ ***$180,544***	~~**$239,278**~~ ***$185,961***
Commissioner, Department for Aging and Rehabilitative Services	$199,198	$205,174
Commissioner, Department of Agriculture and Consumer Services	$186,435	$192,028
Commissioner, Department of Veterans Services	$186,435	$192,028
Commissioner, Virginia Employment Commission	$199,614	$205,602
Executive Director, Department of Wildlife Resources	$175,638	$180,907

Commissioner, Marine Resources Commission	$168,096	$173,139
Director, Department of Forensic Science	$214,110	$220,533
Director, Department of General Services	~~$213,659~~ *$215,000*	~~$220,069~~ *$221,450*
Director, Department of Human Resource Management	$193,310	$199,109
Director, Department of Juvenile Justice	$199,614	$205,602
Director, Department of Energy	$182,016	$187,476
Director, Department of Rail and Public Transportation	~~$220,075~~ *$215,000*	~~$226,677~~ *$221,450*
Director, Department of Small Business and Supplier Diversity	$193,048	$198,839
Executive Director, Motor Vehicle Dealer Board	$146,088	$150,471
Executive Director, Virginia Port Authority	$180,551	$185,968
State Comptroller	~~$220,512~~ *$215,000*	~~$227,127~~ *$221,450*
State Treasurer	$193,048	$198,839
Executive Director, Board of Accountancy	$181,199	$186,635
Director, Department of Workforce Development and Advancement	~~$213,272~~ *$190,000*	~~$219,670~~ *$195,700*

	July 1, 2024 to June 10, 2025	**June 11, 2025 to June 30, 2026**
Level III Range	**$144,745 - $204,867**	**$149,087 - $211,013**
Midpoint	**$174,806**	**$180,050**
Adjutant General	$204,867	$211,013
Chairman, Virginia Parole Board	$200,663	$206,683
Vice Chairman, Virginia Parole Board	~~$147,907~~ *$147,084*	$151,497
Member, Virginia Parole Board	~~$141,907~~ *$144,745*	~~$146,164~~ *$149,087*
Commissioner, Department of Labor and Industry	$179,535	$184,921
Coordinator, Department of Emergency	$170,496	$175,611

Management		
Director, Department of Aviation	$187,447	$193,070
Director, Department of Conservation and Recreation	$196,246	$202,133
Director, Department of Criminal Justice Services	$167,445	$172,468
Director, Department of Health Professions	$172,703	$177,884
Director, Department of Historic Resources	$161,665	$166,515
Director, Department of Housing and Community Development	~~$170,496~~ *$193,800*	~~$175,611~~ *$199,614*
Director, Department of Professional and Occupational Regulation	~~$183,855~~ *$168,000*	~~$189,371~~ *$173,040*
Director, The Science Museum of Virginia	$177,352	$182,673
Director, Virginia Museum of Fine Arts	~~$184,401~~ *$188,089*	~~$189,933~~ *$193,732*
Director, Virginia Museum of Natural History	$151,390	$155,932
Executive Director, Jamestown-Yorktown Foundation	$169,419	$174,502
Executive Secretary, Virginia Racing Commission	~~$159,248~~ *$154,600*	~~$164,025~~ *$159,238*
Librarian of Virginia	~~$196,246~~ *$194,818*	~~$202,133~~ *$200,663*
State Forester, Department of Forestry	$180,296	$185,705
	July 1, 2024 to June 10, 2025	**June11, 2025 to June 30, 2026**
Level IV Range	**$115,687 - $150,578**	**$119,158 - $155,095**
Midpoint	**$133,133**	~~**$137,255**~~ ***$137,127***
Administrator, Commonwealth's Attorneys' Services Council	$137,693	$141,824
Commissioner, Virginia Department for the Blind and Vision Impaired	$150,578	$155,095
Executive Director, Frontier Culture Museum of Virginia	~~$135,150~~ *$128,714*	~~$139,205~~ *$132,575*
Commissioner, Department of Elections	$146,716	$151,117
Director, Gunston Hall	$115,687	$119,158
Executive Director, Department of Fire	$125,958	$129,737

Programs

	July 1, 2024 to June 10, 2025	June 11, 2025 to June 30, 2026
Level V Range	~~**$29,386 - $125,958**~~ ***$29,386 - $128,000***	~~**$30,268- $129,737**~~ ***$30,267 - $131,840***
Midpoint	~~**$77,672**~~ ***$78,963***	~~**$80,002**~~ ***$81,054***
Director, Virginia Department for the Deaf and Hard-of-Hearing	$125,958	$129,737
Executive Director, Virginia Commission for the Arts	~~$125,958~~ *$128,000*	~~$129,737~~ *$131,840*
Chairman, Compensation Board	$29,386	~~$29,386~~ *$30,267*

7. Annual salaries of the directors of the independent agencies, as listed in this subdivision, shall be paid in the amounts shown. All salary changes shall be subject to subdivisions c 1, c 2, and c 3 above.

	July 1, 2024 to June 10, 2025	June 11, 2025 to June 30, 2026
Independent Range	~~**$214,883 - $232,273**~~ ***$182,016 - $293,550***	~~**$221,239 - $239,241**~~ ***$187,476 - $302,357***
Midpoint	~~**$223,578**~~ ***$237,783***	~~**$230,285**~~ ***$244,917***
Executive Director, Virginia Lottery	~~$214,883~~ *$225,000*	~~$221,329~~ *$231,750*
Director, Virginia Retirement System	$232,273	$239,241
Chief Executive Officer, ~~Virginia College Savings Plan~~ *Commonwealth Savers Plan*	~~$218,225~~ *$213,946*	~~$224,772~~ *$220,364*
Chief Executive Officer, Virginia Alcoholic Beverage Control Authority	~~$318,530~~ *$293,550*	~~$328,086~~ *$302,357*
Chief Executive Officer, Virginia Cannabis Control Authority	$182,016	$187,476

8. Notwithstanding any provision of this Act, the Board of Trustees of the Virginia Retirement System may supplement the salary of its Director. The Board should be guided by criteria, which provide a reasonable limit on the total additional income of the Director. The criteria should include, without limitation, a consideration of the salaries paid to similar officials in comparable public pension plans. The Board shall report such criteria and potential supplement level to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

9. Notwithstanding any provision of this Act, the Board of the Virginia College Savings Plan may supplement the

compensation of its Chief Executive Officer. The Board should be guided by criteria which provide a reasonable limit on the total additional income of the Chief Executive Officer. The criteria should include, without limitation, a consideration of compensation paid to similar officials in comparable qualified tuition programs, independent public agencies or other entities with similar responsibilities and size. The Board shall report such criteria and potential supplement level to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

10. Notwithstanding any provision of this act, the Board of the Virginia Alcoholic Beverage Control Authority may supplement the salary of its Chief Executive Officer in accordance with § 4.1-101.02. The Board should be guided by criteria, which provide a reasonable limit on the total additional income of the Chief Executive Officer. The criteria should include, without limitation, a consideration of the salaries paid to similar officials in comparable independent agencies. The Board shall report such criteria and potential supplement level to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved supplements to the Department of Human Resource Management for retention in its record.

d.1. Annual salaries of the presidents of the senior institutions of higher education, the President of Richard Bland College, the Chancellor of the University of Virginia's College at Wise, the Superintendent of the Virginia Military Institute, the Director of the State Council of Higher Education, the Director of the Southern Virginia Higher Education Center, the Director of the Southwest Virginia Higher Education Center and the Chancellor of Community Colleges, as listed in this paragraph, shall be paid in the amounts shown. The annual salaries of the presidents of the community colleges shall be fixed by the State Board for Community Colleges within a salary structure submitted to the Governor prior to June 1 each year for approval.

2.a) The board of visitors of each institution of higher education or the boards of directors for Southern Virginia Higher Education Center, Southwest Virginia Higher Education Center, and the New College Institute may annually supplement the salary of a president or director from private gifts, endowment funds, foundation funds, or income from endowments and gifts. Supplements paid from other than the cited sources prior to June 30, 1997, may continue to be paid. In approving a supplement, the board of visitors or board of directors should be guided by criteria which provide a reasonable limit on the total additional income of a president or director. The criteria should include a consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services. The board of visitors or board of directors shall report approved supplements to the Department of Human Resource Management for retention in its records.

b) The State Board for Community Colleges may annually supplement the salary of the Chancellor from any available appropriations of the Virginia Community College System. In approving a supplement, the State Board for Community Colleges should be guided by criteria which provide a reasonable limit on the total additional income of the Chancellor. The criteria should include consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

c) Norfolk State University is authorized to supplement the salary of its president from educational and general funds up to $17,000.

d) Should a vacancy occur for the Director of the State Council of Higher Education on or after the date of enactment of this act, the salary for the new director shall be established by the State Council of Higher Education based on the salary range for Level I agency heads. Furthermore, the state council may provide a bonus of up to five percent of the annual salary for the new director.

	July 1, 2024 to June 10, 2025	**June 11, 2025 to June 30, 2026**
NEW COLLEGE INSTITUTE		
Executive Director, New College Institute	~~$151,681~~ *$180,401*	~~$156,231~~ *$185,813*
STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA		
Director, State Council of Higher Education for Virginia	~~$254,888~~ *$284,000*	~~$262,535~~ *$292,520*
SOUTHERN VIRGINIA HIGHER EDUCATION CENTER		
Director, Southern Virginia Higher Education Center	$180,401	$185,813
SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER		

Director, Southwest Virginia Higher Education Center	$180,401	$185,813
VIRGINIA COMMUNITY COLLEGE SYSTEM		
Chancellor of Community Colleges	$231,244	$238,181
SENIOR COLLEGE PRESIDENTS' SALARIES		
Chancellor, University of Virginia's College at Wise	$150,306	$154,815
President, Christopher Newport University	$182,220	$187,687
President, The College of William and Mary in Virginia	$210,578	$216,895
President, George Mason University	$196,674	$202,574
President, James Madison University	$215,502	$221,967
President, Longwood University	$196,595	$202,493
President, Norfolk State University	$229,268	$236,146
President, Old Dominion University	$217,103	$223,616
President, Radford University	$203,168	$209,623
President, Richard Bland College	$173,468	$178,672
President, University of Mary Washington	$189,202	$194,878
President, University of Virginia	$234,221	$241,248
President, Virginia Commonwealth University	$226,689	$233,490
President, Virginia Polytechnic Institute and State University	$247,762	$255,195
President, Virginia State University	$191,021	$196,752
Superintendent, Virginia Military Institute	$193,427	$199,230

e. 1. Salaries for newly employed or promoted employees shall be established consistent with the compensation and classification plans established by the Governor.

2. The State Comptroller is hereby authorized to require payment of wages or salaries to state employees by direct deposit or by credit to a prepaid debit card or card account from which the employee is able to withdraw or transfer funds.

f. The provisions of this section, requiring prior written approval of the Governor relative to compensation, shall apply also to any system of incentive award payments which may be adopted and implemented by the Governor. The cost of implementing any such system shall be paid from any funds appropriated to the affected agencies.

g. No lump sum appropriation for personal service shall be regarded as advisory or suggestive of individual salary rates or of salary schedules to be fixed under law by the Governor payable from the lump sum appropriation.

h. Subject to approval by the Governor of a plan for a statewide employee meritorious service awards program, as provided for in § 2.2-1201, Code of Virginia, the costs for such awards shall be paid from any operating funds appropriated to the affected

agencies.

i. The General Assembly hereby affirms and ratifies the Governor's existing authority and the established practice of this body to provide for pay differentials or to supplement base rates of pay for employees in specific job classifications in particular geographic and/or functional areas where, in the Governor's discretion, they are needed for the purpose of maintaining salaries which enable the Commonwealth to maintain a competitive position in the relevant labor market.

j.1. If at any time the Administrator of the Commonwealth's Attorneys' Services Council serves on the faculty of a state-supported institution of higher education, the faculty appointment must be approved by the Council. Such institution shall pay one-half of the salary listed in § 4-6.01 c 6 of this act. Further, such institution may provide compensation in addition to that listed in § 4-6.01 c 6; provided, however, that such additional compensation must be approved by the Council.

2. If the Administrator ceases to be a member of the faculty of a state-supported institution of higher education, the total salary listed in § 4-6.01 c 6 shall be paid from the Council's appropriation.

k.1.a. Except as otherwise provided for in this subdivision, any increases in the salary band assignment of any job role contained in the compensation and classification plans approved by the Governor shall be effective beginning with the first pay period, defined as the pay period from June 25 through July 9, of the fiscal year if: (1) the agency certifies to the Secretary of Finance that funds are available within the agency's appropriation to cover the cost of the increase for the remainder of the current biennium and presents a plan for covering the costs next biennium and the Secretary concurs, or (2) such funds are appropriated by the General Assembly. If at any time the Secretary of Administration shall certify that such change in the salary band assignment for a job role is of an emergency nature and the Secretary of Finance shall certify that funds are available to cover the cost of the increase for the remainder of the biennium within the agency's appropriation, such change in compensation may be effective on a date agreed upon by these two Secretaries. The Secretary of Administration shall provide a monthly report of all such emergency changes in accordance with § 4-8.00, Reporting Requirements.

b. Notwithstanding any other provision of law, state employees will be paid on the first workday of July for the work period June 10 to June 24 in any calendar year in which July 1 falls on a weekend.

2. Salary adjustments for any employee through a promotion, role change, exceptional recruitment and retention incentive options, or in-range adjustment shall occur only if: a) the agency has sufficient funds within its appropriation to cover the cost of the salary adjustment for the remainder of the current biennium or b) such funds are appropriated by the General Assembly.

3. No changes in salary band assignments affecting classified employees of more than one agency shall become effective unless the Secretary of Finance certifies that sufficient funds are available to provide such increase or plan to all affected employees supported from the general fund.

l. Full-time employees of the Commonwealth, including faculty members of state institutions of higher education, who are appointed to a state-level board, council, commission or similar collegial body shall not receive any such compensation for their services as members or chairmen except for reimbursement of reasonable and necessary expenses. The foregoing provision shall likewise apply to the Compensation Board, pursuant to § 15.2-1636.5, Code of Virginia.

m.1. Notwithstanding any other provision of law, the board of visitors or other governing body of any public institution of higher education is authorized to establish age and service eligibility criteria for faculty participating in voluntary early retirement incentive plans for their respective institutions pursuant to § 23.1-1302 B and the cash payment offered under such compensation plans pursuant to § 23.1-1302 D, Code of Virginia. Notwithstanding the limitations in § 23.1-1302 D, the total cost in any fiscal year for any such compensation plan , shall be set forth by the governing body in the compensation plan for approval by the Governor and review for legal sufficiency by the Office of the Attorney General.

2. Notwithstanding any other provision of law, employees holding full-time, academic-year classified positions at public institutions of higher education shall be considered "state employees" as defined in § 51.1-124.3, Code of Virginia, and shall be considered for medical/hospitalization, retirement service credit, and other benefits on the same basis as those individuals appointed to full-time, 12-month classified positions.

n. Notwithstanding the Department of Human Resource Management Policies and Procedures, payment to employees with five or more years of continuous service who either terminate or retire from service shall be paid in one sum for twenty-five percent of their sick leave balance, provided, however, that the total amount paid for sick leave shall not exceed $5,000 and the remaining seventy-five percent of their sick leave shall lapse. This provision shall not apply to employees who are covered by the Virginia Sickness and Disability Program as defined in § 51.1-1100, Code of Virginia. Such employees shall not be paid for their sick leave balances. However, they will be paid, if eligible as described above, for any disability leave credits they have at separation or retirement or may convert disability credits to service credit under the Virginia Retirement System pursuant to § 51.1-1103 (F), Code of Virginia.

o. It is the intent of the General Assembly that calculation of the faculty salary benchmark goal for the Virginia Community College System shall be done in a manner consistent with that used for four-year institutions, taking into consideration the number of faculty at each of the community colleges. In addition, calculation of the salary target shall reflect an eight percent salary differential in a manner consistent with other public four-year institutions and for faculty at Northern Virginia Community College.

p. Any public institution of higher education that has met the eligibility criteria set out in Chapters 933 and 945 of the 2005 Acts of Assembly may supplement annual salaries for classified employees from private gifts, endowment funds, or income from endowments and gifts, subject to policies approved by the board of visitors. The Commonwealth shall have no general fund obligations for the continuation of such salary supplements.

q. The Governor, or any other appropriate Board or Public Body, is authorized to adjust the salaries of employees specified in this item, and other items in the Act, to reflect the compensation adjustments authorized in this Act.

r. Any public institution of higher education shall not provide general fund monies above $100,000 for any individual athletic coaching salaries after July 1, 2013. Athletic coaching salaries with general fund monies above this amount shall be phased-down over a five-year period at 20 percent per year until reaching the cap of $100,000.

§ 4-6.02 EMPLOYEE TRAINING AND STUDY

Subject to uniform rules and regulations established by the Governor, the head of any state agency may authorize, from any funds appropriated to such department, institution or other agency in this act or subsequently made available for the purpose, compensation or expenses or both compensation and expenses for employees pursuing approved training courses or academic studies for the purpose of becoming better equipped for their employment in the state service. The rules and regulations shall include reasonable provision for the return of any employee receiving such benefits for a reasonable period of duty, or for reimbursement to the state for expenditures incurred on behalf of the employee should he not return to state service.

§ 4-6.03 EMPLOYEE BENEFITS

a. Any medical/hospitalization benefit program provided for state employees shall include the following provision: any state employee, as defined in § 2.2-2818, Code of Virginia, shall have the option to accept or reject coverage.

b. Except as provided for sworn personnel of the Department of State Police, no payment of, or reimbursement for, the employer paid contribution to the State Police Officers' Retirement System, or any system offering like benefits, shall be made by the Compensation Board of the Commonwealth at a rate greater than the employer rate established for the general classified workforce of the Commonwealth covered under the Virginia Retirement System. Any cost for benefits exceeding such general rate shall be borne by the employee or, in the case of a political subdivision, by the employer.

c. Each agency may, within the funds appropriated by this act, implement a transit and ridesharing incentive program for its employees. With such programs, agencies may reimburse employees for all or a portion of the costs incurred from using public transit, car pools, or van pools. The Secretary of Transportation shall develop guidelines for the implementation of such programs and any agency program must be developed in accordance with such guidelines. The guidelines shall be in accordance with the federal National Energy Policy Act of 1992 (P.L. 102-486), and no program shall provide an incentive that exceeds the actual costs incurred by the employee.

d. Any hospital that serves as the primary medical facility for state employees may be allowed to participate in the State Employee Health Insurance Program pursuant to § 2.2-2818, Code of Virginia, provided that (1) such hospital is not a participating provider in the network, contracted by the Department of Human Resource Management, that serves state employees and (2) such hospital enters into a written agreement with the Department of Human Resource Management as to the rates of reimbursement. The department shall accept the lowest rates offered by the hospital from among the rates charged by the hospital to (1) its largest purchaser of care, (2) any state or federal public program, or (3) any special rate developed by the hospital for the state employee health benefits program which is lower than either of the rates above. If the department and the hospital cannot come to an agreement, the department shall reimburse the hospital at the rates contained in its final offer to the hospital until the dispute is resolved. Any dispute shall be resolved through arbitration or through the procedures established by the Administrative Process Act, as the hospital may decide, without impairment of any residual right to judicial review.

e. Any classified employee of the Commonwealth and any person similarly employed in the legislative, judicial and independent agencies who (i) is compensated on a salaried basis and (ii) works at least twenty hours per week shall be considered a full-time employee for the purposes of participation in the Virginia Retirement System's group life insurance and retirement programs. Any part-time magistrate hired prior to July 1, 1999, shall have the option of participating in the programs under this provision.

f.1. Any member of the Virginia Retirement System who is retired under the provisions of § 51.1-155.1, Code of Virginia who: 1) returns to work in a position that is covered by the provisions of § 51.1-155.1, Code of Virginia after a break of not less than four years, 2) receives no other compensation for service to a public employer than that provided for the position covered by § 51.1-155.1, Code of Virginia during such period of reemployment, 3) retires within one year of commencing such period of reemployment, and 4) retires directly from service at the end of such period of reemployment may either:

a) Revert to the previous retirement benefit received under the provisions of § 51.1-155.1, Code of Virginia, including any annual cost of living adjustments granted thereon. This benefit may be adjusted upward to reflect the effect of such additional months of service and compensation received during the period of reemployment, or

b) Retire under the provisions of Title 51.1 in effect at the termination of his or her period of reemployment, including any

purchase of service that may be eligible for purchase under the provisions of § 51.1-142.2, Code of Virginia.

2. The Virginia Retirement System shall establish procedures for verification by the employer of eligibility for the benefits provided for in this paragraph.

g. Notwithstanding any other provision of law, no agency head compensated by funds appropriated in this act may be a member of the Virginia Law Officers' Retirement System created under Title 51.1, Chapter 2.1, Code of Virginia. The provisions of this paragraph are effective on July 1, 2002, and shall not apply to the Chief of the Capitol Police.

h. Full-time employees appointed by the Governor who, except for meeting the minimum service requirements, would be eligible for the provisions of § 51.1-155.1, Code of Virginia, may, upon termination of service, use any severance allowance payment to purchase service to meet, but not exceed, the minimum service requirements of § 51.1-155.1, Code of Virginia. Such service purchase shall be at the rate of 15 percent of the employee's final creditable compensation or average final compensation, whichever is greater, and shall be completed within 90 days of separation of service.

i. When calculating the retirement benefits payable under the Virginia Retirement System (VRS), the State Police Officers' Retirement System (SPORS), the Virginia Law-enforcement Officers' Retirement System (VaLORS), or the Judicial Retirement System (JRS) to any employee of the Commonwealth or its political subdivisions who is called to active duty with the armed forces of the United States, including the United States Coast Guard, the Virginia Retirement System shall:

1) utilize the pre-deployment salary, or the actual salary paid by the Commonwealth or the political subdivision, whichever is higher, when calculating average compensation, and

2) include those months after September 1, 2001 during which the employee was serving on active duty with the armed forces of the United States in the calculation of creditable service.

j. The provisions in § 51.1-144, Code of Virginia, that require a member to contribute five percent of his creditable compensation for each pay period for which he receives compensation on a salary reduction basis, shall not apply to any (i) "state employee," as defined in § 51.1-124.3, Code of Virginia, who is an elected official, or (ii) member of the Judicial Retirement System under Chapter 3 of Title 51.1 (§ 51.1-300 et seq.), who is not a "person who becomes a member on or after July 1, 2010," as defined in § 51.1-124.3, Code of Virginia.

k. Notwithstanding the provisions of subsection G of § 51.1-156, any employee of a school division who completed a period of 24 months of leave of absence without pay during October 2013 and who had previously submitted an application for disability retirement to VRS in 2011 may submit an application for disability retirement under the provisions of § 51.1-156. Such application shall be received by the Virginia Retirement System no later than October 1, 2014. This provision shall not be construed to grant relief in any case for which a court of competent jurisdiction has already rendered a decision, as contemplated by Article II, Section 14 of the Constitution of Virginia.

§ 4-6.04 CHARGES

a. FOOD SERVICES: Except as exempted by the prior written approval of the Director, Department of Human Resource Management, and the provisions of § 2.2-3605, Code of Virginia, state employees shall be charged for meals served in state facilities. Charges for meals will be determined by the agency. Such charges shall be not less than the value of raw food and the cost of direct labor and utilities incidental to preparation and service. Each agency shall maintain records as to the calculation of meal charges and revenues collected. Except where appropriations for operation of the food service are from nongeneral funds, all revenues received from such charges shall be paid directly and promptly into the general fund. The provisions of this paragraph shall not apply to on-duty employees assigned to correctional facilities operated by the Departments of Corrections and Juvenile Justice.

b. HOUSING SERVICES:

1. Each agency will collect a fee from state employees who occupy state-owned or leased housing, subject to guidelines provided by the Director, Department of General Services. Each agency head is responsible for establishing a fee for state-owned or leased housing and for documenting in writing why the rate established was selected. In exceptional circumstances, which shall be documented as being in the best interest of the Commonwealth by the agency requesting an exception, the Director, Department of General Services may waive the requirement for collection of fees.

2. All revenues received from housing fees shall be promptly deposited in the state treasury. For housing for which operating expenses or rent are financed by general fund appropriations, such revenues shall be deposited to the credit of the general fund. For housing for which operating expenses or rent are financed by nongeneral fund appropriations, such revenues shall be deposited to the credit of the nongeneral fund. Agencies which provide housing for which operating expenses or rent are financed from both general fund and nongeneral fund appropriations shall allocate such revenues, when deposited in the state treasury, to the appropriate fund sources in the same proportion as the appropriations. However, without exception, any portion of a housing fee attributable to depreciation for housing which was constructed with general fund appropriations shall be paid into the general fund.

c. BUILDING AND PARKING SERVICES:

1. State-owned parking facilities

Agencies with parking space for employees in state-owned facilities shall, when required by the Director, Department of General Services, charge employees for such space on a basis approved by the Governor. All revenues received from such charges shall be paid directly and promptly into a special fund in the state treasury to be used, as determined by the Governor, for payment of costs for the provision of vehicle parking spaces. Interest shall be added to the fund as earned.

2. Leased parking facilities in metropolitan Richmond area

Agencies occupying private sector leased or rental space in the metropolitan Richmond area, not including institutions of higher education, shall be required to charge a fee to employees for vehicle parking spaces that are assigned to them or are otherwise available either incidental to the lease or rental agreement or pursuant to a separate lease agreement for private parking space. In such cases, the individual employee parking fee shall not be less than that paid by employees parking in Department of General Services parking facilities at the Seat of Government. The Director, Department of General Services may amend or waive the fee requirement for good cause. Revenues derived from employees paying for parking spaces in leased facilities will be retained by the leasing agency to be used to offset the cost of the lease to which it pertains. Any lease for private parking space must be approved by the Director, Department of General Services.

3. The parking facility and office space at the corner of 9th and Broad Streets in the City of Richmond, shall be under the control of, and administered by, the Clerk of the House and the Clerk of the Senate. Such parking spaces shall be subject to the provisions of paragraph 1 of this item. The occupancy of Old City Hall shall be under the control of, and administered by, the Clerk of the House and the Clerk of the Senate. The Clerk of the House and the Clerk of the Senate shall have, and be solely responsible for, security access control to the parking facility and office space at the corner of 9th and Broad Streets and Old City Hall. No access to such facilities shall be granted unless approved by the Clerk of the House or the Clerk of the Senate. The Clerk of the House and the Clerk of the Senate and/or any affected legislative agency may enter into a memorandum of agreement with the Department of General Services for operations and maintenance of these facilities.

§ 4-6.05 SELECTION OF APPLICANTS FOR CLASSIFIED POSITIONS

It is the responsibility of state agency heads to ensure that all provisions outlined in Title 2.2, Chapter 29, Code of Virginia (the Virginia Personnel Act), and executive orders that govern the practice of selecting applicants for classified positions are strictly observed. The Governor's Secretaries shall ensure this provision is faithfully enforced.

§ 4-6.06 POSITIONS GOVERNED BY MANAGEMENT AGREEMENTS WITH THE COMMONWEALTH OF VIRGINIA

Except as provided in subsection A of § 23.1-1020 of the Code of Virginia, § 4-6.00 shall not apply to public institutions of higher education that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act, with regard to their participating covered employees, as that term is defined in those Management Agreements, except to the extent a specific appropriation or language in this act addresses such an employee.

§ 4-7.00 STATEWIDE PLANS

§ 4-7.01 MANPOWER CONTROL PROGRAM

a.1. The term Position Level is defined as the number of full-time equivalent (FTE) salaried employees assigned to an agency in this act. Except as provided in § 4-7.01 b, the Position Level number stipulated in an agency's appropriation is the upper limit for agency employment *(the maximum employment level)* which cannot be exceeded during the fiscal year without approval from the Director, Department of Planning and Budget for Executive Department agencies, approval from the Joint Committee on Rules for Legislative Department agencies or approval from the appropriate governing authority for the independent agencies. *The Director, Department of Human Resource Management, shall review the number of full-time filled positions on a monthly basis to determine if the agency has exceeded its Position Level. In any month that an agency or agencies exceed their Position Level, the Director, Department of Human Resource Management, shall notify the Governor, the Director, Department of Planning and Budget, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees indicating which agency or agencies exceeded their Position Level for that month, including the number of positions in excess. Any state agency that exceeds its Position Level shall seek approval for a temporary Position Level increase or develop a plan through attrition to reduce their number to be at or below their Position Level.*

2. Any approval granted under this subsection shall be reported in writing to the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee, the Governor and the Directors of the Department of Planning and Budget and Department of Human Resource Management within ten days of such approval. Approvals for executive department agencies shall be based on threats to life, safety, health, or property, or compliance with judicial orders or federal mandates, to support federal grants or private donations, to administer a program for another agency or to address an immediate increase in workload or responsibility or when to delay approval of increased positions would result in a curtailment of services prior to the next legislative session. Any such position level increases pursuant to this provision may not be approved for more than one year.

b. The Position Levels stipulated for the individual agencies within the Department of Behavioral Health and Developmental Services and the Department of Corrections are for reference only and are subject to changes by the applicable Department, provided that such changes do not result in exceeding the Position Level for that department.

c.1. The Governor shall implement such policies and procedures as are necessary to ensure that the number of employees in the Executive Department, excluding institutions of higher education and the State Council of Higher Education, may be further restricted to the number required for efficient operation of those programs approved by the General Assembly. Such policies and procedures shall include periodic review and analysis of the staffing requirements of all Executive Department agencies by the Department of Planning and Budget with the object of eliminating through attrition positions not necessary for the efficient operation of programs.

2. The institutions of higher education and the State Council of Higher Education are hereby authorized to fill all positions authorized in this act. This provision shall be waived only upon the Governor's official declaration that a fiscal emergency exists requiring a change in the official estimate of general fund revenues available for appropriation.

d.1. Position Levels are for reference only and are not binding on agencies in the legislative department, independent agencies, the Executive Offices other than the offices of the Governor's Secretaries, and the judicial department.

2. Positions assigned to programs supported by internal service funds are for reference only and may fluctuate depending upon workload and funding availability.

3. Positions assigned to sponsored programs, auxiliary enterprises, continuing education, and teaching hospitals in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. Positions assigned to Item Detail 43012, State Health Services Technical Support and Administration, at Virginia Commonwealth University are for reference only and may fluctuate depending upon workload and funding availability.

4. Positions assigned to educational and general programs in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. However, total general fund positions filled by an institution of higher education may not exceed 105 percent of the general fund positions appropriated without prior approval from the Director, Department of Planning and Budget.

5. Positions assigned to Item Details 47001, Job Placement Services; 47002, Unemployment Insurance Services; 47003, Workforce Development Services; and 53402, Economic Information Services, at the Virginia Employment Commission are for reference only and may fluctuate depending upon workload and funding availability. Unless otherwise required by the funding source, after enactment of this act, any new positions hired using this provision shall not be subject to transitional severance benefit provisions of the Workforce Transition Act of 1995, Title 2.2, Chapter 32, Code of Virginia.

6. Positions assigned to the Virginia Management Fellows Program Administration are for reference only and may fluctuate depending on funding availability.

e. Prior to implementing any Executive Department hiring freeze, the Governor shall consider the needs of the Commonwealth in regards to the safe and efficient operation of state facilities and performance of essential services to include the exemption of certain positions assigned to agencies and institutions that provide services pertaining to public safety and public health from such hiring freezes.

f.1. Full-time, part-time, wage or contractual state employees assigned to the Governor's Cabinet Secretaries from agencies and institutions under their control for the purpose of carrying out temporary assignments or projects may not be so assigned for a period exceeding 180 days in any calendar year. The permanent transfer of positions from an agency or institution to the Offices of the Secretaries, or the temporary assignment of agency or institutional employees to the Offices of the Secretaries for periods exceeding 180 days in any calendar year regardless of the separate or discrete nature of the projects, is prohibited without the prior approval of the General Assembly.

2. Not more than three positions in total, as described in subsection 1 hereof, may be assigned at any time to the Office of any Cabinet Secretary, unless specifically approved in writing by the Governor. The Governor shall notify the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees in the case of any such approvals.

g. All state employees, including those in the legislative, judicial, and executive branches and the independent agencies of the Commonwealth, who are not eligible for benefits under a health care plan established and administered by the Department of Human Resource Management (DHRM) pursuant to Va. Code § 2.2-2818, or by an agency administering its own health care plan, may not work more than 29 hours per week on average over a twelve month period. Adjunct faculty at institutions of higher education may not work more than 29 hours per week on average over a twelve month period, including classroom or other instructional time plus additional hours determined by the institution as necessary to perform the adjunct faculty's duties. DHRM shall provide relevant program requirements to agencies and employees, including, but not limited to, information on wage, variable and seasonal employees. All state agencies/employers in all branches of government shall provide information requested by DHRM concerning hours worked by employees as needed to comply with the Affordable Care Act (the “Act”) and this provision. State agencies/employers are accountable for compliance with this provision, and are responsible for any costs associated with

maintaining compliance with it and for any costs or penalties associated with any violations of the Act or regulations thereunder and any such costs shall be borne by the agency from existing appropriations. The provisions of this paragraph shall not apply to employees of state teaching hospitals that have their own health insurance plan; however, the state teaching hospitals are accountable for compliance with, and are responsible for any costs associated with maintaining compliance with the Act and for any costs or penalties associated with any violations of the Act or regulations thereunder and any such costs shall be borne by the agency from existing appropriations. Subject to approval of the Governor, DHRM shall modify this provision consistent with any updates or changes to federal law and regulations.

§ 4-8.00 REPORTING REQUIREMENTS

§ 4-8.01 GOVERNOR

a. General:

1. The Governor shall submit the information specified in this section to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on a monthly basis, or at such intervals as may be directed by said Chairmen, or as specified elsewhere in this act. The information on agency operating plans and expenditures as well as agency budget requests shall be submitted in such form, and by such method, including electronically, as may be mutually agreed upon. Such information shall be preserved for public inspection in the Department of Planning and Budget.

2. The Governor shall make available annually to the Chairmen of the Senate Finance and Appropriations, House Finance, and House Appropriations Committees a report concerning the receipt of any nongeneral funds above the amount(s) specifically appropriated, their sources, and the amounts for each agency affected.

3. a) It is the intent of the General Assembly that reporting requirements affecting state institutions of higher education be reduced or consolidated where appropriate. State institutions of higher education, working with the Secretary of Education and Workforce, Secretary of Finance, and the Director, Department of Planning and Budget, shall continue to identify specific reporting requirements that the Governor may consider suspending.

b) Reporting generally should be limited to instances where (1) there is a compelling state interest for state agencies to collect, use, and maintain the information collected; (2) substantial risk to the public welfare or safety would result from failing to collect the information; or (3) the information collected is central to an essential state process mandated by the Code of Virginia.

c) Upon the effective date of this act, and until its expiration date, the following reporting requirements are hereby suspended or modified as specified below:

Agency	Report Title of Descriptor	Authority	Action
Department of Accounts	Prompt Pay Summary Report	Agency Directive	Change reporting from monthly to quarterly.
Department of General Services	Usage of State-Assigned and State-Owned Vehicles Report	Agency Directive -- Executive Order 89 (2005)	Suspend reporting.
Department of General Services	Gas Report/Repair Charge	Agency Directive--Executive Order 89 (2005)	Suspend reporting.
Department of Human Resource Management	Report of Personnel Development Service	Agency Directive	Suspend reporting.
Department of Human Resource Management	Human Capital Report (Full-Time, Part-Time, Temporary, Contractual employees funded by the Commonwealth)	Code of Virginia § 2.2-1201. A. 14.	Change reporting from annually to monthly.
Department of Human Resource Management State Employee Workers' Compensation Program	Work-related injuries and illnesses report -- goals, strategies, and results	Agency Directive -- Executive Order 94 (2005)	Suspend reporting.
Governor's Office	Small, Women-and Minority-owned Businesses (SWaM)	Executive Directive	Change reporting from weekly to monthly.
Secretary of Commerce and	Recruitment of National and	Agency Directive -- Executive	Suspend reporting.

Trade Regional Conferences Report Order 14 (2006)

d) The Department of Planning and Budget (DPB) and the State Council of Higher Education for Virginia (SCHEV) shall work jointly to attempt to consolidate various reporting requirements pertaining to the estimates and projections of nongeneral fund revenues in institutions of higher education. The purpose of this effort shall be aimed at developing a common form for use in collecting nongeneral fund data for DPB's six-year nongeneral fund revenue estimate submission and SCHEV's annual survey of nongeneral fund revenue from institutions of higher education.

e) For reporting on fiscal year 2023 and beyond, reporting requirements on intercollegiate athletic revenues and expenses, specifically related to the share of athletic revenues from school funds and student fees, as set out in § 23.1-1309, Code of Virginia, fiscal years 2020, 2021, and 2022 shall be excluded from the calculated five-year rolling average of the change in generated revenue and student fees also outlined in § 23.1-1309, Code of Virginia.

b. Operating Appropriations Reports:

1. Status of Adjustments to Appropriations. Such information must include increases and decreases of appropriations or allotments, transfers and additional revenues. A report of appropriation transfers from one agency to another made pursuant to § 4-1.03 of this act shall be made available via electronic means to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and the public by the tenth day of the month following that in which such transfer occurs, unless otherwise specified in § 4-1.03.

2. Status of each sum sufficient appropriation. The information must include the amount of expenditures for the period just completed and the revised estimates of expenditures for the remaining period of the current biennium, as well as an explanation of differences between the amount of the actual appropriation and actual and/or projected appropriations for each year of the current biennium.

3. Status of Economic Contingency Appropriation. The information must include actions taken related to the appropriation for economic contingency.

4. Status of Withholding Appropriations. The information must include amounts withheld and the agencies affected.

5. Status of reductions occurring in general and nongeneral fund revenues in relation to appropriations.

6. Status of approvals of deficits.

c. Employment Reports:

1. Status of changes in positions and employment of state agencies affected. The information must include the number of positions and the agencies affected.

2. Status of the employment by the Attorney General of special counsel in certain highway proceedings brought pursuant to Chapter 10 of Title 33.2, Code of Virginia, on behalf of the Commissioner of Highways, as authorized by § 2.2-510, Code of Virginia. This report shall include fees for special counsel for the respective county or city for which the expenditure is made and shall be submitted within 60 days of the close of the fiscal year (see § 4-5.02 a.3).

3. Changes in the level of compensation authorized pursuant to § 4-6.01 k, Employee Compensation. Such report shall include a list of the positions changed, the number of employees affected, the source and amount of funds, and the nature of the emergency.

4. Pursuant to requirements of § 2.2-203.1, Code of Virginia, the Secretary of Administration shall provide a report describing the Commonwealth's telecommuting policies, which state agencies and localities have adopted telecommuting policies, the number of state employees who telecommute, the frequency with which state employees telecommute by locality, and the efficacy of telecommuting policies in accomplishing the provision of state services and completing state functions. This report shall be provided to the Chairmen of the House Committee on Appropriations, the House Committee on Science and Technology, the Senate Committee on Finance, and the Senate Committee on General Laws and Technology each year by October 1.

d. Capital Appropriations Reports:

1. Status of progress of capital projects on an annual basis (see § 4-4.01 o).

2. Notice of all capital projects authorized under § 4-4.01 l (see § 4-4.01 l. 1. b) 4)).

e. Utilization of State Owned and Leased Real Property:

1. By November 15 of each year, the Department of General Services (DGS) shall consolidate the reporting requirements of § 2.2-1131.1 and § 2.2-1153 of the Code of Virginia into a single report eliminating the individual reports required by § 2.2-1131.1 and § 2.2-1153 of the Code of Virginia. This report shall be submitted to the Governor and the General Assembly and include (i) information on the implementation and effectiveness of the program established pursuant to subsection A of § 2.2-1131.1, (ii) a

listing of real property leases that are in effect for the current year, the agency executing the lease, the amount of space leased, the population of each leased facility, and the annual cost of the lease; and, (iii) a report on DGS's findings and recommendations under the provisions of § 2.2-1153, and recommendations for any actions that may be required by the Governor and the General Assembly to identify and dispose of property not being efficiently and effectively utilized.

2. By October 1 of each year, each agency that controls leased property, where such leased property is not under the DGS lease administration program, shall provide a report on each leased facility or portion thereof to DGS in a manner and form prescribed by DGS. Specific data included in the report shall identify at a minimum, the number of square feet occupied, the number of employees and contractors working in the leased space, if applicable, and the cost of the lease.

f. Services Reports:

Status of any exemptions by the State Council of Higher Education to policy which prohibits use of funds in this act for the operation of any academic program by any state institution of higher education, unless approved by the Council and included in the Governor's recommended budget, or approved by the General Assembly (see § 4-5.05 b 2).

g. Standard State Agency Abbreviations:

The Department of Planning and Budget shall be responsible for maintaining a list of standard abbreviations of the names of state agencies. The Department shall make a listing of agency standard abbreviations available via electronic means on a continuous basis to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, the State Comptroller, the Director, Department of Human Resource Management and the Chief Information Officer, Virginia Information Technologies Agency, and the public.

h. Educational and General Program Nongeneral Fund Administrative Appropriations Approved by the Department of Planning and Budget:

The Secretary of Finance and Secretary of Education, in collaboration with the Director, Department of Planning and Budget, shall report in December and June of each year to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees on adjustments made to higher education operating funds in the Educational and General Programs (10000) items for each public college and university contained in this budget. The report shall include actual or projected adjustments which increase nongeneral funds or actual or projected adjustments that transfer nongeneral funds to other items within the institution. The report shall provide the justification for the increase or transfer and the relative impact on student groups.

§ 4-8.02 STATE AGENCIES

a. As received, all state agencies shall forward copies of each federal audit performed on agency or institution programs or activities to the Auditor of Public Accounts and to the State Comptroller. Upon request, all state agencies shall provide copies of all internal audit reports and access to all working papers prepared by such auditors to the Auditor of Public Accounts and to the State Comptroller.

b. Annually: Within five calendar days after state agencies submit their budget requests, amendment briefs, or requests for amendments to the Department of Planning and Budget, the Director, Department of Planning and Budget shall submit, electronically if available, copies to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees.

c. By September 1 of each year, state agencies receiving any asset as the result of a law-enforcement seizure and subsequent forfeiture by either a state or federal court, shall submit a report identifying all such assets received during the prior fiscal year and their estimated net worth, to the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees.

d. Any state agency that is required to return federal grant funding as a result of not fulfilling the specifications of a grant, shall, as soon as practicable but no later than November 1st, report to the Chairmen of the Senate Finance and Appropriations and House Appropriations Committees of such forfeiting of federal grant funding.

e.1) Any entity specifically identified in this Act as a recipient of state funds that is not a political subdivision of the Commonwealth of Virginia shall annually provide a report delineating the use of the funds, as well as the outcomes generated because of the funds. The report will be due by September 15 each year and shall be submitted to the state agency distributing the funding. The report will be used to help determine whether future funding should be provided by the state to the reporting entity.

2) For an entity providing services or programs on behalf of the Commonwealth, at a minimum the entity's report shall provide a description of the programs or services being provided, the number of individuals served or treated, and any outcomes from the program or services that demonstrate their success or benefits to individuals or families in Virginia.

3) For an entity receiving state funds for the improvement of facilities, at a minimum the entity's report shall provide a

description of the improvements, any increase in visitors or patrons served by the facility or programs held at the facility due to the improvements, and any economic benefits to the Commonwealth resulting from these expenditures.

4) The provisions of this paragraph shall not apply to any entity that has an existing reporting requirement in this act or the Code of Virginia for the use of state funds.

§ 4-8.03 LOCAL GOVERNMENTS

a.1. The Auditor of Public Accounts shall establish a workgroup to develop criteria for a preliminary determination that a local government may be in fiscal distress. Such criteria shall be based upon information regularly collected by the Commonwealth or otherwise regularly made public by the local government. This information includes expenditure reports submitted to the Auditor, budget information posted on local government websites, and reports prepared by the Commission on Local Government on revenue fiscal stress. Information provided by the Virginia Retirement System, the Virginia Resources Authority, the Virginia Public Building Authority, and other state and regional authorities concerning late or missed debt service payments shall be shared with the Auditor. Fiscal distress as used in this context shall mean a situation whereby the provision and sustainability of public services is threatened by various administrative and financial shortcomings including but not limited to cash flow issues; inability to pay expenses; revenue shortfalls; deficit spending; structurally imbalanced budgets; billing and revenue collection inadequacies and discrepancies; debt overload; failure to meet obligations to authorities, school divisions, or political subdivisions of the Commonwealth; and/or lack of trained and qualified staff to process administrative and financial transactions. Fiscal distress may be caused by factors internal to the unit of government or external to the unit of government and in various degrees such conditions may or may not be controllable by management, or the local governing body, or its constitutional officers.

2. Based upon the criteria established by the workgroup and using information identified above, the Auditor of Public Accounts shall establish a prioritized early warning system. Under the prioritized early warning system, the Auditor of Public Accounts shall establish a regular process whereby it reviews data on at least an annual basis to make a preliminary determination that a local government is in fiscal distress.

3. For local governments where the Auditor of Public Accounts has made a preliminary determination of fiscal distress based upon the early warning system criteria, the Auditor of Public Accounts shall notify the local governing body of its preliminary determination that it may meet the criteria for fiscal distress. Based upon the request of the local governing body or chief executive officer, the Auditor of Public Accounts may conduct a review and request documents and data from the local government. Such review shall consider factors including, but not limited to, budget processes, debt, borrowing, expenses and payables, revenues and receivables, and other areas including staffing, and the identification of external variables contributing to a locality's financial position, and if so, the scope of the issues involved. Any local governing body that receives requests for information from the Auditor of Public Accounts pursuant to such preliminary determination based on the above described threshold levels shall acknowledge receipt of such a request and shall ensure that a response is provided within the time frames specified by the Auditor of Public Accounts. After such review, if the Auditor of Public Accounts is of the opinion that state assistance, oversight, or targeted intervention is needed, either to further assess, help stabilize, or remediate the situation, the Auditor shall notify the Governor and the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and the governing body of the local government in writing outlining specific issues or actions that need to be addressed by state intervention.

4. The notification issued by the Auditor of Public Accounts pursuant to paragraph 3 above shall satisfy the notification requirement necessary to effectuate the provisions of this act in paragraph b.3 below.

b.1. The Director of the Department of Planning and Budget shall identify any amounts remaining unexpended from general fund appropriations in this Act as of June 30 of each year, which constitute state aid to local governments. The Director shall provide a listing of such amounts designated by item number and by program on or before August 15 of each year, to the Governor and the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee.

2. From such unexpended balances identified by the Director of the Department of Planning and Budget, the Governor may reappropriate up to $750,000 from amounts which would otherwise revert to the balance of the general fund and transfer such amounts as necessary to establish a component of fund balance which may be used for the purpose of providing technical assistance and intervention actions for local governments deemed to be fiscally distressed and in need of intervention to address such distress. Any such reappropriation approved by the Governor, shall be separately identified in the commitments specified on the balance sheet and financial statements of the State Comptroller for the close of each fiscal year, to the extent that such reserve is not used or added to by future appropriation actions.

3. Prior to any expenditure of the reappropriated reserve, the Governor and the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee must receive a notification from the Auditor of Public Accounts that a specific locality is in need of intervention because of a worsening financial situation. The Auditor of Public Accounts may issue such a notification upon receipt of audited financial statement or other information that indicates the existence of fiscal distress. But, no such notification shall be made until appropriate follow up and correspondence ascertains that, in the opinion of the Auditor of Public Accounts, such fiscal distress indeed exists. Such notification may also be issued by the Auditor of Public Accounts if written concerns raised about fiscal distress are not adequately addressed by the locality in question.

4. Once the Governor has received a notification from the Auditor of Public Accounts indicating fiscal distress in a specific local

government, the Governor shall consult with the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee about a plan for state intervention prior to any expenditure of funds from the cash reserve. Any plan approved by the Governor for intervention should, at a minimum, specify the purpose of such intervention, the estimated duration of the intervention, and the anticipated resources (dollars and personnel) directed toward such effort. The staffing necessary to carry out the intervention plan may be assembled from either public agencies or private entities or both and, notwithstanding any other provisions of law, the Governor may use an expedited method of procurement to secure such staffing when, in his judgment, the need for intervention is of an emergency nature such that action must be taken in a timely manner to avoid or address unacceptable financial risks to the Commonwealth.

5. The governing body and the elected constitutional officers of a locality subject to an intervention plan approved by the Governor shall assist all state appointed staff conducting the intervention regardless of whether such staff are from public agencies or private entities. Intervention staff shall provide periodic reports in writing to the Governor and the Chairmen of the House Appropriations Committee and the Senate Finance and Appropriations Committee outlining the scope of issues discovered and any recommendations made to remediate such issues, and the progress that is made on such recommendations or other remediation efforts. These periodic reports shall specifically address the degree of cooperation the intervention team is receiving from locally elected officials, including constitutional officers, city, county, or town managers and other local personnel in regards to their intervention work.

6. The Department of General Services is hereby encouraged to develop a master contract of qualified private sector turnaround specialists with expertise in local government intervention that the Governor can use to procure intervention services in an expeditious manner when he determines that state intervention is warranted in situations of local fiscal distress.

§ 4-9.00 HIGHER EDUCATION RESTRUCTURING

§ 4-9.01 ASSESSMENT OF INSTITUTIONAL PERFORMANCE

Consistent with § 23.1-206, Code of Virginia, the following education-related and financial and administrative management measures shall be the basis on which the State Council of Higher Education shall bienially assess and certify institutional performance. Such certification shall be completed and forwarded in writing to the Governor and the General Assembly no later than October 1 of each even-numbered year. Institutional performance on measures set forth in paragraph D of this section shall be evaluated year-to-date by the Secretaries of Finance and Administration as appropriate, and communicated to the State Council of Higher Education before October 1 of each even-numbered year. Financial benefits provided to each institution in accordance with § 23.1-1002 will be evaluated in light of that institution's performance.

In general, institutions are expected to achieve all performance measures in order to be certified by SCHEV, but it is understood that there can be circumstances beyond an institution's control that may prevent achieving one or more performance measures. The Council shall consider, in consultation with each institution, such factors in its review: (1) institutions meeting all performance measures will be certified by the Council and recommended to receive the financial benefits, (2) institutions that do not meet all performance measures will be evaluated by the Council and the Council may take one or more of the following actions: (a) request the institution provide a remediation plan and recommend that the Governor withhold release of financial benefits until Council review of the remediation plan or (b) recommend that the Governor withhold all or part of financial benefits.

Further, the State Council shall have broad authority to certify institutions as having met the standards on education-related measures. The State Council shall likewise have the authority to exempt institutions from certification on education-related measures that the State Council deems unrelated to an institution's mission or unnecessary given the institution's level of performance.

The State Council may develop, adopt, and publish standards for granting exemptions and ongoing modifications to the certification process.

a. BIENNIAL ASSESSMENTS

1. Institution meets at least 95 percent of its State Council-approved biennial projections for in-state undergraduate headcount enrollment.

2. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state associate and bachelor degree awards.

3. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state STEM-H (Science, Technology, Engineering, Mathematics, and Health professions) associate and bachelor degree awards.

4. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state, upper level - sophomore level for two-year institutions and junior and senior level for four-year institutions - program-placed, full-time equivalent students.

5. Maintain or increase the number of in-state associate and bachelor degrees awarded to students from under-represented

populations.

6. Maintain or increase the number of in-state two-year transfers to four-year institutions.

b. Elementary and Secondary Education

1. The Virginia Department of Education shall share data on teachers, including identifying information, with the State Council of Higher Education for Virginia in order to evaluate the efficacy of approved programs of teacher education, the production and retention of teachers, and the exiting of teachers from the teaching profession.

2. a) The Virginia Department of Education and the State Council of Higher Education for Virginia shall share personally identifiable information from education records in order to evaluate and study student preparation for and enrollment and performance at state institutions of higher education in order to improve educational policy and instruction in the Commonwealth. However, such study shall be conducted in such a manner as to not permit the personal identification of students by persons other than representatives of the Department of Education or the State Council for Higher Education for Virginia, and such shared information shall be destroyed when no longer needed for purposes of the study.

b) Notwithstanding § 2.2-3800 of the Code of Virginia, the Virginia Department of Education, State Council of Higher Education for Virginia, Virginia Community College System, and the Virginia Employment Commission may collect, use, share, and maintain de-identified student data to improve student and program performance including those for career readiness.

3. Institutions of higher education shall disclose information from a pupil's scholastic record to the Superintendent of Public Instruction or his designee for the purpose of studying student preparation as it relates to the content and rigor of the Standards of Learning. Furthermore, the superintendent of each school division shall disclose information from a pupil's scholastic record to the Superintendent of Public Instruction or his designee for the same purpose. All information provided to the Superintendent or his designee for this purpose shall be used solely for the purpose of evaluating the Standards of Learning and shall not be redisclosed, except as provided under federal law. All information shall be destroyed when no longer needed for the purposes of studying the content and rigor of the Standards of Learning.

c. SIX-YEAR PLAN

Institution prepares six-year financial plan consistent with § 23.1-907.

d. FINANCIAL AND ADMINISTRATIVE STANDARDS

The financial and administrative standards apply to all institutions except those institutions that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act.

1. As specified in § 2.2-5004, Code of Virginia, institution takes all appropriate actions to meet the following financial and administrative standards:

a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;

b) No significant audit deficiencies attested to by the Auditor of Public Accounts;

c) Substantial compliance with all financial reporting standards approved by the State Comptroller;

d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any standards for outstanding receivables and bad debts; and

e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any standards for accounts payable past due.

2. Institution complies with a debt management policy approved by its governing board that defines the maximum percent of institutional resources that can be used to pay debt service in a fiscal year, and the maximum amount of debt that can be prudently issued within a specified period.

3. The institution will achieve the classified staff turnover rate goal established by the institution; however, a variance of 15 percent from the established goal will be acceptable.

4. The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) plan as submitted to the Department of Small Business and Supplier Diversity; however, a variance of 15 percent from its SWAM purchase goal, as stated in the plan, will be acceptable.

The institution will make no less than 75 percent of dollar purchases through the Commonwealth's enterprise-wide internet procurement system (eVA) from vendor locations registered in eVA.

5. The institution will complete capital projects (with an individual cost of over $1,000,000) within the budget originally approved by the institution's governing board for projects initiated under delegated authority, or the budget set out in the Appropriation Act or

other Acts of Assembly. If the institution exceeds the budget for any such project, the Secretaries of Administration and Finance shall review the circumstances causing the cost overrun and the manner in which the institution responded and determine whether the institution shall be considered in compliance with the measure despite the cost overrun.

6. The institution will complete major information technology projects (with an individual cost of over $1,000,000) within the budgets and schedules originally approved by the institution's governing board. If the institution exceeds the budget and/or time schedule for any such project, the Secretary of Administration shall review the circumstances causing the cost overrun and/or delay and the manner in which the institution responded and determine whether the institution appropriately adhered to Project Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite the cost overrun and/or delay.

e. FINANCIAL AND ADMINISTRATIVE STANDARDS

The financial and administrative standards apply to institutions that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act. They shall be measured by the administrative standards outlined in the Management Agreements and § 4-9.02.d.4. of this act. However, the Governor may supplement or replace those administrative performance measures with the administrative performance measures listed in this paragraph. Effective July 1, 2009, the following administrative and financial measures shall be used for the assessment of institutional performance for institutions of higher education that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act.

1. Financial

a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;

b) No significant audit deficiencies attested to by the Auditor of Public Accounts;

c) Substantial compliance with all financial reporting standards approved by the State Comptroller;

d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any standards for outstanding receivables and bad debts; and

e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any standards for accounts payable past due.

2. Debt Management

a) The institution shall maintain a bond rating of AA- or better;

b) The institution achieves a three-year average rate of return at least equal to the imoney.net money market index fund; and

c) The institution maintains a debt burden ratio equal to or less than the level approved by the Board of Visitors in its debt management policy.

3. Human Resources

a) The institution's voluntary turnover rate for classified plus university/college employees will meet the voluntary turnover rate for state classified employees within a variance of 15 percent; and

b) The institution achieves a rate of internal progression within a range of 40 to 60 percent of the total salaried staff hires for the fiscal year.

4. Procurement

a) The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) procurement plan as submitted to the Department of Small Business and Supplier Diversity; however, a variance of 15 percent from its SWAM purchase goal, as stated in the plan, will be acceptable; and

b) The institution will make no less than 80 percent of purchase transactions through the Commonwealth's enterprise-wide internet procurement system (eVA) with no less than 75 percent of dollars to vendor locations in eVA.

5. Capital Outlay

a) The institution will complete capital projects (with an individual cost of over $1,000,000) within the budget originally approved by the institution's governing board at the preliminary design state for projects initiated under delegated authority, or the budget set out in the Appropriation Act or other Acts of Assembly which provides construction funding for the project at the preliminary design state. If the institution exceeds the budget for any such project, the Secretaries of Administration and Finance shall review the circumstances causing the cost overrun and the manner in which the institution responded and determine whether the institution shall be considered in compliance with the measure despite the cost overrun;

b) The institution shall complete capital projects with the dollar amount of owner requested change orders not more than 2 percent of the guaranteed maximum price (GMP) or construction price; and

c) The institution shall pay competitive rates for leased office space – the average cost per square foot for office space leased by the institution is within 5 percent of the average commercial business district lease rate for similar quality space within reasonable proximity to the institution's campus.

6. Information Technology

a) The institution will complete major information technology projects (with an individual cost of over $1,000,000) on time and on budget against their managed project baseline. If the institution exceeds the budget and/or time schedule for any such project, the Secretary of Technology shall review the circumstances causing the cost overrun and/or delay and the manner in which the institution responded and determine whether the institution appropriately adhered to Project Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite the cost overrun and/or delay; and

b) The institution will maintain compliance with institutional security standards as evaluated in internal and external audits. The institution will have no significant audit deficiencies unresolved beyond one year.

f. REPORTING

The Director, Department of Planning and Budget, with cooperation from the Comptroller and institutions of higher education governed under Management Agreements, shall develop uniform reporting requirements and formats for revenue and expenditure data.

g. EXEMPTION

The requirements of this section shall not be in effect if they conflict with § 23.1-206.D. of Chapters 828 and 869 of the Acts of Assembly of 2011.

§ 4-9.02 LEVEL II AUTHORITY

a. Notwithstanding the provisions of § 5 of Chapter 824 and 829 of the 2008 Acts of Assembly, institutions of higher education that have met the eligibility criteria for additional operational and administrative authority set forth in Chapters 824 and 829 of the 2008 Acts of Assembly shall be allowed to enter into separate negotiations for additional operational authority for a third and separate functional area listed in Chapter 824 and 829 of the 2008 Acts of Assembly, provided they have:

1. successfully completed at least three years of effectiveness and efficiencies operating under such additional authority granted by an original memorandum of understanding;

2. successfully renewed an additional memoranda of understanding for a five year term for each of the original two areas.

The institutions shall meet all criteria and follow policies for negotiating and establishing a memorandum of understanding with the Commonwealth of Virginia as provided in § 2.0 (Information Technology), § 3.0 (Procurement), and § 4.0 (Capital Outlay) of Chapter 824 and 829 of the 2008 Acts of Assembly.

b. As part of the memorandum of understanding, each institution shall be required to adopt at least one new education-related measure for the new area of operational authority. Each education-related measure and its respective target shall be developed in consultation with the Secretary of Finance, Secretary of Education, the appropriate Cabinet Secretary, and the State Council of Higher Education for Virginia. Each education-related measure and its respective target must be approved by the State Council of Higher Education for Virginia. The development and administration of education-related measures described in paragraph b. and in § 23.1-1003 A.3. are suspended through 2024-2026.

c. Subject to review of its Shared Services Center by the Department of General Services, and approval to proceed with decentralized procurement of authority by the Department of General Services, the Virginia Community College System (VCCS) is authorized, for a period of five years, to exercise additional financial and administrative authority as set out in each of the three functional areas of information technology, procurement and capital projects as set forth and subject to all the conditions in §§ 2.0, 3.0 and 4.0 of the second enactment of Chapter 824 and 829 of the Acts of Assembly of 2008 except that (i) any effective dates contained in Chapter 824 and 829 of the Acts of Assembly of 2008 are superseded by the provisions of this item. The State Board for Community Colleges may request any subsequent delegation of procurement authority after consultation with and positive recommendation by the Department of General Services.

d. Notwithstanding the small purchase thresholds set forth in the Rules Governing Procurement for institutions of higher education that have operational authority in the area of procurement, the small purchases thresholds shall be the same thresholds set forth in the Virginia Public Procurement Act (§ 2.2- 4300 et seq). Where small purchase thresholds in the Rules Governing Procurement for such institutions exceed those in 2.2-4300 et seq, the Rules Governing Procurement shall be the authorized procurement threshold.

e. Consistent with the 2019 updates to the Virginia Public Procurement Act, institutions of higher education that have operational

authority in the area of procurement are permitted to conform their Request for Proposal advertising rules to that of § 2.2-4302.2.A.2.

f. As part of a five-year pilot program, Virginia State University is authorized, for a period of five years, to exercise additional financial and administrative authority as set out in each of the two functional areas of information technology and procurement as set forth and subject to all the conditions in §§ 2.0 and 3.0 of the second enactment of Chapter 824 and 829 of the Acts of Assembly of 2008 except that any effective dates contained in Chapter 824 and 829 of the Acts of Assembly of 2008 are superseded by the provisions of this item.

§ 4-9.03 LEVEL III AUTHORITY

a. The Management Agreements negotiated by the institutions contained in Chapters 675 and 685 of the 2009 Acts of Assembly shall continue in effect unless the Governor, the General Assembly, or the institutions determine that the Management Agreements need to be renegotiated or revised.

b. Notwithstanding the small purchase thresholds set forth in the Rules Governing Procurement the small purchases thresholds for Level III institutions shall be the small purchase thresholds set forth in the Virginia Public Procurement Act (§ 2.2-4300 et seq). Where small purchase thresholds under Rules Governing Procurement for Level III institutions exceed those in 2.2-4300 et seq, the Rules Governing Procurement shall be the authorized procurement threshold.

c. Consistent with the 2019 updates to the Virginia Public Procurement Act, institutions of higher education that have Management Agreements are permitted to conform their Request for Proposal advertising rules to that of § 2.2-4302.2.A.2

d. References in this act to public institutions of higher education that have a Management Agreement with the Commonwealth of Virginia pursuant to the Restructured Higher Education Financial and Administrative Operations Act shall include those governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, Chapters 124 and 125 of the 2019 Acts of Assembly, and Chapters 76 and 77 of the 2021 Acts of Assembly, Special Session I.

§ 4-9.04 IMPLEMENT JLARC RECOMMENDATIONS

a. The Boards of Visitors at each Virginia public four-year higher education institution, to the extent practicable, shall:

1. require their institutions to clearly list the amount of the athletic fee on their website's tuition and fees information page. The page should include a link to the State Council of Higher Education for Virginia's tuition and fee information. The boards should consider requiring institutions to list the major components of all mandatory fees, including the portion attributable to athletics, on a separate page attached to student invoices;

2. assess the feasibility and impact of raising additional revenue through campus recreation and fitness enterprises to reduce reliance on mandatory student fees. The assessments should address the feasibility and impact of raising additional revenue through charging for specialized programs and services, expanding membership, and/or charging all users of recreation facilities;

3. direct staff to perform a comprehensive review of the institution's organizational structure, including an analysis of spans of control and a review of staff activities and workload, and identify opportunities to streamline the organizational structure. Boards should further direct staff to implement the recommendations of the review to streamline their organizational structures where possible;

4. require periodic reports on average and median spans of control and the number of supervisors with six or fewer direct reports;

5. direct staff to revise human resource policies to eliminate unnecessary supervisory positions by developing standards that establish and promote broader spans of control. The new policies and standards should (i) set an overall target span of control for the institution, (ii) set a minimum number of direct reports per supervisor, with guidelines for exceptions, (iii) define the circumstances that necessitate the use of a supervisory position, (iv) prohibit the establishment of supervisory positions for the purpose of recruiting or retaining employees, and (v) establish a periodic review of departments where spans of control are unusually narrow; and,

6. direct institution staff to set and enforce policies to maximize standardization of purchases of commonly procured goods, including use of institution-wide contracts;

7. consider directing institution staff to provide an annual report on all institutional purchases, including small purchases, that are exceptions to the institutional policies for standardizing purchases;

8. participate in national faculty teaching load assessments by discipline and faculty type.

b. The State Council on Higher Education for Virginia, to the extent practicable, shall:

1. convene a working group of institution financial officers, with input from the Department of Accounts, the Department of Planning and Budget, and the Auditor of Public Accounts, to create a standard way of calculating and publishing mandatory non-E&G fees, including for intercollegiate athletics;

2. update the state's Chart of Accounts for higher education in order to improve comparability and transparency of mandatory non-E&G fees, with input from the Department of Accounts, the Department of Planning and Budget, the Auditor of Public Accounts, and institutional staff. This process should be coordinated with the standardization of tuition and fee reporting;

3. convene a working group of institutional staff to develop instructional and research space guidelines that adequately measure current use of space and plans for future use of space at Virginia's public higher education institutions;

4. coordinate a committee of institutional representatives, such as the previously authorized Learning Technology Advisory Committee. In addition to the objectives set out in the Appropriation Act for the Learning Technology Advisory Committee, the committee should identify instructional technology initiatives and best practices for directly or indirectly lowering institutions' instructional expenditures per student while maintaining or enhancing student learning;

5. include factors such as discipline, faculty rank, cost of living, and regional comparisons in developing faculty salary goals;

6. identify instructional technology best practices that directly or indirectly lower student cost while maintaining or enhancing learning.

c. Notwithstanding the provisions of § 23.1-1304, the State Council of Higher Education for Virginia shall annually train boards of visitors members on the types of information members should request from institutions to inform decision making, such as performance measures, benchmarking data, the impact of financial decisions on student costs, and past and projected cost trends. Boards of Visitors members serving on finance and facilities subcommittees should, at a minimum, participate in the training within their first year of membership on the subcommittee. SCHEV should obtain assistance in developing or delivering the training from relevant agencies such as the Department of General Services and past or present finance officers at Virginia's public four-year institutions, as appropriate.

d. The Department of Planning and Budget shall revise the formula used to make allocation recommendations for the state's maintenance reserve funding to account for higher maintenance needs resulting from poor facility condition, aging of facilities, and differences in facility use.

e. The Six-Year Capital Outlay Plan Advisory Committee, the Department of Planning and Budget, and others as appropriate shall use the results of the prioritization process established by the State Council of Higher Education for Virginia in determining which capital projects should receive funding.

f. Beginning with fiscal year 2016, the Auditor of Public Accounts shall include in its audit plan for each public institution of higher education a review of progress in implementing the JLARC recommendations contained in paragraph § 4-9.04 a.

§ 4-11.00 STATEMENT OF FINANCIAL CONDITION

Each agency head handling any state funds shall, at least once each year, upon request of the Auditor of Public Accounts, make a detailed statement, under oath, of the financial condition of his office as of the date of such call, to the Auditor of Public Accounts, and upon such forms as shall be prescribed by the Auditor of Public Accounts.

§ 4-12.00 SEVERABILITY

If any part, section, subsection, paragraph, sentence, clause, phrase, or item of this act or the application thereof to any person or circumstance is for any reason declared unconstitutional, such decisions shall not affect the validity of the remaining portions of this act which shall remain in force as if such act had been passed with the unconstitutional part, section, subsection, paragraph, sentence, clause, phrase, item or such application thereof eliminated; and the General Assembly hereby declares that it would have passed this act if such unconstitutional part, section, subsection, paragraph, sentence, clause, phrase, or item had not been included herein, or if such application had not been made.

§ 4-13.00 CONFLICT WITH OTHER LAWS

Notwithstanding any other provision of law, and until June 30, 2026, the provisions of this act shall prevail over any conflicting provision of any other law, without regard to whether such other law is enacted before or after this act; however, a conflicting provision of another law enacted after this act shall prevail over a conflicting provision of this act if the General Assembly has clearly evidenced its intent that the conflicting provision of such other law shall prevail, which intent shall be evident only if such other law (i) identifies the specific provision(s) of this act over which the conflicting provision of such other law is intended to prevail and (ii) specifically states that the terms of this section are not applicable with respect to the conflict between the provision(s) of this act and the provision of such other law.

§ 4-14.00 EFFECTIVE DATE

This act is effective on ~~July 1, 2024.~~ *its passage as provided in § 1-214, Code of Virginia.*

ADDITIONAL ENACTMENTS

~~2~~3. That the provisions of the first enactment of 2019 Acts of Assembly, Chapter 808, shall apply to taxable years beginning on and after January 1, 2019, but before January 1, 2028, notwithstanding the second enactment of such act or any provision of law or regulation to the contrary.

~~3~~4. That § 58.1-1802.1 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-1802.1. Period of limitations on collection; accrual of interest and penalty.

A. Where the assessment of any tax imposed by this subtitle has been made within the period of limitation properly applicable thereto, such tax may be collected by levy, by a proceeding in court, or by any other means available to the Tax Commissioner under the laws of the Commonwealth, but only if such collection effort is made or instituted within seven years from the date of the assessment of such tax. Except as otherwise provided in this section, effective for assessments made on and after July 1, 2016, all collection efforts shall cease after such seven-year period even if initiated during the seven-year period. Prior to the expiration of any period for collection, the period may be extended by a written agreement between the Tax Commissioner and the taxpayer, and subsequent written agreements may likewise extend the period previously agreed upon. The period of limitations provided in this subsection during which a tax may be collected shall not apply to executions, levy or other actions to enforce a lien created before the expiration of the period of limitations by the docketing of a judgment or the filing of a memorandum of lien pursuant to § 58.1-1805; nor shall the period of limitations apply to the provisions of §§ 8.01-251 and 8.01-458.

B. The running of the period of limitations on collection shall be suspended for (i) the period the assessment is the subject of a proceeding pursuant to § 58.1-1807, 58.1-1821, 58.1-1825, or 58.1-1828; (ii) the period the assets of the taxpayer are in the control or custody of any state or federal court, including the United States Bankruptcy Court; or (iii) the period that an installment agreement entered into by the taxpayer pursuant to § 58.1-1817 is in effect.

C. If the Department of Taxation has no contact with the delinquent taxpayer for a period of six years and no memorandum of lien has been appropriately filed in a jurisdiction in which such taxpayer owns real estate, interest and penalty shall no longer be added to the delinquent tax liability. The mailing of notices by the Department to the taxpayer's last known address shall constitute contact with the taxpayer.

D. For purposes of this section, the "last known address" of the taxpayer means the address shown on the most recent return filed by or on behalf of the taxpayer or the address provided in correspondence by or on behalf of the taxpayer indicating that it is a change of the taxpayer's address.

E. In any pending or future administrative or judicial proceeding in which the validity of a tax assessment is an issue, the participation of the Department of Taxation in any capacity shall be considered a collection effort for purposes of this section.

5. That § 58.1-492 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-492. Failure by individual, trust or estate to pay estimated tax.

A. In the case of any underpayment of estimated tax by an individual, trust or estate, except as provided in subsection C, there shall be added to the tax under this chapter for the taxable year an amount determined at the rate established for interest, under § 58.1-15, upon the amount of the underpayment (determined below), for the period of the underpayment (determined under subsection B). The amount of such addition to the tax shall be reported and paid at the time of filing the individual income tax return or the fiduciary income tax return for the taxable year.
The amount of the underpayment shall be the excess of:

1. The amount of the installment which would be required to be paid if the estimated tax were equal to ninety percent (sixty-six and two-thirds percent in the case of an individual referred to in § 58.1-490 F, relating to income from farming) of the tax shown on the return for the taxable year, or if no return was filed, ninety percent (sixty-six and two-thirds percent in the case of individuals referred to in § 58.1-490 F, relating to income from farming) of the tax for such year; or 100 percent of the tax shown on the return of the taxpayer for the preceding taxable year, whichever is less, over

2. The amount, if any, of the installment paid on or before the last date prescribed for such payment.

B. The period of the underpayment shall run from the date the installment was required to be paid to whichever of the following dates is the earlier:

1. May 1, if a calendar year, or the fifteenth day of the fourth month following the close of the taxable year, if a fiscal year.

2. With respect to any portion of the underpayment, the date on which such portion is paid. For purposes of this subdivision a payment of estimated tax on any installment date shall be considered a payment of any previous underpayment only to the extent such payment exceeds the amount of the installment determined under subdivision A 1 for such installment date.

C. Notwithstanding the provisions of subsections A and B, the addition to the tax with respect to any underpayment of any

installment shall not be imposed if the total amount of all payments of estimated tax made on or before the last date prescribed for the payment of such installment equals or exceeds whichever of the following is the lesser:

1. The amount which would have been required to be paid on or before such date if estimated tax were whichever of the following is the least:

a. The tax shown on the return of the individual, trust or estate for the preceding taxable year, if a return showing a liability for tax was filed by the individual, trust or estate for the preceding taxable year and such preceding year was a taxable year of twelve months;

b. An amount equal to the tax computed, at the rates applicable to the taxable year, on the basis of the taxpayer's status with respect to personal exemptions for the taxable year, otherwise on the basis of the facts shown on his return for, and the law applicable to, the preceding year; or

c. An amount equal to ninety percent (sixty-six and two-thirds percent in the case of individuals referred to in § 58.1-490 F, relating to income from farming) of the tax for the taxable year computed by placing on an annualized basis the taxable income for the months in the taxable year ending before the month in which the installment is required to be paid. For purposes of this paragraph the taxable income shall be placed on an annualized basis by:

(i) Multiplying by twelve (or, in the case of a taxable year of less than twelve months, the number of months in the taxable year) the taxable income (computed without deduction of personal exemptions) for the months in the taxable year ending before the month in which the installment is required to be paid, or, for a trust or estate, the months in the taxable year ending before the date that is one month before the month in which the installment is required to be paid;

(ii) Dividing the resulting amount by the number of months in the taxable year ending before the month in which such installment date falls, or, for a trust or estate, the months in the taxable year ending before the date that is one month before the month in which the installment is required to be paid; and

(iii) Deducting from such amount the deductions for personal exemptions allowable for the taxable year (such personal exemptions being determined as of the last date prescribed for payment of the installment); or

2. An amount equal to ninety percent of the tax computed, at the rates applicable to the taxable year, on the basis of the actual taxable income for the months in the taxable year ending before the month in which the installment is required to be paid.

D. For purposes of applying this section:

1. The estimated tax shall be computed without any reduction for the amount which the individual estimates as his credit under § 58.1-480 (relating to tax withheld at source on wages);

2. The amount of the credit allowed under § 58.1-480 for the taxable year shall be deemed a payment of estimated tax, and an equal part of such amount shall be deemed paid on each installment date (determined under § 58.1-491) for such taxable year, unless the taxpayer establishes the dates on which all amounts were actually withheld, in which case the amounts so withheld shall be deemed payments of estimated tax on the dates on which such amounts were actually withheld; and

3. There shall be no addition to tax imposed for underpayment of estimated tax of ~~$150~~*$1,000* or less for the taxable year.

E. The application of this section to taxable years of less than twelve months shall be in accordance with regulations prescribed by the Tax Commissioner.

6. That the provisions of the fifth enactment of this act shall apply to taxable years beginning on and after January 1, 2026.

7. That §§ 59.1-376 and 59.1-392 of the Code of Virginia are amended and reenacted as follows:

§ 59.1-376. Limited licenses; transfer of meet; taxation; authority to issue; limitations.

A. Notwithstanding the provisions of § 59.1-375 or § 59.1-378 but subject to such regulations and criteria as it may prescribe, the Commission is authorized to issue limited licenses, provided such licenses shall permit any holder to conduct a race meeting or meetings for a period not to exceed 14 days in any calendar year, or in the case of a significant infrastructure limited licensee, 75 days in any calendar year.

B. The Commission may at any time, in its discretion, authorize any organization or association licensed under this section to transfer its race meeting or meetings from its own track or place for holding races, to the track or place for holding races of any other organization or association licensed under this chapter upon the payment of any and all appropriate license fees. No such authority to transfer shall be granted without the express consent of the organization or association owning or leasing the track to which such transfer is made.

C. For any such meeting the licensee shall retain and pay from the pool the tax as provided in § 59.1-392.

D. No person to whom a limited license has been issued nor any officer, director, partner, or spouse or immediate family member

thereof shall make any contribution to any candidate for public office or public office holder at the local or state level.

E. On and after July 1, 2026, in addition to all other taxes and fees imposed by law, there is hereby levied a significant infrastructure facility limited license tax upon any significant infrastructure limited licensee. Any such licensee shall pay to the locality in which a significant infrastructure facility for such licensee is located $110,000 for each live racing day at such facility.

§ 59.1-392. Percentage retained; tax.

A. Any person holding an operator's license to operate a horse racetrack or satellite facility in the Commonwealth pursuant to this chapter shall be authorized to conduct pari-mutuel wagering on horse racing subject to the provisions of this chapter and the conditions and regulations of the Commission.

B. On pari-mutuel pools generated by wagering at the racetrack on live horse racing conducted within the Commonwealth, involving win, place, and show wagering, the licensee shall retain a percentage amount approved by the Commission as jointly requested by a recognized majority horsemen's group and a licensee and the legitimate breakage, out of which shall be paid 1.25 percent to be distributed as follows: 1.0 percent to the Commonwealth as a license tax and 0.25 percent to the locality in which the racetrack is located. The remainder of the retainage shall be paid as provided in subsection D, provided, however, that if the percentage amount approved by the Commission is other than percent, the amounts provided in subdivisions D 1, 2, and 3 shall be adjusted by the proportion that the approved percentage amount bears to 18 percent.

C. On pari-mutuel pools generated by wagering at each Virginia satellite facility on live horse racing conducted within the Commonwealth, involving win, place, and show wagering, the licensee shall retain a percentage amount approved by the Commission as jointly requested by a recognized majority horsemen's group and a licensee and the legitimate breakage, out of which shall be paid 1.25 percent to be distributed as follows: 0.75 percent to the Commonwealth as a license tax, 0.25 percent to the locality in which the satellite facility is located, and 0.25 percent to the locality in which the racetrack is located. The remainder of the retainage shall be paid as provided in subsection D, provided, however, that if the 25 percentage amount approved by the Commission is other than 18 percent, the amounts provided in subdivisions D 1, 2, and 3 shall be adjusted by the proportion that the approved percentage amount bears to 18 percent.

D. On pari-mutuel pools generated by wagering at the racetrack and each Virginia satellite facility on live horse racing conducted within the Commonwealth, involving win, place, and show wagering, the licensee shall retain a percentage amount approved by the Commission as jointly requested by a recognized majority horsemen's group and a licensee and the legitimate breakage, out of which shall be paid:

1. Eight percent as purses or prizes to the participants in such race meeting;

2. Seven and one-half percent and all of the breakage and the proceeds of pari-mutuel tickets unredeemed 180 days from the date on which the race was conducted, to the operator;

3. One percent to the Virginia Breeders Fund;

4. Fifteen one-hundredths percent to the Virginia-Maryland Regional College of Veterinary Medicine;

5. Five one-hundredths percent to the Virginia Horse Center Foundation;

6. Five one-hundredths percent to the Virginia Horse Industry Board; and

7. The remainder of the retainage shall be paid as appropriate under subsection B or C.

E. On pari-mutuel pools generated by wagering at the racetrack on live horse racing conducted within the Commonwealth involving wagering other than win, place, and show wagering, the licensee shall retain a percentage amount approved by the Commission as jointly requested by a recognized majority horsemen's group and a licensee and the legitimate breakage, out of which shall be paid 2.75 percent to be distributed as follows: 2.25 percent to the Commonwealth as a license tax, and 0.5 percent to the locality in which the racetrack is located. The remainder of the retainage shall be paid as provided in subsection G, provided, however, that if the percentage amount approved by the Commission is other than 22 percent, the amounts provided in subdivisions G 1, 2, and 3 shall be adjusted by the proportion that the approved percentage amount bears to 22 percent.

F. On pari-mutuel pools generated by wagering at each Virginia satellite facility on live horse racing conducted within the Commonwealth involving wagering other than win, place, and show wagering, the licensee shall retain a percentage amount approved by the Commission as jointly requested by a recognized majority horsemen's group and a licensee and the legitimate breakage, out of which shall be paid 2.75 percent to be distributed as follows: 1.75 percent to the Commonwealth as a license tax, 0.5 percent to the locality in which the satellite facility is located, and 0.5 percent to the locality in which the racetrack is located. The remainder of the retainage shall be paid as provided in subsection G, provided, however, that if the percentage amount approved by the Commission is other than 22 percent, the amounts provided in subdivisions G 1, 2, and 3 shall be adjusted by the proportion that the approved percentage amount bears to 22 percent.

G. On pari-mutuel pools generated by wagering at the racetrack and each Virginia satellite facility on live horse racing conducted

within the Commonwealth involving wagering other than win, place, and show wagering, the licensee shall retain a percentage amount approved by the Commission as jointly requested by a recognized majority horsemen's group and a licensee and the legitimate breakage, out of which shall be paid:

1. Nine percent as purses or prizes to the participants in such race meeting;

2. Nine percent and the proceeds of the pari-mutuel tickets unredeemed 180 days from the date on which the race was conducted, to the operator;

3. One percent to the Virginia Breeders Fund;

4. Fifteen one-hundredths percent to the Virginia-Maryland Regional College of Veterinary Medicine;

5. Five one-hundredths percent to the Virginia Horse Center Foundation;

6. Five one-hundredths percent to the Virginia Horse Industry Board; and

7. The remainder of the retainage shall be paid as appropriate under subsection E or F.

H. On pari-mutuel wagering generated by simulcast horse racing transmitted from jurisdictions outside the Commonwealth, the licensee may, with the approval of the Commission, commingle pools with the racetrack where the transmission emanates or establish separate pools for wagering within the Commonwealth. All simulcast horse racing in this subsection must comply with the Interstate Horse Racing Act of 1978 (15 U.S.C. § 3001 et seq.).

I. On pari-mutuel pools generated by wagering at the racetrack on simulcast horse racing transmitted from jurisdictions outside the Commonwealth, involving win, place, and show wagering, the licensee shall retain 1.25 percent of such pool to be distributed as follows: 0.75 percent to the Commonwealth as a license tax, and 0.5 percent to the Virginia locality in which the racetrack is located.

J. On pari-mutuel pools generated by wagering at each Virginia satellite facility on simulcast horse racing transmitted from jurisdictions outside the Commonwealth, involving win, place, and show wagering, the licensee shall retain 1.25 percent of such pool to be distributed as follows: 0.75 percent to the Commonwealth as a license tax, 0.25 percent to the locality in which the satellite facility is located, and 0.25 percent to the Virginia locality in which the racetrack is located.

K. On pari-mutuel pools generated by wagering at the racetrack and each Virginia satellite facility on simulcast horse racing transmitted from jurisdictions outside the Commonwealth, involving win, place, and show wagering, the licensee shall retain 1.3 percent of such pool to be distributed as follows:

1. One percent of the pool to the Virginia Breeders Fund;

2. Fifteen one-hundredths percent to the Virginia-Maryland Regional College of Veterinary Medicine;

3. Five one-hundredths percent to the Virginia Horse Center Foundation;

4. Five one-hundredths percent to the Virginia Horse Industry Board; and

5. Five one-hundredths percent to the Virginia Thoroughbred Association for the promotion of breeding in the Commonwealth.

L. On pari-mutuel pools generated by wagering at the racetrack on simulcast horse racing transmitted from jurisdictions outside the Commonwealth, involving wagering other than win, place, and show wagering, the licensee shall retain 2.75 percent of such pool to be distributed as follows: 1.75 percent to the Commonwealth as a license tax, and 1.0 percent to the Virginia locality in which the racetrack is located.

M. On pari-mutuel pools generated by wagering at each Virginia satellite facility on simulcast horse racing transmitted from jurisdictions outside the Commonwealth, involving wagering other than win, place, and show wagering, the licensee shall retain 2.75 percent of such pool to be distributed as follows: 1.75 percent to the Commonwealth as a license tax, 0.5 percent to the locality in which the satellite facility is located, and 0.5 percent to the Virginia locality in which the racetrack is located.

N. On pari-mutuel pools generated by wagering at the racetrack and each Virginia satellite facility on simulcast horse racing transmitted from jurisdictions outside the Commonwealth, involving wagering other than win, place, and show wagering, the licensee shall retain 1.3 percent of such pool to be distributed as follows:

1. One percent of the pool to the Virginia Breeders Fund;

2. Fifteen one-hundredths percent to the Virginia-Maryland Regional College of Veterinary Medicine;

3. Five one-hundredths percent to the Virginia Horse Center Foundation;

4. Five one-hundredths percent to the Virginia Horse Industry Board; and

5. Five one-hundredths percent to the Virginia Thoroughbred Association for the promotion of breeding in the Commonwealth.

O. Moneys payable to the Commonwealth shall be deposited in the general fund. Gross receipts for license tax purposes under Chapter 37 (§ 58.1-3700 et seq.) of Title 58.1 shall not include pari-mutuel wagering pools and license taxes authorized by this section.

P. All payments by the licensee to the Commonwealth or any locality shall be made within five days from the date on which such wagers are received by the licensee. All payments by the licensee to the Virginia Breeders Fund shall be made to the Commission within five days from the date on which such wagers are received by the licensee. All payments by the licensee to the Virginia-Maryland Regional College of Veterinary Medicine, the Virginia Horse Center Foundation, the Virginia Horse Industry Board, and the Virginia Thoroughbred Association shall be made by the first day of each quarter of the calendar year. All payments made under this section shall be used in support of the policy of the Commonwealth to sustain and promote the growth of a native industry.

Q. If a satellite facility is located in more than one locality, any amount a licensee is required to pay under this section to the locality in which the satellite facility is located shall be prorated in equal shares among those localities.

R. Any contractual agreement between a licensee and other entities concerning the distribution of the remaining portion of the retainage under subsections I through N and subsections U and V shall be subject to the approval of the Commission.

S. The recognized majority horsemen's group racing at a licensed race meeting may, subject to the approval of the Commission, withdraw for administrative costs associated with serving the interests of the horsemen an amount not to exceed two percent of the amount in the horsemen's account.

T. The legitimate breakage from each pari-mutuel pool for live, historical, and simulcast horse racing shall be distributed as follows:

1. Seventy percent to be retained by the licensee to be used for capital improvements that are subject to approval of the Commission; and

2. Thirty percent to be deposited in the Racing Benevolence Fund, administered jointly by the licensee and the recognized majority horsemen's group racing at a licensed race meeting, to be disbursed with the approval of the Commission for gambling addiction and substance abuse counseling, recreational, educational, or other related programs.

U. On pari-mutuel pools generated by wagering on historical horse racing ~~on the first 3,000 terminals authorized~~, the licensee shall retain ~~1.25~~*1.30* percent of such pool to be distributed as follows:

1. a. If generated at a racetrack, ~~0.5~~*0.56* percent to the locality in which the racetrack is located; or

b. If generated at a satellite facility *before July 1, 2026*, ~~0.25~~*0.28* percent to the locality in which the satellite facility is located and ~~0.25~~*0.28* percent to the Virginia locality in which the racetrack is located. *If generated at a satellite facility on and after July 1, 2026, 0.56 percent to the locality in which the satellite facility is located*;

2. To the Problem Gambling Treatment and Support Fund established pursuant to § 37.2-314.2, 0.01 percent;

3. To the (i) Virginia Breeders Fund, (ii) Virginia-Maryland Regional College of Veterinary Medicine for its equine programs, (iii) Virginia Horse Center Foundation, and (iv) Virginia Horse Industry Board, 0.025 percent each; and

4. The remainder to the Commonwealth as a license tax.

~~V. On pari-mutuel pools generated by wagering on historical horse racing on the 2,000 terminals authorized by the seventh enactment of Chapters 1197 and 1248 of the Acts of Assembly of 2020, the licensee shall retain 1.6 percent of such pool to be distributed as follows:~~

~~1. a. If generated at a racetrack, 0.64 percent to the locality in which the racetrack is located; or~~

~~b. If generated at a satellite facility, 0.32 percent to the locality in which the satellite facility is located and 0.32 percent to the Virginia locality in which the racetrack is located;~~

~~2. To the Problem Gambling Treatment and Support Fund established pursuant to § 37.2-314.2, 0.01 percent;~~

~~3. To the (i) Virginia Breeders Fund, (ii) Virginia-Maryland Regional College of Veterinary Medicine for its equine programs, (iii) Virginia Horse Center Foundation, and (iv) Virginia Horse Industry Board, 0.025 percent each; and~~

~~4. The remainder to the Commonwealth as a license tax~~".

8. That § 59.1-391 of the Code of Virginia is amended and reenacted as follows:

I VETO THIS ITEM, ENACTMENT 8 ON PAGES 2457-2459
/s/ Glenn Youngkin
3-24-2025

§ 59.1-391. Local referendum required.

~~The~~*A. Except as provided in subsection B, the* Commission shall not grant any initial license to construct, establish, operate or own a racetrack or satellite facility until a referendum approving the question is held in each county, city, or town in which such track or satellite facility is to be located, in the following manner:

1. A petition, signed by five percent of the qualified voters of such county, city, or town shall be filed with the circuit court of such county, city, or town asking that a referendum be held on the question, "Shall pari-mutuel wagering be permitted at a licensed racetrack in (name of such county, city, or town) on live horse racing at, and on simulcast horse racing transmitted from another jurisdiction to, the licensed racetrack on such days as may be approved by the Virginia Racing Commission in accordance with Chapter 29 (§ 59.1-364 et seq.) of Title 59.1 of the Code of Virginia?" In addition, or in the alternative, such petition may ask that a referendum be held on the question, "Shall pari-mutuel wagering be permitted in _____ (the name of such county, city, or town) at satellite facilities in accordance with Chapter 29 (§ 59.1-364 et seq.) of Title 59.1 of the Code of Virginia?"

2. Following the filing of such petition, the court shall, by order of record entered in accordance with § 24.2-684.1, require the regular election officers of such city, county, or town to cause a special election to be held to take the sense of the qualified voters on the question. Such election shall be on a day designated by order of such court, but shall not be later than the next general election unless such general election is within 60 days of the date of the entry of such order, nor shall it be held on a date designated as a primary election.

3. The clerk of such court of record of such city, county, or town shall publish notice of such election in a newspaper of general circulation in such city, county, or town once a week for three consecutive weeks prior to such election.

4. The regular election officers of such city or county shall open the polls at the various voting places in such city or county on the date specified in such order and conduct such election in the manner provided by law. The election shall be by ballot which shall be prepared by the electoral board of the city, county, or town and on which shall be printed either or both of the following questions:

"Shall pari-mutuel wagering be permitted at a licensed racetrack in _____ on live horse racing at, and on simulcast horse racing transmitted from another jurisdiction to, the licensed racetrack on such days as may be approved by the Virginia Racing Commission in accordance with Chapter 29 (§ 59.1-364 et seq.) of Title 59.1 of the Code of Virginia?

[ ] Yes

[ ] No"

"Shall pari-mutuel wagering be permitted in _____ at satellite facilities in accordance with Chapter 29 (§ 59.1-364 et seq.) of Title 59.1 of the Code of Virginia?

[ ] Yes

[ ] No"

In the blank shall be inserted the name of the city, county, or town in which such election is held. Any voter desiring to vote "Yes" shall mark a check (*v*) mark or a cross (*v* or) mark or a line (-) in the square provided for such purpose immediately preceding the word "Yes," leaving the square immediately preceding the word "No" unmarked. Any voter desiring to vote "No" shall mark a check (*v*) mark or a cross (*v* or) mark or a line (-) in the square provided for such purpose immediately preceding the word "No," leaving the square immediately preceding the word "Yes" unmarked.

The ballots shall be counted, returns made and canvassed as in other elections, and the results certified by the electoral board to the court ordering such election. Thereupon, such court shall enter an order proclaiming the results of such election and a duly certified copy of such order shall be transmitted to the Commission and to the governing body of such city, county, or town.

No such referendum as described above shall be held more often than every three years in the same county, city, or town.

A subsequent local referendum shall be required if a license has not been granted by the Commission within five years of the court order proclaiming the results of the election. Town, for purposes of this section, means any town with a population of 5,000 or more.

B. Notwithstanding subsection A and any provision of law or regulation to the contrary, for any city, county, or town (i) that has not passed a referendum authorizing pari-mutuel wagering pursuant to subsection A on or after July 1, 2018, and (ii) in which no pari-mutuel wagering at satellite facilities on historical horse racing was authorized by the Commission on or before January 1, 2025, the Commission shall not authorize a licensee to construct, establish, operate, or own a satellite facility until a referendum approving the question is held on or after July 1, 2025, in such county, city, or town in which such satellite facility is to be located, in the following manner:

1. A petition, signed by five percent of the qualified voters of such county, city, or town shall be filed with the circuit court of such county, city, or town asking that a referendum be held on the question, "Shall pari-mutuel wagering on historical horse racing be permitted in _____ (the name of such county, city, or town) at satellite facilities in accordance with Chapter 29 (§ 59.1-364 et seq.) of Title 59.1 of the Code of Virginia?"

2. Following the filing of such petition, the court shall, by order of record entered in accordance with § 24.2-684.1, require the regular election officers of such city, county, or town to cause a special election to be held to take the sense of the qualified voters on the question. Such election shall be on a day designated by order of such court, but shall not be later than the next general election unless such general election is within 60 days of the date of the entry of such order, nor shall it be held on a date designated as a primary election.

3. The clerk of such court of record of such city, county, or town shall publish notice of such election in a newspaper of general circulation in such city, county, or town once a week for three consecutive weeks prior to such election.

4. The regular election officers of such city or county shall open the polls at the various voting places in such city or county on the date specified in such order and conduct such election in the manner provided by law. The election shall be by ballot which shall be prepared by the electoral board of the city, county, or town and on which shall be printed either or both of the following questions:

"Shall pari-mutuel wagering on historical horse racing be permitted in _____ at satellite facilities in accordance with Chapter 29 (§ 59.1-364 et seq.) of Title 59.1 of the Code of Virginia?

[ ] Yes

[ ] No"

In the blank shall be inserted the name of the city, county, or town in which such election is held. Any voter desiring to vote "Yes" shall mark a check (v) mark or a cross (v or) mark or a line (-) in the square provided for such purpose immediately preceding the word "Yes," leaving the square immediately preceding the word "No" unmarked. Any voter desiring to vote "No" shall mark a check (v) mark or a cross (v or) mark or a line (-) in the square provided for such purpose immediately preceding the word "No," leaving the square immediately preceding the word "Yes" unmarked.vThe ballots shall be counted, returns made and canvassed as in other elections, and the results certified by the electoral board to the court ordering such election. Thereupon, such court shall enter an order proclaiming the results of such election and a duly certified copy of such order shall be transmitted to the Commission and to the governing body of such city, county, or town.

No such referendum as described in this subsection shall be held more often than every five years in the same county, city, or town.

The provisions of this subsection shall not apply to the City of Emporia, City of Hampton, City of Richmond, the County of New Kent, the Town of Collinsville, Town of Dumfries, or the Town of Vinton.

9. That §§ 58.1-439.29 and 58.1-439.30 of the Code of Virginia are amended and reenacted as follows:

§ 58.1-439.29. Definitions.

As used in this article, unless the context requires a different meaning:

"Authority" means the Virginia Housing Development Authority, or its successor agency.

"Balance of State Pool" means the pool defined within the Qualified Allocation Plan promulgated by the Authority pursuant to § 42 of the Internal Revenue Code, as amended.

"Credit period" means the credit period as defined in § 42(f)(1) of the Internal Revenue Code, as amended.

"Eligibility certificate" means a certificate issued by the Authority to the owner of a qualified project certifying that such project qualifies for the Virginia housing opportunity tax credit authorized by this article, and specifying the amount of housing opportunity tax credits that the owner of such qualified project may claim in each year of the credit period. The Authority shall issue an eligibility certificate to a qualified project upon the Authority's approval of a final cost certification that complies with the Authority's requirements.

"Federal low-income housing tax credit" means the federal tax credit as provided in § 42 of the Internal Revenue Code, as amended.

"Housing opportunity tax credit" or "tax credit" means the tax credit created by this article.

"Qualified project" means a qualified low-income building, as defined in § 42(c) of the Internal Revenue Code, as amended, that is located in Virginia, is placed in service on or after January 1, 2021, and is issued an eligibility certificate.

"Qualified taxpayer" means a taxpayer owning an interest, direct or indirect, through one or more pass-through entities, in a qualified project at any time prior to filing a tax return claiming a housing opportunity tax credit.

"Taxpayer" means an individual, corporation, S corporation, partnership, limited partnership, limited liability partnership, limited liability company, joint venture, or nonprofit organization.

"Virginia tax liability" means the income taxes imposed by Articles 2 (§ 58.1-320 et seq.), 6 (§ 58.1-360 et seq.), and 10 (§ 58.1-400 et seq.) of this chapter, Chapter 12 (§ 58.1-1200 et seq.), Article 1 (§ 58.1-2500 et seq.) of Chapter 25, and Article 2 (§ 58.1-2620 et seq.) of Chapter 26. An insurance company claiming a housing opportunity tax credit against the taxes, licenses, and other fees, fines, and penalties imposed by Article 1 of Chapter 25, including any retaliatory tax imposed on insurance companies by the Code of Virginia, shall not be required to pay any additional tax as a result of claiming the housing opportunity tax credit. The housing opportunity tax credit may fully offset any retaliatory tax imposed by the Code of Virginia.

§ 58.1-439.30. Virginia housing opportunity tax credit.

A. Subject to the provisions of subsection H, a housing opportunity tax credit ~~shall~~*may* be allowed for each qualified project for each year of the credit period, in an amount up to the amount of federal low-income housing tax credit allocated or allowed by the Authority to such qualified project. The credit shall be allowed ratably for each qualified project, with one-tenth of the *total* credit amount allowed annually for 10 years over the credit period, except that there shall be a reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2) and any reduction by reason of 26 U.S.C. § 42(f)(2) in the credit allowable for the first taxable year of the credit period shall be allowable for the first taxable year following the credit period.

B. 1. For taxable years beginning on and after January 1, 2021, but before January 1, ~~2026~~*2031*, a qualified taxpayer may claim a housing opportunity tax credit against its Virginia tax liability prior to reduction by any other credits allowed the taxpayer. The housing opportunity tax credit may be allocated by pass-through entities to some or all of its partners, members, or shareholders in any manner agreed to by such persons, regardless of whether or not any such person is allocated or allowed any portion of any federal low-income housing tax credit with respect to the qualified project, whether or not the allocation of the housing opportunity tax credit under the terms of the agreement has substantial economic effect within the meaning of § 704(b) of the Internal Revenue Code, and whether any such person is deemed a partner for federal income tax purposes as long as the partner or member would be considered a partner or member as defined under applicable state law, and has been admitted as a partner or member on or prior to the date for filing the qualified taxpayer's tax return, including any amendments thereto, with respect to the year of the housing opportunity tax credit. Such pass-through entities or qualified taxpayer may assign all or any part of its interest, including its interest in the tax credits, to one or more pass-through entities or qualified taxpayers, and the qualified taxpayer shall be able to claim the housing opportunity tax credit so long as its interest is acquired prior to the filing of its tax return claiming the housing opportunity tax credit.

2. If a housing opportunity tax credit has been awarded according to the terms of subsection G prior to January 1, ~~2026~~*2031*, such credit may continue to be claimed on a return for taxable years on and after January 1, ~~2026~~*2031*, but only pursuant to the applicable credit period specified in § 58.1-439.29.

C. The housing opportunity tax credit authorized by this article shall not be refundable. Any housing opportunity tax credit not used in a taxable year may be carried forward by a qualified taxpayer for the succeeding five years.

D. A qualified taxpayer claiming a housing opportunity tax credit shall submit a copy of the eligibility certificate at the time of filing its tax return with the Department. If the owner of the qualified project has applied to the Authority for the eligibility certificate but the Authority has not yet issued the eligibility certificate at the time the qualified taxpayer files its original tax return claiming the housing opportunity tax credit, the taxpayer may claim the housing opportunity tax credit based upon the amount of tax credit set forth in the award letter issued by the Authority for the housing opportunity tax credit issued to the qualified project and shall amend its tax return to include the eligibility certificate upon its receipt. If the amount of tax credit in the eligibility certificate is different than the amount of tax credit previously claimed, the taxpayer shall adjust the tax credit amount claimed on the amended tax return.

E. If under § 42 of the Internal Revenue Code, as amended, a portion of any federal low-income housing credits taken on a qualified project is required to be recaptured or is otherwise disallowed during the credit period, the taxpayer claiming housing opportunity tax credits with respect to such project shall also be required to recapture a portion of any tax credits authorized by this article. The percentage of housing opportunity tax credits subject to recapture shall be equal to the percentage of federal low-income housing credits subject to recapture or otherwise disallowed during such period. Any tax credits recaptured or disallowed shall increase the income tax liability of the qualified taxpayer who claimed the tax credits in a like amount and shall be included on the tax return of the qualified taxpayer submitted for the taxable year in which the recapture or disallowance event is identified. The balance of any tax credits recaptured or disallowed shall be allocated by the Authority for any qualified project in accordance with subsection G.

F. The Authority shall administer the housing opportunity tax credit program and shall be authorized to promulgate the regulations and guidelines necessary to implement and administer this article. Such regulations and guidelines may include the imposition of application, allocation, certification, and monitoring fees designed to recoup the costs of the Authority in administering the housing opportunity tax credit program.

G. 1. Any housing opportunity tax credit amounts authorized in a calendar year that are subsequently (i) canceled and returned to the Authority or (ii) recaptured or disallowed pursuant to subsection E may be awarded in the following calendar year, but no later than December 31, ~~2025~~*2030*. If the amount of housing opportunity tax credits authorized in a calendar year for qualified projects is less than the total amount of credits available for qualified projects under subdivision H 2, the balance of such credits, in an amount not greater than 15 percent of the amount of credits available for qualified projects under subdivision H 2, (a) shall be allocated by the Authority for any qualified project in the following calendar year, (b) shall not be allocated at any time after such following calendar year, and (c) shall be allocated no later than December 31, ~~2025~~*2030*.

2. Such housing opportunity tax credits issued pursuant to this subsection shall be allowed ratably, with one-tenth of the total amount of credits allowed annually for 10 years over the credit period, except that there shall be a reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2) and any reduction by reason of 26 U.S.C. § 42(f)(2) in the credit allowable for the first taxable year of the credit period shall be allowable for the first taxable year following the credit period.

H.1.*Notwithstanding any other provision of law to the contrary, the aggregate amount of housing opportunity tax credits authorized for all qualified projects under this article shall not exceed $575 million acrossall calendar years.*

2. The total amount of housing opportunity tax credits authorized for qualified projects under this article shall not exceed $15 million for calendar year 2021.

~~2.~~*3.* For calendar years 2022 through 2025, the total amount of housing opportunity tax credits authorized for qualified projects under this article shall not exceed $60 million per calendar year. ~~Such credits issued each calendar year shall be allowed ratably, with one-tenth of the total amount of credits allowed annually for 10 years over the credit period, except that there shall be a reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2) and any reduction by reason of 26 U.S.C. § 42(f)(2) in the credit allowable for the first taxable year of the credit period shall be allowable for the first taxable year following the credit period.~~

~~3. Notwithstanding any other provision of law to the contrary, the aggregate amount of housing opportunity tax credits authorized for all qualified projects under this article shall not exceed $255 million across all calendar years.~~

4. For calendar years 2026 through 2030, the total amount of housing opportunity tax credits authorized for qualified projects under this article shall not exceed $64 million per calendar year.

5. *Such credits issued on and after January 1, 2022, shall be allowed ratably, with one-tenth of the total amount of credits allowed annually for 10 yearsover the credit period, except that there shall be a reduction in the tax credit allowable in the firstyear of the credit period due to the calculation in 26 U.S.C. § 42(f)(2) and any reduction byreason of 26 U.S.C. § 42(f)(2) in the credit allowable for the first taxable year of the credit periodshall be allowable for the first taxable year following the credit period.*

I. Notwithstanding any provision of law or regulation to the contrary, only Virginia housing opportunity tax credits awarded in calendar year 2021, up to a maximum of $15 million total for all taxpayers in all taxable years, may be claimed pursuant to the provisions of this section as set forth in Chapter 495 of the Acts of Assembly of 2021, Special Session I, prior to its amendment by the ninth enactment of Chapter 2 of the Acts of Assembly of 2022, Special Session I.

J. The Authority shall, upon request from the Chairs of the House Committee on Appropriations, the House Committee on Finance, and the Senate Committee on Finance and Appropriations, provide information, data, and any other requested advisement on the potential structure and cost of a separately authorized certificated Virginia housing opportunity tax credit program that would allow a qualified project to sell all or any portion of its Virginia housing opportunity tax credits, to one or more unrelated taxpayers based on findings in the report of the Department of Housing and Community Development and the Authority stakeholder advisory group submitted pursuant to Chapter 517 of the Acts of Assembly of 2020.

K. *1.* Of the $60 million of Virginia housing opportunity tax credits authorized per calendar year from 2022 through 2025 for qualified projects by the Authority pursuant to this article, $20 million of such credits shall be first allocated exclusively for qualified projects located in a locality with a population no greater than 35,000 as determined by the most recent United States census.

2. Of the $64 million of Virginia housing opportunity tax credits authorized per calendar year from 2026 through 2030 for qualified projects by the Authority pursuant to this article, $20 million of such credits shall be reserved for qualified projects located in a geographic area within the Balance of State Pool. The Authority shall notify the Virginia Housing Commission upon any change to the Balance of State Pool.

3. Such allocation of Virginia housing opportunity tax credits shall constitute the minimum amount of such tax credits to be allocated for qualified projects in such localities. However, if the amount of such tax credits requested for qualified projects in such localities is less than the total amount of such credits available for qualified projects in such localities, the balance of such credits shall be allocated for any qualified project, regardless of location. In allocating or allowing such credits to qualified projects in such localities, the Authority ~~shall~~*may* give equal consideration to qualified projects allocated or allowed a federal low-income housing credit in an amount equal to the 10-year present value calculation of the percentages prescribed under 26 U.S.C. §§ 42(b)(1)(B)(i) and 42(b)(1)(B)(ii).

10. That § 65.2-107 of the Code of Virginia is amended and reenacted as follows:

§ 65.2-107. Post-traumatic stress disorder, anxiety disorder, or depressive disorder incurred by law-enforcement officers and firefighters.

A. As used in this section:

"Anxiety disorder" means a disorder that meets the diagnostic criteria for one or more of the anxiety disorders specified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association.

"Depressive disorder" means a disorder that meets the diagnostic criteria for one or more of the depressive disorders specified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association.

"Firefighter" means any (i) salaried firefighter, including special forest wardens designated pursuant to § 10.1-1135, emergency medical services personnel, and local or state fire scene investigator and (ii) volunteer firefighter and volunteer emergency medical services personnel.

"In the line of duty" means any action that a law-enforcement officer or firefighter was obligated or authorized to perform by rule, regulation, written condition of employment service, or law.

"Law-enforcement officer" means any (i) member of the State Police Officers' Retirement System; (ii) member of a county, city, or town police department; (iii) sheriff or deputy sheriff; (iv) Department of Emergency Management hazardous materials officer; (v) city sergeant or deputy city sergeant of the City of Richmond; (vi) Virginia Marine Police officer; (vii) conservation police officer who is a full-time sworn member of the enforcement division of the Department of Wildlife Resources; (viii) Capitol Police officer; (ix) special agent of the Virginia Alcoholic Beverage Control Authority appointed under the provisions of Chapter 1 (§ 4.1-100 et seq.) of Title 4.1; (x) for such period that the Metropolitan Washington Airports Authority voluntarily subjects itself to the provisions of this chapter as provided in § 65.2-305, officer of the police force established and maintained by the Metropolitan Washington Airports Authority; (xi) officer of the police force established and maintained by the Norfolk Airport Authority; (xii) sworn officer of the police force established and maintained by the Virginia Port Authority; or (xiii) campus police officer appointed under Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1 and employed by any public institution of higher education.

"Mental health professional" means a board-certified psychiatrist or a psychologist licensed pursuant to Title 54.1 who has experience diagnosing and treating post-traumatic stress disorder.

"Post-traumatic stress disorder" means a disorder that meets the diagnostic criteria for post-traumatic stress disorder as specified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association.

"Qualifying event" means an incident or exposure occurring in the line of duty on or after July 1, 2020, for post-traumatic stress disorder, and for purposes of subdivisions 1 through 4 of this definition, on or after July 1, 2023, for anxiety disorder or depressive disorder:

1. Resulting in serious bodily injury or death to any person or persons;

2. Involving a minor who has been injured, killed, abused, or exploited;

3. Involving an immediate threat to life of the claimant or another individual;

4. Involving mass casualties; or

5. Responding to crime scenes for investigation.

B. Post-traumatic stress disorder, anxiety disorder, or depressive disorder incurred by a law-enforcement officer or firefighter is compensable under this title if:

1. A mental health professional examines a law-enforcement officer or firefighter and diagnoses the law-enforcement officer or firefighter as suffering from post-traumatic stress disorder, anxiety disorder, or depressive disorder as a result of the individual's undergoing a qualifying event;

2. The post-traumatic stress disorder, anxiety disorder, or depressive disorder resulted from the law-enforcement officer's or firefighter's acting in the line of duty and, in the case of a firefighter, such firefighter complied with federal Occupational Safety and Health Act standards adopted pursuant to 29 C.F.R. 1910.134 and 29 C.F.R. 1910.156;

3. The law-enforcement officer's or firefighter's undergoing a qualifying event was a substantial factor in causing his post-traumatic stress disorder, anxiety disorder, or depressive disorder;

4. Such qualifying event, and not another event or source of stress, was the primary cause of the post-traumatic stress disorder, anxiety disorder, or depressive disorder; and

5. The post-traumatic stress disorder, anxiety disorder, or depressive disorder did not result from any disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action of the law-enforcement officer or firefighter.

Any such mental health professional shall comply with any workers' compensation guidelines for approved medical providers, including guidelines on release of past or contemporaneous medical records.

C. Notwithstanding any provision of this title, workers' compensation benefits for any law-enforcement officer or firefighter payable pursuant to this section shall (i) include any combination of medical treatment prescribed by a board-certified psychiatrist or a licensed psychologist, temporary total incapacity benefits under § 65.2-500, and temporary partial incapacity benefits under § 65.2-502 and (ii) be provided for a maximum of ~~52~~*104* weeks from the date of diagnosis. No medical treatment, temporary total incapacity benefits under § 65.2-500, or temporary partial incapacity benefits under § 65.2-502 shall be awarded beyond four years from the date of the qualifying event that formed the basis for the claim for benefits under this section. The weekly benefits received by a law-enforcement officer or a firefighter pursuant to § 65.2-500 or 65.2-502, when combined with other benefits, including contributory and noncontributory retirement benefits, Social Security benefits, and benefits under a long-term or short-term disability plan, but not including payments for medical care, shall not exceed the average weekly wage paid to such law-enforcement officer or firefighter.

D. No later than January 1, 2021, each employer of law-enforcement officers or firefighters shall (i) make peer support available to such law-enforcement officers and firefighters and (ii) refer a law-enforcement officer or firefighter seeking mental health care services to a mental health professional.

E. Each fire basic training program conducted or administered by the Department of Fire Programs or a municipal fire department in the Commonwealth shall provide, in consultation with the Department of Behavioral Health and Developmental Services, resilience and self-care technique training for any individual who begins basic training as a firefighter on or after July 1, 2021.

11. That §§ 58.1-322.03, 58.1-339.8, and 58.1-390.3 of the Code of Virginia are amended and reenacted as follows:

§58.1-322.03. Virginia taxable income; deductions.

In computing Virginia taxable income pursuant to § 58.1-322, there shall be deducted from Virginia adjusted gross income as defined in § 58.1-321:

1. a. The amount allowable for itemized deductions for federal income tax purposes where the taxpayer has elected for the taxable year to itemize deductions on his federal return, but reduced by the amount of income taxes imposed by the Commonwealth or any other taxing jurisdiction and deducted on such federal return and increased by an amount that, when added to the amount deducted under § 170 of the Internal Revenue Code for mileage, results in a mileage deduction at the state level for such purposes at a rate of 18 cents per mile; or

b. Provided that the taxpayer has not itemized deductions for the taxable year on his federal income tax return: (i) for taxable years beginning before January 1, 2019, and on and after January 1, ~~2026~~*2027* $3,000 for single individuals and $6,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); (ii) for taxable years beginning on and after January 1, 2019, but before January 1, 2022, $4,500 for single individuals and $9,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); (iii) for taxable years beginning on and after January 1, 2022, but before January 1, 2024, $8,000 for single individuals and $16,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); ~~and~~ (iv) for taxable years beginning on and after January 1, 2024, but before January 1, ~~2026~~*2025*, $8,500 for single individuals and $17,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return)*; and (v) for taxable years beginning on and after January 1, 2025, but before January 1, 2027, $8,750 for single individuals and $17,500 for married persons (one-half of such amounts in the case of a married individual filing a separate return)*. For purposes of this section, any person who may be claimed as a dependent on another taxpayer's return for the taxable year may compute the deduction only with respect to earned income.

2. a. A deduction in the amount of $930 for each personal exemption allowable to the taxpayer for federal income tax purposes.

b. Each blind or aged taxpayer as defined under § 63(f) of the Internal Revenue Code shall be entitled to an additional personal exemption in the amount of $800.

The additional deduction for blind or aged taxpayers allowed under this subdivision shall be allowable regardless of whether the taxpayer itemizes deductions for the taxable year for federal income tax purposes.

3. A deduction equal to the amount of employment-related expenses upon which the federal credit is based under § 21 of the Internal Revenue Code for expenses for household and dependent care services necessary for gainful employment.

4. An additional $1,000 deduction for each child residing for the entire taxable year in a home under permanent foster care placement as defined in § 63.2-908, provided that the taxpayer can also claim the child as a personal exemption under § 151 of the Internal Revenue Code.

5. a. A deduction in the amount of $12,000 for individuals born on or before January 1, 1939.

b. A deduction in the amount of $12,000 for individuals born after January 1, 1939, who have attained the age of 65. This deduction shall be reduced by $1 for every $1 that the taxpayer's adjusted federal adjusted gross income exceeds $50,000 for single taxpayers or $75,000 for married taxpayers. For married taxpayers filing separately, the deduction shall be reduced by $1 for every $1 that the total combined adjusted federal adjusted gross income of both spouses exceeds $75,000.

For the purposes of this subdivision, "adjusted federal adjusted gross income" means federal adjusted gross income minus any benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code, as amended.

6. The amount an individual pays as a fee for an initial screening to become a possible bone marrow donor, if (i) the individual is not reimbursed for such fee or (ii) the individual has not claimed a deduction for the payment of such fee on his federal income tax return.

7. a. A deduction shall be allowed to the purchaser or contributor for the amount paid or contributed during the taxable year for a prepaid tuition contract or college savings trust account entered into with the Commonwealth Savers Plan, pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1. Except as provided in subdivision b, the amount deducted on any individual income tax return in any taxable year shall be limited to $4,000 per prepaid tuition contract or college savings trust account. No deduction shall be allowed pursuant to this subdivision 7 if such payments or contributions are deducted on the purchaser's or contributor's federal income tax return. If the purchase price or annual contribution to a college savings trust account exceeds $4,000, the remainder may be carried forward and subtracted in future taxable years until the purchase price or college savings trust contribution has been fully deducted; however, except as provided in subdivision b, in no event shall the amount deducted in any taxable year exceed $4,000 per contract or college savings trust account. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any deduction taken hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified higher education expenses, as defined in § 529 of the Internal Revenue Code or (ii) the beneficiary's death, disability, or receipt of a scholarship. For the purposes of this subdivision, "purchaser" or "contributor" means the person shown as such on the records of the Commonwealth Savers Plan as of December 31 of the taxable year. In the case of a transfer of ownership of a prepaid tuition contract or college savings trust account, the transferee shall succeed to the transferor's tax attributes associated with a prepaid tuition contract or college savings trust account, including, but not limited to, carryover and recapture of deductions.

b. A purchaser of a prepaid tuition contract or contributor to a college savings trust account who has attained age 70 shall not be subject to the limitation that the amount of the deduction not exceed $4,000 per prepaid tuition contract or college savings trust account in any taxable year. Such taxpayer shall be allowed a deduction for the full amount paid for the contract or contributed to a college savings trust account, less any amounts previously deducted.

8. The total amount an individual actually contributed in funds to the Virginia Public School Construction Grants Program and Fund, established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1, provided that the individual has not claimed a deduction for such amount on his federal income tax return.

9. An amount equal to 20 percent of the tuition costs incurred by an individual employed as a primary or secondary school teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1 to attend continuing teacher education courses that are required as a condition of employment; however, the deduction provided by this subdivision shall be available only if (i) the individual is not reimbursed for such tuition costs and (ii) the individual has not claimed a deduction for the payment of such tuition costs on his federal income tax return.

10. The amount an individual pays annually in premiums for long-term health care insurance, provided that the individual has not claimed a deduction for federal income tax purposes, or, for taxable years beginning before January 1, 2014, a credit under § 58.1-339.11. For taxable years beginning on and after January 1, 2014, no such deduction for long-term health care insurance premiums paid by the individual during the taxable year shall be allowed if the individual has claimed a federal income tax deduction for such taxable year for long-term health care insurance premiums paid by him.

11. Contract payments to a producer of quota tobacco or a tobacco quota holder, or their spouses, as provided under the American Jobs Creation Act of 2004 (P.L. 108-357), but only to the extent that such payments have not been subtracted pursuant to subsection D of § 58.1-402, as follows:

a. If the payment is received in installment payments, then the recognized gain may be subtracted in the taxable year immediately following the year in which the installment payment is received.

b. If the payment is received in a single payment, then 10 percent of the recognized gain may be subtracted in the taxable year immediately following the year in which the single payment is received. The taxpayer may then deduct an equal amount in each of the nine succeeding taxable years.

12. An amount equal to 20 percent of the sum paid by an individual pursuant to Chapter 6 (§ 58.1-600 et seq.), not to exceed $500 in each taxable year, in purchasing for his own use the following items of tangible personal property: (i) any clothes washers, room air conditioners, dishwashers, and standard size refrigerators that meet or exceed the applicable energy star efficiency requirements developed by the U.S. Environmental Protection Agency and the U.S. Department of Energy; (ii) any fuel cell that (a) generates electricity using an electrochemical process, (b) has an electricity-only generation efficiency greater than 35 percent, and (c) has a generating capacity of at least two kilowatts; (iii) any gas heat pump that has a coefficient of performance of at least 1.25 for heating and at least 0.70 for cooling; (iv) any electric heat pump hot water heater that yields an energy factor of at least 1.7; (v) any electric heat pump that has a heating system performance factor of at least 8.0 and a cooling seasonal energy efficiency ratio of at least 13.0; (vi) any central air conditioner that has a cooling seasonal energy efficiency ratio of at least 13.5; (vii) any advanced gas or oil water heater that has an energy factor of at least 0.65; (viii) any advanced oil-fired boiler with a minimum annual fuel-utilization rating of 85; (ix) any advanced oil-fired furnace with a minimum annual fuel-utilization rating of 85; and (x) programmable thermostats.

13. The lesser of $5,000 or the amount actually paid by a living donor of an organ or other living tissue for unreimbursed out-of-pocket expenses directly related to the donation that arose within 12 months of such donation, provided that the donor has not taken a medical deduction in accordance with the provisions of § 213 of the Internal Revenue Code for such expenses. The deduction may be taken in the taxable year in which the donation is made or the taxable year in which the 12-month period expires.

14. For taxable years beginning on and after January 1, 2013, the amount an individual age 66 or older with earned income of at least $20,000 for the year and federal adjusted gross income not in excess of $30,000 for the year pays annually in premiums for (i) a prepaid funeral insurance policy covering the individual or (ii) medical or dental insurance for any person for whom individual tax filers may claim a deduction for such premiums under federal income tax laws. As used in this subdivision, "earned income" means the same as that term is defined in § 32(c) of the Internal Revenue Code. The deduction shall not be allowed for any portion of such premiums paid for which the individual has (a) been reimbursed, (b) claimed a deduction for federal income tax purposes, (c) claimed a deduction or subtraction under another provision of this section, or (d) claimed a federal income tax credit or any income tax credit pursuant to this chapter.

15. Business interest disallowed as a deduction pursuant to § 163(j) of the Internal Revenue Code:

a. For taxable years beginning on and after January 1, 2018, but before January 1, 2022, 20 percent of such disallowed business interest;

b. For taxable years beginning on and after January 1, 2022, but before January 1, 2024, 30 percent of such disallowed business interest;

c. For taxable years beginning on and after January 2, 2024, 50 percent of such disallowed business interest.

For purposes of subdivision 15, "business interest" means the same as that term is defined under § 163(j) of the Internal Revenue Code.

16. For taxable years beginning on and after January 1, 2019, the actual amount of real and personal property taxes imposed by the Commonwealth or any other taxing jurisdiction not otherwise deducted solely on account of the dollar limitation imposed on individual deductions by § 164(b)(6)(B) of the Internal Revenue Code.

17. For taxable years beginning before January 1, 2021, up to $100,000 of the amount that is not deductible when computing federal adjusted gross income solely on account of the portion of subdivision B 10 of § 58.1-301 related to Paycheck Protection Program loans.

18. For taxable years beginning on and after January 1, 2022, but before January 1, 2025, the lesser of $500 or the actual amount paid or incurred for eligible educator qualifying expenses. For purposes of this subdivision, "eligible educator" means an individual who for at least 900 hours during the taxable year in which the credit under this section is claimed served as a teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1, instructor, student counselor, principal, special needs personnel, or student aide serving accredited public or private primary and secondary school students in Virginia, and "qualifying expenses" means 100 percent of the amount paid or incurred by an eligible educator during the taxable year for participation in professional development courses and the purchase of books, supplies, computer equipment (including related software and services), other educational and teaching equipment, and supplementary materials used directly in that individual's service to students as an eligible educator, provided that such purchases were neither reimbursed nor claimed as a deduction on the eligible educator's federal income tax return for such taxable year.

§ 58.1-339.8. Income tax credit for low-income taxpayers.

A. ~~As used in~~ *For purposes of* this section, ~~unless the context requires otherwise~~:

"Family Virginia adjusted gross income" means the combined Virginia adjusted gross income of an individual, the individual's spouse, and any person claimed as a dependent on the individual's or his spouse's income tax return for the taxable year.

"Household" means an individual, or in the case of married ~~persons~~ *individuals*, an individual and his spouse, regardless of whether or not the individual and his spouse file combined or separate Virginia individual income tax returns.

"Poverty guidelines" means the poverty guidelines for the 48 contiguous states and the District of Columbia updated annually in the Federal Register by the U.S. Department of Health and Human Services under the authority of § 673(2) of the Omnibus Budget Reconciliation Act of 1981.

"Virginia adjusted gross income" has the same meaning as the term is defined in § 58.1-321.

B. 1. For taxable years beginning on and after January 1, 2000, any individual or ~~persons filing a joint return~~ *married individuals filing jointly* whose family Virginia adjusted gross income does not exceed 100 percent of the poverty guideline amount corresponding to a household of an equal number of persons as listed in the poverty guidelines published during such taxable year, shall be allowed a nonrefundable credit against the tax levied pursuant to § 58.1-320 in an amount equal to $300

each for the individual, the individual's spouse, and any person claimed as a dependent on the individual's or married individuals' income tax return for the taxable year. For any taxable year in which married individuals file separate Virginia income tax returns, the credit provided under this section shall be allowed against the tax for only one of such two tax returns. Additionally, the credit provided under this section shall not be allowed against such tax of a dependent of the individual or of married individuals.

2. For taxable years beginning on and after January 1, 2006, any individual or married individuals *filing jointly*, eligible for a tax credit pursuant to § 32 of the Internal Revenue Code, may for the taxable year, in lieu of the credit authorized under subdivision 1, claim a nonrefundable credit against the tax imposed pursuant to § 58.1-320 in an amount equal to 20 percent of the credit claimed by the individual or married individuals for federal individual income taxes pursuant to § 32 of the Internal Revenue Code for the taxable year. In no case shall a household be allowed a credit pursuant to this subdivision and subdivision 1 or 3 for the same taxable year.

3. *a*. For taxable years beginning on and after January 1, 2022, but before January 1, ~~2026~~*2025* any individual or married ~~persons~~ *individuals filing jointly*, eligible for a tax credit pursuant to § 32 of the Internal Revenue Code, may for the taxable year, in lieu of the credit authorized under subdivision 1 or 2, claim a refundable credit against the tax imposed pursuant to § 58.1-320 in an amount equal to 15 percent of the credit claimed by the individual or married ~~persons~~ *individuals* for federal individual income taxes pursuant to § 32 of the Internal Revenue Code for the taxable year.

b. For taxable years beginning on and after January 1, 2025 but before January 1, 2027, any individual or married individuals filing jointly may, for the taxable year, in lieu of the credit authorized under subdivision 1 or 2, claim a refundable credit against the tax imposed pursuant to § 58.1-320 in an amount equal to 20 percent of the credit claimed by the individual or married individuals for federal individual income taxes pursuant to § 32 of the Internal Revenue Code for the taxable year.

c. The refundable credit *claimed pursuant to this subdivision 3* shall be claimed on the Virginia income tax return and redeemed by the Tax Commissioner. In no case shall a household be allowed a credit pursuant to this subdivision *3* and subdivision 1 or 2 for the same taxable year.

C. The amount of the credit claimed pursuant to subdivision B 1 and B 2, or in the case of a nonresident or a person to which § 58.1-303 applies, subdivision B 3, for any taxable year shall not exceed the individual's or married individuals' Virginia income tax liability.

D. Notwithstanding any other provision of this section, no credit shall be allowed pursuant to subsection B in any taxable year in which the individual, the individual's spouse, or both, or any person claimed as a dependent on such individual's or married individuals' income tax return, claims one or any combination of the following on his or their income tax return for such taxable year:

1. The subtraction under subdivision 8 of § 58.1-322.02;

2. The subtraction under subdivision 15 of § 58.1-322.02;

3. The subtraction under subdivision 16 of § 58.1-322.02;

4. The deduction for the additional personal exemption for blind or aged taxpayers under subdivision 2 b of § 58.1-322.03; or

5. The deduction under subdivision 5 of § 58.1-322.03.

§ 58.1-390.3. Elective income tax on pass-through entities.

A. 1. For taxable years beginning on and after January 1, 2021, but before January 1, 2022, a pass-through entity may make an election, in a format and according to such requirements and procedures to be established by the Department, to pay the tax levied by this section at the entity level for the taxable year. Such election shall be made on or before a date to be determined by the Department, which shall be set no earlier than one year after the extended due date for filing the applicable return. Notwithstanding §§ 58.1-1812 and 58.1-1833, no interest shall accrue on underpayments or overpayments solely attributable to such election.

2. For taxable years beginning on and after January 1, 2022, but before January 1, ~~2026~~*2027*, a pass-through entity may make an annual election, on its timely filed return pursuant to § 58.1-392, to pay the tax levied by this section at the entity level for the taxable period covered by such return. Such election shall be made on or before the due date for filing the applicable return, including any extensions that have been granted.

B. A tax at the rate of 5.75 percent is hereby annually imposed on the Virginia taxable income, as calculated pursuant to § 58.1-391 but taking into account only the pro rata or distributive share of each item of income, gain, loss, or deduction attributable to eligible owners, for each taxable year of every pass-through entity that makes the election provided under subsection A.

C. In computing the tax imposed by this section, the pro rata or distributive share of the Virginia taxable income of each nonresident eligible owner shall be limited to income that is attributable to Virginia sources and shall be subject to the modifications to income as described in §§ 58.1-322.01 through 58.1-322.04.

D. A pass-through entity that elects to pay the tax levied by subsection B shall be eligible for all credits, deductions, or other adjustments to taxable income under § 58.1-391, provided that a pass-through entity's taxable income shall be adjusted to eliminate any federal deduction for state and local income taxes.

E. Any person that is subject to the tax imposed under § 58.1-320 or 58.1-360 and is an eligible owner of a pass-through entity making the election pursuant to this section shall be entitled to a credit against the tax imposed, provided that taxable income has been adjusted to add back any deduction for state and local income taxes paid by the pass-through entity. Such credit shall be in an amount equal to such person's pro rata share of the tax paid under this section by any pass-through entity of which such person is an owner. If the amount of the credit allowed pursuant to this subsection exceeds such person's tax liability for the tax imposed under § 58.1-320 or 58.1-360, as applicable, such excess shall be treated as an overpayment and refundable pursuant to § 58.1-499.

F. If any pass-through entity makes an election pursuant to this section, the Department shall assess and collect tax, interest, and penalties as if such tax is a corporate income tax imposed pursuant to the provisions of Article 10 (§ 58.1-400 et seq.).

G. The Department shall develop and make publicly available guidelines implementing the provisions of this section and the credit authorized by subdivision C 2 of § 58.1-332.

12. That the second enactment of Chapter 763 of the Acts of Assembly of 2023 and the second enactment of Chapter 791 of the Acts of Assembly of 2023 are amended and reenacted as follows:

2. ~~That the provisions of this act shall apply to taxable years beginning on and after January 1,2023.~~ Notwithstanding subdivision B 11 of § 58.1-301, as amended by this or any other act, Virginia shall not conform to (i) any amendment enacted on or after January 1, 2025, but before January 1, 2027, with a projected impact that would increase or decrease general fund revenues by any amount in the fiscal year in which the amendment was enacted or any of the succeeding four fiscal years and (ii) all amendments enacted on or after January 1, 2025, but before January 1, 2027, if the cumulative projected impact of such amendments would increase or decrease general fund revenues by any amount in the fiscal year in which the amendments were enacted or any of the succeeding four fiscal years. The provisions of this enactment shall not apply to any amendment to federal income tax law that is either subsequently adopted by the General Assembly or a federal tax extender as defined under subdivision B 11 of § 58.1-301, as created by this act.

13. That, notwithstanding any other provision of law to the contrary, the Virginia Commonwealth University Health System Authority (the Authority) shall not be required to remit any payment to the City of Richmond pursuant to (i) the Delegation and Assumption Agreement for Guaranteed Obligations (the Delegation) entered into June 15, 2021, by the Authority in the City of Richmond or (ii) any other contract, agreement or instrument related to obligations of the Authority pursuant to the Delegation, unless and until the General Assembly provides explicit authorization therefor.

~~4~~*14*. That the provisions of the first *and second* ~~enactment~~ *enactments* of this act shall expire at midnight on June 30, 2026.

~~5~~*15*. That the provisions of the ~~second~~ *third, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, and thirteenth*~~enactment~~ *enactments* of this act shall have no expiration date.

~~6~~*16*. That the provisions of the ~~third~~ *fourth* enactment of this act are declarative of existing law and shall have no expiration date.

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CHAPTER 726

An Act to amend the Code of Virginia by adding a section numbered 8.01-42.6, relating to certain civil actions against employees; liability of employer to vulnerable victims.

[H 1730]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 8.01-42.6 as follows:

§ 8.01-42.6. Liability of employer for personal injury or death by wrongful act.

A. In addition to any other available grounds for the determination of the course and scope of employment, in an action for personal injury or death by wrongful act brought by a vulnerable victim or the personal representative of a deceased vulnerable victim against an employee, the finder of fact at trial on the merits shall determine whether an employer shall be vicariously liable for the tortious conduct of such employer's employee based upon a finding that:

1. The employee's tortious conduct occurred while the employee was reasonably likely to be in contact with the vulnerable victim and such conduct proximately causes personal injury to such vulnerable victim or the death of such vulnerable victim by wrongful act;

2. The employer failed to exercise reasonable care to (i) prevent the employee from intentionally harming such vulnerable victim or (ii) control the employee resulting in an unreasonable risk of a vulnerable victim suffering personal injury or death by wrongful act;

3. The employer knew or should have known of the ability to control the employee; and

4. The employer knew or should have known of the necessity and opportunity for exercising such control over the employee.

B. For the purposes of this section, "vulnerable victim" means any person who is at a substantial disadvantage relative to an employee due to circumstances, including such person's physical or mental condition or characteristics, and, as a matter of law, shall include a (i) patient of a health care provider, as defined in § 8.01-581.1; (ii) person under a disability pursuant to § 8.01-2; (iii) resident of an assisted living facility; (iv) passenger of a common carrier, as defined in § 46.2-2000, excluding those transit services and transit facilities under the Washington Metropolitan Area Transit Authority Compact of 1966 pursuant to Chapter 31 (§ 33.2-3100) of Title 33.2; (v) passenger of a nonemergency medical transportation carrier, as defined in § 46.2-2000; and (vi) business invitee of an esthetics spa, as defined in § 54.1-700, or a business offering massage therapy, as defined in § 54.1-3000.

C. The determination of the issues pursuant to the provisions of this section shall be questions of fact for which the plaintiff shall bear the burden of proof and shall be subject to any available affirmative defenses.

2. That the provisions of this act shall apply only to a cause of action that accrued on or after July 1, 2025.

CHAPTER 727

An Act to amend the Code of Virginia by adding a section numbered 8.01-42.6, relating to certain civil actions against employees; liability of employer to vulnerable victims.

[S 894]

Approved May 2, 2025

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 8.01-42.6 as follows:

§ 8.01-42.6. Liability of employer for personal injury or death by wrongful act.

A. In addition to any other available grounds for the determination of the course and scope of employment, in an action for personal injury or death by wrongful act brought by a vulnerable victim or the personal representative of a deceased vulnerable victim against an employee, the finder of fact at trial on the merits shall determine whether an employer shall be vicariously liable for the tortious conduct of such employer's employee based upon a finding that:

1. The employee's tortious conduct occurred while the employee was reasonably likely to be in contact with the vulnerable victim and such conduct proximately causes personal injury to such vulnerable victim or the death of such vulnerable victim by wrongful act;

2. The employer failed to exercise reasonable care to (i) prevent the employee from intentionally harming such vulnerable victim or (ii) control the employee resulting in an unreasonable risk of a vulnerable victim suffering personal injury or death by wrongful act;

3. The employer knew or should have known of the ability to control the employee; and

4. The employer knew or should have known of the necessity and opportunity for exercising such control over the employee.

B. For the purposes of this section, "vulnerable victim" means any person who is at a substantial disadvantage relative to an employee due to circumstances, including such person's physical or mental condition or characteristics, and, as a matter of law, shall include a (i) patient of a health care provider, as defined in § 8.01-581.1; (ii) person under a disability

pursuant to § 8.01-2; (iii) resident of an assisted living facility; (iv) passenger of a common carrier, as defined in § 46.2-2000, excluding public transit agencies funded in whole or in part by the Commonwealth Mass Transit Fund, as defined in § 33.2-1526; (v) passenger of a nonemergency medical transportation carrier, as defined in § 46.2-2000; and (vi) business invitee of an esthetics spa, as defined in § 54.1-700, or a business offering massage therapy, as defined in § 54.1-3000.

C. The determination of the issues pursuant to the provisions of this section shall be questions of fact for which the plaintiff shall bear the burden of proof and shall be subject to any available affirmative defenses.

2. That the provisions of this act shall apply only to a cause of action that accrued on or after July 1, 2025.

CERTIFICATION OF THE ACTS OF ASSEMBLY

2025 REGULAR SESSION

I, G. Paul Nardo, Clerk of the House of Delegates and Keeper of the Rolls of the Commonwealth, do hereby certify that the 2025 Regular Session of the General Assembly of the Commonwealth of Virginia, at which the Acts of Assembly herein printed were enacted, convened on Wednesday, January 8, 2025, and adjourned sine die on Saturday, February 22, 2025, and the Reconvened Session, pursuant to Section 6 of Article IV of the Constitution of Virginia, convened on Wednesday, April 2, 2025, and adjourned sine die on Wednesday, April 2, 2025.

G. PAUL NARDO
Clerk of the House of Delegates
and
Keeper of the Rolls of the Commonwealth

Note: Except as otherwise provided therein, all Acts of the 2025 Regular Session of the General Assembly, including the Reconvened Session, became effective at the first moment of July 1, 2025.

The Acts contained in Chapters 600-605 became chapters of the Acts of Assembly on March 24, 2025, pursuant to Section 1 of Article XII of the Constitution of Virginia and §§ 30-13, 30-14, and 30-19 of the Code of Virginia. These chapters, agreed to by the General Assembly as House Joint Resolutions and Senate Joint Resolutions, are not subject to presentation, review, and action by the Governor pursuant to Section 6 of Article V of the Constitution of Virginia.

The Acts contained in Chapters 606-673 became law without the signature of the Governor on April 2, 2025, pursuant to Section 6 (c) (iii) of Article V of the Constitution of Virginia.

The Acts contained in Chapters 674-727 were signed by the Governor on May 2, 2025, all having been returned to the Governor by the Reconvened Session, pursuant to Section 6 (c) (iii) of Article V of the Constitution of Virginia.

RESOLUTIONS OF THE GENERAL ASSEMBLY
2025 REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 429

Establishing a schedule for the conduct of business for the prefiling period of the 2026 Regular Session of the General Assembly of Virginia.

Agreed to by the House of Delegates, January 8, 2025
Agreed to by the Senate, January 8, 2025

RESOLVED by the House of Delegates, the Senate concurring, That the prefiling period of the 2026 Regular Session of the General Assembly shall be governed by the following rules:

Rule 1. Requests for drafts of any bill or joint resolution to be prefiled shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Monday, December 1, 2025. The Division shall make such drafts available for review no later than midnight, Wednesday, December 31, 2025.

Rule 2. Requests for the drafting, redrafting, or correction of any bill or joint resolution creating or continuing a study shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Wednesday, January 7, 2026, in order to be filed on the first day of the 2026 Regular Session.

Rule 3. Requests for redrafts and corrections of any draft prepared for prefiling shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Wednesday, January 7, 2026. The Division shall make such drafts available no later than noon, Tuesday, January 13, 2026.

Rule 4. Bills and joint resolutions offered for prefiling shall be prefiled in either house no later than 10:00 a.m., Wednesday, January 14, 2026. Any member offering for prefiling a bill or joint resolution not submitted to the Division of Legislative Services for drafting is encouraged to submit an electronic version no later than 5:00 p.m. on the day the legislation is prefiled.

HOUSE JOINT RESOLUTION NO. 430

Providing for a Joint Assembly and establishing a schedule for the conduct of business coming before the 2025 Regular Session of the General Assembly of Virginia.

Agreed to by the House of Delegates, January 8, 2025
Agreed to by the Senate, January 8, 2025

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly shall meet in joint session in the Hall of the House of Delegates on Monday, January 13, 2025, at such time as specified by the Speaker of the House of Delegates, to receive the Governor of Virginia, and such address as he may desire to make, and that the rules for the government of the House of Delegates and the Senate, when convened in joint session for such purpose, shall be as follows:

Rule I. At the hour fixed for the meeting of the Joint Assembly, the Senators, accompanied by the President and the Clerk of the Senate, shall proceed to the Hall of the House of Delegates and shall be received by the Delegates standing. Appropriate seats shall be assigned to the Senators by the Sergeant at Arms of the House. The Speaker of the House of Delegates shall assign an appropriate seat for the President of the Senate.

Rule II. The Speaker of the House of Delegates shall be President of the Joint Assembly. In case it shall be necessary for the Speaker to vacate the Chair, the President of the Senate shall serve as the presiding officer.

Rule III. The Clerk of the House of Delegates shall be Clerk of the Joint Assembly and shall be assisted by the Clerk of the Senate. The Clerk of the Joint Assembly shall enter the proceedings of the Joint Assembly in the Journal of the House and shall certify a copy of the same to the Clerk of the Senate, who shall enter the same in the Journal of the Senate.

Rule IV. The Sergeant at Arms and Doorkeepers of the House shall act as such for the Joint Assembly.

Rule V. The Rules of the House of Delegates, as far as applicable, shall be the rules of the Joint Assembly.

Rule VI. In calling the roll of the Joint Assembly, the names of the Senators shall be called in alphabetical order, then the names of the Delegates in like order, except that the name of the Speaker of the House of Delegates shall be called last.

Rule VII. If, when the Joint Assembly meets, it shall be ascertained that a majority of each house is not present, the Joint Assembly may take measures to secure the attendance of absentees, or adjourn to a succeeding day, as a majority of those present may determine.

Rule VIII. When the Joint Assembly adjourns, the Senators, accompanied by the President and the Clerk of the Senate, shall return to their chamber, and the business of the House shall be continued in the same order as at the time of the entrance of the Senators; and, be it

RESOLVED FURTHER, That notwithstanding any other provision of this resolution and in accordance with the practices of each house, with the exception of commending and memorial joint resolutions, a request to be added as a co-patron shall be received prior to the first vote on the passage of a bill or agreement to a joint resolution or, if the bill or joint resolution is not reported from committee, then prior to the last action on such legislation. A request to be removed as a co-patron shall be received no later than 3:00 p.m., Friday, February 14, 2025; and, be it

RESOLVED FURTHER, That any member offering for introduction a bill or joint resolution not submitted to the Division of Legislative Services for drafting is encouraged to submit an electronic version no later than 5:00 p.m. on the day the legislation is introduced; and, be it

RESOLVED FURTHER, That for purposes of the procedural deadlines established herein for the 2025 Regular Session of the General Assembly:

"Budget Bill" means the general appropriation bill introduced in each house that authorizes the biennial expenditure of public revenues for the period from July 1, 2024, through June 30, 2026.

"Debt bill" means any bill that authorizes the issuance of debt.

"Legislative day" means the period of time that begins with the call to order by the presiding officer and ends when declared adjourned by the presiding officer. Unless another time is specified, any deadline established in this resolution shall expire at the end of the legislative day.

"Prefiled legislation" means any bill or joint resolution requested from the Division of Legislative Services no later than 5:00 p.m., Monday, November 25, 2024, and prefiled no later than 10:00 a.m., Monday, January 13, 2025, or any bill or joint resolution not requested from the Division of Legislative Services and prefiled no later than 10:00 a.m., Monday, January 13, 2025.

"Revenue bill" means any bill, except the Budget Bill and debt bills, that increases or decreases the total revenues available for appropriation.

"Unanimous consent" means the affirmation of all the members present in the house of origin. Any legislation intended to be offered for introduction with unanimous consent or with the written request of the Governor shall not require the consent of the house in order for the member to request the Division of Legislative Services to draft such legislation. The Division of Legislative Services shall return such legislation after the original introduction deadline.

"Virginia Retirement System bill" means any bill that amends, adds, repeals, or modifies any provision of any retirement system established in Title 51.1 of the Code of Virginia; and, be it

RESOLVED FINALLY, That the 2025 Regular Session of the General Assembly shall be governed by the following procedural rules, which establish introduction limits and time limitations for elections and for all legislation prefiled and introduced for or continued to the 2025 Regular Session except:

(i) House and Senate resolutions, except for the time limitations established in Rules 19 and 21;

(ii) Bills and joint resolutions affecting the rules of procedure or the schedule of business of the General Assembly, either of its houses, or any of its committees;

(iii) Bills and joint resolutions introduced with unanimous consent to exceed the introduction limits in Rule 1 or to exceed the time limitations in Rules 3, 4, 7, and 17;

(iv) Joint resolutions confirming appointments subject to the confirmation of the General Assembly;

(v) Joint commending and memorial resolutions, except for the time limitations established in Rules 15 and 17;

(vi) Bills, joint resolutions, or resolutions regarding elections held by the General Assembly during the 2025 Regular Session; or

(vii) Bills and joint resolutions requested in writing by the Governor.

Rule 1. Notwithstanding the deadline for filing prefiled legislation established by House Joint Resolution 49 (2024), after 10:00 a.m., Monday, January 13, 2025, no member of the House of Delegates shall introduce more than a combined total of five bills and joint resolutions and no member of the Senate shall introduce more than a combined total of six bills and joint resolutions. Notwithstanding the provisions of this rule and in accordance with House Rule 37, no member of the House of Delegates may introduce more than 15 bills during the 2025 Regular Session.

Rule 2. Neither house of the General Assembly shall receive from any committee any bill or joint resolution that was continued on the agenda of such committee and acted upon later than midnight, Monday, November 18, 2024. For purposes of this rule, a motion to refer a measure to another committee shall be treated as an action by a committee.

Rule 3. No bill or joint resolution creating or continuing a study shall be offered in either house after adjournment of that house on Wednesday, January 8, 2025.

Rule 4. No Virginia Retirement System bill shall be offered in either house after adjournment of that house on Wednesday, January 8, 2025.

Rule 5. Except for bills and joint resolutions required to be requested earlier, requests for the drafting, redrafting, or correction of any bill or joint resolution shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Friday, January 10, 2025.

Rule 6. No later than Monday, January 13, 2025, each house shall begin its consideration of any election to fill any judicial seat in the courts of the Commonwealth, or to fill a seat on any commission or office elected by the General

Assembly. In the event that the houses cannot agree on such election before Tuesday, January 14, 2025, such election shall become the subject of a special and continuing joint order in each house, and such special and continuing joint order shall have precedence over all other business of either house, until such time as both houses reach agreement on such election or agree to hold it at another specific time. The Rules of each house, as far as applicable, shall be the rules governing such election.

Rule 7. Except for bills required to be filed earlier, no bill or joint resolution shall be offered in either house after 3:00 p.m., Friday, January 17, 2025.

Rule 8. No later than Friday, January 17, 2025, the Board of Trustees of the Virginia Retirement System shall submit, in accordance with § 30-19.1:7, impact statements for all Virginia Retirement System bills filed by the first day of session. For any Virginia Retirement System bill filed later than the first day of session, the Board of Trustees shall use due diligence in preparing the impact statement in time for review by the standing committees.

Rule 9. Except for the Budget Bill, beginning Wednesday, February 5, 2025, the House of Delegates shall consider only Senate bills, Senate joint resolutions, House bills with Senate amendments, and House joint resolutions with Senate amendments; the Senate shall consider only House bills, House joint resolutions, Senate bills with House amendments, and Senate joint resolutions with House amendments; and each house may consider conference reports and other privileged matters relating thereto to the end that the work of each house may be disposed of by the other.

Rule 10. The committees responsible for consideration of the Budget Bill in the houses of introduction shall complete their work on such bill no later than midnight, Sunday, February 2, 2025, and any amendments proposed by such committees shall be made available to their respective houses no later than noon, Tuesday, February 4, 2025.

Rule 11. The houses of introduction shall complete their consideration of the Budget Bill, except for conference reports and other privileged matters relating thereto, no later than Thursday, February 6, 2025.

Rule 12. The committees responsible for the consideration of revenue bills of the other house shall complete their consideration of such bills no later than Tuesday, February 11, 2025.

Rule 13. No later than Wednesday, February 12, 2025, each house shall complete its consideration of the Budget Bill and all revenue bills of the other house, except for conference reports and other privileged matters relating thereto, and the appointing authority shall appoint the conferees to such bills.

Rule 14. No later than Wednesday, February 12, 2025, each house shall begin its consideration of any election to fill any judicial seat in the courts of the Commonwealth, or to fill a seat on any commission or office elected by the General Assembly. In the event that the houses cannot agree on such election before Thursday, February 13, 2025, such election shall become the subject in each house of a special and continuing joint order, and such special and continuing joint order shall have precedence over all other business of either house until such time as both houses reach agreement on such election, or either house votes to suspend or discharge the order. The Rules of each house, as far as applicable, shall be the rules governing any such election.

Rule 15. Requests for the drafting, redrafting, or correction of any joint commending or memorial resolution shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Thursday, February 13, 2025.

Rule 16. Any conference committee on any revenue bills shall complete its deliberations and make the report of such conference available to the General Assembly as soon as practicable.

Rule 17. No joint commending or memorial resolution shall be offered in either house after 5:00 p.m., Monday, February 17, 2025.

Rule 18. Beginning Tuesday, February 18, 2025, neither house shall receive from any committee any bill or joint resolution acted on by any committee later than midnight, Monday, February 17, 2025.

Rule 19. Requests for the drafting, redrafting, or correction of any single-house commending or memorial resolution shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Tuesday, February 18, 2025.

Rule 20. Any conference committee on the Budget Bill shall complete its deliberations and make the report of such conference available to the General Assembly as soon as practicable. Neither house shall consider such conference report earlier than 48 hours after receipt, unless both houses respectively determine to proceed earlier by a vote of two-thirds of the members voting in each house. No engrossment of the Budget Bill shall be required in either house, and any conference on the Budget Bill shall consider, as the basis of its deliberations, the Budget Bill as recommended by the Governor and introduced in the House and the amendments thereto proposed by each house. A report shall be issued concurrently with the report of the conference committee that identifies the following by item number, narrative description, and dollar amount: (i) any nonstate agency appropriation, (ii) any item in the conference report that was not included in a general appropriation bill as passed by either the House or the Senate, and (iii) any item that represents legislation that failed in either house during the regular or a special session.

Rule 21. No single-house commending or memorial resolution shall be offered in either house after 5:00 p.m., Thursday, February 20, 2025.

Rule 22. Except for joint resolutions affecting the rules of procedure or the schedule of business of the General Assembly, beginning Friday, February 21, 2025, the House shall consider only Senate joint resolutions and House joint resolutions with Senate amendments; the Senate shall consider only House joint resolutions and Senate joint resolutions with House amendments; and each house may consider conference reports or joint resolutions and other privileged matters relating thereto, to the end that the work of each house may be disposed of by the other.

Rule 23. This session of the General Assembly shall be extended beyond the 30-day period provided in Section 6 of Article IV of the Constitution of Virginia and shall adjourn sine die no later than Saturday, February 22, 2025.

Rule 24. Pursuant to Section 6 of Article IV of the Constitution of Virginia, the General Assembly shall reconvene Wednesday, April 2, 2025, for the purpose of considering bills and items of appropriation bills that may have been returned by the Governor with recommendations for their amendment, and bills and items of appropriation bills, including the general appropriation act, that may have been returned by the Governor with his objections.

Rule 25. The conduct of the business of any subcommittee of any House committee, any joint subcommittee of House and Senate committees, and any interim study commission created pursuant to a House measure shall be governed by the Rules of the House of Delegates; the conduct of the business of any subcommittee of any Senate committee, any joint subcommittee of Senate and House committees, and any interim study commission created pursuant to a Senate measure shall be governed by the Rules of the Senate. If a House measure and a Senate measure create the same study, the conduct of business of the study shall be governed by the rules of the house of the chairman of the study, or in the case of co-chairmen, the rules of the house as agreed upon by the co-chairmen.

Rule 26. Interim meetings of any standing committee, joint committee, joint subcommittee, legislative commission, or any other interim study subcommittee or study commission shall be held on Monday, Tuesday, Wednesday, or Thursday during the first and third full weeks of the month, unless otherwise authorized by the Speaker of the House of Delegates or the Chairman of the Senate Committee on Rules, as may be appropriate for the house in which the chairman serves. The interim work of any such committee, subcommittee, or commission shall be completed no later than December 4, 2025.

Rule 27. Any staff member assigned to work for, and support the efforts of, any committee of the House or Senate, any subcommittee of any such committee, any joint subcommittee of House and Senate committees, or any interim study commission shall work under the direction of the chairman of such committee, subcommittee, joint subcommittee, or interim study commission.

HOUSE JOINT RESOLUTION NO. 431

Commending the Blacksburg High School girls' track and field team.

Agreed to by the House of Delegates, January 20, 2025

Agreed to by the Senate, January 23, 2025

WHEREAS, on June 1, 2024, the Blacksburg High School girls' track and field team won the Virginia High School League Class 4 state championship in dramatic fashion, securing a lead in the team standings with its performance in the final event of the meet; and

WHEREAS, the Blacksburg High School Bruins finished the meet with a total of 74 points, defeating the runner-up Atlee High School Raiders by only a half-point; and

WHEREAS, the Blacksburg Bruins benefited from a deep roster of talented student-athletes, including Layla Boyle, who took first place in pole vault, and Mia Littlejohn, who placed second in high jump and broke a school record with her third-place finish in the 100-meter hurdles; and

WHEREAS, Kionna Grubb of the Blacksburg Bruins added another first-place finish in the 300-meter hurdles with a time of 42.902, winning by only four-thousandths of a second; and

WHEREAS, the Blacksburg Bruins also earned a second-place finish in the 4x800-meter relay, with contributions from Cameron Lee, Allie McDonald, Penny Griggs, and Tess Dickhans; and

WHEREAS, the state championship meet came down to the final event, the 4x400-meter relay, where Mirra Bowman, Tess Dickhans, Allie McDonald, and Cameron Lee locked up a critical third-place finish to pull ahead in the team standings; and

WHEREAS, the Blacksburg Bruins' 4x400-meter relay team finished with a school record time of 3:58.64, more than eight seconds faster than the team's previous time that earned it the number two seed in the event; and

WHEREAS, the victory is a tribute to the skill and determination of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of family members, friends, and the entire Blacksburg High School community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Blacksburg High School girls' track and field team on winning the Virginia High School League Class 4 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Stephen Howard, head coach of the Blacksburg High School girls' track and field team, as an expression of the General Assembly's admiration for the team's outstanding athletic achievements.

HOUSE JOINT RESOLUTION NO. 432

Commending the Christiansburg High School softball team.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, in June 2024, the Christiansburg High School softball team capped off a historic season by winning the program's first-ever state title in the Virginia High School League Class 3 state championship; and

WHEREAS, the Christiansburg High School Blue Demons finished the season with an impressive 24-3 record and also won their first district title and first regional title; and

WHEREAS, in the state final, the Christiansburg Blue Demons defeated the Turner Ashby High School Knights by a score of 6-3 in eight innings; and

WHEREAS, while the Christiansburg Blue Demons scored first, the Turner Ashby Knights pulled ahead in the third inning and held the lead until the top of the seventh inning, when a hit to center field by Christiansburg infielder Makaylee Hughes resulted in two runs; and

WHEREAS, the Turner Ashby Knights responded with another run to send the game to extra innings, but the Christiansburg Blue Demons dominated the final stretch of the game, scoring three runs to seal the win; and

WHEREAS, the successful season was a tribute to the skill and hard work of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of family, friends, and the entire Christiansburg High School community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Christiansburg High School softball team on winning the Virginia High School League Class 3 state championship in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Seann Gaynor, head coach of the Christiansburg High School softball team, as an expression of the General Assembly's admiration for the team's athletic achievements and best wishes for the future.

HOUSE JOINT RESOLUTION NO. 433

Commending the Alexandria Archaeological Commission.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, for 50 years, the Alexandria Archaeological Commission has facilitated community archaeology to help local residents forge a stronger connection with the city's long and rich history; and

WHEREAS, members of the Alexandria community began to develop an interest in the preservation of local history after urban renewal projects in the 1960s and archaeological excavations by the Smithsonian Institution in the 1970s; and

WHEREAS, the Alexandria Archaeological Commission was officially established in 1975 as a citizens advisory group that was embedded within local government, not associated with a museum, and treated archaeology as a broader local issue to encourage input from a wide range of perspectives; and

WHEREAS, the Alexandria Archaeological Commission's collaborative leadership style has brought together city officials and staff members, developers, homeowners, nonprofit organizations, volunteers, students, and concerned citizens to preserve their shared heritage and interpret the history of all areas, all times, and all peoples of Alexandria; and

WHEREAS, the Alexandria Archaeological Commission oversaw the hiring of Alexandria's first professional archaeologist, ensuring that the city stays engaged with best practices in the archaeological field, and the creation of a city ordinance that established archaeological guidelines for developers; and

WHEREAS, the Alexandria Archaeological Commission guided the city's investigation of indigenous history at Jones Point Park, the preservation of the Civil War-era Contrabands and Freedmen Cemetery, the creation of the African American Heritage Memorial Park, and the Bottoms Neighborhood Project to research one of the oldest African American neighborhoods in the city; and

WHEREAS, the Alexandria Archaeological Commission was also involved with the Alexandria Canal Tide Lock Project and developed a plan to document the history of the city's waterfront and provide guidance for future developments in the area; and

WHEREAS, in addition, the Alexandria Archaeological Commission created the Alexandria Archaeology Museum and recognizes achievements in public archaeology through the Del Pepper Archaeology Award and the Ben Brenman Award for Archaeology; and

WHEREAS, over the years, more than 100 Alexandria residents representing various community interests, areas of expertise, educational organizations, and the business and tourism sectors, have donated countless hours of work to the Alexandria Archaeological Commission, fostering an engaged citizenry and responsive public servants, all of whom work together to explore the city's complex and compelling history; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Alexandria Archaeological Commission on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Alexandria Archaeological Commission as an expression of the General Assembly's admiration for its work to foster a community that is well-informed about its past and better prepared to meet the challenges of the present and future.

HOUSE JOINT RESOLUTION NO. 434

Directing the Joint Legislative Audit and Review Commission to study the methodology for determining non-federal sponsor contributions by localities to conduct coastal storm risk management studies in the Commonwealth. Report.

Agreed to by the House of Delegates, February 3, 2025

Agreed to by the Senate, February 18, 2025

WHEREAS, storm events and rising tidal waters cause recurrent flooding of the Commonwealth's land resources, result in the loss of life, damage to property, and unsafe and unsanitary living conditions, disrupt commerce and government services, and place the health, safety, and welfare of citizens living in flood-prone areas at risk; and

WHEREAS, the Commonwealth has taken measures in recent years to prioritize the use of community and regional scale planning, protect and enhance nature-based approaches, address socioeconomic inequities, and enhance equity through flood resilience and preparedness; and

WHEREAS, the Chief Resilience Officer is tasked with coordinating and seeking to maximize the availability and use of federal, state, and private funding to address resilience challenges, initiating and assisting with the pursuit of funding opportunities at both the state and local levels, and utilizing his authority to serve as a non-federal sponsor and enter into legal agreements as provided in § 2.2-220.5 of the Code of Virginia; and

WHEREAS, the implementation of the Norfolk Coastal Storm Risk Management study is estimated to cost the city $2.6 billion, the Metropolitan Washington, District of Columbia Coastal Storm Risk Management Feasibility Study is estimated to cost the impacted localities $15.2 million, and the Virginia Beach Coastal Storm Risk Management Study, Northern Virginia Coastal Storm Risk Management Study, and Virginia Peninsula Coastal Storm Risk Management Feasibility Study are ongoing and expected to result in significant and comparable cost-implementation estimates; and

WHEREAS, the non-federal cost-share for partnership in and implementation of coastal risk reduction projects is typically 35 percent of the total cost estimate, and other costs may be incurred by non-federal sponsors to ensure the safety and protection of Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission be directed to study the methodology for determining non-federal sponsor contributions by localities to conduct coastal storm risk management studies in the Commonwealth.

In conducting its study, the Joint Legislative Audit and Review Commission shall (i) examine the methodologies and criteria used by other states, if any, to apportion monetary responsibility between the state and the participating localities for the implementation costs of a coastal storm risk management study and determine the portion of costs for which the non-federal sponsor is responsible; (ii) develop a recommended methodology and any additional criteria for determining the division of costs for coastal storm risk management studies and the implementation of such studies in the Commonwealth, which shall include prioritization to implement risk-reduction projects in the Commonwealth that (a) reflect community and regional scale planning; (b) protect and enhance nature-based approaches; (c) address socioeconomic inequities; and (d) enhance equity through flood resilience and preparedness, consistent with measures outlined in subsection B of § 10.1-658 of the Code of Virginia; and (iii) consider whether a stand-alone fund shall be established to support and manage cost-share requests from non-federal sponsors for coastal storm risk management studies.

All agencies of the Commonwealth shall provide assistance to the Joint Legislative Audit and Review Commission for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its meetings for the first year by November 30, 2027, and for the second year by November 30, 2028, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether the Joint Legislative Audit and Review Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

HOUSE JOINT RESOLUTION NO. 435

Designating the first Monday in March, in 2025 and in each succeeding year, as Guam History and Chamorro Heritage Day in Virginia.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 18, 2025

WHEREAS, as one of the first islands settled by humans in the Pacific Ocean, Guam has played an important role in the history and development of the region while cultivating a vibrant culture that is celebrated by members of the Guamanian diaspora all over the world; and

WHEREAS, Guam was first discovered by Europeans on March 6, 1521, when Portuguese explorer Ferdinand Magellan, sailing under a Spanish flag, sighted the island during his circumnavigation of the globe; and

WHEREAS, Guam was subsequently colonized by Spain, and the Indigenous population became widely known as Chamorros during the long period of Spanish rule; and

WHEREAS, while the Chamorro people remain the largest ethnic group on the island, Guam has become a vibrant melting pot with influences from Spanish, Latin American, and other Asian and Pacific Islander cultures; and

WHEREAS, now an unincorporated territory of the United States, Guam plays an essential role in regional maritime trade and is home to several important American military bases; and

WHEREAS, Guam History and Chamorro Heritage Day provides an opportunity for people of Chamorro descent and all members of the Guamanian community around the world to reconnect with their rich culture and heritage through celebrations that embody the Chamorro values of respect, community, reciprocity, and love; and

WHEREAS, Guam History and Chamorro Heritage Day, which represents the start of Guam History and Heritage Month, also known as Mes Chamoru, is a time for enjoying Guamanian cuisine and customs, along with traditional songs, dances, stories, and historical interpretation; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly designate the first Monday in March, in 2025 and in each succeeding year, as Guam History and Chamorro Heritage Day in Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit a copy of this resolution to representatives of the Guamanian community so that they may be apprised of the sense of the General Assembly of Virginia in this matter; and, be it

RESOLVED FINALLY, That the Clerk of the House of Delegates post the designation of this day on the General Assembly's website.

HOUSE JOINT RESOLUTION NO. 437

Establishing the Joint Subcommittee on Recurrent Flooding. Report.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 18, 2025

WHEREAS, House Joint Resolution No. 50 and Senate Joint Resolution No. 76 (2012) directed the Virginia Institute of Marine Science (VIMS) to study strategies for adaptation to prevent recurrent flooding in Virginia's Tidewater and Eastern Shore localities; and

WHEREAS, the resulting VIMS report, titled "Recurrent Flooding Study for Tidewater Virginia," published as Senate Document 3 (2013), stated that recurrent flooding impacts all localities in Virginia's coastal zone and is predicted to become worse over reasonable planning horizons (20 to 50 years); and

WHEREAS, VIMS offered several recommendations, including that the Commonwealth, working with its coastal localities, (i) begin comprehensive and coordinated planning efforts; (ii) initiate identification, collection, and analysis of data needed to support effective planning for response efforts; and (iii) take a lead role in addressing recurrent flooding in Virginia for the following reasons: (a) accessing relevant federal resources for planning and mitigation may be enhanced through state mediation, (b) flooding problems are linked to water bodies and therefore often transcend locality boundaries, and (c) prioritizing flood management actions must be based in part on risk, and therefore the Commonwealth must oversee the necessary studies to determine adaptation strategies, as well as implementation of the agreed-upon strategies; and

WHEREAS, House Joint Resolution No. 16 and Senate Joint Resolution No. 3 (2014) established the Joint Subcommittee to Formulate Recommendations to Address Recurrent Flooding as recommended by the VIMS report; and

WHEREAS, the Joint Subcommittee to Study Recurrent Flooding met four times during the 2014 interim to collect information from federal and state agencies, localities, and stakeholders and to carry out its work; and

WHEREAS, the Joint Subcommittee to Study Recurrent Flooding filed an executive summary with the General Assembly prior to the 2015 Session, which included five initial recommendations to increase public awareness, improve local and state government agency resiliency coordination, and address floodplain management; and

WHEREAS, recommendations made by the Joint Subcommittee to Study Recurrent Flooding during the 2014 interim resulted in six bills passing the General Assembly with bipartisan support during the 2015 Session; and

WHEREAS, the Joint Subcommittee to Study Recurrent Flooding met four times during the 2015 interim to collect information from federal and state agencies, localities, and stakeholders and to carry out its work; and

WHEREAS, pursuant to House Joint Resolution No. 84 and Senate Joint Resolution No. 58 (2016), the Joint Subcommittee to Study Recurrent Flooding was renamed as the Joint Subcommittee on Coastal Flooding and continued its work during the 2016 and 2017 interims and brought forth additional recommendations for the 2018 Session; and

WHEREAS, pursuant to House Joint Resolution No. 26 and Senate Joint Resolution No. 19 (2018), the Joint Subcommittee on Coastal Flooding continued its work during the 2018 and 2019 interims and brought forth additional recommendations for the 2020 Session; and

WHEREAS, pursuant to House Joint Resolution No. 102 and Senate Joint Resolution No. 27 (2020), the Joint Subcommittee on Coastal Flooding continued its work during the 2020 and 2021 interims and brought forth additional recommendations for the 2022 Session; and

WHEREAS, pursuant to House Joint Resolution No. 16 and Senate Joint Resolution No. 35 (2022), the Joint Subcommittee on Coastal Flooding was renamed as the Joint Subcommittee on Recurrent Flooding and continued its work during the 2022 and 2023 interims; and

WHEREAS, riverine flooding and flooding from stormwater are also major concerns for the Commonwealth and deserve further study and action from the joint subcommittee; and

WHEREAS, former members of the joint subcommittee concur that the joint subcommittee be reestablished and continue its work for two additional years; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Subcommittee on Recurrent Flooding be reestablished and its work continued. The joint subcommittee shall have a total membership of 13 members as follows:

1. Five members of the House of Delegates appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates;

2. Three members of the Senate appointed by the Senate Committee on Rules; and

3. Five nonlegislative citizen members as follows: (i) one shall be a business leader appointed by the Speaker of the House of Delegates, (ii) one shall be a representative of the environmental community appointed by the Speaker of the House of Delegates, (iii) one shall be from an urban area impacted by stormwater flooding appointed by the Speaker of the House of Delegates, (iv) one shall be from a rural area impacted by riverine flooding appointed by the Senate Committee on Rules, and (v) one shall be a local official representing an area impacted by coastal flooding appointed by the Senate Committee on Rules. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. Vacancies shall be filled by the original appointing authority. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall recommend short-term and long-term strategies for minimizing the impact of flooding.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other related services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. Technical assistance shall be provided by faculty at Virginia institutions of higher education who have expertise in the subject matter. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2025 interim and four meetings for the 2026 interim, and the direct costs of this study shall not exceed $17,440 for each year without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

No recommendation of the joint subcommittee shall be adopted if a majority of the House members or a majority of the Senate members appointed to the joint subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint subcommittee.

The joint subcommittee shall complete its meetings for the first year by November 30, 2025, and for the second year by November 30, 2026, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether the joint subcommittee intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or delay the period for the conduct of the study, or authorize additional meetings during the 2025 and 2026 interims.

HOUSE JOINT RESOLUTION NO. 438

Commending the Glenvar High School girls' soccer team.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, in June 2024, the Glenvar High School girls' soccer team won the Virginia High School League Class 2 state championship in a tense, defensive struggle that went to double overtime and penalty kicks; and

WHEREAS, with the score level at 0-0 after the end of regulation and two periods of overtime, the Glenvar High School Highlanders defeated the Clarke County High School Eagles 4-3 in a penalty shootout; and

WHEREAS, senior midfielder Campbell Hardin, freshman midfielder Sawyer Wilson, and senior defender Megan Pomerleau gave the Glenvar Highlanders three goals, while freshman goalie Madelaine Frackelton forced two misses and scored the game-winning goal; and

WHEREAS, the successful season was a tribute to the skill and determination of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of family members, friends, and the entire Glenvar High School community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Glenvar High School girls' soccer team on winning the Virginia High School League Class 2 state championship in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Kyleigh Drew, head coach of the Glenvar High School girls' soccer team, as an expression of the General Assembly's admiration for the team's athletic achievements.

HOUSE JOINT RESOLUTION NO. 439

Commending the Glenvar High School boys' soccer team.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, in 2024, the Glenvar High School boys' soccer team earned its second consecutive state title with a victory in the Virginia High School League Class 2 state championship; and

WHEREAS, the Glenvar High School Highlanders defeated the Radford High School Bobcats by a score of 1-0, with senior forward Bryce King scoring the lone goal of the match in the first half; and

WHEREAS, throughout the season, the Glenvar Highlanders emphasized good discipline and a commitment to the fundamentals of the game, focusing on possession, a sound defense, and well-executed set pieces; and

WHEREAS, the victory was a tribute to the skill and perseverance of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of family members, friends, and the entire Glenvar High School community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Glenvar High School boys' soccer team on winning the Virginia High School League Class 2 state championship in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Josh Jones, head coach of the Glenvar High School boys' soccer team, as an expression of the General Assembly's admiration for the team's athletic achievements.

HOUSE JOINT RESOLUTION NO. 440

Directing the Joint Legislative Audit and Review Commission to study the removal of certain books from public school libraries. Report.

Agreed to by the Senate, February 18, 2025
Agreed to by the House of Delegates, February 19, 2025

WHEREAS, the libraries in the Commonwealth's public schools are an important source of learning and exploration for students in the Commonwealth; and

WHEREAS, the books in circulation in the libraries of the Commonwealth's public schools are selected and curated by professionally trained school librarians and media specialists; and

WHEREAS, there are times at which some parents of public school students object to the inclusion of certain books in public school libraries while other parents support or approve the inclusion of such books in public school libraries; and

WHEREAS, § 22.1-16.8 of the Code of Virginia was enacted by the 2022 Session of the General Assembly for the purpose of directing the Department of Education to adopt model policies, and each school board to adopt policies consistent with but that may be more comprehensive than such model policies, for ensuring the parental notification of any instructional material that includes sexually explicit content, as that term is defined in applicable law, and to provide parents the opportunity to request their children be provided, as an alternative, nonexplicit instructional material; and

WHEREAS, the Department of Education adopted the model policies required pursuant to § 22.1-16.8 of the Code of Virginia in August of 2022, which focused on books used in the classroom and specifically clarified that any books contained in public school libraries would, under such policies, be considered "instructional material" only if students were required to read such books for completion of an assignment or as a part of an academic or extracurricular educational program; and

WHEREAS, some school divisions subsequently removed books from circulation in public school libraries based on the school division's determination that such books contained sexually explicit content, in accordance with § 22.1-16.8 of the Code of Virginia, or based on the school division's determination that other content contained in such books was objectionable; and

WHEREAS, some of the decisions by school divisions to remove certain books from public school libraries were made upon the recommendation of "challenge committees," consisting of parents of students in the school division and school librarians or other media specialists, while in other cases, such decisions were made without any recommendation of a school librarian or media specialist and were, instead, made upon the direction of a school board, individual school board members, individual school principals, division superintendents, or other school administrators; and

WHEREAS, the variations in procedure, process, and standards for the removal of certain books from public school libraries by school divisions across the Commonwealth presents significant questions relating to compliance with § 22.1-16.8 of the Code of Virginia and the protection of the opportunities for learning and intellectual exploration created by public school libraries; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission be directed to study the removal of certain books from public school libraries. The Joint Legislative Audit and Review Commission shall focus its study on any books removed from public school libraries after July 1, 2020, based on certain content included in such books.

In conducting its study, the Joint Legislative Audit and Review Commission shall survey each of the 135 school divisions in the Commonwealth to identify (i) which school divisions removed any books from a library in any of its public schools on the basis of certain content contained therein after July 1, 2020; (ii) for each removed book identified pursuant to clause (i): (a) the title, author, and any other identifying information; (b) the fiscal year of removal; (c) the name of the school from whose library such book was removed; (d) whether it was removed upon the recommendation of a "challenge committee" and, if not, whether it was removed at the direction of the school board or one or more school board members, a school principal, a division superintendent, or another school administrator; (e) how the review was initiated, the role of the school's librarian or media specialist in the removal process, and which, if any, other school board employees were involved in the removal process and the role each individual played; and (f) if § 22.1-16.8 of the Code of Virginia or a policy adopted in accordance therewith was used to justify such removal; (iii) which school divisions have appointed a committee or other body to review the content of books currently contained in or proposed book purchases for inclusion in public school libraries and, if so, whether (a) such committee or body includes a school librarian or media specialist employed by the school division and (b) the meetings of such committee or body are advertised and open to the public; and (iv) in consultation with any relevant state agencies, what resources are available at the state level to support school administrators in making decisions relating to the removal of books from public school libraries.

Technical assistance shall be provided to the Joint Legislative Audit and Review Commission by local school divisions in the Commonwealth. All agencies of the Commonwealth shall provide assistance to the Joint Legislative Audit and Review Commission for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its meetings by August 1, 2025, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than October 1, 2025. The executive summary shall state whether the Joint Legislative Audit and Review Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

HOUSE JOINT RESOLUTION NO. 443

Establishing a joint subcommittee to study the consolidation and scheduling of general elections in Virginia. Report.

Agreed to by the Senate, February 20, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, periodic popular elections give the electorate its voice in government and these electoral decisions are the foundation of representative democracy; and

WHEREAS, Virginia is one of just four states in the United States of America with elections held in the "off cycle" meaning odd-numbered years when neither a presidential or congressional election takes place; and

WHEREAS, a general election is held each November in the Commonwealth for either federal offices, statewide offices, General Assembly offices, constitutional offices, or local offices; and

WHEREAS, Virginia's off-year state elections may have been a historical accident due to the ratification of the Constitution of Virginia in 1851, such elections contributed to the Commonwealth having some of the lowest voter turnouts in America during the 20th Century; and

WHEREAS, this cycle of elections, campaigning, and politics is practically continuous in the Commonwealth of Virginia, likely leading to increased voter apathy and reduced voter turnout; and

WHEREAS, the costs of administering annual elections are significant and are borne largely by local governments; and

WHEREAS, consolidating Virginia's state and local elections and holding such elections in even-numbered years would likely realize significant savings of tax dollars, while also encouraging voter interest and participation; and

WHEREAS, according to the Virginia Public Access Project, the amount of money spent campaigning for state offices has dramatically increased over the past decade and a half with the total spending in gubernatorial elections increasing from $40,975,989 (2009) to $56,861,988 (2013) to $66,166,935 (2017) to $137,551,127 (2021); the total spending in state senate elections increasing from $37,544,148 (2011) to $42,576,066 (2015) to $56,183,148 (2019) to $112,239,884 (2023); and the total spending in House of Delegates elections increasing from $26,133,578 (2011) to $36,023,755 (2013) to $30,737,173 (2015) to $46,560,922 (2017) to $68,077,424 (2019) to $81,436,494 (2021) to $94,866,001 (2023); and

WHEREAS, transitioning to the federal election cycle would likely reduce the need to raise campaign contributions due to the efficiencies gained by overlapping political operations; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the consolidation and scheduling of general elections in Virginia. The joint subcommittee shall consist of 13 members that include eight legislative members, four nonlegislative citizen members, and one ex officio member. Members shall be appointed as follows: three members of the Senate, at least two of whom shall be members of the Senate Committee on Privileges and Elections, to be appointed by the Senate Committee on Rules; five members of the House of Delegates, at least three of whom shall be members of the House Committee on Privileges and Elections, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two nonlegislative citizen members, one of whom shall be a current or former member of a board of supervisors and one of whom shall be a current or former member of a local electoral board, to be appointed by the Senate Committee on Rules; and two nonlegislative citizen members, one of whom shall be a current or former member of a town or city council and one of whom shall be a current or former general registrar, to be appointed by the Speaker of the House of Delegates. The Commissioner of Elections or his designee shall serve ex officio with nonvoting privileges. Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall be reimbursed only for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall weigh potential and probable effects of moving some or all of Virginia's state or local elections to even-numbered years in order to coincide with the federal election cycle, including impacts on voter turnout, effects on campaign costs and fundraising, the interplay between state and federal elections and campaign finance laws and regulations, and estimated cost savings for local governments and, in turn, the taxpayers. Any recommendations by the joint subcommittee to consolidate or reschedule Virginia's general elections shall include specific recommendations as to (i) which elected offices' terms should be extended or shortened in order to achieve the recommended shift in the election schedule, (ii) any amendments to the Constitution of Virginia and the Code of Virginia that are necessary to achieve and implement the joint subcommittee's recommended consolidation or schedule, (iii) whether Virginia's current two-year budget cycle should be adjusted, and (iv) any budget amendments that are necessary to accomplish the consolidation and rescheduling.

Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the chairman of the joint subcommittee serves. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of

Legislative Services. Technical assistance shall be provided by Department of Elections. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2025 interim and four meetings for the 2026 interim, and the direct costs of this study shall not exceed $19,840 for each year without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

No recommendation of the joint subcommittee shall be adopted if a majority of the Senate members or a majority of the House members appointed to the joint subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint subcommittee.

The joint subcommittee shall complete its meetings for the first year by November 30, 2025, and for the second year by November 30, 2026, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether the joint subcommittee intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or delay the period for the conduct of the study, or authorize additional meetings during the 2025 or 2026 interims.

HOUSE JOINT RESOLUTION NO. 446

Designating the first full week of September, in 2025 and in each succeeding year, as Zero Waste Awareness Week in Virginia.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 18, 2025

WHEREAS, preventing or mitigating the production of waste not only benefits the environment and helps protect the Commonwealth's valuable natural resources, but also provides financial benefits for Virginians by reducing the need for waste disposal and cleanup; and

WHEREAS, the first full week of September is recognized internationally as Zero Waste Awareness Week; and

WHEREAS, Zero Waste Awareness Week provides an opportunity for Virginians to reduce waste by refusing to purchase items that create excessive waste, reducing the need for single-use or unnecessary items, and reusing, recycling, or repurposing other items when possible; and

WHEREAS, businesses in the Commonwealth are encouraged to engage with their employees and customers to promote ways to decrease waste; and

WHEREAS, state agencies are also encouraged to participate in Zero Waste Awareness Week by offering programs to educate members of the public on strategies to minimize waste and ways to contribute to the development of a zero waste society; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly designate the first full week of September, in 2025 and in each succeeding year, as Zero Waste Awareness Week in Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit a copy of this resolution to representatives of the Zero Waste movement so that they may be apprised of the sense of the General Assembly of Virginia in this matter; and, be it

RESOLVED FINALLY, That the Clerk of the House of Delegates post the designation of this week on the General Assembly's website.

HOUSE JOINT RESOLUTION NO. 447

Directing the Virginia Commission to End Hunger to establish a statewide food desert mapping tool. Report.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 18, 2025

WHEREAS, the U.S. Department of Agriculture defines a food desert as a geographic area where residents lack access to affordable, nutritious foods, particularly fresh fruits and vegetables and other whole foods; and

WHEREAS, the term "food apartheid" means those systemic and structural inequities in food access that result from historical and ongoing discriminatory practices and have a disproportionate effect on low-income communities; and

WHEREAS, food deserts and food apartheid zones contribute to significant disparities in health, economic opportunities, and community well-being across the Commonwealth; and

WHEREAS, food access barriers, such as a lack of grocery stores in communities with limited public transportation options, impede a community's ability to obtain affordable, nutritious foods; and

WHEREAS, up-to-date data-driven insights into barriers to food access are essential in guiding policy decisions, allocating resources equitably, and supporting targeted interventions; and

WHEREAS, the General Assembly last commissioned a study of food deserts in the Commonwealth in 2013; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia Commission to End Hunger (the Commission) be directed to establish a statewide food desert mapping tool (the mapping tool). The Commission shall use geographic, socioeconomic, and demographic data to identify food deserts and food apartheid zones in the Commonwealth in order to create a comprehensive and actionable mapping tool. Information and data from existing studies and reports that address food insecurity within the Commonwealth shall also be incorporated into the mapping tool to enhance the accuracy and comprehensiveness of the mapping tool. In establishing the mapping tool, the Commission shall collaborate with the Department of Health, Department of Agriculture and Consumer Services, and Department of Social Services; universities and research institutions with expertise in public health, social sciences, and geographic information system (GIS) mapping technology; and nonprofit organizations working within the Commonwealth to address food access and food equity. Technical assistance shall be provided by the Division of Legislative Automated Systems.

The Virginia Commission to End Hunger shall submit to the Division of Legislative Automated Systems an executive summary and report of its progress in meeting the directive of this resolution no later than the first day of the 2026 Regular Session of the General Assembly. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

HOUSE JOINT RESOLUTION NO. 448

Requesting the Department of Environmental Quality to study tax policy options for reforming the litter tax. Report.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, the Commonwealth's litter tax has benefited Virginians for decades; and

WHEREAS, the production of plastic has grown by more than 744 percent since the litter tax was enacted; and

WHEREAS, according to a study performed by Clean Virginia Waterways, the Virginia litter tax generates the lowest revenue per capita of any state using a litter tax system; and

WHEREAS, modernization of the litter tax could better promote recycling, reduce landfill waste, and advance environmental stewardship; and

WHEREAS, it is appropriate to perform a full review of the application and utilization of the litter tax to assess how it meets current and anticipated needs; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department of Environmental Quality be requested to study tax policy options for reforming the litter tax. Such study shall review how the litter tax could better promote recycling, reduce landfill waste, and advance environmental stewardship in the Commonwealth.

In conducting its study, the Department of Environmental Quality (the Department) shall (i) conduct an analysis of the Commonwealth's current solid waste streams, including solid waste generated by jurisdiction, by type, and by material, and the disposal methods by material and amount, with the costs and revenues for such solid waste disposal programs; (ii) conduct an analysis of the Commonwealth's current recycling streams, including (a) recycling materials and amounts processed by jurisdiction; (b) processing methods by material and amount; (c) the associated revenues and costs for recycling programs; (d) estimated amounts of recyclable materials not currently being recycled; (e) current recycling infrastructure capacity, need, and costs; (f) access and availability to recycling throughout the Commonwealth; (g) the collection, hauling, and composting of materials within the Commonwealth; and (h) the processing or composting of recyclable materials in the Commonwealth; (iii) conduct an analysis of market conditions and other opportunities for increasing recycling in the Commonwealth, including (a) coordination between local governments, consumer education regarding recycling, and organics recycling and contamination recycling; (b) opportunities in the recycling system for women and minorities; (c) worker conditions, wages, and benefits; and (d) reuse and organics recycling infrastructure; (iv) conduct an analysis of the economic opportunities in the Commonwealth's recycling system, including (a) revenue lost by the Commonwealth and localities when materials are not recycled, (b) opportunities to increase employment in the recycling industry by material type and the current jobs associated with the solid waste and recycling industries, (c) business opportunities and barriers associated with recycling, (d) barriers to increasing use of recyclables as feedstock of principal processors and manufacturers and means of eliminating those barriers, (e) incentives for stimulating job growth and business opportunities in the recycling industry, (f) methods for improving equitable outcomes for underserved populations within the recycling system, and (g) the efficacy of the current litter tax; (v) develop options for implementing an additional

cigarette litter abatement fee to compensate for the frequent occurrence of cigarette litter; and (vi) consider creating litter tax exemptions for small businesses. In conducting this study, the Department shall utilize an independent, trained facilitator and ensure that a representative of an organization that is a recipient of the litter tax and a member of the Litter Control and Recycling Fund Advisory Board established pursuant to § 10.1-1422.02 of the Code of Virginia are included as members of the study. The Department shall provide study members with at least two weeks' notice of the agenda and background materials for all meetings. Any policy recommended in the final report shall pass by a motion with a recorded vote, and dissenting views may be included in such report.

Technical assistance shall be provided to the Department by the Department of Taxation and the Department of Planning and Budget. All agencies of the Commonwealth shall provide assistance to the Department for this study, upon request.

The Department shall complete its meetings for the first year by November 30, 2025, and for the second year by November 30, 2026, and the Department shall submit to the Governor and the General Assembly an executive summary and report of its findings and recommendations for publication as a House or Senate document for each year. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the next Regular Session of the General Assembly and shall be posted on the General Assembly's website.

HOUSE JOINT RESOLUTION NO. 455

Notifying the Governor of organization.

Agreed to by the House of Delegates, January 8, 2025
Agreed to by the Senate, January 8, 2025

RESOLVED by the House of Delegates, the Senate concurring, That a committee be appointed, composed of six on the part of the House of Delegates and four on the part of the Senate, to notify the Governor that the General Assembly is duly organized and is ready to receive any communication he may desire to make.

HOUSE JOINT RESOLUTION NO. 456

Commending the Auburn High School girls' soccer team.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, the Auburn High School girls' soccer team won the Virginia High School League Class 1 state championship in June 2024; and

WHEREAS, the Auburn High School Eagles rallied from an early two-goal deficit and defeated the Northumberland High School Indians by a score of 6-2; and

WHEREAS, the Auburn Eagles finished the season with an impressive 19-4 overall record, including a perfect 13-0 record against the other members of the Mountain Empire Region; and

WHEREAS, Auburn midfielder Katie Light recorded 49 goals and 16 assists during her senior season and was selected as the Virginia High School League (VHSL) Class 1 Player of the Year, while Auburn's Adam Ritchie was selected as the VHSL Class 1 Coach of the Year; and

WHEREAS, the victory is a testament to the hard work and dedication of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of family members, friends, and the entire Auburn High School community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Auburn High School girls' soccer team on winning the Virginia High School League Class 1 state championship in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Adam Ritchie, head coach of the Auburn High School girls' soccer team, as an expression of the General Assembly's admiration for the team's athletic achievements.

HOUSE JOINT RESOLUTION NO. 459

Celebrating the life of James Stuart Weston, MD.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, James Stuart Weston, MD, an esteemed physician, beloved husband, father, and grandfather, and treasured member of the Radford community, died on September 21, 2024; and

WHEREAS, after growing up in West Long Branch, New Jersey, James Weston earned a bachelor's degree, as well as a master's degree in genetics, from George Washington University before graduating from the University of Virginia School of Medicine; and

WHEREAS, James Weston specialized in obstetrics and gynecology and completed his residency at Bayfront Medical Center in St. Petersburg, Florida, before embarking upon a long and successful career as a physician; and

WHEREAS, James Weston's steadfast compassion and unwavering commitment to his patients and their families made a positive and lasting impact on countless lives; and

WHEREAS, James Weston will be fondly remembered and dearly missed by his loving wife of 40 years, Tamara; his children, Ryan, Jillian, Sean, Caitlin, and Liam, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of James Stuart Weston, MD, a cherished member of the Radford community whose kindness, generosity, and devotion inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of James Stuart Weston, MD, as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 465

Commending Shenandoah University.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Shenandoah University, an esteemed institution of higher education that was founded in 1875 in Dayton and that is now located in Winchester, has reached the significant milestone of its 150th anniversary, marking a century and a half of distinguished service to its students, the community, and the Commonwealth; and

WHEREAS, over the course of its rich history, Shenandoah University has grown from its humble beginnings as a small institution to become a nationally recognized university, providing a diverse array of academic programs across fields such as healthcare, business, music, arts, and education; and

WHEREAS, Shenandoah University is committed to cultivating an inclusive and dynamic learning environment, fostering personal and professional growth for its students by upholding its values of leadership, service, innovation, and academic excellence; and

WHEREAS, Shenandoah University has not only been a major educational institution but also an essential pillar of the Winchester and greater Northern Shenandoah Valley communities, contributing to the cultural, social, and economic fabric of the region through community service, research, and development; and

WHEREAS, Shenandoah University continues to play a vital role in shaping future leaders through programs that emphasize a global perspective, critical thinking, and ethical responsibility, preparing graduates to contribute meaningfully to society; and

WHEREAS, the leadership, faculty, staff, students, and alumni of Shenandoah University deserve recognition for their dedication, hard work, and vision, which have ensured the institution's continued growth, success, and impact over the past 150 years; and

WHEREAS, as Shenandoah University celebrates this significant anniversary, it looks forward to a future of continued academic innovation, community engagement, and service to the Commonwealth and beyond; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Shenandoah University on the occasion of its 150th anniversary for its exceptional contributions to higher education and the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Tracy Fitzsimmons, president of Shenandoah University, as an expression of the General Assembly's admiration and appreciation for the university's longstanding commitment to excellence in education and service to the community.

HOUSE JOINT RESOLUTION NO. 466

Designating May, in 2025 and in each succeeding year, as Amyotrophic Lateral Sclerosis Awareness Month in Virginia.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 18, 2025

WHEREAS, amyotrophic lateral sclerosis, also commonly known as Lou Gehrig's disease, is a progressive fatal neurodegenerative disease in which a person's brain loses connection with their muscles, slowly reducing a person's ability to walk, talk, eat, and eventually breathe; and

WHEREAS, thousands of new amyotrophic lateral sclerosis (ALS) cases are reported every year, and estimates show that every 90 minutes, someone is diagnosed with ALS and someone passes away from ALS; and

WHEREAS, on average, patients diagnosed with ALS survive only two to five years from the time of diagnosis; and

WHEREAS, the exact causes of ALS are unknown and there is no known cure for ALS; and

WHEREAS, people who have served in the military are more likely to develop ALS and die from the disease than those with no history of military service; and

WHEREAS, securing access to new therapies, durable medical equipment, and communication technologies is of vital importance to people living with ALS; and

WHEREAS, clinical trials play a pivotal role in evaluating new treatments, enhancing quality of life, and fostering assistive technologies for those living with ALS; and

WHEREAS, the ALS Association is the largest philanthropic funder of ALS research globally and has committed more than $154 million to support more than 550 projects across the United States and 18 other countries; and

WHEREAS, the ALS Association is committed to accelerating the pace of discovery, fueled by the hope that one day ALS will be a livable disease for everyone, everywhere, until a cure can be found; and

WHEREAS, 2025 marks the 10th anniversary of the Ice Bucket Challenge, an activity that has helped raise public awareness of ALS on social media and galvanized support that has led to significant investments in ALS research; and

WHEREAS, Amyotrophic Lateral Sclerosis Awareness Month provides an opportunity to increase public awareness of the dire circumstances of people living with ALS, acknowledge the terrible impact this disease has on those individuals and their families, and support research to eradicate this disease; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly designate May, in 2025 and in each succeeding year, as Amyotrophic Lateral Sclerosis Awareness Month in Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit a copy of this resolution to the ALS Association so that members of the organization may be apprised of the sense of the General Assembly of Virginia in this matter; and, be it

RESOLVED FINALLY, That the Clerk of the House of Delegates post the designation of this month on the General Assembly's website.

HOUSE JOINT RESOLUTION NO. 467

Commending Ray Reynolds.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, for two decades, Ray Reynolds of Henry County worked tirelessly to honor the memories of the Short family and raise money to support scholarships for local students; and

WHEREAS, Ray Reynolds was profoundly affected by the 2002 murder of local residents Michael and Mary Short and their nine-year-old daughter, Jennifer, and resolved to make a difference in the community; and

WHEREAS, a local businessman, Ray Reynolds used his connections to raise awareness of the heinous crime in the hopes that the Short family's killer or killers would be found and brought to justice, establishing the Jennifer Renee Short Memorial Ride in 2002; and

WHEREAS, under the leadership of Ray Reynolds, the Jennifer Renee Short Memorial Ride brought together hundreds of participants on motorcycles and other vehicles who rode from a starting point in Henry County to what is now known as the Jennifer Renee Short Memorial Bridge in Rockingham County, North Carolina; and

WHEREAS, with the help of numerous volunteers and local sponsors, Ray Reynolds guided the event for 20 years and raised more than $45,000 to support college scholarships for more than 60 Bassett High School students; and

WHEREAS, after Ray Reynolds retired as the director of the Jennifer Renee Short Memorial Ride in 2022, the event was reorganized under new leadership, and it continues to enjoy support from members of the community and local law-enforcement officers; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Ray Reynolds for his 20 years of achievements as the longtime organizer of the Jennifer Renee Short Memorial Ride; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Ray Reynolds as an expression of the General Assembly's admiration for his generosity and passion for community service.

HOUSE JOINT RESOLUTION NO. 469

Commending Mel Price.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, Mel Price, cofounder, chief executive officer, and principal at Work Program Architects in Norfolk, has been named to the College of Fellows of the American Institute of Architects; and

WHEREAS, Mel Price's honor from the American Institute of Architects (AIA) is the organization's highest membership honor and is presented to individuals in recognition of their contributions to both architecture and society; and

WHEREAS, Mel Price earned a bachelor's degree in architecture from the University of Notre Dame in 2003 before working with Island Architects in La Jolla, California, and later Tymoff+Moss Architects in Norfolk; and

WHEREAS, in 2010, Mel Price cofounded Work Program Architects in Norfolk alongside architect Thom White, developing the enterprise into one of the region's leading architecture firms with a portfolio that includes educational and municipal sites, civic landmarks, business and commercial locations, and other dynamic gathering places that contribute to the vitality of the community; and

WHEREAS, Mel Price has supported the building and design industry as a mentor to her fellow architects and as a member of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects and as past chair of the AIA National Small Firm Exchange; and

WHEREAS, Mel Price has devoted herself to the well-being of Norfolk beyond her professional practice, serving as vice chair of the Elizabeth River Trail Foundation, vice president of the Greater Norfolk Corporation, and chair of the Downtown Norfolk Council; and

WHEREAS, with an exceptional eye for design and a deep understanding of the way in which built structures connect communities, Mel Price has helped to make Norfolk a more beautiful and inspiring place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Mel Price for being named to the American Institute of Architects' College of Fellows; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Mel Price as an expression of the General Assembly's admiration for her accomplishments and best wishes for her continued success.

HOUSE JOINT RESOLUTION NO. 470

Commending program partners for the Virginia American Revolution 250 Commission's Fincastle Resolutions events.

Agreed to by the House of Delegates, January 15, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, in January 2025, several local program partners in Southwest Virginia will work together with the Virginia American Revolution 250 Commission to celebrate the 250th anniversary of the Fincastle Resolutions; and

WHEREAS, the General Assembly established the Virginia American Revolution 250 Commission in 2020 to commemorate the 250th anniversary of the American Revolution, the Revolutionary War, and the formation of the United States as an independent nation; and

WHEREAS, the Committee of Safety of Fincastle County adopted the Fincastle Resolutions on January 20, 1775, defying the British crown and boldly declaring their determination never to surrender the rights and privileges granted to them as Virginians; and

WHEREAS, while many similar resolutions were drafted in the summer of 1774, the Fincastle Resolutions are noteworthy as the first document in which the colonists declared that independence was a cause for which they would lay down their lives; and

WHEREAS, predating Patrick Henry's famous "Give Me Liberty or Give Me Death" speech by two months, the Fincastle Resolutions conclude with, "These are our real, though unpolished sentiments, of liberty and loyalty, and in them we are resolved to live and die."; and

WHEREAS, after the Fincastle Resolutions were signed, Colonel William Christian carried the document by foot, horseback, and carriage to the Capitol at Williamsburg, then on to the First Continental Congress in Philadelphia; and

WHEREAS, a historical marker in Austinville, Wythe County, which was erected at the time of the nation's bicentennial, marks the site of the former Lead Mines community, where the signing of the Fincastle Resolutions took place; and

WHEREAS, on Saturday, January 18, 2025, the Virginia American Revolution 250 Commission will join with local committees in Wythe, Roanoke, Pulaski, and Botetourt counties, the Roanoke History Museum, the Sons of the American Revolution, and the Daughters of the American Revolution, and other organizations to host a major event honoring the significance of the Fincastle Resolutions; and

WHEREAS, the family-friendly slate of events features patriotic musical performances by the Virginia Military Institute Regimental Band and the Roanoke Symphony Orchestra, a flag presentation by the Virginia Sons of the American Revolution Color Guard, a re-enactment of William Christian delivering the Fincastle Resolutions to Williamsburg on horseback, a dramatic reading of the Fincastle Resolutions by local students, and the grand opening of three new exhibits at the Roanoke History Museum, among other activities; and

WHEREAS, the Virginia American Revolution 250 Commission's Fincastle Resolutions events would not be possible without the hard work and dedication of its local program partners and volunteers, who have gone above and beyond to preserve and promote the history and heritage of the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend program partners for the Virginia American Revolution 250 Commission's Fincastle Resolutions events; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of the program partners for the Virginia American Revolution 250 Commission's Fincastle Resolutions events as an expression of the General Assembly's admiration for their efforts to raise awareness of the Fincastle Resolutions and educate the public about the foundation of the United States.

HOUSE JOINT RESOLUTION NO. 471

Commending the Animal Welfare League of Arlington.

Agreed to by the House of Delegates, January 15, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, for 80 years, the Animal Welfare League of Arlington has worked tirelessly to improve the lives of animals in Northern Virginia and strengthen the bonds between people and their pets by providing care and support; and

WHEREAS, the Animal Welfare League of Arlington was established in 1944 by a group of 12 volunteers who recognized the need for a humane society in Arlington County; and

WHEREAS, the Animal Welfare League of Arlington quickly expanded the scope of its mission and began rescuing animals across the Commonwealth, then partnered with Arlington County to open an official animal shelter, which opened in 1949 and cared for more than 13,000 animals in its early years, from domestic pets to more exotic species; and

WHEREAS, in 1976, the Animal Welfare League of Arlington constructed its current facility on Arlington Mill Drive; the organization garnered a reputation as one of the leading animal shelters in the nation, and in 1978, it became one of only three shelters in the nation accredited by the Humane Society of the United States at that time; and

WHEREAS, recognizing the challenges of pet overpopulation, the Animal Welfare League of Arlington was the first animal shelter in the Commonwealth to spay and neuter all pets prior to adoption, a visionary practice that significantly reduced the number of homeless pets; and

WHEREAS, the Animal Welfare League of Arlington's forward-thinking leadership has resulted in an incredible rate of success for its animal rehoming programs, with 97 percent of animals being adopted, transferred, or reunited with their families each year; and

WHEREAS, the Animal Welfare League of Arlington has developed many other innovative programs over the year, including low-cost spaying and neutering vouchers, vaccine clinics, emergency housing for pets, and the Pet Resource Center, which provides essential support for pet owners during times of crisis; and

WHEREAS, the Animal Welfare League of Arlington has fulfilled its mission through generous donations and support from community partners and the hard work of countless volunteers, who have cleaned kennels, fed animals, facilitated adoptions, walked dogs, and made many other contributions to ensure that the organization upholds the highest standards of care; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Animal Welfare League of Arlington on the occasion of its 80th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Animal Welfare League of Arlington as an expression of the General Assembly's admiration for the organization's vital mission and legacy of contributions to the well-being of animals in Northern Virginia.

HOUSE JOINT RESOLUTION NO. 472

Commending the American Friends of Lafayette.

Agreed to by the House of Delegates, January 24, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, the American Friends of Lafayette have worked with the Virginia American Revolution 250 Commission and other program partners to celebrate the 200th anniversary of the visit of Major General Gilbert Motier, Marquis de Lafayette, to the United States in 1824-1825; and

WHEREAS, the General Assembly established the Virginia American Revolution 250 Commission in 2020 to commemorate the 250th anniversary of the American Revolution, the Revolutionary War, and the formation of the United States as an independent nation; and

WHEREAS, the American Friends of Lafayette is a historical and patriotic society, which since 1932 has been dedicated to the study of the Marquis de Lafayette, including his distinguished role as a military officer during the American Revolution; and

WHEREAS, in 1824, U.S. President James Monroe invited the Marquis de Lafayette, then the last surviving major general of the Revolutionary War, to return as "a guest of the nation"; and

WHEREAS, the Marquis de Lafayette received a hero's welcome, met with numerous dignitaries and public figures, and was feted in all 24 U.S. states during a period from July 1824 to September 1825, which became known as "Lafayette's Grand Tour"; and

WHEREAS, the Marquis de Lafayette visited numerous sites in Virginia and was received by the General Assembly on January 24, 1825; and

WHEREAS, to commemorate the 200th anniversary of "Lafayette's Grand Tour," the American Friends of Lafayette have brought history to life for thousands of Americans through reenactments and educational programs, including events in Norfolk, Portsmouth, Fort Monroe, Arlington, Alexandria, Yorktown, Williamsburg, Richmond, Goochland, Orange, Charlottesville, Montpelier, Monticello, Fredericksburg, and Suffolk; and

WHEREAS, the American Friends of Lafayette worked with the Colonial Williamsburg Foundation, the Embassy of France in the United States, the Sons of the American Revolution, the Daughters of the American Revolution, and hundreds of other partner organizations to ensure that these historical moments continue to resonate for generations to come; and

WHEREAS, the events commemorating "Lafayette's Grand Tour" would not have been possible without the hard work and dedication of the American Friends of Lafayette's local program partners and volunteers, who have gone above and beyond to preserve and promote the history and heritage of the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the American Friends of Lafayette for its work with partners around the Commonwealth and the country to raise awareness of the 200th anniversary of the visit of Major General Gilbert Motier, Marquis de Lafayette, to the United States in 1824-1825; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the American Friends of Lafayette as an expression of the General Assembly's admiration for the organization's efforts to educate the public about the early history of the United States.

HOUSE JOINT RESOLUTION NO. 473

Designating the third full week of September, in 2025 and in each succeeding year, as Commercial Waterman Safety Week in Virginia.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 18, 2025

WHEREAS, the Commonwealth's commercial watermen and the seafood industry generate $1.1 billion in economic impact for the Commonwealth; and

WHEREAS, every year, more than 1,500 commercial watermen take to the Chesapeake Bay and its tributaries to harvest scallops, clams, blue crab, oysters, flounder, mackerel, menhaden, and other species, a tradition passed down through generations; and

WHEREAS, anchored by the menhaden fishery in the Northern Neck, the Commonwealth stands as the largest seafood producer on the East Coast of the United States based on volume of landings; and

WHEREAS, commercial watermen's landings sustain coastal communities every day and have inspired culinary masterpieces from chefs throughout the Commonwealth and around the world; and

WHEREAS, existing regulations and policies, developed by the Virginia Marine Resources Commission and Virginia's robust scientific community, make the Commonwealth's seafood industry and the work of commercial watermen a sustainable practice for the future; and

WHEREAS, the Chesapeake Bay and its tributaries have served as a vital workplace since the 1600s, and it is imperative that commercial watermen have access to a secure and safe work environment; and

WHEREAS, commercial watermen routinely brave multiple hazards in pursuit of their catch, but growing aggression towards Virginia's commercial fishing industry increases the risks of injury at an already inherently dangerous job; and

WHEREAS, given that a large portion of commercial watermen's income is dependent on their catch, a safe and productive workplace is essential to ensuring the livelihood of the Commonwealth's commercial watermen; and

WHEREAS, the Commonwealth aims to raise awareness about the safety and well-being of commercial waterman, emphasizing the importance of safe watercraft operations; and

WHEREAS, residents of and visitors to the Commonwealth are encouraged to continue to engage in recreational fishing activities while respecting the operations of commercial watermen; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly designate the third full week of September, in 2025 and in each succeeding year, as Commercial Waterman Safety Week in Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit a copy of this resolution to the Virginia Watermen's Association so that members of the organization may be apprised of the sense of the General Assembly of Virginia in this matter; and, be it

RESOLVED FINALLY, That the Clerk of the House of Delegates post the designation of this week on the General Assembly's website.

HOUSE JOINT RESOLUTION NO. 474

Commending the Lancaster High School boys' basketball team.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, the Lancaster High School boys' basketball team won the Virginia High School League Class 1 state championship at Virginia Commonwealth University's Stuart C. Siegel Center in Richmond on March 7, 2024; and

WHEREAS, the Lancaster High School Red Devils defeated the Auburn High School Eagles of Riner by a score of 65-59 to bring home the program's second consecutive state championship title and to finish the season with an impressive 26-2 record; and

WHEREAS, junior forward Troy Henderson, who set a Lancaster High School career scoring record this past season after scoring more than 26 points per game, led the Lancaster Red Devils in the championship contest with 30 points; and

WHEREAS, in recognition of their achievements, Troy Henderson, Lamar Mattocks, and Daveon Smith were named to the Virginia High School League (VHSL) Region 1A first team, while head coach Dwayne Pinn was honored as VHSL Region 1A coach of the year; and

WHEREAS, the accomplishments of the Lancaster Red Devils are the result of the hard work and dedication of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their families and the entire Lancaster High School community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Lancaster High School boys' basketball team for winning the 2024 Virginia High School League Class 1 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dwayne Pinn, head coach of the Lancaster High School boys' basketball team, as an expression of the House of Delegates' admiration for the team's achievement.

HOUSE JOINT RESOLUTION NO. 475

Commending the Charlotte County Virginia Angels softball team.

Agreed to by the House of Delegates, January 21, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, in 2024, the Charlotte County Virginia Angels softball team made history as the first-ever team from Charlotte County to win the Dixie Softball Angels World Series; and

WHEREAS, on the road to the Dixie Softball Angels World Series, the Charlotte County Virginia Angels softball team won the District 7 championship tournament and went undefeated in the state championship tournament, outscoring opponents 40-5; and

WHEREAS, after advancing to the Dixie Softball Angels World Series, the Charlotte County Virginia Angels continued their winning ways and outscored teams from South Carolina, Tennessee, Florida, and Alabama by 17-6; and

WHEREAS, throughout the tournament, the Charlotte County Virginia Angels worked hard and demonstrated excellent sportsmanship and a passion for the game; and

WHEREAS, the Charlotte County Virginia Angels were dominant on the pitcher's mound, with Mallory Barton striking out 78 batters and only allowing four runs and JoLee Layne striking out 56 batters and only allowing three runs; and

WHEREAS, every member of the Charlotte County Virginia Angels—Aubrey Barton, Averie Barton, Emma Barton, Mallory Barton, Kaydence Friend, Alyssa Gosney, JoLee Layne, Marissa Lee, Harley Nelson, Madilynn Tatum, Reece Toombs, and Zytriah Whitehead—contributed to the victorious season; and

WHEREAS, the Charlotte County Virginia Angels were ably led by manager Brian Barton and assistant coaches Jessica Tatum and Katie Layne, and the team enjoyed the unwavering support of the entire Charlotte County community throughout their campaign; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Charlotte County Virginia Angels softball team on winning the Dixie Softball Angels World Series; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Brian Barton, manager of the Charlotte County Virginia Angels softball team, as an expression of the General Assembly's admiration for the team's achievements.

HOUSE JOINT RESOLUTION NO. 476

Election of Circuit Court Judges, General District Court Judges, Juvenile and Domestic Relations District Court Judges, members of the Judicial Inquiry and Review Commission, and the Auditor of Public Accounts.

Agreed to by the House of Delegates, January 14, 2025
Agreed to by the Senate, January 14, 2025

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly shall proceed today
To the election of Circuit Court judges for terms of eight years commencing as follows:
One judge for the Sixth Judicial Circuit, term commencing July 1, 2025.
One judge for the Seventh Judicial Circuit, term commencing July 1, 2025.
One judge for the Nineteenth Judicial Circuit, term commencing January 1, 2026.
One judge for the Twenty-third Judicial Circuit, term commencing April 1, 2025.
To the election of General District Court judges for terms of six years commencing as follows:
One judge for the First Judicial District, term commencing April 1, 2025.
One judge for the Second Judicial District, term commencing May 1, 2025.
One judge for the Fifth Judicial District, term commencing July 1, 2025.
One judge for the Sixth Judicial District, term commencing July 1, 2025.
One judge for the Seventh Judicial District, term commencing July 1, 2025.
One judge for the Tenth Judicial District, term commencing June 1, 2025.
One judge for the Tenth Judicial District, term commencing June 1, 2025.
One judge for the Tenth Judicial District, term commencing April 16, 2025.
One judge for the Eleventh Judicial District, term commencing May 1, 2025.
One judge for the Twelfth Judicial District, term commencing July 1, 2025.
One judge for the Fourteenth Judicial District, term commencing June 1, 2025.
One judge for the Fourteenth Judicial District, term commencing July 1, 2025.
One judge for the Fifteenth Judicial District, term commencing July 1, 2025.
One judge for the Fifteenth Judicial District, term commencing July 1, 2025.
One judge for the Sixteenth Judicial District, term commencing June 1, 2025.
One judge for the Seventeenth Judicial District, term commencing March 16, 2025.
One judge for the Nineteenth Judicial District, term commencing July 1, 2025.
One judge for the Twenty-first Judicial District, term commencing July 1, 2025.
One judge for the Twenty-fifth Judicial District, term commencing April 1, 2025.
One judge for the Twenty-eighth Judicial District, term commencing July 1, 2025.
One judge for the Twenty-ninth Judicial District, term commencing July 1, 2025.
One judge for the Thirty-first Judicial District, term commencing July 1, 2025.
To the election of Juvenile and Domestic Relations District Court judges for terms of six years commencing as follows:
One judge for the First Judicial District, term commencing July 1, 2025.
One judge for the Second Judicial District, term commencing July 1, 2025.
One judge for the Second Judicial District, term commencing April 1, 2025.
One judge for the Fourth Judicial District, term commencing April 1, 2025.
One judge for the Fourth Judicial District, term commencing July 1, 2025.
One judge for the Sixth Judicial District, term commencing July 1, 2025.
One judge for the Seventh Judicial District, term commencing April 16, 2025.
One judge for the Seventh Judicial District, term commencing July 1, 2025.
One judge for the Eighth Judicial District, term commencing July 1, 2025.
One judge for the Eighth Judicial District, term commencing July 1, 2025.
One judge for the Eighth Judicial District, term commencing April 1, 2025.
One judge for the Eleventh Judicial District, term commencing February 1, 2025.
One judge for the Eleventh Judicial District, term commencing July 1, 2025.
One judge for the Thirteenth Judicial District, term commencing July 1, 2025.
One judge for the Fifteenth Judicial District, term commencing July 1, 2025.
One judge for the Sixteenth Judicial District, term commencing July 1, 2025.
One judge for the Nineteenth Judicial District, term commencing July 1, 2025.
One judge for the Twenty-first Judicial District, term commencing July 1, 2025.
One judge for the Twenty-fourth Judicial District, term commencing July 1, 2025.
One judge for the Twenty-fourth Judicial District, term commencing July 1, 2025.
One judge for the Twenty-fifth Judicial District, term commencing July 1, 2025.
One judge for the Twenty-sixth Judicial District, term commencing May 1, 2025.
One judge for the Twenty-sixth Judicial District, term commencing July 1, 2025.

One judge for the Thirtieth Judicial District, term commencing July 1, 2025.

One judge for the Thirty-first Judicial District, term commencing July 1, 2025.

To the election of members of the Judicial Inquiry and Review Commission for terms of four years commencing as follows:

One member for a term of four years commencing July 1, 2025.

One member for a term of four years commencing July 1, 2025.

One member for a term of four years commencing July 1, 2025.

To the election of the Auditor of Public Accounts for a term of four years commencing February 1, 2025.

And that in the execution of the joint order nominations shall be made in the order herein named, and that each house shall be notified of said nominations, and when the rolls shall be called for the whole number, the presiding officers of each house shall appoint a committee of three, which together shall constitute the joint committee to count the vote of each house in each case and report the results to their respective houses. The joint order may be suspended by the presiding officer of either house at any time but for no longer than twenty-four hours to receive the report of the joint committee.

HOUSE JOINT RESOLUTION NO. 477

Celebrating the life of Henry Furlong Baldwin.

Agreed to by the House of Delegates, January 20, 2025

Agreed to by the Senate, January 23, 2025

WHEREAS, Henry Furlong Baldwin of Northampton County, a respected leader in the banking industry who served as the longtime president of the former Mercantile-Safe Deposit and Trust Company and as a former chair of the Nasdaq Stock Market, died on December 7, 2024; and

WHEREAS, Furlong Baldwin grew up in Baltimore, Maryland, and attended the Calvert School and the Gilman School before graduating from Princeton University, where he was an All-American lacrosse player; and

WHEREAS, after serving his country as a member of the United States Marine Corps, Furlong Baldwin joined Baltimore's Mercantile-Safe Deposit and Trust Company in July 1956; over the course of his career, he counted checks in the proof and collections department, served as a bank teller, worked in the loan cage, and posted in the general ledger, a canvas-covered compendium of transactions that was approximately two feet high at the time; and

WHEREAS, in 1968, Furlong Baldwin was selected as president of Mercantile-Safe Deposit and Trust Company; he subsequently served as chair and chief executive officer of the bank and president and chief executive officer of its parent company, Mercantile Bankshares Corporation; and

WHEREAS, Furlong Baldwin's disciplined and cautious management helped keep the bank stable and independent during his tenure; he also helped guide the bank into commercial lending and acquired numerous smaller banks that thrived and maintained much of their own independence under his strategic leadership; and

WHEREAS, Furlong Baldwin's success was rooted in his ability to quickly understand people and forge strong bonds based on trust and mutual respect; he inspired others through his self-confidence, toughness, and reliability; and

WHEREAS, outside of his career, Furlong Baldwin was devoted to civic engagement and offered his wisdom and insights to the board of trustees at Johns Hopkins Medicine; he also enhanced cultural life in Baltimore by supporting the Baltimore Symphony Orchestra, the Walters Art Museum, and many other exceptional nonprofit organizations; and

WHEREAS, Furlong Baldwin made his home at Eyre Hall in Cheriton, where he enjoyed sailing and hunting geese; his commitment to philanthropy extended to the Commonwealth, serving on the boards of the Virginia Museum of History and Culture, George Washington's Mount Vernon, and the Stratford Hall Historic Preserve; and

WHEREAS, Furlong Baldwin will be fondly remembered and greatly missed by his children, Eyre and Molly, and their families, including his granddaughter, Grace; his companion of 37 years, Louise Hayman; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Henry Furlong Baldwin, a distinguished leader in the banking industry and a true Virginia gentleman; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Henry Furlong Baldwin as an expression of the General Assembly's respect for his life.

HOUSE JOINT RESOLUTION NO. 478

Celebrating the life of the Honorable William R. O'Brien.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, the Honorable William R. O'Brien, a star quarterback on the University of Richmond football team who went on to serve the Commonwealth as a member of the Virginia House of Delegates and a chief judge of the Virginia Beach Circuit Court, died on September 30, 2024; and

WHEREAS, a proud, lifelong resident of Virginia Beach, William R. "Buster" O'Brien's achievements as quarterback of the Princess Anne High School football team earned him a scholarship to the University of Notre Dame; and

WHEREAS, after his freshman season, Buster O'Brien transferred to the University of Richmond, where he became one of the institution's all-time greats, earning All-American, All-State, and All-Southern Conference honors over the course of his three-year career; and

WHEREAS, Buster O'Brien's 349 completions and 4,424 career passing yards both rank ninth among all University of Richmond quarterbacks, and his 83-yard air ball to wide receiver Walker Gillette remains the fourth-longest pass in program history; and

WHEREAS, Buster O'Brien and Walker Gillette led the University of Richmond Spiders to their first and only bowl game victory in the 1968 Tangerine Bowl, a 49-42 shootout against Ohio University, after which the dynamic duo were named co-most valuable players; and

WHEREAS, in recognition of his historic achievements, Buster O'Brien was inducted into the University of Richmond Athletics Hall of Fame, the Virginia High School League Hall of Fame, the Citrus Bowl Hall of Fame, the Hampton Roads Sports Hall of Fame, and the Virginia Sports Hall of Fame; and

WHEREAS, Buster O'Brien was drafted into the National Football League by the Denver Broncos and briefly played with the San Francisco 49ers and what are now the Washington Commanders before pursuing a law degree at The College of William & Mary in Virginia; and

WHEREAS, Buster O'Brien worked as a criminal defense attorney in Virginia Beach for more than 30 years, during which time he was also elected to the Virginia House of Delegates and represented the residents of Virginia Beach from 1980 to 1985; and

WHEREAS, Buster O'Brien introduced and supported numerous pieces of legislation to benefit his constituents and the Commonwealth as a whole, and he offered his leadership and insights to the committees on Finance, Chesapeake and Its Tributaries, Conservation and Natural Resources, and Militia and Police; and

WHEREAS, in 2004, Buster O'Brien was appointed as a judge of the Virginia Beach Circuit Court of the 2nd Judicial Circuit of Virginia and presided over the court with great fairness and wisdom for the next 15 years, including four years as chief judge; and

WHEREAS, over the course of his distinguished career, Buster O'Brien served the Commonwealth with the utmost dedication and played a unique role in the creation, defense, and enforcement of the law as a legislator, attorney, and judge; and

WHEREAS, Buster O'Brien was well known as a consummate storyteller and a caring friend who inspired others through his generosity and boundless optimism; and

WHEREAS, Buster O'Brien's proudest accomplishments were those as a loving husband and supportive father; he will be fondly remembered and greatly missed by his wife of 55 years, Karen; his children, Happy, Patrick, and Erin, and their families; and numerous other family members, friends, and colleagues on both sides of the aisle; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of the Honorable William R. O'Brien; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Honorable William R. O'Brien as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 479

Commending the Community Foundation of the New River Valley.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, the Community Foundation of the New River Valley, an organization with the mission to encourage charitable giving, nurture collaboration, and invest in lasting solutions that enhance the quality of life for all in the New River Valley, celebrated its 30th anniversary in 2024; and

WHEREAS, the Community Foundation of the New River Valley (CFNRV) established its founding board of directors in 1994 with Peggy Eaton as its first executive director and held its first annual meeting on May 25, 1995; and

WHEREAS, the CFNRV established its first endowed fund, the Gerus Blieszner Fund, between 1996 and 1997, achieved tax-exempt status shortly thereafter, and by 2002 had created its first scholarship fund, the T. Scott Eaton Scholarship Fund; and

WHEREAS, the CFNRV awarded more than $400,000 to 140 different organizations in its first decade and has since then seen this figure rise to $8.4 million in grants and scholarships, with more than $18 million in assets available to support future programs and initiatives; and

WHEREAS, the CFNRV has generously assisted the local nonprofit community over the years through various endeavors, including grant writing and other capacity-building workshops, community forums, and its nonprofit accelerator; and

WHEREAS, the CFNRV founded the Fund for the NRV in 2014 to advance community efforts in the areas of early childhood education and care, hunger and food security, aging in the community, and nonprofit leadership; and

WHEREAS, in recognition of its accomplishments as a member of the New River Valley Aging in Place Leadership Team, the CFNRV was presented the Secretary's Award for Public-Philanthropic Partnerships by the United States Department of Housing and Urban Development in 2016; and

WHEREAS, the achievements of the CFNRV are a result of the visionary leadership of its founders, the hard work and commitment of its staff and volunteers, the lasting and productive partnerships the organization has formed with several area nonprofits, businesses, schools, and individuals, and the unwavering support of the New River Valley community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Community Foundation of the New River Valley on the occasion of its 30th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Community Foundation of the New River Valley as an expression of the General Assembly's admiration for the organization's legacy of service and best wishes for its continued success.

HOUSE JOINT RESOLUTION NO. 480

Celebrating the life of Holly Jennings King.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, Holly Jennings King, a beloved daughter, sister, wife, friend, and member of the Craig County community, died on September 27, 2024; and

WHEREAS, Holly King discovered a talent for dance at a young age, performing in *The Nutcracker* with the Richmond City Ballet for three seasons, and was also an accomplished martial artist, holding a black belt in karate; and

WHEREAS, Holly King was a dedicated student who studied at Pulaski County High School, Eastern Montgomery High School, and the Appomattox Regional Governor's School for the Arts and Technology in Petersburg before earning a degree from Radford University; and

WHEREAS, after a series of adventures in various locales, Holly King returned to the New River Valley, the place she truly called home; and

WHEREAS, Holly King's warmth, empathy, and compassion for others brightened countless people's lives as she supported many in their time of need and encouraged all who knew her to embrace their true, authentic selves; and

WHEREAS, Holly King will be fondly remembered and dearly missed by her loving husband, Jude; her parents, Richard and Susan; her brothers, Ritchie and Harrison, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Holly Jennings King, a treasured member of the Craig County community whose joy, energy, and passion for life will continue to inspire others for years to come; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Holly Jennings King as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 481

Commending the Blacksburg High School golf team.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, the Blacksburg High School golf team won the Virginia High School League Class 4 state championship at Heritage Oaks Golf Club in Harrisonburg on October 14, 2024; and

WHEREAS, the Blacksburg High School Bruins defeated the Monacan High School Chiefs of Chesterfield County by 12 strokes to bring home the program's fourth consecutive state championship title at the Class 4 level and its eighth state championship title overall; and

WHEREAS, the Blacksburg Bruins' victory was made possible by outstanding performances from all of its golfers, including senior Jake Albert, who was the runner-up for the Virginia High School League Class 4 individual title for the third year in a row following his state championship individual title in 2021; and

WHEREAS, the success of the Blacksburg Bruins is the result of the hard work and determination of the student-athletes, the leadership and guidance of their coaches and teachers, and the unflagging support of their families and the entire Blacksburg High School community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Blacksburg High School golf team for winning the 2024 Virginia High School League Class 4 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Blacksburg High School golf team as an expression of the General Assembly's admiration for the team's achievement.

HOUSE JOINT RESOLUTION NO. 482

Commending the Auburn High School golf team.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, the Auburn High School golf team of Riner won the Virginia High School League Class 1 state championship at Great Oaks Country Club in Floyd County on October 15, 2024; and

WHEREAS, the Auburn High School Eagles defeated Northumberland High School by 34 strokes to secure the program's second straight state championship title; and

WHEREAS, the Auburn Eagles saw strong performances by all of its golfers in its victory, including Drew Royal, who won the Virginia High School League Class 1 individual title by two strokes; and

WHEREAS, the accomplishments of the Auburn Eagles are the result of the hard work and dedication of the student-athletes, the leadership and guidance of their coaches and teachers, and the steadfast support of their families and the entire Auburn High School community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Auburn High School golf team for winning the 2024 Virginia High School League Class 1 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Auburn High School golf team as an expression of the General Assembly's admiration for the team's achievement.

HOUSE JOINT RESOLUTION NO. 483

Commending Cadet Colonel Anna Stroz, CAP.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, in 2024, Cadet Colonel Anna Stroz, CAP, a member of Hampton Roads Composite Squadron in the Virginia Wing of the Civil Air Patrol, received the General Carl A. Spaatz Award, the highest honor presented to Civil Air Patrol cadets nationwide; and

WHEREAS, Anna Stroz is a student at Hickory High School in Chesapeake, where she is in the top five percent of her class with a 4.5 GPA; she is a member of the National Honor Society and the varsity tennis team, as well as a prolific volunteer for the Red Cross and other organizations; and

WHEREAS, Anna Stroz joined the Hampton Roads Composite Squadron in August 2019 and has distinguished herself through her high achievements in leadership and dedication to service; she has previously served as squadron cadet commander and winter encampment cadet commander as well as deputy commander of the support and first aid teams at summer encampments; and

WHEREAS, Anna Stroz was one of 100 Civil Air Patrol cadets in the United States, Puerto Rico, and Canada to attend the Civil Air Patrol Cadet Officer School in 2024 and furthered her leadership development at the 2024 session of the Virginia Girls State program of the American Legion Auxiliary; and

WHEREAS, after graduation, Anna Stroz hopes to attend the United States Air Force Academy with a goal of becoming a trauma surgeon; and

WHEREAS, the General Carl A. Spaatz Award recognizes cadets who have demonstrated a commitment to excellence in leadership, character, fitness, and aerospace education; Anna Stroz was the 2,546th recipient of the award since its inception in 1964; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Cadet Colonel Anna Stroz, CAP, on receiving the prestigious General Carl A. Spaatz Award; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Cadet Colonel Anna Stroz, CAP, as an expression of the General Assembly's admiration for her achievements in service to the Commonwealth and the nation.

HOUSE JOINT RESOLUTION NO. 484

Commending Debbie Rountree.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, Debbie Rountree was honored as the 2024 Woman of the Year by the Women's Division Hampton Roads Chamber of Commerce Chesapeake; and

WHEREAS, with more than 30 years of experience in real estate, Debbie Rountree has helped countless individuals and families throughout Chesapeake and Hampton Roads find the perfect home; she is a member of the National Association of REALTORS®, the Virginia Association of REALTORS®, and the Hampton Roads REALTORS® Association, as well as a past member of the Tidewater Builders Association and the Hampton Roads Chamber of Commerce; and

WHEREAS, Debbie Rountree has worked diligently to enhance the quality of life in the South Norfolk neighborhood of Chesapeake as a past vice president of the South Norfolk Civic League, past board member of Chesapeake Friends of the Arts, and a past member of the South Norfolk Woman's Club, the South Norfolk Historical Restoration Commission, and the South Norfolk Revitalization Committee; and

WHEREAS, Debbie Rountree has used her expertise in interior design to furnish homes for numerous charitable events and fundraisers to support worthy causes in Chesapeake; and

WHEREAS, Debbie Rountree has generously volunteered her time and leadership in many other ways, including delivering Thanksgiving dinners through Buffalow Family and Friends Community Days, working at the Help and Emergency Response, Inc., Shelter, offering her leadership to the board of the Chesapeake Area Shelter Team, chairing the Willoughby Civic Crime Watch, and collecting food, clothing, shoes, blankets, and other necessities for people in need; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Debbie Rountree on the occasion of her selection as the 2024 Woman of the Year by the Women's Division Hampton Roads Chamber of Commerce Chesapeake; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Debbie Rountree as an expression of the General Assembly's admiration for her personal and professional achievements.

HOUSE JOINT RESOLUTION NO. 485

Celebrating the life of Rafael Torrech III.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, Rafael Torrech III of Virginia Beach, a longtime member of the ship repair industry and a beloved husband, father, grandfather, and great-grandfather, died on November 9, 2024; and

WHEREAS, born in Brooklyn, New York, Rafael "Ralph" Torrech III spent much of his youth in Puerto Rico before returning to the United States at the age of 12; and

WHEREAS, Ralph Torrech served his country as a member of the United States Marine Corps and was a proud patriot throughout his life; after his military service, he continued to support national defense as an employee of Norfolk Shipbuilding and Dry Dock Corporation for 35 years; and

WHEREAS, Ralph Torrech subsequently established Técnico Corporation, an employee-owned provider of ship repair support services that has become a recognized leader in the maritime and industrial industries of Hampton Roads; and

WHEREAS, outside of his career, Ralph Torrech supported the community by offering his wise insights to local charitable organizations, and he and his wife, Patsy, played a critical role in the establishment and development of the Cancer Care Foundation of Tidewater; and

WHEREAS, Ralph Torrech enjoyed fellowship and worship with the congregation of First Baptist Church Norfolk, where he sang in the choir and supported worldwide ministry programs; and

WHEREAS, Ralph Torrech will be fondly remembered and greatly missed by his beloved wife of 71 years, Patsy; his children Michael, Larry, and Vicky, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Rafael Torrech III, a devoted husband, father, grandfather, and great-grandfather and a highly admired resident of Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Rafael Torrech III as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 486

Commending Caleb Gilbert.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, Caleb Gilbert, an eighth-grade student at Shelburne Middle School in Staunton, won first place in the local super stock division at the 86th FirstEnergy All-American Soap Box Derby World Championship held at Derby Downs in Akron, Ohio, in July 2024; and

WHEREAS, Caleb Gilbert advanced to compete in the All-American Soap Box Derby after winning the Harrisonburg Soap Box Derby earlier in the season, and he is notably the first racer from the city to bring home a soap box derby world championship; and

WHEREAS, Caleb Gilbert outpaced 67 other racers to claim victory at the All-American Soap Box Derby event, demonstrating exceptional passion, focus, and determination in the pursuit of his dreams; and

WHEREAS, Caleb Gilbert's triumph is the culmination of four years of hard work, a journey that included a national rally stock points championship and a third place finish in the rally stock division at the All-American Soap Box Derby in 2023; and

WHEREAS, the car used by Caleb Gilbert to secure his first place finish at the All-American Soap Box Derby has been placed in the International Soap Box Derby Hall of Fame in Akron, Ohio, preserving the memory of his historic win for years to come; and

WHEREAS, Caleb Gilbert's achievements are the result of his tireless dedication and the unwavering support of his family and the entire Staunton community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Caleb Gilbert for winning first place in the local super stock division at the 86th FirstEnergy All-American Soap Box Derby; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Caleb Gilbert as an expression of the General Assembly's admiration for his accomplishments and best wishes for his continued success.

HOUSE JOINT RESOLUTION NO. 487

Commending Grant Holloway.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, Grant Holloway, a native of Chesapeake, represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, winning a gold medal for Team USA in the men's 110-meter hurdles event; and

WHEREAS, Grant Holloway began developing his passion for athletics at a young age and was a star member of track and field teams at Grassfield High School in Chesapeake and the University of Florida; and

WHEREAS, as a professional athlete, Grant Holloway has become one of the most dominant hurdlers in the world, setting several records and achieving a nine-year winning streak in indoor 60-meter hurdles that spanned high school, college, and professional competitions; and

WHEREAS, Grant Holloway's personal best time of 12.81 seconds in the men's 110-meter hurdles is the second-fastest time ever in the event; and

WHEREAS, Grant Holloway has previously won gold medals at the 2019, 2022, and 2023 International Association of Athletics Federations World Athletics Championships and a silver medal in the men's 110-meter hurdles event at the 2020 Summer Olympics; and

WHEREAS, returning to the Olympics with a renewed focus, Grant Holloway was the undisputed leader in the men's 110-meter hurdles event at Paris 2024, winning his first-round heat by 0.21 seconds and his semifinal by 0.19 seconds; and

WHEREAS, Grant Holloway earned the gold medal in the 110-meter hurdles final with an incredible time of 12.99 seconds, a 0.10-second margin; and

WHEREAS, understanding that he has been blessed with rare gifts and talents, which have been perfected through dedication and hard work, and that his faith requires him to help others, Grant Holloway founded the Grant Holloway Athletics Foundation to help the less fortunate and support families in need; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Grant Holloway on winning a gold medal at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Grant Holloway as an expression of the General Assembly's admiration for his exceptional athletic achievements and best wishes for the future.

HOUSE JOINT RESOLUTION NO. 488

Commending Maurice Moody.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, Maurice Moody, a longtime leader of the Lake of the Woods Volunteer Fire and Rescue Company in Orange County, received the Regional Lifetime Achievement Award from the Rappahannock Emergency Medical Services Council in 2024; and

WHEREAS, Maurice "Bud" Moody served in nearly every role with the Lake of the Woods Volunteer Fire and Rescue Company during his emergency medical services (EMS) career, including as rescue chief, assistant chief, deputy chief, and member of the board of directors; and

WHEREAS, Bud Moody's leadership was integral to the growth and success of the Lake of the Woods Volunteer Fire and Rescue Company over the years and to the agency's ability to operate effectively and efficiently in the face of various challenges; and

WHEREAS, Bud Moody was influential in the regional EMS community as Orange County's representative on the Rappahannock EMS Council's Board of Directors for 12 years, where he was closely involved with a number of committees and regional initiatives, including the council's response to the COVID-19 pandemic; and

WHEREAS, Bud Moody embarked upon his EMS career by acquiring his advanced emergency medical technician certification, and he demonstrated his devotion to delivering the highest standard of care throughout his career by regularly improving his skills through additional training courses; and

WHEREAS, Bud Moody's selfless dedication and service helped to make the Lake of the Woods community in Orange County a safer place for all, earning him the praise and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Maurice Moody for receiving the 2024 Regional Lifetime Achievement Award from the Rappahannock Emergency Medical Services Council; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Maurice Moody as an expression of the General Assembly's high regard for his exemplary emergency medical services career and for his contributions to Orange County and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 489

Commending Marie Nave.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, Marie Nave, a skilled and highly experienced hair stylist, retired in 2024 after more than five decades of professional achievements and service to countless clients in and around Fredericksburg; and

WHEREAS, Marie Nave grew up in Fredericksburg and began working at her late mother's downtown hair salon, Marci's, when she was only 14 years old; she learned her craft by watching and assisting other hair stylists and officially earned her beautician's license three years later; and

WHEREAS, for several years, Marie Nave followed her husband, Gary, to different military postings and found work as a hair stylist on military bases or in local communities in Virginia, Georgia, Alaska, and Germany; and

WHEREAS, Marie and Gary Nave settled in the Rhoadesville area of Orange County in the 1990s, and she quickly developed a loyal following of long-term clients while working at area hair salons, including Creative Clippers in Spotsylvania County; and

WHEREAS, over the course of her 54-year career, Marie Nave witnessed significant changes in fashion and hair styling trends, but always went above and beyond to help her clients leave their appointments feeling confident and proud of their new look; and

WHEREAS, Marie Nave found true joy in her work and built strong, personal relationships with generations of clients, learning as much about their lives and families as she did about their hair styling needs; and

WHEREAS, Marie Nave was also a trusted friend to her colleagues, and she enlivened any salon with her infectious laughter; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Marie Nave on the occasion of her retirement as a hair stylist; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Marie Nave as an expression of the General Assembly's admiration for her decades of service to her clients and contributions to the community in the Fredericksburg region.

HOUSE JOINT RESOLUTION NO. 490

Celebrating the life of John Lee Orrock.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, John Lee Orrock, an accomplished farmer, former water treatment plant supervisor for Spotsylvania County, and a beloved member of the Spotsylvania County community, died on September 17, 2024; and

WHEREAS, born at Mattameade Farm in Woodford, John Orrock served in the United States Army, worked for several years in the construction trades, and also dedicating himself to the arduous task of raising beef cattle; and

WHEREAS, John Orrock went on to retire as the supervisor of a Spotsylvania County water treatment plant, where he worked tirelessly to ensure the health, safety, and well-being of his community; and

WHEREAS, John Orrock was the consummate outdoorsman who loved every moment he spent in the beautiful environs of Spotsylvania and Caroline Counties; and

WHEREAS, preceded in death by his son, Robert, John Orrock will be fondly remembered and dearly missed by his children, Virginia and John II, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of John Lee Orrock, a cherished member of the Spotsylvania County community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of John Lee Orrock as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 491

Celebrating the life of Jackie Francis Shepard, Jr.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, Jackie Francis Shepard, Jr., a longtime resident of Spotsylvania County who touched countless lives as a youth athletics coach, died on October 26, 2024; and

WHEREAS, born in Fredericksburg, Jackie "Jack" Francis Shepard, Jr., spent most of his life in nearby Spotsylvania County and graduated in 1977 from Spotsylvania High School, where he cultivated his lifelong passion for football; and

WHEREAS, Jack Shepard's childhood job as a newspaper delivery boy ultimately defined the majority of his professional career; he worked as a truck driver for several local companies, including J.F. Fick and Fredericksburg Distributing before he joined McLane Mid-Atlantic, a regional division of one of the largest distribution leaders in the United States; and

WHEREAS, Jack Shepard was an avid storyteller who relished every opportunity to share his tales of life on the road and the people he encountered along the way; and

WHEREAS, Jack Shepard was well known in the community as a coach, having mentored countless young people in at least three sports over the course of more than four decades; he emphasized the importance of leadership development, and many of his former players carried his life lessons with them as they achieved success in higher education and careers and started families of their own; and

WHEREAS, Jack Shepard also brought joy to others through his kindness and generosity as a jack-of-all-trades who volunteered his time and talents to help friends and neighbors in need with a wide range of projects; and

WHEREAS, outside of his career and community service, Jack Shepard was an avid outdoorsman who enjoyed hunting, fishing, or simply spending time enjoying a peaceful day in the woods; his annual trips to the beach were legendary, with Jack and his grandchildren often turning mundane errands into grand adventures; and

WHEREAS, Jack Shepard will be fondly remembered and greatly missed by his wife of 31 years, Kelly; his children, Allison, Jesse, and Caitlyn, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Jackie Francis Shepard, Jr., a highly admired member of the Spotsylvania County community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Jackie Francis Shepard, Jr., as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 493

Commending Blackwater Baptist Church.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, for more than 250 years, Blackwater Baptist Church has provided opportunities for joyful worship, wise spiritual leadership, and generous outreach to the residents of Virginia Beach; and

WHEREAS, Blackwater Baptist Church traces its roots to the early 1700s, when members of the Lynnhaven Parish Church living in what was then the Blackwater area of Princess Anne County began hosting prayer readings in their homes; and

WHEREAS, George Plummer and Thomas Armistead established Blackwater Baptist Church in approximately 1774 to better serve the members of the Blackwater community, who were forced to travel great distances to attend worship services or rely on traveling preachers; and

WHEREAS, by 1791, Blackwater Baptist Church had begun to flourish and sent delegates to the newly formed Virginia Portsmouth Association; and

WHEREAS, the current Blackwater Baptist Church building was constructed in 1860, and while the church had no regular pastor during the Civil War, the congregation endured and continued to grow in the post-war years; and

WHEREAS, in the 1920s, Blackwater Baptist Church organized the Women's Missionary Union, which led to the creation of several other ministries for women and girls in the region; and

WHEREAS, in the following decades, Blackwater Baptist Church underwent extensive renovations, organized its first choir, hosted its first vacation Bible school, expanded Sunday school programs, opened a library, established a music program and purchased the current church organ, opened a social hall, and completed additional renovations to bring the church into the modern era; and

WHEREAS, more recently, Blackwater Baptist Church planted a prayer garden, installed a new bell in the church steeple, expanded mission programs, and created new social ministries, all as the congregation continued to grow in both faith and number; and

WHEREAS, during the COVID-19 pandemic, Blackwater Baptist Church offered drive-in services, as well as live broadcasts on the radio and Internet, to provide hope and fellowship to local residents; and

WHEREAS, over the course of its history, Blackwater Baptist Church benefited from the able leadership of numerous ministers, including William Sorey, Samuel Brown, George Norris, Evan Forbes, Pritchard Jordan, Lemuel Sanderlin, Abner Perry, Thomas W. Rayfield, Richard H. Baylor, William D. Pritchard, Nathan Morris Munden, C.W. Matthews, J.M. Dunaway, and J.D. Berry; and

WHEREAS, Blackwater Baptist Church has also been led by L.C. Brickhouse, Ambrose W. Burfoot, William E. Lankford, the Reverend L.F. Paulette, Samuel N. Hurst, George W. Cox, George Washington Sawyer, Henry B. Cole, Mott A. Cumby, Ralph W. Mapp, Wade G. Harding, David G. Costas, Gary B. Thompson, Ralph L. Horn, Melvin Hughes, Steven E. Wiseman, Dr. Roscoe Musselwhite, R. Otis Colston, Michael C. Jones, Gregory Hammer, and the Reverend Dr. Lynn Hardaway; and

WHEREAS, located in what is now the rural southern section of Virginia Beach, Blackwater Baptist Church is a gathering place where people from across the region have found a spiritual home and built a strong sense of community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Blackwater Baptist Church on the occasion of its 250th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Blackwater Baptist Church as an expression of the General Assembly's admiration for the church's long history and legacy of contributions to the Virginia Beach community.

HOUSE JOINT RESOLUTION NO. 494

Commending the Historic St. John's Church.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, in 2025, the Historic St. John's Church in Richmond will work with the Virginia American Revolution 250 Commission and other local partners to celebrate the 250th anniversary of Patrick Henry's famous "Give me liberty or give me death!" speech; and

WHEREAS, the General Assembly established the Virginia American Revolution 250 Commission in 2020 to commemorate the 250th anniversary of the American Revolution, the Revolutionary War, and the formation of the United States as an independent nation; and

WHEREAS, Patrick Henry of Hanover County joined the House of Burgesses a few days before the Stamp Act crisis of 1765 and went on to become well known for his passionate oration in defense of the Virginia colonists' rights; and

WHEREAS, on March 23, 1775, Patrick Henry delivered his famous "Give me liberty or give me death!" speech to the Second Virginia Revolutionary Convention at the Historic St. John's Church, then known as the Henrico Parish Church; and

WHEREAS, Patrick Henry became known as the "voice of the American Revolution," and the speech is credited with having helped to convince the members of the convention to pass a resolution delivering Virginian troops for the Revolutionary War; and

WHEREAS, at the time of the speech, Patrick Henry lived in Scotchtown in Hanover County; he was ultimately buried at Red Hill, his last home in Charlotte County; and

WHEREAS, on March 23, 2025, the Virginia American Revolution 250 Commission will join with the Historic St. John's Church to host a re-enactment of the speech on the site it was delivered and as close to the moment that it was delivered as historians can determine; and

WHEREAS, the events commemorating Patrick Henry's speech would not be possible without the hard work and dedication of the re-enactors, scholars, leaders, and volunteers at the Historic St. John's Church, who have gone above and beyond to preserve and promote the history and heritage of the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Historic St. John's Church for its work to honor the 250th anniversary of Patrick Henry's "Give me liberty or give me death!" speech; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Historic St. John's Church as an expression of the General Assembly's admiration for the church's efforts to raise awareness of the life and achievements of the great Virginian statesman Patrick Henry and educate the public about the foundation of the United States.

HOUSE JOINT RESOLUTION NO. 495

Celebrating the life of Patricia Buckley Moss.

Agreed to by the House of Delegates, January 20, 2025

Agreed to by the Senate, January 23, 2025

WHEREAS, Patricia Buckley Moss, an acclaimed artist and philanthropist and beloved member of the Waynesboro and Mathews County communities, died on July 13, 2024; and

WHEREAS, born in Staten Island, New York, Patricia "P." Buckley Moss overcame dyslexia to excel at art from a young age, later graduating from the Cooper Union for the Advancement of Science and Art; and

WHEREAS, while raising a young family in the 1960s, P. Buckley Moss relocated to Waynesboro, a move that would have a profound and lasting impact on her oeuvre and approach to art; and

WHEREAS, P. Buckley Moss's unique body of work, which is best known for its emphasis on rural landscapes and settings and other scenes evoking a nostalgia for the American countryside, has been featured in many prestigious galleries and museums around the world over the years; and

WHEREAS, P. Buckley Moss often included members of Virginia's Amish and Mennonite communities in her work, creating a window into their way of life that captured the beauty and power of their faith; and

WHEREAS, P. Buckley Moss's philanthropic efforts led to the creation of the P. Buckley Moss Society in 1987, which today counts nearly 50,000 members, and the P. Buckley Moss Foundation for Children's Education in 1995, which is dedicated to supporting children with learning differences and integrating art education into school curricula; and

WHEREAS, P. Buckley Moss earned an array of distinguished accolades over her lifetime for her achievements in both art and philanthropy; most recently, the Virginia Polytechnic Institute and State University named its new arts center the Moss Arts Center in her honor in 2013 and the Cooper Union for the Advancement of Science and Art presented her with its inaugural Peter Cooper Public Service Award in 2014; and

WHEREAS, preceded in death by her first husband, John, and her son John, P. Buckley Moss will be fondly remembered and dearly missed by her children, Mary, Rebecca, Patricia, Virginia, and Christopher, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Patricia Buckley Moss, an artist and philanthropist whose legacy both on the canvas and in the community will inspire others for generations to come; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Patricia Buckley Moss as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 496

Commending Al Alexander.

Agreed to by the House of Delegates, January 20, 2025
Agreed to by the Senate, January 23, 2025

WHEREAS, Al Alexander, assistant principal at Western Branch High School in Chesapeake and chairman of the New Chesapeake Men for Progress Educational Foundation, was presented the H. Councill Trenholm Memorial Award by the National Education Association in 2024; and

WHEREAS, Al Alexander holds degrees from Delaware State University and Old Dominion University and for more than 20 years has worked tirelessly as an educator and education administrator to promote the academic, social, and emotional well-being of his students; and

WHEREAS, Al Alexander has been involved with the New Chesapeake Men for Progress Educational Foundation (NCMPEF), an organization committed to providing scholarships, mentoring, and other educational programs to the youth of Chesapeake, since its founding in 2010 and is currently the organization's chairman; and

WHEREAS, the NCMPEF has excelled in the pursuit of its mission during Al Alexander's tenure, providing more than $197,000 in scholarships to more than 200 graduates from Chesapeake's seven high schools; and

WHEREAS, Al Alexander guided NCMPEF in its efforts to support young people through the provision of school supply funds to Title I schools and the Chesapeake Center for Student Success, as well as mini-grants for mentoring programs and other worthwhile endeavors; and

WHEREAS, Al Alexander's outsized impact in the community has been made possible through the various partnerships and collaborations he has formed with other local organizations, including Ground Zero Development, the local Boys and Girls Club, Commonwealth ChalleNGe Youth Academy, and the Chesapeake Redevelopment and Housing Authority; and

WHEREAS, Al Alexander has demonstrated extraordinary leadership, passion, and dedication in his work cultivating the leaders of tomorrow, helping to make Chesapeake a more wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Al Alexander for receiving the 2024 H. Councill Trenholm Memorial Award from the National Education Association; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Al Alexander as an expression of the General Assembly's admiration for his accomplishments and best wishes for his continued success.

HOUSE JOINT RESOLUTION NO. 497

Establishing a joint commission to oversee the transition of the Commonwealth into a retail cannabis market. Report.

Agreed to by the House of Delegates, February 20, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, during the 2021 Session, Special Session I, the General Assembly passed and the Governor signed House Bill 2312 (Herring) and Senate Bill 1406 (Ebbin and Lucas) that, among other things, allowed persons 21 years of age or older to possess up to one ounce of marijuana and cultivate up to four marijuana plants at their residence for personal consumption; and

WHEREAS, such legislation also included a regulatory and licensing framework to govern the cultivation, manufacture, testing, and sale of marijuana in the Commonwealth, to be administered by the newly created Virginia Cannabis Control Authority (the Authority); however, many of the provisions of the legislation, including the provisions creating the regulatory and licensing framework, were subject to reenactment and the General Assembly failed to reenact such provisions during the 2022 Session; and

WHEREAS, since July 1, 2021, the Commonwealth legalized the recreational use and possession of marijuana in certain circumstances but has not yet created a regulatory and licensing framework to effectively transition the Commonwealth to a retail cannabis market; and

WHEREAS, beginning January 1, 2024, statutory and regulatory oversight of the medical cannabis program transitioned from the Board of Pharmacy to the Authority; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint commission be established to oversee the transition of the Commonwealth into a retail cannabis market. The joint commission shall have a total membership of 10 legislative members. Members shall be appointed as follows: six members of the House of Delegates who are members of the House Committee on Appropriations, the House Committee for Courts of Justice, or the House Committee on General Laws to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates and four members of the Senate who are members of the Senate Committee on Finance and Appropriations, the Senate Committee for Courts of Justice, or the Senate Committee on

Rehabilitation and Social Services to be appointed by the Senate Committee on Rules. The joint commission shall elect a chairman and vice-chairman from among its membership; however, the chairman and vice-chairman shall not both be members of the House of Delegates, nor shall both the chairman and vice-chairman be members of the Senate.

The joint commission shall (i) oversee the administration of responsibilities assigned to the Authority under the Cannabis Control Act (§ 4.1-600 et seq.); (ii) oversee the implementation and enforcement of cannabis-related laws and regulations; (iii) monitor issues, trends, and impacts related to cannabis; and (iv) examine, in consultation with the Authority, necessary legislative changes to the medical cannabis program that would make the program more competitive, accessible, and economically inclusive.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates or the Office of the clerk of the Senate as may be appropriate for the house in which the chairman of the joint commission serves. Legal, research, policy analysis, and other services as requested by the joint commission shall be provided by the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the joint commission, upon request.

The joint commission shall meet at the call of the chairman or whenever the majority of the members so request. No recommendation of the joint commission shall be adopted if a majority of the House members or a majority of the Senate members appointed to the joint commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint commission.

The chairman shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the joint commission no later than the first day of each regular session of the General Assembly. Each executive summary shall state whether the joint commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

The joint commission shall expire on July 1, 2028.

HOUSE JOINT RESOLUTION NO. 499

Designating February 28, in 2025 and in each succeeding year, as Krabbe Disease Awareness Day in Virginia.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 18, 2025

WHEREAS, according to the National Institutes of Health, Krabbe Disease is a rare lysosomal storage disorder that occurs in at least one in every 250,000 live births; and

WHEREAS, a diagnosis of infantile Krabbe Disease has a mortality rate as high as 90 percent in the first two years of life; and

WHEREAS, the disease is usually fatal and has a multitude of complications that debilitate the patient, including deafness, vision loss, rigid posture, and cognitive deterioration; and

WHEREAS, more research is needed to determine better treatment options for patients suffering from Krabbe Disease; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly designate February 28, in 2025 and in each succeeding year, as Krabbe Disease Awareness Day in Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates post the designation of this day on the General Assembly's website.

HOUSE JOINT RESOLUTION NO. 500

Designating the Tuesday after the November General Election, in 2025 and in each succeeding year, as Election Worker Appreciation Day in Virginia.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 18, 2025

WHEREAS, election workers (i) open and close the polls, (ii) ensure that only qualified voters are permitted to vote and that each qualified voter is permitted to vote once and only once in a given election, (iii) give instructions on the method of voting when requested by a voter, (iv) give assistance to voters who need it for reasons of physical disability or an inability to read or write, (v) maintain order in the polling place throughout early voting and election day voting, (vi) tally the vote after the polls are closed, and (vii) certify the election results in individual precincts; and

WHEREAS, election workers, with their training, dedication, and professionalism, play a vital role in ensuring efficient and secure elections; and

WHEREAS, elections are the foundation of our democracy, and election officials work tirelessly to protect this critical infrastructure while maintaining public confidence in the outcome of our electoral processes; and

WHEREAS, election workers provide an invaluable function to our Commonwealth and are one of the Commonwealth's most valuable resources; and

WHEREAS, election workers are truly the unsung heroes of our democracy; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly designate the Tuesday after the November General Election, in 2025 and in each succeeding year, as Election Worker Appreciation Day in Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit a copy of this resolution to the Department of Elections, the Virginia Electoral Board Association, and the Voter Registrars Association of Virginia so that members of such entities may be apprised of the sense of the General Assembly of Virginia in this matter; and, be it

RESOLVED FINALLY, That the Clerk of the House of Delegates post the designation of this day on the General Assembly's website.

HOUSE JOINT RESOLUTION NO. 502

Establishing a committee for the purpose of commissioning a portrait of Governor Glenn Youngkin for display in the Capitol.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 18, 2025

RESOLVED by the House of Delegates, the Senate Concurring, That a committee, consisting of the Governor or his designee, the Speaker of the House of Delegates, the President pro tempore of the Senate, the Clerk of the House of Delegates, and the Clerk of the Senate, be established for the purpose of commissioning a portrait of Governor Glenn Youngkin for display in the Capitol; and, be it

RESOLVED FURTHER, That the committee so constituted be authorized to expend for the portrait and its frame, out of the contingent fund of the General Assembly, a sum sufficient.

HOUSE JOINT RESOLUTION NO. 503

Commending Torri Huske.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, in 2024, Torri Huske of Arlington represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, and finished as the most decorated member of Team USA with three gold medals and two silver medals in swimming events; and

WHEREAS, born and raised in Arlington, Torri Huske began swimming at the Arlington Aquatic Club at the age of six and subsequently graduated from Yorktown High School, where she was inducted into the Yorktown Hall of Fame and Inspiration; and

WHEREAS, over the course of her early swimming career, Torri Huske was named as a National Interscholastic Swimming Coaches Association All-American 29 times; and

WHEREAS, currently a student at Stanford University, Torri Huske has participated in numerous national and international competitions and earned multiple gold medals at the World Aquatics Championships and the World Aquatics Swimming Championships; and

WHEREAS, Torri Huske made her Olympic debut at the 2020 Summer Olympics in Tokyo, Japan, where she won a silver medal in the women's 4x100-meter medley relay; and

WHEREAS, at the 2024 Summer Olympics, Torri Huske won gold medals in the women's 100-meter butterfly, the women's 4x100-meter medley relay, and the 4x100-meter mixed medley relay; she also earned two silver medals in the women's 100-meter freestyle and women's 4x100-meter freestyle relay; and

WHEREAS, Torri Huske defeated world-record holder Gretchen Walsh to earn her gold medal in the women's 100-meter butterfly, and she set a personal best time of 52.29 in the women's 100-meter freestyle; and

WHEREAS, Torri Huske has set an example for younger athletes through her determination, dedication, and good sportsmanship and was an outstanding ambassador for the Commonwealth during the 2024 Summer Olympics; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Torri Huske on winning three gold medals and two silver medals at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Torri Huske as an expression of the General Assembly's admiration for her magnificent performance and best wishes for the future.

HOUSE JOINT RESOLUTION NO. 504

Commending the National Conference of State Legislatures.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, the National Conference of State Legislatures was founded in 1975 and has evolved to become the premier organization solely dedicated to serving state and territorial legislators and legislative staff; and

WHEREAS, the National Conference of State Legislatures (NCSL) was created from the merger of three organizations that served or represented state legislatures that shared the belief that legislative service is one of democracy's worthiest pursuits; and

WHEREAS, NCSL is a bipartisan organization with three objectives: to advance the effectiveness, independence, and integrity of state legislatures; to foster communication and cooperation between state legislatures; and to ensure states a strong, cohesive voice for state legislatures in the federal system; and

WHEREAS, as the laboratories of democracy, state legislatures have continually shown that they are able to tackle emerging challenges effectively; NCSL has facilitated the exchange of ideas, provided critical research and information, and encouraged a rigorous review of complex issues confronting local communities, states, and the nation; and

WHEREAS, state legislatures are where people from very different backgrounds, representing very different communities, can come together and find common ground, and NCSL has cultivated and deepened these bonds to create lasting change at the national and international levels; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the National Conference of State Legislatures for its superb leadership and commitment to advancing legislative institutions on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the National Conference of State Legislatures as an expression of the General Assembly's admiration for the organization's contributions to representative government in the Commonwealth and throughout the United States.

HOUSE JOINT RESOLUTION NO. 505

Commending Donald Sullivan, Jr.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Donald Sullivan, Jr., general manager of Sullivan Auto Trading in Fredericksburg and Norfolk, was named National Quality Dealer of the Year at the National Independent Automobile Dealers Association Convention and Expo in Las Vegas on June 20, 2024; and

WHEREAS, after being selected the Virginia Quality Dealer of the Year, Donald Sullivan was one of 11 finalists considered for the National Quality Dealer of the Year honor by the National Independent Automobile Dealers Association (NIADA); and

WHEREAS, Donald Sullivan earned a bachelor's degree in business administration from James Madison University before embarking upon his career in automotive sales by joining his father at his dealership, Sullivan Auto Trading; and

WHEREAS, Donald Sullivan devoted himself to learning the intricacies of a car dealership, spending time in every department of Sullivan Auto Trading, from parts to finance to sales; and

WHEREAS, by fostering productive working relationships and encouraging innovation, Donald Sullivan was able to expand Sullivan Auto Trading to locations in both Fredericksburg and Norfolk; and

WHEREAS, with an unwavering passion for honing his abilities as a businessman, Donald Sullivan has earned a master's degree in business administration and completed NIADA's Certified Master Dealer, and he is also currently pursuing a doctorate; and

WHEREAS, Donald Sullivan has been a leader and mentor to others within the automotive industry, regularly speaking at professional events, including past NIADA conventions, serving as the Virginia Independent Automobile Dealers Association's president, and writing curriculum to help aspiring dealers to start their dealerships; and

WHEREAS, Donald Sullivan has supported a number of philanthropic endeavors through his dealership and given generously of his time for the benefit of the community as a board member and trustee at his church and as a youth sports coach; and

WHEREAS, Donald Sullivan's recent accolade is a testament to his steadfast professionalism, his commitment to his customers' satisfaction, and his unwavering dedication to bettering his community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Donald Sullivan, Jr., for being named the National Independent Automobile Dealers Association's 2024 National Quality Dealer of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Donald Sullivan, Jr., as an expression of the General Assembly's admiration for his contributions to the Commonwealth and best wishes for his continued success.

HOUSE JOINT RESOLUTION NO. 506

Commending the Culpeper Sheriff's Office.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, for 275 years, the Culpeper Sheriff's Office has provided a vital service by protecting and safeguarding the Culpeper community; and

WHEREAS, the Culpeper Sheriff's Office was established in 1749 and has witnessed the birth and evolution of the United States, while always remaining a source of stability and strength in the community; and

WHEREAS, the Culpeper Sheriff's Office has adapted over the generations to meet the needs of the community, incorporating new technology, services, and practices to promote the safety and well-being of Culpeper; and

WHEREAS, responsibilities of the Culpeper Sheriff's Office include investigating crimes, pursuing offenders, making arrests, operating the local jail, managing various local corrections programs, assisting with the transport of criminal defendants between facilities, and executing court judgments; and

WHEREAS, in honor of 275 years of dedicated service, the Culpeper Sheriff's Office has produced a commemorative patch based on the agency's original patch design; and

WHEREAS, the Culpeper Sheriff's Office has exemplified the highest virtues of the law-enforcement profession through its commitment to ensuring public safety, advancing partnerships in the community, and maintaining the highest standards of accountability and excellence; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Culpeper Sheriff's Office on the occasion of its 275th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Culpeper Sheriff's Office as an expression of the General Assembly's admiration for its contributions to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 507

Designating the first full week of June, in 2025 and in each succeeding year, as Emergency Management Professionals Week in Virginia.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 18, 2025

WHEREAS, the Commonwealth of Virginia has established a state program of emergency management and requires localities to have emergency management programs to address the array of threats and hazards to which the people of the Commonwealth are vulnerable; and

WHEREAS, emergency management protects communities by coordinating and integrating all activities necessary to build, sustain, and improve the capability to mitigate against, prepare for, respond to, and recover from threatened or actual natural disasters and acts of terrorism and other man-made disasters; and

WHEREAS, emergency management professionals play an under-recognized yet indispensable role in providing the leadership, management, and operational skills necessary to enable their communities, organizations, and agencies to develop emergency plans and procedures; ensure personnel are adequately trained to exercise plans and provide emergency warnings, notifications, and alerts; and acquire resources to protect lives and property and enhance resiliency to emergency events; and

WHEREAS, emergency management professionals direct or support emergency operations, maintain dedicated emergency operations centers in 24/7 readiness, and actively serve operationally throughout the cycle of emergency events; and

WHEREAS, emergency management professionals communicate and coordinate with a broad network of partners at the federal, state, regional, and local levels of government, in the private sector, and at nongovernmental organizations and with the general public; and

WHEREAS, emergency management professionals possess extensive knowledge of the hazards and risks that threaten the Commonwealth and its communities, the specific programs and strategies available to address them, applicable federal, state, and local laws and compliance guidelines, and the roles of critical partners essential to effective preparedness, response, and disaster recovery; and

WHEREAS, emergency management professionals assist allied professionals in the medical community and in emergency response, business, nonprofit, and faith organizations to achieve preparedness, response, and recovery capabilities; and

WHEREAS, a well-prepared and resilient community is the ultimate goal of emergency management; and

WHEREAS, emergency management professionals serve as the critical link between government and those they serve; public outreach and public education undergird the effectiveness of all emergency management efforts; and

WHEREAS, the Commonwealth of Virginia is proud to honor the service and commitment of its emergency management professionals and recognize their contributions to the lives, health, and safety of all who live, visit, and do business in the Commonwealth; and

WHEREAS, the General Assembly previously designated the third week of March as Emergency Management Professionals Week, but the first week of June, which is typically the beginning of hurricane season, presents a better opportunity for all Virginians to learn more about the importance of emergency management and seek ways to help strengthen their communities by preparing for natural disasters and other catastrophic events; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly designate the first full week of June, in 2025 and in each succeeding year, as Emergency Management Professionals Week in Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit a copy of this resolution to the Virginia Emergency Management Association so that members of the organization may be apprised of the sense of the General Assembly of Virginia in this matter; and, be it

RESOLVED FINALLY, That the Clerk of the House of Delegates change the designation of this week on the General Assembly's website.

HOUSE JOINT RESOLUTION NO. 508

Commemorating the life and legacy of Private Oscar Cleveland Hicks, USA.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Oscar Cleveland Hicks was born in Henrico County on May 8, 1925, to Linwood F. and Nina E. Hicks; he was raised in Hanover County and Louisa County, where he attended the Hopeful School, and as a teenager, he worked on the family farm and as a delivery driver and mechanic for Virginia Dairy in Richmond; and

WHEREAS, along with his three older brothers, Marshall, Allan, and Marion, Oscar Hicks served the nation during World War II, enlisting in the United States Army in 1943, immediately after his 18th birthday; and

WHEREAS, prior to his deployment, Oscar Hicks was engaged to his sweetheart, Margaret L. Kersey of Bumpass; and

WHEREAS, after the passing of Oscar Hicks' parents and siblings, the next generation of his family knew virtually nothing about his life and military service, except that he was "killed in the war"; and

WHEREAS, years of ancestral research by Oscar Hicks' family and the extraordinarily good fortune of befriending Margaret Kersey Tiller in 2016 revealed much of Oscar Hicks' brief but meaningful life; Margaret Kersey Tiller graciously shared her remembrances of Oscar Hicks, as well as pictures and several cards and letters she had received from him during his military service; and

WHEREAS, Oscar Hicks was initially assigned to the 42nd Infantry Division, 232nd Regiment, Company G, and was later transferred to the 79th Infantry Division, 314th Regiment, Company A; and

WHEREAS, Oscar Hicks crossed the Atlantic Ocean aboard the USS *Cristobal*, landing in Liverpool, England, on April 17, 1944, as part of the final preparations for the D-Day invasion of Normandy, France, on June 6, 1944; and

WHEREAS, Oscar Hicks came ashore at Utah Beach on June 14, 1944, with the 79th Infantry Division and fought gallantly during the Battle of Cherbourg, including house-to-house fighting, and eventually helped secure the port city of Cherbourg on June 26, 1944; and

WHEREAS, Oscar Hicks received the first of his two Purple Hearts when he was wounded on July 27, 1944, by a German land mine south of Cherbourg near the French village of La Banserie; after being hospitalized for his injuries, he returned to combat duty; and

WHEREAS, after Cherbourg, Oscar Hicks fought his way across France with the 79th Infantry Division, liberating numerous French towns, including Charmes, Fougères, Gerbéviller, Haguenau, Haudonville, Kaltenhouse, La Haye-du-Puits, Laval, Le Mans, Marainviller, and many others; and

WHEREAS, Oscar Hicks and his unit helped to close exit routes from the Falaise pocket, where the Allies had encircled between 80,000 and 100,000 Germans fleeing the Normandy coast; and

WHEREAS, Oscar Hicks fought in the bitterly cold winter of 1944 during the Ardennes-Alsace Campaign in Eastern France, where he was twice reported as missing in action; he wrote to his parents that he had spent Christmas Day in a foxhole with nothing but a frozen canteen of water; and

WHEREAS, after several weeks of combat in the Alsace region, 19-year-old Oscar Hicks was killed in action on January 23, 1945, in Kaltenhouse, France, near the German border, while seeking cover from aerial bombs dropped by Hitler's new jet-propelled airplane; and

WHEREAS, Oscar Hicks was buried in an American cemetery in Epinal, France, in the shadow of the Vosges Mountains; in 1948, his parents had his remains repatriated to Virginia for burial in a small family cemetery on a pastoral setting in rural Hanover County now known as Lloyd Family Farms; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commemorate the life and legacy of Private Oscar C. Hicks, USA, a courageous member of the United States Army and World War II liberator, on the occasion of the 80th anniversary of his death; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Private Oscar C. Hicks, USA, as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 509

Commending Shrine Mont.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Shrine Mont, a conference and retreat center in Orkney Springs, has provided a welcoming gathering place for local residents and visitors from across the country for 100 years; and

WHEREAS, the Rev. Dr. Edmund Lee Woodward built the Cathedral Shrine of the Transfiguration in Orkney Springs, which was consecrated as the cathedral of the Episcopal Diocese of Virginia, on August 6, 1925; that same year, he also established Shrine Mont as a retreat center to be "A Place Apart for All"; and

WHEREAS, Dr. Woodward built Art Hall in 1940 to house the art collection of his uncle and renowned landscape artist John Douglas Woodward and serve as a center of culture for western Shenandoah County; and

WHEREAS, in 1950, Orkney Springs resident Wilmer Moomaw became the first of three generations of the Moomaw family to serve as a director of Shrine Mont, providing strong leadership for the center and solidifying its long-term relationship with the Shenandoah County community; and

WHEREAS, Wilmer Moomaw oversaw the acquisition and renovation of the historic Orkney Springs Hotel and property in 1979 and led efforts to designate Shrine Mont as a nonprofit organization for its role in supporting the church and achievements in historic preservation and cultural education; and

WHEREAS, Shrine Mont currently serves 15,000 guests annually through conferences, parish retreats, youth camps, artist workshops, the Shenandoah Valley Music Festival, and numerous family reunions from throughout the Commonwealth and the United States; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Shrine Mont for its outstanding service to the residents of Shenandoah County and the Commonwealth on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of Shrine Mont as an expression of the General Assembly's admiration for the organization's significant contributions to the Shenandoah Valley community and best wishes in its future endeavors.

HOUSE JOINT RESOLUTION NO. 510

Commending the Gloucester County Branch of the NAACP.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, for 85 years, the Gloucester County Branch of the NAACP has led efforts to fight racial discrimination and address inequity by advocating for and supporting members of the Black community on the Middle Peninsula; and

WHEREAS, the Gloucester County Branch of the NAACP was established on March 13, 1939, with G. Nelson Carter, Sr., a local business owner, as founding president; and

WHEREAS, an active leader in the civil rights movement, Nelson Carter bailed Irene Morgan out of prison after she was arrested for riding in the whites-only section of an interstate bus that was passing through Middlesex County; during the subsequent court case, the Supreme Court of the United States ultimately ruled that segregation in interstate travel was unconstitutional under the Commerce Clause; and

WHEREAS, Nelson Carter's wife, Miriam Carter, was also a trailblazer in civil rights and became the first Black woman to attend the William & Mary Law School; their daughter, Dianne Carter de Mayo, is also an alumna of The College of William & Mary in Virginia and remains an active member of the Gloucester County Branch of the NAACP; and

WHEREAS, the Gloucester County Branch of the NAACP is committed to achieving equity, political rights, and social inclusion by advancing policies and practices that expand human and civil rights and eliminate discrimination; and

WHEREAS, the Gloucester County Branch of the NAACP promotes minority-owned businesses, hosts career fairs and other events, and provides educational, legal, and social resources that further enhance the well-being and economic security of members of the Black community and all local minority groups; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Gloucester County Branch of the NAACP on the occasion of its 85th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Gloucester County Branch of the NAACP as an expression of the General Assembly's admiration for the organization's legacy of contributions to the Black community in the region.

HOUSE JOINT RESOLUTION NO. 511

Celebrating the life of Nikki Giovanni.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Nikki Giovanni, an iconic American poet who was a leading figure in the Black Arts Movement of the 1960s and 1970s, touched countless lives through her thought provoking literary works, and inspired students as a longtime faculty member of Virginia Polytechnic Institute and State University, died on December 9, 2024; and

WHEREAS, Yolande Cornelia Giovanni, Jr., better known from a young age as Nikki Giovanni, was born in Knoxville, Tennessee, which always held a special place in her heart, and she spent much of her youth in Lincoln Heights, Ohio, near Cincinnati; and

WHEREAS, Nikki Giovanni excelled in academics and was accepted to Fisk University, a historically Black liberal arts college in Nashville, Tennessee, after her junior year of high school; and

WHEREAS, Nikki Giovanni was active on campus as the editor of Fisk University's literary magazine and supported the Civil Rights Movement by establishing a branch of the Student Non-Violent Coordinating Committee; she ultimately graduated with honors in 1967, earning a bachelor's degree in history; and

WHEREAS, in 1968, Nikki Giovanni published her first poetry collection, *Black Feeling Black Talk*, followed immediately by *Black Judgement*, the two of which have been combined in later reissues; featuring masterpieces like "Nikki-Rosa" and "Knoxville, Tennessee," the collections quickly became a touchstone of Black American poetry, and readers were enthralled by her fearless wit and commanding voice; and

WHEREAS, a prolific author, Nikki Giovanni crafted more than 20 volumes of poetry over the course of her career, including the most recent collection in 2020, *Make Me Rain: Poems & Prose*; her works covered a wide range of topics from everyday occurrences to racism, politics, mortality, and even space travel; and

WHEREAS, after the birth of her son in 1969, Nikki Giovanni was inspired to write for younger audiences and published her first children's book in 1971; she subsequently authored more than a dozen children's books and poetry collections, as well as a biography of Rosa Parks; and

WHEREAS, in 1971, Nikki Giovanni set her poetry to music in her first album, "Truth is on Its Way," recorded with the New York Community Choir; she recorded several other albums from the 1970s through the 2020s; and

WHEREAS, in addition to her literary career, Nikki Giovanni taught at Virginia Polytechnic Institute and State University for 35 years and held a University Distinguished Professorship in the English Department; and

WHEREAS, among many accolades, Nikki Giovanni received lifetime achievement awards from the Art Sanctuary and the Library of Virginia; she was an eight-time NAACP Image Award winner, was listed on Oprah Winfrey's "25 Living Legends," and was profiled in the documentary film *Going to Mars: The Nikki Giovanni Project*; and

WHEREAS, Nikki Giovanni was a passionate advocate for social justice and systemic change, whose works empowered readers to make a difference in their communities, and as a modern luminary in the arts, she inspired generations of students, scholars, poets, authors, artists, musicians, and activists; and

WHEREAS, Nikki Giovanni will be fondly remembered and greatly missed by her longtime partner, Ginney; her son, Thomas, and his family; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Nikki Giovanni, a pre-eminent poet and author, devoted activist, and inspirational educator; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Nikki Giovanni as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 512

Commending the Roanoke Star.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, the Roanoke Star, an iconic, giant neon star atop Mill Mountain, has illuminated the Roanoke skyline and charmed the city's residents and visitors for the past 75 years; and

WHEREAS, reaching more than 88 feet into the air with 2,000 feet of neon tubing and weighing more than 10,000 pounds, the Roanoke Star is the largest, free-standing, man-made, illuminated star in the world and one of the top tourist destinations in the Roanoke Valley; and

WHEREAS, with support from the Roanoke Merchants Association, the Roanoke Star was designed and built by Roy C. Kinsey of Kinsey Sign Company, with help from his sons Roy Jr., Bob, and Warren and the assistance from Roanoke Iron and Bridge Works on the design of the steel structure; and

WHEREAS, Jefferson Electric company was awarded the wiring of the Roanoke Star, whose installation team was led by electrician William Henry Booth of Vinton, who previously served in the civilian Conservation corps to help electrify the South; and

WHEREAS, many local steel workers, excavators, and other laborers worked to erect the 60,000 pound, 100 foot steel structure that rests on a base of 500,000 pounds of concrete to support the Roanoke Star; and

WHEREAS, initially envisioned as a marketing event to mark the holiday shopping season, the Roanoke Star's original light bulbs were illuminated for the first time on November 23, 1949; and

WHEREAS, following the outpouring of support from the Roanoke community, the Roanoke Star remained, growing into a lasting and endearing symbol of the city and the surrounding region; and

WHEREAS, over several generations, the Roanoke Star has become a beloved fixture in the Roanoke community and an emblem of the camaraderie and bonhomie that makes the "Star City of the South" a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Roanoke Star on the occasion of its 75th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Roanoke City Council as an expression of the General Assembly's admiration for the Roanoke Star's significance to the history and culture of Roanoke.

HOUSE JOINT RESOLUTION NO. 513

Commending M'lissa Dunn.

Agreed to by the House of Delegates, January 27, 2025

Agreed to by the Senate, January 30, 2025

WHEREAS, M'lissa Dunn, cofounder of Dunn-Rite Auto Group in Kilmarnock, was selected as the 2024 Virginia Quality Dealer by the Virginia Independent Automobile Dealers Association; and

WHEREAS, M'lissa Dunn had previously worked as a paralegal and was planning to attend law school, when her husband, Randy, decided to start his own automobile repair business; and

WHEREAS, M'lissa and Randy Dunn balanced raising their family and working multiple jobs to launch their business, Randy's Dunn-Rite Automotive, which started as a full-service repair shop; and

WHEREAS, the business thrived and customers began to inquire about purchasing vehicles from the couple, leading M'lissa and Randy Dunn to branch out into sales and ultimately rebrand as the Dunn-Rite Auto Group; and

WHEREAS, M'lissa Dunn helped grow the business and inspired loyalty by treating others the way she would want to be treated; more than half of Dunn-Rite Auto Group's customers are repeat customers, and several of its mechanics have been with the Dunns more than 15 years; and

WHEREAS, M'lissa Dunn has given back to the community by supporting numerous charitable organizations, including the Northumberland County Little League, Chesapeake Academy, the Special Olympics, and local law-enforcement agencies; and

WHEREAS, highly respected in the industry, M'lissa Dunn serves as the vice president of District 2 for the Virginia Independent Automobile Dealers Association and was appointed by Governor Glenn Youngkin to the Motor Vehicle Dealer Board; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend M'lissa Dunn on the occasion of her selection as the 2024 Virginia Quality Dealer by the Virginia Independent Automobile Dealers Association; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to M'lissa Dunn as an expression of the General Assembly's admiration for her achievements as a small business owner and her service to the residents of Kilmarnock and the surrounding region.

HOUSE JOINT RESOLUTION NO. 514

Commending Valerie Pisierra.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Valerie Pisierra, an esteemed nonprofit executive and community leader, retired from her position as executive director of Loudoun Cares in 2024; and

WHEREAS, Valerie Pisierra joined Loudoun Cares part-time in 2016 and quickly became an indispensable member of the organization; and

WHEREAS, one year after joining Loudoun Cares, Valerie Pisierra was chosen by the board of directors to steer the organization through its next chapter; and

WHEREAS, as executive director of Loudoun Cares, Valerie Pisierra guided the organization's efforts to unite local nonprofits providing direct services to individuals and families in the community in need; and

WHEREAS, Valerie Pisierra was instrumental to Loudoun Cares' accomplishments during the COVID-19 pandemic, when the organization's role as a hub for local nonprofits was more vital than ever; and

WHEREAS, in addition to fostering a partnership with the Catholic Charities of the Diocese of Arlington that established a COVID relief fund and helpline, Valerie Pisierra and Loudoun Cares helped to distribute more than $2.7 million in rent and utility assistance to more than 1,200 families, connected more than 3,000 families with direct services, and placed more than 1,300 volunteers at local nonprofits to support essential services in the community; and

WHEREAS, in recognition of Valerie Pisierra's hard work and extraordinary impact during the historic public health crisis, the Loudoun County Chamber of Commerce named Loudoun Cares the Small Business of the Year and Nonprofit of the Year in 2021 and Valerie Pisierra the Nonprofit Executive of the Year in 2022; and

WHEREAS, following her retirement from Loudoun Cares, Valerie Pisierra plans to continue to volunteer with some of her favorite local nonprofits, ensuring her leadership and dedication will continue to make a meaningful difference in the lives of others both in Loudoun County and beyond; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Valerie Pisierra on the occasion of her retirement as executive director of Loudoun Cares; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Valerie Pisierra as an expression of the General Assembly's admiration for her contributions to the Commonwealth and best wishes in her future endeavors.

HOUSE JOINT RESOLUTION NO. 515

Commending Rachel Roberts.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Rachel Roberts, known affectionately by many in the Leesburg community as the "Flower Lady," is an accomplished gardener and dedicated philanthropist who has greatly supported Loudoun Hunger Relief over many years; and

WHEREAS, Rachel Roberts has volunteered with Loudoun Hunger Relief for 22 years, helping to sort food and pack groceries in the organization's food pantry to assist individuals and families in the community facing food insecurities; and

WHEREAS, in 2012, using flowers cut from her garden and her collection of Mason jars and vases, Rachel Roberts set up a flower stand at the end of her driveway on Edwards Ferry Road and donated all of its proceeds to Loudoun Hunger Relief; and

WHEREAS, operating entirely on an honor system, Rachel Roberts's flower stand has raised more than $180,000 for Loudoun Hunger Relief over the past 12 years, providing more than 725,000 meals to individuals and families in need; and

WHEREAS, Rachel Roberts's endeavor has increased awareness of Loudoun Hunger Relief, Loudoun County's largest hunger relief nonprofit organization, leading many others to support the organization in its vital mission; and

WHEREAS, in 2019, Loudoun Hunger Relief presented Rachel Roberts with the organization's inaugural Shining Star Award to recognize her for her innovative and dedicated volunteer service; and

WHEREAS, Rachel Roberts's ingenuity, determination, and commitment to serving others are an inspiration to many and have helped to make Leesburg a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Rachel Roberts for her efforts in support of Loudoun Hunger Relief; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Rachel Roberts as an expression of the General Assembly's admiration for her contributions to the Commonwealth and best wishes for her continued success.

HOUSE JOINT RESOLUTION NO. 516

Commending Anthony Cimino-Johnson.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Anthony Cimino-Johnson, an esteemed theater teacher at Rock Ridge High School in Ashburn and resident of Leesburg, has demonstrated exceptional dedication to the field of theater education, serving as a beacon for aspiring artists and theater professionals; and

WHEREAS, the Rock Ridge Performing Arts program, founded and led by Anthony "CJ" Cimino-Johnson, has achieved award-winning, critically acclaimed status and a reputation for its commitment to diversity and inclusivity and for its transformative impact on students; and

WHEREAS, Anthony Cimino-Johnson's vision and tireless advocacy have resulted in $2.8 million in funding for theater education across Loudoun County Public Schools, benefiting countless students and strengthening the theater arts in the community; and

WHEREAS, Anthony Cimino-Johnson's pioneering efforts have led to the establishment of the Commonwealth's first dual enrollment theater program, enabling high school students to earn college credits and save significantly on tuition, with his students collectively awarded more than 1,200 credits, which equates to more than $600,000 in savings; and

WHEREAS, under Anthony Cimino-Johnson's leadership as executive director, the Rock Ridge Drama Booster's Broadway Bound Performing Arts summer program has flourished, providing access to theater arts for more than 500 students annually, while also offering valuable internship opportunities for future educators; and

WHEREAS, Anthony Cimino-Johnson's students have received more than $8.1 million in scholarship awards and have represented the program at the national and international levels, including the prestigious Edinburgh Festival Fringe in Scotland; and

WHEREAS, Anthony Cimino-Johnson's advocacy for inclusive and accessible theater experiences led to the first relaxed performance in Loudoun County, creating an environment welcoming to patrons with special needs and young children; and

WHEREAS, Anthony Cimino-Johnson's contributions to theater education, including his service on various committees, leadership in the Virginia Thespians, and speaking engagements at prominent conferences, have been recognized nationally; and

WHEREAS, as a testament to his commitment to excellence and leadership in arts education, Anthony Cimino-Johnson has received numerous awards for his professional achievements, including Loudoun's 40 Under 40 honor in 2023 and the Premiere Communities for Theatre Education distinction from the Educational Theatre Association; and

WHEREAS, Anthony Cimino-Johnson holds a master's degree in fine arts in theater education and advanced certifications in arts administration, school violence and bullying, and drama therapy, and he is currently pursuing National Board Certification in technical theater education; and

WHEREAS, the American Theatre Wing, The Broadway League, and Carnegie Mellon University, which seek to honor educators who inspire and shape the next generation of theater artists through their Tony Award for Excellence in Theatre Education, recognized Anthony Cimino-Johnson's dedication, passion, and impact on his students with an honorable mention in 2024; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Anthony Cimino-Johnson for his exemplary contributions to theater education, his commitment to his students, and his relentless pursuit of excellence and inclusivity in the arts; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Anthony Cimino-Johnson as an expression of the General Assembly's admiration for his legacy of service.

HOUSE JOINT RESOLUTION NO. 517

Commending the Tarara Summer Concert Series.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, for more than 25 years, the Tarara Summer Concert Series has been bringing the Leesburg community together under the open sky for world-class musical performances, exceptional wine, and great food; and

WHEREAS, starting with a guitar duo on the back deck of the tasting room at Tarara Winery in Leesburg in 1999, the Tarara Summer Concert Series has since grown into one of the most popular live music venues in the Washington, D.C., metropolitan area; and

WHEREAS, the Tarara Summer Concert Series occurs every Saturday from Memorial Day weekend to the end of September, when thousands of concertgoers gather at Tarara Winery's Shadow Lake for a night of enchanting musical entertainment; and

WHEREAS, in its 25th anniversary season in 2024, the Tarara Summer Concert Series featured 22 concerts across an array of genres, including rock 'n' roll from various generations, soul, disco, and country; and

WHEREAS, the success of the Tarara Summer Concert Series has led to numerous accolades, including recognition as "Best Music Festival" by *Northern Virginia Magazine* and as "Top Winery with Music" by *USA Today*; and

WHEREAS, the Tarara Summer Concert Series has been made possible through the generosity of several local businesses and organizations; and

WHEREAS, the proceeds of the Tarara Summer Concert Series benefit the Bow Tie Fund, a 501(c)(3) nonprofit organization dedicated to supporting the arts and advancing education with a focus on single-parent households; and

WHEREAS, the Tarara Summer Concert Series has become an integral part of summers in Leesburg over the past quarter-century and an important part of why Leesburg is a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Tarara Summer Concert Series for more than 25 years of memorable evenings, music, and fun; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Tarara Summer Concert Series as an expression of the General Assembly's admiration for the event's history and its contributions to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 518

Commending Brody Dawyot.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Brody Dawyot, quarterback of the Glenvar High School football team, was selected as the Virginia High School League Class 2 Offensive Player of the Year in 2024; and

WHEREAS, during his junior season in 2024, Brody Dawyot led the Glenvar High School Highlanders to a 12-2 record and a state semifinal appearance, amassing 3,667 yards of total offense, 49 passing touchdowns, and 12 rushing touchdowns; and

WHEREAS, in the Virginia High School League record books, Brody Dawyot ranks 18th overall in career passing yards with 7,012 and eighth overall in career passing touchdowns with 95; and

WHEREAS, accounting for rushing yards, Brody Dawyot ranks 11th in career total yardage with 8,654 yards and sixth overall with 129 passing and rushing touchdowns; and

WHEREAS, Brody Dawyot has inspired others through his hard work and perseverance, and his success on the football field is a reflection of Glenvar High School's commitment to excellence in and out the classroom; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Brody Dawyot on his selection as the Virginia High School League Class 2 Offensive Player of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Brody Dawyot as an expression of the General Assembly's admiration for his exceptional athletic accomplishments.

HOUSE JOINT RESOLUTION NO. 519

Commending Pat B. Huber.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Pat B. Huber, president of New River Community College, was presented the Citizen of the Valley award by the New River Valley Regional Commission at the Floyd Center for the Arts on October 9, 2024; and

WHEREAS, the New River Valley Regional Commission, comprising the Counties of Floyd, Giles, Montgomery, and Pulaski and the City of Radford, recognized Pat Huber for her notable efforts contributing to the betterment of the New River Valley region; and

WHEREAS, after earning a bachelor's degree in English from Emory & Henry College in 1976, Pat Huber taught in high schools in Smyth and Wythe Counties while earning a master's degree at West Virginia University; and

WHEREAS, Pat Huber moved to Pulaski in 1987 and taught both full-time at Pulaski County High School and part-time at New River Community College (NRCC) through the school's dual enrollment and evening programs; and

WHEREAS, Pat Huber dedicated 25 years to NRCC, including as vice president for instruction and student services and as dean of arts and sciences, before becoming the school's sixth president and its first female president in 2017; and

WHEREAS, during her tenure as president of NRCC, Pat Huber has expanded to the entire New River Valley region the Access to Community College Education (ACCE) program, which provides up to two years of tuition to qualifying high school graduates; and

WHEREAS, as a result of Pat Huber's leadership, the ACCE program has helped more than 1,600 students receive college credits, and these students have also contributed more than 175,000 hours of community service through their work in the program; and

WHEREAS, by dedicating herself to ensuring that all aspiring students in the New River Valley have access to a quality and affordable education, Pat Huber has made a difference in countless lives and is deserving of the praise and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Pat B. Huber for being named a 2024 Citizen of the Valley by the New River Valley Regional Commission; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Pat B. Huber as an expression of the General Assembly's appreciation for her legacy of service in support of the Commonwealth's young people.

HOUSE JOINT RESOLUTION NO. 520

Commending Sandra Davis.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Sandra Davis, retired owner of BCR Property Management and a noted transportation advocate and community leader in the New River Valley region, was presented the Citizen of the Valley award by the New River Valley Regional Commission at the Floyd Center for the Arts on October 9, 2024; and

WHEREAS, Sandra Davis has generously supported numerous philanthropic endeavors at the Virginia Polytechnic Institute and State University over the years and served as chair of the board of directors of both the Virginia Tech Foundation and the Virginia Tech Athletic Fund, and she is currently a member of the school's Board of Visitors; and

WHEREAS, in recognition of her dedication to Virginia Tech, Sandra Davis received lifetime, honorary membership in the Virginia Tech Alumni Association in 2007 and the William H. Ruffner Medal, the school's highest honor, in 2015, while the Street and Davis Performance Hall within the Moss Arts Center was named in her honor; and

WHEREAS, Sandra Davis's devotion to the New River Valley region is evident through her work with the Radford University Board of Trustees, the Blacksburg Partnership, and the New River Valley Friends of the Roanoke Symphony and as a founding member of the Taubman Museum Board of Directors; and

WHEREAS, the New River Valley Regional Commission (NRVRC), comprising the Counties of Floyd, Giles, Montgomery, and Pulaski and the City of Radford, recognized Sandra Davis's efforts as a leader of the campaign to bring rail service back to the New River Valley region, including her work as co-chair of the advocacy group NRV Passenger Rail; and

WHEREAS, through both her philanthropy and advocacy, Sandra Davis has made a positive and lasting imprint on the New River Valley region and is deserving of the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Sandra Davis for being named a 2024 Citizen of the Valley by the New River Valley Regional Commission; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Sandra Davis as an expression of the General Assembly's appreciation for her contributions to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 521

Commending the Rotary Club of Woodstock.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, for 100 years, the Rotary Club of Woodstock has enhanced the quality of life for communities in the Commonwealth and around the world through a wide range of service initiatives; and

WHEREAS, the Rotary Club of Woodstock received its charter from Rotary International on February 20, 1925; and

WHEREAS, the Rotary Club of Woodstock has been a longtime advocate of higher education, providing more than $270,000 in scholarships to help students further their educational and career goals after graduation from high school; and

WHEREAS, the Rotary Club of Woodstock sponsors a Rotary Interact Club at Central High School, which teaches upcoming young leaders the principles behind Rotary International's motto of "Service above Self"; and

WHEREAS, the Rotary Club of Woodstock has supported recreational amenities through generous funding projects and hundreds of volunteer hours at Woodstock's original town park, Woodstock Recreational Park, now named for former Woodstock mayor and longtime Rotarian W.O. Riley; and

WHEREAS, the Rotary Club of Woodstock's major community charitable event, Santa Express, delivers clothing, food, and toys to hundreds of children, families, and elderly residents in need on Christmas Eve every year; and

WHEREAS, over the course of its long and storied history, the Rotary Club of Woodstock has supported numerous educational and athletic programs in local schools, the establishment of the Shenandoah Memorial Hospital in Woodstock, and dozens of local charities; and

WHEREAS, the Rotary Club of Woodstock has worked with a global network of fellow Rotarians to participate in programs aimed at eradicating polio from the face of the earth; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Rotary Club of Woodstock on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Rotary Club of Woodstock as an expression of the General Assembly's admiration for its legacy of contributions to the Woodstock community.

HOUSE JOINT RESOLUTION NO. 522

Celebrating the life of Charlotte Hall Hutt.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Charlotte Hall Hutt, a beloved wife, mother, and grandmother and an active and enterprising member of the Montross community, died on March 5, 2024; and

WHEREAS, Charlotte Hutt cofounded Hutt Realty with her husband, Daniel, and served as a realtor for more than 30 years, bringing her exceptional knowledge of the Northern Neck and the surrounding areas to bear for the benefit of her clients while also supporting her colleagues as a member of the Northern Neck Board of Realtors; and

WHEREAS, Charlotte Hutt worked together with her husband, Daniel, in managing several local food endeavors, including their family's country store in Neenah, the Neenah Packing Tomato Cannery, and Hutt Produce; and

WHEREAS, guided throughout her life by her faith, Charlotte Hutt was a leading member of the congregation at St. Paul's Episcopal Church in Nomini Grove, where she enjoyed worship and fellowship with her community over many years; and

WHEREAS, preceded in death by her loving husband of 50 years, Daniel, Sr., Charlotte Hutt will be fondly remembered and dearly missed by her children, Daniel, Jr., Jane, and Linda, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED by the House of the Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Charlotte Hall Hutt, a treasured member of the Westmoreland County community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Charlotte Hall Hutt as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 523

Commending the Buckhorn Volunteer Fire Department.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, for 60 years, the Buckhorn Volunteer Fire Department has safeguarded the lives and property of the members of the Buckhorn community in Mecklenburg County and cultivated a sense of fellowship through outreach efforts and beloved local events; and

WHEREAS, the Buckhorn Volunteer Fire Department traces its roots to early 1964 when a group of 22 residents of the Buckhorn area recognized the need for local fire service and formed a new department with Edward R. Thompson as president, Thomas C. Gordon as vice president, William W. Edwards as secretary, and Howard L. Hamlin as treasurer; and

WHEREAS, the original members of the Buckhorn Volunteer Fire Department were Eddie Callahan, Garland Creedle, William Edwards, Frank Gill, John Greene, Lawrence Greene, Thomas Gordon, Ryland Gwaltney, William Gwaltney, Derieux Hart, Howard Hamlin, John Hightower, Sr., Wesley Jones, Jr., Aubrey Lett, John Newman, Jr., Richard Robertson, Gerald Snead, Wayne Spake, John Stone, Aubrey Toombs, Reginald Thompson, Louis Thompson, Doris Whitten, and Lynn Wilkinson; and

WHEREAS, the members of the Buckhorn Volunteer Fire Department, many of whom were local farmers, erected a small cinder block building with two bays and converted a used oil truck into a pumper; the innovative and resourceful early members of the department acquired used equipment from other fire companies in the region and fought fires with whatever they could; and

WHEREAS, through generous community support, the Buckhorn Volunteer Fire Department purchased a Chevrolet tanker in 1965; the department hosted a wide range of fundraising events before a flash of inspiration by Louis Thompson led to the creation of its signature event, a stew fundraiser; and

WHEREAS, the original recipe for the Buckhorn Volunteer Fire Department's stew was provided by former chief John Greene, and stews were cooked in the late fall or winter when local farmers could donate ingredients; the department's current stew pot holds 100 gallons, and people from all over Mecklenburg County and even North Carolina vie for a spot on the "stew list" every year; and

WHEREAS, in the 1980s and 1990s, the Buckhorn Volunteer Fire Department continued to modernize its equipment and enhance its training procedures and techniques to better serve the community; and

WHEREAS, over the course of its history, the Buckhorn Volunteer Fire Department has benefited from the able leadership of five chiefs, Reginald Thompson, Wesley Jones, John Newman, Jr., John Greene, and Jimmy Callahan; and

WHEREAS, the current members of the Buckhorn Volunteer Fire Department—Justin Burch, Eddie Callahan, Jr., Jarrett Callahan, Jimmy Callahan, Louis Callahan, Ryan Callahan, Davis Cumbia, Carl Dean, Dwight Dean, Owen Dean, Grayson Early, Kevin Greene, Daniel Gwaltney, Robert Gwaltney, Thomas Gwaltney, Cody Mooney, Austin Puryear, Rick Puryear, Jr., Gary Robertson, Tyler Robertson, Barry Simmons, Jr., John Taylor, Mark Warren, Tucker Warren, Sterling Wilkinson, and Nathaniel Watson—strive to uphold the department's longstanding commitment to excellence and help make the Buckhorn community a safer place to live; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Buckhorn Volunteer Fire Department on the occasion of its 60th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Buckhorn Volunteer Fire Department as an expression of the General Assembly's admiration for the department's decades of outstanding service to the residents of Mecklenburg County.

HOUSE JOINT RESOLUTION NO. 524

Commending Harris Funeral Homes.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, for 68 years, Harris Funeral Homes, a family-owned funeral home business in Southside Virginia, has served local families with the utmost care and respect in their time of need; and

WHEREAS, Harris Funeral Homes traces its roots to 1956, when the late Charles H. Harris and his wife, Loretta, established their first funeral home on Market Street in Clarksville; and

WHEREAS, in 1959, the Harris family relocated the business to a newly constructed facility on Fourth Street, where they served the residents of Mecklenburg County and communities just over the border in North Carolina for 52 years; and

WHEREAS, William Harris, the youngest son of Charles and Loretta Harris, joined the family business in 1990 and has since provided dignified and highly professional service to countless families as they grieve the loss of a loved one; and

WHEREAS, in 1991, William Harris expanded the business to Chase City with the purchase of the former Giles Funeral Home and the creation of Giles-Harris Funeral Home and Cremation Services; he subsequently oversaw the opening of a new facility in Buffalo Junction after the Fourth Street building was destroyed by fire; and

WHEREAS, Harris Funeral Homes currently serves the Counties of Mecklenburg, Lunenburg, and Charlotte in Virginia and the counties of Vance, Granville, and Person in North Carolina from its two locations, Giles-Harris Funeral Home and Cremation Services in Chase City and C.H. Harris Funeral Home in Buffalo Junction; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Harris Funeral Homes on the occasion of its 68th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Loretta Harris and William Harris, owners of Harris Funeral Homes, as an expression of the General Assembly's admiration for its long legacy of compassionate service to families throughout the region.

HOUSE JOINT RESOLUTION NO. 525

Commending Arrington's Home Furnishings.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, for more than 50 years, Arrington's Home Furnishings, a family-owned business in Clarksville, has provided high-quality products and personal service to customers throughout the region; and

WHEREAS, in 1972, Earnest and Maria Arrington arrived in Clarksville and opened Arrington's Home Furnishings on Virginia Avenue; the couple spent a few years commuting between Clarksville and Danville, where Earnest was attending college, then settled in the apartment above the store; and

WHEREAS, originally selling televisions and offering repair services, Arrington's Home Furnishings expanded to offer appliances, furniture, bedding, flooring, HVAC equipment, and other pieces to help customers make a house a home; and

WHEREAS, in the late 1990s, as the business continued to grow and thrive, Arrington's Home Furnishings relocated from its downtown storefront to a new location, equipped with a 10,000-square-foot showroom, at 11220 U.S. Route 15 in Clarksville; and

WHEREAS, in addition to offering competitive prices on top home furnishing brands, Arrington's Home Furnishings has always emphasized the importance of excellent customer service and proudly offers repairs and maintenance on all the items it sells; and

WHEREAS, Arrington's Home Furnishings has built strong relationships with generations of customers, listening to their needs and going above and beyond to provide expert service and create the best overall experience; and

WHEREAS, Arrington's Home Furnishings has also given back to the community by supporting charitable organizations and donating items to people in need; and

WHEREAS, three generations of the Arrington family have served the community at Arrington's Home Furnishings; Earnest and Maria's daughters, Michelle, Andrea, and Stephanie, began working in the store in the mid-1990s, and some of their own children, Blake, Courtney, and Hannah, have followed in their mothers' footsteps; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Arrington's Home Furnishings for more than five decades of outstanding service to the residents of Clarksville and the surrounding area; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Arrington's Home Furnishings as an expression of the House of Delegates' admiration for its legacy of contributions to the Clarksville community as a trusted local business.

HOUSE JOINT RESOLUTION NO. 526

Commending the Rescue College of the Virginia Association of Volunteer Rescue Squads, Inc.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, the 50th annual Rescue College of the Virginia Association of Volunteer Rescue Squads, Inc., a comprehensive event dedicated to providing participants with first responder education, hands-on experience, and overall preparedness training, will be held from June 6-15, 2025; and

WHEREAS, the first Rescue College was held on the campus of Virginia Polytechnic Institute and State University in Blacksburg in 1975 and has continued to be held annually in the same location where the program began for the past 50 years; and

WHEREAS, the Rescue College provides a wide array of specialized educational opportunities to improve the knowledge and skills of first responders in the Commonwealth; and

WHEREAS, the training received by the dedicated emergency medical services providers at the Rescue College goes back to their home agencies, enabling them to better serve their communities; and

WHEREAS, many of the instructors and cadre at the Rescue College are graduates of previous sessions and continue to return annually; at the 50th anniversary session, both old and new faces will be gaining new information and techniques; and

WHEREAS, many of the Rescue College's graduates go on to serve as officers, life members, or members of the Rescue Hall of Fame and as dedicated members of the Virginia Association of Volunteer Rescue Squads, Inc., providing course instruction to both local and state agencies; and

WHEREAS, Rescue College chairs, when their tenure is complete, remain active within the program, mentoring incoming chairs, making the college better than it was before, and advancing and advocating for new and more modern courses; and

WHEREAS, the continued success of this one-of-a-kind program would not be possible without the hard work and dedication of the Rescue College's partners and volunteers, who have gone above and beyond the call of duty to preserve and promote the history and heritage of the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Rescue College of the Virginia Association of Volunteer Rescue Squads, Inc., on the occasion of the program's 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of the Rescue College program and partners of the Virginia Association of Volunteer Rescue Squads, Inc., as an expression of the General Assembly's admiration for their efforts to raise awareness of their work, to educate the public and the numerous first responder agencies in the Commonwealth, and to establish the best in training standards through 50 years of exceptional training opportunities.

HOUSE JOINT RESOLUTION NO. 527

Commending Janet Gullickson, Ed.D.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Janet Gullickson, Ed.D., an accomplished education leader who is notably the first woman to serve as president of Germanna Community College, where she has been the chief executive for the past eight years, will retire in July 2025; and

WHEREAS, in preparation for her career, Janet Gullickson earned a bachelor's degree in sociology and psychology from the University of South Dakota, a master's degree in rural sociology and planning from South Dakota State University, and a doctorate of education in leadership and higher education policy from the University of Minnesota; and

WHEREAS, Janet Gullickson's illustrious career in higher education has spanned more than 40 years, during which time she served across various sectors in several states, including as a faculty member, director, vice president, provost, and president; and

WHEREAS, in her role as president of Germanna Community College, Janet Gullickson led one of the largest institutions in the Virginia Community College System, with a staff of more than 800 employees and an annual budget exceeding $55 million; and

WHEREAS, during her tenure, Janet Gullickson promoted educational opportunities that would contribute to workforce development and economic growth in the City of Fredericksburg and the Counties of Caroline, Culpeper, King George, Madison, Orange, Spotsylvania, and Stafford; and

WHEREAS, with Janet Gullickson's leadership and support, Germanna Community College has remarkably increased its enrollment every term for the last three years, while receiving multiple national distinctions and developing new, innovative programs and services, such as work-based learning programs and the Amazon Web Services' mobile classroom, the first program of its kind in the nation; and

WHEREAS, Janet Gullickson's success has been the result of her ability to cultivate productive partnerships with industry leaders and the community and to motivate and inspire her students, faculty, and staff; and

WHEREAS, through her unwavering commitment to the institution and students she serves, Janet Gullickson leaves Germanna Community College well positioned to continue making a positive and lasting impact on the Greater Fredericksburg region for years to come; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Janet Gullickson, Ed.D., on the occasion of her retirement as president of Germanna Community College; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Janet Gullickson, Ed.D., as an expression of the General Assembly's admiration for her contributions to the Commonwealth and best wishes for her future endeavors.

HOUSE JOINT RESOLUTION NO. 528

Commending Belinda Black.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Belinda Black, director of the Chemical Product Engineering Division of Canon Virginia, Inc., based in Newport News, received the Woman of the Year award from the Virginia chapter of Women in Manufacturing in 2024; and

WHEREAS, as the director of the Chemical Product Engineering Division of Canon Virginia, Belinda Black is fundamental to the success of a leading global manufacturer of office and consumer products; and

WHEREAS, the Virginia affiliate of Women in Manufacturing (WiM-Virginia) is dedicated to supporting, promoting, and inspiring women who are pursuing or have chosen a career in the manufacturing sector; and

WHEREAS, WiM-Virginia presented Belinda Black with its Woman of the Year honor in recognition of her efforts to advance the organization's mission; and

WHEREAS, Belinda Black's 30-year career in manufacturing, her commitment to mentoring and leadership, and her contributions to her field have earned her the highest honor conferred by WiM-Virginia; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Belinda Black for being named the 2024 Woman of the Year by the Virginia chapter of Women in Manufacturing; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Belinda Black as an expression of the House of Delegates' admiration for her achievements and contributions to manufacturing in the Commonwealth.

HOUSE JOINT RESOLUTION NO. 529

Commending the MOC Beagles.

Agreed to by the House of Delegates, January 24, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, the MOC Beagles was created in 1961 by famed horsewoman and conservationist Eve Fout as a means to teach junior riders about foxhunting and the rural landscape in Virginia's northern Piedmont region; and

WHEREAS, the MOC Beagles supports the only beagle pack in the world that is followed on horseback and chases foxes; and

WHEREAS, the MOC Beagles is located near beautiful, historic Middleburg—the heart of horse country—with terrain composed of rolling meadows, woods and streams, and stunning views of the Blue Ridge Mountains; and

WHEREAS, the MOC Beagles is a nonprofit organization run entirely by volunteers that encourages children and their families to take an active part in the region's long tradition of field sports and to support volunteer projects in land and wildlife conservation; and

WHEREAS, the MOC Beagles is currently lead by Nina Fout, an Olympic medalist, famed equestrian, and daughter of founder Eve Fout; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the MOC Beagles for its service to young people and their families in Virginia's northern Piedmont region, as well as its preservation of foxhunting traditions and stewardship of the countryside; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Nina Fout and the junior foxhunters and equestrians of the MOC Beagles as an expression of the General Assembly's admiration for the organization's history and its service to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 530

Commending Emily Ann Fox.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, in 2024, Ashburn native Emily Ann Fox represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, winning a gold medal for Team USA in the Women's Olympic Football Tournament; and

WHEREAS, Emily Fox began playing soccer at a young age and led the Stone Bridge High School Bulldogs to the state finals in her freshman year, scoring 16 goals as a midfielder; she also played club soccer and received a call-up to the U.S. U-18 Women's National Team; and

WHEREAS, while playing for the University of North Carolina from 2017 to 2020, Emily Fox switched from midfielder to defender and began cultivating her reputation as a reliable outside back, whose speed and creativity make her an attacking threat along the sidelines; and

WHEREAS, Emily Fox helped lead the University of North Carolina Tar Heels to two national championship appearances and was a three-time All-Atlantic Coast Conference First-Team selection; during her college years, she also made her first appearance for the U.S. Women's National Team in 2018; and

WHEREAS, Emily Fox was the number one overall pick in the 2021 National Women's Soccer League Draft and has played for Racing Louisville FC, the North Carolina Courage, and Arsenal WFC in England over the course of her professional career; and

WHEREAS, fulfilling a lifelong dream, Emily Fox was selected to the U.S. Women's National Team's 18-player roster for the 2024 Summer Olympics in June of 2024; and

WHEREAS, Emily Fox and the U.S. Women's National Team dominated the group stage, winning games against Zambia, Germany, and Australia to finish first in Group B, then defeated Japan and Germany in the knockout stage; and

WHEREAS, in the tournament final, Emily Fox and the U.S. Women's National Team faced Brazil and finished 1-0 to secure the gold medal; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Emily Ann Fox on winning a gold medal at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Emily Ann Fox as an expression of the General Assembly's admiration for her outstanding athletic achievements and best wishes for the future.

HOUSE JOINT RESOLUTION NO. 531

Commending Keith H. Johnson.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Keith H. Johnson, a distinguished firefighter and first responder who has served his community for more than 40 years, retired as chief of the Loudoun County Combined Fire and Rescue System; and

WHEREAS, a fourth-generation firefighter, Keith Johnson embarked upon his career in fire service in 1982 as a volunteer with the North Merrick Volunteer Fire Department in Long Island, New York; and

WHEREAS, Keith Johnson segued to an operational career in firefighting when he joined the Fairfax County Fire and Rescue Department and graduated from its training academy in 1983; and

WHEREAS, through diligence and hard work, Keith Johnson rose through the ranks at the Fairfax County Fire and Rescue Department and was promoted to deputy chief in 2009, ultimately assuming responsibility for leading three divisions in the areas of training, special operations, and support services; and

WHEREAS, Keith Johnson previously served as a member and deputy chief of the Fairfax County Urban Search and Rescue Team and was formerly the Fairfax County task force leader of the National Medical Response Team; and

WHEREAS, in December 2014, Keith Johnson retired from the Fairfax County Fire and Rescue Department to accept the position of assistant chief of operations with the Loudoun County Combined Fire and Rescue System; and

WHEREAS, four years later, Keith Johnson was elevated to chief of the Loudoun County Combined Fire and Rescue System with the responsibility of overseeing nearly 500 employees and more than 1,500 volunteers who serve more than 400,000 residents in Loudoun County; and

WHEREAS, Keith Johnson holds an associate degree in fire science administration from the Northern Virginia Community College, a bachelor's degree in business administration with a minor in fire science from the University of Maryland University College, and a master's degree in security studies, homeland security, and defense from the Naval Postgraduate School; and

WHEREAS, in recognition of his achievements as a firefighter and fire chief, Keith Johnson was designated as a Chief Fire Officer by the Center for Public Safety Excellence and certified as a fire official in the Commonwealth and as a fire inspector and fire investigator by the Virginia Department of Fire Programs; and

WHEREAS, Keith Johnson has provided invaluable expertise to the Commonwealth in his capacity as chair of the Virginia Fire Services Board, member of the Board of Housing and Community Development, and past president of the Virginia Fire Chiefs Association; and

WHEREAS, to honor his extraordinary contributions to the Commonwealth, the Governor of Virginia named Keith Johnson the Virginia Fire Chief of the Year for 2024; and

WHEREAS, with an unwavering commitment to public safety and the well-being of others, Keith Johnson has epitomized the virtues of the firefighting and rescue profession, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Keith H. Johnson on the occasion of his retirement from his position as chief of the Loudoun County Combined Fire and Rescue System; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Keith H. Johnson as an expression of the General Assembly's high regard for his legacy of service and best wishes for his future endeavors.

HOUSE JOINT RESOLUTION NO. 532

Commending the Adler Center for Caring on the Van Metre Campus.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, the Adler Center for Caring on the Van Metre Campus, an initiative of Capital Caring Health that is the first inpatient hospice center in Loudoun County, celebrated its 10th anniversary in 2024; and

WHEREAS, the Adler Center for Caring on Van Metre Campus was established in 2014 by Capital Caring Health, one of the Washington, D.C., metropolitan area's largest nonprofit advanced illness care providers, to be a state-of-the-art facility that was designed to feel like home; and

WHEREAS, since its founding, the Adler Center for Caring on Van Metre Campus has comforted thousands of individuals and families in their time of need, including more than 400 patients in 2022; and

WHEREAS, the Adler Center for Caring on the Van Metre Campus offers an abundance of amenities to improve the quality of life for its patients and their families, including private rooms with access to the outdoors, a library and chapel, and other beautiful and spacious places to gather, such as a country kitchen, terrace, and garden; and

WHEREAS, with the generous support of the Adler and Van Metre families and the entire Loudoun County community, Capital Caring Health is able to provide its patients with essential hospice services regardless of their ability to pay; and

WHEREAS, the Adler Center for Caring on the Van Metre Campus is one of only a handful of inpatient hospice units currently operating in the Commonwealth and is on the vanguard for hospice care nationwide; and

WHEREAS, the accomplishments of the Adler Center for Caring on the Van Metre Campus are a testament to the tireless efforts and dedication of its leaders, staff, and volunteers, who are deserving of the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Adler Center for Caring on the Van Metre Campus on the occasion of its 10th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Adler Center for Caring on the Van Metre Campus as an expression of the General Assembly's respect for the center's commitment to excellence in caring for individuals and families of the Commonwealth.

HOUSE JOINT RESOLUTION NO. 533

Celebrating the life of Stella Dikos.

Agreed to by the House of Delegates, January 28, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Stella Dikos, an icon in the Richmond dining scene who served delicious meals to generations of loyal patrons at a series of restaurants proudly bearing her name and inspired others with her passion for food, family, and fellowship, died on June 28, 2024; and

WHEREAS, born in a small village in Greece, Stella Dikos began to understand the importance of community after her mother died when she was young and learned to cook from the women in her neighborhood who helped nurture her, along with her father and grandmother; and

WHEREAS, after graduating from high school, Stella Dikos was introduced to her future husband, Stavros, who had grown up in her mother's village but was living in Richmond as the owner of the Village Restaurant; and

WHEREAS, Stella and Stavros Dikos were married in Athens in 1962, then returned to the Commonwealth, where Stella helped with paperwork at the restaurant and eventually began working in the kitchen; and

WHEREAS, open from 1956 to 1981, the Village was an institution in downtown Richmond, catering to bikers, beatniks, and bohemians alike, a homey melting pot where all were welcome and Stella Dikos thrived as their beloved matriarch, serving up delectable homemade bread and succulent stews; and

WHEREAS, when the Village closed, Stella Dikos briefly partnered with her brother, Nick Kafantaris, who had also settled in Richmond as the owner of Joe's Inn, then pursued her own enterprise to showcase the traditional Greek recipes she learned in her youth; and

WHEREAS, with a line of former patrons of the Village spilling into the street, Stella and Stavros Dikos opened Stella's on Harrison Street in the Fan on April 24, 1983, and changed fine dining in Richmond forever; and

WHEREAS, the menu at Stella's originally featured Stella Dikos' signature homemade breads and soups, along with a few simple appetizers and entrees, but as the restaurant grew in popularity, she added unique dishes reflecting her Greek heritage, such as branzino, stuffed grape leaves, flaming cheese, baklava, and rice pudding, all using the freshest and finest ingredients; and

WHEREAS, after Stella's closed in 1995, Stella Dikos continued working as a chef in the area until 1998, when she opened Stella's Cafe at the corner of Main Street and Rowland Street with her daughter, Katrina, and her son-in-law Johnny Giavos; and

WHEREAS, with Stella Dikos' loyal followers demanding her mouthwatering Greek specialties, Stella's Cafe grew from offering just coffee, pastries, and sandwiches to becoming the full second iteration of Stella's, which delighted diners until 2007; and

WHEREAS, the third and current location of Stella's restaurant opened on Lafayette Street in 2011 and was another hit with local diners; Stella Dikos continued working with Katrina and Johnny to open the Stella's Grocery gourmet markets, the Our Life by Stella's boutique store, and a Stella's restaurant in Charleston, South Carolina; and

WHEREAS, as one of the longest-tenured restauranteurs in Richmond, Stella Dikos was an inspiration to generations of fellow chefs and business owners through her grace, elegance, resilience, and unrivaled skill in the kitchen; and

WHEREAS, Stella Dikos reshaped the Richmond dining scene by staying true to her roots and offering the traditional dishes that told the story of her life, infusing every dish with love, and ensuring that diners made enduring memories over her tables; and

WHEREAS, predeceased by her husband, Stavros, Stella Dikos will be fondly remembered and greatly missed by her children, Demetri and Katrina, and their families, and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Stella Dikos, a pillar of the Richmond restaurant community who touched countless lives through her warmth, creativity, and culinary excellence; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Stella Dikos as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 534

Commending Ron Montgomery.

Agreed to by the House of Delegates, January 27, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Ron Montgomery, a longtime law-enforcement officer and the current sheriff of York County and the City of Poquoson, has served the community with the utmost dedication and distinction for 50 years; and

WHEREAS, a native of York County, Ron Montgomery joined the York-Poquoson Sheriff's Office in 1975 and served as a patrol deputy, major crimes investigator, commander of the Major Crimes Division, and chief deputy over the course of his long and storied career; and

WHEREAS, in January 2023, Ron Montgomery was appointed to fill an unfinished term as the sheriff of York County and the City of Poquoson, and he was officially elected as sheriff in November of that year; and

WHEREAS, Ron Montgomery has upheld the York-Poquoson Sheriff's Office's long-standing commitment to excellence; he has continued to build a sense of trust and mutual respect between the office and members of the public and has implemented new and innovative programs to better serve and protect local residents; and

WHEREAS, a highly trained and experienced police officer, Ron Montgomery holds a bachelor's degree from Saint Leo University, as well as certificates from the University of Richmond, the Southern Police Institute, and several other training courses offered by state agencies and the Federal Bureau of Investigation; he is a member of the Virginia Sheriffs' Association, the National Sheriffs' Association, and the International Association of Chiefs of Police; and

WHEREAS, Ron Montgomery encourages his deputies and staff members to go above and beyond in service to the community; he is a member of the Grafton Kiwanis Club, sits on the boards of the York County Chamber of Commerce and the local Boys & Girls Club, and has volunteered his time and wise leadership to support young people as a football and baseball coach; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Ron Montgomery for his 50 years of service to York County and the City of Poquoson as a law-enforcement officer; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Ron Montgomery as an expression of the General Assembly's admiration for his legacy of professional achievements and distinguished service to the York County and Poquoson communities.

HOUSE JOINT RESOLUTION NO. 535

Commending Sheila S. Noll.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, Sheila S. Noll, a longtime member of the York County Board of Supervisors, has served the residents of York County with dedication and distinction for 30 years; and

WHEREAS, over the course of her career in public office, Sheila Noll has represented the residents of District 2 and served terms as chair and vice chair of the York County Board of Supervisors; and

WHEREAS, Sheila Noll has built strong relationships with her constituents to ensure that every resident felt their voice could be heard, and she promoted the importance of good communication and transparency in local government; and

WHEREAS, during her tenure on the York County Board of Supervisors, Sheila Noll worked closely with local businesses, tourism and historical organizations, the county's significant population of active-duty military service members, and other stakeholders to maintain York County's unique and vibrant character; and

WHEREAS, outside of her duties on the York County Board of Supervisors, Sheila Noll has been active with the Virginia Association of Counties and provided her wise insights to the Local Government Advisory Committee to the Chesapeake Executive Council; and

WHEREAS, Sheila Noll has served the residents of York County with the utmost dedication, integrity, and distinction, working diligently to preserve, protect, and improve the county for future generations; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Sheila S. Noll for her 30 years of service to the residents of York County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Sheila S. Noll as an expression of the General Assembly's admiration for her personal and professional achievements.

HOUSE JOINT RESOLUTION NO. 536

Commending Thomas G. Shepperd.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, Thomas G. Shepperd, a longtime member of the York County Board of Supervisors, has served the residents of York County with dedication and distinction for 25 years; and

WHEREAS, over the course of his career in public office, Thomas "Tom" G. Shepperd has represented the residents of District 5 and served terms as chair of the York County Board of Supervisors; and

WHEREAS, during his tenure on the York County Board of Supervisors, Tom Shepperd worked closely with local businesses, tourism and historical organizations, the county's significant population of active-duty military service members, and other stakeholders to maintain York County's unique and vibrant character; and

WHEREAS, for nearly two decades, Tom Shepperd has represented York County on the Hampton Roads Military and Federal Facilities Alliance to preserve and grow the role of military service members and federal workers in the local economy; and

WHEREAS, Tom Shepperd has long specialized in transportation policy, serving as the York County representative on the Hampton Roads Transportation Planning Organization and a commissioner on the Hampton Roads Transportation Accountability Commission; and

WHEREAS, Tom Shepperd has also supported responsible development in the region as a commissioner on the Hampton Roads Planning District Commission and a member of the board of directors of the Virginia Association of Planning District Commissions; and

WHEREAS, Tom Shepperd has served the residents of York County with the utmost dedication, integrity, and distinction, working diligently to preserve, protect, and improve the county for future generations; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Thomas G. Shepperd for his 25 years of service to the residents of York County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Thomas G. Shepperd as an expression of the General Assembly's admiration for his personal and professional achievements.

HOUSE JOINT RESOLUTION NO. 537

Commending Elizabeth S. Kostelny.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, Elizabeth S. Kostelny, the longstanding chief executive officer of Preservation Virginia who has guided preservation efforts in the Commonwealth for more than 30 years, retired in 2024; and

WHEREAS, after earning a graduate degree in art history in 1990 from the University of South Carolina, Elizabeth Kostelny embarked upon her career in preservation as the curator of collections at what was then the Association for the Preservation of Virginia Antiquities, now Preservation Virginia; and

WHEREAS, following her success managing the collections within Preservation Virginia's portfolio, Elizabeth Kostelny was promoted to director of operations and then interim executive director before being officially named the organization's chief executive officer, becoming the first woman in history to hold that position; and

WHEREAS, Elizabeth Kostelny deftly managed the new responsibilities she assumed following the merger of Preservation Virginia, which had primarily acquired and preserved historic sites, and the Preservation Alliance of Virginia, which had advocated for preservation policy at the local, state, and national level; and

WHEREAS, Elizabeth Kostelny launched community engagement and advocacy divisions within Preservation Virginia to bolster the organization's ability to support preservation work in local communities and to advance preservation policies in government; and

WHEREAS, Elizabeth Kostelny has had the distinct honor of presenting the Commonwealth's history to a range of dignitaries over her career, including Her Majesty Queen Elizabeth II and President George W. Bush during the 400th anniversary of Jamestown in 2007; and

WHEREAS, as a result of Elizabeth Kostelny's inspired leadership, Preservation Virginia's Vision 2020 Comprehensive Campaign exceeded its goal by 33 percent, allowing for essential staff hires and for longstanding priorities to be fulfilled, including a survey and online database of nearly 400 African American school sites; and

WHEREAS, for many years, Elizabeth Kostelny has been a valued voice before both the United States Congress and the General Assembly, helping to establish policies and funding that will protect the Commonwealth's history for the education and enjoyment of many future generations to come; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Elizabeth S. Kostelny, chief executive of Preservation Virginia, on the occasion of her retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Elizabeth S. Kostelny as an expression of the General Assembly's admiration for her legacy of service and best wishes for a happy and rewarding retirement.

HOUSE JOINT RESOLUTION NO. 538

Commending the Lackey Clinic.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, for three decades, the Lackey Clinic has provided compassionate healthcare, counseling, and assistance to underinsured or uninsured residents of York County; and

WHEREAS, originally located in the basement of Rising Sun Baptist Church, the Lackey Clinic was established in 1995 by Jim and Cooka Shaw, who were guided by their faith to open a free medical clinic for members of the community in need; and

WHEREAS, the Lackey Clinic subsequently operated out of the Charles Brown Community Center, then moved to a stand-alone location in 2003 to better meet the growing demand for its vital services; and

WHEREAS, the Lackey Clinic further expanded its services by opening a pharmacy, a dental clinic, and the Commonwealth's first free chronic-care clinic for people with diabetes, hypertension, asthma, and other chronic conditions; and

WHEREAS, the Lackey Clinic now maintains a 10,000-square-foot facility, where nearly 30 full-time and part-time employees, as well as hundreds of hardworking volunteers, provide a wide range of medical services; and

WHEREAS, the Lackey Clinic is committed to providing holistic care that heals the mind, body, and spirit and treats every patient with the utmost dignity and respect regardless of race, background, faith, or financial circumstances; and

WHEREAS, over the course of its history, the Lackey Clinic has touched countless lives, uplifting those in need while helping to build a stronger, healthier community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Lackey Clinic on the occasion of its 30th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Lackey Clinic as an expression of the General Assembly's admiration for the clinic's longstanding commitment to the health and wellness of the residents of York County.

HOUSE JOINT RESOLUTION NO. 539

Commending The Arc of Greater Williamsburg.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, for nearly 50 years, The Arc of Greater Williamsburg has worked diligently to enhance the lives of people with developmental disabilities and their families through education, support, and community activities; and

WHEREAS, The Arc of Greater Williamsburg was established in July 1976 by a group of parents of children with developmental disabilities and is now one of more than 630 Arc chapters across the United States; and

WHEREAS, The Arc of Greater Williamsburg has touched countless lives in the Williamsburg area by ensuring the health and wellness of its clients and providing educational, cultural, social, and recreational enrichment; and

WHEREAS, The Arc of Greater Williamsburg serves young adults who have aged out of the public school system by conducting a day program that offers continuing education, life skills, and vocational training; and

WHEREAS, The Arc of Greater Williamsburg also connects clients to employment opportunities through Wheels4Work and provides regular activities to further enhance clients' quality of life and allow them to improve their abilities; and

WHEREAS, by providing a sense of hope and opportunities for personal growth, The Arc of Greater Williamsburg has helped countless individuals with developmental disabilities in the region lead more fulfilling lives; and

WHEREAS, The Arc of Greater Williamsburg has succeeded in its mission through the leadership and dedication of its staff members, the hard work of hundreds of volunteers, and generous support from community partners; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend The Arc of Greater Williamsburg for nearly 50 years of service to the community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to The Arc of Greater Williamsburg as an expression of the General Assembly's admiration for the organization's commitment to ensuring that residents of Williamsburg with developmental disabilities remain active and engaged members of the community.

HOUSE JOINT RESOLUTION NO. 540

Commending Busch Gardens Williamsburg.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, since 1975, Busch Gardens Williamsburg in James City County has delighted visitors from throughout the Commonwealth and the nation with its thrilling roller coasters, riveting attractions, and unique shows and events; and

WHEREAS, originally known as Busch Gardens: The Old Country, Busch Gardens Williamsburg was developed in the early 1970s as part of a development investment project by Anheuser-Busch, which included the amusement park, the Kingsmill Resort complex, and other residential and office properties, along with its new brewery; and

WHEREAS, Busch Gardens Williamsburg first adopted its current name in 1993, but was briefly known as Busch Gardens Europe from 2006 to 2008; the park is divided into 10 hamlets that represent interpretations of villages in England, Scotland, Ireland, France, Germany, and Italy, as well as a children's area based on Sesame Street and a fantasy area, the Land of Dragons; and

WHEREAS, Busch Gardens Williamsburg features dozens of rides, including several notable roller coasters, along with shows and cuisine that reflect the themes of each hamlet; guests can stroll from hamlet to hamlet, enjoying the carefully crafted scenery, or travel between different areas of the park via the Aeronaut Skyride gondola lift or the Busch Gardens Railway; and

WHEREAS, Busch Gardens Williamsburg is also known for its animal attractions, including horse stables, an aviary, and Jack Hanna's Wild Reserve, which encompasses thousands of square feet of natural habitat for wolves and bald eagles in addition to viewing areas; over the years, the park has committed to environmental protection and conservation through the adoption of electric vehicles, organic gardening, and the use of recycled materials; and

WHEREAS, Busch Gardens Williamsburg is open year-round with limited winter hours and offers beloved special events during Mardi Gras, Saint Patrick's Day, Oktoberfest, Halloween, and Christmas; and

WHEREAS, Busch Gardens Williamsburg has often been selected as one of the top amusement parks in the country according to surveys conducted by the National Amusement Park Historical Association and was voted as the Most Beautiful Park in 2023; and

WHEREAS, Busch Gardens Williamsburg welcomes millions of guests each year and is one of the primary economic engines in the region, sustaining thousands of local jobs and driving tourism that supports other local businesses and attractions; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Busch Gardens Williamsburg, one of the Commonwealth's premier amusement parks, on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Busch Gardens Williamsburg as an expression of the General Assembly's admiration for the park's contributions to generations of visitors and important role in the vibrant local economy.

HOUSE JOINT RESOLUTION NO. 541

Commending the Yorktown Arts Foundation.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, for 50 years, the Yorktown Arts Foundation has fostered an appreciation for the arts in York County by promoting arts education and participation, as well as hosting venues for art sales by local artists; and

WHEREAS, the Yorktown Arts Foundation traces its roots to the formation of the Arts Committee of the York County Bicentennial Committee and was officially established as an independent organization in November 1975; and

WHEREAS, the Yorktown Arts Foundation originally opened the Yorktown Creative Arts Center on Church Street, then relocated to a house donated by Colonial National Historic Park; and

WHEREAS, the Yorktown Arts Foundation subsequently operated the On the Hill Cultural Arts Center at the corner of Ballard Street and Alexander Hamilton Boulevard from 1981 to 2003, then opened Gallery on the York on George Washington Memorial Highway; and

WHEREAS, from 2014 to 2024, the Yorktown Arts Foundation operated the On the Hill Gallery from the historic Burcher Cottage on Main Street in Yorktown, and as the premier gallery for regional artists to display and sell their works, it served thousands of visitors over the years; and

WHEREAS, On the Hill Gallery also hosted art competitions, juried exhibitions, and events featuring works by local art teachers and public school students; and

WHEREAS, while the On the Hill Gallery is closed as of summer 2024, the Yorktown Arts Foundation is continuing to support the local arts community with classes, a veterans art show, and other community outreach efforts; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Yorktown Arts Foundation for its contributions to cultural life in York County on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Yorktown Arts Foundation as an expression of the General Assembly's admiration for the organization's contributions to the visual arts community in the region.

HOUSE JOINT RESOLUTION NO. 542

Commending The Bargain Box.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, for more than 55 years, The Bargain Box, a thrift store operated by the York County Volunteer Association, has provided financial assistance and support to local families, other nonprofit organizations, and community initiatives; and

WHEREAS, the York County Volunteer Association was formed in 1967 by a group of local residents seeking ways to strengthen their community and provide hope to neighbors in need; the organization originally held yard sales to raise money and later established a small thrift shop, which became The Bargain Box; and

WHEREAS, currently located on Dare Road in Yorktown, The Bargain Box accepts donations of a wide range of items, including clothes, coats, shoes, jewelry, vinyl records, books, toys, games, memorabilia, and antiques; and

WHEREAS, the hardworking volunteers at The Bargain Box inspect, clean, and price all items and rotate stock to meet trends and demands; the store is the main source of revenue for the York County Volunteer Association, with all proceeds from sales going to support local residents or other important organizations; and

WHEREAS, over the years, The Bargain Box has offered emergency financial assistance to countless families in need and has provided gift cards during the holidays, summer school tuition, scholarships, assistance with job training, plumbing and utilities expenses, and medical equipment; and

WHEREAS, The Bargain Box has also supported vital programs like the NATASHA House transitional home, the Lackey Clinic, and the Boys & Girls Clubs of the Virginia Peninsula; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend The Bargain Box for more than 55 years of service to the York County community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to The Bargain Box as an expression of the General Assembly's admiration for the organization's legacy of incredible achievements and tireless efforts to enhance the quality of life of all York County residents.

HOUSE JOINT RESOLUTION NO. 543

Commending Bishop Fishing Supply.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, for more than four decades, Bishop Fishing Supply in Yorktown has provided expert advice, outstanding services, and high quality equipment to fishing enthusiasts on the Virginia Peninsula; and

WHEREAS, Bishop Fishing Supply was established by John Bishop on January 1, 1984, and has been serving customers from its current location in Yorktown for 25 years; and

WHEREAS, geared toward the local saltwater fishing community, Bishop Fishing Supply stocks a full range of fishing supplies and apparel from top brands; and

WHEREAS, Bishop Fishing Supply offers affordable reel repairs and cleanings, professional line spooling services, and careful inspection of gears and operating parts; and

WHEREAS, a trusted, longstanding institution in the fishing community, Bishop Fishing Supply also serves as an official weigh station for the Virginia Saltwater Fishing Tournament; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Bishop Fishing Supply for more than 40 years of service to fishing enthusiasts in Yorktown and across the region; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to John Bishop, owner of Bishop Fishing Supply, as an expression of the General Assembly's admiration for the store's legacy of contributions to the local economy and the fishing community.

HOUSE JOINT RESOLUTION NO. 545

Commending Lara Shearin Overy.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, Lara Shearin Overy, an esteemed public servant and community leader, retired from her position as the commissioner of the revenue of the City of Williamsburg in 2024; and

WHEREAS, Lara Overy is a lifelong resident of the Virginia Peninsula and an alumna of The College of William & Mary, where her academic achievement and other activities earned her the Benjamin Stoddert Ewell Award; and

WHEREAS, Lara Overy acquired valuable managerial experience for her role as commissioner of the revenue while working as the director of development at both Thomas Nelson Community College and Tidewater Community College (TCC) and as the executive director of TCC's Educational Foundation; and

WHEREAS, Lara Overy honed her financial acumen while serving as chief operating officer for Compass Wealth Strategies, devising astute retirement planning and estate planning strategies for the benefit of her clients; and

WHEREAS, beyond her work as commissioner of the revenue, Lara Overy has given generously of her time in support of the community by serving as president of the Virginia Symphony Society of Greater Williamsburg and on the boards of the Girl Scout Council of Colonial Coast, Young Life, the Lynchburg Parents Council, Virginia Symphony Orchestra, and the Greater Williamsburg Chamber and Tourism Alliance; and

WHEREAS, since she was elected commissioner of the revenue in 2017, Lara Overy has dedicated herself to responsibly overseeing the City of Williamsburg's collection of various taxes, ensuring the effective administration of the city's government and services; and

WHEREAS, through her steadfast commitment to her duties as the commissioner of the revenue and in other leadership capacities, Lara Overy has been integral to Williamsburg's success over several years, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Lara Shearin Overy on the occasion of her retirement as the City of Williamsburg's commissioner of the revenue; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Lara Shearin Overy as an expression of the General Assembly's high regard for her exemplary career in service to the City of Williamsburg and the Commonwealth and best wishes for her future endeavors.

HOUSE JOINT RESOLUTION NO. 546

Celebrating the life of Charles Daniel Spruill.

Agreed to by the House of Delegates, January 28, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, Charles Daniel Spruill, a longtime civil servant and highly admired youth athletics coach in Seaford, died on July 26, 2024; and

WHEREAS, Charles Daniel "Danny" Spruill grew up in Rocky Mount, North Carolina, and subsequently graduated from Christopher Newport University in Newport News; and

WHEREAS, Danny Spruill spent much of his career working for the United States Department of the Army as a civilian employee at Fort Monroe, retiring in 2006 after 36 years of service; and

WHEREAS, Danny Spruill was best known as a youth football, baseball, and softball coach, who touched countless lives in Newport News and York County through his compassion, inspirational leadership, and dedication to service; and

WHEREAS, Danny Spruill was recognized as a pioneer in local youth athletics and helped his players achieve their fullest potential on and off the field; he forged lifelong friendships with his players and their families, often keeping up with their achievements through high school and beyond; and

WHEREAS, Danny Spruill also enjoyed boating, fishing, hunting, gardening, or simply spending time with family and friends at his Seaford home; and

WHEREAS, Danny Spruill will be fondly remembered and greatly missed by his wife of 30 years, Renee; his children, Candice and Andrew; his stepchildren, Craig and Lindsay; his children and stepchildren's families, including 13 beloved grandchildren; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Charles Daniel Spruill, a respected member of the Seaford community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Charles Daniel Spruill as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 547

Commending the organizers of Virginia American Revolution 250 Commission events in Historic Yorktown.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, the General Assembly established the Virginia American Revolution 250 Commission in 2020 to commemorate the 250th anniversary of the American Revolution, the Revolutionary War, and the formation of the United States as an independent nation; and

WHEREAS, in July 2024, the American Revolution Museum at Yorktown, the VA250 Yorktown Commemoration Committee, the Williamsburg-Yorktown American Revolution Round Table, and other local partners hosted a series of events to commemorate the 250th anniversary of the York County Resolves; and

WHEREAS, the York County Resolves were developed in response to the Coercive Acts, better known as the Intolerable Acts, passed by British Parliament in early 1774 to reassert its dominance over the colonies after the Boston Tea Party, and similar measures were adopted in counties across Virginia; and

WHEREAS, as part of the commemoration, historian Jim Gallagher portrayed Thomas Nelson, Jr., and gave a speech at the American Revolution Museum at Yorktown encouraging citizens to protest the British crown's oppressive policies and taxation measures; and

WHEREAS, in addition, the VA250 Yorktown Commemoration Committee and the Williamsburg-Yorktown American Revolution Round Table hosted a discussion about the history and significance of the York County Resolves; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the organizers of Virginia American Revolution 250 Commission events in Historic Yorktown for their work to celebrate the 250th anniversary of the York County Resolves; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the organizers of Virginia American Revolution 250 Commission events in Historic Yorktown as an expression of the General Assembly's admiration for their efforts to raise awareness of the York County Resolves and educate the public about the foundation of the United States.

HOUSE JOINT RESOLUTION NO. 548

Commending the Virginia Electoral Board Association.

Agreed to by the House of Delegates, January 28, 2025
Agreed to by the Senate, January 30, 2025

WHEREAS, the Virginia Electoral Board Association is a voluntary association of independent electoral boards across the Commonwealth, representing more than 5,000,000 registered voters, 133 localities, and 2,453 precincts; and

WHEREAS, the Virginia Electoral Board Association (VEBA) was established on February 10, 1973, in Lynchburg to support the responsibilities of local electoral boards; and

WHEREAS, in each county and city in the Commonwealth, a three-member electoral board is responsible for the proper and orderly conduct of all elections held in the locality, including the appointment of a general registrar or election director, the preparation of ballots, the administration of absentee ballot provisions, the conduct of the election, and the ascertaining of election results; and

WHEREAS, for more than 50 years since its creation, VEBA has cultivated strong working relationships with these electoral boards, general registrars, and election directors; and

WHEREAS, VEBA has worked diligently and successfully to facilitate free and fair elections with the highest standard of integrity in the Commonwealth; and

WHEREAS, VEBA has promoted broader participation in elections and facilitated better communication between its members, the State Board of Elections, and other officials and the local and state levels; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Virginia Electoral Board Association who celebrated its 50th anniversary in 2023; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to John Nunally, president, and Wanda Taylor, first-vice president of the Virginia Electoral Board Association, as an expression of the General Assembly's respect and admiration for their commitment to fair, free, open, and transparent elections in the Commonwealth.

HOUSE JOINT RESOLUTION NO. 549

Commending Dover Hall.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, Dover Hall, a distinguished wedding and event venue in Goochland County was named "Best for Weddings, Parties, and Celebrations in North America" as part of the Condé Nast Johansens 2025 Awards for Excellence; and

WHEREAS, Dover Hall, an English Tudor-inspired estate situated in the bucolic hills of Manakin-Sabot, was conceived by the original owners, Dennis and Cindy Pryor, who set out to build a home styled after the manor houses of the English countryside; and

WHEREAS, in 2017, Dover Hall was transformed from a private residence into an event venue by Jeff Ottaviano and Chad Hornik, co-owners and managers of Dover Hall Experiences, who aimed to create a space capable of hosting exceptional, world-class events; and

WHEREAS, with more than 38,000 square feet of living space and 55 private acres, Dover Hall offers guests a serene and transporting setting for their most important occasions and celebrations; and

WHEREAS, Dover Hall is both adorned with antique furnishings and artwork sourced from across Europe and equipped with many modern amenities, enabling visitors to appreciate the grandeur of the past while enjoying the conveniences of today; and

WHEREAS, Dover Hall's services are supported by its artisan in-house culinary team led by renowned chef Leah Randolph and include in-house beverage programs featuring wine from 7 Lady Vineyards, which is produced on the grounds of the estate; and

WHEREAS, the recent accolade from Condé Nast Johansens, one of the most prestigious luxury reference guides in the world, is a testament to the commitment of excellence that defines Dover Hall; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Dover Hall for being named "Best for Weddings, Parties, and Celebrations in North America" as part of the Condé Nast Johansens Awards for Excellence 2025; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dover Hall as an expression of the General Assembly's admiration for the venue's achievement and best wishes for its continued success.

HOUSE JOINT RESOLUTION NO. 550

Commending Erin Schaible.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, Erin Schaible, a trailblazing leader in law enforcement who served and safeguarded the Fairfax community for more than three decades, retired as chief of the City of Fairfax Police Department in 2025; and

WHEREAS, Erin Schaible grew up in a family with numerous law-enforcement officers, including her father, who served as a police officer in California before joining the United States Secret Service; and

WHEREAS, upholding the family tradition, Erin Schaible joined the Fairfax County Police Department as a patrol officer and was originally based at the Mason District Police Station; she quickly rose through the ranks and gained experience at several other stations in the county; and

WHEREAS, Erin Schaible held command assignments in the Organized Crime and Narcotics units, Internal Affairs Bureau, and Resource Management Bureau, where she managed a multimillion-dollar budget with oversight of logistics, property and evidence, and records and facilities; and

WHEREAS, Erin Schaible subsequently served as the Patrol Bureau commander for Division II, which included the Mason and McLean stations, the Community Resources Division, the Gang Unit, and the Field Training program; and

WHEREAS, in that capacity, Erin Schaible also oversaw emergency operations, administered the school resource officer program and the crime prevention program, and developed a restorative justice initiative; and

WHEREAS, over the course of her career, Erin Schaible was deeply engaged in the community and relished every opportunity to mentor young people or enhance the overall quality of life in Fairfax County through her innovative programs; and

WHEREAS, in February 2019, Erin Schaible made history when she was selected as the first female chief of the City of Fairfax Police Department; and

WHEREAS, Erin Schaible's background in managing complex investigations, workplace security, conflict resolution, crisis prevention and intervention, team building, project management, community policing, and every aspect of law-enforcement operations made her a natural choice as chief of police; and

WHEREAS, Erin Schaible served residents of Fairfax County and the City of Fairfax with the utmost dedication, integrity, and distinction and looks forward to seeking new opportunities to serve the community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Erin Schaible on the occasion of her retirement as chief of the City of Fairfax Police Department; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Erin Schaible as an expression of the General Assembly's admiration for her exceptional service to the Fairfax community and visionary leadership as a law-enforcement officer.

HOUSE JOINT RESOLUTION NO. 551

Commending the Edwards family.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, the Edwards family of Midlothian has worked diligently to raise awareness of Frontotemporal Degeneration to honor the memory of Steve Edwards, a highly respected firefighter and beloved husband and father, who died from the disease in 2023; and

WHEREAS, Frontotemporal Degeneration represents as many as 15 percent of all cases of dementia and is the most common form of dementia affecting individuals younger than 60 years of age; and

WHEREAS, Frontotemporal Degeneration (FTD) is an incurable and terminal neurodegenerative disease that affects the frontal and temporal lobes, causing impairments to speech, personality, behavior, and motor skills; and

WHEREAS, though now better diagnosed than previously, those afflicted with FTD must wait well over three years from the onset of symptoms to receive a definitive diagnosis by specialized physicians; and

WHEREAS, Frontotemporal Degeneration has often previously been misdiagnosed as a psychiatric disorder or neurodegenerative disease, simply because of FTD's wide range of cognitive and behavioral symptoms manifesting themselves at a fairly young age; and

WHEREAS, more than 60,000 Americans are affected by FTD; though the disease may strike individuals between the ages of 21 and 80, the highest percentage of those afflicted are between the ages of 45 and 64; and

WHEREAS, FTD affects a person's ability to express emotion, show affection, speak, maintain muscle strength, and swallow and, in sum, has a devastating impact on the entire personality, rendering individuals in the prime of life unable to live a normal life or maintain a livelihood; and

WHEREAS, the cost of care for individuals with FTD is estimated at twice that required for individuals with better-known Alzheimer's Disease; and

WHEREAS, the Association for Frontotemporal Degeneration is the leading association advocating for increased awareness of the nature and effects of FTD; and

WHEREAS, Carrie Edwards of Midlothian is spearheading efforts within the Commonwealth to increase awareness of Frontotemporal Degeneration; and

WHEREAS, Carrie Edwards and her late husband, Steve, were sweethearts from their high school days together; they married in 1976, and a year later he enrolled in the 40th Recruit School of the Fairfax County Fire Department; and

WHEREAS, Steve Edwards, a career firefighter, was, in the eyes of comrades and family, a "9/11 hero" as he was called to serve as battalion chief on site at the Pentagon in response to the terrorist attacks of September 11, 2001; and

WHEREAS, at age 59, Steve Edwards was stricken with FTD, but the condition was not fully diagnosed for two full years, whereupon the Edwards family's journey with the effects of FTD began in earnest; and

WHEREAS, though the once vibrant firefighter, husband, father, and friend "melted away" over ensuing years, his "final act of courage," Carrie Edwards recounts, was to walk the couple's daughter down the aisle for her marriage in December 2023; and

WHEREAS, Steve Edwards passed away on December 31, 2023, and donated his brain to Mayo Clinic as a means of "helping others suffering from this devastating form of dementia"; and

WHEREAS, on September 21-28, 2025, the Edwards family and other individuals and families who have been affected by the disease will recognize Frontotemporal Degeneration Awareness Week; and

WHEREAS, Frontotemporal Degeneration Awareness Week provides an opportunity for all Virginians to learn more about this singular form of dementia, support research into treatments and a cure, and offer comfort to those who have been affected by the disease; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Edwards family for their outstanding achievements in raising awareness of Frontotemporal Degeneration and bringing hope and support to people living with the disease and their families; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Carrie Edwards as an expression of the General Assembly's admiration for the Edwards family's kindness, compassion, and dedication to serving others.

HOUSE JOINT RESOLUTION NO. 552

Celebrating the life of Thomas Clyde Evelyn.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, Thomas Clyde Evelyn, a successful entrepreneur and a beloved husband, father, and grandfather in New Kent County, died on July 29, 2024; and

WHEREAS, Thomas "Tom" Clyde Evelyn graduated *magna cum laude* from the University of Richmond and returned to Providence Forge, where he applied his knowledge and insights to the family timber business, C.H. Evelyn Piling Company; and

WHEREAS, Tom Evelyn's entrepreneurial spirit led him to establish Charles City Forest Products in Charles City County; the company grew and expanded under his outstanding leadership, and several of his children followed in his footsteps by joining the business; and

WHEREAS, Tom Evelyn's multiple ventures became integral parts of the local economy in the region, creating jobs and new opportunities for local residents; and

WHEREAS, outside of his career, Tom Evelyn was an avid outdoorsman who enjoyed hunting, fishing, and anything that allowed him to reconnect with nature; and

WHEREAS, Tom Evelyn especially loved spending time with family and friends, and his proudest accomplishments were those as a husband, father, and grandfather; and

WHEREAS, Tom Evelyn will be fondly remembered and greatly missed by his wife of 48 years, Emily; his children, Thomas, Patrick, Emily, and Caroline, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Thomas Clyde Evelyn, a respected business owner and highly admired resident of New Kent County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Thomas Clyde Evelyn as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 553

Commending Rebecca Nunn.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, Rebecca Nunn, a treasured member of the Kilmarnock community, won the national Ms. Senior Earth Global Pageant in Branson, Missouri, in May 2024; and

WHEREAS, in addition to winning the 2023 Ms. Virginia Senior Earth Global Pageant, Rebecca Nunn was also named Ms. Virginia Senior America in 2016, Ms. Super Senior Virginia USA in 2019, and Ms. Virginia Senior World in 2020; and

WHEREAS, prior to being named Ms. Senior Earth, Rebecca Nunn had several strong pageant performances at the national and international level and won the People's Choice Award in the America's Super Pageant in 2022; and

WHEREAS, at the national Ms. Senior Earth Global Pageant in 2024, Rebecca Nunn competed against 14 other contestants from around the world in various events, including runway fashion, state costumes, evening gowns, and talent; she notably also won the People's Choice Award at the event with 600 votes; and

WHEREAS, as Ms. Senior Earth, Rebecca Nunn will promote the Ms. Senior Earth Global Pageant throughout the year and will crown her successor when the next pageant is held in Memphis, Tennessee in 2025; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Rebecca Nunn for winning the 2024 national Ms. Senior Earth Global Pageant; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Rebecca Nunn as an expression of the General Assembly's admiration for her achievements and best wishes for her continued success.

HOUSE JOINT RESOLUTION NO. 554

Celebrating the life of Major General John Dean Taylor, VDF, Ret.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, Major General John Dean Taylor, VDF, Ret., a longtime member of the Virginia Army National Guard and the former commanding general of the Virginia Defense Force, died on January 5, 2025; and

WHEREAS, a lifelong resident of Greensville County and Emporia, John Dean Taylor graduated from Greensville County High School and studied at Chowan University before enrolling at Virginia Polytechnic Institute and State University (Virginia Tech), where he met his future wife, Shirley; and

WHEREAS, John Dean Taylor earned three degrees from Virginia Tech, including a doctorate in plant pathology, then worked with Shirley to establish several successful agricultural businesses over the years; and

WHEREAS, John Dean Taylor began his military career with the local Virginia Army National Guard unit in Emporia and completed assignments as a field artillery officer, a helicopter pilot, and as a staff officer at the Pentagon, ultimately rising to the rank of colonel; and

WHEREAS, after his retirement from the Virginia Army National Guard, John Dean Taylor was selected as the commanding general of the Virginia Defense Force, the all-volunteer reserve of the Virginia National Guard, and worked diligently to help the organization fulfill its mission through his outstanding leadership and commitment to excellence; and

WHEREAS, outside of his career, John Dean Taylor enjoyed working on his farm and gave generously of his time and talents to support people in need; and

WHEREAS, John Dean Taylor will be fondly remembered and greatly missed by his wife of 50 years, Shirley; his children, Stacey, Justin, and Jason, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Major General John Dean Taylor, VDF, Ret., an esteemed member of the Greensville County and Emporia communities; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Major General John Dean Taylor, VDF, Ret., as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 555

Commending the Council of Virginia Archaeologists.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, for 50 years, the Council of Virginia Archaeologists has been the Commonwealth's professional archaeology organization dedicated to the preservation and study of fragile and non-renewable archaeological resources; and

WHEREAS, founded in 1975, the mission of the Council of Virginia Archaeologists has been to promote the preservation and study of Virginia's pre-contact and historic archaeological resources; foster public awareness, knowledge, and support for the preservation of these archaeological resources; facilitate interactions between professional and avocational archaeologists; and act as an independent professional advisory group for the Virginia Department of Historic Resources (DHR); and

WHEREAS, the Council of Virginia Archaeologists supports the scientific and humanistic study of the human past, the preservation of archaeological sites and collections, and the dissemination of archaeological information for the benefit of the public; and

WHEREAS, the members of the Council of Virginia Archaeologists strive to uphold the highest standards of performance and ethical practices in archaeology and ensure that investigations occur within a research framework under the oversight of professionally trained archaeologists; and

WHEREAS, the Council of Virginia Archaeologists is dedicated to working with public and private groups, property owners, and individuals to identify, protect, and interpret archaeological sites, artifacts, and elements of material culture that contribute to a better understanding of history at the local, regional, state, and national levels; and

WHEREAS, the Council of Virginia Archaeologists comprises more than 100 professional archaeologists from every region of the Commonwealth and every sector of archaeology; and

WHEREAS, the Council of Virginia Archaeologists partners with the Archeological Society of Virginia and DHR to advance the training of avocational archaeologists through the Archeological Technician Program and publish multiple edited volumes that serve as foundational references for the archaeological exploration of the thousands of years of the Commonwealth's buried past; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Council of Virginia Archaeologists on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to David A. Brown, president of the Council of Virginia Archaeologists, as an expression of the General Assembly's admiration for the society's work to safeguard the Commonwealth's valuable cultural and historical resources.

HOUSE JOINT RESOLUTION NO. 556

Commending Newport News Public Schools Youth Development.

Agreed to by the House of Delegates, February 12, 2025
Agreed to by the Senate, February 22, 2025

WHEREAS, Newport News Public Schools Youth Development promotes student success both in and out of the classroom and works with local stakeholders to build quality programming that enhances the overall well-being of all students in the school division; and

WHEREAS, Newport News Public Schools Youth Development strives to create positive experiences and supportive environments to ensure that every student feels seen, heard, understood, and valued; and

WHEREAS, through its intentional, prosocial approach, Newport News Public Schools Youth Development helps young people engage with their peers, schools, and communities in a constructive way that promotes positive outcomes for all involved; and

WHEREAS, Newport News Public Schools Youth Development emphasizes student empowerment and leadership, inclusivity, positive school culture, and mentoring, while teaching essential social and emotional skills; and

WHEREAS, Newport News Public Schools Youth Development encourages every student in the school division to participate in at least one of the nearly 1,000 student organizations, sports teams, or other enrichment opportunities operating across the school division; and

WHEREAS, by creating positive norms, expectations, and perspectives in physically and emotionally safe environments, Newport News Public Schools Youth Development helps students build healthy relationships and develop a sense of belonging within the wider community; and

WHEREAS, Newport News Public Schools Youth Development has also designed and implemented innovative violence prevention initiatives that emphasize empowerment, service learning, and emotional health; and

WHEREAS, Newport News Public Schools Youth Development has a unique infrastructure of dedicated school-based teams that increase the school division's ability to implement evidence-based programming at every school for nearly 26,000 students in grades pre-K through 12; and

WHEREAS, Newport News Public Schools Youth Development ensures that all students have access to these critical programs regardless of their background; and

WHEREAS, Newport News Public Schools Youth Development was recognized with the 2024 Silver Magna Award by the National School Boards Association, which featured the division's accomplishments in the April 2024 edition of the *American School Board Journal*; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Newport News Public Schools Youth Development for its work to give students the tools and support they need to succeed in the classroom and become leaders in the community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Newport News Public Schools Youth Development as an expression of the General Assembly's admiration for the program's vital mission and contributions to young people in Newport News.

HOUSE JOINT RESOLUTION NO. 557

Commending the Hampton Roads Workforce Council.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, for 50 years, the Hampton Roads Workforce Council has provided strategic workforce development solutions to help connect local businesses with qualified workers and further enhance the region's vibrant economy; and

WHEREAS, established by the Hampton Roads Workforce Development Board, the Hampton Roads Workforce Council oversees federally funded workforce development programs and supports economic empowerment for all by promoting training opportunities for job seekers; and

WHEREAS, over the course of its history, the Hampton Roads Workforce Council has expanded its initiatives to meet the needs of emerging industries and in-demand occupations; and

WHEREAS, with innovative programs like the Hampton Roads Veterans Employment Center, Virginia Career Works, Hampton Roads Regional Apprenticeship Hub, and Regional Maritime Training System, the Hampton Roads Workforce Council is uniquely positioned to address the current and future needs of the region; and

WHEREAS, to fulfill its mission, the Hampton Roads Workforce Council has built partnerships with workforce and economic development stakeholders, business and industry leaders, education and training providers, the military, and community members; and

WHEREAS, in 2021, the Hampton Roads Workforce Council merged with the Greater Peninsula Workforce Board, creating the largest workforce development board in the Commonwealth, supporting 17 localities across the region; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Hampton Roads Workforce Council on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Hampton Roads Workforce Council as an expression of the General Assembly's admiration for the organization's important contributions to economic development in Hampton Roads.

HOUSE JOINT RESOLUTION NO. 558

Celebrating the life of Mary Ann Sobieralski.

Agreed to by the House of Delegates, February 13, 2025
Agreed to by the Senate, February 22, 2025

WHEREAS, Mary Ann Sobieralski, a beloved mother, grandmother, and great-grandmother and cherished member of the Yorktown community, died on October 20, 2024; and

WHEREAS, born and raised in Mt. Lebanon, Pennsylvania, Mary Ann Sobieralski attended Saint Bernard School and Saint Francis Academy in Pittsburgh in her youth; and

WHEREAS, Mary Ann Sobieralski was an avid sports fan who earned a feature in an issue of *Sports Illustrated* for a Pittsburgh Pirates fan club she started in grade school and who also cheered on the Pittsburgh Steelers and the Pittsburgh Penguins all of her life; and

WHEREAS, Mary Ann Sobieralski took great pride in her Irish heritage and never missed a chance to celebrate St. Patrick's Day; and

WHEREAS, Mary Ann Sobieralski delighted friends and family with her sense of humor and extensive knowledge of old movies and big band music; and

WHEREAS, Mary Ann Sobieralski enjoyed dancing, celebrating birthdays, playing the piano, and gathering for a game of cards with her 500 Club, but above all else she treasured the time she spent with her children, grandchildren, and great-grandchildren; and

WHEREAS, guided throughout her life by her faith, Mary Ann Sobieralski enjoyed worship and fellowship with her rosary group and the friends that prayed with her; and

WHEREAS, preceded in death by her son, Michael, Mary Ann Sobieralski will be fondly remembered and dearly missed by her children, Kitty, Linda, Colleen, and Karen, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Mary Ann Sobieralski, whose kindness and generosity brightened countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Mary Ann Sobieralski as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 559

Celebrating the life of William David Dolan III.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, William David Dolan III of Falls Church, a distinguished trial attorney who had a long-lasting impact on the legal profession in Northern Virginia through his visionary leadership and commitment to excellence, died on May 28, 2024; and

WHEREAS, a native of Washington, D.C., William "Bill" David Dolan III earned a bachelor's degree from Marquette University and a law degree from The Catholic University of America, then began his career as an attorney in private practice; and

WHEREAS, Bill Dolan was known both for his tenacious representation of his clients and his unwavering commitment to civility and grace; he earned the admiration of judges and juries for his professionalism, expertise, and humility; and

WHEREAS, Bill Dolan provided his exceptional leadership to the Virginia State Bar as president and made transformative contributions to the Committee on Women and Minorities in the Profession, the mandatory Professionalism Course, and the Advisory Committee on Rules of Court of the Virginia Supreme Court; and

WHEREAS, Bill Dolan became known as a "lawyer's lawyer" who represented law firms and other attorneys while promoting the importance of continuing education and cultivating high standards in the legal profession; he was proudly selected as a fellow of the American College of Trial Lawyers in recognition of his legal acumen and legacy of accomplishments; and

WHEREAS, Bill Dolan also served on the Virginia State Board for Community Colleges, the Arlington Community Foundation, the Arlington County Consumer Protection Commission, and the Arlington County Emergency Medical Services Council, in addition to his work as a director of Arlington Hospital, now Virginia Hospital Center, and as an adjunct associate professor at Georgetown University School of Medicine; and

WHEREAS, Bill Dolan will be fondly remembered and greatly missed by his children, Kathleen and Tom, and their families; his loving partner, Jean Statler; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of William David Dolan III, a highly respected trial attorney in Northern Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of William David Dolan III as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 560

Commending the Faison Center.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, the Faison Center, which in 2024 celebrated the 25th anniversary of its founding, is committed to providing exceptional services to children and adults with autism and other developmental disabilities and their families; and

WHEREAS, the Faison School for Autism was established in 1999 and served an inaugural class of only four students; and

WHEREAS, by 2015, the newly renamed Faison Center had grown to be much more than a school with the addition of its Early Education Center serving children as young as 16 months old and its adult services programs, including the Faison Residence, a one-of-a-kind apartment complex housing adults with autism in a community integrated setting; and

WHEREAS, in 2018, the Faison Center opened the Peninsula School in Newport News to better serve children on the Virginia Peninsula; and

WHEREAS, in 2020, the Faison School and the Peninsula School were two of the first schools in the Commonwealth to re-open for in-person instruction during the COVID-19 pandemic, working diligently to provide the educational services that their students needed, and in doing so, set a standard for other schools to follow; and

WHEREAS, the Faison Center is a leader in applied research in the field of behavior analysis, publishing its research in various peer-reviewed journals in an effort to spread best practices around the world to other autism service providers; and

WHEREAS, the Faison Center partners with other leaders and organizations in the community to increase awareness of autism and advocate for the services necessary to give those with autism and related challenges the best opportunity to lead rich and fulfilling lives; and

WHEREAS, the Faison Center is committed to the success of individuals with autism and other developmental disabilities throughout every stage in life; and

WHEREAS, thanks to the efforts of the remarkable, dedicated, and passionate faculty and staff members who work tirelessly every day, the Faison Center's innovative, visionary, and inclusive programs have changed countless lives over the years; and

WHEREAS, the Faison Center will always be grateful for and will forever miss its co-founder, Alan Kirshner, a visionary who passed away in 2024; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Faison Center on the occasion of its 25th anniversary of service to the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to W. Brian McCann, president and chief executive officer of the Faison Center, as an expression of the General Assembly's admiration for the organization's outstanding efforts to provide exceptional services in the area of education, early education, and adult services to those with autism and other developmental disabilities in the Commonwealth.

HOUSE JOINT RESOLUTION NO. 561

Commending hemp farmers in Virginia.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, hemp farmers in Virginia support the production of numerous items that not only benefit consumers, but enhance other aspects of the agricultural sector; and

WHEREAS, many of the Commonwealth's hemp farmers produce hemp-based animal bedding, which has proven to be a superior option for animal health and environmental sustainability, offering a natural, hypoallergenic, and absorbent alternative to traditional bedding materials; and

WHEREAS, horse farmers, livestock farmers, and companion animal owners throughout the Commonwealth work hard to provide the best care for their animals and recognize that hemp-based animal bedding can significantly reduce odors, dust, and the risk of mold and mildew, creating a healthier environment for animals and farmers alike; and

WHEREAS, certain hemp-based animal bedding products have also earned the prestigious Climate Smart certification from the United States Department of Agriculture, demonstrating a strong commitment to environmentally friendly practices and reduced greenhouse gas emissions; and

WHEREAS, the hemp farmers that produce Climate Smart certified hemp-based animal bedding have contributed to a more sustainable and environmentally conscious approach to animal care, aligning with the Commonwealth's efforts to promote eco-friendly practices and mitigate climate change; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend hemp farmers in Virginia for their innovative practices within the industry and commitment to environmental sustainability; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to hemp farmers in Virginia as an expression of the General Assembly's admiration for the their work in reducing their environmental footprint through the use of hemp-based animal bedding and other eco-friendly practices.

HOUSE JOINT RESOLUTION NO. 562

Commending Wesley Housing.

Agreed to by the House of Delegates, February 5, 2025

Agreed to by the Senate, February 6, 2025

WHEREAS, Wesley Housing, one of the largest providers of safe, high-quality, supportive, and affordable housing in the Mid-Atlantic region, has served community members throughout the Washington, D.C., metropolitan area for 50 years; and

WHEREAS, in 1974, Virginia Peters co-chaired a community task force that studied affordable housing in Northern Virginia and subsequently served as the first executive director of Wesley Housing when it was established as an independent nonprofit organization later that year; and

WHEREAS, Wesley Housing broke ground on its first housing property in 1979 in Fairfax County and has since developed or acquired more than 2,915 units across 40 properties throughout Northern Virginia, touching more than 25,000 lives over the course of its history; and

WHEREAS, Wesley Housing currently maintains 2,300 rental units, representing more than 3,800 residents, and works with community partners to foster upward mobility and economic independence through a range of enrichment programs and support services; and

WHEREAS, Wesley Housing's visionary focus on breaking the cycle of poverty has not only empowered local residents to enhance their own quality of life but also reduced racial inequities in the region; and

WHEREAS, Wesley Housing has earned numerous awards and accolades, including the Best Housing Program or Service Award from the Virginia Governor's Housing Conference in 2020 and recognition from *Affordable Housing Finance* magazine as one of the Top 50 Affordable Housing Developers of 2020; and

WHEREAS, in addition, Wesley Housing was selected by the Housing Association of Nonprofit Developers as Nonprofit Developer of the Year in 2006, 2017, and 2022; and

WHEREAS, Wesley Housing also achieved a five-year accreditation as a Certified Organization for Resident Engagement and Services by the Stewards of Affordable Housing for the Future in 2019 and again in 2024; and

WHEREAS, Wesley Housing's comprehensive development strategies include plans for new construction and renovations to continue meeting the evolving needs of the community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Wesley Housing, a leading provider of affordable housing in the Washington, D.C., metropolitan area, on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Wesley Housing as an expression of the General Assembly's admiration for the organization's vital mission and life-changing contributions to residents of Northern Virginia in need.

HOUSE JOINT RESOLUTION NO. 563

Commending Wayne F. Pryor.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, Wayne F. Pryor retired as the president of the Virginia Farm Bureau Federation after more than 18 years of service to the Commonwealth; and

WHEREAS, Wayne F. Pryor also served as vice president from December 1998 through November 2006 and has been a member of the Virginia Farm Bureau Federation's board of directors since 1988; and

WHEREAS, a lifelong Virginian and tireless steward of the land, Wayne F. Pryor is a producer of hay, corn, soybeans, wheat, and beef at his family's Pryoville Farms in Goochland County; and

WHEREAS, Wayne F. Pryor's impact extends beyond the Commonwealth as he has served as president and chair of the board of Jackson, Mississippi-based Southern Farm Bureau Life Insurance Company and Countryway Insurance Company and as a board member of the American Farm Bureau Federation, the American Agricultural Insurance Company, and American Farm Bureau Insurance Services; and

WHEREAS, Wayne F. Pryor has served as chairman of the board for the Virginia Farm Bureau Mutual Insurance Company, the Virginia Farm Bureau Federation AgPAC, and the Virginia Foundation for Agriculture, Innovation and Rural Sustainability; he has also served as board president of Virginia Agriculture in the Classroom and has been involved with several key organizations within the agricultural community, including the Virginia Agribusiness Council and Virginia Cattlemen's Association; and

WHEREAS, Wayne F. Pryor has led the Virginia Farm Bureau Federation to establish many policies protecting agriculture, including a constitutional amendment safeguarding landowners against illegal expansion of condemnation authority through eminent domain; and

WHEREAS, Wayne F. Pryor has been recognized by *Virginia Business* magazine multiple times in its annual "Virginia 500" list of the Commonwealth's most influential business, government, and political leaders; and

WHEREAS, throughout his career, Wayne F. Pryor has received many awards and accolades, including the Virginia Farm Bureau's Eastern District Young Farmer of the Year award early in his career; the organization's Warren Beach Award in 2005, a testament to his commitment to nurturing future leaders in the agriculture industry; and the Honorary American FFA Degree, highlighting his dedication to agricultural education and FFA; and

WHEREAS, Wayne F. Pryor exemplifies the spirit of service to his community as a 53-year Mason and past master of Cabell Lodge #328; as a life member and volunteer at the Goochland County Department of Fire-Rescue and Emergency Services; and as a board member, elder, and lifelong member of Forest Grove Christian Church in Goochland County; and

WHEREAS, Wayne F. Pryor is married to Pattie, who has been the embodiment of a community leader's spouse throughout his career; she has held a career in nursing and cared for others, while actively advocating for and supporting the agriculture industry; the couple are blessed with one adult son, Stephen, and daughter-in-law, Tish; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Wayne F. Pryor on the occasion of his retirement as president of the Virginia Farm Bureau Federation; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Wayne F. Pryor as an expression of the General Assembly's admiration for his impact to agriculture in the Commonwealth.

HOUSE JOINT RESOLUTION NO. 564

Celebrating the life of the Honorable Henry Levander Marsh, III.

Agreed to by the House of Delegates, February 3, 2025
Agreed to by the Senate, February 6, 2025

WHEREAS, the Honorable Henry Levander Marsh, III, a titan of the Richmond legal community whose efforts as a civil rights attorney and public servant transformed both the city and the Commonwealth, died on January 23, 2025; and

WHEREAS, born and raised in Richmond, Henry Marsh graduated with honors from Maggie L. Walker High School and Virginia Union University before earning a juris doctor degree from Howard University in 1959; and

WHEREAS, Henry Marsh served his country with honor and distinction as a member of the United States Army before beginning his law career in 1961 alongside the renowned civil rights attorneys Oliver W. Hill, Sr., and Samuel W. Tucker; and

WHEREAS, Henry Marsh later became a partner and formed the law firm Hill, Tucker and Marsh, which represented plaintiffs in several landmark cases that challenged segregation in schools and racial discrimination in employment, achieving legal victories that secured greater civil rights protections for countless individuals; and

WHEREAS, Henry Marsh was elected to Richmond City Council in 1966, then selected by his fellow councilmembers as vice mayor in 1970 and as mayor in 1977, becoming the first Black mayor in the city's history; and

WHEREAS, Henry Marsh faithfully served as mayor of Richmond until 1982 and on the Richmond City Council until 1991, when he was elected to the Senate of Virginia, where he represented the newly formed 16th Senate District, which at the time included Petersburg, Dinwiddie County, and parts of Chesterfield County, Prince George County, and Richmond; and

WHEREAS, Henry Marsh retired from the Senate of Virginia in 2014 after more than two decades of dedicated service and was shortly thereafter appointed to serve as a commissioner of the Alcoholic Beverage Control Board by Governor Terry McAuliffe; and

WHEREAS, beyond his public service, Henry Marsh fostered the growth and development of Richmond as a co-founder of the Metropolitan Economic Development Council and what is today Venture Richmond; and

WHEREAS, Henry Marsh's legacy in Richmond and at the General Assembly grew significantly over the years through the generous mentorship he provided to many of the city's and state's elected leaders; and

WHEREAS, in addition to receiving a plethora of awards from various notable organizations, Henry Marsh was recently honored by the rededication of the Henry L. Marsh, III Elementary School and the Henry L. Marsh III and Harold M. Marsh, Sr. Manchester Courthouse in Richmond; and

WHEREAS, preceded in death by his loving wife of 58 years, Diane, Henry Marsh will be fondly remembered and dearly missed by his children, Nadine, Sonya, and Dwayne, and their families, and by numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of the Honorable Henry Levander Marsh, III, a pillar of the Richmond community who epitomized what one can achieve through advocacy and service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Honorable Henry Levander Marsh, III, as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 565

Commending the Town of Glade Spring.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, the Town of Glade Spring, an inviting community in Washington County with a long and rich history, celebrates the 150th anniversary of its founding in 2025; and

WHEREAS, the site of what is now Glade Spring was known to local Native American tribes as Passawatami, meaning "this is the place" and was previously the site of annual athletic competitions and social gatherings; and

WHEREAS, Glade Spring, also known as Glade Spring Depot, began to develop after the arrival of the Norfolk Southern Railway in the mid-1800s, then grew rapidly in the decade after the end of the Civil War; and

WHEREAS, the addition of a direct railway line to Saltville turned Glade Spring into a boom town, which was well known at the time as a hub for transportation, agriculture, and industry in eastern Washington County; and

WHEREAS, officially incorporated in 1875, the Town of Glade Spring was established on 780.8 acres in Washington County and continued to thrive as a crucial railroad shipping yard for produce, livestock, and other local goods; and

WHEREAS, the former Virginia Intermont College, originally known as the Southwest Virginia Institute, was first established in Glade Spring in 1884, and the town is home to several other historic sites; and

WHEREAS, now located just off Interstate 81, Glade Spring has enjoyed steady growth with the development of new homes and subdivisions, modern amenities, and attractions like the Salt Trail on the former site of the Saltville Branch rail line, which have made the community "the place" to live, work, and raise a family, all while maintaining its rural charm; and

WHEREAS, Glade Spring will proudly commemorate its 150th anniversary with a series of year-long events, including charter day festivities, a Fourth of July extravaganza, concerts in the park, athletic competitions, parades, and programs benefiting each and every member of the community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Town of Glade Spring on the occasion of its 150th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Town of Glade Spring as an expression of the General Assembly's admiration for the town's legacy of contributions to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 566

Commending Port City Brewing Company.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Port City Brewing Company in Alexandria won a gold medal with its flagship beer, Optimal Wit, in the Belgian-Style Wit category at the World Beer Cup in 2024; and

WHEREAS, after working for several years at the Mondavi Winery in Napa Valley, Bill Butcher founded Port City Brewing Company alongside his wife, Karen, in February 2011, establishing the first brewery in Alexandria since prohibition; and

WHEREAS, Port City Brewing Company earned its first medal at the Great American Beer Festival in Denver in its second year of business and was named Great American Beer Festival Small Brewery of the Year in 2015 after winning more medals at the event than any other brewery in the United States; and

WHEREAS, to date, Port City Brewing Company has won numerous awards at a number of distinguished beer competitions, including 16 medals at the Great American Beer Festival, 23 medals at the Virginia Craft Brewers Fest, 12 Good Food Awards, and five medals at the World Beer Cup; and

WHEREAS, in addition to being a world-class example of a Belgian-style witbier, Port City Brewing Company's award-winning Optimal Wit is the company's best-selling beer and is notably produced exclusively with locally grown wheat from the Northern Neck Region of the Commonwealth; and

WHEREAS, Port City Brewing Company keeps its customers satisfied with a portfolio that includes several varieties of beer that are available year-round, such as its Optimal Wit and Monumental IPA, as well as an array of seasonal and specialty offerings; and

WHEREAS, Port City Brewing Company has brought the Alexandria community together through its tastings, tours, and themed events and by offering a warm and welcoming place in which friends and family may gather; and

WHEREAS, Port City Brewing Company's accomplishments are the result of its leaders' and staff's steadfast attention to detail, unwavering commitment to producing high quality beer, and unflagging dedication to the customer's enjoyment and well-being; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Port City Brewing Company for winning a gold medal at the 2024 World Beer Cup; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Port City Brewing Company as an expression of the General Assembly's admiration for the company's achievements and best wishes for its continued success.

HOUSE JOINT RESOLUTION NO. 567

Commending the Campagna Center.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, the Campagna Center, an organization in Alexandria dedicated to delivering exceptional educational and social development programs for children, teens, and adults, celebrates its 80th anniversary in 2025; and

WHEREAS, in 1945, what is today the Campagna Center was established as the Alexandria branch of the Young Women's Christian Association (YWCA); from 1974 to 1990, the organization was known as the Alexandria Community Y (ACY) after the organization ended its affiliation with the national YWCA; and

WHEREAS, in 1990, the board of directors of the ACY voted to change the name of the organization to the Campagna Center to honor the legacy of Elizabeth Anne Campagna, who served as director of the organization from 1962 to 1985; and

WHEREAS, beginning with self-improvement courses and social activities, the Campagna Center evolved over the years to place an emphasis on programs designed to assist underserved residents in Alexandria, such as a women's correctional program that was started in 1968, a women's resource center that was established in 1979, and a crisis intervention program that began in 1984; and

WHEREAS, today, the Campagna Center offers an array of services to meet the needs of the community, including early childhood education, health and nutrition awareness initiatives, before- and after-school programs, tutoring and mentoring activities, career and college readiness planning, and classes for English-language learners; and

WHEREAS, the success of the Campagna Center is a result of the tireless efforts of the organization's staff and volunteers, who have given generously of their time over the years to advance the organization's mission; and

WHEREAS, the Campagna Center's accomplishments have been made possible by the organization's strong and lasting partnerships with many parents, schools, government agencies, faith-based institutions, corporations, foundations, and individuals in the community; and

WHEREAS, in April 2024, the Campagna Center reopened its newly renovated facility at 418 S. Washington Street, which will greatly enhance the organization's ability to meet the increasing demand for its services; and

WHEREAS, on May 9, 2025, members and supporters of the Campagna Center will gather to honor the organization's 80th anniversary during its annual fundraising gala; and

WHEREAS, by motivating individuals of all ages to achieve their highest potential, the Campagna Center has made a profound and positive impact on the Alexandria community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Campagna Center on the occasion of its 80th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Campagna Center as an expression of the General Assembly's admiration for the organization's history and its contributions to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 568

Celebrating the life of Louis Peter Kokonis.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Louis Peter Kokonis, a legendary mathematics educator at Alexandria City High School and a beloved member of the Alexandria community, died on January 4, 2024; and

WHEREAS, a native of Washington, D.C., Louis Kokonis graduated from Theodore Roosevelt High School then served his country with honor and integrity as a member of the United States Army for two years; and

WHEREAS, following his service, Louis Kokonis pursued a lifelong dream to teach by earning a degree from the former District of Columbia Teachers College; over the years, he would hone his abilities as an educator by acquiring three master's degrees; and

WHEREAS, in 1959, the same year Alaska and Hawaii became states, Louis Kokonis joined Alexandria City Public Schools as a teacher at the former Francis C. Hammond High School; and

WHEREAS, Louis Kokonis joined the faculty of what is now Alexandria City High School (ACHS) shortly thereafter and went on to teach at the school for more than six decades, educating nearly 7,000 students over his career between his algebra, calculus, and geometry classes; and

WHEREAS, Louis Kokonis embodied the highest virtues of the education profession through his unparalleled commitment to his students' success, being the first to arrive every day before school and offering free tutoring to students both after school and on Saturdays; and

WHEREAS, with his kind and quiet demeanor, Louis Kokonis cultivated a learning environment in his classes that engaged his students and fostered their confidence in facing challenges, giving many the skills they needed to go on to become leaders in their respective fields; and

WHEREAS, the Scholarship Fund of Alexandria established the Louis Kokonis Teachers' Legend Scholarship in 2018 to honor his outsized impact on the ACHS community; and

WHEREAS, in the rare moments when he was not teaching or mentoring his students, Louis Kokonis enjoyed traveling in the western United States with family and taking photographs in the outdoors; and

WHEREAS, preceded in death by his sister, Matina, Louis Kokonis will be fondly remembered and dearly missed by his brother, Nicholas, and his family and by numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Louis Peter Kokonis, a cherished member of the Alexandria community whose kindness, generosity, and dedication to teaching impacted countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Louis Peter Kokonis as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 569

Commending Tammy Mann, Ph.D.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Tammy Mann, Ph.D., an esteemed nonprofit executive and community leader, will retire from her role as president and chief executive officer of the Campagna Center in Alexandria on April 30, 2025; and

WHEREAS, Tammy Mann holds a bachelor's degree from Spelman College and a master's degree and doctorate in clinical psychology, with a specialization in infant studies, from Michigan State University; she has served as a public policy fellow with the American Psychological Association and held adjunct and affiliate appointments at Howard University and George Mason University, respectively; and

WHEREAS, Tammy Mann has been a valued leader at the local, state, and national level over a nearly 35-year career dedicated to the well-being of children and their families; she served as executive director of the Frederick D. Patterson Research Institute and as deputy executive director of Zero to Three, among other roles, before joining the Campagna Center in 2011; and

WHEREAS, as the president and chief executive officer of the Campagna Center, Tammy Mann oversaw one of Alexandria's oldest and most established nonprofits, which annually supports more than 2,000 children and families through various educational and social development programs; and

WHEREAS, Tammy Mann contributed to the growth and development of the Campagna Center over her tenure through a number of initiatives, including the New Neighbors English-language program, the Wright to Read literacy program, and the Early Learning Center; and

WHEREAS, Tammy Mann spearheaded the Forward Together capital campaign that raised $6.7 million to restore and renovate the Campagna Center's facility at 418 S. Washington Street, an endeavor that will benefit many for years to come; and

WHEREAS, beyond the Campagna Center, Tammy Mann has promoted improved outcomes for children and families as board president for the National Association for the Education of Young Children, chair of Alexandria's Children, Youth, and Families Collaborative Commission, and board member of Zero To Three and Kids' First Years; and

WHEREAS, Tammy Mann has contributed to the national discourse about the emotional development of children as a contributor before national committees and as the author of several written publications; and

WHEREAS, in recognition of her accomplishments in service to the children and families of Alexandria, Tammy Mann was named Business Leader of the Year by the Alexandria Chamber of Commerce in 2020; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Tammy Mann, Ph.D., president and chief executive officer of the Campagna Center, on the occasion of her retirement from the organization; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Tammy Mann, Ph.D., as an expression of the General Assembly's admiration for her service to the Alexandria community and best wishes for her future pursuits.

HOUSE JOINT RESOLUTION NO. 570

Celebrating the life of Russ Adams.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Russ Adams, a local weatherman in the Del Ray neighborhood of Alexandria who delighted the readers of his website with his wit and wisdom, died on October 31, 2024; and

WHEREAS, Russ Adams previously worked as a patent examiner and supervisor at the United States Patent and Trademark Office for 34 years until his retirement in 2004; and

WHEREAS, in recent years, Russ Adams gained local notoriety by posting weather updates for Alexandria's Del Ray community on social media; and

WHEREAS, what began as simple notifications about rain grew into a comprehensive study of rainfall totals, rainfall predictions, and lightning strike tracking on Russ Adams' website, Del Ray VA Weather; and

WHEREAS, Russ Adams built a strong local following thanks to his depth of knowledge, keen insights, and responsiveness to questions about the weather; and

WHEREAS, Russ Adams will be fondly remembered and greatly missed by numerous family members, friends, and weather watchers in Del Ray; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Russ Adams, a beloved local weatherman in Alexandria; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Russ Adams as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 571

Commending the Alexandria Historical Society.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, the Alexandria Historical Society, a 501(c)(3) nonprofit organization dedicated to researching, preserving, and sharing Alexandria's history through a variety of endeavors, celebrated its 50th anniversary in 2024; and

WHEREAS, the Alexandria Historical Society publishes *The Alexandria Chronicle* and regular newsletters, while also maintaining an active social media presence, to share anecdotes from Alexandria's history, information from recent lectures sponsored by the organization, and perspectives on history in general; and

WHEREAS, the Alexandria Historical Society hosts talks, tours, and special events throughout the year that offer its members and the public an opportunity to learn more about Alexandria's history from expert historians, genealogists, and preservationists; and

WHEREAS, the Alexandria Historical Society annually presents a number of awards, such as its T. Michael Miller Award, to recognize research historians and history students who have made notable contributions to the study of Alexandria's history; and

WHEREAS, members of the Alexandria Historical Society have given generously of their time and expertise through their service with the Alexandria Archaeological Commission and the Historic Alexandria Resources Commission; and

WHEREAS, the accomplishments of the Alexandria Historical Society are a result of the hard work and dedication of the organization's all-volunteer staff, who have given countless hours over the years to foster greater awareness of and interest in Alexandria's history; and

WHEREAS, to honor its golden anniversary, the Alexandria Historical Society initiated several new events and experiences for the benefit of its members and the public, including its History Behind the Scenes event series, the Golden Grants Program, and the Golden Charter Membership Program; and

WHEREAS, by cultivating a greater understanding of local history, the Alexandria Historical Society has given Alexandria residents a better perspective on their past and inspired their vision for the future; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Alexandria Historical Society on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Alexandria Historical Society as an expression of the General Assembly's admiration for the organization's role in preserving and promoting the history of Alexandria, the Commonwealth, and the nation.

HOUSE JOINT RESOLUTION NO. 572

Commending ACT for Alexandria.

Agreed to by the House of Delegates, February 10, 2025

Agreed to by the Senate, February 13, 2025

WHEREAS, ACT for Alexandria, a community foundation that helps both donors and nonprofit organizations make a greater impact in a number of key areas, celebrated its 20th anniversary in 2024; and

WHEREAS, the origins of ACT for Alexandria may be traced to the fall of 2002, when a group of philanthropic Alexandrians, led by the family of the late Norma L. Steuerle, decided to establish a community foundation dedicated to addressing the needs of Alexandria and its residents; and

WHEREAS, first known as the Alexandria Community Trust while operating as a subsidiary of the former Community Foundation for the National Capital region, ACT for Alexandria became its own entity in 2004 and assumed its new name thereafter; and

WHEREAS, ACT for Alexandria was a pioneer of fundraising through online giving days and over the past 13 years has raised $23 million through its community-wide day of giving, known as Spring2Action, which raised nearly $3 million for 188 local nonprofit organizations in 2024 alone; and

WHEREAS, ACT for Alexandria's signature initiatives include the Center for Alexandria's Children, which assists young people who have been the victims of abuse or trauma, the Early Care and Education Workgroup, now known as Kids' First Years, which brings various entities together to enhance Alexandria's early care and education system, and the Youth Support Network, now Alexandria Beyond the Classroom, which coordinates the efforts of more than 100 youth-serving organizations providing quality, K-12 educational programming in the community; and

WHEREAS, ACT for Alexandria has bolstered the network of local nonprofit organizations in Alexandria by advocating for key issues and by supporting more than 200 nonprofit organizations through grants, trainings, workshops, and other events; and

WHEREAS, since its founding, ACT for Alexandria has distributed more than $33 million in grants to help local nonprofit organizations fulfill their missions and make a difference in the lives of those they serve; and

WHEREAS, during the COVID-19 pandemic, ACT for Alexandria raised approximately $10 million to assist Alexandria's response to the unprecedented public health crisis; and

WHEREAS, by helping donors connect with causes they are passionate about and by collaborating with nonprofit organizations to optimize their efforts to create a just, equitable, and vibrant community, ACT for Alexandria has been an important part of what makes Alexandria a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend ACT for Alexandria on the occasion of its 20th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to ACT for Alexandria as an expression of the General Assembly's admiration for the organization's history and its contributions to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 573

Commending Computer CORE.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Computer CORE, a nonprofit organization headquartered in Alexandria, has dedicated itself to promoting digital equity and inclusion for underserved communities in Northern Virginia since its founding in 1999; and

WHEREAS, over the past 25 years, Computer CORE has empowered thousands of individuals in Northern Virginia by providing computer literacy training and refurbished computers to adults, fostering economic mobility by bridging the digital divide; and

WHEREAS, Computer CORE provides free online computer skills classes and free refurbished computers to more than 700 adults across Virginia every year; and

WHEREAS, through its computer donation program, Computer CORE has significantly enhanced access to vital technology resources for individuals and families in need; and

WHEREAS, Computer CORE's programs, including computer skills classes and refurbished computer distribution, are made possible through the dedication of nearly 100 volunteers each year; and

WHEREAS, Computer CORE's adult students gain not only critical digital skills, but also independence, confidence, and hope for a brighter future, demonstrating how the organization can transform lives; and

WHEREAS, Computer CORE continues to empower those most in need of computer skills training, ensuring that adults are not left behind in an increasingly digital world; and

WHEREAS, Computer CORE has demonstrated a steadfast commitment to collaboration by partnering with local governments, businesses, and fellow nonprofit organizations to enhance its mission; and

WHEREAS, Computer CORE exemplifies innovation, compassion, and leadership in addressing digital inequity across the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Computer CORE for its transformative impact on the lives of individuals and families in Northern Virginia on the occasion of its 25th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Computer CORE as an expression of the General Assembly's admiration for the organizations vital mission and contributions to the advancement of computer literacy.

HOUSE JOINT RESOLUTION NO. 574

Commending the Virginia chapter of the American Association of University Women.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, the Virginia chapter of the American Association of University Women, an organization dedicated to advancing equity for women and girls through advocacy, education, and research, celebrates its 100th anniversary in 2025; and

WHEREAS, on March 27-28, 1925, members from seven different branches of the American Association of University Women (AAUW) in the Commonwealth met in Williamsburg to establish a Virginia chapter of the organization; and

WHEREAS, in the beginning, AAUW-Virginia was mostly composed of educators who were resolved to work for an increase in funds for state-supported schools and a program for preschool children; and

WHEREAS, in the 1930s, AAUW-Virginia worked to improve school curricula, promoted teacher training, fought for equal salaries for men and women teachers, and supported overturning the discriminatory ruling against married women teaching in public schools; and

WHEREAS, in the 1940s, the number of local branches of the AAUW in the Commonwealth grew, and the members of AAUW-Virginia worked around travel restrictions from World War II as they supported the national organization in its efforts to help women in Axis and occupied nations escape to safety and advocated for women's right to participate in jury duty; and

WHEREAS, in the 1950s, when some schools were closed following federal court orders, several AAUW branches in the Commonwealth established tutoring groups, laying the groundwork for the organization's firm and courageous stand for the preservation of a statewide system of free public schools; and

WHEREAS, in the 1960s, AAUW-Virginia worked for compulsory school attendance and advanced the organization's efforts to protect and improve the legal status of women; and

WHEREAS, since the 1970s, AAUW-Virginia has supported a number of causes in its fight for gender equality, including the Equal Rights Amendment and the admission of women into the Virginia Military Institute; and

WHEREAS, as it embarks upon its next century, AAUW-Virginia remains steadfastly committed to its aim to advance equity for women and girls in higher education and to promote women's economic empowerment; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Virginia chapter of the American Association of University Women on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Virginia chapter of the American Association of University Women as an expression of the General Assembly's admiration for the organization's history and legacy of service.

HOUSE JOINT RESOLUTION NO. 575

Commending St. Stephen's and St. Agnes School.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, during the 2024-2025 academic year, St. Stephen's and St. Agnes School, a private college preparatory school in Alexandria, celebrated its 100th anniversary of providing an outstanding education to generations of students; and

WHEREAS, in 1924, the St. Agnes School Foundation purchased the Lloyd House on what is now Fontaine Street, and St. Agnes Episcopal School (SAS) opened in September of that year with an inaugural class of 59 coed students in kindergarten through ninth grade under the leadership of Mary Josephine White as the original principal; and

WHEREAS, SAS offered boarding and day school options and hosted intramural athletics and academics competitions for students; in 1927, Helene Haskin became the school's first graduate, and an award bearing her name is still given to one exceptional "scholar athlete" every year; and

WHEREAS, in the 1930s, SAS published its first student newsletter, *Sparks*, its first student newspaper, *Shearings*, and its first yearbook, *The Lamb's Tail*, named for the school's mascot; and

WHEREAS, SAS joined the Church Schools in The Diocese of Virginia (CSDV) in 1944, and after the establishment of the St. Stephen's Episcopal School for Boys (SSS), male students from SAS in grades three through eight began attending the new boys' school; and

WHEREAS, in the 1950s, SSS graduated its first class of seniors, George Ford, Gene Golien, and Howard Whellan, and published the first issues of its school newspaper, *The Deacon*, and its yearbook, *The Scroll*; and

WHEREAS, SAS and SSS proudly broke down racial barriers in education in the 1960s, with SSS becoming the first school in the diocese to pursue racial integration when Lloyd Alexander Lewis enrolled in 1961; SAS enrolled its first Black male student, Eric Miller, in 1965 and its first Black female student, Laureen Jones, in 1967; and

WHEREAS, SAS and SSS began offering coed exchange programs for certain classes in 1969, and by the late 1980s, the CSDV decided to merge both institutions into one coed Episcopal school; and

WHEREAS, St. Stephen's and St. Agnes School officially reopened in 1991 as a fully merged coed school on two campuses, with students in kindergarten through eighth grade attending the former SAS campus and students in ninth grade through 12th grade attending the former SSS campus; *The Voice* became the new school newspaper, while *Traditions* became the new yearbook; and

WHEREAS, through the 1990s and 2000s, St. Stephen's and St. Agnes School developed several capital campaigns and strategic plans to continue providing a high-quality education for students and guide the institution into the future; in 2022, it purchased three acres of land from nearby St. Andrew's United Methodist Church to provide an opportunity for further expansion; and

WHEREAS, St. Stephen's and St. Agnes School began celebrating its 100th anniversary in July 2024 and has hosted numerous events to commemorate this incredible milestone; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the St. Stephen's and St. Agnes School on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the St. Stephen's and St. Agnes School as an expression of the General Assembly's admiration for its outstanding achievements in service to young people in Alexandria.

HOUSE JOINT RESOLUTION NO. 576

Celebrating the life of Shannon Clay Scott.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Shannon Clay Scott, a highly admired business owner and public servant in Wise County and a beloved husband, father, and grandfather, died on December 28, 2024; and

WHEREAS, a proud, lifelong resident of Wise County, Shannon Scott graduated from the former J.J. Kelly High School and what is now the University of Virginia's College at Wise; and

WHEREAS, Shannon Scott worked at the civil engineering firm Thompson & Litton for 14 years, then joined the construction firm Barnette Contractors, and subsequently served the residents of Wise County as assistant county administrator and county administrator over the course of three decades; and

WHEREAS, as county administrator, Shannon Scott ensured efficient and effective operations of county government and worked with the LENOWISCO Planning District Commission and the Wise County Office of Economic and Industrial Development to promote responsible growth; and

WHEREAS, a man of many talents, Shannon Scott and his wife, Shari, also served delicious meals to community members as the owners of Shannon's Restaurant for 17 years; and

WHEREAS, Shannon Scott provided his leadership and expertise to the Wise County Chamber of Commerce, the Wise Kiwanis Club, and the Wise Lions Club; and

WHEREAS, Shannon Scott enjoyed fellowship and worship with the Wise County community as a member of the Wise First Church of God for more than 35 years; and

WHEREAS, Shannon Scott will be fondly remembered and greatly missed by his wife of more than 55 years, Shari; his daughters, Melanie and Marcie, his grandson, Corey; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Shannon Clay Scott, a pillar of the Wise County community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Shannon Clay Scott as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 578

Commending Art on the Avenue.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Art on the Avenue, a regional, multicultural arts and music festival in the Del Ray neighborhood of Alexandria, has celebrated the diversity of the community, supported local artists, and provided family-friendly entertainment to generations of attendees for nearly 30 years; and

WHEREAS, typically located on Mt. Vernon Avenue, Art on the Avenue was established in the mid-1990s and has endured to become a beloved local tradition and the signature fall event in the Del Ray neighborhood, taking place every first Saturday in October; and

WHEREAS, a true grassroots, community event, Art on the Avenue is run entirely by a team of dedicated volunteers with generous support from local businesses and organizations; and

WHEREAS, offering hundreds of arts and crafts vendors, four stages of live music, children's activity areas, and delicious food and baked goods, Art on the Avenue draws more than 50,000 people each year; and

WHEREAS, Art on the Avenue gives attendees an opportunity to meet, engage with, and learn from local artists, as well as purchase their works, including paintings, illustrations, photography, knitting and crochet, 3-D printed items, wood crafts, leather goods, glass, and more; and

WHEREAS, the 29th Annual Art on the Avenue in 2024 set a new record, with more than 600 artists applying to be part of the event, ensuring that every attendee found a meaningful piece of artwork; and

WHEREAS, among many awards and accolades, Art on the Avenue has been voted as the top arts event in Northern Virginia by readers of *Virginia Living* magazine several times; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Art on the Avenue on the occasion of its 30th anniversary in 2025; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Art on the Avenue as an expression of the General Assembly's admiration for the long-running event's legacy of contributions to cultural life in Alexandria.

HOUSE JOINT RESOLUTION NO. 579

Commending the John H. Enders Fire Company and Rescue Squad.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, the John H. Enders Fire Company and Rescue Squad, a firefighting and emergency medical services unit serving the Berryville community, celebrates its 125th anniversary in 2025; and

WHEREAS, the John H. Enders Fire Company and Rescue Squad, originally founded as the Berryville Fire Department in March 1900, was the vision of local leader John H. Enders, or "Captain John," who played a pivotal role in the development of the department; and

WHEREAS, after John H. Enders' death in 1933, the Berryville Fire Department was renamed the John H. Enders Fire Company in his honor; and

WHEREAS, from its first motorized fire apparatus, a 1926 Seagrave pumper, to today, the John H. Enders Fire Company and Rescue Squad has continually incorporated new technology and innovations to enhance its ability to serve the Berryville community; and

WHEREAS, the John H. Enders Fire Company and Rescue Squad occupied its first firehouse on East Main Street beginning in 1935 and in recent decades has occupied a four-bay firehouse on South Buckmarsh Street, which has expanded over the years to accommodate the needs of the department; and

WHEREAS, in 2002, the original bell from the John H. Enders Fire Company and Rescue Squad's East Main Street station was displayed outside the South Buckmarsh Street station to honor the department's history; and

WHEREAS, the John H. Enders Fire Company and Rescue Squad established the rescue squad component of its service in 1962, improving its ability to respond to health crises and other emergent care situations; and

WHEREAS, from its Juniors Program members of ages 16 to 18, to those members who have served the department for more than 60 years, the John H. Enders Fire Company and Rescue Squad credits its success to the unwavering passion and dedication of those who have answered the call to serve the department; and

WHEREAS, the John H. Enders Fire Company and Rescue Squad regularly organizes fundraisers and events, such as its yard sales and pancake breakfasts, which support the station's work and bring the community together around an important and worthwhile cause; and

WHEREAS, the John H. Enders Fire Company and Rescue Squad has safeguarded the lives and property of Berryville for 125 years, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the John H. Enders Fire Company and Rescue Squad on the occasion of its 125th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the John H. Enders Fire Company and Rescue Squad as an expression of the General Assembly's respect for the department's history and legacy of service.

HOUSE JOINT RESOLUTION NO. 580

Commending Ross A. Mugler.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Ross A. Mugler, a distinguished public servant who has served as commissioner of the revenue for the City of Hampton for the past 32 years, retired on December 31, 2024; and

WHEREAS, Ross Mugler holds a bachelor's degree in business administration and a master's degree in public administration from Old Dominion University and has been accredited as a master commissioner of the revenue by the University of Virginia's Weldon Cooper Center for Public Service; and

WHEREAS, from 1985 until he was elected commissioner of the revenue in 1992, Ross Mugler served in the finance and marketing divisions at Newport News Shipbuilding; and

WHEREAS, as commissioner of the revenue of the City of Hampton, Ross Mugler was responsible for overseeing the city's tax collection efforts to ensure the proper functioning of the city's government and services; and

WHEREAS, beyond his work with the City of Hampton, Ross Mugler has given generously of his time for the benefit of the Hampton Roads Region through his service on the boards of various local organizations, including the Thomas Nelson Community College Education Foundation, the Hampton Education Foundation, the Virginia Living Museum, and the Virginia Air and Space Science Center; and

WHEREAS, during his tenure as president of the Hampton Arts Foundation, Ross Mugler spearheaded the $4 million fundraising campaign that enabled the expansion of the American Theatre in Hampton; and

WHEREAS, in recognition of his experience and expertise, Ross Mugler has received several gubernatorial appointments to state organizations and entities, such as the transition team for Governor Ralph Northam, the Virginia 529 Board of Directors, and Old Dominion University's Board of Visitors, on which he served as rector; and

WHEREAS, Ross Mugler has made an impact at the national level as a member of the board of directors for the Association of Governing Boards of Universities and Colleges and the board of advisors for United States Senator Mark Warner; and

WHEREAS, as a testament to his accomplishments in public service, Ross Mugler has been the recipient of a number of accolades over the years, including the Sam T. Barfield Award of Excellence from the Commissioners of the Revenue Association of Virginia in 2015; and

WHEREAS, through his steadfast commitment to his duties as commissioner of the revenue and in his other leadership capacities, Ross Mugler has been integral to Hampton's success over the past three decades, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Ross A. Mugler on the occasion of his retirement as the City of Hampton's commissioner of the revenue; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Ross A. Mugler as an expression of the General Assembly's high regard for his illustrious career in service to Hampton and the Commonwealth and best wishes for a joyful and fulfilling retirement.

HOUSE JOINT RESOLUTION NO. 581

Commending the Alpha-gal Foundation.

Agreed to by the House of Delegates, February 7, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, the Alpha-gal Foundation, a nonprofit organization established by two residents of the New River Valley, works diligently to raise awareness of Alpha-gal Syndrome and support people living with the condition; and

WHEREAS, the Alpha-gal Foundation was established by Candice Matthis and Debbie Nichols after they were diagnosed with Alpha-gal Syndrome in 2019; what started as a blog to help people living with the condition has grown into a comprehensive nonprofit organization that fosters a sense of community and strives to educate the public about the condition; and

WHEREAS, Alpha-gal Syndrome is a tick-borne condition and a potentially life-threatening food allergy characterized by adverse reactions to mammal meat and mammal byproducts; and

WHEREAS, Alpha-gal Syndrome was discovered in 2007 by Thomas Platts-Mills, a professor of medicine at the University of Virginia, who used his clinical expertise and his own personal experiences with an allergy to red meat to establish the link between the sugar molecule alpha-gal and certain allergic reactions; and

WHEREAS, spread by certain species of ticks, including lone star ticks, Alpha-gal Syndrome can cause rashes or hives, gastrointestinal issues, a drop in blood pressure, dizziness, difficulty breathing, or even anaphylaxis between three to eight hours after the ingestion of mammal meat and mammal byproducts; and

WHEREAS, there is no cure for Alpha-gal Syndrome, and treatments are highly dependent on the severity of an individual's allergic reactions; the condition requires a change in diet to avoid symptoms, though some studies have shown symptoms may recede over time; and

WHEREAS, though not widely understood, Alpha-gal Syndrome is the tenth most common food allergy in the United States and the Centers for Disease Control and Prevention estimate that as many as 450,000 people across the country could be living with the condition; and

WHEREAS, the Alpha-gal Foundation offers critical resources to empower people with Alpha-gal Syndrome by helping them to navigate lifestyle requirements and avoid allergic reactions; and

WHEREAS, the Alpha-gal Foundation recognizes May as Alpha-gal Syndrome Awareness Month, which provides an opportunity for all Virginians to learn more about this condition, contribute to research for treatments and a cure, and provide support to people living with Alpha-gal Syndrome and their families; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Alpha-gal Foundation for its work to raise awareness of Alpha-gal Syndrome and provide critical resources for people in need; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Candice Matthis and Debbie Nichols, founders of the Alpha-gal Foundation, as an expression of the General Assembly's admiration for the organization's service to people living with Alpha-gal Syndrome and their families.

HOUSE JOINT RESOLUTION NO. 582

Celebrating the life of Paulina Yager Campbell.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Paulina Yager Campbell, an accomplished executive assistant, longtime member of the Republican State Central Committee and Page County Republican Party, and beloved member of the Shenandoah Valley community, died on December 11, 2024; and

WHEREAS, born in Stanley, Paulina "Polly" Yager Campbell dedicated 35 years to the pharmaceutical company Merck & Co., Inc., as a secretary and executive assistant; and

WHEREAS, Polly Campbell was an active and devoted member of the Republican Party since 1958, serving in the capacity of secretary to the Republican State Central Committee for more than 45 years and in various leadership roles with the Page County Republican Party, including as vice chair, precinct chair, and secretary-treasurer of District V; and

WHEREAS, through her work with the Republican Party, Polly Campbell had the honor and privilege to meet with several presidents, senators, attorney generals, and congressmen of the United States over the years; and

WHEREAS, in recognition of her efforts and service in support of the Republican Party, Polly Campbell was presented the John Dalton Award in the late 1980s; and

WHEREAS, Polly Campbell was appointed to serve as a member of the Board of Nursing, contributing valued insights and advice to advance the nursing profession in the Commonwealth; and

WHEREAS, guided throughout her life by her faith, Polly Campbell enjoyed worship and fellowship with her community for many years at Bethlehem Independent Christian Church in Stanley; and

WHEREAS, preceded in death by her loving husband of 68 years, Loren, Polly Campbell will be fondly remembered and dearly missed by her sister, Joyce, and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Paulina Yager Campbell, a treasured member of the Shenandoah Valley community whose dedication and service inspired all who knew her; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Paulina Yager Campbell as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 583

Commending Billy Wagner.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Billy Wagner is a Virginia legend through and through, a native of Marion who grew up in Tannersville in Tazewell County, who built a reputation as one of the greatest closers in the history of Major League Baseball over his 16-year professional career; and

WHEREAS, Billy Wagner was selected for induction into the National Baseball Hall of Fame by the Baseball Writers' Association of America in 2025; and

WHEREAS, born a natural right hander, Billy Wagner showed extraordinary determination and resolve from a young age as he overcame two breaks in his right arm by learning to throw with his left arm; despite this setback, he would go on to achieve exceptional power as a pitcher, with the ability to throw 100 miles per hour over his entire career; and

WHEREAS, Billy Wagner was a standout on the Tazewell High School team and played from 1991 to 1993 at Ferrum College, where he posted a 17-3 record and achieved a National Collegiate Athletics Association (NCAA) record when he averaged 19.1 strikeouts per nine innings in the 1992 season; and

WHEREAS, Billy Wagner was drafted 12th overall by the Houston Astros in 1993 and made his Major League Baseball debut on September 13, 1995; he would ultimately record 225 saves while pitching with the Houston Astros between 1995 and 2003, a franchise record; and

WHEREAS, after the Houston Astros, Billy Wagner pitched for the Philadelphia Phillies from 2004 to 2005, the New York Mets from 2006 to 2009, the Boston Red Sox in 2009, and the Atlanta Braves in 2010; and

WHEREAS, Billy Wagner's cumulative statistics at the end of his career included a 2.31 earned-run-average, 1,196 strikeouts, and 422 saves, which places him eighth all-time in MLB history for saves; and

WHEREAS, several of Billy Wagner's career statistics, including an opponents' batting average of .187, 11.92 strikeouts per nine innings, and 5.99 hits per nine innings, rank him first all-time among pitchers who threw at least 900 innings; and

WHEREAS, Billy Wagner's baseball accolades include seven all-star team selections and the Rolaids Relief Man Award in 1999; and

WHEREAS, prior to his induction into the National Baseball Hall of Fame, Billy Wagner was inducted into the Ferrum College Sports Hall of Fame in 2003, the Virginia Sports Hall of Fame in 2012, the College Baseball Hall of Fame in 2019, and the Astros Hall of Fame in 2020; and

WHEREAS, Billy Wagner is notably both the first NCAA Division III player and the first Virginian from west of Culpeper to be inducted into the National Baseball Hall of Fame; and

WHEREAS, since 2013, Billy Wagner has supported the development of young aspiring baseball players as the head coach of the baseball team at the Miller School of Albemarle, where his legacy in the sport will undoubtedly continue to grow for years to come; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Billy Wagner for his induction into the National Baseball Hall of Fame; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Billy Wagner as an expression of the General Assembly's admiration for his achievements and appreciation for the great pride he has brought to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 584

Celebrating the life of Dr. Golden Bethune-Hill.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 12, 2025

WHEREAS, Dr. Golden Bethune-Hill, an esteemed healthcare executive, devoted and accomplished advocate for health equity and social justice, and beloved member of the Hampton Roads community, died on April 29, 2024; and

WHEREAS, after graduating from the historic George W. Carver High School in Newport News, Dr. Golden Bethune-Hill furthered her education by earning a bachelor's degree in nursing from North Carolina Agricultural and Technical State University and a master's degree in nursing administration from Virginia Commonwealth University and by completing a nurse executives fellowship program at the Wharton School of the University of Pennsylvania; and

WHEREAS, Dr. Golden Bethune-Hill began her distinguished career in healthcare as a staff nurse at Montefiore Medical Center in New York and thereafter became the first African American to serve as director of nursing at Riverside Regional Medical Center in Newport News; and

WHEREAS, following a number of leadership roles in New Jersey and Lynchburg, Dr. Golden Bethune-Hill ultimately returned to Newport News in 2005 as the first Black executive vice president of the Riverside Health System and chief executive of Riverside Regional Medical Center, where she stayed until her retirement in 2010; and

WHEREAS, recognizing the need to improve healthcare for underserved individuals and families in the Hampton Roads area, Dr. Golden Bethune-Hill co-founded the Community Free Clinic of Newport News in 2010, which was renamed the Charlie W. and Golden Bethune Hill Community Health Clinic in 2022 in her honor; and

WHEREAS, a tireless advocate for social justice and fair access to voting, Dr. Golden Bethune-Hill was the lead plaintiff in *Bethune-Hill v. the Virginia State Board of Elections*, cementing her place in the history of the civil rights movement; and

WHEREAS, Dr. Golden Bethune-Hill made an outsized impact in her community over the years through her leadership positions with several prominent social organizations, including the Delta Sigma Theta Sorority, Inc. and The Links, Inc.; and

WHEREAS, Dr. Golden Bethune-Hill was the recipient of many accolades in recognition of her leadership and service, including honors from the Virginia Center for Inclusive Communities, the United Negro College Fund, and Providence Bible College and Theological Seminary, which granted her an honorary doctorate in 2022; and

WHEREAS, guided throughout her life by her faith, Dr. Golden Bethune-Hill enjoyed worship and fellowship with her community at Carver Memorial Presbyterian Church in Newport News, where she served as both a deacon and elder; and

WHEREAS, preceded in death by her first husband, Vernon Bethune, Dr. Golden Bethune-Hill will be fondly remembered and dearly missed by her loving husband, Charlie W. Hill; her daughters, Rahcyne, Caroline, Charlene, and Verna, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Dr. Golden Bethune-Hill, a pillar of the Hampton Roads community whose legacy of compassionate service will inspire others for generations to come; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Dr. Golden Bethune-Hill as an expression of the General Assembly's respect for her lasting legacy.

HOUSE JOINT RESOLUTION NO. 585

Celebrating the life of Mark Spain.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Mark Spain, a devoted community leader and a trusted journalist who was a familiar face in the Lynchburg area as an anchor on ABC13 WSET-TV, died on December 18, 2024; and

WHEREAS, Mark Spain grew up in Ohio and began his career in journalism by delivering newspapers; after graduating from Cleveland State University, he worked in newsrooms in Ohio, Indiana, Pennsylvania, and Florida before settling in Lynchburg in 2015 and joining WSET-TV as a lead anchor for evening and late shows; and

WHEREAS, over the course of his career, Mark Spain interviewed leading officials at the local, state, and national levels, and tackled a wide-range of hard-hitting issues to keep the public well informed; he was an invaluable mentor to dozens of young journalists at the station, imparting to them his commitment to excellence and determination; and

WHEREAS, Mark Spain received first place awards for Outstanding News Series and Best Documentary or Public Affairs Program from the Virginia Association of Broadcasters; over the course of his career, he earned many other accolades, including Emmy Awards, Edward R. Murrow Regional Awards, and recognition from the Associated Press and the Society of Professional Journalism; and

WHEREAS, Mark Spain relished every chance to give back to the community and demonstrated his generous spirit by supporting organizations like Mustaches for Kids Lynchburg, Jubilee Family Development Center, the Salvation Army, and Big Brothers Big Sisters; and

WHEREAS, after revealing his cancer diagnosis in early December 2024, Mark Spain inspired WSET-TV viewers by maintaining his trademark optimism; he was a consummate professional, whose joy, compassion, and unwavering strength of character touched the lives of everyone who knew him; and

WHEREAS, Mark Spain will be fondly remembered and greatly missed by his wife Lynita; his children, Jenna, Lindsay, and Max; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Mark Spain, an accomplished journalist and a distinguished member of the Lynchburg community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Mark Spain as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 586

Commending the Friends of Loudoun County Animal Services.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, the Friends of Loudoun County Animal Services is an organization dedicated to providing support and funding to benefit the animals and programs overseen by Loudoun County Animal Services; and

WHEREAS, the Friends of Loudoun County Animal Services (FLCAS) improves the quality of life for animals awaiting adoption at Loudoun County Animal Services by facilitating veterinary services, behavioral support, and other enrichment opportunities; and

WHEREAS, the FLCAS generously assists pet owners in need by offering funding that enables low-cost spay and neuter programs, as well as low-cost microchip and vaccination clinics; and

WHEREAS, signature programs of the FLCAS include Helping Hands, which provides animals with extra medical attention, We Are Family, which aims to keep animals in the same family together, and White Whiskers, which delivers care specifically for senior animals; and

WHEREAS, through the organization's unwavering commitment to aiding and finding a home for all animals awaiting adoption, the FLCAS has made a meaningful and lasting impact on the Loudoun County community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Friends of Loudoun County Animal Services for its efforts to support Loudoun County Animal Services and to promote animal welfare throughout the region; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Friends of Loudoun County Animal Services as an expression of the General Assembly's admiration for the organization's contributions to Loudoun County and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 587

Commending the Leesburg Movement.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, the Leesburg Movement is a main street organization dedicated to collaborating with local businesses, residents, nonprofit organizations, and the Town of Leesburg to ensure the quality of historic Downtown Leesburg through advocacy and outreach; and

WHEREAS, the Leesburg Movement has advanced the responsible growth and development of Leesburg by achieving Tier 2 status with the Mobilizing Main Street program of the Department of Housing and Community Development (DHCD) and by securing a community improvement grant from the DHCD's Virginia Main Street program for its Lassiter Way beautification project; and

WHEREAS, as a participant in the DHCD's 2025-2026 Mobilizing Main Street program, the Leesburg Movement will receive extensive assistance and services to revitalize the historic commercial district of Leesburg; and

WHEREAS, the Leesburg Movement has created the Leesburg Listening Room concert series, bringing local musicians together with regional and touring acts to improve cultural opportunities downtown; and

WHEREAS, the Leesburg Movement organizes the Mistletoe Market, featuring small businesses and community activities, every holiday season, in addition to its annual sidewalk sale, business-owner networking meet-ups, and First Friday initiatives, which foster collaboration downtown and create opportunities encouraging community members to support small businesses; and

WHEREAS, the accomplishments of the Leesburg Movement are the result of the dedication and hard work of its volunteers, who include business owners and residents of Leesburg's historic district who are committed to safeguarding the economic and cultural vibrancy of Leesburg's downtown; and

WHEREAS, through its efforts to preserve both the character and vitality of downtown Leesburg for generations to come, the Leesburg Movement has helped to make Leesburg a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Leesburg Movement for its legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of the Leesburg Movement as an expression of the General Assembly's admiration for the organization's contributions to Leesburg and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 588

Commending Lonnie Andrews III.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Lonnie Andrews III, a sophomore at Oscar F. Smith High School in Chesapeake, led the Oscar Smith High School football team to a Virginia High School League Class 6 state championship on December 14, 2024; and

WHEREAS, from a young age, Lonnie Andrews has always dreamed of following in the footsteps of his father, Lonnie Andrew, Jr., who was also a standout on the Oscar Smith High School football team until his untimely death in 2008; and

WHEREAS, Lonnie Andrews began starting for the Oscar Smith Tigers in his freshman year and took over running the offense as quarterback in his sophomore season; and

WHEREAS, in the Virginia High School League (VHSL) Class 6 state championship game against Madison High School of Varina, Lonnie Andrews led the Oscar Smith Tigers to a stunning come-from-behind win to secure the program's fifth state championship title; and

WHEREAS, down seven points halfway through the fourth quarter, Lonnie Andrews and the Oscar Smith Tigers mounted two consecutive touchdown drives to claim the lead in the final seconds of the game; and

WHEREAS, in recognition of his accomplishments on the gridiron in 2024, Lonnie Andrews was named VHSL Region 6A Offensive Player of the Year and selected for the VHSL Class 6 all-state football team, the only sophomore to achieve this distinction; and

WHEREAS, Lonnie Andrews is a dedicated student with a 3.6 grade point average and has already received scholarship offers from several elite university programs, including Virginia Polytechnic Institute and State University, Syracuse University, and Boston College; and

WHEREAS, Lonnie Andrews' triumphs on both the football field and in the classroom are the result of his hard work and determination, the leadership and guidance of his coaches and teachers, and the unwavering support of his family and the entire Oscar F. Smith High School community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Lonnie Andrews III for his exceptional football season in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Lonnie Andrews III as an expression of the General Assembly's admiration for his achievements and best wishes for his continued success.

HOUSE JOINT RESOLUTION NO. 589

Commending the Oscar Smith High School football team.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, on December 14, 2024, the Oscar Smith High School football team, representing Chesapeake, capped off an undefeated season by winning the Virginia High School League Class 6 state championship in dramatic fashion, scoring twice in the final two minutes of the game to secure the victory; and

WHEREAS, led by head coach Chris Scott and his exceptional coaching staff, the Oscar Smith High School Tigers defeated the James Madison High School Warhawks by a score of 21-20 to finish the season with a perfect 15-0 record; and

WHEREAS, the Oscar Smith Tigers took an early 7-0 lead and held it until the third quarter, when the James Madison Warhawks responded with a touchdown of their own, then added another in the fourth quarter; and

WHEREAS, the Oscar Smith Tigers maintained their composure, and quarterback Lonnie Andrews led the team on a 91-yard drive culminating in a 27-yard touchdown pass to wide receiver Travis Johnson that tied the game at 14-14 with only 1:45 remaining; and

WHEREAS, the Oscar Smith Tigers' defense took to the field and rose to the occasion, forcing a fumble that brought the offense back out in good field position, allowing running back Brandon Nesbit to reclaim the lead with a two-yard rushing touchdown; and

WHEREAS, a Hail Mary pass brought the James Madison Warhawks within two points of a win, but the Oscar Smith Tigers' defense got the job done and prevented a two-point conversion to close out the game; and

WHEREAS, Brandon Nesbit led the Oscar Smith Tigers with two touchdowns and gained 84 rushing yards, while Lonnie Andrews went 18 of 31 in the air for 180 yards and the touchdown pass to Travis Johnson, who pulled in five receptions for 61 yards; and

WHEREAS, the 2024 championship is the fifth state title for Oscar Smith High School's football program, adding to victories in 2008, 2011, 2020, and 2021, and further solidifying the team's legacy as a powerhouse in Virginia high school football; and

WHEREAS, the successful season was a testament to the skill, hard work, discipline, and commitment of all the student-athletes, the leadership and guidance of coaches and staff, and the unwavering support of school administrators, family members, friends, and the entire Oscar Smith High School community; and

WHEREAS, Oscar Smith High School continues to foster excellence in both academics and athletics, and the Oscar Smith Tigers have upheld the values of teamwork, perseverance, and sportsmanship; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Oscar Smith High School Tigers on winning the Virginia High School League Class 6 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Chris Scott, head coach of the Oscar Smith High School Tigers, as an expression of the General Assembly's admiration for the team's exceptional athletic achievements.

HOUSE JOINT RESOLUTION NO. 590

Commending Griffin McDorman Yow.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Griffin McDorman Yow, a native of Clifton, represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, as a member of Team USA in the Men's Olympic Football Tournament; and

WHEREAS, Griffin Yow began playing soccer with the Southwestern Youth Association in Fairfax County when he was three years old and has been playing professionally since the age of 16, when he joined the U-17 Men's Youth National Team and signed a contract with D.C. United in Major League Soccer (MLS); and

WHEREAS, Griffin Yow made his debut with D.C. United in March 2019 as the team's 12th homegrown player and was the youngest player to appear in MLS during the 2019 season; and

WHEREAS, in 2022, Griffin Yow transferred to KVC Westerlo, which had recently been promoted to the top league in Belgium; he joined the team's starting 11 in 2023 and has made dozens of appearances for the club since that time; and

WHEREAS, Griffin Yow returned to international play for the United States in 2024 as a member of the U-23 Men's National Soccer Team and was subsequently selected as a member of Team USA for the 2024 Summer Olympics; and

WHEREAS, the United States Men's National Team finished second in the group stage and advanced to the quarterfinals, with Griffin Yow appearing in every game; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Griffin McDorman Yow for his performance as a member of the United States Men's National Soccer Team at the Games of the XXXIII Olympiad; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Griffin McDorman Yow as an expression of the General Assembly's admiration for his outstanding athletic achievements and best wishes for the future.

HOUSE JOINT RESOLUTION NO. 591

Commending Noah Lyles.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Noah Lyles of Alexandria represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, winning a gold medal for Team USA in the men's 100-meter sprint and a bronze medal in the men's 200-meter sprint; and

WHEREAS, born in Florida, Noah Lyles relocated to the Commonwealth with his mother and siblings at a young age; he originally trained as a gymnast before switching to track and field, and was inspired to one day join Team USA while watching the 2012 Summer Olympics; and

WHEREAS, after graduating from what is now Alexandria City High School, Noah Lyles signed with Adidas in 2016 and became a professional athlete; he has won numerous world championships in the 100-meter, 200-meter, and 4x100-meter relay events, as well as a bronze medal in the 200-meter sprint at the 2020 Summer Olympics; and

WHEREAS, at the 2022 World Athletics Championships, Noah Lyles won a gold medal in the 200-meter sprint with a personal best time of 19.31, breaking a longstanding American record and becoming the third-fastest sprinter in the history of the event worldwide; and

WHEREAS, in his second trip to the Olympics, Noah Lyles earned the gold medal in the 100-meter sprint with a stunning photo-finish, recording a personal best time of 9.79 seconds to win by only .005 seconds; and

WHEREAS, a few days later, despite contracting COVID-19, Noah Lyles demonstrated exceptional perseverance and continued to participate in the 200-meter sprint final; and

WHEREAS, thanks to his unparalleled determination, Noah Lyles finished the 200-meter sprint with a time of 19.70 to earn a bronze medal; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Noah Lyles on winning a gold medal and a bronze medal at the Games of the XXXIII Olympiad; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Noah Lyles as an expression of the General Assembly's admiration for his exceptional athletic achievements and best wishes for the future.

HOUSE JOINT RESOLUTION NO. 592

Celebrating the life of William M. McCarty.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, William M. McCarty, a distinguished faith leader, esteemed public servant, beloved husband and father, and cherished member of the Isle of Wight County community, died on January 25, 2025; and

WHEREAS, William McCarty was an ordained bishop with the Church of God who held a master's degree in counseling and several certifications in leadership, business management, and chaplaincy; and

WHEREAS, William McCarty settled in the Isle of Wight County area in 1999 when he assumed leadership of the congregation at the Smithfield Church of God; and

WHEREAS, as pastor of Healing Waters Worship Center in Isle of Wight County, William McCarty provided his congregation with edifying spiritual leadership and abundant opportunities for worship, fellowship, and charitable outreach; and

WHEREAS, William McCarty was an elected member of the Virginia Church of God state council who also served on several of the organization's boards, and he supported many in their faith by speaking at conferences and revivals both throughout the United States and around the world; and

WHEREAS, William McCarty was elected to the Isle of Wight County Board of Supervisors in 2015 as a representative of the Newport District and later went on to represent the Carrollton area of the county; and

WHEREAS, over three terms of public service, William McCarty dedicated himself to the health, prosperity, and well-being of the community, leading the Isle of Wight County Board of Supervisors for a period of time as its chair and serving on a number of regional and state boards and commissions; and

WHEREAS, William McCarty supported localities statewide in various leadership capacities with the Virginia Association of Counties, including as president, first vice president, second vice president, and member of the board of directors, and he was chair of the Hampton Roads Transportation Planning Organization beginning in 2023; and

WHEREAS, William McCarty will be fondly remembered and dearly missed by his loving wife, his children, and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of William M. McCarty, a revered member of the Isle of Wight County community whose leadership, faith, and service made a positive impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of William M. McCarty as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 593

Celebrating the life of Diana Lee Creasey.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 11, 2025

WHEREAS, Diana Lee Creasey, a highly admired member of the community in Goochland County who made numerous contributions to the advancement of emergency medicine and public safety in the region, died on January 19, 2025; and

WHEREAS, Diana Creasey grew up in Colchester, Illinois, and was skilled in music, sports, and academics in her youth; she played piano, taught accordion lessons, was a member of the drum majorettes, and was a standout athlete on her school basketball team; and

WHEREAS, after high school graduation, Diana Creasey worked at Western Illinois University in Macomb, then relocated to the Commonwealth and settled in Goochland County to raise her family; and

WHEREAS, Diana Creasey found her calling when she became a registered nurse and began working at various hospitals and doctor's offices in the Richmond area; during that time, she also continued her education by earning a bachelor's degree and completing post-graduate work at Liberty University; and

WHEREAS, desirous to be of further service to the community, Diana Creasey joined the Goochland County Department of Fire-Rescue and Emergency Services in 1982 and quickly became a shock-trauma technician and one of the first advanced life support providers in the region; and

WHEREAS, Diana Creasey played a crucial role in leadership and training for the department and mentored hundreds of emergency medical professionals over the years, even recruiting members of her own family; and

WHEREAS, Diana Creasey subsequently transferred to Goochland Courthouse Volunteer Fire Rescue Company Five, where she organized training and continuing education in emergency medicine and served as rescue training officer; she also served on the interview panel for new applicants up to the time of her passing; and

WHEREAS, in addition to her work in emergency medicine, Diana Creasey obtained a private investigator license and once worked as an airport security guard; and

WHEREAS, Diana Creasey was an avid world traveler with a boundless sense of adventure; she visited Israel, Egypt, England, Ireland, Scotland, Iceland, France, Germany, Belgium, the Netherlands, Luxembourg, Romania, Ukraine, and Russia over the course of her life; and

WHEREAS, Diana Creasey enjoyed fellowship and worship with the congregation of Salem Baptist Church, where she offered her leadership and insights to the Sunday school, Bible study, and vacation Bible school programs; she was an active volunteer for several other ministries and played piano for the Praise Singers group; and

WHEREAS, Diana Creasey was affectionately known as "Mama Creasey," and her home was always open to her children's friends, church members, fellow public safety officers, or anyone in need of her kindness, wisdom, and grace; and

WHEREAS, predeceased by her husband Ned, Diana Creasey will be fondly remembered and greatly missed by her children, Teresa, Shawn, Scott, Tonia, and Steven, and their families, and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Diana Lee Creasey, a devoted nurse and public safety officer who touched countless lives in Goochland County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Diana Lee Creasey as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 594

Commending Manakin Episcopal Church.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, the upheavals of the various Reformations within Europe during the 16th century led directly in the 17th century to the contrasting—and conflicting—ventures to North America of the Spanish, the French, and finally, in further contrasting and conflicting pilgrimages, of Cavaliers to Virginia and Puritans to Massachusetts, from among the contending peoples of Albion; and

WHEREAS, from the succession of social, political, and even religious warfare that characterized this period of history, there arose the migration to Virginia, in 1700, of French Protestants, followers of John Calvin and his Reformed Christianity, and known to history as the Huguenots; and

WHEREAS, it was King William II of England who financed the emigration to Virginia of the French Huguenots, numbering some 700 souls; and

WHEREAS, these Huguenots were granted 10,000 acres along the south side of the James River, centered upon what became known as Manakintowne, in eastern Powhatan near its border with Chesterfield; and

WHEREAS, the Virginia House of Burgesses, on December 5, 1700, granted the Huguenots a royal charter establishing "King William Parish" at Manakintowne as a distinct parish of the Church of England; and

WHEREAS, accordingly, "Christian formation and community service" have characterized the purposes and people of Manakin Episcopal Church for far longer than the United States of America has existed; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the members of Manakin Episcopal Church of Powhatan hereby be commended for sustaining both their Christian convictions and their devotion to the Commonwealth of Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Manakin Episcopal Church as an expression of the General Assembly's hopes that the church may continue to flourish for centuries more.

HOUSE JOINT RESOLUTION NO. 595

Commending The Salvation Army of Harrisonburg and Rockingham County.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, for 100 years, The Salvation Army of Harrisonburg and Rockingham County has remained dedicated to sharing the gospel of Jesus Christ while providing care and support to all of those in need; and

WHEREAS, 60 years after the founding of the international movement known as The Salvation Army, an evangelical part of the universal Christian Church, The Salvation Army of Harrisonburg and Rockingham County was founded on June 27, 1925; and

WHEREAS, since its founding, The Salvation Army of Harrisonburg and Rockingham County has partnered with the local community to efficiently and effectively assist individuals and families confronted by poverty and other difficult circumstances; and

WHEREAS, The Salvation Army of Harrisonburg and Rockingham County holds its iconic Red Kettle Campaigns every year to raise funds for the organization's programs in the local area; and

WHEREAS, The Salvation Army of Harrisonburg and Rockingham County is steadfastly committed to offering its programs and services to people of all backgrounds without discrimination or harassment; and

WHEREAS, through its family services and emergency shelter, The Salvation Army of Harrisonburg and Rockingham County assists men, women, and families facing housing instability, extending a vital lifeline to guide them through their time of crisis and to bolster their efforts to achieve self-sufficiency; and

WHEREAS, with abundant understanding, compassion, and hope, The Salvation Army of Harrisonburg and Rockingham County has made a positive difference in countless lives and has helped to make the Greater Harrisonburg area a more welcoming and supportive place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend The Salvation Army of Harrisonburg and Rockingham County on the occasion of the organization's 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to The Salvation Army of Harrisonburg and Rockingham County as an expression of the General Assembly's admiration for the organization's history and legacy of service.

HOUSE JOINT RESOLUTION NO. 596

Commending Dr. Terry E. Arbogast II.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Dr. Terry E. Arbogast II, esteemed superintendent of Giles County Public Schools, who is one of the longest serving superintendents in the history of the Commonwealth, retires on July 1, 2025; and

WHEREAS, Terry Arbogast began his career in education in 1991 teaching mathematics with Fauquier County Public Schools and six years later transferred to Southwest Virginia to take a position as assistant principal at Narrows High School in Giles County; and

WHEREAS, Terry Arbogast contributed greatly to the success of Narrows High School's students both in his capacity as assistant principal between 1997 and 2001 and as principal from 2001 to 2002; and

WHEREAS, following an appointment to serve as deputy superintendent of Giles County Public Schools between 2002 and 2004, Terry Arbogast was named the school division's superintendent, a position in which he faithfully served until his retirement; and

WHEREAS, beyond his work as an administrator, Terry Arbogast promoted the health and well-being of his students as a coach for the softball, football, basketball, and golf teams; and

WHEREAS, Terry Arbogast served as a leader at the Region VII level through his roles as Region VII chair and vice chair, as a representative to the State Superintendent's Leadership Committee and the Virginia High School League, and as a member of the Virginia Association of School Superintendents' legislative committee; and

WHEREAS, Terry Arbogast advanced education in the Commonwealth and beyond through his involvement with the Virginia Association of School Superintendents; AASA, The School Superintendents Association; the Western Virginia Public Education Consortium; and the Southwest Virginia Governor's School, where he was superintendent-in-charge; and

WHEREAS, over his 34-year career, Terry Arbogast made a profound and lasting impact through his commitment to his students, teachers, and staff, earning him the praise and respect of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Dr. Terry E. Arbogast II, superintendent of Giles County Public Schools, on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dr. Terry E. Arbogast II as an expression of the General Assembly's admiration for his dedication to educating the Commonwealth's young people and best wishes for a rewarding and fulfilling retirement.

HOUSE JOINT RESOLUTION NO. 597

Celebrating the life of Charles C. Pace.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Charles C. Pace, an honorable veteran, esteemed educator and public servant, and beloved father and member of the Charlottesville community, died on December 18, 2024; and

WHEREAS, born in Hampton, Charles "Chuck" C. Pace graduated from Charlottesville High School in 1978 before earning a degree from the Virginia Military Institute in 1982 and serving his country with honor and distinction as a member of the United States Navy; and

WHEREAS, following his service, Chuck Pace discovered his life's purpose when he began teaching at Blue Ridge School in Saint George; he would go on to teach biology and chemistry at Albemarle High School for many years and to serve as the science instructional coordinator for Albemarle County Public Schools for 11 years before returning to Blue Ridge School, where he retired in 2022; and

WHEREAS, over his remarkable 39-year career as an educator and coach, Chuck Pace worked tirelessly to support his students and fellow faculty, contributing greatly to their success both in and out of the classroom; and

WHEREAS, from 1982 to 2001, Chuck Pace contributed to the safety and security of the nation as an intelligence officer in the United States Naval Reserve, retiring as a commander; and

WHEREAS, Chuck Pace was appointed in 2023 and later elected to serve as the Rio District representative on the Albemarle County School Board, a responsibility that he devoted himself to fully for the benefit of the students and families of Albemarle County; and

WHEREAS, Chuck Pace was the consummate family man who embraced every opportunity to spend quality time with his wife and children, aiding them in their pursuits and cheering them on along every step of the way; and

WHEREAS, Chuck Pace will be fondly remembered and dearly missed by his loving wife of 34 years, Anne Marie; his children, Madeleine, Callie, Robert, and Laura; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Charles C. Pace, a treasured member of the Charlottesville community whose dedication and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Charles C. Pace as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 598

Commending Colette Sheehy.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Colette Sheehy, senior vice president for operations and state government relations at the University of Virginia, will retire on June 30, 2025, after nearly 43 years of service; and

WHEREAS, a native of Freehold, New Jersey, Colette Sheehy earned a bachelor's degree in economics from Bucknell University and a master's degree in business administration with a concentration in finance from Rutgers University's Graduate School of Management; and

WHEREAS, Colette Sheehy came to the University of Virginia (UVA) in 1982 as an entry-level budget analyst and assumed various roles in the university's budget office over the next 11 years prior to being appointed vice president for management and budget in 1993; and

WHEREAS, one of the first two women appointed as vice president at UVA, Colette Sheehy was promoted to senior vice president for operations and state government relations in 2015, overseeing a large and diverse portfolio composed of critical support functions essential to the university's day-to-day operations, including business services, facilities management, the Office of the Architect, the Office of the University Building Official, real estate and leasing services, and state government relations; and

WHEREAS, Colette Sheehy has partnered with colleagues across the university's grounds to support institutional priorities and UVA's mission by, among many other initiatives, executing the university's capital program; maintaining and caring for the university's physical plant, including the many historic buildings and the Academical Village, a UNESCO-designated World Heritage Site; developing and implementing ambitious sustainability plans; and creating a roadmap to construct additional on-grounds student housing to support the university's living and learning community; and

WHEREAS, Colette Sheehy's expert diplomacy, collegiality, collaborative spirit, and deep understanding of the dynamics between state government and higher education in the Commonwealth have earned her the respect and trust of many members of the executive and legislative branches of the government of the Commonwealth and allowed her to work across party lines to advance higher education in Virginia; and

WHEREAS, working with her colleagues across the Commonwealth, Colette Sheehy was the chief architect and negotiator of the Restructuring Act of 2005, pivotal legislation redefining the relationship between the Commonwealth and public institutions of higher education, as well as the university's subsequent management agreement with the Commonwealth; and

WHEREAS, a respected leader in higher education across the Commonwealth, Colette Sheehy has been a longtime leading member of the Commonwealth's Council of State Senior Business Officers, including serving twice as president, and the State Council of Higher Education for Virginia's Finance Advisory Committee; and

WHEREAS, beyond her service at UVA, Colette Sheehy has worked vigorously to enhance relationships between the local community and the university and to demonstrate the university's commitment to the health and prosperity of the Commonwealth by serving on various boards and commissions, including the board of directors for the Charlottesville Regional Chamber of Commerce, Emily Couric Leadership Forum, Central Virginia Partnership for Economic Development, Virginia Retirement System, Virginia Discovery Museum, and Leadership Charlottesville Alumni Association; and

WHEREAS, in recognition of her tireless efforts and her diligent stewardship of university and state resources, Colette Sheehy has received numerous awards over her remarkable career, including a Thomas Jefferson Award in 2021, the highest honor given to members of the UVA community who have exemplified the principles, ideals, and mission of the university in their character, work, and influence, and the Samuel R. Crockett Award from the University of Virginia's College at Wise in 2019; and

WHEREAS, Colette Sheehy has enriched the lives of many across the UVA community and beyond through her mentorship, compassion, and dedication to the university; her generous support of colleagues and students will have an enduring positive impact on the university and its faculty, staff, students, and alumni for decades to come; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Colette Sheehy for her decades of exemplary service and devoted leadership, as well as a career defined by excellence and an unwavering commitment to advancing the University of Virginia and public higher education across the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Colette Sheehy as an expression of the General Assembly's admiration and gratitude for her commitment, leadership, and many extraordinary contributions to both the University of Virginia and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 599

Commending Medlin Art Gallery.

Agreed to by the House of Delegates, February 10, 2025

Agreed to by the Senate, February 13, 2025

WHEREAS, for more than four decades, Medlin Art Gallery has enhanced cultural life in Leesburg by promoting the fine arts and offering a wide selection of original artwork, prints, and framing services; and

WHEREAS, established in 1984, Medlin Art Gallery represents local, national, and international artists and carries original paintings, limited edition lithographs, antique prints, etchings, engravings, maps, and other works; and

WHEREAS, Medlin Art Gallery specializes in museum-quality custom framing and offers hundreds of frames from top brands to ensure that customers' artwork is not only protected but perfectly matches any decor; and

WHEREAS, Medlin Art Gallery has earned many awards and accolades for its commitment to excellence, including a Public Art Award from the Town of Leesburg at the 10th Annual Business Appreciation Awards in 2011; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Medlin Art Gallery, a trusted art dealer in Leesburg, on the occasion of its 40th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Shirley and Pat Medlin, owners of Medlin Art Gallery, as an expression of the General Assembly's admiration for the gallery's contributions to the fine arts community throughout the region.

HOUSE JOINT RESOLUTION NO. 600

Commending Christian Tabash.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, in 2024, Christian Tabash of Alexandria represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, winning a bronze medal for Team USA in the men's eight rowing event; and

WHEREAS, a graduate of Gonzaga College High School in Washington, D.C., and Harvard University, Christian Tabash is a dedicated athlete who previously earned a silver medal at the 2017 World Rowing Junior Championships and a bronze medal at the 2021 World Rowing U23 Championships; and

WHEREAS, Christian Tabash was selected as a member of Team USA's men's eight rowing team at the end of March 2024 and helped lead the team to victory in the 2024 World Rowing Final Olympic & Paralympic Qualification Regatta with a time of 5:35.97 the following May; and

WHEREAS, fulfilling a lifelong dream, Christian Tabash qualified for the 2024 Summer Olympics and was determined to help Team USA rowing win its first Olympic medal in the men's eight since 2004; and

WHEREAS, on August 3, 2024, Christian Tabash and his team advanced to the men's eight final and claimed a bronze medal with a time of 5:25.28; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Christian Tabash on winning a bronze medal at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Christian Tabash as an expression of the General Assembly's admiration for his outstanding athletic achievements and best wishes for the future.

HOUSE JOINT RESOLUTION NO. 601

Commending Michael Hughes.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Michael Hughes, professor emeritus of sociology in the College of Liberal Arts and Human Sciences at Virginia Polytechnic Institute and State University, has greatly served the Virginia Tech community for many years; and

WHEREAS, after earning bachelor's and master's degrees from the University of Alabama and his doctoral degree in sociology from Vanderbilt University, Michael Hughes joined the faculty in the Department of Sociology at Virginia Tech in 1979; and

WHEREAS, for more than four decades, Michael Hughes taught a range of undergraduate and graduate courses, from introductory lectures to graduate seminars, helping countless students acquire a deeper and more nuanced understanding of sociological principles and ideals; and

WHEREAS, with a particular focus on mental health and race, Michael Hughes published four books and numerous articles, chapters, and research reports in leading sociological journals and publications over his career; and

WHEREAS, a former president of the Southern Sociological Society, Michael Hughes was inducted into the organization's Roll of Honor in 2020 in recognition of his meritorious scholarship and achievements as a professor; and

WHEREAS, Michael Hughes was a leading voice in the world of sociological thought, serving as the editor of the *Journal of Health and Social Behavior* for four years and on the editorial boards of six other major journals; and

WHEREAS, Michael Hughes' various accolades include the Reuben Hill Award from the National Council on Family Relations, the Excellence in Research and Creative Scholarship Award from Virginia Tech's College of Liberal Arts and Human Sciences, and the E. Gordon Ericksen Outstanding Graduate Faculty Award from Virginia Tech's Department of Sociology; and

WHEREAS, in honor of his service and dedication, Michael Hughes was conferred the title of professor emeritus by the Virginia Tech Board of Visitors in 2021; and

WHEREAS, through his commitment to his students and to advancing the study of sociology, Michael Hughes has embodied the ideals of academia and made a difference in countless lives; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Michael Hughes for his legacy of service at Virginia Polytechnic Institute and State University; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Michael Hughes as an expression of the General Assembly's admiration for his contributions to the Commonwealth and best wishes for his future endeavors.

HOUSE JOINT RESOLUTION NO. 602

Commending Hadley Nicole Husisian.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Oakton native Hadley Nicole Husisian represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, competing for Team USA in the women's épée individual and women's épée team events; and

WHEREAS, Hadley Husisian was inspired to take up fencing at a young age after watching a fencing-themed episode of the Nickelodeon television show *iCarly*; and

WHEREAS, from 2019 through 2022, while she was a student at the Potomac School in McLean, Hadley Husisian was ranked as the number one fencer in U.S. Junior Women's Épée, and in 2022 and 2023, she became the first male or female Team USA athlete to win consecutive individual épée titles at the Junior & Cadet Fencing World Championships; and

WHEREAS, after matriculating at Princeton University, Hadley Husisian continued to earn accolades as an All-Ivy League and All-American athlete during her freshman year, winning several National Collegiate Athletics Association matches, as well as international competitions; and

WHEREAS, upon her selection as a member of Team USA, Hadley Husisian became the 18th fencer from Princeton University in school history to qualify for the Summer Olympics; and

WHEREAS, in her Olympic debut at Paris 2024, Hadley Husisian finished in 12th place in the women's épée individual event and in seventh place in the women's épée team event; and

WHEREAS, in addition to her athletic career, Hadley Husisian has given back to her community through numerous charitable activities; she established the Ton of Food drive, which has collected thousands of pounds of food and monetary donations for people in need; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Hadley Nicole Husisian for representing the Commonwealth at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Hadley Nicole Husisian as an expression of the General Assembly's admiration for her outstanding athletic achievements and best wishes for the future.

HOUSE JOINT RESOLUTION NO. 603

Commending the Paris 2024 Team USA Olympians from the University of Virginia.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, in 2024, several students and alumni from the University of Virginia represented the Commonwealth and Team USA at the Games of the XXXIII Olympiad in Paris, France; and

WHEREAS, Emma Navarro made her Olympic debut for Team USA at Paris 2024 and advanced to the round of 16 in the women's singles tennis event; and

WHEREAS, Emma Weber made her Olympic debut for Team USA at Paris 2024, winning a gold medal in the 4x100-meter medley relay and competing in the 100-meter breaststroke event; and

WHEREAS, Gretchen Walsh made her Olympic debut for Team USA at Paris 2024, winning gold medals in the 4x100-meter relay and the mixed 4x100-meter relay and silver medals in the 100-meter butterfly event and 4x100-meter free relay; and

WHEREAS, Alex Walsh has represented Team USA at two Olympic Games, advancing to the 200-meter individual medley final at Paris 2024 and winning a silver medal in the 200-meter-individual medley event at Tokyo 2020; and

WHEREAS, Paige Madden has represented Team USA at two Olympic Games, winning a bronze medal in the 800-meter freestyle event and a silver medal in the 4x200 meter freestyle relay at Paris 2024 and a silver medal in the 4x200-meter freestyle relay at Tokyo 2020; and

WHEREAS, Kate Douglass has represented Team USA at two Olympic Games, becoming the Commonwealth's first-ever female individual gold medalist when she won the 200-meter breaststroke event at Paris 2024; she also holds a gold medal in the 4x100-meter medley relay and silver medals in the 200-meter individual medley and the 4x100-meter freestyle relay from Paris 2024, along with a bronze medal in the 200-meter individual medley event from Tokyo 2020; and

WHEREAS, Emily Sonnett represented the Team USA women's soccer team at Paris 2024 and Tokyo 2020 and was an alternate for Rio 2016; she is a two-time Olympic medalist, winning a bronze medal in 2020 and a gold medal in 2024; and

WHEREAS, Danielle Collins made her Olympic debut for Team USA at Paris 2024 and advanced to the quarterfinals in the women's singles tennis event and to the second round of the women's doubles tennis event; and

WHEREAS, Skylar Dahl made her Paralympic debut representing Team USA in rowing at the Paris 2024 Paralympics, winning a silver medal in the PR3 Mixed 4+ classification; and

WHEREAS, Bridget Williams made her Olympic debut representing Team USA at Paris 2024 and competed in the pole vault event; and

WHEREAS, Katie Grimes has represented Team USA at two Olympic Games, winning a silver medal in the 400-meter individual medley event at Paris 2024, where she became the first American woman to compete both in the pool and open water in the same Olympic games; and

WHEREAS, William Coleman represented the Team USA equestrian eventing team at both London 2012 and Paris 2024; and

WHEREAS, Thomas Heilman the youngest male swimmer since Michael Phelps to qualify for Team USA, made his Olympic debut at Paris 2024, winning a silver medal in the 4x100-meter men's medley relay; and

WHEREAS, the University of Virginia enjoyed remarkable representation at the Paris 2024 Olympics, with the number of students or alumni competing surpassing that of many countries; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Team USA Olympians from the University of Virginia for their performance at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Paris 2024 Team USA Olympians from the University of Virginia as an expression of the General Assembly's admiration for their outstanding athletic achievements and best wishes for the future.

HOUSE JOINT RESOLUTION NO. 604

Commending the O. Winston Link Museum.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, for more than two decades, the O. Winston Link Museum in Roanoke has celebrated the works of O. Winston Link, an influential photographer who captured the sights and scenes of the Golden Age of American Railroads through his evocative imagery; and

WHEREAS, while working in Staunton on an industrial photography contract, O. Winston Link developed a passion for railroads and became fascinated with the nearby Norfolk and Western Railway line, the last major railroad to transition from steam power to diesel; and

WHEREAS, over the course of multiple visits to the region in the 1950s, O. Winston Link essentially documented the end of the steam railroad era, capturing powerful black-and-white images of Norfolk and Western Railway's fleet of steam locomotives, as well as the communities that depended upon them for their livelihood and the scenic landscapes they traveled across; and

WHEREAS, Roanoke was originally established as a railroad hub, and generations of city officials and local historical organizations have worked diligently to preserve this heritage, which made the city a natural choice for the home of the O. Winston Link Museum when it opened in January 2004; and

WHEREAS, since that time, the O. Winston Link Museum has promoted O. Winston Link's legacy through a comprehensive collection of his iconic photographs, personal memorabilia, artifacts, and exhibits that provide context about the impact of railroad travel on society and culture in the Commonwealth and throughout the United States; and

WHEREAS, in August 2024, the O. Winston Link Museum commemorated its 20th anniversary with the Celebration at the Station street festival that featured scale replicas of steam trains, antique vehicles, contests, exhibitions, and other family-friendly events; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the O. Winston Link Museum on the occasion of its 20th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the O. Winston Link Museum as an expression of the General Assembly's admiration for the museum's contributions to cultural life in Roanoke and mission to preserve a bygone era of American history.

HOUSE JOINT RESOLUTION NO. 605

Commending Dr. Pepper Park at the Bridges.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Dr. Pepper Park at the Bridges, a live music venue in Downtown Roanoke, has hosted countless performances and delighted local audiences for 10 years; and

WHEREAS, the popular soft drink Dr. Pepper has deep roots in the Commonwealth, taking its name from Dr. Charles T. Pepper, who opened Dr. Pepper's Drug Store in Rural Retreat in the 1800s; and

WHEREAS, one of Charles Pepper's former employees, Wade Morrison of Christiansburg, moved to Waco, Texas, to open his own drug store and worked with pharmacist Charles Alderton to formulate the drink; and

WHEREAS, Dr. Pepper expanded throughout the nation; in 1936, Bill Davis opened the Commonwealth's first Dr. Pepper bottling plant on McClanahan Street in Roanoke; the plant's iconic bottle cap-shaped sign has become a local landmark, and the Roanoke community maintains one of the highest per capita consumption rates of Dr. Pepper in the country; and

WHEREAS, Dr. Pepper Park at the Bridges honors the legacy of Dr. Pepper's role in the community and features concerts, festivals, and other special events from April through October at its unique outdoor venue near the Roanoke River; and

WHEREAS, attending shows at Dr. Pepper Park at the Bridges has become a beloved local tradition in the Roanoke community, and the venue has cultivated strong relationships with other local businesses and organizations to provide the best possible experiences; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Dr. Pepper Park at the Bridges on the occasion of its 10th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dr. Pepper Park at the Bridges as an expression of the General Assembly's admiration for its contributions to local life in Roanoke.

HOUSE JOINT RESOLUTION NO. 606

Celebrating the life of Danny Joe Dales, D.C.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Danny Joe Dales, D.C., an esteemed chiropractor and beloved member of the Bluefield community, died on January 11, 2025; and

WHEREAS, raised in Buchanan County, Joe Dales graduated from the former Garden High School, where he earned all-state honors in football; and

WHEREAS, after completing his studies at what is today Life University, Joe Dales began his career as a chiropractor with Willis Chiropractic in 1996; and

WHEREAS, four years later, Joe Dales opened his own practice, Dales Chiropractic, Inc., with his wife, Kay Dales, D.C., and dedicated himself to the health and well-being of his patients at locations in Bluefield and Welch, West Virginia; and

WHEREAS, Joe Dales gave generously of his time to help others in need and was active and engaged in the community through his involvement with the Lions Club in Welch, West Virginia, and the Bluefield Planning Commission; and

WHEREAS, Joe Dales contributed to the growth and development of countless young people as a coach with various youth sports leagues and as a proud supporter, coach, and doctor of the athletic program at Graham High School in Bluefield; and

WHEREAS, Joe Dales was a devoted husband and father whose greatest joy in life was spending quality time with his family; and

WHEREAS, Joe Dales was baptized as a young man and was guided throughout his life by his deep and abiding faith; and

WHEREAS, Joe Dales will be fondly remembered and dearly missed by his loving wife of 28 years, Kay; his children, Danny II, Zachary, and Ella; his mother, Sue; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Danny Joe Dales, D.C., a treasured member of the Bluefield community whose integrity and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Danny Joe Dales, D.C., as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 607

Commending Thomas Heilman.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, in 2024, Thomas Heilman of Crozet represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, winning a silver medal for Team USA in the 4x100-meter men's medley relay event; and

WHEREAS, at the age of 17, Thomas Heilman became the youngest male swimmer to qualify for the United States Olympic team since Michael Phelps; and

WHEREAS, Thomas Heilman qualified to swim in the 100-meter and 200-meter butterfly events at the 2024 Summer Olympics and placed 18th and 10th in those events, respectively; and

WHEREAS, Thomas Heilman earned a silver medal by swimming the fly leg in the preliminary 4x100-meter men's medley relay, which helped the team qualify for the finals in that event later in the competition; and

WHEREAS, Thomas Heilman is a senior at Western Albemarle High School in Crozet and actively trains with the Cavalier Aquatics swim team based in Charlottesville; and

WHEREAS, in the fall of 2025, Thomas Heilman will enroll at the University of Virginia and compete with the University of Virginia swim and dive team, contributing to the school's distinguished legacy in the sport; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Thomas Heilman on winning a silver medal at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Thomas Heilman as an expression of the General Assembly's admiration for his outstanding athletic achievements and best wishes for the future.

HOUSE JOINT RESOLUTION NO. 608

Commending Paula Kwiek.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Paula Kwiek, one of the winningest female racers in the history of all-terrain vehicle Tourist Trophy flat track racing and a member of the Greater Richmond community, was presented with the New East Extreme Dirt Track National Championship Series Lifetime Achievement Award in 2024; and

WHEREAS, Paula Kwiek began racing in 1989 at the age of eight and quickly progressed from a 50cc all-terrain vehicle (ATV) to a 250R two-stroke pro platform ATV; and

WHEREAS, Paula Kwiek continued to hone her skills and began winning local races in various age classes throughout the 1990s; and

WHEREAS, as Paula Kwiek won a number of races in the 2000s that either had never been won by a woman or were rarely won by women, she became a trailblazer of ATV Tourist Trophy flat track racing and a major inspiration to other female ATV racers around the country; and

WHEREAS, in 2009, Paula Kwiek redoubled her efforts and won her first women's national series championship; she has since won a total of 12 national titles, including 10 in the women's class and eight back-to-back; and

WHEREAS, Paula Kwiek's remarkable accomplishments over her 35 years of racing are a product of her hard work and dedication and the unwavering support of her family, including her mother and father, who made great sacrifices to get her to her races when she was younger; and

WHEREAS, Paula Kwiek has given back to her sport by generously supporting, sponsoring, and mentoring the next generation of young aspiring racers, particularly women, in the world of ATV Tourist Trophy flat track racing; and

WHEREAS, in recognition of her triumphs, including more than 300 racing wins, Paula Kwiek has been featured in numerous magazines, podcasts, and newspapers and presented with various accolades, including induction into the Indiana County, Pennsylvania, Sports Hall of Fame in 2007; and

WHEREAS, after more than three decades, Paula Kwiek shows no signs of slowing, ensuring that her legacy in the sport of ATV Tourist Trophy flat track racing will only continue to grow for years to come; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Paula Kwiek for receiving the 2024 New East Extreme Dirt Track National Championship Series Lifetime Achievement Award; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Paula Kwiek as an expression of the General Assembly's admiration for her achievements and best wishes for her continued success.

HOUSE JOINT RESOLUTION NO. 609

Celebrating the life of Robert Carl Gibbons.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Robert Carl Gibbons, an honorable veteran, esteemed public servant, and beloved member of the Stafford County community, died on January 17, 2025; and

WHEREAS, born in Holden, Massachusetts, Robert "Bob" Carl Gibbons enlisted with the United States Air Force at the age of 18 and went on to serve his country with honor and distinction for more than two decades at various locations, including England, Offutt Air Force Base in Nebraska, and the Pentagon; and

WHEREAS, following his retirement from active duty service in 1975, Bob Gibbons continued to serve the military in his capacity as a contractor; he then transitioned to the Marine Corps Network Operations and Security Center in the

early 2000s, where he supported the United States Marine Corps' computer and telecommunications operations until his retirement from civilian service in April 2023; and

WHEREAS, Bob Gibbons was an enterprising businessman who founded the bus company Tara Lines, providing exceptional commuter services to residents and visitors in the Fredericksburg and Stafford County areas; and

WHEREAS, Bob Gibbons served as the Rock Hill District representative on the Stafford County Board of Supervisors for 16 years, including multiple terms as chair and vice chair, and was a steadfast advocate for new schools, improved transportation, and other vital public services that increased the quality of life for Stafford County residents; and

WHEREAS, Bob Gibbons worked tirelessly to foster the growth and development of his community as a member of the Potomac and Rappahannock Transportation Commission, the Stafford County Planning Commission, and the Stafford County Board of Zoning Appeals; and

WHEREAS, Bob Gibbons made an impact statewide as a board member and chair of the Virginia Railway Express (VRE), where he was integral to several major regional development projects; and

WHEREAS, preceded in death by his wife, Lois, Bob Gibbons will be fondly remembered and dearly missed by his daughter, Tara, and her family and by numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Robert Carl Gibbons, a distinguished member of the Stafford County community whose dedication to service, family, and the well-being of others touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Robert Carl Gibbons as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 610

Commending Robert R. Lindgren.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Robert R. Lindgren, who has served as president of Randolph-Macon College since 2006, leading a 19-year period of strategic transformation for this historic institution during an era of extraordinary change, will retire in 2025; and

WHEREAS, Robert Lindgren shepherded a transformation of the physical campus of Randolph-Macon College (RMC) in Ashland, which boasts 17 new or renovated buildings, all paid for with private support of more than $110 million; and

WHEREAS, during Robert Lindgren's tenure, RMC added 14 academic programs and majors, including a bachelor's degree program in nursing, a major in engineering, and a master's degree in physician assistant studies; the college also added a broad range of curricular, extramural, and athletic opportunities, including men's volleyball and equestrian teams, show choir, orchestra, wind ensemble, and esports; and

WHEREAS, thanks to his stewardship of the college's alumni, parents, and friends, fundraising during Robert Lindgren's tenure exceeded $240 million and consistently put RMC in the top 30 of all colleges and universities nationwide for percentage of alumni who support the institution; and

WHEREAS, the transformations that occurred under Robert Lindgren's leadership helped to usher in enrollment growth of more than 50 percent for RMC during his tenure; and

WHEREAS, Robert Lindgren was known as "the students' president" for his accessibility and interest in their well-being; during his tenure, the college maintained numerous distinctions, including a chapter of Phi Beta Kappa and a strong reputation for career preparation that saw RMC included as a "Best Career Services" school by The Princeton Review; and

WHEREAS, RMC's 18 National Collegiate Athletics Association (NCAA) Division III teams flourished under Robert Lindgren's leadership, earning 37 Old Dominion Athletic Conference championships, six regional NCAA titles, nine NCAA Division III quarterfinal wins, four NCAA Division III semifinal wins, and a national championship during his tenure; Robert Lindgren is a devoted fan who attended dozens of games and matches of all sports each year; and

WHEREAS, prior to joining RMC, Robert Lindgren made a significant impact on other institutions of higher education, serving as vice president for development and alumni relations at both the Johns Hopkins Institutions and the University of Florida; and

WHEREAS, Robert Lindgren served on local, state, and national boards for professional organizations, including the Council of Independent Colleges, the NCAA Division III Presidents Council, the CASE Board of Directors, the Governor's Higher Education Commission (2010-12), the Richmond Forum, and ChamberRVA; and

WHEREAS, Robert Lindgren earned both a bachelor's degree in business administration and a juris doctor degree from the University of Florida, as well as a master of philosophy in management studies from Oxford University; he was awarded an honorary doctorate from the University of Florida in 2012; and

WHEREAS, Robert Lindgren and his wife, Cheryl, are fixtures in the Town of Ashland, which they have embraced over their 19 years in residence; they are parents to three grown children and have two grandchildren, who are all part of the Yellow Jacket community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Robert R. Lindgren, president of Randolph-Macon College, on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Robert R. Lindgren as an expression of the General Assembly's admiration for his contributions to higher education in the Commonwealth.

HOUSE JOINT RESOLUTION NO. 611

Commending the City of Roanoke Municipal Volunteer Program.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, for 20 years, the City of Roanoke Municipal Volunteer Program has provided citizens with ample opportunities to support worthy causes that contribute to the vibrancy and well-being of their community; and

WHEREAS, the Roanoke Municipal Volunteer Program enables citizens to foster the arts and culture of Roanoke by facilitating their ability to volunteer with local programs such as the Roanoke Arts Commission and public libraries in the area; and

WHEREAS, the Roanoke Municipal Volunteer Program spearheads beautification efforts in Roanoke by recruiting volunteers to assist the Adopt-a-Park Program, the Adopt-a-Street Program, trail work, the Greenway Ambassadors program, and the Clean Valley Council; and

WHEREAS, the Roanoke Municipal Volunteer Program promotes responsible environmental stewardship by enlisting volunteers for the Roanoke Parks and Recreation Urban Forestry division's tree steward training and the Clean Valley Council's Roanoke Citizen Science Water Monitoring Program; and

WHEREAS, volunteering with the Roanoke Municipal Volunteer Program enriches participants' lives by enabling them to make a difference in their community while learning more about the city they call home; and

WHEREAS, the accomplishments of the Roanoke Municipal Volunteer Program are the result of the generosity and selflessness of its volunteers, who have helped to make Roanoke a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the City of Roanoke Municipal Volunteer Program on the occasion of its 20th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of the City of Roanoke Municipal Volunteer Program as an expression of the General Assembly's admiration for the program's contributions to Roanoke and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 612

Celebrating the life of Lloyd W. Enoch.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Lloyd W. Enoch, an honorable veteran, esteemed educator, dedicated philanthropist, and beloved member of the Roanoke City community, died on June 1, 2024; and

WHEREAS, born and raised in West Virginia, Lloyd Enoch earned a bachelor's degree from Fairmont State College and a master's degree from Virginia Polytechnic Institute and State University before serving his country with honor and distinction as a cryptographer with the United States Army in Japan; and

WHEREAS, following his service, Lloyd Enoch devoted more than 40 years to the growth and development of young people as an educator with Roanoke City Public Schools; and

WHEREAS, in his role as director of career and technical education, Lloyd Enoch helped countless students prepare themselves for meaningful and productive careers and success beyond the classroom; and

WHEREAS, as a testament to his lasting impact, the Lloyd Enoch Social Gathering Area and Courtyard at the Charles W. Day Technical Education Center in Roanoke was named in his honor in 2024; and

WHEREAS, Lloyd Enoch gave abundantly of his time for the benefit of others as a longtime member of the Kiwanis Club of Roanoke, where he served as president and secretary-treasurer in addition to two terms as lieutenant governor of Division 15; and

WHEREAS, in recognition of his efforts and generosity, Lloyd Enoch was presented a Kiwanis International George F. Hixson Fellowship Award, one of the foundation's highest honors; and

WHEREAS, Lloyd Enoch will be fondly remembered and dearly missed by his loving wife, Rita; his son, Lloyd Jr., and his son by marriage, Jason, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Lloyd W. Enoch, a treasured member of the Roanoke community whose dedication and service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Lloyd W. Enoch as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 613

Commending LaKisha Kyle.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, LaKisha Kyle, an esteemed educator who teaches business and principles of marketing, digital applications, and computer information systems at Forest Park Academy in Roanoke, was named the Roanoke City Public Schools' Teacher of the Year in 2025; and

WHEREAS, after serving as a long-term substitute teacher for multiple years, LaKisha Kyle discovered her gift and passion for teaching and joined Roanoke City Public Schools; and

WHEREAS, LaKisha Kyle applies modified, inclusive teaching methods to engage her students, inspire in them a love for learning, and ensure their academic, social, and emotional well-being; and

WHEREAS, LaKisha Kyle consistently emphasizes workplace readiness to foster a learning environment that supports the development of her students' critical thinking and interpersonal skills; and

WHEREAS, the foundation to LaKisha Kyle's success as an educator is her ability to motivate her students and empower them to reach their full potential; and

WHEREAS, LaKisha Kyle was selected for the Roanoke City Public Schools' prestigious honor by a committee that included school system employees, retirees, and last year's Teacher of the Year honoree; and

WHEREAS, by demonstrating an unwavering commitment to her student's success and working tirelessly for their benefit, LaKisha Kyle has embodied the highest ideals of the teaching profession and is deserving of the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend LaKisha Kyle for being named Roanoke City Public Schools' Teacher of the Year in 2025; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to LaKisha Kyle as an expression of the General Assembly's high regard for her legacy of service as an educator to the Commonwealth's young people.

HOUSE JOINT RESOLUTION NO. 614

Celebrating the life of Sterling Compton Broyles II.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, Sterling Compton Broyles II, a retired educator who mentored and inspired countless young people in Roanoke, died on March 21, 2024; and

WHEREAS, Sterling Broyles worked for Roanoke City Public Schools for 35 years, most notably as a teacher at Monterey Elementary School, where he was affectionately known as "Mr. B"; and

WHEREAS, after his well-earned retirement, Sterling Broyles continued to serve local students and their families as a volunteer; and

WHEREAS, Sterling Broyles was a beloved husband, father, and grandfather, who will be fondly remembered and greatly missed by numerous family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Sterling Compton Broyles II; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Sterling Compton Broyles II as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 615

Celebrating the life of William H. Brown, Sr.

Agreed to by the House of Delegates, February 10, 2025
Agreed to by the Senate, February 13, 2025

WHEREAS, William H. Brown, Sr., an honorable veteran, esteemed law-enforcement officer, and dedicated public servant who made history as the Blacksburg Police Department's first Black police officer and police chief, died on January 24, 2025; and

WHEREAS, born in West Virginia and raised in Southwest Virginia, William "Bill" H. Brown, Sr., graduated from the historic Christiansburg Institute in 1966 before serving his country with honor and distinction for two years in Vietnam as a member of the 9th Infantry Division of the United States Army, during which time he obtained the rank of sergeant; and

WHEREAS, Bill Brown joined the Blacksburg Police Department in 1970, broke barriers as the first Black police officer to serve in the New River Valley, and quickly rose through the ranks; and

WHEREAS, Bill Brown earned a bachelor's degree in human resources management from Bluefield College, attended the FBI National Academy at Quantico, and was subsequently appointed chief of the Blacksburg Police Department in 1994, a position he held until his retirement from the force in 2006; and

WHEREAS, over his tenure as chief of the Blacksburg Police Department, Bill Brown was instrumental in modernizing the department and enhancing its ability to both protect and serve the community; and

WHEREAS, Bill Brown advanced the law-enforcement profession through leadership positions with a number of organizations, boards, and commissions, including the Virginia Association of Chiefs of Police, the Blue Ridge Association of Chiefs of Police, and the governing council of the Cardinal Criminal Justice Academy in Salem; and

WHEREAS, Bill Brown made history again in 2008 when he became the first Black person elected to serve on the Montgomery County Board of Supervisors; and

WHEREAS, over two terms on the Montgomery County Board of Supervisors, including time as chair, Bill Brown was indefatigable in his efforts to promote the health, prosperity, and well-being of the locality and its residents; and

WHEREAS, as a testament to his impact on the Montgomery County community, Bill Brown was presented various prestigious awards over the years by several notable organizations, such as the American Legion Post 182 and the Rotary Club of Christiansburg-Blacksburg; and

WHEREAS, in recognition of Bill Brown's accomplishments as a leader of and mentor to his fellow officers, the Blacksburg Police Department named its new police station the William H. Brown Building in his honor in 2022; and

WHEREAS, Bill Brown will be fondly remembered and dearly missed by his loving wife of 55 years, Rebecca; his children, Patricia, William, Jr., Michael, and Timothy, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of William H. Brown, Sr., a beloved member of the Montgomery County community whose positivity, integrity, and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of William H. Brown, Sr., as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 616

Commending Colonel Gary T. Settle.

Agreed to by the House of Delegates, February 11, 2025
Agreed to by the Senate, February 12, 2025

WHEREAS, in 2025, Colonel Gary T. Settle retires as the superintendent of the Virginia State Police after seven years of service in that capacity and more than 40 years of service as a law-enforcement officer; and

WHEREAS, a native of Rappahannock County, Gary Settle graduated from the Virginia State Police Academy as the class president of the 78th Basic Session; he was initially assigned to the Culpeper Division as a patrol trooper in Frederick County and Clarke County; and

WHEREAS, Gary Settle continued to rise through the ranks of the Virginia State Police and also served as the sheriff of Rappahannock County from 1996 to 2000; he was selected as the deputy director of the Virginia State Police's Bureau of Criminal Investigation in 2015, then became director in 2017; and

WHEREAS, Gary Settle was appointed as the superintendent of the Virginia State Police by Governor Ralph Northam in 2018 and reappointed to the position by Governor Glenn Youngkin in 2022; and

WHEREAS, as the head of the Virginia State Police, Gary Settle oversaw all aspects of the Commonwealth's top law-enforcement agency, from public relations, professional standards, background checks, and administrative duties to uniformed patrol, executive protection, criminal investigations, counter-terrorism, and other field operations; and

WHEREAS, during his tenure as superintendent of the Virginia State Police, Gary Settle worked closely with thousands of sworn officers and civilian staff members across the Commonwealth to address a wide range of public safety issues, including natural disasters, protests, and high-profile cases; and

WHEREAS, Gary Settle served the Commonwealth with the utmost integrity and distinction, and his exceptional leadership, dedication to community engagement, and unwavering commitment to public service have left the Virginia State Police well-poised to meet the challenges of the future after his retirement; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Colonel Gary T. Settle on the occasion of his retirement as superintendent of the Virginia State Police; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Colonel Gary T. Settle as an expression of the General Assembly's admiration for his achievements in service to the residents of the Commonwealth as an esteemed law-enforcement officer.

HOUSE JOINT RESOLUTION NO. 617

Commending Boxes of Basics.

Agreed to by the House of Delegates, February 17, 2025

Agreed to by the Senate, February 19, 2025

WHEREAS, Boxes of Basics, a nonprofit organization based in Prince William County, helps children in need feel comfortable and confident by providing quality, stylish seasonal clothing and other items; and

WHEREAS, Boxes of Basics traces its roots to when Sarah Tyndall put together a box of necessities for a friend experiencing a difficult time; she was inspired to expand the project and worked with friends and neighbors to support other families in need; and

WHEREAS, Boxes of Basics has grown to support more than 1,000 recipients each year, with generous volunteers packing boxes of seasonal outfits, books, and other helpful items at the organization's warehouse and a team of 75 drivers who deliver the boxes to local pick-up points; and

WHEREAS, Boxes of Basics coordinates with school counselors, faith leaders, social workers, and other community organizations to identify and support families in need who may not otherwise qualify for assistance services; and

WHEREAS, in 2024, Boxes of Basics received a Safety Net Fund grant of $15,000, which will allow the organization to further alleviate clothing insecurity in the region by providing outfits to more than 1,500 children from low-income households; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Boxes of Basics for its work to serve and empower young people and their families in Prince William County, Manassas, and Manassas Park; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Sarah Tyndall, founder and executive director, and Sally Crockett, program manager, of Boxes of Basics as an expression of the General Assembly's admiration for the organization's legacy of compassionate service to the community.

HOUSE JOINT RESOLUTION NO. 618

Commending the Culture Cup.

Agreed to by the House of Delegates, February 17, 2025

Agreed to by the Senate, February 19, 2025

WHEREAS, the Culture Cup, a coffee shop in Gainesville, fosters a more unified society by honoring and celebrating African American art, history, and culture; and

WHEREAS, the Culture Cup was established by Nikki Brown, who discovered the rich history and heritage of African American communities in Northern Virginia while serving as a community outreach worker for Fairfax County; and

WHEREAS, beginning in 2018, Nikki Brown envisioned a welcoming space that would preserve the stories of African American families and neighborhoods in Prince William County and throughout the region; and

WHEREAS, in addition to serving delicious coffee drinks, sandwiches, and pastries, Nikki Brown has made the Culture Cup a focal point of local life, demonstrating the utmost commitment to community enrichment and cultural preservation; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Culture Cup for its service to Gainesville residents as both a coffee shop and community gathering place that promotes unity and diversity; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Nikki Brown, founder of the Culture Cup, as an expression of the General Assembly's admiration for its mission to uplift and inspire members of the community through cultural exchange.

HOUSE JOINT RESOLUTION NO. 619

Commending Dianne Piotrowski.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Dianne Piotrowski, an esteemed civil servant and customer service representative with the City of Colonial Heights who has admirably served the locality and its citizens for more than 50 years, retired on February 1, 2025; and

WHEREAS, Dianne Piotrowski started working with the City of Colonial Heights on June 1, 1974, as a secretary in the engineering department, then was briefly the water office manager before serving in various roles in the finance department between 1977 and 1989; and

WHEREAS, Dianne Piotrowski has been the City of Colonial Heights' customer service representative since 1989 and also serves as its utility billing supervisor, working closely with citizens and customers to ensure the proper and efficient delivery of the city's services; and

WHEREAS, with exceptional interpersonal skills and unflagging positivity, Dianne Piotrowski has excelled in her role as the city's first contact for its citizens and customers, helping many navigate the city's services to acquire the support that they need; and

WHEREAS, Dianne Piotrowski holds a wealth of knowledge and expertise relating to the City of Colonial Heights from her half-century of service and is a reliable and highly sought source of information for residents and her fellow coworkers alike; and

WHEREAS, Dianne Piotrowski unfailingly goes beyond the call of duty to assist and support the citizens who rely on her for help and has been instrumental to the City of Colonial Heights' administrative transitions over the years, helping the locality grow and thrive with minimal inconveniences or difficulties; and

WHEREAS, Dianne Piotrowski's service with the City of Colonial Heights is a family endeavor, as her husband, Paul Piotrowski, was a longtime law-enforcement officer in the locality and her son John Piotrowski serves on the Colonial Heights City Council; and

WHEREAS, through her hard work, dedication, and unwavering commitment to the well-being of the citizens she serves, Dianne Piotrowski has exemplified the highest ideals of civil service and is deserving of the praise and respect of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Dianne Piotrowski for her extraordinary legacy of service with the City of Colonial Heights; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dianne Piotrowski as an expression of the General Assembly's high regard for her contributions to Colonial Heights and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 620

Commending NORTH of the JAMES magazine.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, for 30 years, *NORTH of the JAMES* magazine has provided exceptional community-focused journalism to the residents of Northside Richmond and readers throughout the Greater Richmond area; and

WHEREAS, originally known as *Northside*, *NORTH of the JAMES* was established in 1994 by Charles McGuigan, who had recently moved to the Bellevue neighborhood and sought to build a stronger sense of community in the area by creating a local interest magazine; and

WHEREAS, from its humble beginnings in a garage in the neighborhood of Bellevue, *NORTH of the JAMES* has grown to produce more than 300 issues representing more than two million words, countless articles, and more than 1,000 interviews with leading Virginians; and

WHEREAS, *NORTH of the JAMES* has provided engaging articles on the people, places, and stories of the Richmond area, highlighting local artists, businesses, and community leaders, as well as informative pieces on state and national issues; and

WHEREAS, as a member of the Virginia Press Association, *NORTH of the JAMES* adheres to the highest standards of journalistic integrity while also providing an alternative to larger corporate media sources; and

WHEREAS, *NORTH of the JAMES* has won numerous awards from the Virginia Press Association for its writing, photography, and design; and

WHEREAS, *NORTH of the JAMES* will celebrate its 30th anniversary with a special commemorative issue featuring 30 standout stories from across the magazine's history; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend *NORTH of the JAMES* magazine on the occasion of its 30th anniversary of service to the Richmond community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Charles McGuigan, founder of *NORTH of the JAMES* magazine, as an expression of the General Assembly's admiration for the publication's legacy of journalistic achievements.

HOUSE JOINT RESOLUTION NO. 621

Celebrating the life of Arthur Laxton Eller.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Arthur Laxton Eller, an international leader in livestock agriculture who was well known for his work on the development of beef cattle, died on October 21, 2024; and

WHEREAS, born to the late Arthur Laxton Eller, Sr., and Evelyn Britton Eller, Arthur "Ike" Laxton Eller grew up in Chilhowie and was part of a large, loving family that included his siblings, June and Edward, along with several aunts and uncles and 42 first cousins; and

WHEREAS, after receiving a bachelor's degree from Virginia Polytechnic Institute and State University (Virginia Tech), Ike Eller worked for Virginia Cooperative Extension as an assistant county agent in Tazewell County, then as a county agent in Russell County; and

WHEREAS, Ike Eller also served in the military as both a reservist and on active duty, then returned to Virginia Tech, where he earned a master's degree in animal breeding and genetics; he completed his education with a doctorate in animal breeding and genetics from the University of Tennessee, Knoxville; and

WHEREAS, over the course of his distinguished, 45-year career, Ike Eller advanced the field of livestock agriculture throughout the Commonwealth, the United States, and the world; and

WHEREAS, Ike Eller served as an extension animal scientist and project leader at Virginia Tech for many years and guided the development of innovative beef cattle performance programs in the United States, South America, Europe, and Africa; and

WHEREAS, among many awards and accolades for his professional achievements, Ike Eller received the National Extension Award from the American Society of Animal Science and the Man of the Year in Service to Virginia Agriculture Award from *Progressive Farmer* magazine; and

WHEREAS, Ike Eller was a leader in the Blacksburg community who offered his wisdom and expertise to the local Rotary Club, and he enjoyed fellowship and worship with the congregation of the Church on Main, where he served as a deacon and Sunday school director; and

WHEREAS, Ike Eller will be fondly remembered and greatly missed by his wife, Carolyn; his children, Amy, Evelyn, John, and Karen, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Arthur Laxton Eller, a leader in livestock agriculture and a respected member of the Blacksburg community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Arthur Laxton Eller as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 622

Commending the South Hill Longbeards Chapter of the National Wild Turkey Federation.

Agreed to by the House of Delegates, February 20, 2025
Agreed to by the Senate, February 22, 2025

WHEREAS, the South Hill Longbeards Chapter of the National Wild Turkey Federation, which is celebrating its 25th anniversary in 2025, has not only supported wildlife conservation programs and protected the Commonwealth's natural resources, but has gone above and beyond to help people in need through generous volunteer outreach; and

WHEREAS, the National Wild Turkey Federation, an international nonprofit organization with members in 17 countries, was formed in 1973 by Fredericksburg native Tom Rodgers, and the South Hill Longbeards Chapter of the organization was established by Robert "Whimpy" Wells and nine other founding members in December 2000; and

WHEREAS, over the course of its history, the South Hill Longbeards Chapter has benefited from the leadership of three presidents, Whimpy Wells from 2000 to 2007, John H. Washburn from 2008 to 2020, and Nicholas A. Brown from 2021 to the present; and

WHEREAS, the South Hill Longbeards Chapter has supported many state and national conservation initiatives and hosted its first youth outreach event in 2024; and

WHEREAS, the South Hill Longbeards Chapter has earned numerous awards and accolades, including a Most Improved Chapter award and several Golden Gobbler awards for outstanding achievements in fundraising; and

WHEREAS, in late September 2024, after Hurricane Helene made landfall as a category 4 hurricane, the members of the South Hill Longbeards Chapter were inspired to gather supplies for communities adversely affected by the storm; and

WHEREAS, the South Hill Longbeards Chapter planned to fill one trailer with various supplies, but quickly exceeded their goal and coordinated with the local Antler Lodge in South Hill to provide storage for the overflow of donations from chapter members and the wider community; and

WHEREAS, the South Hill Longbeards Chapter established a relationship with the Reverend Greg Withrow, pastor of Temple Baptist Church in Marion, North Carolina, to arrange for delivery of the donations; and

WHEREAS, on October 5, 2024, the South Hill Longbeards Chapter received a call requesting an immediate delivery of hay for animals and medical supplies, and by the following morning, more than 90 bales of hay, a pallet of water, and medical supplies were en route to Marion; and

WHEREAS, on October 10, the members of the South Hill Longbeards Chapter set out with four additional trailers of supplies and made deliveries to Temple Baptist Church, the North Carolina Department of Agriculture and Consumer Services, and the Marion Moose Lodge; and

WHEREAS, with donations still pouring in at home, the South Hill Longbeards Chapter arranged a delivery of baby items, medical supplies, water, food, and clothing to affected communities in Orlando, Florida, as well as a third trip to North Carolina, which included a donation of heaters and cold weather gear; and

WHEREAS, as the holidays approached, the South Hill Longbeards Chapter prepared and delivered 200 boxes of family-sized meals to Asheville, North Carolina, on the night before Thanksgiving, followed by 209 pre-filled stockings for children and Christmas gifts for 11 adopted families in Southside Virginia; and

WHEREAS, in the aftermath of Hurricane Helene, the South Hill Longbeards Chapter provided an estimated $400,000 of supplies to families in need; and

WHEREAS, the South Hill Longbeards Chapter achieved this compassionate mission of mercy with support from an army of volunteers who generously donated their time and efforts to coordinate, prepare, package, sort, and haul vital supplies; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the South Hill Longbeards Chapter of the National Wild Turkey Federation on the occasion of its 25th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the South Hill Longbeards Chapter of the National Wild Turkey Federation as an expression of the General Assembly's admiration for the organization's exceptional dedication to both conservation and community service.

HOUSE JOINT RESOLUTION NO. 623

Commending Drakes Branch Volunteer Fire Department.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, for more than 75 years, Drakes Branch Volunteer Fire Department has safeguarded the lives and property of the residents of Drakes Branch in Charlotte County; and

WHEREAS, Drakes Branch Volunteer Fire Department was established in 1949 by local residents seeking to provide better fire service for their fellow members of the rural community; and

WHEREAS, Drakes Branch Volunteer Fire Department's first fire truck was a modified construction vehicle that had been donated by the contractors who built the Pacific Mills factory in Drakes Branch; and

WHEREAS, members of the Drakes Branch Volunteer Fire Department donated land for the first fire station, which was completed in 1950; the original station was designed primarily to house the fire truck, and the department worked with the local government officials to create an addition that also included space for town offices; and

WHEREAS, after Tropical Storm Michael in 2018, the Drakes Branch Volunteer Fire Department station was severely damaged by flooding; several members stored fire apparatuses at their homes while others donated new land to rebuild; and

WHEREAS, the Drakes Branch Volunteer Fire Department further cemented its close relationship with the town by working together to construct another building to serve as both a fire station and town offices; and

WHEREAS, the Drakes Branch Volunteer Fire Department currently serves the community with 32 regular members, 11 lifetime members, 10 associate members, and two junior members; and

WHEREAS, the Drakes Branch Volunteer Fire Department works diligently to pursue grants and other sources of funding to ensure that its members have access to top-of-the-line equipment and the best possible training, including advanced life support training and other emergency medical procedures; and

WHEREAS, the Drakes Branch Volunteer Fire Department has responded to countless fires, vehicle crashes, medical emergencies, natural disasters, and other crisis situations, touching the lives of generations of Charlotte County residents; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Drakes Branch Volunteer Fire Department on the occasion of its 75th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Drakes Branch Volunteer Fire Department as an expression of the General Assembly's admiration for its long history of service to the Charlotte County community.

HOUSE JOINT RESOLUTION NO. 624

Celebrating the life of the Honorable Robert G. Woodson, Jr.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, the Honorable Robert G. Woodson, Jr., a retired judge of the 10th Judicial District of Virginia, died in 2025; and

WHEREAS, Robert Woodson earned a bachelor's degree from Virginia Commonwealth University in 1972 and a law degree from the University of Richmond in 1975; and

WHEREAS, Robert Woodson was admitted to practice law in the Commonwealth in 1976 and initially worked as an attorney in private practice in Cumberland County; and

WHEREAS, Robert Woodson served as the Commonwealth's Attorney for Cumberland County before he was appointed as a general district court judge in the 10th Judicial District of Virginia in 1995; and

WHEREAS, Robert Woodson presided over the court with great fairness and wisdom until his retirement in 2019 at the age of 70; and

WHEREAS, Robert Woodson served Cumberland County and the Commonwealth with the utmost integrity, dedication, and distinction; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of the Honorable Robert G. Woodson, Jr., an esteemed jurist in Southside Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Honorable Robert G. Woodson, Jr., as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 625

Commending the Honorable G. Glenn Oder.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, the Honorable G. Glenn Oder, former member of the Virgina House of Delegates, was hired as the executive director of the Fort Monroe Authority, a regional board overseeing the preservation, conservation, protection, and maintenance of the Commonwealth's real property interests at Fort Monroe and the renewal of Fort Monroe as a vibrant and thriving community, effective as of September 1, 2011; and

WHEREAS, immediately upon his arrival at the Fort Monroe Authority (FMA), Glenn Oder took leadership of the master land planning project, led the review process that resulted in the selection of Sasaki and Associates as the master land plan contractor, and actively led the master planning process, including numerous public meetings and presentations, until the land use master plan was approved by the board at its meeting on October 24, 2013, and approved by Governor Robert McDonnell on December 11, 2013; and

WHEREAS, upon the deactivation of the United States Army installation at Fort Monroe, Glenn Oder represented the interests of the Commonwealth in negotiating with the United States Army for the Quit Claim Deed transferring approximately 312.75 acres for revisionary land at Fort Monroe to the Commonwealth, which was signed by Governor McDonnell on June 4, 2013; and

WHEREAS, in support of the Presidential Proclamation by President Barack Obama on November 1, 2011, creating the Fort Monroe National Monument (FMNM) and acting in accordance with Governor McDonnell's commitment of donated lands in support of the FMNM, Glenn Oder led the negotiations with the National Park Service that resulted in Governor Terence McAuliffe signing two Quit Claim Deeds on August 25, 2015, to transfer approximately 121.1 acres to the United States Department of the Interior, and subsequently led the negotiations for the historic preservation access easement over approximately 92.8 acres of additional Commonwealth land, which was finalized on October 25, 2016; and

WHEREAS, Glenn Oder championed Fort Monroe's role in the planning and execution of the 400-year commemoration of the first landing of enslaved Africans at Point Comfort in 1619, including designating the legacy project for the 400-year commemoration of the first landing; and

WHEREAS, after Governor Ralph Northam directed the FMA to construct a memorial to commemorate the first landing of Africans in Virginia in 1619, Glenn Oder led the effort to identify qualified artists to submit statements of interests and subsequent conceptual plans for the designation of the memorial that resulted in Brian Owens being selected to produce three bronze sculptures for the memorial; and

WHEREAS, Glenn Oder has devoted significant time in assisting the development of the conceptual artwork and site improvements that will be constructed and installed as part of the memorial, including participating in a week-long listening tour across the Commonwealth that greatly influenced the final design proposal for the artwork and site improvements; and

WHEREAS, working with the City of Hampton, Glenn Oder continued to cultivate relationships with the Republic of Angola, which culminated in a large delegation of Angolans attending the August 2024 African Landing Day Commemoration at Fort Monroe, including the Ambassador of the Republic of Angola to the United States and the Angolan Minister of Culture, which in turn further cemented Fort Monroe and the City of Hampton's relationships with representatives of Angola, deepening cultural and historic connections to the nation of origin of the first enslaved Africans who brought with them culture, traditions, and knowledge that enabled the Virginia colony to survive and prosper; and

WHEREAS, throughout his tenure at Fort Monroe, Glenn Oder worked tirelessly to promote the untold or unknown stories of the site, including those of indigenous peoples who were present from time immemorial, the Kikotan tribe and others of the Powhatan paramount chiefdom, the arrival of English colonists in 1607, the construction of Fort Algernourne in 1609 and Fort George in the 1730s, the building of the largest masonry fort in the country in 1819, and the establishment of the Artillery School of Practice in 1824 that ushered in the use of the site by the United States Army for 188 years, the arrival of thousands of self-emancipating formally enslaved people following the contraband decision of 1861, and the continuous use of "Freedom's Fortress" by the United States; and

WHEREAS, during his time with the FMA, Glenn Oder cultivated and nurtured relationships with community stakeholders, including Project 1619, the Contraband Historical Society, the William Tucker 1624 Society, and the Citizens for a Fort Monroe National Park; and

WHEREAS, these are only a few of the many notable achievements and accomplishments that resulted from Glenn Oder's 13 years of service to the FMA; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Honorable G. Glenn Oder for his earnest, diligent, and passionate pursuit of the Fort Monroe Authority's mission to preserve the property and tell the authentic stories of Point Comfort, Old Point Comfort, and Fort Monroe from the last millennia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Honorable G. Glenn Oder as an expression of the General Assembly's appreciation and gratitude for his career of outstanding service to the Commonwealth, the Fort Monroe Authority, and the Hampton Roads community.

HOUSE JOINT RESOLUTION NO. 626

Celebrating the life of Benjamin Pollard Alsop Warthen.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Benjamin Pollard Alsop Warthen, an honorable veteran, esteemed attorney, and beloved member of the Richmond community, died on July 3, 2024; and

WHEREAS, Benjamin "Ben" Pollard Alsop Warthen graduated from Christchurch School, the University of Virginia, the London School of Economics, and the University of Virginia School of Law, and he was a proud and active member of the Phi Kappa Psi fraternity; and

WHEREAS, Ben Warthen served his country with honor and distinction as a member of the United States Army and began his professional career at the Morgan Guaranty Trust Company in New York City; and

WHEREAS, Ben Warthen returned to the Commonwealth to establish a private law practice and devoted himself to the prosperity and well-being of his clients; he was honored in June 2024 by the Virginia State Bar for achieving 50 years in the practice of law; and

WHEREAS, after serving as city councilman for the Third District in Richmond from 1992 to 1994, Ben Warthen embarked upon a new and meaningful venture as the founder, operator, and publisher of *Richmond State News*; and

WHEREAS, Ben Warthen supported the growth and development of the University of Virginia as a member of its board of visitors from 1998 to 2002, and he continued to act as a mentor to students of the university for years thereafter; and

WHEREAS, Ben Warthen gave generously of his time and talents for the benefit of his community, sitting on the board of the Poe Museum in Richmond and holding memberships with various distinguished social organizations; and

WHEREAS, beyond his career and community service, Ben Warthen found immense joy in maintaining his impressive collection of classic and antique cars as well as his mountain property in Albemarle County; and

WHEREAS, Ben Warthen will be fondly remembered and dearly missed by his loving wife of 45 years, Terry; his son, Thomas; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Benjamin Pollard Alsop Warthen, a revered member of the Richmond community whose kindness and generosity made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Benjamin Pollard Alsop Warthen as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 627

Celebrating the life of Robert Arthur Young, Ph.D.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Robert Arthur Young, Ph.D., an accomplished real estate developer and community activist who left a meaningful imprint on the City of Falls Church over the past 25 years, died on November 18, 2024; and

WHEREAS, born in La Jolla, California, Robert "Bob" Arthur Young, Ph.D., earned a bachelor's degree in economics from the University of Pennsylvania in 1964 before completing both a master's degree and doctoral degree in international relations at the University of Southern California in 1966 and 1970, respectively; and

WHEREAS, Bob Young dedicated several years of his career to the United States Department of Defense, receiving an appointment to serve as special assistant within the Defense Advanced Research Projects Agency in 1975, followed by the Secretary of Defense Meritorious Civilian Service Award in 1977; and

WHEREAS, in 1978, Bob Young established his real estate firm, The Young Group, which has spearheaded many iconic and notable mixed-use, commercial, and residential developments throughout McLean and Falls Church over the past half-century; and

WHEREAS, Bob Young garnered various accolades over his career for his accomplishments as a developer, including the Urban Land Institute's 2019 Excellence in Residential Development award, the Virginia Chapter of the American Planning Association's 2020 Red Clay Award for Development of the Year, and the Falls Church Chamber of Commerce's Pillar of the Community award; and

WHEREAS, Bob Young's commitment to the growth and prosperity of Falls Church led him to pursue many endeavors that would benefit others, including founding the Falls Church Education Foundation and serving as chair of the Falls Church Economic Development Authority; and

WHEREAS, Bob Young was deeply committed to preserving and enhancing affordable housing in Falls Church, advancing this endeavor through his work with the Falls Church Housing Corporation and other local initiatives; and

WHEREAS, Bob Young was an actively involved member of the community at The Potomac School in McLean, which his children attended and where he served as chair of the board; and

WHEREAS, preceded in death by his wife, Nancy, Bob Young will be fondly remembered and dearly missed by his children, Peter and Courtney, and their families; his brothers, Bill and Dennis; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Robert Arthur Young, Ph.D., a visionary developer whose generosity and hard work left a profound and lasting impact on the Falls Church community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Robert Arthur Young, Ph.D., as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 628

Commending Children's Home Society of Virginia.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Children's Home Society of Virginia celebrates 125 years of serving the children of the Commonwealth in 2025; and

WHEREAS, Children's Home Society of Virginia is a private, nonprofit, nonsectarian, full-service, licensed child placing agency that serves the entire Commonwealth and whose mission is to create strong, permanent families and lifelong relationships for Virginia's children and youth; and

WHEREAS, Children's Home Society of Virginia began in 1899 when a group of concerned citizens, deeply troubled by the care offered in orphanages, banded together to help abandoned and neglected children; and

WHEREAS, the General Assembly chartered Children's Home Society of Virginia on January 30, 1900, with John Garland Pollard, who became the governor of the Commonwealth in 1930, as a founding member of the organization's board of directors; and

WHEREAS, since 1900, the staff of Children's Home Society of Virginia has worked diligently to serve more than 17,000 children, youth, and families; and

WHEREAS, in 1998, Children's Home Society of Virginia began partnering with local departments of social service agencies to help facilitate the placement of hundreds of children and youth from the foster care system into adoptive homes; and

WHEREAS, in 2007, Children's Home Society of Virginia began serving as a Wendy's Wonderful Kids site, a program of the Dave Thomas Foundation for Adoption, to recruit adoptive parents for children who have waited extended periods in foster care to be placed into adoptive families; and

WHEREAS, Children's Home Society of Virginia not only finds permanent homes for children of all ages, but also offers a lifetime of post-adoption support to the Commonwealth's adoptive families and adoptees, including parent coaching, family support and engagement activities, respite care, and family search and reunion services; and

WHEREAS, in 2016, Children's Home Society of Virginia began partnering with the Better Housing Coalition to create My Path Forward, a signature program that provides housing and a myriad of best practice supports that equip youth who are transitioning from foster care with the skills and resources they need to become independent, productive members of society; and

WHEREAS, in 2024, Children's Home Society of Virginia began providing Family Check-Up, an evidence-based program approved by the Title IV-E Prevention Services Clearinghouse, to provide prevention services to adoptive families who are at risk of disruption; and

WHEREAS, Children's Home Society of Virginia is a permanency-driven organization that embraces the values of top-quality service delivery, working with integrity, maximizing collaborations, demonstrating compassion, and embracing equity and inclusion in all that it does to promote permanency for children and youth; and

WHEREAS, for 125 years, Children's Home Society of Virginia has worked to provide children, from newborns to children with special needs, to older youth who have aged out of foster care, with the healthy, supportive, and permanent adult relationships they need to thrive; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Children's Home Society of Virginia on the occasion of its 125th anniversary; and be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the board of directors of Children's Home Society of Virginia as an expression of the General Assembly's respect, admiration, and gratitude for the organization's work to create permanency for the Commonwealth's children and youth.

HOUSE JOINT RESOLUTION NO. 629

Commending Patricia Healy.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Patricia Healy, an esteemed community leader, has made a profound and lasting impact on Stafford County Public Schools over her 25 years of service on the Stafford County School Board; and

WHEREAS, Patricia Healy joined the Stafford County School Board on January 1, 2000, and is the longest-serving elected member in the school board's history; over her tenure, she has led the board as chair for seven years and as vice chair for one year; and

WHEREAS, for the past quarter-century, Patricia Healy has been an unwavering champion for Stafford County's students, families, and teachers, working indefatigably to foster their success and well-being; and

WHEREAS, Patricia Healy has worked productively with more than 30 fellow board members over her tenure on the Stafford County School Board, employing grace and diplomacy to achieve meaningful solutions to every challenge the board has faced; and

WHEREAS, Patricia Healy has overseen the opening of a third of Stafford County's schools over the past 25 years, as well as the renovation of several others, which have enhanced the county's ability to meet the needs of its students; and

WHEREAS, through her tireless advocacy and unflagging commitment to the students and families she serves, Patricia Healy has helped to make Stafford County a wonderful place to live, work, and learn; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Patricia Healy on the occasion of her 25th anniversary of service on the Stafford County School Board; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Patricia Healy as an expression of the General Assembly's admiration for her contributions to Stafford County and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 630

Celebrating the life of Bonnie Sue Neighbour.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Bonnie Sue Neighbour, a former educator and talented musician who touched many lives in the Richmond region through her compassion and determined advocacy, died on November 18, 2024; and

WHEREAS, Bonnie Neighbour spent her youth between Illinois and New Jersey, gaining an early appreciation for the adventure of travel; during her high school years, she proudly used her own money to fund a trip to Europe, subsequently visited Iran while attending college, and notched many other destinations in the United States and around the world in her lifetime; and

WHEREAS, after graduating from Iowa State University with a degree in music, Bonnie Neighbour taught band in Nebraska for a time, then ultimately settled in Richmond, where she was an active member of the community for three decades; and

WHEREAS, Bonnie Neighbour attended Richmond's Union Presbyterian Seminary and was a respected leader in various church congregations, most recently at Ginter Park Presbyterian Church, where she participated in many social justice and sustainability programs; and

WHEREAS, Bonnie Neighbour was a passionate advocate for people with disabilities and a champion for expanded mental health services; she combined her own experiences with mental health and her background as an educator to empower others in their personal journeys to recovery and wellness; and

WHEREAS, Bonnie Neighbour maintained her lifelong love of music and sang with the Richmond Allied Voices Treble Chorus for many years; and

WHEREAS, Bonnie Neighbour will be fondly remembered and greatly missed by her wife of nearly 13 years, Mickie; her daughters, Jen and Rebecca, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Bonnie Sue Neighbour, a teacher, musician, and community leader in Richmond; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Bonnie Sue Neighbour as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 631

Celebrating the life of Carolyn Powell Crist.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Carolyn Powell Crist, a beloved wife, mother, grandmother, and friend in Lynchburg, died on November 29, 2024; and

WHEREAS, Carolyn Crist grew up in the Madison Heights community of Amherst County, where she met her first boyfriend and future husband, Mike; and

WHEREAS, after graduating from high school, Carolyn and Mike Crist continued dating while he served the nation as a member of the United States Navy; they subsequently married and settled into their first home on Leesville Road in Madison Heights; and

WHEREAS, over the course of her professional career, Carolyn Crist worked for H.K. Porter, Gould Electronics, and SunTrust Banks, inspiring coworkers through her poise, grace, joyful presence, and skill with numbers; and

WHEREAS, Carolyn Crist's proudest accomplishments were those as a wife, mother, and grandmother, and she relished every opportunity to spend time with her family and impart to them her wisdom and kindness; and

WHEREAS, Carolyn Crist will be fondly remembered and greatly missed by her husband of 53 years, Mike; her sons, Steve and Greg, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Carolyn Powell Crist, a highly admired member of the Lynchburg community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Carolyn Powell Crist as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 632

Commending Marymount University.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Marymount University, an esteemed, nationally ranked institution of higher education in Arlington and the first Catholic college established in the Commonwealth, celebrates its 75th anniversary in 2025; and

WHEREAS, founded as Marymount Junior College in 1950 by the Religious of the Sacred Heart of Mary, Marymount University has grown from a two-year women's college to a coeducational, doctoral degree-granting university with a mission to empower students to reach their full potential through a values-driven education; and

WHEREAS, Marymount University continues to prepare the leaders of tomorrow by fostering its core values of intellectual curiosity, service to others, and a global perspective; and

WHEREAS, Marymount University offers an array of academic programs, including 34 bachelor's degrees, 17 master's degrees, seven doctoral degrees, and numerous certificate and licensure options, serving more than 4,000 students while maintaining a student-to-faculty ratio of 14 to one; and

WHEREAS, as Virginia's first and only Hispanic-Serving Institution, Marymount University is a leader in diversity, with a student population that is 31 percent Hispanic, 16 percent Black, and five percent Asian; students hail from 51 states and territories and 66 countries, reflecting the institution's commitment to fostering an inclusive and welcoming community; and

WHEREAS, Marymount University pairs its liberal arts foundation with hands-on learning opportunities, including internships, clinical placements, student-teaching experiences, and research initiatives, enabling students to gain professional skills and connections that prepare them for career success; and

WHEREAS, Marymount University makes significant contributions to the regional workforce, as 50 percent of Marymount alumni ultimately choose to live and work in the national capital region; and

WHEREAS, Marymount University has expanded its physical footprint to include numerous state-of-the-art facilities, including the Ballston Center and Placemakr Marymount Ballston in Arlington, which support cutting-edge teaching, research, innovation, and student housing; and

WHEREAS, Marymount University's continued emphasis on academic excellence, spiritual development, and dedication to service has helped generations of students discover purpose, achieve success, and become leaders in communities throughout the Commonwealth and beyond; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Marymount University, a distinguished institution of higher education in Arlington, on the occasion of its 75th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Irma Becerra, president of Marymount University, as an expression of the General Assembly's admiration for the university's legacy of excellence and contributions to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 633

Commending the passage of the Older Americans Act.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, the Older Americans Act was signed into law on July 14, 1965, by President Lyndon B. Johnson to address the unique needs of the aging population in the United States, ensuring that older adults have access to necessary services and supports to maintain their independence, health, and dignity; and

WHEREAS, the Older Americans Act (OAA) established a framework for community-based programs and services that support older adults, including nutrition programs, caregiver support, senior centers, transportation, and protective services; and

WHEREAS, the OAA was a pioneering effort to address the social, economic, and health needs of older Americans, marking a significant shift toward a national commitment to the well-being of older adults; and

WHEREAS, over the past decades, the OAA has significantly improved the lives of millions of older adults, expanding access to essential services, promoting the importance of aging with dignity, and encouraging communities to adapt to the changing demographic landscape; and

WHEREAS, the OAA has been reauthorized and strengthened over the years, adapting to meet the evolving needs of an aging population, promoting economic security, access to health care, and social inclusion for older adults; and

WHEREAS, the OAA has fostered collaborations between federal, state, and local governments, as well as nonprofit organizations and community leaders, to ensure that the needs of older Americans continue to be met, while also encouraging the involvement of older adults in their communities; and

WHEREAS, the OAA's programs have not only helped improve the quality of life for older adults but have also made significant contributions to the overall well-being of families, communities, and society as a whole; and

WHEREAS, generations of Virginians have supported policies and initiatives that promote the welfare of older Americans and strengthen the programs and services established by the Older Americans Act; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the passage of the Older Americans Act on the occasion of its 60th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare copies of this resolution for presentation to the Virginia Association of Area Agencies on Aging and the Commonwealth Council on Aging as an expression of the General Assembly's admiration for the accomplishments borne from the Older Americans Act, with the hope that future generations of older adults may benefit from the same opportunities for well-being, security, and community participation.

HOUSE JOINT RESOLUTION NO. 634

Celebrating the life of Matthew Robert Chiaverotti.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Matthew Robert Chiaverotti, an esteemed firefighter with the Virginia Beach Fire Department and beloved member of the Virginia Beach community, died on April 17, 2023, from occupational cancer acquired in the line of duty; and

WHEREAS, after earning a bachelor's degree in resource economics from the University of Maine in 2002, where he served as an on-campus firefighter, Matthew "Chevy" Robert Chiaverotti graduated valedictorian from the Virginia Beach Fire Academy and embarked on a distinguished career with the Virginia Beach Fire Department (VBFD); and

WHEREAS, Chevy Chiaverotti was deeply committed to serving and protecting his community as a firefighter and rose through the ranks over his 20-year career to become captain of Engine 7 of the VBFD, as well as search team manager with the Federal Emergency Management Agency's Virginia Task Force 2; and

WHEREAS, with his passion for service and unwavering selflessness, Chevy Chiaverotti embodied the ideals of the firefighting profession; he especially found great joy in visiting schools and community events as a firefighter and in encouraging young people to consider careers in service to their communities; and

WHEREAS, in recognition of his dedication, Chevy Chiaverotti was honored by the VBFD with the Medal of Honor and the Life Saving Award, each on three different occasions, as well as a Commendation Award, a Meritorious Conduct Award, and four Good Conduct Awards; and

WHEREAS, in April 2012, Chevy Chiaverotti bravely responded to a fire at an apartment complex in Virginia Beach following the crash of an F/A-18 jet; he was exposed to a significant amount of hazardous chemicals during this operation and developed a rare form of thyroid cancer several years later; and

WHEREAS, Chevy Chiaverotti's experience helped inspire advocacy efforts to expand worker's compensation benefits for firefighters to include certain presumptive cancers, ensuring that an untold number of firefighters and their families will receive the protection and support they deserve; and

WHEREAS, Chevy Chiaverotti is fondly remembered and dearly missed by his loving wife of 15 years; his son, Gus; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Matthew Robert Chiaverotti, a revered member of the Virginia Beach Fire Department whose courage and sacrifice made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Matthew Robert Chiaverotti as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 635

Commending Coresix Precision Glass.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Coresix Precision Glass, an industry-leading custom glass and glass wafer manufacturer based in Williamsburg, won first place and the "Best in Show" overall title for their precision glass solutions in the 2024 Virginia Manufacturing Cup; and

WHEREAS, Coresix Precision Glass's achievement highlights its commitment to innovation and world-class glass fabrication for tomorrow's technologies; and

WHEREAS, Coresix Precision Glass is a premier supplier of versatile, reliable glass to an array of markets, with its glass components utilized for aerospace programs, avionics applications, biotechnology, display technologies, glass-based optical devices, and semiconductors; and

WHEREAS, Coresix Precision Glass's glass wafers and products can be found in homes, hospitals, and highways throughout the world and as far away as Mars; and

WHEREAS, the Virginia Manufacturing Cup is an annual competition hosted by the Virginia Manufacturers Association that recognizes hard work and ingenuity within the Virginia manufacturing sector, which has long served as the backbone of the Commonwealth's economy, driving economic growth, capital investment, job creation, and innovation; and

WHEREAS, the Virginia Manufacturing Cup celebrates "the coolest things made in Virginia" by recognizing top products in nine industry categories, ranging from ships to chips and electric trucks to space exploration technology, reflecting the Commonwealth's diverse manufacturing sector; and

WHEREAS, Coresix Precision Glass was duly nominated for the 2024 Virginia Manufacturing Cup and received the highest number of votes of the 53,000 total votes cast by the public; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Coresix Precision Glass for its achievement at the 2024 Virginia Manufacturing Cup; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Coresix Precision Glass as an expression of the General Assembly's admiration for its excellence in manufacturing.

HOUSE JOINT RESOLUTION NO. 636

Commending the Honorable R. Frances O'Brien.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, the Honorable R. Frances O'Brien, a respected jurist in Arlington County and the City of Falls Church, retires as a chief judge of the 17th Judicial District of Virginia in 2025; and

WHEREAS, Frances O'Brien holds degrees from Mount St. Mary's University and the Loyola University School of Law; she worked in private practice early in her legal career and served as an assistant state's attorney in Baltimore, Maryland; and

WHEREAS, in 1996, Frances O'Brien settled in Northern Virginia and worked as a senior assistant Commonwealth's attorney for Arlington County and the City of Falls Church, where she prosecuted a wide range of cases, from traffic offenses to murder, and further honed her legal acumen; and

WHEREAS, Frances O'Brien was appointed as a judge of the General District Court for Arlington County and the City of Falls Church on July 1, 2013, and has presided over the court with great fairness and wisdom; and

WHEREAS, during her tenure on the bench, Frances O'Brien was selected by her peers to serve as chief judge and demonstrated visionary leadership by creating new processes and procedures to enhance the legal system and better serve the public; and

WHEREAS, Frances O'Brien created and presided over the Arlington County Behavioral Health Docket, which has diverted numerous eligible defendants with mental health disorders away from the criminal docket and into community-based treatment programs; and

WHEREAS, Frances O'Brien has served the residents of Arlington County, the City of Falls Church, and the Commonwealth with the utmost integrity, dedication, and distinction; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Honorable R. Frances O'Brien on the occasion of her retirement as chief judge of the General District Court for Arlington County and the City of Falls Church; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Honorable R. Frances O'Brien as an expression of the General Assembly's admiration for her outstanding service to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 637

Commending Corliss Udoema.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Corliss Udoema, a passionate philanthropist in Prince William County, has dedicated her life to the service of others, leveraging her own success as an entrepreneur to support and uplift veterans, seniors, and other members of her community; and

WHEREAS, Corliss Udoema grew up in North Carolina and gained an appreciation for the importance of hard work and responsibility at a young age; in addition to working several odd jobs in her youth, she would often bring her prized record player to a local community center, charge 15 cents for a choice of song, then donate the proceeds to help people in need; and

WHEREAS, Corliss Udoema worked as an employee of the United States Marine Corps, the United States Army, and Naval Facilities Engineering Systems Command; she was also a member of the board of directors of Willing Warriors, a nonprofit organization that provides retreats for veterans recovering from service-related illnesses or injuries; and

WHEREAS, after 30 years of government service, Corliss Udoema established Contract Solutions, Inc., which has grown into a multi-million dollar company under her leadership and earned a host of awards for its innovative solutions to staffing, training, and technology issues for public and private clients; and

WHEREAS, while Contract Solutions, Inc., has generated a significant amount of philanthropic support for veterans, Corliss Udoema was driven to do more and established Agape Love in Action (ALIA) in March 2015; and

WHEREAS, as president of ALIA, Corliss Udoema has created innovative programs like Business Battle Buddies, which offers mentorship and coaching for other veteran entrepreneurs; Wisdom Meets Technology, which provides computer literacy programs for seniors; and Hope in a Bag program, which provides food and hygiene products for people without stable housing; and

WHEREAS, Corliss Udoema and ALIA have also raised funds to support other organizations supporting veterans and active-duty service members and have made contributions to a shelter for homeless veterans; and

WHEREAS, in addition, Corliss Udoema, affectionately known as "Mama U," celebrates her birthday every year by hosting her Bless Others During June initiatives that support a variety of worthy causes; and

WHEREAS, among numerous awards and accolades, Corliss Udoema has been selected as one of the top corporate philanthropists by *Washington Business Journal* for seven years, and has received the Presidential Lifetime Achievement Award, which recognizes individuals who have completed more than 4,000 hours of volunteer service in their lifetime, from President Joseph R. Biden; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Corliss Udoema for her accomplishments as a successful entrepreneur and generosity as a philanthropist; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Corliss Udoema as an expression of the General Assembly's admiration for her achievements in service to people in need throughout the Commonwealth.

HOUSE JOINT RESOLUTION NO. 638

Commending Rita Jean Shropshire.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Rita Jean Shropshire, a devoted volunteer leader and highly admired resident of Ridgeway, retired as chair of the Henry County Electoral Board in December 2024, concluding more than six decades of exemplary service; and

WHEREAS, a native of Carroll County, Rita Shropshire moved to Martinsville to work at the E.I. du Pont de Nemours & Company plant, then ultimately settled in the Town of Ridgeway in Henry County in 1962 and became an active member of the community; and

WHEREAS, shortly after relocating to Ridgeway, she was selected as an elections officer, then subsequently became the chief elections officer and served in that capacity for 28 years, until she was elected to her first of five consecutive terms on the Henry County Electoral Board; and

WHEREAS, during her 15 years on the Henry County Electoral Board, Rita Shropshire worked tirelessly to uphold electoral integrity and efficiency; she was a trusted mentor and source of institutional knowledge for precinct workers and helped implement new technologies to enhance the voting process; and

WHEREAS, Rita Shropshire also offered her wise insights to the Ladies Auxiliary for the Ridgeway Volunteer Fire Department, and she was a 50-year member of the Order of the Eastern Star Martinsville Chapter 66, where she served two terms as worthy matron; and

WHEREAS, in addition to her career and community service, Rita Shropshire is a dedicated member of First Baptist Church of Ridgeway, where she has served as church clerk, Sunday school teacher, deacon emeritus, chair of the Women's Missionary Union, and chair of the oversight and fundraising committees during the construction of a new church building; and

WHEREAS, in all her endeavors, Rita Shropshire has been supported by her husband, Howard, her daughters, Joyce and Rachel, and their families, including two beloved grandchildren, Allison and Davis; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Rita Jean Shropshire on the occasion of her retirement as chair of the Henry County Electoral Board; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Rita Jean Shropshire as an expression of the General Assembly's admiration for her legacy of contributions to the Henry County community, inspirational commitment to public service, and dedication to maintaining a healthy democratic process.

HOUSE JOINT RESOLUTION NO. 639

Commending Herbert Jesse Yeatts.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, for 50 years, Herbert Jesse Yeatts has safeguarded lives and property in Pittsylvania County as a member of the Gretna Fire and Rescue squad; and

WHEREAS, in his career with Gretna Fire and Rescue, Jesse Yeatts has worked tirelessly to serve and protect his community, responding to more than 20,000 calls over his tenure with the department; and

WHEREAS, Jesse Yeatts has served as a mentor to many fellow firefighters and supported the operations of Gretna Fire and Rescue in various leadership capacities, including as captain and assistant chief; and

WHEREAS, in recognition of his service, Jesse Yeatts was named a life member of the Gretna Volunteer Fire Department in 1997 and of the Gretna Rescue Squad in 1998, as well as Firefighter of the Year on multiple occasions; and

WHEREAS, Jesse Yeatts has inspired his daughters and many of his other family members to serve with Gretna Fire and Rescue, establishing a Yeatts family legacy of service in Pittsylvania county that will be carried on for generations to come; and

WHEREAS, Jesse Yeatts' unwavering commitment to the well-being of others led him to help with disaster relief in Mississippi following Hurricane Katrina and to serve with the Wildland Strike Force Team in several states; and

WHEREAS, at 82 years of age, Jesse Yeatts remains as dedicated to fighting fires and helping his community as he has ever been, inspiring countless others to follow his lead and answer the call to serve; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Herbert Jesse Yeatts on the occasion of his 50th anniversary of service with the Gretna Volunteer Fire and Rescue squad; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Herbert Jesse Yeatts as an expression of the General Assembly's admiration for his contributions to Pittsylvania County and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 640

Commending Lawrence Distributing Company, Inc.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Lawrence Distributing Company, Inc., a family-owned and family-operated wholesale beer, wine, and soft drink distributor in Southside Virginia, has been an important part of the local business community for 70 years; and

WHEREAS, Lawrence Distributing Company was founded in February 1954 by Billy B. Lawrence when he purchased Green Distributing Company and changed its name; and

WHEREAS, Lawrence Distributing Company began as a one-man, one-truck wholesale beer distributorship that sold and delivered beer to local restaurants, convenience stores, and supermarkets from its small, rented warehouse in Chatham; and

WHEREAS, as Lawrence Distributing Company grew over the years, Billy Lawrence opened a larger facility in Danville, added wine sales in 1962, built a new office and warehouse in 1972, then added soft drinks, water, and additional beer and wine lines in the 1980s and 1990s; and

WHEREAS, a highly admired business and civic leader, Billy Lawrence was honored in 2003 with the National Beer Wholesalers Association Life Service Award and with the Enduring Enterprise Award from the Danville Pittsylvania County Chamber of Commerce; and

WHEREAS, after many decades of outstanding leadership by Billy Lawrence and his wife Dovie "Shirley" Lawrence, the couple turned over the management of the company to other family members; and

WHEREAS, Lawrence Distributing Company has remained a family affair over the years, with the active involvement of Billy Lawrence's daughter and son-in-law Linda Lawrence and Barry Dalton, his grandson and granddaughter-in-law, Will and Casey Dalton, and his granddaughter, Amanda Dalton; and

WHEREAS as of 2025, Lawrence Distributing Company employs 80 staff members and operates from its main facility in Danville and a satellite facility in South Hill, with a service area covering the counties of Brunswick, Charlotte, Franklin, Greensville, Halifax, Henry, Lunenburg, Mecklenburg, Patrick, and Pittsylvania, as well as cities in that area; and

WHEREAS, Lawrence Distributing Company prides itself on hiring quality people, providing quality products, and delivering quality service, a winning formula that has earned the company numerous quality assurance awards from what is now Molson Coors, including the prestigious President's Award in 2010 and the Bill Coors Quality Award in 2015; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Lawrence Distributing Company, Inc., on the occasion of its 70th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Lawrence Distributing Company, Inc., as an expression of the General Assembly's admiration for the organization's legacy of success as a family-owned business.

HOUSE JOINT RESOLUTION NO. 641

Celebrating the life of George W. Lester II.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, George W. Lester II, a preeminent business leader in Martinsville and Henry County who touched countless lives as a generous philanthropist and champion for community growth, died on January 31, 2025; and

WHEREAS, George Lester grew up in Martinsville and Henry County, where his family had deep roots dating back to the 1790s; he gained an appreciation for the importance of hard work and responsibility while working in his father's company, which had been established in 1896; and

WHEREAS, George Lester graduated from Martinsville High School and finished second in his industrial engineering class at North Carolina State University; and

WHEREAS, after completing his education, George Lester rejoined the family business, then became president in the mid-1970s and set about reorganizing Lester Development Corporation as The Lester Group; and

WHEREAS, George Lester diversified The Lester Group into the manufacture of treated lumber and doors, developed wholesale and retail building material stores, bought forest land, and developed commercial, industrial, and residential real estate in Virginia, West Virginia, and North Carolina; and

WHEREAS, under George Lester's leadership, The Lester Group has become one of the largest home-grown companies in Martinsville and one of the top building supply dealers in the United States; and

WHEREAS, highly respected in the construction industry, George Lester served as chair of the National Lumber and Building Materials Dealers Association and as past president of the Independent Builders Supply Association, the Virginia Building Materials Association, and the Virginia Forestry Association; and

WHEREAS, outside of his career with The Lester Group, George Lester helped organize and served for more than 40 years on the board of directors of Carter Bank, which now maintains more than $5 billion in assets, employs 1,000 people, and is a major lender for local homebuyers; and

WHEREAS, George Lester further supported the community as a member of the Martinsville-Henry County Chamber of Commerce and the Martinsville-Henry County Economic Development Corporation, as well as other civic groups and organizations that enhanced the economic vitality of the region; and

WHEREAS, George Lester oversaw the renovation of the former Tultex building into the Clocktower at the Commonwealth Centre, a major local landmark, and he invigorated development in the region as a founder of JobLink, which advocated for the expansion of Interstate 73 through Martinsville; and

WHEREAS, George Lester committed $2.5 million to fund the construction of a second YMCA in Martinsville, which will be named the Lester Family YMCA, and he created the Cap'n Til and Lottie Shelton Lester Fund at the Community Foundation Serving Western Virginia to provide financial support to small businesses, fund college scholarships, assist with transportation development, and facilitate other worthy causes; and

WHEREAS, even after his official retirement from The Lester Group in 2018, George Lester continued to play a role in guiding the company as co-chair and never stopped pursuing opportunities to enhance the overall quality of life in Martinsville and Henry County; and

WHEREAS, predeceased by two sons, George III and George IV, and one stepdaughter, Amie, George Lester will be fondly remembered and greatly missed by his wife, Lee; his daughters, Elizabeth, Ann, and Sara, and their families; his stepdaughter, Tracy, and her family; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of George W. Lester II, a pillar of the community in Martinsville and Henry County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of George W. Lester II as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 642

Celebrating the life of Robert Evans Talbott.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Robert Evans Talbott, a courageous firefighter with Chesterfield Fire and EMS who touched countless lives over the course of his long and distinguished career, died on December 20, 2024; and

WHEREAS, Robert Talbott grew up in Southside Virginia, where he graduated from Blue Stone High School and earned the rank of Eagle Scout in the Boy Scouts of America in his youth; and

WHEREAS, after receiving a degree in fire science from Danville Community College, Robert Talbott began a fulfilling career in public safety; he served with the Danville Fire Department from 1996 to 2004 and was honored as a life member of the Danville Life Saving Crew; and

WHEREAS, Robert Talbott had proudly served with Chesterfield Fire and EMS for 20 years, during which time he was stationed in the communities of Chester, Midlothian, Dale, Rivers Bend, Matoaca, Bon Air, and Swift Creek; and

WHEREAS, Robert Talbott achieved the rank of lieutenant in 2017 and was most recently assigned to Engine 224 at Fire Station 24 on Courthouse Road; and

WHEREAS, Robert Talbott was highly admired for his calm, reassuring demeanor and he was a trusted friend and mentor to countless younger firefighters, who benefited from his decades of wisdom and experience; and

WHEREAS, among many awards and accolades, Robert Talbott was recognized as Firefighter of the Year by the Danville Fire Department in October 2002 and received a Unit Life Save Award from Chesterfield Fire and EMS in October 2023 for helping to rescue five people from a burning apartment in October 2023; and

WHEREAS, Robert Talbott will be fondly remembered and greatly missed by his wife of nearly 30 years, Carol; his children, Austin, Evan, and Amanda, and their families; and numerous other family members, friends, and fellow firefighters; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Robert Evans Talbott, a respected member of Chesterfield Fire and EMS; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Robert Evans Talbott as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 643

Commending Crews Construction and Asphalt Paving, Inc.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, for more than 50 years, Crews Construction and Asphalt Paving, Inc., has provided foundation excavation and a wide range of other land development services to local building contractors and homeowners in Southside Virginia; and

WHEREAS, Crews Construction and Asphalt Paving, originally known as Crews Construction Company, was established in 1974 by Melvin Crews, a heavy equipment operator who had gained extensive experience with landscapers and construction firms in Virginia Beach and Danville; and

WHEREAS, supported by his wife, Joan, who handled the front office, Melvin Crews began offering site excavation, then expanded to land clearing, trenching, and finish grading, among other services; and

WHEREAS, over the years, Melvin and Joan Crews, proudly hired many dedicated and highly skilled employees, several of whom have remained loyal members of the team for years; and

WHEREAS, in addition to serving residential and commercial clients, Crews Construction Company grew to offer emergency excavation and grading services after natural or man-made disasters and provided its services to the Virginia Department of Transportation; and

WHEREAS, in 2014, Crews Construction Company purchased Reynolds Asphalt Paving and adopted its current name to better reflect its expanded mission; and

WHEREAS, Melvin and Joan's children, Lin Crews and Jeanette Burger, and Jeanette's husband, Charles Burger, all joined the family business and have since maintained Crews Construction and Asphalt Paving's legacy of excellence; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Crews Construction and Asphalt Paving, Inc., on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Crews Construction and Asphalt Paving, Inc., as an expression of the General Assembly's admiration for the company's achievements as one of the premier excavation and land development companies in Southside Virginia.

HOUSE JOINT RESOLUTION NO. 644

Commending the Substance Abuse and Addiction Recovery Alliance of Virginia.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, the Substance Abuse and Addiction Recovery Alliance of Virginia, a nonprofit organization dedicated to advocating for and supporting individuals and families affected by substance use disorder, celebrates its 30th anniversary in 2025; and

WHEREAS, founded in 1995, the Substance Abuse and Addiction Recovery Alliance of Virginia (SAARA of Virginia) has tirelessly worked to promote recovery, education, and prevention initiatives throughout the Commonwealth, supporting the needs of countless individuals in their journey to overcome addiction; and

WHEREAS, over the past three decades, SAARA of Virginia has become a leading voice in substance use disorder advocacy, providing critical services and programs that empower communities to address the challenges of addiction; and

WHEREAS, SAARA of Virginia collaborates with health care providers, local organizations, and policymakers to advocate for effective treatment, recovery supports, and equitable access to care for all Virginians affected by substance use disorder; and

WHEREAS, SAARA of Virginia has developed strong networks across the state, fostering peer support and educational programs that reduce the stigma of addiction and encourage long-term recovery; and

WHEREAS, in its 30 years of service, SAARA of Virginia has significantly contributed to the health and well-being of individuals and families in the Commonwealth by ensuring that those battling addiction have access to the resources and support needed to achieve recovery; and

WHEREAS, the dedicated staff, volunteers, and supporters of SAARA of Virginia have worked with unwavering commitment to advocate for substance use disorder recovery, saving lives and restoring hope to many families; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Substance Abuse and Addiction Recovery Alliance of Virginia on the occasion of its 30th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Substance Abuse and Addiction Recovery Alliance of Virginia as an expression of the General Assembly's admiration for the organization's invaluable contributions to the Commonwealth and its citizens.

HOUSE JOINT RESOLUTION NO. 645

Commending John Edward Burton III.

Agreed to by the House of Delegates, February 19, 2025
Agreed to by the Senate, February 22, 2025

WHEREAS, John Edward Burton III, a former professional stock car racing driver, has given generously his time and talents to support conservation in the Commonwealth and the United States through the Ward Burton Wildlife Foundation; and

WHEREAS, John Edward "Ward" Burton III was born in Danville and grew up in South Boston; his family has deep roots in the Commonwealth, stretching back to the arrival of his ancestor, Richard Burton, at the Jamestown Colony; and

WHEREAS, Ward Burton began driving in the NASCAR Busch Series in 1990, then moved up to the NASCAR Winston Cup Series in 1994; he earned five wins in the NASCAR Winston Cup Series, including the 2001 Southern 500 and the 2002 Daytona 500, as well as four wins in the NASCAR Xfinity Series over the course of his racing career; and

WHEREAS, in 2003, Ward Burton began working as a spokesman for Virginia State Parks, and in 2005, then-Governor Mark Warner appointed him to the Virginia Board of Game and Inland Fisheries; and

WHEREAS, Ward Burton is the founder of the Ward Burton Wildlife Foundation, which promotes sustainability of natural resources through conservation, land management, outdoor outreach, and educational practices; and

WHEREAS, the Ward Burton Wildlife Foundation partners with local, state, and federal organizations, as well as landowners, to manage habitats for endangered species, promote wise forestry management and stream water mitigation, address invasive plant growth, and preserve the integrity of the land; and

WHEREAS, the Ward Burton Wildlife Foundation coordinates with the Army National Guard to support environmental resiliency through the Readiness and Environmental Protection Integration program; and

WHEREAS, the Ward Burton Wildlife Foundation hosts events for veterans through partnerships with the USO, Wounded Warrior Project, and Project Healing Waters to honor those who have served and sacrificed in defense of the nation; and

WHEREAS, the Ward Burton Wildlife Foundation provides youth outdoor education experiences for children of all ages and has visited more than 120 schools to help young people develop an appreciation for the importance of conservation; the organization hosted an advanced archaeology class from Longwood University at the Sanders Dig Site in Halifax County, combining environmental conservation efforts with historical and cultural preservation; and

WHEREAS, the Ward Burton Wildlife Foundation also works directly with the Virginia Department of Wildlife Resources Conservation Police K9 Program to ensure public safety, along with protecting natural habitats and wildlife; and

WHEREAS, Ward Burton has also served as a member of the Patrick Henry Memorial Foundation Board of Directors and as an honorary co-leader of fundraising efforts for the Virginia Natural History Museum; and

WHEREAS, among many awards and accolades for his personal and professional achievements, Ward Burton received the Governor's Environmental Excellence Award in 2008; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend John Edward Burton III for his contributions to conservation and the protection of the Commonwealth's natural resources; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to John Edward Burton III as an expression of the General Assembly's admiration for his achievements as a conservationist and a philanthropist.

HOUSE JOINT RESOLUTION NO. 646

Commending Jimmie H. Barrett.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Jimmie H. Barrett, a distinguished law-enforcement officer, retired from the Arlington County Sheriff's Office with the rank of major on January 3, 2025, completing more than three decades of service; and

WHEREAS, after receiving a bachelor's degree from Texas Lutheran University in 1989, Jimmie Barrett settled in the Commonwealth and joined the Arlington County Sheriff's Office on August 24, 1992; and

WHEREAS, Jimmie Barrett rose steadily through the ranks and was promoted to major in 2015; during his tenure with the Arlington County Sheriff's Office, he served as director of judicial services, director of corrections, court security supervisor, assistant training officer, and housing unit deputy, among other leadership roles; and

WHEREAS, a recognized expert on court security, Jimmie Barrett was a key member of the Supreme Court of Virginia's Judicial Security Committee, which designed and implemented statewide court security training procedures; he also authored the book *Protecting Court: A Practitioner's Guide to Court Security* in 2009; and

WHEREAS, over the course of his career, Jimmie Barrett continued his education by earning a master's degree from George Mason University and certification as a jail manager from the American Jail Association, as well as graduating from the Leadership Arlington program in 2016; and

WHEREAS, Jimmie Barrett earned numerous awards and accolades for his professional accomplishments, including an Outstanding Young Deputy Sheriff award from the Arlington County Jaycees, a Valor Award for Heroic Action from the Arlington County Chamber of Commerce, and two Meritorious Service Awards and a Life Saving Award from the Arlington County Sheriff's Office; and

WHEREAS, Jimmie Barrett served Arlington County residents with the utmost dedication, integrity, and distinction and looks forward to seeking new opportunities to support the community after his well-earned retirement; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Jimmie H. Barrett for his outstanding achievements as a law-enforcement officer on the occasion of his retirement from the Arlington County Sheriff's Office; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Jimmie H. Barrett as an expression of the General Assembly's admiration for his dedication to serving and protecting the residents of Arlington County.

HOUSE JOINT RESOLUTION NO. 647

Commending T. Benjamin Polk.

Agreed to by the House of Delegates, February 17, 2025

Agreed to by the Senate, February 19, 2025

WHEREAS, T. Benjamin Polk, a respected educator, coach, and athletic director who devoted many years of faithful service to Deep Creek High School in Chesapeake, retired in 2024; and

WHEREAS, over 31 years as a teacher and coach at Deep Creek High School, T. Benjamin "Benny" Polk demonstrated an unwavering dedication to his students' academic, social, and emotional well-being, working tirelessly to foster their success both in and out of the classroom; and

WHEREAS, during Benny Polk's 27-year tenure as Deep Creek High School's athletic director, the football team achieved a state runner-up finish in 2000 and Southeastern District championships and undefeated regular seasons in 1995, 1998, 1999, and 2000, while the track and field team brought home state championships in 1995, 2001, 2002, 2003, 2005, and 2007; and

WHEREAS, by the end of Benny Polk's career, the boys' and girls' sports teams of Deep Creek High School that he had overseen as athletic director had achieved a total of 11 Conference 17 championships, 27 Southeastern District championships, eight regional championships, and 12 state championships; and

WHEREAS, Benny Polk's leadership and guidance gave an untold number of student-athletes the foundation they needed to thrive, helping many of them to go on to enjoy accomplished careers at the collegiate and professional level; and

WHEREAS, in recognition of his tremendous impact at the school, the gymnasium at Deep Creek High School was named the T. Benjamin Polk Gymnasium in his honor in June 2024; and

WHEREAS, by consistently embodying the highest ideals of the teaching and coaching profession, Benny Polk made a difference in countless lives and is deserving of the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend T. Benjamin Polk, longtime educator, coach, and athletic director at Deep Creek High School, on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to T. Benjamin Polk as an expression of the General Assembly's high regard for his legacy of service and best wishes for a happy and fulfilling retirement.

HOUSE JOINT RESOLUTION NO. 648

Commending Patricia Miller.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Patricia Miller is a community leader who has made an indelible imprint on the Del Ray community of Alexandria over the past several decades; and

WHEREAS, Patricia "Pat" Miller relocated to the Del Ray neighborhood of Alexandria more than 30 years ago and quickly became an active and engaged member of her community; and

WHEREAS, Pat Miller was integral to the success of the Del Ray Farmers Market for many years as its market manager; in 2017, the Alexandria City Council honored her legacy of service by dedicating the Del Ray Farmers Market site as the Pat Miller Neighborhood Square; and

WHEREAS, Pat Miller helped transform the Del Ray Block Party of the 1990s into the nationally known Art on the Avenue event, which annually hosts more than 300 artists, food vendors, and performers; and

WHEREAS, Pat Miller co-founded the shop A Show of Hands, which provides up-and-coming artists the opportunity to showcase their talents to a wider market; and

WHEREAS, as a longtime member and chair of the Alexandria Commission for the Arts, Pat Miller advanced several public art projects and initiatives to support local artists; and

WHEREAS, in various leadership capacities with the Community Partners for Children, Pat Miller was instrumental to Alexandria's largest holiday toy and school supply drives for children in need; and

WHEREAS, Pat Miller promoted the economic well-being and prosperity of Alexandria through her involvement with the Avenue Partnership, as an ex officio member of the Potomac West Alliance Interim Planning Board, and as president and longtime board member of the Del Ray Business Association; and

WHEREAS, as co-chair of the Del Ray Business Association's Special Events Committee, Pat Miller planned cherished events such as First Thursday, Taste of Del Ray, and the local Halloween parade, turkey trot, and holiday tree lighting; and

WHEREAS, Pat Miller's extraordinary dedication and service has helped to make Del Ray a wonderful place to live, work, and play; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Patricia Miller for her impact on the Del Ray community of Alexandria; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Patricia Miller as an expression of the General Assembly's admiration for her contributions to Del Ray and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 649

Celebrating the life of Stewart Hamilton Gamage.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Stewart Hamilton Gamage, a philanthropic leader who had a wide range of experience in the public and private sectors, including service to The College of William & Mary in Virginia and the University of Virginia, died on March 19, 2024; and

WHEREAS, Stewart Gamage grew up in Petersburg and graduated *summa cum laude* from The College of William & Mary in Virginia, where she was also a member of the tennis team; she later earned a master's degree from the former Washington Public Affairs Center at the University of Southern California; and

WHEREAS, Stewart Gamage began her career in public service working under Governor Chuck Robb, Governor Gerald Baliles, and Richard Gephardt when he was the majority leader of the U.S. House of Representatives; she subsequently served at the White House as the associate deputy of intergovernmental affairs during the Clinton administration; and

WHEREAS, Stewart Gamage was appointed to William & Mary's Board of Visitors in 1985, then elected as vice rector of the institution from 1989 to 1990 and served for 15 years as vice president of public affairs; and

WHEREAS, Stewart Gamage left an indelible legacy on her alma mater by establishing the Pamela Harriman Foreign Service Fellowships, guiding the creation of the William & Mary Washington Center, and playing a crucial role in bringing leaders of other nations to the Commonwealth to learn about the democratic process; during that period, she also played a role in the establishment of the Thomas Jefferson National Accelerator Facility in Newport News, which has provided incredible research opportunities for students and faculty across the Virginia Peninsula; and

WHEREAS, Stewart Gamage next served as the director of the historic Morven estate, owned by the University of Virginia, where she co-created the Presidential Precinct, which still welcomes visitors from around the world to study government and democracy; under her leadership, Morven also became the site of a laboratory focusing on nutrition and sustainability in agriculture; and

WHEREAS, while at the University of Virginia, Stewart Gamage also developed the Women's Global Leadership Forum, which featured participation from Hillary Clinton and other prominent women leaders, as well as the Stettinius Prize for Global Leadership; and

WHEREAS, Stewart Gamage founded several other organizations over the course of her career, including S. Hamilton Consulting, which focused on women's leadership issues, social justice, and racial reconciliation, and the Phoenix Project, an initiative to inspire the Commonwealth's next generation of leaders while building relationships between institutions of higher education and underserved communities; and

WHEREAS, in later life, Stewart Gamage settled in the Richmond area, and she had most recently founded Light Up Ukraine, which raised funds to purchase and deliver thousands of solar-powered lights and refurbished ambulances to support soldiers and civilians in Ukraine during the ongoing Russo-Ukrainian War; and

WHEREAS, Stewart Gamage was guided by her deep faith throughout her life, and she enjoyed fellowship and worship with the congregation of St. John's Episcopal Church in Richmond, where she was a member of the vestry and held several other leadership positions; and

WHEREAS, among many awards and accolades for her personal and professional achievements, Stewart Gamage received the Governor's Award for Community Service from Governor Mark Warner in 2005; and

WHEREAS, predeceased by her husband, Joseph Stettinius, Stewart Gamage will be fondly remembered and greatly missed by her sons, Graves and Forbes, and their families; her stepchildren, Ted, Cricket, Virginia, and Carolyn, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Stewart Hamilton Gamage, who made countless contributions to civic engagement, economic empowerment, and human rights over the course of her long and varied career; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Stewart Hamilton Gamage as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 650

Celebrating the life of Clayton Tune Lester.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Clayton Tune Lester, an honorable veteran, esteemed banker and realtor, life member of the Danville Life Saving Crew, and beloved member of the Danville community, died on January 18, 2025; and

WHEREAS, born in Pittsylvania County, Clayton Lester graduated from Spring Garden High School in 1954 and from what was then the Danville Technical Institute a year later; he would also later earn an associate degree in banking and financial management from Danville Community College in 1978; and

WHEREAS, from 1956 to 1959, Clayton Lester served his country with honor and distinction as a member of the United States Army Security Agency, the United States Army's signals intelligence branch at the time; and

WHEREAS, following his service, Clayton Lester worked for the Security Bank and Trust Company until 1982, then was vice president of Peoples Bank until his retirement from the banking industry in 1988; subsequently, he found success as a real estate salesman with Wilkins and Company Realtors; and

WHEREAS, Clayton Lester joined the Danville Life Saving Crew in 1962 and guided the organization in various leadership capacities over the next 63 years, including as captain, first lieutenant, second lieutenant, treasurer, business manager, and member of the board of directors; and

WHEREAS, in recognition of his extraordinary contributions to the Danville Life Saving Crew, Clayton Lester was declared a life member of the organization and the organization's building was named the Clayton T. Lester Crew Hall in his honor; and

WHEREAS, Clayton Lester promoted safety in the Commonwealth through his involvement with the Virginia Association of Volunteer Rescue Squads (VAVRS), which he served as president, vice president, and treasurer and where he was presented with life membership and an induction into the VAVRS Hall of Fame; and

WHEREAS, guided throughout his life by his faith, Clayton Lester enjoyed worship and fellowship with his community at Woodlawn Baptist Church in Danville for many years; and

WHEREAS, preceded in death by his first wife, Adelaide, Clayton Lester will be fondly remembered and dearly missed by his wife, Polly; his children, Rickie, Pamela, Mark, and Lisa, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Clayton Tune Lester, a pillar of the Danville Life Saving Crew whose leadership, dedication, and service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Clayton Tune Lester as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 651

Commending Judy Simmons.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Judy Simmons, a dedicated volunteer with the Danville-based disaster relief organization God's Pit Crew, received the Betty Jane France Humanitarian Award from the NASCAR Foundation at the National Association for Stock Car Auto Racing Awards Banquet in Charlotte on November 22, 2024; and

WHEREAS, Judy Simmons has been a member of God's Pit Crew for six years, leading teams in their efforts to provide essential items to children and families following natural disasters; and

WHEREAS, Judy Simmons and God's Pit Crew have been a valued lifeline to countless individuals and families, bringing them solace and comfort in their time of need; and

WHEREAS, in 2024, Judy Simmons was actively involved in God's Pit Crew's programs in Western North Carolina following the devastation of Hurricane Helene; and

WHEREAS, Judy Simmons was selected for the 14th annual Betty Jane France Humanitarian Award after garnering the most fan votes among four finalists, and the NASCAR Foundation will donate $100,000 to God's Pit Crew as part of her honor; and

WHEREAS, as a result of her unwavering commitment to helping others in their most vulnerable and challenging times, Judy Simmons has earned the praise and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Judy Simmons for receiving the 2024 Betty Jane France Humanitarian Award from the NASCAR Foundation; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Judy Simmons as an expression of the General Assembly's high regard for her legacy of service and best wishes in her future endeavors.

HOUSE JOINT RESOLUTION NO. 652

Commending Dr. Mark R. Jones.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Dr. Mark R. Jones, an accomplished education administrator and longstanding superintendent of Pittsylvania County Public Schools, will retire at the end of the 2024-2025 school year; and

WHEREAS, Mark Jones began his education career with Pittsylvania County Schools (PCS) in 1986 and worked for the division in various capacities over the years, including as a teacher, coach, middle school principal, director of secondary education, assistant superintendent for instruction, and division superintendent; and

WHEREAS, in addition to PCS, Mark Jones served five years as an assistant principal in Prince Edward County Public Schools and more than eight years as superintendent of King William County Public Schools; he became superintendent of PCS on December 1, 2015; and

WHEREAS, Mark Jones has fostered meaningful relationships with community and educational partners to enhance PCS's ability to serve its students and improve their lives; and

WHEREAS, under Mark Jones' leadership, PCS developed several new learning initiatives to support its students, including the health sciences and advanced manufacturing academies at the PCS STEM Academy, the Ready for Success program for elementary students in need of behavioral support, and the STAR program for students with autism; and

WHEREAS, during his tenure as superintendent of PCS, one-hundred percent of the division's schools were fully accredited and four of the schools were recognized as National Blue Ribbon Schools by the United States Department of Education; and

WHEREAS, Mark Jones adroitly navigated PCS through the challenges of the COVID-19 pandemic, and the school division was one of the first in the Commonwealth to return to in-person learning; and

WHEREAS, in recognition of his accomplishments while superintendent of King William County Public Schools, Mark Jones was named Region 3 Superintendent of the Year in 2015; and

WHEREAS, by demonstrating an unwavering devotion to the students and faculty he served and a deep commitment to preparing the next generation's leaders, Mark Jones has exemplified the ideals of the teaching profession and earned the praise and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Dr. Mark R. Jones, superintendent of Pittsylvania County Public Schools, on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dr. Mark R. Jones as an expression of the General Assembly's high regard for his contributions to the education of young people in the Commonwealth.

HOUSE JOINT RESOLUTION NO. 653

Commending Tiffany McKillip Franks, Ed.D.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Tiffany McKillip Franks, Ed.D., who has served with distinction as president of Averett University for the past 17 years, retired from her position with the institution in January 2025; and

WHEREAS, in preparation for her career, Tiffany Franks earned a bachelor's degree in business from Ohio Dominican University, a master's degree in education from The Ohio State University, and a doctor of education degree in higher education management from the University of Pennsylvania; and

WHEREAS, prior to joining Averett University, Tiffany Franks acquired valuable experience in higher education administration through executive positions in the areas of admissions, financial aid, student life, marketing and communications, public relations, and fundraising, as well as in her role as executive vice president at Greensboro College; and

WHEREAS, on July 1, 2008, Tiffany Franks became president of Averett University, making history as the first woman to lead the institution since its founding in 1859; and

WHEREAS, during Tiffany Franks' tenure, Averett University achieved record-high enrollment in its undergraduate program, completed its first comprehensive capital campaign, opened its Riverview Campus in Danville, and added various new degree programs and activities; and

WHEREAS, Tiffany Franks' fundraising efforts on behalf of Averett University helped to secure nearly $40 million, which has supported a significant expansion in the area of health sciences as well as major facility upgrades; and

WHEREAS, Tiffany Franks spearheaded the launch of new academic programs in the areas of nursing, criminal justice, applied data analytics, and education, enhancing Averett University's ability to prepare its students for the careers of tomorrow; and

WHEREAS, Tiffany Franks has improved the quality of life on Averett University's campus with the introduction of new intercollegiate athletics programs, such as men's and women's lacrosse, wrestling, and esports, and with the establishment of the Center for Community Engagement and Career Competitiveness, which helps to connect students, faculty, and staff with community partners in the Dan River region; and

WHEREAS, Tiffany Franks' accomplishments as an education leader are the result of her hard work, steadfast dedication, and unwavering commitment to the students, staff, and community of Averett University; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Tiffany McKillip Franks, Ed.D., on the occasion of her retirement as president of Averett University; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Tiffany McKillip Franks, Ed.D., as an expression of the General Assembly's admiration for her contributions to higher education in the Commonwealth.

HOUSE JOINT RESOLUTION NO. 654

Celebrating the life of Gloria Williams Campbell.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Gloria Williams Campbell, an esteemed civil rights activist, distinguished faith leader, and beloved member of the Danville community, died on January 23, 2025; and

WHEREAS, born in Danville, Gloria Campbell was inspired to get involved in the city's civil rights movement by her father, who was a founder of the Pittsylvania County branch of the NAACP; and

WHEREAS, Gloria Campbell played a pivotal role in the Danville civil rights movement in the early 1960s through her involvement in the Bloody Monday protests on June 10, 1963, and other demonstrations; and

WHEREAS, guided throughout her life by her faith, Gloria Campbell cofounded Bible Way Cathedral in Danville in 1953 alongside her husband, the late Apostle Lawrence G. Campbell, Sr., where she went on to lead countless parishioners in their spiritual journeys as the church's first lady; and

WHEREAS, Gloria Campbell was a generous mentor to an untold number of young people and future leaders over the years, guiding them on their paths to becoming influential members of their communities; and

WHEREAS, in honor of her legacy of service, Gloria Campbell was presented a certificate of recognition by Lieutenant Governor Justin Fairfax in 2018 and the President's Award by the Pittsylvania County branch of the NAACP a year later; and

WHEREAS, preceded in death by her husband of 75 years, Lawrence, Gloria Campbell will be fondly remembered and dearly missed by her children, Lawrence, Jr., Philip, Allethia, Angela, and Hope, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Gloria Williams Campbell, a revered member of the Danville community whose kindness, compassion, courage, and grace inspired all who knew her; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Gloria Williams Campbell as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 655

Commending WSVA.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, WSVA, a news and talk radio station based in Harrisonburg, has informed and entertained the residents of the Central Shenandoah Valley for 90 years; and

WHEREAS, WSVA, also known as We Serve Virginia Agriculture, first signed on the air on June 9, 1935, and was the first radio station to broadcast in the Shenandoah Valley; and

WHEREAS, WSVA was originally owned by Frederick L. Allman and was an affiliate of the NBC Red Network, carrying news, sports, dramas, comedies, soap operas, game shows, and big band programs during the "Golden Age of Radio"; and

WHEREAS, WSVA thrived and established the Shenandoah Valley's first FM radio station, which is now known as WQPO, and created a television station, which is now WHSV-TV; and

WHEREAS, with network programming transitioning from radio to television in the 1950s, WSVA adopted a middle of the road radio format, offering music, news, and sports; the station was sold several times over the years and is currently owned by Saga Communications; and

WHEREAS, transmitting on 550 AM and 92.1 FM from its headquarters on Heritage Center Way, WSVA's current weekday lineup begins with Early Mornings with Frank Wilt and Jim Britt, followed by news and agricultural reports, and an afternoon drive time show, as well as nationally syndicated talk programs and updates from CBS News Radio; and

WHEREAS, on the weekends, WSVA features programs on car repair, home repair, travel, and gardening and additional syndicated programs on a variety of topics; the station also covers local high school sports and James Madison University sports; and

WHEREAS, WSVA has touched the lives of countless listeners over the years by raising awareness of important news and current events, highlighting local businesses and organizations, and fostering a strong sense of community in the region; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend WSVA on the occasion of its 90th anniversary of broadcasting high quality radio programming; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to WSVA as an expression of the General Assembly's admiration for the radio station's longevity and important contributions to generations of Central Shenandoah Valley residents.

HOUSE JOINT RESOLUTION NO. 656

Commending Anne Cochrane Pace.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Anne Cochrane Pace, who has served as the administrator and sole employee of the Commonwealth Health Research Board since its establishment in 1997, will retire in 2025; and

WHEREAS, the Commonwealth Health Research Fund (CHRF) and the Commonwealth Health Research Board (CHRB) were established by an act of the General Assembly to support biomedical research in the Commonwealth to benefit the health of Virginians; and

WHEREAS, under Anne Pace's oversight, the initial principal for the CHRF was invested and the proceeds were used to provide grant awards to investigators at Virginia universities and colleges, as directed by the General Assembly; and

WHEREAS, during Anne Pace's 25-year tenure, the CHRF and CHRB have provided more than $26 million through more than 300 research awards to investigators at 25 colleges and universities in the Commonwealth, with these universities offering matching funds of more than $11 million to provide additional support for biomedical research; and

WHEREAS, as a result of Anne Pace's efforts, these principal investigators have used the results of research supported by the CHRF to apply for and obtain additional funding of more than $93 million, which has come into the Commonwealth to continue and expand their research; some investigators have been able to use the results of the research supported by the fund to develop their innovative ideas for technology transfer and commercialization, benefiting the economy of the Commonwealth; and

WHEREAS, Anne Pace has supervised the submission, expert consultant review, and board consideration of research proposals, has provided for the transfer of research funding to applicant institutions and principal investigators, and has provided for oversight and accountability of awardees by requiring submission of regular fiscal and scientific progress reports for administrator and board review; and

WHEREAS, Anne Pace has worked with the auditor of public accounts on 13 audits, with proper reporting of financial transactions in the Commonwealth's accounting and financial reporting system; and

WHEREAS, Anne Pace has performed the necessary tasks to provide information to members of the CHRB, including planning for and organizing all meetings of the board; and

WHEREAS, Anne Pace has administered the CHRB under seven governors, worked with 32 gubernatorial and legislative joint rules committee appointees to the CHRB, and supported the board during the tenure of seven board chairs; and

WHEREAS, through her careful dedication and effort for almost 25 years, Anne Pace has supported the excellence of biomedical research and the career development of researchers throughout the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Anne Cochrane Pace on the occasion of her retirement as the Commonwealth Health Research Board administrator; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Anne Cochrane Pace as an expression of the General Assembly's admiration for her achievements in service to the Commonwealth and best wishes for a long and fulfilling retirement.

HOUSE JOINT RESOLUTION NO. 657

Celebrating the life of David Charles Gompert.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, David Charles Gompert, a former diplomat and trusted government official who served the nation in various capacities over the course of more than 35 years, died on August 21, 2024; and

WHEREAS, David Gompert was born in Hackensack, New Jersey, and was a graduate of the United States Naval Academy (USNA) and Princeton University; and

WHEREAS, David Gompert began his government career with the U.S. Department of State and held a wide range of positions during the Nixon, Ford, Carter, and Reagan administrations, including undersecretary of state for political affairs, deputy director of the Bureau of Political-Military Affairs, special assistant to former secretary of state Henry Kissinger, and senior national security advisor; and

WHEREAS, David Gompert served as special assistant to President George H.W. Bush and was subsequently appointed as a senior advisor to the Coalition Provisional Authority in Iraq under President George W. Bush; and

WHEREAS, David Gompert finished his government career as the principal deputy director of national intelligence under President Barack Obama from 2009 to 2011, during which time he served as acting director of national intelligence for several months; and

WHEREAS, in between government postings, David Gompert also held senior executive positions in the private sector with Unisys, AT&T, and RAND Corporation, where he was selected as a Senior Fellow, served as president of RAND Europe, and cultivated various insights on national defense, terrorism, economic development, science, and technology; and

WHEREAS, David Gompert mentored and inspired students as a faculty member at the USNA and the National Defense University; he also served on the Board of Advisors for the USNA Center for Cyber Security Studies and published numerous articles on national and international cybersecurity issues; and

WHEREAS, outside of his career, David Gompert was a proud board member of the American Civil War Museum, and he supported and mentored young people through his involvement in the Bobcat Sports League; and

WHEREAS, David Gompert will be fondly remembered and greatly missed by his wife, Cynthia; his children, Christian and Elisa, and their families; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of David Charles Gompert; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of David Charles Gompert as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 658

Commending the Honorable Donald W. Merricks.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, the Honorable Donald W. Merricks, an esteemed business leader, former public servant, and generous philanthropist, was selected as the 2024 Citizen of the Year by the Kiwanis Club of Danville; and

WHEREAS, for nearly 20 years, Donald "Don" W. Merricks served the Danville community as the president and owner of J.W. Squire Company, a local flooring business; and

WHEREAS, Don Merricks was also a leader in the banking industry for more than two decades, serving as chair, president, and chief executive officer of Virginia Bank and Trust Company and as the executive vice president and chief integration officer of First National Bank; and

WHEREAS, Don Merricks ably represented communities in Southside Virginia as a member of the Virginia House of Delegates from 2008 to 2014; and

WHEREAS, an alumnus of Averett University, Don Merricks recently joined the administration of his alma mater as interim chief financial officer; he has further supported higher education as a member of the Danville Community College Foundation Board and chair of the Board of Trustees at the Institute for Advanced Learning and Research; and

WHEREAS, Don Merricks has supported economic development and community growth as a member of the Danville Pittsylvania County Chamber of Commerce; and

WHEREAS, Don Merricks has given generously of his time and talents to enhance the overall quality of life in Danville through his involvement in numerous charitable organizations, including the Hatcher Center, the Salvation Army, Danville-Pittsylvania Community Services, United Way of Danville-Pittsylvania County, and the Community Foundation of the Dan River Region; and

WHEREAS, throughout his distinguished career, Don Merricks has enjoyed the love and support of his wife, Patty, with whom he proudly raised two children and three grandchildren; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Honorable Donald W. Merricks on the occasion of his selection as the 2024 Citizen of the Year by the Kiwanis Club of Danville; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Honorable Donald W. Merricks as an expression of the General Assembly's admiration for his legacy of service to the Danville community.

HOUSE JOINT RESOLUTION NO. 659

Commending Mekhi Becton, Sr.

Agreed to by the House of Delegates, February 14, 2025
Agreed to by the Senate, February 17, 2025

WHEREAS, Mekhi Becton, Sr., a native of Highland Springs in Henrico County, helped the Philadelphia Eagles win Super Bowl LIX in 2025; and

WHEREAS, Mekhi Becton graduated from Highland Springs High School and was a three-star football prospect, ranked as one of the top high school offensive tackles in the country; he was recruited by 31 institutions and ultimately signed with the University of Louisville; and

WHEREAS, after the first four games of his freshman season, Mekhi Becton was the highest-rated freshman in the country by Pro Football Focus, and after seven games, he was the best pass-blocker in the Atlantic Coast Conference (ACC), allowing only six pressures in 312 snaps; and

WHEREAS, Mekhi Becton was a starting tackle for the University of Louisville Cardinals during his sophomore and junior seasons; he earned All-ACC First Team honors and the Jacobs Blocking Trophy in 2019; and

WHEREAS, Mekhi Becton was selected by the New York Jets in the first round of the 2020 National Football League Draft and played with the team from 2020 to 2023; and

WHEREAS, in April 2024, Mekhi Becton signed a one-year contract with the Philadelphia Eagles and shifted from tackle to guard; he excelled at the new position and quickly became the team's starting right guard; and

WHEREAS, at Super Bowl LIX on February 9, 2025, Mekhi Becton and the Philadelphia Eagles defeated the Kansas City Chiefs, by a score of 40-22 to claim the team's second Super Bowl victory; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Mekhi Becton, Sr., on winning Super Bowl LIX as a member of the Philadelphia Eagles; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Mekhi Becton, Sr., as an expression of the General Assembly's admiration for his athletic achievements.

HOUSE JOINT RESOLUTION NO. 660

Celebrating the life of Patricia W. Lovelace.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Patricia W. Lovelace, a beloved mother and grandmother in Richmond who enriched countless lives through her kindness, generosity, and grace, died on August 15, 2024; and

WHEREAS, Patricia "Pat" W. Lovelace grew up in West Virginia and came to Richmond to attend nursing school; and

WHEREAS, Pat Lovelace worked as a nurse at the former St. Elizabeth's Hospital until her children were born, then focused on raising her family and making contributions to the community as a volunteer leader; and

WHEREAS, Pat Lovelace touched the lives of many local youths as a teacher at Old House Play School and Reveille United Methodist Church Preschool, and she was well known by children in her neighborhood as the "cookie lady" for handing out treats from her green cookie jar; and

WHEREAS, Pat Lovelace proudly offered her wise insights to a number of philanthropic organizations, including several Woman's Clubs in the region, and in the early 1970s, she coordinated with her fellow residents of the Carillon neighborhood to establish a beloved local arts festival, Arts in the Park; and

WHEREAS, Pat Lovelace directed Arts in the Park for more than four decades and helped it become one of the top-rated arts shows in the nation, with generations of artists and artisans displaying fine artwork, metalcraft, pottery, weavings, and more to Richmond residents and visitors from around the country; and

WHEREAS, predeceased by her husband, Bob, Pat Lovelace will be fondly remembered and greatly missed by her children, Paige, Dawn, Robert, and Scott, and their families, and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Patricia W. Lovelace, a beloved member of the Richmond community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Patricia W. Lovelace as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 662

Celebrating the life of Michael Gregory Brown.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 22, 2025

WHEREAS, Michael Gregory Brown, an honorable veteran, esteemed civil servant, and active and beloved member of the Richmond community, died on January 26, 2025; and

WHEREAS, Michael Brown was raised in the North Side neighborhood of Richmond and graduated from Maggie L. Walker High School before matriculating at Hampton Institute, now known as Hampton University; and

WHEREAS, Michael Brown was drafted into the United States Army and served his country with honor and distinction during the Vietnam War, earning a Purple Heart for his bravery and valor; and

WHEREAS, following his service, Michael Brown obtained a degree from Virginia Union University and became active in social justice and political efforts; and

WHEREAS, as a former secretary of the State Board of Elections, Michael Brown devoted himself to ensuring citizens had access to voting information, particularly in underserved communities; and

WHEREAS, a tireless champion of voter empowerment, democracy, and civic engagement, Michael Brown worked closely with the NAACP and its state and local chapters, as well as with the Richmond Crusade for Voters; and

WHEREAS, Michael Brown supported many local and statewide Democratic political campaigns over the years, including the historic campaigns of his uncle, Governor L. Douglas Wilder, the first Black politician to be elected governor of the Commonwealth; and

WHEREAS, Michael Brown enjoyed worship and fellowship with his community at the historic First African Baptist Church in Richmond from a young age; and

WHEREAS, Michael Brown will be fondly remembered and dearly missed by his wife, Valery; his children, Shani and Michelle; his grandchild, Micah; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Michael Gregory Brown, a cherished member of the Richmond community whose commitment to social justice and political empowerment made a lasting impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Michael Gregory Brown as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 663

Commending Owen Love.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Owen Love, a sophomore at Thomas A. Edison High School in Fairfax County, won the Virginia High School League Class 6 individual state golf championship at the Lansdowne Resort in Loudoun County on October 15, 2024; and

WHEREAS, Owen Love shot a round of 70 to finish 2-under-par and secured his second consecutive state championship title after scoring a birdie on the second playoff hole against Raquel Walker of James W. Robinson, Jr. Secondary School in Fairfax County, who also finished regulation play with a score of 70; and

WHEREAS, prior to the playoff, Owen Love's championship round included three birdies and six pars on the front nine and two birdies and three bogeys on the back nine; on the deciding, par-5 playoff hole, he hit a beautiful approach shot out of a fairway sand trap that landed about 15 feet from the hole before sinking his putt for birdie; and

WHEREAS, with his victory, Owen Love became the first golfer to win back-to-back individual state championship titles in the highest enrollment classification of the Virginia High School League (VHSL) since the 1960s; and

WHEREAS, in recognition of his accomplishments over the season, which also included an individual VHSL National District championship, Owen Love was named to the VHSL Class 6 all-state golf team in 2024; and

WHEREAS, Owen Love's triumphs are the result of his hard work and dedication, the leadership and guidance of his coaches and teachers, and the unwavering support of his family and the entire Thomas A. Edison High School community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Owen Love for winning the 2024 Virginia High School League Class 6 individual state golf championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Owen Love as an expression of the General Assembly's admiration for his achievements and best wishes for his continued success.

HOUSE JOINT RESOLUTION NO. 664

Commending the John R. Lewis High School boys' soccer team.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, the John R. Lewis High School boys' soccer team of Springfield won the Virginia High School League Region 6C championship on May 31, 2024; and

WHEREAS, the John R. Lewis High School Lancers defeated the Carter G. Woodson High School Cavaliers of Fairfax County by a score of 2-1 to win the Occoquan Region championship title; and

WHEREAS, on its way to a regional championship title, the John Lewis Lancers overcame the Alexandria City High School Titans by a score of 3-1 to earn a spot in the state championship tournament for the fourth consecutive season; and

WHEREAS, the John Lewis Lancers finished the season with an extraordinary 19-1-1 overall record and were 6-0-1 in regional play; and

WHEREAS, in recognition of their accomplishments over the season, John Lewis Lancers' defender Arnold Reyes was named to the Virginia High School League Class 6 all-state first team, while midfielder Moad Ezzahir and forward Elias Rodriguez were selected for the second team; and

WHEREAS, the success of the John Lewis Lancers is the result of the hard work and dedication of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their families and the entire John R. Lewis High School community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the John R. Lewis High School boys' soccer team for winning the 2024 Virginia High School League Region 6C championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to John Millward, coach of the John R. Lewis High School boys' soccer team, as an expression of the General Assembly's admiration for the team's achievements.

HOUSE JOINT RESOLUTION NO. 665

Commending the Thomas A. Edison High School girls' cross country team.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, the Thomas A. Edison High School girls' cross country team of Fairfax County won the Virginia High School League National District championship in Burke Lake on October 30, 2024; and

WHEREAS, the Thomas Edison High School Eagles tallied a total of 69 team points and edged the runner-up Thomas Jefferson High School for Science and Technology Colonials by one point to claim the program's first district title since 2009; and

WHEREAS, the Edison Eagles' top five finishers who contributed to the team's overall score included Halle Knott, Rhys Smith, Pauline Maletz, Avery King, and Reagan Roberts, who placed 6th, 8th, 9th, 13th, and 33rd, respectively; and

WHEREAS, the success of the Edison Eagles is the result of the hard work and dedication of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their families and the entire Thomas A. Edison High School community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Thomas A. Edison High School girls' cross country team for winning the 2024 Virginia High School League National District championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Thomas A. Edison High School girls' cross country team as an expression of the General Assembly's admiration for the team's achievement.

HOUSE JOINT RESOLUTION NO. 667

Commending Dave Perno.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 22, 2025

WHEREAS, Dave Perno, of the Loyalty Auto Group, is the 2025 *Time* magazine Quality Automobile Dealer of the Year Nominee for Virginia; and

WHEREAS, the Loyalty Auto Group was founded by Dave Perno in 2014, representing the culmination of his lifelong work in the auto industry; and

WHEREAS, Dave Perno, whose career in the auto industry has spanned over five decades, got his start in his family's Ford dealership in Chicago working various jobs at the dealership and pursuing education in the industry at Northwood University and higher education at DePaul University; and

WHEREAS, while serving as service manager at his family's dealership, Dave Perno met a customer who would go on to become his wife of over 47 years, Kathy Rohrer Perno; and

WHEREAS, Dave Perno followed his family to Virginia where he continued his career in the automotive industry, working his way through the ranks at several large new car dealer groups in the Commonwealth; and

WHEREAS, in 2014, Dave Perno acquired ownership of Priority Automotive's three Richmond dealerships and two independent service and body shop operations that he rebranded as Loyalty Automotive, which he operates with two of his sons, Shaun and Ryan; and

WHEREAS, Dave Perno has grown Loyalty Automotive to include five new car franchises, one used car supercenter, and four collision repair centers, all of which are heavily invested in employee training and the careers of Loyalty's more than 350 employees; and

WHEREAS, an active and dedicated member of his community, Dave Perno has supported a wide array of industry and community causes for many years; and

WHEREAS, Dave Perno has been a leader in his community and supported numerous causes that serve his community in diverse ways, including as the donor of more than $700,000 over the past seven years to buy state-of-the-art Rydell football helmets to protect young athletes from concussions and head injuries and as a platinum sponsor of the Kids in Need Foundation Backpack Giveaway, giving away 400 backpacks each year filled with school supplies for underserved students; and

WHEREAS, Dave Perno has also been a sponsor of fundraising efforts for numerous organizations and events, including the Colonial Heights Food Pantry, the Virginia Commonwealth University Massey Cancer Center, the American Cancer Society, the Chesdin Landing Women's Association, the Virginia War Memorial race, James River bass tournaments, and Chesterfield County career day; and

WHEREAS, an active and dedicated member of his industry, Dave Perno has served his customers and his community with a generous spirit and has been an example to dealers in his community and around the Commonwealth; and

WHEREAS, Dave Perno is committed to developing the next generation of automotive technicians, providing substantial resources to scholarships and tools for students in automotive technology programs at Reynolds Community College, who are given the opportunity to work at Loyalty's dealerships during their education and upon graduation; and

WHEREAS, Dave Perno has served his industry as an active member of the Virginia Automobile Dealers Association, including service as a member of the board of directors; and

WHEREAS, Dave Perno served as chairman of the Virginia Automobile Dealers Association in 2020, leading all his fellow franchise dealers as their top elected officer; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Dave Perno on his selection as the 2025 *Time* magazine Quality Dealer of the Year Nominee for Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dave Perno as an expression of the General Assembly's congratulations and best wishes.

HOUSE JOINT RESOLUTION NO. 668

Commending Leesburg Animal Park.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Leesburg Animal Park has helped young people gain a better understanding and appreciation for animals through interactive educational programs at its current location for 25 years; and

WHEREAS, Leesburg Animal Park originally opened in 1980 and served families from its location on Hunter Mill Road in Vienna until 1999; the park reopened at its current location on James Monroe Highway in Leesburg in 2000; and

WHEREAS, Leesburg Animal Park is home to more than 100 exotic and domestic animals, including camels, zebras, gibbons, squirrel monkeys, lemurs, emus, wallabies, cavies, kookaburras, and common farm animals; trained keepers not only care for the animals, but offer informative daily talks; and

WHEREAS, Leesburg Animal Park offers day camps for children on select days, as well as week-long summer camps where kids can learn about animals and serve as a keeper for a week; and

WHEREAS, during the spring and summer, Leesburg Animal Park hosts monthly catch and release fishing derbies where children can win a fishing pole for the biggest fish caught; one of its most popular annual events is the Pumpkin Village fall festival; and

WHEREAS, Leesburg Animal Park partners with local schools to offer assembly-style programs, as well as small group educational programs; and

WHEREAS, Leesburg Animal Park is a leader in conservation, working with the Nature Conservancy to protect the waters and lands that support life around the world; the park also supports programs to protect endangered communities of Bonobo monkeys in the Congo and has successfully bred and raised other endangered species, such as the white-handed gibbon; and

WHEREAS, Leesburg Animal Park is owned by Robert and Shirley Johnson; their three children, Aaron, Amy, and Dale, and nine grandchildren have all made lasting memories within the park and played a role in maintaining its ongoing commitment to excellence; and

WHEREAS, Leesburg Animal Park has fulfilled its mission through the hard work of its staff members and keepers and the generosity of volunteers and community partners; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Leesburg Animal Park on the occasion of its 25th anniversary at its current location; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Robert and Shirley Johnson, owners of Leesburg Animal Park, as an expression of the General Assembly's admiration for the park's contributions to the Leesburg community.

HOUSE JOINT RESOLUTION NO. 669

Celebrating the life of Vernon S. Lee II.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Vernon S. Lee II, a highly admired employee of Prince William County Public Schools who touched the lives of countless young people, died on February 4, 2025; and

WHEREAS, Vernon Lee grew up in Petersburg, where he began to cultivate his deep faith at an early age as a member of Mount Olivet Baptist Church; and

WHEREAS, Vernon Lee graduated from Petersburg High School in 1985 and continued his education at Virginia State University; and

WHEREAS, Vernon Lee was employed by Prince William County Public Schools and served as a school resource officer at Freedom High School in Woodbridge; and

WHEREAS, in addition to ensuring the safety and security of students, Vernon Lee was a trusted mentor who brought joy to everyone he met through his wit and wisdom; and

WHEREAS, Vernon Lee will be fondly remembered and greatly missed by his wife, Chantelle; his children, Shannon and Vershon; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Vernon S. Lee II; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Vernon S. Lee II as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 670

Commending The Roanoker.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 22, 2025

WHEREAS, *The Roanoker*, the longest continuously published city magazine in the Commonwealth and the leading city magazine for the Roanoke Valley, celebrated its 50th anniversary in 2024; and

WHEREAS, created in 1974 by publisher and journalist Richard Wells, *The Roanoker* has delighted readers with its wide-ranging coverage of locally relevant topics, from art, entertainment, and fine dining to economic, social, and political issues, while serving as a valuable guide to both residents and visitors of the Roanoke Valley; and

WHEREAS, *The Roanoker* is published by LeisureMedia360, which also produces state, regional, and local travel guides, including the Virginia Tourism Corporation's Virginia Travel Guide, and city and regional magazines and quality-of-life publications, such as *Blue Ridge Country* magazine and *Spirited Virginia* magazine; and

WHEREAS, *The Roanoker* has provided a valuable space for local businesses and organizations to advertise and promote their products and services, contributing to the growth and success of the regional economy; and

WHEREAS, today, *The Roanoker* has a readership of more than 68,000 people, and it has continued to evolve to meet the needs of its readers in the 21st century by venturing into digital and social media platforms; and

WHEREAS, in recognition of its quality journalism and reporting, *The Roanoker* has been honored by various distinguished news and trade organizations, including the Virginia Press Women, the National Federation of Press Women, the Advertising Federation of the Roanoke Valley, and the International Regional Magazine Association; and

WHEREAS, the longevity and accomplishments of *The Roanoker* are the result of the tireless efforts of the more than 500 employees who have supported the magazine over its history, many of whom have been with the publication for several decades, including Kurt Rheinheimer, who has served as editor-in-chief since 1984; and

WHEREAS, despite the challenges impacting print journalism over the last half-century, *The Roanoker* has emerged as a robust and influential institution in its community and an integral part of what makes the Roanoke Valley a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend *The Roanoker* on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of *The Roanoker* as an expression of the General Assembly's admiration for its history and achievements and best wishes for its continued success.

HOUSE JOINT RESOLUTION NO. 671

Celebrating the life of Irene Louise Schubert.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Irene Louise Schubert, an esteemed librarian and beloved member of the Fairfax County community, died on November 17, 2024; and

WHEREAS, born in Escanaba, Michigan, Irene Schubert graduated from high school in Superior, Wisconsin, before earning a bachelor's degree from the University of Wisconsin-Stout and a master's degree in library science from the University of Denver; and

WHEREAS, Irene Schubert embarked upon her career as a librarian with an apprenticeship at the public library in Westminster, Colorado, and served as a reference librarian at the University of Wyoming and the University of Toledo before becoming the head of reference at the University of Maryland's undergraduate library; and

WHEREAS, Irene Schubert joined the Library of Congress in the early 1980s, first as a member of the Congressional Research Service, then as head of the newspaper and current periodical reading room, and ultimately as chief of the Preservation Reformatting Division before her retirement in 2002; and

WHEREAS, in her retirement, Irene Schubert saw the world, living for a year in Romania, crossing Britain along Hadrian's Wall, exploring Europe, and residing part-time in Gyor, Hungary, for 16 years; and

WHEREAS, Irene Schubert generously gave more than 2,000 hours of service, particularly in the library, as a volunteer at President George Washington's Mount Vernon estate; and

WHEREAS, Irene Schubert will be fondly remembered and dearly missed by her loving husband of 55 years, Frank; her sons, Max and Andrew; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Irene Louise Schubert, a cherished member of the Fairfax County community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Irene Louise Schubert as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 672

Celebrating the life of Colonel Gerald William Hyland, USAF, Ret.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Colonel Gerald William Hyland, USAF, Ret., an honorable veteran, accomplished attorney, esteemed public servant, and beloved member of the Fairfax County community, died on January 19, 2025; and

WHEREAS, born in Holden, Massachusetts, Colonel Gerald "Gerry" William Hyland, USAF, Ret., attended College of the Holy Cross before earning his juris doctor degree from Georgetown University Law Center; and

WHEREAS, Gerry Hyland served his country with honor and distinction as a reservist in the United States Air Force with the Judge Advocate General's Office, for four years of active duty in Normandy, and for 30 more years in the Air Force Reserve Command; and

WHEREAS, Gerry Hyland embarked upon a legal career that spanned a half-century as legislative counsel for the Credit Union National Association; in 1976, he founded the law firm Hyland & Hyland alongside his wife, Carmen, where he worked tirelessly for the benefit of his clients; and

WHEREAS, Gerry Hyland made his first foray into public service as a member of the Fairfax County Board of Zoning Appeals; then, in 1987, he was elected Mount Vernon District Supervisor on the Fairfax County Board of Supervisors, a position in which he would faithfully serve his constituents for 28 years; and

WHEREAS, as a member of the Fairfax County Board of Supervisors, Gerry Hyland was dedicated to listening to the concerns of all constituents and ensuring local government responded to those concerns with several initiatives promoting health, prosperity, and well-being; and

WHEREAS, in recognition of Gerry Hyland's efforts, Fairfax County rededicated the South County Government Center as the Gerry Hyland Government Center in his honor in 2019; and

WHEREAS, Gerry Hyland made an impact on the state and national level as chair of the Virginia Railway Express, president of the Virginia Association of Counties, and member of the National Association of Counties board of directors; and

WHEREAS, after his family and public service, Gerry Hyland found his greatest joy at his farm in Parksley, where he grew vegetables, raised livestock, and caught crabs off his dock to share with friends and loved ones; and

WHEREAS, preceded in death by his wife, Carmen, and his companion, Shirley, Gerry Hyland will be fondly remembered and dearly missed by his daughter, Gigi, and her family and by numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Colonel Gerald William Hyland, USAF, Ret., a distinguished member of the Fairfax County community whose dedication and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Colonel Gerald William Hyland, USAF, Ret., as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 673

Confirming appointments by the Speaker of the House of Delegates to the Virginia Commonwealth University Health System Authority Board of Directors.

Agreed to by the House of Delegates, February 20, 2025
Agreed to by the Senate, February 22, 2025

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly confirm the following appointments made by the Speaker of the House of Delegates to the **Virginia Commonwealth University Health System Authority Board of Directors** pursuant to § 23.1-2402 of the Code of Virginia:

Hem L. Bhardwaj, M.D., of **Richmond,** Virginia, Member, for a term of three years beginning July 1, 2024, and ending June 30, 2027.

Fay Manolios of **Richmond,** Virginia, Member, for a term of three years beginning July 1, 2024, and ending June 30, 2027.

HOUSE JOINT RESOLUTION NO. 674

Commending Kayla Nguyen.

Agreed to by the House of Delegates, February 17, 2025
Agreed to by the Senate, February 19, 2025

WHEREAS, Kayla Nguyen, a distinguished student leader from Aldie was awarded the Sgt. Moses Adams Memorial Middle School Brochure Contest Award for the Commonwealth of Virginia in 2024; and

WHEREAS, Kayla Nguyen's award-winning brochure thoughtfully explored the profound effects of the Declaration of Independence on American history, beautifully illustrating its lasting impact on both the Commonwealth and the nation; and

WHEREAS, as an eighth-grade student at Willard Middle School at the time, Kayla Nguyen triumphed over her peers from middle schools across the Commonwealth to secure this esteemed recognition; and

WHEREAS, Kayla Nguyen's success in the state competition led her to the national contest hosted by the Sons of the American Revolution, where she earned an impressive fifth-place finish nationally, representing the Commonwealth among the top winners from all 50 states; and

WHEREAS, Kayla Nguyen's unwavering dedication to learning, preserving history, and promoting civic engagement exemplifies her exceptional character and her commitment to the betterment of both the Commonwealth and the nation; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Kayla Nguyen on her remarkable achievement and her devotion to preserving American history; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Kayla Nguyen as an expression of the General Assembly's admiration for her exceptional contributions to the Commonwealth, her artistic talent, and her steadfast commitment to preserving American history.

HOUSE JOINT RESOLUTION NO. 675

Commending Todd Biller.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Todd Biller, a citizen of Harrisonburg and a longtime member of the Department of Corrections who has greatly served the Commonwealth for more than 33 years, retired on July 1, 2024; and

WHEREAS, in the beginning of his career, Todd Biller devoted more than 12 years to the Department of Agriculture and Consumer Services, promoting the growth and development of the Commonwealth; and

WHEREAS, Todd Biller subsequently served with the Department of Corrections as a corrections officer for nearly 21 years, ensuring the safe and responsible operation of the Commonwealth's correctional facilities, primarily at the Community Corrections Alternative Program facility in Linville, as well as at Augusta Correctional Center; and

WHEREAS, over his first 18 years with the Department of Corrections, Todd Biller demonstrated remarkable fortitude and commitment to his work by never taking a sick day or time off; and

WHEREAS, with great resolve and determination, Todd Biller often worked long hours, overtime, and additional shifts to support the Department of Corrections' mission; and

WHEREAS, Todd Biller was unwavering in his dedication to the Commonwealth over his 33-year career, earning the respect and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Todd Biller for his exemplary record of reliable state service on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Todd Biller as an expression of the General Assembly's appreciation for his contributions to the Commonwealth and best wishes for his well-deserved retirement.

HOUSE JOINT RESOLUTION NO. 676

Commending the Stroke Comeback Center.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, the Stroke Comeback Center, an organization in Vienna dedicated to assisting stroke and brain trauma survivors with ongoing and personally meaningful programs within a supportive and peer-driven environment, celebrates its 20th anniversary in 2025; and

WHEREAS, the Stroke Comeback Center employs the Life Participation Approach to Aphasia to help its clients reengage with their lives following a stroke or brain trauma, measuring their success by how they overcome personal and environmental barriers; and

WHEREAS, the Stroke Comeback Center recognizes that strokes and brain traumas affect both individuals and their families and has developed programs and resources designed to benefit a person's entire support network; and

WHEREAS, the Stroke Comeback Center strives to be inclusive and available to all and has never turned any individual away who was unable to afford its programs and services; and

WHEREAS, as a result of the tireless efforts of its staff, the Stroke Comeback Center has empowered an untold number of patients to improve their ability to communicate and connect with others; and

WHEREAS, by helping stroke and brain trauma survivors build confidence and achieve their full potential, the Stroke Comeback Center has made a profound and lasting impact on countless lives; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Stroke Comeback Center on the occasion of its 20th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Stroke Comeback Center as an expression of the General Assembly's admiration for its support of individuals affected by a stroke or brain trauma.

HOUSE JOINT RESOLUTION NO. 677

Commending James Holland.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, James Holland, an Army veteran, accomplished accountant, and faithful public servant, has served on the Chesterfield County Board of Supervisors since 2008; and

WHEREAS, born in Gates, North Carolina, James "Jim" Holland served in the United States Army and was stationed at Fort Liberty, North Carolina, from June 1972 until December 1974; he volunteered for the United States Army Airborne School and served in the XVIII Airborne Corps, 118th Military Police Company as a paratrooper and military policeman during the de-escalation of the Vietnam War; and

WHEREAS, Jim Holland earned a bachelor's degree with honors from Fayetteville State University in 1979 and received a master's degree in business administration in 1980 from North Carolina Central University; and

WHEREAS, Jim Holland has been a resident of Chesterfield County since 1987; he retired from Philip Morris USA and Philip Morris International, and he is a certified public accountant (CPA) who served as president of Holland and Company, CPA, in Chesterfield County; and

WHEREAS, Jim Holland has inspired numerous young men and women as an accounting professor and CPA advisor at Virginia Commonwealth University; and

WHEREAS, Jim Holland was elected to represent the Dale District on the Chesterfield County Board of Supervisors and has proudly served his constituents for 17 years; during that time, he served as board chair in 2014, 2021, and 2024, and served as board vice chair in 2010 and 2022; and

WHEREAS, during his tenure on the board, Jim Holland was part of some of Chesterfield County's most notable successes, including the LEGO Group's decision to establish its United States manufacturing plant in Chesterfield, a multi-billion dollar investment by Commonwealth Fusion Systems to build the world's first grid-scale commercial fusion power plant in Chesterfield, and the successful navigation of the many challenges related to the COVID-19 pandemic and related economic impacts while transitioning many local government services and programs to be delivered virtually; and

WHEREAS, Jim Holland oversaw the passage of bond referendums in 2013 and 2022 and participated in two complex decennial redistricting processes, serving as board chair during the 2021 redistricting process; and

WHEREAS, Jim Holland was part of some of Dale District's most notable successes, including the replacement of Beulah Elementary School and Falling Creek Middle School, the approval of Courthouse Landing, and the adaptive reuse of the old Beulah Elementary School as the Beulah Recreation Center; and

WHEREAS, Jim Holland's devotion to his community has led him to pursue various civic endeavors and to become involved with several local organizations, including the American Institute of Certified Public Accountants and the Virginia Society of CPAs, the Chesterfield County Drug and Alcohol Abuse Task Force, the Chesterfield County Council of PTAs, the Jacobs Athletic Association, the Manchester High School Band Boosters Club, and the Supervisory Committee of the Virginia Credit Union; and

WHEREAS, Jim Holland, as a longtime and closely engaged member of First Baptist Church Centralia, also serves faithfully as a deacon and Sunday school teacher; and

WHEREAS, Jim Holland was appointed to serve on the Richmond Region Tourism Board from January 2008 through December 2024; and

WHEREAS, Jim Holland was appointed to serve on the Chesterfield Budget and Audit Committee, later renamed the Chesterfield Audit and Finance Committee, from January 2008 through December 2015 and was reappointed in January 2020 and currently serves; and

WHEREAS, Jim Holland was appointed by Governors Mark Warner and Tim Kaine to the Board of Commissioners for the Virginia Public School Authority from 2002 to 2008, including service as chair in 2008; and

WHEREAS, Jim Holland was appointed by Governors Bob McDonnell and Terry McAuliffe to serve on the Virginia Board of Accountancy from 2013 to 2017 and the National Association of State Boards of Accountancy's Ethics and Continuing Professional Education Committees from 2014 to 2017; and

WHEREAS, Jim Holland was appointed by Governor Ralph Northam to serve on the Virginia Opioid Abatement Authority in 2021 and was reappointed by Governor Glenn Youngkin in 2023 to serve as treasurer; and

WHEREAS, by demonstrating an unwavering commitment to enhancing the lives of others, Jim Holland has embodied the ideals of public service and has worked tirelessly and effectively to make Chesterfield County a wonderful place to live, learn, work, and play; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend James Holland for his service as a member of the Chesterfield County Board of Supervisors and achievements in other leadership roles; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to James Holland as an expression of the General Assembly's admiration for his contributions to Chesterfield County and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 678

Commending the Roanoke Higher Education Center.

Agreed to by the House of Delegates, February 18, 2025

Agreed to by the Senate, February 22, 2025

WHEREAS, the Roanoke Higher Education Authority, a political subdivision established in 1997 by the Commonwealth, is governed by a board of trustees; and

WHEREAS, the Roanoke Higher Education Center functions under the umbrella of the Roanoke Higher Education Authority, allowing access to educational opportunities that lead to degrees, certificates, endorsements, and workforce skill development to meet the diverse needs of the workforce; and

WHEREAS, the Roanoke Higher Education Center opened its doors in August 2000 and has contributed more than $10 million of economic growth annually to the Roanoke region with an additional $8 million in student spending; and

WHEREAS, the Roanoke Higher Education Center's main building and the Claude Moore Education Complex are historic treasures located in the heart of downtown Roanoke; and

WHEREAS, the Roanoke Higher Education Center takes pride in hosting James Madison University, Project Discovery, Radford University, Region 5 Adult Education, Sovah School of Health Professions, Total Action for Progress, Virginia Commonwealth University, Virginia State University, Virginia Polytechnic Institute and State University, and Virginia Western Community College to deliver programs and services to the citizens of the Roanoke region; and

WHEREAS, the Roanoke Higher Education Center has awarded over 16,000 degrees, certificates, and endorsements during the past 25 years; and

WHEREAS, the Roanoke Higher Education Center administers approximately 3,000 tests annually through its Educational Testing Center designed to help individuals achieve workforce endorsements and credentials; and

WHEREAS, the Roanoke Higher Education Center provides computer labs, video conferencing, and a state-of-the-art meeting space to more than 18,000 individuals from community organizations annually; and

WHEREAS, the Roanoke Higher Education Center provides a range of clinical simulation exercises to more than 3,500 students each year who plan to enter health care jobs; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Roanoke Higher Education Center for its 25 years of service providing access to educational opportunities to the citizens of the Roanoke region; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Roanoke Higher Education Center as an expression of the General Assembly's admiration for the center's contributions to the Roanoke region and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 679

Commending United Methodist Family Services.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, United Methodist Family Services celebrates 125 years of dedicated service to the children and families of the Commonwealth in 2025; and

WHEREAS, United Methodist Family Services (UMFS), a private, nonprofit, nonsectarian organization, has provided unwavering support to children in crisis, foster families, and vulnerable youth by delivering innovative and life-changing programs; and

WHEREAS, UMFS was founded in 1900 with a vision of ensuring that all children, regardless of circumstance, have the opportunity to thrive in a safe, supportive, and loving environment; and

WHEREAS, over the past 125 years, UMFS has expanded its services across the Commonwealth, evolving into a statewide leader in child welfare, foster care, adoption services, community-based services, and specialized education through its Charterhouse School; and

WHEREAS, UMFS has remained committed to its mission of empowering vulnerable children, youth, and families to reach their full potential through a network of community-based programs, residential treatment, therapeutic foster care, and independent living support for youth transitioning out of foster care; and

WHEREAS, UMFS has forged lasting partnerships with state and local government agencies, faith communities, volunteers, and nonprofit organizations to ensure that children and families receive the comprehensive support they need; and

WHEREAS, in its 125th year, UMFS continues to embrace core values of unwavering support, innovation, collaboration, and excellence in service delivery, providing hope and healing to thousands of children and families each year; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend United Methodist Family Services on the occasion of its 125th anniversary for its invaluable contributions to the well-being of children and families in the Commonwealth; and be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the board of directors of United Methodist Family Services as an expression of the General Assembly's admiration and gratitude for the organization's lasting impact on the Commonwealth's children, youth, and families.

HOUSE JOINT RESOLUTION NO. 680

Commending the Combat Antisemitism Movement.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, the Combat Antisemitism Movement is a global coalition dedicated to uniting individuals and organizations from all backgrounds to confront and eliminate antisemitism in all its forms; and

WHEREAS, the Combat Antisemitism Movement (CAM) has demonstrated a significant commitment to combating antisemitism in the Commonwealth of Virginia through initiatives that promote education, law-enforcement training, community engagement, and cultural recognition; and

WHEREAS, CAM hosted the First Annual Summit to Combat Antisemitism, bringing together community leaders, lawmakers, and advocates to address the rise of antisemitism and propose tangible solutions, with a second summit scheduled to be held in May 2025; and

WHEREAS, CAM honored the courageous service of the Eisenhower Carrier Strike Group, the 6,500 military members of which recently returned from nine months at sea, where they faced the most significant combat action defending against missile and drone attacks on United States and allied assets since World War II, through the Military Tribute Gala Dinner; and

WHEREAS, a half-block-wide wall mural at the oceanfront of Virginia Beach, painted by an Israeli artist, was dedicated to the brave service members of the Eisenhower Carrier Strike Group, recognizing their valor and sacrifices; and

WHEREAS, CAM has facilitated law-enforcement training across the Commonwealth for hundreds of local, state, federal, and university law-enforcement professionals, with instruction provided by worldwide experts from the George Washington University Program on Extremism, the leading research center on extremism, antiterrorism, hate, and antisemitism, resulting in real-world results with investigators identifying and thwarting potential threats to public safety thanks to improved recognition of evidence associated with extremism during probes of unrelated criminal activities; and

WHEREAS, CAM has provided training for public and private university presidents and higher education leaders to recognize and fairly address hate and antisemitism on their campuses, ensuring a safer and more inclusive learning environment; and

WHEREAS, CAM has conducted meetings with concerned parents and students experiencing antisemitism in elementary, middle, and high schools as well as universities across Virginia, directly connecting them with elected officials

and public entities capable of addressing their grievances and assisting in opening civil rights cases within the Virginia Attorney General's Civil Rights Division; and

WHEREAS, CAM is preparing to launch new initiatives in Virginia emphasizing education, scholarships, and cultural bridge-building, including scholarships for students at Historically Black Colleges and Universities (HBCUs) and community colleges, as well as programs to bring Black and Jewish students together through the Jewish American Heritage Month (JAHM) short curriculum contest and the introduction of a long-term JAHM curriculum; and

WHEREAS, CAM is supporting the restoration of the first-floor soda fountain in the historic Woolworth's building in Norfolk, Virginia, the site of one of the first civil rights demonstrations in the state, now housed in the Tidewater Community College academic building, which will serve as an interactive learning museum and classroom instruction site highlighting civil rights history and its connection to combating antisemitism; and

WHEREAS, CAM is also working to restore and support the legacy of Rosenwald Schools and HBCUs, ensuring continued investment in educational institutions that have historically empowered marginalized communities and fostering unity and understanding; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Combat Antisemitism Movement for its outstanding efforts in combating antisemitism, promoting education, fostering interfaith and intercommunity dialogue, and supporting military, law-enforcement, and civil rights initiatives across the Commonwealth of Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Combat Antisemitism Movement as an expression of the General Assembly's appreciation for its dedication to fighting antisemitism and promoting justice, unity, and education throughout Virginia.

HOUSE JOINT RESOLUTION NO. 681

Celebrating the life of Meghan Rose Hinger.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Meghan Rose Hinger, a passionate health care professional who provided exceptional leadership to the Charlottesville Free Clinic and helped the organization fulfill its benevolent mission, died on January 15, 2025; and

WHEREAS, Meghan Hinger graduated from Tabb High School in Yorktown and studied nursing at what is now the University of Lynchburg; she was a talented field hockey player in her high school and college years; and

WHEREAS, after receiving a bachelor's degree in nursing, Meghan Hinger began working in the Emergency Department at the University of Virginia Medical Center; she was recognized for her commitment to patient care and satisfaction, became one of the youngest nurse managers at the center, and was instrumental in designing a new Emergency Department, which opened in 2018; and

WHEREAS, Meghan Hinger originally joined the Charlottesville Free Clinic as a volunteer in 2016; the clinic engages with more than 700 volunteer health care professionals from the University of Virginia Health System and other community practices to provide high-quality medical, dental, and pharmacy services for community members without affordable access to health care; and

WHEREAS, Meghan Hinger helped create a more equitable health care environment in the community, transforming patient care and medical operations at the Charlottesville Free Clinic through her dedication and expertise; and

WHEREAS, in 2023, Meghan Hinger was promoted to co-chief executive officer of the Charlottesville Free Clinic; and

WHEREAS, under Meghan Hinger's leadership, the Charlottesville Free Clinic outperformed national benchmarks in multiple categories and greatly expanded its service; she oversaw site selection and design of a new building in order to be able to treat more patients, and she led efforts to create a free dental clinic; and

WHEREAS, Meghan Hinger inspired others through her compassion, empathy, and unparalleled commitment to the health and wellness of her patients; among many accolades, she was recognized as a 40 under 40 Trailblazer by the Virginia Nurses Foundation; and

WHEREAS, predeceased by her mother, Loretta, Meghan Hinger will be fondly remembered and greatly missed by her father, Robert; her sisters, Sarah Ann and Kathleen, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Meghan Rose Hinger, a leader in health care who touched countless lives in the Charlottesville area; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Meghan Rose Hinger as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 682

Commemorating the life and legacy of William Flora.

Agreed to by the House of Delegates, February 19, 2025
Agreed to by the Senate, February 22, 2025

WHEREAS, William Flora, a native of Portsmouth and the hero of the Battle of Great Bridge during the American Revolutionary War, played a pivotal role in the founding of the nation; and

WHEREAS, William "Billy" Flora, even under the most catastrophic circumstances, sustained hope for an ideal "that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness"; and

WHEREAS, William Flora was born to free Black parents in Portsmouth and joined the revolutionary cause at a young age by enlisting with Colonel William Woodford's 2nd Virginia Regiment in 1775; and

WHEREAS, during the Battle of Great Bridge near Norfolk on December 9, 1775, William Flora was the last sentry standing guard on Great Bridge, where he single-handedly engaged an entire British platoon and is credited with removing planks from the Great Bridge, which slowed the British advance and enabled his fellow militiamen to mount their defense; and

WHEREAS, following the Battle of Great Bridge, which was the first victory for the Continental Army during the American Revolutionary War, William Flora's courage and valor were lauded by his comrades and celebrated in a local newspaper of the time; and

WHEREAS, William Flora later enlisted as a private in Captain William Grimes' 15th Virginia Continental Regiment and served with this unit for three years until he was honorably discharged; and

WHEREAS, William Flora is believed to have also served with the 5th, 11th, and 16th Virginia Regiments during the American Revolutionary War and to have participated in the Battle of Yorktown, which brought about the end of the war; and

WHEREAS, in later years, William Flora owned a successful livery stable in Portsmouth and became one of the first free Black men in the Commonwealth to buy town property, an estate that was passed on through the years to his son and grandson; and

WHEREAS, in honor of his service during the American Revolutionary War, William Flora was presented a 100-acre bounty land warrant 31 years after the Battle of Great Bridge; and

WHEREAS, William Flora valiantly served the country once again following the British Navy's attack on the USS *Chesapeake* in 1807, when he enlisted and served as a marine on a gun boat under the command of Commodore Stephen Decatur; and

WHEREAS, William Flora's life and involvement in the American Revolutionary War have been memorialized with a historical marker at the Great Bridge Battlefield site, allowing future generations to better appreciate his contributions to America's fight for independence; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commemorate the life and legacy of William Flora on the 250th anniversary of the Battle of Great Bridge; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Great Bridge Battlefield & Waterways History Foundation as an expression of the General Assembly's deep respect and admiration for his heroism and service in the founding days of the Commonwealth and the nation.

HOUSE JOINT RESOLUTION NO. 683

Commemorating the life and legacy of William Woodford.

Agreed to by the House of Delegates, February 19, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, William Woodford was a native of Caroline County, a brigadier general in the Continental Army, and a patriot whose courage and sacrifice during the American Revolutionary War led to the birth of the nation nearly 250 years ago; and

WHEREAS, William Woodford was born into a family with a strong military tradition and began his service as a captain in the Virginia militia in October 1755; and

WHEREAS, during the French and Indian War, William Woodford joined George Washington's 1st Virginia Regiment as an ensign and later earned a promotion to lieutenant; in 1771, he rose to the rank of lieutenant colonel in the Caroline County militia; and

WHEREAS, at the Third Virginia Convention in the summer of 1775, William Woodford was appointed colonel and commanding officer of the 2nd Virginia Regiment; and

WHEREAS, William Woodford led the 2nd Virginia Regiment during the Battle of Great Bridge on December 9, 1775, the first land battle in the Southern colonies and a historic victory for the Continental Army, in which the Virginia militia drove the royal governor of Virginia, Lord Dunmore, from the Norfolk peninsula, marking the end of royal authority in the colony of Virginia; and

WHEREAS, after he was promoted to brigadier general of the Continental Army in February 1777, William Woodford joined Commander-in-Chief George Washington and led the Virginia Line in several major battles; and

WHEREAS, William Woodford was wounded resisting the British advance on Philadelphia at the Battle of Brandywine Creek, then quickly recovered to lead his soldiers at the Battle of Germantown, followed by the decisive Battle of Monmouth, which shifted the course of the war; and

WHEREAS, in 1780, William Woodford and the Virginia Line went to reinforce American troops at Charleston, South Carolina, but shortly thereafter were compelled to surrender to the British Army; and

WHEREAS, after suffering several horrific months on a prison ship anchored outside of New York City, William Woodford died on November 13, 1780, at the age of 46; and

WHEREAS, in addition to Woodford County, Illinois, and Woodford County, Kentucky, the Town of Woodford in Caroline County is named in honor of William Woodford's extraordinary contributions to America's fight for independence; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commemorate the life and legacy of William Woodford on the 250th anniversary of his historic victory at the Battle of Great Bridge; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Great Bridge Battlefield & Waterways History Foundation as an expression of the General Assembly's deep respect and admiration for his impact on the history of the Commonwealth and the nation.

HOUSE JOINT RESOLUTION NO. 684

Celebrating the lives of Loudoun County community members aboard American Airlines Flight 5342.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, on January 29, 2025, a collision between American Airlines Flight 5342 and a United States Army helicopter near Ronald Reagan Washington National Airport tragically resulted in the deaths of 67 people, including numerous individuals with ties to Loudoun County; and

WHEREAS, several passengers aboard American Airlines Flight 5342 were associated with the Ashburn Ice House in Loudoun County through the Washington Figure Skating Club, ION Figure Skating Club, or the Skating Club of Northern Virginia and were returning from the U.S. Figure Skating National Development Camp in Wichita, Kansas; and

WHEREAS, Franco Aparicio was a talented member of the Washington Figure Skating Club and was traveling with his father, Luciano Aparicio, an accountant who specialized in the energy sector; and

WHEREAS, Brielle Byer of the Skating Club of Northern Virginia was a natural skater who had recently earned a bronze medal in the juvenile girls division at the 2025 Eastern Sectional Singles; she was accompanied by her mother Justyna Byer, who devoted her time to helping her daughter achieve her goals; and

WHEREAS, Cory Haynos of the Skating Club of Northern Virginia was an intermediate bronze medalist at the 2025 Eastern Sectional Singles Final and was accompanied by his parents, Stephanie and Roger Haynos; and

WHEREAS, Peter Livingston, a trusted real estate professional, and his wife, Donna Livingston, a longtime employee of Comcast, were supporting their daughters, Everly and Alydia Livingston, who were well known on social media for their figure skating videos and competed with the Washington Figure Skating Club; and

WHEREAS, Olivia Eve Ter was a talented member of ION Figure Skating Club who loved taking opportunities to help younger athletes learn how to skate; she was traveling with her mother, Olesya Taylor; and

WHEREAS, Inna Volyanskaya, a former figure skater for Russia, was serving as a coach at Ashburn Ice House and had mentored numerous skating medalists at the regional, sectional, and national levels; and

WHEREAS, Edward Zhou was known as a fearless skater and a passionate supporter of his fellow athletes at the Skating Club of Northern Virginia; he was traveling with his parents Yu Zhou and Kaiyan Mao; and

WHEREAS, these individuals will be fondly remembered and greatly missed by numerous family members and friends throughout Loudoun County, the Commonwealth, and the world; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Franco Aparicio, Luciano Aparicio, Brielle Byer, Justyna Byer, Cory Haynos, Roger Haynos, Stephanie Haynos, Peter Livingston, Donna Livingston, Everly Livingston, Alydia Livingston, Olivia Eve Ter, Olesya Taylor, Inna Volyanskaya, Edward Zhou, Yu Zhou, and Kaiyan Mao; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare copies of this resolution for presentation to the families of Loudoun County community members who perished aboard American Airlines Flight 5342 as an expression of the General Assembly's respect for their memories.

HOUSE JOINT RESOLUTION NO. 685

Commending the Virginia Wing of the Civil Air Patrol.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, the Civil Air Patrol continues to serve as the valued auxiliary of the United States Air Force, with the Virginia Wing maintaining 28 locations statewide, operating 12 single-engine aircraft, and comprising 1,207 adult members, 1,361 cadet members, 194 aircrew personnel, and 1,643 emergency responders; and

WHEREAS, in 2024, the Virginia Wing demonstrated exceptional operational capabilities through multiple mission types, including 27 air defense intercept flights with the Air National Guard, 23 aerial imagery and damage assessment flights for Hurricane Helene response operations, the deployment of 15 members to support points of distribution operations, three counter-small unmanned aircraft system missions in support of the United States Air Force, and monthly emergency services training missions involving more than 500 members; and

WHEREAS, members of the Virginia Wing conducted extensive flight operations throughout 2024, including 595 powered cadet orientation rides, 99 glider orientation rides, 214 Air Force Junior Reserve Officers' Training Corps rides, and 287 emergency services training sorties, demonstrating their commitment to aviation education, aviation safety, and emergency preparedness; and

WHEREAS, the Virginia Wing's cadet program achieved remarkable success in 2024, with 2,904 cadet achievements, including 383 milestone awards, notably three General Carl A. Spaatz Awards, 10 General Ira C. Eaker Awards, 30 Amelia Earhart Awards, 98 Billy Mitchell Awards, and 155 Wright Brothers Awards; and

WHEREAS, the Virginia Wing conducted two successful encampments in 2024, with the Winter Encampment training 86 basic cadets and the Summer Encampment providing training to 195 basic cadets and 20 advanced training flight participants; and

WHEREAS, 19 of 21 units earned the Quality Cadet Unit Award and 18 units achieved the Aerospace Education Achievement Award, while the Virginia Wing received the Mid-Atlantic Region Disaster Relief Mission Award; and

WHEREAS, the Virginia Wing demonstrated its commitment to science, technology, engineering, and mathematics (STEM) education through participation in the Joint Base Langley-Eustis Tidewater Integrated Combat Symposium STEM Day, which engaged with 728 students and 68 teachers from Hampton and Poquoson and introduced youths to aerospace education and STEM programs; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Virginia Wing of the Civil Air Patrol for its exceptional service and achievements in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Virginia Wing of the Civil Air Patrol as an expression of the General Assembly's admiration for its members' ongoing dedication to service and contributions to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 686

Celebrating the lives of Olivia Eve Ter and Olesya Taylor.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Olivia Eve Ter and her mother, Olesya Taylor, vibrant members of the figure skating community in the Washington, D.C., area died on January 29, 2025, aboard American Airlines Flight 5342; and

WHEREAS, Olivia Ter was a talented and determined member of Ion Figure Skating Club in Leesburg; she brought joy to coaches and teammates alike through her effervescent smile and infectious laughter, and she relished every opportunity to teach younger athletes how to skate; and

WHEREAS, Olivia Ter had earned gold and silver medals at U.S. Figure Skating National Qualifying Series competitions, and finished fourth in her age division at the 2025 Eastern Sectional Singles Final, earning a trip to the U.S. Figure Skating National Development Camp in Wichita, Kansas; and

WHEREAS, Olesya Taylor had previously pursued a career as a neonatologist while living in Russia; after she married Andrew Ter, and the couple relocated to the United States, where they raised their two daughters, Anne Valerie and Olivia; and

WHEREAS, after settling in the United States, Olesya Taylor became a full-time mother and went above and beyond to support her daughters in all their endeavors; and

WHEREAS, Olesya Taylor was well-known as a devoted friend, who went out of her way to help others in need; she also used her background in medicine as a volunteer at a free clinic for the homeless; and

WHEREAS, Olivia Ter and Olesya Taylor will be fondly remembered and greatly missed by Andrew Ter, Anne Valerie Ter, and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Olivia Eve Ter and Olesya Taylor; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Olivia Eve Ter and Olesya Taylor as an expression of the General Assembly's respect for their memories.

HOUSE JOINT RESOLUTION NO. 687

Commending Literacy for Life.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Literacy for Life, a nonprofit organization that empowers adult learners by helping them build foundational literacy skills, has served the Williamsburg community for 50 years; and

WHEREAS, Literacy for Life began in 1975 as an adult literacy program for employees of The College of William & Mary, then expanded its service to the surrounding community after becoming affiliated with the United Way; and

WHEREAS, from its humble beginnings with approximately 30 students, Literacy for Life has grown to serve more than 1,000 students per year from its flagship location in Williamsburg and the Peninsula Center in Hampton; and

WHEREAS, Literacy for Life offers reading, writing, math skills, and English language instruction through in-person and virtual classes, as well as one-to-one tutoring; the organization helps students improve basic skills while making progress toward personal or professional goals, such as obtaining United States citizenship, acquiring a drivers' license, or pursuing an academic degree; and

WHEREAS, with more than 250 trained volunteers, Literacy for Life is able to provide individualized lessons that ensure every student can meet their goals in a timely and effective manner; and

WHEREAS, Literacy for Life has also created unique programs to address specific community needs, including EmployEd to help learners develop workplace skills, TechConnect for computer skills, the On the Money financial literacy program, and the HEAL Program, which helps adults learn medical terms and navigate the health care system; and

WHEREAS, over the course of its history, Literacy for Life has helped countless students become more independent and pursue new opportunities to enhance their quality of life and better serve their communities; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Literacy for Life on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Literacy for Life as an expression of the General Assembly's admiration for the organization's mission to help adults become more engaged in their communities and achieve their fullest potential in careers.

HOUSE JOINT RESOLUTION NO. 688

Commending Woodlawn Little League.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, for 60 years, Woodlawn Little League has supported youth baseball and softball programs in Alexandria, giving young people opportunities to learn valuable lessons about sportsmanship and teamwork and helping them to create lifelong friendships and memories; and

WHEREAS, the mission of Woodlawn Little League is to impart to local children the ideals of good sportsmanship, honesty, loyalty, courage, and respect for authority so that they may become well adjusted, stronger, and happier children and grow up to be good, decent, healthy, and trustworthy citizens; and

WHEREAS, in 1965, Woodlawn Little League was chartered and began playing at McNaughton Fields Park, where the league continues to play today; and

WHEREAS, McNaughton Fields Park came into existence through the efforts of parent volunteers who coordinated with Fort Belvoir to allow the community to build the fields on an unused parcel of land on the edge of Fort Belvoir property, which they initially leased for $1 a year; and

WHEREAS, Woodlawn Little League has offered baseball programs since its inception and expanded to include a Little League-affiliated softball program in the 1980s; and

WHEREAS, through the 1970s and 1980s, Woodlawn Little League had competitive teams in the state Little League championship and the Little League World Series; and

WHEREAS, Woodlawn Little League thrived under the coaching and mentorship of the late William F. Entwisle, Jr., for more than 30 years; and

WHEREAS, Woodlawn Little League provides a traditional Little League experience, encouraging children to spend time outdoors and engage in teambuilding; more than 4,400 players have registered with Woodlawn Little League in its 60-year history, many of whom have returned to the program year after year; and

WHEREAS, Woodlawn Little League supports the Woodlawn community with scholarship programs designed to ensure that children from all economic backgrounds have a chance to participate, with more than 60 percent of players participating thanks to scholarships; and

WHEREAS, over the decades, thousands of parents, grandparents, children, and volunteers have participated in and contributed to the success of Woodlawn Little League; and

WHEREAS, in the 2000s, the Fairfax County Park Authority brought McNaughton Fields Park into the county park system and began extensive renovations to better serve the community; and

WHEREAS, the most recent renovation of McNaughton Fields Park, including a new building with a concession stand and comfort station, was completed in 2024; the grand opening of the concession stand will coincide with 60th anniversary celebrations, opening the way for years of continued use by Woodlawn Little League; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Woodlawn Little League on the occasion of its 60th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Woodlawn Little League as an expression of the General Assembly's admiration for the organization's contributions to the community and best wishes for continued success.

HOUSE JOINT RESOLUTION NO. 689

Celebrating the life of Peggy Lynn Davis.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Peggy Lynn Davis, an accomplished women's basketball coach, longtime athletic director at Virginia State University, beloved daughter, wife, and mother, and treasured member of the Chester community, died on October 16, 2024; and

WHEREAS, Peggy Davis graduated from Bastrop County High School in Bastrop, Texas, before earning a bachelor's degree from Howard Payne University in 1985 and a master's degree in education from Tarleton State University in 1987; and

WHEREAS, an all-conference athlete in basketball and volleyball while at Howard Payne University, Peggy Davis returned to her alma mater in 1988 to serve as the women's basketball coach, winning a league championship two years later; and

WHEREAS, following her success at Howard Payne University, Peggy Davis coached the women's basketball team at Angelo State University from 1990 to 1997, securing a conference championship and coach of the year honors in 1994; and

WHEREAS, Peggy Davis's star continued to rise as she took the helm of the Virginia State University women's basketball team from 1997 to 2003, where she led the Virginia State Trojans to a Central Intercollegiate Athletic Association (CIAA) title and was named CIAA coach of the year in 2002; and

WHEREAS, after tenures as a coach, associate athletic director, and senior women's administrator, Peggy Davis became only the second female athletic director in the history of Virginia State University; and

WHEREAS, Peggy Davis's accomplishments as the longstanding athletic director at Virginia State University include numerous National Collegiate Athletics Association tournament appearances and 26 CIAA championships; and

WHEREAS, in 2011, Peggy Davis made history as the first woman to serve as interim commissioner of the CIAA; and

WHEREAS, in recognition of her achievements, Peggy Davis was named CIAA athletic director of the year seven times and inducted into the halls of fame of Virginia State University and Howard Payne University; and

WHEREAS, Peggy Davis was guided throughout her life by her faith and was most recently a member of Mount Olivet Baptist Church in Petersburg; and

WHEREAS, Peggy Davis will be fondly remembered and dearly missed by her loving husband of 38 years, Thomas; her children, Courtney and Taylor; her mother, Delois; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Peggy Lynn Davis, a pillar of the Virginia State University community whose integrity and legacy of service inspired all who knew her; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Peggy Lynn Davis as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 690

Commending Haidee Schiflett Ratliff.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Haidee Schiflett Ratliff, an esteemed education administrator and superintendent of Colonial Heights Public Schools, will retire in June 2025; and

WHEREAS, a lifelong resident of Colonial Heights, Haidee Schiflett Ratliff attended Flora M. Hill Elementary School, Tussing Elementary School, Colonial Heights Junior High School, and Colonial Heights High School in her youth; and

WHEREAS, Haidee Schiflett Ratliff earned a bachelor's degree in special education from Longwood College and a master's degree in guidance and counseling and school administration and leadership from Virginia State University; and

WHEREAS, Haidee Schiflett Ratliff has been a valued member of Colonial Heights Public Schools for more than 34 years, during which time she has faithfully served as a teacher, coach, school counselor, administrator for special education, director of assessment and data, assistant superintendent for instruction, and interim executive director of the Appomattox Regional Governor's School; and

WHEREAS, Haidee Schiflett Ratliff was unanimously approved as the new superintendent of Colonial Heights Public Schools on June 7, 2023; and

WHEREAS, Haidee Schiflett Ratliff has dedicated her career to serving the students and families of Colonial Heights Public Schools and has provided exceptional leadership and guidance to the school division in her role as superintendent; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Haidee Schiflett Ratliff on the occasion of her retirement as superintendent of Colonial Heights Public Schools; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Haidee Schiflett Ratliff as an expression of the General Assembly's admiration for her contributions to Colonial Heights and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 691

Commending the McLean Community Center.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, for 50 years, the McLean Community Center has provided engaging experiences that enrich the lives of McLean residents of all ages, backgrounds, and interests; and

WHEREAS, the McLean Community Center was established by a group of local citizens, now known as the Friends of the McLean Community Center, who worked together for a decade to create a vibrant, multi-purpose community space; and

WHEREAS, in addition to identifying and acquiring the property where the McLean Community Center would be built, the group advocated for the center to be funded by a special real estate tax surcharge, which was approved by voters in 1970, and to be overseen by an elected governing board, rather than appointed board members; and

WHEREAS, since opening its doors in October 1975, the McLean Community Center has been a hub for arts, culture, and community connections, faithfully serving the residents of Dranesville Small District 1A; and

WHEREAS, the McLean Community Center provides a variety of educational and cultural activities; its facilities include the Alden Theatre, art galleries, studios, and spaces for community meetings and events, as well as the award-winning Old Firehouse Center, a dynamic space for teens and families; and

WHEREAS, the McLean Community Center hosts several beloved local events, including the annual McLean Day festival, ArtFest, antique and craft shows, dances, and more; and

WHEREAS, the McLean Community Center has fulfilled its mission through the outstanding leadership of its all-volunteer governing board, support from the Friends of the McLean Community Center, and the hard work of countless event and program volunteers; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the McLean Community Center on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the McLean Community Center as an expression of the General Assembly's admiration for its legacy of contributions to the residents of McLean as a cherished local gathering place.

HOUSE JOINT RESOLUTION NO. 692

Commending Spring Hill Elementary School.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Spring Hill Elementary School of Fairfax County Public Schools was named a National Blue Ribbon School by the United States Department of Education in 2024; and

WHEREAS, Spring Hill Elementary School was one of only eight schools in the Commonwealth and 356 schools in the country to receive this prestigious honor in 2024, which recognizes high-performing schools and schools making exemplary progress toward closing achievement gaps; and

WHEREAS, Spring Hill Elementary School, which serves families representing more than 52 birth countries and speaking more than 43 languages, has scored highly in reading and mathematics assessments across various demographic groups; and

WHEREAS, in 2023, Spring Hill Elementary School was awarded the Highest Achievement Award for Academic Excellence by the Department of Education after posting consistently high Standards of Learning scores over several years; and

WHEREAS, Spring Hill Elementary School is dedicated to cultivating a supportive and inclusive learning environment that challenges its students to grow academically while fostering their physical, social, and emotional well-being; and

WHEREAS, the accomplishments of Spring Hill Elementary School are the result of the hard work and determination of its students, the leadership and guidance of its teachers and staff, and the unwavering support of its families, partners, and the entire Spring Hill Elementary School community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Spring Hill Elementary School for being named a National Blue Ribbon School in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Spring Hill Elementary School as an expression of the General Assembly's admiration for the school's achievements and best wishes for its continued success.

HOUSE JOINT RESOLUTION NO. 693

Celebrating the life of Giuseppe Cecchi.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Giuseppe Cecchi of McLean, a prominent real estate developer who guided the growth of the National Capital region over the course of his long and distinguished career, died on April 4, 2024; and

WHEREAS, Giuseppe Cecchi was born in Milan, Italy, to Antonio Cecchi, the head engineer of the city at that time, and followed in the footsteps of his father and grandfather as a professional engineer; and

WHEREAS, Giuseppe Cecchi graduated from the University of Milan with a master's degree in 1955, then joined Società Generale Immobiliare (SGI), which was once the largest real estate and construction firm in Italy, and was sent to the United States to scout potential real estate investments in 1959; and

WHEREAS, as a member of SGI, Giuseppe Cecchi oversaw the development of the first mixed-use project in the National Capital region, the Watergate complex, a group of six buildings with offices, commercial space, and residences that quickly became some of the most desirable living spaces in the area in the late 1960s and early 1970s; and

WHEREAS, Giuseppe Cecchi went on to create the Watergate at Landmark, the first resort-style luxury condominium development in Alexandria's West End, then formed his own company, International Developers, Inc., (IDI); and

WHEREAS, with the expertise of many of the same developers who created Watergate, Giuseppe Cecchi and IDI developed several large residential communities with extensive recreational facilities throughout the region, including The Rotonda, The Belvedere, Montebello, Porto Vecchio, Altavista, and Carlyle Towers; and

WHEREAS, in 1977, Giuseppe Cecchi pioneered a widely hailed program of tenant-sensitive condominium conversions when IDI acquired and redeveloped the 1,684-unit Parkfairfax complex with no evictions; the company successfully upgraded apartments and converted them into condominiums at sale prices that were affordable to existing tenants, providing a private solution to the need for affordable housing; and

WHEREAS, thanks to Giuseppe Cecchi's visionary strategies, the Parkfairfax community continued to thrive and was named the Best Condominium Community in the region in 1999; and

WHEREAS, Giuseppe Cecchi and IDI replicated the no-eviction conversion method at other properties and created new neighborhoods such as Burke Centre and Franklin Farm; IDI's condominium complexes were considered models for other developments throughout the Commonwealth and the nation; and

WHEREAS, in 1980, Giuseppe Cecchi teamed up with California-based developer Ross Cortese to complete the active adult living communities at Leisure World of Maryland and Leisure World of Virginia, now Lansdowne Woods of Virginia; and

WHEREAS, under Giuseppe Cecchi's leadership, IDI created homes for more than 25,000 people and earned dozens of prestigious industry awards for design, construction, and special programs; he was inducted into the Arlington Chamber of Commerce Best Business Award Hall of Fame in 2019, recognizing his transformational legacy of service to the region; and

WHEREAS, Giuseppe Cecchi will be fondly remembered and greatly missed by his wife, Mercedes; his sons, Enrico, Antonio, Carlos, and Giuseppe, and their families; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Giuseppe Cecchi, a visionary real estate developer in the National Capitol region who set new trends in mixed-use development and was known throughout the nation for his commitment to excellence; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Giuseppe Cecchi as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 694

Commending the Chesapeake Solar and Storage Association.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, the Chesapeake Solar and Storage Association, a trade association representing companies dedicated to providing individuals and businesses with beneficial solar and storage solutions across the Commonwealth, Maryland, and Washington, D.C., celebrated its 40th anniversary in 2024; and

WHEREAS, the Chesapeake Solar and Storage Association was founded on November 19, 1984, and was originally known as the Maryland, DC, Virginia Solar Energy Industries Association; and

WHEREAS, the goal of the Chesapeake Solar and Storage Association and its members is to see the responsible mainstream adoption and integration of solar and energy storage into regional electric grids for the benefit of all consumers; and

WHEREAS, recent policies have buoyed the Chesapeake Solar and Storage Association's industries and helped consumers in the Commonwealth adopt solar for themselves, enabling Virginia to become one of the fastest growing large-scale solar markets; and

WHEREAS, today, as a result of the Chesapeake Solar and Storage Association's efforts, there is more than 6,000 megawatts of solar power in the Commonwealth between residential, commercial-scale, and large-scale solar installations, which is enough energy to power more than 700,000 homes; and

WHEREAS, the Chesapeake Solar and Storage Association's members have created some of the more than 4,900 solar industry jobs that currently exist in the Commonwealth across more than 230 companies, which have collectively attracted more than $7 billion in solar investment; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Chesapeake Solar and Storage Association on the occasion of its 40th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Chesapeake Solar and Storage Association as an expression of the General Assembly's admiration for its contributions to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 695

Commending Virginia History Day students and teachers.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, 2024 marked the 50th anniversary of the National History Day program, a national educational nonprofit organization dedicated to improving the teaching and learning of history; and

WHEREAS, the Virginia Museum of History & Culture has organized the Virginia affiliate of National History Day, known as Virginia History Day, since 2017, providing teacher professional development, supporting student research, and running the Virginia History Day contests; and

WHEREAS, Virginia History Day encourages thousands of elementary, middle, and high school students from across the Commonwealth to engage in historical research every year; and

WHEREAS, every spring, the Virginia Museum of History & Culture works with local partners to implement seven Virginia History Day regional contests, including George Washington's Mount Vernon, the Office of Historic Alexandria, Thomas Jefferson's Monticello, the Woodrow Wilson Presidential Library & Museum, Brightpoint Community College, the Virginia Society, Sons of the American Revolution, Central Virginia Community College, Radford University, and Emory & Henry University; and

WHEREAS, every April, hundreds of students from across the Commonwealth gather at the Virginia Museum of History & Culture in Richmond for the Virginia History Day state contest, competing for prizes and several thousand dollars in scholarship awards; and

WHEREAS, every year, nearly a hundred Virginia students qualify at the Virginia History Day state contest for the National History Day contest, where they compete against more than 3,000 students from around the world; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend all past, present, and future Virginia History Day students and teachers on the occasion of the 50th anniversary of National History Day; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Virginia Museum of History & Culture as an expression of the General Assembly's admiration for its work to promote the study of history across the Commonwealth and its service to the countless students and teachers who have participated in the Virginia History Day program.

HOUSE JOINT RESOLUTION NO. 696

Commending the McLean Citizens Association.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, the McLean Citizens Association, a nonprofit, nongovernmental organization, has served as the unofficial town hall forum for residents of McLean for 110 years, allowing generations of community members to learn about and voice their concerns on important issues; and

WHEREAS, originally known as the McLean School and Civic League, the McLean Citizens Association was founded in 1914 and has served since that time as the "Voice of McLean"; and

WHEREAS, the McLean Citizens Association provides a forum where all residents of McLean, an unincorporated community in Fairfax County, can come together to address local issues and to advocate for solutions that serve the interests and values of the community; and

WHEREAS, the McLean Citizens Association develops resolutions urging governmental officials to take actions on matters of local concern, sends correspondence or speaks at local government hearings to advocate for the community, and sponsors informational forums where residents can hear from and question local elected officials and staff; and

WHEREAS, the charitable arm of the McLean Citizens Association, the McLean Community Foundation, provides grants to other local nonprofit organizations to support community members in need and enhance the overall quality of life in McLean; and

WHEREAS, representatives of the McLean Citizens Association serve in an ongoing capacity on the Greater Tysons Citizens Coalition, the McLean Planning Committee, the McLean Revitalization Corporation, and the McLean Community Center governing board; and

WHEREAS, the McLean Citizens Association also maintains a liaison with many local governmental and nongovernmental organizations and frequently has representatives on temporary task forces that are organized by local governmental officials; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the McLean Citizens Association on the occasion of its 110th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the McLean Citizens Association as an expression of the General Assembly's admiration for the organization's commitment to community leadership and advocacy.

HOUSE JOINT RESOLUTION NO. 697

Commending Claire Collins.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, McLean native Claire Collins represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, competing for Team USA in the women's eight rowing event; and

WHEREAS, Claire Collins attended Deerfield Academy boarding school in Massachusetts, where she captained the swimming and volleyball teams and excelled at rowing; and

WHEREAS, Claire Collins earned silver medals at the 2012 Junior World Rowing Championships in the eight+ event and at the 2014 Junior World Rowing Championships in the coxless four event; she also won the US Rowing Youth National Championships in 2014 and 2015 in the women's four event; and

WHEREAS, Claire Collins won a silver medal in the women's eight at the 2017 World Rowing Under 23 Championships and a bronze in the women's eight at the 2018 World Rowing Under 23 Championships; and

WHEREAS, Claire Collins graduated from Princeton University as a three-time All-American and a four-time All-Ivy selection; in 2019, she earned the C. Otto von Kienbusch Award as the top female athlete at Princeton University and was a nominee for the National Collegiate Athletic Association Woman of the Year award; and

WHEREAS, Claire Collins made her Olympic Debut at the 2020 Summer Olympics in Tokyo, Japan, placing seventh overall in the women's coxless four event; and

WHEREAS, Claire Collins continued to compete at the international level, earning a bronze medal in the pair event at the 2022 World Rowing Championships and a silver medal in the pair event at the 2022 World Rowing Cup II; and

WHEREAS, in the 2024 Summer Olympics in Paris, France, Claire Collins competed in the women's eight event and qualified for the final, where the team finished fifth overall; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Claire Collins for representing the Commonwealth at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Claire Collins as an expression of the General Assembly's admiration for her outstanding athletic achievements and best wishes for the future.

HOUSE JOINT RESOLUTION NO. 698

Celebrating the life of Jake Kincaid.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Jake Kincaid, an esteemed firefighter and emergency services technician, beloved husband, father, and son, and cherished member of the Russell County community, died on February 3, 2025; and

WHEREAS, born in Raleigh, Jake Kincaid graduated from Honaker High School in 2005 before embarking on a career as a coal miner that would span more than 15 years; and

WHEREAS, Jake Kincaid discovered his passion for emergency medicine and worked tirelessly as a member of the New Garden Rescue Squad, Richlands Fire-Rescue, ProMed, and several other area agencies; and

WHEREAS, Jake Kincaid devoted himself to the safety and security of his community as a firefighter and emergency services technician and made an impact on countless lives; and

WHEREAS, Jake Kincaid's pastimes included hunting, fishing, working on trucks, listening to music, playing guitar, and bull riding, but his greatest joy in life was spending quality time with his family; and

WHEREAS, Jake Kincaid will be fondly remembered and dearly missed by his loving wife of five years, Amanda; his children, Jayden, Parson, Jenson, and Ripley; his mother and stepfather, Angie and Dennis; his father, Jim; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Jake Kincaid, a treasured member of the Russell County community whose dedication and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Jake Kincaid as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 699

Celebrating the life of Cheryl Hydrick Guedri.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Cheryl Hydrick Guedri, a beloved wife and mother whose kindness and commitment to service enriched countless lives in the Richmond region, died on July 16, 2024; and

WHEREAS, Cheryl Guedri grew up in Richmond and graduated from J.R. Tucker High School, where she was a cheerleader, school mascot, and writer and editor on the school newspaper; during her high school years, she was also the youngest delegate to attend the 1972 Virginia State Democratic Convention; and

WHEREAS, Cheryl Guedri studied at what is now Mary Baldwin University, then transferred to the University of Virginia, from which she ultimately earned a bachelor's degree in economics; and

WHEREAS, after graduating with honors, Cheryl Guedri married her college sweetheart, Chris, and returned to Richmond; she worked as a loan officer while pursuing a master's degree from an evening program at Virginia Commonwealth University, then accepted a position at Crestar Bank, now Truist Bank, as a commercial loan analyst; and

WHEREAS, outside of her career, Cheryl Guedri donated her time and talents to several nonprofit organizations, including the Peter Paul Development Center and the Virginia Science Museum; she also served as a court appointed special advocate for children in the legal system and as a tutor at the Anna Julia Cooper School; and

WHEREAS, Cheryl Guedri inspired others through her generosity and zest for life, and she made lifelong friendships as a member of the Tuckahoe Woman's Club as well as her book club and bridge group; and

WHEREAS, Cheryl Guedri enjoyed fellowship and worship with the community as a member of Saint James's Episcopal Church, where she chaired the annual pledge committee for five years and was a member of the vestry for three years; and

WHEREAS, Cheryl Guedri was a devoted mother to her son, Ross, taking an active role in his schooling and attending countless baseball, basketball, and lacrosse games over the years, and in later life, she cherished every moment with her beloved grandchildren, Conner and Amelia; and

WHEREAS, Cheryl Guedri was an accomplished traveler who explored every corner of the United States and visited Canada, Russia, New Zealand, and Australia, along with several countries in Europe, South America, and Asia; and

WHEREAS, Cheryl Guedri will be fondly remembered and greatly missed by her husband, Chris; her son, Ross, and his family; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Cheryl Hydrick Guedri, a highly admired member of the Richmond community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Cheryl Hydrick Guedri as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 700

Celebrating the life of Martha Franklin Brockinton Stone.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Martha Franklin Brockinton Stone, an esteemed educator and an active and beloved member of the Richmond community, died on September 17, 2024; and

WHEREAS, Martha Stone graduated from Ashley Hall in Charleston and earned a degree from what is today Hollins University before embarking in 1949 upon a long and distinguished career at St. Catherine's School in Richmond; and

WHEREAS, after first teaching middle school biology and taking time to raise her three children, Martha Stone returned to St. Catherine's School and taught second grade for nearly two decades, contributing greatly to the academic, social, and emotional growth of her students; and

WHEREAS, following her retirement from St. Catherine's School in 1977, where she had also served for some time as director of the summer school and director of the boarding department, Martha Stone worked as a sales representative at what was formerly the Equitable Life Insurance Company and then as director of the Medical College of Virginia Alumni Association of Virginia Commonwealth University until her full retirement in 1988; and

WHEREAS, Martha Stone was highly involved with a number of organizations and clubs over her lifetime, including the Country Club of Virginia, the Woman's Club of Richmond, the Rebecca Motte and Commonwealth chapters of the National Society Daughters of the American Revolution, and the Hollins College Alumnae Board; and

WHEREAS, while living at Westminster Canterbury Richmond, Martha Stone made an impact through various committees, including as chair of the library's audio book collection, and she was presented the Laurel Award in 2006 for her meaningful contributions to the community as a volunteer; and

WHEREAS, Martha Stone was happiest of all when spending quality time with her family, whether vacationing on the Cow Pasture River, traveling abroad with her daughters, or playing with her grandchildren and great-grandchildren; and

WHEREAS, guided by her faith, Martha Stone enjoyed worship and fellowship with her community at Grace Covenant Presbyterian Church in Richmond, where she served on the board of the Women of the Church and taught the Lydian Women's Bible class for many years; and

WHEREAS, Martha Stone will be fondly remembered and dearly missed by her children, Franklin, Martha, and Robert, Jr., and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Martha Franklin Brockinton Stone, a treasured member of the Richmond community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Martha Franklin Brockinton Stone as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 701

Celebrating the life of Joan Woltz Robins.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Joan Woltz Robins, a dedicated volunteer leader who touched countless lives in the Richmond area through her grace and kindness, died on June 27, 2024; and

WHEREAS, born in Mount Airy, North Carolina, Joan "Joanie" Woltz Robins attended what is now Hollins University in Roanoke before transferring to the University of North Carolina at Chapel Hill, where she was a proud member of Pi Beta Phi; and

WHEREAS, after receiving her bachelor's degree, Joanie Robins graduated from a paralegal training school in Philadelphia, then became a paralegal at the law firm of Hunton & Williams, now known as Hunton Andrews Kurth; and

WHEREAS, Joanie Robins worked diligently to enhance the quality of life in Richmond by offering her wisdom and leadership to a number of civic and service organizations, including as a board member of the Virginia Chapter of the National Kidney Foundation and the Junior League of Richmond; and

WHEREAS, Joanie Robins also served as president of the Junior Board of the Science Museum of Virginia, the Tuckahoe Garden Club of Westhampton, the Junior Board of Children's Hospital of Richmond, and The Woman's Club; and

WHEREAS, among many accolades for her achievements, Joanie Robins received the 2023 President's Award from The Woman's Club for her legacy of service to the club and its mission to educate, inspire, and uplift local women; and

WHEREAS, Joanie Robins enjoyed fellowship and worship with the congregation of St. Mary's Episcopal Church, where she served on the Altar Guild for 17 years; and

WHEREAS, Joanie Robins was a devoted mother and grandmother, and she was happiest while spending time with her family at her beach house on Figure Eight Island in North Carolina; and

WHEREAS, Joanie Robins will be fondly remembered and greatly missed by her husband of 46 years, William; her children, William, Jr., Howard, and Berkeley, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Joan Woltz Robins, a highly admired member of the Richmond community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Joan Woltz Robins as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 702

Celebrating the life of Morton G. Thalhimer, Jr.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Morton G. Thalhimer, Jr., an honorable veteran, accomplished business executive, devoted philanthropist, and beloved member of the Richmond community, died on September 6, 2024; and

WHEREAS, Morton Thalhimer attended St. Christopher's School in Richmond and later earned a bachelor's degree from Dartmouth College; and

WHEREAS, Morton Thalhimer served his country with honor and distinction as a member of the United States Navy from 1943 to 1946, obtaining his wings and becoming qualified in the F4U Corsair on the USS *Guadalcanal* aircraft carrier on July 27, 1945; and

WHEREAS, Morton Thalhimer was elected to serve as vice president of Neighborhood Theatre, Inc., a successful mid-Atlantic movie theater chain started by his father, in 1952 and became president in 1967, ably guiding the company in that role until it was sold nearly two decades later; and

WHEREAS, Morton Thalhimer became chairman of the real estate firm Georgetown Enterprises, Inc., in 1986 and cultivated its growth and success for the remainder of his life; and

WHEREAS, Morton Thalhimer gave generously of his time through his association with various civil and philanthropic organizations, including what are today the Weinstein Jewish Community Center, the Jewish Community Federation of Richmond, United Way, National Conference for Community and Justice, the Sheltering Arms Institute, where he served as president from 1965 to 1967, and the Rotary Club of Richmond, where he had 25 years of perfect attendance; and

WHEREAS, as a result of his work with the Greater Richmond Chapter of the American Red Cross, Morton Thalhimer was presented the Clara Barton Award, the organization's highest honor, by Elizabeth Dole in 1998; and

WHEREAS, in recognition of his efforts as a member of the Richmond Israel Bond Council, Morton Thalhimer received one of Israel's highest civil honors from the nation's prime minister; and

WHEREAS, Morton Thalhimer was an avid outdoorsman who embraced every opportunity to ski, duck hunt, swim, golf, and play tennis; and

WHEREAS, preceded in death by his wife, Nancy, Morton Thalhimer will be fondly remembered and dearly missed by his children, Morton III, Richard, and Leigh, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Morton G. Thalhimer, Jr., a cherished member of the Richmond community whose generosity and service made a difference in countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Morton G. Thalhimer, Jr., as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 703

Commending Deborah D. Oswalt.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Deborah D. Oswalt retired as the executive director of the Virginia Health Care Foundation, a public-private partnership that supports uninsured and medically underserved individuals, after more than three decades of exceptional leadership; and

WHEREAS, Deborah "Debbie" D. Oswalt began her career as a staff attorney for the Virginia Poverty Law Center, then served as the deputy secretary of health and human services under two Virginia governors, in which capacity she worked closely with state agencies and other stakeholders to regulate, deliver, and monitor health services across the Commonwealth; and

WHEREAS, in 1992, Debbie Oswalt was selected as the founding executive director of the Virginia Health Care Foundation, which was created by the General Assembly and the Joint Commission on Health Care to increase access to primary and preventative care for Virginians in need; and

WHEREAS, under Debbie Oswalt's leadership, the Virginia Health Care Foundation facilitated nearly $10 billion in free medicine for patients, enrolled more than 150,000 people in Medicaid, and invested $68 million to expand the number and scope of health and dental safety net clinics; and

WHEREAS, Debbie Oswalt oversaw the creation of a wide range of innovative programs, including initiatives to address shortages of licensed behavioral health professionals and help seniors better understand health care options; and

WHEREAS, during Debbie Oswalt's tenure as executive director, the Virginia Health Care Foundation received the Excellence in Virginia Government Award for Innovation in Government from the L. Douglas Wilder School of Government and Public Affairs at Virginia Commonwealth University; and

WHEREAS, among many other awards and accolades, Debbie Oswalt has also received the Outstanding Woman in Health and Science Award from the Richmond YWCA, the Child Advocate Award from the Virginia Chapter of the American Academy of Pediatrics, and a Social Justice Maker Award from the Virginia Interfaith Center for Public Policy; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Deborah D. Oswalt on the occasion of her retirement as executive director of the Virginia Health Care Foundation; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Deborah D. Oswalt as an expression of the General Assembly's admiration for her accomplishments on behalf of uninsured and medically underserved Virginians.

HOUSE JOINT RESOLUTION NO. 704

Celebrating the life of Collie Burton III.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Collie Burton III, an honorable veteran, respected business executive, champion of civil rights and social justice causes, beloved husband, father, grandfather, and great-grandfather, and a treasured member of the Richmond community, died on November 11, 2024; and

WHEREAS, born in Chesterfield, Collie Burton graduated from the historic D. Webster Davis High School in Ettrick in 1946 before entering Virginia State University (VSU) at the age of 16, where he joined the Reserve Officers' Training Corps; and

WHEREAS, Collie Burton paused his studies to serve his country with honor and distinction as a member of the United States Army, supporting reconstruction efforts in Germany and achieving the rank of first lieutenant before ending his commission in 1954; and

WHEREAS, following his service, Collie Burton resumed his studies and earned a bachelor's degree in business administration from VSU in 1955 prior to pursuing graduate work at Youngstown State University and the University of Virginia; and

WHEREAS, Collie Burton enjoyed a successful and meaningful career in business that took him to Youngstown, Ohio, Richmond, and New York City before he ultimately retired as the executive director of Chart, Inc.; and

WHEREAS, Collie Burton worked tirelessly for the benefit of his community in many capacities, including as associate director of the Richmond Urban League, member of the NAACP and the Richmond Community Action Program, and supporter of the Richmond Tenants Organization; and

WHEREAS, through his work with the Richmond Urban League, Collie Burton played a meaningful role in pushing forward changes to Richmond's voting system in the 1970s, which led to the first Black majority on the Richmond City Council in 1977; and

WHEREAS, as a founding member of the Richmond-based organization Hope in the Cities, now Initiatives of Changes USA, Collie Burton advanced racial reconciliation efforts both locally and globally through various endeavors, including the "Healing the Heart of America" conference and unity walk in Richmond in 1993; and

WHEREAS, Collie Burton will be fondly remembered and dearly missed by his loving wife, Audrey; his children, Jocelyn, Edgar, and Arthur, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Collie Burton III, whose commitment to justice, equality, and the well-being of others left a profound and lasting impact on the Richmond community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Collie Burton III as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 705

Celebrating the life of Thomas Knapp Stone.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Thomas Knapp Stone, a respected state employee and beloved member of the Richmond community, died on September 22, 2024; and

WHEREAS, Thomas Stone was the son of Woodrow Wayne Stone and Winifred Marie Knapp and was a graduate of the Virginia School for the Deaf and the Blind; and

WHEREAS, after earning a degree from Radford University, Thomas Stone dedicated himself to the success and prosperity of the Commonwealth as a Virginia state employee; and

WHEREAS, Thomas Stone will be fondly remembered and dearly missed by his loving wife of 20 years, Mary Anne; his sisters, Eileen and Carole; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Thomas Knapp Stone, a treasured member of the Richmond community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Thomas Knapp Stone as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 706

Celebrating the life of Louise Stuart Tabb Whipple.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Louise Stuart Tabb Whipple, a devoted educator and a highly admired community leader in Richmond, died on July 30, 2024; and

WHEREAS, Louise Whipple grew up in the Glenburnie neighborhood of Richmond and graduated from Thomas Jefferson High School, where she was selected for Girls State and received an award for her character, intelligence, service, and leadership; and

WHEREAS, Louise Whipple continued her education at what is now Mary Baldwin University; she played field hockey, chaired the Honor Court, cultivated lifelong friendships, and studied abroad in Germany, which ignited a passion for travel; as a senior, she earned the Algernon Sydney Sullivan Award for her achievements in scholarship, athletics, and community service; and

WHEREAS, after graduation, Louise Whipple briefly worked at Harvard Medical School, then moved to New York City and worked with Scribner's publishing company as an editor of book jackets; she subsequently pursued a master's degree in teaching from Manhattanville University, then taught English in Scarsdale, New York, before returning to Richmond; and

WHEREAS, Louise Whipple was a champion for Richmond Public Schools and helped establish the first parent teacher association at Mary Munford Elementary School; in 1980, she also began teaching English as a second language courses and continued to do so until her retirement in 2012; and

WHEREAS, an alumna of Leadership Metro Richmond, Louise Whipple provided her wise counsel to the Junior League of Richmond and served as president of the Greater Richmond Chapter of the Alzheimer's Association; and

WHEREAS, Louise Whipple enjoyed fellowship and worship with the congregation of First Presbyterian Church, where she served as church librarian and held other leadership roles; and

WHEREAS, in later life, Louise Whipple enjoyed spending time between Richmond and her family farm in Brownsburg; she participated in a hockey team for senior women, founded a bridge club, and was an active member of the Noname Book Club; and

WHEREAS, Louise Whipple inspired others through her quiet confidence, kindness, and grace, and her holiday traditions never failed to bring joy to her loved ones; and

WHEREAS, Louise Whipple will be fondly remembered and greatly missed by her husband, Fred; her children, Laura and James, and their families; her stepsons, David and Robert, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Louise Stuart Tabb Whipple; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Louise Stuart Tabb Whipple as an expression of the General Assembly's respect for her memory.

HOUSE JOINT RESOLUTION NO. 707

Commending Melvin Carter.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Melvin Carter, a distinguished firefighter and chief of fire and emergency services for the City of Richmond for the past seven years, retired on December 31, 2024; and

WHEREAS, Melvin Carter began his career in the fire service in 1983 as a volunteer firefighter for the Henrico County Division of Fire, then he briefly worked as a professional firefighter in Petersburg before joining the Richmond Fire Department in 1987; and

WHEREAS, as a result of his work ethic and leadership, Melvin Carter rose through the ranks, serving as company lieutenant, captain, deputy fire marshal, and battalion chief before he was appointed deputy fire chief in 2009; and

WHEREAS, in 2017, Melvin Carter was appointed by Mayor Levar M. Stoney to serve as the City of Richmond's chief of fire and emergency services, becoming the 21st chief in the department's history and its third Black chief; and

WHEREAS, Melvin Carter oversaw a period of significant growth for the Richmond Fire Department, as the department created 72 new positions with the support of a $13 million federal grant; and

WHEREAS, in recognition of his efforts to modernize and update the City of Richmond's fire equipment and stations, Melvin Carter was named Virginia Fire Chief of the Year in 2023 by Governor Glenn Youngkin; and

WHEREAS, with an unwavering commitment to the safety and security of the community he served, Melvin Carter made a positive and lasting impact on the City of Richmond and is deserving of the esteem and respect of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Melvin Carter for his legacy of service on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Melvin Carter as an expression of the General Assembly's admiration for his contributions to Richmond and the Commonwealth and best wishes for a rewarding and fulfilling retirement.

HOUSE JOINT RESOLUTION NO. 708

Celebrating the life of Cloyd Kent Titus, M.D.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Cloyd Kent Titus, M.D., a dedicated physician who served generations of Richmond residents, died on October 18, 2024; and

WHEREAS, Kent Titus was born in Richmond, but spent much of his youth in his father's hometown of Binghamton, New York; and

WHEREAS, Kent Titus graduated from Williams College, where he was a member of Alpha Delta Phi Fraternity and the Gargoyle Society, then earned a medical degree from the University of Virginia; and

WHEREAS, Kent Titus served his country as a member of the United States Air Force for two years, then studied internal medicine and rheumatology at what is now the Virginia Commonwealth University School of Medicine; and

WHEREAS, Kent Titus joined Grove Avenue Primary Care, where he worked with a devoted group of doctors, nurses, and staff members to provide the finest care for countless individuals over the course of 43 years; he was well known for his personal integrity, passion for medicine, and commitment to excellence in patient care; and

WHEREAS, outside of his career, Kent Titus was a member of the Country Club of Virginia and the American College of Physicians and enjoyed fellowship and worship with the congregation of St. Paul's Episcopal Church; and

WHEREAS, Kent Titus was an accomplished world traveler who took many trips to Scotland, visited several other European countries, and participated in travel programs to Russia and China through the Virginia Museum of Fine Arts; and

WHEREAS, Kent Titus will be fondly remembered and greatly missed by his wife of 54 years, Sherilyn; his daughters, Austin and Catherine, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Cloyd Kent Titus, M.D., a trusted physician in Richmond; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Cloyd Kent Titus, M.D., as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 709

Celebrating the life of Joseph Haynes Monk.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Joseph Haynes Monk, an acclaimed artist and craftsman, esteemed educator, and beloved member of the Amherst and Richmond communities, died on December 4, 2024; and

WHEREAS, a native of Beckley, West Virginia, Joseph Monk embarked upon his professional career as a resident craftsman at the Virginia Museum of Fine Arts, where he mastered his technical abilities and honed his creative vision; and

WHEREAS, for many years, Joseph Monk served as a ceramics and sculpture professor at Sweet Briar College, guiding and encouraging an untold number of students in their artistic pursuits; and

WHEREAS, Joseph Monk was admired by all who knew him for his ability to see beauty in every object and space, as well as for the passion and enthusiasm that he brought to his work; and

WHEREAS, Joseph Monk was a generous mentor who gave abundantly of his imagination, resources, and talents to inspire others to build and create; and

WHEREAS, Joseph Monk was a devoted family man who supported his wife and daughters in all of their endeavors; and

WHEREAS, Joseph Monk will be fondly remembered and dearly missed by his loving wife of 55 years, Suny; his daughters, Chatham and Mavora, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Joseph Haynes Monk, a revered member of the Amherst and Richmond communities whose creativity, kindness, and compassion made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Joseph Haynes Monk as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 710

Commending Barry Eugene DuVal.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Barry Eugene DuVal, an esteemed public servant who admirably led the Virginia business community as president and chief executive officer of the Virginia Chamber of Commerce, retired in early 2025; and

WHEREAS, Barry DuVal embarked upon his career in public service in 1988 as a member of the Newport News City Council and served as mayor of the locality from 1990 to 1996; and

WHEREAS, Barry DuVal subsequently served as president and chief executive officer of the regional economic development organization Hampton Roads Partnership and then as the Commonwealth's secretary of commerce and trade from 1998 to 2002; and

WHEREAS, Barry DuVal was named president and chief executive officer of the Virginia Chamber of Commerce in 2010 and spearheaded the organization's efforts to foster economic development and competitiveness in the Commonwealth through advocacy initiatives and other endeavors; and

WHEREAS, during Barry DuVal's tenure, the Virginia Chamber of Commerce became the largest business advocacy organization in the Commonwealth, growing from approximately 1,000 members to more than 32,000 members; and

WHEREAS, Barry DuVal's accomplishments with the Virginia Chamber of Commerce include the launch of WiseChoice Healthcare Alliance, which enabled a consortium of small business owners to purchase affordable health insurance for their employees, and the development and implementation of Blueprint Virginia in 2013, 2017, and 2021, which compiled strategies and policy recommendations to guide the Commonwealth's long-term economic development planning; and

WHEREAS, in recognition of his leadership and service, *Virginia Business* magazine has named Barry DuVal one of its Top 50 Most Influential People in the Commonwealth of Virginia for the past six years; and

WHEREAS, as a result of Barry DuVal's tireless efforts, CNBC has ranked the Commonwealth as the Top State for Business in three of the last six years, giving it more top rankings than any other state in the nation; and

WHEREAS, beyond his public service and work with the Virginia Chamber of Commerce, Barry DuVal has made an impact through his involvement with various boards and commissions, including the Board of Visitors for Christopher Newport University and Board of Visitors for James Madison University; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Barry Eugene DuVal for his legacy of service on the occasion of his retirement as president and chief executive officer of the Virginia Chamber of Commerce; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Barry Eugene DuVal as an expression of the General Assembly's admiration for his contributions to the Commonwealth and best wishes for a rewarding and fulfilling retirement.

HOUSE JOINT RESOLUTION NO. 711

Commending no-kill animal rescues and shelters in Virginia.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, since 2016, the percentage of animal rescues and shelters in Virginia committed to no-kill policies has risen from 52 to 57 percent; and

WHEREAS, during that same time period, the average save rate of animals in the Commonwealth has increased by 16 percent, representing 15,424 additional cats and dogs who have been adopted into forever homes; and

WHEREAS, in 2023, animal rescues and shelters in the Commonwealth adopted out 105,676 cats and dogs, with 72 public and private shelters saving more than 90 percent of all animals admitted to their facilities, meeting the nationally recognized benchmark for achieving no-kill status; and

WHEREAS, reaching no-kill status is only possible through the hard work of the staff members, leadership, volunteers, and the communities that support these animal rescues and shelters, combined with innovative lifesaving programs and cooperation with other stakeholders in the animal welfare sphere; and

WHEREAS, the animal rescues and shelters in the Commonwealth that achieved no-kill status in 2023 were: A Forever Home Rescue Foundation, Bath County Animal Control, Floyd County Animal Control, Gloucester-Mathews Humane Society, Greene County Animal Shelter, Homeward Trails Animal Rescue, Lee County Animal Control Services, Lunenburg County Animal Control and Public Animal Shelter, Madison County Animal Shelter, New Kent County Animal Control and Public Animal Shelter, Orange County Animal Control and Public Animal Shelter, Powhatan County Animal Control and Public Animal Shelter, Rappahannock County Animal Control and Public Animal Shelter, Rockbridge SPCA, Rockingham Harrisonburg SPCA, Amelia County Animal Shelter, Angels Of Assisi, Animal Welfare League of Alexandria, Animal Welfare League of Arlington, Augusta Regional SPCA, Bedford County Animal Shelter, Buchanan County Animal Shelter, Charles City County Animal Control, Charlottesville-Albemarle SPCA, Chesapeake Humane Society, Clarke County Animal Control and Shelter, Colonial Heights Animal Control, Dickenson County Animal Shelter, Essex County Animal Shelter, Fairfax County Animal Shelter, Fauquier SPCA, Fluvanna SPCA, Franklin County Humane Society, Fredericksburg SPCA, Friends of Homeless Animals, Gloucester County Animal Control Shelter, and Goochland County Animal Shelter and Adoption Center; and

WHEREAS, Heritage Humane Society, Highland County Animal Control, Hopewell City Animal Control and Public Animal Shelter, Humane Society of Amherst County, Humane Society Of Warren County, Humane Society/SPCA of Nelson County, King Street Cats, Lake Country SPCA, Loudoun County Animal Services, Louisa County Animal Shelter, Lynchburg Humane Society, Madison-Greene Humane Society, Henry County SPCA, Middleburg Humane Foundation, Middlesex County Animal Control, Montgomery County Animal Care and Adoption Center, Norfolk SPCA, Northumberland County Animal Control and Public Animal Shelter, Nottoway County Animal Control and Public Animal Shelter, Page County Animal Control and Public Animal Shelter, Peninsula SPCA, Petersburg Animal Care and Control, Richmond Animal League, Richmond SPCA, Roanoke Valley SPCA, Scott County Animal Control and Public Animal Shelter, Shenandoah County Animal Control and Public Animal Shelter, Shenandoah Valley Animal Services Center, Southside SPCA, Prince Edward Animal Shelter, Spotsylvania County Animal Control and Public Animal Shelter, Tazewell County Animal Control and Public Animal Shelter, Virginia Beach Animal Control and Public Animal Shelter, Virginia Beach SPCA, Wythe County Animal Control and Public Animal Shelter, and the Wytheville Animal Control and Public Animal Shelter also received no-kill status in 2023; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend no-kill animal rescues and shelters in Virginia for their commitment to helping animals find safe and loving homes; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of no-kill animal rescues and shelters in Virginia as an expression of the General Assembly's admiration for the achievements of these organizations and best wishes for their continued success.

HOUSE JOINT RESOLUTION NO. 712

Commending Providence Baptist Church.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, for more than 150 years, Providence Baptist Church has provided wise spiritual leadership, opportunities for joyful worship, and generous community outreach programs to the residents of Leesburg; and

WHEREAS, Providence Baptist Church traces its roots to 1874, when the Reverend Harvey Johnson, who had organized several other churches in Northern Virginia, conducted a revival service that was held at the Bailey School Society of Leesburg; and

WHEREAS, Reverend Johnson subsequently served as the first pastor of Providence Baptist Church and oversaw the construction of the original church building on a lot owned by the Nickens family with lumber furnished by a local contractor named John Morris; and

WHEREAS, since those early days, Providence Baptist Church has benefited from the leadership of 10 additional head pastors: the Reverend Peter Fisher, the Reverend D.A. Henderson, the Reverend E.D. Taylor, the Reverend Francis E. Pree, the Reverend Mcqueary, the Reverend H.M. Chapman, the Reverend Huston Brooks, the Reverend J.E. Morris, the Reverend Herbert C. Love, Jr., and the Reverend Corey Z. Gault, who was installed as lead pastor in 2018; and

WHEREAS, over the years, Providence Baptist Church conducted numerous renovation programs to modernize church facilities and better serve the growing congregation; and

WHEREAS, Providence Baptist Church also expanded its ministries, clubs, and organizations to stay engaged with members of the congregation and the wider community; the church offers ministries for adults, children, women, couples, and singles, among others; and

WHEREAS, the members of Providence Baptist Church have worked diligently to enhance the quality of life of all Leesburg residents through opportunities for volunteer service and generous outreach, such as scholarships for local students; and

WHEREAS, throughout its storied history, Providence Baptist Church has been a beacon of faith, hope, and joy for generations of Leesburg residents; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Providence Baptist Church on the occasion of its 150th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Providence Baptist Church as an expression of the General Assembly's admiration for the church's vital role in the Leesburg community.

HOUSE JOINT RESOLUTION NO. 714

Commending the Virginia Poultry Federation.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, the Virginia Poultry Federation, a nonprofit trade association dedicated to promoting a positive business climate for the poultry and egg industry in the Commonwealth, celebrates its 100th anniversary in 2025; and

WHEREAS, in August 1925, a group of poultry farmers and professionals met at what was then the Virginia Agricultural and Mechanical College and Polytechnic Institute, now Virginia Polytechnic Institute and State University, for the first Poultry Field Day, which led to the founding of the Virginia Poultry Federation, with Thomas L. Rosser as its first president; and

WHEREAS, the Virginia Poultry Federation represents all sectors of the poultry industry, including farmers, processors, and businesses that provide goods and services that facilitate the poultry industry; and

WHEREAS, the Virginia Poultry Federation advances its mission through effective government and public relations, youth programs, and educational activities; and

WHEREAS, today, the Virginia Poultry Federation supports a poultry industry that includes more than 1,000 family-owned farms, directly and indirectly supports more than 60,000 jobs, and contributes more than $17 billion to the economy in the Commonwealth; and

WHEREAS, as the poultry industry in the Commonwealth has evolved over the years, the Virginia Poultry Federation has been a steadfast advocate for policies and initiatives to ensure its success; and

WHEREAS, the extraordinary efforts of the Virginia Poultry Federation have helped the poultry industry to become the largest agricultural industry in the Commonwealth and an important part of local economies and communities throughout Virginia; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Virginia Poultry Federation on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Virginia Poultry Federation as an expression of the General Assembly's admiration for its contributions to the Commonwealth's poultry industry.

HOUSE JOINT RESOLUTION NO. 715

Commending Paul M. Platt.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Paul M. Platt, an esteemed educator, has devoted 60 years as an employee of the Mountain Mission School in Grundy; and

WHEREAS, born to a preacher's family in the Midwest, Paul Platt lived in various states in his childhood and later graduated from North Dallas High School in Dallas, Texas, in 1962; and

WHEREAS, Paul Platt pursued a bachelor's degree from Dallas Christian College in the early 1960s, during which time he served as a janitor and church secretary at his home church, North Dallas Christian Church, and began ministry work at Forest Grove Christian Church in Rockdale and Northwest Christian Church in Dallas; and

WHEREAS, after graduating in 1965, Paul Platt joined his wife, Jennie, at Mountain Mission School, where she was a teacher, beginning an illustrious career in education that has spanned the past six decades; and

WHEREAS, over the years, Paul Platt took extension classes from Pikeville College, now the University of Pikeville, the University of Virginia, Radford University, and Southwest Virginia Community College to improve his abilities as an educator; in 1982, the culmination of his studies led to a master's degree in education from Virginia Polytechnic Institute and State University; and

WHEREAS, throughout his tenure at Mountain Mission School, Paul Platt has worked tirelessly to support his students' academic, social, emotional, and spiritual well-being, making a difference in countless lives; and

WHEREAS, Paul Platt has embodied the ideals of teaching over his 60 years at Mountain Mission School and earned the respect and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That Paul M. Platt hereby be commended on the occasion of his 60th anniversary with Mountain Mission School; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Paul M. Platt as an expression of the General Assembly's admiration for his contributions to Grundy and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 716

Commending Anthony Guy Bennett.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Anthony Guy Bennett, an acclaimed basketball player and coach and beloved member of the University of Virginia community, retired from his position as the Dean and Markel Families Men's Head Basketball Coach of the University of Virginia in 2024; and

WHEREAS, Anthony "Tony" Guy Bennett was born in 1969 in Wisconsin to Dick and Anne Bennett and played basketball at Preble High School in Green Bay, Wisconsin, where he was named "Mr. Basketball" as a senior; and

WHEREAS, Tony Bennett played college basketball at the University of Wisconsin-Green Bay and set a National Collegiate Athletic Association (NCAA) record with a career three-point percentage of 49.7 percent; and

WHEREAS, Tony Bennett was selected in the second round of the 1992 National Basketball Association (NBA) draft and played three seasons with the Charlotte Hornets before playing in Australia and New Zealand; and

WHEREAS, Tony Bennett began his basketball coaching career in New Zealand, and later served on the coaching staffs of the University of Wisconsin and Washington State University; and

WHEREAS, Tony Bennett, as head coach, led the Washington State Cougars to two NCAA tournament appearances, including a trip to the NCAA Sweet Sixteen in 2008; and

WHEREAS, Tony Bennett was named the head men's basketball coach at the University of Virginia in 2009, and he announced his desire to "build a program that lasts" at the university; and

WHEREAS, Tony Bennett led the Virginia Cavaliers to the 2013-14 Atlantic Coast Conference (ACC) regular-season title, the ACC Tournament championship title, and an NCAA Sweet 16 appearance; and

WHEREAS, Tony Bennett led his team with grace in defeat in 2018 and persevered to lead his team to the University of Virginia's first ever men's basketball national championship in 2019; and

WHEREAS, Tony Bennett guided his teams with his five pillars of humility, passion, unity, servanthood, and thankfulness, and many of his players went on to play in the NBA and other professional leagues; and

WHEREAS, Tony Bennett's pack-line defense was regarded as the model for elite defense in college basketball and was a key part of his teams' success over the years; and

WHEREAS, Tony Bennett coached for 15 seasons at the University of Virginia, compiling a 364-136 record, a national championship, two ACC Tournament titles, six ACC regular season championships, and 10 NCAA tournament appearances; he retires as the winningest coach in program history; and

WHEREAS, in recognition of his accomplishments, Tony Bennett was named the ACC Coach of the Year four times and was presented the United States Basketball Writers Association's Henry Iba Award for national coach of the year three times; and

WHEREAS, Tony Bennett is devoted to his family and his faith, and in retirement he will have more opportunities to spend quality time with his wife and children; and

WHEREAS, Tony Bennett's leadership and integrity made an impact on the lives of players, coaches, and fans, and his legacy will be cherished by the University of Virginia community for years to come; now therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Anthony Guy Bennett for a lifetime of achievement and significance on and off the basketball court; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Anthony Guy Bennett as an expression of the General Assembly's admiration for his leadership and best wishes for the future.

HOUSE JOINT RESOLUTION NO. 717

Commending the Lionsbridge Football Club.

Agreed to by the House of Delegates, February 21, 2025
Agreed to by the Senate, February 22, 2025

WHEREAS, the Lionsbridge Football Club was launched in 2017 on the Virginia Peninsula as a community-driven soccer team with a mission to deliver affordable family entertainment and to serve the communities of Newport News, Hampton, York County, Poquoson, Williamsburg, and James City County; and

WHEREAS, the Lionsbridge Football Club has since expanded its activities and partnerships to serve the communities of Suffolk, Portsmouth, Smithfield, Isle of Wight, Chesapeake, and Gloucester; and

WHEREAS, the Lionsbridge Football Club competes in USL League Two, the top pre-professional soccer league in North America, consisting of more than 140 teams across the United States and Canada; and

WHEREAS, the Lionsbridge Football Club has become incredibly popular since its founding and boasts one of the most loyal fanbases anywhere in the country, averaging between 2,000 and 3,000 fans per game at the beautiful TowneBank Stadium on the campus of Christopher Newport University; and

WHEREAS, the Lionsbridge Football Club has finished in the top four of USL League Two teams nationally in attendance every season since its inception, and the club welcomed its 100,000th fan during the 2024 season; and

WHEREAS, the Lionsbridge Football Club features some of the best collegiate soccer players in America, with 20 of its former players moving on to the professional ranks both in the United States and around the world; and

WHEREAS, the Lionsbridge Football Club partners with a different nonprofit organization at every single home game, raising money and awareness for more than 50 charitable organizations thus far through an on-field recognition at halftime; and

WHEREAS, the Lionsbridge Football Club serves more than 1,000 youth each year through its summer camps, Lionsbridge Soccer School, and free soccer clinics in partnership with Food Lion, Riverside Health System, and Chick-fil-A of the Peninsula; and

WHEREAS, the Lionsbridge Football Club has partnered with the Virginia Peninsula Foodbank and Food Lion to donate 82,000 meals in the fight against hunger in their community; and

WHEREAS, the Lionsbridge Football Club offers hands-on experience for college students to kick off their careers in sports business, with several interns going on to work professionally in the sports industry with high-profile organizations such as the Washington Commanders, Kansas City Chiefs, Boston Red Sox, and more; and

WHEREAS, the Lionsbridge Football Club is supported by an army of volunteers and host families that create a tight-knit bond between the club and its community; and

WHEREAS, the Lionsbridge Football Club was the 2023 USL League Two national runner-up out of 122 teams, representing the Virginia Peninsula and the Commonwealth at the national championship game in Seattle; and

WHEREAS, the Lionsbridge Football Club competed in the 2023 Lamar Hunt U.S. Open Cup, the oldest and most prestigious soccer tournament in the United States; and

WHEREAS, the Lionsbridge Football Club won three straight USL League Two Chesapeake Division Championships during the 2022, 2023, and 2024 seasons against in-state rivals from Virginia Beach, Charlottesville, Leesburg, and Winchester as well as two Maryland-based clubs; and

WHEREAS, the Lionsbridge Football Club hosted the USL League Two playoffs each of the last four summers on the Virginia Peninsula, bringing in valuable sports tourism that made an economic impact while uniting the citizens of the Virginia Peninsula community behind a truly local team in pursuit of one common goal; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Lionsbridge Football Club for its accomplishments and service to the Virginia Peninsula community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Lionsbridge Football Club as an expression of the General Assembly's admiration for the team's contributions to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 718

Commending the McGaheysville Volunteer Fire Company, Inc.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, for 60 years, the McGaheysville Volunteer Fire Company, Inc., has safeguarded the lives and property of the residents of McGaheysville and enriched local life through outreach programs and community events; and

WHEREAS, the McGaheysville Volunteer Fire Company was organized on March 16, 1965, with Richard Magalis as president, Hollis Johnson as vice president, Stanley Hulvey as chief, and Melvin Atkins, Elmer Breeden, Clarence Gooden, C.O. Hensley, Odell Hensley, Wayne Hensley, and M.J. Stover, Sr., as officers; and

WHEREAS, in 1966, members of the McGaheysville Volunteer Fire Company and other local volunteers built the original fire station on one half acre of land donated by the Mahan family; the company subsequently purchased an additional seven acres to expand the property; and

WHEREAS, the McGaheysville Volunteer Fire Company's first fire apparatus was a 1952 fuel oil delivery truck purchased from the Rockingham Petroleum Co-op and converted into a 1200-gallon tanker; the company purchased an additional truck and a pumper before its first major call for service to battle a fire at McGaheysville Elementary School on January 7, 1968; and

WHEREAS, over the next decades, the McGaheysville Volunteer Fire Company was ably led by fire chiefs Earl Hensley, Sr., Earl Hensley, Jr., and Todd Breeden, all of whom worked to ensure that the members of the department have access to the best possible training and modern equipment; and

WHEREAS, the McGaheysville Volunteer Fire Company cultivated strong bonds with the community by hosting a long-running bingo night fundraiser until the COVID-19 pandemic; since that time, the company has organized chicken dinners and soup events to stay engaged with members of the public and generate support; and

WHEREAS, in 2022, the McGaheysville Volunteer Fire Company broke ground on a new facility with a commercial kitchen and space for fundraisers and other community events; and

WHEREAS, the McGaheysville Volunteer Fire Company commemorated its 60th anniversary by revitalizing its memorial area to better honor the achievements of past generations of its courageous and hardworking firefighters; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the McGaheysville Volunteer Fire Company, Inc., on the occasion of its 60th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the McGaheysville Volunteer Fire Company, Inc., as an expression of the General Assembly's admiration for its legacy of service and contributions to the McGaheysville community.

HOUSE JOINT RESOLUTION NO. 719

Celebrating the life of Donald W. Foster, Sr.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Donald W. Foster, Sr., an honorable veteran and an active and beloved member of the Damascus community, died on February 10, 2025; and

WHEREAS, born in Washington County, Donald Foster served his country with honor and distinction as a member of the United States Marine Corps and received the Purple Heart with two oak leaf clusters for his courage and valor in combat; and

WHEREAS, in his professional career, Donald Foster devoted 44 years to the Columbus McKinnon Corporation, one of the world's leaders in intelligent motion solutions for material handling; and

WHEREAS, Donald Foster gave generously of his time to help others, including by volunteering to feed the unhoused, mentoring young people as a youth basketball and baseball coach, refereeing middle school basketball, and mowing lawns for the elderly and infirm; and

WHEREAS, guided throughout his life by his faith, Donald Foster enjoyed worship and fellowship with his community at First Baptist Church of Damascus for many years; and

WHEREAS, preceded in death by his wife of 45 years, Hilda, Donald Foster will be fondly remembered and dearly missed by his children, Timothy, Donald, Jr., and Christopher, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Donald W. Foster, Sr., a revered member of the Damascus community whose dedication and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Donald W. Foster, Sr., as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 720

Commending Paula Loomis.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Paula Loomis, a Fellow of the American Institute of Architects, has been honored by the American Institute of Architects with the Award for Excellence in Public Architecture in 2024; and

WHEREAS, Paula Loomis' award recognizes architects, public officials, or other individuals who design distinguished public facilities and advocate for design excellence; and

WHEREAS, Paula Loomis contributed to public architecture by developing more than fifty facility standards for a wide range of federal agencies and military branches that have shaped the character, resilience, and long-term viability of tens of thousands of facilities; and

WHEREAS, Paula Loomis worked for the three federal agencies with the largest portfolio of facilities and has advanced the government's sustainability and resilience strategies; and

WHEREAS, Paula Loomis served in the United States Air Force, including six years on active duty and 24 years as a reservist, serving in Operation Desert Storm in 1991, taking leadership roles such as the senior reservist to the Air Force Civil Engineer Center and base architect for Langley Air Force Base, and retiring with several merits and distinctions at the rank of colonel; and

WHEREAS, Paula Loomis served the Commonwealth as a member of the Secure and Resilient Commonwealth Panel; and

WHEREAS, Paula Loomis further served the Commonwealth by training scores of individuals through the American Institute of Architects (AIA) Safety Assessment Program, which teaches architects, engineers, building officials, and inspectors how to assess homes, buildings, and infrastructure for safety after a disaster; and

WHEREAS, Paula Loomis supported the architectural profession on the national level as a member of the AIA's board of directors, strategic council, board knowledge committee, and government advocacy committee, and she also served as a member of numerous AIA boards, councils, and committees at both the state and local levels; and

WHEREAS, Paula Loomis has been recognized for her accomplishments and achievements by being elevated to the AIA College of Fellows in 2007 and to the Society of American Military Engineers College of Fellows in 2013; and

WHEREAS, Paula Loomis has been recognized as a dedicated public servant and a model of the value of a lifetime of public and nonprofit service, practice, and leadership; and

WHEREAS, Paula Loomis continues her work as the director of research, senior planner, and senior architect for The Urban Collaborative, an interdisciplinary firm that pursues public architecture in the United States, Europe, and Asia; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Paula Loomis for receiving the American Institute of Architects' 2024 Award for Excellence in Public Architecture; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Paula Loomis as an expression of the General Assembly's admiration for her accomplishments and best wishes for her continued success.

HOUSE JOINT RESOLUTION NO. 721

Commending Norfolk State University.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, for 90 years, Norfolk State University has stood as a mighty fortress of knowledge, an institution forged in resilience, and a guiding light for those who seek wisdom, advancement, and transformation; and

WHEREAS, founded in the midst of the challenging times of the Great Depression on September 18, 1935, as the Norfolk Unit of Virginia Union University, this institution rose from humble beginnings to become a towering bastion of higher learning, evolving into Norfolk Polytechnic College, Norfolk State College, and finally claiming its rightful place as Norfolk State University—a name synonymous with excellence, empowerment, and unyielding progress; and

WHEREAS, from its earliest days, Norfolk State University has embodied the belief that education is the great equalizer, a force powerful enough to shatter barriers, uplift communities, and forge leaders who shape the world; and

WHEREAS, Norfolk State University's relentless pursuit of academic rigor, scholarly distinction, and community engagement has led to its recognition as an accredited institution under the Southern Association of Colleges and Schools Commission on College, offering esteemed programs that span from associate and baccalaureate degrees to master's and doctoral programs, each molding the next generation of visionaries, innovators, and trailblazers; and

WHEREAS, Norfolk State University, ever steadfast in its mission of empowerment and transformation, has cultivated an academic environment that nurtures potential, elevates minds, and strengthens character, shaping Spartans who do not merely walk in the footsteps of history but stride boldly to create their own; and

WHEREAS, the Spartan spirit is emblazoned with the university's core values—Excellence, Student-Centeredness, Diversity, Integrity, Engagement, Pride, and Financial Empowerment—each a guiding principle that has steered Norfolk State University through nine decades of triumph and evolution; and

WHEREAS, through its unwavering dedication to access and inclusion, cultural enlightenment, and civic responsibility, Norfolk State University has not only transformed the lives of its students but has also played an indelible role in the social, cultural, and economic advancement of Hampton Roads, the Commonwealth, the United States, and the world; and

WHEREAS, Norfolk State University has been a sacred forge where dreams take flight, legacies are built, and barriers are broken, ensuring that each graduate leaves emboldened, not just with a diploma, but with the knowledge, resilience, and leadership skills required to excel in an ever-changing world; and

WHEREAS, on this glorious milestone of 90 years, Norfolk State University stands undaunted, unshaken, and unrelenting in its pursuit of educational excellence, proving that from the seeds planted in 1935 have grown mighty Spartans, prepared to lead, serve, and uplift generations to come; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Norfolk State University for its unparalleled contributions to education, its steadfast service to its students and communities, and its role as a beacon of hope and opportunity for all who seek the power of knowledge, on the momentous occasion of its 90th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Norfolk State University as an expression of the General Assembly's respect, admiration, and gratitude to the institution for inspiring young men and women who shall continue to rise, lead, and transform the world for generations to come.

HOUSE JOINT RESOLUTION NO. 722

Commending Nancy Howell Agee.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 22, 2025

WHEREAS, Nancy Howell Agee, a nationally recognized healthcare leader who served as chief executive officer of Carilion Clinic in Roanoke for more than a decade, retired on September 30, 2024; and

WHEREAS, Nancy Howell Agee began her career in healthcare in 1973 as a nurse at what was then Roanoke Memorial Hospital; she then went on to earn a bachelor's degree in nursing from the University of Virginia School of Nursing in 1979 and a master's degree in nursing from the Nell Hodgson Woodruff School of Nursing at Emory University and to complete graduate studies at the Kellogg School of Management at Northwestern University; and

WHEREAS, prior to becoming chief executive officer at Carilion Clinic, Nancy Howell Agee served as the health system's chief operating officer and vice president, leading its transformation from a collection of hospitals into a fully integrated, physician-led clinic, which included a partnership with Virginia Polytechnic Institute and State University to establish the Virginia Tech Carilion School of Medicine and Fralin Biomedical Research Institute at Virginia Tech-Carilion; and

WHEREAS, in 2011, Nancy Howell Agee became the first female chief executive officer in the history of Carilion Clinic, taking the helm of a multi-faceted healthcare system that incorporates seven hospitals and more than 250 physician practices and that annually provides care to approximately one million people living in the Commonwealth and West Virginia; and

WHEREAS, Nancy Howell Agee's tenure at Carilion Clinic was defined by her unwavering commitment to advancing the health system by increasing efficiency, lowering costs, and improving health outcomes for all patients; and

WHEREAS, as a testament to her leadership and expertise, Nancy Howell Agee was named chair of the American Hospital Association's board of trustees in 2018; she has also supported the healthcare industry as a member of the board of commissioners for The Joint Commission and as chair of the Virginia Hospital and Healthcare Association and the Virginia Center for Health Innovation; and

WHEREAS, perennially recognized as one of the "Top 100 Most Influential People in Healthcare" and one of the "Top 25 Women Leaders in Healthcare" by *Modern Healthcare*, Nancy Howell Agee's impressive list of accolades also includes honorary doctorates from Roanoke College and the former Jefferson College of Health Sciences, the 2017 Virginia Business Person of the Year award from *Virginia Business*, and the Gail L. Warden Leadership Excellence Award from the National Center for Healthcare Leadership; and

WHEREAS, in addition to her accomplishments in the healthcare industry, Nancy Howell Agee has made significant contributions to the Commonwealth through her leadership of numerous statewide organizations, including the Growth and Opportunity Virginia (GO Virginia) board of directors, the Virginia Business Council, the Virginia Business Higher Education Council, and the Virginia Foundation for Independent Colleges; and

WHEREAS, Nancy Howell Agee has received numerous awards and recommendations, including being recognized as the Virginia Business Person of the Year in 2017 by *Virginia Business* magazine and the Virginia Chamber of Commerce Lifetime Achievement Award in 2024; and

WHEREAS, following her retirement, Nancy Howell Agee will serve as chief executive officer emeritus of Carilion Clinic until September 2025, ensuring the health system will continue to expand its philanthropic endeavors, cultivate meaningful partnerships, and enhance its reputation both statewide and nationally; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Nancy Howell Agee for her legacy of service on the occasion of her retirement as chief executive officer of Carilion Clinic; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Nancy Howell Agee as an expression of the General Assembly's admiration for her contributions to Southwest Virginia and the Commonwealth and best wishes for a rewarding and fulfilling retirement.

HOUSE JOINT RESOLUTION NO. 723

Celebrating the life of Lewis S. Wiley.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Lewis S. Wiley, a widely-respected horseman and cattle farmer and longtime Fauquier County resident, passed away peacefully at his family's home, Gordonsdale Farm, in The Plains on August 11, 2024, at the age of 86; and

WHEREAS, Lewis Wiley was born and raised in Salem, where he attended North Cross School with the very first class of students and Andrew Lewis High School; he subsequently attended The Hill School in Pottstown, Pennsylvania, where he thrived as a member of the football, wrestling, and track teams before graduating in 1957; and

WHEREAS, Lewis Wiley went on to graduate from the University of Virginia in 1962, where he was a member of the Sigma Alpha Epsilon Fraternity; and

WHEREAS, Lewis Wiley called his thoroughbred horse farm, Gordonsdale Farm, home for more than 50 years, spending many mornings at the Middleburg Training Center, watching and training horses and cultivating some of his favorite memories; and

WHEREAS, as an owner, trainer, steward, and spectator, Lewis Wiley was a fixture at the local steeplechase races; and

WHEREAS, while he loved traveling for hunting and horse sales around the Commonwealth and country, Lewis Wiley loved nothing more than seeing the highway sign welcoming him back to Fauquier County and his beloved farm; and

WHEREAS, in addition to his dedication to his horses, Lewis Wiley admirably served on the board of Marshall National Bank and as vice chair of Oak View Bank; and

WHEREAS, predeceased by his parents, James and Camille; his stepmother, Mary; his stepfather, Sully; and his siblings James, Karen, Langhorne, and Nelson, Lewis Wiley will be fondly remembered and dearly missed by his daughters, Elizabeth and Sheila; his grandchildren, Molly and William; and his stepbrother, Lewis; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Lewis S. Wiley, a revered member of The Plains community, whose kindness, compassion, and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Lewis S. Wiley as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 724

Commending Donna T. Rogers.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Donna T. Rogers, a respected Loudoun County farmer, equestrian, conservationist, and member of the Master of Foxhounds Association of North America, has made many notable contributions to Loudoun County and the Commonwealth; and

WHEREAS, Donna Rogers and her husband, Joseph, directly and indirectly encouraged the placement of conservation easements on more than 5,000 contiguous acres in the Hamilton area of Loudoun County; the couple also worked together to establish and support the Goose Creek Historic District; and

WHEREAS, after her husband's death in 2014, Donna Rogers continued his legacy of service to the farming community and continued promoting the preservation of open space; and

WHEREAS, Donna Rogers served in numerous organizations promoting the preservation of open space, the equestrian industry, and public involvement in zoning issues in Loudoun County, notably Scenic Loudoun Legal Defense, which she helped found; and

WHEREAS, Donna Rogers supports future generations of farmers through her guidance and encouragement and has worked to ensure that agricultural education includes best practices for sustainable and conservation-led farming practices; and

WHEREAS, Donna Rogers has also supported young farmers' activities in the Loudoun County 4-H club and at the Loudoun County Fair; and

WHEREAS, in addition, Donna Rogers was a superb horsewoman, rode steeplechase racehorses, bred and trained thoroughbred racehorses, and served as master of the Loudoun Hunt West and as master of the Loudoun Fairfax Hunt, leading riders in spectacular fashion over the course of 20 years; and

WHEREAS, Donna Rogers was a founder and active supporter of the Museum of Hounds and Hunting North America, located in Morven Park and Middleburg; and

WHEREAS, Donna Rogers played an instrumental role in the establishment of the Marion duPont Scott Equine Medical Center in Leesburg; and

WHEREAS, Donna Rogers served on Loudoun County Economic Development as the organization's first representative for rural equine interests; and

WHEREAS, Donna Rogers was one of the first women to serve on the Blue Ridge Cattlemen's Association and was one of the founders of the Virginia Horsemen's Association; she has been an active member of the Virginia Steeplechase Association, the National Steeplechase Association, and the Catoctin Farmers' Club, which chronicles more than 100 years of farming in Loudoun County; and

WHEREAS, as a member of the Loudoun County Equine Alliance, Donna Rogers worked to open equestrian access to local parks and encouraged the expansion of power lines away from preserved conservation areas; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Donna T. Rogers on her longstanding legacy of conservation, preservation, agriculture, and advancing equine sports at the local, state, and national levels; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Donna T. Rogers as an expression of the General Assembly's admiration for her exceptional contributions to the Commonwealth and the equine community and her steadfast commitment to preserving open spaces and historical sites.

HOUSE JOINT RESOLUTION NO. 725

Commending Halley Elementary School.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, for 30 years, Halley Elementary School of Fairfax County Public Schools has made an impact on every student that has passed through its halls by preparing them for lifelong learning, empowering them to build and maintain positive relationships, and encouraging them to reach their full potential both in and out of the classroom; and

WHEREAS, Halley Elementary School was opened on September 5, 1995, and was named in honor of William Francis Halley, a lifelong resident of Fairfax County who greatly supported Fairfax County schools and students in the early 20th century; and

WHEREAS, Halley Elementary School's first principal was Janet Funk, who was named Fairfax County Public Schools Principal of the Year in 1998 and was presented the Agnes Meyer Distinguished Educational Leadership Award by *The Washington Post* that same year; and

WHEREAS, with a commitment to educational excellence, Halley Elementary School implements a variety of programs to meet its students' needs, such as Young Scholars and the Advanced Academics Program, a fine and performing arts program, and its award-winning Early Childhood Inclusion Program; and

WHEREAS, Halley Elementary School organizes a number of unique educational events and activities to create a dynamic learning experience for its students, including the Halley Morning News Show and its Global Classroom Project; and

WHEREAS, Halley Elementary School champions its faculty and staff by providing assistance and guidance to help them optimize their lessons in the classroom; and

WHEREAS, Halley Elementary School rigorously applies the Multi-Tiered Systems of Support instructional model to ensure the academic, social, and emotional well-being of all of its students; and

WHEREAS, as a testament to the welcoming and inclusive nature of its community, Halley Elementary School won a contest in 2001 organized by Michigan author Patricia Polacco that recognized the school and its students for their suggestions on how to prevent bullying; and

WHEREAS, the accomplishments of Halley Elementary School over the past 30 years are the result of the efforts of its students, the dedication of its teachers and staff, and the unwavering support of its families, parent-teacher organization, and the entire Halley Elementary School community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Halley Elementary School on the occasion of its 30th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Halley Elementary School as an expression of the General Assembly's admiration for the school's history and its contributions to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 726

Commending Carlos Cañas.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Carlos Cañas, a distinguished law-enforcement officer and deputy with the Alexandria Sheriff's Office, was named Virginia Law Enforcement Officer of the Year by the American Legion Department of Virginia in 2024; and

WHEREAS, Carlos Cañas has previously served the Alexandria Sheriff's Office as a transportation deputy and in the detention center and is currently supporting the department's mission as the gang and intelligence investigator; and

WHEREAS, beyond his primary roles, Carlos Cañas has mentored his fellow law-enforcement officers as a state-certified field trainer, general instructor, and control tactics instructor, and supported the Alexandria Sheriff's Office as a member of its emergency response team, civil disobedience unit, and honor guard; and

WHEREAS, with fluency in both English and Spanish and experience as a competitive soccer player and coach, Carlos Cañas has been invaluable to the Alexandria Sheriff's Office in its efforts to recruit new officers and make meaningful connections with area youth; and

WHEREAS, Carlos Cañas has consistently demonstrated a willingness and ability to lead, serving as president of his academy class, the Alexandria Sheriff's Association, and the Alexandria Sheriff's Employee Advisory Committee; and

WHEREAS, Carlos Cañas received the nomination for this prestigious statewide honor after he was named the 2023 Alexandria Law Enforcement Officer of the Year by American Legion Post 24 in Alexandria; and

WHEREAS, the Alexandria Sheriff's Office has cited two critical occasions when Carlos Cañas demonstrated an extraordinary commitment to his responsibilities as an officer, including when he located a Project Lifesaver client who went missing while he was off-duty and when he ably responded to a shooting incident so that both the victim was saved and the perpetrator was apprehended; and

WHEREAS, with exceptional professionalism, integrity, and dedication to serving and protecting the community, Carlos Cañas has embodied the ideals of the law-enforcement profession, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Carlos Cañas for being named the 2024 Virginia Law Enforcement Officer of the Year by the American Legion Department of Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Carlos Cañas as an expression of the General Assembly's admiration for his contributions to law enforcement in Alexandria and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 727

Commending Felipe Hernandez, Jr.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Felipe Hernandez, Jr., a distinguished firefighter and community leader, was appointed fire and emergency services chief of the City of Alexandria in 2024, making history as the first Latino to serve permanently in that position; and

WHEREAS, Felipe Hernandez began his career in the fire service in Rochester, New York, where he rose through the ranks over a period of more than 25 years to assume leadership positions in the department's administrative, operations, training, and emergency management divisions, while also continuously supporting recruitment, volunteer assistance, and professional development; and

WHEREAS, Felipe Hernandez culminated his career with the City of Rochester in the role of fire chief, overseeing an agency of 482 sworn and 24 civilian personnel, and from 2023 until joining the City of Alexandria, he served as superintendent of the New York State Academy of Fire Science; and

WHEREAS, in addition to a master's degree in leadership from Nazareth College and a bachelor's degree in business administration and management from State University of New York, Brockport, Felipe Hernandez has earned a Chief Fire Officer designation from the Commission on Professional Credentialing and several certifications in the areas of emergency medicine, fire officer instruction, health, and incident safety; and

WHEREAS, following an extensive and nationally competitive recruitment process, the City of Alexandria cited Felipe Hernandez's experience, technical competence, and modern, data-driven approach to public safety in choosing him to lead its fire and emergency services; and

WHEREAS, in his role as fire and emergency services chief, Felipe Hernandez aims to cultivate meaningful partnerships throughout the community to enhance the Alexandria Fire Department's ability to fulfill its mission; and

WHEREAS, with extraordinary professionalism, dedication, and concern for the well-being of others, Felipe Hernandez is poised to make a profound and lasting impact on the Alexandria community; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Felipe Hernandez, Jr., for being named fire and emergency services chief of the City of Alexandria; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Felipe Hernandez, Jr., as an expression of the General Assembly's admiration for his contributions to Alexandria and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 728

Commending Heman Bekele.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Heman Bekele, a student at Carter G. Woodson High School in Fairfax, was selected as *TIME* magazine's 2024 Kid of the Year for his contributions to medical science; and

WHEREAS, Heman Bekele was born in Addis Ababa, Ethiopia, and moved to the United States with his family when he was four years old; he developed an interest in chemistry around that time and enjoyed creating household science experiments for many years; and

WHEREAS, after reading about a topical medication, imiquimod, which is typically used as part of a broader treatment plan for skin cancer, Heman Bekele envisioned a version of the medication that was readily available and usable as a standalone treatment for early stages of skin cancer; and

WHEREAS, Heman Bekele theorized that the medication could be mixed into a bar of soap with a lipid-based nanoparticle that would linger on the skin, similar to a moisturizer or fragrance, and presented this concept to 3M Company as part of its Young Scientist Challenge; and

WHEREAS, Heman Bekele won the challenge, earning $25,000 to support his research, then cultivated a partnership with Vito Rebecca, a molecular biologist at the Johns Hopkins Bloomberg School of Public Health in Baltimore, Maryland, who is now serving as principal investigator for testing; and

WHEREAS, Heman Bekele has continued to excel in his studies at Carter G. Woodson High School, where he is a multi-instrumentalist in the school marching band and enjoys playing basketball and chess, all while assisting Vito Rebecca with lab work and promotion for his potentially revolutionary cancer treatment; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Heman Bekele on the occasion of his selection as *TIME* magazine's 2024 Kid of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Heman Bekele as an expression of the General Assembly's admiration for his incredible achievements and best wishes for future success.

HOUSE JOINT RESOLUTION NO. 729

Celebrating the life of Robert Smith Quinn, Jr.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Robert Smith Quinn, Jr., a dedicated employee of the Commonwealth and a beloved member of the Danville and Richmond communities, died on December 5, 2024; and

WHEREAS, born in Richmond, Robert Quinn began his service with the Commonwealth as a clerk in the Legislative Bill Room at the General Assembly from 1987 to 1998 and concluded his career at the Department of General Services, where he worked from 1998 until his retirement in 2018; and

WHEREAS, over his 31 years as a state employee, Robert Quinn worked tirelessly to faithfully execute his responsibilities for the good of the Commonwealth and its citizens; and

WHEREAS, Robert Quinn encouraged others to embrace their civic duty and gave generously of his time to support various political candidates over the years; and

WHEREAS, Robert Quinn was an active and involved member of his community who served as a member of the Bon Air Historical Society while living in the Richmond area; and

WHEREAS, Robert Quinn was cherished by all who knew him for his kind and affable nature and for the enthusiasm he brought to his work and community service; and

WHEREAS, Robert Quinn will be fondly remembered and dearly missed by his mother, Marie; his sister, Yvonne, and her family; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Robert Smith Quinn, Jr., a treasured member of the Danville and Richmond communities whose light brightened countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Robert Smith Quinn, Jr., as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 730

Commending Dr. Jessica M. Jones.

Agreed to by the House of Delegates, February 18, 2025

Agreed to by the Senate, February 20, 2025

WHEREAS, Dr. Jessica M. Jones, an agricultural teacher at Tunstall High School in Pittsylvania County and a champion for Virginia's agricultural sector, received the National Association of Agricultural Educators Teacher Mentor of the Year Award in 2024; and

WHEREAS, the Teacher Mentor of the Year Award recognizes outstanding National Association of Agricultural Educators (NAAE) members who have committed their time and expertise to supporting and celebrating other teachers in their profession; Jessica Jones received the state award from the Virginia Association of Agricultural Educators (VAAE) in July 2024 and was presented with the national accolade at the NAAE Convention in December 2024; and

WHEREAS, in addition to her work with the VAAE and the NAAE, Jessica Jones is a leader in several other organizations related to agriculture and education, including the Association for Career and Technical Education, the Virginia Association for Career and Technical Education, and the Delta Kappa Gamma Society International; she has also served the Commonwealth as a member of the State Milk Commission; and

WHEREAS, Jessica Jones began her career as an agricultural education and environmental science teacher and Future Farmers of America advisor in Campbell County Public Schools; she subsequently joined Pittsylvania County Public Schools as a faculty member at Chatham Middle School and currently works at Tunstall High School; and

WHEREAS, Jessica Jones is also the coach and lead mentor for Tunstall High School's For Inspiration and Recognition of Science and Technology robotics team and a professor of agribusiness, communications, and leadership at the University of Mount Olive in North Carolina; and

WHEREAS, Jessica Jones provides her leadership and expertise to the county as the president of the Pittsylvania Education Association, vice president of the Virginia Education Association, and serves as chair of the Advisory Board on Teacher Education and Licensure; which advises the Virginia Board of Education on policies applicable to the qualifications, examination, and licensure of public school personnel; and

WHEREAS, in 2011, Jessica Jones was appointed by Governor Bob McDonnell to the State Milk Commission under the Department of Agriculture and Consumer Services; she served in that capacity until 2018, then was reappointed by Governor Glenn Youngkin in 2022; and

WHEREAS, as a member of the State Milk Commission, Jessica Jones has overseen the issuance of licenses to processors and distributors of fluid milk products and helped ensure that Virginians have a consistent, available, and reasonably priced supply of milk; and

WHEREAS, among many other awards and accolades, Jessica Jones was selected as the Distinguished Farm Bureau Woman at the Virginia Farm Bureau Federation Women's Leadership Conference in 2024; and

WHEREAS, through her contributions as an educator and a trusted expert in her field, Jessica Jones has helped strengthen the Commonwealth's agricultural and education sectors for years to come; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Dr. Jessica M. Jones, a devoted educator and an advocate for the Commonwealth's agricultural industry, for receiving the National Association of Agricultural Educators Teacher Mentor of the Year Award in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dr. Jessica M. Jones as an expression of the General Assembly's admiration for her personal and professional achievements.

HOUSE JOINT RESOLUTION NO. 731

Celebrating the life of Bobby Gene Atkinson.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Bobby Gene Atkinson, an honorable veteran and an active and beloved member of the Ringgold community in Pittsylvania County, died on February 7, 2025; and

WHEREAS, born in Ringgold, Bobby Gene Atkinson served his country and the Commonwealth with honor and distinction as a member of the Virginia National Guard; and

WHEREAS, Bobby Gene Atkinson devoted many years during his professional career to the Chesapeake and Potomac Telephone Company and his consulting firm, B & G Consulting; and

WHEREAS, Bobby Gene Atkinson promoted the safety and well-being of the Ringgold community during his 22 years on the board of Ringgold Volunteer Fire & Rescue, including 20 years as chair; and

WHEREAS, Bobby Gene Atkinson's impact was felt throughout Pittsylvania County as a result of his steadfast service with various local organizations; and

WHEREAS, Bobby Gene Atkinson was guided throughout his life by his faith and gave generously of his time to benefit the community through his involvement with Ringgold Baptist Church; and

WHEREAS, Bobby Gene Atkinson will be fondly remembered and dearly missed by his wife of 68 years, Betty; his children, Bobby Gene, Jr., and Tonya, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Bobby Gene Atkinson, a pillar of the Ringgold community whose dedication and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Bobby Gene Atkinson as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 732

Commending the Ridgeway Ruritan Club.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, the Ridgeway Ruritan Club, a local chapter of Ruritan National, Inc., dedicated to bettering the Ridgeway community and surrounding areas through fellowship, goodwill, and service, celebrates its 75th anniversary in 2025; and

WHEREAS, on July 18, 1950, the Ridgeway Ruritan Club was chartered by the board of directors of Ruritan National, Inc.; and

WHEREAS, the Ridgeway Ruritan Club has supported area youth over the years through various initiatives, including education scholarships and donations for school activities, such as band and after-prom events, and by serving as a charter organization for a local Boy Scout troop; and

WHEREAS, the Ridgeway Ruritan Club has played a part in fighting hunger and promoting public health and wellness in Henry County by supporting Hunters for the Hungry and the Community Storehouse food program; and

WHEREAS, the Ridgeway Ruritan Club funds its charitable efforts in the community through donations and other fundraising activities, which are staffed entirely by volunteers; and

WHEREAS, the Ridgeway Ruritan Club has contributed to various philanthropic efforts over the years, including financially supporting the community's volunteer fire department and donating to initiatives and organizations such as disaster relief, Christmas Cheer, a local pregnancy center, and Mountain Valley Hospice and Palliative Care; and

WHEREAS, the Ridgeway Ruritan Club has provided its building as a local gathering place, hosting events ranging from parties to memorials, facilitating community meetings with local officials and businesses, and serving as a venue for members of the public to socialize; and

WHEREAS, the accomplishments of the Ridgeway Ruritan Club are the result of the unwavering commitment of the organization's volunteer members, who have helped to make Ridgeway a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Ridgeway Ruritan Club hereby be commended for its legacy of service on the occasion of its 75th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Ridgeway Ruritan Club as an expression of the General Assembly's admiration for the organization's contributions to the Ridgeway community, Henry County, and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 733

Commending the Tunstall High School chapter of Future Farmers of America.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, the Tunstall High School chapter of Future Farmers of America in Dry Fork was presented the National Chapter 3-Star Award, named National Finalists for Premier Chapter, and presented the Top 10 Premier National Chapter Award by the National FFA Organization in 2017 and 2024; and

WHEREAS, the National FFA Organization is a school-based national youth leadership development organization of more than 1,027,200 student members across 9,235 local Future Farmers of America (FFA) chapters in all 50 states, Puerto Rico and the U.S. Virgin Islands; and

WHEREAS, the FFA mission is to make a positive difference in the lives of students by developing their potential for premier leadership, personal growth, and career success through agricultural education; and

WHEREAS, for 99 years, the FFA has leveraged agricultural education to provide students with opportunities to explore new ideas, acquire experience, become impactful members of their school and community, and learn to advocate for themselves and the causes they support; and

WHEREAS, the Tunstall High School FFA received several of the organization's most prestigious honors for actively implementing the organization's mission and strategies; and

WHEREAS, the Tunstall High School FFA improved operations by using the National FFA Organization's National Quality Chapter Standards and Program of Activities and incorporating all 15 FFA quality standards into their organizational activities and events while providing educational experiences for the entire membership; and

WHEREAS, the quality standards the Tunstall High School FFA achieved are organized across three divisions, including building communities, strengthening agriculture, and growing leaders; within these divisions, the standards are further organized into five categories, including citizenship, healthy lifestyle, career success, scholarship, and agriculture; and

WHEREAS, in addition to achieving the quality standards, the Tunstall High School FFA has also received the State Superior Gold Chapter Award annually for the past decade; and

WHEREAS, by preparing countless students to take charge of their futures and become the leaders of tomorrow, the Tunstall High School FFA has left a positive and lasting imprint on the Pittsylvania County community and beyond; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Tunstall High School chapter of Future Farmers of America for receiving the Future Farmers of America's National Chapter 3-Star Award, being named National Finalists for Premier Chapter, and being presented the Top 10 Premier National Chapter Award; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Tunstall High School chapter of Future Farmers of America as an expression of the General Assembly's admiration for the chapter's accomplishments and best wishes for its continued success.

HOUSE JOINT RESOLUTION NO. 734

Commending Washington-Liberty High School.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Washington-Liberty High School, the oldest continuously operating high school in Arlington County, has helped young people grow academically and become good citizens of the Commonwealth for 100 years; and

WHEREAS, prior to the construction of Washington-Liberty High School, students in Arlington County either attended high schools in Washington, D.C., or part of the county that is now within the City of Alexandria; and

WHEREAS, in 1922, Arlington County residents voted for school bonds to fund a centrally located high school, marking the first time bonds were used to finance school construction in the Commonwealth; and

WHEREAS, the new high school initially operated out of existing schools in Ballston and Cherrydale and was unofficially known as "the central high school" or Ballston High School during the 1924-1925 academic year; and

WHEREAS, on October 6, 1925, Washington-Liberty High School officially opened in a three-story Beaux Arts-style building; the school was originally named Washington-Lee High School after Washington and Lee University and adopted many of the institution's traditions, including an honor code, the generals mascot, the school seal, and the typical nickname "WnL"; and

WHEREAS, Washington-Liberty High School grew with Arlington County and quickly became a model for other schools throughout the Commonwealth and the United States, earning national accolades for its commitment to excellence in academics, athletics, and student achievements; and

WHEREAS, Washington-Liberty High School continued to make history in its early years; its Cadet Corps was the first Junior Reserve Officers' Training Corps program in Northern Virginia, its crew team is the region's second-oldest scholastic rowing program in the region, its 1966 varsity boys' basketball team was the first integrated team to win a basketball state championship in the Commonwealth, and it was one of the first high schools in the region to offer advanced, college-level classes; and

WHEREAS, Washington-Liberty High School began offering English as a second language classes as early as 1967, and the school has always celebrated the diversity of its student body by honoring other cultures and giving students the tools they need to participate in a global society; and

WHEREAS, Washington-Liberty High School adopted its current name in 2019 to honor the school's rich history while inspiring future generations of students; and

WHEREAS, graduates of Washington-Liberty High School have achieved success in the arts, science, business, military service, government, professional athletics and more; these alumni have won Nobel Prizes, Pulitzer Prizes, Olympic medals, Oscar, Emmy, and Tony awards, and Major League Baseball and National Football League championships; and

WHEREAS, throughout its history, Washington-Liberty High School has provided a caring, stimulating, and safe environment in which generations of students have learned how to achieve their fullest potential both in and out of the classroom; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Washington-Liberty High School on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Washington-Liberty High School as an expression of the General Assembly's admiration for the school's storied history and incredible legacy of achievements in service to young people in Arlington County.

HOUSE JOINT RESOLUTION NO. 735

Commending Aslin Beer Company.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Aslin Beer Company, a beloved brewery serving the Herndon community and other locales throughout the Commonwealth, celebrates its 10th anniversary in 2025; and

WHEREAS, Aslin Beer Company was founded by Kai Leszkowicz and Andrew Kelley, who were introduced through their wives, both members of the Aslin family, and who quickly discovered a common affinity for home brewing and craft beer; and

WHEREAS, naming their new venture Aslin Beer Company after their shared connection, Kai Leszkowicz and Andrew Kelley opened a brewery and taproom in Herndon in 2015 that soon become a favorite spot for locals to gather; and

WHEREAS, from its first two-barrel nanobrewery, Aslin Beer Company has rapidly expanded over the past decade and now has locations in Herndon, Alexandria, Virginia Beach, Washington, D.C., and Pittsburgh; and

WHEREAS, Aslin Beer Company specializes in producing hazy India pale ales, such as its flagship brew Orange Starfish, and is consistently experimenting with new recipes, an approach that has yielded more than 400 unique concoctions over the brewery's history; and

WHEREAS, through its unwavering commitment to brewing quality beer and serving the community, Aslin Beer Company has helped to make Herndon a wonderful place to live, work, and enjoy a drink with friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Aslin Beer Company on the occasion of its 10th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Aslin Beer Company as an expression of the General Assembly's admiration for the company's contributions to Herndon and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 736

Commending Northern Virginia Veterinary Medical Association.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, for 50 years, the Northern Virginia Veterinary Medical Association has supported the veterinary profession for the benefit of animals, veterinarians, and pet and livestock owners across Northern Virginia and the Commonwealth; and

WHEREAS, the Northern Virginia Veterinary Medical Association was established in 1975 with a mission to cultivate the practices and integrity of the veterinary profession, to share information with the public regarding veterinary medicine and the proper care and treatment of animals, to elevate the standards of veterinary medicine in the Commonwealth, and to foster collaboration and fellowship among Virginia veterinarians; and

WHEREAS, the Northern Virginia Veterinary Medical Association makes an impact in the community by providing information to educate new pet owners, assisting and promoting several local animal shelters, and spearheading a variety of charitable events; and

WHEREAS, through the visionary leadership of its staff and the unwavering support of its members, the Northern Virginia Veterinary Medical Association has greatly enhanced the veterinary profession and animal welfare in the Commonwealth over the past half-century; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Northern Virginia Veterinary Medical Association for its legacy of service on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Northern Virginia Veterinary Medical Association as an expression of the General Assembly's admiration for the organization's contributions to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 737

Commending Fox Mill Woods Swim and Tennis Club.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Fox Mill Woods Swim and Tennis Club, a recreational club in Fairfax County, has served residents of local communities for 50 years; and

WHEREAS, Fox Mill Woods Swim and Tennis Club provides recreational amenities and opportunities for relaxation to families from Reston, Vienna, Oakton, and Herndon; and

WHEREAS, Fox Mill Woods Swim and Tennis Club maintains tennis and pickleball courts, basketball and tetherball courts, a playground, and pavilions for community events; and

WHEREAS, Fox Mill Woods Swim and Tennis Club has a six-lane 25-meter L-shaped, heated pool with a diving board as well as a gated toddler pool, ensuring that children of all ages and skill levels can enjoy the pool safely; and

WHEREAS, Fox Mill Woods Swim and Tennis Club supports the Fox Mill Woods Fintastics, a championship-winning swim team that participates in the Northern Virginia Swim League; and

WHEREAS, the Fox Mill Woods Swim and Tennis Club Board of Directors is made up of dedicated volunteers who strive to create the best possible experience for local families; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Fox Mill Woods Swim and Tennis Club on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Fox Mill Woods Swim and Tennis Club as an expression of the General Assembly's admiration for the club's contributions to community life in Fairfax County.

HOUSE JOINT RESOLUTION NO. 738

Commending Sterner's Tae Kwon Do Academy.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Sterner's Tae Kwon Do Academy, a martial arts center in Herndon, has helped countless students learn new skills, improve their fitness, and develop self-confidence, self-respect, and self-discipline for 20 years; and

WHEREAS, established in 2005, Sterner's Tae Kwon Do Academy not only teaches self-defense techniques rooted in the Korean martial art of taekwondo, but also helps students build a sense of courtesy, integrity, perseverance, and self-control as well as an indomitable spirit; and

WHEREAS, Sterner's Tae Kwon Do Academy was founded by Adam Sterner, a national championship-winning seventh dan black belt master who has created an environment that is safe, comfortable, and welcoming for all students; and

WHEREAS, Sterner's Tae Kwon Do Academy offers preschool classes to help children develop motor skills, children's classes to help young people continue to develop life skills, convenient after-school classes and summer camps to provide positive outlets for youth development, and adult classes to help older students hone their self-defense skills and achieve fitness goals; and

WHEREAS, with its practical approach to teaching and coaching, Sterner's Tae Kwon Do Academy has helped students of all ages, backgrounds, and experience levels achieve their personal goals; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Sterner's Tae Kwon Do Academy on the occasion of its 20th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Sterner's Tae Kwon Do Academy as an expression of the General Assembly's admiration for its contributions to the Herndon community.

HOUSE JOINT RESOLUTION NO. 739

Commending the Herndon Village Network.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, the Herndon Village Network, a nonprofit organization dedicated to supporting Herndon senior citizens with free transportation and other services, celebrated its 10th anniversary in 2025; and

WHEREAS, the Herndon Village Network is part of the growing village movement, in which community-based, nonprofit, grassroots organizations form in various localities to help individuals age independently and in their homes; and

WHEREAS, the Herndon Village Network serves elderly individuals who are no longer able to manage all aspects of their daily lives, limiting their ability to affordably tend to their needs and to maintain active and enriching lives; and

WHEREAS, the Herndon Village Network coordinates volunteers who drive members to their doctor appointments, shopping trips, restaurant outings, and more, contributing greatly to their quality of life; and

WHEREAS, the Herndon Village Network has become a vital resource for members of the Herndon community since it was established and an important part of what makes Herndon a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Herndon Village Network on the occasion of its 10th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Penny Halpern, President of the Herndon Village Network Board as an expression of the General Assembly's admiration for the organization's mission and best wishes for its continued success.

HOUSE JOINT RESOLUTION NO. 740

Commending the All-State First Team selections on the Oscar Smith High School football team.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, in 2024, the Oscar Smith High School football team finished the season with a perfect 17-0 record and won the Virginia High School League Class 6 state championship; and

WHEREAS, during the 2024 season, the Oscar Smith Tigers earned their 20th Southeastern District championship title, their 12th 6A Region championship title, and their fifth state title in program history; and

WHEREAS, in recognition of their incredible achievements on both sides of the ball, seven members of the Oscar Smith Tigers were named to the Virginia High School League Class 6 All-State First Team: Lonnie Andrews, Brandon Nesbit, Dory Wilson, Travis Johnson, Jordan Rayner, Jahmari DeLoatch, and Malachi White; and

WHEREAS, as quarterback, Lonnie Andrews led the Tigers to their third undefeated season in Oscar Smith High School history and their fifth overall state title by putting up impressive stats throughout the season, going 172 of 289 for 2,740 yards and 29 touchdowns; despite only being a sophomore, he has numerous Division I scholarship offers and has already started his off-season training in hopes of winning back-to-back state championship titles in 2025; and

WHEREAS, senior running back Brandon Nesbit has been a workhorse for the offense, rushing for 1,555 yards on 225 carries and a whopping 27 touchdowns; his productivity (seven yards per carry average) combined with his toughness and durability were critical for the Oscar Smith Tigers; and

WHEREAS, junior Dory Wilson was the recognized leader of a young Oscar Smith Tigers' offensive line, recording a praiseworthy 20 pancake blocks and giving up just two sacks in 15 total games; his leadership and production were instrumental to the victorious season; and

WHEREAS, Travis Johnson is a rare four-star junior recruit at wide receiver who, despite missing the better part of three games with injury and constantly being double-teamed, managed to put up impressive numbers with a combination of 53 receptions and six carries for a total of 1,000 yards and 15 touchdowns; his production was instrumental in the Oscar Smith Tigers' offense scoring 583 total points for a 39 points-per-game average, and he has more than 40 college scholarship offers from elite institutions across the country; and

WHEREAS, Jordan Rayner is a multi-year defensive starter and had 47 total tackles with 22 tackles for loss, nine sacks, and one forced fumble during his senior season; as a leader of the stingy Oscar Smith Tigers' defense, he was instrumental in the team only giving up 95 total points all season for an average of 6.3 points-per-game, and he will be continuing his education and football career at Hampton University; and

WHEREAS, Jahmari DeLoatch is a multi-year starting safety on the Oscar Smith Tigers' defense; during his senior year, he had 51 tackles, 15 tackles for a loss, three sacks, five interceptions (two returned for touchdowns), five pass break-ups, two fumble recoveries, two field goal blocks, and 400 total return yards on special teams with four punt returns for touchdowns; he was also selected as an Army All-American and will be continuing his education and football career on a scholarship at Virginia Polytechnic Institute and State University; and

WHEREAS, as a junior linebacker, Malachi White was the leading tackler for the Oscar Smith Tigers with an eye-popping 105 tackles, 27 tackles for loss, three sacks, two forced fumbles, one interception, and two pass break-ups; he was a crucial member of a defense that gave up only 95 points in 15 games and was recognized as one of the best defensive units in the Commonwealth in 2024; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Lonnie Andrews, Brandon Nesbit, Dory Wilson, Travis Johnson, Jordan Rayner, Jahmari DeLoatch, and Malachi White, the All-State First Team selections on the Oscar Smith High School football team; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare copies of this resolution for presentation to the All-State First Team selections on the Oscar Smith High School football team as an expression of the General Assembly's admiration for their athletic achievements and best wishes for the future.

HOUSE JOINT RESOLUTION NO. 741

Celebrating the life of Augustine Joseph Matson.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Augustine Joseph Matson, a beloved husband, father, and grandfather, and a respected member of the Alexandria community, died on December 9, 2024; and

WHEREAS, Augustine "Gus" Joseph Matson grew up in Philadelphia, Pennsylvania, where he graduated from Monsignor Bonner and Archbishop Prendergast High School; he studied at Mount Saint Mary College and earned a bachelor's degree in accounting from Saint Joseph's University; and

WHEREAS, Gus Matson began his career as a special agent with the Internal Revenue Service, then worked as a certified public accountant in private practice; after relocating to the Commonwealth in 1997, he changed careers and worked in computer programming; and

WHEREAS, Gus Matson was a devoted volunteer who fostered a sense of fellowship and inspired others to take a more active role in their communities wherever he went; he was an active leader in the Hollin Hills neighborhood of Alexandria, where he served as president of the pool committee and president and treasurer of the civic association; and

WHEREAS, Gus Matson will be fondly remembered and greatly missed by his wife of 37 years, Barbara Liggett; their daughter Carly, and her family; his children from a previous marriage, Christopher, David, Peter, Mary Kate, Kevin, and Susan, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Augustine Joseph Matson, a highly admired resident of Alexandria; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Augustine Joseph Matson as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 742

Commending the Plumbers and Gasfitters of Local Union 5.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, the Plumbers and Gasfitters of Local Union 5, the Washington, D.C., area local union of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada, celebrates its 135th anniversary in 2025; and

WHEREAS, shortly after the establishment of what would become the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada, the Plumbers and Gasfitters of Local Union 5 was chartered in January 1890; and

WHEREAS, over its history, the Plumbers and Gasfitters of Local Union 5 have installed the plumbing systems at federal buildings, retail sites, military bases, hospitals, hotels, sporting venues, and other buildings throughout the National Capital region; and

WHEREAS, the Plumbers and Gasfitters of Local Union 5 is a growing organization that currently represents more than 1,600 members who work tirelessly each day to support the community's plumbing and water supply needs; and

WHEREAS, the Plumbers and Gasfitters of Local Union 5 helps its members achieve their full potential through a rigorous apprenticeship program and continuing education classes for experienced journeymen; and

WHEREAS, the Plumbers and Gasfitters of Local Union 5 carries out a number of charitable outreach activities, such as its "Heat's On, Water's Off" initiative, to support underserved individuals and families; and

WHEREAS, the Plumbers and Gasfitters of Local Union 5 actively advocates on behalf of workers and their families to improve their safety and quality of life; and

WHEREAS, through its dedication to its members and to the health and well-being of the community, the Plumbers and Gasfitters of Local Union 5 has made a profound and lasting impact on the Washington, D.C., metropolitan area; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Plumbers and Gasfitters of Local Union 5 on the occasion of the organization's 135th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Plumbers and Gasfitters of Local Union 5 as an expression of the General Assembly's admiration for the organization's history and its contributions to the Commonwealth.

HOUSE JOINT RESOLUTION NO. 743

Commending Diantha McKeel.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Diantha McKeel has served the Albemarle County community for nearly three decades, including 16 years on the Albemarle County School Board and 12 years on the Albemarle County Board of Supervisors; and

WHEREAS, a native of Staunton, Diantha McKeel pursued a career as a licensed nurse and spent many years working in the gynecology and cardiology departments at the University of Virginia before retiring in 2015; and

WHEREAS, in addition to her work in health care, Diantha McKeel spent 28 years in local government, beginning with the Albemarle County School Board, where she provided outstanding leadership to the students, faculty, and staff members of local schools; and

WHEREAS, Diantha McKeel was first elected to the Albemarle County Board of Supervisors in 2013, representing the Jack Jouett District, a primarily suburban district located just northwest of Charlottesville; and

WHEREAS, since every election after her first, Diantha McKeel has run for office without opposition, and she received more than 95 percent of the vote in both 2017 and 2021; and

WHEREAS, during her tenure in local government, Diantha McKeel improved communication and coordination between Albemarle County Public Schools and county government and was an advocate for issues related to education; and

WHEREAS, Diantha McKeel further enhanced the quality of life in Albemarle County by supporting economic development, improvements to transportation infrastructure and public transit, and advancements in affordable housing; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Diantha McKeel for her outstanding service as a member of the Albemarle County Board of Supervisors; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Diantha McKeel as an expression of the House of Delegates' admiration for her personal and professional achievements.

HOUSE JOINT RESOLUTION NO. 744

Commending the Center at Belvedere.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, in 2025, the Center at Belvedere, a nonprofit organization in Charlottesville providing a welcoming space for older adults to age healthily, celebrates its 65th anniversary; and

WHEREAS, established in 1960, the Center at Belvedere creates opportunities for healthy aging by promoting social engagement, physical well-being, civic involvement, creativity, and lifelong learning; and

WHEREAS, the Center at Belvedere has six decades of service and recognizes the individuals who have contributed to its success; and

WHEREAS, the Center at Belvedere is launching a new pilot program aimed at expanding its reach and raising awareness of its services; and

WHEREAS, the Center at Belvedere is committed to creating an environment that is welcoming, just, equitable, and inclusive without biases or discrimination based on differences of any kind; and

WHEREAS, the Center at Belvedere is dedicated to working to extend healthy life expectancy and quality of life for everyone; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Center at Belvedere on the occasion of its 65th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Center at Belvedere as an expression of the General Assembly's admiration for its contributions to Charlottesville and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 745

Celebrating the life of Virgil Alexander Wood, Ed.D.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Virgil Alexander Wood, Ed.D., an esteemed church leader, educator, and civil rights activist who devoted his life to the economic, social, and spiritual development of others, died on December 28, 2024; and

WHEREAS, Virgil Wood earned a bachelor's degree in history from Virginia Union University in 1952, a master's degree in divinity from Andover Newton Theological School in 1956, and a doctorate in education from Harvard University in 1973; and

WHEREAS, Virgil Wood was ordained as a Baptist minister while still a teenager and would go on to lead congregations in Rhode Island, Massachusetts, and the Commonwealth over a period of more than a half-century; and

WHEREAS, as pastor of Diamond Hill Baptist Church in Lynchburg, Virgil Wood became actively involved in the civil rights movement, working with the Reverend Dr. Martin Luther King, Jr., while establishing the Lynchburg Improvement Association and a local unit of the Southern Christian Leadership Conference (SCLC); and

WHEREAS, Virgil Wood served as pastoral director of Blue Hill Christian Center in the Roxbury neighborhood of Boston from 1963 to 1970, during which time he was the head of the Massachusetts unit of the SCLC; and

WHEREAS, Virgil Wood devoted 25 years to the congregation at Pond Street Baptist Church in Providence, Rhode Island, first serving as pastor from 1955 to 1958 and then from 1983 to 2005; and

WHEREAS, in addition to serving as a member of the national executive board of the SCLC for several years, Virgil Wood played a pivotal role in the historic March on Washington for Jobs and Freedom on August 28, 1963, by coordinating the participation of individuals and groups from the Commonwealth; and

WHEREAS, over a long and illustrious career in education, Virgil Wood served as dean and director of the African American Institute at Northeastern University, as a professor at what is today the Virginia University of Lynchburg, and as a visiting lecturer, researcher, and teaching fellow at Harvard University; and

WHEREAS, in his later years, Virgil Wood led Virginia Polytechnic Institute and State University's Beloved Community Initiative as a Ridenour Fellow with the School of Public and International Affairs in the College of Architecture and Urban Studies; and

WHEREAS, in his capacity as an administrator for Opportunities Industrialization Centers of America, Virgil Wood helped establish 13 job training centers for disadvantaged individuals across nine states; and

WHEREAS, Virgil Wood's commitment to community development led him to serve as a member of the economic development task force of the National Conference of Black Mayors and as the first chairman of the Progressive National Baptist Convention's economic development commission; he was also a panelist and member of three White House conferences over three different presidential administrations; and

WHEREAS, Virgil Wood authored several notable publications over his lifetime, including *Introduction to Black Church Economic Studies* and *In Love We Trust: Lessons I Learned from Martin Luther King*; and

WHEREAS, Virgil Wood will be fondly remembered and dearly missed by his loving wife of 71 years, Lillian; his children, David and Deborah, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Virgil Alexander Wood, Ed.D., a distinguished church leader, educator, and civil rights activist whose faith, dedication, and service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Virgil Alexander Wood, Ed.D., as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 746

Commending Marta Keane.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Marta Keane, chief executive officer of the Jefferson Area Board for Aging, has retired after 12 years of service; and

WHEREAS, Marta Keane has demonstrated exceptional leadership by balancing compassion with sound business practices, thereby transforming the Jefferson Area Board for Aging (JABA) into a model agency for aging services; and

WHEREAS, Marta Keane's innovative vision and strategic foresight have expanded JABA's programs, enhancing support for seniors, adults with disabilities, and caregivers throughout the region; and

WHEREAS, under Marta Keane's guidance, JABA has successfully implemented pioneering initiatives, including advanced dementia care and community outreach programs, that have significantly improved the quality of life for countless individuals; and

WHEREAS, Marta Keane's unwavering commitment to community service, advocacy, and effective program management has earned widespread recognition from local officials, industry leaders, and community stakeholders; and

WHEREAS, Marta Keane's mentorship and dedication have not only strengthened the operational excellence of JABA, but have also inspired future leaders in the field of elder care; and

WHEREAS, Marta Keane's tireless efforts have ensured that JABA remains responsive to the evolving needs of an aging population, thereby reinforcing the agency's mission to support and dignify the lives of older community members; and

WHEREAS, Marta Keane has advanced JABA's mission to promote, establish, and preserve sustainable communities for healthy aging that benefit individuals of all ages and their families; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Marta Keane for her legacy of service on the occasion of her retirement as chief executive officer of the Jefferson Area Board for Aging; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Marta Keane as an expression of the House of Delegates' admiration for her contributions to the Jefferson Area Board for Aging and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 747

Commending Sin Barreras.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Sin Barreras, founded in 2012, has been providing immigration support services to individuals in the Charlottesville community for more than 12 years; and

WHEREAS, Sin Barreras was founded to help overcome the challenges that Spanish-speaking immigrants face in accessing essential services; and

WHEREAS, the mission of Sin Barreras is to empower immigrants and their families in Central Virginia, with a focus on the Hispanic population, by educating, advocating for, and supporting their needs; and

WHEREAS, Sin Barreras envisions a society where the essential needs of all its members are met, regardless of immigration status, color, economic class, or culture of origin; and

WHEREAS, Sin Barreras provides legal and immigration aid, advocates for equitable rights, ensures access to health services, and promotes self-sufficiency through education workshops, seminars, and cultural events; and

WHEREAS, the members of Sin Barreras have touched countless lives through their hard work and commitment to providing exceptional services to residents of Charlottesville in many areas and especially in the immigrant community; and

WHEREAS, Sin Barreras aims to break down barriers, celebrate diversity, and create a brighter, more connected community for all; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Sin Barreras for its years of service to residents of the Charlottesville area; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Sin Barreras as an expression of the General Assembly's admiration for its vital contributions to the community.

HOUSE JOINT RESOLUTION NO. 748

Commending the Center for Nonprofit Excellence.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, the Center for Nonprofit Excellence, a 501(c)(3) nonprofit organization, is a nonpartisan advocate on behalf of the nonprofit sector and the communities it serves; and

WHEREAS, the Center for Nonprofit Excellence is adaptable and forward-thinking, acting with humility and striving for learning and growth, not perfection; and

WHEREAS, the Center for Nonprofit Excellence is committed to equitable outcomes at the organization, in the sector, and in the community and realizes them through learning, sharing, skill-building, and action; and

WHEREAS, the Center for Nonprofit Excellence envisions a region where all community members have the opportunity to thrive, supported by a nonprofit sector that celebrates diversity, values inclusion, and centers equity across all aspects of its work; and

WHEREAS, the Center for Nonprofit Excellence is committed to contributing to a more just and equitable nonprofit sector and helping to drive positive change in the region; and

WHEREAS, the Center for Nonprofit Excellence envisions equitable, thriving, and just communities powered by healthy nonprofits; to achieve that vision, it serves as a champion, learning partner, and advisor to Virginia nonprofits; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Center for Nonprofit Excellence; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Center for Nonprofit Excellence as an expression of the General Assembly's admiration for the organization's contributions to the nonprofit sector in the Commonwealth.

HOUSE JOINT RESOLUTION NO. 749

Commending the Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, the Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals, founded in 1914, is a nonprofit organization dedicated to the protection of animals; and

WHEREAS, the Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals (SPCA), has been a no-kill shelter since 2006, maintaining a 90 percent live release rate; and

WHEREAS, the Charlottesville-Albemarle SPCA is dedicated to advancing the humane treatment of dogs and cats by providing comprehensive sheltering, medical care, and behavioral support; and

WHEREAS, the Charlottesville-Albemarle SPCA is contracted by the City of Charlottesville and Albemarle County to provide public animal sheltering services; and

WHEREAS, the Charlottesville-Albemarle SPCA bases every decision on a commitment to animal welfare and industry best practices; and

WHEREAS, the Charlottesville-Albemarle SPCA is dedicated to breaking down barriers and enhancing accessibility to services, resources, and information for pet owners; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals on the occasion of its 110th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals as an expression of the General Assembly's admiration for the organization's legacy of service to animals and contributions to pet owners in the City of Charlottesville and Albemarle County.

HOUSE JOINT RESOLUTION NO. 750

Commending the Charlottesville Twelve.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, the Charlottesville Twelve were a group of 12 African American students who bravely enrolled in previously all-white public schools in Charlottesville on September 8, 1959, defying decades of segregation and systemic discrimination; and

WHEREAS, the historic integration of Venable Elementary School and Lane High School by the Charlottesville Twelve marked a pivotal moment in the local civil rights movement and paved the way for broader desegregation across the Commonwealth; and

WHEREAS, despite facing isolation, hostility, and the challenges of "massive resistance," the Charlottesville Twelve demonstrated extraordinary resilience and determination that inspired future generations to strive for equality and justice; and

WHEREAS, the courageous actions of the Charlottesville Twelve not only advanced educational opportunities for African American students but also contributed to the gradual dismantling of Jim Crow laws in Charlottesville and beyond; and

WHEREAS, the enduring legacy of the Charlottesville Twelve serves as a testament to the transformative power of courage and unity in the face of injustice, and their example continues to inform and enrich the ongoing struggle for civil rights; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend the Charlottesville Twelve for their pivotal role in the racial integration of public schools in the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to members of the Charlottesville Twelve as an expression of the General Assembly's admiration for their inspirational courage.

HOUSE JOINT RESOLUTION NO. 751

Celebrating the life of Thomas Cahill Johnson.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Thomas Cahill Johnson, a highly admired member of the Fairfax County community and a beloved husband, father, and grandfather, died on November 19, 2024; and

WHEREAS, Thomas "Tom" Cahill Johnson was born in Gardiner, Maine, and moved to the Commonwealth with his family at a young age; he graduated from McLean High School, where he met the love of his life, Susan Johnson, née Overholt; and

WHEREAS, Tom Johnson worked as a project manager in the international telecommunications and transportation industries, including 30 years for the world's largest fixed satellite services operator, Intelsat, and later for Amtrak, O3B, and The World Bank; and

WHEREAS, Tom Johnson is remembered in his professional life, just as in his family life, for the warm support and enduring mentorship he provided colleagues, as well as lighthearted humor and wit; and

WHEREAS, Tom Johnson was a political activist known for grit and mission-oriented thinking as well as characteristic good humor and joy; and

WHEREAS, Tom Johnson had an adventurous spirit that brought him on numerous hikes, and his travels took him to every continent except Antarctica; and

WHEREAS, Tom Johnson was an avid runner who competed in both the Marine Corps and Boston marathons and would often be seen afterward snacking on watermelon, his favorite post-race snack; and

WHEREAS, Tom Johnson's greatest joy in life was his beloved family, and he relished every opportunity to impart his wisdom to his children and grandchildren; and

WHEREAS, Tom Johnson will be fondly remembered and greatly missed by his wife, Susan; his children, Michael, Olivia, and Owen, and their families; and numerous other family members, longtime friends, colleagues, activist allies, running and hiking partners, and fellow adventurers; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Thomas Cahill Johnson; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Thomas Cahill Johnson as an expression of the General Assembly's respect for his memory.

HOUSE JOINT RESOLUTION NO. 752

Commending Christian Parker.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Christian Parker, a native of the Commonwealth and the defensive passing game coordinator and defensive backs coach for the Philadelphia Eagles of the National Football League, helped his team win Super Bowl LIX on February 9, 2025; and

WHEREAS, after moving from the Richmond area to Prince William County in his sophomore year of high school, Christian Parker joined the Battlefield High School football team and contributed to the program's first district championship title in 2007 and another title two years later; and

WHEREAS, a walk-on with the University of Richmond football team, Christian Parker displayed extraordinary talent and grit on the gridiron, securing a scholarship by his senior year; and

WHEREAS, after graduation, Christian Parker joined the Virginia State University football program as a graduate assistant and was quickly promoted to secondary coach and recruiting coordinator; and

WHEREAS, between 2015 and 2018, Christian Parker served as the defensive backs coach and recruiting coordinator at Norfolk State University, the cornerbacks coach at The College of William & Mary, and a defense analyst at the University of Notre Dame and Texas A&M University; and

WHEREAS, Christian Parker entered the National Football League in 2019 as the defensive quality control coach for the Green Bay Packers and two years later became the defensive backs coach for the Denver Broncos; and

WHEREAS, in 2024, Christian Parker became the defensive passing game coordinator and defensive backs coach for the Philadelphia Eagles, and he played an instrumental role in transforming the team's passing defense from one of the worst in the league to one of the best over the course of one season; and

WHEREAS, Christian Parker's accomplishments are a testament to his leadership, character, integrity, and hard work and have brought great pride to the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Christian Parker for leading the Philadelphia Eagles to victory in Super Bowl LIX; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Christian Parker as an expression of the General Assembly's admiration for his achievements and best wishes for his continued success.

HOUSE JOINT RESOLUTION NO. 753

Commending Ken Luersen.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Ken Luersen, an esteemed public servant, retired from his position as mayor of the Town of Haymarket in 2024; and

WHEREAS, a resident of Haymarket since 2001, Ken Luersen served on the Town of Haymarket's Architectural Review Board for more than 10 years, including as chair, where he helped ensure the preservation of the town's historic buildings and places; and

WHEREAS, Ken Luersen was elected mayor of the Town of Haymarket in November 2020, and served the locality as its chief elected official until November 2024; and

WHEREAS, in his capacity as mayor, Ken Luersen worked tirelessly to promote the success and prosperity of Haymarket, enhancing the quality of life for the town's residents and visitors; and

WHEREAS, Ken Luersen holds a bachelor's degree in electrical engineering and a master's degree in information technology (IT) from Virginia Polytechnic Institute and State University and has more than 35 years of experience as a contractor in the IT industry; and

WHEREAS, for the past two decades, Ken Luersen has worked as a project manager for AT&T Government Solutions, leading IT development and support teams on a number of contracts with the federal government; and

WHEREAS, in his retirement from his position as mayor, Ken Luersen looks forward to more quality time with his wife of 25 years, Suzi, and their sons, Donovan and Brandon; and

WHEREAS, through his steadfast dedication and commitment to the well-being of Haymarket and its residents, Ken Luersen has exemplified the ideals of public service and is deserving of the praise and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Ken Luersen on the occasion of his retirement as mayor of the Town of Haymarket; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Ken Luersen as an expression of the General Assembly's high regard for his legacy of service and best wishes for his future endeavors.

HOUSE JOINT RESOLUTION NO. 754

Commending Dr. Susan Schultz Huxman.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Dr. Susan Schultz Huxman has served Eastern Mennonite University as its ninth president and first woman president since January 1, 2017; and

WHEREAS, Susan Huxman began her teaching career at Wake Forest University, having earned a bachelor's degree from Bethel College and master's and doctoral degrees in communication from the University of Kansas; and

WHEREAS, Susan Huxman has served for more than 35 years in higher education in a variety of academic and leadership roles, including as president of Conrad Grebel University College from 2011 to 2016 and as director of the Elliott School of Communication at Wichita State University from 2004 to 2011; and

WHEREAS, Susan Huxman inspired the students, faculty, and administration of Eastern Mennonite University (EMU) through the "Pathways of Promise" strategic plan, a revised vision statement and refresh of institutional values, and the "Lead Together" brand campaign; and

WHEREAS, under Susan Huxman's leadership, EMU's vision and values were incorporated into the revised core curriculum and graduate curricula; themes based on university values were created and are being further integrated into the curriculum and programming; and

WHEREAS, during Susan Huxman's tenure as president, EMU has earned recognition as a top producer of academic scholars including Rhodes and Fulbright awardees; the institution added its first doctoral degrees in nursing and ministry, as well as various academic and professional programs such as public health, business analytics, aviation, transformational leadership, faith-based peacebuilding, and global studies; and

WHEREAS, Susan Huxman oversaw the launch of EMU's "Belonging and Becoming Together" faculty mentoring and orientation program for new faculty, the establishment of the Hertzler-Koshy Faculty Fellowship grants, and the creation of

"Viewpoint with Dennis Quaid," a short-form documentary focusing on EMU and its approach to advancing diversity, equity, and inclusion policies as a university committed to fostering peace and justice, which aired on public television stations nationwide; and

WHEREAS, Susan Huxman led new capital improvements to EMU buildings, including new engineering labs in the Suter Science Center and renovations of the University Commons building, including enhancements to the Common Grounds Coffeehouse, Student Union, President's Reception Room, and Admissions Office; and

WHEREAS, Susan Huxman led the university in setting a fundraising record of $9.2 million during EMU's 100th anniversary year and steered EMU through the second year of a five-year, $40 million comprehensive campaign for people, programs, and facilities, Forward Together: Preparing Tomorrow's Unifying Leaders 2023-2028, which raised more than $20 million in gifts and commitments by year two; and

WHEREAS, Susan Huxman has contributed her time and expertise to numerous professional and community organizations, including Mennonite Education Agency, the Western District Conference of Mennonite Church USA, Mennonite Higher Education Association, Council of Independent Colleges in Virginia, Commonwealth Alliance for Rural Colleges, Marpeck Deans Conference, National Association of Independent Colleges and Universities, and the Harrisonburg-Rockingham Chamber of Commerce; and

WHEREAS, Susan Huxman's husband, Jesse, a communications professional, has also been engaged with Eastern Mennonite University by providing hospitality and support to the campus and community at large; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Dr. Susan Schultz Huxman on the occasion of her retirement as president of Eastern Mennonite University; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dr. Susan Schultz Huxman as an expression of the General Assembly's admiration for her legacy of achievements in service to the Eastern Mennonite University community and the Commonwealth.

HOUSE JOINT RESOLUTION NO. 755

Commending Willing Warriors.

Agreed to by the House of Delegates, February 18, 2025

Agreed to by the Senate, February 20, 2025

WHEREAS, Willing Warriors, a nonprofit organization based in Haymarket, provides opportunities for Wounded Warriors to relax and spend time away from a hospital or treatment center while recovering from a wide range of injuries and conditions; and

WHEREAS, Willing Warriors traces its roots back to when United States Air Force veteran Shirley Dominick and her husband, John, were volunteering at Walter Reed National Military Medical Center and realized that wounded service members may often spend weeks, months, or years in a hospital setting during treatment; and

WHEREAS, Shirley and John Dominick established Willing Warriors in 2012 to create opportunities for Wounded Warriors to participate in activities or simply relax and heal in a comfortable, "home away from home" atmosphere; and

WHEREAS, Willing Warriors purchased land with a home which was completely renovated by the community and hosted its first Wounded Warrior family in 2015; and

WHEREAS, recovering service members stay on the property with up to nine family members, friends, and battle buddies and have opportunities to participate in dozens of activities, including massage therapy, canine support services, fishing, hiking, horseback riding, and five-star meals prepared by visiting professional chefs; and

WHEREAS, Willing Warriors supports active duty service members recovering from injuries and illnesses, as well as veterans struggling with post-traumatic stress disorder or other long-term conditions related to their military service with cost-free respite stays and programs; and

WHEREAS, Willing Warriors opened additional retreat homes in 2018 and 2024 and has served more than 2,600 recovering service members over the course of its history; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Willing Warriors on the occasion of the 10th anniversary of the opening of its first retreat home; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Willing Warriors as an expression of the General Assembly's admiration for its compassionate care and service to veterans and their families.

HOUSE JOINT RESOLUTION NO. 756

Commending Arlington Public Schools' recipients of The Posse Foundation or QuestBridge scholarships.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, in the 2024-2025 school year, The Posse Foundation and QuestBridge collectively awarded three students in Arlington Public Schools four-year college scholarships to partnering institutions of higher education; and

WHEREAS, The Posse Foundation presented full-tuition scholarships to Ethan Jones of Washington-Liberty High School, who will attend the University of Wisconsin, and Ross Donlon of Washington-Liberty High School, who will attend Lewis & Clark College in Oregon; and

WHEREAS, in addition to their scholarships, The Posse Foundation will also provide these two students with comprehensive programmatic support over their next four years in college; and

WHEREAS, one other senior in Arlington Public Schools, Lukas Korcinskis of the Arlington Career Center, was named a QuestBridge Scholar and was awarded a full-ride scholarship, including room and board as well as tuition, to attend Washington University in St. Louis; and

WHEREAS, in addition to his scholarship, Lukas Korcinskis will be supported in his college years and beyond through on-campus chapters and nationwide opportunities offered through the QuestBridge Scholars Network and QuestBridge Alumni Association; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Arlington Public Schools' recipients of The Posse Foundation or QuestBridge scholarships for their hard work and dedication to their studies; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Arlington Public Schools' recipients of The Posse Foundation or QuestBridge scholarships as an expression of the General Assembly's heartfelt congratulations and best wishes in their future endeavors.

HOUSE JOINT RESOLUTION NO. 757

Commending Alexandria City Public Schools' recipients of The Posse Foundation or QuestBridge scholarships.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, in the 2024-2025 school year, The Posse Foundation and QuestBridge collectively awarded five students in Alexandria City Public Schools four-year college scholarships to partnering institutions of higher education; and

WHEREAS, The Posse Foundation presented full-tuition scholarships to Ana Garcia, who will attend the University of Virginia, and Seamus White, who will attend The College of William & Mary; and

WHEREAS, in addition to their scholarships, The Posse Foundation will also provide these students with comprehensive programmatic support over their next four years in college; and

WHEREAS, three other high school seniors in Alexandria City Public Schools were named QuestBridge Scholars and were awarded full-ride scholarships, including room and board as well as tuition, to some of the most prestigious institutions of higher education in the country; and

WHEREAS, Hana Lemma and Careen Masele will attend Duke University, while Essey Tesfai will attend Tufts University; and

WHEREAS, in addition to their scholarships, QuestBridge scholarship recipients who attend its college and university partners are supported in their college years and beyond through on-campus chapters and nationwide opportunities offered through the QuestBridge Scholars Network and QuestBridge Alumni Association; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Alexandria City Public Schools' recipients of The Posse Foundation or QuestBridge scholarships for their hard work and dedication to their studies; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Alexandria City Public Schools' recipients of The Posse Foundation or QuestBridge scholarships as an expression of the General Assembly's heartfelt congratulations and best wishes in their future endeavors.

HOUSE JOINT RESOLUTION NO. 758

Commending Geraldine Maskelony.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Geraldine Maskelony, a statistics and mathematics teacher with the Arlington Tech program of Arlington County Public Schools, received the Presidential Award for Excellence in Mathematics and Science Teaching, the nation's most prestigious honor for teachers of science, technology, engineering, and mathematics, in January 2025; and

WHEREAS, Geraldine "Gerri" Maskelony holds a bachelor's degree in philosophy from the University of Virginia, a master's degree in statistics from George Mason University, and a master's degree in music from Anderson University; and

WHEREAS, Gerri Maskelony previously worked as a statistician and operations researcher before beginning her career as an educator in 2007, enabling her to bring a wealth of knowledge and experience to her lessons in statistics; and

WHEREAS, after teaching instrumental music at several public and private schools in the Commonwealth, Gerri Maskelony has been with the Arlington Career Center and the Arlington Tech program for several years; and

WHEREAS, in addition to teaching high school students in dual-enrolled statistics, quantitative analysis, and data science in a project-based early-college program, Gerri Maskelony also serves as the Arlington Career Center's STEM and project-based learning coordinator and as an adjunct statistics professor at Northern Virginia Community College; and

WHEREAS, Gerri Maskelony cultivates her students' comprehension of the material by creating project-based learning opportunities that allow them to use their knowledge of statistics to research questions or datasets they find engaging and to explore how statistics and data science may be applied in the real world; and

WHEREAS, Gerri Maskelony has advanced mathematics education at both the local and state level through her participation in various education conferences and webinars and has been the beneficiary of several professional development grants from entities such as the National Aeronautics and Space Administration and the National Endowment for the Humanities; and

WHEREAS, with integrity, compassion, and dedication to her students and fellow faculty members, Gerri Maskelony has embodied the ideals of the teaching profession, earning her the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Geraldine Maskelony for receiving the 2025 Presidential Award for Excellence in Mathematics and Science Teaching; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Geraldine Maskelony as an expression of the General Assembly's high regard for her contributions to education in the Commonwealth.

HOUSE JOINT RESOLUTION NO. 759

Commending Dr. Heisung Lee.

Agreed to by the House of Delegates, February 18, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Dr. Heisung Lee, founder and longtime executive director of the Korean Central Senior Center in Centreville, whose efforts in support of Northern Virginia's senior citizens have touched countless lives, is retiring; and

WHEREAS, Heisung Lee came to the United States in 1971 for an internship in dietetics and for 35 years worked at hospitals in Richmond and Fairfax County; and

WHEREAS, Heisung Lee developed an interest in how people age, which led her to pursue a master's degree in gerontology from George Mason University and a doctorate in public and community health education from the University of Maryland; and

WHEREAS, while completing her degree and serving as a Korean language interpreter at a senior center in Alexandria, Heisung Lee was inspired to start a senior recreational program at her church, Korean Central Presbyterian Church in Centreville; and

WHEREAS, in 1996, Heisung Lee finished school and became actively involved with the senior program at Korean Central Presbyterian Church, drawing hundreds of attendees from across the Washington, D.C., metropolitan area; and

WHEREAS, under Heisung Lee's direction, what is known today as the Korean Central Senior Center offers its visitors meals, recreational opportunities, and classes in English, fitness, health, music, art, calligraphy, computer technology, and more; and

WHEREAS, Heisung Lee's vision has created a place in which thousands have been able to gather to meet friends and become more connected to their communities, contributing greatly to their quality of life; and

WHEREAS, Heisung Lee established a Korean Meals on Wheels program that has supported the health and well-being of many and a training program in partnership with the Inova Health System that has helped more than 1,000 members of the Korean-American community to become personal care or certified nurse aides; and

WHEREAS, Heisung Lee guided the Korean Central Senior Center through the COVID-19 pandemic, developing social media and virtual programs to help her members stay engaged with their community; and

WHEREAS, in recognition of her extraordinary accomplishments at the Korean Central Senior Center, Heisung Lee was presented the Andrus Award for Community Service by AARP in 2022; and

WHEREAS, with great care and compassion, Heisung Lee has made a positive and transformative impact on an untold number of people and has provided a shining example of what one can achieve when they answer the call to serve; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby commend Dr. Heisung Lee on the occasion of her retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dr. Heisung Lee as an expression of the General Assembly's admiration for her contributions to the Commonwealth and best wishes for a rewarding and fulfilling retirement.

HOUSE JOINT RESOLUTION NO. 760

Election of Circuit Court Judges, General District Court Judges, Juvenile and Domestic Relations District Court Judges, and a member of the Judicial Inquiry and Review Commission.

Agreed to by the House of Delegates, February 19, 2025
Agreed to by the Senate, February 19, 2025

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly shall proceed today

To the election of Circuit Court judges for terms of eight years commencing as follows:

One judge for the First Judicial Circuit, term commencing May 1, 2025.
One judge for the Third Judicial Circuit, term commencing January 1, 2026.
One judge for the Third Judicial Circuit, term commencing January 1, 2026.
One judge for the Fourth Judicial Circuit, term commencing April 16, 2025.
One judge for the Fourth Judicial Circuit, term commencing May 1, 2025.
One judge for the Seventh Judicial Circuit, term commencing August 1, 2025.
One judge for the Eighth Judicial Circuit, term commencing May 1, 2025.
One judge for the Eleventh Judicial Circuit, term commencing May 1, 2025.
One judge for the Fourteenth Judicial Circuit, term commencing April 1, 2025.
One judge for the Eighteenth Judicial Circuit, term commencing July 1, 2025.
One judge for the Nineteenth Judicial Circuit, term commencing April 1, 2025.
One judge for the Nineteenth Judicial Circuit, term commencing March 1, 2025.
One judge for the Nineteenth Judicial Circuit, term commencing July 1, 2025.
One judge for the Twenty-eighth Judicial Circuit, term commencing March 1, 2025.
One judge for the Thirty-first Judicial Circuit, term commencing July 1, 2025.
One judge for the Thirty-first Judicial Circuit, term commencing December 1, 2025.

To the election of General District Court judges for terms of six years commencing as follows:

One judge for the First Judicial District, term commencing May 1, 2025.
One judge for the Judicial District 2-A, term commencing April 1, 2025.
One judge for the Fifth Judicial District, term commencing April 1, 2025.
One judge for the Sixth Judicial District, term commencing April 1, 2025.
One judge for the Eighth Judicial District, term commencing June 1, 2025.
One judge for the Ninth Judicial District, term commencing July 1, 2025.
One judge for the Eleventh Judicial District, term commencing July 1, 2025.
One judge for the Thirteenth Judicial District, term commencing July 1, 2025.
One judge for the Seventeenth Judicial District, term commencing July 1, 2025.
One judge for the Nineteenth Judicial District, term commencing April 1, 2025.
One judge for the Twenty-eighth Judicial District, term commencing April 16, 2025.
One judge for the Thirty-first Judicial District, term commencing July 1, 2025.

To the election of Juvenile and Domestic Relations District Court judges for terms of six years commencing as follows:

One judge for the Second Judicial District, term commencing July 1, 2025.
One judge for the Fourth Judicial District, term commencing May 1, 2025.
One judge for the Seventh Judicial District, term commencing August 1, 2025.
One judge for the Fourteenth Judicial District, term commencing April 16, 2025.
One judge for the Fourteenth Judicial District, term commencing March 16, 2025.
One judge for the Eighteenth Judicial District, term commencing March 16, 2025.
One judge for the Twenty-first Judicial District, term commencing May 1, 2025.
One judge for the Twenty-second Judicial District, term commencing June 1, 2025.

One judge for the Twenty-sixth Judicial District, term commencing June 1, 2025.

One judge for the Thirtieth Judicial District, term commencing March 16, 2025.

One judge for the Thirty-first Judicial District, term commencing July 1, 2025.

To the election of a member of the Judicial Inquiry and Review Commission for an unexpired term commencing January 1, 2026, and ending June 30, 2029.

And that in the execution of the joint order nominations shall be made in the order herein named, and that each house shall be notified of said nominations, and when the rolls shall be called for the whole number, the presiding officers of each house shall appoint a committee of three, which together shall constitute the joint committee to count the vote of each house in each case and report the results to their respective houses. The joint order may be suspended by the presiding officer of either house at any time but for no longer than twenty-four hours to receive the report of the joint committee.

HOUSE RESOLUTION NO. 453

Commending Leland Teets.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Leland Teets of Frederick County, a highly admired veteran of World War II and a retired federal government employee, celebrated his 100th birthday on June 25, 2024; and

WHEREAS, at the outset of World War II, Leland Teets joined many of the other young men of his generation and enlisted for military service; he initially trained as a field artillerist, but was transferred to an infantry unit prior to deployment; and

WHEREAS, on June 6, 1944, Leland Teets participated in the Utah Beach landings during the D-Day invasion of Normandy, France; a few days later, he was wounded by an enemy sniper while patrolling the hedgerows of the northern French countryside and sent to England for treatment; and

WHEREAS, with injuries to both legs, Leland Teets spent 153 days in hospital care, followed by several weeks in a rehabilitation facility, then returned to his unit in December 1944; and

WHEREAS, Leland Teets participated in the Battle of the Bulge in the Ardennes Forest, where Allied troops bravely halted the last major German offensive on the Western Front, and resumed the march to Berlin; and

WHEREAS, after his honorable military service, Leland Teets returned to the United States and pursued a 35-year career as a security officer at the Mount Weather Emergency Operations Center in Clarke County; and

WHEREAS, after his wife passed away in 2008, Leland Teets retired and moved to the English Meadows Senior Living Stephens City Campus, where he remains an active and engaged member of the community; now, therefore, be it

RESOLVED by the House of Delegates, That Leland Teets hereby be commended for his personal and professional achievements on the occasion of his 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Leland Teets as an expression of the House of Delegates' admiration for his lifetime of contributions to the Commonwealth and the nation.

HOUSE RESOLUTION NO. 455

Commending the Virginia Foundation for Healthy Youth.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, for 25 years, the Virginia Foundation for Healthy Youth has advocated for the prevention of tobacco use and empowered young people to make healthy lifestyle choices; and

WHEREAS, in 1998, the attorneys general of 46 states, including Virginia, signed a Master Settlement Agreement (MSA) with the largest tobacco manufacturers in the United States to recover costs associated with the treatment of smoking-related illnesses; and

WHEREAS, the Virginia Foundation for Healthy Youth was created by the General Assembly in 1999 and was allocated a portion of MSA funding to lead the Commonwealth's youth tobacco use prevention efforts; and

WHEREAS, thanks in large part to the achievements of the Virginia Foundation for Healthy Youth, the Commonwealth has seen a dramatic drop in cigarette smoking over the past 25 years, with a 93 percent overall decrease in underage smoking that outpaced the 88 percent decrease at the national level; and

WHEREAS, the Virginia Foundation for Healthy Youth's grants and marketing campaigns have directly supported communities across the Commonwealth by preventing more than 154,000 middle school and high school students from smoking each year, saving the lives of an estimated 49,000 young Virginians who may have died prematurely from a smoking-related illness; and

WHEREAS, due to the significantly lower health care costs between smokers and non-smokers, the Virginia Foundation for Healthy Youth has saved an estimated $2.46 billion in health care expenses; and

WHEREAS, given this incredible success, the General Assembly expanded the mission of the Virginia Foundation for Healthy Youth to include childhood obesity prevention in 2009 and youth substance use prevention in 2017; and

WHEREAS, more than 10,000 Virginia high school students have been trained to be health advocates in their communities through Y Street, the Virginia Foundation for Healthy Youth's award-winning youth volunteer initiative; and

WHEREAS, since 2013, more than 280,000 Virginians have also participated in more than 4,500 Rev Your Bev events, part of a campaign by the Virginia Foundation for Healthy Youth to promote water as a healthy beverage option; and

WHEREAS, in total, the Virginia Foundation for Healthy Youth's tobacco and substance use prevention programs have reached an estimated 1.5 million young people over the past 25 years; now, therefore, be it

RESOLVED by the House of Delegates, That the Virginia Foundation for Healthy Youth hereby be commended on the occasion of its 25th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Virginia Foundation for Healthy Youth as an expression of the House of Delegates' admiration for the foundation's legacy of accomplishments and success at helping young people make healthy choices.

HOUSE RESOLUTION NO. 456

Celebrating the life of Michael David Killian.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Michael David Killian of Spotsylvania County, a retired science educator who inspired others through his passion for the natural world, died on May 22, 2024; and

WHEREAS, Michael "Mike" David Killian grew up in Lincolnton, North Carolina, where he graduated from West Lincoln High School; he continued his education at the University of North Carolina at Chapel Hill, then served his country as a member of the United States Army from 1972 to 1974; and

WHEREAS, Mike Killian subsequently completed a bachelor's degree in horticultural science at North Carolina State University, from which he also earned a master's degree in entomology; and

WHEREAS, Mike Killian worked in the agricultural field for the North Carolina Extension while completing his education, then taught biology and chemistry at Courtland High School in Spotsylvania County; and

WHEREAS, Mike Killian finished his career as a senior lecturer in the Department of Biological Sciences at the University of Mary Washington; and

WHEREAS, Mike Killian relished every opportunity to further his knowledge of botany and enjoyed fishing or spending time near any river, stream, swamp, or marsh; he also traveled extensively with his beloved wife, Joella; and

WHEREAS, Mike Killian developed a keen appreciation for musical theatre and regularly attended productions at the University of Mary Washington and the Riverside Center for the Performing Arts; and

WHEREAS, Mike Killian was an active member of the Unitarian Universalist Fellowship of Fredericksburg and the Fredericksburg Secular Humanists; and

WHEREAS, Mike Killian will be fondly remembered and greatly missed by his wife of 43 years, Joella, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Michael David Killian, a highly admired former educator in Spotsylvania County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Michael David Killian as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 457

Salaries, contingent and incidental expenses.

Agreed to by the House of Delegates, January 8, 2025

RESOLVED by the House of Delegates, That the Comptroller is directed to issue his warrants on the Treasurer, payable from the contingent fund of the House to accomplish the work of the House of Delegates during the 2025 Regular Session of the General Assembly. Necessary payments to cover salaries of temporary employees, as well as contingent and incidental expenses, will be certified by the Clerk or his designee.

HOUSE RESOLUTION NO. 458

Commending Midlothian High School.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Midlothian High School, the home of the Trojans, is an outstanding secondary school located in Chesterfield County that currently serves nearly 2,000 students; and

WHEREAS, what eventually became Midlothian High School began as a school program in a local residence on Salisbury Road; in 1911, the school relocated to a building on Route 60, also known as Midlothian Turnpike, which is now the home of Midlothian Middle School; and

WHEREAS, Midlothian High School became an accredited institution of learning in 1924 and graduated its first class of three students that same year; and

WHEREAS, during the 1984-1985 academic year, Midlothian High School moved to its current location off of Charter Colony Parkway, still within Midlothian; and

WHEREAS, Midlothian High School offers its students a wide array of courses and programs to improve and advance their education, including an International Baccalaureate Program, launched in 2001; and

WHEREAS, in 2019, Midlothian High School was recognized as an overall Blue Ribbon School for Excellence and remains the most recent high school in the Chesterfield County Public Schools system to earn that honor; and

WHEREAS, in 2023, Midlothian High School was ranked by *U.S. News & World Report* as the top school in Chesterfield County Public Schools; and

WHEREAS, Midlothian High School has won state championships in nearly every sport, including in 2021, when the Midlothian Trojans earned state titles in indoor and outdoor girls' track and field and finished as the state runner-up in girls' cross country, and in 2022, when the girls' volleyball team had an undefeated season on their way to a state championship victory; and

WHEREAS, Midlothian High School has hosted amazing musicals, plays, and concerts, giving young actors, actresses, and musicians their first roles in the world of performing arts; thousands of young performers have advanced to all-county, all-district, and all-state choir, band, and orchestra events, and Midlothian High School has been recognized for its commitment to arts education multiple times; now, therefore, be it

RESOLVED by the House of Delegates, That Midlothian High School hereby be commended for its outstanding commitment to education and to the formation of generations of well-prepared students who have contributed greatly to communities throughout the Commonwealth and the nation; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the faculty, administration, staff, and students of Midlothian High School as an expression of the House of Delegates' admiration for the school's legacy of service to young people in Chesterfield County.

HOUSE RESOLUTION NO. 459

Commending Tomahawk Creek Middle School.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, in 2024, Tomahawk Creek Middle School in Chesterfield County was recognized by the Association for Middle Level Education as Chesterfield County's first ever School of Distinction; and

WHEREAS, the Schools of Distinction program recognizes exemplary schools and supports them through a process of strategic vision setting to help foster ongoing growth and success; Tomahawk Creek Middle School was one of only six Virginia schools and 17 schools across the country chosen to receive this high honor; and

WHEREAS, Tomahawk Creek Middle School opened in 2008 and was quickly recognized by the National Forum through the Schools to Watch program; and

WHEREAS, now under the leadership of Principal Rebecca Thompson, Tomahawk Creek Middle School is dedicated to providing a challenging academic environment that encourages students to achieve their fullest potential both in and out of the classroom; and

WHEREAS, Tomahawk Creek Middle School participates in several charitable and community improvement initiatives, including Toys for Tots, Chesterfield-Colonial Heights Christmas Mother, Feed 23112, and Tomahawk Gives Back; and

WHEREAS, with a focus on continuous improvement, Tomahawk Creek Middle School remains dedicated to enhancing its community and ensuring that every student feels included and valued; and

WHEREAS, Tomahawk Creek Middle School is a shining example of equity in action, where every student's unique identity is not only respected but celebrated; and

WHEREAS, parents have applauded Tomahawk Creek Middle School's proactive measures to limit cell phone use, recognizing the importance of minimizing distractions and promoting focused engagement in the classroom; and

WHEREAS, Tomahawk Creek Middle School has fostered a culture of kindness and respect that permeates every aspect of its community, emphasizing the importance of safety, both physical and emotional, and prioritizing measures to ensure the well-being of its students, faculty, and staff; now, therefore, be it

RESOLVED by the House of Delegates, That Tomahawk Creek Middle School hereby be commended on the occasion of its selection as a School of Distinction by Association for Middle Level Education; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the faculty, administration, staff, and students of Tomahawk Creek Middle School as an expression of the House of Delegates' admiration for the school's commitment to excellence in service to young people in Chesterfield County.

HOUSE RESOLUTION NO. 460

Commending Michele Moyer Lee.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Michele Moyer Lee, an accomplished educator and coach, has made extraordinary contributions to the community of Winchester and demonstrated outstanding dedication to education, youth mentorship, and swimming; and

WHEREAS, Michele "Shelly" Moyer Lee began her lifelong passion for swimming at the young age of three, a journey that would ultimately lead her to a life of service and commitment to the Winchester community, where she has resided since 1973; and

WHEREAS, after competing on her local swim team in Wyomissing, Pennsylvania, and continuing her involvement with swimming through high school and college, Shelly Lee arrived in Winchester, where she began her career as a lifeguard at Jim Barnett Park after being hired by Denny Lee, who later became her husband and partner in serving the Winchester community; and

WHEREAS, Shelly Lee has made a profound impact as a teacher, coach, and mentor over more than 45 years, having supported the students and teachers at Daniel Morgan Middle School, Virginia Avenue Charlotte DeHart Elementary School, and John Handley High School, where she co-founded and coached the school's first swim team and coached the girls' cross-country and track teams; and

WHEREAS, Shelly Lee's dedication to youth sports is exemplified by her work in establishing girls' basketball and track and field teams, as well as the gymnastics club at Daniel Morgan Middle School, in addition to running summer girls' sports camps and the intramural program through Winchester Parks and Recreation; and

WHEREAS, beyond her involvement in Winchester's schools, Shelly Lee has remained an active figure in the local community, serving as an event coordinator for the 2 for 2 Foundation, which promotes water and ice sports programs throughout the Northern Shenandoah Valley, and working to ensure swim literacy and water safety through financial aid and swim lessons; and

WHEREAS, Shelly Lee has been an enthusiastic volunteer with the Shenandoah Apple Blossom Festival, a dedicated member of the local Lions Club, a swim lesson instructor and board member with the Winchester Parks Foundation, and a swim meet judge and supporter of Handley High School's swim team; and

WHEREAS, Shelly Lee's passion for swimming and education is supported by her academic achievements, including a bachelor's degree in health and physical education from West Chester University and a master's degree in education with a specialty in sports medicine from the University of Virginia, which was made possible through the support of Winchester Public Schools; and

WHEREAS, Shelly Lee's outstanding contributions to the community have earned her recognition as the 2024 Woman of the Year by the Winchester Branch of the American Association of University Women, a testament to her leadership, mentorship, and community involvement; and

WHEREAS, Shelly Lee's positive attitude, enthusiasm, and dedication have inspired multiple generations of Winchester residents, and her deep love for the community has left a lasting legacy that continues to impact the youth and families of the region; now, therefore, be it

RESOLVED by the House of Delegates, That Michele Moyer Lee hereby be commended for her decades of service to Winchester as a teacher, coach, and advocate for swimming and youth sports and for her unwavering dedication to the betterment of the community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Michele Moyer Lee as an expression of the high esteem in which she is held by the members of the House of Delegates and the citizens of the Commonwealth.

HOUSE RESOLUTION NO. 461

Commending the James Wood High School volleyball team.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, the James Wood High School volleyball team, representing Frederick County with exceptional skill, dedication, and sportsmanship, achieved a historic milestone by winning its third consecutive Virginia High School League Class 4 state championship on November 18, 2024; and

WHEREAS, the James Wood High School Colonels secured the state title in a thrilling five-set match against Courtland High School at the Siegel Center at Virginia Commonwealth University, prevailing with set scores of 25-17, 23-25, 30-28, 18-25, and 15-10; and

WHEREAS, the 2024 state championship was especially remarkable as the James Wood Colonels demonstrated resilience, perseverance, and an unbreakable bond to overcome numerous challenges, including the loss of key starters from the previous season, illnesses, and the integration of six new players into its roster; and

WHEREAS, junior outside hitter Brenna Corbin led the team with 21 kills and inspired her teammates with her determination, while senior defensive specialist Addie Pitcock contributed to the team's success with her unwavering commitment and leadership, culminating in her third state championship ring; and

WHEREAS, junior Kennedy Spaid delivered an outstanding performance, recording a match-high 25 kills and propelling the Colonels to victory in the decisive fifth set; and

WHEREAS, under the steadfast leadership of head coach Adrienne Patrick and assistant coach Brandy Corbin, the James Wood Colonels exemplified the values of teamwork, family, and heart, demonstrating that success is built on both talent and passion; and

WHEREAS, the James Wood High School volleyball team has brought great pride and recognition to Frederick County through its championship legacy and its embodiment of excellence on and off the court; now, therefore, be it

RESOLVED by the House of Delegates, That the James Wood High School volleyball team hereby be commended for winning the 2024 Virginia High School League Class 4 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the James Wood High School volleyball team as an expression of the House of Delegates' admiration for the team's remarkable achievements and best wishes for continued success in the future.

HOUSE RESOLUTION NO. 462

Commending Mark Merrill.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Mark Merrill has served with distinction as the president and chief executive officer of Valley Health, a nonprofit health system providing essential care to communities across the Commonwealth and Virginia, significantly enhancing the region's healthcare infrastructure; and

WHEREAS, during his 11-year tenure with Valley Health, Mark Merrill was committed to innovation, the expansion of services, and high-quality, compassionate care; he built much-needed replacement hospitals in four communities, made major improvements at Winchester Medical Center and Shenandoah Memorial Hospital, and opened numerous urgent care centers and other outpatient sites; and

WHEREAS, under Mark Merrill's leadership, Valley Health developed a robust robotic surgery program at Winchester Medical Center, attracting nine experienced providers in six surgical specialties within its first three years, and formed a strategic alliance in 2013 with INOVA to improve electronic medical record access and explore other areas of mutual benefit; and

WHEREAS, Mark Merrill supported physician services to maintain Winchester Medical Center's status as a Level II trauma center, played a key role in forging a public-private partnership to address the addiction crisis in the Northern Shenandoah Valley, and helped create a nonprofit coalition and the area's first drug treatment court; and

WHEREAS, Mark Merrill's leadership extended beyond healthcare as he led the United Way of Northern Shenandoah Valley to secure a record $1.1 million in its 2016 campaign and to be named 2016 Large Business of the Year in the Top of Virginia Regional Chamber's Greater Good Awards; and

WHEREAS, Mark Merrill invested $300,000 in a three-year health career partnership with 12 Virginia public schools, launched programs at four hospitals to inspire youth to pursue health careers, fought for the viability of Critical Access Hospitals, and successfully advocated for Medicaid expansion in the Commonwealth; and

WHEREAS, Mark Merrill contributed to public service through his work on the Commonwealth Transportation Board, where he helped shape regional transportation infrastructure, ensuring safety and accessibility for residents; and

WHEREAS, Mark Merrill's combined contributions to health care, public service, and community initiatives have earned him the admiration of his colleagues, the citizens of the Commonwealth, and the communities he served, leaving a lasting legacy of excellence and leadership; now, therefore, be it

RESOLVED by the House of Delegates, That Mark Merrill hereby be commended for his outstanding service as president and chief executive officer of Valley Health, for his dedication to public service on the Commonwealth Transportation Board, and for his tireless efforts to improve the well-being of the region's citizens; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Mark Merrill as an expression of the high esteem in which he is held by the members of the House of Delegates and the citizens of the Commonwealth.

HOUSE RESOLUTION NO. 463

Celebrating the life of Kathy Nerangis.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Kathy Nerangis, a business owner, a passionate volunteer, and a champion for the residents of Winchester and communities across the Northern Shenandoah Valley, died on November 15, 2024; and

WHEREAS, Kathy Nerangis was a beacon of leadership, compassion, and service whose impact will be felt for generations through her dedication to family, business, and community; and

WHEREAS, Kathy Nerangis and her husband, Nick, co-founded Nerangis Enterprises, now Nerangis Management Corporation, in 1978 and grew the organization into a cornerstone of the region's economy, managing several McDonald's franchises, the Kernstown Commons shopping center, and other significant businesses; and

WHEREAS, Kathy Nerangis was a visionary leader and trailblazer who guided her restaurants to become smoke-free in 1993, years before state legislation, setting a standard for health and public safety; and

WHEREAS, Kathy Nerangis' commitment to the community extended beyond business; she founded First Night Winchester, a beloved New Year's Eve celebration that enriched local life for more than three decades, and played an instrumental role in bringing a Ronald McDonald House to Richmond; and

WHEREAS, Kathy Nerangis' philanthropic endeavors were vast and impactful, including her leadership on the boards of Winchester Medical Center, the Evans Home for Children, Shalom et Benedictus, and Laurel Ridge Community College, where she and her husband created the Martha and James Nerangis Memorial Endowed Scholarship for single parents; and

WHEREAS, Kathy and Nick Nerangis were recognized as honorary grand marshals of the Shenandoah Apple Blossom Festival in 2023, a testament to their decades of dedication to the festival and the community it represents; and

WHEREAS, Kathy Nerangis was a person of immense kindness, vision, and generosity, who uplifted everyone she encountered, inspiring them with her warmth, wisdom, and tireless efforts to improve the lives of others; and

WHEREAS, Kathy Nerangis will be fondly remembered and greatly missed by her husband of 61 years, Nick; her children, Lisa, Nick, Jr., and Stephen, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Kathy Nerangis, a pillar of the community in Winchester and the Northern Shenandoah Valley who had a profound impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Kathy Nerangis as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 464

Commending Mary Werkheiser.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, after 30 years of exceptional leadership and service to young athletes in Hampton Roads, Mary Werkheiser retired as head coach of the Norfolk Academy varsity field hockey team in 2024; and

WHEREAS, Mary Werkheiser joined Norfolk Academy in 1989 as a physical education teacher and reshaped the Norfolk Academy Lower School's approach to fitness and athletics by developing a daily physical education program that has instilled an appreciation for healthy habits and a love of exercise in generations of students; and

WHEREAS, beginning with the 1995-1996 academic year, Mary Werkheiser served as the head coach of the Norfolk Academy varsity field hockey team for three decades, developing a culture of excellence that inspired countless student-athletes to achieve their fullest potential both on and off the field; and

WHEREAS, during Mary Werkheiser's historic tenure as head coach, the Norfolk Academy Bulldogs won more than 450 games, 25 Tidewater Conference of Independent Schools (TCIS) championships, and six Virginia Independent Schools Athletic Association state championships; and

WHEREAS, to cap off Mary Werkheiser's final season, the Norfolk Academy Bulldogs finished with an impressive 18-3 overall record and secured the school's most recent state title; and

WHEREAS, outside of Norfolk Academy, Mary Werkheiser ran the Futures Program at the USA Field Hockey National Training Center, an intensive training program for elite high school players, and founded the TCOYO (Take Care Of Your Own) Hockey Club; and

WHEREAS, many of Mary Werkheiser's former players have gone on to play field hockey at the collegiate and national levels, and several have followed in her footsteps as an educator and coach; and

WHEREAS, over the course of her distinguished career, Mary Werkheiser was selected as the TCIS Coach of the Year 14 times and received one of Norfolk Academy's inaugural Excellence in Coaching Awards for her accomplishments as a role model to both student-athletes and her fellow coaches; and

WHEREAS, Mary Werkheiser was also inducted into the USA Regional Field Hockey Training Center's Ring of Honor, which recognizes the contributions of exemplary individuals who have advanced the sport of field hockey in Hampton Roads; now, therefore, be it

RESOLVED by the House of Delegates, That Mary Werkheiser hereby be commended on the occasion of her retirement as head coach of the Norfolk Academy varsity field hockey team in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Mary Werkheiser as an expression of the House of Delegates' admiration for her legacy of achievements in service to young people in Hampton Roads.

HOUSE RESOLUTION NO. 465

Commending the Iranian American community in Virginia.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Iranian Americans have been contributing to cultural and community life in Virginia for more than 50 years, and the Commonwealth is home to the fourth-largest Iranian American population in the United States; and

WHEREAS, Iranian Americans are highly educated, successful, and dignified members of society and have made many contributions to the American economy through a variety of career fields, becoming the eighth-wealthiest minority group in the country; and

WHEREAS, according to a study by the Small Business Administration, Iranian Americans were among the top 20 immigrant groups with the highest rate of business ownership at 21.5 percent, which has led to significant economic contributions to their communities and a total national net business income of $2.56 billion per year; and

WHEREAS, in addition, the study indicated that 50 percent of Iranian Americans are in professional and managerial occupations, more than any other ethnic group studied; and

WHEREAS, the most recent United States Census showed that 59 percent of Iranian immigrants hold a bachelor's degree or higher, compared to the 28 percent national average, and more than one in four Iranian Americans hold a master's or doctoral degree, the highest rate among 67 ethnic groups studied; and

WHEREAS, as immigrants and refugees, many Iranian Americans hold stories of hardship and perseverance from having experienced life under a dictatorship and religious persecution in their homeland, and they have used these experiences to enrich and uplift the Commonwealth and the United States by helping to build peace and prosperity for the betterment of all; and

WHEREAS, Persian civilization is one of the oldest civilizations on Earth, having existed for more than 5,000 years, and Iranian Americans have brought to the United States many elements of their rich heritage and culture, including celebration of the Persian New Year or Nowruz, which translates to "new day"; and

WHEREAS, Nowruz, which takes place in March and coincides with the spring equinox, celebrates the rebirth of nature and the triumph of joy over sorrow, as well as promoting peace and reconciliation between generations, families, and neighbors; now, therefore, be it

RESOLVED by the House of Delegates, That the Iranian American community in Virginia hereby be commended for its contributions to the Commonwealth on the occasion of the Persian New Year in March 2025; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of the Iranian American community in Virginia as an expression of the House of Delegates' admiration for their personal and professional achievements and service to communities in the Commonwealth.

HOUSE RESOLUTION NO. 466

Commending the Virginia Tobacco Region Revitalization Commission.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, for more than 25 years, the Virginia Tobacco Region Revitalization Commission has promoted economic growth and development throughout communities in Southside Virginia and Southwest Virginia that were previously dependent on the tobacco industry; and

WHEREAS, established in 1999, the Virginia Tobacco Region Revitalization Commission has used the proceeds of the National Tobacco Settlement to create new jobs, generate investments, and enhance the quality of life in the tobacco region through a wide range of programs and initiatives; and

WHEREAS, over the course of its history, the Virginia Tobacco Region Revitalization Commission has helped attract more than 345 unique businesses, representing more than 21,000 jobs and $3.4 billion in capital investments to the region, and continues to invest in site development projects to attract new businesses; and

WHEREAS, recognizing the continuing importance of agriculture to the region, the Virginia Tobacco Region Revitalization Commission has supported over 170 revenue generating agribusiness projects, including 12 farmers markets, across its footprint; and

WHEREAS, the Virginia Tobacco Region Revitalization Commission has also provided more than $300 million in indemnification payments to tobacco farmers to compensate them for the loss of quota; and

WHEREAS, the Virginia Tobacco Region Revitalization Commission has supported young people in the region by investing more than $200 million in community colleges and student financial aid programs, helping more than 36,000 students to advance their academic goals; and

WHEREAS, the Virginia Tobacco Region Revitalization Commission has enhanced the quality of life in the region in many other ways, including support for cancer screenings and medical research projects; and

WHEREAS, the Virginia Tobacco Region Revitalization Commission invested in more than 3,000 miles of middle-mile broadband infrastructure, bringing last-mile broadband connectivity to more than 71,000 homes and businesses; and

WHEREAS, in addition, the Virginia Tobacco Region Revitalization Commission has invested in more than 100 cultural heritage, outdoor recreation, and fine arts projects that enrich local life and attract visitors to the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That the Virginia Tobacco Region Revitalization Commission hereby be commended for more than 25 years of service to communities in Southside Virginia and Southwest Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Virginia Tobacco Region Revitalization Commission as an expression of the House of Delegates' admiration for the commission's legacy of achievements to strengthen and diversify the economy of the tobacco region.

HOUSE RESOLUTION NO. 467

Commending Fredericksburg Comic Con.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, for nine years, Fredericksburg Comic Con has promoted community engagement and fostered an appreciation for the creative arts in the region; and

WHEREAS, Fredericksburg Comic Con traces its roots to the establishment of Fredcon, which was founded by Sam Ellis in 2016 and held in the Spotsylvania Mall for two years; and

WHEREAS, Mike Federali expanded the event in 2018 and renamed it the Fredericksburg Comic and Toy Show which, after years of growth, ultimately became Fredericksburg Comic Con in 2024; and

WHEREAS, Fredericksburg Comic Con is a cornerstone of cultural and artistic expression in the region, attracting fans, creators, and vendors from across the Commonwealth and beyond; and

WHEREAS, Fredericksburg Comic Con provides a platform for local artists, writers, and entrepreneurs to showcase their talents and products, contributing to the cultural and economic vitality of the Commonwealth; and

WHEREAS, Fredericksburg Comic Con has cultivated an inclusive and welcoming environment and encourages participants to explore their creativity through cosplay, storytelling, and artistic endeavors, while fostering a sense of belonging and camaraderie among attendees; and

WHEREAS, over the past nine years, Fredericksburg Comic Con has inspired countless individuals, known as Fredzillas, to pursue their passions in the arts, sciences, and entertainment industries, and has served as a hub for education and innovation through its diverse programming; and

WHEREAS, the tireless efforts of organizers, volunteers, and participants have ensured the continued success of Fredericksburg Comic Con, making it a signature event in the region; now, therefore, be it

RESOLVED by the House of Delegates, That Fredericksburg Comic Con hereby be commended for its outstanding contributions to the cultural and economic landscape of the region on the occasion of its ninth anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the organizers of Fredericksburg Comic Con as an expression of the House of Delegates' admiration and appreciation for their dedicated service to the Fredericksburg community and promotion of the creative arts.

HOUSE RESOLUTION NO. 468

Commending Charlie Frye, Jr.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Charlie Frye, Jr., an esteemed public servant, has made an impact on countless lives in the communities of Fredericksburg and Mayfield; and

WHEREAS, Charlie Frye is a longtime resident of the Mayfield neighborhood in Fredericksburg, where he currently resides with his wife, Dr. Kisha White Frye, and his children, Ta'Nesha, Charlie III, and Kamron; and

WHEREAS, for more than 23 years, Charlie Frye has been a hardworking and reliable employee at the United Parcel Service, earning a number of accolades and awards for his dependability and commitment to safety; and

WHEREAS, Charlie Frye gives generously of his time to support his fellow residents in Mayfield, assisting senior citizens and homebound individuals and developing community events for the benefit and enjoyment of local youth, including the cherished "Block Party" summer celebration and regular movie nights; and

WHEREAS, Charlie Frye is a devoted mentor who has worked tirelessly to help young people on their educational journeys, contributing greatly to their success both in and out of the classroom; and

WHEREAS, since 2014, Charlie Frye has proudly represented the citizens of Ward 4 as a member of the Fredericksburg City Council; in 2020, he was unanimously elected by his fellow councilmembers to serve as the city's vice mayor; and

WHEREAS, Charlie Frye has spearheaded several worthwhile local initiatives during his time with the Fredericksburg City Council, including the removal of the slave auction block in downtown Fredericksburg, a gun give-back program, the naming of the Martin Luther King, Jr. Memorial Bridge, and the Midnight Madness youth program; and

WHEREAS, Charlie Frye's leadership, passion, and dedication to serving others has helped to make Fredericksburg a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That Charlie Frye, Jr., hereby be commended for his upstanding service in the communities of Mayfield and Fredericksburg; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Charlie Frye, Jr., as an expression of the House of Delegates' admiration for his contributions to the Commonwealth.

HOUSE RESOLUTION NO. 469

Commending the Clover Volunteer Fire Department.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, for 75 years, the Clover Volunteer Fire Department has been foundational to the safety and well-being of Halifax County, providing essential firefighting and emergency services to its residents; and

WHEREAS, founded on August 16, 1949, by a group of 20 charter members, including its first president, James R. Cardwell, the Clover Volunteer Fire Department (CVFD) is the second oldest fire department in Halifax County; and

WHEREAS, the CVFD's operations began with a 1921 Seagrave pumper truck housed in a tobacco warehouse, and within its first five years, the CVFD responded to more than 100 fire calls; and

WHEREAS, over the years, the CVFD has continually enhanced its capabilities by acquiring state-of-the-art firefighting and rescue equipment, improving its ability to respond efficiently and effectively to emergencies; and

WHEREAS, the CVFD has expanded its services to meet the evolving needs of the community, including the establishment of an emergency medical technician certification program and active participation in Halifax County's Emergency Medical Services First-Responder program; and

WHEREAS, the growth and success of the CVFD are the result of the tireless dedication of its members and the steadfast support of the local community; and

WHEREAS, the CVFD has been invaluable to the safety, security, and prosperity of Halifax County for the past 75 years, earning the recognition and respect of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That the Clover Volunteer Fire Department hereby be commended on the occasion of its 75th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Clover Volunteer Fire Department as an expression of the House of Delegates' admiration for the organization's history and dedication to service.

HOUSE RESOLUTION NO. 470

Commending Doris B. Land.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Doris B. Land was inspired by her deep faith and passion for lifelong learning to establish a Christian school in Hampton Roads and founded Greenhill Farms Christian Academy in Norfolk on November 1, 1983; and

WHEREAS, under the leadership of Doris Land, Greenhill Farms Christian Academy provided young people with a high quality education and spiritual guidance in a nurturing environment to ensure that they developed a high intellect, along with a sense of integrity, independence, and self-direction; and

WHEREAS, Doris Land served as an administer at Greenhill Farms Christian Academy for more than 32 years, leading and inspiring numerous dedicated faculty and staff members and touching the lives of more than 16,300 students during that period; and

WHEREAS, Doris Land helped foster a passion for service and a commitment to excellence in future generations of community and business leaders in the region; and

WHEREAS, while Greenhill Farms Christian Academy closed its doors in 2015, Doris Land's legacy lives on through the students she inspired and the colleagues she mentored, many of whom continue to make a positive difference in the Norfolk community and beyond; now, therefore, be it

RESOLVED by the House of Delegates, That Doris B. Land hereby be commended for her legacy of service as the founder and a longtime administrator of Greenhill Farms Christian Academy; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Doris B. Land as an expression of the House of Delegates' admiration for her passion for education and more than three decades of contributions to young people in Norfolk.

HOUSE RESOLUTION NO. 471

Celebrating the life of Dorothy Southall.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Dorothy Southall, a beloved resident of Norfolk who inspired others through her wisdom, kindness, and grace, died on October 9, 2024, at the age of 106; and

WHEREAS, born on September 5, 1918, Dorothy "Dottie" Southall grew up in the Whaleyville area of Suffolk; she witnessed countless historic events in her lifetime, from the Great Depression and World War II, to the Civil Rights Movement, the Moon landing, and the rise of modern technology; and

WHEREAS, at a young age, Dottie Southall and her father moved to Pennsylvania during the First Great Migration, when millions of Black southerners relocated to northern and western states seeking new and better opportunities for themselves and their families; and

WHEREAS, in 1959, Dottie Southall began working at Bellevue Hospital in New York City, where she proudly cared for patients as a licensed practical nurse for the next 20 years; and

WHEREAS, Dottie Southall returned to the Commonwealth in the 1980s and lived independently until the age of 103; she was a devoted aunt and friend who relished every opportunity to welcome people into her home for meals and celebrations; and

WHEREAS, Dottie Southall was a symbol of resilience for her family and friends and brought joy into their lives through her sense of humor, unwavering positivity, and countless life lessons; and

WHEREAS, Dottie Southall will be fondly remembered and greatly missed by her great-nieces Voncier Kelly and Remedeas Weekes, and their families, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Dorothy Southall, a cherished member of the Norfolk community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Dorothy Southall as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 472

Nominating persons to be elected to circuit court judgeships.

Agreed to by the House of Delegates, January 14, 2025

RESOLVED by the House of Delegates, That the following persons are hereby nominated to be elected to the respective circuit court judgeships as follows:

The Honorable William Edward Tomko, III, of Sussex, as a judge of the Sixth Judicial Circuit for a term of eight years commencing July 1, 2025.

The Honorable Christopher R. Papile, of Newport News, as a judge of the Seventh Judicial Circuit for a term of eight years commencing July 1, 2025.

The Honorable David A. Oblon, of Fairfax City, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing January 1, 2026.

The Honorable James R. Swanson, of Roanoke County, as a judge of the Twenty-third Judicial Circuit for a term of eight years commencing April 1, 2025.

HOUSE RESOLUTION NO. 473

Nominating persons to be elected to general district court judgeships.

Agreed to by the House of Delegates, January 14, 2025

RESOLVED by the House of Delegates, That the following persons are hereby nominated to be elected to the respective general district court judgeships as follows:

The Honorable Erin L. Evans-Bedois, of Chesapeake, as a judge of the First Judicial District for a term of six years commencing April 1, 2025.

The Honorable Sandra S. Menago, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing May 1, 2025.

The Honorable Nicole A. Belote, of Suffolk, as a judge of the Fifth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Elbert D. Mumphery, of Hopewell, as a judge of the Sixth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Robert G. Saunders, of Newport News, as a judge of the Seventh Judicial District for a term of six years commencing July 1, 2025.

The Honorable Jody H. Fariss, of Prince Edward, as a judge of the Tenth Judicial District for a term of six years commencing June 1, 2025.

The Honorable Darrel W. Puckett, of Appomattox, as a judge of the Tenth Judicial District for a term of six years commencing June 1, 2025.

The Honorable Calvin S. Spencer, Jr., of Lunenburg, as a judge of the Tenth Judicial District for a term of six years commencing April 16, 2025.

The Honorable Thomas Stark, IV, of Powhatan, as a judge of the Eleventh Judicial District for a term of six years commencing May 1, 2025.

The Honorable Keith Nelson Hurley, of Chesterfield, as a judge of the Twelfth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Lauren A. Caudill, of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing June 1, 2025.

The Honorable George Barton Chucker, of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Hugh S. Campbell, of Hanover, as a judge of the Fifteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Angela M. O'Connor, of Hanover, as a judge of the Fifteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Matthew J. Quatrara, of Albemarle, as a judge of the Sixteenth Judicial District for a term of six years commencing June 1, 2025.

The Honorable Jason S. Rucker, of Arlington, as a judge of the Seventeenth Judicial District for a term of six years commencing March 16, 2025.

The Honorable Susan F. Earman, of Fairfax City, as a judge of the Nineteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Joan Ziglar, of Martinsville, as a judge of the Twenty-first Judicial District for a term of six years commencing July 1, 2025.

The Honorable Christopher M. Billias, of Rockbridge, as a judge of the Twenty-fifth Judicial District for a term of six years commencing April 1, 2025.

The Honorable Travis B. Lee, of Smyth, as a judge of the Twenty-eighth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Henry A. Barringer, of Tazewell, as a judge of the Twenty-ninth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Turkessa B. Rollins, of Prince William, as a judge of the Thirty-first Judicial District for a term of six years commencing July 1, 2025.

HOUSE RESOLUTION NO. 474

Nominating persons to be elected to juvenile and domestic relations district court judgeships.

Agreed to by the House of Delegates, January 14, 2025

RESOLVED by the House of Delegates, That the following persons are hereby nominated to be elected to the respective juvenile and domestic relations district court judgeships as follows:

The Honorable Lori B. Galbraith, of Chesapeake, as a judge of the First Judicial District for a term of six years commencing July 1, 2025.

The Honorable Cheshire I'Anson Eveleigh, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing July 1, 2025.

The Honorable Timothy J. Quick, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing April 1, 2025.

The Honorable Lauri D. Hogge, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing April 1, 2025.

The Honorable Devon R. Paige Charity, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Christopher B. Ackerman, of Brunswick, as a judge of the Sixth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Rebecca M. Robinson, of Newport News, as a judge of the Seventh Judicial District for a term of six years commencing April 16, 2025.

The Honorable Jeffrey C. Rountree, of Newport News, as a judge of the Seventh Judicial District for a term of six years commencing July 1, 2025.

The Honorable Gregory C. Bane, of Hampton, as a judge of the Eighth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Jay Edward Dugger, of Hampton, as a judge of the Eighth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Robert B. Wilson, V, of Hampton, as a judge of the Eighth Judicial District for a term of six years commencing April 1, 2025.

The Honorable Phillip T. DiStanislao, Jr., of Petersburg, as a judge of the Eleventh Judicial District for a term of six years commencing February 1, 2025.

The Honorable Theresa J. Royall, of Nottoway, as a judge of the Eleventh Judicial District for a term of six years commencing July 1, 2025.

The Honorable Brice E. Lambert, of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Joseph A. Vance, IV, of Fredericksburg, as a judge of the Fifteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Barbara G. Lowe, of Albemarle, as a judge of the Sixteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Maha-Rebekah R. Abejuela, of Fairfax County, as a judge of the Nineteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Kimberly R. Belongia, of Henry, as a judge of the Twenty-first Judicial District for a term of six years commencing July 1, 2025.

The Honorable Stephanie M. Ayers, of Bedford, as a judge of the Twenty-fourth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Jennifer E. Stille, of Lynchburg, as a judge of the Twenty-fourth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Susan B. Read, of Staunton, as a judge of the Twenty-fifth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Rachel E. Figura, of Rockingham, as a judge of the Twenty-sixth Judicial District for a term of six years commencing May 1, 2025.

The Honorable Chad A. Logan, of Shenandoah, as a judge of the Twenty-sixth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Kimberly Michelle Jenkins, of Scott, as a judge of the Thirtieth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Lisa Michelle Baird, of Manassas, as a judge of the Thirty-first Judicial District for a term of six years commencing July 1, 2025.

HOUSE RESOLUTION NO. 475

Nominating persons to be elected as members of the Judicial Inquiry and Review Commission.

Agreed to by the House of Delegates, January 14, 2025

RESOLVED by the House of Delegates, That the following persons are hereby nominated to be elected as members of the Judicial Inquiry and Review Commission as follows:

Cozy E. Bailey, Sr., of Prince William, as a member of the Judicial Inquiry and Review Commission for a term of four years commencing July 1, 2025.

The Honorable Kenneth R. Melvin, of Portsmouth, as a member of the Judicial Inquiry and Review Commission for a term of four years commencing July 1, 2025.

Terrie N. Thompson, of Chesapeake, as a member of the Judicial Inquiry and Review Commission for a term of four years commencing July 1, 2025.

HOUSE RESOLUTION NO. 476

Nominating a person to be elected as the Auditor of Public Accounts.

Agreed to by the House of Delegates, January 14, 2025

RESOLVED by the House of Delegates, That the following person is hereby nominated to be elected as the Auditor of Public Accounts as follows:

Staci A. Henshaw, of Dinwiddie, as the Auditor of Public Accounts for a term of four years commencing February 1, 2025.

HOUSE RESOLUTION NO. 477

Commending the Marion Senior High School girls' tennis team.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, the Marion Senior High School girls' tennis team won the Virginia High School League Class 2 state championship at Liberty University in Lynchburg on June 6, 2024; and

WHEREAS, the Marion Senior High School Scarlet Hurricanes defeated the Central High School Falcons of Woodstock by a score of 5-1 to bring home the program's second consecutive state championship title; and

WHEREAS, in the No. 4 singles event, junior Bailey Russell came from behind to win a tiebreaker in her match, allowing the Marion Scarlet Hurricanes to secure victory on singles events alone; and

WHEREAS, the Marion Scarlet Hurricanes claimed their title in commanding fashion, losing only three sets in the state championship and a total of five matches throughout the entire state tournament run; and

WHEREAS, in addition to the team's victory, the Marion Scarlet Hurricanes' Parker White won her third consecutive Virginia High School League Class 2 individual title at the state tournament, and she placed runner-up with her teammate Madelyn Austin in the doubles competition; and

WHEREAS, the Marion Scarlet Hurricanes' achievements are a testament to the hard work and perseverance of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their families and the entire Marion Senior High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Marion Senior High School girls' tennis team hereby be commended for winning the Virginia High School League Class 2 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Marion Senior High School girls' tennis team as an expression of the House of Delegates' admiration for the team's achievements.

HOUSE RESOLUTION NO. 478

Commending Olivia Bryant.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Olivia Bryant, a student and musician at Chilhowie High School, performed with the National FFA Band at the 97th National FFA Convention and Expo in October 2024; and

WHEREAS, the daughter of cattle farmers, Olivia Bryant is the parliamentarian of Chilhowie High School's FFA, which stands for Future Farmers of America, advising the chapter's president and members on procedural matters; and

WHEREAS, Olivia Bryant was selected to be a member of the National FFA Band, which performs at a series of events during the National FFA Convention and Expo, from a group of students across the national organization's 9,235 chapters; and

WHEREAS, Olivia Bryant has been playing with her school band since sixth grade, first on the trombone and more recently on the French horn and mellophone; and

WHEREAS, as a result of her dedication and hard work, Olivia Bryant has been selected twice to perform with the National FFA Band and has earned all-county band and all-district band honors the last two years; and

WHEREAS, Olivia Bryant's accomplishments are the result of her effort and perseverance, the guidance of her band director and teachers, and the unwavering support of her family and the entire Chilhowie High School community; now, therefore, be it

RESOLVED by the House of Delegates, That Olivia Bryant hereby be commended for being selected to perform with the National FFA Band at the 97th National FFA Convention and Expo; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Olivia Bryant as an expression of the House of Delegates' admiration for her achievements and best wishes for her continued success.

HOUSE RESOLUTION NO. 479

Commending Grayson County High School.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, in 2024, more than 120 seniors at Grayson County High School earned their diplomas and the school achieved a one hundred percent graduation rate for the third consecutive year; and

WHEREAS, Grayson County High School's perfect graduation rate is the result of the hard work and dedication of the school's students, many of whom will continue their education at a four-year university, community college, or trade school or through an internship at a local business; and

WHEREAS, the accomplishments of Grayson County High School were made possible by the unwavering commitment of the school's faculty and staff, who work closely with each student to monitor their progress and ensure that they have everything they need to succeed; and

WHEREAS, Grayson County High School has benefitted greatly from the support and assistance of the school's families and the entire Grayson County community, who have helped to cultivate a learning environment at Grayson County High School in which students and faculty may thrive; and

WHEREAS, on September 17, 2024, Lieutenant Governor Winsome Earle-Sears visited Grayson County High School to honor and praise the students and faculty for their remarkable achievement and to offer wisdom to guide them on their educational journeys; and

WHEREAS, the students of Grayson County High School leave school prepared for opportunities to attain fulfilling and worthwhile careers and to make meaningful contributions to their communities; now, therefore, be it

RESOLVED by the House of Delegates, That Grayson County High School hereby be commended for graduating one hundred percent of its students over three consecutive years; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Grayson County High School as an expression of the House of Delegates' admiration for the school's achievements and best wishes for its continued success.

HOUSE RESOLUTION NO. 480

Celebrating the life of Lamuel Scott Prater.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Lamuel Scott Prater, an honorable law-enforcement officer, dedicated coach, beloved son, husband, and father, and treasured member of the Chilhowie community, died on May 24, 2024; and

WHEREAS, Scott Prater worked tirelessly to serve and protect his community over a prestigious 29-year career in law enforcement, fulfilling various roles and most recently achieving the rank of lieutenant with the Smyth County Sheriff's Office; and

WHEREAS, Scott Prater guided many young people as a coach at Chilhowie High School, contributing greatly to their growth and development and placing them on trajectories for success; and

WHEREAS, Scott Prater was an avid outdoorsman who appreciated every opportunity to golf, hunt, and fish; and

WHEREAS, Scott Prater will be fondly remembered and dearly missed by his loving wife, Angela; his daughters, Jordan and Madison, and their families; his parents, Lamuel and Jean; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Lamuel Scott Prater, a respected law-enforcement officer and cherished member of the Chilhowie community whose commitment to service made a difference in countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Lamuel Scott Prater as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 481

Commending Lawrence Douglas Wilder.

Agreed to by the House of Delegates, January 16, 2025

WHEREAS, Lawrence Douglas Wilder, born in Richmond on January 17, 1931, has dedicated his life to public service, breaking numerous racial barriers and setting precedents in the Commonwealth and the United States; and

WHEREAS, Douglas Wilder earned a degree in chemistry from Virginia Union University in 1951, then served in the United States Army during the Korean War and was awarded the Bronze Star for heroism for capturing multiple enemy troops and providing assistance to his wounded fellow soldiers; after returning home, he obtained a law degree from Howard University in 1959; and

WHEREAS, in 1969, Douglas Wilder became the first African American elected to the Senate of Virginia since Reconstruction and subsequently built a reputation for pragmatism and bipartisan collaboration; and

WHEREAS, during his tenure as a state lawmaker, Douglas Wilder chaired the Steering Committee, responsible for assigning members to committees, and the Committees on Rehabilitation and Social Services, Transportation, and General Laws; he also served on the Committee for Courts of Justice and advocated for legislation to benefit low-income residents and juvenile justice reform; and

WHEREAS, in 1985, Douglas Wilder was elected lieutenant governor of Virginia, becoming the first African American to hold statewide office in the Commonwealth, exemplifying his perseverance and dedication to public service; and

WHEREAS, in 1989, Douglas Wilder made history as the first African American elected as a state governor in the United States; he served as governor of Virginia from 1990 to 1994, during which time his administration was praised for sound fiscal management, including the creation of the "Rainy Day Fund" to stabilize the Commonwealth's finances during economic downturns, and sponsoring new construction projects for educational and mental health institutions; and

WHEREAS, as governor, Douglas Wilder signed legislation making Virginia one of the first states to recognize Martin Luther King Jr. Day as a statewide holiday, exemplifying his commitment to civil rights and equality; and

WHEREAS, after his gubernatorial term, Douglas Wilder continued his public service as the first directly elected mayor of Richmond from 2005 to 2009, during which time he improved public safety by spearheading crime reduction initiatives and enhancing emergency services, while also advancing governance and development efforts across the city; and

WHEREAS, Douglas Wilder's legacy continues through his role as a distinguished professor at the L. Douglas Wilder School of Government and Public Affairs at Virginia Commonwealth University, where he has been instrumental in promoting public discourse through the Wilder Symposium, which highlights critical issues such as the lack of funding for Historically Black Colleges and Universities, leading to an official opinion on the matter by the attorney general of Virginia, and contributing to the Commonwealth Poll, which provides critical insights into the perspectives of Virginians on key public policy issues; and

WHEREAS, Douglas Wilder's groundbreaking achievements have not only reshaped Virginia's political landscape but have also opened doors for future generations of diverse leaders across the Commonwealth and the nation; now, therefore, be it

RESOLVED by the House of Delegates, That Lawrence Douglas Wilder hereby be commended for his exceptional service, groundbreaking achievements, and enduring impact on the Commonwealth and the nation on the occasion of the 40th anniversary of his historic election as lieutenant governor of Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for Lawrence Douglas Wilder as an expression of the House of Delegates' admiration for his legacy of exceptional service to the Commonwealth.

HOUSE RESOLUTION NO. 482

Commending the Warm Springs Valley Garden Club.

Agreed to by the House of Delegates, January 20, 2025

WHEREAS, the Warm Springs Valley Garden Club, an organization dedicated to its mission "to promote greater knowledge of horticulture, stimulate interest in conservation and historic preservation, encourage community environmental education, and participate in civic planning and planting programs," celebrated its 100th anniversary in 2024; and

WHEREAS, the Warm Springs Valley Garden Club was established in 1924 by 13 prominent Bath County women, and its membership grew to 21 within the first year and has remained at 30 to 50 members ever since; and

WHEREAS, the Warm Springs Valley Garden Club has greatly supported the community over the years through a number of projects and initiatives, including the restoration of the Warm Springs Valley Cemetery between the 1940s and 1980s; and

WHEREAS, the Warm Springs Valley Garden Club has contributed greatly to the beautification, landscaping, and maintenance of prominent sites in Bath County, including the local welcome center, hospital, elementary school, airport, court house, post office, library, government buildings, nursing home, historical society, and highway markers at entrances to the county; and

WHEREAS, the Warm Springs Valley Garden Club has cultivated an interest in horticulture, gardening, and the environment among young people of the community by sending local students to nature camp for more than a half-century, donating books to the Bath County Public Library, and supporting the wind turbine program at the area high school; and

WHEREAS, the Warm Springs Valley Garden Club encourages community involvement in support of its mission through special prizes and awards, including its annual Golden Trowel Award; and

WHEREAS, the Warm Springs Valley Garden Club hosts regular meetings, field trips, and presentations for its members to inform and enrich their understanding of the endless facets of horticulture and gardening; and

WHEREAS, the Warm Springs Valley Garden Club's longstanding commitment to horticulture, conservation, historic preservation, and the environment and the impressive efforts of its members have helped to make Bath County a wonderful and more beautiful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That the Warm Springs Valley Garden Club hereby be commended on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Warm Springs Valley Garden Club as an expression of the House of Delegates' admiration for the organization's history and its contributions to Bath County and the Commonwealth.

HOUSE RESOLUTION NO. 483

Commending Carlehr Swanson.

Agreed to by the House of Delegates, January 16, 2025

WHEREAS, Carlehr Swanson, a graduate student at the University of Virginia and a passionate advocate for the transformative power of music, was selected as Miss Virginia on June 29, 2024, at the Berglund Center Auditorium in Roanoke; and

WHEREAS, Carlehr Swanson grew up in Richmond and was inspired to pursue musical education from a young age while listening to hymns of praise in church with her grandmother, Gladys; and

WHEREAS, Carlehr Swanson holds a bachelor's degree in jazz studies from George Mason University, a master's degree in jazz vocal performance from the Frost School of Music at the University of Miami, and a master's degree in critical and comparative studies in music from the University of Virginia, where she is currently pursuing a doctorate; and

WHEREAS, after witnessing her grandmother struggle with Alzheimer's disease and dementia, Carlehr Swanson established Bridging the Divide: Music is Unity to promote the benefits of music for memory health and overall wellness; and

WHEREAS, through Bridging the Divide: Music is Unity, Carlehr Swanson facilitated performances and programs in schools, nursing homes, and other venues to foster empathy, social harmony, and togetherness through a shared love of music; and

WHEREAS, Carlehr Swanson has also worked with national nonprofit organizations such as Music & Memory and Sing for Hope and partnered with the Richmond VA Medical Center to support recovering veterans; and

WHEREAS, Carlehr Swanson has been participating in Miss America and Miss America's Teen competitions for a decade; she won the 2024 Miss Virginia competition as Miss Blue Ridge and received $22,500 in scholarship awards to continue supporting her education; and

WHEREAS, Carlehr Swanson's platform provides an opportunity to expand Bridging the Divide: Music is Unity into a full-service arts organization that celebrates the healing and unifying power of music; she also shared her message with students as a spokesperson for the Virginia Alcoholic Beverage Control Authority's Miss Virginia School Tour program, which promotes healthy choices and substance abuse prevention; and

WHEREAS, as Miss Virginia, Carlehr Swanson represented the Commonwealth in the Miss America Competition at the Walt Disney Theater in Orlando, Florida, on January 4-5, 2025; now, therefore, be it

RESOLVED by the House of Delegates, That Carlehr Swanson hereby be commended on her selection as Miss Virginia in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Carlehr Swanson as an expression of the House of Delegates' admiration for her commitment to community service and promotion of the musical arts as a way to bring people together and help those in need.

HOUSE RESOLUTION NO. 484

Commending David W. Poole.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, David W. Poole, a distinguished veteran, beloved community leader, and respected vice president of the former Virginia Electric and Power Company celebrated his 100th birthday in 2024; and

WHEREAS, born on November 11, 1924, in Sussex County near Stony Creek, David Poole worked on a survey crew for the Virginia Department of Highways, now the Virginia Department of Transportation, before he was called to serve his country during World War II; and

WHEREAS, David Poole was inducted into the United States Army Air Forces on April 13, 1943, and was assigned to the 442nd Troop Carrier Group of the Ninth Air Force in the European Theater of Operations from March 1944 to 1945; and

WHEREAS, upon arrival in England, David Poole and the 442nd Troop Carrier Group began intensive training for the planned D-Day invasion of Normandy, France; and

WHEREAS, on June 6, 1944, prior to the first landings of seaborne forces, David Poole and his fellow members of the 442nd Troop Carrier Group dropped paratroopers near Sainte-Mère-Église, for which they were awarded the Presidential Unit Citation; and

WHEREAS, flying the venerable Douglas C-47 Skytrain, David Poole also evacuated wounded soldiers and hauled supplies to the front lines; he accumulated roughly 300 hours in the air and participated in seven campaigns, including the liberation of northern and southern France and the Battle of the Bulge; and

WHEREAS, after his honorable military service, David Poole returned to civilian life and played professional baseball as a member of the Portsmouth Cubs in the Piedmont League from 1947 to 1949; he subsequently graduated from Virginia Polytechnic Institute and State University with a bachelor's degree in agricultural engineering in 1950; and

WHEREAS, David Poole had a long and productive career with the Virginia Electric and Power Company, commonly known as VEPCO, which is now part of Dominion Energy; he held numerous leadership roles over the course of more than 35 years, including as the first general manager of the Central Division in Richmond and later as one of the company's vice presidents; and

WHEREAS, David Poole has been a leader in every aspect of his life and a strong community supporter who has gone above and beyond to enhance the lives of others through his generosity and commitment to service; he has volunteered his wisdom to many local organizations and is a devout member of the Methodist church; and

WHEREAS, David Poole enjoyed many happy years of marriage with his late wife, Charlotte Winfield Poole, and he continues to be blessed with the love and admiration of his daughter, Cheryl P. Umbach, and her husband, Art; his son, Stephen R. Poole; and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, That David W. Poole, an honored veteran and cherished member of the Sussex County community, hereby be commended on the occasion of his 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to David W. Poole as an expression of the House of Delegates' admiration for his lifetime of service to the Commonwealth and the nation.

HOUSE RESOLUTION NO. 485

Commending Mill Swamp Baptist Church.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Mill Swamp Baptist Church of Isle of Wight County, one of the oldest Baptist congregations in the Commonwealth, celebrated its 250th anniversary on September 22, 2024; and

WHEREAS, the origins of Mill Swamp Baptist Church date to 1714, when the Reverend Robert Norton from England established the Burleigh Baptist Church in Isle of Wight County; and

WHEREAS, after many congregants at Burleigh Baptist Church joined the Reverend Paul Palmer, founder of the Free Will Baptist movement, in North Carolina, those remaining disbanded Burleigh Baptist Church and reorganized as Mill Swamp Baptist Church in 1774; and

WHEREAS, Mill Swamp Baptist Church was named for the local Mill Swamp creek, where congregants were baptized in the church's early years; and

WHEREAS, Mill Swamp Baptist Church grew to nearly 300 members within its first 15 years and has continued to thrive since that time; and

WHEREAS, Mill Swamp Baptist Church's current building, constructed around 1929 following a fire, is believed to be the fourth church building to be located on Mill Swamp Baptist Church's property; and

WHEREAS, Mill Swamp Baptist Church's congregation today includes descendants of the church's founding families, including the Hollomans, Gwaltneys, and Cofers; and

WHEREAS, during the COVID-19 pandemic, Mill Swamp Baptist Church overcame extraordinary circumstances to reach its congregation, broadcasting its services over the radio from the church's portico to members who would tune in from their cars in the church parking lot; and

WHEREAS, for 250 years, Mill Swamp Baptist Church has provided its congregants with uplifting spiritual guidance, joyful occasions for worship and fellowship, and abundant opportunities for charity and outreach, making it an integral and cherished part of the Isle of Wight County community; now, therefore, be it

RESOLVED by the House of Delegates, That Mill Swamp Baptist Church hereby be commended on the occasion of its 250th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Mill Swamp Baptist Church as an expression of the House of Delegates' high regard for the church's history and its contributions to the Commonwealth.

HOUSE RESOLUTION NO. 486

Commending Ryan Alam and the Alam family.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Ryan Alam and the Alam family of Sterling have worked diligently to raise awareness of neurodegeneration with brain iron accumulation and led efforts to increase research into this extremely rare but debilitating disease; and

WHEREAS, after years of living with an unknown, painful, and progressive condition, Ryan Alam was diagnosed with a type of neurodegeneration with brain iron accumulation (NBIA) known as mitochondrial membrane protein-associated neurodegeneration (MPAN); and

WHEREAS, since 2001, there have been only approximately 500 cases of NBIA around the world, less than 100 of which are MPAN; the disease can lead to a loss of motor functions like walking, can cause problems with vision, and can lead to the development of dementia and Parkinson's disease; and

WHEREAS, after learning that there is no known cure for NBIA and very little active research, Ryan Alam and his family sought to bring attention to this rare condition and raise money to help find treatments and a cure; and

WHEREAS, Ryan Alam has inspired others through his courage, sense of adventure, and joy for life, and he is determined to help other individuals living with NBIA; the Alam family began working with a team of doctors and researchers at Children's National Hospital in Washington, D.C., to lay the groundwork for comprehensive study into the disease; and

WHEREAS, Ryan Alam's parents, Tuba and Faisal Alam have worked diligently to explain NBIA and MPAN to potential donors and built strong relationships that have helped their search for a cure grow into a movement with the potential to effect lasting change; and

WHEREAS, Ryan Alam's sister, Sonia, has also demonstrated a grace and resiliency beyond her years, both by supporting her brother and by providing a cheerful presence at events and fundraisers; and

WHEREAS, through their visionary leadership and exceptional accomplishments, Ryan Alam and the Alam family have raised more than $385,000 for Children's National Hospital's Help Cure NBIA-MPAN fund; now, therefore, be it

RESOLVED by the House of Delegates, That Ryan Alam and the Alam family hereby be commended for their work to raise awareness of neurodegeneration with brain iron accumulation and provide hope and support to people living with this rare condition; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Ryan Alam and the Alam family as an expression of the House of Delegates' admiration for their inspirational dedication to serving others.

HOUSE RESOLUTION NO. 488

Commending the Riverside Center for the Performing Arts.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, the Riverside Center for the Performing Arts is a beloved dinner theater and event space in Stafford County that has delighted audiences and attendees for more than 25 years; and

WHEREAS, inspired by the vision of the late Rollin E. Wehman, the Riverside Center for the Performing Arts provides its audiences with the opportunity to see exceptional theater entertainment while enjoying three-course, chef-prepared meals with family and friends; and

WHEREAS, the Riverside Center for the Performing Arts opened on June 18, 1998, with an inaugural performance of *Oklahoma!* and has since presented more than 200 musical and dramatic productions on its main stage and more than 120 performances in its Children's Theatre to more than a half million theatergoers; and

WHEREAS, with a traditional proscenium stage and the only dinner theater fly loft in the Commonwealth, as well as experienced performers that have appeared on the stages of Broadway and in other prestigious productions, the Riverside Center for the Performing Arts has built a reputation as a leading destination for world-class entertainment; and

WHEREAS, utilizing two spaces that were specially designed to accommodate a variety of gatherings and purposes, the Riverside Center for the Performing Arts has hosted countless weddings and special events over the years and become a highly sought venue for a range of distinguished occasions; and

WHEREAS, prior to becoming a nonprofit organization on January 1, 2024, the Riverside Center for the Performing Arts had been supported by the Riverside Foundation for the Performing Arts since 2007, which helped spearhead many of the center's charitable and educational endeavors, including scholarships to students interested in careers in the performing arts; and

WHEREAS, by fostering the creative and performing arts through its productions and programs, the Riverside Center for the Performing Arts has become an integral part of the Greater Fredericksburg area's cultural community, helping to make the region a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That the Riverside Center for the Performing Arts hereby be commended for its accomplishments as a dinner theater, event space, and cultural institution; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Riverside Center for the Performing Arts as an expression of the House of Delegates' admiration for the organization's contributions to the Commonwealth.

HOUSE RESOLUTION NO. 489

Commending Todd Brown.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, for nearly three decades, Todd Brown provided transformational leadership to the congregation of Bridge Christian Church in Fishersville, helping the congregation to grow in both faith and number during his long tenure as lead pastor; and

WHEREAS, originally known as Blue Ridge Church of Christ, Bridge Christian Church was established in December 1995 by a group that had broken off from another local church, where Todd Brown was serving as a youth minister and elder; and

WHEREAS, the steering committee of what is now Bridge Christian Church asked Todd Brown to serve as a part-time preacher and offer his leadership on the board; he became the full-time lead pastor in 1997 and subsequently helped the church grow from an initial congregation of 20 to more than 2,000 people; and

WHEREAS, through his wisdom, creativity, determination, and inspirational preaching, Todd Brown helped the congregation of Bridge Christian Church thrive and expand to its current location on Goose Creek Road in Fishersville to better serve the members of the growing community; and

WHEREAS, Todd Brown oversaw the creation of several ministries, including a business support ministry designed to empower local business owners, and community outreach projects that have touched countless lives throughout the region; and

WHEREAS, Todd Brown also helped Bridge Christian Church plan mission trips around the world and personally traveled to New Zealand, India, and Ireland to minister to communities in need; now, therefore, be it

RESOLVED by the House of Delegates, That Todd Brown hereby be commended for his outstanding service to the congregation of Bridge Christian Church; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Todd Brown as an expression of the House of Delegate's admiration for his wise spiritual leadership and legacy of contributions to the Fishersville community.

HOUSE RESOLUTION NO. 490

Commending the Lighthouse Community Center.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, for more than a decade, the Lighthouse Community Center has provided compassionate, trauma-informed care to members of the Lynchburg community in need; and

WHEREAS, established in 2004, the Lighthouse Community Center strives to enhance the quality of life of local residents through dignified, tangible programs and supportive services that foster self-reliance; and

WHEREAS, the Lighthouse Community Center promotes community wellness while building strong relationships based on trust, empathy, and mutual respect between participants, providers, and volunteers; and

WHEREAS, the Lighthouse Community Center is a beacon of hope for more than 15,000 people each year, offering immediate access to food, clothes, hygiene products, and other necessities, as well as bicycles and rides to school or work; and

WHEREAS, ably led by cofounders Finny Mathew and Martha Brown and director of operations Terrick Moyer, the Lighthouse Community Center has fulfilled its mission through the hard work of its staff, board of directors, and countless volunteers, and generous donations from individuals and community partners; now, therefore, be it

RESOLVED by the House of Delegates, That the Lighthouse Community Center hereby be commended on the occasion of its 20th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Lighthouse Community Center as an expression of the House of Delegates' admiration for its vital contributions to vulnerable residents of Lynchburg and work to strengthen the community as a whole.

HOUSE RESOLUTION NO. 491

Commending Timothy P. Duffy, Ph.D.

Agreed to by the House of Delegates, January 23, 2025

WHEREAS, Timothy P. Duffy, Ph.D., an esteemed educator, dedicated community leader, and distinguished public servant, retired from the Fredericksburg City Council in 2024; and

WHEREAS, Timothy Duffy has been a member of the Fredericksburg community since 1981, when he arrived to attend Mary Washington College; in addition to a bachelor's degree from Mary Washington College, he holds a master's degree and doctoral degree in American history from the University of Virginia, where he participated in the Governor's Fellows Program and served as a teaching assistant to several professors; and

WHEREAS, Timothy Duffy supported Fredericksburg's youth in various roles within Fredericksburg City Public Schools, including as principal at James Monroe High School and as a math teacher at Walker-Grant Middle School, and he also served in the History Department at Mary Washington College and at Fredericksburg Academy, where he was promoted to head of the upper school; and

WHEREAS, Timothy Duffy has proudly and faithfully served as the Ward 3 representative on the Fredericksburg City Council since July 2014; and

WHEREAS, as a city council representative, Timothy Duffy has contributed to several boards and commissions, including the Board of Social Services, Fredericksburg Clean and Green Commission, Parking Advisory Committee, Recreation Commission, Rappahannock Area Youth Services and Group Home Commission, Town and Gown Committee, and Fredericksburg Regional Alliance as an alternate; and

WHEREAS, Timothy Duffy was vital to the work of the Fredericksburg City Council at several key junctures, including during the COVID-19 pandemic and the Black Lives Matter protests and as the city hired its new city manager and established a unifying vision for its future; and

WHEREAS, beyond his professional endeavors, Timothy Duffy has been actively involved in community service, including volunteering with organizations such as the Sunshine Foundation, Tree Fredericksburg, the Oral History Project, and Habitat for Humanity; and

WHEREAS, Timothy Duffy's commitment to education and community engagement has left a lasting impact on Fredericksburg, reflecting his dedication to the city's growth and well-being; now, therefore, be it

RESOLVED by the House of Delegates, That Timothy P. Duffy, Ph.D., hereby be commended on the occasion of his retirement from the Fredericksburg City Council; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Timothy P. Duffy, Ph.D., as an expression of the House of Delegates' admiration for his legacy of service and best wishes for his future endeavors.

HOUSE RESOLUTION NO. 492

Commending the Charlottesville Area Association of REALTORS®.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, for 100 years, the Charlottesville Area Association of REALTORS® has upheld the highest standards of excellence in the real estate profession while promoting community growth in Central Virginia; and

WHEREAS, founded on June 22, 1925, the Charlottesville Area Association of REALTORS® (CAAR) currently represents more than 1,300 real estate professionals and affiliate members in the City of Charlottesville and Albemarle, Fluvanna, Greene, Louisa, and Nelson Counties; and

WHEREAS, CAAR has helped generations of real estate professionals better serve their clients and hone their expertise through educational programs on changes in the real estate industry, market knowledge, and negotiation tips to facilitate successful transactions; and

WHEREAS, CAAR has earned a reputation as a trusted and reliable resource for real estate professionals, and its members have enhanced the quality of life in the region through numerous outreach projects and commitment to volunteer leadership; and

WHEREAS, with its community engagement, dedication to ethical business practices, and promotion of diversity, equity, and inclusion, CAAR has not only advanced the real estate profession but has also helped build strong, stable communities throughout Central Virginia; now, therefore, be it

RESOLVED by the House of Delegates, That the Charlottesville Area Association of REALTORS® hereby be commended on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Charlottesville Area Association of REALTORS® as an expression of the House of Delegates' admiration for its long legacy of distinguished service to the real estate community and the residents of Central Virginia.

HOUSE RESOLUTION NO. 493

Celebrating the life of Hunter Dakota Reedy.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Hunter Dakota Reedy, a beloved son, husband, and father, treasured member of the Marion community, and dedicated law-enforcement officer with the Smyth County Sheriff's Office, died in the line of duty on August 9, 2024; and

WHEREAS, born in Abingdon, Hunter Reedy graduated from Chilhowie High School in 2014 and explored careers as a commercial driver and electrical engineer before answering the call to law enforcement; and

WHEREAS, after working with the Southwest Virginia Regional Jail Authority, Hunter Reedy enrolled at the Southwest Virginia Criminal Justice Training Academy and subsequently worked in the Chilhowie community as a law-enforcement officer before joining the Smyth County Sheriff's Office; and

WHEREAS, as a deputy with the Smyth County Sheriff's Office, Hunter Reedy worked tirelessly and with a great sense of purpose to ensure the safety and well-being of those he served; and

WHEREAS, with a brave and adventurous spirit, Hunter Reedy could often be found racing at Wythe Raceway, where he won several feature races, and he was also undaunted by the challenge of bull riding; and

WHEREAS, Hunter Reedy was unwavering in his willingness and desire to help others, and he found no greater joy in life than to spend time with his family; and

WHEREAS, Hunter Reedy will be fondly remembered and dearly missed by his loving wife, Bettina; his children, Brantley, Kaden, and Kaede Belle; his parents, Chuck and Marie; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Hunter Dakota Reedy, a distinguished law-enforcement officer whose service and sacrifice will inspire others for generations to come; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Hunter Dakota Reedy as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 494

Commending Elijah Aistrop.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Elijah Aistrop, a student at Northwood High School, represented the Commonwealth at the Microsoft Office Specialist U.S. National Championship held from June 17-19, 2024, in Orlando, Florida; and

WHEREAS, Elijah Aistrop qualified for the Microsoft Office Specialist U.S. National Championship after placing first in the Virginia state competition, completing the Microsoft Office Specialist certification with a perfect score in just over 21 minutes; and

WHEREAS, Elijah Aistrop's triumph is a testament to Northwood High School's and Smyth County Public Schools' commitment to preparing students for successful careers through an emphasis on industry certifications; and

WHEREAS, Elijah Aistrop was recognized for his state championship win during the annual dinner of the Chamber of Commerce of Smyth County in 2024; and

WHEREAS, Elijah Aistrop's accomplishment is the result of his hard work and dedication, the leadership and guidance of his teachers, and the unwavering support of his family and the entire Northwood High School community; now, therefore, be it

RESOLVED by the House of Delegates, That Elijah Aistrop hereby be commended for competing in the 2024 Microsoft Office Specialist U.S. National Championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Elijah Aistrop as an expression of the House of Delegates' admiration for his achievement and best wishes in his future endeavors.

HOUSE RESOLUTION NO. 495

Commending Saltville Elementary School.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Saltville Elementary School of Smyth County Public Schools was named a National Blue Ribbon School by the United States Department of Education in 2024; and

WHEREAS, Saltville Elementary School was one of eight schools in the Commonwealth to receive this prestigious honor, which recognizes schools for their overall academic achievement or accomplishments in closing the achievement gap; and

WHEREAS, Saltville Elementary School's honor is a testament to the commitment and dedication of the school's faculty and staff, who work tirelessly every day to cultivate a safe, happy, and inclusive learning environment in which all students may thrive; and

WHEREAS, through high-quality, rigorous instruction, continuous review guided by data-driven decision making, and a proactive, trauma-informed approach to behavior management, Saltville Elementary School's educators ensure the academic, social, and emotional well-being of their students; and

WHEREAS, by making every student feel valued and respected and providing them with the resources they need to learn and grow as individuals, Saltville Elementary School has prepared its students to excel both in the classroom and in life; now, therefore, be it

RESOLVED by the House of Delegates, That Saltville Elementary School hereby be commended for being named a National Blue Ribbon School by the United States Department of Education in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Mitzi Frye, principal of Saltville Elementary School, as an expression of the House of Delegates' admiration for the school's performance and best wishes for its continued success.

HOUSE RESOLUTION NO. 496

Celebrating the life of Crystal Michelle Kestner.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Crystal Michelle Kestner, a respected educator, accomplished athlete, and beloved member of the Saltville community, died on December 4, 2024; and

WHEREAS, born and raised in Saltville, Crystal Kestner graduated from Northwood High School, where she led the varsity volleyball team to a state championship and the varsity basketball team to a regional championship; and

WHEREAS, Crystal Kestner continued her educational journey by earning bachelor's degrees in both mathematics and computer science from Concord University in 2002, while also excelling with the school's track, basketball, and softball teams throughout all four years of school; and

WHEREAS, in recognition of her noteworthy achievements, Crystal Kestner was inducted into the Concord University Sports Hall of Fame in 2013 and the Smyth County Sports Hall of Fame in 2023; and

WHEREAS, in her professional career, Crystal Kestner was a devoted educator at Marion High School and Marion Middle School for many years, teaching algebra and technology and assisting students as both a coach and mentor; and

WHEREAS, Crystal Kestner worked tirelessly in her capacity as an educator and coach to ensure the academic, social, and emotional well-being of her students and to support her colleagues and school; and

WHEREAS, Crystal Kestner was a devoted Christian whose family, faith, compassion, and commitment to service came before all else; and

WHEREAS, Crystal Kestner will be fondly remembered and dearly missed by her children, Calvin and Adalyn; her parents, Melvin and Patricia, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Crystal Michelle Kestner, a treasured member of the Saltville community whose kindness, generosity, and dedication inspired all who knew her; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Crystal Michelle Kestner as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 497

Commending the Grayson County High School football team.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, the Grayson County High School football team won the Virginia High School League Class 1 state semifinal at Rye Cove High School in Clinchport on December 7, 2024; and

WHEREAS, the Grayson County High School Blue Devils defeated the Rye Cove High School Eagles by a score of 40-34 and advanced to the Virginia High School League Class 1 state championship for the first time in program history; and

WHEREAS, the Grayson County Blue Devils trailed 7-22 in the second quarter but mounted an impressive comeback to surprise the previously undefeated Rye Cove Eagles; and

WHEREAS, the Grayson County Blue Devils' victory was a total team effort, led by quarterback Maverik Goad, who threw four touchdowns and 283 yards while also rushing for two touchdowns and 66 yards; and

WHEREAS, the success of the Grayson County Blue Devils is the result of the hard work and dedication of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their families and the entire Grayson County High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Grayson County High School football team hereby be commended for winning the 2024 Virginia High School League Class 1 state semifinal; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Stephen James, head coach of the Grayson County High School football team, as an expression of the House of Delegates' admiration for the team's achievement.

HOUSE RESOLUTION NO. 498

Commending the Ivor Volunteer Fire Department.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, for 75 years, the Ivor Volunteer Fire Department has provided vital services that have safeguarded the lives and property of the Ivor and Berlin communities in Southampton County; and

WHEREAS, the Ivor Volunteer Fire Department was organized on June 19, 1950, with president E.W. Pittman, first vice president Russell West, second vice president Julian Felts, secretary E.V. Stephenson, Jr., and treasurer H.S. Boone elected to serve as officers and John Faircloth, Jr., Leroy Bracey, Marvin Pulley, Charlie Ramsey, and L. H. Babb appointed to serve as the finance committee; and

WHEREAS, at the Ivor Volunteer Fire Department's second meeting on August 17, 1950, Fred Ashby and J.E. Clarke, Sr., were chosen to serve as fire chief and assistant fire chief, respectively, and the department officially adopted its name and began the process of raising funds, finding a building, obtaining necessary equipment, and developing bylaws; and

WHEREAS, in 1951, the Ivor Volunteer Fire Department purchased its first fire engine from Oren Roanoke Corporation, a 1951 Ford truck with a 500-gallon tank and a pump that could deliver 250 gallons of water per minute, which was housed behind the former Kitchen Service Station on Main Street in Ivor; and

WHEREAS, the Ivor Volunteer Fire Department took up residence in its first building on Railroad Avenue in 1952, expanded this building six years later, then moved to the department's present station on Main Street on December 9, 1987; and

WHEREAS, through the hard work and generous sacrifice of its members, the Ivor Volunteer Fire Department has become a cherished and invaluable institution in the communities of Ivor and Berlin; now, therefore, be it

RESOLVED by the House of Delegates, That the Ivor Volunteer Fire Department hereby be commended on the occasion of its 75th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Ivor Volunteer Fire Department as an expression of the House of Delegates' high regard for the organization's history and legacy of service.

HOUSE RESOLUTION NO. 499

Commending the Brunswick Academy girls' volleyball team.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, the Brunswick Academy girls' volleyball team claimed its first-ever state title with a victory in the Virginia Independent Schools Athletic Association Division IV state championship in November 2024; and

WHEREAS, the Brunswick Academy Vikings defeated a talented team from Denbigh Baptist Christian School in three sets, winning with scores of 25-17, 25-19, and 25-19; and

WHEREAS, Bayne Carroll, who was selected as the Virginia Colonial Conference (VCC) Player of the Year, led the Brunswick Vikings with eight kills, eight aces, and six blocks; Kylie Walker also notched eight kills, and she and Aubrey Corum each recorded a team-high of 12 digs; and

WHEREAS, Bayne Carroll, Kylie Walker, and Aubrey Corum were named to the All-Conference First Team, while Ava Fadool was selected as the All-Tournament Most Valuable Player and named to the All-Tournament Team with Kylie Walker and Lexi Howerton; and

WHEREAS, after the Brunswick Vikings finished the season with an impressive 31-3-1 record and the state crown, Joanne Reese was also selected as the VCC Coach of the Year; and

WHEREAS, the successful season was a tribute to the skill and hard work of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of family members, friends, and the entire Brunswick Academy community; now, therefore, be it

RESOLVED by the House of Delegates, That the Brunswick Academy girls' volleyball team hereby be commended on winning the Virginia Independent Schools Athletic Association Division IV state championship in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Joanne Reese, head coach of the Brunswick Academy girls' volleyball team, as an expression of the House of Delegates' admiration for the team's athletic achievements.

HOUSE RESOLUTION NO. 500

Commending the Brunswick Academy football team.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, the Brunswick Academy football team earned its third consecutive state title with a victory in the Virginia Independent Schools Football League Division II state championship in November 2024; and

WHEREAS, beginning the season with only one returning starter, the Brunswick Academy Vikings relied on determination, adaptability, and teamwork to uphold the program's winning ways and reach the state final; and

WHEREAS, the Brunswick Vikings defeated the Southampton Academy Raiders by a score of 27-6 at the Dinwiddie Sports Complex to finish the season with an impressive 9-3 record; and

WHEREAS, the Brunswick Academy Vikings took the lead in the first quarter with a 23-yard touchdown run by La'Quarion Whitaker and never looked back; and

WHEREAS, while the Brunswick Vikings defense stymied the Southampton Raiders again and again, La'Quarion Whitaker added a second rushing touchdown, followed by a passing touchdown from Nathan Wells to I'szwohn Bragg, and another rushing touchdown by Jayden Watson to give the team an insurmountable lead heading into the fourth quarter; and

WHEREAS, the successful season was a tribute to the skill and hard work of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of family members, friends, and the entire Brunswick Academy community; now, therefore, be it

RESOLVED by the House of Delegates, That the Brunswick Academy football team hereby be commended on winning its third consecutive state title in the Virginia Independent School Football League Division II state championship in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Bubba Weidman, head coach of the Brunswick Academy football team, as an expression of the House of Delegates' admiration for the team's incredible athletic achievements.

HOUSE RESOLUTION NO. 501

Commending the Tallwood High School boys' outdoor track and field team.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, the Tallwood High School boys' outdoor track and field team of Virginia Beach won the Virginia High School League Region 5A championship at Salem High School in Virginia Beach on May 22, 2024; and

WHEREAS, the Tallwood High School Lions tallied 110 cumulative team points to outpace the runner-up Princess Anne High School Cavaliers of Virginia Beach by 18 points; and

WHEREAS, the Tallwood Lions' victory was a total team effort and the result of many strong performances in various events throughout the two days of competition; and

WHEREAS, the Tallwood Lions sealed the win with several first place finishes from its student-athletes, including Gregory Reeves in the 110-meter hurdles and triple jump events, Zionte Corprew in the 300-meter hurdles event, Landon Walker in the pole vault event, and Jasir Abdullah in the long jump event; and

WHEREAS, the success of the Tallwood Lions is a product of the hard work and determination of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their families and the entire Tallwood High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Tallwood High School boys' outdoor track and field team of Virginia Beach hereby be commended for winning the 2024 Virginia High School League Region 5A championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Tallwood High School boys' outdoor track and field team as an expression of the House of Delegates' admiration for the team's achievements.

HOUSE RESOLUTION NO. 502

Commending HRE Bakery.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, HRE Bakery, a Filipino American-owned business in the Windsor Woods neighborhood of Virginia Beach that provides employment opportunities for people with intellectual and developmental disabilities, held its grand opening in December 2024; and

WHEREAS, owned and operated by Theresa and Alan McMillan, HRE Bakery stands for "Happy, Relaxed, and Engaged" and serves a wide range of delicious baked goods and sweet treats; and

WHEREAS, HRE Bakery helps adults with intellectual and developmental disabilities become more engaged in the community by providing a supportive environment in which they can learn basic vocational skills; and

WHEREAS, HRE Bakery exemplifies the Filipino custom of bayanihan, by building a strong sense of community, cooperation, and mutual assistance; now, therefore, be it

RESOLVED by the House of Delegates, That HRE Bakery hereby be commended on the occasion of its grand opening; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to HRE Bakery as an expression of the House of Delegates' admiration for its work to strengthen the community and best wishes on future success.

HOUSE RESOLUTION NO. 503

Commending the Princess Anne High School girls' basketball team.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, the Princess Anne High School girls' basketball team of Virginia Beach won the Virginia High School League Class 5 state championship at Virginia Commonwealth University's Stuart C. Siegel Center in Richmond on March 9, 2024; and

WHEREAS, the Princess Anne High School Cavaliers defeated the James River High School Rapids of Midlothian by a score of 80-70 to bring home the program's 14th state championship title and its 10th title in 11 years; and

WHEREAS, the Princess Anne Cavaliers went into halftime with the score tied 38-38 and saw their lead dwindle to 63-62 in the third quarter, but the team persevered and held on for the win; and

WHEREAS, the Princess Anne Cavaliers put forth a total team effort to secure the victory, led by impressive shooting from freshman Micah Ojo, who had 31 points; and

WHEREAS, the Princess Anne Cavaliers concluded their dominant season with an extraordinary 25-2 record and were undefeated in regional play; and

WHEREAS, the accomplishments of the Princess Anne Cavaliers are the result of the hard work and dedication of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their families and the entire Princess Anne High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Princess Anne High School girls' basketball team hereby be commended for winning the 2024 Virginia High School League Class 5 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Darnell Dozier, head coach of the Princess Anne High School girls' basketball team, as an expression of the House of Delegates' admiration for their success.

HOUSE RESOLUTION NO. 504

Commending Justin Dowell.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Justin Dowell, a native of Virginia Beach, represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, competing for Team USA in the men's BMX freestyle park event; and

WHEREAS, Justin Dowell began participating in BMX cycling with his brothers after the construction of a new skate park in Virginia Beach; and

WHEREAS, Justin Dowell has since represented the Commonwealth and the United States at multiple international freestyle BMX competitions, winning a gold medal in the BMX freestyle park event at the 2018 UCI Urban Cycling World Championships; and

WHEREAS, Justin Dowell has become known for his signature trick the "Twix" and is currently the only rider who performs this trick in competition; and

WHEREAS, Justin Dowell was selected as a member of Team USA in June 2024 and finished seventh place overall in the BMX freestyle park event in the 2024 Summer Olympics; now, therefore, be it

RESOLVED by the House of Delegates, That Justin Dowell hereby be commended for representing the Commonwealth at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Justin Dowell as an expression of the House of Delegates' admiration for his athletic achievements and best wishes for the future.

HOUSE RESOLUTION NO. 505

Commending KeyWest Lock & Safe.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, KeyWest Lock & Safe, a locally owned and operated business in Virginia Beach, has met the access control and safe storage needs of residential, commercial, maritime, and government clients for more than 25 years; and

WHEREAS, established in 1999, KeyWest Lock & Safe remains the only full-service locksmith shop in Virginia Beach; and

WHEREAS, with more than 40 years of total locksmith experience, KeyWest Lock & Safe offers a wide range of services for homeowners, from lock repairs and key duplication to deadbolt installations and rekeying services; and

WHEREAS, KeyWest Lock & Safe provides numerous automotive locksmith services, working with both cut keys and key fobs, and specializes in crafting keys for boats and watercraft; and

WHEREAS, KeyWest Lock & Safe also sells and services a variety of safes and maintains a staff of highly trained technicians who can advise on safe installation, moving, opening, and repairs; and

WHEREAS, KeyWest Lock & Safe offers tailored solutions on master keying, access control, and key control systems for commercial and government clients and works with clients in the financial industry on vaults, bank locks, ATM security systems, and emergency response; and

WHEREAS, KeyWest Lock & Safe has built strong relationships with other local businesses and members of the community and maintains an emergency technician on call 24/7 for emergency situations; now, therefore, be it

RESOLVED by the House of Delegates, That KeyWest Lock & Safe hereby be commended on the occasion of its 25th anniversary in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Mark West, owner of KeyWest Lock & Safe, as an expression of the House of Delegates' admiration for the company's outstanding service to its clients and contributions to the local economy in Virginia Beach.

HOUSE RESOLUTION NO. 506

Commending Aarav Chokshi.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Aarav Chokshi, a student at Princess Anne High School in Virginia Beach, was chosen as the Second Congressional District of Virginia's winner in the 2024 Congressional App Challenge; and

WHEREAS, established in 2014, the annual Congressional App Challenge is an official initiative of the United States House of Representatives and one of the nation's most prestigious competitions for K-12 computer science; and

WHEREAS, Aarav Chokshi and his classmate Andy Yang received first place honors for their app, VisuAI, which utilizes artificial intelligence technology to produce real-time descriptions of one's surroundings; and

WHEREAS, Aarav Chokshi and Andy Yang's VisuAI app was designed to assist visually impaired individuals by providing them with a greater awareness of their environment; and

WHEREAS, Aarav Chokshi has demonstrated remarkable talent, creativity, and dedication through his development of his VisuAI app and is on the path toward a bright future as an app developer and technology leader; now, therefore, be it

RESOLVED by the House of Delegates, That Aarav Chokshi hereby be commended for being selected as the Second Congressional District of Virginia's winner in the 2024 Congressional App Challenge; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Aarav Chokshi as an expression of the House of Delegates' admiration for his achievements and best wishes for his continued success.

HOUSE RESOLUTION NO. 507

Commending Kayla Heath.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Kayla Heath, a fifth grade teacher at Lynnhaven Elementary School in Virginia Beach, was named her school's Teacher of the Year in 2024; and

WHEREAS, Kayla Heath strives each day to cultivate a learning environment in her classroom in which her students can thrive, contributing greatly to their academic, social, and emotional well-being; and

WHEREAS, Kayla Heath engages her students and inspires their creativity, fostering their success both in and out of the classroom; and

WHEREAS, Kayla Heath gives generously of her time to support her fellow educators and staff at Lynnhaven Elementary School, helping them to achieve their full potential; and

WHEREAS, with an unwavering commitment to the growth and development of her students, Kayla Heath has exemplified the highest ideals of the teaching profession and earned the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Kayla Heath hereby be commended for being named Lynnhaven Elementary School's Teacher of the Year in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Kayla Heath as an expression of the House of Delegates' admiration for her achievements as an educator.

HOUSE RESOLUTION NO. 508

Commending Cosmo's Corner Doggie Daycare.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, for 18 years, Cosmo's Corner Doggie Daycare has provided outstanding daycare, training, and boarding services to dog owners in Virginia Beach; and

WHEREAS, Cosmo's Corner Doggie Daycare was established in 2007 by Maryanne Grado and Nicole Sincavage, who were reluctant to leave their dogs in a traditional boarding facility and were inspired to open a daycare with a pleasant, home-like environment that would create peace of mind for local dog owners; and

WHEREAS, Cosmo's Corner Doggie Daycare offers daycare groups for dogs of every size, temperament, and activity level with multiple spaces for these unique groups at its 15,000-square-foot facility; and

WHEREAS, Cosmo's Corner Doggie Daycare maintains areas for full group play, small group play, limited group play, or private care, and its staff members are well trained to understand body language and other cues to ensure that every dog has the best possible experience; and

WHEREAS, in addition to its daycare services, Cosmo's Corner Doggie Daycare offers an attentive, comfortable boarding program with private suites where dogs can eat and relax; staff members are on site 24/7 to ensure every dog is safe and cared for at all times; and

WHEREAS, Cosmo's Corner Doggie Daycare also offers a day school program to help dogs develop social skills, improve obedience and impulse control through training, or exercise with staff members or small groups; now, therefore, be it

RESOLVED by the House of Delegates, That Cosmo's Corner Doggie Daycare hereby be commended for 18 years of service to the residents of Virginia Beach and their pets; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Cosmo's Corner Doggie Daycare as an expression of the House of Delegates' admiration for its contributions to the community as a locally owned business.

HOUSE RESOLUTION NO. 509

Commending Bit of England Dart and Game Shoppe.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, for 45 years, Bit of England Dart and Game Shoppe has provided customers in Virginia Beach with high-quality board games and equipment for other competitive games; and

WHEREAS, established in 1980, Bit of England Dart and Game Shoppe is a family-owned and veteran-owned business that has served generations of community members; and

WHEREAS, Bit of England Dart and Game Shoppe offers products related to darts, billiards, chess, disc golf, board games, card games and more; and

WHEREAS, the knowledgeable staff at Bit of England Dart and Game Shoppe have helped countless customers discover new hobbies or expand their skills; now, therefore, be it

RESOLVED by the House of Delegates, That Bit of England Dart and Game Shoppe hereby be commended on the occasion of its 45th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Bit of England Dart and Game Shoppe as an expression of the House of Delegates' admiration for the store's contributions to the local economy.

HOUSE RESOLUTION NO. 510

Commending Wonderly Lights.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Wonderly Lights, a locally owned business serving communities in Norfolk and Virginia Beach, helps bring joy to the families of deployed military service members by designing and installing holiday light displays; and

WHEREAS, Wonderly Lights offers installation, maintenance, removal, and storage of holiday light displays for commercial and residential properties; the organization has helped countless local families feel proud of their home's appearance and inspire family, friends, and guests during the holiday season; and

WHEREAS, the team of experts at Wonderly Lights help reduce stress and the risk of injury for homeowners during an already busy time of the year, allowing customers to focus on what matters most and enjoy the holidays; and

WHEREAS, recognizing that families of a deployed military service member may be struggling during the holiday season, Wonderly Lights hosted a contest for these families to win free light displays; and

WHEREAS, through its generosity and commitment to community service, Wonderly Lights brought hope, elegance, and holiday magic to the families of men and women who have served and sacrificed in defense of the nation; now, therefore, be it

RESOLVED by the House of Delegates, That Wonderly Lights hereby be commended for providing holiday light displays to the families of deployed military service members; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Wonderly Lights as an expression of the House of Delegates' admiration for the organization's contributions to the military community in Norfolk and Virginia Beach.

HOUSE RESOLUTION NO. 511

Commending Sarah Routsis.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Sarah Routsis, an educator and senior internship coordinator in the Entrepreneurship and Business Academy at Kempsville High School in Virginia Beach, was named her school's Teacher of the Year in 2024; and

WHEREAS, Sarah Routsis graduated from Kempsville High School (KHS) in 2006, earned a degree from Longwood University, and has been teaching with Virginia Beach City Public Schools for the past 12 years; and

WHEREAS, after returning to KHS, Sarah Routsis first taught the introduction course in the school's Entrepreneurship and Business Academy (EBA); since 2019, she has overseen the program's internship course, providing her students with engaging real-world experiences in which they can apply their lessons from the classroom; and

WHEREAS, Sarah Routsis works tirelessly to hone the EBA curriculum according to the latest teaching methodologies and to establish connections in the community that produce meaningful internship opportunities and other educational activities for her students; and

WHEREAS, Sarah Routsis's laudable efforts have fostered her students' confidence and abilities and prepared them for success both in the classroom and in their future careers; and

WHEREAS, beyond her role with the EBA, Sarah Routsis supports the KHS community as an advisor for Future Business Leaders of America, member of the cyber security team, lead representative on the principal's advisory committee, secretary of the EBA Foundation board, and member of the graduation committee; and

WHEREAS, through her unwavering commitment to the well-being of her students, Sarah Routsis has exemplified the highest ideals of the education profession and earned the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Sarah Routsis hereby be commended for being named the Kempsville High School Teacher of the Year in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Sarah Routsis as an expression of the House of Delegates' admiration for her contributions to the Commonwealth.

HOUSE RESOLUTION NO. 512

Commending G4 Kegs.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, G4 Kegs, the largest independently owned stainless steel keg supplier and consultant in the United States, has operated in Virginia Beach since 2016; and

WHEREAS, originally known as Gopher Kegs, G4 Kegs was established in 2012 in Oregon to serve the local craft beer industry; four years later, the thriving company opened warehouses in Oklahoma, Florida, and Virginia; and

WHEREAS, G4 Kegs adopted its current name in 2018 and has continued to expand throughout the nation, serving producers of beer, wine, soda, coffee, kombucha, spirits, mead, and cider; and

WHEREAS, G4 Kegs strives to build meaningful partnerships with their clients to better understand their needs and help them fulfill their goals by providing the best quality products and expert assistance; now, therefore, be it

RESOLVED by the House of Delegates, That G4 Kegs hereby be commended for nearly a decade of operations in the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to G4 Kegs as an expression of the House of Delegates' admiration for its years of contributions to the local economy in Virginia Beach.

HOUSE RESOLUTION NO. 513

Commending Andy Yang.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Andy Yang, a student at Princess Anne High School in Virginia Beach, was chosen as the Second Congressional District of Virginia's winner in the 2024 Congressional App Challenge; and

WHEREAS, established in 2014, the annual Congressional App Challenge is an official initiative of the United States House of Representatives and one of the nation's most prestigious competitions for K-12 computer science; and

WHEREAS, Andy Yang and his classmate Aarav Chokshi received first place honors for their app, VisuAI, which utilizes artificial intelligence technology to produce real-time descriptions of one's surroundings; and

WHEREAS, Andy Yang and Aarav Chokshi's VisuAI app was designed to assist visually impaired individuals by providing them with a greater awareness of their environment; and

WHEREAS, Andy Yang has demonstrated remarkable talent, creativity, and dedication through his development of his VisuAI app and is on the path toward a bright future as an app developer and technology leader; now, therefore, be it

RESOLVED by the House of Delegates, That Andy Yang hereby be commended for being selected as the Second Congressional District of Virginia's winner in the 2024 Congressional App Challenge; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Andy Yang as an expression of the House of Delegates' admiration for his achievements and best wishes for his continued success.

HOUSE RESOLUTION NO. 514

Commending Daniel Claiborne Hudson.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Daniel Claiborne Hudson, a world-class athlete and graduate of Princess Anne High School in Virginia Beach, retired from Major League Baseball after winning the World Series championship title with the Los Angeles Dodgers in 2024; and

WHEREAS, during his high school career, Daniel Hudson made the first team all-state squad in 2005 after posting an 11-2 record, a 1.12 earned run average, and a .412 batting average and leading the Princess Anne High School Cavaliers to a Virginia High School League AAA state championship; and

WHEREAS, Daniel Hudson pitched for the Old Dominion University Monarchs from 2006 to 2008, earning All Colonial Athletic Association honors twice and compiling a 20-14 record and 295 strikeouts; and

WHEREAS, Daniel Hudson was drafted by the Chicago White Sox in 2008 and made his Major League Baseball debut on September 4, 2009, throwing two scoreless innings; and

WHEREAS, in addition to the White Sox, Daniel Hudson would go on to play for the Arizona Diamondbacks, Pittsburgh Pirates, Los Angeles Dodgers, Toronto Blue Jays, Washington Nationals, and San Diego Padres over his illustrious career in Major League Baseball; and

WHEREAS, on multiple occasions, Daniel Hudson showed remarkable grit and perseverance as he recovered from serious injuries and Tommy John surgeries to return to the mound; and

WHEREAS, Daniel Hudson was pitching for the Washington Nationals at the end of Game 7 of the 2019 World Series when the team secured its first championship title in franchise history; and

WHEREAS, in his final season, Daniel Hudson posted a 3.00 earned run average over 65 appearances with the Los Angeles Dodgers and achieved his second World Series championship title; and

WHEREAS, Daniel Hudson concluded his major league career with a 65-45 record, 855.1 innings pitched, a 3.74 earned run average, 817 strikeouts, and 43 saves; and

WHEREAS, Daniel Hudson has demonstrated what may be accomplished through extraordinary dedication and hard work and brought pride to the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That Daniel Claiborne Hudson hereby be commended on the occasion of his World Series victory and retirement from Major League Baseball; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Daniel Claiborne Hudson as an expression of the House of Delegates' admiration for his successful baseball career and best wishes in his future endeavors.

HOUSE RESOLUTION NO. 515

Commending the Swiftwater Rescue Team of the Virginia Beach Fire Department.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, the Swiftwater Rescue Team of the Virginia Beach Fire Department, an elite unit of emergency services personnel, was mobilized on September 25, 2024, to support the Department of Emergency Management in its response to Hurricane Helene; and

WHEREAS, the Swiftwater Rescue Team of the Virginia Beach Fire Department (VBFD) was established in 2022 and is one of approximately 30 units of its kind in the Commonwealth; and

WHEREAS, the VBFD Swiftwater Rescue Team staged their efforts in Hillsville, enabling them to effectively and efficiently respond to situations throughout the Southwest Virginia Region; and

WHEREAS, during their deployment, the eight members of the VBFD Swiftwater Rescue Team were assigned several missions in the Carroll County, Fries, and Galax areas, rescuing two people and a dog and assisting residents as they sheltered in place to avoid the flooding and destruction of the storm; and

WHEREAS, in addition to these missions, the VBFD Swiftwater Rescue Team supported local firefighters, searched numerous homes and residences, and facilitated the removal of several trees that had made roads impassable; and

WHEREAS, through their selfless and heroic efforts, the VBFD Swiftwater Rescue Team helped to ensure the safety and security of Southwest Virginia, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That the Swiftwater Rescue Team of the Virginia Beach Fire Department hereby be commended for its service in Southwest Virginia in response to Hurricane Helene; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Swiftwater Rescue Team of the Virginia Beach Fire Department as an expression of the House of Delegates' admiration for their bravery and good deeds.

HOUSE RESOLUTION NO. 516

Commending Providence Presbyterian Church.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, for 48 years, Providence Presbyterian Church of Virginia Beach has provided its members with uplifting spiritual guidance, occasions for joyful worship, and opportunities for generous community outreach; and

WHEREAS, the vision for Providence Presbyterian Church came from what is today the Presbytery of Eastern Virginia, which recognized the growing community in the Kempsville area of Virginia Beach and authorized and supported the establishment of a new church at the intersection of Providence Road and Whitehurst Landing Road; and

WHEREAS, the organizing pastor, the Reverend Carlyle A. McDonald, held Providence Presbyterian Church's first worship service at Woodstock Elementary School in Virginia Beach on June 5, 1977, and the church was formally chartered on November 13 that same year; and

WHEREAS, Providence Presbyterian Church broke ground for its new church building on October 4, 1981, and held its first services at the site on August 8, 1982; and

WHEREAS, since the Reverend McDonald, Providence Presbyterian Church has been subsequently led by several other accomplished pastors, including its current pastor, the Reverend Joel Phillips, all of whom have provided enlightened counsel to the church's members while working tirelessly to ensure the church's prosperity and longevity; and

WHEREAS, Providence Presbyterian Church has organized a number of missions, educational endeavors, and charitable activities to help its members grow in their faith and to benefit the community; and

WHEREAS, over the past 48 years, Providence Presbyterian Church has been a spiritual home for the many individuals who have sought solace and a greater sense of purpose within its walls; now, therefore, be it

RESOLVED by the House of Delegates, That Providence Presbyterian Church hereby be commended on the occasion of its 48th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Providence Presbyterian Church as an expression of the House of Delegates' admiration for the church's history and its contributions to the Commonwealth.

HOUSE RESOLUTION NO. 517

Commending Vada Carawan.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Vada Carawan, an 11-year-old resident of Virginia Beach, showed extraordinary resourcefulness and calm under pressure when she saved her father's life on November 23, 2024; and

WHEREAS, after seeing her father collapse and become unresponsive, Vada Carawan quickly dialed 9-1-1 and began administering cardiopulmonary resuscitation; and

WHEREAS, with great strength and determination, Vada Carawan applied chest compressions until paramedics were able to arrive at the scene and revive her father; and

WHEREAS, Vada Carawan learned the techniques of cardiopulmonary resuscitation that she applied only 11 days prior during a training exercise organized by her Girl Scout troop; and

WHEREAS, Vada Carawan has demonstrated that people of any age can achieve incredible feats with proper readiness and preparation and is an inspiration to all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Vada Carawan hereby be commended for saving her father's life; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Vada Carawan as an expression of the House of Delegates' admiration for her bravery and heroism.

HOUSE RESOLUTION NO. 518

Commending St. Francis Episcopal Church.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, for 61 years, St. Francis Episcopal Church of Virginia Beach has provided its members with uplifting spiritual guidance, occasions for joyful worship, and opportunities for generous community outreach; and

WHEREAS, St. Francis Episcopal Church is a parish in the Episcopal Diocese of Southern Virginia and is associated with the Anglican Communion, the third largest Christian communion in the world; and

WHEREAS, St. Francis Episcopal Church has been led by several accomplished pastors over its history, including its current priest-in-charge, the Reverend Mark D. Riley, all of whom have provided enlightened counsel to the church's members while remaining dedicated to ensuring the church's prosperity and longevity; and

WHEREAS, St. Francis Episcopal Church has organized a number of missions, educational endeavors, and charitable activities to help its members grow in their faith and to benefit the community; and

WHEREAS, over the past 61 years, St. Francis Episcopal Church has been a spiritual home for the many individuals who have sought solace and a greater sense of purpose within its walls; now, therefore, be it

RESOLVED by the House of Delegates, That St. Francis Episcopal Church hereby be commended on the occasion of its 61st anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to St. Francis Episcopal Church as an expression of the House of Delegates' admiration for the church's history and its contributions to the Commonwealth.

HOUSE RESOLUTION NO. 519

Commending Virginia Beach City Public Schools.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Virginia Beach City Public Schools received a grant through the New York Life Foundation's Grief-Sensitive Schools Initiative, enhancing the school division's ability to support and uplift students who are suffering from the loss of a family member, friend, or neighbor; and

WHEREAS, the $37,500 grant will help Virginia Beach City Public Schools develop comprehensive support plans for students in need, with crisis teams from all 75 schools in the division undergoing specialized training; and

WHEREAS, Virginia Beach City Public Schools will also use the grant to improve bereavement plans and encourage staff development; and

WHEREAS, by cultivating resources to support students during difficult times, the faculty, administrators, and staff of Virginia Beach City Public Schools will ensure that a student's grief does not go unattended and potentially lead to poor academic performance or long-term mental health issues; now, therefore, be it

RESOLVED by the House of Delegates, That Virginia Beach City Public Schools hereby be commended for receiving the Grief-Sensitive Schools Initiative Grant from the New York Life Foundation in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Virginia Beach City Public Schools as an expression of the House of Delegates' admiration for the school divisions' dedication to helping young people overcome difficult periods in their lives.

HOUSE RESOLUTION NO. 520

Commending First Lynnhaven Baptist Church.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, for 154 years, First Lynnhaven Baptist Church of Virginia Beach has provided its members with uplifting spiritual guidance, occasions for joyful worship, and opportunities for generous community outreach; and

WHEREAS, First Lynnhaven Baptist Church began as a bush tent near the Little Neck section of Virginia Beach and after several years ultimately settled at its present site on Robert Jackson Drive; and

WHEREAS, First Lynnhaven Baptist Church was initially led by the Reverend Jacob Gaskins and has since been directed by 11 other accomplished pastors, including its current pastor, the Reverend Dr. Luther S. Allen III, all of whom have provided sage counsel to the church's members while working tirelessly to ensure the church's prosperity and longevity; and

WHEREAS, First Lynnhaven Baptist Church has organized multiple ministries, educational endeavors, and charitable activities over the years to help its members grow in their faith and to benefit the community; and

WHEREAS, First Lynnhaven Baptist Church has established First Lynnhaven Global, a virtual Facebook community, enabling the church to connect with ministry participants around the world; and

WHEREAS, over the past 154 years, First Lynnhaven Baptist Church has been a spiritual home for the many individuals who have sought solace and a greater sense of purpose within its walls; now, therefore, be it

RESOLVED by the House of Delegates, That First Lynnhaven Baptist Church hereby be commended on the occasion of its 154th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to First Lynnhaven Baptist Church as an expression of the House of Delegates' admiration for the church's history and its contributions to the Commonwealth.

HOUSE RESOLUTION NO. 521

Celebrating the life of George G. Brown.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, George G. Brown, an esteemed educator and education administrator, devoted family man, accomplished runner, and active and beloved member of the Richlands community, died on July 27, 2024; and

WHEREAS, George Brown graduated from Richlands High School in 1970 before earning degrees from Southwest Virginia Community College in 1972, Virginia Polytechnic Institute and State University in 1974, and the University of Virginia in 1986; and

WHEREAS, in 1974, George Brown began a half-century long career dedicated to the education of young people as a junior high school teacher and two years later he became a member of the first instructional staff to serve at Richlands Middle School; and

WHEREAS, George Brown transitioned to Richlands High School in 1980 and over two decades supported the growth and development of his students as an educator and coach in multiple sports and later as an assistant principal and principal for nearly 15 years; and

WHEREAS, from 2005 to 2019, George Brown guided Tazewell County Public Schools in various leadership capacities, including as director of secondary education and career and technical education, assistant superintendent, and division superintendent; and

WHEREAS, George Brown was a passionate and indefatigable runner who ran every day for a remarkable 15,921 consecutive days, the longest active streak in the Commonwealth at the time of his death and the 25th longest active streak nationally; and

WHEREAS, George Brown ran competitively in more than 50 marathons in his lifetime, including the marathons in Boston, New York, Chicago, Washington, D.C., and San Diego; he was especially adept at ultramarathons, winning the 50-mile Mount Masochist Trail Run in 1986 and 1987 and placing 14th in the prestigious Umstead 100 Mile Endurance Run in 2001 after finishing the race in just over 24 hours; and

WHEREAS, from 1975 to 2009, George Brown gave generously of his time officiating high school basketball and football as a member of the Appalachian Officials Organization; and

WHEREAS, George Brown will be fondly remembered and dearly missed by his loving wife of 53 years, Lynne; his son, Glayde, and his family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of George G. Brown, a treasured member of the Richlands community whose integrity, compassion, and dedication inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of George G. Brown as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 522

Celebrating the life of William Gerald Massengill.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, William Gerald Massengill, an honorable veteran, esteemed law-enforcement officer and former superintendent of the Virginia State Police, beloved husband, father, and grandfather, and member of the Dinwiddie County community, died on January 1, 2025; and

WHEREAS, Gerald Massengill enlisted with the United States Air Force in 1961 and served his country with honor and distinction as an air policeman; and

WHEREAS, following his service, in 1966 Gerald Massengill embarked upon a distinguished, 37-year career with the Virginia State Police as a trooper in Isle of Wight County; and

WHEREAS, as a testament to his leadership and exemplary service, Gerald Massengill rose through the ranks of the Virginia State Police and ultimately obtained the rank of colonel; in 2000, he was appointed superintendent of the agency by Governor James S. Gilmore III; and

WHEREAS, during his tenure as superintendent, Gerald Massengill spearheaded the Virginia State Police's response to the 9/11 attacks and the Washington, D.C., area sniper shootings in 2002 and advanced several initiatives, such as the Commonwealth's AMBER Alert plan, to enhance the agency's ability to protect and serve the Commonwealth; and

WHEREAS, following his retirement in 2003, Gerald Massengill continued to serve the Commonwealth as interim director of what was then the Department of Game and Inland Fisheries, as executive director of the Virginia Public Safety Foundation, and as chair of the Virginia Tech Review Panel that was assembled following the April 16, 2007, massacre at Virginia Polytechnic Institute and State University; and

WHEREAS, in recognition of his commitment to law enforcement and the safety and welfare of others, Gerald Massengill was presented with various accolades, including the Outstanding Contribution to Law Enforcement Award by the Virginia Association of Chiefs of Police in 2010; and

WHEREAS, Gerald Massengill was a proud member of Purdie Masonic Lodge #170 of the Ancient Free and Accepted Masons for more than 50 years and gave generously of his time with the Sutherland Ruritan Club, where he served as president; and

WHEREAS, guided throughout his life by his faith, Gerald Massengill enjoyed worship and fellowship with his community at Ocran United Methodist Church in Sutherland, where he held several leadership positions; and

WHEREAS, preceded in death by his daughter Laura, Gerald Massengill will be fondly remembered and dearly missed by his loving wife of 61 years, Juanita; his children, Alan and Kevin, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of William Gerald Massengill, former superintendent of the Virginia State Police, whose integrity, dedication, and service made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of William Gerald Massengill as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 523

Commending Baila Fuzion Dance and Creative Arts Center.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, for more than a decade, Baila Fuzion Dance and Creative Arts Center has enhanced community life in Virginia Beach by offering dance classes and promoting the achievements of local performers, artists, and artisans; and

WHEREAS, Baila Fuzion Dance and Creative Arts Center offers dance classes for children as young as eight years old, as well as senior classes to help older residents stay engaged in the community and couples classes to inspire togetherness at any stage of a relationship; and

WHEREAS, in addition, Baila Fuzion Dance and Creative Arts Center supported the establishment of the Arts Out Loud Foundation to help artists and artisans advance their careers; the foundation serves the wider community through a number of outreach efforts, including scholarships; and

WHEREAS, the Arts Out Loud Foundation also hosts an artisan market, a vibrant, eclectic marketplace, where customers can explore one-of-a-kind handmade items from local vendors; and

WHEREAS, in addition, Baila Fuzion Dance and Creative Arts Center promotes and supports local nonprofit organizations and other small businesses that are working to make a difference in the community through its Illuminate What Matters campaign; now, therefore, be it

RESOLVED by the House of Delegates, That Baila Fuzion Dance and Creative Arts Center hereby be commended on the occasion of its 10th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Marquita Bianca, director of Baila Fuzion Dance and Creative Arts Center, as an expression of the House of Delegates' admiration for the center's contributions to cultural life in Virginia Beach.

HOUSE RESOLUTION NO. 524

Commending STIHL, Inc.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, STIHL, Inc., the United States subsidiary of STIHL International GmbH, a leading manufacturer of chainsaws and other power tools, has been located in Virginia Beach for more than 50 years; and

WHEREAS, in 1974, STIHL, Inc., began construction of its Virginia Beach location, which has since grown to become one of the largest manufacturing facilities in the Commonwealth, with nearly 2,000 employees on the two million-square-foot site; and

WHEREAS, conveniently located near the Port of Virginia, the STIHL, Inc., facility in Virginia Beach ships products to more than 90 countries around the world; and

WHEREAS, STIHL, Inc., supports the region by giving back to its employees, the community, and industry organizations as a good corporate citizen that supports educational programs, environmental sustainability, and critical research projects; and

WHEREAS, STIHL, Inc., supports workforce development by offering a manufacturing technology summer camp for high school students, and its innovative apprenticeship program has become a model for other companies in the United States; and

WHEREAS, through its work with the Virginia Manufacturing Association and the Manufacturing Development Commission, STIHL, Inc., has bolstered Virginia's reputation as an excellent place to do business and successfully encouraged other companies to relocate to the Commonwealth; and

WHEREAS, the commitment to manufacturing excellence demonstrated by STIHL, Inc., has helped the company become the top-selling brand of hand-held, outdoor power equipment in the United States, with thousands of dealers across the country; now, therefore, be it

RESOLVED by the House of Delegates, That STIHL, Inc., hereby be commended on the occasion of its 50th anniversary of operations in Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to STIHL, Inc., as an expression of the House of Delegates' admiration for the company's decades of contributions to the vibrant local economy in Virginia Beach and service to customers throughout the nation.

HOUSE RESOLUTION NO. 525

Commending Beat da Odds.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Beat da Odds, a musical group that was formed as part of a rehabilitation initiative of the Virginia Beach Sheriff's Office, gave its first performance at the Virginia Beach Correctional Center on August 15, 2024; and

WHEREAS, the Beat da Odds program is one of several rehabilitation initiatives of the Virginia Beach Sheriff's Office designed to ease the transition for inmates as they conclude their incarceration and reenter society; and

WHEREAS, after being selected for the rehabilitation program from among more than 80 inmates that applied, the members of Beat da Odds or "BDO" spent months rehearsing and composing their music in jail cells and the prison's gymnasium; and

WHEREAS, BDO's performance included an original song, "Not a Number," as well as renditions of the gospel song "My Life is in Your Hands" and country artist Sam Hunt's song "Locked Up"; and

WHEREAS, BDO combined harmonies, solos, and rap with a poised and engaging stage presence to create an uplifting and inspiring musical experience for the deputies, city officials, and other individuals in attendance; and

WHEREAS, BDO and the Virginia Beach Sheriff's Office was supported in this endeavor by Brandon "Shaggy" Stokes, a morning show host at the local Z104 radio station, who spearheaded the program, helped the group rehearse, and broadcasted their performance on his show; and

WHEREAS, recognizing the impact that access to education and arts and culture programs can have on rates of recidivism, the BDO initiative has the potential to strengthen the Virginia Beach community and make a difference in countless lives; now, therefore, be it

RESOLVED by the House of Delegates, That Beat da Odds, a rehabilitation initiative of the Virginia Beach Sheriff's Office, hereby be commended on the occasion of its inaugural performance; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Rocky Holcomb, sheriff of Virginia Beach, as an expression of the House of Delegates' admiration for the success of Beat da Odds and his department's other rehabilitation initiatives.

HOUSE RESOLUTION NO. 526

Commending The Sweet Spot.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, The Sweet Spot, a dessert bar with multiple locations in Virginia Beach, has enhanced the dining scene in Virginia Beach through its creative offerings; and

WHEREAS, The Sweet Spot is best known for its lively pink decor and its signature milkshakes, decadent creations made with dozens of flavors of premium ice cream and other toppings and served in Mason jars that customers can keep as souvenirs; and

WHEREAS, The Sweet Spot also offers fresh, made-to-order pink funnel cakes, pink bubble waffles, churros, and mini Italian donuts made with ingredients imported from Italy, as well as a variety of coffee drinks; and

WHEREAS, The Sweet Spot strives to accommodate all customers by offering dairy-free, sugar-free, and vegan ice cream flavors and other treats; and

WHEREAS, The Sweet Spot has served countless customers from locations at the Virginia Beach Ocean Front and the Kempsville area of Virginia Beach, with plans to open new locations at Atlantic Park in Virginia Beach and Summit Pointe in Chesapeake; and

WHEREAS, among many awards and accolades, The Sweet Spot has been recommended by Restaurant Guru for two consecutive years in 2023 and 2024, and the members of Nextdoor have also voted The Sweet Spot as a 2024 Neighborhood Favorite in the Best Dessert Shop and Best Go-to Restaurant categories; now, therefore, be it

RESOLVED by the House of Delegates, That The Sweet Spot hereby be commended for its service to the residents of and visitors to Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to The Sweet Spot as an expression of the House of Delegates' admiration for its contributions to the region's vibrant local economy.

HOUSE RESOLUTION NO. 527

Commending the Fredericksburg Nationals.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, the Fredericksburg Nationals, fondly known as the "FredNats," are a beloved Single-A affiliate of the Washington Nationals, competing in the Carolina League and bringing pride and excitement to Fredericksburg and the surrounding communities; and

WHEREAS, the FredNats' rich history began in 1984 when the team moved from Alexandria, where it was known as the Alexandria Dukes, to Woodbridge, becoming the Prince William Pirates; and

WHEREAS, in June 2018, FredNats owner Art Silber, who has guided the team since circa 1990, signed a letter of intent to bring the franchise to Fredericksburg; then, in November of that year, the Fredericksburg City Council unanimously approved the construction of what is now Virginia Credit Union Stadium, the home of the Fredericksburg Nationals; and

WHEREAS, the FredNats have been a source of community pride, entertainment, and economic vitality, especially following their second-half league championship in 2022, which set the stage for greater successes; and

WHEREAS, during the 2024 season, the FredNats slugged their way into the playoffs, securing a thrilling first-round victory over the Carolina Mudcats in two games by a score of 5-2 and 6-4, igniting excitement among FredNats Nation; and

WHEREAS, advancing to the finals against the Kannapolis Cannon Ballers, the FredNats demonstrated resilience and determination, clinching the first game on September 15 in Kannapolis before facing weather delays that forced a doubleheader at home on September 18; and

WHEREAS, after a narrow defeat in the first game of the doubleheader, the FredNats, led by the 2024 Carolina League Pitcher of the Year, Travis Sykora, delivered an exhilarating performance in Game 3, securing a 3-0 victory and their first Carolina League Championship as the Fredericksburg Nationals; and

WHEREAS, the FredNats' triumph marks the fifth league championship in the franchise's storied history, with previous titles won in 1989, 2008, 2010, and 2014; now, therefore, be it

RESOLVED by the House of Delegates, That the Fredericksburg Nationals hereby be commended for their remarkable 2024 Carolina League Championship and for their enduring contributions to the community and the sport of baseball; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Fredericksburg Nationals as an expression of the House of Delegates' admiration for the team's outstanding achievement and the pride they bring to the Commonwealth.

HOUSE RESOLUTION NO. 528

Commending Teach to Reach Teens.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Teach to Reach Teens, a nonprofit organization based in Fredericksburg and founded in 2018, is dedicated to promoting scholarship, leadership, partnership, and healthy living among a diverse group of students; and

WHEREAS, under the guidance of founder Robyn Wilson, Teach to Reach Teens encourages youth to engage in community service projects that address local needs and foster intergenerational connections; and

WHEREAS, recognizing the social isolation faced by many seniors in the Mayfield community of Fredericksburg, the members of Teach to Reach Teens conceived and organized a community café event at the Mayfield Civic Association building on September 23, 2024; and

WHEREAS, Teach to Reach Teens' Community Café provided seniors with refreshments, health screenings, board games, crafts, prayer, and free hand massages, creating a welcoming environment for social interaction and well-being; and

WHEREAS, the Teach to Reach Teens' event featured partnerships with local professionals, including registered nurse Shanna Belsches, who offered blood pressure checks and health information, and Pastor Dominic Green of New Destiny Baptist Church in Fredericksburg, who provided spiritual support; and

WHEREAS, Teach to Reach Teens' initiative exemplifies the positive impact of youth-led community engagement and serves as a model for addressing the needs of underserved populations through intergenerational collaboration; now, therefore, be it

RESOLVED by the House of Delegates, That Teach to Reach Teens hereby be commended for its innovative Community Café initiative and its commitment to enhancing the well-being of seniors in the Fredericksburg area; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Robyn Wilson, founder of Teach to Reach Teens, as an expression of the House of Delegates' admiration for the organization's outstanding community service and dedication to fostering intergenerational bonds.

HOUSE RESOLUTION NO. 529

Commending Offix.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Offix, a company providing businesses and organizations in the Commonwealth, Washington, D.C., and Maryland with top-tier office equipment and technology, celebrates its 25th anniversary in 2024; and

WHEREAS, after several years working as a photocopier technician, Steve Valenta founded Offix on July 20, 1999, with a mission to create an office technology company that prioritized exceptional customer service; and

WHEREAS, beginning with a Canon dealership in Waynesboro, Offix has since expanded to four locations serving the Washington, D.C., metropolitan area, Richmond, Norfolk, Baltimore, and the Greater Lynchburg area; and

WHEREAS, Offix offers its customers a range of services to meet their business needs and enhance their productivity and efficiency, including a variety of copiers, printers, scanners, software, and mail room equipment; and

WHEREAS, Steve Valenta's high degree of technical expertise and understanding of the products Offix sells enables the company to provide comprehensive solutions to their clients' diverse needs; and

WHEREAS, since 2003, Steve Valenta's wife, Kim, has been a vital member of the Offix team, bringing decades of managerial experience and financial expertise to help guide the company; and

WHEREAS, the accomplishments of Offix are the result of the positive and supportive work culture the company has fostered and the unwavering dedication of the company's staff; and

WHEREAS, Offix has built its sterling reputation over the years by consistently providing quality products, reliable maintenance, and extraordinary customer service, contributing to the success and prosperity of countless Virginia businesses and organizations; now, therefore, be it

RESOLVED by the House of Delegates, That Offix hereby be commended on the occasion of its 25th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Steve Valenta, founder of Offix, as an expression of the House of Delegates' admiration for the company's history and appreciation for its service to businesses and organizations of the Commonwealth.

HOUSE RESOLUTION NO. 530

Commending Judi Miller.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, for more than 15 years, Judi Miller served and safeguarded the residents of Prince William County as an emergency medical professional with the Nokesville Volunteer Fire Department; and

WHEREAS, Judi Miller joined the Nokesville Volunteer Fire Department in October 2008 and rose through the ranks to become an emergency medical services lieutenant, captain, and rescue chief; and

WHEREAS, as the first person to ever score a 100 percent on her emergency medical technician (EMT) exam, Judi Miller also became an EMT instructor, and nearly every EMT at the Nokesville Volunteer Fire Department benefited from her common sense approach to learning and her commitment to excellence; and

WHEREAS, Judi Miller upheld the highest standards of training and certification for the Nokesville Volunteer Fire Department; she mentored, supported, and befriended many interns and younger officers and wrote countless recommendations for college and professional applications; and

WHEREAS, Judi Miller went above and beyond to fulfill her duties and worked diligently to ensure that the department was prepared to respond to every emergency; and

WHEREAS, over the course of her career, Judi Miller responded to a wide range of calls for service, including severe injuries and other disasters, and it is rumored that Prince William County officials had her phone number on speed dial, a testament to her indispensable expertise; and

WHEREAS, Judi Miller was an active member of the Prince William County EMS Committee, and as vice chair, she built strong working relationships with career staff members while serving as a staunch advocate for volunteers and other basic life support providers; and

WHEREAS, in addition, Judi Miller became a trusted source of institutional knowledge for a succession of operational medical directors; and

WHEREAS, Judi Miller supported her fellow public safety officers at Nokesville Volunteer Fire Department Station 25 as the station gardener, and she prepared legendary meals that elevated traditional firehouse cooking to fine dining; and

WHEREAS, Judi Miller often visited bereaved families or attended funerals and celebrations of life honoring the patients for whom she cared, touching countless lives through her kindness and compassion; and

WHEREAS, Judi Miller always strove to promote a culture of excellence at the Nokesville Volunteer Fire Department, and she leaves the department well prepared to carry on her legacy of outstanding service; now, therefore, be it

RESOLVED by the House of Delegates, That Judi Miller hereby be commended for more than 15 years of service to Nokesville, Prince William County, and the Commonwealth as an emergency medical professional; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Judi Miller as an expression of the House of Delegates' admiration for her dedication, leadership, and commitment to her community as she proceeds to the next stage of her accomplished life and career.

HOUSE RESOLUTION NO. 531

Commending Cakes by Happy Eatery.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Cakes by Happy Eatery, a full-service bakery well known for its inventive, fabulous, and versatile creations in the kitchen, has provided outstanding service to the residents of Northern Virginia for 40 years; and

WHEREAS, founded by Woei and Fu-Mei Wu in 1984, Cakes by Happy Eatery originally opened in Alexandria, moved to Centreville in 2002, and has been located in Manassas since 2009; and

WHEREAS, Woei and Fu-Mei Wu's daughters, Victoria Wu and Emily Wu-Rorrer, have operated Cakes by Happy Eatery since 2000, although their mother still comes in nearly every day; and

WHEREAS, Cakes by Happy Eatery offers a full line of pastries, cookies, and other confections, with sugar-free, gluten-free, and vegan options; in addition to its hand-crafted desserts, Cakes by Happy Eatery was one of the first businesses in the region to open an on-site bubble tea bar; and

WHEREAS, Cakes by Happy Eatery produces works of art that taste incredibly delicious, with a talented team of bakers and pastry chefs creating and designing custom cakes and dessert bars for every kind of special occasion, event, or season; and

WHEREAS, Victoria Wu and Emily Wu-Rorrer are known for showcasing cutting-edge trends, creative recipes, and eye-popping dessert displays; they regularly appear as guests and dessert experts for television programs on NBC, FOX, ABC, and CBS affiliate stations in Maryland, Washington, D.C., and Virginia; and

WHEREAS, Cakes by Happy Eatery is also proud to support the community by donating to local food banks and charities; now, therefore, be it

RESOLVED by the House of Delegates, That Cakes by Happy Eatery, a beloved local bakery in Northern Virginia, hereby be commended on the occasion of its 40th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the founders and employees of Cakes by Happy Eatery as an expression of the House of Delegates' admiration for their legacy of providing excellent service to the residents of the Commonwealth.

HOUSE RESOLUTION NO. 532

Commending Cub Scout Pack 2831.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Cub Scout Pack 2831, founded in 1998 and operating within the Heart of Virginia Council's Arrohattoc District, serves as a cornerstone of Scouting excellence and community service for boys and girls in Chesterfield County and the surrounding areas; and

WHEREAS, the Arrohattoc District includes the portions of Chesterfield County south of the Powhite Parkway and Old Hundred Road, north of Happy Hill Road, and west of Interstate 95, as well as Amelia County and Nottoway County, and Cub Scout Pack 2831 is proud to represent this vibrant and diverse community; and

WHEREAS, Cub Scout Pack 2831 meets at Woodlake United Methodist Church and is sponsored by the Friends of Pocahontas State Park, both of which help provide a strong foundation for the more than 100 members of the pack, who are in kindergarten through fifth grade, to grow as individuals and leaders; and

WHEREAS, Cub Scout Pack 2831 instills good values and life skills in its members, who embody the Cub Scout motto, "Do Your Best," and adhere to the Scout Law to be trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent; and

WHEREAS, Cub Scout Pack 2831 consistently excels in fundraising, ranking as the top fundraiser in its district and among the top fundraisers in the country through its popcorn and peanut sales, demonstrating the dedication of its Scouts and leaders, as well as their families and friends; and

WHEREAS, Cub Scout Pack 2831 provides a robust, year-round schedule, including school-year den and pack meetings, an active summer program, quarterly camping adventures, service projects, and community events that engage and inspire its members; and

WHEREAS, Cub Scout Pack 2831 offers a wide range of activities, such as the Pinewood Derby, bottle rocket launches, fishing, hiking, biking, first aid, knot tying, public speaking, and teamwork events to help young people develop confidence, skills, and a sense of camaraderie; and

WHEREAS, the dedicated adult leaders, or Akelas, of Cub Scout Pack 2831 work tirelessly to prepare Scouts for continued success in other Scout troops and to become leaders in their communities; now, therefore, be it

RESOLVED by the House of Delegates, That Cub Scout Pack 2831 hereby be commended for its longstanding commitment to fostering leadership, life skills, and a passion for community service in young people in Chesterfield County and beyond; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Cub Scout Pack 2831 as an expression of the House of Delegates' admiration for its achievements and best wishes for continued success in its mission to shape future leaders.

HOUSE RESOLUTION NO. 533

Commending the New Chesapeake Men for Progress Education Foundation, Inc.

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, for 15 years, the New Chesapeake Men for Progress Education Foundation, Inc., a nonprofit organization in Chesapeake, has provided scholarships to worthy high school seniors, offered mentorship opportunities to younger students, and made other important contributions to local schools; and

WHEREAS, established on January 21, 2010, as the philanthropic arm of New Chesapeake Men for Progress, the New Chesapeake Men for Progress Education Foundation collects generous donations from individuals, businesses, and community partners and has become a respected philanthropic leader in the region; and

WHEREAS, over the course of its history, the New Chesapeake Men for Progress Education Foundation has awarded more than $229,000 in scholarships, helping more than 250 students attend institutions of higher education in the Commonwealth; and

WHEREAS, the New Chesapeake Men for Progress Education Foundation has provided more than $4,000 to support local Title I schools and more than $5,500 for other mentoring programs, cultural enrichment projects, and youth initiatives; and

WHEREAS, in 2024, the New Chesapeake Men for Progress Education Foundation increased its total number of scholarship awards to 30 and began supporting students pursuing an education in trades or the arts; and

WHEREAS, that same year, the New Chesapeake Men for Progress Education Foundation increased funds to three Title I schools, Carver Intermediate School, Marshall Elementary School, and Truitt Intermediate School, as well as the

Chesapeake Center for Student Success; the organization also began sponsoring Rena B. Wright Elementary School for the first time; and

WHEREAS, the New Chesapeake Men for Progress Education Foundation has forged strong relationships with Chesapeake Public Schools, the Chesapeake Redevelopment and Housing Authority, New Mount Olive African Methodist Episcopal Church, and other organizations to fulfill its mission; and

WHEREAS, the New Chesapeake Men for Progress Education Foundation looks forward to expanding partnerships and strengthening bonds within the community to ensure every child has the support they need to succeed in school and achieve their dreams; now, therefore, be it

RESOLVED by the House of Delegates, That the New Chesapeake Men for Progress Education Foundation, Inc., hereby be commended for its contributions to students and schools in Chesapeake on the occasion of its 15th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the New Chesapeake Men for Progress Education Foundation, Inc., as an expression of the House of Delegates' admiration for its work to help young people achieve their academic goals.

HOUSE RESOLUTION NO. 534

Celebrating the life of Peter John Kemp, MD.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Peter John Kemp, MD, an esteemed physician and hospital leader and beloved member of the Virginia Beach community, died on September 23, 2024; and

WHEREAS, after graduating from the American University of the Caribbean School of Medicine in 1988, Peter Kemp completed his internship in obstetrics and gynecology (OB/GYN) at what was formerly the Harlem Hospital Center in New York City before fulfilling his residency requirements at what was formerly Saint Joseph Mercy Hospital in Pontiac, Michigan, between 1989 and 1992; and

WHEREAS, following his education and training, Peter Kemp settled in Virginia Beach with his family and established his own private practice, Chesapeake Women's Care, in 1993; and

WHEREAS, Peter Kemp joined the staff at Chesapeake Regional Medical Center (CRMC) in 1995 and over the next few decades was instrumental to the safe and healthy delivery of hundreds of babies in the Hampton Roads Region; and

WHEREAS, through his leadership as medical staff president, OB/GYN department chair, and credentials committee chairman, Peter Kemp had an outsized impact on the culture and community at CRMC; and

WHEREAS, Peter Kemp's devotion to providing quality patient care at CRMC was evident in his steadfast efforts to foster physician relationships and to improve workforce and patient safety; and

WHEREAS, Peter Kemp was an outspoken advocate for causes he believed in and regularly organized groups of physician leaders to visit the General Assembly in order to provide physicians' perspectives on various healthcare issues of the day; and

WHEREAS, Peter Kemp was a generous mentor to the many students who worked with him over the years, contributing greatly to the preparedness and success of future generations of physicians for the benefit of the community; and

WHEREAS, Peter Kemp will be fondly remembered and dearly missed by his loving wife, Sue; his children, Chris, Michael, and Katie, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Peter John Kemp, MD, a treasured member of the Virginia Beach community whose legacy of service is an inspiration to all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Peter John Kemp, MD, as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 535

Commending Deirdre Love.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Deirdre Love, founder and executive director of the Norfolk-based organization Teens With a Purpose, has greatly served the Hampton Roads Region for more than 25 years; and

WHEREAS, affectionately known as "Momma D," Deirdre Love has been a tireless advocate for youth empowerment and community engagement in the Hampton Roads Region; and

WHEREAS, as the founder and executive director of Teens With a Purpose, Deirdre Love has dedicated her life to creating a safe and nurturing environment where teens can find their voice, develop leadership skills, and thrive despite challenges; and

WHEREAS, located in an area of Norfolk that has experienced high rates of crime, Deirdre Love demonstrated exceptional resolve in developing the community partnerships that helped Teens With a Purpose succeed; and

WHEREAS, under Deirdre Love's leadership, Teens With a Purpose has grown into a transformative organization offering programs that inspire creativity, promote well-being, and foster personal and collective growth; and

WHEREAS, through initiatives such as poetry workshops, arts education, and wellness programs, Deirdre Love has equipped countless young people with the tools they need to overcome adversity, express themselves, and engage with their communities in meaningful ways; and

WHEREAS, with Deirdre Love's support, the Virginia Youth Poet Laureate program was developed by Teens With a Purpose, Hampton Roads Youth Poets, and Urban World to engage with high schools and identify students who are interested in performance poetry and committed to civic engagement and community leadership; and

WHEREAS, originally limited to Norfolk schools, Deirdre Love and Teens with a Purpose expanded their Youth Poet Laureate program to all of Hampton Roads in 2016 and launched a statewide program in 2023; and

WHEREAS, Deirdre Love was the visionary behind Purpose Park in Norfolk, a community garden developed by Teens With A Purpose in partnership with the Norfolk Botanical Garden and Virginia Polytechnic Institute and State University, where young people may learn more about gardening; and

WHEREAS, Deirdre Love's commitment extends far beyond programming; her unique ability to connect with youth, often meeting them in their most vulnerable moments, has created a space where they feel seen, heard, and valued; and

WHEREAS, for many, Deirdre Love is more than a mentor; she is a guiding light and a source of unwavering support, empowering them to envision and achieve brighter futures; and

WHEREAS, the impact of Deirdre Love's work has been recognized locally and nationally, with Teens With a Purpose serving as a model for how community-driven initiatives can address systemic challenges, including poverty, violence, and inequity; and

WHEREAS, in a time when safe spaces for youth are more critical than ever, Deirdre Love's vision and perseverance have brought hope and opportunity to an untold number of lives; and

WHEREAS, by fostering creativity, leadership, and resilience in our youth, Deirdre Love has strengthened the fabric of her community and demonstrated the power of investing in the next generation; and

WHEREAS, Deirdre Love's unwavering dedication and transformative work make her a true hero in the Hampton Roads Region and an inspiring example for all; now, therefore, be it

RESOLVED by the House of Delegates, That Deirdre Love, founder and executive director of Teens With a Purpose, hereby be commended for her lifelong commitment to serving others, her innovative leadership, and her enduring impact on youth and the broader community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Deirdre Love as an expression of the House of Delegates' admiration for her extraordinary contributions to the Commonwealth.

HOUSE RESOLUTION NO. 536

Celebrating the life of Shirley Kenneth Jones.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Shirley Kenneth Jones, a highly admired resident of King and Queen County who gave back to his community in a number of ways, died on January 2, 2025; and

WHEREAS, Shirley Jones made his career as a carpenter and gave generously of his time and talents to enhance the lives of others; and

WHEREAS, Shirley Jones was active with Mattaponi Crime Solvers, the Upper King and Queen Ruritan Club, the local Republican Party, and the York Academy PTO; and

WHEREAS, Shirley Jones enjoyed fellowship and worship with the congregation of Mattaponi Baptist Church, where he held several leadership positions; and

WHEREAS, Shirley Jones will be fondly remembered and greatly missed by his beloved wife of 36 years, Roberta; his children, Patricia, Nancy, David, and Shirley, and their families; his stepdaughter, Tracy, and her family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Shirley Kenneth Jones, a respected member of the King and Queen County community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Shirley Kenneth Jones as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 537

Commending Jon R. Stehle, Jr.

Agreed to by the House of Delegates, January 28, 2025

WHEREAS, Jon R. Stehle, Jr., a distinguished public servant and community leader, concluded his tenure on the Fairfax City Council on December 31, 2024; and

WHEREAS, a resident of Fairfax City since 2007, Jon Stehle holds a bachelor's degree in history from Washington and Jefferson College, a master's degree in public and international affairs from the University of Pittsburgh's Graduate School of Public and International Affairs, and a master's degree in national security and strategic studies from the United States Naval War College; and

WHEREAS, in his professional life, Jon Stehle is the director of intergovernmental partnerships for the nonprofit organization AGA; he previously served as a senior analyst with the United States Government Accountability Office (GAO), earning a GAO Meritorious Service Award for his efforts in 2013; and

WHEREAS, Jon Stehle faithfully served the residents of the City of Fairfax over four terms on the Fairfax City Council, working tirelessly to ensure the community's health, prosperity, and welfare; and

WHEREAS, Jon Stehle fostered the City of Fairfax's growth and development as chair of the city's Parks and Recreation Advisory Board and as a member of its Green Acres Feasibility Study Committee and Branding Advisory Committee; and

WHEREAS, Jon Stehle has made an impact across the Northern Virginia Region and the Commonwealth as the president of the Virginia Municipal League and as chair of both the Metropolitan Washington Council of Governments (MWCG) Food and Agriculture Regional Member Policy Committee and the MWCG Chesapeake Bay and Water Resources Policy Committee; and

WHEREAS, through his integrity, work ethic, and unwavering commitment to the well-being of others, Jon Stehle has helped to make Fairfax City a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That Jon R. Stehle, Jr., hereby be commended as he concludes his tenure on the Fairfax City Council; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Jon R. Stehle, Jr., as an expression of the House of Delegates' admiration for his contributions to Fairfax City and the Commonwealth and best wishes for his future endeavors.

HOUSE RESOLUTION NO. 538

Commending Kate G. Doyle Feingold.

Agreed to by the House of Delegates, January 28, 2025

WHEREAS, Kate G. Doyle Feingold, a distinguished public servant and community leader, concluded her tenure on the Fairfax City Council on December 31, 2024; and

WHEREAS, Kate Doyle Feingold was born in North Carolina, lived around the world with her military family, including Ohio and Germany, and has been a resident of Fairfax City since 2013; and

WHEREAS, Kate Doyle Feingold holds a bachelor's degree in psychology and political science from New York University, a juris doctor degree from George Washington University, and a doctoral degree in criminology, law, and society from George Mason University (GMU); and

WHEREAS, Kate Doyle Feingold served her country with honor and distinction in her capacity as a prosecutor, public defender, civil law officer, and special assistant United States attorney with the United States Marine Corps; and

WHEREAS, Kate Doyle Feingold has taught criminal justice ethics at GMU and is currently the acting deputy assistant inspector general for the Office of Management and Administration within the Office of Inspector General at the United States Department of Veterans Affairs; and

WHEREAS, Kate Doyle Feingold faithfully served the residents of the City of Fairfax over her term on the Fairfax City Council, working tirelessly to ensure the community's health, prosperity, and welfare; and

WHEREAS, through her integrity, hard work, and unwavering commitment to the well-being of others, Kate Doyle Feingold has helped to make Fairfax City a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That Kate G. Doyle Feingold hereby be commended as she concludes her tenure on the Fairfax City Council; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Kate G. Doyle Feingold as an expression of the House of Delegates' admiration for her contributions to Fairfax City and the Commonwealth and best wishes for her future endeavors.

HOUSE RESOLUTION NO. 539

Commending Jeffrey C. Greenfield.

Agreed to by the House of Delegates, January 28, 2025

WHEREAS, Jeffrey C. Greenfield, a distinguished public servant and community leader, concluded his tenure on the Fairfax City Council on December 31, 2024; and

WHEREAS, Jeffrey Greenfield is a lifelong resident of the City of Fairfax who graduated from Fairfax High School and earned a bachelor's degree in political science and a master's degree in public administration from George Mason University; and

WHEREAS, Jeffrey Greenfield is a small business owner and notably the first alumnus of George Mason University to serve on the Fairfax City Council; and

WHEREAS, Jeffrey Greenfield faithfully served the residents of the City of Fairfax over 13 terms on the Fairfax City Council, working tirelessly to ensure the community's health, prosperity, and welfare; and

WHEREAS, Jeffrey Greenfield has fostered the City of Fairfax's growth and development as a member of the city's Bond Referendum Task Force in 1993, as vice chair of the Fairfax 2020 Commission and member of that committee's Economic Development Subcommittee, and as vice chair of both the city's Park and Recreation Advisory Board and the Task Force for a More Livable City of Fairfax; and

WHEREAS, Jeffrey Greenfield has made an impact across the Northern Virginia Region through his service on a number of boards and commissions, including the Northern Virginia Transportation Commission, the Northern Virginia Transportation Authority, and the local emergency planning committee; and

WHEREAS, Jeffrey Greenfield's dedication to regional cooperation extended to his work with the Metropolitan Washington Council of Governments, including membership on its board of directors, Metropolitan Development Policy Committee, and Human Services and Public Safety Committee; and

WHEREAS, through his integrity, work ethic, and unwavering commitment to the well-being of others, Jeffrey Greenfield has helped to make Fairfax City a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That Jeffrey C. Greenfield hereby be commended as he concludes his tenure on the Fairfax City Council; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Jeffrey C. Greenfield as an expression of the House of Delegates' admiration for his contributions to Fairfax City and the Commonwealth and best wishes for his future endeavors.

HOUSE RESOLUTION NO. 540

Commending D. Thomas Ross.

Agreed to by the House of Delegates, January 28, 2025

WHEREAS, D. Thomas Ross, a distinguished public servant and community leader, concluded his tenure on the Fairfax City Council on December 31, 2024; and

WHEREAS, a resident of Fairfax City since 1980, Thomas Ross holds a bachelor's degree in recreation education and a master's degree in public administration from Northeastern University; and

WHEREAS, Thomas Ross served his country with honor and distinction as a member of the United States Air Force; and

WHEREAS, Thomas Ross retired from his career in the federal government in 2006 as the assistant director for recreation and conservation with the National Park Service before serving as the executive director for the Maryland Recreation Parks Association until his full retirement in 2011; and

WHEREAS, Thomas Ross faithfully served the residents of the City of Fairfax over two terms on the Fairfax City Council, working tirelessly to ensure the community's health, prosperity, and welfare; and

WHEREAS, Thomas Ross supported the City of Fairfax's responsible development as a member of Fairfax City Citizens for Smarter Growth, the Charter Commission, the Fairfax 2020 Commission, and the Planning Commission, which he served for three years as chair; and

WHEREAS, Thomas Ross served as chair of the City of Fairfax Electoral Board and was a valued participant in various advisory studies, including the city's Van Dyck Master Plan; and

WHEREAS, beyond his service on the Fairfax City Council, Thomas Ross has made an impact locally as the president of the neighborhood associations of Fairview and Old Lee Hills; and

WHEREAS, Thomas Ross has given generously of his time volunteering with Little River United Church of Christ in Annandale, serving as a cub scout leader with Troop 1887 of the Boy Scouts of America, and assisting a swim program for disabled young adults; and

WHEREAS, through his integrity, work ethic, and unwavering commitment to the well-being of others, Thomas Ross has helped to make Fairfax City a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That D. Thomas Ross hereby be commended as he concludes his tenure on the Fairfax City Council; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to D. Thomas Ross as an expression of the House of Delegates' admiration for his contributions to Fairfax City and the Commonwealth and best wishes for his future endeavors.

HOUSE RESOLUTION NO. 541

Commending So Lim.

Agreed to by the House of Delegates, January 28, 2025

WHEREAS, So Lim, a distinguished public servant and community leader, concluded her tenure on the Fairfax City Council on December 31, 2024; and

WHEREAS, a resident of Fairfax City since 2001, So Lim is the owner and operator of Lim's Insurance Agency, a licensed agency of Nationwide Mutual Insurance Company; and

WHEREAS, So Lim has been recognized with various awards for her efforts to provide her clients with quality insurance and financial services; and

WHEREAS, So Lim has fostered the growth and success of George Mason University by serving on the board of the institution's College of Visual and Performing Arts and as a member of the President's Advisory Council for George Mason University Korea, the institution's campus in Incheon, South Korea; and

WHEREAS, So Lim has made an impact in countless lives as president of the United States chapter of the Taekwondo Humanitarian Foundation, a branch of World Taekwondo that teaches children in refugee camps the values and principles of Taekwondo; and

WHEREAS, in her capacity as president of the Korean American Association of the Washington Metropolitan Area, So Lim advanced the civic, cultural, educational, and social interests of thousands of Korean Americans in Fairfax City and beyond; and

WHEREAS, So Lim faithfully served the residents of the City of Fairfax over three terms on the Fairfax City Council, working tirelessly to ensure the community's health, prosperity, and welfare; and

WHEREAS, through her integrity, work ethic, and unwavering commitment to the well-being of others, So Lim has helped to make Fairfax City a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That So Lim hereby be commended as she concludes her tenure on the Fairfax City Council; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to So Lim as an expression of the House of Delegates' admiration for her contributions to Fairfax City and the Commonwealth and best wishes for her future endeavors.

HOUSE RESOLUTION NO. 542

Celebrating the life of First Lieutenant Zachary Dart Galli, USA.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, First Lieutenant Zachary Dart Galli, USA, a beloved member of the Williamsburg community and a graduate of the University of Virginia who served his country as a member of the United States Army, died on May 11, 2024, from injuries sustained during a training mission; and

WHEREAS, born in Norfolk, Zachary Galli lived in Chesapeake and Yorktown before settling in the Williamsburg area with his family; he graduated from Lafayette High School, where he was a member of the varsity soccer team, participated in multiple honor societies, and was elected as vice president of his senior class; and

WHEREAS, Zachary Galli attended the University of Virginia on a Reserve Officers' Training Corps scholarship; he joined Chi Alpha Christian fellowship, served as social chair of Pi Kappa Phi Fraternity, and volunteered to help less fortunate children at a nonprofit organization in Charlottesville; and

WHEREAS, after graduation, Zachary Galli was commissioned as an officer in the United States Army and received the Superior Cadet Decoration Award and the Professor of Military Science Award for Excellence in recognition of his outstanding leadership abilities; and

WHEREAS, Zachary Galli trained at Fort Gregg-Adams and graduated from the Army Logistics University, receiving the Distinguished Award of Merit, then received a highly selective posting to the Naval School Explosive Ordnance Disposal at Eglin Air Force Base in Florida, where he was a standout student and passed all 45 required tests on his first try; and

WHEREAS, in January 2024, Zachary Galli was assigned to Fort Carson in Colorado with the 749th Ordnance Company (EOD), 242nd Explosive Ordnance Battalion (EOD), of the 71st Ordnance Group (EOD); and

WHEREAS, Zachary Galli was a proactive leader who loved pursuing new opportunities and a devoted friend who thrived on supporting others; and

WHEREAS, Zachary Galli will be fondly remembered and greatly missed by his parents, Michael and Gail; his siblings, Joshua and Abigail; his grandparents, Virginia Galli and James and Bettie Faris; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of First Lieutenant Zachary Dart Galli, USA, a highly admired member of the Williamsburg community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of First Lieutenant Zachary Dart Galli, USA, as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 543

Celebrating the life of Jeannette Windsor Howard.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Jeannette Windsor Howard, a woman of deep faith who touched countless lives in Charles City County and the Richmond region through her kindness and grace, died on March 16, 2024; and

WHEREAS, a native of Richmond, Jeannette Howard developed a passion for music at a young age and played piano for the congregation of New Bridge Baptist Church when she was only eight years old; and

WHEREAS, after graduating from the School of Nursing at what was then known as the Medical College of Virginia (MCV), Jeannette Howard worked on MCV's labor and delivery floor until 1953, when she began serving as a nurse in her husband's new medical practice in Charles City County; and

WHEREAS, Jeannette Howard lived her faith through her actions and was a compassionate volunteer who supported many worthy causes; she volunteered her time at St. Joseph's Villa, knitted hats for babies in a neonatal intensive care unit, coordinated neighborhood Christmas nativity scenes, and served as a missionary to communities in Antigua and Romania; and

WHEREAS, outside of her career Jeannette Howard cultivated her musical talents as the organist at Mount Pleasant Baptist Church and Kentwood Heights Baptist Church, a singer in a community choir, and a music instructor for Vacation Bible School classes in the region; and

WHEREAS, Jeannette Howard had most recently enjoyed fellowship and worship with the congregation of Tsena Commocko Baptist Church in Providence Forge; and

WHEREAS, predeceased by her husband, Farrar, Jeannette Howard will be fondly remembered and greatly missed by her children, Wakie, Sam, Martin, Brad, Bruce, and Ruth, and their families, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Jeannette Windsor Howard, a vibrant member of the Greater Richmond community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Jeannette Windsor Howard as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 544

Commending Anvil Campground.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Anvil Campground, a family-owned business in Williamsburg, has provided camp sites and other amenities for travelers and visitors to the region for 70 years; and

WHEREAS, Anvil Campground traces its roots to the early 1950s when Ralph Raymon Jump purchased a soybean farm for his family in what was then a remote area three miles outside Williamsburg; in the summer of 1954, a traveler asked if he could park his camper on the Jump family's property overnight, and Ralph Jump not only agreed but provided the man with an electrical hookup by running an extension cord from the house; and

WHEREAS, inspired by the chance encounter, Ralph Jump created six campsites in one of the family's fields and chose the name Anvil Campground to honor his father and grandfather, who had worked as blacksmiths during the restoration of Colonial Williamsburg from 1929 to 1935; and

WHEREAS, through three generations of family ownership, Anvil Campground has since grown to encompass four acres of campsites, rental cabins, and convenient amenities like patios, a bathhouse, a game room, a pool, and hookup boxes for electricity, running water, cable television, and Wi-Fi; and

WHEREAS, Ralph Jump's son, Jerry, ran Anvil Campground until his death in 2005, at which time Jerry's son, Chris, began managing the business at the age of only 23; and

WHEREAS, Chris Jump purchased the campground outright in 2011 and currently works alongside his brother, Raymon, who serves as operations manager; and

WHEREAS, Chris and Raymon Jump have maintained Anvil Campground's longstanding commitment to excellence, and they strive to build fellowship by making each guest feel like a part of the family; and

WHEREAS, Anvil Campground has twice been named the National ARVC Park of the Year in the Small Park category by the National Association of RV Parks and Campgrounds and was selected as the 2019 Williamsburg Small Business of the Year by the Greater Williamsburg Chamber of Commerce and the 2024 Top RV Campground by Campspot; now, therefore, be it

RESOLVED by the House of Delegates, That Anvil Campground hereby be commended on the occasion of its 70th anniversary of service to campers and families visiting the Virginia Peninsula; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Anvil Campground as an expression of the House of Delegates' admiration for its contributions to the vibrant local economy in the Williamsburg area.

HOUSE RESOLUTION NO. 545

Commending the Hampton Roads Leadership Prayer Breakfast.

Agreed to by the House of Delegates, January 29, 2025

WHEREAS, the Hampton Roads Leadership Prayer Breakfast, a 501(c)(3) nonprofit organization and annual event that convenes a variety of Christian leaders from across the Hampton Roads Region, celebrates its 50th anniversary in 2025; and

WHEREAS, the Hampton Roads Leadership Prayer Breakfast provides an invaluable opportunity for elected officials, faith leaders, and citizens to come together to pray and affirm their traditions and values; and

WHEREAS, over the past half-century, many prominent individuals from myriad fields have spoken before the Hampton Roads Leadership Prayer Breakfast, including Roger Staubach, Johnny and June Carter Cash, the Reverend Jerry Falwell, John D. Ashcroft, Meadowlark Lemon, Pat Robertson, and J. Randy Forbes; and

WHEREAS, Lieutenant Governor Winsome Earle-Sears was the keynote speaker at the most recent Hampton Roads Leadership Prayer Breakfast event on November 14, 2024, at the Chesapeake Conference Center in Chesapeake; and

WHEREAS, the efforts of the Hampton Roads Leadership Prayer Breakfast are made possible through the generous support of the event's sponsors, including a number of distinguished businesses and organizations from throughout the region; and

WHEREAS, by enabling an event in which different corners of the community may gather to honor their faith, the Hampton Roads Leadership Prayer Breakfast has made a profound and lasting impact on the Hampton Roads Region; now, therefore, be it

RESOLVED by the House of Delegates, That the Hampton Roads Leadership Prayer Breakfast hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of the Hampton Roads Leadership Prayer Breakfast as an expression of the House of Delegates' admiration for the organization's history and contributions to the Commonwealth.

HOUSE RESOLUTION NO. 546

Commending Bill Rilee.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, for nearly four and a half decades, Bill Rilee has provided exceptional leadership to the King and Queen County Republican Committee; and

WHEREAS, Bill Rilee began leading the King and Queen County Republican Committee during John Dalton's term as governor, and there have been 11 other governors of Virginia during Bill's distinguished tenure as chair; and

WHEREAS, Bill Rilee guided the King and Queen County Republican Committee to become a model for other local party committees, ensuring that meetings are held consistently and that attendance stays high by inviting speakers or providing other presentations to members; and

WHEREAS, in addition to supporting Republican candidates and staffing polling places on election days, Bill Rilee and the King and Queen County Republican Committee have prioritized outreach programs to enhance community life; and

WHEREAS, under Bill Rilee's leadership, the King and Queen County Republican Committee has taken a special interest in supporting local veterans and collects funds for charitable organizations at its meetings; and

WHEREAS, Bill Rilee has inspired others through his calm demeanor and reassuring management style, and he has helped the members of the King and Queen County Republican Committee overcome many challenges and serve the community to the best of their ability; now, therefore, be it

RESOLVED by the House of Delegates, That Bill Rilee hereby be commended for his incredible 44-year tenure as chair of the King and Queen County Republican Committee; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Bill Rilee as an expression of the House of Delegates' admiration for his commitment to civic leadership.

HOUSE RESOLUTION NO. 547

Commending John Percy Burch, Jr.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, John Percy Burch, Jr., a member of the Greatest Generation who served the nation during World War II and a respected member of the community in Lynchburg, celebrated his 100th birthday on January 12, 2025; and

WHEREAS, John Burch grew up in Lynchburg and joined the United States Army on May 7, 1943 in the midst of World War II; and

WHEREAS, John Burch received medical and surgical training at Fort Pickett, now known as Fort Barfoot, in Blackstone, and was assigned to the 99th General Hospital at the former Fort Ethan Allen in Burlington, Vermont; and

WHEREAS, after completing additional training, John Burch deployed to England in 1944 and set up medical aid stations at the staging areas for the impending invasion of France; and

WHEREAS, in support of the D-Day landings at Normandy, France, in June 1944, John Burch and the other members of 99th General Hospital were dropped by glider near Sainte-Mère-Église, eight miles behind enemy lines, and provided critical surgical care for other airborne units; and

WHEREAS, John Burch and the 99th General Hospital were subsequently ordered to establish a battlefield hospital near Reims, France, where they worked long and arduous days to care for wounded soldiers, often performing surgery in tents, churches, or other improvised spaces; and

WHEREAS, John Burch later participated in the famed Battle of the Bulge and fought in the bitter cold winter of December 1944 and January 1945; he overcame numerous challenges to serve his fellow soldiers in need and help the Allied lines withstand what would be the last major German offensive of the war; and

WHEREAS, John Burch was honorably discharged as a sergeant on November 18, 1945, and returned to Lynchburg where he attended college, opened a business as a certified public accountant, and raised his beloved family, which includes two daughters, three grandchildren, and five great-grandchildren; and

WHEREAS, after his well-earned retirement, John Burch moved to Florida, where he worked as an ombudsman in surgery and recovery at a hospital in Fort Lauderdale and served the community as a volunteer; he formed the philanthropic organization Tuesday's Angels, which raised more than $3 million to support people with AIDS and their families; and

WHEREAS, at the age of 98, John Burch returned home to Lynchburg yet again and led efforts to honor his fellow veterans with the installation of the Battlefield Cross at Monument Terrace; he has remained active in the community and was inducted into the Patrick Henry Chapter of the Virginia Society, Sons of the American Revolution; and

WHEREAS, among many awards and accolades for his achievements, John Burch received the French Legion of Honor (Chevalier) award, the highest military honor of France; now, therefore, be it

RESOLVED by the House of Delegates, That John Percy Burch, Jr., hereby be commended on the occasion of his 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to John Percy Burch, Jr., as an expression of the House of Delegates' admiration for his lifetime of service to the Commonwealth and the nation.

HOUSE RESOLUTION NO. 548

Commending Radford University.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, for 25 years, Radford University has provided students with a life-changing experience by giving them the opportunity to participate in state government through the Advocacy Day program; and

WHEREAS, Radford University currently serves more than 7,800 young men and women through a range of robust academic programs; 91 percent of the institution's undergraduates are in-state residents, many of whom will use their skills and knowledge to contribute to Virginia's workforce, joining more than 55,000 alumni already residing in the Commonwealth; and

WHEREAS, Radford University is known for its strong bonds between faculty and students and the range of opportunities for student success in and out of the classroom; and

WHEREAS, Radford University established Advocacy Day in 2000 to further elevate the institution's reputation and allow students to play an active role in the legislative process and support issues about which they are passionate; and

WHEREAS, during the inaugural Radford University Advocacy Day in 2000, three students traveled to Richmond to meet with state legislators and advocate for university initiatives; the program has since grown to include more than 50 participants per year, and more than 600 students total have participated in Advocacy Day over the past 25 years; and

WHEREAS, during their visits to the General Assembly on Advocacy Day, students passionately shared with legislators how their transformative experiences at Radford University have prepared them for success as engaged citizens and future leaders in their fields; and

WHEREAS, Advocacy Day participants represent every college and major at Radford University, range from freshmen to graduate students, and hail from all corners of the Commonwealth; and

WHEREAS, through the networking experiences provided during Advocacy Day, Radford University students gained internships, fellowships, and job connections; now, therefore, be it

RESOLVED by the House of Delegates, That Radford University hereby be commended on the occasion of the 25th anniversary of its Advocacy Day program; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Bret Danilowicz, president of Radford University, as an expression of the House of Delegates' admiration for the institution's unique contributions to higher education in the Commonwealth.

HOUSE RESOLUTION NO. 549

Commending the first responders of Marion and Smyth County.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, on September 27, 2024, following the devastation of Hurricane Helene, several first responders of Marion and Smyth County demonstrated remarkable bravery and heroism as they came to the aid of a drowning child; and

WHEREAS, after an 11-year old boy was swept away by swift water, members of the Marion Fire and Emergency Medical Services (EMS) Department, the Marion Police Department, the Smyth County Sheriff's Office, and the Smyth County Fire and EMS Department quickly jumped into action to come to his rescue; and

WHEREAS, using ropes to navigate through the fast-moving current, the first responders managed to retrieve the boy and move him to a nearby church parking lot, where he was ultimately revived through chest compressions and mouth-to-mouth resuscitation; and

WHEREAS, the individuals involved with this daring and lifesaving rescue included Marion Fire and EMS Department members Brett Miller, Richard Keesling, Ben Cregger, Sam Widener, and Rusty Hamm; Marion Police Department members Jordon Propst, Josh Taylor, and Keith Finney; Smyth County Sheriff's Office members Dr. Peter "Doc" Bruzzo, Gale Greer, Stacy Hess, Roger Dowell, Landon Smith, and Christian Centeno, as well as the office's dispatchers Carly Greer, Megan Taylor, Lakin Hess, Kayleigh Jackson, and Jill Robbins; and Smyth County Fire and EMS Department members Curtis Crawford and Aaron Blevins; and

WHEREAS, the actions of the first responders of Marion and Smyth County are a testament to the dedication and commitment of our firefighters, police officers, and emergency medical technicians, who make extraordinary sacrifices every day to ensure the safety and security of communities across the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That the first responders of Marion and Smyth County hereby be commended for their courage, skill, and service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the first responders of Marion and Smyth County as an expression of the House of Delegates' admiration for their contributions to the safety and well-being of the Commonwealth.

HOUSE RESOLUTION NO. 550

Commending the Virginia Beach Antique Mall.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, the Virginia Beach Antique Mall, the largest antique mall in Southside Virginia, provides opportunities for local residents and visitors to find vintage treasures, collectibles, and other unique items; and

WHEREAS, the Virginia Beach Antique Mall offers an opportunity for local residents to display and sell their wares in a centralized location; and

WHEREAS, with approximately 100 vendors across 35,500 square feet, the Virginia Beach Antique Mall has curated a diverse shopping experience for antique enthusiasts and casual visitors; and

WHEREAS, with something to cater to all interests and every member of the family, the Virginia Beach Antique Mall features furniture, home decor, jewelry, toys, games, books, collectibles, vintage clothing and much more; now, therefore, be it

RESOLVED by the House of Delegates, That the Virginia Beach Antique Mall hereby be commended for its service to local vendors and contributions to the region as an exciting destination for shoppers; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Virginia Beach Antique Mall for its contributions to the vibrant economy in Virginia Beach.

HOUSE RESOLUTION NO. 551

Commending Cool Stuff.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Cool Stuff, an affiliate of Video Game Heaven in Virginia Beach, has supported numerous fandoms by offering a wide range of collectibles and other memorabilia, in addition to gaming merchandise; and

WHEREAS, Video Game Heaven was founded by Tami Leary in 1994 and has grown from a small flea market stall selling Nintendo games to a thriving business with three locations in Virginia Beach, Norfolk, and Chesapeake; and

WHEREAS, Cool Stuff was established on Holland Road in Virginia Beach as a sister store of Video Game Heaven, complimenting the already vast selection of gaming products at those stores with a wider array of collectibles, including figurines, plushes, apparel, graphic novels, tabletop games, dice, and more; and

WHEREAS, Cool Stuff strives to provide a personalized experience for customers through its friendly, knowledgeable, and passionate staff members; and

WHEREAS, for many years, an orange tabby cat named Mango served as Cool Stuff's mascot, and his memory lives on through decals, pins, and apparel, embodying the spirit of the store as a beloved gathering place for local gamers and hobbyists; now, therefore, be it

RESOLVED by the House of Delegates, That Cool Stuff hereby be commended for its years of service to the community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Cool Stuff as an expression of the House of Delegates' admiration for the store's contributions to the vibrant economy in Virginia Beach.

HOUSE RESOLUTION NO. 552

Commending Comic Kings.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Comic Kings, a popular comic book shop in Virginia Beach, is a go-to destination for local comic book fans; and

WHEREAS, Comic Kings offers a wide selection of comic books, graphic novels, collectibles, gaming merchandise, and other memorabilia; and

WHEREAS, Comic Kings provides a friendly, welcoming atmosphere for customers to browse their favorites or discover new titles; and

WHEREAS, Comic Kings has fostered a strong sense of community among local comic book fans through special events and its everyday commitment to excellence in customer service; now, therefore, be it

RESOLVED by the House of Delegates, That Comic Kings hereby be commended for its service to comic book fans of all ages; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Comic Kings as an expression of the House of Delegates' admiration for its contributions to the vibrant local economy in Virginia Beach.

HOUSE RESOLUTION NO. 553

Commending Iglesia Cristiana Nueva Vida.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, for more than two decades, Iglesia Cristiana Nueva Vida has provided opportunities for joyful worship, wise spiritual counsel, and generous outreach to the residents of Virginia Beach; and

WHEREAS, offering Spanish-language worship services, Iglesia Cristiana Nueva Vida has played an essential role in the growth of the Spanish-speaking community in Virginia Beach; and

WHEREAS, Iglesia Cristiana Nueva Vida has cultivated strong bonds of fellowship among the members of its congregation while striving to make a difference in local life; now, therefore, be it

RESOLVED by the House of Delegates, That Iglesia Cristiana Nueva Vida hereby be commended on the occasion of its 21st anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Iglesia Cristiana Nueva Vida as an expression of the House of Delegates' admiration for the church's legacy of service to the community.

HOUSE RESOLUTION NO. 554

Celebrating the life of Stephen M. Quillen.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Stephen M. Quillen, an esteemed attorney in Lebanon who served the community for more than six decades, died on January 14, 2025; and

WHEREAS, Stephen "Steve" M. Quillen grew up in Lebanon and graduated from the Virginia Episcopal School before earning a bachelor's degree and a law degree from Washington and Lee University; and

WHEREAS, Steve Quillen served the nation as a member of the United States Army Judge Advocate General's Corps from 1957 to 1968, retiring with the rank of captain; and

WHEREAS, Steve Quillen pursued a career in law and was a third-generation member of the firm Quillen & Quillen, following in the footsteps of his father, Ira M. Quillen, and grandfather, S.B. Quillen; and

WHEREAS, Steve Quillen was highly admired for his breadth of expertise and served on the Virginia Board of Bar Examiners for 36 years, including service as president from 2014 until his retirement in 2019; and

WHEREAS, predeceased by his wife of 51 years, Nancy, and one son, Richard, Steve Quillen will be fondly remembered and greatly missed by his children, Ira and Suzanne, and their families; his brother, Bill, and his family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Stephen M. Quillen, a respected attorney in Lebanon; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Stephen M. Quillen as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 555

Celebrating the life of George Thomas Kiser, Jr.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, George Thomas Kiser, Jr., a proud farmer who touched countless lives in Southwest Virginia through his kindness and generosity, died on January 13, 2025; and

WHEREAS, a lifelong resident of the Green Valley area of Russell County, George Thomas "Tommy" Kiser, Jr., graduated from Lebanon High School in 1967 and continued his education by earning a bachelor's degree from Virginia Polytechnic Institute and State University in 1971; and

WHEREAS, Tommy Kiser made his career as a dairyman and farmer and was respected for his incomparable work ethic and unwavering commitment to helping others; he was well known as "the Pumpkin Man" at the Abingdon Farmer's Market, where his cheerful spirit and authentic personality left a lasting impression on everyone he met; and

WHEREAS, outside of his career, Tommy Kiser was a talented songwriter and guitar player, and he enjoyed crafting baseball bats in his wood shop; and

WHEREAS, Tommy Kiser enjoyed fellowship and worship with the congregation of Green Valley Baptist Church, where he served as a trustee; and

WHEREAS, Tommy Kiser will be fondly remembered and greatly missed by his beloved wife of 51 years, Deborah; his children, Andrea, Nate, and Emily, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of George Thomas Kiser, Jr., a highly admired farmer and dedicated community leader in Russell County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of George Thomas Kiser, Jr., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 556

Commending Kaitlyn Gabriel.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Kaitlyn Gabriel, a sixth grade civics and economics teacher at Oscar Smith Middle School, was named Teacher of the Year by Chesapeake Public Schools for 2025; and

WHEREAS, Kaitlyn Gabriel earned a bachelor's degree in middle-level education with a concentration in social studies from Shippensburg University and a master's degree in curriculum and instruction from Western Governors University; and

WHEREAS, Kaitlyn Gabriel exudes a passion for teaching that permeates her classroom, boosting her students' confidence and inspiring them to approach their education with energy and enthusiasm; and

WHEREAS, Kaitlyn Gabriel cultivates a supportive and inclusive learning environment that promotes a sense of community in her classroom and enables all of her students to thrive; and

WHEREAS, Kaitlyn Gabriel has fostered the academic, social, and emotional well-being of her students, encouraging them to succeed both in and out of the classroom; and

WHEREAS, Kaitlyn Gabriel contributes to the growth and development of her students as Oscar Smith Middle School's soccer coach, sharing skills and advice that will help her players not only on the field but in life; and

WHEREAS, Kaitlyn Gabriel gives generously of her time to mentor and support her fellow faculty members, imparting engagement strategies and other teaching methods to help them achieve success in their classrooms; and

WHEREAS, as Chesapeake Public School's Teacher of the Year, Kaitlyn Gabriel is the division's nominee for the Virginia State Teacher of the Year award in 2025; and

WHEREAS, by epitomizing the values and ideals of the teaching profession, Kaitlyn Gabriel has made a profound and lasting impact on countless lives and is deserving of the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Kaitlyn Gabriel hereby be commended for being named the 2025 Chesapeake Public Schools Teacher of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Kaitlyn Gabriel as an expression of the House of Delegates' admiration for her service and achievements in educating the Commonwealth's youth.

HOUSE RESOLUTION NO. 557

Commending Samuel Crowe.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Samuel Crowe, a member of the Chesapeake community and a fourth-year undergraduate student at the University of Virginia double-majoring in astronomy-physics and history, was named a 2025 Rhodes Scholar by the Rhodes Trust on November 16, 2024; and

WHEREAS, Samuel Crowe studies star formation and stellar ecology and made history as the first undergraduate student to lead an observing program with the James Webb Space Telescope, the largest telescope in space; and

WHEREAS, the images Samuel Crowe gathered with the James Webb Space Telescope have been featured by a number of distinguished outlets, including the National Aeronautics and Space Administration, CNN, CBS, *National Geographic*, and *Smithsonian* Magazine; and

WHEREAS, in collaboration with others, Samuel Crowe has discovered new star-forming regions and fundamental physical processes in the central regions of the Milky Way and been first author or co-author on several scientific publications; and

WHEREAS, in addition to his study of astrophysics, Samuel Crowe has closely examined the collapse of the Roman Republic and the rise of the Roman Empire in his pursuit of a bachelor's degree in history from the University of Virginia, showing a remarkable ability to excel in two vastly different disciplines; and

WHEREAS, beyond his studies, Samuel Crowe has given generously of his time at the University of Virginia to serve as president of the Astronomy Club and vice president of the Forestry Club, while also achieving fluency in Spanish, backpacking across 21 countries, and enjoying bodybuilding, high-altitude hiking, and camping; and

WHEREAS, the Rhodes Scholarship is a merit-based and highly selective postgraduate award that will provide Samuel Crowe with funding to pursue a doctorate in astrophysics at the University of Oxford; and

WHEREAS, in addition to support for tuition and living expenses, the Rhodes Scholarship will connect Samuel Crowe with a community of other accomplished and dedicated scholars; and

WHEREAS, with his selection for the Rhodes Scholarship, Samuel Crowe became the 57th Rhodes Scholar in the history of the University of Virginia, which has produced more Rhodes Scholars than any other public university in the United States; and

WHEREAS, Samuel Crowe was selected for the Rhodes Scholarship not only for his academic excellence, but for his leadership, ability to work with others, and commitment to making a positive impact on the world; now, therefore, be it

RESOLVED by the House of Delegates, That Samuel Crowe hereby be commended for being named a 2025 Rhodes Scholar by the Rhodes Trust; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Samuel Crowe as an expression of the House of Delegates' admiration for his achievements and best wishes in his future educational and scientific pursuits.

HOUSE RESOLUTION NO. 558

Celebrating the life of Roxane Gatling Gilmore.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Roxane Gatling Gilmore, a historian who supported her fellow educators and guided historic preservation on Capitol Square during her tenure as first lady of Virginia from 1998 to 2002, died on August 7, 2024; and

WHEREAS, Roxane Gilmore grew up in Suffolk, where she graduated from Suffolk High School; she continued her education at the University of Virginia, earning a bachelor's degree in classics and anthropology and a master's degree in ancient history; and

WHEREAS, Roxane Gilmore pursued a career as an educator and taught at public schools in Henrico County and Chesterfield County; she also served for many years as an assistant professor at Randolph-Macon College, teaching a wide range of subjects, including Latin, Roman history, Greek history, epic poetry, and women in ancient literature; and

WHEREAS, after her husband, Jim, was elected as the 68th governor of Virginia, Roxane Gilmore led efforts to restore and revitalize the Executive Mansion, modernizing the home while protecting its historic character and unique role in state government; and

WHEREAS, during her tenure as first lady, Roxane Gilmore also participated in archaeological work at Jamestown and other historical sites in the Commonwealth, and she created the Commonwealth of Knowledge website as a resource for other educators; and

WHEREAS, Roxane Gilmore represented the Commonwealth at the regional, national, and international levels, inspiring others through her passion for education and commitment to service; and

WHEREAS, outside of her career, Roxane Gilmore volunteered her leadership and expertise to charitable organizations such as Conexus for Children's Vision, helping to provide eye examinations and corrective eyewear for children in public schools; and

WHEREAS, Roxane Gilmore will be fondly remembered and greatly missed by her husband of 47 years, Jim; her sons, Jay and Ashton, and their families; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Roxane Gatling Gilmore, a devoted educator and former first lady of Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Roxane Gatling Gilmore as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 559

Commending Nick Mayhugh.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Nick Mayhugh, a native of Manassas and a graduate of Radford University, represented the Commonwealth at the 2024 Summer Paralympics in Paris, France, competing for Team USA in the T38 long jump event and T38 100-meter race; and

WHEREAS, Nick Mayhugh was diagnosed with a mild form of Cerebral Palsy following a seizure in 2010, but thanks to his determination and perseverance, he was able to play Division I soccer at Radford University from 2015 to 2018; and

WHEREAS, Nick Mayhugh joined what is now known as the United States Men's CP National Team, a 7-a-side soccer team for men with cerebral palsy, and helped lead the team to a historic bronze medal finish at the 2019 Parapan American Games; and

WHEREAS, Nick Mayhugh subsequently switched to track and field and was selected as a member of Team USA for the 2020 Summer Paralympics in Tokyo, Japan, where he won three gold medals and one silver medal, setting a world record with a time of 10.95 seconds in the men's T37 100-meter race; and

WHEREAS, Nick Mayhugh returned to Team USA for the 2024 Summer Paralympics and placed fifth in the T38 long jump event and seventh in the T38 100-meter race; now, therefore, be it

RESOLVED by the House of Delegates, That Nick Mayhugh hereby be commended for his performance as a member of Team USA at the 2024 Summer Paralympics; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Nick Mayhugh as an expression of the House of Delegates' admiration for his athletic achievements and best wishes for the future.

HOUSE RESOLUTION NO. 560

Commending Master Gunnery Sergeant Carroll Braxton, USMC, Ret.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Master Gunnery Sergeant Carroll Braxton, USMC, Ret., who served the country with distinction during World War II as one of the first Black members of the United States Marine Corps, celebrated his 100th birthday in 2024; and

WHEREAS, born on July 14, 1924, Carroll Braxton grew up in Manassas and admired the United States Marines at nearby Quantico in his youth but was unable to enlist due to segregation in the military at the time; and

WHEREAS, after President Franklin D. Roosevelt issued an executive order directing federal agencies and all branches of the military to accept recruits regardless of color, race, creed, or national origin, Carroll Braxton and several high school classmates volunteered for the United States Marine Corps in 1943; and

WHEREAS, Carroll Braxton reported for training at Camp Montford Point, a segregated facility in North Carolina that served as the primary recruit depot for Black Marines during and after World War II; and

WHEREAS, Carroll Braxton and the other recruits at Camp Montford Point endured prejudice and harsh conditions but ultimately broke down racial barriers and paved the way for future generations of Marines; and

WHEREAS, after completing his training, Carroll Braxton served as a drill instructor at Camp Montford Point, then deployed to the Pacific Theater of World War II and supported the Saipan, Peleliu, and Okinawa campaigns; and

WHEREAS, Carroll Braxton joined the United States Marine Corps Reserve after the end of World War II, then returned to active duty during the Korean War; he ultimately retired from the United States Marine Corps with 33 years of distinguished service; and

WHEREAS, in 2012, President Barack Obama awarded the Congressional Gold Medal to Carroll Braxton and the other Montford Point Marines in recognition of their historic contributions to the war effort; and

WHEREAS, Carroll Braxton also worked as a procurement analyst at the former Cameron Station Army Base in Alexandria, was a trusted leader in the community who played a crucial role in the formation of a local American Legion post, and was active with the congregation of First Baptist Church of Manassas for many years; and

WHEREAS, Carroll Braxton and his late wife, Celestine, earned a reputation for going above and beyond to help and support friends or neighbors in need and were highly admired as paragons of the community; in 2020, Prince William County Public Schools renamed Unity Braxton Middle School in their honor; now, therefore, be it

RESOLVED by the House of Delegates, That Master Gunnery Sergeant Carroll Braxton, USMC, Ret., hereby be commended on the occasion of his 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Master Gunnery Sergeant Carroll Braxton, USMC, Ret., as an expression of the House of Delegates' admiration for his legacy of service to the Commonwealth and the nation.

HOUSE RESOLUTION NO. 561

Commending Evan Kinsel.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Evan Kinsel, a student at Gainesville High School in Prince William County, received the Congressional Award Gold Medal for his commitment to community leadership and service in 2024; and

WHEREAS, the Congressional Award Gold Medal is presented by the United States Congress to recognize the achievements and initiative of young people between the ages of 14 and 23 who have gone above and beyond to support their communities; and

WHEREAS, Evan Kinsel led a team of 83 volunteers to distribute food, socks, hats, gloves, blankets, hand warmers, personal hygiene items, and other necessities to individuals at homeless shelters throughout Northern Virginia and Washington, D.C.; and

WHEREAS, Evan Kinsel and his team touched hundreds of lives through their kindness and generosity, demonstrating exceptional character and setting a strong example for his classmates and peers; and

WHEREAS, as a winner of the Congressional Award Gold Medal, Evan Kinsel was honored with a special ceremony at the United States Capitol; now, therefore, be it

RESOLVED by the House of Delegates, That Evan Kinsel, winner of a 2024 Congressional Award Gold Medal, hereby be commended for his achievements in community service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Evan Kinsel as an expression of the House of Delegates' admiration for his commitment to servant-leadership and best wishes for the future.

HOUSE RESOLUTION NO. 562

Commending Great Meadow.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Great Meadow, a beloved equestrian park located in The Plains that is operated by the Great Meadow Foundation, celebrated its 40th anniversary in 2024; and

WHEREAS, Great Meadow was the vision of founder Arthur "Nick" Arundel, who dreamed of a permanent home for the distinguished Virginia Gold Cup steeplechase races; and

WHEREAS, the Great Meadow Foundation was established as a 501(c)(3) nonprofit organization in 1984 with the mission to "preserve open space in service to the community and advance equestrian sport"; and

WHEREAS, Great Meadow has become a favored destination for steeplechase and polo fans over the years, who are drawn by the venue's entertaining equestrian events against the beautiful backdrop of the Fauquier County countryside; and

WHEREAS, after making several enhancements to the property in 2016, including doubling the property size to 374 acres and completing a world-class arena, Great Meadow hosted the first-ever Fédération Équestre Internationale Eventing Nations Cup in North America; and

WHEREAS, today, Great Meadow welcomes more than 200,000 people each year for its various events, including steeplechasing, polo, show jumpers, foot races, rocketry, cultural fairs, and Independence Day fireworks; and

WHEREAS, on November 10, 2024, the inaugural United States Polo Association Veterans Cup Championship was held at Great Meadow's Veterans Stadium; and

WHEREAS, through its commitment to preserving both the natural grandeur and sporting traditions of the Commonwealth, Great Meadow has helped to make Fauquier County a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That Great Meadow hereby be commended on the occasion of its 40th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the board of directors of Great Meadow as an expression of the House of Delegates' admiration for the organization's contributions to the Commonwealth.

HOUSE RESOLUTION NO. 563

Commending Charlie Porterfield.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Charlie Porterfield, head coach of the Kettle Run High School football team in Nokesville, was selected as the Virginia High School League Class 3 Coach of the Year in 2024; and

WHEREAS, Charlie Porterfield has served as head coach of the Kettle Run High School Cougars for nine seasons, leading the team to an outstanding 75-28 overall record in that time; and

WHEREAS, during the 2024 season, Charlie Porterfield guided the Kettle Run Cougars to achieve a 14-1 record and their second state championship appearance in three years; and

WHEREAS, under Charlie Porterfield's leadership, the Kettle Run Cougars averaged an impressive 41.8 points and 396.9 yards per game; and

WHEREAS, Charlie Porterfield was also named the 2024 Region 3B Coach of the Year and the Northwestern District Coach of the Year; now, therefore, be it

RESOLVED by the House of Delegates, That Charlie Porterfield hereby be commended on his selection as the Virginia High School League Class 3 Coach of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Charlie Porterfield as an expression of the House of Delegates' admiration for his contributions to young people in Nokesville as a trusted mentor.

HOUSE RESOLUTION NO. 564

Commending Thomas Dix.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Thomas Dix, a rising senior at Northampton High School, was selected as the Region 1 Soccer Player of the Year in 2024; and

WHEREAS, during his junior season, midfielder Thomas Dix scored 13 goals and recorded seven assists; and

WHEREAS, Thomas Dix helped lead the Northampton High School Yellow Jackets to a 15-3 overall record and a 6-0 regional record; and

WHEREAS, Thomas Dix and the Northampton Yellow Jackets ultimately advanced to the Virginia High School League Class 1 state semi-final; and

WHEREAS, after the season, Thomas Dix was also named to the All-Region First Team and the Class 1 All-State First Team; now, therefore, be it

RESOLVED by the House of Delegates, That Thomas Dix hereby be commended on his selection as the 2024 Region 1 Soccer Player of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Thomas Dix as an expression of the House of Delegates' admiration for his athletic achievements.

HOUSE RESOLUTION NO. 565

Commending the Warren Coalition.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, for 30 years, the Warren Coalition has worked diligently to build a stronger, safer, drug-free community, where young people can thrive and achieve their fullest potential; and

WHEREAS, the Warren Coalition was established in 1994 at Warren Memorial Hospital as an outreach program designed to fill local gaps in healthcare and substance abuse awareness; and

WHEREAS, the program was a success, and the Warren Coalition quickly expanded to become an independent nonprofit organization in 2001; and

WHEREAS, currently located in the Warren Community Center, the Warren Coalition coordinates with more than 15 member agencies to address the most pressing issues in the community and help keep young people safe and healthy by providing educational programs, engaging activities, and compassionate support; and

WHEREAS, the Warren Coalition has developed a wide range of in-school and after-school programs to give young people positive outlets and help them build a strong sense of community ownership; and

WHEREAS, the Warren Coalition offers recovery services that provide opportunities for support from peer groups, as well as mentoring, coaching, and other resources; the organization also maintains recovery homes that facilitate outpatient treatment while helping residents prepare for independent living; and

WHEREAS, the Warren Coalition also participates in community events like Celebrate Kids Day, which features activities for children of all ages, and Red Ribbon Week, the largest drug abuse prevention campaign in the country; and

WHEREAS, the Warren Coalition has fulfilled its mission through the hard work and dedication of its talented staff members, board members, volunteers, and local supporters representing a cross-section of Warren County residents, business leaders, school officials, and youth representatives; now, therefore, be it

RESOLVED by the House of Delegates, That the Warren Coalition hereby be commended on the occasion of its 30th anniversary of service to the youths of Warren County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Christa Shifflett, executive director of the Warren Coalition, as an expression of the House of Delegates' admiration for the organization's legacy of achievements on behalf of the Warren County community.

HOUSE RESOLUTION NO. 566

Celebrating the life of Ethel Dunbar Doherty.

Agreed to by the House of Delegates, February 5, 2025

WHEREAS, Ethel Dunbar Doherty, a beloved wife, mother, grandmother, and great-grandmother and treasured member of the Winchester community, died on August 3, 2024; and

WHEREAS, Ethel Doherty briefly attended the former Wilson Teachers College in Washington, D.C., before marrying her high school sweetheart and the love of her life, John Doherty, at the age of 18; and

WHEREAS, Ethel Doherty raised a family of ten children while supporting her husband throughout his career in the United States Department of State, which took the family to several countries around the world, including France, Mexico, Peru, Argentina, Belgium, and Portugal; and

WHEREAS, Ethel Doherty settled in Winchester in 1979 and made her home there over the next 45 years, becoming an active and engaged member of various community organizations and groups; and

WHEREAS, Ethel Doherty's passion for social justice and peace led to her involvement with the Shenandoah Peace Coalition, the Coalition for Racial Unity, and the Valley Interfaith Council; and

WHEREAS, Ethel Doherty's concern for the well-being of others inspired her to give generously of her time as a Spanish medical interpreter, hospice caregiver, and tutor at what is today the local Boys & Girls Club; and

WHEREAS, Ethel Doherty took great pride in her work with the NAACP to address a case of injustice involving extreme sentencing and her efforts to help restore the civil rights of felons; and

WHEREAS, above all else, Ethel Doherty found joy and a great sense of purpose in raising her children, grandchildren, and great-grandchildren over the years, imparting upon them wisdom and perspectives that remain with them to this day; and

WHEREAS, guided throughout her life by her faith, Ethel Doherty enjoyed worship and fellowship with her community at the Unitarian Universalist Church of the Shenandoah Valley in Frederick County over many years; and

WHEREAS, preceded in death by her loving husband of 62 years, John, and her sons Jack and Kevin, Ethel Doherty will be fondly remembered and dearly missed by her children, Mimi, Pat, Kate, Mick, Theresa, Julia, Brigid, and Larry, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Ethel Dunbar Doherty, a cherished member of the Winchester community whose light brightened countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Ethel Dunbar Doherty as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 567

Commending the Greater Rappahannock (VA) Chapter of The Links, Incorporated.

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, for more than 10 years, the Greater Rappahannock (VA) Chapter of The Links, Incorporated has promoted education and economic empowerment while providing vital social services and cultural enrichment to members of the Black community in Fredericksburg and the surrounding counties; and

WHEREAS, the Greater Rappahannock (VA) Chapter of The Links, Incorporated, (GRVA) traces its deepest roots to the formation of the Greater Rappahannock Area Ladies League (GRALL) in 1999; and

WHEREAS, under the leadership of Beth Sinkler, GRALL realigned its mission with that of The Links, Incorporated, one of the oldest and largest volunteer service organizations in the United States, and worked diligently to meet membership criteria from 2013 to 2014; and

WHEREAS, GRVA was chartered as the 277th chapter of The Links, Incorporated, on March 22, 2014, and held a celebration titled "Chartering a Legacy of Friendship and Service" with more than 200 guests, including state and national officials, chapter members, family, and friends; and

WHEREAS, Beth Sinkler continued to serve as the first president of GRVA, setting the chapter's inaugural theme as "Serving with Grace"; she oversaw the establishment of a youth literacy program that addressed numerous challenges to promote kindergarten readiness, promoted health and wellness with the American Heart Association through the Go Red for Women campaign, and created the Hit the Links Charity Golf Classic, the largest golf tournament in the region sponsored by Black women, the proceeds of which support scholarship programs; and

WHEREAS, during her tenure, Beth Sinkler also supported book drives, voter registration efforts, and community advocacy programs, both at home and abroad, including through a humanitarian mission to St. Mary's Preparatory School in Montego Bay, Jamaica; and

WHEREAS, from 2016 to 2018, Jacinta Topps served as the second president of GRVA and guided the chapter with her theme "Creating a Legacy of Friendship and Service"; she increased voter education and registration initiatives, held the inaugural Go Red Fashion Show to continue supporting heart health, enhanced scholarship programs, and created a new signature program, Linking Youth to Excellence (LYTE), a partnership with the Boys & Girls Clubs of the Rappahannock Region that provides mentoring opportunities to at-risk girls between the ages of 9 and 14; and

WHEREAS, Michelle Caldwell Thompson became the third president of GRVA from 2018 to 2020 and set the theme "Pursuing a Positive yet Powerful Community Presence"; during her tenure, the chapter and its programs earned numerous accolades, and she redoubled efforts to empower young people and enrich the lives of everyone in the community by partnering with other local organizations and launching the popular Holiday Sparkle event as a formal fellowship gathering; and

WHEREAS, as the fourth president of GRVA, Latonia Talley led the chapter through the early stages of the COVID-19 pandemic from 2020 to 2022 with the inspirational theme "Fostering communal relationships, continuing a legacy of friendship and service"; she created the White Rose recognition program to celebrate the achievements of members and held several programs and events in a virtual format to ensure that members of the public continued to benefit; and

WHEREAS, Kavatus Newell served as the fifth president of GRVA from 2022 to 2024, leading the chapter to re-engage with the community with the theme "Lifting Others While Climbing to New Heights"; under her leadership, the chapter expanded the LYTE program, began hosting weekly life skills workshops, established the first GRVA Line Dance, and encouraged members to volunteer in-person with charitable organizations in the region; and

WHEREAS, the current president of GRVA, Wanda G. Taylor, has inspired members with her theme of "Linking Hearts, Rebuilding Communities through Friendship and Service" and oversaw the chapter's 10th anniversary celebration "Rhapsody in White Jazz Brunch: Lifting As We Climb"; and

WHEREAS, GRVA currently serves the residents of Fredericksburg and the counties of Stafford, Spotsylvania, King George, and Caroline; the organization has raised more than $85,000 in academic scholarships over the years, and its members have been catalysts for hope and positive change by donating more than 23,000 documented hours of volunteer service; and

WHEREAS, GRVA is a beacon of friendship, compassion, and servant-leadership that embodies the highest ideals of The Links, Incorporated, and has touched countless lives, while inspiring future leaders and transforming the community for the better; now, therefore, be it

RESOLVED by the House of Delegates, That the Greater Rappahannock (VA) Chapter of The Links, Incorporated, hereby be commended on the occasion of its 10th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Greater Rappahannock (VA) Chapter of The Links, Incorporated, as an expression of the House of Delegates' admiration for the organization's legacy of accomplishments on behalf of the Black community in the Fredericksburg area.

HOUSE RESOLUTION NO. 568

Commending the Egyptian Coptic Christian community in Virginia.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, the Egyptian Coptic Christian community traces its roots to one of the oldest Christian traditions, upholding the values of faith, family, and service; and

WHEREAS, Virginia's longstanding commitment to religious liberty, as enshrined in the Virginia Statute for Religious Freedom, has benefited individuals and families of many faiths and backgrounds; and

WHEREAS, Egyptian Coptic Christians have settled in communities throughout Virginia and contributed to the social, cultural, and economic fabric of the Commonwealth in many ways; and

WHEREAS, Egyptian Coptic Christians have created businesses, generated jobs, and fostered economic growth throughout the Commonwealth; they have also been leaders in public service, serving in various local and state roles and promoting civic engagement and community development; and

WHEREAS, Egyptian Coptic Christians have supported academia and innovation by advancing research, technology, and scientific knowledge, both in the Commonwealth's institutions of higher education and the private sector; and

WHEREAS, Egyptian Coptic Christians have enhanced the lives of others by supporting numerous philanthropic initiatives, disaster relief efforts, and community outreach programs; and

WHEREAS, the history and contributions of the Egyptian Coptic Christian community underscores the importance of religious freedom and the right to worship, aligning with the Commonwealth's enduring commitment to personal liberty and pluralism; now, therefore, be it

RESOLVED by the House of Delegates, That the Egyptian Coptic Christian community in Virginia hereby be commended for its meaningful contributions to the Commonwealth and its steadfast dedication to faith, family, and freedom; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of the Egyptian Coptic Christian community in Virginia as an expression of the House of Delegates' admiration for their continued service and commitment to these shared values.

HOUSE RESOLUTION NO. 569

Commending Wathiq Alakelee.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Wathiq Alakelee, an accomplished businessman and barber and proprietor of The Confident Barbershop in Henrico County, has greatly served the Greater Richmond community by providing world-class haircuts at affordable prices; and

WHEREAS, growing up in Iraq, Wathiq Alakelee learned the art of cutting hair at his uncle's barbershop and was soon providing haircuts to his family and neighbors; and

WHEREAS, after graduating from business school and living for some time in Bahrain, where he had a career in insurance, Wathiq Alakelee was granted refugee status and moved to Richmond; and

WHEREAS, soon thereafter, Wathiq Alakelee completed a formal barber training program, apprenticed under a licensed barber, and established himself at Taylor's Barbershop in downtown Richmond, where he gradually built a loyal clientele; and

WHEREAS, in November 2020, Wathiq Alakelee took his career into his own hands by opening his own business, The Confident Barbershop, along Three Chopt Road in Henrico County; and

WHEREAS, Wathiq Alakelee devoted himself to his business and gave great attention to every detail of the operation to ensure its success, spending months to source the shop's decor and equipment and emphasizing the importance of hospitality and service with his staff; and

WHEREAS, Wathiq Alakelee named his business The Confident Barbershop both because his given name means "confident" in Arabic and because confidence is the feeling he wishes to instill in every customer he sees; and

WHEREAS, The Confident Barbershop has thrived under Wathiq Alakelee's leadership, earning hundreds of five-star reviews on Google and drawing in more return customers every day; and

WHEREAS, Wathiq Alakelee has served as a mentor to many aspiring barbers, offering them guidance and support to help them in their careers; and

WHEREAS, Wathiq Alakelee's accomplishments with The Confident Barbershop are a testament to the power of the American Dream and what may be achieved through exceptional dedication and hard work; now, therefore, be it

RESOLVED by the House of Delegates, That Wathiq Alakelee hereby be commended for his legacy of service in the Greater Richmond community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Wathiq Alakelee as an expression of the House of Delegates' admiration for his contributions to the Commonwealth.

HOUSE RESOLUTION NO. 570

Commending 3North.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, 3North, an award-winning design firm based in Richmond that has been behind the transformation of many historically and culturally significant buildings and sites throughout the Commonwealth, celebrated its 25th anniversary in 2024; and

WHEREAS, 3North was established in 1999 by founder and managing principal John Adam Hugo, III, drawing its name from the address of its first office, 3 North Lombardy Street in Richmond; and

WHEREAS, 3North's diverse portfolio of commercial, residential, cultural, and educational buildings and sites includes several famous hotels and resorts in Virginia and North Carolina, marquee homes and major tourist destinations in the Greater Richmond area, a number of cutting-edge educational facilities throughout the Commonwealth, and projects in locations as far away as Nova Scotia, the Caribbean, and the United Kingdom; and

WHEREAS, with a 37-member team of architects, landscape architects, interior designers, and graphic designers, 3North employs a holistic and multidisciplinary charrette process it refers to as Intangible Qualities in order to develop customized and site-specific solutions for its clients' complex and unique challenges; and

WHEREAS, 3North's nimble and all-encompassing aesthetic philosophy has enabled the firm to achieve renown in the areas of both historical restoration and contemporary urban design and to become a leader of its industry; and

WHEREAS, 3North's projects have been featured in publications such as *Travel + Leisure*, *The Wall Street Journal*, *Architectural Digest*, *Condé Nast Traveler*, and *Virginia Living*, and the firm has been the recipient of a plethora of awards in honor of its achievements in the areas of design, environmental sustainability, and historic preservation; and

WHEREAS, in 2019, 3North was presented the Fitz-Gibbon Architecture Firm Award by the Virginia chapter of the American Institute of Architects, the chapter's highest honor, which recognizes a firm with longstanding community service and a track record of distinguished architecture; and

WHEREAS, guided by the core belief that great design has the power to transform lives, 3North has made a lasting and meaningful impact on the Commonwealth that will continue to inspire Virginians for generations to come; now, therefore, be it

RESOLVED by the House of Delegates, That 3North and its architects and designers hereby be commended on the occasion of the firm's 25th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to John Adam Hugo, III, founder and managing principal of 3North, as an expression of the House of Delegates' admiration for the firm's accomplishments and best wishes for its continued success.

HOUSE RESOLUTION NO. 571

Commending Kevin Armstrong Paredes.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Kevin Armstrong Paredes, a native of South Riding, represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, as a member of Team USA in the Men's Olympic Football Tournament; and

WHEREAS, Kevin Paredes began his soccer career with Bethesda Soccer Club and the D.C. United Academy; and

WHEREAS, Kevin Paredes made his professional debut with the D.C. United reserve team, Loudoun United FC, in 2019, then joined Major League Soccer as a homegrown player with D.C. United in 2020; and

WHEREAS, Kevin Paredes subsequently joined VfL Wolfsburg in the German Bundesliga, where he has continued to hone his skills as a versatile left wing-back since 2022; and

WHEREAS, after several appearances with the United States U-17 Men's National Team, Kevin Paredes made his debut with the senior national team in 2023; he was also named the 2023 U.S. Soccer Young Male Player of the Year; and

WHEREAS, in the 2024 Summer Olympics, the United States Men's Olympic Soccer Team finished second in the group stage, with Kevin Paredes scoring two goals in the group stage match against Guinea that secured the team's trip to the quarterfinals; now, therefore, be it

RESOLVED by the House of Delegates, That Kevin Armstrong Paredes hereby be commended for his performance as a member of the United States Men's Olympic Soccer Team at the Games of the XXXIII Olympiad; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Kevin Armstrong Paredes as an expression of the House of Delegates' admiration for his outstanding athletic achievements and best wishes for the future.

HOUSE RESOLUTION NO. 572

Commending the Jewish community in Virginia.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, the Commonwealth of Virginia has a proud tradition of religious pluralism and a commitment to the inherent dignity and equality of all its residents, rooted in the founding principles articulated by Virginians such as Thomas Jefferson in the Virginia Statute for Religious Freedom and George Washington's assurance of safety and freedom to the Jewish community in his letter in 1790 to the Touro Synagogue in Newport, Rhode Island, where he promised the United States government would give "to bigotry no sanction, to persecution no assistance"; and

WHEREAS, the Jewish community in Virginia has been an integral part of the Commonwealth's history and has made significant contributions to the social, cultural, economic, and scientific advancements of the Commonwealth, including leadership in civil rights, education, medicine, and public service; and

WHEREAS, the Jewish community has played a critical role in the advancement of human rights in the United States, including through the founding of key civil rights organizations such as the Anti-Defamation League to combat hatred and discrimination, the co-founding of the National Association for the Advancement of Colored People, and their service as leaders within the Leadership Conference on Civil and Human Rights, which coordinated advocacy for the passage of the Civil Rights Act of 1964; and

WHEREAS, Jewish individuals, including the disproportionate participation of Jewish Freedom Riders during the Civil Rights Movement, have courageously stood alongside other minority groups in the fight for equality, demonstrating the Jewish principle of tikkun olam, or repairing the world, as a moral imperative; and

WHEREAS, the Jewish community has contributed to the founding of modern social work and to groundbreaking scientific, artistic, and cultural achievements; notably, despite comprising less than 0.2 percent of the global population, Jewish individuals have been awarded approximately 20 percent of Nobel Prizes, reflecting their substantial contributions to science, literature, and peace efforts; and

WHEREAS, antisemitism has tragically seen a resurgence in recent years, including acts of hatred, violence, and discrimination targeting Jewish individuals and institutions throughout the United States and the Commonwealth; and

WHEREAS, such acts of antisemitism are a threat not only to the Jewish community but to the values of liberty, safety, and mutual respect that bind all Virginians together; and

WHEREAS, combating antisemitism requires vigilance, education, and the active commitment of both government and citizens to oppose prejudice and bigotry in all forms; and

WHEREAS, Virginians have unequivocally condemned antisemitism and all forms of hate that threaten the safety and well-being of members of the Jewish community and are committed to ensuring that Jewish residents are welcomed, valued, and protected as integral members of the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That the members of the Jewish community in Virginia hereby be commended for their profound contributions to the Commonwealth's history, culture, and progress, as well as for their enduring commitment to justice and equality; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of the Jewish Community Federations in the Commonwealth and the Jewish Community Federation of Greater Washington as an expression of the House of Delegates' commitment to remain vigilant against antisemitism and all forms of intolerance and promote unity and mutual respect among the diverse communities in the Commonwealth, as well as its admiration for the Jewish community's pivotal role in founding and advancing civil rights and human rights organizations, their commitment to repairing the world, and their outsized contributions to science, education, and social progress.

HOUSE RESOLUTION NO. 573

Celebrating the life of Bradford Windley Phillips.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Bradford Windley Phillips, a distinguished attorney who made numerous contributions to the Hampton community through his commitment to civic engagement and servant leadership, died on April 10, 2024; and

WHEREAS, after growing up in Ashland, Bradford Windley "Carter" Phillips earned a bachelor's degree from Lynchburg University and a law degree from Campbell University in North Carolina; and

WHEREAS, Carter Phillips was passionate about law and served his clients with great integrity and dedication, specializing in criminal matters and juvenile and domestic relations cases; and

WHEREAS, over the course of his career, Carter Phillips worked for the Peninsula Legal Aid Center, Inc., was an associate in the office of Walter C. Whitt, Jr., P.C., and established The Law Office of Carter Phillips in Hampton, where he had lived since 1990; and

WHEREAS, Carter Phillips was an advocate for justice and the democratic process and volunteered his time and talents to enhance the quality of life for all of his fellow Hampton residents; he served as a longtime member and former chair of the Hampton Democratic Committee; and

WHEREAS, Carter Phillips enjoyed fellowship and worship with the community as a member of Immaculate Conception Catholic Church, where he was a member of the Knights of Columbus; and

WHEREAS, outside of his career and community service, Carter Phillips was an avid fan of the Green Bay Packers and never missed a game; and

WHEREAS, Carter Phillips will be fondly remembered and greatly missed by his wife, Terri; his son, John, and his family; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Bradford Windley Phillips, a respected attorney and community leader in Hampton; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Bradford Windley Phillips as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 574

Celebrating the life of Linda Burrell Porter.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Linda Burrell Porter, a dedicated health care provider and a vibrant member of the Hampton community, died on May 19, 2024; and

WHEREAS, born in Newport News in 1942, Linda Porter graduated from the former George P. Phenix High School in Hampton, where she was a drum majorette, then continued her education at the former Saint Paul's College in Lawrenceville; and

WHEREAS, over the course of her career, Linda Porter was a licensed practical nurse for the Veterans Administration and a registered nurse, charge nurse, and licensed practical nurse for several units at what was then known as Dixie Hospital; and

WHEREAS, Linda Porter taught charting to licensed professional nursing students, served on a committee to develop nursing care plans at the hospital, revised job distribution programs for licensed professional nurses at the hospital, and was responsible for quality assurance audits, among other duties; and

WHEREAS, Linda Porter also worked at what is now the Coliseum Nursing and Rehabilitation Center and conducted private nursing duties for homebound patients; and

WHEREAS, Linda Porter served as a Girl Scout leader and gave back to her community by supporting local high school bands, majorettes, and cheerleading teams; she donated generously to St. Jude Children's Research Hospital and the March of Dimes, and she provided Christmas gifts for children in need through the Hampton University Student Christian Association; and

WHEREAS, Linda Porter helped preserve local history by participating in a documentary about Bay Shore Beach, the Commonwealth's only seaside resort for the Black community during the Segregation era and a popular destination for Black families up and down the east coast; and

WHEREAS, outside of her career and community service, Linda Porter enjoyed writing poetry and knitting baby blankets for family and friends; and

WHEREAS, Linda Porter will be fondly remembered and greatly missed by her daughters, Johnnell, Pamela, and Stephanie, and their families, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Linda Burrell Porter, a former nurse and an active community leader who touched countless lives in Hampton; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Linda Burrell Porter as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 575

Commending Saint Anne Catholic School.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Saint Anne Catholic School, a distinguished institution of learning in Bristol, celebrated its 75th anniversary in 2024; and

WHEREAS, Saint Anne Catholic School was founded in 1949 by Monsignor James J. Hickie, then pastor of Saint Anne Catholic Church in Bristol, who envisioned a school that would wed scholarly rigor with faith-based character development to nurture the academic, social, emotional, and spiritual well-being of its students; and

WHEREAS, Saint Anne Catholic School provides a comprehensive curriculum for students from preschool through eighth grade and accepts individuals of all faiths from both Bristol and the surrounding area so that all may benefit from its exceptional educational program; and

WHEREAS, the oldest private school in Bristol and the city's only Catholic school, Saint Anne Catholic School notably has several students today who are the third generation in their families to attend the school; and

WHEREAS, the accomplishments of Saint Anne Catholic School are the result of the care and devotion of the school's educators, administrators, staff, and volunteers, who have worked tirelessly to ensure the academic and spiritual development of their students; and

WHEREAS, Saint Anne Catholic School has flourished over the years from the financial, religious, and community support of Saint Anne Catholic Church, a partnership that has strengthened both the school and the church; and

WHEREAS, with the education they received at Saint Anne Catholic School, countless young people have grown into thoughtful, compassionate, and engaged members of their communities who strive every day to make a difference in the lives of others both in Bristol and beyond; now, therefore, be it

RESOLVED by the House of Delegates, That Saint Anne Catholic School hereby be commended on the occasion of its 75th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Saint Anne Catholic School as an expression of the House of Delegates' admiration for the school's legacy of educational excellence and best wishes for its continued success.

HOUSE RESOLUTION NO. 576

Commending Vernice Bell Archer.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Vernice Bell Archer, a beloved mother, grandmother, great-grandmother, great-great-grandmother, and member of the Norfolk community, celebrated her 100th birthday on November 24, 2024; and

WHEREAS, an alumna of Norfolk State University, Vernice Archer has given generously of her time and resources over the years for the benefit of her family, neighbors, and the broader Norfolk community; and

WHEREAS, guided throughout her life by her faith, Vernice Archer supported the efforts of the Christian Broadcasting Network in the 1970s and later opened her home to offer vacation Bible school to local children; and

WHEREAS, Vernice Archer's legacy has not only been defined by her longevity, but also by her unwavering commitment to giving back to others, a value that she has passed down through generations of her family; and

WHEREAS, Vernice Archer has demonstrated to others that even small acts of kindness can create a ripple effect of positive change, touching countless lives in immeasurable ways; and

WHEREAS, in celebration of Vernice Archer's 100th birthday, her family honored her legacy by organizing acts of service that reflected her lifelong commitment to compassionate community care, underscoring the ways in which she has instilled the values of kindness, unity, and selflessness in all who knew her; and

WHEREAS, Vernice Archer has embodied wisdom, resilience, and generosity over a lifetime dedicated to enriching the lives of those around her and has made a profound and lasting impact on the Norfolk community; now, therefore, be it

RESOLVED by the House of Delegates, That Vernice Bell Archer hereby be commended for her benevolence and good deeds on the occasion of her 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Vernice Bell Archer as an expression of the House of Delegates' gratitude and admiration for her contributions to Norfolk and the Commonwealth.

HOUSE RESOLUTION NO. 577

Commending Jon Phillip Lugbill.

Agreed to by the House of Delegates, February 12, 2025

WHEREAS, Jon Phillip Lugbill, a multi-world champion whitewater canoe slalom racer and the founding executive director of the nonprofit organization Sports Backers in Richmond, retires on June 30, 2025; and

WHEREAS, Jon Lugbill moved to Fairfax County at a young age and graduated from the former Lanier Intermediate School, Oakton High School, and the University of Virginia; and

WHEREAS, Jon Lugbill began canoeing in the Washington, D.C., metropolitan area in the 1970s and then, from 1979 to 1991, became one of the most dominant whitewater canoe slalom racers the sport has ever seen; and

WHEREAS, Jon Lugbill's racing accolades at the International Canoe Federation's Canoe Slalom World Championships include five gold medals in the C1 men's individual event and seven consecutive gold medals in the C1 team event, and he additionally won three consecutive overall titles in the International Canoe Federation's season-long Canoe Slalom World Cup beginning with the inaugural season in 1988; and

WHEREAS, in 1993, Jon Lugbill took the helm of Sports Backers, a nonprofit organization dedicated to promoting active lifestyles and enhancing the health and well-being of the Greater Richmond community through various events, programs, and initiatives; and

WHEREAS, over the past 32 years, Jon Lugbill has instilled a culture of excellence at Sports Backers that has enabled the organization to become one of the most successful organizations of its kind in the nation and the impetus behind some of the Richmond region's most beloved events, including Dominion Energy Riverrock and the Richmond Marathon; and

WHEREAS, under Jon Lugbill's tenure, Sports Backers was named Member of the Year an unprecedented four times by what is today the Sports Events and Tourism Association; and

WHEREAS, in 2024, Leadership Metro Richmond recognized Jon Lugbill for his exceptional servant leadership and vision by presenting him with the organization's Ukrop Community Vision Award; and

WHEREAS, with great passion and enthusiasm, Jon Lugbill has built Sports Backers into one of the most influential and transformative organizations in the Richmond region, leaving a legacy that will inspire Richmonders and Virginians alike for years to come; now, therefore, be it

RESOLVED by the House of Delegates, That Jon Phillip Lugbill hereby be commended for his extraordinary service and commitment to the Richmond community on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Jon Phillip Lugbill as an expression of the House of Delegates' admiration for his contributions to Richmond and the Commonwealth and best wishes for a happy and fulfilling retirement.

HOUSE RESOLUTION NO. 578

Celebrating the life of Rufus A. Banks, Sr.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Rufus A. Banks, Sr., a retired educator and a highly admired community leader in Norfolk, died on October 7, 2024; and

WHEREAS, Rufus Banks grew up in Norfolk, where he graduated from Booker T. Washington High School; he subsequently earned a bachelor's degree from Virginia State University, a master's degree from Hampton University, and an advanced graduate studies certificate from Virginia Polytechnic Institute and State University; and

WHEREAS, a passionate lifelong learner, Rufus Banks conducted additional studies at the University of Virginia, Old Dominion University, and Radford University, then embarked upon a long and fulfilling career in education after serving his country as a member of the United States Army; and

WHEREAS, Rufus Banks worked for Norfolk Public Schools as a teacher and chair of the social studies department at Ruffner Middle School, then served as an assistant principal at Maury High School, Granby High School, and Norview High School; he was a distinguished life member of the National Education Association, Virginia Education Association, Education Association of Norfolk, and the National Association of Secondary School Principals; and

WHEREAS, Rufus Banks also offered his leadership, insights, and expertise to his local branch of the NAACP, Saint Paul Masonic Lodge No. 71, Chesapeake Men for Progress, and the Chesapeake Fine Arts Commission; and

WHEREAS, Rufus Banks earned many awards and accolades for his personal and professional achievements, including an American Legion School Award, a Man of the Year award from the Alpha Phi Lambda Chapter of Alpha Phi Alpha Fraternity, and an Unsung Hero Award from the Norfolk Pan-Hellenic Council; and

WHEREAS, a man of deep and abiding faith, Rufus Banks enjoyed fellowship and worship with the community as a longtime member of the historic First Baptist Church of Norfolk, where he was named deacon emeritus and served as a Sunday school superintendent, Sunday school teacher, trustee, and chair of the diaconate; and

WHEREAS, Rufus Banks will be fondly remembered and greatly missed by his beloved wife, Fannie; his sons, Rufus and Michael, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Rufus A. Banks, Sr., an esteemed member of the Norfolk community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Rufus A. Banks, Sr., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 579

Commending Kim W. Brown and Valerie K. Brown.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Kim W. Brown and Valerie K. Brown made history as the first-ever married couple to both serve concurrently as rectors of historically Black colleges and universities in the Commonwealth; and

WHEREAS, Kim and Valerie Brown are the founders of K.W. International Ministries Incorporated, a Christian ministry organization that has served communities around the world for more than two decades; and

WHEREAS, Kim and Valerie Brown are best-selling authors and have hosted television programs on Christian principles and developing healthy relationships; and

WHEREAS, among their many accomplishments as volunteers, Kim and Valerie Brown have hosted various faith-based leadership conferences, mentored young people in need, participated in COVID-19 relief efforts, and supported military families during the holiday season; and

WHEREAS, the couple proudly offered their leadership abilities to their alma maters, with Kim Brown becoming the rector of Norfolk State University and Valerie Brown becoming the rector of Virginia State University; and

WHEREAS, as rectors, Kim and Valerie Brown will use their wisdom and vision to guide their respective institutions and ensure students receive the best possible academic experience; now, therefore, be it

RESOLVED by the House of Delegates, That Kim W. Brown and Valerie K. Brown hereby be commended on their historic selection as the rectors of Norfolk State University and Virginia State University; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Kim W. Brown and Valerie K. Brown as an expression of the House of Delegates' admiration for their achievements as leaders in higher education.

HOUSE RESOLUTION NO. 580

Celebrating the life of Georgia Stewart Allison.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Georgia Stewart Allison, a vibrant member of the Saltville community and a beloved mother and grandmother, died on October 22, 2024; and

WHEREAS, Georgia Allison was a devout member of Church of God of Prophecy, where her active leadership was inspirational to the congregation; and

WHEREAS, Georgia Allison lived her faith through her actions every day, touching many lives through her grace, kindness, compassion, and genuine concern for the well-being of others; and

WHEREAS, affectionately known as the "Queen Bee" of her family, Georgia Allison relished every opportunity to spend time with her loved ones, and her Sunday dinners, complete with her famous cornbread, were a cherished family tradition; and

WHEREAS, predeceased by her husband, Lawrence, Georgia Allison will be fondly remembered and greatly missed by her children, Patty, Amy, and Walter, and their families, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Georgia Stewart Allison, a highly admired resident of Saltville; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Georgia Stewart Allison as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 581

Commending the Stafford County African American History driving tour.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, the Stafford County African American History driving tour, an initiative of the Stafford County Historical Society's Discover Stafford museum, will be officially launched in February 2025; and

WHEREAS, Discover Stafford set out to create the Stafford County African American History driving tour in 2023 after recognizing that many stories highlighting the strength and resilience of Black people living in Stafford County remained untold; and

WHEREAS, Discover Stafford developed the Stafford County African American History driving tour in collaboration with the University of Mary Washington's Department of Geography, including professor Steven Hanna and interns Ethan Sweeney, Noah Brushwood, Brooke Prevedal, and Eliza Vegas, who developed digital and print maps detailing the route and the locations and stories it features; and

WHEREAS, Discover Stafford organized the African American Heritage Advisory Committee to guide its efforts, receiving valuable input from many esteemed community leaders, historians, and museum professionals in the identification and selection of sites for the Stafford County African American History driving tour; and

WHEREAS, the Stafford County African American History driving tour includes more than 20 locations and stories that are grouped by the themes, "Faith and Education," "Entrepreneurship and Work," and "Journey to Freedom"; and

WHEREAS, Discover Stafford has coordinated with county officials overseeing historic preservation, Geographic Information System mapping, and tourism to assist with the Stafford County African American History driving tour; and

WHEREAS, Discover Stafford has provided a great and meaningful service to all Virginians by creating the Stafford County African American History driving tour and by promoting greater understanding and awareness of the history of the Black community in Stafford County over the past three centuries; now, therefore, be it

RESOLVED by the House of Delegates, That the Stafford County African American History driving tour hereby be commended on the occasion of its official launch in 2025; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the members of Discover Stafford involved with the Stafford County African American History driving tour as an expression of the House of Delegates' admiration for this endeavor and best wishes for its success.

HOUSE RESOLUTION NO. 582

Commending Tony Wishard.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Tony Wishard, an esteemed educator and education administrator, has made a profound and lasting impact on the students he serves as a student support specialist at Walker-Grant Middle School in Fredericksburg; and

WHEREAS, after graduating from Chancellor High School in Fredericksburg, Tony Wishard earned a bachelor's degree in exercise science and health science from Fairmont State University and an endorsement to teach health and physical education at the Pre-K to 12th grade level; and

WHEREAS, Tony Wishard began his career in education at Hugh Mercer Elementary School (HMES) in Fredericksburg in March 2012 and quickly became an integral member of the school's community, receiving HMES Teacher of the Year honors in 2017; and

WHEREAS, Tony Wishard honed his abilities to serve as an education administrator by obtaining a master's degree in educational leadership in 2018 and a year later became assistant principal at HMES; and

WHEREAS, Tony Wishard currently serves as a student support specialist at Walker-Grant Middle School, where he provides vital mentorship and guidance to students in need; and

WHEREAS, in addition to administering the Student Support Glow Mentoring Program, Tony Wishard assists students returning from suspension or alternative education programs, serves as a liaison for students with social workers, counselors, and other school staff, and coordinates the James Farmer Scholars program; and

WHEREAS, from facilitating food distribution for children in need to spearheading special community engagement events, Tony Wishard works indefatigably to ensure the well-being of his students; and

WHEREAS, following a viral social media post that brought greater attention to his inspiring efforts to support his students, Tony Wishard was featured on *The Jennifer Hudson Show* in October 2024; and

WHEREAS, through his unwavering commitment to his students, Tony Wishard has exemplified the ideals of the teaching profession and is deserving of the admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Tony Wishard hereby be commended for his accomplishments as an educator and community leader; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Tony Wishard as an expression of the House of Delegates' respect and appreciation for his contributions to Fredericksburg and the Commonwealth.

HOUSE RESOLUTION NO. 583

Commending William Raybold.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, William Raybold has proudly served as the principal of Conway Elementary School of Stafford County Public Schools for the past 15 years, during which time he has made significant contributions to the school's community; and

WHEREAS, prior to his tenure at Conway Elementary School, William "JR" Raybold was the assistant principal of Margaret Brent Elementary School in Stafford County, which followed three years of teaching fourth and fifth grade students; and

WHEREAS, under JR Raybold's leadership, Conway Elementary School has flourished, establishing a positive school culture that benefits students, staff, and families alike; and

WHEREAS, JR Raybold's passion for student attendance and engagement is evident in his efforts to create an environment where students are excited to learn and grow; as a testament to this dedication, each year he learns all the names of his nearly 1,000 students, fostering a sense of belonging among the student body; and

WHEREAS, in addition to enhancing school spirit, JR Raybold founded Cougar Connections, a community outreach program designed to strengthen ties between the school and its neighborhoods; through this initiative, staff members visit local communities monthly to distribute food, books, and parent literature and organize positive games, ensuring that every family feels supported and valued; and

WHEREAS, JR Raybold is committed to inclusivity, providing newsletters and updates in various languages to ensure that all families are informed and engaged; and

WHEREAS, JR Raybold is devoted to the professional development of the faculty he oversees, playing a pivotal role in nurturing future educational leaders; consequently, many teachers, counselors, and assistant principals under his mentorship have received division-wide awards, highlighting his impact on their careers; and

WHEREAS, JR Raybold's unwavering commitment to excellence in education continues to inspire those around him, making a lasting difference in the lives of countless students and families; now, therefore, be it

RESOLVED by the House of Delegates, That William Raybold hereby be commended for his legacy of service as an education administrator and principal of Conway Elementary School; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to William Raybold as an expression of the House of Delegates' admiration for his contributions to Conway Elementary School, Stafford County, and the Commonwealth.

HOUSE RESOLUTION NO. 584

Celebrating the life of Lexie Isabelle Sullivan.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Lexie Isabelle Sullivan, a beloved young member of the Midlothian community who inspired everyone she met through her curiosity, kindness, and joyful personality, died on December 13, 2024; and

WHEREAS, Lexie Sullivan was a graduate of Robots and Mud Pies Preschool and had been a second-grade student at Swift Creek Elementary School, where her favorite subjects were reading and physical education; she was also a talented dancer and had studied ballet at Chesterfield Dance Center for three years; and

WHEREAS, Lexie Sullivan liked to draw, paint, sculpt, make crafts, and write books and was well known among her classmates and teachers for her creativity and passion for learning; she especially enjoyed making decorations for the holidays and ensuring that all of her classmates and friends felt special on their birthdays; and

WHEREAS, Lexie Sullivan was a skilled cook and baker who made cakes, cookies, and even a blueberry pavlova dessert inspired by her favorite television show, *Bluey*; and

WHEREAS, Lexie Sullivan visited New York City, Baltimore, and Washington, D.C., took two trips to Walt Disney World, and saw numerous sights in the Commonwealth, including the Blue Ridge Mountains, Luray Caverns, Sandbridge Beach, Busch Gardens, and Kings Dominion; and

WHEREAS, Lexie Sullivan always relished an opportunity for an adventure and saw the magic in everyday life; she was as happy playing with her sister or her dog in the backyard as she was visiting faraway destinations; and

WHEREAS, Lexie Sullivan enjoyed caring for her pets, George, Sprinkle, and Tuft, and was always excited to spot wildlife around her home or visit the Metro Richmond Zoo to feed the birds and goats; and

WHEREAS, Lexie Sullivan loved her family deeply, and she will be fondly remembered and greatly missed by her parents, Mollee and Matthew; her sister, Julie; her grandmother, Debbie Anzivino, and great-grandmother, Patti Driscoll; her uncles, Mick and Jim Norwood; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Lexie Isabelle Sullivan, a member of the Midlothian community who touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Lexie Isabelle Sullivan as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 585

Commending Grant Holloway.

Agreed to by the House of Delegates, February 5, 2025

WHEREAS, Grant Holloway, a native of Chesapeake, represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, winning a gold medal for Team USA in the men's 110-meter hurdles event; and

WHEREAS, Grant Holloway began developing his passion for athletics at a young age and was a star member of track and field teams at Grassfield High School in Chesapeake and the University of Florida; and

WHEREAS, as a professional athlete, Grant Holloway has become one of the most dominant hurdlers in the world, setting several records and achieving a nine-year winning streak in indoor 60-meter hurdles that spanned high school, college, and professional competitions; and

WHEREAS, Grant Holloway's personal best time of 12.81 seconds in the men's 110-meter hurdles is the second-fastest time ever in the event; and

WHEREAS, Grant Holloway has previously won gold medals at the 2019, 2022, and 2023 International Association of Athletics Federations World Athletics Championships and a silver medal in the men's 110-meter hurdles event at the 2020 Summer Olympics; and

WHEREAS, returning to the Olympics with a renewed focus, Grant Holloway was the undisputed leader in the men's 110-meter hurdles event at Paris 2024, winning his first-round heat by 0.21 seconds and his semifinal by 0.19 seconds; and

WHEREAS, Grant Holloway earned the gold medal in the 110-meter hurdles final with an incredible time of 12.99 seconds, a 0.10-second margin; and

WHEREAS, understanding that he has been blessed with rare gifts and talents, which have been perfected through dedication and hard work, and that his faith requires him to help others, Grant Holloway founded the Grant Holloway Athletics Foundation to help the less fortunate and support families in need; now, therefore, be it

RESOLVED by the House of Delegates, That Grant Holloway hereby be commended on winning a gold medal at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Grant Holloway as an expression of the House of Delegates' admiration for his exceptional athletic achievements and best wishes for the future.

HOUSE RESOLUTION NO. 586

Commending the Prince William County Department of Fire and Rescue Swift Water Rescue Team.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, in September 2024, the Prince William County Department of Fire and Rescue Swift Water Rescue Team deployed to Southwest Virginia to provide critical assistance to communities affected by Hurricane Helene; and

WHEREAS, the Prince William County Department of Fire and Rescue Swift Water Rescue Team is a highly trained, specialized unit with more than 15 years of experience conducting high-risk waterborne rescue operations; and

WHEREAS, on September 26, 2024, with Hurricane Helene making landfall, the Virginia Department of Emergency Management stationed members of the Prince William County Department of Fire and Rescue Swift Water Rescue Team in Norton, where they coordinated with other rescue teams from Arlington County and Stafford County; and

WHEREAS, intense rainfall from Hurricane Helene caused significant flooding, landslides, and road washouts, and over the course of two days, the Prince William County Department of Fire and Rescue Swift Water Rescue Team courageously rescued 24 people near the Town of Damascus; and

WHEREAS, in the course of their operations, Ross Shannon of the Prince William County Department of Fire and Rescue Swift Water Rescue Team also recovered a United States flag from flood debris; and

WHEREAS, the Prince William County Department of Fire and Rescue Swift Water Rescue Team served the residents of Southwest Virginia with the utmost bravery and determination, demonstrating their unwavering commitment to public safety; now, therefore, be it

RESOLVED by the House of Delegates, That the Prince William County Department of Fire and Rescue Swift Water Rescue Team hereby be commended for saving multiple lives during a deployment to areas affected by Hurricane Helene in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Prince William County Department of Fire and Rescue Swift Water Rescue Team as an expression of the House of Delegates' admiration for the team's heroic achievements in service to their fellow Virginians.

HOUSE RESOLUTION NO. 587

Commending McKay Used Books.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, McKay Used Books, a beloved purveyor of second-hand literature and other offerings in Manassas, celebrated its 40th anniversary in 2023; and

WHEREAS, McKay Used Books is a women-owned business that was founded in 1983 by Frances Anderson and is currently owned by her daughter, Carolanne Petrusiak, and her co-owner, Danielle Parady; and

WHEREAS, McKay Used Books initially operated out of a location in Centreville, then expanded to a second location in Manassas, which became the store's sole location when the Centreville shop later closed; and

WHEREAS, McKay Used Books is a 20,000-square-foot book emporium that provides its customers with a unique and enjoyable shopping experience; and

WHEREAS, with an array of theme-based shelves, McKay Used Books encourages its customers to explore and discover new literary treasures; and

WHEREAS, in recent years, McKay Used Books has expanded beyond strictly selling books to also offer an alluring assortment of music, board games, video games, toys, puzzles, and more; and

WHEREAS, McKay Used Books brings people together by regularly hosting entertaining literary-themed events, such as author meet-and-greets and children's story time; and

WHEREAS, McKay Used Books has generously supported the community through various endeavors, including donations to Fauquier County-based nonprofit FRESH Reads and gifts of store credit to public school teachers in Manassas and the Counties of Prince William, Fauquier, Loudoun, and Fairfax; and

WHEREAS, by serving as a refuge for the literary inclined for the past 40 years, McKay Used Books has helped to make Prince William County a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That McKay Used Books hereby be commended for its legacy of service on the occasion of its 40th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to McKay Used Books as an expression of the House of Delegates' admiration for its contributions to the Commonwealth and best wishes for its continued success.

HOUSE RESOLUTION NO. 588

Commending the Carrollton Ruritan Club.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, the Carrollton Ruritan Club, a local chapter of Ruritan National, Inc., which is dedicated to aiding the Carrollton community and the surrounding areas in Isle of Wight County through fellowship, goodwill, and service, celebrates its 75th anniversary in 2025; and

WHEREAS, since it was chartered in 1950, the Carrollton Ruritan Club has made a positive and lasting impact on the Carrollton community through various charitable events and initiatives; and

WHEREAS, the Carrollton Ruritan Club raises organizational funds through facility rentals and a biannual fish fry, which it then distributes to assist youth activities, nonprofit social service organizations, and other endeavors in support of the community; and

WHEREAS, the Carrollton Ruritan Club fosters the growth and well-being of young people by sponsoring a local troop of the Boy Scouts of America, offering college scholarships to local students, and organizing Christmas toy drives; and

WHEREAS, the Carrollton Ruritan Club helps to beautify its surrounding area by participating in the Department of Transportation's Adopt-A-Highway program, collecting trash and maintaining the road along a section of Brewer's Neck Boulevard in Carrollton; and

WHEREAS, the Carrollton Ruritan Club has broadened its influence in the region by assisting neighboring Ruritan clubs in Isle of Wight County, including the Possum Hollow Ruritan Club, which its members helped charter in 1987; and

WHEREAS, at the organization's annual dinner on February 25, 2025, the Carrollton Ruritan Club will honor its diamond jubilee alongside the outgoing and incoming presidents of Ruritan National, as well as distinguished members of other Ruritan Clubs from the Tidewater Region; and

WHEREAS, the accomplishments of the Carrollton Ruritan Club are the result of the unwavering commitment of the organization's volunteer members, who have helped to make Carrollton and Isle of Wight County wonderful places to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That the Carrollton Ruritan Club hereby be commended for its legacy of service on the occasion of its 75th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dale Jones, president of the Carrollton Ruritan Club, as an expression of the House of Delegates' admiration for the organization's contributions to Carrollton, Isle of Wight County, and the Commonwealth.

HOUSE RESOLUTION NO. 589

Commending Stan Holloway.

Agreed to by the House of Delegates, February 7, 2025

WHEREAS, Stan Holloway, the track and field coach at Oscar Smith High School and a trusted mentor to young people, has helped countless student-athletes achieve their fullest potential in athletics, academics, and community leadership; and

WHEREAS, Stan Holloway helped turn Oscar Smith High School, long recognized as a perennial favorite in Virginia High School League football, into a formidable contender in track and field through his dedication and visionary leadership; and

WHEREAS, in 2019, Stan Holloway was selected as the *USA Today* Track and Field Coach of the Year after the Oscar Smith High School Tigers finished as runners-up in the team standings of the indoor and outdoor track and field state championships; and

WHEREAS, under Stan Holloway's leadership, the Oscar Smith boys' track and field team made history by sweeping the individual titles at the 2019 New Balance Nationals Outdoor meet, winning the shuttle hurdle relay, the 400-meter hurdles event, and the 110-meter hurdles event; and

WHEREAS, Stan Holloway also leads the Track 757 Track and Field Club, where his sons, Trey Holloway and Grant Holloway, began their journeys to becoming elite track and field athletes; and

WHEREAS, Stan Holloway has gone above and beyond to support the student-athletes in his care, working diligently to develop their talents on the track, while helping them gain self-confidence, perseverance, and leadership abilities that will serve them well in later life; now, therefore, be it

RESOLVED by the House of Delegates, That Stan Holloway, one of the top high school track and field coaches in the nation, hereby be commended for his legacy of service to young people; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Stan Holloway as an expression of the House of Delegates' admiration for his exceptional achievements as a coach and his contributions to Chesapeake and the Commonwealth.

HOUSE RESOLUTION NO. 590

Commending the Suffolk Interdenominational Ministerial Alliance.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, the Suffolk Interdenominational Ministerial Alliance, an association of pastors and associate ministers in Suffolk, has greatly served the community for nearly a half-century; and

WHEREAS, the Suffolk Interdenominational Ministerial Alliance (SIMA) was founded in May 1976 by elders from churches in the Suffolk area who saw the value of an organization that would be a voice for the local African American community and that would work tirelessly to support its needs; and

WHEREAS, SIMA has expanded and diversified its services over the years while remaining steadfastly committed to its mission; today, the organization comprises more than thirty pastors and associate ministers who meet monthly to advance the organization's advocacy and other endeavors; and

WHEREAS, SIMA has given generously to support a number of charitable initiatives, including the Albert G. Horton, Jr. Memorial Veterans Cemetery, the March of Dimes, the Sickle Cell Association, disaster relief efforts, and the Coalition Against Poverty in Suffolk; and

WHEREAS, SIMA has assisted an untold number of young people in their educational pursuits by annually offering scholarships to high school seniors in the Suffolk area; and

WHEREAS, SIMA has played a leading role in numerous local events throughout Suffolk, including Dr. Martin Luther King, Jr. Day activities, Passion Week services, and its annual city-wide revival; and

WHEREAS, SIMA has been actively involved in community dialogue to address civic matters, with many of its members regularly attending city council meetings, school board meetings, and other local events; and

WHEREAS, SIMA fosters engagement in Suffolk by providing a platform through which city officials and local leaders may share information with residents and connect with their constituencies; and

WHEREAS, through various events and activities, SIMA aids its members in their spiritual growth, enhancing their ability to minister to their communities and to attend to the needs of others; and

WHEREAS, by promoting greater faith, unity, and civic awareness in the community, SIMA has helped to make Suffolk a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That the Suffolk Interdenominational Ministerial Alliance hereby be commended for its legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Suffolk Interdenominational Ministerial Alliance as an expression of the House of Delegates' admiration for the organization's contributions to Suffolk and the Commonwealth.

HOUSE RESOLUTION NO. 591

Commending SUFF.Impact.

Agreed to by the House of Delegates, February 13, 2025

WHEREAS, SUFF.Impact, a nonprofit organization in Suffolk, strives to transform the lives of at-risk youths by providing intervention and prevention programs designed to reduce gun violence; and

WHEREAS, SUFF.Impact empowers young people to break cycles of violence through education, mentorship, and community engagement programs that give them the tools and resources they need; and

WHEREAS, SUFF.Impact inspires hope, resilience, and positive change by fostering safe, supportive environments where young people can thrive and achieve their fullest potential; and

WHEREAS, through its Night of Impact event, SUFF.Impact recognizes outstanding members of the community who have gone above and beyond to support the organization's mission and make a difference in the lives of others; now, therefore, be it

RESOLVED by the House of Delegates, That SUFF.Impact hereby be commended for its transformational programs to reduce violence and build stronger, safer communities in Suffolk; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to SUFF.Impact as an expression of the House of Delegates' admiration for the organization's vital mission to build a brighter, more peaceful future for young people.

HOUSE RESOLUTION NO. 592

Celebrating the life of Demonté Lamont Tillery.

Agreed to by the House of Delegates, February 13, 2025

WHEREAS, Demonté Lamont Tillery, a beloved father and cherished member of the Suffolk community, died on September 13, 2024; and

WHEREAS, affectionately known by family and friends as "Monté," Demonté Lamont Tillery was a member of the Class of 2013 at Lakeland High School in Suffolk, where he excelled as a linebacker on the football team; and

WHEREAS, inspired by his grandfather, Demonté Tillery trained to become a commercial truck driver, acquired his commercial truck driver's license, and worked dedicatedly for several distinguished companies, including Western Express, Tyson Foods, and Good Guys Enterprise; and

WHEREAS, Demonté Tillery had recently accepted a scholarship to play football at Livingstone College and had great aspirations for his future; and

WHEREAS, Demonté Tillery's quiet and friendly demeanor endeared him to all who knew him, and he took great joy in spending quality time with his family; and

WHEREAS, guided throughout his life by his faith, Demonté Tillery was a longtime member of Macedonia African Methodist Episcopal Church in Suffolk, where he had served in the youth ministry and routinely attended Vacation Bible School; and

WHEREAS, preceded in death by his children, Kodah and Kali, Demonté Tillery will be fondly remembered and dearly missed by his children, Adyn, Tristen, King, Kyn'lee, and Demonté, Jr.; his mother, Tonya; his brother, Kcon; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Demonté Lamont Tillery, a treasured member of the Suffolk community whose light brightened countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Demonté Lamont Tillery as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 593

Celebrating the life of William Eugene Goodman, Jr.

Agreed to by the House of Delegates, February 13, 2025

WHEREAS, William Eugene Goodman, Jr., an accomplished entrepreneur and an active and beloved member of the Suffolk community, died on September 12, 2024; and

WHEREAS, after graduating from Deep Creek High School in Chesapeake and studying business at Tidewater Community College, William Goodman established Quality Tires and Auto Care, LLC and Good Guys Enterprise; and

WHEREAS, as a local businessman and philanthropist, William Goodman gave generously to the Suffolk community through outreach activities such as Christmas giveaways and back-to-school drives, his regular participation at John F. Kennedy Middle School's annual career day, and discounts for customers in need; and

WHEREAS, William Goodman was committed to creating opportunities to empower individuals who had been recently incarcerated, helping them to achieve stability and success in their lives; and

WHEREAS, William Goodman's love for and devotion to his family was boundless, and he enthusiastically supported them in all of their endeavors; and

WHEREAS, William Goodman was guided throughout his life by his faith and enjoyed worship and fellowship with his communities at St. Paul Baptist Church in Suffolk, where he was involved with several ministries, and at Hope City Church in Suffolk, which he had recently joined; and

WHEREAS, William Goodman will be fondly remembered and dearly missed by his parents, William, Sr., and Annette; his children, Briana, William, Khalil, Wymeir, Serenity, and Kay; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of William Eugene Goodman, Jr., a cherished member of the Suffolk community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of William Eugene Goodman, Jr., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 594

Commending the King William County Courthouse.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, the King William County Courthouse, the oldest courthouse building in continuous use in the United States, has served the local community and the Commonwealth for 300 years; and

WHEREAS, in 1700, residents of King and Queen County living between the Mattaponi and Pamunkey Rivers expressed that it was difficult to prosecute lawsuits or attend public meetings due to the location of the county seat; and

WHEREAS, on April 11, 1702, by an act of the General Assembly, the area known as Pamunkey Neck in King and Queen County became King William County, the 24th county in Virginia; and

WHEREAS, Henry Fox of Huntington Plantation and Richard Littlepage of Cumberland conveyed a two-acre site in the central part of King William County, which contained a wooden structure that served as a courthouse; and

WHEREAS, the 13 original justices presiding over this court in 1702 were Henry Fox, John Waller, John West, Henry Madison, William Claiborn, Richard Gissedge, Martin Palmer, Daniel Miles, Roger Mallory, Thomas Carr, William Noy, George Dabricè (Dabney), and Thomas Terry; and

WHEREAS, in March 1722, after 20 years of use, the wooden courthouse building was "irreparable" and was in "ruinous" condition, and the question arose of where and when to build a new courthouse; and

WHEREAS, the new King William County Courthouse was constructed in 1725; the T-shaped, hipped roof building was "constructed of brick laid in Flemish bond" with glazed headers and "with an arcade imitating the first capital of Williamsburg"; and

WHEREAS, the King William County Courthouse is still surrounded by a fully intact low wall, originally built to keep livestock out of the court green; and

WHEREAS, the King William County Courthouse was the heart of local self-government and much of the social, economic, and communal life of King William County; and

WHEREAS, the King William County Courthouse met once a month for justices to handle a wide variety of legal matters; the court also met four times a year for non-capital criminal cases and small claims and convened a grand jury once per year; and

WHEREAS, the King William County Courthouse was used during the Colonial period to elect members of the House of Burgesses, and it served as the designated polling place when the governor deemed other elections were necessary; and

WHEREAS, during the early stages of the American Revolution, local patriots forming the county committee convened in the King William County Courthouse, where Carter Braxton, committee chair and future signer of the Declaration of Independence, received the news of the Battles of Lexington and Concord; and

WHEREAS, in addition to being in continuous use for the entirety of its 300-year history, the King William County Courthouse is considered the best preserved of the Commonwealth's remaining Colonial court buildings; and

WHEREAS, the King William County Courthouse was listed in the Historic American Buildings Survey in 1959, the Virginia Landmarks Register on November 5, 1968, and the National Register of Historic Places on October 1, 1969; and

WHEREAS, the original King William County Courthouse was in daily use until 2004, when a new complex was constructed to better serve local residents, however some hearings are occasionally still held in the original building; and

WHEREAS, the King William County Historical Museum and the King William Virginia 250 Planning Committee will hold a celebration on April 12, 2025, commemorating the 300th anniversary of the historic King William County Courthouse; now, therefore, be it

RESOLVED by the House of Delegates, That the historic King William County Courthouse hereby be commended on the occasion of its 300th anniversary of service to the community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of King William County as an expression of the House of Delegates' admiration for the unique role the King William County Courthouse continues to play in county government and local life.

HOUSE RESOLUTION NO. 595

Commending Giovanni Antonio Snidle.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Giovanni Antonio Snidle, a respected diplomat and civil servant who dedicated 40 years to serving the country as a member of the United States Arms Control and Disarmament Agency and the United States Department of State, retired in January 2025; and

WHEREAS, born in London and raised in Norfolk, Giovanni Snidle earned a bachelor's degree in international studies and economics from American University in 1981 and a master's degree in foreign affairs from the University of Virginia in 1985; and

WHEREAS, from 1985 to 1999, Giovanni Snidle served as a foreign affairs officer and deputy chief with the former U.S. Arms Control and Disarmament Agency, spearheading a number of initiatives to support nonproliferation and national security; and

WHEREAS, Giovanni Snidle later served in the U.S. Department of State as senior coordinator for regional security and confidence building measures for the Bureau of Political-Military Affairs and then as senior advisor on hemispheric security policy to the Assistant Secretary of State for Western Hemisphere Affairs; and

WHEREAS, Giovanni Snidle has served as a security and defense adviser to the U.S. Permanent Mission to the Organization of American States (OAS) since 1992 and at the time of his retirement was the principal security advisor to the United States Ambassador to OAS and a United States senior counselor and alternate representative to OAS; and

WHEREAS, Giovanni Snidle has supported the OAS in numerous leadership capacities, including several terms as vice chair of its Committee on Hemispheric Security, and he was the United States representative to the Secretary General of the United Nation's Group of Governmental Experts on the UN Register of Conventional Arms in 1997, 2000, and 2003; and

WHEREAS, Giovanni Snidle was the recipient of numerous superior honor awards in recognition of his efforts with the U.S. Department of State, including the prestigious Arthur S. Flemming Award for excellence in government service; and

WHEREAS, Giovanni Snidle's unique expertise and outstanding professional service contributed in significant ways to the United States Government's efforts to address international crime, and his personal initiative and dedicated efforts have made a significant contribution to the security architecture of the Western hemisphere, advancing the peace and security of the United States; now, therefore, be it

RESOLVED by the House of Delegates, That Giovanni Antonio Snidle, a distinguished diplomat of the United States Department of State, hereby be commended on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Giovanni Antonio Snidle as an expression of the House of Delegates' admiration for his legacy of service and best wishes for a rewarding and fulfilling retirement.

HOUSE RESOLUTION NO. 596

Commending David Long.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, for 50 years, David Long has venerably served the Hanover County community as a member of the Eastern Hanover Volunteer Fire Department; and

WHEREAS, David Long officially joined the Eastern Hanover Volunteer Fire Department in 1974, where his father was a charter member; and

WHEREAS, David Long enhanced his abilities as a firefighter by participating in the first certification programs for Firefighter I, II, and III in Hanover County; and

WHEREAS, David Long was instrumental in establishing the Eastern Hanover Volunteer Fire Department's Santa Runs, a beloved annual tradition in the community that he continues to lead to this day; and

WHEREAS, with great wisdom and experience, David Long has provided invaluable leadership to the Eastern Hanover Volunteer Fire Department in his capacity as secretary, captain, and vice president, the position in which he currently serves; and

WHEREAS, David Long has given generously of his time over the past 15 years to support the Eastern Hanover Volunteer Fire Department's operations by leading its annual fund drive; and

WHEREAS, in recognition of their commitment to volunteering, David Long and his family were named Hanover County Volunteer Family of the Year in 2007 and honored by Governor Tim Kaine a year later; and

WHEREAS, David Long spearheaded initiatives to provide cardiopulmonary resuscitation and automated external defibrillator (AED) training to the Hanover Senior Softball League and to install an AED at Pole Green Park in Hanover County; and

WHEREAS, on July 31, 2024, David Long utilized the AED at Pole Green Park to save an individual suffering from cardiac arrest, demonstrating the direct and meaningful ways in which his leadership and service have made Hanover County safer; and

WHEREAS, David Long has been aided in all of his endeavors by his loving and supportive family, including his wife, Dianne; his daughters, Tracey and Courtney; and his parents, Will and Audrey; and

WHEREAS, through his courage, selflessness, and dedication, David Long has inspired future generations of firefighters and community leaders and earned the admiration and respect of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That David Long hereby be commended on the occasion of his 50th anniversary of service with the Eastern Hanover Volunteer Fire Department; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to David Long as an expression of the House of Delegates' admiration for his contributions to Hanover County and the Commonwealth.

HOUSE RESOLUTION NO. 597

Celebrating the life of Jonathan Linden Way.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Jonathan Linden Way, a former member of the Manassas City Council who provided his leadership and insights to many other civic organizations striving to enhance the quality of life in the region, died on September 28, 2023; and

WHEREAS, Jonathan Way grew up in New York and was a graduate of the United States Merchant Marine Academy and the business school at the Massachusetts Institute of Technology; and

WHEREAS, Jonathan Way proudly served his country as a member of the United States Navy on active duty and subsequently joined the United States Navy Reserve, where he served as the navigator and watch officer in the reserve crew of a destroyer; and

WHEREAS, Jonathan Way enjoyed a long and distinguished career with Exxon Corporation, now ExxonMobil, and held a wide range of leadership roles in strategic business planning, oil logistics management, project management, and maritime operations; and

WHEREAS, over the course of his career, Jonathan Way lived and worked in the Netherlands, Germany, Scotland, and Saudi Arabia; among his most notable accomplishments was his involvement in the design, development, and construction of the world's largest fleet of oil tanker ships for the government of Saudi Arabia; and

WHEREAS, after his well-earned retirement, Jonathan Way settled in Manassas and became an active and respected leader in the community; he continued to use his strategic management expertise as chair of the Manassas Planning Commission and developed comprehensive, long-term plans to balance economic growth and development with the needs of the community; and

WHEREAS, Jonathan Way was appointed to fill an unexpired term on the Manassas City Council in 2007 and was officially elected to the seat in 2008; he was admired for his sensible approach to governance and commitment to developing practical solutions to challenges; and

WHEREAS, Jonathan Way represented the Manassas City Council's interests before Virginia Railway Express, the Potomac and Rappahannock Transportation Commission, and several regional economic development commissions; and

WHEREAS, outside of his career, Jonathan Way was an active member of the Manassas Rotary Club, a board member of the Military Officers Association of America, and a volunteer consultant with SCORE Business Mentoring; he was also an advocate for the preservation of the area's natural and historical resources and provided community members with important information about data center construction projects; and

WHEREAS, Jonathan Way is fondly remembered and greatly missed by his wife, Shirley; his daughters, Karen and Cynthia, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Jonathan Linden Way, a highly admired public servant in Manassas; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Jonathan Linden Way as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 598

Commending 25-year members of the Prince William County Department of Fire and Rescue.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, in 2025, seven members of the Prince William County Department of Fire and Rescue celebrate 25 years of service with the department; and

WHEREAS, every member of the Prince William County Department of Fire and Rescue works diligently to safeguard the lives and property of community members, responding to fires, vehicle crashes, natural disasters, medical emergencies, and other crisis situations with the utmost efficiency and effectiveness; and

WHEREAS, as of 2025, Battalion Chief Jason Reese, Captain Tom Klimtzak, Lieutenant Sarah Cooper, Lieutenant Matthew Eckert, Lieutenant Justin LeFever, Technician II Mike Militello, and Battalion Chief Rob Wiencko have served with the Prince William County Department of Fire and Rescue for 25 years, a testament to their dedication to public safety and loyalty to their fellow firefighters; and

WHEREAS, Battalion Chief Jason Reese, Captain Tom Klimtzak, Lieutenant Sarah Cooper, Lieutenant Matthew Eckert, Lieutenant Justin LeFever, Technician II Mike Militello, and Battalion Chief Rob Wiencko have touched countless lives through their decades of achievements as public safety officers, exemplifying the department's commitment to professionalism, compassion, integrity, and excellence in all endeavors; now, therefore, be it

RESOLVED by the House of Delegates, That these members of the Prince William County Department of Fire and Rescue hereby be commended on the occasion of their 25th anniversary of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the 25-year members of the Prince William County Department of Fire and Rescue as an expression of the House of Delegates' admiration for their service and sacrifice on behalf of the residents of Prince William County and the Commonwealth.

HOUSE RESOLUTION NO. 599

Celebrating the life of Lillian Mary Orlich.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Lillian Mary Orlich, a passionate educator in the City of Manassas and Prince William County who made lasting contributions to students through her commitment to academic excellence, kindness, and generosity, died on March 7, 2024; and

WHEREAS, Lillian Orlich grew up in Manhattan in New York City, and settled in the Commonwealth in 1950 to begin her long and distinguished career as a teacher; and

WHEREAS, Lillian Orlich taught, counseled, and nurtured generations of young people at Osbourn High School in Manassas and Osbourn Park High School in Prince William County; and

WHEREAS, affectionately known as "Ms. O," Lillian Orlich earned many awards and accolades for her unparalleled commitment to teaching, loving, and caring for young people; she often arrived at school as early as 3 a.m. to prepare for the day and create the best possible learning experience; and

WHEREAS, Lillian Orlich also helped establish SPARK, an education foundation for Prince William County Public Schools, which has developed partnerships with members of the community to provide scholarships and other unique opportunities for students; and

WHEREAS, upon her passing, Lillian Orlich bequeathed $1 million to Prince William County Public Schools to further support SPARK; the generous gift will enhance the organization's programs in social and emotional learning, digital innovation, school improvement, educator preparedness, and science, technology, engineering, and mathematics education; and

WHEREAS, Lillian Orlich will be fondly remembered and greatly missed by numerous family members, friends, colleagues, and former students; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Lillian Mary Orlich, a highly admired educator who touched countless lives in the City of Manassas and Prince William County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to family and friends of Lillian Mary Orlich as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 600

Commending 35-year members of the Prince William County Department of Fire and Rescue.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, in 2025, two members of the Prince William County Department of Fire and Rescue celebrate 35 years of service with the department; and

WHEREAS, every member of the Prince William County Department of Fire and Rescue works diligently to safeguard the lives and property of community members, responding to fires, vehicle crashes, natural disasters, medical emergencies, and other crisis situations with the utmost efficiency and effectiveness; and

WHEREAS, Battalion Chief Craig Beavers and Teresa Simpson have both served with the Prince William County Department of Fire and Rescue for 35 years, a testament to their dedication to public safety and loyalty to their fellow firefighters; and

WHEREAS, Battalion Chief Craig Beavers and Teresa Simpson have touched countless lives through their decades of achievements as public safety officers, exemplifying the department's commitment to professionalism, compassion, integrity, and excellence in all endeavors; now, therefore, be it

RESOLVED by the House of Delegates, That these members of the Prince William County Department of Fire and Rescue hereby be commended on the occasion of their 35th anniversary of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the 35-year members of the Prince William County Department of Fire and Rescue as an expression of the House of Delegates' admiration for their service and sacrifice on behalf of the residents of Prince William County and the Commonwealth.

HOUSE RESOLUTION NO. 601

Commending 20-year members of the Prince William County Department of Fire and Rescue.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, in 2025, 20 members of the Prince William County Department of Fire and Rescue celebrate 20 years of service with the department; and

WHEREAS, every member of the Prince William County Department of Fire and Rescue works diligently to safeguard the lives and property of community members, responding to fires, vehicle crashes, natural disasters, medical emergencies, and other crisis situations with the utmost efficiency and effectiveness; and

WHEREAS, as of 2025, Lieutenant Gregory Clatterbuck, Technician II Frank Dozier, Lieutenant Robert Howard, Lieutenant James Moore, Technician II Craig Nelson, Lieutenant Dustin Schultz, Captain Kevin Tobey, Technician II David Wolford, Battalion Chief Tyler Cirillo, Captain Jason Knight, Captain Charles Peele, Captain Marcus Saager, Lieutenant Christian Alloway, Lieutenant Werter Willis, Lieutenant Jacob Wilson, Technician II Michael Anthony, Technician II Neil Eloise, Technician II Curtis Hooks, Technician II Damian Marsh, and Technician II Michelle (Mickey) Beck have served with the Prince William County Department of Fire and Rescue for 20 years, a testament to their dedication to public safety and loyalty to their fellow firefighters; and

WHEREAS, Lieutenant Gregory Clatterbuck, Technician II Frank Dozier, Lieutenant Robert Howard, Lieutenant James Moore, Technician II Craig Nelson, Lieutenant Dustin Schultz, Captain Kevin Tobey, Technician II David Wolford, Battalion Chief Tyler Cirillo, Captain Jason Knight, Captain Charles Peele, Captain Marcus Saager, Lieutenant Christian Alloway, Lieutenant Werter Willis, Lieutenant Jacob Wilson, Technician II Michael Anthony, Technician II Neil Eloise, Technician II Curtis Hooks, Technician II Damian Marsh, and Technician II Michelle (Mickey) Beck have touched countless lives through their decades of achievements as public safety officers, exemplifying the department's commitment to professionalism, compassion, integrity, and excellence in all endeavors; now, therefore, be it

RESOLVED by the House of Delegates, That these members of the Prince William County Department of Fire and Rescue hereby be commended on the occasion of their 20th anniversary of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the 20-year members of the Prince William County Department of Fire and Rescue as an expression of the House of Delegates' admiration for their service and sacrifice on behalf of the residents of Prince William County and the Commonwealth.

HOUSE RESOLUTION NO. 602

Commending Tin Cannon Brewing Company.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Tin Cannon Brewing Company, a beloved purveyor of various ales, stouts, and lagers in Gainesville, celebrated its 10th anniversary in 2024; and

WHEREAS, Tin Cannon Brewing Company was founded by Aaron Ludwig and John Hilkert, whose shared passion for homebrewing inspired a partnership that grew over time into a professional, commercial brewery; and

WHEREAS, Tin Cannon Brewing Company takes its name from both the tin cans that were used in the past for packaging beer and the Civil War heritage that imbues the Gainesville area; and

WHEREAS, Tin Cannon Brewing Company's roster of beers includes cherished staples like its Virginia Blonde Ale and Revenge of the Zyth India Pale Ale, as well as a steady rotation of other seasonal and experimental offerings; and

WHEREAS, Tin Cannon Brewing Company's products reflect the brewery's unwavering commitment to quality, fresh ingredients, and its intrepid willingness to experiment; and

WHEREAS, by providing the community with world-class beer and a friendly, convivial place to gather, Tin Cannon Brewing Company has helped to make Gainesville a wonderful place to live, work, and play; now, therefore, be it

RESOLVED by the House of Delegates, That Tin Cannon Brewing Company hereby be commended on the occasion of its 10th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Tin Cannon Brewing Company as an expression of the House of Delegates' admiration for the company's success and best wishes for its future endeavors.

HOUSE RESOLUTION NO. 603

Commending 30-year members of the Prince William County Department of Fire and Rescue.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, in 2025, 11 members of the Prince William County Department of Fire and Rescue celebrate 30 years of service with the department; and

WHEREAS, every member of the Prince William County Department of Fire and Rescue works diligently to safeguard the lives and property of community members, responding to fires, vehicle crashes, natural disasters, medical emergencies, and other crisis situations with the utmost efficiency and effectiveness; and

WHEREAS, as of 2025, Battalion Chief Kevin Artone, Captain Brian Jurgensen, Lieutenant Barry Culbertson, Assistant Chief Kurt Heindrichs, Assistant Chief Lance McClintock, Division Chief Shawn Crispin, Division Chief Tom Denner, Division Chief Erik McCoy, Battalion Chief Tom Clark, Captain Mike Darabond, and Captain Harry Wood have served with the Prince William County Department of Fire and Rescue for 30 years, a testament to their dedication to public safety and loyalty to their fellow firefighters; and

WHEREAS, Battalion Chief Kevin Artone, Captain Brian Jurgensen, Lieutenant Barry Culbertson, Assistant Chief Kurt Heindrichs, Assistant Chief Lance McClintock, Division Chief Shawn Crispin, Division Chief Tom Denner, Division Chief Erik McCoy, Battalion Chief Tom Clark, Captain Mike Darabond, and Captain Harry Wood have touched countless lives through their decades of achievements as public safety officers, exemplifying the department's commitment to professionalism, compassion, integrity, and excellence in all endeavors; now, therefore, be it

RESOLVED by the House of Delegates, That these members of the Prince William County Department of Fire and Rescue hereby be commended on the occasion of their 30th anniversary of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the 30-year members of the Prince William County Department of Fire and Rescue as an expression of the House of Delegates' admiration for their service and sacrifice on behalf of the residents of Prince William County and the Commonwealth.

HOUSE RESOLUTION NO. 604

Commending Godson Vondee.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Godson Vondee, a distinguished member of the Prince William County Police Department, received a 2024 Law Enforcement Award of Excellence for Impaired Driving Prevention and Enforcement from the Washington Regional Alcohol Program; and

WHEREAS, Godson Vondee has recorded more than 80 arrests for impaired driving, making critical contributions to traffic safety in Prince William County; and

WHEREAS, Godson Vondee has undoubtedly saved numerous lives by taking impaired drivers off the roads; and

WHEREAS, Godson Vondee is a two-time winner of the Law Enforcement Award of Excellence for Impaired Driving Prevention and Enforcement; and

WHEREAS, Godson Vondee was one of 17 law enforcement officers in the region to receive the award, which was presented at the Washington Regional Alcohol Program's 27th annual awards ceremony in December 2024; now, therefore, be it

RESOLVED by the House of Delegates, That Godson Vondee hereby be commended for receiving a 2024 Law Enforcement Award of Excellence for Impaired Driving Prevention and Enforcement from the Washington Regional Alcohol Program; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Godson Vondee as an expression of the House of Delegates' admiration for his commitment to safe driving and efforts to safeguard the residents of Prince William County.

HOUSE RESOLUTION NO. 605

Commending the Brentsville FFA.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, the Brentsville FFA, the Future Farmers of America chapter at Brentsville District High School in Nokesville, was presented a National Chapter 3-Star Award by Future Farmers of America in 2024; and

WHEREAS, for 95 years, the Brentsville FFA has leveraged agriculture education to provide students with opportunities to explore new ideas, acquire experience, become impactful members of their school and community, and learn to advocate for themselves and the causes they support; and

WHEREAS, the Brentsville FFA received the National Chapter 3-Star Award, one of the organization's most prestigious honors, for incorporating all 15 FFA quality standards into their organizational activities and events; and

WHEREAS, the quality standards the Brentsville FFA achieved are organized across three divisions, including building communities, strengthening agriculture, and growing leaders; within these divisions, the standards are further organized into five categories, including citizenship, healthy lifestyle, career success, scholarship, and agriculture; and

WHEREAS, in addition to achieving the quality standards, the Brentsville FFA also had to earn the State Superior Gold Chapter Award to be eligible for its National Chapter 3-Star Award; and

WHEREAS, by preparing countless students to take charge of their futures and become the leaders of tomorrow, the Brentsville FFA has left a positive and lasting imprint on the Prince William County community and beyond; now, therefore, be it

RESOLVED by the House of Delegates, That the Brentsville FFA hereby be commended for receiving the Future Farmers of America's National Chapter 3-Star Award; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Brentsville FFA as an expression of the House of Delegates' admiration for the chapter's accomplishments and best wishes for its continued success.

HOUSE RESOLUTION NO. 606

Commending T. Clay Wood Elementary School.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, in 2024, T. Clay Wood Elementary School was selected by the U.S. Department of Education as a National Blue Ribbon School in the Exemplary Achievement Gap-Closing Schools category; and

WHEREAS, the National Blue Ribbon Schools program recognizes exceptional public and private elementary, middle, and high schools across the nation; T. Clay Wood Elementary School was one of 356 national winners and one of only eight schools in the Commonwealth to receive this prestigious honor; and

WHEREAS, T. Clay Wood Elementary School has fostered a culture of growth and innovation to ensure that every student has a supportive environment in which to grow socially, emotionally, and academically; and

WHEREAS, T. Clay Wood Elementary School has demonstrated a clear vision of instructional excellence and upheld the highest standards to ensure that students can achieve their fullest potential both in and out of the classroom; and

WHEREAS, the National Blue Ribbon School award is a tribute to the hard work and dedication of the students, faculty, staff members, and families at T. Clay Wood Elementary School; now, therefore, be it

RESOLVED by the House of Delegates, That T. Clay Wood Elementary School hereby be commended on the occasion of its selection as a National Blue Ribbon School in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to T. Clay Wood Elementary School as an expression of the House of Delegates' admiration for the school's commitment to academic excellence and student success.

HOUSE RESOLUTION NO. 607

Commending Annamarie Bollino, Ph.D.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Annamarie Bollino, Ph.D., supervisor of the arts for Prince William County Public Schools, was presented an Outstanding Administrator Award by the Virginia Music Educators Association in 2024; and

WHEREAS, Annamarie Bollino prepared for her career in arts education at George Mason University, where she earned a master's degree and doctoral degree in music education; and

WHEREAS, as supervisor of the arts, Annamarie Bollino guides and collaborates with arts educators across Prince William County Public Schools to help them make a greater impact in their students' lives; and

WHEREAS, Annamarie Bollino has demonstrated a deep commitment to creating learning environments that encourage innovation, spark creativity, and inspire expression, enabling countless student-artists to thrive; and

WHEREAS, Annamarie Bollino has been an arts education leader on the state and national level, including as the president of the Virginia Music Educators Association, president-elect of the Southern Division of the National Association for Musical Education (NAfME), and chair of the NAfME Music Program Leaders Council; and

WHEREAS, prior to joining Prince William County Public Schools, Annamarie Bollino devoted 20 years to Stafford County Public Schools as a music educator, building administrator, and coordinator of visual and performing arts; and

WHEREAS, Annamarie Bollino has advanced arts education in the Commonwealth by serving on state arts standards writing committees, as a grant panelist for several agencies, and as a member of the Virginia Coalition for Fine Arts Education, where she is spearheading the state's participation in the Arts Education Data Project; and

WHEREAS, Annamarie Bollino's success as an arts education administrator is a result of her ability to motivate her teachers and students, make them feel valued, and empower them to achieve their full potential; now, therefore, be it

RESOLVED by the House of Delegates, That Annamarie Bollino, Ph.D., hereby be commended for receiving a 2024 Outstanding Administrator Award from the Virginia Music Educators Association; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Annamarie Bollino, Ph.D., as an expression of the House of Delegates' admiration for her contributions to arts education in the Commonwealth.

HOUSE RESOLUTION NO. 608

Commending Charles August Swanson.

Agreed to by the House of Delegates, February 6, 2025

WHEREAS, in 2024, Charles August Swanson of Richmond represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, winning a gold medal and a silver medal for Team USA in the 4x100-meter mixed medley relay and 4x100-meter men's medley relay events, respectively; and

WHEREAS, Charles "Charlie" August Swanson attended St. Christopher's School in Richmond and the University of Michigan, where he won five Big Ten Conference championship titles, including four consecutive titles in the 400-yard individual medley event; and

WHEREAS, at the Pan American Games in Lima, Peru, in 2019, Charlie Swanson won gold medals in the 400-meter individual medley event and the 4x100-meter mixed freestyle relay event, achieving a world-ranking of fourth in his individual event that year; and

WHEREAS, Charlie Swanson is an eight-time member of the USA Swimming National Team and has swum professionally for Energy Standard in the International Swimming League, helping the team to win a championship in the season he competed; and

WHEREAS, prior to his first appearance at the Olympics, Charlie Swanson competed in the World Aquatics Championships in Budapest, Hungary, in 2022, placing 11th in the 200-meter breaststroke event; and

WHEREAS, through his accomplishments as a competitive swimmer, Charlie Swanson has demonstrated what may be achieved through extraordinary hard work and dedication and brought pride to the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That Charles August Swanson hereby be commended on winning a gold and a silver medal at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Charles August Swanson as an expression of the House of Delegates' admiration for his outstanding athletic achievements and best wishes for the future.

HOUSE RESOLUTION NO. 609

Commending James Younts.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, James Younts, a student at Patriot High School in Prince William County, was selected as a National Merit Scholarship Program semifinalist by the National Merit Scholarship Corporation for 2025; and

WHEREAS, the National Merit Scholarship Program is an annual academic competition for high school students in the United States that was established in 1955; this spring, the program will award approximately 6,870 scholarships that will be collectively worth nearly $26 million; and

WHEREAS, James Younts was selected as a National Merit Scholarship Program semifinalist as a result of his strong score on the 2023 Preliminary SAT/National Merit Scholarship Qualifying Test; and

WHEREAS, James Younts was among more than 16,000 other high school seniors from across the country who were selected as semifinalists for the 70th annual National Merit Scholarship Program and now has the opportunity to compete to attain finalist standing and to win a prestigious National Merit Scholarship; and

WHEREAS, James Younts' accomplishment is the result of his hard work and dedication, the leadership and guidance of his teachers, and the unwavering support of his family and the entire Patriot High School community; now, therefore, be it

RESOLVED by the House of Delegates, That James Younts hereby be commended for being named a 2025 National Merit Scholarship Program semifinalist; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to James Younts as an expression of the House of Delegates' admiration for his achievement and best wishes for his continued success.

HOUSE RESOLUTION NO. 610

Commending the Virginia Women and Family Support Center.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, since 2016, the Virginia Women and Family Support Center has assisted several families in the Prince William County area through its housing, maternal health, and child development services; and

WHEREAS, the Virginia Women and Family Support Center was established to provide a place where pregnant women facing housing instability could find both a safe home for their young families and services to help them achieve independence and self-sufficiency; and

WHEREAS, through vital services such as case management, childcare assistance, job training, and mental health support, the Virginia Women and Family Support Center prepares the women it serves to achieve bright futures and sustainable success; and

WHEREAS, by creating a stable home for young mothers, the Virginia Women and Family Support Center fulfills not only their basic needs, but increases the chances that they will break the cycle of poverty and that their children will have better educational and health outcomes; and

WHEREAS, the Virginia Women and Family Support Center offers its mothers a range of maternal healthcare services, including both prenatal and postpartum care, to ensure their health and the health of their babies both during and after their pregnancies; and

WHEREAS, children in the Virginia Women and Family Support Center's program benefit from exceptional pediatric care and high-quality enrichment activities designed to foster their development and help them reach their full potential; and

WHEREAS, in 2024, the Virginia Women and Family Support Center helped more than 400 families; and

WHEREAS, in addition to its initial residence in Haymarket, the Virginia Women and Family Support Center is currently expanding into new properties in Gainesville and Manassas, which will greatly enhance the organization's ability to make a positive and lasting difference in the lives of the women and children it serves; now, therefore, be it

RESOLVED by the House of Delegates, That the Virginia Women and Family Support Center hereby be commended for its efforts to uplift and empower women and children in the Prince William County area; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Virginia Women and Family Support Center as an expression of the House of Delegates' admiration for the organization's achievements in pursuit of its mission.

HOUSE RESOLUTION NO. 611

Commending Brenda Johnson.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Brenda Johnson, an active and engaged civic leader, was presented the Lifetime Achievement award by the Women's Division of the Hampton Roads Chamber of Commerce in Chesapeake in 2024; and

WHEREAS, Brenda Johnson is a graduate of Oscar F. Smith High School in Chesapeake, and she enjoyed a successful career as a merchandiser with the personal care product company Revlon prior to her retirement; and

WHEREAS, Brenda Johnson supported the growth and development of young people in Chesapeake as a member of multiple parent teacher associations, including the Oscar Smith Middle School parent teacher association, which she served as president; and

WHEREAS, as a member of the Chesapeake School Board, Brenda Johnson worked tirelessly to promote the success and well-being of students and faculty at Chesapeake Public Schools; and

WHEREAS, Brenda Johnson has generously supported the Women's Division of the Hampton Roads Chamber of Commerce in Chesapeake through her involvement with a number of its committees and service programs; and

WHEREAS, Brenda Johnson has made an impact on the South Norfolk community of Chesapeake as an active member of the Woman's Club of South Norfolk, the South Norfolk Civic League, and the South Norfolk Revitalization Commission; and

WHEREAS, Brenda Johnson's dedication and service have helped to make Chesapeake a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That Brenda Johnson hereby be commended for receiving the Lifetime Achievement award from the Women's Division of the Hampton Roads Chamber of Commerce in Chesapeake in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Brenda Johnson as an expression of the House of Delegates' admiration for her contributions to Chesapeake and the Commonwealth.

HOUSE RESOLUTION NO. 612

Celebrating the life of Michael Steven Wright.

Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Michael Steven Wright, an esteemed law-enforcement officer, beloved husband, father, and son, and revered member of the Baltimore, Maryland, community, died on January 19, 2025; and

WHEREAS, a native of Portsmouth, Michael Wright was an honored and distinguished member of the Maryland State Police who achieved the rank of trooper first class before his retirement; and

WHEREAS, Michael Wright worked tirelessly to ensure the safety and well-being of Maryland's residents and visitors and to support his fellow law-enforcement officers during his time with the Maryland State Police; and

WHEREAS, Michael Wright showed compassion and concern for others in both his personal and professional life, and his light will continue to shine brightly through all of those who knew him; and

WHEREAS, Michael Wright was guided throughout his life by his faith and endeavored to support others in their spiritual journeys as a Bible teacher; and

WHEREAS, Michael Wright will be fondly remembered and dearly missed by numerous family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Michael Steven Wright, a cherished member of the Baltimore, Maryland, community whose courage, integrity, and service made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Michael Steven Wright as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 614

Commending the Virginia Asian Chamber of Commerce.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Virginia Asian Chamber of Commerce, established in 2004, serves as the official voice for Asian American Pacific Islander businesses in the Commonwealth, guiding entrepreneurs through the complexities of domestic and global markets; and

WHEREAS, the Virginia Asian Chamber of Commerce (VACC) represents a dynamic supply chain of first-generation and second-generation Asian entrepreneurs from 37 countries, all of whom make significant contributions to the Commonwealth's economic diversity and strength; and

WHEREAS, under the leadership of founder Tinh Duc Phan, who was recognized as one of Virginia's Top 50 People to Watch by *Virginia Business Magazine*, VACC played a pivotal role in creating the Small, Women-owned, and Minority-owned Business certification program, which has enhanced opportunities for underserved businesses statewide; and

WHEREAS, My Lan Tran, the executive director of VACC, who was honored as a Top Woman Business Executive Leader by *Virginia Business Magazine*, has been instrumental in developing strategic programming that fosters small business growth and advocacy; and

WHEREAS, VACC's robust network of more than 2,500 businesses and professionals spans nine states, contributing to job creation and economic development both nationally and globally; and

WHEREAS, VACC actively collaborates with nonprofit organizations, government agencies, educational institutions, and Fortune 100/500 companies to promote inclusivity and support for diverse entrepreneurs; and

WHEREAS, VACC works with local, state, and regional governmental bodies to address issues affecting the Asian business community, thereby strengthening the Commonwealth's economic fabric; and

WHEREAS, VACC's efforts have been recognized through multiple national awards, underscoring its leadership and impact within the business community; now, therefore, be it

RESOLVED by the House of Delegates, That the Virginia Asian Chamber of Commerce hereby be commended for its significant contributions to the economic development and cultural diversity of the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Virginia Asian Chamber of Commerce as an expression of the House of Delegates' admiration for the Chamber's achievements and best wishes for its continued success.

HOUSE RESOLUTION NO. 615

Commending Galilee Church.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, since the late 1800s, Galilee Church has provided joyful worship services, generous community outreach, and opportunities for spiritual renewal to the residents of Virginia Beach; and

WHEREAS, Galilee Church traces its roots to 1888, when a group of vacationers gathered for a Sunday service at an oceanfront home near 18th Street and discussed the possibility of establishing a public chapel that could serve numerous denominations; and

WHEREAS, the Norfolk and Virginia Beach Railroad subsequently donated $500 to finance such a chapel, which was initially shared by Catholic, Presbyterian, Episcopalian, Baptist, and Methodist congregations; and

WHEREAS, after these other congregations built their own churches, members of the Episcopalian community purchased the chapel in 1896 and renamed it Galilee by the Sea; in 1903, the church hired its first rector, the Reverend Edward P. Miner, and subsequently became an Episcopal parish church; and

WHEREAS, due to beach erosion, the original Galilee Church building was relocated and a new brick church was constructed on 18th Street in 1926; and

WHEREAS, as the congregation continued to grow in both faith and number Galilee Church prepared to relocate again, laying the cornerstone for the current church building in July 1956; and

WHEREAS, Galilee Church has touched countless lives over the course of its long and storied history and remains a focal point of community life and a beacon of hope to people in need; now, therefore, be it

RESOLVED by the House of Delegates, That Galilee Church hereby be commended for its long legacy of service to the Virginia Beach community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Galilee Church as an expression of the House of Delegates' admiration for the congregation's contributions to the community.

HOUSE RESOLUTION NO. 616

Commending Aldo's Ristorante.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Aldo's Ristorante, an Italian restaurant in Virginia Beach, has provided an outstanding family-friendly dining experience to local residents and visitors since 1988; and

WHEREAS, Aldo's Ristorante originally offered a simple menu of salads, pasta, and pizza prepared in a wood-burning stove imported from Italy; and

WHEREAS, Aldo's Ristorante was a hit with local diners from the beginning and has grown to become a fine-dining destination known for its classic Italian dishes and award-winning wine list; and

WHEREAS, Aldo's Ristorante has always prioritized giving back to the community and has helped raise thousands of dollars to support local schools, churches, charitable groups, and nonprofit organizations; and

WHEREAS, Aldo's Ristorante is a beloved local gathering place where families can make lasting memories every day, and it has hosted countless business meetings, engagement parties, rehearsal dinners, bridal showers, and other special events; now, therefore, be it

RESOLVED by the House of Delegates, That Aldo's Ristorante hereby be commended for its decades of service to members of the community in Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Aldo's Ristorante as an expression of the House of Delegates' admiration for its legacy of contributions to the vibrant local economy.

HOUSE RESOLUTION NO. 617

Commending The Gala 417.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, The Gala 417, a wedding and event venue in Virginia Beach that has helped countless families make lasting memories, celebrated its fifth anniversary in 2024; and

WHEREAS, The Gala 417 was established in 2019 by Amberly and Coleman Ferguson, experienced local entrepreneurs, who envisioned a welcoming space where people could gather and celebrate their milestones in a picturesque coastal setting; and

WHEREAS, surrounded by water on Long Bay Pointe Boating Resort, The Gala 417 includes a customizable grand ballroom and lounge, bride and groom suites, and an outdoor terrace with gorgeous views; and

WHEREAS, The Gala 417 offers all-inclusive wedding planning services to ensure that every couples' special day is fun, easy, seamless, and exactly as they pictured it; and

WHEREAS, The Gala 417 is one of the top-rated luxury wedding venues in the Commonwealth and maintains high ratings on several wedding planning websites; and

WHEREAS, The Gala 417 has set the standard for comprehensive and luxurious event management and consults with other wedding planners and venues on business development, client generation, event coordination, and more; now, therefore, be it

RESOLVED by the House of Delegates, That The Gala 417 hereby be commended on the occasion of its fifth anniversary of service to residents of and visitors to Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Amberly and Coleman Ferguson, cofounders of The Gala 417, as an expression of the House of Delegates' admiration for its contributions to the vibrant local economy.

HOUSE RESOLUTION NO. 618

Commending Doc Taylor's Restaurant.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Doc Taylor's Restaurant, a beloved local institution in Virginia Beach, has served countless local residents and visitors while preserving the area's unique history; and

WHEREAS, the house where Doc Taylor's is now located previously served as a family residence and a medical practice operated by the eponymous Dr. Waller Taylor; the building was later painted pink and served as a motel; and

WHEREAS, the current iteration Doc Taylor's was created by the owners of the nearby Tautog's Restaurant, an acclaimed seafood dining experience, who wished to expand into more casual breakfast and lunch fare; and

WHEREAS, Doc Taylor's serves all-day comfort food in a unique atmosphere, with photos and memorabilia that tell the story of the building and history of the neighborhood adorning the walls; and

WHEREAS, the Doc Taylor's Seaside Market Lounge, open every weekend with other limited seasonal hours, has provided a beloved community gathering place that offers cocktails, games, live music, and large screens for sporting events; now, therefore, be it

RESOLVED by the House of Delegates, That Doc Taylor's Restaurant hereby be commended for its contributions to the Virginia Beach community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Doc Taylor's Restaurant as an expression of the House of Delegates' admiration for its storied history and contributions to the vibrant local economy.

HOUSE RESOLUTION NO. 619

Celebrating the life of Nellie Hayse.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Nellie Hayse, an esteemed leader in the nonprofit community and devoted Girl Scout, died on December 14, 2024; and

WHEREAS, Nellie Hayse was a lifetime Girl Scout who spent her youth years in Girl Scouts while living in Kentucky; she became a Mariner Girl Scout as a teen and was selected for her demonstrated leadership to represent Girl Scouts on an international trip to England aboard the *Queen Mary* where she took part in an educational and leadership experience; she earned the highest award bestowed upon a Girl Scout at that time, the Curved Bar; and

WHEREAS, Nellie Hayse furthered her leadership skills as a college student and graduated from Wellesley College in 1957 with honors; and

WHEREAS, Nellie Hayse dedicated her professional career to Girl Scouts and served in three different Girl Scout Councils in a variety of roles; she became a Girl Scout executive director of two councils, serving as the lead for Girl Scouts of the Colonial Coast, a council serving members in southeastern Virginia and northeastern North Carolina, beginning in 1980 and retiring in 2004; and

WHEREAS, Nellie Hayse was a trailblazer who had an impact on the lives of girls and women in the Greater Hampton Roads area; she tirelessly championed a campaign that resulted in the building of A Place for Girls, the headquarters and regional program center for Girl Scouts in Chesapeake; she also designed and made possible The Outback, the eight-acre nature area that lies behind A Place for Girls; the Virginia Southeastern Birding Trail is named in her honor – the Nellie Hayse Birding Trail – and is located in The Outback; and

WHEREAS, Nellie Hayse was an outdoor enthusiast and promoted being an environmental steward; as such, she led many groups into the outdoors, including backpack trips on the Appalachian Trail; thanks to her love for nature, thousands of Girl Scouts had outdoor experiences and came to respect the Leave No Trace mantra, whether it was at one of the many camps she helped maintain within the council, or through state park programs she supported; and

WHEREAS, Nellie Hayse was a founding member of the Friends of Women Studies at Old Dominion University and supported the start of the school's Department of Women's and Gender Studies, which was one of the first programs to offer a women studies degree in the Commonwealth; and

WHEREAS, Nellie Hayse was a role model for many girls and women; she was the first woman to become a member and to serve on the board of The Hampton Roads Sail and Power Squadron; she was also one of the first women to join the Great Bridge Rotary and serve on their board; and

WHEREAS, Nellie Hayse served on many community boards and championed many causes within the Greater Hampton Roads community, and she was recognized for her leadership with many awards; these awards included recognition as the Virginia Nonprofit Administrator of the Year and the Outstanding Business Woman of the Year; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Nellie Hayse, a treasured member of the Greater Hampton Roads community whose integrity, compassion, and dedication inspired all who knew her; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Nellie Hayse as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 620

Commending First Presbyterian Church of Virginia Beach.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, for more than 100 years, First Presbyterian Church of Virginia Beach has provided opportunities for joyful worship, wise spiritual counsel, and transformational outreach programs to the residents of Virginia Beach; and

WHEREAS, as a long-standing focal point of local life and a beacon of hope for people in need, First Presbyterian Church of Virginia Beach has served generations of families and reflects and celebrates the rich diversity of the community; and

WHEREAS, First Presbyterian Church of Virginia Beach offers a wide range of ministries for adults, seniors, children, and young adults to ensure that every member of the congregation has the support they need to grow in faith; and

WHEREAS, First Presbyterian Church of Virginia Beach strives to enhance the quality of life of all residents of Virginia Beach through generous outreach and offers international mission programs to support communities around the world; now, therefore, be it

RESOLVED by the House of Delegates, That First Presbyterian Church of Virginia Beach hereby be commended for more than 100 years of contributions to the residents of Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to First Presbyterian Church of Virginia Beach as an expression of the House of Delegates' admiration for the church's storied history and legacy of community leadership.

HOUSE RESOLUTION NO. 621

Celebrating the life of Marie Goodman Johnson.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Marie Goodman Johnson, a devoted educator in Richmond and a pioneer for Black women in the performing arts, died on October 16, 2024; and

WHEREAS, born in 1929, Marie Johnson was adopted by Fred and Florence Goodman and grew up in Richmond, where she became a member of First Baptist Church of South Richmond at a young age; and

WHEREAS, Marie Johnson graduated from Armstrong High School and continued her education at Virginia State University; she developed a passion for lifelong learning and subsequently studied at the Columbia University Teachers College, the University of Virginia, and The College of William & Mary; and

WHEREAS, Marie Johnson pursued a career in education and was one of the first teachers to integrate the previously all-white William Fox Elementary School; she spent the majority of her career inspiring students at John Marshall High School; and

WHEREAS, Marie Johnson primarily taught music and speech, but she was most proud of her role as a mentor who helped students develop self-confidence, self-respect, and pride in their communities; and

WHEREAS, outside of her career, Marie Johnson's beautiful mezzo-soprano voice made her a sought-after soloist at several Richmond churches; as she began to perform more often, she discovered a talent for acting and became the first Black actress to secure a role in *The Common Glory* by Paul Green, an annual patriotic play held in Williamsburg; and

WHEREAS, Marie Johnson went on to appear in 32 productions, earning numerous awards and accolades for her legacy of contributions to theatre and the performing arts; and

WHEREAS, Marie Johnson made appearances at the Barter Theatre in Abingdon, Swift Creek Mill Theatre in Colonial Heights, McCarter Theatre in New Jersey, Tanglewood Barn Theatre in North Carolina, Alabama Shakespeare Festival in Alabama, and the Caux Palace in Switzerland; and

WHEREAS, predeceased by her husband, Andrew, Marie Johnson will be fondly remembered and greatly missed by her daughter Kelley, and her family, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Marie Goodman Johnson, a former teacher and a captivating vocalist and theatre actress; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Marie Goodman Johnson as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 622

Celebrating the life of Henry Martin Walters.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Henry Martin Walters, a patriotic veteran and respected member of his community in Richmond, died on November 27, 2024; and

WHEREAS, Henry Walters grew up in South Hill and attended Mecklenburg County Public Schools; after high school graduation, he joined the United States Army and served the nation during the Vietnam War; and

WHEREAS, Henry Walters continued to support his fellow veterans throughout his life and was a dedicated member of the Military Retirees Club in Richmond; he was often identifiable by his collection of hats proudly proclaiming his military service; and

WHEREAS, over the course of his professional career, Henry Walters worked at Phillip Morris, Inc. and the former Continental Cablevision, but he was most passionate about spending time on the open road driving 18-wheeler trucks and buses for Greyhound and Groome Transportation; and

WHEREAS, Henry Walters enjoyed fellowship and worship with the congregation of Good Shepherd Baptist Church, where he was active in the men's ministry and other organizations; and

WHEREAS, predeceased by his loving wife, Alice, Henry Walters will be fondly remembered and greatly missed by his daughter, Valerie Walters; his son, Derrick Walters; his stepdaughter, Valerie Melvin; his children's families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Henry Martin Walters, a highly admired member of the Richmond community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Henry Martin Walters as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 623

Celebrating the life of the Reverend Dr. Fernando Eugene Temple, Sr.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Reverend Dr. Fernando Eugene Temple, Sr., of Varina, an inspirational faith leader who touched countless lives in Virginia and North Carolina, died on December 23, 2024; and

WHEREAS, Fernando Temple grew up in eastern Henrico County and attended Henrico County Public Schools; he began to cultivate his deep faith at a young age as a member of First Bethel Baptist Church, where he served as a Sunday school superintendent, deacon, and youth minister; and

WHEREAS, after serving the nation for four years as a member of the United States Air Force, Fernando Temple returned to the Commonwealth and pursued a 25-year career as a driver and salesman with the Roadway Express trucking company; and

WHEREAS, in 1980, Fernando Temple answered the call to the ministry and was licensed to preach at First Bethel Baptist Church; he was ordained in 1981 and began his pastoral career in 1982; and

WHEREAS, Fernando Temple led the congregation of Brown Grove Baptist Church in Ashland as pastor for 20 years, then joined Parker's Grove Baptist Church in North Carolina in 2004; and

WHEREAS, Fernando Temple provided his visionary leadership and wise insights to the Chickahominy Baptist Association of Hanover County and was a longtime member of the Hampton Ministers Conference, the Baptist Ministers Conference of Richmond and Vicinity, and the West Roanoke Missionary Baptist Association; and

WHEREAS, Fernando Temple will be fondly remembered and greatly missed by his beloved wife, Annelore; his children, Margaret, Christel, Fernando, Jr., and Yvonne, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of the Reverend Dr. Fernando Eugene Temple, Sr., a highly admired spiritual leader in Henrico County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Reverend Dr. Fernando Eugene Temple, Sr., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 624

Commending the Albemarle County Human Services Alternative Response Team.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, in 2024, the Albemarle County Human Services Alternative Response Team received a prestigious Achievement Award from the Virginia Association of Counties for its innovative work to provide support for community members experiencing an emergency related to mental health, behavioral health, or substance abuse; and

WHEREAS, the Albemarle County Human Services Alternative Response Team (HART) was established in 2023 after local law-enforcement officers and other emergency services personnel reported an increase in calls for service related to mental health, behavioral health, or substance abuse; and

WHEREAS, Albemarle County HART was created to de-escalate and stabilize such situations in a timely manner, connecting individuals experiencing a crisis with support services to keep them out of jail or the emergency room; and

WHEREAS, since its founding, Albemarle County HART has assisted more than 550 individuals, with the majority of calls for service relating to behavioral health crises; and

WHEREAS, Albemarle County HART was initially composed of a paramedic, an officer of the Albemarle County Police Department, and a human services professional from the Department of Social Services; the county has since expanded staffing to better serve the community; and

WHEREAS, a record number of 145 organizations were submitted for the 2024 Virginia Association of Counties' Achievement Award, and Albemarle County HART was one of only 45 winners, demonstrating the program's contributions to the public and its value as a model for other counties around the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That the Albemarle County Human Services Alternative Response Team hereby be commended on receiving a 2024 Achievement Award from the Virginia Association of Counties; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Albemarle County Human Services Alternative Response Team as an expression of the House of Delegates' admiration for the team's compassionate care and service to community members in need.

HOUSE RESOLUTION NO. 625

Commending Senior Statesmen of Virginia.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, for three decades, Senior Statesmen of Virginia has promoted civic engagement and enabled senior residents of the Commonwealth to identify and better articulate their viewpoints on important issues; and

WHEREAS, Senior Statesmen of Virginia was established in 1995, after five Charlottesville residents met at the Senior Center and discussed creating an organization that would help individuals meet with candidates for elected office and communicate with local leaders on challenges facing their communities; and

WHEREAS, the founding members of Senior Statesmen of Virginia were Gene Ecton Davis, Joe Lieberman, Mike Ludgate, Grace Patrick, and Ray Torry; and

WHEREAS, the mission of Senior Statesmen of Virginia is to enable seniors to identify and articulate their viewpoints on the issues affecting all residents of the Commonwealth, to encourage knowledge of and active participation in the legislative process, to disseminate information about social, governmental, and educational institutions, and to prepare resolutions stating positions on member-selected issues for distribution to appropriate public officials; and

WHEREAS, Senior Statesmen of Virginia has provided more than 300 insightful, informative, and motivating community programs to encourage senior engagement; and

WHEREAS, the Senior Statesmen of Virginia records have been accepted and are now permanently archived at the University of Virginia's Albert and Shirley Small Special Collections Library, which specializes in the history of the Commonwealth and the southeastern United States; and

WHEREAS, Gene Ecton Davis, the surviving co-founder of Senior Statesmen of Virginia, was recognized for her legacy of outstanding achievements at the organization's annual meeting in 2024; now, therefore, be it

RESOLVED by the House of Delegates, That Senior Statesmen of Virginia hereby be commended on the occasion of its 30th anniversary of promoting a better informed and well-engaged citizenry; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Senior Statesmen of Virginia as an expression of the House of Delegates' admiration for the organization's legacy of contributions to civic engagement among seniors in the Commonwealth.

HOUSE RESOLUTION NO. 626

Commending the Nelson County Sheriff's Office.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, in 2024, the Nelson County Sheriff's Office worked with other law-enforcement agencies to investigate and disrupt an international financial exploitation scheme that had adversely affected at least one local resident; and

WHEREAS, in July 2024, a Nelson County resident whose computer had been infected with and disabled by malware was informed by an individual posing as a Microsoft employee that her identity had been compromised; and

WHEREAS, the victim was instructed by telephone to purchase a substantial quantity of gold bullion, which was subsequently collected at her home by an unknown individual; the victim became suspicious after receiving fraudulent correspondence requesting an additional purchase of gold bullion and contacted the Nelson County Sheriff's Office on August 16, 2024; and

WHEREAS, members of the Nelson County Sheriff's Office coordinated with the Virginia State Police and the Richmond Field Office of the Federal Bureau of Investigation to intercept a courier who arrived at the victim's residence to remove the second shipment of gold bullion on August 19, 2024; and

WHEREAS, the Nelson County Sheriff's Office established that the courier, who was charged with multiple felonies, had entered the United States illegally; and

WHEREAS, thanks to the professionalism and hard work of the Nelson County Sheriff's Office, a member of this organized criminal enterprise was brought to justice, and residents of Nelson County gained a better understanding of how electronic fraud can affect their lives; now, therefore, be it

RESOLVED by the House of Delegates, That the Nelson County Sheriff's Office hereby be commended for its success in disrupting an international financial exploitation ring; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Nelson County Sheriff's Office as an expression of the House of Delegates' admiration for its dedication to keeping Virginians safe from modern threats.

HOUSE RESOLUTION NO. 627

Commending Camp Holiday Trails.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, for more than 50 years, Camp Holiday Trails, a nonprofit youth camp in Charlottesville, has provided positive camp experiences for generations of children and teenagers with medical needs; and

WHEREAS, opened by a group of local pediatricians in 1974, Camp Holiday Trails was designed to provide opportunities for outdoor activities in a safe, supportive, and inclusive environment; the camp offers 24/7 medical care and supervision to ensure that children with medical needs and their families can focus on having fun and building bonds with fellow campers; and

WHEREAS, Camp Holiday Trails has served more than 10,000 children with diverse medical diagnoses from throughout the Mid-Atlantic region by providing a variety of year-round program options, including family camp, day camp, or overnight camp; and

WHEREAS, the empowering and transformative programs at Camp Holiday Trails focus on helping campers build confidence, leadership abilities, and personal skills while learning to manage their medical diagnoses; and

WHEREAS, Camp Holiday Trails has fulfilled its mission through generous support from individuals, alumni, and community partners; and

WHEREAS, the compassionate volunteers, staff members, and medical professionals at Camp Holiday Trails work diligently to ensure every camper has access to meaningful programs and foster a sense of resilience, joy, and belonging; now, therefore, be it

RESOLVED by the House of Delegates, That Camp Holiday Trails hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Camp Holiday Trails as an expression of the House of Delegates' admiration for its life-changing work to create new opportunities for children with a wide range of medical diagnoses throughout the Mid-Atlantic region.

HOUSE RESOLUTION NO. 628

Commending the advocates, survivors, families, and others impacted by triple-negative breast cancer.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, breast cancer is one of the most common cancers diagnosed in women in the United States and occurs in many types; and

WHEREAS, when diagnosing breast cancer, doctors test for the presence or absence of receptors, which are proteins that live within or on the surface of a cell and that bind to parts of the body to cause the cell to react; and

WHEREAS, triple-negative breast cancer is a form of breast cancer in which the cancer cells test negative for the estrogen receptor, progesterone receptor, and human epidermal growth factor receptor 2; and

WHEREAS, triple-negative breast cancer may have the same signs and symptoms as other types of breast cancer, such as a lump or thickening in the breast, changes in the shape or size of the breast, skin changes, and nipple discharge; and

WHEREAS, triple-negative breast cancer accounts for 10 to 15 percent of all breast cancers and is a particularly aggressive form of breast cancer, growing and spreading faster and recurring more often following treatment than other types; and

WHEREAS, additionally, due to the lack of certain receptors, which are often targeted by medicines designed to treat breast cancer, triple-negative breast cancer has fewer treatment options, resulting in worse prognoses and lower survival rates for patients; and

WHEREAS, triple-negative breast cancer has been shown to be more common in women who are pre-menopausal, who are Black, or who have a BRCA1 mutation, and it is estimated that 20 to 40 percent of Black women who develop breast cancer will have triple-negative breast cancer; and

WHEREAS, the outlook in cases of triple-negative breast cancer depends on a number of factors, including the patient's age, the response to treatment, and the stage of the cancer when it is diagnosed; and

WHEREAS, the advocates, survivors, families, and others impacted by triple-negative breast cancer have shown extraordinary courage and strength in their fight against the disease; and

WHEREAS, every March, the Triple Negative Breast Cancer Foundation and the advocates, survivors, families, and others impacted by triple-negative breast cancer observe Triple-Negative Breast Cancer Awareness Month; and

WHEREAS, by raising awareness and understanding of triple-negative breast cancer, the advocates, survivors, families, and others impacted by triple-negative breast cancer hope to improve health outcomes and survival rates by contributing to an increase in screening, diagnostic testing, and early detection and by encouraging research into new and more effective treatments for the disease; now, therefore, be it

RESOLVED by the House of Delegates, That the advocates, survivors, families, and others impacted by triple-negative breast cancer hereby be commended for their bravery and fortitude; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of the Triple Negative Breast Cancer Foundation as an expression of the House of Delegate's admiration for the organization's mission and best wishes for its success.

HOUSE RESOLUTION NO. 629

Commending Marshall Jarrett.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, for 15 years, Marshall Jarrett worked diligently to support employees of the City of Falls Church as an appointee to the City of Falls Church Retirement Board; and

WHEREAS, Marshall Jarrett is a well-established civic leader in Falls Church who previously served on the city's Board of Zoning Appeals for six years, Planning Commission for five years, and Board of Equalization for three years; and

WHEREAS, Marshall Jarrett was first appointed by the Falls Church City Council to the Retirement Board in May 2006 and served in that capacity until April 2012; he was reappointed in February 2015 and served until June 2024, a total of five terms over 15 years; and

WHEREAS, as a member of the Retirement Board, Marshall Jarrett oversaw the administration of city pension plans, reviewed investment practices, and advised the Falls Church City Council on relevant matters; and

WHEREAS, Marshall Jarrett earned the admiration of other city officials for his legal acumen and penchant for asking thought-provoking questions; and

WHEREAS, Marshall Jarrett worked diligently to ensure regulatory compliance while serving city employees with fairness, sincerity, and the utmost integrity; now, therefore, be it

RESOLVED by the House of Delegates, That Marshall Jarrett hereby be commended for his 15 years of service as a member of the City of Falls Church Retirement Board; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Marshall Jarrett as an expression of the House of Delegates' admiration for his outstanding service to the City of Falls Church.

HOUSE RESOLUTION NO. 630

Commending agricultural producers in Virginia.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, with more than 38,000 farms and more than 67,000 farmers, the top economic sector in the Commonwealth is agriculture; and

WHEREAS, the Virginia Agricultural Best Management Practices Cost-Share Assistance Program was created in 1984 and has grown to develop and promote more than 60 conservation practices in 2025; and

WHEREAS, the Virginia Agricultural Best Management Practices Cost-Share Assistance Program aims to promote voluntary adoption of conservation management practices by farmers and land managers to decrease nonpoint-source pollution contributions to state waters, including the Chesapeake Bay; and

WHEREAS, the Commonwealth's 47 soil and water conservation districts deliver this program locally, as directed by the Virginia Department of Conservation and Recreation, to provide farmers the information and technical assistance needed to meet the Commonwealth's water quality goals; and

WHEREAS, the Department of Conservation and Recreation and the soil and water conservation districts provide farmers throughout the Commonwealth with education, guidance, and incentive programs to encourage nutrient reduction and water quality improvement; and

WHEREAS, the total number of participants in the program, which is fully funded for the current biennium, continues to increase, with 2,399 farmers participating in FY2024, 509 of whom were new participants; now, therefore, be it

RESOLVED by the House of Delegates, That agricultural producers in Virginia hereby be commended for their commitment to conserving the Commonwealth's natural resources and their ongoing efforts to use conservation practices to help the Commonwealth meet its nutrient load reductions for the Chesapeake Bay Total Maximum Daily Load; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare copies of this resolution for presentation to Virginia Farm Bureau Federation as an expression of the House of Delegates' admiration for the outstanding conservation practices demonstrated by agricultural producers in the Commonwealth.

HOUSE RESOLUTION NO. 632

Commending Bay Local Eatery.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Bay Local Eatery is a beloved local chain of restaurants that has provided the Virginia Beach community with exceptional culinary experiences for several years; and

WHEREAS, at its three locations throughout Virginia Beach, Bay Local Eatery serves up its take on coastal Southern cuisine, using fresh, local, and seasonal ingredients to offer its customers high-quality meals that are both healthy and satisfying; and

WHEREAS, the husband and wife ownership team of Bay Local Eatery, Adrian and Whitney Colaprete, have cultivated close relationships with many local fishermen and chefs during their time living along the bay, which have proven vital to the growth and success of their company over the years; and

WHEREAS, with vintage and rustic decor and thoughtful lighting throughout, the Bay Local Eatery locations offer a warm and welcoming space for loved ones and friends to gather and share a meal; and

WHEREAS, the accomplishments of Bay Local Eatery are a testament to the visionary leadership of its owners, the tireless efforts of its staff, and the generous support of the Virginia Beach community; and

WHEREAS, Bay Local Eatery's dedication to quality and service has helped to make Virginia Beach a wonderful place to live, work, and eat; now, therefore, be it

RESOLVED by the House of Delegates, That Bay Local Eatery hereby be commended for its impact on the culinary landscape and community of Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Bay Local Eatery as an expression of the House of Delegates' admiration for its contributions to Virginia Beach and the Commonwealth.

HOUSE RESOLUTION NO. 633

Commending the TASTE Family of Businesses.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the TASTE Family of Businesses, a consortium of specialty food businesses serving the Hampton Roads Region, has provided extraordinary culinary experiences and high-quality products to its customers for more than 50 years; and

WHEREAS, the TASTE Family of Businesses began as Taste Unlimited, a wine and cheese shop at Hilltop West in Virginia Beach that was founded by Peter Coe in 1973; and

WHEREAS, Taste Unlimited steadily grew over several years and in 2006 was acquired by the Pruden family, who employed their extensive experience in the specialty food industry to bolster the company's success; and

WHEREAS, Taste Unlimited was rebranded as TASTE in 2011 and five years later the TASTE Family of Businesses was established, bringing a number of celebrated culinary ventures together under one roof; and

WHEREAS, the TASTE Family of Businesses has grown to encompass 13 unique businesses, including nine specialty food markets and cafes, TASTE Catering and Events, Rowena's Specialty Cakes and Drizzles, the TASTE Bakehouse, and the restaurant Zinnia; and

WHEREAS, each TASTE endeavor is guided by the company's mission, "to cultivate community through the good life," with an emphasis placed on both using fresh, local, and seasonal ingredients and creating an unparalleled customer experience; and

WHEREAS, beyond its companies, the TASTE Family of Businesses has uplifted the communities it serves through its generous support of local organizations and philanthropic events; and

WHEREAS, TASTE's locations offer a warm and welcoming place for people to gather, fostering a greater sense of connection and togetherness in the community; and

WHEREAS, through its unwavering dedication to quality and service, the TASTE Family of Businesses has helped to make Hampton Roads a wonderful place to live, work, and eat; now, therefore, be it

RESOLVED by the House of Delegates, That the TASTE Family of Businesses hereby be commended for its impact on the culinary landscape and communities of Hampton Roads; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the TASTE Family of Businesses as an expression of the House of Delegates' admiration for its contributions to Hampton Roads and the Commonwealth.

HOUSE RESOLUTION NO. 634

Commending Il Giardino Ristorante.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Il Giardino Ristorante is a beloved Italian fine dining restaurant that has created exceptional and memorable culinary experiences for the Virginia Beach community for more than 40 years; and

WHEREAS, Il Giardino Ristorante was founded by Tony Gargiulo, who drew inspiration for his new venture during a trip to Florence, Italy, in 1983, which led him to place a wood-burning oven in his new restaurant shortly thereafter, one of the first of its kind in the Commonwealth; and

WHEREAS, in addition to focaccia bread and pizza from its wood-burning oven, Il Giardino Ristorante serves up sumptuous portions of a variety of authentic Italian classics, including pasta, chicken, steak, veal, and seafood dishes; and

WHEREAS, Il Giardino Ristorante is committed to using only the freshest and highest quality ingredients and to making all of its menu items from scratch, enabling it to consistently deliver delicious and satisfying meals that keep its customers coming back time and again; and

WHEREAS, the extraordinary food at Il Giardino Ristorante is only enhanced by the restaurant's warm and welcoming ambiance and the lively atmosphere of its piano bar and lounge, making it a cherished spot for family and friends to gather; and

WHEREAS, the accomplishments of Il Giardino Ristorante are a testament to the visionary leadership of its owners, the tireless efforts of its staff, and the generous support of the Virginia Beach community; and

WHEREAS, Il Giardino Ristorante's dedication to excellence and exemplary service has helped to make Virginia Beach a wonderful place to live, work, and enjoy a meal; now, therefore, be it

RESOLVED by the House of Delegates, That Il Giardino Ristorante hereby be commended for its impact on the culinary landscape and community of Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Il Giardino Ristorante as an expression of the House of Delegates' admiration for its contributions to Virginia Beach and the Commonwealth.

HOUSE RESOLUTION NO. 635

Commending Cobalt Grille.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Cobalt Grille is a fine dining New American restaurant with European influences that has created exceptional and memorable culinary experiences for the Virginia Beach community for 25 years; and

WHEREAS, Cobalt Grille was conceived by executive chef and owner Alvin Williams and managing partner and owner Gary D. Black, who brought decades of experience in the restaurant industry to bear when they started their new venture in October 2000; and

WHEREAS, Cobalt Grille serves a wide array of appetizers, entrees, burgers, sides, and desserts, from more classical offerings like Beef Wellington and steak frites, to more eclectic fare such as spicy rock shrimp and deep-fried Oreos; and

WHEREAS, Cobalt Grille is committed to using only the freshest and highest quality ingredients from local farmers and fishermen and pairs its menu with an impressive and well-curated wine list, enabling the restaurant to consistently deliver delicious and satisfying meals that keep its customers coming back time and again; and

WHEREAS, the extraordinary food at Cobalt Grille is only enhanced by the restaurant's warm and welcoming ambiance, making it a cherished spot for family and friends to gather; and

WHEREAS, the accomplishments of Cobalt Grille are a testament to the visionary leadership of its owners, the tireless efforts of its staff, and the generous support of the Virginia Beach community; and

WHEREAS, Cobalt Grille's dedication to excellence and exemplary service has helped to make Virginia Beach a wonderful place to live, work, and enjoy a meal; now, therefore, be it

RESOLVED by the House of Delegates, That Cobalt Grille hereby be commended for its impact on the culinary landscape and community of Virginia Beach on the occasion of its 25th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Cobalt Grille as an expression of the House of Delegates' admiration for its contributions to Virginia Beach and the Commonwealth.

HOUSE RESOLUTION NO. 636

Commending Wareing's Gym.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, over the past 65 years, Wareing's Gym in Virginia Beach has promoted health and wellness in the community by providing countless individuals with an exceptional space to pursue their fitness goals; and

WHEREAS, following in the footsteps of his father, Bill Wareing, Sr., a noted physical culturist from New York City, John Wareing opened Wareing's Gym in Virginia Beach in 1960; and

WHEREAS, through his charisma and force of personality, John Wareing built a fitness movement in Virginia Beach that centered around Wareing's Gym; and

WHEREAS, John Wareing's sons assumed leadership of Wareing's Gym in 1978 and redoubled the family's longstanding commitment to excellence and to fostering a welcoming and inclusive community at the gym; and

WHEREAS, through its customer-centric approach, Wareing's Gym has placed a greater emphasis on the gym's culture over its equipment and programming, helping the gym to achieve its mission of being the best part of every patron's day; and

WHEREAS, the reputation that Wareing's Gym has for honesty, integrity, and quality instruction has attracted fitness enthusiasts from all walks of life, who have found a community devoted to lifting them up as they seek to achieve their full potential; and

WHEREAS, the accomplishments of Wareing's Gym are the result of the passion and dedication of its leaders, the hard work and determination of its staff, and the unflagging efforts and support of its patrons and community; now, therefore, be it

RESOLVED by the House of Delegates, That Wareing's Gym in Virginia Beach hereby be commended on the occasion of its 65th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Wareing's Gym as an expression of the House of Delegates' admiration for its contributions to Virginia Beach and the Commonwealth.

HOUSE RESOLUTION NO. 637

Commending Mizuno Japanese Restaurant.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Mizuno Japanese Restaurant, a family-owned business in Virginia Beach, has provided artfully composed seafood dishes to local residents and visitors for nearly three decades; and

WHEREAS, established in 1996, Mizuno is owned by chef Wataru Mizuno, who completed a rigorous culinary apprenticeship under Teruo Sato in Tokyo, Japan, and Beverly Chen, whose years of expertise in front-of-house operations have helped create the best possible dining experience; and

WHEREAS, Wataru Mizuno focuses on using proper techniques to craft elegant dishes that accentuate the flavors of fresh local ingredients such as shrimp, yellowfin tuna, bluefin tuna, flounder, blue crabs, and oysters; and

WHEREAS, Mizuno has also evolved to meet local tastes and trends, offering specialty rolls and Italian crudo in addition to traditional sushi and unique interpretations of classical dishes; now, therefore, be it

RESOLVED by the House of Delegates, That Mizuno Japanese Restaurant hereby be commended for nearly 30 years of service to the community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Mizuno Japanese Restaurant as an expression of the House of Delegates' admiration for its contributions to the vibrant local economy in Virginia Beach.

HOUSE RESOLUTION NO. 638

Commending Polish Boutique.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Polish Boutique, a women's clothing boutique located in the Great Neck Village shopping center of Virginia Beach, has greatly served the community since 2022; and

WHEREAS, Polish Boutique was started in Mobile, Alabama, several years ago by Amber Rae Forbes Saltz and Mandy Blankenship; in September 2022, their sister, Ashley Knox, and co-owner Sarah Winstead expanded Polish Boutique into a new location in Virginia Beach; and

WHEREAS, Polish Boutique offers its customers an impressive selection of women's clothing and shoes for all styles and sizes, as well as handbags, gifts, and accessories; and

WHEREAS, Polish Boutique works tirelessly to cultivate a warm and inviting atmosphere at its store, encouraging customers to feel as if they are shopping among friends; and

WHEREAS, the accomplishments of Polish Boutique are a testament to the visionary leadership of its owners, the tireless efforts of its staff, and the generous support of the Virginia Beach community; and

WHEREAS, through its dedication to excellence and exemplary service, Polish Boutique has helped to make Virginia Beach a wonderful place to live, work, and shop; now, therefore, be it

RESOLVED by the House of Delegates, That Polish Boutique hereby be commended for its impact on the community of Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Polish Boutique as an expression of the House of Delegates' admiration for its contributions to Virginia Beach and the Commonwealth.

HOUSE RESOLUTION NO. 639

Commending Captain George's Seafood Restaurant.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Captain George's Seafood Restaurant has provided delicious fresh seafood to local residents and visitors to Virginia Beach since 1982; and

WHEREAS, Captain George's is well known for its sumptuous buffet featuring more than 70 items, including snow crab legs and fresh, steamed shrimp every day; and

WHEREAS, with seating for more than 900 guests, Captain George's is a focal point for the community and offers event spaces for every occasion and group size; and

WHEREAS, in addition to its headquarters and flagship location in Virginia Beach, Captain George's has opened locations in Williamsburg, Myrtle Beach, South Carolina, and Kill Devil Hills, North Carolina; now, therefore, be it

RESOLVED by the House of Delegates, That Captain George's Seafood Restaurant hereby be commended for its contributions to the Virginia Beach community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Captain George's Seafood Restaurant as an expression of the House of Delegates' admiration for its contributions to the vibrant local economy.

HOUSE RESOLUTION NO. 640

Commending Coastal Grill.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Coastal Grill is a beloved restaurant in Virginia Beach that has created exceptional and memorable culinary experiences for the community over more than 35 years; and

WHEREAS, established in 1989, Coastal Grill serves an array of regional seafood and traditional American fare and has built a reputation locally for its soft shell crabs, tuna, steamed mussels, and rotating specials; and

WHEREAS, Coastal Grill is committed to using only the freshest and highest quality ingredients, enabling it to consistently deliver delicious and satisfying meals that keep its customers coming back time and again; and

WHEREAS, the extraordinary food and service at Coastal Grill is only enhanced by the restaurant's warm and welcoming ambiance, making it a cherished spot for family and friends to gather to share a meal; and

WHEREAS, Coastal Grill has received recognition both locally and nationally over the years, which serves as a testament to the visionary leadership of its owners, the tireless efforts of its staff, and the generous support of the Virginia Beach community; and

WHEREAS, Coastal Grill's dedication to excellence and exemplary service has helped to make Virginia Beach a wonderful place to live, work, and enjoy a meal; now, therefore, be it

RESOLVED by the House of Delegates, That Coastal Grill hereby be commended for its impact on the culinary landscape and community of Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Coastal Grill as an expression of the House of Delegates' admiration for its contributions to Virginia Beach and the Commonwealth.

HOUSE RESOLUTION NO. 641

Commending Citrus.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Citrus, an employee-owned restaurant in Virginia Beach, has provided nourishing breakfast and lunch fare to local residents and visitors for nearly 20 years; and

WHEREAS, Citrus was established by the late Cheri Shores and her husband, Lance, who were pioneers in the local brunch movement; and

WHEREAS, with its delicious, classic dishes made from the finest fresh ingredients, Citrus thrived and cultivated a loyal following of regular customers; and

WHEREAS, Citrus also garnered national acclaim when it was featured on the Food Network show *Diners, Drive-ins and Dives*; and

WHEREAS, with two locations on North Great Neck Road and Shore Drive, Citrus has become a beloved local gathering place; and

WHEREAS, in 2022, Citrus became an employee-owned business to ensure that employees have a stake in the restaurant's ongoing success and continue to uphold its commitment to excellence; now, therefore, be it

RESOLVED by the House of Delegates, That Citrus hereby be commended for its nearly 20 years of service to the community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Citrus as an expression of the House of Delegates' admiration for its contributions to the vibrant local economy of Virginia Beach.

HOUSE RESOLUTION NO. 642

Commending Smartmouth Brewing Company.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Smartmouth Brewing Company, a beloved brewery with locations in both Norfolk and Virginia Beach, has been an important part of the Hampton Roads brewery scene since 2012; and

WHEREAS, Smartmouth Brewing Company has established itself as one of the leading breweries in the region through its focus on brewing unique styles of beer, using fresh quality ingredients, and achieving exceptional flavor above all else; and

WHEREAS, Smartmouth Brewing Company operates out of its primary location in Norfolk, where it brews, packages, and distributes its products, and its pilot house in Virginia Beach, which provides additional event space, a tasting room, and a small-batch brewery system for especially eclectic and experimental brews; and

WHEREAS, today, Smartmouth Brewing Company's delectable offerings may be found both in Hampton Roads and throughout the Commonwealth and the Outer Banks of North Carolina; and

WHEREAS, the first-rate beers at Smartmouth Brewing Company are only enhanced by the warm and welcoming ambiance of its tasting rooms, making it a cherished spot for family and friends to gather; and

WHEREAS, since its founding, Smartmouth Brewing Company has remained dedicated to supporting the community through meaningful partnerships with local nonprofit organizations and by minimizing its environmental impact whenever possible; and

WHEREAS, the accomplishments of Smartmouth Brewing Company are a testament to the visionary leadership of its owners, the tireless efforts of its staff, and the generous support of the Hampton Roads community; and

WHEREAS, Smartmouth Brewing Company's dedication to excellence and exemplary service has helped to make Hampton Roads a wonderful place to live, work, and play; now, therefore, be it

RESOLVED by the House of Delegates, That Smartmouth Brewing Company hereby be commended for its achievements and legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Smartmouth Brewing Company as an expression of the House of Delegates' admiration for its contributions to Hampton Roads and the Commonwealth.

HOUSE RESOLUTION NO. 643

Commending the Black Angus Restaurant.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Black Angus Restaurant is a beloved fine dining establishment that has created exceptional and memorable culinary experiences for the Virginia Beach community for several decades; and

WHEREAS, the origins of the Black Angus Restaurant date to 1952, when Christy Hariton and Chris Patsalides bought land in Norfolk to open a steak house; and

WHEREAS, after building a reputation as the dining destination of choice in Norfolk, the owners of the Black Angus Restaurant partnered with Andrew Phillips and Michael Savvides in 1960 to expand the operation to Virginia Beach; and

WHEREAS, the Black Angus Restaurant in Norfolk closed in 1974, but Michael Savvides carried on its traditions in Virginia Beach; in 1992, he was joined by his son, Christopher, and the two continue to run the restaurant, alongside chef Spiros Boubas and longtime manager Francis Quinn, to this day; and

WHEREAS, initially renowned for its steaks, the Black Angus Restaurant has expanded its menu offerings over the years to include seafood, chicken, barbecue, and other fine dining favorites; and

WHEREAS, the Black Angus Restaurant is committed to using only the freshest and highest quality ingredients, enabling it to consistently deliver delicious and satisfying meals that keep its customers coming back time and again; and

WHEREAS, the extraordinary food at the Black Angus Restaurant is only enhanced by the restaurant's warm and welcoming ambiance, making it a cherished spot for family and friends to gather; and

WHEREAS, beyond its dining service, the Black Angus Restaurant has been a trusted caterer for many years, supporting events big and small throughout the Hampton Roads Region, from intimate parties and weddings to serving more than 35,000 guests at the commissioning of the USS *John C. Stennis* and the USS *Harry S. Truman*; and

WHEREAS, the accomplishments of the Black Angus Restaurant are a testament to the visionary leadership of its owners, the tireless efforts of its staff, and the generous support of the Virginia Beach community; and

WHEREAS, the Black Angus Restaurant's dedication to excellence and exemplary service has helped to make Virginia Beach a wonderful place to live, work, and enjoy a meal; now, therefore, be it

RESOLVED by the House of Delegates, That the Black Angus Restaurant hereby be commended for its impact on the culinary landscape and community of Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Black Angus Restaurant as an expression of the House of Delegates' admiration for its contributions to Virginia Beach and the Commonwealth.

HOUSE RESOLUTION NO. 644

Commending Lemon Cabana.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Lemon Cabana, a women's clothing and lifestyle boutique located near the oceanfront in Virginia Beach, has brought joy to countless customers over nearly two decades in business; and

WHEREAS, Lemon Cabana was founded on June 22, 2007, by Julie Fancher Deese, who was motivated by the untimely death of her brother to realize her lifelong dream of owning and operating a clothing boutique; and

WHEREAS, Lemon Cabana offers its customers an exciting array of women's fashion, gifts, and home accessories, employing a signature style that is inspired by both Virginia Beach's relaxed, coastal culture and its upscale sophistication; and

WHEREAS, Lemon Cabana has created a unique, one-of-a-kind shopping experience for its customers by stocking its shelves with a hand-picked and carefully curated collection of products; and

WHEREAS, the accomplishments of Lemon Cabana are a testament to the visionary leadership of its owner, the tireless efforts of its staff, and the generous support of the Virginia Beach community; and

WHEREAS, through its dedication to excellence and exemplary service, Lemon Cabana has helped to make Virginia Beach a wonderful place to live, work, and shop; now, therefore, be it

RESOLVED by the House of Delegates, That Lemon Cabana hereby be commended for its impact on the Virginia Beach community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Lemon Cabana as an expression of the House of Delegates' admiration for its contributions to Virginia Beach and the Commonwealth.

HOUSE RESOLUTION NO. 645

Commending Jane Parke Batten.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Jane Parke Batten has demonstrated exceptional dedication to philanthropy and community service, significantly enhancing the lives of countless individuals through her generous contributions and volunteer efforts; and

WHEREAS, Jane Parke Batten, alongside her late husband Frank Batten, has supported numerous educational initiatives fostering leadership and academic excellence, such as founding the Batten Leadership Institute at Hollins University, supporting the Batten Honors College at Virginia Wesleyan University and the University of Virginia's Curry School of Education and Human Development, and establishing The College of William & Mary's Batten School of Coastal & Marine

Sciences at the Virginia Institute of Marine Science, now a global leader in coastal and marine science education and research; and

WHEREAS, Jane Parke Batten has been a steadfast supporter of early childhood educational access and quality, serving on the board of E3: Elevate Early Education and as co-chair of the Board of Directors for St. Patrick Catholic School, where she facilitated the school's mission to educate and nurture the whole child; and

WHEREAS, Jane Parke Batten has played a pivotal role in the development of community resources, such as the Slover Library in Norfolk, ensuring access to knowledge and learning for all; and

WHEREAS, Jane Parke Batten's commitment to civic giving and volunteerism has earned her numerous accolades, including the Hugo Owens Martin Luther King Jr. Memorial Award from Old Dominion University, recognizing her long-standing service to disadvantaged communities; and

WHEREAS, Jane Parke Batten has been a significant supporter of environmental conservation efforts, particularly through her involvement with the Chesapeake Bay Foundation, which is dedicated to preserving the Chesapeake Bay through education, advocacy, litigation, and restoration, and her support of the Virginia Aquarium & Marine Science Center, which connects people to the marine environment to inspire a more sustainable future; and

WHEREAS, Jane Parke Batten has contributed to the establishment and success of the Chesapeake Bay Foundation's Brock Environmental Center, one of the world's greenest buildings and a hub for environmental education and community engagement in Virginia Beach; now, therefore, be it

RESOLVED by the House of Delegates, That Jane Parke Batten hereby be commended for her unwavering dedication to philanthropy, her visionary leadership, and her profound impact on education, community development, and environmental conservation; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Jane Parke Batten as an expression of the House of Delegates' admiration for her legacy of service and generosity, which continues to inspire and uplift members of communities throughout the Commonwealth.

HOUSE RESOLUTION NO. 646

Commending Tautog's Restaurant.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Tautog's Restaurant has cultivated a unique dining experience for Virginia Beach residents and visitors at its historic location since the early 1990s; and

WHEREAS, Tautog's Restaurant was developed after partners of Right Coast Properties purchased and committed to the preservation of Winston's cottage, an oceanfront residence built in the 1920s; and

WHEREAS, Tautog's Restaurant offers the finest local seafood in a setting that provides a glimpse of the region's past right in the heart of the Virginia Beach resort strip; and

WHEREAS, Tautog's Restaurant has provided the finest seafood, service, and surroundings to countless customers over the course of its history; now, therefore, be it

RESOLVED by the House of Delegates, That Tautog's Restaurant hereby be commended for its legacy of service to the community in Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Tautog's Restaurant as an expression of the House of Delegates' admiration for its contributions to the vibrant local economy.

HOUSE RESOLUTION NO. 647

Commending the Norfolk Academy field hockey team.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Norfolk Academy field hockey team won the Virginia Independent Schools Athletic Association Division I state championship in 2024; and

WHEREAS, the Norfolk Academy Bulldogs were dominant in the postseason, defeating the Episcopal High School Maroons by a score of 8-0 in the quarterfinals and the number three seed Collegiate School Cougars in the semifinal by a score of 6-3; and

WHEREAS, in the state final, the Norfolk Academy Bulldogs were victorious over the Bishop O'Connell High School Knights by a score of 3-0; and

WHEREAS, in addition to securing the state crown, the Norfolk Academy Bulldogs finished the season with an impressive 18-3 overall record; and

WHEREAS, two members of the Norfolk Academy Bulldogs earned national accolades from the National Field Hockey Coaches Association, with senior forward Joji Purdy named to the 2024 Scholastic All-American First Team and senior midfielder Cooper Cutchins named to the 2024 Scholastic All-American Third Team; and

WHEREAS, the successful season was a tribute to the skill and hard work of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of family members, friends, and the entire Norfolk Academy community; now, therefore, be it

RESOLVED by the House of Delegates, That the Norfolk Academy field hockey team hereby be commended on winning the Virginia Independent Schools Athletic Association Division I state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Norfolk Academy field hockey team as an expression of the House of Delegates' admiration for the team's athletic achievements and best wishes for the future.

HOUSE RESOLUTION NO. 648

Commending Dr. Mark R. Jones.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Dr. Mark R. Jones, an accomplished education administrator and longstanding superintendent of Pittsylvania County Public Schools, will retire at the end of the 2024-2025 school year; and

WHEREAS, Mark Jones began his education career with Pittsylvania County Schools (PCS) in 1986 and worked for the division in various capacities over the years, including as a teacher, coach, middle school principal, director of secondary education, assistant superintendent for instruction, and division superintendent; and

WHEREAS, in addition to PCS, Mark Jones served five years as an assistant principal in Prince Edward County Public Schools and more than eight years as superintendent of King William County Public Schools; he became superintendent of PCS on December 1, 2015; and

WHEREAS, Mark Jones has fostered meaningful relationships with community and educational partners to enhance PCS's ability to serve its students and improve their lives; and

WHEREAS, under Mark Jones' leadership, PCS developed several new learning initiatives to support its students, including the health sciences and advanced manufacturing academies at the PCS STEM Academy, the Ready for Success program for elementary students in need of behavioral support, and the STAR program for students with autism; and

WHEREAS, during his tenure as superintendent of PCS, one-hundred percent of the division's schools were fully accredited and four of the schools were recognized as National Blue Ribbon Schools by the United States Department of Education; and

WHEREAS, Mark Jones adroitly navigated PCS through the challenges of the COVID-19 pandemic, and the school division was one of the first in the Commonwealth to return to in-person learning; and

WHEREAS, in recognition of his accomplishments while superintendent of King William County Public Schools, Mark Jones was named Region 3 Superintendent of the Year in 2015; and

WHEREAS, by demonstrating an unwavering devotion to the students and faculty he served and a deep commitment to preparing the next generation's leaders, Mark Jones has exemplified the ideals of the teaching profession and earned the praise and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Dr. Mark R. Jones, superintendent of Pittsylvania County Public Schools, hereby be commended on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dr. Mark R. Jones as an expression of the House of Delegates' high regard for his contributions to the education of young people in the Commonwealth.

HOUSE RESOLUTION NO. 649

Commending Phillips Equipment Corporation.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Phillips Equipment Corporation, an official John Deere and Stihl brand dealership in Rustburg, has greatly served the Rustburg community for more than 50 years; and

WHEREAS, Philips Equipment Corporation was founded in 1971 along U.S. Route 29 South in Rustburg by J.B. Phillips, Jr.; and

WHEREAS, Philips Equipment Corporation was first passed down by J.B. Phillips to his sons, Keith and Brad, and then later also passed down to Brad's son Chris, who proudly operates the second- and third-generation family business alongside his uncle Keith; and

WHEREAS, Phillips Equipment Corporation sells tractors, farm implements, and a wide variety of power tools to support the needs of local farmers, tradesmen, and homeowners in Campbell County; and

WHEREAS, Phillips Equipment Corporation operates a professional repair shop and conveniently offers mechanical and technical support to their customers on location; and

WHEREAS, Chris Phillips plans to eventually pass Phillips Equipment Corporation along to his son Carter, who is excited to carry on the family legacy of working for and with the farmers and homeowners of Campbell County in order to promote Campbell County's rural heritage and agricultural traditions; now, therefore, be it

RESOLVED by the House of Delegates, That Phillips Equipment Corporation hereby be commended for its service to the Campbell County community over the past half-century; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Phillips Equipment Corporation as an expression of the House of Delegates' admiration for the company's contributions to Campbell County and the Commonwealth.

HOUSE RESOLUTION NO. 650

Commending Elizabeth S. Green.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Elizabeth S. Green has served the Suffolk community through her lifetime commitment to educating children and created the nonprofit organization Kidz Write For Kidz, Inc., to help young people enhance their reading and writing skills; and

WHEREAS, Elizabeth Green is passionate about lifelong learning and worked in Norfolk Public Schools for more than 20 years as a teacher, instructional specialist, and gifted resource specialist; and

WHEREAS, Elizabeth Green created Kidz Write For Kidz, Inc., to further develop children's reading, writing, and communication skills, through instruction, storytelling, and opportunities to write their own books; and

WHEREAS, Elizabeth Green is herself an author with several published works, and her vision is to empower as many children as possible by enhancing their literacy skills and helping them gain self-confidence by creating and sharing their own literary works; and

WHEREAS, Elizabeth Green has also promoted literacy in the community through her "Driveway Lit" program, which involves reading books on her driveway and back porch to children in her neighborhood; and

WHEREAS, Elizabeth Green has also served in various leadership roles throughout her community, including as a chaplain, grief counselor, women's mentor, health advocate, program facilitator, and reading advisor; now, therefore, be it

RESOLVED by the House of Delegates, That Elizabeth S. Green hereby be commended for her contributions to young people as a teacher and as the founder of Kidz Write for Kidz, Inc.; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Elizabeth S. Green as an expression of the House of Delegates' admiration for her inspirational achievements.

HOUSE RESOLUTION NO. 651

Commending the Douglas Freeman High School girls' lacrosse team.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Douglas Freeman High School girls' lacrosse team won the Virginia High School League Class 5 state championship at Glen Allen High School on June 8, 2024; and

WHEREAS, the Douglas Freeman High School Mavericks defeated the Lightridge High School Lightning Bolts of Loudoun County by a score of 9-5, securing an extraordinary fourth consecutive state championship title; and

WHEREAS, the Douglas Freeman Mavericks fell behind early, trailing 4-2 in the first quarter, but were able to mount a steady comeback, going into halftime with a 5-5 tie and posting four unanswered goals in the second half; and

WHEREAS, the Douglas Freeman Mavericks' victory was a total team effort led by Eva Gardner and Hannah Kantanen, who both scored three goals in the match, as well as Laney Gilman, who had two goals; and

WHEREAS, the Douglas Freeman Mavericks finished their 2024 campaign with an impressive 16-2 record and were undefeated in regional play; and

WHEREAS, after losing key players following the 2023 season, the Douglas Freeman Mavericks showed remarkable grit and determination to rebuild their squad and continue their reign of dominance, living up to the team motto, "Challenge Accepted," that inspired them all season; and

WHEREAS, the success of the Douglas Freeman Mavericks is the result of the hard work and dedication of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their families and the entire Douglas Freeman High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Douglas Freeman High School girls' lacrosse team hereby be commended for winning the 2024 Virginia High School League Class 5 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Christina D'Angelo, coach of the Douglas Freeman High School girls' lacrosse team, as an expression of the House of Delegates' admiration for the team's achievements.

HOUSE RESOLUTION NO. 652

Celebrating the life of Virgil Alexander Wood, Ed.D.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Virgil Alexander Wood, Ed.D., an esteemed church leader, educator, and civil rights activist who devoted his life to the economic, social, and spiritual development of others, died on December 28, 2024; and

WHEREAS, Virgil Wood earned a bachelor's degree in history from Virginia Union University in 1952, a master's degree in divinity from Andover Newton Theological School in 1956, and a doctorate in education from Harvard University in 1973; and

WHEREAS, Virgil Wood was ordained as a Baptist minister while still a teenager and would go on to lead congregations in Rhode Island, Massachusetts, and the Commonwealth over a period of more than a half-century; and

WHEREAS, as pastor of Diamond Hill Baptist Church in Lynchburg, Virgil Wood became actively involved in the civil rights movement, working with the Reverend Dr. Martin Luther King, Jr., while establishing the Lynchburg Improvement Association and a local unit of the Southern Christian Leadership Conference (SCLC); and

WHEREAS, Virgil Wood served as pastoral director of Blue Hill Christian Center in the Roxbury neighborhood of Boston from 1963 to 1970, during which time he was the head of the Massachusetts unit of the SCLC; and

WHEREAS, Virgil Wood devoted 25 years to the congregation at Pond Street Baptist Church in Providence, Rhode Island, first serving as pastor from 1955 to 1958 and then from 1983 to 2005; and

WHEREAS, in addition to serving as a member of the national executive board of the SCLC for several years, Virgil Wood played a pivotal role in the historic March on Washington for Jobs and Freedom on August 28, 1963, by coordinating the participation of individuals and groups from the Commonwealth; and

WHEREAS, over a long and illustrious career in education, Virgil Wood served as dean and director of the African American Institute at Northeastern University, as a professor at what is today the Virginia University of Lynchburg, and as a visiting lecturer, researcher, and teaching fellow at Harvard University; and

WHEREAS, in his later years, Virgil Wood led Virginia Polytechnic Institute and State University's Beloved Community Initiative as a Ridenour Fellow with the School of Public and International Affairs in the College of Architecture and Urban Studies; and

WHEREAS, in his capacity as an administrator for Opportunities Industrialization Centers of America, Virgil Wood helped establish 13 job training centers for disadvantaged individuals across nine states; and

WHEREAS, Virgil Wood's commitment to community development led him to serve as a member of the economic development task force of the National Conference of Black Mayors and as the first chairman of the Progressive National Baptist Convention's economic development commission; he was also a panelist and member of three White House conferences over three different presidential administrations; and

WHEREAS, Virgil Wood authored several notable publications over his lifetime, including *Introduction to Black Church Economic Studies* and *In Love We Trust: Lessons I Learned from Martin Luther King*; and

WHEREAS, Virgil Wood will be fondly remembered and dearly missed by his loving wife of 71 years, Lillian; his children, David and Deborah, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Virgil Alexander Wood, Ed.D., a distinguished church leader, educator, and civil rights activist whose faith, dedication, and service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Virgil Alexander Wood, Ed.D., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 653

Commending Wood Brothers Racing.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Wood Brothers Racing, one of the most distinguished teams in the National Association for Stock Car Auto Racing (NASCAR), claimed its 100th NASCAR Cup Series victory with driver Harrison Burton's win in the Coke Zero Sugar 400 at the Daytona International Speedway on August 24, 2024; and

WHEREAS, Wood Brothers Racing traces its origins to Stuart, where the team was founded by Glen Wood, who raced periodically in the NASCAR circuit between 1950 and 1964, earning four victories, all at Bowman Gray Stadium in Winston-Salem, North Carolina; and

WHEREAS, Glen Wood built Wood Brothers Racing with the help of his brothers, Leonard, Delano, Clay, and Ray Lee, who worked on the cars, served as the pit crew, and contributed to the operation and growth of the team; and

WHEREAS, Leonard Wood served for many years as Wood Brothers Racing's crew chief and developed a number of innovations and pit stop techniques that revolutionized racing strategy, earning him recognition as one of the most influential figures in NASCAR history; and

WHEREAS, Glen Wood's sons Eddie and Len took over leadership of Wood Brothers Racing in the late 1980s and were later joined by their sister Kim; today, the third generation of the Wood family, including former NASCAR driver Jon Wood, Jordan Wood Hicks, and Keven Wood, builds on the family's legacy in motorsports; and

WHEREAS, the Wood family's dedication and traditions of excellence have made Wood Brothers Racing the oldest continuously operating NASCAR Cup Series team and one of its winningest outfits; and

WHEREAS, in 1998, as part of NASCAR's 50th anniversary commemoration, Glen Wood and 19 other former Wood Brothers Racing drivers were selected to be among NASCAR's 50 Greatest Drivers; and

WHEREAS, after 53 years of operating the business out of Glen and Bernece Wood's home in Stuart, Wood Brothers Racing moved its headquarters in 2003 to Charlotte, North Carolina, establishing the team in the capital of stock car racing; and

WHEREAS, prior to their 100th victory, Wood Brothers Racing secured its 98th win at the 2011 Daytona 500 with driver Trevor Bayne and its 99th win at the Pocono Raceway in 2017 with driver Ryan Blaney; and

WHEREAS, Wood Brothers Racing, the oldest active team in NASCAR and one of the winningest organizations in league history, will celebrate its diamond anniversary in 2025 as it enters its 75th season in competition; and

WHEREAS, the accomplishments of Wood Brothers Racing are the result of the commitment and determination of the team's leaders, drivers, and personnel, who serve as an inspiration to all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Wood Brothers Racing hereby be commended on the occasion of its 100th National Association for Stock Car Auto Racing Cup Series win; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Wood Brothers Racing as an expression of the House of Delegates' admiration for the team's achievements and best wishes for its continued success.

HOUSE RESOLUTION NO. 654

Commending Reaching Out Now, Inc.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Reaching Out Now, Inc., is an organization based in Middletown that is dedicated to helping young people grow and thrive in their communities through various leadership, empowerment, and service initiatives; and

WHEREAS, Reaching Out Now was established in 2008 with a mission to connect with local underserved youth and to help them develop the skills they need to be successful and impactful members of their communities; and

WHEREAS, Reaching Out Now has touched hundreds of lives through the organization's Youth Empowered for Success Leadership Program, which counsels middle and high school students as they plan and prepare for college and their careers; and

WHEREAS, Reaching Out Now has assisted many food insecure families over the years through its meals programs, particularly during the COVID-19 pandemic, and more recently the organization has begun hosting community dinners to meet the evolving needs of those it serves; and

WHEREAS, Reaching Out Now has hosted a number of local events to bring the community together around important issues and causes, such as mental health awareness and teacher appreciation, fostering a greater sense of togetherness among all of those in attendance; and

WHEREAS, Reaching Out Now spearheaded the transformation of the recently reopened Raymond E. Santmyers Student Union and Activity Center in Front Royal, providing a safe and supportive space for young people to engage with one another and explore their creativity; and

WHEREAS, Reaching Out Now has partnered with Warren County Public Schools and various nonprofit organizations, businesses, and local leaders to develop dynamic programs that enhance the lives of area youth; and

WHEREAS, the accomplishments of Reaching Out Now are the result of the vision and passion of the organization's leadership and the efforts of its volunteers, who strive ardently to foster the health and well-being of youth in the Shenandoah Valley; now, therefore, be it

RESOLVED by the House of Delegates, That Reaching Out Now, Inc., hereby be commended for its efforts to uplift young people and to guide them on their path toward meaningful and fulfilling lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Samantha N. Barber, founder and president of Reaching Out Now, Inc., as an expression of the House of Delegates' admiration for the organization's contributions to the Commonwealth.

HOUSE RESOLUTION NO. 655

Commending the Clarke County High School boys' cross country team.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Clarke County High School boys' cross country team won the Virginia High School League Class 2 state championship in 2024; and

WHEREAS, led by head coach Jeff Webster and assistant coach Amy Smith, the Clarke County High School Eagles began the postseason by winning the Bull Run District championship by 31 points and the Region 2B championship by 29 points; and

WHEREAS, in the state final, held at Virginia Polytechnic Institute and State University, the Clarke County Eagles placed four runners in the top 15 and finished with 49 points overall to defeat the second-place team from Floyd County by a comfortable 33-point margin; and

WHEREAS, senior James Casey led the Clarke County Eagles with a third place finish and a time of 16:42.6, followed by senior Jackson Ellis in sixth place with a time of 16:56.3, senior Aidan Kreeb in 10th place with 17:02.9, and sophomore Landon Horton in 15th place with a time of 17:20.8; and

WHEREAS, the other members of the Clarke County Eagles—Brody Ellis, Jonathan Hornbaker, Luke LaMaster, Matthew Lisk, Warren Maiburger, and Carter Starley—also made numerous contributions to the victorious season; and

WHEREAS, Jeff Webster, who also coached the Clarke County girls' cross country team to a second-place finish, was selected as the Cross Country Coach of the Year by the *Winchester Star*; and

WHEREAS, the victorious campaign was a tribute to the skill and perseverance of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of the entire Clarke County High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Clarke County High School boys' cross country team hereby be commended on winning the Virginia High School League Class 2 state championship in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Jeff Webster, head coach of the Clarke County High School boys' cross country team, as an expression of the House of Delegates' admiration for the team's athletic achievements and best wishes for the future.

HOUSE RESOLUTION NO. 656

Celebrating the life of George E. Banks.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, George E. Banks, a trailblazing public servant who broke down barriers as the first Black member of the Front Royal Town Council and the first Black mayor of Front Royal, died on January 13, 2022; and

WHEREAS, George Banks was born in Madison and graduated from George Washington Carver Regional High School; he proudly served his country as a member of the United States Army, then settled in Front Royal to raise his family; and

WHEREAS, shortly after moving to Front Royal, George Banks enjoyed listening to Front Royal Town Council meetings on a local radio station, then began attending meetings in person and developing a passion for community service and civic leadership; and

WHEREAS, George Banks ran for and was originally elected to the Front Royal Town Council to fill the remainder of an unexpired term in 1977; he subsequently won reelection to three additional terms in 1978, 1982, and 1994; and

WHEREAS, during his tenure on the Front Royal Town Council, George Banks proudly led efforts to extend water lines into neighboring counties to help attract new business development in the area; he also oversaw youth recreational programs and helped create several new ball parks at Bing Crosby Stadium; and

WHEREAS, in 1996, George Banks ran for mayor and swept every precinct to win by a landslide; two years later, he ran unopposed to secure his second term; and

WHEREAS, as mayor, George Banks established another water line to the Northern Virginia 4-H Center and guided the revitalization of several areas in Front Royal, acquiring grant money to refurbish homes and make improvements to water and sewer lines, curbs and gutters, and sidewalks; and

WHEREAS, George Banks oversaw the selection of Front Royal as the site of the Northwestern Community Services Center, which provided services to individuals with mental health, behavioral health, and substance abuse issues; and

WHEREAS, George Banks was highly admired for commonsense solutions to problems and a collaborative leadership style, and local residents often called him for his wise counsel and insights even after he retired from public office; and

WHEREAS, in recognition of George Banks' incredible contributions to the community, the Front Royal Town Council renamed Scranton Avenue and a portion of Edgemont Avenue as George Banks Boulevard; and

WHEREAS, George Banks will be fondly remembered and greatly missed by his wife, Cornelia; his children, Tony and Stephanie, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of George E. Banks, a pillar of the Front Royal community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of George E. Banks as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 657

Celebrating the life of the Reverend William Lee Statzer.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Reverend William Lee Statzer, a spiritual leader in Bristol, died on January 23, 2025; and

WHEREAS, William Statzer was a devout member of Shiloh Free Will Baptist Church in Bristol, where he enjoyed fellowship and worship with the community; and

WHEREAS, William Statzer was a longtime youth pastor who touched the lives of countless young people through his inspirational guidance and wisdom; and

WHEREAS, William Statzer brought joy to everyone he met through his kindness, compassion, and unwavering faith; and

WHEREAS, William Statzer will be fondly remembered and greatly missed by his wife of 36 years, Brenda; his second mother, Mildred Statzer; his twin brother, Walter, and his family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of the Reverend William Lee Statzer, a highly admired member of the Bristol community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Reverend William Lee Statzer as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 658

Commending the Falls Church Volunteer Fire Department.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, for more than 100 years, the Falls Church Volunteer Fire Department has safeguarded the lives and property of the residents of Falls Church, demonstrating an enduring commitment to excellence in fire service and helping to build a strong sense of community through outreach and local engagement; and

WHEREAS, the Falls Church Volunteer Fire Department traces its roots to 1898, when a volunteer fire company was established to replace the existing system of using bucket brigades, which had failed to save the Kerr Mill building; and

WHEREAS, Falls Church levied a special tax to purchase three chemical firefighting engines, which were originally pulled by hand but later refitted to be drawn by horses; in 1918, the Falls Church Volunteer Fire Department purchased one of the first pieces of motorized fire equipment in Northern Virginia, a Ford Model T known as Old Tom; and

WHEREAS, Old Tom was retrofitted with one of the tanks from the original 55-gallon chemical engine and served as the Falls Church Volunteer Fire Department's primary apparatus for many years; Old Tom is still owned by the department and is often featured in open house events or local parades; and

WHEREAS, to better serve the community, the Falls Church Volunteer Fire Department began to reorganize in the 1920s and was officially incorporated in 1925 with J. Earl Brunner as its first president and Clarence Pullman as its first fire chief; and

WHEREAS, the Falls Church Volunteer Fire Department constructed its first fire station near the location of the current station on Lee Highway and updated its fleet with a Republic engine and an American LaFrance pumper; and

WHEREAS, in 1940, the Arlington County Fire Department was established and began providing professional staffers to support the Falls Church Volunteer Fire Department and other local departments; and

WHEREAS, the Falls Church Volunteer Fire Department maintains a strong, working relationship with the Arlington County Fire Department and officials from the City of Falls Church and Arlington County to ensure that members of the community receive high-quality service and care in a timely manner; and

WHEREAS, in addition to providing emergency medical care and responding to all types of fires and emergency incidents, the Falls Church Volunteer Fire Department participates in local outreach activities to promote fire and life safety education; and

WHEREAS, the hardworking members of the Falls Church Volunteer Fire Department have touched countless lives over the decades, and their devoted service has helped make Falls Church a stronger, safer community; now, therefore, be it

RESOLVED by the House of Delegates, That the Falls Church Volunteer Fire Department hereby be commended on the occasion of the 100th anniversary of its incorporation; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Falls Church Volunteer Fire Department as an expression of the House of Delegates' admiration for the department's long legacy of service to the Falls Church community.

HOUSE RESOLUTION NO. 659

Commending Lori Allyne Hilton.

Agreed to by the House of Delegates, February 12, 2025

WHEREAS, Lori Allyne Hilton is an accomplished businesswoman and community leader who broke down barriers for Black female tow truck drivers in Richmond; and

WHEREAS, born and raised in the Jackson Ward neighborhood of Richmond, Lori Hilton attended Richmond Public Schools, including the Richmond Technical Center, where she trained to become a certified nursing assistant in the 1990s; and

WHEREAS, Lori Hilton was encouraged throughout her life by her mother, Sadie Esther Hilton, and her father, Lorenzo Hilton, who owned a store in Jackson Ward; and

WHEREAS, with the guidance and support of fellow tow truck drivers and companies, Lori Hilton established Hilton Towing along West Nine Mile Road in Richmond in 2000, making history as one of the first Black tow truck drivers in the city; and

WHEREAS, Lori Hilton also found success with the business venture RJ Mart in Richmond, which incorporated aspects of a convenience store, mechanic shop, and car wash; and

WHEREAS, both through her businesses and in her personal life, Lori Hilton has generously cared for unhoused individuals and other individuals in need, providing them with free tows, food, gas, clothing, or shelter to help them on their way; and

WHEREAS, Lori Hilton is a devoted mother who has given everything she has to support her children, Lamar Antoine Hilton and Latoya Ashley Hilton; and

WHEREAS, Lori Hilton has demonstrated great skill and patience as a breeder of Yorkshire Terriers for the past 22 years; and

WHEREAS, Lori Hilton's compassion and commitment to the well-being of others has led her to care for both young people and elderly members of her community; and

WHEREAS, through her unwavering selflessness and resolve, Lori Hilton has made a difference in countless lives and earned the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Lori Allyne Hilton hereby be commended for her remarkable achievements as a businesswoman and community leader; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Lori Allyne Hilton as an expression of the House of Delegates' respect for her contributions to the Commonwealth.

HOUSE RESOLUTION NO. 660

Commending Charles Collier.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Charles Collier, an esteemed employee of the City of Falls Church Police Department who admirably served the Falls Church community as a member of the City of Falls Church Retirement Board, retired from the board in 2024; and

WHEREAS, Charles Collier was a long-tenured civilian employee with the City of Falls Church Police Department, where he worked tirelessly to support the department's mission to protect and serve the community; and

WHEREAS, Charles Collier served on the City of Falls Church Retirement Board in an employee-elected position over a succession of three-year terms between 2002 and 2024; and

WHEREAS, as a member of the City of Falls Church Retirement Board, Charles Collier was a steadfast and committed advocate for both current employees and active retirees; and

WHEREAS, Charles Collier embraced his responsibilities on the City of Falls Church Retirement Board and took great care to ensure benefits were financially sound, established within regulatory compliance, and administered with fairness and equity; and

WHEREAS, Charles Collier's inquisitive and judicious nature made him an invaluable member of the City of Falls Church Retirement Board, and his legacy of service will be an inspiration to others for years to come; now, therefore, be it

RESOLVED by the House of Delegates, That Charles Collier hereby be commended for his 22 years of service on the City of Falls Church Retirement Board on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Charles Collier as an expression of the House of Delegates' admiration for his contributions to Falls Church and the Commonwealth.

HOUSE RESOLUTION NO. 661

Celebrating the life of Warren Marcelous DePriest, Sr.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Warren Marcelous DePriest, Sr., an active and beloved member of the Sandston community, died on July 27, 2024; and

WHEREAS, guided throughout his life by his faith, Warren DePriest built End Time Tabernacle Church in Sandston, which has provided the community with a welcoming place for spiritual guidance, fellowship, and worship for many years; and

WHEREAS, Warren DePriest supported and inspired others' faith in his capacity as a deacon and gospel singer, performing often with his group the Pearly Gates throughout the 1980s and 1990s; and

WHEREAS, preceded in death by his wife, Audrey, Warren DePriest will be fondly remembered and dearly missed by his children, Sandra, Oliver, Warren, Jr., and Timothy, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Warren Marcelous DePriest, Sr., a treasured member of the Sandston community whose dedication and service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Warren Marcelous DePriest, Sr., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 662

Celebrating the life of Elizabeth Sampson Johnson.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Elizabeth Sampson Johnson, an active and beloved member of the Highland Springs community, died on August 26, 2024, at the age of 100; and

WHEREAS, in her professional life, Elizabeth Johnson broke barriers as the first Black cafeteria manager in the Highland Springs community, demonstrating extraordinary leadership and dedication to her work and inspiring future generations; and

WHEREAS, Elizabeth Johnson was guided throughout her life by her deep commitment to her faith, and she enjoyed worship and fellowship with her community at Fair Oak Baptist Church in Highland Springs, where she served as church clerk for many years; and

WHEREAS, Elizabeth Johnson was a proud and longstanding member of Fair Oak Baptist Church's Memorial Choir, contributing her beautiful voice to the congregation's worship and outreach; and

WHEREAS, preceded in death by her husband, Robert, and daughter, Judith, Elizabeth Johnson will be fondly remembered and dearly missed by her sister, Elnora, and her family and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Elizabeth Sampson Johnson, a treasured member of the Highland Springs community whose kindness, wisdom, and unwavering faith made an indelible impact on countless lives and touched the hearts of all who knew her; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Elizabeth Sampson Johnson as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 663

Celebrating the life of Dr. Wilbert L. Jenkins.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Dr. Wilbert L. Jenkins, an esteemed education administrator and beloved member of the Richmond community, died on January 13, 2025; and

WHEREAS, Wilbert Jenkins devoted many years to the academic, social, and emotional well-being of Richmond's students in various leadership capacities with Richmond Public Schools, including as a principal and as director of instruction; and

WHEREAS, Wilbert Jenkins served as assistant superintendent with Richland County Public Schools in South Carolina, contributing greatly to the success of the school division's students and faculty; and

WHEREAS, in the final years of his career, Wilbert Jenkins was senior advisor to the president of Virginia Union University, guiding the institution of higher education through a period of growth and development; and

WHEREAS, preceded in death by his wife, Betty, Wilbert Jenkins will be fondly remembered and dearly missed by his daughters, Velma and Jennifer, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Dr. Wilbert L. Jenkins, a cherished member of the Richmond community whose dedication and service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Dr. Wilbert L. Jenkins as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 664

Celebrating the life of Gladys Delores Argro Kidd.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Gladys Delores Argro Kidd, an active and beloved member of the Richmond community, died on October 4, 2024; and

WHEREAS, born and raised in Richmond, Gladys Kidd attended Armstrong High School, where her meticulous handwriting earned her a number of awards; and

WHEREAS, Gladys Kidd was the matriarch of her family and devoted her life to raising both her five children and the children of her two late sisters; and

WHEREAS, Gladys Kidd was committed to ensuring the spiritual, social, and emotional well-being of her children and their extended family, serving on the parent-teacher associations at their schools, hosting regular family gatherings, and leading them in their Bible studies; and

WHEREAS, in addition to her remarkable efforts as a homemaker of a large family, Gladys Kidd worked for many years with Friedman & Marks Clothing Company and later at AT&T, where she retired; and

WHEREAS, both as a member of the Violetts Social Club and as social coordinator at the Grand Richmond at Brook Run in Richmond, Gladys Kidd was always bringing people together to foster a greater sense of community and togetherness; and

WHEREAS, guided throughout her life by her faith, Gladys Kidd enjoyed worship and fellowship with her family and friends at Mount Olivet Baptist Church in Richmond for several years, where she sang with the E.C. Kent Choir, and she was also later a dedicated member of Saint Paul's Baptist Church in Richmond; and

WHEREAS, Gladys Kidd served as a member of the Women's Guild at her church, working tirelessly to co-host Bible study sessions, an annual women's conference, and other community outreach events; and

WHEREAS, Gladys Kidd will be fondly remembered and dearly missed by her loving children, Pamela, Wilma, Lemuel III, Henrietta, and Lucy, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Gladys Delores Argro Kidd, a revered member of the Richmond community whose kindness, compassion, and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Gladys Delores Argro Kidd as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 665

Celebrating the life of Winston E. Hubbard, Jr.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Winston E. Hubbard, Jr., a beloved member of the Richmond community, died on September 29, 2024; and

WHEREAS, born in Richmond, Winston Hubbard was affectionately known by friends and family as "Mickey," and cherished by all who knew him for his kind and gentle spirit; and

WHEREAS, Winston Hubbard was a devoted family man who did everything he could to support his children and grandchildren in all of their endeavors; and

WHEREAS, Winston Hubbard will be fondly remembered and dearly missed by his children, Katera, Parrish, Prina, and Daquan, and their families; his mother, Darcel; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Winston E. Hubbard, Jr., a treasured member of the Richmond community whose light brightened countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Winston E. Hubbard, Jr., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 666

Celebrating the life of Annette Teresa Lawrence Robinson.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Annette Teresa Lawrence Robinson, an active and beloved member of the Henrico County community, died on September 18, 2024; and

WHEREAS, Annette Robinson graduated from King William High School in 1975 and worked for several years at the Children's Hospital of Richmond, where she devoted herself to the health and well-being of others; and

WHEREAS, Annette Robinson's warm and friendly personality brought joy and happiness to all who knew her; and

WHEREAS, guided throughout life by her faith, Annette Robinson enjoyed worship and fellowship with her community at 31st Street Baptist Church in Richmond; and

WHEREAS, Annette Robinson will be fondly remembered and dearly missed by her son, Justin, and his family and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Annette Teresa Lawrence Robinson, a treasured member of the Henrico County community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Annette Teresa Lawrence Robinson as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 667

Commending the Virginia Union University football team.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Virginia Union University football team won the Central Intercollegiate Athletic Association championship on November 16, 2024; and

WHEREAS, the Virginia Union University Panthers defeated the Virginia State University Trojans by a score of 17-13 to bring home the program's second consecutive Central Intercollegiate Athletic Association championship for the first time in more than 40 years; and

WHEREAS, Jada Byers led the charge for the Virginia Union Panthers and earned most valuable player honors after rushing for 178 yards and a touchdown; and

WHEREAS, Virginia Union University's quarterback Mark Wright contributed 96 passing yards and a touchdown, while Reginald Vick, Jr., made a decisive impact with receptions for 59 yards and a touchdown; and

WHEREAS, on the defensive end, Shamar Graham anchored the Virginia Union Panthers with 11 tackles and a sack, while William Davis sealed the victory with a late-game interception; and

WHEREAS, the accomplishments of the Virginia Union Panthers are the result of the hard work and determination of the student-athletes, the leadership and guidance of their coaches and professors, and the unwavering support of the entire Virginia Union University community; now, therefore, be it

RESOLVED by the House of Delegates, That the Virginia Union University football team hereby be commended for winning the 2024 Central Intercollegiate Athletic Association championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Virginia Union University football team as an expression of the House of Delegates' admiration for the team's achievements and best wishes for its continued success.

HOUSE RESOLUTION NO. 668

Commending the 2025 inductees into the Virginia Sports Hall of Fame.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, in 1996, the Virginia Sports Hall of Fame was designated the official Sports Hall of Fame of the Commonwealth; and

WHEREAS, the Virginia Sports Hall of Fame, located in Virginia Beach, has honored hundreds of Virginia's exceptional athletes, coaches, and media personalities since its inception in 1972; and

WHEREAS, the Virginia Sports Hall of Fame celebrates athletic excellence in the Commonwealth, highlights philanthropy through sports, and inspires sports fans through engaging and entertaining programs; and

WHEREAS, the Virginia Sports Hall of Fame will celebrate its 52nd Induction Weekend by honoring the Class of 2025 and the Distinguished Virginian Award recipient on April 25-26, 2025, in Virginia Beach; and

WHEREAS, the Virginia Sports Hall of Fame is honored to present the Class of 2025 inductees as follows:

The Class of 2025

Brandon Adair

Brandon Adair, a graduate of Princess Anne High School in Virginia Beach, rewrote the record books for Virginia Wesleyan University men's basketball as the program's all-time leader in points scored, and the second all-time in rebounds. The four-time All-Old Dominion Athletic Conference selection and 2006 National Player of the Year led Virginia Wesleyan University to the 2006 National Collegiate Athletic Association (NCAA) Division III men's championship. He is the first Virginia Sports Hall of Fame inductee from Virginia Wesleyan University.

Dan Bonner

Dan Bonner, a native of Pittsburgh, Pennsylvania, attended the University of Virginia, where he was named captain of the men's basketball team and an academic All-Atlantic Coast Conference (ACC) selection. After a two-year stint as head coach for the University of Virginia women's basketball team, he became a leading media voice for college basketball. Since 1985, he has been a color commentator for every NCAA tournament including the 2000 and 2001 final four and championship games, in addition to having other broadcast roles with ESPN and the ACC Network.

Murray Cook

Murray Cook, a native of Salem, has played a pivotal role in baseball field design and development around the globe. He joined Major League Baseball (MLB) as its official field consultant in 1991, and has overseen the development of professional fields in more than 60 countries. He has managed multiple ballpark projects, including the MLB London Series at Queen Elizabeth Olympic Park, the MLB at Field of Dreams in Iowa, and MLB at Fort Bragg in North Carolina, as well as renovations at historic Rickwood Field in Birmingham, Alabama. He has previously been honored as the 1991 Sportsturf Man of the Year, and in 2016, MLB at Fort Bragg was selected as Ballpark of the Year thanks in large part to his contributions.

Ali Krieger

Ali Krieger, a native of Dumfries and a graduate of Forest Park High School, has excelled at every level of soccer. The 2003 Virginia Gatorade Player of the Year went on to become a star on the Pennsylvania State University women's soccer team, earning the Big Ten Defensive Player of the Year award and Penn State's Most Valuable Player award in 2006. At the international level, she made 108 appearances with the United States Women's National Team, was named to three World Cup squads, and won World Cups in 2015 and 2019. She played in the National Women's Soccer League for 11 seasons, culminating in a championship victory in her final season as captain of Gotham F.C.

Harry Minium, Jr.

Harry Minium Jr., a native of Norfolk and an alumnus of Old Dominion University, has spent more than 40 years as a sportswriter and columnist for Old Dominion University and media outlets such as the *Richmond News Leader* and the *Virginian-Pilot*. He is a recipient of numerous writing awards, including a first-place award in 2013 by the Football Writers of America, and has also been nominated twice for the Pulitzer Prize. In 2013, he was the recipient of the prestigious Abe Goldblatt Award presented by the Norfolk Sports Club.

Joe Smith

Joe Smith, a native of Norfolk, was a force on the basketball court from his time at Maury High School through his professional career in the National Basketball Association (NBA). As a member of the men's basketball team at the University of Maryland, he was named ACC Rookie of the Year in 1994 and ACC Player of the Year and National Player of the Year in 1995 and was a two-time All-ACC First Team selection. After college, he was drafted number one overall in the 1995 NBA draft by the Golden State Warriors. He played 16 seasons in the NBA, scoring more than 11,000 points and grabbing more than 6,500 rebounds.

Mike Smith

Mike Smith built a powerhouse football program over the course of 50 years at Hampton High School. He took over as head football coach in 1970 and led the Hampton High School Crabbers to a Virginia High School League-record 12 state championships. His 1996 and 1997 teams were also crowned national champions. In total, he won 506 games as head coach at Hampton High School, joining an elite group of high school football coaches around the country with 500 or more wins. He received the state Coach of the Year award 17 times and was selected as National Coach of the Year in 1996; and

Lou Whitaker

Lou Whitaker, a graduate of Martinsville High School, is one of the most accomplished baseball players to call the Commonwealth home. Over the course of 19 seasons with the Detroit Tigers in MLB, he became known as one of the best middle infielders in the game. The 1978 American League Rookie of the Year, he was also named as an All-Star five times, won three Gold Gloves and four Silver Slugger awards at second base, and was an integral part of the Detroit Tigers 1984 World Series championship team. He finished his career with a .276 batting average, 2,369 hits, 244 homeruns, 1,084 runs batted in, and 1,386 runs scored; and

WHEREAS, the Virginia Sports Hall of Fame is also honored to present the 2025 Distinguished Virginian Award recipient:

Ed George

Ed George, a graduate of E.C. Glass High School in Lynchburg and Ferrum College, played professional football for 11 seasons, four in the National Football League and seven in the Canadian Football League, where he won two Grey Cup championships with the Montreal Alouettes. His impact has been felt away from the gridiron as well, where his success in the financial sector has led to multiple philanthropic endeavors, many of which have been centered on support for

student-athletes. The Hall of Fame at Ferrum College bears his name, and he has been honored by his alma mater as a Distinguished Alumnus and was a recipient of the Beckham Medallion, the institution's highest honor; now, therefore, be it

RESOLVED by the House of Delegates, That Brandon Adair, Dan Bonner, Murray Cook, Ali Krieger, Harry Minium, Jr., Joe Smith, Mike Smith, Lou Whitaker, and Ed George hereby be commended for their outstanding achievements in athletics and philanthropy; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare copies of this resolution for presentation to the Virginia Sports Hall of Fame and its 2025 inductees as an expression of the House of Delegates' congratulations and admiration for their many contributions to the world of sports.

HOUSE RESOLUTION NO. 669

Commending the National Center for Healthy Veterans at Valor Farm.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the National Center for Healthy Veterans at Valor Farm has demonstrated an unwavering commitment to the well-being and reintegration of our nation's veterans, working to return healthy veterans to America and to reshape the future of veterans' care in our country; and

WHEREAS, Valor Farm has earned recognition for its exceptional service to returning service members, founded on a holistic and comprehensive approach to veteran recovery and support; and

WHEREAS, Valor Farm's work is rooted in four core values—dignified work, community living, technical training, and a culture of wellness—each of which plays a vital role in helping veterans regain their health, purpose, and sense of belonging; and

WHEREAS, through its daily vocational ministries, virtual academic programs, community engagement activities, and training conferences, Valor Farm provides veterans with the resources they need to heal, grow, and thrive; and

WHEREAS, Valor Farm runs a market offering a variety of fresh, healthy produce, farm-raised meat, eggs, and more, helping to promote physical wellness while supporting the local community; and

WHEREAS, Valor Farm provides a safe and nurturing environment for veterans to live in their tiny home village, while offering a wide array of services and facilities to support their recovery, including a community center, equestrian center, and more; and

WHEREAS, community is at the heart of Valor Farm, serving as an antidote to the isolation, loneliness, and fractured relationships that many veterans face upon their return to civilian life; now, therefore, be it

RESOLVED by the House of Delegates, That the National Center for Healthy Veterans at Valor Farm hereby be commended for its tireless efforts to support and uplift the men and women who have served our nation and for their visionary work in transforming the future of veterans' care in the Commonwealth and beyond; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the National Center for Healthy Veterans at Valor Farm as an expression of the House of Delegates' admiration for the organization's commitment to the health and well-being of the nation's veterans.

HOUSE RESOLUTION NO. 670

Commending Mariners Landing.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Mariners Landing, a multifaceted resort and housing development on Smith Mountain Lake providing a unique blend of natural beauty and comprehensive amenities, has greatly served both residents and visitors for many years; and

WHEREAS, Waller Perrow began acquiring real estate in Mariners Landing in 2013 and expanded his involvement by purchasing the estate assets of the previous developer and the golf club in 2020; and

WHEREAS, since taking stewardship of Mariners Landing, Waller Perrow and his team have transformed the site into a thriving, all-inclusive golf and lake resort, with five diverse eateries, a world-class gym and wellness center, tennis and pickleball courts, and other amenities; and

WHEREAS, after completing hundreds of maintenance and beautification projects, Waller Perrow and his team have cemented Mariners Landing's reputation as a charming and desirable location to live, work, and play; and

WHEREAS, Waller Perrow established Bottles and Bites at Mariners Landing, a vibrant seasonal venue that offers guests an array of wines, craft beers, and gourmet nibbles to enjoy while listening to live acoustic music, and was instrumental to revitalizing the Smith Mountain Lake Wine Festival after the COVID-19 pandemic; and

WHEREAS, Waller Perrow deftly manages the complex logistics of Mariners Landing, a multifaceted establishment spanning 1,000 acres that boasts more amenities than any other facility within a 90-mile radius; and

WHEREAS, in July 2024, Waller Perrow launched the Stillwaters program at Mariners Landing, a retreat program designed exclusively for veterans and first responders to honor their service; and

WHEREAS, through Waller Perrow's tireless efforts, Mariners Landing has blossomed into a vibrant recreation and relaxation hub and a cohesive, thriving community along beautiful Smith Mountain Lake; now, therefore, be it

RESOLVED by the House of Delegates, That Mariners Landing hereby be commended for its accomplishments and legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Waller Perrow, owner of Mariners Landing, as an expression of the House of Delegates' admiration for his efforts to restore Mariners Landing into a wonderful place to live and vacation along Smith Mountain Lake.

HOUSE RESOLUTION NO. 671

Commending JR's Auto Care.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, established in the 1970s, JR's Auto Care has been serving Altavista and the surrounding communities with automotive care and repair for more than fifty years; and

WHEREAS, JR Critchley and his wife took over JR's Auto Care in the 1990s, and they moved to a new six-repair-bay location in 2005; and

WHEREAS, JR's Auto Care provides a wide range of services to their customers, including oil changes, transmission service, alignments, and tire repair and replacement; and

WHEREAS, through different owners and locations, JR's Auto Care has maintained its independence while upholding a standard of service excellence and an unwavering commitment to the Christian faith; and

WHEREAS, JR's Auto Care is devoted to staying up to date and ahead of the curve in the auto repair and care industry, with the business's dedicated and skilled mechanics participating in six hours of training per month to keep up with the ever-changing and developing automotive industry; and

WHEREAS, after a half-century of serving Altavista, JR's Auto Care still takes pride and satisfaction in excellent customer service, building a loyal following of happy customers who turn to them to get back on the road safely; now, therefore, be it

RESOLVED by the House of Delegates, That JR's Auto Care hereby be commended for its legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to JR Critchley, owner of JR's Auto Care, as an expression of the House of Delegates' admiration for the business's contributions to Altavista and the Commonwealth.

HOUSE RESOLUTION NO. 672

Commending Workboat Life, Inc.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Workboat Life, Inc., is an organization dedicated to celebrating deadrise boats and their impact on the seafood industry and the history and heritage of the Chesapeake Bay region; and

WHEREAS, deadrise boats were built specifically for the unique environs of the Chesapeake Bay, with hulls designed to enable watermen to safely navigate shallow shoal waters and unpredictable weather while carrying large payloads of seafood; and

WHEREAS, deadrise boats were essential to the success of the seafood industry in the Chesapeake Bay for many years, but the cost of building and maintaining them has seen their use dwindle over time; and

WHEREAS, beyond their role in the local economies of the Chesapeake Bay, deadrise boats are also cherished for their exceptional artistry and craftsmanship and unparalleled beauty; and

WHEREAS, in recognition of its distinctive local character and historical and cultural importance, the Chesapeake Bay Deadrise has been designated as the official boat of the Commonwealth in the Code of Virginia; and

WHEREAS, Workboat Life was founded by lifelong York County resident, Allen Holston, to preserve and pay homage to the history of deadrise boats and their influence on the Chesapeake Bay region; and

WHEREAS, on June 2, 2024, Workboat Life revitalized the Yorktown Workboat Races after a 19-year hiatus, an event demonstrating the power and prowess of deadrise boats for the benefit and enjoyment of individuals and families from throughout the Chesapeake Bay region; and

WHEREAS, to honor the legacy of deadrise boats, the York County Board of Supervisors proclaimed June 2, 2024, to be designated as Chesapeake Bay Deadrise Day in York County; now, therefore, be it

RESOLVED by the House of Delegates, That Workboat Life, Inc., hereby be commended for its efforts to highlight the Chesapeake Bay deadrise's prominent place in the history and culture of the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Workboat Life, Inc., as an expression of the House of Delegates' admiration for the organization's mission and best wishes for its continued success.

HOUSE RESOLUTION NO. 673

Commending Paul Kakol.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Paul Kakol, an esteemed law-enforcement officer and sergeant with the Purcellville Police Department, retired in 2025; and

WHEREAS, prior to his career in law enforcement, Paul Kakol served his country with honor and distinction as a member of the United States Army's 82nd Airborne Division, during which time he was deployed for several combat and humanitarian aid missions; and

WHEREAS, Paul Kakol began his law-enforcement career in 2002 as a member of the Metropolitan Washington Airports Authority Police Department, where he supported the agency's bicycle safety team and drug intervention team and was a field training officer; and

WHEREAS, Paul Kakol joined the Purcellville Police Department in February 2005 and served for several years as a patrol officer until he was promoted to the rank of corporal in 2014 and to the rank of sergeant in 2020; and

WHEREAS, Paul Kakol has supported the Purcellville Police Department over the years in his capacities as lead firearms instructor, Explorer post advisor, bike safety patrol member, certified Crisis Intervention Team member, training coordinator, and field training officer; and

WHEREAS, Paul Kakol's exemplary service has been recognized with the Valor Life Saving Award in 2011 and the Bronze Medal of Valor in 2017, which was presented to him after he saved the life of a Purcellville resident; and

WHEREAS, as a PATHH Guide with the Boulder Crest Foundation, Paul Kakol has worked tirelessly to help his fellow veterans and first responders overcome past traumas so they can lead happier and more fulfilling lives; and

WHEREAS, through his selfless dedication and unwavering commitment to Purcellville and its residents, particularly those who are most vulnerable, Paul Kakol has embodied the ideals of the law-enforcement profession, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Paul Kakol hereby be commended on the occasion of his retirement from the Purcellville Police Department; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Paul Kakol as an expression of the House of Delegates' high regard for his contributions to Purcellville and the Commonwealth and best wishes for a rewarding retirement.

HOUSE RESOLUTION NO. 674

Commending Arthur Ellsworth Dick Howard.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Arthur Ellsworth Dick Howard, the Warner-Booker Distinguished Professor of International Law Emeritus at the University of Virginia and a preeminent scholar on constitutional law and comparative constitutionalism who served the Commonwealth as a champion for the revised 1971 Constitution of Virginia, received the prestigious Outstanding Virginian Award in 2025; and

WHEREAS, the Outstanding Virginian Award is presented by the Outstanding Virginian Committee in partnership with the University of Virginia Frank Batten School of Leadership and Public Policy to recognize leaders like Arthur Ellsworth "A.E." Dick Howard whose civic-minded accomplishments serve as an inspiration to all residents of the Commonwealth; and

WHEREAS, Arthur Ellsworth "A.E." Dick Howard grew up in the Ginter Park neighborhood of Richmond and served the nation as a member of the United States Army after graduating from the University of Richmond; he continued his education at the University of Virginia School of Law and Oxford University, where he studied philosophy, politics, and economics with some of the great minds in academia as a Rhodes Scholar; and

WHEREAS, after graduating from law school, A.E. Dick Howard clerked for Justice Hugo L. Black at the Supreme Court of the United States and contributed to several notable opinions, including *Gideon v. Wainwright*, which required states to provide legal representation to defendants who could not afford their own, and *Griffin v. School Board of Prince Edward County*, which effectively ended the "massive resistance" to desegregation in the Commonwealth; and

WHEREAS, A.E. Dick Howard subsequently joined the faculty of the University of Virginia School of Law in 1964, teaching constitutional law, legal philosophy, and evidence; he earned the admiration of his students for his creative teaching style, clear communication, and generosity; and

WHEREAS, in 1968, A.E. Dick Howard was selected by members of the Virginia Commission on Constitutional Revision to serve as executive director of the program and lead efforts to revise and replace the 1902 Constitution of Virginia; he was the chief author of recommended changes, wrote commentary in support of revisions, interpreted the new constitution to members of the General Assembly, and spearheaded the subsequent referendum campaign; and

WHEREAS, thanks to A.E. Dick Howard's hard work and dedication, Virginia voters approved the 1971 Constitution of Virginia by 72 percent at a time when six other states failed to pass new constitutions; the streamlined document was less

than half the length of the previous constitution, removing remnants of the Jim Crow era in favor of antidiscrimination provisions and protections for public education, the environment, and the elderly; and

WHEREAS, the success of the Virginia Commission on Constitutional Revision garnered A.E. Dick Howard national and international acclaim; he was consulted by constitutional drafters in other states and abroad, including in Brazil, Hong Kong, the Philippines, Hungary, the former Czechoslovakia, Poland, Romania, Albania, Malawi, South Africa, and the former Swaziland; and

WHEREAS, over the years, A.E. Dick Howard also briefed and argued cases before state and federal courts, including the Supreme Court of the United States, and served as counsel to the Virginia General Assembly and the governor of Virginia, as chair of Virginia's Commission on the Bicentennial of the United States Constitution, and as a consultant to other state and federal bodies, including the United States Senate Judiciary Committee; and

WHEREAS, among countless awards and accolades, A.E. Dick Howard has received the George C. Marshall Award in International Law and Diplomacy from the Richmond Chapter of the World Affairs Councils of America, the prestigious Randa Medal from the Union of Czech Lawyers, and the University of Virginia's Distinguished Professor Award, as well as the institution's highest honor, the Thomas Jefferson Award; and

WHEREAS, at the time of his retirement from the University of Virginia in 2024, A.E. Dick Howard was the longest-serving professor in the history of the institution and one of the most respected educators in the nation; his legacy lives on through the generations of attorneys, judges, government officials, and academics to whom he imparted his steadfast dedication to the advancement of constitutionalism, fair democracy, and the rule of law; now, therefore, be it

RESOLVED by the House of Delegates, That Arthur Ellsworth Dick Howard, winner of the 2025 Outstanding Virginian Award, hereby be commended for his distinguished contributions to the Commonwealth, the United States, and democracies around the world; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Arthur Ellsworth Dick Howard as an expression of the House of Delegates' admiration for his lifetime of achievements as a legal scholar.

HOUSE RESOLUTION NO. 675

Celebrating the life of Dr. La Francis Rodgers-Rose.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Dr. La Francis Rodgers-Rose, a distinguished scholar, educator, and advocate for Black women and families, died on November 10, 2024, following a courageous two-year battle with myelodysplastic syndrome; and

WHEREAS, born in Norfolk on July 19, 1936, to Carroll M. Rodgers and Beulah P. Rodgers, La Francis Rodgers-Rose was raised in segregated Portsmouth and became a proud graduate of I.C. Norcom High School with the class of 1954; and

WHEREAS, La Francis Rodgers-Rose pursued higher education with excellence, earning a bachelor's degree from Morgan State University in 1958, a master's degree from Fisk University in 1960, and a doctorate from the University of Iowa in 1964, all in the field of sociology, making her a trailblazer in the discipline; and

WHEREAS, over the course of more than three decades, La Francis Rodgers-Rose was a dedicated professor, teaching sociology and African American Studies at institutions such as St. Olaf College, Case Western Reserve University, Rutgers University, the University of Pennsylvania, and Drew University, as well as spending 15 years at Princeton University, where she introduced the university's first-ever course focusing on Black women in 1975; and

WHEREAS, La Francis Rodgers-Rose was a prolific scholar and thought leader, lecturing extensively on Black history and culture, Black women, Black families, Black identity, rites of passage, and cultural diversity; she also edited *The Black Woman*, the first comprehensive social science volume in Black women's studies, written by Black women about Black women; and

WHEREAS, a leader in her field, La Francis Rodgers-Rose served as the national president of the Association of Black Sociologists and the Association of Social Behavioral Scientists and was the founder and president emerita of the International Black Women's Congress, an organization dedicated to the empowerment and advancement of Black women; and

WHEREAS, La Francis Rodgers-Rose's profound contributions to academia, community service, and cultural preservation were recognized with numerous honors, including being named a Fulbright Fellow to Africa and a Distinguished Sociology Scholar; she was enstooled in a traditional ceremony as Nana Obaapanyin Akosua Asantewaa Ofosua I of Aburi, Ghana, in 1993, further solidifying her legacy of leadership and cultural advocacy; and

WHEREAS, La Francis Rodgers-Rose was a devoted member of Iota Phi Lambda Sorority, Inc., and Delta Sigma Theta Sorority, Inc., two organizations that exemplify service, sisterhood, and scholarship, values that she embodied throughout her life; and

WHEREAS, La Francis Rodgers-Rose was the recipient of a life-giving heart transplant on October 19, 2002, a testament to both her resilience and the power of medical advancements; and

WHEREAS, La Francis Rodgers-Rose was a beloved mother, grandmother, great-grandmother, sister, and friend, who left behind a lasting legacy of academic excellence, cultural pride, and unwavering advocacy for justice and equity; and

WHEREAS, La Francis Rodgers-Rose is survived by her sister, Cynthia Rodgers; her children, Henry D. Rose and Valija C. Rose, and their spouses; her adopted son, Brian Williams; six grandchildren; two great-grandchildren; and a host of nieces, nephews, cousins, and friends who cherish her memory; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Dr. La Francis Rodgers-Rose, who made extraordinary contributions to education, sociology, and the empowerment of Black women and families; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Dr. La Francis Rodgers-Rose as an expression of the House of Delegates' profound respect for her memory and deepest condolences.

HOUSE RESOLUTION NO. 676

Celebrating the life of Michael Gregory Brown.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Michael Gregory Brown, an honorable veteran, esteemed civil servant, and active and beloved member of the Richmond community, died on January 26, 2025; and

WHEREAS, Michael Brown was raised in the North Side neighborhood of Richmond and graduated from Maggie L. Walker High School before matriculating at Hampton Institute, now known as Hampton University; and

WHEREAS, Michael Brown was drafted into the United States Army and served his country with honor and distinction during the Vietnam War, earning a Purple Heart for his bravery and valor; and

WHEREAS, following his service, Michael Brown obtained a degree from Virginia Union University and became active in social justice and political efforts; and

WHEREAS, as a former secretary of the State Board of Elections, Michael Brown devoted himself to ensuring citizens had access to voting information, particularly in underserved communities; and

WHEREAS, a tireless champion of voter empowerment, democracy, and civic engagement, Michael Brown worked closely with the NAACP and its state and local chapters; and

WHEREAS, Michael Brown supported many local and statewide Democratic political campaigns over the years, including the historic campaigns of his uncle, Governor L. Douglas Wilder, the first Black politician to be elected governor of the Commonwealth; and

WHEREAS, guided throughout his life by his faith, Michael Brown enjoyed worship and fellowship with his community at the historic First African Baptist Church in Richmond from a young age; and

WHEREAS, Michael Brown will be fondly remembered and dearly missed by his wife, Valery; his children, Shani and Michelle, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Michael Gregory Brown, a cherished member of the Richmond community whose commitment to social justice and political empowerment made a lasting impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Michael Gregory Brown as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 677

Celebrating the life of the Reverend Robert Calloway Davis.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Reverend Robert Calloway Davis, an esteemed faith leader, accomplished educator, and beloved member of the Richmond community, died on January 27, 2025; and

WHEREAS, Robert Calloway Davis served as pastor at Union Baptist Church in Richmond for 48 years and at Antioch Baptist Church in Richmond for nine years; and

WHEREAS, as a faith leader, Robert Davis worked tirelessly to provide his congregation with uplifting and inspiring spiritual guidance while caring for the success and longevity of his church; and

WHEREAS, as a social studies teacher with Richmond Public Schools, Richard Davis devoted himself to the academic, social, and emotional well-being of his students and supported his fellow faculty in their educational endeavors; and

WHEREAS, preceded in death by his wife, LaVerne, Robert Davis will be fondly remembered and dearly missed by his daughter, Denise, and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of the Reverend Robert Calloway Davis, a cherished member of the Richmond community whose integrity, compassion, and faith inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Reverend Robert Calloway Davis as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 678

Commending Bon Air Elementary School.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, in 2025, Bon Air Elementary School in Chesterfield County marks 100 years of academic excellence and service to the community; and

WHEREAS, Bon Air Elementary School has been a cornerstone of education since its founding in 1925, providing a nurturing learning environment for generations of students within Chesterfield County Public Schools; and

WHEREAS, the dedicated teachers, staff, and administrators of Bon Air Elementary School have consistently demonstrated their commitment to academic achievement and character development; and

WHEREAS, Bon Air Elementary School has been recognized for its strong academic performance, ranking among the top elementary schools in Virginia; and

WHEREAS, Bon Air Elementary School has adapted to changing educational needs over the past century, while upholding the Chesterfield County Public Schools core values of integrity, equity, teamwork, and ingenuity; and

WHEREAS, Bon Air Elementary School has played a vital role in shaping the Bon Air community by fostering partnerships with local organizations and families to enrich the educational experience of its students; and

WHEREAS, Bon Air Elementary School's milestone 100th anniversary celebration provides an opportunity to reflect on the school's rich history and reaffirm its commitment to preparing students for future success; now, therefore, be it

RESOLVED by the House of Delegates, That Bon Air Elementary School hereby be commended on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the principal of Bon Air Elementary School as an expression of the House of Delegates' admiration for the school's century of dedication to education and community service.

HOUSE RESOLUTION NO. 679

Commending George Walton Weller.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, George Walton Weller, an honorable veteran and distinguished firefighter, has served his community with the Verona Volunteer Fire Company for 65 years; and

WHEREAS, prior to his firefighting career, George Weller served his country with honor and distinction as a member of the United States Air Force for four years during the Vietnam War; and

WHEREAS, George Weller helped found the Verona Volunteer Fire Company in 1959 and has served the organization ever since, supporting its growth and development from a single-engine operation to an all-hazards emergency response service; and

WHEREAS, at the age of 91, George Weller remains an active member of the Verona Volunteer Fire Company, guiding and mentoring its members and aiding its efforts to safeguard and serve the community; and

WHEREAS, at its annual banquet on March 14, 2025, the Verona Volunteer Fire Company will honor George Weller for his remarkable 65 years of service, providing an opportunity to reflect on the profound and lasting impact he has had on the community; and

WHEREAS, through his longstanding and selfless dedication and unwavering commitment to the well-being of Verona and its residents, George Weller has earned the praise and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That George Walton Weller hereby be commended for his legacy of service with the Verona Volunteer Fire Company; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to George Walton Weller as an expression of the House of Delegates' high regard for his contributions to Verona and the Commonwealth.

HOUSE RESOLUTION NO. 680

Celebrating the life of Algie Gray Crouse.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Algie Gray Crouse, an honorable veteran, accomplished businessman, and active and beloved member of the Marion community, died on January 20, 2025; and

WHEREAS, immediately after he graduated from Marion High School in 1944, Algie Crouse was drafted into the United States Army, and he served his country with honor and distinction as a member of the 104th Infantry Division for two years during World War II; he was notably Smyth County's last surviving World War II veteran at the time of his death; and

WHEREAS, following his service, Algie Crouse taught in a one-room school for one year, worked for the Brunswick Corporation for four years, and joined the firm of the Lemmon Transport Company in 1951; and

WHEREAS, after dutifully working at the Lemmon Transport Company for 19 years, Algie Crouse acquired an ownership stake in the company that he held for 14 years until he sold his interests in 1984 and retired; and

WHEREAS, Algie Crouse supported his industry as a member of the American Trucking Association, the National Accounting and Finance Council, and the Virginia Highway Users Association; and

WHEREAS, Algie Crouse made an impact in his community as chair of The Salvation Army of Smyth County for ten years, director of the First National Bank of Saltville and BBT Bank for several years, director of the Settlers Museum of Southwest Virginia, and life member of Veterans of Foreign Wars Post 4667 in Marion; and

WHEREAS, guided throughout his life by his faith, Algie Crouse enjoyed worship and fellowship with his community at First United Methodist Church in Marion for many years; and

WHEREAS, preceded in death by his wife of nearly 56 years, Patsy, Algie Crouse will be fondly remembered and dearly missed by his nieces, Estelle and Vicky; his nephew, William; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Algie Gray Crouse, a treasured member of the Marion community whose dedication and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Algie Gray Crouse as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 681

Celebrating the life of Kris Kehoe Southwick.

Agreed to by the House of Delegates, February 13, 2025

WHEREAS, Kris Kehoe Southwick, an honorable veteran, esteemed federal agent, and beloved member of the Warrenton community, died on December 2, 2023; and

WHEREAS, born in Little Rock, Arkansas, Kris Southwick earned a bachelor's degree in criminal justice from Radford University in 1998; and

WHEREAS, Kris Southwick joined the United States Marine Corps in 2001 as an infantry officer, completed tours of duty in Iraq and Afghanistan, and rose to the rank of captain before leaving the service in 2004; and

WHEREAS, in recognition of his valor and leadership in combat, Kris Southwick was presented the Navy and Marine Corps Achievement Medal; and

WHEREAS, Kris Southwick continued to serve his country with honor and distinction for more than 18 years as a federal agent with the United States Department of State and United States Department of Homeland Security; and

WHEREAS, Kris Southwick was an exceptional athlete whose achievements included 19 United States Marine Corps Marathons, various triathlons, including the IRONMAN Maryland, and the JFK 50 Mile race; and

WHEREAS, Kris Southwick supported the health and well-being of young people as a coach for a variety of youth sports in Fauquier County, including Little League baseball, travel baseball, flag football, and tackle football; and

WHEREAS, above all else, Kris Southwick embraced his role as the father to his three children, and he found no greater joy than to spend quality time with his family; and

WHEREAS, Kris Southwick will be fondly remembered and dearly missed by his loving wife of 19 years, Alicia; his children, Clay, Emory, and Cyrus; his mother, Karlyn; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Kris Kehoe Southwick, whose positivity, integrity, and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Kris Kehoe Southwick as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 682

Celebrating the life of the Honorable Donald May Haddock.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Honorable Donald May Haddock, a veteran of the United States Army, esteemed attorney, distinguished judge on the Alexandria Circuit Court, and beloved husband, father, grandfather, and member of the Alexandria community, died on December 23, 2024; and

WHEREAS, after graduating from Episcopal High School in Alexandria and Princeton University, Donald Haddock earned a juris doctor degree from the University of Virginia and a master of laws degree from The George Washington University; and

WHEREAS, following law school, Donald Haddock served his country with honor and distinction as a captain in the Army Materiel Command of the United States Army; and

WHEREAS, Donald Haddock began his legal career as a sole practitioner and part-time assistant Commonwealth's attorney, then practiced law for some time with the firm of Thomas, Kent, Haddock & Sewell, before ultimately returning to being a sole practitioner; and

WHEREAS, Donald Haddock became a judge on the Alexandria Circuit Court of the Eighteenth Judicial Circuit of Virginia in 1984, where he would serve for the next 27 years, including 14 years as chief judge; he then served often as a substitute judge in his retirement, achieving more than 40 years of service on the bench in his lifetime; and

WHEREAS, over his career as a judge, Donald Haddock presided over his court with exceptional wisdom and discernment, ensuring fairness and justice for all of the parties that came before him; and

WHEREAS, outside of his professional life, Donald Haddock's pastimes included hunting, fishing, and farming, and above all else, he enjoyed spending quality time with his family; and

WHEREAS, Donald Haddock will be fondly remembered and dearly missed by his loving wife of 59 years, Joyce; his children, David and Donald, Jr., and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of the Honorable Donald May Haddock, a pillar of the Alexandria legal community whose service and dedication inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Honorable Donald May Haddock as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 683

Celebrating the life of Justin Lee Butler, Jr.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Justin Lee Butler, Jr., a beloved son, brother, grandson, and great-grandson and cherished member of the Richmond community, died on January 25, 2025; and

WHEREAS, known by friends and family as "Jay," Justin Butler was a hardworking and dedicated young man who had a promising future ahead of him; and

WHEREAS, Justin Butler was guided throughout his life by his faith, and he gave generously of his time to help others in need; and

WHEREAS, Justin Butler will be fondly remembered and dearly missed by his parents, Erica and Justin, Sr.; his siblings, Ny'Angel, Chloe, Alaysia, J'Air, J'Heem, Edward, and Arian; his fiancé, Tashema; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Justin Lee Butler, Jr., a revered member of the Richmond community whose light brightened countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Justin Lee Butler, Jr., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 684

Celebrating the life of the Reverend Dr. Wilson E. Shannon.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Reverend Dr. Wilson E. Shannon, an honorable veteran, esteemed pastor, beloved husband, father, and grandfather, and treasured member of the Chesterfield County community, died on August 11, 2024; and

WHEREAS, affectionately known by family and friends as "Duck," Wilson Shannon was born in Richmond and received his education at Richmond Public Schools, graduating from Armstrong High School in 1974; and

WHEREAS, Wilson Shannon served his country with honor and distinction as a member of the United States Army and was stationed at Fort Carson in Colorado; and

WHEREAS, Wilson Shannon answered the call to become a faith leader and was ordained at Beacon Light Baptist Church near Fort Carson, Colorado, in 1976; and

WHEREAS, following his service, Wilson Shannon continued his educational pursuits by earning a bachelor's degree in 1983 and a master's degree in divinity in 1986 from Virginia Union University and a doctor of ministry degree in 1990 from Howard University; and

WHEREAS, for nearly a half-century, Wilson Shannon provided insightful and uplifting spiritual guidance to the congregations he served, while demonstrating a steadfast commitment to promoting academic development in the community; and

WHEREAS, after serving as pastor of Shalom Baptist Fellowship Church in Richmond for 12 years, Wilson Shannon led First Baptist Church Centralia in Chesterfield County for 33 years, where he contributed greatly to the church's growth and success and its ability to make a lasting and meaningful impact on the lives of others; and

WHEREAS, Wilson Shannon will be fondly remembered and dearly missed by his loving wife of 49 years, Cynthia; his children, Xavier and Tawanda, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of the Reverend Dr. Wilson E. Shannon, a revered member of the Chesterfield County community whose unwavering faith and dedication inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Reverend Dr. Wilson E. Shannon as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 685

Celebrating the life of Kimaun Tyrese Ewell.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Kimaun Tyrese Ewell, a beloved son, brother, grandson, uncle, and friend in the Richmond community, died on June 16, 2024; and

WHEREAS, Kimaun Ewell, affectionately known to family and friends as "Keylo," grew up in the Richmond area and attended Henrico County Public Schools; and

WHEREAS, Kimaun Ewell graduated from Hermitage High School, where he was a linebacker and quarterback on the football team; and

WHEREAS, Kimaun Ewell continued his education at Wesley College, which is now part of Delaware State University, and Reynolds Community College in Richmond; and

WHEREAS, Kimaun Ewell was employed by the health care logistics and supply chain management firm Owens & Minor; and

WHEREAS, Kimaun Ewell was guided by his deep faith throughout his life and enjoyed fellowship and worship with the congregations of Greater Mount Moriah Baptist Church in his youth and Sixth Mount Zion Baptist Church more recently; and

WHEREAS, Kimaun Ewell will be fondly remembered and greatly missed by his parents, Lakisha and Darryl; his siblings, Kiana, Shakei, Naterria, Marquita, Maurice, Jr., Shyheim, and Maurice Robinson; his grandparents, many aunts and uncles, and nieces and nephews; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Kimaun Tyrese Ewell, an active member of the Richmond community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Kimaun Tyrese Ewell as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 686

Commending the Honorable Dr. William Ferguson Reid.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, the Honorable Dr. William Ferguson Reid, a distinguished physician and civil rights leader who made history as the first Black member of the General Assembly in the 20th century, celebrates his 100th birthday in 2025; and

WHEREAS, born in Richmond, the Honorable Dr. William Ferguson "Fergie" Reid earned a bachelor's degree from Virginia Union University and a medical degree from Howard University School of Medicine before completing his medical internship and residency at Homer G. Phillips Hospital in St. Louis; and

WHEREAS, Fergie Reid served his country with honor and distinction as a lieutenant in the United States Marine Corps in the 1st Marine Division in Korea and later at the United States Naval Hospital in Bethesda, Maryland; and

WHEREAS, in 1955, Fergie Reid opened a private surgical practice in Richmond, becoming the first Black surgeon in the city, and he overcame a number of discriminatory policies to serve his patients with great care and compassion for several years; and

WHEREAS, during the era of Massive Resistance, Fergie Reid cofounded the Richmond Crusade for Voters, an organization dedicated to registering and mobilizing Black voters; and

WHEREAS, Fergie Reid was elected to the 35th House District of the House of Delegates in 1967 and faithfully represented the residents of the City of Richmond and Henrico County until 1973, during which time he also played an instrumental role in opening the page program to women and minorities; and

WHEREAS, in 1977, Fergie Reid left his private practice and served as a regional medical officer with the Department of State, and in later years he also served as a certified specialist in addictive diseases, helping many to a path of better health and well-being; and

WHEREAS, in honor of Fergie Reid's 90th birthday, the 90 for 90 campaign was launched in Virginia with a mission to register 90 new voters in each of the Commonwealth's precincts; and

WHEREAS, through his work as a physician, community leader, and public servant, Fergie Reid has broken down barriers and made a meaningful and lasting impact on Richmond and the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That the Honorable Dr. William Ferguson Reid hereby be commended on the occasion of his 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Honorable Dr. William Ferguson Reid as an expression of the House of Delegate's profound respect for his legacy of service.

HOUSE RESOLUTION NO. 687

Commending Perkinson Construction.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Perkinson Construction is celebrating its 25th year as a family-owned business in Prince George County, demonstrating a long-standing commitment to quality, integrity, and professionalism in the construction industry; and

WHEREAS, high performance has always been the standard at Perkinson Construction, which has established a reputation for unparalleled excellence in the region; and

WHEREAS, Perkinson Construction provides the performance and quality of a large operation while maintaining the personalized experience of a small business, ensuring strong client relationships through consistent communication and transparency throughout every project; and

WHEREAS, guided by its philosophy of being "On-Site, On-Time," Perkinson Construction is dedicated to providing exceptional construction services, prioritizing efficient planning, adhering to project timelines, and demonstrating effective site management to generate cost savings for clients; now, therefore, be it

RESOLVED by the House of Delegates, That Perkinson Construction hereby be commended for its 25 years of outstanding service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Perkinson Construction as an expression of the House of Delegates' admiration for the organization's continued dedication to excellence and significant contributions to the construction industry and the local community.

HOUSE RESOLUTION NO. 688

Commending Greg Dynia.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Greg Dynia brought his visionary leadership and expertise in lawn care to the Richmond area and the Tidewater Region when he founded Grass Roots Lawn Care in 1999; and

WHEREAS, under Greg Dynia's leadership, Grass Roots Lawn Care has grown from a small operation into a trusted provider of full-service landscaping solutions; and

WHEREAS, Greg Dynia has demonstrated dedication to building strong relationships with his customers, ensuring that their landscaping needs and design preferences are met with care and professionalism; and

WHEREAS, Grass Roots Lawn Care provides a supportive environment for its employees, fostering a team committed to delivering exceptional service and enhancing the natural beauty of the communities it serves; now, therefore, be it

RESOLVED by the House of Delegates, That Greg Dynia, founder of Grass Roots Lawn Care, hereby be commended for his commitment to customer satisfaction and his role in community growth and beautification; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Greg Dynia as an expression of the House of Delegates' admiration for his achievements.

HOUSE RESOLUTION NO. 689

Commending Rudy L. Hawkins Electrical Contractor, Inc.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Rudy L. Hawkins Electrical Contractor, Inc., founded in 1972 by Rudy L. Hawkins, has become one of the most respected industrial electrical contractors in the region; and

WHEREAS, Rudy Hawkins' visionary leadership and commitment to excellence have allowed the company to attract and retain skilled industrial electricians, ensuring that customers receive the finest service; and

WHEREAS, Rudy L. Hawkins Electrical Contractor has been a cornerstone of the industrial electrical contracting industry for more than 50 years, consistently delivering outstanding solutions and fostering economic growth; now, therefore, be it

RESOLVED by the House of Delegates, That Rudy L. Hawkins Electrical Contractor, Inc., hereby be commended for its legacy of service, innovation, and leadership in the industrial electrical contracting industry; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Rudy L. Hawkins Electrical Contractor, Inc., as an expression of the House of Delegates' admiration for its accomplishments and wishes for continued success.

HOUSE RESOLUTION NO. 690

Commending Enon Baptist Church.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Enon Baptist Church, located in the community of Enon in Chesterfield County, was organized on October 8, 1849; and

WHEREAS, Enon Baptist Church was built on a one-acre tract of farmland given to the congregation by its founder, the Reverend John Alexander Strachan; and

WHEREAS, in May 1864, during the Civil War, Union Army troops under Major General Benjamin F. Butler dismantled Enon Baptist Church and moved the lumber to nearby Point Of Rocks, where it was used to build a military field hospital; and

WHEREAS, later, the congregation petitioned the United States Congress and was awarded compensation for the destruction of the building; and

WHEREAS, Enon Baptist Church has many engaging ministries and outreach programs; its children's mission group, the Sunbeam Band, was started in 1887 and was possibly one of the first of its kind in the Commonwealth; and

WHEREAS, Enon Baptist Church is a member of the Southern Baptist Convention of Virginia and works with other churches and community organizations to promote faith and fellowship throughout the Commonwealth, the United States, and the world; and

WHEREAS, the unwavering spiritual presence of Enon Baptist Church has supported its members through 175 years of economic hardship, societal shifts, global conflict, tragedy, and sorrows; and

WHEREAS, Enon Baptist Church has been a cornerstone of the Chesterfield community, providing opportunities for joyful worship and wise spiritual counsel while fostering a commitment to stewardship and service; now, therefore, be it

RESOLVED by the House of Delegates, That Enon Baptist Church hereby be commended on the occasion of its 175th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Enon Baptist Church as an expression of the House of Delegates' admiration for its storied history and legacy of contributions to the Chesterfield County community.

HOUSE RESOLUTION NO. 691

Commending Meredith Dean.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Meredith Dean, an entrepreneur in Hopewell, has made numerous contributions to the local dining scene as the founder of several restaurants; and

WHEREAS, Meredith Dean, a Hopewell native and a Hopewell High School graduate, pursued higher education at Virginia Commonwealth University, from which she earned bachelor's and master's degrees, then received a doctorate in policy analysis and educational research from North Carolina State University; and

WHEREAS, after a 10-year career in academia, Meredith Dean embraced her passion for the culinary arts, transforming an old diner in Hopewell into Roja Taco Joint, a vibrant eatery offering authentic street tacos and handcrafted cocktails; and

WHEREAS, Meredith Dean officially opened Roja Taco Joint on December 1, 2019; her attention to detail was evident in every aspect of the restaurant, from its striking red, white, and black exterior to its house-made tortillas, salsas, desserts, and drink mixes, all made from scratch; and

WHEREAS, despite the challenges posed by the COVID-19 pandemic, Meredith Dean demonstrated resilience and dedication to single-handedly operate Roja Taco Joint, ensuring service to the community through innovative takeout offerings; and

WHEREAS, Meredith Dean is also the owner of Waves Sandwich Company, an ingredient-conscious food business in Hopewell focusing on making meals that are both healthy and delicious; and

WHEREAS, Meredith Dean's restaurants have maintained a strong commitment to quality and accessibility and are beloved gathering places for locals and visitors, contributing to the culinary diversity and vibrancy of Hopewell; and

WHEREAS, Meredith Dean's entrepreneurial spirit and unwavering dedication to her community have made her restaurants valued establishments in Hopewell and have earned her the admiration and gratitude of local residents; now, therefore, be it

RESOLVED by the House of Delegates, That Meredith Dean hereby be commended for her contributions to Hopewell as an entrepreneur; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Meredith Dean as an expression of the House of Delegates' admiration for her contributions to the Hopewell community.

HOUSE RESOLUTION NO. 692

Commending Alma Bella Academy.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Alma Bella Academy was founded in 2020 by Dr. Debi Graves, a dedicated public school teacher with 25 years of experience; and

WHEREAS, Debi Graves sought to create a nurturing space where students could connect with friends, receive academic support, and engage in artistic activities, fostering creativity and growth beyond the traditional classroom setting; and

WHEREAS, the name "Alma Bella," meaning "beautiful souls," was inspired by a student's inquiry to Debi Graves about the essence of teaching, and demonstrates her commitment to caring for and uplifting her students; and

WHEREAS, Alma Bella Academy promotes inclusivity and accessibility, maintaining a 100 percent scholarship fulfillment rate to ensure financial circumstances do not hinder any student's participation; and

WHEREAS, Alma Bella Academy provides an after-school enrichment program focused on academic reinforcement, study skills, and artistic endeavors such as painting, pottery, sewing, and jewelry making, all within a technology-free environment; and

WHEREAS, Alma Bella Academy offers a vibrant Summer Camp featuring themed weeks incorporating science, technology, engineering, arts, and mathematics programs, team-building exercises, and physical activities to broaden students' horizons; and

WHEREAS, Alma Bella Academy invests in real-life learning experiences by providing field trips throughout the state to historic sites, nature destinations, and other educational locations to expand students' perspectives; and

WHEREAS, Alma Bella Academy promotes holistic education by fostering the development of mind, body, and spirit, including a non-denominational Bible Study course to provide spiritual enrichment and reinforce valuable life lessons; and

WHEREAS, Alma Bella Academy recognizes the importance of meeting the basic needs of students, ensuring that no student goes without a meal while attending, thereby supporting their overall well-being and ability to learn effectively; and

WHEREAS, Alma Bella Academy, together in partnership with the Alma Bella Foundation, have extended their services beyond youths, offering Bible Study for women, programs for adults with intellectual disabilities, and memory care for older individuals; now, therefore, be it

RESOLVED by the House of Delegates, That Alma Bella Academy hereby be commended for its dedication to fostering education, creativity, and community support; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dr. Debi Graves, founder of Alma Bella Academy, as an expression of the House of Delegates' admiration for the institution's unwavering commitment to serving students and families in need.

HOUSE RESOLUTION NO. 693

Commending Harlan Construction.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, for six decades, Harlan Construction, a family-owned business in Hopewell, has proudly served industrial and commercial clients as a general contractor known for its professionalism and integrity; and

WHEREAS, throughout its history, Harlan Construction has grown steadily to become an industry leader and a significant contributor to the local economy; the company recently opened a new fabrication shop in Hopewell, further expanding its capabilities; and

WHEREAS, the success of Harlan Construction has been built upon its unwavering commitment to core values, which are to ensure top-quality work delivered on time and on budget, to prioritize the well-being of all workers on every site, to approach every project with dedication and discipline, and to respond swiftly to changing conditions in a manner that best serves clients; and

WHEREAS, Harlan Construction has been guided by its president, Will Harlan, who has served the company with integrity and a safety-first mindset for over 30 years, alongside vice presidents Jake Harlan, who continues to uphold those values while driving growth, and Sam Heiberger, who oversees construction processes to maintain exceptional quality; now, therefore, be it

RESOLVED by the House of Delegates, That Harlan Construction hereby be commended for its 60 years of outstanding service, its continued commitment to excellence, and its contributions to the construction industry and community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Harlan Construction as an expression of the House of Delegates' admiration for its contributions to the construction industry and community.

HOUSE RESOLUTION NO. 694

Celebrating the life of Wesley Isaiah Harrison-James.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Wesley Isaiah Harrison-James, a joyful member of the Portsmouth community, died on September 20, 2024; and

WHEREAS, Wesley Harrison-James was born in Portsmouth to Crystal Harrison and George Pass, Jr., and was raised and nurtured by his great aunt, the late Marilyn E. James; and

WHEREAS, Wesley Harrison-James graduated from I.C. Norcom High School in 2012, then continued his studies at Norfolk State University; and

WHEREAS, Wesley Harrison-James had a passion for the open road and obtained a commercial driver's license through Shipper's Choice of Virginia in 2021, then worked as a truck driver with QFS Transportation, LLC; and

WHEREAS, Wesley Harrison-James inspired everyone he met through his zest for life, vibrant personality, and immeasurable kindness and generosity; he forged deep bonds with his siblings, cousins, nieces, nephews, goddaughter, and friends and was a trusted counselor for them in times of need; and

WHEREAS, Wesley Harrison-James was a man of deep faith, whose insights on faith and philosophy sparked engaging conversations and enriched the lives of others; and

WHEREAS, Wesley Harrison-James will be fondly remembered and greatly missed by his mother, Crystal Harrison; his father, George Pass, Jr.; his siblings, Jillian, Jamea, Brittany, Yasman, Ria, Christian, and Jamar; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Wesley Isaiah Harrison-James; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Wesley Isaiah Harrison-James as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 695

Commending the Mary Star of the Sea Council 511 of the Knights of Columbus.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Mary Star of the Sea Council 511 of the Knights of Columbus, the Hampton chapter of the distinguished Catholic fraternal organization, celebrates its 125th anniversary in 2025; and

WHEREAS, the Mary Star of the Sea Council 511 of the Knights of Columbus traces its origins to the founding of the Newport News Council 511 on May 13, 1900, which initially met at the Citizens & Marine Bank Building in Newport News; and

WHEREAS, after bringing the community together through various events and activities such as parades, fish fries, and circuses for the better part of a century, the Newport News Council 511 united with the Mary Star of the Sea Council 5323 in 1979, becoming the Mary Star of the Sea Council 511 of the Knights of Columbus; and

WHEREAS, today, the Mary Star of the Sea Council 511 has more than 170 members from its home parishes at Saint Joseph Catholic Church in Hampton and Saint Mary Star of the Sea Catholic Church in Fort Monroe; and

WHEREAS, guided by the principles of charity, unity, fraternity, and patriotism, the Mary Star of the Sea Council 511 has been instrumental over the years in helping its members and their families and parishes grow closer to Christ; and

WHEREAS, through programs emphasizing faith, family, and community life, the Mary Star of the Sea Council 511 has provided its members with a wealth of opportunities to make a difference in the lives of others; and

WHEREAS, by fostering a sense of togetherness while aiding countless individuals in their spiritual journeys, the Mary Star of the Sea Council 511 has helped to make Hampton a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That the Mary Star of the Sea Council 511 of the Knights of Columbus hereby be commended on the occasion of its 125th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Mary Star of the Sea Council 511 of the Knights of Columbus as an expression of the House of Delegates' admiration for the organization's contributions to the Commonwealth.

HOUSE RESOLUTION NO. 696

Celebrating the life of Chief Warrant Officer 2 Andrew Lloyd Eaves, USA.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Chief Warrant Officer 2 Andrew Lloyd Eaves, USA, a helicopter pilot with the United States Army, died during a training mission on January 29, 2025; and

WHEREAS, Andrew Eaves grew up in Brooksville, Mississippi, and served as a member of the United States Navy from August 2007 to September 2010, before becoming a Sikorsky UH-60 Blackhawk pilot with the United States Army; and

WHEREAS, over the course of his military career, Andrew Eaves was stationed in Virginia, Maryland, Oklahoma, and Mississippi, in addition to overseas postings; and

WHEREAS, Andrew Eaves was most recently stationed at Fort Belvoir in Fairfax County, where he was a member of the 12th Aviation Battalion, under the United States Army Military District of Washington; and

WHEREAS, Andrew Eaves earned numerous awards and decorations for his exceptional service, including three Army Commendation Medals, a Navy Commendation Medal, an Army Achievement Medal, three Navy Achievement Medals, and three Navy Good Conduct Medals, among others; and

WHEREAS, Andrew Eaves will be fondly remembered and greatly missed by his wife, Carrie; his two children; and numerous other family members, friends, and fellow soldiers; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Chief Warrant Officer 2 Andrew Lloyd Eaves, USA, an experienced pilot with the United States Army; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Chief Warrant Officer 2 Andrew Lloyd Eaves, USA, as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 697

Celebrating the life of Staff Sergeant Ryan Austin O'Hara, USA.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Staff Sergeant Ryan Austin O'Hara, USA, a helicopter crew chief with the United States Army, died during a training mission on January 29, 2025; and

WHEREAS, Ryan O'Hara grew up in Lilburn, Georgia, where he attended Parkview High School and was a member of the United States Marine Corps Junior Reserve Officers' Training Corps program; and

WHEREAS, Ryan O'Hara subsequently joined the United States Army and deployed to Afghanistan from March 2017 to August 2017, then served at Hunter Army Airfield in Georgia from 2020 to 2023; and

WHEREAS, Ryan O'Hara was most recently stationed at Fort Belvoir in Fairfax County, where he was a member of the 12th Aviation Battalion, under the United States Army Military District of Washington; and

WHEREAS, over the course of his military career, Ryan O'Hara received the Army Commendation Medal, four Army Achievement Medals, three Good Conduct Medals, and several other awards and decorations; and

WHEREAS, Ryan O'Hara will be fondly remembered and greatly missed by his wife; his son; and numerous other family members, friends, and fellow soldiers; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Staff Sergeant Ryan Austin O'Hara, USA, a dedicated member of the United States Army who devoted his life to the service of others; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Staff Sergeant Ryan Austin O'Hara, USA, as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 698

Commending the Honorable Gordon C. Helsel, Jr.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Honorable Gordon C. Helsel, Jr., a decorated veteran, accomplished businessman, and esteemed public servant, has admirably served the nation, the City of Poquoson, and the Commonwealth; and

WHEREAS, a native of Hampton and graduate of Poquoson High School, Gordon Helsel served his country with honor and distinction as a member of the United States Army from 1967 to 1971, receiving two Purple Hearts and a Bronze Star for his courage and valor during the Vietnam War; and

WHEREAS, after receiving an associate degree in occupational safety and health from Thomas Nelson Community College, Gordon Helsel became the owner of the York Box and Barrel Manufacturing Company, Inc., in Poquoson; and

WHEREAS, Gordon Helsel embarked upon a distinguished career in public service in 1982 as a member of the Poquoson City Council, where he would serve for the next 29 years, including as vice mayor from 1990 to 1994 and as mayor from 1996 to 2011; and

WHEREAS, Gordon Helsel faithfully served the 91st House District as a member of the Virginia House of Delegates from 2011 to 2020, dedicating himself to ensuring the prosperity and well-being of the Commonwealth; and

WHEREAS, after leaving the Virginia House of Delegates, Gordon Helsel returned to serving as mayor of the City of Poquoson, bringing nearly four decades of experience as a public leader to bear as he guided the locality's growth and development; and

WHEREAS, beyond his public service, Gordon Helsel has given generously of his time to make Poquoson safer as a life member and former chief of the Poquoson Volunteer Fire Company; and

WHEREAS, with exceptional integrity, heartfelt compassion, and an unwavering commitment to his community, Gordon Helsel has epitomized the ideals of public service, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That the Honorable Gordon C. Helsel, Jr., hereby be commended for his legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Honorable Gordon C. Helsel, Jr., as an expression of the House of Delegates' high regard for his contributions to Poquoson and the Commonwealth.

HOUSE RESOLUTION NO. 699

Celebrating the life of Captain Rebecca M. Lobach, USA.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Captain Rebecca M. Lobach, USA, a helicopter pilot with the United States Army, died during a training mission on January 29, 2025; and

WHEREAS, Rebecca Lobach grew up in Durham, North Carolina; she attended Sewanee: The University of the South, where she played basketball, and graduated from the University of North Carolina at Chapel Hill (UNC); and

WHEREAS, a member of the Reserve Officers' Training Corps program at UNC, Rebecca Lobach was honored as a distinguished military graduate and was in the top 20 percent of cadets nationwide; she was also recruited into the North Carolina National Guard during her college years; and

WHEREAS, Rebecca Lobach was stationed at Fort Belvoir in Fairfax County, where she had been a member of the 12th Aviation Battalion, under the United States Army Military District of Washington, since 2019; and

WHEREAS, Rebecca Lobach volunteered as White House military social aide, assisting with Presidential Medal of Freedom and Medal of Honor ceremonies, along with other official events; she also served her fellow soldiers as a certified Sexual Harassment/Assault Response and Prevention victim advocate; and

WHEREAS, Rebecca Lobach received the Army Commendation Medal and the Army Achievement Medal, among many other awards and decorations; and

WHEREAS, Rebecca Lobach will be fondly remembered and greatly missed by numerous family members, friends, and fellow soldiers; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Captain Rebecca M. Lobach, USA, an experienced pilot with the United States Army; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Captain Rebecca M. Lobach, USA, as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 700

Commending the Lorton Community Action Center.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, for 50 years, the Lorton Community Action Center has supported the Fairfax County community by providing food, clothing, and other human services to individuals and families in need; and

WHEREAS, the Lorton Community Action Center was founded in 1975 as the Lorton Community Information Center by Christine Herbstreith, who envisioned an organization that would serve as a "supermarket of human services"; and

WHEREAS, over the years, the Lorton Community Action Center assumed its new name and expanded beyond Lorton into the areas of Fort Belvoir, Newington, and other parts of Southeastern Fairfax County, while broadening its services to include emergency financial assistance and outreach programs promoting self-sufficiency; and

WHEREAS, in 2022, the Lorton Community Action Center realized the vision of its founder by moving into the new Lorton Community Center and Lorton Library, which have enhanced the organization's ability to provide services and meet the community's needs; and

WHEREAS, in 2024 alone, the Lorton Community Action Center served nearly 2,000 people, gave more than $190,000 in rent and utility assistance, facilitated more than 12,000 volunteer hours, enabled more than 9,800 food pantry visits, and offered more than 590 household services; and

WHEREAS, the accomplishments of the Lorton Community Action Center are the result of the inspired leadership of its staff, the tireless efforts of its volunteers, and the unwavering support of its sponsors, partners, and the entire Fairfax County community; and

WHEREAS, the Lorton Community Action Center will hold a 50th anniversary gala event on April 26, 2025, and a community-wide celebration on May 18, 2025, providing opportunities to reflect on the extraordinary impact the organization has had over its history; and

WHEREAS, by empowering and uplifting an untold number of people over the past 50 years, the Lorton Community Action Center has helped to make Fairfax County a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That the Lorton Community Action Center hereby be commended for its legacy of service on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Lorton Community Action Center as an expression of the House of Delegates' admiration for the organization's efforts to support vulnerable individuals and families in Fairfax County and the Commonwealth.

HOUSE RESOLUTION NO. 701

Celebrating the life of Edward Lee Watkins.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Edward Lee Watkins of Nelson County, a former law-enforcement officer and a beloved husband, father, and grandfather, died on January 21, 2025; and

WHEREAS, Edward "Ed" Lee Watkins grew up in Rustburg and began his law-enforcement career as a member of the Campbell County Sheriff's Office; and

WHEREAS, Ed Watkins subsequently transferred to the Amherst County Sheriff's Office, where he contributed to several task forces, solved many cases, and was an integral part of the agency; and

WHEREAS, Ed Watkins settled in Nelson County to raise his family and continued to safeguard members of the public with the Nelson County Sheriff's Office, where he greatly enhanced local life through his dedication to service and was a trusted mentor to younger officers; and

WHEREAS, Ed Watkins was a graduate of the Virginia Forensic Science Academy and the Commonwealth Criminal Justice Academy, where he also served as an instructor; and

WHEREAS, even after his well-earned retirement from the Nelson County Sheriff's Office, Ed Watkins remained committed to public safety, serving as a security guard at Wintergreen Resort and as a bailiff for the Nelson County Circuit Court; and

WHEREAS, outside of his career, Ed Watkins was a member of Mackey Masonic Lodge No. 69 in Rustburg for more than 50 years; he was passionate about fishing and riding his Harley-Davidson motorcycle and was a longtime member of the Bass Masters Club and the Harley Owners Group; and

WHEREAS, Ed Watkins will be fondly remembered and greatly missed by his loving wife of 25 years, Catherine; his daughters, Rhonda and Melissa, and their families; his stepdaughter, Amy, and her family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Edward Lee Watkins, a retired law-enforcement officer and highly admired member of his community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Edward Lee Watkins as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 702

Commending Moore and Giles.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Moore and Giles, located near Lynchburg, has been producing and distributing high quality leather products for more than 90 years, making it one of the oldest continuously operating leather companies in the United States; and

WHEREAS, Moore and Giles was established as a family-owned business in the midst of the Great Depression in 1933; the company originally sold shoemaking materials but ultimately expanded to offer leather goods and design solutions for a broad range of markets; and

WHEREAS, Moore and Giles evolved to meet changes in customer needs, becoming a chief supplier of leather for home furnishings, and was a pioneer in leather goods for clients in the fine-dining, hospitality, automotive, maritime, and aviation industries; and

WHEREAS, leather products from Moore and Giles have adorned the furnishings in high-end restaurants and hotels, elevated the comfort level of cabins and cockpits in private jets, and graced the interiors of luxury yachts and bespoke automobiles; and

WHEREAS, Moore and Giles uses the finest raw materials from around the world, which are processed at historic, family-owned tanneries by experienced artisans who tan, mill, and finish hides thoughtfully and responsibly to ensure the highest quality product; and

WHEREAS, Moore and Giles offers an incomparable number of color and texture options, guaranteeing clients will find the perfect leather for any project; in recent years, the company also expanded to offer heirloom travel bags, home goods, and other leather accessories; and

WHEREAS, Moore and Giles is not only a recognized leader in the leather industry, but a crucial contributor to the local economy in Central Virginia; now, therefore, be it

RESOLVED by the House of Delegates, That Moore and Giles hereby be commended for more than 90 years of exceptional service to customers around the world; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Moore and Giles as an expression of the House of Delegates' admiration for its longevity and legacy of excellence in the leather industry.

HOUSE RESOLUTION NO. 703

Commending Sam and Shelly Hunt.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, over the past 18 years, Sam and Shelly Hunt have touched the lives of countless young people and their families as the owners of Caterpillar Clubhouse, the largest childcare provider in the Lynchburg area; and

WHEREAS, Sam and Shelly Hunt opened the original Caterpillar Clubhouse in Rustburg in March 2007 to provide a unique childcare experience that helps children learn and grow in a supportive environment guided by Christian principles and values; and

WHEREAS, Sam and Shelly Hunt have grown Caterpillar Clubhouse from one location with an inaugural class of 43 children to five locations in Rustburg, Madison Heights, and Lynchburg serving 750 children; and

WHEREAS, Caterpillar Clubhouse is open to children of all backgrounds and offers a wide range of programs, including early childcare, before and after school care, summer day camps, and special activities; and

WHEREAS, Caterpillar Clubhouse coordinates with local schools and community partners to provide the finest care and create engaging opportunities for young people; now, therefore, be it

RESOLVED by the House of Delegates, That Sam and Shelly Hunt, owners of Caterpillar Clubhouse, hereby be commended for their work to provide outstanding child care services to the members of the Lynchburg community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Sam and Shelly Hunt as an expression of the House of Delegates' admiration for their achievements on behalf of young people and their families.

HOUSE RESOLUTION NO. 704

Commending Tommy Scott.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Tommy Scott, a leader in custom cabinetry and home furnishings in the Lynchburg area, has been a part of his family's business, Scott's Cabinet, for 50 years; and

WHEREAS, Scott's Cabinet was founded in 1955 by Ercy Lee Scott, who was guided by his passion for woodworking to become a cabinet maker and created a workshop in a small garage; and

WHEREAS, as Scott's Cabinet grew, Ercy Lee Scott's sons, Paul, Tommy, and Garnett joined the family business, and the original workshop was expanded numerous times until a new 8,000-square-foot building was constructed in 1979; and

WHEREAS, Scott's Cabinet added two additional buildings in 1989 and 1992 to continue to meet the needs of its customers; and

WHEREAS, under Tommy Scott's leadership, Scott's Cabinet offers custom cabinets, factory cabinets by Marsh, and full remodeling services, including cabinet fitting, electrical and plumbing installation, tile work, and flooring; and

WHEREAS, Tommy Scott has ensured that Scott's Cabinet upholds its legacy of excellence as a trusted, family-owned business; now, therefore, be it

RESOLVED by the House of Delegates, That Tommy Scott hereby be commended for his 50 years of service with Scott's Cabinet in Lynchburg; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Tommy Scott as an expression of the House of Delegates' admiration for his professional achievements and contributions to the local community.

HOUSE RESOLUTION NO. 705

Commending the Rotary Club of Forest.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, the Rotary Club of Forest, a distinguished chapter of Rotary International, one of the largest service organizations in the world, has admirably served the Forest community for many years; and

WHEREAS, chartered in 2003 as Club 61205 of District 7570, the Rotary Club of Forest offers its members the opportunity to cultivate lasting friendships, grow personally and professionally, and learn more about their communities and the world while making a meaningful difference in the lives of others; and

WHEREAS, the members of the Rotary Club of Forest have shown an extraordinary commitment to the Rotarian motto, "Service Above Self," through their various charitable endeavors both in Forest and throughout the world; and

WHEREAS, for several years, the Rotary Club of Forest has created its Field of Honor display to honor the nation's veterans and first responders, assembling more than 1,000 flags to pay tribute to their courage and sacrifice; and

WHEREAS, the Rotary Club of Forest has promoted the health and welfare of many by supporting the playground at the Forest Public Library, local street cleaning efforts, and the Meals on Wheels of Greater Lynchburg's birthday boxes program; and

WHEREAS, the selfless and indefatigable efforts of the members of the Rotary Club of Forest have helped to make Forest a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That the Rotary Club of Forest hereby be commended for its legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Rotary Club of Forest as an expression of the House of Delegates' high regard for the organization's contributions to the Commonwealth and best wishes for its future endeavors.

HOUSE RESOLUTION NO. 706

Commending Martin Leamy.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Martin Leamy of Bedford County has worked diligently to honor and support the nation's veterans as president and chief executive officer of Central and Southwest Virginia Honor Flight; and

WHEREAS, Martin Leamy is a veteran of the United States Army and has long worked for the National D-Day Memorial Foundation; in 2017, he joined Central and Southwest Virginia Honor Flight, a chapter of the Honor Flight Network; and

WHEREAS, the Honor Flight Network, a national nonprofit organization, was established in 2005 to transport World War II veterans to Washington, D.C., to visit the National World War II Memorial and participate in other events to celebrate their military service; and

WHEREAS, since that time, the Honor Flight Network has expanded to serve veterans of the Korean War and the Vietnam War, escorting more than 295,000 individuals to the nation's capital; veterans may participate in the program free of charge and are accompanied by a volunteer guardian who provides assistance and companionship; and

WHEREAS, under Martin Leamy's leadership, Central and Southwest Virginia Honor Flight has conducted several weekend trips to Washington, D.C., typically in April and October, allowing veterans from the region to visit various monuments and memorials, along with Arlington National Cemetery; and

WHEREAS, to better serve local veterans, Martin Leamy has cultivated working relationships with local Daughters of the American Revolution chapters, Veterans of Foreign Wars posts, and American Legion posts, as well as businesses and other community partners; and

WHEREAS, Martin Leamy and Central and Southwest Virginia Honor Flight have given veterans the opportunity to reflect on their service, build fellowship, and celebrate their own roles in the nation's history; now, therefore, be it

RESOLVED by the House of Delegates, That Martin Leamy hereby be commended for his years of service to veterans as president and chief executive officer of Central and Southwest Virginia Honor Flight; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Martin Leamy as an expression of the House of Delegates' admiration for his efforts to honor those who have served and sacrificed in defense of the nation.

HOUSE RESOLUTION NO. 707

Commending Moneta Farm and Home Center.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, for 52 years, Moneta Farm and Home Center has worked diligently to meet the needs of the Bedford County community as a trusted source of a wide range of products and services; and

WHEREAS, Moneta Farm and Home Center traces its heritage to 1923, when Samuel and Lila May Woodford established a poultry farm in Moneta; their third son, Calvin, began running the family business after he returned from World War II and received a degree in poultry husbandry from what is now Virginia Polytechnic Institute and State University; and

WHEREAS, Calvin Woodford oversaw significant growth in the business, which produced as many as 12,000 dozen eggs in the 1970s; his wife, Macklyn, and his five children, Patricia, Jim, Kathie, Stuart, and Mark, all helped with the family business at various points; and

WHEREAS, in 1973, recognizing that poultry was becoming less profitable, Calvin Woodford opened a seed, feed, and fertilizer store, which was originally known as Moneta Farm Service and affiliated with Southern States; and

WHEREAS, Moneta Farm Service became a focal point of the family business, especially after Jim Woodford opened a power equipment department and Stuart Woodford returned from East Tennessee State University with a degree in business management and oversaw the growth of several other departments, including hardware, lawn and garden supplies, construction materials, and marine equipment; and

WHEREAS, as the years went on, more members of the Woodford family joined Moneta Farm Service, including Kathie Woodford's son, Clifford, who became the manager of the power equipment department and assistant general manager; and

WHEREAS, Moneta Farm Service evolved to meet the changing needs of the community, especially after the growth of the area around Smith Mountain Lake, and changed its name to Moneta Farm and Home Center to better reflect its wide range of products and services; and

WHEREAS, Moneta Farm and Home Center subsequently became affiliated with Ace Hardware, giving them access to thousands more products, and in 2022, the Woodford family sold the store to Bolster Hardware, LLC, which has upheld the business's longstanding reputation for excellence; now, therefore, be it

RESOLVED by the House of Delegates, That Moneta Farm and Home Center hereby be commended for more than five decades of service to the Bedford County community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Moneta Farm and Home Center as an expression of the House of Delegates' admiration for the business's longevity and commitment to excellence in customer service.

HOUSE RESOLUTION NO. 708

Commending Walter and Lou Ann Bass.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Walter and Lou Ann Bass, owners of Bass Sod Farm in Campbell County, won the Virginia Sunbelt Ag Expo Farmer of the Year award in 2024; and

WHEREAS, Bass Sod Farm, a certified century farm, was established by the Bass family in 1921 on 200 acres of farmland in Gladys, and Walter Bass has been working the land for more than 57 years; and

WHEREAS, Bass Sod Farm served as a traditional tobacco operation until 2005, when Walter and Lou Ann Bass worked with their sons, W.B. Bass and Allen Bass, to revitalize the property and invest in irrigated sod, organic soybeans, and timber, as well as a large sunflower field that serves as a community attraction; and

WHEREAS, Walter and Lou Ann Bass have prioritized environmental protection and conservation of the region's vital natural resources through their practices at Bass Sod Farm; the farm uses natural byproducts as nutrients for the soil and no-till planting methods on all soybean acreage to protect the local watershed, and it employs various methods to reduce erosion; and

WHEREAS, members of the Bass family have also offered their leadership to the Gladys Volunteer Fire Department, Campbell County Farm Bureau Committee, Virginia Cooperative Extension, 4-H, Future Farmers of America, and many other organizations; and

WHEREAS, as the winners of the Virginia Sunbelt Ag Expo Farmer of the Year award, Walter and Lou Ann Bass represented the Commonwealth at the national Sunbelt Ag Expo, held in October 2024; now, therefore, be it

RESOLVED by the House of Delegates, That Walter and Lou Ann Bass hereby be commended on the occasion of their selection as the 2024 Virginia Sunbelt Ag Expo Farmer of the Year award winners; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Walter and Lou Ann Bass as an expression of the House of Delegates' admiration for their contributions to agriculture and environmental conservation in Central Virginia.

HOUSE RESOLUTION NO. 709

Commending Joji Purdy.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Joji Purdy, a member of the Norfolk Academy field hockey team, was named to the 2024 Scholastic All-American First Team by the National Field Hockey Coaches Association; and

WHEREAS, Joji Purdy, a senior, plays forward for the Norfolk Academy field hockey team, and has been a varsity starter all four years of her high school career; and

WHEREAS, in 2024, Joji Purdy helped lead the Norfolk Academy field hockey team to an 18-3 overall record and a victory in the Virginia Independent Schools Athletic Association Division I state championship; and

WHEREAS, Joji Purdy has committed to attending Pennsylvania State University, where she will continue to play field hockey with the Nittany Lions; now, therefore, be it

RESOLVED by the House of Delegates, That Joji Purdy hereby be commended on her selection to the 2024 Scholastic All-American First Team by the National Field Hockey Coaches Association; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Joji Purdy as an expression of the House of Delegates' admiration for her athletic achievements.

HOUSE RESOLUTION NO. 710

Commending Cooper Cutchins.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Cooper Cutchins, a member of the Norfolk Academy field hockey team, was named to the 2024 Scholastic All-American Third Team by the National Field Hockey Coaches Association; and

WHEREAS, Cooper Cutchins, a senior, plays defense and midfield for the Norfolk Academy field hockey team, and has been a versatile member of the varsity team throughout her high school career; and

WHEREAS, in 2024, Cooper Cutchins helped lead the Norfolk Academy field hockey team to an 18-3 overall record and a victory in the Virginia Independent Schools Athletic Association Division I state championship; and

WHEREAS, Cooper Cutchins has committed to attending Pennsylvania State University, where she will continue to play field hockey with the Nittany Lions; now, therefore, be it

RESOLVED by the House of Delegates, That Cooper Cutchins hereby be commended on her selection to the 2024 Scholastic All-American Third Team by the National Field Hockey Coaches Association; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Cooper Cutchins as an expression of the House of Delegates' admiration for her athletic achievements.

HOUSE RESOLUTION NO. 711

Confirming nominations by the Speaker of the House of Delegates to the House Ethics Advisory Panel.

Agreed to by the House of Delegates, February 20, 2025

RESOLVED by the House of Delegates, That the House confirm the following nominations made by the Speaker of the House of Delegates to the House Ethics Advisory Panel pursuant to § 30-112 of the Code of Virginia:

Renee A. Battle of **Chesapeake,** Virginia, Member, for a term of four years beginning July 1, 2024, and ending June 30, 2028.

The Honorable Jeffrey M. Bourne of **Midlothian,** Virginia, Member, for a term of four years beginning July 1, 2024, and ending June 30, 2028.

James "LJ" Brown of **Chesapeake,** Virginia, Member, for a term of four years beginning July 1, 2024, and ending June 30, 2028.

The Honorable Joel P. Crowe of **Portsmouth,** Virginia, Member, for a term of four years beginning July 1, 2024, and ending June 30, 2028.

HOUSE RESOLUTION NO. 712

Celebrating the life of the Honorable Walter Benjamin Keister, Sr.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, the Honorable Walter Benjamin Keister, Sr., a dedicated public servant who enhanced the quality of life in several communities in Southwest Virginia as a former mayor of the Town of Dublin and a former member of the Virginia House of Delegates, died on March 23, 2024; and

WHEREAS, Walter Benjamin "Benny" Keister, Sr., was born in Radford and was the first baby delivered at the former Radford Community Hospital; and

WHEREAS, Benny Keister earned a bachelor's degree from East Tennessee State University and a master's degree from Radford University, then pursued a career in education as a science teacher with Montgomery County Public Schools; and

WHEREAS, desirous to be of further service to the community, Benny Keister ran for and was elected to the Dublin City Council; he served in that capacity from 1986 to 1989, then was elected as mayor from 1989 to 1997; and

WHEREAS, Benny Keister next served as a member of the Virginia House of Delegates from 2000 to 2005, during which time he built bipartisan consensus and supported many pieces of legislation to benefit his district and the Commonwealth as a whole; and

WHEREAS, during his tenure as a state lawmaker, Benny Keister strove to be a voice for the rural communities of Southwest Virginia and prioritized outstanding constituent service by working directly with community members to better understand their needs and address their concerns; and

WHEREAS, Benny Keister supported regional economic development and played an important role in the establishment of the Pepsi and Gatorade bottling plants in Wytheville and James Hardie Building Products in Pulaski; and

WHEREAS, Benny Keister offered his leadership to enhance public safety as a magistrate for the Pulaski County Sheriff's Office and programs director of the New River Valley Regional Jail, and he was a life member of the Pulaski County Life Saving Crew; and

WHEREAS, in all of his endeavors, Benny Keister served his community and the Commonwealth with integrity, dignity, and the utmost dedication; and

WHEREAS, Benny Keister will be fondly remembered and greatly missed by his lifelong partner, Harriet Anderson; his son, Bo, and his family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of the Honorable Walter Benjamin Keister, Sr., an esteemed public servant in Southwest Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Honorable Walter Benjamin Keister, Sr., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 713

Celebrating the life of Louis Mansfield Johnson.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Louis Mansfield Johnson, a youth leader and an active and beloved member of the Fredericksburg community, died on March 2, 2016; and

WHEREAS, affectionately known by family and friends as "Buzzy," Louis Johnson attended Fredericksburg City Public Schools and graduated from James Monroe High School in 1977 before attending Virginia Union University; and

WHEREAS, Louis Johnson returned to Fredericksburg and worked tirelessly for the benefit of others in a variety of human services professions throughout his career; and

WHEREAS, Louis Johnson organized and led a number of local programs and activities designed to help young people achieve their full potential, and his tireless efforts made a positive and lasting impact on the lives of thousands of young people; and

WHEREAS, Louis Johnson's endeavors in support of Fredericksburg youth included founding and coaching the Fredericksburg Lady Runners basketball squad, serving as an assistant boys' basketball coach at James Monroe High School, and spearheading the establishment of the Boys & Girls Club of Fredericksburg; and

WHEREAS, guided throughout his life by his faith, Louis Johnson enjoyed worship and fellowship with his community at Second New Hope Baptist Church in Spotsylvania County for many years, where he served in the youth ministry and initiated the church's annual youth revivals; and

WHEREAS, Louis Johnson later became a faithful member of Shiloh Baptist Church, Old Site, in Fredericksburg and dedicated himself to leading and supporting the congregation's youth in their spiritual journeys; and

WHEREAS, Louis Johnson is fondly remembered and dearly missed by his wife of 16 years, Sharon; his children, Ronnie and Malik; his mother, Shirley; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Louis Mansfield Johnson, a cherished member of the Fredericksburg community whose faith, integrity, and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Louis Mansfield Johnson as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 714

Commending Clint Mitchell, Ed.D.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Clint Mitchell, Ed.D., was appointed the superintendent of Spotsylvania County Public Schools on June 24, 2024, becoming the division's first Black superintendent in 150 years; and

WHEREAS, Clint Mitchell holds a doctor of education degree in education leadership and policy studies from Virginia Polytechnic Institute and State University, a certificate from the AASA-Howard University Urban Superintendents Academy, a master's degree in education leadership from George Mason University, a master's degree in urban policy and public administration from the City University of New York, and a bachelor's degree in political science from Brooklyn College; and

WHEREAS, Clint Mitchell has served in a variety of instructional and leadership roles over his career, including as an adjunct professor for James Madison University; principal for Fairfax County Public Schools; principal, assistant principal, and teacher for Prince William County Public Schools; and superintendent of Colonial Beach Public Schools; and

WHEREAS, Clint Mitchell has advanced education in the Commonwealth as a member of Governor Glenn Youngkin's Chronic Absenteeism Task Force under the Department of Education, as chair of the Virginia Alliance of Black School Educators membership committee, as lead for the Region 3 Virginia Association of School Superintendent's professional development initiatives, and as a principal advisor for Share Our Strength's No Kid Hungry campaign promoting best practices to address student chronic absenteeism and the impacts of food insecurity on students; and

WHEREAS, Clint Mitchell has received a number of accolades in recognition of his exemplary service, including a nomination for the 2024 Virginia Region 3 Superintendent of the Year award, the 2021 National Distinguished Principal Award from the National Association for Elementary School Principals, the 2021 Virginia Principal of the Year award, the 2013 Prince William County Public Schools Principal of the Year award, and the National Distinguished Leadership award from *The Washington Post*; and

WHEREAS, with selfless dedication and an unwavering commitment to the well-being of others, Clint Mitchell has greatly supported the success of the students and faculty he serves, earning the praise and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Clint Mitchell, Ed.D., hereby be commended for his legacy of service upon being named superintendent of Spotsylvania County Public Schools; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Clint Mitchell, Ed.D., as an expression of the House of Delegates' appreciation for his contributions to the Commonwealth and best wishes in his latest endeavor.

HOUSE RESOLUTION NO. 715

Commending Spreading Smiles at Renatos.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, after years of serving the community, the owners of Ristorante Renato in Fredericksburg officially established the nonprofit organization Spreading Smiles at Renatos in 2024; and

WHEREAS, Ristorante Renato is a beloved family-owned restaurant that has been a cherished part of the Fredericksburg community since 1978; and

WHEREAS, in response to school closures at the start of the COVID-19 pandemic, Ristorante Renato began providing meals to ensure that no child would go hungry during the crisis; and

WHEREAS, as the pandemic unfolded, Ristorante Renato redoubled its efforts by preparing thousands of meals for the benefit of frontline healthcare workers; and

WHEREAS, recognizing the growing need for food assistance, Ristorante Renato launched a Thanksgiving meal program for elderly individuals and underserved families, an initiative that has since grown into an annual event that serves 1,500 meals each year; and

WHEREAS, Ristorante Renato's efforts evolved over time from an emergency response to a long-term commitment to supporting children and families in need, which led to the founding of Spreading Smiles at Renatos; and

WHEREAS, today, Spreading Smiles at Renatos operates various programs dedicated to food security, education, hygiene, and other needs, such as holiday gifts and Easter baskets, school supplies, meals during summer breaks and snow closures, clothing, and more; and

WHEREAS, in partnership with school social workers, community organizations, and generous donors, Spreading Smiles at Renatos has provided hope, nourishment, and essential resources to enable every child and family in the Fredericksburg community to thrive; now, therefore, be it

RESOLVED by the House of Delegates, That Spreading Smiles at Renatos hereby be commended for its legacy of service upon being officially designated a 501(c)(3) nonprofit organization; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Spreading Smiles at Renatos as an expression of the House of Delegates' admiration for the organization's contributions to Fredericksburg and the Commonwealth.

HOUSE RESOLUTION NO. 716

Commending the Vienna Assembly of God.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, for 80 years, the Vienna Assembly of God has provided its congregation with uplifting and inspiring spiritual guidance, joyful occasions for worship and fellowship, and abundant opportunities for community outreach; and

WHEREAS, as a member of the Assemblies of God, USA, the Vienna Assembly of God devotedly pursues its mission to lead the community with love in a growing relationship with God; and

WHEREAS, the Vienna Assembly of God has been directed by a succession of wise and benevolent pastors, including its current pastor, Brenda Burns, who has led the congregation since January 2018; and

WHEREAS, through its various service and outreach activities, the Vienna Assembly of God has been a transforming influence in the community and has made a difference in countless people's lives; and

WHEREAS, the Vienna Assembly of God has admirably served as the spiritual home to many individuals and families over the past 80 years, helping its members to flourish in their faith and to become impactful leaders of their community; now, therefore, be it

RESOLVED by the House of Delegates, That the Vienna Assembly of God hereby be commended for its legacy of service on the occasion of its 80th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Vienna Assembly of God as an expression of the House of Delegates' high regard for the church's history and its contributions to the Commonwealth.

HOUSE RESOLUTION NO. 717

Commending Vienna Youth Soccer.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, for 50 years, Vienna Youth Soccer has provided opportunities for local young people to build character, confidence, and a lifelong love of soccer through a wide range of athletics programs, becoming an integral part of the Vienna community; and

WHEREAS, established in 1975, Vienna Youth Soccer serves children of all ages, abilities, and backgrounds through recreational, developmental, and travel soccer programs; and

WHEREAS, Vienna Youth Soccer helps young people hone their skills through soccer camps and clinics, offers adult coed soccer leagues, and ensures that every member of the community can cultivate an appreciation for the beautiful game through a program for children and young adults with disabilities; and

WHEREAS, Vienna Youth Soccer serves an average of 3,000 athletes every year, with tens of thousands of individuals participating directly in soccer programs over the course of the organization's 50-year history, which represents more than 100 seasons; and

WHEREAS, Vienna Youth Soccer has donated more than $2 million to the community through scholarships and facilities development, and its members have gone above and beyond to support other organizations and initiatives to enhance the overall quality of life in the region; and

WHEREAS, in 2023, Vienna Youth Soccer worked with No Room for Abuse, which seeks to address instances of verbal and physical violence toward referees, and subsequently reported a record-low number of such incidents the following year; and

WHEREAS, Vienna Youth Soccer commemorated its milestone 50th anniversary by holding a food drive on behalf of Food for Others Power Pack Program, which provides meals to children on non-school days; now, therefore, be it

RESOLVED by the House of Delegates, That Vienna Youth Soccer hereby be commended on the occasion of its 50th anniversary of service to the community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Vienna Youth Soccer as an expression of the House of Delegates' admiration for the organization's mission to support and empower young people.

HOUSE RESOLUTION NO. 718

Commending the Society of Hispanic Professional Engineers.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, the Society of Hispanic Professional Engineers, an organization dedicated to advancing science, technology, engineering, and mathematics education and careers in Hispanic communities both in the Commonwealth and across the nation, celebrated its 50th anniversary in 2024; and

WHEREAS, the Society of Hispanic Professional Engineers traces its origins to 1973, when Rodrigo Garcia, a civil engineer with the City of Los Angeles, organized a group of fellow Hispanic engineers in his garage to discuss ways to improve Hispanic representation in science, technology, engineering, and mathematics (STEM) fields; and

WHEREAS, the Society of Hispanic Professional Engineers was officially formed in 1974 and has since grown to include more than 18,000 members and over 280 college and university chapters; and

WHEREAS, as the largest association in the nation devoted to empowering Hispanics in STEM fields, the Society of Hispanic Professional Engineers provides invaluable support to its student and professional members through trainings, mentorships, and other programming; and

WHEREAS, in addition to fostering a sense of community among its members, the Society of Hispanic Professional Engineers contributes to its members' success by offering scholarships, internship opportunities, and network connections; and

WHEREAS, through its unwavering commitment to encouraging its members' accomplishments in STEM careers, the Society of Hispanic Professional Engineers has made a meaningful and lasting impact on countless lives; now, therefore, be it

RESOLVED by the House of Delegates, That the Society of Hispanic Professional Engineers hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Society of Hispanic Professional Engineers as an expression of the House of Delegates' admiration for the organization's history and legacy of service.

HOUSE RESOLUTION NO. 719

Celebrating the life of Joshua Plante.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Joshua Plante, an acclaimed chef and restaurateur who was owner and executive chef of the Fermented Pig in Vienna, died on June 12, 2024; and

WHEREAS, Joshua Plante founded the Fermented Pig in 2018 and grew the artisanal, farm-to-table meat business into a cherished community institution; and

WHEREAS, beyond its regular presence at local farmers markets, Joshua Plante's Fermented Pig permeated the Northern Virginia culinary scene through partnerships with the Wolf Trap National Park for the Performing Arts and Settle Down Easy Brewing Co. and had recently opened a retail store in Merrifield; and

WHEREAS, Joshua Plante left an indelible imprint on the Northern Virginia community as a tireless advocate for local businesses and restaurants and as a generous mentor to many aspiring food professionals; and

WHEREAS, Joshua Plante's efforts created memorable culinary experiences for an untold number of individuals and families as he brought people together around delicious, thoughtfully crafted meals; and

WHEREAS, Joshua Plante will be fondly remembered and dearly missed by numerous family members, friends, and patrons; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Joshua Plante, a beloved member of the Vienna community whose passion, vision, and generosity made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Joshua Plante as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 720

Commending the Shepherd's Center of Fairfax-Burke.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, the Shepherd's Center of Fairfax-Burke, a nonprofit organization dedicated to helping older adults maintain their independence and live in their own homes, has greatly served the Fairfax County community for many years; and

WHEREAS, the Shepherd's Center of Fairfax-Burke provides a variety of services and enrichment programs with the support of its hardworking volunteers, who use the knowledge and skills acquired over their lifetimes to offer assistance to their peers; and

WHEREAS, the Shepherd's Center of Fairfax-Burke offers free transportation services to any older adult in its service areas, enabling its clients to attend their medical and rehabilitation appointments and to go shopping as needed; and

WHEREAS, during the COVID-19 pandemic, the Shepherd's Center of Fairfax-Burke's drivers volunteered more than 14,000 hours, traveling in excess of 144,000 miles over 11,000 one-way trips; and

WHEREAS, the Shepherd's Center of Fairfax-Burke organizes a number of social, educational, and enrichment programs to build connections between older adults in the community and to enhance their quality of life; and

WHEREAS, by empowering older adults to live independently with purpose and dignity, the Shepherd's Center of Fairfax-Burke has helped to make Fairfax County a wonderful place to live, work, and retire; now, therefore, be it

RESOLVED by the House of Delegates, That the Shepherd's Center of Fairfax-Burke hereby be commended for its legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Shepherd's Center of Fairfax-Burke as an expression of the House of Delegates' admiration for the organization's contributions to Fairfax County and the Commonwealth.

HOUSE RESOLUTION NO. 721

Commending Great American Restaurants.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Great American Restaurants, a distinguished hospitality group that includes 18 restaurants and bakeries throughout the Washington, D.C., metropolitan area, celebrated its 50th anniversary in 2024; and

WHEREAS, Great American Restaurants traces its origins to 1974, when Randy Norton and Jim Farley opened a 16-table pizza place in Fairfax City; the pair were joined by Mike Ranney a year later, and following the opening of Fantastic Fritzbe's Flying Food Factory, now Silverado, in 1976, the Great American Restaurants company was officially established; and

WHEREAS, today, Great American Restaurants includes Artie's, Best Buns, Carlyle, Coastal Flats, Jackson's Mighty Fine Food & Lucky Lounge, Mike's American, Ozzie's Good Eats, Patsy's American, Randy's Prime Seafood & Steaks, Silverado, Stupid Good BBQ, and Sweetwater Tavern; and

WHEREAS, the growth and success of Great American Restaurants are the result of its leaders' entrepreneurial spirit and enthusiasm for hospitality and its team members' hard work and commitment to delivering quality food and impeccable service; and

WHEREAS, Great American Restaurants supports individuals and families in need by partnering with the Great American Community Kitchen, a nonprofit organization that prepares and distributes meals to people facing food insecurity; and

WHEREAS, since 2002, Great American Restaurants has donated more than $2.5 million through its dessert partners program to support the Arlington Food Assistance Center, Food For Others, the Great American Restaurants Scholarship Fund at George Mason University, Manna Food Center, So Others Might Eat, the Latino Student Fund, the Thurgood Marshall College Fund, Youth For Tomorrow, and Share Our Strength, including the organization's "No Kid Hungry" campaign; and

WHEREAS, Great American Restaurants' managers and staff make an impact by giving generously of their time to prepare and serve meals through organizations such as the Arlington Food Assistance Center and Food for Others; and

WHEREAS, Great American Restaurants' dedication to excellence and exemplary service has helped to make the Washington, D.C., metropolitan area a wonderful place to live, work, and enjoy a meal; now, therefore, be it

RESOLVED by the House of Delegates, That Great American Restaurants hereby be commended for its achievements on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of Great American Restaurants as an expression of the House of Delegates' admiration for its contributions to the Commonwealth.

HOUSE RESOLUTION NO. 722

Celebrating the life of Bob Eddison Bracey.

Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Bob Eddison Bracey, a respected member of the Midlothian community, died on December 1, 2024; and

WHEREAS, Bob Bracey was born in 1943 and grew up in South Hill, where he graduated from the former East End High School; and

WHEREAS, from 1961 to 1965, Bob Bracey served his country honorably as a member of the United States Air Force; and

WHEREAS, after his military service, Bob Bracey pursued a career as a pipe fitter and welder; and

WHEREAS, Bob Bracey will be fondly remembered and greatly missed by his devoted wife of 57 years, Beatrice; his daughters, LaMonica and Tarsha, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Bob Eddison Bracey, a highly admired resident of Midlothian; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Bob Eddison Bracey as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 723

Commending the Chesterfield Food Bank Outreach Center.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, the Chesterfield Food Bank Outreach Center was established in 2010 as a faith-based nonprofit organization dedicated to nourishing and strengthening the Chesterfield County community; and

WHEREAS, the Chesterfield Food Bank Outreach Center is committed to not only feeding those in need but also empowering individuals and families to overcome the root causes of food insecurity; and

WHEREAS, the Chesterfield Food Bank Outreach Center operates under the belief that no one should go hungry and strives to connect those it serves with life-changing programs provided by exceptional partners, in addition to its own initiatives; and

WHEREAS, the Chesterfield Food Bank Outreach Center works to create sustainable change by addressing the underlying causes of food insecurity, helping to enhance the overall quality of life in the community; and

WHEREAS, in 2023, the Chesterfield Food Bank Outreach Center distributed 2,772,582 pounds of food to those in need, significantly alleviating hunger in the region; and

WHEREAS, the Chesterfield Food Bank Outreach Center also provided 2,520,530 meals to neighbors in need, helping to ensure that no one went without food; and

WHEREAS, the Chesterfield Food Bank Outreach Center engaged 2,694 households through its outreach programs and partnerships assistance services, offering vital support to families and individuals across Chesterfield County; and

WHEREAS, in 2023, the Chesterfield Food Bank Outreach Center's volunteers dedicated 52,530 hours of service, demonstrating the community's commitment to supporting its mission and helping to strengthen the region; now, therefore, be it

RESOLVED by the House of Delegates, That the Chesterfield Food Bank Outreach Center hereby be commended on the occasion of its 15th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Chesterfield Food Bank Outreach Center as an expression of the House of Delegates' admiration for the organization's dedication to fighting hunger and fostering a stronger community.

HOUSE RESOLUTION NO. 724

Commending Chester Presbyterian Church.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Chester Presbyterian Church in Chesterfield County is a historic Presbyterian church with significant architectural and cultural heritage; and

WHEREAS, Chester Presbyterian Church has demonstrated a strong commitment to serving the community through its various outreach programs, including Grace Cafe, which has partnered with the Chesterfield Food Bank since 2015 to provide a hot, home-cooked meal at no cost to approximately 100-150 neighbors each week; and

WHEREAS, Chester Presbyterian Church's Garden on the Corner, launched in 2022, has produced more than 2,200 pounds of fresh vegetables that have been distributed through the Chesterfield County Food Bank, incorporated into Grace Cafe meals, and provided to community members through the church's walk-in ministry; and

WHEREAS, Chester Presbyterian Church has also operated an after-school tutoring program since the 1980s, mentoring second and third grade students from Curtis Elementary School, with volunteer tutors assisting children in homework, math, and reading skills; and

WHEREAS, in response to food insecurity, Chester Presbyterian Church has been a dedicated partner in the backpack food program, ensuring that school-selected children from Marguerite Christian Elementary School receive food for the weekends; and

WHEREAS, Chester Presbyterian Church has collaborated with the Chesterfield Colonial Heights Alliance for Social Ministry to provide a week's worth of food for a number of local families each week along with food assistance through its Food Pantry; and

WHEREAS, according to the Central Virginia Food Bank, one in nine individuals in the service area faces food insecurity, including more than 50,500 children, and Chester Presbyterian Church has remained steadfast in its mission to provide essential food support to those in need, including the frail elderly, disabled, working poor, and children; now, therefore, be it

RESOLVED by the House of Delegates, That Chester Presbyterian Church hereby be commended for its exceptional service to members of the community in need; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Chester Presbyterian Church as an expression of the House of Delegates' admiration for the historical, cultural, and charitable contributions of Chester Presbyterian Church to the community and the Commonwealth.

HOUSE RESOLUTION NO. 725

Commending James R. Jones Builder, Inc.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, for more than 50 years, James R. Jones Builder, Inc., has provided quality home building and community service in the Tri-Cities region of the Commonwealth; and

WHEREAS, in 1973, James R. Jones founded James R. Jones Builder, Inc., with the visionary goal of constructing affordable, quality homes in the Tri-Cities and the surrounding area; and

WHEREAS, James Jones personally framed each home and purchased one lot at a time, embodying the belief that putting one's name on a home signifies pride, accountability, and a commitment to excellence; and

WHEREAS, over the past 50-plus years, James R. Jones Builder, Inc., has evolved into a respected leader in the development of subdivisions and custom homes that reflect a trademark style built on dedication, experience, and trust; and

WHEREAS, the foundational values established by James Jones have been successfully passed down to his son, ensuring that James R. Jones Builder continues to provide quality materials, superb craftsmanship, and a commitment to excellence in every home constructed; and

WHEREAS, the James R. Jones Builder's dedication to selecting licensed and insured sub-contractors and fostering personal relationships with each client has resulted in homes that are not only structures but cherished spaces where memories are made; and

WHEREAS, James R. Jones Builder's passion for home building was first kindled by Harold L. Jones, affectionately known as "Bud," whose early endeavors in the 1960s and 1970s laid the groundwork for what has become one of the Tri-Cities' most esteemed home-building legacies; now, therefore, be it

RESOLVED by the House of Delegates, That James R. Jones Builder, Inc., hereby be commended for its legacy of quality construction for over 50 years; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the leadership of James R. Jones Builder, Inc., as an expression of the House of Delegates' appreciation and admiration for their exemplary service, which builds not only houses, but also lasting foundations for families and communities.

HOUSE RESOLUTION NO. 726

Commending Barber Construction.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Barber Construction, established in 1965 and headquartered in Hopewell, has exemplified excellence in the construction industry for 60 years; and

WHEREAS, the tradition of exceptional craftsmanship at Barber Construction has been proudly passed down from the founder to his son, Donnie Barber, ensuring that the legacy of quality and integrity endures through each project; and

WHEREAS, Barber Construction's family-oriented approach underscores a steadfast commitment to not only building solid foundations but also nurturing the future of the communities they serve; and

WHEREAS, in addition to their residential projects, Barber Construction is actively contributing to the local economy and community with the development of a brewery and restaurant; and

WHEREAS, the enduring values of hard work, integrity, and a commitment to excellence have made Barber Construction a trusted name in construction and an invaluable asset to Hopewell and the surrounding area; now, therefore, be it

RESOLVED by the House of Delegates, That Barber Construction hereby be commended for its 60-year legacy of outstanding craftsmanship and community service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Barber Construction and its leadership as an expression of the House of Delegates' appreciation for their exceptional contributions to the Hopewell community.

HOUSE RESOLUTION NO. 727

Commending Richard Halas.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Richard Halas, an educator and wrestling coach at Hopewell High School, achieved his 100th career victory as a coach in January 2025; and

WHEREAS, Richard "Rich" Halas has been a coach for the boys' and girls' wrestling teams at Hopewell High School for 14 years; and

WHEREAS, Rich Halas has shown extraordinary dedication to his students and an unwavering commitment to their academic, social, and emotional well-being; and

WHEREAS, Rich Halas works hard to instill confidence in his students, listening and practicing empathy to ensure their success; and

WHEREAS, Rich Halas has embodied the virtues of an educator and coach, earning the praise and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Richard Halas of Hopewell High School hereby be commended for his 100th victory as a coach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Richard Halas as an expression of the House of Delegates' high regard for his accomplishments in service to young people of the Commonwealth.

HOUSE RESOLUTION NO. 728

Commending Lebow Eye Associates, P.C.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Lebow Eye Associates, P.C., has reached a significant milestone, celebrating 70 years of providing exceptional eye care services to the community of Hopewell and surrounding areas; and

WHEREAS, Lebow Eye Associates has built a reputation for excellence in optometric services, offering comprehensive eye examinations, treatment of eye disorders, and the prescription of contact lenses for conditions such as astigmatism, bifocal needs, keratoconus, myopia, and hyperopia; and

WHEREAS, the team of dedicated doctors and professional staff at Lebow Eye Associates has consistently demonstrated a commitment to patient care, ensuring comfort and providing detailed explanations for every exam and procedure; and

WHEREAS, Lebow Eye Associates has two offices in the Commonwealth, located in Hopewell and Midlothian, allowing them to serve patients from the Counties of Henrico, Chesterfield, Powhatan, Prince George, and Dinwiddie and the Cities of Richmond, Hopewell, Petersburg, and Colonial Heights; and

WHEREAS, as a full-service eye and vision care provider, Lebow Eye Associates offers both scheduled appointments and emergency care, including a wide array of services such as vision exams, glasses, contact lenses, diabetic eye exams, and pre- and post-operative care, in addition to treating glaucoma and other eye diseases; and

WHEREAS, the staff at Lebow Eye Associates has continuously provided personalized care and attention to each patient, offering vision financing options and working with many insurance providers to ensure the accessibility of high-quality eye care to all; and

WHEREAS, Lebow Eye Associates has maintained a reputation for combining advanced eye care technology with a compassionate, patient-centered approach, making it a trusted provider of vision services in the region; now, therefore, be it

RESOLVED by the House of Delegates, That Lebow Eye Associates, P.C., hereby be commended on the occasion of its 70th anniversary of serving the Hopewell community and Central Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Lebow Eye Associates, P.C., as an expression of the House of Delegates' admiration and best wishes for its continued success in the years to come.

HOUSE RESOLUTION NO. 729

Celebrating the life of Dr. Carol Jocelyn Pretlow.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Dr. Carol Jocelyn Pretlow, a distinguished scholar, educator, journalist, and community leader, died on December 24, 2024, leaving behind a legacy of academic excellence, civic engagement, and profound contributions to Norfolk State University and the Commonwealth; and

WHEREAS, born on November 9, 1946, in Salisbury, Maryland, Dr. Pretlow was raised in Smithfield on the Pretlow family homeplace, where she cultivated her passion for education and the arts; and

WHEREAS, Dr. Pretlow earned a bachelor's degree in political science from Fisk University, a master's degree in mass communications from Norfolk State University, and a law degree and a master of international legal studies degree from the Washington College of Law at American University; and

WHEREAS, Dr. Pretlow dedicated her career to academia, serving as a tenured professor in the Department of Political Science at Norfolk State University, as well as teaching at Elizabeth City State University and other esteemed institutions of higher learning; and

WHEREAS, prior to her work in academia, Dr. Pretlow was a talented journalist and media professional, working as an independent fashion consultant, editor, and reporter for various Hampton Roads publications, a talk show host for WAVY-TV and WRAP Radio 85, and an assistant news director for WNSB News Radio 91; and

WHEREAS, she was a respected voice in the community, serving as a commentator on WHRO's Another View, where she used her platform to elevate important discussions on politics, culture, and social justice; and

WHEREAS, Dr. Pretlow's adventurous spirit, passion for education, and dedication to advocacy enriched the lives of her students, colleagues, and all who had the privilege of knowing her; she will be dearly missed by her loved ones, students, and the many individuals she inspired throughout her lifetime; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Dr. Carol Jocelyn Pretlow, who made extraordinary contributions to higher education and journalism; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Dr. Carol Jocelyn Pretlow as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 730

Celebrating the life of Mary Carol Evans Hecht.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Mary Carol Evans Hecht, a devoted volunteer and Everyday Hero Award recipient whose service to her community and to the nonprofit organization ForKids enhanced countless lives, died on November 5, 2024; and

WHEREAS, Mary Hecht began her volunteer work at Good MoJo thrift store, which is owned and operated by ForKids, in August 2017 and remained a dedicated presence there until June 2024; she selflessly gave her time and talents to support ForKids and its mission of breaking the cycle of homelessness and poverty for families in need; and

WHEREAS, over the course of nearly seven years, Mary Hecht contributed more than 2,083 hours of volunteer service, performing a wide range of duties, including pricing items at the thrift store, organizing donations, assisting with plant care at the Landmark Center, and preparing meals for families in shelters and children in after-school programs; and

WHEREAS, Mary Hecht became a beloved and integral part of the ForKids family, serving as a warm and welcoming presence at the front desk, where she greeted staff, volunteers, and visitors with kindness, a bright smile, and uplifting anecdotes that brought joy to those around her; and

WHEREAS, Mary Hecht's generosity and commitment to service extended beyond her assigned tasks, from stepping in as an emergency seamstress to mend a wedding dress for a staff member, to ensuring her colleagues took time for self-care by operating the calming cart, which provided tea, coloring pages, and other small comforts to staff at the Landmark Center; and

WHEREAS, a woman of boundless compassion, Mary Hecht previously served in the Human Resources Department of Saint Mary's Home for Disabled Children, demonstrating her lifelong dedication to the care and well-being of others; and

WHEREAS, Mary Hecht's enduring legacy of service, friendship, and love will be forever cherished by her colleagues, fellow volunteers, the families she supported at ForKids, and all who were fortunate to know her; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Mary Carol Evans Hecht, a pillar of kindness and generosity in her community who touched the lives of countless young people; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Mary Carol Evans Hecht as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 731

Celebrating the life of Gregory Scott Cook.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Gregory Scott Cook, a patriotic veteran and a distinguished entrepreneur who went above and beyond to support his fellow business owners in Old Town Manassas, died on July 30, 2024; and

WHEREAS, Gregory Cook served the nation as a member of the 82nd Airborne Division of the United States Army, earning a Purple Heart when he was wounded in action; and

WHEREAS, Gregory Cook was an integral part of the community in Manassas as the founder and president of Old Town Whiskey Club, which fostered camaraderie and fellowship while promoting an appreciation for fine spirits; and

WHEREAS, Gregory Cook quickly understood how the COVID-19 pandemic could affect the business community and established Old Town Strong to maintain bonds with customers and create a support network for local business owners; and

WHEREAS, through Old Town Strong, Gregory Cook sold t-shirts and other apparel, raising nearly $20,000 in just 30 days to help bars and restaurants cover operating costs and weather unprecedented times; and

WHEREAS, thanks to Gregory Cook's visionary leadership, Old Town Strong continues to uplift local businesses, support community initiatives, and address pressing needs in the greater Manassas area, providing resources, guidance, and support to local businesses, nonprofit organizations, and residents in need; and

WHEREAS, predeceased by one brother, Gerry, Gregory Cook will be fondly remembered and greatly missed by his parents, George and Patricia; his brothers, Richard, Michael, and Stephen, and their families; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Gregory Scott Cook, a highly admired business owner and community leader in Manassas; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Gregory Scott Cook as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 732

Commending Hollin Meadows Elementary School.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, for 60 years, Hollin Meadows Elementary School of Fairfax County Public Schools has made an impact in the community by ensuring the academic, social, and emotional well-being of its students; and

WHEREAS, Hollin Meadows Elementary School was opened in 1965 and serves several historic neighborhoods in Fairfax County, including Gum Springs and Hollin Hills; and

WHEREAS, Hollin Meadows Elementary School is a diverse, multicultural school that welcomes students and staff from all over the world, boasting 20 different home languages among its families and staff members; and

WHEREAS, Hollin Meadows Elementary School is devoted to actively engaging its students in their learning, encouraging them to reach their full potential both in and out of the classroom; and

WHEREAS, Hollin Meadows Elementary School provides assistance and guidance to its faculty and staff to foster their ability to make a difference in the lives of their students; and

WHEREAS, with a commitment to educational excellence, Hollin Meadows Elementary School became one of Fairfax County's first Science and Math Focus Schools in 1994 and one of the first schools in the county to have a full-day kindergarten program three years later; and

WHEREAS, Hollin Meadows Elementary School has developed an extensive outdoor learning space to create an environment in which students can interact with and learn about the natural world; and

WHEREAS, Hollin Meadows Elementary School has encouraged physical fitness by providing additional time for exercise at recess and fostered healthy lifestyle choices by creating a school garden where students can grow and harvest fresh fruits and vegetables; and

WHEREAS, in 2009, First Lady Michelle Obama and Secretary of Agriculture Tom Vilsack visited Hollin Meadows Elementary School to present the school with a silver medal as part of the Obama administration's HealthierUS School Challenge and to highlight the school's ongoing achievements in supporting childhood fitness and nutrition; and

WHEREAS, Hollin Meadows Elementary School participates in the Get2Green program, integrating sustainability into the curriculum and fostering a love for nature and environmental stewardship among its students; and

WHEREAS, Hollin Meadows Elementary School has received a number of accolades over the years in recognition of its quality educational programs, including an Intel School of Distinction Award in the area of elementary mathematics in 2011; and

WHEREAS, the accomplishments of Hollin Meadows Elementary School over the past 60 years are the result of the efforts of its students, the dedication of its teachers and staff, and the unwavering support of its families, parent teacher association, and the entire Hollin Meadows Elementary School community; now, therefore, be it

RESOLVED by the House of Delegates, That Hollin Meadows Elementary School hereby be commended on the occasion of its 60th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Hollin Meadows Elementary School as an expression of the House of Delegates' admiration for the school's history and its contributions to the Commonwealth.

HOUSE RESOLUTION NO. 733

Celebrating the life of Landon Jeremiah Artis.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Landon Jeremiah Artis, a beloved young member of the Richmond community, died on January 30, 2025; and

WHEREAS, born in 2008, Landon Artis was an inquisitive student who excelled in music and relished every opportunity to perform with his high school band; and

WHEREAS, Landon Artis was planning to continue honing his musical talents at Norfolk State University; and

WHEREAS, Landon Artis went above and beyond to help others feel valued, and he brought joy to everyone he met through his infectious laughter, unwavering faith, and kind spirit; and

WHEREAS, Landon Artis will be fondly remembered and greatly missed by his parents, Kristan Artis and Joel Marrow and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Landon Jeremiah Artis; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Landon Jeremiah Artis as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 734

Commending Fair Oaks Elementary School.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Fair Oaks Elementary School of Henrico County Public Schools, one of the historic Rosenwald Schools, has greatly served the Highland Springs community for many years by ensuring the academic, social, and emotional well-being of its students; and

WHEREAS, Fair Oaks Elementary School was created through the Rosenwald School project, an initiative of Sears, Roebuck and Company president Julius Rosenwald and Tuskegee Institute president Booker T. Washington to support the establishment of schools for Black students in the South in the early 20th century; and

WHEREAS, Fair Oaks Elementary School is devoted to actively engaging its students in their learning, encouraging them to reach their full potential both in and out of the classroom; and

WHEREAS, Fair Oaks Elementary School provides assistance and guidance to its faculty and staff to foster their ability to make a difference in the lives of their students; and

WHEREAS, Fair Oaks Elementary School is generously supported in its endeavors by the Friends of Fair Oaks Elementary School, a group of former students, educators, friends, and families that attended the school several years ago; and

WHEREAS, the accomplishments of Fair Oaks Elementary School are the result of the efforts of its students, the dedication of its teachers and staff, and the unwavering support of its families, parent-teacher association, the Friends of Fair Oaks Elementary School, and the entire Fair Oaks Elementary School community; now, therefore, be it

RESOLVED by the House of Delegates, That Fair Oaks Elementary School hereby be commended for its legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Fair Oaks Elementary School as an expression of the House of Delegates' admiration for the organization's contributions to Highland Springs and the Commonwealth.

HOUSE RESOLUTION NO. 735

Commending Charles H. Harbaugh IV.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Charles H. Harbaugh IV, a distinguished public servant and nonprofit executive, is the longest-serving mayor in the history of Middletown; and

WHEREAS, Charles Harbaugh is a lifelong resident of Middletown who began his career in public service when he became director of the town's Independence Day celebration in his early twenties; and

WHEREAS, Charles Harbaugh was still a student at Shenandoah University when he was elected to the Middletown Town Council at the age of 22, and he was appointed vice mayor and then interim mayor shortly thereafter; and

WHEREAS, Charles Harbaugh became the youngest mayor in the history of the Commonwealth when he was elected the mayor of Middletown at the age of 24 in November 2012; and

WHEREAS, Charles Harbaugh was motivated to seek public office by a desire to foster community through local activities and events, and he has remained steadfastly committed to this objective throughout his tenure; and

WHEREAS, Charles Harbaugh has dedicated himself to supporting the growth and prosperity of Middletown while also preserving its unique and cherished rural character; and

WHEREAS, Charles Harbaugh holds a bachelor's degree and master's degree from Shenandoah University, and he currently serves as an adjunct professor of business marketing and management at Laurel Ridge Community College; and

WHEREAS, Charles Harbaugh formerly worked for the nonprofit organization NW Works, assisting individuals with disabilities in their efforts to secure meaningful employment, and he now serves as executive director of Access Independence, Inc., in Winchester, helping hundreds of people with disabilities to live independently and thrive; and

WHEREAS, Charles Harbaugh's devotion to his community is evident in various facets of his life, including his work as a co-author of a book about Middletown's history, as a host of a daily local sports radio show, and as a member of the board of directors of the organizations Our Health and the Cedar Creek Battlefield Foundation; and

WHEREAS, Charles Harbaugh was recently elected to his fourth consecutive term as mayor of Middletown to the great benefit of the town and its community; now, therefore, be it

RESOLVED by the House of Delegates, That Charles H. Harbaugh IV hereby be commended for his service and his unwavering commitment to the welfare of others in both his public and professional endeavors; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Charles H. Harbaugh IV as an expression of the House of Delegates' admiration for his contributions to Middletown and the Commonwealth.

HOUSE RESOLUTION NO. 736

Commending Chuck Pruitt.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Chuck Pruitt, an influential leader in youth athletics, has been a guiding force for the expansion of boys' volleyball programs throughout Fairfax County and created countless new opportunities for young people in the area; and

WHEREAS, Chuck Pruitt founded McLean Youth Volleyball (MYV) in 2012 with three leagues of about 200 girls and has grown the program to serve more than 1,000 co-ed players in eight leagues; and

WHEREAS, under Chuck Pruitt's leadership, MYV has provided clinics run by USA Volleyball-certified coaches to develop foundational skills such as passing, setting, hitting, and serving to help young people achieve their fullest potential on the court; and

WHEREAS, Chuck Pruitt has worked with gym teachers and school administrators at 10 public schools in Fairfax County to provide safe, modern volleyball equipment for students and MYV athletes using the gyms at these schools; the initiative was entirely funded by MYV with no cost to the schools; and

WHEREAS, in 2013, Chuck Pruitt started a recreational volleyball league in McLean for elementary and middle school boys; by promoting skill development at a younger age, he ensured that there was a growing local interest in the sport; and

WHEREAS, exemplifying his passion for youth volleyball, Chuck Pruitt has worked with school administrators, coaches, and parents over the course of a decade to successfully establish boys' volleyball as a varsity sport in all high schools in Fairfax County Public Schools; and

WHEREAS, in addition to his work with young people, Chuck Pruitt founded an outdoor co-ed adult pick-up volleyball league in 2012; and

WHEREAS, as the volleyball representative for the Fairfax County Athletic Council for eight years, Chuck Pruitt collaborated with volleyball groups across Fairfax County to provide input for the county's planning process; he has also been a board member of McLean Youth Athletics for 13 years; and

WHEREAS, in 2014, Chuck Pruitt won the Fairfax County Champions of Character Award for outstanding sportsmanship and achievement in pursuing victory with honor by demonstrating good character; and

WHEREAS, Chuck Pruitt has touched countless lives through his kindness and generosity and built an incredible sense of camaraderie between volleyball players, coaches, and fans in Northern Virginia; now, therefore, be it

RESOLVED by the House of Delegates, That Chuck Pruitt hereby be commended for his incredible legacy of contributions to the development of youth volleyball in Fairfax County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Chuck Pruitt as an expression of the House of Delegates' admiration for his service to the Fairfax County community.

HOUSE RESOLUTION NO. 737

Commending Saad Shafi.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Saad Shafi, a doctor of pharmacy degree candidate in the Class of 2025 at the Virginia Commonwealth University School of Pharmacy, received the 2024-2025 Harvey B. Morgan Award for Advancing Health Policy from the Harvey B. Morgan Institute of Government and Public Policy; and

WHEREAS, Saad Shafi has demonstrated exceptional commitment to service and the advancement of public policy studies by leading the School of Pharmacy's chapter of the American Pharmacists Association Academy of Student Pharmacists as vice president of policy; and

WHEREAS, Saad Shafi regularly informs chapter members of current policy topics in pharmacy, provides resources and educational materials to colleagues and other officials, and advocates for pharmacy-related issues at the state and federal levels; and

WHEREAS, Saad Shafi organized the 2024 American College of Clinical Pharmacy National Legislative Day Program, where he advocated for national clinical pharmacy initiatives before members of Congress, and he has served as class representative to the Industry Pharmacists Organization; and

WHEREAS, Saad Shafi was the recipient of the CVS Experiential Learning and Residency Scholarship Award for his community pharmacy work in underserved Richmond communities; and

WHEREAS, Saad Shafi has also received the John Hasty Scholarship for the Study of Substance Use Disorders at the American Pharmacists Association's Institute on Substance Use Disorders; and

WHEREAS, Saad Shafi exemplifies the highest ideals of the pharmacy profession, the Harvey B. Morgan Institute of Government and Public Policy, and the Virginia Commonwealth University School of Pharmacy; now, therefore, be it

RESOLVED by the House of Delegates, That Saad Shafi hereby be commended on receiving the 2024-2025 Harvey B. Morgan Award for Advancing Health Policy; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Saad Shafi as an expression of the House of Delegates' admiration for his contributions to pharmacy and patient care and best wishes for his continued success in future endeavors.

HOUSE RESOLUTION NO. 738

Commending Total Action for Progress.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Total Action for Progress, a community action agency serving the Roanoke Valley and Allegheny Highlands, has helped tens of thousands of individuals and families achieve sustainable, equitable economic and personal independence for 60 years; and

WHEREAS, inspired by the Economic Opportunity Act of 1964, E. Cabell Brand worked with local government officials in the City of Roanoke and the Counties of Roanoke and Botetourt, to secure federal funding for Total Action for Progress (TAP), which was originally known as Total Action Against Poverty; and

WHEREAS, TAP was officially incorporated on April 28, 1965, as a private, nonprofit community action agency; and

WHEREAS, in October 1965, TAP established its first year-round Head Start classroom, which was the first school program in the Roanoke Valley to be integrated from its inception; and

WHEREAS, TAP quickly grew to become one of the most active and successful community action organizations, currently offering more than 40 programs which create opportunities and change lives through education, employment, affordable housing, and safe and healthy environments; and

WHEREAS, in 2024, TAP's dedicated staff of more than 300 individuals served more than 8,500 individuals from over 4,470 households in 11 localities; and

WHEREAS, by embracing a whole family approach, TAP's programs work in concert to meet the needs of each member of a household simultaneously; the agency has succeeded in its mission, thanks in part to generous donations and the hard work of countless volunteers and partners; now, therefore, be it

RESOLVED by the House of Delegates, That Total Action for Progress hereby be commended for its contributions to the Roanoke Valley and Allegheny Highlands and all the citizens of the Commonwealth on the occasion of its 60th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Angela Penn, president and chief executive officer of Total Action for Progress, as an expression of the House of Delegates' admiration for the agency's legacy of service to the Commonwealth.

HOUSE RESOLUTION NO. 739

Commending Keswick Hall.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Historic Hotels of America announced in November 2024 that Keswick Hall in Charlottesville was honored as a recipient of the 2024 Historic Hotels of America Lifetime Achievement Award; and

WHEREAS, Historic Hotels of America is the official program of the National Trust for Historic Preservation for recognizing and celebrating the finest historic hotels; and

WHEREAS, the Historic Hotels of America Awards of Excellence honors historic preservation and timeless hospitality at historic hotels in various categories each year; and

WHEREAS, Keswick Hall, a historic estate dating back to 1912, has been revitalized to blend its storied past with modern elegance; and

WHEREAS, situated along the Monticello Wine Trail, Keswick Hall now features a dual-level infinity pool, the acclaimed Full Cry golf course by Pete Dye, and Marigold, a renowned restaurant by Chef Jean-Georges Vongerichten; and

WHEREAS, Keswick Hall offers guests a unique gateway to Virginia's natural beauty and historic sites; and

WHEREAS, Keswick Hall remains a premier destination that honors its storied past while embracing the future; now, therefore, be it

RESOLVED by the House of Delegates, That Keswick Hall hereby be commended for winning the 2024 Historic Hotels of America Lifetime Achievement Award; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Molly and Robert Hardie, owners of Keswick Hall, as an expression of the House of Delegates' admiration for the hotel's achievements in historic preservation and contributions to the hospitality industry.

HOUSE RESOLUTION NO. 740

Commending Colton Moye.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Colton Moye, a student at Giles High School, won a National FFA Organization championship in extemporaneous public speaking at the Eastern States Exposition in West Springfield, Massachusetts, in 2024; and

WHEREAS, earlier in the year, Colton Moye competed at a Future Farmers of America (FFA) area rally held in Wytheville and at the Virginia FFA state competition at Virginia Polytechnic Institute and State University, where he finished second, qualifying for the Eastern States Exposition; and

WHEREAS, at the 2024 national contest, Colton Moye demonstrated an extraordinary ability to adapt and remain calm under pressure as he responded to a variety of challenges on the day of the competition; and

WHEREAS, the year prior, Colton Moye won a state championship in a Future Farmers of America creed speaking contest at Virginia Tech and a bronze medal at the FFA National Convention; and

WHEREAS, in addition to honing his public speaking skills, the FFA contests have required Colton Moye to develop his capacity to conduct research and form his ideas in a short amount of time, preparing him for a bright and successful future; and

WHEREAS, Colton Moye's accomplishments are the result of his hard work and dedication, the leadership and guidance of his teachers, and the unwavering support of his family and the entire Giles High School community; now, therefore, be it

RESOLVED by the House of Delegates, That Colton Moye hereby be commended for winning the 2024 National FFA Organization championship in extemporaneous public speaking; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Colton Moye as an expression of the House of Delegates' admiration for his achievements and best wishes for his continued success.

HOUSE RESOLUTION NO. 741

Commending Pat B. Huber, Ph.D.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Pat B. Huber, Ph.D., an esteemed higher education administrator who has served as president of New River Community College for the past seven years, retired in December 2024; and

WHEREAS, Pat Huber earned a bachelor's degree in English from Emory & Henry College in 1976, then served as a high school educator in Smyth and Wythe Counties while earning a master's degree at West Virginia University; she would also go on to earn a doctoral degree in community college leadership from Old Dominion University in 2006; and

WHEREAS, beginning in 1987, Pat Huber taught both full-time at Pulaski County High School and part-time at New River Community College (NRCC) through the school's dual enrollment and evening programs; and

WHEREAS, Pat Huber went on to devote 25 years to NRCC, serving as dean of arts and sciences then as vice president for instruction and student services from 2007 to 2017 before becoming president that year; and

WHEREAS, Pat Huber is the sixth president in the history of New River Community College and notably its first female president; and

WHEREAS, during her tenure as president of NRCC, Pat Huber expanded eligibility for the Access to Community College Education (ACCE) program to the entire New River Valley region, enabling more high school graduates in the area to qualify for up to two years of tuition through volunteer service; and

WHEREAS, as a result of Pat Huber's leadership, the ACCE program has helped more than 1,600 students receive college credits, and these students have also contributed more than 175,000 hours of community service through their work in the program; and

WHEREAS, Pat Huber has embodied the ideals of education leadership during her tenure at NRCC and helped to make the New River Valley region a wonderful place to live, work, and learn; now, therefore, be it

RESOLVED by the House of Delegates, That Pat B. Huber, Ph.D., hereby be commended on the occasion of her retirement from New River Community College; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Pat B. Huber, Ph.D., as an expression of the House of Delegates' admiration for her contributions to the New River Valley region and the Commonwealth.

HOUSE RESOLUTION NO. 742

Commending Deborah D. Oswalt.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, after 32 years of successfully increasing access to primary health care for uninsured and medically underserved Virginians, Deborah D. Oswalt retired as the executive director of the Virginia Health Care Foundation; and

WHEREAS, the General Assembly's Joint Commission on Health Care initiated the creation of the Virginia Health Care Foundation (VHCF) in 1992 as a public/private partnership with the mission of increasing access to primary health care for uninsured and medically underserved Virginians through innovative service delivery models; and

WHEREAS, as VHCF's founding executive director, Deborah Oswalt identified and implemented innovative and sustainable service delivery models to increase access to care for uninsured and medically underserved Virginians; during her tenure, she forged and nurtured strong partnerships with nine governors and their staff, as well as working relationships with legislators and staff, during 32 sessions of the General Assembly; and

WHEREAS, under Deborah Oswalt's persistent, entrepreneurial, and laser-focused, data-driven leadership, VHCF grew from "a gleam in the eye" to a robust, nimble, and trusted public/private partnership that has helped more than 855,000 uninsured and medically underserved Virginians obtain the health care they need; and

WHEREAS, Deborah Oswalt and VHCF's founding chairman, Senator Mark Warner, instilled venture philanthropy as a core value at VHCF, carefully scrutinizing grant proposals as business plans and investing in projects designed for long-term sustainability; and

WHEREAS, since its inception, VHCF has funded 346 physicians, nurse practitioners, dentists, behavioral health professionals, and other health providers in Virginia's health care safety net, all of whom have provided 4 million patient visits for uninsured and medically underserved Virginians; and

WHEREAS, this disciplined approach resulted in an impressive 89 percent sustainability rate among the grants funded by VHCF for up to three years after graduating from the foundation's funding and facilitated growth in the number of health safety net sites operated by free and charitable clinics, hybrid clinics, community health centers, and other similar organizations—from 32 sites when VHCF was established to 231 sites; and

WHEREAS, under Deborah Oswalt's leadership, VHCF became the largest funder of Virginia's dental safety net, investing more than $17 million in grants to help establish or expand 57 of the Commonwealth's dental safety net practices and investing $12 million since 2010 to initiate and expand the delivery of basic behavioral health services to uninsured and medically underserved Virginians; and

WHEREAS, Deborah Oswalt instilled an entrepreneurial culture at VHCF to leverage its state appropriation by regularly creating new and innovative initiatives, such as the development of The Pharmacy Connection, a web-based software program that expedited access to free prescription medicines for chronic diseases from brand-name pharmaceutical companies' Patient Assistance Programs and several discount generic programs, which enabled more than 372,000 sick, uninsured, and medically underserved Virginians to obtain $10 billion in free medicine; and

WHEREAS, Deborah Oswalt developed a multifaceted approach to increasing access to health care, including the creation of SignUpNow and Project Connect, which enrolled more than 150,000 eligible Virginians in state-sponsored health insurance programs; and

WHEREAS, Deborah Oswalt's constant quest for new opportunities led to the creation of innovative behavioral health care workforce programs, in partnership with public and private stakeholders, that increased the number of licensed behavioral health professionals in Virginia, including VHCF's Boost! and Psychiatric Nurse Practitioners Scholarship Programs, which resulted in a total of 127 new, licensed behavioral health professionals and growing at the end of 2024; and

WHEREAS, Deborah Oswalt established VHCF's Appleseed Initiative, which covered the cost of grant writers and reviewers for federal grant applications for community health centers, and generated $56 million in new federal funds for Virginia to establish or expand 49 community health centers and leveraged $104 for every $1 invested by VHCF; and

WHEREAS, Deborah Oswalt kept a "finger on the pulse" of the ever-evolving health care landscape and dynamics to identify new opportunities and secure private funds, including $17.9 million in challenge grants, to implement innovative initiatives that increased the capacity and sophistication of Virginia's health safety net, including the integrated delivery of basic mental health services with primary medical care, trauma-informed care, telehealth, population health, and provider wellness programs to address burnout; and

WHEREAS, Deborah Oswalt's steadfast mantra, "what gets measured gets done," resulted in the creation of publicly available reports used by health care stakeholders throughout Virginia, including the annual *Profile of Virginia's Uninsured* and *Assessment of the Capacity of Virginia's Licensed Behavioral Health Workforce (2022)*, which have inspired new programs and initiatives to increase access to primary care and health care coverage; and

WHEREAS, Deborah Oswalt enabled VHCF to incubate and spin off several successful freestanding organizations, including RxPartnership, the Virginia Oral Health Coalition (now the Virginia Health Catalyst), and SeniorNavigator; and

WHEREAS, under Deborah Oswalt's leadership, VHCF provided a tremendous return on the Commonwealth's investment, leveraging an average of more than $11 for every $1 expended since its inception and garnered donations from the Commonwealth's finest corporations, organizations, and individuals, significantly increasing access to primary health care for uninsured and medically underserved Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Deborah D. Oswalt hereby be commended on the occasion of her retirement as executive director of the Virginia Health Care Foundation; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Deborah D. Oswalt as an expression of the House of Delegates' admiration for her legacy of achievements and tireless efforts to enhance the health and wellness of hundreds of thousands of Virginians.

HOUSE RESOLUTION NO. 743

Commending the Mechanicsville High School chapter of Future Farmers of America.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, the Mechanicsville High School chapter of Future Farmers of America is recognized for placing top five in student gardening, tire art, and career application competitions at the State Fair of Virginia in August 2024; and

WHEREAS, the Future Farmers of America (FFA) at Mechanicsville High School is orchestrated to develop agricultural leadership, cooperation, and citizenship in the Commonwealth; and

WHEREAS, students of the Mechanicsville FFA have been successful in receiving scholarships and Virginia FFA degrees and continue their agricultural work throughout college and into the work force; and

WHEREAS, the members of the Mechanicsville FFA bolster the influence of their organization through annual sales of poinsettias, fruit, mums, and other plants; they also sponsored a supply drive for victims of flooding in Southwestern Virginia in fall 2024; and

WHEREAS, the success and contributions of the Mechanicsville FFA would not be possible without the hard work and dedication of their leaders, Cindy Green and Jessica Kreye; now, therefore, be it

RESOLVED by the House of Delegates, That the Mechanicsville High School chapter of Future Farmers of America hereby be commended for its demonstrated dedication to promoting agricultural education and industries throughout the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Mechanicsville High School chapter of Future Farmers of America as an expression of the House of Delegates' admiration for the chapter's accomplishments and best wishes for its continued success.

HOUSE RESOLUTION NO. 744

Commending the Atlee High School chapter of Future Farmers of America.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, the Atlee High School chapter of Future Farmers of America, one of the leading organizations of agricultural education and turf science in the Commonwealth, celebrates its 24th anniversary; and

WHEREAS, the Future Farmers of America (FFA) chapter at Atlee High School was founded in 2001 by Marc Moran to promote agricultural education and leadership skills; and

WHEREAS, that same year, Atlee High School became the first school in the Commonwealth to teach turf science classes, resulting in many Atlee students going on to work in agricultural science fields; and

WHEREAS, the students of the Atlee FFA have the opportunity to enrich their knowledge of livestock and agriculture while developing their leadership skills; and

WHEREAS, the Atlee FFA proudly demonstrates its leadership abilities and agricultural knowledge by competing in and earning awards at various competitions, such as the FFA State Forestry Contest, the Virginia FFA Junior Foresters Contest at the State Fair of Virginia, and the Virginia Polytechnic Institute and State University Block and Bridle contest; and

WHEREAS, the members of the Atlee FFA bolster the influence of their organization through the annual sale of poinsettias, mums, barbeque, and homemade apple butter; and

WHEREAS, the Atlee High School FFA and its tireless sponsors, Marc Moran, Jessica Carter, and McKenzie Willis, work duteously to promote and maintain the bountiful agricultural industry of the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That the Atlee High School chapter of Future Farmers of America hereby be commended for their demonstrated commitment to and leadership in the Commonwealth's agricultural education; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Atlee High School chapter of Future Farmers of America as an expression of the House of Delegates' admiration for the chapter's accomplishments and best wishes for its continued success.

HOUSE RESOLUTION NO. 745

Commending the Hanover High School chapter of Future Farmers of America.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, the Hanover High School chapter of Future Farmers of America has shown great dedication to promoting agricultural education and industries throughout the Commonwealth; and

WHEREAS, the Future Farmers of America (FFA) is orchestrated to develop agricultural leadership, cooperation, and citizenship in the Commonwealth and the nation; and

WHEREAS, the hard work and dedication of the Hanover FFA is evident in their success at leadership and state conventions, where the club and its members demonstrate their passion for agricultural learning; and

WHEREAS, the members of the Hanover FFA bolster the influence of their organization through annual plant sales and baked good sales; and

WHEREAS, the hard work and eminent success of the Hanover FFA would not be possible without the selfless leadership of their sponsors, Ron England and Rachel Buehren; now, therefore, be it

RESOLVED by the House of Delegates, That the Hanover High School chapter of Future Farmers of America hereby be commended for their exemplary commitment and leadership in the Commonwealth's agricultural education; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Hanover High School chapter of Future Farmers of America as an expression of the House of Delegates' admiration for the chapter's accomplishments and best wishes for its continued success.

HOUSE RESOLUTION NO. 746

Commending Tyler William Warren.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Tyler William Warren, a native of Mechanicsville and a graduate of Atlee High School, won the 2024 John Mackey Award for his exceptional achievements as a tight end with the Pennsylvania State University football team; and

WHEREAS, during his time at Atlee High School, Tyler Warren was a talented multi-sport athlete who earned all-region selection in baseball, basketball, and football; he was a four-year letterman in football, was the captain of the football team three times, and was selected as the most valuable player of the football team in 2017 and 2019; and

WHEREAS, Tyler Warren was the starting quarterback of the Atlee High School football team in his senior season and amassed 1,149 passing yards, 677 rushing yards, and 14 touchdowns; and

WHEREAS, Tyler Warren matriculated at Pennsylvania State University (Penn State) in 2020 and made 50 career appearances with the football team, including 25 starts, over the next four years; and

WHEREAS, playing tight end for the Penn State Nittany Lions, Tyler Warren recorded 116 career receptions for 1,414 yards and 16 receiving touchdowns, along with six rushing touchdowns and one passing touchdown; he holds the university record for touchdowns by a tight end with 22; and

WHEREAS, as the starting tight end during his senior season, Tyler Warren helped lead the Penn State Nittany Lions to a 13-3 record and a trip to the semifinals of the College Football Playoff; and

WHEREAS, Tyler Warren declared his eligibility for the 2025 National Football League Draft and is considered one of the top prospects in the draft class; now, therefore, be it

RESOLVED by the House of Delegates, That Tyler William Warren hereby be commended for receiving the John Mackey Award as the most outstanding tight end in college football; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Tyler William Warren as an expression of the House of Delegates' admiration for his athletic achievements and best wishes for continued success.

HOUSE RESOLUTION NO. 747

Commending Gale Allen Harvey.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Gale Allen Harvey, an esteemed physicist and longtime member of the Hampton community, was presented an honorary doctor of science degree by the New Mexico State University Board of Regents at New Mexico State University's commencement ceremony on December 13, 2024; and

WHEREAS, after graduating from Alamogordo High School in Alamogordo, New Mexico, Gale Harvey received a scholarship from the Department of Physics at New Mexico State University (NMSU), which prompted him to earn a bachelor's degree in physics from the school in 1962, followed by a master's degree from Virginia Polytechnic Institute and State University five years later; and

WHEREAS, for more than 40 years, Gale Harvey worked as a physicist at the National Aeronautics and Space Administration (NASA) Langley Research Center in Hampton, where he conducted groundbreaking research in the areas of space science and atmospheric studies, with a particular focus on meteor spectroscopy, atmospheric sensing with high-energy lasers, environmental impacts of space on space vehicles, and shuttle orbiter thermal protection tile repair; and

WHEREAS, over his illustrious career, Gale Harvey contributed to more than 20 peer-reviewed publications, including NASA Technical Memorandum and distinguished journals such as *The Astronomical Journal*, *The Astrophysical Journal*, *Publications of the Astronomical Society of the Pacific*, and *Sky & Telescope*; and

WHEREAS, Gale Harvey served as a representative of the NASA Langley Research Center on the American Institute of Aeronautics and Astronautics' International Working Group on Space Simulation, supporting international efforts to advance space research and simulation; and

WHEREAS, Gale Harvey began an ongoing collaboration with the NMSU Department of Physics in the 1970s when he directed the NASA-NMSU automated meteor observatory, which he used to study meteor trajectories, orbits, and velocities for his research; and

WHEREAS, in 2007, Gale Harvey established the Gale A. Harvey Endowed Scholarship at NMSU to aid students with financial need who were interested in studying physics; to date, more than 175 students have received the scholarship and more than $440,000 has been awarded, while many recipients of the scholarship have gone on to enjoy accomplished careers in physics and aerospace engineering; and

WHEREAS, in recognition of his longstanding support of the university and its students, NMSU named room 229 in Gardiner Hall, the home of its physics and engineering physics programs, in Gale Harvey's honor in 2018; and

WHEREAS, beyond his work as a physicist, Gale Harvey is also a noted beekeeper who is a member of the Beekeepers Guild of Southeast Virginia; now, therefore, be it

RESOLVED by the House of Delegates, That Gale Allen Harvey hereby be commended for receiving an honorary doctor of science degree from New Mexico State University in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Gale Allen Harvey as an expression of the House of Delegates' admiration for his contributions to science and the New Mexico State University community.

HOUSE RESOLUTION NO. 748

Commending David K. Wood.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, David K. Wood, a detective with the Stafford County Sheriff's Office, used innovative technology to develop new leads and make an arrest in a cold case dating back to 1989; and

WHEREAS, on November 14, 1986, Stafford County resident Jaqueline Lard was assaulted in her office at Mount Vernon Realty in Stafford and subsequently found dead near Railroad Avenue in Woodbridge; and

WHEREAS, members of the Stafford County Sheriff's Office, the Prince William County Sheriff's Office, the Virginia State Police, and the Federal Bureau of Investigation meticulously processed both crime scenes, gathering extensive evidence; and

WHEREAS, a regional task force, which also included members of the Drug Enforcement Administration, investigated the case for several years, but ultimately eliminated numerous suspects and exhausted every lead; and

WHEREAS, the diligent collection of evidence by the task force allowed David Wood of the Stafford County Sheriff's Office to resume the investigation decades later; and

WHEREAS, David Wood used the emerging practice of forensic investigative genetic genealogy to cultivate new leads by working with Parabon NanoLabs, a company that provides DNA phenotyping, to create a profile of Jaqueline Lard's killer; and

WHEREAS, David Wood's investigation not only led to the identification of a suspect, but linked him to an additional cold case related to the murder of Stafford County resident Amy Baker in 1989; and

WHEREAS, thanks to David Wood's diligence and incredible dedication to justice, the suspect in both cases was arrested in early 2024; now, therefore, be it

RESOLVED by the House of Delegates, That David K. Wood hereby be commended for solving a 38-year-old cold case in Stafford County; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to David K. Wood as an expression of his outstanding achievements as a law-enforcement officer and commitment to serving the Stafford County community.

HOUSE RESOLUTION NO. 749

Celebrating the life of Clarence Stewart Preston.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Clarence Stewart Preston, a devoted husband, father, grandfather, and great-grandfather who passed away recently, left behind a legacy of love and dedication to his family and community; and

WHEREAS, born and raised in Stafford County, Clarence Preston grew up farming alongside his brother and later served his country in the United States Air Force as an airplane mechanic; and

WHEREAS, Clarence Preston dedicated his career to FMC, Steelpack, and Printpak, finding joy in his work and sharing many stories from his career with his grandchildren; and

WHEREAS, Clarence Preston took great pleasure in tending his garden, preparing home-cooked meals, and spending time with his loved ones, particularly cherishing time in the kitchen with family; and

WHEREAS, a passionate bowler, Clarence Preston traveled to numerous bowling events with his beloved wife, Mary, and achieved a perfect 300 game; and

WHEREAS, Clarence Preston was a dedicated member of the 20 Gentlemen, a distinguished local organization focused on the advancement and success of Black men; and

WHEREAS, Clarence Preston touched countless lives through his kindness, warmth, and unwavering love for his family and community; and

WHEREAS, Clarence Preston will be fondly remembered and greatly missed by his loving wife, Mary L. Preston; his son, Clarence A. Preston, and daughter-in-law, Sally A. Preston; his cherished grandchildren and great-grandchildren; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Clarence Stewart Preston, a beloved member of his community whose dedication and love left a lasting impact on those around him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Clarence Stewart Preston as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 750

Commending Virginia Union University.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Virginia Union University, a private, historically Black university in Richmond, has promoted academic achievement, community engagement, and a commitment to excellence for 160 years; and

WHEREAS, established in 1865, Virginia Union University was originally known as the Colver Institute, then renamed as the Richmond Theological Institute, and adopted its current name after a merger with Wayland Seminary in 1899; and

WHEREAS, Virginia Union University has long been a beacon of opportunity and excellence, empowering students to become leaders who make a difference; and

WHEREAS, with its strong legacy and forward-looking vision, Virginia Union University continues to provide a transformative education that meets the evolving needs of students in the 21st century; and

WHEREAS, Virginia Union University's commitment to academic excellence is evident in its continued growth and the success of its graduates; in 2024, the university celebrated a historic 125th Commencement Ceremony, with the largest graduating class in its history, 343 graduates, including the largest-ever cohort of graduate students; and

WHEREAS, in 2024, Virginia Union University was ranked 39th in the nation among Historically Black Colleges and Universities by *U.S. News & World Report*, underscoring the university's status as a leading institution of higher education

and demonstrating its ongoing commitment to providing a quality education that prepares students for success in an increasingly competitive global workforce; and

WHEREAS, in addition to on-campus studies, Virginia Union University has launched several online degree programs designed to meet the needs of working professionals and students around the world, ensuring that the university's exceptional academic offerings are available to a wider, more diverse student body, including those seeking flexible learning opportunities; and

WHEREAS, Virginia Union University recently adopted a $500 million Master Plan that will include strategic collaborations to foster innovation related to electric vehicles, the opening of the Industrial Hall and Gallery to support advancements in engineering, technology, and design, the development of a community wellness center, and the preservation of a historic hospital; the university also launched a $250 million Capital Campaign to further support continued growth; and

WHEREAS, Virginia Union University remains grounded in its five core values—Innovation, Spiritual Formation, Integrity, Diversity and Inclusion, and Excellence—which continue to guide the university's mission and vision; these values ensure that every student is equipped to achieve their fullest potential and lead with purpose; now, therefore, be it

RESOLVED by the House of Delegates, That Virginia Union University hereby be commended on the occasion of its 160th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Virginia Union University as an expression of the General Assembly's admiration for its long and distinguished history and contributions to generations of students.

HOUSE RESOLUTION NO. 751

Commending the Omicron Chi Omega chapter of Alpha Kappa Alpha Sorority, Inc.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, the Omicron Chi Omega chapter of Alpha Kappa Alpha Sorority, Inc., a local chapter of the first intercollegiate historically African-American sorority in the United States that serves the Greater Prince William County community, celebrates its 40th anniversary in 2025; and

WHEREAS, the Omicron Chi Omega chapter traces its origins to August 26, 1984, shortly after the 51st International Convention of Alpha Kappa Alpha Sorority in Washington, D.C., when five women from Prince William County, Rosyln Dunn, Venus Miller, Jannette Smithson, Alice Taylor, and Mary Williams, met to share an interest in starting a new local chapter for the sorority; and

WHEREAS, on May 19, 1985, under the leadership of Barbara W. Davis, the Mid-Atlantic regional director of Alpha Kappa Alpha Sorority, the Omicron Chi Omega Chapter was officially chartered, with Alice Taylor serving as president and Vivian Oliver serving as vice president; and

WHEREAS, over the past several decades, the Omicron Chi Omega chapter has received various recognitions at the local and state level for its dynamic and impactful support of programs and services promoting education, health, and well-being; and

WHEREAS, the Omicron Chi Omega chapter's current initiatives are dedicated to strengthening the sisterhood, empowering families, building economic wealth, enhancing the environment, advocating for social justice and connection, and uplifting the local community; and

WHEREAS, as a result of the extraordinary efforts of its members, the Omicron Chi Omega chapter has made a profound and lasting impact on countless lives in Prince William County; now, therefore, be it

RESOLVED by the House of Delegates, That the Omicron Chi Omega chapter of Alpha Kappa Alpha Sorority, Inc., hereby be commended on the occasion of its 40th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Omicron Chi Omega chapter of Alpha Kappa Alpha Sorority, Inc., as an expression of the House of Delegates' admiration for its contributions to Prince William County and the Commonwealth.

HOUSE RESOLUTION NO. 752

Commending Shaboozey.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Collins Obinna Chibueze, a native of Prince William County better known as Shaboozey, has helped reshape the American music industry and received great acclaim for his visionary blend of different musical styles, incorporating country, hip-hop, rock, funk, and bluegrass to create ear-catching hits; and

WHEREAS, Shaboozey attended Gar-Field High School in Prince William County, and gained his nickname, now his professional stage name, after a coach on his high school football team struggled to pronounce his last name; and

WHEREAS, Shaboozey developed his love of country music from his father, a Nigerian immigrant who initially settled in Texas and drew connections between the themes of country music with rural life in Nigeria; and

WHEREAS, after graduating from Gar-Field High School, Shaboozey began to pursue a career as a recording artist and released his first single "Jeff Gordon" in 2014, then released his debut studio album *Lady Wrangler* in 2018; and

WHEREAS, Shaboozey gained further recognition when he was asked to sing the hook on "Start a Riot" by rapper Duckwrth, which was featured on the soundtrack for *Spider-Man: Into the Spider-Verse* and again when he sang with Beyoncé on her country album *Cowboy Carter*; he released his second studio album, *Cowboys Live Forever, Outlaws Never Die*, in 2022 and his third studio album, *Where I've Been, Isn't Where I'm Going*, which included his breakout hit "A Bar Song (Tipsy)," in 2024; and

WHEREAS, "A Bar Song (Tipsy)" resonated with listeners of all backgrounds across the nation and tied the record for the longest-running number one song of all time with 19 weeks atop the *Billboard* Hot 100 chart; the song exemplifies Shaboozey's musical heritage—a tale of an old-school country music protagonist drowning his sorrows in the local saloon juxtaposed with an infectious beat and lyrics that pay homage to the 2004 hip-hop anthem "Tipsy" by J-Kwon; and

WHEREAS, in 2024, Shaboozey performed at the Country Music Association Festival, at the halftime show during the Thanksgiving Day National Football League game between the Detroit Lions and the Chicago Bears, and on Saturday Night Live; his song "Last of my Kind" was also featured on ESPN's college football season coverage; and

WHEREAS, at the 67th Annual Grammy Awards in 2025, Shaboozey was nominated for Song of the Year, Best New Artist, Best Country Song, Best Country Solo Performance, and Best Melodic Rap Performance, representing his contributions to different musical genres and impact on modern music; now, therefore, be it

RESOLVED by the House of Delegates, That Shaboozey hereby be commended for his achievements as a recording artist; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Shaboozey as an expression of the House of Delegates' admiration for his unique contributions to the American musical landscape.

HOUSE RESOLUTION NO. 753

Commending Penelope Nowell-Shortt.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Penelope Nowell-Shortt, a senior at Woodbridge High School, helped her classmates learn more about and participate in the democratic process by organizing a school voter registration drive in 2024; and

WHEREAS, a dedicated student with an interest in public policy and criminal justice, Penelope Nowell-Shortt was excited to vote for the first time during the 2024 United States presidential election; and

WHEREAS, Penelope Nowell-Shortt realized that many of her classmates may also be eligible to vote for the first time and worked with school guidance counselors to determine that approximately 100 students would turn 18 before Election Day; and

WHEREAS, Penelope Nowell-Shortt researched voter registration and elections procedures to ensure that she could have constructive conversations with her fellow students and launched a nonpartisan voter registration drive in September 2024; and

WHEREAS, Penelope Nowell-Shortt held the drive during lunch periods for a full week and ultimately helped 72 students register to vote, allowing them to become more engaged in their communities and the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That Penelope Nowell-Shortt hereby be commended for organizing a voter registration drive for eligible students at Woodbridge High School in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Penelope Nowell-Shortt as an expression of the House of Delegates' admiration for her commitment to civic engagement and service to her community.

HOUSE RESOLUTION NO. 754

Commending Curtis O. Porter.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Curtis O. Porter, a native of Prince William County with over 200 years of family history in Prince William County, has served the citizens and residents of Prince William County, the Commonwealth, and the United States in various capacities both professionally and voluntarily; and

WHEREAS, Curtis Porter earned a degree in sociology from Virginia State University and subsequently did graduate work at Virginia Polytechnic Institute and State University and Nyack College, which is now Alliance University, with a focus in urban affairs and organizational leadership; and

WHEREAS, in 1981, Curtis Porter began his professional career as the special program coordinator for the 31st Judicial District Court Service Unit in Manassas, administering the courts community service, volunteer, and shelter home programs; and

WHEREAS, in 1984, Curtis Porter was the recipient of a Meritorious Award in the Field of Juvenile Justice Probation for his work in diverting over 100 runaway and homeless youth from secure detention to volunteer host home families; and

WHEREAS, in 1987, Curtis Porter was selected to serve as the senior assistant director of Volunteer Emergency Families for Children (VEFC), a faith-based host home program serving runaway and homeless youth and other youth in at-risk situations throughout the Commonwealth and the Research Triangle area of North Carolina; and

WHEREAS, as senior assistant director of VEFC, Curtis Porter secured federal, corporate, and nonprofit funding to support the organization's mission; and

WHEREAS, Curtis Porter was appointed by the Honorable Governor L. Douglas Wilder to serve the citizens and residents of the Commonwealth on the State Criminal Justice Services Board, the Virginia Advisory Committee on Juvenile Justice and Prevention, and the Virginia Interagency Coordinating Council; and

WHEREAS, in 1995, Curtis Porter began his federal career in the Family and Youth Services Bureau and the Administration on Children, Youth, and Families within the United States Department of Health and Human Services' Administration for Children and Families; and

WHEREAS, over the past 29 years, Curtis Porter served the nation in various capacities, to include serving as the acting associate commissioner and acting deputy associate commissioner of the Family and Youth Services Bureau, director of the Runaway and Homeless Youth Division and special assistant to the associate commissioner of the Administration on Children, Youth, and Families; and

WHEREAS, as acting associate commissioner of the Family and Youth Services Bureau, Curtis Porter represented the United States Department of Health and Human Services on a trip to New Orleans with First Lady Laura Bush, visiting the New Orleans Charter Science and Mathematics High School during its recovery from Hurricane Katrina; and

WHEREAS, during his 29 years of federal service, Curtis Porter had the opportunity to oversee the nations' runaway and homeless youth, adolescent pregnancy and domestic violence prevention efforts, and programs mentoring children of prisoners; and

WHEREAS, over 43 years of serving children, youth, and families, Curtis Porter has been the recipient of numerous awards and recognitions, including the United States Department of Health and Human Services' Secretary's Award for the Mentoring Children of Prisoners Program and the Administration for Children and Families' Assistant Secretary's Award for Exemplary Leadership; now, therefore, be it

RESOLVED by the House of Delegates, That Curtis O. Porter hereby be commended for his exceptional service and enduring impact on the Commonwealth and the nation on the occasion of his retirement from federal service on December 31, 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Curtis O. Porter as an expression of the House of Delegates' admiration for his legacy of exceptional service to the Commonwealth and the nation.

HOUSE RESOLUTION NO. 755

Commending Rick S. Judd.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Rick S. Judd, a distinguished law-enforcement officer who touched countless lives through his commitment to excellence, has retired from the Falls Church Police Department after 30 years of service; and

WHEREAS, Rick Judd originally joined the Falls Church Police Department as an emergency communications technician in 1994, then became a sworn officer of the department in 1999; and

WHEREAS, after graduating from the Northern Virginia Criminal Justice Academy, Rick Judd was assigned to the Falls Church Police Department's night shift patrol squad, where he served for 10 years; and

WHEREAS, in 2009, Rick Judd became the only traffic unit officer at the Falls Church Police Department and handled numerous traffic crashes and issued countless citations over the next six years; he earned the admiration of his colleagues and members of the public alike for his professionalism and composure; and

WHEREAS, during this time, Rick Judd also underwent extensive training and proudly became the Falls Church Police Department's police motorcycle officer; and

WHEREAS, in 2015, Rick Judd returned to the night shift as a patrol sergeant and relished every opportunity to mentor younger officers; three years later, he was promoted to lieutenant and assumed his most recent leadership role as the watch commander for the night shift patrol; and

WHEREAS, over the course of his career, Rick Judd served the residents of Falls Church with the utmost integrity and dedication to duty, forging strong bonds between the Falls Church Police Department and the public while enhancing the department's ability to fulfill its mission; now, therefore, be it

RESOLVED by the House of Delegates, That Rick S. Judd hereby be commended on the occasion of his retirement from the Falls Church Police Department; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Rick S. Judd as an expression of the House of Delegates' admiration for his commitment to serving and protecting the members of the Falls Church community.

HOUSE RESOLUTION NO. 756

Commending Stephen Rau.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Stephen Rau, an esteemed law-enforcement officer and captain of the City of Falls Church Police Department, has admirably served the Falls Church community for more than 30 years; and

WHEREAS, a retired veteran of the United States Army and United States Army Reserve, Stephen Rau began his career with the City of Falls Church Police Department (FCPD) in September 1994 as a member of the Uniformed Patrol Division; and

WHEREAS, during his time as a patrol officer, Stephen Rau developed and delivered a regionally recognized false identification detection training program for law enforcement, while also receiving numerous commendations for meritorious actions during his assignment; and

WHEREAS, in August 1999, Stephen Rau was selected as the FCPD's first school resource officer and was assigned to what were formerly George Mason High School and George Mason Middle School in Falls Church; and

WHEREAS, as a school resource officer, Stephen Rau played a key role in developing school crisis plans and security protocols and in implementing the city's original school video surveillance system; and

WHEREAS, Stephen Rau contributed to his fellow officer's development through countless presentations on the curriculum Class Action: Virginia Teens and the Law and topics such as gang reduction, driver education, constitutional law, speed measurement, Internet safety, and drug and alcohol awareness; and

WHEREAS, in January 2014, Stephen Rau was promoted to lieutenant and assigned as a watch commander in the Uniform Patrol Division, a position in which he planned and commanded numerous special events; and

WHEREAS, in August 2019, Lieutenant Rau was promoted to captain, assuming command of the Uniform Patrol Division; during his tenure as commander, he implemented the body-worn camera program, managed the video enforcement program, and introduced the City of Falls Church government's first electric vehicles; and

WHEREAS, Stephen Rau stands as one of the steadfast pillars of the FCPD and has contributed greatly to the safety and security of the Falls Church community over the past three decades; now, therefore, be it

RESOLVED by the House of Delegates, That Stephen Rau hereby be commended for his more than 30 years of service with the City of Falls Church Police Department; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Stephen Rau as an expression of the House of Delegates' admiration for his contributions to Falls Church and the Commonwealth.

HOUSE RESOLUTION NO. 757

Commending Gary Fuller.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Gary Fuller, acting planning director with the City of Falls Church's Department of Community Planning and Economic Development Services, has served the residents of the community for more than 35 years; and

WHEREAS, a native of Charlottesville and a graduate of Old Dominion University and the University of Virginia School of Architecture, Gary Fuller began his career in local government and public service when he joined Falls Church Community Planning and Economic Development Services as a planner on August 28, 1989; he was then promoted to senior planner in June of the following year; and

WHEREAS, over the course of his career, Gary Fuller has served as planning director, deputy planning director, principal planner, and acting department director for the City of Falls Church, demonstrating strong leadership in directing city planning functions and activities in the community; and

WHEREAS, as case planner for major mixed-use developments, Gary Fuller has processed numerous legislative approvals and entitlements during the past 20 years and provided essential staff support to development and site plan cases; and

WHEREAS, among his many awards and accolades, Gary Fuller received the 2008 Performance Award for his work on the Falls Church City Center review project and was nominated for the employee of the year award in recognition of his exemplary work and consistent support for local community redevelopment objectives, projects, and land use actions; and

WHEREAS, throughout his career, Gary Fuller has been committed to continuing professional education and excellence, earning certifications from the American Planning Association, the American Institute of Certified Planners, and the Virginia Association of Zoning Officials; and

WHEREAS, through his extensive knowledge, patience, and professionalism, Gary Fuller has helped countless individuals and businesses, including numerous members of the Falls Church City Council and Falls Church Planning Commission, to better understand the city's zoning, planning, and development processes; now, therefore, be it

RESOLVED by the House of Delegates, That Gary Fuller hereby be commended for more than 35 years of service as a member of the City of Falls Church's Department of Community Planning and Economic Development Services; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Gary Fuller as an expression of the House of Delegates' admiration for his contributions to the Falls Church community.

HOUSE RESOLUTION NO. 758

Commending the Information Technology-Information Sharing & Analysis Center.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, for 25 years, the Information Technology-Information Sharing & Analysis Center, located in Manassas, has enhanced the detection, prevention, mitigation, and response to the growing threats to the nation's critical infrastructure and cyber ecosystem through threat intelligence sharing, analysis, and collaboration across stakeholder communities; and

WHEREAS, the national security and economic integrity of both the Commonwealth and the United States are increasingly reliant on critical infrastructures and cyber-based information systems; and

WHEREAS, President Bill Clinton issued Presidential Decision Directive 63 calling on private sector owners and operators to lead efforts to develop, implement, and maintain initiatives to secure the nation's critical infrastructure in 1998, and the Information Technology-Information Sharing & Analysis Center (IT-ISAC) was launched as a voluntary industry-led initiative two years later; and

WHEREAS, the mission of IT-ISAC is to grow a diverse community of large, medium, and small companies, trade associations, and academic institutions that share a common commitment to cybersecurity; and

WHEREAS, IT-ISAC serves as a force-multiplier that enables collaboration and sharing of relevant, actionable cyber threat information, effective security policies, and best practices for the benefit of all; and

WHEREAS, the IT-ISAC global membership base consists of leading companies from multiple critical infrastructure sectors, including information technology, food production and agriculture, and elections; and

WHEREAS, the IT-ISAC has engaged with the U.S. Department of Homeland Security and other stakeholders to respond to the world's most significant cyberattacks over the past two and a half decades; and

WHEREAS, the IT-ISAC helped establish the National Council of ISACs and the IT Sector Coordinating Council and works closely with other critical infrastructure communities to help make the nation safer and more secure; now, therefore, be it

RESOLVED by the House of Delegates, That the Information Technology-Information Sharing & Analysis Center hereby be commended on the occasion of its 25th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Information Technology-Information Sharing & Analysis Center as an expression of the House of Delegates' admiration for the organization's vital contributions to cybersecurity in the Commonwealth and across the country.

HOUSE RESOLUTION NO. 759

Commending Juan Salguero.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Juan Salguero, an esteemed employee with the City of Falls Church, has greatly served the Falls Church community for more than 25 years; and

WHEREAS, Juan Salguero came to the City of Falls Church on September 20, 1999, and was originally hired as a member of the maintenance crew that is now known as the Urban Forestry department; and

WHEREAS, Juan Salguero demonstrated a passion for working with greenspaces, particularly plants and other small native vegetation, and delighted his coworkers with stories and explanations of horticultural practices in his native Guatemala; and

WHEREAS, more recently, Juan Salguero has served as a maintenance worker for the City of Falls Church, primarily at the Falls Church Community Center; and

WHEREAS, Juan Salguero carries out his professional obligations with great pride and dedication and goes beyond the call of duty to help many of the Falls Church Community Center's Spanish-speaking patrons access the center's services and programming; and

WHEREAS, Juan Salguero has been unwaveringly consistent and helpful throughout the several phases of the development of the Falls Church Recreation and Parks Department, supporting the department's success and enhancing its value to the community; and

WHEREAS, Juan Salguero has demonstrated a remarkable commitment to the well-being of Falls Church and its residents throughout his career, earning him the praise and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Juan Salguero hereby be commended for his 25 years of service with the City of Falls Church; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Juan Salguero as an expression of the House of Delegates' high regard for his contributions to Falls Church and the Commonwealth.

HOUSE RESOLUTION NO. 760

Commending Angie's Bakery.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Angie's Bakery, a unique, family-owned bakery offering delicious treats inspired by traditional Asian recipes, has served the Virginia Beach community for 37 years; and

WHEREAS, Angie's Bakery was established in 1988 by Angie and Jaime Olaes and has become a cherished institution with the Filipino community of Virginia Beach; and

WHEREAS, after Jaime Olaes retired in 2019, he sold Angie's Bakery to his brother, Eduardo, who worked with his wife, Lelis, and son, Ken, to bring a fresh perspective to the business; and

WHEREAS, since that time, Angie's Bakery has preserved numerous customer favorites while adding even more original recipes from the Philippines; and

WHEREAS, among its many delectable baked goods, Angie's Bakery offers expertly crafted Hopia, a Philippine bean-filled moon cake-like pastry and continues to use the original family recipes for Pandesal, a soft and fluffy yeast bread roll with a vibrant purple hue and Ensaymada, a rich, brioche-like Filipino pastry that originated during Spanish colonial times; and

WHEREAS, Angie's Bakery also includes a coffee shop, offering their famous Ube Latte, made with purple yam concentrate, milk, and ice; and

WHEREAS, Angie's Bakery has long been known for its delicious pastries, friendly service, and welcoming ambience and is a "must visit" destination in Virginia Beach for those seeking mouth-watering Filipino creations or visitors looking to explore new flavors; now, therefore, be it

RESOLVED by the House of Delegates, That Angie's Bakery hereby be commended for 37 years of service to the residents of and visitors to Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Angie's Bakery as an expression of the House of Delegates' admiration for its contributions to the city's vibrant culinary culture.

HOUSE RESOLUTION NO. 761

Commending Doug Robbins.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Robbins Landscaping, a premier residential landscaping contractor founded by Doug Robbins in Chester, has offered high-end maintenance, enhancements, and design and build services to clients for 35 years; and

WHEREAS, Doug Robbins is a 1984 graduate of Thomas Dale High School, where he played basketball, football, and golf; after graduating from the University of Mary Washington, he returned to Chester to establish his own business; and

WHEREAS, Robbins Landscaping thrived under the leadership of Doug Robbins, providing the highest possible level of service to clients and exemplifying the values of dedication, integrity, and commitment to quality; and

WHEREAS, in early 2023, Doug Robbins transitioned the business after serving as president for 35 years, prioritizing the well-being of his employees and customers by selecting a buyer with industry expertise to carry forward the company's legacy of excellence; and

WHEREAS, outside of his career, Doug Robbins has also been a champion for his alma mater, Thomas Dale High School, supporting numerous athletics programs through his volunteer leadership and expertise; and

WHEREAS, Doug Robbins began volunteering with setup for Thomas Dale High School football games in 2010, then began helping with maintenance of the football field in 2012; he has since rejuvenated and maintained football, soccer, baseball, softball, field hockey, lacrosse, and practice fields; and

WHEREAS, in addition, Doug Robbins has served as president of Thomas Dale High School's booster organization, the Knight Club, since 2020, guiding fundraisers that have generated more than $14,000 to support student-athletes; and

WHEREAS, among many awards and accolades, Doug Robbins was the first "contributor" honoree in the Thomas Dale High School Ring of Champions, recognizing his unparalleled generosity, and he received the 2023 Snead Stebbins Award from the Chester Business Association; now, therefore, be it

RESOLVED by the House of Delegates, That Doug Robbins be commended for his outstanding contributions to the field of residential landscaping as the founder of Robbins Landscaping and his exceptional service to Thomas Dale High School; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Doug Robbins, founder of Robbins Landscaping, as an expression of the House of Delegates' admiration for his legacy of excellence and best wishes for the company's continued success under new leadership.

HOUSE RESOLUTION NO. 762

Commending the Southside Swim League.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, the Southside Swim League, established in 1965, has served as a cornerstone for aquatic sports, community engagement, and youth athletic development in the Commonwealth; and

WHEREAS, the Southside Swim League's founding members, Sherwood Hills, Battlefield Park, Chester Recreation Association, Meadowbrook Country Club, Fort Lee, and Petersburg Country Club, laid the foundation for a legacy of excellence, sportsmanship, and community collaboration; and

WHEREAS, over the decades, the Southside Swim League has evolved and expanded its membership, with milestones including the formation of the Petersburg Swim Association in 1996 through the collaboration of Battlefield Park and the Country Club of Petersburg and the reversion to its original identity in 2006; and

WHEREAS, the Southside Swim League's history reflects a dynamic and inclusive organization, having welcomed teams such as the Jordan Point Country Club, River's Bend, South Bend, the Stoney Glen Swim Team, the Colonial Heights Swim and Yacht Club, and the Wood-Dale Swim Club; and

WHEREAS, the current teams in the Southside Swim League include River's Bend, South Bend, the Stoney Glen Swim Team, the Colonial Heights Swim and Yacht Club, the Wood-Dale Swim Club, Chester Recreation Association, and Battlefield Park; and

WHEREAS, the Southside Swim League consistently promotes competitive excellence, water safety, and the healthy development of its athletes, enriching the lives of many individuals and strengthening community ties across the region; and

WHEREAS, the spirit, adaptability, and commitment to fostering athletic achievement embodied by the Southside Swim League serve as an inspiration to the communities it serves; now, therefore, be it

RESOLVED by the House of Delegates, That the Southside Swim League hereby be commended for its outstanding contributions to the Southside community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Southside Swim League and its associated clubs as an expression of the House of Delegates' appreciation for their dedicated service and lasting impact on the lives of their athletes.

HOUSE RESOLUTION NO. 763

Commending the River's Bend Community Association swim team.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, the River's Bend Community Association swim team has provided the Chester community with exceptional recreational opportunities for 25 years; and

WHEREAS, the River's Bend swim team (RBST) was founded in 2000 as an offshoot of the Chesterfield Swim Association (CSA) following the sale of the CSA's original location; and

WHEREAS, the RBST was established alongside the Stoney Glen Swim Team, with both emerging as successors to the original CSA team; and

WHEREAS, the RBST has provided a positive and competitive environment for young swimmers in the community for 25 years, fostering teamwork, sportsmanship, and athletic excellence; and

WHEREAS, the dedication of the RBST's coaches, parents, volunteers, and athletes has contributed greatly to the swim club's accomplishments and success; now, therefore, be it

RESOLVED by the House of Delegates, That the River's Bend Community Association swim team hereby be commended on the occasion of its 25th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the River's Bend Community Association swim team as an expression of the House of Delegates' admiration for the team's achievements and best wishes for its continued success.

HOUSE RESOLUTION NO. 764

Celebrating the lives of Peter, Donna, Everly, and Alydia Livingston.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Peter, Donna, Everly, and Alydia Livingston, a supportive and caring family who were active members of the Ashburn community, died on January 29, 2025 aboard American Airlines Flight 5342; and

WHEREAS, Peter Livingston was born in Petersburg and grew up in Vienna, where he graduated from Oakton High School; he was a highly admired Realtor with Keller Williams Realty, who built strong relationships with home buyers and was recognized by the Northern Virginia Association of Realtors for his commitment to excellence; and

WHEREAS, Donna Livingston was born in Johnstown, Pennsylvania, and graduated from Indiana University of Pennsylvania, where she built lifelong friendships with her fellow sisters of Alpha Gamma Delta Sorority; she worked in marketing for Discovery Communications and AOL before joining Comcast where she excelled for 16 years; and

WHEREAS, Peter and Donna Livingston met in 2006 and were married in Jamaica in 2009; their first daughter, Everly, was born in 2010, and their second daughter, Alydia, was born in 2013; and

WHEREAS, Donna, Everly, and Alydia Livingston cultivated an enviable sense of style together and built an impressive collection of clothes, shoes, accessories, and arts and crafts supplies to make every day brighter; and

WHEREAS, a longtime hockey fan, Peter Livingston created a backyard ice rink one winter to teach his daughters to skate; the backyard rinks became an annual family tradition and inspired Everly and Alydia Livingston's passion for figure skating; and

WHEREAS, Everly and Alydia honed their talents at the Ashburn Ice House and were well known on social media; they competed at events around the country as members of the Washington Figure Skating Club and had dreams of one day representing Team USA in the Winter Olympic Games; and

WHEREAS, Peter and Donna Livingston did everything they could to fulfill their daughters' dreams, and they spent many joyful days together at figure skating events, demonstrating their incredible devotion to one another as a family; and

WHEREAS, the Livingston family will be fondly remembered and greatly missed by Peter's parents, Sterling and Martha Livingston; Peter's siblings, Albert and Sarah, and their families; Donna's mother, Mary Smojice; Donna's brother, Mark, and his family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Peter, Donna, Everly, and Alydia Livingston; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to family members of Peter, Donna, Everly, and Alydia Livingston as an expression of the House of Delegates' respect for their memories.

HOUSE RESOLUTION NO. 765

Commending Michael J. Higginbotham.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Michael J. Higginbotham, a biology teacher at Washington Irving Middle School in West Springfield, was named the Outstanding Secondary School New Teacher for Region 4 of Fairfax County Public Schools in 2024; and

WHEREAS, Michael Higginbotham began his teaching career after many years of serving his country honorably as an officer in the United States Army and as a government contractor; and

WHEREAS, Michael Higginbotham has drawn from his professional experiences to become a master lesson planner and to cultivate a safe and supportive learning environment in his classroom that encourages his students to embrace leadership roles and achieve their full potential; and

WHEREAS, through his passion and enthusiasm for science and teaching, Michael Higginbotham has advanced Irving Middle School's mission to create a strong foundation academically, behaviorally, socially, and emotionally for its students, which fosters their learning and enables their success both in and out of the classroom; and

WHEREAS, Michael Higginbotham employs diverse teaching methods and interactive lessons to spark his students' interest and heighten their engagement, and he has cleverly utilized chess as a way to motivate his students to develop strategic thinking and problem-solving skills; and

WHEREAS, Michael Higginbotham has emphasized the importance of forging meaningful connections with his students, giving them the confidence to explore without fear of making mistakes and helping them as they mature into kind and considerate members of their communities; and

WHEREAS, Michael Higginbotham gives generously of his time to assist and collaborate with his fellow faculty members, sharing expertise and resources to facilitate their efforts in the classroom; and

WHEREAS, with abundant positivity and an unwavering commitment to the well-being of the students and families he serves, Michael Higginbotham exemplifies the ideals of the teaching profession and has earned the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Michael J. Higginbotham hereby be commended for being named the 2024 Outstanding Secondary School New Teacher for Region 4 of Fairfax County Public Schools; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Michael J. Higginbotham as an expression of the House of Delegates' high regard for his contributions to the education of young people in the Commonwealth.

HOUSE RESOLUTION NO. 766

Commending the Timberlake Tavern.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, the Timberlake Tavern is a recently restored, historic event center that has greatly served the Timberlake community in Lynchburg since 1929; and

WHEREAS, Timber Lake and the Timberlake Tavern were conceived in 1926 by Edley Craighill and Fred Showalter, Lynchburg natives and veterans of World War I, who envisioned a lakeside resort to benefit the residents of their hometown; and

WHEREAS, in addition to Timber Lake, their venture included homes, a club beach, a nine-hole golf course, and the Timberlake Tavern, which opened on June 15, 1929, with a night of dinner and dancing for 135 guests; and

WHEREAS, the Timberlake Tavern quickly became the social hub of the nascent Timberlake community and continued to offer entertainment each summer until 1951; and

WHEREAS, the Timberlake Tavern subsequently served at various times as the first home and worship place of the Timberlake United Methodist Church, as a meeting place for clubs and service groups, and as a private residence; and

WHEREAS, the Timberlake Tavern was restored to a modern event center with apartments in the early 2000s and redecorated and upgraded in 2020 by its current owners and managers, Etta Legner and Tom and Denise Gillett; and

WHEREAS, the stunning building features of the Timberlake Tavern, including its wraparound verandas, symmetrical design, and use of native materials throughout, have made it one of the architectural gems of Lynchburg; and

WHEREAS, today, the Timberlake Tavern has revitalized its legacy as a place where the Lynchburg community gathers, providing an exceptional venue for weddings, receptions, and other social events; now, therefore, be it

RESOLVED by the House of Delegates, That the Timberlake Tavern hereby be commended for nearly a century of service to the Timberlake community in Lynchburg; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Etta Legner and Tom and Denise Gillett, owners of the Timberlake Tavern, as an expression of the House of Delegates' admiration for the venue's history and its contributions to the Commonwealth.

HOUSE RESOLUTION NO. 767

Commending Spring Valley Farms.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Spring Valley Farms, a horse farm and organization in Moneta dedicated to sharing horses with the people who love them, celebrates its 45th anniversary in 2025; and

WHEREAS, Spring Valley Farms was established in 1980 and has developed into a 600-acre multi-purpose equestrian facility that provides the public with trail rides, horseback riding lessons, camps for kids, birthday parties and other special events, cabin rentals, wagon rides, and more; and

WHEREAS, Spring Valley Farms strives to bring horses to those who would otherwise not have access to them, increasing their appreciation of both the animals and the Commonwealth's beautiful countryside; and

WHEREAS, Spring Valley Farms demonstrates the utmost compassion and concern in caring for its horses, from the moment they arrive at the farm, through their training, and in every activity and service they support; and

WHEREAS, Spring Valley Farms is committed to both progress and upholding the beloved equestrian traditions of the Commonwealth, earning the praise and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Spring Valley Farms hereby be commended on the occasion of its 45th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Spring Valley Farms as an expression of the House of Delegates' high regard for the farm's contributions to the Commonwealth.

HOUSE RESOLUTION NO. 768

Celebrating the life of Clarence Hiram Jones, Jr.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Clarence Hiram Jones, Jr., an esteemed public servant and active and beloved member of the Brookneal community, died on April 3, 2024; and

WHEREAS, Clarence Jones worked tirelessly for 40 years at BWX Technologies, Inc., in Lynchburg and later was an employee of Henderson Funeral Home in Brookneal; and

WHEREAS, Clarence Jones faithfully served as a member of the Brookneal Town Council, taking great care to ensure the locality's success and prosperity; and

WHEREAS, Clarence Jones was a life member of the Brookneal Volunteer Fire Department who gave generously of his time for more than 40 years to promote the safety and well-being of others; in recognition of his service, he was elected president of the department, the first individual to hold that position in the department's history; and

WHEREAS, Clarence Jones supported his community as a proud and dedicated member of Staunton River Masonic Lodge #155 of the Ancient Free and Accepted Masons; and

WHEREAS, in honor of his commitment to his community, Clarence Jones was presented the Citizen of the Year award by the Brookneal Lions Club; and

WHEREAS, Clarence Jones was guided throughout his life by his faith and was a devoted member of Brookneal Presbyterian Church, where he enjoyed worship and fellowship with his community and served as an elder, deacon, and trustee; and

WHEREAS, preceded in death by his wife of 48 years, JoAnn, Clarence Jones will be fondly remembered and dearly missed by his children, Clarence III and Leigh Ann, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Clarence Hiram Jones, Jr., a treasured member of the Brookneal community whose dedication and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Clarence Hiram Jones, Jr., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 769

Commending Gary E. Penn.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Gary E. Penn, a distinguished law-enforcement officer and esteemed public servant, retired from the Campbell County Sheriff's Office on September 30, 2024; and

WHEREAS, Gary Penn began his law-enforcement career in 1997 with the Danville Police Department and a few years later joined the Pittsylvania County Sheriff's Office and accepted a promotion to special investigations in coordination with the United States Bureau of Alcohol, Tobacco, Firearms and Explosives task force in Roanoke; and

WHEREAS, from 2007 to 2009, Gary Penn assisted 22 federal gun and drug cases and worked with other federal agencies; from 2010 to 2015, he joined the Altavista Police Department (APD) on a joint task force with the Campbell County Sheriff's Office, after which he resumed his role as a general investigations and shift sergeant until he received a promotion to first sergeant; and

WHEREAS, Gary Penn spearheaded a number of impactful initiatives during his time with the APD, including Altavista's National Night Out event and its Shop with a Cop program, fostering positive relationships between the department and the community it serves; and

WHEREAS, in 2018, Gary Penn joined the Campbell County Sheriff's Office as a school resource officer, and he worked tirelessly to ensure the safety and well-being of students at several Campbell County elementary schools for several years; in 2020, he was promoted to community relations and crime prevention sergeant; and

WHEREAS, Gary Penn has shown extraordinary dedication to helping vulnerable members of the community throughout his career, and has made great efforts to cultivate productive partnerships with local schools, churches, businesses, civic organizations, and surrounding jurisdictions; and

WHEREAS, beyond his work in law-enforcement, Gary Penn has given generously of his time in support of the community through his involvement with the Virginia Moose Association District #10, the YMCA Altavista board of directors, the Rustburg Ruritan Club, Rustburg United Methodist Church, and Habitat for Humanity; and

WHEREAS, Gary Penn's remarkable efforts have garnered numerous recognitions, including 2008 Deputy of the Year by the Fraternal Order of Police Lodge 336 and 2022 Citizen of the Year by the Rustburg Ruritan Club; and

WHEREAS, on November 5, 2024, Gary Penn was elected to serve on the Altavista Town Council, starting a new chapter in an illustrious career devoted to serving and protecting others; now, therefore, be it

RESOLVED by the House of Delegates, That Gary E. Penn hereby be commended for his legacy of service on the occasion of his retirement from the Campbell County Sheriff's Office; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Gary E. Penn as an expression of the House of Delegates' admiration for his contributions to the Commonwealth.

HOUSE RESOLUTION NO. 770

Commending Ally and Michael Stebner.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Ally and Michael Stebner, two experienced chefs and restaurateurs in Sterling have demonstrated their commitment to culinary excellence and built a strong connection to the local community through their restaurants, Local Provisions and Brasserie Royale; and

WHEREAS, Michael Stebner is a visionary, award-winning chef, whose cuisine has earned numerous accolades, including two invitations to the renowned James Beard House in New York; and

WHEREAS, Michael Stebner trained in renowned kitchens like the French Laundry and Lavande in the Loews Santa Monica Beach Hotel, both in California; he worked as a sous chef at Caesar's Palace in Las Vegas under acclaimed chef and mentor James Boyce, then served as chef de cuisine for the world-class Azzura Point at Loews Coronado Bay Resort; and

WHEREAS, Michael Stebner is a champion for the Slow Food philosophy, which preserves local food traditions and provides education about responsible food choices; he previously operated the award-winning restaurant, Region, in San Diego, California, during which time he represented San Diego at the Slow Food convention in Italy; and

WHEREAS, over the course of his career, Michael Stebner has also gained experience with national restaurant chains, serving as the director of culinary at Sweetgreen, and he has worked on menu development and brand scaling with Cava Grill; and

WHEREAS, after moving to Northern Virginia, Ally and Michael Stebner opened their own restaurant, Local Provisions, which has quickly become a community favorite and developed a loyal following of regular customers for its welcoming atmosphere, unique decor, and use of local ingredients like rockfish from the Chesapeake Bay; and

WHEREAS, Ally and Michael Stebner's latest venture, Brasserie Royale, strives to make traditional French cuisine more accessible, promising fresh and exciting takes on classic recipes that will appeal to foodies and casual diners alike; now, therefore, be it

RESOLVED by the House of Delegates, That Ally and Michael Stebner hereby be commended on the occasion of the second anniversary of their restaurant Local Provisions and the opening of their new restaurant Brasserie Royale; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Ally and Michael Stebner as an expression of the House of Delegates' admiration for their contributions to the vibrant dining scene in Sterling.

HOUSE RESOLUTION NO. 771

Commending CHIKO.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, CHIKO, a Chinese and Korean fusion restaurant group by award-winning chefs Scott Drewno and Danny Lee, celebrated the grand opening of a new location in Sterling in February 2025; and

WHEREAS, Scott Drewno and Danny Lee founded The Fried Rice Collective and opened the first CHIKO location in 2017 in the Capitol Hill neighborhood of Washington, D.C.; since that time, the restaurant has expanded to other locations in Northern Virginia and California; and

WHEREAS, while previous CHIKO locations maintain a fast-casual dining atmosphere, the new Sterling CHIKO location will be a full-service establishment with waitstaff to offer guests an elevated experience and an opportunity to better enjoy CHIKO's signature dishes; and

WHEREAS, Scott Drewno and Danny Lee have previously earned a RAMMY award from the Restaurant Association Metropolitan Washington in the Best New Restaurant and Best Casual Restaurant categories, and they are currently nominated for the 2025 Outstanding Restaurateur award from the James Beard Foundation; now, therefore, be it

RESOLVED by the House of Delegates, That CHIKO hereby be commended on the occasion of the grand opening of its Sterling location in 2025; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Scott Drewno and Danny Lee, founders of CHIKO, as an expression of the House of Delegates' admiration for the restaurant's contributions to the vibrant dining scene in Northern Virginia.

HOUSE RESOLUTION NO. 772

Celebrating the life of Richard Joseph Grosh.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Richard Joseph Grosh, a veteran, a trailblazer in mechanical engineering, a distinguished higher education administrator, and a loving husband, father, and grandfather, died on January 23, 2025; and

WHEREAS, Richard "Dick" Joseph Grosh grew up in Fort Wayne, Indiana, and attended Purdue University until he was drafted into the United States Army in 1946; and

WHEREAS, Dick Grosh was stationed in Japan with the Army Counterintelligence Corps until 1947, then returned to Purdue University to complete his bachelor's degree in mechanical engineering; and

WHEREAS, Dick Grosh worked for Capehart-Farnsworth Corporation, where he studied innovative technologies, then subsequently earned a doctorate from Purdue University and worked as a professor of mechanical engineering and dean of the institution's school of engineering; and

WHEREAS, during his time as a faculty member of Purdue University, Dick Grosh engaged in teaching and research of heat transfer, fluid mechanics, thermodynamics, and other areas of study; he was the author of more than 100 articles on technical and educational issues; and

WHEREAS, recognized as a leader in higher education, Dick Grosh was appointed as president of Rensselaer Polytechnic Institute in New York in 1971 and helped revitalize the institution by establishing a modern sports and recreational center, renovating the dining hall, creating new parking facilities and graduate housing units, and beginning construction on a new library; and

WHEREAS, while president of Rensselaer Polytechnic Institute, Dick Grosh also served as trustee of Troy Savings Bank, Emma Willard School, and the New York Commission on Independent Colleges and Universities; in addition, he served as chair of the Awards Committee of the National Academy of Engineering and chair of the academy's Committee on Minorities in Engineering; and

WHEREAS, Dick Grosh next returned to the private sector as chair and chief executive officer of Ranco, Inc., in Ohio, serving in that capacity until 1987; and

WHEREAS, after his well-earned retirement, Dick Grosh sailed his boat through Lake Erie, Lake Ontario, and the St. Lawrence Seaway, then rounded Nova Scotia and settled in Maine; he was asked by Maine Maritime Academy to draft a long-range plan for the institution and ultimately served for 15 years as a member of its board of trustees; and

WHEREAS, Dick Grosh was a man of many talents who relished every opportunity to spend time with his loved ones and was proud to support his children and stepchildren in all their endeavors, including his stepdaughter, Juli Briskman, who currently serves on the Loudoun County Board of Supervisors; and

WHEREAS, predeceased by his first wife, Susan, Dick Grosh will be fondly remembered and greatly missed by his wife of nearly 40 years, Suzanne; his children, Katherine, Anton, Richard, John, Jane, and Susie, and their families; his stepchildren, Laurie, David, and Juli, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Richard Joseph Grosh; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Richard Joseph Grosh as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 773

Celebrating the life of Jeff Meredith.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Jeff Meredith, an acclaimed actor, director, and producer, founder of the Virginia Musical Theatre in Virginia Beach, and beloved member of the Hampton Roads community, died in 2024; and

WHEREAS, born Hugh Washington Williams IV, Jeff Meredith got his first big break as an actor and adopted his stage name at the age of 12, when he played a young Patrick Dennis alongside famed actor Greer Garson in a production of *Auntie Mame*; and

WHEREAS, after graduating from high school at the age of 16 and college three years later, Jeff Meredith earned a master's degree in theater from Virginia Commonwealth University before studying at the Royal Academy of Arts in London on a Ford Foundation grant; and

WHEREAS, Jeff Meredith studied dance and became a skilled tap dancer before setting off for New York, where he landed his first gig on Broadway dancing in a production of *No, No, Nanette*; and

WHEREAS, Jeff Meredith found continued success on Broadway, appearing in productions of *Irene* and *Applause*, yet felt compelled to return to his hometown of Norfolk, where he directed the Tidewater Dinner Theatre for three years; and

WHEREAS, with ambitions to start his own professional musical theater, Jeff Meredith took a job at the Metropolitan Opera in New York to learn the business; soon thereafter, he was working alongside the legendary dancer

Mikhail Baryshnikov to promote the American Ballet Theatre's summer tour, which led to a job as an arts marketing manager for the New York City Opera; and

WHEREAS, at the height of his power as a marketing executive in New York City, Jeff Meredith again returned to Hampton Roads to start a musical theater in Virginia Beach, which started as the Commonwealth Musical Stage and is today known as the Virginia Musical Theatre; and

WHEREAS, since its first production in October 1991 to today, Jeff Meredith's Virginia Musical Theater has achieved great renown throughout the Hampton Roads Region by staging world-class Broadway musicals, such as *Annie Get Your Gun*, *South Pacific*, and *The King and I*, to the delight of local audiences; and

WHEREAS, throughout his career, Jeff Meredith was a generous and supportive mentor to countless aspiring actors and theater professionals, making an imprint on the arts culture of the Hampton Roads Region that will be felt for years to come; and

WHEREAS, Jeff Meredith will be fondly remembered and dearly missed by numerous family members, friends, and theatregoers throughout the Hampton Roads Region; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Jeff Meredith, a celebrated actor, director, and producer from Hampton Roads whose legacy on the stage inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Jeff Meredith as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 774

Celebrating the life of Benjamin Rodriguez.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Benjamin Rodriguez, an esteemed businessman and contractor, dedicated philanthropist, and beloved member of the Virginia Beach community, died on October 9, 2024; and

WHEREAS, born in Portsmouth and raised in Chesapeake, Benjamin "Rod" Rodriguez graduated from Cradock High School in Portsmouth before embarking upon a successful career in contracting with Parker-Sparks, Inc., where he rose to the rank of vice president; and

WHEREAS, Rod Rodriguez co-founded his own company, Bay Mechanical, Inc., in 1980 with Dave Sparks and grew the enterprise into one of the leading mechanical contractor businesses in the southeastern United States; and

WHEREAS, as a chairman and chief executive officer of Bay Mechanical, Rod Rodriguez oversaw distinguished projects across the Commonwealth and Mid-Atlantic region, including the Virginia Beach Convention Center, Virginia Aquarium and Marine Science Center, Norfolk Cruise Terminal, and several museums, hospitals, universities, stadiums, and amphitheaters; and

WHEREAS, beyond his construction work, Rod Rodriguez contributed to the growth and development of his community by serving on the board of directors for TowneBank Virginia Beach and as past chairman of their former loan committee, as well as on the boards of SouthTrust Bank and the former Bank of Tidewater; and

WHEREAS, Rod Rodriguez gave abundantly of his time to support various organizations, including serving as chair of the Virginia Museum of Contemporary Art and the Virginia Beach Wetlands Board and in an advisory capacity with the Virginia Beach Board of Zoning Appeals, Norfolk State University Board of Visitors, and Virginia Beach Foundation; and

WHEREAS, as a testament to his legacy of service, Rod Rodriguez was inducted into the Hampton Roads Business Hall of Fame and had the honor of serving as King Neptune in 2002, in addition to many other distinguished accolades; and

WHEREAS, Rod Rodriguez will be fondly remembered and dearly missed by his loving wife of 28 years, Cindy; his children, Kelly, Michelle, and Mike, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Benjamin Rodriguez, a treasured member of the Virginia Beach community whose hard work and dedication made a difference in countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Benjamin Rodriguez as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 775

Commending Shorebreak Pizza and Taphouse.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Shorebreak Pizza and Taphouse, an award-winning restaurant in Virginia Beach, has become a beloved local meeting place that is well known for its delicious meals and its commitment to community service; and

WHEREAS, in addition to its acclaimed menu, which features dishes made from the freshest locally sourced ingredients, Shorebreak Pizza and Taphouse provides a welcoming atmosphere for friends and families to gather and build lasting memories; and

WHEREAS, Shorebreak Pizza and Taphouse strives to give back to the community and enhance the quality of life throughout Virginia Beach by supporting charitable organizations and local schools; and

WHEREAS, Shorebreak Pizza and Taphouse has earned numerous accolades, including a Travelers' Choice Award from Tripadvisor, a Diners' Choice award from OpenTable, and a Neighborhood Faves award from Nextdoor; it was also named as the Best Sports Bar in Virginia by *Men's Health* magazine and one of the top workplaces in Hampton Roads by *Inside Business*; now, therefore, be it

RESOLVED by the House of Delegates, That Shorebreak Pizza and Taphouse hereby be commended for its service to the community of Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Shorebreak Pizza and Taphouse as an expression of the House of Delegates' admiration for its contributions to the vibrant local economy.

HOUSE RESOLUTION NO. 776

Commending Waller Tire Place.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Waller Tire Place has provided the Hopewell and Chester communities with exemplary tire service for many years; and

WHEREAS, Waller Tire Place was founded in 1983 by Woodrow Waller, Jr., in an old, one-room schoolhouse, the former Kingsland Elementary School on Jefferson Davis Highway in Chester, with little financial backing but an abundance of hard work and determination; and

WHEREAS, Waller Tire Place quickly expanded, building a new facility adjacent to the original location and, by 1993, moved operations to the Chester location at 1300 West Hundred Road on Route 10 under the leadership of the late Woodrow Waller, Sr.; and

WHEREAS, the success of Waller Tire Place's Chester location, managed by general manager Ray Waller, Sr., and his son Ray Waller, Jr., stands as a testament to the company's commitment to excellence, family values, and community service; and

WHEREAS, Waller Tire Place has deep roots in family tradition, drawing on the Christian values instilled during the founders' upbringing, exemplified by the motto, "treat others as you wish to be treated"; and

WHEREAS, Waller Tire Place's Hopewell location, established in April 2008 at 202 East City Point Road and managed by John Waller, with over 30 years of experience in the tire business, has proudly served the community for 20 years, continuing the legacy of quality service, trust, and commitment to going above and beyond for its customers; and

WHEREAS, the outstanding service of Waller Tire Place has supported local economic growth and reinforced the values of integrity, hard work, and compassion within Chester and Hopewell; now, therefore, be it

RESOLVED by the House of Delegates, That Waller Tire Place hereby be commended for its many years of outstanding service in Chester and Hopewell, its significant contributions to local commerce, its commitment to Christian values, and its role as a model of excellence and community service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Waller Tire Place and its leadership in Chester and Hopewell as an expression of the House of Delegates' appreciation and admiration for their contributions to the community.

HOUSE RESOLUTION NO. 777

Commending New Mount Vernon Baptist Church.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, for 90 years, New Mount Vernon Baptist Church has provided opportunities for spiritual growth to its congregation while enhancing the quality of life for the Portsmouth community through inspirational outreach; and

WHEREAS, New Mount Vernon Baptist Church was established in 1935 by Hiram H. Maggett, who served as the first chair of the Board of Deacons; the Reverend F.G. Sharp briefly served as the original pastor and was succeeded by the Reverend E.C. Walton, who served for 10 years and oversaw the purchase of the church's first location on South Green Street; and

WHEREAS, in 1947, the Reverend J.R. Wilkerson was elected pastor of New Mount Vernon Baptist Church and led a transformational period in the church's history; he guided the church to its second location on Wythe Street in the early 1960s and to a three-story building on Fourth Street in the mid-1970s; and

WHEREAS, after helping New Mount Vernon Baptist Church grow in both faith and number, Reverend Wilkerson retired in 1977 and was named pastor emeritus; he was succeeded by the Reverend Vernon S. Lee, Sr., who helped the church engage with the community by expanding volunteerism efforts and educational programs; and

WHEREAS, Reverend Lee oversaw the purchase of New Mount Vernon Baptist Church's property on Victory Boulevard and led services at another nearby church until the new building opened in 1991; and

WHEREAS, in 2001, the Reverend Allen Clark, Sr., who had previously held many other leadership roles in the congregation, was called as the fifth pastor of New Mount Vernon Baptist Church; and

WHEREAS, the current pastor of New Mount Vernon Baptist Church, the Reverend Michael D. Chance, originally served as a spiritual facilitator before he was officially installed as pastor in 2008; he invigorated the congregation by establishing new ministries, such as Sisters with Vision, Men of Blessings, and Senior Saints, and revamping the Creative Arts Ministry, Youth Bible Study, Youth Choir, and Youth Ushers programs; and

WHEREAS, under Reverend Chance's leadership, New Mount Vernon Baptist Church has remained a beacon of hope and faith for the residents of Portsmouth, and its members have gone above and beyond to make a difference in the community; now, therefore, be it

RESOLVED by the House of Delegates, That New Mount Vernon Baptist Church hereby be commended on the occasion of its 90th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to New Mount Vernon Baptist Church as an expression of the House of Delegates' admiration for the church's legacy of service to the Portsmouth community.

HOUSE RESOLUTION NO. 778

Commending Chris Scott.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Chris Scott, head coach of the Oscar F. Smith High School football team, was named the Virginia High School League Class 6 Coach of the Year in 2024; and

WHEREAS, Chris Scott led the Oscar Smith High School football team to a Virginia High School League (VHSL) Class 6 state championship with a thrilling 21-20 win over James Madison High School of Fairfax County on December 14, 2024, which capped a remarkable, undefeated season; and

WHEREAS, Chris Scott was named head coach of the Oscar Smith High School football team in 2019 and previously won VHSL state championships in 2020 and 2021, establishing the Oscar Smith Tigers as one of the most dominant squads in the Commonwealth; and

WHEREAS, Chris Scott motivates his players to achieve their full potential, while also showing great concern for their well-being academically, physically, socially, and emotionally; and

WHEREAS, Chris Scott generously imparts his knowledge and deep understanding of the game of football to his players, encouraging their triumphs both on the gridiron and in life; and

WHEREAS, with a passion for winning and an unwavering commitment to his players, Chris Scott has epitomized the virtues of coaching, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Chris Scott hereby be commended for being named the 2024 Virginia High School League Class 6 Coach of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Chris Scott as an expression of the House of Delegates' high regard for his achievements and best wishes for his continued success.

HOUSE RESOLUTION NO. 779

Commending Kwame Alexander.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Kwame Alexander, a celebrated children's author, poet, and educator, was presented Male Author of the Year and Poetry Book of the Year awards at the African Americans on the Move Book Club Awards in 2024; and

WHEREAS, Kwame Alexander is a Chesapeake native and a seventh-generation Virginian who is the descendant of an African American patriot and hero who served with the Union Army during the Civil War; and

WHEREAS, Kwame Alexander was inspired to pursue a career in writing after studying under the famed poet Nikki Giovanni at Virginia Polytechnic Institute and State University; and

WHEREAS, Kwame Alexander has authored numerous books that have earned prestigious accolades such as the Lee Bennett Hopkins Poetry Award, a Coretta Scott King Award honor book, NAACP Image Award nominations, and the inaugural Conroy Legacy Award; and

WHEREAS, Kwame Alexander achieved great acclaim for his verse novel, *The Crossover*, which was adapted for the screen and premiered on the Disney Channel and the Disney+ streaming service in April 2023; and

WHEREAS, Kwame Alexander launched Versify, an imprint of Houghton Mifflin Harcourt Books for Young Readers, in 2019 to promote awareness of diverse and unconventional authors and to connect them with a wider readership; and

WHEREAS, in addition to his African Americans on the Move Book Club honors, Kwame Alexander was also presented an honorary doctorate from American University in 2024 in recognition of his extraordinary impact on the American literary canon; now, therefore, be it

RESOLVED by the House of Delegates, That Kwame Alexander hereby be commended for receiving Male Author of the Year and Poetry Book of the Year awards at the African Americans on the Move Book Club Awards in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Kwame Alexander as an expression of the House of Delegates' admiration for his remarkable literary contributions and best wishes for his continued success.

HOUSE RESOLUTION NO. 780

Commending Pat Woodbury.

Agreed to by the House of Delegates, February 18, 2025

WHEREAS, Pat Woodbury, a devoted educator and proactive community leader, served the residents of Newport News as a member of the Newport News City Council for 16 years; and

WHEREAS, a graduate of The College of William & Mary, Pat Woodbury was a certified school psychologist and a longtime professor at Hampton University, where she educated future teachers at the undergraduate and graduate levels; and

WHEREAS, desirous to be of further service to the community, Pat Woodbury ran for and was elected to the Newport News City Council, representing the Central District; and

WHEREAS, Pat Woodbury supported numerous initiatives that enhanced the quality of life in the city, including programs that revitalized the East End and expanded affordable housing options; and

WHEREAS, Pat Woodbury voted to adopt a five-year capital improvements plan that focused on development in Downtown Newport News and the City Center at Oyster Point, as well as the rehabilitation of public housing through the Choice Neighborhoods program; and

WHEREAS, Pat Woodbury oversaw renovations at Warwick High School, including the acquisition of new school buses and HVAC roof units, the construction of new court rooms and libraries, and a refurbishment of Stoney Run Park; and

WHEREAS, Pat Woodbury was a champion for environmental causes and led efforts to have solar panels installed on local public schools and city buildings; and

WHEREAS, Pat Woodbury coordinated with officials from other cities in the region and members of the Transportation District Commission of Hampton Roads to study and allocate transportation costs; and

WHEREAS, in addition to her work on the Newport News City Council, Pat Woodbury had served on the Hampton Roads Transit Board of Commissioners since 2008 and the Virginia Municipal League Executive Committee since 2012; and

WHEREAS, Pat Woodbury served the residents of Newport News and the Commonwealth with the utmost dedication, integrity, and distinction and looks forward to seeking new opportunities to serve her community after her retirement from public office; now, therefore, be it

RESOLVED by the House of Delegates, That Pat Woodbury hereby be commended on the occasion of her retirement as a member of the Newport News City Council; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Pat Woodbury as an expression of the House of Delegates' admiration for her legacy of achievements on behalf of the Newport News community.

HOUSE RESOLUTION NO. 781

Celebrating the life of Ann Marie Sullivan, Ph.D.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Ann Marie Sullivan, Ph.D., an esteemed educator and dedicated member of the Prince George County community, died on September 1, 2024; and

WHEREAS, Ann Marie Sullivan was born in Minnesota on August 15, 1960, to Laurel and the late Harold Gehlert; and

WHEREAS, Ann Marie Sullivan was a distinguished professor of chemistry at J. Sargeant Reynolds Community College, where she taught for 31 years, tirelessly educating and mentoring generations of students; and

WHEREAS, prior to her tenure at J. Sargeant Reynolds Community College, Ann Marie Sullivan earned a bachelor's degree in chemistry from Virginia Polytechnic Institute and State University and a doctoral degree in chemistry from Virginia Commonwealth University in 1993; and

WHEREAS, Ann Marie Sullivan was a dedicated member of the Virginia Community College System, where she had taught full-time since 1993, enriching the academic experience of her students and advancing the field of chemistry education; and

WHEREAS, a leader within the American Chemical Society, Ann Marie Sullivan made a lasting impact over 40 years, serving in key national and local roles, including committee chair, councilor, and section chair, while also organizing Chemistry Olympiad and community activities; and

WHEREAS, Ann Marie Sullivan was the recipient of numerous accolades for her leadership and service, including recognition for her contributions to diversity, technician affairs, membership engagement, and the promotion of women in chemistry; and

WHEREAS, outside of her professional accomplishments, Ann Marie Sullivan was a devoted wife to the late David Sullivan, her husband of 41 years, who passed away on March 2, 2024; and

WHEREAS, Ann Marie Sullivan cherished time with her sons, Bryan Sullivan of Chester and Patrick Sullivan of Prince George County, and found joy in making jewelry, gardening with her mother, and collaborating with her brother, Owen, on home renovations; and

WHEREAS, Ann Marie Sullivan will be fondly remembered by her sons, Bryan and Patrick; her mother, Laurel; her brothers, Lyle and Owen; and many extended family members, friends, colleagues, and students whose lives she touched; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Ann Marie Sullivan, Ph.D., whose legacy as an educator, mentor, and leader will be cherished by all who knew her; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Ann Marie Sullivan, Ph.D., as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 782

Celebrating the life of Elwood Lorenzo Williams.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Elwood Lorenzo Williams, a devoted community leader who empowered generations of young people in Norfolk, died on August 5, 2024; and

WHEREAS, Elwood Williams grew up in Elizabeth City, North Carolina, and pursued a career as a teacher in Rich Square, North Carolina, after he graduated from college with a degree in physical education; and

WHEREAS, Elwood Williams eventually relocated to the Commonwealth and settled in Norfolk, where he became better known as "Coach Williams" to the young people he served and inspired; and

WHEREAS, Elwood Williams served as executive director of the Colonial Boys Club and the Southside Boys & Girls Club; he used sports to teach life lessons and was a trusted mentor and father figure to children in need; and

WHEREAS, Elwood Williams enhanced local life by providing children with a safe and supportive place in which to learn and grow, and many of his former students continued to seek his wise counsel as adults; and

WHEREAS, Elwood Williams imparted his passion for servant leadership to every child in his care, many of whom went on to also serve as community leaders, including one who became mayor of Norfolk; and

WHEREAS, Elwood Williams will be fondly remembered and greatly missed by numerous family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Elwood Lorenzo Williams, a highly admired leader in the Norfolk community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Elwood Lorenzo Williams as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 783

Celebrating the life of Lieutenant General Arthur J. Gregg, USA, Ret.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Lieutenant General Arthur J. Gregg, USA, Ret., a distinguished expert in military logistics and the first Black American to reach the rank of lieutenant general in the United States Army, died on August 22, 2024; and

WHEREAS, Arthur Gregg spent much of his youth near Florence, South Carolina, and moved to Newport News with his family when he was in high school; and

WHEREAS, Arthur Gregg trained as a medical laboratory technician in Chicago, Illinois, but a lack of opportunities due to segregation led him to return to the Commonwealth and pursue a military career; and

WHEREAS, in 1946, Arthur Gregg's parents signed waivers allowing him to enlist in the United States Army at the age of 17; after basic training, he was assigned to a unit in Germany as a medical laboratory technician, then served as a unit supply clerk for a quartermaster truck company and as the unit supply sergeant for the 510th Military Police Detachment; and

WHEREAS, Arthur Gregg overcame prejudice and racial discrimination to win acceptance to Officer Candidate School at Fort Riley, Kansas, and was commissioned as a second lieutenant on May 19, 1950; he was assigned to an all-Black unit

at what was then known as Fort Lee and subsequently witnessed the full racial integration of the United States Army in 1954; and

WHEREAS, during the Vietnam War, Arthur Gregg assumed command of the 96th Quartermaster Direct Support Battalion, which received a Meritorious Unit Citation under his exceptional leadership; and

WHEREAS, after returning home to the United States, Arthur Gregg was assigned to the Joint Petroleum Office in U.S. European Command, where he facilitated communication with allied militaries on petroleum logistics, then led the Army and Air Force Exchange Service in Germany, which provides goods and services to deployed military members and their families; and

WHEREAS, Arthur Gregg was next selected by President Jimmy Carter to serve as director of logistics for the Joint Chiefs of Staff and made history when he was promoted to lieutenant general in 1977; and

WHEREAS, Arthur Gregg accepted his final posting as deputy chief of staff for logistics in 1979, then retired from the United States Army in August 1981; over the course of his 35-year career, he successfully ensured that American soldiers around the world had the supplies and equipment they needed, and he made invaluable contributions to the development of logistics doctrine; and

WHEREAS, among many awards and decorations for his outstanding accomplishments, Arthur Gregg received the Defense Distinguished Service Medal, the Army Distinguished Service Medal, and the Legion of Merit with two Oak Leaf Clusters; and

WHEREAS, in civilian life, Arthur Gregg held leadership positions in various corporations and gave generously of his time and talents to support nonprofit organizations and civic groups; and

WHEREAS, in April 2023, when Fort Lee was renamed as Fort Gregg-Adams, Arthur Gregg made history again as the only living person at the time to have a United States military installation named in his honor, reflecting not only his esteemed service to the nation, but his dedication to advancing opportunities for Black Americans in the military; and

WHEREAS, predeceased by his wife of 56 years, Charlene, and one daughter, Sandra, Arthur Gregg will be fondly remembered and greatly missed by his daughters, Margy and Alicia, and their families, and numerous other family members, friends, and fellow veterans; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Lieutenant General Arthur J. Gregg, USA, Ret., a highly respected member of the United States Army, whose trailblazing achievements inspired future generations of soldiers; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Lieutenant General Arthur J. Gregg, USA, Ret., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 784

Celebrating the life of Luther Foster Brown, Jr.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Luther Foster Brown, Jr., a civic-minded member of the community in Portsmouth, died on August 31, 2024; and

WHEREAS, Luther Brown grew up in the Douglas Park neighborhood and attended Portsmouth Public Schools; he began to cultivate his deep faith at a young age as a member of St. James Episcopal Church; and

WHEREAS, Luther Brown joined the United States Air Force in 1957 and served his country for several years; and

WHEREAS, Luther Brown traveled throughout the world during his time in the military, then settled back in Portsmouth and lived in the Brighton and Prentiss Park neighborhoods; and

WHEREAS, Luther Brown was a dedicated volunteer poll worker on election days and took pride in encouraging others to fulfill their civic duty to vote; and

WHEREAS, Luther Brown was passionate about college and professional football and a lifelong fan of the Pittsburgh Steelers; and

WHEREAS, Luther Brown brought joy to others through his wit, sense of humor, kindness, and commitment to service; and

WHEREAS, Luther Brown will be fondly remembered and greatly missed by his daughter, Chanta, and her family, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Luther Foster Brown, Jr., an active volunteer leader in Portsmouth; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Luther Foster Brown, Jr., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 785

Commending Bishop Samuel L. Carruth.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Bishop Samuel L. Carruth, the presiding prelate of the National Pastors Fellowship Assemblies and the founder of Holy Light Church of Deliverance in Portsmouth, has admirably served the community for nearly 60 years; and

WHEREAS, inspired to become a faith leader at a young age, Samuel Carruth traveled throughout the country with his wife and family to conduct revivals for some time while also serving as the assistant pastor of Deliverance Evangelistic Church in Philadelphia, where he and pastor Benjamin Smith established their reputation as pioneers in deliverance ministry; and

WHEREAS, in 1967, Samuel Carruth both cofounded Holy Light Church of Deliverance in Portsmouth alongside his late wife, Mary Carruth, and started his acclaimed *A Message for Today* radio broadcast, both of which became vital sources of inspiring and uplifting spiritual guidance for the community; and

WHEREAS, Samuel Carruth earned a doctor of divinity degree from what was formerly the Jameson Bible Institute and helped others on their paths to becoming faith leaders by establishing the Holy Light College of Bible; and

WHEREAS, Samuel Carruth has been a generous and supportive mentor to all in need and has helped many to achieve their full potential either as faith leaders or in their respective fields; and

WHEREAS, Samuel Carruth has provided his congregation with abundant opportunities to help others through community outreach programs, such as his Picnic in the Park ministry and other ministry initiatives; and

WHEREAS, Samuel Carruth has supported the Portsmouth community in myriad ways, including by assisting the Portsmouth Police Department and the local juvenile and domestic courts and by serving as vice president of the regional Christian television station WJCB-TV; and

WHEREAS, at the age of 97, Samuel Carruth continues to regularly broadcast his sermons and spiritual teachings, supporting what is one of the largest and longest running Christian radio ministries in Hampton Roads; and

WHEREAS, in recognition of his dedication and longevity, Samuel Carruth has been graced with numerous awards, including most recently the 2019 Encore Lifetime Achievement Award and the 2020 Hampton Roads Ecumenical Council of Bishops Episcopal Leadership Award; and

WHEREAS, by providing comfort, guidance, hope, and a sense of purpose to an untold number of individuals and families, Samuel Carruth has made a profound and lasting impact on the Portsmouth community; now, therefore, be it

RESOLVED by the House of Delegates, That Bishop Samuel L. Carruth hereby be commended for his extraordinary legacy of service and faith leadership; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Bishop Samuel L. Carruth as an expression of the House of Delegates' admiration for his contributions to Portsmouth and the Commonwealth.

HOUSE RESOLUTION NO. 786

Celebrating the life of the Honorable Von LeRoy Piersall, Jr.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, the Honorable Von LeRoy Piersall, Jr., a former judge of the Portsmouth Juvenile and Domestic Relations District Court and the Portsmouth Circuit Court, died on July 29, 2024; and

WHEREAS, Von Piersall was born in Marietta, Ohio, and relocated to Portsmouth with his family when he was four years old; and

WHEREAS, Von Piersall graduated from Woodrow Wilson High School, where he was voted the wittiest member of his senior class, then earned a bachelor's degree and a law degree from the University of Richmond; and

WHEREAS, Von Piersall was elected as the Commonwealth's Attorney for Portsmouth in 1966 and was the youngest Commonwealth's Attorney in Virginia history; and

WHEREAS, in 1970, Von Piersall was appointed as a judge of the Portsmouth Juvenile and Domestic Relations District Court of the 3rd Judicial District of Virginia and presided over the court with great fairness and wisdom for the next 25 years; and

WHEREAS, Von Piersall was elevated to the Portsmouth Circuit Court of the 3rd Judicial Circuit of Virginia in 1995 and served in that capacity until his retirement in 2003; he continued to serve the court and the community as a substitute judge and a mediator for another 10 years; and

WHEREAS, Von Piersall was a 32nd degree mason and a member of the Scottish Rite of Freemasonry, the Elks Lodge, and the Lions Club; he enjoyed fellowship and worship with the congregation of Green Acres Presbyterian Church, where he held several leadership roles; and

WHEREAS, Von Piersall will be fondly remembered and greatly missed by his beloved wife of 60 years, Judy; his children, Lynn and Trey, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of the Honorable Von LeRoy Piersall, Jr., a respected jurist in Portsmouth; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Honorable Von LeRoy Piersall, Jr., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 787

Celebrating the life of Corey Rashaad Peterson.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Corey Rashaad Peterson, beloved member of the Hampton Roads community who achieved great success in the field of marketing and sports management, died on September 26, 2024; and

WHEREAS, born in Norfolk, Corey Peterson attended Virginia Beach Public Schools and graduated from Tallwood High School before earning a bachelor's degree in communications from Norfolk State University; and

WHEREAS, with a lifelong passion for sports, Corey Peterson embarked upon a career in marketing with a focus on sports management and sporting venues, employing decades of knowledge and experience to excel in his field; and

WHEREAS, in addition to following and discussing sports regularly, Corey Peterson enjoyed traveling the country extensively to attend sporting events; and

WHEREAS, Corey Peterson was an avid shoe collector who was highly regarded for his impeccable sense of style; and

WHEREAS, Corey Peterson was admired by all who knew him for his friendly and personable demeanor and his ability to make conversations and connections with anyone he met; and

WHEREAS, preceded in death by his mother, Francine, Corey Peterson will be fondly remembered and dearly missed by his father, James, Sr.; his stepmother, Dianne; his brother, James II; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Corey Rashaad Peterson, a treasured member of the Hampton Roads community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Corey Rashaad Peterson as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 788

Celebrating the life of Spencer J. Prayer.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Spencer J. Prayer, a hardworking longshoreman and an active and beloved member of the Portsmouth community, died on November 18, 2024; and

WHEREAS, Spencer Prayer attended Norfolk County Public Schools in his youth and graduated from Crestwood High School in 1962; and

WHEREAS, Spencer Prayer began his professional career with Virginia Chemicals, Inc., and later became a longshoreman with the Hampton Roads Shipping Association-International Longshoremen's Association at the Port of Virginia, where he worked tirelessly until a significant injury required him to retire in 2000; and

WHEREAS, Spencer Prayer and his siblings created the United Independence Club, a popular social club for the Lincoln Park community of Hampton from the 1960s through the 1980s, where he served as in-house deejay while helping to raise money for local children's activities; and

WHEREAS, Spencer Prayer was an accomplished athlete who was inducted into the Tidewater Virginia Hall of Fame and excelled in the Black baseball league in the Gilmerton and Deep Creek areas of Portsmouth in adulthood; and

WHEREAS, Spencer Prayer was an active and engaged member of the Crestwood High School Class of 1962, maintaining a near perfect attendance record at the group's events over the years; and

WHEREAS, guided throughout his life by his faith, Spencer Prayer was a devoted member of Grove Church in Portsmouth, where he enjoyed worship and fellowship with his community; and

WHEREAS, preceded in death by his wife, Pearl, Spencer Prayer will be fondly remembered and dearly missed by his children, Darius and Catricia, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Spencer J. Prayer, a treasured member of the Portsmouth community whose wisdom, kindness, and integrity inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Spencer J. Prayer as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 789

Commemorating the life and legacy of David Walker.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, David Walker, an honorable veteran of the United States Navy, died in the line of duty during the Japanese attack on Pearl Harbor on December 7, 1941; and

WHEREAS, a native of Portsmouth, David Walker attended I.C. Norcom High School before dropping out to join the United States Navy; and

WHEREAS, on the fateful day that catapulted the United States into World War II, David Walker was 19 years old and serving as a mess attendant on the USS *California*; and

WHEREAS, the USS *California* was hit by two Japanese torpedoes and a bomb during the attack on Pearl Harbor, resulting in the death of more than 100 sailors and marines; and

WHEREAS, David Walker's body was recovered but unidentified until 2018, when remains of the unknown dead from the USS *California* were exhumed from a Navy cemetery in Hawaii and examined using modern DNA testing; and

WHEREAS, with a sample from his cousin Cheryle Stone, researchers with the POW/MIA Accounting Agency at the United States Department of Defense were able to positively identify David Walker's remains in 2024, leading to his formal burial at Arlington National Cemetery later that year; and

WHEREAS, the recent identification and proper interment of David Walker's remains have helped to bring closure for his family and have provided an opportunity for all citizens to honor and recognize his extraordinary courage and sacrifice on behalf of the nation; now, therefore, be it

RESOLVED by the House of Delegates, That the life and legacy of David Walker hereby be commemorated in honor of his interment at Arlington National Cemetery in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the descendants of David Walker as an expression of the House of Delegates' deep respect for his heroism and service.

HOUSE RESOLUTION NO. 790

Celebrating the life of Ella Wease Tucker Jarrett.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Ella Wease Tucker Jarrett, an esteemed minister, beloved mother and grandmother, and cherished member of the Emporia community, died on December 3, 2024; and

WHEREAS, born and raised in Greensville County, Ella Jarrett was guided throughout her life by her faith, and her kind and compassionate spirit and unwavering devotion to Christ inspired countless others on their spiritual journeys; and

WHEREAS, Ella Jarrett enjoyed worship and fellowship with several congregations in Emporia in her lifetime, including Antioch Missionary Baptist Church, the Glorious Church of God in Christ, St. Matthews House of Prayer, and the Salt of the Earth Ministry under pastor Jerry Powell; and

WHEREAS, Ella Jarrett enthusiastically shared the gospel with her community and radiated her faith in all she did, whether over the airwaves of WEVA radio, while styling clients' hair in her kitchen, or during compassionate visits to nursing home residents; and

WHEREAS, preceded in death by her husband, Otis, Ella Jarrett will be fondly remembered and dearly missed by her children, Bobby, Beverly, Connie, Clayton, and Carlton, Sr., and their families and by numerous other family members and friends, including 28 grandchildren, 40 great-grandchildren, 34 great-great-grandchildren, and six great-great-great grandchildren; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Ella Wease Tucker Jarrett, a revered member of the Emporia community whose compassion and dedication to her faith inspired all who knew her; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Ella Wease Tucker Jarrett as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 791

Celebrating the life of the Reverend Dr. Milton Roy Blount.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, the Reverend Dr. Milton Roy Blount, an esteemed faith leader and senior pastor of New Mount Olivet Baptist Church in Portsmouth, died on January 10, 2025; and

WHEREAS, born in historic South Norfolk County and educated in Portsmouth Public Schools, Milton Blount earned a bachelor's degree from Norfolk State University before pursuing further studies at Virginia Union University and Regent University; and

WHEREAS, at the age of seventeen, Milton Blount embarked upon his illustrious career as a faith leader when he became an associate minister and was licensed and ordained at New Mount Olivet Baptist Church; and

WHEREAS, after serving as senior pastor of Poplar Lawn Baptist Church in Surry County from 1987 to 1992, where he contributed greatly to the growth of the church and its ministries, Milton Blount was installed as the fourth pastor of New Mount Olivet Baptist Church on January 31, 1993; and

WHEREAS, as pastor, mentor, and friend, Milton Blount provided the congregation at New Mount Olivet Baptist Church with uplifting spiritual guidance, joyful occasions for fellowship and worship, and abundant opportunities for community outreach; and

WHEREAS, with extraordinary love and compassion, Milton Blount made a profound impact in the community by standing with and supporting an untold number of individuals and families in their time of need; and

WHEREAS, Milton Blount's legacy as a faith leader included his involvement with the Hampton University Ministers Conference and Virginia Baptist State Convention and past service as the president of Tidewater Metro Baptist Ministers' Conference and moderator of Sharon Missionary Baptist Association; and

WHEREAS, Milton Blount had a deep concern for the well-being of others and gave generously of his time to a number of local organizations and agencies, including PORTCO, Inc., the Portsmouth Department of Behavioral Healthcare Services, and the Children's Home of Virginia Baptist, which he served as a member of the board of trustees; and

WHEREAS, Milton Blount was the president of both the Dr. Martin Luther King, Jr. Steering Committee and Church and Community in Action and worked tirelessly to ensure the voices in his community were heard; and

WHEREAS, Milton Blount will be fondly remembered and dearly missed by his loving wife of 45 years, Claudette; his daughter, Crystal, and her family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of the Reverend Dr. Milton Roy Blount, a beloved member of the Portsmouth community whose devotion, integrity, and unwavering faith inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of the Reverend Dr. Milton Roy Blount as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 792

Celebrating the life of Harold Alvin Goodman, Sr.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Harold Alvin Goodman, Sr., a dedicated employee at the Norfolk Naval Shipyard, champion for equality and civil rights, and an active and beloved member of the Portsmouth community, died on January 24, 2025; and

WHEREAS, Harold Goodman devoted more than 33 years to the Norfolk Naval Shipyard as a boilermaker, playing a vital role in the facility's efforts to build, remodel, and repair the United States Navy's ships; and

WHEREAS, after he was unfairly denied a promotion to general foreman, Harold Goodman successfully challenged the decision, which helped to pave the way for others to receive equal treatment in their promotions and to achieve greater success in their careers; and

WHEREAS, Harold Goodman was highly involved in his community, both as a longtime member of the Martin Luther King Jr. Steering Committee and as an enthusiastic advocate for civic engagement; and

WHEREAS, in addition to encouraging others to embrace their civic duty by volunteering with various political campaigns, Harold Goodman was instrumental to the integration of a golf course in Portsmouth; and

WHEREAS, Harold Goodman will be fondly remembered and dearly missed by his wife; his children and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Harold Alvin Goodman, Sr., a treasured member of the Portsmouth community who made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Harold Alvin Goodman, Sr., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 793

Celebrating the life of Bismarck Myrick, Sr.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Bismarck Myrick, Sr., of Portsmouth, a proud veteran and a respected diplomat who served as the United States ambassador to several countries over the course of his distinguished career, died on September 29, 2024; and

WHEREAS, Bismarck Myrick grew up in Portsmouth and graduated from I.C. Norcom High School in 1959; he enlisted in the United States Army and rose through the ranks to become a field grade officer, serving at various postings in the United States, South Korea, Germany, Japan, and Ethiopia; and

WHEREAS, Bismarck Myrick was an infantry company commander during the Vietnam War and earned numerous decorations for his meritorious service, including a Silver Star, four Bronze Stars, a Meritorious Service Medal, and a Purple Heart; he was also inducted into the National Infantry Hall of Fame at Fort Benning, Georgia; and

WHEREAS, Bismarck Myrick took every opportunity he could to better himself and enhance his abilities physically and academically; he was an avid runner who competed in several races and a dedicated student who earned a bachelor's degree from the University of Tampa and a master's degree from Syracuse University; and

WHEREAS, after his retirement from the military, Bismarck Myrick joined the U.S. Foreign Service and worked as a desk officer for Somalia in the Office of East African Affairs; he held several other leadership roles until he was nominated to serve as ambassador to the Kingdom of Lesotho in 1995 and to the Republic of Liberia in 1999; and

WHEREAS, Bismarck Myrick subsequently led U.S. diplomatic missions in Durban and Cape Town, South Africa, during the country's transition from apartheid rule; and

WHEREAS, Bismarck Myrick finished his career as a faculty member and ambassador-in-residence at Old Dominion University, where he inspired young men and women for more than 22 years; and

WHEREAS, among many awards and accolades, Bismarck Myrick received an honorary doctorate of humane letters from Spelman College, the Superior Honor Award from the U.S. Department of State, and the Most Meritorious Order of Mohlomi from the Kingdom of Lesotho; he has been recognized by the City of Portsmouth several times, and two city streets have been renamed in his honor; and

WHEREAS, Bismarck Myrick will be fondly remembered and greatly missed by his wife, Marie-Pierre; his children, Bismarck, Jr., Wesley, and Allison, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Bismarck Myrick, Sr., a patriotic veteran, esteemed diplomat, and highly admired member of the Portsmouth community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Bismarck Myrick, Sr., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 794

Commending Phillip C. Stone.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, in January 2025, Phillip C. Stone of Stone Law Group, PLC, in Harrisonburg and the founder of Rockingham County's Lincoln Day Ceremony, was selected by the Abraham Lincoln Association as a recipient of the prestigious Lincoln Lawyer Award for his contributions to the legal field and promotion of the life and legacy of President Abraham Lincoln; and

WHEREAS, the Abraham Lincoln Association was formed in 1908 to commemorate what would have been President Abraham Lincoln's 100th birthday and has evolved to become the premier nonprofit organization supporting scholarship on the nation's 16th president; and

WHEREAS, on February 12, 1976, Phillip Stone cofounded the Lincoln Day Ceremony at the Lincoln Homestead in Rockingham County to highlight the Lincoln family's connections to the Harrisonburg and Rockingham County communities, and he has been an active participant in the event for its entire history; and

WHEREAS, Phillip Stone ensured that the Lincoln Day Ceremony has been held every year, rain or shine, since 1976 and celebrated the 50th anniversary of the event in 2025; and

WHEREAS, a past president of Bridgewater College and Sweet Briar College, Phillip Stone also founded the Lincoln Society of Virginia, which has enhanced the Lincoln Day Ceremony's programs and provides year-round research and information about President Abraham Lincoln's life, works, and significance to American history; and

WHEREAS, the Abraham Lincoln Association's Lincoln Lawyer Award is awarded infrequently and only to individuals of the highest character who reflect the ideals of President Abraham Lincoln and have advanced the study of his life; and

WHEREAS, as founder of both the Lincoln Day Ceremony and the Lincoln Society of Virginia, Phillip Stone has helped thousands of people learn more about the legacy of President Abraham Lincoln; now, therefore, be it

RESOLVED by the House of Delegates, That Phillip C. Stone, esteemed winner of the Lincoln Lawyer Award, hereby be commended on the occasion of the 50th anniversary of Harrisonburg's Lincoln Day Ceremony; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Phillip C. Stone as an expression of the House of Delegates' admiration for his tireless work to preserve the history and heritage of the Commonwealth and the United States.

HOUSE RESOLUTION NO. 795

Commending the Phoebus High School football team.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, the Phoebus High School football team of Hampton earned its fourth-consecutive state title with a victory in the Virginia High School League Class 4 state championship on December 14, 2024; and

WHEREAS, the Phoebus High School Phantoms defeated the Varina High School Blue Devils by a score of 23-6 in the state final, which was held at Liberty University; and

WHEREAS, after an early field goal, the Phoebus Phantoms added a 54-yard touchdown pass from quarterback Maurikus Banks to Romeir Smith in the second quarter and a 13-yard touchdown run by Banks in the fourth quarter; and

WHEREAS, the Phoebus Phantoms' defense was characteristically strong, holding the Varina Blue Devils to a mere 168 yards on offense and recovering a fumble for another touchdown; and

WHEREAS, the Phoebus Phantoms played disciplined football, committing only three penalties compared to 13 for the Varina Blue Devils; and

WHEREAS, the 2024 season was the Phoebus Phantoms' second consecutive undefeated season and the state title was the 11th overall in school history, the second-most in the Virginia High School League record book; and

WHEREAS, the Class of 2025 also became the second in school history to win four consecutive state championships, and Phoebus High School became the first school in the Commonwealth to win in three different classifications over the course of its history; and

WHEREAS, the successful season was a tribute to the skill and hard work of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of the entire Phoebus High School community; now, therefore, be it

RESOLVED by the House of Delegates, That the Phoebus High School football team hereby be commended on winning the Virginia High School League Class 4 state championship in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Jeremy Blunt, head coach of the Phoebus High School football team, as an expression of the House of Delegates' admiration for the team's historic achievements.

HOUSE RESOLUTION NO. 796

Commending Captain Michelle M. Williams, USN.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Captain Michelle M. Williams, USN, director of the Contractual Services Management Office of Navy Installations Command, has served the nation in a variety of roles over the course of her 27-year military career; and

WHEREAS, Michelle Williams is a native of Alden, Minnesota, and a graduate of the University of Minnesota, where she earned a bachelor's degree in journalism; she began her career in the military as an assistant supply officer aboard the USS *Ross* and was a contracting officer at United States Marine Corps Base in Hawaii and a supply officer aboard the USS *Carter Hall* before she earned a master's degree in military science from the Marine Corps Command and Staff College; and

WHEREAS, over the next several years, Michelle Williams was assigned as the contracting officer for NATO Allied Command Transformation in Norfolk, chief of staff for the Defense Logistics Agency in Norfolk, enlisted community manager for supply at Navy Personnel Command in Tennessee, fleet supply program manager for the United States Pacific Fleet, and deputy director of Contracts, Grants and Acquisitions for the Office of Naval Research in Arlington; and

WHEREAS, in 2023, Michelle Williams was selected as the director of the Contractual Services Management Office under Navy Installations Command at the Washington Navy Yard, where she has provided expert contracting support for shore infrastructure and support for dozens of installations around the globe; and

WHEREAS, among many awards and decorations, Michelle Williams has received two Legions of Merit, two Defense Meritorious Service Medals, three Meritorious Service Medals, two Navy and Marine Corps Commendation Medals, and two Navy Achievement Medals; now, therefore, be it

RESOLVED by the House of Delegates, That Captain Michelle M. Williams, USN, hereby be commended for her service to the nation during her long and distinguished military career; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Captain Michelle M. Williams, USN, as an expression of the House of Delegates' admiration for her legacy of achievements.

HOUSE RESOLUTION NO. 797

Celebrating the life of Claude Allen Cobler.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Claude Allen Cobler, a dedicated and beloved member of the Bassett community who had a tremendous impact on emergency services in Henry County, died on October 29, 2022; and

WHEREAS, born in Henry County and one of 12 children, Claude Cobler was a devoted and hardworking employee at Fieldcrest Mills for 50 years; and

WHEREAS, Claude Cobler joined the Bassett Rescue Squad in 1966, embarking upon a long and illustrious career as an emergency medical technician; and

WHEREAS, in addition to serving as the captain, treasurer, chaplain, and president of the board of directors of the Bassett Rescue Squad, Claude Cobler organized the Smith River Valley Rescue Squad in 1985; and

WHEREAS, Claude Cobler was notably one of the first emergency medical technician instructors in the Commonwealth and also taught cardiopulmonary resuscitation and emergency vehicle operations, helping thousands of police officers and first responders better serve their communities; and

WHEREAS, Claude Cobler was a life member of the Virginia Association of Volunteer Rescue Squads and served the organization as chaplain and vice president of District 6; and

WHEREAS, in recognition of his efforts, Claude Cobler received various accolades at the local and state level, including the 2011 Jack Dalton Community Service Award from the Henry County Board of Supervisors; and

WHEREAS, guided by his faith, Claude Cobler enjoyed worship and fellowship with his community at First Baptist Church in Bassett, where he served as a deacon and Sunday school teacher; and

WHEREAS, preceded in death by his wife, Beatrice, Claude Cobler is fondly remembered and dearly missed by his children, Allen, Jeanie, and Janice, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Claude Allen Cobler, a treasured member of the Bassett community whose dedication and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Claude Allen Cobler as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 798

Commending the Gamma Delta Omega Chapter of Alpha Kappa Alpha Sorority, Inc.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, the Gamma Delta Omega Chapter of Alpha Kappa Alpha Sorority, Inc., has promoted unity and friendship among college women and enriched community life in Portsmouth for 85 years; and

WHEREAS, prior to the formation of the Gamma Delta Omega Chapter, members of Alpha Kappa Alpha Sorority in Portsmouth typically took a ferry to Norfolk to participate in the Iota Omega Chapter, then the only chapter in the immediate area; and

WHEREAS, to better serve the growing community, 11 local residents—Olivia Anderson, Ruth P. Chapman, Rufae J. Holmes, Carolyn W. Jackson, Margaret Moultrie, Dorothy B. Muckle, Bernice Plummer, Hazel W. Reid, Carrie O. Russell, Mamie S. Vick, and Ruth R. Waters—formed the Gamma Delta Omega Chapter, which received its charter on October 6, 1939; and

WHEREAS, the Gamma Delta Omega Chapter quickly began supporting local students by awarding scholarships and presented a baby grand piano to I.C. Norcom High School to further music education; and

WHEREAS, in its early years, the Gamma Delta Omega Chapter's main fundraiser was the Fashionetta show, and as the chapter grew, it also hosted afternoon teas, theatre productions, a debutante cotillion, and other engaging events; and

WHEREAS, in the 1960s, the Gamma Delta Omega Chapter organized the first Pan-Hellenic Council in Portsmouth and hosted the Alpha Kappa Alpha Sorority Mid-Atlantic Regional Conference; and

WHEREAS, the Gamma Delta Omega Chapter established the Mamie S. Vick Undergraduate Achievement Award to honor a college chapter with the most improved grade point average and coordinated a domestic travel grant program to help young women attend conferences or other leadership development opportunities; and

WHEREAS, members of the Gamma Delta Omega Chapter have provided their wise insights to numerous local and regional committees, and the chapter's outreach programs have touched the lives of countless women, children, and elderly residents of Portsmouth; and

WHEREAS, in 2006, the Gamma Delta Omega Chapter developed Twenty Pearls, Incorporated, a foundation that works in partnership with the chapter to support program initiatives and awards $15,000 in scholarships every year; and

WHEREAS, the Gamma Delta Omega Chapter was an early adopter of technology and adapted well to the challenges of the COVID-19 pandemic by hosting virtual meetings, celebrations, and workshops to stay engaged with the community in difficult times; and

WHEREAS, among many awards and accolades over the course of the chapter's history, the 2022-2026 administration of the Gamma Delta Omega Chapter received Alpha Kappa Alpha Sorority's International Soar Award for its significant impact in community service; now, therefore, be it

RESOLVED by the House of Delegates, That the Gamma Delta Omega Chapter of Alpha Kappa Alpha Sorority, Inc., hereby be commended on the occasion of its 85th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Gamma Delta Omega Chapter of Alpha Kappa Alpha Sorority, Inc., as an expression of the House of Delegates' admiration for the chapter's legacy of service to the Portsmouth community.

HOUSE RESOLUTION NO. 799

Celebrating the life of Enis Rodney Jenkins.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Enis Rodney Jenkins, a distinguished rider and horse trainer who was a legend in the sports of show jumping and thoroughbred steeplechase horse racing, died on December 5, 2024; and

WHEREAS, born in Middleburg and raised in Orange County, Rodney Jenkins was introduced to horse riding at a young age, with a mother who came from a family of riders and a father who was a professional huntsman; and

WHEREAS, after graduating from high school in 1961, Rodney Jenkins began working at Fairfield Farm, a show stable and breeding operation in Lake City, Florida, under Gene Mische, a leading figure in the world of American show jumping; and

WHEREAS, Rodney Jenkins competed in events along the East Coast for three years before returning to his family's farm, Hill Top Stables, in Orange County; and

WHEREAS, Rodney Jenkins achieved his first major international win riding Idle Dice in the Washington International Horse Show (WIHS) President's Cup in Washington in 1970, which he won again the following year; and

WHEREAS, Rodney Jenkins rode several prized horses over his illustrious career and amassed more than 70 grand prix victories, including three wins apiece at the American Gold Cup, National Horse Show, and WIHS Show events, giving him the most wins of any show jumper in the history of the sport at the time; and

WHEREAS, upon becoming eligible for the Olympics and Pan American Games following a rule change that permitted professional athletes, Rodney Jenkins claimed silver medals in both the individual and team events at the 1987 Pan American Games in Indiana; he also rode on 10 winning U.S. equestrian teams at the annual Fédération Équestre Internationale Nations Cup show jumping competition; and

WHEREAS, following his retirement from show jumping in 1989, Rodney Jenkins applied his unparalleled knowledge of horses to excel in a second career as a thoroughbred steeplechase horse trainer; and

WHEREAS, over his career as a trainer, Rodney Jenkins' thoroughbreds would win 941 races for more than $24 million in purse earnings, and his passion for his work kept him involved in the sport until the final months of his life; and

WHEREAS, Rodney Jenkins' many accolades include 1987 Rider of the Year from the American Grandprix Association, 1987 Horseman of the Year from what was formerly the American Horse Shows Association, 2003 Most Outstanding Trainer from the Maryland Thoroughbred Horsemen's Association, and inductions into both the National Horse Show Hall of Fame and Show Jumping Hall of Fame; and

WHEREAS, Rodney Jenkins will be fondly remembered and dearly missed by his loving wife, Unjin; his children, Matthew, Ty, Blythe, Robert, Patrick, ShinYeon, and ShinJi, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Enis Rodney Jenkins, whose accomplishments as a show jumper and horse trainer brought great pride to Orange County and were an inspiration to all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Enis Rodney Jenkins as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 800

Commending Andrew Terrill.

Agreed to by the House of Delegates, February 19, 2025

WHEREAS, Andrew Terrill, an honorable veteran and distinguished law-enforcement officer who oversaw the Operations Division of the Town of Culpeper Police Department, retired in 2024; and

WHEREAS, Andrew Terrill embarked upon his noble career in law enforcement while serving his country with honor and distinction as a member of the United States Marine Corps; and

WHEREAS, Andrew Terrill briefly served with the Culpeper County Sheriff's Office as a patrolman, then joined the Culpeper Police Department and began rising through the ranks over his distinguished 27-tenure with the department; and

WHEREAS, Andrew Terrill was promoted to captain of the Culpeper Police Department's Support Division in 2023 and a year later took the helm of the Operations Division, overseeing the department's patrol operations, community policing, and investigations divisions; and

WHEREAS, with experience as a patrol officer and detective in the patrol, street crimes, and general investigations divisions, Andrew Terrill was instrumental in expanding the Town of Culpeper's Neighborhood Watch program; he also served as a member of the Culpeper County Drug Court; and

WHEREAS, Andrew Terrill is a graduate of the Professional Executive Leadership School at the University of Richmond, the Institute for Leadership in Changing Times at the Virginia Polytechnic Institute and State University, and the FBI-LEEDA, Inc., Trilogy Series; and

WHEREAS, through his unwavering commitment to protecting and serving the Culpeper community, Andrew Terrill has exemplified the virtues of the law-enforcement profession, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Andrew Terrill, captain of the Operations Division of the Town of Culpeper Police Department, hereby be commended on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Andrew Terrill as an expression of the House of Delegates' high regard for his legacy of service and best wishes for his future endeavors.

HOUSE RESOLUTION NO. 801

Commending My Cravingz.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, My Cravingz, a family-owned Turkish bakery and restaurant in Manassas, has served numerous customers from its current location on Sudley Road for five years; and

WHEREAS, My Cravingz traces its roots to mid-2016, when Leyla Yildizci began baking traditional Turkish baked goods to sell at a newly opened Turkish grocery store; the original batch, which included a few Turkish-style bagels and stuffed pastries, quickly expanded to a larger, weekly order that became unmanageable in the Yildizci family's home kitchen; and

WHEREAS, Leyla Yildizci moved the operation to a commercial bakery, and members of the community began to purchase baked goods directly from the new location and request times for breakfast reservations; and

WHEREAS, Leyla Yildizci recognized that the business needed to adapt to meet the needs of its customers and worked with a local real estate agent to purchase a dining and retail space, which opened for business at the end of 2020; and

WHEREAS, despite the challenges of the COVID-19 pandemic, a host of loyal customers flocked to My Cravingz, which has become a beloved local gathering place, bringing people of all backgrounds together for delicious food and fellowship; now, therefore, be it

RESOLVED by the House of Delegates, That My Cravingz hereby be commended on the occasion of its fifth anniversary of service to the community from its current location; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Leyla Yildizci, founder of My Cravingz, as an expression of the House of Delegates' admiration for the restaurant's commitment to excellence and best wishes for future success.

HOUSE RESOLUTION NO. 802

Nominating persons to be elected to circuit court judgeships.

Agreed to by the House of Delegates, February 19, 2025

RESOLVED by the House of Delegates, That the following persons are hereby nominated to be elected to the respective circuit court judgeships as follows:

The Honorable Linda L. Bryant, of Chesapeake, as a judge of the First Judicial Circuit for a term of eight years commencing May 1, 2025.

Lavonda N. Graham-Williams, Esquire, of Portsmouth, as a judge of the Third Judicial Circuit for a term of eight years commencing January 1, 2026.

Michael J. Massie, Esquire, of Portsmouth, as a judge of the Third Judicial Circuit for a term of eight years commencing January 1, 2026.

The Honorable Devon R. Paige, of Norfolk, as a judge of the Fourth Judicial Circuit for a term of eight years commencing April 16, 2025.

Jennifer L. Fuschetti, Esquire, of Norfolk, as a judge of the Fourth Judicial Circuit for a term of eight years commencing May 1, 2025.

The Honorable Rebecca M. Robinson, of Newport News, as a judge of the Seventh Judicial Circuit for a term of eight years commencing August 1, 2025.

The Honorable Corry N. Smith, of Hampton, as a judge of the Eighth Judicial Circuit for a term of eight years commencing May 1, 2025.

The Honorable Ray P. Lupold, III, of Petersburg, as a judge of the Eleventh Judicial Circuit for a term of eight years commencing May 1, 2025.

The Honorable Linda Lambert Anderson, of Henrico, as a judge of the Fourteenth Judicial Circuit for a term of eight years commencing April 1, 2025.

Heidi E. Meinzer, Esquire, of Alexandria, as a judge of the Eighteenth Judicial Circuit for a term of eight years commencing July 1, 2025.

Michelle M. Kaminsky, Esquire, of Fairfax, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing April 1, 2025.

Timothy J. McEvoy, Esquire, of Fairfax, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing March 1, 2025.

The Honorable Dipti Pidikiti-Smith, of Fairfax, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing July 1, 2025.

The Honorable Jeffrey L. Campbell, of Smyth, as a judge of the Twenty-eighth Judicial Circuit for a term of eight years commencing March 1, 2025.

The Honorable Lisa M. Baird, of Manassas, as a judge of the Thirty-first Judicial Circuit for a term of eight years commencing July 1, 2025.

The Honorable William E. Jarvis, of Prince William, as a judge of the Thirty-first Judicial Circuit for a term of eight years commencing December 1, 2025.

HOUSE RESOLUTION NO. 803

Nominating persons to be elected to general district court judgeships.

Agreed to by the House of Delegates, February 19, 2025

RESOLVED by the House of Delegates, That the following persons are hereby nominated to be elected to the respective general district court judgeships as follows:

Derek A. Wagner, Esquire, of Chesapeake, as a judge of the First Judicial District for a term of six years commencing May 1, 2025.

James Matthew Haynes, Jr., Esquire, of Northampton, as a judge of the Judicial District 2-A for a term of six years commencing April 1, 2025.

Vaughn T. Breedlove, Esquire, of Suffolk, as a judge of the Fifth Judicial District for a term of six years commencing April 1, 2025.

William S. Newsome, Esquire, of Emporia, as a judge of the Sixth Judicial District for a term of six years commencing April 1, 2025.

Shukita L. Massey, Esquire, of Newport News, as a judge of the Eighth Judicial District for a term of six years commencing June 1, 2025.

James Anderson Mullins, Esquire, of York, as a judge of the Ninth Judicial District for a term of six years commencing July 1, 2025.

Brian H. Jones, Esquire, of Powhatan, as a judge of the Eleventh Judicial District for a term of six years commencing July 1, 2025.

Jennifer E. S. Rosen, Esquire, of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing July 1, 2025.

Adam M. Krischer, Esquire, of Arlington, as a judge of the Seventeenth Judicial District for a term of six years commencing July 1, 2025.

Raymond J. Obregon, Esquire, of Fairfax County, as a judge of the Nineteenth Judicial District for a term of six years commencing April 1, 2025.

Suzan E. Moore, Esquire, of Washington, as a judge of the Twenty-eighth Judicial District for a term of six years commencing April 16, 2025.

Fernando Villarroel, Esquire, of Fairfax, as a judge of the Thirty-first Judicial District for a term of six years commencing July 1, 2025.

HOUSE RESOLUTION NO. 804

Nominating persons to be elected to juvenile and domestic relations district court judgeships.

Agreed to by the House of Delegates, February 19, 2025

RESOLVED by the House of Delegates, That the following persons are hereby nominated to be elected to the respective juvenile and domestic relations district court judgeships as follows:

Regis N. Rice, Esquire, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing July 1, 2025.

Kimberly H. Phillips, Esquire, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing May 1, 2025.

Michael W. Smith, Esquire, of Newport News, as a judge of the Seventh Judicial District for a term of six years commencing August 1, 2025.

Nael A. Abouzaki, Esquire, of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing April 16, 2025.

Stephen A. Mutnick, Esquire, of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing March 16, 2025.

Sean A. O. Sherlock, Esquire, of Alexandria, as a judge of the Eighteenth Judicial District for a term of six years commencing March 16, 2025.

Christina L. Slate, Esquire, of Henry, as a judge of the Twenty-first Judicial District for a term of six years commencing May 1, 2025.

Claudette S. Robertson, Esquire, of Danville, as a judge of the Twenty-second Judicial District for a term of six years commencing June 1, 2025.

Bryan M. Cave, Esquire, of Page, as a judge of the Twenty-sixth Judicial District for a term of six years commencing June 1, 2025.

William Ethan Stewart, Esquire, of Wise, as a judge of the Thirtieth Judicial District for a term of six years commencing March 16, 2025.

Susan M. Butler, Esquire, of Prince William, as a judge of the Thirty-first Judicial District for a term of six years commencing July 1, 2025.

HOUSE RESOLUTION NO. 805

Nominating a person to be elected as a member of the Judicial Inquiry and Review Commission.

Agreed to by the House of Delegates, February 19, 2025

RESOLVED by the House of Delegates, That the following person is hereby nominated to be elected as a member of the Judicial Inquiry and Review Commission as follows:

The Honorable Brenda C. Spry, of Portsmouth, as a member of the Judicial Inquiry and Review Commission for an unexpired term commencing January 1, 2026 and ending June 30, 2029.

HOUSE RESOLUTION NO. 806

Commending Margaret Higgins Disney.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Margaret Higgins Disney, who has made numerous contributions to the Commonwealth as a volunteer leader, retired from the Virginia Society for Human Life after more than four decades of service and achievements; and

WHEREAS, Margaret Disney was born to Helen and Aloysius Joseph Higgins and raised in Richmond; she attended St. Paul's Catholic Grade School, graduated from St. Gertrude High School, then continued her education at Richmond Professional Institute, now known as Virginia Commonwealth University; and

WHEREAS, Margaret Disney married W. Barrett Disney and together they raised four children, Barry, Brigid, Eleanor, and Katie, and have six grandchildren, Mitchell, Joey, Soirce, Jasper, Celeste, and Vincent; and

WHEREAS, Margaret Disney is a member of St. Bridget Catholic Church and served as president of the St. Bridget Council of Catholic Women; she also served as president of the Richmond Diocesan Council of Catholic Women and the Baltimore Province director, representing the Diocese of Richmond to the Board of the National Council of Catholic Women; and

WHEREAS, Margaret Disney has been a volunteer with the Special Olympics, assisting participants in a variety of activities including skiing, bowling, basketball, and softball; and

WHEREAS, in 1981, Margaret Disney began working at the Virginia Society for Human Life, which had been established in 1967 and was the first statewide pro-life organization in the United States at the time; and

WHEREAS, for 43 years, Margaret Disney was a dedicated and faithful employee and a passionate advocate for pro-life issues; she ultimately retired from the Virginia Society for Human Life in November 2024 as an office manager; now, therefore, be it

RESOLVED by the House of Delegates, That Margaret Higgins Disney hereby be commended for her work in advancing policies in support of life on the occasion of her retirement from the Virginia Society for Human Life; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Margaret Higgins Disney as an expression of the House of Delegates' admiration for her achievements and gratitude for her contributions in support of life to the Commonwealth.

HOUSE RESOLUTION NO. 807

Commending the Virginia State Police Association.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, the Virginia State Police Association, a nonprofit organization that supports the men and women of the Virginia State Police and has helped them fulfill their mission to keep Virginians safe, celebrated its 50th anniversary in 2024; and

WHEREAS, the Virginia State Police Association was established by a small group of charter members who sought to create a clear and unified voice for their fellow state troopers; and

WHEREAS, in spite of opposition, the original members of the Virginia State Police Association forged ahead, meeting in members' homes to develop goals with the overarching mission of "being mutually helpful to one another"; and

WHEREAS, over the course of its history, the Virginia State Police Association has been deeply devoted to supporting state troopers and their families, providing vital resources and assistance in times of need while building a sense of camaraderie; and

WHEREAS, the Virginia State Police Association has grown to include more than 2,300 members and strives to meet the evolving needs of state troopers, enabling them to continue building stronger, safer communities throughout the Commonwealth; and

WHEREAS, over the years, the Virginia State Police Association has widened its scope to also support community initiatives, schools, and youth-focused charitable organizations; among its many programs, the association supplies troopers with teddy bears to offer to children who have suffered a traumatic event; and

WHEREAS, the Virginia State Police Association projects an image of professionalism, care, and support for the hardworking men and women of the Virginia State Police who have served and sacrificed on behalf of the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That the Virginia State Police Association hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Virginia State Police Association as an expression of the House of Delegates' admiration for its legacy of contributions to the members of the Virginia State Police.

HOUSE RESOLUTION NO. 808

Commending the Chesterfield County Jail Helping Addicts Recover Progressively program.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, the Chesterfield County Jail Helping Addicts Recover Progressively program, established in March 2016 by Sheriff Karl Leonard, is an initiative that helps to address the public health concern of substance use disorder and provide essential resources and support to individuals within the Chesterfield County Jail; and

WHEREAS, over the past eight years, Chesterfield County Jail Helping Addicts Recover Progressively (HARP) served nearly 3,500 individuals, providing rehabilitation and support for people struggling with substance use disorder, significantly contributing to their long-term recovery and successful reintegration into the community; and

WHEREAS, HARP uses a trauma-competent care approach, incorporating evidence-based practices that emphasize the healing of trauma and the preparation of participants for reentry into society, recognizing the critical need for comprehensive support in the recovery process; and

WHEREAS, HARP utilizes innovative treatment methods such as trauma tapping, acupuncture, havening, meditation, meridian yoga, and other holistic and somatic recovery tools, demonstrating a commitment to creative and effective rehabilitation approaches that foster lasting recovery and stability for participants; and

WHEREAS, HARP ensures that individuals continue to receive post-reentry support, connecting them with recovery programs and resources, including assistance from HARP RVA, a nonprofit organization that helps participants successfully transition back into society; and

WHEREAS, the success of HARP has been evident in the reduction of recidivism and the creation of a safer and healthier community, focusing on the trauma underlying substance use disorders, and providing individuals with the necessary tools for recovery; now, therefore, be it

RESOLVED by the House of Delegates, That the Chesterfield County Jail Helping Addicts Recover Progressively program hereby be commended for providing effective rehabilitation and recovery support to individuals with substance use disorders; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Chesterfield County Jail Helping Addicts Recover Progressively program as an expression of the House of Delegates' admiration for the program's impact on the lives of its participants and the broader community.

HOUSE RESOLUTION NO. 809

Commending Social Burger.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Social Burger, a beloved restaurant in Vienna that has greatly served the Fairfax County community, celebrated its 10th anniversary in 2024; and

WHEREAS, Social Burger was founded by Vienna local Denise Lee in 2014, who set out to create a restaurant that would create memorable culinary experiences while also making a difference in the community; and

WHEREAS, Social Burger offers customers a classic selection of mouth-watering burgers, freshly cooked fries and onion rings, and tasty milkshakes and beverages; and

WHEREAS, Social Burger has fostered connections in the community by bringing friends and neighbors together to share a meal; and

WHEREAS, when ordering, customers at Social Burger have the option of purchasing a hot meal or case of bottled water for The Lamb Center, a daytime drop-in homeless shelter in Fairfax County, which has led to the donation of more than 6,500 meals to the organization; and

WHEREAS, Social Burger has made a profound and lasting impact through its innumerable fundraisers with local sports teams and organizations and as a frequent sponsor of blood drives with Inova Blood Donor Services; and

WHEREAS, Social Burger's unwavering dedication to making quality food and supporting local organizations has helped to make Fairfax County a wonderful place to live, work, and enjoy a meal; now, therefore, be it

RESOLVED by the House of Delegates, That Social Burger hereby be commended on the occasion of its 10th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Social Burger as an expression of the House of Delegates' admiration for its contributions to Fairfax County and the Commonwealth.

HOUSE RESOLUTION NO. 810

Commending the Town of Vienna.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, in 2024, the Town of Vienna organized a wide range of educational programs on the history of the Commonwealth and the nation to celebrate Liberty Amendments Month; and

WHEREAS, the Thirteenth, Fourteenth, Fifteenth, and Nineteenth Amendments to the Constitution of the United States, ratified between 1865 and 1920, provide voting rights and other rights to ensure that every citizen is able to participate in the governance of their state and the United States; and

WHEREAS, the Thirteenth Amendment abolished slavery, the Fourteenth Amendment addressed citizenship rights and equal protection under the law, the Fifteenth Amendment extended the right to vote to all men regardless of race, color, or previous condition of servitude, and the Nineteenth Amendment extended voting rights to women; and

WHEREAS, Mercury Payton, town manager of Vienna, established Liberty Amendments Month in 2021 as an annual commemoration beginning on or around Juneteenth and running through the middle of July; and

WHEREAS, during the inaugural Vienna Liberty Amendments Month, 22,000 people attended more than 65 education and commemorative events, which fostered a sense of mutual respect between community members and a better understanding of how the Liberty Amendments gave all citizens the ability to participate in democratic government; and

WHEREAS, Vienna Liberty Amendments Month has remained a vibrant local tradition with a wide range of programs, activities, and events, culminating in the Vienna Multicultural Festival, which celebrates cultural differences while recognizing common bonds of fellowship; and

WHEREAS, in 2024, Vienna Liberty Amendments Month was made possible through generous support from numerous community partners, including Fairfax County Public Library, First Baptist Church of Vienna, Historic Vienna, Inc., Phenomenal Photo Booth, Vienna Business Association, AARP, Emmanuel Lutheran Church, Emmaus United Church of Christ, Friends of Patrick Henry Library, James H Hayes/Bull Run Lodge No. 529, M&T Bank, Vienna Public Art Foundation, Vienna Baha'i Faith Community, Optimists of Greater Vienna, and Studio 76, as well as the hard work and dedication of countless volunteers; now, therefore, be it

RESOLVED by the House of Delegates, That the Town of Vienna hereby be commended for providing historical education through its extensive Liberty Amendments Month celebrations; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Town of Vienna as an expression of the House of Delegates' admiration for the town's efforts to preserve the history and heritage of the nation.

HOUSE RESOLUTION NO. 811

Celebrating the life of Marvin Hyatt Watkins.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Marvin Hyatt Watkins, a distinguished educator and college administrator, died on January 13, 2025; and

WHEREAS, a native of Greensboro, North Carolina, Marvin Watkins was a passionate lifelong learner who inspired countless young people as a teacher and higher education administrator; and

WHEREAS, Marvin Watkins had a deep connection to the South Benbow Road Historic District, which was a focal point of the Black community in Greensboro from the mid-20th century onward; and

WHEREAS, Marvin Watkins was a pillar of his community, highly admired for his wisdom, generosity, and commitment to servant leadership; and

WHEREAS, Marvin Watkins will be fondly remembered and greatly missed by his loving wife, Jamesena; his children, Michael and Yvette, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Marvin Hyatt Watkins; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Marvin Hyatt Watkins as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 812

Celebrating the life of Franklin Jay Pepper, M.D.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Franklin Jay Pepper, M.D., a trusted psychiatrist in Northern Virginia and the supportive husband of longtime Alexandria City Council member Del Pepper, died on January 6, 2025; and

WHEREAS, Franklin Jay "F.J." Pepper, M.D., grew up in Omaha, Nebraska, and earned bachelor's and master's degrees from the University of Nebraska, then followed in his father's footsteps as a physician and earned a medical degree from the University of Nebraska's College of Medicine; and

WHEREAS, F.J. Pepper served the nation as a member of the United States Army Medical Corps from 1966 to 1968; he provided lifesaving care as a battalion surgeon, earning a Bronze Star Medal and an Air Medal for his meritorious actions; and

WHEREAS, F.J. and Del Pepper settled in Alexandria's West End in 1968 and quickly became active leaders and local legends in the community; and

WHEREAS, Del Pepper served the Alexandria City Council for a record-setting 36 years, including three terms as vice mayor, while F.J. Pepper helped ensure the health and wellness of countless patients as a psychiatrist for more than 60 years; and

WHEREAS, F.J. Pepper promoted good mental health in the community by providing treatment to those who could not afford to pay, and he volunteered his wise leadership and expertise to many local civic and service organizations, including the Alexandria Democratic Committee, the NAACP, and at least 28 masonic bodies; and

WHEREAS, F.J. Pepper will be fondly remembered and greatly missed by his wife of 58 years, Del; his son, Murphy, and his family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Franklin Jay Pepper, M.D., a distinguished medical professional and active member of the Alexandria community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Franklin Jay Pepper, M.D., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 813

Celebrating the life of Jacquelyn G. Hontz.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Jacquelyn G. Hontz, a former resident of Fredericksburg who touched countless lives through her volunteerism and community leadership, died on January 25, 2025; and

WHEREAS, Jacquelyn "Jackie" G. Hontz was born in Washington, D.C., and grew up in Hyattsville, Maryland, where she attended Northwestern High School; and

WHEREAS, Jackie Hontz continued her education at St. Olaf College in Minnesota, not far from her father's home town, Ely, then transferred to the University of Maryland, where she met her future husband, Ted; and

WHEREAS, Jackie Hontz played a pivotal role in the success of her husband's long career in the United States Navy, providing support and stability for their growing family as they moved between different duty stations across the country 14 times; and

WHEREAS, after Ted's retirement, the couple settled in Fredericksburg, where Jackie Hontz was an active leader in community affairs for many years, serving on the boards of numerous nonprofit organizations, including Mental Health America of Fredericksburg; and

WHEREAS, Jackie Hontz inspired young people as a Sunday school teacher at Trinity Episcopal Church and founded The Leadership Roundtable, a women's support group that was involved in local, state, and national politics; and

WHEREAS, predeceased by her son, Edward, Jackie Hontz will be fondly remembered and greatly missed by her husband, Ted; her daughters, Jenny and Gretchen, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Jacquelyn G. Hontz, who made lasting contributions to the Fredericksburg community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Jacquelyn G. Hontz as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 814

Commending Friends of the Rappahannock.

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Friends of the Rappahannock is celebrating its 40th anniversary of protecting one of the Commonwealth's most beautiful natural resources, the Rappahannock River, through advocacy, restoration, and education; and

WHEREAS, Friends of the Rappahannock (FOR) was founded in 1985 as a nonprofit grassroots conservation organization to help maintain the water quality and scenic beauty of the Rappahannock River and its tributaries; and

WHEREAS, FOR has grown from the efforts of a few concerned citizens to a dedicated membership of more than 1,200 individuals and businesses and thousands of volunteers dedicated to protecting the Rappahannock River from its headwaters to the Chesapeake Bay; and

WHEREAS, FOR maintains a presence watershed-wide, with the Upper Rappahannock Office in Rapidan, Middle Rappahannock Office in Fredericksburg, and Lower Rappahannock Office in Tappahannock; and

WHEREAS, FOR helped ban fracking east of Interstate 95, protecting 85,000 acres within the watershed; and

WHEREAS, FOR educated more than 150,000 area schoolchildren through fun and educational field environmental programs; and

WHEREAS, FOR planted more than 250,000 trees that filter pollution, reduce stormwater runoff, and alleviate heat island effects; and

WHEREAS, FOR worked to have 79 miles of the tidal Rappahannock River designated as a Virginia State Scenic River; and

WHEREAS, to celebrate its 40th anniversary, FOR has announced a new goal: a campaign that will help revitalize its headquarters, expand educational offerings, and secure 22 acres of forested land; now, therefore, be it

RESOLVED by the House of Delegates, That Friends of the Rappahannock hereby be commended on the occasion of its 40th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Friends of the Rappahannock as an expression of the House of Delegates' admiration for the organization's commitment to the preservation of the Rappahannock River.

HOUSE RESOLUTION NO. 815

Commending Judith Brooks-Buck, Ph.D.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Judith Brooks-Buck, Ph.D., an accomplished educator and education consultant, retired from her position on the Suffolk City School Board in 2024; and

WHEREAS, Judith Brooks-Buck's illustrious career in education has spanned more than 40 years, including nearly a decade as a principal of two middle schools and a special day school in Huntsville, Alabama; and

WHEREAS, after earning a doctoral degree in educational policy and leadership from the University of Virginia in 2001, Judith Brooks-Buck served as an assistant professor and chair of the Department of Education at Hampton University until 2006; and

WHEREAS, in addition to teaching several courses at Hampton University, Judith Brooks-Buck was responsible for developing educational materials for six African nations on behalf of the United States Agency for International Development; and

WHEREAS, Judith Brooks-Buck subsequently served as a professor at Virginia State University, teaching various education-related courses and staffing several committees until her retirement in 2015; and

WHEREAS, since 2000, Judith Brooks-Buck has provided valued educational testing, policy analysis, program evaluation, and research through her firm, J. Brooks-Buck Educational Consulting; and

WHEREAS, Judith Brooks-Buck served as the Nansemond Borough representative on the Suffolk City School Board for 12 years, including terms as chair and vice chair, working tirelessly for the benefit of the students, teachers, and families of Suffolk; and

WHEREAS, Judith Brooks-Buck was an effective advocate for Suffolk Public Schools before both the General Assembly and the United States Congress, helping to securing significant funding and legislation to assist the school division; and

WHEREAS, Judith Brooks-Buck played an instrumental role in the creation of several new schools in Suffolk, which will continue to burnish her legacy in the community for years to come; and

WHEREAS, Judith Brooks-Buck's commitment to the young people and families of Suffolk has made an impact on countless lives and is deserving of the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Judith Brooks-Buck, Ph.D., hereby be commended on the occasion of her retirement from the Suffolk City School Board; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Judith Brooks-Buck, Ph.D., as an expression of the House of Delegates' admiration for her legacy of service and best wishes in her future endeavors.

HOUSE RESOLUTION NO. 816

Commending the Washington Commanders.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, during the 2024 season of the National Football League, the Washington Commanders reached the National Football Conference Championship Game; and

WHEREAS, on December 29, 2024, the Washington Commanders clinched their first playoff berth since 2020 with an exciting 30-24 overtime victory against the Atlanta Falcons; and

WHEREAS, the Washington Commanders subsequently defeated the Dallas Cowboys to finish the regular season with a 12-5 record, their highest win total since 1991 and the largest improvement by wins over two seasons in team history; and

WHEREAS, entering the postseason as the sixth seed, the Washington Commanders defeated the third-seeded Tampa Bay Buccaneers by a score of 23-20 in the National Football Conference (NFC) Wild Card Playoffs and upset the first-seeded Detroit Lions in the NFC Divisional Playoffs by a score of 45-31; and

WHEREAS, the Washington Commanders then appeared in the NFC championship Game on January 26, 2025, the team's first appearance in that game since 1991; and

WHEREAS, 2024 marked the 93rd season in the National Football League (NFL) for the Washington Commanders; it was the team's first season under the leadership of general manager Adam Peters and head coach Dan Quinn, as well as the new ownership team led by Josh Harris; and

WHEREAS, the Washington Commanders assembled an impressive roster of veteran and new players, including the second overall pick in the 2024 NFL Draft, quarterback Jayden Daniels, who set the NFL record for most rushing yards in a season by a rookie quarterback and was selected as NFL Offensive Rookie of the Year; and

WHEREAS, wide receiver Terry McLaurin, set the franchise record for touchdown catches in a season with 13, linebackers Frankie Luvu and Bobby Wagner, and kick returner Austin Ekeler were named as NFL All-Pro Second-Team selections; and

WHEREAS, the Washington Commanders' offense ranked among the franchise's best, tying for the second-most total points in a season with 485; and

WHEREAS, the Washington Commanders proudly call Virginia home, with the organization's corporate headquarters and its practice facility located in Ashburn; now, therefore, be it

RESOLVED by the House of Delegates, That the Washington Commanders hereby be commended on an outstanding 2024 season; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of the Washington Commanders as an expression of the House of Delegates' admiration for the team's athletic achievements and best wishes for the 2025 season.

HOUSE RESOLUTION NO. 817

Commending Carlos Castro.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Carlos Castro, president and chief executive officer of Todos Supermarket, a thriving business in Woodbridge and Dumfries, is a prime example of perseverance, dedication, and entrepreneurial spirit; and

WHEREAS, Carlos Castro emigrated from El Salvador at the age of 25, fleeing the violence of the Salvadoran Civil War, and bravely faced the challenges of starting anew in the United States; and

WHEREAS, Carlos Castro worked in various jobs, including as a dishwasher and laborer, before pursuing an education and eventually becoming a successful businessman, opening Todos Supermarket in 1990 to serve the growing Latino community in Northern Virginia; and

WHEREAS, under Carlos Castro's leadership, Todos Supermarket has expanded to two locations, employing more than 200 people and providing services to a diverse customer base while contributing to the economic development of the local community; and

WHEREAS, in addition to his business success, Carlos Castro is a leader in the community, having founded the Hispanic Organization for Leadership and Action and served on the boards of several key organizations, including the Prince William Chamber of Commerce, Potomac Health Foundation, and Northern Virginia Workforce Development Board, among others; and

WHEREAS, Carlos Castro's commitment to serving others extends beyond his business and community involvement, as he has provided mentorship and assistance to many individuals, including those in his workforce, encouraging growth and leadership within the company; and

WHEREAS, Carlos Castro's life story exemplifies the positive impact of immigrants on American society, contributing to both the economy and the local community through the creation of jobs and services and the promotion of diversity and inclusion; and

WHEREAS, Carlos Castro's dedication to uplifting others is further reflected in his plans to help immigrants navigate challenging times by sharing his personal experiences and empowering others to achieve success through hard work, perseverance, and resilience; now, therefore, be it

RESOLVED by the House of Delegates, That Carlos Castro hereby be commended for his entrepreneurial success, community leadership, and lasting impact on the lives of countless individuals in the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Carlos Castro as an expression of the House of Delegates' admiration for his outstanding contributions to the business community, his advocacy for immigrant rights, and his tireless efforts to improve the lives of those around him.

HOUSE RESOLUTION NO. 818

Commending Waller and Company Jewelers.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Waller and Company Jewelers, a family-owned, Black-owned business, has provided exquisite watches, jewelry, and accessories, along with expert repair services, to members of the Richmond community for 125 years; and

WHEREAS, Waller and Company Jewelers was founded by Marcellus Carrington (M.C.) Waller, who developed a passion for horology after he fixed an old mantel clock in his grandmother's house when he was only eight years old; and

WHEREAS, M.C. Waller became a leading entrepreneur and a pioneer in Richmond's Black business community at the turn of the century; he worked for an insurance company, invested in real estate, and owned a grocery store before deciding to concentrate on watch and clock repair; and

WHEREAS, M.C. Waller established Waller and Company Jewelers, originally known as M.C. Waller & Sons, in the Carver neighborhood of Richmond in 1900; the store's commitment to excellence was evident in its early slogan "Let Waller make your watch tell the truth."; and

WHEREAS, Waller and Company Jewelers expanded over the years to offer a full range of quality watches, gold, silver, and gemstone jewelry, and custom paraphernalia for Greek-letter organizations and other fraternal and service organizations; and

WHEREAS, four generations of the Waller family have guided Waller and Company Jewelers, including Richard Waller, Jr., who followed in the footsteps of his grandfather, father, and uncles to train as a master jeweler and become the current owner in 1968; and

WHEREAS, Richard Waller, Jr., relocated Waller and Company Jewelers to its current storefront on Broad Street, where it has upheld its longstanding commitment to the finest customer service and built a strong sense of community by sponsoring and participating in local and regional events; now, therefore, be it

RESOLVED by the House of Delegates, That Waller and Company Jewelers hereby be commended on the occasion of its 125th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Waller and Company Jewelers as an expression of the House of Delegates' admiration for the store's outstanding service to generations of customers and legacy of contributions to the Richmond community.

HOUSE RESOLUTION NO. 819

Celebrating the life of Ivan Elbert Horton, Jr.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Ivan Elbert Horton, Jr., an honorable veteran, accomplished farmer, esteemed public servant, and beloved member of the Fairview community in Scott County, died on February 9, 2025; and

WHEREAS, after graduating from Fairview High School, Ivan Horton was drafted into the United States Army, and he honorably served his country as a medic during his deployment to Korea; and

WHEREAS, a skilled and knowledgeable steward of the land, Ivan Horton devoted many years to his family's farm raising cattle and tobacco; and

WHEREAS, Ivan Horton contributed greatly to the growth and development of young people over many years as a school bus driver with Scott County Public Schools, relishing the opportunity to connect with and bring joy to the children he transported; and

WHEREAS, Ivan Horton proudly served his community for 12 years as a member of the Scott County Board of Supervisors, making great efforts to promote the safety and prosperity of the locality; and

WHEREAS, guided throughout his life by his Christian faith, Ivan Horton was a dedicated Bible scholar and Sunday school teacher and enjoyed worship and fellowship with his community at Purchase Ridge Community Church in Scott County; and

WHEREAS, Ivan Horton will be fondly remembered and dearly missed by his wife of 69 years, Polly; his children, Christopher, Philip, Larry, and Mitchell, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Ivan Elbert Horton, Jr., a cherished member of the Fairview community whose abundant love and compassion and unwavering faith inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Ivan Elbert Horton, Jr., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 820

Commending Magaly Perez-Rives.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Magaly Perez-Rives, the Family Learning Center coordinator at Lynbrook Elementary School in Springfield, received the Outstanding School-Based Operational Employee Award for Fairfax County Public Schools' Region 6 in 2024; and

WHEREAS, Magaly "Maggie" Perez-Rives founded the Lynbrook Family Learning Center at Lynbrook Elementary School, which promotes meaningful parental engagement, as well as fosters connections between students, staff, families, and local organizations; and

WHEREAS, Maggie Perez-Rives serves as the school's Spanish language interpreter, playing a vital role in helping many parents navigate and participate in their children's education; and

WHEREAS, Maggie Perez-Rives' extensive knowledge of the school system coupled with her profound understanding of students' backgrounds has earned her the trust and respect of her fellow teachers and helps empower teachers to be more culturally responsive; and

WHEREAS, Maggie Perez-Rives champions equity for Lynbrook Elementary School students and has developed numerous community partnerships that provide critical resources for ensuring the well-being of all students and families; and

WHEREAS, Maggie Perez-Rives is unwavering in her commitment to forging positive and supportive relationships throughout the Lynbrook Elementary School community and has an outsized impact on the school; now, therefore, be it

RESOLVED by the House of Delegates, That Magaly Perez-Rives hereby be commended for receiving the 2024 Fairfax County Public Schools Region 6 Outstanding School-Based Operational Employee Award; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Magaly Perez-Rives as an expression of the House of Delegates' admiration for her legacy of service.

HOUSE RESOLUTION NO. 821

Commending Simmons and Associates Realty, Inc.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Simmons and Associates Realty, Inc., a real estate firm in Clarksville founded by Charles F. Simmons, has helped generations of families find the perfect home in Southside Virginia's Lake Country; and

WHEREAS, Charles Simmons moved to Clarksville from Boone, North Carolina, in 1972 and taught industrial arts education in the area for several years; and

WHEREAS, Charles Simmons established Simmons and Associates Realty in 1974, then expanded into the homebuilding industry in 1977 with Simmons Construction Company; he has remained a guiding force for both businesses since their inception; and

WHEREAS, Simmons and Associates Realty and Simmons Construction have helped countless clients find their dream home or build a custom home in Clarksville, Mecklenburg County, or anywhere in the John H. Kerr Reservoir/Buggs Island Lake area; and

WHEREAS, Charles Simmons has also strengthened the community as a member of the Southside Planning District Commission and the Clarksville Economic Development Authority, and he was involved with the creation of Lakeside Commerce Park and the renovation of the Clarksville Fine Arts Center; now, therefore, be it

RESOLVED by the House of Delegates, That Simmons and Associates Realty, Inc., hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Charles F. Simmons, founder of Simmons and Associates Realty, Inc., as an expression of the House of Delegates' admiration for the company's decades of contributions to the Clarksville community.

HOUSE RESOLUTION NO. 822

Commending Robert Trent Jones Golf Club.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Robert Trent Jones Golf Club in Gainesville hosted the 19th edition of the Solheim Cup, which brought some of the top women golfers from the United States and Europe and fans from around the world to the Commonwealth in September 2024; and

WHEREAS, the Solheim Cup is a biennial women's golf competition held in even-numbered years between Team USA and Team Europe; 2024 marked the first time the event had been held in the Commonwealth; and

WHEREAS, Robert Trent Jones Golf Club is named for its designer, Robert Trent Jones, who has been called "the father of modern golf design"; the private club is often considered a masterpiece both for its breathtaking aesthetics and challenging design, and it is the only one of his courses to bear his name; and

WHEREAS, Robert Trent Jones Golf Club has previously hosted the Presidents Cup and has welcomed numerous professional golfers and high-profile amateurs, such as Michael Jordan and presidents Bill Clinton, George W. Bush, and Barack Obama; and

WHEREAS, in the 2024 Solheim Cup at Robert Trent Jones Golf Club, Team USA triumphed over Team Europe by a score of 15 1/2 to 12 1/2, the first time the United States had won the competition since 2017; now, therefore, be it

RESOLVED by the House of Delegates, That Robert Trent Jones Golf Club hereby be commended for representing Prince William County and the Commonwealth as the host of the 2024 Solheim Cup; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Robert Trent Jones Golf Club as an expression of the House of Delegates' admiration for the club's commitment to excellence and contributions to the region.

HOUSE RESOLUTION NO. 823

Celebrating the life of Beverly Hicks Diamonstein.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Beverly Hicks Diamonstein, who greatly served Newport News and the Commonwealth in various capacities over the years, died on November 11, 2024; and

WHEREAS, Beverly Diamonstein demonstrated extraordinary strength and resolve as she raised her four children as a single mother; and

WHEREAS, Beverly Diamonstein married the Honorable Alan A. Diamonstein on October 28, 1972, and supported him greatly throughout his career in public service; and

WHEREAS, Beverly Diamonstein provided insightful advice to a great number of leaders over the years and helped many Democratic candidates in their campaigns for office; and

WHEREAS, Beverly Diamonstein believed deeply in empowering women to become leaders and was a devoted fundraiser for initiatives such as the Virginia Women's Cultural History Project and Hadassah, the Women's Zionist Organization of America; and

WHEREAS, with a passion for advancing the arts, Beverly Diamonstein was highly involved with the former Peninsula Fine Arts Center and with the creation of the Ferguson Center for the Arts in Newport News, and she served many years on the board of the Virginia Museum of Fine Arts and with the museum's foundation; and

WHEREAS, preceded in death by her husband, Alan, Beverly Diamonstein will be fondly remembered and dearly missed by numerous family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Beverly Hicks Diamonstein, whose dedication and legacy of service inspired all who knew her; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Beverly Hicks Diamonstein as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 824

Commending Natale Christian.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Natale Christian, an esteemed behavioral health specialist, has retired from her position as the executive director of the Hampton-Newport News Community Services Board; and

WHEREAS, Natale Christian holds a bachelor's degree in psychology from Howard University and a master's degree in psychology from the New School for Social Research and is a licensed professional counselor with more than 40 years of experience in the field of behavioral health; and

WHEREAS, Natale Christian has served in various senior positions over her 27 years with the Hampton-Newport News Community Services Board and was named executive director in 2016, becoming the first woman and the first African American to lead the agency; and

WHEREAS, as executive director of the Hampton-Newport News Community Services Board, Natale Christian oversaw an organization that annually serves more than 12,000 individuals affected by mental illness, substance use disorder, and developmental disabilities with a staff of 700 employees and a budget of $73 million; and

WHEREAS, in recognition of her leadership and experience, Natale Christian has received gubernatorial appointments to serve the Commonwealth on the Board of Counseling, the Board of Health Professions, and what was formerly known as the Substance Abuse Services Council; and

WHEREAS, beyond her work in the field of behavioral health, Natale Christian has served her community as a trustee at Gethsemane Baptist Church in Newport News and as a member of Delta Sigma Theta Sorority, Inc., and the Hampton branch of the NAACP; and

WHEREAS, with an extraordinary commitment to the health and well-being of others, Natale Christian has made a profound and lasting impact on countless lives; now, therefore, be it

RESOLVED by the House of Delegates, That Natale Christian hereby be commended on the occasion of her retirement from the Hampton-Newport News Community Services Board; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Natale Christian as an expression of the House of Delegates' admiration for her contributions to the Commonwealth and best wishes in her future endeavors.

HOUSE RESOLUTION NO. 825

Commemorating the 80th anniversary of the National Liberation Day of Korea.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, on August 15, 2025, the Korean American Association of Greater Washington Metropolitan Area and members of the Korean diaspora throughout the Commonwealth, the United States, and the world, will celebrate the 80th anniversary of the National Liberation Day of Korea, known in Korean as Gwangbokjeol, which literally translates to "Restoration of Light Day"; and

WHEREAS, Gwangbokjeol marks the day of Japan's unconditional surrender in 1945, which represented both the end of World War II and the end of 35 years of Japanese colonial rule over Korea, during which the Korean people maintained their cultural identity and fought for independence through numerous resistance movements; and

WHEREAS, the Korean independence movement was marked by many significant events, such as the March 1st Movement of 1919, where millions of Koreans participated in peaceful demonstrations, and the establishment of the Korean Provisional Government in Shanghai, which continued the struggle for independence while in exile; and

WHEREAS, the Korean American Association of Greater Washington Metropolitan Area advocates for the civic, cultural, educational, and social interests of the vibrant Korean American population in the National Capital region, while preserving the historical legacy of the Korean independence movement; and

WHEREAS, the more than two million Korean Americans living in the United States have contributed to the diversity and prosperity of the nation by participating in all facets of American life, serving as leaders in every career field, government officials, and proud members of the United States Armed Forces; and

WHEREAS, the United States and Republic of Korea currently maintain a longstanding alliance based on the shared principles of democracy, human rights, and free markets, strengthened by their mutual sacrifice during the Korean War and continued cooperation in the decades since; and

WHEREAS, bilateral agreements between the United States and Korea have promoted international security, economic prosperity, and the rule of law throughout the Indo-Pacific, demonstrating the enduring strength of a Korean-American partnership; and

WHEREAS, the Korean American Association of Greater Washington Metropolitan Area will commemorate Gwangbokjeol with various activities and programs, providing an opportunity for Virginians of all backgrounds to learn more about Korean history, culture, and traditions, including the significance of this day as a symbol of freedom and self-determination; now, therefore, be it

RESOLVED by the House of Delegates, That the 80th anniversary of the National Liberation Day of Korea hereby be commemorated; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Korean American Association of Greater Washington Metropolitan Area as an expression of the House of Delegates' appreciation and admiration for the Korean American community's many contributions to the Commonwealth.

HOUSE RESOLUTION NO. 826

Commending Tarrick McGuire.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Tarrick McGuire, an experienced law-enforcement officer who has earned national accolades for his commitment to community-oriented policing and innovative crime reduction strategies, was appointed as chief of the Alexandria Police Department in November 2024; and

WHEREAS, Tarrick McGuire is a graduate of Oklahoma State University, Criswell College, and California Baptist University; he previously served as a member of the Arlington Police Department in Arlington, Texas, where he gained 11 years of command-level experience and rose to the rank of deputy chief; and

WHEREAS, during his tenure with the Arlington Police Department, Tarrick McGuire held numerous leadership roles related to uniformed patrol, investigations, and community relations, and he worked with community members, state officials, and federal law-enforcement agencies to implement policies and programs that resulted in annual declines in violent crime; and

WHEREAS, Tarrick McGuire helped establish Mentoring Arlington Youth, a multidisciplinary program that reduced crime among youths and was recognized by the U.S. Department of Justice Office of Community Oriented Policing Services, and the Safe Roads Initiative, which reduced vehicle crashes and fatalities on local roads; and

WHEREAS, among many honors and accolades, Tarrick McGuire has been inducted into the Evidence-Based Policing Hall of Fame and was appointed as a fellow of the International Association of Chiefs of Police for the National 21st Century Policing Reform Initiative; and

WHEREAS, Tarrick McGuire will use his law-enforcement expertise and visionary leadership skills to build meaningful connections with the residents of Alexandria and ensure that the officers and staff of the Alexandria Police Department have the tools and training they need to build a safer, stronger community; now, therefore, be it

RESOLVED by the House of Delegates, That Tarrick McGuire hereby be commended on the occasion of his appointment as chief of the Alexandria Police Department; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Tarrick McGuire as an expression of the House of Delegates' admiration for his achievements as a law-enforcement officer and best wishes in his new role serving the Alexandria community.

HOUSE RESOLUTION NO. 827

Commending the Hermitage Museum and Gardens.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, the Hermitage Museum and Gardens, a beloved cultural institution in Norfolk, has contributed to the vibrancy of the Hampton Roads art scene for nearly a century; and

WHEREAS, the house at the Hermitage Museum and Gardens was built by William and Florence Sloane, who came to Hampton Roads in 1893 to operate textile mills; initially conceived as a five-room summer house, between 1908 and 1936 the Arts and Crafts style house became the Sloanes' principal residence and grew to contain 42 rooms; and

WHEREAS, William and Florence Sloane were avid art collectors who helped found the Norfolk Museum of Arts and Sciences, now the Chrysler Museum of Art, and who established the Hermitage Foundation in 1937 to promote the arts within the Hampton Roads community; and

WHEREAS, William and Florence Sloane donated the house and its contents, the grounds, and all the outbuildings on the property to the Hermitage Foundation and the museum opened permanently to the public in 1942; and

WHEREAS, today, the Hermitage Museum and Gardens features an extraordinary collection of Asian art, paintings, decorative art, sculpture, and textiles spanning 5,000 years, contemporary exhibition galleries, twelve acres of landscaped gardens and natural woodlands, an educational wetlands area, and the Goode Family Visual Arts School; and

WHEREAS, in 2010, the Hermitage Museum and Gardens launched its Sunsets on the River event, which has since hosted more than 80 concerts and drawn more than 50,000 attendees for delightful evenings of music with friends and family; and

WHEREAS, the Hermitage Museum and Gardens is a member of the prestigious Smithsonian Affiliations program, enhancing the foundation's ability to fulfill its mission; and

WHEREAS, in recognition of its efforts, the Hermitage Museum and Gardens received accreditation from the American Alliance of Museums in October 2017; and

WHEREAS, by upholding the Sloane family legacy for nearly a century, the Hermitage Museum and Gardens has helped to make the Hampton Roads Region a wonderful place to live, work, and appreciate the arts; now, therefore, be it

RESOLVED by the House of Delegates, That the Hermitage Museum and Gardens hereby be commended for its impact on the cultural landscape of the Hampton Roads Region; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Hermitage Museum and Gardens as an expression of the House of Delegates' admiration for the museum's contributions to Hampton Roads and the Commonwealth.

HOUSE RESOLUTION NO. 828

Commending Jahmari DeLoatch.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, in 2024, Jahmari DeLoatch of the Oscar Smith High School football team was named to the Virginia High School League Class 6 All-State First Team; and

WHEREAS, the Oscar Smith High School football team finished the 2024 season with a perfect 17-0 record and won the Virginia High School League Class 6 state championship; and

WHEREAS, during the 2024 season, the Oscar Smith Tigers earned their 20th Southeastern District championship title, their 12th 6A Region championship title, and their fifth state title in program history; and

WHEREAS, Jahmari DeLoatch is a multi-year starting safety on the Oscar Smith Tigers' defense; during his senior year, he had 51 tackles, 15 tackles for a loss, three sacks, five interceptions (two returned for touchdowns), five pass break-ups, two fumble recoveries, two field goal blocks, and 400 total return yards on special teams with four punt returns for touchdowns; he was also selected as an Army All-American and will be continuing his education and football career on a scholarship at Virginia Polytechnic Institute and State University; now, therefore, be it

RESOLVED by the House of Delegates, That Jahmari DeLoatch hereby be commended on being selected as a member of the 2024 Virginia High School League Class 6 All-State First Team; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Jahmari DeLoatch as an expression of the House of Delegates' admiration for his athletic achievements.

HOUSE RESOLUTION NO. 829

Commending Lonnie Andrews.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, in 2024, Lonnie Andrews of the Oscar Smith High School football team was named to the Virginia High School League Class 6 All-State First Team; and

WHEREAS, the Oscar Smith High School football team finished the 2024 season with a perfect 17-0 record and won the Virginia High School League Class 6 state championship; and

WHEREAS, during the 2024 season, the Oscar Smith Tigers earned their 20th Southeastern District championship title, their 12th 6A Region championship title, and their fifth state title in program history; and

WHEREAS, as quarterback, Lonnie Andrews led the Tigers to their third undefeated season in Oscar Smith High School history and their fifth overall state title by putting up impressive stats throughout the season, going 172 of 289 for 2,740 yards and 29 touchdowns; despite only being a sophomore, he has numerous Division I scholarship offers and has already started his off-season training in hopes of winning back-to-back state championship titles in 2025; now, therefore, be it

RESOLVED by the House of Delegates, That Lonnie Andrews hereby be commended on being selected as a member of the 2024 Virginia High School League Class 6 All-State First Team; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Lonnie Andrews as an expression of the House of Delegates' admiration for his athletic achievements.

HOUSE RESOLUTION NO. 830

Commending Brandon Nesbit.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, in 2024, Brandon Nesbit of the Oscar Smith High School football team was named to the Virginia High School League Class 6 All-State First Team; and

WHEREAS, the Oscar Smith High School football team finished the 2024 season with a perfect 17-0 record and won the Virginia High School League Class 6 state championship; and

WHEREAS, during the 2024 season, the Oscar Smith Tigers earned their 20th Southeastern District championship title, their 12th 6A Region championship title, and their fifth state title in program history; and

WHEREAS, senior running back Brandon Nesbit has been a workhorse for the offense, rushing for 1,555 yards on 225 carries and a whopping 27 touchdowns; his productivity (seven yards per carry average) combined with his toughness and durability were critical for the Oscar Smith Tigers; now, therefore, be it

RESOLVED by the House of Delegates, That Brandon Nesbit hereby be commended on being selected as a member of the 2024 Virginia High School League Class 6 All-State First Team; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Brandon Nesbit as an expression of the House of Delegates' admiration for his athletic achievements.

HOUSE RESOLUTION NO. 831

Commending Travis Johnson.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, in 2024, Travis Johnson of the Oscar Smith High School football team was named to the Virginia High School League Class 6 All-State First Team; and

WHEREAS, the Oscar Smith High School football team finished the 2024 season with a perfect 17-0 record and won the Virginia High School League Class 6 state championship; and

WHEREAS, during the 2024 season, the Oscar Smith Tigers earned their 20th Southeastern District championship title, their 12th 6A Region championship title, and their fifth state title in program history; and

WHEREAS, Travis Johnson is a rare four-star junior recruit at wide receiver who, despite missing the better part of three games due to an injury and constantly being double-teamed, managed to put up impressive numbers with a combination of 53 receptions and six carries for a total of 1,000 yards and 15 touchdowns; his production was instrumental in the Oscar Smith Tigers' offense scoring 583 total points for a 39 point-per-game average, and he has more than 40 college scholarship offers from elite institutions across the country; now, therefore, be it

RESOLVED by the House of Delegates, That Travis Johnson hereby be commended on being selected as a member of the 2024 Virginia High School League Class 6 All-State First Team; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Travis Johnson as an expression of the House of Delegates' admiration for his athletic achievements.

HOUSE RESOLUTION NO. 832

Commending Malachi White.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, in 2024, Malachi White of the Oscar Smith High School football team was named to the Virginia High School League Class 6 All-State First Team; and

WHEREAS, the Oscar Smith High School football team finished the 2024 season with a perfect 17-0 record and won the Virginia High School League Class 6 state championship; and

WHEREAS, during the 2024 season, the Oscar Smith Tigers earned their 20th Southeastern District championship title, their 12th 6A Region championship title, and their fifth state title in program history; and

WHEREAS, as a junior linebacker, Malachi White was the leading tackler for the Oscar Smith Tigers with an astonishing 105 tackles, 27 tackles for loss, three sacks, two forced fumbles, one interception, and two pass break ups; he was a crucial member of a defense that gave up only 95 points in 15 games and was recognized as one of the best defensive units in the Commonwealth in 2024; now, therefore, be it

RESOLVED by the House of Delegates, That Malachi White hereby be commended on being selected as a member of the 2024 Virginia High School League Class 6 All-State First Team; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Malachi White as an expression of the House of Delegates' admiration for his athletic achievements.

HOUSE RESOLUTION NO. 833

Commending Dory Wilson.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, in 2024, Dory Wilson of the Oscar Smith High School football team was named to the Virginia High School League Class 6 All-State First Team; and

WHEREAS, the Oscar Smith High School football team finished the 2024 season with a perfect 17-0 record and won the Virginia High School League Class 6 state championship; and

WHEREAS, during the 2024 season, the Oscar Smith Tigers earned their 20th Southeastern District championship title, their 12th 6A Region championship title, and their fifth state title in program history; and

WHEREAS, junior Dory Wilson was the recognized leader of a young Oscar Smith Tigers' offensive line, recording a praiseworthy 20 pancake blocks and giving up just two sacks in 15 total games; his leadership and production were instrumental to the victorious season; now, therefore, be it

RESOLVED by the House of Delegates, That Dory Wilson hereby be commended on being selected as a member of the 2024 Virginia High School League Class 6 All-State First Team; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dory Wilson as an expression of the House of Delegates' admiration for his athletic achievements.

HOUSE RESOLUTION NO. 834

Commending Jordan Rayner.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, in 2024, Jordan Rayner of the Oscar Smith High School football team was named to the Virginia High School League Class 6 All-State First Team; and

WHEREAS, the Oscar Smith High School football team finished the 2024 season with a perfect 17-0 record and won the Virginia High School League Class 6 state championship; and

WHEREAS, during the 2024 season, the Oscar Smith Tigers earned their 20th Southeastern District championship title, their 12th 6A Region championship title, and their fifth state title in program history; and

WHEREAS, Jordan Rayner is a multi-year defensive starter and had 47 total tackles with 22 tackles for a loss, nine sacks, and one forced fumble during his senior season; as a leader of the stingy Oscar Smith Tigers' defense, he was instrumental in the team giving up only 95 total points all season for an average of 6.3 points-per-game, and he will be continuing his education and football career at Hampton University; now, therefore, be it

RESOLVED by the House of Delegates, That Jordan Rayner hereby be commended on being selected as a member of the 2024 Virginia High School League Class 6 All-State First Team; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Jordan Rayner as an expression of the House of Delegates' admiration for his athletic achievements.

HOUSE RESOLUTION NO. 835

Commending Josh Sweat.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Josh Sweat, a native of Chesapeake, won Super Bowl LIX with the Philadelphia Eagles of the National Football League on February 9, 2025; and

WHEREAS, Josh Sweat was a standout and five-star recruit on the Oscar F. Smith High School football team of Chesapeake and led the team to an appearance in the Virginia High School League 6A state championship game in 2013; and

WHEREAS, over three seasons with the Florida State Seminoles, Josh Sweat tallied 138 combined tackles and 14.5 sacks over 37 games; and

WHEREAS, Josh Sweat was drafted by the Philadelphia Eagles in the fourth round of the 2018 National Football League (NFL) Draft and has helped the team become one of the most dominant in the league over the past seven seasons; and

WHEREAS, Josh Sweat posted his best statistical year in 2022 with 48 tackles and 11 sacks and had eight sacks in the 2024 regular season; and

WHEREAS, Josh Sweat was integral to the Philadelphia Eagles' victory in Super Bowl LIX, recording six total tackles, three quarterback hits, two-and-a-half sacks, and two tackles for loss; he also was a key part of a play that led to a defensive interception and touchdown, a major turning point of the game; and

WHEREAS, Josh Sweat's performance in Super Bowl LIX earned him consideration for Super Bowl Most Valuable Player honors and has brought great pride to the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That Josh Sweat hereby be commended for winning Super Bowl LIX; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Josh Sweat as an expression of the House of Delegates' admiration for his achievements and best wishes for his continued success.

HOUSE RESOLUTION NO. 836

Commending Bob Adkins.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Bob Adkins, an esteemed business owner and public servant, has greatly served the Wise County community for many years; and

WHEREAS, Bob Adkins started working while still a teenager by hauling coal for his family and moved to Detroit after he turned 18 to take a job at the Bower Roller Bearing Company; and

WHEREAS, Bob Adkins later moved to Richmond to work for Standard Oil, then managed a Phillips 66 station for some time before returning to Wise County, where he ultimately purchased what would become the Adkins Wheel and Alignment Shop, which he owned and operated with the help of his son for more than 40 years; and

WHEREAS, Bob Adkins' first wife, Marlene, died in 1994, and he married his second wife, Teresa, four years later; around this time, he embarked upon a career in public service when he joined the Wise County Board of Supervisors, which he has served for the past 28 years; and

WHEREAS, during his tenure with the Wise County Board of Supervisors, Bob Adkins oversaw the consolidation of county schools, the establishment of a new power plant, the construction of a technology park, and the addition of many new businesses in the area; and

WHEREAS, Bob Adkins has supported local governments throughout the Commonwealth as a member of the Virginia Association of Counties, which he served as president in 2011; and

WHEREAS, Bob Adkins has given generously of his time through service as director of Wise County Emergency Services and on the boards of a number of local organizations, including Habitat for Humanity, the Wise Appalachian Regional Healthcare hospital, the Virginia-Kentucky District Fair, the Wise County Public Service Authority, and the LENOWISCO Planning District Commission; and

WHEREAS, Bob Adkins is a member and deacon emeritus at Wise Baptist Church and has conducted mission work for the Baptist Church at various locations around the world; and

WHEREAS, Bob Adkins has been supported throughout his many years of public and community service by his wife, Teresa, and his children, Alan and Cynthia, and their families; and

WHEREAS, on September 19, 2024, Bob Adkins celebrated his 90th birthday, which provided an opportunity to reflect upon the extraordinary impact he has had on the Wise County community; now, therefore, be it

RESOLVED by the House of Delegates, That Bob Adkins hereby be commended for his legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Bob Adkins as an expression of the House of Delegates' admiration for his contributions to Wise County and the Commonwealth.

HOUSE RESOLUTION NO. 837

Commending Witold Brick.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Witold Brick, a member of the Polish resistance who battled the Nazis during World War II before settling in the United States, celebrates his 102nd birthday in 2025; and

WHEREAS, Witold "Victor" Brick was born in 1923 and witnessed the Nazi invasion of Poland in 1939; he endured oppressive conditions to pursue higher education after the closure of many universities by occupation forces; and

WHEREAS, braving the threat of torture and execution, Victor Brick joined the Home Army, the primary Polish resistance group during the war, and participated in the Warsaw Uprising in 1944; he was subsequently captured and endured harrowing conditions as a prisoner of war; and

WHEREAS, Victor Brick was liberated in May 1945 by advance forces of General George S. Patton's Seventh United States Army; and

WHEREAS, Victor Brick joined the Polish 2nd Corps of the Polish Armed Forces in the West and trained as an officer before transitioning from military service to academia; and

WHEREAS, Victor Brick was working at the Polish Academic Center in Turin, Italy, when his home country fell behind the Iron Curtain of the Soviet Union; a staunch opponent of communism, he lived in Great Britain for a time before emigrating to the United States; and

WHEREAS, Victor Brick proudly obtained United States citizenship on July 17, 1956; he has exemplified the highest virtues of courage, perseverance, and patriotism and embodied the indomitable spirit of those who fight for justice and freedom, leaving a lasting legacy that serves as an inspiration to all; now, therefore, be it

RESOLVED by the House of Delegates, That Witold Brick hereby be commended on the occasion of his 102nd birthday; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Witold Brick as an expression of the House of Delegates' admiration for his resilience in the pursuit of freedom and democracy.

HOUSE RESOLUTION NO. 838

Celebrating the life of William Denman Zirkle.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, William Denman Zirkle, a leader in the investment management profession and a passionate historian who made numerous contributions to the Commonwealth, died on January 31, 2025; and

WHEREAS, William Zirkle grew up in Roanoke and graduated from Thomas Jefferson High School; he continued his education at Virginia Polytechnic Institute and State University, where he was an executive officer in the Corps of Cadets and a judge of the Cadet Honor Corps; he also graduated from the Wharton School of Business at the University of Pennsylvania; and

WHEREAS, William Zirkle served the nation as a member of the United States Army at what is now Joint Base Langley-Eustis and in Frankfurt, Germany, and ultimately retired from the United States Army Reserve with the rank of lieutenant colonel; and

WHEREAS, after completing his active-duty military service, William Zirkle began his career with the IBM Corporation; he spent most of his career working in institutional investment management with Conrail, Lynch & Mayer, Lincoln National Corporation, and Franklin Templeton, then retired as chief executive officer of Carret Asset Management; and

WHEREAS, William Zirkle was a dedicated conservationist for historical landmarks and was deeply interested in military history; he served as a member of the Civil War Preservation Trust and as executive director of the Shenandoah Valley Battlefields Foundation for five years; and

WHEREAS, in 2012, William Zirkle became a managing partner of the Richard Böcking Winery, a winery in the Moselle Valley of Germany which had been owned and operated by his late wife's family since 1624, and where he worked with his daughter, Sigrid, until the final year of his life; and

WHEREAS, predeceased by his first wife, Dagmar, William Zirkle will be fondly remembered and greatly missed by his wife, Ann; his children, Micaela, Sigrid, Bettina, and William, and their families; his stepdaughter, Jennifer, and her family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of William Denman Zirkle; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of William Denman Zirkle as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 839

Commending Thelma R. Pemberton-Abbott.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Thelma R. Pemberton-Abbott, an instructional assistant at Mount Vernon Woods Elementary School was named an Outstanding School-Based Operational Employee by Fairfax County Public Schools in 2024; and

WHEREAS, Thelma Pemberton-Abbott has devoted 25 years to Mount Vernon Woods Elementary School as an instructional assistant, providing exemplary support to facilitate class management and small-group instruction; and

WHEREAS, Thelma Pemberton-Abbott works tirelessly to help her students achieve their full academic potential while demonstrating great concern for their physical, social, and emotional well-being; and

WHEREAS, Thelma Pemberton-Abbott is dedicated to fostering a supportive and inclusive community that facilitates positive and meaningful relationships, cultivates a sense of belonging, and encourages both students and staff to thrive; and

WHEREAS, Thelma Pemberton-Abbott readily offers support to her fellow faculty members and nurtures collaboration, contributing greatly to their accomplishments in the classroom; and

WHEREAS, with an unwavering commitment to her students and fellow staff, Thelma Pemberton-Abbott has embodied the ideals of the education profession, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Thelma R. Pemberton-Abbott hereby be commended for being named a 2024 Outstanding School-Based Operational Employee; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Thelma R. Pemberton-Abbott as an expression of the House of Delegates' high regard for her contributions to Fairfax County and the Commonwealth.

HOUSE RESOLUTION NO. 840

Commending Henderson Motorsports.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Henderson Motorsports, a professional stock car racing team based out of Abingdon that currently competes in the National Association for Stock Car Auto Racing Craftsman Truck Series, celebrates its 50th anniversary in 2025; and

WHEREAS, Henderson Motorsports was founded by Charlie Henderson in 1975 and is one of the oldest actively competing teams in the National Association for Stock Car Auto Racing (NASCAR); and

WHEREAS, since its inception, Henderson Motorsports has raced cars numbered 26, 5, 15, 66, and 75, and has recorded wins in both the NASCAR Xfinity Series and the NASCAR Craftsman Truck Series; and

WHEREAS, Henderson Motorsports has been represented by an impressive roster of world-class drivers over the years, including Brad Teague, Rick Wilson, Ernie Irvan, Doug Heveron, Ronnie Hopkins, Morgan Shepherd, Scott Lagasse, Glenn Jarrett, Jim Bown, Johnny Rumley, Scott Hansen, Caleb Holman, Parker Kligerman, and Ward Burton; and

WHEREAS, Henderson Motorsports has been defined by a spirit of teamwork and professionalism throughout its many years as a NASCAR competitor; and

WHEREAS, through its hard work and an unwavering commitment to excellence, Henderson Motorsports has made a significant and lasting impact on NASCAR and brought great pride to the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That Henderson Motorsports hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Henderson Motorsports as an expression of the House of Delegates' admiration for its legacy of achievements in stock car racing and best wishes for its continued success.

HOUSE RESOLUTION NO. 841

Commending John Garrett, M.D., FACS.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, John Garrett, M.D., FACS, a leader in cardiac, thoracic, and vascular surgery who touched countless lives in Arlington County over the course of his distinguished career, announced his retirement in 2025; and

WHEREAS, Dr. John Garrett established his practice at VHC Health, then known as Arlington Hospital, in 1989, laying the foundation for a surgical program that has changed lives throughout the region; and

WHEREAS, in 1995, Dr. John Garrett was joined by John Rhee, M.D., FACS, with whom he worked to build a legacy of excellence, innovation, and compassion while setting new standards in advanced cardiovascular care; and

WHEREAS, under the leadership of Dr. John Garrett and Dr. John Rhee, the VHC Health Heart and Vascular Program has achieved national recognition, introduced cutting-edge procedures that redefined patient care, and set a standard of clinical excellence that will endure for generations to come; and

WHEREAS, the VHC Health Heart and Vascular Program has pioneered groundbreaking advancements in the field, from minimally invasive cardiac and thoracic surgery to structural heart innovations, all thanks in large part to Dr. John Garrett's expertise and dedication; and

WHEREAS, after his well-earned retirement, Dr. John Garrett looks forward to spending more time with his wife, Mary, and his beloved family as well as seeking new opportunities to serve his community; now, therefore, be it

RESOLVED by the House of Delegates, That John Garrett, M.D., FACS, hereby be commended on the occasion of his retirement in 2025; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to John Garrett, M.D., FACS, as an expression of the House of Delegates' admiration for his contributions to the medical field and commitment to excellence in patient care.

HOUSE RESOLUTION NO. 842

Commending the 4-H clubs and Future Farmers of America chapters in Washington County.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, the 4-H clubs and Future Farmers of America chapters in Washington County have provided exceptional educational opportunities to young people while championing the agricultural and farming industries of Washington County and the Commonwealth; and

WHEREAS, there are currently 128 4-H clubs in Washington County that serve a membership of more than 6,000 young people and more than 550 volunteers; over the years, many 4-H members in Washington County have served in leadership positions on the Virginia 4-H cabinet, while several others have earned Virginia 4-H recognitions, including induction into the Virginia 4-H All Stars, the organization's highest honor; and

WHEREAS, the Future Farmers of America (FFA) chapters in Washington County are at Abingdon High School, Holston High School, John S. Battle High School, and Patrick Henry High School; several members of these chapters have won state contests or earned FFA degrees, demonstrating a deep commitment to the organization's mission to promote and support agricultural education; and

WHEREAS, the 4-H clubs and FFA chapters of Washington County have regularly visited the General Assembly to advocate on behalf of the agricultural industry and farmers of the Commonwealth; and

WHEREAS, through advocacy, local partnerships and programs, and other activities, the 4-H clubs and FFA chapters in Washington County have made a profound and lasting impact on agriculture in Washington County and the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That the 4-H clubs and Future Farmers of America chapters in Washington County hereby be commended for their legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the 4-H clubs and Future Farmers of America chapters in Washington County as an expression of the House of Delegates' admiration for their contributions to Washington County and the Commonwealth.

HOUSE RESOLUTION NO. 843

Commending Howard G. Adams, Ph.D., and Eloise Adams, Ph.D.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Howard G. Adams, Ph.D., and Eloise Adams, Ph.D., have dedicated their lives to education, mentorship, and the advancement of the African American community; and

WHEREAS, Howard and Eloise Adams's journey together began in 1960 at the Norfolk Division of Virginia State University, now Norfolk State University, where they forged a partnership spanning over six decades; and

WHEREAS, Howard Adams, born on March 28, 1940, in Pittsylvania County, has served in esteemed roles, including vice president for student affairs at Norfolk State University and executive director of the National Consortium for Graduate Degrees for Minorities in Engineering and Science, Inc. (GEM), and is a recognized authority on mentorship and career development; and

WHEREAS, Eloise Adams has made significant contributions in the health and medical fields, transitioned into education as a teacher, earned her doctorate in molecular biology and genetics, and inspired many, particularly young women of color pursuing careers in science, technology, engineering, and mathematics; and

WHEREAS, Howard and Eloise Adams have generously supported Norfolk State University, earning a place in the esteemed Emerald Society for their lifetime giving, and have left an indelible mark on the institution and its students; and

WHEREAS, Howard and Eloise Adams's legacy continues through their daughter, Dr. Stephanie G. Adams, who has achieved historic milestones, including serving as the first Black female dean of the Batten College of Engineering and Technology at Old Dominion University, and who is currently the dean of the Erik Jonsson School of Engineering and Computer Science at the University of Texas at Dallas; now, therefore, be it

RESOLVED by the House of Delegates, That Howard G. Adams, Ph.D., and Eloise Adams, Ph.D., hereby be commended for their outstanding contributions to education and mentorship and their unwavering commitment to advancing opportunities for African Americans in academia and beyond; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Howard G. Adams, Ph.D., and Eloise Adams, Ph.D., as an expression of the House of Delegates' admiration for their achievements and contributions.

HOUSE RESOLUTION NO. 844

Commending Stephanie Roble.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Stephanie Roble, an exceptional athlete with ties to the Commonwealth, has brought immense pride to both Virginia and the United States through her achievements in the sport of sailing; and

WHEREAS, Stephanie Roble began her sailing journey at the age of five on a small lake in Wisconsin, but refined her skills at Old Dominion University (ODU), where she served as captain of the sailing team, earned two Most Valuable Player honors, was recognized as a two-time All-American, and completed a degree in finance; and

WHEREAS, Stephanie Roble has distinguished herself as a world-class sailor, securing multiple national and international championships, earning the title of 2014 Rolex Yachtswoman of the Year, and being inducted into the ODU Hall of Fame in 2021; and

WHEREAS, Stephanie Roble has proudly represented Team USA on the world's biggest stage as a two-time Olympian in the 49erFX women's skiff class, competing in the Tokyo 2020 and Paris 2024 Olympic Games, earning medals at the Pan American Games, and achieving a world ranking of third; and

WHEREAS, beyond her competitive success, Stephanie Roble is a mentor and motivator, using her experiences to inspire and empower others to push beyond their limits and strive for excellence while embodying the highest values of perseverance, leadership, and dedication; now, therefore, be it

RESOLVED by the House of Delegates, That Stephanie Roble hereby be commended for her outstanding achievements in sailing and her contributions to the Commonwealth and beyond; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Stephanie Roble as an expression of the House of Delegates' admiration for her many achievements and best wishes for her continued success.

HOUSE RESOLUTION NO. 845

Commending the Southside Youth Football League, the Huntersville Wolverines Football and Cheer Organization, and the Park Place Kings Football and Cheer Organization.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, the Southside Youth Football League has long been a pillar of youth development in Norfolk and the Hampton Roads Region, fostering discipline, teamwork, and leadership among young student-athletes through football and cheerleading; and

WHEREAS, the Huntersville Wolverines Football and Cheer Organization, under the leadership of President Tony Brown, Sr., has exemplified excellence, sportsmanship, and community engagement, earning the respect and admiration of the Norfolk community and surrounding communities; and

WHEREAS, the Park Place Kings Football and Cheer Organization, under the leadership of President Mike Dickens, has upheld the values of athletic excellence, mentorship, and community involvement, providing young athletes with opportunities for growth both on and off the field; and

WHEREAS, the 2024 season was a historic one for the Huntersville Wolverines, as the team secured three Southside Youth Football League (SYFL) Championships in the 6U, 10U, and 12U divisions, with the 12U team completing an undefeated season, a remarkable achievement that speaks to their talent, discipline, and perseverance; and

WHEREAS, the Huntersville Wolverines and the Park Place Kings have demonstrated the highest levels of camaraderie, mutual respect, and competitive excellence, making a lasting impact on youth sports in the region; and

WHEREAS, despite challenges, the Southside vs. Peninsula Battle of the Bay was successfully organized with the collaboration of Hampton 300 and Aberdeen, culminating in a first-ever Champion vs. Champion event, where the Huntersville Wolverines 6U team defeated Aberdeen, and the 10U team triumphed over Hampton 300, further solidifying the program's legacy; and

WHEREAS, the success of the Huntersville Wolverines, the Park Place Kings, and the broader SYFL community has been made possible through the unwavering support of parents, coaches, volunteers, team staff, nurses, and team moms, as well as the City of Norfolk, the Mayor's Office, Norfolk City Council members past and present, the Huntersville Civic League, Norfolk Parks and Recreation staff, Norfolk Police Department officers, and Hampton Parks and Recreation officials, including Conroy Newman and his staff; and

WHEREAS, the commitment of these individuals and organizations has ensured that the SYFL continues to serve as a beacon of mentorship, character development, and academic excellence for young athletes, preparing them for success in all aspects of life; now, therefore, be it

RESOLVED by the House of Delegates, That the Southside Youth Football League, the Huntersville Wolverines Football and Cheer Organization, and the Park Place Kings Football and Cheer Organization hereby be commended for their outstanding achievements, their dedication to youth mentorship, and their enduring contributions to the Norfolk community; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Tony Brown, Sr., president of the Huntersville Wolverines Football and Cheer Organization, and Mike Dickens, president of the Park Place Kings Football and Cheer Organization, as an expression of the House of Delegates' deep appreciation for their leadership and the positive impact of their organizations on young athletes and their communities.

HOUSE RESOLUTION NO. 846

Commemorating the life and legacy of Carter G. Woodson.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Carter G. Woodson, born on December 19, 1875, in New Canton was a visionary scholar and historian whose passion for preserving and celebrating Black history transformed how the nation celebrates the contributions of Black Americans; and

WHEREAS, the son of formerly enslaved parents, Carter Woodson's journey was one of perseverance and relentless pursuit of knowledge, working in the coal mines of West Virginia while educating himself before formally entering school in his late teens; and

WHEREAS, despite facing immense barriers, Carter Woodson achieved extraordinary academic success, earning a bachelor's degree from Berea College, a master's degree from the University of Chicago, and ultimately a doctorate in history from Harvard University—becoming only the second Black American to do so, following W.E.B. Du Bois; and

WHEREAS deeply aware of the historical exclusion of Black achievements from mainstream narratives, Carter Woodson dedicated his life to correcting this injustice, founding the Association for the Study of Negro Life and History in 1915 and launching *The Journal of Negro History* to document and elevate the stories that had long been ignored; and

WHEREAS, Carter Woodson's efforts culminated in the creation of Negro History Week in 1926, strategically placed in February to honor both President Abraham Lincoln and abolitionist Frederick Douglass—a celebration that grew into what is now recognized as Black History Month, an annual tribute to the resilience, brilliance, and contributions of Black Americans; and

WHEREAS, through groundbreaking works such as *A Century of Negro Migration* (1918), *The Education of the Negro Prior to 1861* (1919), *The History of the Negro Church* (1921), and *The Negro in Our History* (1922), Carter Woodson not only rewrote history—he made sure future generations would know their worth, their power, and their rightful place in the American story; and

WHEREAS, Carter Woodson's legacy lives on in classrooms, institutions, and movements across the country, inspiring countless individuals to continue the vital work of truth-telling, education, and empowerment; and

WHEREAS, during Black History Month, Virginians across the Commonwealth will reflect on the profound impact of Carter G. Woodson and reaffirm their commitment to ensuring that Black history is honored not just in February, but every single day of the year; now, therefore, be it

RESOLVED by the House of Delegates, That the life and legacy of Carter G. Woodson, whose vision gave rise to Black History Month and whose scholarship forever changed how the nation understands and celebrates contributions of Black Americans, hereby be commemorated on the occasion of the 150th anniversary of his birth; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Carter G. Woodson as an expression of the House of Delegates' deep appreciation for his unwavering dedication to history, education, and justice.

HOUSE RESOLUTION NO. 847

Commending the Prince William County Community Foundation.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, the Prince William County Community Foundation, founded in 2018 by Dr. Vanessa Gattis, has rapidly become a pillar of hope, service, and transformation, playing an essential role in improving the lives of residents across Prince William County; and

WHEREAS, community involvement is the backbone of a thriving society, and the Prince William County Community Foundation (PWCCF) has demonstrated unwavering dedication to fostering a stronger, healthier, and more connected community by addressing critical issues such as food insecurity, health and wellness, educational opportunities, and philanthropy; and

WHEREAS, the PWCCF works to empower individuals and families by ensuring equitable access to nutritious food, comprehensive health care, and educational resources, reinforcing the principle that strong communities are built through collaboration, compassion, and collective action; and

WHEREAS, through innovative programs and targeted initiatives, the PWCCF continues to tackle pressing challenges, foster resilience, and create sustainable solutions that lay the groundwork for long-term success and generational impact; and

WHEREAS, the PWCCF's commitment to action extends beyond direct support, as demonstrated by its monthly Community Conversations, which provide a vital platform for residents to engage in meaningful discussions, share perspectives, and collaborate on solutions to pressing community issues; and

WHEREAS, the PWCCF embodies the power of community involvement, proving that when people come together to uplift one another, real and lasting change is possible; and

WHEREAS, the PWCCF's tireless work serves as an inspiring example of how grassroots efforts, strategic philanthropy, and unwavering commitment can transform communities, improve quality of life, and ensure that every resident has the opportunity to thrive; now, therefore, be it

RESOLVED by the House of Delegates, That the Prince William County Community Foundation hereby be commended for its extraordinary efforts in uplifting and empowering the residents of Prince William County, strengthening the fabric of the community, and fostering an enduring legacy of service and impact; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Prince William County Community Foundation as an expression of the House of Delegates' admiration for the organization's outstanding contributions to the well-being of the community, its steadfast dedication to service, and its commitment to ensuring a brighter future for all residents of Prince William County.

HOUSE RESOLUTION NO. 848

Celebrating the life of Carol J. Pretlow.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Carol J. Pretlow, a tenured associate professor in the Department of Political Science at Norfolk State University, died on December 24, 2024, leaving a profound impact on the university community, her students, and the field of political science; and

WHEREAS, a native of Smithfield, Carol Pretlow was known for her dedication to her students and her passion for education, teaching constitutional law, international relations, and political theory for more than 30 years; and

WHEREAS, Carol Pretlow was a self-proclaimed "country girl," whose strong sense of community and deep commitment to lifelong learning inspired countless students to engage critically with political issues and to think deeply about the world around them; and

WHEREAS, Carol Pretlow was involved in important research, including work for the U.S. Department of Defense under the auspices of Norfolk State University's Office of Sponsored Programs, which led her to found and direct the Consortium for Strategic and Global Studies; and

WHEREAS, Carol Pretlow represented Norfolk State University internationally, engaging with academic institutions in 19 countries across Asia, Europe, the Middle East, and South America, fostering global academic collaboration; and

WHEREAS, in 2017, Carol Pretlow participated in a team of American professors under the Jewish Federation of America, Academic Partners for Peace, and worked on issues related to conflict, peacekeeping, and peacebuilding in Jerusalem in the context of the Israeli-Palestinian conflict; and

WHEREAS, in 2018, Carol Pretlow participated in the National Security Law Institute at the University of Virginia, continuing to enhance her scholarship and expertise in national and international law; and

WHEREAS, Carol Pretlow held a bachelor's degree in political science from Fisk University, a master's degree in mass communications from Norfolk State University, and a juris doctor degree and master of laws in International Law from The American University Washington College of Law; and

WHEREAS, in addition to her academic contributions, Carol Pretlow was a regular member of the Another View Round Table, a nationally recognized talk show focused on issues impacting the African American community, and was deeply involved in social justice advocacy and the promotion of civic engagement, especially for marginalized communities; and

WHEREAS, Carol Pretlow's legacy is marked by her advocacy, mentorship, and her unwavering commitment to her students, colleagues, and the broader community; she is remembered for her kindness, her wisdom, and her tireless efforts to make the world a better place through education and action, as well as her exceptional contributions to social justice and the field of political science; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Carol J. Pretlow, whose passion for education, advocacy, and service left an indelible mark on Norfolk State University and the countless lives she touched; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Carol J. Pretlow as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 849

Commending the Prince William County Alumnae Chapter of Delta Sigma Theta Sorority, Inc.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, the Prince William County Alumnae Chapter of Delta Sigma Theta Sorority, Inc., a sisterhood of college-educated women actively engaged in serving the communities of Prince William County, Manassas, and Manassas Park, celebrated its 40th anniversary in 2024; and

WHEREAS, the Prince William County Alumnae Chapter (PWCAC) of Delta Sigma Theta Sorority, Inc., became the 740th chapter of the distinguished and historically African American national sorority when it was chartered on December 1, 1984; and

WHEREAS, from a group of 15 charter members and six chapter members, the PWCAC has grown considerably in its membership over the years and expanded and diversified the ways in which the organization makes an impact on the lives of others; and

WHEREAS, the PWCAC supports local homeless shelters, carries out food and toy drives, and spearheads numerous other projects and initiatives in the areas of education and literacy, health and wellness, arts and culture, and business, building a remarkable legacy of service in the interest of the public good; and

WHEREAS, through a deep and unwavering commitment to their organization's mission and values, the members of the PWCAC have helped to make Prince William County, Manassas, and Manassas Park wonderful places to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That the Prince William County Alumnae Chapter of Delta Sigma Theta Sorority, Inc., hereby be commended on the occasion of its 40th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Prince William County Alumnae Chapter of Delta Sigma Theta Sorority, Inc., as an expression of the House of Delegates' admiration for the group's history and its many accomplishments in service to the community.

HOUSE RESOLUTION NO. 850

Commending the Forest Park High School robotics program.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, the Forest Park High School robotics program in Woodbridge has been a beacon of innovation, education, and teamwork, fostering a passion for science, technology, engineering, and mathematics among students; and

WHEREAS, the Forest Park robotics program provides hands-on experience in engineering, computer programming, and problem-solving, instilling valuable skills in leadership, collaboration, and perseverance in its participants; and

WHEREAS, Forest Park robotics teams actively compete in the VEX Robotics program and contribute to the FIRST Robotics Competition through the Prince William County Public School's all-county team, SuperNova, expanding opportunities for students to engage in advanced robotics and technology competitions; and

WHEREAS, the Forest Park robotics program has a distinguished history of excellence in competition, participating in numerous local, regional, and state tournaments, including Bruin in the Den, Battle of the Bridge, Roboticon, Parkside Skills, and Prowl at the Potomac, and has consistently earned recognition for its design, strategy, and performance; and

WHEREAS, the Forest Park robotics teams have showcased their talents at the Virginia State Championship for many years and, in the 2023-24 season, earned the prestigious opportunity to compete at the national championship in Iowa, a testament to their hard work and dedication; and

WHEREAS, in the 2024-25 season, Forest Park robotics teams expanded their reach by competing in signature events at Virginia Polytechnic Institute and State University and West Virginia University, demonstrating their commitment to continuous growth and excellence in robotics; and

WHEREAS, the Forest Park robotics teams have been recognized for their high energy, school spirit, and outstanding performance, earning awards such as the Energy Award at the Virginia State Championship (2021-22), the tournament championship title at the Battle of the Bridge tournament (2023-24), and the Judges Award at Roboticon (2024-25); and

WHEREAS, beyond competitions, the Forest Park robotics program actively engages in community outreach, regularly volunteering at local events such as Triangle Elementary School's STEM Night, inspiring young students to explore robotics through hands-on learning experiences; and

WHEREAS, in the 2023-24 season, the Forest Park robotics program further strengthened the Northern Virginia robotics community by hosting its own events, Bruin in the Den and Prowl at the Potomac, providing more than 100 teams with the opportunity to compete and earn invitations to the state championship; and

WHEREAS, the Forest Park robotics program exemplifies the idea that robotics is not just a competition, but a platform for students to develop critical thinking skills, teamwork, and pride in their achievements, while fostering a culture of excellence, inclusivity, and mentorship; now, therefore, be it

RESOLVED by the House of Delegates, That the Forest Park High School robotics program hereby be commended for its commitment to science, technology, engineering, and mathematics education, its outstanding achievements in robotics competitions, and its dedication to community service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Forest Park High School robotics program as an expression of the House of Delegates' admiration for its contributions to the students of Prince William County and the broader robotics community.

HOUSE RESOLUTION NO. 851

Commending the Larchmont-Edgewater Civic League.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, the Larchmont-Edgewater Civic League maintains the historic legacy and unique character of the Larchmont-Edgewater neighborhood in Norfolk while building a strong sense of community among its residents; and

WHEREAS, the Larchmont-Edgewater neighborhood is known for its significant population of military families, and the Larchmont-Edgewater Civic League has gone above and beyond to honor active duty service members, veterans, and those who have given their lives in defense of the nation; and

WHEREAS, the Larchmont-Edgewater Civic League was first established in 1993, but was reinvigorated during the COVID-19 pandemic and has been especially active since 2023, when it held its inaugural Memorial Day Parade, Festival, and Wreath-Laying Ceremony; what began as a small neighborhood event has grown into one of Norfolk's biggest unofficial city events with attendance growing every year; and

WHEREAS, the Larchmont-Edgewater Civic League has advocated for numerous traffic safety enhancements in the area, and the organization's commitment to good communication, transparency, and effective leadership have made it the preeminent nonprofit civic organization with a track record of distinctive accomplishments; and

WHEREAS, the Larchmont-Edgewater Civic League has prioritized civic engagement and developed effective working relationships with City of Norfolk elected officials and public servants, Old Dominion University, local churches, neighborhood schools, small businesses, and other local partners to serve people in need throughout the region; now, therefore, be it

RESOLVED by the House of Delegates, That the Larchmont-Edgewater Civic League hereby be commended for its efforts to support its residents and honor all men and women who have served and sacrificed in uniform on the occasion of its third annual Memorial Day Parade, Festival, and Wreath-Laying Ceremony; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Larchmont-Edgewater Civic League as an expression of the House of Delegates' admiration for the association's legacy of achievements on behalf of the military community.

HOUSE RESOLUTION NO. 852

Commending Sarah Everhardt.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Sarah Everhardt, a resident of Haymarket and a senior at Battlefield High School, earned a bronze medal at the Prevagen U.S. Figure Skating Championships in Wichita, Kansas, in January 2025; and

WHEREAS, Sarah Everhardt previously finished fourth at the 2024 Prevagen U.S. Figure Skating Championships, then followed up with a victory at the Cranberry Cup International in Boston, Massachusetts, and a silver medal at the ISU Challenger Series Lombardia Trophy in Bergamo, Italy, in September 2024; and

WHEREAS, at the 2025 Prevagen U.S. Figure Skating Championships, Sarah Everhardt posted her best score in the free skate with 136.64 points and earned 207.36 over the course of the two-day event; and

WHEREAS, by placing in the top five of the senior nationals for the second time, Sarah Everhardt automatically qualified for the 2026 national championship, which will be the final qualifying event prior to the selection of the U.S. Olympic Figure Skating Team that will represent Team USA at the 2026 Winter Olympic Games; now, therefore, be it

RESOLVED by the House of Delegates, That Sarah Everhardt hereby be commended on winning a bronze medal at the 2025 Prevagen U.S. Figure Skating Championships; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Sarah Everhardt as an expression of the House of Delegates' admiration for her athletic achievements and best wishes for future success.

HOUSE RESOLUTION NO. 853

Commending Khadijeh Aslankhani.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Khadijeh "Malieh" Aslankhani, better known as "Malijoon" to her friends and family, currently of Vienna, celebrates her 100th birthday in 2025; and

WHEREAS, Malijoon was born on March 21, 1925, in Tehran, Iran, to her parents Sahra and Ghambar Aslankhani, and her family included a sister, Robabeh, and four brothers, Hossein, Abdollah, Alireza, and Gholamreza; and

WHEREAS, Malijoon married Ali Reza, together with whom they had one son, Mohammed "Bijan" Reza, and five daughters, Manijehn, Farideh, Nahid, Noushin, and Shahnaz; 14 grandchildren, Atoosa, Alireza, Saghar, Kamiar, Nasim, Moones, Mahmoudreza, Sam, Sara, Nassim, Moones, Shaya, Mana, and Sarvenaz; and 10 great-grandchildren, Liam, Daria, Armand, Clara, Tala, Mason, Mila, Aiden, Sayna, and Maya; and

WHEREAS, Malijoon has since become a naturalized citizen of the United States of America, and a resident of the Commonwealth of Virginia since the 1980s; and

WHEREAS, Malijoon used American television to learn to speak English, with her favorite shows including Wheel of Fortune and all awards shows, as she is a fan of fashion and celebrations of all kinds; and

WHEREAS, with only a sixth-grade education, Malijoon raised six successful children who became chief executive officers, small business owners, clothing designers, and homemakers; and

WHEREAS, Malijoon is famously known for her fierce independence, unending positivity, and her love of country for the United States of America; now, therefore, be it

RESOLVED by the House of Delegates, That Khadijeh "Malieh" Aslankhani hereby be commended on the occasion of her 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare copies of this resolution for presentation to Khadijeh "Malieh" Aslankhani and each of her children, as an expression of the House of Delegates' admiration for her exemplification of her love for this country.

HOUSE RESOLUTION NO. 854

Commending Veronica Del Bagno.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Veronica Del Bagno, principal of Rolling Valley Elementary School, was named the Outstanding New Principal of Region 4 by Fairfax County Public Schools in 2024; and

WHEREAS, Veronica Del Bagno joined Rolling Valley Elementary School as an assistant principal in August 2019 and was promoted to principal in July 2023; previously, she also served as an assistant principal with Alexandria City Public Schools and as a special education teacher; and

WHEREAS, Veronica Del Bagno has led with compassion and dedication to help Rolling Valley Elementary School achieve its mission to raise the bar for academic achievement, close achievement gaps, and maximize individual learning; and

WHEREAS, Veronica Del Bagno helps each student achieve their full academic potential while tending to their physical, social, and emotional well-being; and

WHEREAS, Veronica Del Bagno's dedication to the needs of all of her students is evident in Rolling Valley Elementary School's enhanced programs for students with intellectual disabilities or autism and its Purple Star designation for honoring military-connected students and families; and

WHEREAS, Veronica Del Bagno advocated for and ensured the new playground erected for Rolling Valley Elementary School is accessible for all students to enjoy; and

WHEREAS, Veronica Del Bagno has established strong bonds of trust and respect between herself and her staff and makes great efforts to recognize their accomplishments, bolstering their confidence and their ability to learn, grow, and succeed as educators; and

WHEREAS, Veronica Del Bagno sends a weekly newsletter to parents and staff and works in tandem with the Parent Teacher Association of Rolling Valley Elementary School because she understands the value of partnering with and proactively communicating with the Rockin' Robin community; and

WHEREAS, by guiding and inspiring her students and staff, Veronica Del Bagno has led Rolling Valley Elementary School to excellence, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, That Veronica Del Bagno hereby be commended for being named the 2024 Outstanding New Principal of Region 4 by Fairfax County Public Schools; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Veronica Del Bagno as an expression of the House of Delegates' high regard for her contributions to Fairfax County and the Commonwealth.

HOUSE RESOLUTION NO. 855

Commending Marjorie Mayfield Jackson.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Marjorie Mayfield Jackson, an esteemed environmental advocate and founder and executive director of the Elizabeth River Project, retired in 2025; and

WHEREAS, more than three decades ago, Marjorie Mayfield Jackson was inspired to resign from her journalism career and devote herself entirely to the task of cleaning and restoring the Elizabeth River in Hampton Roads; and

WHEREAS, shortly thereafter, Marjorie Mayfield Jackson founded the Elizabeth River Project, a nonprofit organization that has spearheaded a number of initiatives to benefit the Elizabeth River, including cleanups and educational programs, and that has been a model of environmental restoration; and

WHEREAS, Marjorie Mayfield Jackson established the Elizabeth River Project with a mission "to restore the Elizabeth River through equitable collaboration with diverse communities, businesses, and governments" and has consistently sought collaboration and consensus in pursuing the organization's objectives; and

WHEREAS, since Marjorie Mayfield Jackson began her quest to save the Elizabeth River, the waterway has seen tremendous improvement, including a reduction in bacteria, an increase in the amount of oxygen in the water, the restoration of oyster reefs and wetlands, and the return of wildlife; and

WHEREAS, during Marjorie Mayfield Jackson's tenure, the Elizabeth River Project's accomplishments have included the Ryan Resilience Lab, the River Star Homes initiative, the River Star Business program, the Dominion Energy Learning Barge, and the Paradise Creek Nature Park, all of which have enhanced the Elizabeth River for the benefit of Hampton Roads residents and visitors; now, therefore, be it

RESOLVED by the House of Delegates, That Marjorie Mayfield Jackson hereby be commended on the occasion of her retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Marjorie Mayfield Jackson as an expression of the House of Delegates' admiration for her contributions to Hampton Roads and the Commonwealth.

HOUSE RESOLUTION NO. 856

Celebrating the life of Clarice Lorine Jordan.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Clarice Lorine Jordan, an esteemed employee of the Department of Health and beloved member of the Richmond community, died on February 11, 2025; and

WHEREAS, Clarice Jordan attended Fair Oaks Elementary School in Highland Springs and went on to graduate from the historic Virginia Randolph Community High School in Glen Allen in 1967; and

WHEREAS, Clarice Jordan graduated from the former Smithdeal-Massey Business College before devoting more than 30 years to the Commonwealth as an employee with the Department of Health, while also assisting her brother Dennis as a supervisor of his janitorial business; and

WHEREAS, Clarice Jordan's pastimes included shopping, playing Bid Whist, and reading, but she found her greatest joy in spending quality time with family; and

WHEREAS, with an abundance of love, wisdom, and kindness, Clarice Jordan welcomed and embraced the responsibility of raising her nieces and nephews and caring for her mother over the years; and

WHEREAS, Clarice Jordan was cherished by all who knew her for her warm and friendly nature, her remarkable ability to connect with people, and her willingness to help others in need; and

WHEREAS, Clarice Jordan accepted Christ at an early age and joined the Fellowship of Seven Pines Baptist Church in Sandston, where she enjoyed worship and fellowship with her community and family; and

WHEREAS, Clarice Jordan will be fondly remembered and dearly missed by her loving siblings, the Reverend Lawrence S. Jordan, the Reverend Lionel H. Jordan, Norman D. Jordan, Minister Dennis E. Jordan, Alan W. Jordan, Darryl L. Jordan, the Honorable Delores L. McQuinn, and Brenda M. Jordan, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Clarice Lorine Jordan, a treasured member of the Richmond community whose light brightened countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Clarice Lorine Jordan as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 857

Commending Tarrallton Elementary School.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Tarrallton Elementary School in Norfolk received the Exemplar Performance-Highest Achievement Award from the Virginia Board of Education in 2024; and

WHEREAS, the Virginia Board of Education's Exemplar School Recognition Program recognizes schools in the Commonwealth that meet or exceed state benchmarks in reading, mathematics, and science, as well as other criteria; and

WHEREAS, this prestigious award highlights Tarrallton Elementary School's dedication to academic excellence, low chronic absenteeism, and success in narrowing achievement gaps among student groups; and

WHEREAS, Tarrallton Elementary School's commitment to continuous improvement and student success exemplifies the highest standards of education in the Commonwealth; and

WHEREAS, as a Purple Star School, Tarrallton Elementary School has previously been recognized for its support for military families, and it has earned many other awards and accolades at the state level; now, therefore, be it

RESOLVED by the House of Delegates, That Tarrallton Elementary School hereby be commended on winning the Exemplar Performance-Highest Achievement Award in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Kimberly M. Saunders, principal of Tarrallton Elementary School, as an expression of the House of Delegates' admiration for the school's ongoing commitment to excellence in service to its students.

HOUSE RESOLUTION NO. 858

Commending the First Landing 1607 Project.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, the First Landing 1607 Project promotes and preserves the importance of the Commonwealth in regards to its role in the political and religious founding of the nation; and

WHEREAS, on April 26, 1607, English settlers landed on the shores of Virginia at Cape Henry and on April 29, 1607, with orders from The Virginia Company to plant the cross they carried with them on the shore, held a cross dedication service and dedicated the land known as Virginia to Christ and King; and

WHEREAS, Christopher Newport, captain of the *Susan Constant*, erected on May 24, 1607, a cross at the James River fall line in what is now the City of Richmond; in 1907, a bronze replica of the Christopher Newport Cross mounted on a base of stones from the James River was erected in remembrance of the claiming and dedication of the land now known as Virginia for Christ and for England; and

WHEREAS, on December 4, 1619, Virginia settlers held a prayer service at Berkeley in Charles City County to "be yearly and perpetually kept holy as a day of thanksgiving to Almighty God," marking the first Thanksgiving in the New World; and

WHEREAS, George Mason wrote in the Virginia Declaration of Rights, forerunner to the United States Bill of Rights, largely drafted by James Madison, "that it is the mutual duty of all to practice Christian forbearance, love and charity towards each other"; and

WHEREAS, the founders of our country were great men and women from many religious denominations, races, and cultures, who came here from all over the world to establish a country "with liberty and justice for all," and Judeo-Christian beliefs are an integral part of this rich heritage in Virginia; and

WHEREAS, the First Landing 1607 Project shares this rich Virginia history through informational outreach, public lectures, and promotional events; now, therefore, be it

RESOLVED by the House of Delegates, That the First Landing 1607 Project hereby be commended for its efforts to protect and promote the history and role of the Commonwealth in the foundation of the United States; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the First Landing 1607 Project as an expression of the House of Delegates' admiration for the organization's achievements.

HOUSE RESOLUTION NO. 859

Commending Dr. Charles W. Sydnor, Jr.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Dr. Charles W. Sydnor, Jr., has ably served as senior staff historian of the Virginia Holocaust Museum and was previously its president and executive director from 2013 to 2017; and

WHEREAS, Dr. Sydnor previously served at Hampden-Sydney College as assistant to the president in 1980, and came to Richmond in January 1982 to serve as a speechwriter for Governor Charles S. Robb; and

WHEREAS, from the Governor's Office, Dr. Sydnor returned to Emory & Henry University as its president, becoming only the second alumnus to serve as president of his alma mater in the 20th century; and

WHEREAS, in 1992, Dr. Sydnor became president and chief executive officer of Commonwealth Public Broadcasting Corporation in Richmond, where he remained until his first retirement in May 2006; and

WHEREAS, in 2005, Dr. Sydnor was inducted into the Virginia Communications Hall of Fame; and

WHEREAS, Dr. Sydnor served for 10 years as a trustee of the Library of Virginia and was chairman of the board in 2005-2006; and

WHEREAS, in July 2006, Dr. Sydnor held joint teaching appointments as a visiting professor at both Longwood University and Hampden-Sydney College, then returned to Emory & Henry University, retiring a second time in May 2013; and

WHEREAS, Dr. Sydnor's experiences in community service have been equally extensive; he served on the Boards of Trustees of the Virginia Historical Society, the George C. Marshall Foundation, the Center for Digital History at the University of Virginia, and the Library of Virginia Foundation; and

WHEREAS, Dr. Sydnor hopes to see the Virginia Holocaust Museum position itself in a distinctive niche as one of the country's premier research institutions, where scholars and students may research the documents and histories of the Holocaust as experienced by its perpetrators, its victims, and its bystanders; now, therefore, be it

RESOLVED by the House of Delegates, That Dr. Charles W. Sydnor, Jr., a dedicated historian and community leader who guided the Virginia Holocaust Museum and several other organizations for many years, hereby be commended on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Dr. Charles W. Sydnor, Jr., and his family as an expression of the House of Delegates' admiration for his legacy of service to the Commonwealth.

HOUSE RESOLUTION NO. 860

Commending Honeysuckle Cafe.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Honeysuckle Cafe, a celebrated purveyor of sandwiches, salads, soups, and brunch in Norfolk, opened in 2024; and

WHEREAS, Honeysuckle Cafe was founded by Susan and Ross Fetterly, who have more than a decade of experience in the food industry and who have run their own catering company since 2021; and

WHEREAS, Honeysuckle Cafe combats food insecurity in the community through its involvement with the 757 Community Fridges initiative, which makes food supplies available to those who cannot easily reach a food pantry; and

WHEREAS, Honeysuckle Cafe has fostered collaboration and community engagement by partnering with several local chefs, artists, and artisans; and

WHEREAS, Honeysuckle Cafe is a dedicated advocate for expanding childcare access for working families and small businesses around the Commonwealth; and

WHEREAS, through its commitment to making excellent food and providing exemplary service, Honeysuckle Cafe has helped to make Norfolk a wonderful place to live, work, and enjoy a meal; now, therefore, be it

RESOLVED by the House of Delegates, That Honeysuckle Cafe hereby be commended for its exceptional food and service; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Honeysuckle Cafe as an expression of the House of Delegates' admiration for its contributions to Norfolk and the Commonwealth.

HOUSE RESOLUTION NO. 861

Commending McKinley L. Price, D.D.S.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, McKinley L. Price, D.D.S., an esteemed dentist and public servant who has admirably served the Newport News community for nearly a half-century, retired in 2024; and

WHEREAS, McKinley Price graduated from the historic Collis P. Huntington High School in Newport News in 1967 before earning a bachelor's degree in biology from the Hampton Institute, now Hampton University, and honorably serving his country as a first lieutenant in the United States Army; and

WHEREAS, after obtaining a doctoral degree in dental surgery from Howard University in 1976 and completing a general anesthesia residency at the former Provident Hospital in Baltimore, McKinley Price embarked upon a 47-year career in dentistry, working tirelessly to attend to the oral health needs of the residents of Newport News; and

WHEREAS, McKinley Price has advanced dental medicine in the Commonwealth and beyond through his affiliation with a number of professional associations, including the Old Dominion Dental Society, where he currently serves as president, and Delta Dental of Virginia, for which he currently serves as board chair; in 1989, he made history as the first Black president of the Peninsula Dental Society; and

WHEREAS, McKinley Price has upheld the highest standards of the dental profession and is a fellow in the Virginia Dental Association, the American College of Dentists, and the International College of Dentists; and

WHEREAS, in recognition of his accomplishments as a dentist, McKinley Price has been honored with numerous distinguished awards, including three Dentist of the Year awards from the Old Dominion Dental Society; and

WHEREAS, McKinley Price served as the mayor of Newport News from 2010 to 2022, during which time he demonstrated a deep commitment to the well-being of the locality and its residents; he also previously served as a member of the Newport News City Council and was a member of the Newport News School Board from 1984 to 1992, including two years spent as chair; and

WHEREAS, McKinley Price has provided leadership and expertise as a member of the United States Conference of Mayors and as president of the African American Mayors Association; and

WHEREAS, McKinley Price's impact on the community includes service as chair of the board of the Riverside Health System Foundation, vice chair of the Riverside Health System board, and chair of the Thomas Nelson Community College board, and he also served the Commonwealth as a gubernatorial appointee to the Virginia Economic Development Partnership's board of directors; and

WHEREAS, McKinley Price's community service has garnered a number of prestigious accolades, including multiple citizen of the year awards, the President's Humanitarian Award from 100 Black Men of the Virginia Peninsula, Inc., the Presidential Citizenship Award from Hampton University, and the Humanitarian Award from the Peninsula Chapter of the National Conference for Community and Justice; now, therefore, be it

RESOLVED by the House of Delegates, That McKinley L. Price, D.D.S., hereby be commended on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to McKinley L. Price, D.D.S., as an expression of the House of Delegates' admiration for his extraordinary career as a dentist and public servant and best wishes for a rewarding and fulfilling retirement.

HOUSE RESOLUTION NO. 862

Celebrating the life of James Earl Carter, Jr., M.D.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, James Earl Carter, Jr., M.D., a trusted physician and a man of deep and abiding faith, died on January 28, 2025; and

WHEREAS, James Carter grew up in Kansas City, Missouri, and graduated as valedictorian of Lincoln High School; he attended the University of Missouri-Kansas City, majoring in biology and chemistry, then worked as a chemist until he could attend medical school; and

WHEREAS, James Carter earned his medical degree from the University of Missouri-Columbia, where he was the only Black student in his class and overcame numerous instances of discrimination through his faith and dedication to succeed; and

WHEREAS, James Carter lived in the Washington, D.C., area while completing his medical internship at Walter Reed National Military Medical Center; he served the nation as a member of the United States Army, rising to the rank of captain and earning an Army Commendation Medal, then conducted his residency at Ventura County Hospital in California and was board certified in family practice; and

WHEREAS, James Carter returned to Kansas City, where he served the community for more than three decades as a member of Wayne Minor Neighborhood Health Center and in private practice; later in his career, he served at several other

medical centers in the region and inspired new generations of medical professionals as a teacher at the University of Missouri and the University of Kansas; and

WHEREAS, James Carter was guided by his faith in all his actions and enjoyed fellowship and worship with the congregations of Paseo Baptist Church and Grace Baptist Church of Greater Kansas City; and

WHEREAS, James Carter will be fondly remembered and greatly missed by his devoted wife of 56 years, Nina; his daughters, Christy and Kimberly, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of James Earl Carter, Jr., M.D.; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of James Earl Carter, Jr., M.D., as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 863

Celebrating the life of Carylon Crouch Buck.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Carylon Crouch Buck, an esteemed faith leader and beloved member of the Hampton Roads community, died on February 11, 2025; and

WHEREAS, a lifelong resident of Hampton Roads, Carylon Buck was born in Norfolk and spent her later years in Portsmouth and Chesapeake; and

WHEREAS, guided throughout her life by her faith, Carylon Buck was a longtime member of Biltmore Baptist Church in Portsmouth, where she served in many ministries over the years; and

WHEREAS, Carylon Buck devoted more than 40 years to supporting the ministry work of the Child Evangelism Fellowship of Tidewater, where she retired as missionary director in 2005; and

WHEREAS, over her career, Carylon Buck demonstrated an extraordinary gift for preparing adults to become faith educators, helping countless children grow in their faith along their spiritual journeys; and

WHEREAS, preceded in death by her husband of 49 years, G. Malone Buck, Jr., Carylon Buck will be fondly remembered and dearly missed by her children, Bonnie, Betsy, Barry, and Beverly, and their families and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Carylon Crouch Buck, a cherished member of the Hampton Roads community whose dedication and faith made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Carylon Crouch Buck as an expression of the House of Delegates' respect for her memory.

HOUSE RESOLUTION NO. 864

Commending Habitat for Humanity Peninsula and Greater Williamsburg.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Habitat for Humanity Peninsula and Greater Williamsburg, which serves the communities of Hampton, Newport News, Poquoson, Williamsburg, Charles City County, James City County, New Kent County, and York County, celebrates its 40th anniversary in 2025; and

WHEREAS, Habitat for Humanity Peninsula and Greater Williamsburg is an affiliate of Habitat for Humanity International, a nonprofit organization that helps families build strength, stability, and self-reliance through home ownership; and

WHEREAS, Habitat for Humanity Peninsula and Greater Williamsburg has constructed 233 homes for families, with seven more expected to be completed in 2025; and

WHEREAS, Habitat for Humanity Peninsula and Greater Williamsburg has served 462 adults and 474 children for a total of 936 individuals through 2024; and

WHEREAS, Habitat for Humanity Peninsula and Greater Williamsburg completed 482 home repairs for families since 2010, with 30 more repairs anticipated in 2025; and

WHEREAS, Habitat for Humanity Peninsula and Greater Williamsburg has received the support of 6,532 volunteers who completed 52,887 service hours building homes for the community since 2010; and

WHEREAS, a trusted and valuable community asset, Habitat for Humanity Peninsula and Greater Williamsburg advocates to change policies and systems to eliminate barriers and enable families to achieve adequate, affordable housing; now, therefore, be it

RESOLVED by the House of Delegates, That Habitat for Humanity Peninsula and Greater Williamsburg hereby be commended on the occasion of its 40th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Shauntrice Williams, chief executive officer of Habitat for Humanity Peninsula and Greater Williamsburg, as an expression

of the House of Delegates' deep appreciation for the organization's exemplary service to the community and the Commonwealth.

HOUSE RESOLUTION NO. 865

Commending Amanda Castellucci.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Amanda Castellucci, an educator at Woodburn Elementary School, was named as the Outstanding Elementary School Teacher Region 2 finalist by Fairfax County Public Schools in 2024; and

WHEREAS, the Fairfax County Public Schools Outstanding Elementary Teacher Award program recognizes exemplary teachers who demonstrate dedication, commitment, and the ability to propel students to high levels of success by fostering talent and instilling a passion for academics; and

WHEREAS, Amanda Castellucci's passion for education is deeply rooted in her unwavering belief that every student, regardless of their background or circumstances, deserves an education that fosters academic excellence and nurtures their individual identities and personal growth; and

WHEREAS, as a teacher of multilingual learners, Amanda Castellucci strives to encourage her students to succeed by ensuring they have the support, tools, and resources to achieve their dreams; and

WHEREAS, while maintaining high academic expectations, Amanda Castellucci treats her students with acceptance and love and reminds them that their multilingualism and multiculturalism are advantages to be treasured; and

WHEREAS, Amanda Castellucci has helped Woodburn Elementary School fulfill its mission to develop responsible citizens, creative thinkers, and lifelong learners in a safe and inclusive environment; now, therefore, be it

RESOLVED by the House of Delegates, That Amanda Castellucci hereby be commended on her selection by Fairfax County Public Schools as the 2024 Outstanding Elementary School Teacher Region 2 finalist; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Amanda Castellucci as an expression of the House of Delegates' admiration for her contributions to young students in Fairfax County.

HOUSE RESOLUTION NO. 866

Commending Keyshawn Davis.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Keyshawn Davis, a native of Norfolk and one of American boxing's brightest stars, claimed the World Boxing Organization lightweight title at The Theater at Madison Square Garden in New York City on February 14, 2025; and

WHEREAS, Keyshawn Davis dominated from the outset of the match against the previously unbeaten Denys Berinchyk and knocked out the former champion with a powerful left hook in the fourth round; and

WHEREAS, Keyshawn Davis's title-winning match moves his professional career record to 13-0, with nine knockouts and one no contest finish; and

WHEREAS, by achieving his title in his 14th professional match, Keyshawn Davis tied the boxing legend Oscar De La Hoya for the third-fewest fights needed to secure a lightweight championship; and

WHEREAS, prior to his World Boxing Organization title, Keyshawn Davis won silver medals at the Games of the XXXII Olympiad in Tokyo, the 2019 Association Internationale de Boxe Amateur World Boxing Championships, and the XVIII Pan American Games; and

WHEREAS, Keyshawn Davis has proven himself one of the greatest in his sport and has brought great pride to Norfolk and the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That Keyshawn Davis hereby be commended for claiming the World Boxing Organization lightweight title; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Keyshawn Davis as an expression of the House of Delegates' admiration for his achievements and best wishes for his continued success.

HOUSE RESOLUTION NO. 867

Commending TreVeyon Henderson.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, TreVeyon Henderson participated in the Hopewell Youth Football League (HYFL) from 2010 to 2014; and

WHEREAS, TreVeyon's Hopewell Youth Football League team went to the youth championship every season he participated; and

WHEREAS, TreVeyon's team won the Championship in 2011, 2012, and 2013; and

WHEREAS, TreVeyon was team MVP and Offensive Player of the Year every year between 2010-2014; and

WHEREAS, TreVeyon scored 21+ touchdowns every season that he played youth football; and

WHEREAS, TreVeyon won an award for Most Dedicated Player and was twice named the HYFL Homecoming King; and

WHEREAS, TreVeyon played for the Carter G. Woodson Middle School (CGWMS) football team and was named MVP for 2015 and 2016; and

WHEREAS, TreVeyon contributed to the CGWMS Wildcats winning the 2015 and 2016 Middle School District Championships; and

WHEREAS, TreVeyon played for the Hopewell Blue Devils at Hopewell High School earning the following honors:

2018 First Team All-Region on offense and defense,

2019 First Team All-Region,

2019 First Team All-State,

2019 First Team All-Metro,

2019 Metro Player of the Year,

2019 3A State Player of the Year,

2019 Gatorade State Player of the Year,

2019 *USA Today* All-American,

3rd in the nation with 53 touchdowns, averaging 12 yards per carry; and

WHEREAS, TreVeyon contributed to the Hopewell High School Blue Devils winning the 2017 and 2019 VHSL Division 3 State Championships in football; and

WHEREAS, TreVeyon was the 2020 VHSL Division 3 State Champion in the 55 Meters; and

WHEREAS, upon graduation from Hopewell High School, TreVeyon was a 5 star recruit and the #1 ranked Running Back in the country; and

WHEREAS, TreVeyon maintained a 4.2 GPA- making all A's his entire high school career; and

WHEREAS, TreVeyon played football at Ohio State University earning the following honors:

2023 First Team All-Big 10,

2021 Second Team All-Big 10,

2024 Third Team All-Big 10,

2022 Academic All-Big 10,

2024 Senior of the Year award; and

WHEREAS, TreVeyon participated in winning the 2024 NCAA National Championship in Football; and

WHEREAS, TreVeyon is now the 4th all time in Ohio State history in rushing yards with 3,761; and

WHEREAS, TreVeyon is now the 6th all time in Ohio State history in rushing touchdowns with 42; and

WHEREAS, TreVeyon gave back to his community by donating backpacks and bibles, all with personal messages, to every player on the Hopewell varsity, junior varsity, and middle school football teams; and

WHEREAS, TreVeyon has donated thousands of dollars to GoFundMe causes for local kids who passed away to help finance their funerals; now, therefore, be it

RESOLVED by the House of Delegates, That TreVeyon Henderson hereby be commended for his contribution to Hopewell as a role model to young athletes; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to TreVeyon Henderson as an expression of the House of Delegates' admiration for his contributions to the Hopewell community.

HOUSE RESOLUTION NO. 868

Commending Edward L. Wright, Jr.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Edward L. Wright, Jr., a veteran, educator, community leader, and loyal member of Omega Psi Phi Fraternity, has made numerous contributions to the Portsmouth community; and

WHEREAS, Edward Wright grew up in Norfolk, where he graduated from Booker T. Washington High School; he continued his education at the Norfolk Division of Virginia State University until he was drafted into the United States Army during the Korean War; and

WHEREAS, after his honorable discharge, Edward Wright earned a bachelor's degree from Virginia Union University and began a career as a history teacher at Hayden High School in Franklin; he was a champion for the promotion of history education throughout his career; and

WHEREAS, Edward Wright subsequently transferred to Portsmouth Public Schools, from which he retired in 1991; he also supervised student-teacher education at Norfolk State University until 1998; and

WHEREAS, Edward Wright was inducted into Portsmouth's Zeta Iota Chapter of Omega Psi Phi Fraternity in 1965, and he was well known as a top seller for scholarship and fundraising events for many years, going above and beyond to help make a difference in the lives of community members; and

WHEREAS, Edward Wright enjoys fellowship and worship with his community as a life member of Saint John's A.M.E. Church in Norfolk; now, therefore, be it

RESOLVED by the House of Delegates, That Edward L. Wright, Jr., hereby be commended for his lifetime of service to his community, his country, and his Omega Psi Phi Fraternity; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Edward L. Wright, Jr., as an expression of the House of Delegates' admiration for his achievements.

HOUSE RESOLUTION NO. 869

Commending Paul L. Wilson, Sr.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Paul L. Wilson, Sr., a proud veteran and a loyal member of Omega Psi Phi Fraternity, has made numerous contributions to the Portsmouth community; and

WHEREAS, born in Roanoke, Paul Wilson spent part of his childhood in Virginia Beach and graduated from Dunbar High School in Washington, D.C.; and

WHEREAS, Paul Wilson was drafted into the military during World War II and again during the Korean War, earning a Bronze Star and serving the nation with distinction; and

WHEREAS, Paul Wilson earned a bachelor's degree in chemistry from Virginia Union University and worked as a chemist for most of his career; he retired from Norfolk Naval Shipyard as head of the chemistry department in 1987; and

WHEREAS, Paul Wilson was initiated in the Zeta Iota Chapter of Omega Psi Phi Fraternity in Portsmouth in 1962; he was honored as a life member and has held numerous leadership roles in the fraternity, including as basileus of his chapter and as a regional supervisor overseeing seven chapters; and

WHEREAS, Paul Wilson is an inspiration to the Zeta Iota Chapter as he is one of the oldest chapter members who faithfully attends fraternal functions even with a busy personal schedule; and

WHEREAS, in 2023, Paul Wilson was honored as the first Black American to serve as marshal of the Virginia Beach Veteran's Day Parade; now, therefore, be it

RESOLVED by the House of Delegates, That Paul L. Wilson, Sr., hereby be commended for his lifetime of service to his community, his country, and his Omega Psi Phi Fraternity; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Paul L. Wilson, Sr., as an expression of the House of Delegates' admiration for his achievements.

HOUSE RESOLUTION NO. 870

Commending Horace S. Savage, Jr.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Horace S. Savage, Jr., a World War II veteran, a retired educator, and a loyal member of Omega Psi Phi Fraternity in Portsmouth, celebrates his 100th birthday in 2025; and

WHEREAS, Horace Savage was born in Portsmouth on July 1, 1925; he graduated from I.C. Norcom High School, served the nation as a member of the United States Army during World War II, then earned bachelor's and master's degrees from what is now Hampton University; and

WHEREAS, Horace Savage had a prolific career in education as a science teacher, football and track coach, and assistant principal, ultimately retiring as the assistant superintendent for personnel and staff development for Portsmouth Public Schools; he later served as an adjunct professor at Norfolk State University and served on the advisory board of the institution's School of Social Work; and

WHEREAS, Horace Savage is a member of St. James Episcopal Church, where he has served as a member of the vestry, senior warden, lay reader and chalicer; he has also served in executive positions within the Episcopal Diocese of Southern Virginia; and

WHEREAS, Horace Savage has been a member of Omega Psi Phi Fraternity, Inc., for more than 70 years, having been initiated in the Zeta Iota Chapter in 1952; he still attends chapter meetings, participates in chapter sponsored activities and events, and has been an inspirational mentor to generations of younger brothers; and

WHEREAS, over the years, Horace Savage has been active with numerous service organization boards and received an array of awards, including the Tidewater Community College's Martin Luther King Jr. Community Service Award, Portsmouth's First Citizen award, Portsmouth Public Schools' Distinguished Alumnus award, induction into the I.C. Norcom Athletic Hall of Fame, and Omega Psi Phi Fraternity's Citizen of the Year and Omega Man of the Year awards; now, therefore, be it

RESOLVED by the House of Delegates, That Horace S. Savage, Jr., hereby be commended for his lifetime of service to his community, his country, and his Omega Psi Phi Fraternity on the occasion of his 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Horace S. Savage, Jr., as an expression of the House of Delegates' admiration for his achievements.

HOUSE RESOLUTION NO. 871

Commending the Woodside High School theatre program.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, the Woodside High School theatre program in Newport News earned second place in the Virginia High School League theatre championship; and

WHEREAS, the students and staff of the Woodside High School theatre program demonstrated dedication and skill in their performance, competing against other high school theatre programs from across the Commonwealth; and

WHEREAS, the Woodside High School theatre program's achievement at the Virginia High School League theatre championship showcases the hard work and commitment of the students, faculty, and staff involved; and

WHEREAS, the Woodside High School theatre program's accomplishment reflects the school's excellence in the arts and the impact of the Virginia High School League theatre championships on the development of young performers; now, therefore, be it

RESOLVED by the House of Delegates, That the Woodside High School theatre program hereby be commended for earning second place in the Virginia High School League theatre championship; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Woodside High School theatre program as an expression of the House of Delegates' admiration for their achievement.

HOUSE RESOLUTION NO. 872

Commending David S. Widzer.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, David S. Widzer, Senior Rabbi of Temple B'nai Shalom in Fairfax Station, celebrates the 25th anniversary of his ordination as a Reform Jewish Rabbi in 2025; and

WHEREAS, for over a quarter-century of dedicated service and leadership as a Reform Jewish Rabbi, David Widzer has guided congregants, maintained and adapted the traditions of Reform Judaism, and fostered Jewish identity among individuals and families; and

WHEREAS, David Widzer received a bachelor's degree in Judaic studies and Ethics and Political Philosophy from Brown University, a master's degree in Hebrew Letters from Hebrew Union College-Jewish Institute of Religion, and ordination as a Reform Jewish Rabbi from Hebrew Union College; and

WHEREAS, David Widzer served in rabbinic roles as a student at the Bahamas Jewish Congregation in Nassau, Bahamas, as an Associate Rabbi of Temple Shalom in Newton, Massachusetts, as Senior Rabbi of Temple Etz Chaim in Franklin, Massachusetts, and as Senior Rabbi of Temple Beth El of Northern Valley in Closter, New Jersey, where he presided over the merging of two congregations to form a new community, Kol Dorot; and

WHEREAS, in 2020, David Widzer joined Temple B'nai Shalom in Fairfax Station as the Senior Rabbi, serving a congregation of 345 families and more than 150 religious school students; and

WHEREAS, David Widzer led Temple B'nai Shalom in adapting Jewish practices to new modes of study and prayer during the COVID-19 pandemic; creating and affirming a new vision, mission, and statement of values rooted in the Torah and the teaching of Reform Judaism; and strengthening the partnership between Temple B'nai Shalom and its sister congregation, Abiding Presence Lutheran Church; and

WHEREAS, David Widzer counsels Temple B'nai Shalom in navigating contemporary social and cultural challenges while remaining rooted in Jewish values and keeping Jewish traditions vibrant and relevant; and

WHEREAS, David Widzer guides congregants through important Jewish life cycle events with his trademark inclusiveness, warmth, gentle humor, and empathy, including welcoming newborns into the covenant; guiding youth through consecration, B'nai Mitzvah, and confirmation; officiating weddings; and leading funeral and burial ceremonies with compassion and dignity; and

WHEREAS, David Widzer is cherished and admired by all who know him for how he generously shares his deep knowledge, love, and reverence for the Torah by leading congregants in lifelong learning, delivering inspiring sermons that provide comfort and also challenge all congregants to apply Jewish values to their daily lives, and guiding the congregation in meaningful service to the local and global community; now, therefore, be it

RESOLVED by the House of Delegates, That David S. Widzer hereby be commended on the occasion of the 25th anniversary of his ordination as a Reform Jewish Rabbi; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to David S. Widzer as an expression of the House of Delegates' admiration for his contributions to Reform Judaism and the Commonwealth.

HOUSE RESOLUTION NO. 873

Commending Liz Noto, Ph.D.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Liz Noto, Ph.D., principal at Herndon High School, was named the Outstanding Principal of Region 1 by Fairfax County Public Schools in 2025; and

WHEREAS, Liz Noto began her career in education as a math teacher in Hanover County, earned a doctoral degree in educational leadership and policy studies from The George Washington University in 2009, and worked as an assistant principal at Woodson High School in Fairfax County and later at Potomac Falls High School in Loudoun County; and

WHEREAS, Liz Noto joined the Herndon High School administration in January 2017 and has worked tirelessly ever since to help her students achieve their full academic potential while nurturing their physical, social, and emotional well-being; and

WHEREAS, Liz Noto has fostered a supportive and inclusive learning environment at Herndon High School that facilitates positive and meaningful relationships and encourages both students and staff to thrive; and

WHEREAS, Liz Noto has made an impact at Herndon High School by inspiring excellence and creativity among her students and staff and by providing an innovative vision for the school's future; and

WHEREAS, Liz Noto's award is a testament to her unwavering commitment to her students, her staff, and the entire Herndon High School community; now, therefore, be it

RESOLVED by the House of Delegates, That Liz Noto, Ph.D., hereby be commended for being named the 2025 Outstanding Principal of Region 1 by Fairfax County Public Schools; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Liz Noto, Ph.D., as an expression of the House of Delegates' admiration for her contributions to Fairfax County and the Commonwealth.

HOUSE RESOLUTION NO. 874

Commending Emily Burrell.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Emily Burrell, a math teacher at South Lakes High School in Fairfax County, was presented the Presidential Award for Excellence in Mathematics and Science Teaching by President Joe Biden on January 13, 2025; and

WHEREAS, Emily Burrell was one of 306 teachers in the United States recognized with the Presidential Award for Excellence in Mathematics and Science Teaching, which is the United States Government's highest honor for K-12 math and science educators; and

WHEREAS, prior to joining South Lakes High School, Emily Burrell taught at Wakefield High School in Arlington for 11 years and at Fairfax High School for two years; she holds a bachelor's degree in mathematics from the University of Virginia and both a master of education degree in secondary mathematics and a master's certificate in education policy from George Mason University; and

WHEREAS, Emily Burrell has been a member of the faculty at South Lakes High School for a decade and teaches ninth through 12th grade mathematics, including functions and data analysis, algebra II, and International Baccalaureate mathematics; and

WHEREAS, Emily Burrell's lessons employ collaborative learning, real-world applications, and project-based assessments, which help her students develop mastery of new mathematical concepts while building self-confidence and agency; and

WHEREAS, Emily Burrell works tirelessly to cultivate a learning environment that challenges her students to achieve their full potential while nurturing their physical, social, and emotional well-being; and

WHEREAS, Emily Burrell's award is a testament to her unwavering commitment to her students, her fellow faculty members, and the entire South Lakes High School community; now, therefore, be it

RESOLVED by the House of Delegates, That Emily Burrell hereby be commended for receiving a 2024 Presidential Award for Excellence in Mathematics and Science Teaching; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Emily Burrell as an expression of the House of Delegates' admiration for her contributions to the education of young people in the Commonwealth.

HOUSE RESOLUTION NO. 875

Commending the Ideaventions Academy Daedalus robotics team.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, the Ideaventions Academy Daedalus robotics team of Reston won its second consecutive national championship title at the Advanced Vertical Robotics competition on December 7, 2024, in Dallas, Texas; and

WHEREAS, Daedalus swept the Advanced Vertical Robotics qualifying events in November 2024, securing first place overall and accolades for Best Presentation; and

WHEREAS, moving on to the national championship, Daedalus cemented their place as national leaders in this elite competition through their hard work, creativity, and dedication; and

WHEREAS, for the 2024 national competition, Daedalus designed and built large drones equipped with thermal and visual scanning capabilities and used them to simulate disaster relief efforts in the aftermath of a hurricane; and

WHEREAS, every member of Daedalus contributed to the victory, showcasing their advanced skills in robot operating systems design, 3D printing, and laser cutting; now, therefore, be it

RESOLVED by the House of Delegates, That the Ideaventions Academy Daedalus robotics team hereby be commended for winning its second consecutive national championship title in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Ryan Heitz, head coach of the Ideaventions Academy Daedalus robotics team, as an expression of the House of Delegates' admiration for the team's achievements.

HOUSE RESOLUTION NO. 876

Commending Greg Duncan.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, in 2024, Greg Duncan of Oakton represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, competing for Team USA in the synchronized three-meter diving event; and

WHEREAS, in 2018, as a freshman at the University of North Carolina, Greg Duncan won Atlantic Coast Conference (ACC) Diver of the Year honors after winning both the one-meter and three-meter competitions at the 2018 ACC championships; he was also a USA Diving national champion in the synchronized three-meter event; and

WHEREAS, in his collegiate career, Greg Duncan went on to achieve multiple All-American honors and was a five-time National Collegiate Athletic Association championship qualifier; and

WHEREAS, in 2022, Greg Duncan won the silver medal in the three-meter synchronized diving event at the Fédération Internationale de Natation Diving World Cup in Berlin; and

WHEREAS, at the 2024 Paris Olympics, Greg Duncan placed eighth in the synchronized three-meter competition, bringing great pride to the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, That Greg Duncan hereby be commended for representing Team USA at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Greg Duncan as an expression of the House of Delegates' admiration for his outstanding athletic achievements and best wishes for the future.

HOUSE RESOLUTION NO. 877

Commending Elizabeth Staton.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Elizabeth Staton dedicated 56 years of her life to helping children safely travel to and from Norfolk schools, becoming the longest-serving school crossing guard in city history; and

WHEREAS, seeking a job with flexible hours so that she could care for her children, Elizabeth Staton began working for Norfolk Public Schools as a crossing guard in 1967; and

WHEREAS, a dedicated and caring protector, Elizabeth Staton helped children safely reach their schools and home in rain, snow, and inclement weather at more than two dozen intersections throughout Norfolk; and

WHEREAS, over the course of her career, Elizabeth Staton built strong bonds with young people that lasted into adulthood; now, therefore, be it

RESOLVED by the House of Delegates, That Elizabeth Staton hereby be commended for her record-setting service as a school crossing guard in Norfolk; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Elizabeth Staton as an expression of the House of Delegates' admiration for her achievements in service to generations of young people.

HOUSE RESOLUTION NO. 878

Commending the Bowling Park Chapter of Moms in Touch International.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, the Bowling Park Chapter of Moms in Touch International uplifted and empowered countless young people in and around the former Bowling Park Elementary School in Norfolk; and

WHEREAS, the Bowling Park Chapter of Moms in Touch International was founded by Elizabeth Staton, a crossing guard for Norfolk Public Schools, and Barbara W. Bell, a retired researcher from the National Institutes of Health who was part of the Civil Rights Movement in South Carolina before settling in Norfolk; and

WHEREAS, both women had adopted sons attending Bowling Park Elementary School, which at the time served students from some of the most disenfranchised and underserved neighborhoods in the city; and

WHEREAS, through the care and leadership of Elizabeth Staton and Barbara Bell, the Bowling Park Chapter of Moms in Touch International helped students overcome discrimination and systemic oppression to achieve their fullest potential in and out of the classroom; and

WHEREAS, though Bowling Park Elementary School ultimately closed, Elizabeth Staton and Barbara Bell have remained cherished members of the Norfolk community who set an inspirational example for other local leaders to follow; now, therefore, be it

RESOLVED by the House of Delegates, That the Bowling Park Chapter of Moms in Touch International hereby be commended for its achievements in service to students at the former Bowling Park Elementary School; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the founders of Bowling Park Chapter of Moms in Touch International as an expression of the House of Delegates' admiration for the organization's legacy of service to young people in Norfolk.

HOUSE RESOLUTION NO. 879

Celebrating the life of Henry P. Henson.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Henry P. Henson, a distinguished law-enforcement officer and an active leader in the Norfolk community, died on June 29, 2024; and

WHEREAS, Henry Henson served the nation during the Korean War as a Morse code specialist with the United States Army; and

WHEREAS, in 1954, Henry Henson joined the Norfolk Police Department, where he served as a patrol officer, radio dispatcher, training instructor, investigator, and field commander over the years; and

WHEREAS, Henry Henson rose through the ranks and ultimately became chief of the Norfolk Police Department before retiring in 1993 after 39 years of service; and

WHEREAS, during his law-enforcement career, Henry Henson earned a bachelor's degree from Old Dominion University, attended the Federal Bureau of Investigation National Academy, and pursued other opportunities for professional development; and

WHEREAS, Henry Henson was a staunch advocate for his fellow law-enforcement officers and was active with two different civic leagues in Norfolk, building consensus on important issues facing local communities; he enjoyed fellowship and worship with the congregation of what is now Trinity Word of Faith Baptist Church, where he was chair of deacons; and

WHEREAS, predeceased by his wife of almost 50 years, Jane, and his sons, Steven and James, Henry Henson will be fondly remembered and greatly missed by his daughters, Marian and Susan, and their families and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Henry P. Henson; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Henry P. Henson as an expression of the House of Delegates' respect for his memory.

HOUSE RESOLUTION NO. 880

Commending Eggleston Services.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Eggleston Services, a nonprofit organization dedicated to providing employment, education, and supportive services for adults with disabilities in the Hampton Roads Region, celebrates its 70th anniversary in 2025; and

WHEREAS, Eggleston was founded in 1955 by a small group of parents who wanted to create meaningful activities for their children with disabilities; and

WHEREAS, Eggleston quickly moved beyond serving its participants at home and by 1965 had established a new center, initially known as the Tidewater Vocational Center (TVC), with 80 employees with disabilities using its services; and

WHEREAS, TVC continued to expand and diversify its programs throughout the 1970s and 1980s and was renamed the Louise W. Eggleston Center shortly after the organization received the bequest of a larger building from the philanthropist and TVC volunteer Louise W. Eggleston; and

WHEREAS, Paul Atkinson, Sr., became chief executive officer and president of Eggleston in the early 1990s and oversaw the organization's tremendous growth over the next 35 years; and

WHEREAS, Eggleston added specialized services programs in recent decades to enhance its ability to support its participants, including a business services division, community-based employment division, and government contracts division; and

WHEREAS, Eggleston has continually broadened its services and enhanced its ability to empower individuals with disabilities by incorporating residential services, day-support programs, seniors programs, brain injury services, veterans programs, and extensive supported employment programs over the years; and

WHEREAS, today, Eggleston has blossomed into a vibrant and dynamic organization serving more than 1,800 people with disabilities through 33 programs at 22 locations throughout the Hampton Roads area; and

WHEREAS, in recognition of its accomplishments, Eggleston has been the recipient of numerous accolades, including awards from the Virginia Association of Rehabilitation Facilities; and

WHEREAS, by improving the quality of life for individuals with disabilities through its myriad services and programs, Eggleston has helped to make the Hampton Roads Region a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the House of Delegates, That Eggleston Services hereby be commended for its profound and positive impact on the Hampton Roads Region on the occasion of its 70th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Eggleston Services as an expression of the House of Delegates' admiration for the organization's history of contributions to the Commonwealth.

HOUSE RESOLUTION NO. 881

Commending Theresa V. Jackson.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Theresa V. Jackson was inspired by her deep faith and passion for lifelong learning to establish a Christian school in Hampton Roads and founded Greenhill Farms Christian Academy in Norfolk on November 1, 1983; and

WHEREAS, under Theresa Jackson's leadership, Greenhill Farms Christian Academy provided young people with a high-quality education and spiritual guidance in a nurturing environment to ensure that they developed a high intellect along with a sense of integrity, independence, and self-direction; and

WHEREAS, Theresa Jackson has served as an educator for more than 40 years between her service with Norfolk Public Schools and Greenhill Farms Christian Academy; and

WHEREAS, as a founder of Greenhill Farms Christian Academy, Theresa Jackson reached more than 16,300 students with the support of her dedicated faculty and staff; and

WHEREAS, Theresa Jackson helped foster a passion for service and a commitment to excellence in future generations of community and business leaders in the region; and

WHEREAS, while Greenhill Farms Christian Academy closed its doors in 2015, Theresa Jackson's legacy lives on through the students she inspired and the colleagues she mentored, many of whom continue to make a positive difference in the Norfolk community and beyond; now, therefore, be it

RESOLVED by the House of Delegates, That Theresa V. Jackson hereby be commended for her legacy of service as a founder and educator of Greenhill Farms Christian Academy; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Theresa V. Jackson as an expression of the House of Delegates' admiration for her passion for education and more than three decades of contributions to young people in Norfolk.

HOUSE RESOLUTION NO. 882

Commending James R. Tucker II.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, James R. Tucker II has helped numerous young people learn more about state government in a dynamic, engaging, and educational setting as coordinator of the House of Delegates Page Program; and

WHEREAS, James "Jim" R. Tucker II is a native of Winchester and a graduate of Randolph-Macon College and Duke University; and

WHEREAS, Jim Tucker began his long and fulfilling career with Richmond Public Schools in 1970, teaching calculus and physics at the high school level and serving as head of the science department and assistant principal at Huguenot High School; he retired in 2006, having earned numerous awards and accolades during his distinguished tenure as an educator; and

WHEREAS, Jim Tucker joined the House Clerk's Office in 2007 and has provided outstanding leadership and guidance to the House of Delegates Page Program, giving young people from around the Commonwealth an opportunity to undertake a comprehensive study of the legislative process, gain valuable work experience, and develop life skills such as time management, public speaking, and professional etiquette; and

WHEREAS, under Jim Tucker's leadership, successive classes of pages have completed an array of tasks to ensure the smooth operation of daily committee meetings and floor sessions in the House Chamber; and

WHEREAS, Jim Tucker and his wife, Jane, have raised two children and three grandchildren, and outside of his career, he is an avid fan of the Washington Commanders, a model train enthusiast, and an active member of Reveille United Methodist Church; now, therefore, be it

RESOLVED by the House of Delegates, That James R. Tucker II hereby be commended for his service as coordinator of the House of Delegates Page Program; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to James R. Tucker II as an expression of the House of Delegates' admiration for his achievements in helping young people gain a better understanding of the legislative process and an appreciation for the importance of representative government.

HOUSE RESOLUTION NO. 883

Commending Tucker Wright.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, in 2025, Tucker Wright, a young philanthropist who has devoted many years to supporting others in need, was named Volunteer of the Year by Homestretch, an organization dedicated to helping unhoused families achieve self-sufficiency; and

WHEREAS, from a young age, Tucker Wright recognized that there were members of the community who were less fortunate than he was, and he set out without delay to raise money to support them, one penny at a time; and

WHEREAS, Tucker Wright began working with Homestretch at the age of eight, when he started a fundraising campaign to assist the organization with the purchase of mattresses for the children it served; and

WHEREAS, Tucker Wright raised $1,200 for his cause within the first 28 days and continued to pursue this endeavor with great enthusiasm and sense of purpose, collecting approximately $30,000 in total over the last seven years; and

WHEREAS, Tucker Wright is consistently looking for new ways to advance Homestretch's mission, from coin jars at local offices of McEnearney Associates Realtors, to bake sales, to his latest venture, Strike Out Homelessness, a bowling event that rallies the community around an uplifting and worthwhile cause; and

WHEREAS, Tucker Wright's Strike Out Homelessness event has not only raised significant funds for Homestretch and the families it serves, it has also inspired other young people to get involved in making a difference in their community, an impact that will redound for years to come; and

WHEREAS, Tucker Wright has been a distinguished attendee of Homestretch's Annual Benefit Breakfast for several years, and at this year's breakfast on April 30, 2025, he will be recognized for the extraordinary efforts he has made for the benefit of the organization and the community; now, therefore, be it

RESOLVED by the House of Delegates, That Tucker Wright hereby be commended for being named the 2025 Homestretch Volunteer of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Tucker Wright as an expression of the House of Delegates' admiration for his contributions to Homestretch and the Commonwealth.

HOUSE RESOLUTION NO. 884

Commending the Vietnamese American community.

Agreed to by the House of Delegates, February 21, 2025

WHEREAS, April 30, 2025, marks the 50th anniversary of the Fall of Saigon and is an opportunity to acknowledge and celebrate the numerous contributions of the Vietnamese American community to the Commonwealth and the country; and

WHEREAS, on April 30, 1975, the Fall of Saigon marked the end of the Vietnam War, which resulted in one of the largest refugee crises in modern history and led to the arrival of nearly one million Vietnamese refugees in the United States between 1975 and 2000, making this country home to the largest Vietnamese diaspora in the world; and

WHEREAS, the Commonwealth is home to a significant population of Vietnamese Americans who overcame language, economic, and other barriers through perseverance, grit, and sacrifice, laying the foundation for the success of future generations while maintaining strong cultural and linguistic roots; and

WHEREAS, each generation of Vietnamese Americans in the Commonwealth have demonstrated initiative and leadership by establishing civic organizations to provide critical support and resources to meet the educational, social, and economic needs of Vietnamese American community members; and

WHEREAS, Vietnamese American innovators and entrepreneurs have contributed to the Commonwealth's economic strength by forming and growing countless small businesses, including Eden Center, which is the preeminent Vietnamese American cultural center and commercial hub on the East Coast of the United States; and

WHEREAS, the Vietnamese American community constitutes a vital example of the Commonwealth's extraordinary cultural, ethnic, and linguistic diversity and represents a cornerstone of America's history, present, and future; and

WHEREAS, Vietnamese Americans across the Commonwealth and the nation will commemorate this momentous occasion with events honoring their heritage, and contributions to America; now, therefore, be it

RESOLVED by the House of Delegates, That the Vietnamese American community hereby be commended for its contributions to the Commonwealth and nation since 1975; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to representatives of the Vietnamese American community as an expression of the House of Delegates' deep appreciation for the Vietnamese American community's history, heritage, and contributions to the Commonwealth and the nation.

HOUSE RESOLUTION NO. 885

Commending Bonnie B. Sutton.

Agreed to by the House of Delegates, February 22, 2025

WHEREAS, for 37 years, Bonnie B. Sutton has worked for the ACCESS College Foundation, an organization founded in 1987 to help eliminate barriers to postsecondary education for underrepresented and low- to moderate-income high school students; and

WHEREAS, Bonnie Sutton has served the ACCESS College Foundation as executive assistant from 1988 to 1994, program coordinator from 1994 to 2000, and executive director and chief executive officer from 2000 to 2025; and

WHEREAS, Bonnie Sutton expanded the ACCESS service footprint beyond Norfolk to include Chesapeake, Portsmouth, Suffolk, Virginia Beach, and Northampton County, growing the number of high schools served from 10 to 30 under her leadership; and

WHEREAS, Bonnie Sutton established the ACCESS continuum of service by adding 28 middle schools and 14 college and career success programs to the high school program, and has successfully led many annual and endowment campaigns to provide annual operating revenues for a budget of $6.5 million and an endowment of more than $75 million; and

WHEREAS, Bonnie Sutton has expanded the ACCESS program from serving 307 students in its first year to serving more than 23,000 students in 2025, resulting in the support of 85,000 public school students enrolling in college, the acquisition of $871 million in financial aid for these students, and total awards of $16 million in ACCESS "Last-Dollar" Scholarships; and

WHEREAS, Bonnie Sutton has helped ACCESS change the landscape of educational access for the students and communities that the foundation serves by advocating for better laws, support, and programming at the state and federal levels; and

WHEREAS, with Bonnie Sutton's guidance, the ACCESS College Foundation has remained a longtime member of the National College Attainment Network, a nonprofit organization that shares best practices and works to spread college access and success services nationwide; now, therefore, be it

RESOLVED by the House of Delegates, That Bonnie B. Sutton hereby be commended for her dedication to the students of Coastal Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Bonnie B. Sutton as an expression of the House of Delegates' gratitude for her 37 years of dedication to the citizens of the Commonwealth.

HOUSE RESOLUTION NO. 886

Celebrating the life of Derek Dyson.

Agreed to by the House of Delegates, February 22, 2025

WHEREAS, Derek Dyson, a Norfolk native and an esteemed attorney and community leader in Washington, D.C., died on October 2, 2024; and

WHEREAS, Derek Dyson was born in Norfolk and began to develop his deep faith at a young age as a member of Olive Grove Baptist Church; he attended Norfolk Public Schools, graduating from Norview High School, then earned a bachelor's degree from Virginia Polytechnic Institute and State University; and

WHEREAS, Derek Dyson worked for the U.S. Department of the Navy as a contracting officer, then pursued a master's degree from the Florida Institute of Technology and a law degree from American University; and

WHEREAS, as a student law clerk, Derek Dyson gained experience with the White House Situation Support Staff and the U.S. Department of Energy's Federal Energy Regulatory Commission; and

WHEREAS, Derek Dyson briefly worked for the law firm Hunton & Williams in Richmond, then spent 20 years working for the firm Duncan, Weinberg, Genzer & Pembroke, P.C., where he was welcomed as a partner in 2006; and

WHEREAS, over the course of his career, Derek Dyson handled a wide range of complex cases related to energy issues for clients across the United States and around the world; he was highly respected in his field and was a member of several peer and professional organizations; and

WHEREAS, while living in the Washington, D.C., area, Derek Dyson was a champion for the community on H Street and served on the board of directors of H Street Main Street, which supported business development and community enhancement efforts; and

WHEREAS, in January 2022, Derek Dyson fulfilled a lifelong dream to run a company, becoming president and chief executive officer of Today's Power, Inc., in Little Rock, Arkansas, which developed utility-scale solar energy storage systems and electric vehicle charging stations across the state; and

WHEREAS, Derek Dyson will be fondly remembered and greatly missed by his children, Robbie and Cecelia, and their families and numerous other family members and friends; now, therefore, be it

RESOLVED, That the House of Delegates hereby note with great sadness the loss of Derek Dyson; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Derek Dyson as an expression of the House of Delegates' respect for his memory.

SENATE JOINT RESOLUTION NO. 250

Designating June 12, in 2025 and in each succeeding year, as Women Veterans Day in Virginia.

Agreed to by the Senate, January 22, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, women have formally been a part of the United States Armed Forces since the inception of the Army Nurse Corps in 1901; and

WHEREAS, the Women's Army Corps (WAC) was the women's branch of the United States Army, created as an auxiliary force in 1942 and converted to full status as the WAC in 1943; and

WHEREAS, other branches of the military also had women's units during World War II, including Women Accepted for Volunteer Emergency Service (WAVES) in the Navy, the Coast Guard Women's Reserve (also known as the SPAR Corps), the Marine Corps Women's Reserve, the civilian Women Airforce Service Pilots (WASPs), and Women in Airforce (WAFs); and

WHEREAS, according to the National Park Service, more than 350,000 women served in the United States Armed Forces during World War II, including the first women to serve in a capacity other than nurse in the Army; and

WHEREAS, the Women's Armed Services Integration Act of 1948, allowing women to serve permanently in the United States military, was signed on June 12, 1948; and

WHEREAS, the WAC disbanded in 1978, allowing women to serve alongside men in the same units; and

WHEREAS, women veterans deserve respect for making significant contributions to and sacrifices while in the armed forces; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly designate June 12, in 2025 and in each succeeding year, as Women Veterans Day in Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit a copy of this resolution to the Virginia Department of Veterans Services so that members of the agency may be apprised of the sense of the General Assembly of Virginia in this matter; and, be it

RESOLVED FINALLY, That the Clerk of the Senate post the designation of this day on the General Assembly's website.

SENATE JOINT RESOLUTION NO. 251

Directing the Joint Legislative Audit and Review Commission to study the removal of certain books from public school libraries. Report.

Agreed to by the Senate, January 29, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, the libraries in the Commonwealth's public schools are an important source of learning and exploration for students in the Commonwealth; and

WHEREAS, the books in circulation in the libraries of the Commonwealth's public schools are selected and curated by professionally trained school librarians and media specialists; and

WHEREAS, there are times at which some parents of public school students object to the inclusion of certain books in public school libraries while other parents support or approve the inclusion of such books in public school libraries; and

WHEREAS, § 22.1-16.8 of the Code of Virginia was enacted by the 2022 Session of the General Assembly for the purpose of directing the Department of Education to adopt model policies, and each school board to adopt policies consistent with but that may be more comprehensive than such model policies, for ensuring the parental notification of any instructional material that includes sexually explicit content, as that term is defined in applicable law, and to provide parents the opportunity to request their children be provided, as an alternative, nonexplicit instructional material; and

WHEREAS, the Department of Education adopted the model policies required pursuant to § 22.1-16.8 of the Code of Virginia in August of 2022, which focused on books used in the classroom and specifically clarified that any books contained in public school libraries would, under such policies, be considered "instructional material" only if students were required to read such books for completion of an assignment or as a part of an academic or extracurricular educational program; and

WHEREAS, some school divisions subsequently removed books from circulation in public school libraries based on the school division's determination that such books contained sexually explicit content, in accordance with § 22.1-16.8 of the Code of Virginia, or based on the school division's determination that other content contained in such books was objectionable; and

WHEREAS, some of the decisions by school divisions to remove certain books from public school libraries were made upon the recommendation of "challenge committees," consisting of parents of students in the school division and school librarians or other media specialists, while in other cases, such decisions were made without any recommendation of a school librarian or media specialist and were, instead, made upon the direction of a school board, individual school board members, individual school principals, division superintendents, or other school administrators; and

WHEREAS, the variations in procedure, process, and standards for the removal of certain books from public school libraries by school divisions across the Commonwealth presents significant questions relating to compliance with § 22.1-16.8 of the Code of Virginia and the protection of the opportunities for learning and intellectual exploration created by public school libraries; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Joint Legislative Audit and Review Commission be directed to study the removal of certain books from public school libraries. The Joint Legislative Audit and Review Commission shall focus its study on any books removed from public school libraries after July 1, 2020, based on certain content included in such books.

In conducting its study, the Joint Legislative Audit and Review Commission shall survey each of the 135 school divisions in the Commonwealth to identify (i) which school divisions removed any books from a library in any of its public schools on the basis of certain content contained therein after July 1, 2020; (ii) for each removed book identified pursuant to clause (i): (a) the title, author, and any other identifying information; (b) the fiscal year of removal; (c) the name of the school from whose library such book was removed; (d) whether it was removed upon the recommendation of a "challenge committee" and, if not, whether it was removed at the direction of the school board or one or more school board members, a school principal, a division superintendent, or another school administrator; (e) how the review was initiated, the role of the school's librarian or media specialist in the removal process, and which, if any, other school board employees were involved in the removal process and the role each individual played; and (f) if § 22.1-16.8 of the Code of Virginia or a policy adopted in accordance therewith was used to justify such removal; (iii) which school divisions have appointed a committee or other body to review the content of books currently contained in or proposed book purchases for inclusion in public school libraries and, if so, whether (a) such committee or body includes a [school] librarian or media specialist employed by the school division and (b) the meetings of such committee or body are advertised and open to the public; and (iv) in consultation with any relevant state agencies, what resources are available at the state level to support school administrators in making decisions relating to the removal of books from public school libraries.

Technical assistance shall be provided to the Joint Legislative Audit and Review Commission by local school divisions in the Commonwealth. All agencies of the Commonwealth shall provide assistance to the Joint Legislative Audit and Review Commission for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its meetings by August 1, 2025, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations

no later than October 1, 2025. The executive summary shall state whether the Joint Legislative Audit and Review Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

SENATE JOINT RESOLUTION NO. 253

Establishing a joint subcommittee to study the consolidation and scheduling of general elections in Virginia. Report.

Agreed to by the Senate, February 20, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, periodic popular elections give the electorate its voice in government and these electoral decisions are the foundation of representative democracy; and

WHEREAS, Virginia is one of just four states in the United States of America with elections held in the "off cycle" meaning odd-numbered years when neither a presidential or congressional election takes place; and

WHEREAS, a general election is held each November in the Commonwealth for either federal offices, statewide offices, General Assembly offices, constitutional offices, or local offices; and

WHEREAS, Virginia's off-year state elections may have been a historical accident due to the ratification of the Constitution of Virginia in 1851; such elections contributed to the Commonwealth having some of the lowest voter turnouts in America during the 20th Century; and

WHEREAS, this cycle of elections, campaigning, and politics is practically continuous in the Commonwealth of Virginia, likely leading to increased voter apathy and reduced voter turnout; and

WHEREAS, the costs of administering annual elections are significant and are borne largely by local governments; and

WHEREAS, consolidating Virginia's state and local elections and holding such elections in even-numbered years would likely realize significant savings of tax dollars, while also encouraging voter interest and participation; and

WHEREAS, according to the Virginia Public Access Project, the amount of money spent campaigning for state offices has dramatically increased over the past decade and a half with the total spending in gubernatorial elections increasing from $40,975,989 (2009) to $56,861,988 (2013) to $66,166,935 (2017) to $137,551,127 (2021); the total spending in state senate elections increasing from $37,544,148 (2011) to $42,576,066 (2015) to $56,183,148 (2019) to $112,239,884 (2023); and the total spending in House of Delegates elections increasing from $26,133,578 (2011) to $36,023,755 (2013) to $30,737,173 (2015) to $46,560,922 (2017) to $68,077,424 (2019) to $81,436,494 (2021) to $94,866,001 (2023); and

WHEREAS, transitioning to the federal election cycle would likely reduce the need to raise campaign contributions due to the efficiencies gained by overlapping political operations; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study the consolidation and scheduling of general elections in Virginia. The joint subcommittee shall consist of 13 members that include eight legislative members, four nonlegislative citizen members, and one ex officio member. Members shall be appointed as follows: three members of the Senate, at least two of whom shall be members of the Senate Committee on Privileges and Elections, to be appointed by the Senate Committee on Rules; five members of the House of Delegates, at least three of whom shall be members of the House Committee on Privileges and Elections, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two nonlegislative citizen members, one of whom shall be a current or former member of a board of supervisors and one of whom shall be a current or former member of a local electoral board, to be appointed by the Senate Committee on Rules; and two nonlegislative citizen members, one of whom shall be a current or former member of a town or city council and one of whom shall be a current or former general registrar, to be appointed by the Speaker of the House of Delegates. The Commissioner of Elections or his designee shall serve ex officio with nonvoting privileges. Nonlegislative citizen members shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall be reimbursed only for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall weigh potential and probable effects of moving some or all of Virginia's state or local elections to even-numbered years in order to coincide with the federal election cycle, including impacts on voter turnout, effects on campaign costs and fundraising, the interplay between state and federal elections and campaign finance laws and regulations, and estimated cost savings for local governments and, in turn, the taxpayers. Any recommendations by the joint subcommittee to consolidate or reschedule Virginia's general elections shall include specific recommendations as to (i) which elected offices' terms should be extended or shortened in order to achieve the recommended shift in the election schedule, (ii) any amendments to the Constitution of Virginia and the Code of Virginia that are necessary to achieve and implement the joint subcommittee's recommended consolidation or schedule, (iii) whether

Virginia's current two-year budget cycle should be adjusted, and (iv) any budget amendments that are necessary to accomplish the consolidation and rescheduling.

Administrative staff support shall be provided by the Office of the Clerk of the Senate or the Office of the Clerk of the House of Delegates as may be appropriate for the house in which the chairman of the joint subcommittee serves. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. Technical assistance shall be provided by Department of Elections. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2025 interim and four meetings for the 2026 interim, and the direct costs of this study shall not exceed $19,840 for each year without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

No recommendation of the joint subcommittee shall be adopted if a majority of the Senate members or a majority of the House members appointed to the joint subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint subcommittee.

The joint subcommittee shall complete its meetings for the first year by November 30, 2025, and for the second year by November 30, 2026, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether the joint subcommittee intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or delay the period for the conduct of the study, or authorize additional meetings during the 2025 or 2026 interims.

SENATE JOINT RESOLUTION NO. 254

Designating May, in 2025 and in each succeeding year, as Ehlers-Danlos Syndromes Awareness Month in Virginia.

Agreed to by the Senate, January 22, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Ehlers-Danlos syndromes (EDS) are a group of heritable disorders that affect the body's connective tissues, which provide support, protection, and structure to various parts of the body, including the skin, tendons, ligaments, blood vessels, internal organs, and bones; and

WHEREAS, EDS was first described in the early twentieth century by Dr. Edvard Lauritz Ehlers and Dr. Henri-Alexandre Danlos, and the classifications of EDS have evolved over time, with 14 types of EDS recognized today; and

WHEREAS, the different types of EDS are hypermobile EDS, classical EDS, classical-like-2 EDS, vascular EDS, periodontal EDS, kyphoscoliotic EDS, spondylodysplastic EDS, brittle cornea syndrome, arthrochalasia EDS, musculocontractural EDS, classical-like EDS, dermatosparaxis EDS, myopathic EDS, and cardiac-valvular EDS; and

WHEREAS, the different types of EDS are caused by variants in specific genes that affect the way the body produces collagen, the primary component of connective tissue, and other related proteins; and

WHEREAS, each type of EDS is unique and has its own signs and symptoms, although these disorders are most commonly associated with excessively flexible joints and stretchy, fragile skin; and

WHEREAS, in addition to the variability across types of EDS, different individuals with the same type of EDS may experience different signs and symptoms, complicating diagnosis and treatment and often requiring patients to see multiple providers across different specialties; and

WHEREAS, the most common type of EDS, hypermobile EDS, is believed to affect at least one in 3,100-5,000 people, although the true prevalence is not known and may be greater; and

WHEREAS, certain types of EDS may be identified through genetic testing; however, there is currently no such test for hypermobile EDS; and

WHEREAS, EDS shares similarities with hypermobility spectrum disorders, which are connective tissue disorders that cause symptomatic joint hypermobility and joint instability and which cannot be explained by other conditions; they are referred to as spectrum disorders because people experience a wide range of types and severities of symptoms; and

WHEREAS, EDS can greatly impact one's quality of life depending on its severity and is often associated with comorbidities such as dysautonomia, mast cell diseases, and postural orthostatic tachycardia syndrome; and

WHEREAS, there is currently no known cure for EDS, and greater medical research is necessary to offer aid and relief to those coping with this disorder; and

WHEREAS, by bringing greater awareness and understanding to EDS, an untold number of individuals and families may hope to lead healthier and more fulfilling lives; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly designate May, in 2025 and in each succeeding year, as Ehlers-Danlos Syndromes Awareness Month in Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit a copy of this resolution to the Ehlers-Danlos Society so that members of the organization may be apprised of the sense of the General Assembly of Virginia in this matter; and, be it

RESOLVED FINALLY, That the Clerk of the Senate post the designation of this month on the General Assembly's website.

SENATE JOINT RESOLUTION NO. 256

Commending the Rappahannock High School baseball team.

Agreed to by the Senate, January 16, 2025
Agreed to by the House of Delegates, January 20, 2025

WHEREAS, the Rappahannock High School baseball team won the Virginia High School League Class 1 state championship in June 2024; and

WHEREAS, the Rappahannock High School Raiders defeated the Chilhowie High School Warriors by a score of 6-5 to secure the victory; and

WHEREAS, the Rappahannock Raiders broke through the staunch Chilhowie defense with three runs in the fourth inning and held a 5-2 lead at the top of the seventh inning; and

WHEREAS, despite a rally by the Chilhowie Warriors to tie the game, the Rappahannock Raiders kept their composure, and Ethan White put the game away with a hit to left field in the bottom of the seventh inning; and

WHEREAS, the successful season is a tribute to the hard work and determination of all the student-athletes, the leadership and guidance of coaches and staff, and the enthusiastic support of friends, family members, and the entire Rappahannock High School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Rappahannock High School baseball team on winning the Virginia High School League Class 1 state championship in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to James Bieger, head coach of the Rappahannock High School baseball team, as an expression of the General Assembly's admiration for the team's achievements and best wishes for the future.

SENATE JOINT RESOLUTION NO. 257

Celebrating the life of Dorothy Belle Scates Langmack.

Agreed to by the Senate, January 16, 2025
Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Dorothy Belle Scates Langmack, a devoted public servant and community leader in Westmoreland County, died on April 12, 2024; and

WHEREAS, Dorothy Belle Langmack was born to the late Cary Malcolm and Dorothy Belle Leutbecher Scates in Washington, D.C., where she attended Theodore Roosevelt High School; and

WHEREAS, Dorothy Belle Langmack continued her education at Hood College in Frederick, Maryland, then settled in the Northern Neck; and

WHEREAS, Dorothy Belle Langmack served her community as a former member of the Montross Town Council and was active in Westmoreland County Public Schools as a substitute teacher and an avid supporter of student athletics; she ultimately finished her career with the Westmoreland County Department of Social Services; and

WHEREAS, Dorothy Belle Langmack gave generously of her time and talents to help the less fortunate, and she played an instrumental role in the establishment and operation of the Bob Fox Christmas Box project; and

WHEREAS, Dorothy Belle Langmack enjoyed fellowship and worship with the Westmoreland community as a devout member of Nomini Baptist Church; and

WHEREAS, predeceased by her husband, Holger Christian Petersen Langmack, Jr., Dorothy Belle Langmack will be fondly remembered and greatly missed by her children, David Malcolm Blair, Betty Lee Blair, John Edward Lewis, Jr., Kenneth Madison Lewis, and Malcolm Scates Lewis, and their families; and by numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Dorothy Belle Scates Langmack; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Dorothy Belle Scates Langmack as an expression of the General Assembly's respect for her memory.

SENATE JOINT RESOLUTION NO. 259

Directing the Joint Legislative Audit and Review Commission to study the methodology used to determine judicial allocations within the Commonwealth. Report.

Agreed to by the Senate, January 29, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, the General Assembly has a constitutional responsibility to provide for judges of courts of record and judges of courts not of record, and acts to ensure the proper allocation of funds and resources to equip the courts of the Commonwealth to carry out justice effectively and efficiently; and

WHEREAS, methods of determining the proper number of authorized judges in courts across the Commonwealth, clerk staff, and other resources necessary for the courts to operate optimally has evolved over time; and

WHEREAS, the General Assembly provided funds for the Supreme Court of Virginia to contract with the National Center for State Courts to conduct a judicial workload assessment study and provide recommendations for any judicial boundary realignment and the recommended number of authorized judgeships for each circuit, general district, and juvenile and domestic relations district court in 2013, and again provided funds for additional judicial workload assessment studies that were conducted by the National Center for State Courts in 2017 and 2024; and

WHEREAS, the current study does not sufficiently account for the lack of standardization across courts, various differences in population size, case complexities, and docketing practices of the courts and locality investments in court systems for law clerks, court clerks, judicial assistants, court administrators, and other services, and possibly relied upon incomplete variables in data used to determine the results of the judicial workload assessment, which impacts the allocations of funds and resources to state courts across the Commonwealth; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Joint Legislative Audit and Review Commission be directed to study the methodology used to determine judicial allocations within the Commonwealth.

In conducting its study, the Joint Legislative Audit and Review Commission shall (i) analyze the data gathered and utilized in the three judicial workload assessment studies conducted within the Commonwealth by the National Center for State Courts to determine: (a) the extent to which the lack of standardization in case opening, filing, and coding practices as used by clerks in different circuit, general district, and juvenile and domestic relations district courts across the Commonwealth inhibits the ability of third parties to accurately measure judicial effort and need; (b) if case weights factoring in case complexity were properly calculated and assigned given the actual variations in case complexity across the Commonwealth; (c) if local investments in law clerks, judicial-attorney support, and other locally funded judicial support measures are adequately taken into account in measuring the need for state-funded positions; (d) whether the amount of time, both during court hours and during personal time, that judges spend performing judicial work, and the type of work being performed, is accurately captured, evaluated, assessed, or considered, and, conversely, if the amount of time during court hours that judges are not performing judicial tasks is being captured, evaluated, assessed, or considered; (e) whether the present study is capable of being influenced intentionally or accidentally by practices and systems implemented by judges or court staff; and (f) if the averaging of judicial effort across the entire Commonwealth is an accurate or fair method to approximate needed judicial positions for purposes of appropriating funds for judicial positions; (ii) examine the following: (a) existing court efficiency measures to determine if judges are using time during work hours efficiently to hear and properly decide the maximum number of cases within appropriate time frames, and identify those judicial circuits or districts already utilizing docketing practices that create maximum efficiency in processing caseloads that should be considered potential models in establishing statewide court efficiency measures, statewide best practices, and accountability measures; (b) if there are other contributing factors substantially impacting court efficiency, such as regional or local practices of Commonwealth's attorneys, delays in required services performed outside the courtroom, such as drug screening conducted by local or regional jails, or policy changes within the Department of Social Services or other agencies that impact court appearances or filings; and (c) the use of technology, such as virtual appearances, that streamlines the ability to conduct hearings and reduces conflicts in scheduled appearances for attorneys in cases, motions, or other court appearances; (iii) upon taking into consideration the findings of this study, (a) determine whether state funds would be more appropriately allocated if the Office of the Executive Secretary of the Supreme Court of Virginia standardized case processing and coding procedures through either a uniform electronic case filing system as is utilized in the Federal Courts and by other states or implemented a data analysis program to identify discrepancies in case processing procedures; (b) if maximum time limits should be statutorily mandated in the Code of Virginia or the Rules of Supreme Court of Virginia for various case types so that cases are resolved in a predictable time frame and inefficient practices within various judicial circuits or districts can be better identified, especially in the instance of cases that are time sensitive, place extensive burdens on families and government services and resources, and do not already have statutorily mandated time limits triggering reviews or emergency docketing, such as in cases involving divorce, child support, custody or temporary custody cases, personal injury cases, or the scheduling of preliminary injunctions; (c) provide recommendations to improve the quality and consistency of data used in future judicial workload assessment studies; (d) consider if updates to the Code of Virginia, Rules of Supreme Court of Virginia, Benchbooks utilized by judges, and trainings provided to judges, court clerks, and other court staff would assist in standardizing practices across courts in the Commonwealth and positively impact the

resulting data gathered from courts during workload assessments; (e) determine if there are other more accurate means of assessing the workload of judges not previously used in the 2013, 2017, and 2024 judicial workload assessments, and provide suggestions to revise the current method of allocating resources to develop a fair method of allocating resources that is not subject to the influence of self-reported data that may contain inaccuracies, or data that reflects the individual nonstandard practices of court staff or systems implemented by each court; and (g) determine if any other third-party organizations exist to conduct comprehensive judicial workload assessments for state courts, or if the creation or establishment of a commission, agency, or a department within the Office of the Executive Secretary of the Supreme Court of Virginia to act as a permanent independent auditor would be better suited to conduct future judicial workload assessments.

Technical assistance shall be provided to the Joint Legislative Audit and Review Commission by the Office of the Executive Secretary of the Supreme Court of Virginia, the Virginia Circuit Court Clerks' Association, and the Virginia Association of Commonwealth's Attorneys. All agencies of the Commonwealth shall provide assistance to the Joint Legislative Audit and Review Commission for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its meetings by November 30, 2026, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2027 Regular Session of the General Assembly. The executive summary shall state whether the Joint Legislative Audit and Review Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

SENATE JOINT RESOLUTION NO. 261

Designating the first week of October, in 2025 and in each succeeding year, as Specialized Education School Week in Virginia.

Agreed to by the Senate, January 22, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, educators across the Commonwealth are committed to providing a high-quality education that meets the needs of students at all levels and learning capacities in both public and private school settings; and

WHEREAS, specialized education schools in the Commonwealth play a vital role in the continuum of educational options for students who have the most serious emotional, mental health, and behavioral health disabilities; and

WHEREAS, of the 1.2 million K-12 students in the Commonwealth, approximately 4,500 students with disabilities, whose educational, therapeutic, and behavior management needs cannot be adequately met by the public school system, are enrolled in specialized education schools; and

WHEREAS, students enrolled in specialized education schools represent a broad range of conditions, from autism to other emotional, mental health, and behavioral challenges; and

WHEREAS, local school districts partner with private providers of specialized education services to extend the continuum of learning opportunities for students who struggle to succeed or who are not capable of thriving in a mainstream public school; and

WHEREAS, individualized education plan teams guide families through a rigorous process to identify schools that meet a student's unique needs and facilitate attendance, ensuring the best quality education for the student and preventing strain on the special education resources within the public school system; and

WHEREAS, specialized education schools offer low student-to-staff ratios in the classroom, with teachers who are trained in differentiated instruction, support staff who are trained in techniques for behavior management and crisis intervention, and fully credentialed specialists and therapists, all of whom support these students; and

WHEREAS, Virginia's specialized education schools are licensed by the Department of Education and accredited by the Virginia Association of Independent Specialized Education Facilities (VAISEF), which ensures that these schools meet rigorous standards of quality; and

WHEREAS, Specialized Education School Week provides an opportunity to raise statewide awareness of the vital role VAISEF's member schools play in the continuum of K-12 educational opportunities available to children in the Commonwealth; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly designate the first week of October, in 2025 and in each succeeding year, as Specialized Education School Week in Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit a copy of this resolution to the Virginia Association of Independent Specialized Education Facilities so that members of the organization may be apprised of the sense of the General Assembly of Virginia in this matter; and be it

RESOLVED FINALLY, That the Clerk of the Senate post the designation of this week on the General Assembly's website.

SENATE JOINT RESOLUTION NO. 263

Requesting the Department of Transportation to study the need and options for constructing a bridge from Surry County to James City County or Charles City County. Report.

Agreed to by the House of Delegates, February 20, 2025
Agreed to by the Senate, February 20, 2025

WHEREAS, Surry County has recently completed a successful broadband access project, bringing high-speed Internet to residents of Surry County; and

WHEREAS, as a result of such investment in Internet and data infrastructure, Surry County is experiencing an increase in visitors to the locality and a need for more housing stock; and

WHEREAS, Surry Power Station is one of Dominion Energy's two nuclear assets in the Commonwealth, and the nuclear facility, which is located adjacent to the Hog Island Wildlife Management Area, provides clean, carbon-free energy to power 420,000 homes and employs thousands of Virginians in full-time and part-time jobs; and

WHEREAS, a bridge connecting Surry County to James City County or Charles City County is desperately needed to support new growth in Surry County; and

WHEREAS, such bridge would benefit transportation throughout the entire Hampton Roads region and therefore requires a statewide approach to planning and funding; and

WHEREAS, consideration of the location of potential infrastructure is needed to ensure such proposed route would not impact Jamestown or any other historical assets in the Commonwealth; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Department of Transportation be requested to study the need and options for constructing a bridge from Surry County to James City County or Charles City County.

All agencies of the Commonwealth shall provide assistance to the Department of Transportation for this study, upon request.

The Department of Transportation shall complete its meetings by November 30, 2026, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2027 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

SENATE JOINT RESOLUTION NO. 264

Designating the week of July 13, 2025, and the third week of July in each succeeding year, as Virginia Private College Week in Virginia.

Agreed to by the Senate, January 22, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Virginia's accredited nonprofit private colleges and universities complement and strengthen the Commonwealth's higher education system and are essential to its goal of preparing every student for success in life; and

WHEREAS, Virginia's private colleges and universities contribute significantly to the Commonwealth's economy, generating $4.6 billion in economic output, supporting nearly 30,000 jobs, and providing $157 million in state and local tax revenue; and

WHEREAS, more than 150,000 students, both on-campus and online, are educated at Virginia's private colleges and universities, benefitting from diverse academic programs, outstanding faculty members, small class sizes, and excellent preparation for future careers or graduate school; and

WHEREAS, Virginia's private colleges and universities work closely with community colleges to provide seamless credit transfers, creating accessible pathways to advanced education, and graduate approximately 40 percent of all degrees in the Commonwealth and nearly 50 percent of all nursing degrees; and

WHEREAS, eligible Virginia-resident, full-time undergraduate students attending a private college or university in the Commonwealth receive an annual Tuition Assistance Grant to make these institutions more affordable and accessible; and

WHEREAS, the Council of Independent Colleges in Virginia (CICV), founded in 1971, represents 28 accredited nonprofit private colleges and universities in Virginia and provides valuable support and advocacy for private higher education throughout the Commonwealth; and

WHEREAS, visiting college campuses is a critical step in the college search process, and CICV invites high school students and their families to explore the opportunities offered by Virginia's nonprofit private colleges during Virginia Private College Week; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly designate the week of July 13, 2025, and the third week of July in each succeeding year, as Virginia Private College Week in Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit a copy of this resolution to the Council of Independent Colleges in Virginia so that members of this organization may be apprised of the sense of the General Assembly of Virginia in this matter; and, be it

RESOLVED FINALLY, That the Clerk of the Senate post the designation of this week on the General Assembly's website.

SENATE JOINT RESOLUTION NO. 265

Celebrating the life of John Andrew Brown.

Agreed to by the Senate, January 16, 2025
Agreed to by the House of Delegates, January 20, 2025

WHEREAS, John Andrew Brown, a teacher, school administrator, and community leader who touched countless lives through his passion for education and lifelong learning, died on March 26, 2024; and

WHEREAS, John Brown learned the values of hard work, responsibility, family, faith, and community while growing up on a tobacco farm near Pelham, North Carolina; he attended Booker T. Washington High School in nearby Reidsville, then continued his education by earning bachelor's and master's degrees from North Carolina Central University; and

WHEREAS, John Brown served his country as a member of a tank squadron in the United States Army for three years, then began his career as a teacher at Richmond County High School in Warsaw in 1961; he taught at schools in Fluvanna County and Westmoreland County before becoming the principal of Montross Middle School for 18 years; and

WHEREAS, John Brown also served as director of the Northern Neck Head Start Program and as a board member and adjunct instructor at Rappahannock Community College; in addition, he served under three governors on the Virginia Parole Board, during which time he provided insights to the youth offenders educational program and conducted seminars on Virginia's parole guidelines in other states; and

WHEREAS, after his retirement as an educator, John Brown remained an active and engaged community leader, serving as grand marshal of the Warsaw Main Street Parade and becoming a historical tour guide in Washington, D.C.; and

WHEREAS, John Brown continued to support young people as a member of the Richmond County School Board for 12 years, including terms as vice chair and chair; he oversaw numerous renovation, construction, and expansion programs and strove to enhance the quality of learning for all students in Richmond County Public Schools; and

WHEREAS, John Brown was guided by his enduring faith throughout his life, and he enjoyed fellowship and worship with the congregation of Clarksville Baptist Church; and

WHEREAS, John Brown will be fondly remembered and greatly missed by his loving wife of 61 years, Sarah; his children, Regina, Mark, and Lori, and their families; his adopted daughter, Meta Sampson, and her family; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of John Andrew Brown; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of John Andrew Brown as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 266

Commending Debbie Rountree.

Agreed to by the Senate, January 16, 2025
Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Debbie Rountree was honored as the 2024 Woman of the Year by the Women's Division Hampton Roads Chamber of Commerce Chesapeake; and

WHEREAS, with more than 30 years of experience in real estate, Debbie Rountree has helped countless individuals and families throughout Chesapeake and Hampton Roads find the perfect home; she is a member of the National Association of REALTORS®, the Virginia Association of REALTORS®, and the Hampton Roads REALTORS®, Association, as well as a past member of the Tidewaters Builder Association and the Hampton Roads Chamber of Commerce; and

WHEREAS, Debbie Rountree has worked diligently to enhance the quality of life in the South Norfolk neighborhood of Chesapeake as a past vice president of the South Norfolk Civic League, past board member of Chesapeake Friends of the Arts, and a past member of the South Norfolk Woman's Club, the South Norfolk Historical Restoration Commission, and the South Norfolk Revitalization Committee; and

WHEREAS, Debbie Rountree has used her expertise in interior design to furnish homes for numerous charitable events and fundraisers to support worthy causes in Chesapeake; and

WHEREAS, Debbie Rountree has generously volunteered her time and leadership in many other ways, including by delivering Thanksgiving dinners through Buffalow Family and Friends Community Days, working at the Help and Emergency Response, Inc., Shelter, offering her leadership to the board of the Chesapeake Area Shelter Team, chairing the

Willoughby Civic Crime Watch, and collecting food, clothing, shoes, blankets, and other necessities for people in need; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Debbie Rountree on the occasion of her selection as the 2024 Woman of the Year by the Women's Division Hampton Roads Chamber of Commerce Chesapeake; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Debbie Rountree as an expression of the General Assembly's admiration for her personal and professional achievements.

SENATE JOINT RESOLUTION NO. 267

Commending the National Conference of State Legislatures.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, the National Conference of State Legislatures was founded in 1975 and has evolved to become the premier organization solely dedicated to serving state and territorial legislators and legislative staff; and

WHEREAS, the National Conference of State Legislatures (NCSL) was created from the merger of three organizations that served or represented state legislatures and that shared the belief that legislative service is one of democracy's worthiest pursuits; and

WHEREAS, NCSL is a bipartisan organization with three objectives: to advance the effectiveness, independence, and integrity of state legislatures; to foster communication and cooperation between state legislatures; and to ensure states a strong, cohesive voice for state legislatures in the federal system; and

WHEREAS, as the laboratories of democracy, state legislatures have continually shown that they are able to tackle emerging challenges effectively; NCSL has facilitated the exchange of ideas, provided critical research and information, and encouraged a rigorous review of complex issues confronting local communities, states, and the nation; and

WHEREAS, state legislatures are where people from very different backgrounds, representing very different communities, can come together and find common ground, and NCSL has cultivated and deepened these bonds to create lasting change at the national and international levels; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the National Conference of State Legislatures for its superb leadership and commitment to advancing legislative institutions on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the National Conference of State Legislatures as an expression of the General Assembly's admiration for the organization's contributions to representative government in the Commonwealth and throughout the United States.

SENATE JOINT RESOLUTION NO. 268

Celebrating the life of Captain Jerome A. Sheppard, USAF, Ret.

Agreed to by the Senate, January 16, 2025
Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Captain Jerome A. Sheppard, USAF, Ret., an honorable veteran, devoted educator, and beloved member of the Hampton community, died on June 18, 2024; and

WHEREAS, born in Antigua in the West Indies, Jerome Sheppard arrived in the United States as a teenager, pursuing educational opportunities at the Aeronautics College in New York, now known as the Vaughn College of Aeronautics and Technology, and Hampton Institute, now known as Hampton University; and

WHEREAS, Jerome Sheppard served his country with honor and distinction for over 20 years as a communications engineer with the United States Air Force; and

WHEREAS, after retiring from the military, Jerome Sheppard taught in both Newport News Public Schools and Hampton City Schools and at Hampton University's Department of Aviation as an adjunct faculty member; and

WHEREAS, Jerome Sheppard worked tirelessly to foster his students' academic, social, and emotional well-being, preparing them to succeed both in the classroom and beyond; and

WHEREAS, Jerome Sheppard found immense joy in the great outdoors, and his favorite pastimes included gardening, fishing, golfing, and working on his cars; and

WHEREAS, Jerome Sheppard was a proud member of Alpha Phi Alpha Fraternity, Inc., and he dedicated himself to the organization's principles of "manly deeds, scholarship, and love for all mankind"; and

WHEREAS, Jerome Sheppard was guided throughout his life by his faith and enjoyed worship and fellowship with his community at St. Cyprian's Episcopal Church in Hampton for several decades, where he served as an acolyte and as church treasurer; and

WHEREAS, Jerome Sheppard will be fondly remembered and dearly missed by his loving wife of 52 years, Julyn; his children, Jeremy, Shelton, Julyn, and Judie, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Captain Jerome A. Sheppard, USAF, Ret., a cherished member of the Hampton community whose kindness, generosity, and unwavering support made a profound and lasting impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Captain Jerome A. Sheppard, USAF, Ret., as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 269

Designating March, in 2025 and in each succeeding year, as Persian Heritage Month in Virginia.

Agreed to by the Senate, January 29, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Iranian Americans have been contributing to cultural and community life in Virginia for more than 50 years, and the Commonwealth is home to the fourth-largest Iranian American population in the United States; and

WHEREAS, Iranian Americans are highly educated, successful, and dignified members of society and have made many contributions to the American economy through a variety of career fields, becoming the eighth-wealthiest minority group in the country; and

WHEREAS, according to a study by the U.S. Small Business Administration, Iranian Americans are among the top 20 immigrant groups with the highest rate of business ownership at 21.5 percent, which has led to significant economic contributions to their communities and a total national net business income of $2.56 billion per year; and

WHEREAS, in addition, the study indicated that 50 percent of Iranian Americans are in professional and managerial occupations, more than any other ethnic group studied; and

WHEREAS, the most recent United States Census showed that 59 percent of Iranian immigrants hold a bachelor's degree or higher, compared to the 28 percent national average, and more than one in four Iranian Americans holds a master's or doctoral degree, the highest rate among 67 ethnic groups studied; and

WHEREAS, as immigrants and refugees, many Iranian Americans hold stories of hardship and perseverance from having experienced life under a dictatorship and religious persecution in their homeland, and they have used these experiences to enrich and uplift the Commonwealth and the United States by helping to build peace and prosperity for the betterment of all; and

WHEREAS, Persian civilization is one of the oldest civilizations on Earth, having existed for more than 5,000 years, and Iranian Americans have brought to the United States many elements of their rich heritage and culture, including celebration of the Persian New Year or Nowruz, which translates to "new day"; and

WHEREAS, Nowruz, which takes place in March and coincides with the spring equinox, celebrates the rebirth of nature and the triumph of joy over sorrow, as well as promoting peace and reconciliation between generations, families, and neighbors; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly designate March, in 2025 and in each succeeding year, as Persian Heritage Month in Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit a copy of this resolution to representatives of the Iranian American community in Virginia so that they may be apprised of the sense of the General Assembly of Virginia in this matter; and, be it

RESOLVED FINALLY, That the Clerk of the Senate post the designation of this month on the General Assembly's website.

SENATE JOINT RESOLUTION NO. 272

Commending Anne Cochrane Pace.

Agreed to by the Senate, January 16, 2025
Agreed to by the House of Delegates, January 20, 2025

WHEREAS, Anne Cochrane Pace, who has served as the administrator and sole employee of the Commonwealth Health Research Board since its establishment in 1997, will retire in 2025; and

WHEREAS, the Commonwealth Health Research Fund (CHRF) and the Commonwealth Health Research Board (CHRB) were established by an act of the General Assembly to support biomedical research in the Commonwealth to benefit the health of Virginians; and

WHEREAS, under Anne Pace's oversight, the initial principal for the CHRF was invested and the proceeds were used to provide grant awards to investigators at Virginia universities and colleges, as directed by the General Assembly; and

WHEREAS, during Anne Pace's 25-year tenure, the CHRF and CHRB have provided more than $26 million through more than 300 research awards to investigators at 25 colleges and universities in the Commonwealth, with these universities offering matching funds of more than $11 million to provide additional support for biomedical research; and

WHEREAS, as a result of Anne Pace's efforts, these principal investigators have used the results of research supported by the CHRF to apply for and obtain additional funding of more than $93 million, which has come into the Commonwealth to continue and expand their research; some investigators have been able to use the results of the research supported by the fund to develop their innovative ideas for technology transfer and commercialization, benefiting the economy of the Commonwealth; and

WHEREAS, Anne Pace has supervised the submission, expert consultant review, and board consideration of research proposals, has provided for the transfer of research funding to applicant institutions and principal investigators, and has provided for oversight and accountability of awardees by requiring submission of regular fiscal and scientific progress reports for administrator and board review; and

WHEREAS, Anne Pace has worked with the auditor of public accounts on 13 audits, with proper reporting of financial transactions in the Commonwealth's accounting and financial reporting system; and

WHEREAS, Anne Pace has performed the necessary tasks to provide information to members of the CHRB, including planning for and organizing all meetings of the board; and

WHEREAS, Anne Pace has administered the CHRB under seven governors, worked with 32 gubernatorial and legislative joint rules committee appointees to the CHRB, and supported the board during the tenure of seven board chairs; and

WHEREAS, through her careful dedication and effort for almost 25 years, Anne Pace has supported the excellence of biomedical research and the career development of researchers throughout the Commonwealth; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Anne Cochrane Pace on the occasion of her retirement as the Commonwealth Health Research Board administrator; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Anne Cochrane Pace as an expression of the General Assembly's admiration for her achievements in service to the Commonwealth and best wishes for a long and fulfilling retirement.

SENATE JOINT RESOLUTION NO. 273

Confirming appointments by the Governor of certain persons communicated to the General Assembly June 1, 2024.

Agreed to by the Senate, January 27, 2025
Agreed to by the House of Delegates, February 7, 2025

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly confirm the following appointments of certain persons made by Governor Glenn Youngkin and communicated to the General Assembly June 1, 2024.

AGENCY HEADS

James Alex of **Arlington,** Virginia, Tax Commissioner, Virginia Department of Taxation, to serve at the pleasure of the Governor beginning April 1, 2024, to succeed Craig Burns.

Dale Farino of **Virginia Beach,** Virginia, Chief Executive Officer, Virginia Alcoholic Beverage Control Authority, to serve at the pleasure of the Governor beginning April 29, 2024, to succeed Travis Hill.

Khalid Jones of **Richmond,** Virginia, Executive Director, Virginia Lottery, to serve at the pleasure of the Governor beginning April 10, 2024, to succeed the Honorable Kelly Gee.

ADMINISTRATION

9-1-1 Services Board

Vanessa Crawford of **Petersburg,** Virginia, Member, appointed March 27, 2024, to serve an unexpired term beginning July 1, 2020, and ending June 30, 2025, to succeed Kevin Hall.

Terry Stone of **King William,** Virginia, Member, appointed May 22, 2024, to serve an unexpired term beginning July 1, 2023, and ending June 30, 2028, to succeed Justin Martin.

Art and Architectural Review Board

Stanley Rayfield of **Midlothian,** Virginia, Member, appointed May 6, 2024, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2024, to succeed Donna Jackson.

Citizens' Advisory Council on Furnishing and Interpreting the Executive Mansion

Christie Clarke of **Stony Creek,** Virginia, Member, appointed March 15, 2024, for a term of five years beginning April 1, 2024, and ending March 31, 2029, to succeed Kelley Deetz.

Aggie Cullen of **Henrico,** Virginia, Member, appointed March 21, 2024, for a term of five years beginning April 1, 2024, and ending March 31, 2029, to succeed Stanley Rayfield.

Sharon Davis of **Great Falls,** Virginia, Member, appointed March 15, 2024, for a term of five years beginning April 1, 2024, and ending March 31, 2029, to succeed Gayle Jessup White.

Mary Frediani of **Richmond,** Virginia, Member, appointed March 18, 2024, for a term of five years beginning April 1, 2024, and ending March 31, 2029, to succeed herself.

Kent Greenawalt of **Roanoke,** Virginia, Member, appointed April 16, 2024, for a term of five years beginning April 1, 2024, and ending March 31, 2029, to succeed Siobhan Deeds.

Jill Hade of **Virginia Beach,** Virginia, Member, appointed April 3, 2024, for a term of five years beginning April 1, 2024, and ending March 31, 2029, to succeed Sunita Gupta.

Rasheedah Nevers of **Chester,** Virginia, Member, appointed March 20, 2024, for a term of five years beginning April 1, 2024, and ending March 31, 2029, to succeed Parke Richeson.

Cybersecurity Planning Committee

Uma Marques of **Troutville,** Virginia, Member, appointed May 22, 2024, to serve an unexpired term beginning November 1, 2022, and ending October 31, 2026, to succeed Benjamin Shumaker.

Ken Pfeil of **Richmond,** Virginia, Member, appointed April 10, 2024, to serve an unexpired term beginning November 1, 2022, and ending October 31, 2026, to succeed Aliscia Andrews.

Glenn Schmitz of **Richmond,** Virginia, Member, appointed April 2, 2024, to serve an unexpired term beginning November 1, 2022, and ending October 31, 2026, to succeed Stephanie Williams-Hayes.

Brandon Smith of **Chesterfield,** Virginia, Member, appointed April 5, 2024, for a term of four years beginning November 1, 2022, and ending October 31, 2026, to fill a new seat.

Lisa Walbert of **Richmond,** Virginia, Member, appointed April 10, 2024, to serve an unexpired term beginning November 1, 2022, and ending October 31, 2026, to succeed Eric Gowin.

AGRICULTURE AND FORESTRY

Corn Board

Elizabeth Cooper of **Spring Grove,** Virginia, Member, appointed May 2, 2024, for a term of three years beginning July 1, 2023, and ending June 30, 2026, to succeed Henry Goodrich.

Edward Hickman of **Horntown,** Virginia, Member, appointed May 1, 2024, for a term of three years beginning July 1, 2023, and ending June 30, 2026, to succeed himself.

Wesley Marshall of **Weyers Cave,** Virginia, Member, appointed May 1, 2024, for a term of three years beginning July 1, 2023, and ending June 30, 2026, to succeed himself.

Cotton Board

Robert Rogers of **Yale,** Virginia, Member, appointed April 11, 2024, for a term of three years beginning September 26, 2023, and ending September 25, 2026, to succeed Christopher Parker.

Jared Webb of **Yale,** Virginia, Member, appointed April 10, 2024, for a term of three years beginning September 26, 2023, and ending September 25, 2026, to succeed Joseph Barlow.

Marine Products Board

Terri Graham Wallace of **Poquoson,** Virginia, Member, appointed May 8, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Michael Oesterling.

Daniel Knott of **Gloucester,** Virginia, Member, appointed May 8, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed himself.

William Sexauer of **Franktown,** Virginia, Member, appointed May 1, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Ann Gallivan.

Potato Board

Mark Hickman of **Horntown,** Virginia, Member, appointed May 1, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed himself.

Small Grains Board

Floyd Childress of **Christiansburg,** Virginia, Member, appointed May 1, 2024, for a term of three years beginning September 1, 2023, and ending August 31, 2026, to succeed himself.

Crystal Salmons of **Virginia Beach,** Virginia, Member, appointed May 8, 2024, for a term of three years beginning September 1, 2023, and ending August 31, 2026, to succeed Raymond Keating.

Virginia Spirits Board

Kelly Gordon of **Halifax,** Virginia, Member, appointed April 23, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Gareth Moore.

AUTHORITIES

Board of Directors of the Virginia Alcoholic Beverage Control Authority

Dale Farino of **Virginia Beach,** Virginia, Member, appointed March 11, 2024, for a term of five years beginning January 15, 2024, and ending January 14, 2029, to succeed Mark Rubin.

Lisa Jennings of **Fairfax Station,** Virginia, Member, appointed March 11, 2024, for a term of five years beginning July 1, 2023, and ending June 30, 2028, to succeed Robert Sledd.

L. Mark Stepanian of **Henrico,** Virginia, Member, appointed April 19, 2024, to serve an unexpired term beginning January 15, 2024, and ending January 14, 2029, to succeed Dale Farino.

Hampton Roads Sanitation District Commission

Stephen Rodriguez of **Chesapeake,** Virginia, Member, appointed May 22, 2024, for a term of four years beginning June 8, 2024, and ending June 7, 2028, to succeed himself.

Ann Templeman of **Hampton,** Virginia, Member, appointed May 24, 2024, for a term of four years beginning June 8, 2024, and ending June 7, 2028, to succeed herself.

Richmond Eye and Ear Hospital Authority

Robert Crouse of **Midlothian,** Virginia, Member, appointed April 5, 2024, for a term of two years beginning January 1, 2024, and ending December 31, 2025, to succeed himself.

Frank Franzak of **Richmond,** Virginia, Member, appointed April 5, 2024, for a term of six years beginning January 1, 2024, and ending December 31, 2029, to succeed himself.

Cheryl Jarvis of **Richmond,** Virginia, Member, appointed April 5, 2024, for a term of two years beginning January 1, 2024, and ending December 31, 2025, to succeed Alan Lambardo.

Kevin Laing of **Henrico,** Virginia, Member, appointed April 11, 2024, for a term of four years beginning January 1, 2024, and ending December 31, 2027, to succeed Andrew Michael.

Arlene Owens of **Richmond,** Virginia, Member, appointed April 5, 2024, for a term of six years beginning January 1, 2024, and ending December 31, 2029, to succeed Anne McElroy.

Peter Pastore of **Richmond,** Virginia, Member, appointed April 5, 2024, for a term of two years beginning January 1, 2024, and ending December 31, 2025, to succeed Paul Miller.

Wayne Shaia of **Henrico,** Virginia, Member, appointed April 5, 2024, for a term of six years beginning January 1, 2024, and ending December 31, 2029, to succeed himself.

Walter Spence of **Henrico,** Virginia, Member, appointed April 5, 2024, for a term of four years beginning January 1, 2024, and ending December 31, 2027, to succeed himself.

Joanne Wiley of **Richmond,** Virginia, Member, appointed April 5, 2024, for a term of four years beginning January 1, 2024, and ending December 31, 2027, to succeed herself.

Virginia Nuclear Energy Consortium Authority Board of Directors

Eric Carr of **Richmond,** Virginia, Member, appointed March 11, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Daniel Stoddard.

Virginia Solar Energy Development and Energy Storage Authority

Brad Viator of **Arlington,** Virginia, Member, appointed May 15, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed John Ockerman.

Virginia Tourism Authority

Eric Jones of **Arlington,** Virginia, Member, appointed March 15, 2024, to serve an unexpired term beginning July 1, 2019, and ending June 30, 2025, to succeed Meredith Lusk.

COMMERCE AND TRADE

Clean Energy Advisory Board

Amir Kirkwood of **Arlington,** Virginia, Member, appointed March 11, 2024, for a term of three years beginning July 1, 2022, and ending June 30, 2025, to succeed William Greenleaf.

Coal Surface Mining Reclamation Fund Advisory Board

Justin Bentley of **Wise,** Virginia, Member, appointed May 21, 2024, for a term of five years beginning July 1, 2023, and ending June 30, 2028, to succeed Donna Stanley.

Richard Davis of **Jonesville,** Virginia, Member, appointed May 16, 2024, for a term of five years beginning July 1, 2023, and ending June 30, 2028, to succeed Brad Kreps.

Tobacco Region Revitalization Commission

The Honorable Frank Ruff of **Clarksville,** Virginia, Member, appointed March 26, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Julienne Hensley.

Jay Jennings of **Chase City,** Virginia, Member, appointed December 6, 2022, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Cecil Shell.

Sarah Wilson of **Abingdon,** Virginia, Member, appointed December 6, 2022, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Richard Sutherland.

Virginia Coal Mine Safety Board

David Dillon of **Duffield,** Virginia, Member, appointed May 16, 2024, for a term of four years beginning January 18, 2023, and ending January 17, 2027, to succeed Brett Holbrook.

Ron Jefferson of **Moneta,** Virginia, Member, appointed March 11, 2024, for a term of four years beginning January 18, 2023, and ending January 17, 2027, to succeed Patti Church.

Virginia Manufactured Housing Board

Keith Hicks of **Richmond,** Virginia, Member, appointed May 1, 2024, for a term of four years beginning April 1, 2024, and ending March 31, 2028, to succeed himself.

Mark Pressley of **Wytheville,** Virginia, Member, appointed May 15, 2024, for a term of four years beginning April 1, 2024, and ending March 31, 2028, to succeed Sean Hicks.

Jamey Young of **Rocky Mount,** Virginia, Member, appointed May 15, 2024, for a term of four years beginning April 1, 2024, and ending March 31, 2028, to succeed James Trepinski.

COMMONWEALTH

Council on Women

Frances Lanzone of **Great Falls,** Virginia, Member, appointed March 11, 2024, to serve an unexpired term beginning July 1, 2020, and ending June 30, 2024, to succeed Brigitta Toruno.

Latino Advisory Board

Santos Munoz of **Aldie,** Virginia, Member, appointed March 19, 2024, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2026, to succeed Juan Vega.

Gladys Truong of **Midlothian,** Virginia, Member, appointed March 15, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Sergio Rimola.

Virginia African American Advisory Board

Cheryl Ivey Green of **North Chesterfield,** Virginia, Member, appointed April 23, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed herself.

Virginia LGBTQ+ Advisory Board

Clay Hamner of **Richmond,** Virginia, Member, appointed March 28, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2024, to succeed Evelyn Brumar.

COMPACTS

Legislative Advisory Council to the Southern Regional Education Board

The Honorable Tara Durant of **Fredericksburg,** Virginia, Member, appointed March 26, 2024, to serve at the pleasure of the Governor beginning March 26, 2024, to succeed the Honorable Siobhan Dunnavant.

Ohio River Valley Water Sanitation Commission

Thomas Branin of **Glen Allen,** Virginia, Member, appointed May 1, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Joseph Maroon.

Scientific and Technical Advisory Committee to the Chesapeake Bay Executive Council

John Bovay of **Blacksburg,** Virginia, Member, appointed March 11, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Kirk Havens.

Carl Friedrichs of **Williamsburg,** Virginia, Member, appointed March 11, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Ellen Gilinsky.

EDUCATION

Board of Directors of the New College Institute

Valerie Johnson of **Martinsville,** Virginia, Member, appointed March 11, 2024, to serve an unexpired term beginning July 1, 2020, and ending June 30, 2024, to succeed Catherine Brown.

Kevin Laine of **Ridgeway,** Virginia, Member, appointed March 11, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Treney Linette Tweedy.

Ashley Lockhart of **Richmond,** Virginia, Member, appointed March 11, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Mary Trigiani.

Board of Trustees of the Frontier Culture Museum of Virginia

The Honorable G. John Avoli of **Augusta County,** Virginia, Member, appointed April 3, 2024, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2026, to succeed Thomas Lester.

Board of Trustees of the Science Museum of Virginia

Irma Becerra of **Arlington,** Virginia, Member, appointed March 11, 2024, to serve an unexpired term beginning July 1, 2020, and ending June 30, 2025, to succeed John Benton.

Board of Trustees of the Virginia Museum of Fine Arts

Dayal Baxani of **Manakin Sabot,** Virginia, Member, appointed April 24, 2024, to serve an unexpired term beginning July 1, 2019, and ending June 30, 2024, to succeed Hubert Phipps.

Board of Visitors of Longwood University

Vellie Dietrich-Hall of **Charlotte Court House,** Virginia, Member, appointed March 11, 2024, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2026, to succeed Judi Lynch.

Board of Visitors of University of Mary Washington

Rachel Greszler of **Bethesda, Maryland**, Member, appointed March 11, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Patricia McGinnis.

Christopher Newman of **Spotsylvania,** Virginia, Member, appointed March 11, 2024, to serve an unexpired term beginning July 1, 2023, and ending June 30, 2028, to succeed Dean Nelson.

State Historical Records Advisory Board

Heidi Barshinger of **Henrico,** Virginia, Member, appointed April 8, 2024, for a term of three years beginning November 1, 2023, and ending October 31, 2026, to succeed Sara Townsend.

Zachary Hottel of **Woodstock,** Virginia, Member, appointed March 27, 2024, for a term of three years beginning November 1, 2023, and ending October 31, 2026, to succeed himself.

The Library Board

Malfourd Trumbo of **Fincastle,** Virginia, Member, appointed March 11, 2024, for a term of five years beginning July 1, 2023, and ending June 30, 2028, to succeed Robert Aguirre.

HEALTH AND HUMAN RESOURCES

Advisory Board on Acupuncture

Luke Robinson of **Blacksburg,** Virginia, Member, appointed April 9, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed himself.

Advisory Board on Music Therapy

Anna McChesney of **Midlothian,** Virginia, Member, appointed May 16, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed herself.

Advisory Board on Physician Assistants

Tracey Dunn of **North Chesterfield,** Virginia, Member, appointed April 23, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed herself.

Advisory Board on Radiological Technology

Sandra Catchings of **Staunton,** Virginia, Member, appointed April 8, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed William Quarles.

Cheryl Cunningham of **Salem,** Virginia, Member, appointed April 9, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Joyce Hawkins.

Angela Dunn of **Yale,** Virginia, Member, appointed April 9, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Rebecca Keith.

Uma Prasad of **Midlothian,** Virginia, Member, appointed March 26, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed herself.

David Roberts of **Palmyra,** Virginia, Member, appointed April 9, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed himself.

Advisory Board on Respiratory Care

Santiera Brown-Yearling of **Chesapeake,** Virginia, Member, appointed April 3, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed herself.

Shari Toomey of **Hardy,** Virginia, Member, appointed April 3, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed herself.

Todd Zischke of **Bumpass,** Virginia, Member, appointed April 3, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Daniel Gochenour.

Advisory Board on Surgical Assisting

Thomas Gochenour of **Palmyra,** Virginia, Member, appointed March 26, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed himself.

Jessica Wilhelm of **Virginia Beach,** Virginia, Member, appointed March 26, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed herself.

Advisory Council on PANDAS & PANS

Ann Flippin of **Richmond,** Virginia, Member, appointed May 28, 2024, for a term of two years beginning July 1, 2023, and ending June 30, 2025, to succeed Teresa Champion.

David Jaffe of **Richmond,** Virginia, Member, appointed March 28, 2024, for a term of two years beginning July 1, 2023, and ending June 30, 2025, to succeed himself.

Aradhana Sood of **Midlothian,** Virginia, Member, appointed May 16, 2024, for a term of two years beginning July 1, 2023, and ending June 30, 2025, to succeed herself.

Terry Woody of **Hanover,** Virginia, Member, appointed May 21, 2024, for a term of two years beginning July 1, 2023, and ending June 30, 2025, to succeed Megan Bonfili.

Board for the Blind and Vision Impaired

Michael Kasey of **Fredericksburg,** Virginia, Member, appointed March 20, 2024, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2026, to succeed Garren Shipley.

Board of Counseling

Marlo Burdge of **Richmond,** Virginia, Member, appointed April 18, 2024, to serve an unexpired term beginning July 1, 2020, and ending June 30, 2024, to succeed Bev-Freda Jackson.

Board of Directors of the Assistive Technology Loan Fund Authority

Jesse Monroe of **Norfolk,** Virginia, Member, appointed April 23, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Sarah Liddle.

Board of Funeral Directors and Embalmers

Kenneth Hickey of **Maidens,** Virginia, Member, appointed April 9, 2024, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2026, to succeed Steven Clemons.

Board of Health Professions

Latonya Hughes of **Hampton,** Virginia, Member, appointed March 26, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Mitchell Davis.

Board of Medical Assistance Services

Jennifer Clarke of **McLean,** Virginia, Member, appointed March 11, 2024, for a term of four years beginning March 8, 2024, and ending March 7, 2028, to succeed Elizabeth Noriega.

Vienne Murray of **Rockville,** Virginia, Member, appointed March 11, 2024, for a term of four years beginning March 8, 2024, and ending March 7, 2028, to succeed Ira Peters.

Margaret Roomsburg of **Virginia Beach,** Virginia, Member, appointed March 11, 2024, for a term of four years beginning March 8, 2024, and ending March 7, 2028, to succeed Ashley Gray.

Board of Nursing

Lila Peake of **Lynchburg,** Virginia, Member, appointed April 18, 2024, to serve an unexpired term beginning July 1, 2020, and ending June 30, 2024, to succeed Meenakshi Shah.

Board of Psychology

Madeline Torres of **Glen Allen,** Virginia, Member, appointed April 17, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Christine Payne.

Child Support Guidelines Review Panel

Tanya Bullock of **Virginia Beach,** Virginia, Member, appointed March 11, 2024, to serve at the pleasure of the Governor beginning March 11, 2024, to succeed Edward Robbins.

Lindsay Hartz of **Hopewell,** Virginia, Member, appointed April 25, 2024, to serve at the pleasure of the Governor beginning April 25, 2024, to succeed Albert Brandt.

Alana Tucker of **Chester,** Virginia, Member, appointed April 24, 2024, to serve at the pleasure of the Governor beginning April 24, 2024, to succeed Craig Burshem.

Commonwealth Neurotrauma Initiative Advisory Board

Kathryn Hayfield of **Richmond,** Virginia, Member, appointed March 28, 2024, to serve at the pleasure of the Governor beginning March 28, 2024, to succeed herself.

Maternal Mortality Review Team

Caroline Bones of **Salem,** Virginia, Member, appointed March 27, 2024, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2025, to succeed Rusty McGuire.

Lisa Linthicum of **Rustburg,** Virginia, Member, appointed May 1, 2024, for a term of three years beginning July 1, 2023, and ending June 30, 2026, to succeed herself.

Cynthia Romero of **Virginia Beach,** Virginia, Member, appointed March 11, 2024, for a term of three years beginning July 1, 2023, and ending June 30, 2026, to succeed Sharon Sheffield.

Shannon Walsh of **Midlothian,** Virginia, Member, appointed April 23, 2024, for a term of three years beginning July 1, 2022, and ending June 30, 2025, to succeed herself.

Office of New Americans Advisory Board

Karina Lipsman of **Arlington,** Virginia, Member, appointed March 27, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Hassan Ahmad.

Public Guardian and Conservator Advisory Board

Lucy Beadnell of **Arlington,** Virginia, Member, appointed March 26, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Monica Karavanic.

Saundra Davis of **Burke,** Virginia, Member, appointed April 9, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Rose Palmer.

Radiation Advisory Board

Gregory Daniel of **Blacksburg,** Virginia, Member, appointed April 23, 2024, to serve at the pleasure of the Governor beginning April 23, 2024, to succeed Laura Strawn.

Leslie Foldesi of **Richmond,** Virginia, Member, appointed May 16, 2024, to serve at the pleasure of the Governor beginning May 16, 2024, to succeed himself.

Allen Goode of **Charlottesville,** Virginia, Member, appointed May 16, 2024, to serve at the pleasure of the Governor beginning May 16, 2024, to succeed himself.

Roy Heltzel of **Chesapeake,** Virginia, Member, appointed May 16, 2024, to serve at the pleasure of the Governor beginning May 16, 2024, to succeed himself.

M. Rehan Khan of **Glen Allen,** Virginia, Member, appointed May 16, 2024, to serve at the pleasure of the Governor beginning May 16, 2024, to succeed himself.

James Nunn of **Blacksburg,** Virginia, Member, appointed May 16, 2024, to serve at the pleasure of the Governor beginning May 16, 2024, to succeed himself.

Rare Disease Council

John Michos of **Locust Hill,** Virginia, Member, appointed April 9, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2024, to succeed Maureen Dempsey.

State Child Fatality Review Team

Lisa Beitz of **Midlothian,** Virginia, Member, appointed May 3, 2024, for a term of three years beginning July 1, 2022, and ending June 30, 2025, to succeed herself.

State Rehabilitation Council

Kathryn Hayfield of **Richmond,** Virginia, Member, appointed March 29, 2024, for a term of three years beginning October 1, 2021, and ending September 30, 2024, to succeed herself.

William Christopher Martin of **Glen Allen,** Virginia, Member, appointed May 16, 2024, for a term of three years beginning October 1, 2023, and ending September 30, 2026, to succeed Angela Leonard.

Ryan Mauzy of **Midlothian,** Virginia, Member, appointed May 15, 2024, for a term of three years beginning October 1, 2022, and ending September 30, 2025, to succeed Brian Evans.

Nicholas Zweerink of **Richmond,** Virginia, Member, appointed April 2, 2024, for a term of three years beginning October 1, 2023, and ending September 30, 2026, to succeed Jennifer Witteborg.

Statewide Independent Living Council

Garrett Brumfield of **Roanoke,** Virginia, Member, appointed March 11, 2024, for a term of three years beginning October 1, 2023, and ending September 30, 2026, to succeed himself.

David Fuller of **Hanover,** Virginia, Member, appointed April 3, 2024, to serve an unexpired term beginning October 1, 2021, and ending September 30, 2024, to succeed Judy Jackson.

Virginia Foundation for Healthy Youth Board of Trustees

Angela Lindsay of **Henrico County,** Virginia, Member, appointed April 9, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Robert Leek.

Virginia Health Workforce Development Authority

Jesse Goodrich of **Williamsburg,** Virginia, Member, appointed April 9, 2024, for a term of two years beginning July 1, 2023, and ending June 30, 2025, to succeed Cecelia Barbosa.

Virginia Interagency Coordinating Council

Dana Childress of **Chesapeake,** Virginia, Member, appointed May 15, 2024, for a term of three years beginning October 1, 2023, and ending September 30, 2026, to succeed Jennifer McRae.

Kristen Heinan of **Charlottesville,** Virginia, Member, appointed March 26, 2024, for a term of three years beginning October 1, 2023, and ending September 30, 2026, to succeed herself.

Sheila Tillett Holas of **Manassas,** Virginia, Member, appointed March 11, 2024, for a term of three years beginning October 1, 2023, and ending September 30, 2026, to succeed Jean Odachowski.

LeAnn White of **Manassas,** Virginia, Member, appointed March 26, 2024, for a term of three years beginning October 1, 2023, and ending September 30, 2026, to succeed Elizabeth John.

INDEPENDENT

Task Force for the Identification of the History of Formerly Enslaved African Americans in Virginia

Nikki Baldwin of **Woodbridge,** Virginia, Member, appointed March 28, 2024, for a term of two years beginning July 1, 2022, and ending June 30, 2024, to succeed Nelson Harris.

Cainan Townsend of **Farmville,** Virginia, Member, appointed May 16, 2024, for a term of two years beginning July 1, 2023, and ending June 30, 2025, to succeed himself.

Virginia Birth-Related Neurological Injury Compensation Program Board of Directors

Joel Dillon of **Reston,** Virginia, Member, appointed March 11, 2024, for a term of three years beginning July 1, 2023, and ending June 30, 2026, to succeed Vanessa Rakestraw.

Kevin Logan of **Midlothian,** Virginia, Member, appointed April 2, 2024, for a term of three years beginning July 1, 2023, and ending June 30, 2026, to succeed himself.

David Ratz of **Virginia Beach,** Virginia, Member, appointed March 26, 2024, for a term of three years beginning July 1, 2023, and ending June 30, 2026, to succeed Jonathan Petty.

Virginia Commonwealth University Health System Authority Board of Directors

Richard Grinnan of **Glen Allen,** Virginia, Member, appointed April 25, 2024, to serve an unexpired term beginning July 1, 2023, and ending June 30, 2027, to succeed Gary Thomson.

Virginia Retirement System Board of Trustees

A. Scott Andrews of **Middleburg,** Virginia, Chair, appointed March 11, 2024, for a term of two years beginning March 1, 2024, and ending February 28, 2026, to succeed himself.

Susan Gooden of **Henrico,** Virginia, Member, appointed March 11, 2024, for a term of five years beginning March 1, 2024, and ending February 28, 2029, to succeed herself.

LABOR

Board for Hearing Aid Specialists and Opticians

LeighAnna Morris of **Charlottesville,** Virginia, Member, appointed May 24, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Beth Connors.

Debra Ogilvie of **North Chesterfield,** Virginia, Member, appointed April 8, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed herself.

Board for Professional and Occupational Regulation

Fernando Espinoza of **Arlington,** Virginia, Member, appointed April 23, 2024, to serve an unexpired term beginning July 1, 2020, and ending June 30, 2024, to succeed Nil Eguz.

Fair Housing Board

Steven Rivera of **Chesterfield,** Virginia, Member, appointed April 1, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Myra Howard.

Real Estate Appraiser Board

Heather Placer Mull of **Moseley,** Virginia, Member, appointed March 28, 2024, for a term of four years beginning April 3, 2024, and ending April 2, 2028, to succeed herself.

Jacob Schmeer of **Glen Allen,** Virginia, Member, appointed March 28, 2024, for a term of four years beginning April 3, 2024, and ending April 2, 2028, to succeed Richard David Stuchell.

Taneen Wyche of **Sandston,** Virginia, Member, appointed May 1, 2024, for a term of four years beginning April 3, 2024, and ending April 2, 2028, to succeed Jason Inge.

Virginia Board for Asbestos, Lead, and Home Inspectors

Paul Thomas of **Norfolk,** Virginia, Member, appointed April 23, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed himself.

LEGISLATIVE

Capitol Square Preservation Council

Heather Hopkins of **Arlington,** Virginia, Member, appointed March 11, 2024, for a term of three years beginning July 1, 2023, and ending June 30, 2026, to succeed Nadia Volchansky.

NATURAL AND HISTORIC RESOURCES

Alexandria Historical Restoration and Preservation Commission

Ricardo Navarro of **Alexandria,** Virginia, Member, appointed May 1, 2024, for a term of four years beginning August 1, 2022, and ending July 31, 2026, to succeed Penny Nance.

Cave Board

Steve Ahn of **Damascus,** Virginia, Member, appointed May 20, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Daniel Doctor.

John Graves of **Luray,** Virginia, Member, appointed May 16, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed himself.

Stephanie Lillard of **Luray,** Virginia, Member, appointed May 30, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Meredith Weberg.

Austin Shank of **Harrisonburg,** Virginia, Member, appointed March 26, 2024, to serve an unexpired term beginning July 1, 2020, and ending June 30, 2024, to succeed David Ek.

State Water Control Board

Thomas Branin of **Glen Allen,** Virginia, Member, appointed May 1, 2024, to serve an unexpired term beginning July 1, 2023, and ending June 30, 2027, to succeed Reece Robertson.

Virginia Council on Environmental Justice

Lisa Kardell of **Alexandria,** Virginia, Member, appointed March 13, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Lisa Johnson.

Courtney Malveaux of **Richmond,** Virginia, Member, appointed March 11, 2024, to serve an unexpired term beginning July 1, 2020, and ending June 30, 2024, to succeed Phil Hernandez.

Eddie Ramirez of **Abingdon,** Virginia, Member, appointed March 11, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Michael Ellerbock.

Morgan Ramos Whayland of **Norfolk,** Virginia, Member, appointed March 11, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Andres Alvarez.

Ronald White of **Midlothian,** Virginia, Member, appointed March 11, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Kathryn MacCormick.

Elizabeth Williamson of **Richmond,** Virginia, Member, appointed March 14, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Clarence Tong.

Virginia Land Conservation Foundation Board of Trustees

Morgan Slaven of **Staunton,** Virginia, Member, appointed May 21, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed James Casey.

Virginia Soil and Water Conservation Board

Stephanie Cornnell of **Nokesville,** Virginia, Member, appointed March 11, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Stephen Hill.

PUBLIC SAFETY AND HOMELAND SECURITY

Criminal Justice Services Board

Ryan Zuidema of **Lynchburg,** Virginia, Member, appointed May 3, 2024, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2026, to succeed Jeffrey Katz.

Secure and Resilient Commonwealth Panel

John Wilmer of **Arlington,** Virginia, Member, appointed April 23, 2024, to serve an unexpired term beginning July 1, 2023, and ending June 30, 2027, to succeed John English.

Virginia Sexual and Domestic Violence Program Professional Standards Committee

Timika Cousins of **Richmond,** Virginia, Member, appointed March 20, 2024, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2026, to succeed Ellen Wheeler.

Leah Kipley of **Powhatan,** Virginia, Member, appointed April 3, 2024, for a term of four years beginning July 1, 2021, and ending June 30, 2025, to fill a new seat.

Faith Power of **Winchester,** Virginia, Member, appointed April 18, 2024, to serve an unexpired term beginning July 1, 2020, and ending June 30, 2024, to succeed Jennifer Quitiquit.

TRANSPORTATION

Motor Vehicle Dealer Board

Alexis Barker of **Virginia Beach,** Virginia, Member, appointed March 11, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Gardner Britt.

Tom Barton of **Virginia Beach,** Virginia, Member, appointed March 11, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Daniel Banister.

VETERANS AND DEFENSE AFFAIRS

Joint Leadership Council of Veterans Service Organizations

Daniel Cortez of **Stafford,** Virginia, Member, appointed April 9, 2024, for a term of three years beginning July 1, 2021, and ending June 30, 2024, to succeed Timothy Whitmore. [Not Confirmed by the House of Delegates]

Lance Lesher of **Virginia Beach,** Virginia, Member, appointed April 2, 2024, for a term of three years beginning July 1, 2022, and ending June 30, 2025, to succeed Lauren Augustine.

Michelle Ramos Domingue of **Arlington,** Virginia, Member, appointed March 11, 2024, for a term of three years beginning July 1, 2023, and ending June 30, 2026, to succeed herself.

Veterans Services Foundation Board of Trustees

Omari Faulkner of **Bluemont,** Virginia, Member, appointed April 4, 2024, to serve an unexpired term beginning July 1, 2020, and ending June 30, 2024, to succeed Phillip Jones.

Shannon Spencer-Watson of **Lorton,** Virginia, Member, appointed April 4, 2024, to serve an unexpired term beginning July 1, 2020, and ending June 30, 2024, to succeed Paula Buckley.

SENATE JOINT RESOLUTION NO. 274

Confirming appointments by the Governor of certain persons communicated to the General Assembly October 1, 2024.

Agreed to by the Senate, January 27, 2025
Agreed to by the House of Delegates, February 7, 2025

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly confirm the following appointments of certain persons made by Governor Glenn Youngkin and communicated to the General Assembly October 1, 2024.

AGENCY

Nicole Overley of **Richmond,** Virginia, Commissioner, Department of Workforce Development and Advancement, to serve at the pleasure of the Governor beginning September 16, 2024, to succeed Carrie Roth.

Brian Wolford of **Richmond**, Virginia, Director, Department of Professional and Occupational Regulation, to serve at the pleasure of the Governor beginning August 10, 2024, to succeed Kishore Thota.

AGRICULTURE AND FORESTRY

Aquaculture Advisory Board

Travis Croxton of **Mechanicsville,** Virginia, Member, appointed September 3, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed himself.

Board of Agriculture and Consumer Services

Virginia Barnes of **Kilmarnock,** Virginia, Member, appointed August 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Neil Houff.

Charitable Gaming Board

Becky Johnson of **Bland County,** Virginia, Member, appointed September 17, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Lasonja Black.

Corn Board

Shannon Ellis of **Champlain,** Virginia, Member, appointed August 22, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed William Crossman.

Raymond Keating of **Norfolk,** Virginia, Member, appointed August 22, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed himself.

Wanda Lambert of **New Kent,** Virginia, Member, appointed August 22, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Michael Bray.

Cotton Board

David Long of **Cape Charles,** Virginia, Member, appointed August 16, 2024, for a term of three years beginning September 26, 2023, and ending September 25, 2026, to succeed Clifford Fox.

Horse Industry Board

Gail Rezendes-Dell of **McLean,** Virginia, Member, appointed August 22, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Floyd Barron.

Marine Products Board

Christopher Sopko of **Gloucester,** Virginia, Member, appointed August 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed James Hudgins.

Milk Commission

Paula Martin of **New Kent,** Virginia, Member, appointed August 27, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

COMMERCE AND TRADE

Board of Coal Mining Examiners

Michael Stiltner of **Grundy,** Virginia, Member, appointed August 6, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Board of Housing and Community Development

Sylvia Bryant of **Norfolk,** Virginia, Member, appointed August 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Claudia Cotton.

Cindy Davis of **Richmond,** Virginia, Member, appointed August 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Larry Murphy.

Virginia Economic Development Partnership Committee on International Trade

John Huddle of **Lovettsville,** Virginia, Member, appointed August 22, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed JamesYongije Xu.

Virginia Housing Development Authority

Matthew Fields of **Buchanan County,** Virginia, Member, appointed August 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Thomas Gibson.

Michael Olivieri of **Virginia Beach,** Virginia, Member, appointed August 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Carlos Larrazabal.

Dare Ruffin of **Virginia Beach,** Virginia, Member, appointed August 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Nathalia Artus.

COMMONWEALTH

Latino Advisory Board

Alberto Calimano of **Manassas,** Virginia, Member, appointed August 19, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Eduardo Zelaya.

Virginia African American Advisory Board

Tori Mabry of **Richmond,** Virginia, Member, appointed August 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Hope Cupit.

COMPACTS

Education Commission of the States

Douglas Straley of **Louisa,** Virginia, Member, appointed August 2, 2024, to serve at the pleasure of the Governor beginning August 2, 2024, to succeed Thomas Taylor.

EDUCATION

Board of Directors of the New College Institute

Valerie Johnson of **Martinsville,** Virginia, Member, appointed September 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Leeland Prillaman of **Henry County,** Virginia, Member, appointed September 3, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Michael Edwards.

Marcus Stone of **Bassett,** Virginia, Member, appointed September 3, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Cameron Patterson.

Board of Trustees of the Frontier Culture Museum of Virginia

Ashlie Howell of **Augusta County,** Virginia, Member, appointed August 20, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Iris Park.

Paul Vames of **Staunton,** Virginia, Member, appointed August 20, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Board of Trustees of the Science Museum of Virginia

Jeffery Bentley of **Great Falls,** Virginia, Member, appointed August 2, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Eucharia Jackson.

Katherine Hight of **Richmond,** Virginia, Member, appointed September 3, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Richard Groover.

Board of Trustees of the Virginia Museum of Fine Arts

Roxana Jordan of **Alexandria,** Virginia, Member, appointed August 12, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Ashlin Wilbanks.

Sally Marvin of **Great Falls,** Virginia, Member, appointed August 6, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Michele Petersen.

Marie Royce of **Alexandria,** Virginia, Member, appointed August 6, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Martha Glasser.

Emily Weinstein of **Midlothian,** Virginia, Member, appointed August 6, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Kenneth Johnson.

Michel Zajur of **Midlothian,** Virginia, Member, appointed August 12, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed himself.

Board of Visitors for Gunston Hall

James Burnham of **Alexandria,** Virginia, Member, appointed September 26, 2024, for a term of two years beginning October 1, 2024, and ending September 30, 2026, to succeed himself.

Charles Hurt of **Chatham,** Virginia, Member, appointed September 26, 2024, for a term of two years beginning October 1, 2024, and ending September 30, 2026, to succeed himself.

D'Andrea Wooten of **Woodbridge,** Virginia, Member, appointed September 26, 2024, for a term of two years beginning October 1, 2024, and ending September 30, 2026, to succeed herself.

Board of Visitors of the Virginia School for the Deaf and the Blind

Christine Ogden of **Staunton,** Virginia, Member, appointed September 25, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Institute for Advanced Learning and Research

Connie Nyholm of **Halifax County,** Virginia, Member, appointed August 29, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Lott Rogers.

Jamestown-Yorktown Foundation Board of Trustees

Laura Bailey of **Hayes,** Virginia, Member, appointed August 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Andrea Bourne.

David Botkins of **Henrico,** Virginia, Member, appointed August 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Constance Kincheloe.

Thomas DiStanislao of **North Chesterfield,** Virginia, Member, appointed August 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Daun Hester.

State Council of Higher Education for Virginia

Micah Edmond of **Alexandria,** Virginia, Member, appointed August 1, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Victoria Harker.

Virginia Commission for the Arts

Alex Grabiec of **Farmville,** Virginia, Member, appointed August 6, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed David Trinkle.

Yan Zhao of **Falls Church,** Virginia, Member, appointed August 6, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Roxana Jordan.

Virginia STEM Education Advisory Board

Rajbans Joshi of **Henrico,** Virginia, Member, appointed August 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Casey Roberts.

Terry Whipple of **Richmond,** Virginia, Member, appointed August 20, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Zaina Tarafder.

Amy White of **Botetourt County,** Virginia, Member, appointed August 22, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

HEALTH AND HUMAN RESOURCES

Advisory Board on Acupuncture

Yong Shin of **Richmond,** Virginia, Member, appointed September 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Keith Bell.

Advisory Board on Behavior Analysis

John Harrington of **Chesapeake,** Virginia, Member, appointed August 6, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Jerita Dubash.

Advisory Board on Service and Volunteerism

Mark Creason of **Henrico,** Virginia, Member, appointed August 6, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Julie Strandlie.

Veronica Evans of **Midlothian,** Virginia, Member, appointed September 26, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Nalia Alam.

Clovia Lawrence of **Henrico,** Virginia, Member, appointed August 29, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed herself.

Kim Luckabaugh of **Fairfax,** Virginia, Member, appointed August 6, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed herself.

Aaron McClung of **Midlothian,** Virginia, Member, appointed August 6, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Vanessa Diamond.

Adria Merritt of **Richmond,** Virginia, Member, appointed September 3, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Elizabeth Schultz.

Joel Morgan of **Henrico,** Virginia, Member, appointed August 6, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed James Seagraves.

Joy Parker of **Virginia Beach,** Virginia, Member, appointed August 6, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed herself.

Debra Rapone of **Manassas,** Virginia, Member, appointed September 3, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Enid Mpumwire-Machayo.

Advisory Council on PANDAS & PANS

Brian Gottstein of **Woodbridge,** Virginia, Member, appointed August 22, 2024, for a term of two years beginning July 1, 2023, and ending June 30, 2025, to succeed Stefanie Levensalor.

Galam Khan of **Stafford,** Virginia, Member, appointed August 28, 2024, for a term of two years beginning July 1, 2023, and ending June 30, 2025, to succeed Melissa Nelson.

Kristina Nunnally of **Amelia Court House,** Virginia, Member, appointed August 22, 2024, for a term of two years beginning July 1, 2023, and ending June 30, 2025, to succeed Christina Teague.

Alzheimer's Disease and Related Disorders Commission

Stephanie LaPrade of **Martinsville,** Virginia, Member, appointed September 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Travonia Hughes.

Board for the Blind and Vision Impaired

Kathryn Campbell of **Henrico,** Virginia, Member, appointed August 9, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Bonnie Atwood.

Tina Egge of **Williamsburg,** Virginia, Member, appointed August 9, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kenneth Jessup.

Board of Counseling

Maria Anastasiou of **Woodbridge,** Virginia, Member, appointed August 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Barry Alvarez.

Board of Directors of the Assistive Technology Loan Fund Authority

LaMont Henry of **Virginia Beach,** Virginia, Member, appointed September 10, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Justin Spurlock of **Aylett,** Virginia, Member, appointed September 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Marques Jones.

Board of Funeral Directors and Embalmers

Blair Nelsen of **Richmond,** Virginia, Member, appointed August 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Michael Williams.

Board of Long-Term Care Administrators

Jasmine Montgomery of **Dumfries,** Virginia, Member, appointed August 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Ashley Jackson.

Board of Medical Assistance Services

Joye Moore of **Richmond,** Virginia, Member, appointed August 8, 2024, for a term of four years beginning March 8, 2024, and ending March 7, 2028, to succeed Kannan Srinivasan.

Board of Medicine

Mark Simcox of **Abingdon,** Virginia, Member, appointed August 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Madge Ellis.

Board of Psychology

Sonal Pancholi of **Vienna,** Virginia, Member, appointed August 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed John Ball.

Board of Social Work

Kimberly Jackson of **Chesapeake,** Virginia, Member, appointed August 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Canek Aguirre.

Teresa Reynolds of **Cumberland,** Virginia, Member, appointed September 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Board of Veterinary Medicine

Bruce Bowman of **Fishersville,** Virginia, Member, appointed September 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Steven Karras.

Margaret Rucker of **Lebanon,** Virginia, Member, appointed September 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Tregel Cockburn.

Maternal Mortality Review Team

Kelly Fried of **South Chesterfield,** Virginia, Member, appointed August 7, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed herself.

Office of New Americans Advisory Board

Yoti Jabri of **Prince George,** Virginia, Member, appointed August 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kate Ayers.

Elizabeth Njuguna of **Loudoun,** Virginia, Member, appointed August 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Eric Lin.

Sasha Taylor of **Alexandria,** Virginia, Member, appointed August 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Ahoo Salem.

Fakhri Yacoub of **Henrico,** Virginia, Member, appointed September 19, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Jua Santacoloma.

Public Guardian and Conservator Advisory Board

Susan Jenkins of **Mechanicsville,** Virginia, Member, appointed August 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Ming Truong.

Ellen Nau of **North Chesterfield,** Virginia, Member, appointed August 14, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Erica Wood.

Donna Smith of **Painter,** Virginia, Member, appointed August 26, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Radiation Advisory Board

Felix Jaetae Seo of **Yorktown,** Virginia, Member, appointed September 12, 2024, to serve at the pleasure of the Governor beginning September 12, 2024, to succeed Stanley Benedict.

Rare Disease Council

John Feore of **Arlington,** Virginia, Member, appointed August 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Michael Friedlander of **Roanoke,** Virginia, Member, appointed August 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

John Michos of **Locust Hill,** Virginia, Member, appointed August 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Renal Disease Council

Ted Chambers of **McLean,** Virginia, Member, appointed September 9, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Kelly Cline of **Glen Allen,** Virginia, Member, appointed September 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Paul Conway of **Falls Church,** Virginia, Member, appointed September 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Jennifer Jones of **South Chesterfield,** Virginia, Member, appointed September 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Franco Musio of **Oakton,** Virginia, Member, appointed September 9, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

State Board of Health

James Cole of **Alexandria,** Virginia, Member, appointed September 5, 2024, to serve an unexpired term beginning July 1, 2024, and ending June 30, 2028, to succeed Ajit Singh.

Vickie Runk of **Forest,** Virginia, Member, appointed August 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Melissa Green.

State Health Department Sewage Handling and Disposal Appeal Review Board

Philip Brown of **Christiansburg,** Virginia, Member, appointed September 25, 2024, to serve at the pleasure of the Governor beginning September 25, 2024, to succeed Gerald Johnson.

State Rehabilitation Council

Gayl Brunk of **Singers Glen,** Virginia, Member, appointed September 24, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed Ken Jessup.

Marco Callender of **Chester,** Virginia, Member, appointed September 24, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed himself.

Frederick Foard of **Virginia Beach,** Virginia, Member, appointed September 26, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed himself.

Kathryn Hayfield of **Richmond,** Virginia, Member, appointed September 26, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed herself.

State Rehabilitation Council for the Blind and Vision Impaired

Elizabeth Klein of **Stafford,** Virginia, Member, appointed September 25, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed herself.

Heidi Lawyer of **Glen Allen,** Virginia, Member, appointed September 25, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed herself.

Gary Talley of **Petersburg,** Virginia, Member, appointed September 26, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed Leelynn Brady.

Statewide Independent Living Council

Gayl Brunk of **Singers Glen,** Virginia, Member, appointed September 24, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed herself.

Cynthia Davis of **Virginia Beach,** Virginia, Member, appointed September 24, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed Edmond Turner.

David Fuller of **Hanover,** Virginia, Member, appointed September 24, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed himself.

Virginia Board for People with Disabilities

Timothy Capaldo of **Norfolk,** Virginia, Member, appointed August 6, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Phillip Caldwell.

Cesar Dulanto of **Gordonsville,** Virginia, Member, appointed August 6, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Madeline Nunnally.

James Hall of **Mount Sidney,** Virginia, Member, appointed August 6, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Emmetri Beane.

Thomas Leach of **Henrico,** Virginia, Member, appointed August 6, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Amber Lee of **Sterling,** Virginia, Member, appointed August 6, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Gina Ryan.

Cynthia Pettus of **Hampton,** Virginia, Member, appointed August 6, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Frank Carillo.

Erika Rogers of **Bumpass,** Virginia, Member, appointed August 6, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Dennis Lites.

Shay Ruff of **Roanoke,** Virginia, Member, appointed August 6, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Edmond Turner.

Virginia Health Workforce Development Authority

Brian Yates of **Lynchburg,** Virginia, Member, appointed August 6, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed himself.

Virginia Interagency Coordinating Council

Victoria Bhardwaj of **Chesterfield,** Virginia, Member, appointed September 3, 2024, for a term of three years beginning October 1, 2023, and ending September 30, 2026, to succeed Lynn Dameron Wolfe.

INDEPENDENT

Virginia Health Benefit Exchange Advisory Committee

Sheenu Kachru of **McLean,** Virginia, Member, appointed August 29, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Julie Bataille.

Kevin Piper of **Springfield,** Virginia, Member, appointed August 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Starla Kisler.

LABOR

Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects

Arjun Kainth of **Virginia Beach,** Virginia, Member, appointed September 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Caroline Alexander.

Board for Barbers and Cosmetology

Kimberly Lewis of **Richmond,** Virginia, Member, appointed August 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Sandra Smith.

Board for Contractors

Andrew Comstock of **Colonial Heights,** Virginia, Member, appointed August 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Gerald Burr.

Board for Hearing Aid Specialists and Opticians

Darla All of **Waynesboro,** Virginia, Member, appointed August 6, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Kenneth Kirk of **Midlothian,** Virginia, Member, appointed August 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Laura Kleiner.

Holly Law of **Powhatan,** Virginia, Member, appointed August 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Bruce Wagner.

Frances Lunsford of **Disputanta,** Virginia, Member, appointed August 6, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kristina Green.

Jennifer Mundorff of **Roanoke,** Virginia, Member, appointed August 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Pamela Smith.

Maureen Sadak of **Richmond,** Virginia, Member, appointed September 3, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Saman Aghaebrahim.

Fitim Xhemaili of **Henrico,** Virginia, Member, appointed August 6, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Erik Meland.

Board for Professional Soil Scientists, Wetland Professionals, and Geologists

Cayman Lowe of **Powhatan,** Virginia, Member, appointed August 2, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Carlyle Robin Jones.

Cemetery Board

Caroline Smyth of **Richmond,** Virginia, Member, appointed August 22, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Safety and Health Codes Board

Michael Everett of **Christiansburg,** Virginia, Member, appointed August 27, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

LEGISLATIVE

Autism Advisory Council

Conner Cummings of **Fairfax,** Virginia, Member, appointed August 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

Beth Ellen Davis of **Charlottesville,** Virginia, Member, appointed August 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

Parthenia Dinora of **Goochland,** Virginia, Member, appointed August 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

Ann Flippin of **Richmond,** Virginia, Member, appointed August 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

Jaime Hanks of **Ashland,** Virginia, Member, appointed August 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

Whitney King of **Virginia Beach,** Virginia, Member, appointed August 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

Giovanni Knight of **Henrico,** Virginia, Member, appointed August 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

Ethan Long of **Charlottesville,** Virginia, Member, appointed August 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

Mia Louria of **Henrico,** Virginia, Member, appointed August 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

W. Brian McCann of **Richmond,** Virginia, Member, appointed August 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

Tonya Milling of **Richmond,** Virginia, Member, appointed August 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

Rose Nevill of **Charlottesville,** Virginia, Member, appointed August 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

Small Business Commission

Giuseppe Lanzone of **Great Falls,** Virginia, Member, appointed August 1, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed himself.

Virginia State Crime Commission

Nicole Wittmann of **Sterling,** Virginia, Member, appointed August 2, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed William Cleveland.

NATURAL AND HISTORIC RESOURCES

Cave Board

Andrea Futrell of **Christiansburg,** Virginia, Member, appointed August 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Richard Lambert.

Jacqueline Gooden-Seay of **Chesterfield,** Virginia, Member, appointed August 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Robert Denton.

Austin Shank of **Harrisonburg,** Virginia, Member, appointed August 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Virginia Council on Environmental Justice

Hope Cupit of **Forest,** Virginia, Member, appointed August 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Fernando Violand.

Kerry McAvoy of **Midlothian,** Virginia, Member, appointed September 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Otis Jones.

Eurika Tyree of **Cumberland County,** Virginia, Member, appointed August 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Taysha Devaughan.

Virginia Land Conservation Foundation Board of Trustees

William Frank Adams of **King William,** Virginia, Member, appointed August 28, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to fill a new seat.

Brian Hallberg of **Chesapeake,** Virginia, Member, appointed August 30, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Mary Carson Stiff.

Gabriella Hoffman of **Alexandria,** Virginia, Member, appointed September 9, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Glenda Booth.

Virginia Soil and Water Conservation Board

Leigh Pemberton of **Doswell,** Virginia, Member, appointed August 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Pamela Mason.

Nick Thomas of **Atlantic,** Virginia, Member, appointed August 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Jay Ford.

PUBLIC SAFETY AND HOMELAND SECURITY

Corrections Oversight Commission

Amanda Howie of **Virginia Beach,** Virginia, Member, appointed August 12, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

D'Archie Lewis of **Hopewell,** Virginia, Member, appointed August 12, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

Parole Board

C. Phillips Ferguson of **Suffolk,** Virginia, Member, appointed August 14, 2024, to serve at the pleasure of the Governor beginning August 14, 2024, to succeed Steven Buck.

Secure and Resilient Commonwealth Panel

Matthew Rhames of **Culpeper,** Virginia, Member, appointed August 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Virginia Geographic Information Network Advisory Board

Daniel Stell of **Catlett,** Virginia, Member, appointed August 7, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed himself.

Wendy Stout of **Lanexa,** Virginia, Member, appointed August 7, 2024, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2027, to succeed Lawrence Presley.

TRANSPORTATION

Commonwealth Transportation Board

John Good of **Winchester,** Virginia, Member, appointed August 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Mark Merrill.

Motor Vehicle Dealer Board

Edward Maulbeck of **Newport News,** Virginia, Member, appointed September 4, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Maurice Slaughter.

Kevin Reynolds of **Orange,** Virginia, Member, appointed August 20, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Trevor Coley.

Virginia Commercial Space Flight Authority

Christine Daines of **Arlington,** Virginia, Member, appointed August 27, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Ed Bolton.

VETERANS AND DEFENSE AFFAIRS

Board of Veterans Services

Joyce Henderson of **Alexandria,** Virginia, Member, appointed August 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Kevin Hoffman of **Blackstone,** Virginia, Member, appointed August 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Mario Flores.

Joint Leadership Council of Veterans Service Organizations

William Aramony of **Alexandria,** Virginia, Member, appointed August 28, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed himself.

George Corbett of **Williamsburg,** Virginia, Member, appointed August 28, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed himself.

Daniel Cortez of **Stafford,** Virginia, Member, appointed August 20, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed himself.

John Down of **Scottsville,** Virginia, Member, appointed August 28, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Monti Zimmerman.

Lisa Gregory of **Fredericksburg,** Virginia, Member, appointed August 28, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Denice Williams.

Sha'ron Martin of **Virginia Beach,** Virginia, Member, appointed August 28, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed himself.

Jay Marts of **Frederick County,** Virginia, Member, appointed August 28, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Kevin Hoffman.

David Sitler of **Midlothian,** Virginia, Member, appointed August 28, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Terrence Moore.

William Glenn Yarborough of **McLean,** Virginia, Member, appointed August 28, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed himself.

Veterans Services Foundation Board of Trustees

Omari Faulkner of **Bluemont,** Virginia, Member, appointed August 6, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Danny Vargas of **Herndon,** Virginia, Member, appointed August 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Laura Schmiegel.

SENATE JOINT RESOLUTION NO. 275

Confirming appointments by the Governor of certain persons communicated to the General Assembly August 1, 2024.

Agreed to by the Senate, January 27, 2025
Agreed to by the House of Delegates, February 7, 2025

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly confirm the following appointments of certain persons made by Governor Glenn Youngkin and communicated to the General Assembly August 1, 2024.

CABINET

Janet Kelly of **Richmond,** Virginia, Secretary of Health and Human Resources, to serve at the pleasure of the Governor beginning July 8, 2024, to succeed John Littel.

John Littel of **Virginia Beach,** Virginia, Chief of Staff, to serve at the pleasure of the Governor beginning July 8, 2024, to succeed Jeff Goettman.

AGENCY HEADS

Rita McClenny of **Richmond,** Virginia, President and CEO, Virginia Tourism Corporation, to serve at the pleasure of the Governor beginning April 10, 2024, to succeed herself.

Banci Tewolde of **Richmond,** Virginia, Director, Department of General Services, to serve at the pleasure of the Governor beginning June 25, 2024, to succeed Joe Damico.

James Williams of **Richmond,** Virginia, Commissioner, Virginia Department of Social Services, to serve at the pleasure of the Governor beginning July 15, 2024, to succeed Danny Avula.

ADMINISTRATION

9-1-1 Services Board

Judson Smith of **Forest,** Virginia, Member, appointed June 24, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed himself.

Art and Architectural Review Board

Stanley Rayfield of **Midlothian,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Gaby Rengifo of **Yorktown,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Rebecca Deeds.

Information Technology Advisory Council

James Kraemer of **Great Falls,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

The Honorable Samuel Nixon of **Richmond,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Goutam Gandhi.

AGRICULTURE AND FORESTRY

Aquaculture Advisory Board

Ann Gallivan of **Franktown,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Heather Lusk.

Martin Gardner of **Martinsville,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed himself.

Doug McMinn of **Wake,** Virginia, Member, appointed July 23, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Michael Oesterling.

Ty Walker of **New Castle,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed John Hofmeyer.

Board of Agriculture and Consumer Services

Charles Church of **Norfolk,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Board of Forestry

James Coleman of **Culpeper,** Virginia, Member, appointed July 22, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Michael Harold of **Harrisonburg,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

William Osl of **Columbia,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Marine Products Board

Beverly Ludford of **Virginia Beach,** Virginia, Member, appointed July 19, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Monica Schenemann of **Lottsburg,** Virginia, Member, appointed July 19, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Potato Board

H. Bruce Richardson of **Capeville,** Virginia, Member, appointed June 15, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed himself.

AUTHORITIES

Fort Monroe Authority

Kelli Lemon of **Richmond,** Virginia, Member, appointed July 1, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Benita Thompson-Byas.

Terrance McGovern of **McLean,** Virginia, Member, appointed July 1, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed James Moran.

Northern Virginia Transportation Authority

DJ Gribbin of **Leesburg,** Virginia, Member, appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Mary Hynes.

Randy Minchew of **Leesburg,** Virginia, Member, appointed July 10, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed James Kolb.

Opioid Abatement Authority

Joseph Baron of **Norfolk,** Virginia, Member, appointed July 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Timothy Spencer of **Roanoke,** Virginia, Member, appointed July 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Virginia Solar Energy Development and Energy Storage Authority

Colin Kelly of **Norfolk,** Virginia, Member, appointed July 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Colleen Lueken.

COMMERCE AND TRADE

Board of Housing and Community Development

Bill Garrett of **Rockville,** Virginia, Member, appointed July 31, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Sylvia Hallock.

Scott Stosser of **Blacksburg,** Virginia, Member, appointed July 31, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Coal Surface Mining Reclamation Fund Advisory Board

Jackie Ball of **Castlewood,** Virginia, Member, appointed July 1, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed John Jones.

Commonwealth of Virginia Innovation Partnership Authority

Lindsay Berry Winter of **Virginia Beach,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Mark Bishof of **Great Falls,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Barbara Boyan.

Marilyn Perkins of **Charlottesville,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Monique Adams.

The Senator Frank M. Ruff, Jr. Center for Rural Virginia

Elizabeth Povar of **Henrico,** Virginia, Member, appointed July 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Virginia Coalfield Economic Development Authority

Gregory Edwards of **Pennington Gap,** Virginia, Member**,** appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Larry Mosley.

Simeon Ewing of **Wise,** Virginia, Member, appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Esther Bolling.

Matthew Hill of **Duffield,** Virginia, Member, appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Rebecca Coleman.

Andy Hrovatic of **Pounding Mill,** Virginia, Member, appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Maggie Asbury.

Gerald Lawson of **Norton,** Virginia, Member, appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kathy Still.

Virginia Economic Development Partnership Authority

Connie Loughhead of **Lexington,** Virginia, Member, appointed June 24, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Carrie Chenery.

Sonya Montgomery of **Richmond,** Virginia, Member, appointed June 24, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Marianne Radcliff.

Virginia Economic Development Partnership Committee on Business Development and Marketing

Jared Chalk of **Norfolk,** Virginia, Member, appointed July 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Elizabeth Doughty.

Virginia Gas and Oil Board

Mary Gibson of **Lebanon,** Virginia, Member, appointed July 2, 2024, for a term of six years beginning July 1, 2024, and ending June 30, 2030, to succeed Rita Surratt.

William Patrick Owens of **Grundy,** Virginia, Member, appointed July 2, 2024, for a term of six years beginning July 1, 2024, and ending June 30, 2030, to succeed Mary Quillen.

Virginia Growth and Opportunity Board

Rajeev Aggarwal of **McLean,** Virginia, Member, appointed June 24, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Lucia Trigiani.

James Cheng of **Charlottesville,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Fouad Qreitem of **Clifton,** Virginia, Member, appointed July 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed James Dyke.

Virginia Manufactured Housing Board

Stephan Geiser of **Stafford,** Virginia, Member, appointed July 5, 2024, for a term of four years beginning April 1, 2024, and ending March 31, 2028, to succeed himself.

Virginia Offshore Wind Development Authority

Chris Gullickson of **Chesapeake,** Virginia, Member, appointed July 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Joseph Nash of **Woodbridge,** Virginia, Member, appointed June 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Laura McKay.

Virginia Tourism Authority

Moses Foster of **Richmond,** Virginia, Member, appointed June 24, 2024, for a term of six years beginning July 1, 2024, and ending June 30, 2030, to succeed Phyllis Terrell.

Lisa Meriwether of **Danville,** Virginia, Member, appointed June 28, 2024, for a term of six years beginning July 1, 2024, and ending June 30, 2030, to succeed Pete Eshelman.

Jill Mills of **Alexandria,** Virginia, Member, appointed July 29, 2024, for a term of six years beginning July 1, 2024, and ending June 30, 2030, to succeed herself.

Lori Waran of **Ashland,** Virginia, Member, appointed July 1, 2024, for a term of six years beginning July 1, 2024, and ending June 30, 2030, to succeed Ssunny Shah.

COMMONWEALTH

Council on Women

Shawnrell Blackwell of **Richmond,** Virginia, Member, appointed June 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Aesha Mehta.

Cherry Dale of **Manakin Sabot,** Virginia, Member, appointed June 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Ashley Reynolds Marshall.

Tracy Kessler-Keller of **Chesapeake,** Virginia, Member, appointed June 24, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Heather Caputo.

Lauren Kivlighan of **McLean,** Virginia, Member, appointed June 24, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Alencia Johnson.

Frances Lanzone of **Great Falls,** Virginia, Member, appointed June 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Bershan Shaw of **Nokesville,** Virginia, Member, appointed June 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Donna Price.

Ellen Walter of **Alexandria,** Virginia, Member, appointed June 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kara Moran.

Latino Advisory Board

Yenny Gutierrez of **Mechanicsville,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Juan Paulo Espinoza.

C. Alex Guzman of **Richmond,** Virginia, Member, appointed June 24, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Kimberly Kruskamp of **Ruckersville,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Joshua De Silva.

Juan Lopez of **Springfield,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Lyons Sanchezchoncha.

Jennie Wood of **Goochland,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Yahusef Medina.

Virginia African American Advisory Board

Ernisha Hall of **Fredericksburg,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Toria Edmonds-Howell.

Ellen Luckey of **Richmond,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Ingrid Gant.

Gilbert Wilkerson of **Glen Allen,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Robert Barnette.

Ronnie Willis of **Fredericksburg,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Eldon Burton.

Virginia-Asian Advisory Board

Srinivasa Bayireddy of **Ashburn,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Laura Beldin.

Goutam Gandhi of **Glen Allen,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Bao Ly.

Amel Ghani of **Fairfax County,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Nina Ha.

Go Eun Kang of **McLean,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Srilekha Palle of **Fairfax,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Angelo Reyes of **Chesapeake,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Ssunny Shah.

My Lan Tran of **Glen Allen,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Virginia LGBTQ+ Advisory Board

Jason Geske of **Alexandria,** Virginia, Member, appointed June 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Clay Hamner of **Richmond,** Virginia, Member, appointed June 20, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Alonzo Mable of **Henrico,** Virginia, Member, appointed June 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Johnanthan Dromgoole.

COMPACTS

Atlantic States Marine Fisheries Commission

The Honorable Danny Diggs of **Seaford,** Virginia, Member, appointed July 18, 2024, to serve at the pleasure of the Governor beginning July 18, 2024, to succeed The Honorable Bill DeSteph.

James Minor of **Richmond,** Virginia, Member, appointed July 19, 2024, to serve at the pleasure of the Governor beginning July 19, 2024, to succeed John Plumlee.

Breaks Interstate Park Commission

Leon Boyd of **Vansant,** Virginia, Member, appointed July 2, 2024, for a term of four years beginning February 24, 2024, and ending February 23, 2028, to succeed Wanda Beery.

Education Commission of the States

Scott Fleming of **Springfield,** Virginia, Member, appointed July 30, 2024, to serve at the pleasure of the Governor beginning July 30, 2024, to succeed Peter Blake.

Potomac River Fisheries Commission

Jamie Green of **Chesterfield,** Virginia, Member, appointed July 8, 2024, to serve at the pleasure of the Governor beginning July 8, 2024, to succeed Steven Bowman.

Southern Regional Education Board

Grace Creasey of **Crozier,** Virginia, Member, appointed July 31, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Keesha Jackson-Muir.

EDUCATION

Board of Education

Ida McPherson of **Suffolk,** Virginia, Member, appointed July 23, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Horace A. Seibert.

Board of Trustees of the Science Museum of Virginia

Ramachandran Venkatachalam of **Brambleton,** Virginia, Member, appointed July 16, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Rodney Berry.

Board of Trustees of the Southern Virginia Higher Education Center

Jeffrey Davis of **South Boston,** Virginia, Member, appointed July 29, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Board of Trustees of the Virginia Museum of Fine Arts

Dayal Baxani of **Manakin Sabot,** Virginia, Member, appointed July 1, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed himself.

Board of Visitors of Christopher Newport University

Kevin Callanan of **Stephens City,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Terri McKnight.

Jennifer Dunn of **Yorktown,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Regina Brayboy.

Keith Windle of **Midlothian,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Lindsey Smith.

Board of Visitors of George Mason University

Jon Peterson of **Fairfax Station,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Board of Visitors of James Madison University

Larry Caudle of **White Stone,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Lara Major.

Joanie Eiland of **Staunton,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed John Lynch.

Thomas Galati of **Penn Laird,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Christopher Falcon.

David Rexrode of **Fredericksburg,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Mary Herod.

Nikki Thacker of **Richmond,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed John Rothenberger.

Board of Visitors of Longwood University

Kathleen Early of **Richmond,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Katherine Boyd.

Charles Fagan of **Manakin Sabot,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Steven Gould.

David Rose of **Richmond,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Polly Raible.

Board of Visitors of Norfolk State University

Edward Sanders of **Washington, D.C.,** Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Devon Henry.

Lionell Spruill of **Chesapeake,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Brian Fulton. [Not Confirmed by the House of Delegates]

Board of Visitors of Old Dominion University

Brian Campbell of **Richmond,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Robert Bradly. [Not Confirmed by the House of Delegates]

Stanley Goldfarb of **Bryn Mawr, Pennsylvania,** Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Larry Hill. [Not Confirmed by the House of Delegates]

Bruce Thompson of **Virginia Beach,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Toykea Jones.

Claire Winiarek of **Arlington,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kay Kemper.

Board of Visitors of Radford University

Dale Ardizzone of **Charlotte, North Carolina,** Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Deb McMahon.

Betsy Beamer of **Henrico,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Callie Dalton of **Roanoke,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Robert Archer.

William Davis of **Blacksburg,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Jay Brown.

Jonathan Sweet of **Pulaski County,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Georgia Anne Snyder-Falkinham.

Board of Visitors of The College of William and Mary in Virginia

John Brownlee of **Great Falls,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed S. Douglas Bunch.

Robey Estes of **Richmond,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Anne Kerr.

W. Taylor Franklin of **Virginia Beach,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Cynthia Hudson.

Jennifer Mackesy of **Bronxville, New York,** Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed John Littel.

The Honorable Jill Vogel of **Upperville,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Brian Woolfolk.

Board of Visitors of University of Mary Washington

Virginia Gentles of **Arlington,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Charles Reed.

Timothy Pohanka of **Fredericksburg,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Robert Strassheim.

Terris Todd of **Woodbridge,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Princess Moss.

Board of Visitors of University of Virginia and Affiliated Schools

Daniel Brody of **Albemarle County,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Mark Bowles.

Marvin Gilliam of **Bristol,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed James Murray.

David Okonkwo of **Pittsburgh, Pennsylvania,** Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Thomas DePasquale.

David Webb of **Virginia Beach,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Babur Lateef.

Porter Wilkinson of **Bethesda, Maryland,** Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Elizabeth Cranwell.

Board of Visitors of Virginia Commonwealth University

The Honorable Siobhan Dunnavant of **Henrico,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Keith Parker.

Ken Lipstock of **Richmond,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Tonya Parris-Wilkins.

Randolph Reynolds of **Louisa County,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Carmen Lomellin.

CJ Sailor of **Chesterfield,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Henry Dendy.

Board of Visitors of Virginia Military Institute

William Janis of **St. Petersburg, Florida,** Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Lester Johnson.

Kate Todd of **McLean,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Board of Visitors of Virginia Polytechnic Institute and State University

Starlette Johnson of **Dallas, Texas,** Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Chris Petersen.

Ryan McCarthy of **McLean,** Virginia, Member, appointed June 28, 2024, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2026, to succeed Charles Hobbs.

Jim Miller of **Waterford,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Carrie Chenery.

James Pearson of **Fort Myers Beach, Florida,** Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Greta Harris.

Jeanne Stosser of **Blacksburg,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Jeffrey Veatch.

Board of Visitors of Virginia State University

Robert Denton of **Blacksburg,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

M. Peter McPherson of **Arlington,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed William Murray.

Verndell Robinson of **Prince William County,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Pamela Curry.

Robert Thompson of **Chesterfield,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Shavonne Gordon.

Dennis Via of **McLean,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Eastern Virginia Health Sciences Center at Old Dominion University Board of Directors

G. Robert Aston of **Portsmouth,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

Ted Chambers of **McLean,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

State Board for Community Colleges

David Elmore of **Waynesboro,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Darius Johnson.

Tony Miller of **Meadowview,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Brenda Calderon.

Alethea Robinson of **Bluefield,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Jeremy Satterfield of **Halifax,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Ashby Kilgore.

State Council of Higher Education for Virginia

Lindsay Fryer of **Falls Church,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kenneth Ampy.

Delceno Miles of **Virginia Beach,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

John Olsen of **Alexandria,** Virginia, Member, appointed June 28, 2024, to serve an unexpired term beginning July 1, 2023, and ending June 30, 2027, to succeed Scott Fleming.

B. Carlyle Ramsey of **Alton,** Virginia, Member, appointed June 28, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed John Broderick.

Steven Taylor of **Barboursville,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Thaddeaus Holloman.

The Library Board

Chelle Davis of **Virginia Beach,** Virginia, Member, appointed July 19, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Laura Blevins.

Elizabeth Fowler of **Williamsburg,** Virginia, Member, appointed July 19, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Leonard Tengco.

Samuel Hayes of **Glen Allen,** Virginia, Member, appointed July 19, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed May Castillo.

FINANCE

Advisory Council on Revenue Estimates

Tom Gayner of **Richmond,** Virginia, Member, appointed July 19, 2024, to serve at the pleasure of the Governor beginning July 19, 2024, to succeed George Rickets.

Board of Accountancy

Anne Hagen of **Moseley,** Virginia, Member, appointed June 24, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Laurie Warwick.

Wendy Lewis of **Mechanicsville,** Virginia, Member, appointed June 24, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Dale Mullen of **Richmond,** Virginia, Member, appointed June 24, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Joint Advisory Board of Economists

Danushka Nanayakkara-Skillington of **Silver Springs, Maryland,** Member, appointed July 22, 2024, to serve at the pleasure of the Governor beginning July 22, 2024, to succeed Roy Pearson.

Treasury Board

Henry Eickelberg of **Leesburg,** Virginia, Member, appointed June 28, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed Charles King.

Virginia College Building Authority

Patrick Dixon of **Roanoke,** Virginia, Member, appointed July 9, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Martin Thomas.

Phyllis Palmiero of **Midlothian,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Jerrell Saunders.

Virginia Public Building Authority

Carolyn Bishop of **Powhatan,** Virginia, Member, appointed June 26, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed herself.

Virginia Public School Authority

Karen Spence of **Oak Hill,** Virginia, Member, appointed June 26, 2024, for a term of six years beginning July 1, 2024, and ending June 30, 2030, to succeed Betty Burrell.

Virginia Resources Authority

Daniel Featherly of **Clifton,** Virginia, Member, appointed June 25, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed William Kittrell.

Cecil Harris of **Rockville,** Virginia, Member, appointed June 26, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Scott Mayausky of **Fredericksburg,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Mary Bunting.

Charlette Woolridge of **Moseley,** Virginia, Member, appointed June 24, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Virginia Small Business Financing Authority

Tarick Gamay of **McLean,** Virginia, Member, appointed July 18, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Ronald Bew.

JJ Ortuno Reintsch of **Sterling,** Virginia, Member, appointed July 18, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed William Smith.

Duc Truong of **Midlothian,** Virginia, Member, appointed July 18, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Linh Duy Hoang.

HEALTH AND HUMAN RESOURCES

Advisory Board of Occupational Therapy

Leah Savelyev of **Roanoke,** Virginia, Member, appointed June 21, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Breshae Bedward.

Advisory Board on Art Therapy

Leila Saadeh of **Richmond,** Virginia, Member, appointed July 12, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed herself.

Advisory Council on PANDAS & PANS (Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections and Pediatric Acute-onset Neuropsychiatric Syndrome)

Susan Swedo of **Lovettsville,** Virginia, Member, appointed June 16, 2024, for a term of two years beginning July 1, 2023, and ending June 30, 2025, to succeed herself.

Alzheimer's Disease and Related Disorders Commission

Bonnie Bradshaw of **Suffolk,** Virginia, Member, appointed July 16, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Destiny Levere.

James Stovall of **Roanoke,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Karen Darner.

Board of Audiology and Speech-Language Pathology

Bethany Rose of **Richmond,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Wayne Shaia of **Henrico,** Virginia, Member, appointed July 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Bradley Kesser.

Board of Counseling

Marlo Burdge of **Richmond,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Board of Dentistry

Sultan Chaudhry of **Falls Church,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Surya Dhakar of **Glen Allen,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Nathaniel Bryant.

Margaret Lemaster of **Chesapeake,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Board of Directors of the Assistive Technology Loan Fund Authority

Douglas Bierly of **Henrico,** Virginia, Member, appointed July 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

LeaAnn Pauli of **Aylett,** Virginia, Member, appointed July 10, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kristoffer Peterson.

Board of Funeral Directors and Embalmers

John Piotrowski of **Colonial Heights,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Mia Mimms.

Board of Medicine

Kamlesh Dave of **Chester,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Manjit Singh Dhillon.

Ken McDowell of **Fredericksburg,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Jacob Miller.

Michele Nedelka of **Virginia Beach,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed David Archer.

L.B. Vaughan of **Richmond,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Karen Ransone.

Board of Nursing

Cleopatra Kitt of **Roanoke,** Virginia, Member, appointed July 29, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Tucker Gleason.

Lila Peake of **Lynchburg,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Shelly Smith of **Powhatan,** Virginia, Member, appointed July 9, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Laurie Buckwald.

Jodi Zehr of **Rustburg,** Virginia, Member, appointed July 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Yvette Dorsey.

Board of Pharmacy

Kelly Kale of **Williamsburg,** Virginia, Member, appointed July 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Roger St. Clair.

Derek Webb of **Abingdon,** Virginia, Member, appointed July 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Sarah Melton.

Maternal Mortality Review Team

Meghan Sylvester of **Falls Church,** Virginia, Member, appointed July 16, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed herself.

Jason Williams of **Hanover,** Virginia, Member, appointed July 16, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Bryan Boyd.

Office of New Americans Advisory Board

Chris Mitchell of **Grundy,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Susannah Lepley.

State Board of Behavioral Health and Developmental Services

Sandy Chung of **Sterling,** Virginia, Member, appointed July 15, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Elizabeth Hilscher.

Rebecca Graser of **Warsaw,** Virginia, Member, appointed July 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Jane McDonald of **Fredericksburg,** Virginia, Member, appointed July 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kendall Lee.

Tony Vadella of **Midlothian,** Virginia, Member, appointed July 9, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Christopher Olivo.

State Board of Health

Ajit Singh of **Glen Allen,** Virginia, Member, appointed July 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Mary Whipple.

Walter Vest of **Virginia Beach,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Holly Puritz.

Cynthia Warriner of **Chester,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Stacy Swartz.

State Board of Social Services

Matthew Melvin of **Newport News,** Virginia, Member, appointed June 29, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed John Kines.

April Morefield of **Tazewell,** Virginia, Member, appointed June 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Megan Miloser.

Coke Stewart of **Reston,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Rachna Heizer.

State Child Fatality Review Team

Robert Dumas of **Henrico,** Virginia, Member, appointed June 24, 2024, for a term of our three years beginning July 1, 2022, and ending June 30, 2025, to succeed Michael Blumberg.

Virginia Health Workforce Development Authority

David Abraham of **Virginia Beach,** Virginia, Member, appointed July 8, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed himself.

Tiffany Covarrubias-Lyttle of **Forest,** Virginia, Member, appointed July 16, 2024, to serve an unexpired term beginning July 1, 2023, and ending June 30, 2025, to succeed Shana Akers.

Shannon Showalter of **Norton,** Virginia, Member, appointed July 8, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed himself.

INDEPENDENT

Chesapeake Bay Bridge and Tunnel Commission

Stephen Mallon of **Hampton,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning May 15, 2024, and ending May 14, 2028, to succeed Christine Snead.

Charity Volman-Winn of **Norfolk,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning May 15, 2024, and ending May 14, 2028, to succeed Reeves Mahoney.

Task Force to Assist in Identification of the History of Formerly Enslaved African Americans in Virginia

Makola Abdullah of **Richmond,** Virginia, Member, appointed July 24, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed himself.

Nikki Baldwin of **Woodbridge,** Virginia, Member, appointed July 24, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed herself.

Brenton Hammond of **Alexandria,** Virginia, Member, appointed July 24, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed himself.

Virginia Commonwealth University Health System Authority Board of Directors

Joel Nied of **Virginia Beach,** Virginia, Member, appointed July 2, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Joel Bieber.

Virginia Foundation for the Humanities and Public Policy

Roger Cheeks of **Chesapeake,** Virginia, Member, appointed July 29, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Linda Seligmann.

Martin Martinez of **Fredericksburg,** Virginia, Member, appointed July 26, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed himself.

Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund Board

Evangeline Cuyno Boers of **Sterling,** Virginia, Member, appointed July 29, 2024, for a term of six years beginning July 1, 2022, and ending June 30, 2028, to succeed Gary Dalton.

R. Edward Rhodes of **Richmond,** Virginia, Member, appointed July 1, 2024, for a term of six years beginning July 1, 2022, and ending June 30, 2028, to succeed John Craig.

Michael Vaughan of **South Hill,** Virginia, Member, appointed July 1, 2024, for a term of six years beginning July 1, 2022, and ending June 30, 2028, to succeed Mark Crnarich.

LABOR

Apprenticeship Council

Doris Crouse-Mays of **Vinton,** Virginia, Member, appointed July 1, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Christopher Cash.

Robert Dudley Harris of **Newport News,** Virginia, Member, appointed July 1, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed himself.

Meghan Hurt of **Virginia Beach,** Virginia, Member, appointed July 8, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

Michelle Ramaker of **Bedford,** Virginia, Member, appointed July 1, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

Auctioneers Board

Adrianna Cowan-Waddy of **Orange,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Joshua Puffenbarger of **Mount Solon,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Douglas Sinclair.

Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects

Tim Colley of **Blacksburg,** Virginia, Member, appointed July 22, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Douglas Frost of **Purcellville,** Virginia, Member, appointed July 22, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Vinay Nair.

Board for Barbers and Cosmetology

Shauna Powell of **McLean,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Matthew Roberts.

Board for Contractors

Ralph "Tripp" Costen of **Henrico,** Virginia, Member, appointed July 26, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Board for Professional and Occupational Regulation

Sathish Anabathula of **Charlottesville,** Virginia, Member, appointed July 19, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Laurence Benenson.

Fernando Espinoza of **Arlington,** Virginia, Member, appointed July 22, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Board for Professional Soil Scientists, Wetland Professionals, and Geologists

Ernest Beasley of **Charlottesville,** Virginia, Member, appointed July 29, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Ronald Thomas.

Alexis Jones of **Jarratt,** Virginia, Member, appointed July 26, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals

Brandon Monnett of **Grottoes,** Virginia, Member, appointed July 26, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Donald Riggleman.

Common Interest Community Board

Drew Mulhare of **Williamsburg,** Virginia, Member, appointed July 23, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Maureen Baker.

Daniel Zickefoose of **Mechanicsville,** Virginia, Member, appointed July 22, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Lori Jean Overholt.

Real Estate Appraiser Board

Perry Turner of **Manakin Sabot,** Virginia, Member, appointed June 24, 2024, for a term of four years beginning April 3, 2024, and ending April 2, 2028, to succeed Todd Canterbury.

Real Estate Board

Pieri Burton of **Virginia Beach,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Catina Jones.

Aekta Chawla of **Glen Allen,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Nancy Piland.

Hector René Fonseca of **Springfield,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Martin Perry.

Safety and Health Codes Board

Jay Abbott of **Blacksburg,** Virginia, Member, appointed July 26, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Larry James of **Mount Sidney,** Virginia, Member, appointed July 26, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Rena Parker of **Richmond,** Virginia, Member, appointed July 26, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Robert Buchler.

Virginia Board for Asbestos, Lead, and Home Inspectors

Stacy Armentrout of **Chesapeake,** Virginia, Member, appointed July 30, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Michael Baum of **Midlothian,** Virginia, Member, appointed July 29, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Tony Robinson of **Triangle,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kevin Salva.

Patrick Studley of **Hampton,** Virginia, Member, appointed July 26, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Virginia Board of Workforce Development

Cynthia Free of **Virginia Beach,** Virginia, Member, appointed July 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

LEGISLATIVE

Capitol Square Preservation Council

Anthony Imamura of **North Chesterfield,** Virginia, Member, appointed June 28, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Lauranett Lee.

Sarah Scarbrough of **Chesterfield,** Virginia, Member, appointed July 1, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed herself.

Commission on Youth

Mackenzie Babichenko of **Mechanicsville,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Chris Rehak.

Rita Jones of **North Chesterfield,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Avi Hopkins.

Small Business Commission

Jay Atkinson of **Henrico,** Virginia, Member, appointed July 3, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed himself.

Melissa Ball of **Mechanicsville,** Virginia, Member, appointed July 3, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed herself.

Lee Vogler of **Danville,** Virginia, Member, appointed July 12, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed himself.

Virginia Freedom of Information Advisory Council

Ken Reid of **McLean,** Virginia, Member, appointed July 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Cullen Dennis Seltzer.

Virginia Housing Commission

Joshua Goldschmidt of **Powhatan,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Martin Johnson of **Chester,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed James Hayes.

Ashley Welburn of **Vienna,** Virginia, Member, appointed June 28, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Laura Lafayette.

Virginia-Israel Advisory Board

Sophie Hoffman of **Fairfax Station,** Virginia, Member, appointed July 17, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Rob Slotnick of **Glen Allen,** Virginia, Member, appointed July 15, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Michael Gillette.

Virginia State Crime Commission

Marsha Garst of **Linville,** Virginia, Member, appointed July 31, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed Robert Tracci.

Colin Stolle of **Virginia Beach,** Virginia, Member, appointed July 31, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed Patricia West.

NATURAL AND HISTORIC RESOURCES

Board of Historic Resources

Jamie Bosket of **Richmond,** Virginia, Member, appointed July 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed William Lemon.

Ashley Spivey of **King William,** Virginia, Member, appointed July 10, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Colita Fairfax.

Board of Wildlife Resources

Lynwood Broaddus of **Milford,** Virginia, Member, appointed July 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Tom Sadler.

Michael Formica of **McLean,** Virginia, Member, appointed July 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Laura Walters of **Dublin,** Virginia, Member, appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Michael Leon Boyd.

Litter Control and Recycling Fund Advisory Board

Beryl "Bo" Wilson of **Fishersville,** Virginia, Member, appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Mount Vernon Board of Visitors

Marilyn Baker of **Alexandria,** Virginia, Member, appointed July 9, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Jamie Bosket.

Dorothy Gray of **Arlington,** Virginia, Member, appointed July 10, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Lisette Carbajal.

State Air Pollution Control Board

Emily Domenech of **Alexandria,** Virginia, Member, appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Lornel Tompkins.

Daniel Jorjani of **Falls Church,** Virginia, Member, appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Hope Cupit.

State Water Control Board

Steven Yob of **Glen Allen,** Virginia, Member, appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Ryan Seiger.

Virginia Land Conservation Foundation Board of Trustees

Kathleen Kilpatrick of **Fork Union,** Virginia, Member, appointed July 22, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Bruce Vlk.

Virginia Marine Resources Commission

Jamie Green of **Chesterfield,** Virginia, Chair, appointed June 6, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Steve Bowman.

Thomas Preston of **Montross,** Virginia, Member, appointed July 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Heather Lusk.

Preston White of **Virginia Beach,** Virginia, Member, appointed July 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed James Minor.

Virginia Outdoors Foundation Board of Trustees

Anne Pittman of **Courtland,** Virginia, Member, appointed July 10, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Eleanor Brown.

James Rich of **The Plains,** Virginia, Member, appointed July 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Viola Baskerville.

Virginia Waste Management Board

Kimberly Hynes of **Richmond,** Virginia, Member, appointed July 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Steven Yob.

Susan Seward of **Waverly,** Virginia, Member, appointed July 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed EJ Scott.

PUBLIC SAFETY AND HOMELAND SECURITY

Corrections Oversight Committee

Donna Anderson of **Kents Store,** Virginia, Member, appointed July 1, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

Stephen Dunavant of **Virginia Beach,** Virginia, Member, appointed July 1, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

Tracy Ray of **Clintwood,** Virginia, Member, appointed July 1, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

Juanita Shanks of **Fredericksburg,** Virginia, Member, appointed July 1, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

Tawana Terry Simmons of **Chester,** Virginia, Member, appointed July 1, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

Secure and Resilient Commonwealth Panel

Daryl Borgquist of **Port Republic,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

State Board of Local and Regional Jails

Charles Carey of **Fredericksburg,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Joseph Tucker of **Lynchburg,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Vernie Francis.

Virginia Fire Services Board

James Calvert of **Moneta,** Virginia, Member, appointed July 22, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Kevin Duck of **Windsor,** Virginia, Member, appointed July 30, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Ben Reedy.

Carla Keesee of **Forest,** Virginia, Member, appointed July 26, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Dennis Linaburg.

Steven Sites of **Midland,** Virginia, Member, appointed July 22, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Virginia Sexual and Domestic Violence Program Professional Standards Committee

Timika Cousins of **Richmond,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Cori Davis of **Amherst,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Faith Power of **Richmond,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

TRANSPORTATION

Commonwealth Transportation Board

Becky Dunlop of **Wythe County,** Virginia, Member, appointed July 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Gregory Yates.

Tom Fowlkes of **Bristol,** Virginia, Member, appointed July 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

DJ Gribbin of **Leesburg,** Virginia, Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Mary Hynes.

Virginia Aviation Board

Robert Bowen of **Virginia Beach,** Virginia, Member, appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Victoria Cox.

John Dankos of **Mechanicsville,** Virginia, Member, appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Alan Abbott.

Virginia Commercial Space Flight Authority

Carol Chang of **Springfield,** Virginia, Member, appointed July 9, 2024, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2026, to succeed Morris Foster.

John Curtis of **Leesburg,** Virginia, Member, appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Linda Thomas-Glover.

Robert Hinson of **Papillion, Nebraska,** Member, appointed July 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Jeff Bingham.

Mike Wettlaufer of **Raleigh, North Carolina,** Member, appointed July 1, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kathryn Thornton.

Virginia Passenger Rail Authority

DJ Jordan of **Prince William County,** Virginia, Member, appointed July 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Roderick Hall.

Virginia Port Authority

John Asbury of **Richmond,** Virginia, Member, appointed July 19, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

George Brown of **Norfolk,** Virginia, Member, appointed July 19, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Edward O'Callaghan.

Ellen Gajda of **Williamsburg,** Virginia, Member, appointed July 19, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Deborah Waters.

VETERANS AND DEFENSE AFFAIRS

Board of Veterans Services

Malcolm Frost of **McLean,** Virginia, Member, appointed July 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Michael Dick.

Wendell Warner of **Lorton,** Virginia, Member, appointed July 29, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed John Lesinski.

Joint Leadership Council of Veterans Service Organizations

Matthew Klym of **Chesapeake,** Virginia, Member, appointed July 1, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Richard Harold Van Norton.

Veterans Services Foundation Board of Trustees

Shannon Spencer-Watson of **Lorton,** Virginia, Member, appointed July 29, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

SENATE JOINT RESOLUTION NO. 276

Confirming appointments by the Governor of certain persons communicated to the General Assembly January 10, 2025.

Agreed to by the Senate, January 27, 2025
Agreed to by the House of Delegates, February 7, 2025

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly confirm the following appointments of certain persons made by Governor Glenn Youngkin and communicated to the General Assembly January 10, 2025.

AGRICULTURE AND FORESTRY

Horse Industry Board

Sharon Molster of **Reva,** Virginia, Member, appointed December 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Robert Banner.

Barbara Riggs of **Upperville,** Virginia, Member, appointed December 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kelly Foltman.

Peanut Board

James Andrew Darden of **Carrsville,** Virginia, Member, appointed December 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Jennifer Simpson of **Suffolk,** Virginia, Member, appointed December 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Joey Doyle.

Potato Board

Ronald Bailey of **Cape Charles,** Virginia, Member, appointed December 16, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed himself.

Sheep Industry Board

Clinton Bell of **Tazewell,** Virginia, Member, appointed December 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Amanda Fletcher of **Abingdon,** Virginia, Member, appointed December 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Jason Geesaman of **Cullen,** Virginia, Member, appointed December 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed James Thomas.

Timothy Mize of **Warrenton,** Virginia, Member, appointed December 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Jim Mumaw of **Harrisonburg,** Virginia, Member, appointed December 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Jack Schutte of **Boyce,** Virginia, Member, appointed December 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed James Hilleary.

Jason Shiflett of **New Hope,** Virginia, Member, appointed December 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Carroll "Mac" Swortzel of **Greenville,** Virginia, Member, appointed December 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Donald Lee Wright of **Glade Springs,** Virginia, Member, appointed December 12, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Small Grains Board

Lynn Gayle of **Onancock,** Virginia, Member, appointed December 11, 2024, for a term of three years beginning September 1, 2024, and ending August 31, 2027, to succeed himself.

Josey Moore of **Brookneal,** Virginia, Member, appointed December 12, 2024, for a term of three years beginning September 1, 2024, and ending August 31, 2027, to succeed Dave Black.

Jimmy Oliver of **Windsor,** Virginia, Member, appointed December 11, 2024, for a term of three years beginning September 1, 2024, and ending August 31, 2027, to succeed himself.

Alicia Pence of **Salem,** Virginia, Member, appointed December 11, 2024, for a term of three years beginning September 1, 2024, and ending August 31, 2027, to succeed Candice Wilson.

AUTHORITY

Online Virginia Network Authority

Taneisha Brown of **Richmond,** Virginia, Member, appointed December 5, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Susan Patrick.

Virginia Biotechnology Research Partnership Authority

Michael Paul Nolde of **Richmond,** Virginia, Member, appointed December 13, 2024, for a term of three years beginning July 1, 2023, and ending June 30, 2026, to succeed Donna Edmonds.

COMMERCE AND TRADE

Board of Housing and Community Development

Aaron Osleger of **Fredericksburg,** Virginia, Member, appointed December 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Richard Gregory.

Commission on Local Government

Heather Cordasco of **Williamsburg,** Virginia, Member, appointed December 11, 2024, for a term of five years beginning January 1, 2025, and ending December 31, 2029, to succeed Diane Linderman.

Tobacco Region Revitalization Commission

H. Wayne Carter of **Chase City,** Virginia, Member, appointed December 13, 2024, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2026, to succeed Gary Walker.

Sandra Frederick of **Abingdon,** Virginia, Member, appointed December 12, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Sandy Ratliff.

Lee "Hampton" Wilkins of **Danville,** Virginia, Member, appointed December 30, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Frank Ruff.

Virginia Coal Mine Safety Board

Keith Sigmon of **Tazewell,** Virginia, Member, appointed December 2, 2024, for a term of four years beginning January 18, 2023, and ending January 17, 2027, to succeed Harry Childress.

COMMONWEALTH

Virginia-Asian Advisory Board

Mansoor Qureshi of **Leesburg,** Virginia, Member, appointed December 13, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Salinna Lor.

Virginia LGBTQ+ Advisory Board

John Spivey of **Norfolk,** Virginia, Member, appointed December 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Jes Simmons.

COMPACTS

Southeast Interstate Low-Level Radioactive Waste Management Compact Commission

David Wilson of **Surry,** Virginia, Member, appointed December 18, 2024, to serve at the pleasure of the Governor beginning December 18, 2024, to succeed Herbert Wheary.

EDUCATION

Board of Regents of Gunston Hall

Betsy Holtzmuller Wilson of **Proctorville, Ohio,** Member, appointed on December 2, 2024, for a term of five years beginning October 26, 2023, and ending October 25, 2028, to succeed Dale Walters.

Linda Lee Ballard Grew of **Raleigh, North Carolina,** Member, appointed on January 6, 2025, for a term of five years beginning October 26, 2024, and ending October 25, 2029, to succeed Annie Gray Dixon.

Ann Rankin Fleming of **Louisville, Kentucky,** Member, appointed on December 9, 2024, for a term of five years beginning October 26, 2024, and ending October 25, 2029, to succeed Katherine Davis.

Board of Trustees of the Southern Virginia Higher Education Center

Ryland Clark of **South Boston,** Virginia, Member, appointed December 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Hubert Pannell.

Board of Visitors of the Virginia School for the Deaf and the Blind

Kathryn Campbell of **Henrico,** Virginia, Member, appointed December 19, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

Ryan Whitworth of **Suffolk,** Virginia, Member, appointed January 6, 2025, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

State Historical Records Advisory Board

Deborah Harvey of **Lovingston,** Virginia, Member, appointed December 16, 2024, for a term of three years beginning November 1, 2024, and ending October 31, 2027, to succeed Audrey Paulette Davis.

Angela Rice of **Hurt,** Virginia, Member, appointed December 20, 2024, for a term of three years beginning November 1, 2024, and ending October 31, 2027, to succeed Lori Ann Terjesen.

Virginia Commission for the Arts

Debbie Garrett of **Buena Vista,** Virginia, Member, appointed December 13, 2024, to serve an unexpired term beginning July 1, 2019, and ending June 30, 2025, to succeed Verdena Jennings.

HEALTH AND HUMAN RESOURCES

Advisory Board on Acupuncture

Elizabeth Fuqua of **North Chesterfield,** Virginia, Member, appointed December 17, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Janet Borges.

Advisory Board on Art Therapy

Ashley Wiley of **Glen Allen,** Virginia, Member, appointed December 12, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Brenda Bonuccelli.

Advisory Board on Genetic Counseling

Lydia Higgs of **Roanoke,** Virginia, Member, appointed December 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Tifany Lewis of **Virginia Beach,** Virginia, Member, appointed December 10, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Tahnee Causey.

Advisory Board on Occupational Therapy

Caroline Barnes of **Glen Allen,** Virginia, Member, appointed December 10, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kathryn Skibek.

Dennis Lites of **Suffolk,** Virginia, Member, appointed December 9, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Karen Lebo.

Advisory Board on Polysomnographic Technology

Michael Polsky of **North Chesterfield,** Virginia, Member, appointed January 6, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Abdul Amir.

Advisory Board on Respiratory Care

Daniel Grinnan of **Richmond,** Virginia, Member, appointed December 6, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Bruce Rubin.

Maternal Mortality Review Team

Hannah Coley of **Goochland,** Virginia, Member, appointed December 6, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Kristie Burnette.

Office of New Americans Advisory Board

Martha Cohen of **Glen Allen,** Virginia, Member, appointed December 9, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Rammy Barbari.

Manoj Mathai of **Aldie,** Virginia, Member, appointed December 16, 2024, to serve an unexpired term beginning July 1, 2023, and ending June 30, 2027, to succeed Daniel Villar.

Radiation Advisory Board

Jeffrey Siebers of **Henrico,** Virginia, Member, appointed December 11, 2024, to serve at the pleasure of the Governor beginning December 11, 2024, to succeed Karen Dameron.

Rare Disease Council

Christina Peroutka of **Manassas,** Virginia, Member, appointed December 16, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Samantha Vergano.

Renal Disease Council

Joseph Wilkins of **Chester,** Virginia, Member, appointed December 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Pavan Annamaraju.

State Emergency Medical Services Advisory Board

Walter Bailey of **Phenix,** Virginia, Member, appointed December 11, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Dillard Ferguson.

State Executive Council for Children's Services

Amelia Ross-Hammond of **Virginia Beach,** Virginia, Member, appointed December 12, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Willie Greene.

Task Force on Services for Survivors of Sexual Assault

Francis Chuidian of **Richmond,** Virginia, Member, appointed December 13, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Scott Sparks.

Virginia Interagency Coordinating Council

Florije Shala of **Glen Allen,** Virginia, Member, appointed November 25, 2024, for a term of three years beginning October 1, 2023, and ending September 30, 2026, to succeed Jennifer Reese.

Jill Yates of **Grundy,** Virginia, Member, appointed December 9, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed Kendall Lamar Lee.

INDEPENDENT

Chesapeake Bay Bridge and Tunnel Commission

Jennifer Lee of **Portsmouth,** Virginia, Member, appointed December 10, 2024, for a term of four years beginning May 14, 2023, and ending May 13, 2027, to succeed Karen James.

Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund Board

Richard Harris of **Kenbridge,** Virginia, Member, appointed December 17, 2024, for a term of six years beginning July 1, 2024, and ending June 30, 2030, to succeed himself.

LABOR

Board for Hearing Aid Specialists and Opticians

Jackie Kowal of **New Kent,** Virginia, Member, appointed December 18, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kaytlyn Young.

NATURAL AND HISTORIC RESOURCES

Board of Conservation and Recreation

Gretchen Byrd of **Richmond,** Virginia, Member, appointed December 17, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Danielle Heisler.

Board of Trustees of the Virginia Museum of Natural History

David Furth of **Alexandria,** Virginia, Member, appointed December 12, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Sherri Jordan.

Cathy Hincker of **Hayes,** Virginia, Member, appointed December 12, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Roberto Quinones.

Cave Board

David Hubbard of **Charlottesville,** Virginia, Member, appointed December 16, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Mark Hodge.

Virginia Land Conservation Foundation Board of Trustees

Robert Beals of **Chesterfield,** Virginia, Member, appointed December 18, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Woodie Walker.

Bradley Gable of **Bluemont,** Virginia, Member, appointed December 18, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Vargas Poppe.

PUBLIC SAFETY AND HOMELAND SECURITY

Advisory Committee on Sexual and Domestic Violence

Karli Meagher of **Sparta, North Carolina,** Member, appointed December 17, 2024, to serve an unexpired term beginning July 1, 2023, and ending June 30, 2027, to succeed Tammy Sharpe.

Corrections Oversight Committee

Erik Brown of **New Kent,** Virginia, Member, appointed December 17, 2024, to serve an unexpired term beginning July 1, 2024, and ending June 30, 2027, to succeed Tracy Ray.

Marcus Elam of **Powhatan,** Virginia, Member, appointed January 6, 2025, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

Joel Hughes of **Moseley,** Virginia, Member, appointed December 13, 2024, to serve an unexpired term beginning July 1, 2024, and ending June 30, 2027, to succeed Michael Dunnavant.

David Matthews of **North Chesterfield,** Virginia, Member, appointed January 6, 2025, to serve an unexpired term beginning July 1, 2024, and ending June 30, 2027, to succeed Donna Anderson.

Henry Ponton of **Boydton,** Virginia, Member, appointed December 18, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

TRANSPORTATION

Aerospace Advisory Council

Kurt Eberly of **Arlington,** Virginia, Member, appointed December 18, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed himself.

Thomas "Tombo" Jones of **Christiansburg,** Virginia, Member, appointed December 18, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed himself.

Joseph Oyler of **Stafford,** Virginia, Member, appointed December 18, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed himself.

Roosevelt Mercer of **Virginia Beach,** Virginia, Member, appointed December 18, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed himself.

Metropolitan Washington Airports Authority

Jonathan Burks of **Arlington,** Virginia, Member, appointed January 6, 2025, for a term of six years beginning November 24, 2024, and ending November 23, 2030, to succeed Jose Walter Tejada.

Motor Vehicle Dealer Board

Richard Myers of **Rockingham,** Virginia, Member, appointed January 7, 2025, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Roman Robinson.

VETERANS AND DEFENSE AFFAIRS

Joint Leadership Council of Veterans Service Organizations

James Cuthbertson of **Glen Allen,** Virginia, Member, appointed December 18, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Mark Atchison.

Justin LeHew of **Fredericksburg,** Virginia, Member, appointed January 6, 2025, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Jack Hilgers.

Angela McConnell of **Front Royal,** Virginia, Member, appointed December 16, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

Timothy Taylor of **Moseley,** Virginia, Member, appointed January 6, 2025, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed John Clickener.

SENATE JOINT RESOLUTION NO. 277

Commending Lawrence Douglas Wilder.

Agreed to by the Senate, January 15, 2025
Agreed to by the House of Delegates, January 16, 2025

WHEREAS, Lawrence Douglas Wilder, born in Richmond on January 17, 1931, has dedicated his life to public service, breaking numerous racial barriers and setting precedents in the Commonwealth and the United States; and

WHEREAS, Douglas Wilder earned a degree in chemistry from Virginia Union University in 1951, then served in the United States Army during the Korean War and was awarded the Bronze Star for heroism for capturing multiple enemy troops and providing assistance to his wounded fellow soldiers; after returning home, he obtained a law degree from Howard University in 1959; and

WHEREAS, in 1969, Douglas Wilder became the first African American elected to the Senate of Virginia since Reconstruction and subsequently built a reputation for pragmatism and bipartisan collaboration; and

WHEREAS, during his tenure as a state lawmaker, Douglas Wilder chaired the Steering Committee, responsible for assigning members to committees, and the Committees on Rehabilitation and Social Services, Transportation, and General Laws; he also served on the Committee for Courts of Justice and advocated for legislation to benefit low-income residents and juvenile justice reform; and

WHEREAS, in 1985, Douglas Wilder was elected lieutenant governor of Virginia, becoming the first African American to hold statewide office in the Commonwealth, exemplifying his perseverance and dedication to public service; and

WHEREAS, in 1989, Douglas Wilder made history as the first African American elected as a state governor in the United States; he served as governor of Virginia from 1990 to 1994, during which time his administration was praised for sound fiscal management, including the creation of the "Rainy Day Fund" to stabilize the Commonwealth's finances during economic downturns, and sponsoring new construction projects for educational and mental health institutions; and

WHEREAS, as governor, Douglas Wilder signed legislation making Virginia one of the first states to recognize Martin Luther King Jr. Day as a statewide holiday, exemplifying his commitment to civil rights and equality; and

WHEREAS, after his gubernatorial term, Douglas Wilder continued his public service as the first directly elected mayor of Richmond from 2005 to 2009, during which time he improved public safety by spearheading crime reduction initiatives and enhancing emergency services, while also advancing governance and development efforts across the city; and

WHEREAS, Douglas Wilder's legacy continues through his role as a distinguished professor at the L. Douglas Wilder School of Government and Public Affairs at Virginia Commonwealth University, where he has been instrumental in promoting public discourse through the Wilder Symposium, which highlights critical issues such as the lack of funding for Historically Black Colleges and Universities, leading to an official opinion on the matter by the attorney general of Virginia, and contributing to the Commonwealth Poll, which provides critical insights into the perspectives of Virginians on key public policy issues; and

WHEREAS, Douglas Wilder's groundbreaking achievements have not only reshaped Virginia's political landscape but have also opened doors for future generations of diverse leaders across the Commonwealth and the nation; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Lawrence Douglas Wilder for his exceptional service, groundbreaking achievements, and enduring impact on the Commonwealth and the nation on the occasion of the 40th anniversary of his historic election as lieutenant governor of Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Lawrence Douglas Wilder as an expression of the General Assembly's admiration for his legacy of exceptional service to the Commonwealth.

SENATE JOINT RESOLUTION NO. 278

Designating April, in 2025 and in each succeeding year, as Native Plant Month in Virginia.

Agreed to by the Senate, January 29, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, native plants are indigenous species that have evolved alongside native wildlife and occur naturally in a particular geographic region, ecosystem, and habitat; and

WHEREAS, native plants are essential for healthy, biodiverse, and sustainable ecosystems, as they often require less water, fertilizer, and pesticides and can often help prevent runoff and improve water quality and are critical for cleaning air, filtering water, and stabilizing soils; and

WHEREAS, native plants are well-adapted to the Commonwealth's soils, temperatures, precipitation, and environmental conditions, making them the best option for conserving and protecting our environment and adapting to its changes; and

WHEREAS, native plants provide food and habitat, including nectar, pollen, seeds, and foliage for native birds, caterpillars, butterflies, bees, and other wildlife in ways that nonnative plants cannot; and

WHEREAS, the Commonwealth's diverse ecosystems, from sea level to high elevations, are home to more than 3,200 native plant species, which include trees, shrubs, perennials, vines, grasses, and wildflowers; and

WHEREAS, some of the Commonwealth's rarest plants are listed under the federal Endangered Species Act of 1973 and include Virginia sneezeweed, Virginia round-leaf birch, shale barren rock cress, and small-anthered bittercress; and

WHEREAS, it is important to encourage public awareness about the benefits of the Commonwealth's native plants to pollinators and other wildlife, the economy, and the health and sustainability of Virginia's fragile ecosystems; and

WHEREAS, residents are encouraged to observe National Native Plant Month and Virginia Native Plant Month, recognize the importance of native plants to the Commonwealth's rich natural heritage, appreciate native plants as an irreplaceable source of food for pollinators and native wildlife, learn about and enjoy the many benefits of native plants, and plant native plants; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly designate April, in 2025 and in each succeeding year, as Native Plant Month in Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit copies of this resolution to the Blue Ridge Partnership for Regional Invasive Species Management (PRISM), Plant Northern Virginia (NOVA) Natives, and Wild Ones Greater Richmond Virginia Chapter so that members of these organizations may be apprised of the sense of the General Assembly of Virginia in this matter; and, be it

RESOLVED FINALLY, That the Clerk of the Senate post the designation of this month on the General Assembly's website.

SENATE JOINT RESOLUTION NO. 279

Commending the Reverend Dr. Kirkland R. Walton.

Agreed to by the Senate, January 16, 2025
Agreed to by the House of Delegates, January 17, 2025

WHEREAS, for 40 years, the Reverend Dr. Kirkland R. Walton has provided the congregation at St. Peter Baptist Church in Glen Allen with uplifting spiritual guidance, joyful occasions for worship and fellowship, and abundant opportunities for community outreach; and

WHEREAS, after graduating from Maggie L. Walker High School in Richmond in 1969 and earning a bachelor's degree in geology from Virginia State University in 1973, Kirkland Walton enjoyed a successful career as a geologist, becoming the first African American petroleum geologist with the Gulf Oil Company and the first African American groundwater geologist with the Commonwealth's State Water Control Board; and

WHEREAS, Kirkland Walton graduated with honors from what is today the Samuel DeWitt Proctor School of Theology at Virginia Union University in 1979 with a master's degree in divinity, and he became one of the first seven students to earn a doctor of ministry degree from the institution in 1993; and

WHEREAS, Kirkland Walton was licensed to the Gospel Ministry in 1977 and ordained in 1980 by the First Baptist Church of South Richmond, where he served as the minister of education for more than three years before becoming the first full-time pastor of St. Peter Baptist Church in 1985; and

WHEREAS, with great vision and dedication, Kirkland Walton has nurtured the growth and development of St. Peter Baptist Church over his tenure, guiding expansion projects that created new educational and administrative spaces, a child development center, and a new sanctuary; and

WHEREAS, Kirkland Walton has mentored aspiring faith leaders as a faculty member of the Samuel DeWitt Proctor School of Theology at Virginia Union University, where he is one of six scholars in context and a member of the council of elders; and through his many workshops across the Commonwealth; and

WHEREAS, Kirkland Walton has given generously of his time to support local faith communities as president of the Henrico Minister's Fellowship and the Laurel Glen Allen Ministerial Alliance; and

WHEREAS, Kirkland Walton has advanced the efforts of the Baptist General Convention of Virginia in various capacities, including as two-time chairperson for its Commission of Christian Education, as dean and assistant dean of its Congress of Christian Education, and as a contributing writer for numerous publications; and

WHEREAS, Kirkland Walton has served as a faith leader on the national level through his work with the Congress of Christian Education of the National Baptist Convention and as the featured preacher for the American Baptist Churches USA in Greenlake, Wisconsin; and

WHEREAS, over the past 40 years, Kirkland Walton has embodied the highest virtues of those who are called to preach and lead others in their spiritual journeys, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Reverend Dr. Kirkland R. Walton on the occasion of his 40th anniversary as a pastor of St. Peter Baptist Church in Glen Allen; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Reverend Dr. Kirkland R. Walton as an expression of the General Assembly's respect and high regard for his legacy of service.

SENATE JOINT RESOLUTION NO. 281

Commending the Honorable G. Glenn Oder.

Agreed to by the Senate, January 23, 2025
Agreed to by the House of Delegates, January 27, 2025

WHEREAS, the Honorable G. Glenn Oder, former member of the House of Delegates, was hired as the executive director of the Fort Monroe Authority, a regional board overseeing the preservation, conservation, protection, and maintenance of the Commonwealth's real property interests at Fort Monroe and the renewal of Fort Monroe as a vibrant and thriving community, effective as of September 1, 2011; and

WHEREAS, immediately upon his arrival at the Fort Monroe Authority (FMA), Glenn Oder took leadership of the master land planning project, led the review process that resulted in the selection of Sasaki and Associates as the master land plan contractor, and actively led the master planning process, including numerous public meetings and presentations, until the land use master plan was approved by the board at its meeting on October 24, 2013, and approved by Governor Robert McDonnell on December 11, 2013; and

WHEREAS, upon the deactivation of the United States Army installation at Fort Monroe, Glenn Oder represented the interests of the Commonwealth in negotiating with the United States Army for the Quit Claim Deed transferring approximately 312.75 acres for revisionary land at Fort Monroe to the Commonwealth, which was signed by Governor McDonnell on June 4, 2013; and

WHEREAS, in support of President Barack Obama's November 1, 2011, Presidential Proclamation creating the Fort Monroe National Monument (FMNM) and acting in accordance with Governor McDonnell's commitment of donated lands in support of the FMNM, Glenn Oder led the negotiations with the National Park Service that resulted in Governor Terence McAuliffe signing two Quit Claim Deeds on August 25, 2015, to transfer approximately 121.1 acres to the United States Department of the Interior, and subsequently led the negotiations for the historic preservation access easement over approximately 92.8 acres of additional Commonwealth land, which was finalized on October 25, 2016; and

WHEREAS, Glenn Oder championed Fort Monroe's role in the planning and execution of the 400-year commemoration of the first landing of enslaved Africans at Point Comfort in 1619, including designating the legacy project for the 400-year commemoration of the first landing; and

WHEREAS, after Governor Ralph Northam directed the FMA to construct a memorial to commemorate the first landing of Africans in Virginia in 1619, Glenn Oder led the effort to identify qualified artists to submit statements of interests and subsequent conceptual plans for the designation of the memorial that resulted in Brian Owens being selected to produce three bronze sculptures for the memorial; and

WHEREAS, Glenn Oder has devoted significant time in assisting the development of the conceptual artwork and site improvements that will be constructed and installed as part of the memorial, including participating in a week-long listening tour across the Commonwealth that greatly influenced the final design proposal for the artwork and site improvements; and

WHEREAS, working with the City of Hampton, Glenn Oder continued to cultivate relationships with the Republic of Angola, which culminated in a large delegation of Angolans attending the August 2024 African Landing Day Commemoration at Fort Monroe, including the Ambassador of the Republic of Angola to the United States and the Angolan Minister of Culture, which in turn further cemented Fort Monroe and the City of Hampton's relationships with representatives of Angola, deepening cultural and historic connections to the nation of origin of the first enslaved Africans who brought with them culture, traditions, and knowledge that enabled the Virginia colony to survive and prosper; and

WHEREAS, throughout his tenure at Fort Monroe, Glenn Oder worked tirelessly to promote the untold or unknown stories of the site, including those of indigenous peoples who were present from time immemorial, the Kikotan tribe and others of the Powhatan paramount chiefdom, the arrival of English colonists in 1607, the construction of Fort Algernourne in 1609 and Fort George in the 1730s, the building of the largest masonry fort in the country in 1819, and the establishment of the Artillery School of Practice in 1824 that ushered in the use of the site by the U.S. Army for 188 years, the arrival of thousands of self-emancipating formerly enslaved people following the contraband decision of 1861, and the continuous use of "Freedom's Fortress" by the United States; and

WHEREAS, during his time with the FMA, Glenn Oder cultivated and nurtured relationships with community stakeholders, including Project 1619, the Contraband Historical Society, the William Tucker 1624 Society, and the Citizens for a Fort Monroe National Park; and

WHEREAS, these are only a few of the many notable achievements and accomplishments that resulted from Glenn Oder's 13 years of service to the FMA; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Honorable G. Glenn Oder for his earnest, diligent, and passionate pursuit of the Fort Monroe Authority's mission to preserve the property and tell the authentic stories of Point Comfort, Old Point Comfort, and Fort Monroe from the last millennia; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Honorable G. Glenn Oder as an expression of the General Assembly's appreciation and gratitude for his career of outstanding service to the Commonwealth, the Fort Monroe Authority, and the Hampton Roads community.

SENATE JOINT RESOLUTION NO. 282

Commending Leo C. Bowers, M.D.

Agreed to by the Senate, January 23, 2025

Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Leo C. Bowers, M.D., a highly respected physician who has served the Hampton Roads region for more than 43 years, closed his office in 2024; and

WHEREAS, Leo Bowers was born and raised in Suffolk and graduated from Windsor High School before earning a bachelor's degree in biology from Colby College and a medical degree from the Medical College of Virginia, now known as the Virginia Commonwealth University School of Medicine; and

WHEREAS, after completing his residency at St. Elizabeth Medical Center in Dayton, Ohio, Leo Bowers returned to the Commonwealth and settled in Hampton, practicing family medicine in Hampton and Smithfield and emergency medicine in Norfolk before establishing his own practice, Old Hampton Family Medical Associates, in downtown Hampton in 1986; and

WHEREAS, when Leo Bowers brought Lind Chinnery, M.D., into the practice, Old Hampton Family Medical Associates continued to grow, expanding to include offices in both Hampton and Smithfield while serving patients from Hampton, Newport News, Carrolton, Smithfield, and Isle of Wight County; and

WHEREAS, Leo Bowers has demonstrated exceptional dedication to his patients throughout his career, supervising and managing their care when they are admitted to the hospital and making house calls for those in rural areas with limited access to transportation; and

WHEREAS, later in his career, Leo Bowers worked on the Hampton University Health Mobile Unit, as well as with the Sentara Hospital Group as a hospitalist, where his experience and expertise made him an invaluable member of the team; and

WHEREAS, Leo Bowers has been a gracious mentor to many students and colleagues over the years, including his children, Jennifer, Brandon, and Jessica Anne, who are all medical practitioners in the Commonwealth; and

WHEREAS, after closing his office, Leo Bowers will continue to work with the Hampton Sentara CarePlex for some time, ensuring the Hampton Roads community will continue to benefit from his knowledge, compassion, and care; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Leo C. Bowers, M.D., for his extraordinary achievements in a career devoted to the health and well-being of others; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Leo C. Bowers, M.D., as an expression of the General Assembly's admiration for his contributions to the Commonwealth and best wishes in his future endeavors.

SENATE JOINT RESOLUTION NO. 283

Commending Ross A. Mugler.

Agreed to by the Senate, January 23, 2025
Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Ross A. Mugler, a distinguished public servant who has served as commissioner of the revenue for the City of Hampton for the past 32 years, retired on December 31, 2024; and

WHEREAS, Ross Mugler holds a bachelor's degree in business administration and a master's degree in public administration from Old Dominion University and has been accredited as a master commissioner of the revenue by the University of Virginia's Weldon Cooper Center for Public Service; and

WHEREAS, from 1985 until he was elected commissioner of the revenue in 1992, Ross Mugler served in the finance and marketing divisions at Newport News Shipbuilding; and

WHEREAS, as commissioner of the revenue of the City of Hampton, Ross Mugler was responsible for overseeing the city's tax collection efforts to ensure the proper functioning of the city's government and services; and

WHEREAS, beyond his work with the City of Hampton, Ross Mugler has given generously of his time for the benefit of the Hampton Roads region through his service on the boards of various local organizations, including the Thomas Nelson Community College Education Foundation, the Hampton Education Foundation, the Virginia Living Museum, and the Virginia Air and Space Science Center; and

WHEREAS, during his tenure as president of the Hampton Arts Foundation, Ross Mugler spearheaded the $4 million fundraising campaign that enabled the expansion of the American Theatre in Hampton; and

WHEREAS, in recognition of his experience and expertise, Ross Mugler has received several gubernatorial appointments to state organizations and entities, such as the transition team for Governor Ralph Northam, the Virginia 529 Board of Directors, and Old Dominion University's Board of Visitors, on which he served as rector; and

WHEREAS, Ross Mugler has made an impact at the national level as a member of the board of directors for the Association of Governing Boards of Universities and Colleges and the board of advisors for United States Senator Mark Warner; and

WHEREAS, as a testament to his accomplishments in public service, Ross Mugler has been the recipient of a number of accolades over the years, including the Sam T. Barfield Award of Excellence from the Commissioners of the Revenue Association of Virginia in 2015; and

WHEREAS, through his steadfast commitment to his duties as commissioner of the revenue and in his other leadership capacities, Ross Mugler has been integral to Hampton's success over the past three decades, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Ross A. Mugler on the occasion of his retirement as the City of Hampton's commissioner of the revenue; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Ross A. Mugler as an expression of the General Assembly's high regard for his illustrious career in service to Hampton and the Commonwealth and best wishes for a joyful and fulfilling retirement.

SENATE JOINT RESOLUTION NO. 285

Commemorating the life and legacy of Private Oscar Cleveland Hicks, USA.

Agreed to by the Senate, January 23, 2025
Agreed to by the House of Delegates, January 23, 2025

WHEREAS, Private Oscar Cleveland Hicks, USA, was born in Henrico County on May 8, 1925, to Linwood F. and Nina E. Hicks; he was raised in Hanover County and Louisa County, where he attended the Hopeful School; as a teenager, he worked on the family farm and as a delivery driver and mechanic for Virginia Dairy in Richmond; and

WHEREAS, along with his three older brothers, Marshall, Allan, and Marion, Oscar Hicks served the nation during World War II, enlisting in the United States Army in 1943, immediately after his 18th birthday; and

WHEREAS, prior to his deployment, Oscar Hicks was engaged to his sweetheart, Margaret L. Kersey of Bumpass; and

WHEREAS, after the passing of Oscar Hicks' parents and siblings, the next generation of his family knew virtually nothing about his life and military service, except that he was "killed in the war"; and

WHEREAS, years of ancestral research by Oscar Hicks' family and the extraordinarily good fortune of befriending Margaret Kersey Tiller in 2016 revealed much of Oscar Hicks' brief but meaningful life; Margaret Kersey Tiller graciously shared her remembrances of Oscar Hicks, as well as pictures and several cards and letters she had received from him during his military service; and

WHEREAS, Oscar Hicks was initially assigned to the 42nd Infantry Division, 232nd Regiment, Company G, and was later transferred to the 79th Infantry Division, 314th Regiment, Company A; and

WHEREAS, Oscar Hicks crossed the Atlantic Ocean aboard the USS *Cristobal*, landing in Liverpool, England, on April 17, 1944, as part of the final preparations for the D-Day invasion of Normandy, France, on June 6, 1944; and

WHEREAS, Oscar Hicks came ashore at Utah Beach on June 14, 1944, with the 79th Infantry Division and fought gallantly during the Battle of Cherbourg, including house-to-house fighting, and eventually helped secure the port city of Cherbourg on June 26, 1944; and

WHEREAS, Oscar Hicks received the first of his two Purple Hearts when he was wounded on July 27, 1944, by a German land mine south of Cherbourg near the French village of La Banserie; after being hospitalized for his injuries, he returned to combat duty; and

WHEREAS, after Cherbourg, Oscar Hicks fought his way across France with the 79th Infantry Division, liberating numerous French towns, including Charmes, Fougères, Gerbéviller, Haguenau, Haudonville, Kaltenhouse, La Haye-du-Puits, Laval, Le Mans, Marainviller, and many others; and

WHEREAS, Oscar Hicks and his unit helped to close exit routes from the Falaise pocket, where the Allies had encircled between 80,000 and 100,000 Germans fleeing the Normandy coast; and

WHEREAS, Oscar Hicks fought in the bitterly cold winter of 1944 during the Ardennes-Alsace Campaign in Eastern France, where he was twice reported as missing in action; he wrote to his parents that he had spent Christmas Day in a foxhole with nothing but a frozen canteen of water; and

WHEREAS, after several weeks of combat in the Alsace region, 19-year-old Oscar Hicks was killed in action on January 23, 1945, in Kaltenhouse, France, near the German border, while seeking cover from aerial bombs dropped by Hitler's new jet-propelled airplane; and

WHEREAS, Oscar Hicks was buried in an American cemetery in Epinal, France, in the shadow of the Vosges Mountains; in 1948, his parents had his remains repatriated to Virginia for burial in a small family cemetery on a pastoral setting in rural Hanover County, now known as Lloyd Family Farms; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commemorate the life and legacy of Private Oscar Cleveland Hicks, USA, a courageous member of the United States Army and World War II liberator, on the occasion of the 80th anniversary of his death; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Private Oscar Cleveland Hicks, USA, as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 286

Confirming appointments by the Governor of certain persons communicated to the General Assembly December 1, 2024.

Agreed to by the Senate, January 27, 2025
Agreed to by the House of Delegates, February 7, 2025

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly confirm the following appointments of certain persons made by Governor Glenn Youngkin and communicated to the General Assembly December 1, 2024.

AGENCY HEADS

Scott Adams of **Richmond,** Virginia, Comptroller, Department of Accounts, to serve at the pleasure of the Governor beginning August 10, 2024, to succeed Lewis McCabe.

Colleen Dugan Messick of **Richmond,** Virginia, Executive Director, Virginia Commission for the Arts, to serve at the pleasure of the Governor beginning September 30, 2024, to succeed Margaret Hancock.

Tiffany Robinson of **Richmond,** Virginia, Director, Virginia Department of Rail and Public Transportation, to serve at the pleasure of the Governor beginning November 10, 2024, to succeed Jennifer DeBruhl.

Michael Westfall of **Richmond,** Virginia, State Inspector General, to serve at the pleasure of the Governor beginning July 1, 2024, to succeed himself.

ADMINISTRATION

Citizens' Advisory Council on Furnishing and Interpreting the Executive Mansion

Julianne Casey of **Norfolk,** Virginia, Member, appointed November 4, 2024, to serve an unexpired term beginning April 1, 2024, and ending March 31, 2029, to succeed Aggie Cullen.

Cybersecurity Planning Committee

Troy Adkins of **Charles City,** Virginia, Member, appointed November 8, 2024, to serve an unexpired term beginning November 1, 2022, and ending October 31, 2025, to succeed Adrian Compton.

Virginia Geographic Information Network Advisory Board

Autumn Fitch of **Unionville,** Virginia, Member, appointed November 22, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed David Guynn.

AGRICULTURE AND FORESTRY

Cattle Industry Board

W. David Coleman of **Amelia Court House,** Virginia, Member, appointed October 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Matthew Hill of **Duffield,** Virginia, Member, appointed October 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Richard Lloyd of **Louisa County,** Virginia, Member, appointed October 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

John Smith of **Russell County,** Virginia, Member, appointed October 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

William Tucker of **Amherst,** Virginia, Member, appointed October 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Corn Board

Savannah Engel McQuarrie of **Hanover,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Charles McGhee.

Cotton Board

James Babb of **Windsor,** Virginia, Member, appointed October 21, 2024, for a term of three years beginning September 26, 2024, and ending September 25, 2027, to succeed himself.

Joey Doyle of **Emporia,** Virginia, Member, appointed October 21, 2024, for a term of three years beginning September 26, 2024, and ending September 25, 2027, to succeed himself.

Michael Griffin of **Suffolk,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning September 26, 2024, and ending September 25, 2027, to succeed himself.

Soybean Board

Michael Bryant of **Lottsburg,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed Craig Giese.

Lynn Gayle of **Onancock,** Virginia, Member, appointed October 10, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed himself.

William Henley of **Walkerton,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed Ronnie Russell.

Charles McGhee of **Mechanicsville,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed Reginald Nelson.

Tobacco Board

Kenney Barnard of **Amelia,** Virginia, Member, appointed October 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Blair Hall of **Nathalie,** Virginia, Member, appointed October 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Richard Hite of **Kenbridge,** Virginia, Member, appointed October 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Jay Jennings of **Chase City,** Virginia, Member, appointed October 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Glen Price Hudson.

Robert Mills of **Callands,** Virginia, Member, appointed October 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Donald Moore of **Chatham,** Virginia, Member, appointed October 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Hugh Rogers of **McKenney,** Virginia, Member, appointed October 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Cecil Shell of **Kenbridge,** Virginia, Member, appointed October 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

AUTHORITIES

Hampton Roads Regional Arena Authority

Coleen Santa Ana of **Chesapeake,** Virginia, Member, appointed November 19, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Dwight Parker.

Cathie Vick of **Virginia Beach,** Virginia, Member, appointed November 18, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Robert Mathieson.

Virginia Biotechnology Research Partnership Authority

Brian Anderson of **Chesterfield,** Virginia, Member, appointed October 10, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Art Espey.

Barrett Clark of **Richmond,** Virginia, Member, appointed October 10, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Charles Macfarlane.

Virginia Cannabis Control Authority Board of Directors

Roxann Robinson of **North Chesterfield,** Virginia, Member, appointed November 7, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Bette Brand.

Virginia Recreational Facilities Authority

Megan Baker of **Salem,** Virginia, Member, appointed November 15, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed herself.

Dennis Cronk of **Roanoke,** Virginia, Member, appointed November 18, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Andrew Downs.

Mickey Johnson of **Moneta,** Virginia, Member, appointed November 13, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed William Tanger.

Tucker Lemon of **Roanoke,** Virginia, Member, appointed November 19, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Joel Keebler.

Tammy Shepherd of **Roanoke County,** Virginia, Member, appointed November 20, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Kelvin Bratton.

Raymond Smoot of **Blacksburg,** Virginia, Member, appointed November 15, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed David Hurt.

COMMERCE AND TRADE

Southern States Energy Board

Glenn Davis of **Virginia Beach,** Virginia, Member, appointed October 31, 2024, to serve at the pleasure of the Governor beginning October 31, 2024, to fill a new seat.

Southwest Virginia Energy Research and Development Authority

Kristen Westover of **Dryden,** Virginia, Member, appointed October 11, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Virginia Tourism Authority

Christian Pinkston of **Oakton,** Virginia, Member, appointed October 3, 2024, for a term of six years beginning July 1, 2024, and ending June 30, 2030, to succeed Kelli Lemon.

COMMONWEALTH

Latino Advisory Board

Krista Lewie-Cepero of **Haymarket,** Virginia, Member, appointed November 6, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Diana Patterson.

COMPACTS

Live Horseracing Compact Committee

Waqas Ahmed of **New Kent,** Virginia, Member, appointed October 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed David Lermond.

Washington Metrorail Safety Commission Interstate Compact

Tiffany Robinson of **Richmond,** Virginia, Member, appointed November 10, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Jennifer DeBruhl.

DESIGNATED

Poet Laureate of Virginia

Mattie Smith of **Lexington,** Virginia, Poet Laureate, appointed November 6, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed Margaret Daramola.

EDUCATION

A.L. Philpott Manufacturing Extension Partnership - GENEDGE Alliance, Board of Trustees

Matthew Clarke of **Wytheville,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed himself.

Marcia Conston of **Norfolk,** Virginia, Member, appointed October 31, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kristen Westover.

Jeffrey Jaycox of **Virginia Beach,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Gabriel LaMois of **Alexandria,** Virginia, Member, appointed October 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Denny McDermott of **Chesterfield,** Virginia, Member, appointed October 21, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Marc Foglia.

Karen Sorber of **Abingdon,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Board of Directors, New College Institute

Michael Lundsgaard of **Carrollton,** Virginia, Member, appointed October 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Maria Tamburri.

Board of Regents of Gunston Hall

Sue Ann Carkoski Tempero of **Indianapolis, Indiana,** Member, appointed November 13, 2024, for a term of five years beginning October 26, 2024, and ending October 25, 2029, to succeed herself.

Diana Davis Madsen of **Westfield, New Jersey,** Member, appointed November 13, 2024, for a term of five years beginning October 26, 2023, and ending October 25, 2028, to succeed herself.

Nancy Evenson Lindley Lavely of **Long Lake, Minnesota,** Member, appointed November 13, 2024, for a term of five years beginning October 26, 2024, and ending October 25, 2029, to succeed herself.

Kristen Ferate of **Edmond, Oklahoma,** Member, appointed November 13, 2024, to serve an unexpired term beginning October 26, 2020, and ending October 25, 2025, to succeed Carol Solomon.

Lynda Hamilton Potter of **Bellevue, Washington,** Member, appointed November 13, 2024, for a term of five years beginning October 26, 2024, and ending October 25, 2029, to succeed Bonny Ward.

Jane Hart Lewis of **Florence, South Carolina,** Member, appointed November 13, 2024, for a term of five years beginning October 26, 2023, and ending October 25, 2028, to succeed Jackie Kelly.

Hayley Lewis Van Antwerp of **Mobile, Alabama,** Member, appointed November 13, 2024, for a term of five years beginning October 26, 2024, and ending October 25, 2029, to succeed Toody Sullivan.

Susan McClellan of **La Jolla, California,** Member, appointed November 13, 2024, for a term of five years beginning October 26, 2024, and ending October 25, 2029, to succeed Nancy McAteer.

Elizabeth Sackson of **Keswick,** Virginia, Member, appointed November 13, 2024, for a term of five years beginning October 26, 2024, and ending October 25, 2029, to succeed Ann Schaeffer.

Board of Trustees of the Virginia Museum of Fine Arts

Margaret Hancock of **Charlottesville,** Virginia, Member, appointed October 4, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed Pamela Reynolds.

Student Advisory Board to the Board of Education

Kainat Ali of **Stafford,** Virginia, Member, appointed October 30, 2024, for a term of one year beginning July 1, 2024, and ending June 30, 2025, to succeed Yordanose Moges.

Nicole Ballagh of **Concord,** Virginia, Member, appointed October 30, 2024, for a term of one year beginning July 1, 2024, and ending June 30, 2025, to succeed Abubakkar Rahim.

Landrie Bell of **Roanoke,** Virginia, Member, appointed October 30, 2024, for a term of one year beginning July 1, 2024, and ending June 30, 2025, to succeed Arrow Brooks.

Conner Mattox of **Hurt,** Virginia, Member, appointed October 30, 2024, for a term of one year beginning July 1, 2024, and ending June 30, 2025, to succeed Lance Toapanta.

Izabella Piatkowski of **Purcellville,** Virginia, Member, appointed October 30, 2024, for a term of one year beginning July 1, 2024, and ending June 30, 2025, to succeed Rafael Ibanez.

Razvan Verde of **Newport News,** Virginia, Member, appointed October 30, 2024, for a term of one year beginning July 1, 2024, and ending June 30, 2025, to succeed Sarah Byman.

Tenaj Williams of **Midlothian,** Virginia, Member, appointed October 30, 2024, for a term of one year beginning July 1, 2024, and ending June 30, 2025, to succeed Elizabeth Cobb.

Clint Wilson of **Abingdon,** Virginia, Member, appointed October 30, 2024, for a term of one year beginning July 1, 2024, and ending June 30, 2025, to succeed Preston Riddle.

FINANCE

Board of Accountancy

Guy Davis of **Henrico,** Virginia, Member, appointed October 3, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed William Russell Brown.

HEALTH AND HUMAN RESOURCES

Advisory Board for the Virginia Department for the Deaf and Hard-of-Hearing

Karen Engelhardt of **Bristow,** Virginia, Member, appointed October 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Aubrey Lipscomb of **Richmond,** Virginia, Member, appointed October 16, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Timothy Patterson.

John Winstead of **Bumpass,** Virginia, Member, appointed October 22, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Susanne Wilbur.

Advisory Board on Genetic Counseling

Martha Thomas of **Charlottesville,** Virginia, Member, appointed November 22, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Advisory Board on Massage Therapy

Candice Merrick of **Chester,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Maria Olivieri.

Advisory Board on Midwifery

Jennifer Green of **Virginia Beach,** Virginia, Member, appointed November 15, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Erin Hammer.

Katie Greene of **Midlothian,** Virginia, Member, appointed November 8, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Natasha Jones.

Advisory Board on Music Therapy

Nikki Rattray Baldwin of **Woodbridge,** Virginia, Member, appointed November 15, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Linda Stone.

Michelle Westfall of **Spotsylvania,** Virginia, Member, appointed November 15, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Advisory Board on Occupational Therapy

Robert Blair of **Charlottesville,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Dwayne Pitre.

Advisory Board on Service and Volunteerism

Amanda Gannon of **Manassas,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Peppy Linden.

Linda Malone-Colon of **Hampton,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Naquetta Mitchell.

Kim Martin of **Hanover County,** Virginia, Member, appointed October 4, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Cynthia Downs Taylor.

Victoria Proffitt of **Chesapeake,** Virginia, Member, appointed October 8, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Sheila Williamson-Branch.

Carl Street of **Gainesville,** Virginia, Member, appointed November 25, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Mark Feo.

Advisory Board on Surgical Assisting

Srikanth Mahavadi of **Quinton,** Virginia, Member, appointed November 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Deborah Redmond of **Virginia Beach,** Virginia, Member, appointed November 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Alzheimer's Disease and Related Disorders Commission

Margie Shaver of **Roanoke,** Virginia, Member, appointed October 30, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

James Towey of **Falls Church,** Virginia, Member, appointed November 13, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Gary Jackson.

Board of Counseling

Shannon Kuschel of **Suffolk,** Virginia, Member, appointed November 25, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Natalie Harris.

Gerard Lawson of **Salem,** Virginia, Member, appointed November 15, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Board of Long-Term Care Administrators

Felita Creekmore of **Suffolk,** Virginia, Member, appointed November 6, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Martha Hunt.

Dennis Pregent of **Powhatan,** Virginia, Member, appointed November 4, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Jenny Inker.

Board of Optometry

Jeffrey Michaels of **Sandy Hook,** Virginia, Member, appointed November 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Fred Goldberg.

Lisa Wallace-Davis of **Newport News,** Virginia, Member, appointed October 30, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Clifford Roffis.

Board of Psychology

Karen Trump of **Glen Allen,** Virginia, Member, appointed November 13, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Susan Brown Wallace.

Board of Social Work

Victoria Cartagena of **Suffolk,** Virginia, Member, appointed October 30, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Eboni Bugg.

Joan Landolt of **Salem,** Virginia, Member, appointed October 30, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Gloria Manns.

Child Support Guidelines Review Panel

Jennifer Miller of **Lorton,** Virginia, Member, appointed October 15, 2024, to serve at the pleasure of the Governor beginning October 15, 2024, to succeed Yvonne Nageotte.

Commonwealth Neurotrauma Initiative Advisory Board

Karen Shelton of **Richmond,** Virginia, Member, appointed July 1, 2023, to serve at the pleasure of the Governor beginning July 1, 2023, to succeed Marissa Levine.

Joseph Robert Svoboda of **Henrico,** Virginia, Member, appointed November 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed David Cifu.

Maternal Mortality Review Team

Anita Maybach of **Culpeper,** Virginia, Member, appointed November 6, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

Susan Murphy of **Virginia Beach,** Virginia, Member, appointed November 7, 2024, for a term of three years beginning July 1, 2022, and ending June 30, 2025, to succeed Donna Schminkey.

Kim Pekin of **Purcellville,** Virginia, Member, appointed November 18, 2024, for a term of three years beginning July 1, 2022, and ending June 30, 2025, to succeed Tammi McKinley.

Office of New Americans Advisory Board

Sarah Basha of **Leesburg,** Virginia, Member, appointed November 6, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Jennifer Crewalk.

State Board of Social Services

Sarah Owen of **Lynchburg,** Virginia, Member, appointed October 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Jennifer Slack.

State Child Fatality Review Team

Jonathan Swanson of **Keswick,** Virginia, Member, appointed November 5, 2024, for a term of three years beginning July 1, 2022, and ending June 30, 2025, to succeed Regina Milteer.

State Emergency Medical Services Advisory Board

Lisa Baber of **Henrico,** Virginia, Member, appointed October 8, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Angela Ferguson.

Madison Blaska of **Powhatan,** Virginia, Member, appointed November 12, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Sonny Saxton.

Paula Ferrada of **Richmond,** Virginia, Member, appointed November 22, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed herself.

David Hupp of **Strasburg,** Virginia, Member, appointed October 21, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Gary Samuels.

Joseph Lang of **Norfolk,** Virginia, Member, appointed October 8, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Allen Yee.

Ernest Rush of **Chincoteague,** Virginia, Member, appointed October 21, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed himself.

William Streett of **New Market,** Virginia, Member, appointed October 21, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed himself.

Joseph Williams of **Fauquier,** Virginia, Member, appointed October 8, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed himself.

State Executive Council for Children's Services

John Budesky of **Mechanicsville,** Virginia, Member, appointed October 8, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Michelle Johnson.

Kevin Carroll of **Chesterfield,** Virginia, Member, appointed October 3, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Margaret Franklin.

Natalie Handy of **Roanoke,** Virginia, Member, appointed October 8, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed herself.

Jake Holmes of **Bristol,** Virginia, Member, appointed October 4, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Christopher Faraldi.

Ronald Spears of **Powhatan,** Virginia, Member, appointed October 8, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed himself.

State Health Department Sewage Handling and Disposal Appeal Review Board

Joshua Hepner of **Stephens City,** Virginia, Member, appointed September 24, 2024, to serve at the pleasure of the Governor beginning September 24, 2024, to succeed S. Mason Allen.

State Rehabilitation Council

Lillian Garland of **Woodbridge,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed Madeline Nunnally.

Ryan Haywood of **Leesburg,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed Justin Spurlock.

Arthur Lee Talley of **Portsmouth,** Virginia, Member, appointed November 4, 2024, for a term of three years beginning July 1, 2022, and ending June 30, 2025, to succeed Aaron Bossard.

State Rehabilitation Council for the Blind and Vision Impaired

Amaan Karim of **Midlothian,** Virginia, Member, appointed October 29, 2024, for a term of three years beginning October 1, 2022, and ending September 30, 2025, to succeed Prem Jadhwani.

John Leopold of **Henrico,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning October 1, 2023, and ending September 30, 2026, to succeed Alexa Bowe.

Rachael Rounds of **Midlothian,** Virginia, Member, appointed November 6, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed herself.

Task Force on Services for Survivors of Sexual Assault

Robin Foster of **Henrico,** Virginia, Member, appointed November 4, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Bonnie Price of **Goochland County,** Virginia, Member, appointed November 4, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed herself.

Leah Williams-Rumbley of **Chesapeake,** Virginia, Member, appointed November 4, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Chatonia Zollicoffer.

Virginia Board for People with Disabilities

Kristie Bowie-Young of **Dale City,** Virginia, Member, appointed October 7, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Sarah Kranz.

Amaan Karim of **Midlothian,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Cynthia Rudy.

Jeffrey Katz of **Ashland,** Virginia, Member, appointed October 3, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Niki Zimmerman.

Virginia Health Workforce Development Authority

Yvette Dorsey of **Glen Allen,** Virginia, Member, appointed September 24, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed Shelly Smith.

Virginia Interagency Coordinating Council

Tracey Deal of **Richmond,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning October 1, 2023, and ending September 30, 2026, to succeed Penni Crist.

Emily Jordan of **Isle of Wight County,** Virginia, Member, appointed October 3, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed Ghazala Hashmi.

Nyesha Nicholas of **Chesterfield,** Virginia, Member, appointed October 8, 2024, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed Catherine Childress.

INDEPENDENT

Task Force to Assist in Identification of the History of Formerly Enslaved African Americans in Virginia

Rita Parks of **McLean,** Virginia, Member, appointed October 16, 2024, to serve an unexpired term beginning July 1, 2023, and ending June 30, 2025, to succeed Verndell Robinson.

Virginia Birth-Related Neurological Injury Compensation Program Board of Directors

John Gordon of **Lorton,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning July 1, 2023, and ending June 30, 2026, to succeed Joseph Stepp.

Patricia Schmehl of **Falls Church,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning July 1, 2023, and ending June 30, 2026, to succeed Dawn McCoy.

Catherine Slusher of **Harrisonburg,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed herself.

Virginia Foundation for the Humanities and Public Policy

Eddie Garcia of **Montclair,** Virginia, Member, appointed November 7, 2024, to serve an unexpired term beginning July 1, 2024, and ending June 30, 2027, to succeed Martin Martinez.

Sarath Nathan of **Henrico,** Virginia, Member, appointed October 30, 2024, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2025, to succeed Stefan Dibich.

LABOR

Auctioneers Board

Douglas Sinclair of **Midlothian,** Virginia, Member, appointed November 5, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Linda Terry.

Board for Barbers and Cosmetology

Candice Benvenuti of **Reston,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Bo Machayo.

Board for Contractors

Mary Anne Holbrook of **Bristol,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Jack White.

Kerry Yoakum of **Lorton,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kevin Broach.

Board for Hearing Aid Specialists and Opticians

Nikisha Richards of **Chesterfield,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Pamela Chavis.

Board for Professional Soil Scientists, Wetland Professionals, and Geologists

Jay Conta of **North Chesterfield,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed David Hall.

David Johnson of **Reston,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Bennette Burks.

Nathan Kuhn of **Richmond,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Robin Bedenbaugh.

Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals

Peter Mamunes of **North Chesterfield,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed James Nelson Brockwell.

Common Interest Community Board

Marcy Peacock of **Cumberland,** Virginia, Member, appointed November 7, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Joyce Wolfe.

Real Estate Appraiser Board

Joseph Dunn of **Midlothian,** Virginia, Member, appointed October 2, 2024, for a term of two years beginning April 3, 2024, and ending April 2, 2026, to succeed Jason Lee Inge.

Real Estate Board

Jeremy Dalpiaz of **Waterford,** Virginia, Member, appointed November 7, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Anna Thronson.

Rajesh Patel of **Great Falls,** Virginia, Member, appointed October 2, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Margaret Davis.

Safety and Health Codes Board

William Rees of **Henrico,** Virginia, Member, appointed October 10, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Lutheria Smith.

LEGISLATIVE

Commission on School Construction and Modernization

Leigh Finch of **Hanover,** Virginia, Member, appointed October 22, 2024, for a term of two years beginning July 1, 2024, and ending June 30, 2026, to succeed William Sroufe.

Commissioners for the Promotion of Uniformity of Legislation

Nicole Brenner of **Richmond,** Virginia, Member, appointed October 9, 2024, for a term of four years beginning October 1, 2024, and ending September 30, 2028, to succeed David Hallock.

Thomas Gallanis of **Washington, D.C.,** Member, appointed October 9, 2024, for a term of four years beginning October 1, 2024, and ending September 30, 2028, to succeed Thomas Edmonds.

Christopher Nolen of **Glen Allen,** Virginia, Member, appointed October 9, 2024, for a term of four years beginning October 1, 2024, and ending September 30, 2028, to succeed himself.

Conflict of Interest and Ethics Advisory Council

John Blair of **Charlottesville,** Virginia, Member, appointed November 4, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Manufacturing Development Commission

Amy White of **Roanoke,** Virginia, Member, appointed November 25, 2024, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed herself.

NATURAL AND HISTORIC RESOURCES

Board of Conservation and Recreation

Doug Domenech of **Alexandria,** Virginia, Member, appointed October 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Camilla Simon.

John Inge of **Roanoke,** Virginia, Member, appointed October 8, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Board of Trustees of the Virginia Museum of Natural History

Carole Nash of **Harrisonburg,** Virginia, Member, appointed October 9, 2024, for a term of five years beginning July 1, 2024, and ending June 30, 2029, to succeed herself.

Virginia Council on Environmental Justice

Courtney Malveaux of **Richmond,** Virginia, Member, appointed November 18, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed himself.

Virginia Land Conservation Foundation Board of Trustees

William Lloyd of **Abingdon,** Virginia, Member, appointed October 10, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Lisa Quigley.

Michael Molina of **Vienna,** Virginia, Member, appointed October 31, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Krystina White.

PUBLIC SAFETY AND HOMELAND SECURITY

Advisory Committee on Sexual and Domestic Violence

Michelle Young of **Portsmouth,** Virginia, Member, appointed November 15, 2024, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed Sanu Dieng.

Corrections Oversight Committee

Shannae Anderson of **Lynchburg,** Virginia, Member, appointed October 28, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

Matthew Sachs of **Virginia Beach,** Virginia, Member, appointed October 4, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

TRANSPORTATION

Medical Advisory Board for the Department of Motor Vehicles

Firas Beitinjaneh of **Norfolk,** Virginia, Member, appointed October 11, 2024, for a term of four years beginning October 1, 2024, and ending September 30, 2028, to succeed himself.

Jawad Bhatti of **Chesterfield,** Virginia, Member, appointed October 22, 2024, for a term of four years beginning October 1, 2024, and ending September 30, 2028, to succeed himself.

Jeffry Hatcher of **Ashburn,** Virginia, Member, appointed October 17, 2024, for a term of four years beginning October 1, 2024, and ending September 30, 2028, to succeed Saji Slavin.

Lisa Jenkins Haynie of **Reedsville,** Virginia, Member, appointed October 9, 2024, for a term of four years beginning October 1, 2024, and ending September 30, 2028, to succeed herself.

Chet Pai of **Stafford,** Virginia, Member, appointed November 8, 2024, to serve an unexpired term beginning October 1, 2022, and ending September 30, 2026, to succeed Susan Digiovanni.

Metropolitan Washington Airports Authority

Alex Vogel of **Upperville,** Virginia, Member, appointed October 4, 2024, for a term of six years beginning July 1, 2024, and ending June 30, 2030, to succeed William Sudow.

Transportation District Commission of Hampton Roads

Ryan King of **Norfolk,** Virginia, Member, appointed November 15, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Kirk Houston.

Pat Woodbury of **Newport News,** Virginia, Member, appointed November 15, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed August Bullock.

Virginia Passenger Rail Authority

Neal Crawford of **Virginia Beach,** Virginia, Member, appointed October 9, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed James Spore.

Darien Flowers of **Alexandria,** Virginia, Member, appointed October 10, 2024, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Sharon Bulova.

VETERANS AND DEFENSE AFFAIRS

Joint Leadership Council of Veterans Service Organizations

Garry Dean of **Arlington,** Virginia, Member, appointed November 8, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Richard Shook.

Mark Hartney of **Williamsburg,** Virginia, Member, appointed October 2, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Preston Curry.

Robin Kelleher of **Annandale,** Virginia, Member, appointed November 18, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to fill a new seat.

Richard Mansfield of **Hampton,** Virginia, Member, appointed November 15, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed himself.

Richard Raskin of **Manassas,** Virginia, Member, appointed November 15, 2024, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed himself.

Veterans Services Foundation Board of Trustees

Heather Hopkins of **Arlington,** Virginia, Member, appointed October 11, 2024, for a term of four years beginning July 1, 2023, and ending June 30, 2027, to succeed Jack Lanier.

SENATE JOINT RESOLUTION NO. 287

Commending Shrine Mont.

Agreed to by the Senate, January 23, 2025
Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Shrine Mont, a conference and retreat center in Orkney Springs, has provided a welcoming gathering place for local residents and visitors from across the country for 100 years; and

WHEREAS, the Reverend Dr. Edmund Lee Woodward built the Cathedral Shrine of the Transfiguration in Orkney Springs, which was consecrated as the cathedral of the Episcopal Diocese of Virginia, on August 6, 1925; that same year, he also established Shrine Mont as a retreat center to be "A Place Apart for All"; and

WHEREAS, Dr. Woodward built Art Hall in 1940 to house the art collection of his uncle and renowned landscape artist John Douglas Woodward and serve as a center of culture for western Shenandoah County; and

WHEREAS, in 1950, Orkney Springs resident Wilmer Moomaw became the first of three generations of the Moomaw family to serve as a director of Shrine Mont, providing strong leadership for the center and solidifying its long-term relationship with the Shenandoah County community; and

WHEREAS, Wilmer Moomaw oversaw the acquisition and renovation of the historic Orkney Springs Hotel and property in 1979 and led efforts to designate Shrine Mont as a nonprofit organization for its role in supporting the church and achievements in historic preservation and cultural education; and

WHEREAS, Shrine Mont currently serves 15,000 guests annually through conferences, parish retreats, youth camps, artist workshops, the Shenandoah Valley Music Festival, and numerous family reunions from throughout the Commonwealth and the United States; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Shrine Mont for its outstanding service to the residents of Shenandoah County and the Commonwealth on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to representatives of Shrine Mont as an expression of the General Assembly's admiration for the organization's significant contributions to the Shenandoah Valley community and best wishes in its future endeavors.

SENATE JOINT RESOLUTION NO. 288

Commending Jon R. Stehle, Jr.

Agreed to by the Senate, January 23, 2025
Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Jon R. Stehle, Jr., a distinguished public servant and community leader, concluded his tenure on the Fairfax City Council on December 31, 2024; and

WHEREAS, a resident of Fairfax City since 2007, Jon Stehle holds a bachelor's degree in history from Washington and Jefferson College, a master's degree in public and international affairs from the University of Pittsburgh's Graduate School of Public and International Affairs, and a master's degree in national security and strategic studies from the United States Naval War College; and

WHEREAS, in his professional life, Jon Stehle is the director of intergovernmental partnerships for the nonprofit organization AGA; he previously served as a senior analyst with the United States Government Accountability Office (GAO), earning a GAO Meritorious Service Award for his efforts in 2013; and

WHEREAS, Jon Stehle faithfully served the residents of the City of Fairfax over four terms on the Fairfax City Council, working tirelessly to ensure the community's health, prosperity, and welfare; and

WHEREAS, Jon Stehle fostered the City of Fairfax's growth and development as chair of the city's Parks and Recreation Advisory Board and as a member of its Green Acres Feasibility Study Committee and Branding Advisory Committee; and

WHEREAS, Jon Stehle has made an impact across the Northern Virginia region and the Commonwealth as the president of the Virginia Municipal League and as chair of both the Metropolitan Washington Council of Governments (MWCG) Food and Agriculture Regional Member Policy Committee and the MWCG Chesapeake Bay and Water Resources Policy Committee; and

WHEREAS, through his integrity, work ethic, and unwavering commitment to the well-being of others, Jon Stehle has helped to make Fairfax City a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Jon R. Stehle, Jr., as he concludes his tenure on the Fairfax City Council; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Jon R. Stehle, Jr., as an expression of the General Assembly's admiration for his contributions to Fairfax City and the Commonwealth and best wishes for his future endeavors.

SENATE JOINT RESOLUTION NO. 289

Commending So Lim.

Agreed to by the Senate, January 23, 2025
Agreed to by the House of Delegates, January 27, 2025

WHEREAS, So Lim, a distinguished public servant and community leader, concluded her tenure on the Fairfax City Council on December 31, 2024; and

WHEREAS, a resident of Fairfax City since 2001, So Lim is the owner and operator of Lim's Insurance Agency, a licensed agency of Nationwide Mutual Insurance Company; and

WHEREAS, So Lim has been recognized with various awards for her efforts to provide her clients with quality insurance and financial services; and

WHEREAS, So Lim has fostered the growth and success of George Mason University by serving on the board of the institution's College of Visual and Performing Arts and as a member of the President's Advisory Council for George Mason University Korea, the institution's campus in Incheon, South Korea; and

WHEREAS, So Lim has made an impact in countless lives as president of the U.S. chapter of the Taekwondo Humanitarian Foundation, a branch of World Taekwondo that teaches children in refugee camps the values and principles of Taekwondo; and

WHEREAS, in her capacity as president of the Korean American Association of the Washington Metropolitan Area, So Lim advanced the civic, cultural, educational, and social interests of thousands of Korean Americans in Fairfax City and beyond; and

WHEREAS, So Lim faithfully served the residents of the City of Fairfax over three terms on the Fairfax City Council, working tirelessly to ensure the community's health, prosperity, and welfare; and

WHEREAS, through her integrity, work ethic, and unwavering commitment to the well-being of others, So Lim has helped to make Fairfax City a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend So Lim as she concludes her tenure on the Fairfax City Council; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to So Lim as an expression of the General Assembly's admiration for her contributions to Fairfax City and the Commonwealth and best wishes for her future endeavors.

SENATE JOINT RESOLUTION NO. 290

Commending D. Thomas Ross.

Agreed to by the Senate, January 23, 2025
Agreed to by the House of Delegates, January 27, 2025

WHEREAS, D. Thomas Ross, a distinguished public servant and community leader, concluded his tenure on the Fairfax City Council on December 31, 2024; and

WHEREAS, a resident of Fairfax City since 1980, Thomas Ross holds a bachelor's degree in recreation education and a master's degree in public administration from Northeastern University; and

WHEREAS, Thomas Ross served his country with honor and distinction as a member of the United States Air Force; and

WHEREAS, Thomas Ross retired from his career in the federal government in 2006 as the assistant director for recreation and conservation with the National Park Service before serving as the executive director for the Maryland Recreation Parks Association until his full retirement in 2011; and

WHEREAS, Thomas Ross faithfully served the residents of the City of Fairfax for two terms on the Fairfax City Council, working tirelessly to ensure the community's health, prosperity, and welfare; and

WHEREAS, Thomas Ross supported the City of Fairfax's responsible development as a member of Fairfax City Citizens for Smarter Growth, the Charter Commission, the Fairfax 2020 Commission, and the Planning Commission, which he served for three years as chair; and

WHEREAS, Thomas Ross served as chair of the City of Fairfax Electoral Board and was a valued participant in various advisory studies, including the city's Van Dyck Master Plan; and

WHEREAS, beyond his service on the Fairfax City Council, Thomas Ross has made an impact locally as the president of the neighborhood associations of Fairview and Old Lee Hills; and

WHEREAS, Thomas Ross has given generously of his time volunteering with Little River United Church of Christ in Annandale, serving as a Cub Scout leader with Troop 1887 of the Boy Scouts of America, and assisting a swim program for disabled young adults; and

WHEREAS, through his integrity, work ethic, and unwavering commitment to the well-being of others, Thomas Ross has helped to make Fairfax City a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend D. Thomas Ross as he concludes his tenure on the Fairfax City Council; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to D. Thomas Ross as an expression of the General Assembly's admiration for his contributions to Fairfax City and the Commonwealth and best wishes for his future endeavors.

SENATE JOINT RESOLUTION NO. 291

Commending Jeffrey C. Greenfield.

Agreed to by the Senate, January 23, 2025
Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Jeffrey C. Greenfield, a distinguished public servant and community leader, concluded his tenure on the Fairfax City Council on December 31, 2024; and

WHEREAS, Jeffrey Greenfield is a lifelong resident of the City of Fairfax who graduated from Fairfax High School and earned a bachelor's degree in political science and a master's degree in public administration from George Mason University; and

WHEREAS, Jeffrey Greenfield is a small business owner and notably the first alumnus of George Mason University to serve on the Fairfax City Council; and

WHEREAS, Jeffrey Greenfield faithfully served the residents of the City of Fairfax for 13 terms on the Fairfax City Council, working tirelessly to ensure the community's health, prosperity, and welfare; and

WHEREAS, Jeffrey Greenfield has fostered the City of Fairfax's growth and development as a member of the city's Bond Referendum Task Force in 1993, as vice chair of the Fairfax 2020 Commission and member of that committee's Economic Development Subcommittee, and as vice chair of both the city's Park and Recreation Advisory Board and the Task Force for a More Livable City of Fairfax; and

WHEREAS, Jeffrey Greenfield has made an impact across the Northern Virginia region through his service on a number of boards and commissions, including the Northern Virginia Transportation Commission, the Northern Virginia Transportation Authority, and the local emergency planning committee; and

WHEREAS, Jeffrey Greenfield's dedication to regional cooperation extended to his work with the Metropolitan Washington Council of Governments, including membership on its board of directors, the Metropolitan Development Policy Committee, and the Human Services and Public Safety Committee; and

WHEREAS, through his integrity, work ethic, and unwavering commitment to the well-being of others, Jeffrey Greenfield has helped to make Fairfax City a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Jeffrey C. Greenfield as he concludes his tenure on the Fairfax City Council; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Jeffrey C. Greenfield as an expression of the General Assembly's admiration for his contributions to Fairfax City and the Commonwealth and best wishes for his future endeavors.

SENATE JOINT RESOLUTION NO. 292

Commending Kate G. Doyle Feingold.

Agreed to by the Senate, January 23, 2025
Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Kate G. Doyle Feingold, a distinguished public servant and community leader, concluded her tenure on the Fairfax City Council on December 31, 2024; and

WHEREAS, Kate Doyle Feingold was born in North Carolina, lived around the world with her military family, including Ohio and Germany, and has been a resident of Fairfax City since 2013; and

WHEREAS, Kate Doyle Feingold holds a bachelor's degree in psychology and political science from New York University, a juris doctor degree from George Washington University, and a doctoral degree in criminology, law, and society from George Mason University (GMU); and

WHEREAS, Kate Doyle Feingold served her country with honor and distinction in her capacity as a prosecutor, public defender, civil law officer, and special assistant United States attorney with the United States Marine Corps; and

WHEREAS, Kate Doyle Feingold has taught criminal justice ethics at GMU and is currently the acting deputy assistant inspector general for the Office of Management and Administration within the Office of Inspector General at the United States Department of Veterans Affairs; and

WHEREAS, Kate Doyle Feingold faithfully served the residents of the City of Fairfax over her term on the Fairfax City Council, working tirelessly to ensure the community's health, prosperity, and welfare; and

WHEREAS, through her integrity, hard work, and unwavering commitment to the well-being of others, Kate Doyle Feingold has helped to make Fairfax City a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Kate G. Doyle Feingold as she concludes her tenure on the Fairfax City Council; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Kate G. Doyle Feingold as an expression of the General Assembly's admiration for her contributions to Fairfax City and the Commonwealth and best wishes for her future endeavors.

SENATE JOINT RESOLUTION NO. 293

Confirming the appointment by the Chief Justice of the Supreme Court of Virginia of the Chairman of the Virginia Criminal Sentencing Commission.

Agreed to by the Senate, January 28, 2025
Agreed to by the House of Delegates, February 13, 2025

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly confirm the following appointment made by Chief Justice S. Bernard Goodwyn of the Supreme Court of Virginia pursuant to § 17.1-802 of the Code of Virginia:

The Honorable Dennis Lee Hupp, Judge (retired), Twenty-sixth Judicial Circuit, of **Strasburg,** Virginia, Chairman of the Virginia Criminal Sentencing Commission, effective January 1, 2025, for a term of four years ending December 31, 2028, to succeed the Honorable Edward L. Hogshire.

SENATE JOINT RESOLUTION NO. 294

Commending Children's Home Society of Virginia.

Agreed to by the Senate, January 23, 2025
Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Children's Home Society of Virginia celebrates 125 years of serving the children of the Commonwealth in 2025; and

WHEREAS, Children's Home Society of Virginia is a private, nonprofit, nonsectarian, full-service, licensed child-placing agency that serves the entire Commonwealth and whose mission is to create strong, permanent families and lifelong relationships for Virginia's children and youth; and

WHEREAS, Children's Home Society of Virginia began in 1899 when a group of concerned citizens, deeply troubled by the care offered in orphanages, banded together to help abandoned and neglected children; and

WHEREAS, the General Assembly chartered Children's Home Society of Virginia on January 30, 1900, with John Garland Pollard, who became the governor of the Commonwealth in 1930, as a founding member of the organization's board of directors; and

WHEREAS, since 1900, the staff of Children's Home Society of Virginia has worked diligently to serve more than 17,000 children, youth, and families; and

WHEREAS, in 1998, Children's Home Society of Virginia began partnering with local departments of social service agencies to help facilitate the placement of hundreds of children and youth from the foster care system into adoptive homes; and

WHEREAS, in 2007, Children's Home Society of Virginia began serving as a Wendy's Wonderful Kids site, a program of the Dave Thomas Foundation for Adoption, to recruit adoptive parents for children who have waited extended periods in foster care to be placed into adoptive families; and

WHEREAS, Children's Home Society of Virginia not only finds permanent homes for children of all ages, but also offers a lifetime of post-adoption supports to the Commonwealth's adoptive families and adoptees, including parent coaching, family support and engagement activities, respite care, and family search and reunion services; and

WHEREAS, in 2016, Children's Home Society of Virginia began partnering with the Better Housing Coalition to create My Path Forward, a signature program that provides housing and a myriad of best practice supports that equip youth who are transitioning from foster care with the skills and resources they need to become independent, productive members of society; and

WHEREAS, in 2024, Children's Home Society of Virginia began providing Family Check-Up, an evidence-based program approved by the Title IV-E Prevention Services Clearinghouse, to provide prevention services to adoptive families who are at risk of disruption; and

WHEREAS, Children's Home Society of Virginia is a permanency-driven organization that embraces the values of top-quality service delivery, working with integrity, maximizing collaborations, demonstrating compassion, and embracing equity and inclusion in all that it does to promote permanency for children and youth; and

WHEREAS, for 125 years, Children's Home Society of Virginia has worked to provide children, from newborns to children with special needs, to older youth who have aged out of foster care, with the healthy, supportive, and permanent adult relationships they need to thrive; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Children's Home Society of Virginia on the occasion of its 125th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the board of directors of Children's Home Society of Virginia as an expression of the General Assembly's respect, admiration, and gratitude for the organization's work to create permanency for the Commonwealth's children and youth.

SENATE JOINT RESOLUTION NO. 295

Commending M'lissa Dunn.

Agreed to by the Senate, January 23, 2025
Agreed to by the House of Delegates, January 27, 2025

WHEREAS, M'lissa Dunn, cofounder of Dunn-Rite Auto Group in Kilmarnock, was selected as the 2024 Virginia Quality Dealer by the Virginia Independent Automobile Dealers Association; and

WHEREAS, M'lissa Dunn had previously worked as a paralegal and was planning to attend law school, when her husband, Randy, decided to start his own automobile repair business; and

WHEREAS, M'lissa and Randy Dunn balanced raising their family and working multiple jobs to launch their business, Randy's Dunn-Rite Automotive, which started as a full-service repair shop; and

WHEREAS, the business thrived and customers began to inquire about purchasing vehicles from the couple, leading M'lissa and Randy Dunn to branch out into sales and ultimately rebrand as the Dunn-Rite Auto Group; and

WHEREAS, M'lissa Dunn helped grow the business and inspired loyalty by treating others the way she would want to be treated; more than half of Dunn-Rite Auto Group's customers are repeat customers, and several of its mechanics have been with the Dunns more than 15 years; and

WHEREAS, M'lissa Dunn has given back to the community by supporting numerous charitable organizations, including the Northumberland County Little League, Chesapeake Academy, the Special Olympics, and local law-enforcement agencies; and

WHEREAS, highly respected in the industry, M'lissa Dunn serves as the vice president of District 2 for the Virginia Independent Automobile Dealers Association and was appointed by Governor Glenn Youngkin to the Motor Vehicle Dealer Board; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend M'lissa Dunn on the occasion of her selection as the 2024 Virginia Quality Dealer by the Virginia Independent Automobile Dealers Association; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to M'lissa Dunn as an expression of the General Assembly's admiration for her achievements as a small business owner and her service to the residents of Kilmarnock and the surrounding region.

SENATE JOINT RESOLUTION NO. 296

Commending Ronald G. Montgomery.

Agreed to by the Senate, January 23, 2025
Agreed to by the House of Delegates, January 27, 2025

WHEREAS, Ronald G. Montgomery, the sheriff of York County and Poquoson, has served the community with dedication and distinction as a law-enforcement officer for 50 years; and

WHEREAS, Ronald Montgomery was born and raised in York County, where he graduated from York High School, then began his law enforcement career in January 1975 at the age of 21; and

WHEREAS, over the course of his distinguished career at the York-Poquoson Sheriff's Office, Ronald Montgomery served under three sheriffs, and steadily rose through the ranks, serving as a uniformed patrol deputy, an investigator, captain of the Investigations Division, captain of Law Enforcement Operations, and the major/chief deputy; and

WHEREAS, as the commander of the Investigations Division, Ronald Montgomery headed a three-year drug operation that led to the arrest of more than 200 people for narcotics violations; during this time, he also appeared on America's Most Wanted for a three-year-old unsolved homicide case, where the only lead was a sketch artist's drawing from a witness, and the show led to an arrest three days after it aired; and

WHEREAS, in recognition of his leadership skills, Ronald Montgomery was appointed to fill an unexpired term as sheriff on January 1, 2023, and was officially elected as sheriff in November 2023; and

WHEREAS, through his commitment to the implementation of new technology and the best practices and procedures, Ronald Montgomery has been instrumental in modernizing the York-Poquoson Sheriff's Office; and

WHEREAS, Ronald Montgomery purchased the York-Poquoson Sheriff's Office's very first computer using drug asset forfeiture funds and has since overseen the implementation of mobile data terminals in all patrol vehicles; he guided the York-Poquoson Sheriff's Office to become one of the first law-enforcement agencies in the region to purchase TASER less-lethal devices and one of the first agencies in the Commonwealth to deploy body-worn camera systems to the entire patrol division; and

WHEREAS, Ronald Montgomery was the driving force behind the acquisition of a state-of-the-art mobile command post and the development of the York-Poquoson Sheriff's Office's unmanned aerial systems team, which is nationally recognized for its advancement in the use of drones in public safety; and

WHEREAS, Ronald Montgomery reintroduced the K-9 program, spearheaded the project for the future construction of a new office building, and established the Citizen Advisory Committee, which has been effective in creating more collaborative and communicative relationships between the York-Poquoson Sheriff's Office and the community; and

WHEREAS, highly respected in the field of law enforcement, Ronald Montgomery has received numerous accolades and is a member of the Virginia Sheriffs' Association, the National Sheriffs' Association, and the International Association of Chiefs of Police; and

WHEREAS, outside of his career, Ronald Montgomery has given back to the community by mentoring young people as a middle school football and baseball coach in York County and was the head baseball coach at Bruton High School for two years; he is also a member of the Grafton Kiwanis Club and serves on the board of directors for the York County Chamber of Commerce and the local Boys and Girls Club; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Ronald G. Montgomery, the sheriff of York County and Poquoson, for his 50 years of service as a law-enforcement officer; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Ronald G. Montgomery as an expression of the General Assembly's admiration for his achievements in service to the residents of York County and Poquoson.

SENATE JOINT RESOLUTION NO. 297

Commending the Rotary Club of Woodstock.

Agreed to by the Senate, January 23, 2025
Agreed to by the House of Delegates, January 27, 2025

WHEREAS, for 100 years, the Rotary Club of Woodstock has enhanced the quality of life for communities in the Commonwealth and around the world through a wide range of service initiatives; and

WHEREAS, the Rotary Club of Woodstock received its charter from Rotary International on February 20, 1925; and

WHEREAS, the Rotary Club of Woodstock has been a longtime advocate of higher education, providing more than $270,000 in scholarships to help students further their educational and career goals after graduation from high school; and

WHEREAS, the Rotary Club of Woodstock sponsors a Rotary Interact Club at Central High School, which teaches upcoming young leaders the principles behind Rotary International's motto of "Service above Self"; and

WHEREAS, the Rotary Club of Woodstock has supported recreational amenities through generous funding projects and hundreds of volunteer hours at Woodstock's original town park, Woodstock Recreational Park, now named for former Woodstock mayor and longtime Rotarian W.O. Riley; and

WHEREAS, the Rotary Club of Woodstock's major community charitable event, Santa Express, delivers clothing, food, and toys to hundreds of children, families, and elderly residents in need on Christmas Eve every year; and

WHEREAS, over the course of its long and storied history, the Rotary Club of Woodstock has supported numerous educational and athletic programs in local schools, the establishment of the Shenandoah Memorial Hospital in Woodstock, and dozens of local charities; and

WHEREAS, the Rotary Club of Woodstock has worked with a global network of fellow Rotarians to participate in programs aimed at eradicating polio from the face of the earth; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Rotary Club of Woodstock on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Rotary Club of Woodstock as an expression of the General Assembly's admiration for its legacy of contributions to the Woodstock community.

SENATE JOINT RESOLUTION NO. 298

Commending Peace Camp at the Unitarian Universalist Church of Arlington.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, for nearly three decades, Peace Camp at the Unitarian Universalist Church of Arlington has provided an intergenerational, multicultural, and collaborative summer day camp experience that helps young people develop peace building skills; and

WHEREAS, established in 1997, Peace Camp was created by Little Friends for Peace and has cultivated a longstanding partnership with the Unitarian Universalist Church of Arlington based on shared fundamental values of a commitment to nonviolence and respect for the worth and dignity of every individual; and

WHEREAS, the Unitarian Universalist Church of Arlington supports Peace Camp by providing space for program events and offering scholarships to young people in need, ensuring greater participation both by members of the congregation and the wider community; and

WHEREAS, Peace Camp currently serves more than 60 campers between the ages of five and 18 for two weeks every summer, and Little Friends for Peace works with camp staff to ensure that the racial and cultural diversity of the community is reflected in each class of campers; and

WHEREAS, Little Friends for Peace trains teen counselors and adult camp leaders to demonstrate how to address conflict through peaceful means using a wide range of engaging lessons and fun activities; and

WHEREAS, Peace Camp provides a safe space for young people to enjoy new experiences, develop respect for themselves and others, hone leadership skills, and learn how to create a more peaceful world; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Peace Camp at the Unitarian Universalist Church of Arlington for its years of service to young people in Northern Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Peace Camp at the Unitarian Universalist Church of Arlington as an expression of the General Assembly's admiration for the organization's important mission.

SENATE JOINT RESOLUTION NO. 299

Commending PathForward.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, since the late 1980s, PathForward has provided emergency assistance and developed innovative programs to help people experiencing homelessness in Arlington find stable housing and build a stronger community; and

WHEREAS, PathForward traces its roots to 1988, when Lora Rinker and Pam Juhl began preparing bagged meals in their homes and serving them to people in need; this act of kindness led to the formation of the Arlington Street People's Assistance Network (A-SPAN), which was formally incorporated as a nonprofit organization in 1992; and

WHEREAS, A-SPAN grew and expanded to include a permanent supportive housing program in 2007, a rapid rehousing program in 2009, nursing services in 2010, and the launch in 2015 of a medical respite program; since 2015, PathForward has been the provider of comprehensive services at the Homeless Services Center, ensuring 24/7 access to a full range of programs for individuals in need; and

WHEREAS, in 2021, A-SPAN adopted its current name, PathForward, to better reflect its commitment to helping individuals move beyond homelessness and become self-sufficient members of the Arlington community; and

WHEREAS, PathForward directly supports clients in 125 apartments throughout Arlington County and serves hundreds of clients each year through its comprehensive programs in a variety of ways, including meals, prescriptions, and case management; and

WHEREAS, in 2023, PathForward also delivered 1,117 medical touchpoints through its new and innovative mobile medical program created during the COVID-19 pandemic to meet the needs of uninsured and underinsured people experiencing homelessness; and

WHEREAS, PathForward's dedicated volunteers contribute thousands of hours of service each year, and the organization has fulfilled its vital mission through collaborations with other nonprofits and local organizations, ensuring a broad support network for those in need; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend PathForward for its decades of work toward ending homelessness in Arlington; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to PathForward as an expression of the General Assembly's admiration for the organization's legacy of achievements on behalf of the most vulnerable members of the Arlington community.

SENATE JOINT RESOLUTION NO. 300

Commending Fairfax Court Appointed Special Advocates.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, for more than 35 years, Fairfax Court Appointed Special Advocates has served and represented the legal interests of abused or neglected children, most of whom enter the foster care system; and

WHEREAS, established in 1989, Fairfax Court Appointed Special Advocates (CASA) has worked with nearly 9,000 children over the course of its history; and

WHEREAS, Fairfax CASA has trained close to 1,900 community members to be volunteer advocates, who are thoroughly vetted, trained, and supervised by staff; and

WHEREAS, volunteers for Fairfax CASA meet with their assigned children twice monthly to build relationships based on trust and understanding, attend all meetings that involve those children to advocate for their needs, and write comprehensive court reports for every hearing, with recommendations as to what is in a child's best interest; and

WHEREAS, Fairfax CASA volunteers have donated millions of dollars in services to Fairfax County, including more than $3.5 million since the COVID-19 pandemic; and

WHEREAS, Fairfax CASA works collaboratively with service providers across the region, providing leadership to numerous committees, coalitions, planning committees, and boards, and is an integral part of the Virginia network of CASA programs; and

WHEREAS, the staff members and volunteers of Fairfax CASA are a valued part of the child welfare system, ensuring that no child slips through the cracks of the system meant to protect them; they act as the eyes and ears of the Fairfax County Juvenile and Domestic Relations District Court, providing information that is up-to-date, accurate, and unbiased; and

WHEREAS, Fairfax CASA supported the passage of the Fostering Futures program that took effect in July 2016 and extends foster care services to youth aging out of foster care at 18, allowing them to receive support until they turn 21; the program helps young people transition to adulthood by providing housing, education, employment assistance, and other resources to promote independence; and

WHEREAS, in 2013, Fairfax CASA received the prestigious Child Advocacy Award from the Virginia State Bar, recognizing the organization's outstanding work in advocating for the needs and rights of children in court; and

WHEREAS, Fairfax CASA has developed strong relationships with the Fairfax County Department of Family Services and other local child welfare organizations that have improved case management, support services, and the overall well-being of children in foster care; and

WHEREAS, Fairfax CASA has made significant strides in increasing public awareness of child abuse and neglect issues through outreach projects, educational events, and fundraising efforts, garnering more community support and volunteer engagement; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Fairfax Court Appointed Special Advocates on the occasion of its 35th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Fairfax Court Appointed Special Advocates as an expression of the General Assembly's admiration for their life-changing services on behalf of abused or neglected children.

SENATE JOINT RESOLUTION NO. 301

Commending Karen Evans Schwartzkopf.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Karen Evans Schwartzkopf, an accomplished writer, editor, and creator, retired in 2024 from her position as managing editor of *Richmond Family Magazine*, one of the Richmond area's leading family-lifestyle magazines; and

WHEREAS, Karen Evans Schwartzkopf holds a bachelor's degree in professional writing from Wheeling Jesuit College and previously worked as a public relations coordinator for the former Heilig-Meyers Company and as a managing editor of *All About Kids Magazine*; and

WHEREAS, Karen Evans Schwartzkopf and her husband, Scott Schwartzkopf, creative director and graphic designer, joined *Richmond Family Magazine* in August 2009, and two months later the magazine's first issue was published, establishing an exceptional resource for parents and families in the Greater Richmond area; and

WHEREAS, under Karen Evans Schwartzkopf's leadership, *Richmond Family Magazine* grew into a publication that is distributed at more than 850 locations throughout the Central Virginia region and that is enjoyed by more than 100,000 families; and

WHEREAS, following Karen Evans Schwartzkopf's editorial guidance, *Richmond Family Magazine* today incorporates a variety of topics of interest to parents and families, including information about health and wellness, community activities and events, travel, food and recipes, arts and crafts, and local history; and

WHEREAS, Karen Evans Schwartzkopf has generously mentored numerous amateur and aspiring writers over the past 15 years, giving many the confidence to find their voice and develop their craft; and

WHEREAS, through her unwavering commitment to editorial excellence, Karen Evans Schwartzkopf has cemented the reputation of *Richmond Family Magazine* and made a meaningful and lasting impact on the Richmond community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Karen Evans Schwartzkopf on the occasion of her retirement as managing editor of *Richmond Family Magazine*; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Karen Evans Schwartzkopf as an expression of the General Assembly's admiration for her service and best wishes in her future endeavors.

SENATE JOINT RESOLUTION NO. 303

Commending Master Gardeners of Northern Virginia.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Master Gardeners of Northern Virginia, a nonprofit organization dedicated to promoting sustainable gardening practices through public education, celebrates its 40th anniversary in 2025; and

WHEREAS, Master Gardeners of Northern Virginia (MGNV) was incorporated on December 3, 1985, and has grown into an organization with more than 250 members; and

WHEREAS, MGNV pursues its mission through a number of endeavors in collaboration with the Virginia Cooperative Extension (VCE), including eight demonstration gardens displaying best practices in plant selection and garden care, plant clinics, special events, public workshops, and a help desk at the VCE office in Arlington County; and

WHEREAS, MGNV's volunteers give on average nearly 100 hours of their time each year to support sustainable and effective horticulture practices in their communities; and

WHEREAS, in 2023 alone, the Extension Master Gardeners of Arlington and Alexandria working with MGNV contributed more than 22,500 volunteer hours as they provided 32 public education classes, answered hundreds of questions at the VCE help desk, and distributed more than 250 native trees; and

WHEREAS, MGNV has developed an impressive online and social media presence with more than 23,000 followers, earning the organization's Social Media Committee top recognition for its website and online content from the National Association of County Agricultural Agents; and

WHEREAS, several members of MGNV have been presented the Bill Thomas Park Volunteer Award from the Arlington Park and Recreation Commission to honor their outstanding volunteer efforts in support of the health, sustainability, and functioning of Arlington's parks; and

WHEREAS, the MGNV's Simpson Park Demonstration Garden was presented a Community Beautification Award by the City of Alexandria in 2024 in recognition of its exceptional contribution to the city's beauty through distinguished design; and

WHEREAS, the MGNV Youth Education Program, which has provided hands-on youth gardening education at nearly 20 different local schools and youth organizations, received a 2024 Governor's Volunteerism & Community Service Award; and

WHEREAS, with great enthusiasm and sense of purpose, MGNV has elevated gardening practices throughout Northern Virginia and enhanced the natural beauty of its communities, helping to make the region a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Master Gardeners of Northern Virginia on the occasion of its 40th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Master Gardeners of Northern Virginia as an expression of the General Assembly's admiration for the organization's legacy of service to the Commonwealth.

SENATE JOINT RESOLUTION NO. 305

Commending Colonel James B. Cogbill, USA, Ret.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Colonel James B. Cogbill, USA, Ret., retired from the United States Army after a distinguished career as an intelligence officer that spanned 27 years and included deployments across the nation and around the world; and

WHEREAS, a native of Richmond, James "Jamie" Cogbill was selected as the Reserve Officers' Training Corps (ROTC) Distinguished Military Graduate at Georgetown University and commissioned as an officer in the United States Army in 1997; and

WHEREAS, after graduating from the Military Intelligence Officer Basic Course, Jamie Cogbill was assigned to the 1st Infantry Division in Germany, then deployed to Macedonia as part of the United Nations Preventative Deployment Force in Macedonia in 1998 and to Kosovo as part of Task Force Falcon in 1999; and

WHEREAS, Jamie Cogbill further advanced his education and training, then was assigned to the 319th Military Intelligence Battalion at what is now Fort Liberty; he subsequently completed deployments to Afghanistan and Iraq; and

WHEREAS, Jamie Cogbill returned to the United States and served as a Joint Chiefs of Staff intern while earning a master's degree from Georgetown University, then was stationed at the Pentagon as a military assistant to the executive secretary of the U.S. Department of Defense and chief of biometrics for the Army G-2; and

WHEREAS, Jamie Cogbill next attended the Command and General Staff College at Fort Leavenworth, Kansas, returned to Germany with the 66th Military Intelligence Brigade and the 24th Military Intelligence Battalion, then served as deputy chief of CJ2 Operations for the International Security Assistance Force Joint Command in Afghanistan from 2012 to 2013; and

WHEREAS, beginning in July 2013, Jamie Cogbill served as the G-2 of the Brigade Modernization Command at Fort Bliss, Texas, where he developed the intelligence architecture and threat scenarios for operational tests of mission command systems, including the Distributed Common Ground System-Army; and

WHEREAS, from 2013 to 2015, Jamie Cogbill served as commander of 205th Military Intelligence Battalion at Fort Shafter, Hawaii, where he led intelligence analysis and production, counterintelligence, and human intelligence for United States Army Pacific; and

WHEREAS, from 2017 to 2018, Jamie Cogbill served as deputy G-2 of XVIII Airborne Corps at Fort Liberty, supporting worldwide contingency missions and planning; he completed his final deployment to Afghanistan from 2019 to 2020 as director of intelligence operations at the headquarters of the Resolute Support Mission; and

WHEREAS, Jamie Cogbill returned to the Commonwealth in 2020 and led the Virginia Polytechnic Institute and State University (Virginia Tech) and Radford University Army ROTC programs, representing more than 500 Cadets and 30 Cadre, until 2024; and

WHEREAS, among many awards and decorations, Jamie Cogbill received the Legion of Merit, Bronze Star Medal, Defense Meritorious Service Medal with two oak leaf clusters, the Meritorious Service Medal with five oak leaf clusters, and the Joint Service Commendation Medal; and

WHEREAS, after his well-earned retirement from active-duty military service, Jamie Cogbill joined the Virginia Tech Corps of Cadets as deputy director for the Rice Center for Leader Development and the director for the Defense Civilian Training Corps in the Virginia Tech National Security Institute; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Colonel James B. Cogbill, USA, Ret., for his service to the nation on the occasion of his retirement from the United States Army; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Colonel James B. Cogbill, USA, Ret., as an expression of the General Assembly's admiration for his legacy of achievements during his honorable military career.

SENATE JOINT RESOLUTION NO. 306

Celebrating the life of James Downer Ogg.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, James Downer Ogg of Louisa County, a respected innovator in the telecommunications field and a beloved husband, father, and grandfather, died on November 30, 2024; and

WHEREAS, James "Jim" Ogg grew up near Chicago, Illinois, and graduated from Maine Township High School; he continued his education at DePaul University, then earned a master of business administration degree from the University of Virginia; and

WHEREAS, inspired by his late father and his aunts and uncles, Jim Ogg gained an appreciation for the value of integrity and responsibility at a young age; his experiences on the Ogg family farm in Louisa County helped to forge his strength of character and incomparable work ethic; and

WHEREAS, Jim Ogg enjoyed a long and distinguished career in the telecommunications field, where his visionary leadership led to numerous advancements in modern communication systems; he believed firmly that technology should benefit all members of society and pursued innovations that would create new opportunities and enhance the lives of others; and

WHEREAS, Jim Ogg played a critical role in the introduction and expansion of broadband Internet service in Louisa County, earning accolades for his work with the board of the Louisa County Broadband Authority; and

WHEREAS, Jim Ogg's proudest achievements were those as a loving husband, father, grandfather, mentor, and friend; in later life, he completed a historic restoration on the Ogg Farm, reestablishing it as both his personal sanctuary and a gathering place that will serve his family for years to come; and

WHEREAS, predeceased by his wife, Sandra, Jim Ogg will be fondly remembered and greatly missed by his children, Lori, Kelli, Lisa, JoAnn, and James, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of James Downer Ogg, an esteemed leader in the telecommunications field and the highly-admired patriarch of the Ogg family; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of James Downer Ogg as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 307

Celebrating the life of Joy Ann Durham Painter.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Joy Ann Durham Painter, a highly admired member of the Richmond community who served the Commonwealth as a state employee for many years, died on November 27, 2024; and

WHEREAS, Joy Painter grew up in Richmond, where she graduated from Manchester High School, then continued her education at Chowan University in North Carolina and Bluefield University in Tazewell County; and

WHEREAS, Joy Painter pursued a career in state government and ultimately retired from the Department of Corrections; in later life, she also served as an administrative assistant with the Senate Clerk's Office during sessions of the General Assembly; and

WHEREAS, outside of her career, Joy Painter offered her leadership and wise insights to several civic and social organizations, including the ACCA Shrine Center and the Ladies Oriental Shrine of North America ACCABA Court No. 105; and

WHEREAS, Joy Painter enjoyed fellowship and worship with the Richmond community as a member of Derbyshire Baptist Church, where she expressed her faith through her vocal talents as a member of the choir; and

WHEREAS, predeceased by her husband, Bill, and her daughter, April, Joy Painter will be fondly remembered and greatly missed by her son, J.E. Dilday, and stepson, Scott Painter; her children's families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Joy Ann Durham Painter; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Joy Ann Durham Painter as an expression of the General Assembly's respect for her memory.

SENATE JOINT RESOLUTION NO. 308

Commending Garland Nuckols.

Agreed to by the Senate, January 30, 2025

Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Garland Nuckols, an incomparable public servant who reshaped emergency services in Louisa County through his decades of contributions to the Louisa County Rescue Squad and the Louisa County Sheriff's Office, retired as mayor of the Town of Louisa on September 17, 2024; and

WHEREAS, a lifelong resident of Louisa County, Garland Nuckols settled in the Town of Louisa in 1976 after his family's logging and sawmill business closed in the early 1970s; and

WHEREAS, in 1979, Garland Nuckols and his wife, Jackie, joined the Louisa County Rescue Squad, the first step in a public service career that spanned four and a half decades and touched countless lives; and

WHEREAS, Garland Nuckols was active with the Louisa County Rescue Squad for 35 years, including five years as captain; as an advanced life support medical provider, he administered life-saving care to numerous patients and assisted with the births of 12 children; and

WHEREAS, Garland Nuckols was recognized as a life member of the Louisa County Rescue Squad, and he went above and beyond to serve not only his patients, but his fellow members of the rescue squad, often working on holidays to allow other officers to be home with their families; and

WHEREAS, Garland Nuckols played an instrumental role in the formation of the Louisa County Junior Rescue Squad, which won many awards for its excellence in patient care at regional and state competitions, and he inspired several members of the junior squad to pursue careers in emergency medicine; and

WHEREAS, Garland Nuckols worked with the Louisa County Sheriff's Office for 20 years, overseeing a complete overhaul of the agency's communications system and the creation of a state-of-the-art communication center in the County Office Administration Building; in 2000, he also became the director of the 911 system for Fluvanna County and designed another communication center for the Fluvanna County Sheriff's Office; and

WHEREAS, after years of achievements on behalf of the community, Garland Nuckols desired to be of further service and ran for a seat on the Louisa Town Council in 2010; before the end of his first term, local residents also began encouraging him to run for the town's highest office; and

WHEREAS, Garland Nuckols was subsequently elected as mayor in 2014 and worked with town officials, business leaders, and other stakeholders to improve water and sewer lines, upgrade town equipment, increase police staff, promote economic growth, enhance Christmas decorations, and prepare the town's 150th anniversary celebration; and

WHEREAS, Garland Nuckols' final project before his retirement as mayor was to help acquire private funds for the construction of a playground with accessible equipment for handicapped children; and

WHEREAS, over the course of his career, Garland Nuckols has enjoyed the love and support of his wife, Jackie; his daughter, Dana, and her husband, Mark; and his five cherished grandchildren, Amanda, Bethany, Christina, Daniel, and Elizabeth; and

WHEREAS, Garland Nuckols served the residents of Louisa County with the utmost dedication, integrity, and distinction and leaves the community well-poised to meet the challenges of the future; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Garland Nuckols, a longtime public safety officer and a highly admired public servant, on the occasion of his retirement as mayor of the Town of Louisa; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Garland Nuckols as an expression of the General Assembly's admiration for his personal and professional achievements and legacy of service to the Louisa community.

SENATE JOINT RESOLUTION NO. 309

Commending Carlos Del Toro.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, since 2021, Carlos Del Toro has ably served the nation as the Secretary of the Navy, ensuring that the 900,000 Sailors, Marines, reservists, and civilian personnel around the globe receive the support they need to maintain the freedom of the seas and protect American interests worldwide; and

WHEREAS, born in Havana, Cuba, Carlos Del Toro and his family came to the United States as refugees in 1962; after settling in the Hell's Kitchen neighborhood of New York City, he attended public schools and earned an appointment to the United States Naval Academy; and

WHEREAS, Carlos Del Toro graduated with a bachelor's degree in electrical engineering and was commissioned as a surface warfare officer in 1983; he subsequently continued his education by earning master's degrees from the Naval War College, the Naval Postgraduate School, and George Washington University; and

WHEREAS, over the course of his 22-year career in the United States Navy, Carlos Del Toro completed numerous tours of duty at sea, including as the first commanding officer of the guided missile destroyer USS *Bulkeley*; and

WHEREAS, Carlos Del Toro was also selected as the senior executive assistant to the director for program analysis and evaluation in the Office of the Secretary of Defense and as the special assistant to the director and deputy director of the Office of Management and Budget, where he oversaw budgets for the U.S. Department of Defense, the U.S. Department of State, and the Central Intelligence Agency, among others; and

WHEREAS, Carlos Del Toro retired from the United States Navy with the rank of commander, then joined the private sector as the founding president and chief executive officer of SBG Technology Solutions, Inc., which supported a number of national defense programs related to shipbuilding, acquisitions, artificial intelligence cybersecurity, space systems, health, and training; and

WHEREAS, during this period, Carlos Del Toro lived in the Stafford area, and he provided his leadership and insights to the University of Mary Washington Board of Visitors as a member from 2014 to 2018; and

WHEREAS, President Joseph R. Biden nominated Carlos Del Toro as the civilian head of the U.S. Department of the Navy in June 2021, and he was sworn in as the 78th Secretary of the Navy the following August; and

WHEREAS, as Secretary of the Navy, Carlos Del Toro has led efforts to secure crucial equipment and enhance training programs, address the challenges of confronting both asymmetric threats and peer adversaries simultaneously, account for climate instability, and maintain a strong esprit de corps; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Carlos Del Toro for his outstanding service as Secretary of the Navy; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Carlos Del Toro as an expression of the General Assembly's admiration for his distinguished military career and legacy of service to the Commonwealth and the United States.

SENATE JOINT RESOLUTION NO. 310

Commending Bliley's Funeral Home.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Bliley's Funeral Home, a distinguished business that has helped several generations of Richmond families honor and respect the lives of their loved ones, celebrated its 150th anniversary in 2024; and

WHEREAS, Bliley's Funeral Home was established in 1874 by Joseph W. Bliley, Sr., and his brothers, John and Frank, who built their company upon the foundations of compassionate care and exceptional service; and

WHEREAS, Bliley's Funeral Home has remained family owned and operated over the years and currently has both third and fourth generation members of the family in the executive team, including M. Carey Bliley, president and chief executive officer; Norbert M. Bliley, secretary and treasurer; and Eric Bliley, executive manager of family experience; and

WHEREAS, as a result of its sterling reputation and success, Bliley's Funeral Home has grown over the years from its original building at 3rd and Marshall Streets into three locations across the city with a staff of more than 120 associates serving more than 1,800 families every year; and

WHEREAS, for more than a century, Bliley's Funeral Home has been defined by its unwavering commitment to the families it serves, placing families' comfort and concerns in their time of need above all else, which has led many families to rely upon their dependable services; and

WHEREAS, Bliley's Funeral Home has evolved over the years to meet the needs of its customers; in 2012, the business opened a freestanding cremation center in response to the preferences of its clients, which provides a serene and dignified space in which families may gather to remember and pay tribute to their loved ones; and

WHEREAS, by caring for families with the utmost dignity, compassion, and care, Bliley's Funeral Home has made a meaningful and positive impact on countless lives; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Bliley's Funeral Home on the occasion of its 150th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Bliley's Funeral Home as an expression of the General Assembly's admiration for the organization's history and its contributions to the Commonwealth.

SENATE JOINT RESOLUTION NO. 311

Commending the Douglas Freeman High School girls' lacrosse team.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, the Douglas Freeman High School girls' lacrosse team won the Virginia High School League Class 5 state championship at Glen Allen High School on June 8, 2024; and

WHEREAS, the Douglas Freeman High School Mavericks defeated the Lightridge High School Lightning Bolts of Loudoun County by a score of 9-5, securing an extraordinary fourth consecutive state championship title; and

WHEREAS, the Douglas Freeman Mavericks fell behind early, trailing 4-2 in the first quarter, but were able to mount a steady comeback, going into halftime with a 5-5 tie and posting four unanswered goals in the second half; and

WHEREAS, the Douglas Freeman Mavericks' victory was a total team effort led by Eva Gardner and Hannah Kantanen, who both scored three goals in the match, as well as Laney Gilman, who had two goals; and

WHEREAS, the Douglas Freeman Mavericks finished their 2024 campaign with an impressive 16-2 record and were undefeated in regional play; and

WHEREAS, after losing key players following the 2023 season, the Douglas Freeman Mavericks showed remarkable grit and determination to rebuild their squad and continue their reign of dominance, living up to the team motto, "Challenge Accepted," that inspired them all season; and

WHEREAS, the success of the Douglas Freeman Mavericks is the result of the hard work and dedication of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their families and the entire Douglas Freeman High School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Douglas Freeman High School girls' lacrosse team for winning the 2024 Virginia High School League Class 5 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Christina D'Angelo, coach of the Douglas Freeman High School girls' lacrosse team, as an expression of the General Assembly's admiration for the team's achievements.

SENATE JOINT RESOLUTION NO. 312

Commending the Hickory Hill School.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, the historic Hickory Hill School, located in what is now part of Southside Richmond, previously served generations of young people as Chesterfield County's only training school for African American students during the segregation era; and

WHEREAS, the Hickory Hill School was established around 1869 and was a driving force in education and workforce training for African American students in Chesterfield County for the 100 years thereafter; and

WHEREAS, the Atlantic Coast Line Railroad donated 1.82 acres to support the Hickory Hill School's educational endeavors in 1910, and local residents working with the Hickory Hill School Improvement League continued to donate land as the years went on; and

WHEREAS, in the 1920s, the Hickory Hill School benefited from the Rural School Building Program of Tuskegee University, in partnership with the Julius Rosenwald Fund, and became the first non-city high school for African American students in the Commonwealth; and

WHEREAS, over the course of its history, the Hickory Hill School operated as a high school, an elementary school, and as the Chesterfield County Training School, training teachers and students in the industrial arts, home economics, agriculture, and academic pursuits; and

WHEREAS, after the original school building was destroyed by fire in 1938, the Hickory Hill School was reconstructed and became the first brick school building in Chesterfield County with a design by state architect Raymond V. Long; and

WHEREAS, James Preston Spencer, a local community leader, and his wife, Evie Carpenter Spencer, who was a member of the faculty at Virginia State University, donated additional land to expand Hickory Hill School in 1938; and

WHEREAS, that same year, James Spencer began serving as the principal of the Hickory Hill School and reaffirmed the school's commitment to excellence, both in academics and community stewardship; and also by serving as president of the Virginia Teachers Association, the Chesterfield County Teachers Association, and the Third District for the Virginia Association for Education; and

WHEREAS, in addition to his contributions to education, James Spencer was a founder of the Virginia Voters League that established local chapters throughout the Commonwealth and challenged the poll tax; he also was a founder of the Chesterfield County Branch of the NAACP, which was recognized in the mid-1930s for having the largest membership of any rural branch in the United States; and

WHEREAS, James Spencer worked with NAACP attorney Oliver Hill to represent three local teachers, Arthur M. Freeman, Rubye M. DeWitt, and Dorothy T. Reese, in a U.S. Court of Appeals case that successfully countered teacher salary discrimination in 1948; and

WHEREAS, the Hickory Hill School was a cultural institution that served a critical educational need and built diverse partnerships that fostered civic engagement and sustained community life from the end of the Civil War through the Civil Rights Movement; and

WHEREAS, though the Hickory Hill School ultimately closed, former students, teachers, administrators, alumni, and community partners, including the Hickory Hill Preservation Committee, Southside Joint Civic Association, and the Renewal of Life Land Trust preserved and safeguarded the site, which is now listed on the Virginia Landmarks Register and the National Register of Historic Places; and

WHEREAS, the Hickory Hill School currently operates as the Hickory Hill Community Center and continues to shape civic and educational values, promotes important social priorities, and builds connections between past, present, and future generations; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Hickory Hill School for its service to generations of African American students in the Richmond region; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Hickory Hill Community Center as an expression of the General Assembly's admiration for the enduring legacy of the historic Hickory Hill School.

SENATE JOINT RESOLUTION NO. 313

Celebrating the life of Stella Dikos.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Stella Dikos, an icon in the Richmond dining scene who served delicious meals to generations of loyal patrons at a series of restaurants proudly bearing her name and inspired others with her passion for food, family, and fellowship, died on June 28, 2024; and

WHEREAS, born in a small village in Greece, Stella Dikos began to understand the importance of community after her mother died when she was young and learned to cook from the women in her neighborhood who helped nurture her, along with her father and grandmother; and

WHEREAS, after graduating from high school, Stella Dikos was introduced to her future husband, Stavros, who had grown up in her mother's village, but was living in Richmond as the owner of the Village Restaurant; and

WHEREAS, Stella and Stavros Dikos were married in Athens in 1962, then returned to the Commonwealth, where Stella helped with paperwork at the restaurant and eventually began working in the kitchen; and

WHEREAS, open from 1956 to 1981, the Village was an institution in downtown Richmond, catering to bikers, beatniks, and bohemians alike, a homey melting pot where all were welcome, and Stella Dikos thrived as their beloved matriarch, serving up delectable homemade bread and succulent stews; and

WHEREAS, when the Village closed, Stella Dikos briefly partnered with her brother, Nick Kafantaris, who had also settled in Richmond as the owner of Joe's Inn, then pursued her own enterprise to showcase the traditional Greek recipes she learned in her youth; and

WHEREAS, with a line of former patrons of the Village spilling into the street, Stella and Stavros Dikos opened Stella's on Harrison Street in the Fan on April 24, 1983, and changed fine dining in Richmond forever; and

WHEREAS, the menu at Stella's originally featured Stella Dikos' signature homemade breads and soups, along with a few simple appetizers and entrees, but as the restaurant grew in popularity, she added unique dishes reflecting her Greek heritage, such as branzino, stuffed grape leaves, flaming cheese, baklava, and rice pudding, all using the freshest and finest ingredients; and

WHEREAS, after Stella's closed in 1995, Stella Dikos continued working as a chef in the area until 1998, when she opened Stella's Cafe at the corner of Main and Rowland Streets with her daughter, Katrina, and her son-in-law Johnny Giavos; and

WHEREAS, with Stella Dikos' loyal followers demanding her mouthwatering Greek specialties, Stella's Cafe grew from offering just coffee, pastries, and sandwiches to becoming the full second iteration of Stella's, which delighted diners until 2007; and

WHEREAS, the third and current location of Stella's restaurant opened on Lafayette Street in 2011 and was another hit with local diners; Stella Dikos continued working with Katrina and Johnny to open the Stella's Grocery gourmet markets, the Our Life by Stella's boutique store, and a Stella's restaurant in Charleston, South Carolina; and

WHEREAS, as one of the longest-tenured restauranteurs in Richmond, Stella Dikos was an inspiration to generations of fellow chefs and business owners through her grace, elegance, resilience, and unrivaled skill in the kitchen; and

WHEREAS, Stella Dikos reshaped the Richmond dining scene by staying true to her roots and offering the traditional dishes that told the story of her life, infusing every dish with love, and ensuring that diners made enduring memories over her tables; and

WHEREAS, predeceased by her husband, Stavros, Stella Dikos will be fondly remembered and greatly missed by her children, Demetri and Katrina, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Stella Dikos, a pillar of the Richmond restaurant community who touched countless lives through her warmth, creativity, and culinary excellence; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Stella Dikos as an expression of the General Assembly's respect for her memory.

SENATE JOINT RESOLUTION NO. 314

Commending Bradley Muranko.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Bradley Muranko, an avid cyclist and the safety and security manager at the LifeSpire of Virginia senior living community in the Tuckahoe Village neighborhood of Henrico County, biked the entire Blue Ridge Parkway in support of the organization's fundraising efforts for the Alzheimer's Association's 2024 Walk to End Alzheimer's event; and

WHEREAS, on June 23, 2024, Bradley "Brad" Muranko and his riding partner, Justin Paget, set out to bike in six days the 469 miles of the Blue Ridge Parkway that spans from Rockfish Gap near Waynesboro to Cherokee, North Carolina, in Great Smoky Mountains National Park; and

WHEREAS, in addition to the challenge of biking more than 75 miles per day, Brad Muranko's trip required an impressive display of strength and endurance to manage the difficult altitude gains one encounters along the mountain road; and

WHEREAS, Brad Muranko's remarkable accomplishment helped LifeSpire of Virginia's Lakewood campus in Henrico County raise more than $73,000 to benefit the Alzheimer's Association's fundraiser, which supports research into treatments and a cure for Alzheimer's disease; and

WHEREAS, Brad Muranko was inspired to devote himself to this mission by the memory of his grandmother, Colleta Bischof, who suffered from Alzheimer's disease in her lifetime; and

WHEREAS, Brad Muranko's exceptional feat has both raised significant funds for Alzheimer's research and brought greater awareness to the fight to end this devastating disease; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Bradley Muranko for biking the entire Blue Ridge Parkway in support of the Alzheimer's Association's 2024 Walk to End Alzheimer's; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Bradley Muranko as an expression of the General Assembly's admiration for his dedication to this important and worthy cause.

SENATE JOINT RESOLUTION NO. 315

Commending the Virginia Electoral Board Association.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, the Virginia Electoral Board Association is a voluntary association of independent electoral boards across the Commonwealth, representing more than five million registered voters, 133 localities, and 2,453 precincts; and

WHEREAS, the Virginia Electoral Board Association (VEBA) was established on February 10, 1973, in Lynchburg to support the responsibilities of the local electoral board; and

WHEREAS, in each county and city in the Commonwealth, a three-member electoral board is responsible for the proper and orderly conduct of all elections held in the locality, including the appointment of a general registrar or election director,

the preparation of ballots, the administration of absentee ballot provisions, the conduct of the election, and the ascertaining of election results; and

WHEREAS, for 50 years since its creation, VEBA has cultivated strong working relationships with these electoral boards, general registrars, and election directors; and

WHEREAS, VEBA has worked diligently and successfully to facilitate free and fair elections with the highest standard of integrity in the Commonwealth; and

WHEREAS, VEBA has promoted broader participation in elections and facilitated better communication between its members, the State Board of Elections, and other officials at the local and state levels; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Virginia Electoral Board Association on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to John Nunally, president, and Wanda Taylor, first vice-president of the Virginia Electoral Board Association, as an expression of the General Assembly's respect and admiration for their commitment to fair, free, open, and transparent elections in the Commonwealth.

SENATE JOINT RESOLUTION NO. 316

Commending Erin Schaible.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Erin Schaible, a trailblazing leader in law enforcement who served and safeguarded the Fairfax community for more than three decades, retired as chief of the City of Fairfax Police Department in 2025; and

WHEREAS, Erin Schaible grew up in a family with numerous law-enforcement officers, including her father, who served as a police officer in California before joining the United States Secret Service; and

WHEREAS, upholding the family tradition, Erin Schaible joined the Fairfax County Police Department as a patrol officer and was originally based at the Mason District Police Station; she quickly rose through the ranks and gained experience at several other stations in the county; and

WHEREAS, Erin Schaible held command assignments in the Organized Crime and Narcotics units, Internal Affairs Bureau, and Resource Management Bureau, where she managed a multimillion-dollar budget with oversight of logistics, property and evidence, and records and facilities; and

WHEREAS, Erin Schaible subsequently served as the Patrol Bureau commander for Division II, which included the Mason and McLean stations, the Community Resources Division, the Gang Unit, and the Field Training program; and

WHEREAS, in that capacity, Erin Schaible also oversaw emergency operations, administered the school resource officer program and the crime prevention program, and developed a restorative justice initiative; and

WHEREAS, over the course of her career, Erin Schaible was deeply engaged in the community and relished every opportunity to mentor young people or enhance the overall quality of life in Fairfax County through her innovative programs; and

WHEREAS, in February 2019, Erin Schaible made history when she was selected as the first female chief of the City of Fairfax Police Department; and

WHEREAS, Erin Schaible's background in managing complex investigations, workplace security, conflict resolution, crisis prevention and intervention, team building, project management, community policing, and every aspect of law-enforcement operations made her a natural choice as chief of police; and

WHEREAS, Erin Schaible served residents of Fairfax County and the City of Fairfax with the utmost dedication, integrity, and distinction and looks forward to seeking new opportunities to serve the community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Erin Schaible on the occasion of her retirement as chief of the City of Fairfax Police Department; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Erin Schaible as an expression of the General Assembly's admiration for her exceptional service to the Fairfax community and visionary leadership as a law-enforcement officer.

SENATE JOINT RESOLUTION NO. 317

Celebrating the life of Kathi Gabriella Renee Simons.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Kathi Gabriella Renee Simons, a respected radio deejay and beloved member of the Midlothian community, died on June 28, 2024; and

WHEREAS, Kathi "Kat" Simons graduated from Elkins High School in 1979 before earning a bachelor's degree in communications from Davis & Elkins College, where she discovered her love for radio broadcasting while working as a deejay on the college radio station; and

WHEREAS, after school, Kat Simons continued her broadcasting career first at the radio station WDNE in Elkins for several years and then in the Outer Banks before becoming a midday deejay of Richmond's WTVR-FM, Mix 98.1, for more than 25 years; and

WHEREAS, Kat Simons' shows were often simulcasted by several different radio stations in the Commonwealth and Florida, enabling her to connect with thousands of listeners across the country; and

WHEREAS, Kat Simons developed a deep love for animals at a young age on her family farm, which inspired a later radio segment, "Pet of the Day," that raised thousands of dollars for initiatives supporting animals; and

WHEREAS, Kat Simons generously helped various organizations in her community, including the Arc of Virginia, the Arc of Hanover, Relay For Life, the U.S. Department of Veterans Affairs, the United Service Organizations, the Alzheimer's Association, SPARC, the Faison Center, the Children's Hospital of Richmond, the READ Center, and the American Diabetes Association; and

WHEREAS, guided throughout her life by her faith, Kat Simons enjoyed worship and fellowship with her community at the Lutheran Church of Our Savior in Midlothian, and she was also a member of the Elizabeth City, North Carolina, chapter of the Order of the Eastern Star; and

WHEREAS, Kat Simons will be fondly remembered and dearly missed by her mother, Georgia; her birth mother, Kathleen; her stepsister, Benita Kay; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Kathi Gabriella Renee Simons, a treasured member of the Midlothian community whose legacy of service inspired all who knew her; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Kathi Gabriella Renee Simons as an expression of the General Assembly's respect for her memory.

SENATE JOINT RESOLUTION NO. 318

Celebrating the life of Elvin Russell Cosby, Jr.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Elvin Russell Cosby, Jr., a longtime and dedicated employee of Henrico County Public Works, esteemed faith leader, and beloved member of the Henrico County community, died on December 8, 2024; and

WHEREAS, after working in a variety of jobs, Elvin Cosby joined Henrico County Public Works in April 1946, embarking upon a career devoted to the development and maintenance of Henrico County's infrastructure that would span a remarkable 73 years; and

WHEREAS, over his tenure with Henrico County, Elvin Cosby played an outsized role in shaping the principles and values guiding the locality's workforce, while also advancing a number of initiatives that would make an impact in the community, such as advising the county's early efforts to increase diversity in its workforce; and

WHEREAS, as an expression of gratitude for Elvin Cosby's extraordinary legacy of service as both an employee and community member, Henrico County established the Elvin R. Cosby Award in 2015 to recognize longstanding county employees for their exceptional contributions and also named a street "Elvin Cosby Way" in his honor; and

WHEREAS, Elvin Cosby was a steadfast member of the Most Worshipful Prince Hall Grand Lodge of Virginia, Free and Accepted Masons, for more than 50 years, first as a member of Limelight Lodge #301, where he achieved the Sublime Degree of Master Mason in 1967, and later at Jonathan Lodge #112; and

WHEREAS, Elvin Cosby was guided throughout his life by his deep and abiding faith and for many years served as a deacon at St. Peter Baptist Church in Glen Allen, leading and mentoring others in their spiritual journeys; and

WHEREAS, preceded in death by his sons, William and Marvin, Elvin Cosby will be fondly remembered and dearly missed by his loving wife of 73 years, Lottie Jane; his children, Lena, Kathy, Sandra, Joyce, Della, and Chartell, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Elvin Russell Cosby, Jr., a treasured member of the Henrico County community whose work ethic, devotion to his family and church, and unwavering commitment to the well-being of others inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Elvin Russell Cosby, Jr., as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 319

Commending the King William County Courthouse.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, the King William County Courthouse, the oldest courthouse building in continuous use in the United States, has served the local community and the Commonwealth for 300 years; and

WHEREAS, in 1700, residents of King and Queen County living between the Mattaponi and Pamunkey Rivers expressed that it was difficult to prosecute lawsuits or attend public meetings due to the location of the county seat; and

WHEREAS, on April 11, 1702, by an act of the General Assembly, the area known as Pamunkey Neck in King and Queen County became King William County, the 24th county in Virginia; and

WHEREAS, Henry Fox of Huntington Plantation and Richard Littlepage of Cumberland conveyed a two-acre site in the central part of King William County, which contained a wooden structure that served as a courthouse; and

WHEREAS, the 13 original justices presiding over this court in 1702 were Henry Fox, John Waller, John West, Henry Madison, William Claiborn, Richard Gissedge, Martin Palmer, Daniel Miles, Roger Mallory, Thomas Carr, William Noy, George Dabricè (Dabney), and Thomas Terry; and

WHEREAS, in March 1722, after 20 years of use, the wooden courthouse building was "irreparable" and was in "ruinous" condition, and the question arose of where and when to build a new courthouse; and

WHEREAS, the new King William County Courthouse was constructed in 1725; the T-shaped, hipped roof building was "constructed of brick laid in Flemish bond" with glazed headers and "with an arcade imitating the first capital of Williamsburg"; and

WHEREAS, the King William County Courthouse is still surrounded by a fully intact low wall, originally built to keep livestock out of the court green; and

WHEREAS, the King William County Courthouse was the heart of local self-government and much of the social, economic, and communal life of King William County; and

WHEREAS, the King William County Courthouse met once a month for justices to handle a wide variety of legal matters; the court also met four times a year for non-capital criminal cases and small claims and convened a grand jury once per year; and

WHEREAS, the King William County Courthouse was used during the Colonial period to elect members of the House of Burgesses, and it served as the designated polling place when the governor deemed other elections were necessary; and

WHEREAS, during the early stages of the American Revolution, local patriots forming the county committee convened in the King William County Courthouse, where Carter Braxton, committee chair and future signer of the Declaration of Independence, received the news of the Battles of Lexington and Concord; and

WHEREAS, in addition to being in continuous use for the entirety of its 300-year history, the King William County Courthouse is considered the best preserved of the Commonwealth's remaining Colonial court buildings; and

WHEREAS, the King William County Courthouse was listed in the Historic American Buildings Survey in 1959, the Virginia Landmarks Register on November 5, 1968, and the National Register of Historic Places on October 1, 1969; and

WHEREAS, the original King William County Courthouse was in daily use until 2004, when a new complex was constructed to better serve local residents; however, some hearings are still occasionally held in the original building; and

WHEREAS, the King William County Historical Museum and the King William Virginia 250 Planning Committee will hold a celebration on April 12, 2025, commemorating the 300th anniversary of the historic King William County Courthouse; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the historic King William County Courthouse on the occasion of its 300th anniversary of service to the community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to representatives of King William County as an expression of the General Assembly's admiration for the unique role the King William County Courthouse continues to play in county government and local life.

SENATE JOINT RESOLUTION NO. 320

Commending Gregory Trepp.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Gregory Trepp, an accomplished businessman, recently retired from his position as chief executive officer of Hamilton Beach Brands, a leading designer, marketer, and distributor of a wide range of small electric household and specialty housewares appliances and other products that has been based in Henrico County for more than 35 years; and

WHEREAS, Gregory Trepp is a graduate of the University of Richmond and earned his master's degree in business administration from the University of Connecticut; and

WHEREAS, Gregory Trepp joined Hamilton Beach Brands in 1996 as its director of marketing and later served as chief executive officer and president of the subsidiaries Hamilton Beach Brands Canada and Hamilton Beach Brands, Inc., as well as chief executive officer of the subsidiary Kitchen Collection; and

WHEREAS, Gregory Trepp took the helm of Hamilton Beach Brands as its president and chief executive officer in 2017, when the company was spun off NACCO Industries, Inc.; and

WHEREAS, as the head of Hamilton Beach Brands, Gregory Trepp oversaw a portfolio of brands that includes Hamilton Beach and Proctor Silex appliances, Clorox True HEPA air purifiers, and Brita Hub countertop electric water filtration appliances; and

WHEREAS, Gregory Trepp has been instrumental to Hamilton Beach Brands' efforts to expand beyond manufacturing and distributing home appliances and commercial restaurant equipment into the home health and medical industries; and

WHEREAS, Gregory Trepp is credited with cultivating a culture of innovation at Hamilton Beach Brands that has helped the company approach all business decisions in a thoughtful, empirical, and effective manner; and

WHEREAS, Gregory Trepp continually strove to ensure that the team members located at the Hamilton Beach Brands headquarters in Henrico were able to grow the company successfully while enjoying all of the wonderful aspects of Henrico County and Central Virginia; and

WHEREAS, beyond his professional career, Gregory Trepp has given generously of his time in support of his community as a member of the board of trustees at the Steward School in Richmond; and

WHEREAS, with exceptional business acumen and a commitment to excellence, Gregory Trepp has been central to the success of Hamilton Beach Brands for many years; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Gregory Trepp on the occasion of his retirement as the chief executive officer of Hamilton Beach Brands; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Gregory Trepp as an expression of the General Assembly's admiration for his legacy of service and best wishes for his future endeavors.

SENATE JOINT RESOLUTION NO. 321

Celebrating the life of Rafael Torrech III.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, February 3, 2025

WHEREAS, Rafael Torrech III of Virginia Beach, a longtime member of the ship repair industry and a beloved husband, father, grandfather, and great-grandfather, died on November 9, 2024; and

WHEREAS, born in Brooklyn, New York, Rafael "Ralph" Torrech spent much of his youth in Puerto Rico before returning to the United States at the age of 12; and

WHEREAS, Ralph Torrech served his country as a member of the United States Marine Corps and was a proud patriot throughout his life; after his military service, he continued to support national defense as an employee of Norfolk Shipbuilding and Dry Dock Corporation for 35 years; and

WHEREAS, Ralph Torrech subsequently established Técnico Corporation, an employee-owned provider of ship repair support services that has become a recognized leader in the maritime and industrial industries of Hampton Roads; and

WHEREAS, outside of his career, Ralph Torrech supported the community by offering his wise insights to local charitable organizations, and he and his wife, Patsy, played a critical role in the establishment and development of the Cancer Care Foundation of Tidewater; and

WHEREAS, Ralph Torrech enjoyed fellowship and worship with the congregation of First Baptist Church Norfolk, where he sang in the choir and supported worldwide ministry programs; and

WHEREAS, Ralph Torrech will be fondly remembered and greatly missed by his beloved wife of 71 years, Patsy; his children, Michael, Larry, and Vicky, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Rafael Torrech III, a devoted husband, father, grandfather, and great-grandfather and a highly admired resident of Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Rafael Torrech III as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 322

Celebrating the life of the Honorable Henry Levander Marsh III.

Agreed to by the Senate, January 30, 2025
Agreed to by the House of Delegates, January 31, 2025

WHEREAS, the Honorable Henry Levander Marsh III, a titan of the Richmond legal community whose efforts as a civil rights attorney and public servant transformed both the city and the Commonwealth, died on January 23, 2025; and

WHEREAS, born and raised in Richmond, Henry Marsh graduated with honors from Maggie L. Walker High School and Virginia Union University before earning a juris doctor degree from Howard University in 1959; and

WHEREAS, Henry Marsh served his country with honor and distinction as a member of the United States Army before beginning his law career in 1961 alongside the renowned civil rights attorneys Oliver W. Hill, Sr. and Samuel W. Tucker; and

WHEREAS, Henry Marsh later became a partner and formed the law firm Hill, Tucker and Marsh, which represented plaintiffs in several landmark cases that challenged segregation in schools and racial discrimination in employment, achieving legal victories that secured greater civil rights protections for countless individuals; and

WHEREAS, Henry Marsh was elected to Richmond City Council in 1966, then selected by his fellow councilmembers as vice mayor in 1970 and as mayor in 1977, becoming the first Black mayor in the city's history; and

WHEREAS, Henry Marsh faithfully served as mayor of Richmond until 1982 and on the Richmond City Council until 1991, when he was elected to the Senate of Virginia, where he represented the newly formed 16th Senate District, which at the time included Petersburg, Dinwiddie County, and parts of Chesterfield County, Prince George County, and Richmond; and

WHEREAS, Henry Marsh retired from the Senate of Virginia in 2014 after more than two decades of dedicated service and was shortly thereafter appointed to serve as a commissioner of the Alcoholic Beverage Control Board by Governor Terry McAuliffe; and

WHEREAS, beyond his public service, Henry Marsh fostered the growth and development of Richmond as a co-founder of the Metropolitan Economic Development Council and what is today Venture Richmond; and

WHEREAS, Henry Marsh's legacy in Richmond and at the General Assembly grew significantly over the years through the generous mentorship he provided to many of the city's and state's elected leaders; and

WHEREAS, in addition to receiving a plethora of awards from various notable organizations, Henry Marsh was recently honored by the rededication of the Henry L. Marsh III Elementary School and the Henry L. Marsh III and Harold M. Marsh, Sr. Manchester Courthouse in Richmond; and

WHEREAS, preceded in death by his loving wife of 58 years, Diane, Henry Marsh will be fondly remembered and dearly missed by his children, Nadine, Sonya, and Dwayne, and their families; and by numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of the Honorable Henry Levander Marsh III, a pillar of the Richmond community who epitomized what one can achieve through advocacy and service; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of the Honorable Henry Levander Marsh III as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 323

Commending Billy Wagner.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Billy Wagner is a Virginia legend through and through, a native of Marion who grew up in Tannersville in Tazewell County, who built a reputation as one of the greatest closers in the history of Major League Baseball over his 16-year professional career; and

WHEREAS, Billy Wagner was selected for induction into the National Baseball Hall of Fame by the Baseball Writers' Association of America in 2025; and

WHEREAS, born a natural right hander, Billy Wagner showed extraordinary determination and resolve from a young age as he overcame two breaks in his right arm by learning to throw with his left arm; despite this setback, he would go on to achieve exceptional power as a pitcher, with the ability to throw 100 miles per hour throughout his career; and

WHEREAS, Billy Wagner was a standout on the Tazewell High School team and played from 1991 to 1993 at Ferrum College, where he posted a 17-3 record and achieved a National Collegiate Athletics Association (NCAA) record when he averaged 19.1 strikeouts per nine innings in the 1992 season; and

WHEREAS, Billy Wagner was drafted 12th overall by the Houston Astros in 1993 and made his Major League Baseball (MLB) debut on September 13, 1995; he would ultimately record 225 saves while pitching with the Houston Astros between 1995 and 2003, a franchise record; and

WHEREAS, after the Houston Astros, Billy Wagner pitched for the Philadelphia Phillies from 2004 to 2005, the New York Mets from 2006 to 2009, the Boston Red Sox in 2009, and the Atlanta Braves in 2010; and

WHEREAS, Billy Wagner's cumulative statistics at the end of his career included a 2.31 earned-run-average, 1,196 strikeouts, and 422 saves, which places him eighth all-time in MLB history for saves; and

WHEREAS, several of Billy Wagner's career statistics, including an opponents' batting average of .187, 11.92 strikeouts per nine innings, and 5.99 hits per nine innings, rank him first all-time among pitchers who threw at least 900 innings; and

WHEREAS, Billy Wagner's baseball accolades include seven all-star team selections and the Rolaids Relief Man Award in 1999; and

WHEREAS, prior to his induction into the National Baseball Hall of Fame, Billy Wagner was inducted into the Ferrum College Sports Hall of Fame in 2003, the Virginia Sports Hall of Fame in 2012, the College Baseball Hall of Fame in 2019, and the Astros Hall of Fame in 2020; and

WHEREAS, Billy Wagner is notably both the first NCAA Division III player and the first Virginian from west of Culpeper to be inducted into the National Baseball Hall of Fame; and

WHEREAS, since 2013, Billy Wagner has supported the development of young aspiring baseball players as the head coach of the baseball team at the Miller School of Albemarle, where his legacy in the sport will undoubtedly continue to grow for years to come; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Billy Wagner for his induction into the National Baseball Hall of Fame; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Billy Wagner as an expression of the General Assembly's admiration for his achievements and appreciation for the great pride he has brought to the Commonwealth.

SENATE JOINT RESOLUTION NO. 324

Celebrating the life of the Honorable Frank Miller Ruff, Jr.

Agreed to by the Senate, February 5, 2025
Agreed to by the House of Delegates, February 6, 2025

WHEREAS, the Honorable Frank Miller Ruff, Jr., a highly admired public servant who enhanced the economic vitality of rural communities in Southwest and Southside Virginia as one of the most senior members of the General Assembly, died on October 26, 2024; and

WHEREAS, born in Bedford County, Frank Ruff attended the University of Richmond and pursued a career as an entrepreneur; in later life, his experiences as a small business owner helped him to better understand the challenges facing his constituents; and

WHEREAS, as a member of the Mecklenburg County Board of Supervisors, Frank Ruff represented the residents of Clarksville for several years and was selected as vice chair; and

WHEREAS, desirous to be of further service to the Commonwealth, Frank Ruff ran for and was elected to the House of Delegates in 1993; he ably represented the residents of the 61st District until 2000, when he took office in the Senate of Virginia; and

WHEREAS, during his distinguished tenure as a state lawmaker, Frank Ruff introduced and supported numerous important pieces of legislation to benefit his constituents and all Virginians, focusing on workforce training, economic development, and education; and

WHEREAS, Frank Ruff also offered his wise insights to several standing committees, most notably the Senate Finance and Appropriations Committee, which is responsible for writing the state budget; and

WHEREAS, among his many achievements, Frank Ruff assisted with the founding and funding of GO Virginia, which fosters business growth and job creation throughout the Commonwealth, and he was the lead sponsor for the creation of the Center for Rural Virginia, a nonprofit organization fostering economic growth, which was subsequently renamed as the Senator Frank M. Ruff, Jr. Center for Rural Virginia in his honor; and

WHEREAS, Frank Ruff worked with community colleges and businesses to develop workforce training initiatives for in-demand fields and create certification programs that allowed students to learn trades and find employment more quickly; and

WHEREAS, Frank Ruff served on the Tobacco Region Revitalization Commission since its inception and most recently served as chair; the commission helped diversify the economies of areas that were previously dependent on tobacco-based agriculture and allowed countless Virginians to build new careers and remain in these communities; and

WHEREAS, Frank Ruff was well known for his quiet but effective leadership style and his commitment to commonsense problem solving that led to bipartisan solutions; he was a trusted mentor and friend to many of his fellow members of the General Assembly, who was highly admired for his sense of humor, compassion, and humility; and

WHEREAS, in 2023, Frank Ruff won his seventh term in the Senate of Virginia but resigned before taking office due to health concerns; over the course of his career, he served the Commonwealth with utmost integrity and dedication, leaving behind a legacy of excellence to his colleagues and constituents; and

WHEREAS, Frank Ruff's proudest achievements were those as a husband, father, and grandfather, and he will be fondly remembered and greatly missed by his wife, Jessie; his children, Miller, Thomas, David, and Genny, and their families; and numerous other family members, friends, and colleagues on both sides of the aisle; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Frank Miller Ruff, Jr., an esteemed state legislator who touched the lives of countless Virginians through his incomparable dedication to public service; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Frank Miller Ruff, Jr., as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 325

Celebrating the life of Thomas S. Whipple.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Thomas S. Whipple of Arlington, a former analyst for the Central Intelligence Agency and a well-known figure in state government whose popular daily news clipping service helped keep elected officials and members of the public informed on a wide range of issues, died on November 18, 2024; and

WHEREAS, Thomas "Tom" Whipple grew up in Scarsdale, New York, and graduated from Bronxville High School; he continued his education at what is now Rice University, earned a master's degree from the School of International Service at American University, and conducted doctoral studies at the London School of Economics; and

WHEREAS, Tom Whipple served the nation as a member of the United States Army, specializing in counterintelligence, then began a distinguished 30-year career with the Central Intelligence Agency; and

WHEREAS, Tom Whipple helped the Central Intelligence Agency adapt to a period of rapid change and led efforts to modernize technology in the agency's operations center; he was a trusted friend and mentor to his colleagues and trained a new generation of analysts before his well-earned retirement; and

WHEREAS, Tom Whipple was an early adopter of the Internet, and in the mid-1990s, he began combing local news websites across the Commonwealth for stories of interest and delivering them to a friend who was running for a statewide elected office; and

WHEREAS, Tom Whipple's curated news briefs were a hit with state officials on both sides of the aisle, and he soon began delivering the articles via email to anyone who asked, rising at 4:30 a.m., seven days a week, to compile "The Whipple Report"; and

WHEREAS, after 20 years, Tom Whipple retired from producing his signature report and provided his email list to the Virginia Public Access Project, which agreed to continue operating the service, now known as "VaNews," at no charge to the public; and

WHEREAS, Tom Whipple subsequently edited "Peak Oil News," a publication for the Association of the Study of Peak Oil, and wrote a weekly column on energy issues for the *Falls Church News-Press*; in recognition of his expertise, he was selected as a fellow of the Post Carbon Institute; and

WHEREAS, outside of his career, Tom Whipple was a longtime volunteer for Arlington Democrats, earning a Distinguished Democrat award in 2021, and he helped the Democratic Party of Virginia upgrade its processes and procedures through the use of technology; and

WHEREAS, a man of many talents, Tom Whipple also maintained a lifelong love of boating and occasionally worked as a flight instructor and a co-pilot for a private charter air taxi service; his happiest days were spent at his family's vacation cottage in Ontario, Canada; and

WHEREAS, Tom Whipple enjoyed fellowship and worship with the Arlington community as a longtime member, trustee, and elder of the Church of the Covenant; and

WHEREAS, Tom Whipple will be fondly remembered and greatly missed by his beloved wife of 64 years, Mary Margaret; his daughters, Beth and Margie, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Thomas S. Whipple, a respected member of the Arlington community who served the Commonwealth and the nation with the utmost integrity and distinction; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Thomas S. Whipple as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 326

Commending the Self Storage Association.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, the Self Storage Association, currently headquartered in Alexandria, has represented the needs and interests of self-storage businesses around the country for 50 years; and

WHEREAS, established in 1975, the Self Storage Association is now the premier nonprofit trade organization representing the best interests of the self-storage industry nationwide; and

WHEREAS, the Self Storage Association is the industry's foremost communicator and provides informational and educational resources to its membership, the public, and the news media; and

WHEREAS, the Self Storage Association enhances the image of the industry among the public, improves the business viability of its member businesses, and expands the industry through promotion of self-storage facilities; and

WHEREAS, the Self Storage Association represents and advocates on behalf of the industry before government entities at all levels; and

WHEREAS, the Self Storage Association serves all of its members equally, regardless of type or size, and strives to maintain a fair and competitive industry environment at all times; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Self Storage Association on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Self Storage Association as an expression of the General Assembly's admiration for the organization's contributions to self-storage businesses throughout the Commonwealth and the United States.

SENATE JOINT RESOLUTION NO. 327

Commending Noah Lyles.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Noah Lyles of Alexandria represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, winning a gold medal for Team USA in the men's 100-meter sprint and a bronze medal in the men's 200-meter sprint; and

WHEREAS, born in Florida, Noah Lyles relocated to the Commonwealth with his mother and siblings at a young age; he originally trained as a gymnast before switching to track and field, and was inspired to one day join Team USA while watching the 2012 Summer Olympics; and

WHEREAS, after graduating from what is now Alexandria City High School, Noah Lyles signed with Adidas in 2016 and became a professional athlete; he has won numerous world championships in the 100-meter, 200-meter, and 4x100 relay events, as well as a bronze medal in the 200-meter sprint at the 2020 Summer Olympics; and

WHEREAS, at the 2022 World Athletics Championships, Noah Lyles won a gold medal in the 200-meter sprint with a personal best time of 19.31, breaking a longstanding American record and becoming the third-fastest sprinter in the history of the event worldwide; and

WHEREAS, in his second trip to the Olympics, Noah Lyles won the gold medal in the 100-meter sprint with a stunning photo finish, recording a personal best time of 9.79 seconds to win by only .005 seconds; and

WHEREAS, a few days later, despite contracting COVID-19, Noah Lyles demonstrated exceptional perseverance and continued to participate in the 200-meter sprint final; and

WHEREAS, thanks to his unparalleled determination, Noah Lyles finished the 200-meter sprint with a time of 19.70 to earn a bronze medal; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Noah Lyles on winning a gold medal and a bronze medal at the Games of the XXXIII Olympiad; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Noah Lyles as an expression of the General Assembly's admiration for his exceptional athletic achievements and best wishes for the future.

SENATE JOINT RESOLUTION NO. 328

Celebrating the life of Michele Irene Chapman.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Michele Irene Chapman, a dedicated public servant, influential advocate for affordable housing, and beloved member of the Alexandria community, died on July 19, 2024; and

WHEREAS, Michele Irene Chapman graduated in 1974 from T.C. Williams High School now known as Alexandria City High School before continuing her educational journey at Northern Virginia Community College; and

WHEREAS, Michele Chapman was a hardworking civil servant who served as an office manager with the United States Department of Labor and later with Alexandria City Public Schools, where she retired; and

WHEREAS, Michele Chapman was a tireless champion for affordable housing in Alexandria who advanced her cause as board chair of the Alexandria Redevelopment and Housing Authority and with the Alexandria Affordable Housing Advisory Committee; and

WHEREAS, affectionately known as "Mama Chapman" to many, Michele Chapman's commitment to her community and the well-being of others was evidenced in her work with Alexandria's Economic Opportunities Commission, the Alexandria Early Childhood Commission, the Boy Scouts of America, the Northern Virginia Urban League's Resource Mothers program, and Jack and Jill of America, Inc.; and

WHEREAS, guided throughout her life by her faith, Michele Chapman was a devoted member of Alfred Street Baptist Church for nearly 30 years, where she was active with several ministries and a mentor to many of her fellow congregants; and

WHEREAS, preceded in death by her husband Richard and her daughter Jennifer, Michele Chapman will be fondly remembered and dearly missed by her loving son, John, and his family; and by numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Michele Irene Chapman, a cherished member of the Alexandria community whose grace, integrity, and compassion made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Michele Irene Chapman as an expression of the General Assembly's respect for her memory.

SENATE JOINT RESOLUTION NO. 329

Commending the Alexandria Little League Intermediate Division baseball team.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, the Alexandria Little League Intermediate Division baseball team won the Virginia State Little League state championship on July 10, 2024; and

WHEREAS, in the state tournament, which included eight district winners, Alexandria Little League defeated the Central Accomack Little League, Broadway Community Little League, and Hampton York Little League baseball teams; and

WHEREAS, Alexandria Little League dominated the tournament final rematch against Broadway Community Little League, winning by a score of 10-0; and

WHEREAS, throughout the tournament, the members of Alexandria Little League demonstrated focus, determination, and good sportsmanship; and

WHEREAS, as state champions, Alexandria Little League advanced to the Little League Southeast Region Tournament in North Carolina from July 19 through July 22, 2024; and

WHEREAS, the successful season was a tribute to the skill and hard work of all the young athletes, the leadership and guidance of coaches and staff, and the passionate support of parents, families, and the entire Alexandria community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Alexandria Little League Intermediate Division baseball team on winning the 2024 Virginia State Little League state championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Mike Coughlin, manager of the Alexandria Little League Intermediate Division baseball team, as an expression of the General Assembly's admiration for the team's achievements.

SENATE JOINT RESOLUTION NO. 330

Celebrating the life of William M. McCarty.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, William M. McCarty, a distinguished faith leader, esteemed public servant, beloved husband and father, and cherished member of the Isle of Wight County community, died on January 25, 2025; and

WHEREAS, William McCarty was an ordained bishop with the Church of God who held a master's degree in counseling and several certifications in leadership, business management, and chaplaincy; and

WHEREAS, William McCarty settled in the Isle of Wight County area in 1999 when he assumed leadership of the congregation at the Smithfield Church of God; and

WHEREAS, as pastor of Healing Waters Worship Center in Isle of Wight County, William McCarty provided his congregation with edifying spiritual leadership and abundant opportunities for worship, fellowship, and charitable outreach; and

WHEREAS, William McCarty was an elected member of the Virginia Church of God state council who also served on several of the organization's boards, and he supported many in their faith by speaking at conferences and revivals both throughout the United States and around the world; and

WHEREAS, William McCarty was elected to the Isle of Wight County Board of Supervisors in 2015 as a representative of the Newport District and later went on to represent the Carrollton area of the county; and

WHEREAS, over three terms of public service, William McCarty dedicated himself to the health, prosperity, and well-being of the community, leading the Isle of Wight County Board of Supervisors for a period of time as its chair and serving on a number of regional and state boards and commissions; and

WHEREAS, William McCarty supported localities statewide in various leadership capacities with the Virginia Association of Counties, including as president, first vice president, second vice president, and member of the board of directors, and as chair of the Hampton Roads Transportation Planning Organization beginning in 2023; and

WHEREAS, William McCarty will be fondly remembered and dearly missed by his loving wife, his children, and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of William M. McCarty, a revered member of the Isle of Wight County community whose leadership, faith, and service made a positive impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of William M. McCarty as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 331

Commending the Minnie H. Peyton Community Center at Bailey's.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, on September 14, 2024, a dedication ceremony was held to honor the renaming of the Bailey's Community Center in Falls Church to the Minnie H. Peyton Community Center at Bailey's; and

WHEREAS, born in Washington, D.C., in 1889, Minnie H. Peyton was a longtime resident and beloved matriarch of Springdale, a historically Black community in the Bailey's Crossroads area of Falls Church, where the Minnie H. Peyton Community Center at Bailey's is located today; and

WHEREAS, in 1954, Minnie H. Peyton sold land to the Fairfax County School Board that was used for the establishment of the school site of the former Lillian Carey Elementary School, which today comprises part of the Minnie H. Peyton Community Center at Bailey's; and

WHEREAS, a request to explore renaming the Bailey's Community Center in honor of Minnie H. Peyton was introduced by former Fairfax County supervisor Penny Gross in 2023 and a motion to rename the facility was approved by the Fairfax County Board of Supervisors on July 16, 2024, following a period of community engagement and a formal request from current Fairfax County supervisor Andres Jimenez; and

WHEREAS, the Minnie H. Peyton Community Center at Bailey's offers a range of programs and services designed to meet the needs of visitors of all ages and abilities; and

WHEREAS, the amenities at the Minnie H. Peyton Community Center at Bailey's include a multipurpose facility, computer clubhouse, full gymnasium, weight and exercise rooms, arts and crafts room, baseball diamond, outdoor basketball and tennis courts, pavilion area, and outdoor amphitheater; and

WHEREAS, the Minnie H. Peyton Community Center at Bailey's sponsors a number of programs through its senior center to help elderly individuals remain active and social and to improve their quality of life; and

WHEREAS, the Minnie H. Peyton Community Center at Bailey's hosts several leagues and other activities to engage youth and adults, including its Boys & Girls Club of America after-school program, teen social night, and adult game night; and

WHEREAS, the Minnie H. Peyton Community Center at Bailey's provides therapeutic recreation services to help individuals with disabilities develop the skills they need to participate in various recreational and leisure activities; and

WHEREAS, the Minnie H. Peyton Community Center at Bailey's is an invaluable community resource and an important part of what makes Falls Church a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Minnie H. Peyton Community Center at Bailey's following its recent dedication ceremony to honor the legacy of Minnie H. Peyton; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Minnie H. Peyton Community Center at Bailey's as an expression of the General Assembly's admiration for its contributions to the Commonwealth.

SENATE JOINT RESOLUTION NO. 332

Celebrating the life of Marquise Sterling Hunt.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Marquise Sterling Hunt, a highly admired member of the Portsmouth community who was well known for his determined advocacy, died on January 16, 2025; and

WHEREAS, Marquise Hunt was born in Chesapeake and began his journey in faith at a young age as a member of Zion Bethel United Church of Christ in Portsmouth; he was active in the youth choir, the youth usher guild, and the praise dance ministry, and he inspired other members of his family to become more active members of the congregation; and

WHEREAS, as a young man, Marquise Hunt also cultivated a passion for public speaking and won a gold medal for oratory in the NAACP's Area II ACT-SO Achievement Program; after graduating from Churchland High School, he matriculated at Tougaloo College in Jackson, Mississippi, where he earned the respect of his peers, teachers, and administrators for his commitment to excellence in every endeavor; and

WHEREAS, Marquise Hunt was elected as the president of the Tougaloo College chapter of the NAACP and the Youth and College Division of the NAACP Mississippi State Conference; he served as the youth civic engagement coordinator for Mississippi Votes and earned many accolades for leading voter registration drives and hosting workshops and panel discussions throughout the region; and

WHEREAS, in recognition of his achievements, Marquise Hunt was selected to serve as chair of the NAACP National Youth and College Task Force, in which capacity he guided civic engagement strategies that reached more than 25,000 young people nationwide; and

WHEREAS, after graduation, Marquise Hunt made it his personal mission to confront societal injustices, using his skills as a public speaker to raise awareness of important issues and advocate for people in need; and

WHEREAS, Marquise Hunt supported racial and gender equity, police accountability, prison reform, workers' rights, voting rights, and affordable housing, giving generously of his time and talents to help enhance the lives of others wherever he could; and

WHEREAS, Marquise Hunt was inspired to visit the site of Emmett Louis Till's 1955 murder and gained more than 11 million views on social media for his reactions; the experience led him to establish the Emmett Till Legacy Foundation, which educates and empowers young people to make a difference in their communities; and

WHEREAS, Marquise Hunt was a trusted advisor to officials at the local and state levels, and he was a sought-after speaker and presenter who was featured on MSNBC, supported the Biden-Harris presidential campaign in 2020, and offered his insights to several other organizations; and

WHEREAS, Marquise Hunt will be fondly remembered and greatly missed by his parents, Christina and Edrick; his siblings, Maiya and Myles; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Marquise Sterling Hunt, a passionate community leader in Portsmouth; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Marquise Sterling Hunt as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 333

Commending veteran residents of Westminster-Canterbury on Chesapeake Bay.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, the extraordinary men and women who have served in the Armed Forces of the United States have dedicated their lives to protecting the freedoms and values that define the nation, demonstrating remarkable bravery and commitment in the face of adversity; and

WHEREAS, Virginia Beach is home to a large community of both active-duty service members and veterans; and

WHEREAS, a significant number of these distinguished veterans have chosen to spend their senior years in Virginia Beach at Westminster-Canterbury on Chesapeake Bay, which provides a supportive and nurturing environment while honoring their service to the Commonwealth and the United States; and

WHEREAS, the residents of Westminster-Canterbury on Chesapeake Bay represent a diverse tapestry of experiences, backgrounds, and unique contributions to the nation's history and legacy of service; and

WHEREAS, the sense of camaraderie and support shared among these veterans fosters a spirit of community that enriches the lives of all residents, encouraging intergenerational connections and the sharing of stories that inspire future generations; and

WHEREAS, it is fitting to honor these veterans, not only for their past service, but also for their ongoing engagement in the community, which exemplifies the values of leadership, dedication, and resilience; and

WHEREAS, the collective wisdom and experience of these veterans serve as a valuable and inspirational resource to all Virginians; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend veteran residents of Westminster-Canterbury on Chesapeake Bay in Virginia Beach for their contributions to the local community, the Commonwealth, and the nation; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to veteran residents of Westminster-Canterbury on Chesapeake Bay as an expression of the General Assembly's gratitude for their service and sacrifices as members of the Armed Forces of the United States and admiration for their legacy of achievements.

SENATE JOINT RESOLUTION NO. 334

Celebrating the life of the Reverend Dr. Milton Roy Blount.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, the Reverend Dr. Milton Roy Blount, an esteemed faith leader and senior pastor of New Mount Olivet Baptist Church in Portsmouth, died on January 10, 2025; and

WHEREAS, born in historic South Norfolk County and educated in Portsmouth Public Schools, Milton Blount earned a bachelor's degree from Norfolk State University before pursuing further studies at Virginia Union University and Regent University; and

WHEREAS, at the age of seventeen, Milton Blount embarked upon his illustrious career as a faith leader when he became an associate minister and was licensed and ordained at New Mount Olivet Baptist Church; and

WHEREAS, after serving as senior pastor of Poplar Lawn Baptist Church in Surry County from 1987 to 1992, where he contributed greatly to the growth of the church and its ministries, Milton Blount was installed as the fourth pastor of New Mount Olivet Baptist Church on January 31, 1993; and

WHEREAS, as pastor, mentor, and friend, Milton Blount provided the congregation at New Mount Olivet Baptist Church with uplifting spiritual guidance, joyful occasions for fellowship and worship, and abundant opportunities for community outreach; and

WHEREAS, with extraordinary love and compassion, Milton Blount made a profound impact in the community by standing with and supporting an untold number of individuals and families in their time of need; and

WHEREAS, Milton Blount's legacy as a faith leader included his involvement with the Hampton University Ministers Conference and Virginia Baptist State Convention and past service as the president of Tidewater Metro Baptist Ministers' Conference and moderator of Sharon Missionary Baptist Association; and

WHEREAS, Milton Blount had a deep concern for the well-being of others and gave generously of his time to a number of local organizations and agencies, including PORTCO, Inc., the Portsmouth Department of Behavioral Healthcare Services, and the Children's Home of Virginia Baptist, which he served as a member of the board of trustees; and

WHEREAS, Milton Blount was the president of both the Dr. Martin Luther King, Jr. Steering Committee and Church and Community in Action and worked tirelessly to ensure the voices in his community were heard; and

WHEREAS, Milton Blount will be fondly remembered and dearly missed by his loving wife of 45 years, Claudette; his daughter, Crystal, and her family; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of the Reverend Dr. Milton Roy Blount, a beloved member of the Portsmouth community whose devotion, integrity, and unwavering faith inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of the Reverend Dr. Milton Roy Blount as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 335

Confirming appointments by the Governor of certain persons communicated to the General Assembly January 24, 2025.

Agreed to by the Senate, February 17, 2025
Agreed to by the House of Delegates, February 21, 2025

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly confirm the following appointments of certain persons made by Governor Glenn Youngkin and communicated to the General Assembly January 24, 2025.

AGRICULTURE AND FORESTRY

Peanut Board

Richard Williams of **Suffolk,** Virginia, Member, appointed January 24, 2025, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed John Crumpler.

COMMONWEALTH

Virginia LGBTQ+ Advisory Board

Jacob Carasella of **York County,** Virginia, Member, appointed January 12, 2025, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Aurora Higgs.

EDUCATION

A.L. Philpott Manufacturing Extension Partnership - GENEDGE Alliance, Board of Trustees

Andre Marshall of **College Park, Maryland,** Member, appointed January 16, 2025, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed Makola Abdullah.

Board of Trustees of the Virginia Museum of Natural History

Will Clements of **Carson,** Virginia, Member, appointed January 17, 2025, to serve an unexpired term beginning July 1, 2020, and ending June 30, 2025, to succeed Makunda Abdul-Mbacke.

Board of Visitors of the Virginia School for the Deaf and the Blind

John Pleasants of **Sandston,** Virginia, Member, appointed January 12, 2025, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to fill a new seat.

FINANCE

Joint Advisory Board of Economists

Kenneth Elzinga of **Charlottesville,** Virginia, Member, appointed January 10, 2025, to serve at the pleasure of the Governor beginning January 9, 2025, to succeed Justin Velez-Hagan.

HEALTH AND HUMAN RESOURCES

Advisory Board on Genetic Counseling

Meghan Archer of **Richmond,** Virginia, Member, appointed January 10, 2025, for a term of four years beginning July 1, 2022, and ending June 30, 2026, to succeed Lori Swain.

Maternal Mortality Review Team

Caitlin Pedati of **Virginia Beach,** Virginia, Member, appointed January 14, 2025, for a term of three years beginning July 1, 2023, and ending June 30, 2026, to succeed Donald Dudley.

State Executive Council for Children's Services

Barbara Null of **James City County,** Virginia, Member, appointed January 23, 2025, for a term of three years beginning July 1, 2024, and ending June 30, 2027, to succeed Dalia Palchik.

Statewide Independent Living Council

Kathleen "Ida" Barksdale of **Montpelier,** Virginia, Member, appointed January 22, 2025, for a term of three years beginning October 1, 2024, and ending September 30, 2027, to succeed Leelynn Brody.

Virginia Interagency Coordinating Council

Sarah Jeffries of **Winchester,** Virginia, Member, appointed January 17, 2025, to serve an unexpired term beginning October 1, 2022, and ending September 30, 2025, to succeed Ashton Johnson.

LABOR

Board for Contractors

Pete Helmandollar of **Pounding Mill,** Virginia, Member, appointed January 17, 2025, to serve an unexpired term beginning July 1, 2022, and ending June 30, 2026, to succeed Jacalyn Jones.

Cemetery Board

David Farris of **Abingdon,** Virginia, Member, appointed January 17, 2025, for a term of four years beginning July 1, 2024, and ending June 30, 2028, to succeed James Meadows.

NATURAL AND HISTORIC RESOURCES

Cave Board

Andrea Reese of **Arlington,** Virginia, Member, appointed January 17, 2025, to serve an unexpired term beginning July 1, 2021, and ending June 30, 2025, to succeed John Haynes.

TRANSPORTATION

Metropolitan Washington Airports Authority

Kim Clark Pakstys of **McLean,** Virginia, Member, appointed January 14, 2025, for a term of six years beginning November 24, 2024, and ending November 23, 2030, to succeed John Braun.

SENATE JOINT RESOLUTION NO. 336

Celebrating the life of Peter John Kemp, M.D.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Peter John Kemp, M.D., an esteemed physician and hospital leader and beloved member of the Virginia Beach community, died on September 23, 2024; and

WHEREAS, after graduating from the American University of the Caribbean School of Medicine in 1988, Peter Kemp completed his internship in obstetrics and gynecology (OB/GYN) at what was formerly the Harlem Hospital Center in New York City before fulfilling his residency requirements at what was formerly Saint Joseph Mercy Hospital in Pontiac, Michigan, between 1989 and 1992; and

WHEREAS, following his education and training, Peter Kemp settled in Virginia Beach with his family and established his own private practice, Chesapeake Women's Care, in 1993; and

WHEREAS, Peter Kemp joined the staff at Chesapeake Regional Medical Center (CRMC) in 1995 and over the next few decades was instrumental to the safe and healthy delivery of hundreds of babies in the Hampton Roads region; and

WHEREAS, through his leadership as medical staff president, OB/GYN department chair, and credentials committee chairman, Peter Kemp had an outsized impact on the culture and community at CRMC; and

WHEREAS, Peter Kemp's devotion to providing quality patient care at CRMC was evident in his steadfast efforts to foster physician relationships and to improve workforce and patient safety; and

WHEREAS, Peter Kemp was an outspoken advocate for causes he believed in and regularly organized groups of physician leaders to visit the General Assembly in order to provide physicians' perspectives on various health care issues of the day; and

WHEREAS, Peter Kemp was a generous mentor to the many students who worked with him over the years, contributing greatly to the preparedness and success of future generations of physicians for the benefit of the community; and

WHEREAS, Peter Kemp will be fondly remembered and dearly missed by his loving wife, Sue; his children, Chris, Michael, and Katie, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Peter John Kemp, M.D., a treasured member of the Virginia Beach community whose legacy of service is an inspiration to all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Peter John Kemp, M.D., as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 338

Commending the Elizabeth River Republican Women's Club.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, the Elizabeth River Republican Women's Club, an affiliate of the Virginia Federation of Republican Women and the National Federation of Republican Women, the largest grassroots organization of active Republican women in the country, celebrates its 40th anniversary in 2025; and

WHEREAS, the Elizabeth River Republican Women's Club was founded on February 23, 1985, by its charter members, including Lisa Apperson, Billie Holsweig, Midge Denhender, and Marianne Nelowet, and serves the communities of Chesapeake, Portsmouth, Suffolk, Smithfield, and Charlotte, North Carolina; and

WHEREAS, the Elizabeth River Republican Women's Club meets regularly at members' homes to plan its various projects and activities, including fundraising, organizing meet-and-greets, canvassing, and volunteering at the polls; and

WHEREAS, over the past 40 years, the members of the Elizabeth River Republican Women's Club have given generously of their time and resources to support the campaigns of candidates whose values align with their own; and

WHEREAS, the Elizabeth River Republican Women's Club has played a vital role in local politics by working closely with local and district units of the Republican Party and with other Republican women's clubs at all levels, with many of its members serving in leadership capacities within these organizations; and

WHEREAS, the Elizabeth River Republican Women's Club has advanced the efforts of the Virginia Federation of Republican Women and the National Federation of Republican Women through financial support and by participating in the organizations' official programs and conventions; and

WHEREAS, beyond its political advocacy, the Elizabeth River Republican Women's Club has generously supported the community by raising thousands of dollars to support charitable endeavors, including organizations such as the Help and Emergency Response, Inc., Shelter, the Children's Hospital of the King's Daughters, and Union Mission Ministries; and

WHEREAS, the accomplishments of the Elizabeth River Republican Women's Club are the result of the hard work and determination of the organization's leaders and volunteers, who have made a profound and lasting impact on the Hampton Roads community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Elizabeth River Republican Women's Club on the occasion of its 40th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Elizabeth River Republican Women's Club as an expression of the General Assembly's admiration for its legacy of service.

SENATE JOINT RESOLUTION NO. 339

Commending Belinda Black.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Belinda Black, director of the Chemical Product Engineering Division of Canon Virginia, Inc., based in Newport News, received the Woman of the Year award from the Virginia chapter of Women in Manufacturing in 2024; and

WHEREAS, as the director of the Chemical Product Engineering Division of Canon Virginia, Belinda Black is fundamental to the success of a leading global manufacturer of office and consumer products; and

WHEREAS, the Virginia affiliate of Women in Manufacturing (WiM-Virginia) is dedicated to supporting, promoting, and inspiring women who are pursuing or have chosen a career in the manufacturing sector; and

WHEREAS, WiM-Virginia presented Belinda Black with its Woman of the Year honor in recognition of her efforts to advance the organization's mission; and

WHEREAS, Belinda Black's 30-year career in manufacturing, her commitment to mentoring and leadership, and her contributions to her field have earned her the highest honor conferred by WiM-Virginia; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Belinda Black for being named the 2024 Woman of the Year by the Virginia chapter of Women in Manufacturing; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Belinda Black as an expression of the General Assembly's admiration for her achievements and contributions to manufacturing in the Commonwealth.

SENATE JOINT RESOLUTION NO. 340

Celebrating the life of Benjamin "Rod" Rodriguez.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Benjamin "Rod" Rodriguez, an esteemed businessman and contractor, dedicated philanthropist, and beloved member of the Virginia Beach community, died on October 9, 2024; and

WHEREAS, born in Portsmouth and raised in Chesapeake, Rod Rodriguez graduated from Cradock High School in Portsmouth before embarking upon on a successful career in contracting with Parker-Sparks, Inc., where he rose to the rank of vice president; and

WHEREAS, Rod Rodriguez co-founded his own company, Bay Mechanical, Inc., in 1980 with Dave Sparks and grew the enterprise into one of the leading mechanical contractor businesses in the southeastern United States; and

WHEREAS, as a chairman and chief executive officer of Bay Mechanical, Rod Rodriguez oversaw consequential projects across the Commonwealth and Mid-Atlantic region, including the Virginia Beach Convention Center, Virginia Aquarium and Marine Science Center, Norfolk Cruise Terminal, and several museums, hospitals, universities, stadiums, and amphitheaters; and

WHEREAS, beyond his construction work, Rod Rodriguez contributed to the growth and development of his community by serving on the board of directors for TowneBank Virginia Beach, and as past chairman of their former loan committee, as well as on the boards of SouthTrust Bank and the former Bank of Tidewater; and

WHEREAS, Rod Rodriguez gave abundantly of his time to support various organizations, including serving as chair of the Virginia Museum of Contemporary Art and the Virginia Beach Wetlands Board, and in an advisory capacity with the Virginia Beach Board of Zoning Appeals, Norfolk State University Board of Visitors, and Virginia Beach Foundation; and

WHEREAS, as a testament to his legacy of service, Rod Rodriguez was recently inducted into the Hampton Roads Business Hall of Fame, and had the honor of serving as King Neptune in 2002, in addition to many other distinguished accolades; and

WHEREAS, Rod Rodriguez was a person of exceptional kindness, generosity, and humility who created countless opportunities for others through his hard work, caring philosophy, and abounding philanthropy; and

WHEREAS, Rod Rodriguez will be fondly remembered and dearly missed by his loving wife of 28 years, Cindy; his children, Kelly, Michelle, and Mike; his grandchildren; numerous other family members and friends; and the Hampton Roads community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Benjamin "Rod" Rodriguez, a treasured member of the Virginia Beach community whose hard work and dedication made a difference in countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Benjamin "Rod" Rodriguez as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 341

Commending the Charlottesville Area Association of REALTORS®.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, for 100 years, the Charlottesville Area Association of REALTORS® has upheld the highest standards of excellence in the real estate profession while promoting community growth in Central Virginia; and

WHEREAS, founded on June 22, 1925, the Charlottesville Area Association of REALTORS® (CAAR) currently represents more than 1,300 real estate professionals and affiliate members in the City of Charlottesville and Albemarle, Fluvanna, Greene, Louisa, and Nelson Counties; and

WHEREAS, CAAR has helped generations of real estate professionals better serve their clients and hone their expertise through educational programs on changes in the real estate industry, market knowledge, and negotiation tips to facilitate successful transactions; and

WHEREAS, CAAR has earned a reputation as a trusted and reliable resource for real estate professionals, and its members have enhanced the quality of life in the region through numerous outreach projects and commitment to volunteer leadership; and

WHEREAS, with its community engagement, dedication to ethical business practices, and promotion of diversity, equity, and inclusion, CAAR has not only advanced the real estate profession but has also helped build strong, stable communities throughout Central Virginia; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Charlottesville Area Association of REALTORS® on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Charlottesville Area Association of REALTORS® as an expression of the General Assembly's admiration for its long legacy of distinguished service to the real estate community and the residents of Central Virginia.

SENATE JOINT RESOLUTION NO. 342

Commending Colette Sheehy.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Colette Sheehy, senior vice president for operations and state government relations at the University of Virginia, will retire on June 30, 2025, after nearly 43 years of service; and

WHEREAS, a native of Freehold, New Jersey, Colette Sheehy earned a bachelor's degree in economics from Bucknell University and a master's degree in business administration with a concentration in finance from Rutgers University's Graduate School of Management; and

WHEREAS, Colette Sheehy came to the University of Virginia (UVA) in 1982 as an entry-level budget analyst and assumed various roles in the university's budget office over the next 11 years prior to her appointment as vice president for management and budget in 1993; and

WHEREAS, one of the first two women appointed as vice president at UVA, Colette Sheehy was promoted to senior vice president for operations and state government relations in 2015, overseeing a large and diverse portfolio composed of critical support functions essential to the university's day-to-day operations, including business services, facilities management, the Office of the Architect, the Office of the University Building Official, real estate and leasing services, and state government relations; and

WHEREAS, Colette Sheehy has partnered with colleagues across the university's grounds to support institutional priorities and UVA's mission, among many other initiatives, by executing the university's capital program; maintaining and caring for the university's physical plant, including the many historic buildings and the Academical Village, a UNESCO-designated World Heritage Site; developing and implementing ambitious sustainability plans; and creating a roadmap to construct additional on-grounds student housing to support the university's living and learning community; and

WHEREAS, Colette Sheehy's expert diplomacy, collegiality, collaborative spirit, and deep understanding of the dynamics between state government and higher education in the Commonwealth have earned her the respect and trust of many members of the executive and legislative branches of Virginia government and allowed her to work across party lines to advance higher education in Virginia; and

WHEREAS, working with her colleagues across the Commonwealth, Colette Sheehy was the chief architect and negotiator of the Restructuring Act of 2005, pivotal legislation redefining the relationship between the Commonwealth and public institutions of higher education, as well as the university's subsequent management agreement with the Commonwealth; and

WHEREAS, a respected leader in higher education across the Commonwealth, Colette Sheehy has been a longtime leading member of the Commonwealth's Council of State Senior Business Officers, including serving twice as president, and the State Council of Higher Education for Virginia's Finance Advisory Committee; and

WHEREAS, beyond her service at UVA, Colette Sheehy has worked vigorously to enhance relationships between the local community and the university and to demonstrate the university's commitment to the health and prosperity of the Commonwealth by serving on various boards and commissions, including the board of directors for the Charlottesville Regional Chamber of Commerce, Emily Couric Leadership Forum, Central Virginia Partnership for Economic Development, Virginia Retirement System, Virginia Discovery Museum, and Leadership Charlottesville Alumni Association; and

WHEREAS, in recognition of her tireless efforts and her diligent stewardship of university and state resources, Colette Sheehy has received numerous awards over her remarkable career, including a Thomas Jefferson Award in 2021, the highest honor given to members of the UVA community who have exemplified the principles, ideals, and mission of the

university in their character, work, and influence, and the Samuel R. Crockett Award from the University of Virginia's College at Wise in 2019; and

WHEREAS, Colette Sheehy has enriched the lives of many across the UVA community and beyond through her mentorship, compassion, and dedication to the university; her generous support of colleagues and students will have an enduring positive impact on the university and its faculty, staff, students, and alumni for decades to come; now, therefore, be it

RESOLVED by the Senate of Virginia, the House of Delegates concurring, That the General Assembly hereby commend Colette Sheehy for her decades of exemplary service and devoted leadership, as well as a career defined by excellence and an unwavering commitment to advancing the University of Virginia and public higher education across the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Colette Sheehy as an expression of the General Assembly's admiration and gratitude for her commitment, leadership, and many extraordinary contributions to both the University of Virginia and the Commonwealth.

SENATE JOINT RESOLUTION NO. 343

Commending Vidya Ambati.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Vidya Ambati, a student at Albemarle High School, was selected as a 2024 Davidson Fellow by the Davidson Institute for her groundbreaking research into treatments for arthritis; and

WHEREAS, Vidya Ambati was inspired to study arthritis prevention based on her own family members' experiences with the condition and worked with a team of advisors from the University of Virginia to research novel treatments; and

WHEREAS, in the course of her research, Vidya Ambati discovered that the medication haloperidol, which is used to treat mental and behavioral health conditions, may suppress both rheumatoid arthritis and gout, conditions that affect more than 200 million people worldwide; and

WHEREAS, after Vidya Ambati unveiled her breakthrough discovery, which has the potential to reshape the fight against arthritis, the University of Virginia filed four patents around the technology and began preparing clinical trials; and

WHEREAS, in recognition of her achievement, Vidya Ambati was selected by the Davidson Institute as one of only 20 students nationwide to be named as a 2024 Davidson Fellow and one of only four students to earn the award's top prize, a $50,000 college scholarship; and

WHEREAS, in addition to her work with the University of Virginia, Vidya Ambati runs an international webinar that connects students around the world with mentors in the scientific community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Vidya Ambati on the occasion of her selection as a 2024 Davidson Fellow for her contributions to medical science; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Vidya Ambati as an expression of the General Assembly's admiration for her exceptional accomplishments and best wishes for the future.

SENATE JOINT RESOLUTION NO. 344

Commending Elizabeth Carlson Hilscher.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Elizabeth Carlson Hilscher served the Commonwealth with distinction as a member of the State Board of Behavioral Health and Developmental Services for eight years; and

WHEREAS, Elizabeth "Beth" Hilscher spent much of her career as an interior designer and was the owner of E.C. Hilscher Design, which provided commercial and residential design services to the Woodville area from 1987 to 2004; and

WHEREAS, after the tragic death of her daughter, Emily, during the mass shooting at Virginia Polytechnic Institute and State University in April 2007, Beth Hilscher became a staunch advocate for improved mental health services for children and young adults at the state and federal levels; and

WHEREAS, Beth Hilscher worked closely with organizations like the National Alliance for Mental Illness and Voices for Virginia's Children to support programs and policies that help keep schools safer and provide resources for students in need; and

WHEREAS, in 2016, Beth Hilscher was appointed by Governor Terry McAuliffe to serve on the State Board of Behavioral Health and Developmental Services, where she worked diligently to ensure that the Commonwealth's mental health support systems were as responsive and effective as possible; and

WHEREAS, during her tenure on the State Board of Behavioral Health and Developmental Services, Beth Hilscher served as vice chair from July 11, 2018, to July 15, 2020, and as chair from July 15, 2020, to June 30, 2024; and

WHEREAS, Beth Hilscher served the Commonwealth with the utmost integrity and dedication, and her unwavering commitment to improving statewide behavioral health and developmental services was an inspiration to her colleagues and stakeholders; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Elizabeth Carlson Hilscher for her service as a member of the State Board of Behavioral Health and Developmental Services; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Elizabeth Carlson Hilscher as an expression of the General Assembly's admiration for her exemplary leadership and legacy of achievements.

SENATE JOINT RESOLUTION NO. 345

Commending Stephen King.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, after almost nine years of service, Stephen King retired as the county administrator of Rockingham County, having successfully guided the county through significant periods of change and growth while improving services to local residents; and

WHEREAS, Stephen King grew up in Buena Vista and returned to help the town with a flood mitigation project after graduating from the Virginia Military Institute with a degree in civil engineering; and

WHEREAS, Stephen King and his wife subsequently relocated to Rockingham County to raise their family; he began his career in local government there as director of public works, then served as deputy county administrator; and

WHEREAS, Stephen King was selected as county administrator in 2016 and successfully managed the operations of Rockingham County's public works, fire and rescue, and parks and recreation departments; and

WHEREAS, during the COVID-19 pandemic, Stephen King worked diligently to continue providing essential services without interruption while keeping residents and government employees safe and healthy; and

WHEREAS, highly admired for his honesty, integrity, and practical approach to problem solving, Stephen King consistently worked to enhance the efficiency and effectiveness of county programs; and

WHEREAS, Stephen King built strong relationships with numerous other Rockingham County officials and was a trusted friend to his colleagues and an indispensable mentor for younger employees; and

WHEREAS, during his well-earned retirement, Stephen King plans to serve the community as a volunteer or seek other opportunities to enhance local life; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Stephen King on the occasion of his retirement as county administrator of Rockingham County; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Stephen King as an expression of the General Assembly's admiration for his legacy of contributions to the Rockingham County community.

SENATE JOINT RESOLUTION NO. 346

Celebrating the life of Ellis Whedon James.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, Ellis Whedon James, an honorable veteran, accomplished insurance agent, devoted advocate for social justice, and beloved member of the Norfolk community, died on January 7, 2025; and

WHEREAS, born in Norfolk, Ellis James graduated from Matthew Fontaine Maury High School in 1955 before attending the University of North Carolina at Chapel Hill; and

WHEREAS, Ellis James served his country with honor and distinction as a member of the United States Army in Germany; and

WHEREAS, Ellis James had a successful career as an insurance agent, bringing countless individuals and families greater security and peace of mind; and

WHEREAS, Ellis James was a tireless advocate for justice and civil rights and served as a precinct captain with the Democratic Party; and

WHEREAS, Ellis James became president of Tidewater Fair Housing, Inc., in 1965 and worked indefatigably to eliminate discrimination in housing; and

WHEREAS, Ellis James was a member of the Sierra Club and supported local environmental stewardship through an appointment to the Norfolk Environmental Commission; and

WHEREAS, guided throughout his life by his faith, Ellis James enjoyed worship and fellowship with his community at Christ Lutheran Church in Norfolk, where he served as a deacon and sang in the choir; and

WHEREAS, Ellis James will be fondly remembered and dearly missed by his numerous family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Ellis Whedon James, a treasured member of the Norfolk community whose integrity and dedication inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Ellis Whedon James as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 347

Celebrating the life of the Reverend Roy Alphonso Carter, Sr.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, the Reverend Roy Alphonso Carter, Sr., an esteemed faith leader and beloved member of the Henrico County community, died on June 16, 2024; and

WHEREAS, born in Washington, D.C., Roy Alphonso Carter, Sr., earned a bachelor's degree and master's degree in education from Norfolk State University and attended the Samuel DeWitt Proctor School of Theology at Virginia Union University; and

WHEREAS, Roy Alphonso Carter, Sr., was licensed to preach on March 21, 1993, and went on to provide inspired faith leadership as vice president of the Henrico Ministers' Conference; and

WHEREAS, Roy Alphonso Carter, Sr., was a devoted member of Henrico Branch NAACP 7077-B for many years, serving as the organization's vice president and on various committees; and

WHEREAS, Roy Alphonso Carter, Sr., worked tirelessly to recruit new members for the Henrico branch of the NAACP and to encourage individuals to embrace their civic duty and register to vote; and

WHEREAS, for 21 years, Roy Alphonso Carter, Sr., gave generously of his time to Vocational Industrial Clubs of America, now SkillsUSA, helping students acquire valuable work skills to foster their success in their careers and in life; and

WHEREAS, Roy Alphonso Carter, Sr., enjoyed fellowship with members of his community through his involvement with Alpha Phi Alpha Fraternity, Inc., and the Astoria Beneficial Club, Inc.; and

WHEREAS, in recognition of his service, Roy Alphonso Carter, Sr., has been honored with a plethora of awards at both the local and state level, including Astorian of the Year from the Astoria Beneficial Club; and

WHEREAS, Roy Alphonso Carter, Sr., will be fondly remembered and dearly missed by his loving wife of 61 years, Evelyn; his children, Roy, Jr., and Pamela, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of the Reverend Roy Alphonso Carter, Sr., a treasured member of the Henrico County community whose dedication and service made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of the Reverend Roy Alphonso Carter, Sr., as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 348

Commending the Oscar Smith High School football team.

Agreed to by the Senate, February 6, 2025
Agreed to by the House of Delegates, February 10, 2025

WHEREAS, on December 14, 2024, the Oscar Smith High School football team, representing Chesapeake, capped off an undefeated season by winning the Virginia High School League Class 6 state championship in dramatic fashion, scoring twice in the final two minutes of the game to secure the victory; and

WHEREAS, led by head coach Chris Scott and his exceptional coaching staff, the Oscar Smith High School Tigers defeated the James Madison High School Warhawks by a score of 21-20 to finish the season with a perfect 15-0 record; and

WHEREAS, the Oscar Smith Tigers took an early 7-0 lead and held it until the third quarter, when the James Madison Warhawks responded with a touchdown of their own, then added another in the fourth quarter; and

WHEREAS, the Oscar Smith Tigers maintained their composure, and quarterback Lonnie Andrews led the team on a 91-yard drive culminating in a 27-yard touchdown pass to wide receiver Travis Johnson that tied the game at 14-14 with only 1:45 remaining; and

WHEREAS, the Oscar Smith Tigers' defense took to the field and rose to the occasion, forcing a fumble that put its offense in good field position, allowing running back Brandon Nesbit to reclaim the lead with a two-yard rushing touchdown; and

WHEREAS, a Hail Mary pass brought the James Madison Warhawks within two points of a win, but the Oscar Smith Tigers' defense got the job done and prevented a two-point conversion to close out the game; and

WHEREAS, Brandon Nesbit led the Oscar Smith Tigers with two touchdowns and gained 84 rushing yards, while Lonnie Johnson went 18 of 31 in the air for 180 yards and the touchdown pass to Travis Johnson, who pulled in five receptions for 61 yards; and

WHEREAS, the 2024 championship is the fifth state title for Oscar Smith High School's football program, adding to victories in 2008, 2011, 2020, and 2021, and further solidifying the team's legacy as a powerhouse in Virginia high school football; and

WHEREAS, the successful season was a testament to the skill, hard work, discipline, and commitment of all the student-athletes, the leadership and guidance of coaches and staff, and the unwavering support of school administrators, family members, friends, and the entire Oscar Smith High School community; and

WHEREAS, Oscar Smith High School continues to foster excellence in both academics and athletics, and the Oscar Smith Tigers have upheld the values of teamwork, perseverance, and sportsmanship; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Oscar Smith High School Tigers on winning the Virginia High School League Class 6 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Chris Scott, head coach of the Oscar Smith High School Tigers, as an expression of the General Assembly's admiration for the team's exceptional athletic achievements.

SENATE JOINT RESOLUTION NO. 349

Commending Jim Thompson.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, in 2025, Jim Thompson retired from the architectural and engineering firm Thompson & Litton as a senior project manager after more than four decades of outstanding service in a variety of leadership roles; and

WHEREAS, Jim Thompson joined Thompson & Litton in 1981 and has been a cornerstone of the organization since that time, serving as construction contract administrator, vice president of project management, vice president of business development and marketing, director, owner, and chair of the board of directors; and

WHEREAS, since 1984, Jim Thompson also managed the Tazewell office of Thompson & Litton, where he inspired his colleagues as a dedicated leader and a trusted mentor; and

WHEREAS, through his visionary management and commitment to excellence in all endeavors, Jim Thompson has left Thompson & Litton well prepared to meet the challenges of the future; and

WHEREAS, after his well-earned retirement, Jim Thompson will continue to serve the Commonwealth by overseeing the East River Mountain Tunnel and the Big Walker Mountain Tunnel on a part-time basis through TOM, LLC; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Jim Thompson on the occasion of his retirement from Thompson & Litton; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Jim Thompson as an expression of the General Assembly's admiration for his legacy of professional achievements.

SENATE JOINT RESOLUTION NO. 350

Commending the Marion Senior High School girls' tennis team.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Marion Senior High School girls' tennis team won the Virginia High School League Class 2 state championship at Liberty University in Lynchburg on June 6, 2024; and

WHEREAS, the Marion Senior High School Scarlet Hurricanes defeated the Central High School Falcons of Woodstock by a score of 5-1 to bring home the program's second consecutive state championship title; and

WHEREAS, in the No. 4 singles event, junior Bailey Russell came from behind to win a tiebreaker in her match, allowing the Marion Scarlet Hurricanes to secure victory on singles events alone; and

WHEREAS, the Marion Scarlet Hurricanes claimed their title in commanding fashion, losing only three sets in the state championship and a total of five matches throughout the entire state tournament run; and

WHEREAS, in addition to the team's victory, the Marion Scarlet Hurricanes' Parker White won her third consecutive Virginia High School League Class 2 individual title at the state tournament, and she placed runner-up with her teammate Madelyn Austin in the doubles competition; and

WHEREAS, the Marion Scarlet Hurricanes' achievements are a testament to the hard work and perseverance of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their families and the entire Marion Senior High School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Marion Senior High School girls' tennis team for winning the Virginia High School League Class 2 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Marion Senior High School girls' tennis team as an expression of the General Assembly's admiration for the team's achievements.

SENATE JOINT RESOLUTION NO. 351

Commending the Auburn High School volleyball team.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, in 2024, the Auburn High School volleyball team in Montgomery County earned its sixth consecutive state title with a victory in the Virginia High School League Class 1 state championship; and

WHEREAS, the Auburn High School Eagles finished the season with a 29-2 record and defeated Rappahannock High School in the state final by scores of 25-10, 25-10, and 25-16; and

WHEREAS, the Auburn Eagles dominated play, quickly gaining double-digit leads over the Rappahannock Raiders and completing all three sets in less than an hour to secure the dynasty's latest achievement; and

WHEREAS, senior middle hitter Gretchen Surface scored a match-high 16 kills, while senior outside hitter Megan Earnest recorded 13 kills and 13 digs; junior Jayci Morrill facilitated multiple plays with 34 assists, and sophomore Kaylee Ramrattan added five aces; and

WHEREAS, the Auburn Eagles have won nine state titles in the past 13 years and hold the records for the second-most consecutive state championship victories and second-most state championship victories overall; and

WHEREAS, the successful season was a tribute to the skill and hard work of all the student-athletes, the leadership and guidance of coaches and staff, and the passionate support of family members, friends, and the entire Auburn High School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Auburn High School volleyball team on winning the Virginia High School League Class 1 state championship in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Sherry Millirons, head coach of the Auburn High School volleyball team, as an expression of the General Assembly's admiration for this team's exceptional athletic achievements.

SENATE JOINT RESOLUTION NO. 352

Celebrating the life of George G. Brown.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, George G. Brown, an esteemed educator and education administrator, devoted family man, accomplished runner, and active and beloved member of the Richlands community, died on July 27, 2024; and

WHEREAS, George Brown graduated from Richlands High School in 1970 before earning degrees from Southwest Virginia Community College in 1972, Virginia Polytechnic Institute and State University in 1974, and the University of Virginia in 1986; and

WHEREAS, in 1974, George Brown began a half-century long career dedicated to the education of young people as a junior high school teacher and two years later he became a member of the first instructional staff to serve at Richlands Middle School; and

WHEREAS, George Brown transitioned to Richlands High School in 1980 and over two decades supported the growth and development of his students as an educator and coach in multiple sports and later as an assistant principal and principal for nearly 15 years; and

WHEREAS, from 2005 to 2019, George Brown guided Tazewell County Public Schools in various leadership capacities, including as director of secondary education and career and technical education, assistant superintendent, and division superintendent; and

WHEREAS, George Brown was a passionate and indefatigable runner who ran every day for a remarkable 15,921 consecutive days, the longest active streak in the Commonwealth at the time of his death and the 25th longest active streak nationally; and

WHEREAS, George Brown ran competitively in more than 50 marathons in his lifetime, including the marathons in Boston, New York, Chicago, Washington, D.C., and San Diego; he was especially adept at ultramarathons, winning the

50-mile Mount Masochist Trail Run in 1986 and 1987 and placing 14th in the prestigious Umstead 100 Mile Endurance Run in 2001 after finishing the race in just over 24 hours; and

WHEREAS, from 1975 to 2009, George Brown gave generously of his time officiating high school basketball and football as a member of the Appalachian Officials Organization; and

WHEREAS, George Brown will be fondly remembered and dearly missed by his loving wife of 53 years, Lynne; his son, Glayde, and his family; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of George G. Brown, a treasured member of the Richlands community whose integrity, compassion, and dedication inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of George G. Brown as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 353

Commending Abigail Rhudy.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Abigail Rhudy of Tazewell High School won the Virginia High School League Class 2 individual cross country state championship in dramatic fashion in November 2024; and

WHEREAS, Abigail Rhudy took an early lead against and continued to pull away from the competition as the race went on; she ultimately finished with a time of 18:58.3, more than a minute ahead of the second-place runner; and

WHEREAS, Abigail Rhudy's emphatic win was also the first individual state championship for cross country in Tazewell High School history; and

WHEREAS, a talented athlete, Abigail Rhudy has previously won three state titles in indoor track and one in outdoor track; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Abigail Rhudy on winning the 2024 Virginia High School League Class 2 individual cross country state championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Abigail Rhudy as an expression of the General Assembly's admiration for her outstanding athletic achievements.

SENATE JOINT RESOLUTION NO. 354

Celebrating the life of Danny Joe Dales, D.C.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Danny Joe Dales, D.C., an esteemed chiropractor and beloved member of the Bluefield community, died on January 11, 2025; and

WHEREAS, raised in Buchanan County, Joe Dales graduated from the former Garden High School, where he earned all-state honors in football; and

WHEREAS, after completing his studies at what is today Life University, Joe Dales began his career as a chiropractor with Willis Chiropractic in 1996; and

WHEREAS, four years later, Joe Dales opened his own practice, Dales Chiropractic, Inc., with his wife, Kay Dales, D.C., and dedicated himself to the health and well-being of his patients at locations in Bluefield and Welch, West Virginia; and

WHEREAS, Joe Dales gave generously of his time to help others in need and was active and engaged in the community through his involvement with the Lions Club in Welch, West Virginia, and the Bluefield Planning Commission; and

WHEREAS, Joe Dales contributed to the growth and development of countless young people as a coach with various youth sports leagues and as a proud supporter, coach, and doctor of the athletic program at Graham High School in Bluefield; and

WHEREAS, Joe Dales was a devoted husband and father whose greatest joy in life was spending quality time with his family; and

WHEREAS, Joe Dales was baptized as a young man and was guided throughout his life by his deep and abiding faith; and

WHEREAS, Joe Dales will be fondly remembered and dearly missed by his loving wife of 28 years, Kay; his children, Danny II, Zachary, and Ella; his mother, Sue; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Danny Joe Dales, D.C., a treasured member of the Bluefield community whose integrity and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Danny Joe Dales, D.C., as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 355

Celebrating the life of Frank Earnest Atwell, Jr.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Frank Earnest Atwell, Jr., a longtime member of the Smyth County Sheriff's Office, died on December 21, 2024; and

WHEREAS, Earnest "Ernie" Atwell grew up in Smyth County and proudly served the nation for four years as a member of the United States Navy; and

WHEREAS, after returning home, Ernie Atwell joined the Smyth County Sheriff's Office and held several leadership roles over the course of his distinguished 25-year career, including as a K-9 officer, road deputy, and road captain; and

WHEREAS, Ernie Atwell notably served the community as a school resource officer at Sugar Grove Elementary School, where he formed strong bonds with faculty and staff members and was a trusted mentor to students; and

WHEREAS, Ernie Atwell inspired others through his compassion, kindness, and dedication to servant leadership; he gave generously of his time and talents to support community initiatives, and he was an active member of the Smyth County Moose Lodge No. 1004; and

WHEREAS, outside of his career, Ernie Atwell loved spending time with family and friends at his cabin, and he made many lasting memories with them at Wythe Raceway; and

WHEREAS, Ernie Atwell will be fondly remembered and greatly missed by his wife of 17 years, Melissa; his children, Frank, Ethan, Elliott, Abigayle, and Asher, and their families; his parents, Frank and Lydia; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Frank Earnest Atwell, Jr., a highly admired law-enforcement officer in Smyth County; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Frank Earnest Atwell, Jr., as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 356

Celebrating the life of Jeremy Lathan Compton.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Jeremy Lathan Compton, a beloved member of the Christiansburg community who devoted himself to public service as a firefighter, emergency medical technician, and law-enforcement officer, died on May 30, 2024; and

WHEREAS, born in Radford, Jeremy Compton began his firefighting career with the Elliston Volunteer Fire Department in 2006, realized his dream by joining the Christiansburg Volunteer Fire Department in 2014, and became a professional firefighter and emergency medical technician with the City of Radford in 2022; and

WHEREAS, from 2016 to 2019, Jeremy Compton served as a deputy with the Radford City Sheriff's Office, where he played an instrumental role in developing the agency's crisis intervention team program; and

WHEREAS, Jeremy Compton's commitment to public safety and the well-being of his community was evident through the effort and enthusiasm he brought to his work and the care and compassion he showed to everyone he encountered on the job; and

WHEREAS, Jeremy Compton was a generous and supportive mentor to the younger and newer firefighters in his unit and was appreciated by all of his colleagues for his positive attitude and wonderful sense of humor; and

WHEREAS, guided throughout his life by his faith, Jeremy Compton enjoyed worship and fellowship with his community at Alleghany Church of Christ in Christiansburg; and

WHEREAS, Jeremy Compton will be fondly remembered and dearly missed by his loving wife, Kara; his children, Wyatt, Mason, and Cassidy; his parents, Richard and Susan; his brother, Trevor; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Jeremy Lathan Compton, a revered member of the Christiansburg community whose courage, integrity, and dedication to helping others inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Jeremy Lathan Compton as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 357

Commending the Nepali Community of Greater Richmond Virginia.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Nepali Community of Greater Richmond Virginia, a recently established nonprofit organization, fosters a strong sense of community among Nepali Americans in the region and is committed to preserving and celebrating Nepali culture; and

WHEREAS, founded in 2023, the Nepali Community of Greater Richmond Virginia provides a support network for Nepali American families and promotes Nepali art, cuisine, language, and traditions through educational programs and social events; and

WHEREAS, the Nepali Community of Greater Richmond Virginia's events to commemorate Nepali holidays such as Holi, Nepali New Year, Dashain, and Deusi Bhailo have enriched cultural life in Richmond, and the organization hosts regular town hall meetings to engage with community members and build cohesion on local issues; and

WHEREAS, the Nepali Community of Greater Richmond Virginia provides informative workshops and operates the Pathshala school program to provide age-appropriate education on Nepali language, art, and history to younger Nepali Americans and any other interested students; and

WHEREAS, the Nepali Community of Greater Richmond Virginia promotes health and wellness and nurtures athletic talent through a variety of sports programs, including soccer, badminton, running, and ping pong; and

WHEREAS, the Nepali Community of Greater Richmond Virginia offers assistance programs for new immigrants to help them navigate life in the United States and build a stronger connection with their new home while maintaining roots in their heritage; and

WHEREAS, members of the Nepali Community of Greater Richmond Virginia have also generously donated their time and talents to other charitable groups and civic organizations to enhance the quality of life of all Richmond residents; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Nepali Community of Greater Richmond Virginia for its work to cultivate a sense of cultural pride and build a sense of belonging among Nepali Americans in the Richmond area; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Chandra Malla, president of the Nepali Community of Greater Richmond Virginia, as an expression of the General Assembly's admiration for the organization's service to Nepali Americans and all members of the wider Richmond community.

SENATE JOINT RESOLUTION NO. 358

Commending STIHL, Inc.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, STIHL, Inc., the United States subsidiary of STIHL International GmbH, a leading manufacturer of chainsaws and other power tools, has been located in Virginia Beach for more than 50 years; and

WHEREAS, in 1974, STIHL, Inc., began construction of its Virginia Beach location, which has since grown to become one of the largest manufacturing facilities in the Commonwealth, with nearly 3,000 employees on the two million-square-foot site; and

WHEREAS, conveniently located near the Port of Virginia, the STIHL, Inc., facility in Virginia Beach ships products to more than 90 countries around the world; and

WHEREAS, STIHL, Inc., supports the region by giving back to its employees, the community, and industry organizations as a good corporate citizen that supports educational programs, environmental sustainability, and critical research projects; and

WHEREAS, STIHL, Inc., supports workforce development by offering a manufacturing technology summer camp for high school students, and its innovative apprenticeship program has become a model for other companies in the United States; and

WHEREAS, through its work with the Virginia Manufacturing Association and the Manufacturing Development Commission, STIHL, Inc., has bolstered Virginia's reputation as an excellent place to do business and successfully encouraged other companies to relocate to the Commonwealth; and

WHEREAS, the commitment to manufacturing excellence demonstrated by STIHL, Inc., has helped the company become the top-selling brand of handheld outdoor power equipment in the United States, with thousands of dealers across the country; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend STIHL, Inc., on the occasion of its 50th anniversary of operations in Virginia Beach; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to STIHL, Inc., as an expression of the General Assembly's admiration for the company's decades of contributions to the vibrant local economy in Virginia Beach and service to customers throughout the nation.

SENATE JOINT RESOLUTION NO. 359

Commending Keith H. Johnson.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Keith H. Johnson, a distinguished and beloved firefighter and first responder who has served his community for more than 40 years, retired as chief of the Loudoun County Combined Fire and Rescue System; and

WHEREAS, a fourth-generation firefighter, Keith Johnson embarked upon his career in fire service in 1982 as a volunteer with the North Merrick Volunteer Fire Department in Long Island, New York; and

WHEREAS, Keith Johnson segued to an operational career in firefighting when he joined the Fairfax County Fire and Rescue Department and graduated from its training academy in 1983; and

WHEREAS, through diligence and hard work, Keith Johnson rose through the ranks at the Fairfax County Fire and Rescue Department and was promoted to deputy chief in 2009, ultimately assuming responsibility for leading three divisions in the areas of training, special operations, and support services; and

WHEREAS, Keith Johnson previously served as a member and deputy chief of the Fairfax County Urban Search and Rescue Team and was formerly the Fairfax County task force leader of the National Medical Response Team; and

WHEREAS, in December 2014, Keith Johnson retired from the Fairfax County Fire and Rescue Department to accept the position of assistant chief of operations with the Loudoun County Combined Fire and Rescue System; and

WHEREAS, four years later, Keith Johnson was elevated to chief of the Loudoun County Combined Fire and Rescue System with the responsibility of overseeing nearly 500 employees and more than 1,500 volunteers who serve more than 400,000 residents in Loudoun County; and

WHEREAS, Keith Johnson holds an associate degree in fire science administration from the Northern Virginia Community College, a bachelor's degree in business administration with a minor in fire science from the University of Maryland University College, and a master's degree in security studies, homeland security, and defense from the Naval Postgraduate School; and

WHEREAS, in recognition of his achievements as a firefighter and fire chief, Keith Johnson was designated as a Chief Fire Officer by the Center for Public Safety Excellence and certified as a fire official in the Commonwealth and as a fire inspector and fire investigator by the Virginia Department of Fire Programs; and

WHEREAS, Keith Johnson has provided invaluable expertise to the Commonwealth in his capacity as chair of the Virginia Fire Services Board, member of the Board of Housing and Community Development, and past president of the Virginia Fire Chiefs Association; and

WHEREAS, to honor his extraordinary contributions to the Commonwealth, the Governor of Virginia named Keith Johnson the Virginia Fire Chief of the Year for 2024; and

WHEREAS, with an unwavering commitment to public safety and the well-being of others, Keith Johnson has epitomized the virtues of the firefighting and rescue profession, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Keith H. Johnson on the occasion of his retirement from his position as chief of the Loudoun County Combined Fire and Rescue System; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Keith H. Johnson as an expression of the General Assembly's high regard for his legacy of service and best wishes for his future endeavors.

SENATE JOINT RESOLUTION NO. 360

Commending the Loudoun Therapeutic Riding Center.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, for 50 years, the Loudoun Therapeutic Riding Center has been a fixture of the Loudoun County community, focused namely on helping children with disabilities but truly helping anyone who could benefit from the holistic healing that horses can provide; and

WHEREAS, the Loudoun Therapeutic Riding Center provides equine therapy, hippotherapy, equine-assisted learning, equine-assisted activities for senior citizens, and Equine Services for Heroes, a treatment method tailored to wounded veterans; and

WHEREAS, the Loudoun Therapeutic Riding Center was founded 50 years ago and was the first-ever pilot program for therapeutic riding in the Commonwealth; and

WHEREAS, the founders of the Loudoun Therapeutic Riding Center, Barbara Baird and Leonard Warner, had a vision to "help adults and children with physical, intellectual, and emotional challenges by helping them build self-confidence, self-discipline, strength, mobility, and coordination using the healing power of horses"; and

WHEREAS, the Loudoun Therapeutic Riding Center began commemorating its 50th anniversary by hosting a screening of the film *National Velvet*, along with a red carpet fashion show fundraiser on February 17, 2024, and hosted a range of anniversary events throughout the year; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Loudoun Therapeutic Riding Center on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Laura W. Smith, executive director of the Loudoun Therapeutic Riding Center, as an expression of the General Assembly's admiration for the center's vital support for the disability community and so many others, as well as a legacy of achievements in service to the Loudoun County community.

SENATE JOINT RESOLUTION NO. 361

Commending the Chincoteague Island Pony Swim.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Chincoteague Island Pony Swim, a beloved local tradition in Accomack County, has delighted visitors from across the United States and around the world for 100 years; and

WHEREAS, the Chincoteague Pony, the official pony of the Commonwealth of Virginia, is a breed of feral or semi-feral pony that lives within the Chincoteague National Wildlife Refuge in Virginia; and

WHEREAS, the Chincoteague Island Pony Swim, also known as the Pony Penning or Pony Penning Days, is a yearly event that dates back to the 1880s and features Chincoteague Ponies swimming across the Assateague Channel during a slack tide; and

WHEREAS, the Chincoteague Island Pony Swim is hosted by the Chincoteague Volunteer Fire Company and typically takes place on the last consecutive Wednesday and Thursday in July, with other events, including the Chincoteague Fireman's Carnival, occurring throughout the week; and

WHEREAS, the Chincoteague Island Pony Swim consists of the pony swim on Wednesday, during which time the Saltwater Cowboys of Chincoteague round up feral ponies from Assateague Island, Virginia, and herd them across the channel into pens on the Chincoteague Carnival Grounds; and

WHEREAS, on Thursday, the Chincoteague Volunteer Fire Company hosts an auction of the foals and the event concludes on Friday when the remaining ponies swim back across the Assateague Channel; and

WHEREAS, over the course of its history, the Chincoteague Island Pony Swim has welcomed countless guests from around the world, boosting the region's tourism economy and maintaining a strong link to the Commonwealth's heritage; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Chincoteague Island Pony Swim on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Chincoteague Island Pony Swim as an expression of the General Assembly's admiration for the longevity and ongoing success of this unique event.

SENATE JOINT RESOLUTION NO. 362

Celebrating the life of Sergeant Floyd Hugo Miles, Jr.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Sergeant Floyd Hugo Miles, Jr., a member of the Charles City County Sheriff's Office who was deeply dedicated to serving and supporting members of the public, died in the line of duty on June 9, 2024; and

WHEREAS, Floyd Miles was a graduate of Charles City High School, where he played on the football team and was a member of the Junior Reserve Officers' Training Corps program; and

WHEREAS, after high school graduation, Floyd Miles enlisted in the United States Army and served the nation as a military police officer, then returned home to the Commonwealth and joined the Charles City County Sheriff's Office; and

WHEREAS, over the course of his 16-year career with the Charles City County Sheriff's Office, Floyd Miles worked as a DARE instructor, general instructor, Project Lifesaver coordinator, and school resource officer; he was a longtime member of the Peninsula Alcohol Safety Action Program and received several awards from Mothers Against Drunk Driving for his intervention and enforcement efforts; and

WHEREAS, Floyd Miles had recently graduated from animal control officer training and was serving as the supervisor of the Charles City County Sheriff's Office's animal control unit; and

WHEREAS, in June 2024, Floyd Miles suffered a medical emergency while attempting to assist a member of the public in distress; and

WHEREAS, Floyd Miles served the residents of Charles City County and the Commonwealth with the utmost dedication and distinction, and his loss is a tragedy for the community he proudly served; and

WHEREAS, Floyd Miles' son, Steven, who graduated from the 103rd Basic Law Enforcement Class at Crater Criminal Justice Training Academy in December, is currently employed with the Charles City County Sheriff's Office and will carry on his father's legacy; and

WHEREAS, Floyd Miles will be fondly remembered and greatly missed by his beloved wife, Denise; his children, Steven, Rashad, and Taequan, and their families; his parents, Floyd, Sr., and Clem; his siblings, Sean, Jonathan, Michael, and Sara, and their families; and numerous other family members, friends, and fellow law-enforcement officers; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Sergeant Floyd Hugo Miles, Jr., a distinguished member of the Charles City County Sheriff's Office; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Sergeant Floyd Hugo Miles, Jr., as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 363

Commending the Virginia Spaceport Authority.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, for three decades, the Virginia Spaceport Authority, headquartered in Norfolk, has supported aerospace research, scientific education, and economic growth, while promoting the development of the commercial spaceflight industry; and

WHEREAS, the Virginia Spaceport Authority, originally known as the Virginia Commercial Space Flight Authority, was created in 1995 to put the Commonwealth at the forefront of the burgeoning commercial spaceflight industry; and

WHEREAS, the Virginia Spaceport Authority owns, operates, and maintains the Mid-Atlantic Regional Spaceport (MARS), one of four public spaceports in the United States licensed by the Federal Aviation Administration for vertical launch to orbit; and

WHEREAS, MARS is a tenant organization of the National Aeronautics and Space Administration's (NASA) Wallops Flight Facility on Wallops Island in Accomack County; the Virginia Spaceport Authority partners with NASA through the Space Agreement Act to procure services required for launch activities on behalf of its customers; and

WHEREAS, in addition to state transportation funding, the Virginia Spaceport Authority funds its operations and capital projects through customer fees for launch and airfield services, as well as limited federal grants and contracts; and

WHEREAS, the Virginia Spaceport Authority has developed science, technology, engineering, and mathematics education programs to identify and cultivate the next generation of aerospace professionals, partnering with 13 institutions of higher education, six public school divisions, local library systems, and other organizations; and

WHEREAS, the Virginia Spaceport Authority's internship programs provide high school and college students with opportunities for hands-on learning in a variety of fields, and 20 percent of its current workforce is made up of former interns; and

WHEREAS, according to a study by the Old Dominion University Dragas Center for Economic Analysis and Policy, the Virginia Spaceport Authority and the surrounding aerospace industry increased real annual industrial output in the Commonwealth by $1.5 billion between 2018 and 2022; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Virginia Spaceport Authority on the occasion of its 30th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Virginia Spaceport Authority as an expression of the General Assembly's admiration for its advancement of the commercial spaceflight industry, commitment to education, and significant economic impact.

SENATE JOINT RESOLUTION NO. 364

Celebrating the life of Robert McCabe Ryan.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Robert McCabe Ryan, a dedicated public servant who worked diligently to enhance the overall quality of life in Culpeper through his commitment to community leadership, died on January 29, 2025; and

WHEREAS, Robert "Bobby" McCabe Ryan served his country with distinction as a member of the United States Army, earning a Soldier of the Quarter award; and

WHEREAS, Bobby McCabe Ryan was elected to the Culpeper Town Council from July 1994 to June 2002, and again from July 2008 to December 2019; he served a term as vice mayor in 2000 and offered his wise insights to several committees over the course of his tenure in local government; and

WHEREAS, Bobby McCabe Ryan served as chair of the Town/County Interaction Committee and the Public Safety Committee, where he was a strong proponent of initiatives to enhance the Culpeper Police Department's ability to serve and protect members of the public; and

WHEREAS, Bobby McCabe Ryan promoted economic development in the town as a member and past president of the Culpeper Chamber of Commerce and a former member of the Culpeper Jaycees and Culpeper Renaissance; and

WHEREAS, Bobby McCabe Ryan mentored and inspired young people as an assistant Scoutmaster and lifeguard in the Boy Scouts, now Scouting America; and

WHEREAS, Bobby McCabe Ryan further supported the community as a member, past president, and Paul Harris Fellow of the Rotary Club of Culpeper; he volunteered his time and leadership to several other charitable organizations, including Full Circle Thrift Shop and Services to Abused Families, Inc.; and

WHEREAS, Bobby McCabe Ryan enjoyed fellowship and worship with the congregation of St. Stephen's Episcopal Church, where he was an usher, a senior warden, and a member of the vestry; and

WHEREAS, Bobby McCabe Ryan will be fondly remembered and greatly missed by his wife of 51 years, Phyllis; his children, Christopher, Katherine, and Emily, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Robert McCabe Ryan; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Robert McCabe Ryan as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 365

Celebrating the life of George W. Lester II.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, George W. Lester II, a preeminent business leader in Martinsville and Henry County who touched countless lives as a generous philanthropist and champion for community growth, died on January 31, 2025; and

WHEREAS, George Lester grew up in Martinsville and Henry County, where his family had deep roots dating back to the 1790s; he gained an appreciation for the importance of hard work and responsibility while working in his father's company, which had been established in 1896; and

WHEREAS, George Lester graduated from Martinsville High School and finished second in his industrial engineering class at North Carolina State University; and

WHEREAS, after completing his education, George Lester rejoined the family business, then became president in the mid-1970s and set about reorganizing Lester Development Corporation as The Lester Group; and

WHEREAS, George Lester diversified The Lester Group into the manufacture of treated lumber and doors, developed wholesale and retail building material stores, bought forest land, and developed commercial, industrial, and residential real estate in Virginia, West Virginia, and North Carolina; and

WHEREAS, under George Lester's leadership, The Lester Group has become one of the largest home-grown companies in Martinsville and one of the top building supply dealers in the United States; and

WHEREAS, highly respected in the construction industry, George Lester served as chair of the National Lumber and Building Materials Dealers Association and as past president of the Independent Builders Supply Association, the Virginia Building Materials Association, and the Virginia Forestry Association; and

WHEREAS, outside of his career with The Lester Group, George Lester helped organize and served for more than 40 years on the board of directors of Carter Bank, which now maintains more than $5 billion in assets, employs 1,000 people, and is a major lender for local homebuyers; and

WHEREAS, George Lester further supported the community as a member of the Martinsville-Henry County Chamber of Commerce and the Martinsville-Henry County Economic Development Corporation, as well as other civic groups and organizations that enhanced the economic vitality of the region; and

WHEREAS, George Lester oversaw the renovation of the former Tultex building into the Clocktower at the Commonwealth Centre, a major local landmark, and he invigorated development in the region as a founder of JobLink, which advocated for the expansion of Interstate 73 through Martinsville; and

WHEREAS, George Lester committed $2.5 million to fund the construction of a second YMCA in Martinsville, which will be named the Lester Family YMCA, and he created the Cap'n Til and Lottie Shelton Lester Fund at the Community Foundation Serving Western Virginia to provide financial support to small businesses, fund college scholarships, assist with transportation development, and facilitate other worthy causes; and

WHEREAS, even after his official retirement from The Lester Group in 2018, George Lester continued to play a role in guiding the company as co-chair and never stopped pursuing opportunities to enhance the overall quality of life in Martinsville and Henry County; and

WHEREAS, predeceased by two sons, George III and George IV, and one stepdaughter, Amie, George Lester will be fondly remembered and greatly missed by his wife, Lee; his daughters, Elizabeth, Ann, and Sara, and their families; his stepdaughter, Tracy, and her family; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of George W. Lester II, a pillar of the community in Martinsville and Henry County; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of George W. Lester II as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 366

Commending Leanne Eyler.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Leanne Eyler, an outstanding educator at Oceanair Elementary School in Norfolk, received the Teacher of the Year award in 2025 for her exceptional service to young people; and

WHEREAS, Leanne Eyler learned her love of athletics at a young age from her coach and father, Lee Eyler, with the unwavering support of her mother, Arlene Eyler, and she became a star basketball player at Norfolk Catholic High School in Norfolk; and

WHEREAS, Leanne Eyler was selected as the most valuable player of the Tidewater Conference of Independent Schools Tournament in 1980 and was invited to the 1980 Olympic basketball tryouts in Colorado Springs, Colorado; she was subsequently inducted into the Norfolk Catholic High School Hall of Fame in 1993; and

WHEREAS, Leanne Eyler went on to play basketball at Christopher Newport University and was the most valuable player of the Dixie Conference Tournament in 1985 and a National Collegiate Athletics Association Division III second-team All-American; and

WHEREAS, after graduating with a degree in education, Leanne Eyler channeled her love of athletics into her career by becoming a physical education teacher, first at the Hebrew Academy of Tidewater, then at Catholic High School in Virginia Beach, followed by Norview High School in Norfolk, and most recently, Oceanair Elementary School; and

WHEREAS, in addition to her work as an educator, Leanne Eyler has been an ardent supporter of women's athletics as a longtime basketball, softball, and field hockey coach and has also served as a high school and Division I college basketball referee; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Leanne Eyler on the occasion of her selection as Teacher of the Year in 2025; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Leanne Eyler as an expression of the General Assembly's admiration for her commitment to excellence in education and contributions to young people in Hampton Roads.

SENATE JOINT RESOLUTION NO. 367

Commending members of the 100th Infantry (Century) Division.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, March 16, 2025, marks the 80th anniversary of the liberation of the citadel town of Bitche, France, by the 100th Infantry (Century) Division, a significant victory in the Allied campaign to liberate France during World War II; and

WHEREAS, since the time of the Roman Empire, the hilltop at Bitche has served as a critical defensive position, with its fortifications significantly strengthened during the 17th century by the renowned French military engineer Sébastien Le Prestre de Vauban, whose designs made it one of the most formidable strongholds in Europe; and

WHEREAS, the fortress at Bitche famously withstood numerous assaults, including during the Franco-Prussian War and the German invasion of 1940, and had never been taken by force until its liberation by the 100th Infantry Division during World War II; and

WHEREAS, during the liberation of the citadel and town of Bitche, the 100th Infantry Division was under the leadership of Major General Withers A. Burress, a native of Richmond, graduate of the Virginia Military Institute (VMI) Class of 1914, and former commandant of cadets at VMI in 1938; and

WHEREAS, the 100th Infantry Division was part of the 7th Army commanded by Lt. General Alexander M. Patch, who himself served as a commandant of cadets at the Staunton Military Academy; and

WHEREAS, in March 1945, thousands of brave soldiers of the 100th Infantry Division, including hundreds of Virginians, played a pivotal role in the liberation of Bitche and surrounding areas from German occupation, earning the distinguished nom de guerre "The Sons of Bitche" in recognition of their valor and sacrifice during this historic victory; and

WHEREAS, after the war, the 100th Infantry Division was reorganized as the 100th Airborne Division, then subsequently became the 100th Training Division (Leadership Development); it is currently based at Fort Knox, Kentucky, and serves as a major training command of the United States Army Reserve; and

WHEREAS, the legacy of the 100th Infantry Division and the liberation of Bitche continues to resonate, serving as a powerful testament to the courage, resilience, and dedication of those who fought for freedom and forged enduring bonds between the people of Virginia and France; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend members of the 100th Infantry (Century) Division on the occasion of the 80th anniversary of the liberation of Bitche, France, on March 16, 2025; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to members of the 100th Infantry (Century) Division as an expression of the General Assembly's admiration for their legacy of toughness, courage, and determination and appreciation of the importance of this historic victory during World War II.

SENATE JOINT RESOLUTION NO. 368

Celebrating the life of Grover C. Wilson, Jr.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Grover C. Wilson, Jr., an honorable veteran, accomplished entrepreneur, esteemed public servant, and beloved husband, father, and member of the Orange County community, died on January 26, 2025; and

WHEREAS, born in Baltimore, Maryland, Grover Wilson moved to Orange County with his family at a young age and attended Orange County schools in his youth; and

WHEREAS, Grover Wilson joined the United States Air Force in 1960 and served his country with honor and distinction; and

WHEREAS, Grover Wilson was an enterprising and hardworking entrepreneur who found success as the founder and longtime owner of Wilson's Towing, as well as in various other ventures such as farming, logging, electrical work, and automotive repair; and

WHEREAS, Grover Wilson dedicated 18 years to the health, prosperity, and well-being of Orange County as a valued member of the Orange County Board of Supervisors; and

WHEREAS, beyond his businesses and public service, Grover Wilson gave generously of his time to support his community as an active member of the East Orange Ruritan Club; and

WHEREAS, Grover Wilson was a devoted family man who gave everything he had to support his wife and children in all of their endeavors; and

WHEREAS, Grover Wilson will be fondly remembered and dearly missed by his loving wife of 56 years, Linda; his children, Grover and Diane, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Grover C. Wilson, Jr., a treasured member of the Orange County community whose legacy of hard work, love, and service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Grover C. Wilson, Jr., as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 369

Commending Children of the Shenandoah.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, in prehistoric times, molten rock flowed through the earth's crust, cooled, fractured, and formed the majestic granite peaks and sylvan hollows known today as the Blue Ridge Mountains; and

WHEREAS, some 8,000 to 9,000 years ago, Native Americans seasonally visited the area now known as Shenandoah National Park to hunt and gather food and source stone for tools and weapons, and many families later made the mountains their homes; and

WHEREAS, inspired by Yellowstone National Park and other parks in the American West, a national reserve in the Blue Ridge Mountains was first proposed in 1901, but when the campaign stalled, Virginians took it upon themselves to make the park a reality; using eminent domain, the Commonwealth acquired property from numerous landholders and donated the parcels to the federal government, and Shenandoah National Park was established the day after Christmas in 1935; and

WHEREAS, with the creation of the park, nearly 500 families were displaced and several homes were burned and destroyed; some families were resettled in Madison County, but many family cemeteries and artifacts from their homesteads remain in Shenandoah National Park today; and

WHEREAS, the play "Can't Feel At Home" by local Elkton and Shenandoah physician Dr. John Glock is a remarkable play that tells the real truth about the traumatic expulsion of the mountain dwellers; and

WHEREAS, Shenandoah National Park currently encompasses parts of the counties of Page, Warren, Rockingham, Augusta, Greene, Madison, Rappahannock, and Albemarle; and

WHEREAS, Shenandoah National Park is made up of three districts: North District, Central District, and South District; Rapidan Camp, which lays in the South District, was built in 1929 and served as a rural retreat and the wilderness White House during the presidency of Herbert Hoover; Brown House, the presidential cabin, has been historically refurnished, and the Prime Minister's Cabin offers exhibits on Hoover's life and times; and

WHEREAS, Shenandoah National Park was the first national park to host the Civilian Conservation Corps (CCC), and the 10,000 CCC members who lived and worked in Shenandoah National Park from 1933 to 1942 built visitor centers, picnic grounds, trails, and much of the infrastructure visitors still rely on to this day; and

WHEREAS, civil rights have also played a role in Shenandoah National Park's history; Lewis Mountain in the park's Central District was the segregated area of the park from 1935 to 1950, and the "Negro Area" sign from Lewis Mountain is now part of an exhibition presenting the history of the park at Byrd Visitor Center; and

WHEREAS, in 1976, the United States Congress declared almost half of the park as protected wilderness; 500 miles of trails, consisting of 101 miles of the Appalachian Trail, lead visitors to waterfalls, panoramic views, protected wilderness, and preserved human history in the Shenandoah Valley; and

WHEREAS, Shenandoah National Park is a national treasure that has served generations of Virginians and visitors from around the country and the world, but its complex history has often been overlooked; and

WHEREAS, Children of the Shenandoah, an organization of the descendants of families removed from the Blue Ridge Mountains to make way for Shenandoah National Park, strives to preserve family traditions and local history with respect and dignity; and

WHEREAS, Children of the Shenandoah has worked with the Blue Ridge Heritage Project, James Madison University, and Chaz Haywood, Clerk of Courts for Rockingham County, to preserve the history of these displaced families in a variety of ways; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Children of the Shenandoah for preserving the memory of the nearly 500 families and their descendants who suffered the loss of land and homes in the creation of Shenandoah National Park; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare copies of this resolution for presentation to Children of the Shenandoah and the superintendent of Shenandoah National Park as an expression of the General Assembly's appreciation for the significance of the park's history and admiration for its current standing as one of the finest national parks in the United States.

SENATE JOINT RESOLUTION NO. 370

Commending Linda Ford.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Linda Ford, a respected professional and dedicated public servant from Chesterfield, will retire from the Department of Motor Vehicles on March 24, 2025; and

WHEREAS, Linda Ford grew up in Annandale, attended Annandale High School, graduated from the University of Virginia with a master's degree in sociology, and, in 1993, married her husband of more than 31 years, Gary; together they have raised two children, Justin and Hunter; and

WHEREAS, Linda Ford began her career with the Commonwealth with the Joint Legislative Audit and Review Commission in 1987 and then joined the staff of the Department of Motor Vehicles (DMV) in 2004; and

WHEREAS, Linda Ford served as the director of business and analytical services for the DMV from 2010 to 2014, leading many of the agency's priority initiatives to enhance customer service, expand the agency's service offerings, and streamline processes to reduce expenses; and

WHEREAS, Linda Ford served as the DMV's assistant commissioner for governmental affairs from 2014 to 2021, successfully leading innovative programs such as the issuance of Virginia vital records at DMV offices and the implementation of the federal REAL ID Act in the Commonwealth; and

WHEREAS, Linda Ford served as the deputy commissioner and chief operating officer for the DMV between 2021 and 2025, overseeing an extensive portfolio encompassing many core functions of the agency, including field operations, motor carrier services, central office driver and vehicle services, legislative services, data management and analytics, and information security; and

WHEREAS, between 2022 and 2023, Linda Ford served as acting commissioner of the DMV, becoming the first woman to hold the position in the agency's 100-year history; and

WHEREAS, Linda Ford, a cherished and admired executive staff member of the DMV, has become well-known and respected by many through her distinguished and dedicated service; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Linda Ford, longtime employee of the Department of Motor Vehicles, on the occasion of her retirement; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Linda Ford as an expression of the General Assembly's admiration for her service to the Commonwealth.

SENATE JOINT RESOLUTION NO. 371

Commending Hoda Kotb.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, Hoda Kotb, an award-winning journalist who was a familiar face to countless Americans as a co-host and contributor to several news and entertainment programs on NBC News, retired as one of the main co-anchors of the network's flagship morning show, *Today*, in 2025; and

WHEREAS, born in Oklahoma to Egyptian immigrants, Hoda Kotb spent a large portion of her youth in Northern Virginia and attended Fort Hunt Elementary School, Stephen C. Foster Intermediate School, and Fort Hunt High School; and

WHEREAS, Hoda Kotb continued her education at Virginia Polytechnic Institute and State University, where she was a member of Delta Delta Delta sorority and received a bachelor's degree in broadcast journalism; she later returned to her alma mater as a keynote speaker in 2008 and served a three-year term on the Virginia Tech Alumni Association Board of Directors beginning in 2010; and

WHEREAS, Hoda Kotb began her career with a CBS affiliate station in Mississippi, then worked at CBS and ABC affiliates in Illinois, Florida, and Louisiana before joining NBC News as a national correspondent and a contributing anchor for *Dateline* in 1998; and

WHEREAS, in 2007, Hoda Kotb became the original host of the *Today* show's fourth-hour weekday morning broadcast; the following year, she was joined by Kathie Lee Gifford as co-host, an iconic pairing that defined mid-morning television in the United States for more than a decade; and

WHEREAS, during their long tenure as co-hosts of the *Today* show's fourth hour, Hoda Kotb and Kathie Lee Gifford were household names throughout the nation, well known for their effortless chemistry and hilarious on-screen antics; and

WHEREAS, after Kathie Lee Gifford's retirement, Hoda Kotb continued her co-hosting duties with Jenna Bush Hager, further demonstrating her range and flexibility as an anchor and maintaining the program's reputation as a staple of mid-morning television; and

WHEREAS, in 2017, Hoda Kotb was selected as an interim co-anchor of the *Today* show's morning news broadcast; she and Savannah Guthrie were subsequently named the full-time co-anchors in 2018, becoming the first female anchor duo to ever lead the program and overseeing a jump in ratings during their tenure; and

WHEREAS, Hoda Kotb has also been an outspoken advocate and inspirational supporter for breast cancer survivors, earning high praise for her candor and humility by allowing the *Today* show to follow her own battle with breast cancer; and

WHEREAS, when Hoda Kotb announced that she would retire as a *Today* show anchor in January 2025, it marked the end of an era for NBC News; she presided over many years of success for the show, which won Daytime Emmy Awards for Outstanding Morning Program in 2010, 2011, and 2012; and

WHEREAS, among numerous other awards and accolades, Hoda Kotb has received a Daytime Emmy Award for Outstanding Informative Talk Show Host, the Edward R. Murrow Award, multiple Gracie Awards, the Headliner Award, the Peabody Award, the Webby Award for Online Film & Video, and the Matrix Award; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Hoda Kotb, a former Alexandria resident and nationally renowned journalist, on the occasion of her retirement as one of the main co-anchors of the *Today* show on NBC News; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Hoda Kotb as an expression of the General Assembly's admiration for her legacy of contributions to journalism and commitment to excellence in television news programming.

SENATE JOINT RESOLUTION NO. 372

Commending the Honorable L.A. Harris, Jr.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, the Honorable L.A. Harris, Jr., an exemplary jurist in Henrico County, retired as a judge of the 14th Judicial Circuit of Virginia on February 1, 2025; and

WHEREAS, L.A. Harris is a proud, lifelong resident of Henrico County and a graduate of Hermitage High School, Virginia Commonwealth University, and the University of Richmond School of Law; and

WHEREAS, after completing his education, L.A. Harris worked as a prosecutor for the Henrico County Commonwealth's Attorney, then went into private practice; he was subsequently appointed as a special justice by the Henrico County Circuit Court and handled civil commitment hearings from 1981 to 1987; and

WHEREAS, L.A. Harris was next appointed as the Henrico County Commonwealth's Attorney, then was selected as a judge of the Henrico County General District Court of the 14th Judicial District of Virginia in March 1988; and

WHEREAS, two years later, L.A. Harris was appointed to the Henrico County Circuit Court of the 14th Judicial Circuit of Virginia, where he presided with great fairness and wisdom for the next 35 years; and

WHEREAS, during his tenure on the bench, L.A. Harris served on numerous committees and was a sought-after presenter for conferences and seminars, serving as a trusted mentor to generations of younger attorneys and judges; and

WHEREAS, at the time of his retirement, L.A. Harris was both the longest serving judge and the longest serving circuit court judge in the Commonwealth; and

WHEREAS, L.A. Harris served the residents of Henrico County with the utmost integrity, dedication, and distinction, and the Henrico County Courts Building was renamed as the L.A. Harris, Jr. Courts Building in his honor; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Honorable L.A. Harris, Jr., on the occasion of his retirement as a judge; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Honorable L.A. Harris, Jr., as an expression of the General Assembly's admiration for his contributions to the legal profession and service to the residents of Henrico County and the Commonwealth.

SENATE JOINT RESOLUTION NO. 373

Commending Chesterfield County.

Agreed to by the Senate, February 13, 2025
Agreed to by the House of Delegates, February 17, 2025

WHEREAS, in 2024, Chesterfield County was reaffirmed a AAA bond rating for its water and sewer revenue bonds from Fitch Ratings, demonstrating its robust water and sewer infrastructure; and

WHEREAS, the Chesterfield County Utilities Department has been recognized as a AAA rated utility since 2002, one of only nine combined water and sewer public utilities to hold this designation in the country; it is the highest rating achievable and recognizes the department for its leadership, financial achievements, affordable rates, and historically solid financial position; and

WHEREAS, the Chesterfield County Utilities Department provides water service to more than 123,000 customers and wastewater service to approximately 105,000 customers; and

WHEREAS, Chesterfield County, a member of the Appomattox River Water Authority, purchases and distributes water from the Appomattox River Water Authority and the City of Richmond, in addition to water from its own treatment plant on the Swift Creek Reservoir; and

WHEREAS, Chesterfield County, a member of the South Central Wastewater Authority, maintains two wastewater treatment plants at Falling Creek and Proctor's Creek and purchases treatment services from the South Central Wastewater Authority; and

WHEREAS, Chesterfield County has maintained reasonable operating costs for its water and wastewater systems while addressing critical investment needs; and

WHEREAS, Chesterfield County's purposeful investment and vigilant maintenance of its water infrastructure has resulted in the cultivation of multiple water sources and the development of numerous system redundancies, allowing the Chesterfield County Utilities Department to respond to natural disasters and other crisis situations efficiently and effectively; and

WHEREAS, after a severe weather event in January 2025 that resulted in limited water service and boil water advisories in several localities, Chesterfield County was able to seamlessly transition to alternative water sources and maintain a normal supply level of safe drinking water; and

WHEREAS, thanks to its resilient infrastructure, Chesterfield County was also able to provide assistance to individuals affected by the water crisis in the City of Richmond, allowing providers of essential services, including Chippenham Hospital, to maintain operations; and

WHEREAS, Chesterfield County's long-term rate models and capital plans help with rate stabilization, resulting in the lowest user fees in the region; and

WHEREAS, Chesterfield County's plans for a fourth water source are in final state and federal approval processes, and the additional water quality security and capacity will further help sustain customer demands and support economic development projects; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Chesterfield County on receiving an AAA bond rating for its water and sewer revenue bonds; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Chesterfield County as an expression of the General Assembly's admiration for its commitment to maintaining strong infrastructure.

SENATE JOINT RESOLUTION NO. 374

Celebrating the life of Joseph Lee Dean McClellan.

Agreed to by the Senate, February 19, 2025

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Joseph Lee Dean McClellan, a devoted husband, beloved family man, entrepreneur, and steadfast pillar of the Nelson County community, passed away peacefully on January 29, 2025; and

WHEREAS, Joseph "Joe" Lee spent his early childhood in Arlington, where he developed a love for adventure; during World War II, he lived with his grandparents in southern Georgia, where, even at an early age, his bold personality shone through; and

WHEREAS, when his father purchased the Nelson Movie Theater, Joe Lee quickly became a part of the Lovingston community, where he joined the Boy Scouts and enjoyed camping at Lake Monocan; he graduated from Nelson County High School and attended the University of Virginia, where he was a photographer for the *Cavalier Daily*; and

WHEREAS, Joe Lee was drafted into the United States Army during the Korean War, where he served as a medic and a military police officer; while stationed abroad, he also operated newsreels and movies for the troops; and

WHEREAS, after his military service, Joe Lee became a successful businessman and innovator, operating a truck stop, restaurants, grocery stores, a fuel oil distributorship, and residential and commercial properties; and

WHEREAS, as the owner of Nelson Cable, Joe Lee revolutionized telecommunications in rural Virginia, earning recognition as an industry leader by bringing cable television, high-speed broadband, and phone services to the Nelson County region; and

WHEREAS, Joe Lee's commitment to the community went beyond business; he helped establish the Blue Ridge Medical Center and the Nelson Center and served as a member of Calvary Baptist Church, the Nelson County Chamber of Commerce, the Odd Fellows Lodge, the Nelson County Jaycees, the Rotary Club, and the American Legion; and

WHEREAS, Joe Lee is preceded in death by his wife, Betty Jane Johnston McClellan, the love of his life for more than 60 years, and his brother, Iwin Arthur McClellan; he is survived by his two daughters, Elizabeth Denise McClellan Carter and Sarah Lee McClellan Holman, and his beloved granddaughters and other loved ones; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Joseph Lee Dean McClellan, who lived a remarkable life of love, innovation, and dedication to his family and community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Joseph Lee Dean McClellan as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 375

Commending Ruth Anne Walker.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Ruth Anne Walker, a dedicated public servant who led a distinguished career with the Department of Behavioral Health and Developmental Services, retired from public service in December 2024; and

WHEREAS, the Department of Behavioral Health and Developmental Services and the State Board of Behavioral Health and Developmental Services enact regulations to protect the rights and safety of citizens, ensure the delivery of public goods and services, and define responsibilities and procedures that direct and guide community mental health, developmental, and substance use services and facilities; and

WHEREAS, during her 20-year tenure with the Department of Behavioral Health and Developmental Services, Ruth Anne Walker served diligently in numerous roles including confidential assistant, policy administrator, regulatory coordinator, marketing manager, public relations and legislative manager, and policy planning specialist; she completed her career as Director of the Office of Regulatory Affairs and State Board Liaison within the Division of Provider Management on January 1, 2025; and

WHEREAS, during her two decades of service to the Commonwealth, Ruth Anne Walker gave generously of her time, talents, and energy; her work with colleagues at all levels of the organization and her collaboration with a wide range of stakeholders, conducted with honesty, integrity, and forthrightness, personify the best virtues of a public servant; and

WHEREAS, Ruth Anne Walker has served as a vital catalyst to actualize meaningful system structures, such as the Virginia Victims of Eugenics Sterilization Compensation Program, which provided recompense for people involuntarily sterilized according to the Virginia Sterilization Act of 1924; and

WHEREAS, the Commonwealth owes Ruth Anne Walker a debt of gratitude for her steadfast leadership, professionalism, and personal commitment; for her conscientious influence in defending the self-determination, empowerment, and recovery of individuals; and for her many other actions supporting a life of possibilities for all Virginians; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Ruth Anne Walker on the occasion of her retirement for her exemplary devotion and admirable service to the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Ruth Anne Walker as an expression of the General Assembly's admiration for her contributions to the citizens of the Commonwealth.

SENATE JOINT RESOLUTION NO. 376

Commending hemp farmers in Virginia.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, hemp farmers in Virginia support the production of numerous items that not only benefit consumers, but enhance other aspects of the agricultural sector; and

WHEREAS, many of the Commonwealth's hemp farmers produce hemp-based animal bedding, which has proven to be a superior option for animal health and environmental sustainability, offering a natural, hypoallergenic, and absorbent alternative to traditional bedding materials; and

WHEREAS, horse farmers, livestock farmers, and companion animal owners throughout the Commonwealth work hard to provide the best care for their animals and recognize that hemp-based animal bedding can significantly reduce odors, dust, and the risk of mold and mildew, creating a healthier environment for animals and farmers alike; and

WHEREAS, certain hemp-based animal bedding products have also earned the prestigious Climate Smart certification from the U.S. Department of Agriculture, demonstrating a strong commitment to environmentally friendly practices and reduced greenhouse gas emissions; and

WHEREAS, the hemp farmers that produce Climate Smart certified hemp-based animal bedding have contributed to a more sustainable and environmentally conscious approach to animal care, aligning with the Commonwealth's efforts to promote eco-friendly practices and mitigate climate change; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend hemp farmers in Virginia for their innovative practices within the industry and commitment to environmental sustainability; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to hemp farmers in Virginia as an expression of the General Assembly's admiration for their work to reduce their environmental footprint through the use of hemp-based animal bedding and other eco-friendly practices.

SENATE JOINT RESOLUTION NO. 377

Celebrating the life of Elizabeth Boden.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Elizabeth Boden, an esteemed member of Loudoun County Community Corrections, the Loudoun County judicial system, and a beloved member of the Manassas community, died on July 17, 2024; and

WHEREAS, Elizabeth Boden served as a senior probation officer with Loudoun County Community Corrections for 29 years, working tirelessly to help individuals, particularly those with mental illness, improve their lives and become productive members of their communities; and

WHEREAS, Elizabeth Boden served as a valued founding member of the Loudoun County Mental Health Docket; and

WHEREAS, Elizabeth Boden fostered many close and meaningful friendships in her lifetime, and her kindness and generosity, perseverance and selflessness, and thoughtfulness and humor made an impact on all who knew her; and

WHEREAS, Elizabeth Boden found immense joy in the outdoors, whether she was out fishing on the water or tending to her beautiful garden; and

WHEREAS, Elizabeth Boden will be fondly remembered and dearly missed by her loving children, Lyndsi and Randall; her siblings, Bobby and Suzy; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Elizabeth Boden, a cherished member of the Loudoun County judicial community whose light brightened countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Elizabeth Boden as an expression of the General Assembly's respect for her memory.

SENATE JOINT RESOLUTION NO. 378

Celebrating the life of Harry Arthur Tenney.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Harry Arthur Tenney, an honorable veteran, successful businessman and insurance agent, and an active and beloved member of the Charlottesville community, died on September 5, 2024; and

WHEREAS, one of nine children raised on a farm in Paramus, New Jersey, Harry Tenney graduated from Ridgewood High School in Ridgewood, New Jersey, before joining the United States Army in 1953 and honorably serving his country as a radar technician while stationed in Japan; and

WHEREAS, following his service, Harry Tenney attended Fairleigh Dickinson University with support from the Servicemen's Readjustment Act of 1944 and later transferred to Michigan State University, where he met his future wife, Chica; and

WHEREAS, after living for some time in New York City and Washington, D.C., Harry Tenney and his family relocated to Charlottesville when he took a job as a general sales manager at Peyton Pontiac, Cadillac, Datsun, which he later acquired; and

WHEREAS, later in his career, Harry Tenney sold his dealership and ultimately worked for New York Life Insurance Company for many years; and

WHEREAS, in the early 1970s, Harry Tenney supported the students, teachers, and families of Charlottesville as a member of the Charlottesville School Board; and

WHEREAS, Harry Tenney gave generously of his time to encourage people to embrace their civic duty and often volunteered at polling stations on election days; and

WHEREAS, Harry Tenney was a master gardener and beekeeper, an avid birdwatcher and fisherman, and an accomplished chef and baker, who found great joy at his 1880s farmhouse in Buckingham County, which he meticulously restored; and

WHEREAS, preceded in death by his wife of 62 years, Chica, Harry Tenney will be fondly remembered and dearly missed by his children, Elizabeth and John, and their families; and by numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Harry Arthur Tenney, a treasured member of the Charlottesville community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Harry Arthur Tenney as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 379

Celebrating the life of the Honorable Walter Benjamin Keister, Sr.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, the Honorable Walter Benjamin Keister, Sr., a dedicated public servant who enhanced the quality of life in several communities in Southwest Virginia as a former mayor of the Town of Dublin and a former member of the House of Delegates, died on March 23, 2024; and

WHEREAS, Benjamin "Benny" Keister was born in Radford and was the first baby delivered at the former Radford Community Hospital; and

WHEREAS, Benny Keister earned a bachelor's degree from East Tennessee State University and a master's degree from Radford University, then pursued a career in education as a science teacher with Montgomery County Public Schools; and

WHEREAS, desirous to be of further service to the community, Benny Keister ran for and was elected to the Dublin City Council; he served in that capacity from 1986 to 1989, then was elected as mayor from 1989 to 1997; and

WHEREAS, Benny Keister next served as a member of the House of Delegates from 2000 to 2005, during which time he built bipartisan consensus and supported many pieces of legislation to benefit his district and the Commonwealth as a whole; and

WHEREAS, during his tenure as a state lawmaker, Benny Keister strove to be a voice for the rural communities of Southwest Virginia and prioritized outstanding constituent service by working directly with community members to better understand their needs and address their concerns; and

WHEREAS, Benny Keister supported regional economic development and played an important role in the establishment of the Pepsi and Gatorade bottling plants in Wytheville and James Hardie Building Products in Pulaski; and

WHEREAS, Benny Keister offered his leadership to enhance public safety as a magistrate for the Pulaski County Sheriff's Office and programs director of the New River Valley Regional Jail, and he was a life member of the Pulaski County Life Saving Crew; and

WHEREAS, in all of his endeavors, Benny Keister served his community and the Commonwealth with integrity, dignity, and the utmost dedication; and

WHEREAS, Benny Keister will be fondly remembered and greatly missed by his lifelong partner, Harriet Anderson; his son, Bo, and his family; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of the Honorable Walter Benjamin Keister, Sr., an esteemed public servant in Southwest Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of the Honorable Walter Benjamin Keister, Sr., as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 380

Commending Rising Mount Zion Baptist Church.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, for 155 years, Rising Mount Zion Baptist Church of Richmond has faithfully served its congregation and the community by providing uplifting spiritual guidance, meaningful opportunities for fellowship and worship, and numerous occasions for charitable outreach; and

WHEREAS, tracing its origins to a small prayer group led by the Reverend Daniel James, Rising Mount Zion Baptist Church held its first formal service on May 10, 1869, in a Quaker schoolhouse in the Fulton neighborhood of Richmond; and

WHEREAS, in 1874, Rising Mount Zion Baptist Church purchased the Quaker schoolhouse in Fulton, using it as its place of worship until the 1890s when the church began its transition to a new site at the intersection of Graham and Erin Streets; since the 1970s, the church has been at its present location at the intersection of Hartman Street and Elkridge Lane; and

WHEREAS, from its first pastor, the Reverend Horatio Harris, to its current pastor, the Reverend Roscoe D. Cooper III, Rising Mount Zion Baptist Church has been led by a distinguished line of pastors, each of whom has contributed to the spiritual, social, and financial well-being of the church and the community; and

WHEREAS, Rising Mount Zion Baptist Church has continually pursued its mission through a variety of member groups, initiatives, and ministries, including several leadership boards, choirs, and outreach programs designed to serve its congregation, the Richmond community, and beyond; and

WHEREAS, the church has regularly renovated and expanded its facilities over the years to provide a safe, welcoming, and inspiring place of worship and to ensure that its physical space meets the needs of its growing congregation; and

WHEREAS, the remarkable achievements of Rising Mount Zion Baptist Church are the result of the vision and dedication of its leaders and the steadfast commitment and efforts of its members; and

WHEREAS, Rising Mount Zion Baptist Church has been a spiritual home to countless individuals and families since its founding and is an important part of what makes Richmond a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Rising Mount Zion Baptist Church on the occasion of its 155th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Rising Mount Zion Baptist Church as an expression of the General Assembly's admiration for the church's history and its contributions to the Commonwealth.

SENATE JOINT RESOLUTION NO. 381

Commending Sally Bell's Kitchen.

Agreed to by the Senate, February 19, 2025

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Sally Bell's Kitchen, a renowned institution in downtown Richmond, has served mouthwatering traditional southern dishes, often neatly packed into the restaurant's iconic cardboard lunch boxes, to generations of loyal customers for 100 years; and

WHEREAS, Sally Bell's Kitchen was established in 1924 by Sarah "Sallie" Cabell Jones and Elizabeth Lee Milton, who met at the Richmond Exchange for Woman's Work, a private organization where women could sell homemade goods; the duo developed a plan to make simple, delicious food from scratch and sell it wholesale to local grocers and restaurants, christening their business Sarah Lee's Kitchen, a combination of their names; and

WHEREAS, after about five years, Elizabeth Milton moved to New York, and Cabell Jones became the sole proprietor of Sarah Lee's Kitchen; she copyrighted the restaurant's name, created its recognizable logo of a woman holding a basket, and opened a takeout counter at its Grace Street location to sell directly to local residents; and

WHEREAS, in its early years, Sarah Lee's Kitchen sold sweet potato and mincemeat pies, biscuits, tarts, cakes, and cookies, but it quickly became best known for its lunch boxes—a sandwich, a side, a deviled egg, a pecan-topped cheese wafer, and an upside-down cupcake slathered in icing, all wrapped in checkerboard wax paper, tucked into a cardboard box, and tied up with string; and

WHEREAS, in 1959, when the national baked goods company Sara Lee expanded into the region, Sarah Lee's Kitchen rebranded as Sally Bell's Kitchen, posting an advertisement that read, "Same products, same location, same personnel" to reassure its loyal customers; and

WHEREAS, loyalty has been a hallmark of Sally Bell's Kitchen, with many employees spending upwards of 50 years at the business and some spending their entire career there, building strong relationships with community members that have endured across generations; and

WHEREAS, Richmond residents have brought their children, grandchildren, and great-grandchildren to Sally Bell's Kitchen to share a taste of tradition, with meals made from recipes and techniques that date back to the restaurant's founding; and

WHEREAS, in the 1960s, Cabell Jones sold Sally Bell's Kitchen to her nephew and his wife, Hunter and Cene Jones, and in the 1980s, their son and daughter-in-law, Scott and Martha Jones, became the third generation of the Jones family to own and operate the business; and

WHEREAS, in 2014, Sally Bell's Kitchen moved from its longtime location on Grace Street to a new space across from the Science Museum of Virginia on West Broad Street, where it has maintained its commitment to excellence; and

WHEREAS, among many awards and accolades over the years, Sally Bell's Kitchen was the first-ever restaurant in the Commonwealth to earn the American Classic Award from the James Beard Foundation, exemplifying its lasting appeal, exceptional food, and beloved role in the community; and

WHEREAS, to commemorate its 100th anniversary, Sally Bell's Kitchen organized a celebration in October 2024 and brought back several classic baked goods from the restaurant's earlier days; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Sally Bell's Kitchen, a legendary eatery in Richmond, on the occasion of its 100th anniversary of service to the community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Sally Bell's Kitchen as an expression of the General Assembly's admiration for the restaurant's storied history and legacy of success as a family-owned business.

SENATE JOINT RESOLUTION NO. 382

Commending Children's Home Society of Virginia.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Children's Home Society of Virginia celebrates 125 years of serving the children of the Commonwealth in 2025; and

WHEREAS, Children's Home Society of Virginia is a private, nonprofit, nonsectarian, full-service, licensed child placing agency that serves the entire Commonwealth and whose mission is to create strong, permanent families and lifelong relationships for Virginia's children and youth; and

WHEREAS, Children's Home Society of Virginia began in 1899 when a group of concerned citizens, deeply troubled by the care offered in orphanages, banded together to help abandoned and neglected children; and

WHEREAS, the General Assembly chartered Children's Home Society of Virginia on January 30, 1900, with John Garland Pollard, who became the governor of the Commonwealth in 1930, as a founding member of the organization's board of directors; and

WHEREAS, since 1900, the staff of Children's Home Society of Virginia has worked diligently to serve more than 17,000 children, youth, and families; and

WHEREAS, in 1998, Children's Home Society of Virginia began partnering with local departments of social service agencies to help facilitate the placement of hundreds of children and youth from the foster care system into adoptive homes; and

WHEREAS, in 2007, Children's Home Society of Virginia began serving as a Wendy's Wonderful Kids site, a program of the Dave Thomas Foundation for Adoption, to recruit adoptive parents for children who have waited extended periods in foster care to be placed into adoptive families; and

WHEREAS, Children's Home Society of Virginia not only finds permanent homes for children of all ages, but also offers a lifetime of post-adoption supports to the Commonwealth's adoptive families and adoptees, including parent coaching, family supports and engagement activities, respite care, and family search and reunion services; and

WHEREAS, in 2016, Children's Home Society of Virginia began partnering with the Better Housing Coalition to create My Path Forward, a signature program that provides housing and a myriad of best practice supports that equip youth who are transitioning from foster care with the skills and resources they need to become independent, productive members of society; and

WHEREAS, in 2024, Children's Home Society of Virginia began providing Family Check-Up, an evidence-based program approved by the Title IV-E Prevention Services Clearinghouse, to provide prevention services to adoptive families who are at risk of disruption; and

WHEREAS, Children's Home Society of Virginia is a permanency-driven organization that embraces the values of top-quality service delivery, working with integrity, maximizing collaborations, demonstrating compassion, and embracing equity and inclusion in all that it does to promote permanency for children and youth; and

WHEREAS, for 125 years, Children's Home Society of Virginia has worked to provide children, from newborns to children with special needs, to older youth who have aged out of foster care, with the healthy, supportive, and permanent adult relationships they need to thrive; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Children's Home Society of Virginia on the occasion of its 125th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the board of directors of Children's Home Society of Virginia as an expression of the General Assembly's respect, admiration, and gratitude for the organization's work to create permanency for the Commonwealth's children and youth.

SENATE JOINT RESOLUTION NO. 383

Commending Charles August Swanson.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, in 2024, Charles August Swanson of Richmond represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, winning a gold medal and a silver medal for Team USA in the 4x100 meter mixed medley relay and 4x100 meter men's medley relay events, respectively; and

WHEREAS, Charles "Charlie" Swanson attended St. Christopher's School in Richmond and the University of Michigan, where he won five Big Ten Conference championship titles, including four consecutive titles in the 400-yard individual medley event; and

WHEREAS, at the Pan American Games in Lima, Peru, in 2019, Charlie Swanson won gold medals in the 400 meter individual medley event and the 4x100 meter mixed freestyle relay event, achieving a world-ranking of fourth in his individual event that year; and

WHEREAS, Charlie Swanson is an eight-time member of the USA Swimming National Team and has swum professionally for Energy Standard in the International Swimming League, helping the team to win a championship in the season he competed; and

WHEREAS, prior to his first appearance at the Olympics, Charlie Swanson competed in the World Aquatics Championships in Budapest, Hungary, in 2022, placing 11th in the 200 meter breaststroke event; and

WHEREAS, through his accomplishments as a competitive swimmer, Charlie Swanson has demonstrated what may be achieved through extraordinary hard work and dedication and brought pride to the Commonwealth; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Charles August Swanson on winning a gold and a silver medal at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Charles August Swanson as an expression of the General Assembly's admiration for his outstanding athletic achievements and best wishes for the future.

SENATE JOINT RESOLUTION NO. 384

Celebrating the life of Thaddeus Rubel Shelly III.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Thaddeus Rubel Shelly III of Williamsburg, a financial planning expert and a beloved husband, father, and grandfather, died on September 8, 2024; and

WHEREAS, Thaddeus "Thad" Shelly grew up in Newport News, where he graduated from Hampton Roads Academy; he was a talented athlete in his youth and was later inducted into the Hampton Roads Athletic Hall of Fame; and

WHEREAS, Thad Shelly continued his education at Hampden-Sydney College, earning a bachelor's degree in economics, then began working as a teacher and coach; and

WHEREAS, Thad Shelly's wife, Totty, encouraged him to pursue a master's degree, and he ultimately received a master of business administration degree in finance from the Raymond A. Mason School of Business at The College of William & Mary; he was a devoted alumnus of the institution and served on its foundation board for 27 years; and

WHEREAS, Thad Shelly began his successful second career in wealth management with Goldman Sachs, then held leadership roles in many other notable financial institutions, including Legg Mason, Bessemer Trust, Lazard, and Tiedemann Advisors; and

WHEREAS, Thad Shelly's career took him to Pennsylvania, New York, Maryland, and Florida, but he was happiest at his summer home on the Rappahannock River in Deltaville, where he made many lasting memories with loved ones; and

WHEREAS, Thad Shelly showed great courage and strength following a cancer diagnosis and the last six years of his life served as an inspiration to many, as he faced difficult treatments with grace and dignity in spite of the odds against him; and

WHEREAS, Thad Shelly will be fondly remembered and greatly missed by his beloved wife of 42 years, Totty; his children, Charlie, Jay, Will, and Lee, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Thaddeus Rubel Shelly III, a leader in financial management and an active member of the community in Williamsburg; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Thaddeus Rubel Shelly III as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 385

Celebrating the life of Richard Morris Bagby Rennolds.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Richard Morris Bagby Rennolds, an esteemed historic preservationist and education leader and beloved member of the Richmond community, died on December 7, 2024, in Richmond, Virginia; and

WHEREAS, a 14th generation Virginian and 10th generation native of Essex County, Richard Rennolds grew up on his family's farm in Rexburg and graduated from The College of William & Mary; and

WHEREAS, Richard Rennolds began a distinguished career dedicated to preserving the history and heritage of the Commonwealth with what was formerly the Association for the Preservation of Virginia Antiquities, where he held various prominent roles, including director of development, director of Bacon's Castle in Surry County, and assistant director of the Historic Jamestown Settlement; and

WHEREAS, Richard Rennolds' renown in the area of historic preservation led him to play a substantial role in the preservation of several significant properties both in the Commonwealth and along the East Coast, including the Armistead House in Colonial Williamsburg, Menokin in Warsaw, and Eagle's Nest in Charles City County; and

WHEREAS, Richard Rennolds' passion for historic homes brought him back to Tappahannock in 1980, and through several years of hard work, he restored Emerson's Ordinary on Water Lane, an early 1700s structure, into a functioning tavern; and

WHEREAS, Richard Rennolds was a devoted student of genealogy and history and enjoyed life memberships with several honored societies, including the Jamestown Society, First Families of Virginia, Sons of the Revolution, the General Society of Mayflower Descendants, and the Saint Andrew's Society, which connected him to his family's proud Scottish heritage; and

WHEREAS, in later years, Richard Rennolds supported the growth and success of academic institutions in the Commonwealth, first as the director of development at Saint Margaret's School in Tappahannock and then at Richard Bland College of The College of William & Mary; and

WHEREAS, Richard Rennolds gave generously of his time to support and mentor young adults in myriad ways, helping them to make their way through college and achieve rewarding and fulfilling careers; and

WHEREAS, Richard Rennolds will be fondly remembered and dearly missed by his sons, Richard II and Davis, and their families; his longtime partner, Robyn Cartwright; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Richard Morris Bagby Rennolds, a cherished member of the Richmond community whose dedication and service made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Richard Morris Bagby Rennolds as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 386

Celebrating the life of Michael Alden Breeden.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Michael Alden Breeden of Elkton, a longtime public servant who made numerous contributions to the residents of Rockingham County in a variety of leadership roles, died on December 6, 2024; and

WHEREAS, Michael "Mike" Breeden was born in Harrisonburg and had deep family roots in the Shenandoah Valley; he cofounded E.A. Breeden, Inc., in 1980 and provided exceptional industrial maintenance services to the community for many years; and

WHEREAS, Mike Breeden first took office as a member of the Rockingham County Board of Supervisors in 1999 and represented the residents of Elkton, McGaheysville, Massanutten, and surrounding communities in District 5 for 23 years; and

WHEREAS, among his proudest achievements as a member of the Rockingham County Board of Supervisors, Mike Breeden oversaw the establishment of East Rockingham High School to alleviate overcrowding at Spotswood High School; and

WHEREAS, Mike Breeden provided leadership and offered wise insights to several committees and other civic organizations, including the Social Services Advisory Board, the Blue Ridge Committee for Shenandoah Park Relations, the Health and Human Services Steering Committee of the Virginia Association of Counties, the Greater Shenandoah Valley Brain Injury Association, the March of Dimes, the Elkton Community Center, and the Rockingham County Department of Fire and Rescue; and

WHEREAS, Mike Breeden also served as chair of the Rockingham County Committee of the Blue Ridge Heritage Project, where he played a vital role in preserving the history of families who had been displaced during the construction of Shenandoah National Park; and

WHEREAS, Mike Breeden enjoyed fellowship and worship with the community as an active member of St. Stephen and the Good Shepherd Episcopal Church; and

WHEREAS, outside of his career, Mike Breeden enjoyed vintage Cadillacs, Corvettes, and muscle cars, and relished every opportunity to support his children and grandchildren in all their endeavors; and

WHEREAS, predeceased by one daughter, Emily, Mike Breeden will be fondly remembered and greatly missed by his wife, Peggy; his children, Michael and Kelly, and their families; his parents, Edward and Mary; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Michael Alden Breeden; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Michael Alden Breeden as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 387

Commending Colonel Gary T. Settle.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, in 2025, Colonel Gary T. Settle retires as the superintendent of the Virginia State Police after seven years of service in that capacity and more than 40 years of service as a law-enforcement officer; and

WHEREAS, a native of Rappahannock County, Gary Settle graduated from the Virginia State Police Academy as the class president of the 78th Basic Session; he was initially assigned to the Culpeper Division as a patrol trooper in Frederick County and Clarke County; and

WHEREAS, while Gary Settle continued to rise through the ranks of the Virginia State Police, he also served as the sheriff of Rappahannock County from 1996 to 2000; he was selected as the deputy director of the Virginia State Police's Bureau of Criminal Investigation in 2015, then became director in 2017; and

WHEREAS, Gary Settle was appointed as the superintendent of the Virginia State Police by Governor Ralph Northam in 2018 and reappointed to the position by Governor Glenn Youngkin in 2022; and

WHEREAS, as the head of the Virginia State Police, Gary Settle oversaw all aspects of the Commonwealth's top law-enforcement agency, from public relations, professional standards, background checks, and administrative duties to uniformed patrol, executive protection, criminal investigations, counter-terrorism, and other field operations; and

WHEREAS, during his tenure as superintendent of the Virginia State Police, Gary Settle worked closely with thousands of sworn officers and civilian staff members across the Commonwealth to address a wide range of public safety issues, including natural disasters, protests, and high-profile cases; and

WHEREAS, Gary Settle served the Commonwealth with the utmost integrity and distinction, and his exceptional leadership, dedication to community engagement, and unwavering commitment to public service have left the Virginia State Police well-poised to meet the challenges of the future after his retirement; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Colonel Gary T. Settle on the occasion of his retirement as superintendent of the Virginia State Police; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Colonel Gary T. Settle as an expression of the General Assembly's admiration for his achievements in service to the residents of the Commonwealth as an esteemed law-enforcement officer.

SENATE JOINT RESOLUTION NO. 388

Commending Voices for Virginia's Children.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, for more than three decades, Voices for Virginia's Children has provided evidence-based, community-focused advocacy to enhance the lives of children throughout the Commonwealth; and

WHEREAS, established in 1994 by a nonpartisan group of child welfare advocates with support from the Freddie Mac Foundation and the Annie E. Casey Foundation, Voices for Virginia's Children is the Commonwealth's only independent, multi-issue child policy and advocacy organization; and

WHEREAS, Voices for Virginia's Children strives to support all young people, specializing in issues related to early childhood, child welfare, health and mental health, and family economic security; and

WHEREAS, Voices for Virginia's Children promotes thought-provoking debate and discussion about children's issues and provides information about solutions that research and experience have demonstrated will benefit young people; and

WHEREAS, Voices for Virginia's Children mobilizes community members and partner organizations to advocate for changes in programs, priorities, and systems that result in better outcomes for young people; and

WHEREAS, as the home of the KIDS COUNT Data Center, Voices for Virginia's Children is one of the best, most up-to-date sources of statistical data about young people in the Commonwealth and analyzes trends and models to identify the root problems young people are facing; and

WHEREAS, Voices for Virginia's Children also established the Virginia's Youth in Action youth leadership program, which enhances young people's abilities to engage with local and state officials and advance their communities through advocacy, storytelling, and civic engagement; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Voices for Virginia's Children on the occasion of its 30th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Voices for Virginia's Children as an expression of the General Assembly's admiration for the organization's legacy of contributions to young people.

SENATE JOINT RESOLUTION NO. 389

Commending Janet Gullickson, Ed.D.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Janet Gullickson, Ed.D., an accomplished education leader who is notably the first woman to serve as president of Germanna Community College, where she has been the chief executive for the past eight years, will retire in July 2025; and

WHEREAS, in preparation for her career, Janet Gullickson earned a bachelor's degree in sociology and psychology from the University of South Dakota, a master's degree in rural sociology and planning from South Dakota State University, and a doctorate of education in leadership and higher education policy from the University of Minnesota; and

WHEREAS, Janet Gullickson's illustrious career in higher education has spanned more than 40 years, during which time she served across various sectors in several states, including as a faculty member, director, vice president, provost, and president; and

WHEREAS, in her role as president of Germanna Community College, Janet Gullickson led one of the largest institutions in the Virginia Community College System, with a staff of more than 800 employees and an annual budget exceeding $55 million; and

WHEREAS, during her tenure, Janet Gullickson promoted educational opportunities that would contribute to workforce development and economic growth in the City of Fredericksburg and the counties of Caroline, Culpeper, King George, Madison, Orange, Spotsylvania, and Stafford; and

WHEREAS, with Janet Gullickson's leadership and support, Germanna Community College has remarkably increased its enrollment every term for the last three years, while receiving multiple national distinctions and developing new, innovative programs and services, such as work-based learning programs and the Amazon Web Services' mobile classroom, the first program of its kind in the nation; and

WHEREAS, Janet Gullickson's success has been the result of her ability to cultivate productive partnerships with industry leaders and the community and to motivate and inspire her students, faculty, and staff; and

WHEREAS, through her unwavering commitment to the institution and students she serves, Janet Gullickson leaves Germanna Community College well positioned to continue making a positive and lasting impact on the Greater Fredericksburg region for years to come; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Janet Gullickson, Ed.D., on the occasion of her retirement as president of Germanna Community College; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Janet Gullickson, Ed.D., as an expression of the General Assembly's admiration for her contributions to the Commonwealth and best wishes for her future endeavors.

SENATE JOINT RESOLUTION NO. 390

Celebrating the life of Henry Conrad Warlick, Ed.D.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Henry Conrad Warlick, Ed.D., an honorable veteran, accomplished education administrator, and an active and beloved member of the Fredericksburg community, died on July 3, 2024; and

WHEREAS, a native of North Carolina, Conrad Warlick earned a bachelor's degree from Wake Forest College, now known as Wake Forest University, in 1951, a master's degree from the University of North Carolina at Chapel Hill in 1953, and a doctor of education degree from the University of Virginia in 1971; and

WHEREAS, Conrad Warlick served his country with honor and distinction from 1953 to 1957 as an officer in the United States Navy and as chief of operations on the USS *Pictor* while it was stationed in the Pacific; and

WHEREAS, Conrad Warlick taught at Wake Forest College from 1957 to 1960 and then at the University of Virginia while he was pursing his doctoral degree, where he ultimately served as associate dean of undergraduate admissions; and

WHEREAS, Conrad Warlick joined the administration at what is today the University of Mary Washington in 1974 as its vice president for admissions and financial aid and assisted the institution in various leadership capacities, including as executive assistant to the president and senior vice president, until his retirement in 1997; and

WHEREAS, Conrad Warlick supported higher education through his membership in a number of state, regional, and national college admissions organizations, including the Potomac and Chesapeake Association for College Admission Counseling, where he served as president and which presented him its Apperson Award for outstanding service; and

WHEREAS, Conrad Warlick fostered the growth and development of Fredericksburg as a member of the board of directors of the Fredericksburg Chamber of Commerce and the Industrial Development Authority for the City of Fredericksburg, where he served as secretary and then chair; and

WHEREAS, Conrad Warlick gave generously of his time for the benefit of the community through his involvement with The Salvation Army, the University of Mary Washington Foundation, United Way, and his local chapter of Kiwanis International, where he served as president; and

WHEREAS, Conrad Warlick promoted education, arts, and culture initiatives in Fredericksburg by serving on the founding boards for the Fredericksburg Academy and the Fredericksburg Festival of the Arts and as a board member and chair of the Friends of the Philharmonic Orchestra of the University of Mary Washington; and

WHEREAS, guided throughout his life by his faith, Conrad Warlick enjoyed worship and fellowship with his community at Trinity Episcopal Church in Fredericksburg; and

WHEREAS, Conrad Warlick will be fondly remembered and dearly missed by his wife, Anne; his children, John and James, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Henry Conrad Warlick, Ed.D., a cherished member of the Fredericksburg community whose dedication and service touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Henry Conrad Warlick, Ed.D., as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 391

Commending Janel Donohue.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Janel Donohue, who greatly served the Greater Fredericksburg community as president of the Rappahannock United Way, retired on June 30, 2024; and

WHEREAS, Janel Donohue became president of the Rappahannock United Way in 2010 and worked tirelessly for 15 years to support individuals and families in need through initiatives promoting education, financial stability, and healthy living; and

WHEREAS, under Janel Donohue's leadership, the Rappahannock United Way successfully raised millions of dollars to assist local nonprofits, implemented the Virginia ALICE Project, increased community engagement through programs such as Prosper Financial Assistance, Prosper Mentoring, and Prosper Students, and cultivated productive partnerships with local businesses, nonprofits, and government agencies to help fulfill the organization's mission; and

WHEREAS, Janel Donohue has received numerous accolades in recognition of her service, including the Fredericksburg Regional Chamber of Commerce's Laurie A. Wideman Enterprising Woman's Award and Fredericksburg Leadership Impact Award, the University of Mary Washington's Women's Leadership Colloquium's Patricia Lacey Metzger Award, the Fredericksburg Host Lions Club's Lion of the Year Award, the Girl Scouts' Women of Distinction Award in Human Relations, and the Stafford Region's Most Influential Women Award; and

WHEREAS, Janel Donohue's sterling leadership and unwavering commitment to the well-being of others have made a profound and lasting impact on countless lives and leave an indelible imprint on the Greater Fredericksburg community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Janel Donohue on the occasion of her retirement from the Rappahannock United Way; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Janel Donohue as an expression of the General Assembly's admiration for her legacy of service and best wishes in her future endeavors.

SENATE JOINT RESOLUTION NO. 392

Commending Teri McNally.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Teri McNally, longtime chief executive officer of the Community Foundation of the Rappahannock River, a nonprofit organization managing and distributing charitable giving in the counties of Stafford, Spotsylvania, King George, and Caroline and the City of Fredericksburg, will retire on March 31, 2025; and

WHEREAS, Teri McNally took the helm of the Community Foundation in 2002 shortly after the organization's founding and has since helped grow its asset base from $870,000 to more than $60 million, with 219 donor funds assisting various local services and endeavors; and

WHEREAS, over Teri McNally's tenure, the Community Foundation has distributed more than $21 million to provide scholarships to students and support local nonprofit organizations, churches, schools, and more; and

WHEREAS, as a result of Teri McNally's efforts, the Community Foundation looks to considerably grow its asset base in the near future, allowing the organization to make an even greater impact on the community; and

WHEREAS, in her well-deserved retirement, Teri McNally plans to visit friends and family, take classes, travel, read, and spend quality time with her grandchildren; and

WHEREAS, through exceptional leadership and an unwavering commitment to the Community Foundation's mission, Teri McNally has helped to make the Rappahannock region a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Teri McNally on the occasion of her retirement; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Teri McNally as an expression of the General Assembly's admiration for her contributions to the Commonwealth and best wishes for a joyful and fulfilling retirement.

SENATE JOINT RESOLUTION NO. 393

Celebrating the life of His Highness Prince Karim Agakhan.

Agreed to by the Senate, February 19, 2025

Agreed to by the House of Delegates, February 20, 2025

WHEREAS, His Highness Prince Karim Agakhan, the 49th hereditary imam of the Shia Ismaili Muslims who was guided by the Mandate of the Imamat to serve people around the world, and was the founder and chair of the Aga Khan Development Network, died on February 4, 2025; and

WHEREAS, His Highness Prince Karim Agakhan was born in Geneva, Switzerland, to Prince Aly Khan and Princess Taj-ud-dawlah Agakhan, formerly Joan Yarde-Buller; his family traces its lineage to the Prophet Muhammad through his daughter, Hazrat Bibi Fatima and her husband, Hazrat Ali, the first imam of Shia Islam; and

WHEREAS, His Highness Prince Karim Agakhan lived in Kenya for part of his youth, attended the Institut Le Rosey boarding school in Switzerland, and studied at Harvard University; and

WHEREAS, after the death of his grandfather, Aga Khan III, in 1957, His Highness Prince Karim Agakhan was designated as the 49th hereditary imam of the Shia Ismaili Muslims, a global, multi-ethnic community whose members represent many cultures, languages, and nationalities across Central Asia, the Middle East, South Asia, sub-Saharan Africa, Europe, and North America; and

WHEREAS, though only 20 years old at the time of his Ascension, His Highness Prince Karim Agakhan was deeply committed to promoting Islam as a compassionate faith that upholds the dignity of mankind and continuing his grandfather's work to enhance the quality of life of not only the Shia Ismaili Muslim community, but all peoples in need around the world; and

WHEREAS, to fulfill this mission, His Highness Prince Karim Agakhan established the Aga Khan Development Network, a group of private, international, non-denominational agencies working to improve living conditions and create opportunities for people across the developing world; and

WHEREAS, the Aga Khan Development Network has supported programs related to health care, housing, education, architectural preservation, and rural economic development in more than 30 countries; the organization has worked closely with governments, international organizations, corporations, foundations, and universities to meet the challenges of social, economic, and cultural change on an on-going basis; and

WHEREAS, through his philanthropic leadership, His Highness Prince Karim Agakhan developed strong bonds with heads of state, business leaders, and people of all races, genders, ethnicities, faiths, and backgrounds; he fostered interfaith cooperation and understanding and was well-respected as a champion for tolerance, peace, and human progress; and

WHEREAS, in recognition of his incomparable lifetime of achievements, His Highness Prince Karim Agakhan earned countless awards, accolades, decorations, and honorary degrees, from institutions and nations around the world; and

WHEREAS, His Highness Prince Karim Agakhan will be fondly remembered and greatly missed by numerous family members, friends, people whose lives he touched through the Aga Khan Development Network, and the global Shia Ismaili Muslim community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of His Highness Prince Karim Agakhan, a revered spiritual leader, respected business magnate, and peerless philanthropist; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of His Highness Prince Karim Agakhan as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 394

Celebrating the life of Jake Kincaid.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Jake Kincaid, an esteemed firefighter and emergency services technician, beloved husband, father, and son, and cherished member of the Russell County community, died on February 3, 2025; and

WHEREAS, born in Raleigh, Jake Kincaid graduated from Honaker High School in 2005 before embarking on a career as a coal miner that would span more than 15 years; and

WHEREAS, Jake Kincaid discovered his passion for emergency medicine and worked tirelessly as a member of the New Garden Rescue Squad, Richlands Fire-Rescue, ProMed, and several other area agencies; and

WHEREAS, Jake Kincaid devoted himself to the safety and security of his community as a firefighter and emergency services technician and made an impact on countless lives; and

WHEREAS, Jake Kincaid's pastimes included hunting, fishing, working on trucks, listening to music, playing guitar, and bull riding, but his greatest joy in life was spending quality time with his family; and

WHEREAS, Jake Kincaid will be fondly remembered and dearly missed by his loving wife of five years, Amanda; his children, Jayden, Parson, Jenson, and Ripley; his mother and stepfather, Angie and Dennis; his father, Jim; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Jake Kincaid, a treasured member of the Russell County community whose dedication and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Jake Kincaid as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 395

Celebrating the life of David Eugene Dillow.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, David Eugene Dillow, a beloved husband, father, and grandfather, and treasured member of the Bland County community, died on January 31, 2025; and

WHEREAS, in his professional career, David Dillow found success working as a manager for multiple institutions, demonstrating an extraordinary ability to lead others; and

WHEREAS, David Dillow was an engaged and supportive member of the Bland County community and made a difference in countless lives through the various sporting organizations he established and maintained over the years; and

WHEREAS, David Dillow made a profound and lasting impact on his community as a member of the Bland County Economic Development Authority, which he was appointed to in 1984 and which he served as chair from 1990 until his death; and

WHEREAS, in his role with the Bland County Economic Development Authority, David Dillow was an integral part of multiple major economic development projects that bolstered the success and prosperity of the locality; and

WHEREAS, guided throughout his life by his faith, David Dillow attended Fellowship Baptist Church in Wytheville, where he enjoyed worship and fellowship with his community for many years; and

WHEREAS, preceded in death by his first wife, Doris, David Dillow will be fondly remembered and dearly missed by his wife, Andrea; his children, David and Barry, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of David Eugene Dillow, whose legacy of stewardship and service to Bland County inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of David Eugene Dillow as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 396

Commending The Family Foundation of Virginia.

Agreed to by the Senate, February 20, 2025
Agreed to by the House of Delegates, February 21, 2025

WHEREAS, for 40 years, The Family Foundation of Virginia has worked diligently to preserve and promote strong families in Virginia, which is the foundation upon which all free and thriving societies are built; and

WHEREAS, founded in 1985 by Walt Barbee, The Family Foundation of Virginia is a nonprofit, nonpartisan organization that seeks to establish, through citizen advocacy and enactment of Virginia law, a safe, prosperous, and wholesome climate for families; and

WHEREAS, The Family Foundation of Virginia bases all of its public policy decisions on the principles of life, marriage, parental authority, constitutional government, and religious liberty; and

WHEREAS, The Family Foundation of Virginia researches issues, educates lawmakers, provides critical data, and coordinates statewide support for positive initiatives designed to enhance the culture in the Commonwealth; and

WHEREAS, The Family Foundation of Virginia has helped champion critical legislation that affirms that a parent has a fundamental right to make decisions concerning the upbringing, education, and care of the parent's child; and

WHEREAS, The Family Foundation of Virginia established multiple SpeakUp! groups around the Commonwealth that mobilize parents and citizens to speak collectively about critical issues impacting our communities; and

WHEREAS, in 2020, The Family Foundation of Virginia established the Founding Freedoms Law Center to protect our fundamental liberties, especially the right to life, the freedom to assemble peaceably, the free exercise of religion, the rights of conscience, and the rights of parents to raise their children consistent with their values; and

WHEREAS, The Family Foundation of Virginia's accomplishments are the result of the leadership and dedication of its staff members, the hard work of hundreds of volunteers and dozens of talented college interns, and the generous support of its community partners; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend The Family Foundation of Virginia for 40 years of strengthening Virginia families; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to The Family Foundation of Virginia as an expression of the General Assembly's admiration for the organization's commitment to advocating for public policies at the state and local level that strengthen families.

SENATE JOINT RESOLUTION NO. 397

Commending the Reverend Dr. Darrell K. White.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, as the senior pastor of Bethlehem Baptist Church for more than 25 years, the Reverend Dr. Darrell K. White has provided inspirational spiritual leadership to the residents of Gum Springs in Alexandria and established outreach programs that have touched lives throughout the community; and

WHEREAS, a native of Louisiana, Darrell White represents the fourth generation of his family to serve as a Baptist minister and had already gained a decade of experience in preaching when he was unanimously elected as senior pastor of Bethlehem Baptist Church in 1999; and

WHEREAS, Darrell White has helped Bethlehem Baptist Church grow in both faith and number, overseeing the expansion of music and audio-video ministries, the establishment of a mission program, the growth of Bible study classes, and the ordination of the congregation's first female deacon; and

WHEREAS, during his tenure as senior pastor, Darrell White paid tribute to Bethlehem Baptist Church's longstanding role as a pillar of the Gum Spring community, one of the oldest Black neighborhoods in the nation, through his commitment to ministry both in and out of the sanctuary; and

WHEREAS, under Darrell White's leadership, Bethlehem Baptist Church has been a beacon of hope and compassion through generous outreach, including a food bank that serves more than 50 individuals and families each week; and

WHEREAS, Darrell White is a 2012 graduate of Leadership Fairfax and holds degrees from Grambling State University, the Samuel DeWitt Proctor School of Theology at Virginia Union University, what is now the Union Presbyterian Seminary, and the Howard University School of Divinity; and

WHEREAS, Darrell White has also provided his wise insights to the National Baptist Convention, USA, Inc., the Baptist General Convention of Virginia, the Northern Virginia Baptist Association, the Fairfax County Clergy and Leadership Council, the NAACP, Alpha Phi Alpha Fraternity, Inc., and many other organizations; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Reverend Dr. Darrell K. White on the occasion of his retirement as senior pastor of Bethlehem Baptist Church; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Reverend Dr. Darrell K. White as an expression of the General Assembly's admiration for his legacy of service to the residents of Alexandria as a faith leader and a champion for the community.

SENATE JOINT RESOLUTION NO. 398

Commending EduTutorVA.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, EduTutorVA, a distinguished virtual tutoring program supporting the growth and development of both students and teachers in the Commonwealth, was awarded a Tutoring Program Design Badge by the National Student Support Accelerator of Stanford University in 2024; and

WHEREAS, EduTutorVA was founded during the COVID-19 pandemic by several business, education, and government leaders who recognized the need for academic recovery following the educational disruption of the historic public health crisis; and

WHEREAS, EduTutorVA is dedicated to supporting third to eighth grade students who are struggling to excel academically by providing them with no-cost, virtual, small-group tutoring sessions to bolster their performance in the core subject areas of reading and math; and

WHEREAS, EduTutorVA employs a high-impact tutoring strategy to optimize the efficacy of its programs, utilizing data about each student to generate customized instruction plans tailored to their needs; and

WHEREAS, EduTutorVA's tutors are students from colleges and universities across the Commonwealth, many of whom are pursuing careers in education, who acquire valuable teaching experience, as well as coaching and training, through their involvement with the program; and

WHEREAS, EduTutorVA partners with national research and learning organizations to quantify the results of its efforts and to enhance its ability to assist the students and future teachers in its program; and

WHEREAS, to date, EduTutorVA has served 12 schools across five school divisions, with more than 300 tutors collectively giving more than 25,000 hours of their time for the benefit of the Commonwealth's young people; and

WHEREAS, the accomplishments of EduTutorVA have been made possible through the generous support of the organization's sponsors, including Google, Transurban, Altria, TD Charitable Foundation, and Dominion Energy; and

WHEREAS, by addressing educational equity and raising the academic performance and confidence of the Commonwealth's students, EduTutorVA has made a profound and lasting impact on countless lives; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend EduTutorVA for receiving a Tutoring Program Design Badge from the National Student Support Accelerator of Stanford University in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to EduTutorVA as an expression of the General Assembly's admiration for the organization's achievements and best wishes for its continued success.

SENATE JOINT RESOLUTION NO. 399

Commending Mount Vernon Woods Elementary School.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, for nearly 60 years, Mount Vernon Woods Elementary School of Fairfax County Public Schools has made an impact in the community by empowering its students and teachers, encouraging them to reach their full potential both in and out of the classroom; and

WHEREAS, Mount Vernon Woods Elementary School was established in 1966 and serves a diverse student body of more than 500 students who collectively speak more than 30 languages; and

WHEREAS, Mount Vernon Woods Elementary School's educational approach fosters students' capacity for problem-solving and collaboration by focusing on Portrait of a Graduate skills and the tenets of both Responsive Classroom and Positive Behavior Interventions and Supports; and

WHEREAS, with a commitment to educational excellence, Mount Vernon Woods Elementary School implements a variety of programs to meet its students' needs, such as English for Speakers of Other Languages, Spanish as a foreign language, Young Scholars, and an advanced academic program, as well as a Head Start program and special education classes for preschool-aged children; and

WHEREAS, Mount Vernon Woods Elementary School has a number of resources and amenities that enhance the school's ability to create a dynamic learning experience for its students, including a fully equipped media center, more than

twenty mobile labs, SMART Boards in all grade-level classrooms, a gymnasium, an art room, three music rooms, and a resource room with desktop computers; and

WHEREAS, Mount Vernon Woods Elementary School champions its faculty and staff by providing assistance and guidance to help them optimize their lessons in the classroom; and

WHEREAS, Mount Vernon Woods Elementary School is staffed with a full-time parent liaison, social worker, and psychologist and serves as a base for Fairfax County programs designed to support at-risk youth, ensuring the academic, social, and emotional well-being of all of its students; and

WHEREAS, the accomplishments of Mount Vernon Woods Elementary School over the past six decades are the result of the efforts of its students, the dedication of its teachers and staff, and the unwavering support of its families, parent-teacher association, and the entire Mount Vernon Woods Elementary School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Mount Vernon Woods Elementary School as it approaches its 60th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Mount Vernon Woods Elementary School as an expression of the General Assembly's admiration for the school's history and its contributions to the Commonwealth.

SENATE JOINT RESOLUTION NO. 400

Commending Lane Elementary School.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, for 30 years, Lane Elementary School of Fairfax County Public Schools has made an impact in the community by creating a productive and respectful learning environment in which its students may grow and thrive; and

WHEREAS, Lane Elementary School opened in September 1995 and was named in honor of Anthony T. Lane, who was a prominent advocate for children in the community and served on the Fairfax County School Board for 24 years; and

WHEREAS, guided by its motto, "Communicate, Collaborate, and Care," Lane Elementary School empowers its students to become lifelong learners who are capable of building and maintaining positive relationships and challenges them to reach their full potential both in and out of the classroom; and

WHEREAS, with a commitment to educational excellence, Lane Elementary School implements a variety of programs to meet its students' needs, such as Young Scholars, its advanced academics services, English for Speakers of Other Languages, and after-school foreign language programs; and

WHEREAS, Lane Elementary School champions its faculty and staff and provides assistance and guidance to help them utilize successful instructional practices and optimize their lessons in the classroom; and

WHEREAS, Lane Elementary School promotes a welcoming and inclusive community at the school through its positive behavior support program called "Peace, Attitude, Work, Safety," ensuring the academic, social, and emotional well-being of all students; and

WHEREAS, the accomplishments of Lane Elementary School over the past 30 years are the result of the efforts of its students, the dedication of its teachers and staff, and the unwavering support of its families, parent-teacher association, and the entire Lane Elementary School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Lane Elementary School on the occasion of its 30th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Lane Elementary School as an expression of the General Assembly's admiration for the school's history and its contributions to the Commonwealth.

SENATE JOINT RESOLUTION NO. 401

Commending Hollin Meadows Elementary School.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, for 60 years, Hollin Meadows Elementary School of Fairfax County Public Schools has made an impact in the community by ensuring the academic, social, and emotional well-being of its students; and

WHEREAS, Hollin Meadows Elementary School was opened in 1965 and serves several historic neighborhoods in Fairfax County, including Gum Springs and Hollin Hills; and

WHEREAS, Hollin Meadows Elementary School is a diverse, multicultural school that welcomes students and staff from all over the world, boasting 20 different home languages among its families and staff members; and

WHEREAS, Hollin Meadows Elementary School is devoted to actively engaging its students in their learning, encouraging them to reach their full potential both in and out of the classroom; and

WHEREAS, Hollin Meadows Elementary School provides assistance and guidance to its faculty and staff to foster their ability to make a difference in the lives of their students; and

WHEREAS, with a commitment to educational excellence, Hollin Meadows Elementary School became one of Fairfax County's first Science and Math Focus Schools in 1994 and one of the first schools in the county to have a full-day kindergarten program three years later; and

WHEREAS, Hollin Meadows Elementary School has developed an extensive outdoor learning space to create an environment in which students can interact with and learn about the natural world; and

WHEREAS, Hollin Meadows Elementary School has encouraged physical fitness by providing additional time for exercise at recess and fostered healthy lifestyle choices by creating a school garden where students can grow and harvest fresh fruits and vegetables; and

WHEREAS, in 2009, First Lady Michelle Obama and Secretary of Agriculture Tom Vilsack visited Hollin Meadows Elementary School to present the school with a silver medal as part of the Obama administration's HealthierUS School Challenge and to highlight the school's ongoing achievements in supporting childhood fitness and nutrition; and

WHEREAS, Hollin Meadows Elementary School participates in the Get2Green program, integrating sustainability into the curriculum and fostering a love for nature and environmental stewardship among its students; and

WHEREAS, Hollin Meadows Elementary School has received a number of accolades over the years in recognition of its quality educational programs, including an Intel School of Distinction Award in the area of elementary mathematics in 2011; and

WHEREAS, the accomplishments of Hollin Meadows Elementary School over the past 60 years are the result of the efforts of its students, the dedication of its teachers and staff, and the unwavering support of its families, parent-teacher association, and the entire Hollin Meadows Elementary School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Hollin Meadows Elementary School on the occasion of its 60th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Hollin Meadows Elementary School as an expression of the General Assembly's admiration for the school's history and its contributions to the Commonwealth.

SENATE JOINT RESOLUTION NO. 402

Commending Halley Elementary School.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, for 30 years, Halley Elementary School of Fairfax County Public Schools has made an impact on every student that has passed through its halls by preparing them for lifelong learning, empowering them to build and maintain positive relationships, and encouraging them to reach their full potential both in and out of the classroom; and

WHEREAS, Halley Elementary School was opened on September 5, 1995, and was named in honor of William Francis Halley, a lifelong resident of Fairfax County who greatly supported Fairfax County schools and students in the early 20th century; and

WHEREAS, Halley Elementary School's first principal was Janet Funk, who was named Fairfax County Public Schools Principal of the Year in 1998 and was presented the Agnes Meyer Distinguished Educational Leadership Award by *The Washington Post* that same year; and

WHEREAS, with a commitment to educational excellence, Halley Elementary School implements a variety of programs to meet its students' needs, such as Young Scholars and the Advanced Academics Program, a fine and performing arts program, and its award-winning Early Childhood Inclusion Program; and

WHEREAS, Halley Elementary School organizes a number of unique educational events and activities to create a dynamic learning experience for its students, including the Halley Morning News Show and its Global Classroom Project; and

WHEREAS, Halley Elementary School champions its faculty and staff by providing assistance and guidance to help them optimize their lessons in the classroom; and

WHEREAS, Halley Elementary School rigorously applies the Multi-Tiered Systems of Support instructional model to ensure the academic, social, and emotional well-being of all of its students; and

WHEREAS, as a testament to the welcoming and inclusive nature of its community, Halley Elementary School won a contest in 2001 organized by Michigan author Patricia Polacco that recognized the school and its students for their suggestions on how to prevent bullying; and

WHEREAS, the accomplishments of Halley Elementary School over the past 30 years are the result of the efforts of its students, the dedication of its teachers and staff, and the unwavering support of its families, parent-teacher organization, and the entire Halley Elementary School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Halley Elementary School on the occasion of its 30th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Halley Elementary School as an expression of the General Assembly's admiration for the school's history and its contributions to the Commonwealth.

SENATE JOINT RESOLUTION NO. 403

Commending Harvest Assembly Baptist Church.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, for more than 35 years, Harvest Assembly Baptist Church in Alexandria has provided its community with uplifting spiritual guidance, joyful occasions for worship and fellowship, and abundant opportunities for charitable outreach; and

WHEREAS, since it was established on April 12, 1987, Harvest Assembly Baptist Church has been admirably led by its founder and pastor, Johnnie L. Abram, and his wife, assistant pastor Velvet L. Abram, who have seen their following grow from a small group to a congregation of several hundred people; and

WHEREAS, after operating out of temporary locations in Alexandria and Lorton in its early years, Harvest Assembly Baptist Church held its first services in its own constructed sanctuary on December 7, 1991; and

WHEREAS, as more individuals and families were drawn to Harvest Assembly Baptist Church, the congregation outgrew its first permanent sanctuary, requiring it to build and relocate to a new building on Fordson Road in Alexandria in 2003; the church then purchased and built additional buildings over the years to enhance its operations and ability to serve the community; and

WHEREAS, Harvest Assembly Baptist Church organizes several ministries, such as its education ministry and music ministry, to foster its members' spiritual, physical, and mental well-being; and

WHEREAS, Harvest Assembly Baptist Church carries out a number of charitable initiatives to assist members of the community in need, including its annual Back to School Festival, which provides students with school supplies, haircuts, and other services to prepare them for a productive year of learning; and

WHEREAS, in recognition of their unwavering support and the positive impact their programs have had on the community, the leaders of Harvest Assembly Baptist Church have been honored by the Fairfax County branch of the NAACP; and

WHEREAS, by promoting hope, faith, and unity in the community with unwavering love and devotion, Harvest Assembly Baptist Church has helped to make Alexandria and the surrounding area a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Harvest Assembly Baptist Church for its dedication and legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Harvest Assembly Baptist Church as an expression of the General Assembly's admiration for the church's contributions to the Commonwealth and best wishes for its future endeavors.

SENATE JOINT RESOLUTION NO. 404

Commending South County High School.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, for 20 years, South County High School of Fairfax County Public Schools has made an impact in the community by creating a supportive and respectful learning environment in which its students may grow and thrive; and

WHEREAS, South County High School is located on the site of the former Lorton Reformatory; Fairfax County Public Schools utilized an innovative public-private partnership as part of the land deal for the area around the school, which allowed the school to be built three years ahead of schedule; and

WHEREAS, the public-private partnership that created South County High School was the first of its kind in the Commonwealth and helped inspire the Public-Private Education Facilities and Infrastructure Act of 2002; and

WHEREAS, since opening in 2005, South County High School has been steadfastly committed to inspiring and empowering its students to become lifelong learners and leaders in their communities; and

WHEREAS, with a commitment to educational excellence, South County High School implements a variety of programs to meet its students' needs, including its Department of Defense Education Activity Code UP! initiative and other technical training programs; and

WHEREAS, South County High School offers a range of extracurricular activities to engage its students and to help them develop confidence and positive relationships, such as its award-winning drama and music programs, Key Club, and Student Government Association; and

WHEREAS, South County High School's athletic programs have excelled over the years across many sports, with the girls' track team and the boys' basketball team each holding multiple Virginia High School League state championships; and

WHEREAS, South County High School promotes a welcoming and inclusive community at the school, ensuring the academic, social, and emotional well-being of all of its students; and

WHEREAS, South County High School recognizes its faculty and staff as the foundation of the school's success and provides instructional assistance and other guidance to help them achieve their full potential in the classroom; and

WHEREAS, in recognition of its achievements, South County High School has received various accolades, including a Purple Star School designation, the Board of Education Distinguished Achievement Award in 2018, and the Blue Ribbon Award from the Virginia Music Educators Association in 2019; and

WHEREAS, the accomplishments of South County High School over the past 20 years are the result of the efforts of its students, the dedication of its teachers and staff, and the unwavering support of its families, parent-teacher association, and the entire South County High School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend South County High School on the occasion of its 20th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to South County High School as an expression of the General Assembly's admiration for the school's history and its contributions to the Commonwealth.

SENATE JOINT RESOLUTION NO. 405

Commending Woodlawn Little League.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, for 60 years, Woodlawn Little League has supported youth baseball and softball programs in Alexandria, giving young people opportunities to learn valuable lessons about sportsmanship and teamwork and helping them to create lifelong friendships and memories; and

WHEREAS, the mission of Woodlawn Little League is to impart to local children the ideals of good sportsmanship, honesty, loyalty, courage, and respect for authority so that they may become well adjusted, stronger, and happier children and grow up to be good, decent, healthy, and trustworthy citizens; and

WHEREAS, in 1965, Woodlawn Little League was chartered and began playing at McNaughton Fields Park, where the league continues to play today; and

WHEREAS, McNaughton Fields Park came into existence through the efforts of parent volunteers who coordinated with Fort Belvoir to allow the community to build the fields on an unused parcel of land on the edge of Fort Belvoir property, which they initially leased for $1 a year; and

WHEREAS, Woodlawn Little League has offered baseball programs since its inception and expanded to include a Little League-affiliated softball program in the 1980s; and

WHEREAS, through the 1970s and 1980s, Woodlawn Little League had competitive teams in the state Little League championship and the Little League World Series; and

WHEREAS, Woodlawn Little League thrived under the coaching and mentorship of the late William F. Entwisle, Jr., for more than 30 years; and

WHEREAS, Woodlawn Little League provides a traditional Little League experience, encouraging children to spend time outdoors and engage in teambuilding; more than 4,400 players have registered with Woodlawn Little League in its 60-year history, many of whom have returned to the program year after year; and

WHEREAS, Woodlawn Little League supports the Woodlawn community with scholarship programs designed to ensure that children from all economic backgrounds have a chance to participate, with more than 60 percent of players participating thanks to scholarships; and

WHEREAS, over the decades, thousands of children, parents, grandparents, and volunteers have participated in and contributed to the success of Woodlawn Little League; and

WHEREAS, in the 2000s, the Fairfax County Park Authority brought McNaughton Fields Park into the county park system and began extensive renovations to better serve the community; and

WHEREAS, the most recent renovation of McNaughton Fields Park, including a new building with a concession stand and comfort station, was completed in 2024; the grand opening of the concession stand will coincide with 60th anniversary celebrations, opening the way for years of continued use by Woodlawn Little League; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Woodlawn Little League on the occasion of its 60th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Woodlawn Little League as an expression of the General Assembly's admiration for the organization's contributions to the community and best wishes for continued success.

SENATE JOINT RESOLUTION NO. 406

Commending the Virginia Wing of the Civil Air Patrol.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, the Civil Air Patrol continues to serve as the valued auxiliary of the United States Air Force, with the Virginia Wing maintaining 28 locations statewide, operating 12 single-engine aircraft, and comprising 1,207 adult members, 1,361 cadet members, 194 aircrew personnel, and 1,643 emergency responders; and

WHEREAS, in 2024, the Virginia Wing demonstrated exceptional operational capabilities through multiple mission types, including 27 air defense intercept flights with the Air National Guard, 23 aerial imagery and damage assessment flights for Hurricane Helene response operations, the deployment of 15 members to support points of distribution operations, three counter-small unmanned aircraft system missions in support of the United States Air Force, and monthly emergency services training missions involving more than 500 members; and

WHEREAS, members of the Virginia Wing conducted extensive flight operations throughout 2024, including 595 powered cadet orientation rides, 99 glider orientation rides, 214 Air Force Junior Reserve Officers' Training Corps rides, and 287 emergency services training sorties, demonstrating their commitment to aviation education, aviation safety, and emergency preparedness; and

WHEREAS, the Virginia Wing's cadet program achieved remarkable success in 2024, with 2,904 cadet achievements, including 383 milestone awards, notably three General Carl A. Spaatz Awards, 10 General Ira C. Eaker Awards, 30 Amelia Earhart Awards, 98 Billy Mitchell Awards, and 155 Wright Brothers Awards; and

WHEREAS, the Virginia Wing conducted two successful encampments in 2024, with the Winter Encampment training 86 basic cadets and the Summer Encampment providing training to 195 basic cadets and 20 advanced training flight participants; and

WHEREAS, 19 of 21 units earned the Quality Cadet Unit Award and 18 units achieved the Aerospace Education Achievement Award, while the Virginia Wing received the Mid-Atlantic Region Disaster Relief Mission Award; and

WHEREAS, the Virginia Wing demonstrated its commitment to science, technology, engineering, and mathematics (STEM) education through participation in the Joint Base Langley-Eustis Tidewater Integrated Combat Symposium STEM Day, which engaged with 728 students and 68 teachers from Hampton and Poquoson and introduced youths to aerospace education and STEM programs; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Virginia Wing of the Civil Air Patrol for its exceptional service and achievements in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Virginia Wing of the Civil Air Patrol as an expression of the General Assembly's admiration for its members' ongoing dedication to service and contributions to the Commonwealth.

SENATE JOINT RESOLUTION NO. 407

Commending Hollin Hills.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Hollin Hills, a historic neighborhood in the Hybla Valley of Fairfax County known for its commitment to mid-century modern architecture and innovative landscaping designs, celebrated its 75th anniversary in 2024; and

WHEREAS, Hollin Hills was one of the area's first new residential developments after World War II and traces its roots to 1946, when developer Robert Davenport purchased 225 acres of undeveloped land just south of Alexandria; the community took its name from the nearby Hollin Hall Plantation, which had originally been owned by George Mason; and

WHEREAS, Robert Davenport built several partnerships with investors to support the fledgling community and hired Charles Goodman, the architect who designed Ronald Reagan Washington National Airport; the neighborhood is still known for its unique aesthetics and commitment to architectural harmony; and

WHEREAS, rather than use a grid pattern, the developers of Hollin Hills sited houses to fit the area's rolling woodland hillsides to promote a sense of individuality and privacy while integrating the region's natural beauty into the plan; and

WHEREAS, in 1949, Charles Goodman unveiled the first of his unit designs that became the trademark of the Hollin Hills community, the split-level Unit No. 1; that same year, a one-story Unit No. 2 was completed and purchased by John and Kitty Nettles, the neighborhood's first homeowners; and

WHEREAS, the Hollin Hills Community Association, now known as the Civic Association of Hollin Hills, was established in 1950 to serve the growing community, and a lively community newsletter was launched in 1951; and

WHEREAS, in 1956, Hollin Hills purchased an additional 101 acres, which became known as the New Hollin Hills; the entire community now encompasses more than 450 homes built according to eight distinct unit plans, and despite being

only 20 minutes from Washington, D.C., the neighborhood maintains a distinctly rural character through its flowing, park-like arrangement; and

WHEREAS, the last house built in Hollin Hills was completed in 1971, and the community commemorated the event with a block party in honor of the visionary leadership of Robert Davenport, who retired shortly thereafter; and

WHEREAS, in 1987, Hollin Hills formed the Design Review Committee to allow for modernization and enhancements to homes that are consistent with the neighborhood's character and heritage; and

WHEREAS, Hollin Hills has earned numerous awards and accolades for its design, including a Revere Quality House Award from the Southwest Research Institute in 1950 and two Test of Time Awards from the Virginia Society of the American Institute of Architects in 1981; and

WHEREAS, Hollin Hills is listed on the Fairfax County Inventory of Historic Sites and was added to the Virginia Landmarks Register and the National Register of Historic Places in 2013; and

WHEREAS, over the course of its history, Hollin Hills has been home to government officials, journalists, authors, performers, artists, attorneys, and many others who have made a wealth of contributions to the Commonwealth and the nation; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Hollin Hills, a masterpiece of mid-century modern architectural design and post-war development, on the occasion of its 75th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Civic Association of Hollin Hills as an expression of the General Assembly's admiration for the community's history and contributions to the Commonwealth.

SENATE JOINT RESOLUTION NO. 408

Commending the United States Army.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, the United States Army, the first and oldest branch of the Armed Forces of the United States, has played a defining role in the development and defense of the nation and shaped history as one of the foremost land warfare service branches around the world for 250 years; and

WHEREAS, the United States Army is older than the nation it serves, tracing its roots to June 14, 1775, when the Second Continental Congress passed a resolution calling for the formation of 10 companies of expert riflemen in Pennsylvania, Maryland, and Virginia, who were to join the militias already gathered near Boston; and

WHEREAS, the establishment of the Continental Army predated the signing of the Declaration of Independence by more than a year, and the rapid growth and development of the force proved essential to the security and integrity of the early United States; and

WHEREAS, while the Continental Army was largely disbanded after the end of the Revolutionary War, a few units continued to serve the nation in limited roles; the first full regiment of regular infantry formed in peacetime was the 3rd United States Infantry Regiment, The Old Guard, which remains on active duty as a ceremonial unit and is stationed at Joint Base Myer-Henderson Hall; and

WHEREAS, in 1791, ongoing global conflicts and upheaval on the Western Frontier led to the reorganization of a standing ground force, the Legion of the United States, which was renamed in 1796 as the United States Army; during the War of 1812, when many militia units struggled to repulse British forces, the United States Army demonstrated its effectiveness through victories at the Battle of Plattsburgh and the Battle of Baltimore; and

WHEREAS, the United States Army continued to grow, and its victory in the Mexican-American War was a defining moment for the nation, resulting in the acquisition of a large swath of territory that eventually became California, Nevada, Arizona, New Mexico, Utah, Colorado, and Wyoming; and

WHEREAS, during the Civil War, the United States Army was typically referred to as the Union Army, the Federal Army, or the Northern Army; regular forces were supplemented and strengthened by units of volunteers, and after the Emancipation Proclamation in 1863, more than 180,000 Black men volunteered for service in the United States Army, playing a crucial role in the triumph over the Confederacy; and

WHEREAS, in the 1890s, the United States Army's successes during the Spanish-American War and the Philippine-American War established the United States as a global power with a significant role to play in international affairs; and

WHEREAS, during World War I, the American Expeditionary Force was composed mostly of units from the United States Army, and these units not only helped turn the tide of the war, but gained crucial battlefield experience that would be needed in the coming decades; and

WHEREAS, units of the United States Army fought in every theater of operations in World War II, deploying to Asia and the Pacific Islands, Europe, Africa, and the Middle East, as well as making contributions on the home front; and

WHEREAS, throughout the Cold War, the United States Army garrisoned several units in Europe to deter Soviet aggression and saw major combat actions during the Korean War, the Vietnam War, Operation Urgent Fury, Operation Just Cause, and other conflicts around the world; and

WHEREAS, after the fall of the Soviet Union, the United States Army demonstrated American military power during Operation Desert Storm and provided crucial assistance to United Nations interventions in the Balkan Wars; and

WHEREAS, after September 11, 2001, members of the United States Army Special Forces were some of the first American forces on the ground in Afghanistan, and members of the United States Army served extensively in Afghanistan, Iraq, and other hotspots during the Global War on Terror; and

WHEREAS, for 250 years, the United States Army has served as a steadfast guardian, protecting the American way of life with resilience and strength, exemplified by its longstanding motto, "This We'll Defend," which dates back to the Continental Army; and

WHEREAS, the United States Army's iconic slogan, "Be All You Can Be," reflects a way of life that has challenged, equipped, and motivated generations of men and women to serve the nation with distinction and reach their full potential; and

WHEREAS, from the Revolutionary War to the present, active duty members and veterans of the United States Army have epitomized a commitment to service by transforming obstacles into opportunities and demonstrating leadership, strength, and honor in all their endeavors; veterans of the United States Army have gone on to serve as leaders in every career field and every level of government across the Commonwealth and the nation, including several United States presidents; and

WHEREAS, the Commonwealth is home to several significant United States Army installations, including Fort Gregg-Adams, Fort Belvoir, Joint Base Langley-Eustis, Joint Base Myer-Henderson Hall, and Joint Expeditionary Base Little Creek-Fort Story, all of which play an important role in their communities as major employers; and

WHEREAS, on June 14, 2025, the United States Army will kick off its 250th anniversary celebration with a float at the Tournament of Roses Parade in Pasadena, California; the design of the float highlights historic events and the accomplishments of exceptional members of the United States Army from George Washington through the modern era; and

WHEREAS, the National Museum of the United States Army at Fort Belvoir will commemorate the 250th anniversary of the United States Army through numerous programs and exhibits throughout the year, including "Call To Arms: The Soldier and the Revolutionary War," featuring a collection of rare Revolutionary War artifacts, and a full-day symposium focusing on the first two years of the Revolutionary War; and

WHEREAS, as the United States Army celebrates its 250th birthday and looks ahead to shape a future of innovation and continued excellence, its purpose remains timeless and clear: to fight and win the nation's wars; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the United States Army, the first and oldest national institution of the United States, on the occasion of its 250th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the National Museum of the United States Army as an expression of the General Assembly's admiration for the United States Army's incomparable contributions to the formation, growth, and defense of the United States.

SENATE JOINT RESOLUTION NO. 409

Commending the Lorton Community Action Center.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, for 50 years, the Lorton Community Action Center has supported the Fairfax County community by providing food, clothing, and other human services to individuals and families in need; and

WHEREAS, the Lorton Community Action Center was founded in 1975 as the Lorton Community Information Center by Christine Herbstreith, who envisioned an organization that would serve as a "supermarket of human services"; and

WHEREAS, over the years, the Lorton Community Action Center assumed its new name and expanded beyond Lorton into the areas of Fort Belvoir, Newington, and other parts of Southeastern Fairfax County, while broadening its services to include emergency financial assistance and outreach programs promoting self-sufficiency; and

WHEREAS, in 2022, the Lorton Community Action Center realized the vision of its founder by moving into the new Lorton Community Center and Lorton Library, which have enhanced the organization's ability to provide services and meet the community's needs; and

WHEREAS, in 2024 alone, the Lorton Community Action Center served nearly 2,000 people, gave more than $190,000 in rent and utility assistance, facilitated more than 12,000 volunteer hours, enabled more than 9,800 food pantry visits, and offered more than 590 household services; and

WHEREAS, the accomplishments of the Lorton Community Action Center are the result of the inspired leadership of its staff, the tireless efforts of its volunteers, and the unwavering support of its sponsors, partners, and the entire Fairfax County community; and

WHEREAS, the Lorton Community Action Center will hold a 50th anniversary gala event on April 26, 2025, and a community-wide celebration on May 18, 2025, providing opportunities to reflect on the extraordinary impact the organization has had over its history; and

WHEREAS, by empowering and uplifting an untold number of people over the past 50 years, the Lorton Community Action Center has helped to make Fairfax County a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Lorton Community Action Center for its legacy of service on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Lorton Community Action Center as an expression of the General Assembly's admiration for the organization's efforts to support vulnerable individuals and families in Fairfax County and the Commonwealth.

SENATE JOINT RESOLUTION NO. 410

Commending the Northern Virginia Chamber of Commerce.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, for 100 years, the Northern Virginia Chamber of Commerce has worked diligently to support local businesses, promote economic growth, and enrich community life in Northern Virginia; and

WHEREAS, established in 1925, the Northern Virginia Chamber of Commerce (NVC) originally focused on advocating for businesses in Fairfax County, but has grown to become the largest and most influential business organization in the Washington, D.C. metropolitan area; and

WHEREAS, in its early years, NVC played a pivotal role in shaping the future of transportation in Virginia by endorsing the Byrd Road Act; this historic referendum, which narrowly passed by a 600-vote margin in 1932, shifted control of the Commonwealth's highways to the government, forever transforming roadbuilding policy; and

WHEREAS, NVC next pursued funding from the State Highway Administration to support the construction of secondary roads in Fairfax County in the spring of 1935; the organization also played a significant role in the site selection and development of Dulles International Airport in the 1950s and 1960s; and

WHEREAS, NVC supported the creation of the Washington Metropolitan Area Transit Authority (WMATA) in the late 1960s and subsequently endorsed a new sales tax on retail gasoline to help fund the construction of the Washington Metro; and

WHEREAS, in the 1960s, NVC was also active in education and supported bond referenda that led to the construction of 15 new schools and the renovation of 34 others, addressing the needs of 121,000 students; the organization participated in a statewide initiative to enhance the infrastructure of the Commonwealth's institutions of higher education and advocated for the establishment of what is now George Mason University as an independent institution; and

WHEREAS, after recognizing the threat of an inadequate water supply to business growth, NVC led a strategic coalition that secured water from the Potomac River to bolster the Occoquan Reservoir, ensuring sustainable development and economic expansion for the region; and

WHEREAS, in the 1980s, NVC co-founded the Northern Virginia Transportation Alliance to advance solutions for transportation infrastructure and launched what is now the Northern Virginia Technology Council, a dynamic force dedicated to addressing the unique needs of technology and defense businesses; and

WHEREAS, in 1989, NVC established Leadership Fairfax, a 10-month civic training program meant to familiarize emerging business and community leaders with local issues and incentives; and

WHEREAS, over the years, NVC has maintained its focus on transportation, supporting plans in the 1990s to revitalize transportation infrastructure across the Commonwealth, including a 12-lane replacement of Woodrow Wilson Memorial Bridge; and

WHEREAS, in 2018, NVC became a founding partner of the MetroNow coalition, which secured historic regional funding for WMATA to address critical system repairs and upgrades; and

WHEREAS, more recently, NVC was the leading advocate for state workforce programs, resulting in the creation of Virginia Career Works, which consolidated 24 existing workforce programs to better serve students, job seekers, and employers; and

WHEREAS, NVC currently represents over 46 percent of economic activity in the Greater Washington Region and 500,000 employees across the region; its focused advocacy, opportunities for networking, educational programs, and promotional efforts have strengthened the business community and enhanced the quality of life throughout Northern Virginia; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Northern Virginia Chamber of Commerce on the occasion of its 100th anniversary of service to the local business community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Northern Virginia Chamber of Commerce as an expression of the General Assembly's admiration for the organization's legacy of contributions to the economic vitality of the region.

SENATE JOINT RESOLUTION NO. 411

Commending J. Dean Norton.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, J. Dean Norton, the longstanding horticulture and livestock director at George Washington's Mount Vernon in Fairfax County, the historic estate of the United States' first president, retired on December 31, 2024; and

WHEREAS, over a period of 55 years, Dean Norton dedicated himself to beautifying and maintaining the Mount Vernon gardens and grounds, beginning in 1969 when he was a sophomore in high school and continuing after he graduated from Clemson University with a degree in horticulture; and

WHEREAS, Dean Norton developed his expertise in both current plant science and management techniques and 18th century gardens and gardening practices and was promoted to the role of horticulturist in 1980; and

WHEREAS, Dean Norton's accomplishments over his tenure at Mount Vernon include the research and restoration of various gardens and green spaces, several Mount Vernon garden symposiums; and the 2014 exhibition, "Gardens and Groves: George Washington's Landscape at Mount Vernon," and its accompanying publication, *The General in the Garden*; and

WHEREAS, Dean Norton's devotion to best gardening practices was matched by his commitment to educational outreach, and he played an outsized role in promoting the restoration efforts at Mount Vernon and the mission of the Mount Vernon Ladies' Association over the years; and

WHEREAS, as a noted authority on garden history, Dean Norton lectured both across the country and abroad, conducted programs and workshops in collaboration with the Smithsonian Institution and myriad other organizations, gave hundreds of media interviews, and taught aspiring horticulturists at the George Washington University and what is today the Graduate School USA; and

WHEREAS, Dean Norton has generously offered his knowledge and experience to several historic places and organizations dedicated to gardening and preservation, including the Committee for the Preservation of the White House, the Garden Conservancy, Tudor Place, Carlyle House, Clemson University Historic Properties Committee, the American Boxwood Society, Colonial Williamsburg, and the Southern Garden History Society, which he served as president; and

WHEREAS, in recognition of his legacy of service, Dean Norton has received a great number of accolades over his career, such as the Southern Garden History Society's Flora Ann Bynum Medal, the Garden Club of America's Elizabeth Craig Weaver Proctor National Medal, the Daughters of the American Revolution's Conservation Medal, and an honorary doctorate from Washington College; and

WHEREAS, in his retirement, Dean Norton will serve at Mount Vernon as director of horticulture and livestock emeritus, ensuring that his legendary impact and influence upon the historic estate will only continue to grow; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend J. Dean Norton, distinguished director of horticulture and livestock at George Washington's Mount Vernon, on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to J. Dean Norton as an expression of the General Assembly's admiration for his contributions to George Washington's Mount Vernon and the Commonwealth.

SENATE JOINT RESOLUTION NO. 412

Commending Karen Black.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Karen Black, an assistant principal at Great Bridge High School in Chesapeake, was named the Outstanding Secondary School Assistant Principal of Virginia by the Virginia Association of Secondary School Principals in 2025; and

WHEREAS, Karen Black has worked in education for 26 years, including eight years as an assistant principal, and has been the assistant principal of instruction at Great Bridge High School since 2022; and

WHEREAS, Karen Black cultivates a learning environment at Great Bridge High School that fosters her students' academic, social, and emotional growth and encourages them to achieve their full potential; and

WHEREAS, Karen Black's initiatives at Great Bridge High School have included transition classes to assist underperforming students, which have led to a significant increase in the school's English Standards of Learning pass rates; and

WHEREAS, Karen Black actively seeks new strategies and methods to improve instruction, and works tirelessly to mentor and support her teachers and facilitate their efforts in their classrooms; and

WHEREAS, with an unwavering commitment to the success and well-being of her students and staff, Karen Black has embodied the ideals of education administration, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Karen Black for being named the 2025 Outstanding Secondary School Assistant Principal of Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Karen Black as an expression of the General Assembly's appreciation for her contributions to Chesapeake and the Commonwealth.

SENATE JOINT RESOLUTION NO. 413

Commending Barry Eugene DuVal.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Barry Eugene DuVal, an esteemed public servant who admirably led the Virginia business community as president and chief executive officer of the Virginia Chamber of Commerce, retired in early 2025; and

WHEREAS, Barry DuVal embarked upon his career in public service in 1988 as a member of the Newport News City Council and served as mayor of the locality from 1990 to 1996; and

WHEREAS, Barry DuVal subsequently served as president and chief executive officer of the regional economic development organization, Hampton Roads Partnership, and then as the Commonwealth's secretary of commerce and trade from 1998 to 2002; and

WHEREAS, Barry DuVal was named president and chief executive officer of the Virginia Chamber of Commerce in 2010 and spearheaded the organization's efforts to foster economic development and competitiveness in the Commonwealth through advocacy initiatives and other endeavors; and

WHEREAS, during Barry DuVal's tenure, the Virginia Chamber of Commerce became the largest business advocacy organization in the Commonwealth, growing from approximately 1,000 members to more than 32,000 members; and

WHEREAS, Barry DuVal's accomplishments with the Virginia Chamber of Commerce include the launch of WiseChoice Healthcare Alliance, which enabled a consortium of small business owners to purchase affordable health insurance for their employees, and the development and implementation of Blueprint Virginia in 2013, 2017, and 2021, which compiled strategies and policy recommendations to guide the Commonwealth's long-term economic development planning; and

WHEREAS, in recognition of his leadership and service, *Virginia Business* magazine has named Barry DuVal one of its Top 50 Most Influential People in the Commonwealth of Virginia for the past six years; and

WHEREAS, as a result of Barry DuVal's tireless efforts, CNBC has ranked the Commonwealth as the Top State for Business in three of the last six years, giving it more top rankings than any other state in the nation; and

WHEREAS, beyond his public service and work with the Virginia Chamber of Commerce, Barry DuVal has made an impact through his involvement with various boards and commissions, including the Board of Visitors for Christopher Newport University and the Board of Visitors for James Madison University; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Barry Eugene DuVal for his legacy of service on the occasion of his retirement as president and chief executive officer of the Virginia Chamber of Commerce; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Barry Eugene DuVal as an expression of the General Assembly's admiration for his contributions to the Commonwealth and best wishes for a rewarding and fulfilling retirement.

SENATE JOINT RESOLUTION NO. 414

Commending Aubrey Jones.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Aubrey Jones, a community leader in Hampton Roads, has touched countless lives through his commitment to service; and

WHEREAS, Aubrey Jones has used his social media platform to assist with numerous mass search and rescue efforts for missing persons in the Hampton Roads area; and

WHEREAS, Aubrey Jones advocated for the creation of the Critical Operation for a Disappeared Child Initiative (CODI) Alert, which sends alert notifications about missing children who may be in immediate danger; and

WHEREAS, Aubrey Jones's contributions to the development of the CODI Alert system has given law enforcement an additional, potentially lifesaving tool to inform the public quickly and efficiently about missing children; and

WHEREAS, Aubrey Jones has also advocated for criminal justice and gun safety reform and organized community members around important issues; and

WHEREAS, Aubrey Jones has worked directly with people whose lives have been affected by tragedies, offering hope and support in times of need; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Aubrey Jones for his volunteer leadership and community advocacy; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Aubrey Jones as an expression of the General Assembly's admiration for his contributions to the residents of Hampton Roads.

SENATE JOINT RESOLUTION NO. 415

Commending Roy Holder.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Roy Holder, an esteemed conductor who has led marching bands, concert bands, and orchestras throughout the Commonwealth, the United States, and the world, was inducted into the National Band Association Hall of Fame of Distinguished Conductors in February 2025; and

WHEREAS, Roy Holder earned bachelor's and master's degrees in music education from the University of Tennessee, Knoxville, and proudly served as a high school band director at schools in Tennessee, Georgia, and Virginia over the course of 42 years; and

WHEREAS, during Roy Holder's tenure as the first band director of the West Potomac High School Band in Fairfax County from 1985 to 1988, the West Potomac High School Band earned consistent superior ratings in Virginia Band and Orchestra Directors Association concert band and marching band events; won competitive events in Virginia, Tennessee, Florida, and Ontario, Canada; and performed for President Ronald Reagan at the retirement dinner for Senator Paul Laxalt and for Armed Forces National Family Week at the Pentagon; and

WHEREAS, Roy Holder's outstanding leadership of the Lake Braddock Secondary School Band contributed to the program's recognition with a 30-year Honor Band Plaque by the Virginia Band and Orchestra Directors Association for receiving superior ratings in all aspects of State Concert Band Festival and State Marching Band Festival adjudication for 30 consecutive years, the only school in the Commonwealth to ever accomplish such a feat; and

WHEREAS, ensembles under Roy Holder's direction have performed for the National Commission on Aging, for the 50th Anniversary of the National Savings Bond Campaign at the Federal Reserve, at the John F. Kennedy Center for the Performing Arts with the National Chamber Symphony and as an American Youth Performs Selected Ensemble, at the Music For All National Concert Festival, four times at the Virginia Music Educators Association In-Service Conference, three times at the Midwest Clinic International Band and Orchestra, and at the American Bandmasters Association Convention; and

WHEREAS, in addition, Roy Holder has conducted bands in Canada, Europe, and Japan, and he completed a concert tour of China under the sponsorship of the US-China Cultural and Education Foundation; and

WHEREAS, Roy Holder is the founding president of the Virginia Chapter of Phi Beta Mu International, vice president of operations for the John Philip Sousa Foundation, and a past president of the National Band Association; in March 2025, he will become president of the American Bandmasters Association, making him only the second high school band director in history to serve as president of both the National Band Association and the American Bandmasters Association; and

WHEREAS, among countless awards and accolades, Roy Holder has received the Al and Gladys Wright Distinguished Legacy Award from the National Band Association and the Diploma of the Sudler Order of Merit from the John Philip Sousa Foundation; he has also been inducted into the East Tennessee School Band and Orchestra Association Hall of Fame, the Virginia Band and Orchestra Directors Association Hall of Fame, the Phi Beta Mu Hall of Fame, and the Virginia Honor Band Directors Hall of Fame; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Roy Holder on the occasion of his induction into the National Band Association Hall of Fame of Distinguished Conductors; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Roy Holder as an expression of the General Assembly's admiration for his incomparable legacy of contributions to the performing arts as a world-renowned conductor and his legacy of achievements in service to young people in the Commonwealth as a school band director.

SENATE JOINT RESOLUTION NO. 416

Commending WSVA.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, WSVA, a news and talk radio station based in Harrisonburg, has informed and entertained the residents of the Central Shenandoah Valley for 90 years; and

WHEREAS, WSVA, also known as We Serve Virginia Agriculture, first signed on the air on June 9, 1935, and was the first radio station to broadcast in the Shenandoah Valley; and

WHEREAS, WSVA was originally owned by Frederick L. Allman and was an affiliate of the NBC Red Network, carrying news, sports, dramas, comedies, soap operas, game shows, and big band programs during the "Golden Age of Radio"; and

WHEREAS, WSVA thrived and established the Shenandoah Valley's first FM radio station, which is now known as WQPO, and created a television station, which is now WHSV-TV; and

WHEREAS, with network programming transitioning from radio to television in the 1950s, WSVA adopted a middle of the road radio format, offering music, news, and sports; the station was sold several times over the years and is currently owned by Saga Communications; and

WHEREAS, transmitting on 550 AM and 92.1 FM from its headquarters on Heritage Center Way, WSVA's current weekday lineup begins with Early Mornings with Frank Wilt and Jim Britt, followed by news and agricultural reports, and an afternoon drive time show, as well as nationally syndicated talk programs and updates from CBS News Radio; and

WHEREAS, on the weekends, WSVA features programs on car repair, home repair, travel, and gardening and additional syndicated programs on a variety of topics; the station also covers local high school sports and James Madison University sports; and

WHEREAS, WSVA has touched the lives of countless listeners over the years by raising awareness of important news and current events, highlighting local businesses and organizations, and fostering a strong sense of community in the region; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend WSVA on the occasion of its 90th anniversary of broadcasting high quality radio programming; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to WSVA as an expression of the General Assembly's admiration for the radio station's longevity and important contributions to generations of Central Shenandoah Valley residents.

SENATE JOINT RESOLUTION NO. 417

Commending the Central Virginia Cricket Association, Capital Women's Cricket League, and Richmond Youth Cricket.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, the Central Virginia Cricket Association, Capital Women's Cricket League, and Richmond Youth Cricket have made significant strides in promoting and expanding women's cricket in the Richmond area and across the Commonwealth, providing a structured pathway for female cricketers to compete at higher levels; and

WHEREAS, with invaluable support from Henrico County and other localities, the Central Virginia Cricket Association (CVCA), Capital Women's Cricket League (CWCL), and Richmond Youth Cricket (RYC) have successfully hosted matches featuring teams and players from Virginia, Maryland, New Jersey, Atlanta, and Canada, fostering a competitive and inclusive cricketing environment; and

WHEREAS, CVCA, CWCL, and RYC follow international cricket regulations, ensuring top-tier standards in gameplay and officiating while creating opportunities for women and youths to gain exposure to structured competition; and

WHEREAS, CVCA, CWCL, and RYC have played a pioneering role in establishing dedicated girls' cricket tournaments, bringing together players from various academies and states, filling a critical gap in opportunities for young female cricketers; and

WHEREAS, by fostering inclusivity, CVCA, CWCL, and RYC have united players from diverse cultural and ethnic backgrounds, strengthening the spirit of community through cricket; and

WHEREAS, historical records highlight early Virginians as participants in cricket, including William Byrd of Westover and Thomas Jefferson's grandfather, emphasizing the sport's deep roots in the Commonwealth; and

WHEREAS, CVCA, CWCL, and RYC collaborate with other leagues to organize and promote various tournaments, including interstate and high-performance competitions, ensuring sustained growth and development of the sport; and

WHEREAS, CVCA, CWCL, and RYC actively engage with local communities and cricket academies to advance women's cricket by hosting and supporting tournaments dedicated to female players, while also working to secure better facilities, coaching, and resources for their development; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Central Virginia Cricket Association, Capital Women's Cricket League, and Richmond Youth Cricket for their combined efforts to advance the sport of cricket in Richmond and throughout the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare copies of this resolution for presentation to Zulfi Khan, the Central Virginia Cricket Association, Capital Women's Cricket League, and Richmond Youth Cricket as an expression of the General Assembly's admiration for their mission to create new opportunities for female athletes.

SENATE JOINT RESOLUTION NO. 418

Commending Hamidullah Noori.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Hamidullah Noori, a hardworking chef and entrepreneur, has helped numerous Afghan refugees find purpose and build a stronger sense of community in the Richmond area; and

WHEREAS, Hamidullah Noori was born in Afghanistan and began working to support his family at a young age after his father was killed by the Taliban; he began his career as a chef at the age of 18 and honed his skills at the Intercontinental Hotel Kabul and the Kabul Serena Hotel; and

WHEREAS, Hamidullah Noori arrived in the United States in 2015 and opened a restaurant featuring authentic Afghan cuisine, the Mantu, in Carytown in 2019; he has since opened an additional location in Short Pump, as well as the Mantu Market, an Afghan deli and bakery in Henrico County; and

WHEREAS, after recognizing that many Afghan refugees were struggling to find work or suffering from depression and anxiety due to language barriers and other cultural challenges, Hamidullah Noori reoriented his businesses to focus on uplifting women and children in need; and

WHEREAS, Hamidullah Noori began hiring women refugees from Afghanistan and teaching them all aspects of the restaurant business, which not only helped build a sense of fellowship between refugee women in the region, but created a valuable support network that has allowed them to better care for their families; and

WHEREAS, Mantu Market, in particular, is dedicated to empowering women, and Hamidullah Noori has envisioned the establishment as a meditation center for Afghan women who are facing anxiety and depression by offering support in various ways; and

WHEREAS, in addition to teaching them how to cook, manage the store, and learn English daily, Hamidullah Noori has helped women achieve other life skills, including through the acquisition of a vehicle to help train them how to drive and assist them in passing the behind-the-wheel driving test, which is greatly needed; and

WHEREAS, every month, Hamidullah Noori's businesses allocate funds to support Afghan women and children residing in rural areas of Afghanistan; this initiative aims to save lives by providing critical assistance to people in need within those communities; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Hamidullah Noori for his life-changing contributions to refugee women and families in Richmond; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Hamidullah Noori as an expression of the General Assembly's admiration for his achievements as a restaurateur and service to the Afghan refugee community.

SENATE JOINT RESOLUTION NO. 419

Commending Fellowship Square.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Fellowship Square, an organization dedicated to providing seniors in need with affordable housing and other supportive services, celebrates its 65th anniversary in 2025; and

WHEREAS, recognizing that there were vulnerable members of the community who lacked access to safe and low-cost housing, the Reverend Dr. John A. Scherzer, a pastor and member of the Lutheran Lay Fellowship of Metropolitan Washington, founded Fellowship Square on November 14, 1960; and

WHEREAS, over its first 10 years, Fellowship Square assisted a diverse population of older adults while seeking funds to build a housing community in the region; in 1971, the organization's aspirations were realized when it opened its Lake Anne Fellowship House in Reston; and

WHEREAS, the success of Fellowship Square would lead to the organization's growth and expansion, with the Lake Anne II Fellowship House opening in 1976, followed by the Hunters Woods Fellowship House in Reston in 1979, the Lake Ridge Fellowship House in Woodbridge in 1983, and the Largo Landing Fellowship House in Upper Marlboro, Maryland, in 1984; and

WHEREAS, today, across its four communities, Fellowship Square has 670 affordable apartments that allow more than 800 older adults with limited income to live independently and with dignity; and

WHEREAS, in addition to housing, Fellowship Square offers its residents an array of supportive services, events, and programs to enhance their physical, intellectual, spiritual, and social well-being; and

WHEREAS, the accomplishments of Fellowship Square are the result of the tireless efforts of its staff, volunteers, and community partners and the generous support of the United States Department of Housing and Urban Development and other organizations; and

WHEREAS, through its unwavering commitment to improving the quality of life of the individuals it serves, Fellowship Square has made a profound and lasting impact on countless lives; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Fellowship Square for its legacy of service on the occasion of its 65th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Fellowship Square as an expression of the General Assembly's admiration for the organization's contributions to the Commonwealth.

SENATE JOINT RESOLUTION NO. 420

Commending the Virginia chapter of the American Association of University Women.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, the Virginia chapter of the American Association of University Women, an organization dedicated to advancing equity for women and girls through advocacy, education, and research, celebrates its 100th anniversary in 2025; and

WHEREAS, on March 27-28, 1925, members from seven different branches of the American Association of University Women (AAUW) in the Commonwealth met in Williamsburg to establish a Virginia chapter of the organization; and

WHEREAS, in the beginning, AAUW-Virginia was mostly composed of educators who were resolved to work for an increase in funds for state-supported schools and a program for preschool children; and

WHEREAS, in the 1930s, AAUW-Virginia worked to improve school curricula, promoted teacher training, fought for equal salaries for men and women teachers, and supported overturning the discriminatory ruling against married women teaching in public schools; and

WHEREAS, in the 1940s, the number of local branches of the AAUW in the Commonwealth grew, and the members of AAUW-Virginia worked around travel restrictions from World War II as they supported the national organization in its efforts to help women in Axis and occupied nations escape to safety and advocated for the right of women to participate in jury duty; and

WHEREAS, in the 1950s, when some schools were closed following federal court orders, several AAUW branches in the Commonwealth established tutoring groups, laying the groundwork for the organization's firm and courageous stand for the preservation of a statewide system of free public schools; and

WHEREAS, in the 1960s, AAUW-Virginia worked for compulsory school attendance and advanced the organization's efforts to protect and improve the legal status of women; and

WHEREAS, since the 1970s, AAUW-Virginia has supported a number of causes in its fight for gender equality, including the Equal Rights Amendment and the admission of women into the Virginia Military Institute; and

WHEREAS, as it embarks upon its next century, AAUW-Virginia remains steadfastly committed to its aim to advance equity for women and girls in higher education and to promote women's economic empowerment; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Virginia chapter of the American Association of University Women on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Virginia chapter of the American Association of University Women as an expression of the General Assembly's admiration for the organization's history and legacy of service.

SENATE JOINT RESOLUTION NO. 421

Commending Sheila A. Olem.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Sheila A. Olem, an esteemed public servant and mayor of the Town of Herndon, concluded her tenure with the Herndon Town Council after not seeking reelection in November 2024; and

WHEREAS, Sheila Olem holds a bachelor's degree in education from the University of North Alabama and a master's degree in health administration from the University of Memphis and works as an independent sales associate representing Aflac, in addition to owning and managing commercial real estate; and

WHEREAS, a resident of Herndon since 1990, Sheila Olem began her career in public service when she was appointed to Herndon's Board of Zoning Appeals in 2000, where she served until 2007, in addition to serving on a number of Dranesville District land use committees in the early 2000s; and

WHEREAS, Sheila Olem was elected to the Herndon Town Council in 2010 and served two terms as mayor, as well as one term as vice mayor; and

WHEREAS, in her capacity as a member of the Herndon Town Council, Sheila Olem served on the Northern Virginia Regional Commission, the Northern Virginia Transportation Authority, and various committees of the Virginia Municipal League; and

WHEREAS, beyond her public service, Sheila Olem has given generously of her time to support her community through her involvement with her children's schools and various local events and organizations; and

WHEREAS, Sheila Olem's tenure with the Herndon Town Council was defined by her exceptional leadership, exemplary commitment to promoting the town's growth and development and its partnership with Fairfax County, and unwavering dedication to the success and well-being of the town's residents and businesses; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Sheila A. Olem as she concludes her service on the Herndon Town Council; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Sheila A. Olem as an expression of the General Assembly's admiration for her contributions to Herndon and the Commonwealth.

SENATE JOINT RESOLUTION NO. 422

Commending Namaste Club.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Namaste Club, a student group at Thomas Jefferson High School for Science and Technology in Alexandria, was presented a Student Peace Award of Fairfax County in 2024; and

WHEREAS, the Student Peace Awards of Fairfax County were established in 2006 to annually recognize one junior, one senior, or a student group at each public high school in Fairfax County who has worked to promote peace in their community; and

WHEREAS, every year, Namaste Club sponsors and organizes its International Night, or iNite, a large multicultural showcase that engages more than 500 students and is one of the largest events of the school year; and

WHEREAS, at Namaste Club's iNite, the various culture clubs at Thomas Jefferson High School present music, dance, and other traditions that are representative of their respective cultures; and

WHEREAS, in addition to cultivating connections and a sense of togetherness across the Thomas Jefferson High School community, the event also raises funds to support international charities; and

WHEREAS, in recent years, Namaste Club has given generously to ActionAid International, the International Rescue Committee, and other nonprofit organizations advancing peace and justice around the globe; and

WHEREAS, Namaste Club's efforts have made a positive and lasting impact on both the Fairfax County community and the world, earning them the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Namaste Club for receiving a 2024 Student Peace Award of Fairfax County; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Namaste Club as an expression of the General Assembly's high regard for their contributions to Fairfax County, the Commonwealth, and the world.

SENATE JOINT RESOLUTION NO. 423

Commending Spring Hill Elementary School.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Spring Hill Elementary School of Fairfax County Public Schools was named a National Blue Ribbon School by the United States Department of Education in 2024; and

WHEREAS, Spring Hill Elementary School was one of only eight schools in the Commonwealth and 356 schools in the country to receive this prestigious honor in 2024, which recognizes high-performing schools and schools making exemplary progress toward closing achievement gaps; and

WHEREAS, Spring Hill Elementary School, which serves families representing more than 52 birth countries and speaking more than 43 languages, has scored highly in reading and mathematics assessments across various demographic groups; and

WHEREAS, in 2023, Spring Hill Elementary School was awarded the Highest Achievement Award for Academic Excellence by the Department of Education after posting consistently high Standards of Learning scores over several years; and

WHEREAS, Spring Hill Elementary School is dedicated to cultivating a supportive and inclusive learning environment that challenges its students to grow academically while fostering their physical, social, and emotional well-being; and

WHEREAS, the accomplishments of Spring Hill Elementary School are the result of the hard work and determination of its students, the leadership and guidance of its teachers and staff, and the unwavering support of its families, partners, and the entire Spring Hill Elementary School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Spring Hill Elementary School for being named a National Blue Ribbon School in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Spring Hill Elementary School as an expression of the General Assembly's admiration for the school's achievements and best wishes for its continued success.

SENATE JOINT RESOLUTION NO. 424

Commending Virginia Banton.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Virginia Banton, a student at South Lakes High School in Fairfax County, was presented a Student Peace Award of Fairfax County in 2024; and

WHEREAS, the Student Peace Awards of Fairfax County were established in 2006 to annually recognize one junior, one senior, or a student group at each public high school in Fairfax County who has worked to promote peace in their community; and

WHEREAS, Virginia Banton is the president of the South Lakes Best Buddies Club, a group dedicated to supporting students with intellectual and developmental disabilities by connecting them with other students to socialize and collaborate on projects; and

WHEREAS, in her role as president, Virginia Banton has helped her fellow students thrive and develop a sense of togetherness while combating bullying and encouraging friendlier relationships throughout the South Lakes High School community; and

WHEREAS, Virginia Banton's efforts have made a positive and lasting impact on the Fairfax County community, earning her the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Virginia Banton for receiving a 2024 Student Peace Award of Fairfax County; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Virginia Banton as an expression of the General Assembly's high regard for her contributions to Fairfax County and the Commonwealth.

SENATE JOINT RESOLUTION NO. 425

Commending Kaiya Amani Williams.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Kaiya Amani Williams, a student at McLean High School, was presented a Student Peace Award of Fairfax County in 2024; and

WHEREAS, the Student Peace Awards of Fairfax County were established in 2006 to annually recognize one junior, one senior, or a student group at each public high school in Fairfax County who has worked to promote peace in their community; and

WHEREAS, as a sophomore, Kaiya Williams worked with other students to form the Black Student Union at McLean High School; in her senior year, she served as president of the organization and devoted considerable time and energy to advance the organization's mission; and

WHEREAS, in October 2023, Kaiya Williams and the Black Student Union participated in a peaceful walkout in solidarity with the Muslim Student Association to advocate for a nonviolent and peaceful resolution to the conflicts in the Middle East; and

WHEREAS, under Kaiya Williams's leadership, the Black Student Union increased its membership, garnered greater participation and support from faculty and the school administration, and fostered ties with similar groups at other schools in Fairfax County; and

WHEREAS, Kaiya Williams's efforts have made a positive and lasting impact on the Fairfax County community, earning her the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Kaiya Amani Williams for receiving a 2024 Student Peace Award of Fairfax County; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Kaiya Amani Williams as an expression of the General Assembly's high regard for her contributions to Fairfax County and the Commonwealth.

SENATE JOINT RESOLUTION NO. 426

Commending Lina Liakakos.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Lina Liakakos, a student at Langley High School, was presented a Student Peace Award of Fairfax County in 2024; and

WHEREAS, the Student Peace Awards of Fairfax County were established in 2006 to annually recognize one junior, one senior, or a student group at each public high school in Fairfax County who has worked to promote peace in their community; and

WHEREAS, after successfully raising funds to purchase socks and underwear for a local homeless shelter in her sophomore year, Lina Liakakos founded Delivering Hope, a service club at Langley High School dedicated to helping those in need through various endeavors; and

WHEREAS, in Delivering Hope's first two years, Lina Liakakos grew the club to more than 80 members, bringing the Langley High School community together around a common purpose and goal; and

WHEREAS, under Lina Liakakos's leadership, Delivering Hope has completed service projects with local homeless shelters and clothing centers, conducted clothing drives, and prepared and served a pre-Thanksgiving meal for 45 individuals; and

WHEREAS, Lina Liakakos's efforts have made a positive and lasting impact on the Fairfax County community, earning her the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Lina Liakakos for receiving a 2024 Student Peace Award of Fairfax County; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Lina Liakakos as an expression of the General Assembly's high regard for her contributions to Fairfax County and the Commonwealth.

SENATE JOINT RESOLUTION NO. 427

Commending Donielle M. Scherff.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Donielle M. Scherff, an esteemed public servant and active and engaged member of the Herndon community, concluded her term on the Herndon Town Council in 2024; and

WHEREAS, in her professional life, Donielle Scherff provides proposal management and support for federal defense contractors through her consulting firm, Scherff Consulting, LLC, and she has previously worked as manager of community outreach for an affiliate of the Public Broadcasting Service; and

WHEREAS, during her tenure on the Herndon Town Council, Donielle Scherff served on the Inter-Jurisdictional Committee and as an alternate on the Committee for Dulles and the Northern Virginia Regional Commission; and

WHEREAS, dedicated to making Herndon a welcoming and inclusive place for all, Donielle Scherff has made an impact on the community through her service with the Leadership Fairfax Equity Council, Opportunity Neighborhoods Herndon, the One Fairfax Equity Roundtable, and the Fairfax County Successful Children and Youth Policy Team and through her participation in PolicyLink's All-In Cities initiative; and

WHEREAS, with an unwavering commitment to the health, prosperity, and well-being of the community she serves, Donielle Scherff has helped to make Herndon a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Donielle M. Scherff as she concludes her term on the Herndon Town Council; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Donielle M. Scherff as an expression of the General Assembly's admiration for her contributions to Herndon and the Commonwealth.

SENATE JOINT RESOLUTION NO. 428

Commending Susy Reyes.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Susy Reyes, a student at Herndon High School, was presented a Student Peace Award of Fairfax County in 2024; and

WHEREAS, the Student Peace Awards of Fairfax County were established in 2006 to annually recognize one junior, one senior, or a student group at each public high school in Fairfax County who has worked to promote peace in their community; and

WHEREAS, Susy Reyes has been recognized for her accomplishments as a student leader and for her ability to resolve contentious situations and conflicts among her peers; and

WHEREAS, Susy Reyes has kindly supported younger students by providing them informal mentoring and encouragement, fostering their success and well-being; and

WHEREAS, in addition to school, Susy Reyes serves as an information technology intern at the Smithsonian Institution, works as a barista at Starbucks, and assists on her family's farm; and

WHEREAS, with extraordinary selflessness and dedication to the well-being of others, Susy Reyes has made a positive and lasting impact on countless lives; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Susy Reyes for receiving a 2024 Student Peace Award of Fairfax County; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Susy Reyes as an expression of the General Assembly's high regard for her contributions to Fairfax County and the Commonwealth.

SENATE JOINT RESOLUTION NO. 429

Commending Pradip Dhakal.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Pradip Dhakal, an esteemed public servant and active and engaged member of the Herndon community, concluded his tenure on the Herndon Town Council in 2024; and

WHEREAS, Pradip Dhakal immigrated to Herndon from Nepal in 2012 and works as an information technology professional and federal contractor managing projects for the United States Department of Health and Human Services; and

WHEREAS, Pradip Dhakal joined the Herndon Town Council in 2019 and over three terms served as chair of the Herndon Diversity, Equity, and Inclusion Committee, which he helped establish, and as the town's representative on the Fairfax County Economic Advisory Commission; and

WHEREAS, Pradip Dhakal fostered growth and development in Herndon by supporting the creation of the Mason Small Business Development Center and made the locality more welcoming for all by encouraging an increase in affordable and workforce housing; and

WHEREAS, as a member of the Herndon Advisory Committee for the Harraseeket Foundation, Pradip Dhakal facilitated the launch of an initiative to assist Herndon High School seniors through mentoring, internships, and career guidance; and

WHEREAS, throughout his tenure on the Herndon Town Council, Pradip Dhakal has advocated for promoting the safety, inclusivity, walkability, affordability, and prosperity of the community, helping to make Herndon a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Pradip Dhakal as he concludes his tenure on the Herndon Town Council; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Pradip Dhakal as an expression of the General Assembly's admiration for his contributions to Herndon and the Commonwealth.

SENATE JOINT RESOLUTION NO. 430

Commending Mia Mortman.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Mia Mortman, a student at McLean High School, received a YoungArts award in the category of classical voice from the National Foundation for the Advancement of Artists in 2025; and

WHEREAS, Mia Mortman discovered her love of opera while rehearsing for the role of Glinda in her middle school theater class's production of *The Wizard of Oz*; and

WHEREAS, Mia Mortman began training under professional voice coaches, attending linguistic fluency and diction classes, and practicing daily to hone her abilities as an opera singer; and

WHEREAS, Mia Mortman's talent and drive have led to several prestigious performance opportunities, including at the Boston University Tanglewood Institute and the Interlochen Arts Camp; and

WHEREAS, Mia Mortman's musical pursuits also include serving as president and student conductor of the McLean High School choir's treble chorus and participating in the faith-based Sing Unto God songleader fellowship; and

WHEREAS, beyond music, Mia Mortman is active and engaged at her school as the director of Crisis Committees for McLean High School's Model United Nations club and as an officer of the school's chapter of the Tri-M Music Honor Society; and

WHEREAS, Mia Mortman's YoungArts award was presented in recognition of her superb musical abilities, mature artistic vision, and remarkable commitment to her craft; and

WHEREAS, Mia Mortman's accomplishments are the result of her hard work and dedication, the leadership and guidance of her teachers, and the unwavering support of her family and the entire McLean High School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Mia Mortman for receiving a 2025 YoungArts award from the National Foundation for the Advancement of Artists; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Mia Mortman as an expression of the General Assembly's admiration for her achievements and best wishes for her continued success.

SENATE JOINT RESOLUTION NO. 431

Commending Kian Tatsuo Linam.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Kian Tatsuo Linam, a student at South Lakes High School in Fairfax County, received a YoungArts award in the category of jazz piano from the National Foundation for the Advancement of Artists in both 2024 and 2025; and

WHEREAS, while still in the early years of his musical career, Kian Linam has already played alongside a number of distinguished acts, including Ashlin Parker & the Trumpet Mafia, Alison Crockett, Will "Mobetta" Ledbetter, Romeir Mendez, and Shawn Purcell; and

WHEREAS, Kian Linam's talents have earned him the opportunity to perform at several prominent venues and events in the Washington, D.C. metropolitan area, including Blues Alley, the Mid-Atlantic Jazz Fest, the Hamilton, the Carlyle Room, the National Press Club, and Reston Town Center's Summer Concert Festival; and

WHEREAS, since 2020, Kian Linam has served as one of the pianists for the Blues Alley Youth Orchestra led by Michael Bowie, an elite ensemble of young musicians dedicated to preserving big band jazz; and

WHEREAS, Kian Linam works tirelessly to hone his skills under the mentorship of Eric Byrd and Dan Nimmer, two accomplished musicians who play with the Jazz at Lincoln Center Orchestra; and

WHEREAS, Kian Linam's YoungArts awards were presented in recognition of his superb musical abilities, mature artistic vision, and remarkable commitment to his craft; and

WHEREAS, Kian Linam's accomplishments are the result of his hard work and dedication, the leadership and guidance of his teachers, and the unwavering support of his family and the entire South Lakes High School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Kian Tatsuo Linam for receiving a YoungArts award in 2024 and 2025 from the National Foundation for the Advancement of Artists; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Kian Tatsuo Linam as an expression of the General Assembly's admiration for his achievements and best wishes for his continued success.

SENATE JOINT RESOLUTION NO. 432

Commending the Langley High School golf team.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, the Langley High School golf team of McLean won the Virginia High School League Class 6 state championship on October 15, 2024, at the Lansdowne Resort in Loudoun County; and

WHEREAS, the Langley High School Saxons posted a team score of 303 to defeat the runner-up Robinson Secondary School Rams by five strokes, bringing home the program's 12th state championship title, a Virginia High School League record; and

WHEREAS, the Langley Saxons' victory was a redemptive finish for a program that had won seven consecutive state championship finals before falling short in last year's tournament; and

WHEREAS, the Langley Saxons' triumph was a total team effort, led by sophomore Sophie Cao, who shot a 1-under-par 71 and placed third in the individual rankings; and

WHEREAS, earlier in the 2024 season, the Langley Saxons won the Virginia High School League Region 6D tournament following a thrilling, sudden-death playoff against the Washington-Liberty High School Generals of Arlington; and

WHEREAS, the accomplishments of the Langley Saxons are the result of the hard work and dedication of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their families and the entire Langley High School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Langley High School golf team for winning the 2024 Virginia High School League Class 6 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Duane Bean, coach of the Langley High School golf team, as an expression of the General Assembly's admiration for the program's achievements and best wishes for its continued success.

SENATE JOINT RESOLUTION NO. 433

Commending Renee Shi.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Renee Shi, a student at Langley High School in Fairfax County, received a YoungArts award in the category of film from the National Foundation for the Advancement of Artists in 2025; and

WHEREAS, Renee Shi enjoys writing, drawing, animating, and crocheting and is a two-time Scholastic Arts and Writing National Medalist; and

WHEREAS, at a young age, Renee Shi has already produced several animated movies that have won best animated film awards at prestigious international film festivals and award ceremonies, including the London Festival of Cinema, the Golden Nugget International Film Festival, the All American High School Film Festival, the Busan International Kids and Youth Film Festival, the Top Indie Film Awards in Japan, and the Festival del Cinema dei Diritti Umani di Napoli; and

WHEREAS, Renee Shi has championed human rights, social justice, and other causes through her writing and films, which have reached millions of readers and viewers around the world; and

WHEREAS, Renee Shi's YoungArts award was presented in recognition of her superb filmmaking abilities, mature artistic vision, and remarkable commitment to her craft; and

WHEREAS, Renee Shi's accomplishments are the result of her hard work and dedication, the leadership and guidance of her teachers, and the unwavering support of her family and the entire Langley High School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Renee Shi for receiving a YoungArts award in 2025 from the National Foundation for the Advancement of Artists; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Renee Shi as an expression of the General Assembly's admiration for her achievements and best wishes for her continued success.

SENATE JOINT RESOLUTION NO. 434

Commending the Honorable William Ferguson Reid, M.D.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, the Honorable William Ferguson Reid, M.D., an outstanding physician, groundbreaking civil rights activist, and community leader, celebrates his 100th birthday in 2025; and

WHEREAS, Ferguson "Fergie" Reid grew up in the Jackson Ward neighborhood of Richmond and graduated from Armstrong High School and Virginia Union University; he continued his education by earning a medical degree from Howard University, then completed his medical internship and residency at Homer G. Phillips Hospital in St. Louis, Missouri; and

WHEREAS, Fergie Reid subsequently enlisted in the United States Navy and was assigned to the 1st Marine Division during the Korean War, then served at Bethesda Naval Hospital in Maryland; and

WHEREAS, Fergie Reid returned to Richmond and opened a private surgical practice that served the community for more than 20 years; he also provided his leadership and expertise to several local hospitals during the 1950s and 1960s, including Richmond Memorial Hospital, Richmond Community Hospital, Retreat for the Sick Hospital, the Medical College of Virginia, and St. Mary's Hospital; and

WHEREAS, as the first Black surgeon in Richmond, Fergie Reid weathered many barriers to practice his profession; he was rejected for membership in the medical society due to his race; he was denied staff privileges at area hospitals because staff privileges were extended only to members of the medical society; and because he was unable to practice in local hospitals, he could not obtain the requisite recommendations of five area surgeons to apply for membership in the American College of Surgeons until the staffs of area hospitals were desegregated; and

WHEREAS, Fergie Reid led the fight to desegregate medicine in Richmond, opening doors for Black physicians to obtain membership in local, state, and national medical education associations and societies; and

WHEREAS, Fergie Reid cofounded the Richmond Crusade for Voters in 1956 and began volunteering his leadership and expertise to civic organizations at the local and state levels; and

WHEREAS, Fergie Reid ran for and was elected to the Virginia House of Delegates in 1967, making history as the first Black member of the General Assembly since the Reconstruction Era; and

WHEREAS, as a member of state government at that time, Fergie Reid often endured with dignity and grace the very exclusion that he had fought to eradicate in open society; he pressed on with his cause of equality and freedom and was instrumental in desegregating the page program to provide opportunities for minorities and females to serve as pages in the General Assembly; and

WHEREAS, Fergie Reid ably represented the residents of the City of Richmond and Henrico County in the 35th House District until 1973, during which time he introduced and supported numerous pieces of legislation to benefit his constituents and the Commonwealth as a whole; and

WHEREAS, in 1977, Fergie Reid began working for the U.S. Department of State as a regional medical officer; and

WHEREAS, on Fergie Reid's 90th birthday, the 90 for 90 Campaign was launched in his honor, imploring volunteers throughout the Commonwealth to inspire other Virginians to fulfill their civic duty to vote by registering 90 new voters in each precinct every year; and

WHEREAS, Fergie Reid has served the Richmond community and the Commonwealth with distinction, inspiring others through his personal integrity and unwavering commitment to servant-leadership; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Honorable William Ferguson Reid, M.D., on the occasion of his 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Honorable William Ferguson Reid, M.D., as an expression of the General Assembly's admiration for his lifetime of personal and professional achievements.

SENATE JOINT RESOLUTION NO. 435

Commending the Langley High School girls' volleyball team.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, the Langley High School girls' volleyball team of McLean won the Virginia High School League Class 6 state championship on November 23, 2024, at the Stuart C. Siegel Center in Richmond; and

WHEREAS, the Langley High School Saxons defeated the Chantilly High School Chargers by a score of 3-2 to bring home the program's second consecutive state championship and its fourth title since 2013; and

WHEREAS, down 4-8 in the deciding fifth set, the Langley Saxons posted a 9-0 rally and never looked back, finishing the set 15-13 and claiming victory; and

WHEREAS, despite losing several starters from last year's championship team, the Langley Saxons regrouped and persevered to continue the program's reign of dominance; and

WHEREAS, from twice-daily practices at the start of the season in August, to six practices a week during the playoffs, the Langley Saxons maintained a rigorous training schedule that prepared them to excel in the state tournament; and

WHEREAS, the accomplishments of the Langley Saxons are the result of the hard work and dedication of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their families and the entire Langley High School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Langley High School girls' volleyball team for winning the 2024 Virginia High School League Class 6 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Susan Shifflett, coach of the Langley High School girls' volleyball team, as an expression of the General Assembly's admiration for the program's achievements and best wishes for its continued success.

SENATE JOINT RESOLUTION NO. 436

Commending John Ulfelder.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, John Ulfelder, an esteemed public servant, retired from his position as the Dranesville District representative on the Fairfax County Planning Commission in 2024; and

WHEREAS, a retired attorney and senior vice president of the real estate development company West*Group, John Ulfelder previously chaired the Great Falls Citizens Association from 1997 to 2000 and led its Land Use and Zoning Committee from 2001 to 2005; and

WHEREAS, John Ulfelder has served on the last four Dranesville District Area Plan Review Task Forces, including as task force chair during the 2004 and 2008 reviews; and

WHEREAS, in 2013, John Ulfelder was appointed by the Fairfax County Board of Supervisors to serve on the Fairfax County Planning Commission as the representative of the Dranesville District, which includes McLean, Great Falls, Herndon, and the West Falls Church Metro Station area; he has also served as the commission's parliamentarian during his tenure; and

WHEREAS, John Ulfelder has made an outsized impact on the community through his service on the boards of the Inova Healthy Foundation, Northern Virginia Regional Park Foundation, Great Falls Heritage, Inc., the Virginia chapter of the Nature Conservancy, WETA, the McLean Orchestra, the McLean Project for the Arts, and various other task forces and commissions; and

WHEREAS, John Ulfelder has demonstrated a deep and unwavering commitment to the success and well-being of Fairfax County and its residents throughout his many years of public service; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend John Ulfelder for his legacy of service upon his retirement from the Fairfax County Planning Commission; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to John Ulfelder as an expression of the General Assembly's admiration for his contributions to Fairfax County and the Commonwealth.

SENATE JOINT RESOLUTION NO. 437

Commending Anthony Guy Bennett.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Anthony Guy Bennett, an acclaimed basketball player and coach and beloved member of the University of Virginia community, retired from his position as the Dean and Markel Families Men's Head Basketball Coach of the University of Virginia in 2024; and

WHEREAS, Anthony Guy "Tony" Bennett was born in 1969 in Wisconsin to Dick and Anne Bennett and played basketball at Preble High School in Green Bay, Wisconsin, where he was named "Mr. Basketball" as a senior; and

WHEREAS, Tony Bennett played college basketball at the University of Wisconsin-Green Bay and set a National Collegiate Athletic Association (NCAA) record with a career three-point percentage of 49.7 percent; and

WHEREAS, Tony Bennett was selected in the second round of the 1992 National Basketball Association (NBA) draft and played three seasons with the Charlotte Hornets before playing in Australia and New Zealand; and

WHEREAS, Tony Bennett began his basketball coaching career in New Zealand, and later served on the coaching staffs of the University of Wisconsin and Washington State University; and

WHEREAS, Tony Bennett, as head coach, led the Washington State Cougars to two NCAA tournament appearances, including a trip to the NCAA Sweet 16 in 2008; and

WHEREAS, Tony Bennett was named the head men's basketball coach at the University of Virginia in 2009, and he announced his desire to "build a program that lasts" at the university; and

WHEREAS, Tony Bennett led the Virginia Cavaliers to the 2013-14 Atlantic Coast Conference (ACC) regular-season title, the ACC Tournament championship title, and an NCAA Sweet 16 appearance; and

WHEREAS, Tony Bennett led his team with grace in defeat in 2018 and persevered to lead his team to the University of Virginia's first ever men's basketball national championship in 2019; and

WHEREAS, Tony Bennett guided his teams with his five pillars of humility, passion, unity, servanthood, and thankfulness, and many of his players went on to play in the NBA and other professional leagues; and

WHEREAS, Tony Bennett's pack-line defense was regarded as the model for elite defense in college basketball and was a key part of his teams' success over the years; and

WHEREAS, Tony Bennett coached for 15 seasons at the University of Virginia, compiling a 364-136 record, a national championship, two ACC Tournament titles, six ACC regular-season championships, and 10 NCAA tournament appearances; he retires as the winningest coach in program history; and

WHEREAS, in recognition of his accomplishments, Tony Bennett was named the ACC Coach of the Year four times and was presented the United States Basketball Writers Association's Henry Iba Award for national coach of the year three times; and

WHEREAS, Tony Bennett is devoted to his family and his faith, and in retirement he will have more opportunities to spend quality time with his wife and children; and

WHEREAS, Tony Bennett's leadership and integrity made an impact on the lives of players, coaches, and fans, and his legacy will be cherished by the University of Virginia community for years to come; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Anthony Guy Bennett for a lifetime of achievement and significance on and off the basketball court; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Anthony Guy Bennett as an expression of the General Assembly's admiration for his leadership and best wishes for the future.

SENATE JOINT RESOLUTION NO. 438

Commending Shaboozey.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Collins Obinna Chibueze, a native of Prince William County better known as Shaboozey, has helped reshape the American music industry and received great acclaim for his visionary blend of different musical styles, incorporating country, hip-hop, rock, funk, and bluegrass to create ear-catching hits; and

WHEREAS, Shaboozey attended Gar-Field High School in Prince William County, and gained his nickname, now his professional stage name, when a coach on his high school football team struggled to pronounce his last name; and

WHEREAS, Shaboozey developed his love of country music from his father, a Nigerian immigrant who initially settled in Texas and drew connections between the themes of country music with rural life in Nigeria; and

WHEREAS, after graduating from Gar-Field High School, Shaboozey began to pursue a career as a recording artist and released his first single, "Jeff Gordon," in 2014, then released his debut studio album *Lady Wrangler* in 2018; and

WHEREAS, Shaboozey gained further recognition when he was asked to sing the hook on "Start a Riot" by rapper Duckwrth, which was featured on the soundtrack for *Spider-Man: Into the Spider-Verse* and again when he sang with Beyoncé on her country album *Cowboy Carter*; he released his second studio album, *Cowboys Live Forever, Outlaws Never Die*, in 2022 and his third studio album, *Where I've Been, Isn't Where I'm Going*, which included his breakout hit, "A Bar Song (Tipsy)," in 2024; and

WHEREAS, "A Bar Song (Tipsy)" resonated with listeners of all backgrounds across the nation and tied the record for the longest-running number one song of all time with 19 weeks atop the *Billboard* Hot 100 chart; the song exemplifies Shaboozey's musical heritage—a tale of an old-school country music protagonist drowning his sorrows in the local saloon juxtaposed with an infectious beat and lyrics that pay homage to the 2004 hip-hop anthem "Tipsy" by J-Kwon; and

WHEREAS, in 2024, Shaboozey performed at the Country Music Association Festival, at the halftime show during the Thanksgiving Day National Football League game between the Detroit Lions and the Chicago Bears, and on Saturday Night Live; his song "Last of my Kind" was also featured on ESPN's college football season coverage; and

WHEREAS, at the 67th Annual Grammy Awards in 2025, Shaboozey was nominated for Song of the Year, Best New Artist, Best Country Song, Best Country Solo Performance, and Best Melodic Rap Performance, representing his contributions to different musical genres and impact on modern music; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Shaboozey for his achievements as a recording artist; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Shaboozey as an expression of the General Assembly's admiration for his unique contributions to the American musical landscape.

SENATE JOINT RESOLUTION NO. 439

Commending The Cameron Foundation.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, The Cameron Foundation, a health legacy foundation dedicated to the health, vibrancy, and economic vitality of the Greater Tri-Cities area, celebrated 20 years of investment in the community in 2024; and

WHEREAS, The Cameron Foundation was founded in 2003 with the proceeds from the sale of the Southside Regional Medical Center in Petersburg and issued its first grants to local organizations at its inaugural ceremony in October 2004; and

WHEREAS, with the guidance of its all-volunteer board of directors, The Cameron Foundation supports the growth and development of the cities of Petersburg, Colonial Heights, and Hopewell, as well as all or part of the counties of Dinwiddie, Prince George, Sussex, and Chesterfield, by promoting and assisting charitable organizations serving the region; and

WHEREAS, The Cameron Foundation is named in honor of William E. Cameron, a leading citizen of Petersburg who was editor of *The Daily News* and *The Daily Index*, mayor of Petersburg from 1876 to 1881, governor of the Commonwealth from 1882 to 1886, and an instrumental figure in supporting the education of African Americans and the founding of Virginia State University in the late 19th century; and

WHEREAS, The Cameron Foundation is headquartered at the historic Weddell-McCabe-Chisolm House, where meeting rooms are made available to more than 100 local nonprofits and civic groups at no cost, fostering a vibrant, supportive, and collaborative community; and

WHEREAS, to date, The Cameron Foundation has distributed 1,607 funding awards to 352 different charitable organizations with investments across the region exceeding $113 million, helping to make the Tri-Cities area a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend The Cameron Foundation on the occasion of its 20th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to The Cameron Foundation as an expression of the General Assembly's admiration for the organization's mission and its contributions to the Commonwealth.

SENATE JOINT RESOLUTION NO. 440

Celebrating the life of John William Lyver IV.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, John William Lyver IV of Gainesville, a distinguished veteran of the United States Navy, former safety manager at the National Aeronautics and Space Administration, and passionate advocate for the well-being of the Prince William County community, died on June 16, 2024; and

WHEREAS, born in Drexel Hill, Pennsylvania, John Lyver graduated from the United States Naval Academy, where he sang in the choir and played trombone in the Drum & Bugle Corps; he went on to serve his country on active duty aboard the USS *Du Pont* and the USS *Carl Vinson* and later retired from the United States Navy Reserve with the rank of lieutenant commander; and

WHEREAS, in civilian life, John Lyver worked at the National Aeronautics and Space Administration for nearly 25 years; as the nuclear flight safety assurance manager in the Office of Safety and Mission Assurance, he led nuclear safety reviews of the Cassini-Huygens mission to Saturn, New Horizons mission to Pluto and the Kuiper Belt, and multiple missions to Mars before his well-earned retirement in 2012; and

WHEREAS, John Lyver furthered his education with two masters degrees and a doctorate from George Mason University, and after his retirement, he inspired students as an adjunct professor of computational data sciences at his alma mater, earning the Teacher of Distinction award for his outstanding online instruction; and

WHEREAS, John Lyver also taught at Northern Virginia Community College and was involved with many civic and service organizations, including the National Society, Sons of the American Revolution, and American Legion Post 1799; and

WHEREAS, an Eagle Scout, John Lyver founded Boy Scouts of America Troop 1577 in Herndon and was a volunteer leader for many years; he was also a longtime elder and deacon in the Presbyterian Church; and

WHEREAS, John Lyver was well-known in the region for his tenacity and intellectual prowess as a volunteer member of the Prince William Data Center Ordinance Advisory Group, where he developed detailed analyses on data center noise, power consumption, financial impact, and other effects on the community; and

WHEREAS, John Lyver had recently been appointed to the Prince William County Planning Commission and was proud to use his technical expertise to help county officials make well-informed decisions on land use and zoning; and

WHEREAS, John Lyver will be fondly remembered and greatly missed by his wife of nearly 16 years, Sally; his sons, John V and Thomas; his stepchildren, Stephanie and Andrew; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of John William Lyver IV, a distinguished veteran, respected scientist, and highly admired member of the Prince William County community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of John William Lyver IV as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 441

Commending the Virginia Black Chamber of Commerce Foundation.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, for five years, the Virginia Black Chamber of Commerce Foundation has empowered and advocated for Black business owners, enhancing economic equity in communities across the Commonwealth; and

WHEREAS, the Virginia Black Chamber of Commerce Foundation was established in 2020 as the Virginia Black Business Directory and has grown from a grassroots initiative aimed at promoting and connecting Black-owned businesses to a thriving nonprofit organization that offers a range of programs and services; and

WHEREAS, working in partnership with the Virginia Black Chamber of Commerce, the Virginia Black Chamber of Commerce Foundation bridges gaps in access to capital, education, and networking opportunities to ensure that small businesses have the tools and resources they need to flourish; and

WHEREAS, the Virginia Black Chamber of Commerce Foundation has gone above and beyond to foster financial literacy, support entrepreneurship and community development, and create opportunities for underserved populations; and

WHEREAS, the Virginia Black Chamber of Commerce Foundation has served more than 2,700 businesses in its five-year history, creating a vibrant ecosystem where Black-owned businesses are driving economic empowerment, innovation, social equity, and sustainable growth; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Virginia Black Chamber of Commerce Foundation on the occasion of its fifth anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Virginia Black Chamber of Commerce Foundation as an expression of the General Assembly's admiration for the foundation's legacy of achievements in support of Black-owned businesses throughout the Commonwealth.

SENATE JOINT RESOLUTION NO. 442

Celebrating the life of Henry Mills Harris.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Henry Mills Harris, a humble servant of God, a dedicated family man, and lifelong Virginian, died on May 16, 2024; and

WHEREAS, Henry Harris was born in Richmond, raised in Louisa County, and graduated from University of Richmond; and

WHEREAS, Henry Harris was a proud patriot who loved his country and served in the United States Army; and

WHEREAS, Henry Harris made his career as a contractor who built many timeless and beautiful homes where generations of families made countless memories; he raised his own family in the Village of Midlothian in Chesterfield County; and

WHEREAS, Henry Harris was a devout Christian and a founding member of Huguenot United Methodist Church, where he held several leadership roles; and

WHEREAS, Henry Harris was a loyal community member with a servant's heart who volunteered with several organizations, from the Rotary Club to Meals on Wheels; and

WHEREAS, Henry Harris was a diehard fan of the University of Richmond basketball team, who never missed a game if he could help it and could often be found cheering for the Richmond Spiders in the Robbins Center or from the comfort of his home; and

WHEREAS, Henry Harris spent ample time with both his friends and family on the golf course at Salisbury Country Club, where he was also a regular early bird at the gym, enjoyed playing bridge, and built a sense of camaraderie with both members and club staff; and

WHEREAS, Henry Harris was a loving and devoted husband of nearly 67 years to his wife, Peggy Duke Harris; and

WHEREAS, Henry Harris was an exceptional and supportive father and father-in-law to his son Hank (Desiree), and his daughter Mary (Walt), as well as a fun-loving and cherished grandfather to his granddaughter and three grandsons, an adoring great-grandfather to two great-grandsons, and a dependable and loyal friend to many; and

WHEREAS, Henry Harris is thought about and deeply missed by his family every day and is fondly remembered by those who knew him as a gentle soul who spoke with respect and kindness about others, who held immense patience, who loved God and his country, who cared endlessly about his family, and who so often put others above himself, asking for very little and giving of everything; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Henry Mills Harris, a respected member of the Chesterfield County community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Henry Mills Harris as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 443

Commending Tara Dower.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Tara Dower, an accomplished endurance runner and resident of Virginia Beach, completed the entire Appalachian Trail in the fastest known time on September 21, 2024; and

WHEREAS, Tara Dower completed the nearly 2,200 mile-long Appalachian Trail, which runs between Mount Katahdin in Northern Maine and Springer Mountain in Southern Georgia, in 40 days, 18 hours, and six minutes, outpacing the previously fastest known time by 13 hours; and

WHEREAS, to achieve this remarkable feat, Tara Dower both walked and ran for more than 17 hours daily, covering an average of 54 miles, or more than two marathons, per day; and

WHEREAS, in addition to navigating terrain that was often difficult and steep, Tara Dower also conquered a total vertical gain of 465,000 feet over her quest; and

WHEREAS, Tara Dower embarked upon this remarkable feat of strength to raise money for Girls on the Run, a charity organization dedicated to fostering young girls' physical and mental well-being; and

WHEREAS, Tara Dower was supported throughout her journey by her mom and several other crew members, who carried and prepared her tent and food and who often ran alongside her to help her maintain her pace and focus; and

WHEREAS, prior to setting the fastest known time for the Appalachian Trail, Tara Dower set the fastest known times for the 1,175-mile Mountains to Sea Trail in North Carolina and the nearly 300-mile Benton MacKaye Trail in Great Smoky Mountains National Park, as well as the course record at the Hellbender 100; and

WHEREAS, as a full-time professional athlete, Tara Dower competes in several major ultramarathons every year, in addition to pursuing fastest known times at different trails across the country; and

WHEREAS, by demonstrating what may be accomplished through hard work and unwavering determination, Tara Dower has brought great pride to the Commonwealth and earned the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Tara Dower for completing the Appalachian Trail in the fastest known time; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Tara Dower as an expression of the General Assembly's profound respect for her achievement and best wishes for her future endeavors.

SENATE JOINT RESOLUTION NO. 444

Celebrating the life of Lieutenant General Arthur J. Gregg, USA, Ret.

Agreed to by the Senate, February 19, 2025
Agreed to by the House of Delegates, February 20, 2025

WHEREAS, Lieutenant General Arthur J. Gregg, USA, Ret., a distinguished expert in military logistics and the first Black American to reach the rank of lieutenant general in the United States Army, died on August 22, 2024; and

WHEREAS, Arthur Gregg spent much of his youth near Florence, South Carolina, and moved to Newport News with his family when he was in high school; and

WHEREAS, Arthur Gregg trained as a medical laboratory technician in Chicago, Illinois, but a lack of opportunities due to segregation led him to return to the Commonwealth and pursue a military career; and

WHEREAS, in 1946, Arthur Gregg's parents signed waivers allowing him to enlist in the United States Army at the age of 17; after basic training, he was assigned to a unit in Germany as a medical laboratory technician, then served as a unit supply clerk for a quartermaster truck company and as the unit supply sergeant for the 510th Military Police Detachment; and

WHEREAS, Arthur Gregg overcame prejudice and racial discrimination to win acceptance to Officer Candidate School at Fort Riley, Kansas, and was commissioned as a second lieutenant on May 19, 1950; he was assigned to an all-Black unit at what was then known as Fort Lee and subsequently witnessed the full racial integration of the United States Army in 1954; and

WHEREAS, during the Vietnam War, Arthur Gregg assumed command of the 96th Quartermaster Direct Support Battalion, which received a Meritorious Unit Citation under his exceptional leadership; and

WHEREAS, after returning home to the United States, Arthur Gregg was assigned to the Joint Petroleum Office in U.S. European Command, where he facilitated communication with allied militaries on petroleum logistics, then led the Army and Air Force Exchange Service in Germany, which provides goods and services to deployed military members and their families; and

WHEREAS, Arthur Gregg was next selected by President Jimmy Carter to serve as director of logistics for the Joint Chiefs of Staff and made history when he was promoted to lieutenant general in 1977; and

WHEREAS, Arthur Gregg accepted his final posting as deputy chief of staff for logistics in 1979, then retired from the United States Army in August 1981; over the course of his 35-year career, he successfully ensured that American soldiers around the world had the supplies and equipment they needed, and he made invaluable contributions to the development of logistics doctrine; and

WHEREAS, among many awards and decorations for his outstanding accomplishments, Arthur Gregg received the Defense Distinguished Service Medal, the Army Distinguished Service Medal, and the Legion of Merit with two oak leaf clusters; and

WHEREAS, in civilian life, Arthur Gregg held leadership positions in various corporations and gave generously of his time and talents to support nonprofit organizations and civic groups; and

WHEREAS, in April 2023, when Fort Lee was renamed as Fort Gregg-Adams, Arthur Gregg made history again as the only living person at the time to have a United States military installation named in his honor, reflecting not only his esteemed service to the nation, but his dedication to advancing opportunities for Black Americans in the military; and

WHEREAS, predeceased by his wife of 56 years, Charlene, and one daughter, Sandra, Arthur Gregg will be fondly remembered and greatly missed by his daughters, Margy and Alicia, and their families; and numerous other family members, friends, and fellow veterans; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Lieutenant General Arthur J. Gregg, USA, Ret., a highly respected member of the United States Army, whose trailblazing achievements inspired future generations of soldiers; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Lieutenant General Arthur J. Gregg, USA, Ret., as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 445

Celebrating the life of Matthew Charles Obenshain.

Agreed to by the Senate, February 20, 2025
Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Matthew Charles Obenshain, a beloved member of the Salem community, passed away on July 31, 2024; and

WHEREAS, Matthew "Mac" Obenshain was diagnosed with a congenital heart defect at a young age and overcame this challenge with great courage and strength to lead a rich and fulfilling life in service to others; and

WHEREAS, Mac Obenshain epitomized the values of servant leadership throughout his professional career, which included positions with the United States Census Bureau and the Virginia Department of Motor Vehicles, and he was steadfastly committed to working in ways that would help other people; and

WHEREAS, Mac Obenshain was cherished by all who knew him for his kind and personable nature, and he easily formed friendships with anyone he encountered; and

WHEREAS, Mac Obenshain was guided throughout his life by his Christian faith and enjoyed worship and fellowship at Grandin Court Baptist Church in Cave Spring and did ministry work in the Roanoke Valley, Romania, Guatemala, and Panama; and

WHEREAS, Mac Obenshain was an ardent supporter of Republican principles, having served as president of the Roanoke Valley Young Republicans, as a member of the Salem Republican Committee, and as an enthusiastic volunteer of many GOP campaigns; and

WHEREAS, Mac Obenshain will be fondly remembered and dearly missed by his parents, Joseph and Marcia Obenshain; his siblings, Catherine Obenshain Piché and the Honorable Chris Obenshain; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of Matthew Charles Obenshain, a revered member of the Salem community whose powerful faith and relentless optimism inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Matthew Charles Obenshain as an expression of the General Assembly's respect for his memory.

SENATE JOINT RESOLUTION NO. 446

Commending the Cave Spring High School cheerleading team.

Agreed to by the Senate, February 20, 2025
Agreed to by the House of Delegates, February 21, 2025

WHEREAS, the Cave Spring High School cheerleading team won its second consecutive Virginia High School League Class 3 state championship in 2024; and

WHEREAS, the Cave Spring High School cheerleading team scored 280.25 points, defeating the runners-up from Lord Botetourt High School by a comfortable 34.25-point margin; and

WHEREAS, the Cave Spring High School cheerleading team is a dominant force in competition cheerleading and has won six state titles in program history; and

WHEREAS, the members of the Cave Spring High School cheerleading team are Ashtynn Borgman, Hannah Conner, Annabelle Croy, Pyper Dickenson, Riley Duff, Isabella Durica, Morgan Fralin, Kaydie Leftwich, Ava Livingston, Brooke Majors, Reagan Nash, Cameron Noell, Alijah Reeves, Kaelyn Rogers, Bianca Shelton, Alexis Swartz, Kinsley Trivett, Emery Weld, Abbey Wohlford, Braylan Wood, Lucia Bird, Emma Fariss, and Isabelle James; and

WHEREAS, the Cave Spring High School cheerleading team is led by head coach Jen Koll and assistant coaches Katie Weeks, Terin Mabry, and Abby Holbrook; and

WHEREAS, the successful season is a tribute to the hard work and dedication of all the student-athletes, the leadership and guidance of coaches and staff members, and the enthusiastic support of family members, friends, and the entire Cave Spring High School community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend the Cave Spring High School cheerleading team on winning the Virginia High School League Class 3 state championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Cave Spring High School cheerleading team as an expression of the General Assembly's admiration for the team's athletic achievements.

SENATE JOINT RESOLUTION NO. 447

Commending Kathryn Ha.

Agreed to by the Senate, February 20, 2025
Agreed to by the House of Delegates, February 21, 2025

WHEREAS, Kathryn Ha of Salem High School and the Roanoke Valley Governor's School became the first person in Virginia High School League (VHSL) history to win both the co-ed VHSL individual state title and the Girls Open State Championship in the same season; she is a three-time VHSL Girls Open State Champion; and

WHEREAS, Kathryn Ha won the 55th Virginia State Golf Association Junior Girls Championship at James River Country Club in Newport News on July 3, 2024; and

WHEREAS, at the conclusion of the Virginia State Golf Association (VSGA) championship, Kathryn Ha was announced as the VSGA's first automatic qualifier for the United States Golf Association's U.S. Girls' Junior Championship, where she tied for 22nd place; and

WHEREAS, a month prior to her VSGA championship win, Kathryn Ha also won the Roanoke Valley Hall of Fame Tournament at Blue Hills Golf Course in Roanoke; and

WHEREAS, Kathryn Ha's accomplishments are the result of her hard work and dedication, the leadership and guidance of her parents and coaches, and the support of her community; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Kathryn Ha for a historic 2024 golf season; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Kathryn Ha as an expression of the General Assembly's admiration for her achievements and best wishes for her continued success.

SENATE RESOLUTION NO. 186

Commending Grant Holloway.

Agreed to by the Senate, January 16, 2025

WHEREAS, Grant Holloway, a native of Chesapeake, represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, winning a gold medal for Team USA in the men's 110-meter hurdles event; and

WHEREAS, Grant Holloway began developing his passion for athletics at a young age and was a star member of track and field teams at Grassfield High School in Chesapeake and the University of Florida; and

WHEREAS, as a professional athlete, Grant Holloway has become one of the most dominant hurdlers in the world, setting several records and achieving a nine-year winning streak in indoor 60-meter hurdles that spanned high school, college, and professional competitions; and

WHEREAS, Grant Holloway's personal best time of 12.81 seconds in the men's 110-meter hurdles is the second-fastest time ever in the event; and

WHEREAS, Grant Holloway has previously won gold medals at the 2019, 2022, and 2023 International Association of Athletics Federations World Athletics Championships and a silver medal in the men's 110-meter hurdles event at the 2020 Summer Olympics; and

WHEREAS, returning to the Olympics with a renewed focus, Grant Holloway was the undisputed leader in the men's 110-meter hurdles event at Paris 2024, winning his first-round heat by 0.21 seconds and his semifinal by 0.19 seconds; and

WHEREAS, Grant Holloway earned the gold medal in the 110-meter hurdles final with an incredible time of 12.99 seconds, a 0.10-second margin; now, therefore, be it

RESOLVED by the Senate of Virginia, That Grant Holloway hereby be commended on winning a gold medal at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Grant Holloway as an expression of the Senate of Virginia's admiration for his exceptional athletic achievements and best wishes for the future.

SENATE RESOLUTION NO. 187

2025 Senate operating resolution.

Agreed to by the Senate, January 8, 2025

RESOLVED by the Senate of Virginia, That the Comptroller is directed to issue his warrants on the Treasurer, payable from the contingent fund of the Senate to accomplish the work of the Senate of Virginia as reported by the Clerk of the Senate to the Senate Committee on Rules during the 2025 Session. Necessary payments to cover salaries of temporary employees and the Pages, per diem for legislative assistants who establish a temporary residence, per diem for Pages and certain employees designated by the Clerk and reported to the Chair of the Senate Committee on Rules, as well as other contingent and incidental expenses, will be certified by the Clerk of the Senate or her designee. Per diem for orientation will be paid as approved by the Clerk.

SENATE RESOLUTION NO. 188

Celebrating the life of John Wilder McMillan, Jr.

Agreed to by the Senate, January 16, 2025

WHEREAS, John Wilder McMillan, Jr., a distinguished veteran of the United States Air Force and a respected community leader who served for many years on the Newport News School Board, died on July 4, 2024; and

WHEREAS, John McMillan grew up in Arlington, where he attended the historic Hume School and subsequently graduated from Wakefield High School; and

WHEREAS, John McMillan earned a bachelor's degree in business administration from Virginia Polytechnic Institute and State University (Virginia Tech) and supported himself during his college years by working at the former Virginia Electric and Power Company; and

WHEREAS, John McMillan was a member of numerous organizations at Virginia Tech, including the Corps of Cadets, and was selected as a Distinguished Military Graduate; he later continued his education at West Virginia University, from which he received a master's degree in computer science; and

WHEREAS, John McMillan served the nation for 20 years as an officer in the United States Air Force with assignments to Strategic Air Command bases in California and Nebraska, the 13th Air Force in the Philippines, Headquarters Command in Washington, D.C., and Tactical Air Command at Joint Base Langley-Eustis, as well as a posting to a North Atlantic Treaty Organization working group; and

WHEREAS, over the course of his military career, John McMillan earned the Meritorious Service Medal with two oak leaf clusters, the Air Force Commendation Medal, the Air Force Longevity Service Award with four oak leaf clusters, the Philippines Presidential Unit Citation, and several other awards and decorations; and

WHEREAS, John McMillan returned to civilian life and provided his expertise to the Scientific Applications International Corporation, Techplan Corporation, and Mitre Corporation, and after settling in Newport News, he became active in his community as a member of the Dozier Middle School Parent Teacher Association and the Denbigh High School Band Boosters, as well as a youth athletics coach; and

WHEREAS, desirous to be of further service to young people in the community, John McMillan ran for and was elected to the Newport News School Board in 1996; he offered his insights to a wide range of committees and served as vice chair for two years and chair for two years; and

WHEREAS, during his tenure on the Newport News School Board, John McMillan participated in the selection of two superintendents and oversaw the opening of four new schools; he was awarded life membership in the Newport News Council of PTAs, represented Newport News as a delegate to three Virginia School Boards Association Annual Conventions, and served for many years as a member of the Newport News Education Foundation; and

WHEREAS, in addition to his work with local public schools, John McMillan was appointed to the board of Thomas Nelson Community College, now known as Virginia Peninsula Community College, and served as chair from 2015 to 2017; and

WHEREAS, John McMillan gave generously of his time and talents to many other organizations, most notably the Kiwanis Club; he received the George F. Hixson Fellowship Award from Kiwanis International and was honored as a life member of the Capitol District Kiwanis Foundation; and

WHEREAS, John McMillan was a devoted family man, who supported his children in all their endeavors and went out of his way to never miss a sporting event or school program, sometimes traveling across multiple time zones to make it home; and

WHEREAS, John McMillan will be fondly remembered and greatly missed by his wife of 59 years, Madeline; his children, Leigh, Anne, Nicholas, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of John Wilder McMillan, Jr., a respected veteran and dedicated community leader in Hampton Roads; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of John Wilder McMillan, Jr., as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 189

Celebrating the life of Robert Douglas Wright.

Agreed to by the Senate, January 16, 2025

WHEREAS, Robert Douglas Wright, a highly admired member of the Staunton community, died on March 4, 2023; and

WHEREAS, Douglas "Doug" Wright was born to David and Patricia Wright of Stanley and graduated from Luray High School; he continued his education by earning a bachelor's degree from Radford University; and

WHEREAS, Doug Wright spent more than 10 years of his career at the Virginia School for the Deaf and the Blind, where he played a vital role as the information technology director; and

WHEREAS, Doug Wright upheld the highest standards of information security to protect the data of students, teachers, and other stakeholders; and

WHEREAS, Doug Wright was committed to the mission and vision of the Virginia School for the Deaf and the Blind and worked diligently to meet the unique needs of the agency, while ensuring that students received the best possible education; and

WHEREAS, Doug Wright was a trusted friend and mentor to his co-workers and respected as a critical member of the team at the Virginia School for the Deaf and the Blind; and

WHEREAS, Doug Wright will be fondly remembered and greatly missed by his wife, Megan Bright; his son, David Wright; his sister, Jennifer Wright; his nephew, Conner Good; numerous aunts and uncles, including Gloria and Al Jones; several cousins, including an especially close cousin, Shawn Jones; and many other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Robert Douglas Wright; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Robert Douglas Wright as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 190

Celebrating the life of Charlotte Hall Hutt.

Agreed to by the Senate, January 16, 2025

WHEREAS, Charlotte Hall Hutt, a beloved wife, mother, and grandmother and an active and enterprising member of the Montross community, died on March 5, 2024; and

WHEREAS, Charlotte Hutt cofounded Hutt Realty with her husband, Daniel, and served as a realtor for more than 30 years, bringing her exceptional knowledge of the Northern Neck and the surrounding areas to bear for the benefit of her clients while also supporting her colleagues as a member of the Northern Neck Board of Realtors; and

WHEREAS, Charlotte Hutt worked together with her husband, Daniel, in managing several local food endeavors, including their family's country store in Neenah, the Neenah Packing tomato cannery, and Hutt Produce; and

WHEREAS, guided throughout her life by her faith, Charlotte Hutt was a leading member of the congregation at St. Paul's Episcopal Church in Nomini Grove, where she enjoyed worship and fellowship with her community over many years; and

WHEREAS, preceded in death by her loving husband of 50 years, Daniel, Sr., Charlotte Hutt will be fondly remembered and dearly missed by her children, Daniel, Jr., Jane, and Linda, and their families; and by numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Charlotte Hall Hutt, a treasured member of the Westmoreland County community whose kindness and generosity touched countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Charlotte Hall Hutt as an expression of the Senate of Virginia's respect for her memory.

SENATE RESOLUTION NO. 191

Celebrating the life of Malcolm Tecumseh Custalow, Jr.

Agreed to by the Senate, January 16, 2025

WHEREAS, Malcolm Tecumseh Custalow, Jr., a distinguished law-enforcement officer, beloved husband, father, grandfather, and son, and a treasured member of the King William County community, died on June 30, 2024; and

WHEREAS, affectionately known by family and friends as "Little Mack," Malcolm Custalow graduated from Grove Avenue Christian School in Richmond in 1992 before studying at J. Sargeant Reynolds Community College; and

WHEREAS, Malcolm Custalow was a devoted law-enforcement officer and first responder who dedicated more than 25 years to the safety and well-being of communities in the Commonwealth; and

WHEREAS, Malcolm Custalow embarked upon his law-enforcement career in 1999 as a deputy with the King William County Sheriff's Office and was promoted to the rank of sergeant in 2016; and

WHEREAS, Malcolm Custalow later served with the West Point Sheriff's Office and as a water marine police officer before ultimately returning to the King William County Sheriff's Office as a court deputy in 2024; and

WHEREAS, in recognition of his accomplishments in keeping the roadways of King William County safe, Malcolm Custalow was presented an award by Mothers Against Drunk Driving in 2007; and

WHEREAS, Malcolm Custalow's legacy of service was known throughout the Greater Richmond area, and he was admired by all who knew him for his bravery, honesty, and integrity; and

WHEREAS, Malcolm Custalow was an avid outdoorsman and an accomplished hunter and fisherman; and

WHEREAS, Malcolm Custalow was an enrolled citizen of the Mattaponi Indian Tribe, and he proudly honored and celebrated his Native American heritage and community; and

WHEREAS, Malcolm Custalow was guided throughout his life by his abiding Baptist faith, which informed his values and his unwavering commitment to helping others in need; and

WHEREAS, Malcolm Custalow will be fondly remembered and dearly missed by his loving wife of 27 years, Robin; his children, Raleigh, Lili, and Dakota, and their families; his father, Malcolm, Sr.; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Malcolm Tecumseh Custalow, Jr., a revered member of the King William County community whose dedication and service were an inspiration to all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Malcolm Tecumseh Custalow, Jr., as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 192

Commending the Brunswick Academy softball team.

Agreed to by the Senate, January 16, 2025

WHEREAS, the Brunswick Academy softball team of Lawrenceville won the Virginia Independent Schools Athletic Association Division III state championship on May 17, 2024, in Dinwiddie; and

WHEREAS, the Brunswick Academy Lady Vikings defeated the Greenbrier Christian Academy Gators of Chesapeake by a score of 5-1 to bring home a state championship title; and

WHEREAS, the Brunswick Lady Vikings' victory was a total team effort, led by stellar performances from Emily King, who pitched a complete game and homered in the contest; Aubrey Corum, who went three for four at the plate while notching two runs and a run-batted-in; and Lexi Howerton, who had a home run and two runs-batted-in; and

WHEREAS, numerous members of the Brunswick Academy softball team were honored at the end of the 2024 season with nominations to the Virginia Independent Schools Athletic Association (VISAA) Division III All-State first and second teams, including Co-VISAA Division III player of the year Emily King, as well as Aubrey Corum, Lexi Howerton, Avery Griffin, Kylie Walker, and Riley Griffin; and

WHEREAS, in recognition of his accomplishments over the season, Daryl Clary, head coach of the Brunswick Academy softball team, was named the VISAA Division III coach of the year; and

WHEREAS, the success of the Brunswick Lady Vikings is the result of the hard work and dedication of the student-athletes, the leadership and guidance of their coaches and teachers, and the unwavering support of their families and the entire Brunswick Academy community; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Brunswick Academy softball team hereby be commended for winning the 2024 Virginia Independent Schools Athletic Association Division III state championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Daryl Clary, head coach of the Brunswick Academy softball team, as an expression of the Senate of Virginia's admiration for the team's achievement.

SENATE RESOLUTION NO. 193

Commending Benn's United Methodist Church.

Agreed to by the Senate, January 16, 2025

WHEREAS, for more than 100 years, Benn's United Methodist Church has provided spiritual leadership and opportunities for worship from its current building on Benns Church Boulevard in Smithfield; and

WHEREAS, Benn's United Methodist Church traces its deepest roots to Saint Luke's Church, which was established in the 17th century; after protestants in the United States disestablished from the Church of England in favor of the Episcopal Church, members of Saint Luke's branched off to establish what is now Benn's United Methodist Church in 1789; and

WHEREAS, in the early days of American Methodism, congregations like those at Benn's United Methodist Church were served by traveling ministers who brought news from other communities in the region and held worship services in local homes; and

WHEREAS, the original meeting house for Benn's United Methodist Church was constructed on land deeded by local resident George Benn in 1813, and new structures were built on the same land in 1838 and 1888; and

WHEREAS, the current Benn's United Methodist Church building, designed in a Gothic style with a steep roof and brick buttresses as a homage to Saint Luke's Church, was completed in 1924; the building was designed to support community gatherings and activities and hosted meetings of the Smithfield Ruritan Club for many years; and

WHEREAS, to better serve the community, Benn's United Methodist Church expanded in the late 1960s with the addition of a two-story classroom wing and again in the early 2000s with a family life center; and

WHEREAS, on July 7, 2024, Benn's United Methodist Church commemorated its 100th anniversary by opening a time capsule that had been set into the cornerstone of the church; the capsule contained numerous mementos from a bygone era, including a copy of the Smithfield Times from July 4, 1924, which is now the second-oldest preserved edition of the newspaper; and

WHEREAS, Benn's United Methodist Church has endured through significant growth and changes in the community, providing the same beacon of faith and fellowship to generations of congregants; now, therefore, be it

RESOLVED by the Senate of Virginia, That Benn's United Methodist Church hereby be commended on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Benn's United Methodist Church as an expression of the Senate of Virginia's admiration for the church's long history and legacy of service to the residents of the Smithfield area.

SENATE RESOLUTION NO. 194

Commending Bethany Presbyterian Church.

Agreed to by the Senate, January 16, 2025

WHEREAS, for 100 years, Bethany Presbyterian Church has provided spiritual guidance, generous outreach, and opportunities for joyful worship and community fellowship to the residents of Zuni in Isle of Wight County; and

WHEREAS, Bethany Presbyterian Church traces its roots to the early 1920s, when the Norfolk Presbytery sent the Reverend S.K. Emurian into the rural communities of Hampton Roads to expand the Presbyterian denomination; and

WHEREAS, on September 25, 1924, more than 900 people attended a ceremony to commemorate the laying of a cornerstone for Bethany Presbyterian Church, and construction of the church was completed just under a year later on September 20, 1925; and

WHEREAS, Bethany Presbyterian Church has been a focal point of life in Zuni for decades and has played an integral role in the community as both a house of worship and a local gathering place; and

WHEREAS, Bethany Presbyterian Church has witnessed significant growth and change in the Zuni community over the course of its history; in the church's early years, Zuni remained a major stop for the Norfolk and Petersburg Railroad, and the church predates the establishment of the nearby U.S. Route 460 highway; and

WHEREAS, in 1999, Bethany Presbyterian Church was one of the few structures in Zuni that did not sustain major damage from torrential rainfall and flooding caused by Hurricane Floyd; and

WHEREAS, Bethany Presbyterian Church has organized numerous beneficial ministries and conducted vital outreach throughout the wider community; the Zuni Ruritan Club was formed primarily with members of the congregation; and

WHEREAS, Bethany Presbyterian Church held its 100th anniversary celebration over the weekend of September 21, 2024, with a dinner, special music, and memories program on Saturday, followed by Sunday school activities, a worship service, and a catered lunch on Sunday; now, therefore, be it

RESOLVED by the Senate of Virginia, That Bethany Presbyterian Church hereby be commended on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Reverend Pete Atkinson, pastor of Bethany Presbyterian Church, as an expression of the Senate of Virginia's admiration for the church's long history and legacy of service to the residents of Zuni.

SENATE RESOLUTION NO. 195

Commending Lieutenant Colonel Theresa M. Claiborne, USAF, Ret.

Agreed to by the Senate, January 16, 2025

WHEREAS, Lieutenant Colonel Theresa M. Claiborne, USAF, Ret., an honorable veteran and distinguished member of the Emporia community who made history as the first Black woman to fly in the United States Air Force, retired from United Airlines on May 23, 2024; and

WHEREAS, Theresa Claiborne joined the Air Force Reserve Officer Training Corps at the University of California at Berkeley and was commissioned as a second lieutenant in the United States Air Force (USAF) on June 20, 1981; and

WHEREAS, Theresa Claiborne graduated from undergraduate pilot training at Laughlin Air Force Base in Texas on September 16, 1982, becoming the first Black female pilot in the USAF; and

WHEREAS, Theresa Claiborne piloted the KC-135A aircraft over her seven years of active duty with the USAF and then continued to serve with the USAF Reserves as an instructor pilot on the KC-135E aircraft and as a flight commander until her retirement from the military on January 6, 2003; and

WHEREAS, Theresa Claiborne logged more than 3,000 flight hours during her two decades of military service, achieving the rank of lieutenant colonel; and

WHEREAS, Theresa Claiborne joined United Airlines on January 15, 1990, first as a flight engineer on the Boeing 727 and later as pilot of several other aircraft in the airline's fleet, tallying more than 20,000 flight hours and attaining the rank of captain over an accomplished, 34-year professional career; and

WHEREAS, Theresa Claiborne has fostered the success of countless young people in her capacity as both president and founding member of Sisters of the Skies, a nonprofit organization dedicated to encouraging more Black women to pursue careers as professional pilots; and

WHEREAS, Theresa Claiborne's efforts to promote women in aviation include her service as a member of the board of directors of the National Women Airforce Service Pilots World War II Museum in Sweetwater, Texas, and as a board member of the Grand Dames of Aviation; and

WHEREAS, in recognition of her lasting impact on the aviation industry, Theresa Claiborne was inducted into the Organization of Black Aerospace Professionals Hall of Fame in 2017; and

WHEREAS, Theresa Claiborne's hard work, determination, and unwavering sense of purpose have helped to forge a path for many Black female aviators to follow, earning her the praise and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate of Virginia, That Lieutenant Colonel Theresa M. Claiborne, USAF, Ret., hereby be commended for her remarkable and pioneering achievements on the occasion of her retirement; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Lieutenant Colonel Theresa M. Claiborne, USAF, Ret., as an expression of the Senate of Virginia's admiration for her service and best wishes for a joyful and fulfilling retirement.

SENATE RESOLUTION NO. 196

Commending Producers Peanut Company.

Agreed to by the Senate, January 16, 2025

WHEREAS, Producers Peanut Company, a Suffolk-based enterprise dedicated to delivering high-quality peanut products to customers around the world, celebrated its 100th anniversary in 2024; and

WHEREAS, Producers Peanut Company was officially established on February 27, 1924, and was acquired by the owners of Pond Brothers Shelling shortly thereafter; and

WHEREAS, James R. Pond, Jr., who succeeded his grandfather and father as chief executive officer, has ably led Producers Peanut Company for several years, employing his background as an avionics field service engineer to enhance the company's operations and bolster its reputation; and

WHEREAS, Producers Peanut Company makes an impressive array of peanut products, including its Peanut Kids brand natural peanut butters and other branded and private label retail items, which the company ships throughout the United States and to more than 20 countries; and

WHEREAS, the accomplishments of Producers Peanut Company over the past century are a testament to the visionary leadership of the company's executives and the hard work and determination of its staff; and

WHEREAS, Producers Peanut Company has demonstrated an unwavering commitment to both its customers and its traditions of excellence throughout its history, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate of Virginia, That Producers Peanut Company hereby be commended for its achievements on the occasion of the company's 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to James R. Pond, Jr., chief executive officer of Producers Peanut Company, as an expression of the Senate of Virginia's high regard for the company's history and its contributions to the Commonwealth.

SENATE RESOLUTION NO. 197

Commending the Smithfield High School Junior Reserve Officers' Training Corps rifle team.

Agreed to by the Senate, January 16, 2025

WHEREAS, the Smithfield High School Junior Reserve Officers' Training Corps rifle team earned numerous accolades over the course of the 2023-2024 season, including a first-place finish in the Virginia Rifle League; and

WHEREAS, the members of the Smithfield High School Junior Reserve Officers' Training Corps (JROTC) rifle team—Dalton Fesser, Joey Frey, Summer Fruchey, Ryan McEathron, Jaidyn Pettaway, Ryder Swedlund, Nymiar Towns, and Alora Wooten—all performed consistently well throughout the season, allowing the team to retain its ranking as the number one United States Army JROTC rifle team in the Commonwealth; and

WHEREAS, Summer Fruchey and Nymiar Towns also represented the Smithfield High School JROTC rifle team as individuals at a regional tournament in February 2024; and

WHEREAS, at the national level, the Smithfield High School JROTC rifle team placed second out of 49 teams at the National Postal Match in Topeka, Kansas; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Smithfield High School Junior Reserve Officers' Training Corps rifle team hereby be commended for its successful 2023-2024 season; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Lieutenant Colonel Peter Badoian, USA, Ret., head coach of the Smithfield High School Junior Reserve Officers' Training Corps rifle team, as an expression of the Senate of Virginia's admiration for the team's achievements.

SENATE RESOLUTION NO. 198

Commending the Smithfield Packers Youth Sports 12U girls' flag football team.

Agreed to by the Senate, January 16, 2025

WHEREAS, the Smithfield Packers Youth Sports 12U girls' flag football team won the I-64 Sports All-Girl Flag Football Circuit championship in 2024; and

WHEREAS, the Smithfield Packers defeated the Peninsula District Powerhouse by a score of 28-26 to secure the championship and finish its inaugural season undefeated; and

WHEREAS, with great poise and determination, the Smithfield Packers sealed the victory with a tough goal line stop, denying its opponent's two-point conversion attempt in the final moments of the match; and

WHEREAS, the Smithfield Packers' win was a total team effort, led by all-star defensive captain Liliana Bozora and offensive captain and quarterback Kylie Reynolds; and

WHEREAS, the Smithfield Packers' success is the result of the hard work and dedication of the young athletes, the leadership and guidance of their coaches, and the unwavering support of their families and the entire Smithfield community; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Smithfield Packers Youth Sports 12U girls' flag football team hereby be commended for winning the 2024 I-64 Sports All-Girl Flag Football Circuit championship; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Becky Bridges, head coach of the Smithfield Packers Youth Sports 12U girls' flag football team, as an expression of the Senate of Virginia's admiration for the team's achievement.

SENATE RESOLUTION NO. 199

Commending David W. Poole.

Agreed to by the Senate, January 16, 2025

WHEREAS, David W. Poole, a distinguished veteran, beloved community leader, and respected vice president of the former Virginia Electric and Power Company celebrated his 100th birthday in 2024; and

WHEREAS, born on November 11, 1924, in Sussex County near Stony Creek, David Poole worked on a survey crew for the Virginia Department of Highways, now the Virginia Department of Transportation, before he was called to serve his country during World War II; and

WHEREAS, David Poole was inducted into the United States Army Air Forces on April 13, 1943, and was assigned to the 442nd Troop Carrier Group of the Ninth Air Force in the European Theater of Operations from March 1944 to 1945; and

WHEREAS, upon arrival in England, David Poole and the 442nd Troop Carrier Group began intensive training for the planned D-Day invasion of Normandy, France; and

WHEREAS, on June 6, 1944, prior to the first landings of seaborne forces, David Poole and his fellow members of the 442nd Troop Carrier Group dropped paratroopers near Sainte-Mère-Église, for which they were awarded the Presidential Unit Citation; and

WHEREAS, flying the venerable Douglas C-47 Skytrain, David Poole also evacuated wounded soldiers and hauled supplies to the front lines; he accumulated roughly 300 hours in the air and participated in seven campaigns, including the liberation of northern and southern France and the Battle of the Bulge; and

WHEREAS, after his honorable military service, David Poole returned to civilian life and played professional baseball as a member of the Portsmouth Cubs in the Piedmont League from 1947 to 1949; he subsequently graduated from Virginia Polytechnic Institute and State University with a bachelor's degree in agricultural engineering in 1950; and

WHEREAS, David Poole had a long and productive career with the Virginia Electric and Power Company, commonly known as VEPCO, which is now part of Dominion Energy; he held numerous leadership roles over the course of more than 35 years, including as the first general manager of the Central Division in Richmond and later as one of the company's vice presidents; and

WHEREAS, David Poole has been a leader in every aspect of his life and a strong community supporter who has gone above and beyond to enhance the lives of others through his generosity and commitment to service; he has volunteered his wisdom to many local organizations and is a devout member of the Methodist church; and

WHEREAS, David Poole enjoyed many happy years of marriage with his late wife, Charlotte Winfield Poole, and he continues to be blessed with the love and admiration of his daughter, Cheryl P. Umbach, and her husband, Art; his son, Stephen R. Poole; and numerous other family members and friends; now, therefore, be it

RESOLVED by the Senate of Virginia, That David W. Poole, an honored veteran and cherished member of the Sussex County community, hereby be commended on the occasion of his 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to David W. Poole as an expression of the Senate of Virginia's admiration for his lifetime of service to the Commonwealth and the nation.

SENATE RESOLUTION NO. 200

Commending Mill Swamp Baptist Church.

Agreed to by the Senate, January 16, 2025

WHEREAS, Mill Swamp Baptist Church of Isle of Wight County, one of the oldest Baptist congregations in the Commonwealth, celebrated its 250th anniversary on September 22, 2024; and

WHEREAS, the origins of Mill Swamp Baptist Church date to 1714, when the Reverend Robert Norton from England established the Burleigh Baptist Church in Isle of Wight County; and

WHEREAS, after many congregants at Burleigh Baptist Church joined the Reverend Paul Palmer, founder of the Free Will Baptist movement in North Carolina, those remaining disbanded Burleigh Baptist Church and reorganized as Mill Swamp Baptist Church in 1774; and

WHEREAS, Mill Swamp Baptist Church was named for the local Mill Swamp creek, where congregants were baptized in the church's early years; and

WHEREAS, Mill Swamp Baptist Church grew to nearly 300 members within its first 15 years and has continued to thrive since that time; and

WHEREAS, Mill Swamp Baptist Church's current building, constructed around 1929 following a fire, is believed to be the fourth church building to be located on Mill Swamp Baptist Church's property; and

WHEREAS, Mill Swamp Baptist Church's congregation today includes descendants of the church's founding families, including the Hollomans, Gwaltneys, and Cofers; and

WHEREAS, during the COVID-19 pandemic, Mill Swamp Baptist Church overcame extraordinary circumstances to reach its congregation, broadcasting its services over the radio from the church's portico to members who would tune in from their cars in the church parking lot; and

WHEREAS, for 250 years, Mill Swamp Baptist Church has provided its congregants with uplifting spiritual guidance, joyful occasions for worship and fellowship, and abundant opportunities for charity and outreach, making it an integral and cherished part of the Isle of Wight County community; now, therefore, be it

RESOLVED by the Senate of Virginia, That Mill Swamp Baptist Church hereby be commended on the occasion of its 250th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Mill Swamp Baptist Church as an expression of the Senate of Virginia's high regard for the church's history and its contributions to the Commonwealth.

SENATE RESOLUTION NO. 201

Commending Greg May.

Agreed to by the Senate, January 16, 2025

WHEREAS, Greg May, a deputy with the Craig County Sheriff's Office, was injured in the line of duty while attempting to rescue a woman during Hurricane Helene in September 2024; and

WHEREAS, Greg May has more than 12 years of law-enforcement experience and was hired by the Craig County Sheriff's Office as a deputy and animal control officer on October 1, 2018; and

WHEREAS, on September 27, 2024, Greg May was at the Craig County Courthouse in New Castle when a call came in that a woman on Cumberland Gap Road was trapped under debris amid high winds and heavy rain; and

WHEREAS, Greg May responded to the scene and discovered an overturned chicken coop while searching for the woman; and

WHEREAS, Greg May was attempting to move the chicken coop when he was struck by flying debris and knocked unconscious; and

WHEREAS, Greg May sustained multiple serious injuries, including a concussion, a broken jaw, and a severe laceration under his neck, and was transported to Lewis Gale Hospital Montgomery, then to Lewis Gale Medical Center for treatment; and

WHEREAS, Greg May has served the Craig County community with the utmost bravery and dedication and looks forward to returning to his duties after a full recovery; now, therefore, be it

RESOLVED by the Senate of Virginia, That Greg May hereby be commended for his heroic actions during Hurricane Helene in September 2024; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Greg May as an expression of the Senate of Virginia's admiration for his exceptional commitment to serving and protecting the residents of Craig County.

SENATE RESOLUTION NO. 202

Commending Rashiem D. Franklin.

Agreed to by the Senate, January 16, 2025

WHEREAS, Rashiem D. Franklin, a deputy with the Isle of Wight County Sheriff's Office, received a Top Cop award from the Greater Hampton Roads Regional Crime Line Board in November 2024 for his outstanding performance as a criminal investigator and service to the community; and

WHEREAS, Rashiem Franklin joined the Isle of Wight County Sheriff's Office in 2022 and served as a patrol deputy until he transferred to the Criminal Investigation Unit in 2023; and

WHEREAS, since that time, Rashiem Franklin has secured at least 34 felony warrants, 15 misdemeanor warrants, and nine search warrants for cases related to unlawful possession of firearms, child abuse, narcotics violations, credit card fraud, larceny, abduction, and attempted murder; and

WHEREAS, in addition to his work as an investigator, Rashiem Franklin acts as a liaison to a U.S. Postal Service task force, and he serves his fellow law-enforcement officers as a member of the Isle of Wight County Sheriff's Office Peer Support team and Honor Guard, as well as an instructor at the Hampton Roads Criminal Justice Training Academy; and

WHEREAS, Rashiem Franklin has also inspired local youths as a volunteer with Isle of Wight County Schools, attending school events, providing guidance to students and staff members, and offering direct mentorship to male high school students; and

WHEREAS, Rashiem Franklin has served the Isle of Wight County community with the utmost dedication, integrity, and professionalism; now, therefore, be it

RESOLVED by the Senate of Virginia, That Rashiem D. Franklin, an exemplary member of the Isle of Wight County Sheriff's Office, hereby be commended on winning a Top Cop award in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Rashiem D. Franklin as an expression of the Senate of Virginia's admiration for his outstanding achievements in service to the residents of Isle of Wight County.

SENATE RESOLUTION NO. 203

Commending Manakin Episcopal Church.

Agreed to by the Senate, January 16, 2025

WHEREAS, Manakin Episcopal Church, located in what is now Powhatan County, has provided opportunities for joyful worship, spiritual leadership, and generous outreach to the community for 325 years; and

WHEREAS, in 1700, King William III of England financed the resettlement of a group of French Protestants, the Huguenots, who had fled to England after being forced out of their home country; and

WHEREAS, after arriving in the Colony of Virginia, the Huguenots sailed up the James River, where William Byrd had arranged for them a grant of 10,000 acres of land near Manakintowne; and

WHEREAS, on December 5, 1700, the House of Burgesses granted the Huguenots a royal charter, which established the King William Parish at Manakintowne as a parish of the Church of England; and

WHEREAS, the Huguenots, led by Benjamin de Joux, constructed a small octagonal church that was located at the boundary of their land; a second building was constructed in 1710 and a third church was built at a more central location at the junction of River Road and Ferry Road in 1730; and

WHEREAS, Manakin Episcopal Church's third building was occupied for well over 100 years until a fourth church was constructed in 1895; the current building, located on Huguenot Trail and modeled after William Byrd's historic church at Westover, was erected in 1954 and equipped with modern lighting and heating to better serve the congregation; and

WHEREAS, Manakin Episcopal Church remains a vibrant house of worship that serves individuals and families of all ages and backgrounds through regular services, special events, and other programs; and

WHEREAS, Manakin Episcopal Church has long been a focal point of community life in the area, maintaining active ministries and outreach programs to enhance the quality of life for both the members of the congregation and all local residents; now, therefore, be it

RESOLVED by the Senate of Virginia, That Manakin Episcopal Church hereby be commended on the occasion of its 325th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Manakin Episcopal Church as an expression of the Senate of Virginia's admiration for the church's storied history and legacy of contributions to Powhatan County and the surrounding communities.

SENATE RESOLUTION NO. 204

Celebrating the life of Charles Daniel Spruill.

Agreed to by the Senate, January 16, 2025

WHEREAS, Charles Daniel Spruill, a longtime civil servant and highly admired youth athletics coach in Seaford, died on July 26, 2024; and

WHEREAS, Charles Daniel "Danny" Spruill grew up in Rocky Mount, North Carolina, and subsequently graduated from Christopher Newport University in Newport News; and

WHEREAS, Danny Spruill spent much of his career working for the U.S. Department of the Army as a civilian employee at Fort Monroe, retiring in 2006 after 36 years of service; and

WHEREAS, Danny Spruill was best known as a youth football, baseball, and softball coach, who touched countless lives in Newport News and York County through his compassion, inspirational leadership, and dedication to service; and

WHEREAS, Danny Spruill was recognized as a pioneer in local youth athletics and helped his players achieve their fullest potential on and off the field; he forged lifelong friendships with his players and their families, often keeping up with their achievements through high school and beyond; and

WHEREAS, Danny Spruill also enjoyed boating, fishing, hunting, gardening, and simply spending time with family and friends at his Seaford home; and

WHEREAS, Danny Spruill will be fondly remembered and greatly missed by his wife of 30 years, Renee; his children, Candice and Andrew; his stepchildren, Craig and Lindsay; his children and stepchildren's families, including 13 beloved grandchildren; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Charles Daniel Spruill, a respected member of the Seaford community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Charles Daniel Spruill as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 205

Nominating persons to be elected to circuit court judgeships.

Agreed to by the Senate, January 14, 2025

RESOLVED by the Senate of Virginia, That the following persons are hereby nominated to be elected to the respective circuit court judgeships as follows:

The Honorable William Edward Tomko, III, of Sussex, as a judge of the Sixth Judicial Circuit for a term of eight years commencing July 1, 2025.

The Honorable Christopher R. Papile, of Newport News, as a judge of the Seventh Judicial Circuit for a term of eight years commencing July 1, 2025.

The Honorable David A. Oblon, of Fairfax City, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing January 1, 2026.

The Honorable James R. Swanson, of Roanoke County, as a judge of the Twenty-third Judicial Circuit for a term of eight years commencing April 1, 2025.

SENATE RESOLUTION NO. 206

Nominating persons to be elected to general district court judgeships.

Agreed to by the Senate, January 14, 2025

RESOLVED by the Senate of Virginia, That the following persons are hereby nominated to be elected to the respective general district court judgeships as follows:

The Honorable Erin L. Evans-Bedois, of Chesapeake, as a judge of the First Judicial District for a term of six years commencing April 1, 2025.

The Honorable Sandra S. Menago, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing May 1, 2025.

The Honorable Nicole A. Belote, of Suffolk, as a judge of the Fifth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Elbert D. Mumphery, of Hopewell, as a judge of the Sixth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Robert G. Saunders, of Newport News, as a judge of the Seventh Judicial District for a term of six years commencing July 1, 2025.

The Honorable Jody H. Fariss, of Prince Edward, as a judge of the Tenth Judicial District for a term of six years commencing June 1, 2025.

The Honorable Darrel W. Puckett, of Appomattox, as a judge of the Tenth Judicial District for a term of six years commencing June 1, 2025.

The Honorable Calvin S. Spencer, Jr., of Lunenburg, as a judge of the Tenth Judicial District for a term of six years commencing April 16, 2025.

The Honorable Thomas Stark, IV, of Powhatan, as a judge of the Eleventh Judicial District for a term of six years commencing May 1, 2025.

The Honorable Keith Nelson Hurley, of Chesterfield, as a judge of the Twelfth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Lauren A. Caudill, of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing June 1, 2025.

The Honorable George Barton Chucker, of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Hugh S. Campbell, of Hanover, as a judge of the Fifteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Angela M. O'Connor, of Hanover, as a judge of the Fifteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Matthew J. Quatrara, of Albemarle, as a judge of the Sixteenth Judicial District for a term of six years commencing June 1, 2025.

The Honorable Jason S. Rucker, of Arlington, as a judge of the Seventeenth Judicial District for a term of six years commencing March 16, 2025.

The Honorable Susan F. Earman, of Fairfax City, as a judge of the Nineteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Joan Ziglar, of Martinsville, as a judge of the Twenty-first Judicial District for a term of six years commencing July 1, 2025.

The Honorable Christopher M. Billias, of Rockbridge, as a judge of the Twenty-fifth Judicial District for a term of six years commencing April 1, 2025.

The Honorable Travis B. Lee, of Smyth, as a judge of the Twenty-eighth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Henry A. Barringer, of Tazewell, as a judge of the Twenty-ninth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Turkessa B. Rollins, of Prince William, as a judge of the Thirty-first Judicial District for a term of six years commencing July 1, 2025.

SENATE RESOLUTION NO. 207

Nominating persons to be elected to juvenile and domestic relations district court judgeships.

Agreed to by the Senate, January 14, 2025

RESOLVED by the Senate of Virginia, That the following persons are hereby nominated to be elected to the respective juvenile and domestic relations district court judgeships as follows:

The Honorable Lori B. Galbraith, of Chesapeake, as a judge of the First Judicial District for a term of six years commencing July 1, 2025.

The Honorable Cheshire I'Anson Eveleigh, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing July 1, 2025.

The Honorable Timothy J. Quick, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing April 1, 2025.

The Honorable Lauri D. Hogge, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing April 1, 2025.

The Honorable Devon R. Paige Charity, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Christopher B. Ackerman, of Brunswick, as a judge of the Sixth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Rebecca M. Robinson, of Newport News, as a judge of the Seventh Judicial District for a term of six years commencing April 16, 2025.

The Honorable Jeffrey C. Rountree, of Newport News, as a judge of the Seventh Judicial District for a term of six years commencing July 1, 2025.

The Honorable Gregory C. Bane, of Hampton, as a judge of the Eighth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Jay Edward Dugger, of Hampton, as a judge of the Eighth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Robert B. Wilson, V, of Hampton, as a judge of the Eighth Judicial District for a term of six years commencing April 1, 2025.

The Honorable Phillip T. DiStanislao, Jr., of Petersburg, as a judge of the Eleventh Judicial District for a term of six years commencing February 1, 2025.

The Honorable Theresa J. Royall, of Nottoway, as a judge of the Eleventh Judicial District for a term of six years commencing July 1, 2025.

The Honorable Brice E. Lambert, of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Joseph A. Vance, IV, of Fredericksburg, as a judge of the Fifteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Barbara G. Lowe, of Albemarle, as a judge of the Sixteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Maha-Rebekah R. Abejuela, of Fairfax County, as a judge of the Nineteenth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Kimberly R. Belongia, of Henry, as a judge of the Twenty-first Judicial District for a term of six years commencing July 1, 2025.

The Honorable Stephanie M. Ayers, of Bedford, as a judge of the Twenty-fourth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Jennifer E. Stille, of Lynchburg, as a judge of the Twenty-fourth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Susan B. Read, of Staunton, as a judge of the Twenty-fifth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Rachel E. Figura, of Rockingham, as a judge of the Twenty-sixth Judicial District for a term of six years commencing May 1, 2025.

The Honorable Chad A. Logan, of Shenandoah, as a judge of the Twenty-sixth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Kimberly Michelle Jenkins, of Scott, as a judge of the Thirtieth Judicial District for a term of six years commencing July 1, 2025.

The Honorable Lisa Michelle Baird, of Manassas, as a judge of the Thirty-first Judicial District for a term of six years commencing July 1, 2025.

SENATE RESOLUTION NO. 208

Nominating persons to be elected as members of the Judicial Inquiry and Review Commission.

Agreed to by the Senate, January 14, 2025

RESOLVED by the Senate of Virginia, That the following persons are hereby nominated to be elected as members of the Judicial Inquiry and Review Commission as follows:

Cozy E. Bailey, Sr., of Prince William, as a member of the Judicial Inquiry and Review Commission for a term of four years commencing July 1, 2025.

The Honorable Kenneth R. Melvin, of Portsmouth, as a member of the Judicial Inquiry and Review Commission for a term of four years commencing July 1, 2025.

Terrie N. Thompson, of Chesapeake, as a member of the Judicial Inquiry and Review Commission for a term of four years commencing July 1, 2025.

SENATE RESOLUTION NO. 209

Nominating a person to be elected as the Auditor of Public Accounts.

Agreed to by the Senate, January 14, 2025

RESOLVED by the Senate of Virginia, That the following person is hereby nominated to be elected as the Auditor of Public Accounts as follows:

Staci A. Henshaw, of Dinwiddie, as the Auditor of Public Accounts for a term of four years commencing February 1, 2025.

SENATE RESOLUTION NO. 210

Commending Lawrence Douglas Wilder.

Agreed to by the Senate, January 16, 2025

WHEREAS, Lawrence Douglas Wilder, born in Richmond on January 17, 1931, has dedicated his life to public service, breaking numerous racial barriers and setting precedents in the Commonwealth and the United States; and

WHEREAS, Douglas Wilder earned a degree in chemistry from Virginia Union University in 1951, then served in the United States Army during the Korean War and was awarded the Bronze Star for heroism for capturing multiple enemy troops and providing assistance to his wounded fellow soldiers; after returning home, he obtained a law degree from Howard University in 1959; and

WHEREAS, in 1969, Douglas Wilder became the first African American elected to the Senate of Virginia since Reconstruction and subsequently built a reputation for pragmatism and bipartisan collaboration; and

WHEREAS, during his tenure as a state lawmaker, Douglas Wilder chaired the Steering Committee, responsible for assigning members to committees, and the Committees on Rehabilitation and Social Services, Transportation, and General Laws; he also served on the Committee for Courts of Justice and advocated for legislation to benefit low-income residents and juvenile justice reform; and

WHEREAS, in 1985, Douglas Wilder was elected lieutenant governor of Virginia, becoming the first African American to hold statewide office in the Commonwealth, exemplifying his perseverance and dedication to public service; and

WHEREAS, in 1989, Douglas Wilder made history as the first African American elected as a state governor in the United States; he served as governor of Virginia from 1990 to 1994, during which time his administration was praised for sound fiscal management, including the creation of the "Rainy Day Fund" to stabilize the Commonwealth's finances during economic downturns, and sponsoring new construction projects for educational and mental health institutions; and

WHEREAS, as governor, Douglas Wilder signed legislation making Virginia one of the first states to recognize Martin Luther King Jr. Day as a statewide holiday, exemplifying his commitment to civil rights and equality; and

WHEREAS, after his gubernatorial term, Douglas Wilder continued his public service as the first directly elected mayor of Richmond from 2005 to 2009, during which time he improved public safety by spearheading crime reduction initiatives and enhancing emergency services, while also advancing governance and development efforts across the city; and

WHEREAS, Douglas Wilder's legacy continues through his role as a distinguished professor at the L. Douglas Wilder School of Government and Public Affairs at Virginia Commonwealth University, where he has been instrumental in promoting public discourse through the Wilder Symposium, which highlights critical issues such as the lack of funding for Historically Black Colleges and Universities, leading to an official opinion on the matter by the attorney general of Virginia, and contributing to the Commonwealth Poll, which provides critical insights into the perspectives of Virginians on key public policy issues; and

WHEREAS, Douglas Wilder's groundbreaking achievements have not only reshaped Virginia's political landscape but have also opened doors for future generations of diverse leaders across the Commonwealth and the nation; now, therefore, be it

RESOLVED by the Senate of Virginia, That Lawrence Douglas Wilder hereby be commended for his exceptional service, groundbreaking achievements, and enduring impact on the Commonwealth and the nation on the occasion of the 40th anniversary of his historic election as lieutenant governor of Virginia; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for Lawrence Douglas Wilder as an expression of the Senate of Virginia's admiration for his legacy of exceptional service to the Commonwealth.

SENATE RESOLUTION NO. 211

Celebrating the life of Roosevelt Harmon, Jr.

Agreed to by the Senate, January 23, 2025

WHEREAS, Roosevelt Harmon, Jr., an honorable veteran, esteemed educator and counselor, dedicated faith leader, and beloved member of the Portsmouth community, died on November 24, 2024; and

WHEREAS, known affectionately by friends and family as "Rickey," Roosevelt Harmon graduated from I.C. Norcom High School in Portsmouth before joining the United States Army; and

WHEREAS, Roosevelt Harmon served his country with honor and distinction by assisting Vietnam War veterans as a medic at a United States Army substance abuse treatment center and the Walter Reed Army Medical Center's psychiatric ward between 1966 and 1969; and

WHEREAS, in addition to a bachelor's degree in social science from Virginia Union University, Roosevelt Harmon's educational pursuits included graduate degrees and certificates from Virginia Commonwealth University, a master's degree in divinity from Andover Newton Theological School, a certificate of international ministry from the University of Oxford, and a certificate of pastoral education from Boston City Hospital; and

WHEREAS, Roosevelt Harmon helped to develop the Virginia Community College System's human service and community and social services degree programs and served as an adjunct professor in these programs at J. Sargeant Reynolds Community College, Tidewater Community College, and Paul D. Camp Community College; and

WHEREAS, after a long career committed to helping others, Roosevelt Harmon retired as a substance abuse counselor with the City of Portsmouth; and

WHEREAS, in recognition of his contributions to the community, particularly the Truxton neighborhood of Portsmouth, Roosevelt Harmon was inducted into the Historical Truxton Wall of Fame in 2011; and

WHEREAS, Roosevelt Harmon was licensed to preach the Gospel by Quioccasin Baptist Church in Richmond in 1979 and ordained into the Gospel Ministry in 1986 by the Sharon Missionary Baptist Association; and

WHEREAS, for more than 20 years, Roosevelt Harmon provided uplifting spiritual guidance as a pastor in Southampton County and Franklin until his retirement as senior pastor of Mount Calvary Memorial Baptist Church in 2009; and

WHEREAS, Roosevelt Harmon was active in his community through his involvement with several local committees, including the community service board, and with the Mary Redd Nelson Hampton Roads Alumni Chapter of Virginia Union University; and

WHEREAS, in recent years, Roosevelt Harmon enjoyed worship and fellowship with his community at Antioch-Lithonia Missionary Baptist Church in Snellville, Georgia; and

WHEREAS, Roosevelt Harmon will be fondly remembered and dearly missed by his loving wife of more than 45 years, Pearline; his children, Jewelle and Joycelyn, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Roosevelt Harmon, Jr., an educator and faith leader whose integrity, generosity, and dedication made a difference in countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Roosevelt Harmon, Jr., as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 212

Commending Phyliss Bryum.

Agreed to by the Senate, January 23, 2025

WHEREAS, Phyliss Bryum, an esteemed educator and community leader, retired from her position on the Suffolk City School Board in 2024; and

WHEREAS, after completing her grade school education in Suffolk City Public Schools, Phyliss Bryum earned a bachelor's degree in social sciences from Barton College; and

WHEREAS, Phyliss Bryum dedicated 46 years to young people in Suffolk as a social sciences teacher with Suffolk City Public Schools, working tirelessly to prepare her students for success both in and out of the classroom; and

WHEREAS, in recognition of her efforts and accomplishments as an educator, Phyliss Bryum was named the Suffolk Teacher of the Year in 2000; and

WHEREAS, Phyliss Bryum has served as the Whaleyville Borough representative on the Suffolk City School Board since 2009 and also at times as chair and vice chair, working tirelessly for the benefit of the students, teachers, and families of Suffolk; and

WHEREAS, Phyliss Bryum was instrumental to the creation of several new schools in Suffolk, which will strengthen Suffolk City Public Schools' ability to educate and nurture the division's students for years to come; and

WHEREAS, Phyliss Bryum's commitment to the young people and families of Suffolk has made an impact on countless lives and is deserving of the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate of Virginia, That Phyliss Bryum hereby be commended on the occasion of her retirement from the Suffolk City School Board; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Phyliss Bryum as an expression of the Senate of Virginia's admiration for her legacy of service and best wishes in her future endeavors.

SENATE RESOLUTION NO. 213

Commending Judith Brooks-Buck, Ph.D.

Agreed to by the Senate, January 23, 2025

WHEREAS, Judith Brooks-Buck, Ph.D., an accomplished educator and education consultant, retired from her position on the Suffolk City School Board in 2024; and

WHEREAS, Judith Brooks-Buck's illustrious career in education has spanned more than 40 years, including nearly a decade as a principal of two middle schools and a special day school in Huntsville, Alabama; and

WHEREAS, after earning a doctoral degree in educational policy and leadership from the University of Virginia in 2001, Judith Brooks-Buck served as an assistant professor and chair of the Department of Education at Hampton University until 2006; and

WHEREAS, in addition to teaching several courses at Hampton University, Judith Brooks-Buck was responsible for developing educational materials for six African nations on behalf of the United States Agency for International Development; and

WHEREAS, Judith Brooks-Buck subsequently served as a professor at Virginia State University, teaching various education-related courses and staffing several committees until her retirement in 2015; and

WHEREAS, since 2000, Judith Brooks-Buck has provided valued educational testing, policy analysis, program evaluation, and research through her firm, J. Brooks-Buck Educational Consulting; and

WHEREAS, Judith Brooks-Buck served as the Nansemond Borough representative on the Suffolk City School Board for 12 years, including terms as chair and vice chair, working tirelessly for the benefit of the students, teachers, and families of Suffolk; and

WHEREAS, Judith Brooks-Buck was an effective advocate for Suffolk City Public Schools before both the General Assembly and the United States Congress, helping to secure significant funding and legislation to assist the school division; and

WHEREAS, Judith Brooks-Buck played an instrumental role in the creation of several new schools in Suffolk, which will continue to burnish her legacy in the community for years to come; and

WHEREAS, Judith Brooks-Buck's commitment to the young people and families of Suffolk has made an impact on countless lives and is deserving of the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate of Virginia, That Judith Brooks-Buck, Ph.D., hereby be commended on the occasion of her retirement from the Suffolk City School Board; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Judith Brooks-Buck, Ph.D., as an expression of the Senate of Virginia's admiration for her legacy of service and best wishes in her future endeavors.

SENATE RESOLUTION NO. 214

Commending Josh A. Wyche, Sr.

Agreed to by the Senate, January 23, 2025

WHEREAS, Josh A. Wyche, Sr., an honorable veteran and dedicated law-enforcement officer, celebrated his 40th anniversary with the Southampton County Sheriff's Office in 2024; and

WHEREAS, born and raised in Southampton County, Josh Wyche attended Southampton County Public Schools and graduated from Franklin High School in 1980 before honorably serving his country for six years as a member of the United States Marine Corps, attaining the rank of sergeant; and

WHEREAS, Josh Wyche embarked upon his long and noble career in law enforcement in 1984 as a deputy sheriff in the detention division of the Southampton County Sheriff's Office and soon thereafter became a master deputy supporting the courtroom security and civil process section; and

WHEREAS, Josh Wyche graduated from the Crater Criminal Justice Training Academy in 1989 and was promoted to the rank of corporal before ultimately being elevated to the rank of sergeant with the responsibility to oversee courtroom security and process of service in 2006; and

WHEREAS, Josh Wyche has continued to develop his abilities as an officer over the years, completing the FBI National Academy in Quantico in 2009 and earning an associate degree in police science from Paul D. Camp Community College in 2013; and

WHEREAS, Josh Wyche's efforts led to a promotion to lieutenant in 2012, when he made history as the first African American to hold the rank of lieutenant in the history of the Southampton County Sheriff's Office; and

WHEREAS, Josh Wyche assumed the rank of captain in 2014 and took charge of many of the daily aspects of operating a law-enforcement agency, including preparing the budget, scheduling, handling personnel matters, and resolving inmate disputes; and

WHEREAS, on November 5, 2019, Josh Wyche made history again when he became the first African American to be elected as the sheriff of Southampton County and the City of Franklin, the position he holds to this day; and

WHEREAS, Josh Wyche has embodied the highest ideals of the law-enforcement profession over the 40 years in which he has protected and served the residents of Southampton County, earning him the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate of Virginia, That Josh A. Wyche, Sr., hereby be commended on the occasion of his 40th anniversary as a member of the Southampton County Sheriff's Office; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Josh A. Wyche, Sr., as an expression of the Senate of Virginia's high regard for his legacy of service.

SENATE RESOLUTION NO. 215

Commending Wesley Brown.

Agreed to by the Senate, January 23, 2025

WHEREAS, Wesley Brown, owner of Brown's Automotive in Smithfield and an active and engaged member of the Hampton Roads community, was named Citizen of the Year by the Kiwanis Club of Smithfield on December 6, 2024; and

WHEREAS, Wesley Brown joined the Kiwanis Club of Smithfield in 1989 and quickly became a valued member of the organization by co-chairing its annual toy store, which provides toys and books to hundreds of children in the care of the Isle of Wight County Department of Social Services; and

WHEREAS, Wesley Brown became president of the Kiwanis Club of Smithfield ten years after joining the organization, and he has also previously served as lieutenant governor of two different Kiwanis divisions; and

WHEREAS, in 2001, Wesley Brown spearheaded the Kiwanis Club of Smithfield's inaugural Kiwanis Fishing Clinic, a longstanding annual event that teaches children water safety and the fundamentals of fishing, which today draws hundreds of young people and their families from throughout the Hampton Roads region; and

WHEREAS, in addition to serving with the Kiwanis Club of Smithfield, Wesley Brown has also been a member of the Kiwanis Club of Greater Hilton in Newport News and the Kiwanis Club of Carrollton in Isle of Wight County, which he founded in 2018; and

WHEREAS, Wesley Brown acquired valuable skills for overseeing the Kiwanis Club of Smithfield's initiatives as the longtime owner and operator of Brown's Automotive, a car repair and maintenance business that he has owned since 1991; and

WHEREAS, with an unwavering commitment to the health and well-being of children in his community, Wesley Brown has embodied the ideals of Kiwanis International and is deserving of the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate of Virginia, That Wesley Brown hereby be commended for being named the Kiwanis Club of Smithfield's 2024 Citizen of the Year; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Wesley Brown as an expression of the Senate of Virginia's appreciation and respect for his exceptional legacy of service.

SENATE RESOLUTION NO. 216

Celebrating the life of Mark Robert Outlaw.

Agreed to by the Senate, January 23, 2025

WHEREAS, Mark Robert Outlaw, a dedicated firefighter who served and safeguarded the residents of Suffolk with distinction as fire chief for 18 years, died on January 8, 2025; and

WHEREAS, Mark Outlaw grew up in Chesapeake, where he attended Western Branch High School; he began his career as a firefighter with the Driver Volunteer Fire Station, then earned an associate degree in fire service from Tidewater Community College before joining the Suffolk Department of Fire and Rescue; and

WHEREAS, at the time, the City of Suffolk had recently incorporated the former Nansemond County and grown from roughly two square miles to 400 square miles; Mark Outlaw rose through the ranks while helping the department grow and adapt to a greatly expanded service area; and

WHEREAS, in recognition of his natural leadership abilities and exceptional contributions to fire service, Mark Outlaw was selected as the Suffolk fire chief in 1994, becoming, at the age of 36, the youngest fire chief in the Commonwealth; and

WHEREAS, Mark Outlaw oversaw the construction and renovation of numerous fire stations throughout the city limits and quadrupled the number of firefighters under his command from around 60 to just over 280; his innovative leadership led to the development of procedures that reduced response times and increased the overall efficiency and effectiveness of the department; and

WHEREAS, in his personal life, Mark Outlaw was an enthusiastic early adaptor of new technology, and he demonstrated this in the workplace by ensuring that his firefighters had cutting-edge equipment to better serve the community; and

WHEREAS, a lifelong Green Bay Packers fan, Mark Outlaw and his wife, Tracy, moved to Wisconsin after his well-earned retirement as fire chief; he kept in touch with many of his former colleagues and further pursued his passion for fire service by working at the Pierce Manufacturing plant in Appleton, which produces a range of custom fire apparatus and emergency equipment; and

WHEREAS, Mark Outlaw will be fondly remembered and greatly missed by his beloved wife of 26 years, Tracy; his sons, Adam and Victor, and their families; his stepchildren, Allison, Andrew, and Daniel, and their families; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Mark Robert Outlaw, a highly respected former fire chief of Suffolk; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Mark Robert Outlaw as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 217

Celebrating the life of Abraham Mitchell.

Agreed to by the Senate, January 23, 2025

WHEREAS, Abraham Mitchell, a longtime presence at the Central Intercollegiate Athletic Association Basketball Tournament who delighted staff members, players, and fans with his colorful outfits and commitment to sportsmanship, died on January 7, 2025; and

WHEREAS, Abraham "Ham" Mitchell made his career as a mortician in the Tidewater area and began attending the Central Intercollegiate Athletic Association (CIAA) Basketball Tournament when his nephew, Peter, was a student at Norfolk State University; and

WHEREAS, Ham Mitchell decided to wear a shirt and tie to stand out while supporting his nephew on the court; he continued attending the CIAA Basketball Tournament long after his nephew graduated and began changing outfits at half time to support both teams; and

WHEREAS, as the years went on, Ham Mitchell's visually striking attire became a hallmark of the tournament; his wardrobe grew to include more than 100 colorful suits, many of them custom made, as well as hats and umbrellas, and he changed outfits as many as eight times a day to ensure every team was represented; and

WHEREAS, Ham Mitchell, known as "Mr. CIAA," was a fixture at the tournament for years, following along as it relocated from Greensboro, North Carolina, to Hampton, Richmond, and Norfolk, then back to North Carolina in Winston-Salem, Raleigh, and Charlotte; and

WHEREAS, in recognition of his unique contributions to the tournament over the years, Ham Mitchell was inducted into the John B. McLendon CIAA Hall of Fame as a fan in 2016; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Abraham Mitchell, an irreplaceable figure in college athletics; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Abraham Mitchell as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 218

Commending Captain Thomas Theodore Scambos, USN, Ret.

Agreed to by the Senate, January 30, 2025

WHEREAS, Captain Thomas Theodore Scambos, USN, Ret., a dedicated veteran who made numerous contributions to naval aviation over the course of his distinguished career and a respected entrepreneur in Northern Virginia, celebrated his 100th birthday in 2024; and

WHEREAS, born in New York City on March 15, 1924, Thomas "Tom" Scambos earned a bachelor's degree in aeronautical engineering from New York University, then began his military career as a member of the United States Navy Reserve in 1944; and

WHEREAS, at the dawn of the jet age, Tom Scambos served as a turbo-jet project engineer at Naval Air Station Patuxent River, Maryland, and was one of the first three instructors at the United States Naval Test Pilot School; and

WHEREAS, Tom Scambos transferred to active duty in the United States Navy in 1947, then reported for flight training at Naval Air Station Pensacola, Florida, followed by additional training at facilities in Corpus Christi, Texas; and

WHEREAS, Tom Scambos was designated as a naval aviator in July 1949 and was assigned to Strike Fighter Squadron 31, from which he was detached to serve in the Department of the Navy's Bureau of Aeronautics; and

WHEREAS, in the 1950s, Tom Scambos continued his education at the Harvard Business School, where he earned a master of business administration degree and received the prestigious George F. Baker Scholar award; he also completed industrial production training at Grumman Aircraft Engineering Corporation; and

WHEREAS, Tom Scambos next reported to Naval Station Norfolk as a production engineering officer and to what is now part of Joint Base McGuire-Dix-Lakehurst, New Jersey, as a test coordinator; he completed a series of consecutive assignments in 1960-1961 as a fleet replacement pilot with Strike Fighter Squadron 125 and Fighter Squadron 126, then as the operations officer of Carrier Air Wing 14; and

WHEREAS, as a member of the Office of the Chief of Naval Operations in the early 1960s, Tom Scambos provided his expertise to projects on antisatellite capabilities, surveillance, manned space flight, and more; and

WHEREAS, after receiving instruction at the Center for Advanced Engineering Study at the Massachusetts Institute of Technology in 1965-1966, Tom Scambos returned to the Department of the Navy as deputy project manager for the development of a new carrier-based interceptor, then as project manager of a fleet escort study; and

WHEREAS, after completing his service to the nation, Tom Scambos established General Technology Applications, Inc., in Manassas and served as chair and chief executive officer of the company from 1984 until his well-earned retirement in 1992; and

WHEREAS, Tom Scambos secured several patents for innovative technology and helped revolutionize oil spill cleanups by creating a nontoxic chemical additive that increased the viscosity of oil, allowing for more efficient and effective recovery; and

WHEREAS, Tom Scambos ultimately settled in Arlington County, where he is a respected and highly admired member of his community; now, therefore, be it

RESOLVED by the Senate of Virginia, That Captain Thomas Theodore Scambos, USN, Ret., hereby be commended on the occasion of his 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Captain Thomas Theodore Scambos, USN, Ret., as an expression of the Senate of Virginia's admiration for his service to the nation, the Commonwealth, and his community.

SENATE RESOLUTION NO. 219

Commending South Quay Baptist Church.

Agreed to by the Senate, January 30, 2025

WHEREAS, South Quay Baptist Church of Suffolk, one of the oldest Baptist congregations in the Commonwealth, will celebrate its 250th anniversary on March 1, 2025; and

WHEREAS, South Quay Baptist Church was a mission church of Mill Swamp Baptist Church and located originally along the Blackwater River on the border of Southampton and Nansemond Counties; the church was organized with a bi-racial congregation of 42 members on March 1, 1775, under the leadership of the Reverend David Barrow, a noted anti-slavery and liberty advocate; and

WHEREAS, South Quay Baptist Church moved to its current location in then-Nansemond County in 1835, becoming commonly known as "Reedy Branch Church" due to its location along Reedy Branch in the South Quay community; and

WHEREAS, during the Civil War, by order of Governor William Smith, South Quay Baptist Church served as the temporary courthouse for Nansemond County during its military occupation between 1864 and 1865; and

WHEREAS, the Reverend Putnam Owens of South Quay Baptist Church ordained former slaves Israel Cross and Joseph Gregory, both members of the church, who went on to establish Cool Spring Baptist Church, now First Baptist Church of Franklin, in 1866 and Mount Sinai Baptist Church located in Nansemond County in 1868; and

WHEREAS, South Quay Baptist Church, in the wake of Reconstruction, erected a new building in 1889 after the church was destroyed by a fire, and said building comprises today's present church building; and

WHEREAS, over the course of time, South Quay Baptist Church has greatly expanded in membership and completed a parsonage, fellowship hall, and Sunday school classrooms to better serve the growing community; and

WHEREAS, South Quay Baptist Church has provided the community uplifting spiritual guidance, proclaiming the word of the Lord and encouraging deep, personal relationships with Jesus Christ, and these efforts have been complemented by joyful occasions for worship, fellowship, and abundant opportunities for charity and outreach, making the church an integral and cherished part of the City of Suffolk and Southampton County; now, therefore, be it

RESOLVED by the Senate of Virginia, That South Quay Baptist Church hereby be commended on the occasion of its 250th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to South Quay Baptist Church as an expression of the Senate of Virginia's high regard for the church's history, heritage, and contributions to the Commonwealth.

SENATE RESOLUTION NO. 220

Commending Hampton Roads Transit.

Agreed to by the Senate, January 30, 2025

WHEREAS, Hampton Roads Transit, a transportation agency serving millions of passengers across the Hampton Roads region every year, celebrated its 25th anniversary in 2024; and

WHEREAS, Hampton Roads Transit was formed on October 1, 1999, through the merger of Tidewater Regional Transit and Peninsula Transit, making history as the nation's first voluntary merger of transit agencies; and

WHEREAS, the establishment of Hampton Roads Transit improved connectivity between the cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, and Virginia Beach and exemplified the progress that can be achieved through enhanced regional cooperation; and

WHEREAS, Hampton Roads Transit enabled the creation of a multi-modal agency that today includes fixed-route bus service, cross-tunnel 757 Express bus service, the Tide light rail, the Elizabeth River Ferry, paratransit, Peninsula commuter services, the VB Wave trolley, Base Express, OnDemand ridesharing, and the TRAFFIX commuter options program; and

WHEREAS, with a great sense of responsibility and purpose, Hampton Roads Transit ensures the reliability, safety, efficiency, and sustainability of its transportation options, improving the quality of life for the region's residents; and

WHEREAS, Hampton Roads Transit is vital to the success and prosperity of the region and an important part of what makes Hampton Roads a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That Hampton Roads Transit hereby be commended on the occasion of its 25th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Hampton Roads Transit as an expression of the Senate of Virginia's admiration for the agency's contributions to Hampton Roads and the Commonwealth.

SENATE RESOLUTION NO. 221

Commending Emma Randel.

Agreed to by the Senate, January 30, 2025

WHEREAS, Emma Randel, founder of Shenandoah Vineyards, which is now the oldest continually operating vineyard in Virginia, was a pioneer in the development of the Commonwealth's thriving, award-winning wine industry; and

WHEREAS, Emma Randel grew up in the Shenandoah Valley and returned home to her family's farm in Edinburg after graduating from Duke University, working as a teacher in a secretarial school, marrying her husband, Jim, and raising five children; and

WHEREAS, in 1976, Emma Randel planted 5,000 grapevines as a hobby and a pseudo-retirement plan on her family's land, which had been a working farm since the 1700s; and

WHEREAS, at the time, the Commonwealth was not considered suitable for winemaking, but as Emma Randel's knowledge of the local climate, soil conditions, and viticulture grew, she began to see the region's potential and opened Shenandoah Vineyards in 1979; and

WHEREAS, three years later, Emma Randel led efforts to establish the Shenandoah Valley as the Commonwealth's first federally recognized wine-producing region with an American Viticultural Area designation; and

WHEREAS, Emma Randel's accomplishments helped legitimize the Commonwealth as a wine producer on the international stage and led the way for the development of more than 300 other wineries representing more than 5,000 acres of grapes; and

WHEREAS, Emma Randel continued to manage Shenandoah Vineyards into her 90s before retiring in 2018; the winery is currently owned and operated by Michael Shaps Wineworks and continues to produce award-winning wines that are enjoyed throughout the Commonwealth, the United States, and the world; and

WHEREAS, among many awards and accolades over the course of her career, Emma Randel received the Virginia Women in Wine Trailblazer Award in 2024; now, therefore, be it

RESOLVED by the Senate of Virginia, That Emma Randel hereby be commended for her transformational contributions to the Commonwealth's wine industry as the founder of Shenandoah Vineyards; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Emma Randel as an expression of the Senate of Virginia's admiration for her legacy of personal and professional achievements.

SENATE RESOLUTION NO. 222

Commending Persian Rugs & More.

Agreed to by the Senate, January 30, 2025

WHEREAS, over the course of more than 25 years, Persian Rugs & More in Lynchburg has become one of the region's premier destinations for high-quality, authentic handwoven rugs; and

WHEREAS, Persian Rugs & More was established by Hossein Rezai, a former electrical engineer, and Dawn Rezai, a former biology teacher, after the couple developed a passion for fine rugs during a trip to Turkey; and

WHEREAS, impressed by both the cultural aspects of traditional rug-making and the exceptional skill it takes to create a rug that is a functional home furnishing, a work of art, and an heirloom that can last decades, Hossein and Dawn Rezai changed careers and opened Persian Rugs & More on Wards Road in 1998; and

WHEREAS, not long after, the couple moved Persian Rugs & More to a larger space in the Boonsboro Shopping Center, which served as its flagship location for more than two decades; and

WHEREAS, Persian Rugs & More offers a vast selection of Persian, Turkish, Chinese, Moroccan, Indian, and Kazakh rugs, as well as cleaning, repair, and restoration services; Hossein and Dawn Rezai have proudly become trusted experts who can identify a rug by the feel of its texture, knots, and bindings, building strong relationships with their loyal customers; and

WHEREAS, in 2023, Hossein and Dawn Rezai decided to relocate Persian Rugs & More to a brand new 1,500-square-foot facility on Chapel Lane, streamlining their operations with a larger showroom and an on-site cleaning facility that gives customers a unique opportunity to view the cleaning and restoration process firsthand; and

WHEREAS, Hossein and Dawn Rezai have grown Persian Rugs & More into a vital part of the business community in Lynchburg and have helped countless individuals and families become a part of a centuries-old tradition; now, therefore, be it

RESOLVED by the Senate of Virginia, That Persian Rugs & More hereby be commended for more than 25 years of service to the Lynchburg community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Hossein and Dawn Rezai, owners of Persian Rugs & More, as an expression of the Senate of Virginia's admiration for their expertise in the art of rug-making and contributions to the vibrant local economy.

SENATE RESOLUTION NO. 223

Commending Major General Cedric Terry Wins, USA, Ret.

Agreed to by the Senate, January 30, 2025

WHEREAS, Major General Cedric Terry Wins, USA, Ret., an honorable veteran and the 15th superintendent of the Virginia Military Institute, has greatly served the country and the Commonwealth for many years; and

WHEREAS, Cedric Wins graduated from the Virginia Military Institute (VMI) with a bachelor's degree in economics in 1985 and was commissioned as a field artillery officer in July of that year; and

WHEREAS, following his field artillery officer basic and advanced courses, Cedric Wins continued with the U.S. Army Command and General Staff College; today, he holds a master's degree in national security and strategic studies from the National War College and a master's degree in management from the Florida Institute of Technology; and

WHEREAS, Cedric Wins was deployed on numerous occasions over his 34-year career with the United States Army, including with Task Force Sinai in Egypt, as an operations officer at headquarters with the 5th Battalion, 21st Infantry, as a program executive officer with the Afghanistan Public Protection Force, and as a member of the Combined Security Transition Command in Afghanistan during Operation Enduring Freedom; and

WHEREAS, Cedric Wins was stationed around the world throughout his military career, including at Fort Ord, California; with the 2nd Infantry Division, Eighth United States Army in Korea; at headquarters with the Department of the Army and the Joint Chiefs of Staff at the Pentagon; with the 4th Infantry Division at Fort Hood, Texas; with U.S. Special Operations Command at MacDill Air Force Base, Florida; and with the Requirement Integration Directorate of the Army Capabilities Integration Center at Joint Base Langley-Eustis, Virginia; and

WHEREAS, Cedric Wins has held leadership and staff assignments in the 7th Infantry Division (Light) and the Office of the Deputy Chief of Staff, G-8, where he served as director of force development; and

WHEREAS, Cedric Wins was notably the last commander of the Research, Development and Engineering Command and oversaw its transition into the Army Futures Command as it was reestablished as the Combat Capabilities Development Command; he then served as the new unit's first commander, overseeing approximately 13,000 people serving in science and technology or research, development, test, and evaluation capacities; and

WHEREAS, Cedric Wins has been decorated with a plethora of awards and badges for his exemplary service, including the Distinguished Service Medal, the Defense Superior Service Medal, the Legion of Merit with one oak leaf cluster, Bronze Star Medal, Defense Meritorious Service Medal, Meritorious Service Medal with one oak leaf cluster, Joint Service Commendation Medal, Army Commendation Medal with two oak leaf clusters, Joint Service Achievement Medal, and Army Achievement Medal with one oak leaf cluster; and

WHEREAS, Cedric Wins retired from the United States Army on November 6, 2019; he was then appointed interim superintendent of the Virginia Military Institute on November 13, 2020, and was appointed the 15th superintendent of the school following the VMI Board of Visitors' unanimous approval on April 15, 2021, becoming the first African American to serve as superintendent of VMI in the school's history; now, therefore, be it

RESOLVED by the Senate of Virginia, That Major General Cedric Terry Wins, USA, Ret., the 15th superintendent of the Virginia Military Institute, hereby be commended for his legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Major General Cedric Terry Wins, USA, Ret., as an expression of the Senate of Virginia's admiration for his contributions to the country and the Commonwealth and best wishes for his future endeavors.

SENATE RESOLUTION NO. 224

Celebrating the life of Nikki Giovanni.

Agreed to by the Senate, January 30, 2025

WHEREAS, Nikki Giovanni, an iconic American poet who was a leading figure in the Black Arts Movement of the 1960s and 1970s, touched countless lives through her thought-provoking literary works, and inspired students as a longtime faculty member of Virginia Polytechnic Institute and State University, died on December 9, 2024; and

WHEREAS, Yolande Cornelia Giovanni, Jr., better known from a young age as Nikki Giovanni, was born in Knoxville, Tennessee, which always held a special place in her heart, and she spent much of her youth in Lincoln Heights, Ohio, near Cincinnati; and

WHEREAS, Nikki Giovanni excelled in academics and was accepted to Fisk University, a historically Black liberal arts college in Nashville, Tennessee, after her junior year of high school; and

WHEREAS, Nikki Giovanni was active on campus as the editor of Fisk University's literary magazine and supported the Civil Rights Movement by establishing a branch of the Student Non-Violent Coordinating Committee; she ultimately graduated with honors in 1967, earning a bachelor's degree in history; and

WHEREAS, in 1968, Nikki Giovanni published her first poetry collection, *Black Feeling Black Talk*, followed immediately by *Black Judgement*, the two of which have been combined in later reissues; the collections, featuring masterpieces like "Nikki-Rosa" and "Knoxville, Tennessee," quickly became a touchstone of Black American poetry, and readers were enthralled by her fearless wit and commanding voice; and

WHEREAS, a prolific author, Nikki Giovanni crafted more than 20 volumes of poetry over the course of her career, including the most recent collection in 2020, *Make Me Rain: Poems & Prose*; her works covered a wide range of topics from everyday occurrences to racism, politics, mortality, and even space travel; and

WHEREAS, after the birth of her son in 1969, Nikki Giovanni was inspired to write for younger audiences and published her first children's book in 1971; she subsequently authored more than a dozen children's books and poetry collections, as well as a biography of Rosa Parks; and

WHEREAS, in 1971, Nikki Giovanni set her poetry to music in her first album, *Truth Is on Its Way*, recorded with the New York Community Choir; she recorded several other albums from the 1970s through the 2020s; and

WHEREAS, in addition to her literary career, Nikki Giovanni taught at Virginia Polytechnic Institute and State University for 35 years and held a University Distinguished Professorship in the English Department; and

WHEREAS, among many accolades, Nikki Giovanni received lifetime achievement awards from the Art Sanctuary and the Library of Virginia; she was an eight-time NAACP Image Award winner, was listed on Oprah Winfrey's "25 Living Legends," and was profiled in the documentary film *Going to Mars: The Nikki Giovanni Project*; and

WHEREAS, Nikki Giovanni was a passionate advocate for social justice and systemic change, whose works empowered readers to make a difference in their communities, and as a modern luminary in the arts, she inspired generations of students, scholars, poets, authors, artists, musicians, and activists; and

WHEREAS, Nikki Giovanni will be fondly remembered and greatly missed by her longtime partner, Ginney; her son, Thomas, and his family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Nikki Giovanni, a preeminent poet and author, devoted activist, and inspirational educator; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Nikki Giovanni as an expression of the Senate of Virginia's respect for her memory.

SENATE RESOLUTION NO. 225

Commending the Fredericksburg City Public Schools Youth Mental Health Taskforce.

Agreed to by the Senate, January 29, 2025

WHEREAS, the Fredericksburg City Public Schools Youth Mental Health Taskforce, composed of 20 local middle school and high school students, was established through a mental health grant that was previously awarded to eight school divisions in the Commonwealth; and

WHEREAS, the Fredericksburg City Public Schools (FCPS) Youth Mental Health Taskforce works diligently to raise awareness of mental health issues and provides vital support and resources to students and other young people in the city; and

WHEREAS, the FCPS Youth Mental Health Taskforce hosted workshops, created educational materials, and organized events to reduce the stigma surrounding mental health issues and to foster a supportive environment where students can discuss mental health concerns and seek help without judgment; and

WHEREAS, the members of the FCPS Youth Mental Health Taskforce have worked closely with school officials and local mental health organizations to develop strategic programs that will enhance the emotional well-being of their peers; and

WHEREAS, the FCPS Youth Mental Health Taskforce participated in the Superintendent's Roundtable, which provided an important community platform for the members of the taskforce to share their perspectives and advocate for policies to meet the unique challenges facing young people; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Fredericksburg City Public Schools Youth Mental Health Taskforce, a youth-led advocacy group, hereby be commended for its work to promote mental health in the city's public schools; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Fredericksburg City Public Schools Youth Mental Health Taskforce as an expression of the Senate of Virginia's admiration for the group's work to build a healthier and safer school community.

SENATE RESOLUTION NO. 226

Commending Cub Scout Pack 2831.

Agreed to by the Senate, January 30, 2025

WHEREAS, Cub Scout Pack 2831, founded in 1998 and operating within the Heart of Virginia Council's Arrohattoc District, serves as a cornerstone of Scouting excellence and community service for boys and girls in Chesterfield County and the surrounding areas; and

WHEREAS, Cub Scout Pack 2831 is proud to represent this vibrant and diverse community; the Arrohattoc District includes the portions of Chesterfield County south of the Powhite Parkway and Old Hundred Road, north of Happy Hill Road, and west of Interstate 95, as well as Amelia County and Nottoway County; and

WHEREAS, Cub Scout Pack 2831 meets at Woodlake United Methodist Church and is sponsored by the Friends of Pocahontas State Park, both of which help provide a strong foundation for the more than 100 members of the pack, who are in kindergarten through fifth grade, to grow as individuals and leaders; and

WHEREAS, Cub Scout Pack 2831 instills good values and life skills in its members, who embody the Cub Scout motto, "Do Your Best," and adhere to the Scout Law to be trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent; and

WHEREAS, Cub Scout Pack 2831 consistently excels in fundraising, ranking as the top fundraiser in its district and among the top fundraisers in the country through its popcorn and peanut sales, demonstrating the dedication of its Scouts and leaders, as well as their families and friends; and

WHEREAS, Cub Scout Pack 2831 provides a robust, year-round schedule, including school-year den and pack meetings, an active summer program, quarterly camping adventures, service projects, and community events that engage and inspire its members; and

WHEREAS, Cub Scout Pack 2831 offers a wide range of activities, such as the Pinewood Derby, bottle rocket launches, fishing, hiking, biking, first aid, knot tying, public speaking, and teamwork events to help young people develop confidence, skills, and a sense of camaraderie; and

WHEREAS, the dedicated adult leaders, or Akelas, of Cub Scout Pack 2831 work tirelessly to prepare Scouts for continued success in other Scout troops and to become leaders in their communities; now, therefore, be it

RESOLVED by the Senate of Virginia, That Cub Scout Pack 2831 hereby be commended for its longstanding commitment to fostering leadership, life skills, and a passion for community service in young people in Chesterfield County and beyond; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Cub Scout Pack 2831 as an expression of the Senate of Virginia's admiration for its achievements and best wishes for continued success in its mission to shape future leaders.

SENATE RESOLUTION NO. 227

Celebrating the life of Leon Foster Pope.

Agreed to by the Senate, January 30, 2025

WHEREAS, Leon Foster Pope, a respected resident of Frederick County and a patriotic veteran who served the nation during World War II as a member of the United States Army, died on August 30, 2024, at the age of 99; and

WHEREAS, Leon Pope grew up in Winchester and graduated from Handley High School, where he played basketball under the legendary coach Hunter Maddex and was later inducted into the school's Hunter Maddex Hall of Fame; and

WHEREAS, Leon Pope joined many of the other young men of his generation in service to the nation during World War II as a member of the United States Army; and

WHEREAS, Leon Pope was assigned to the 1st Battalion, 115th Infantry Regiment, 29th Infantry Division and participated in the D-Day Invasion of Normandy, France, landing under heavy fire on Omaha Beach on June 6, 1944; and

WHEREAS, for the next several months, Leon Pope continued to serve courageously during the liberation of France, earning a Bronze Star for his meritorious actions, as well as two Purple Hearts for wounds sustained in combat; he returned to the United States in March 1945 due to a noncombat-related injury; and

WHEREAS, Leon Pope attended Elon College in North Carolina through the GI Bill, ran a sporting goods store in downtown Winchester, then pursued careers with Potomac Edison Electric Company for 20 years and VDO North America for 17 years; and

WHEREAS, after returning to Winchester, Leon Pope served and safeguarded his fellow members of the community as a founding member of Greenwood Volunteer Fire and Rescue Company, and he enjoyed fellowship and worship with the congregation of Braddock Street United Methodist Church; and

WHEREAS, in later life, Leon Pope continued to support his fellow veterans and traveled to France to help mark the 75th anniversary of D-Day at a special ceremony in 2019; and

WHEREAS, predeceased by his wife of nearly 70 years, Doris, and one son, Monte, Leon Pope will be fondly remembered and greatly missed by his children, Gregg, Pamela, and Michele; his children's families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Leon Foster Pope, a member of the Greatest Generation and a highly admired member of the Winchester community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Leon Foster Pope as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 228

Commending the Xi Alpha Lambda Chapter of Alpha Phi Alpha Fraternity, Inc.

Agreed to by the Senate, January 30, 2025

WHEREAS, the Xi Alpha Lambda Chapter of Alpha Phi Alpha Fraternity, Inc., an affiliate of one of the oldest intercollegiate historically African American fraternities in the country, has proudly served the Prince William County community for more than 40 years; and

WHEREAS, chartered on May 31, 1981, the Xi Alpha Lambda Chapter supports the community by advancing a number of Alpha Phi Alpha's national initiatives and programs, including Go-to-High-School, Go-to-College; Project Alpha; A Voteless People is a Hopeless People; and Brother's Keeper; and

WHEREAS, through its Ira Dorsey Scholarship Endowment Fund, the Xi Alpha Lambda Chapter has provided more than $500,000 to deserving students, helping them to achieve success both in and out of the classroom; and

WHEREAS, the Xi Alpha Lambda Chapter's Alpha Academy programs at Potomac Middle School and Rippon Middle School in Prince William County offer opportunities for members to mentor young men and guide them in their growth and development; and

WHEREAS, members of the Xi Alpha Lambda Chapter give generously of their time and resources for the benefit of others by partnering with the Adopt-a-Highway program, collaborating with the American Cancer Society and the Share Ministry at First Mount Zion Baptist Church in Dumfries, and working closely with the March of Dimes; and

WHEREAS, by making a profound and lasting impact in the areas of education, community service, and philanthropy, the Xi Alpha Lambda Chapter has helped to make Prince William County a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Xi Alpha Lambda Chapter of Alpha Phi Alpha Fraternity, Inc., hereby be commended for its longstanding commitment to the Prince William County community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Robert Blackwell, Jr., president of the Xi Alpha Lambda Chapter of Alpha Phi Alpha Fraternity, Inc., as an expression of the Senate of Virginia's admiration for the organization's contributions to the Commonwealth.

SENATE RESOLUTION NO. 229

Celebrating the life of Nikki Giovanni.

Agreed to by the Senate, February 6, 2025

WHEREAS, Nikki Giovanni, an acclaimed poet, activist, University Distinguished Professor Emerita at Virginia Polytechnic Institute and State University, and beloved teacher and mentor to countless students, died on December 9, 2024; and

WHEREAS, Nikki Giovanni was born in Knoxville, Tennessee, and graduated with honors from Fisk University, where she studied history; and

WHEREAS, after graduation, Nikki Giovanni began writing and publishing books of poetry and was a well-known voice of the Black Arts Movement; she ultimately published 20 poetry books and several illustrated children's books; and

WHEREAS, Nikki Giovanni first came to Virginia Polytechnic Institute and State University (Virginia Tech) as a visiting professor in the Department of English in 1987, then became a full-time professor in 1989; her words, both written and spoken, marked many of the institution's historic events during her tenure; and

WHEREAS, Nikki Giovanni taught poetry and writing courses and mentored many students, some of whom became award-winning authors; and

WHEREAS, Nikki Giovanni was well known internationally, receiving more than 30 honorary degrees and multiple NAACP Image Awards, and she was also a finalist for a Grammy and for the National Book Award; and

WHEREAS, in 2005, Nikki Giovanni created a Virginia Tech poetry competition named for its benefactor and former university president, the late Charles W. Steger, which awards monetary prizes for student poetry; and

WHEREAS, while Nikki Giovanni retired from Virginia Tech in 2022, she continued writing, performing, and traveling to speak at events; and

WHEREAS, Nikki Giovanni will be fondly remembered and greatly missed by her family, close friends, and the entire Virginia Tech community; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Nikki Giovanni; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Nikki Giovanni as an expression of the Senate of Virginia's respect for her memory and contributions to the Commonwealth.

SENATE RESOLUTION NO. 230

Commending Juli M. Porto.

Agreed to by the Senate, February 6, 2025

WHEREAS, Juli M. Porto, a principal of the law firm Blankingship & Keith in Fairfax County, was named Leader of the Year by *Virginia Lawyers Weekly* in 2024; and

WHEREAS, Juli Porto holds a bachelor's degree in economics from New York University and a juris doctor degree from George Mason University; and

WHEREAS, in her practice, Juli Porto manages various appellate civil matters in the Court of Appeals of Virginia and the Supreme Court of Virginia, with a particular focus on personal injury matters with complex liability issues; and

WHEREAS, Juli Porto contributes to her firm's success by consulting with trial attorneys to develop legal theories of recovery and draft complaints, brief and argue dispositive and post-trial motions, and monitor trials in preparation for defending or prosecuting an appeal; and

WHEREAS, Juli Porto supports the legal profession as a member of the Virginia Bar Association's Appellate Section Council and the Virginia Trial Lawyers Association's Amicus Committee and Judicial Relations Committee; and

WHEREAS, Juli Porto has shared her knowledge and expertise with the legal community by publishing articles in the *Virginia Trial Lawyers Association's Journal* and *Law360*, as well as by teaching regular continuing legal education courses in appellate law to attorneys across the Commonwealth; and

WHEREAS, Juli Porto has demonstrated a deep commitment to the well-being of others through her work as the national chair of the Ridehail Crime Victim Litigation Group and with the veterans' service organization Service2School; and

WHEREAS, as a result of her extraordinary achievements as an attorney, Juli Porto has received numerous distinguished accolades over the years from industry organizations such as Super Lawyers and regional publications such as *Virginia Business* magazine; and

WHEREAS, Juli Porto's recent honor from *Virginia Lawyers Weekly* recognizes her steadfast dedication to advancing the legal profession, enhancing the justice system, and aiding the legal community; now, therefore, be it

RESOLVED by the Senate of Virginia, That Juli M. Porto hereby be commended for being named the 2024 Leader of the Year by *Virginia Lawyers Weekly*; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Juli M. Porto as an expression of the Senate of Virginia's admiration for her accomplishments in the practice of law and best wishes for her future endeavors.

SENATE RESOLUTION NO. 231

Commending General Lewis B. Chesty Puller Post 1503 of the Veterans of Foreign Wars.

Agreed to by the Senate, February 6, 2025

WHEREAS, General Lewis B. Chesty Puller Post 1503 of the Veterans of Foreign Wars in Dale City, an affiliate of one of the oldest and largest war veteran service organizations in the country, has fulfilled its mission to "honor the dead by helping the living" for many years; and

WHEREAS, General Lewis B. Chesty Puller Post 1503 takes its name from the legendary officer Lieutenant General Lewis Burwell "Chesty" Puller, the most decorated veteran in the history of the United States Marine Corps, who settled in the Commonwealth following his 38 years of service to the nation; and

WHEREAS, the members of General Lewis B. Chesty Puller Post 1503 give generously of their time and resources through various charitable endeavors and programs, including open houses and picnics, school supply donations, scholarship programs, wreath laying at veterans' gravesites in collaboration with the Sgt. Mac Foundation, and other activities to support and aid the community; and

WHEREAS, through its assistant benefits office, General Lewis B. Chesty Puller Post 1503 works with a myriad of organizations to ensure veterans receive the assistance and care they deserve; and

WHEREAS, General Lewis B. Chesty Puller Post 1503 regularly sends members into Prince William County schools to give presentations to students on various historical topics and figures, imparting wisdom and experience for the benefit of the Commonwealth's young people; and

WHEREAS, General Lewis B. Chesty Puller Post 1503 and its auxiliary demonstrate their respect and gratitude for veterans and their families by providing an honor guard at the funerals of local veterans and by sending sympathy cards to their loved ones; and

WHEREAS, General Lewis B. Chesty Puller Post 1503 has been ably guided by a succession of thoughtful and experienced leaders, including its current post commander, Ben Guinan; and

WHEREAS, with great compassion and concern for the well-being of their fellow veterans, the members of General Lewis B. Chesty Puller Post 1503 have made an impact on countless lives, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate of Virginia, That General Lewis B. Chesty Puller Post 1503 of the Veterans of Foreign Wars hereby be commended for its dedication and legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to General Lewis B. Chesty Puller Post 1503 of the Veterans of Foreign Wars as an expression of the Senate of Virginia's high regard for the organization's contributions to the Commonwealth.

SENATE RESOLUTION NO. 232

Commending the Rotary Club of Lake Ridge.

Agreed to by the Senate, February 6, 2025

WHEREAS, the Rotary Club of Lake Ridge in Woodbridge, a distinguished chapter of Rotary International, one of the largest service organizations in the world, has admirably served the Greater Prince William County community for many years; and

WHEREAS, chartered in 1988 as Club 25456 of District 7610, the Rotary Club of Lake Ridge offers its members the opportunity to cultivate lasting friendships, grow personally and professionally, and learn more about their communities and the world while making a meaningful difference in others' lives; and

WHEREAS, the more than 30 members of the Rotary Club of Lake Ridge have shown an extraordinary commitment to the Rotarian motto, "Service Above Self," through their various charitable deeds both in Prince William County and throughout the world; and

WHEREAS, the Rotary Club of Lake Ridge raises funds for a number of organizations and programs dedicated to the well-being of young people, including the Court Appointed Special Advocates Guardians ad Litem Association for Children, Woodbridge Senior High School's Junior Reserve Officers' Training Corps program and Interact Club, Belmont and Occoquan Elementary Schools, scholarships for at-risk youth, Leadership Prince William's summer youth academy, Rotary Youth Leadership Awards' summer training camp, and the Manassas Area Rotaract Club for young adults; and

WHEREAS, the Rotary Club of Lake Ridge supports many local initiatives and institutions to uplift the individuals and families of Prince William County, such as Action in Community Through Service, Project Mend-A-House, and the Salvation Army, while also giving generously of their time to run food and coat drives, volunteer at the Hilda Barg Homeless Shelter, and organize Thanksgiving meals and Christmas presents for families in need; and

WHEREAS, beyond Prince William County, the Rotary Club of Lake Ridge has worked internationally to eradicate polio, to develop a water and sanitation project in Gxarha, South Africa, to establish a youth center in Chantal, Haiti, and to support the Middle East refugee crisis, the ShelterBox disaster relief charity, peace-building initiatives, and Rotary Foundation projects; and

WHEREAS, the selfless and indefatigable efforts of the members of the Rotary Club of Lake Ridge have made a profound and lasting impact both in Prince William County and throughout the world; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Rotary Club of Lake Ridge hereby be commended for its legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Rotary Club of Lake Ridge as an expression of the Senate of Virginia's high regard for the organization's contributions to the Commonwealth and best wishes for its future endeavors.

SENATE RESOLUTION NO. 233

Celebrating the life of Harold Alvin Goodman, Sr.

Agreed to by the Senate, February 6, 2025

WHEREAS, Harold Alvin Goodman, Sr., of Portsmouth, a champion for civil rights who made numerous contributions to the residents of Hampton Roads as a volunteer leader and a passionate advocate, died on January 24, 2025; and

WHEREAS, Harold Goodman grew up in Norfolk, where he graduated from Booker T. Washington High School; and

WHEREAS, Harold Goodman supported national defense by working as a boilermaker at Norfolk Naval Shipyard for 33 years; during that time, he initiated a successful legal challenge when he was passed over for a promotion to general foreman, then used that experience to help other employees better advocate for themselves in the workplace; and

WHEREAS, Harold Goodman was committed to social justice throughout his life, and in 1988, he took a stand against racial segregation at a segregated golf course in Portsmouth that had been operating on city-owned land for more than 30 years; and

WHEREAS, after his retirement from Norfolk Naval Shipyard, Harold Goodman pursued a second career as a real estate agent with Rose and Womble Realty Company and was always proud to help families achieve their dreams of home ownership; and

WHEREAS, Harold Goodman volunteered his time and talents to support many community organizations, such as Supporting Transformational Opportunities for People, and he was a longtime member of Portsmouth's Martin Luther King, Jr. Leadership Steering Committee; and

WHEREAS, Harold Goodman brought joy to others through his kindness, sense of humor, and boundless wisdom; he relished every opportunity to inspire others by sharing stories and life lessons; and

WHEREAS, Harold Goodman will be fondly remembered and greatly missed by his devoted wife of 34 years, Yvonne; his children, Keith, Loretta, Veronica, John, Natalie, Aaron, and Allen, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Harold Alvin Goodman, Sr., a determined advocate for racial equity and social justice in Hampton Roads; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Harold Alvin Goodman, Sr., as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 234

Commending the Virginia Opera Association, Inc.

Agreed to by the Senate, February 6, 2025

WHEREAS, for 50 years, the Virginia Opera Association, Inc., has enhanced cultural life throughout the Commonwealth by hosting magnificent performances at multiple venues, uplifting young performers, and providing unique educational and outreach programs to members of the public; and

WHEREAS, established in Norfolk in 1974 by a passionate group of opera enthusiasts led by Edythe C. Harrison, the Virginia Opera was an instant hit in the community, featuring a sold-out production of *La bohème* in its inaugural 1975 season; and

WHEREAS, in addition to its loyal local following, the Virginia Opera earned national renown for its professional accomplishments and commitment to artistic excellence under the leadership of longtime artistic director Peter Mark; and

WHEREAS, the Virginia Opera expanded to Richmond in 1977 and to Northern Virginia in 1992; it remains the only professional opera company in North America that performs at three venues in three distinct regions, the Edythe C. and Stanley L. Harrison Opera House, the Carpenter Theatre at Dominion Energy Center, and the Center for the Arts at George Mason University; and

WHEREAS, in 1994, the Virginia Opera was designated by the General Assembly as the Official Opera Company of the Commonwealth of Virginia, recognizing its history of achievements and preeminent role in the performing arts statewide; and

WHEREAS, over the course of its history, the Virginia Opera has identified and promoted many of the nation's most talented young singers and performers and commissioned and presented world premieres of several operas, including *A Christmas Carol*, *Simon Bolivar*, *Pocahontas*, *Rappahannock County*, and *Harriet, the Woman Called Moses*, as well as the upcoming production of *Loving v. Virginia* in 2025; and

WHEREAS, the Virginia Opera is currently led by Adam Turner, who has worked diligently to maintain the musical and dramatic integrity of every production during his seven seasons as artistic director and chief conductor; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Virginia Opera Association, Inc., hereby be commended on the occasion of its 50th anniversary season; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Virginia Opera Association, Inc., as an expression of the Senate of Virginia's admiration for its legacy of contributions to the performing arts in the Commonwealth.

SENATE RESOLUTION NO. 235

Commending Dr. Jessica M. Jones.

Agreed to by the Senate, February 6, 2025

WHEREAS, Dr. Jessica M. Jones, a champion for Virginia's agricultural sector, has served the Commonwealth as a teacher, a member of the State Milk Commission, and a leader in several other organizations related to agriculture and education, including the National Association of Agricultural Educators and the Association for Career and Technical Education, as well as their Virginia chapters, and the Delta Kappa Gamma Society International; and

WHEREAS, Jessica Jones began her career as an agricultural education and environmental science teacher and Future Farmers of America advisor in Campbell County Public Schools; she subsequently joined Pittsylvania County Public Schools as a faculty member at Chatham Middle School and currently works at Tunstall High School; and

WHEREAS, Jessica Jones is also the coach and lead mentor for Tunstall High School's For Inspiration and Recognition of Science and Technology robotics team and a professor of agribusiness, communications, and leadership at the University of Mount Olive in North Carolina; and

WHEREAS, Jessica Jones provides her leadership and expertise to the county as the president of the Pittsylvania Education Association, vice president of the Virginia Education Association, and serves as chair of the Advisory Board on Teacher Education and Licensure, which advises the Virginia Board of Education on policies applicable to the qualifications, examination, and licensure of public school personnel; and

WHEREAS, in 2011, Jessica Jones was appointed by Governor Bob McDonnell to the State Milk Commission under the Department of Agriculture and Consumer Services; she served in that capacity until 2018, then was reappointed by Governor Glenn Youngkin in 2022; and

WHEREAS, as a member of the State Milk Commission, Jessica Jones has overseen the issuance of licenses to processors and distributors of fluid milk products and helped ensure that Virginians have a consistent, available, and reasonably priced supply of milk; and

WHEREAS, among many awards and accolades, Jessica Jones was selected as the Distinguished Farm Bureau Woman at the Virginia Farm Bureau Federation Women's Leadership Conference in 2024 and was named the National Teacher Mentor of the Year at the National Association of Agricultural Educators Convention in 2024; and

WHEREAS, through her contributions as an educator and a trusted expert in her field, Jessica Jones has helped strengthen the Commonwealth's agricultural and education sectors for years to come; now, therefore, be it

RESOLVED by the Senate of Virginia, That Dr. Jessica M. Jones hereby be commended for her legacy of service as an educator and an advocate for the Commonwealth's agricultural industry; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Dr. Jessica M. Jones as an expression of the Senate of Virginia's admiration for her personal and professional achievements.

SENATE RESOLUTION NO. 236

Celebrating the life of Paulina Yager Campbell.

Agreed to by the Senate, February 6, 2025

WHEREAS, Paulina Yager Campbell, an accomplished executive assistant, longtime member of the Republican State Central Committee and Page County Republican Party, and beloved member of the Shenandoah Valley community, died on December 11, 2024; and

WHEREAS, born in Stanley, Paulina "Polly" Campbell dedicated 35 years to the pharmaceutical company Merck & Co., Inc., as a secretary and executive assistant; and

WHEREAS, Polly Campbell was an active and devoted member of the Republican Party since 1958, serving in the capacity of secretary to the Republican State Central Committee for more than 45 years and in various leadership roles with the Page County Republican Party, including as vice chair, precinct chair, and secretary-treasurer of District V; and

WHEREAS, through her work with the Republican Party, Polly Campbell had the honor and privilege to meet with several presidents, senators, attorneys general, and congressmen of the United States over the years; and

WHEREAS, in recognition of her efforts and service in support of the Republican Party, Polly Campbell was presented the John Dalton Award in the late 1980s; and

WHEREAS, Polly Campbell was appointed to serve as a member of the Board of Nursing, contributing valued insights and advice to advance the nursing profession in the Commonwealth; and

WHEREAS, guided throughout her life by her faith, Polly Campbell enjoyed worship and fellowship with her community for many years at Bethlehem Independent Christian Church in Stanley; and

WHEREAS, preceded in death by her loving husband of 68 years, Loren, Polly Campbell will be fondly remembered and dearly missed by her sister, Joyce, and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Paulina Yager Campbell, a treasured member of the Shenandoah Valley community whose dedication and service inspired all who knew her; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Paulina Yager Campbell as an expression of the Senate of Virginia's respect for her memory.

SENATE RESOLUTION NO. 237

Commending Jack Einstein.

Agreed to by the Senate, February 6, 2025

WHEREAS, Jack Einstein, a resident of Clear Brook in Frederick County and a member of the Greatest Generation who served the nation during World War II, celebrated his 100th birthday in 2024; and

WHEREAS, a distant relative of physicist Albert Einstein, Jack Einstein was born in Radford and pursued a career as a civilian employee of the United States Navy; and

WHEREAS, during the first three years of World War II, Jack Einstein worked at the Washington Navy Yard and was responsible for producing breach mechanisms for shipboard guns, as well as refurbishing ships that had been damaged or sunk, including the USS *Arizona*; and

WHEREAS, Jack Einstein was drafted by the United States Army in early 1944, but was injured during basic training and was assigned as a classroom instructor for the remainder of the war, teaching maintenance for weapons and artillery; and

WHEREAS, after his honorable discharge, Jack Einstein enlisted in the United States Navy Reserve as a pilot, then continued working as a civilian employee of the United States Navy and the United States Army; and

WHEREAS, during his time with the United States Army, Jack Einstein provided his expertise to the team that developed the PGM-11 Redstone tactical ballistic missile; and

WHEREAS, after his well-earned retirement, Jack Einstein settled in Frederick County, and as one of the last surviving World War II veterans in the Northern Shenandoah Valley, he has made it his mission to support and celebrate his fellow veterans; and

WHEREAS, in 2024, Jack Einstein attended 80th anniversary commemorations in France for D-Day, in Holland for Operation Market Garden, and in Belgium for the Battle of the Bulge; and

WHEREAS, Jack Einstein is also a sought-after speaker for local schools and has imparted his sense of patriotism to younger generations of Virginians; now, therefore, be it

RESOLVED by the Senate of Virginia, That Jack Einstein hereby be commended for his service to the nation on the occasion of his 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Jack Einstein as an expression of the Senate of Virginia's admiration for his personal and professional achievements.

SENATE RESOLUTION NO. 238

Celebrating the life of Robert Clark Dively.

Agreed to by the Senate, February 13, 2025

WHEREAS, Robert Clark Dively, an honorable veteran, beloved member of the Williamsburg community, and esteemed engineer and businessman who patented the marina power pedestal and several other inventions that transformed marinas and the boating industry, died on November 13, 2024; and

WHEREAS, Robert "Bob" Dively grew up in Warren, Ohio, during the Great Depression, where he excelled at baseball, ran a paper route on a bike he built himself, and graduated from Warren G. Harding High School in 1951; and

WHEREAS, after starting the engineering program at the General Motors Institute (GMI), Bob Dively was drafted into the United States Army during the Korean War; he served his country with honor and distinction by flying aircraft to collect weather data to support biological weapons testing in Dugway, Utah; and

WHEREAS, following his service, Bob Dively completed a bachelor's degree in mechanical engineering and a master's degree in electrical engineering from GMI; and

WHEREAS, Bob Dively filed several patents with GMI and set out on a career as an engineer at General Motors Packard Electric Division, where he produced high-tech aircraft and missile cable using high-temperature magnet wiring coatings that he had designed; and

WHEREAS, Bob Dively moved from Michigan to Williamsburg in 1982 and soon thereafter was working as a general contractor for the Willoughby Spit Marina in Hampton when he was inspired to invent the marina power pedestal, a device that consolidated power and water sources for boats docked in marinas; and

WHEREAS, Bob Dively founded several companies to market and distribute his power pedestals and related devices, including Sea Technology and Marina Power and Lighting, which he sold upon his first retirement, and Marina Electrical Equipment, a global leader in specialized electrical equipment for marinas; and

WHEREAS, Bob Dively's pastimes included hunting, fishing, gardening, and antique car collecting, but above all else, he enjoyed spending time with his family; and

WHEREAS, Bob Dively will be fondly remembered and dearly missed by his loving wife of 46 years, Kelley; his daughter, Jennifer, and her family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Robert Clark Dively, whose persistence to practice, curiosity to experiment, ambition to turn interests into refined skills, and love of family defined him and inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Robert Clark Dively as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 239

Commending Pat Woodbury.

Agreed to by the Senate, February 13, 2025

WHEREAS, Pat Woodbury, a devoted educator and proactive community leader, served the residents of Newport News as a member of the Newport News City Council for 16 years; and

WHEREAS, a graduate of The College of William & Mary, Pat Woodbury was a certified school psychologist and a longtime professor at Hampton University, where she educated future teachers at the undergraduate and graduate levels; and

WHEREAS, desirous to be of further service to the community, Pat Woodbury ran for and was elected to the Newport News City Council, representing the Central District; and

WHEREAS, Pat Woodbury supported numerous initiatives that enhanced the quality of life in the city, including programs that revitalized the East End and expanded affordable housing options; and

WHEREAS, Pat Woodbury voted to adopt a five-year capital improvements plan that focused on development in Downtown Newport News and the City Center at Oyster Point, as well as the rehabilitation of public housing through the Choice Neighborhoods program; and

WHEREAS, Pat Woodbury oversaw renovations at Warwick High School, including the acquisition of new school buses and HVAC roof units, the construction of new courtrooms and libraries, and a refurbishment of Stoney Run Park; and

WHEREAS, Pat Woodbury was a champion for environmental causes and led efforts to have solar panels installed on local public schools and city buildings; and

WHEREAS, Pat Woodbury coordinated with officials from other cities in the region and members of the Transportation District Commission of Hampton Roads to study and allocate transportation costs; and

WHEREAS, in addition to her work on the Newport News City Council, Pat Woodbury had served on the Hampton Roads Transit Board of Commissioners since 2008 and the Virginia Municipal League Executive Committee since 2012; and

WHEREAS, Pat Woodbury served the residents of Newport News and the Commonwealth with the utmost dedication, integrity, and distinction and looks forward to seeking new opportunities to serve her community after her retirement from public office; now, therefore, be it

RESOLVED by the Senate of Virginia, That Pat Woodbury hereby be commended on the occasion of her retirement as a member of the Newport News City Council; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Pat Woodbury as an expression of the Senate of Virginia's admiration for her legacy of achievements on behalf of the Newport News community.

SENATE RESOLUTION NO. 240

Celebrating the life of Hunter Dakota Reedy.

Agreed to by the Senate, February 13, 2025

WHEREAS, Hunter Dakota Reedy, a beloved son, husband, and father, treasured member of the Marion community, and dedicated law-enforcement officer with the Smyth County Sheriff's Office, died in the line of duty on August 9, 2024; and

WHEREAS, born in Abingdon, Hunter Reedy graduated from Chilhowie High School in 2014 and explored careers as a commercial driver and electrical engineer before answering the call to law enforcement; and

WHEREAS, after working with the Southwest Virginia Regional Jail Authority, Hunter Reedy enrolled at the Southwest Virginia Criminal Justice Training Academy and subsequently worked in the Chilhowie community as a law-enforcement officer before joining the Smyth County Sheriff's Office; and

WHEREAS, as a deputy with the Smyth County Sheriff's Office, Hunter Reedy worked tirelessly and with a great sense of purpose to ensure the safety and well-being of those he served; and

WHEREAS, with a brave and adventurous spirit, Hunter Reedy could often be found racing at Wythe Raceway, where he won several feature races, and he was also undaunted by the challenge of bull riding; and

WHEREAS, Hunter Reedy was unwavering in his willingness and desire to help others, and he found no greater joy in life than to spend time with his family; and

WHEREAS, Hunter Reedy will be fondly remembered and dearly missed by his loving wife, Bettina; his children, Brantley, Kaden, and Kaede Belle; his parents, Chuck and Marie; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Hunter Dakota Reedy, a distinguished law-enforcement officer whose service and sacrifice will inspire others for generations to come; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Hunter Dakota Reedy as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 241

Commending Grove Christian Outreach Center.

Agreed to by the Senate, February 13, 2025

WHEREAS, for more than two decades, Grove Christian Outreach Center has provided vital support services to enhance the health and wellness of people in need throughout the Greater Williamsburg area; and

WHEREAS, established as a nonprofit organization in 2004, Grove Christian Outreach Center initially provided food, clothing, and financial assistance, but has expanded its programs over the years to meet the changing needs of the community; and

WHEREAS, the Grove Christian Outreach Center has grown from a single trailer that distributed necessities in front of a mobile home park in the Grove area of James City County to a 6,000-square-foot custom built facility that houses a full range of services and programs; and

WHEREAS, the Grove Christian Outreach Center organizes numerous food drives, provides a community lunch program for children, delivers meals to homebound individuals, and launched the Williamsburg area's first free food market, the Gathering Place; and

WHEREAS, the Grove Christian Outreach Center holds school supply drives for students and has provided holiday meals and gifts to help families in need continue to celebrate their traditions; and

WHEREAS, among many programs, the Grove Christian Outreach Center also provides transportation to and from medical appointments and job interviews and offers education on healthy lifestyle choices and financial literacy; and

WHEREAS, in 2024, 878 unique households utilized the food pantry at Grove Christian Outreach Center, representing 10,400 visits, and a total of 40,734 people were served through various other programs; now, therefore, be it

RESOLVED by the Senate of Virginia, That Grove Christian Outreach Center hereby be commended on the occasion of its 20th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Grove Christian Outreach Center as an expression of the Senate of Virginia's admiration for the organization's compassionate contributions to the residents of the Greater Williamsburg area.

SENATE RESOLUTION NO. 242

Celebrating the life of Nellie Hayse.

Agreed to by the Senate, February 13, 2025

WHEREAS, Nellie Hayse, an esteemed leader in the nonprofit community and devoted Girl Scout, died on December 14, 2024; and

WHEREAS, Nellie Hayse was a lifetime Girl Scout who spent her youth in Girl Scouts while living in Kentucky; she became a Mariner Girl Scout as a teen and was selected for her leadership ability to represent Girl Scouts on an international trip to England aboard the Queen Mary where she took part in an educational and leadership experience; she earned the highest award bestowed upon a Girl Scout at that time, the Curved Bar; and

WHEREAS, Nellie Hayse furthered her leadership skills as a college student and graduated from Wellesley College in 1957 with honors; and

WHEREAS, Nellie Hayse dedicated her professional career to Girl Scouts and served on three different Girl Scout Councils in a variety of roles; she became a Girl Scout executive director of two councils, serving as the lead for Girl Scouts of the Colonial Coast, a council serving members in southeastern Virginia and northeastern North Carolina, beginning in 1980 and retiring in 2004; and

WHEREAS, Nellie Hayse was a trailblazer who had an impact on the lives of girls and women in the Greater Hampton Roads area; she tirelessly championed a campaign that resulted in the building of A Place for Girls, the headquarters and regional program center for Girl Scouts in Chesapeake; she also designed and made possible The Outback, the eight-acre nature area that lies behind A Place for Girls; the Virginia Southeastern Birding Trail is named in her honor—the Nellie Hayse Birding Trail—and is located in The Outback; and

WHEREAS, Nellie Hayse was an outdoor enthusiast and environmental steward; as such, she led many groups into the outdoors, including backpack trips on the Appalachian Trail; thanks to her love for nature, thousands of Girl Scouts had outdoor experiences and came to respect the Leave No Trace mantra, whether it was at one of the many camps she helped maintain within the council, or through state park programs she supported; and

WHEREAS, Nellie Hayse was a founding member of the Friends of Women Studies at Old Dominion University and supported the start of the school's Department of Women's and Gender Studies, which was one of the first programs to offer a women's studies degree in the Commonwealth; and

WHEREAS, Nellie Hayse was a role model for many girls and women; she was the first woman to become a member and to serve on the board of The Hampton Roads Sail and Power Squadron; she was also one of the first women to join the Great Bridge Rotary and serve on their board; and

WHEREAS, Nellie Hayse served on many community boards and championed many causes within the Greater Hampton Roads community, and she was recognized for her leadership with many awards; these awards included recognition as the Virginia Nonprofit Administrator of the Year and the Outstanding Business Woman of the Year; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Nellie Hayse, a treasured member of the Greater Hampton Roads community whose integrity, compassion, and dedication inspired all who knew her; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Nellie Hayse as an expression of the Senate of Virginia's respect for her memory.

SENATE RESOLUTION NO. 243

Commending the Pi Lambda Lambda Chapter of Omega Psi Phi Fraternity, Inc.

Agreed to by the Senate, February 13, 2025

WHEREAS, the Pi Lambda Lambda Chapter of Omega Psi Phi Fraternity, Inc., an affiliate of one of the oldest intercollegiate historically African American fraternities in the country, has greatly served the Prince William County community for many years; and

WHEREAS, the Pi Lambda Lambda Chapter was first envisioned by Curtis Baylor, then Third District representative of Omega Psi Fraternity, who appointed Alexander King of the Psi Alpha Alpha Chapter in Alexandria to establish a chapter serving the Woodbridge area; and

WHEREAS, the Pi Lambda Lambda Chapter held its first meeting on December 7, 2003, and by its third meeting on January 5, 2004, there were 28 members in attendance to sign the organization's charter; and

WHEREAS, the Pi Lambda Lambda Chapter fosters the growth and development of young people by contributing to Omega Psi Phi Fraternity's college endowment fund and other scholarship programs; and

WHEREAS, the Pi Lambda Lambda Chapter demonstrates a deep commitment to the well-being of others through its involvement with Omega Psi Phi Fraternity's various health initiatives and social action programs; and

WHEREAS, the Pi Lambda Lambda Chapter inspires others to embrace their civic duty through its involvement with Omega Psi Phi Fraternity's voter registration, education, and mobilization efforts; and

WHEREAS, by making a profound and lasting impact in the areas of education, community service, and philanthropy, the Pi Lambda Lambda Chapter has helped to make Prince William County a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Pi Lambda Lambda Chapter of Omega Psi Phi Fraternity, Inc., hereby be commended for its longstanding commitment to the Prince William County community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Pi Lambda Lambda Chapter of Omega Psi Phi Fraternity, Inc., as an expression of the Senate of Virginia's admiration for the organization's contributions to the Commonwealth.

SENATE RESOLUTION NO. 244

Commending the Rotary Club of Woodbridge.

Agreed to by the Senate, February 13, 2025

WHEREAS, the Rotary Club of Woodbridge, a distinguished chapter of Rotary International, one of the largest service organizations in the world, has admirably served the Greater Prince William County community for 60 years; and

WHEREAS, chartered in 1965 as Club 5849 of District 7610, the Rotary Club of Woodbridge offers its members the opportunity to cultivate lasting friendships, grow personally and professionally, and learn more about their communities and the world while making a meaningful difference in the lives of others; and

WHEREAS, the members of the Rotary Club of Woodbridge have shown an extraordinary commitment to the Rotarian motto, "Service Above Self," through their various charitable endeavors both in Prince William County and throughout the world; and

WHEREAS, the Rotary Club of Woodbridge supports a number of local and international charities and initiatives, including Good Shepherd Housing Foundation, Action in Community Through Service, End Polio Now, the Arc of Greater Prince William, The Salvation Army, Shelter Box, PolioPlus, the Boys & Girls Club of Greater Washington, and Boxes of Basics; and

WHEREAS, the selfless and indefatigable efforts of the members of the Rotary Club of Woodbridge have helped to make Prince William County a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Rotary Club of Woodbridge hereby be commended on the occasion of its 60th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Rotary Club of Woodbridge as an expression of the Senate of Virginia's high regard for the organization's contributions to the Commonwealth and best wishes for its future endeavors.

SENATE RESOLUTION NO. 245

Commending Arthur Ellsworth Dick Howard.

Agreed to by the Senate, February 13, 2025

WHEREAS, Arthur Ellsworth Dick Howard, the Warner-Booker Distinguished Professor of International Law Emeritus at the University of Virginia and a preeminent scholar on constitutional law and comparative constitutionalism who served the Commonwealth as a champion for the revised 1971 Constitution of Virginia, received the prestigious Outstanding Virginian Award in 2025; and

WHEREAS, the Outstanding Virginian Award is presented by the Outstanding Virginian Committee in partnership with the University of Virginia Frank Batten School of Leadership and Public Policy to recognize leaders like Arthur Ellsworth "A.E." Dick Howard whose civic-minded accomplishments serve as an inspiration to all residents of the Commonwealth; and

WHEREAS, Arthur Ellsworth "A.E." Dick Howard grew up in the Ginter Park neighborhood of Richmond and served the nation as a member of the United States Army after graduating from the University of Richmond; he continued his education at the University of Virginia School of Law and Oxford University, where he studied philosophy, politics, and economics with some of the great minds in academia as a Rhodes Scholar; and

WHEREAS, after graduating from law school, A.E. Dick Howard clerked for Justice Hugo L. Black at the Supreme Court of the United States and contributed to several notable opinions, including *Gideon v. Wainwright*, which required states to provide legal representation to defendants who could not afford their own, and *Griffin v. School Board of Prince Edward County*, which effectively ended the "massive resistance" to desegregation in the Commonwealth; and

WHEREAS, A.E. Dick Howard subsequently joined the faculty of the University of Virginia School of Law in 1964, teaching constitutional law, legal philosophy, and evidence; he earned the admiration of his students for his creative teaching style, clear communication, and generosity; and

WHEREAS, in 1968, A.E. Dick Howard was selected by members of the Virginia Commission on Constitutional Revision to serve as executive director of the program and lead efforts to revise and replace the 1902 Constitution of Virginia; he was the chief author of recommended changes, wrote commentary in support of revisions, interpreted the new constitution to members of the General Assembly, and spearheaded the subsequent referendum campaign; and

WHEREAS, thanks to A.E. Dick Howard's hard work and dedication, Virginia voters approved the 1971 Constitution of Virginia by 72 percent at a time when six other states failed to pass new constitutions; the streamlined document was less than half the length of the previous constitution, removing remnants of the Jim Crow era in favor of antidiscrimination provisions and protections for public education, the environment, and the elderly; and

WHEREAS, the success of the Virginia Commission on Constitutional Revision garnered A.E. Dick Howard national and international acclaim; he was consulted by constitutional drafters in other states and abroad, including in Brazil, Hong Kong, the Philippines, Hungary, the former Czechoslovakia, Poland, Romania, Albania, Malawi, South Africa, and the former Swaziland; and

WHEREAS, over the years, A.E. Dick Howard also briefed and argued cases before state and federal courts, including the Supreme Court of the United States, and served as counsel to the Virginia General Assembly and the governor of Virginia, as chair of Virginia's Commission on the Bicentennial of the United States Constitution, and as a consultant to other state and federal bodies, including the United States Senate Judiciary Committee; and

WHEREAS, among countless awards and accolades, A.E. Dick Howard has received the George C. Marshall Award in International Law and Diplomacy from the Richmond Chapter of the World Affairs Councils of America, the prestigious Randa Medal from the Union of Czech Lawyers, and the University of Virginia's Distinguished Professor Award, as well as the institution's highest honor, the Thomas Jefferson Award; and

WHEREAS, at the time of his retirement from the University of Virginia in 2024, A.E. Dick Howard was the longest-serving professor in the history of the institution and one of the most respected educators in the nation; his legacy lives on through the generations of attorneys, judges, government officials, and academics to whom he imparted his steadfast dedication to the advancement of constitutionalism, fair democracy, and the rule of law; now, therefore, be it

RESOLVED by the Senate of Virginia, That Arthur Ellsworth Dick Howard, winner of the 2025 Outstanding Virginian Award, hereby be commended for his distinguished contributions to the Commonwealth, the United States, and democracies around the world; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Arthur Ellsworth Dick Howard as an expression of the Senate of Virginia's admiration for his lifetime of achievements as a legal scholar.

SENATE RESOLUTION NO. 246

Commending Eggleston.

Agreed to by the Senate, February 13, 2025

WHEREAS, Eggleston, a nonprofit organization dedicated to providing employment, education, and supportive services for adults with disabilities in the Hampton Roads region, celebrates its 70th anniversary in 2025; and

WHEREAS, Eggleston was founded in 1955 by a small group of parents who wanted to create meaningful activities for their children with disabilities; and

WHEREAS, Eggleston quickly moved beyond serving its participants at home and by 1965 had established a new center, initially known as the Tidewater Vocational Center (TVC), with 80 employees with disabilities using its services; and

WHEREAS, TVC continued to expand and diversify its programs throughout the 1970s and 1980s and was renamed the Louise W. Eggleston Center shortly after the organization received the bequest of a larger building from the philanthropist and TVC volunteer Louise W. Eggleston; and

WHEREAS, Paul Atkinson, Sr., became chief executive officer and president of Eggleston in the early 1990s and oversaw the organization's tremendous growth over the next 35 years; and

WHEREAS, Eggleston added specialized services programs in recent decades to enhance support of its participants, including a business services division, community-based employment division, and government contracts division; and

WHEREAS, Eggleston has continually broadened its services and enhanced its ability to empower individuals with disabilities by incorporating residential services, day-support programs, seniors' programs, brain injury services, veterans' programs, and extensive supported employment programs over the years; and

WHEREAS, today, Eggleston has blossomed into a vibrant and dynamic organization serving more than 1,800 people with disabilities through 33 programs at 22 locations throughout the Hampton Roads area; and

WHEREAS, in recognition of its accomplishments, Eggleston has been the recipient of numerous accolades, including awards from the Virginia Association of Rehabilitation Facilities; and

WHEREAS, by improving the quality of life for individuals with disabilities through its myriad services and programs, Eggleston has helped to make the Hampton Roads region a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That Eggleston hereby be commended for its profound and positive impact on the Hampton Roads region on the occasion of its 70th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Eggleston as an expression of the Senate of Virginia's admiration for the organization's history of contributions to the Commonwealth.

SENATE RESOLUTION NO. 247

Commending Jon Phillip Lugbill.

Agreed to by the Senate, February 13, 2025

WHEREAS, Jon Phillip Lugbill, a multi-world champion whitewater canoe slalom racer and the founding executive director of the nonprofit organization Sports Backers in Richmond, retires on June 30, 2025; and

WHEREAS, Jon Lugbill moved to Fairfax County at a young age and graduated from the former Lanier Intermediate School, Oakton High School, and the University of Virginia; and

WHEREAS, Jon Lugbill began canoeing in the Washington, D.C. metropolitan area in the 1970s and then, from 1979 to 1991, became one of the most dominant whitewater canoe slalom racers the sport has ever seen; and

WHEREAS, Jon Lugbill's racing accolades at the International Canoe Federation's Canoe Slalom World Championships include five gold medals in the C1 men's individual event and seven consecutive gold medals in the C1 team event, and he additionally won three consecutive overall titles in the International Canoe Federation's season-long Canoe Slalom World Cup beginning with the inaugural season in 1988; and

WHEREAS, in 1993, Jon Lugbill took the helm of Sports Backers, a nonprofit organization dedicated to promoting active lifestyles and enhancing the health and well-being of the Greater Richmond community through various events, programs, and initiatives; and

WHEREAS, over the past 32 years, Jon Lugbill has instilled a culture of excellence at Sports Backers that has enabled the nonprofit to become one of the most successful organizations of its kind in the nation and the impetus behind some of the Richmond region's most beloved events, including Dominion Energy Riverrock and the Richmond Marathon; and

WHEREAS, under Jon Lugbill's tenure, Sports Backers was named Member of the Year an unprecedented four times by what is today the Sports Events and Tourism Association; and

WHEREAS, in 2024, Leadership Metro Richmond recognized Jon Lugbill for his exceptional servant leadership and vision by presenting him with the organization's Ukrop Community Vision Award; and

WHEREAS, with great passion and enthusiasm, Jon Lugbill has built Sports Backers into one of the most influential and transformative organizations in the Richmond region, leaving a legacy that will inspire Richmonders and Virginians alike for years to come; now, therefore, be it

RESOLVED by the Senate of Virginia, That Jon Phillip Lugbill hereby be commended for his extraordinary service and commitment to the Richmond community on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Jon Phillip Lugbill as an expression of the Senate of Virginia's admiration for his contributions to Richmond and the Commonwealth and best wishes for a happy and fulfilling retirement.

SENATE RESOLUTION NO. 248

Celebrating the life of Jane Baber White.

Agreed to by the Senate, February 13, 2025

WHEREAS, Jane Baber White, talented landscaper and historic preservationist who restored or rehabilitated several notable buildings and gardens in Lynchburg, died on June 17, 2024; and

WHEREAS, Jane White grew up in Lynchburg and earned a bachelor's degree in biology from what is now Hollins University in Roanoke; and

WHEREAS, Jane White initially began her career working in a biology lab, but eventually answered her true calling and became a landscaper; her unwavering dedication and transformational leadership in her field helped revitalize several Lynchburg neighborhoods and preserved important aspects of local history for generations to come; and

WHEREAS, over the course of her career, Jane White restored or enhanced Aubrey Barbour Park, the Yoder Community Center, E.C. Glass High School Art Collection, and the Phillis Wheatley Shelter for Battered Women; she also cofounded the Friends of Tinbridge Hill Group, which led a neighborhood revitalization project that involved many local charitable organizations and city agencies; and

WHEREAS, Jane White also oversaw the placement of 25 historical highway markers that called attention to the achievements of historical women and people of color in the Lynchburg area; and

WHEREAS, Jane White was best known for her work on Old City Cemetery and the Anne Spencer House and Garden Museum, both of which are significant historical sites and support the local economy as popular tourism destinations; and

WHEREAS, after the Old City Cemetery sustained severe damage from a storm in 1993, Jane White spearheaded a comprehensive restoration movement and served as director of the cemetery from 1993 to 2007; and

WHEREAS, as one of the oldest municipal cemeteries in the country, Old City Cemetery represents a cross-section of Lynchburg's population dating back to the early 1800s, and Jane White guided repairs in a respectful manner that preserved the site's unique character; and

WHEREAS, in addition, Jane White was asked personally by the son of Anne Spencer, a poet and prominent figure in the Harlem Renaissance of the early 20th century, to restore the garden at his mother's former home; and

WHEREAS, Jane White's attentive rehabilitation of the Anne Spencer Garden, a tranquil space that inspired much of Anne Spencer's poetry, contributed to a better understanding of the poet's life and works; and

WHEREAS, among many awards and accolades over the course of her career, Jane White received the Massie Medal from the Garden Club of Virginia, the Brownson Medal from the Virginia Association of Museums, and a Lifetime Achievement award from Who's Who; and

WHEREAS, Jane White will be fondly remembered and greatly missed by her husband, Kenneth; her children, Virginia, Kenneth, Jr., and Charles, and their families; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Jane Baber White, who transformed the Lynchburg community through her achievements as a landscaper and historic preservationist; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Jane Baber White as an expression of the Senate of Virginia's respect for her memory.

SENATE RESOLUTION NO. 249

Celebrating the life of William Francis Sibert.

Agreed to by the Senate, February 13, 2025

WHEREAS, William Francis Sibert, an esteemed engineer and builder, accomplished businessman, beloved husband and father, and active and engaged member of the Staunton community, died on January 16, 2025; and

WHEREAS, born in Norfolk and raised in Craigsville, William "Bill" Sibert graduated from Wilson Memorial High School in Fishersville, where he played trumpet and trombone in the school band and the piano with the Rhythm Kings dance band; and

WHEREAS, Bill Sibert embarked upon his professional career in June 1961 on a survey party with the Virginia Department of Transportation (VDOT) in Staunton, then later became an inspector and transferred to the VDOT central office in Richmond in 1967; and

WHEREAS, ten years later, Bill Sibert joined Moore Brothers Company, a general contracting firm in Verona, as its chief engineer and rose through the ranks to ultimately serve as its president from 1999 until his retirement in 2007; and

WHEREAS, Bill Sibert supported his industry by serving on the board of what was formerly the Virginia Road and Transportation Builders Association from 1990 to 1999, including a term as president in 1996, and by working as an arbitrator in his retirement; and

WHEREAS, Bill Sibert devoted himself to the growth and development of young people and the well-being of his community as a member of the board of the Community Child Care Center in Staunton from 1983 to 1986, the Staunton City School Board from 1987 to 1993, including a tenure as chair from 1989 to 1993, the Staunton-Augusta YMCA Board of Trustees beginning in October 1997, and the Rotary Club of Staunton, where he was a Paul Harris Fellow; and

WHEREAS, Bill Sibert advanced cultural and preservation efforts in his community as a founding member of the Frontier Culture Museum, where he served on the board of trustees, as a member of the Historic Staunton Foundation, and by renovating multiple properties in the area; and

WHEREAS, Bill Sibert gave generously of his time and resources over the years to support the American Shakespeare Center, the Augusta County Historical Society, the Hospice of the Shenandoah, United Way, the R. R. Smith Center for History and Art, ShenanArts, Staunton's Jazz in the Park concert series, the Heifetz International Music Institute, the Staunton Public Library, Weekday Religious Education, and Habitat for Humanity; and

WHEREAS, guided throughout his life by his faith, Bill Sibert enjoyed worship and fellowship with his community at Olivet Presbyterian Church in Staunton, where he served as a deacon and an elder, taught Sunday school classes, and sang in the choir; and

WHEREAS, Bill Sibert will be fondly remembered and dearly missed by his loving wife of 63 years, Mary Sandra; his daughter, Sharon, and her family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of William Francis Sibert, a treasured member of the Staunton community whose dedication and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of William Francis Sibert as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 250

Commending the Petersburg Home for Ladies.

Agreed to by the Senate, February 20, 2025

WHEREAS, the Petersburg Home for Ladies, a distinguished assisted living facility, will celebrate its 100th anniversary in 2025; and

WHEREAS, established in July 1925, the Petersburg Home for Ladies was founded to help accommodate women from Petersburg and surrounding jurisdictions who could no longer live independently or who were unhoused; and

WHEREAS, the Petersburg Home for Ladies offers housing, tailored living, and healthcare to more than 40 residents; and

WHEREAS, the Petersburg Home for Ladies is supported by a dedicated staff who have been with the residence for years, including some who began working with the organization as teenagers, and their efforts to train future staff are key to continuing the success of the Petersburg Home for Ladies; and

WHEREAS, with the lowest resident-to-staff ratio in Central Virginia, the Petersburg Home for Ladies provides its residents an elegant living arrangement with exceptional and unparalleled care; and

WHEREAS, the board of directors of the Petersburg Home for Ladies is still composed of an all-female membership, thereby ensuring that the wants and needs of the ladies that they assist are kept in true focus; and

WHEREAS, the Petersburg Home for Ladies, which began as a dream 100 years ago, not only became a reality, but has continued to thrive to this day; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Petersburg Home for Ladies hereby be commended on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Petersburg Home for Ladies as an expression of the Senate of Virginia's admiration for the organization's history and contributions to the Commonwealth.

SENATE RESOLUTION NO. 251

Celebrating the life of William Gerald Massengill.

Agreed to by the Senate, February 13, 2025

WHEREAS, William Gerald Massengill, an honorable veteran, esteemed law-enforcement officer and former superintendent of the Virginia State Police, beloved husband, father, and grandfather, and member of the Dinwiddie County community, died on January 1, 2025; and

WHEREAS, Gerald Massengill enlisted with the United States Air Force in 1961 and served his country with honor and distinction as an air policeman; and

WHEREAS, following his service, Gerald Massengill embarked upon a distinguished 37-year career with the Virginia State Police in 1966 as a trooper in Isle of Wight County; and

WHEREAS, as a testament to his leadership and exemplary service, Gerald Massengill rose through the ranks of the Virginia State Police and ultimately obtained the rank of colonel; in 2000, he was appointed superintendent of the agency by Governor James S. Gilmore III; and

WHEREAS, during his tenure as superintendent, Gerald Massengill spearheaded the Virginia State Police's response to the 9/11 attacks and the Washington, D.C. area sniper shootings in 2002 and advanced several initiatives, such as the Commonwealth's AMBER Alert plan, to enhance the agency's ability to protect and serve the Commonwealth; and

WHEREAS, following his retirement in 2003, Gerald Massengill continued to serve the Commonwealth as interim director of what was then the Department of Game and Inland Fisheries, as executive director of the Virginia Public Safety Foundation, and as chair of the Virginia Tech Review Panel that was assembled following the April 16, 2007 massacre at Virginia Polytechnic Institute and State University; and

WHEREAS, in recognition of his commitment to law enforcement and the safety and welfare of others, Gerald Massengill was presented with various accolades, including the Outstanding Contribution to Law Enforcement Award by the Virginia Association of Chiefs of Police in 2010; and

WHEREAS, Gerald Massengill was a proud member of Purdie Masonic Lodge #170 of the Ancient Free and Accepted Masons for more than 50 years and gave generously of his time with the Sutherland Ruritan Club, where he served as president; and

WHEREAS, guided throughout his life by his faith, Gerald Massengill enjoyed worship and fellowship with his community at Ocran United Methodist Church in Sutherland, where he held several leadership positions; and

WHEREAS, preceded in death by his daughter Laura, Gerald Massengill will be fondly remembered and dearly missed by his loving wife of 61 years, Juanita; his children, Alan and Kevin, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of William Gerald Massengill, former superintendent of the Virginia State Police, whose integrity, dedication, and service made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of William Gerald Massengill as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 252

Celebrating the life of Dr. Lucious Edwards, Jr.

Agreed to by the Senate, February 13, 2025

WHEREAS, Dr. Lucious Edwards, Jr., a longtime educator and archivist at Virginia State University who worked diligently to protect and preserve the history and heritage of the Commonwealth's Black communities, died on August 24, 2024; and

WHEREAS, Dr. Lucious Edwards was born on December 4, 1943 in Ettrick, Virginia, completed his primary education at Matoaca Laboratory School at Virginia State College (University), and graduated in 1963 from the former Peabody High School in Petersburg, Virginia; he earned an associate of arts degree from Richard Bland College, in Petersburg, Virginia, and bachelor's and master's degrees in history from what is now Virginia State University; and

WHEREAS, Dr. Lucious Edwards continued his education by studying archival administration at Virginia Commonwealth University in Richmond, Virginia, and the American University, in Washington, D.C., and was awarded a Doctor of Humane Letters by his beloved Virginia State University on May 11, 2024; and

WHEREAS, Dr. Lucious Edwards was an active participant in the Civil Rights Movement in the 1960s and 1970s, serving as a member of the Virginia Students Civil Rights Committee, then was inspired to collect and safeguard the stories of Black communities throughout the Commonwealth; and

WHEREAS, Dr. Lucious Edwards served as an adjunct professor of history and the University Archivist at Virginia State University from 1977 until his well-earned retirement in 2013; and

WHEREAS, highly respected in his field, Dr. Lucious Edwards served as chair of the Mid-Atlantic Regional Archives Conference, vice-chair of the Virginia Interscholastic Association (VIA), and provided consultations to the archival department at the University of Ilorin in Nigeria; and

WHEREAS, as one of the foremost experts on Black history in the Commonwealth, Dr. Lucious Edwards published numerous research papers, served as a crucial consultant on many historical projects, and was a sought-after lecturer and presenter; and

WHEREAS, outside of his career, Dr. Lucious Edwards was an avid reader and book collector who also enjoyed classical, jazz, and Motown music; he was a lifelong organic gardener and earned the title of master gardener from the Virginia Cooperative Extension; and

WHEREAS, Dr. Lucious Edwards will be fondly remembered and greatly missed by his loving wife of 57 years, Dorothy; his daughters, Bronwyn and Lucinda, and their families; and numerous other family members, friends, and colleagues; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Dr. Lucious Edwards, Jr., a prolific scholar and distinguished faculty member of Virginia State University; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Dr. Lucious Edwards, Jr., as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 253

Commending the Jamestown-Scotland Ferry.

Agreed to by the Senate, February 13, 2025

WHEREAS, for 100 years, the Jamestown-Scotland Ferry has provided a link between the Virginia Peninsula and South Hampton Roads, serving as both a convenient method of transportation and a beloved reminder of local history; and

WHEREAS, for individuals living along the James River in James City County and Surry County, ferry service across the James River had been a hallmark of life in the region since the 1660s, but local captain Albert F. Jester made history in 1925 when he began offering an innovative ferry service that could transport automobiles; and

WHEREAS, Albert Jester's wooden ferry, the *Captain John Smith*, could carry 16 cars on its vehicle deck and as many as 100 passengers on its upper deck and complete the journey between Jamestown Island in James City County and the Scotland community in Surry County in a fraction of the time that it would take to drive; and

WHEREAS, Albert Jester continued to operate the Jamestown-Scotland Ferry until the mid-1940s, when it was purchased by the Virginia Department of Highways, now known as the Virginia Department of Transportation; and

WHEREAS, the *Captain John Smith* remained in use with the Jamestown-Scotland Ferry until it was sold in the 1950s, and a fleet of modern ships took its place to better serve the growing communities on both banks of the route; and

WHEREAS, the Virginia Department of Transportation removed tolls on the Jamestown-Scotland Ferry in 1997, and the service remains free to the public; the ferry operates 365 days a year and is the only 24-hour state-run ferry service in the Commonwealth; and

WHEREAS, the Jamestown-Scotland Ferry fleet is currently made up of four ships, the *Pocahontas* and the *Powhatan*, which can carry up to 70 vehicles, and the *Surry* and the *Williamsburg*, which can carry up to 50 vehicles; and

WHEREAS, on average, the Jamestown-Scotland Ferry transports 1.7 million passengers every year; and

WHEREAS, a ride on the Jamestown-Scotland Ferry, which takes between 15 and 20 minutes, provides a scenic view of the region and offers a unique connection to history, with many riders traveling between historic sites like the Jamestown Settlement, Bacon's Castle, Smith's Fort, and Chippokes Plantation and State Park; and

WHEREAS, the Jamestown-Scotland Ferry employs 90 individuals and has affected the growth of the local economy and community in many other ways, such as when Albert Jester's son-in-law, Wallace Edwards, began selling ham sandwiches on the ferry, leading to the creation of Edwards Virginia Smokehouse; the Jamestown-Scotland Ferry also inspired the country song "The Jamestown Ferry," which appeared on Tanya Tucker's debut studio album in 1972; and

WHEREAS, in 2000, the Surry County Historical Society discovered that the original upper deckhouse of the *Captain John Smith* had been abandoned in Portsmouth; the restored deckhouse was opened as a museum in 2015 and will be upgraded as part of the 100th anniversary celebration of the Jamestown-Scotland Ferry in 2025; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Jamestown-Scotland Ferry hereby be commended for its service to generations of Virginians on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Jamestown-Scotland Ferry as an expression of the Senate of Virginia's admiration for its contributions to transportation infrastructure and important role in local life.

SENATE RESOLUTION NO. 254

Celebrating the life of Peggy Lynn Davis.

Agreed to by the Senate, February 13, 2025

WHEREAS, Peggy Lynn Davis, an accomplished women's basketball coach, longtime athletic director at Virginia State University, beloved daughter, wife, mother, and treasured member of the Chester community, died on October 16, 2024; and

WHEREAS, Peggy Davis graduated from Bastrop County High School in Bastrop, Texas, before earning a bachelor's degree from Howard Payne University in 1985 and a master's degree in education from Tarleton State University in 1987; and

WHEREAS, an all-conference athlete in basketball and volleyball while at Howard Payne University, Peggy Davis returned to her alma mater in 1988 to serve as the women's basketball coach, winning a league championship two years later; and

WHEREAS, following her success at Howard Payne University, Peggy Davis coached the women's basketball team at Angelo State University from 1990 to 1997, securing a conference championship and coach of the year honors in 1994; and

WHEREAS, Peggy Davis's star continued to rise as she took the helm of the Virginia State University women's basketball team from 1997 to 2003, where she led the Virginia State Trojans to a Central Intercollegiate Athletic Association (CIAA) title and was named CIAA coach of the year in 2002; and

WHEREAS, after tenures as a coach, associate athletic director, and senior women's administrator, Peggy Davis became only the second female athletic director in the history of Virginia State University; and

WHEREAS, Peggy Davis's accomplishments as the longstanding athletic director at Virginia State University include numerous National Collegiate Athletics Association tournament appearances and 26 CIAA championships; and

WHEREAS, in 2011, Peggy Davis made history as the first woman to serve as interim commissioner of the CIAA; and

WHEREAS, in recognition of her achievements, Peggy Davis was named CIAA athletic director of the year seven times and inducted into the halls of fame of Virginia State University and Howard Payne University; and

WHEREAS, Peggy Davis was guided throughout her life by her faith and was most recently a member of Mount Olivet Baptist Church in Petersburg; and

WHEREAS, Peggy Davis will be fondly remembered and dearly missed by her loving husband of 38 years, Thomas; her children, Courtney and Taylor; her mother, Delois; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Peggy Lynn Davis, a pillar of the Virginia State University community whose integrity and legacy of service inspired all who knew her; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Peggy Lynn Davis as an expression of the Senate of Virginia's respect for her memory.

SENATE RESOLUTION NO. 255

Commending Surry United Methodist Church.

Agreed to by the Senate, February 13, 2025

WHEREAS, for 100 years, Surry United Methodist Church has provided inspirational spiritual leadership and opportunities for worship, while enhancing local life through outreach programs; and

WHEREAS, the Methodist congregation in the Town of Surry traces its roots to 1923, when a few members of the Moorings Church on the Surry Charge organized a Sunday school in an old public building; and

WHEREAS, on April 12, 1924, the Second Quarterly Conference held at Moorings Church, with the Reverend Dr. J.K. Jolliff presiding and the Reverend J. Fletcher Osborn as circuit pastor, elected a building committee authorized to proceed at once with the contract for a church building; and

WHEREAS, through the tireless efforts of its faithful members, the construction of the new church was completed, and on March 29, 1925, the Surry Methodist Episcopal Church, South, was dedicated, becoming a part of Virginia Methodism, joining the Surry Circuit Methodist Episcopal churches; and

WHEREAS, in 1939, the Methodist Episcopal Church, Methodist Episcopal Church, South, and Methodist Protestant Church, merged to form the Methodist Church, and the Surry Methodist Church congregation continued to serve the Lord, with the other Surry Charge Methodist congregations who were members of the Charge during all or part of the years to follow, including the Carsley, Dendron, Claremont, Spring Grove, and Oak Grove Methodist Churches; and

WHEREAS, many pastors and faithful members continued to support the Surry Methodist Church over the ensuing years, enlarging the church building in the 1960s and 1970s with needed room additions and enriching church services through meaningful donations, such as an organ, chimes, and a long-desired steeple; and

WHEREAS, following the merger vote in 1968 of the Evangelical United Brethren Church and the Methodist Church, the Surry Methodist Church became known as Surry United Methodist Church; the church remains a member today of the Surry Charge, with Carsley and Oak Grove United Methodist Churches, and is a part of the Living Waters District of the Virginia United Methodist Conference; and

WHEREAS, Surry United Methodist Church has always proudly celebrated its history, including through a 25th anniversary homecoming under the Reverend R.J. Callis, Jr., on April 30, 1950; a 50th anniversary event under the Reverend Emmett Diggs on May 18, 1975; and a 75th anniversary event under the Reverend Ray Rowland on May 7, 2000; and

WHEREAS, the current pastor of Surry United Methodist Church, the Reverend Dr. Gary Edens and the other members of the congregation will commemorate the church's milestone 100th anniversary on Sunday, March 30, 2025, with a special service; now, therefore, be it

RESOLVED by the Senate of Virginia, That Surry United Methodist Church hereby be commended on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Reverend Dr. Gary Edens, pastor of Surry United Methodist Church, as an expression of the Senate of Virginia's admiration for the church's long history and legacy of contributions to the Surry community.

SENATE RESOLUTION NO. 256

Commending Bon Air Elementary School.

Agreed to by the Senate, February 13, 2025

WHEREAS, in 2025, Bon Air Elementary School in Chesterfield County marks 100 years of academic excellence and service to the community; and

WHEREAS, Bon Air Elementary School has been a cornerstone of education since its founding in 1925, providing a nurturing learning environment for generations of students within Chesterfield County Public Schools; and

WHEREAS, the dedicated teachers, staff, and administrators of Bon Air Elementary School have consistently demonstrated their commitment to academic achievement and character development; and

WHEREAS, Bon Air Elementary School has been recognized for its strong academic performance, ranking among the top elementary schools in Virginia; and

WHEREAS, Bon Air Elementary School has adapted to changing educational needs over the past century, while upholding the Chesterfield County Public Schools core values of integrity, equity, teamwork, and ingenuity; and

WHEREAS, Bon Air Elementary School has played a vital role in shaping the Bon Air community by fostering partnerships with local organizations and families to enrich the educational experience of its students; and

WHEREAS, Bon Air Elementary School's milestone 100th anniversary celebration provides an opportunity to reflect on the school's rich history and reaffirm its commitment to preparing students for future success; now, therefore, be it

RESOLVED by the Senate of Virginia, That Bon Air Elementary School hereby be commended on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the principal of Bon Air Elementary School as an expression of the Senate of Virginia's admiration for the school's century of dedication to education and community service.

SENATE RESOLUTION NO. 257

Commending Hollin Hall Cleaners.

Agreed to by the Senate, February 13, 2025

WHEREAS, for more than 45 years, Hollin Hall Cleaners has promoted environmentally sound and sustainable practices while providing exceptional dry cleaning and tailoring service to the residents of the Washington, D.C. metropolitan area; and

WHEREAS, established in Alexandria in 1979, Hollin Hall Cleaners has demonstrated an unparalleled commitment to the health and satisfaction of its customers and the overall health of the environment through its innovative GreenEarth cleaning process; and

WHEREAS, the GreenEarth cleaning process at Hollin Hall Cleaners is a safer approach to garment care, using gentle, odorless, and hypoallergenic products that leave clothes looking as good as new; and

WHEREAS, the experts at Hollin Hall Cleaners are well-versed in methods to care for delicate or unique items, including fine silks, cashmere, wool, lace, beads, or sequins; the business also offers specialized cleaning and restoration services for leather goods, wedding dresses, and household fabric items; and

WHEREAS, Hollin Hall Cleaners provides a full range of alterations and tailoring services to help customers look their best for work, social occasions, and everyday life; and

WHEREAS, Hollin Hall Cleaners strives to give back to the community through generous outreach programs and has increased awareness of sustainable cleaning practices among its peers in the industry; now, therefore, be it

RESOLVED by the Senate of Virginia, That Hollin Hall Cleaners hereby be commended on the occasion of its 45th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Hollin Hall Cleaners as an expression of the Senate of Virginia's admiration for its legacy of service to generations of customers in and around Alexandria.

SENATE RESOLUTION NO. 258

Commending the United States Army.

Agreed to by the Senate, February 13, 2025

WHEREAS, the United States Army, the first and oldest branch of the Armed Forces of the United States, has played a defining role in the development and defense of the nation and shaped history as one of the foremost land warfare service branches around the world for 250 years; and

WHEREAS, the United States Army is older than the nation it serves, tracing its roots to June 14, 1775, when the Second Continental Congress passed a resolution calling for the formation of 10 companies of expert riflemen in Pennsylvania, Maryland, and Virginia, who were to join the militias already gathered near Boston; and

WHEREAS, the establishment of the Continental Army predated the signing of the Declaration of Independence by more than a year, and the rapid growth and development of the force proved essential to the security and integrity of the early United States; and

WHEREAS, while the Continental Army was largely disbanded after the end of the Revolutionary War, a few units continued to serve the nation in limited roles; the first full regiment of regular infantry formed in peacetime was the 3rd United States Infantry Regiment, The Old Guard, which remains on active duty as a ceremonial unit and is stationed at Joint Base Myer-Henderson Hall; and

WHEREAS, in 1791, ongoing global conflicts and upheaval on the Western Frontier led to the reorganization of a standing ground force, the Legion of the United States, which was renamed in 1796 as the United States Army; during the War of 1812, when many militia units struggled to repulse British forces, the United States Army demonstrated its effectiveness through victories at the Battle of Plattsburgh and the Battle of Baltimore; and

WHEREAS, the United States Army continued to grow, and its victory in the Mexican-American War was a defining moment for the nation, resulting in the acquisition of a large swath of territory that eventually became California, Nevada, Arizona, New Mexico, Utah, Colorado, and Wyoming; and

WHEREAS, during the Civil War, the United States Army was typically referred to as the Union Army, the Federal Army, or the Northern Army; regular forces were supplemented and strengthened by units of volunteers, and after the Emancipation Proclamation in 1863, more than 180,000 Black men volunteered for service in the United States Army, playing a crucial role in the triumph over the Confederacy; and

WHEREAS, in the 1890s, the United States Army's successes during the Spanish-American War and the Philippine-American War established the United States as a global power with a significant role to play in international affairs; and

WHEREAS, during World War I, the American Expeditionary Force was composed mostly of units from the United States Army, and these units not only helped turn the tide of the war, but gained crucial battlefield experience that would be needed in the coming decades; and

WHEREAS, units of the United States Army fought in every theater of operations in World War II, deploying to Asia and the Pacific Islands, Europe, Africa, and the Middle East, as well as making contributions on the home front; and

WHEREAS, throughout the Cold War, the United States Army garrisoned several units in Europe to deter Soviet aggression and saw major combat actions during the Korean War, the Vietnam War, Operation Urgent Fury, Operation Just Cause, and other conflicts around the world; and

WHEREAS, after the fall of the Soviet Union, the United States Army demonstrated American military power during Operation Desert Storm and provided crucial assistance to United Nations interventions in the Balkan Wars; and

WHEREAS, after September 11, 2001, members of the United States Army Special Forces were some of the first American forces on the ground in Afghanistan, and members of the United States Army served extensively in Afghanistan, Iraq, and other hotspots during the Global War on Terror; and

WHEREAS, for 250 years, the United States Army has served as a steadfast guardian, protecting the American way of life with resilience and strength, exemplified by its longstanding motto, "This We'll Defend," which dates back to the Continental Army; and

WHEREAS, the United States Army's iconic slogan, "Be All You Can Be," reflects a way of life that has challenged, equipped, and motivated generations of men and women to serve the nation with distinction and reach their full potential; and

WHEREAS, from the Revolutionary War to the present, active duty members and veterans of the United States Army have epitomized a commitment to service by transforming obstacles into opportunities and demonstrating leadership, strength, and honor in all their endeavors; veterans of the United States Army have gone on to serve as leaders in every career field and every level of government across the Commonwealth and the nation, including several United States presidents; and

WHEREAS, the Commonwealth is home to several significant United States Army installations, including Fort Gregg-Adams, Fort Belvoir, Joint Base Langley Eustis, Joint Base Myer-Henderson Hall, and Joint Expeditionary Base Little Creek-Fort Story, all of which play an important role in their communities as major employers; and

WHEREAS, on June 14, 2025, the United States Army will kick off its 250th anniversary celebration with a float at the Tournament of Roses Parade in Pasadena, California; the design of the float highlights historic events and the accomplishments of exceptional members of the United States Army from George Washington through the modern era; and

WHEREAS, the National Museum of the United States Army at Fort Belvoir will commemorate the 250th anniversary of the United States Army through numerous programs and exhibits throughout the year, including "Call To Arms: The Soldier and the Revolutionary War," featuring a collection of rare Revolutionary War artifacts, and a full-day symposium focusing on the first two years of the Revolutionary War; and

WHEREAS, as the United States Army celebrates its 250th birthday and looks ahead to shape a future of innovation and continued excellence, its purpose remains timeless and clear: to fight and win the nation's wars; now, therefore, be it

RESOLVED by the Senate of Virginia, That the United States Army, the first and oldest national institution of the United States, hereby be commended on the occasion of its 250th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the National Museum of the United States Army as an expression of the Senate of Virginia's admiration for the United States Army's incomparable contributions to the formation, growth, and defense of the United States.

SENATE RESOLUTION NO. 259

Commending the Northern Virginia Chamber of Commerce.

Agreed to by the Senate, February 13, 2025

WHEREAS, for 100 years, the Northern Virginia Chamber of Commerce has worked diligently to support local businesses, promote economic growth, and enrich community life in Northern Virginia; and

WHEREAS, established in 1925, the Northern Virginia Chamber of Commerce (NVC) originally focused on advocating for businesses in Fairfax County, but has grown to become the largest and most influential business organization in the Washington, D.C. metropolitan area; and

WHEREAS, in its early years, NVC played a pivotal role in shaping the future of transportation in Virginia by endorsing the Byrd Road Act; this historic referendum, which narrowly passed by a 600-vote margin in 1932, shifted control of the Commonwealth's highways to the government, forever transforming road building policy; and

WHEREAS, NVC next pursued funding from the State Highway Administration to support the construction of secondary roads in Fairfax County in the spring of 1935; the organization also played a significant role in the site selection and development of Dulles International Airport in the 1950s and 1960s; and

WHEREAS, NVC supported the creation of the Washington Metropolitan Area Transit Authority (WMATA) in the late 1960s and subsequently endorsed a new sales tax on retail gasoline to help fund the construction of the Washington Metro; and

WHEREAS, in the 1960s, NVC was also active in education and supported bond referenda that led to the construction of 15 new schools and the renovation of 34 others, addressing the needs of 121,000 students; the organization participated in a statewide initiative to enhance the infrastructure of the Commonwealth's institutions of higher education and advocated for the establishment of what is now George Mason University as an independent institution; and

WHEREAS, after recognizing the threat of an inadequate water supply to business growth, NVC led a strategic coalition that secured water from the Potomac River to bolster the Occoquan Reservoir, ensuring sustainable development and economic expansion for the region; and

WHEREAS, in the 1980s, NVC co-founded the Northern Virginia Transportation Alliance to advance solutions for transportation infrastructure and launched what is now the Northern Virginia Technology Council, a dynamic force dedicated to addressing the unique needs of technology and defense businesses; and

WHEREAS, in 1989, NVC established Leadership Fairfax, a 10-month civic training program meant to familiarize emerging business and community leaders with local issues and incentives; and

WHEREAS, over the years, NVC has maintained its focus on transportation, supporting plans in the 1990s to revitalize transportation infrastructure across the Commonwealth, including a 12-lane replacement of Woodrow Wilson Memorial Bridge; and

WHEREAS, in 2018, NVC became a founding partner of the MetroNow coalition, which secured historic regional funding for WMATA to address critical system repairs and upgrades; and

WHEREAS, more recently, NVC was the leading advocate for state workforce programs, resulting in the creation of Virginia Career Works, which consolidated 24 existing workforce programs to better serve students, job seekers, and employers; and

WHEREAS, NVC currently represents over 46 percent of economic activity in the Greater Washington Region and 500,000 employees across the region; its focused advocacy, opportunities for networking, educational programs, and promotional efforts have strengthened the business community and enhanced the quality of life throughout Northern Virginia; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Northern Virginia Chamber of Commerce hereby be commended on the occasion of its 100th anniversary of service to the local business community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Northern Virginia Chamber of Commerce as an expression of the Senate of Virginia's admiration for the organization's legacy of contributions to the economic vitality of the region.

SENATE RESOLUTION NO. 260

Commending J. Dean Norton.

Agreed to by the Senate, February 13, 2025

WHEREAS, J. Dean Norton, the longstanding horticulture and livestock director at George Washington's Mount Vernon in Fairfax County, the historic estate of the United States' first president, retired on December 31, 2024; and

WHEREAS, over a period of 55 years, Dean Norton dedicated himself to beautifying and maintaining the Mount Vernon gardens and grounds, beginning in 1969 when he was a sophomore in high school and continuing after he graduated from Clemson University with a degree in horticulture; and

WHEREAS, Dean Norton developed his expertise in both current plant science and management techniques and 18th century gardens and gardening practices and was promoted to the role of horticulturist in 1980; and

WHEREAS, Dean Norton's accomplishments over his tenure at Mount Vernon include the research and restoration of various gardens and green spaces, several Mount Vernon garden symposiums, and the 2014 exhibition, *Gardens and Groves: George Washington's Landscape at Mount Vernon*, and its accompanying publication, *The General in the Garden*; and

WHEREAS, Dean Norton's devotion to best gardening practices was matched by his commitment to educational outreach, and he played an outsized role in promoting the restoration efforts at Mount Vernon and the mission of the Mount Vernon Ladies' Association over the years; and

WHEREAS, as a noted authority on garden history, Dean Norton lectured both across the country and abroad, conducted programs and workshops in collaboration with the Smithsonian Institution and myriad other organizations, gave hundreds of media interviews, and taught aspiring horticulturists at the George Washington University and what is today the Graduate School USA; and

WHEREAS, Dean Norton has generously offered his knowledge and experience to several historic places and organizations dedicated to gardening and preservation, including the Committee for the Preservation of the White House, the Garden Conservancy, Tudor Place, Carlyle House, Clemson University Historic Properties Committee, the American Boxwood Society, Colonial Williamsburg, and the Southern Garden History Society, which he served as president; and

WHEREAS, in recognition of his legacy of service, Dean Norton has received a great number of accolades over his career, such as the Southern Garden History Society's Flora Ann Bynum Medal, the Garden Club of America's Elizabeth

Craig Weaver Proctor National Medal, the Daughters of the American Revolution's Conservation Medal, and an honorary doctorate from Washington College; and

WHEREAS, in his retirement, Dean Norton will serve at Mount Vernon as director of horticulture and livestock emeritus, ensuring that his legendary impact and influence upon the historic estate will only continue to grow; now, therefore, be it

RESOLVED by the Senate of Virginia, That J. Dean Norton, distinguished director of horticulture and livestock at George Washington's Mount Vernon, hereby be commended on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to J. Dean Norton as an expression of the Senate of Virginia's admiration for his contributions to George Washington's Mount Vernon and the Commonwealth.

SENATE RESOLUTION NO. 261

Commending the Lorton Community Action Center.

Agreed to by the Senate, February 13, 2025

WHEREAS, for 50 years, the Lorton Community Action Center has supported the Fairfax County community by providing food, clothing, and other human services to individuals and families in need; and

WHEREAS, the Lorton Community Action Center was founded in 1975 as the Lorton Community Information Center by Christine Herbstreith, who envisioned an organization that would serve as a "supermarket of human services"; and

WHEREAS, over the years, the Lorton Community Action Center assumed its new name and expanded beyond Lorton into the areas of Fort Belvoir, Newington, and other parts of Southeastern Fairfax County, while broadening its services to include emergency financial assistance and outreach programs promoting self-sufficiency; and

WHEREAS, in 2022, the Lorton Community Action Center realized the vision of its founder by moving into the new Lorton Community Center and Lorton Library, which have enhanced the organization's ability to provide services and meet the community's needs; and

WHEREAS, in 2024 alone, the Lorton Community Action Center served nearly 2,000 people, gave more than $190,000 in rent and utility assistance, facilitated more than 12,000 volunteer hours, enabled more than 9,800 food pantry visits, and offered more than 590 household services; and

WHEREAS, the accomplishments of the Lorton Community Action Center are the result of the inspired leadership of its staff, the tireless efforts of its volunteers, and the unwavering support of its sponsors, partners, and the entire Fairfax County community; and

WHEREAS, the Lorton Community Action Center will hold a 50th anniversary gala event on April 26, 2025, and a community-wide celebration on May 18, 2025, providing opportunities to reflect on the extraordinary impact the organization has had over its history; and

WHEREAS, by empowering and uplifting an untold number of people over the past 50 years, the Lorton Community Action Center has helped to make Fairfax County a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Lorton Community Action Center hereby be commended for its legacy of service on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Lorton Community Action Center as an expression of the Senate of Virginia's admiration for the organization's efforts to support vulnerable individuals and families in Fairfax County and the Commonwealth.

SENATE RESOLUTION NO. 262

Commending the Arab America Foundation.

Agreed to by the Senate, February 13, 2025

WHEREAS, the Arab America Foundation, a nonprofit, non-sectarian educational and cultural organization based in Washington, D.C., promotes Arab heritage and fosters strong partnerships between Arab Americans and their communities across the nation; and

WHEREAS, for more than a century, Arab Americans have been making valuable contributions to virtually every aspect of American society, including medicine, law, business, education, technology, government, military service, and culture; and

WHEREAS, since migrating to the United States, men and women of Arab descent have shared their rich culture and traditions with neighbors and friends, while also setting fine examples as model citizens and public servants; and

WHEREAS, Arab Americans have brought with them their resilient family values, strong work ethic, dedication to education, and diversity in faith and creed that have strengthened American democracy; and

WHEREAS, Arab Americans have also enriched society by sharing in the entrepreneurial spirit that has made the United States free and prosperous; and

WHEREAS, the Arab America Foundation promotes and celebrates Arab American ancestry and cultural heritage to enrich the lives of their fellow Americans and counter misconceptions, harmful stereotyping, and shared misunderstandings by other ethnic groups; and

WHEREAS, Arab Americans join all of their fellow Americans in the desire to see a peaceful and diverse society, where every individual is treated equally and feels safe; the incredible contributions and heritage of Arab Americans have significantly enhanced life in the United States; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Arab America Foundation hereby be commended for its services to Arab Americans in the Commonwealth on the occasion of National Arab American Heritage Month; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Arab America Foundation as an expression of the Senate of Virginia's admiration for the organization's contributions to Arab American communities throughout the Commonwealth and the United States.

SENATE RESOLUTION NO. 263

Commending Olwen Herron, Ed.D.

Agreed to by the Senate, February 13, 2025

WHEREAS, Olwen Herron, Ed.D., an esteemed education administrator who most recently served as superintendent of Williamsburg-James City County Public Schools, retired on January 31, 2025; and

WHEREAS, over a distinguished 43-year career in education, Olwen Herron has served in various leadership roles in the Commonwealth, as well as in Northern Ireland, Oklahoma, and Texas, as a teacher, school administrator, director of organizational development, chief accountability officer, chief academic officer, deputy superintendent, and superintendent; and

WHEREAS, after five years as the deputy superintendent and acting superintendent of Williamsburg-James City County Public Schools (WJCCPS), Olwen Herron was formally named superintendent of the school division in February 2017; and

WHEREAS, under Olwen Herron's leadership and guidance, WJCCPS realized academic growth across all grade levels, subject areas, and demographic groups; addressed chronic absenteeism; improved graduation rates; lowered drop-out rates; and achieved full accreditation at all of its schools; and

WHEREAS, Olwen Herron promoted early childhood education by spearheading the planned construction of two new pre-kindergarten centers and enhanced health and wellness instruction through a partnership with the Williamsburg Health Foundation; and

WHEREAS, Olwen Herron fostered her students' ability to achieve their full potential both in and out of the classroom by increasing the availability of workplace-ready experiences and creating new academic pathways through the Restorative Center and Learning Lab; and

WHEREAS, Olwen Herron greatly supported faculty and staff at all stages of their careers through initiatives such as her Teacher and Support Employee Forums, the Teacher Supply Shop, and mentoring and professional learning programs; and

WHEREAS, Olwen Herron made an impact at the local, regional, and state level as chair of Region II Superintendents and as a member of the Virginia Association of School Superintendents board of directors, the WHRO-FM board of directors, the WJCC Schools Foundation board, and the University of Virginia K-12 Advisory Council Leadership Steering Committee; and

WHEREAS, in recognition of her exemplary service, Olwen Herron was named Region II Superintendent of the Year in 2024; and

WHEREAS, through her selfless dedication and unwavering commitment to the well-being of the students, staff, and families of WJCCPS, Olwen Herron has made a profound and lasting impact on the Williamsburg and James City County communities and earned the praise and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate of Virginia, That Olwen Herron, Ed.D., superintendent of Williamsburg-James City County Public Schools, hereby be commended on the occasion of her retirement; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Olwen Herron, Ed.D., as an expression of the Senate of Virginia's appreciation for her contributions to Williamsburg-James City County Public Schools and the Commonwealth and best wishes for a joyful and fulfilling retirement.

SENATE RESOLUTION NO. 264

Commending Harold Heatley.

Agreed to by the Senate, February 19, 2025

WHEREAS, Harold Heatley, a distinguished police officer with more than 40 years of experience spanning military service, private security work, and two law-enforcement agencies, retired as the chief deputy of the Tazewell County Sheriff's Office in 2024; and

WHEREAS, beginning in 1981, Harold Heatley served the nation as a member of the United States Navy for two decades, rising to the rank of chief petty officer; and

WHEREAS, Harold Heatley trained as a master-at-arms at Fort McClellan in Alabama, then served as a military police officer in Alaska and the Philippines; was stationed aboard the USS *Tuscaloosa*, USS *Constellation*, USS *Bristol County*, and the USS *Oldendorf*; and finished his career as chief master-at-arms on Naval Air Station Coronado in California; and

WHEREAS, after his honorable military service, Harold Heatley joined the private security firm Excel Security as a field supervisor in 2001; he rose through the ranks to become vice president of operations, overseeing more than 180 employees; and

WHEREAS, in 2004, Harold Heatley moved to Tazewell County with his family and joined the Tazewell Police Department as a patrol officer; he was later promoted to night shift patrol sergeant; and

WHEREAS, after graduating from the Southwest Virginia Criminal Justice Training Academy in 2007, he attended instructor school later that year, then began teaching impaired driving detection courses; he was also certified as a Standardized Field Sobriety Testing instructor and trained thousands of students across the Commonwealth; and

WHEREAS, Harold Heatley was hired by the Tazewell County Sheriff's Office in 2010 and served as an undercover narcotics detective until January 2012, when he was promoted to chief deputy; and

WHEREAS, Harold Heatley helped nonviolent offenders seek treatment through the Tazewell County Drug Treatment Court for eight years, was a member of a special task force with the United States Marshals Service for six years, and participated in a news program that resulted in the capture of more than 900 criminals in Virginia and West Virginia over the course of eight and a half years; and

WHEREAS, throughout his career, Harold Heatley has enjoyed the love and support of his wife, Jeannie, and his sons, George, Daniel, John, and Jason, and he looks forward to spending more time with his beloved family and seeking new opportunities to serve his community; now, therefore, be it

RESOLVED by the Senate of Virginia, That Harold Heatley hereby be commended on the occasion of his retirement from the Tazewell County Sheriff's Office; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Harold Heatley as an expression of the Senate of Virginia's admiration for his outstanding career in law enforcement and legacy of service to the residents of Tazewell County.

SENATE RESOLUTION NO. 265

Commending Virginia Natural Gas.

Agreed to by the Senate, February 19, 2025

WHEREAS, Virginia Natural Gas, a distinguished utility provider that delivers safe and reliable natural gas to Southeastern Virginia, is celebrating 175 years of service in the Commonwealth in 2025; and

WHEREAS, Virginia Natural Gas was originally chartered to light the streetlights of the City of Norfolk through an act passed by the General Assembly on January 11, 1850; and

WHEREAS, Virginia Natural Gas provides natural gas service to 15 localities and serves over 310,000 customers, including families, schools, hospitals, churches, shipyards, restaurants, and small and large businesses in Southeastern Virginia; and

WHEREAS, Virginia Natural Gas delivers energy to more than 14 military installations, providing critical energy and reliability to support the nation's defense; and

WHEREAS, Virginia Natural Gas supports more than 400 employees and more than 600 contractors, providing meaningful employment in the region; and

WHEREAS, Virginia Natural Gas's employees are always on call, prioritizing safety as they serve all customers; and

WHEREAS, Virginia Natural Gas is dedicated to making a positive impact on the community, with a strong belief in intentional corporate citizenship that guides their charitable giving, volunteerism, and employee engagement; and

WHEREAS, Virginia Natural Gas seeks to collaborate with community partners to create and support programming that empowers the underserved, addresses disparities, fosters economic vitality, and protects the environment in the region; and

WHEREAS, through many consolidations and mergers, Virginia Natural Gas eventually became part of the company known today as Southern Company Gas, a subsidiary of Southern Company; now, therefore, be it

RESOLVED by the Senate of Virginia, That Virginia Natural Gas hereby be commended for its legacy of more than 175 years of service to Virginians; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Virginia Natural Gas as an expression of the Senate of Virginia's admiration for the organization's long history of service to communities throughout the Commonwealth.

SENATE RESOLUTION NO. 266

Celebrating the life of Sister Andrea Verchuck.

Agreed to by the Senate, February 19, 2025

WHEREAS, Sister Andrea Verchuck, a faithful member of the Benedictine Sisters of Virginia who dedicated her life to prayer and service, died on January 6, 2025; and

WHEREAS, Sister Andrea Verchuck was born in Crabtree, Pennsylvania, on May 26, 1929, as Josephine Veronica Verchuck and was the seventh child of Paul and Justyna Verchuck, who had immigrated to the United States from Poland; and

WHEREAS, at age 15, Sister Andrea Verchuck arrived at the Saint Benedict Monastery in Bristow and joined the Benedictine Sisters of Virginia, where she was well known for her compassion, leadership, and devotion to service; and

WHEREAS, Sister Andrea Verchuck was a wise teacher and a trusted counselor, who enjoyed contributing to the monastery's liturgies with her melodious voice; she led the Benedictine Sisters of Virginia as prioress from 1979 to 1987 and again from 1999 to 2003; and

WHEREAS, Sister Andrea Verchuck supported projects to enhance the quality of life for communities in the Commonwealth and abroad, and she was a prolific fundraiser who raised money to support the construction of a new monastery; and

WHEREAS, one of Sister Andrea Verchuck's final projects was the establishment of a prayer garden on the site of the former monastery, which she envisioned as a tranquil refuge of peace and prayer; and

WHEREAS, Sister Andrea Verchuck will be fondly remembered and greatly missed by numerous family members, friends, and fellow members of the Benedictine Sisters of Virginia; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Sister Andrea Verchuck, who touched countless lives through her kindness and grace; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Benedictine Sisters of Virginia as an expression of the Senate of Virginia's respect for Sister Andrea Verchuck's memory.

SENATE RESOLUTION NO. 267

Commending Emily Ann Fox.

Agreed to by the Senate, February 19, 2025

WHEREAS, in 2024, Ashburn native Emily Ann Fox represented the Commonwealth at the Games of the XXXIII Olympiad in Paris, France, winning a gold medal for Team USA in the Women's Olympic Football Tournament; and

WHEREAS, Emily Fox began playing soccer at a young age and led the Stone Bridge High School Bulldogs to the state finals in her freshman year, scoring 16 goals as a midfielder; she also played club soccer and received a call-up to the U.S. U-18 Women's National Team; and

WHEREAS, while playing for the University of North Carolina from 2017 to 2020, Emily Fox switched from midfielder to defender and began cultivating her reputation as a reliable outside back, whose speed and creativity make her an attacking threat along the sidelines; and

WHEREAS, Emily Fox helped lead the University of North Carolina Tar Heels to two national championship appearances and was a three-time All-Atlantic Coast Conference First-Team selection; during her college years, she also made her first appearance for the U.S. Women's National Team in 2018; and

WHEREAS, Emily Fox was the number one overall pick in the 2021 National Women's Soccer League Draft and has played for Racing Louisville FC, the North Carolina Courage, and Arsenal WFC in England over the course of her professional career; and

WHEREAS, fulfilling a lifelong dream, Emily Fox was selected to the U.S. Women's National Team's 18-player roster for the 2024 Summer Olympics in June; and

WHEREAS, Emily Fox and the U.S. Women's National Team dominated the group stage, winning games against Zambia, Germany, and Australia to finish first in Group B, then defeated Japan and Germany in the knockout stage; and

WHEREAS, in the tournament final, Emily Fox and the U.S. Women's National Team faced Brazil and finished 1-0 to secure the gold medal; now, therefore, be it

RESOLVED by the Senate of Virginia, That Emily Ann Fox hereby be commended on winning a gold medal at the Games of the XXXIII Olympiad in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Emily Ann Fox as an expression of the Senate of Virginia's admiration for her outstanding athletic achievements and best wishes for the future.

SENATE RESOLUTION NO. 268

Celebrating the life of Joseph Woodrow Snavely, Jr.

Agreed to by the Senate, February 19, 2025

WHEREAS, Joseph Woodrow Snavely, Jr., a distinguished citizen, accomplished professional, dedicated community servant, and beloved husband, father, grandfather, and friend passed away on January 22, 2025; and

WHEREAS, Joseph Snavely was born on July 22, 1947, and grew up in Marion; he demonstrated resilience and determination early in his life as a polio survivor in 1952 and maintained a lifelong commitment to health and fitness through running, cycling, softball, scuba, weekly cardio, and weight training; and

WHEREAS, Joseph Snavely pursued higher education at Lees-McRae College and built a remarkable career as a master electrician, dedicating 44 years of service to Ashland, Inc., and Marathon Oil Corporation; and

WHEREAS, Joseph Snavely was a man of many skills and talents, a dedicated professional, and a pillar of his community, leaving behind a legacy of generosity, service, and excellence; and

WHEREAS, a passionate and skilled craftsman, Joseph Snavely co-founded and served as president of the Greater Huntington Homebrewers Association in West Virginia, earning recognition as an award-winning homebrewer and founding the annual Blues and Brews Festival for the community to gather to enjoy local music and craft beer; and

WHEREAS, an avid chef and gardener, Joseph Snavely found great joy in preparing meals and sharing his culinary talents with family and friends; and

WHEREAS, Joseph Snavely was a longtime member of St. Paul Lutheran Church and later Trinity Episcopal Church, where he served on the safety team and in its annual Christmas Eve meals program, serving and feeding more than 500 people in his community over the course of 25 years; and

WHEREAS, Joseph Snavely was an active and accomplished marksman, a competitive firearms shooter, and a committed member of Eastern Kentucky Firearms and Archery; as a National Rifle Association-certified concealed carry instructor, Joseph Snavely achieved advanced combat handgun training through a Navy SEAL-led program, demonstrating his commitment to firearms education and safety; and

WHEREAS, Joseph Snavely was first married to Marsha Poole, with whom he shared many years of his life and raised two children; in later years, he found love again with his devoted wife, Parker, with whom he shared a home filled with joy; and

WHEREAS, Joseph Snavely will be fondly remembered and greatly missed by his wife, Parker; his children, Shayne and Tracie; his grandchildren, Tyson and Ryder; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Joseph Woodrow Snavely, Jr., a highly admired member of his community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Joseph Woodrow Snavely, Jr., as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 269

Celebrating the life of Shirley Kenneth Jones.

Agreed to by the Senate, February 19, 2025

WHEREAS, Shirley Kenneth Jones, a highly admired resident of King and Queen County who gave back to his community in a number of ways, died on January 2, 2025; and

WHEREAS, Shirley Jones made his career as a carpenter and gave generously of his time and talents to enhance the lives of others; and

WHEREAS, Shirley Jones was active with Mattaponi Crime Solvers, the Upper King and Queen Ruritan Club, the local Republican Party, and the York Academy PTO; and

WHEREAS, Shirley Jones enjoyed fellowship and worship with the congregation of Mattaponi Baptist Church, where he held several leadership positions; and

WHEREAS, Shirley Jones will be fondly remembered and greatly missed by his beloved wife of 36 years, Roberta; his children, Patricia, Nancy, David, and Shirley, and their families; his stepdaughter, Tracy, and her family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Shirley Kenneth Jones, a respected member of the King and Queen County community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Shirley Kenneth Jones as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 270

Commending Colonna's Shipyard, Inc.

Agreed to by the Senate, February 19, 2025

WHEREAS, Colonna's Shipyard, Inc., in Norfolk, one of the oldest continuously family-owned and private shipyards in the United States, celebrates its 150th anniversary in 2025; and

WHEREAS, Colonna's Shipyard was founded in 1875 by a 26-year-old ship carpenter named Charles J. Colonna in what was formerly Norfolk County, now the Berkley section of the City of Norfolk; and

WHEREAS, over 150 years, Charles J. Colonna and several successive generations of Colonnas grew Colonna's Shipyard from a ship repair business into a diverse industrial company with extensive capabilities in machining, large steel fabrication, and commercial and government ship repair; and

WHEREAS, in 2000, Colonna's Shipyard established a new division, Steel America, which specializes in heavy machining, fabrication, and repair in support of the ship repair, maintenance, and overhaul markets; and

WHEREAS, Colonna's Shipyard expanded to Colonna's Shipyard West in San Diego, California, in 2015, enhancing the company's ability to serve clients on the Pacific coast, and founded Weld America five years later to support on-site welding services; and

WHEREAS, as Colonna's Shipyard has modernized and evolved over the past 150 years, the company has remained steadfastly committed to founder Charles J. Colonna's policy of "hard work, good value, and fair dealing"; and

WHEREAS, Colonna's Shipyard's 150th anniversary provides an opportunity to honor and appreciate the extraordinary hard work and dedication that has been integral to the company's success and longevity; now, therefore, be it

RESOLVED by the Senate of Virginia, That Colonna's Shipyard, Inc., hereby be commended for its legacy of service on the occasion of its 150th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Colonna's Shipyard, Inc., as an expression of the Senate of Virginia's admiration for its contributions as a leader in the maritime and shipbuilding industries of Norfolk, the Commonwealth, and the nation.

SENATE RESOLUTION NO. 271

Commending the Suffolk Christian Academy junior varsity girls' basketball team.

Agreed to by the Senate, February 19, 2025

WHEREAS, the Suffolk Christian Academy junior varsity girls' basketball team finished the 2024-2025 season with a perfect 8-0 record, demonstrating an incredible degree of skill and discipline; and

WHEREAS, led by head coach Kristy Cornette and assistant coach John Sullivan, the Suffolk Christian Academy Knights overcame numerous talented opponents, often recovering from a deficit or making clutch plays in the final moments of a game to secure victories; and

WHEREAS, Suffolk Christian Academy's Hallie Crawford, Emery Garza, Jamielyn Pippin, and Harper Sullivan led the team and the conference in the stat lines and were excellent examples for their younger teammates both on and off the basketball court; and

WHEREAS, the Suffolk Christian Academy Knights were supported by a dedicated team of coaches and staff members, as well as family members, friends, and the entire school community; and

WHEREAS, every member of the Suffolk Christian Academy Knights played with focus, intensity, and an unshakeable commitment to one another over the course of the season, setting a high standard for future teams to emulate; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Suffolk Christian Academy junior varsity girls' basketball team hereby be commended for achieving an undefeated season in 2024-2025; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Kristy Cornette, head coach of the Suffolk Christian Academy junior varsity girls' basketball team, as an expression of the Senate of Virginia's admiration for the team's athletic achievements.

SENATE RESOLUTION NO. 272

Commending Paula Loomis.

Agreed to by the Senate, February 19, 2025

WHEREAS, Paula Loomis, a Fellow of the American Institute of Architects, has been honored by the American Institute of Architects with the Award for Excellence in Public Architecture in 2024; and

WHEREAS, Paula Loomis's award recognizes architects, public officials, or other individuals who design distinguished public facilities and advocate for design excellence; and

WHEREAS, Paula Loomis contributed to public architecture by developing more than 50 facility standards for a wide range of federal agencies and military branches that have shaped the character, resilience, and long-term viability of tens of thousands of facilities; and

WHEREAS, Paula Loomis worked for the three federal agencies with the largest portfolio of facilities and has advanced the government's sustainability and resilience strategies; and

WHEREAS, Paula Loomis served in the United States Air Force, including six years on active duty and 24 years as a reservist, serving in Operation Desert Storm in 1991, taking leadership roles such as the senior reservist to the Air Force Civil Engineer Center and base architect for Langley Air Force Base, and retiring with several merits and distinctions at the rank of colonel; and

WHEREAS, Paula Loomis served the Commonwealth as a member of the Secure and Resilient Commonwealth Panel; and

WHEREAS, Paula Loomis further served the Commonwealth by training scores of individuals through the American Institute of Architects (AIA) Safety Assessment Program, which teaches architects, engineers, building officials, and inspectors how to assess homes, buildings, and infrastructure for safety after a disaster; and

WHEREAS, Paula Loomis supported the architectural profession on the national level as a member of the AIA's board of directors, strategic council, board knowledge committee, and government advocacy committee, and she also served as a member of numerous AIA boards, councils, and committees at both the state and local levels; and

WHEREAS, Paula Loomis has been recognized for her accomplishments and achievements by being elevated to the AIA College of Fellows in 2007 and to the Society of American Military Engineers College of Fellows in 2013; and

WHEREAS, Paula Loomis has been recognized as a dedicated public servant and a model of the value of a lifetime of public and nonprofit service, practice, and leadership; and

WHEREAS, Paula Loomis continues her work as the director of research, senior planner, and senior architect for The Urban Collaborative, an interdisciplinary firm that pursues public architecture in the United States, Europe, and Asia; now, therefore, be it

RESOLVED by the Senate of Virginia, That Paula Loomis hereby be commended for receiving the American Institute of Architects' 2024 Award for Excellence in Public Architecture; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Paula Loomis as an expression of the Senate of Virginia's admiration for her accomplishments and best wishes for her continued success.

SENATE RESOLUTION NO. 273

Commending Hawkins-Reeve Post 7916 of the Veterans of Foreign Wars.

Agreed to by the Senate, February 19, 2025

WHEREAS, Hawkins-Reeve Post 7916 of the Veterans of Foreign Wars in Occoquan, an affiliate of one of the oldest and largest war veterans service organizations in the country, has fulfilled its mission to "honor the dead by helping the living" for more than 78 years; and

WHEREAS, Hawkins-Reeve Post 7916 was conceived shortly after World War II by a group of 37 combat veterans in the areas of Occoquan, Woodbridge, and Lorton and was officially established on June 27, 1946; and

WHEREAS, Hawkins-Reeve Post 7916 honorably takes its name from United States Naval Reserve pilot Lieutenant Junior Grade Claggett Hartwood Hawkins and United States Army Air Corps pilot Second Lieutenant Charles Douglas Reeve, who both died in the line of duty in 1944; and

WHEREAS, members of Hawkins-Reeve Post 7916 are a select group of esteemed veterans of foreign wars of the United States who have been carefully chosen before being conferred membership into the post; and

WHEREAS, the past and present members of Hawkins-Reeve Post 7916 include veterans of World War II, as well as conflicts in Afghanistan, Bosnia, Cambodia, Cyprus, the Dominican Republic, Haiti, Grenada, Iraq, Korea, Kuwait, Laos, Lebanon, Libya, Panama, Serbia, Somalia, Syria, Uganda, and Vietnam; and

WHEREAS, from its first post commander, Walter J. "Mac" McGuire, to its current and 71st post commander, Jeffery A. "Doc" Lett, Hawkins-Reeve Post 7916 has been ably guided by a succession of thoughtful and experienced leaders; and

WHEREAS, the members of Hawkins-Reeve Post 7916 give generously of their time to organize Memorial Day and Veterans Day remembrances and POW/MIA ceremonies, lay wreaths and flags at Quantico National Cemetery, and provide meals to individuals in need, while actively supporting various other organizations and endeavors in the community; and

WHEREAS, for eight consecutive years, Hawkins-Reeve Post 7916 has received the prestigious "All-American" performance designation, which recognizes it as one of the top Veterans of Foreign Wars (VFW) posts among more than 6,300 posts worldwide; and

WHEREAS, in recognition of its accomplishments, Hawkins-Reeve Post 7916 has been lauded by the National VFW headquarters through placements in recruiting videos, podcasts, and national articles, as well as with its selection as April 2021 Post of the Month; and

WHEREAS, with great compassion and concern for the well-being of their fellow veterans, the members of Hawkins-Reeve Post 7916 have made an impact on countless lives, earning the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate of Virginia, That Hawkins-Reeve Post 7916 of the Veterans of Foreign Wars hereby be commended for its dedication and legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Hawkins-Reeve Post 7916 of the Veterans of Foreign Wars as an expression of the Senate of Virginia's high regard for the organization's contributions to the Commonwealth.

SENATE RESOLUTION NO. 274

Commending the Omicron Zeta Sigma Chapter of Phi Beta Sigma Fraternity, Inc.

Agreed to by the Senate, February 19, 2025

WHEREAS, the Omicron Zeta Sigma Chapter of Phi Beta Sigma Fraternity, Inc., an affiliate of one of the oldest intercollegiate historically African American fraternities in the country, has proudly served the Prince William County community for many years; and

WHEREAS, recognizing the need for Phi Beta Sigma Fraternity to have greater representation in the Prince William County area, several members from various professional backgrounds generated interest in a new chapter and the official charter for the Omicron Zeta Sigma Chapter was issued on November 1, 2009; and

WHEREAS, through Phi Beta Sigma's Bigger and Better Business and Sigma Economic Empowerment Development programs, the Omicron Zeta Sigma Chapter supports many local minority businesses and entrepreneurs; and

WHEREAS, the Omicron Zeta Sigma Chapter implements a number of education initiatives, including Phi Beta Sigma's National Program of Education, Project Sigma Education Time, and the Sigma Beta Club, as well as the group's Blue Wellness Foundation Scholarship, aiding countless young people in their efforts to achieve success both in and out of the classroom; and

WHEREAS, the Omicron Zeta Sigma Chapter actively participates in several Phi Beta Sigma social action programs to foster the well-being of others, including the Sigma Wellness Project and Sigmas Waging War Against Cancer; and

WHEREAS, members of the Omicron Zeta Sigma Chapter inspire others to embrace their civic duty through Project Vote and advocate for causes they believe through the Sigma Presence on Capitol Hill program; and

WHEREAS, by making a profound and lasting impact in the areas of business, education, and philanthropy, the Omicron Zeta Sigma Chapter has helped to make Prince William County a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Omicron Zeta Sigma Chapter of Phi Beta Sigma Fraternity, Inc., hereby be commended for its longstanding commitment to the Prince William County community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Omicron Zeta Sigma Chapter of Phi Beta Sigma Fraternity, Inc., as an expression of the Senate of Virginia's admiration for the organization's contributions to the Commonwealth.

SENATE RESOLUTION NO. 275

Commending the Beta Alpha Omega Alumni Chapter of Iota Phi Theta Fraternity, Inc.

Agreed to by the Senate, February 19, 2025

WHEREAS, the Beta Alpha Omega Alumni Chapter of Iota Phi Theta Fraternity, Inc., in Lorton, an affiliate of one of the most prestigious intercollegiate historically African American fraternities in the country, has proudly served the communities of Northern Virginia for many years; and

WHEREAS, since receiving its charter on July 16, 2006, the Beta Alpha Omega Alumni Chapter has actively participated in a number of charitable initiatives both locally and nationally; and

WHEREAS, the Beta Alpha Omega Alumni Chapter promoted the health and welfare of the community through its involvement with the National Institutes of Health's All of Us Research Program and COVID-19 health and safety response forums and by fundraising for St. Jude Children's Research Hospital; and

WHEREAS, the Beta Alpha Omega Alumni Chapter fostered the growth and development of young people through its generous scholarship programs, such as the Command Sergeant Major Karl Roberts Sr. Scholarship and Chief Darryl C. Smith Scholarship; and

WHEREAS, the Beta Alpha Omega Chapter encouraged others to embrace their civic duty through the social media campaign #MuchMoreThanAHashtag and other voter education and registration efforts; and

WHEREAS, in 2021, the Beta Alpha Omega Alumni Chapter established Northern Virginia Impacting Others Through Actions and Service Foundation, a nonprofit organization dedicated to improving the physical, economic, and communal well-being of youth and families in Northern Virginia; and

WHEREAS, in recognition of its service, the Beta Alpha Omega Alumni Chapter has been the recipient of numerous fraternal and local awards, including Iota Phi Theta's Eastern Region Community Service Award; and

WHEREAS, by making a profound and lasting impact in the areas of education, health, and philanthropy, the Beta Alpha Omega Alumni Chapter has helped to make Prince William County a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Beta Alpha Omega Alumni Chapter of Iota Phi Theta Fraternity, Inc., hereby be commended for its longstanding commitment to the Prince William County community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Beta Alpha Omega Alumni Chapter of Iota Phi Theta Fraternity, Inc., as an expression of the Senate of Virginia's admiration for the organization's contributions to the Commonwealth.

SENATE RESOLUTION NO. 276

Commending the Woodbridge Alumni Chapter of Kappa Alpha Psi Fraternity, Inc.

Agreed to by the Senate, February 19, 2025

WHEREAS, the Woodbridge Alumni Chapter of Kappa Alpha Psi Fraternity, Inc., an affiliate of one of the oldest intercollegiate historically African American fraternities in the country, has proudly served the Prince William County community for many years; and

WHEREAS, after 24 members of local chapters of Kappa Alpha Psi filed a petition for a new chapter in Woodbridge, the fraternity formally established the Woodbridge Alumni Chapter during a chartering ceremony at Quantico on February 1, 1988; and

WHEREAS, the Woodbridge Alumni Chapter supports Kappa Alpha Psi's Kappa Leadership and Development League, a career-development program dedicated to inspiring and empowering young men as they grow into their abilities as leaders; and

WHEREAS, since 2002, the Woodbridge Alumni Chapter has uplifted countless young people with scholarships and financial aid and advanced a number of charitable causes in the community through the Kappa Foundation of Woodbridge, Inc.; and

WHEREAS, the Woodbridge Alumni Chapter and the Kappa Foundation of Woodbridge organize the annual William B. Croom Golf Classic and other events to raise funds to benefit local organizations and endeavors, including the Prince William County and Stafford County branches of the NAACP, Stafford Emergency Relief through Volunteer Efforts, Northern Virginia Family Service, the Red Cross Christmas Basket, the Hilda M. Barg Homeless Prevention Center, and Action in Community Through Service; and

WHEREAS, by making a profound and lasting impact in the areas of education, community service, and philanthropy, the Woodbridge Alumni Chapter has helped to make Prince William County a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Woodbridge Alumni Chapter of Kappa Alpha Psi Fraternity, Inc., hereby be commended for its longstanding commitment to the Prince William County community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Woodbridge Alumni Chapter of Kappa Alpha Psi Fraternity, Inc., as an expression of the Senate of Virginia's admiration for the organization's contributions to the Commonwealth.

SENATE RESOLUTION NO. 277

Relating to the sale of the chairs used in the Senate chamber to former and current Senators.

Agreed to by the Senate, February 22, 2025

RESOLVED by the Senate of Virginia, That the Clerk of the Senate provide for the sale of the chairs used in the Senate chamber to former and current Senators in accordance with guidelines established by the Clerk of the Senate.

SENATE RESOLUTION NO. 278

Commending Queen Street Baptist Church.

Agreed to by the Senate, February 20, 2025

WHEREAS, for more than 140 years, Queen Street Baptist Church in Norfolk has provided its congregation with uplifting spiritual guidance, joyful occasions for worship and fellowship, and abundant opportunities for community outreach; and

WHEREAS, Queen Street Baptist Church traces its origins to the First Colored Baptist Church of Norfolk, which later became Bank Street Baptist Church; and

WHEREAS, in December 1884, the Reverend Richard Spiller and 16 formerly enslaved people split from Bank Street Baptist Church to form Queen Street Baptist Church; and

WHEREAS, the congregation at Queen Street Baptist Church grew over time, and a new church building was constructed in 1910, which was later adorned with stained glass windows during the Great Depression; and

WHEREAS, in the late 1950s, Queen Street Baptist Church responded to the displacement of young people as a result of segregation in schools by establishing education programs for Norfolk's secondary students; and

WHEREAS, Queen Street Baptist Church has greatly supported the Norfolk community through various outreach endeavors, including food pantries and programs that feed thousands each year, a youth literacy program, substance abuse programs, a financial literacy program, and other impactful ministries; and

WHEREAS, Queen Street Baptist Church continues to evolve to meet the needs of the day, fully aware that faith is the foundation, hope is the motivator, and love is the bond that holds the community and mission together; and

WHEREAS, Queen Street Baptist Church has benefited from the wise and inspired leadership of several pastors over its history and is currently led by the Reverend Dr. Glenn E. Porter, who is also an adjunct associate professor in religious studies at Tidewater Community College and volunteer chaplain with the City of Norfolk Police Department; and

WHEREAS, by providing a spiritual home to countless individuals and families over the past 140 years, Queen Street Baptist Church has helped to make Norfolk a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That Queen Street Baptist Church hereby be commended on the occasion of its 140th anniversary in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Queen Street Baptist Church as an expression of the Senate of Virginia's admiration for the church's history and appreciation for its contributions to Norfolk and the Commonwealth.

SENATE RESOLUTION NO. 279

Commending Phillip C. Stone.

Agreed to by the Senate, February 20, 2025

WHEREAS, in January 2025, Phillip C. Stone of Stone Law Group, PLC, in Harrisonburg and the founder of Rockingham County's Lincoln Day Ceremony, was selected by the Abraham Lincoln Association as a winner of the prestigious Lincoln Lawyer Award for his contributions to the legal field and promotion of the life and legacy of President Abraham Lincoln; and

WHEREAS, the Abraham Lincoln Association was formed in 1908 to commemorate what would have been President Abraham Lincoln's 100th birthday and has evolved to become the premier nonprofit organization supporting scholarship on the nation's 16th president; and

WHEREAS, on February 12, 1976, Phillip Stone cofounded the Lincoln Day Ceremony at the Lincoln Homestead in Rockingham County to highlight the Lincoln family's connections to the Harrisonburg and Rockingham County communities, and he has been an active participant in the event for its entire history; and

WHEREAS, Phillip Stone has ensured that the Lincoln Day Ceremony be held every year, rain or shine, since 1976; the 50th anniversary of the event was celebrated in 2025; and

WHEREAS, a past president of Bridgewater College and Sweet Briar College, Phillip Stone also founded the Lincoln Society of Virginia, which has enhanced the Lincoln Day Ceremony's programs and provides year-round research and information about President Abraham Lincoln's life, works, and significance to American history; and

WHEREAS, the Abraham Lincoln Association's Lincoln Lawyer Award is awarded infrequently and only to individuals of the highest character who reflect the ideals of President Abraham Lincoln and have advanced the study of his life; and

WHEREAS, as founder of both the Lincoln Day Ceremony and the Lincoln Society of Virginia, Phillip Stone has helped thousands of people learn more about the legacy of President Abraham Lincoln; now, therefore, be it

RESOLVED by the Senate of Virginia, That Phillip C. Stone, esteemed winner of the Lincoln Lawyer Award, hereby be commended on the occasion of the 50th anniversary of Harrisonburg's Lincoln Day Ceremony; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Phillip C. Stone as an expression of the Senate of Virginia's admiration for his tireless work to preserve the history and heritage of the Commonwealth and the United States.

SENATE RESOLUTION NO. 280

Commending Bethel Manor Elementary School.

Agreed to by the Senate, February 20, 2025

WHEREAS, Bethel Manor Elementary School of York County Public Schools was named a National Blue Ribbon School by the United States Department of Education in 2024; and

WHEREAS, this year, Bethel Manor Elementary School was one of only eight schools in the Commonwealth and 356 schools in the country to receive this prestigious honor, which recognizes high-performing schools and schools making exemplary progress toward closing achievement gaps; and

WHEREAS, Bethel Manor Elementary School serves a predominantly military-connected student body, with approximately 97 percent of its students coming from military families; and

WHEREAS, Bethel Manor Elementary School is dedicated to cultivating a supportive and inclusive learning environment that challenges its students to grow academically while fostering their physical, social, and emotional well-being; and

WHEREAS, Bethel Manor Elementary School offers a preschool program for children ages two to four, which focuses on building students' confidence, creativity, and critical thinking skills; and

WHEREAS, Bethel Manor Elementary School maintains a strong partnership with Langley Air Force Base Chapel, providing resources and support to military families; and

WHEREAS, in addition to the National Blue Ribbon School honor, Bethel Manor Elementary School was awarded the Highest Achievement Exemplar Award by the Virginia Board of Education in 2023; and

WHEREAS, the accomplishments of Bethel Manor Elementary School are the result of the hard work and determination of its students, the leadership and guidance of its teachers and staff, and the unwavering support of its families, partners, and the entire Bethel Manor Elementary School community; now, therefore, be it

RESOLVED by the Senate of Virginia, That Bethel Manor Elementary School hereby be commended for being named a National Blue Ribbon School in 2024; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Bethel Manor Elementary School as an expression of the Senate of Virginia's admiration for the school's achievements and best wishes for its continued success.

SENATE RESOLUTION NO. 281

Commending Adria Vanhoozier.

Agreed to by the Senate, February 20, 2025

WHEREAS, Adria Vanhoozier, president of Riverside Doctors' Hospital Williamsburg, was appointed as chair of the American Heart Association's Go Red for Women campaign for 2024-2025; and

WHEREAS, raised in Christiansburg, Adria Vanhoozier earned a bachelor's degree in government from the University of Virginia and a master's degree in health administration from the Medical College of Virginia, now known as Virginia Commonwealth University School of Medicine, before completing her residency at Riverside Doctors' Hospital Williamsburg (RDHW); and

WHEREAS, following her residency, Adria Vanhoozier continued on at RDHW, fulfilling a number of full-time business management roles, including that of cardiovascular and pulmonary service line administrator, before being named president in 2016; and

WHEREAS, in her role at RDHW, Adria Vanhoozier leads a nearly 400-member team providing exceptional healthcare services to the Williamsburg community, while consistently developing ways in which the hospital and its affiliated programs can expand their services and improve their quality of care; and

WHEREAS, Adria Vanhoozier has provided valued leadership through her service as chair of the City of Williamsburg's Economic Development Authority board, vice chair of the Greater Williamsburg Chamber of Commerce, and member of the boards of the Jamestown-Yorktown Foundation, Peninsula Emergency Medical Services Council, Walsingham Academy, and the Williamsburg Health Foundation; and

WHEREAS, Adria Vanhoozier co-leads the HEARTSafe Alliance of Greater Williamsburg, an initiative aimed at improving out-of-hospital cardiac event survival rates, and, as chair of the American Heart Association's Go Red for Women campaign, she promotes awareness of the prevalence of heart disease in women and works to identify gaps in services; now, therefore, be it

RESOLVED by the Senate of Virginia, That Adria Vanhoozier hereby be commended for her legacy of service upon being named chair of the American Heart Association's Go Red for Women campaign for 2024-2025; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Adria Vanhoozier as an expression of the Senate of Virginia's admiration for her contributions to health and wellness in Williamsburg and the Commonwealth.

SENATE RESOLUTION NO. 282

Commending the Petersburg Garden Club.

Agreed to by the Senate, February 20, 2025

WHEREAS, the Petersburg Garden Club, an organization devoted to enhancing Petersburg, its surrounding communities, and the Commonwealth, celebrates its 100th anniversary in 2025; and

WHEREAS, the Petersburg Garden Club was established on May 5, 1925, and a year after its inception quickly gained a strong reputation by winning the Sweepstakes Prize from the Charlottesville Flower Fete; and

WHEREAS, the Petersburg Garden Club was officially recognized as a member of the Garden Club of Virginia (GCV) on May 19, 1932, and completed a number of beautification projects at locations across the city shortly thereafter, including at the Petersburg Hospital, Bishop Payne's Divinity School, Trapezium House, and Camp Lee; and

WHEREAS, in 1948, the Petersburg Garden Club won the Massie Medal for Distinguished Achievement, the oldest and most prestigious award of the GCV, following the creation and preservation of an educational herbarium that included 337 flower paintings and specimens of endangered plant species; and

WHEREAS, in later years, the Petersburg Garden Club was dedicated to landscaping the historic Petersburg Courthouse and hosted the GCV's Board of Governors meeting in 1977; and

WHEREAS, since 1995, the Petersburg Garden Club has supported beautification projects throughout Petersburg with its spring fundraiser, "Splashes of Spring"; and

WHEREAS, following a major restoration project of scrapbooks from the organization's involvement with the Works Progress Administration (WPA) in the 1930s, the Petersburg Garden Club received the Common Wealth Award from the GCV in 1998; and

WHEREAS, two years later, the Petersburg Garden Club released the book *With Paintbrush and Shovel: Preserving Virginia's Wildflowers*, which showcases 222 exquisite botanical watercolors by Bessie Niemeyer Marshall, serves as the primary surviving records of the club's WPA project, and recounts the efforts of a diverse group of women who established a botanical preserve in Petersburg's historic Lee Park, now known as Legends Park; and

WHEREAS, the Petersburg Garden Club hosted the GCV's 2009-2010 Lily Show at Petersburg's historic Union Station and annually sponsors a tour of local homes and gardens as part of the GCV's Historic Garden Week; and

WHEREAS, the Petersburg Garden Club was distinguished in 2023 when the Flowerdew Hundred, a property on its Historic Garden Week tour, was selected for the cover of the Garden Club of Virginia's guidebook for Historic Garden Week; and

WHEREAS, the Petersburg Garden Club's longstanding commitment to horticulture, conservation, historic preservation, and the environment and the impressive efforts of its members have helped to make Petersburg a wonderful and more beautiful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Petersburg Garden Club hereby be commended on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Petersburg Garden Club as an expression of the Senate of Virginia's admiration for the organization's history and its contributions to Petersburg and the Commonwealth.

SENATE RESOLUTION NO. 283

Commending Janet V. Green.

Agreed to by the Senate, February 20, 2025

WHEREAS, Janet V. Green announced her plans to retire as chief executive officer of Habitat for Humanity Peninsula and Greater Williamsburg after more than two decades of outstanding service to families in Hampton Roads; and

WHEREAS, Janet Green previously worked as an operations director in the White House for the Clinton administration, making numerous contributions to the AmeriCorps service program, a bipartisan initiative that brings together people of all backgrounds to strengthen their communities; and

WHEREAS, Janet Green next served as deputy convention manager and executive director of the Democratic National Committee, then relocated to Hampton Roads to help care for her mother after she was diagnosed with cancer; and

WHEREAS, when Janet Green joined Habitat for Humanity Peninsula and Greater Williamsburg in 2003, she was one of only three employees, along with the founder and a construction supervisor; since that time, she has overseen significant growth of the organization and touched countless lives throughout the region; and

WHEREAS, under Janet Green's leadership, Habitat for Humanity Peninsula and Greater Williamsburg expanded its operating budget from $250,000 to more than $8 million; she has overseen the construction or renovation of more than 500 homes, including the first 3D-printed Habitat for Humanity home in the country; and

WHEREAS, Janet Green established three successful ReStores, nonprofit home improvement and donation centers, in Williamsburg, Yorktown, and Newport News; and

WHEREAS, among many awards and accolades, Janet Green received the Lifetime Achievement Award from the Hampton Roads Housing Consortium in November 2024; now, therefore, be it

RESOLVED by the Senate of Virginia, That Janet V. Green hereby be commended on the occasion of her retirement as chief executive officer of Habitat for Humanity Peninsula and Greater Williamsburg; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Janet V. Green as an expression of the Senate of Virginia's admiration for her contributions to housing stability in Hampton Roads.

SENATE RESOLUTION NO. 284

Commending First Baptist Church of Petersburg.

Agreed to by the Senate, February 20, 2025

WHEREAS, First Baptist Church of Petersburg, a distinguished faith institution that is one of the oldest Black churches in the nation, celebrated its 250th anniversary in 2024; and

WHEREAS, the origins of First Baptist Church date to 1756, when a group of Black people known as the New Lights began to gather for worship services led by elders William Murphy, Phillips, and Mackey; as interest in organizing a church grew, the Reverend John Michaels united the group and formed the First African Baptist Church on the estate of Colonel William Byrd III; and

WHEREAS, after its meeting house was destroyed by fire, First Baptist Church, under the leadership of elder John Benn, relocated to Petersburg, becoming a member of the Portsmouth Association in 1829; and

WHEREAS, elder Daniel Jackson served as pastor of First Baptist Church after John Benn's death and guided the church during a time when laws instituted following Nat Turner's insurrection restricted the congregation's ability to meet; and

WHEREAS, in 1842, First Baptist Church held a great revival in which many individuals were baptized and brought into the church's membership; from this year until 1872, the church was led by a succession of dedicated faith leaders, including the Reverend Gwaltney, elder R.N. Lee, the Reverend John Butler, the Reverend Harrison Scott, the Reverend John Gaines, and the Reverend P.T. Smith; and

WHEREAS, since 1873, First Baptist Church has been led by 14 pastors who have offered inspired counsel to the church's members while working tirelessly to foster the congregation's growth and longevity, including its current pastor, the Reverend Dr. Jeremiah Tillman, who has been with the church since 1999; and

WHEREAS, Petersburg established a public school system in 1868, two years before the state's mandate, and Colored Elementary School #1 was conducted in the old church building of the First Baptist Church; the building had been moved to this site in the 1830s from Bolling Hill, where it had served in the 1820s both as a church and as one of the earliest organized schools for African Americans in Petersburg; a second story was constructed on this building to accommodate the opening in January 1870 of a high school that was reputedly the first African American public high school in the Commonwealth and the nation; and

WHEREAS, First Baptist Church has continually expanded and renovated its church structures over the years to better serve its congregation and established new ministries, groups, and other activities to support them on their spiritual journeys; and

WHEREAS, for 250 years, First Baptist Church has provided its members with uplifting spiritual guidance, occasions for joyful worship and fellowship, and opportunities for generous community outreach; now, therefore, be it

RESOLVED by the Senate of Virginia, That First Baptist Church of Petersburg, a pillar of the Petersburg community, hereby be commended on the occasion of its 250th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to First Baptist Church of Petersburg as an expression of the Senate of Virginia's deep respect for the church's history and its contributions to the Commonwealth.

SENATE RESOLUTION NO. 285

Celebrating the life of Terry D. Lewis, Sr.

Agreed to by the Senate, February 20, 2025

WHEREAS, Terry D. Lewis, Sr., an esteemed civil servant who made an indelible imprint on the Surry County community during his 16-year tenure as the administrator of Surry County, died on January 22, 2025; and

WHEREAS, Terry Lewis was notably one of the first Black county administrators in the history of Surry County; from 1988 to 2004, he guided the operations and development of Surry County, spearheading various initiatives for the benefit of the community; and

WHEREAS, Terry Lewis' legacy in Surry County includes the Surry West Business Park, which brought significant industry and commerce to the locality and enhanced the Route 10 corridor; and

WHEREAS, Terry Lewis supported myriad organizations and individuals in his capacity as an administrator and planner, including the Surry Area Free Clinic, the Southeast Rural Community Assistance Project, the Surry County Economic Development Authority, and the Surry African American Heritage Society; and

WHEREAS, Terry Lewis faithfully served as a volunteer with the Surry County Democratic Committee and was an active member of the Omega Psi Phi Fraternity, Inc.; and

WHEREAS, Terry Lewis' visionary leadership, work ethic, and commitment to the community he served helped to make Surry County a wonderful place to live, work, and raise a family; and

WHEREAS, in recognition of Terry Lewis' impact on Surry County and the lives of its citizens, the flags at the Surry County Government Center were flown at half-staff in his honor on January 31, 2025; and

WHEREAS, Terry Lewis will be fondly remembered and dearly missed by numerous family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Terry D. Lewis, Sr., longtime administrator of Surry County, whose leadership, dedication, and passion for community service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Terry D. Lewis, Sr., as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 286

Celebrating the life of Rashaun Dehaven Boland.

Agreed to by the Senate, February 20, 2025

WHEREAS, Rashaun Dehaven Boland, a distinguished law-enforcement officer, lieutenant with the City of Petersburg Bureau of Police, and a beloved member of the Hopewell community, died on November 5, 2024; and

WHEREAS, after graduating from Dinwiddie High School in 2007, Rashaun Boland earned an associate degree in criminal justice from East Coast Polytechnic Institute and a bachelor's degree in criminal justice from ITT Technical Institute in 2011; and

WHEREAS, Rashaun Boland began his law-enforcement career as a correctional officer at Riverside Regional Jail in Prince George County and later joined the City of Petersburg Bureau of Police; and

WHEREAS, Rashaun Boland completed his police academy training and quickly rose through the ranks from patrol officer to detective, then sergeant, and ultimately lieutenant, demonstrating an exceptional ability to lead and advance the mission of the City of Petersburg Bureau of Police; and

WHEREAS, with extraordinary courage, integrity, and compassion, Rashaun Boland epitomized the highest ideals of the law-enforcement profession, inspiring his fellow officers and the citizens he worked tirelessly to protect and serve; and

WHEREAS, Rashaun Boland was a member of the Pharaoh Souls Motorcycle Club and cherished every opportunity to ride motorcycles and make memories with his friends; and

WHEREAS, Rashaun Boland was a loving and devoted family man who gave his entire being to his children, supporting and encouraging them in each of their endeavors; and

WHEREAS, guided throughout his life by his faith, Rashaun Boland enjoyed worship and fellowship with his community at Metropolitan Baptist Church in Petersburg, where he served on the men's ministry and the security ministry; and

WHEREAS, Rashaun Boland will be fondly remembered and dearly missed by his children, Ty'Shaun and Mariah; his mother, Denise; his grandmother, Bernadette; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Rashaun Dehaven Boland, a treasured member of the Petersburg and Hopewell communities whose dedication and service made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Rashaun Dehaven Boland as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 287

Commending Robert Alexander Pearson, Jr.

Agreed to by the Senate, February 20, 2025

WHEREAS, Robert Alexander Pearson, Jr., a decorated veteran and a longtime employee of the United States Postal Service, has made numerous contributions to people in need as an advocate for veterans and people living with Parkinson's disease; and

WHEREAS, Robert Pearson served the nation during the Vietnam War as a member of the United States Army, earning the Bronze Star with oak leaf cluster and the Army Commendation Medal with oak leaf cluster for his meritorious achievements; and

WHEREAS, after his honorable military service, Robert Pearson worked for the United States Postal Service for 29 years, beginning as a substitute letter carrier and rising through the ranks to become a senior executive for human resources; and

WHEREAS, Robert Pearson continued to serve and support his fellow service members as a support counselor for veterans with mental health and substance abuse issues; he has also participated in Congressionally Directed Medical Research Programs and the Million Veteran Research Program to study service-connected toxicity exposure as a potential cause of Parkinson's disease; and

WHEREAS, Robert Pearson has also participated in 18 clinical trials and studies for Parkinson's disease and has served for seven years as a Michael J. Fox Foundation public policy ambassador and currently serves as a delegate for the World Parkinson's Congress and as co-leader of a support group for people with the disease; and

WHEREAS, Robert Pearson is a leader in his community who oversaw the installation of new street lights, natural gas connections, sidewalks, and a school playground as the president of the White Oaks Burke Civic Association; he has supported other local initiatives to protect the environment and provide life-changing resources for the homeless; now, therefore, be it

RESOLVED by the Senate of Virginia, That Robert Alexander Pearson, Jr., hereby be commended for his service to the Fairfax County community, the Commonwealth, and the nation; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Robert Alexander Pearson, Jr., as an expression of the Senate of Virginia's admiration for his personal and professional achievements.

SENATE RESOLUTION NO. 288

Commending the Community of Faith Food Pantry.

Agreed to by the Senate, February 20, 2025

WHEREAS, the Community of Faith Food Pantry, a food pantry operated by the Community of Faith United Methodist Church in Herndon, celebrated its 25th anniversary in 2024; and

WHEREAS, the Community of Faith Food Pantry was founded in 1999 by a small group of dedicated citizens who were inspired to start a food pantry to address the needs of their community; and

WHEREAS, beginning with a church closet and serving 12 to 20 families each week, the Community of Faith Food Pantry has grown over the years into an endeavor that feeds upwards of 300 families each week and that fed nearly 50,000 people in 2024 alone; and

WHEREAS, in response to the COVID-19 pandemic, the Community of Faith Food Pantry adapted its operations to continue serving the community both safely and effectively, helping many individuals and families sustain themselves through the unprecedented public health crisis; and

WHEREAS, at a time when many residents of the Washington, D.C. metropolitan area are facing food insecurity, the services of the Community of Faith Food Pantry are more vital than ever; and

WHEREAS, the accomplishments of the Community of Faith Food Pantry have been realized through generous financial gifts from individual donors and the loving support of its members and partners, including the Capital Area Food Bank and various local grocery store chains, restaurants, churches, and service organizations; and

WHEREAS, by working to address food insecurity in the community and to ensure that no individual or family goes without, the Community of Faith Food Pantry has made a profound impact on countless lives; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Community of Faith Food Pantry hereby be commended for its legacy of service on the occasion of its 25th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Community of Faith Food Pantry as an expression of the Senate of Virginia's admiration for the organization's contributions to the Commonwealth.

SENATE RESOLUTION NO. 289

Commending Teresa Clawson-Keeton.

Agreed to by the Senate, February 20, 2025

WHEREAS, Teresa Clawson-Keeton, an employment and transition representative at Chantilly High School in Fairfax County, has greatly served students with disabilities and their families for several years; and

WHEREAS, Teresa Clawson-Keeton attended Lesley University and previously worked for the Cooperative Employment Program with the Fairfax County office of the Department of Aging and Rehabilitative Services; and

WHEREAS, Teresa Clawson-Keeton began serving as an employment and transition representative at Oakton High School in Fairfax County and has since transferred to Chantilly High School, where she works tirelessly to guide students with disabilities as they navigate the gap between school and post-school activities; and

WHEREAS, in her role as an employment and transition representative, Teresa Clawson-Keeton has created work-based learning experiences in the community, facilitated mock interview days, taught lessons on self-advocacy, and organized employer appreciation events; and

WHEREAS, Teresa Clawson-Keeton fosters strong partnerships with employers in the region to create opportunities for her students to develop workforce readiness and other valuable professional and life skills; and

WHEREAS, in recognition of her outstanding performance, leadership, and community service, Teresa Clawson-Keeton was presented a Fairfax County Public Schools Shining Star Award in 2019; and

WHEREAS, Teresa Clawson-Keeton is an exemplary special educator whose work represents the best in transition practices, and she has made a profound and lasting impact on countless lives; now, therefore, be it

RESOLVED by the Senate of Virginia, That Teresa Clawson-Keeton hereby be commended for her legacy of service in helping students with disabilities prepare for rewarding and meaningful lives after school; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Teresa Clawson-Keeton as an expression of the Senate of Virginia's admiration for her contributions to Fairfax County and the Commonwealth.

SENATE RESOLUTION NO. 290

Nominating persons to be elected to circuit court judgeships.

Agreed to by the Senate, February 19, 2025

RESOLVED by the Senate of Virginia, That the following persons are hereby nominated to be elected to the respective circuit court judgeships as follows:

The Honorable Linda L. Bryant, of Chesapeake, as a judge of the First Judicial Circuit for a term of eight years commencing May 1, 2025.

Lavonda N. Graham-Williams, Esquire, of Portsmouth, as a judge of the Third Judicial Circuit for a term of eight years commencing January 1, 2026.

Michael J. Massie, Esquire, of Portsmouth, as a judge of the Third Judicial Circuit for a term of eight years commencing January 1, 2026.

The Honorable Devon R. Paige, of Norfolk, as a judge of the Fourth Judicial Circuit for a term of eight years commencing April 16, 2025.

Jennifer L. Fuschetti, Esquire, of Norfolk, as a judge of the Fourth Judicial Circuit for a term of eight years commencing May 1, 2025.

The Honorable Rebecca M. Robinson, of Newport News, as a judge of the Seventh Judicial Circuit for a term of eight years commencing August 1, 2025.

The Honorable Corry N. Smith, of Hampton, as a judge of the Eighth Judicial Circuit for a term of eight years commencing May 1, 2025.

The Honorable Ray P. Lupold, III, of Petersburg, as a judge of the Eleventh Judicial Circuit for a term of eight years commencing May 1, 2025.

The Honorable Linda Lambert Anderson, of Henrico, as a judge of the Fourteenth Judicial Circuit for a term of eight years commencing April 1, 2025.

Heidi E. Meinzer, Esquire, of Alexandria, as a judge of the Eighteenth Judicial Circuit for a term of eight years commencing July 1, 2025.

Michelle M. Kaminsky, Esquire, of Fairfax, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing April 1, 2025.

Timothy J. McEvoy, Esquire, of Fairfax, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing March 1, 2025.

The Honorable Dipti Pidikiti-Smith, of Fairfax, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing July 1, 2025.

The Honorable Jeffrey L. Campbell, of Smyth, as a judge of the Twenty-eighth Judicial Circuit for a term of eight years commencing March 1, 2025.

The Honorable Lisa M. Baird, of Manassas, as a judge of the Thirty-first Judicial Circuit for a term of eight years commencing July 1, 2025.

The Honorable William E. Jarvis, of Prince William, as a judge of the Thirty-first Judicial Circuit for a term of eight years commencing December 1, 2025.

SENATE RESOLUTION NO. 291

Nominating persons to be elected to general district court judgeships.

Agreed to by the Senate, February 19, 2025

RESOLVED by the Senate of Virginia, That the following persons are hereby nominated to be elected to the respective general district court judgeships as follows:

Derek A. Wagner, Esquire, of Chesapeake, as a judge of the First Judicial District for a term of six years commencing May 1, 2025.

James Matthew Haynes, Jr., Esquire, of Northampton, as a judge of the Judicial District 2-A for a term of six years commencing April 1, 2025.

Vaughn T. Breedlove, Esquire, of Suffolk, as a judge of the Fifth Judicial District for a term of six years commencing April 1, 2025.

William S. Newsome, Esquire, of Emporia, as a judge of the Sixth Judicial District for a term of six years commencing April 1, 2025.

Shukita L. Massey, Esquire, of Newport News, as a judge of the Eighth Judicial District for a term of six years commencing June 1, 2025.

James Anderson Mullins, Esquire, of York, as a judge of the Ninth Judicial District for a term of six years commencing July 1, 2025.

Brian H. Jones, Esquire, of Powhatan, as a judge of the Eleventh Judicial District for a term of six years commencing July 1, 2025.

Jennifer E. S. Rosen, Esquire, of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing July 1, 2025.

Adam M. Krischer, Esquire, of Arlington, as a judge of the Seventeenth Judicial District for a term of six years commencing July 1, 2025.

Raymond J. Obregon, Esquire, of Fairfax County, as a judge of the Nineteenth Judicial District for a term of six years commencing April 1, 2025.

Suzan E. Moore, Esquire, of Washington, as a judge of the Twenty-eighth Judicial District for a term of six years commencing April 16, 2025.

Fernando Villarroel, Esquire, of Fairfax, as a judge of the Thirty-first Judicial District for a term of six years commencing July 1, 2025.

SENATE RESOLUTION NO. 292

Nominating persons to be elected to juvenile and domestic relations district court judgeships.

Agreed to by the Senate, February 19, 2025

RESOLVED by the Senate of Virginia, That the following persons are hereby nominated to be elected to the respective juvenile and domestic relations district court judgeships as follows:

Regis N. Rice, Esquire, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing July 1, 2025.

Kimberly H. Phillips, Esquire, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing May 1, 2025.

Michael W. Smith, Esquire, of Newport News, as a judge of the Seventh Judicial District for a term of six years commencing August 1, 2025.

Nael A. Abouzaki, Esquire, of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing April 16, 2025.

Stephen A. Mutnick, Esquire, of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing March 16, 2025.

Sean A. O. Sherlock, Esquire, of Alexandria, as a judge of the Eighteenth Judicial District for a term of six years commencing March 16, 2025.

Christina L. Slate, Esquire, of Henry, as a judge of the Twenty-first Judicial District for a term of six years commencing May 1, 2025.

Claudette S. Robertson, Esquire, of Danville, as a judge of the Twenty-second Judicial District for a term of six years commencing June 1, 2025.

Bryan M. Cave, Esquire, of Page, as a judge of the Twenty-sixth Judicial District for a term of six years commencing June 1, 2025.

William Ethan Stewart, Esquire, of Wise, as a judge of the Thirtieth Judicial District for a term of six years commencing March 16, 2025.

Susan M. Butler, Esquire, of Prince William, as a judge of the Thirty-first Judicial District for a term of six years commencing July 1, 2025.

SENATE RESOLUTION NO. 293

Nominating a person to be elected as a member of the Judicial Inquiry and Review Commission.

Agreed to by the Senate, February 19, 2025

RESOLVED by the Senate of Virginia, That the following person is hereby nominated to be elected as a member of the Judicial Inquiry and Review Commission as follows:

The Honorable Brenda C. Spry, of Portsmouth, as a member of the Judicial Inquiry and Review Commission for an unexpired term commencing January 1, 2026 and ending June 30, 2029.

SENATE RESOLUTION NO. 294

Commending Marshall L. DeHaven.

Agreed to by the Senate, February 22, 2025

WHEREAS, Marshall L. DeHaven, a patriotic veteran and a respected resident of Winchester, has devoted his life to the service of others; and

WHEREAS, Marshall DeHaven grew up in Winchester and earned the nickname "Peachie" for the time he spent enjoying the shade under a peach tree near his family's home; and

WHEREAS, Peachie DeHaven began his career working at a local wholesale grocery store, Valley Fruit & Candy from 1949 until 1952, when he joined the military and served the nation during the Korean War; and

WHEREAS, after his honorable military service from 1952 to 1954, Peachie DeHaven worked for his brother's plant nursery, then joined Schenck Foods Company, a local institution that has provided wholesale and retail groceries to customers in the region for nearly 100 years; and

WHEREAS, Peachie DeHaven was hired by Schenck Foods on May 3, 1957, and retired on the same day in 2012; and

WHEREAS, over the course of his 55 years of service, Peachie DeHaven helped Schenck Foods uphold its reputation for excellence and rose through the ranks to become general manager and vice president of the board; and

WHEREAS, Peachie DeHaven has long been active in civic affairs in Winchester, working diligently to enhance the quality of life for all local residents and going above and beyond to support fellow veterans, including through his participation in the Winchester Patriots Pride Day event and as the sergeant of arms in the Korean War Veterans Association Shenandoah Valley Chapter 313; now, therefore, be it

RESOLVED by the Senate of Virginia, That Marshall L. DeHaven hereby be commended for his lifetime of personal and professional achievements; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Marshall L. DeHaven as an expression of the Senate of Virginia's admiration for his legacy of service to the Winchester community and the nation.

SENATE RESOLUTION NO. 295

Commending Leland C. Teets.

Agreed to by the Senate, February 22, 2025

WHEREAS, Leland C. Teets of Frederick County, a highly admired veteran of World War II and a retired federal government employee, celebrated his 100th birthday on June 25, 2024; and

WHEREAS, at the outset of World War II, Leland Teets joined many of the other young men of his generation and enlisted for military service; he initially trained as a field artillerist, but was transferred to an infantry unit prior to deployment; and

WHEREAS, on June 6, 1944, Leland Teets participated in the Utah Beach landings during the D-Day invasion of Normandy, France; a few days later, he was wounded by an enemy sniper while patrolling the hedgerows of the northern French countryside and sent to England for treatment; and

WHEREAS, with injuries to both legs, Leland Teets spent 153 days in hospital care, followed by several weeks in a rehabilitation facility, then returned to his unit in December 1944; and

WHEREAS, Leland Teets participated in the Battle of the Bulge in the Ardennes Forest, where Allied troops bravely halted the last major German offensive on the Western Front, and resumed the march to Berlin; and

WHEREAS, after his honorable military service, Leland Teets returned to the United States and pursued a 35-year career as a security officer at the Mount Weather Emergency Operations Center in Clarke County; and

WHEREAS, after his wife passed away in 2008, Leland Teets retired and moved to the English Meadows Senior Living Stephens City Campus, where he remains an active and engaged member of the community; now, therefore, be it

RESOLVED by the Senate of Virginia, That Leland C. Teets hereby be commended for his personal and professional achievements on the occasion of his 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Leland C. Teets as an expression of the Senate of Virginia's admiration for his lifetime of contributions to the Commonwealth and the nation.

SENATE RESOLUTION NO. 296

Commending James Douglas Butler, Sr.

Agreed to by the Senate, February 22, 2025

WHEREAS, James Douglas Butler, Sr., a member of the Greatest Generation who served the nation during World War II and a highly admired public servant and community leader in Winchester, celebrated his 100th birthday in 2024; and

WHEREAS, Douglas "Doug" Butler was born on December 19, 1924, and grew up in Frederick County, where he attended public schools until the ninth grade, when he transferred to Handley High School in Winchester; and

WHEREAS, while at Handley High School, Doug Butler was a proud member and "watch dog" of the FFA Degree Team, now known as the Parliamentary Procedure Team, which placed first in the state competition in 1941; and

WHEREAS, Doug Butler joined many of the other young men of his generation in service to the nation during World War II when he was drafted into the United States Army after high school graduation; he was initially assigned to an infantry unit, but volunteered for the United States Army Air Corps and subsequently joined the crew of a Consolidated B-24 Liberator heavy bomber; and

WHEREAS, Doug Butler deployed to Italy in September 1944 and served as the nose gunner on 35 missions to bomb German-controlled factories and fuel depots across southern Europe; and

WHEREAS, despite facing a hail of anti-aircraft fire on nearly every mission, Doug Butler and his crew finished the war with no casualties; they learned the war in Europe had come to an end while airborne over the Adriatic Sea on May 8, 1945; and

WHEREAS, upon returning to the Commonwealth, one of Doug Butler's uncles helped him find a job as a general manager of Green Chemical Company in Winchester, where he worked for many years; he was also employed by Lamar Sloan Ford of Winchester prior to his well-earned retirement; and

WHEREAS, desirous to be of further service to the community, Doug Butler ran for and was elected to the Winchester City Council from 1960 to 1964; and

WHEREAS, Doug Butler joined the Kiwanis Club of Winchester in 1949 and maintained a perfect attendance record at the organization's weekly meetings for more than 75 years; he has been a passionate champion for the organization's mission to support children and enhance communities in need, founding multiple new chapters in the region and attending Kiwanis Club meetings as far away as Hawaii; and

WHEREAS, well known as a living legend in Winchester, Doug Butler has relished every opportunity to impart his wise life lessons and commitment to servant leadership to everyone he meets; now, therefore, be it

RESOLVED by the Senate of Virginia, That James Douglas Butler, Sr., an esteemed member of the Winchester community, hereby be commended on the occasion of his 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to James Douglas Butler, Sr., as an expression of the Senate of Virginia's admiration for his lifetime of achievements in service to the Commonwealth and the United States.

SENATE RESOLUTION NO. 297

Commending Daisy Moore.

Agreed to by the Senate, February 22, 2025

WHEREAS, Daisy Moore, a highly admired member of the Roanoke community, celebrated her 100th birthday on November 18, 2024; and

WHEREAS, born in 1924, Daisy Moore learned the value of hard work and responsibility while growing up on her family's farm in Carroll County; and

WHEREAS, Daisy Moore attended the former Lewis-Gale Hospital School of Nursing and pursued a career as a surgical nurse; and

WHEREAS, Daisy Moore settled in Roanoke, where her husband's family owned the Stone Printing and Manufacturing Company, which played an important role in the growth and development of the city; and

WHEREAS, Daisy Moore has long been active in civic affairs in Roanoke, providing her wise leadership to the Junior League of Roanoke Valley and the boards of numerous organizations; she also inspired young people as a Sunday school teacher at Second Presbyterian Church; and

WHEREAS, Daisy Moore has spread joy through her unwavering kindness and boundless generosity, and she is a humble servant leader who always celebrates the achievements of others; now, therefore, be it

RESOLVED by the Senate of Virginia, That Daisy Moore hereby be commended on the occasion of her 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Daisy Moore as an expression of the Senate of Virginia's admiration for her contributions to the Roanoke community and the Commonwealth.

SENATE RESOLUTION NO. 298

Commending Felix Maurizio.

Agreed to by the Senate, February 21, 2025

WHEREAS, Felix Maurizio, a patriotic member of the Greatest Generation who served the nation during World War II and a highly admired member of the community in Norfolk, celebrated his 100th birthday in 2025; and

WHEREAS, Felix "Mo" Maurizio was born on February 21, 1925, and grew up in Springfield, Massachusetts; he proudly enlisted in the United States Navy in August 1943 and gained his lifelong nickname shortly thereafter, when an officer struggled to pronounce his last name; and

WHEREAS, Mo Maurizio was assigned to amphibious warfare training at what was then known as Amphibious Naval Base, Little Creek, in Virginia Beach; he deployed to Europe and landed some of the first troops on the beaches of Normandy, France, during the D-Day invasion of June 6, 1944; and

WHEREAS, Mo Maurizio was reassigned to the Pacific Theater of World War II and landed United States Marines on Iwo Jima on February 19, 1945, and on Okinawa the following April; and

WHEREAS, after the end of the war, Mo Maurizio was among the crew of the first ship to carry occupation troops to Japan, the USS *Talladega*, and was helping unload troops and equipment at the Port of Yokohama while the terms of Japanese surrender were signed on the nearby USS *Missouri*; and

WHEREAS, returning to the United States, Mo Maurizio served on recruiting duty in Massachusetts, then taught long-range navigation to officers and enlisted personnel in Norfolk; he retired from the United States Navy on June 6, 1966, 22 years to the day after the Normandy landings; and

WHEREAS, Mo Maurizio pursued a long career with the United States Postal Service, and June 6 continued to be one of the most important days of his life, with his retirement from the agency falling on June 6, 2005; and

WHEREAS, outside of his career, Mo Maurizio is a lifelong fan of the New York Yankees and Norfolk Tides baseball teams, the Washington Commanders football team, and any sports team on which his beloved children and grandchildren played; his favorite time of the year is strawberry season, and he relishes every opportunity to teach loved ones how to pick and preserve the best berries; and

WHEREAS, on June 6, 2024, Mo Maurizio returned to Normandy, France, to commemorate the 80th anniversary of D-Day and was honored for his contributions to the defense of the free world; now, therefore, be it

RESOLVED by the Senate of Virginia, That Felix Maurizio hereby be commended for his service to the Commonwealth and the nation on the occasion of his 100th birthday; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Felix Maurizio as an expression of the Senate of Virginia's admiration for his lifetime of achievements.

SENATE RESOLUTION NO. 299

Commending the Washington Commanders.

Agreed to by the Senate, February 20, 2025

WHEREAS, during the 2024 season of the National Football League, the Washington Commanders reached the National Football Conference Championship Game; and

WHEREAS, on December 29, 2024, the Washington Commanders clinched their first playoff berth since 2020 with an exciting 30-24 overtime victory against the Atlanta Falcons; and

WHEREAS, the Washington Commanders subsequently defeated the Dallas Cowboys to finish the regular season with a 12-5 record, their highest win total since 1991 and the largest improvement by wins over two seasons in team history; and

WHEREAS, entering the postseason as the sixth seed, the Washington Commanders defeated the third-seeded Tampa Bay Buccaneers by a score of 23-20 in the National Football Conference (NFC) Wild Card Playoffs and upset the first-seeded Detroit Lions in the NFC Divisional Playoffs by a score of 45-31; and

WHEREAS, the Washington Commanders then appeared in the NFC Championship Game on January 26, 2025, the team's first appearance in that game since 1991; and

WHEREAS, 2024 marked the 93rd season in the National Football League (NFL) for the Washington Commanders; it was the team's first season under the leadership of general manager Adam Peters and head coach Dan Quinn, as well as the new ownership team led by Josh Harris; and

WHEREAS, the Washington Commanders assembled an impressive roster of veteran and new players, including the second overall pick in the 2024 NFL Draft, quarterback Jayden Daniels, who set the NFL record for most rushing yards in a season by a rookie quarterback and was selected as NFL Offensive Rookie of the Year; and

WHEREAS, wide receiver Terry McLaurin, who set the franchise record for touchdown catches in a season with 13, linebackers Frankie Luvu and Bobby Wagner, and kick returner Austin Ekeler were all named as NFL All-Pro Second-Team selections; and

WHEREAS, the Washington Commanders' offense ranked among the franchise's best, tying for the second-most total points in a season with 485; and

WHEREAS, the Washington Commanders proudly call Virginia home, with the organization's corporate headquarters and its practice facility located in Ashburn; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Washington Commanders hereby be commended on an outstanding 2024 season; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to representatives of the Washington Commanders as an expression of the Senate of Virginia's admiration for the team's athletic achievements and best wishes for the 2025 season.

SENATE RESOLUTION NO. 300

Commending Michael Carter.

Agreed to by the Senate, February 22, 2025

WHEREAS, Michael Carter, an educator at Gar-Field High School in Woodbridge, was named the Plumbing Instructor of the Year by the Plumbing-Heating-Cooling Contractors-National Association in 2024; and

WHEREAS, Michael Carter joined his father's plumbing business while still a teenager and excelled in the trade for several years before a back injury and multiple surgeries led him to consider a different career path; and

WHEREAS, seven years ago, Michael Carter embarked upon a career as an educator when he joined the faculty at Gar-Field High School, and he quickly learned he had a gift for connecting with and educating young people; and

WHEREAS, Michael Carter has built strong and supportive relationships with his students by emphasizing trust and mutual respect, and he imposes high expectations on his class to encourage his students to achieve their full potential; and

WHEREAS, Michael Carter shares practical, hands-on knowledge and expertise with his students with the intention of preparing them to succeed not only in class, but in their professional lives after school; and

WHEREAS, Michael Carter is notably the first high school teacher to win the Instructor of the Year award in the Plumbing-Heating-Cooling Contractors-National Association's 100-year history; and

WHEREAS, with a deep commitment to the well-being of his students, Michael Carter has exemplified the ideals of the education profession and is deserving of the esteem and admiration of all Virginians; now, therefore, be it

RESOLVED by the Senate of Virginia, That Michael Carter hereby be commended for being named the 2024 Plumbing Instructor of the Year by the Plumbing-Heating-Cooling Contractors-National Association; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Michael Carter as an expression of the Senate of Virginia's high regard for his contributions to the education of young people in the Commonwealth.

SENATE RESOLUTION NO. 301

Commending Tarrick McGuire.

Agreed to by the Senate, February 22, 2025

WHEREAS, Tarrick McGuire, an experienced law-enforcement officer who has earned national accolades for his commitment to community-oriented policing and innovative crime reduction strategies, was appointed as chief of the Alexandria Police Department in November 2024; and

WHEREAS, Tarrick McGuire is a graduate of Oklahoma State University, Criswell College, and California Baptist University; he previously served as a member of the Arlington Police Department in Arlington, Texas, where he gained 11 years of command-level experience and rose to the rank of deputy chief; and

WHEREAS, during his tenure with the Arlington Police Department, Tarrick McGuire held numerous leadership roles related to uniformed patrol, investigations, and community relations, and he worked with community members, state officials, and federal law-enforcement agencies to implement policies and programs that resulted in annual declines in violent crime; and

WHEREAS, Tarrick McGuire helped establish Mentoring Arlington Youth, a multidisciplinary program that reduced crime among youths and was recognized by the U.S. Department of Justice Office of Community Oriented Policing Services, and the Safe Roads Initiative, which reduced vehicle crashes and fatalities on local roads; and

WHEREAS, among many honors and accolades, Tarrick McGuire has been inducted into the Evidence-Based Policing Hall of Fame and was appointed as a fellow of the International Association of Chiefs of Police for the National 21st Century Policing Reform Initiative; and

WHEREAS, Tarrick McGuire will use his law-enforcement expertise and visionary leadership skills to build meaningful connections with the residents of Alexandria and ensure that the officers and staff of the Alexandria Police Department have the tools and training they need to build a safer, stronger community; now, therefore, be it

RESOLVED by the Senate of Virginia, That Tarrick McGuire hereby be commended on the occasion of his appointment as chief of the Alexandria Police Department; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Tarrick McGuire as an expression of the Senate of Virginia's admiration for his achievements as a law-enforcement officer and best wishes in his new role serving the Alexandria community.

SENATE RESOLUTION NO. 302

Celebrating the life of Sergeant David Jay Benfield, Jr., USA.

Agreed to by the Senate, February 22, 2025

WHEREAS, Sergeant David Jay Benfield, Jr., USA, a beloved son, brother, and friend and active duty veteran of the United States Army, died on January 1, 2025; and

WHEREAS, David Benfield grew up in Sandston, where he was devoted to God and his family, attended New Life Baptist Church, and shared a special bond with his sister, Madison; and

WHEREAS, David Benfield was bright and cheerful, with a particular fondness for the humor found in practical jokes; and

WHEREAS, David Benfield decided at the age of three that he wanted to serve in the United States Army and went on to fulfill this commitment; and

WHEREAS, David Benfield was a proud American patriot who joined the United States Army 10 days after graduating from high school; and

WHEREAS, David Benfield completed basic training at Fort Jackson in South Carolina and advanced individual training at Fort Gregg-Adams, formerly Fort Lee, in Virginia; and

WHEREAS, David Benfield served his country with honor and distinction for three years at Fort Drum in New York; and

WHEREAS, upon reenlistment, David Benfield was stationed in Italy, achieving the rank of sergeant on December 16, 2024; and

WHEREAS, David Benfield will be fondly remembered and dearly missed by his parents, David, Sr., and Megan; his sister, Madison; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Sergeant David Jay Benfield, Jr., USA, an honorable veteran whose dedication and legacy of service inspired all who knew him; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Sergeant David Jay Benfield, Jr., USA, as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 303

Celebrating the life of Gary Stephen Michel.

Agreed to by the Senate, February 22, 2025

WHEREAS, Gary Stephen Michel, a beloved husband, father, and grandfather and treasured member of the Chantilly community, died on January 30, 2025; and

WHEREAS, born in Queens, New York, Gary Michel was defined by his loving devotion to his family, his enthusiasm for all New York sports teams, and his good sense of humor; and

WHEREAS, Gary Michel was cherished by all who knew him for his willingness to support and uplift others in need and for his dedication to making the world a better place; and

WHEREAS, Gary Michel will be fondly remembered and dearly missed by his loving wife, Mariann; his children, Mariann, Michele, Stephanie, Stella, and Malissa, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Gary Stephen Michel, a revered member of the Chantilly community whose light brightened countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Gary Stephen Michel as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 304

Commending Sydney Sawyer.

Agreed to by the Senate, February 22, 2025

WHEREAS, Sydney Sawyer has greatly served the Town of Clifton by organizing the Clifton Haunted Trail for the past 12 years; and

WHEREAS, the Clifton Haunted Trail organized by Sydney Sawyer is the most successful fundraiser in the Town of Clifton and supports the town's operational budget as one of its main sources of revenue; and

WHEREAS, Sydney Sawyer has guided the development of the Clifton Haunted Trail over the years, which is renowned for its spooky features, such as the haunted bridge and Bunny Man display; and

WHEREAS, Sydney Sawyer's extraordinary efforts have fostered the success of the Town of Clifton and have helped to make the locality a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That Sydney Sawyer hereby be commended for organizing the beloved Clifton Haunted Trail; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Sydney Sawyer as an expression of the Senate of Virginia's admiration for her contributions to the Town of Clifton.

SENATE RESOLUTION NO. 305

Commending Brant Baber and Kathy Kalinowski.

Agreed to by the Senate, February 22, 2025

WHEREAS, Brant Baber and Kathy Kalinowski have greatly served the community of the Town of Clifton over their 40 years as residents of the locality; and

WHEREAS, Brant Baber formerly served as a member of the Clifton Town Council and is currently the chair of the Town of Clifton's Legal Committee; and

WHEREAS, Kathy Kalinowski serves as chair of the Town of Clifton's Planning Commission and organizes the Clifton Day event for the benefit of the Clifton Betterment Association, a local civic association committed to both bringing the Clifton community together and preserving the town's beauty and charm; and

WHEREAS, through their leadership and dedication, Brant Baber and Kathy Kalinowski have helped to make Clifton a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That Brant Baber and Kathy Kalinowski hereby be commended for their legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Brant Baber and Kathy Kalinowski as an expression of the Senate of Virginia's admiration for their contributions to the Town of Clifton.

SENATE RESOLUTION NO. 306

Commending Lynn Screen.

Agreed to by the Senate, February 22, 2025

WHEREAS, Lynn Screen, an accomplished university executive and esteemed public servant, has admirably served the Town of Clifton for several years; and

WHEREAS, Lynn Screen graduated with a bachelor's degree from the United States Air Force Academy, received a master's degree in international education from the George Washington University, and gained an executive master's degree in leadership from the McDonough School of Business at Georgetown University; and

WHEREAS, Lynn Screen is currently the university director of learning and development at Georgetown University, supporting the growth and success of the university's administrative employees through a variety of continuous learning opportunities; and

WHEREAS, Lynn Screen has served as a member of the Clifton Town Council since 2020, working tirelessly to promote the safety, prosperity, and well-being of the locality for the benefit of its residents and businesses; and

WHEREAS, as a member of the Clifton Town Council, Lynn Screen was pivotal to the hiring of a new town clerk and a new town administrator, ensuring the town's effective management for years to come; and

WHEREAS, Lynn Screen's unwavering dedication to the Town of Clifton has helped to make the locality a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That Lynn Screen hereby be commended for her legacy of service to the Town of Clifton; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Lynn Screen as an expression of the Senate of Virginia's admiration for her contributions to the Town of Clifton and the Commonwealth.

SENATE RESOLUTION NO. 307

Commending Geri and Susan Yantis.

Agreed to by the Senate, February 22, 2025

WHEREAS, Geri and Susan Yantis have greatly served the Clifton community by spearheading the Town of Clifton's Streetscape Project; and

WHEREAS, 13 years ago, Geri and Susan Yantis were instrumental in initiating the Town of Clifton's Streetscape Project, an initiative to improve pedestrian circulation and visibility in the town's historic central business district; and

WHEREAS, the Streetscape Project envisioned by Geri and Susan Yantis, which breaks ground in spring 2025, will create accessible sidewalks, assist with calming traffic and speeds, and improve the aesthetics of the town by removing utility poles and adding trees; and

WHEREAS, over the past 13 years, Geri and Susan Yantis have overcome many challenges and hurdles to realize the Streetscape Project, which will greatly enhance the quality of life in Clifton; and

WHEREAS, in addition to the Streetscape Project, Susan Yantis also serves the locality as the chair of the Town of Clifton's Special Projects Committee; now, therefore, be it

RESOLVED by the Senate of Virginia, That Geri and Susan Yantis hereby be commended for their legacy of service in support of the Town of Clifton's Streetscape Project; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Geri and Susan Yantis as an expression of the Senate of Virginia's admiration for their contributions to the Town of Clifton.

SENATE RESOLUTION NO. 308

Commending the Town of Glade Spring.

Agreed to by the Senate, February 22, 2025

WHEREAS, the Town of Glade Spring, an inviting community in Washington County with a long and rich history, celebrates the 150th anniversary of its founding in 2025; and

WHEREAS, the site of what is now Glade Spring was known to local Native American tribes as Passawatami, meaning "this is the place" and was previously the site of annual athletic competitions and social gatherings; and

WHEREAS, Glade Spring, also known as Glade Spring Depot, began to develop after the arrival of the Norfolk Southern Railway in the mid-1800s, then grew rapidly in the decade after the end of the Civil War; and

WHEREAS, the addition of a direct railway line to Saltville turned Glade Spring into a boom town, which was well known at the time as a hub for transportation, agriculture, and industry in eastern Washington County; and

WHEREAS, officially incorporated in 1875, the Town of Glade Spring was established on 780.8 acres in Washington County and continued to thrive as a crucial railroad shipping yard for produce, livestock, and other local goods; and

WHEREAS, the former Virginia Intermont College, originally known as the Southwest Virginia Institute, was first established in Glade Spring in 1884, and the town is home to several other historic sites; and

WHEREAS, now located just off Interstate 81, Glade Spring has enjoyed steady growth with the development of new homes and subdivisions, modern amenities, and attractions like the Salt Trail on the former site of the Saltville Branch rail line, which have made the community "the place" to live, work, and raise a family, all while maintaining its rural charm; and

WHEREAS, Glade Spring will proudly commemorate its 150th anniversary with a series of year-long events, including charter day festivities, a Fourth of July extravaganza, concerts in the park, athletic competitions, parades, and programs benefiting each and every member of the community; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Town of Glade Spring hereby be commended on the occasion of its 150th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Town of Glade Spring as an expression of the Senate of Virginia's admiration for the town's legacy of contributions to the Commonwealth.

SENATE RESOLUTION NO. 309

Commending Saint Anne Catholic School.

Agreed to by the Senate, February 22, 2025

WHEREAS, Saint Anne Catholic School, a distinguished institution of learning in Bristol, celebrated its 75th anniversary in 2024; and

WHEREAS, Saint Anne Catholic School was founded in 1949 by Monsignor James J. Hickie, then pastor of Saint Anne Catholic Church in Bristol, who envisioned a school that would wed scholarly rigor with faith-based character development to nurture the academic, social, emotional, and spiritual well-being of its students; and

WHEREAS, Saint Anne Catholic School provides a comprehensive curriculum for students from preschool through eighth grade and accepts individuals of all faiths from both Bristol and the surrounding area so that all may benefit from its exceptional educational program; and

WHEREAS, the oldest private school in Bristol and the city's only Catholic school, Saint Anne Catholic School notably has several students today who are the third generation in their families to attend the school; and

WHEREAS, the accomplishments of Saint Anne Catholic School are the result of the care and devotion of the school's educators, administrators, staff, and volunteers, who have worked tirelessly to ensure the academic and spiritual development of their students; and

WHEREAS, Saint Anne Catholic School has flourished over the years from the financial, religious, and community support of Saint Anne Catholic Church, a partnership that has strengthened both the school and the church; and

WHEREAS, with the education they received at Saint Anne Catholic School, countless young people have grown into thoughtful, compassionate, and engaged members of their communities who strive every day to make a difference in the lives of others both in Bristol and beyond; now, therefore, be it

RESOLVED by the Senate of Virginia, That Saint Anne Catholic School hereby be commended on the occasion of its 75th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Saint Anne Catholic School as an expression of the Senate of Virginia's admiration for the school's legacy of educational excellence and best wishes for its continued success.

SENATE RESOLUTION NO. 310

Celebrating the life of Shannon Clay Scott.

Agreed to by the Senate, February 22, 2025

WHEREAS, Shannon Clay Scott, a highly admired business owner and public servant in Wise County and a beloved husband, father, and grandfather, died on December 28, 2024; and

WHEREAS, a proud, lifelong resident of Wise County, Shannon Scott graduated from the former J.J. Kelly High School and what is now the University of Virginia's College at Wise; and

WHEREAS, Shannon Scott worked at the civil engineering firm Thompson & Litton for 14 years, then joined the construction firm Barnette Contractors, and subsequently served the residents of Wise County as assistant county administrator and county administrator over the course of three decades; and

WHEREAS, as county administrator, Shannon Scott ensured efficient and effective operations of county government and worked with the LENOWISCO Planning District Commission and the Wise County Office of Economic and Industrial Development to promote responsible growth; and

WHEREAS, a man of many talents, Shannon Scott and his wife, Shari, also served delicious meals to community members as the owners of Shannon's Restaurant for 17 years; and

WHEREAS, Shannon Scott provided his leadership and expertise to the Wise County Chamber of Commerce, the Wise Kiwanis Club, and the Wise Lions Club; and

WHEREAS, Shannon Scott enjoyed fellowship and worship with the Wise County community as a member of the Wise First Church of God for more than 35 years; and

WHEREAS, Shannon Scott will be fondly remembered and greatly missed by his wife of more than 55 years, Shari; his daughters, Melanie and Marcie; his grandson, Corey; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Shannon Clay Scott, a pillar of the Wise County community; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Shannon Clay Scott as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 311

Commending Henderson Motorsports.

Agreed to by the Senate, February 22, 2025

WHEREAS, Henderson Motorsports, a professional stock car racing team based in Abingdon that currently competes in the National Association for Stock Car Auto Racing Craftsman Truck Series, celebrates its 50th anniversary in 2025; and

WHEREAS, Henderson Motorsports was founded by Charlie Henderson in 1975 and is one of the oldest actively competing teams in the National Association for Stock Car Auto Racing (NASCAR); and

WHEREAS, since its inception, Henderson Motorsports has raced cars numbered 26, 5, 15, 66, and 75; and has recorded wins in both the NASCAR Xfinity Series and the NASCAR Craftsman Truck Series; and

WHEREAS, Henderson Motorsports has been represented by an impressive roster of world-class drivers over the years, including Brad Teague, Rick Wilson, Ernie Irvan, Doug Heveron, Ronnie Hopkins, Morgan Shepherd, Scott Lagasse, Glenn Jarrett, Jim Bown, Johnny Rumley, and Scott Hansen; and

WHEREAS, Henderson Motorsports has been defined by a spirit of teamwork and professionalism throughout its many years as a NASCAR competitor; and

WHEREAS, through its hard work and an unwavering commitment to excellence, Henderson Motorsports has made a significant and lasting impact on NASCAR and brought great pride to the Commonwealth; now, therefore, be it

RESOLVED by the Senate of Virginia, That Henderson Motorsports hereby be commended on the occasion of its 50th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Henderson Motorsports as an expression of the Senate of Virginia's admiration for its legacy of achievements in stock car racing and best wishes for its continued success.

SENATE RESOLUTION NO. 312

Commending the 4-H clubs and Future Farmers of America chapters in Washington County.

Agreed to by the Senate, February 22, 2025

WHEREAS, the 4-H clubs and Future Farmers of America chapters in Washington County have provided exceptional educational opportunities to young people while championing the agricultural and farming industries of Washington County and the Commonwealth; and

WHEREAS, there are currently 128 4-H clubs in Washington County that serve a membership of more than 6,000 young people and more than 550 volunteers; over the years, many 4-H members in Washington County have served in leadership positions on the Virginia 4-H cabinet, while several others have earned Virginia 4-H recognitions, including induction into the Virginia 4-H All Stars, the organization's highest honor; and

WHEREAS, the Future Farmers of America (FFA) chapters in Washington County are at Abingdon High School, Holston High School, John S. Battle High School, and Patrick Henry High School; several members of these chapters have won state contests or earned FFA degrees, demonstrating a deep commitment to the organization's mission to promote and support agricultural education; and

WHEREAS, the 4-H clubs and FFA chapters of Washington County have regularly visited the General Assembly to advocate on behalf of the agricultural industry and farmers of the Commonwealth; and

WHEREAS, through advocacy, local partnerships and programs, and other activities, the 4-H clubs and FFA chapters in Washington County have made a profound and lasting impact on agriculture in Washington County and the Commonwealth; now, therefore, be it

RESOLVED by the Senate of Virginia, That the 4-H clubs and Future Farmers of America chapters in Washington County hereby be commended for their legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the 4-H clubs and Future Farmers of America chapters in Washington County as an expression of the Senate of Virginia's admiration for their contributions to Washington County and the Commonwealth.

SENATE RESOLUTION NO. 313

Celebrating the life of Jackson Stuart White, Jr.

Agreed to by the Senate, February 22, 2025

WHEREAS, Jackson Stuart White, Jr., a beloved husband, father, grandfather, great-grandfather, and longtime member of the Abingdon community, died on September 10, 2023; and

WHEREAS, a native of Richmond, Jackson "Jack" White graduated from Thomas Jefferson High School before enrolling at the College of William & Mary, where he met his future bride, Sylvia Beck; and

WHEREAS, Jack White graduated from the College of William & Mary with an A.B. degree in government and a commission as a second lieutenant in the United States Army Reserve; he began active duty as a United States Army artillery officer after a brief period as a writer for the *Coalfield Progress* in Norton; and

WHEREAS, upon his discharge from the United States Army, Jack White resumed his career in journalism, marrying Sylvia Beck while working in Bluefield, West Virginia, for the Associated Press, where he covered stories throughout Southwest Virginia and southern West Virginia; the couple moved to Bristol after he accepted an offer to become the 11 o'clock news anchor for the NBC affiliate WCYB-TV in Bristol; and

WHEREAS, Jack White's keen interest in the law led him to the University of Virginia School of Law in 1961, where he graduated near the top of his class, was chosen for the editorial board of the prestigious *Virginia Law Review*, and was student assistant to former Dean F.D.G. Ribble; and

WHEREAS, after graduation from law school, Jack White and his growing family moved to Abingdon, where he practiced with the firm of Penn, Stuart & Miller; and

WHEREAS, Jack White subsequently established his own law practice, which became the law firm of White, Elliott & Bundy, where he practiced for almost 30 years and was an early adopter of technology, converting to computerized word processing, research, bookkeeping, and communications before many other firms; and

WHEREAS, Jack White was an active member of his church, serving on the vestry of St. Thomas Episcopal Church where he was a licensed lay reader, headed the finance committee, and taught church school classes; and

WHEREAS, Jack White was an active member of his community, serving in numerous leadership positions with the Kiwanis Club of Abingdon, as lieutenant governor of the Capital District of Kiwanis International, and with the Virginia Highlands Festival and Washington County United Fund, among others; and

WHEREAS, Jack White rallied the community to successfully fight attempts at censorship aimed at the public library in the early 1980s, volunteering nearly half of his work time for a full year to support the library director and Library Board, building national awareness, and garnering coverage of the fight by 60 Minutes on CBS News; and

WHEREAS, more than any accomplishment in a very active life, Jack White loved his family and was devoted to his wife, Sylvia, and their three children, the late Stacey Jean White Thomas, J. Stuart White III, and Mary Elizabeth White Edgecomb, as well as 10 grandchildren and eight great-grandchildren; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of Jackson Stuart White, Jr.; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Jackson Stuart White, Jr. as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 314

Commending the Institute of Chartered Accountants of India Washington DC Chapter.

Agreed to by the Senate, February 22, 2025

WHEREAS, the Institute of Chartered Accountants of India Washington DC Chapter, established in 2020, is an integral part of the global network of the Institute of Chartered Accountants of India and has emerged as a leading platform for professionals in the accountancy field; and

WHEREAS, the Institute of Chartered Accountants of India (ICAI) Washington DC Chapter aims to make a lasting impact on the accountancy profession, continuously striving to improve financial decision-making in the real world and promoting high-quality financial standards through its programs and initiatives; and

WHEREAS, the ICAI Washington DC Chapter serves more than 150 chartered accountants in Washington, D.C., Virginia, and Maryland, offering a space for members to connect and share professional updates on accountancy, taxation, auditing, and assurance; and

WHEREAS, the ICAI Washington DC Chapter provides extensive networking opportunities for its members and contributes significantly to their professional and personal growth by organizing knowledge-sharing sessions, mentoring opportunities, and cultural events, including Diwali celebrations and community hikes; and

WHEREAS, the ICAI Washington DC Chapter plays a pivotal role in strengthening the relationship between India and the United States by hosting dialogues, events, and seminars, and publishing newsletters, aligning itself with the international mission and vision of ICAI; and

WHEREAS, the ICAI Washington DC Chapter collaborates closely with ICAI and other ICAI chapters across the United States and globally to leverage the expertise of chartered accountants, contributing to global development and the advancement of the profession; and

WHEREAS, the ICAI Washington DC Chapter is committed to promoting corporate social responsibility and creating sustainable strategies within the professional community, driving positive social impact; and

WHEREAS, the ICAI Washington DC Chapter is dedicated to creating economic opportunities for its constituents and serving the wider community by fostering financial literacy, entrepreneurship, and business growth through its initiatives and partnerships; and

WHEREAS, the ICAI Washington DC Chapter's founding members—Pratyusha Meda, Gokuldas Pai, Praveen Jain, and Miloni Dhruv—played a crucial role in establishing the chapter and continue to support its mission; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Institute of Chartered Accountants of India Washington DC Chapter hereby be commended for its exceptional contributions to the accountancy profession, its advocacy for high-quality financial standards, and its impact on the professional and social growth of its members; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to representatives of the Institute of Chartered Accountants of India Washington DC Chapter, as an expression of the Senate of Virginia's admiration for the chapter's outstanding service and its continued dedication to the success of the accounting profession.

SENATE RESOLUTION NO. 315

Commending the Federation of Kerala Associations in North America.

Agreed to by the Senate, February 22, 2025

WHEREAS, the Federation of Kerala Associations in North America is a prominent nonprofit organization that serves as an umbrella body for more than 85 member associations across the United States and Canada, representing approximately one million nonresident Indians of Kerala origin; and

WHEREAS, established in 1983, the Federation of Kerala Associations in North America (FOKANA) has a rich history of promoting Kerala's culture and heritage while advocating for nonresident Indian (NRI) causes; and

WHEREAS, FOKANA is dedicated to preserving the rich cultural heritage of Kerala among the Malayalee diaspora in North America, engaging in various community service initiatives to support and uplift the Malayalee community, and advocating for the rights and interests of NRIs; and

WHEREAS, since its inception, FOKANA has organized biennial conventions that serve as a platform for cultural exchange, networking, and discussion of pertinent issues affecting the Kerala community, initiated programs like the Indian Youth Leadership Conference to foster leadership skills among young Malayalees, and advocated for the reinstatement of inflation-adjusted tax benefits for NRIs in real estate transactions; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Federation of Kerala Associations in North America hereby be commended for its legacy of service; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Federation of Kerala Associations in North America as an expression of the Senate of Virginia's admiration for the organization's contributions to the Kerala community in the Commonwealth and beyond.

SENATE RESOLUTION NO. 316

Celebrating the life of William Denman Zirkle.

Agreed to by the Senate, February 22, 2025

WHEREAS, William Denman Zirkle, a leader in the investment management profession and a passionate historian who made numerous contributions to the Commonwealth, died on January 31, 2025; and

WHEREAS, William Zirkle grew up in Roanoke and graduated from Thomas Jefferson High School; he continued his education at Virginia Polytechnic Institute and State University, where he was an executive officer in the Corps of Cadets and a judge of the Cadet Honor Corps; he also graduated from the Wharton School of Business at the University of Pennsylvania; and

WHEREAS, William Zirkle served the nation as a member of the United States Army at what is now Joint Base Langley-Eustis and in Frankfurt, Germany, and ultimately retired from the United States Army Reserve with the rank of lieutenant colonel; and

WHEREAS, after completing his active-duty military service, William Zirkle began his career with the IBM Corporation; he spent most of his career working in institutional investment management with Conrail, Lynch & Mayer, Lincoln National Corporation, and Franklin Templeton, then retired as chief executive officer of Carret Asset Management; and

WHEREAS, William Zirkle was a dedicated conservationist for historical landmarks and was deeply interested in military history; he served as a member of the Civil War Preservation Trust and as executive director of the Shenandoah Valley Battlefields Foundation for five years; and

WHEREAS, in 2012, William Zirkle became a managing partner of the Richard Böcking Winery, a winery in the Moselle Valley of Germany which had been owned and operated by his late wife's family since 1624, and where he worked with his daughter, Sigrid, until the final year of his life; and

WHEREAS, predeceased by his first wife, Dagmar, William Zirkle will be fondly remembered and greatly missed by his wife, Ann; his children, Micaela, Sigrid, Bettina, and William, and their families; his stepdaughter, Jennifer, and her family; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of William Denman Zirkle; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of William Denman Zirkle as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 317

Commending McKinley L. Price, D.D.S.

Agreed to by the Senate, February 22, 2025

WHEREAS, McKinley L. Price, D.D.S., an esteemed dentist and public servant who has admirably served the Newport News community for nearly a half-century, retired in 2024; and

WHEREAS, McKinley Price graduated from the historic Collis P. Huntington High School in Newport News in 1967 before earning a bachelor's degree in biology from the Hampton Institute, now Hampton University, and honorably serving his country as a first lieutenant in the United States Army; and

WHEREAS, after obtaining a doctoral degree in dental surgery from Howard University in 1976 and completing a general anesthesia residency at the former Provident Hospital in Baltimore, McKinley Price embarked upon a 47-year career in dentistry, working tirelessly to attend to the oral health needs of the residents of Newport News; and

WHEREAS, McKinley Price has advanced dental medicine in the Commonwealth and beyond through his affiliation with a number of professional associations, including the Old Dominion Dental Society, where he currently serves as president, and Delta Dental of Virginia, for which he currently serves as board chair; in 1989, he made history as the first Black president of the Peninsula Dental Society; and

WHEREAS, McKinley Price has upheld the highest standards of the dental profession and is a fellow in the Virginia Dental Association, the American College of Dentists, and the International College of Dentists; and

WHEREAS, in recognition of his accomplishments as a dentist, McKinley Price has been honored with numerous distinguished awards, including three Dentist of the Year awards from the Old Dominion Dental Society; and

WHEREAS, McKinley Price served as the mayor of Newport News from 2010 to 2022, during which time he demonstrated a deep commitment to the well-being of the locality and its residents; he also previously served as a member of the Newport News City Council and was a member of the Newport News School Board from 1984 to 1992, including two years as chair; and

WHEREAS, McKinley Price has provided leadership and expertise as a member of the United States Conference of Mayors and as president of the African American Mayors Association; and

WHEREAS, McKinley Price's impact on the community includes service as chair of the board of the Riverside Health System Foundation, vice chair of the Riverside Health System board, and chair of the Thomas Nelson Community College board; he also served the Commonwealth as a gubernatorial appointee to the Virginia Economic Development Partnership's board of directors; and

WHEREAS, McKinley Price's community service has garnered a number of prestigious accolades, including multiple citizen of the year awards, the President's Humanitarian Award from 100 Black Men of the Virginia Peninsula, Inc., the Presidential Citizenship Award from Hampton University, and the Humanitarian Award from the Peninsula Chapter of the National Conference for Community and Justice; now, therefore, be it

RESOLVED by the Senate of Virginia, That McKinley L. Price, D.D.S., hereby be commended on the occasion of his retirement; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to McKinley L. Price, D.D.S., as an expression of the Senate of Virginia's admiration for his extraordinary career as a dentist and public servant and best wishes for a rewarding and fulfilling retirement.

SENATE RESOLUTION NO. 318

Commending Keyshawn Davis.

Agreed to by the Senate, February 22, 2025

WHEREAS, Keyshawn Davis, a native of Norfolk and one of American boxing's brightest stars, claimed the World Boxing Organization lightweight title at The Theater at Madison Square Garden in New York City on February 14, 2025; and

WHEREAS, Keyshawn Davis dominated from the outset of the match against the previously unbeaten Denys Berinchyk and knocked out the former champion with a powerful left hook in the fourth round; and

WHEREAS, Keyshawn Davis's title-winning match moves his professional career record to 13-0, with nine knockouts and one no contest finish; and

WHEREAS, by achieving his title in his 14th professional match, Keyshawn Davis tied the boxing legend Oscar De La Hoya for the third-fewest fights needed to secure a lightweight championship; and

WHEREAS, prior to his World Boxing Organization title, Keyshawn Davis won silver medals at the Games of the XXXII Olympiad in Tokyo, the 2019 Association Internationale de Boxe Amateur World Boxing Championships, and the XVIII Pan American Games; and

WHEREAS, Keyshawn Davis has proven himself one of the greatest in his sport and has brought great pride to Norfolk and the Commonwealth; now, therefore, be it

RESOLVED by the Senate of Virginia, That Keyshawn Davis hereby be commended for claiming the World Boxing Organization lightweight title; and, be it

RESOLVED FURTHER, That the Clerk of the Senate of Virginia prepare a copy of this resolution for presentation to Keyshawn Davis as an expression of the Senate of Virginia's admiration for his achievements and best wishes for his continued success.

SENATE RESOLUTION NO. 319

Commending Amy Angel.

Agreed to by the Senate, February 22, 2025

WHEREAS, Amy Angel, a student at the Virginia Academy in Ashburn and resident of Manassas, received her first call-up to the El Salvador women's national soccer team in 2024; and

WHEREAS, Amy Angel trained with the El Salvador national team in April 2024 and looks to contribute to the team at future tournaments and World Cup qualifiers; and

WHEREAS, prior to playing with the El Salvador national team, Amy Angel also played on the country's youth national teams in World Cup qualifiers, and she was on the U-19 women's national team that placed third in the 2025 UNCAF Women's U-19 Tournament in Panama in January 2025; and

WHEREAS, in 2023, Amy Angel helped lead Charles J. Colgan, Sr. High School in Manassas to a Virginia High School League Class 6 state championship, earning second-team, all-Cardinal District honors for her efforts; and

WHEREAS, Amy Angel joined the Virginia Academy girls' soccer team as a central defensive midfielder in the 2023-2024 school year and will play at the University of Dayton after she graduates; and

WHEREAS, Amy Angel's accomplishments are the result of her hard work and dedication, the leadership and guidance of her coaches and trainers, and the unwavering support of her family and friends; now, therefore, be it

RESOLVED by the Senate of Virginia, That Amy Angel hereby be commended for receiving her first call-up to the El Salvador women's national soccer team; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Amy Angel as an expression of the Senate of Virginia's admiration for her achievements and best wishes for her continued success.

SENATE RESOLUTION NO. 320

Commending Pamela J. Sebesky.

Agreed to by the Senate, February 22, 2025

WHEREAS, Pamela J. Sebesky, an esteemed public servant and community leader, concluded her service as vice mayor on the Manassas City Council in 2024; and

WHEREAS, a longtime resident of the Greater Manassas area, Pamela Sebesky graduated from what is today Unity Reed High School in 1983 before earning a licensed practical nursing certification from the Prince William County School of Practical Nursing and a bachelor's degree in nursing from what is now known as the Virginia Commonwealth University School of Nursing; and

WHEREAS, Pamela Sebesky raised two children who attended Manassas City Public Schools, and she served as the parent-teacher association president at Baldwin Elementary School; and

WHEREAS, Pamela Sebesky was elected to the Manassas City School Board in 2010 and worked faithfully for six years to support the students, teachers, and families of Manassas City Public Schools; and

WHEREAS, Pamela Sebesky was elected to the Manassas City Council in 2016 and was subsequently chosen by her fellow council members to serve as vice mayor; and

WHEREAS, by dedicating herself to the success and well-being of her constituents, Pamela Sebesky has epitomized the virtues of public service during her tenure on the Manassas City Council, helping to make the city a wonderful place to live, work, and raise a family; now, therefore, be it

RESOLVED by the Senate of Virginia, That Pamela J. Sebesky hereby be commended as she concludes her tenure on the Manassas City Council; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Pamela J. Sebesky as an expression of the Senate of Virginia's admiration for her contributions to Manassas and the Commonwealth.

SENATE RESOLUTION NO. 321

Commending Trent Daniels.

Agreed to by the Senate, February 22, 2025

WHEREAS, Trent Daniels, a sophomore at Gainesville High School, won three Virginia High School League Class 6 individual state championships for long-distance running in 2024; and

WHEREAS, Trent Daniels competed in the state finals during the fall, winter, and spring seasons of the 2023-2024 school year; and

WHEREAS, during the spring season for outdoor track and field, Trent Daniels won the boys' 3,200 meter run with a time of 9:03.63 on June 1, 2024, at John B. Todd Stadium in Newport News, and he also placed fourth in the boys' 1,600 meter run with a time of 4:19.21; and

WHEREAS, during the winter season for indoor track and field, Trent Daniels won both the boys' 1,600 meter run with a time of 4:09.34 and the boys' 3,200 meter run with a time of 9:27.34 on February 26-27, 2024, at the Virginia Beach Sports Center; and

WHEREAS, Trent Daniels' state titles came after he started the school year by qualifying for the cross country state meet during the fall season, when he placed 12th with a time of 16:12.00 on November 11, 2023, at the Oatlands Historic House and Gardens in Leesburg; and

WHEREAS, Trent Daniels' achievements are the result of his hard work and dedication, the leadership and guidance of his coaches and teachers, and the unwavering support of his family and the entire Gainesville High School community; now, therefore, be it

RESOLVED by the Senate of Virginia, That Trent Daniels hereby be commended on winning three individual state championships for long-distance running during the 2023-2024 school year; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Trent Daniels as an expression of the Senate of Virginia's admiration for his achievements and best wishes for the future.

SENATE RESOLUTION NO. 322

Commending Colonel Douglas E. Moore, USA, Ret.

Agreed to by the Senate, February 22, 2025

WHEREAS, Colonel Douglas E. Moore, USA, Ret., an honorable and distinguished veteran and resident of Haymarket, demonstrated exemplary courage and valor as a medevac helicopter pilot both during and after the Vietnam War; and

WHEREAS, born in Arkansas, Douglas Moore joined the United States Army in 1959, attended flight school, and was deployed to Vietnam in both 1964 and 1968; and

WHEREAS, in Vietnam, Douglas Moore served as a medevac pilot, commonly known as a "dustoff" pilot, and was tasked with the great responsibility of retrieving soldiers who had been wounded or killed in combat; and

WHEREAS, during the war, Douglas Moore flew 1,874 combat missions, evacuated 2,782 patients, and recovered three United States soldiers who were prisoners of war; and

WHEREAS, throughout these missions, Douglas Moore's helicopter was hit 37 times; on one occasion, he remarkably survived being hit by a bullet that tore through his helmet while he was flying; and

WHEREAS, despite his aviation unit facing a high combat loss rate, Douglas Moore bravely persevered and flew valiantly without concern for his well-being to save the lives of his fellow soldiers; and

WHEREAS, over his 30-year military career, Douglas Moore served abroad in 43 countries, as well as in the United States, including as an air mission commander during the rescue efforts that followed the eruption of Mount Saint Helens in 1980 and as an executive officer for the United States Army's Surgeon General at the Pentagon; and

WHEREAS, in 2019, Douglas Moore published the book *A Bullet Through the Helmet: A Vietnam Dustoff Pilot's Memoir*, sharing recollections from his harrowing experiences as a medevac pilot; and

WHEREAS, in honor of his heroism and valor, Douglas Moore received numerous commendations and awards over the years, including the Distinguished Service Cross, two Distinguished Flying Crosses, and a Purple Heart; and

WHEREAS, Douglas Moore was inducted into the Dustoff Association's Hall of Fame, the Army Aviation Association of America's Hall of Fame, and the Army Reserve Officers' Training Corps Hall of Fame in recognition of his extraordinary dedication to the United States military and his country; now, therefore, be it

RESOLVED by the Senate of Virginia, That Colonel Douglas E. Moore, USA, Ret., hereby be commended for his legacy of service to the nation; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Colonel Douglas E. Moore, USA, Ret., as an expression of the Senate of Virginia's deep respect for his heroism and service.

SENATE RESOLUTION NO. 323

Commending Evan Kinsel.

Agreed to by the Senate, February 22, 2025

WHEREAS, Evan Kinsel, a student at Gainesville High School in Prince William County, received the Congressional Award Gold Medal for his commitment to community leadership and service in 2024; and

WHEREAS, the Congressional Award Gold Medal is presented by the United States Congress to recognize the achievements and initiative of young people between the ages of 14 and 23 who have gone above and beyond to support their communities; and

WHEREAS, Evan Kinsel led a team of 83 volunteers to distribute food, socks, hats, gloves, blankets, hand warmers, personal hygiene items, and other necessities to individuals at homeless shelters throughout Northern Virginia and Washington, D.C.; and

WHEREAS, Evan Kinsel and his team touched hundreds of lives through their kindness and generosity, demonstrating exceptional character and setting a strong example for his classmates and peers; and

WHEREAS, as a winner of the Congressional Award Gold Medal, Evan Kinsel was honored with a special ceremony at the United States Capitol; now, therefore, be it

RESOLVED by the Senate of Virginia, That Evan Kinsel, winner of a 2024 Congressional Award Gold Medal, hereby be commended for his achievements in community service; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Evan Kinsel as an expression of the Senate of Virginia's admiration for his commitment to servant-leadership and best wishes for the future.

SENATE RESOLUTION NO. 324

Commending Osbourn Park High School.

Agreed to by the Senate, February 22, 2025

WHEREAS, Osbourn Park High School received the Virginia School Breakfast Award from the Department of Education in 2025; and

WHEREAS, Osbourn Park High School was one of three schools in the Commonwealth to receive this distinguished honor, which recognizes the school's accomplishments in expanding breakfast access, maintaining nutritional integrity, and serving more scratch-cooked meals; and

WHEREAS, Osbourn Park High School was recently added to the United States Department of Agriculture's Community Eligibility Provision program, which provides free breakfast and lunch to all students and which led to an increase in the use of the school's cafeteria services; and

WHEREAS, led by manager Nidia Bruno, Osbourn Park High School's nutrition staff serves both hot and cold options, including seasonal smoothies, and operates with great efficiency to ensure students get the sustenance they need before embarking upon a day of learning; and

WHEREAS, Osbourn Park High School's achievements are the result of the leadership of the school's administrators and the tireless efforts and heartfelt dedication of the school's nutrition staff; now, therefore, be it

RESOLVED by the Senate of Virginia, That Osbourn Park High School hereby be commended for receiving the Department of Education's Virginia School Breakfast Award in 2025; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Osbourn Park High School as an expression of the Senate of Virginia's admiration for the school's contributions to the health and well-being of young people in the Commonwealth.

SENATE RESOLUTION NO. 325

Commending Darnell Greene.

Agreed to by the Senate, February 22, 2025

WHEREAS, Darnell Greene, a devoted teacher and coach and a trusted mentor at Manassas Park Middle School, received the 2025 Virginia Regional Teacher of the Year Award for Region 4 from the Virginia Department of Education; and

WHEREAS, Darnell Greene was inspired to become an educator based on his own experiences with supportive teachers and coaches who helped him succeed in high school; and

WHEREAS, Darnell Greene has been a teacher in Manassas Park for more than two decades and has fostered a passion for lifelong learning in countless students as a mathematics teacher and chair of the mathematics department at Manassas Park Middle School; and

WHEREAS, Darnell Greene strives to create an inclusive and engaging classroom experience and gives generously of his time to help students achieve their fullest potential; and

WHEREAS, outside of the classroom, Darnell Greene has coached track and basketball, helping student-athletes learn valuable lessons about teamwork, sportsmanship, and perseverance; and

WHEREAS, since 2015, Darnell Greene has personally mentored several younger teachers, many of whom had written letters of support for his selection as Region 4 Teacher of the Year; now, therefore, be it

RESOLVED by the Senate of Virginia, That Darnell Greene hereby be commended on the occasion of his selection as the 2025 Virginia Regional Teacher of the Year for Region 4; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Darnell Greene as an expression of the Senate of Virginia's admiration for his exceptional contributions to the education of young people in Manassas Park.

SENATE RESOLUTION NO. 326

Commending Habitat for Humanity Peninsula and Greater Williamsburg.

Agreed to by the Senate, February 22, 2025

WHEREAS, Habitat for Humanity Peninsula and Greater Williamsburg, which serves the communities of Hampton, Newport News, Poquoson, Williamsburg, Charles City County, James City County, New Kent County, and York County, celebrates its 40th anniversary in 2025; and

WHEREAS, Habitat for Humanity Peninsula and Greater Williamsburg is an affiliate of Habitat for Humanity International, a nonprofit organization that helps families build strength, stability, and self-reliance through home ownership; and

WHEREAS, Habitat for Humanity Peninsula and Greater Williamsburg has constructed 233 homes for families, with seven more expected to be completed in 2025; and

WHEREAS, Habitat for Humanity Peninsula and Greater Williamsburg has served 462 adults and 474 children for a total of 936 individuals through 2024; and

WHEREAS, Habitat for Humanity Peninsula and Greater Williamsburg completed 482 home repairs for families since 2010, with 30 more repairs anticipated in 2025; and

WHEREAS, Habitat for Humanity Peninsula and Greater Williamsburg has received the support of 6,532 volunteers who completed 52,887 service hours building homes for the community since 2010; and

WHEREAS, a trusted and valuable community asset, Habitat for Humanity Peninsula and Greater Williamsburg advocates to change policies and systems to eliminate barriers and enable families to achieve adequate, affordable housing; now, therefore, be it

RESOLVED by the Senate of Virginia, That Habitat for Humanity Peninsula and Greater Williamsburg hereby be commended on the occasion of its 40th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Shauntrice Williams, chief executive officer of Habitat for Humanity Peninsula and Greater Williamsburg, as an expression of the Senate of Virginia's deep appreciation for the organization's exemplary service to the community and the Commonwealth.

SENATE RESOLUTION NO. 327

Celebrating the life of John James Skinner, Jr.

Agreed to by the Senate, February 22, 2025

WHEREAS, John James Skinner, Jr., an esteemed law-enforcement officer, former chief of police of the City of Fairfax Police Department and the City of Manassas Police Department, and beloved member of the communities of Manassas and New Bern, North Carolina, died on November 24, 2024; and

WHEREAS, John Skinner earned a bachelor's degree with honors in the administration of criminal justice from American University in 1974 and also completed postgraduate work in public administration at George Mason University; and

WHEREAS, John Skinner also graduated with honors from the Federal Bureau of Investigation National Academy and further advanced his expertise during his career through the Police Executive Development program at Penn State University and the Federal Bureau of Investigation Law Enforcement Executive Development School; and

WHEREAS, over his distinguished 37-year law-enforcement career, John Skinner served in various leadership capacities, including in line, supervisory, command, and administrative management positions; and

WHEREAS, in his earlier years, John Skinner served the nation as a member of the United States Secret Service Uniformed Division protecting the White House and as a clerk for the Federal Bureau of Investigation; and

WHEREAS, John Skinner joined the City of Fairfax Police Department in 1975 as an officer and rose through the ranks to ultimately serve as chief of police from 1993 until his retirement from the agency in 1998; and

WHEREAS, after retiring from the City of Fairfax, John Skinner honorably served as the chief of police of the City of Manassas Police Department from April 1998 to May 2010, during which time the department achieved an enhanced accreditation standard through the Commission on Accreditation for Law Enforcement Agencies, Inc.; and

WHEREAS, John Skinner was respected for his professionalism and commitment to excellence and cherished by all who knew him for his sharp wit, great sense of humor, and devotion to his family and community; and

WHEREAS, John Skinner will be fondly remembered and dearly missed by his loving wife, Shirley; his children, Aaron and Jessica, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of John James Skinner, Jr., a dedicated law-enforcement officer whose leadership and service made an impact on countless lives; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of John James Skinner, Jr. as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 328

Commending the Roanoke Higher Education Center.

Agreed to by the Senate, February 22, 2025

WHEREAS, the Roanoke Higher Education Center functions under the umbrella of the Roanoke Higher Education Authority, allowing access to educational opportunities that lead to degrees, certificates, endorsements, and workforce skill development to meet the diverse needs of the workforce; and

WHEREAS, the Roanoke Higher Education Authority, a political subdivision established in 1997 by the Commonwealth, is governed by a board of trustees; and

WHEREAS, the Roanoke Higher Education Center opened its doors in August 2000 and has contributed more than $10 million of economic growth annually to the Roanoke region with an additional $8 million in student spending; and

WHEREAS, the Roanoke Higher Education Center's main building and the Claude Moore Education Complex are historic treasures located in the heart of downtown Roanoke; and

WHEREAS, the Roanoke Higher Education Center takes pride in hosting James Madison University, Project Discovery, Radford University, Region 5 Adult Education, Sovah School of Health Professions, Total Action for Progress, Virginia Commonwealth University, Virginia State University, Virginia Polytechnic Institute and State University, and Virginia Western Community College to deliver programs and services to the citizens of the Roanoke region; and

WHEREAS, the Roanoke Higher Education Center has awarded over 16,000 degrees, certificates, and endorsements during the past 25 years; and

WHEREAS, the Roanoke Higher Education Center administers approximately 3,000 tests annually through its Educational Testing Center designed to help individuals achieve workforce endorsements and credentials; and

WHEREAS, the Roanoke Higher Education Center provides computer labs, video conferencing, and a state-of-the-art meeting space to more than 18,000 individuals from community organizations annually; and

WHEREAS, the Roanoke Higher Education Center provides a range of clinical simulation exercises to more than 3,500 students each year who plan to enter health care jobs; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Roanoke Higher Education Center hereby be commended for its 25 years of service providing access to educational opportunities to the citizens of the Roanoke region; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Roanoke Higher Education Center as an expression of the Senate of Virginia's admiration for the center's contributions to the Roanoke region and the Commonwealth.

SENATE RESOLUTION NO. 329

Commending the Roanoke Bar Association.

Agreed to by the Senate, February 22, 2025

WHEREAS, for 100 years, the Roanoke Bar Association has promoted professional excellence among members of the Virginia State Bar who are based in the Roanoke area while fostering positive relationships between its membership and the community; and

WHEREAS, the Roanoke Bar Association pursues its mission by providing its members with various educational opportunities to support their practice of the law and by cultivating professional connections that enhance public awareness of the law; and

WHEREAS, the Roanoke Bar Association recognizes its members for their accomplishments and community service through a number of awards, including the Frank W. "Bo" Rogers, Jr., Lifetime Achievement Award; and

WHEREAS, the Roanoke Bar Association supports aspiring attorneys and others through mentorship activities, scholarships, and signature programs, such as Santa at the Station, Barrister Book Buddies, and You and the Law; and

WHEREAS, to honor its centennial, the Roanoke Bar Association has organized a number of community events that will be held throughout 2025, creating meaningful opportunities to reflect upon the organization's impact on the Greater Roanoke area; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Roanoke Bar Association hereby be commended for its legacy of service on the occasion of its 100th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Roanoke Bar Association as an expression of the Senate of Virginia's admiration for its contributions to Roanoke and the Commonwealth.

SENATE RESOLUTION NO. 330

Celebrating the life of the Honorable Gerald O'Neal Clemens.

Agreed to by the Senate, February 22, 2025

WHEREAS, the Honorable Gerald O'Neal Clemens, an esteemed jurist who made numerous contributions to the Salem community, died on December 26, 2024; and

WHEREAS, Gerald "Tom" Clemens grew up in Prices Fork and skipped two grades in elementary school, leading to his graduation from high school at the age of 16; he continued his education at Virginia Polytechnic Institute and State University, where he was a member of the Corps of Cadets, then served in the United States Army, achieving the rank of colonel; and

WHEREAS, Tom Clemens earned a law degree from Washington and Lee University after only two years, then clerked for a judge in the United States District Court, Western District of Virginia; he subsequently earned a master's degree from Northwestern University on a fellowship from the Ford Foundation; and

WHEREAS, in 1961, Tom Clemens and his wife, Pat, settled in Salem to raise their family; he practiced law with a local firm until he was appointed as a judge of the Salem District Court in the 23rd Judicial District of Virginia in 1979; and

WHEREAS, Tom Clemens was elevated to circuit court judge of the 23rd Judicial Circuit of Virginia in 1985 and presided over the court with great fairness and wisdom until 1997; after his retirement from the bench, he returned to the practice of law with his son, Chris; and

WHEREAS, Tom Clemens inspired young people as a professor of business law at Roanoke College and a longtime member of the Roanoke College Board of Trustees; and

WHEREAS, outside of his career, Tom Clemens was a champion for the residents of Salem, supporting several local institutions, civic organizations, and charitable groups; and

WHEREAS, Tom Clemens derived his greatest joy from his beloved family; he relished every opportunity to support his children and grandchildren in all their endeavors and made many lasting memories at the family cabin on Claytor Lake; and

WHEREAS, Tom Clemens will be fondly remembered and greatly missed by his wife of 64 years, Pat; his children, Cindy, Chris, and Charles, and their families; and numerous other family members and friends; now, therefore, be it

RESOLVED, That the Senate of Virginia hereby note with great sadness the loss of the Honorable Gerald O'Neal Clemens; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of the Honorable Gerald O'Neal Clemens as an expression of the Senate of Virginia's respect for his memory.

SENATE RESOLUTION NO. 331

Commending the Salem Red Sox.

Agreed to by the Senate, February 22, 2025

WHEREAS, the Salem Red Sox, a beloved Minor League Baseball team based in Salem, celebrates its 70th anniversary in 2025; and

WHEREAS, the Salem Red Sox began in 1955 as an independent club known as the Salem Rebels, which played in the Appalachian League and at the former Municipal Stadium; and

WHEREAS, the Salem Rebels became an affiliate of the Pittsburgh Pirates of Major League Baseball in 1960 and eight years later joined the Carolina League, which it has played in ever since; and

WHEREAS, the Salem Rebels became the Salem Pirates in 1972 to reflect its association with the Pittsburgh Pirates and would go on to be known by various names over the years as its affiliations changed, including the Redbirds from 1981 to 1986, the Buccaneers from 1987 to 1994, and the Avalanche from 1995 to 2008; and

WHEREAS, in 2009, the team became affiliated with the Boston Red Sox and began play as the Salem Red Sox; since then, the organization has secured four division titles, appeared in five playoffs, and won the 2013 Carolina League championship; and

WHEREAS, Salem has been an important step for hundreds of players on their paths to the Major Leagues; and

WHEREAS, each summer, the Salem Red Sox bring joy to baseball fans throughout the Roanoke Valley as they play at Salem Memorial Ballpark surrounded by the beautiful Blue Ridge Mountains; now, therefore, be it

RESOLVED by the Senate of Virginia, That the Salem Red Sox hereby be commended on the occasion of the organization's 70th anniversary; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the Salem Red Sox as an expression of the Senate of Virginia's admiration for the organization's contributions to the Roanoke Valley and the Commonwealth.

SUMMARY OF 2025 REGULAR SESSION LEGISLATION

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1553	367	792	1697	13	18	1829	552	1105	1941	393	831
1567	1	1	1698	188	375	1833	674	1462	1942	214	418
1568	2	2	1700	189	376	1834	78	142	1945	555	1107
1571	115	217	1703	126	237	1835	722	1684	1946	595	1174
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1593	119	231	1723	691	1553	1854	143	260	1971	51	79
1595	474	944	1725	692	1554	1856	82	149	1976	521	1036
1600	725	1688	1726	374	802	1858	83	150	1983	564	1122
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1606	6 E	5	1729	137	253	1867	554	1105	1996	52	84
1609	689	1548	1730	726	2485	1868	486	965	1998	227	466
1611	475	944	1731	480	955	1871	85 E	151	2000	228	467
1614	690	1548	1733	138	255	1874	207	407	2005	53	86
1617	181	350	1734	375	803	1877	380	806	2008	723	1687
1623	476	945	1735	548	1103	1878	144	265	2013	229	473
1626	477	945	1740	139	257	1880	388	822	2018	676	1471
1627	543	1082	1743	192	380	1881	389	822	2019	230	474
1628	120	231	1756	193	380	1882	208	408	2022	54	87
1629	182	358	1757	73	132	1887	390	823	2024	646	1392
1632	7	6	1759	194	381	1888	641	1389	2029	522	1036
1635	544	1086	1760	549	1103	1889	209	412	2033	231	477
1636	183	368	1766	640	1331	1892	145	278	2034	647	1392
1637	370	794	1770	74	134	1895	210	413	2036	648 E	1393
1641	8	9	1776	195	381	1896	86	152	2040	649	1394
1642	637	1324	1777	200	390	1897	146	278	2042	523	1037
1643	121	231	1778	481	959	1898	391	826	2050	650	1397
1645	9	16	1779	140	257	1899	47	74	2051	232	483
1646	184	369	1780	482	961	1900	147 E	279	2053	524	1043
1653	122	234	1781	550	1103	1901	211	416	2055	525	1044
1659	123	234	1782	483	963	1902	487	966	2058	233	485
1661	545	1089	1783	201	393	1904	488	968	2061	55	87
1663	478	946	1792	376	804	1905	48	74	2063	234	488
1665	638	1324	1793	377	805	1910	212	417	2065	56	88
1667	185	372	1798	75	136	1912	148	285	2071	235	490
1669	10	17	1799	76	138	1914	213	417	2074	526	1044
1674	186	373	1800	378	805	1918	694	1563	2077	527	1045
1677	11	17	1804	484	964	1920	49	76	2082	651	1398
1682	124	235	1805	202	393	1923	695	1564	2083	528	1046
1683	546	1090	1806	141	257	1924	642	1389	2084	395	836
1684	479	946	1810	203	394	1929	696	1565	2085	236	491
1685	187	374	1815	204	395	1930	50	78	2088	529	1046
1690	125	236	1819	205	404	1933	392	830	2092	57	89
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Note: E signifies emergency status

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770	350	778	896	383	813	1016	425	868	1159	331	718
771	62	106	901	89	156	1018	426	868	1165	618	1279
774	351	779	903	610	1201	1019	513	1026	1166	409	855
781	215	441	905	436	881	1020	321	690	1169	221	460
784	681	1496	907	437	882	1030	514	1027	1173	109	203
785	129	242	908	438	882	1034	469	933	1174	584	1147
787	40	64	913	439	884	1035	386	817	1176	66	118
796	176	337	920	404	845	1036	65	108	1177	135	249
799	352	780	921	262	576	1037	563	1121	1188	153	298
801	503	998	924	281	646	1038	323	694	1192	713	1651
804	87	153	925	242	526	1039	427	869	1193	556	1108
805	702	1581	927	216	442	1041	538	1070	1194	619	1280
807	353	780	933	18	25	1042	539	1073	1197	598	1189
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830	490	968	953	465	929	1060	596	1177	1210	25	33
834	130	243	955	683	1503	1064	325	695	1212	686	1534
836	355	781	956	441	885	1067	43	68	1215	68	125
838	608	1199	957	217	442	1069	326	701	1218	585	1149
842	356	782	959	177	337	1076	597	1180	1219	687	1542
843	506	1016	961	384	814	1081	408	851	1221	688	1543
844	433	877	965	509	1022	1082	327	702	1228	198	387
846	131	246	966	64	107	1084	328	710	1229	263	577
847	357	782	968	578	1137	1089	21	27	1230	468	932
850	599	1191	969	405	846	1093	724	1687	1231	178	346
851	358	783	974	594	1164	1094	218	447	1237	621	1286
852	434	878	981	510	1022	1095	560	1119	1239	444	887
854	703	1619	986	361	785	1096	107	194	1240	583	1146
857	241	519	987	385	815	1100	712	1650	1244	445	887
861	41	66	989	511	1022	1104	493	973	1245	111	209
866	609	1201	991	559	1118	1106	494	974	1248	332	720
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Note: E signifies emergency status

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1317	340	733	1470	347	777		
1318	624	1291	1472	635	1322		
1320	517	1030	1473	362	787		
1327	582	1145	1474	636	1323		
1332	625	1292	1475	363	787		
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Note: E signifies emergency status

BILLS VETOED BY THE GOVERNOR

(Communications from the Governor, relating to the bills which were vetoed, may be found in the Journals of the House of Delegates and the Senate for the 2025 Regular Session.)

The following bills were returned unsigned by Governor Youngkin:

HOUSE BILLS

HB 1601 Data centers; site assessment for a high energy use facility, definition, rezoning applications. Chief Patron: Thomas

HB 1607 Assault firearms and certain ammunition feeding devices; purchase, sale, transfer, etc., prohibited, penalties. Chief Patron: Helmer

HB 1608 Firearm industry members; definitions, standards of responsible conduct, civil liability, limitation of action. Chief Patron: Helmer

HB 1610 Accounts receivable; Department of Taxation, et al., to analyze pervasiveness of outstanding accounts due to the Commonwealth and collection efforts. Chief Patron: Cole

HB 1616 Offshore wind industry; Director of Department of Energy shall identify and develop training resources to advance workforce development. Chief Patron: Feggans

HB 1621 Higher educational institutions, public; nonvoting, advisory faculty representatives on governing boards. Chief Patron: Laufer

HB 1625 Minimum wage; eliminates the exemptions from Virginia's requirements for persons employed as farm laborers or farm employees and certain temporary foreign workers. Chief Patron: McClure

HB 1630 Discovery materials or evidence; electronic means definition, allows accused to request the Commonwealth to copy or photograph. Chief Patron: Keys-Gamarra

HB 1634 Portsmouth, City of; amending charter, authorization of city manager. Chief Patron: Hayes

HB 1638 Virginia Residential Landlord and Tenant Act; criminal record screening model policy, no landlord of an affordable housing unit shall inquire about or require disclosure of, etc., on an applicant's criminal or arrest record, effective date. Chief Patron: Hayes

HB 1639 Health insurance; tobacco surcharge, State Corporation Commission shall make its final report by January 1, 2026, removes sunset. Chief Patron: Hope

HB 1649 Medicine, Board of; continuing education, unconscious bias and cultural competency training, report. Chief Patron: Hayes

HB 1657 Voter registration; regular periodic review of registration records, 90-day quiet period before all primary and general elections, cancellation of registration by voter, etc. Chief Patron: Henson

HB 1660 Trigger activator; definition does not include semi-automatic replacement trigger, etc., penalty. Chief Patron: Jones

HB 1675 Medicine, Board of; continuing education, complete training on unconscious bias and cultural competency, report. Chief Patron: Hayes

HB 1678 School board policies; parental notification, safe storage of prescription drugs and firearms in the household. Chief Patron: Cohen

HB 1693 Real estate appraisers; educational requirements for licensure, fair housing and appraisal bias course. Chief Patron: Askew

HB 1699 Confederacy organizations; eliminates exemption from state recordation taxes. Chief Patron: Askew

HB 1713 Jurisdiction of district courts in felony cases; specialty dockets. Chief Patron: Watts

HB 1716 Contraception; establishes right to obtain, applicability, enforcement. Chief Patron: Price

HB 1718 Virginia Residential Landlord and Tenant Act; enforcement by localities. Chief Patron: Price

HB 1719 Virginia Residential Landlord and Tenant Act; landlord remedies, noncompliance with rental agreement. Chief Patron: Price

HB 1721 Condemnation of conservation or open-space easement; compensation, Uniform Easement Relocation Act, definitions, right of servient estate owner to relocate, etc., report. Chief Patron: Watts

HB 1724 Prescription Drug Affordability Board; established, drug cost affordability review, report, effective date. Chief Patron: Delaney

HB 1736 Firearm Violence Intervention and Prevention, Virginia Center for; created, report, effective date. Chief Patron: Price

HB 1764 Disposable plastic bag tax; distribution to towns. Chief Patron: Martinez

HB 1769 Chronic student absenteeism; Chronic Absenteeism Task Force to examine its effects on local school divisions and school accountability, report. Chief Patron: Martinez

HB 1775 Divorce; adultery, filing, parties living separate and apart. Chief Patron: Sullivan

HB 1791 Electric Vehicle Rural Infrastructure Program and Fund; established and created, definitions, awarding grants in rural and underserved localities, sunset date. Chief Patron: Sullivan

HB 1794 Elections; primary dates, presidential year primaries. Chief Patron: Helmer

HB 1796 Corporations; creates a regulatory framework for decentralized autonomous organizations, effective clause. Chief Patron: Helmer

HB 1797 Concealed handgun permits; reciprocity with other states, certain provisions shall not apply to an active duty service member of U.S. Armed Forces, etc., effective date. Chief Patron: Helmer

HB 1802 Small Business and Supplier Diversity, Department of; powers and duties, employment services organizations. Chief Patron: Cohen

HB 1803 Human Resource Management, Department of; establishing a career group for licensed behavior analysts, report. Chief Patron: Cohen

HB 1824 High school graduation requirements; history and social studies credits, permitting students to make certain substitutions. Chief Patron: Reid

HB 1827 Comprehensive plan; social determinants of health. Chief Patron: Simonds

HB 1830 School board policies; unpaid educational leave for certain employee association officers, purchase of service credit. Chief Patron: Simonds

HB 1869 Firearms; definition of "intimate partner," purchase, possession, etc., assault and battery of a family or household member or intimate partner, penalties. Chief Patron: McClure

HB 1872 Virginia Residential Landlord and Tenant Act; adverse action by landlord against prospective tenant, tenant remedies. Chief Patron: Hernandez

HB 1873 Secured or unsecured bond; release of accused. Chief Patron: Callsen

HB 1876 Capitol Square or building owned or leased by the Commonwealth; limits exemption from prohibition on carrying a firearm or explosive material, penalty. Chief Patron: Callsen

HB 1883 Electric utilities; renewable energy portfolio standard program requirements, power purchase agreements, Phase II Utility may recover costs associated with any petition for cost recovery, etc. Chief Patron: Callsen

HB 1886 Defendants; court shall not enter a judgment of guilt against person solely for failure to pay costs or other fees when proceedings deferred, etc. Chief Patron: McClure

HB 1894 State correctional facilities; cell and facility conditions, temperature monitoring. Chief Patron: Seibold

HB 1915 Public school teachers; written notice of noncontinuation of continuing contract. Chief Patron: Reaser

HB 1919 Workplace violence policy; required for certain employers, civil penalty. Chief Patron: Ward

HB 1921 Employment; paid sick leave, civil penalties, effective date. Chief Patron: Ward

HB 1922 Small SWaM Business Procurement Enhancement Program; established, report. Chief Patron: Ward

HB 1928 Minimum wage; increases incrementally to $15.00 per hour by January 1, 2027. Chief Patron: Ward

HB 1932 Real estate appraisers; educational requirements for licensure, fair housing and appraisal bias course. Chief Patron: LeVere Bolling

HB 1935 Income-Qualified Energy Efficiency and Weatherization Task Force; established, report. Chief Patron: LeVere Bolling

HB 1939 Tangible personal property tax; electric landscaping equipment. Chief Patron: Reid

HB 1960 Firearms; transfers to another person from a prohibited person. Chief Patron: Bennett-Parker

HB 1973 Affordable housing; preservation, definitions, civil penalty. Chief Patron: Bennett-Parker

HB 1977 Weapons; possession prohibited in a hospital that provides mental health or developmental services, definitions, penalty. Chief Patron: Hernandez

HB 1989 Medical cannabis program; definitions, changes requirements for product labels, dispensing cannabis products. Chief Patron: Askew

HB 1990 Election of certain governing bodies; conversion to single-member districts, provided governing body adopts and implements remedial election system, etc. Chief Patron: Askew

HB 1994 Alcoholic beverage control; requirements for certain licensees, provision of free potable water, civil penalty. Chief Patron: Bennett-Parker

HB 2002 Voter registration; cancellation of registration, sources of data. Chief Patron: Laufer

HB 2037 Land development; solar canopies in surface parking areas, effective date. Chief Patron: Bulova

HB 2039 Encrypted telecommunications; Department of Criminal Justice Services, et al., to establish a model policy on use by law-enforcement agencies. Chief Patron: Simon

HB 2054 Affordable housing; application for special use permit for localities that have adopted a program to negotiate that in an application for a special exception or special use permit affordable rental units be included for any proposed development of an assisted living facility. Chief Patron: Reaser

HB 2056 Absentee voting in person; voter satellite offices, days and hours of operation, notice shall be provided to general registrar. Chief Patron: Reaser

HB 2064 Firearm locking device; required for sale or transfer of firearm, warning against accessibility to children, penalty. Chief Patron: McClure

HB 2087 Electric utilities; transportation electrification, definitions, fast-charging station proposals, repeals provision relating to recovery costs associated with certain investment, sunset date. Chief Patron: Shin

HB 2090 Multi-family shared solar program; amends requirements for a shared facility, etc., State Corporation Commission shall initiate proceeding to establish minimum bill, Commission shall adopt amendments to regulations governing program. Chief Patron: Shin

HB 2094 High-risk artificial intelligence; definitions, requirements for development, deployment, and use, operating standards, civil penalties, effective date. Chief Patron: Maldonado

HB 2098 Labor and employment provisions; application of law, protection of employees, definition of employer, effective date. Chief Patron: Maldonado

HB 2113 Solar Interconnection Grant Program; established, sunset, report. Chief Patron: Herring

HB 2122 Manufactured Home Lot Rental Act; written rental agreement required, landlord obligations, provisions shall apply to rental agreements that are entered into, extended, or renewed on or after July 1, 2025. Chief Patron: Maldonado

HB 2134 American Indians, Virginia recognized tribes, and federally recognized Tribal Nations in the Commonwealth; definitions, sovereignty. Chief Patron: Krizek

HB 2136 Public Utility Ombudsman, Office of the; established, effective date. Chief Patron: Keys-Gamarra

HB 2157 Richard Bland College; removes the authority of the board of visitors of The College of William & Mary in Virginia and establishes the board of visitors of Richard Bland College, effective date of certain provisions. Chief Patron: Carr

HB 2158 Corrections, Department of; functional literacy program for inmates, data sharing and tracking, salary schedules for teachers, Virginia Prison Education Task Force established, report. Chief Patron: Carr

HB 2161 Virginia Commonwealth University Health System Authority; changes relating to board of directors and chief executive officer, chief executive officer shall serve until board appoints successor. Chief Patron: Carr

HB 2229 Virginia Residential Landlord and Tenant Act; material noncompliance by landlord, rent escrow. Chief Patron: Cousins

HB 2237 Public school employees; suspension, notice and opportunity for a hearing. Chief Patron: Cousins

HB 2241 Firearms, firearms ammunition, etc.; possession or transportation or carrying concealed weapons by persons convicted of a misdemeanor hate crime prohibited, criminal history record information check required for transfer of certain firearms, penalty. Chief Patron: Tran

HB 2244 Standards of Quality; measurement of student educational performance and academic achievement, calculation of proportionality score required, provisions shall be implemented beginning with 2025-2026 school year. Chief Patron: Cousins

HB 2264 Taxation, Department of; repealing Virginia Free File Tax program, Tax Commissioner shall phase out program no later than December 31, 2028. Chief Patron: Tran

HB 2276 Voter registration; list maintenance activities, cancellation procedures, required record matches, required identification information, cancellation of registration for persons known to be deceased or disqualified to vote, repeals various provisions relating to duty of Department of Elections. Chief Patron: Price

HB 2277 Elections administration; duties of local electoral board, certification of election, grounds for removal, civil penalty. Chief Patron: Price

HB 2341 Culturally responsive and language-appropriate mental health support and services; guidance and policies. Chief Patron: Shin

HB 2350 Emergency Management, Department of; powers and duties, development and implementation of standardized guidelines and training programs, effective date. Chief Patron: Gardner

HB 2351 Civil litigation; suspension bonds and irrevocable letters of credit upon appeal, monetary limit adjustment. Chief Patron: Hernandez

HB 2356 Prevailing wage rate; apprenticeship requirements, RPS-eligible source work, third-party developer, penalties. Chief Patron: Mundon King

HB 2371 Health insurance; coverage for contraceptive drugs and devices, provisions shall only apply to contracts, etc. Chief Patron: Mundon King

HB 2397 Virginia Growth and Opportunity Act; expands eligibility for grants. Chief Patron: Glass

HB 2413 Electric utilities; integrated resource plans, Phase I or Phase II files updated plans, etc., report. Chief Patron: Mundon King

HB 2466 Hampton Roads Interstate Highway Corridor Improvement Program and Fund and Hampton Roads Highway Coastal Resilience Program and Fund; created, Planning District 23 (Hampton Roads). Chief Patron: Glass

HB 2469 Overtime for certain employees; definitions, domestic service workers and live-in domestic workers, effective clause. Chief Patron: Henson

HB 2477 Property under common ownership; creation of easements. Chief Patron: Henson

HB 2479 Elections; preferred place of venue, political campaign advertisements, synthetic media, penalty. Chief Patron: Sickles

HB 2482 Virginia Public Procurement Act; additional public works contract requirements, effective date, certain provisions shall not apply to transportation-related construction projects. Chief Patron: Krizek

HB 2485 Cannabis control; establishes framework for creating retail market, penalties. Chief Patron: Krizek

HB 2520 Virginia military forces; military protective orders, Sexual Offense Prevention and Response Program created within Department of Military Affairs, report. Chief Patron: Cole

HB 2531 Paid family and medical leave insurance program; definitions, notice requirements, civil action. Chief Patron: Sewell

HB 2537 Energy storage requirements; Department of Energy, et al., to develop model ordinances, evaluation of potential role of energy storage technologies, definition of "long-duration energy storage" and "short-duration energy storage," reports. Chief Patron: Sullivan

HB 2550 Noise abatement monitoring systems; counties in Planning Districts 8 and 16 (Northern Virginia and George Washington) to place and operate, definitions, civil penalties, sunset. Chief Patron: Sullivan

HB 2555 Marijuana-related offenses; creates a process by which persons may receive hearing to consider modification of sentence, sunset. Chief Patron: Henson

HB 2559 Authority of local governments; definitions, service employees. Chief Patron: Lopez

HB 2561 Employee protections; minimum wage and overtime wages, civil actions, misclassification of workers. Chief Patron: Lopez

HB 2613 Child abuse and neglect; custody and visitation, possession or consumption of authorized substances. Chief Patron: Clark

HB 2619 Private companies providing public transportation services; requirements for companies, bid specifications, etc., employee protections. Chief Patron: Helmer

HB 2631 Firearms; purchase, at least five day waiting period, penalty. Chief Patron: Hayes

HB 2638 Trees; conservation and replacement during development process. Chief Patron: Hope

HB 2647 Restorative housing and isolated confinement; restrictions on use, effective date. Chief Patron: Keys-Gamarra

HB 2668 Elections; procedures for removal of electoral board members and general registrars. Chief Patron: Simon

HB 2743 Public service companies; prevailing wage rate for underground infrastructure works, recordkeeping required. Chief Patron: Shin

HB 2744 Electric utilities; energy efficiency upgrades, reduce heating-related costs of living for low-income residents, report. Chief Patron: Sickles

HB 2746 Incapacitated persons; finding of lack of capacity to understand act of voting. Chief Patron: Tran

HB 2756 Transportation network companies; publishing and disclosure requirements, effective date. Chief Patron: Singh

HB 2764 Collective bargaining by public employees; definitions, exclusive bargaining representatives, repeals existing prohibition on collective bargaining, firefighters and emergency medical services providers, arbitration process, effective date. Chief Patron: Tran

HB 2768 County manager plan of government; broadens several powers related to the county board size and manner of election, effective clause. Chief Patron: Hope

HB 2769 Life insurance or accident and sickness insurance; unfair discrimination, pre-exposure prophylaxis for prevention of human immunodeficiency virus. Chief Patron: Ward

HB 2779 New Americans Advisory Board, Office of; increases member of nonlegislative citizen members. Chief Patron: Shin

HB 2781 Affordable housing; counties with executive form of government with authority to provide program. Chief Patron: Henson

HB 2782 Blue catfish; Board of Wildlife Resources shall amend 4VAC15-320-25, Creel and length limits in the Commonwealth. Chief Patron: Simonds

SENATE BILLS

SB 740 Medicine, Board of; continuing education, unconscious bias and cultural competency training, report. Chief Patron: Locke

SB 744 Firearms; transfers to another person from a prohibited person. Chief Patron: Favola

SB 760 Elections; deadline for receipt of absentee ballots and certain other information, moves from noon to 5:00 p.m. on the third day after the election. Chief Patron: Favola

SB 775 Elections; preferred place of venue, political campaign advertisements, synthetic media, penalty. Chief Patron: Surovell

SB 777 Income-Qualified Energy Efficiency and Weatherization Task Force; Department of Housing and Community Development, et al., shall establish, definitions, report date. Chief Patron: Locke

SB 778 Juveniles; adjudication of delinquency, when and how child may be taken into immediate custody. Chief Patron: Locke

SB 780 Health insurance; coverage for contraceptive drugs and devices, provisions shall only apply to contracts, etc. Chief Patron: Carroll Foy

SB 812 Virginia Residential Landlord and Tenant Act; landlord remedies, noncompliance with rental agreement. Chief Patron: Rouse

SB 813 Voter registration; regular periodic review of registration records, 90-day quiet period before all primary and general elections, cancellation of registration by voter, etc. Chief Patron: Rouse

SB 814 Election of certain governing bodies; conversion to single-member districts, provided governing body adopts and implements remedial election system, etc. Chief Patron: Rouse

SB 815 Virginia Residential Landlord and Tenant Act; adverse action by landlord against prospective tenant, tenant remedies. Chief Patron: Rouse

SB 823 Electric utilities; construction of renewable energy facilities. Chief Patron: Rouse

SB 824 State Corporation Commission; powers and duties. Chief Patron: Rouse

SB 848 Firearms, certain; age requirement for purchase, penalty. Chief Patron: Salim

SB 853 Prevailing wage rate; apprenticeship requirements, RPS-eligible source work, third-party developer, penalties. Chief Patron: Rouse

SB 872 Portsmouth, City of; amending charter, authorization of city manager. Chief Patron: Lucas

SB 880 Assault firearms; carrying in public areas prohibited, penalty. Chief Patron: Ebbin

SB 881 Plastic firearms and unfinished frames or receivers and unserialized firearms; manufacture, importation, etc., prohibited, penalties. Chief Patron: Ebbin

SB 883 Firearms; definition of "intimate partner," purchase, possession, etc., assault and battery of a family or household member or intimate partner, penalties. Chief Patron: Perry

SB 886 Trigger activator; definition does not include semi-automatic replacement trigger, etc., penalty. Chief Patron: Perry

SB 891 Firearms; five day waiting period, penalty. Chief Patron: Salim

SB 893 Renewable energy portfolio standard program; geothermal heating and cooling systems, report. Chief Patron: Surovell

SB 897 Overtime for certain employees; definitions, domestic service workers and live-in domestic workers, effective clause. Chief Patron: Carroll Foy

SB 917 Collective bargaining by public employees; definitions, exclusive bargaining representatives, repeals existing prohibition on collective bargaining, firefighters and emergency medical services providers, arbitration process, effective date. Chief Patron: Surovell

SB 919 Private companies providing public transportation services; requirements for companies, bid specifications, etc., employee protections. Chief Patron: Salim

SB 940 Elections; candidates for office, challenges to candidate qualifications, legal action relating to a person’s eligibility, etc. Chief Patron: Surovell

SB 949 American Indians, Virginia recognized tribes, and federally recognized Tribal Nations in the Commonwealth; definitions, sovereignty. Chief Patron: McDougle

SB 962 Virginia Public Procurement Act; additional public works contract requirements, effective date, certain provisions shall not apply to transportation-related construction projects. Chief Patron: Carroll Foy

SB 963 Discovery materials or evidence; electronic means definition, allows accused to request the Commonwealth to copy or photograph. Chief Patron: Carroll Foy

SB 970 Cannabis control; establishes framework for creating retail market, penalties. Chief Patron: Rouse

SB 995 Real estate appraisers; educational requirements for licensure, fair housing and appraisal bias course. Chief Patron: Williams Graves

SB 1008 Contractors, Board for; licensing examinations. Chief Patron: Surovell

SB 1009 Elections; conduct of election, ranked choice voting, report. Chief Patron: Salim

SB 1013 Neurocognitive disorder, intellectual or developmental disability; affirmative defense to prosecution, etc., of person for assault or assault and battery, etc. Chief Patron: Boysko

SB 1017 School boards; powers and duties, school meal policies, payment of school meal debt. Chief Patron: Roem

SB 1021 Electric utilities; integrated resource plans, Phase I or Phase II files updated plans, etc., report. Chief Patron: Surovell

SB 1024 Motor Vehicles, Department of; electronic transactions, voluntary contributions. Chief Patron: Roem

SB 1032 Public school teachers; written notice of noncontinuation of continuing contract. Chief Patron: Pekarsky

SB 1040 Electric utilities; renewable energy portfolio standard program requirements, power purchase agreements, Phase II Utility may recover costs associated with any petition for cost recovery, etc. Chief Patron: VanValkenburg

SB 1047 Demand response programs; Department of Energy shall evaluate and assess benefits, impacts, etc., and recommendations. Chief Patron: Roem

SB 1048 School board policies; parental notification, safe storage of prescription drugs and firearms in the household. Chief Patron: Pekarsky

SB 1052 Virginia Human Rights Act; definition of "employer." Chief Patron: Ebbin

SB 1105 Contraception; establishes right to obtain, applicability, enforcement. Chief Patron: Hashmi

SB 1110 Weapons; possession prohibited in a hospital that provides mental health or developmental services, definitions, penalty. Chief Patron: Williams Graves

SB 1118 Cemeteries on private property; registration by localities, effective date. Chief Patron: Roem

SB 1119 Elections; primary dates, presidential year primaries. Chief Patron: VanValkenburg

SB 1124 Driver education programs; classroom training may be administered in-person or online. Chief Patron: Boysko

SB 1125 Propagation of mammalian wildlife; unlawful without a permit premature separation. Chief Patron: Boysko

SB 1128 Virginia Residential Landlord and Tenant Act; criminal record screening model policy, no landlord of an affordable housing unit shall inquire about or require disclosure of, etc., on an applicant’s criminal or arrest record, effective date. Chief Patron: Lucas

SB 1132 Prospective employees; prohibiting employer seeking wage or salary history. Chief Patron: Boysko

SB 1134 Firearms; storage in residence where minor or person prohibited from possessing is present, penalty. Chief Patron: Boysko

SB 1135 Crystalline polymorph psilocybin; Board of Pharmacy shall promulgate regulations that allow for prescribing, possessing, etc. Chief Patron: Boysko

SB 1181 Assault firearms and certain ammunition feeding devices; purchase, sale, transfer, etc., prohibited, penalties. Chief Patron: Deeds

SB 1182 Capitol Square or building owned or leased by the Commonwealth; limits exemption from prohibition on carrying a firearm or explosive material, penalty. Chief Patron: Deeds

SB 1191 Adults charged with a criminal offense punishable by confinement in jail or a term of imprisonment; collection and reporting of data. Chief Patron: Deeds

SB 1233 Speed safety cameras; placement and operation, use in high-risk speed corridors, certain pedestrian corridors, etc., definitions, civil penalty, report. Chief Patron: Williams Graves

SB 1234 Private well permit application; application shall include whether new construction, repair of existing well, etc. Chief Patron: Aird

SB 1252 Financial institutions; loans and legal rate of interest. Chief Patron: Bagby

SB 1254 Comprehensive plan; environmental justice strategy. Chief Patron: Bagby

SB 1259 Virginia Commonwealth University Health System Authority; changes relating to board of directors and chief executive officer, chief executive officer shall serve until board appoints successor. Chief Patron: Bagby

SB 1306 Taxation, Department of; repealing Virginia Free File Tax program, Tax Commissioner shall phase out program no later than December 31, 2028. Chief Patron: McPike

SB 1307 Sales and use tax, local; additional tax authorized in all counties and cities to support schools, definition of "public school capital projects," referendum. Chief Patron: McPike

SB 1313 Affordable housing; local zoning ordinance authority, comprehensive plan. Chief Patron: McPike

SB 1319 Industrial wastewater; publicly owned treatment works, self-reporting of PFAS manufacture and use for PFAS assessment. Chief Patron: McPike

SB 1324 Obstructing health care facility access; penalties. Chief Patron: Surovell

SB 1329 Carrying concealed weapons; secured storage of firearms in unattended vehicles, penalty. Chief Patron: Marsden

SB 1342 Electric utilities; energy efficiency upgrades, reduce heating-related costs of living for low-income residents, report. Chief Patron: Bagby

SB 1348 Transportation network companies; publishing and disclosure requirements, effective date. Chief Patron: Srinivasan

SB 1350 Restaurants; food allergy awareness notice required. Chief Patron: Srinivasan

SB 1386 Emergency Management, Department of; powers and duties, development and implementation of standardized guidelines and training programs, effective date. Chief Patron: Favola

SB 1393 Pregnancy mobile application; Department of Medical Assistance Services shall partner with mobile pregnancy application to promote awareness of state government maternal and infant health programs, etc., Department shall seek necessary authority to develop an in lieu of service or setting that expands access to nutritious food. Chief Patron: Williams Graves

SB 1394 Energy storage requirements; Department of Energy, et al., to develop model ordinances, evaluation of potential role of energy storage technologies, definition of "long-duration energy storage" and "short-duration energy storage," reports. Chief Patron: Bagby

SB 1409 Restorative housing and isolated confinement; restrictions on use, effective date. Chief Patron: Bagby

SB 1449 Data centers; site assessment for a high energy use facility, definition, rezoning applications. Chief Patron: Ebbin

SB 1450 Firearm industry members; definitions, standards of responsible conduct, civil liability, limitation of action. Chief Patron: Ebbin

SB 1462 High school graduation requirements; history and social studies credits, permitting students to make certain substitutions. Chief Patron: Bagby

SB 1489 Authority of local governments; definitions, service employees. Chief Patron: Bagby

THE HOUSE OF DELEGATES
2025 REGULAR SESSION

District Number	Name	County and/or City Represented
92	Anthony, Bonita G. (D)	Cities of Chesapeake (part) and Norfolk (part)
46	Arnold, Jonathan E. (R)	Counties of Grayson, Pulaski (part), Smyth, and Wythe
95	Askew, Alex Q. (D)	Cities of Norfolk (part) and Virginia Beach (part)
37	Austin, Terry L. (R)	Counties of Alleghany, Botetourt, Craig, and Rockbridge (part); Cities of Buena Visa, Covington, and Lexington
42	Ballard, Jason S. (R)	Counties of Giles, Montgomery (part), and Pulaski (part); City of Radford
71	Batten, Amanda E. (R)	Counties of James City (part) and New Kent (part); City of Williamsburg
5	Bennett-Parker, Elizabeth B. (D)	City of Alexandria (part)
100	Bloxom, Robert S., Jr. (R)	Counties of Accomack and Northampton; City of Virginia Beach (part)
11	Bulova, David L. (D)	County of Fairfax (part); City of Fairfax
54	Callsen, Katrina E. (D)	County of Albemarle (part); City of Charlottesville
36	Campbell, Ellen H. (R)	Counties of Augusta (part) and Rockbridge (part); Cities of Staunton and Waynesboro
78	Carr, Betsy B. (D)	City of Richmond (part)
74	Cherry, Mike A. (R)	County of Chesterfield (part); City of Colonial Heights
84	Clark, Nadarius E. (D)	County of Isle of Wight (part); Cities of Franklin and Suffolk (part)
15	Cohen, Laura Jane (D)	County of Fairfax (part)
65	Cole, Joshua G. (D)	Counties of Spotsylvania (part) and Stafford (part); City of Fredericksburg
96	Convirs-Fowler, Kelly K. (D)	City of Virginia Beach (part)
86	Cordoza, A.C. (R)	County of York (part); Cities of Hampton (part) and Poquoson
79	Cousins, Rae C. (D)	City of Richmond (part)
75	Coyner, Carrie E. (R)	Counties of Chesterfield (part) and Prince George (part); City of Hopewell
39	Davis, Will P. (R)	Counties of Franklin and Roanoke (part)
9	Delaney, Karrie K. (D)	County of Fairfax (part)
73	Earley, Mark L., Jr. (R)	County of Chesterfield (part)
89	Ennis, N. Baxter (R)	Cities of Chesapeake (part) and Suffolk (part)

THE HOUSE OF DELEGATES
2025 REGULAR SESSION

District Number	Name	County and/or City Represented
97	Feggans, Michael (D)	City of Virginia Beach (part)
59	Fowler, Hyland F., Jr. (R)	Counties of Hanover (part), Henrico (part), and Louisa (part)
62	Freitas, Nicholas J. (R)	Counties of Culpeper (part), Greene, Madison, and Orange (part)
76	Gardner, Debra D. (D)	County of Chesterfield (part)
56	Garrett, Thomas A., Jr. (R)	Counties of Appomattox, Buckingham, Cumberland, Fluvanna (part), Goochland (part), Louisa (part), and Prince Edward (part)
33	Gilbert, C. Todd (R)	Counties of Page, Rockingham (part), Shenandoah, and Warren (part)
93	Glass, Jackie Hope (D)	City of Norfolk (part)
69	Green, W. Chad, Sr. (R)	Counties of Gloucester (part), James City (part), and York (part); City of Newport News (part)
53	Griffin, Timothy P. (R)	Counties of Amherst, Bedford (part), and Nelson (part)
91	Hayes, C.E. (Cliff), Jr. (D)	Cities of Chesapeake (part) and Portsmouth (part)
10	Helmer, Dan (D)	County of Fairfax (part)
19	Henson, Rozia A., Jr. (D)	Counties of Fairfax (part) and Prince William (part)
94	Hernandez, Phil M. (D)	City of Norfolk (part)
4	Herring, Charniele L. (D)	County of Fairfax (part); City of Alexandria (part)
30	Higgins, Geary M. (R)	Counties of Fauquier (part) and Loudoun (part)
68	Hodges, M. Keith (R)	Counties of Essex, Gloucester (part), King and Queen, King William, Mathews, and Middlesex
1	Hope, Patrick A. (D)	County of Arlington (part)
77	Jones, Michael J. (D)	County of Chesterfield (part); City of Richmond (part)
67	Kent, Hillary Pugh (R)	Counties of Caroline (part), King George, Lancaster, Northumberland, Richmond, and Westmoreland
7	Keys-Gamarra, Karen (D)	County of Fairfax (part)
45	Kilgore, Terry G. (R)	Counties of Dickenson (part), Lee, Scott, and Wise; City of Norton
98	Knight, Barry D. (R)	City of Virginia Beach (part)
16	Krizek, Paul E. (D)	County of Fairfax (part)
55	Laufer, Amy J. (D)	Counties of Albemarle (part), Fluvanna (part), Louisa (part), and Nelson (part)

THE HOUSE OF DELEGATES
2025 REGULAR SESSION

District Number	Name	County and/or City Represented
90	Leftwich, James A., Jr. (R)	City of Chesapeake (part)
80	LeVere Bolling, Destiny L. (D)	County of Henrico (part)
3	Lopez, Alfonso H. (D)	County of Arlington (part); City of Alexandria (part)
22	Lovejoy, Ian T. (R)	County of Prince William (part)
20	Maldonado, Michelle Lopes (D)	County of Prince William (part); Cities of Manassas and Manassas Park
49	Marshall, Daniel W., III (R)	Counties of Halifax (part) and Pittsylvania (part); City of Danville
29	Martinez, Fernando J. (D)	County of Loudoun (part)
2	McClure, Adele Y. (D)	County of Arlington (part)
40	McNamara, Joseph P. (R)	County of Roanoke (part); Cities of Roanoke (part) and Salem
81	McQuinn, Delores L. (D)	Counties of Charles City, Chesterfield (part), and Henrico (part)
64	Milde, Paul V., III (R)	County of Stafford (part)
43	Morefield, James W. (R)	Counties of Bland, Buchanan, Dickenson (part), Russell (part), and Tazewell
23	Mundon King, Candi (D)	Counties of Prince William (part) and Stafford (part)
31	Oates, Delores (R)	Counties of Clarke, Frederick (part), and Warren (part)
41	Obenshain, Joseph C. (R)	Counties of Montgomery (part) and Roanoke (part)
44	O'Quinn, Israel D. (R)	Counties of Russell (part), and Washington (part); City of Bristol
66	Orrock, Robert D., Sr. (R)	Counties of Caroline (part) and Spotsylvania (part)
57	Owen, David L. (R)	Counties of Goochland (part) and Henrico (part)
48	Phillips, Eric J. (R)	Counties of Henry (part) and Pittsylvania (part); City of Martinsville
85	Price, Marcia S. (D)	City of Newport News (part)
38	Rasoul, Sam (D)	City of Roanoke (part)
27	Reaser, Atoosa R. (D)	County of Loudoun (part)
28	Reid, David A. (D)	County of Loudoun (part)
35	Runion, Chris (R)	Counties of Augusta (part), Bath, Highland, and Rockingham (part)
88	Scott, Don (D)	City of Portsmouth (part)
63	Scott, Phillip A. (R)	Counties of Orange (part) and Spotsylvania (part)

THE HOUSE OF DELEGATES
2025 REGULAR SESSION

District Number	Name	County and/or City Represented
12	Seibold, Holly M. (D)	County of Fairfax (part)
25	Sewell, Briana D. (D)	County of Prince William (part)
8	Shin, Irene (D)	County of Fairfax (part)
17	Sickles, Mark D. (D)	County of Fairfax (part)
13	Simon, Marcus B. (D)	County of Fairfax (part); City of Falls Church
70	Simonds, Shelly A. (D)	City of Newport News (part)
26	Singh JJ (D)	County of Loudoun (part)
6	Sullivan, Richard C., Jr. (D)	County of Fairfax (part)
99	Tata, Anne Ferrell H. (R)	City of Virginia Beach (part)
82	Taylor, Kimberly A. (R)	Counties of Dinwiddie (part), Prince George (part), and Surry; City of Petersburg
21	Thomas, Josh (D)	County of Prince William (part)
24	Torian, Luke E. (D)	County of Prince William (part)
18	Tran, Kathy KL (D)	County of Fairfax (part)
83	Wachsmann, Howard Otto, Jr. (R)	Counties of Brunswick, Dinwiddie (part), Greensville, Isle of Wight (part), Southampton, and Sussex; City of Emporia
52	Walker, Wendell S. (R)	County of Campbell (part); City of Lynchburg
87	Ward, Jeion A. (D)	City of Hampton (part)
72	Ware, R. Lee (R)	Counties of Amelia, Chesterfield (part), Nottoway, and Powhatan
14	Watts, Vivian E. (D)	County of Fairfax (part)
61	Webert, Michael J. (R)	Counties of Culpeper (part), Fauquier (part), and Rappahannock
32	Wiley, William D. (R)	Counties of Frederick (part); City of Winchester
58	Willett, Rodney T. (D)	County of Henrico (part)
47	Williams, Wren M. (R)	Counties of Carroll, Floyd, Henry (part), and Patrick; City of Galax
34	Wilt, Tony O. (R)	County of Rockingham (part); City of Harrisonburg
50	Wright, Thomas C., Jr. (R)	Counties of Charlotte, Halifax (part), Lunenburg, Mecklenburg, and Prince Edward (part)
60	Wyatt, Scott A. (R)	Counties of Hanover (part) and New Kent (part)
51	Zehr, Eric (R)	Counties of Bedford (part), Campbell (part), and Pittsylvania (part)

THE SENATE
2025 REGULAR SESSION

District Number	Name	County and/or City Represented
13	Aird, Lashrecse D. (D)	Counties of Charles City, Dinwiddie (part), Henrico (part), Prince George, Surry, and Sussex; Cities of Hopewell and Petersburg
14	Bagby, Lamont (D)	County of Henrico (part); City of Richmond (part)
38	Boysko, Jennifer B. (D)	County of Fairfax (part)
33	Carroll Foy, Jennifer D. (D)	Counties of Fairfax (part) and Prince William (part)
10	Cifers, Luther Henry, III (R)‡	Counties of Amelia, Appomattox, Buckingham, Cumberland, Fluvanna, Goochland, Hanover (part), Louisa (part), Powhatan, and Prince Edward (part)
19	Craig, Christie New (R)	Cities of Chesapeake (part) and Virginia Beach (part)
11	Deeds, R. Creigh (D)	Counties of Albemarle, Amherst, Louisa (part), and Nelson; City of Charlottesville
20	DeSteph, Bill (R)	Counties of Accomack and Northampton; Cities of Norfolk (part) and Virginia Beach (part)
24	Diggs, J.D. (R)	Counties of James City (part) and York; Cities of Newport News (part), Poquoson, and Williamsburg
27	Durant, Tara A. (R)	Counties of Spotsylvania (part) and Stafford (part); City of Fredericksburg
39	Ebbin, Adam P. (D)	Counties of Arlington (part) and Fairfax (part); City of Alexandria
40	Favola, Barbara A. (D)	County of Arlington (part)
1	French, Timmy (R)	Counties of Clarke, Frederick, Shenandoah, and Warren; City of Winchester
5	Hackworth, T. Travis (R)	Counties of Bland, Giles, Montgomery (part), Pulaski, Smyth, Tazewell, and Wythe (part); City of Radford
15	Hashmi, Ghazala F. (D)	County of Chesterfield (part); City of Richmond (part)
3	Head, Christopher T. (R)	Counties of Alleghany, Augusta (part), Botetourt, Craig, Roanoke (part), and Rockbridge; Cities of Buena Vista, Covington, Lexington, Staunton, and Waynesboro
17	Jordan, Emily M. (R)	Counties of Brunswick, Dinwiddie (part), Greensville, Isle of Wight, and Southampton; Cities of Emporia, Franklin, Portsmouth (part), and Suffolk
23	Locke, Mamie E. (D)	Cities of Hampton and Newport News (part)
18	Lucas, L. Louise (D)	Cities of Chesapeake (part) and Portsmouth (part)
35	Marsden, David W. (D)	County of Fairfax (part)
26	McDougle, Ryan T. (R)	Counties of Gloucester, Hanover (part), James City (part), King and Queen (part), Mathews, and New Kent
29	McPike, Jeremy S. (D)	Counties of Prince William (part) and Stafford (part)

THE SENATE
2025 REGULAR SESSION

District Number	Name	County and/or City Represented
9	Mulchi, Tammy Brankley (R)	Counties of Charlotte, Halifax, Lunenburg, Mecklenburg, Nottoway, Pittsylvania, and Prince Edward (part); City of Danville
2	Obenshain, Mark D. (R)	Counties of Augusta (part), Bath, Highland, Page, and Rockingham; City of Harrisonburg
8	Peake, Mark J. (R)	Counties of Bedford and Campbell; City of Lynchburg
36	Pekarsky, Stella G. (D)	County of Fairfax (part)
31	Perry, Russet W. (D)	Counties of Fauquier and Loudoun
6	Pillion, Todd E. (R)	Counties of Buchanan, Dickenson, Lee, Russell, Scott, Washington, and Wise; Cities of Bristol and Norton
28	Reeves, Bryce E. (R)	Counties of Culpeper, Fauquier (part), Greene, Madison, Orange, Rappahannock, and Spotsylvania (part)
30	Roem, Danica A. (D)	County of Prince William (part); Cities of Manassas and Manassas Park
22	Rouse, Aaron R. (D)	City of Virginia Beach (part)
37	Salim, Saddam Azlan (D)	County of Fairfax (part); Cities of Fairfax and Falls Church
32	Srinivasan, Kannan (D)‡‡	County of Loudoun (part)
7	Stanley, William M., Jr. (R)	Counties of Carroll, Floyd, Franklin, Grayson, Henry, Patrick, and Wythe (part); Cities of Galax and Martinsville
25	Stuart, Richard H. (R)	Counties of Caroline, Essex, King and Queen (part), King George, King William, Lancaster, Middlesex, Northumberland, Richmond, Spotsylvania (part), and Westmoreland
12	Sturtevant, Glen H., Jr. (R)	County of Chesterfield (part); City of Colonial Heights
4	Suetterlein, David R. (R)	Counties of Montgomery (part) and Roanoke (part); Cities of Roanoke and Salem
34	Surovell, Scott A. (D)	County of Fairfax (part)
16	VanValkenburg, Schuyler T. (D)	County of Henrico (part)
21	Williams Graves, Angelia (D)	City of Norfolk (part)

‡Elected to fill vacancy of John J. McGuire III. Sworn in January 15, 2025.
‡‡Elected to fill vacancy of Suhas Subramanyam.Sworn in January 15, 2025.

SENATORS AND DELEGATES BY COUNTIES
2025 REGULAR SESSION

COUNTIES	SENATORS	DELEGATES
Accomack	Bill DeSteph (R)	Robert S. Bloxom, Jr. (R)
Albemarle	R. Creigh Deeds (D)	Katrina E. Callsen (D)
		Amy J. Laufer (D)
Alleghany	Christopher R. Head (R)	Terry L. Austin (R)
Amelia	Luther Henry Cifers III (R)‡	R. Lee Ware (R)
Amherst	R. Creigh Deeds (D)	Timothy P. Griffin (R)
Appomattox	Luther Henry Cifers III (R)	Thomas A. Garrett, Jr. (R)
Arlington	Adam P. Ebbin (D)	Patrick A. Hope (D)
	Barbara A. Favola (D)	Alfonso H. Lopez (D)
		Adele Y. McClure (D)
Augusta	Christopher R. Head (R)	Ellen H. Campbell (R)
	Mark D. Obenshain (R)	Chris Runion (R)
Bath	Mark D. Obenshain (R)	Chris Runion (R)
Bedford	Mark J. Peake (R)	Timothy P. Griffin (R)
		Eric Zehr (R)
Bland	T. Travis Hackworth (R)	James W. Morefield (R)
Botetourt	Christopher R. Head (R)	Terry L. Austin (R)
Brunswick	Emily M. Jordan (R)	Howard Otto Wachsmann, Jr. (R)
Buchanan	Todd E. Pillion (R)	James W. Morefield (R)
Buckingham	Luther Henry Cifers III (R)‡	Thomas A. Garrett, Jr. (R)
Campbell	Mark J. Peake (R)	Wendall S. Walker (R)
		Eric Zehr (R)
Caroline	Richard H. Stuart (R)	Hillary Pugh Kent (R)
		Robert D. Orrock, Sr. (R)
Carroll	William M. Stanley, Jr. (R)	Wren M. Williams (R)
Charles City	Lashrecse D. Aird (D)	Delores L. McQuinn (D)
Charlotte	Tammy Brankley Mulchi (R)	Thomas C. Wright, Jr. (R)
Chesterfield	Ghazala F. Hashmi (D)	Mike A. Cherry (R)
	Glen H. Sturtevant, Jr. (R)	Carrie E. Coyner (R)
		Mark L. Early, Jr. (R)
		Debra D. Gardner (D)
		Michael J. Jones (D)
		Delores L. McQuinn (D)
		R. Lee Ware (R)
Clarke	Timmy French (R)	Delores Oates (R)
Craig	Christopher R. Head (R)	Terry L. Austin (R)
Culpeper	Bryce E. Reeves (R)	Nicholas J. Freitas (R)
		Michael J. Webert (R)
Cumberland	Luther Henry Cifers III (R)‡	Thomas A. Garrett, Jr. (R)
Dickenson	Todd E. Pillion (R)	Terry G. Kilgore (R)
		James W. Morefield (R)
Dinwiddie	Lashrecse D. Aird (D)	Kimberly A. Taylor (R)
	Emily M. Jordan (R)	Howard Otto Wachsmann, Jr. (R)
Essex	Richard H. Stuart (R)	M. Keith Hodges (R)
Fairfax	Jennifer B. Boysko (D)	David L. Bulova (D)
	Jennifer D. Carroll Foy (D)	Laura Jane Cohen (D)
	Adam P. Ebbin (D)	Karrie K. Delaney (D)
	David W. Marsden (D)	Dan Helmer (D)
	Stella G. Pekarsky (D)	Rozia A. Henson, Jr. (D)
	Saddam Azlan Salim (D)	Charniele L. Herring (D)
	Scott A. Surovell (D)	Karen Keys-Gamarra (D)
		Paul E. Krizek (D)
		Holly M. Seibold (D)
		Irene Shin (D)

SENATORS AND DELEGATES BY COUNTIES
2025 REGULAR SESSION

COUNTIES	SENATORS	DELEGATES
		Mark D. Sickles (D)
		Marcus B. Simon (D)
		Richard C. Sullivan, Jr. (D)
		Kathy KL Tran (D)
		Vivian E. Watts (D)
Fauquier	Russet W. Perry (D)	Geary M. Higgins (R)
	Bryce E. Reeves (R)	Michael J. Webert (R)
Floyd	William M. Stanley, Jr. (R)	Wren M. Williams (R)
Fluvanna	Luther Henry Cifers III (R)‡	Thomas A. Garrett, Jr. (R)
		Amy J. Laufer (D)
Franklin	William M. Stanley, Jr. (R)	Will P. Davis (R)
Frederick	Timmy French (R)	Delores Oates (R)
		William D. Wiley (R)
Giles	T. Travis Hackworth (R)	Jason S. Ballard (R)
Gloucester	Ryan T. McDougle (R)	W. Chad Green, Sr. (R)
		M. Keith Hodges (R)
Goochland	Luther Henry Cifers III (R)‡	Thomas A. Garrett, Jr. (R)
		David L. Owen (R)
Grayson	William M. Stanley, Jr. (R)	Jonathan E. Arnold (R)
Greene	Bryce E. Reeves (R)	Nicholas J. Freitas (R)
Greensville	Emily M. Jordan (D)	Howard Otto Wachsmann, Jr. (R)
Halifax	Tammy Brankley Mulchi (R)	Daniel W. Marshall III (R)
		Thomas C. Wright, Jr. (R)
Hanover	Ryan T. McDougle (R)	Hyland F. Fowler, Jr. (R)
	Luther Henry Cifers III (R)‡	Scott A. Wyatt (R)
Henrico	Lashrecse D. Aird (D)	Hyland F. Fowler, Jr. (R)
	Lamont Bagby (D)	Destiny L. LeVere Bolling (D)
	Schuyler T. VanValkenburg (D)	Delores L. McQuinn (D)
		David L. Owen (R)
		Rodney T. Willett (D)
Henry	William M. Stanley, Jr. (R)	Eric J. Phillips (R)
		Wren M. Williams (R)
Highland	Mark D. Obenshain (R)	Chris Runion (R)
Isle of Wight	Emily M. Jordan (D)	Nadarius E. Clark (D)
		Howard Otto Wachsmann, Jr. (R)
James City	J.D. Diggs (R)	Amanda E. Batten (R)
	Ryan T. McDougle (R)	W. Chad Green, Sr. (R)
King and Queen	Ryan T. McDougle (R)	M. Keith Hodges (R)
	Richard H. Stuart (R)	
King George	Richard H. Stuart (R)	Hillary Pugh Kent (R)
King William	Richard H. Stuart (R)	M. Keith Hodges (R)
Lancaster	Richard H. Stuart (R)	Hillary Pugh Kent (R)
Lee	Todd E. Pillion (R)	Terry G. Kilgore (R)
Loudoun	Russet W. Perry (D)	Geary M. Higgins (R)
	Kannan Srinivasan (D)‡‡	Fernando J. Martinez (D)
		Atoosa R. Reaser (D)
		David A. Reid (D)
		JJ Singh (D)
Louisa	Luther Henry Cifers III (R)‡	Hyland F. Fowler, Jr. (R)
	R. Creigh Deeds (D)	Thomas A. Garrett, Jr. (R)
		Amy J. Laufer (D)
Lunenburg	Tammy Brankley Mulchi (R)	Thomas C. Wright, Jr. (R)
Madison	Bryce E. Reeves (R)	Nicholas J. Freitas (R)
Mathews	Ryan T. McDougle (R)	M. Keith Hodges (R)
Mecklenburg	Tammy Brankley Mulchi (R)	Thomas C. Wright, Jr. (R)

SENATORS AND DELEGATES BY COUNTIES
2025 REGULAR SESSION

COUNTIES	SENATORS	DELEGATES
Middlesex	Richard H. Stuart (R)	M. Keith Hodges (R)
Montgomery	T. Travis Hackworth (R)	Jason S. Ballard (R)
	David R. Suetterlein (R)	Joseph C. Obenshain (R)
Nelson	R. Creigh Deeds (D)	Timothy P. Griffin (R)
		Amy J. Laufer (D)
New Kent	Ryan T. McDougle (R)	Amanda E. Batten (R)
		Scott A. Wyatt (R)
Northampton	Bill DeSteph (R)	Robert S. Bloxom, Jr. (R)
Northumberland	Richard H. Stuart (R)	Hillary Pugh Kent (R)
Nottoway	Tammy Brankley Mulchi (R)	R. Lee Ware (R)
Orange	Bryce E. Reeves (R)	Nicholas J. Freitas (R)
		Phillip A. Scott (R)
Page	Mark D. Obenshain (R)	C. Todd Gilbert (R)
Patrick	William M. Stanley, Jr. (R)	Wren M. Williams (R)
Pittsylvania	Tammy Brankley Mulchi (R)	Daniel W. Marshall III (R)
		Eric J. Phillips (R)
		Eric Zehr (R)
Powhatan	Luther Henry Cifers III (R)‡	R. Lee Ware (R)
Prince Edward	Luther Henry Cifers III (R)‡	Thomas A. Garrett, Jr. (R)
	Tammy Brankley Mulchi (R)	Thomas C. Wright, Jr. (R)
Prince George	Lashrecse D. Aird (D)	Carrie E. Coyner (R)
		Kimberly A. Taylor (R)
Prince William	Jennifer D. Carroll Foy (D)	Rozia A. Henson, Jr. (D)
	Jeremy S. McPike (D)	Ian T. Lovejoy (R)
	Danica A. Roem (D)	Michelle Lopes Maldonado (D)
		Candi Mundon King (D)
		Briana D. Sewell (D)
		Josh Thomas (D)
		Luke E. Torian (D)
Pulaski	T. Travis Hackworth (R)	Jonathan E. Arnold (R)
		Jason S. Ballard (R)
Rappahannock	Bryce E. Reeves (R)	Michael J. Webert (R)
Richmond	Richard H. Stuart (R)	Hillary Pugh Kent (R)
Roanoke	Christopher T. Head (R)	Will P. Davis (R)
	David R. Suetterlein (R)	Joseph P. McNamara (R)
		Joseph C. Obenshain (R)
Rockbridge	Christopher T. Head (R)	Terry L. Austin (R)
		Ellen H. Campbell (R)
Rockingham	Mark D. Obenshain (R)	C. Todd Gilbert (R)
		Chris Runion (R)
		Tony O. Wilt (R)
Russell	Todd E. Pillion (R)	James W. Morefield (R)
		Israel D. O'Quinn (R)
Scott	Todd E. Pillion (R)	Terry G. Kilgore (R)
Shenandoah	Timmy French (R)	C. Todd Gilbert (R)
Smyth	T. Travis Hackworth (R)	Jonathan E. Arnold (R)
Southampton	Emily M. Jordan (R)	Howard Otto Wachsmann, Jr. (R)
Spotsylvania	Tara A. Durant (R)	Joshua G. Cole (D)
	Bryce E. Reeves (R)	Robert D. Orrock, Sr. (R)
	Richard H. Stuart (R)	Phillip A. Scott (R)
Stafford	Tara A. Durant (R)	Joshua G. Cole (D)
	Jeremy S. McPike (D)	Paul V. Milde III (R)
		Candi Mundon King (D)
Surry	Lashrecse D.Aird (D)	Kimberly A. Taylor (R)

SENATORS AND DELEGATES BY COUNTIES
2025 REGULAR SESSION

COUNTIES	SENATORS	DELEGATES
Sussex	Lashrecse D.Aird (D)	Howard Otto Wachsmann, Jr. (R)
Tazewell	T. Travis Hackworth (R)	James W. Morefield (R)
Warren	Timmy French (R)	C. Todd Gilbert (R)
		Delores Oates (R)
Washington	Todd E. Pillion (R)	Israel D. O'Quinn (R)
Westmoreland	Richard H. Stuart (R)	Hillary Pugh Kent (R)
Wise	Todd E. Pillion (R)	Terry G. Kilgore (R)
Wythe	T. Travis Hackworth (R)	Jonathan E. Arnold (R)
	William M. Stanley, Jr. (R)	
York	J.D. Diggs (R)	A.C. Cordoza (R)
		W. Chad Green, Sr. (R)

‡Elected to fill vacancy of John J. McGuire III. Sworn in January 15, 2025.
‡‡Elected to fill vacancy of Suhas Subramanyam.Sworn in January 15, 2025.

SENATORS AND DELEGATES BY CITIES
2025 REGULAR SESSION

CITIES	SENATORS	DELEGATES
Alexandria	Adam P. Ebbin (D)	Elizabeth B. Bennett-Parker (D)
		Charniele L. Herring (D)
		Alfonso H. Lopez (D)
Bristol	Todd E. Pillion (R)	Israel D. O'Quinn (R)
Buena Vista	Christopher T. Head (R)	Terry L. Austin (R)
Charlottesville	R. Creigh Deeds (D)	Katrina E. Callsen (D)
Chesapeake	Christie New Craig (R)	Bonita G. Anthony (D)
	L. Louise Lucas (D)	N. Baxter Ennis (R)
		C.E. (Cliff) Hayes, Jr. (D)
		James A. Leftwich, Jr. (R)
Colonial Heights	Glen H. Sturtevant, Jr. (R)	Mike A. Cherry (R)
Covington	Christopher T. Head (R)	Terry L. Austin (R)
Danville	Tammy Brankley Mulchi (R)	Daniel W. Marshall III (R)
Emporia	Emily M. Jordan (R)	Howard Otto Wachsmann, Jr. (R)
Fairfax	Saddam Azlan Salim (D)	David L. Bulova (D)
Falls Church	Saddam Azlan Salim (D)	Marcus D. Simon (D)
Franklin	Emily M. Jordan (R)	Nadarius E. Clark (D)
Fredericksburg	Tara A. Durant (R)	Joshua G. Cole (D)
Galax	William M. Stanley, Jr. (R)	Wren M. Williams (R)
Hampton	Mamie E. Locke (D)	A.C. Cordoza (R)
		Jeion A. Ward (D)
Harrisonburg	Mark D. Obenshain (R)	Tony O. Wilt (R)
Hopewell	Lashrecse D. Aird (D)	Carrie E. Coyner (R)
Lexington	Christopher T. Head (R)	Terry L. Austin (R)
Lynchburg	Mark J. Peake (R)	Wendell S. Walker (R)
Manassas	Danica A. Roem (D)	Michelle Lopes Maldonado (D)
Manassas Park	Danica A. Roem (D)	Michelle Lopes Maldonado (D)
Martinsville	William M. Stanley, Jr. (R)	Eric J. Phillips (R)
Newport News	J.D. Diggs (R)	W. Chad Green, Sr. (R)
	Mamie E. Locke (D)	Marcia S. Price (D)
		Shelly A. Simonds (D)
Norfolk	Bill DeSteph (R)	Bonita G. Anthony (D)
	Angelia Williams Graves (D)	Alex Q. Askew (D)
		Jackie Hope Glass (D)
		Phil M. Hernandez (D)
Norton	Todd E. Pillion (R)	Terry G. Kilgore (R)
Petersburg	Lashrecse D. Aird (D)	Kimberly A. Taylor (R)
Poquoson	J.D. Diggs (R)	A.C. Cordoza (R)
Portsmouth	Emily M. Jordan (R)	C.E. (Cliff) Hayes, Jr. (D)
	L. Louise Lucas (D)	Don Scott (D)
Radford	T. Travis Hackworth (R)	Jason S. Ballard (R)
Richmond	Lamont Bagby (D)	Betsy B. Carr (D)
	Ghazala F. Hashmi (D)	Rae C. Cousins (D)
		Michael J. Jones (D)
Roanoke	David R. Suetterlein (R)	Joseph P. McNamara (R)
		Sam Rasoul (D)
Salem	David R. Suetterlein (R)	Joseph P. McNamara (R)
Staunton	Christopher T. Head (R)	Ellen H. Campbell (R)
Suffolk	Emily M. Jordan (R)	Nadarius E. Clark (D)
		N. Baxter Ennis (R)
Virginia Beach	Christie New Craig (R)	Alex Q. Askew (D)
	Bill DeSteph (R)	Robert S. Bloxom, Jr. (R)
	Aaron R. Rouse (D)	Kelly K. Convirs-Fowler (D)
		Michael Feggans (D))

SENATORS AND DELEGATES BY CITIES
2025 REGULAR SESSION

CITIES	SENATORS	DELEGATES
		Barry D. Knight (R)
		Anne Ferrell H. Tata (R)
Waynesboro	Christopher T. Head (R)	Ellen H. Campbell (R)
Williamsburg	J.D. Diggs (R)	Amanda E. Batten (R)
Winchester	Timmy French (R)	William D. Wiley (R)

COUNTIES AND CITIES--LAND AREA AND POPULATION

United States Census of 2020 (December 21, 2021)

COUNTIES	Land Area in Square Miles	Population	COUNTIES	Land Area in Square Miles	Population
Accomack	449	33,413	Pittsylvania	969	60,501
Albemarle	720	112,395	Powhatan	260	30,333
Alleghany	446	15,233	Prince Edward	350	21,849
Amelia	355	13,265	Prince George	265	43,010
Amherst	474	31,307	Prince William	336	482,204
Appomattox	334	16,119	Pulaski	320	33,800
Arlington	26	238,643	Rappahannock	266	7,348
Augusta	967	77,487	Richmond	191	8,923
Bath	529	4,209	Roanoke	251	96,929
Bedford	760	79,462	Rockbridge	596	22,650
Bland	358	6,270	Rockingham	850	83,757
Botetourt	541	33,596	Russell	473	25,781
Brunswick	566	15,849	Scott	536	21,576
Buchanan	503	20,355	Shenandoah	508	44,186
Buckingham	580	16,824	Smyth	451	29,800
Campbell	503	55,696	Southampton	599	17,996
Caroline	528	30,887	Spotsylvania	401	140,032
Carroll	475	29,155	Stafford	269	156,927
Charles City	183	6,773	Surry	279	6,651
Charlotte	475	11,529	Sussex	490	10,829
Chesterfield	423	364,548	Tazewell	519	40,429
Clarke	176	14,783	Warren	215	40,727
Craig	328	4,892	Washington	561	53,935
Culpeper	379	52,552	Westmoreland	229	18,477
Cumberland	297	9,675	Wise	403	36,130
Dickenson	330	14,124	Wythe	462	28,290
Dinwiddie	504	27,947	York	105	70,045
Essex	257	10,599			
Fairfax	391	1,150,309	**CITIES**		
Fauquier	648	72,972	Alexandria	15	159,467
Floyd	381	15,476	Bedford*	7	6,657
Fluvanna	287	27,249	Bristol	13	17,219
Franklin	690	54,477	Buena Vista	6	6,641
Frederick	413	91,419	Charlottesville	10	46,553
Giles	357	16,787	Chesapeake	338	249,422
Gloucester	218	38,711	Colonial Heights	8	18,170
Goochland	281	24,727	Covington	5	5,737
Grayson	442	15,333	Danville	43	42,590
Greene	156	20,552	Emporia	7	5,766
Greensville	295	11,391	Fairfax	6	24,146
Halifax	818	34,022	Falls Church	2	14,658
Hanover	469	109,979	Franklin	8	8,180
Henrico	234	334,389	Fredericksburg	10	27,982
Henry	382	50,948	Galax	8	6,720
Highland	415	2,232	Hampton	51	137,148
Isle of Wight	315	38,606	Harrisonburg	17	51,814
James City	142	78,254	Hopewell	10	23,033
King and Queen	315	6,608	Lexington	2	7,320
King George	180	26,723	Lynchburg	49	79,009
King William	273	17,810	Manassas	10	42,772
Lancaster	133	10,919	Manassas Park	3	17,219
Lee	435	22,173	Martinsville	11	13,485
Loudoun	515	420,959	Newport News	69	186,247
Louisa	496	37,596	Norfolk	53	238,005
Lunenburg	431	11,936	Norton	7	3,687
Madison	320	13,837	Petersburg	23	33,458
Mathews	86	8,533	Poquoson	15	12,460
Mecklenburg	625	30,319	Portsmouth	33	97,915
Middlesex	130	10,625	Radford	10	16,070
Montgomery	387	99,721	Richmond	60	226,610
Nelson	471	14,775	Roanoke	43	100,011
New Kent	210	22,945	Salem	14	25,346
Northampton	212	12,282	Staunton	20	25,750
Northumberland	191	11,839	Suffolk	399	94,324
Nottoway	314	15,642	Virginia Beach	245	459,470
Orange	341	36,254	Waynesboro	15	22,196
Page	310	23,709	Williamsburg	9	15,425
Patrick	483	17,608	Winchester	9	28,120

Population of Virginia, 2020 Census, 8,631,393.

COUNTIES AND CITIES--RANKED BY POPULATION

United States Census of 2020 (As of December 21, 2021)

Population	County
2,232	Highland
4,209	Bath
4,892	Craig
6,270	Bland
6,608	King and Queen
6,651	Surry
6,773	Charles City
7,348	Rappahannock
8,533	Mathews
8,923	Richmond
9,675	Cumberland
10,599	Essex
10,625	Middlesex
10,829	Sussex
10,919	Lancaster
11,391	Greensville
11,529	Charlotte
11,839	Northumberland
11,936	Lunenburg
12,282	Northampton
13,265	Amelia
13,837	Madison
14,124	Dickenson
14,775	Nelson
14,783	Clarke
15,233	Alleghany
15,333	Grayson
15,476	Floyd
15,642	Nottoway
15,849	Brunswick
16,119	Appomattox
16,787	Giles
16,824	Buckingham
17,608	Patrick
17,810	King William
17,996	Southampton
18,477	Westmoreland
20,355	Buchanan
20,552	Greene
21,576	Scott
21,849	Prince Edward
22,173	Lee
22,650	Rockbridge
22,945	New Kent
23,709	Page
24,727	Goochland
25,781	Russell
27,249	Fluvanna
27,947	Dinwiddie
26,723	King George
28,290	Wythe
29,155	Carroll
29,800	Smyth
30,319	Mecklenburg
30,333	Powhatan
30,887	Caroline
31,307	Amherst
33,413	Accomack
33,596	Botetourt
33,800	Pulaski
34,022	Halifax
36,130	Wise
36,254	Orange
37,596	Louisa
38,606	Isle of Wight
38,711	Gloucester
40,429	Tazewell
40,727	Warren
43,010	Prince George
44,186	Shenandoah
50,948	Henry
52,552	Culpeper
53,935	Washington
54,477	Franklin
55,696	Campbell
60,501	Pittsylvania
70,045	York
72,972	Fauquier
77,487	Augusta
78,254	James City
79,462	Bedford
83,757	Rockingham
91,419	Frederick
96,929	Roanoke
99,721	Montgomery
109,979	Hanover
112,395	Albemarle
140,032	Spotsylvania
156,927	Stafford
238,643	Arlington
334,389	Henrico
364,548	Chesterfield
420,959	Loudoun
482,204	Prince William
1,150,309	Fairfax

Population	Cities
3,687	Norton
5,737	Covington
5,766	Emporia
6,641	Buena Vista
6,657	Bedford*
6,720	Galax
7,320	Lexington
8,180	Franklin
12,460	Poquoson
13,485	Martinsville
14,658	Falls Church
15,425	Williamsburg
16,070	Radford
17,219	Manassas Park
17,219	Bristol
18,170	Colonial Heights
22,196	Waynesboro
23,033	Hopewell
25,346	Salem
25,750	Staunton
24,146	Fairfax
27,982	Fredericksburg
28,120	Winchester
33,458	Petersburg
42,590	Danville
42,772	Manassas
46,553	Charlottesville
51,814	Harrisonburg
79,009	Lynchburg
94,324	Suffolk
97,915	Portsmouth
100,011	Roanoke
137,148	Hampton
159,467	Alexandria
186,247	Newport News
226,610	Richmond
238,005	Norfolk
249,422	Chesapeake
459,470	Virginia Beach

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§ 54.1-2910.5, amending	HB	1731	480	955
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§ 54.1-2957, amending	HB	1635	544	1086
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§ 54.1-3018.2, amending	HB	1731	480	955
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	HB	2621	497	984
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§ 64.2-609, amending	HB	1912	148	285
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COGBILL, JAMES B.				
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COLLIER, CHARLES				
Collier, Charles; commending. (Patron–Simon)	HR	660		2763
COLLINS, CLAIRE				
Collins, Claire; commending. (Patron–Sullivan)	HJR	697		2628
COLONIAL HEIGHTS, CITY OF				
Chief judges; Twelfth Judicial District General District Court and Twelfth Judicial District Juvenile and Domestic Relations District Court may designate one or more courtrooms of Colonial Heights courts in which civil or criminal cases whose proper, preferred, etc., venue is laid within Chesterfield County, memorandum of understanding. (Patron–Cherry)	HB	2599	292	656
COLONNA'S SHIPYARD, INC.				
Colonna's Shipyard, Inc.; commemorating its 150th anniversary. Patron–Williams Graves	SR	270		3069
COMBAT ANTISEMITISM MOVEMENT				
Combat Antisemitism Movement; commending. (Patron–Jones)	HJR	680		2618
COMIC KINGS				
Comic Kings; commending. (Patron–Feggans)	HR	552		2711
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4-H clubs and Future Farmers of America chapters in Washington County; commending.				
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Patron–Pillion	SR	312		3089
ACT for Alexandria; commemorating its 20th anniversary. (Patron–Bennett-Parker)	HJR	572		2559
Adams, Howard G. and Eloise; commending. (Patron–Anthony)	HR	843		2852
Adkins, Bob; commending. (Patron–Kilgore)	HR	836		2849
Adler Center for Caring on Van Metre Campus; commemorating its 10th anniversary. (Patron–Reid)	HJR	532		2537
Advocates, survivors, families, and others impacted by triple-negative breast cancer; commending. (Patron–Lovejoy)	HR	628		2748
Agee, Nancy Howell; commending. (Patron–Austin)	HJR	722		2642
Agricultural producers in Virginia; commending. (Patron–Laufer)	HR	630		2749
Aistrop, Elijah; commending. (Patron–Arnold)	HR	494		2684
Alakelee, Wathiq; commending. (Patron–Willett)	HR	569		2719
Alam, Ryan and Alam family; commending. (Patron–Reaser)	HR	486		2681
Albemarle County Human Services Alternative Response Team; commending. Patron–Laufer	HR	624		2746
Aldo's Ristorante; commending. (Patron–Tata)	HR	616		2742
Alexander, Al; commending. (Patron–Hayes)	HJR	496		2519
Alexander, Kwame; commending. (Patron–Hayes)	HR	779		2821
Alexandria Archaeological Commission; commemorating its 50th anniversary. Patron–Bennett-Parker	HJR	433		2492
Alexandria City Public Schools' recipients of The Posse Foundation and QuestBridge scholarships; commending. (Patron–Lopez)	HJR	757		2661
Alexandria Historical Society; commemorating its 50th anniversary. Patron–Bennett-Parker	HJR	571		2558
Alexandria Little League Intermediate Division baseball team; commending. Patron–Ebbin	SJR	329		2955
Alma Bella Academy; commending. (Patron–Coyner)	HR	692		2779
Alpha Kappa Alpha Sorority, Inc., Gamma Delta Omega Chapter of; commemorating its 85th anniversary. (Patron–Scott, D.)	HR	798		2831
Alpha Kappa Alpha Sorority, Inc., Omicron Chi Omega chapter of; commemorating its 40th anniversary. (Patron–Sewell)	HR	751		2807

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Patron–Carroll Foy	SR	228		3044
Alpha-gal Foundation; commending. (Patron–Lovejoy)	HJR	581		2564
Ambati, Vidya; commending. (Patron–Deeds)	SJR	343		2963
American Association of University Women, Virginia chapter of; commemorating its 100th anniversary.				
Patron–Bennett-Parker	HJR	574		2560
Patron–Boysko	SJR	420		3008
American Friends of Lafayette; commemorating its 200th anniversary.				
Patron–Austin	HJR	472		2505
Andrews, Lonnie; commending. (Patron–Hayes)	HR	829		2847
Andrews, Lonnie, III; commending. (Patron–Hayes)	HJR	588		2568
Angel, Amy; commending. (Patron–Roem)	SR	319		3093
Angie's Bakery; commending. (Patron–Convirs-Fowler)	HR	760		2812
Animal Welfare League of Arlington; commemorating its 80th anniversary.				
Patron–Lopez	HJR	471		2505
Anvil Campground; commemorating its 70th anniversary. (Patron–Batten)	HR	544		2707
Arab America Foundation; commending. (Patron–Salim)	SR	262		3064
Arbogast, Terry E., II; commending. (Patron–Ballard)	HJR	596		2572
Archer, Vernice Bell; commending. (Patron–Glass)	HR	576		2723
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Arrington's Home Furnishings; commending. (Patron–Wright)	HJR	525		2533
Art on the Avenue; commemorating its 30th anniversary. (Patron–Bennett-Parker)	HJR	578		2562
Aslankhani, Khadijeh; commending. (Patron–Seibold)	HR	853		2858
Aslin Beer Company; commemorating its 10th anniversary. (Patron–Shin)	HJR	735		2650
Atlee High School chapter of Future Farmers of America; commending.				
Patron–Wyatt	HR	744		2803
Auburn High School girls' soccer team; commending. (Patron–Obenshain)	HJR	456		2501
Auburn High School golf team; commending. (Patron–Obenshain)	HJR	482		2512
Auburn High School volleyball team; commending. (Patron–Hackworth)	SJR	351		2967
Baber, Brant, and Kathy Kalinowski; commending. (Patron–Pekarsky)	SR	305		3086
Bagno, Veronica Del; commending. (Patron–Tran)	HR	854		2858
Baila Fuzion Dance and Creative Arts Center; commemorating its 10th anniversary.				
Patron–Feggans	HR	523		2696
Banton, Virginia; commending. (Patron–Boysko)	SJR	424		3010
Barber Construction; commemorating its 60th anniversary. (Patron–Coyner)	HR	726		2794
Barrett, Jimmie H.; commending. (Patron–Hope)	HJR	646		2600
Bass, Walter and Lou Ann; commending. (Patron–Zehr)	HR	708		2786
Batten, Jane Parke; commending. (Patron–Tata)	HR	645		2755
Bay Local Eatery; commending. (Patron–Tata)	HR	632		2750
Beat da Odds; commending. (Patron–Feggans)	HR	525		2697
Becton, Mekhi, Sr.; commending. (Patron–McQuinn)	HJR	659		2608
Bekele, Heman; commending. (Patron–Watts)	HJR	728		2646
Bennett, Anthony Guy; commending.				
Patron–Singh	HJR	716		2638
Patron–Deeds	SJR	437		3016
Benn's United Methodist Church; commemorating its 100th anniversary.				
Patron–Jordan	SR	193		3025
Bethany Presbyterian Church; commemorating its 100th anniversary.				
Patron–Jordan	SR	194		3026
Bethel Manor Elementary School; commending. (Patron–Diggs)	SR	280		3074
Biller, Todd; commending. (Patron–Wilt)	HJR	675		2615
Bishop Fishing Supply; commending. (Patron–Green)	HJR	543		2543
Bit of England Dart and Game Shoppe; commemorating its 25th anniversary.				
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Black Angus Restaurant; commending. (Patron–Tata)	HR	643		2754

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Black, Karen; commending. (Patron–Craig)	SJR	412		3003
Blacksburg High School girls' track and field team; commending.				
Patron–Obenshain	HJR	431		2491
Blacksburg High School golf team; commending. (Patron–Obenshain)	HJR	481		2511
Blackwater Baptist Church; commemorating its 250th anniversary. (Patron–Knight)	HJR	493		2517
Bliley's Funeral Home; commemorating its 150th anniversary.				
Patron–VanValkenburg	SJR	310		2943
Bollino, Annamarie; commending. (Patron–Lovejoy)	HR	607		2739
Bon Air Elementary School; commemorating its 100th anniversary.				
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Bowers, Leo C.; commending. (Patron–Locke)	SJR	282		2921
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Brentsville FFA; commending. (Patron–Lovejoy)	HR	605		2738
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Brooks-Buck, Judith; commending.				
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Brown, Kim W. and Valerie K. Brown; commending. (Patron–Hayes)	HR	579		2725
Brown, Todd; commending. (Patron–Campbell)	HR	489		2682
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Brunswick Academy football team; commending. (Patron–Wachsmann)	HR	500		2687
Brunswick Academy girls' volleyball team; commending. (Patron–Wachsmann)	HR	499		2686
Brunswick Academy softball team; commending. (Patron–Jordan)	SR	192		3025
Bryant, Olivia; commending. (Patron–Arnold)	HR	478		2676
Bryum, Phyliss; commending. (Patron–Lucas)	SR	212		3036
Buckhorn Volunteer Fire Department; commemorating its 60th anniversary.				
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Burch, John Percy, Jr.; commending. (Patron–Walker)	HR	547		2709
Burrell, Emily; commending. (Patron–Keys-Gamarra)	HR	874		2868
Burton, John Edward, III; commending. (Patron–Austin)	HJR	645		2600
Busch Gardens Williamsburg; commemorating its 50th anniversary. (Patron–Green)	HJR	540		2542
Butler, James Douglas, Sr.; commending. (Patron–French)	SR	296		3082
Cakes by Happy Eatery; commemorating its 40th anniversary. (Patron–Lovejoy)	HR	531		2700
Camp Holiday Trails; commemorating its 50th anniversary. (Patron–Laufer)	HR	627		2748
Campagna Center; commemorating its 80th anniversary. (Patron–Bennett-Parker)	HJR	567		2556
Cañas, Carlos; commending. (Patron–Lopez)	HJR	726		2645
Captain George's Seafood Restaurant; commending. (Patron–Tata)	HR	639		2753
Carawan, Vada; commending. (Patron–Feggans)	HR	517		2694
Carrollton Ruritan Club; commemorating its 75th anniversary.				
Patron–Wachsmann	HR	588		2729
Carruth, Samuel L.; commending. (Patron–Scott, D.)	HR	785		2825
Carter, Melvin; commending. (Patron–Carr)	HJR	707		2634
Carter, Michael; commending. (Patron–McPike)	SR	300		3084
Castellucci, Amanda; commending. (Patron–Tran)	HR	865		2864
Castro, Carlos; commending. (Patron–Mundon King)	HR	817		2841
Cave Spring High School cheerleading team; commending. (Patron–Suetterlein)	SJR	446		3021
Center at Belvedere; commemorating its 60th anniversary. (Patron–Callsen)	HJR	744		2654
Center for Nonprofit Excellence; commending. (Patron–Callsen)	HJR	748		2656
Central Virginia Cricket Association, Capital Women's Cricket League, and Richmond Youth Cricket; commending. (Patron–VanValkenburg)	SJR	417		3006
Charlotte County Virginia Angels softball team; commending. (Patron–Wright)	HJR	475		2507

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COMMENDATIONS AND COMMEMORATIONS - Continued				
Charlottesville Area Association of REALTORS®; commemorating its 100th anniversary.				
Patron–Laufer	HR	492		2683
Patron–Deeds	SJR	341		2961
Charlottesville Twelve; commending. (Patron–Callsen)	HJR	750		2657
Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals; commemorating its 110th anniversary. (Patron–Callsen)	HJR	749		2657
Chesapeake Solar and Storage Association; commemorating its 40th anniversary.				
Patron–Sullivan	HJR	694		2627
Chester Presbyterian Church; commending. (Patron–Coyner)	HR	724		2793
Chesterfield County; commending. (Patron–Sturtevant)	SJR	373		2979
Chesterfield County Jail Helping Addicts Recover Progressively program; commending. (Patron–Coyner)	HR	808		2836
Chesterfield Food Bank Outreach Center; commemorating its 15th anniversary.				
Patron–Coyner	HR	723		2793
CHIKO; commending. (Patron–Reaser)	HR	771		2817
Children of the Shenandoah; commending. (Patron–Reeves)	SJR	369		2977
Children's Home Society of Virginia; commemorating its 125th anniversary.				
Patron–Carr	HJR	628		2590
Patron–Jordan	SJR	294		2935
Patron–Bagby	SJR	382		2985
Chincoteague Island Pony Swim; commemorating its 100th anniversary.				
Patron–DeSteph	SJR	361		2972
Chokshi, Aarav; commending. (Patron–Feggans)	HR	506		2689
Christian, Natale; commending. (Patron–Simonds)	HR	824		2844
Christiansburg High School softball team; commending. (Patron–Obenshain)	HJR	432		2492
Cimino-Johnson, Anthony; commending. (Patron–Martinez)	HJR	516		2529
Citrus; commending. (Patron–Tata)	HR	641		2754
City of Roanoke Municipal Volunteer Program; commemorating its 20th anniversary. (Patron–Rasoul)	HJR	611		2581
Claiborne, Theresa M.; commending. (Patron–Jordan)	SR	195		3027
Clarke County High School boys' cross country team; commending.				
Patron–Oates	HR	655		2761
Clawson-Keeton, Teresa; commending. (Patron–Pekarsky)	SR	289		3078
Clover Volunteer Fire Department; commemorating its 75th anniversary.				
Patron–Wright	HR	469		2672
Coastal Grill; commending. (Patron–Tata)	HR	640		2753
Cobalt Grille; commemorating its 25th anniversary. (Patron–Tata)	HR	635		2751
Cogbill, James B.; commending. (Patron–Reeves)	SJR	305		2940
Collier, Charles; commending. (Patron–Simon)	HR	660		2763
Collins, Claire; commending. (Patron–Sullivan)	HJR	697		2628
Colonna's Shipyard, Inc.; commemorating its 150th anniversary.				
Patron–Williams Graves	SR	270		3069
Combat Antisemitism Movement; commending. (Patron–Jones)	HJR	680		2618
Comic Kings; commending. (Patron–Feggans)	HR	552		2711
Community Foundation of the New River Valley; commemorating its 30th anniversary. (Patron–Obenshain)	HJR	479		2510
Community of Faith Food Pantry; commemorating its 25th anniversary.				
Patron–Pekarsky	SR	288		3078
Computer CORE; commemorating its 25th anniversary. (Patron–Bennett-Parker)	HJR	573		2560
Cool Stuff; commending. (Patron–Feggans)	HR	551		2711
Coresix Precision Glass; commending. (Patron–Green)	HJR	635		2594
Cosmo's Corner Doggie Daycare; commending. (Patron–Feggans)	HR	508		2690
Crews Construction and Asphalt Paving, Inc.; commemorating its 50th anniversary.				
Patron–Phillips	HJR	643		2599
Crowe, Samuel; commending. (Patron–Leftwich)	HR	557		2713
Cub Scout Pack 2831; commending.				
Patron–Earley	HR	532		2701
Patron–Sturtevant	SR	226		3043

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COMMENDATIONS AND COMMEMORATIONS - Continued			
Culpeper Sheriff's Office; commemorating its 275th anniversary. (Patron–Freitas)	HJR	506	2523
Culture Cup; commending. (Patron–Thomas)	HJR	618	2584
Cutchins, Cooper; commending. (Patron–Tata)	HR	710	2787
Daniels, Trent; commending. (Patron–Roem)	SR	321	3094
Davis, Keyshawn; commending.			
Patron–Hernandez	HR	866	2864
Patron–Williams Graves	SR	318	3092
Davis, Sandra; commending. (Patron–Obenshain)	HJR	520	2531
Dawyot, Brody; commending. (Patron–Obenshain)	HJR	518	2530
Dean, Meredith; commending. (Patron–Coyner)	HR	691	2778
DeHaven, Marshall; commending. (Patron–French)	SR	294	3081
DeLoatch, Jahmari; commending. (Patron–Hayes)	HR	828	2846
Delta Sigma Theta Sorority, Inc., Prince William County Alumnae Chapter of; commemorating its 40th anniversary. (Patron–Mundon King)	HR	849	2856
Dhakal, Pradip; commending. (Patron–Boysko)	SJR	429	3012
Disney, Margaret Higgins; commending. (Patron–Earley)	HR	806	2835
Dix, Thomas; commending. (Patron–Bloxom)	HR	564	2716
Doc Taylor's Restaurant; commending. (Patron–Tata)	HR	618	2743
Donohue, Janel; commending. (Patron–Durant)	SJR	391	2990
Douglas Freeman High School girls' lacrosse team; commending.			
Patron–Willett	HR	651	2758
Patron–VanValkenburg	SJR	311	2944
Dowell, Justin; commending. (Patron–Feggans)	HR	504	2688
Dower, Tara; commending. (Patron–DeSteph)	SJR	443	3019
Dr. Pepper Park at the Bridges; commemorating its 10th anniversary.			
Patron–Rasoul	HJR	605	2577
Drakes Branch Volunteer Fire Department; commemorating its 75th anniversary.			
Patron–Wright	HJR	623	2587
Duffy, Timothy P.; commending. (Patron–Cole)	HR	491	2683
Duncan, Greg; commending. (Patron–Keys-Gamarra)	HR	876	2869
Dunn, M'lissa; commending.			
Patron–Kent	HJR	513	2527
Patron–Stuart	SJR	295	2935
DuVal, Barry Eugene; commending.			
Patron–Carr	HJR	710	2635
Patron–McDougle	SJR	413	3004
Dynia, Greg; commending. (Patron–Coyner)	HR	688	2777
EduTutorVA; commending. (Patron–Surovell)	SJR	398	2994
Edwards family; commending. (Patron–Ware)	HJR	551	2547
Eggleston; commemorating its 70th anniversary. (Patron–Williams Graves)	SR	246	3054
Eggleston Services; commemorating its 70th anniversary. (Patron–Glass)	HR	880	2871
Egyptian Coptic Christian community; commending. (Patron–Owen)	HR	568	2719
Einstein, Jack; commending. (Patron–French)	SR	237	3049
Elizabeth River Republican Women's Club; commemorating its 40th anniversary.			
Patron–Craig	SJR	338	2960
Enon Baptist Church; commemorating its 175th anniversary. (Patron–Coyner)	HR	690	2778
Everhardt, Sarah; commending. (Patron–Thomas)	HR	852	2857
Eyler, Leanne; commending. (Patron–DeSteph)	SJR	366	2975
Fair Oaks Elementary School; commending. (Patron–McQuinn)	HR	734	2798
Fairfax Court Appointed Special Advocates; commemorating its 35th anniversary.			
Patron–Favola	SJR	300	2938
Faison Center; commemorating its 25th anniversary. (Patron–Willett)	HJR	560	2552
Falls Church Volunteer Fire Department; commemorating its 100th anniversary.			
Patron–Simon	HR	658	2762
Federation of Kerala Associations in North America; commending.			
Patron–Srinivasan	SR	315	3091
Feingold, Kate G. Doyle; commending.			
Patron–Bulova	HR	538	2704
Patron–Salim	SJR	292	2934

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Fellowship Square; commemorating its 65th anniversary. (Patron–Boysko)	SJR	419	3007
First Baptist Church of Petersburg; commemorating its 250th anniversary. Patron–Aird	SR	284	3076
First Landing 1607 Project; commending. (Patron–Wyatt)	HR	858	2860
First Lynnhaven Baptist Church; commemorating its 154th anniversary. Patron–Feggans	HR	520	2695
First Presbyterian Church of Virginia Beach; commending. (Patron–Tata)	HR	620	2744
Flora, William; commemorating his life and legacy on the 250th anniversary of the Battle of Great Bridge victory. (Patron–Leftwich)	HJR	682	2620
Ford, Linda; commending. (Patron–DeSteph)	SJR	370	2977
Forest Park High School robotics program; commending. (Patron–Mundon King)	HR	850	2856
Fox, Emily Ann; commending. Patron–Reid	HJR	530	2536
Patron–Srinivasan	SR	267	3067
Fox Mill Woods Swim and Tennis Club; commemorating its 50th anniversary. Patron–Shin	HJR	737	2651
Franklin, Rashiem D.; commending. (Patron–Jordan)	SR	202	3030
Franks, Tiffany McKillip; commending. (Patron–Marshall)	HJR	653	2605
Fredericksburg City Public Schools Youth Mental Health Taskforce; commending. Patron–Durant	SR	225	3043
Fredericksburg Comic Con; commemorating its 9th anniversary. (Patron–Cole)	HR	467	2671
Fredericksburg Nationals; commending. (Patron–Cole)	HR	527	2698
Friends of Loudoun County Animal Services; commending. (Patron–Martinez)	HJR	586	2567
Friends of the Rappahannock; commemorating its 40th anniversary. (Patron–Cole)	HR	814	2839
Frye, Charlie, Jr.; commending. (Patron–Cole)	HR	468	2671
Fuller, Gary; commending. (Patron–Simon)	HR	757	2810
G4 Kegs; commending. (Patron–Feggans)	HR	512	2691
Gabriel, Kaitlyn; commending. (Patron–Leftwich)	HR	556	2712
Galilee Church; commending. (Patron–Tata)	HR	615	2742
Garrett, John; commending. (Patron–Hope)	HR	841	2851
Gilbert, Caleb; commending. (Patron–Runion)	HJR	486	2514
Glade Spring, Town of; commemorating its 150th anniversary. Patron–O'Quinn	HJR	565	2555
Patron–Pillion	SR	308	3087
Glenvar High School boys' soccer team; commending. (Patron–Obenshain)	HJR	439	2496
Glenvar High School girls' soccer team; commending. (Patron–Obenshain)	HJR	438	2496
Grayson County High School; commending. (Patron–Arnold)	HR	479	2677
Grayson County High School football team; commending. (Patron–Arnold)	HR	497	2685
Great American Restaurants; commemorating its 50th anniversary. (Patron–Seibold)	HR	721	2792
Great Meadow; commemorating its 40th anniversary. (Patron–Webert)	HR	562	2716
Green, Elizabeth S.; commending. (Patron–Clark)	HR	650	2758
Green, Janet V.; commending. (Patron–Diggs)	SR	283	3075
Greene, Darnell; commending. (Patron–Roem)	SR	325	3095
Greenfield, Jeffrey C.; commending. Patron–Bulova	HR	539	2705
Patron–Salim	SJR	291	2933
Grove Christian Outreach Center; commemorating its 20th anniversary. Patron–Diggs	SR	241	3051
Gullickson, Janet; commending. Patron–Orrock	HJR	527	2535
Patron–Durant	SJR	389	2989
Ha, Kathryn; commending. (Patron–Suetterlein)	SJR	447	3022
Habitat for Humanity Peninsula and Greater Williamsburg; commemorating its 40th anniversary. Patron–Price	HR	864	2863
Patron–Locke	SR	326	3096
Halas, Richard; commending. (Patron–Coyner)	HR	727	2795
Hall, Dover; commending. (Patron–Owen)	HJR	549	2546
Hall, Keswick; commending. (Patron–Laufer)	HR	739	2801

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COMMENDATIONS AND COMMEMORATIONS - Continued				
Halley Elementary School; commemorating its 30th anniversary.				
Patron–Tran	HJR	725		2644
Patron–Surovell	SJR	402		2996
Hampton Roads Leadership Prayer Breakfast; commemorating its 50th anniversary.				
Patron–Ennis	HR	545		2708
Hampton Roads Transit; commemorating its 25th anniversary. (Patron–Diggs)	SR	220		3040
Hampton Roads Workforce Council; commemorating its 50th anniversary.				
Patron–Green	HJR	557		2550
Hanover High School chapter of Future Farmers of America; commending.				
Patron–Wyatt	HR	745		2804
Harbaugh, Charles H., IV; commending. (Patron–Oates)	HR	735		2798
Harlan Construction; commending. (Patron–Coyner)	HR	693		2779
Harris Funeral Homes; commemorating its 68th anniversary. (Patron–Wright)	HJR	524		2533
Harris, L.A., Jr.; commending. (Patron–VanValkenburg)	SJR	372		2979
Harvest Assembly Baptist Church; commending. (Patron–Surovell)	SJR	403		2997
Harvey, Gale Allen; commending. (Patron–Simonds)	HR	747		2805
Healthy Veterans at Valor Farm, National Center for; commending. (Patron–Zehr)	HR	669		2768
Healy, Patricia; commending. (Patron–Milde)	HJR	629		2591
Heath, Kayla; commending. (Patron–Feggans)	HR	507		2689
Heatley, Harold; commending. (Patron–Hackworth)	SR	264		3065
Heilman, Thomas; commending. (Patron–Laufer)	HJR	607		2578
Helsel, Gordon C., Jr.; commending. (Patron–Cordoza)	HR	698		2781
Hemp farmers; commending.				
Patron–Webert	HJR	561		2552
Patron–Perry	SJR	376		2981
Henderson Motorsports; commemorating its 50th anniversary.				
Patron–O'Quinn	HR	840		2851
Patron–Pillion	SR	311		3089
Henderson, TreVeyon; commending. (Patron–Coyner)	HR	867		2864
Hermitage Museum and Gardens; commending. (Patron–Hernandez)	HR	827		2846
Hernandez, Felipe, Jr.; commending. (Patron–Lopez)	HJR	727		2645
Herndon Village Network; commemorating its 10th anniversary. (Patron–Shin)	HJR	739		2652
Herron, Olwen; commending. (Patron–McDougle)	SR	263		3065
Hickory Hill School; commending. (Patron–Hashmi)	SJR	312		2944
Hicks, Oscar Cleveland; commemorating his life and legacy.				
Patron–Earley	HJR	508		2524
Patron–Sturtevant	SJR	285		2922
Higginbotham, Michael J.; commending. (Patron–Tran)	HR	765		2814
Hilscher, Elizabeth Carlson; commending. (Patron–Deeds)	SJR	344		2963
Hilton, Lori Allyne; commending. (Patron–Jones)	HR	659		2763
Hispanic Professional Engineers, Society of; commemorating its 50th anniversary.				
Patron–Seibold	HR	718		2791
Historic St. John's Church; commending. (Patron–Austin)	HJR	494		2517
Holder, Roy; commending. (Patron–Surovell)	SJR	415		3005
Holland, James; commending. (Patron–Coyner)	HJR	677		2616
Hollin Hall Cleaners; commemorating its 45th anniversary. (Patron–Surovell)	SR	257		3061
Hollin Hills; commemorating its 75th anniversary. (Patron–Surovell)	SJR	407		2999
Hollin Meadows Elementary School; commemorating its 60th anniversary.				
Patron–Krizek	HR	732		2797
Patron–Surovell	SJR	401		2995
Holloway, Grant; commending.				
Patron–Leftwich	HJR	487		2514
Patron–Hayes	HR	585		2728
Patron–Craig	SR	186		3022
Holloway, Stan; commending. (Patron–Hayes)	HR	589		2730
Honeysuckle Cafe; commending. (Patron–Hernandez)	HR	860		2861
Howard, Arthur Ellsworth Dick; commending.				
Patron–Laufer	HR	674		2770
Patron–Deeds	SR	245		3053

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HRE Bakery; commending. (Patron–Feggans)	HR	502		2687
Huber, Pat B.; commending.				
Patron–Obenshain	HJR	519		2530
Patron–Ballard	HR	741		2801
Hudson, Daniel Claiborne; commending. (Patron–Feggans)	HR	514		2692
Hughes, Michael; commending. (Patron–Obenshain)	HJR	601		2575
Hunt, Sam and Shelly; commending. (Patron–Griffin)	HR	703		2784
Husisian, Hadley Nicole; commending. (Patron–Bulova)	HJR	602		2576
Huske, Torri; commending. (Patron–McClure)	HJR	503		2521
Huxman, Susan Schultz; commending. (Patron–Wilt)	HJR	754		2659
Ideaventions Academy Daedalus robotics team; commending.				
Patron–Keys-Gamarra	HR	875		2869
Iglesia Cristiana Nueva Vida; commemorating its 21st anniversary.				
Patron–Feggans	HR	553		2711
Il Giardino Ristorante; commending. (Patron–Tata)	HR	634		2751
Information Technology-Information Sharing Analysis Center; commemorating its 25th anniversary. (Patron–Maldonado)	HR	758		2811
Institute of Chartered Accountants of India, Washington D.C. Chapter; commending. (Patron–Srinivasan)	SR	314		3090
Iota Phi Theta Fraternity, Inc., Beta Alpha Omega Alumni Chapter of; commending. (Patron–Carroll Foy)	SR	275		3071
Iranian American community in Virginia; commending. (Patron–Owen)	HR	465		2670
Ivor Volunteer Fire Department; commemorating its 75th anniversary.				
Patron–Wachsmann	HR	498		2686
Jackson, Marjorie Mayfield; commending. (Patron–Hernandez)	HR	855		2859
Jackson, Theresa V.; commending. (Patron–Glass)	HR	881		2871
James R. Jones Builder, Inc.; commemorating its 50th anniversary. (Patron–Coyner)	HR	725		2794
James Wood High School volleyball team; commending. (Patron–Wiley)	HR	461		2668
Jamestown-Scotland Ferry; commemorating its 100th anniversary. (Patron–Aird)	SR	253		3058
Jarrett, Marshall; commending. (Patron–Simon)	HR	629		2749
Jewish community; commending. (Patron–Owen)	HR	572		2721
John H. Enders Fire Company and Rescue Squad; commemorating its 125th anniversary. (Patron–Oates)	HJR	579		2562
John R. Lewis High School boys' soccer team; commending. (Patron–Sickles)	HJR	664		2610
Johnson, Brenda; commending. (Patron–Leftwich)	HR	611		2741
Johnson, Keith H.; commending.				
Patron–Reid	HJR	531		2537
Patron–Perry	SJR	359		2971
Johnson, Travis; commending. (Patron–Hayes)	HR	831		2847
Jones, Aubrey; commending. (Patron–Diggs)	SJR	414		3004
Jones, Jessica M.; commending.				
Patron–Marshall	HJR	730		2647
Patron–Mulchi	SR	235		3048
Jones, Mark R.; commending.				
Patron–Marshall	HJR	652		2604
Patron–Zehr	HR	648		2757
JR's Auto Care; commending. (Patron–Zehr)	HR	671		2769
Judd, Rick S.; commending. (Patron–Simon)	HR	755		2809
Kakol, Paul; commending. (Patron–Reid)	HR	673		2770
Kappa Alpha Psi Fraternity, Inc., Woodbridge Alumni Chapter of; commending.				
Patron–Carroll Foy	SR	276		3072
Keane, Marta; commending. (Patron–Callsen)	HJR	746		2655
KeyWest Lock & Safe; commemorating its 25th anniversary. (Patron–Feggans)	HR	505		2689
King, Stephen; commending. (Patron–Obenshain)	SJR	345		2964
King William County Courthouse; commemorating its 300th anniversary.				
Patron–Hodges	HR	594		2732
Patron–Stuart	SJR	319		2949

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Kinsel, Evan; commending.				
Patron–Lovejoy	HR	561		2715
Patron–Roem	SR	323		3095
Knights of Columbus, Mary Star of the Sea Council 511; commemorating its 125th anniversary. (Patron–Cordoza)	HR	695		2780
Kostelny, Elizabeth S.; commending. (Patron–Carr)	HJR	537		2540
Kotb, Hoda; commending. (Patron–Surovell)	SJR	371		2978
Kwiek, Paula; commending. (Patron–Cherry)	HJR	608		2579
Kyle, LaKisha; commending. (Patron–Rasoul)	HJR	613		2582
Lackey Clinic; commemorating its 30th anniversary. (Patron–Green)	HJR	538		2541
Lancaster High School boys' basketball team; commending. (Patron–Kent)	HJR	474		2507
Land, Doris B.; commending. (Patron–Glass)	HR	470		2672
Lane Elementary School; commemorating its 30th anniversary. (Patron–Surovell)	SJR	400		2995
Langley High School girls' volleyball team; commending. (Patron–Boysko)	SJR	435		3015
Langley High School golf team; commending. (Patron–Boysko)	SJR	432		3013
Larchmont-Edgewater Civic League; commending. (Patron–Hernandez)	HR	851		2857
Lawrence Distributing Company, Inc.; commemorating its 70th anniversary.				
Patron–Phillips	HJR	640		2597
Leamy, Martin; commending. (Patron–Griffin)	HR	706		2785
Lebow Eye Associates, P.C.; commemorating its 70th anniversary. (Patron–Coyner)	HR	728		2795
Lee, Heisung; commending. (Patron–Shin)	HJR	759		2662
Lee, Michele Moyer; commending. (Patron–Wiley)	HR	460		2667
Leesburg Animal Park; commemorating its 25th anniversary. (Patron–Martinez)	HJR	668		2612
Leesburg Movement; commending. (Patron–Martinez)	HJR	587		2567
Lemon Cabana; commending. (Patron–Tata)	HR	644		2755
Liakakos, Lina; commending. (Patron–Boysko)	SJR	426		3011
Lighthouse Community Center; commemorating its 20th anniversary.				
Patron–Walker	HR	490		2682
Lim, So; commending.				
Patron–Bulova	HR	541		2706
Patron–Salim	SJR	289		2932
Linam, Kian Tatsuo; commending. (Patron–Boysko)	SJR	431		3013
Lindgren, Robert R.; commending. (Patron–Fowler)	HJR	610		2580
Lionsbridge Football Club; commending. (Patron–Price)	HJR	717		2639
Literacy for Life; commemorating its 50th anniversary. (Patron–Batten)	HJR	687		2623
Long, David; commending. (Patron–Wyatt)	HR	596		2733
Loomis, Paula; commending.				
Patron–Anthony	HJR	720		2641
Patron–Williams Graves	SR	272		3069
Lorton Community Action Center; commemorating its 50th anniversary.				
Patron–Henson	HR	700		2782
Patron–Surovell	SJR	409		3001
Patron–Surovell	SR	261		3064
Loudoun Therapeutic Riding Center; commemorating its 50th anniversary.				
Patron–Perry	SJR	360		2971
Love, Deirdre; commending. (Patron–Glass)	HR	535		2702
Love, Owen; commending. (Patron–Sickles)	HJR	663		2609
Luersen, Ken; commending. (Patron–Thomas)	HJR	753		2659
Lugbill, Jon Phillip; commending.				
Patron–Willett	HR	577		2724
Patron–Aird	SR	247		3055
Lyles, Noah; commending.				
Patron–Lopez	HJR	591		2569
Patron–Ebbin	SJR	327		2954
Manakin Episcopal Church; commemorating its 325th anniversary.				
Patron–Sturtevant	SR	203		3031
Manakin Episcopal Church; commending. (Patron–Ware)	HJR	594		2571
Mariners Landing; commending. (Patron–Zehr)	HR	670		2768

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COMMENDATIONS AND COMMEMORATIONS - Continued				
Marion Senior High School girls' tennis team; commending.				
Patron–Arnold	HR	477		2676
Patron–Hackworth	SJR	350		2966
Marion, Town of and Smyth County; commending first responders. (Patron–Arnold)	HR	549		2710
Marymount University; commemorating its 75th anniversary. (Patron–Hope)	HJR	632		2592
Maskelony, Geraldine; commending. (Patron–Lopez)	HJR	758		2662
Master Gardeners of Northern Virginia; commemorating its 40th anniversary.				
Patron–Favola	SJR	303		2939
Maurizio, Felix; commending. (Patron–DeSteph)	SR	298		3083
May, Greg; commending. (Patron–Head)	SR	201		3030
Mayhugh, Nick; commending. (Patron–Lovejoy)	HR	559		2714
McGaheysville Volunteer Fire Company, Inc.; commemorating its 60th anniversary.				
Patron–Wilt	HJR	718		2640
McGuire, Tarrick; commending.				
Patron–Lopez	HR	826		2845
Patron–Ebbin	SR	301		3084
McKay Used Books; commemorating its 40th anniversary. (Patron–Thomas)	HR	587		2729
McKeel, Diantha; commending. (Patron–Callsen)	HJR	743		2654
McLean Citizens Association; commemorating its 110th anniversary.				
Patron–Sullivan	HJR	696		2628
McLean Community Center; commemorating its 50th anniversary.				
Patron–Sullivan	HJR	691		2625
McNally, Teri; commending. (Patron–Durant)	SJR	392		2990
Mechanicsville High School chapter of Future Farmers of America; commending.				
Patron–Wyatt	HR	743		2803
Medlin Art Gallery; commemorating its 40th anniversary. (Patron–Martinez)	HJR	599		2574
Merricks, Donald W.; commending. (Patron–Marshall)	HJR	658		2607
Merrill, Mark; commending. (Patron–Wiley)	HR	462		2668
Midlothian High School; commending. (Patron–Earley)	HR	458		2666
Mill Swamp Baptist Church; commemorating its 250th anniversary.				
Patron–Wachsmann	HR	485		2680
Patron–Jordan	SR	200		3029
Miller, Judi; commending. (Patron–Lovejoy)	HR	530		2700
Miller, Patricia; commending. (Patron–Bennett-Parker)	HJR	648		2602
Minnie H. Peyton Community Center at Bailey's; commending. (Patron–Ebbin)	SJR	331		2956
Mitchell, Clint; commending. (Patron–Cole)	HR	714		2789
Mizuno Japanese Restaurant; commending. (Patron–Tata)	HR	637		2752
MOC Beagles; commending. (Patron–Higgins)	HJR	529		2536
Moms in Touch International, Bowling Park Chapter of; commending.				
Patron–Glass	HR	878		2870
Moneta Farm and Home Center; commending. (Patron–Zehr)	HR	707		2786
Montgomery, Ron; commending. (Patron–Green)	HJR	534		2539
Montgomery, Ronald G.; commending. (Patron–Diggs)	SJR	296		2936
Moody, Maurice; commending. (Patron–Scott, P.A.)	HJR	488		2515
Moore and Giles; commending. (Patron–Griffin)	HR	702		2783
Moore, Daisy; commending. (Patron–Head)	SR	297		3082
Moore, Douglas E.; commending. (Patron–Roem)	SR	322		3094
Mortman, Mia; commending. (Patron–Boysko)	SJR	430		3012
Mount Vernon Woods Elementary School; commemorating its 60th anniversary.				
Patron–Surovell	SJR	399		2994
Moye, Colton; commending. (Patron–Ballard)	HR	740		2801
Mugler, Ross A.; commending.				
Patron–Ward	HJR	580		2563
Patron–Locke	SJR	283		2922
Muranko, Bradley; commending. (Patron–VanValkenburg)	SJR	314		2946
My Cravingz; commemorating its fifth anniversary. (Patron–Thomas)	HR	801		2833
NAACP, Gloucester County Branch of; commemorating its 85th anniversary.				
Patron–Green	HJR	510		2525
Namaste Club; commending. (Patron–Boysko)	SJR	422		3009

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COMMENDATIONS AND COMMEMORATIONS - Continued				
National Conference of State Legislatures; commemorating its 50th anniversary.				
Patron–Herring	HJR	504		2522
Patron–Locke	SJR	267		2883
National Liberation Day of Korea; commemorating its 80th anniversary.				
Patron–Shin	HR	825		2845
National Wild Turkey Federation, South Hill Longbeards Chapter of; commemorating its 25th anniversary. (Patron–Wright)	HJR	622		2586
Nave, Marie; commending. (Patron–Scott, P.A.)	HJR	489		2515
Nelson County Sheriff's Office; commending. (Patron–Laufer)	HR	626		2747
Nepali Community of Greater Richmond Virginia; commending.				
Patron–VanValkenburg	SJR	357		2970
Nesbit, Brandon; commending. (Patron–Hayes)	HR	830		2847
New Chesapeake Men for Progress Education Foundation, Inc.; commemorating its 15th anniversary. (Patron–Hayes)	HR	533		2701
New Mount Vernon Baptist Church; commemorating its 90th anniversary.				
Patron–Hayes	HR	777		2820
Newport News Public Schools Youth Development; commending. (Patron–Green)	HJR	556		2550
Nguyen, Kayla; commending. (Patron–Higgins)	HJR	674		2615
No-kill animal rescues and shelters; commending. (Patron–Martinez)	HJR	711		2636
Noll, Sheila S.; commending. (Patron–Green)	HJR	535		2539
Noori, Hamidullah; commending. (Patron–VanValkenburg)	SJR	418		3007
Norfolk Academy field hockey team; commending. (Patron–Tata)	HR	647		2756
Norfolk State University; commemorating its 90th anniversary.				
Patron–Mundon King	HJR	721		2641
NORTH of the JAMES magazine; commemorating its 30th anniversary.				
Patron–Carr	HJR	620		2585
Northern Virginia Chamber of Commerce; commemorating its 100th anniversary.				
Patron–Surovell	SJR	410		3002
Patron–Surovell	SR	259		3062
Northern Virginia Veterinary Medical Association; commemorating its 50th anniversary. (Patron–Shin)	HJR	736		2650
Norton, J. Dean; commending.				
Patron–Surovell	SJR	411		3003
Patron–Surovell	SR	260		3063
Noto, Liz; commending. (Patron–Keys-Gamarra)	HR	873		2868
Nowell-Shortt, Penelope; commending. (Patron–Sewell)	HR	753		2808
Nuckols, Garland; commending. (Patron–Reeves)	SJR	308		2942
Nunn, Rebecca; commending. (Patron–Kent)	HJR	553		2548
O. Winston Link Museum; commemorating its 20th anniversary. (Patron–Rasoul)	HJR	604		2577
O'Brien, R. Frances; commending. (Patron–Hope)	HJR	636		2595
Oder, G. Glenn; commending.				
Patron–Cordoza	HJR	625		2588
Patron–Locke	SJR	281		2920
Offix; commemorating its 25th anniversary. (Patron–Lovejoy)	HR	529		2699
Older Americans Act passage; commemorating its 60th anniversary. (Patron–Hope)	HJR	633		2593
Olem, Sheila A.; commending. (Patron–Boysko)	SJR	421		3008
Omega Psi Phi Fraternity, Inc., Pi Lambda Lambda Chapter of; commending.				
Patron–Carroll Foy	SR	243		3052
100th Infantry (Century) Division; commemorating its 80th anniversary of the liberation of Bitche, France. (Patron–Reeves)	SJR	367		2975
Osbourn Park High School; commending. (Patron–Roem)	SR	324		3095
Oscar Smith High School football team; commending.				
Patron–Hayes	HJR	589		2568
Patron–Craig	SJR	348		2965
Oscar Smith High School football team, All-State First Team selections; commending. (Patron–Hayes)	HJR	740		2652
Oswalt, Deborah D.; commending.				
Patron–Carr	HJR	703		2632
Patron–Sickles	HR	742		2802
Overy, Lara Shearin; commending. (Patron–Green)	HJR	545		2544

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COMMENDATIONS AND COMMEMORATIONS - Continued				
Pace, Anne Cochrane; commending.				
Patron–Carr	HJR	656		2606
Patron–VanValkenburg	SJR	272		2884
Paredes, Kevin Armstrong; commending. (Patron–Mundon King)	HR	571		2720
Parker, Christian; commending. (Patron–Thomas)	HJR	752		2658
PathForward; commending. (Patron–Favola)	SJR	299		2938
Peace Camp at the Unitarian Universalist Church of Arlington; commending.				
Patron–Favola	SJR	298		2937
Pearson, Robert Alexander, Jr.; commending. (Patron–Pekarsky)	SR	287		3077
Pemberton-Abbott, Thelma R.; commending. (Patron–Tran)	HR	839		2851
Penn, Gary E.; commending. (Patron–Zehr)	HR	769		2816
Perez-Rives, Magaly; commending. (Patron–Tran)	HR	820		2842
Perkinson Construction; commending. (Patron–Coyner)	HR	687		2777
Perno, Dave; commending. (Patron–Cherry)	HJR	667		2611
Persian Rugs & More; commending. (Patron–Peake)	SR	222		3041
Petersburg Garden Club; commemorating its 100th anniversary. (Patron–Aird)	SR	282		3075
Petersburg Home for Ladies; commemorating its 100th anniversary. (Patron–Aird)	SR	250		3057
Phi Beta Sigma Fraternity, Inc., Omicron Zeta Sigma Chapter of; commending.				
Patron–Carroll Foy	SR	274		3071
Phillips Equipment Corporation; commending. (Patron–Zehr)	HR	649		2757
Phoebus High School football team; commending. (Patron–Ward)	HR	795		2830
Piotrowski, Dianne; commending. (Patron–Cherry)	HJR	619		2585
Pisierra, Valerie; commending. (Patron–Martinez)	HJR	514		2528
Platt, Paul M.; commending. (Patron–O'Quinn)	HJR	715		2638
Plumbers and Gasfitters of Local Union 5; commemorating its 135th anniversary.				
Patron–Krizek	HJR	742		2653
Polish Boutique; commending. (Patron–Tata)	HR	638		2752
Polk, T. Benjamin; commending. (Patron–Ennis)	HJR	647		2601
Poole, David W.; commending.				
Patron–Wachsmann	HR	484		2679
Patron–Jordan	SR	199		3028
Port City Brewing Company; commending. (Patron–Bennett-Parker)	HJR	566		2555
Porter, Curtis O.; commending. (Patron–Sewell)	HR	754		2808
Porterfield, Charlie; commending. (Patron–Webert)	HR	563		2716
Porto, Juli M.; commending. (Patron–Carroll Foy)	SR	230		3045
Price, McKinley L.; commending.				
Patron–Price	HR	861		2862
Patron–Pillion	SR	317		3092
Price, Mel; commending. (Patron–Glass)	HJR	469		2503
Prince William County Community Foundation; commending.				
Patron–Mundon King	HR	847		2855
Prince William County Department of Fire and Rescue; commending members on occasion of their 20th anniversary of service. (Patron–Lovejoy)	HR	601		2736
Prince William County Department of Fire and Rescue; commending members on occasion of their 25th anniversary of service. (Patron–Lovejoy)	HR	598		2735
Prince William County Department of Fire and Rescue; commending members on occasion of their 30th anniversary of service. (Patron–Lovejoy)	HR	603		2737
Prince William County Department of Fire and Rescue; commending members on occasion of their 35th anniversary of service. (Patron–Lovejoy)	HR	600		2736
Prince William County Department of Fire and Rescue Swift Water Rescue Team; commending. (Patron–Thomas)	HR	586		2728
Princess Anne High School girls' basketball team; commending. (Patron–Feggans)	HR	503		2688
Producers Peanut Company; commemorating its 100th anniversary. (Patron–Jordan)	SR	196		3027
Providence Baptist Church; commemorating its 150th anniversary.				
Patron–Martinez	HJR	712		2637
Providence Presbyterian Church; commemorating its 48th anniversary.				
Patron–Feggans	HR	516		2693
Pruitt, Chuck; commending. (Patron–Sullivan)	HR	736		2799
Pryor, Wayne F.; commending. (Patron–Lopez)	HJR	563		2554

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COMMENDATIONS AND COMMEMORATIONS - Continued				
Purdy, Joji; commending. (Patron–Tata)	HR	709		2787
Queen Street Baptist Church; commemorating its 140th anniversary. Patron–Williams Graves	SR	278		3072
Radford University; commemorating the 25th anniversary of its Advocacy Day program. (Patron–Ballard)	HR	548		2709
Randel, Emma; commending. (Patron–French)	SR	221		3040
Rappahannock High School baseball team; commending. (Patron–Stuart)	SJR	256		2878
Ratliff, Haidee Schiflett; commending. (Patron–Cherry)	HJR	690		2624
Rau, Stephen; commending. (Patron–Simon)	HR	756		2810
Raybold, William; commending. (Patron–Cole)	HR	583		2727
Rayner, Jordan; commending. (Patron–Hayes)	HR	834		2848
Reaching Out Now, Inc.; commending. (Patron–Oates)	HR	654		2760
Reid, William Ferguson; commending.				
Patron–McQuinn	HR	686		2776
Patron–Srinivasan	SJR	434		3014
Rescue College of the Virginia Association of Volunteer Rescue Squads, Inc.; commemorating its 50th anniversary. (Patron–Orrock)	HJR	526		2534
Reyes, Susy; commending. (Patron–Boysko)	SJR	428		3011
Reynolds, Ray; commending. (Patron–Phillips)	HJR	467		2503
Rhudy, Abigail; commending. (Patron–Hackworth)	SJR	353		2968
Ridgeway Ruritan Club; commemorating its 75th anniversary. (Patron–Phillips)	HJR	732		2648
Rilee, Bill; commending. (Patron–Hodges)	HR	546		2708
Rising Mount Zion Baptist Church; commemorating its 155th anniversary. Patron–Bagby	SJR	380		2983
River's Bend Community Association swim team; commemorating its 25th anniversary. (Patron–Coyner)	HR	763		2813
Riverside Center for the Performing Arts; commending. (Patron–Cole)	HR	488		2681
Roanoke Bar Association; commemorating its 100th anniversary. Patron–Suetterlein	SR	329		3097
Roanoke Higher Education Center; commending.				
Patron–Austin	HJR	678		2617
Patron–Suetterlein	SR	328		3097
Roanoke Star; commemorating its 75th anniversary. (Patron–Obenshain)	HJR	512		2526
Robbins, Doug; commending. (Patron–Coyner)	HR	761		2812
Robert Trent Jones Golf Club; commending. (Patron–Thomas)	HR	822		2843
Roberts, Rachel; commending. (Patron–Martinez)	HJR	515		2528
Roble, Stephanie; commending. (Patron–Anthony)	HR	844		2853
Rogers, Donna T.; commending. (Patron–Higgins)	HJR	724		2643
Ross, D. Thomas; commending.				
Patron–Bulova	HR	540		2705
Patron–Salim	SJR	290		2933
Rotary Club of Forest; commending. (Patron–Griffin)	HR	705		2785
Rotary Club of Lake Ridge; commending. (Patron–Carroll Foy)	SR	232		3046
Rotary Club of Woodbridge; commemorating its 60th anniversary. Patron–Carroll Foy	SR	244		3053
Rotary Club of Woodstock; commemorating its 100th anniversary.				
Patron–Gilbert	HJR	521		2531
Patron–French	SJR	297		2937
Rountree, Debbie; commending.				
Patron–Leftwich	HJR	484		2513
Patron–Craig	SJR	266		2882
Routsis, Sarah; commending. (Patron–Feggans)	HR	511		2691
Rudy L. Hawkins Electrical Contractor, Inc.; commending. (Patron–Coyner)	HR	689		2777
Saint Anne Catholic School; commemorating its 75th anniversary.				
Patron–O'Quinn	HR	575		2723
Patron–Pillion	SR	309		3088
Salem Red Sox; commemorating its 70th anniversary. (Patron–Suetterlein)	SR	331		3098
Salguero, Juan; commending. (Patron–Simon)	HR	759		2811
Sally Bell's Kitchen; commemorating its 100th anniversary. (Patron–Bagby)	SJR	381		2984

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COMMENDATIONS AND COMMEMORATIONS - Continued				
Saltville Elementary School; commending. (Patron–Arnold)	HR	495		2684
Savage, Horace S., Jr.; commending. (Patron–Hayes)	HR	870		2866
Sawyer, Sydney; commending. (Patron–Pekarsky)	SR	304		3086
Scambos, Thomas Theodore; commending. (Patron–Favola)	SR	218		3039
Schaible, Erin; commending.				
Patron–Bulova	HJR	550		2546
Patron–Salim	SJR	316		2947
Scherff, Donielle M.; commending. (Patron–Boysko)	SJR	427		3011
Schwartzkopf, Karen Evans; commending. (Patron–VanValkenburg)	SJR	301		2939
Scott, Chris; commending. (Patron–Hayes)	HR	778		2821
Scott, Tommy; commending. (Patron–Griffin)	HR	704		2784
Screen, Lynn; commending. (Patron–Pekarsky)	SR	306		3086
Sebesky, Pamela J.; commending. (Patron–Roem)	SR	320		3093
Self Storage Association; commemorating its 50th anniversary. (Patron–Ebbin)	SJR	326		2953
Senior Statesmen of Virginia; commemorating its 30th anniversary. (Patron–Laufer)	HR	625		2747
Settle, Gary T.; commending.				
Patron–Simon	HJR	616		2583
Patron–Obenshain	SJR	387		2988
Shaboozey; commending.				
Patron–Sewell	HR	752		2807
Patron–McPike	SJR	438		3017
Shafi, Saad; commending. (Patron–Hodges)	HR	737		2800
Sheehy, Colette; commending.				
Patron–Callsen	HJR	598		2573
Patron–Deeds	SJR	342		2962
Shenandoah University; commemorating its 150th anniversary. (Patron–Wiley)	HJR	465		2502
Shepherd's Center of Fairfax-Burke; commending. (Patron–Seibold)	HR	720		2792
Shepperd, Thomas G.; commending. (Patron–Green)	HJR	536		2540
Shi, Renee; commending. (Patron–Boysko)	SJR	433		3014
Shorebreak Pizza and Taphouse; commending. (Patron–Tata)	HR	775		2819
Shrine Mont; commemorating its 100th anniversary.				
Patron–Gilbert	HJR	509		2525
Patron–French	SJR	287		2931
Shropshire, Rita Jean; commending. (Patron–Phillips)	HJR	638		2596
Simmons and Associates Realty, Inc.; commemorating its 50th anniversary.				
Patron–Wright	HR	821		2843
Simmons, Judy; commending. (Patron–Marshall)	HJR	651		2604
Sin Barreras; commending. (Patron–Callsen)	HJR	747		2656
Smartmouth Brewing Company; commending. (Patron–Tata)	HR	642		2754
Smithfield High School Junior Reserve Officers' Training Corps rifle team; commending. (Patron–Jordan)	SR	197		3028
Smithfield Packers Youth Sports 12U girls' flag football team; commending.				
Patron–Jordan	SR	198		3028
Snidle, Giovanni Antonio; commending. (Patron–McClure)	HR	595		2733
Social Burger; commemorating its 10th anniversary. (Patron–Seibold)	HR	809		2837
South County High School; commemorating its 20th anniversary. (Patron–Surovell)	SJR	404		2997
South Quay Baptist Church; commemorating its 250th anniversary. (Patron–Jordan)	SR	219		3039
Southside Swim League; commending. (Patron–Coyner)	HR	762		2813
Southside Youth Football League, the Huntersville Wolverines Football and Cheer Organization, and the Park Place Kings Football and Cheer Organization; commending. (Patron–Anthony)	HR	845		2853
Spreading Smiles at Renatos; commending. (Patron–Cole)	HR	715		2789
Spring Hill Elementary School; commending.				
Patron–Sullivan	HJR	692		2625
Patron–Boysko	SJR	423		3009
Spring Valley Farms; commemorating its 45th anniversary. (Patron–Zehr)	HR	767		2815
St. Francis Episcopal Church; commemorating its 61st anniversary.				
Patron–Feggans	HR	518		2694

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St. Stephen's and St. Agnes School; commemorating its 100th anniversary.				
Patron–Bennett-Parker	HJR	575		2561
Stafford County African American History driving tour; commending.				
Patron–Cole	HR	581		2725
Staton, Elizabeth; commending. (Patron–Glass)	HR	877		2869
Stebner, Ally and Michael; commending. (Patron–Reaser)	HR	770		2817
Stehle, Jon R., Jr.; commending.				
Patron–Bulova	HR	537		2704
Patron–Salim	SJR	288		2932
Sterner's Tae Kwon Do Academy; commemorating its 20th anniversary.				
Patron–Shin	HJR	738		2651
STIHL, Inc.; commemorating its 50th anniversary.				
Patron–Feggans	HR	524		2697
Patron–DeSteph	SJR	358		2970
Stone, Phillip C.; commending.				
Patron–Wilt	HR	794		2829
Patron–Obenshain	SR	279		3073
Stroke Comeback Center; commemorating its 20th anniversary. (Patron–Seibold)	HJR	676		2615
Stroz, Anna; commending. (Patron–Leftwich)	HJR	483		2512
Substance Abuse and Addiction Recovery Alliance of Virginia; commemorating its 30th anniversary. (Patron–Carr)	HJR	644		2599
SUFF.Impact; commending. (Patron–Clark)	HR	591		2731
Suffolk Christian Academy junior varsity girls' basketball team; commending.				
Patron–Jordan	SR	271		3069
Suffolk Interdenominational Ministerial Alliance; commending. (Patron–Clark)	HR	590		2730
Sullivan, Donald, Jr.; commending. (Patron–Scott, P.A.)	HJR	505		2522
Surry United Methodist Church; commemorating its 100th anniversary.				
Patron–Aird	SR	255		3060
Sutton, Bonnie B.; commending. (Patron–Scott, D.)	HR	885		2873
Swanson, Carlehr; commending. (Patron–McQuinn)	HR	483		2679
Swanson, Charles August; commending.				
Patron–Jones	HR	608		2739
Patron–Bagby	SJR	383		2985
Sweat, Josh; commending. (Patron–Hayes)	HR	835		2849
Sydnor, Charles W., Jr.; commending. (Patron–Carr)	HR	859		2861
T. Clay Wood Elementary School; commending. (Patron–Lovejoy)	HR	606		2738
Tabash, Christian; commending. (Patron–Sickles)	HJR	600		2575
Tallwood High School boys' outdoor track and field team; commending.				
Patron–Feggans	HR	501		2687
Tarara Summer Concert Series; commending. (Patron–Martinez)	HJR	517		2529
Tarrallton Elementary School; commending. (Patron–Hernandez)	HR	857		2860
TASTE Family of Businesses; commending. (Patron–Tata)	HR	633		2750
Tautog's Restaurant; commending. (Patron–Tata)	HR	646		2756
Teach to Reach Teens; commending. (Patron–Cole)	HR	528		2699
Teets, Leland; commending. (Patron–Oates)	HR	453		2664
Teets, Leland C.; commending. (Patron–French)	SR	295		3081
Terrill, Andrew; commending. (Patron–Freitas)	HR	800		2832
The Arc of Greater Williamsburg; commemorating its 25th anniversary.				
Patron–Green	HJR	539		2541
The Bargain Box; commending. (Patron–Green)	HJR	542		2543
The Cameron Foundation; commemorating its 20th anniversary. (Patron–Aird)	SJR	439		3017
The Family Foundation of Virginia; commemorating its 40th anniversary.				
Patron–Hackworth	SJR	396		2993
The Gala 417; commemorating its fifth anniversary. (Patron–Tata)	HR	617		2743
The Links, Incorporated, Greater Rappahannock (VA) Chapter of; commemorating its 10th anniversary. (Patron–Cole)	HR	567		2718
The Roanoker; commemorating its 50th anniversary. (Patron–Rasoul)	HJR	670		2613
The Salvation Army of Harrisonburg and Rockingham County; commemorating its 100th anniversary. (Patron–Wilt)	HJR	595		2572

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The Sweet Spot; commending. (Patron–Feggans)	HR	526		2698
Thomas A. Edison High School girls' cross country team; commending. Patron–Sickles	HJR	665		2610
Thompson, Jim; commending. (Patron–Hackworth)	SJR	349		2966
3North; commemorating its 25th anniversary. (Patron–Willett)	HR	570		2720
Timberlake Tavern; commending. (Patron–Zehr)	HR	766		2815
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Banks, George E.; recording sorrow upon death. (Patron–Oates)	HR	656		2761
Banks, Rufus A., Sr.; recording sorrow upon death. (Patron–Hayes)	HR	578		2724
Benfield, David Jay, Jr.; recording sorrow upon death. (Patron–Cifers)	SR	302		3085
Bethune-Hill, Golden; recording sorrow upon death. (Patron–Ward)	HJR	584		2566
Blount, Milton Roy; recording sorrow upon death.				
Patron–Scott, D.	HR	791		2827
Patron–Lucas	SJR	334		2958
Boden, Elizabeth; recording sorrow upon death. (Patron–Perry)	SJR	377		2982
Boland, Rashaun Dehaven; recording sorrow upon death. (Patron–Aird)	SR	286		3077
Bracey, Bob Eddison; recording sorrow upon death. (Patron–Jones)	HR	722		2793
Breeden, Michael Alden; recording sorrow upon death. (Patron–Obenshain)	SJR	386		2987
Brown, George G.; recording sorrow upon death.				
Patron–Morefield	HR	521		2695
Patron–Hackworth	SJR	352		2967
Brown, John Andrew; recording sorrow upon death. (Patron–Stuart)	SJR	265		2882
Brown, Luther Foster, Jr.; recording sorrow upon death. (Patron–Scott, D.)	HR	784		2824
Brown, Michael Gregory; recording sorrow upon death.				
Patron–Carr	HJR	662		2609
Patron–McQuinn	HR	676		2772
Brown, William H., Sr.; recording sorrow upon death. (Patron–Obenshain)	HJR	615		2582
Broyles, Sterling Compton, II; recording sorrow upon death. (Patron–Rasoul)	HJR	614		2582
Buck, Carylon Courch; recording sorrow upon death. (Patron–Scott, D.)	HR	863		2863
Burton, Collie, III; recording sorrow upon death. (Patron–Carr)	HJR	704		2632
Butler, Justin Lee, Jr.; recording sorrow upon death. (Patron–McQuinn)	HR	683		2775
Campbell, Gloria Williams; recording sorrow upon death. (Patron–Marshall)	HJR	654		2605
Campbell, Paulina Yager; recording sorrow upon death.				
Patron–Gilbert	HJR	582		2564
Patron–Obenshain	SR	236		3049
Carter, James Earl, Jr.; recording sorrow upon death. (Patron–Scott, D.)	HR	862		2862
Carter, Roy Alphonso, Sr.; recording sorrow upon death. (Patron–VanValkenburg)	SJR	347		2965
Cecchi, Giuseppe; recording sorrow upon death. (Patron–Sullivan)	HJR	693		2626
Chapman, Michele Irene; recording sorrow upon death. (Patron–Ebbin)	SJR	328		2954
Chiaverotti, Matthew Robert; recording sorrow upon death. (Patron–Feggans)	HJR	634		2594

	BILL OR RES.	NO.	CHAP. NO.	PAGE NO.
DEATHS - Continued				
Clemens, Gerald O'Neal; recording sorrow upon death. (Patron–Suetterlein)	SR	330		3098
Cobler, Claude Allen; recording sorrow upon death. (Patron–Williams)	HR	797		2831
Compton, Jeremy Lathan; recording sorrow upon death. (Patron–Hackworth)	SJR	356		2969
Cook, Gregory Scott; recording sorrow upon death. (Patron–Lovejoy)	HR	731		2797
Cosby, Elvin Russell, Jr.; recording sorrow upon death. (Patron–VanValkenburg)	SJR	318		2948
Creasey, Diana Lee; recording sorrow upon death. (Patron–Garrett)	HJR	593		2570
Crist, Carolyn Powell; recording sorrow upon death. (Patron–Hope)	HJR	631		2592
Crouse, Algie Gray; recording sorrow upon death. (Patron–Arnold)	HR	680		2773
Custalow, Malcolm Tecumseh, Jr.; recording sorrow upon death. (Patron–Stuart)	SR	191		3024
Dales, Danny Joe; recording sorrow upon death.				
Patron–Morefield	HJR	606		2578
Patron–Hackworth	SJR	354		2968
Davis, Peggy Lynn; recording sorrow upon death.				
Patron–Cherry	HJR	689		2624
Patron–Aird	SR	254		3059
Davis, Robert Calloway; recording sorrow upon death. (Patron–McQuinn)	HR	677		2772
DePriest, Warren Marcelous, Sr.; recording sorrow upon death. (Patron–McQuinn)	HR	661		2764
Diamonstein, Beverly Hicks; recording sorrow upon death. (Patron–Simonds)	HR	823		2844
Dikos, Stella; recording sorrow upon death.				
Patron–Carr	HJR	533		2538
Patron–Hashmi	SJR	313		2945
Dillow, David Eugene; recording sorrow upon death. (Patron–Hackworth)	SJR	395		2992
Dively, Robert Clark; recording sorrow upon death. (Patron–Diggs)	SR	238		3050
Doherty, Ethel Dunbar; recording sorrow upon death. (Patron–Oates)	HR	566		2717
Dolan, William David, III; recording sorrow upon death. (Patron–Simon)	HJR	559		2551
Dyson, Derek; recording sorrow upon death. (Patron–Scott, D.)	HR	886		2874
Eaves, Andrew Lloyd; recording sorrow upon death. (Patron–Henson)	HR	696		2781
Edwards, Lucious, Jr.; recording sorrow upon death. (Patron–Aird)	SR	252		3058
Eller, Arthur Laxton; recording sorrow upon death. (Patron–O'Quinn)	HJR	621		2586
Enoch, Lloyd W.; recording sorrow upon death. (Patron–Rasoul)	HJR	612		2581
Evelyn, Thomas Clyde; recording sorrow upon death. (Patron–Wyatt)	HJR	552		2548
Ewell, Kimaun Tyrese; recording sorrow upon death. (Patron–McQuinn)	HR	685		2776
Foster, Donald W., Sr.; recording sorrow upon death. (Patron–O'Quinn)	HJR	719		2640
Galli, Zachary Dart; recording sorrow upon death. (Patron–Batten)	HR	542		2706
Gamage, Stewart Hamilton; recording sorrow upon death. (Patron–Willett)	HJR	649		2602
Gibbons, Robert Carl; recording sorrow upon death. (Patron–Milde)	HJR	609		2579
Gilmore, Roxane Gatling; recording sorrow upon death. (Patron–Green)	HR	558		2714
Giovanni, Nikki; recording sorrow upon death.				
Patron–Obenshain	HJR	511		2526
Patron–Hashmi	SR	224		3042
Patron–Rouse	SR	229		3045
Gompert, David Charles; recording sorrow upon death. (Patron–Carr)	HJR	657		2607
Goodman, Harold Alvin, Sr.; recording sorrow upon death.				
Patron–Scott, D.	HR	792		2828
Patron–Lucas	SR	233		3047
Goodman, William Eugene, Jr.; recording sorrow upon death. (Patron–Clark)	HR	593		2731
Gregg, Arthur J.; recording sorrow upon death.				
Patron–Scott, D.	HR	783		2823
Patron–Aird	SJR	444		3020
Grosh, Richard Joseph; recording sorrow upon death. (Patron–Reaser)	HR	772		2818
Guedri, Cheryl Hydrick; recording sorrow upon death. (Patron–Carr)	HJR	699		2629
Haddock, Donald May; recording sorrow upon death. (Patron–Herring)	HR	682		2774
Harmon, Roosevelt, Jr.; recording sorrow upon death. (Patron–Lucas)	SR	211		3035
Harris, Henry Mills; recording sorrow upon death. (Patron–Sturtevant)	SJR	442		3019
Harrison-James, Wesley Isaiah; recording sorrow upon death. (Patron–Clark)	HR	694		2780
Hayse, Nellie; recording sorrow upon death.				
Patron–Tata	HR	619		2744
Patron–Craig	SR	242		3052
Hecht, Mary Carol Evans; recording sorrow upon death. (Patron–Anthony)	HR	730		2796

	BILL OR RES.	NO.	CHAP. NO.	PAGE NO.
DEATHS - Continued				
Henson, Henry P.; recording sorrow upon death. (Patron–Glass)	HR	879		2870
Hinger, Meghan Rose; recording sorrow upon death. (Patron–Callsen)	HJR	681		2619
Hontz, Jacquelyn G.; recording sorrow upon death. (Patron–Cole)	HR	813		2839
Horton, Ivan Elbert, Jr.; recording sorrow upon death. (Patron–Kilgore)	HR	819		2842
Howard, Jeannette Windsor; recording sorrow upon death. (Patron–Batten)	HR	543		2707
Hubbard, Winston E., Jr.; recording sorrow upon death. (Patron–McQuinn)	HR	665		2765
Hunt, Marquise Sterling; recording sorrow upon death. (Patron–Lucas)	SJR	332		2956
Hutt, Charlotte Hall; recording sorrow upon death.				
Patron–Kent	HJR	522		2532
Patron–Stuart	SR	190		3024
Hyland, Gerald William; recording sorrow upon death. (Patron–Krizek)	HJR	672		2614
James, Ellis Whedon; recording sorrow upon death. (Patron–Williams Graves)	SJR	346		2964
Jarrett, Ella Wease Tucker; recording sorrow upon death. (Patron–Scott, D.)	HR	790		2827
Jenkins, Enis Rodney; recording sorrow upon death. (Patron–Freitas)	HR	799		2832
Jenkins, Wilbert L.; recording sorrow upon death. (Patron–McQuinn)	HR	663		2764
Johnson, Elizabeth Sampson; recording sorrow upon death. (Patron–McQuinn)	HR	662		2764
Johnson, Louis Mansfield; recording sorrow upon death. (Patron–Cole)	HR	713		2788
Johnson, Marie Goodman; recording sorrow upon death. (Patron–McQuinn)	HR	621		2745
Johnson, Thomas Cahill; recording sorrow upon death. (Patron–Watts)	HJR	751		2658
Jones, Clarence Hiram, Jr.; recording sorrow upon death. (Patron–Zehr)	HR	768		2816
Jones, Shirley Kenneth; recording sorrow upon death.				
Patron–Hodges	HR	536		2703
Patron–McDougle	SR	269		3068
Jordan, Clarice Lorine; recording sorrow upon death. (Patron–McQuinn)	HR	856		2859
Keister, Walter Benjamin, Sr.; recording sorrow upon death.				
Patron–Ballard	HR	712		2788
Patron–Deeds	SJR	379		2983
Kemp, Peter John; recording sorrow upon death.				
Patron–Green	HR	534		2702
Patron–Craig	SJR	336		2959
Kestner, Crystal Michelle; recording sorrow upon death. (Patron–Arnold)	HR	496		2685
Kidd, Gladys Delores Argro; recording sorrow upon death. (Patron–McQuinn)	HR	664		2765
Killian, Michael David; recording sorrow upon death. (Patron–Cole)	HR	456		2665
Kincaid, Jake; recording sorrow upon death.				
Patron–Morefield	HJR	698		2629
Patron–Hackworth	SJR	394		2992
King, Holly Jennings; recording sorrow upon death. (Patron–Obenshain)	HJR	480		2511
Kiser, George Thomas, Jr.; recording sorrow upon death. (Patron–O'Quinn)	HR	555		2712
Kokonis, Louis Peter; recording sorrow upon death. (Patron–Bennett-Parker)	HJR	568		2557
Langmack, Dorothy Belle Scates; recording sorrow upon death. (Patron–Stuart)	SJR	257		2878
Lee, Vernon S., II; recording sorrow upon death. (Patron–Henson)	HJR	669		2612
Lester, Clayton Tune; recording sorrow upon death. (Patron–Marshall)	HJR	650		2603
Lester, George W., II; recording sorrow upon death.				
Patron–Phillips	HJR	641		2597
Patron–Reeves	SJR	365		2974
Lewis, Terry D., Sr.; recording sorrow upon death. (Patron–Aird)	SR	285		3076
Lobach, Rebecca M.; recording sorrow upon death. (Patron–Henson)	HR	699		2782
Lovelace, Patricia W.; recording sorrow upon death. (Patron–Carr)	HJR	660		2608
Lyver, John William, IV; recording sorrow upon death. (Patron–Roem)	SJR	440		3018
Marsh, Henry Levander, III; recording sorrow upon death.				
Patron–McQuinn	HJR	564		2554
Patron–Bagby	SJR	322		2950
Massengill, William Gerald; recording sorrow upon death.				
Patron–Taylor	HR	522		2696
Patron–Aird	SR	251		3057
Matson, Augustine Joseph; recording sorrow upon death. (Patron–Krizek)	HJR	741		2653
McCarty, William M.; recording sorrow upon death.				
Patron–Wachsmann	HJR	592		2570
Patron–Jordan	SJR	330		2955

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DEATHS - Continued			
McClellan, Joseph Lee Dean; recording sorrow upon death. (Patron–Deeds)	SJR	374	2980
McMillan, John Wilder, Jr.; recording sorrow upon death. (Patron–Diggs)	SR	188	3023
Meredith, Jeff; recording sorrow upon death. (Patron–Tata)	HR	773	2818
Michel, Gary Stephen; recording sorrow upon death. (Patron–Pekarsky)	SR	303	3085
Miles, Floyd Hugo, Jr.; recording sorrow upon death. (Patron–Aird)	SJR	362	2972
Mitchell, Abraham; recording sorrow upon death. (Patron–Jordan)	SR	217	3038
Monk, Joseph Haynes; recording sorrow upon death. (Patron–Carr)	HJR	709	2635
Moss, Patricia Buckley; recording sorrow upon death. (Patron–Campbell)	HJR	495	2518
Myrick, Bismarck, Sr.; recording sorrow upon death. (Patron–Scott, D.)	HR	793	2828
Neighbour, Bonnie Sue; recording sorrow upon death. (Patron–Hope)	HJR	630	2591
Nerangis, Kathy; recording sorrow upon death. (Patron–Wiley)	HR	463	2669
Obenshain, Matthew Charles; recording sorrow upon death. (Patron–Suetterlein)	SJR	445	3021
O'Brien, William R.; recording sorrow upon death. (Patron–Knight)	HJR	478	2510
Ogg, James Downer; recording sorrow upon death. (Patron–Reeves)	SJR	306	2941
O'Hara, Ryan Austin; recording sorrow upon death. (Patron–Henson)	HR	697	2781
Orlich, Lillian Mary; recording sorrow upon death. (Patron–Lovejoy)	HR	599	2735
Orrock, John Lee; recording sorrow upon death. (Patron–Scott, P.A.)	HJR	490	2516
Outlaw, Mark Robert; recording sorrow upon death. (Patron–Jordan)	SR	216	3038
Pace, Charles C.; recording sorrow upon death. (Patron–Callsen)	HJR	597	2573
Painter, Joy Ann Durham; recording sorrow upon death. (Patron–Reeves)	SJR	307	2941
Pepper, Franklin Jay; recording sorrow upon death. (Patron–Bennett-Parker)	HR	812	2838
Peter, Donna, Everly, and Alydia Livingston; recording sorrow upon death. (Patron–McQuinn)	HR	764	2814
Peterson, Corey Rashaad; recording sorrow upon death. (Patron–Scott, D.)	HR	787	2826
Phillips, Bradford Windley; recording sorrow upon death. (Patron–Ward)	HR	573	2722
Piersall, Von LeRoy, Jr.; recording sorrow upon death. (Patron–Scott, D.)	HR	786	2825
Plante, Joshua; recording sorrow upon death. (Patron–Seibold)	HR	719	2791
Pope, Leon Foster; recording sorrow upon death. (Patron–French)	SR	227	3044
Porter, Linda Burrell; recording sorrow upon death. (Patron–Ward)	HR	574	2722
Prater, Lamuel Scott; recording sorrow upon death. (Patron–Arnold)	HR	480	2677
Prayer, Spencer J.; recording sorrow upon death. (Patron–Scott, D.)	HR	788	2826
Preston, Clarence Stewart; recording sorrow upon death. (Patron–Cole)	HR	749	2806
Pretlow, Carol J.; recording sorrow upon death. (Patron–Mundon King)	HR	848	2855
Pretlow, Carol Jocelyn; recording sorrow upon death. (Patron–Anthony)	HR	729	2796
Quillen, Stephen M.; recording sorrow upon death. (Patron–O'Quinn)	HR	554	2712
Quinn, Robert Smith, Jr.; recording sorrow upon death. (Patron–Marshall)	HJR	729	2646
Reedy, Hunter Dakota; recording sorrow upon death.			
Patron–Arnold	HR	493	2684
Patron–Hackworth	SR	240	3051
Rennolds, Richard Morris Bagby; recording sorrow upon death. (Patron–McDougle)	SJR	385	2986
Robins, Joan Woltz; recording sorrow upon death. (Patron–Carr)	HJR	701	2630
Robinson, Annette Teresa Lawrence; recording sorrow upon death.			
Patron–McQuinn	HR	666	2766
Rodgers-Rose, La Francis; recording sorrow upon death. (Patron–Anthony)	HR	675	2771
Rodriguez, Benjamin; recording sorrow upon death. (Patron–Tata)	HR	774	2819
Rodriguez, Benjamin "Rod"; recording sorrow upon death. (Patron–DeSteph)	SJR	340	2961
Ruff, Frank Miller, Jr.; recording sorrow upon death. (Patron–Mulchi)	SJR	324	2952
Ryan, Robert McCabe; recording sorrow upon death. (Patron–Reeves)	SJR	364	2974
Schubert, Irene Louise; recording sorrow upon death. (Patron–Krizek)	HJR	671	2613
Scott, Shannon Clay; recording sorrow upon death.			
Patron–Kilgore	HJR	576	2561
Patron–Pillion	SR	310	3088
Shannon, Wilson E.; recording sorrow upon death. (Patron–McQuinn)	HR	684	2775
Shelly, Thaddeus Rubel, III; recording sorrow upon death. (Patron–McDougle)	SJR	384	2986
Shepard, Jackie Francis, Jr.; recording sorrow upon death. (Patron–Scott, P.A.)	HJR	491	2516
Sheppard, Jerome A.; recording sorrow upon death. (Patron–Locke)	SJR	268	2883
Sibert, William Francis; recording sorrow upon death. (Patron–Head)	SR	249	3056

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DEATHS - Continued				
Simons, Kathi Gabriella Renee; recording sorrow upon death.				
Patron–VanValkenburg	SJR	317		2947
Skinner, John James, Jr.; recording sorrow upon death. (Patron–Roem)	SR	327		3096
Snavely, Joseph Woodrow, Jr.; recording sorrow upon death. (Patron–Cifers)	SR	268		3068
Sobieralski, Mary Ann; recording sorrow upon death. (Patron–Green)	HJR	558		2551
Southall, Dorothy; recording sorrow upon death. (Patron–Glass)	HR	471		2673
Southwick, Kris Kehoe; recording sorrow upon death. (Patron–Oates)	HR	681		2774
Spain, Mark; recording sorrow upon death. (Patron–Walker)	HJR	585		2566
Spruill, Charles Daniel; recording sorrow upon death.				
Patron–Green	HJR	546		2544
Patron–Diggs	SR	204		3031
Statzer, William Lee; recording sorrow upon death. (Patron–O'Quinn)	HR	657		2762
Stone, Martha Franklin Brockinton; recording sorrow upon death. (Patron–Carr)	HJR	700		2630
Stone, Thomas Knapp; recording sorrow upon death. (Patron–Carr)	HJR	705		2633
Sullivan, Ann Marie; recording sorrow upon death. (Patron–LeVere Bolling)	HR	781		2822
Sullivan, Lexie Isabelle; recording sorrow upon death. (Patron–Gardner)	HR	584		2727
Talbott, Robert Evans; recording sorrow upon death. (Patron–Phillips)	HJR	642		2598
Taylor, John Dean; recording sorrow upon death. (Patron–Wachsmann)	HJR	554		2549
Temple, Fernando Eugene, Sr.; recording sorrow upon death. (Patron–McQuinn)	HR	623		2746
Tenney, Harry Arthur; recording sorrow upon death. (Patron–Deeds)	SJR	378		2982
Ter, Olivia Eve and Olesya Taylor; recording sorrow upon death.				
Patron–Bennett-Parker	HJR	686		2622
Thalhimer, Morton G., Jr.; recording sorrow upon death. (Patron–Carr)	HJR	702		2631
Tillery, Demonté Lamont; recording sorrow upon death. (Patron–Clark)	HR	592		2731
Titus, Cloyd Kent; recording sorrow upon death. (Patron–Carr)	HJR	708		2634
Torrech, Rafael, III; recording sorrow upon death.				
Patron–Leftwich	HJR	485		2513
Patron–Craig	SJR	321		2950
Verchuck, Sister Andrea; recording sorrow upon death. (Patron–McPike)	SR	266		3067
Walker, David; commemorating his life and legacy. (Patron–Scott, D.)	HR	789		2827
Walters, Henry Martin; recording sorrow upon death. (Patron–McQuinn)	HR	622		2745
Warlick, Henry Conrad; recording sorrow upon death. (Patron–Durant)	SJR	390		2989
Warthen, Benjamin Pollard Alsop; recording sorrow upon death. (Patron–Willett)	HJR	626		2589
Watkins, Edward Lee; recording sorrow upon death. (Patron–Griffin)	HR	701		2783
Watkins, Marvin Hyatt; recording sorrow upon death. (Patron–Scott, D.)	HR	811		2838
Way, Jonathan Linden; recording sorrow upon death. (Patron–Lovejoy)	HR	597		2734
Weston, James Stuart; recording sorrow upon death. (Patron–Obenshain)	HJR	459		2501
Whipple, Louise Stuart Tabb; recording sorrow upon death. (Patron–Carr)	HJR	706		2633
Whipple, Thomas S.; recording sorrow upon death. (Patron–Favola)	SJR	325		2953
White, Jackson Stuart, Jr.; recording sorrow upon death. (Patron–Pillion)	SR	313		3089
White, Jane Baber; recording sorrow upon death. (Patron–Peake)	SR	248		3055
Wiley, Lewis S.; recording sorrow upon death. (Patron–Higgins)	HJR	723		2643
Williams, Elwood Lorenzo; recording sorrow upon death. (Patron–Scott, D.)	HR	782		2823
Wilson, Grover C., Jr.; recording sorrow upon death. (Patron–Reeves)	SJR	368		2976
Wood, Virgil Alexander; recording sorrow upon death.				
Patron–Callsen	HJR	745		2655
Patron–Walker	HR	652		2759
Woodson, Robert G., Jr.; recording sorrow upon death. (Patron–Garrett)	HJR	624		2588
Wright, Michael Steven; recording sorrow upon death. (Patron–Leftwich)	HR	612		2741
Wright, Robert Douglas; recording sorrow upon death. (Patron–Head)	SR	189		3024
Young, Robert Arthur; recording sorrow upon death. (Patron–Simon)	HJR	627		2590
Zirkle, William Denman; recording sorrow upon death.				
Patron–Gilbert	HR	838		2850
Patron–French	SR	316		3091

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DEEDS AND DEEDS OF TRUST				
Deed fraud; Virginia Housing Development Authority, et al., to evaluate prevalence, including notary fraud, etc., develop recommendations for prevention and measures to enhance protection for property owners, report.				
Patron–Simon	HB	2396	271	597
Patron–Hackworth	SB	1270	282	647
DEFENDANTS				
Decreasing probation period; criteria for mandatory reduction, a defendant may accrue credits in each six-month reporting period, effective clause, report.				
Patron–Williams	HB	2252	657	1405
Patron–Craig	SB	936	611	1202
Defendant; defendant's first physical appearance for any misdemeanor or felony, notification of consequences criminal proceedings can have on immigration.				
Patron–Lopez	HB	2560	464	929
Medical malpractice; certification of expert witness opinion at time of service of process, written opinion, defendant shall be identified in certification.				
Patron–Sturtevant	SB	892	359	783
DEHAVEN, MARSHALL				
DeHaven, Marshall; commending. (Patron–French)	SR	294		3081
DELOATCH, JAHMARI				
DeLoatch, Jahmari; commending. (Patron–Hayes)	HR	828		2846
DELTA SIGMA THETA SORORITY, INC., PRINCE WILLIAM COUNTY ALUMNAE CHAPTER OF				
Delta Sigma Theta Sorority, Inc., Prince William County Alumnae Chapter of; commemorating its 40th anniversary. (Patron–Mundon King)	HR	849		2856
DENTISTS AND DENTISTRY				
Dentists and dental hygienists; Board of Dentistry shall convene a work group to assess expedited pathways for licensure, report. (Patron–Pillion)	SB	1475	363	787
Foreign dental program graduates; license to teach dentistry, repeals sunset.				
Patron–Willett	HB	1899	47	74
Patron–Pillion	SB	1360	70	129
DEPRIEST, WARREN MARCELOUS, SR.				
DePriest, Warren Marcelous, Sr.; recording sorrow upon death. (Patron–McQuinn)	HR	661		2764
DEPUTY HUNTER D. REEDY MEMORIAL BRIDGE				
Deputy Hunter D. Reedy Memorial Bridge; designating as bridge on Adwolfe Road and U.S. Route 11/State Route 660 over Interstate 81 in Smyth County.				
Patron–Arnold	HB	1853	379	806
Patron–Hackworth	SB	1428	387	822
DERELICT BUILDINGS				
Derelict buildings; expands authority of localities to impose civil penalties.				
Patron–Walker	HB	2128	61	105
DHAKAL, PRADIP				
Dhakal, Pradip; commending. (Patron–Boysko)	SJR	429		3012
DIABETICS OR DIABETES				
Student diabetes medical management plans; School Health Services Committee shall conduct a comprehensive review of legislative proposal, report.				
Patron–McPike	SB	1303	339	732
DIAMONSTEIN, BEVERLY HICKS				
Diamonstein, Beverly Hicks; recording sorrow upon death. (Patron–Simonds)	HR	823		2844
DIKOS, STELLA				
Dikos, Stella; recording sorrow upon death.				
Patron–Carr	HJR	533		2538
Patron–Hashmi	SJR	313		2945
DILLOW, DAVID EUGENE				
Dillow, David Eugene; recording sorrow upon death. (Patron–Hackworth)	SJR	395		2992
DISASTER				
Virginia Public Procurement Act; purchase of testing kits during a disaster caused by a communicable disease of public health threat, exemption. (Patron–Roem)	SB	1415	518	1030

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DISCRIMINATION				
Virginia Public Procurement Act; discrimination prohibited, military family owned businesses. (Patron–Feggans)	HB	2751	422	865
DISNEY, MARGARET HIGGINS				
Disney, Margaret Higgins; commending. (Patron–Earley)	HR	806		2835
DISTRICT COURTS				
Chief judges; Twelfth Judicial District General District Court and Twelfth Judicial District Juvenile and Domestic Relations District Court may designate one or more courtrooms of Colonial Heights courts in which civil or criminal cases whose proper, preferred, etc., venue is laid within Chesterfield County, memorandum of understanding. (Patron–Cherry)	HB	2599	292	656
District courts; audio recording or a transcript of recording proceedings. Patron–Carroll Foy	SB	965	509	1022
Eviction Diversion Pilot Program; name change, the Program may be implemented by any general district court, expiration repealed.				
Patron–McClure	HB	1623	476	945
Patron–Locke	SB	830	490	968
General district courts; increases jurisdictional limits. (Patron–Peake)	SB	1291	338	731
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Fair Oaks Elementary School; commending. (Patron–McQuinn)	HR	734		2798
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Patron–Salim	SB	1011	406	850
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Federation of Kerala Associations in North America; commending.				
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Feingold, Kate G. Doyle; commending.				
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Firearm safety device tax credit; defines commercial retailer, redefines an "eligible transaction," etc., provisions shall apply to taxable years beginning on and after January 1, 2025. (Patron–Singh)	HB	2595	289	655
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Southwest Virginia Higher Education Center Board of Trustees; authority to permit campus security officers to carry firearms in performance of official duties, employment of qualified personnel, officer not prohibited by law from carrying a firearm, etc.				
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First Baptist Church of Petersburg; commemorating its 250th anniversary.				
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First Landing 1607 Project; commending. (Patron–Wyatt)	HR	858		2860
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First Lynnhaven Baptist Church; commemorating its 154th anniversary.				
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First Presbyterian Church of Virginia Beach; commending. (Patron–Tata)	HR	620		2744
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Foster care; State Board of Social Services directed to amend regulations, application for and use of benefits. (Patron–Glass)	HB	2457	568	1127
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Patron–Mundon King	HB 2446	700	1574
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Patron–Aird	SB 1418	706	1629
Pregnancy mobile application; Department of Medical Assistance Services shall partner with mobile pregnancy application to promote awareness of state government maternal and infant health programs and information available to prenatal, etc., individuals who are enrolled in Medicaid. (Patron–LeVere Bolling)	HB 1929	696	1565
Pregnant qualified individuals; Virginia Health Benefit Exchange to establish special enrollment period. (Patron–Shin)	HB 2083	528	1046
Prescribed pediatric extended care centers; licensure, regulation, criminal history record information, delayed effective date. (Patron–McQuinn)	HB 2198	451	897
Prescription drug price transparency; pharmacy services administrative organizations to submit information on reimbursement rates and fees to nonprofit data services organization. (Patron–Sickles)	HB 2375	269	595
Prescription Monitoring Program; overdose information. (Patron–Willett)	HB 1902	487	966
Rainwater harvesting systems, certain; local ordinances for use. (Patron–Diggs)	SB 851	358	783
Rapid whole genome sequencing; state plan for medical assistance services.			
Patron–Willett	HB 1900	147	279
Patron–Jordan	SB 1461	157	303
Remote patient monitoring; Department of Medical Assistance Services to develop a plan and estimate costs for expanding eligibility criteria under Medicaid for individuals with chronic conditions, report. (Patron–Favola)	SB 843	506	1016
Research and Clinical Trial Cancer Consortium Initiative; established, report.			
Patron–Aird	SB 1379	630	1296
Sexual assault patients; services, provision of information, repeals statute establishing Task Force on Services for Survivors of Sexual Assault, report.			
Patron–Delaney	HB 1731	480	955
Patron–Boysko	SB 1005	491	969
State pharmacy benefits manager; Department of Medical Assistance Services shall select and contract with a single third-party administrator to serve as manager.			
Patron–Callsen	HB 2610	701	1575
Patron–Rouse	SB 875	704	1621
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Veterans; Board of Health to provide a copy of vital records to Department of Veterans Services upon request. (Patron–Laufer)	HB	2748	315	680
Virginia Public Procurement Act; purchase of testing kits during a disaster caused by a communicable disease of public health threat, exemption. (Patron–Roem)	SB	1415	518	1030
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Patron–Reeves	SB	1408	631	1297
Women's Menstrual Health Program; established, information collection, provision of education and resources. (Patron–LeVere Bolling)	HB	1918	694	1563
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Patron–Shin	HB	2085	236	491
Patron–Head	SB	925	242	526
Health insurance; carrier contracts, required provisions regarding prior authorization for health care services, definitions, carrier shall not delay a claim for failure to obtain prior authorization, etc., report.				
Patron–Maldonado	HB	2099	58	90
Patron–Pekarsky	SB	1215	68	125
Health insurance; cost sharing for breast examinations, certain policies, contracts, etc., renewed on or after January 1, 2026.				
Patron–Simonds	HB	1828	485	964
Patron–Perry	SB	1436	496	983
Health insurance; coverage for mental health and substance abuse disorders, definitions, generally accepted standards of care. (Patron–Sickles)	HB	2738	314	677
Health insurance; electronic prior authorization, report. (Patron–Fowler)	HB	2525	284	649
Health insurance; pharmacy benefits managers, definition of "covered entity."				
Patron–Sickles	HB	2392	413	858
Patron–McPike	SB	1311	429	872
Health insurance; reimbursement for services rendered by a licensed certified midwife or licensed midwife, payment for service provided, subscription contract, etc.				
Patron–Ward	HB	1923	695	1564
Health insurance; updates current mandated requirement for health care coverage companies, etc., for prostate cancer screenings, provisions shall apply only to contracts, policies, etc., issued for delivery, or renewed on or after January 1, 2026.				
Patron–Austin	HB	2097	237	495
Patron–McPike	SB	1314	246	536
Medical assistance services and health insurance; state payment plan for pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome. (Patron–Hope)	HB	1641	8	9
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Hickory Hill School; commending. (Patron–Hashmi)	SJR 312		2944
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Hicks, Oscar Cleveland; commemorating his life and legacy.			
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High School diploma seal of biliteracy; designation as high-demand industry workforce credential for certain purposes. (Patron–Wilt)	HB 2360	662	1420
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Public middle and high schools; student athletes, pre-participation physical examination required. (Patron–Pekarsky)	SB 1030	514	1027
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Higher educational institutions, public; Department of Social Services to provide SNAP eligibility, applications, and participation, guidance, resources, and education.			
Patron–Roem	SB 1018	426	868
Intercollegiate athletics program coaches; Mental Health First Aid or similar training required within one year of the commencement of coach's duties. (Patron–Webert)	HB 2420	272	598
Southwest Virginia Higher Education Center Board of Trustees; authority to permit campus security officers to carry firearms in performance of official duties, employment of qualified personnel, officer not prohibited by law from carrying a firearm, etc.			
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Commissioner of Highways; prequalification program for self-bonding program, removes certain reports. (Patron–Marsden)	SB	1340	46	73
Commonwealth Rail Fund; Department of Rail and Public Transportation may use up to 50 percent of its share of the moneys in the fund for the Shortline Railway Preservation and Development Fund.				
Patron–Runion	HB	1603	4	3
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Patron–Hackworth	SB	1428	387	822
Eminent domain; condemnation proceedings, repeals requirement that court refer a matter initiating a condemnation proceeding to a dispute resolution orientation, certain provisions apply only to offers made to take or damage property that are made on or after January 1, 2026. (Patron–Obenshain)	SB	1158	617	1274
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Surry County; Department of Transportation to study need and options for constructing a bridge to James City County or Charles City County. (Patron–Aird)	SJR	263		2881
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Ehlers-Danlos Syndromes Awareness Month; designating as May 2025 and each succeeding year thereafter. (Patron–Perry)	SJR	254		2877
Election Worker Appreciation Day; designating as Tuesday after 2025 November General Election and each succeeding year thereafter. (Patron–Green)	HJR	500		2520
Emergency Management Professionals Week; designating as the first full week of June 2025 and each succeeding year thereafter. (Patron–Bloxom)	HJR	507		2523
Guam History and Chamorro Heritage Day; designating as first Monday in March 2025 and each succeeding year thereafter. (Patron–Feggans)	HJR	435		2494
Krabbe Disease Awareness Day; designating as February 28, 2025, and each succeeding year thereafter. (Patron–Green)	HJR	499		2520

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Virginia Private College Week; designating as week of July 13, 2025, and third week of July each succeeding year thereafter. (Patron–Bagby)	SJR	264		2881
Women Veterans Day; designating as June 12, 2025, and each succeeding year thereafter. (Patron–Carroll Foy)	SJR	250		2874
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Hollin Hills; commemorating its 75th anniversary. (Patron–Surovell)	SJR	407		2999
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Hollin Meadows Elementary School; commemorating its 60th anniversary.				
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Students in local school division who receive home instruction; Superintendent of Public Instruction to include in a memo an explanation of certain legal obligations, etc. (Patron–Scott, P.A.)	HB	2598	291	656
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Hospitals; reports of threats or acts of violence against health care providers, workplace violence incident reporting system, send Department of Health a report on an annual basis on all reported incidents, etc., report.				
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Patron–Locke	SB	1460	633	1299
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Huxman, Susan Schultz; commending. (Patron–Wilt)	HJR	754		2659
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Virginia Community Flood Preparedness Fund; loan and grant program, eligible recipients, federally recognized tribes and Virginia recognized tribes.				
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Patron–Marsden	SB	1335	542	1081
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Women, Infants, and Children (WIC) applications; Department of Health to provide information, resources, and education to food banks regarding providing assistance to individuals completing an application. (Patron–Roem)	SB	1019	513	1026
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Information Technology-Information Sharing Analysis Center; commemorating its 25th anniversary. (Patron–Maldonado)	HR	758		2811

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Patron–Surovell	SB	850	599	1191
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Institute of Chartered Accountants of India, Washington D.C. Chapter; commending. (Patron–Srinivasan)	SR	314		3090
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Christopher Newport University Board of Visitors; reduces minimum number of required annual meetings.				
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Patron–Diggs	SB	771	62	106
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Patron–Lucas	SB	1121	44	68
Higher Education for Virginia, State Council of; Council shall evaluate and make recommendations on certain activities and programs offered by private and out-of-state postsecondary institutions, etc., report. (Patron–Bennett-Parker)	HB	1995	226	466
Higher Education for Virginia, State Council of; renaming Director as Executive Director. (Patron–Sewell)	HB	1878	144	265
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Patron–Hodges	HB	2452	275	613
Higher educational institutions, public; Department of Social Services to provide SNAP eligibility, applications, and participation, guidance, resources, and education.				
Patron–Roem	SB	1018	426	868
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Patron–Cousins	HB	2240	411	857
Patron–Roem	SB	1016	425	868
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Intercollegiate athletics program coaches; Mental Health First Aid or similar training required within one year of the commencement of coach's duties. (Patron–Webert)	HB	2420	272	598
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Patron–Obenshain	SB	1142	219	450
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Patron–Mundon King	HJR	721		2641
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Patron–Rasoul	HB	2548	462	927
Patron–Favola	SB	953	465	929
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Shenandoah University; commemorating its 150th anniversary. (Patron–Wiley)	HJR 465		2502
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Patron–Pillion	SB 1368	113	213
Student and campus safety; training in opioid antagonist administration for resident assistants required. (Patron–Bagby)	SB 1257	446	889
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Students from foreign countries; student exchange programs, tuition and fee waivers.			
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Patron–Aird	SB 1229	263	577
Tort actions; immunity of persons based on statements made at a Title IX hearing before the applicable tribunal or an institution of higher education. (Patron–Simon)	HB 1888	641	1389
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Virginia Military Survivors and Dependents Education Program; annual report on eligibility and usage required. (Patron–Roem)	SB 961	384	814
Virginia Military Survivors and Dependents Education Program; annual report on number of individuals who are qualified survivors and dependents and have been certified as eligible for participation in Program. (Patron–Askew)	HB 1694	371	799
Virginia National Guard State Tuition Assistance Program; changes to eligibility criteria, grant funds shall be disbursed to applicable institution, etc.			
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Patron–Hashmi	SB 1106	494	974
Virginia state militia; adds Randolph-Macon Academy to list of educational institutions of which officers shall be commissioned officers. (Patron–Reid)	HB 1740	139	257
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Health insurance; carrier contracts, required provisions regarding prior authorization for health care services, definitions, carrier shall not delay a claim for failure to obtain prior authorization, etc., report.			
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Patron–Pekarsky	SB 1215	68	125
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Patron–Simonds	HB 1828	485	964
Patron–Perry	SB 1436	496	983
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Patron–Ward	HB	1923	695	1564
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Judges; increases number in general district court in the Ninth and Thirty-first Judicial Districts and in juvenile and domestic relations district court in the Second Judicial District.				
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Retired or former law-enforcement officers; publication of personal information.				
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Patron–Pekarsky	SB	738	606	1197
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